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OF THE

THIRD SESSION

OF THE

SIXTY-FIFTH CONGRESS

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PROCEEDINGS AND DEBATES OF THE SIXTY-FIFTH CONGRESS THIRD SESSION.

SENATE.

MONDAY, *December 2, 1918.*

The first Monday of December being the day prescribed by the Constitution of the United States for the annual meeting of Congress, the third session of the Sixty-fifth Congress commenced this day.

The Senate assembled in its Chamber at the Capitol.

The VICE PRESIDENT (THOMAS R. MARSHALL, of Indiana) called the Senate to order at 12 o'clock noon.

PRAYER.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we have come to Thee at the opening of this session of the Senate amid the joy of a great Nation, with the acclaim of victory ringing through the hearts and over all the land. Thy mighty power has gotten us the victory. Thou hast led us into a large place. Thou hast brought us out into a vital relation with questions and issues of the world's life. Thou art using us as an evangel of peace and good will among all men. We pray Thy guidance that we may so discharge the duties of the office that has come to us in Thy providence as that the security and peace of the Nation may be perpetuated and the honor and glory of Thy name held above all other questions. Guide us in the discharge of these great duties this day and always. For Christ's sake. Amen.

SENATORS PRESENT.

The VICE PRESIDENT. Senators, the day designated by the Constitution of the United States and the hour fixed by custom for the convening of the Congress of the United States in annual session has now arrived. The Secretary will call the roll of Senators to ascertain if there be a quorum present.

The Secretary called the roll and the following Senators answered to their names:

Ashurst	Hale	Moses	Smith, Ariz.
Baird	Harding	Myers	Smith, Ga.
Bankhead	Henderson	Nelson	Smith, Md.
Beckham	Hitchcock	New	Smith, Mich.
Benet	Johnson, Cal.	Norris	Smith, S. C.
Borah	Jones, N. Mex.	Nugent	Smoot
Brandegee	Jones, Wash.	Overman	Spencer
Calder	Kellogg	Owen	Sterling
Chamberlain	Kendrick	Page	Sutherland
Colt	Kenyon	Penrose	Swanson
Culberson	King	Phelan	Thomas
Cummins	Kirby	Pittman	Thompson
Curtis	Knox	Poindexter	Townsend
Dillingham	La Follette	Pomerene	Trammell
Fernald	Lewis	Ransdell	Underwood
Fletcher	Lodge	Reed	Vardaman
France	McCumber	Saulsbury	Walsh
Frelinghuysen	McKellar	Shafroth	Warren
Gerry	McLean	Sheppard	Watson
Gore	Martin, Ky.	Sherman	Weeks
Gronna	Martin, Va.	Simmons	Wolcott

Mr. McKELLAR. The senior Senator from Tennessee [Mr. SHIELDS] is absent at his home on account of illness. I should like to have this announcement stand for the day.

Mr. SUTHERLAND. My colleague, the senior Senator from West Virginia [Mr. GOFF] is absent on account of illness.

The VICE PRESIDENT. Eighty-four Senators have answered to the roll call. There is a quorum present.

SENATORS FROM NEW JERSEY, SOUTH CAROLINA, AND LOUISIANA.

Mr. FRELINGHUYSEN. Mr. President, I send to the desk the credentials of Senator elect BAIRD, of New Jersey, and ask that they may be read.

The VICE PRESIDENT. The credentials will be read and placed on file.

The Secretary read the credentials, as follows:

A statement of the determination of the board of State canvassers relative to an election held in the State of New Jersey on the 5th day of November, in the year of our Lord 1918, for the election of a Senator to represent the State of New Jersey in the Senate of the United States.

The said board do determine that at the said election DAVID BAIRD was duly elected a Member of the Senate of the United States to fill the vacancy caused by the death of William Hughes.

I do certify that the foregoing is a true, full, and correct statement of the determination of the board of State canvassers therein mentioned.

In witness whereof I have hereunto set my hand this 26th day of November, 1918.

THOMAS F. MCCRAN,
Chairman of the Board of State Canvassers.

Attest:

THOMAS F. MARTIN, *Clerk.*

DEPARTMENT OF STATE.

I, Thomas F. Martin, secretary of state of the State of New Jersey, do hereby certify that the foregoing is a true copy of a statement of the determination of the board of State canvassers, as taken from and compared with the original filed in my office on the 26th day of November, A. D. 1918, and now remaining on file therein.

In testimony whereof I have hereunto set my hand and affixed my official seal at Trenton, this 26th day of November, A. D. 1918.

[SEAL.] THOS. F. MARTIN,
Secretary of State.

Mr. FRELINGHUYSEN. Senator elect BAIRD is present in the Chamber, and I ask that the oath be administered to him.

The VICE PRESIDENT. The Chair understands there are other credentials to be presented. They will be presented, and the Senators elect will be sworn in at one time, if there be no objection.

Mr. FRELINGHUYSEN. Very well.

Mr. SMITH of South Carolina. I present the credentials of Mr. POLLOCK, Senator elect from the State of South Carolina, and ask that they may be read.

The credentials were read and ordered to be placed on file, as follows:

STATE OF SOUTH CAROLINA,
EXECUTIVE CHAMBER,
Columbia, November 27, 1918.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 5th day of November, 1918, the Hon. WILLIAM PEGUES POLLOCK was duly chosen by the qualified electors of the State of South Carolina a Senator from said State to represent said State in the Senate of the United States for the unexpired term of the late Benjamin Ryan Tillman, ending the 3d day of March, 1919.

Witness: His excellency our governor, Richard I. Manning and our seal hereto affixed at Columbia, S. C., this 27th day of November in the year of our Lord 1918.

RICHARD I. MANNING,
Governor.

By the governor:
[SEAL.] W. BANKS DOVE,
Secretary of State.

Mr. SMITH of South Carolina. In accordance with the statement of the Chair, I will announce that Mr. POLLOCK is present and ready to be sworn with the other Senators elect.

Mr. RANSDELL. Mr. President, I present the credentials of EDWARD JAMES GAY, Senator elect from the State of Louisiana, and ask that they may be read.

The credentials were read and ordered to be placed on file, as follows:

STATE OF LOUISIANA,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 5th day of November, 1918, EDWARD JAMES GAY was duly chosen by the qualified electors of the State of Louisiana a Senator from said State to represent said State in the Senate of the United States for the unexpired term of the late Robert F. Broussard, ending on the 3d day of March, 1921.

Witness: His excellency our governor, Ruffin G. Pleasant, and our seal herein affixed, at Baton Rouge, this 26th day of November, A. D. 1918.

RUFFIN G. PLEASANT,
Governor.

By the governor:
[SEAL.] JAMES J. BAILEY,
Secretary of State.

Mr. RANSDELL. Senator elect GAY is in the Chamber and ready to be sworn in.

The VICE PRESIDENT. The Senators elect will present themselves at the desk, and the oath of office will be administered to them.

Mr. BAIRD, Mr. POLLOCK, and Mr. GAY were escorted to the Vice President's desk by Mr. FRELINGHUYSEN, Mr. SMITH of South Carolina, and Mr. RANSDELL, respectively, and the oath prescribed by law having been administered to them they took their seats in the Senate.

LIST OF SENATORS.

The list of Senators by States is as follows:

Alabama—John H. Bankhead and Oscar W. Underwood.
Arizona—Henry F. Ashurst and Marcus A. Smith.
Arkansas—Joseph T. Robinson and William F. Kirby.
California—James D. Phelan and Hiram W. Johnson.
Colorado—Charles S. Thomas and John F. Shafroth.
Connecticut—Frank B. Brandegee and George P. McLean.
Delaware—Willard Saulsbury and Josiah O. Wolcott.
Florida—Duncan U. Fletcher and Park Trammell.
Georgia—Hoke Smith and Thomas W. Hardwick.
Idaho—William E. Borah and John F. Nugent.
Illinois—Jas. Hamilton Lewis and Lawrence Y. Sherman.
Indiana—James E. Watson and Harry S. New.
Iowa—Albert B. Cummins and William S. Kenyon.
Kansas—William H. Thompson and Charles Curtis.
Kentucky—J. C. W. Beckham and George B. Martin.
Louisiana—Joseph E. Ransdell and Edward James Gay.
Maine—Bert M. Fernald and Frederick Hale.
Maryland—John Walter Smith and Joseph I. France.
Massachusetts—Henry Cabot Lodge and John W. Weeks.
Michigan—William Alden Smith and Charles E. Townsend.
Minnesota—Knute Nelson and Frank B. Kellogg.
Mississippi—John Sharp Williams and James K. Vardaman.
Missouri—James A. Reed and Selden P. Spencer.
Montana—Henry L. Myers and Thomas J. Walsh.
Nebraska—Gilbert M. Hitchcock and George W. Norris.
Nevada—Key Pittman and Charles B. Henderson.
New Hampshire—Henry F. Hollis and George H. Moses.
New Jersey—Joseph S. Frelinghuysen and David Baird.
New Mexico—Albert B. Fall and Andrieus A. Jones.
New York—James W. Wadsworth, jr., and William M. Calder.
North Carolina—F. M. Simmons and Lee S. Overman.
North Dakota—Porter J. McCumber and Asle J. Gronna.
Ohio—Atlee Pomerene and Warren G. Harding.
Oklahoma—Thomas P. Gore and Robert L. Owen.
Oregon—George E. Chamberlain and Charles L. McNary.
Pennsylvania—Boies Penrose and Philander C. Knox.
Rhode Island—LeBaron B. Colt and Peter G. Gerry.
South Carolina—Ellison D. Smith and William P. Pollock.
South Dakota—Thomas Sterling and Edwin S. Johnson.
Tennessee—John K. Shields and Kenneth D. McKellar.
Texas—Charles A. Culberson and Morris Sheppard.
Utah—Reed Smoot and William H. King.
Vermont—William P. Dillingham and Carroll S. Page.
Virginia—Thomas S. Martin and Claude A. Swanson.
Washington—Wesley L. Jones and Miles Poindexter.
West Virginia—Nathan Goff and Howard Sutherland.
Wisconsin—Robert M. La Follette and Irvine L. Lenroot.
Wyoming—Francis E. Warren and John B. Kendrick.

SENATOR FROM DELAWARE.

The VICE PRESIDENT. The Chair lays before the Senate the certificate of the governor of Delaware certifying to the election of LEWIS HEISLER BALL for the term beginning March 4 next. The credentials will be inserted in the RECORD and placed on file.

The credentials are as follows:

By authority of the State of Delaware.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

Be it known an election was held in the State of Delaware on Tuesday, the 5th day of November, in the year of our Lord 1918, that being the Tuesday next after the first Monday in said month, in pursuance of the Constitution of the United States and the laws of the State of Delaware, in that behalf, for the election of a Senator for the people of the said State in the Senate of the United States.

Whereas the official certificates of returns of the said election held in the several counties of the said State, in due manner made out, signed, and executed, have been delivered to me according to the laws of the said State by the superior court of the said counties, and having examined said returns and enumerated and ascertained the number of votes for each and every candidate or person voted for for such Senator I have found LEWIS HEISLER BALL to be the person highest in vote, and therefore duly elected Senator of and for the said State in the Senate of the United States for the constitutional term to commence on the 4th day of March, in the year of our Lord 1919.

I, John G. Townsend, jr., governor, do, therefore, according to the form of the act of the General Assembly of the said State and of the act of Congress of the United States in such case made and provided, declare the said LEWIS HEISLER BALL the person highest in vote at the election aforesaid and therefore duly and legally elected Senator of and for the said State of Delaware in the Senate of the United States for the constitutional term to commence on the 4th day of March in the year of our Lord 1919.

Given under my hand and the great seal of the said State in obedience to the said act of the general assembly and of the said act of Congress at Dover, the 18th day of November, in the year of our Lord 1918 and in the year of the independence of the United States of America the one hundred and forty-third.

JOHN G. TOWNSEND, Jr.

By the governor:
[SEAL.]

EVERETT C. JOHNSON,
Secretary of State.

SENATOR FROM MINNESOTA.

Mr. KELLOGG. Mr. President, I present the credentials of Senator KNUTE NELSON and ask that they be read.

The credentials were read and ordered to be placed on file, as follows:

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 5th day of November, 1918, KNUTE NELSON was duly chosen by the qualified electors of the State of Minnesota a Senator from the said State to represent said State in the Senate of the United States for the term of six years beginning on the 4th day of March, 1919.

Witness: His excellency our governor, J. A. A. Burnquist, and our seal hereto affixed at St. Paul, this 26th day of November, in the year of our Lord 1918.

J. A. A. BURNQUIST,
Governor.

By the governor:
[SEAL.]

JULIUS A. SCHMAHL,
Secretary of State.

NOTIFICATION TO THE HOUSE.

Mr. MARTIN of Virginia submitted the following resolution (S. Res. 355), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

NOTIFICATION TO THE PRESIDENT.

Mr. MARTIN of Virginia submitted the following resolution (S. Res. 356), which was read, considered by unanimous consent, and agreed to:

Resolved, That a committee consisting of two Senators be appointed to join such a committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that Congress is ready to receive any communication he may be pleased to make.

The VICE PRESIDENT appointed Mr. MARTIN of Virginia and Mr. LODGE as the committee under the resolution.

HOUR OF DAILY MEETING.

Mr. MARTIN of Virginia submitted the following resolution (S. Res. 357), which was read, considered by unanimous consent, and agreed to:

Resolved, That the hour of daily meeting of the Senate be 12 o'clock meridian until otherwise ordered.

COMMITTEE SERVICE.

On motion of Mr. MARTIN of Virginia, it was

Ordered, That the Senator from South Carolina [Mr. POLLOCK] be assigned to the chairmanship of the Committee on National Banks, and that the Senator from Louisiana [Mr. GAY] be assigned to the chairmanship of the Committee on Coast and Insular Survey.

On motion of Mr. WARREN, it was

Ordered, That the Senator from Missouri [Mr. SPENCER] be assigned to membership on the Committee on Canadian Relations, the Committee on Expenditures in the Department of Justice, and the Committee on Indian Affairs.

STATUE OF FREEDOM.

The VICE PRESIDENT. Senators, my attention has been called to an historic event occurring 55 years ago at 12 o'clock meridian of December 2, which I deem of sufficient moment to recall to your memory.

At that hour the bronze Statue of Freedom which surmounts the Dome of the Capitol was raised to its present position. It was the work of and cast at the foundry of Clark Mills on the Bladensburg Road, about 3 miles from the Capitol. The plaster model was by Thomas Crawford and is now in the National Museum.

This statue was erected in the midst of a Civil War, in moments of doubt and uncertainty. Calm and implacable it looked out over the Capital City and over the war-ravished fields of the adjacent territory. It seemed to be a promise that out of the awful tumult should come the eternal calm of freedom to the Republic. It stood with equal fortitude and confidence when the Republic took arms in the defense of stricken Cuba. To-day, when all of us are wondering what is to come as the aftermath of the world's war to the freedom of America and the freedom of the world, let us be reassured that while this statue stands freedom for us will be safe though all the tempests of evil and unlawful purposes may beat with fury round its base.

UPBUILDING OF MERCHANT MARINE.

Mr. PENROSE. Mr. President, is morning business in order?

The VICE PRESIDENT. The Chair has always felt that, except as to such business as is exclusively within the jurisdiction of the Senate, no business is in order until the Congress of the United States is regularly in session.

Mr. PENROSE. Would it be in order to present a resolution? It does not matter if it is not in order at this time.

The VICE PRESIDENT. The Chair does not know whether the resolution would be in order or not. What is its purport?

Mr. PENROSE. What is in order now?

The VICE PRESIDENT. Everything that has to do with the Senate of the United States and not with the Congress of the United States.

Mr. PENROSE. This is a resolution for the Senate. If there is no objection, I will present a resolution adopted by the Philadelphia Bourse favoring the upbuilding of the United States merchant marine. I ask that it be referred to the Committee on Commerce.

The VICE PRESIDENT. It will be so referred.

THE PRESIDENT'S TRIP TO EUROPE.

Mr. SHERMAN. Mr. President, I wish to present from the New York Times of December 2, 1918, and to have read from the desk by the Secretary the part I have marked. It shows the preparations for the trip abroad of the President, the employment of 50 cooks and confectioners, a chef from the Biltmore Hotel, and an orchestra of many pieces, consisting of both wind and string instruments. Proper eclat will be provided, according to this news report, to impress the crowned heads abroad. I should like to ask, Mr. President, that the article be read.

The VICE PRESIDENT. Is there objection?

Mr. PHELAN. I object, Mr. President.

The VICE PRESIDENT. The question is, Shall the article be read?

Mr. SMITH of Arizona. I raise a question of order. The Chair, in my judgment, after giving some consideration to the question, has no right to put the motion as to whether or not anything shall be printed after objection has been made or a request has been made for unanimous consent. The motion should come from the floor of the Senate, in my judgment. That objection met me in my effort to protect the CONGRESSIONAL RECORD from statements which I thought were unnecessary.

Mr. GRONNA. Mr. President, may I call the Senator's attention——

Mr. SMITH of Arizona. I raise the point of order that such a motion must come from the proponent of the request or from some other Senator and not be put by the Chair.

Mr. GRONNA. May I correct the Senator? The question is not whether the article shall be printed. The question is, Shall this article which has been sent to the desk by the Senator from Illinois [Mr. SHERMAN] be read?

Mr. SMITH of Arizona. It is just the same thing. If it is read, it will be printed in the RECORD.

Mr. GRONNA. It is not the same thing.

Mr. SMITH of Arizona. It is exactly the same thing.

Mr. SHERMAN. Mr. President, I will make the motion for the reading of the article, if there is any question about the parliamentary situation.

The VICE PRESIDENT. It is the rule that when the reading of any paper is called for and objected to the question shall be determined by a vote of the Senate without debate. The rule is perfectly plain.

Mr. GRONNA. Regular order, Mr. President.

The VICE PRESIDENT. All in favor of the request of the Senator from Illinois will say "aye." [A pause.] Those opposed "no." [A pause.] The "ayes" seem to have it. The "ayes" have it, and the Secretary will read as requested.

Mr. PHELAN. I ask for a division, Mr. President.

The VICE PRESIDENT. All in favor of the reading of the article will rise. [A pause.] Those opposed will rise.

Mr. PENROSE. The motion was declared carried.

The VICE PRESIDENT. Well, it is carried again. The Secretary will read as requested.

The Secretary read the article, as follows:

TRANSPORT READY FOR THE PRESIDENT—SPECIAL CHEF AND STAFF OF WAITERS AND KITCHEN HELPERS DRAFTED FROM BILTMORE—EVERY COMFORT PROVIDED—ORCHESTRA TO PLAY DURING MEALS AND NAVY YARD BAND FOR DECK MUSIC TO MAKE THE TRIP TO BREST.

Through arrangements that are being made by naval officers, under orders of Admiral Gleaves, President Wilson and his guests, including M. Jusserand, the French ambassador, will have every comfort possible on the trip of the transport *George Washington* to Brest, which will begin late to-morrow or early Wednesday.

The naval cooks, who provide for the wardroom of the officers as well as the crew, will not be required to cater to the presidential party, quartered on the promenade decks. Louis Ceres, the chef at the Hotel Biltmore, with his staff and a crew of waiters, will board the *George Washington* to-day at Hoboken and make the kitchen, pantry, and dining rooms ready for the guests when they go on board to-morrow. The catering will be under the direction of J. J. Menotti, a restaurant manager at the Biltmore. He will have 50 cooks, confectioners, bakers, waiters, and so on with him.

It is expected that the peace delegates and the other guests will board the *George Washington* at Pier 4, Hoboken, on Tuesday before 3 o'clock, at which hour she will steam out to Gravesend Bay and anchor to await the arrival of President Wilson. The battleship *Pennsylvania*, flying the flag of Admiral Henry T. Mayo, commander of the American fleet, will steam from the Brooklyn Navy Yard to meet the *George Washington*, with an escort of five of the latest and fastest destroyers, which are said to be capable of steaming 40 knots.

During the afternoon yesterday several officers belonging to the Army and Navy, with their friends, who had obtained special passes from the Navy Department, visited the transport and inspected the suites and cabins on C deck, which are to be occupied by the President and Mrs. Wilson and the guests. An orchestra will go along to play during luncheon and dinner, and the brass band from the navy yard will play on deck and when the *George Washington* enters the harbor of Brest, which is expected to be on December 11 or 12, depending upon the time she leaves New York.

NOTIFICATION TO THE PRESIDENT.

Mr. MARTIN of Virginia and Mr. LODGE, the committee on the part of the Senate appointed to wait on the President of the United States, appeared, and

Mr. MARTIN of Virginia said: Mr. President, the committee appointed to act with a like committee on the part of the House of Representatives to wait upon the President of the United States, to inform him of the organization of the two Houses of Congress and to receive information from him as to any communication he may desire to make, have performed that duty and beg leave to report that the President has expressed his purpose, by the consent of both Houses, to communicate to them in joint session in the Hall of the House of Representatives on to-day, at 1 o'clock p. m.

COMMITTEE TO ATTEND PEACE CONFERENCE.

Mr. CUMMINS. Mr. President, I submit a resolution, which I ask to have read and then referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE PRESIDENT. The Secretary will read the resolution.

The resolution (S. Res. 358) was read, as follows:

Whereas the peace conference about to assemble in Paris will involve not only a settlement of the issues between the United States and her enemies in the existing war, but will include in its consideration proposed treaties with practically all the civilized nations of the earth; and

Whereas the subjects for disposition are the most comprehensive, far-reaching, and vital ever submitted to the treaty-making powers of the world; and

Whereas no treaty can be entered into by the United States without the consent of the Senate; and

Whereas the President is to conduct the negotiations at Paris in person; and

Whereas it is supremely important that the Senate be promptly, fully, and accurately informed of all the facts which may be pertinent to the proposed readjustment in the affairs of the various powers concerned in these treaties and of all the reasons which may be urged for and against the proposed compacts while the negotiations therefor are in progress. It is therefore

Resolved by the Senate of the United States, That there be created a committee, to be composed of eight Senators, one-half from the majority and one-half from the minority, which shall be charged with the duty of proceeding to Paris at the proper time, in order to be there present during the said peace conference.

The committee shall diligently inquire with respect to all the facts pertaining to or material for the future consideration of the proposed treaties by the Senate, and make itself familiar with all the conditions and circumstances surrounding the subject and all the reasons which may exist for and against the action to be taken. It shall report to the Senate upon all such matters as often as it may deem it advisable to do so, and it shall make a final report at or before the time that the treaties growing out of the conference are laid before the Senate for approval, rejection, or modification.

The committee shall be chosen in the manner provided in the rules of the Senate for the selection of its standing committees.

It is authorized to employ such secretaries, clerks, stenographers, and messengers as it may deem necessary for the discharge of the duties herein imposed upon it.

All the expenses incident to its work in the United States and Europe shall be paid from the contingent fund of the Senate upon the certificate of the Senator who shall be chosen chairman of the committee.

Mr. HITCHCOCK. Mr. President, I wish to suggest to the proposer of this resolution that it is customary to send such resolutions first to a committee to consider the resolution upon its merits, and after that to have it referred to the Committee to Audit and Control the Contingent Expenses of the Senate. I think that if the Senator would request that the resolution first go to the Committee on Foreign Relations it would be more in accordance with the usual practice.

Mr. CUMMINS. Mr. President, I do not so understand the practice of the Senate. The law imperatively requires the reference of a resolution of this character to the Committee to Audit and Control the Contingent Expenses of the Senate. It can not even be considered by the Senate until a report from that committee is had. I have no objection whatever to a reference at the proper time to the Committee on Foreign Relations; indeed, I expect that it will be referred to that committee for consideration; and I submit to the Chair, and will be entirely satisfied with whatever ruling the Chair may make, the question as to which committee should first consider the resolution. I may remark that I intend to press it with all the energy I have and at every convenient opportunity, and all I ask from either committee is prompt consideration and report.

Mr. HITCHCOCK. I make the suggestion, Mr. President, from my memory of the practice of the Senate. It seems much

more reasonable to me that the committee that passes upon the merits of the question should first consider the resolution, and then, after that committee has affirmatively passed upon the resolution, that it should go to the Committee to Audit and Control the Contingent Expenses of the Senate, which will merely consider the question of expense.

Mr. CUMMINS. I have never, Mr. President, been quite sure with regard to the scope of the jurisdiction of the Committee to Audit and Control the Contingent Expenses of the Senate. I assume that it may pass upon the merits of a resolution; I know nothing of a rule to the contrary; but whatever the Chair may rule upon the subject, with that I will be content, because I have no disposition to exclude either the Committee to Audit and Control the Contingent Expenses of the Senate or the Committee on Foreign Relations. I want the judgment of both.

Mr. SHAFROTH. Mr. President, I was a member of the Committee to Audit and Control the Contingent Expenses of the Senate for a number of years, and the rule which we followed at that time was always to treat a resolution not upon its merits, but as a matter that should be passed upon after the merits had been determined by the proper committee. It can readily be seen that that is quite natural, because expenditures ought not to be authorized until it is determined that they are necessary. It seems to me, therefore, that the resolution should be referred first to the Committee on Foreign Relations before the Committee to Audit and Control the Contingent Expenses of the Senate is asked to pass upon it.

Mr. CUMMINS. Mr. President, I may answer that by saying that, if the Committee on Foreign Relations shall vote that this inquiry is necessary, it would seem to me that the action of the Committee to Audit and Control the Contingent Expenses of the Senate would be merely perfunctory, because I assume that it would be quite willing to do whatever is necessary to be done.

Mr. SMOOT. Mr. President, the law specifically says that whenever a resolution is offered in the Senate incurring expenses to be paid out of the contingent fund of the Senate, it must be referred to the Committee to Audit and Control the Contingent Expenses of the Senate. It is mandatory; it is not a rule of the body; it is the law; and it has been the practice of the Senate to do so. After that committee decides as to whether the amount of money that will be required to make the investigation, if it is an investigation that is proposed, can be paid out of the contingent fund of the Senate, then the Senate can decide as to whether they want to proceed with it on the report of the committee or send it to another committee, and in this case it would be to the Committee on Foreign Relations—not necessarily, of course, but that, in all probability, is the committee to which it would be sent. What the Committee to Audit and Control the Contingent Expenses of the Senate decide is whether the expenditures involved shall be or can be paid from the contingent fund of the Senate. In my opinion, that is the committee to which the resolution should first be referred.

The VICE PRESIDENT. This is the law:

> Hereafter no payment shall be made from the contingent fund of the Senate unless sanctioned by the Committee to Audit and Control the Contingent Expenses of the Senate, or from the contingent fund of the House of Representatives unless sanctioned by the Committee on Accounts of the House of Representatives.

It is not that a resolution shall first be referred to the Committee to Audit and Control the Contingent Expenses of the Senate, but that no payment shall be made until it has been sanctioned by the Committee to Audit and Control the Contingent Expenses of the Senate.

The Chair has uniformly adopted the rule of referring resolutions which call for the expenditure of money to the Committee to Audit and Control the Contingent Expenses of the Senate; but the Chair does not believe that that prevents a motion being made from the floor to refer a resolution first to another committee. Unless the motion be made from the floor to refer the resolution to the Committee on Foreign Relations, the Chair refers it to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. LODGE. Mr. President, I think the practice of the Senate has, as a rule, been that described by the Chair, as to the soundness of whose ruling I have no question. The Committee to Audit and Control the Contingent Expenses of the Senate is to determine the question of the expenditure of the money when the Senate reaches the point of asking for the money for a given purpose; but that may come at any time. I have always felt that where the Committee to Audit and Control the Contingent Expenses of the Senate undertook to go into the merits of a case, as they have done in more than one instance, it was a usurpation; that their sole duty is to say whether the money is in the contingent fund and whether, in their judgment, the fund will permit its expenditure. The merits belong to the committee having charge of the subject and to the Senate itself.

Mr. BRANDEGEE. Mr. President, will the Senator permit an interruption at that point?

Mr. LODGE. Certainly.

Mr. BRANDEGEE. I suggest to the Senator from Massachusetts that that is the logic of the situation, because if the Committee on Foreign Relations should disapprove the resolution there would be no reason for sending it to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. LODGE. Exactly.

Mr. HITCHCOCK. Then I move that the resolution be referred to the Committee on Foreign Relations.

Mr. JONES of New Mexico. Mr. President, I trust that the Senate will not pass upon this motion in a perfunctory manner. Heretofore I have called to the attention of the Senate this question of procedure. As a member of the Committee to Audit and Control the Contingent Expenses of the Senate, in the summer of last year I called the attention of the Senate to a resolution which was then introduced directing an investigation of a strike upon the railways of this city. I thought at that time that some committee of this body should consider whether or not the investigation should be made. At that time the Committee to Audit and Control the Contingent Expenses of the Senate made a report upon the resolution, recommending that the resolution be referred to the Committee on the District of Columbia.

The Senate did not act favorably upon that recommendation. The result was that no committee of the Senate considered the propriety or advisability of having the investigation made. From that time down to the present there have been a large number of resolutions directing investigations to be made. They have been referred to the Committee to Audit and Control the Contingent Expenses of the Senate, and on some occasions I have insisted that that committee, in view of the previous action of the Senate, should consider the question as to whether or not the investigation should be made, but objection has been invariably made by Members of this body. Just a few weeks ago, as the Senate will remember, in connection with a proposed investigation of an explosion in the State of New Jersey, I stated to this body that the Senator who submitted the resolution objected to the Committee to Audit and Control the Contingent Expenses of the Senate making any examination of the question as to whether or not an investigation should be made. So it has been the practice since I have been in this body that no investigation has been made by any committee of the advisability of the adoption of such resolutions as this.

I believe it must be apparent to all Senators that a resolution of this importance, and, in fact, a resolution authorizing the investigation of any subject, should be passed upon by some committee of this body, so that we may know that there is merit behind the resolution. I do not intend to enter into the question of the merits of this resolution. It may be meritorious. It may be that there is an urgent need for this information to be obtained; but I do want to insist that some committee of this body shall pass upon this question.

Heretofore the Committee to Audit and Control the Contingent Expenses of the Senate has not done it. I do not believe that the resolution should be referred to that committee for the purpose of making a merely perfunctory report, a pro forma report. This body has invariably acted upon such reports from that committee without further investigation. It is my judgment that this resolution should go first to the Committee on Foreign Relations; and if that committee, after investigation, believes that the work should be done, then it should be referred to the Committee to Audit and Control the Contingent Expenses of the Senate, to see whether or not the funds at the disposal of the Senate will justify the expense.

I hope that the Senators will consider this matter in a serious way, and at this time adopt a procedure which will be right and will meet the well-considered views of the Senate for the future.

Mr. KELLOGG. Mr. President, before saying a few words as to the committee to which the resolution should be referred, I wish to take the first opportunity to say, as one Republican, that I am not in favor of the resolution and shall oppose it on the merits. It does seem to me, however, that a resolution so vitally affecting our relations with foreign governments should not first be passed upon by a mere auditing committee, but should go to the Committee on Foreign Relations, where I hope it will be killed.

Mr. CUMMINS. Mr. President, I hope that every friend of the resolution, at least, will vote to refer it to the Committee on Foreign Relations. I would much rather have it considered by that committee in the first instance than by the Committee to Audit and Control the Contingent Expenses of the Senate. I only suggested the reference to the Committee on Contingent Expenses because I was under the impression, confirmed by the practice that had been pursued, that all such resolutions must be referred in the first instance to that committee.

I therefore make no objection whatever to the motion of the Senator from Nebraska and hope that it may be adopted.

Mr. PITTMAN. Mr. President, without expressing any opinion for or against the resolution introduced by the Senator from Iowa [Mr. CUMMINS], it has occurred to me that no committee so small from this body would have any influence with the Senate if it should be appointed, go to Paris, return, and report. The impressions received by eight Members of this body and the conclusions they might draw from their observations in Paris would hardly satisfy the other Members of the Senate; and the report, while it might give cause for debate, would not, in my opinion, facilitate action on the part of this body.

Therefore, in order that the matter may be considered by whatever committee the resolution is referred to, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The Senator from Nevada proposes an amendment to the resolution, which will be stated.

The SECRETARY. It is proposed to strike out the word "eight" and insert "ninety-six."

Mr. SMOOT. Mr. President, I wish to read the law to which I referred just a moment ago. As I stated, the practice has been to send all such resolutions to the Committee to Audit and Control the Contingent Expenses of the Senate. The law reads as follows:

> Hereafter no payment shall be made from the contingent fund of the Senate unless sanctioned by the Committee to Audit and Control the Contingent Expenses of the Senate, or from the contingent fund of the House of Representatives unless sanctioned by the Committee on Accounts of the House of Representatives. And hereafter payments made upon vouchers approved by the aforesaid respective committees shall be deemed, held, and taken, and are hereby declared to be conclusive upon all the departments and officers of the Government—

And so forth. Of course, it has been held in the past, and it has been the practice of the Senate, and was thrashed out in this body when the resolution to investigate the street railways of the District of Columbia was under consideration. I made the statement that I did upon the basis of the precedents of the Senate.

Mr. WALSH. Mr. President, when this subject was comparatively new to the present occupant of the chair, the Chair ruled that the proper practice was to refer the matter first to the Committee to Audit and Control the Contingent Expenses of the Senate, but upon further consideration the Vice President said as follows. I read from volume 2 of the Precedents, page 127:

> The VICE PRESIDENT (Mr. MARSHALL). The Chair thinks that the Chair was not properly advised as to the statute of the United States the other day in referring the above-noted resolution to the Committee to Audit and Control the Contingent Expenses of the Senate. The Chair believes now that the statute simply provides that money shall not be paid out of the contingent fund of the Senate until the payment has met with the approval of the Committee to Audit and Control the Contingent Expenses of the Senate. So, if any committee proceeds to make expenditures without the consent of that committee it is taking a chance that the money will never be paid.
>
> The Chair is very glad to reverse his ruling and to refer the resolution to the Committee on Education and Labor, with the view that if reported from the Committee on Education and Labor it shall subsequently be referred to the Committee to Audit and Control the Contingent Expenses of the Senate, in order that there may be no complication with reference thereto.

And then the venerable and lamented late Senator Gallinger, who was perhaps as well advised about the rules of the Senate as any Member thereof, said:

> Mr. GALLINGER. Mr. President, on this point I will venture merely to suggest that in the past that procedure has frequently been followed; the resolution had been referred to the committee having control of the subject matter, and subsequently it would necessarily, under the law, be sent to the Committee to Audit and Control the Contingent Expenses of the Senate.
>
> The VICE PRESIDENT. The Chair was trying to explain the ruling he made the other day under a misapprehension as to the terms of the statute.

I read this in view of the statement, quite positively made, that the uniform practice has been otherwise.

The VICE PRESIDENT. The Chair thinks he has ruled this morning in accordance with the statement read by the Senator from Montana.

Mr. WALSH. Quite so.

The VICE PRESIDENT. The question is on the motion of the Senator from Nebraska [Mr. HITCHCOCK] that the resolution be referred to the Committee on Foreign Relations.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

Mr. South, the Chief Clerk of the House of Representatives, appeared and delivered the following message:

Mr. President, I am directed by the House of Representatives to inform the Senate that a quorum of the House of Representatives has appeared, and that the House is ready to proceed to business.

Also, that a committee of three Members were appointed by the Speaker on the part of the House to join the committee on the part of the Senate to wait upon the President and inform him that a quorum of the two Houses has assembled and that Congress is ready to receive any communication he may have to make, and that Mr. KITCHIN, Mr. SHERLEY, and Mr. MANN were appointed as a committee on the part of the House.

Also, that the House had passed a concurrent resolution providing that the two Houses of Congress assemble in the Hall of the House of Representatives on Monday, December 2, 1918, at 1 o'clock p. m., for the purpose of receiving such communications as the President of the United States shall be pleased to make to them, in which it requested the concurrence of the Senate.

JOINT MEETING OF THE TWO HOUSES.

Mr. MARTIN of Virginia. Mr. President, I ask that the concurrent resolution of the House of Representatives providing for a joint session of the two Houses be laid before the Senate.

The VICE PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives, which was read, considered by unanimous consent, and agreed to, as follows:

> *Resolved by the House of Representatives (the Senate concurring)*, That the two Houses of Congress assemble in the Hall of the House of Representatives on Monday, the 2d day of December, 1918, at 1 o'clock in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

The VICE PRESIDENT (at 12 o'clock and 50 minutes p. m.). The hour having arrived at which, in accordance with the concurrent resolution of the two Houses, the Senate is to proceed to the Hall of the House of Representatives to receive a communication from the President of the United States, the Sergeant at Arms will take charge.

Thereupon the Senate, preceded by its Sergeant at Arms and headed by the Vice President and the Secretary, proceeded to the Hall of the House of Representatives.

ADDRESS BY THE PRESIDENT OF THE UNITED STATES.

The address of the President of the United States, this day delivered at a joint meeting of the two Houses of Congress, is as follows:

GENTLEMEN OF THE CONGRESS: The year that has elapsed since I last stood before you to fulfil my constitutional duty to give to the Congress from time to time information on the state of the Union has been so crowded with great events, great processes, and great results that I cannot hope to give you an adequate picture of its transactions or of the far-reaching changes which have been wrought in the life of our nation and of the world. You have yourselves witnessed these things, as I have. It is too soon to assess them; and we who stand in the midst of them and are part of them are less qualified than men of another generation will be to say what they mean, or even what they have been. But some great outstanding facts are unmistakable and constitute, in a sense, part of the public business with which it is our duty to deal. To state them is to set the stage for the legislative and executive action which must grow out of them and which we have yet to shape and determine.

A year ago we had sent 145,918 men overseas. Since then we have sent 1,950,513, an average of 162,542 each month, the number in fact rising, in May last to 245,951, in June to 278,769, in July to 307,182, and continuing to reach similar figures in August and September,—in August 289,570 and in September 257,438. No such movement of troops ever took place before, across three thousand miles of sea, followed by adequate equipment and supplies, and carried safely through extraordinary dangers of attack,—dangers which were alike strange and infinitely difficult to guard against. In all this movement only seven hundred and fifty-eight men were lost by enemy attack,—six hundred and thirty of whom were upon a single English transport which was sunk near the Orkney Islands.

I need not tell you what lay back of this great movement of men and material. It is not invidious to say that back of it lay a supporting organization of the industries of the country and of all its productive activities more complete, more thorough in method and effective in result, more spirited and unanimous in purpose and effort than any other great belligerent had been able to effect. We profited greatly by the experience of the nations which had already been engaged for nearly three

years in the exigent and exacting business, their every resource and every executive proficiency taxed to the utmost. We were their pupils. But we learned quickly and acted with a promptness and a readiness of cooperation that justify our great pride that we were able to serve the world with unparalleled energy and quick accomplishment.

But it is not the physical scale and executive efficiency of preparation, supply, equipment and despatch that I would dwell upon, but the mettle and quality of the officers and men we sent over and of the sailors who kept the seas, and the spirit of the nation that stood behind them. No soldiers or sailors ever proved themselves more quickly ready for the test of battle or acquitted themselves with more splendid courage and achievement when put to the test. Those of us who played some part in directing the great processes by which the war was pushed irresistibly forward to the final triumph may now forget all that and delight our thoughts with the story of what our men did. Their officers understood the grim and exacting task they had undertaken and performed it with an audacity, efficiency, and unhesitating courage that touch the story of convoy and battle with imperishable distinction at every turn, whether the enterprise were great or small,—from their great chiefs, Pershing and Sims, down to the youngest lieutenant; and their men were worthy of them,—such men as hardly need to be commanded, and go to their terrible adventure blithely and with the quick intelligence of those who know just what it is they would accomplish. I am proud to be the fellow-countryman of men of such stuff and valour. Those of us who stayed at home did our duty; the war could not have been won or the gallant men who fought it given their opportunity to win it otherwise; but for many a long day we shall think ourselves "accurs'd we were not there, and hold our manhoods cheap while any speaks that fought" with these at St. Mihiel or Thierry. The memory of those days of triumphant battle will go with these fortunate men to their graves; and each will have his favourite memory. "Old men forget; yet all shall be forgot, but he'll remember with advantages what feats he did that day!"

What we all thank God for with deepest gratitude is that our men went in force into the line of battle just at the critical moment when the whole fate of the world seemed to hang in the balance and threw their fresh strength into the ranks of freedom in time to turn the whole tide and sweep of the fateful struggle,—turn it once for all, so that thenceforth it was back, back, back for their enemies, always back, never again forward! After that it was only a scant four months before the commanders of the Central Empires knew themselves beaten; and now their very empires are in liquidation!

And throughout it all how fine the spirit of the nation was: what unity of purpose, what untiring zeal! What elevation of purpose ran through all its splendid display of strength, its untiring accomplishment. I have said that those of us who stayed at home to do the work of organization and supply will always wish that we had been with the men whom we sustained by our labour; but we can never be ashamed. It has been an inspiring thing to be here in the midst of the men who had turned aside from every private interest of their own and devoted the whole of their trained capacity to the tasks that supplied the sinews of the whole great undertaking! The patriotism, the unselfishness, the thoroughgoing devotion and distinguished capacity that marked their toilsome labours, day after day, month after month, have made them fit mates and comrades of the men in the trenches and on the sea. And not the men here in Washington only. They have but directed the vast achievement. Throughout innumerable factories, upon innumerable farms, in the depths of coal mines and iron mines and copper mines, wherever the stuffs of industry were to be obtained and prepared, in the shipyards, on the railways, at the docks, on the sea, in every labour that was needed to sustain the battle lines, men have vied with each other to do their part and do it well. They can look any man-at-arms in the face, and say, We also strove to win and gave the best that was in us to make our fleets and armies sure of their triumph!

And what shall we say of the women,—of their instant intelligence, quickening every task that they touched; their capacity for organization and cooperation, which gave their action discipline and enhanced the effectiveness of everything they attempted; their aptitude at tasks to which they had never before set their hands; their utter self-sacrifice alike in what they did and in what they gave? Their contribution to the great result is beyond appraisal. They have added a new lustre to the annals of American womanhood.

The least tribute we can pay them is to make them the equals of men in political rights as they have proved themselves their equals in every field of practical work they have entered, whether for themselves or for their country. These great days of completed achievement would be sadly marred were we to omit that act of justice. Besides the immense practical services they have rendered, the women of the country have been the moving spirits in the systematic economies by which our people have voluntarily assisted to supply the suffering peoples of the world and the armies upon every front with food and everything else that we had that might serve the common cause. The details of such a story can never be fully written, but we carry them at our hearts and thank God that we can say that we are the kinsmen of such.

And now we are sure of the great triumph for which every sacrifice was made. It has come, come in its completeness, and with the pride and inspiration of these days of achievement quick within us we turn to the tasks of peace again,—a peace secure against the violence of irresponsible monarchs and ambitious military coteries and made ready for a new order, for new foundations of justice and fair dealing.

We are about to give order and organization to this peace not only for ourselves but for the other peoples of the world as well, so far as they will suffer us to serve them. It is international justice that we seek, not domestic safety merely. Our thoughts have dwelt of late upon Europe, upon Asia, upon the near and the far East, very little upon the acts of peace and accommodation that wait to be performed at our own doors. While we are adjusting our relations with the rest of the world is it not of capital importance that we should clear away all grounds of misunderstanding with our immediate neighbors and give proof of the friendship we really feel? I hope that the members of the Senate will permit me to speak once more of the unratified treaty of friendship and adjustment with the Republic of Colombia. I very earnestly urge upon them an early and favorable action upon that vital matter. I believe that they will feel, with me, that the stage of affairs is now set for such action as will be not only just but generous and in the spirit of the new age upon which we have so happily entered.

So far as our domestic affairs are concerned the problem of our return to peace is a problem of economic and industrial readjustment. That problem is less serious for us than it may turn out to be for the nations which have suffered the disarrangements and the losses of war longer than we. Our people, moreover, do not wait to be coached and led. They know their own business, are quick and resourceful at every readjustment, definite in purpose, and self-reliant in action. Any leading strings we might seek to put them in would speedily become hopelessly tangled because they would pay no attention to them and go their own way. All that we can do as their legislative and executive servants is to mediate the process of change here, there, and elsewhere as we may. I have heard much counsel as to the plans that should be formed and personally conducted to a happy consummation, but from no quarter have I seen any general scheme of "reconstruction" emerge which I thought it likely we could force our spirited business men and self-reliant labourers to accept with due pliancy and obedience.

While the war lasted we set up many agencies by which to direct the industries of the country in the services it was necessary for them to render, by which to make sure of an abundant supply of the materials needed, by which to check undertakings that could for the time be dispensed with and stimulate those that were most serviceable in war by which to gain for the purchasing departments of the Government a certain control over the prices of essential articles and materials, by which to restrain trade with alien enemies, make the most of the available shipping, and systematize financial transactions, both public and private, so that there would be no unnecessary conflict or confusion—by which, in short, to put every material energy of the country in harness to draw the common load and make of us one team in the accomplishment of a great task. But the moment we knew the armistice to have been signed we took the harness off. Raw materials upon which the Government had kept its hand for fear there should not be enough for the industries that supplied the armies have been released and put into the general market again. Great industrial plants whose whole output and machinery had been taken over for the uses of the Government have been set free to return to the uses to which they were put before the war. It has not been possible to remove so readily or so quickly the control of foodstuffs and of shipping, because the world has still to be fed from our granaries and the ships are still needed to send supplies to our men overseas and to bring the men back as fast as the disturbed conditions on the other side of the water permit; but even there restraints are being relaxed as much as possible and more and more as the weeks go by.

Never before have there been agencies in existence in this country which knew so much of the field of supply, of labour,

and of industry as the War Industries Board, the War Trade Board, the Labour Department, the Food Administration, and the Fuel Administration have known since their labours became thoroughly systematized; and they have not been isolated agencies; they have been directed by men which represented the permanent Departments of the Government and so have been the centres of unified and cooperative action. It has been the policy of the Executive, therefore, since the armistice was assured (which is in effect a complete submission of the enemy) to put the knowledge of these bodies at the disposal of the business men of the country and to offer their intelligent mediation at every point and in every matter where it was desired. It is surprising how fast the process of return to a peace footing has moved in the three weeks since the fighting stopped. It promises to outrun any inquiry that may be instituted and any aid that may be offered. It will not be easy to direct it any better than it will direct itself. The American business man is of quick initiative.

The ordinary and normal processes of private initiative will not, however, provide immediate employment for all of the men of our returning armies. Those who are of trained capacity, those who are skilled workmen, those who have acquired familiarity with established businesses, those who are ready and willing to go to the farms, all those whose aptitudes are known or will be sought out by employers will find no difficulty, it is safe to say, in finding place and employment. But there will be others who will be at a loss where to gain a livelihood unless pains are taken to guide them and put them in the way of work. There will be a large floating residuum of labour which should not be left wholly to shift for itself. It seems to me important, therefore, that the development of public works of every sort should be promptly resumed, in order that opportunities should be created for unskilled labour in particular, and that plans should be made for such developments of our unused lands and our natural resources as we have hitherto lacked stimulation to undertake.

I particularly direct your attention to the very practical plans which the Secretary of the Interior has developed in his annual report and before your Committees for the reclamation of arid, swamp, and cut-over lands which might, if the States were willing and able to cooperate, redeem some three hundred million acres of land for cultivation. There are said to be fifteen or twenty million acres of land in the West, at present arid, for whose reclamation water is available, if properly conserved. There are about two hundred and thirty million acres from which the forests have been cut but which have never yet been cleared for the plow and which lie waste and desolate. These lie scattered all over the Union. And there are nearly eighty million acres of land that lie under swamps or subject to periodical overflow or too wet for anything but grazing which it is perfectly feasible to drain and protect and redeem. The Congress can at once direct thousands of the returning soldiers to the reclamation of the arid lands which it has already undertaken, if it will but enlarge the plans and the appropriations which it has entrusted to the Department of the Interior. It is possible in dealing with our unused land to effect a great rural and agricultural development which will afford the best sort of opportunity to men who want to help themselves; and the Secretary of the Interior has thought the possible methods out in a way which is worthy of your most friendly attention.

I have spoken of the control which must yet for a while, perhaps for a long while, be exercised over shipping because of the priority of service to which our forces overseas are entitled and which should also be accorded the shipments which are to save recently liberated peoples from starvation and many devasted regions from permanent ruin. May I not say a special word about the needs of Belgium and northern France? No sums of money paid by way of indemnity will serve of themselves to save them from hopeless disadvantage for years to come. Something more must be done than merely find the money. If they had money and raw materials in abundance to-morrow they could not resume their place in the industry of the world to-morrow,—the very important place they held before the flame of war swept across them. Many of their factories are razed to the ground. Much of their machinery is destroyed or has been taken away. Their people are scattered and many of their best workmen are dead. Their markets will be taken by others, if they are not in some special way assisted to rebuild their factories and replace their lost instruments of manufacture. They should not be left to the vicissitudes of the sharp competition for materials and for industrial facilities which is now to set in. I hope, therefore, that the Congress will not be unwilling, if it should become necessary, to grant to some such agency as the War Trade Board the right to establish priorities of export and supply for the benefit of these people whom we have been so happy to assist in saving from the German terror and whom we must not now thoughtlessly leave to shift for themselves in a pitiless competitive market.

For the steadying and facilitation of our own domestic business readjustments nothing is more important than the immediate determination of the taxes that are to be levied for 1918, 1919, and 1920. As much of the burden of taxation must be lifted from business as sound methods of financing the Government will permit, and those who conduct the great essential industries of the country must be told as exactly as possible what obligations to the Government they will be expected to meet in the years immediately ahead of them. It will be of serious consequence to the country to delay removing all uncertainties in this matter a single day longer than the right processes of debate justify. It is idle to talk of successful and confident business reconstruction before those uncertainties are resolved.

If the war had continued it would have been necessary to raise at least eight billion dollars by taxation payable in the year 1919; but the war has ended and I agree with the Secretary of the Treasury that it will be safe to reduce the amount to six billions. An immediate rapid decline in the expenses of the Government is not to be looked for. Contracts made for war supplies will, indeed, be rapidly cancelled and liquidated, but their immediate liquidation will make heavy drains on the Treasury for the months just ahead of us. The maintenance of our forces on the other side of the sea is still necessary. A considerable proportion of those forces must remain in Europe during the period of occupation, and those which are brought home will be transported and demobilized at heavy expense for months to come. The interest on our war debt must of course be paid and provision made for the retirement of the obligations of the Government which represent it. But these demands will of course fall much below what a continuation of military operations would have entailed and six billions should suffice to supply a sound foundation for the financial operations of the year.

I entirely concur with the Secretary of the Treasury in recommending that the two billions needed in addition to the four billions provided by existing law be obtained from the profits which have accrued and shall accrue from war contracts and distinctively war business, but that these taxes be confined to the war profits accuring in 1918, or in 1919 from business originating in war contracts. I urge your acceptance of his recommendation that provision be made now, not subsequently, that the taxes to be paid in 1920 should be reduced from six to four billions. Any arrangements less definite than these would add elements of doubt and confusion to the critical period of industrial readjustment through which the country must now immediately pass, and which no true friend of the nation's essential business interests can afford to be responsible for creating or prolonging. Clearly determined conditions, clearly and simply charted, are indispensable to the economic revival and rapid industrial development which may confidently be expected if we act now and sweep all interrogation points away.

I take it for granted that the Congress will carry out the naval programme which was undertaken before we entered the war. The Secretary of the Navy has submitted to your Committees for authorization that part of the programme which covers the building plans of the next three years. These plans have been prepared along the lines and in accordance with the policy which the Congress established, not under the exceptional conditions of the war, but with the intention of adhering to a definite method of development for the navy. I earnestly recommend the uninterrupted pursuit of that policy. It would clearly be unwise for us to attempt to adjust our programmes to a future world policy as yet undetermined.

The question which causes me the greatest concern is the question of the policy to be adopted towards the railroads. I frankly turn to you for counsel upon it. I have no confident judgment of my own. I do not see how any thoughtful man can have who knows anything of the complexity of the problem. It is a problem which must be studied, studied immediately, and studied without bias or prejudice. Nothing can be gained by becoming partisans of any particular plan of settlement.

It was necessary that the administration of the railways should be taken over by the Government so long as the war lasted. It would have been impossible otherwise to establish and carry through under a single direction the necessary priorities of shipment. It would have been impossible otherwise to combine maximum production at the factories and mines and farms with the maximum possible car supply to take the products to the ports and markets; impossible to route troop shipments and freight shipments without regard to the advantage or dis-

advantage of the roads employed; impossible to subordinate, when necessary, all questions of convenience to the public necessity; impossible to give the necessary financial support to the roads from the public treasury. But all these necessities have now been served, and the question is, What is best for the railroads and for the public in the future?

Exceptional circumstances and exceptional methods of administration were not needed to convince us that the railroads were not equal to the immense tasks of transportation imposed upon them by the rapid and continuous development of the industries of the country. We knew that already. And we knew that they were unequal to it partly because their full cooperation was rendered impossible by law and their competition made obligatory, so that it has been impossible to assign to them severally the traffic which could best be carried by their respective lines in the interest of expedition and national economy.

We may hope, I believe, for the formal conclusion of the war by treaty by the time Spring has come. The twenty-one months to which the present control of the railways is limited after formal proclamation of peace shall have been made will run at the farthest, I take it for granted, only to the January of 1921. The full equipment of the railways which the federal administration had planned could not be completed within any such period. The present law does not permit the use of the revenues of the several roads for the execution of such plans except by formal contract with their directors, some of whom will consent while some will not, and therefore does not afford sufficient authority to undertake improvements upon the scale upon which it would be necessary to undertake them. Every approach to this difficult subject-matter of decision brings us face to face, therefore, with this unanswered question: What is it right that we should do with the railroads, in the interest of the public and in fairness to their owners?

Let me say at once that I have no answer ready. The only thing that is perfectly clear to me is that it is not fair either to the public or to the owners of the railroads to leave the question unanswered and that it will presently become my duty to relinquish control of the roads, even before the expiration of the statutory period, unless there should appear some clear prospect in the meantime of a legislative solution. Their release would at least produce one element of a solution, namely certainty and a quick stimulation of private initiative.

I believe that it will be serviceable for me to set forth as explicitly as possible the alternative courses that lie open to our choice. We can simply release the roads and go back to the old conditions of private management, unrestricted competition, and multiform regulation by both state and federal authorities; or we can go to the opposite extreme and establish complete government control, accompanied, if necessary, by actual government ownership; or we can adopt an intermediate course of modified private control, under a more unified and affirmative public regulation and under such alterations of the law as will permit wasteful competition to be avoided and a considerable degree of unification of administration to be effected, as, for example, by regional corporations under which the railways of definable areas would be in effect combined in single systems.

The one conclusion that I am ready to state with confidence is that it would be a disservice alike to the country and to the owners of the railroads to return to the old conditions unmodified. Those are conditions of restraint without development. There is nothing affirmative or helpful about them. What the country chiefly needs is that all its means of transportation should be developed, its railways, its waterways, its highways, and its countryside roads. Some new element of policy, therefore, is absolutely necessary,—necessary for the service of the public, necessary for the release of credit to those who are administering the railways, necessary for the protection of their security holders. The old policy may be changed much or little, but surely it cannot wisely be left as it was. I hope that the Congress will have a complete and impartial study of the whole problem instituted at once and prosecuted as rapidly as possible. I stand ready and anxious to release the roads from the present control and I must do so at a very early date if by waiting until the statutory limit of time is reached I shall be merely prolonging the period of doubt and uncertainty which is hurtful to every interest concerned.

I welcome this occasion to announce to the Congress my purpose to join in Paris the representatives of the governments with which we have been associated in the war against the Central Empires for the purpose of discussing with them the main features of the treaty of peace. I realize the great inconveniences that will attend my leaving the country, particularly at this time, but the conclusion that it was my paramount duty to go has been forced upon me by considerations which I hope will seem as conclusive to you as they have seemed to me.

The allied governments have accepted the bases of peace which I outlined to the Congress on the eighth of January last, as the Central Empires also have, and very reasonably desire my personal counsel in their interpretation and application, and it is highly desirable that I should give it in order that the sincere desire of our Government to contribute without selfish purpose of any kind to settlements that will be of common benefit to all the nations concerned may be made fully manifest. The peace settlements which are now to be agreed upon are of transcendent importance both to us and to the rest of the world, and I know of no business or interest which should take precedence of them. The gallant men of our armed forces on land and sea have consciously fought for the ideals which they knew to be the ideals of their country; I have sought to express those ideals; they have accepted my statements of them as the substance of their own thought and purpose, as the associated governments have accepted them; I owe it to them to see to it, so far as in me lies, that no false or mistaken interpretation is put upon them, and no possible effort omitted to realize them. It is now my duty to play my full part in making good what they offered their life's blood to obtain. I can think of no call to service which could transcend this.

I shall be in close touch with you and with affairs on this side the water, and you will know all that I do. At my request, the French and English governments have absolutely removed the censorship of cable news which until within a fortnight they had maintained and there is now no censorship whatever exercised at this end except upon attempted trade communications with enemy countries. It has been necessary to keep an open wire constantly available between Paris and the Department of State and another between France and the Department of War. In order that this might be done with the least possible interference with the other uses of the cables, I have temporarily taken over the control of both cables in order that they may be used as a single system. I did so at the advice of the most experienced cable officials, and I hope that the results will justify my hope that the news of the next few months may pass with the utmost freedom and with the least possible delay from each side of the sea to the other.

May I not hope, Gentlemen of the Congress, that in the delicate tasks I shall have to perform on the other side of the sea, in my efforts truly and faithfully to interpret the principles and purposes of the country we love, I may have the encouragement and the added strength of your united support? I realize the magnitude and difficulty of the duty I am undertaking; I am poignantly aware of its grave responsibilities. I am the servant of the nation. I can have no private thought or purpose of my own in performing such an errand. I go to give the best that is in me to the common settlements which I must now assist in arriving at in conference with the other working heads of the associated governments. I shall count upon your friendly countenance and encouragement. I shall not be inaccessible. The cables and the wireless will render me available for any counsel or service you may desire of me, and I shall be happy in the thought that I am constantly in touch with the weighty matters of domestic policy with which we shall have to deal. I shall make my absence as brief as possible and shall hope to return with the happy assurance that it has been possible to translate into action the great ideals for which America has striven.

The Senate returned to its Chamber at 1 o'clock and 50 minutes p. m., and the Vice President resumed the chair.

ORDER OF BUSINESS.

Mr. MARTIN of Virginia. Mr. President, I move that the Senate adjourn.

Mr. ASHURST. Mr. President, I desire to introduce a bill.

Mr. DILLINGHAM. Mr. President——

Mr. MARTIN of Virginia. Mr. President, there are some formal matters that Senators are very anxious to present, and therefore I shall be glad to withhold the motion for the present.

The VICE PRESIDENT. Very well; then we will start in the regular order. The Congress of the United States being now in regular session, the first thing in order is to receive a communication from the President of the United States.

Mr. Sharkey, one of the secretaries to the President, appeared and delivered several messages from the President of the United States.

MEAT-PACKING INDUSTRY (H. DOC. NO. 1297, PT. II).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying papers, was referred to the Committee on Agriculture and Forestry and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith for the information of the Congress Part II of the summary of the report of the Federal Trade Commission on the Meat-Packing Industry, being a part of the commission's food investigation.

WOODROW WILSON.

THE WHITE HOUSE, *2 December, 1918.*

ANTONIO M. MARTIN RIVERO (H. DOC. NO. 1460).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying papers, was referred to the Committee on Naval Affairs and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State inclosing a draft of a joint resolution authorizing the Secretary of the Navy to permit Mr. Antonio M. Martin Rivero, a citizen of Cuba, to receive instruction at the United States Naval Academy at Annapolis at the expense of the Government of Cuba.

The Secretary of State points out that the passage of the resolution would be regarded as an act of courtesy by the Government of Cuba and that it would follow established precedents.

WOODROW WILSON.

THE WHITE HOUSE, *2 December, 1918.*

REPORTS OF SECRETARY OF THE SENATE.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Senate, transmitting, pursuant to law, a statement of receipts and expenditures of the Senate for the fiscal year ended June 30, 1918, which was ordered to lie on the table and be printed. (S. Doc. No. 309.)

He also laid before the Senate a communication from the Secretary of the Senate, transmitting, pursuant to law, an account of all property, including stationery, belonging to the United States in his possession on the 2d day of December, 1918, which, with the accompanying paper, was ordered to lie on the table and be printed. (S. Doc. No. 304.)

MEMORIALS.

Mr. POINDEXTER presented a memorial of the City Council of Seattle, Wash., remonstrating against the proposed increase in telephone rates, which was referred to the Committee on Interstate Commerce.

Mr. NELSON presented a memorial of the Duluth Theater Managers' Association of Minneapolis remonstrating against the increased tax on amusements, as proposed in the pending revenue bill, which was referred to the Committee on Finance.

He also presented memorials of the J. R. Watkins Medical Co., of Winona; the Koch Vegetable Tea Co., of Winona; the Minnesota Pharmaceutical Association; and the Northwestern Drug Co., of Minneapolis, all in the State of Minnesota, remonstrating against the proposed tax on proprietary medicines in the pending revenue bill, which were referred to the Committee on Finance.

He also presented a memorial from C. M. Stendal, of Minneapolis, Minn., remonstrating against the proposed tax on wearing apparel in the pending revenue bill, which was referred to the Committee on Finance.

He also presented a memorial of the El Queeno Cigar Co., of Chisholm, Minn., remonstrating against the proposed tax on tobacco in the pending revenue bill, which was referred to the Committee on Finance.

He also presented a memorial of Janney, Semple, Hill & Co., of Minneapolis, Minn., remonstrating against the proposed tax on sporting goods in the pending revenue bill, which was referred to the Committee on Finance.

He also presented the memorial of B. J. Patrick, of Minneapolis, Minn., remonstrating against Government ownership of utilities, which was referred to the Committee on Interstate Commerce.

He also presented a resolution adopted by the Rotary Club of Duluth, Minn., relative to the proposed Federal Department of Education, which was referred to the Committee on Education and Labor.

SENATOR FROM WISCONSIN.

Mr. DILLINGHAM. Mr. President, from the Committee on Privileges and Elections I present the report which I send to the desk. It is accompanied by a resolution (S. Res. 360) that the committee be discharged from the further consideration of the subject matter. I desire to have the report and resolution read.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read the report (No. 614), as follows:

The Committee on Privileges and Elections, to whom were referred the resolutions of the Minnesota Commission of Public Safety petitioning the Senate of the United States to institute proceedings looking to the expulsion of ROBERT M. LA FOLLETTE from the Senate as a teacher of disloyalty and sedition, giving aid and comfort to our enemies, and hindering the conduct of the war, respectfully report that they have fully considered said resolutions and the charges contained therein, as well as the speech made by Senator LA FOLLETTE at St. Paul, Minn., on the 20th of September, 1917, to which speech said resolutions referred, and upon which speech is based the petition contained therein, having considered the entire case as presented the committee recommend that the petition preferred by said Minnesota commission of public safety be dismissed for the reason that the speech in question does not justify any action by the Senate.

Your committee also recommend the adoption of the following resolution:

"*Resolved,* That the resolutions of the Minnesota commission of public safety petitioning the Senate of the United States to institute proceedings looking to the expulsion of ROBERT M. LA FOLLETTE from the Senate be, and the same hereby are, dismissed for the reason that the speech in question does not justify any action by the Senate."

Mr. POMERENE. Mr. President, I ask that under the rule the matter may go over for the present. I may say that, while of course I have been advised as to the substance of the report, I have not seen it nor heard it read until this moment. I expect to prepare and to present within the next few days, at as early a moment as my duties in the Senate will permit, a minority report; and I think the matter should not be disposed of until that report has been made.

The VICE PRESIDENT. The report will lie over under the rule and be printed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and by unanimous consent the second time, and referred as follows:

By Mr. SHEPPARD:

A bill (S. 5051) for the promotion of certain officers in the United States Army; to the Committee on Military Affairs.

A bill (S. 5052) to make section 5 of the post office appropriation act for the fiscal year ending June 30, 1918, as amended by section 1110, war revenue act of October 3, 1917, applicable to the District of Columbia; to the Committee on Post Offices and Post Roads.

By Mr. McKELLAR:

A bill (S. 5053) authorizing the Director General of Railroads to establish a system of mileage books; to the Committee on Interstate Commerce.

A bill (S. 5054) donating bronze cannon to the city of Memphis, Shelby County, Tenn.; and

A bill (S. 5055) relative to discharges of certain soldiers and sailors who served in the war with Germany; to the Committee on Military Affairs.

A bill (S. 5056) to place on the eligible list all soldiers and sailors who served in the war with Germany; to the Committee on Civil Service and Retrenchment.

By Mr. McLEAN:

A bill (S. 5057) granting a pension to Mary Elizabeth Crowe (with the accompanying papers); to the Committee on Pensions.

By Mr. GRONNA:

A bill (S. 5058) to authorize the counties of Morton and Burleigh, in the State of North Dakota, to construct a bridge across the Missouri River near Bismarck, N. Dak.; to the Committee on Commerce.

A bill (S. 5059) granting a pension to August Wohlgemuth;

A bill (S. 5060) granting a pension to John M. Johnson; and

A bill (S. 5061) granting an increase of pension to Rosetta Waldref; to the Committee on Pensions.

By Mr. MOSES:

A bill (S. 5062) to extend the franking privilege to banking institutions in connection with business relating to the collection of installment payments upon subscriptions to the liberty loan; to the Committee on Post Offices and Post Roads.

By Mr. WARREN:

A bill (S. 5063) for the relief of Henry Wagner (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 5064) granting an increase of pension to Henry B. Lake; to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 5065) amending section 4904 of the Revised Statutes;

A bill (S. 5066) amending chapter 143 of the act of March 3, 1883 (22 Stat., 625), and for other purposes;

A bill (S. 5067) granting a gratuity to members of the United States Army; and

A bill (S. 5068) extending the benefits of the war-risk insurance act to certain civilians employed by the Army; to the Committee on Military Affairs.

UNIFORMS AND PAY OF DISCHARGED SOLDIERS.

Mr. ASHURST. I introduce a bill and ask that it be read and referred to the Committee on Military Affairs:

The bill (S. 5050) to grant to every honorably discharged soldier, sailor, and marine the uniform he is wearing at the time of such discharge and to provide pay for 90 days after such discharge was read the first time by title, the second time at length, and referred to the Committee on Military Affairs, as follows:

Be it enacted, etc., That every soldier, sailor, and marine in the Army, Navy, and Marine Corps of the United States, upon receiving an honorable discharge, shall be entitled to keep and retain as his own property the uniform he is wearing at the time of such discharge from the service, and no charge nor debit whatever shall be entered against the account of any such discharged soldier or sailor or marine by reason of his retaining said uniform; and there shall be paid to every such soldier, sailor, and marine full pay for the 90 days next ensuing after the date of his honorable discharge.

PROMOTIONS FOR MILITARY SERVICE.

Mr. McKELLAR submitted the following resolution (S. Res. 359), which was referred to the Committee on Military Affairs:

Resolved, That the Secretary of War be, and he is hereby, requested and directed to furnish to the Senate full information in reference to promotions in overseas service.

Also full information as to promotions already made of officers who have not seen overseas service; also any plans he may have of equalizing promotions, to the end that those who have become entitled to promotions by reason of service abroad or at home shall be accorded such promotion.

ADJOURNMENT.

Mr. MARTIN of Virginia. I move that the Senate adjourn.

On a division, the motion was agreed to; and (at 2 o'clock p. m.) the Senate adjourned until to-morrow, Tuesday, December 3, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *December 2, 1918.*

This being the day designated by the Constitution for the annual meeting of Congress, the Members of the House of Representatives assembled in their Hall for the third session of the Sixty-fifth Congress, and, at 12 o'clock noon, were called to order by the Speaker, who on taking the chair was greeted with general applause.

PRAYER.

Rev. Earle Wilfley, pastor of the Vermont Avenue Christian Church, Washington, D. C., offered the following prayer:

Almighty and most merciful God, who dost inhabit eternity, and in whose hands are the destinies of nations, for this moment we stand before Thy throne to supplicate Thy pardon for all our wrongdoings and to ask Thy blessing and guidance for the days to come.

If, as a Nation, we have sinned or come short of Thy will, we pray that the record may be made clean this morning by Thy divine forgiveness, and that we may stand with a clear record before Thee.

O Lord, the world is bathed in tears, and precious lives have been snuffed out. Wrecks are on every hand, and we pray, O God, that Thy love may manifest itself to us in divine and fullest measure. We pray Thy blessing upon our beloved country and all its righteous interests, upon the Congress assembled, upon all in authority, for the Army and Navy, and every part of the Government service. Give us open eyes to see, ears to hear aright, and the fullest understanding of duty and privilege.

Especially we pray, O God, that upon the President of the United States may rest the fullest, largest measure of Thy holy spirit. In this momentous hour may he speak not only the words of truth and soberness, but speak with wisdom, justice, and courage; and as we hear, may it be with hearts ready to discern the truth and wills highly purposed to do the right. In this supreme hour, O our God, we crave Thy guidance, Thy blessing, Thy forgiveness, and Thy love, for Thy name's sake. Amen.

ROLL CALL BY STATES.

The SPEAKER. The Clerk will call the roll by States, to ascertain the presence of a quorum.

The Clerk proceeded to call the roll by States, when the following Members responded:

ALABAMA.

Oscar L. Gray.
S. Hubert Dent, jr.
Henry B. Steagall.
J. Thomas Heflin.
William B. Oliver.
John L. Burnett.
Edward B. Almon.
George Huddleston.
William B. Bankhead.

ARKANSAS.

Thaddeus H. Caraway.
William A. Oldfield.
John N. Tillman.
Otis Wingo
Henderson M. Jacoway.
Samuel M. Taylor.
William S. Goodwin.

CALIFORNIA.

Clarence F. Lea.
Charles F. Curry.
Julius Kahn.
John I. Nolan.
John A. Elston.
Charles H. Randall.
Henry Z. Osborne.
William Kettner.

COLORADO.

Benjamin C. Hilliard.
Charles B. Timberlake.
Edward Keating.
Edward T. Taylor.

CONNECTICUT.

Augustine Lonergan.
Richard P. Freeman.
John Q. Tilson.
Schuyler Merritt.
James P. Glynn.

DELAWARE.

(At large.)
Albert F. Polk.

FLORIDA.

Herbert J. Drane.
Frank Clark.
Walter Kehoe.

GEORGIA.

James W. Overstreet.
Frank Park.
Charles R. Crisp.
W. C. Wright.
Gordon Lee.
Charles H. Brand.
Thomas M. Bell.
Carl Vinson.

IDAHO.

(At large.)
Addison T. Smith.
Burton L. French.

ILLINOIS.

Martin B. Madden.
James R. Mann.
William W. Wilson.
Adolph J. Sabath.
James McAndrews.
Thomas Gallagher.
Fred A. Britten.
George E. Foss.
Ira C. Copley.
Charles E. Fuller
John C. McKenzie.
William J. Graham.
Edward J. Riordan.
Clifford Ireland.
Joseph G. Cannon.
William R. McKinley.
Henry T. Rainey.
Loren E. Wheeler.
William A. Rodenberg.
Martin D. Foster.
Thomas S. Williams.
Edward E. Denison.

INDIANA.

Oscar E. Bland.
William E. Cox.
Lincoln Dixon.
Everett Sanders.
Richard N. Elliott.
Merrill Moores.
Albert H. Vestal.
Fred S. Purnell.
William R. Wood.
Milton Kraus.
Louis W. Fairfield.
Henry A. Barnhart.

IOWA.

Charles A. Kennedy.
Harry E. Hull.
Burton E. Sweet.
James W. Good.
Cassius C. Dowell.
Horace M. Towner.
William R. Green.
George C. Scott.

KANSAS.

Edward C. Little.
Philip P. Campbell.
Guy T. Helvering.
William A. Ayres.

KENTUCKY.

Alben W. Barkley.
David H. Kincheloe.
Ben Johnson.
Swagar Sherley.
Arthur B. Rouse.
James C. Cantrill.
William J. Fields.
Caleb Powers.

LOUISIANA.

H. Garland Dupré.
Whitmell P. Martin.
John T. Watkins.
Riley J. Wilson.
Ladislas Lazaro.
James B. Aswell.

MAINE.

Louis B. Goodall.
Wallace H. White, jr.
John A. Peters.
Ira G. Hersey.

MARYLAND.

Jesse D. Price.
Carville D. Benson.
Charles P. Coady.
J. Charles Linthicum.
Sydney E. Mudd.
Frederick N. Zihlman.

MASSACHUSETTS.

Allen T. Treadway.
Frederick H. Gillett.
Calvin D. Paige.
Samuel E. Winslow.
John Jacob Rogers.
Wilfred W. Lufkin.
Michael F. Phelan.
Frederick W. Dallinger.
Peter F. Tague.
George Holden Tinkham.
James A. Gallivan.
Richard Olney, 2d.
William S. Greene.
Joseph Walsh.

MICHIGAN.

Frank E. Doremus.
Samuel W. Beakes.
Edward L. Hamilton
Carl E. Mapes.
Patrick H. Kelley.
Joseph W. Fordney.
James C. McLaughlin.
Gilbert A. Currie.
Frank D. Scott.

MINNESOTA.

Sydney Anderson.
Charles R. Davis.
Carl C. Van Dyke.
Ernest Lundeen.
Harold Knutson.
Andrew J. Volstead.
Clarence B. Miller.
Halvor Steenerson.
Thomas D. Schall.

MISSISSIPPI.

Ezekial S. Candler.
Hubert D. Stephens.
Thomas U. Sisson.
Pat Harrison.
Percy E. Quin.
James W. Collier.

MISSOURI.

Milton A. Lomjue.
William W. Rucker.
Charles F. Booher.
William P. Borland.
Clement C. Dickinson.
Courtney W. Hamlin.
Dorsey W. Shackleford.
Champ Clark.
Frederick Essen.
Leonidas C. Dyer.
Thomas L. Rubey.

MONTANA.

(At large.)
John M. Evans.

NEBRASKA.

Charles F. Reavis.
Charles O. Lobeck.
Dan V. Stephens.
Charles H. Sloan.
Ashton C. Shallenberger.
Moses P. Kinkaid.

NEVADA.

(At large.)
E. E. Roberts.

NEW HAMPSHIRE.

Sherman E. Burroughs.
Edward H. Wason.

NEW JERSEY.

William J. Browning.
Isaac Bacharach.
Thomas J. Scully.
Elijah C. Hutchinson.
William F. Birch.
John R. Ramsey.
Dow H. Drukker.
Edward W. Gray.
Richard Wayne Parker.
Frederick R. Lehlbach.
John J. Eagan.
James A. Hamill.

NEW YORK.

Frederick C. Hicks.
Chas. Pope Caldwell.
Harry H. Dale.
Frederick W. Rowe.
John J. Delaney.
William E. Cleary.
Oscar Wm. Swift.
Reuben L. Haskell.
Daniel J. Riordan.
Meyer London.
Christopher D. Sullivan.
Fiorello H. LaGuardia.
Thomas F. Smith.
John F. Carew.
Walter M. Chandler.
Isaac Siegel.
Jerome F. Donovan.
Anthony J. Griffin.
Daniel C. Oliver.
Benjamin L. Fairchild.
Edmund Platt.
Charles B. Ward.
Rollin B. Sanford.
James S. Parker.
Bertrand H. Snell.
Luther W. Mott.
Homer P. Snyder.
Walter W. Magee.
Norman J. Gould.
Harry H. Pratt.
Archie D. Sanders.
Charles M. Hamilton.

NORTH CAROLINA.

John H. Small.
Claude Kitchin.
Edward W. Pou.
Hannibal L. Godwin.
Leonidas D. Robinson.
Robert L. Doughton.
Edwin Y. Webb.
Zeb Weaver.

NORTH DAKOTA.

John M. Baer.
George M. Young.

OHIO.

Nicholas Longworth.
Warren Gard.
Benjamin F. Welty.
John S. Snook.
Charles C. Kearns.
Simeon D. Fess.
John A. Key.
Isaac R. Sherwood.
Robert M. Switzer.
Horatio C. Claypool.
Clement Brumbaugh.
Arthur W. Overmyer.
George White.
Roscoe C. McCulloch.
William A. Ashbrook.
David A. Hollingsworth.
John G. Cooper.
William Gordon.
Robert Crosser.

OKLAHOMA.

Thomas A. Chandler.
William W. Hastings.
Charles D. Carter.
Tom D. McKeown.
Joseph B. Thompson.
Dick T. Morgan.

OREGON.

Willis C. Hawley.
Nicholas J. Sinnott.
Clifton N. McArthur.

PENNSYLVANIA.

William S. Vare.
George S. Graham.
J. Hampton Moore.
George W. Edmonds.
Peter E. Costello.
George P. Darrow.
Henry W. Watson.
William W. Griest.
John R. Farr.
Thomas W. Templeton.
Robert D. Heaton.
Arthur G. Dewalt.
Louis T. McFadden.
John V. Lesher.
Aaron S. Kreider.
John M. Rose.
Andrew R. Brodbeck.
Edward E. Robbins.
Bruce F. Sterling.
Henry W. Temple.
Henry A. Clark.
Henry J. Steele.
Nathan L. Strong.
E. H. Beshlin.
Stephen G. Porter.
M. Clyde Kelly.
John M. Morin.
Guy E. Campbell.

(At large.)

Thomas S. Crago.
Mahlon M. Garland.
Joseph McLaughlin.
John R. K. Scott.

RHODE ISLAND.

Walter R. Stiness.
Ambrose Kennedy.

SOUTH CAROLINA.

James F. Byrnes.
Fred H. Dominick.
William F. Stevenson.
Asbury F. Lever.

SOUTH DAKOTA.

Charles H. Dillon.

TENNESSEE.

Sam R. Sells.
Richard W. Austin.
John A. Moon.
Cordell Hull.
William C. Houston.
Joseph W. Byrns.
Thetus W. Sims.
Finis J. Garrett.
Hubert F. Fisher.
Lemuel P. Padgett.

TEXAS.

Eugene Black.
James Young.
Sam Rayburn.
Rufus Hardy.
Alexander W. Gregg.
Joe H. Eagle.
Joseph J. Mansfield.
James P. Buchanan.
James C. Wilson.
Marvin Jones.
James L. Slayden.
John N. Garner.
Thomas L. Blanton.

(At large.)

Jeff. McLemore.

UTAH.

James H. Mays.

VERMONT.

Frank L. Greene.

VIRGINIA.

Schuyler Otis Bland.
Edward E. Holland.
Andrew J. Montague.
Walter A. Watson.
Edward W. Saunders.
Carter Glass.
Thomas W. Harrison.
C. Bascom Slemp.
Henry D. Flood.

WASHINGTON.

John F. Miller.
Lindley H. Hadley.
Albert Johnson.
William L. La Follette.
C. C. Dill.

WEST VIRGINIA.

George M. Bowers.
Stuart F. Reed.
Harry C. Woodyard.
Edward Cooper.

WISCONSIN.

Henry Allen Cooper.
William J. Cary.
William H. Stafford.
John J. Esch.
Edward E. Browne.
David G. Classon.
James A. Frear.

WYOMING.

(At large.)
Frank W. Mondell.

The SPEAKER. On this roll call 354 Members, a quorum, have answered to their names.

SWEARING IN OF MEMBERS.

Mr. FREAR. Mr. Speaker, Mr. ADOLPHUS P. NELSON, Representative elect from the eleventh district of Wisconsin to succeed Mr. LENROOT, is waiting to take the oath of office.

Mr. ASHBROOK. Mr. Speaker, Mr. MARTIN L. DAVEY, Member elect from the fourteenth Ohio district, has filed his certificate of election and wishes to take the oath of office.

Mr. COOPER of Wisconsin. Mr. Speaker, Mr. FLORIAN LAMPERT, Member elect from the sixth Wisconsin district to succeed the late JAMES H. DAVIDSON, is present and wishes to take the oath.

The SPEAKER. The gentlemen named will present themselves and be sworn in.

Messrs. NELSON, DAVEY, and LAMPERT presented themselves at the bar of the House and took the oath of office prescribed by law.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed the following resolutions:

Resolved, That a committee of two Senators be appointed to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that Congress is ready to receive any communication he may be pleased to make.

That in compliance with the foregoing resolution the Vice President had appointed as said Committee Mr. MARTIN of Virginia and Mr. LODGE.

Also:

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

NOTIFICATION OF THE PRESIDENT.

Mr. KITCHIN. Mr. Speaker, I ask immediate consideration for the resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from North Carolina asks immediate consideration of a resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 453.

Resolved, That a committee of three Members be appointed on the part of the House to join the committee appointed by the Senate to wait upon the President and inform him that a quorum of the two Houses has assembled and that Congress is ready to receive any communication he may have to make.

The resolution was agreed to, and the Speaker appointed as the committee on the part of the House Messrs. KITCHIN, SHERLEY, and MANN.

NOTIFICATION OF THE SENATE.

Mr. SHERLEY. Mr. Speaker, I offer the following resolution and ask for its immediate consideration.

The Clerk read as follows:

House resolution 454.

Resolved, That the Clerk of the House inform the Senate that a quorum of the House of Representatives has appeared and that the House is ready to proceed to business.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

HOUR OF DAILY MEETING.

Mr. POU. Mr. Speaker, I ask immediate consideration of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

House resolution 455.

Resolved, That until otherwise ordered the hour of daily meeting of the House of Representatives shall be 12 o'clock meridian.

The resolution was agreed to.

JOINT SESSION OF SENATE AND HOUSE.

Mr. KITCHIN. Mr. Speaker, I ask immediate consideration of the following resolution, which I send to the desk.

The Clerk read as follows:

House concurrent resolution 62.

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Monday, the 2d day of December, 1918, at 1 o'clock in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

The SPEAKER. The question is on agreeing to the resolution.

Mr. MANN. Mr. Speaker, this is such an unusual procedure for the House to invite a joint meeting of the House and Senate to receive a message from the President in person, before the President has been officially informed by the committees appointed by the two Houses that Congress has assembled and has a quorum and is ready to do business, that it seems to me that in order to prevent it being taken as a precedent hereafter the gentleman from North Carolina ought to explain the reason for this very hasty action. [Laughter.]

Mr. KITCHIN. Mr. Speaker, I think everybody understands this hasty action and why it is necessary.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was considered and agreed to.

RECESS.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that the House stand in recess until 10 minutes of 1 o'clock p. m.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the House stand in recess until 10 minutes of 1. Is there objection?

There was no objection.

Accordingly (at 12 o'clock and 40 minutes p. m.) the House took a recess until 12 o'clock and 50 minutes p. m.

AFTER THE RECESS.

The recess having expired, the House was called to order by the Speaker.

COMMITTEE TO NOTIFY THE PRESIDENT.

Mr. KITCHIN. Mr. Speaker, the committee to wait upon the President and advise him that a quorum of the House is present and is ready to receive any communication he might make, have, in conjunction with a like committee on the part of the Senate, performed that duty, and the President wishes us to inform the House that he will be pleased to address a joint session of the two Houses at 1 o'clock p. m.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had passed without amendment the following resolution:

House concurrent resolution 62.

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Monday, the 2d day of December, 1918, at 1 o'clock in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. J. Res. 186. Joint resolution authorizing the President of the United States to cause to be struck bronze medals commemorating the winning of the world's war and the valor of our military forces and to distribute and present such medals to the officers and men of our land, sea, and air forces.

S. J. Res. 187. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bill:

H. R. 12998. An act to amend section 3528 of the Revised Statutes.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

Sundry messages in writing were delivered from the President of the United States by Mr. Sharkey, one of his secretaries, who also informed the House of Representatives that the President had, on November 21, 1918, approved and signed bills of the following titles:

H. R. 282. An act amending the public buildings act approved March 4, 1913, providing for the purchase of a site for a public building at Nogales, Ariz.;

H. R. 10818. An act to authorize the county of Loudon, in the State of Tennessee, to construct a bridge across the Tennessee River near Loudon, Tenn.; and

H. R. 11945. An act to enable the Secretary of Agriculture to carry out, during the fiscal year ending June 30, 1919, the purposes of the act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products," and for other purposes.

JOINT MEETING OF SENATE AND HOUSE.

At 12 o'clock and 57 minutes the Doorkeeper announced the Vice President of the United States and the Members of the United States Senate.

The Members of the House rose.

The Senate, preceded by the Vice President and by their Secretary and Sergeant at Arms, entered the Chamber.

The Vice-President took the chair at the right of the Speaker and the Members of the Senate took the seats reserved for them.

The SPEAKER. On the part of the House the Speaker appoints the gentleman from North Carolina, Mr. KITCHIN; the gentleman from Kentucky, Mr. SHERLEY; the gentleman from Virginia, Mr. FLOOD; the gentleman from Illinois, Mr. MANN; and the gentleman from Massachusetts, Mr. GILLETT, as a committee to wait upon the President and conduct him into the Hall.

The VICE PRESIDENT. On behalf of the Senate the Vice President appoints the Senator from Nebraska, Mr. HITCHCOCK; the Senator from North Carolina, Mr. SIMMONS; the Senator from Massachusetts, Mr. LODGE; and the Senator from Minnesota, Mr. KELLOGG.

At 1 o'clock p. m. the President of the United States, escorted by the committee of Senators and Representatives, entered the Hall of the House and stood at the Clerk's desk, amid applause on the floor and in the galleries.

The SPEAKER. Gentlemen of the Senate and the House, I introduce to you the President of the United States. [Applause.]

ADDRESS OF THE PRESIDENT.

GENTLEMEN OF THE CONGRESS: The year that has elapsed since I last stood before you to fulfil my constitutional duty to give to the Congress from time to time information on the state of the Union has been so crowded with great events, great processes, and great results that I cannot hope to give you an adequate picture of its transactions or of the far-reaching changes which have been wrought in the life of our nation and of the world. You have yourselves witnessed these things, as I have. It is too soon to assess them; and we who stand in the midst of them and are part of them are less qualified than men of another generation will be to say what they mean, or even what they have been. But some great outstanding facts are unmistakable and constitute, in a sense, part of the public business with which it is our duty to deal. To state them is to set the stage for the legislative and executive action which must grow out of them and which we have yet to shape and determine.

A year ago we had sent 145,918 men overseas. Since then we have sent 1,950,513, an average of 162,542 each month, the number in fact rising, in May last to 245,951, in June to 278,760, in July to 307,182, and continuing to reach similar figures in August and September,—in August 289,570 and in September 257,438. No such movement of troops ever took place before, across three thousand miles of sea, followed by adequate equipment and supplies, and carried safely through extraordinary dangers of attack,—dangers which were alike strange and infinitely difficult to guard against. In all this movement only seven hundred and fifty-eight men were lost by enemy attack,—six hundred and thirty of whom were upon a single English transport which was sunk near the Orkney Islands.

I need not tell you what lay back of this great movement of men and material. It is not invidious to say that back of it lay a supporting organization of the industries of the country and of all its productive activities more complete, more thorough in method and effective in result, more spirited and unanimous in purpose and effort than any other great belligerent had been able

to effect. We profited greatly by the experience of the nations which had already been engaged for nearly three years in the exigent and exacting business, their every resource and every executive proficiency taxed to the utmost. We were their pupils. But we learned quickly and acted with a promptness and a readiness of cooperation that justify our great pride that we were able to serve the world with unparalleled energy and quick accomplishment. [Applause.]

But it is not the physical scale and executive efficiency of preparation, supply, equipment and despatch that I would dwell upon, but the mettle and quality of the officers and men we sent over and of the sailors who kept the seas, and the spirit of the nation that stood behind them. [Applause.] No soldiers or sailors ever proved themselves more quickly ready for the test of battle or acquitted themselves with more splendid courage and achievement when put to the test. [Applause.] Those of us who played some part in directing the great processes by which the war was pushed irresistably forward to the final triumph may now forget all that and delight our thoughts with the story of what our men did. Their officers understood the grim and exacting task they had undertaken and performed it with an audacity, efficiency, and unhesitating courage that touch the story of convoy and battle with imperishable distinction at every turn, whether the enterprise were great or small,—from their great chiefs, Pershing and Sims, down to the youngest lieutenant [applause]; and their men were worthy of them,—such men as hardly need to be commanded, and go to their terrible adventure blithely and with the quick intelligence of those who know just what it is they would accomplish. I am proud to be the fellow-countryman of men of such stuff and valour. [Applause.] Those of us who stayed at home did our duty; the war could not have been won or the gallant men who fought it given their opportunity to win it otherwise; but for many a long day we shall think ourselves "accurs'd we were not there, and hold our manhoods cheap while any speaks that fought" with these at St. Mihiel or Thierry. [Applause.] The memory of those days of triumphant battle will go with these fortunate men to their graves; and each will have his favourite memory. "Old men forget; yet all shall be forgot, but he'll remember with advantages what feats he did that day!"

What we all thank God for with deepest gratitude is that our men went in force into the line of battle just at the critical moment when the whole fate of the world seemed to hang in the balance and threw their fresh strength into the ranks of freedom in time to turn the whole tide and sweep of the fateful struggle,—turn it once for all, so that thenceforth it was back, back, back for their enemies, always back, never again forward! [Applause.] After that it was only a scant four months before the commanders of the Central Empires knew themselves beaten; and now their very empires are in liquidation!

And throughout it all how fine the spirit of the nation was: what unity of purpose, what untiring zeal! What elevation of purpose ran through all its splendid display of strength, its untiring accomplishment. I have said that those of us who stayed at home to do the work of organization and supply will always wish that we had been with the men whom we sustained by our labour; but we can never be ashamed. It has been an inspiring thing to be here in the midst of fine men who had turned aside from every private interest of their own and devoted the whole of their trained capacity to the tasks that supplied the sinews of the whole great undertaking! The patriotism, the unselfishness, the thoroughgoing devotion and distinguished capacity that marked their toilsome labours, day after day, month after month, have made them fit mates and comrades of the men in the trenches and on the sea. And not the men here in Washington only. They have but directed the vast achievement. Throughout innumerable factories, upon innumerable farms, in the depths of coal mines and iron mines and copper mines, wherever the stuffs of industry were to be obtained and prepared, in the shipyards, on the railways, at the docks, on the sea, in every labour that was needed to sustain the battle lines, men have vied with each other to do their part and do it well. They can look any man-at-arms in the face, and say, We also strove to win and gave the best that was in us to make our fleets and armies sure of their triumph!

And what shall we say of the women,—of their instant intelligence, quickening every task that they touched; their capacity for organization and cooperation, which gave their action discipline and enhanced the effectiveness of everything they attempted; their aptitude at tasks to which they had never before set their hands; their utter self-sacrifice alike in what they did and in what they gave? Their contribution to the great result is beyond appraisal. They have added a new lustre to the annals of American womanhood. [Applause.]

The least tribute we can pay them is to make them the equals of men in political rights [applause] as they have proved themselves their equals in every field of practical work they have entered, whether for themselves or for their country. These great days of completed achievement would be sadly marred were we to omit that act of justice. [Applause.] Besides the immense practical services they have rendered, the women of the country have been the moving spirits in the systematic economies by which our people have voluntarily assisted to supply the suffering peoples of the world and the armies upon every front with food and everything else that we had that might serve the common cause. The details of such a story can never be fully written, but we carry them at our hearts and thank God that we can say that we are the kinsmen of such.

And now we are sure of the great triumph for which every sacrifice was made. It has come, come in its completeness, and with the pride and inspiration of these days of achievement quick within us we turn to the tasks of peace again,—a peace secure against the violence of irresponsible monarchs and ambitious military coteries and made ready for a new order, for new foundations of justice and fair dealing.

We are about to give order and organization to this peace not only for ourselves but for the other peoples of the world as well, so far as they will suffer us to serve them. It is international justice that we seek, not domestic safety merely. Our thoughts have dwelt of late upon Europe, upon Asia, upon the near and the far East, very little upon the acts of peace and accommodation that wait to be performed at our own doors. While we are adjusting our relations with the rest of the world is it not of capital importance that we should clear away all grounds of misunderstanding with our immediate neighbors and give proof of the friendship we really feel? I hope that the members of the Senate will permit me to speak once more of the unratified treaty of friendship and adjustment with the Republic of Colombia. I very earnestly urge upon them an early and favourable action upon that vital matter. I believe that they will feel, with me, that the stage of affairs is now set for such action as will be not only just but generous and in the spirit of the new age upon which we have so happily entered.

So far as our domestic affairs are concerned the problem of our return to peace is a problem of economic and industrial readjustment. That problem is less serious for us than it may turn out to be for the nations which have suffered the disarrangements and the losses of war longer than we. Our people, moreover, do not wait to be coached and led. They know their own business, are quick and resourceful at every readjustment, definite in purpose, and self-reliant in action. Any leading strings we might seek to put them in would speedily become hopelessly tangled because they would pay no attention to them and go their own way. All that we can do as their legislative and executive servants is to mediate the process of change here, there, and elsewhere as we may. I have heard much counsel as to the plans that should be formed and personally conducted to a happy consummation, but from no quarter have I seen any general scheme of "reconstruction" emerge which I thought it likely we could force our spirited business men and self-reliant labourers to accept with due pliancy and obedience.

While the war lasted we set up many agencies by which to direct the industries of the country in the services it was necessary for them to render, by which to make sure of an abundant supply of the materials needed, by which to check undertakings that could for the time be dispensed with and stimulate those that were most serviceable in war, by which to gain for the purchasing departments of the Government a certain control over the prices of essential articles and materials, by which to restrain trade with alien enemies, make the most of the available shipping, and systematize financial transactions, both public and private, so that there would be no unnecessary conflict or confusion,—by which, in short, to put every material energy of the country in harness to draw the common load and make of us one team in the accomplishment of a great task. But the moment we knew the armistice to have been signed we took the harness off. Raw materials upon which the Government had kept its hand for fear there should not be enough for the industries that supplied the armies have been released and put into the general market again. Great industrial plants whose whole output and machinery had been taken over for the uses of the Government have been set free to return to the uses to which they were put before the war. It has not been possible to remove so readily or so quickly the control of foodstuffs and of shipping, because the world has still to be fed from our granaries and the ships are still needed to send supplies to our men oversea and to bring the men back as fast as the disturbed conditions on the other side of the water permit; but even

these restraints are being relaxed as much as possible and more and more as the weeks go by.

Never before have there been agencies in existence in this country which knew so much of the field of supply, of labour, and of industry as the War Industries Board, the War Trade Board, the Labour Department, the Food Administration, and the Fuel Administration have known since their labours became thoroughly systematized; and they have not been isolated agencies; they have been directed by men who represented the permanent Departments of the Government and so have been the centres of unified and cooperative action. It has been the policy of the Executive, therefore, since the armistice was assured (which is in effect a complete submission of the enemy) to put the knowledge of these bodies at the disposal of the business men of the country and to offer their intelligent mediation at every point and in every matter where it was desired. It is surprising how fast the process of return to a peace footing has moved in the three weeks since the fighting stopped. It promises to outrun any inquiry that may be instituted and any aid that may be offered. It will not be easy to direct it any better than it will direct itself. The American business man is of quick initiative.

The ordinary and normal processes of private initiative will not, however, provide immediate employment for all of the men of our returning armies. Those who are of trained capacity, those who are skilled workmen, those who have acquired familiarity with established businesses, those who are ready and willing to go to the farms, all those whose aptitudes are known or will be sought out by employers will find no difficulty, it is safe to say, in finding place and employment. But there will be others who will be at a loss where to gain a livelihood unless pains are taken to guide them and put them in the way of work. There will be a large floating residuum of labour which should not be left wholly to shift for itself. It seems to me important, therefore, that the development of public works of every sort should be promptly resumed, in order that opportunities should be created for unskilled labour in particular, and that plans should be made for such developments of our unused lands and our natural resources as we have hitherto lacked stimulation to undertake.

I particularly direct your attention to the very practical plans which the Secretary of the Interior has developed in his annual report and before your Committees for the reclamation of arid, swamp, and cut-over lands which might, if the States were willing and able to cooperate, redeem some three hundred million acres of land for cultivation. There are said to be fifteen or twenty million acres of land in the West, at present arid, for whose reclamation water is available, if properly conserved. There are about two hundred and thirty million acres from which the forests have been cut but which have never yet been cleared for the plow and which lie waste and desolate. These lie scattered all over the Union. And there are nearly eighty million acres of land that lie under swamps or subject to periodical overflow, or too wet for anything but grazing which it is perfectly feasible to drain and protect and redeem. The Congress can at once direct thousands of the returning soldiers to the reclamation of the arid lands which it has already undertaken, if it will but enlarge the plans and the appropriations which it has entrusted to the Department of the Interior. It is possible in dealing with our unused land to effect a great rural and agricultural development which will afford the best sort of opportunity to men who want to help themselves; and the Secretary of the Interior has thought the possible methods out in a way which is worthy of your most friendly attention.

I have spoken of the control which must yet for a while, perhaps for a long while, be exercised over shipping because of the priority of service to which our forces overseas are entitled and which should also be accorded the shipments which are to save recently liberated peoples from starvation and many devasted regions from permanent ruin. May I not say a special word about the needs of Belgium and northern France? No sums of money paid by way of indemnity will serve of themselves to save them from hopeless disadvantage for years to come. Something more must be done than merely find the money. If they had money and raw materials in abundance to-morrow they could not resume their place in the industry of the world to-morrow,—the very important place they held before the flame of war swept across them. Many of their factories are razed to the ground. Much of their machinery is destroyed or has been taken away. Their people are scattered and many of their best workmen are dead. Their markets will be taken by others, if they are not in some special way assisted to rebuild their factories and replace their lost instruments of manufacture. They should not be left to the vicissitudes of the sharp competition for materials and for industrial facilities which is now to set in. I hope, therefore, that the Congress will not be unwilling, if it should become necessary, to grant to some such agency as the War Trade Board the right to establish priorities of export and supply for the benefit of these people whom we have been so happy to assist in saving from the German terror and whom we must not now thoughtlessly leave to shift for themselves in a pitiless competitive market.

For the steadying and facilitation of our own domestic business readjustments nothing is more important than the immediate determination of the taxes that are to be levied for 1918, 1919, and 1920. As much of the burden of taxation must be lifted from business as sound methods of financing the Government will permit, and those who conduct the great essential industries of the country must be told as exactly as possible what obligations to the Government they will be expected to meet in the years immediately ahead of them. It will be of serious consequence to the country to delay removing all uncertainties in this matter a single day longer than the right processes of debate justify. It is idle to talk of successful and confident business reconstruction before those uncertainties are resolved.

If the war had continued it would have been necessary to raise at least eight billion dollars by taxation payable in the year 1919; but the war has ended and I agree with the Secretary of the Treasury that it will be safe to reduce the amount to six billions. An immediate rapid decline in the expenses of the Government is not to be looked for. Contracts made for war supplies will, indeed, be rapidly cancelled and liquidated, but their immediate liquidation will make heavy drains on the Treasury for the months just ahead of us. The maintenance of our forces on the other side of the sea is still necessary. A considerable proportion of those forces must remain in Europe during the period of occupation, and those which are brought home will be transported and demobilized at heavy expense for months to come. The interest on our war debt must of course be paid and provision made for the retirement of the obligations of the Government which represent it. But these demands will of course fall much below what a continuation of military operations would have entailed and six billions should suffice to supply a sound foundation for the financial operations of the year.

I entirely concur with the Secretary of the Treasury in recommending that the two billions needed in addition to the four billions provided by existing law be obtained from the profits which have accrued and shall accrue from war contracts and distinctively war business, but that these taxes be confined to the war profits accruing in 1918, or in 1919 from business originating in war contracts. I urge your acceptance of his recommendation that provision be made now, not subsequently, that the taxes to be paid in 1920 should be reduced from six to four billions. Any arrangements less definite than these would add elements of doubt and confusion to the critical period of industrial readjustment through which the country must now immediately pass, and which no true friend of the nation's essential business interests can afford to be responsible for creating or prolonging. Clearly determined conditions, clearly and simply charted, are indispensable to the economic revival and rapid industrial development which may confidently be expected if we act now and sweep all interrogation points away.

I take it for granted that the Congress will carry out the naval programme which was undertaken before we entered the war. The Secretary of the Navy has submitted to your Committees for authorization that part of the programme which covers the building plans of the next three years. These plans have been prepared along the lines and in accordance with the policy which the Congress established, not under the exceptional conditions of the war, but with the intention of adhering to a definite method of development for the navy. I earnestly recommend the uninterrupted pursuit of that policy. It would clearly be unwise for us to attempt to adjust our programmes to a future world policy as yet undetermined.

The question which causes me the greatest concern is the question of the policy to be adopted towards the railroads. I frankly turn to you for counsel upon it. I have no confident judgment of my own. I do not see how any thoughtful man can have who knows anything of the complexity of the problem. It is a problem which must be studied, studied immediately, and studied without bias or prejudice. Nothing can be gained by becoming partisans of any particular plan of settlement.

It was necessary that the administration of the railways should be taken over by the Government so long as the war lasted. It would have been impossible otherwise to establish and carry through under a single direction the necessary priorities of shipment. It would have been impossible otherwise to

combine maximum production at the factories and mines and farms with the maximum possible car supply to take the products to the ports and markets; impossible to route troop shipments and freight shipments without regard to the advantage or disadvantage of the roads employed; impossible to subordinate, when necessary, all questions of convenience to the public necessity; impossible to give the necessary financial support to the roads from the public treasury. But all these necessities have now been served, and the question is, What is best for the railroads and for the public in the future?

Exceptional circumstances and exceptional methods of administration were not needed to convince us that the railroads were not equal to the immense tasks of transportation imposed upon them by the rapid and continuous development of the industries of the country. We knew that already. And we knew that they were unequal to it partly because their full cooperation was rendered impossible by law and their competition made obligatory, so that it has been impossible to assign to them severally the traffic which could best be carried by their respective lines in the interest of expedition and national economy.

We may hope, I believe, for the formal conclusion of the war by treaty by the time Spring has come. The twenty-one months to which the present control of the railways is limited after formal proclamation of peace shall have been made will run at the farthest, I take it for granted, only to the January of 1921. The full equipment of the railways which the federal administration had planned could not be completed within any such period. The present law does not permit the use of the revenues of the several roads for the execution of such plans except by formal contract with their directors, some of whom will consent while some will not, and therefore does not afford sufficient authority to undertake improvements upon the scale upon which it would be necessary to undertake them. Every approach to this difficult subject-matter of decision brings us face to face, therefore, with this unanswered question: What is it right that we should do with the railroads, in the interest of the public and in fairness to their owners?

Let me say at once that I have no answer ready. The only thing that is perfectly clear to me is that it is not fair either to the public or to the owners of the railroads to leave the question unanswered and that it will presently become my duty to relinquish control of the roads, even before the expiration of the statutory period, unless there should appear some clear prospect in the meantime of a legislative solution. Their release would at least produce one element of a solution, namely certainty and a quick stimulation of private initiative.

I believe that it will be serviceable for me to set forth as explicitly as possible the alternative courses that lie open to our choice. We can simply release the roads and go back to the old conditions of private management, unrestricted competition, and multiform regulation by both state and federal authorities; or we can go to the opposite extreme and establish complete government control, accompanied, if necessary, by actual government ownership; or we can adopt an intermediate course of modified private control, under a more unified and affirmative public regulation and under such alterations of the law as will permit wasteful competition to be avoided and a considerable degree of unification of administration to be effected, as, for example, by regional corporations under which the railways of definable areas would be in effect combined in single systems.

The one conclusion that I am ready to state with confidence is that it would be a disservice alike to the country and to the owners of the railroads to return to the old conditions unmodified. Those are conditions of restraint without development. There is nothing affirmative or helpful about them. What the country chiefly needs is that all its means of transportation should be developed, its railways, its waterways, its highways, and its countryside roads. Some new element of policy, therefore, is absolutely necessary,—necessary for the service of the public, necessary for the release of credit to those who are administering the railways, necessary for the protection of their security holders. The old policy may be changed much or little, but surely it cannot wisely be left as it was. I hope that the Congress will have a complete and impartial study of the whole problem instituted at once and prosecuted as rapidly as possible. I stand ready and anxious to release the roads from the present control and I must do so at a very early date if by waiting until the statutory limit of time is reached I shall be merely prolonging the period of doubt and uncertainty which is hurtful to every interest concerned.

I welcome this occasion to announce to the Congress my purpose to join in Paris the representatives of the governments with which we have been associated in the war against the Central Empires for the purpose of discussing with them the main features of the treaty of peace. [Applause.] I realize the great inconveniences that will attend my leaving the country, particularly at this time, but the conclusion that it was my paramount duty to go has been forced upon me by considerations which I hope will seem as conclusive to you as they have seemed to me.

The allied governments have accepted the bases of peace which I outlined to the Congress on the eighth of January last, as the Central Empires also have, and very reasonably desire my personal counsel in their interpretation and application, and it is highly desirable that I should give it in order that the sincere desire of our Government to contribute without selfish purpose of any kind to settlements that will be of common benefit to all the nations concerned may be made fully manifest. The peace settlements which are now to be agreed upon are of transcendent importance both to us and to the rest of the world, and I know of no business or interest which should take precedence of them. The gallant men of our armed forces on land and sea have consciously fought for the ideals which they knew to be the ideals of their country; I have sought to express those ideals; they have accepted my statements of them as the substance of their own thought and purpose, as the associated governments have accepted them; I owe it to them to see to it, so far as in me lies, that no false or mistaken interpretation is put upon them, and no possible effort omitted to realize them. It is now my duty to play my full part in making good what they offered their life's blood to obtain. [Applause.] I can think of no call to service which could transcend this.

I shall be in close touch with you and with affairs on this side the water, and you will know all that I do. At my request, the French and English governments have absolutely removed the censorship of cable news which until within a fortnight they had maintained and there is now no censorship whatever exercised at this end except upon attempted trade communications with enemy countries. It has been necessary to keep an open wire constantly available between Paris and the Department of State and another between France and the Department of War. In order that this might be done with the least possible interference with the other uses of the cables, I have temporarily taken over the control of both cables in order that they may be used as a single system. I did so at the advice of the most experienced cable officials, and I hope that the results will justify my hope that the news of the next few months may pass with the utmost freedom and with the least possible delay from each side of the sea to the other. [Applause.]

May I not hope, Gentlemen of the Congress, that in the delicate tasks I shall have to perform on the other side of the sea, in my efforts truly and faithfully to interpret the principles and purposes of the country we love, I may have the encouragement and the added strength of your united support? [Applause.] I realize the magnitude and difficulty of the duty I am undertaking; I am poignantly aware of its grave responsibilities. I am the servant of the nation. I can have no private thought or purpose of my own in performing such an errand. I go to give the best that is in me to the common settlements which I must now assist in arriving at in conference with the other working heads of the associated governments. I shall count upon your friendly countenance and encouragement. I shall not be inaccessible. The cables and the wireless will render me available for any counsel or service you may desire of me, and I shall be happy in the thought that I am constantly in touch with the weighty matters of domestic policy with which we shall have to deal. I shall make my absence as brief as possible and shall hope to return with the happy assurance that it has been possible to translate into action the great ideals for which America has striven. [Applause.]

At 1 o'clock and 45 minutes p. m. the President retired from the Hall of the House.

Thereupon the Vice President and the Members of the Senate returned to their Chamber.

LEAVES OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BAKER, for five days, on account of important business and inability to reach Washington sooner.

To Mr. WALDO, at the request of Mr. SIEGEL, indefinitely, on account of serious illness.

To Mr. SANDERS of Louisiana, indefinitely, on account of illness.

To Mr. EMERSON, indefinitely, on account of serious illness in his family.

To Mr. VOIGT, at the request of Mr. ESCH, for 10 days, on account of illness in his family.

ANTONIO M. MARTIN RIVERO (H. DOC. NO. 1460).

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with the accompanying documents, referred to the Committee on Naval Affairs:

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State inclosing a draft of a joint resolution authorizing the Secretary of the Navy to permit Mr. Antonio M. Martin Rivero, a citizen of Cuba, to receive instruction at the United States Naval Academy at Annapolis at the expense of the Government of Cuba.

The Secretary of State points out that the passage of the resolution would be regarded as an act of courtesy by the Government of Cuba and that it would follow established precedents.

WOODROW WILSON.

THE WHITE HOUSE, *2 December, 1918.*

MEAT-PACKING INDUSTRY (H. DOC. NO. 1297, PT. II).

The SPEAKER also laid before the House the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce:

To the Senate and House of Representatives:

I transmit herewith for the information of the Congress Part II of the summary of the report of the Federal Trade Commission on the Meat Packing Industry, being a part of the commission's food investigation.

WOODROW WILSON.

THE WHITE HOUSE, *2 December, 1918.*

BRIDGE ACROSS THE ARKANSAS RIVER (H. REPT. 858).

Mr. WINGO. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 13153) extending the time for the construction of a bridge across the Arkansas River at the foot of Garrison Avenue, at Fort Smith, Ark., which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That the time for commencing the construction and completion of a bridge authorized by the act of Congress approved July 27, 1917, to be built across the Arkansas River, at the foot of Garrison Avenue, at Fort Smith, Ark., by the Sebastian bridge district, are hereby extended to one year and three years, respectively, from July 27, 1918.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 1, line 6, strike out the word "time" and insert in lieu thereof the word "times."

The SPEAKER. Is there objection?

Mr. GILLETT. Mr. Speaker, reserving the right to object, I would like to ask the leader of the House what his program is for to-day.

Mr. KITCHIN. After this matter is concluded, one way or the other, I am going to move to adjourn.

Mr. MANN. Mr. Speaker, reserving the right to object, will the gentleman from Arkansas yield for a question?

Mr. WINGO. Certainly.

Mr. MANN. What is the necessity of taking this bill up to-day? It is not yet on the calendar.

Mr. WINGO. It comes to-day with a unanimous report from the committee, and is not yet on the calendar.

Mr. MANN. What is the necessity for passing it to-day?

Mr. WINGO. The necessity for prompt action arises out of these facts: Authority for the construction of this bridge was granted by a legislative act creating an improvement district several years ago. Unless the time to construct this bridge across this stream is extended this public improvement will be practically defeated, because they must advertise for bids and let the contract before the 1st of January. They have no authority to let that contract until they have full authority to construct the bridge, which includes the permission of the Federal Government.

Mr. MANN. But this is the 2d day of December. There is quite a time yet until the 1st of January. We could pass this bill to-morrow. It is very unusual to take up matters by unanimous consent on the first day of the session. Why not pass the bill to-morrow or Wednesday?

Mr. WINGO. I appreciate that fact, and I sought to impress it upon the House on the last day of the last session of Congress. I was then assured that if I would not press it at that time over the gentleman's agreement that it should be passed the first day of this session. The necessity which the gentleman wants to get at is this: I want it passed to-day so that it can be passed by the Senate to-morrow and be presented to the President for his signature before he goes to Europe.

Mr. MANN. I understand; but the Constitution provides a method of having a bill enacted into law without the signature of the President. I take it the President would not leave the country with the gentleman's bill in a position where it could not become a law or where Congress could not act upon anything. If the gentleman's bill were passed to-morrow, and passed by the Senate within a short time, it would become a law before the 1st of January, after it is presented to the President and he does not sign it and the period of 10 days elapses. Why does not the gentleman wait and present the bill to the President?

Mr. WINGO. To be perfectly frank with the gentleman, under the peculiar conditions that exist legally with reference to this bridge district I want to take the surest and most expeditious route, and upon the assurance of the House that it would permit me to pass it on the first day I did not press it during the existence of the gentleman's agreement during the last session.

Mr. MANN. That excuse is not a good one. Not pressing a bill on the last day of a session does not amount to anything at all. Lots of men do not press bills then if they think they can not pass them. Gentlemen do not press the bill because they could not pass it. Now, here is the situation: I am not criticizing the President for going abroad. I am inclined to think if I were in his position I would feel inclined to do the same thing, but the gentleman is afraid to trust his bill becoming the law by the 1st of January to its presentation to the President for fear he can not find the President to whom to present it, and if his fear is right about a bridge bill what is his fear to be about important legislation? The President will not be in this country. He will not be accessible. The bill enrolled and duly passed by both Houses can not be presented to him personally. It has been the custom to take bills to the White House. That is the custom. A presentation to an official at the White House is a presentation to the President. But if the President is abroad and is not capable of receiving the message the question is whether somebody else is entitled to act in that capacity. The Constitution of the United States says that when the President is incapacitated or can not be reached in some way the Vice President is to perform the duties of his office. Now, are we going to be put in a position that for the next six weeks Congress can not by any method it wishes to pursue accomplish anything? We pass a bill or a resolution. The gentleman's course indicates that he thinks if it were sent to the White House that would not be a presentation to the President, so that it could not become a law by failure of the President to sign it. It can not become a law by the President signing it, because he can not get at it.

Mr. WINGO. Mr. Speaker, I should not want by my silence to leave the impression that I agree with the gentleman's interpretation——

Mr. MANN. But the gentleman's course agrees with it.

Mr. WINGO. Before I get to that I want to suggest the practical fact that confronts me. Even if the President were not abroad, there is something else to be done in the letting of this contract besides this. It has to be advertised, and the board has not authority to advertise for bids even before this should become a law. I think, to be perfectly frank with the gentleman, I am fearful rather we will not get through in time to comply with the peculiar requirements of the statute governing the erection of this bridge. Now, the gentleman has suggested that my course leads to the conclusion that I am afraid the bill can not be presented to the President. I will be frank with the gentleman, as he has asked my opinion, and state that my conclusion as a lawyer, humble as my opinion may be, is that the President when he receives a bill from Congress is acting as an official and not as a person and a presentation at the President's office is a presentation to the President of the United States.

Mr. STAFFORD. Has the gentleman any authority?

Mr. WINGO. None but sound reasoning and common sense.

Mr. MANN. The gentleman will remember that the President has officially informed us that he will not be at his office. That is official information.

Mr. WINGO. Yes; the President has done that. He has informed us officially, and the country has recognized even before the President informed us officially, that the situation was such as to make it his duty to go abroad, and certainly I should not want the President to stay at home on account of a bridge bill, even if I held the gentleman's view, and forego the discharge of his duty in the international crisis that exists.

Mr. MANN. I have not objected to the consideration of the gentleman's bill; that has been given.

Mr. WINGO. I appreciate——

Mr. MANN. I am not objecting to the President's going abroad, but I think sometime some wise gentlemen on the majority side of the House ought to be able to inform the Congress what course is to be pursued when these matters come before us. Is there any way by which we may make into law anything through Congress before the President returns?

Mr. LONGWORTH. Will the gentleman yield for a question?

Mr. WINGO. I yield to the gentleman from Ohio.

Mr. LONGWORTH. The gentleman may recall it has been on many occasions the presidential custom to hand the pen with which he signed a bill for some favored project to the gentleman interested in it. How would the gentleman from Arkansas attempt to get the pen in this case?

Mr. WINGO. I am willing, if I get the law, to let some one else have the pen. We want the bridge and have for years, and the Capital Issues Committee held it up until the time expired, and now we have to pass this extension act in order that this much-needed bridge can be promptly constructed.

Mr. MONDELL. Will the gentleman yield?

Mr. WINGO. I yield to the gentleman.

Mr. MONDELL. As I understand it, the gentleman from Arkansas gives it as his legal opinion—and I am sure that he is a good lawyer—that the delivery of the bill at the White House is equivalent to the delivery of the bill to the President or presentation to the President. Now, following that view of the matter, the gentleman's bill, if it passes any time in the near future, could be delivered to the White House and in due course would become a law. So, from the gentleman's own view of the matter, there does not seem to be any urgency concerning it.

Mr. WINGO. It is not only necessary to pass it through this House and through another House, but then bids have to be advertised for, considered, and one accepted, and all that under the law requires time.

Mr. MONDELL. As I understand the gentleman from Arkansas, the absence of the President from the White House would have no effect upon his bill at all, except to insure its becoming a law at the end of 10 days.

Mr. WINGO. That is my humble opinion.

Mr. GREENE of Vermont. Is it the gentleman's opinion that the presentation of a bill to an empty White House is equivalent to giving it to a Democratic President?

Mr. WINGO. No; I think not; nor to a Republican President.

Mr. GILLETT. Will the gentleman yield?

Mr. WINGO. I will.

Mr. GILLETT. Suppose the President officially notified the House that he was to be at his summer residence in New Jersey, would you under those circumstances say that the presenting of a bill at the White House was all that was necessary?

Mr. WINGO. I think so. When he has been absent from the White House in the past, bills have been delivered there.

Mr. GILLETT. And if it laid there for 10 days it would become a law?

Mr. WINGO. Yes.

Mr. SLOAN. Does not the gentleman presume that if the President of the United States goes beyond the 3-mile limit and takes himself out of position to perform his duty in reference to his bridge bill, that the Vice President of the United States will consider it his duty to assume it at once?

Mr. WINGO. I am not going to indulge in presumptions as to how an executive will perform his duty. I concern myself only with the discharge of my duties, confident that the executive officers will discharge theirs.

Mr. SLOAN. I would like to ask the gentleman if he would not understand it to be a fact that when the President of the United States puts it out of his own power to perform the ordinary functions of President of the United States by leaving the country over which he is supposed to preside, the contingent officer, also elected by the people, would have the courage to do what he should and occupy the White House and perform the duties of the President of the United States?

Mr. WINGO. I never cross a bridge until I get to it. [Laughter.]

Mr. LONGWORTH. But the gentleman's bill is a bridge bill. [Laughter.]

Mr. WALSH. Will the gentleman yield?

Mr. WINGO. I will.

Mr. WALSH. Is it any part of the gentleman's purpose in advocating this important legislation to make a test case of this question as to the President leaving the country when legislation is pending?

Mr. WINGO. Certainly not. I have no desire to test any question that might be involved. I am confident no question will be raised.

Mr. WALSH. That is why the gentleman is so free with his legal opinion?

Mr. WINGO. No; I was asked for my opinion. I did not volunteer it. It costs nothing. The gentleman is not bound to take it.

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read a third time, and passed.

On motion of Mr. WINGO, a motion to reconsider the vote by which the bill was passed was laid on the table.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 10 minutes p. m.) the House adjourned until to-morrow, Tuesday, December 3, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting communications from the heads of executive departments and other Government establishments submitting supplemental estimates of appropriations for increase in statutory salaries of officers and employees for the fiscal year 1920 (H. Doc. No. 1365); to the Committee on Appropriations and ordered to be printed.

2. A letter from the chairman of the Federal Trade Commission, transmitting Part II of the Report of the Federal Trade Commission on the Meat Industry, being a part of the commission's food investigation (H. Doc. No. 1297, pt. II); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

3. A letter from the Attorney General, transmitting a statement of expenditures of the appropriations for the United States Court of Customs Appeals for the fiscal year ended June 30, 1918 (H. Doc. No. 1366); to the Committee on Expenditures in the Department of Justice and ordered to be printed.

4. A letter from the Secretary of the Smithsonian Institution, transmitting information regarding purchase and exchange of typewriting machines during the fiscal year ending June 30, 1918 (H. Doc. No. 1367); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Smithsonian Institution, transmitting statement of officers and employees of the Smithsonian Institution who have traveled on official business from Washington to points outside of the District of Columbia during the fiscal year ended June 30, 1918 (H. Doc. No. 1368); to the Committee on Appropriations and ordered to be printed.

6. A letter from the chairman of the United States Tariff Commission, transmitting copy of the second annual report of the United States Tariff Commission (H. Doc. No. 1369); to the Committee on Ways and Means and ordered to be printed.

7. A letter from the Secretary of the Smithsonian Institution, transmitting statement for the first four months of the current fiscal year of the average number of employees who received increased compensation at the rate of $120 per annum and average number by grades who received the same at each other rate (H. Doc. No. 1370); to the Committee on Appropriations and ordered to be printed.

8. A letter from the Secretary of the Smithsonian Institution, transmitting detailed statement of expenditures for the fiscal year ending June 30, 1918, under the appropriations for "International Exchanges," "American Ethnology," the "Astrophysical Observatory," the "International Catalogue of Scientific Literature," the "National Museum," the "National Zoological Park," etc. (H. Doc. No. 1371); to the Committee on Appropriations and ordered to be printed.

9. A letter from the chairman of the Interstate Commerce Commission, transmitting statement of typewriters and other labor-saving devices purchased and exchanged during the fiscal year 1918 (H. Doc. No. 1372); to the Committee on Appropriations and ordered to be printed.

10. A letter from the Secretary of War, transmitting statement submitted by the Chief of Ordnance, United States Army, of the costs of all types and experimental manufacture of guns and other articles and the average cost of the several classes of guns and other articles manufactured by the Government at the

several arsenals (H. Doc. No. 1373); to the Committee on Expenditures in the War Department and ordered to be printed.

11. A letter from the Secretary of the United States Senate, transmitting report of the average number of employees of the United States Senate who received the $120 per annum increase this year (H. Doc. No. 1374); to the Committee on Appropriations and ordered to be printed.

12. A letter from the Secretary of War, transmitting statements submitted by the Chief of Ordnance, United States Army, of the expenditures and allotment cost of arms, components of arms, and appendages fabricated, altered, and repaired during the fiscal year ended June 30, 1918 (H. Doc. No. 1375); to the Committee on Expenditures in the War Department and ordered to be printed.

13. A letter from the superintendent of the State, War, and Navy Department Building, transmitting report concerning employees of this office receiving increase of compensation (H. Doc. No. 1376); to the Committee on Appropriations and ordered to be printed.

14. A letter from the Attorney General, transmitting report of average number of employees receiving increased compensation under the act approved July 3, 1918, making appropriations for the legislative, executive, and judicial expenses of the Government (H. Doc. No. 1377); to the Committee on Appropriations and ordered to be printed.

15. A letter from the Postmaster General, transmitting annual report of operations of the Postal Savings System for the fiscal year ended June 30, 1918 (H. Doc. No. 1378); to the Committee on the Post Office and Post Roads and ordered to be printed.

16. A letter from the Acting Postmaster General, transmitting statement showing in detail what officers or employees have traveled on official business from Washington to points outside of the District of Columbia during the fiscal year ended June 30, 1918 (H. Doc. No. 1379); to the Committee on Expenditures in the Post Office Department and ordered to be printed.

17. A letter from the president of the Board of Commissioners of the District of Columbia, transmitting report of the official operations of the government for the fiscal year ended June 30, 1918 (H. Doc. No. 1381); to the Committee on the District of Columbia and ordered to be printed.

18. A letter from the United States Employees' Compensation Commission, transmitting statement of all travel performed during the fiscal years ended June 30, 1917, and June 30, 1918, by officers and employees of this commission other than those who in the discharge of their regular duties are required to travel constantly (H. Doc. No. 1380); to the Committee on Appropriations and ordered to be printed.

19. A letter from the Secretary of the Treasury, recommending appropriations for certain increases in salaries of officers and employees in the Treasury Department (H. Doc. No. 1381); to the Committee on Appropriations and ordered to be printed.

20. A letter from the president of the United States Civil Service Commission, transmitting a statement showing the typewriters, adding machines, and other labor-saving devices exchanged in part payment for new machines during the fiscal year 1918 (H. Doc. No. 1382); to the Committee on Appropriations and ordered to be printed.

21. A letter from the chairman of the Federal Trade Commission, transmitting report of typewriters, adding machines, and other similar labor-saving devices exchanged during the fiscal year ended June 30, 1918 (H. Doc. No. 1383); to the Committee on Appropriations and ordered to be printed.

22. A letter from the Acting Secretary of Labor, transmitting an itemized statement of the actual expenditures during the fiscal year 1918 from the appropriations "Miscellaneous expenses, Bureau of Naturalization, 1918" (H. Doc. No. 1384); to the Committee on Expenditures in the Department of Labor and ordered to be printed.

23. A letter from the Postmaster General, transmitting memorandum of allowances granted payable from the appropriation for unusual conditions for the fiscal year 1918 (H. Doc. No. 1385); to the Committee on Expenditures in the Post Office Department and ordered to be printed.

24. A letter from the Secretary of War, transmitting a tentative draft of a proposed bill extending the benefit of the war-risk insurance act to certain civilians employed by the Army (H. Doc. No. 1386); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

25. A letter from the managing director of War Finance Corporation, transmitting report of War Finance Corporation covering operations from date of organization to November 30, 1918, inclusive (H. Doc. No. 1387); to the Committee on Banking and Currency and ordered to be printed.

26. A letter from the chairman of the Interstate Commerce Commission, transmitting a statement showing the employment under appropriation for the valuation of carriers for the fiscal year ended June 30, 1918 (H. Doc. No. 1388); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

27. A letter from the acting chairman United States Shipping Board, transmitting a statement showing the number of persons, the grades or character of positions, the original rates of compensation, and the increased rates of compensation, as required by section 2 of the act of Congress approved June 12, 1917 (H. Doc. No. 1389); to the Committee on Appropriations and ordered to be printed.

28. A letter from the acting chairman of the United States Shipping Board, transmitting a statement of travel made by officers and employees of the United States Shipping Board from Washington, D. C., during the fiscal year ended June 30, 1918 (H. Doc. No. 1390); to the Committee on Appropriations and ordered to be printed.

29. A letter from the Acting Postmaster General, transmitting report of the finances of the department for the preceding year, a report of the amount expended in the department for the preceding fiscal year, and a report with reference to the appropriation "Increase of compensation, Post Office Department, 1919" (H. Doc. No. 1391); to the Committee on Expenditures in the Post Office Department and ordered to be printed.

30. A letter from the Secretary of the Treasury, transmitting estimate of appropriation for electrical protection to Subtreasury vaults for consideration in connection with the sundry civil estimates for the fiscal year 1920 (H. Doc. No. 1392); to the Committee on Appropriations and ordered to be printed.

31. A letter from the National Home for Disabled Volunteer Soldiers, transmitting statement showing typewriters exchanged, National Home for Disabled Volunteer Soldiers, fiscal year 1918 (H. Doc. No. 1393); to the Committee on Appropriations and ordered to be printed.

32. A letter from the Secretary of the Treasury, transmitting estimate of appropriation, New York, N. Y., quarantine station, for inclusion in the sundry civil appropriation bill (H. Doc. No. 1394); to the Committee on Appropriations and ordered to be printed.

33. A letter from the Assistant Secretary of War, transmitting report by the officer in charge public buildings and grounds concerning methods of reducing the cost of operating fountains in the Union Station Plaza (H. Doc. No. 1395); to the Committee on Appropriations and ordered to be printed.

34. A letter from the chairman of the Interstate Commerce Commission, transmitting report showing number of persons, the grades and character of positions, the original rates of compensation, and the increased rates of compensation under the act of June 12, 1917 (H. Doc. No. 1396); to the Committee on Appropriations and ordered to be printed.

35. A letter from the chairman of the Interstate Commerce Commission, transmitting a statement showing the travel of all officials and employees who have traveled on official business from Washington to points outside the District of Columbia during the fiscal year ended June 30, 1918 (H. Doc. No. 1397); to the Committee on Appropriations and ordered to be printed.

36. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Bayous des Cannes and Nezpique, La. (H. Doc. No. 1398); to the Committee on Rivers and Harbors and ordered to be printed.

37. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Coos Channel, East Channel, Oreg. (H. Doc. No. 1399); to the Committee on Rivers and Harbors and ordered to be printed.

38. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Queens Creek, Onslow County, N. C. (H. Doc. No. 1459); to the Committee on Rivers and Harbors and ordered to be printed.

39. A message from the President of the United States, transmitting a report from the Secretary of State inclosing draft of joint resolution authorizing the Secretary of the Navy to permit Mr. Antonio M. Martin Rivero, a citizen of Cuba, to receive instructions at the United States Naval Academy, at Annapolis, at the expense of the Government of Cuba (H. Doc. No. 1460); to the Committee on Naval Affairs and ordered to be printed.

40. A letter from the Secretary of War, transmitting a tentative draft of a bill fixing a limitation of time for bringing suits against the United States in certain cases (H. Doc. No. 1360); to the Committee on the Judiciary and ordered to be printed.

41. A letter from the Secretary of the Treasury, transmitting information relative to the necessity of supplying hospital accommodations for discharged sick and disabled soldiers and sailors and others entitled to treatment by the Public Health Service (H. Doc. No. 1361); to the Committee on Public Buildings and Grounds and ordered to be printed.

42. A letter from the Secretary of War, transmitting tentative drafts of bills amending certain sections of the Revised Statutes of the United States relating to patents (H. Doc. No. 1362); to the Committee on Patents and ordered to be printed.

43. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Elk River, Md. (H. Doc. No. 1363); to the Committee on Rivers and Harbors and ordered to be printed.

44. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Lake Worth Inlet, Palm Beach County, Fla. (H. Doc. No. 1364); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. BARKLEY, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13153) extending the time for the construction of a bridge across the Arkansas River at the foot of Garrison Avenue at Fort Smith, Ark., reported the same with amendment, accompanied by a report (No. 838), and as so amended recommend that it pass.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. JONES: A bill (H. R. 13173) to provide for the retention of all uniforms issued to soldiers and sailors of the United States who have been honorably discharged, providing also for the privilege of using same for a stated period of time; to the Committee on Military Affairs.

By Mr. BLANTON: A bill (H. R. 13174) providing for the local commemoration in his home county of the supreme sacrifice made by each soldier, sailor, marine, and aviator who lost his life while in the service of the United States during the present war; to the Committee on Appropriations.

By Mr. SNYDER: A bill (H. R. 13175) for the relief of commissioned officers of the Army recommended for promotion; to the Committee on Military Affairs.

By Mr. BLANTON: A bill (H. R. 13176) providing for the wearing of uniforms after demobilization; to the Committee on Military Affairs.

Also, a bill (H. R. 13177) providing for railroad transportation home to be furnished emergency war workers employed by the Government when dismissed from positions; to the Committee on Appropriations.

By Mr. OLIVER of Alabama: A bill (H. R. 13178) to provide a preliminary survey of the Sipsey River, Ala., with a view to the control of its floods; to the Committee on Flood Control.

Also, a bill (H. R. 13179) to provide a preliminary survey of the Caluba River, Ala., with a view to the control of its floods; to the Committee on Flood Control.

By Mr. GRIEST: A bill (H. R. 13180) providing for a survey of Susquehanna River between the mouth of said river, in the State of Maryland, and the city of Harrisburg, on said river, in the State of Pennsylvania; to the Committee on Rivers and Harbors.

By Mr. SNYDER: A bill (H. R. 13181) to regulate the sale and promotion of stocks, bonds, etc.; to the Committee on Interstate and Foreign Commerce.

By Mr. BLACK: A bill (H. R. 13182) to repeal certain provisions of an act of Congress approved June 15, 1917, known as "the espionage law," and certain provisions of an act of Congress approved October 6, 1917, known as "trading-with-the-enemy act," in so far as such provisions limit or forbid the export of raw cotton; to the Committee on the Judiciary.

By Mr. SLOAN: A bill (H. R. 13183) to vest ownership in all honorably discharged enlisted men and noncommissioned officers of the United States Army, Navy, and members of the Marine Corps the uniform and personal effects, not including arms, issued to them and worn by them in the United States service; to the Committee on Military Affairs.

By Mr. WEBB: A bill (H. R. 13184) making continuing appropriations to defray the actual expenses, within the limits prescribed, of members of the Supreme Court of the United States and of the several circuit courts of appeals of the United States, in attending the annual meetings of the judicial section of the American Bar Association; to the Committee on the Judiciary.

Also, a bill (H. R. 13185) to amend paragraph 1, section 200, of article 2 of the act entitled "An act to extend protection to the civil rights of members of the Military and Naval Establishments of the United States engaged in the present war," approved March 8, 1918; to the Committee on the Judiciary.

By Mr. LAZARO: Resolution (H. Res. 456) to allow a session clerk to the Committee on Enrolled Bills; to the Committee on Accounts.

By Mr. POU: Resolution (H. Res. 457) to allow an assistant clerk to the Committee on Rules; to the Committee on Accounts.

By Mr. PARK: Resolution (H. Res. 458) authorizing the Postmaster of the House to continue the employment of the additional messenger authorized during the second session of the Sixty-fifth Congress; to the Committee on Accounts.

Also, resolution (H. Res. 459) to pay to Sebe Newman $600 out of the contingent fund of the House for extra services; to the Committee on Accounts.

Also, resolution (H. Res. 460) assigning clerks to certain committees of the House; to the Committee on Accounts.

Also, resolution (H. Res. 461) authorizing clerks to certain committees of the House; to the Committee on Accounts.

By Mr. DYER: Resolution (H. Res. 462) authorizing the Speaker of the House to appoint a committee of five Members of the House of Representatives to investigate the delay in reporting the casualties overseas; to the Committee on Rules.

By Mr. RODENBERG: Joint resolution (H. J. Res. 353) declaring the absence of the President from the territory of the United States an inability to discharge the duties of the office and devolving such powers upon the Vice President; to the Committee on the Judiciary.

By Mr. LUNDEEN: Joint resolution (H. J. Res. 354) instructing the delegates to the peace conference to demand freedom for Ireland; to the Committee on Foreign Affairs.

By Mr. McLAUGHLIN of Pennsylvania: Joint resolution (H. J. Res. 355) on the right of Ireland to self-determination; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CANDLER of Mississippi: A bill (H. R. 13186) for the relief of Mrs. Mamie Duffer, of Shannon, Miss.; to the Committee on Claims.

By Mr. DALE of New York: A bill (H. R. 13187) for the relief of Swend A. Swendson; to the Committee on Claims.

By Mr. DYER: A bill (H. R. 13188) granting a pension to Cyrus H. Salizman; to the Committee on Pensions.

By Mr. HERSEY: A bill (H. R. 13189) for the relief of Susie Currier; to the Committee on Claims.

By Mr. McKINLEY: A bill (H. R. 13190) granting an increase of pension to Edward Myres; to the Committee on Pensions.

By Mr. POLK: A bill (H. R. 13191) granting an increase of pension to Thomas Clark; to the Committee on Invalid Pensions.

By Mr. SNOOK: A bill (H. R. 13192) granting a pension to John B. Glick; to the Committee on Invalid Pensions.

By Mr. STRONG: A bill (H. R. 13193) granting an increase of pension to John N. Hall; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Resolutions of the Board of Trade of Kings County, N. Y., relative to exchanging war political prisoners and other matters in connection with peace arrangements; to the Committee on Foreign Affairs.

By Mr. DALE of New York: Petition of The Bronx Board of Trade, urging the passage of House bill 13242; to the Committee on the Liquor.

By Mr. DYER: Petition favoring the passage of House bill 5467 providing for the commission of osteopaths into the Medical Corps of the Army by the following residents of St. Louis, Mo.: A. D. Ross, E. L. Horstmann, P. C. Sparks, R. R. Vaughan, L. T. Childress, Emma C. Passmer, F. Harvey Morse, L. W. Chaslress, M. Willie Fulton, Sophia E. Turner, Wm. V. John, J. C. Hart, C. D. Sunney, C. H. Gore, George Harkness, F. P. Heid, Martin J. Collins, P. F. Fletcher, Frank P. Hays, J. Chas. Hart, J. H. Howe, Edwin L. Merrill, Genoa S. Teas, Wade Childress, Eliza K. Payton, and Elsie Peschler; to the Committee on Military Affairs.

By Mr. SNYDER: Petitions from residents of the thirty-third New York district favoring admission of osteopaths to the Medical Corps of the Army; to the Committee on Military Affairs.

By Mr. TEMPLE: Petition signed by residents of New Castle, Pa., favoring House bill 5407, the osteopathic bill; to the Committee on Military Affairs.

Also, petition signed at a public missionary meeting held in New Castle, Pa., November 12, 1918, favoring an antipolygamy amendment to the Constitution of the United States; to the Committee on the Judiciary.

SENATE.

TUESDAY, *December 3, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we seek inspiration and wisdom for the great office of Senator from Thee, the author of all truth and the guide of those who put their trust in Thee. Grant us this day so to have Thee in mind and Thy presence to guide and inspire us as that the duty done may bring the largest measure of prosperity and happiness and peace to the people whom we serve. For Christ's sake. Amen.

JOSEPH T. ROBINSON, a Senator from the State of Arkansas; EDWIN S. JOHNSON, a Senator from the State of South Dakota; and JOHN S. WILLIAMS, a Senator from the State of Mississippi, appeared in their seats to-day.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. LODGE and by unanimous consent, the further reading was dispensed with, and the Journal was approved.

SENATOR FROM GEORGIA.

The VICE PRESIDENT. The Chair lays before the Senate the credentials of Hon. W. J. HARRIS, a Senator elect from the State of Georgia, which will be inserted in the RECORD and placed on the file.

The credentials are as follows:

Executive Department, Atlanta.

STATE OF GEORGIA.
EXECUTIVE DEPARTMENT,
November 27, 1918.

TO THE PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 5th day of November, 1918, Hon. W. J. HARRIS was duly elected by the qualified electors of the State of Georgia Senator from said State to represent said State in the Senate of the United States for a term of six years, beginning the 4th day of March, 1919.

In witness whereof, I have hereunto set my hand and caused the great seal of the State to be affixed at the Capitol in Atlanta this, the 27th day of November, in the year of our Lord 1918 and of the independence of America the one hundred and forty-third.

HUGH M. DORSEY,
Governor.

By the Governor:
[SEAL.] H. B. STRANGE,
Secretary of State.

ENLARGEMENT OF THE CAPITOL GROUNDS (H. DOC. NO. 1498).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, information relative to any building or buildings or vacant land that may be acquired under the provisions of the sundry civil acts of June 17, 1910, and March 4, 1911, or subsequent acts, for the enlargement of the Capitol Grounds, which was referred to the Committee on Public Buildings and Grounds and ordered to be printed.

REPORT OF THE PUBLIC PRINTER (S. DOC. 306).

The VICE PRESIDENT laid before the Senate the annual report of the Public Printer for the fiscal year ended June 30, 1918, which was referred to the Committee on Printing and ordered to be printed.

THE GOVERNMENT PRINTING OFFICE.

The VICE PRESIDENT laid before the Senate a communication from the Public Printer, stating, pursuant to law, that the average number of employees of the Government Printing Office to receive increased compensation at the rate of $120 is 5,131, and that one employee receives increased compensation at the rate of $20 per annum, which was referred to the Committee on Appropriations and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed a bill (H. R. 13133) extending the time for the construction of a bridge across the Arkansas River, at the foot of Garrison Avenue, at Fort Smith, Ark., in which it requested the concurrence of the Senate.

CASE OF LITHUANIA FOR INDEPENDENCE (S. DOC. 305).

Mr. LODGE. Mr. President, I have here a statement of the case of Lithuania for independence. It has been presented by a committee representing the Lithuanian associations in this country. Lithuania is a country for which, I am sure, anyone who has examined the facts feels the deepest sympathy, which I hope will be given independent government and freedom in the terms of peace. I desire to present in their behalf to the Senate their case for independence, as they call it, and ask that it be printed as a public document and be referred to the Committee on Foreign Relations.

The VICE PRESIDENT. Without objection, it is so ordered.

PETITIONS AND MEMORIALS.

Mr. KELLOGG. I send to the desk a petition signed by the president and vice president of the American Bar Association, asking for increased salaries for Federal circuit and district judges. I move that it be referred to the Committee on the Judiciary.

The motion was agreed to.

Mr. COLT presented a petition of the Men's Community Club of Washington Park, Providence, R. I., praying that there be no amelioration in the terms of peace imposed upon the German people, and that full and complete just punishment of a people who have applauded every new outrage perpetrated by their fiendish masters, which was referred to the Committee on Foreign Relations.

Mr. LODGE presented a petition of the congregation of the First Parish Church of Cambridge, Mass., praying for the establishment of a league of nations, which was referred to the Committee on Foreign Relations.

Mr. NELSON presented a memorial of the Marshall, Wells Co., of Duluth, Minn., remonstrating against the 10 per cent tax on guns and ammunition as proposed in the pending revenue bill, which was referred to the Committee on Finance.

He also presented the memorial from John C. Sweet, of Minneapolis, Minn., and the memorial of L. N. Scott, of St. Paul, Minn., remonstrating against an increased tax on amusements as proposed in the pending revenue bill, which were referred to the Committee on Finance.

Mr. LEWIS. I present a resolution in the nature of a petition adopted by the City Council of Chicago, Ill., on November 18, 1918, favoring the passage of the bill designating November 14 as a national holiday to be known as "Armistice Day." I move that the resolution be referred to the Committee on the Judiciary.

The motion was agreed to.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MYERS:

A bill (S. 5071) extending the benefits of sections 2304, 2305, and 2309, Revised Statutes of the United States, to those who rendered military or naval service during the Mexican border troubles and the war with Germany and its allies; to the Committee on Public Lands.

By Mr. STERLING:

A bill (S. 5072) to amend chapter 6, part 1, of volume 38, United States Statutes at Large, Sixty-third Congress, entitled "An act providing for mediation, conciliation, and arbitration in controversies between certain employers and their employees," approved July 15, 1913; to the Committee on Interstate Commerce.

By Mr. SMOOT:

A bill (S. 5073) to provide for Federal aid to good roads, to permit the several States to utilize the superior credit of the United States in raising road construction funds, to aid the States in maintenance of roads, to establish a national academy of highway and bridge engineering, and to create a national highway commission; to the Committee on Post Offices and Post Roads.

By Mr. POINDEXTER:

A bill (S. 5074) to make the land and personal property of John Bonomache, Indian, liable to execution upon judgment of Superior Court of the State of Washington, County of Spokane, in the case of Louise Fletterman v. John Bonomache; to the Committee on Indian Affairs.

A bill (S. 5075) requiring first-class letter mail to be stamped with stamp indicating day and hour of its receipt; to the Committee on Post Offices and Post Roads.

A bill (S. 5076) for comparative tariffs on shingles and lumber; to the Committee on Finance.

By Mr. THOMAS:

A bill (S. 5077) to provide for the creation of Federal railroad companies, to establish a more effective supervision of railroads in the United States, and for other purposes; to the Committee on Interstate Commerce.

By Mr. NORRIS:

A bill (S. 5078) granting an increase of pension to James C. Daly; to the Committee on Pensions.

By Mr. COLT:

A bill (S. 5079) granting a pension to Carrie M. Birdsall (with accompanying papers); to the Committee on Pensions.

By Mr. GORE:

A bill (S. 5080) to provide for the acquisition of a site and the erection thereon of a public building at Cordell, Okla.;

A bill (S. 5081) to provide for the acquisition of a site and the erection thereon of a public building at Hugo, Okla.;

A bill (S. 5082) to provide for the acquisition of a site and the erection thereon of a public building at Clinton, Okla.;

A bill (S. 5083) to provide for the acquisition of a site and the erection thereon of a public building at Elk City, Okla.; and

A bill (S. 5084) to provide for the acquisition of a site and the erection thereon of a public building at Idabel, Okla.; to the Committee on Public Buildings and Grounds.

FEDERAL RAILROAD COMPANIES.

Mr. THOMAS. I wish to introduce a bill prepared by Mr. W. W. Cook, of the New York bar, and the author of a work upon corporations. It is a bill for the creation of Federal railroad companies and for their regional classification, somewhat along the lines presented by the suggestions of the President yesterday. It has been very carefully and thoughtfully prepared, and I ask to have it printed in the RECORD and referred to the Committee on Interstate Commerce.

The bill (S. 5077) to provide for the creation of Federal railroad companies, to establish a more effective supervision of railroads in the United States, and for other purposes, was read twice by its title, referred to the Committee on Interstate Commerce, and ordered to be printed in the RECORD, as follows:

A bill (S. 5077) to provide for the creation of Federal railroad companies, to establish a more effective supervision of railroads in the United States, and for other purposes.

Be it enacted, etc., That wherever the words "Federal railroad company" are used in this act the words shall be construed to refer to each of the five corporations to be organized under this act as herein provided.

The words "Federal railroad board" used in this act shall be construed to mean the board of six members herein provided for.

The words "secretary of railroads" used in this act shall be construed to be the head, at the seat of government, of an executive department to be known as the department of railroads, said head to be appointed by the President, by and with the advice and consent of the Senate. Said appointee shall receive a salary of $12,000 per annum and his term and tenure of office shall be uniform with other members of the Cabinet.

FEDERAL RAILROAD DISTRICTS.

SEC. 2. That continental United States, excluding Alaska, is hereby divided into five districts, to be known as New England railroad district, central railroad district, southern railroad district, northwestern railroad district, and Central Pacific railroad district.

The New England railroad district shall include the New York, New Haven & Hartford Railroad system and all other railroads in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut not controlled by any railroad system in another Federal railroad district.

The central railroad district shall include the Pennsylvania Railroad system, New York Central Railroad system, Erie Railroad system, Baltimore & Ohio Railroad system, Chesapeake & Ohio Railroad system, and all other railroads in the States of Illinois, Indiana, Ohio, Michigan, Pennsylvania, New Jersey, and New York not controlled by any railroad system in another Federal railroad district.

The southern railroad district shall include the Southern Railroad system and Illinois Central Railroad system and all other railroads in the States of Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Tennessee, Kentucky, West Virginia, and Mississippi, and the District of Columbia not controlled by any railroad system in another Federal railroad district.

The northwestern railroad district shall include the Chicago, Milwaukee & St. Paul Railroad system, the Chicago & Northwestern Railroad system, the Northern Pacific Railroad system, the Great Northern Railroad system, and all other railroads in the States of Wisconsin, Minnesota, North Dakota, South Dakota, Montana, Wyoming, Idaho, Oregon, and Washington not controlled by any railroad system in another Federal railroad district.

The Central Pacific railroad district shall include the Union Pacific Railroad system, the Atchison, Topeka & Santa Fe Railroad system, the Southern Pacific Railroad system, and all other railroads in the States of Iowa, Nebraska, Kansas, Missouri, Arkansas, Louisiana, Texas, Oklahoma, Colorado, New Mexico, Arizona, Utah, Nevada, and California not controlled by any railroad system in another Federal railroad district.

Any question which may arise as to whether a particular railroad is included within any particular Federal railroad district shall be decided by the Federal railroad board.

FEDERAL RAILROAD COMPANIES.

SEC. 3. That the Federal railroad board shall supervise the organization in each of the said districts of a Federal railroad company by nine individuals in each district selected by the Federal railroad board, and thereupon such individuals in each district shall under their seals make an organization certificate which shall specifically state the name of such Federal railroad company, the territory and extent of the district as defined by States in section 2 of this act, the city and State in which its principal office is to be located in said district, the amount of capital stock ($9,000), and the number of shares into which the same is divided ($10 each), and the number of shares subscribed for by each incorporator (100). The said organization certificate shall be acknowledged before a judge of some court of record or notary public, and shall be, together with the acknowledgment thereof, authenticated by the seal of said court or notary, transmitted to the secretary of railroads, who shall file, record, and preserve the same in his office. Upon the filing of such certificates with the secretary of railroads, as aforesaid, each of the said Federal railroad companies shall become a body corporate, and as such and in the name designated in such organization certificate shall have power—

First. To adopt and use a corporate seal; to have succession in perpetuity, unless it is sooner dissolved by an act of Congress or unless its franchise becomes forfeited by some violation of law; to make contracts; to sue and to be sued in any court of law or equity; to appoint by its board of directors such officers and employees as are not otherwise provided for in this act, to define their duties, require bonds of them and fix the penalty thereof, and to dismiss at pleasure such officers or employees; to prescribe by its board of directors by-laws not inconsistent with law, regulating the manner in which its general business may be conducted, and to privileges granted to it by law may be exercised and enjoyed; to exercise such incidental powers as shall be necessary to carry out the purposes of this act.

Second. To acquire, hold, and exercise the power of ownership of any or all of the shares of the capital stock and bonds and other obligations of any or all railroad companies within its district as aforesaid; also to construct, acquire, maintain, and operate railroads within its district; also to issue shares of its capital stock from time to time, either for cash or in exchange for shares of stock or bonds or other obligations of any and all railroad corporations within its district, on such basis of exchange as may be authorized by its board of directors; also to issue shares of its capital stock from time to time for such purposes (including its own expenses and disbursements) connected with or incidental to the control, acquisition, construction, management, use, and development of railroads, railroad business, and railroad stock, bonds, or other obligations already issued or hereafter to be issued by railroad companies within its district (including the issue of Federal railroad company stock, to provide money to enable any railroad company in its district to pay or purchase outstanding obligations or to pay for past or future improvements, equipment, or extensions, stock of such railroad company being issued to the Federal railroad company in consideration of such money), as may be determined by its board of directors; also to exercise the power, which is hereby given to it, of eminent domain, to acquire any shares of the capital stock or bonds or other obligations of any and all railroad corporations within its district or to acquire any railroads themselves or railroad property or property for railroad purposes, in its district whenever in its opinion it is necessary or advantageous to it to do so by condemnation under judicial process, and the United States district court or courts of the district wherein such stock or property is located shall have jurisdiction of proceedings for such condemnation. The practice, pleadings, forms, and modes of proceedings in causes arising under the provisions of this act shall conform, as near as may be, to the practice, pleadings, forms, and proceedings existing at the time in like causes in the courts of record of the State within which such district courts are held, any rule of the court to the contrary notwithstanding.

Third. To vote its own holdings of stock and to solicit proxies from other stockholders to vote their holdings of stock in any railroad corporation in its district, and such vote of such stock and proxies by the Federal railroad company for directors in said railroad corporation or corporations shall be limited to persons who shall have resided within the district for at least nine months in each of the five years prior to the election, and have been actively engaged during said five years in the district in commerce, agriculture, or some other industrial pursuit, or in the practice of a profession.

SEC. 4. That at least six members of the board of directors of each Federal railroad company shall for at least nine months of each of the preceding two years have resided in the district in which they have been chosen directors. No Senator or Representative in Congress shall be an officer or director of a Federal railroad company. No director of a Federal railroad company shall be an officer, director, or employee of any other railroad company. Any director of any Federal railroad company may be removed at any time for cause by the Federal railroad board. The board of directors of each Federal railroad company shall consist of nine members, all of whom shall be appointed by the Federal railroad board. Protests by stockholders or by the public shall be open to public inspection. Vacancies from any cause in the boards of directors of any Federal railroad company shall be filled by the Federal railroad board. The directors of each Federal railroad company shall receive such compensation as the board of directors may determine in advance in each instance, subject to the approval of the Federal railroad board. The board of directors of each Federal railroad company shall at its first meeting (after its first board retires from office) designate three directors to serve one year from the next 1st day of January, and three for two years, and three for three years, and thereafter all directors shall hold office for three years. Each Federal railroad company shall every three months make a full report of its operations to the Speaker of the House of Representatives, who shall cause the same to be printed for the information of the Congress.

STOCK ISSUES AND GUARANTY OF DIVIDENDS.

SEC. 5. That the capital stock of each Federal railroad company shall be divided into shares of $10 each. The outstanding capital stock may be increased from time to time as authorized by the board of directors. When the capital stock of any Federal railroad company shall have been increased the board of directors shall cause to be executed a certificate to the secretary of railroads showing the increase of capital stock. The shares shall be represented by certificates which shall be transferable.

SEC. 6. That dividends on the stock of each Federal railroad company shall not exceed 6 per cent.

SEC. 7. That the United States Government hereby guarantees the payment of 3 per cent dividends on the shares of the stock of the several Federal railroad companies, and the Secretary of the Treasury is hereby authorized and directed to sign the name of the United States of America to a guaranty to that effect on the face of the certificates of stock issued by the corporation (the guaranty on canceled certificates to be canceled when the certificates are canceled by transfer), the form of said guaranty to be as follows:

"The United States of America hereby guarantees to the record holder of this certificate of stock the payment by the Federal railroad company issuing the same 3 per cent annual dividends on the shares of the capital stock represented by this certificate payable semiannually on the 1st days of January and July of each year after the date of this guaranty.

"If at any time the United States of America by act of Congress ceases to pay said guaranty, the United States of America shall pay to the holders of said certificates of stock the price at which they were originally issued or the value at the time of issue of the property for which they were originally issued."

The said guaranteed rate of dividend may be varied by Congress from time to time, but not as to any issue already made.

SEC. 8. That the United States Government shall be entitled to all the profits of the several Federal railroad companies in excess of said 6 per cent dividends, and shall apply such excess profits to extinguishing

and improvements, or purchase of railroad bonds or stock, or reduction of notes or retirement of stock issued hereunder, or for any other purpose said management may deem best in connection with the railroads.

SEC. 9. That national banks and Federal reserve banks may invest and deal in the shares of stock of the said Federal railroad companies or any of them, and such shares may be transferred to and deposited with the Treasurer of the United States in lieu of United States bonds as prescribed by sections 5159 to 5189, inclusive, of the Revised Statutes of the United States as amended, and by section 4, subdivision 8, of the Federal reserve act, and may be deposited with the Treasurer of the United States as security for deposits by said Treasurer of funds of the United States in national banks, and may be deposited as security for and in accordance with the act of Congress of May 30, 1908, amending the national banking laws. The board of trustees, established by act of Congress of June 25, 1910, to establish postal savings depositories, may invest postal savings funds in such shares as securities of the United States within the meaning of that act. Said shares of the capital stock of said Federal railroad companies or any of them shall be receivable as part of a national bank collateral security for Federal reserve notes and as a reserve security be eligible paper under the Federal reserve act and be rediscountable by Federal reserve banks.

SEC. 10. That the Federal railroad companies shall proceed with all reasonable despatch to acquire ownership of the outstanding capital stock of the Delaware, Lackawanna & Western; New York Central; Illinois Central; Chicago, Milwaukee & St. Paul; Chicago & North Western; Union Pacific; Atchison, Topeka & Santa Fe, and Southern Pacific Railroad systems to control those railroad companies; each Federal railroad company so to acquire the stock of any said rail road system or systems within its district. Such acquisition may be by purchase or by exchange of Federal railroad company's stock for the stock of said railroad system or systems, or by condemnation proceedings.

FEDERAL RAILROAD BOARD.

SEC. 11. That a Federal railroad board is hereby created which shall consist of five members, one to be the secretary of railways and the remaining five members to be appointed by the President of the United States, by and with the advice and consent of the Senate. In selecting the appointive members of the Federal railroad board not more than one shall be selected from any one Federal railroad district. The said five members shall devote their time to the business of the Federal railroad board and shall each receive an annual salary of $12,000, payable monthly, together with actual necessary traveling expenses, in addition to the salary herein provided for, each of said six members shall each own outright stock for each and every one of said five Federal railroad companies which pays its guaranteed dividend without resort to the guarantee each year being taken by itself. No Senator or Representative in Congress shall during his term of office, or for one year thereafter, be a member of the Federal railroad board. The salary of the said board shall be ineligible during the time they are in office and for two years thereafter to hold any office, position, or employment in any railroad company, and shall not, during that time hold or own stock therein. At least one of said five members shall be a person experienced in the management and operation of railroads. One member shall be designated by the President to serve for 2 years, one for 4, one for 6, one for 8, and one for 10 years, and thereafter each member so appointed shall serve for a term of 10 years unless removed by the President. Whenever a vacancy shall occur, whether by expiration of term or otherwise, among the said five members of the Federal railroad board, a successor shall be appointed by the President, with the advice and consent of the Senate to fill such vacancy. The President shall have power to fill all vacancies that may occur on the Federal railroad board during the recess of the Senate by granting commissions which shall expire 30 days after the next session of the Senate convenes. Of the five members so appointed one shall be designated by the President as governor and shall be chairman of the Federal railroad board. The governor of the Federal railroad board subject to its supervision, shall be the executive officer. A majority of the members at a meeting duly called shall constitute a quorum, and a majority of those present at such meeting shall decide all questions for administrative action. The salaries of the Federal railroad board shall be paid by the Federal railroad companies in proportion to the respective outstanding capital stock of each from time to time. The Federal railroad board shall annually make a full report of its operations to the Speaker of the House of Representatives, who shall cause the same to be laid before the information of the Congress. The Federal railroad board shall have power to examine at its discretion the accounts, books, and records of each Federal railroad company and to require such statements and reports as it may deem necessary, and shall at all times have free access to such books and records, and shall at all times have free access to the public regarding its operations and those of each Federal railroad company.

SEC. 12. That said Federal railroad board is hereby given the power to fix and determine all interstate railroad rates and service, and also such terminal rates and service as Congress has the power to regulate under the Constitution of the United States. No State or State authorities or other State authority shall fix, determine, or regulate that rate, service or operation of railroads owned by any of said Federal railroad companies.

SEC. 13. That no stock shall be issued by any Federal railroad company except after the approval thereof by the Federal railroad board. It shall also have approval as to the terms of such stock and the terms of the issue. All financial operations of every Federal railroad company shall be approved by the Federal railroad board before becoming effective.

SEC. 14. That this act may be altered from time to time or repealed.

ENLARGED HOMESTEADS.

Mr. JONES of New Mexico. Mr. President, I introduce a bill to provide for extending the rights of stock-raising homesteaders. I desire to call attention at this time to the bill, so that it may have the attention of Senators interested in the subject, and that it may also receive attention from the people at large.

Under the existing law no more than one section of land can be taken up as a homestead. It is well known that in many sections of the country this is not sufficient area to enable the homesteaders to make a living. I have thought for some time that some provision should be made to extend the rights of these homesteaders, and I am introducing this bill for the purpose of extending to such homesteaders the right during the period when they are complying with the homestead law to lease additional areas of land, and at the conclusion of the acts to be performed in order to acquire title to the homestead they may have an option to purchase the lands which may be leased in the meantime.

The area to be leased and also to be optioned to the homesteader I have left blank, so that the people throughout the western country and the members of the Public Lands Committee may give to that question their best consideration and judgment.

There are some other provisions in the bill which likewise need to be carefully considered. That the country may be invited to consider the provisions of the bill, I am going to ask that it be printed in the RECORD.

I may say that this is a time when we should provide homes for the returning soldiers, and that we should have those homes of such an extent that the soldiers can make a good living upon them and establish real and prosperous homes. I introduce the bill and ask that it be printed in the RECORD.

The bill (S. 5069) to extend the rights of stock-raising homesteaders was read twice by its title, referred to the Committee on Public Lands, and ordered to be printed in the RECORD, as follows:

A bill (S. 5069) to extend the rights of stock-raising homesteaders.

Be it enacted, etc., That from and after the passage of this act any person who has made entry for public lands under the provisions of the act of Congress approved December 29, 1916, entitled "An act to provide for stock-raising homesteads, and for other purposes," and who is complying with the requirements of said act and the rules and regulations promulgated thereunder shall have the right to file application with the Secretary of the Interior for the lease of not more than — acres of unappropriated contiguous public lands of the same or inferior character to which no lawful claim has attached. Such applications shall be filed with and received by the register and receiver of the land district in which said land is located, and suspended until it shall have been determined by the Secretary of the Interior whether the land is of the character subject to lease and appraised as to its rental value under regulations to be prescribed by him. That during such suspension the land described in the application for lease shall not be disposed of, and if found subject to lease to the applicant a lease shall be made for a period not exceeding five years, subject to the payment of annual rental as determined by the appraisement hereinbefore provided for; otherwise the application shall be rejected subject to appeal, but no right to occupy or use such lands shall be acquired by reason of such application to lease until after lease is made as hereinafter provided. Such lease when executed shall contain a provision that the same shall be terminated if and when the lessee shall, with respect to his entry under the said act of Congress approved December 29, 1916, fail to comply with the requirements of said act and the rules and regulations promulgated thereunder.

SEC. 2. That any such lessee who shall have complied with the requirements of this act may, from and after the issuance of patent to him upon his homestead entry made under the act of December 29, 1916, have the right to purchase any or all of the lands so leased at their appraised value under regulations prescribed by the Secretary of the Interior, the purchase money to be paid in 20 annual installments, deferred payments to draw interest at the rate of 4 per cent per annum, payable annually.

SEC. 3. That all leases and entries made and patents issued under the provisions of this act shall be subject to and contain a reservation to the United States of all the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine, and remove the same. The coal and other mineral deposits in such lands shall be subject to disposal by the United States in accordance with the provisions of the coal and mineral land laws in force at the time of such disposal. Any person qualified to locate and enter the coal or other mineral deposits, or having the right to mine and remove the same under the laws of the United States, shall have the right at all times to enter upon the lands entered, or patented, as provided by this act, for the purpose of prospecting for coal or other mineral therein, provided he shall not injure, damage, or destroy the permanent improvements of the entryman or patentee, and shall be liable to and shall compensate the entryman or patentee for all damages to the crops on such lands by reason of such prospecting. Any person who has acquired from the United States the coal or other mineral deposits in any such land, or the right to mine and remove the same, may reenter and occupy so much of the surface thereof as may be required for all purposes reasonably incident to the mining or removal of the coal or other minerals, first, upon settlement with the written consent or waiver of the homestead entryman or patentee; second, upon payment of the damages to crops or other tangible improvements to the owner thereof where agreement may be had as to the amount thereof; or, third, in lieu of either of the foregoing provisions, upon the execution of a good and sufficient bond or undertaking to the United States for the use and benefit of the entryman or owner of the land to secure the payment of such damages to the crops or tangible improvements of the entryman or owner, as may be determined and fixed in an action brought upon the bond or undertaking in a court of competent jurisdiction against the principal and sureties thereon, such bond or undertaking to be in form and in accordance with rules and regulations prescribed by the Secretary of the Interior and to be filed with and approved by the register and receiver of the local land office of the district wherein the land is situate, subject to appeal to the Commissioner of the General Land Office: *Provided*, That all patents issued for the coal or other mineral deposits herein reserved shall contain appropriate notations declaring them to be subject to the provisions of this act with reference to the disposition, occupancy, and use of the land as permitted to an entryman under this act.

SEC. 4. That one half of the proceeds from leases and sales of land under this act shall be deposited in the Treasury of the United States as are receipts from the sales of other public lands, and the balance shall be paid to the State or Territory wherein the lands sold are situate, to be used for the construction of public highways or of irrigation and drainage works.

SEC. 5. That the Secretary of the Interior is hereby authorized to make all necessary rules and regulations for the purpose of carrying this act into effect.

AMENDMENT OF ESPIONAGE LAW.

Mr. BORAH. I introduce a bill which I desire to have referred to the Committee on the Judiciary. I will state that the bill is for the purpose of repealing those provisions of the espionage act which permit the Postmaster General to determine what matter shall go through the mails.

The bill (S. 5070) to repeal certain sections of the espionage act and the act amendatory thereof was read twice by its title and referred to the Committee on the Judiciary.

COMMITTEE SERVICE.

Mr. MARTIN of Virginia. Mr. President, I send to the desk an order for filling committee vacancies, and I ask unanimous consent for its present consideration.

The order was read and agreed to, as follows:

Ordered, That Senator REED be assigned to the chairmanship of the Committee on Public Buildings and Grounds, and that he, on his own request, be relieved from further service as chairman of the Committee on Manufactures, but not from membership thereon.

That the following-named Senators be assigned to membership of the following committees:

Senator GAY to Appropriations, Additional Accommodations for the Library of Congress, Census, Expenditures in the Navy Department, Fisheries, Pensions, Post Offices and Post Roads, Public Buildings and Grounds.

Senator POLLOCK to Appropriations, Additional Accommodations for the Library of Congress, Cuban Relations, Expenditures in the Navy Department, Five Civilized Tribes of Indians, Forest Reservations and the Protection of Game, Indian Depredations, Private Land Claims, Transportation and Sale of Meat Products.

Senator MARTIN of Kentucky to Civil Service and Retrenchment, Claims, Corporations Organized in the District of Columbia, Enrolled Bills, Expenditures in the Interior Department, Five Civilized Tribes of Indians, Immigration.

Senator THOMPSON to Expenditures in the War Department.

Senator GORE to Industrial Expositions.

Senator HENDERSON to Investigate Trespassers on Indian Lands, Post Offices and Post Roads.

Senator UNDERWOOD to On the Library.

Senator HARDWICK to Mississippi River and its Tributaries.

Senator NUGENT to Pacific Islands and Porto Rico, Patents.

Senator POMERENE to Pacific Islands and Porto Rico.

Senator MYERS to Pacific Railroads, Expenditures in the Department of State.

Senator SMITH of Georgia to Philippines.

Senator WOLCOTT to Revolutionary Claims.

Senator SMITH of Maryland to Standards, Weights, and Measures.

Senator OVERMAN to Transportation Routes to the Seaboard.

Senator LEWIS to On the University of the United States.

Senator PITTMAN to Interstate Commerce.

Senator KING to Naval Affairs.

Senator GERRY to Privileges and Elections.

THE PRESIDENTIAL OFFICE.

Mr. SHERMAN. I offer a concurrent resolution which I desire to have lie on the table. I ask that the resolution may be read.

The VICE PRESIDENT. It will be read.

The Secretary read the concurrent resolution (S. Con. Res. 26), as follows:

Whereas Woodrow Wilson, President of the United States, is about to depart from the territorial limits thereof and go beyond the jurisdiction of its Constitution and laws and be and remain upon foreign territory, within the limits of another sovereignty, the Republic of France; and

Whereas among the powers and duties of the President as the Chief Executive Civil Magistrate of the Government are the following: To receive ambassadors and other public ministers of foreign powers; to appoint ambassadors and other public ministers, consuls, judges of the Supreme Court, and all other officers of the United States not otherwise provided for; to protect every State against domestic violence on the application of its legislature or executive; to perform, if it shall be required, a guaranty of the United States of a republican form of government to each State, and to protect each of such States against invasion; to pardon and replieve for offenses against the United States; and to take care that the laws be faithfully executed; and

Whereas Villa is still at large in Mexico pillaging and creating disorders threatening the safety of the border States of the Union, and the I. W. W., as they are commonly known as organizations for disorderly and seditious purposes, now actively engaged in threatening civil commotion with others, making the constant presence of the Executive at the seat of government necessary to preserve orderly conditions and execute the law in the United States and the several States thereof; and

Whereas Congress having convened in regular session on the first Monday in December, A. D. 1918, and will continue in session at the seat of government in the city of Washington, D. C. until March 4, 1919, with pending legislation and the passage of bills requiring Executive action in due course of legislation, and the President being further required from time to time to give Congress information of the state of the Union and to recommend to their consideration such measures as he may deem necessary and expedient; and

Whereas Congress did by an act approved July 16, 1790, provide that on the first Monday in December, A. D. 1800, the seat of government of the United States should by virtue of that act be transferred to Washington, D. C., and all offices attached to the said seat of government should accordingly be removed thereto by their respective holders, and shall after the said day cease to be exercised elsewhere, which was accordingly done pursuant to said act, so that the city of Washington, in said District, thereby became and still is the seat of government of the United States and the place where legislative and executive powers and duties shall and must be exercised; and

Whereas the Constitution provides in cases of the removal of the President from office or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly until the disability shall be removed or a President shall be elected, pursuant to which power Congress did by an act of January 19, A. D. 1886, known as the presidential-succession act, duly approved, provide therefor, but no legislation has been provided declaring what shall constitute inability of the President and devolving such powers and duties upon and the assumption and exercise of the same by the Vice President: Now therefore be it

Resolved by the Senate (the House of Representatives concurring), That the departure by the President and his absence from the territory of the United States and from the seat of government so fixed and declared by law be, and the same are hereby, declared to constitute an inability to discharge the powers and duties of the said office of President of the United States, and is hereby declared to constitute a vacancy in such office of President, and that the powers and duties thereof shall immediately upon such departure and absence by the President from the territorial limits of the United States and the seat of government thereof devolve upon and be exercised by the Vice President of the United States, who shall qualify and assume the powers and duties of the office of said President of the United States until a President shall be duly elected, and all official acts of the Vice President while such powers and duties are so devolved upon him shall be, and are hereby, declared to be valid for all intents and purposes and shall be received and accepted as the act of the President of the United States.

Mr. KNOX. I send to the desk and ask to have read a resolution to be referred to the Committee on Foreign Relations.

Mr. WALSH. I rise to inquire what disposition was made of the resolution offered by the Senator from Illinois.

The VICE PRESIDENT. The Senator asked that it lie on the table. It goes over under the rule.

PEACE CONFERENCE.

Mr. KNOX submitted the following resolution (S. Res. 361), which was read and referred to the Committee on Foreign Relations:

Whereas the United States of America entered the war with Germany and Austria-Hungary in order to vindicate the ancient rights of navigation as established under international law and in order to remove forever the German menace to our peace; and

Whereas the splendid effort of the American people and the valor of our soldiers and sailors during a year and a half, when added to the enormous sacrifices, the steadfast fortitude, and the noble courage displayed by our allies during more than four years, have made possible the attainment of those aims, now best expressed as restitution, reparation, and guaranties against the German menace; and

Whereas the surrender of Germany and Austria-Hungary to the terms of the armistice has attained a great part and has rendered enforcible the remainder of those aims; and

Whereas conferences are about to take place with the purpose to complete, to perfect, and to guarantee the attainment of the war aims aforesaid and thus to pass to the state of formal peace; Therefore be it

Resolved, That the purposes of the United States of America in those conferences should be confined to the aforesaid aims and matters germane thereto.

Second, That for the safeguarding of those aims the first essential is a definite understanding that, the same necessity arising in the future, there shall be the same complete accord and cooperation with our chief cobelligerents for the defense of civilization.

Third. That any project for any general league of nations or for any sweeping change in the ancient laws of the sea as hitherto recognized as international law and violated by the Teutonic powers should be postponed for separate consideration not alone by the victorious belligerents but by all the nations if and when at some future time general conferences on those subjects might be deemed useful.

Further resolved, That immediately upon compliance with the terms of the armistice and the guaranteed attainment of the war aims aforesaid the Army and Navy of the United States should be withdrawn from foreign territories and waters except in so far as their retention might be temporarily necessary to establish the status contemplated by the armistice; and, further, that the extraordinary powers conferred upon the President for the prosecution of the war should be withdrawn and the country restored to a normal condition of peace, with the greatest possible celerity consistent with the national interest.

GOVERNMENT OF COSTA RICA.

Mr. MOSES submitted the following resolution (S. Res. 362), which was read and referred to the Committee on Foreign Relations:

Whereas the President of the United States, in an address delivered at a joint session of the two Houses of Congress, December 2, 1918, has emphasized the "capital importance" of action which shall "clear away all grounds of misunderstanding with our immediate neighbors and give proof of the friendship we really feel"; and

Whereas there now exists in the Republic of Costa Rica a government, constitutional in form and stable in character, which has maintained itself for two years in the face of a grave menace, which has given proof of undoubted adherence to the allied cause and of special friendliness to the United States, and which has been formally recognized by all the Governments of the Western Hemisphere save only those of Nicaragua and the United States; Now therefore be it

Resolved, That it is the opinion of the Senate that the President, having declared that "the stage of affairs is now set for such action as will be not only just but generous and in the spirit of the new age upon which we have so happily entered," should forthwith extend formal recognition to the existing Government of Costa Rica and should immediately enter into full diplomatic relations therewith.

PAYMENT TO HON. CHRISTIE BENET.

Mr. MARTIN of Virginia submitted the following resolution (S. Res. 363), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay from the miscellaneous items of the contingent fund of the Senate to the Hon. Christie Benet the sum of $554.79, being the compensation of a Senator of the United States for 27 days, November 6 to December 2, 1918, both dates inclusive, during which he served as Senator from the State of South Carolina.

PROPOSED TREATY WITH COLOMBIA.

Mr. THOMAS. Mr. President, I desire to give notice that on Monday next, at the close of the morning business, I shall submit some remarks to the Senate on the pending proposed treaty with Colombia.

BREWERS' GERMAN PROPAGANDA.

Mr. OVERMAN. Mr. President, I ask the permission of the Senate that the subcommittee of the Committee on the Judiciary to investigate the brewers' German propaganda be granted leave to sit during the sessions of the Senate.

The VICE PRESIDENT. Without objection, leave will be granted.

REPORT ON AERONAUTICS (S. DOC. NO. 307).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, ordered to be printed, and, with the accompanying paper, referred to the Committee on Military Affairs:

To the Senate and House of Representatives:

As required by the provisions of the act of March 3, 1915, making appropriations for the Naval Service for the fiscal year ending June 30, 1916, I transmit herewith the Fourth Annual Report of the National Advisory Committee for Aeronautics for the fiscal year ended June 30, 1918.

The recommendation of the committee as outlined in the closing paragraphs of its report for the continuance of the scientific study of the problem of flight and the development of aviation for all purposes has my hearty approval. Attention is also invited to the recommendation of the committee that the appendixes of this report be published with the report as a public document.

WOODROW WILSON.

THE WHITE HOUSE, *3 December, 1918.*

REPORT OF COUNCIL OF NATIONAL DEFENSE (H. DOC. NO. 1440).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, ordered to be printed, and, with the accompanying paper, referred to the Committee on Military Affairs:

To the Senate and House of Representatives:

As required by the provisions of the Army appropriation act approved 29 August, 1916, creating the Council of National Defense, I transmit herewith the Second Annual Report of the Council of National Defense for the fiscal year ended June 30, 1918.

WOODROW WILSON.

THE WHITE HOUSE, *3 December, 1918.*

HOUSE BILL REFERRED.

H. R. 13153, an act extending the time for the construction of a bridge across the Arkansas River, at the foot of Garrison Avenue, at Fort Smith, Ark., was read twice by its title and referred to the Committee on Commerce.

THE PRESIDENTIAL OFFICE.

Mr. SHERMAN. Mr. President, I should like about 15 minutes before adjournment to-day, by unanimous consent, to submit some remarks on the absence of the President.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Illinois will proceed.

Mr. SHERMAN. Mr. President, in order that what my views are on this subject when they shall have been expressed may be beyond question, I have, contrary to my usual custom, placed them on paper.

The President's absence from the seat of government and the territorial limits of the United States by his contemplated attendance at Versailles, France, as a member of the peace commission suspends the legislative power of the Government during that absence. Congress can pass bills, but can not present them to the President for his approval or veto. Neither can the 10-day limit result in the passive Executive approval of a bill, because the 10 days do not begin to run until it is presented to him. A bill can not as a practical matter be presented to the President when he is in Europe, nor, if he vetoed it while there, being at the American ambassador's, could it be returned to the House in which it originated in such a way as to legislate as the Constitution contemplates it. A necessary constitutional legislative agent is no longer in his normal relation with other essential constitutional legislative agents so that legislation can be perfected.

The act of July 16, 1790, fixed the seat of government on and after the first Monday in December, A. D. 1800, at Washington, in the District of Columbia, and provided that all offices attached to the seat of government should accordingly be removed thereto by their respective holders and should after the said day cease to be exercised elsewhere. This is a legislative declaration fixing the place where the powers of the Federal Government shall be exercised. Contemporaneous with this act all Federal powers and duties of an executive and legislative character have been performed at the seat of government so fixed. Such power has been uniformly administered at the seat of government for 118 years. No President has ever undertaken to exercise or administer his great civil functions elsewhere. Federal sovereignty resides at the Capital. It can not be transferred to any other point even on the soil of the United States and within the jurisdiction of its Constitution and laws pursuant thereto except by act of Congress approved in due form by the President. It is a palpable violation of the act of 1790, approved by George Washington, to attempt to exercise the constitutional sovereign powers of the President within the domain of another Government, outside the territory of this country, and with the Atlantic Ocean intervening between the President and the seat of government.

No imperious necessity justifies the pernicious mischief likely to result. National legislation, vast appropriations of money, the legislation incident to the readjustment from war to peace conditions, all crowd as urgent measures. The uncertainty, the risk of litigation, the confusion imminent on the invalidity of both legislation and Executive orders fill the President's absence with grave menace. The public peace profoundly affected in the changes from war to peace levels, the signs of disorder, the frequent threats of lawless assemblages, the dangers hanging upon our Mexican border, all join to require the Chief Magistrate to be at his post of duty at the seat of government. His office is an executive one. It is a corporation sole. When its occupant is absent its quorum does not exist; unless a Vice President can assume the office or the Executive powers and duties can be devolved upon him, the President's office becomes vacant. The presidential succession act does not apply so long as the Vice President is eligible and competent; and he is both.

Mr. THOMAS. Mr. President, will the Senator from Illinois yield for a question?

Mr. SHERMAN. Yes, sir.

Mr. THOMAS. In order to explain the question more fully I will read that provision of the Constitution which applies to the subject matter of the Senator's discussion:

> In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President, and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

My question is whether, in the absence of previous legislation upon the subject, Congress being expressly authorized to enact such legislation, there can be such a thing as disability or inability of the Executive? The Senator may intend to discuss that phase of the subject. To me it is a most interesting one.

Mr. SHERMAN. That, Mr. President, is the point I intended to cover by the resolution I offered this morning, which lies on the table, declaring by congressional definition what "executive inability" is.

Mr. THOMAS. Well, I asked the question because I inferred from my understanding of the resolution that it was to act retrospectively, and that, in the event of its adoption by Congress, it would take effect with the departure of the President. Am I correct with regard to that?

Mr. BRANDEGEE. Mr. President——

Mr. SHERMAN. I yield to the Senator from Connecticut.

Mr. BRANDEGEE. Mr. President, without expressing any positive opinion upon the question raised by the Senator from Colorado [Mr. THOMAS] I should like to make this suggestion to him: Does not the first part of the clause of the Constitution which he read devolve the duties of the President upon the Vice President in case of the inability of the President to perform them? Does not the second part of the clause which he read provide that Congress may, in the event of the inability of both the President and the Vice President, pass laws as to the succession? Are they not two independent and separate questions?

Mr. THOMAS. I think not, Mr. President. The subject was discussed at great length and very exhaustively during the interim between the shooting of President Garfield and his death, and I have a distinct recollection that the best legal thought at that time agreed that antecedent legislation was essential by Congress before the inability or the disability became operative.

Mr. BRANDEGEE. Mr. President, is that not simply to determine the fact of the President's disability?

Mr. THOMAS. It may be; but it can not, in my judgment, act retrospectively.

Mr. CURTIS. Mr. President, with the consent of the Senator from Illinois——

Mr. SHERMAN. I yield.

Mr. CURTIS. I desire to read a few extracts from a decision of the Supreme Court of Oklahoma, which I believe will throw some light on the subject. I do not care to do so unless the Senator will consent. It will take only about a minute.

Mr. SHERMAN. Certainly; I should like to have it incorporated in the RECORD.

Mr. CURTIS. I think it answers the question of the Senator from Colorado.

Mr. THOMAS. Does the Senator intend to read the provision of the constitution of Oklahoma which deals with the subject?

Mr. CURTIS. Yes. I read the following from the opinion of the Supreme Court of Oklahoma in the case of Ex parte Nelson Hawkins, Oklahoma Criminal Reports, volume 10, pages 399 and 400:

> This case presents simply a cold question of law, and must be decided as such without reference to any other considerations. Article 6, section 16 (Williams's Const. Okla., sec. 165), provides in express terms that all of the powers of the governor shall devolve upon the lieutenant governor during the inability of the governor to discharge the powers and duties of said office and until such disability shall be removed. No one will contend that the powers of the governor can be exercised by him during his absence from the State, any more than that a judicial officer of Oklahoma could open court and try cases or could discharge any other official duty in another State or upon foreign territory. The office of governor of Oklahoma was not created for the benefit of the man who temporarily holds his position. It is in no sense his private property; but it is alone for the people of Oklahoma, and must be confined to Oklahoma, and can not be placed upon wheels and hauled all over the face of the universe. The governor may go to other States, and travel in foreign countries, with all of the military pomp and glory of the commander in chief of the Oklahoma Militia, as he pleases, without forfeiting his office, and may carry his title with him; but his powers as governor become dormant the very moment he crosses the State line, and they revive again as soon as he returns and is within the borders of the State. * * *
>
> An emergency may arise at any moment requiring the presence of the governor within the State. The constitution provides that there shall always be some one within the State clothed with power to perform the duties of chief executive. The constitution must be obeyed, let it please or displease whom it may. There is nothing more ridiculous than to contend that the governor, as a matter of whim or caprice, can leave the State to attend banquets or play golf in other States, or for any other purpose, and say to those who have business with his office: "Wait until it suits my convenience to return." This question was fully considered by this court in the case of Ex parte Crump, supra, decided at the September term of this court.

It seems to me under this decision, construing the provisions of the Oklahoma constitution, which are identical with the terms of the Constitution of the United States, that the moment the President leaves the United States the Vice President becomes the President of the United States and should fill the office until the President returns.

Mr. WILLIAMS. Mr. President, will the Senator yield for me to ask a question of the Senator from Kansas?

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from Mississippi?

Mr. SHERMAN. I yield.

Mr. WILLIAMS. Is there or is there not in the Oklahoma constitution a provision requiring that the lieutenant governor, or whoever may be the second officer, shall act as governor while the governor is absent from the State?

Mr. CURTIS. No.

Mr. WILLIAMS. Several States have that provision.

Mr. CURTIS. The provision is similar to the provision of the Constitution of the United States.

Mr. WILLIAMS. The Senator says "similar." Would he mind reading it?

Mr. CURTIS. The constitution provides in express terms that all of the powers of the governor shall devolve upon the lieutenant governor during the inability of the governor to discharge the powers and duties of said office and until such disability shall be removed.

Mr. WILLIAMS. That is the only provision in the constitution?

Mr. CURTIS. It is the only provision; and that is similar to the provision of the Constitution of the United States regarding the inability of the President to discharge the powers and duties of the office.

Mr. WILLIAMS. I just wanted to have that plain as we went along.

Mr. SHERMAN. On principle, the case read by the Senator from Kansas from the Oklahoma decisions is applicable. The query propounded by the Senator from Colorado is one that led to the introduction of the resolution. It was my motive. I think Congress can legislate for an existing emergency whether before or after the happening of the occurrence creating the emergency. The presidential succession act of 1886, during President Cleveland's first administration, was for the purpose of covering a crisis that arose when legislation was lacking. The Vice President was either disabled or dead, leaving, in the event of Mr. Cleveland's death or inability, no one upon whom that office would directly devolve. Congress executed the constitutional power in the succession act of 1886, which provides that in case of the inability, resignation, death, or removal from office of both the President and the Vice President the office shall devolve upon certain Cabinet members, beginning with the Secretary of State and following in the order named in the statute. That act, however, does not apply to existing conditions. It is evident that in 1886, when this act was perfected, the traditions of Congress as well as of the executive department led the framers of that act to believe that there never would be a violation of the manifest spirit and traditions of the Government by the voluntary departure of the Executive beyond the jurisdiction of the United States.

Senator George Frisbie Hoar was the sponsor in this body of the succession act of 1886. Here in this Chamber he stated when it was pending—some may remember it—that he did not wish to "strut under borrowed plumage." His cousin, Rockwood Hoar, he stated, drafted the bill, drew the act, and Senator Hoar introduced it and supported it on the floor of this body. At that time scarcely a Senator not a publicist of that day believed it was necessary to declare that in the event of the absence of the President of the United States from the territory of the country certain other persons should succeed to the Executive office, and I apprehend it was for that reason alone that no such provision was inserted in the act of 1886.

Mr. WILLIAMS. Mr. President, may I ask the Senator from Illinois a question?

Mr. SHERMAN. Yes, sir; I yield for a question.

Mr. WILLIAMS. Is the Senator or is he not aware of the fact that President Taft, during his term of office, went to Canada and was absent for a week or two—I do not remember just how long—upon foreign soil; and that he also went about 2,000 miles, I think—maybe not quite that much—into Mexico and held a conference with President Diaz? Is he or is he not aware of the fact that President Roosevelt, during his term of office, spent a day or two in one of the cities of the Panama Republic, not the Panama Zone?

Mr. SHERMAN. I will come to some of those instances in a moment, before I conclude.

Mr. WILLIAMS. If the Senator is aware of those facts, would the Senator mind telling me why, under a Republican administration, no Republican solicitous for the Constitution, and no Democrat, either, far more solicitous—historically, at any rate—for the Constitution, raised any objection or offered any resolution declaring the President's inability to carry on the duties of his office?

Mr. SHERMAN. Mr. President, I am not one of those who adopt the mistakes of my own party as a precedent by which I govern myself or seek to legislate for others. I never have.

Mr. WILLIAMS. Now, would the Senator mind one more question? Disliking the Democratic Party as much as he does—almost as much as I dislike his party—would the Senator mind telling me why no Democrat armed with partisanship and with political hatred during those times raised that question; and can he imagine any reason for it, except that the question was not worth raising, and is a mere camouflage?

Mr. SHERMAN. I think the question ought to be raised by anybody who has a right to raise it, and accordingly I have done so. I have not approved of the precedents breaking the traditions as well as the statutes of the United States if committed by a President elected on the ticket of the party of which I am a member. It is no more to be condoned or forgotten by one party or by one President than by another; and I wish seasonably to voice in my remarks here my protest as well as my belief on that subject.

Mr. SMITH of Michigan. Mr. President, if the Senator will pardon me——

Mr. SHERMAN. Certainly.

Mr. SMITH of Michigan. I think the statement of the Senator from Mississippi is wrong as to President Taft. As I understand it, he did not cross the international bridge at El Paso. He went to the Territorial line and stopped there and was met there by President Diaz; at least, this is the view of El Paso people as expressed to me and it may be erroneous.

Mr. WILLIAMS. Mr. President, if the Senator will pardon me just a little longer——

Mr. SHERMAN. All right; I yield.

Mr. WILLIAMS. I am not making that statement because I remember it personally. The Senator from Arizona [Mr. SMITH] told me this morning that he was with President Taft

in Mexico; and I know that President Taft went to Canada and made a speech or two there, because it was in every newspaper in the United States.

Mr. SMITH of Michigan. I am not talking about Canada; but he made his headquarters at El Paso, went to the international bridge, and was met there by President Diaz.

Mr. THOMAS. The Senator is mistaken.

Mr. WILLIAMS. I will hear from the Senator from Arizona about that first.

Mr. SMITH of Michigan. All right.

Mr. WILLIAMS. The Senator from Arizona told me that he was with President Taft on that trip, if I correctly understood him.

Mr. THOMAS. The facts are, Mr. President——

The VICE PRESIDENT. The Senator from Illinois has the floor.

Mr. SHERMAN. I think this has now reached the refined stage of common-law pleading where the issue is joined between others than the litigants to the case; and I must respectfully ask that it cease, and that these gentlemen settle their difficulties in the cloakroom.

The VICE PRESIDENT. The Senator from Illinois has the floor.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. The Senator from Illinois has refused to be further interrupted.

Mr. WILLIAMS. Mr. President, I see that the Senator from Arizona [Mr. SMITH] is present. I have just quoted what he told me in the cloakroom a moment ago, and I should like to have his testimony upon this historical fact. I understood the Senator to say that he was with the party of which President Taft was a member, and that he went into Mexican territory, and was there for some time.

Mr. SHERMAN. It is very difficult to resist the Senator from Mississippi at any time.

Mr. WILLIAMS. Am I correct in my understanding of what the Senator said?

Mr. SMITH of Arizona. That is true.

Mr. WILLIAMS. Yes; and the Senator from Arizona was with him on that trip; and the Senator from Colorado says that Diaz came across the line, met Taft at the bridgehead, and that Taft, repeating the courtesy, went across the line into Mexico and met Diaz away below the boundary.

Mr. SHERMAN. As the Senator from Illinois remembers the international bridge at El Paso, nobody will ever stay across on the other side very long. Juarez is the last place on earth in which any man wishes to stay beyond mealtime. I will come to those instances, referring to each of them specifically, in a moment.

Congress is composed of numerous Members. Its only requirement is a quorum, to be secured by the parliamentary officer, if necessary by the arrest of absent Members. There is no such provision to enforce the presence of the Federal Executive. It is a matter of imperative necessity that Congress declare the President's absence from the soil of the United States and the seat of government an inability to discharge the powers and duties of President, and in effect a vacation of the office, and a devolution of the same, with its powers and duties, upon the Vice President. An executive act is not officially valid unless it be performed in accordance with the Constitution and laws of the United States.

In construing the Constitution of the United States the Supreme Court declared:

> That what is implied is as much a part of the instrument as what is expressed.

Therefore what arises by necessary implication in a fundamental law is as much the law as the expressed letter of the text. To say that the Constitution does not prohibit in express terms the absence of the President in a foreign country, and therefore it is lawful, ignores this salutary rule of common sense. The intention of those who wrote, and the American people who adopted, the Constitution was to guard the President against the insidious influences and flattery incident to the servile adulation and absurd pomp of the kings and council chambers of the Old World. Amid crowns and reminiscences of ancient thrones, with profound interested deference yielded by diplomats grown gray in Europe's quarrels, who see centuries beyond their generation, the whole American atmosphere that ought to surround the President is lost. A courtier's smile and the bending knee of a sycophant have often in history entangled a nation in fatal alliances. A kiss of a sensuous woman has changed the course of empire. We ought not to put him in temptation. [Laughter.]

The VICE PRESIDENT. The Chair will not continue to warn the occupants of the galleries. They will be cleared if the occupants do not obey the rules of the Senate.

Mr. SHERMAN. The savory fragrance of incense offered by alien satellites may mount with intoxicating power to a head already strangely obsessed with the phantasy that he has become the State. The kings like Louis the Bourbon are not found in France alone in history. They have been found in other countries, and they may be bred on American soil.

The spirit of Americanism brooded above the infant Republic as it emerged from the Confederation of Revolutionary days. It vitalized and inheres in the sovereignty of the great delegated powers of the Executive. The thought of the voluntary departure of the chief civil magistrate, clothed with such plenary functions, beyond seas and without the national territory is reprobated and denied in every essential relation and mutual dependence of the structure and organic departments of Federal Government. The whole Federal system is based on the continuous and well-sustained operation of the Government as an entirety. The President is an integral part of the whole. He is an essential element of legislation. His office can not be suspended for an instant or its connection severed from the other coordinate branches of government without doing violence to the charter interpreted and applied for 130 years by its founders and their successors.

There is a constitutional morality woven into the fabric of every government devised and administered by an intelligent people from the days of Athens to America, and from Pericles and his predecessors to Washington. That spirit is a part of the American Government as much as the letter of a statute or of any great organic charter. It is this enduring vitality of which Grote wrote, and which he preserved for the instruction of posterity. Within it dwells the spirit that makes alive the organic instrument that collects in its great headlands the elementary rights of nations. One who violates it strikes a more grievous blow than he who merely breaks the letter. The law of 1790, as well as the unbroken contemporaneous exercises of such powers for a hundred and eighteen years, ought to be binding upon every officer who has taken the oath. Such uniform adherence to the exercise of great sovereign elemental powers is a formidable exposition difficult to argue away.

How can the President receive ambassadors representing sovereign power when absent from the seat of government, and particularly if he be within an alien sovereignty? Is it possible for him to make civil appointments even from the American ambassador's department in France, or can he order troops on the application of a State to protect it against domestic violence? Can he pardon or reprieve offenders while absent in Europe? Who will dispatch troops if required to enforce the laws of the United States and the orders of courts? The President can not execute the laws under his oath of office while he is in a foreign country and unable to exercise executive power at the seat of Federal Government.

The foregoing powers inhere in the President as a civil chief magistrate. Sovereignty is not of a migratory nature in its civil characteristic. The civil powers of the President have no extraterritorial validity. They confer no authority and constitute no defense for acts committed outside the area in which the law is operative. The status of civil sovereignty is attached to the territory, the people, and the institutions over which it wields its powers. The President of the United States is not its President in France. He is an alien there, a mere citizen of this Republic shorn of all his sovereign powers vested in his office when in the United States and at the seat of government. He has no power of his own volition to transfer the seat of government in the executive branch to an alien Province. Two sovereignties can not exist and be coterminus within the same territory at the same time.

The fiction that an ambassador's place of residence or a consul's office or the quarter-deck of a battleship represents the territory of this Republic all around the globe is a mere fiction of commerce for the purpose of taking care of American citizens who are absent in alien jurisdiction and for effecting the necessary purposes of trade.

An official possessed of sovereignty by virtue of the municipal or local law does not transfer that sovereignty or any portion thereof to foreign soil by transporting his physical person to the latter place. Sovereignty is extinguished when the officer departs from his domain. An attempted exercise of sovereign power abroad by the President of the United States, then absent in Europe, I believe to be void and confers no rights and constitutes no defense to one who must justify himself thereunder.

There is an unwritten law of unbroken tradition surrounding the President's office that he must not leave the country even for a day. Public reasons of the gravest character constitute the basis of this tradition. In the spring of 1901 President McKinley emphasized his respect for this limitation. At El Paso, Tex., he wished officially to meet President Diaz near the boundary of the two countries. He did not even go to the half-

way line or place his foot upon the international bridge across the Rio Grande River. Ten years before this President Harrison adventured as far as the middle line of the bridge but no farther.

Mr. WILLIAMS. Mr. President, the Senator said a moment ago, in answer to a question of mine, that he would come to that point later on. He now asserts that President Taft never crossed the border.

Mr. SHERMAN. No; President McKinley. I spoke last with reference to President McKinley.

Mr. WILLIAMS. I beg the Senator's pardon.

Mr. SHERMAN. I will come to the Taft matter in a moment.

Mr. WILLIAMS. I thought the Senator said President Taft. I beg the Senator's pardon.

Mr. SHERMAN. I am sure the Senator did not hear me.

President Arthur in 1883 was supposed unwittingly to have violated the tradition on a fishing excursion in the Thousand Islands. On a fishing excursion with some companions he drifted across the middle of the St. Lawrence River and was, in fact, within the jurisdiction of Canadian law.

President Cleveland on a hunting trip is commonly believed to have gone outside the United States for a short time when he sailed past Cape Hatteras outside the 3-mile limit, which technically put him on the high seas beyond the jurisdiction of the laws of the United States.

President Taft went to Panama in 1910. His destination was the Canal Zone, by treaty United States territory. I regard the jurisdiction and the power governmentally of the United States as supreme in the Canal Zone. When President Taft was beyond the 3-mile limits of tidewater he was outside of the territorial limits of the United States, and before he reached the Canal Zone he violated this tradition. His absence was unjustifiable under settled practices at that time, I believe, although Congress was not then in session and it led to no such complications as the absence of the President at this time might do.

No disturbance of necessary governmental operations followed the absence of President Taft in the circumstances attending his departure and his return. The isolated instances which I have been able to find of presidential absences, even if all of them be wholly indefensible, can not abrogate or modify the limitations that surround the Executive office and the traditions that have commanded the course of its occupants for more than a century of official conduct.

Mr. KNOX. If the Senator from Illinois will permit me, I will suggest one other case of a presidential journey in which the wisdom of not passing out of the sovereignty of our own country was emphasized in a very peculiar way. When George Washington was President of the United States he made a coaching trip to New England. This was shortly before Rhode Island had accepted the Constitution. He carefully and avowedly avoided going into Rhode Island because it was foreign territory to the new Union. Shortly afterwards Rhode Island did accept the Constitution and then, as I say, giving peculiar emphasis to his view, he made a special trip to Rhode Island.

Mr. SHERMAN. I am very glad of the information the Senator from Pennsylvania [Mr. KNOX] gives of the precedent made by one of the early Presidents in that way, and it lends strength to the tradition I have alluded to. It interprets the act of 1790 which declared that the sovereign power of the Government shall be exercised at the seat of government and not elsewhere. Such reasons will fall upon heedless ears when addressed to those who ridicule or deride the necessary restraints and safeguards of constitutional government; with such persons anything that is, is necessarily wrong. We are approaching a period, Mr. President, of stress and strain that may well test the most elementary and necessary of the constitutional limitations of this Republic.

Virtue among some is an indiscriminate destruction of every agency and the ignoring of every principle wrought out in the experience of mankind. It seems to be reserved for the President to gamble with the insuperable difficulties he creates by his absence beyond seas. He no doubt will excite the rapturous applause of the scoffing intellectuals who minister to his vanity. He takes an iconoclastic delight in overriding every constitutional provision and every statute of the Republic, both in letter and spirit, designed to protect and preserve the civil liberty of the country. It is unofficial and personal government followed to its logical conclusion.

The foregoing dangers justify a declaration by Congress that will define the inability of the President. I believe it to be a proper subject of legislative definition. It will interpret and apply the tradition and the law that have attended the executive office from the days of Washington. It will be of material value to courts and future Presidents in interpreting the place in which sovereign power may lawfully be exercised. The Presidency is created and exists by law. This is a trite observation, but it is necessary to repeat it. Beyond it and its enumerated or incidental powers he can not go. The Constitution, by virtue of which he is elected and his great executive powers vested, requires the President to have been 14 years a resident within the United States, as well as 35 years of age, to make him eligible to the office. This long residence in the United States, while a positive qualification, is evidently to insure a personal knowledge of current affairs. It illuminates the President's absence during the protracted negotiations of the belligerant nations in France. The people of this Republic are entitled to the personal presence of their Executive.

It is no answer to say that the swift steamship, the cables, and telegrams do eliminate distance. They have not eliminated national boundaries and the limitations upon the sovereignty of their majesties and respective rulers. If he can communicate so readily with his Washington office and his people while in Paris, then his agents in Paris could as readily communicate with him if he remained in Washington by these same physical agencies. It is a poor rule that will not work both ways.

The absence of many weeks in a distant land is so repugnant to the exercise of his great powers as to justify the passage of this resolution.

I will state that a Representative from Illinois [Mr. RODENBERG] in the House yesterday introduced the same resolution, except that it does not declare the office vacant, but it does declare during the interim that the powers and duties during the President's absence in a foreign country shall devolve upon the Vice President, to be exercised until the President shall return to the jurisdiction and territory of the United States.

By this resolution Congress supplies a statutory definition of presidential "inability" so as to make it incumbent upon the Vice President to qualify, assume, and discharge executive duties. He therefore ceases to be the presiding officer of this body and does become the actual President until another one is duly elected in 1920 and inaugurated the 4th of March, 1921. This secures the public welfare and private right from an interregnum and cessation of executive functions, and no other construction will do so.

Mr. President, in conclusion, I have submitted the question involved in this discussion and in the resolution to Hannis Taylor, who is a well-known authority on constitutional law, and have received from him an opinion that deals specifically with this question at some length. It is a closely reasoned, strong examination of the question and so illuminating I ask, without reading, to have it printed as a part of my remarks.

The VICE PRESIDENT. Is there any objection? The Chair hears none. It is so ordered.

The matter referred to is as follows:

WASHINGTON, D. C.,
November 30, 1918.

Hon. LAWRENCE Y. SHERMAN,
United States Senate.

MY DEAR SENATOR SHERMAN: You have requested me, as a student of American constitutional law, to give an opinion on the following question:

Will the absence of the President in Europe create the "inability to discharge the powers and duties of said office" contemplated in Article II, section 10, of the Constitution, which provides that "in case of the removal of the President from office or of his death, resignation, or inability to discharge the powers and duties of said office, the same shall devolve on the Vice President, and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice President, declaring what officer shall then act as President and such officer shall act accordingly until the disability be removed, or a President shall be elected"?

I answer as follows: The first legislation by Congress, giving effect to the provision of the Constitution in question, was the act of March 1, 1792, expressly repealed by the presidential succession act of January 19, 1886, which, together with Article II, section 1, now governs the entire subject.

The statute and the constitutional provision must be construed together under that elementary rule which provides that constitutional prohibitions arising by necessary implication out of the fundamental law are just as effective as those arising in express terms. In restating that principle in Ex parte Yarbrough, Mr. Justice Miller said, in construing the Constitution of the United States, "that what is implied is as much a part of the instrument as what is expressed."

It is a gross error to assume that the President is not commanded by the Constitution never to go beyond the territorial limits of the United States. The very nature of his office and the supreme duties annexed to it command the President never

to depart, certainly when Congress is in session. There is no express prohibition directed either to the Senate or to the House of Representatives commanding them not to go abroad and hold their sessions there. The same implied and self-evident prohibition is directed to the President never to go abroad at any time. Such prohibition necessarily enters into the very nature of the office itself, which is an unprecedented and unique creation.

In describing the motives that governed the convention of 1787, when creating the presidential office, Sir Henry Maine said that "the figure they had before them was not a generalized English king, nor an abstract constitutional monarch; it was no anticipation of Queen Victoria but George III himself whom they took for their model." With that powerful figure before them the convention vested in the President of the United States more than executive power; it made him an integral part of the National Legislature. Without his personal approval or rejection, no act of Congress can become a law, with the one exception to be hereafter noted.

Article I, section 7, clause 2, of the Constitution expressly provides that "every bill when it shall have passed the House of Representatives and Senate shall, before it becomes a law, be presented to the President of the United States," who is expected to be present at the seat of government to act upon it in person. That he can not abdicate the duty or delegate it to another is put beyond all question by the decision of the Supreme Court in La Abra Silver Mining Co. against United States (175 U. S., 423). It is the settled law of this Republic, long defined by the Federal courts, that an act of Congress can not, with a single exception, be made the law of the land until the actual and physical placing of the President's signature on the document presented to him by the two Houses for that purpose.

If the President approves the bill, the Constitution directs him to sign it; if he does not approve it, the Constitution makes it his duty to return it with his objections to the House in which it originated. And a further and vital provision is that in case the President does not return the bill within 10 days after presentation it becomes a law in the same manner as though he had signed it. After the bill has become a law the Statutes of the United States make it the duty of the Secretary of State to "forthwith" file the law as soon as possible and to give publicity to it. Thus it is as clear as a mathematical demonstration that if both the President and Secretary of State, in open defiance of the Constitution, abdicate at the same moment and go for a long sojourn in foreign lands while Congress is in session the lawmaking power of this Government is at an end until the vacuum can be filled.

In view of that grave contingency every precaution was taken in the presidential succession act of 1886 to make an interregnum in the presidential office impossible. In commenting upon the menacing conditions that made that act a necessity, President Wilson, in his "History of the American People," has said: "There had been such a season while Mr. Arthur was President. There had been an anxious summer when, had death or serious disability overtaken him, there would have been no one to take up the duties of the chief officer of the Nation. Another season of the same sort came during the very first year of Mr. Cleveland's presidency. Mr. Hendricks, who had been chosen Vice President with Mr. Cleveland, died in November, 1885, and there was a brief interval during which there was no one between the President and a legal lapse of the presidential functions. At its first session, therefore, the Congress which had been chosen at the time of Mr. Cleveland's election passed an act which placed the heads of the executive departments in the line of succession in the order of the creation of their several offices." And yet, in open defiance of his own unanswerable exposition, the President, without any excuse, is preparing to abdicate his high office and to impose upon himself an "inability to discharge the powers and duties of said office," and, more, to take along with him the Secretary of State, who is second in the line of succession which the act defines.

I have said "without any excuse whatever," because the going of the President himself to the peace congress as a mere delegate violates not only the Constitution of his own country but a basic and elementary rule of international law and diplomacy, which decrees that no chief of state must appear in person in such an assembly. In obedience to that rule Great Britain, France, and Italy will send not their chiefs of state but their first ministers. The President will therefore debrade the dignity of his high office and humiliate the American people in the presences of all Europe by appearing there in an unprecedented and unbecoming capacity.

What right has he to say to the world by his acts that the American first minister, Mr. Lansing, who has been confirmed by the Senate as a competent Secretary of State, is unworthy to stand in the congress as the peer of the first ministers of Great Britain, France, and Italy, especially when he is to be supported by the brilliant and distinguished delegation chosen to accompany him? If he needs guidance in international law and diplomacy, the world-famous jurist, Col. House, will be there to advise and direct him. Besides, in creating the presidential office, the convention made it very plain that our Chief of State must at all times be carefully guarded against the insidious influences of foreign powers. Speaking on that subject in the convention, Mr. Madison said: "Limited as the powers of the Executive are, it will be an object of great moment with the great rival powers of Europe who have American possessions to have at the head of our Government a man attached to their respective politics and interests."

At this critical moment when grave conflicts are impending between the interests of the American people and those of certain all-powerful European States, the President should not be subjected to the seductive influences of pomp, pageantry, and adulation in the banquet halls of kings. He should remain here in touch with the sympathies and interests of the American people.

As a practical illustration of the difficulties involved, let us suppose that after the President places himself beyond the limits of the territorial jurisdiction of the Constitution and laws of the United States he sends a nomination to the Senate for Secretary of the Treasury. A nomination is a continuing act which presupposes a legally acting President behind it. The moment he ceases to be such the nomination is automatically withdrawn by operation of law. If the Senate then attempts to confirm a nomination not legally before it, the confirmation will be void and the vast transactions of the Treasury will be clouded at once with the taint of illegality. The President is about to throw a monkey wrench into a piece of delicately adjusted constitutional machinery at a moment when it is running at high pressure.

In the presence of such an emergency, neither the Vice President nor the Congress should falter in the discharge of the supreme duty imposed by the Constitution, which the American people do not consider "obsolete." So plain is the law upon the subject of the prohibition in question that, since the adoption of the Constitution, no President has ever presumed to violate it. Excepting only one instance, when invading armies forced a momentary withdrawal, the executive, legislative, and judicial departments have been ever present at the seat of government ready to discharge all of their official functions. Therefore if the President, under evil advice, persists in his purpose at this critical moment to abdicate his office by absenting himself from the seat of government for an indefinite sojourn in foreign lands, while the Congress of which he is an integral part is in session, the fact that he has thus unlawfully put upon himself an "inability to discharge the powers and duties" of his office will be too plain for controversy.

It will thus become the imperative duty of the Vice President to take the oath of office as President and to assume all the duties and responsibilities thereof. If he falters, it will be the plain duty of Congress to direct him to do so by a joint resolution to that effect. And here the fact should be emphasized that neither the Constitution nor the presidential succession act makes any provision for a President of the United States pro tempore. After the Vice President has been sworn in as President he becomes such in the full sense of that term. No provision is made by law under which he can hand back the presidential office to his predecessor. If Vice President Marshall after he has become President as the law provides resigns or becomes subject to an "inability," the office will then pass on in the line which the presidential succession act defines. It will be entirely beyond his power to transfer it to anyone else; that can be done by the law alone. And so it appears that our matchless Constitution is equal to all emergencies.

With great respect, I remain,

Sincerely, yours,

HANNIS TAYLOR.

Mr. WILLIAMS. Mr. President, the newspapers have been full for the last two or three days of advertisement of a grand parade of trades in opposition to President Wilson's contemplated visit to France and Great Britain. We were told that there was going to be a regular hurricane—perhaps an explosion of a volcano—and we have listened to the speech, or to the reading of the writing, rather, of the Senator from Illinois [Mr. SHERMAN]. That, I suppose, is the tornado and the volcano and the explosion which were to take place; and we are now left with the results. Parturiunt montes, nascetur ridiculus mus.

Amongst the complex concatenations of endless adjectives to which we have just listened I have failed to find any argument of any description. I find, upon the contrary, that the contention of the Senator from Illinois violates the precedents of Presidents who have reigned if not ruled in this country hitherto, or, to use a true American term, have presided in this country hitherto.

Now, Mr. President, in no true sense does the President of the United States personify the sovereignty of the American Republic any more than a Senator does or a Member of the House of Representatives. They are a part of the representatives of the sovereignty, which is the people. So all of this talk about a President losing the sovereign power while he goes abroad is absolute nonsense, and in using the word "nonsense" I mean no disrespect to the Senator from Illinois. There are behind him men wiser than he who are making the same mistake, if it be a mistake, who are at any rate making the same contention, whether they know better or not.

Mr. President, a king represents the sovereignty of his kingdom. An emperor represents the sovereignty of his empire. Yet the entire history of the world is full of visits of kings to other kingdoms, of emperors to other empires, and to kingdoms, and even to republics. It never was contended for one minute that one of them lost the sovereignty of his country or his own official status by making a trip of that sort.

Now, that is not all. The Senator from Pennsylvania [Mr. KNOX] made a correction a moment ago about George Washington, I believe it was, and said that he went to Rhode Island after Rhode Island had come into the Republic. That is true. It is also true that he passed through Rhode Island on his way to Boston before Rhode Island came into the Republic. It is also true that Mr. Roosevelt went down on his way to the Panama Zone, which does belong to us and is under our jurisdiction, and after he got there he was upon American soil, but on his way he stopped at towns in the Panama Republic, which was foreign soil. It is also true that Mr. Taft went into Canada and was there absent several days; I do not remember how long; a gentleman in the cloakroom told me this morning he thought 10 days, but I do not remember. It is also true, as the Senator from Arizona [Mr. SMITH] remembers, that Mr. Taft went into Mexico and was absent in Mexico quite a time. It is also true that not even a Democrat antagonizing Roosevelt or Taft ever raised the question that that constituted inability.

Now, Mr. President, contrary to the opinion of a great many men who live now, the fathers who wrote this Constitution were men of tolerably good sense. They were men who excited the admiration of Gladstone; they were men who excited the admiration even of Napoleon Bonaparte, with all his war madness; they were men who received the praise even of the Hohenzollerns, of Frederick the Great, who was the greatest of the Hohenzollerns, and the only really great Hohenzollern. If they had wanted to say that absence from the territorial limits of the United States constituted an inability, they would have said so. If they had wanted to say that absence from the territorial limits of the United States constituted a temporary or permanent vacation of the office, they would have said so. They were not such asses that they did not foresee that sort of a possibility, even if they did not regard it as a probability.

They tried to take care of the future for the sake of the American people, and we have found that the Constitution is a thing that has thus far taken care of us and is very much superior to any form of bolshevism or any form of autocracy in the world. To say that they would have regarded a temporary absence from the United States to make a couple of speeches in Canada or to run down to Mexico and exchange courtesies with Diaz as constituting an inability to discharge the duties of the Presidency, or as a vacation of the office of the Presidency, and that they did not provide for it beforehand, is to accuse them of being veritable fools; and whatever else they were, George Washington was not a fool, Benjamin Franklin was not one, James Madison was not one, Witherspoon was not one, nor were any of these other men.

Kings, Emperors, Presidents, all have left the territory under the jurisdiction of their Governments and not one of them in the entire history of the world has ever been deprived of his official functions because of that reason, except when a revolution took place in his absence, when, indeed, for the most part, the absence was really due to flight for fear of revolution that was anticipated. Not one has been deprived of his official functions for such a reason in the whole history of the world. Parturiunt montes, nascetur ridiculus mus.

Mr. President, this endless concatenation of complex adjectives somehow does not sound to me like the Senator from Illinois; it does not sound to me as if he were willing to be guilty of the sort of utterances that he has just pronounced. He read his speech, of course, and read it with good emphasis; read it in fine style, as he usually does, and with a degree of acting that made it funny at times, even when the Senator was seeking to be serious, and still funnier at other times when he was not seeking to be serious.

I doubt if any real lawyer, any real publicist, any real man of real common sense believes that Woodrow Wilson is doing anything wrong or unconstitutional, at any rate, when he is going to France. Gentlemen may bark and gentlemen may try to bite—"try to bite," I say; they can not bite; they may bark—but this war has produced some few great men—Clemenceau, "the Tiger"; Foch, the strategist; Joffre, the fighter; Haig, the Scotchman, with the Scotchman's persistency and hanging on; Rawlinson, the English bulldog; Allenby, the deliverer of Jerusalem; our own Pershing; David Lloyd George, broad-minded, philanthropic, true to democratic instincts; Woodrow Wilson, last but not least.

I warn gentlemen now that they can not tear either one of them down, now after this war is over and has been won, from the pedestal on which humanity has placed them. The worst they can do is to bark, and their bark will not even annoy to any very great extent.

The President of the United States knows that it is better for him to have a heart-to-heart talk with Clemenceau; that it is better for him to have a heart-to-heart talk with David Lloyd George; that it is better for him to have a heart-to-heart talk with the premier of Italy and with King Albert, the noblest soul that this war has produced, and find out the facts and the essential feeling of their respective peoples, which must not be defiled by them or us. Does he think that Mr. Wilson has got to communicate, then, every morning before breakfast with the august Senator from Illinois or the equally august Senator from Mississippi and have a debate about every point touched upon by him and them here in the Senate every day down to the boundary between Czecho-Slavia and Jugo-Slavia? Does not the Senator from Illinois know as well as I do that the President knows that the most important thing is to have harmony and to have as much of it beforehand as possible and as little of difference to be discussed afterwards as possible? Does the Senator imagine that the President ought to stay here and instruct his delegates to do this and to do that and to do the other thing, regardless of our allies and in ignorance himself of what they have to say in reply, or to cable to the public their differences before by mutual concession they are happily settled?

Mr. SHERMAN. He has been doing it all the time.

Mr. WILLIAMS. Well, he has not had any delegates over there thus far, and, by the way, he has not instructed the Senator from Illinois, and if he had and the Senator had obeyed his instructions, he would have been much wiser. [Laughter and applause in the galleries.]

The VICE PRESIDENT. Just a moment. This is the last warning of the Chair to the galleries. They must stop their manifestations. The Chair instructs the sergeants at arms at the doors that if applause or any other manifestation occurs in the galleries the galleries must be cleared.

Mr. WILLIAMS. Mr. President, in addition to that, ladies and gentlemen in the galleries, I desire to say that applause always bothers me; that it always worries me.

Does the Senator from Illinois imagine that the President does not know that heart-to-heart talks with the other great men whom this war has developed—without taking it for granted now that the President regards himself as a great man; I merely so regard him; but my opinion is not worth more than that of the Senator from Illinois, and the Senator from Illinois regards himself, perhaps as most Senators do, as a greater man than Woodrow Wilson—but supposing he is right; the President is here; he occupies the position; he must act; and wanting to act, the more ignorant he is, as the Senator assumes him to be, the more he ought to want to confer with these great men and to find out from them what ought to be done. A President is to a large extent like a king; he is subject to the information that people choose to give him, and he is, therefore, very frequently misled, as old Ulysses Grant was, as you remember, very many times; as George Washington was by the whisperings of New England Federalists.

Then, what is there more reasonable than for the President to want to go to France and to say, "Mr. Clemenceau, you are the premier of the Republic of France, and I am the President of the United States; you are Clemenceau and I am Wilson. Let us see what the actual situation is as you understand it, and then please listen to me and catch it as I understand it. I do not want to stay back in America and instruct my delegates by cablegrams to insist upon this or insist upon that, or

die in the trench with this proposition or that, for France may not want it, or Italy may not want it, or England may not want it; and, above all things in the world, the most important thing now is harmony in details and in general essentials, so that we may not make asses of ourselves, as the republics and kingdoms in the Balkans did after they had whipped the Turk.

"If we leave it merely to messengers, if we leave it merely to people who are to be instructed by cablegrams, with all of the errors that may occur of misinterpretation and misconstruction, there is a danger of our fighting one another." Then, what becomes of the dream of peace? What becomes of "the parliament of man"? What becomes of the "federation of the world"? What becomes of the dream of the poets and the vision of the seers?

"Let us get together now. It is true," the President may say, "I have the Senate behind me; it must later on be consulted; its voice is potential." "It is true, Lloyd George, that you have the House of Commons behind you; it must later on be consulted; its voice is, as Blackstone said, omnipotent; it can do anything except turn a man into a woman or a woman into a man; it can do anything that can be done by law; and, Mr. Clemenceau, you must also consult with the French Assembly, but in the meanwhile let us try to get together; let the row not begin between us."

Then up jumps some Senator and says, "Oh, yes; but every morning he ought to cable to us and tell us that about half an hour ago Clemenceau said so and so, and David Lloyd George said this and that, and I said this, and I want the American Senate and the American people to stand behind me." That would be the conduct of an egotist, a megalomaniac, but it would not be the conduct of a man who lacks confidence in himself every now and then, as I know this President does. Somebody told me once that now and then he lacked confidence in the accuracy of his own judgment, and I said, "Every man of good sense does; they are only asses who do not." Somebody told me that he changed his opinion several times about several things, and my reply was along the same line. Every man of sense does; nobody but a fool does not. Men change, and their opinions and conclusions change with changed conditions. Nobody but a lawyer in a law case or a politician hunting office or a fool without any sense ever paid much attention to consistency.

If I should say to the Senator from Nebraska that he expressed a certain opinion four years ago and he is expressing a different one now, his probable answer as an honest man would be, "Well, if I expressed the opinion four years ago, I expressed it because I thought it was right then, and if I am expressing a different opinion now I am expressing it because I think I am right now."

Oh, Mr. President, this newspaper advertisement of the way they were going to fall all over Woodrow Wilson, starting from Illinois and winding up in Massachusetts, I believe, or all around the country, with a little help from the intermediate territory! And the first exhibition they made of themselves—what was it? They went over to the House the other day to listen to the President make an address with a sort of gentlemen's understanding that they were not to applaud him—they did not know what he was going to say, but there was a sort of gentlemen's understanding that they were not to applaud him. He had hurt their feelings by saying that he thought the Democrats ought to be elected to office.

Why, did you not know he was a Democrat, and did not the American people know it when they elected him? Do you contend that Grant or McKinley or Taft or any of the other Presidents did not regard themselves as chiefs of their party? Do you not know that every President has done so except George Washington, and that the only reason why George Washington's second administration failed was because he did not belong to any party, and therefore did not have any steady cohort to fight for what he thought was right and had nothing but volunteers in every little engagement? The hypocrisy of charging Woodrow Wilson with a great crime because he wants Democrats elected to office! Even that objection was not well founded, because when he found men upon his own side who were not true to the war and true to the ideals of the war his word went out against them just as significantly as it went out in favor of democracy generally.

What would he have been if he had been elected as a Democrat and had not been a Democrat? He would have been a hypocrite, would he not? Are you going to vote for any man as a Republican candidate for the Presidency and make him President later on that you do not think is going to stand by the tenets, the traditions, and the ideals of the Republican Party? You know you are not. So far as I am concerned, I have no apology to make for the President because he is a Democrat. If I had had the slightest doubt of his Democracy, I never would have voted for him. "Parturiunt montes, nascetur ridiculus mus!" Going all the way, I reckon, from the remote West plumb to New England, where the Brahmins live! I reckon some of you have forgotten that John Adams was a Federalist. I guess some of you have forgotten that Andrew Jackson was a Democrat and never made any shame of it. Some of you on the other side think that you beat the President. You did not beat the President. The people beat the Democratic Party in the last election. Do you know why? Because your party, taking it upon the percentage basis, had been truer to the war than we had—and when I say "we," I mean my party.

We had men in the other wing of this Capitol, and we had men here calling themselves Democrats, and several of them in high position of committee vantage, that were sticking the President every chance they got with a fine Italian dagger. I have come to the conclusion that the American people put you in office in these two Houses because they thought maybe you could be more safely trusted to stand behind the President than a lot of our fellows could be. That may be an error, but that is my opinion, because I have found a good many Mississippi Democrats talking that way, even Mississippi Democrats, who never voted any other ticket than the Democratic ticket and would not do so to save their lives. But we had got rid of these traitors. The people ought to have known that we would get rid of them.

And now, Mr. President, I imagine the difficulty the Senator from Illinois will have, together with all of the wiser men behind him, who are going to spend the next two weeks attacking Woodrow Wilson, if they can manage to get the time—and I suppose they will—I imagine the difficulty they will have in persuading the old Indiana Democrat in the Vice President's chair that he should qualify as President of the United States while Woodrow Wilson is in Europe having heart-to-heart talks with Clemenceau and David Lloyd George. You know you might just as well have tried that on me, if I had happened to be Vice President. You know that sort of camouflage does not go.

You know the American people do not misunderstand it. They know it is blind partisan hate, malice, and uncharity. All in the world you have got to do is to give yourselves two weeks' rope, and at the end of two weeks of unlimited rope the American people will have spotted you, and there will be enough of them getting religion and going on the mourners bench and confessing before God and man that they made an awful mistake in the vote they cast at the last election, to render the next presidential election secure, unless you happen to get a military hero and we do not, and if that should happen God only knows what will become of us.

Mr. President, I believe in loyalty to a cause when it is a good cause, to a man when he is a good man and a strong man and an able man. I have never taken shame to myself for loyalty to any of the great men that I have ever known. I have taken pride to myself that I trusted them rather than my own judgment at various times. Whatever else this war has resulted in it has resulted in proving in Woodrow Wilson's case that a prophet is not without honor save in his own country, and not altogether without honor even there. He is so much greater, he is so much wiser, he is so much longer visioned, he is so much gentler visioned than the men who think they are making political capital by attacking him that there is no comparison.

This Republic has furnished five great Presidents, and he is one of the five. And your children and your grandchildren, in spite of what you have heard to-day, with all its endless concatenation of complex and senseless adjectives a l'Illinois, will be taught in the history books by the school-teachers in your own State and in your own party to revere and honor him. He is not with a Scotch name and a Scotch jaw for nothing, and he is not afraid of anything; and he does not go around bragging about not being afraid, either. He is going to do what he thinks is right, not only for America but for the world; and he is going to try to get out of this, if he can, by heart-to-heart talks with Lloyd George and Clemenceau and the Italian premier and the Belgian King and the balance of them, a comparatively permanent and a just peace and, if possible, a league of nations to preserve the peace of the world.

Now and then somebody tells me: "That is all impracticable, and you can not have it." Why not? I suspect that when the first man started and told people that they had to stop their private rows and quit killing one another and go to a court of justice and settle their difficulties that somebody else said: "Oh, well, that is all humanitarian and all that, but there is no sense in it, and it can not be done. Sherman will not put his weapon up, and Williams will not 'bury his club'"; but Sherman and Williams did, after a while. They tell me that you would "have to have the whole civilized world agree to it." I say no. I say that the allied nations alone can agree to this in the treaty of peace: "Hereafter we will declare beyond the pale

of civilization any civilized country that dares make war upon another without having previously offered to leave the question in controversy to a fair and impartial arbitrament; and if any country will do it, that country will be declared beyond the pale of civilization. We will cut off her traffic and her travel on the high seas and, as far as we can, by land. We will put the construction of sea power on her; and the minute she quits the path of insanity and comes back into the broad path of civilization, quits making the war to which we objected, then we will let her join this alliance, too, if she sincerely wills consent and repentance." We will go further; we will say that after we have declared a nation like that to be beyond the pale of civilization, we will not only cut off its traffic and its travel upon the high seas, and upon land as far as we can, but we will declare it to be "the enemy of mankind," and we will make united war against it.

You never see the force of the constable and the sheriff behind the justice of the peace or the circuit court, except when he opens court and declares it adjourned; but everybody knows it is there, and, as a consequence, nobody defies it, or at least nobody but a very reckless man. And so in this agreement you will not have to whip the country that wants to get beyond the pale of civilization, because it will not get there. It will be afraid to try. Even Hohenzollern would have been afraid to go into this war if he had known the civilized world was going to face him.

"Oh, well," you tell me, "but maybe Italy will not agree; maybe France will not agree; maybe Japan will not agree; maybe Roumania has private irons in the fire; maybe Serbia has, so that you can not get her to join in the agreement." I tell you that the two English-speaking races by themselves can do it. We have the sea power of the world. Great Britain has just demonstrated what sea power amounts to—constriction, throat-grappling, starvation if necessary, deprivation of raw materials, deprivation of industrial life, control of overseas traffic and travel. These United States have the second largest navy in the world, and before many years roll around we will have the largest. I tell you that if nobody else goes into the league of nations except the English-speaking races, the great confederacy of States here, the great confederacy of Provinces over there, Great Britain, Scotland, Wales, Ireland—except the Sinn Feiners, who amount to practically nothing—the Canadians, the Australians, the New Zealanders, the South Africans, the most loyal of all Britain's Provinces, because she acted most magnanimously toward them, they and we, with our law, our language, and our courage and resources on land and at sea, are enough.

By our sea power, by our control of raw material, by our control of the economic resources of the world, such as iron and copper out in your country, gold farther Northwest, and cotton down South, without which nobody can exist, we alone, if the balance of the world will not come into it, can agree that any civilized nation that makes war upon another without first either agreeing or offering to leave the question in controversy to fair and impartial arbitrament shall be outside of the pale of civilization and our enemy, and that their travel and traffic upon the high seas shall be terminated, that their access to raw materials shall be terminated. We two—Republic and Empire—alone can bring about the peace of the world for a hundred years if we have the courage to try.

That is what Wilson has gone to Europe to try to consummate—the dream of poets, the vision of prophets, the heart-wish of good men and good women for a thousand years—peace, honorable peace, permanent peace, just peace; just even to our enemies, but not overmerciful to them, because in order to be just they must pay retribution. David Lloyd George says that they must account for what they have stolen and what they have taken, and, as far as possible—although it is not possible to measure it in money—for what they have murdered and what they have raped. But all the same, a just peace, leaving to every language on this globe the right to homologate itself with the nationality, so that the Czecho-Slavs and the Jugo-Slavs and the Serbians may go together; the Poles, whether in Prussia or Russia or Austria, may flock together; Schleswig, stolen from Denmark, may go back to Denmark; Alsace and Lorraine may go to France; Roumania may be independent, with the Roumanians in Bessarabia and Transylvania; all of that. These are details that Wilson does not propose to handle by himself.

What would you think of Mr. Wilson if he should send word by cablegram to the French and English and Belgian and Serbian authorities of the demands that he made, instead of going over there and saying it to one another in heart-to-heart talks and by mutual concession arriving at unity of purpose and harmony of action? Is there one of you who does not believe he is doing the best he knows how, even if you think he is a fool and unfit to be a member of this august body, as not many of you do? Is there one of you who does not really think in the bottom of your heart that he is doing the best he can? Is there one of you who thinks he is guided by a dishonest purpose? Is there one of you who thinks that he is motived by an unpatriotic purpose? Is there one of you who thinks he deserves the adjectives that have been poured out on his defenseless head this morning? I do not believe the utterer of them does. Whatever else he may be, however much you may dislike him, however much he may have disagreed with some of you on this side about patronage and other things and some of you on the other side about political principles, there is not one of you that will go to your bedside to-night and tell God in secret converse that you believe that he is either unpatriotic or dishonest or that he has any purpose in the world except not only the good of the American Republic but the general welfare of the civilized world.

Why bark at him all the time? Are you barking at him with the idea that it will damage him? It will not. You are digging your own graves when you try to dig his. If you bark at him with the idea that it is going to help you, it will not. Now, whenever you find him making a mistake, call attention to it; call attention from the housetops; call his attention, amongst others. My personal experience with him has been that he is the quickest man to correct an error that ever I came into official contact with when he finds out that it is an error, when he is convinced of it. He is as stubborn as he can be until he is convinced.

There we are—Clemenceau representing France; Lloyd George representing Great Britain, who went to his people to find out whether they wanted him to continue to represent them or not, as doubtless Wilson would if he could do it under the Constitution of the United States. There are certain personal selfish British, certain personal selfish French motives, that this country, unconcerned with any territorial or monetary advantage, is divorced from. We want to have all of the influence we can over there with them to bring about a permanent and just peace; as nearly as possible "a parliament of man and a federation of the world"; and what are you doing here? Weakening your own agent every day, throwing adjectives at his head, accusing him virtually of idiocy, of un-Americanism—weakening him in the council, so that if you can help it America shall not predominate, but somebody else will.

What do you want to do it for? Will it help your children? Will it help your grandchildren? Will it help the American Republic? Will it help democracy in the world? Will it help civilization from one pole to the other, as near to either pole as civilization stretches? You know it will not.

What is the next Presidency of the United States compared with what we may do in this war? I stood upon this floor six months ago, I believe, or eight, and I said that if the blackest Republican ran against the best Democrat that ever existed, and that Democrat had not supported this war from beginning to end and the Republican had, I would vote for the Republican. I was accused of partisanship for making that statement. As a matter of fact, it was the most extremely unpartisan utterance that could be made by anybody.

Oh, the iron hand in the velvet glove; protestations of fairness; constitutionality coming from the party that never respected the Constitution 10 years of its existence, that was born defying it—to wit, the fugitive slave law, that was then a part of it—that continued to defy it after the war as well as during it! All at once, nicely caught with the little complexities of constitutional toilet arrangements, cosmetics upon the face, chiefly, you try to make a scapegoat out of Wilson.

Well, you can not make a scapegoat out of anybody that is not a goat to start with, and especially not if he is wiser than the man who attacks him is—and frequently he is; not always; of course never when a Senator attacks him. Of course, when a Senator attacks anybody he is being attacked by a sort of a German superman; almost an American Hohenzollern, that is capable of everything wise and nothing foolish, not even an utterance accidentally.

I want to leave you this thought: How is all this going to hurt him? How is it going to help you? How is it going to help your posterity? How is it going to help the American Republic? How is it going to help American influence in Europe? How is it going to accomplish any good end of any description for the purposes of civilization or democracy or humanity?

The VICE PRESIDENT. The hour of 2 o'clock having arrived the Chair lays before the Senate the unfinished business, which is Senate bill 4637.

LEAGUE OF NATIONS.

Mr. LEWIS. Mr. President, may I avail myself for a second, not holding the morning hour to have concluded, to give notice

that I will address the Senate, with the Senate's permission, on Friday morning after the close of the morning business on the subject of the proposed league of nations for peace.

PAYMENT TO HON. CHRISTIE BENET.

Mr. THOMPSON. Mr. President, I desire to report back favorably, without amendment, from the Committee to Audit and Control the Contingent Expenses of the Senate, resolution No. 383, and I ask to have it considered at this time.

Mr. McKELLAR. That may be done with the understanding that the unfinished business will not be displaced.

The VICE PRESIDENT. The resolution will be read.

The Secretary read the resolution, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay from the miscellaneous items of the contingent fund of the Senate to the Hon. Christie Benet the sum of $554.70, being the compensation of a Senator of the United States for 25 days—November 6 to December 2, 1918, both dates inclusive—during which he served as Senator from the State of South Carolina.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. CURTIS. Mr. President, I object to the present consideration of the resolution. I should like to ask the Senator reporting the resolution to make a little inquiry before he brings it up again. I understand that the Senator elect from the State has been paid the salary from the date of the election. Under the Constitution the term of Senator Benet expired on the day of the election of his successor. Therefore I doubt very much if he is entitled to this extra salary. Surely Congress will not pay a double salary during that time. If the Senator elect has not been paid, then there might be favorable action upon the resolution, but personally I shall object to its consideration until we can get the facts in the case.

Mr. THOMPSON. This is simply a favorable report from the committee on the resolution.

Mr. CURTIS. It is not the question of a favorable report.

Mr. THOMPSON. I will state in reply to my distinguished colleague that we have a very striking example in the State of Kansas, and one very much in point. The same situation arose when the distinguished Senator came to the Senate in place of Senator Benson. He drew the salary in the interim, the same as in this instance, as I am informed; and this, I am told by all the older Senators, has been the universal custom in the Senate in a situation of this kind. I have numerous precedents, and it has never been questioned before that I know of. I have no interest in the matter except to do justice to a Senator who has served in the Senate without pay and to do justice to his State. Of course, if my colleague objects, the resolution will simply go to the calendar and can be taken up and disposed of as the Senate sees fit at the proper time.

Mr. CURTIS. Senator Benson did draw the salary until I took the oath; that was the old practice. Before the Constitution was amended, a Senator was appointed to serve until his successor was elected and qualified. I was elected by the legislature in 1907. I was not elected until the 23d day of January, and I took my seat in the Senate on the 29th of January. But under the Constitution as it now is, with the constitutional amendment with regard to the election of United States Senators, a newly elected Senator to fill an unexpired term is entitled to his office and entitled to pay from the day he is elected. That question has not been decided and there are no precedents since the adoption of the constitutional amendment.

I am informed that the financial clerk or the Secretary has been notified that the new Senators are entitled to their pay from the date of the election. If that is so and this resolution is adopted Mr. Benet will be paid for time for which the newly elected Senator has been paid. I do not think the Senate wants to set a precedent of that kind.

I will state to the Senator from Kansas that Senator Benson drew his pay until the 29th of January, 1907, and your humble servant drew the pay from the 29th of January, 1907. There was no double payment during the time.

I object to the consideration of the resolution.

The VICE PRESIDENT. On objection, the resolution goes to the calendar.

CALLING OF THE ROLL.

Mr. MYERS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Colt	France	Henderson
Bankhead	Cummins	Frelinghuysen	Hitchcock
Beckham	Curtis	Gay	Johnson, Cal.
Borah	Dillingham	Gronna	Johnson, S. Dak.
Calder	Fernald	Hale	Jones, N. Mex.
Chamberlain	Fletcher	Harding	Jones, Wash.
Kellogg	Martin, Va.	Pomerene	Sutherland
Kendrick	Moses	Ransdell	Swanson
Kenyon	Myers	Robinson	Thomas
King	Nelson	Saulsbury	Thompson
Kirby	New	Shafroth	Townsend
Knox	Norris	Sheppard	Trammell
La Follette	Overman	Sherman	Underwood
Lewis	Page	Smith, Ariz.	Vardaman
Lodge	Penrose	Smith, Ga.	Walsh
McCumber	Phelan	Smith, Mich.	Warren
McKellar	Pittman	Smoot	Watson
McLean	Poindexter	Spencer	Williams
Martin, Ky.	Pollock	Sterling	Wolcott

Mr. McKELLAR. The senior Senator from Tennessee [Mr. SHIELDS] is absent on account of illness. I ask that this announcement may stand for the day.

Mr. SUTHERLAND. My colleague [Mr. GOFF] is absent on account of illness.

The PRESIDING OFFICER (Mr. KENDRICK in the chair). Seventy-six Senators having answered to their names, there is a quorum present.

LEAGUE OF NATIONS.

Mr. KELLOGG. Mr. President, I wish to give notice that on the next legislative day, immediately after the close of the morning business, I will submit some remarks upon the subject of the league of nations and incidentally upon the resolution submitted by the Senator from Pennsylvania [Mr. KNOX].

CIVIL-SERVICE RETIREMENT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 4637) for the retirement of employees in the classified civil service.

Mr. McKELLAR. I ask for a vote on the pending amendment. My understanding is that that is the amendment offered by the Senator from Wyoming [Mr. WARREN].

Mr. THOMAS. Let the amendment be read.

Mr. POMERENE. Mr. President, before amendments, particularly those that may be regarded as of primary importance, are voted upon, I desire to discuss what I conceive to be the merits of the pending bill, and to explain the provisions of the substitute which I have offered therefor. With the permission of the Senate, I should like to ask the chairman who has charge of the bill how many members of the committee approved the measure.

Mr. McKELLAR. Practically all. One or two said they would like to offer amendments. The Senator from Iowa [Mr. CUMMINS], I think, is the only one who reserved that right.

Mr. THOMAS. I shall offer an amendment to the bill some time before the final vote is taken.

Mr. POMERENE. Mr. President, in discussing the bill I want to state preliminarily that I am in hearty sympathy with the purpose to adopt some system of retirement. It was my privilege to be a member of the Committee on Civil Service and Retrenchment for a number of years, and for two years to preside over the committee. The committee then prepared a bill which was reported to the Senate, and which is the same bill I have given notice I would offer at the proper time as a substitute for the bill now pending before the Senate.

I think that everyone who has given attention to the subject of the civil service not only in Washington but throughout the country must recognize the fact that there are a large number of superannuated employees in the service who are rendering little, if any, service for the stipend they now receive, but who have given long service to the country, and who it would be almost cruel to sever from the service without making some provision for them. When I say this I am not unmindful of the fact that some of these employees have not been faithful servants. I assume that the most of them have been, and I am going to discuss this subject on that theory.

I hope that before this Congress adjourns there will be some legislation upon this subject for the relief of the superannuated employees in the civil service. But, Mr. President, I must confess my very great disappointment with the bill which has been presented by the committee. While I am not a prophet nor the son of a prophet, I offer the prediction that if it is adopted it will prove not only unsatisfactory to the public, but it will prove more than unsatisfactory to the employees themselves.

Mr. McKELLAR. Will the Senator yield to me?

Mr. POMERENE. Yes.

Mr. McKELLAR. The Senator understands that the representatives of all the employees' associations signified their approval of the pending measure?

Mr. POMERENE. I have heard the Senator make that statement half a dozen times, and I challenge the statement that the measure meets with the approval of the employees in the country generally. I have seen no evidence of it in the hearings save and except that certain representatives have come here and said that it had been submitted and it met their approval.

Mr. McKELLAR. Of course, that is the whole question. I do not know of anything else to go by except what they represent.

Mr. POMERENE. If the Senator will bear with me I think I can demonstrate that fact to the satisfaction of some Senators at least.

Mr. President, let us for a brief time analyze the bill as it is presented. In the first place, in section 1 it divides the employees into two classes, those who will be retired at 68, and the city and rural letter carriers and railway mail clerks, who shall be eligible for retirement at 65 years.

Section 2 divides these employees into four classes. Class A embraces those who have served for a period of 30 years or more; class B those who have served for a period of 25 years or more but less than 30; class C those who have served for 20 years or more and less than 25; class D those who have served for 15 years or more but less than 20 years. The annuity provided in the bill for employees in class A is 50 per cent of the employee's average annual salary for 10 years next preceding the date of his retirement, with the proviso that no annuity shall be in excess of $600 per year. I should like Senators to recognize the inequalities in this classification. In class B, 40 per cent of the salary, but it shall in no case exceed $540; class C shall receive 30 per cent of the average annual basic salary for the 10 years next preceding the date on which he or she retires, but their annuity shall in no case exceed $480; and class D shall receive 25 per cent of the salary for the last 10 years preceding their retirement, but in no case shall they receive more than $420.

Senators will see that under these provisions a man or woman who has worked 19 years gets no greater pension than the one who has worked 15 years. The one who has worked 20 years will get $60 per year annuity more than the one who has worked 19 years. The same variation exists in each of the classes to which I have referred.

Mr. President, this bill is based upon the so-called half-and-half plan. Bear in mind that there have been proposed at various times three methods of pension. One is a straight pension payable by the Government after a certain number of years upon reaching the retirement age; a second is made wholly contributory; a third is partly contributory and partly a straight pension, or at the expense of the Government. Under the bill which has been presented to the Senate it is provided that half of the expense shall be paid out of the Public Treasury and half of it shall be paid by the employees.

The report indicates that it was the judgment of the committee that it would require for the pension system herein devised a system of money equal to 5 per cent of the total salaries of the employees in the classified service, and it is proposed that 2½ per cent of this shall be payable out of the public funds of the Treasury and 2½ per cent of it shall be payable by the employees themselves.

I wish Senators would bear with me while I analyze that proposition. Remember that the age at which the employees retire here is 68, save as to certain classes, who retire at 65 years.

So if young men or young women enter into the public service at the age of 20 years they must contribute 2½ per cent of their salary for 48 years before they are entitled to the pension; that is, if they are in that class that are retirable at 68. If a man enters the service at 67, then he only pays 2½ per cent of his salary for one year, and straightway he is entitled to a pension for the amount required here, within one year from that date.

It may be suggested that men and women ordinarily are not received into the service at that advanced age; but allow me to suggest that it does provide that in completing the time of the service they can take into consideration the length of service that they have rendered in the unclassified departments. So Senators will see that if an employee of the Government was in the unclassified service with no intention to remain in the service permanently, but had probably served 14 years and then severed himself from the service, by making certain payments, if he desired to go back into the service again, he can serve one year more and then be entitled to the pension provisions of the bill.

More than that, Senators; at one time when this bill was before the committee, so I am advised, there was a limitation upon the amount of the assessment which could be made against any employee of $50 per annum, no matter what his salary. That provision has been eliminated, and now no matter how diligent an employee may be, no matter how skillful he may be, no matter how high a salary he may get, he is compelled to pay 2½ per cent of that salary each year during the entire length of his service in order to become entitled to an annuity of $600 a year.

Let us follow that up a little further. Assume that the employee is getting a salary of $1,200 a year at 20 years of age. Two and one-half per cent is $30. If by his own ability and by reason of the character of the service he is advanced in a year or two so that he gets $3,000 a year, he is compelled to pay 2½ per cent of that, or $75 a year. If he should be receiving for any portion of this period $5,000 a year, he must still pay 2½ per cent of that $5,000, or $125 per year; in other words, under this system, instead of speaking of it as a system one-half of which is maintained at the public expense and one-half of it at the expense of the employees, we ought to be perfectly fair with the public, we ought to be fair with the employees themselves, and we ought to be fair to the taxpayers and tell them the real truth about it. You will find, on an investigation of this bill, that you make each of the employees under this system an insurer for the other employees; you have the young man the insurer for the old man; the young woman an insurer for the old woman. In my judgment, if anybody is to be the insurer for any of these employees it should be the public and not one employee for the other.

Why, Senators, the system here adopted is going to make it attractive for the older people to get into the service and unattractive for the young man to stay in the service. I do not think it is quite right to require one employee, a young man or a young woman, who enters the service at 20 years, to pay 2½ per cent of his or her salary, no matter what it may be, for a period of 48 years, and get, at the most, an annuity of only $600 a year; and to say to another man that it is only necessary for him to be in the classified service for one year and to pay 2½ per cent of his salary in addition to certain payments which are required, and then get the same annuity that the other man gets.

Mr. President, I made a statement here a moment ago which seemed to question the facts as given by the chairman of the committee; and I want to say now that I did not make it or intend it in an invidious way, for I am sure that Senators will agree with me that, even though we differ, the Senator from Tennessee would not willfully make a misstatement. I have no doubt that he based his statement upon certain representations made by representatives who had the subject in charge.

I have examined the testimony pretty carefully. I know that some statements have been made to the effect that they are all satisfied with this plan, but I fail to find any statement in the record to the effect that the men who are getting $2,000, $2,500, and $3,000 or $5,000 a year are willing to pay 2½ per cent of their salary during all these years for the benefit of somebody else.

That question has been raised not by me alone, but by Dr. Maddrill, who was the actuary who appeared before the committee and discussed this very problem.

Before going into that portion of his testimony, however, in order that I may present the view of the witness consecutively, I desire to read a few lines. It will be noted that a statement is made in the report to the effect that to maintain the system here adopted it would cost not to exceed 5 per cent of the salaries. Though I am not able to place my eye upon it just at this moment, Senators will find, in any event, that statement is contained in the report. Dr. Maddrill was before the committee and was asked this question:

The CHAIRMAN. Doctor, you do not feel that there is any doubt about 5 per cent being sufficient to pay the annuities provided for in this bill, do you?

Mr. MADDRILL. Five per cent will cover the annuity as provided in the proposed plan.

That was some other plan, as I understand.

Mr. JORDAN. But not in this one?

Mr. MADDRILL. It will be 5 and a fraction in this one.

The CHAIRMAN. I thought you stated before that 5 per cent would cover it.

Mr. MADDRILL. My statement was that the 5 per cent would come within a few tenths of 1 per cent.

Mr. JORDAN. It can be referred to still as a 5 per cent bill?

Mr. MADDRILL. It can be referred to still as a 5 per cent bill.

So, according to this testimony, the cost of the bill would be 5 per cent plus a few tenths less than 1 per cent more. Again, he was asked by the chairman this question—I read from page 26:

The CHAIRMAN. Now, you have changed your mind about this, Doctor, have you not, since you testified about it in the beginning?

Mr. MADDRILL. No, Senator.

The CHAIRMAN. Because, as I understood, when you brought us the last figures on it before its introduction you believed that this bill was a very fair measure, looked at from the half-and-half basis, and one that was practical and that Congress might well pass. Now, why have you changed your views about it?

Mr. MADDRILL. May I respectfully say, Mr. Chairman, that my views have not changed?

The CHAIRMAN. Yes.

Mr. MADDRILL. My relation to the bill has changed somewhat. It seems to me now that I am put in the position of one who really is made responsible for proposed economic provisions which I could not feel that I would like to be sponsor for. One of them, for example, is this: After my suggestions were made with regard to the bill—

Now I come to that part of the testimony to which I referred a moment ago—

the $50 maximum deduction was struck out, against my protest. That struck me as absolutely unfair to the employees—not, of course, of the lower salaries, but of the higher salaries. The bill as now printed proposes to take from the higher-paid employee twice what he would pay to an insurance company which receives the expenses of doing its business and a profit.

The CHAIRMAN. If he is willing to do that, why should outsiders complain?

Mr. MADDRILL. I doubt, Mr. Chairman, from my observation and from what has come to me, if he is willing.

The CHAIRMAN. I beg to take issue with you, Doctor. They have sent their representatives here, who all say they are in favor of it; and I believe I have gotten one letter—there may have been two, but I think only one letter—that disapproves of the bill.

I will say that since this bill has been published it has been given wide distribution; the print has been exhausted, and we have had to have new editions of it printed and sent out, and I have applications for it at all times, and I get many letters about it, all of which have been of approval except one from some gentleman here in the city, whose name I do not now recall, who disapproves of it on a number of grounds; and practically all of them approve of it regardless of how much they contribute and how much they do not; and here are all their representatives here who are approving it, and these representatives would not approve it unless the men behind them did approve it.

Mr. JORDAN. That is right.

The CHAIRMAN. We know that from actual experience; and I am not going to approve anything here for these people unless they are behind it.

Mr. MADDRILL. Mr. Chairman, may I question whether the employees of the salaries above $2,000 have really had this brought to their attention? The representatives here, I think it should be stated in justice to themselves and to my former statement, are voicing the attitude of the employees who are not receiving the higher salaries.

Senators, bear in mind that there are nearly 300,000 of these employees in the United States in the classified service. I recognize the fact that we get in the habit of receiving committees, and that those committees say, "Yes, our constituency approves of this bill"; but I should like to know whether they explained to the Government employees throughout the 48 States of the Union that under this scheme it is proposed to charge some of the employees on a so-called 50 per cent plan enough to pay the entire expense of their insurance and other employees twice the cost of their insurance, while as to others they will only pay a very small per cent.

Mr. McKELLAR. Mr. President——

Mr. POMERENE. Pardon me a moment. In other words, it is proposed to have the young men here the insurers for the middle-aged and the old men. There can not be any question about that, and my guess is that if we could hear the voice of those who are getting the larger salaries or who are likely to get them, they would say, "Why should we be insurers for others? If anybody is to be insurer for the other, why should it not be the Government that has received their years of service?"

Now I yield to the Senator from Tennessee.

Mr. McKELLAR. Mr. President, the Senator from Ohio asked what the sentiment is from each of the 48 States composing this Union. I will ask the Senator if he has heard from any of the associations from his State; and if so, what they asked him to do about the matter?

Mr. POMERENE. Mr. President, I have not heard from these gentlemen out in the States.

Mr. McKELLAR. Has the Senator heard from any of them in the employment of the Government?

Mr. POMERENE. I heard from one here the other day, opposing this bill very much. I do not know whether he was speaking individually or in a representative capacity.

Mr. McKELLAR. Has the Senator heard from none in favor of the bill?

Mr. POMERENE. Mr. President, I have not had much correspondence on this subject, but I had a vast deal of correspondence about it for a period of two years, while I was a member of the committee. I think I know something of the sentiment, and I know that it is a very easy thing to say, "We have adopted a half-and-half plan; you will only have to pay one-half of the cost of your annuity"; and immediately those who do not understand the system say "amen" to it; but what would be the result if you were to go to these employees and say to them—to a young man or to a young woman—"Do you understand that when you are paying 2½ per cent, if you are less perhaps than 30 years of age, you are paying almost the entire cost of your insurance; and if you are getting one of the higher salaries you are perhaps paying double the cost of your insurance, while certain others will only be paying a small percentage of their insurance?" That is the situation, and my judgment is that it takes more than a recommendation signed by some committee to demonstrate that that is a fair system.

Now, Mr. President, let me go a little further.

Mr. KING. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER (Mr. FERNALD in the chair). Does the Senator from Ohio yield to the Senator from Utah?

Mr. POMERENE. I yield.

Mr. KING. This matter is of so much importance that I feel the Senator ought to explain it to more Senators than are now upon the floor, and I suggest the absence of a quorum.

Mr. POMERENE. Well, Mr. President, that has been one of the difficulties with this subject; we can not get Senators to take the matter up and give it the attention it really deserves.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Henderson	Norris	Smoot
Bankhead	Johnson, Cal.	Overman	Spencer
Beckham	Johnson, S. Dak.	Page	Sterling
Calder	Kellogg	Penrose	Sutherland
Colt	King	Phelan	Thomas
Cummins	Kirby	Poindexter	Thompson
Curtis	Knox	Pomerene	Townsend
Dillingham	La Follette	Ransdell	Trammell
Fernald	Lewis	Robinson	Vardaman
Fletcher	McKellar	Saulsbury	Warren
Frelinghuysen	Martin, Ky.	Shafroth	Watson
Gay	Martin, Va.	Sheppard	Wolcott
Gerry	Moses	Smith, Ariz.	
Gore	Myers	Smith, Ga.	
Gronna	New	Smith, Mich.	

Mr. SHEPPARD. I wish to announce that the Senator from Oregon [Mr. CHAMBERLAIN] is detained from the Senate on official business.

Mr. SUTHERLAND. I desire to announce the absence of my colleague [Mr. GOFF] because of illness.

The PRESIDING OFFICER. Fifty-seven Senators have answered to their names. A quorum of the Senate is present.

Mr. POMERENE. Mr. President, while the roll was being called, a Senator kindly directed my attention to the statement in the report of the committee which I was seeking to find, but was not able to place my eye upon at the moment. It is on page 4:

A number of conferences were held and finally Dr. Maddrill reported that the present bill, which was introduced on June 3, 1918, would cost the Government and the employees not more than about the sum of 5 per cent of the salaries of all the employees.

I have read from Dr. Maddrill's testimony, in which he says that it would cost a few tenths less than 1 per cent in excess of the 5 per cent; and that fraction of 1 per cent means millions of dollars in the administration of this proposed law.

Mr. President, I also call your attention to another statement in the testimony of Dr. Maddrill, in which he says with respect to the cost of a system incorporated in this bill:

The bill as now printed proposes to take from the higher paid employee twice what he would pay to an insurance company which receives the expenses of doing its business and a profit.

Does anybody believe that these employees are willing to pay for Government insurance twice the amount that they would be required to pay for private insurance?

Now, let me call the attention of the Senate to a paragraph in the report that I submitted on February 13, 1917, as the chairman of this same committee, the membership of which was substantially the same as the membership of the committee now. I refer to that portion of the report which speaks of the amount of the assessments. Let me explain preliminarily that I had not the exact figures before me, but these estimates of the amounts of the assessments are based upon what the average salary or pay of the employees would be. I can not state exactly what that is, but I can throw some light upon it by stating that the average salary of those 70 years of age and over in 1917 was $1,160 per annum. Now, I assume that the average salary would not be much more than $1,200 or $1,300 or $1,400 probably.

Under a system which contemplates that when it is completely established it shall be self-sustaining, at the age of 20 the total cost of this annuity would be 3 per cent; at the age of 25, 4 per cent; at the age of 30, 5 per cent; at the age of 35, 6.5 per cent; at the age of 40, 8 per cent; at the age of 45, 11.5 per cent; at the age of 50, 16 per cent; at the age of 55, 23.5 per cent; and at the age of 60, 39 per cent.

These were estimates which were submitted by Mr. Herbert D. Brown, the Chief of the Bureau of Efficiency. That is the total cost—3 per cent when 20, 39 per cent when 60. Under the pending bill one-half of it will cost 2½ per cent of everybody's salary, the 2½ per cent being sufficient to pay the entire assessment of the younger men, but being sufficient only to pay a modicum of the cost of those of 50 or 60 years of age or older.

Further, Mr. President, let me call the attention of the Senate to another statement in the report. It was stated the other day in the discussion of this measure that it met with the President's approval, provided it did not make any drain upon the Treasury during the period of the war, and the statement was made that it was not going to make any drain upon the Treasury during the period of the war. That must be explained. The report tells us that the estimated receipts at 2½ per cent from employees during the year 1920 would be $9,000,000. Now,

bear in mind, please, that the $9,000,000 is only supposed to pay one-half of the cost of this system. It must follow, then, that the whole cost when the system is finally installed would be twice $9,000,000, or $18,000,000 per year. I want Senators to note the table that is submitted here. In 1920 it is said that the receipts from the 2½ per cent would amount to $9,000,000; in 1921 this 2½ per cent would amount to $9,400,000; in 1922, $9,500,000; in 1923, $9,600,000; in 1924, $9,700,000; and in 1925, $9,770,000. The pensions during those years, it is said, would cost the following amounts: During 1920, $1,732,000; in 1921, $1,972,000; in 1922, $2,154,000; in 1923, $2,400,000; in 1924, $2,589,000; and in 1925, $2,778,000. But here you have no statement as to what is going to be the cost of this system during the subsequent years. It is a gradual and a rapidly increasing sum.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Utah?

Mr. POMERENE. I yield.

Mr. KING. Has the Senator figured what it will cost if we take over the railroads, the telegraphs, the telephones, and all of the public utilities, and the copper mines, and have ten to fifteen million employees who will be under the civil service?

Mr. POMERENE. No, Mr. President; but I am going to give you some figures that will startle you, even assuming that the amount of 2½ per cent of the pay roll will not increase during the next 60 years. The 2½ per cent assessment amounts to $9,000,000 per annum; that is, one-half the cost of this system. The total cost of the system, therefore, would be $18,000,000 per year, and for 60 years the aggregate cost of this system would be $1,080,000,000. One-half of the cost to the Government for 60 years would be $540,000,000, and one-half of the cost to the employees for 60 years would be $540,000,000.

I am referring to that at this particular time because under the scheme which was prepared by this committee when I had the honor to be the chairman of it, the total cost to the Government of that system for 60 years, which would be self-sustaining after it is fully and completely installed, would be $172,351,800. The cost the first year, or the moment that this system is inaugurated, if my amendment were adopted, would be $2,890,500. Under it the assessments can not be in any event in excess of 8 per cent, and the cost of the pension system in excess of 8 per cent for all employees, as contemplated, is to be borne by the Government. Under that system, which I shall explain a little more fully a little later on, the expense to the Government would increase for a period of 21 years, when, according to Dr. Herbert D. Brown, it would reach a peak, amounting for that year to $6,207,600; and then it runs down lower and lower, until 60 years from the date of the inauguration of the system, when the cost to the Government would be $100.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Colorado?

Mr. POMERENE. I yield to the Senator.

Mr. THOMAS. Does not the Senator think that as soon as the operation of the bill began to increase this burden upon the employees, the political pressure which they can exert would be utilized for the purpose of repealing so much of the law as requires them to pay one-half of this expense, putting the whole thing upon the Government?

Mr. POMERENE. There is not any doubt at all about it; and I am here to suggest that, in my belief, when the employees who receive these higher salaries say that they authorize anybody to speak for them in favor of this bill those same representatives will not appear for them in connection with any other legislation.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. POMERENE. I yield.

Mr. McKELLAR. The Senator from Colorado asked if amendments would not be offered putting the whole burden upon the Government in the future. Would not that be so in the case of the Senator's bill, if it were passed, or any other bill that might be passed? Might not amendments be offered in the same line? Why should that apply to one bill more than others?

Mr. POMERENE. Oh, anything can possibly happen; but I shall discuss that feature a little later on.

I want to call attention, and particularly the attention of the Senator from Tennessee, to the figures contained in this report. According to this estimate submitted by Dr. Maddrill, the two and a half per cent, as I said before, will amount during the first year to $9,000,000, and the pensions during that year will amount to $1,732,000, and it is estimated that that would leave an excess of $6,900,000 in the Treasury, and that that would be a saving. But the Senator and his advisers overlook the fact that his bill contemplates the retirement of something over 7,000 employees per year.

Mr. McKELLAR. About 7,500.

Mr. POMERENE. Now, these superannuated employees are divided into classes. Some of them are wholly inefficient; some of them may be 25 per cent efficient; some of them 50 per cent efficient. Now, if you are going to displace 7,500 employees, assuming for the sake of the argument that the average is 50 per cent inefficient, you must, to do their work, put on 3,750 new employees, and you have got to pay them, but this bill that is not going to cost the Government anything does not take that fact into account.

Mr. President, there is another proposition to which I want to call the attention of Senators. I assume that I do not need to argue with Senators the necessity of having a reserve fund in any scheme of insurance. The laws of all the States require it; common sense and common prudence suggest it, and business principles demand it; yet under this bill—I read from page 8, line 15:

The Secretary of the Treasury is hereby authorized and empowered to invest, from time to time, in interest-bearing securities of the United States such portions of the "civil-service retirement fund" hereby created as in his judgment may not be immediately required for the payment of annuities, refunds, and allowances as herein provided.

In other words, under this scheme the employees of the Government are paying each year into the Treasury 2½ per cent of their salaries, and it is not to be reinvested, except within the option of the Secretary of the Treasury himself. There is nothing mandatory about it. He is not required to invest the funds in any kind of securities. Those moneys can be used for other purposes. They are trust funds, and trust funds always ought to be kept in trust for the cestui que trust, and unless these funds are thus invested you will simply have the Government's promise to pay under this legislation. In other words, you have a claim with which you can go to the Court of Claims, and I am not going to take the time of the Senate to discuss the length of time and the inconvenience to which claimants will be put.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Tennessee?

Mr. POMERENE. Yes; I yield.

Mr. McKELLAR. Does the Senator think that any better disposition of the trust funds could be made than to put them in the charge of the Secretary of the Treasury, to be invested in bonds of the Government of the United States? Furthermore, the Senator failed to read all of the provision, and I shall do so now:

And the income derived from such investments shall constitute a part of said fund for the purpose of carrying out the provisions of section 11 of this act.

I think the Senator surely can not deny that that provision of the bill constitutes a proper trust fund and makes all proper safeguards.

Mr. POMERENE. I am afraid the Senator has failed to catch my point. My point is that under whatever system is adopted, whether it is the one in the Senator's bill, the one in my substitute, or in any other, it should be made mandatory upon those who are administering the bill to keep this reserve fund invested; and, in order to demonstrate to the Senate that I am not alone in this view of the question, I am going to send to the desk a letter which I received from Mr. George T. Keyes, secretary of the National Civil Service Reform League, and I ask that it may be read for the information of the Senate.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read the letter.

The Secretary read as follows:

NATIONAL CIVIL SERVICE REFORM LEAGUE,
New York, November 12, 1918.

Hon. ATLEE POMERENE,
United States Senate, Washington, D. C.

DEAR SENATOR POMERENE: With regard to the McKellar retirement bill which, I understand, is unfinished business, will you be good enough to send me a copy of any bill which you may be planning to propose for a substitute measure?

I have just noticed a "joker" in the pending bill (S. 4637) for the retirement of employees in the classified civil service, which raises a new and grave objection to the present form of that bill.

The public and the employees have been led to believe by the debates and the apparent intent of the bill itself that the money withheld from the salaries of employees would be held at interest in each employee's name, in an inviolable retirement fund.

But actually, I have just discovered, the bill only provides for crediting to each employee the amounts of his contributions and the interest thereon. The actual money contributed is to be used by the Secretary of the Treasury to pay for the retirement of those already of retirement age. Only "such portions" of the contributions are held in reserve, in the name of the individual contributors, "as in his judgment may not immediately be required for the payment of annuities, refunds, and allowances." (Sec. 8, p. 8, line 18.)

Instead of accumulating a fund, therefore, the Government is accumulating a debt. For a few years the receipts will outbalance the payments, as the report on the bill (No. 574, p. 7) indicates. But after that, or beginning about 1930, there will no longer be any fund from which to pay the then rapidly amounting costs of retirement. It will be necessary for Congress to make annual appropriations to repay the amounts "borrowed" from the employees then to be retired with compound interest, and the amount of these repayments has not even been computed.

The proposed disbursement of reserves is exactly analogous to the system of the now bankrupt insurance companies and fraternal organizations that failed to maintain their reserve funds intact. There is no escaping the certain nemesis that overtakes such schemes.

From the employees' point of view the scheme is perilous. The present Congress can not pledge future Congresses to the repayment of these amounts. Appropriations for that purpose may be delayed or even denied. All that the employee will have, instead of the "fund" he believes he is accumulating, is a "claim" against the Government. Anyone familiar with the endless procedure necessary to collect even the most just claim against the Government will readily agree that the position of the employees depending on a claim instead of a fund will be precarious.

The language of the bill is clear on this point once it is called to one's attention. But I am satisfied that neither the Members of Congress nor the public nor the employees have had their attention directed to it. Nobody who reads section 8 attentively can now doubt that the retirement fund proposed in S. 4637 is doomed to certain collapse within, at most, 15 years, unless Congress makes very large extra appropriations.

I hope you will have an opportunity to make the point clear to the Senate.

Sincerely, yours, GEORGE T. KEYES,
Secretary.

Mr. POMERENE. Mr. President, there is another feature of this bill to which I desire to call the attention of the Senate, and that is the experience that Great Britain has had with this same subject. I am not going to take the time of the Senate this afternoon to go into all the details of that history. I do not come freshly from it, and many of the facts have escaped my memory; but I do remember certain of the controversies that arose.

In the early part of the last century they adopted a straight pension bill; that is, a scheme which was sustained entirely by the public treasury. There were in Great Britain two classes of employees, as there are in this country—one, the classified service; the other, the unclassified service. Those who were in the classified service for a time felt that they were the favored class, that they were getting pensions or annuities from the Government after the required years of service. After a time, however, it developed that those who were in the unclassified service were receiving higher pay for the service rendered than those who were in the classified service, and a commission was appointed for the purpose of investigation. The commission discovered that those in the classified or the pensioned service were, in fact, receiving lower pay than the others for this reason: Every time the employees in the classified service made an appeal for an increase in their salary they were met with the cry, "Why, you are pensioned. The Government is paying for your pension. We respectfully decline to increase your wages." That objection can be made to at least the extent of 50 per cent in the case of this bill, because it is supposed to be one-half payable out of the Public Treasury.

Mr. President, I think the most intelligent student of this subject that I have come in contact with in the years that I have given to the subject is Mr. Herbert D. Brown, now at the head of the Bureau of Efficiency. I read from his testimony as quoted in the hearings before the committee on the United States Senate on Senate bill 3079 and Senate bill 5673, page 97:

> The conclusions to be drawn from Great Britain's century of experience in pensioning its civil employees are very definite. That experience shows that pensions paid out of the public treasury as pure gratuities are certain to be taken into account in fixing salaries, and a pension system thus becomes, in effect, a contributory system. As soon as the employees realize that they are contributing to their own pension they at once demand that, on separation from the service for any cause whatever, the value of their contributions shall be returned to them in some form. It is in recognition of the reluctance of human nature to give something for nothing—shown first by the officers of the Government in taking a pension into account in fixing salaries, and next by the employees in their unwillingness to forfeit their contributions under any circumstances—that the pension system of England was modified by the act of September 20, 1909.

Mr. Brown continues, and on page 183 of the same report states:

> The English pension system is, therefore, not a free and absolute system of gratuities at all, but a system of theoretical contributions from the employees' salaries, more or less adequate to pay the benefits given. Whatever it may have been in the beginning, that is what it has become through the policy—a policy sure to develop under a system of gratuities, human nature being what it is—of taking the pension into consideration in fixing salaries.

Mr. Brown, on page 186, says:

> There must be a sharp differentiation between accrued liabilities and future liabilities. The contributions made by present employees should be held in reserve to pay future pensions, and not consumed in paying pensions for past services. The accrued liabilities must be paid by the State or the contributed fund will soon become insolvent.

And this, as I construe the action of the committee when I was chairman of it, was in part, at least, responsible for the adoption of the scheme which is proposed in the substitute measure.

Now, Senators, if I may take a little time to discuss the proposed amendment—and I shall make my statement as brief as I can, consistently with the importance of the measure—I may say that the basic principles of the bill were taken from a report made by a commission appointed by President Taft, known as the Efficiency Commission—I may not have the name of it accurately—and that was modified after some considerable study of it and consultation with students on the subject. The basic principle of that bill was to adopt a system whereby each man would be an insurer for himself, and not an insurer one for another. It must follow that in adopting any system we can not at first make it entirely self-sustaining, because if we were to take the older employees and make an assessment against them which would be sufficient to purchase an annuity of $600 when they reached the retirement age, it would require, when they become 60 years of ago, 39 per cent of their salary, assuming that the salary was the average salary. It was thought by the committee at that time if we could adopt any system whereby certain assessments would be made and kept in a separate account for each individual, and the assessments thus made put at interest at the rate of 4 per cent, compounding it annually, it would serve not only the purpose of insurance but the purpose of a savings bank as well. So in the first section of the proposed substitute bill we provide that there shall be an assessment made against the salary of each employee in the classified service which, computed to the nearest tenth of a dollar, will be sufficient, with interest thereon at 4 per cent per annum, compounded annually, "to purchase from the United States an annuity, payable quarterly throughout life, for every such employee on arrival at the age of retirement, as herein provided," that age being 70, but under no circumstances could this assessment be more than 8 per cent.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. POMERENE. I yield.

Mr. McKELLAR. Substantially speaking, the system provided in section 1 of the Senator's amendment is a compulsory requirement upon the employees to buy annuities. Is not that all that it amounts to?

Mr. POMERENE. Why, that part of it is compulsory; yes.

Mr. McKELLAR. In other words, they can buy their annuities now, and the Senator's bill would virtually, under certain regulations, compel the employees to do so. That is about the substance of it.

Mr. KING. Mr. President, will the Senator yield?

Mr. POMERENE. I yield.

Mr. KING. I should like to ask the Senator from Tennessee if the bill which bears his name is not also compulsory?

Mr. McKELLAR. It is compulsory, of course; but it is compulsory upon the agreement of the employees through their representatives.

Mr. POMERENE. Oh, so is the other, as far as that goes.

Mr. McKELLAR. I beg the Senator's pardon; the employees have never adopted this amendment.

Mr. KING. Mr. President——

Mr. POMERENE. I wish to say, in this connection, I do not propose to father legislation simply because the beneficiaries want that particular kind of legislation. Their wishes should be considered, but they should not be controlling.

Mr. KING. Will the Senator from Ohio pardon me?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Utah?

Mr. POMERENE. Yes.

Mr. KING. As I interpret the bill offered by the Senator from Tennessee, it is compulsory in this sense: It compels the Government of the United States to pay 50 per cent of the annual assessment and it compels the employees to pay 50 per cent.

Mr. McKELLAR. That is exactly right.

Mr. KING. So it is compulsory, in morals at least, to the same extent as the bill offered by the Senator from Ohio. In one instance the employee pays it all; in the other he is compelled to pay half of it.

Mr. McKELLAR. If the Senator will pardon me a moment, if he will look at the provision in the bill and the substitute he will find that the compulsory feature applies precisely the same.

Mr. POMERENE. No. Let me call the attention of the Senator from Utah to the further fact that in the proposed substitute, if it becomes a law, the employee is only compelled to provide for his own insurance. In the bill of the Senator

from Tennessee the employees of the younger class and those drawing the higher salaries are compelled not only to pay their own insurance but to pay a part of the insurance of their fellow employees.

Let me suggest further, in addition to what I said a moment ago, I realize the necessity for this legislation, and I know that two years ago the bill which was then proposed and adopted was pretty generally satisfactory.

Mr. FLETCHER. Mr. President——

Mr. POMERENE. I yield to the Senator from Florida.

Mr. FLETCHER. I ask the Senator what the cost would be to the employees under each plan.

Mr. POMERENE. I will come to that. I discussed that in part while the Senator was out.

Mr. FLETCHER. Would the same amount of benefits accrue to them?

Mr. POMERENE. In general I can answer in this way: It is not quite the same, because the bill proposed by the committee divides them into four classes—A, B, C, and D. In that respect it differs somewhat, but generally speaking in view of the fifty-fifty plan adopted the cost of the McKellar bill to the Government will be twice what the cost of the Pomerene bill will be to the Government, if I may so call it. More than that, after it is installed completely then the cost of the McKellar bill continues, whereas the cost of the substitute bill will be nil to the Government.

Mr. FLETCHER. And the percentage of cost to the employees?

Mr. POMERENE. I have referred to that.

Mr. McKELLAR. If the Senator will pardon me a moment——

Mr. POMERENE. Just one moment. I am asked a question, and I want to answer it as nearly as I can. Senators who will go into this subject will discover that these expenditures have not been figured with entirely actuarial accuracy. There are a good many elements which enter into the question. One of them will be the amount of the salary; another will be the age; a third will depend upon the mortuary tables which are adopted from time to time, and so forth. There are a number of elements which will make it almost impossible to determine the amount with precision. That is particularly true of the bill which is offered by the committee, because there the employees are divided into four classes, and necessarily the statistics which might be true as to one class would not be true as to the others. The cost of the substitute bill, based upon average salaries, the Senator will find was given by Mr. Herbert D. Brown and is contained on page 2 of the report which was submitted to the Senate February 13, 1917, on the bill then favorably reported.

Mr. McKELLAR. If the Senator will yield to me for a moment——

Mr. POMERENE. Yes: I yield.

Mr. McKELLAR. I think the question the Senator from Florida asked can be well answered by referring to the last proviso in the first section of the substitute, which is as follows:

> *Provided, however*, That the deductions made from the salary, pay, or compensation of persons hereafter entering the service shall not exceed 8 per cent thereof.

I think that answers the question of the Senator from Florida.

Mr. POMERENE. Mr. President, that is the maximum assessment on the average salary, and if he was getting twice the average salary, of course, the assessment would be cut in two. I can simply give a very general statement in that behalf. If the salaries amount to $3,000 or $4,000, it would not be more, probably, than one-third or one-half of the 3 per cent, which is the estimated assessment for those who are 20 years of age.

Mr. President, I want to go on now with the explanation of the so-called substitute bill. It provides that all of these assessments shall be kept in the Treasury and they must be invested in securities, in bonds of the United States, farm-loan bonds, State bonds, municipal bonds, or county bonds which will meet the approval of the administering board. In other words, we provide specifically for a reserve fund out of which all the withdrawals are to be paid.

I want Senators to bear this fact in mind, too, that under the substitute bill a separate account is kept with each individual. If he withdraws at any time before he becomes 60 years of age, then all his assessments plus accumulations with 4 per cent compound interest must be refunded to him. If he dies meanwhile, then all these assessments plus accumulations must be paid to his estate. During the period between 60 and 70 years the committee at that time thought it would be wise to require the annuity which his accumulated assessments and their earnings would buy to be paid in annual installments so long as he should live, and then in any event, if he should die before he received annuities equal to the amount of his assessment plus the accumulations, that money shall all be refunded to his estate. Our thought was at that time that this method was in the nature of a compulsory savings account, each one dependent upon himself, no one insuring for the other.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Florida?

Mr. POMERENE. I do.

Mr. FLETCHER. That looks very much like a regular insurance plan, with this exception: Ordinarily an insurance company would require certain premiums to be paid, and the party taking out the insurance would be subject to a physical examination. Here you are insuring everybody, the old, the decrepit, the ill, the maimed, the halt, and those who are afflicted otherwise. You are taking in everybody. Each man will carry his own insurance. If he dies he gets back all he paid with the accumulations, and if he retires he gets back all he paid in with the accumulations. I do not see how you can maintain the system in that way.

Mr. McKELLAR. If the Senator will pardon me——

Mr. POMERENE. Pardon me a minute. I can answer only one at a time. If the suggestion which the Senator from Florida makes has any application at all it applies to both schemes. The question of the man's health does not enter into it at all. So long as he is an employee, so long as he is serving and receiving a salary these deductions are made. If by reason of poor health he should retire or if he should unfortunately die before he reaches the retirement age all the assessments and the accumulations are refunded. In that respect it differs very materially from the insurance problem.

Now, let me go briefly to the question of the cost of this system. Let me say that at the time the substitute bill was being prepared and we were having our hearings it was suggested that the Bureau of Efficiency should try to get entirely accurate returns showing the number of employees in the several departments, the age of the employees, their salaries, and so forth. It did not seem that it was possible to get complete returns, and at the time I severed my connection with the committee Mr. Brown, who had this matter in charge, was not able to get complete returns. So I take it all the figures which we may give here must be subject to certain modifications; but I think they may be regarded as reasonably accurate.

At the time the report was prepared it was believed that there were 5,000 officers and employees who were 70 years of age or over. The report of the Senator from Tennessee shows the number now to be about 7,500. But there is this difference between the two bills: Dr. Brown's estimate of the number of employees was based upon a retiring age of 70. That of the pending bill is based upon a retiring age of 65 and 68.

Mr. McKELLAR. Depending upon the class.

Mr. POMERENE. Yes. Now, with the 5,000 officers and employees over 70 years of age it was estimated that their average salary would amount to about $1,160, making the total salaries $5,800,000. Assuming the average pay to be $1,100, then the average annuity payable to them would be $550 per year, making the total annuity $2,750,000. It was thought at the time that it would be best for the first year to make the annuities payable out of the appropriations which had been made for salary account of these employees, and then under the plan which we adopted it was thought that the annuities would amount to a total sum of $2,750,000 the first year. We could then return 10 per cent of the $5,800,000 thus appropriated for salary account into the Treasury, amounting to $580,000, and that would still leave $2,470,000 in the salary account which could be used for the purpose of employing new clerks to take the place of those who had become superannuated. That would employ 2,500 men and women—that is, new beginners—at salaries of $800 to $1,000 each.

As I stated awhile ago, the total cost of this system to the Government until it should become completely self-sustaining, namely, 60 years hence, would be $172,042,000.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Utah?

Mr. POMERENE. I do.

Mr. KING. That would be based upon the salaries now paid to the employees who would come under the classified service, would it not, so that there would not be an increase in the salaries or compensation paid? There would be necessarily an increase in the amount to be paid ultimately?

Mr. POMERENE. I think the Senator overlooks the fact that there is a limitation upon the amount of annuity to $600 per

year, except that it shall in no event exceed 50 per cent of the salary.

Mr. KING. I had that in mind.

Mr. McKELLAR. They are all in one class.

Mr. POMERENE. There is only one class.

Mr. McKELLAR. That is, in the Senator's bill.

Mr. KING. I did not overlook that. I had in mind that limitation, but anticipated that with the demand that is being made now very vociferously by employees of the Government for an increase in compensation there would likewise be an emendation of that bill, if it should become a law, so as to increase the amount of the annuity which shall be paid.

Mr. POMERENE. That, of course, is possible, but I may say that I have been in sympathy with the demand for increased pay for the employees of the Government not only during the last two years, but there should have been a readjustment of all the salaries in my judgment. Some of the employees are underpaid, some of them have been overpaid, and I think the Congress of the United States could very well afford to investigate this subject and enact some law readjusting all salaries.

Now, as bearing upon the proposed substitute, I want to send to the desk to be read a carbon copy of a letter which was sent to me under date of February 10, 1917, from Dr. Herbert D. Brown, Chief of the Bureau of Efficiency. It gives a statement as to the cost of the proposed plan in the substitute amendment.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

FEBRUARY 10, 1917.

Hon. ATLEE POMERENE,
Chairman Committee on Civil Service and Retrenchment, United States Senate.

DEAR SENATOR POMERENE: In response to your request, I submit the following statement regarding the approximate cost to the Government of the retirement plan for the competitive classified civil service contained in Senate bill 3699 as amended by your committee to-day:

Stated briefly, your bill provides that employees in the competitive classified service shall be retired at age 70 on annuities equal to half pay, with a maximum of $600. The annuities of employees now eligible for retirement must be paid wholly by the Government. Employees not yet eligible for retirement are required to set aside each month such an amount of money as may be necessary, with interest at 4 per cent compounded annually, to provide their own annuities at age 70, except that no employee shall be required to contribute more than 8 per cent of his salary. Since many of the employees are now at ages at which 8 per cent of their salaries with interest will not provide the full amount of their annuities it will also be necessary for the Government to provide the difference between the amount of their contributions and the total cost of their annuities.

According to the last annual report of the Civil Service Commission, there were on June 30, 1916, 296,826 employees in the competitive classified civil service. Of these, approximately 47,000 are fourth-class postmasters, who are not eligible for retirement under your bill. This leaves approximately 250,000 persons who are included. Of this number, about 67,000 are clerks and miscellaneous employees in post offices, about 34,500 are city carriers, about 43,500 are rural carriers, and about 22,000 are railway post clerks, or a total of about 147,000 postal employees, leaving about 103,000 employees outside of the Postal Service.

As no statistics were available concerning the salaries and length of service of the employees at the ages at which to base an estimate of the cost of retiring the employees, you presented on May 17, 1916, the passage of a Senate resolution directing the Bureau of Efficiency to collect statistics on which to base such an estimate. The bureau accordingly requested the various departments and independent establishments to supply the necessary information on forms prepared for the purpose. As most of this information had to be collected from post offices and other offices scattered throughout the country, the returns were slow in coming in and are not yet complete. Up to January 15, 1917, returns covering 203,141 employees in the service of the Government, including unclassified employees, had been received.

In order to use these incomplete returns it was necessary to assume that the returns received for the various classes of employees were representative, and to prorate them up to known totals. For example, 28,793 returns for city letter carriers were received out of a total of about 34,500. The number of carriers of each age, salary, and length of service, as shown by the tabulation of the returns received, was therefore prorated up by a factor which brought the total number for all ages up to 34,500.

The tabulation of these returns, prorated up to the total number of employees known to be in the competitive classified service, showed that there are now about 5,000 employees who are 70 years of age or over, and that their total annuities the first year would amount to about $2,750,000 if all retired at once. This cost would steadily increase for about 25 years, when the annual cost to the Government would be between $6,000,000 and $7,000,000. After that time the cost to the Government would steadily decrease until, at the end of about 50 years, it would cease with the death of the last employee who received Government aid.

This annual cost for the annuities, which the deductions from the employees' salaries will not provide, is by no means altogether an added expense to the Government. Many of the aged employees are receiving salaries that they do not wholly earn. Under the terms of the bill each employee's annuity is to be paid the first year out of the salary he is receiving at the time of retirement; 10 per cent of that salary is to be covered into the Treasury; and the balance is to be used with other similar balances, to employ young clerks in the lower grades. If one active young clerk can do the work of two superannuated clerks, then the saving in salary will be sufficient to pay the annuities until such time as the superannuated clerks would have resigned, if not retired. If all of the 5,000 employees who are 70 years of age or over should retire at once, the 10 per cent of their salaries which would be covered into the Treasury would amount the first year to about $580,000. Unless Congress makes appropriations for a larger number of efficient clerks than the departments now have, a considerable part of this saving should continue from year to year.

I trust it may not be out of place for me to add a word in regard to the experience of the Bureau of Efficiency in its efforts to introduce improved methods of handling the Government's business. The most serious difficulty that the bureau has encountered in introducing better business methods into the departments has been the inability of the aged employees to learn new ways of doing their work. If this difficulty is removed by the retirement of these aged employees, we believe that new methods can be introduced far more rapidly and much greater savings can be accomplished than will be possible under present conditions.

Very respectfully,

HERBERT D. BROWN,
Chief Bureau of Efficiency.

Mr. POMERENE. Mr. President, I may say I had hoped to have a more detailed review of this pending legislation from Dr. Brown, but because of many other official engagements he was not able to give it the time he had hoped to give to it, and was for some days called out of the city. But I have from him a letter bearing date November 12, 1918, in which in a very general way he reviews the principal provisions of the pending bill and the substitute therefor, and in order that Senators may have the benefit of his views I send this letter to the desk and ask to have it read.

The PRESIDING OFFICER (Mr. KIRBY in the chair). The Secretary will read as requested.

The Secretary read as follows:

UNITED STATES BUREAU OF EFFICIENCY,
Washington, November 12, 1918.

Hon. ATLEE POMERENE,
United States Senate, Washington, D. C.

DEAR SENATOR POMERENE: You asked me this morning for a statement concerning the relative cost of Senate bill 633 introduced by you in 1917 and Senate bill 4637 introduced by Senator McKELLAR some days ago. These bills provide for the retirement of the civil employees of the Government.

I will not undertake in this letter to go into the details of the plans, but will try to answer your question in general terms, and for the purpose of this answer will assume that the benefits paid under the two bills are equal. The benefits paid under the two bills are not exactly equal, but for the purpose of comparison it is fair to assume that they are. The principal difference between the two bills is this: Your bill is intended to be self supporting after the employees now in the service have passed away—that is to say, the deductions from salaries with interest are intended to be sufficient to pay for the annuities of new entrants. Senator McKELLAR's bill is intended to be a so-called "50-50" plan. If the benefits under it are the same as yours the cost of it the first year will be the same as yours, but with each succeeding year the cost to the Government will be greater than yours, until finally, after 30 or 40 years, his bill will impose a burden on the Government equal to half of the annual payments or annuities, whereas your bill at that time will impose no burden whatever on the Government.

You also ask whether the plan provided for by Senator McKELLAR's bill will be self-supporting during the first years of its operation if enacted into law—that is to say, will it require any aid from the Federal Government during those years? My answer to your question is that it will not require any aid from the Government during the first years. Neither will your plan. The deductions in both cases are made than sufficient to pay the annuities during the first few years, because the number of eligibles will be few at first. But as the number reaching retirement age will increase at about the same rate that the service has increased during the past 30 or 40 years, it is obvious that in a short time the income will be inadequate to cover the entire cost of the plans. As stated before, the two plans may be considered equal in point of cost in the beginning, but with each succeeding year Senator McKELLAR's bill will cost more than yours, and finally at the end of 30 or 40 years your bill will be self-supporting, while his will require contribution from the Government equal to half its cost.

Strictly speaking, it is inaccurate to say that the plan under either bill would be self-supporting in the beginning. Your plan will be self-supporting ultimately, but Senator McKELLAR'S never will be. Under both your bill and Senator McKELLAR'S the deductions from the pay of the employee remain the property of the employee, and are returned to him in some form whenever he leaves the service. But if those deductions are taken in the first years to pay other employees than those to whom they belong, the plan is obviously not self-supporting from the beginning, for the deductions will ultimately have to be returned with interest to the original contributors.

The Government, of course, can borrow the employees' contribution. Until the annual payments exceed the contributions no appropriation will be necessary, but at best the moneys obtained by the Government in that way can only be considered as a loan. After a few years payments to pensioners will exceed the contributions by the employees, and when that time is reached it will be necessary to make appropriations from the Treasury to meet the deficit. That time, of course, will be reached at an earlier date under Senator McKELLAR'S bill than under yours, and the appropriation required from year to year will steadily increase as contrasted with yours, and, as I stated before, in 30 or 40 years it will require a continuous and increasing appropriation from the Government, whereas your plan will by that time be self supporting.

Very respectfully,

HERBERT D. BROWN,
Chief Bureau of Efficiency.

Mr. POMERENE. Mr. President, as shedding some light upon the letter which has just been read, I have before me a statement showing the cost of the substitute bill which I intend to offer for a period of 60 years. This statement was prepared by Dr. Brown at or about the time that the committee reported to the Senate the so-called substitute bill about two years ago, and, without reading it, I ask that it be incorporated in the RECORD for the information of Senators.

The PRESIDING OFFICER. Without objection, that order will be made.

The statement referred to is as follows:

Year.	Cost of pension.	Total.
0	$2,890,500	
1	3,115,200	$6,005,700
2	3,328,800	
3	3,485,900	
4	3,649,200	
5	3,766,000	
6	3,910,000	24,145,600
7	4,073,600	
8	4,279,100	
9	4,444,200	
10	4,710,800	
11	4,946,200	46,599,500
12	5,214,900	
13	5,451,200	
14	5,681,000	
15	5,840,400	
16	5,973,800	74,761,400
17	6,043,900	
18	6,078,000	
19	6,143,100	
20	6,202,300	
21	6,207,600	105,436,300
22	6,197,100	
23	6,127,700	
24	5,990,800	
25	5,735,200	
26	5,471,300	134,958,400
27	5,104,500	
28	4,691,900	
29	4,241,200	
30	3,775,100	
31	3,301,400	156,072,500
32	2,855,400	
33	2,447,300	
34	2,079,300	
35	1,750,200	
36	1,458,700	166,663,400
37	1,202,900	
38	980,900	
39	790,300	
40	628,700	
41	493,200	170,759,400
42	381,400	
43	338,800	
44	255,400	
45	189,200	
46	137,400	172,061,600
47	97,700	
48	67,900	
49	46,100	
50	30,400	
51	19,500	172,323,100
52	12,200	
53	7,300	
54	4,300	
55	2,400	
56	1,300	172,350,700
57	600	
58	300	
59	100	
60	100	172,351,800
61		
62		

Cost of all pensions, $172,351,800.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Iowa?

Mr. POMERENE. I yield.

Mr. CUMMINS. Before we adjourn to-day, I want to ask the Senator from Ohio a question, and if he is unable to answer it I want to refer it to the Senator from Tennessee. The question is purely for information or for interpretation of the bill now before the Senate.

I have given a good deal of study to this subject. I was formerly chairman of the committee of which the Senator from Ohio afterwards became chairman, only to be succeeded by the Senator from Tennessee. I had the honor of introducing a bill, which was reported favorably by the committee, which is essentially like the bill reported by the Senator from Ohio, differing only in what I regard as unimportant details. I gave a good deal of investigation to the subject then, but I have not—and it is my own fault entirely—become so familiar with the bill which is being brought forward now by the Senator from Tennessee.

It seems to be assumed in the debate that I have heard that the contributions to be made by the employees in the classified civil service begin with their introduction to the service. I am entirely unable to find any warrant for that assumption in the so-called McKellar bill, and I should like to know when these contributions which are to be made by the employees are to begin.

Mr. POMERENE. If the Senator is speaking——

Mr. CUMMINS. If the Senator from Ohio will allow me, I will make my question complete. The bill in its first section does not define in any way to whom it is to be applicable. In the second section there is provided a series of payments to be made by the United States to four classes of employees. I need not mention the classes A, B, and C, because they are the older employees, but as to class D, which is the last one, the bill provides:

Class D shall include all employees to whom this act applies who shall have served the United States for a total period of 15 years or more, but less than 20 years.

No payments are to be made, I assume, to any employee unless he or she has served the Government at least 15 years.

I turn to section 8 and I find that it provides for reserving from the basic salary or pay or compensation—now I quote—

of each person to whom this act applies a sum equal to 2½ per cent of such person's basic salary, pay, or compensation.

If I were called upon to construe or interpret the bill with the light I now have, I would be compelled to hold that it applied only to the four classes which are enumerated in the second section, and that there was no obligation on the part of any employee to begin his contribution to the fund until he had been in the employ of the Government at least 15 years. If that be the interpretation of the bill the amount required from the General Treasury of the United States in order to make the payments that are provided for would be very largely increased, as is evident, for the actuarial computation with which we are provided and which is intended to give us information with regard to the cost to the Government does not proceed upon any such basis. I may be wholly wrong about this interpretation. If I am, I should like either the Senator from Ohio or the Senator from Tennessee to set me right.

Mr. POMERENE. Mr. President, as the question of the Senator from Iowa is a very pertinent one, and as it relates to the pending bill, I will yield to the Senator from Tennessee to answer it.

Mr. McKELLAR. Mr. President, in answer to the question of the Senator from Iowa, I will say that it is the purpose of the bill to apply to all employees of the classified civil service; and there is an addition found in section 4 of the bill in the following language:

SEC. 4. That the provisions of this act shall include employees of the Library of Congress and the Botanic Gardens, excepting such persons as may be appointed by the President and confirmed by the Senate, and may be extended by Executive order, upon recommendation of the Civil Service Commission, to include any employee or group of employees in the civil service of the United States not classified at the time of the passage of this act. The President shall have power, in his discretion, to exclude from the operation of this act or include therein any employee or group of employees whose tenure of office is intermittent or of uncertain duration.

The question of the Senator from Iowa, as I understand, is whether the bill applies only to those employees who have been in the service for 15 years or whether it applies to all members of the classified service?

Mr. CUMMINS. My question is, When does the obligation of the employee to contribute a portion of his compensation begin, or, to state it more accurately, when does the right of the Secretary of the Treasury or any one of the various departments of the Government to withhold salaries begin?

Mr. McKELLAR. It begins on the first day of the second month after the month in which this act is approved, that there shall be deducted and withheld from the basic salary——

Mr. CUMMINS. I see nothing whatever in the bill that will permit that construction.

Mr. McKELLAR. If there is not, if the Senator from Iowa will suggest an amendment that will so provide, I shall be very glad; or if he will not suggest it, I shall be very glad to do it. I think that does sufficiently appear from section 4; but if there is any doubt about it, I shall be very glad to clear up that doubt.

Mr. CUMMINS. Section 4 does not remove the doubt, because that is intended simply to bring certain employees within its scope who might not be generally considered to be classified civil-service employees.

Mr. McKELLAR. Would it meet the Senator's objection to strike out, in line 18, on page 7, the words "of each person to whom this act applies" and to substitute therefor "each person in the classified civil service"? I should be very glad to accept that amendment if the Senator will offer it.

Mr. CUMMINS. I merely rose to suggest what seemed to me, from the standpoint of the author of the bill, to be a defect.

Mr. McKELLAR. I am rather inclined to think the Senator from Iowa is entirely correct about it.

Mr. CUMMINS. I do not want to undertake the task of amending the bill, because, as the Senator from Tennessee knows, I am in favor of the contributory plan, the plan which is in effect a compulsory saving fund, supplemented by a provision which would enable us to put the plan into execution; that is, an appropriation by the Government for such sums as may be

required to retire the aged employees who are now so old and who have been so long in the service that they can not build up for themselves a fund which will be required to support them after retirement; but I think that whatever bill is passed ought to be as perfect as possible.

Mr. McKELLAR. I thank the Senator for calling the matter to my attention, and I ask unanimous consent, Mr. President, to strike out, in line 18, on page 7, the words "of each person to whom this act applies" and to substitute therefor the words "of each person in the classified civil service."

Mr. POMERENE. Mr. President, before that is done—I do not know that I have any objection to it—it seems to me there is an amendment pending.

Mr. McKELLAR. I was merely asking unanimous consent, and I hope the Senator will not object.

Mr. POMERENE. Very well; I have no objection.

Mr. McKELLAR. I wish to thank the Senator from Iowa for calling my attention to what seems to be a very patent error in the bill.

The PRESIDING OFFICER (Mr. POLLOCK in the chair). Will the Senator please restate his amendment?

Mr. McKELLAR. On page 7, line 18, strike out the words "to whom this act applies" and insert "in the classified civil service."

The PRESIDING OFFICER. The Secretary will state the proposed amendment.

The SECRETARY. On page 7, line 18, it is proposed to strike out the words "to whom this act applies" and to insert in lieu thereof the words "in the classified civil service."

The PRESIDING OFFICER. The question is on the adoption of the amendment proposed by the Senator from Tennessee.

Mr. THOMAS. Mr. President, it seems to me that the amendment is too broad, because there are a great many employees in the classified civil service who are not within the scope of the bill. For instance, fourth-class postmasters are all in the classified civil service.

Mr. POMERENE. And, Mr. President, if the Senator from Tennessee will allow me also to make a suggestion in that connection, I am not advised myself, but the Senator seems in the preparation of this bill to have given special attention in section 4 to employees of the Library of Congress and the Botanic Garden, as if they were not generally understood to be in the classified service.

Mr. McKELLAR. There may be some confusion about that, and I ask to modify my amendment so as to read "in the classified civil service, subject to the exceptions made by this bill." Will that be satisfactory?

Mr. CUMMINS. I suggest to the Senator from Tennessee that the amendment ought to be in section 8, and it ought to make it perfectly clear that the reservation of salary shall begin with the introduction of the employee into the classified service.

Mr. McKELLAR. Will the Senator suggest the words he thinks will accomplish that purpose? If he will do so, I will be delighted to accept the amendment.

Mr. CUMMINS. I do not wish to interrupt the Senator from Ohio in his address.

Mr. McKELLAR. The Senator from Ohio has finished, as I understand.

Mr. POMERENE. Not quite; but I have no objection to the amendment being made.

Mr. McKELLAR. If the Senator from Ohio desires to proceed, I will have an amendment ready to meet the objections set forth by the Senator from Ohio and the Senator from Colorado in just a moment while the Senator from Ohio proceeds with his argument.

Mr. POMERENE. Mr. President, I had about concluded; but lest I may be misunderstood, I want to make it perfectly clear that what I have said this afternoon is not to be construed as being in opposition to a retirement plan. I am most earnestly in favor of it. I think we ought to adopt some plan of retirement, not only from a humanitarian standpoint as it relates to the employee himself, but from the standpoint of administrative efficiency. I do not believe that Senators comprehend the condition that exists in some of the departments. There are men and women in the departments who ought not to be there, because they have reached a point of superannuation where they ought to be cared for in some way, no matter whether their present condition is due to their own fault or to some other cause.

More than that, I can understand, as Senators can generally, when there is some young man or young woman in one of the departments, the very embodiment of efficiency and intelligence, working along at a modest salary, eager to improve and to advance, who finds just ahead of him or her on the pay roll some elderly persons who perhaps are not doing one-half of the work that the younger ones are doing and yet are receiving higher salaries, there is enough of human nature in all of the employees to rebel against that condition. It destroys the morale of the department.

I think that we have progressed so far in this country as to warrant the belief that those who have studied the question sincerely feel that there ought to be some reasonable plan of retirement adopted. I am anxious that the plan adopted shall be a satisfactory plan to the public and reasonably satisfactory to the employee, but I am at the same time morally certain that when the employees of this Government understand the plan that is proposed in the pending bill, which was presented by the committee and known as the McKellar bill—when they understand that many of the young, thrifty, energetic, intelligent employees will pay the cost of the annuities which their fellow employees will receive—they will be disposed to rebel, and they will have reason to complain.

Mr. KING. Mr. President, before the Senator concludes I should like to ask him a question or two.

Mr. POMERENE. I yield to the Senator.

Mr. KING. Does the Senator think, in view of the immense and stupendous work lying before Congress in connection with preparing for demobilization, the work of reconstruction, and all of the post-war matters that will call for solution, that it is an opportune time now to take up this question? Furthermore, is it opportune to take it up in view of the fact that there is a claim made by many that the Government will take over the railroads, the telegraphs, the telephones, the power plants, the packing plants, the copper works, and the coal mines of the country and operate them as governmental instrumentalities and agencies, in which event all of those persons so employed would pass over into the classified service, so that we would have upon the classified service roll not 1,000,000 but 3,000,000, 4,000,000, 5,000,000, 6,000,000, possible 10,000,000 employees? In view of the fact that those questions are going to be presented to Congress for consideration, does the Senator think that it is opportune now to take up this question?

Mr. POMERENE. Well, Mr. President, I think I am conscious of the difficulties which are suggested by the Senator from Utah, but I do not regard them as insurmountable. We are always going to have new questions coming up. We have not reached Government ownership of railroads yet. We do know that a serious condition prevails in some of the departments. I realize very fully that there are many, many employees here who may be classed as war employees, most of whom have been placed in the classified service; and while on the face of things it seems that they have received reasonable salaries, yet at the same time they have been the victims of landlords and hotels and restaurants to such an extent that they have not been able to save much out of their salaries. Many of them will be separated from the service very soon; many of them have already been discharged. I do not believe that we ought to wait until there is a complete readjustment of all these difficult problems. That would be simply postponing the day. I should like to see some legislation upon this subject at this session if it is at all possible.

Mr. McKELLAR. Mr. President, I will detain the Senate only five or six minutes to answer one or two of the propositions that have been so ably put forth by the distinguished Senator from Ohio [Mr. POMERENE].

I am delighted to know that the Senator from Ohio does not oppose civil service retirement legislation. That is not his position at all. His position is that he does not approve of the bill which has been reported by the committee and which embodies what is commonly known as the half-and-half plan, but does approve a bill that was reported out previously by the committee, although not acted upon by the Senate, under the terms of which the entire cost, or substantially the entire cost, of the bill would be paid by the employees, being, as I looked at it, a compulsory annuity plan of saving by the classified civil-service employees. I think the bill which has been reported by the committee and which is pending before the Senate and has been pending for some time should commend itself to every fair-minded person.

The Senator from Ohio objects to the amount of 2½ per cent being rather ruthlessly taken away from the employees whether the employees want it taken away or not. My answer to that is that under the terms of his bill it is an amount not exceeding 8 per cent that is ruthlessly taken away from the employees in the same way; and that is one of the reasons why, I imagine, some of the employees do not favor the plan put forward by the Senator from Ohio. It is that in the present bill 2½ per cent is taken away from the employees, and under the plan of the Senator from Ohio not exceeding 8 per cent might be taken

away. It seems to me that that is a plan that ought not to be adopted by the Senate.

I want to call the attention of the Senate to another proposition. The Senator says this plan is unfair to the Government and unfair to the employees. Now, let us see whether it is or not. The only complaint about the plan put forward by the committee being unfair to the employees is that some of the higher-salaried employees—those who get, say, $2,000 or $2,500 or $3,000—pay a little more in proportion than those who get the smaller salaries. Very well; they are not complaining of it. I take it that there is not a man getting over $2,000 who is complaining of the 2½ per cent that will be taken from his salary. I have not heard of it. No one has complained to me.

Mr. POMERENE. Mr. President, may I ask the Senator whether he has personal knowledge that that feature of the bill has been explained to the employees?

Mr. McKELLAR. It has not only been explained, but it has been carefully gone over with them. Men like Dr. Jordan, Dr. Beach, and other gentlemen connected with this plan that has been put forward here have understood it and have explained it to all of the employees, so far as I know, and the representatives of all, and they make no objection to it. It is true that it does bear a little bit harder on those, but under our principle of legislation we usually make the tax a little larger on those who are able to bear it, and it ought to be done. I do not believe any of them have complained, and the first complaint I have heard along that line has been the complaint of the Senator from Ohio.

I do not think we ought to seriously consider a complaint of that kind. If we are going to indulge in any partiality at all—and no plan can be absolutely perfect—I think we should let it be on the side of those who get the smallest salary. I think it is nothing but fair and right that that should be done.

But the Senator says that the committee's plan is unfair to the Government. Let us see whether it is unfair to the Government. The Government contributes 2½ per cent of this amount—one-half of it. What does the Government get in return for that contribution? According to the figures as they have been given by the Government's own agents, it has been shown by the proof in these hearings that there are 4,000 superannuated employees of the Government to-day who are absolutely doing no work, and are incapable physically or mentally of doing any work. The average salary of those employees is about $1,500; so that, if the Senator pleases, we are pensioning those 4,000 superannuated employees at the rate of $1,500 apiece, amounting to about $6,000,000.

Mr. KING rose.

Mr. McKELLAR. Just one moment, and I will yield to the Senator with pleasure. There are 3,500 of them, according to this plan, that are doing about half the amount of work that they ought to do, and that will amount to between two and three million dollars more of saving to the Government. What it costs the Government, according to the figures made by the Government expert, is about $9,000,000. What the Government gets back is something between eight and nine million dollars. By the way, the cost to the Government of $9,000,000 is only when the system gets into full working order. For many years it will not cost the Government a cent, according to these figures, but when it gets into full working order it will cost the Government $9,000,000 on the present basis. The Government, however, will be receiving back in saving, because of work actually done instead of work not done at all now, somewhere between eight and nine million dollars, so that the amount it will actually cost the Government is a mere pittance.

I beg the pardon of the Senator from Utah, and I now yield to him.

Mr. KING. I think the Senator has answered the point I had in mind.

Mr. McKELLAR. I am glad to have had the pleasure of doing so.

Mr. FLETCHER. Mr. President, may I ask the Senator if under his bill the employee is obliged to retire at a certain age?

Mr. McKELLAR. That does not occur until so many years after the bill has been in operation. At first they have an election to retire or not, for a certain number of years, which is mentioned in the bill.

Mr. FLETCHER. Of course, you will not get rid of these inefficient employees unless they are obliged to retire?

Mr. McKELLAR. Oh, yes; they are going to compel them to retire.

Now, just one or two other things.

I was glad to hear the Senator from Ohio say that he is in favor of retirement legislation. When we consider the fact that there are but two civilized Governments on the face of the earth that do not give their superannuated employees a retirement pension, it certainly seems that it is a subject worthy of our consideration. Those Governments are the Government of the United States and the Government of Turkey, if there is a Government of Turkey to-day, but as it was under the Sultan. The United States Government, the foremost Government in all the world, and Turkey, the hindmost Government perhaps of all of the world, are the only ones that fail to retire their superannuated employees. Practically every vigorous, prosperous corporation in this country provides for retirement, and very nearly all of them pay the entire cost of it.

Mr. VARDAMAN. Mr. President——

Mr. McKELLAR. I yield to the Senator.

Mr. VARDAMAN. May I ask the Senator if a great many of the Governments that retire their superannuated employees have not an old-age pension law?

Mr. McKELLAR. Some of them have, but a great many of them have not. I will say to the Senator that a great many of those Governments simply have a plan of retiring their superannuated employees at certain ages, and therefore the Government pays that annuity. It is small; it is not large, but in proportion it is about what is provided for in this bill.

Mr. VARDAMAN. Does not the able Senator from Tennessee know that every man in this country who labors, in the field and the factory particularly, contributes to the wealth and support of this Government, and that the man who lives on the farm is quite as much entitled to this consideration and to share in the benefaction which the Government confers by this bill as the man who comes to Washington or accepts employment from the Government at other places at a larger salary and greater profits than he received at home?

Mr. McKELLAR. There is a basis for the Senator's question, of course; but the difference between the two is that here is a group of old people that have worn themselves out in the service of the Government itself. I think the Senator must see that there is a distinction. I have never studied the question of general old-age pensions. I feel very kindly about it, and I hope that some system will be established by which general old-age pensions may be provided for in the future; but we can not provide for everything in this bill. For instance, the Senator from Utah [Mr. KING] suggests that we ought to put in this bill a prohibition against any increase in the civil service. Perhaps, in order to pass the bill, according to the Senator's view, we ought to provide that the Government shall not take over the railroads; but that legislation is not before the Senate now. I think that legislation ought to stand on its own bottom. We ought to discuss that on its merits when we get to it. We ought to consider this on its merits under existing conditions, under conditions that we know are right; and I take it that neither the Senator from Mississippi nor the Senator from Utah nor the Senator from any other State, if he will give the matter conscientious and careful investigation in the light of all the facts, will for a moment consider voting against a reasonable retirement bill, whether this bill or some other.

Mr. VARDAMAN. I am sure the Senator from Tennessee has given serious thought and profound consideration to this question. I know he is always philanthropic, altruistic, and patriotic; but I can not overlook the fact that the man who comes from his home to Washington to engage in Government service receives a salary greater than he probably enjoyed at home, because he would not have come had it not been that he was endeavoring to better his pecuniary condition. He remains here for a time, works shorter hours, as has been suggested by the able Senator from Colorado—he lives a much easier, less laborious life, and after a few years is retired upon a pension.

To make myself more explicit, the Government employee leaves his employment in Mississippi or Tennessee, which pays him, we will say, $50 or $75 per month. He comes to Washington and receives $100 per month. After working a few months his wages are increased to $125 or $150 per month. Now, this same man leaves his parents, his brothers, and his sisters at home to toil, to produce the wealth that pays not only his salary but the taxes also which maintain the Government. As I stated a moment ago, he remains here a few years, and then, under this proposed bill, is retired upon a pension, while his people at home still labor to produce the wealth that pays his salary and all the salaries and expenses of the Government.

I submit, Mr. President, it is not just; it is not fair. I wish to state distinctly, however, that I have no objection to providing for an old-age pension. I think it is proper to take care of the men and women who have gone the full length of years and find themselves in the evening of life penniless. It is a proper employment of the governmental function, and it would give me pleasure to see that the evening of their days is spent above want. They should be afforded the necessary comforts of life; but I submit it is not fair to select a few, especially when you

consider that the few selected have not endured the hardships that are experienced by the people who live on the farms.

It is a singular thing to me that nobody seems to care about the hardships or burdens that are piled upon the back of the farmer of this country. He is taxed without conscience, and when there are any favors to be given out by the Government he is left entirely off the list. The burdens and blessing of Government should rest alike on the rich and the poor, the weak and the strong. A just Government plays no favorites in the dispensation of its favors. The principle of partiality embodied in this bill is a dangerous principle, and I think its enactment will embark this Government on a policy that is going to press heavily upon a certain class of our people.

For that reason I am opposed to the bill proposed by the Senator from Tennessee, and shall vote against it. If, however, Mr. President, the able Senator shall propose a bill providing for an old-age pension, a bill that will do justice alike to all the people who need Government aid, I shall with great pleasure support that bill.

Mr. McKELLAR. There are several answers to the argument of the distinguished Senator from Mississippi. In the first place, comparatively few of the civil-service employees are here in Washington. Only a very small percentage of them are here. In the second place, very few of the civil-service employees in Washington or anywhere else make as much as the men back home. On the contrary, the men back home make more. I can give the Senator an illustration of that right here. The Senator says they ought to be penalized for coming here and accepting positions with the Government.

Mr. VARDAMAN. I beg the Senator's pardon; I did not say that.

Mr. McKELLAR. That would be the legitimate result of the Senator's argument.

Mr. VARDAMAN. Oh, no. They are not penalized at all, but they are rewarded for their coming here, and they come to get a better salary than they were receiving at home.

Mr. McKELLAR. I do not agree with the Senator about that.

Mr. VARDAMAN. Certainly the able Senator will not contend that it is penalizing the Government employees because we refuse to retire them upon a pension.

Mr. McKELLAR. I will withdraw the word "penalize." It is not always true, however, that a man makes more money here. I think as a rule he makes less money in the departments. He has less opportunities in the departments than he has at home. There is no doubt in the world about that; but he is serving the Government, and a great many of us like to serve the Government. I do not think it is an improper ambition to desire to serve the Government, whether in a large capacity or in a small capacity; but I call the Senator's attention to the fact that the ruling prices of labor to-day, which I believe are something like 65 to 72½ cents an hour, are more than is made by the ordinary department clerk. Ordinarily, in times of peace, I think the salaries here run from $900 to $1,200; not much more than that. I am talking about the salaries here in Washington. Now, you take the great number of rural carriers, the great number of civil-service employees on the mail trains, take them wherever they are, and they are deserving of consideration, especially when they are old and worn out in the service and no longer able to do any good for themselves or for the Government. Whatever may be the fact about the matter, they have worn themselves out in the service of the Government. Now, are you just going to turn them out to graze or are you going to pension them at $1,500 a year, as we are doing now, or are you going to make some reasonable, fair, just arrangement by which they can be retired?

Mr. President and Senators, I believe that the bill proposed here is a reasonable and a fair and a just measure. It does not take 8 per cent from the salary of each employee, as is provided in the amendment.

Mr. POMERENE. No, Mr. President; if the Senator please——

Mr. McKELLAR. Well, not exceeding 8 per cent, as provided in the Senator's bill.

Mr. POMERENE. That is only from a comparatively small number.

Mr. McKELLAR. When you give the Government the power to take 8 per cent, they will probably take it before it is over. But, however that may be, 2½ per cent taken from the salary of an employee is not a large sum. It is carefully provided for; it is carefully hedged about; it is carefully arranged; it is carefully prepared. We have had an expert of the Government go over the figures and see whether it will do what it says it will do—that is, pay the annuities that are provided for in the bill—and the Government expert says that it will. The distinguished Senator from Ohio, seeking to find a flaw here and there upon which to hinge an objection, as it appears to me, says: "Why, Dr. Maddrill said that it was 5⅞ per cent."

Mr. POMERENE. No; I did not say that.

Mr. McKELLAR. Five and one-tenth per cent, or something in that neighborhood.

Mr. POMERENE. No, Mr. President.

Mr. McKELLAR. Just a trifle more.

Mr. POMERENE. Let us get these figures right, because a tenth of a per cent means millions here. What he did say was that it would cost a few tenths less than 1 per cent in excess of the 5 per cent.

Mr. McKELLAR. I am not going to stop to go over the hearings, because I promised not to take over five or six minutes, and I have already done that, with the interruptions; but if the Senator will look at the hearings he will find that it is about 5⅞ per cent. Do you know how we took care of that one-tenth of 1 per cent? We struck out the casualty provision in it where injuries occurred; and thereupon it was said that with that feature of the old bill stricken out it would more than take care of this one-tenth of 1 per cent, or whatever it might be, and that the plan could be carried out on the basis of 5 per cent.

Mr. President and Senators, in conclusion I just want to say this: We have done a world of work on this bill. We have carefully guarded it in every way possible. We have guarded the Government's interests. We have guarded the employed interests. The employees said that they could not under any circumstances contribute more than 2 per cent; that any more than that would vitally affect them, and that they could not give it. As a compromise arrangement, it was provided that each side should bear 50 per cent of the cost. It seems to me that that is fair, and that it ought to commend itself to every Senator.

I have noticed here Senators who oppose this bill voting for an increase of salary of 15 and 20 and in some cases 25 per cent to the employees. Now, let us look at it from that standpoint, Senators. The only thing that you would do about it, if you should regard it as a contribution, would be to raise the salaries 2½ per cent. It does seem to me that when we can raise the salaries 2½ per cent, and at the same time establish a system by which in the future these people can have something to live on in their old age, it is as little as Congress can do for its servants that have been with it for all these years.

I commend the bill to the Senate; I hope that it will pass, and I ask for a vote upon the amendment of the Senator from Wyoming [Mr. WARREN].

Mr. THOMAS. Mr. President, I offer an amendment which I ask the Secretary to read.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. It is proposed to add a new section, as follows:

SEC. 17. Any employee who shall advocate, encourage, or participate in any strike against the Government, or any department, bureau, or commission thereof, or who shall join with other employees in refusing or failing to perform their duties as required by law or the rules and regulations of the heads of the departments, bureaus, or commissions, shall forfeit all right to and shall receive none of the benefits of this act.

Mr. THOMAS. Mr. President, I ask to have that amendment lie over, and, in all probability, I shall have something to say upon it to-morrow.

Mr. KING. Mr. President, I move that the Senate adjourn.

Mr. McKELLAR. Mr. President, will the Senator withdraw that motion for one moment? I should like to ask the Senator from Colorado, in view of the fact that this bill has been the unfinished business now for nearly two months, whether he will not discuss his amendment this afternoon? Indeed, Mr. President, I will say to the Senator from Colorado that I will not object to his amendment, if the Senate sees fit to adopt it, rather than to postpone the final vote upon this very just measure.

Mr. THOMAS. Mr. President, if the Senator could secure a final vote upon this bill to-night, I would gladly comply with his request, although the condition of my voice is such as to make it unsafe for me to say much this afternoon. I understand, however, that there are a number of amendments. It is now nearly 5 o'clock, and I know there are a great many Senators who want to be here when the final vote is taken and who are not now in their seats. I therefore do not believe, and I hardly think the Senator believes, that he could get a final disposition of his bill to-night.

Mr. McKELLAR. I had hoped to get a final disposition of it. It seems to me that a bill like this, which has been before the Senate for two months, might have a final disposition. There is a quorum here; and, so far as the amendment of the Senator

from Colorado is concerned, I shall not offer any objection to that amendment if we may have it voted on now.

Mr. KING. Mr. President, permit me to say that it is impossible to get a quorum here this afternoon, so that it is impossible to make a final disposition of this bill, and I insist upon my motion.

Mr. McKELLAR. One moment: Will the Senator be willing for us to have a vote on it to-morrow? I want to be fair. I think I have been as fair as a man could be in the management of the bill. Whenever a Senator has asked for time, I have without hesitation said that that was all right, and that I should be glad to have him; but this has been going on now for about two months, and it seems to me that surely the committee of which I am a member is entitled to have the bill voted on.

I hope the Senator from Utah will withdraw his motion and let us vote on the bill this afternoon. I appeal to him to do so.

Mr. KING. Mr. President, it is impossible to secure a vote this afternoon. A quorum is not here, and in my opinion it is impossible to secure the presence of a quorum. As for myself, I have no objection to a vote being taken to-morrow. In fact, I have no objection to a vote being taken now, except that there are a number of amendments, and a number of Senators who desire to speak.

Mr. McKELLAR. There are only three amendments—the amendment of the Senator from Wyoming [Mr. WARREN], the amendment of the Senator from Ohio [Mr. POMERENE], and the amendment of the Senator from Colorado [Mr. THOMAS], to which I shall not make any objection.

Mr. THOMAS. Mr. President, I shall not interpose any objection whatever to a vote to-morrow.

Mr. McKELLAR. Then, with that understanding, I make no further request. Mr. President, I move that the Senate adjourn, if the Senator will permit me to do so.

Mr. KING. I have no objection to the Senator making the motion.

The PRESIDING OFFICER. The Senator from Tennessee moves that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, December 4, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *December 3, 1918.*

The House met at 12 o'clock noon.

Rev. Charles Wood, D. D., pastor of the Church of the Covenant, Washington, D. C., offered the following prayer:

O Thou God of the whole earth, who dost hold the sea in the hollow of Thy hand, before whom all the nations of the world are but as the fine dust of the balance, invisible to our eyes, we cried unto Thee out of the depths in the hour of our distress. Thou didst still the wild waves; Thou didst beat back the floods of barbarism and of savagery. And grant now that in the hour of triumph we may call to Thee out of hearts that are big with gratitude and with praise. We pray that Thou wilt so deliver us from all self-confidence and pride, from all reliance upon numbers and wealth, upon munitions and men, that this victory may not be the prophecy to us of such ruin as has come to other peoples when they have forgotten God. Grant, we beseech Thee, that the spirit of the Most High may abide here and give guidance unto these Thy servants in their deliberations, and that the blessings of the Lord Almighty may be not only upon them but upon all those whom they represent. And so we beseech Thee that the benediction of Thy grace also may be upon Thy servant the President of the United States, and upon all the delegates to that conference where the destinies of humanity may be decided for many decades. Fill all hearts with high and inspiring hopes that the good purpose of Thy goodness is being accomplished, to Thy glory and to the welfare of the world. And to Thy name shall be praise. Amen.

The Journal of the proceedings of yesterday was read and approved.

PERSONAL EQUIPMENT, ENLISTED MEN IN ARMY AND MARINE CORPS.

Mr. ASWELL rose.

The SPEAKER. For what purpose does the gentleman from Louisiana rise?

Mr. ASWELL. To ask unanimous consent to proceed for three minutes.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to address the House not to exceed three minutes. Is there objection?

Mr. WALSH. Well, what about, Mr. Speaker? Reserving the right to object——

Mr. ASWELL. To make some suggestions regarding the enlisted men in the Army and Marine Corps.

The SPEAKER. Is there objection?

There was no objection.

Mr. ASWELL. Mr. Speaker, in the last few days I have conferred with a number of enlisted men who are being discharged from the Army and the Marine Corps in several sections of the country, and I am impressed with the great desire on the part of these men to retain their uniforms. It will be a good investment for patriotic purposes, as well as a proper and right thing to do. I ask unanimous consent for the present consideration of the resolution which I send to the Speaker's desk.

Mr. MANN. Well, I object, not knowing what it is. That is not the way to bring it up.

The SPEAKER. The gentleman from Illinois objects.

Mr. ASWELL. I would like to ask the gentleman that it be read.

Mr. MANN. If the gentleman is going to ask unanimous consent then for its consideration, that is not fair to the House.

Mr. ASWELL. I will ask that it be read for information.

Mr. MANN. It is proposed then to ask for its immediate consideration?

Mr. ASWELL. Mr. Speaker, I have two minutes left, and I ask that it be read in my time.

The SPEAKER. The gentleman asks that the resolution be read in his time. Is there objection?

There was no objection.

The Clerk read as follows:

Joint resolution (H. J. Res. ——) to dispose of the personal equipment of enlisted men in the Army and the Marine Corps.

Resolved, etc., That the personal equipment of each enlisted man in the Army and in the Marine Corps in the service of the United States on November 11, 1918, shall, upon his honorable discharge, automatically become the personal property of said enlisted man in the Army and Marine Corps.

Mr. DUPRÉ. Mr. Speaker, will the gentleman yield?

Mr. ASWELL. Yes.

Mr. DUPRÉ. Why not include men of the Navy?

Mr. ASWELL. The personal equipment of men of the Navy already belongs to them.

The SPEAKER. The time of the gentleman from Louisiana has expired.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

Sundry messages in writing were delivered from the President of the United States by Mr. Sharkey, one of his secretaries, who also informed the House of Representatives that the President had, on December 2, 1918, approved and signed bill of the following title:

H. R. 12998. An act to amend section 3528 of the Revised Statutes.

PAYMENT OF DECEMBER SALARIES TO CAPITOL EMPLOYEES.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent for the present consideration of the following joint resolution.

The SPEAKER. The gentleman from Kentucky asks for the present consideration of the resolution which the Clerk will report.

The Clerk read as follows:

Joint resolution (H. J. Res. 356) authorizing the payment of salaries of officers and employees of Congress for December, 1918.

Resolved, etc., That the Secretary of the Senate and the Clerk of the House of Representatives are authorized and instructed to pay the officers and employees of the Senate and the House of Representatives, including the Capitol police, their respective salaries for the month of December, 1918, on the day of the adjournment for the holiday recess; and the Clerk of the House is authorized to pay on the same day to Members, Delegates, and Resident Commissioners their allowance for clerk hire for the said month of December: *Provided*, That the session employees of the Senate and House of Representatives shall be paid for the entire month of November, 1918, and a sufficient sum is appropriated, out of any money in the Treasury not otherwise appropriated, for that purpose.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker——

Mr. SHERLEY. Mr. Speaker, the first part of the resolution is in the usual form of resolutions providing for the pay of the December compensation prior to Christmas. The latter part is to take care of the situation that grew out of the long session which ended the latter part of November. It ended about 10 days before the beginning of the new session, and the clerks and other employees have practically all continuously remained here. It is impossible, with the sudden termination of that session, to get through a resolution dealing with the situation, and it seemed but equitable to carry the provision contained in the resolution.

Mr. MANN. Mr. Speaker, will the gentleman yield for a question?

Mr. SHERLEY. Certainly.

Mr. MANN. The resolution provides for the payment on the date Congress adjourns for its recess. When is that to be? What is the purpose in reference to the House taking a recess?

Mr. SHERLEY. I have no information. My own judgment is that the beginning of that recess ought to be the 24th day of December, and the ending of it ought to be the 26th of December. I express only my personal opinion.

Mr. MANN. I should think it quite certain that in that event there would be no concurrent resolution passed by Congress for a holiday recess, and hence no holiday adjournment; and under that condition this resolution would have no effect, even if it should be passed.

Mr. SHERLEY. Perhaps there will be no need for it in that event.

Mr. MANN. There would be no need, unless the purpose was to do what it has been customary to do; that is, to pay the employees before Christmas Day, so that they can spend the money during Christmas week and be hard up in January.

Mr. LINTHICUM. That is the usual custom.

Mr. SHERLEY. Then in order to prevent any complication, and in order to bring about the consummation which the gentleman suggests, I suggest that the resolution be amended so as to read—

On the 23d day of December, 1918—

In place of the language—

on the day of the adjournment of the present session for the holiday recess.

Mr. MANN. I think that would improve the resolution.

Mr. SHERLEY. I suggest that as an amendment.

Mr. WALSH. We have not got consent to consider it yet.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. WALSH. Reserving the right to object, I should like a little more explanation as to why the session employees should be paid for the entire month of November.

Mr. SHERLEY. It has been the custom where employees were engaged up to near the close of the month that they were paid for the month rather than for a fraction of the month.

Mr. WALSH. It would seem to me that is a pretty good custom to discontinue. How long a time was it?

Mr. SHERLEY. I think we adjourned on the 21st of November. That would be nine days.

The SPEAKER. Is there objection?

There was no objection.

Mr. SHERLEY. Now, I offer an amendment, in line 7, after the word "the," to strike out what follows down to the word "and" in the following line and insert the words "the 23d day of December, 1918."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SHERLEY: In line 7, strike out the words "day of the adjournment of the present session for the holiday recess" and insert in lieu thereof the words "23d day of December, 1918," so that as amended it will read "their respective salaries for the month of December, 1918, on the 23d day of December, 1918."

Mr. WINGO. Mr. Speaker, will the gentleman permit a suggestion?

Mr. SHERLEY. Certainly.

Mr. WINGO. As I now recall, the 23d will be on Monday, and Christmas comes on Wednesday. I suggest that he make it the Saturday preceding, instead of the Monday preceding, Christmas.

Mr. SHERLEY. I have no objection, and I suggest the 21st day of December, then, instead of the 23d.

The SPEAKER. Without objection, the 23d will be changed to the 21st, and, without objection, the amendment will be agreed to.

There was no objection.

The joint resolution as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. FOCHT, indefinitely, on account of death in his family.

To Mr. STEDMAN, for 15 days, on account of sickness in his family.

SANATORIUM FOR DISCHARGED SOLDIERS AND SAILORS.

Mr. GARRETT of Tennessee. Mr. Speaker, I offer the following privileged report from the Committee on Rules.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 437.

Resolved, That immediately upon the adoption of this resolution the House shall resolve itself into Committee of the Whole House on the state of the Union for the consideration of H. R. 12917, entitled "A bill to provide for the establishment of a sanatorium for the treatment of persons discharged from the military and naval forces of the United States, and for other purposes"; that there shall be not to exceed one hour of general debate. At the conclusion of such general debate the bill shall be considered for amendment under the five-minute rule. After the bill shall have been perfected in the Committee of the Whole House on the state of the Union the same shall be reported to the House with such recommendation as the committee may make, whereupon the previous question shall be considered as ordered upon the bill and all amendments thereto to final passage without intervening motion, except one motion to recommit.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent that the amendment which I send to the Clerk's desk be agreed to.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Amendment proposed by Mr. GARRETT of Tennessee: Page 1, line 2, after the word "resolution," strike out the words "the House shall" and insert in lieu thereof the following: "It shall be in order to move that the House."

Mr. CAMPBELL of Kansas. Mr. Speaker, reserving the right to object—and I shall not object to this amendment—may I suggest to the gentleman from Tennessee in charge of the resolution that he allow two hours for general debate? It has been suggested that this proposes a general subject—that is, the matter of providing hospitals, which should have general discussion, and I suggest that another hour be added for general debate.

Mr. GARRETT of Tennessee. To be confined to the bill.

Mr. CAMPBELL of Kansas. To be confined to the bill.

Mr. GARRETT of Tennessee. I do not know that I have any objection to that, Mr. Speaker—that there be two hours' general debate, to be confined to the bill.

The SPEAKER. Without objection, the first amendment proposed will be agreed to.

Mr. WALSH. I do not think the general debate ought to be confined to the bill.

The SPEAKER. The Chair was not putting that amendment. The first amendment was proposing that it shall be in order to move that the House resolve itself into Committee of the Whole. Without objection, that first amendment will be agreed to.

There was no objection.

The SPEAKER. The question now is on the amendment changing the general debate from one hour to two hours.

Mr. GARRETT of Tennessee. To be confined to the bill.

The SPEAKER. To be confined to the bill.

Mr. WALSH. Do I understand the gentleman to make that motion?

Mr. GARRETT of Tennessee. No.

The SPEAKER. The gentleman from Kansas really made it, and the gentleman from Tennessee accepted it.

Mr. GARRETT of Tennessee. Just a moment. I do not want to lose the floor, nor did I understand that the gentleman from Kansas asked me to yield in such a way as that I would lose the floor.

Mr. CAMPBELL of Kansas. I suggested to the gentleman from Tennessee that he ask unanimous consent that the time be extended one hour.

Mr. GARRETT of Tennessee. And I accepted the suggestion that I would ask unanimous consent to make the general debate two hours instead of one hour, the general debate to be confined to the bill.

The SPEAKER. The gentleman from Tennessee makes that request. Now, if any gentleman has anything to say, this is his opportunity.

Mr. WALSH. Reserving the right to object, Mr. Speaker, the original resolution does not confine the debate to the bill. If we are going to enlarge the time, why restrict the character of the debate?

Mr. GARRETT of Tennessee. I will state to the gentleman from Massachusetts that the reason the original resolution did not in terms confine the debate to the bill was that it was assumed that upon the adoption of the resolution the gentleman in charge of the bill would be recognized for one hour and that he would control all the time for general debate, and it was understood that he would see that general debate was confined to the bill. Now, if we are to change it to two hours the gentleman in charge would be recognized for one hour, and whoever might get recognition would get recognition for another hour and in Committee of the Whole he might discuss any subject whatever. This does not change the original purpose at all.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee? [After a pause.] The Chair hears none.

Mr. GARRETT of Tennessee. Does the gentleman from Kansas desire to make any suggestion as to time for debate on the rule?

Mr. CAMPBELL of Kansas. I had an agreement with the gentleman from Ohio who is opposed to the rule——

Mr. GARRETT of Tennessee. Will 40 minutes, the usual time, be sufficient?

Mr. CAMPBELL of Kansas. Yes.

Mr. GARRETT of Tennessee. Mr. Speaker, I move the previous question.

The previous question was ordered.

Mr. GARRETT of Tennessee. Mr. Speaker, the purpose of this resolution is to make it in order to consider H. R. 12917, a bill to provide for the establishment of a sanatorium for the treatment of persons discharged from the military and naval forces of the United States and for other purposes.

Under the terms of the war-risk insurance act it was provided that treatment should be given to honorably discharged soldiers and sailors of the United States, the treatment to be under the direction of the Public Health Service of the United States, which, as gentlemen know, is a bureau in the Treasury Department. That bureau has not the facilities with which to render the service that is required by the terms of the war-risk insurance act, and it is for the purpose of beginning preparations for the performance of that service and that duty that it is desired to consider this bill, H. R. 12917. I do not care to enter into any discussion of the bill; it is a simple and plain rule. I yield to the gentleman from Massachusetts for a question.

Mr. WALSH. Is it the gentleman's contention that H. R. 12917 takes care of the needs provided for in the war-risk insurance act?

Mr. GARRETT of Tennessee. Not completely.

Mr. WALSH. It does not begin to.

Mr. GARRETT of Tennessee. Yes, it will begin to; but there will be a large number that can not be taken care of there.

Mr. WALSH. Does the gentleman know whether there is any pending legislation which provides for taking care of the entire needs of the Government in that respect?

Mr. GARRETT of Tennessee. There is a bill before the Committee on Public Buildings and Grounds dealing further with the subject, but that has not been officially called to the attention of the Committee on Rules.

Mr. WALSH. That provides a comprehensive scheme for the whole requirements of the Government.

Mr. GARRETT of Tennessee. I am not familiar with the details of the bill.

Mr. GILLETT. Will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. GILLETT. Will the gentleman tell us, as this is the first bill that comes before us, on what theory the majority of the House is going to act as to bills that are to be passed? Are they to go to the White House and then assume that they will become a law in 10 days, or will they be held back until the end of the session when the President is here?

Mr. GARRETT of Tennessee. I can not give the gentleman any official information.

Mr. GILLETT. Does not the gentleman think it fair that this side of the House should know the theory on which the House is going to pass these bills?

Mr. GARRETT of Tennessee. If I knew, I would have no hesitation in telling the gentleman. I have seen what undoubtedly the gentleman has seen in the press as to the plan to be followed.

Mr. GILLETT. I have not; I have seen different statements, and I thought probably the persons responsible for legislation would have formed some definite plan which they would be willing to tell us and which we ought to know. It would make a difference whether all the bills are to be held back until the end of the session or are to be pushed through with the assumption that in 10 days they become a law.

Mr. GARRETT of Tennessee. I can state no further, for I have no information on the subject.

Mr. GILLETT. Has anyone on that side any information in regard to it?

Mr. GARRETT of Tennessee. I can not answer the gentleman that question.

Mr. CANNON. Will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. CANNON. This expenditure of one million and a half dollars somewhere in Kentucky would take care of 1,000 patients, as I get from a hasty reading of the bill.

Mr. GARRETT of Tennessee. That is the expectation, that it will take care of at least 1,000 patients.

Mr. CANNON. This looks like picking out a place that may be a proper place or may not be a proper place. Does not the gentleman think that the whole matter should be properly taken up and considered, so that after full and careful consideration the whole subject could be taken care of in a general bill?

Mr. GARRETT of Tennessee. I will say to the gentleman from Illinois that the representatives of the Public Health Service visited this site, examined it carefully, and made a most favorable recommendation upon it. A beginning must be had. This site has the approval of those who are to administer the law and render the service. The land, as the gentleman knows, is to be donated.

Mr. CANNON. No; I did not.

Mr. GARRETT of Tennessee. Yes; the citizens of Dawson Springs, Ky., have acquired an option of 10,000 acres of land, and stand prepared to execute a deed of gift to the Government, without any expense whatever to the Government for the real estate that is to be used, and it is provided expressly in the bill that the United States "is authorized to acquire by gift a tract of land," and so forth.

Mr. CANNON. If they own 10,000 acres there, and propose to give 1,000 acres, without investigation, it looks to me like a case of the early bird.

Mr. GARRETT of Tennessee. The gentleman does not mean without investigation, or perhaps I do not know what the gentleman means by that expression.

Mr. CANNON. I mean this: There are thousands of places, hundreds of thousands of places, in the United States where it would be totally improper to locate a sanatorium. There are many places in the mountains, many springs throughout the country, where the surroundings as to water, elevation, accessibility, climate, and location should be taken into consideration, and there ought to be a general report covering the whole ground. This looks to me like a case of the early bird that catches the worm when, perhaps, there are many other birds that could catch better worms.

Mr. GARRETT of Tennessee. The course followed in this case would appear to be somewhat similar to that which was followed in the location of soldiers' homes. My recollection is that there was no general plan adopted for the location of soldiers' homes, but that a worm was caught here and a worm was caught there and a worm was caught at another place and at many other places. I believe that one worm was caught at Danville, Ill.

Mr. CANNON. Yes; 25 or 30 years after the war closed and after full consideration by a committee and a report to the House. The location of soldiers' homes——

Mr. GARRETT of Tennessee. Oh, I am not criticizing the location at Danville.

Mr. CANNON. I am criticizing, but I do not desire to mention this place or that place or the other place. The early location of soldiers' homes was not a happy one in every instance.

Mr. GARRETT of Tennessee. I do not know about that.

Mr. CANNON. I speak because I do know; but it seems to me that an hour of general debate upon this and then to be considered under the five-minute rule does not provide sufficient time; and, if another committee has this whole matter before it, it seems to me that the matter ought to come from that committee.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. MONDELL. I notice that the argument for the location of the sanatorium at this particular point is predicated largely upon the alleged curative and medicinal value of the Dawson Springs water.

Mr. GARRETT of Tennessee. No; the gentleman is mistaken about that.

Mr. MONDELL. I have read the report rather carefully and that is what I gather from the report, that while this locality is possibly a healthful and proper one for a sanatorium, as many other localities are, the principal argument seems to be the curative value of the Dawson Springs water.

Mr. GARRETT of Tennessee. Let me say to the gentleman it was not so represented to the Committee on Rules, nor do I understand that it was so represented to the Committee on Public Buildings and Grounds in the consideration of the bill—that it was on account of the curative properties of the water as applied to tuberculosis.

Mr. MONDELL. Well, as applied to a variety of diseases.

Mr. GARRETT of Tennessee. There is very fine water at Dawson Springs, Ky.

Mr. MONDELL. My query was this: There is nothing in the legislation so far as I can see that guarantees that the Government shall secure any of the land containing these alleged valuable springs. Then what particular value is there in the establishment of a sanatorium in the vicinity of these springs without a provision whereby the Government shall have the use of some of these waters?

Mr. GARRETT of Tennessee. The gentleman is making an inquiry of me which would better be made when the bill itself comes before the House for consideration.

Mr. MONDELL. I thought possibly the gentleman was informed on that particular phase of the subject.

Mr. GARRETT of Tennessee. My information is that arrangements have been made and that it will be guaranteed to the Government that water will be supplied from various of the wells located there, free of cost.

Mr. MONDELL. They are wells, not springs?

Mr. GARRETT of Tennessee. They are wells, yes. It will be expected, of course, that the Government will furnish the facilities for carrying water to the hospitals.

Mr. MONDELL. Certainly if the curative value of these waters is one of the strong arguments in favor of the establishment of the sanatorium at this point, then legislation should carry some provision under which it is definitely provided and determined that the Government shall have the use of those valuable waters.

Mr. HAMILTON of Michigan. Mr. Speaker, will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. HAMILTON of Michigan. Is the gentleman familiar with the springs there—Dawson Springs?

Mr. GARRETT of Tennessee. It is called Dawson Springs, but as a matter of fact the waters come from wells. I am familiar with the place. I have been there several times.

Mr. HAMILTON of Michigan. It is stated here in the testimony of Dr. Banks that the water is practically the same as that at Carlsbad in Bohemia.

Mr. GARRETT of Tennessee. That is my information.

Mr. HAMILTON of Michigan. At Carlsbad there are hot springs and cold springs and several different kinds of springs, several different kinds of medicinal effects to be had. Is this statement of Dr. Banks made advisedly? Is it true that there are springs there of different kinds of water?

Mr. GARRETT of Tennessee. There are wells from which flow different kinds of water; that is, the mineral properties are different in the different wells. I am not chemist enough to explain the properties of the different waters. There is no hot water there.

Mr. HAMILTON of Michigan. How deep do they have to go to get the water?

Mr. GARRETT of Tennessee. They are shallow wells—15 or 20 feet.

Mr. HAMILTON of Michigan. That is, the water does not boil up.

Mr. GARRETT of Tennessee. No; it is pumped.

Mr. DYER. Mr. Speaker, will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. DYER. Will the gentleman state, if he knows, the reason why this place was selected for tuberculosis patients?

Mr. GARRETT of Tennessee. I will read to the gentleman from the statement of Dr. Banks in response to a question from Mr. BURNETT.

Mr. DYER. Who is Dr. Banks?

Mr. GARRETT of Tennessee. He is the representative of the Public Health Service of the Treasury Department.

From a climatic standpoint, the temperature and weather records of this locality for the past 20-odd years show a very considerable portion of sunshiny days, somewhere about 75 per cent of clear or sunshiny days, and it is almost virgin soil, with large forests round about.

Then, further, it is because of its central location. It is not very far from the center of population.

Mr. DYER. How many railroads enter this place?

Mr. GARRETT of Tennessee. There is only one railroad, the trunk line of the Illinois Central from Louisville to Memphis, but there is a crossing about 12 miles away, the trunk line of the Louisville & Nashville Railroad.

Mr. DYER. Will the gentleman state, if he has any idea, about how many soldiers there will be need to care for who are ill with tubercular trouble?

Mr. GARRETT of Tennessee. The statement made before the Committee on Rules at the time of the hearing upon this resolution, which was some weeks ago, was that at that time it was estimated there were some 14,000.

Mr. DYER. This will only take care of 500.

Mr. GARRETT of Tennessee. It is supposed that they will be able to take care of a thousand.

Mr. DYER. Does not the gentleman think, with all fairness to the situation, that the suggestion made by the gentleman from Illinois [Mr. CANNON] should be given consideration, and that is instead of going now and starting off on a scheme of piecemeal establishment of a camp here and one somewhere else, just because somebody wants it, that it is better to take this matter up and give it full, conscientious consideration, with due consideration only for the benefit of the soldiers and not the political subdivisions of the country or because somebody wants an institution there? Let us give this matter the benefit——

Mr. GARRETT of Tennessee. Mr. Speaker, the gentleman's suggestion of a political phase of the matter is one I had not heard at any time or at any place until he suggested it.

Mr. DYER. I will say to the gentleman that there has been much complaint throughout the war about the establishment and location of camps for soldiers, and a lot of them have been established, according to——

Mr. GARRETT of Tennessee. I do not want to yield all of my time. I desire to reserve some of my time. If I yield further I will have to appeal to the gentleman from Kansas to help me out on time.

Mr. CAMPBELL of Kansas. The demand for time is accumulating over here.

Mr. GARRETT of Tennessee. I shall have to reserve the remainder of my time then. I am perfectly willing to answer all questions I can answer.

The SPEAKER. The gentleman has three minutes left.

Mr. MOORE of Pennsylvania. Will not the gentleman answer me in that three minutes? The appropriation here is $1,500,000, is it not?

Mr. GARRETT of Tennessee. That is in the bill. Mr. Speaker, I hope gentlemen will not regard me as disrespectful, but I must reserve the remainder of my time.

The SPEAKER. The gentleman reserves three minutes. The gentleman from Kansas is recognized for 20 minutes.

Mr. CAMPBELL of Kansas. Mr. Speaker, this resolution brings up a very important subject matter. Whether or not the bill made in order by this resolution should be passed by the House is a question for the House to determine after the rule has been agreed to. There are now few questions of more importance to the returned soldiers and to their friends than to provide suitable places in which they may be treated for diseases and wounds incurred in the line of their duty. This resolution makes in order a bill which provides 500 beds in the way of hospital facilities.

Mr. HAMILTON of Michigan. May I ask the gentleman a question?

Mr. CAMPBELL of Kansas. Not now. There are now, it is estimated, hospitals for the treatment of about 14,000 soldiers.

Mr. DYER. There will be 100,000 before the thing is all over.

Mr. CAMPBELL of Kansas. It is not definitely known for how many provision must be made. Personally I am indifferent as to the place of location of any of these hospitals if we provide places where wounded or diseased men may be treated. I am interested, as I am sure every Member of this House is interested, in establishing hospitals where they may be treated at the earliest opportunity after they have incurred diseases or wounds. That question was discussed somewhat at length by the Committee on Rules as to the policy that should be pursued. Personally I suggested, and I now suggest and favor, a general scheme that will take care of as many soldiers or discharged soldiers as need treatment. This must be done. The earlier it is done the better for the country and for the soldiers treated. It was suggested that many of our soldiers' homes now used for veterans of the Civil War may be in large measure used as hospitals for the soldiers of this great war. Even that will not provide sufficient hospital facilities, it is estimated.

Mr. GOOD. Will the gentleman yield there? These hearings were had while hostilities were going on?

Mr. CAMPBELL of Kansas. Oh, yes.

Mr. GOOD. And when it was anticipated that the Army would be very largely increased?

Mr. CAMPBELL of Kansas. When that was expected.

Mr. GOOD. A different condition.

Mr. SNYDER. Will the gentleman yield for a question?

Mr. CAMPBELL of Kansas. I would rather conclude my statement, but I will yield.

Mr. SNYDER. I just wanted to suggest that it will be some time before this sanatorium would be completed for the use of these men. In the meantime what will be done with all the hospitals we have built and created throughout the country? Could not they be used feasibly for this purpose?

Mr. CAMPBELL of Kansas. The hospitals we have provided and soldiers' homes that can provide room will undoubtedly be used as necessity requires.

Mr. GARRETT of Tennessee. Will the gentleman permit just a moment?

Mr. CAMPBELL of Kansas. Yes.

Mr. GARRETT of Tennessee. It seems to me the attention of Members should be called to the fact that this is for the treatment of discharged soldiers and sailors. The hospitals

which are in existence, with the exception of one, so far as I now remember, are all for men who are in the service and before they have been discharged.

Mr. CAMPBELL of Kansas. Let me conclude and——

Mr. SNYDER. Certainly there is no reason in the world why these hospitals, after they become not useful for taking care of the present Army, could not be used for this purpose.

Mr. CAMPBELL of Kansas. When this resolution was under consideration and when the bill made in order was under consideration before the Committee on Public Buildings and Grounds the war was still on. Men were being drafted in every section of the country. We were increasing the number of men in the service by hundreds of thousands. Now the war is ended, and the demobilization of armies, the discharge of men is now the order of the War Department. The processes of discharging men from the service will continue as rapidly as the War Department can perform its work. This will make available many hospitals for discharged soldiers that would otherwise be used for soldiers not discharged. So the subject is one that must have early action by the Congress, in view of the conditions as they now exist.

Mr. DOWELL. Will the gentleman yield there?

Mr. CAMPBELL of Kansas. For a question.

Mr. DOWELL. Was any plan suggested by the War Department to your committee for taking care of those who can not be taken care of in this hospital when this question was up for the granting of this rule?

Mr. CAMPBELL of Kansas. That question was not raised. It was, as suggested, that this bill provided a hospital in which tubercular patients, or patients with incipient tuberculosis, might be treated.

Mr. DOWELL. As I recall, the chairman of the committee stated on the floor some weeks ago that there were already 24,000.

Mr. CAMPBELL of Kansas. It is estimated that there are 14,000 discharged soldiers who will need hospital treatment.

Mr. DOWELL. It is apparent, then, that this does not even start to take care of that number.

Mr. CAMPBELL of Kansas. This would only make provision for about 500 beds.

Mr. HAMILTON of Michigan. Will the gentleman yield?

Mr. CAMPBELL of Kansas. I yield for a question.

Mr. HAMILTON of Michigan. The bill provides that this sanatorium shall have a capacity of not less than 500 beds. The gentleman from Tennessee [Mr. GARRETT] says that the hospital will provide for 1,000 patients. Do you propose to put two in a bed, or what is the arrangement?

Mr. CAMPBELL of Kansas. I propose nothing of the kind.

Mr. HAMILTON of Michigan. There is another proposition I would like to submit to the gentleman. I would like to know if the climate of Dawson Springs is considered to be a climate particularly favorable to the treatment of tuberculosis. Has it been resorted to heretofore as a place where tubercular patients may be restored to health?

Mr. CAMPBELL of Kansas. That question was raised. It has not been regarded by physicians or by others as a tubercular resort, although physicians appearing before the Committee on Rules said that the theory of altitudes was now discarded by physicians generally, and that sunshiny places, with healthful surroundings, with good food and water, providing cleanly places for living and good treatment, were as good for tubercular patients as higher altitudes and drier climates.

Mr. HAMILTON of Michigan. I wish to say to the gentleman that I have heard a good deal of testimony on this subject, and that it has been universally considered that the climate of Arizona, New Mexico, and western Texas is a much better climate.

Mr. CAMPBELL of Kansas. That is the opinion I have entertained myself.

I asked for an additional hour for the discussion of this bill because of the very important subject that it raises; and I am glad to see the membership of the House taking an interest in it, and I trust, whatever becomes of this particular item, that the whole subject will have early consideration; and I would like to see among other places provided for the treatment of the soldiers the place at Dawson Springs, not because it would be peculiarly adapted to tubercular patients but because it would be adapted to any patients afflicted with other diseases, like Bright's disease or incipient Bright's disease or rheumatism. The waters are said to be almost exactly the same as the waters at Carlsbad——

Mr. HAMILTON of Michigan. There are several different waters at Carlsbad.

Mr. CAMPBELL of Kansas (continuing). And if that is true, it would be a good place for one of the hospitals.

Mr. HELVERING. Will the gentleman yield?

Mr. CAMPBELL of Kansas. I will.

Mr. HELVERING. I wish to inquire if the gentleman has knowledge of what the present equipment at Dawson Springs is.

Mr. CAMPBELL of Kansas. Just hotel facilities. It is a summer resort with summer hotels. Southern people go there very generally.

Mr. HELVERING. The gentleman is speaking of the curative property of the waters, and I wanted to know whether there was a summer resort there or not.

Mr. CAMPBELL of Kansas. There are hotels there. I think one of them is open all the year round.

Mr. HAMILTON of Michigan. Does the gentleman understand that what has been referred to here as Carlsbad water is particularly adapted to cases of Bright's disease?

Mr. CAMPBELL of Kansas. I understand that people from this country who are fearful they are about to have Bright's disease go to Carlsbad for treatment.

Mr. HAMILTON of Michigan. There are about half a dozen different kinds of water at Carlsbad.

Mr. MONDELL. The gentleman has referred to the alleged curative qualities of the water at Dawson Springs or thereabouts. Possibly the gentleman can answer the question that I propounded to the gentleman from Tennessee [Mr. GARRETT].

Mr. CAMPBELL of Kansas. I can not.

Mr. MONDELL. There may be a sanatorium established in the vicinity of an alleged valuable springs without any arrangements for any particular use of the springs.

Mr. CAMPBELL of Kansas. I understand arrangements will be made for piping the water to the place donated by the citizens to the Government.

Mr. MONDELL. There is nothing in the bill assuring the use of these waters.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. CAMPBELL of Kansas. I will.

Mr. LAGUARDIA. Is the purpose of this institution to be for tubercular patients?

Mr. CAMPBELL of Kansas. That was the original intention of the bill.

Mr. LAGUARDIA. What has the water to do with tubercular patients?

Mr. CAMPBELL of Kansas. Nothing, except that it is important that patients drink water and take proper baths.

I now yield three minutes to the gentleman from Iowa [Mr. GREEN].

The SPEAKER. The gentleman from Iowa is recognized.

Mr. GREEN of Iowa. Mr. Speaker, there was a time when the question of the appropriation of $1,850,000 would have occupied considerable discussion in this House and there would have been no difficulty in obtaining a reasonable time for its discussion. That time was not so very many years ago. It was when the debt of this country was not a tithe of what it is now. It was when the expenditures which we expected to incur were not a tithe of what we now expect to incur in the future. But for some reason it appears now that my friend from Tennessee [Mr. GARRETT] is very reluctant to grant a reasonable time for general debate here unless that time should be confined to the discussion of this particular bill.

Mr. Speaker, the very fact that at the opening of this session, just as soon as Members can get the floor and obtain opportunity they offer this bill, which has not been fully or carefully considered even in the committee, and which will have no opportunity to be properly considered on this floor, for the purpose of getting $1,850,000 to be expended in the State of Kentucky, seems to furnish a sufficient reason why gentlemen do not want general discussion at this time.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. GREEN of Iowa. Certainly.

Mr. LONGWORTH. Is it not a fact that this measure involves the ultimate expenditure of a much larger sum than $1,850,000? On the face of this report it is to appropriate $1,500,000 and is intended to house 500 men only. Therefore, if we are going to house these 14,000 men it will amount to considerably over $40,000,000, which surely ought to be considered in this House at this time.

Mr. GREEN of Iowa. Yes. I am glad the gentleman from Ohio spoke of that right there. There is no doubt that in connection with this project there will be two or three million dollars expended for this particular proposition, and that for all measures of this kind, if expended in this manner, at least $40,000,000.

Mr. REAVIS. Mr. Speaker, will the gentleman yield?

Mr. GREEN of Iowa. With pleasure.

Mr. REAVIS. Is it not true that the matter of the treatment of soldiers suffering from disability should be considered in a

very comprehensive plan rather than by merely nibbling at it, as seems to be contemplated in this bill?

Mr. GREEN of Iowa. Yes. The gentleman from Kansas [Mr. CAMPBELL] referred to that. There is no question but that we ought to have a definite and comprehensive plan and should know what it will cost.

Mr. REAVIS. And we should know how many we are to provide for.

Mr. GREEN of Iowa. Yes; we should know how many we are to provide for. But at present we know neither the one nor the other, and no effort was made to find out, apparently. There was no effort made to find out whether or not this was the best place at which to locate this sanatorium. There was no evidence brought out on that point. The evidence merely showed that the location had some medicinal water, some sunshiny days, and, wonderful to behold, some woods or timber near it. Not a fact was stated which would show any advantage for treating tuberculosis.

Mr. CLARK of Florida. Mr. Speaker, will the gentleman yield to me?

Mr. GREEN of Iowa. I regret I can not. I have only three minutes.

Mr. CLARK of Florida. I want to say that the Public Health Service investigated it and made an extensive report.

Mr. GREEN of Iowa. The gentleman is in error. It did not investigate it or make an extensive report with a view to determine whether it was one of the best locations for a tuberculosis hospital; and if they had done so, that fact would have been prima facie evidence of the incompetence of the Public Health Service, so far as this place being a proper location for a sanatorium of this character, although the water may be excellent for the treatment of other diseases.

Everybody knows that during these war times we have been voting millions, and even billions, of dollars without any proper discussion. This may have been necessary during war time. Probably it was, but are we going to continue in the same manner now that the necessities of war are no longer upon us? If so, all the waste that characterized our war appropriations will be repeated in time of peace.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield three minutes to the gentleman from Massachusetts [Mr. GILLETT].

The SPEAKER. The gentleman from Massachusetts is recognized for three minutes.

Mr. GILLETT. Mr. Speaker, when this bill was before us at the last session of Congress I objected to it on the same ground that has been put forward just now, that when we are beginning to take up this project we should first consider a comprehensive plan which would cover the whole field. I remember that when this bill was discussed before the gentleman from Kentucky [Mr. CANTRILL] said that there would have to be a sanatorium in every State of the Union. I hope that is not true; but if it is true, or near the truth, we ought to take up the question with some comprehensive purpose, and we ought to have a report upon the subject from the very best health officers of the country, telling us where these institutions should be located, how much we should expend upon them, and where the men to be treated could be best cared for.

Now, of course, everybody on both sides wants to do what is the best for these sick men when they come back. We do not, however, want to spoil an entire scheme by suddenly jumping into one place and making a nibble there. There is a bill pending before the Committee on Public Buildings and Grounds which, it seems to me, is a basis for a comprehensive scheme which the Government can go into with full light and under which it may properly provide for the situation that may arise.

The gentleman from Florida [Mr. CLARK] says the authorities of the Public Health Service have recommended this project. Of course they have. I do not blame them. The Public Health Service wants to perform a service for these men, as we all do; and the officials of the Public Health Service are willing to take the best they can get whenever they can get it. But Congress is the body which ought to provide wisely and farsightedly for these matters, and we ought to get the best professional opinion that can be obtained, and then the best estimate as to the numbers of men to be cared for, and in that way make a final plan. Kentucky may be an admirable place for the treatment of tuberculosis. As to that, I am not particularly informed. I have never given study to that question, but I have always understood that either a warm and dry climate, like that of Arizona and New Mexico, or a high altitude like Colorado, is the best for the treatment of tuberculosis. But I will leave that to the experts. What we ought to do is to let the experts thoroughly investigate the subject and let them report to the Committee on Public Buildings and Grounds, and then, with a far-embracing and well-prepared bill before us, we can speedily enact it. It is not going to delay anything. We will not gain time by passing simply this detached bill. This bill will not provide for anything like all the soldiers that may require treatment, and therefore we should wait until we get the best authority for the right thing, and not, perhaps, do the worst thing at the beginning. [Applause.]

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has four minutes remaining.

Mr. CAMPBELL of Kansas. I yield that time to the gentleman from Missouri [Mr. DYER].

The SPEAKER. The gentleman from Missouri is recognized for four minutes.

Mr. DYER. Mr. Speaker, I sincerely hope, in the consideration of legislation for the benefit of men who have served their country in this war, we will give weight to but one thought, with one mind, and that is to do the best we can do for these men. We in this war have voted for a lot of things, and a lot of things have been authorized under authority conferred by the War Department, which in this House have been questionable with regard to the merit and the value that has been given.

Now, we ought to enter upon a consideration of the things to be done for the care of the men whose health has been ruined in the service of their country, and we ought to do the best that we can do for them and not start here to-day upon a cheap, piecemeal bill for the care of a few men who are coming home, and men who are already here, afflicted with that horrible disease, tuberculosis. If this bill becomes a law, the building proposed to be erected will no doubt take many months in its construction before it can house a single man discharged from the Army. As the gentleman from Illinois [Mr. CANNON] has said and as others have said, we must enter into this question of the care of thousands of men who are coming home afflicted with tuberculosis because of their service in France and because of their service in the camps in this country. Camps have been selected in this country without due regard to military intelligence and without due regard to the advice of the Surgeon General, and because of that fact thousands of our soldiers are now afflicted with tuberculosis and thousands have died.

Mr. GORDON. Will the gentleman yield?

Mr. DYER. No; I can not yield.

The SPEAKER. The gentleman declines to yield.

Mr. DYER. The Committee on Military Affairs or some other committee should take up this subject and deal with it intelligently and map out a plan for the care of these thousands—yes, the hundred thousand and more men—who, on account of their service, will be found suffering from this terrible disease. We must not now give any heed to the advantage of any State, any locality, or any town, but we must give heed only to the general welfare of our men who are coming home from France. We must not do what we have been doing in the past, place hospitals and camps in locations which are not for the best interests of the soldiers. Mr. Speaker, I trust that this measure will be defeated and that the Congress, under the advice of the Surgeon General and the health authorities, will establish something that is for the good of the whole Army.

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. GARRETT of Tennessee. Mr. Speaker, I desire at the outset to correct one statement just made by the gentleman from Missouri [Mr. DYER], namely, that the camps for the mobilizing of the Army of the United States were selected without consultation with the Surgeon General of the Army. The gentleman is entirely mistaken in that.

Mr. DYER. If the gentleman will yield, I will say that I have been told——

Mr. GARRETT of Tennessee. No; I can not yield to the gentleman.

Mr. DYER. The gentleman makes a misstatement.

Mr. GARRETT of Tennessee. Did not the gentleman say that the camps were located without consulting with the Surgeon General?

Mr. DYER. I said they were not in all instances, and I can prove that statement.

Mr. GARRETT of Tennessee. My information is different. Now, I am unable to understand some of the arguments made by gentlemen, particularly that argument which says that because it will be some time before this hospital can be completed, therefore we should not begin it at all. I can not understand exactly the argument of the gentleman from Iowa [Mr. GREEN]

that tubercular patients are not to be treated at all if they have to be treated in Kentucky. That seems to be the logic of the gentleman's argument

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. GARRETT of Tennessee. No; I do not. This site has been investigated by the authorities that are to administer this service under the terms of the law unanimously passed by the Congress of the United States. It has been investigated by the experts of the Public Health Service in the Treasury Department who have been there personally and examined the ground, examined the water, examined the climate, and who have recommended that this bill be passed in order that they may begin to perform the service imposed upon them by the Congress. To say that because this hospital can not be built in a week or a month we shall not begin on it at all is to my mind a very remarkable argument and does not carry any weight. I may state that the hearings had before the Committee on Public Buildings and Grounds were published weeks and weeks ago, and were available to every Member who chose to take them and read them. These hearings contain a letter from the Secretary of the Treasury, most earnestly appealing for the passage of this bill and for the consideration of the other general bill that is before the committee. In this document, which I have not the time to have read now, but which will be read in the debate on the bill, I am sure, if the rule shall pass, he points out specifically the reasons why this bill should pass.

Mr. Speaker, I ask for a vote on the resolution.

The SPEAKER. Before putting the vote the Chair will lay before the House two messages from the President.

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS (S. DOC. NO. 307).

The SPEAKER laid before the House the following message from the President:

To the Senate and House of Representatives:

As required by the provisions of the act of March 3, 1915, making appropriations for the naval service for the fiscal year ending June 30, 1916, I transmit herewith the Fourth Annual Report of the National Advisory Committee for Aeronautics for the fiscal year ended June 30, 1918.

The recommendation of the committee as outlined in the closing paragraphs of its report for the continuance of the scientific study of the problems of flight and the development of aviation for all purposes has my hearty approval. Attention is also invited to the recommendation of the committee that the appendixes of this report be published with the report as a public document.

WOODROW WILSON.

THE WHITE HOUSE, *December 3, 1918.*

Note.—Report accompanied similar message to the Senate.

The SPEAKER. This message will be ordered printed and referred to the Committee on Naval Affairs without the accompanying documents.

Mr. MANN. Did the Speaker order the appendixes printed?

The SPEAKER. They have been printed in the Senate, as the Chair understands. If it turns out that they were not printed in the Senate the Chair will order them printed here to-morrow.

COUNCIL OF NATIONAL DEFENSE (H. DOC. NO. 1440).

The SPEAKER laid before the House the following message from the President:

To the Senate and House of Representatives:

As required by the provisions of the Army appropriation act, approved August 29, 1916, creating the Council of National Defense, I transmit herewith the Second Annual Report of the Council of National Defense for the fiscal year ending June 30, 1918.

WOODROW WILSON.

THE WHITE HOUSE, *December 3, 1918.*

Note.—Report accompanied similar message to the Senate.

The SPEAKER. This message will be printed and referred to the Committee on Appropriations. The situation with reference to the accompanying documents is the same as in the preceding case.

SANATORIUM FOR DISCHARGED SOLDIERS AND SAILORS.

The House resumed consideration of House resolution 437.

The SPEAKER. The question is on agreeing to the resolution.

The question being taken, on a division (demanded by Mr. GARRETT of Tennessee), there were—ayes 47, noes 61.

Mr. GARRETT of Tennessee. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Tennessee makes the point of order that there is no quorum present. Evidently there is none. The Doorkeeper will lock the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. The question is on agreeing to the resolution.

The question was taken; and there were—yeas 152, nays 151, answered "present" 5, not voting 126, as follows:

YEAS—152.

Alexander	Dixon	Jones	Rouse
Almon	Dominick	Kettner	Ruby
Ashbrook	Doolittle	Key, Ohio	Rucker
Aswell	Doremus	Kincheloe	Sabath
Austin	Doughton	King	Saunders, Va.
Ayres	Drane	Kitchin	Scully
Bankhead	Dupré	Kreider	Shallenberger
Barkley	Eagle	Lazaro	Shelley
Barnhart	Evans	Lee, Ga.	Sims
Beakes	Fields	Lever	Sisson
Bell	Fisher	Linthicum	Slayden
Beshlin	Flood	London	Small
Black	Foster	Lundeen	Smith, Idaho
Bland, Va.	Gallagher	McAndrews	Snook
Blanton	Gard	McKeown	Steagall
Booher	Garner	McLemore	Steele
Borland	Garrett, Tenn.	Mansfield	Stephens, Miss.
Brand	Glass	Martin	Stephens, Nebr.
Brumbaugh	Goodwin, Ark.	Mays	Sterling
Buchanan	Gordon	Moon	Stevenson
Burnett	Gray, Ala.	Morgan	Summers
Byrnes, S. C.	Griffin	Neely	Tague
Caldwell	Hamlin	Oldfield	Taylor, Ark.
Campbell, Pa.	Hardy	Oliver, Ala.	Thompson
Candler, Miss.	Harrison, Miss.	Oliver, N. Y.	Tillman
Cantrill	Harrison, Va.	Olney	Vinson
Caraway	Hastings	Overmyer	Walton
Carew	Heflin	Overstreet	Watkins
Clark, Fla.	Helvering	Padgett	Watson, Va.
Claypool	Hilliard	Park	Weaver
Cleary	Holland	Phelan	Webb
Collier	Hollingsworth	Polk	Welty
Crosser	Houston	Pou	White, Ohio
Davey	Huddleston	Price	Wilson, La.
Delaney	Humphreys	Quin	Wingo
Dent	Igoe	Rayburn	Wright
Denton	Jacoway	Robinson	Young, Tex.
Dewalt	Johnson, Ky.	Romjue	The Speaker

NAYS—151.

Anderson	Foss	Little	Rose
Anthony	Frear	Longworth	Rowe
Baer	Freeman	Lufkin	Sanders, Ind.
Birch	French	McArthur	Schall
Bland, Ind.	Fuller, Ill.	McCulloch	Scott, Iowa
Bowers	Gillett	McFadden	Sells
Britten	Glynn	McKenzie	Siegel
Browning	Good	McKinley	Sinnott
Burroughs	Graham, Ill.	McLaughlin, Mich.	Sloan
Butler	Graham, Pa.	McLaughlin, Pa.	Smith, Mich.
Cannon	Gray, N. J.	Madden	Snyder
Cary	Green, Iowa	Magee	Stafford
Chandler, N. Y.	Greene, Mass.	Mann	Stevenson
Chandler, Okla.	Greene, Vt.	Mapes	Stiness
Clark, Pa.	Griest	Miller, Minn.	Strong
Classon	Hadley	Miller, Wash.	Sweet
Cooper, Ohio	Hamilton, Mich.	Mondell	Switzer
Cooper, W. Va.	Hamilton, N. Y.	Moore, Pa.	Temple
Cooper, Wis.	Haskell	Moores, Ind.	Templeton
Copley	Hawley	Morin	Tilson
Crago	Hersey	Mott	Timberlake
Currie, Mich.	Hicks	Nichols, Mich.	Towner
Dallinger	Hull, Iowa	Paige	Vare
Darrow	Husted	Parker, N. J.	Vestal
Davis	Hutchinson	Parker, N. Y.	Volstead
Dillon	Ireland	Peters	Walsh
Dowell	Kahn	Platt	Ward
Drukker	Kearns	Porter	Wason
Dunn	Kelley, Mich.	Pratt	Watson, Pa.
Dyer	Kennedy, Iowa	Purnell	Wheeler
Edmonds	Kennedy, R. I.	Ramsey	White, Me.
Elliott	Knutson	Randall	Williams
Elston	Kraus	Rankin	Wilson, Ill.
Esch	La Follette	Reavis	Winslow
Essen	LaGuardia	Reed	Woodyard
Fairfield	Lampert	Robbins	Young, N. Dak.
Farr	Lea, Cal.	Rodenberg	Zihlman
Fordney	Lehlbach	Rogers	

ANSWERED "PRESENT"—5.

Bacharach	Johnson, Wash.	Shackleford	Snell
Campbell, Kans.			

NOT VOTING—126.

Benson	Dale, N. Y.	Fess	Heaton
Blackmon	Dale, Vt.	Flynn	Heintz
Bradbeck	Davis	Focht	Helm
Browne	Decker	Francis	Hensley
Byrns, Tenn.	Dempsey	Fuller, Mass.	Hood
Carlin	Dickinson	Gallivan	Howard
Carter, Mass.	Dies	Gandy	Hull, Tenn.
Carter, Okla.	Dill	Garland	James
Church	Donovan	Garrett, Tex.	Johnson, S. Dak.
Coady	Dooling	Godwin, N. C.	Juul
Connally, Tex.	Eagan	Goodall	Keating
Connelly, Kans.	Ellsworth	Gould	Kehoe
Costello	Emerson	Gregg	Kelly, Pa.
Cox	Estopinal	Hamill	Kless, Pa.
Cramton	Fairchild, B. L.	Hangen	Kinkaid
Crisp	Fairchild, G. W.	Hayden	Langley
Curry, Cal.	Ferris	Hayes	Larsen

Lesher	Nolan	Sanders, N. Y.	Tinkham
Littlepage	Norton	Sanford	Treadway
Lobeck	O'Brien	Scott, Mich.	Van Dyke
Lonergan	O'Shaunessy	Scott, Pa.	Venable
Lunn	Powers	Sears	Volgt
McClintic	Raker	Sherwood	Waldow
McCormick	Rainey, H. T.	Shouse	Walker
Maher	Rainey, J. W.	Sisson	Welling
Mason	Reber	Slayden	Whaley
Merritt	Riordan	Small, N. C.	Wilson, Tex.
Montague	Rowland	Smith, Idaho	Wise
Mudd	Roberts	Stephens, Miss.	Wood, Ind.
Nelson, A. P.	Russell	Taylor, Colo.	Woods, Iowa
Nelson, J. M.	Sanders, La.	Thomas	

So the resolution was agreed to.

The following pairs were announced:

Until further notice:

Mr. CONNALLY of Texas with Mr. JOHNSON of Washington.

Mr. HUMPHREY with Mr. HAYES.

Mr. SANDERS of Louisiana with Mr. SANDERS of New York.

On this vote:

Mr. BLACKMON (for) with Mr. SWIFT (against).

Mr. HELM (for) with Mr. DALE of Vermont (against).

Mr. MANN. Mr. Speaker, would it be proper to order a recapitulation of the vote, which I judge is very close?

Mr. GARRETT of Tennessee. Let us hear the announcement.

The SPEAKER. One hundred and fifty-seven ayes to one hundred and fifty.

Mr. MANN. Then I do not care for a recapitulation.

The SPEAKER. The Chair was in error; the 1 in the figures added up by the Clerk appears like a 7. The vote is 151 to 150. The gentleman from Illinois demands a recapitulation, and the Chair thinks he is entitled to it.

The vote was recapitulated.

Mr. MANN. Mr. Speaker, I did not hear the name of the gentleman from Wisconsin, Mr. LAMPERT, called. I ask if he is recorded.

The SPEAKER. The Chair is informed that his name was called and that he did not respond. But before the Chair passes on that the Clerk will announce the Members "present."

The Clerk read as follows:

Mr. BACHARACH, Mr. CAMPBELL of Kansas, Mr. JOHNSON of Washington, Mr. SHACKLEFORD, and Mr. SNELL.

The SPEAKER. What is the gentleman's inquiry?

Mr. MANN. Is the gentleman from Wisconsin, Mr. LAMPERT, recorded?

The SPEAKER. He is not recorded.

Mr. MANN. The gentleman states that he voted. He is here, and a member of Members heard him vote on the regular roll call.

Mr. GARRETT of Tennessee. Was the usual question put to the gentleman?

Mr. FULLER of Illinois. I heard him vote.

Mr. MANN. There was no "usual" question put to him. He was present and voted when his name was called on the roll call.

The SPEAKER. If the gentleman was here and voted, he has an undoubted right to have his vote recorded. The Clerk will call his name.

The Clerk called the name of Mr. LAMPERT, and he answered "Nay."

The SPEAKER. The Clerk will call my name.

The Clerk called the name of Mr. CLARK of Missouri, and he answered "Yea."

Mr. STAFFORD. Mr. Speaker, on the recapitulation of the vote I did not hear my name among those recorded as voting nay. I voted nay on the first roll call, and I rise to inquire whether I am in error or not.

The SPEAKER. The gentleman is recorded. After the recapitulation and the vote of the gentleman from Wisconsin [Mr. LAMPERT] and the Speaker, the vote stands—yeas 152, nays 149.

Mr. MANN. How did we lose one?

The SPEAKER. By virtue of mathematics, the Chair supposes.

Mr. MANN. We had 150 before and added 1, and that makes 149. [Laughter.]

The SPEAKER. This vote as handed up to the Speaker by the Clerk stands—yeas 152, nays 149, present 5. The resolution is agreed to. The Chair desires to make this statement: He announced the vote first as 157 yeas and 150 nays, and any man with good eyes in his head who will look at the figure "1" as it is upon this sheet handed up to the Chair, with the tail of the "5" running through it, would make an affidavit that it was a "7" and not a "1."

A quorum being present, the doors were opened.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent that the Committee on Military Affairs may be discharged from further consideration of House joint resolution 345 and that the same be referred to the Committee on Insular Affairs.

Mr. WALSH. Mr. Speaker, reserving the right to object, what is the resolution?

Mr. GARRETT of Tennessee. It is a Porto Rican matter.

Mr. FIELDS. Will the gentleman explain what it is?

The SPEAKER. The gentleman from Tennessee asks unanimous consent that House joint resolution 345, which was referred to the Committee on Military Affairs, be referred to the Committee on Insular Affairs. Is there objection?

Mr. CALDWELL. Mr. Speaker, reserving the right to object, I do not recall what the matter is by the number. Will the gentleman tell us what it is?

Mr. MANN. I think the matter ought to be called up at the regular time.

Mr. GARRETT of Tennessee. Mr. Speaker, this is a resolution that has already passed the House. It was not introduced in the regular way, but was brought up by unanimous consent, and when passed was a typewritten proposition, not having been printed. The gentleman from Iowa [Mr. TOWNER] and myself collaborated in it. It was a matter for the relief of the Porto Rican earthquake sufferers. For some reason that I can not understand after it had passed the House it was printed and referred to the Committee on Military Affairs, which has nothing in the world to do with it. The only question there could possibly be about it would be whether it should be referred to the Committee on Appropriations or to the Committee on Insular Affairs. It has already passed. It is not a matter of great difference, except if the question of conferees should arise.

Mr. MANN. The gentleman asks to have it referred to the Committee on Insular Affairs?

Mr. GARRETT of Tennessee. Yes.

Mr. MANN. If it has already passed the House, there is nothing to refer. After the House has acted on a resolution and passed it, there is nothing for the House upon which to act further. The House has no jurisdiction over it. The papers are not in the possession of the House.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, it can not be done.

The SPEAKER. Does the gentleman from Illinois object?

Mr. MANN. I object, Mr. Speaker; but the Chair ought not to entertain a request of that sort. The matter is not before the House.

The SPEAKER. The Chair did not know a thing about the resolution.

Mr. MANN. The gentleman from Tennessee ought not to make the request. The papers are not in the possession of the House. The gentleman picks up a printed copy of something, where the Printing Office or the printing clerk or some one has made a mistake, a very natural error under the circumstances; but the papers, the engrossed copy of the resolution, are in the possession of the Senate, and we can not act upon it without possession of the papers. We have no power over it.

The SPEAKER. The Chair agrees with the gentleman from Illinois, and the Chair suggests to all Members that when they have matters of this kind they should give the Chair a copy so that he may have opportunity to examine the matter.

Mr. GARRETT of Tennessee. I made the request many days ago.

The SPEAKER. The Chair is not referring particularly to the gentleman from Tennessee, but is making the suggestion to all Members.

SANATORIUM FOR DISCHARGED SOLDIERS AND SAILORS.

Mr. CLARK of Florida. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 12017) to provide for the establishment of a sanatorium for the treatment of persons discharged from the military and naval forces of the United States, and for other purposes.

Mr. WALSH rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. WALSH. To make a parliamentary inquiry. I desire to ask under the rule who will be in control of the extra hour which is provided for. As I understand it, the gentleman from Florida [Mr. CLARK] is entitled to an hour in charge of the bill. Who will have charge of the time in opposition to the bill?

Mr. CLARK of Florida. Mr. Speaker, the rule as I understand it does not provide——

Mr. WALSH. I am asking the Chair, if the Chair pleases.

The SPEAKER. If the Chair had an opinion on it, he would state it. The practice has been that the ranking member on the committee that is against it has charge of it. So far as the Chair knows that has been the universal practice here.

Mr. WALSH. But when there is no member of the committee opposed, who will have charge?

The SPEAKER. The Chair thinks he would recognize the gentleman from Illinois.

Mr. WALSH. Who?

The SPEAKER. The Chair thinks he would recognize the gentleman from Illinois [Mr. MANN], who is the ranking Republican on that side.

Mr. CLARK of Florida. Mr. Speaker, may I make this suggestion? I notice on the recapitulation of the vote that the gentleman from New York [Mr. DUNN] is recorded as having voted against the rule. Mr. DUNN is a member of the committee and opposed to the bill.

The SPEAKER. The practice has been this, that the ranking minority member, if he is opposed to it, takes charge, and if he is not it goes down the line, and if nobody on that committee is here, if the Chair were going to preside over the committee, he would recognize the gentleman from Illinois. The question is on going into the Committee of the Whole House on the state of the Union.

The question was taken, and the Speaker announced the ayes seemed to have it.

Mr. MADDEN. Division, Mr. Speaker.

The SPEAKER. The gentleman will have to get up.

Mr. MADDEN. Mr. Speaker, I will get up and ask a division.

The SPEAKER. The gentleman from Illinois demands a division.

The House divided; and there were—ayes 68, noes 88.

Mr. CLARK of Florida. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Florida demands the yeas and nays. Those in favor of the yeas and nays will rise and stand until they are counted. [After counting.] Fifty-five gentlemen have arisen, a sufficient number, and the Clerk will call the roll.

The question was taken; and there were—yeas 148, nays 140, answered "present" 3, not voting 142, as follows:

YEAS—148.

Alexander	Dowalt	Jacoway	Romjue
Almon	Dickinson	Johnson, Ky.	Rouse
Ashbrook	Dill	Jones	Rubey
Aswell	Dixon	Keating	Sabath
Austin	Dominick	Kincheloe	Saunders, Va.
Ayres	Doolittle	King	Scully
Beckhead	Doremus	Kitchin	Shackleford
Beckley	Doughton	Lee, Cal.	Shallenberger
Barnhart	Drane	Lee, Ga.	Sherley
Beakes	Eagan	Lesher	Sherwood
Bell	Eagle	Linthicum	Sims
Black	Evans	Lobeck	Slayden
Bland, Va.	Fields	London	Small
Blanton	Fisher	Lundeen	Snook
Booher	Foster	McAndrews	Steagall
Borland	French	McKeown	Steele
Brand	Gallagher	McLemore	Stephens, Nebr.
Brodbeck	Gard	Mansfield	Sterling
Buchanan	Garner	Martin	Summers
Burnett	Garrett, Tenn.	Mays	Tague
Byrns, Tenn.	Glass	Montague	Taylor, Ark.
Caldwell	Goodwin, Ark.	Morgan	Taylor, Colo.
Campbell, Pa.	Gordon	Oldfield	Thompson
Candler, Miss.	Gray, Ala.	Oliver, Ala.	Tillman
Cantrill	Gregg	Oliver, N. Y.	Van Dyke
Caraway	Griffin	Overmyer	Vinson
Carew	Hardy	Overstreet	Walton
Cary	Harrison, Miss.	Padgett	Watkins
Clark, Fla.	Heflin	Park	Watson, Va.
Claypool	Helvering	Phelan	Weaver
Cleary	Hilliard	Polk	Webb
Coady	Hollingsworth	Pou	Welty
Collier	Houston	Quin	White, Ohio
Davey	Huddleston	Rainey, H. T.	Wilson, La.
Delaney	Hull, Tenn.	Randall	Winge
Dent	Humphreys	Rayburn	Wright
Denton	Igoe	Robinson	Young, Tex.

NAYS—140.

Anderson	Elliott	Kelley, Mich.	Mott
Baer	Esch	Kennedy, Iowa	Nichols, Mich.
Birch	Essen	Kinkaid	Osborne
Bland, Ind.	Fairchild, B. L.	Knutson	Paige
Bowers	Fairfield	Kraus	Parker, N. J.
Britten	Farr	La Follette	Parker, N. Y.
Browne	Fordney	LaGuardia	Peters
Browning	Foss	Lampert	Platt
Burroughs	Frear	Lehlbach	Pratt
Butler	Fuller, Ill.	Little	Purnell
Cannon	Gillett	Longworth	Ramsey
Chandler, N. Y.	Glynn	Lufkin	Rankin
Chandler, Okla.	Good	McArthur	Reavis
Clark, Pa.	Gould	McCulloch	Reed
Classon	Graham, Ill.	McFadden	Robbins
Cooper, Ohio	Graham, Pa.	McKenzie	Rodenberg
Cooper, W. Va.	Green, Iowa	McKinley	Rogers
Cooper, Wis.	Greene, Mass.	McLaughlin, Mich.	Ross
Currie, Mich.	Griest	Madden	Rowe
Curry, Cal.	Hadley	Magee	Sanders, Ind.
Dallinger	Hamilton, Mich.	Mann	Schall
Darrow	Hawley	Mapes	Scott, Iowa
Denison	Heaton	Miller, Minn.	Sells
Dillon	Hersey	Miller, Wash.	Siegel
Dowell	Hicks	Mondell	Sinnott
Drukker	Hutchinson	Moore, Pa.	Sloan
Dyer	Ireland	Moores, Ind.	Smith, Idaho
Edmonds	Kearns	Morin	Smith, Mich.
Snell	Swift	Volstead	Williams
Snyder	Switzer	Walsh	Wilson, Ill.
Stafford	Temple	Ward	Winslow
Steenerson	Timberlake	Watson	Wood, Ind.
Stiness	Tinkham	Watson, Pa.	Woodyard
Strong	Vare	Wheeler	Young, N. Dak.
Sweet	Vestal	White, Me.	Zihlman

ANSWERED "PRESENT"—3.

Bacharach	Johnson, Wash.	Kreider

NOT VOTING—142.

Anthony	Fess	Kehoe	Riordan
Benson	Flood	Kelly, Pa.	Roberts
Beshlin	Flynn	Kennedy, R. I.	Rowland
Blackmon	Focht	Kettner	Rucker
Brumbaugh	Francis	Key, Ohio	Russell
Byrnes, S. C.	Freeman	Kless, Pa.	Sanders, La.
Campbell, Kans.	Fuller, Mass.	Langley	Sanders, N. Y.
Carlin	Gallivan	Larsen	Safford
Carter, Mass.	Gandy	Lazaro	Scott, Mich.
Carter, Okla.	Garland	Lever	Scott, Pa.
Church	Garrett, Tex.	Littlepage	Sears
Connally, Tex.	Godwin, N. C.	Lonergan	Shouse
Connelly, Kans.	Goodall	Lunn	Sisson
Copley	Gray, N. J.	McClintic	Slemp
Costello	Greene, Vt.	McCormick	Smith, C. B.
Cox	Hamill	McLaughlin, Pa.	Smith, T. F.
Crago	Hamilton, N. Y.	Maher	Steiman
Cramton	Hamlin	Mason	Stephens, Miss.
Crisp	Harrison, Va.	Merritt	Stevenson
Crosser	Haskell	Moon	Sullivan
Dale, N. Y.	Hastings	Mudd	Templeton
Dale, Vt.	Haugen	Neely	Thomas
Davis	Hayden	Nelson, A. P.	Tilson
Decker	Hayes	Nelson, J. M.	Towner
Dempsey	Heintz	Nicholls, S. C.	Treadway
Dies	Helm	Nolan	Venable
Donovan	Hensley	Norton	Volgt
Dooling	Holland	Olney	Waldow
Dunn	Hood	O'Shaunessy	Walker
Dupré	Howard	Porter	Welling
Ellsworth	Hull, Iowa	Powers	Whaley
Elston	Husted	Price	Wilson, Tex.
Emerson	James	Ragsdale	Wise
Estopinal	Johnson, S. Dak.	Rainey, J. W.	Woods, Iowa
Fairchild, G. W.	Juul	Raker	
Ferris	Kahn	Ramseyer	

The Clerk announced the following additional pairs:

On this roll call:

Mr. HELM (for) with Mr. DALE of Vermont (against).

Mr. BLACKMON (for) with Mr. SWIFT (against).

Mr. SHACKLEFORD. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman listening when his name was called?

Mr. SHACKLEFORD. I was listening when my name was called, but I did not hear it.

The name of Mr. SHACKLEFORD was called, and he answered "aye."

Mr. MADDEN. Mr. Speaker, the gentleman from Missouri just came in the Hall, did he not?

Mr. FOSTER. If he had not been here the Speaker would not let him vote.

The SPEAKER. The gentleman from Missouri was here and has been here all day.

Mr. FLOOD. Mr. Speaker, I would like to vote, but I do not know whether I did vote or not.

The SPEAKER. The gentleman is not recorded. Was the gentleman in the Hall listening?

Mr. FLOOD. I reckon not.

The SPEAKER. Then the gentleman can not vote.

Mr. CROSSER. Mr. Speaker, I do not know whether I was here when my name was called or not.

The SPEAKER. Then the gentleman can not vote.

Mr. CROSSER. I have been here a good part of the time.

The SPEAKER. The gentleman has to qualify and say whether he was in the Hall listening or not.

Mr. CROSSER. I do not know whether I was or not; I would not lie about it.

Mr. GLASS. Mr. Speaker, I was in the Hall engaged in conversation and did not hear my name when it was called. Whether that is a qualification or not, the Speaker will have to decide.

The SPEAKER. It is a very close squeeze.

Mr. GLASS. I think I am entitled to vote.

Mr. MANN. Of course I know what the rule is, and of course the Speaker knows how it is construed. I think the gentleman ought to be required to state whether he was listening—in other words, at least that he was not intentionally not listening.

Mr. GLASS. I shall be very glad to state, Mr. Speaker, I had intended voting. I missed my name on the first roll call and hoped to hear it on the second roll call, but I was engaged in conversation with a colleague and did not hear it.

Mr. MANN. If the gentleman was in the Hall expecting to vote, and listening in the way we listen in the Hall, I think the gentleman ought to state that.

Mr. GLASS. Well, I do state that. I was listening, just about as we are in the habit of listening.

The SPEAKER. I think the gentleman is entitled to vote.

The name of Mr. GLASS was called, and he voted "Yea."

The result of the vote was announced as above recorded.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12917, with Mr. FOSTER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12917, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 12917) to provide for the establishment of a sanatorium for the treatment of persons discharged from the military and naval forces of the United States, and for other purposes.

Mr. CLARK of Florida. Mr. Chairman, I ask unanimous consent that the first reading of the bill may be dispensed with.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that the first reading of the bill may be dispensed with. Is there objection?

Mr. WALSH. Mr. Chairman, I think it ought to be read. It is only a short bill.

The Clerk read as follows:

Be it enacted, etc., That the United States is authorized to acquire by gift a tract of land suitable for the purpose of not less than 1,000 acres in or adjacent to the city of Dawson Springs, Hopkins County, Ky., or in Caldwell County, Ky., adjacent to the city of Dawson Springs, Ky., or in Christian County, Ky., adjacent to the city of Dawson Springs, Ky., for the purpose of erecting a sanatorium for the treatment of persons discharged from the military and naval forces of the United States and persons who are now or hereafter may be beneficiaries of the United States Public Health Service; such sanatorium to be of a capacity of not less than 500 beds. There is hereby appropriated the sum of $1,500,000 out of any moneys in the Treasury not otherwise appropriated for the construction of such sanatorium, including the necessary buildings with their appropriate mechanical equipment and approach work and roads leading thereto, for the accommodation of patients, officers, nurses, attendants, storage, laundries, and live stock, with all necessary furniture and equipment for the above; and an additional sum of $350,000 is hereby appropriated for operation and maintenance of the same for the fiscal year ending June 30, 1920.

In carrying the foregoing appropriations into effect the Secretary of the Treasury may purchase materials and labor in open market or otherwise and employ laborers and mechanics for the construction of such buildings and their equipment as in his judgment shall best meet the public exigencies within the limits of this appropriation.

And the Secretary of the Treasury is hereby authorized, in his discretion, to employ for service within or without the District of Columbia, without regard to civil-service laws, rules, and regulations, and to pay from the sums hereby authorized at customary rates of compensation of such additional technical and clerical services as may be necessary exclusively to aid in the preparation of the drawings and specifications for the above-mentioned objects and the supervision of the execution thereof, and for traveling expenses incident thereto, at a total of cost for such additional technical and clerical services and traveling expenses of not exceeding $33,000 of the above-mentioned limit of cost.

Said sanatorium shall be under the jurisdiction of the Secretary of the Treasury and operated under the direction of the Surgeon General of the United States Public Health Service.

The CHAIRMAN. The Clerk will report the committee amendments.

Mr. CLARK of Florida. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CLARK of Florida. Is it necessary to read the proposed committee amendments now? This is the first reading of the bill, Mr. Chairman.

The CHAIRMAN. The Chair thinks that the bill is before the House for consideration and that the whole bill as proposed should be read. The Clerk will proceed.

The Clerk reported the following committee amendments:

Page 2, lines 4 and 5, strike out the words "there is hereby appropriated the" and insert the words "the sum of $1,500,000."

Page 2, lines 5 and 6, strike out "out of any moneys in the Treasury not otherwise appropriated" and insert "is hereby authorized."

Page 2, line 13, strike out the word "appropriated" and insert the word "authorized."

Page 2, lines 16 to 21, inclusive, strike out the following: "In carrying the foregoing appropriations into effect the Secretary of the Treasury may purchase materials and labor in open market or otherwise and employ laborers and mechanics for the construction of such buildings and their equipment as in his judgment shall best meet the public exigencies within the limits of this appropriation," and insert in lieu thereof: "In carrying the foregoing authorization into effect the Secretary of the Treasury is authorized to enter into contract for such construction, equipment, and so forth, or to purchase materials and employ laborers and mechanics, and construct, equip, and so forth, said sanatorium, and so forth, as in his judgment shall best meet the public exigencies within the limits of this authorization."

The CHAIRMAN. The gentleman from Florida [Mr. CLARK] is entitled to one hour.

Mr. MADDEN. Mr. Chairman, I was going to ask the gentleman from Florida if he would object to answering a question.

Mr. CLARK of Florida. I am not going to address the committee now. I will say to the gentleman.

Mr. MADDEN. I thought maybe, as chairman of the committee, he might have information that any person else would not have.

Mr. CLARK of Florida. Go ahead. What is it?

Mr. MADDEN. I was going to ask——

Mr. GARRETT of Tennessee. Mr. Chairman, who has been recognized?

The CHAIRMAN. The gentleman from Florida [Mr. CLARK], the chairman of the committee, has been recognized for one hour.

Mr. MADDEN. I was going to ask the gentleman from Florida if he would be kind enough to tell the committee what is meant, on the twenty-fourth line, on page 2, by "equipment, and so forth."

Mr. CLARK of Florida. Mr. Chairman, I will try to explain that when I come to make my remarks, but I do not care to do it right now, because I am going to yield the floor to some one else.

Mr. MADDEN. The gentleman does not care to tell what that means?

Mr. CLARK of Florida. Not until I get the floor in my own time. I would like to inquire who has the time on the other side of the House?

The CHAIRMAN. The Chair begs to state that if the ranking member of the committee was present he would feel that he ought to be recognized. No one has yet asked for recognition, but the Chair observes that the gentleman from Michigan [Mr. SMITH] is present, a member of the committee, and he would recognize the gentleman from Michigan.

Mr. SMITH of Michigan. If the Chair please, the gentleman from Tennessee [Mr. AUSTIN] is the ranking member, but he is not here, and neither is the gentleman from Kentucky [Mr. LANGLEY], and therefore I am the next in line.

The CHAIRMAN. The Chair so understands.

Mr. SMITH of Michigan. I would like to inquire how long a time would be allotted to this side?

The CHAIRMAN. The gentleman would be recognized for one hour.

Mr. CLARK of Florida. Mr. Chairman, I yield 10 minutes to the gentleman from Kentucky [Mr. CANTRILL].

Mr. CANTRILL. Mr. Chairman and gentlemen of the committee, in the brief time allotted to me to discuss this bill I wish to say at the outset that there is no one in the House who is more in favor than I am of curtailing all expenditures that it is possible to curtail since the signing of the armistice. But the signing of the armistice has nothing to do whatever with this piece of legislation, from the fact that the sanatorium proposed in this bill is to take care of men who have already been discharged from the military and naval forces of the country, and there is a moral obligation resting upon the Government of the United States, based on legislation which Congress has already enacted, to take care of these men. I take it that there is practically no opposition in the House to the general scheme and to the general plan that men who have been discharged from the service should be cared for by the Government under the terms of the war-risk insurance act. We are obliged to do that. The whole thing resolves itself, as I see it, into the proposition as to whether or not the Members of the House think it best now, on the urgent advice of the Public Health Service, on the urgent advice of the Treasury Department, to make a beginning on the general scheme which I am sure every Member of Congress is heartily in favor of.

Now, in answer to certain criticisms which came up during the discussion of the rule, the facts in the case, so far as this case now before us is concerned, are these: This bill was first considered before the Committee on Public Buildings and Grounds. I happen to be a member of that committee, and I heard in full the detailed arguments that were had before that committee. The bill was gone into carefully and thoroughly. The report which was filed by the Committee on Public Buildings and Grounds has been before the House for several months, and I am sure that if the gentlemen who criticized the action of the Committee on Rules this morning in presenting the rule had taken the time to read this report they would not have made the criticism that they made, to the effect that this legislation has not been carefully considered. As a matter of fact, it has been very carefully considered by the Committee on Public Buildings and Grounds, and for the information of the House I beg to say that it was the unanimous opinion of the Committee on Public Buildings and Grounds that this bill should be enacted into law. There was not a single dissenting voice in the Committee on Public Buildings and Grounds against the passage of this bill. There is no minority report pending before the House, and I am sure

that if gentlemen on the Public Buildings and Grounds Committee had been opposed to the measure naturally they would have presented a minority report to the House. There was a full membership of that committee of 21 members. My recollection is that practically every member of the committee was present when the evidence was taken and the hearings were had on the bill, and that committee, after full investigation and careful consideration, recommends to the House the passage of this measure.

In addition to that, I am very frank to say, without criticizing at all the action of some gentlemen on the Committee on Public Buildings and Grounds in voting against the consideration of this measure at this time and voting against the rule, that the chairman of the Committee on Public Buildings and Grounds, upon the evidence and unanimous report of the committee, was instructed to appear before the Committee on Rules and ask for a rule to expedite the passage of this bill. In accordance with that order from the Committee on Public Buildings and Grounds, the chairman of that committee, the gentleman from Florida [Mr. CLARK], appeared before the Committee on Rules, of which I also happen to be a member, and asked for the rule; and the Committee on Rules, contrary to its usual custom, had a complete and full hearing before the Committee on Rules on the merits of this proposition. There was no opposition in the Committee on Rules to the request for a rule, because, if you gentlemen will recall, when the rule was before the House this morning, the gentleman representing the minority side of the House made no fight against the adoption of the rule; and if I recall correctly they did not vote against the adoption of the rule. So that as a matter of fact this bill has had careful consideration by two committees of the House, namely, the Committee on Public Buildings and Grounds and the Committee on Rules, and the latter committee, after a hearing of the merits of the case, unanimously reported a rule to the House.

I make this statement as to the action of the two committees because I happen to be on both and heard the hearings in both committees, and I simply present those facts for the consideration of the House to show that the bill has indeed had careful consideration, and I make that statement in answer to the criticism of gentlemen on the floor of the House who have said, under a mistaken idea, that the bill did not have proper consideration.

Now, I am frank to say to you, gentlemen of the committee, that the gentleman from Wyoming [Mr. MONDELL], when the rule was under consideration this morning—and I think the gentleman from Wyoming has raised a point which I would commend to the favorable consideration of the committee when it takes the bill up under the five-minute rule—called attention to what was purely an oversight, I am sure, on the part of the committee in not incorporating that feature in the bill, namely, that if this sanatorium is built, this piece of legislation should provide that a supply of water from these noted springs should be furnished to the sanatorium. Some provision should be made so as to make it obligatory upon the people who are to give this land, which I will explain later, to furnish a supply of medicinal water, for which these springs are noted.

Now, gentlemen, as a matter of fact, we all know that these sanatoriums have to be built, and, as I stated, the signing of the armistice has nothing whatever to do with this piece of legislation. There has already been placed upon the Public Health Service, whose business it is under previous legislation, enacted unanimously I believe by this Congress, the duty of taking care of these disabled men. There are, according to the report made several months ago, 14,000 such men who are suffering from tuberculosis. As a matter of fact, within another year we are informed that we can safely count, I am sorry to say, on probably 30,000 men taken out of the service who will have been broken down under military discipline and whose constitutions will have given way and who will have become infected with tuberculosis and discharged from the service.

Now, it is true that this is but the beginning. But I make this appeal to the House: We have to begin at some time, and this particular project has, upon the initiative of the Public Health Service—not upon the initiative of any member of the Kentucky delegation, but upon the initiative of the Public Health Service—after a careful survey of the United States, been taken up in order to make a start, and that service has picked out this place. Upon expert advice the committees I have referred to have recommended this place as a good place in which to make that start in the beginning of these sanatoriums.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. CANTRILL. Yes.

Mr. LONGWORTH. The gentleman has stated that this is just a beginning, and that probably very shortly we will have to provide for 30,000 men. According to the bill the cost for each man would be $3,000. Does the gentleman mean to say that this is the beginning of a $90,000,000 project?

Mr. CANTRILL. I mean to say this to the gentleman, that as I recall the testimony before our committee—and that very point was raised by members of the committee—the experts whose business it has been to build hospitals for the United States, the military and naval authorities, as I recall—and if I am wrong I trust that some member of the committee will correct me—said that, taking into consideration the full equipment and construction of a complete hospital, it takes practically $3,000 per bed to complete an up-to-date, modern hospital; and I know that the gentleman from Ohio——

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. CLARK of Florida. Mr. Chairman, I yield five minutes more to the gentleman.

The CHAIRMAN. The gentleman from Kentucky is recognized for five minutes more.

Mr. CANTRILL. I know that the gentleman from Ohio will agree with me in stating that we should give these men the very best hospital attention that is necessary.

Mr. LONGWORTH. I agree with the gentleman entirely that something must be done; but why not start with a comprehensive scheme rather than piecemeal? And, furthermore——

Mr. CANTRILL. My time is very limited and I have some other important facts connected with this which I wish to state; but in answer to the gentleman I will say this, that in order to take up a comprehensive program—of which I am heartily in favor—it would take weeks and weeks. But this particular place, because of its location, because of its climate, because of the wonderful medicinal powers of its waters, has been recommended by the medical experts of the Government as an ideal place to build a sanatorium.

Mr. LONGWORTH. Will the gentleman yield at that point?

Mr. CANTRILL. Make it brief, please, because I have some other matters which I wish to state.

Mr. LONGWORTH. I will. The gentleman has alluded to the wonderful medicinal properties of the waters there; but he will certainly admit that the medicinal properties of the waters there can be of no benefit to patients suffering from tuberculosis.

Mr. CANTRILL. I frankly admit that, but in answer to the gentleman from Ohio, let me read the statement of Dr. Banks in the hearings. The gentleman would have noticed that statement if he had read the hearings. Dr. Banks is at the head of the Public Health Service. He testified as follows:

It was thought that the peculiar situation of Dawson Springs in connection with the water there was such that it could be utilized for the treatment of certain types of chronic diseases for which that water would be very efficacious. My original idea was to limit it to a tuberculosis hospital, but I think the officials of the United States Public Health Service thought there would probably be a sufficient amount of land there to add other units for the treatment of certain types of kidney disease and diseases of joints, rheumatism, etc.

That is a complete answer to the gentleman from Ohio.

Mr. LONGWORTH. Then I understand the gentleman to say that this is not only the beginning of a particular scheme, but the beginning of a scheme to spend millions more at Dawson Springs?

Mr. CANTRILL. So far as I am concerned, as a member of the committee which had charge of this bill, it makes no difference to me if it does take millions or tens of millions of dollars. I am willing to vote for the appropriation of it to take care of these men who have lost their health in the service of their country and in defense of our flag. The matter of dollars and cents cuts no figure whatever with me upon this proposition. This has been recommended by your committee; it has been recommended by the experts of the department whose business it is to carry out the program which you have already demanded in previous legislation.

Mr. WALSH rose.

Mr. CANTRILL. Before the gentleman from Massachusetts asks me a question, let me make this statement in further answer as to this particular location: Let me say to the House that the citizens of Dawson Springs are the only people, so far as our committee knows, who have appeared before Congress and offered to donate to the United States Government from 1,000 to 10,000 acres, if necessary, for the location of this hospital. That is another reason why it appealed to the committee. There are 10,000 acres of land immediately surrounding these springs upon which the corporation operating the springs hold options. They are willing to close those options, to buy the 10,000 acres of land, and make a gift of it to the United States Government. If the gentleman will read the bill, it is to authorize the United States Government to accept this land as a

gift, not to authorize the payment of money to the corporation which owns these springs. There is no other locality in the United States which has made a similar offer, and it seems to me that it is the part of wisdom for Congress to accept that proposition. Now I will yield to the gentleman from Massachusetts, if I have the time.

Mr. WALSH. If what the gentleman says is true, why not authorize the erection of a sanatorium down there at Dawson Springs to take care of all these men instead of 500 of them?

Mr. CANTRILL. I can answer that question easily. If the gentleman will read the hearings——

Mr. WALSH. I have read the hearings.

Mr. CANTRILL. Evidently the gentleman has not read the report.

Mr. WALSH. I have read the report of the committee.

Mr. CANTRILL. The experts of the Public Health Service have testified that it is proposed to scatter these sanatoriums all over the United States, not to take a sick man from Maine to Kentucky——

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANTRILL. I should like just a few minutes more to answer that question.

Mr. CLARK of Florida. I yield to the gentleman five minutes more.

Mr. CANTRILL. It is not a good idea to take a man from Maine and send him to Kentucky or to Arizona or to California. It is too far away from home. Men suffering from tuberculosis in many cases are able to move about. They can go to the springs and stay a while, and then go back home and visit their people. It is best for them to go and come, and that is the intention, and I am heartily in favor of it—to establish sanatoriums in various parts of the country so that men can go and come and be close to their homes and their people, where their home folks can come and see them when they are in the hospital, and where they can go home. That is a direct answer to the question of the gentleman from Massachusetts.

Mr. MADDEN. Will the gentleman yield?

Mr. CANTRILL. I yield to the gentleman from Illinois.

Mr. MADDEN. If the gentleman's statement is correct, that they want to distribute these sanatoriums all over the United States and that we have already enacted legislation authorizing the Public Health Service to establish sanatoriums, why is it not left to the Public Health Service to establish them instead of designating a particular spot where one particular sanatorium is to be established?

Mr. CANTRILL. Because, as I have stated, these experts who appeared before the committee have stated that this is an ideal location, and, in addition to that, it is the only location in the country where the citizens have been public spirited enough to give from 1,000 to 10,000 acres of land, if necessary, for the establishment of a sanatorium. That seems to me to answer the gentleman from Illinois.

Mr. LaGUARDIA. Will the gentleman yield?

Mr. CANTRILL. I yield to the gentleman from New York.

Mr. LaGUARDIA. The gentleman stated that there were 10,000 acres of land available there. The bill provides that not less than 1,000 acres shall be taken as a gift. Now, what guaranty have we that after we get the first thousand acres we will not be compelled to buy the rest of it?

Mr. CANTRILL. It is provided that the Public Health Service is to say how much land is wanted, whether 1,000 acres or 10,000 acres, and whatever number of acres the Public Health Service says it wants these people will give that number of acres to the Government of the United States.

Now, one thing further, the location of this proposed sanatorium is in the center of the population, practically, of the United States. It is on or very near two great trunk lines going both east and west and north and south, and from a railroad point of view it is an ideal location. It is not in an out-of-the-way place. As to the climate, the Public Health Service has made a thorough investigation, and the report shows that, so far as the climate is concerned and the clearness of the weather, it is an ideal location.

Now, gentlemen, what objection can there be to it? You and others say we are all in favor of it, which I am sure is true; but why hold back a proposition that is for the immediate construction and which has behind it such favorable indorsement as this from the department of the Government whose business it is to take care of these disabled men? There is nothing which can be gained by postponement; in fact, from the standpoint of humanity, from the standpoint of our duty as legislators, it is our business, and it should be our pleasure, to immediately begin the construction, and I want to say to any gentleman on the floor of this House that when the Public Health Service recommends any location in any State in the Union as an ideal place for the establishment of a sanatorium I will be heartily in favor of enacting that into legislation.

Mr. WATSON of Pennsylvania. Will the gentleman yield?

Mr. CANTRILL. I will.

Mr. WATSON of Pennsylvania. Do the proponents of this measure present the land in fee simple?

Mr. CANTRILL. Yes.

Mr. WATSON of Pennsylvania. Do they have any reservations in it?

Mr. CANTRILL. No.

Mr. MADDEN. Yes; they park it if they take it.

Mr. CANTRILL. The Secretary of the Treasury will see to it that they give the 10,000 acres of land, or whatever amount is necessary as passed upon by the Public Health Service, as a gift to the Government.

Mr. WATSON of Pennsylvania. They do not reserve the right to build a hotel on the property?

Mr. CANTRILL. Not on the property.

Mr. SMITH of Michigan. Mr. Chairman, I yield 10 minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, the bill before us provides for the establishment of a sanatorium for the treatment of persons discharged from the military and naval forces at or near Dawson Springs, Ky. Dawson Springs, Ky., may be a very proper location for such an institution. It may develop in the course of time that it is important and necessary that such an institution be established, but on examination of the present situation in the country I think we will find it very clearly demonstrated that an institution of that kind is not needed at the present time and may not be in the early future, because other and more speedy plans may be put in operation to care for the men in question.

This bill was introduced in a time of war and stress, when it was necessary to do things hurriedly and sometimes without proper consideration and without opportunity to consider all of the questions involved. But we have seen the coming of the dove of peace. We have come to the time of reconstruction, and it is necessary and important that every question coming before the House shall now be considered in view of the present conditions, with the view of legislating wisely and intelligently, everything considered.

We will care for the soldier boys. No one need have any doubt about that—all of them—those wounded and those afflicted in the service, and we will do it speedily and we will do it well, and there is no difference of opinion amongst the representatives of the American people on that proposition.

What is the situation? We have now in the general hospitals of the United States under the jurisdiction of the War Department 26,000 beds available for the use of the men recovering from wounds or disease. We have now in the camps and cantonments of the country 50,000 beds available for the use of soldiers suffering from wounds and disease. In addition to that we have recently taken over a number of hotels and sanatoriums heretofore under private control, with the expectation that we would need 100,000 hospital beds for our overseas forces if the war should continue.

Since this bill was introduced we have taken over a great sanatorium at West Baden, Ind., a splendid institution, having a capacity of 632 beds. The last report I have from West Baden, which I think was three or four days ago, shows that there were 18 patients there, so that now at West Baden we have 614 beds available. West Baden also has mineral springs very similar to those at Dawson Springs. There we have an institution built, equipped, running, and ready, and no men appearing to take advantage of the accommodations presented.

It is suggested that this institution should be for tubercular patients because of the presence of these curative waters. Who ever heard of sending a tubercular patient to Kentucky? When did tubercular patients get to moving in any direction except to the dry and elevated regions of the far West in the hope of recovery? Who ever heard of any kind of mineral waters being helpful in cases of tuberculosis? The cure of tuberculosis is effected by fresh air and lots of it, and most frequently in a dry, bracing climate. The right kind of diet helps, but not the waters of mineral springs.

Mr. DILLON. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. DILLON. Can the gentleman tell the committee what was the arrangement under which West Baden Springs were taken over?

Mr. MONDELL. I do not know except we have appropriated many hundred millions of dollars now available with the expectation that it would be necessary to provide 120,000 beds in addition to the 50,000 beds in the camps and cantonments. We know that the development, the purchase, and the taking over

of these institutions has reached a point where we now have some 26,000 beds in addition to the 600 beds available, empty, at West Baden that can be utilized at this moment. Just how many there are vacant of the 26,000 beds in the general hospitals I do not know, but undoubtedly there is a considerable number.

Mr. ELSTON. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. ELSTON. In the treatment of tubercular patients are the hospital facilities emphasized to any great extent, or are the facilities in the matter of comfortable living and fresh air and good diet the principal consideration?

Mr. MONDELL. The patient far gone with tuberculosis is sometimes given hospital treatment, but the proper and usual treatment for tuberculosis is a treatment of fresh air and good food.

Mr. ELSTON. And I would suggest that in connection with all of these cantonments there are auxiliary hospitals for the treatment of those afflicted with the disease where hospital treatment is necessary.

Mr. MONDELL. Yes. It is true that these general hospitals are not now available, and the cantonment hospitals are not now available for men discharged from the service, but they can be made available within 24 hours by the passage of a resolution. Within a short time it will be necessary to make them available so far as they can be spared from the needs of men in the service and are needed for men who have been discharged from the service. In addition to that, we could now turn over one, at least, of the National Soldiers' Homes, and probably two, to those uses and purposes; and those institutions are going; they are under way; they are provided for; the accommodations are all there.

Mr. GARD. Is there not a soldiers' home some place in the Dakotas?

Mr. MONDELL. Yes; there is a sanatorium at Hot Springs, S. Dak., and it is far from being filled to capacity at this time. A large number of these discharged soldiers could be received there and taken charge of at any time, and that South Dakota climate is a splendid climate for the care of tubercular patients, although it is not claimed that the hot water helps especially in that direction. The dry air does much. We must and we shall provide for the needs of the men discharged from the service who are suffering from various ailments. We have some accommodations for such men now, and the first thing to do is to turn over for the use of such men the accommodations now available and then enter upon a comprehensive plan for the future. This piecemeal proposal of legislation is not in the interest of the men needing treatment or of the people who pay the bills.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. SMITH of Michigan. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. WALSH].

Mr. WALSH. Mr. Chairman, I am opposed to this measure because at the present time the committee has under consideration a bill which is to provide for a general scheme for the care of discharged soldiers and sailors who may be afflicted with disease. That scheme does not contemplate erecting a sanatorium at one particular place. I do not know why the committee has not reported out that general bill, but it looks as though Kentucky wanted to make sure that she "got hers," and then the rest of the country might have the general legislation.

There is nothing in the hearings to disclose how many sites were visited by Mr. Perry, or Mr. Stimpson, or Col. Banks to ascertain where these available sites are that might be utilized for this sanatorium. If this is the one site in the entire United States for this sanatorium, why do they not provide for taking care of more than 500 at $3,000 a bed? That is an exorbitant sum. They ask for the erection of a sanatorium, at a cost of $1,500,000, which will only be a start for that particular site, and there is no necessity for that. Furthermore, we have authority given in various places to buy many sanatoriums which have been tendered to the Government, and which they have declined to take, which might be utilized. As has been pointed out, we have many hospitals that have been erected by the Surgeon General of the Army, which, after these men who have been called to the camps have been returned to their homes, can be easily adapted for this purpose. They contend in the report that the war-risk insurance act requires the Government to build these hospitals and these sanatoriums. This is the language of the war-risk insurance act:

> In addition to the compensation above provided, the injured person shall be furnished by the United States such reasonable governmental medical, surgical, and hospital services, and with such supplies, including artificial limbs, and similar appliances, as the director may determine to be useful and reasonably necessary.

That does not require the erection of a vast chain of sanatoriums and hospitals and resting stations, particularly if we have facilities already in being. The hearings will disclose that there are numerous hospitals and other places which might be easily converted to this use. We have appropriated in the various Army appropriation bills of recent years millions of dollars for hospitals and hospital supplies.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. WALSH. Yes.

Mr. HARDY. Does the evidence show that the Government owns numerous hospitals or that it has the temporary use of them?

Mr. WALSH. The evidence in the hearings does not disclose any that they are using. But it discloses that there are hospitals that have been built under the appropriation for military purposes in connection with the erection of these cantonments.

Mr. HARDY. Are these temporary structures?

Mr. WALSH. Some of those are temporary, in the vicinity of camps, and others permanent. There are 37 of those in the United States.

Mr. HARDY. The reason I am asking is this: If we have a few temporary hospitals, or hospitals built for use just during the war, not owning the ground on which they stand, that certainly would not be a sufficient arrangement.

Mr. WALSH. I would say to the gentleman that there are 37 hospitals owned by the Government outside of these temporary structures at cantonments.

Mr. HARDY. Are these hospitals anything like competent and sufficient for the needs of the Government?

Mr. WALSH. They are being used by the Government for hospital purposes and these soldiers are being treated there, and I can not assume that the Surgeon General of the Army would put diseased and disabled soldiers in hospitals that are not suitable for the purpose.

Mr. HARDY. Will the gentleman permit a little further? Is it not altogether possible, and is it not true, that these hospitals were located with reference to cantonments and conveniences of the Army service and not for permanent use as hospitals?

Mr. WALSH. Well, it is, of course, entirely possible and most probable that if this bill is passed they will provide a sanatorium or a hospital at a cost far in excess of the cost of these 37 other institutions which have been taken over or erected by the Government and it will be up to date in every particular; but I submit if the Government has the facilities at hand now, adequate facilities, to take care of this, that there is no need in singling out one particular State to erect a sanatorium at a cost of $1,500,000.

Mr. HARDY. On that question——

Mr. WALSH. The gentleman will appreciate that my time is running. I was about to say that we appropriated in the various Army bills for the Surgeon General vast sums of money. In the appropriation for 1918, under the Medical Department, in the share of the appropriation which might be utilized for hospitals, we made an appropriation of $267,408,948. This general scheme in the general bill which has been introduced carries an appropriation of $10,500,000, and it is notable that the general legislation which has been proposed is so framed as to take care of discharged disabled soldiers and sailors, patients of the War-Risk Bureau, whereas this Dawson Springs proposition is for the purpose of treating persons discharged from the military and naval forces of the United States and persons who are now or hereafter may be beneficiaries of the United States Public Health Service. I do not know under what legislation the Public Health Service was hitched up with the War-Risk Insurance Bureau in the treatment of these discharged and disabled soldiers and sailors, but it is certainly not under the authority of the act creating the War-Risk Insurance Bureau.

Mr. LONDON. Will the gentleman yield?

Mr. WALSH. I will.

Mr. LONDON. Does the testimony of the hearings disclose the presence of tubercular sanatoriums in Kentucky?

Mr. WALSH. I understand not. There is no sanatorium in Kentucky. There are some in several other places, but of course there is no other place in the country where the water is like that at Carlsbad, and that hitched up with the great number of tuberculosis-afflicted soldiers and sailors who are coming back makes Dawson Springs the one great center of the United States where must be assembled all these afflicted men. Now, we have all got sympathy for them, but if the advantages of this are so great, there ought not to be any other site considered. They ought to put all of this $30,000,000 in sanatoriums there to take care of all of them, and in view of the fact we are to have a general scheme afterwards, I submit we ought not to pick out 500 or 600 of these disabled soldiers and sailors and say to them, "We will give you a chance to go to Dawson Springs, Ky., and drink freely of the Carlsbad water and we will let the other

27,500 soldiers wait until we have decided where these other sanatoriums should be." It will be just as easy to start the erection of these various hospitals at the same time, at these 15 or 20 places, the same as was done in the case of the cantonments, and have them all completed at the same time, so that these men might be given an opportunity to have this treatment simultaneously. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CLARK of Florida. Mr. Chairman, I yield 15 minutes to the gentleman from Kentucky [Mr. KINCHELOE].

Mr. KINCHELOE. Mr. Chairman and gentlemen of the committee, as it happens, and I presume unfortunately in view of the remarks of the gentleman from Massachusetts, Dawson Springs is in my district in Kentucky. The force of his argument is that he wants these hospitals, but from his provincialistic view he does not want one to go to Kentucky. I am going to be more generous with him than he is with me, and if this general scheme is adopted to erect these hospitals throughout the country, if the men in charge of the Public Health Service see fit to want one to go to Massachusetts, I think it ought to go there. The hospital spoken of by the gentleman from Wyoming [Mr. MONDELL] is under the supervision of the War Department. The reason Dawson Springs was selected by the Public Health Service was because of the fact that the business men in and surrounding that country offered to donate the land. Col. Banks was sent upon the initiative of the Bureau of Public Health and War-Risk Bureau, one of the most eminent surgeons in the country and one of the most eminent——

Mr. CANNON. Will the gentleman yield at that point?

Mr. KINCHELOE. Yes, sir.

Mr. CANNON. Dr. Blue is at the head of the Public Health Service.

Mr. KINCHELOE. Yes.

Mr. CANNON. Mr. Banks is connected with the Treasury Department, with the War-Risk Service, two entirely different services.

Mr. KINCHELOE. No; Col. Banks is also connected with the Public Health Service, the chief surgeon of the War-Risk Insurance Bureau, which is being administered under the supervision of the Bureau of Public Health.

Mr. GARD. If the gentleman will permit, the gentleman does not mean the place is selected because a number of business men want to give land to the Government——

Mr. KINCHELOE. No; I had not gotten through. Col. Banks went down there at the request of the Bureau of War-Risk Insurance. He came back and recommended this as the central hospital of this whole propaganda for several reasons——

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. KINCHELOE. I would like to make my statement——

Mr. GRAHAM of Illinois. It is right on that point.

Mr. KINCHELOE. The reasons that led them to decide on Dawson Springs were that it is not only within 40 miles of the center of population of the United States but the idea of establishing it at this place is that it has practically two trunk lines of railroad—the Illinois Central, running from Louisville to New Orleans, east and west, practically, and the main line of the Louisville & Nashville, from Chicago and St. Louis to Jacksonville. It is not to be altogether a tuberculosis hospital. It is for the discharged soldiers and sailors and other wards of the Government that may be upon the Bureau of Public Health and Bureau of War-Risk Insurance.

Mr. REAVIS. Will the gentleman yield there?

Mr. KINCHELOE. Yes, sir.

Mr. REAVIS. Is it the intention to put the tubercular patients in immediate association with patients who are not suffering from tuberculosis?

Mr. KINCHELOE. If the gentleman will read the hearings, he will see that the whole thing was thrashed out there.

Mr. REAVIS. I know it is not so stated in the hearings, but the gentleman just stated that it is not to be exclusively a tuberculosis hospital. Are you going to have the other patients associated with the tubercular patients?

Mr. KINCHELOE. They are to be segregated on different parts of the land. They claim they need a thousand acres to do it.

Mr. REAVIS. And there is to be more than one hospital constructed there?

Mr. KINCHELOE. More than one building; several of them.

Mr. GRAHAM of Illinois. In view of what the gentleman said, I would like to ask a question. You say that Col. Banks visited this at the request of Surg. Blue?

Mr. KINCHELOE. Yes, sir; and the Bureau of War-Risk Insurance.

Mr. GRAHAM of Illinois. In the hearings, on page 8, he states that he visited Dawson Springs at the suggestion of the War Risk Insurance Bureau.

Mr. KINCHELOE. This feature is to be administered, as I understand, under the Public Health Service.

Mr. GRAHAM of Illinois. He went there at the request of the Director of the War-Risk Insurance Bureau?

Mr. KINCHELOE. I do not know. I think both.

Mr. GRAHAM of Illinois. He says that.

Mr. KINCHELOE. They say now that there is no need, since the armistice has been declared, for the erection of this hospital under this general propaganda that the two bureaus want. Here is a letter also from the Secretary of the Treasury, written to the Speaker of the House, which I want the Clerk to read in my time, making the appeal in view of the great necessity for the treatment of these discharged soldiers and sailors, and asking the Speaker not only to expedite this bill for Dawson Springs but the general propaganda that is before the Committee on Public Buildings and Grounds. And in my time I will ask the Clerk to read the letter.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, November 18, 1918.

THE SPEAKER OF THE HOUSE OF REPRESENTATIVES,
Washington, D. C.

SIR: Pressing necessity of the utmost gravity impels me to invite your attention to two bills pending in Congress, to supply hospital accommodations for discharged sick and disabled soldiers and sailors, patients of the War-Risk Insurance Bureau, and others entitled to treatment by the Public Health Service of this department; namely, H. R. 12917, to provide certain hospital facilities at Dawson Springs, Ky., on land to be donated to the Government, and H. R. 13026, to provide like hospital accommodations at various points throughout the country. The former bill was introduced in the House on September 11, and on investigation by the Public Buildings and Grounds Committee was reported out, and subsequently made a special rule in Congress, that the greatest possible expedition might be given to the project, and at this writing I understand that the bill is only waiting for a quorum in the House to complete the legislation in that branch of Congress.

In my letter of September 20, transmitting a tentative draft of legislation which has since been given H. R. 13026, there was also transmitted a report from a committee appointed by the Secretary of War, the Secretary of the Navy, and myself, in which the statement was made that 15,000 beds would be required for these patients, and that the War and Navy Departments had made no provision for patients other than those of active forces, and therefore the War and Navy Departments had no beds available for patients of the War Risk Insurance Bureau, and in addition thereto a memorandum from the Surgeon General of the Public Health Service of this department in which the statement is made that these beds would not be for temporary purposes, but will be needed for years to come, and that the estimated cost of supplying the number of beds required would be $26,000,000 for hospital accommodations for soldiers and sailors suffering from tuberculosis.

In addition to these patients, I am advised in a letter dated October 26, from the chief medical advisor of the War-Risk Insurance Bureau, that the Surgeon General of the United States Army asked for some practical solution for supplying sanatoria for restorative or institutional treatment of persons discharged from the military and naval forces suffering from epilepsy, due to shell shock and other causes. The War Department is desirous of discharging these cases into the care of the War-Risk Insurance Bureau. In connection with these cases, it is estimated that accommodations for not less than 2,000 should be immediately provided for out of the funds carried in H. R. 13026.

The bills above referred to represent estimates for approximately 6,000 beds only, but it is of the utmost importance that this number be made available at the earliest possible moment. Since these estimates were transmitted to Congress an armistice has been declared and hostilities ceased, but while these are happy conditions, it has, as a matter of fact, foreshortened the day and hour when hospital accommodations must be made available, and has pressed home to me the tremendous responsibility of supplying accommodations for the sick and disabled discharged soldiers and sailors who will soon return from overseas in overwhelming numbers, and I can not too strongly urge upon you to exercise all your influence to translate the proposed legislation into law, as one of utmost importance, in order that the Government may carry out its part of its contract with the soldiers and sailors who have so magnificently carried out their entire contract with the Government, and to this end request that this legislation be made a special rule in the House in order that funds may be made immediately available for the purpose above stated.

Respectfully,
W. G. MCADOO, *Secretary.*

Mr. KINCHELOE. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has five minutes remaining.

Mr. LONGWORTH. Will the gentleman yield for just one question?

Mr. KINCHELOE. Yes, sir.

Mr. LONGWORTH. It has been repeatedly stated here that the real reason for the selection of this site was because certain business men had agreed to donate the land. Can the gentleman state what the land is worth per acre?

Mr. KINCHELOE. No, sir; I can not. That was the predominating reason for the Bureau of War-Risk Insurance sending Dr. Banks down there.

Mr. GOOD. Will the gentleman yield for a question regarding the bill?

Mr. KINCHELOE. The chairman explained that. I decline to yield.

Mr. CLARK of Florida. If the gentleman will permit me, the testimony was that it was worth between $10 and $100 an acre.

Mr. LONGWORTH. Somewhere between $10 and $100?

Mr. CLARK of Florida. Yes, sir.

Mr. LONGWORTH. And that is as near as this committee gets it?

Mr. KINCHELOE. And another reason that Dr. Banks favors Dawson Springs is that the weather records for the last 20 years show that there is 70 per cent sunshine there. It is a question of whether you are going to take care of soldiers and sailors of the Army and Navy who have rendered their services to the Government. I have a great regard for the gentleman from Massachusetts [Mr. WALSH], but I have a greater regard for the wisdom of the men on whose shoulders rests the responsibility of this matter. And here come the two letters and a letter to the Speaker of the House from the Secretary of the Treasury, who say that there is pressing need for it, and the question is whether you are going to take the word of the gentleman from Massachusetts or an eminent physician like Dr. Banks or an eminent physician like Surgeon General Blue and the letter of the Secretary of the Treasury, which says that our boys performed their duty and many of them lost their health. Here come the great bureaus of this Government, on whose shoulders rests the responsibility, and say that there is a pressing need. And it is so pressing that notwithstanding the armistice was declared in November the Secretary of the Treasury writes to the Speaker and makes an appeal to the American Congress to take care of these boys as late as November 18.

My recollection is that this general scheme carries an appropriation of about $10,000,000. The gentleman from Massachusetts [Mr. WALSH] would have all these discharged soldiers and sailors go to Kentucky. Would you tell your discharged soldiers and sailors, who were discharged in Massachusetts, "Before you can be a recipient under the solemn contract which the American Congress made under this war-risk insurance law you have got to go to Kentucky to get it"? They recommended Dawson Springs because it is in the center of the central part of the country where they can go.

Mr. WALSH. Does the gentleman ask me that question?

Mr. KINCHELOE. Oh, well——

Mr. WALSH. You used the singular in speaking of "the gentleman from Massachusetts," and you pointed to me.

Mr. KINCHELOE. Yes; I will ask you that question. I ask you that question: Do you want your discharged boys to go to Kentucky?

Mr. WALSH. If this is going to be the only sanatorium that the Government is going to build; I certainly would.

Mr. KINCHELOE. Mr. Speaker, I do not yield further to the gentleman from Massachusetts.

Mr. WALSH. I thought the gentleman wanted me to answer.

Mr. KINCHELOE. No; I can not tell the gentleman from Massachusetts anything. He knows too much now. [Laughter.]

Mr. WALSH. I am willing to stand a test with the gentleman from Kentucky. [Laughter.]

Mr. KINCHELOE. I would not contest anything with the gentleman.

Now, gentlemen, under the provisions of the general bill that is now pending before the Committee on Public Buildings and Grounds, and I understand the committee met this morning and agreed to establish more of these hospitals in various parts of the United States, these unfortunate boys will not have to leave their homes so far that their relatives can not come to see them and visit them; and in view of the fact that this particular bill has a privileged status, to come in first, while these others will come on later, I say to you, gentlemen, that I will join you, as long as the Bureau of War-Risk Insurance and Public Health Service say it is necessary to appropriate millions of dollars to erect hospitals for these unfortunate boys, in locating them anywhere that will be best in the United States.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. KINCHELOE. Not right now. Now, as to the question of treating all these boys on their return, it is true there will be 30,000 of them, but, according to Gen. Banks's testimony, they will not all be the wards of the Government in this or any other hospital at the same time. They will come and go. For that reason it is believed that if this and the general bill become law, they will be able to take care of the entire 30,000 men by reason of the fact that they will come and go.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. KINCHELOE. So, gentlemen, I ask you, not from the sectional standpoint but for the benefit of these boys, many of whom have given their health and many of them their limbs to the service, that proper provision be made for their treatment as soon as they can get to it. [Applause.]

Mr. SMITH of Michigan. Mr. Chairman, I yield five minutes to the gentleman from Indiana [Mr. WOOD].

The CHAIRMAN. The gentleman from Indiana is recognized for five minutes.

Mr. WOOD of Indiana. Mr. Chairman, if there is a pressing need for this hospital—and I dare say there is—and if there is a pressing need for it in the State of Kentucky—and I dare say there is—it can be gotten more quickly than by building this proposed hospital at Dawson Springs. The climatic conditions at Camp Taylor are practically the same as those that exist at Dawson Springs. They have all the equipment, they have all the buildings, they have elegant drainage, and it is said to be one of the best cantonments in the United States, and it could be rearranged into a hospital for the one-hundredth part of what is proposed as the initial expense to start this institution down at Dawson Springs. [Applause.]

Here is another proposition: They are trying to obtain money here under a false pretense when they say that Dawson Springs is a good place for the treatment of tubercular patients. It is the last place on earth to which a person afflicted with tuberculosis ought to be sent. It is not more than 600 feet above sea level. They want to find a place for the treatment of tubercular patients where they have not only 75 per cent of clear days but where they have 365 days in the year that are sunshiny. You have places of that character that might be easily prepared for the treatment of tuberculosis. Go out to Deming, N. Mex., for instance, for a climate suitable for the treatment of tubercular patients—4,800 feet above the sea, dry air, and splendid climate, with a completed cantonment that could easily be converted into a sanatorium. In the State of Indiana there are two of the finest institutions in the world—one at West Baden and the other at French Lick, not more than a mile away—where they have just as good water as that at Dawson Springs, and not one kind but a dozen kinds of good water.

People go to those sanatoriums for all kinds of diseases, but those who are in charge of the medical staff, both at West Baden and at French Lick, advise their tubercular patients to get away from there as quickly as they can, because the climate there is not favorable to the treatment of tuberculosis. Indeed, I dare say there is not a reputable physician in the State of Kentucky who would advise a patient to go to Dawson Springs for the purpose of receiving treatment for tuberculosis, so that the attempt should not be made to obtain this hospital at Dawson Springs under a false pretense. If it is wanted because of the fact that there is urgent and immediate necessity for it, we should take and locate it where proper hospital facilities can be provided the quickest and with the least possible cost.

There is entirely too much of a tendency, now that we are in the habit of spending money, to take and spend it wherever proposals and offers are made, or to find them where none presents itself. Now that the war is over and the cantonments are being abandoned all over this country, they are proposing to spend $2,500,000 for the purpose of building an 80-mile road at Camp Bragg, down in North Carolina, where there is no necessity for a cantonment and no necessity for a foot of road; and an advertisement is being carried now in the paper which is edited by Josephus Daniels, the Secretary of the Navy, calling for 12,000 men to build these 80 miles of road at an expenditure of $2,500,000.

Gentlemen, there are plenty of places where money can be expended judiciously for the treatment of these young men who are afflicted with tuberculosis. Twice within the last month I have been called upon to get a soldier out of the hospital at Camp Taylor, in the State of Kentucky, a man who was dying from consumption, and when he had been recommended time and time again by the physicians at the base hospital at Camp Taylor for discharge so that his people could take him to Arizona, where he could be treated for the malady from which he was suffering.

Another case, if you please, was at Camp Gordon, where the climatic conditions for tubercular treatment are just as good as they are at Dawson Springs, where there was a young man with one lung almost gone. The physician treating him in the base hospital said he should be taken away from there as quickly as possible to a dry climate in the West, where perchance his life may be saved. It was only after long trials, and not until there was a direct order issued by The Adjutant General that an immediate discharge of this man be had, that it could be done. The gentlemen who are watching these patients who have tubercular troubles do not advise that they be kept in this climate.

They do not advise that they be kept in Camp Taylor, in the State of Kentucky, where the conditions are just as good for the treatment of tuberculosis as they are at Dawson Springs, but they do advise that they be taken away from there at the earliest possible moment and taken to some place where they can receive suitable treatment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMITH of Michigan. I yield five minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Chairman, when the President wrote that famous letter of his 10 days before the election he let down the bars to those who might properly criticize his administration. On the Republican side our lips had been sealed from the beginning of the war, though much legislation had been brought into this House which many of us were inclined to believe was not good legislation. There was extravagance in many of the bills brought in during the war. There may have been graft in some of those bills. Doubtless there was, but the lips of Republicans were sealed from their desire to uphold the hands of the Commander in Chief of the Army and Navy, who sanctioned these measures and said they were necessary for war purposes. But the President invited criticism when he wrote that famous preelection letter and pleaded for a Democratic Congress to uphold his hands. The people responded to his appeal, but not, perhaps, as was expected. They gave notice to the President that they wanted this Congress, made up of their Representatives, to speak their minds upon public questions, and especially upon the question of extravagance in expenditure. [Applause.]

Now Congress has reassembled. We had word from the "throne" yesterday, prior to the departure of the President on his European tour, that we must curtail expenditures, that we must relieve business of the heavy burden of taxes that the war had imposed upon it. Yet to-day, when the President's back is turned, our Democratic friends bring in a measure which proposes to take $1,500,000 and more out of the Treasury to do what? To build a hospital, apart from any comprehensive war-relief scheme, apparently for the benefit of the people of Dawson Springs, and at the rate of $3,000 per bed in that hospital. It seems as if the time had come for gentlemen who are opposed to waste and extravagance to speak out, and that if we are to follow the President's admonition to curtail our expenditures and reduce the taxes he insisted we should impose, this is the place to begin.

Gentlemen cavil about how this question of Dawson Springs arose. I have gone over the hearings and do not observe that the War Department or anybody else, except a mere bureau of the Government, has been very urgent as to the war necessity of this hospital. How did it arise? The eloquent gentleman from Kentucky [Mr. KINCHELOE], acting for certain citizens of Dawson Springs who had anywhere from 1,000 to 10,000 acres of land for which they did not have any special use, admitted in his statement before the committee that having heard that there were rumors that hospitals were to be erected he went to the War-Risk Bureau and suggested that Dawson Springs was a good place. Follow the hearings along and you will find that the bureau chiefs were induced to go to Dawson Springs, and as a result they said, "Yes, Dawson Springs would be a good place. They have fine water at Dawson Springs. They propose to give a thousand acres or more of land to the Government. They have coal in the vicinity, and they have building material near at hand. They have lumber there, and if the Government will spend a million and a half dollars at Dawson Springs we can buy the material and build a hospital."

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. GARRETT of Tennessee. Has the gentleman any suggestion to make as to some other place where we can begin to take care of these tubercular patients?

Mr. MOORE of Pennsylvania. Yes. Unfortunately, I have some knowledge of tuberculosis.

Mr. GARRETT of Tennessee. I mean has the gentleman any suggestion as to any other place?

Mr. MOORE of Pennsylvania. I have never heard that boiling springs or water of peculiar chemical properties or mineral qualities, such as is said to abound at Dawson Springs, has anything to do with the cure of tuberculosis. I think the gentleman from Kentucky [Mr. KINCHELOE] admitted that.

Mr. GARRETT of Tennessee. There is no claim that it has.

Mr. MOORE of Pennsylvania. But he sidestepped that and said it was the intention to build other buildings and to take care of other patients besides those with tuberculosis. Gentlemen, this is the time for us to criticize and, if need be, to stop these extravagant and wasteful appropriations. [Applause.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. SMITH of Michigan. I yield five minutes to the gentleman from Iowa [Mr. GOOD].

Mr. GOOD. Mr. Chairman, the war is over, but the patriots have not ceased their raids upon the Treasury, as is evidenced by this bill. We have a hospital in practically every cantonment in the United States, and we have a good many cantonments. We have a hospital in most every Army camp in the United States. We have added 37 Government-owned hospitals in the United States to take care of the boys who come back and need treatment at a hospital. We have appropriated hundreds of millions of dollars to take care of those boys, as has been instanced by the gentleman from Wyoming [Mr. MONDELL]. We have at West Baden, Ind., 632 beds for these boys and have only been able to find 18 boys to send there so far for treatment. And yet in the face of this you propose now to open the doors of the Treasury and appropriate $1,850,000 to start to build a hospital in Kentucky. If started it will ultimately cost many million of dollars to complete. I anticipate, Mr. Chairman, that there is a little joker in this bill. Let me read you a part of this sentence, which describes the authority: "For the purpose of erecting a sanatorium for the treatment of persons discharged from the military and naval forces of the United States and persons who are now or hereafter may be beneficiaries of the United States Public Health Service." Ah, what you are trying to do here under the guise of patriotism is to get an appropriation of almost $2,000,000 to make this a place, a great gathering place, where the Public Health Service can send its beneficiaries to Dawson Springs. Who are the beneficiaries of the Public Health Service? Has it any real limitations? The Government does not get the springs if this gift is accepted; it gets the mountain side close to the springs, and here will be congregated not our soldiers but the beneficiaries of the Public Health Service, whoever they are.

The gentleman speaks of more than 70 per cent of sunshine at Dawson Springs, Ky. What in the name of common sense will the moonshiners of Kentucky do in that locality if there is going to be 70 per cent of sunshine? [Laughter.]

Mr. Chairman, I have here an advertisement found in the paper of the Secretary of the Navy, Hon. Josephus Daniels, published three days after the armistice was signed, asking for 12,000 additional men to build a new Army cantonment, and I understand this work is still in progress at Fayetteville, N. C. Now, we are asked here to authorize the building of this sanatorium after the war is over and after it has been demonstrated that there is no need of hospitals in the United States at the present time to take care of our boys. In fact, it is shown we have more hospitals and more beds than there is any demand for from the Army.

We will take care of these boys and give them the best hospital treatment obtainable, but let us not try to put through a real estate transaction at this time when the Treasury can ill afford it under the guise of patriotism, under the guise of finding hospital service for boys who have performed a wonderful service over the seas. Do not get pork under the name of patriotism.

The report accompanying the bill states that this place was selected because it was on high ground with good drinking water, and because the land was good and fertile and was in close proximity to coal. All of these things are found in my own State, but I want to say that I do not believe my State is an ideal place in which to found a tuberculosis hospital. Heretofore we have sent tuberculous patients to high altitudes. We send the person afflicted with the dread disease to Arizona, New Mexico, Colorado, or California, but who ever went to Kentucky for a cure for tuberculosis? Only once have I heard of Kentucky offering a cure for tuberculosis and that was in regard to the cure advertised for tuberculous patients at Mammoth Cave. Little stone huts were constructed in the cave, and the scientists treated tuberculous patients for a short time; but after two or three weeks' treatment, when they found these patients were not gaining, they discharged them. When they left the cave and came out in this Kentucky sunshine they all died within 10 days. That is the record of Kentucky as offering a cure for tuberculosis, and I do not want the boys from my State to be forced to go to Kentucky for that kind of treatment. [Applause.]

Mr. SMITH of Michigan. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. LONGWORTH].

Mr. LONGWORTH. Mr. Chairman, in these days of billion-dollar appropriations this bill, which carries the sum of $1,850,000, is not of itself so large as to shock our conscience. And yet gentlemen advocating it say that this is but the beginning of a great scheme for the foundation of tuberculosis hospitals. The gentleman from Kentucky [Mr. CANTRILL] read from an official report where it was said that it was expected that within one year there would be 30,000 tubercular patients for which accommodations must be found. Let us see what sort of a sum we are going to run into before we get through with the program of which they say this bill is but the beginning. This bill provides for an expenditure at the rate of $3,000 per man. They say that is the least that can be properly appropriated. Thirty thousand patients at $3,000 per man amounts to $90,000,000. This, then, is the beginning of a $90,000,000 scheme. Furthermore, gentlemen have said that the purpose of this particular hospital is to accommodate not only tubercular patients but others. You can open the door to every kind of a patient, and who will say that this is not the beginning of a scheme to spend three or four or five hundred million dollars, and that without any serious consideration whatever?

I have nothing against the great State of Kentucky. It is a State neighboring and touching upon mine. I have passed many delightful hours in that great Commonwealth, but it has always struck me that it was a place for men with strong lungs and strong heads, and not for debilitated men with weak lungs. [Laughter.]

Who ever heard of Kentucky as a resort for tubercular patients? They say that this resort in the State of Kentucky is the only place where the people are patriotic enough to offer to give us from 1,000 to 10,000 acres for this purpose. I asked the gentleman residing in the district in which this hospital is to be placed how much that land is worth, and he said he has no idea, whereupon arises in his place the distinguished chairman of the Committee on Public Buildings and Grounds and says the testimony shows that the land is worth somewhere between $10 and $100 an acre. Now, that is very enlightening to this House. It shows the kind of consideration the committee gave this bill. If the reason for going to Dawson Springs is a matter of cost, the best information we can get is that this land is worth somewhere between $10,000 and $1,000,000. That is the asset the Government is going to receive—somewhere between $10,000 and $1,000,000. That is used as an argument to jam through without any real consideration at all an appropriation of $1,850,000, conceded to be the beginning of a scheme which will cost before we are through somewhere possibly as much as a half a billion dollars.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. LONGWORTH. I will.

Mr. GARRETT of Tennessee. Do I understand from the gentleman's argument that he is opposed to making arrangements for the care of the soldiers who have been honorably discharged and who are suffering from disease contracted in the line of duty?

Mr. LONGWORTH. Of course the gentleman is to understand no such thing, and the gentleman does not understand it and can not understand it from a word that I have said by the most extravagant interpretation.

Mr. GARRETT of Tennessee. I wish to be entirely frank with the gentleman. It has been difficult for me to draw any other conclusion from the argument that he has just made, when he says that this is the starting of a scheme to cost $500,000,000. It is my denseness, perhaps, not the lack of the gentleman's clearness.

Mr. LONGWORTH. The gentleman is anything but dense, and I know that the gentleman understood no such thing, because it was not possible for a gentleman with his acumen, exceeded by that of no man in the House, to put such a construction upon my remarks.

Mr. GARRETT of Tennessee. What does the gentleman suggest?

Mr. LONGWORTH. The gentleman suggests that on a matter of such immense importance as this the House should at least be favored with a comprehensive plan, involving as it does the expenditure of millions from the Treasury; and I will say this to the gentleman, that before long the expenditure of the funds of the Treasury will be in the hands and under the control of a party that will see that measures of this kind are not put through in this way. The gentleman will not find that party niggardly, certainly when it comes to the giving of aid and comfort to our soldiers, but he will find that party giving some real consideration to and exercising some sort of supervision over the expenditure of the funds belonging to the people of the United States.

Mr. SMITH of Michigan. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman, of course everyone realizes that some provision must be made for the care of the men who are afflicted with disease as a result of their service in the Army, but everybody ought to realize also that there should be no special favoritism practiced in the establishment of the facilities that are to be used for that purpose. There ought to be a comprehensive plan made by the Public Health Service which provides facilities not only for the 500 men who are proposed to be treated at Dawson Springs but for the other 29,500 men it is indicated will be similarly afflicted. There is no reason why, when we are making preparations for the care of those who have given themselves to the service of the country, we should confine our action to the mere care of 500 men; and there is no reason why we, in any event, should select the point at which they are to be cared for. We should give general authority to the Public Health Service to do the work of caring for these men and permit the Public Health Service to select the points and provide the means. I can not help but reach the conclusion that the corporation which owns these springs and proposes to turn this land over to the Government of the United States is engaged in an advertising scheme that will advance the value of the property which they already own. They say that the condition upon which they will turn this land over to the Government is that the Government shall create a park of the land which it acquires. The cost of creating a park would, no doubt, be enormous, but the value of that part of the land owned by the corporation upon which the springs are situated would be immense and it would advertise the waters owned by the corporation and undoubtedly yield fabulous profits for the money they already have invested there. There could be no better advertising scheme than to turn this land over to the Government of the United States. I admire the gall which they displayed in proposing to give the Government 10,000 acres of land in order that what they already own there outside of the 10,000 acres of land might become immensely valuable.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. GREENE of Vermont. Does it not somehow suggest to the gentleman that it might be an instance similar to a friend giving you an elephant one day and you waking up the next morning to discover that he is in the hay business? [Laughter.]

Mr. MADDEN. It reminds me of the fellow who went out to Denver in the pioneer days and opened a bank. After he had the bank open and had obtained the deposits of all the people that lived in the territory he called a meeting of the creditors and said, "Gentlemen, the bank has failed; the money is gone. There is nothing I have to offer you but myself. You can do with me as you please." One man in the audience said, "Well, when you are cutting him up I want to speak for his gall." [Laughter.]

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. GARRETT of Tennessee. Mr. Chairman, the gentleman is always constructive and always fair. Would he be good enough to tell us just when he would be willing to begin the preparations for taking care of the soldiers who have suffered by reason of that service?

Mr. MADDEN. I think we should have begun before now. I think we should have had preparations made all over the United States, if that has not already been done. I would be opposed and I am opposed to the selection of any particular site by the Congress of the United States through a special act in order that some particular section of the United States may be favored and 500 men suffering from disease may be provided for while all others go unprovided for.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. SMITH of Michigan. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. LAGUARDIA]. [Applause.]

Mr. LAGUARDIA. Mr. Chairman, I want to say this to the gentleman having charge of this measure: Congress need not have so much concern about the American boys that are coming back. The American boys will look after Congress, and don't you forget it. It is rather late now to express all of this concern, and while the committee of merchants of the city of Dawson might have succeeded in putting it over on the distinguished doctor from the insurance department, you can not put it over on the sick boys, suffering with tuberculosis. The gentleman from Tennessee [Mr. GARRETT] asks repeatedly if we have anything in mind to suggest in place of the plan proposed in this bill. Yes; I have something in mind. If you are going to have a tuberculosis sanatorium, put it in a place of sufficient altitude, where climate and surroundings are conducive to improving the condition of the patients—places that are known to be ideal for such purposes.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. LaGUARDIA. No; I refuse to yield—I have not had a word for 15 months. [Laughter.] Do not try an experiment upon our sick soldiers. Try it first on the natives of that district. Establish a little private sanatorium down there for tubercular patients, and if it works out, well and good; but do not try the experiment upon the American soldier. I am not a specialist on tuberculosis, but I do know you need more than good water to cure it.

I shall leave that phase of the question, but I did ask for time for one purpose, and I want to take the first opportunity I have had to express myself—and that is on the freedom of action of this body. If there was any doubt in my mind about this bill, I would have given the benefit of the doubt to the passage of the bill, but I shall refuse to vote for it after having heard the letter of the Secretary of the Treasury. We must serve notice now that we are tired of these departmental edicts, these bureaucratic decrees, and the executive bulls. [Applause on the Republican side.] Gentlemen, I had occasion to preach democracy in Europe; I at least am going to practice the same thing here. [Applause.] Yes; and this side of the House is as much to blame as the other side of the House. Whatever came here, everything that was asked, at the sound of the lash of the whip you passed it. If you wanted to help the American boys, why did you not send aeroplanes and motors when we needed them? Why did you not get the machine guns over when we needed them? Everybody voted for everything if a letter from one of the departments ordered it. We wonder why these new governments that are being created all over Europe adopt a new plan of government, why they do not adopt a representative form of government. Do you blame them if the greatest legislative body in the world, the American Congress, the representatives of the people, absolutely abdicates and sits idly and passively while department chiefs run the legislative branch of the Government? I for one shall use every dilatory tactic I know of every time that a department letter is offered to be read on the floor of this House for the purpose of coercing or forcing through a measure. It is time for the American Congress to get back into its own. It is time to exercise our constitutional duties and control our departments.

Mr. GARRETT of Tennessee. Will the gentleman object to any of the heads of departments testifying before committees?

Mr. LaGUARDIA. Certainly not; and stop there. I would stop there, however.

Mr. GARRETT of Tennessee. I always stop when the gentleman says stop.

Mr. LaGUARDIA. I did not mean it that way, and the gentleman knows that. I would stop after they had testified and the committee decides, with the approval of the House, of course, what is really needed. They should give information—not draft and compel legislation.

Mr. GARRETT of Tennessee. The gentleman objects especially to this particular letter which has been read?

Mr. LaGUARDIA. Absolutely. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CLARK of Florida. Mr. Chairman, I yield five minutes to the gentleman from Tennessee [Mr. AUSTIN].

Mr. AUSTIN. Mr. Chairman, the pending bill was pretty thoroughly considered by the Committee on Public Buildings and Grounds, of which I am a member, and as I understand it comes here with a unanimous report from said committee, or at least without a minority report. The committee based its action upon a very careful hearing of those charged with the responsibility of caring for the maimed and the diseased and those who will be benefited under the provisions of this bill growing out of the world war. I can not imagine why there should be any opposition to so meritorious a measure as the one under consideration. The department of the Government charged with the care and the welfare of the returning soldiers has placed the stamp of its approval and recommended in the strongest possible terms this proposed legislation. It strikes me if we are to have a public-health department, a Surgeon General's department, that those of us who are not versed in medical science, who have not given years of study to questions of this kind, should carefully weigh and consider what they say in reference to legislation touching the welfare, the needs, and requirements of the soldiers when they return home. There can be no question as to the absolute necessity of the American Congress making provision for the care, comfort, and treatment of the countless thousands of soldiers returning from over the sea, where they have won imperishable glory for our beloved country.

Mr. KNUTSON. Will the gentleman yield?

Mr. AUSTIN. In a moment. This is not the only proposition of the kind which will be submitted to us for our consideration and action, because this country was not only wholly unprepared for war but equally unprepared to properly care for those who have borne the burden of winning this great war upon foreign shores. Thousands of returning soldiers who are wounded and maimed and diseased will be cared for in hotels which are rented temporarily for housing them, that are not equipped or constructed with a view to making them modern up-to-date hospitals. But this is only one of many similar measures which will be submitted to the American Congress which will require of us, in the performing of our duty, prompt and favorable action. Now I yield to the gentleman from Minnesota.

Mr. KNUTSON. The gentleman is a member of the Committee on Public Buildings and Grounds, and I wish to ask if in the hearings any consideration was given to the work being done at the Government hospital for tubercular soldiers near Santa Rita, N. Mex.?

Mr. AUSTIN. I think that was perhaps referred to in a general way.

Mr. KNUTSON. A part of that hospital is not used to its full capacity at this time, and it is an ideal situation—pure water, altitude of 4,000 feet, and land can be bought in immediate vicinity at $1 and $1.50 an acre.

Mr. AUSTIN. There will be not only a vital necessity for the full capacity of existing hospital facilities in New Mexico, but a considerable enlargement of the hospital in that State and the construction of many other hospitals in the United States.

Mr. GRAHAM of Illinois. Will the gentleman yield for a question?

Mr. AUSTIN. Yes.

Mr. GRAHAM of Illinois. Does the gentleman think now as a Member of Congress that, in his judgment, it is the right thing to do to fix the location of these various hospitals from time to time by a bill put through Congress fixing the location here and there according to places for which a majority of the Members of this House will vote?

Mr. AUSTIN. This location is virtually fixed, just as though we were to refer the selection to the head of the proper department for an investigation and recommendation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GORDON. Fixed in the discretion of the Surgeon General, is it not?

Mr. AUSTIN. Yes, sir.

Mr. GORDON. Of the Public Health Service?

Mr. AUSTIN. Fixed as the result of an investigation, report, and recommendation from the head of that department, which should not be overlooked or disregarded.

Mr. CLARK of Florida. I want to inquire of the gentleman from Michigan how many more speeches there will be on his side.

Mr. SMITH of Michigan. Mr. Chairman, how does the time stand?

The CHAIRMAN. The gentleman from Michigan [Mr. SMITH] has 5 minutes remaining and the gentleman from Florida [Mr. CLARK] 20.

Mr. SMITH of Michigan. I have only five minutes.

Mr. CLARK of Florida. How many more speeches will you have?

Mr. SMITH of Michigan. I will have only one more.

Mr. CLARK of Florida. I yield five minutes to the gentleman from Alabama [Mr. BURNETT].

Mr. BURNETT. Mr. Chairman, I was rather amused to hear the gentleman from Pennsylvania [Mr. MOORE] talking about the Democrats having brought in this wasteful bill, and yet not so much amused when we all realize and appreciate the fact that the gentleman can not make any speech unless he injects partisan politics into it.

It is not a Democratic bill. Our committee is not a partisan committee, and it never has been. Every member of it that was present agreed to this bill, and the gentleman from Tennessee [Mr. AUSTIN] has had the courage to stand by the report after a full and complete hearing before that committee. I was rather surprised and a little amused that my good friend from Michigan [Mr. SMITH], who is on the committee and who joined in the report, is actually leading the fight and controlling the time against it. You Republicans undertake to play petty politics now. It is not the time, or the place, or the bill, Mr. Chairman, where men should begin to show the cloven foot rejoicing over recent victory. This bill involves the lives of human beings; men who have worn the uniform; men who have incurred disease and affliction in defense of the flag on the other side and on this side, and it seems to me to be an inopportune time, when the lives of men hang in the balance, to talk about saving $1,500,000.

The gentleman from Ohio [Mr. LONGWORTH] talked about this being a good time and a good bill upon which to begin retrenchment. Let us not retrench when we would jeopardize the lives of men who have taken their lives in their hands in defense of the Stars and Stripes. And yet that is the argument of the gentleman from Ohio.

Gentlemen, let us not descend now into petty partisan politics by delaying the passage of this bill, when it may occasion the loss of the lives of some of the boys that incurred these diseases in defense of a cause we believe to be right.

Mr. WALSH. Will the gentleman yield?

Mr. BURNETT. I have only five minutes. I beg the gentleman's pardon. With courtesy and with eminent respect for him, I can not.

Mr. Chairman, this bill was started before the comprehensive scheme for such sanatoriums was worked out. Now, is it to be delayed? The committee was considering that comprehensive scheme this morning and in a very short time will be able to complete it. But after that comprehensive bill is passed, Mr. Chairman and gentlemen, they have got to locate the places all over the country where these sanatoria ought to be placed. Here is one that the eminent, distinguished, and able health officers, whose business and duty it is to investigate these things, have already located and pointed out as an ideal location, one of the best throughout the country, as these physicians say.

Mr. Chairman, are we going to delay the passage of this bill in order that a comprehensive scheme may be worked out, in order that the representatives of the Health Bureau and the War-Risk Bureau may go all over the country for the purpose of selecting places, when some woman's boy may forfeit his life because we have not such a place?

The hospitals at cantonments, I understand, are for soldiers in service. This sanatorium is intended for discharged soldiers and sailors. These gentlemen who made the investigation stated very cogent reasons why this place ought to be selected. The strongest argument the gentleman from New York [Mr. LaGUARDIA] has made against it is that the Secretary of the Treasury has written a letter down here urging it. Shame upon such an argument as that! From time immemorial the Committee on Public Buildings and Grounds, under the chairmanship of Republicans as well as Democrats, has been accustomed to elicit from the Treasury Department and from the different departments all the information it could gain. One of the first things that is done is to refer a bill to the Treasury Department in order that just such a letter as that of which the gentleman complains, with information and instruction, may be sent to us. And if we had come here without that letter one of the first objections of leaders on the Republican side would have been that we had not received any letter or information from the Treasury Department in regard to it. We have followed the custom. It has been so for years and years, Mr. Chairman, and I think it is a good one, because certainly I am willing, for my part, to receive light from any source. While I was on the minority of that committee—and I served for years on it before the Democrats got control of the House—nobody raised the question, nobody thought about raising the question, that the Secretary of the Treasury or that the head of any department had advised us or instructed us in regard to bills.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. BURNETT. Mr. Chairman, I would like to have three minutes more.

Mr. CLARK of Florida. I yield three minutes more to the gentleman.

Mr. BURNETT. Mr. Chairman, I want to read from the testimony of Dr. Banks. He is certainly an eminent man in his profession. He is selected by the War-Risk Bureau for that particular line. He says:

> We have a great many of the organic diseases like Bright's disease coming out of the Army, and rheumatic affections, and the water there at Dawson Springs, Ky., is practically the same as the Carlsbad water in Bohemia; is very efficacious as a steady drink in cases of that kind.

The idea of these professional gentlemen was that on account of the rolling character of the land, on account of the interior character, on account of the surroundings there, it was especially adapted to the treatment of tuberculous cases, and on account of the efficacy of the water it was especially adapted to cases of kidney trouble and other diseases where water of that kind would be beneficial. Therefore, for those combined purposes and in order that the matter might be expedited, this bill was reported. The gentleman from Kentucky [Mr. KINCHELOE] showed his desire to expedite the bill and made an effort to that end, but it was objected to by some gentleman on the other side when it was asked two months ago to have unanimous consent for the purpose of then getting consideration of the measure. If consideration had then been given to it, it would have been, no doubt, quickly passed at the other end of the Capitol, and by to-day we could have been at work in constructing these buildings and preparing this ground for that purpose, and perhaps have had some of the buildings completed in a very short period of time.

Dr. Banks goes on and says:

> I visited Dawson Springs at the suggestion of the Director of the War-Risk Insurance Bureau when an offer of land was made to the bureau for building purposes. I think the War Risk Insurance Bureau has no authority to build, yet I went there for the purpose of making a recommendation, if it appeared to be a suitable place, to the Surgeon General of the Public Health Service, whose hospitals the War-Risk Bureau now utilize for the treatment of our patients. There has been offered to us a very desirable tract of land situated on high ground, on a plateau between two lakes or a continuous lake which circles around in the shape of a bowl. The water facilities there—that is, the ordinary drinking water, aside from the special spring—are excellent, and it is good farming land, suitable for the grazing of a herd of cattle, which would be necessary for a tuberculosis sanatorium.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. CLARK of Florida. Mr. Chairman, I yield to the gentleman one minute more.

The CHAIRMAN. The gentleman from Alabama is recognized for one minute more.

Mr. BURNETT. Dr. Banks proceeds to say:

> There is also coal very close by, possibly on the ground itself, or at least within a mile or two or a few miles of the place, so that the question of fuel would be reduced to a minimum as far as cost goes, because there is bituminous coal in that region.

He gives cogent reasons why this place has been selected and why it is especially adapted to the purposes of a sanatorium of this kind.

Gentlemen, are you ready now in your places to assume the responsibility of playing politics and defeating this measure, and perhaps in that way causing the death of men who might be healed by the expediting of this work? I hope no gentleman will vote against this bill, and especially, Mr. Chairman, I should be ashamed of any member of the Committee on Public Buildings and Grounds who would vote against this bill, when we had the unanimous report from that committee. [Applause.]

The CHAIRMAN. The Chair made a statement a little while ago, when the inquiry was made as to the time. An error was made then. I find that the gentleman from Michigan [Mr. SMITH] has remaining 10 minutes instead of 5 minutes.

Mr. CLARK of Florida. Will the gentleman from Michigan use his time? We have but one speech more on this side.

Mr. SMITH of Michigan. I yield five minutes to the gentleman from Iowa [Mr. GREEN].

The CHAIRMAN. The gentleman from Iowa is recognized for five minutes.

Mr. GREEN of Iowa. Mr. Chairman, I expected that when an effort was made on this side to perform our duty in an orderly manner and prevent waste of money there would be a charge that we were indulging in partisan politics, but I hardly expected that it would come from my friend from Alabama [Mr. BURNETT]. This side of the House and the Republican Party have always been first to care for the soldiers properly. They are also the first to see to it that the moneys appropriated are expended in such a way as will effectuate this purpose. That is what we want done in this case. The gentleman from Alabama says the Members on this side are unwilling even to make a beginning. The gentleman is mistaken. The Members on this side are willing to make a beginning, but we want to begin right. We do not want to begin to take care of tuberculous patients in a State and climate that are not fitted for that character of work. The gentleman says that even at this time there may be some soldiers suffering for want of care and that delay is being interposed in this proceeding by the action of this side. If gentlemen on the other side wanted immediate action taken, why have they not introduced a resolution which would enable the War Department to use the sanatoriums of that department for tuberculosis? They are already constructed, but they are not being used to their full capacity, like the one to which the gentleman from Minnesota [Mr. KNUTSON] referred a moment ago, and they are located in a salubrious climate, in places where they could really do some good. This is the place where soldiers in immediate need of attention should be taken. It is said that this bill has been pending for some time and that no provision has been made for treating discharged soldiers suffering from tuberculosis. True, but gentlemen on the other side are all the more to blame for the situation. A resolution opening our partially used hospitals, hospitals constructed for the express purpose of treating tuberculosis in the Regular Army, would have passed this House long ago and upon this side by unanimous consent. But it would have taken no money from

the Treasury, and they have never introduced any resolution of that kind.

We have buildings all over the country devoted to the soldiers, not used to half of their capacity, and yet they want to construct more in a place that is entirely unsuitable for the purpose. The gentleman [illegible] calls the testimony of the doctor, and what does it show? It shows that down there at this place in Kentucky they have some sunshine most of the time, that it is up on a "high plateau," that it is even so much as 600 feet high, that they have some water there that the people of Kentucky do not want to use, and that they are perfectly willing that other people should have, as it is very good for treating certain diseases, but not of any use for treating a tuberculosis patient. And, wonder of wonders, it has some woods near it, some timber, also actually has a place where you can pasture cows; and all of these things show that this is an ideal place, so gentlemen say, for the treatment of tuberculosis patients. What could be more preposterous or ridiculous? There is no single thing about the place that adapts it for the treatment of tuberculosis patients, and there is not a thing to show that the committee took any testimony to find out whether there were other places adapted for that purpose. Not a moment did they spend on that. They did not inquire as to where the best places were to locate such an asylum. Apparently they did not care. Kentucky wanted this. It wanted this $1,860,000, and they propose to expend this sum in constructing a building down there, adorning the grounds, and improving the location and making a great resort in Kentucky where they could pasture cows and where the sun shines "70 per cent of the time." Why, they could have gone to Arizona and found a place where the hotel people are willing to let any man have his board free on any day that the sun does not shine! Yet they talk about this being a place for tuberculosis patients. One gentleman says, "Why does the gentleman from Iowa object to it?" I object to it because the people in my State do not want their boys sent there. I would not want my boy sent there if he was suffering from tuberculosis, and I do not want the other soldiers sent there. It is not a proper place for that purpose. I want them sent where there is at least some chance of improvement, if not a possibility of a cure, and I do not want the money of the people wasted on this project. [Applause on the Republican side.]

Mr. SMITH of Michigan. I yield three minutes to the gentleman from California [Mr. OSBORNE].

Mr. OSBORNE. Mr. Chairman, if this bill had come to a vote upon its passage during the last session I should certainly have voted for it, as I did for every proposition that came before the House which seemed on its face to be of value in carrying on the war or in carrying on any of its incidental activities. But the change that has taken place is very great. We are no longer confronted with the exigencies of war, which sometimes require action without careful consideration, for fear we may make a mistake by withholding some necessary or desirable war agency. I feel now, however, that conditions are so different that I doubt whether I shall vote for this bill.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. OSBORNE. I have very little time.

Mr. GARRETT of Tennessee. Does the gentleman mean that political conditions or physical conditions have changed?

Mr. OSBORNE. I mean that we have changed from the condition of war to the condition of peace.

Mr. GARRETT of Tennessee. But we still have tubercular patients to be treated.

Mr. OSBORNE. I do not refer to political conditions at all. I have shown no disposition to introduce politics in this House since I have been a Member.

Mr. GARRETT of Tennessee. I merely wanted to inquire what particular conditions the gentleman meant had changed. We still have 14,000 tubercular patients to take care of, have we not?

Mr. OSBORNE. I meant the change of conditions from war to peace.

Mr. Chairman, there are a great number of cantonments in this country, with many hospitals already constructed. There is in the State of California, at Camp Kearney, for instance, a magnificent hospital. People have been brought there from Kentucky and Tennessee whose tubercular condition has been greatly ameliorated, and if they stay there long enough I think they stand a good chance of getting well. I believe consideration should be given to those numerous cantonment properties which now belong to the United States, in connection with which there have been fitted up splendid hospitals for soldiers, and which otherwise will be abandoned, instead of now going into new projects calling for large additional expenditure on the part of the Government. I therefore shall not vote for this bill.

Mr. SMITH of Michigan. Mr. Chairman, I think I have only two minutes left. In those two minutes I want to say that a question seems to have been raised because I voted in the Committee on Public Buildings and Grounds last September to report out this bill. I have now voted against this rule and voted against going into Committee of the Whole to consider the bill. It is true that I voted in the committee to report out this bill, but I have yet to learn that if a man votes to report out a bill he is bound to support that bill when it comes up on the floor of the House.

Now, if the war had continued I would be in favor of this bill for the same reason as that stated by the gentleman from California [Mr. OSBORNE], who has just spoken. But now the war is over. In my district, I think, is located the largest sanitarium in the United States, with patients from the world over. In that district there is a cantonment, capable of taking care of 35,000 soldiers, connected with a splendid hospital. A soldier suffering from tuberculosis wants fresh air and exercise. Convalescent patients do not want to be brought in contact with soldiers suffering from contagious diseases. There is room in this city of Washington for thousands of convalescent soldiers, and there are buildings already constructed all over the country that could be used for this purpose. We had already made great preparation for the wounded and disabled soldiers by equipping and constructing a large number of hospitals and why not use these we now have standing idle and empty before constructing others at $1,500,000 each? We will soon be asked to buy billions of liberty bonds and raise billions by taxation to pay for and maintain the hospitals already built and standing empty. Under this bill they want us to take 10,000 acres of land for park purposes. They do not say they will use that land for the purposes of this hospital, but they say if you will devote it to park purposes and make a park of it, a Government reservation, and maintain it at large governmental expense, then they will give this land, otherwise not. But because of the very great facilities we already have in the United States for taking care of these patients it seems to me the bill is inopportune. It seems to me that it would be better policy to use the cantonments for convalescing patients than tear them down.

Mr. CLARK of Florida. Mr. Chairman, I am not going to take all the time I have left at my disposal; but there are one or two matters I would like to refer to for a moment. I shall do it by referring to what some of these gentlemen have said. The gentleman from Ohio [Mr. LONGWORTH] seems to be very much amused at land selling for $10 to $100. The gentleman lives in Cincinnati, and I doubt if he knows very much about the value of land in the country. Here is a tract of 1,000 to 10,000 acres of land proposed to be donated for governmental purposes. The proposition is that they will donate anywhere from 1,000 to 10,000 acres, whatever amount may be necessary. When asked by the committee what the land was valued at gentlemen there conversant with the situation stated that it was worth from $10 to $100 an acre. The land on the hills was worth about $10 an acre and the land in the valley was worth about $100 an acre. There is nothing very remarkable about that, and it is about as near a correct judgment as any man who knows anything about estimating the value of land can give when considering property of that kind.

Mr. Chairman, there has been so much misstatement about this matter, there has been so much of error, that it is hard to keep up with it. What is the situation? This is the first time in my 14 years of service in this House that I have seen a report from the Committee on Public Buildings and Grounds, which has never been a political committee, being made the means of involving the House in a political fight. It will be remembered that there was an effort made to pass this bill in the last session of Congress before adjournment, and it went out then because a Republican Member of the House made the point of no quorum. We have found that the Republicans have been fighting this bill from that good hour to this. For what purpose? What is the reason of it? Why should the Republican Party in this House line up almost to a man against a bill intended to alleviate human suffering, the ills of the boys who have gone to the front? You can not escape it; that is the position you are in. There is absolutely no possible escape from it.

Gentlemen ask, Why do you not put them in the hospitals that the Government already has—37 hospitals it has been said that we now own? I do not know how many we do own, but I know the testimony of Col. Banks shows that these hospitals are all being used by the men in the active service of the Army and Navy and are not open to men such as we propose to take care of in this bill. Here is what he says:

There are only two classes of hospitals now to which we can send these discharged soldiers and sailors, the hospitals known as Public Health Service hospitals and the Indian medical service, because the Army and Navy hospitals are not open for the treatment of civilians.

He says further that they are entirely occupied in the treatment of men connected with the active service in the war. And yet gentlemen stand here and quibble and say, Why do you not send them to the hospitals already established? The testimony of the medical officers of the Government is to the effect that under the law they can not be sent there, and the further fact that they are already occupied fully by these men in the active service.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. CLARK of Florida. Let me get through, and then I will. My friend from Massachusetts said that the law did not require the building of these hospitals. Here is what the law says, and I quote it from the report:

The war-risk insurance act provides that all discharged soldiers and sailors shall be treated in the Government hospitals, or, as the language of the act is, "shall be furnished governmental hospital, medical, and surgical service."

There is the contract which the Congress of the United States made with these men when they went into the service of their country, that they should be furnished with "hospital, medical, and surgical service," and yet the gentleman says that the law does not require it.

Mr. Chairman, I want to call your attention to one or two more things. My friend from Indiana [Mr. WOOD] said that Dawson Springs was the worst place on earth to send tuberculous patients. I looked at him and wondered if it were true that Col. Banks and Dr. Stimson, assistant to Gen. Blue, knew absolutely nothing about tubercular treatment. As I gazed upon him I wondered, "and still the wonder grew that one small head could carry all he knew."

These gentlemen know nothing about it—Dr. Banks, an eminent physician, and Dr. Stimson, for years eminent in the Public Health Service—and yet it remains for the gentleman from Indiana to discover that although these gentlemen went down and examined the location and made the request of Congress that this place be selected, they knew nothing about it, but he knew it all.

There is one other point that I desire to call to the attention of the House in this record. There are 14,000 of these men now, and the testimony is that there will probably be, in the years 1918 and 1919, 34,000 more, but all of these will not seek hospital treatment. The Public Health Service thought probably 75 per cent, or some 26,000 of them, would seek it.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. CLARK of Florida. In a moment. I want to say further with respect to the cost of the hospital that Mr. Perry, the architect in the Public Health Service, testified before the committee that under existing conditions, under the high war prices, it would cost, in his judgment, at least $3,000 a bed to build an up-to-date modern hospital with all the modern appliances and appurtenances which belong to it. He said that under normal times they figured they could construct such a hospital for about $2,000 a bed, but that includes every building that belongs to it. That includes all of the furniture and everything else on the ground. They figure it by the bed. That is the way that they get at the cost of the entire structure. I yield to the gentleman from Iowa.

Mr. GOOD. The estimate with regard to the hospital facilities that would be necessary next year was made about 60 days ago, was it not, or longer, and was based on our continuing in the war?

Mr. CLARK of Florida. Yes; but we have still got 14,000 of these tubercular men now asking that they be taken care of. We had 14,000 two months ago, about the 18th of September. Those men have not been provided for and others have come on since. But my friend from Iowa goes out of his way to attack the Secretary of the Navy. He says that three days after the armistice was signed there was an advertisement in Josephus Daniels's paper calling for 12,000 men to finish or to build some cantonment at Fayetteville, N. C., or some other place.

That advertisement had probably been running for some time. The gentleman will not say that that was the first insertion of it, and he will not say that the Secretary of the Navy sent it out after the armistice was signed. If he did, I guarantee that he had good reasons for it, because I want to say that of all the men engaged in this great war, of all the men in the different departments, when the history of the war shall come to be written in the future, the faithful and impartial and unpolitical historian will write the name of Josephus Daniels high in the temple of fame. [Applause.]

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. CLARK of Florida. Yes.

Mr. GOOD. I will say that the information that I received was contained in a letter written from North Carolina, in which the writer says:

With the war over——

Mr. CLARK of Florida. Oh, I did not yield for that.

Mr. GOOD—

With the war over, why all this waste——

Mr. CLARK of Florida. Mr. Chairman, I yielded for a question. The gentleman has not asked a question, but he proceeded to read a letter from some politician in North Carolina.

Mr. GOOD. He is not a politician, he is a manufacturer.

Mr. CLARK of Florida. When you get down to this whole proposition it is simply this: The department asks for this building, and my little friend from New York [Mr. LAGUARDIA], who has been over fighting on the other side, tells us what the boys are going to do when they get back. Mr. Chairman, I want some of the crippled boys we are trying to take care of, some of the fellows who got hit, some of the fellows that can give some evidence that they were where shot and shell were flying, to come back and tell me what they want us to do.

Mr. GOOD. You will not find any of them among the Members of the Democratic side of the House who left here to go over and fight.

The CHAIRMAN. The time of the gentleman from Florida has expired. All time has expired.

Mr. CLARK of Florida. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FOSTER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12917 and had come to no resolution thereon.

CALENDAR WEDNESDAY.

Mr. KITCHIN. Mr. Speaker, I am going to ask unanimous consent to dispense with business in order to-morrow, Calendar Wednesday, so that we can continue with the consideration of this bill. If that be agreed to, I will state that it is my intention to ask, when we adjourn to-morrow night, to adjourn until Saturday.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to do away with the business in order on to-morrow, Calendar Wednesday.

Mr. BURNETT. Mr. Speaker, may I ask the gentleman if we could not have Thursday on the Private Calendar or something else that is ready, without losing that day? We have got a lot of business on the Private Calendar.

Mr. KITCHIN. We would have to get unanimous consent for that. I am trying to get unanimous consent to do away with Calendar Wednesday to-morrow.

Mr. BURNETT. I do not think we ought to waste the day when we have a calendar here that ought to be disposed of. I do not object to dispensing with Calendar Wednesday, but I am talking about the adjournment over Thursday.

Mr. KITCHIN. I appended that to my remarks on the ground I have conferred with some of the Members who would probably object to dispensing with Calendar Wednesday unless it was in conjunction with unanimous consent to adjourn until Saturday after finishing this bill. I ask unanimous consent, Mr. Speaker, that the business on Calendar Wednesday, to-morrow, be dispensed with.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the business on Calendar Wednesday for to-morrow be dispensed with. Is there objection? [After a pause.] The Chair hears none.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 4 minutes) the House adjourned until to-morrow, Wednesday, December 4, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior submitting a supplemental estimate of appropriation required by the department for the fiscal year 1920 (H. Doc. No. 1461); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Navy submitting a supplemental estimate of appropriation required by the Navy Department for gathering the naval records of the war with the central powers of Europe (H. Doc. No. 1462); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication from the United States Employees'

Compensation Commission submitting a supplemental estimate of appropriation required by the commission for the fiscal year 1919 (H. Doc. No. 1463); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Attorney General submitting a supplemental estimate of appropriation required by the Department of Justice for the fiscal year 1920 (H. Doc. No. 1464); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Comptroller of the Treasury submitting a proposed paragraph of legislation relating to auditing accounts abroad (H. Doc. No. 1465); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of Agriculture submitting a supplemental estimate of appropriation for increases in salaries of officers and employees of the Department of Agriculture for the fiscal year 1920 (H. Doc. No. 1466); to the Committee on Agriculture and ordered to be printed.

7. A letter from the Secretary of the Treasury, transmitting copy of a communication from the chairman of the United States Tariff Commission submitting a supplemental estimate of appropriation required by the commission for the fiscal year 1919 (H. Doc. No. 1467); to the Committee on Appropriations and ordered to be printed.

8. A letter from the Superintendent of the Library Building and Grounds, transmitting statement required by section 6, legislative act of July 3, 1918, regarding increased compensation paid employees under this office (H. Doc. No. 1468); to the Committee on Appropriations and ordered to be printed.

9. A letter from the Assistant Secretary of the Department of Labor, transmitting statement in relation to increased rates of compensation to employees of the Department of Labor, required by section 6 of the legislative act approved July 3, 1918 (H. Doc. No. 1469); to the Committee on Appropriations and ordered to be printed.

10. A letter from the Superintendent of the Library Building and Grounds, transmitting information regarding purchases of typewriting machines and exchanges made in part payment thereof by Library of Congress during the fiscal year 1918 (H. Doc. No. 1470); to the Committee on Appropriations and ordered to be printed.

11. A letter from the Secretary of the Treasury, transmitting report relating to purchase and exchange of typewriters and other similar labor-saving devices during the fiscal year ended June 30, 1918 (H. Doc. No. 1471); to the Committee on Appropriations and ordered to be printed.

12. A letter from the Secretary of the Treasury, transmitting report of the contingent expenses of the Treasury Department for the fiscal year ended June 30, 1918 (H. Doc. No. 1472); to the Committee on Expenditures in the Treasury Department and ordered to be printed.

13. A letter from the Postmaster General, transmitting statement showing the per annum salary of employees at each censorship station, for the censorship of foreign mails, as of November 30, 1918 (H. Doc. No. 1473); to the Committee on Expenditures in the Post Office Department and ordered to be printed.

14. A letter from the Assistant Secretary of Labor, transmitting detailed statement of expenditures from appropriations "Contingent expenses Department of Labor, 1916," for the period from November 18, 1917, to November 7, 1918; "Contingent expenses, Department of Labor, 1917," for the period from November 18, 1917, to November 7, 1918; and "Contingent expenses, Department of Labor, 1918," for the period from July 1, 1917, to November 7, 1918 (H. Doc. No. 1474); to the Committee on Expenditures in the Department of Labor, and ordered to be printed.

15. A letter from the Assistant Secretary of Labor, transmitting statement of travel performed during the fiscal year ended June 30, 1918, by officers and employees of the Department of Labor, on official business to points outside of the District of Columbia (H. Doc. No. 1475); to the Committee on Expenditures in the Department of Labor and ordered to be printed.

16. A letter from the Secretary of the Treasury, transmitting statement of officers and employees of various bureaus of the Treasury Department, who traveled on official business to points outside of the District of Columbia, fiscal year ended June 30, 1918 (H. Doc. No. 1476); to the Committee on Expenditures in the Treasury Department and ordered to be printed.

17. A letter from the Secretary of Agriculture, transmitting statement of number of persons employed in meat-inspection service, their duties, places of employment, and contingent expenses, fiscal year ended June 30, 1918 (H. Doc. No. 1477); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

18. A letter from the Secretary of War, transmitting statement number employees Washington office, Panama Canal, receiving increased compensation at the rate of $120 per annum, etc., during first four months of the present fiscal year (H. Doc. No. 1478); to the Committee on Appropriations and ordered to be printed.

19. A letter from the Librarian of Congress, transmitting statement average number of employees in the Library of Congress proper (including Copyright Office) receiving the increased compensation at the rate of $120 per annum for first four months of fiscal year 1919 (H. Doc. No. 1479); to the Committee on Appropriations and ordered to be printed.

20. A letter from the Chairman of the Federal Trade Commission, transmitting special report dealing with the subject of resale price maintenance (H. Doc. No. 1480); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

21. A letter from the Secretary of the Treasury, transmitting statement of expenditures under appropriations on account of first, second, third, and fourth liberty loan and war-savings certificates to October 31, 1918, and expenditures in the purchase of obligations of foreign Governments to November 15, 1918 (H. Doc. No. 1481); to the Committee on Expenditures in the Treasury Department and ordered to be printed.

22. A letter from the Secretary of the Treasury, transmitting estimates of appropriations for defraying the expenses of collecting the revenue from customs for the fiscal year ending June 30, 1920 (H. Doc. No. 1482); to the Committee on Appropriations and ordered to be printed.

23. A letter from the Superintendent of the United States Botanic Gardens, transmitting statement required by section 6, legislative act of July 3, 1918, regarding increased compensation paid employees under this office (H. Doc. No. 1483); to the Committee on Appropriations and ordered to be printed.

24. A letter from the Secretary of the Treasury, transmitting estimate of appropriation for consideration in connection with the next deficiency bill (H. Doc. No. 1484); to the Committee on Appropriations and ordered to be printed.

25. A letter from the chairman of Capital Issues Committee, transmitting report of Capital Issues Committee (H. Doc. No. 1485); to the Committee on Ways and Means and ordered to be printed.

26. A letter from the Secretary of the Interior, transmitting a detailed report of the expenditures made in per capita payments to the Apache, Kiowa, and Comanche Indians during the fiscal year ended June 30, 1918 (H. Doc. No. 1486); to the Committee on Indian Affairs and ordered to be printed.

27. A letter from the Secretary of the Interior, transmitting a detailed report of the expenditures made from tribal funds of the Confederated Bands of Utes during the fiscal year ended June 30, 1918 (H. Doc. No. 1487); to the Committee on Indian Affairs and ordered to be printed.

28. A letter from the Secretary of the Interior, transmitting a statement of expenditures from the tribal funds of the Blackfeet Indians of Montana for the fiscal year ended June 30, 1918 (H. Doc. No. 1488); to the Committee on Indian Affairs and ordered to be printed.

29. A letter from the Secretary of the Interior, transmitting a report of expenditures made for the purchase of cattle for the benefit of Indians on the Standing Rock Reservation in North Dakota and South Dakota for the fiscal year ended June 30, 1918 (H. Doc. No. 1489); to the Committee on Indian Affairs and ordered to be printed.

30. A letter from the Secretary of the Interior, transmitting statement of the fiscal affairs of all Indian tribes for whose benefit expenditures from the public or tribal funds were made during the fiscal year ended June 30, 1918 (H. Doc. No. 1490); to the Committee on Indian Affairs and ordered to be printed.

31. A letter from the United States Court of Claims, transmitting judgment rendered by the Court of Claims for the year ended November 30, 1918 (H. Doc. No. 1491); to the Committee on Claims and ordered to be printed.

32. A letter from the Secretary of the Interior, transmitting a report for the fiscal year 1918 (H. Doc. No. 1492); to the Committee on Indian Affairs and ordered to be printed.

33. A letter from the Secretary of the Interior, transmitting a detailed statement of expenditures from the tribal funds of the Chippewa Indians, of Minnesota, for the fiscal year ended June 30, 1918 (H. Doc. No. 1493); to the Committee on Indian Affairs and ordered to be printed.

34. A letter from the Secretary of the Interior, transmitting tables showing the cost and other data with respect to Indian irrigation projects as compiled to the end of the fiscal year 1918 (H. Doc. No. 1494); to the Committee on Indian Affairs and ordered to be printed.

35. A letter from the Secretary of War, transmitting report of the National Reservation Commission for the fiscal year ended June 30, 1918 (H. Doc. No. 1495); to the Committee on Agriculture and ordered to be printed.

36. A letter from the Secretary of War, transmitting statement showing by bureaus and offices the number and designation the persons employed temporarily in the War Department (H. Doc. No. 1496); to the Committee on Appropriations and ordered to be printed.

37. A letter from the Secretary of the Treasury, transmitting statement of expenditures in the office of the Auditor of the War Department, the office of the Auditor of the Navy Department, and the offices of the assistant treasurers at New York, San Francisco, and New Orleans (H. Doc. No. 1497); to the Committee on Expenditures in the Treasury Department and ordered to be printed.

38. A letter from the Secretary of the Interior, transmitting a statement of receipts from rentals, extension of Capitol Grounds, for the period December 1, 1917, to October 31, 1918 (H. Doc. 1498); to the Committee on Appropriations and ordered to be printed.

39. A letter from the Superintendent of the Library Buildings and Grounds, transmitting information relative to travel in connection with official business during the fiscal year 1918 (H. Doc. No. 1499); to the Committee on Appropriations and ordered to be printed.

40. A letter from the Secretary of the Interior, transmitting a report of all moneys collected and deposited during the fiscal year ended June 30, 1918, under the appropriation "Determining heirs of deceased Indian allottees, 1918" (H. Doc. No. 1500); to the Committee on Indian Affairs and ordered to be printed.

41. A letter from the Secretary of the Interior, transmitting a statement of expenditures on account of the Indian Service for the fiscal year ended June 30, 1918 (H. Doc. 1501); to the Committee on Expenditures in the Department of the Interior and ordered to be printed.

42. A letter from the Secretary of the Interior, transmitting a report for the fiscal year ended June 30, 1918, relating to the appropriation "Indian schools, support, 1918" (H. Doc. No. 1502); to the Committee on Indian Affairs and ordered to be printed.

43. A letter from the Secretary of the Interior, transmitting a detailed report of the expenditures made for the purpose of encouraging industry among the Indians of the various reservations during the fiscal year ended June 30, 1918 (H. Doc. No. 1503); to the Committee on Indian Affairs and ordered to be printed.

44. A letter from the Secretary of the Interior, transmitting a detailed report of the expenditures made for the purchase of cattle for the Northern Cheyenne Indians on the Tongue River Reservation, Mont., for the fiscal year ended June 30, 1918 (H. Doc. No. 1504); to the Committee on Indian Affairs and ordered to be printed.

45. A letter from the Secretary of the Interior, transmitting a report of expenditures from the permanent fund of the Sioux Indians during the fiscal year ended June 30, 1918 (H. Doc. No. 1505); to the Committee on Indian Affairs and ordered to be printed.

46. A letter from the Secretary of the Interior, transmitting a report showing the diversion of appropriations for the pay of specified employees in the Indian Service for the fiscal year ended June 30, 1918 (H. Doc. No. 1506); to the Committee on Indian Affairs and ordered to be printed.

47. A letter from the Secretary of the Interior, transmitting a detailed report of expenditures made for the purpose of encouraging industry and support among the Indians on the Tongur Reservation, Mont., during the fiscal year ended June 30, 1918 (H. Doc. No. 1507); to the Committee on Indian Affairs and ordered to be printed.

48. A letter from the Secretary of the Interior, transmitting a statement of the cost of all survey and allotment work on Indian reservations for the fiscal year ended June 30, 1918 (H. Doc. No. 1508); to the Committee on Indian Affairs and ordered to be printed.

49. A letter from the Secretary of the Interior, transmitting a statement of the expenditures for the fiscal year ended June 30, 1918, of money carried on the books of this department under the caption, "Indian moneys, proceeds of labor" (H. Doc. No. 1509); to the Committee on Indian Affairs and ordered to be printed.

50. A letter from the Secretary of the Interior, transmitting a detailed report of the expenditures made for the purpose of encouraging industry among the Indians of the various reservations during the fiscal year ended June 30, 1918 (H. Doc. No. 1510); to the Committee on Indian Affairs and ordered to be printed.

51. A letter from the Superintendent of the Botanic Gardens, transmitting information relative to travel from Washington, D. C., in connection with official business during the fiscal year 1918 (H. Doc. No. 1511); to the Committee on Appropriations and ordered to be printed.

52. A letter from the Secretary of War, transmitting statements of expenditures, increase of compensation for the first four months of the fiscal year 1919 (H. Doc. No. 1512); to the Committee on Appropriations and ordered to be printed.

53. A letter from the Secretary of the Treasury, transmitting report with respect to the operations of the War Finance Corporation (H. Doc. No. 1513); to the Committee on Ways and Means and ordered to be printed.

54. A letter from the Secretary of War, transmitting a report showing sales of war supplies, material, lands, factories, or buildings and equipment by each of the several bureaus and departments of the War Department (H. Doc. No. 1514); to the Committee on Military Affairs and ordered to be printed.

55. A letter from the Secretary of the Interior, transmitting financial report of St. Elizabeths Hospital for the Insane (H. Doc. No. 1515); to the Committee on Expenditures in the Interior Department and ordered to be printed.

56. A letter from the Secretary of the Interior, transmitting detailed statement of receipts and expenditures on account of pay patients at Freedmen's Hospital for the fiscal year ended June 30, 1918 (H. Doc. No. 1516); to the Committee on Expenditures in the Interior Department and ordered to be printed.

57. A letter from the Secretary of the Interior, transmitting report that no diversions or expenditures were made from appropriations for purchase of subsistence for the several Indian tribes during the fiscal year ended June 30, 1918 (H. Doc. No. 1517); to the Committee on Indian Affairs and ordered to be printed.

58. A letter from the Secretary of the Interior, transmitting detailed statement of expenditures for professional and other services at Freedmen's Hospital for the fiscal year ended June 30, 1918 (H. Doc. No. 1518); to the Committee on Expenditures in the Interior Department and ordered to be printed.

59. A letter from the Secretary of the Interior, transmitting report showing proceeds from sale of supplies and obsolete material and equipment and collections from townsite assessments for the fiscal year ended June 30, 1918 (H. Doc. No. 1519); to the Committee on Appropriations and ordered to be printed.

60. A letter from the Secretary of Agriculture, transmitting report showing condition and character of papers not needed in the transaction of business and the amount of proceeds from the sale of such papers deemed useless (H. Doc. No. 1520); to the Committee on Disposition of Useless Executive Papers and ordered to be printed.

61. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report showing status of water terminals at cities and towns along the Ohio River between Pittsburgh and Cairo (H. Doc. No. 1521); to the Committee on Rivers and Harbors and ordered to be printed with illustrations.

62. A letter from the Secretary of the Interior, transmitting report that there have been no hostilities by any tribe of Indians with which the United States has treaty stipulations during the year 1918 (H. Doc. No. 1522); to the Committee on Indian Affairs and ordered to be printed.

63. A letter from the Secretary of the Interior, transmitting report of disbursements for the fiscal year ending June 30, 1919, under acts of Congress, for the endowment and support of colleges of agriculture and mechanic arts (H. Doc. No. 1523); to the Committee on Agriculture and ordered to be printed.

64. A letter from the Secretary of the Interior, transmitting report that no expenditures were made during the fiscal year ended June 30, 1918, for construction of hospitals from the appropriation "Relieving distress and prevention of disease among Indians" (H. Doc. No. 1524); to the Committee on Indian Affairs and ordered to be printed.

65. A letter from the Secretary of the Interior, transmitting a report for the fiscal year ending June 30, 1918, showing exchange of typewriters, adding machines, etc. (H. Doc. No. 1525); to the Committee on Appropriations and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. JOHNSON of Kentucky (by request of the Commissioners of the District of Columbia): A bill (H. R. 13194) to enlarge the powers of the Commissioners of the District of Columbia relative to the public health; to the Committee on the District of Columbia.

By Mr. OSBORNE: A bill (H. R. 13195) to prohibit the public or private display within the United States of America and its Territories and possessions of certain flags and emblems and prescribing penalties for the violation thereof; to the Committee on the Judiciary.

By Mr. HICKS: A bill (H. R. 13196) to provide that every person receiving an honorable discharge shall retain as his personal property without cost his uniform and other clothing; to the Committee on Military Affairs.

Also, a bill (H. R. 13197) to prescribe the personnel of the Navy Nurse Corps, the qualifications for appointment, and the method of appointment therein, the pay, allowances, and leave of absence of members of said corps, and the conditions under which they may be retired, and for other purposes; to the Committee on Naval Affairs.

By Mr. GOULD: A bill (H. R. 13198) providing for the distribution of ordnance captured or acquired by the American expeditionary forces in the war with Germany and Austria-Hungary; to the Committee on Military Affairs.

By Mr. CHANDLER of Oklahoma: A bill (H. R. 13199) to refer all claims of the Cherokee, Creek, and Seminole Indians, whether as individuals or otherwise, to the Court of Claims; to the Committee on Indian Affairs.

By Mr. FRENCH: A bill (H. R. 13200) to eliminate the necessity for most of the expenses and work in connection with the Dead Letter Division of the Post Office Department; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 13201) to provide for the retention by officers, soldiers, sailors, and marines of uniforms, clothing, and other articles upon their honorable discharge from service; to the Committee on Military Affairs.

By Mr. SWEET: A bill (H. R. 13202) to repeal all of Title II of an act "To provide further for the national security and defense, and, for the purpose of assisting in the prosecution of the war, to provide credits for industries and enterprises in the United States necessary or contributory to the prosecution of the war, and to supervise the issuance of securities, and for other purposes," approved April 5, 1918; to the Committee on Interstate and Foreign Commerce.

By Mr. BIRCH: A bill (H. R. 13203) for the purchase of a site and the erection of a public building at Dover, N. J.; to the Committee on Public Buildings and Grounds.

By Mr. ALEXANDER: A bill (H. R. 13204) to establish load lines for vessels in foreign trade; to the Committee on the Merchant Marine and Fisheries.

By Mr. JONES: A bill (H. R. 13205) to provide for the retention of all uniforms issued to soldiers and sailors of the United States who have been honorably discharged, and providing also for the privilege of using same; to the Committee on Military Affairs.

By Mr. CLAYPOOL: Resolution (H. Res. 463) to initiate the necessary steps to open opportunities for employment to all workers in the United States who face enforced idleness; to the Committee on Rules.

By Mr. GALLAGHER: Joint resolution (H. J. Res. 357) requesting the commissioners plenipotentiary of the United States of America to the international peace conference to present to the said conference the right of Ireland to freedom, independence, and self-determination; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 13206) granting an increase of pension to Angeline McVicker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13207) granting an increase of pension to Joseph Brinton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13208) granting a pension to Cora Mitchell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13209) granting a pension to Susan Rowe; to the Committee on Pensions.

By Mr. CANTRILL: A bill (H. R. 13210) granting an increase of pension to Simon Reeder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13211) granting an increase of pension to Anderson Adams; to the Committee on Invalid Pensions.

By Mr. CRAGO: A bill (H. R. 13212) granting an increase of pension to John Wells; to the Committee on Invalid Pensions.

By Mr. FIELDS: A bill (H. R. 13213) granting a pension to Matilda Mitchell; to the Committee on Invalid Pensions.

By Mr. HICKS: A bill (H. R. 13214) to provide for the payment to Mrs. Erastus Bennett of insurance money of Pvt. Joseph Griffin; to Committee on Interstate and Foreign Commerce.

By Mr. JUUL: A bill (H. R. 13215) granting a pension to John S. Dornblaser; to the Committee on Pensions.

By Mr. KIESS of Pennsylvania: A bill (H. R. 13216) granting an increase of pension to Flemon M. Smith; to the Committee on Invalid Pensions.

By Mr. PURNELL: A bill (H. R. 13217) granting an increase of pension to Edward A. Lane; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13218) granting an increase of pension to William V. Richardson; to the Committee on Pensions.

Also, a bill (H. R. 13219) granting a pension to Ellen J. Kidwell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13220) granting a pension to Samuel L. Ensminger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13221) granting a pension to William Mendenhall; to the Committee on Pensions.

By Mr. SHERWOOD: A bill (H. R. 13222) granting an increase of pension to John Speaks; to the Committee on Invalid Pensions.

By Mr. SISSON: A bill (H. R. 13223) to relinquish, release, remise, and quitclaim all right, title, and interest of the United States in and to certain lands in the State of Mississippi; to the Committee on the Public Lands.

By Mr. SNOOK: A bill (H. R. 13224) granting a pension to Charlotte Perry; to the Committee on Invalid Pensions.

By Mr. SWITZER: A bill (H. R. 13225) for the relief of the Kanawha & Ohio Transfer Co.; to the Committee on Claims.

By Mr. TILSON: A bill (H. R. 13226) granting a pension to Emma A. Glenney; to the Committee on Invalid Pensions.

By Mr. VINSON: A bill (H. R. 13227) for the relief of Della James; to the Committee on Claims.

By Mr. WATSON of Pennsylvania: A bill (H. R. 13228) granting an increase of pension to Nicholas Baggs; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Resolution of a mass meeting of the Jugo-Slav societies of St. Louis, Mo., relative to the disposition of Jugo-Slav territory by peace conference; to the Committee on Foreign Affairs.

By Mr. DALE of New York: Petition of Bricklayers' International Union No. 9, Brooklyn, N. Y., recommending measures to prevent another great war; to the Committee on Foreign Affairs.

By Mr. DARROW: Resolution of the Rotary Club of Philadelphia, favoring legislation for the retirement of superannuated Government employees; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: Petition of Local Union No. 66, Journeymen Tailors' Union of America, La Crosse, Wis., protesting against 20 per cent tax on clothing; to the Committee on Ways and Means.

By Mr. MAGEE: Petition of Lamson Grange, No. 588, Lamson, N. Y., in opposition to the postal zone rate law; to the Committee on Post Offices and Post Roads.

By Mr. JOHN W. RAINEY: Resolution of city council of the city of Chicago, Ill., favoring the bill designating November 11 as a national holiday; to the Committee on the Library.

By Mr. RANDALL: Resolutions of the Friday Morning Club of Los Angeles and of the Principals' Club of the Los Angeles City Schools, indorsing the creation of a department of education; to the Committee on Education.

By Mr. VARE: Petition of the board of directors of the Philadelphia Bourse, requesting passage of the civil-service retirement and pension bill; to the Committee on Interstate and Foreign Commerce.

Also, appeal of the Market Street Merchants' Association of Philadelphia, for the passage of the bill for the retirement of civil Government employees; to the Committee on Interstate and Foreign Commerce.

SENATE.

WEDNESDAY, *December 4, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we thank Thee that in this great Union of sovereign States there is a dominant spirit of submission to the Divine will. Throughout the length and breadth of this land there are multiplied millions who reverence the name of the God of our fathers. We pray that Thy servants in the Senate, expressing the thoughts and ideals of the great States of the Union, may also have a consciousness of the Divine presence and a supreme desire to honor and reverence Thy holy name. Give us to-day Thy guidance as we commit ourselves to the unerring counsel of the Divine mind. For Christ's sake. Amen.

IRVINE L. LENROOT, a Senator from the State of Wisconsin, appeared in his seat to-day.

The Journal of yesterday's proceedings was read and approved.

PRICE OF WHEAT.

Mr. GRONNA. Mr. President, I have before me a letter written by Judge Glasgow, chief counsel of the Food Administration, which I am going to ask to have read. I deem it of great importance, and I am only sorry that so few Senators are present.

However, before the letter is read, if I may be permitted, I want to say that I have received a great many letters not only from citizens of my State but from citizens of other States with reference to the guaranteed price of wheat for the year 1919. I have answered a great many of them and stated the facts as I understand them to be. I have read in some of the newspapers of the country that the guaranteed price of wheat for 1919 could in fact not be carried out, but that the wheat guaranty would end with the war. This, as I understand it, not only places the Food Administration and the Department of Agriculture in a false light, but I think it also reflects upon the Chief Executive of the Nation, because the President of the United States has by proclamation fixed the price of wheat for 1919. While it is true, Mr. President, that no appropriation has been made for putting into effect the organization necessary to carry it out, that can, of course, be done by Congress, and I expect it will be done by Congress. Such an agency was designated to carry out this agreement for 1918, and I assume that Congress will enact legislation that will make it possible to carry out the guaranty for 1919.

I ask to have the letter read at the Secretary's desk, and I also ask that the proclamation made by the President of the United States on September 2, 1918, and which is printed in the Official Bulletin, be printed in the RECORD.

The VICE PRESIDENT. Without objection, leave will be granted, and the Secretary will read as requested.

The Secretary read the letter, as follows:

UNITED STATES FOOD ADMINISTRATION,
Washington, D. C., December 3, 1918.

Hon. ASLE J. GRONNA,
United States Senate, Washington, D. C.

DEAR SENATOR: Referring to our conversation this morning, I have seen in at least one newspaper the statement that "the wheat guaranty is to end with the war," and I have seen in at least one newspaper the statement that "the conclusion of peace will terminate the effectiveness of the Government's guaranteed price for the 1918–19 wheat crop," and there could not be a more misleading or more inaccurate statement, as it is directly contrary to the act of Congress, the proclamation of the President made in pursuance thereof, and the uniform information given out by the officers of the Food Administration and the Grain Corporation.

By the proclamation of February 21, 1918, the President fixed the guaranteed price for wheat harvested in the United States during the year 1918 and offered for sale before the 1st day of June, 1919, and to carry out and make effective the guaranty for the 1918 harvest the President by Executive order of June 2, 1918, designated the Food Administration Grain Corporation as the agency of the United States for the purpose.

By proclamation of September 2, 1918, the President, under the authority of the act of Congress known as the Lever Act, fixed and determined the reasonable guaranteed price of wheat for the crop of 1919 for the principal primary markets, such price being $2.26 at Chicago and at other markets at a relative price, and the proclamation proceeds as follows:

"The sums thus determined and fixed are guaranteed by the Government of the United States at the principal primary markets of the United States, above mentioned, to every producer of wheat at any grade so established under the United States grain-standards act, upon the condition that said wheat is harvested in the United States during the year 1919 and offered for sale before the 1st day of June, 1920, to such agent or employee of the United States or other person as may be hereafter designated, etc."

While the agency has been designated for the 1918 crop, the agency to carry out this guaranty for the 1919 crop has not yet been designated.

Therefore the end of the war or the proclamation of peace does not in any way affect the present guaranteed price made by the United States Government for the wheat harvested in the year 1919. The only condition to the effectiveness of the guaranty is that such wheat should be offered for sale before the 1st day of June, 1920. Neither the officers of the Food Administration nor of the Grain Corporation have ever suggested any other view or have expressed any other opinion.

It is proper for me to say, however, that it is very probable that it will be necessary that Congress should be called upon to aid financially and perhaps by the creation of additional agencies to make good the guaranty as to the wheat harvested in the year 1919, and when the proper time comes and sufficient information is at hand upon which to base a recommendation Congress will undoubtedly be apprised of the whole situation and its powers be invoked for the maintenance of the guaranty made under its authority.

Believe me, very truly,

W. A. GLASGOW, Jr.,
Chief Counsel.

The proclamation by the President of the United States is as follows:

PRESIDENT EXPLAINS PLANS TO INSURE FAIR WHEAT PRICE FOR CROPS GROWN IN 1919—BASIS OF GOVERNMENT GUARANTY—COMMISSION TO BE APPOINTED NEXT SPRING TO REPORT ON ALL FACTORS NOW OR THAT MAY THEN EXIST TO GUIDE HIM IN DECISIONS.

MEMORANDUM.

SEPTEMBER 2, 1918.

In issuing to-day the Government's guaranty of the same price for the 1919 wheat crop that was guaranteed for the 1918 crop I wish it to be understood that in the spring of 1919 I will appoint a disinterested commission, who will secure for me the facts by that time disclosed as to the increased cost of farm labor and supplies, using the three-year prewar average prices of wheat, of labor, and of supply costs as a basis, and that from this information I shall determine whether there should be an increase in price above the present level, and, if so, what advance, in order to maintain for the farmer a good return. Should it then appear that an increase is deserved over the present guaranty, however, it will be applied only to those who have by next harvest already marketed their 1918 wheat.

It is the desire and intention of all departments of the administration to give to the wheat grower a fair and stimulative return in order that the present acreage in wheat may be maintained.

I find a great conflict of opinion among various sections of the country as to the price that should be named as a minimum guaranty. It must be obvious to all, however, that the factors which will make for increased or decreased cost of production of next year's harvest can not be determined until the near approach to the harvest.

In giving a guaranteed price for wheat one year in advance (the only industry guaranteed by the Government) there is involved a considerable national risk. If there should be peace or increased shipping available before the middle of 1920, Europe will naturally supply itself from the large stores of much cheaper wheat now in the Southern Hemisphere; and therefore the Government is undertaking a risk which might in such an event result in a national loss of as much as $500,000,000 through an unsalable surplus; or, in any event, in maintaining a high level of price to our own people for a long period subsequent to freedom in the world's markets.

Despite this, the desirability of assuring a supply to the world of prime breadstuffs by insuring the farmer against the fluctuations in prices that would result from the uncertainties of the present situation and from the speculation those uncertainties entail, seems to me to make the continuation of the guaranty for another year desirable. On the other hand, it is clear that before increasing this liability by large sums with the risks set forth above, and before increasing the burden of the consumer, the matter should be subjected to searching inquiry at the appropriate time—the time when the pertinent facts will be known.

I feel confident that with this preliminary fixed guaranty, and with the assurance that justice will in any event be done to the grower, he will continue the fine patriotic effort by which he has served the country hitherto; that the Government will have acted prudently; and that the consumer will be satisfied that his interests are not unduly sacrificed, but just and exhaustive consideration given to every element of the matter at the proper time.

WOODROW WILSON.

PROCLAMATION GUARANTEEING PRICE FOR THE WHEAT CROP GROWN IN 1919 IS ISSUED BY PRESIDENT WILSON.

[By the President of the United States of America.]

A PROCLAMATION.

Whereas under and by virtue of an act of Congress entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved by the President on the 10th day of August, 1917, it is provided, among other things, as follows:

"SEC. 14. That whenever the President shall find that an emergency exists requiring stimulation of the production of wheat and that it is essential that the producers of wheat, produced within the United States, shall have the benefits of the guaranty provided for in this section, he is authorized, from time to time, seasonably and as far in advance of seeding time as practicable, to determine and fix and to give public notice of what, under specified conditions, is a reasonable guaranteed price for wheat, in order to assure such producers a reasonable profit. The President shall thereupon fix such guaranteed price for each of the official grain standards for wheat as established under the United States grain standards act approved August 11, 1916. The President shall from time to time establish and promulgate such regulations as he shall deem wise in connection with such guaranteed prices, and in particular governing conditions of delivery and payment; and differences in price for the several standard grades in the principal primary markets of the United States adopting No. 1 northern spring or its equivalent at the principal interior primary markets as the basis. Thereupon the Government of the United States hereby guarantees every producer of wheat produced within the United States that, upon compliance by him with the regulations prescribed, he shall receive for any wheat produced in reliance upon this guarantee within the period, not exceeding 18 months, prescribed in the notice, a price not less than the guaranteed price therefor as fixed pursuant to this section. In such regulations the President shall prescribe the terms and conditions upon which any such producer shall be entitled to the benefits of such guaranty."

Now, therefore, I, Woodrow Wilson, President of the United States, by virtue of the powers conferred upon me by said act of Congress, and especially by section 14 thereof, do hereby find that an emergency exists requiring stimulation of the production of wheat, and that it is essential that the producers of wheat produced within the United States

shall have the benefits of the guarantee provided for in said section, and in order to make effective the guaranty by Congress for the crop of 1919 and to assure such producers a reasonable profit I do hereby determine and fix and give public notice of reasonable guaranteed prices for No. 1 northern spring wheat and its equivalents at the respective principal primary markets as follows, to wit:

New York, N. Y., $2.39½ per bushel.
Philadelphia, Pa., $2.39 per bushel.
Baltimore, Md., $2.38½ per bushel.
Newport News, Va., $2.38½ per bushel.
Duluth, Minn., $2.22½ per bushel.
Minneapolis, Minn., $2.21½ per bushel.
Chicago, Ill., $2.26 per bushel.
St. Louis, Mo., $2.24 per bushel.
Kansas City, Mo., $2.18 per bushel.
Omaha, Nebr., $2.18 per bushel.
New Orleans, La., $2.28 per bushel.
Galveston, Tex., $2.28 per bushel.
Tacoma, Wash., $2.20 per bushel.
Seattle, Wash., $2.20 per bushel.
Portland, Oreg., $2.20 per bushel.
Astoria, Oreg., $2.20 per bushel.
San Francisco, Cal., $2.20 per bushel.
Los Angeles, Cal., $2.20 per bushel.
Salt Lake City, Utah, $2 per bushel.
Great Falls, Mont., $2 per bushel.
Pocatello, Idaho, $2 per bushel.
Spokane, Wash., $2 per bushel

And that the guaranteed price for the other grades established under the United States grain standards act, approved August 11, 1916, based on said price for No. 1 northern spring wheat at the respective principal primary markets of the United States above mentioned, will assure the producers of wheat produced within the United States a reasonable profit; the guaranteed prices in the principal primary markets above mentioned being fixed by adopting No. 1 northern spring wheat or its equivalents at the principal interior markets as the basis.

For the purposes of such guaranty only I hereby fix the guaranteed prices at the respective principal primary markets above mentioned for the following grades of wheat, to wit, No. 1 northern spring, No. 1 hard winter, No. 1 red winter, No. 1 Durum, No. 1 hard white. The guaranteed prices at the respective principal primary markets aforesaid of all other grades of wheat established under the United States grain standards act approved August 11, 1916, shall be based on the above guaranteed prices and bear just relation thereto.

The sums thus determined and fixed are guaranteed by the Government of the United States at the respective principal primary markets of the United States above mentioned, to every producer of wheat of any grade so established under the United States grain standards act, upon the condition that said wheat is harvested in the United States during the year 1919, and offered for sale before the 1st day of June, 1920, to such agent or employee of the United States, or other person, as may be hereafter designated, at any one of the above-mentioned cities, which are hereby declared to be the principal primary markets of the United States, and provided that such producer complies with all regulations which may be hereafter promulgated in regard to said guaranty by the President of the United States.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the District of Columbia this 2d day of September, in the year of our Lord 1918, and of the independence of the United States of America the one hundred and forty-third [SEAL]

WOODROW WILSON

PETITIONS AND MEMORIALS.

Mr. SHERMAN. I present resolutions adopted by the congregation of the First Congregational Church, of Decatur, Ill., in regard to the observance of a universal Thanksgiving Day. I ask that they be received and properly referred.

The VICE PRESIDENT. The resolutions will lie on the table.

Mr. SHERMAN. I present a copy of a resolution from the Home Market Club, of Boston, Mass., in regard to the preparation of peace conditions, which I should like to have printed in the RECORD. It is very short.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION IN FAVOR OF A PROTECTIVE TARIFF.

We remind the people of the country that we were unprepared for war. We warn the country that we are unprepared for peace. While every other great nation among the belligerents has given careful and constant study to the problems of reconstruction, we face the future without plan or program or preparation. We still retain upon our statute books a tariff law passed nearly a year before the outbreak of the war and which is entirely unsuited to the new conditions which will confront us now that the war has ended. It was clearly demonstrated before the war that the Underwood-Simmons tariff law brought distress to the country, unemployment to labor, and loss and bankruptcy to business. The energies of the Nations will now be directed to industry and commerce. Competitive conditions will be restored and the struggle for world markets will be renewed. The war brought tremendous expansion to our industries and largely increased wages to labor. These industries can not prosper nor can labor be properly remunerated if competition with foreign countries is unregulated and the importation of competitive goods is unrestricted. We believe in the maintenance of the American standard of living, in the ample reward of labor, and in a fair profit for business enterprise. These ends can be obtained only by such a measure of protection as will safeguard our industries, and we respectfully urge upon Congress the necessity of reenacting an adequate protective tariff.

Mr. HALE presented a petition of sundry citizens of Maine, praying for the enactment of legislation to prevent any German or Austrian reservist or other person opposed to the United States from returning to the United States for any purpose whatever, which was referred to the Committee on Foreign Relations.

Mr. LODGE presented resolutions adopted by the New England Hardware Dealers' Association, favoring universal military training and the establishment of a league of nations, which were referred to the Committee on Foreign Relations.

He also presented resolutions of the South Middlesex Conference of Unitarian Churches of Massachusetts, favoring the establishment of a league of nations to maintain peace, which were referred to the Committee on Foreign Relations.

Mr. MOSES presented resolutions adopted by Local Division No. 1, Ancient Order of Hibernians, of Manchester, N. H., requesting the President to use his influence in securing the freedom of Ireland, which were referred to the Committee on Foreign Relations.

ARKANSAS RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably, without amendment, the bill (H. R. 13153) extending the time for the construction of a bridge across the Arkansas River, at the foot of Garrison Avenue, at Fort Smith, Ark., and I submit a report (No. 615) thereon. I call the attention of the Senator from Arkansas [Mr. ROBINSON] to the bill.

Mr. ROBINSON. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CALDER:

A bill (S. 5086) amending the act approved March 3, 1918, relative to the incorporation of the National Conservatory of Music of America; to the Committee on the Library.

By Mr. POINDEXTER:

A bill (S. 5087) granting one month's extra pay to all officers and enlisted men honorably discharged from the Army, Navy, or Marine Corps on or after November 11, 1918; to the Committee on Military Affairs.

By Mr. BANKHEAD:

A bill (S. 5088) to amend an act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916; to the Committee on Post Offices and Post Roads.

By Mr. GORE:

A bill (S. 5089) to provide for the acquisition of a site and the erection thereon of a public building at Henryetta, Okla.; and

A bill (S. 5090) to authorize the acquisition of a site and the repairing and enlargement of a Federal building thereon at Okmulgee, Okla.; to the Committee on Public Buildings and Grounds.

CONTROL OF RAILROADS.

Mr. SMITH of Georgia. Mr. President, I send to the desk a bill which I ask to have read.

The VICE PRESIDENT. In full?

Mr. SMITH of Georgia. Yes. It is short. I wish to say that I consider it pertinent to perhaps the most important problem of our reconstruction. It deals somewhat with the railroad problem and suggests a step preparatory and probably necessary to the return of the railroads to their owners.

The bill (S. 5085) to amend an act entitled "An act to provide for the operation of transportation systems while under Federal control, for just compensation of their owners, and for other purposes," approved March 21, 1918, was read the first time by its title, the second time at length, and referred to the Committee on Interstate Commerce, as follows:

A bill (S. 5085) to amend an act entitled "An act to provide for the operation of transportation systems while under Federal control, for just compensation of their owners, and for other purposes," approved March 21, 1918.

Be it enacted, etc., That the "Act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, be, and the same is hereby, amended as follows:

That the following provision of section 10 of said act is hereby repealed:

"That during the period of Federal control, whenever in his opinion the public interest requires, the President may initiate rates, fares, charges, classifications, regulations, and practices by filing the same with the Interstate Commerce Commission, which said rates, fares, charges, classifications, regulations, and practices shall not be suspended by the commission pending final determination.

"Said rates, fares, charges, classifications, regulations, and practices shall be reasonable and just and shall take effect at such time and upon such notice as he may direct, but the Interstate Commerce Commission shall, upon complaint, enter upon a hearing concerning the justness and reasonableness of so much of any order of the President as establishes or changes any rate, fare, charge, classification, regulation, or practice of any carrier under Federal control, and may consider all the facts and circumstances existing at the time of the making of the same. In determining any question concerning any such rates, fares, charges, classifications, regulations, or practices or changes therein, the Interstate Commerce Commission shall give due consideration to the fact that the transportation systems are being operated under a unified and coordinated national control and not in competition.

"After full hearing the commission may make such findings and orders as are authorized by the act to regulate commerce as amended, and said findings and orders shall be enforced as provided in said act: *Provided, however*, That when the President shall find and certify to the Interstate Commerce Commission that in order to defray the expenses of Federal control and operation fairly chargeable to railway operating expenses, and also to pay railway tax accruals other than war taxes, net rents for joint facilities and equipment, and compensation to the carriers, operating as a unit, it is necessary to increase the railway operating revenues, the Interstate Commerce Commission in determining the justness and reasonableness of any rate, fare, charge, classification, regulation, or practice shall take into consideration said finding and certificate by the President, together with such recommendations as he may make."

That the following provision is hereby substituted for the provision repealed:

"SEC. 2. That during the period of Federal control, whenever in his opinion the public interest requires, the President may initiate rates, fares, charges, classifications, regulations, and practices by filing the same with the Interstate Commerce Commission. Said rates, fares, charges, classifications, regulations, and practices shall be reasonable and just and shall take effect at such time and upon such notice as he may direct; but the Interstate Commerce Commission may of its own initiative, and shall upon complaint, enter upon a hearing concerning the justness and reasonableness of so much of any order of the President, heretofore or hereafter made, as establishes or changes any rates, charges, classifications, regulations, or practices of any carrier under Federal control, and may consider all the facts and circumstances in connection therewith, and said rates, fares, charges, classifications, regulations, and practices may be suspended or modified by the commission pending final determination.

"After full hearings the commission may make such findings and orders as are authorized by the act to regulate commerce, as amended, and such findings and orders shall be enforced as provided in said act."

Mr. SMITH of Georgia. If the Senate will permit me for just one moment, I will state that the object of this bill is to strike out from the present act authorizing the control of the railroads by the President the provision that permits changes to be made by the President or by the Director General of Railroads in the rates, fares, regulations, and management of the railroads without the control of the Interstate Commerce Commission. This bill will restore to the Interstate Commerce Commission the right to suspend any order passed by the Director General of Railroads with reference to rates or to review and modify any such order on its own initiative without waiting for complaints. It is intended to entirely restore to the Interstate Commerce Commission, now that the war is over, the jurisdiction over railroads and rates, even though in the hands of the President, which it had when they were in the hands of private owners.

MINING CLAIMS IN ALASKA.

Mr. JONES of Washington. Mr. President, on October 5, 1917, the Senate passed a joint resolution suspending the section of the Revised Statutes requiring certain annual assessments and improvements to be made upon mining claims. Congress has passed a special act relating to assessments for the Territory of Alaska. It was thought for some time that the joint resolution applied to Alaska as well as to the continental part of the United States.

A very serious question has been raised as to whether or not that is true; and in order to avoid complications I have prepared a joint resolution extending the provisions of the joint resolution of October 5 to Alaska. I desire to present it and have it referred to the Committee on Territories. I trust that the chairman of the Committee on Territories will call the committee together at an early date to consider the matter.

The joint resolution (S. J. Res. 190) extending to the Territory of Alaska the provisions of the joint resolution entitled "Joint resolution to suspend the requirements of annual assessment work on mining claims during the years 1917 and 1918," approved October 5, 1917, was read twice by its title and referred to the Committee on Territories.

THE REVENUE.

Mr. GORE submitted an amendment intended to be proposed by him to the bill (H. R. 12863) to provide revenue, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

THE PRESIDENT.

Mr. FLETCHER. Mr. President, I desire to have printed in the RECORD an editorial appearing in the Christian Science Monitor of November 25, 1918. I commend the editorial to those who are engaged in the rather small partisan business of criticizing the President.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE PRESIDENT.

Now that the war is over some of the conditions in the United States which the war created are either passing away automatically or are threatened with speedy removal. This newspaper pointed out, when the United States entered the conflict, that the Government of the Re-

public would, for the time being, become practically a dictatorship, more power being delegated to the President during the continuance of hostilities than had in modern times been granted to the rulers of most monarchies.

The United States is a Government in which the voice of the public rules. If the public in an emergency expresses its willingness temporarily to suspend ordinary processes its right to do so can not be questioned, even though this may involve, as it has involved since April, 1917, many departures from strict constitutional methods and common usages. By tacit and general consent of the people it was agreed that the President, in the conduct of the war, should be given full power to act. In this, Congress, whether it liked it or not, and there was no serious dissent in that quarter, had to acquiesce. Thus, in a sense, the Republic became for the duration of the war virtually an autocracy. What the President said became law.

He sought certain authority beyond that with which he was constitutionally vested; the public backed his demand; Congress granted it. He was enabled to do on his own motion that which, in the ordinary course of procedure, would require the sanction of Congress and a favorable opinion from the Supreme Court. The great end in view was the winning of the war, and the public, having implicit confidence in the Executive, permitted him to go about the winning of it in his own way. His way proved successful, so far as the part of the United States in the conflict was concerned.

In granting their President plenary power in the conduct of the Nation through one of the most critical periods of its history the people surrendered not an iota of the power belonging to themselves. They reserved the right to withdraw from him all the authority they had conferred at the turn of a hand or the quiver of an eyelash, should he fail in the performance of his duty; vox populi was the real autocrat; Woodrow Wilson simply its instrument.

Much stir is now made among a certain group in the Senate concerning the necessity of shearing President Wilson of his extraordinary or extraconstitutional powers, but even the most urgent demanding that the country return to normal conditions in government are reluctant to say that the return shall be immediate. The war is over, but certain questions growing out of its triumphant conclusion remain to be settled. It may be said to be the universal belief in the United States that President Wilson should not be limited, either in the influence or in the authority which he shall take with him to the peace conference. What the so-called "revolting" Republican Senators are demanding more particularly is that the legislative branch of the Government shall reclaim and maintain its coordinate power with the Executive in carrying on the work of reconstruction.

In this position the people, when the proper time arrives, will be found on their side, and there is not the shadow of a reason to suppose that the President will be found in opposition. When the peace of the world is established, as it will be very soon, on a foundation of common justice, the Government of the United States will slip back into its normal groove without the slightest friction. Thenceforth, or until some other exceptional emergency calls for extraordinary procedure, Congress, as the Constitution prescribes, will make the laws and the President will execute them, as usual. No democratic institution has been undermined, impaired, or even threatened, by recent departures from the letter of the Constitution; the Constitution and the country are alike safe so long as they are made to serve the purposes of the people.

It is not a very wholesome symptom that, almost before the ink with which Germany has signed away her hope of becoming a dominating world power is dry, marking as the act does the greatest triumph of democracy in a century, if not in all history, certain irreconcilables in the United States Senate should be afforded opportunity of misrepresenting and attempting to belittle a man whom the whole world cheerfully recognizes as one of the most important factors in the achievement of this victory. There is no excuse for impugning the motives, much less for questioning the loyalty of Woodrow Wilson to the United States Constitution and to American ideals. It is not only nonsensical but exceedingly dangerous at this time, when hidden evil forces are seeking every possible means of expression, every possible method of propagating suspicion, discontent, and sedition among the masses, that men in high public office should indulge, through partisan rancor, in aspersions tending to create disunion among good citizens.

Common sense, common prudence, and ordinary judgment should, one would think, impel those intrusted with public responsibility to take a broader than partisan view of the work that lies before the President at this juncture. He is responding to a world invitation in consenting to attend the peace conference. His presence at the board is sought because his counsel is everywhere esteemed. The Nation he will represent should feel proud of the honor conferred upon him. It has stood behind him in the making of war; it should stand behind him in the making of peace.

PEACE TERMS.

Mr. FRELINGHUYSEN. Mr. President, I submit a resolution and ask that it be read by the Secretary.

The resolution (S. Res. 364) was read, as follows:

Whereas the President has informed Congress that the bases of peace outlined by him on the 8th of January last have been accepted by the allied Governments and by the central empires, and that it is his duty to see that no false or mistaken interpretation is put upon them; and
Whereas the President has never stated his own interpretation of such bases and the same, particularly those relating to "a league of nations" and the "freedom of the seas," are open to various interpretations, some of which may be in conflict with established national traditions; and
Whereas the President has announced that the various steps in the approaching negotiations abroad shall be promptly made known to the American people: Therefore be it

Resolved, That the President be, and he is hereby, respectfully requested to make publicly known his own interpretation of his proposed peace terms as presented to Congress January 8, 1918, and not attempt to impose such interpretation upon the international conference about to assemble until full opportunity is presented to the American public to become acquainted with the same, to the end that this Nation may not be committed to policies in contravention of the traditions of the United States; and be it further

Resolved, That a copy of this resolution be forthwith transmitted to the President.

Mr. FRELINGHUYSEN. I ask unanimous consent for five minutes' time to express my views on this resolution before it

goes to the Committee on Foreign Relations, the proper committee to which it should be referred.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. FRELINGHUYSEN. Mr. President, in his address to Congress of December 2 the President informed us that the bases of peace outlined by him to us on the 8th of January last have been accepted by the allied Governments and by the central empires, and by way of explanation of his trip to Europe he stated that it was his duty to see "that no false or mistaken interpretation is put upon them."

In view of this explanation it requires no argument to show that various interpretations may be placed upon the bases of peace which he outlined. Some of the bases relate not merely to a settlement of the present war, but to our relations in the future with all Governments. Heretofore we have been guided by certain traditions. The immortal Washington in his farewell address gave certain advice which we have religiously followed. He said:

> Europe has a set of primary interests which to us have none, or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.

It may well be that conditions have so changed that we should no longer follow advice by which we have been guided for more than a century. As a representative of the people, it seems to me that we should not bind ourselves to a policy at variance with it unless certain that such is the will of the people.

The fourteenth basis proposed by the President reads:

> A general association of nations must be formed under specific covenants for the purpose of affording mutual guaranties of political independence and territorial integrity to great and small States alike.

Does this basis mean that we will join with European nations in a guaranty of the political independence and territorial integrity of all States both great and small? Does it means that to preserve such territorial integrity and political independence we will in fulfillment of our guaranty use whenever necessary our Army and Navy? Does it mean that henceforth we must take part in all political and territorial disputes throughout the world? We have among us many who came to our shores and the children of many who came to our shores because of the constant quarrels and jealousies of European nations and because of the fear that such quarrels and jealousies might any day involve them in war. I do not say that we should not do our utmost to prevent future wars. That I concede is our duty, but if we propose to obligate ourselves to use our Army and Navy whenever necessary in any part of the world to preserve peace, we should be certain that we are conforming to the will of those whom we represent.

The President is the chosen leader of the United States. Any proposal which he may make will naturally carry with it great weight. If he proposes in behalf of the United States the use of its Army and Navy to preserve the peace of the world, or if he assents to any such proposal if made by another nation, what position will the Senate be in should such a proposal be adopted? Constitutionally we will be free to exercise our own judgment and to accept or reject any treaty which the Executive may negotiate. Will we, however, be free from embarrassment should other nations say to us, Your Chief Executive spoke in behalf of the American public and supposedly voiced their views? That brings me to the point of my motion. Is the President sure that his interpretation of the bases of peace, is the interpretation of the American public? As he has never made known such interpretation, how can we be sure? Should he not, in all justice, before he makes any proposal on such momentous questions make known to the public what interpretation he places upon his fourteenth basis, and should he not afford the public an opportunity to voice its opinion?

The fourteenth basis is not the only one which involves a comparison of our past traditions with what should be our policy in the future. During the Civil War in order to preserve the Union we found it necessary to insist upon and to exercise the right to condemn cargo owned by a neutral and shipped from one neutral port to another neutral port where it appeared that such cargo was ultimately intended for transshipment to the enemy. In Europe the doctrine of ultimate destination was disputed, but if that doctrine had not been practiced during the present war who will dare say what would have been the result? Certainly the prevention of supplies reaching Germany through neutral countries contributed in no small measure to her defeat. Can anyone here tell me what is the true interpretation of the second basis of peace outlined by the President in January last? It reads:

> Absolute freedom of navigation upon the seas, outside territorial waters, alike in peace and in war, except as the seas may be closed in whole or in part by international action for the enforcement of international covenants.

If such had been the rule during the Civil War could supplies have flowed uninterrupedly from Europe to the South by way of Mexico? If in force during the present war, could supplies have flowed uninterruptedly from North and South America to Germany through Holland? I confess that I do not know what is the true interpretation of the phrase "absolute freedom of navigation upon the seas," and as a representative of the people I respectfully suggest that if the President's interpretation involves a departure from our traditions he should not propound such interpretation as a proposal in behalf of the American public unless he is certain that the American public approves it. How can he be certain that the American public approves an interpretation which has never been made known to it?

It is hardly necessary for me to call attention to any other basis of peace proposed by the President to illustrate my viewpoint. There has never been a time in our history which called for greater caution and wisdom. There has never been a time when the practice of pitiless publicity, so frequently advocated by the President, was more urgently required. The American public is a reading public, a thinking public. It does not hesitate and will not hesitate to express its opinion if afforded an opportunity. In my opinion the President should not in behalf of the American public make proposals which involve a radical departure unless he is certain that his proposal carries with it the approval of the people. Though we are not bound by any treaty which he may negotiate, still, in view of the fact that he was chosen by the people to the highest position in the country, other nations may not recognize that his proposals are subject to our review and may feel affronted should we differ from him. It is his duty as well as ours to act for the people; and, to avoid misunderstanding, it seems to me that the people should be told by him what is the interpretation which he places upon his bases of peace and should be advised to what extent he intends in their behalf to propose a policy which may involve an abandonment of our traditions. All I ask is that the public should be taken into the confidence of the President, that he should afford the public an opportunity to express its views, and, should it appear that there is a pronounced view upon any subject, that he will not run counter to it. It is for such reason that I have introduced my motion.

Mr. WALSH. Mr. President, in the very pertinent remarks made by the distinguished Senator from New Jersey [Mr. FRELINGHUYSEN] he adverted to the rather embarrassing position in which the Members of the Senate would be placed in the exercise of their constitutional duties should the peace conference act in accordance with and confirm the 14 points that were advanced by the Presideht as the proper basis for the treaty of peace in his address to Congress on the 8th of January last. Of course, as indicated by the Senator from New Jersey, every Senator will be at liberty to exercise his own judgment concerning the matter of confirming or rejecting any treaty that may be submitted to the Senate; yet, as stated by the Senator from New Jersey, every Senator holding adverse views will be laboring under very particular embarrassment, these views having been presented by the Chief Executive of the country at the peace conference.

I want to submit, Mr. President, that the embarrassment will be increased, however, by the fact that this address was made to Congress nearly a year ago. On the 8th day of January last the President announced his views as to the kind of a treaty of peace which should be made. Up to within six weeks of this time I have no recollection that any Member of the Senate has expressed any divergence from those views thus announced by the President. We have heard within the last 30 or 60 days no little criticism of these 14 points as a proper basis for peace, and much has been said concerning the indefiniteness of these declarations and of the necessity for further elucidation of their meaning in order to clear up the obscurity which may inhere in them.

Mr. POINDEXTER. Mr. President——

Mr. WALSH. Just a moment.

Now, Mr. President, we shall be under an added embarrassment by reason of the fact that we did not speak earlier, as it seems to me, in relation to these 14 points. If the address to which we have listened this morning by the Senator from New Jersey had been made immediately upon the address of the President in January last, of course the world would have been put upon notice that the President did not speak the universal voice of the people of America; but it seems to me, Mr. President, that, in the absence of any particular criticism of the address

down to within the most recent times, the people of the world very justly assumed that the views thus expressed by the President were indorsed by this great Nation.

Now I yield to the Senator from Washington.

Mr. POINDEXTER. I should like to ask the Senator from Montana if it is not true that he heard at the time the President made this address and various other addresses on the terms of peace—some of them made even before we had begun the war and continued at frequent intervals from that time down to the present—criticism of the President for discussing terms of peace while we were endeavoring to concentrate our energies upon gaining the victory?

Mr. WALSH. I have no such criticisms in mind. I do not undertake to say that they were not made; but that is not the point that I am making. The President did declare that a treaty ought to be made upon the basis that he laid down; and I undertake to say that, in this body at least, down to within 60 days no dissent has been made from those principles; at least I speak from my own recollection about the matter.

Mr. KNOX. Mr. President——

Mr. WALSH. I have yielded to the Senator from Washington [Mr. POINDEXTER].

Mr. KNOX. May I correct the Senator from Montana as to the facts?

Mr. WALSH. I have yielded to the Senator from Washington.

Mr. KNOX. May I have the floor for a moment?

Mr. POINDEXTER. I will conclude in just a moment.

Mr. KNOX. Very well.

Mr. POINDEXTER. Mr. President, I want to say in my own behalf as an individual, enjoying the right of independent opinion, as every other citizen of the country does, and in whatever responsibility devolves on me as a Senator of the United States, that I do not feel that I am in default in not having expressed opinions on this subject and I do not believe that the American people are in default upon it.

My understanding of the attitude of those who differed with the President in regard to this matter is that they deprecated the continuous discussion by the President, or by anybody else, especially anyone else in authority, of peace, and the cry of peace, peace, peace, and what the terms of peace should be, before we had even been able to mobilize our resources to gain the victory which was the essential foundation for any peace, whatever its terms might be.

Mr. KNOX. Mr. President——

Mr. WALSH. I now yield to the Senator from Pennsylvania.

Mr. KNOX. Mr. President, referring to the specific proposition of the Senator from Montana [Mr. WALSH] that he had not heard in this body any dissent from the views expressed by the President last January, I wish to call the Senator's attention to the fact, which he has evidently overlooked, that, so far from this body being estopped from criticizing the points made by the President, the action of this body, at least technically, stands adverse to those points, and for this reason: Within a day or two after the President had delivered his address announcing the 14 points the Senator from Illinois [Mr. LEWIS] introduced into the Senate a resolution approving the conditions of peace announced by the President. That resolution was referred to the Committee on Foreign Relations; it was taken up by that committee for consideration, and it was developed that to press the resolution would be to cause a spirited and untimely discussion of the subject upon the floor of the Senate, which would not be to any advantage; and that resolution lies to-day in the pigeonholes of the Committee on Foreign Relations.

Mr. WALSH. Mr. President, the fact remains, however, as I have stated, that no one has arisen on the floor, until the Senator from New Jersey spoke this morning, to express the slightest dissent.

I now desire to add further that in the month of May, 1916, in a public address delivered in this city, which was introduced as a part of the CONGRESSIONAL RECORD, the President announced, in a general way at least, his adherence to the idea of a league of nations for securing the permanent peace of the world. I have no recollection of any particular criticism upon the floor of the Senate of the views thus expressed by him until within the last 60 days.

Mr. FRELINGHUYSEN. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from New Jersey?

Mr. WALSH. I yield.

Mr. FRELINGHUYSEN. Do I understand the Senator from Montana to assert that the American public are irrevocably committed to the 14 principles as declared nearly 11 months ago by the President of the United States?

Mr. WALSH. No; I have not said so, and I have not said that any Senator is irrevocably committed; but I do say that any Senator who has remained silent for a year after these views of the President have been expressed and after the people of the world have had just reason for believing that he spoke the views of the American people ought to hesitate a little bit now about voicing his criticism.

Mr. FRELINGHUYSEN. May I state, in reply to the Senator from Montana, that at that time we were at war, the outcome of which was in doubt, and it was the feeling of many Senators, including myself, that at that time it was not proper to criticize the peace terms of the President.

Mr. JOHNSON of California and Mr. KELLOGG addressed the Chair.

The VICE PRESIDENT. The Senator from California.

Mr. JOHNSON of California. Mr. President, I am very glad, indeed, that the resolution was presented by the Senator from New Jersey [Mr. FRELINGHUYSEN], and much that he says finds a very responsive echo in my own thought. I feel, as the Senator from Washington [Mr. POINDEXTER] has stated, that no man upon this floor is estopped from questioning, opposing, or controverting the terms that were laid down by the President in his address of January last. I recall that address most vividly. I remember that after that address was made and the general principles announced in it there were some of us who dissented very vigorously from it, and I recall, too, that just one month later the President of the United States made another address, in which, substantially, he said that his previous terms were tentative and that they constituted but a provisional sketch. I do not state his language exactly; I state my interpretation of it. I remember also that after that February address some of us commented upon it and expressed our approval of it and our approval of the fact that it was a modification of the January address.

As the Senator from New Jersey well says, we are to-day in the situation that we do not know the President's interpretation of what he has stated regarding terms of peace; the American people do not know the President's interpretation of his 14 points. Some of them are nebulous; some of them are yet indefinable; some of them as yet are not understood; and the President of the United States has departed, or is about to depart, for a foreign shore, leaving the American people neither understanding what he meant nor knowing what he goes for.

Mr. PITTMAN. Mr. President——

Mr. JOHNSON of California. He says that he goes for the purpose, as I understood his address the other day, of interpreting to somebody else the terms of peace that he laid down in January last. What we ask, not in any partisan spirit at all but echoing what our people ask, is that he interpret first to the American people and to the American Congress.

Mr. PITTMAN. I wanted to ask a question of the Senator from California.

Mr. THOMAS. Mr. President, I rise to a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Colorado will state his parliamentary inquiry.

Mr. THOMAS. Has morning business been concluded?

The VICE PRESIDENT. It has not.

Mr. THOMAS. Then I ask for the regular order.

The VICE PRESIDENT. Concurrent and other resolutions are in order.

PEACE TREATIES.

Mr. BORAH. Mr. President, I offer a resolution, which I think is pertinent particularly at this time, and ask that it may be read and lie on the table.

The resolution (S. Res. 365) was read and ordered to lie on the table, as follows:

> Whereas the President of the United States on January 8, 1918, declared that the first prerequisite of a durable peace was "open covenants openly arrived at, after which there shall be no private international understandings of any kind, but diplomacy shall proceed always frankly and in the public view"; and
>
> Whereas this was a clear denunciation of secret diplomacy, the chief weapon of despotism, and the most prolific source of the world's disturbance; and
>
> Whereas no covenants of peace can be concluded or be binding upon the people of the United States except through treaties ratified by the Senate of the United States; and
>
> Whereas the people who waged and won this war in behalf of democracy are entitled to know in advance of their being bound by the terms of any treaties of peace: Therefore be it
>
> *Resolved*, That when such treaty or treaties of peace relative to the termination of this war are transmitted to the Senate of the United States for consideration it or they shall at once and as soon as received be made public, and that the consideration of the same and all discussions relative thereto shall be in the open sessions of the Senate.

THE PRESIDENTIAL OFFICE.

Mr. SHAFROTH. Mr. President, before the morning business is closed, I should like to secure unanimous consent to comment for a few minutes upon a case which appears to me as in point with regard to the discussion which occurred yesterday of the powers of the President when he leaves the territorial limits of the United States. I shall take only a few minutes—not more than 10 or 15 minutes.

The VICE PRESIDENT. Is there any objection? The Chair hears none.

Mr. SHAFROTH. Mr. President, I have found a case in the Seventy-eighth Missouri Reports, at page 139, entitled State ex rel. Crittenden against Walker, which, it seems to me, covers this matter better than any case that has been presented or any case that I have been able to find. It relates to the question as to what is the power of the governor upon leaving the State, and as to whether or not a lieutenant governor can take upon himself the powers of the governor as soon as the governor crosses the boundary of his State. It arose when Mr. Crittenden was governor of Missouri, and when he went to New York upon some business affairs of the State and was gone a considerable length of time. When he came back his salary was held up by the auditor on the ground that he had been out of the State, that there had been a lieutenant governor administering the affairs of the State, and therefore that he was not entitled to receive all of his month's salary from the State.

I will read extracts from the opinion:

"The question presented, therefore, is, Can the governor who absents himself from the State for the purpose of performing duties imposed upon him by the constitution and laws of the State be deprived of his salary during such absence? The attorney general, in an argument characterized for its plausibility and ingenuity, insists that he can, and bases his argument on the following section of the constitution: 'In case of the death, conviction or impeachment, failure to qualify, resignation, absence from the State, or other disability of the governor, the powers, duties, and emoluments of the office for the residue of the term, or until the disability shall be removed, shall devolve upon the lieutenant governor.' It is insisted that by virtue of this section, in case of the absence of the governor from the State for any purpose or for any period of time, however short, that pro tempore he ceases to be governor, and all executive functions, as well as the emoluments of the office, devolve upon the lieutenant governor."

I will call attention to the fact that that section is much more specific than the clause of the Constitution of the United States, because the clause in the Federal Constitution does not refer to absence in specific terms. It says simply:

"In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President."

There is no reference to his absence from the territory of the United States. It is a pure question of ability or inability to perform the duties of the office. The opinion continues:

"We are of the opinion that the construction contended for is too narrow, is not warranted by the section. Treating conviction or impeachment either as meaning conviction on impeachment, conviction of any crime as well as impeachment, it will be perceived that there are five specified causes, upon the happening of any one of which the duties and powers, as well as the salary of governor, devolve upon the lieutenant governor. It will be observed that four of these causes, viz, death, conviction on impeachment, failure to qualify, and resignation, are of such nature as absolutely to create a vacancy in the office; and all of the four are of such character that no one of them can occur without its being a matter of such public notoriety as to be known throughout the State in 24 hours after the death, impeachment, failure to qualify, or resignation occurs, thus not leaving in doubt or to conjecture the right of the lieutenant governor to assume at once the performance of the duties and powers of the gubernatorial office and to receive the emoluments thereof.

"In view of the fact that the death, impeachment, failure to qualify, or resignation of the governor involves necessarily a vacancy in the office, and the further fact that whenever any one of the above events occurs the right of the lieutenant governor is not left open to question or doubt, it may well be insisted upon, as it is by relator, that the fifth specified cause, viz, 'absence from the State,' does not mean either an absence from the State for the purpose of performing a duty imposed by law upon the governor or a mere casual absence of a few days, but that it is necessarily implied from its connection with the other specified causes that such absence must be of such a character as to indicate on the part of the governor an abdication for the time being of the duties of the office, and such as, in the opinion of the governor, would make it necessary for him to call upon the lieutenant governor to take his place and perform such duties as the condition of business in his office and the exigencies likely to arise might require during such absence, and when so called upon his authority to act could neither be questioned nor his right to the emoluments of the office denied until the governor returned and resumed his place.

"Speaking for myself, and using the language of Ludeling, C. J., in the case of the State ex rel. Warmoth v. Graham (26 La. Ann., 568; s. c., 21 Am. Rep., 551), when a like question was under consideration, I do not believe 'that it was ever contemplated that the movements of the governor should be watched with a view that the lieutenant governor * * * should slip into his seat the moment he stepped across the borders of the State.'

"It is neither provided by the constitution nor by any law of the State how the absence of the governor from the State shall be ascertained or made known either to the people or to the lieutenant governor, so as to authorize him to assume the functions of the executive office or to impart knowledge of the fact to the people of his authority so that it may be recognized and unquestioned.

"In the event of the death, impeachment, failure to qualify, or resignation of the governor no such difficulty presents itself. If the lieutenant governor or auditor may assume to determine that any absence of the governor from the State, without reference to the purpose of the absence or the character and extent of it, is such an absence as for the time being ousts him of his office and casts upon the lieutenant governor the powers, duties, and emoluments of the office, why might they not, in passing upon the meaning of the words occurring in said said section 'or other disability of the governor,' determine that he was disabled by reason of insanity, without waiting for the judgment of the court pronouncing him insane, in a proceeding to determine that question by inquest of lunacy.

"The only authority we have found upon the question is the case of the State ex rel. Warmoth v. Graham (26 La. Ann., 568), which was a proceeding by mandamus to compel the auditor to pay the warrant of the governor for his salary from the 6th to the 19th of May, 1871, and from the 26th of June to the 17th of July, 1871. The auditor refused to pay this warrant on the ground and for the reason that during said periods the governor was absent from the State and that the duties of governor, as well as his salary, devolved upon the lieutenant governor, to whom the salary had been paid.

"Under the constitution and laws of Louisiana, it is provided, as it is in our Constitution, that in the absence of the governor from the State, or his inability to discharge the duties of the office, the powers and duties as well as the salary of the office devolve upon the lieutenant governor. It was held in that case that it was the duty of the auditor to pay the warrant, and as it is the only case in point we have been able to find it is deemed not inappropriate to quote what was said by the court in the disposition of the question, which is as follows:

"'It is evident if the lieutenant governor be authorized to assume the functions of the governor during any temporary absence of the governor from the State, he may also, whenever the governor is unable to attend to the duties of his office on account of sickness, in case of "inability to discharge the powers and duties of the office." We do not believe this to be the meaning intended by the framers of the constitution. The inability to discharge the duties of the office, as well as the absence from the State spoken of in the article, are such as would affect injuriously the public interest. The mere absence at Pass Christian, within a few hours' run of the capital, could not by any possibility affect the public interest. How is the absence of the governor to be ascertained? It is manifest that there ought to be some certain proof accessible to the public from which they may with certainty derive the knowledge as to who is authorized to act as governor of the State. As the law makes no provision for the mode in which the governor shall manifest to the public his absence from the State, it necessarily is left to his discretion, subject to his responsibility to the people. If the interests of the State should suffer in consequence of his prolonged absence, he would be amenable to public sentiment and to the control of the impeaching power of the State. Some public record should be made of the intended absence, or the governor should publicly place the lieutenant governor in charge of the government, so that the term of absence shall appear of record, and during such absence the acts of the acting governor would be of unquestionable validity. Anything less than this might create confusion and uncertainty.'

"The only difference between the above case and the one before us is that it does not appear that the governor of Louisiana was absent from the State in the discharge of a duty

imposed upon him by law, while in the case under consideration the governor was absent for the purpose of performing a duty which the law enjoined upon him in conjunction with others. And while the facts in the present case do not call upon us to go as far as the court went in said case, it may not be improper to say that the views therein expressed are not inconsistent with sound reason, and if an enlightened court under a constitution and laws which, like our Constitution, devolve the duties of the office of governor upon the lieutenant governor in the event of the absence of the governor from the State, has determined, as it did in the case above cited, that the absence of the governor from the State for a limited time creates no such vacancy in the office as to authorize the lieutenant governor to assume the duties and prerogatives and receive the salary of the governor, it is, at the very least, persuasive authority for the soundness of the conclusion we have reached that the absence of the governor from the State for the purpose of performing a duty cast upon him by law did not authorize the lieutenant governor to assume the functions of his office during such absence and receive his salary."

Mr. President, the Constitution imposes upon the Chief Executive the duty to negotiate and make treaties, subject to ratification by the Senate. It does seem to me that as the peace of our own Nation and of all the nations of the world is involved it is the highest official duty of the President to be at that place where he can be of most benefit to our own country. In my judgment, his presence at the peace table will be the inspiration which will produce a treaty based upon American ideals. I can not conceive that any court would declare his "inability to discharge the powers and duties" of his office when he is performing his highest duty imposed by the Constitution itself.

Mr. KELLOGG. Mr. President——

Mr. SHAFROTH. I yield to the Senator.

Mr. KELLOGG. I thought the Senator had yielded the floor.

Mr. SHAFROTH. Very well, I will yield the floor.

Mr. KELLOGG. As the morning hour seems to be taken up by general discussion, I ask unanimous consent to submit some remarks upon the question of a league of nations and the resolution introduced by the Senator from Pennsylvania [Mr. KNOX].

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. OVERMAN. Will the Senator from Minnesota yield to me to have an order made?

Mr. KELLOGG. I yield for that purpose.

WITHDRAWAL OF PAPERS—POMEROY PARKER.

On motion of Mr. OVERMAN, it was

Ordered, That leave be granted to withdraw from the files of the Senate the papers accompanying the bill S. 7281, Sixty-first Congress, second session, to correct the military record of Pomeroy Parker, no adverse report having been made thereon.

COMMITTEE SERVICE.

Mr. MARTIN of Virginia. The Senator from Minnesota kindly yields to me to have an order made for a committee assignment, which I send to the desk.

The order was read and agreed to, as follows:

Ordered, That Senator VARDAMAN be assigned to the chairmanship of the Committee on Manufactures, and that he, on his own request, be relieved from further service as chairman of the Committee on Conservation of National Resources, but not from membership thereof.

LEAGUE OF NATIONS.

Mr. KELLOGG. Mr. President, were the revenue bill now before the Senate, or any very pressing legislation demanding our attention, I should not take the time of the Senate to discuss this subject. But, Mr. President, the Senate, the coordinate treaty-making body, is not represented upon the peace commission, and the only way we have of making our views known upon the important world issues of to-day is by a resolution of the Senate declaring principles or by the individual expressions of Senators upon the floor.

I am not complaining of this situation, but it was with interest that I saw the resolution introduced by the Senator from Pennsylvania [Mr. KNOX] yesterday, declaring certain principles. That resolution is entirely different from the resolution of the Senator from Iowa [Mr. CUMMINS] providing for the appointment of commissioners to visit Versailles during the sitting of the peace commission. That resolution I do not approve of. It is proper that the Senate should express its views in a resolution upon any subject. I do not think it proper for the Senate to send commissioners or ambassadors to Versailles to the peace conference. They would have no position; they would not be entitled to admission to the conferences of the commissioners of the allied and other nations; they would be embarrassed in their position and they would embarrass our friends, the English, French, and Italian commissioners, who would desire, of course, to show respect to the representatives of this great body. They would also embarrass the President.

I believe that the first object of the Senate and of the Senators is the good of the Nation and their desire is that the President and his commissioners may bring out of the great conference at Versailles a solution which will reflect honor upon this Nation and will be a lasting benefit in the generations to come. That ought to be the controlling motive of the Senate, even though we may believe that the Senate should have been represented upon the commission.

I merely make this remark in passing in order to distinguish the resolution from that of the Senator from Pennsylvania. I shall not discuss the resolution at length, but some of its provisions are inseparably connected with the subject upon which I crave the permission of the Senate to submit a few remarks.

Our objects in this war might well be stated by the Senate, and perhaps after the settlement of those questions directly involved it would be better to postpone to some future period the question of a league of nations or a change of the general rule for the freedom of the sea.

I take it that we entered the war not for any vague idea of establishing world democracy or a league of nations, but for a definite purpose, because our rights upon the high seas had been invaded, our citizens murdered, the agents of Germany had plotted in our midst against our peace and security, violated our laws, and incited our neighbors to war with us. In order that we might make this country safe against the domination of Germany, we went to war. I think it quite proper that when those issues are settled around the great council table, the issues of indemnity to Belgium, France, and Serbia and other nations, what shall be done with the German Navy and the German military armaments, and many, many other questions, it would be proper to take up the question of a league of nations, not alone between the belligerent countries, but with all the civilized nations of the world, because the neutral nations are as much interested in the subject as we are.

Furthermore, that conference will be interested, at least the principal nations of Europe will be interested, in defining the boundaries and in declaring the independence and perhaps guaranteeing the integrity of various nations or would-be nations of Europe. I take it that this country is only very indirectly interested in that subject, and that we are not going to fix the boundaries of the Balkan States or other States of Eastern Europe, or of those people who aspire to sovereignty, and that we are not going by an armed force to guarantee those boundaries or guarantee the integrity of those countries during all the years to come.

Are we to police the vast and disturbed domain of Russia or be forever embroiled in the Balkan troubles or the troubles over the Golden Horn or the aspirations of Poland? While we should hope that they will be settled so that each of the great peoples of the world may have an opportunity to develop their nationality, yet it is another question if we are called upon to fix their boundaries, their autonomy, and to forever guarantee them. That is the entanglement against which the Father of his Country warned us.

Furthermore, I am admonished when I come to study the question of a league of nations that no peace convention could possibly settle upon the terms of such a league within the time that the great issues of this war should be determined. The world has been disturbed and ravished for four years. The nations are weary of war. It is now practically over, and as soon as possible the issues pertaining to the war should be settled, our Army returned, and we and all the other nations allowed to pursue the pathways of peace. But I do not mean by that that we should not make an effort toward a league or concert of nations which shall have in mind the preservation of the peace of the world.

Mr. President, the establishment of a league of nations is, I believe, now foremost in the minds of statesmen as well as in the minds of the people of the civilized world. It is being discussed by publicists and journalists the world over. The impelling causes which at this time bring this ancient and honorable subject before the public are too fresh in our minds to need extended discussion.

The appalling calamity through which the world has just passed, the destruction of life, the awful suffering, the shocking crimes committed under the guise of war, and the waste of nations has created anew in the minds of the suffering people a determination to put an end to such conflicts.

It is probably too much to hope that the world will be permanently at peace. De Segur, the great general and historian of the French Revolution and the Napoleonic régime, said:

Universal peace is the dream of the wise; war is the history of mankind.

As much as the world longs for peace to-day, we are confronted by the cold facts that unfortunately this is true. A league of nations to enforce peace has been a favorite theme for discussion by benevolent statesmen and publicists for 2,000 years. From the Hellenic League to the Holy Alliance—in fact, to the last Hague convention—it has been tried time and again, and although its ameliorating influences have undoubtedly been felt in decreasing the number of those conflicts which from time to time have devastated countries, yet the wrecks of nations, scattered along the pathway of human progress, testify to its failure as a complete preventative of war.

This, however, should not discourage us. I believe the time has come to try to establish a league to prevent war and to enforce peace, which may not be an entire preventative, but, backed by a world public sentiment, will have a tremendous influence toward maintaining just and equitable relations between nations and preventing the horrors of war.

If ever there was a period in history when it behooves statesmen to exert themselves to the utmost to find some means for the settlement of those controversies which divide nations other than the resort to arms, the present is the time.

I do not for a moment disparage the principles upon which we, with the allied nations, have carried on this war. I was an advocate of entering the contest. I believe the cause was sufficient, and the principles for which we were fighting soared high above the horrors of the battle field; that America in this struggle has found her soul. The splendid spirit of her sons who have given their lives in this sacrifice, the splendid spirit of the people which has made it possible to send that great tidal wave of humanity to crush the devastating military power of Germany, does not lead us into the paths of war but into the paths of peace. We should not overlook this fact. The peoples of the world, the toiling millions upon whom this war has fallen with crushing weight, were determined that it should end by victory, and are determined now that no step shall be neglected which will tend to bring a permanent peace.

I have no sympathy with the tenets of socialism, State or international. The growth of this spirit has been augmented by the abuses of war, and I am willing to lift my voice in favor of a league of nations to maintain peace. But I am not in favor of an impracticable, I might say an impossible, scheme that I believe yet rests in the brain of the dreamer and in the womb of the far-distant future. The condition of the world is far better for the successful establishment and maintenance of such a league at this time than ever before. No league of nations can succeed unless it originates and is sustained by an honest public sentiment of the peoples involved, and unless the Governments joining in such league are responsive to the demands of the people. These conditions exist to-day to a greater degree than ever before. I believe with the closing of this war irresponsible government will have practically disappeared from the face of the earth and in its place there must come in Russia, in the central empires, and in the other nations, a government responsive to the will and voice of the people, such as exists today in the great allied nations, fighting, as we all hope, the last world war for the supremacy of right and justice. One thing is sure. Unless Germany changes her attitude toward the rest of the world, unless the aspirations and policies which have guided that nation in the past are to be changed and a more enlightened sentiment shall control the German people, and a government is established responsive to this sentiment, there must be a league of the allied nations to see that Germany is rendered powerless to renew the contest.

Again, another thing which will make a far more permanent peace is the abolition of the system of secret treaties and alliances. I believe, as I have said before, that the treaties which close this greatest of world conflicts and settle the disputes upon which the future of nations depends should be made in the open, in the light of public opinion, and approved by an honest world sentiment. How many leagues of nations, like the Holy Alliance, have foundered upon the rocks of disaster because they were based upon false principles of justice and sustained by secret alliances and the hope of dynastic supremacy? I deplore what seems to be the disposition of the President not to take the American people into his confidence, especially that body of the supreme legislative power of the Nation, the coordinate treaty-making body, the United States Senate. So far as possible we should know his views upon the difficult problems which must be settled in Paris. I would have the world informed as to the progress of the negotiations and the principal issues involved from time to time between nations surrounding the council table. It is only in this way that a healthy public sentiment can be expressed and a peace arrived at which shall meet the judgment of the civilized world.

I come now to the more concrete question—what kind of a league or concert of nations we should approve—and upon this subject I desire not to make dogmatic statements but to keep an open mind. If I am permitted to take part in the deliberations of the Senate upon the confirmation of the treaty of peace, I shall go as far as possible in sustaining measures necessary to prevent the recurrence of war, provided they do not infringe upon those national rights which I believe all of us deem to be necessary to the future prosperity and happiness of this people.

I listened with interest to the eloquent speech of the Senator from Missouri [Mr. REED] voicing his opposition to a league of nations. Granting his premises or definition of a league of nations, I do not, in the main, disagree with him. But it depends upon what we consider to be a proper league of nations. If you mean by a league of nations that there shall be established a world supergovernment, with legislatures and judicial tribunals—under which the signatory powers will be to some extent vassal states—with power to legislate or interfere with our internal affairs, our foreign trade, our tariff duties, our regulations of commerce, the development and disposition of the great natural resources of this country, I say emphatically I am not in favor, and I know of no one, except, possibly, some extreme, impractical dreamer, who would favor such a scheme. I have studied, as far as possible, the public expressions upon this subject during the war, and I believe that the great preponderance of sentiment of the leading statesmen and publicists of the world, as well as all the organs of public expression, is that such a scheme, or any scheme of a world government whose laws can be enforced by international tribunals, is impracticable and inadvisable.

I do not favor the establishment of any supergovernment over nations. Nor do I believe, considering our position, that it would be policy to do it. Furthermore, I am of the opinion that under the principles of our form of Government, established by the Constitution, we have no power to enter into such a treaty. The Constitution of the United States irrevocably vests the government in the legislative branch, to be elected by the people, the execution of the laws in the executive branch, and the judicial to construe those laws and to perform other judicial duties.

Under Article VI of the Constitution it is provided that—

This Constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land, and the judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding.

While it is true that in this country a treaty, if it is self-executory, has the effect of a law, and if it pertains to any subject within the treaty-making power is supreme over the laws and constitutions of States, yet it is not supreme over the Constitution of the United States or of a subsequent law of Congress, for it is clear that under the Constitution Congress has power to denounce any treaty.

Let me illustrate, for example. Suppose we should join a league of nations with an international force which had authority to bind the signatory powers to make war upon any country and such league should undertake to exercise such power. The Constitution of the United States irrevocably places in the Congress the power to declare war. Has the Senate of the United States and the President under the treaty-making power the authority to enter into a treaty that will permit a supergovernment of the world to involve us in war or to declare war for us against another nation? That is one case of many which might be made to illustrate this principle.

Mr. President, I ask permission, without reading, to insert in the RECORD a quotation from the decision in Whitney v. Robertson (124 U. S., 190).

The VICE PRESIDENT. Without objection, permission to do so is granted.

The matter referred to is as follows:

A treaty is primarily a contract between two or more independent nations, and is so regarded by writers on public law. For the infraction of its provisions a remedy must be sought by the injured party through reclamations upon the other. When the stipulations are not self-executing—that is, require no legislation to make them operative—to that extent they have the force and effect of a legislative enactment. Congress may modify such provisions, so far as they bind the United States, or supersede them altogether. By the Constitution a treaty is placed on the same footing and made of like obligation with an act of legislation. Both are declared by that instrument to be the supreme law of the land, and no superior efficacy is given to either over the other. When the two relate to the same subject, the courts will always endeavor to construe them so as to give effect to both, if that can be done without violating the language of either; but if the two are inconsistent, the one last in date will control the other, provided always

the stipulation of the treaty on the subject is self-executing. If the country with which the treaty is made is dissatisfied with the action of the legislative department, it may present its complaint to the executive head of the Government and take such other measures as it may deem essential for the protection of its interests.

Mr. KELLOGG. In the case of Thomas v. Gay (169 U. S., 264), the Supreme Court said—and I will read this, for it is very short and, I think, very pertinent:

It is well settled that an act of Congress may supersede a prior treaty and that any questions that may arise are beyond the sphere of judicial cognizance and must be met by the political department of the Government.

It need hardly be said that a treaty can not change the Constitution or be held valid if it be in violation of that instrument. This results from the nature and fundamental principles of our Government. The effect of treaties and acts of Congress, when in conflict, is not settled by the Constitution. But the question is not involved in any doubt as to its proper solution. A treaty may supersede a prior act of Congress and an act of Congress may supersede a prior treaty. (Foster v. Neilson, 2 Pet., 253; Taylor v. Morton, 2 Curt., 454.)

It would seem, therefore, of questionable propriety as well as doubtful authority to attempt to establish over this country an arbitral chamber or tribunal which can, without the consent of our legislative authority, in any way control our internal policies or any activities of the Government which are, by our Constitution, committed to the legislative authority. While some of the foreign governments are not embarrassed by such limited powers, yet I believe it is the consensus of opinion of the leading nations of the world that any such plan of supergovernment is impracticable.

It is, of course, impossible for me, in the space of these remarks, to review the principal expressions even of the leading statesmen of the world upon this intricate and difficult problem. I think there is great diversity of opinion among the allied powers, centering, however, upon a general and almost universal sentiment that some league or general treaty must be made which will have an effect to prevent the recurrence of such a calamity. The nearest expression to a national sentiment, perhaps, comes from the House of Lords in England. All the leading statesmen in England have declared in favor of some kind of a league of nations; not, however, such a one as received the condemnation of the Senator from Missouri.

On the 19th of March, 1918, Lord Parmoor moved, in the House of Lords, the following resolutions:

That this House approves of the principle of a league of nations and the constitution of a tribunal whose orders shall be enforcible by an adequate sanction.

Mark those words.

After most elaborate debate, the resolution was modified and adopted, reading as follows:

That this House approves the principle of a league of nations and commends to His Majesty's Government a study of the conditions required for its realization.

Quite a different thing.

The debate was participated in by Lord Parmoor, the Marquis of Lansdowne; Lord Bryce; Lord Parker, a thorough student of the subject; Lord Curzon, a member of the Government; and many others. I wish to briefly quote from some of those statesmen their views upon this important question.

In the discussion of the subject, Lord Parker, who has been one of the advocates of a league of nations, said:

As soon as the risk of war becomes great, nations will begin to settle their differences by other means. Arbitrations may be resorted to, possibly international councils or international conciliation boards may be made use of, but tribunals in the ordinary sense of the word—legal tribunals for the administration of international law based upon an organised international force—is a very different matter, and one which must be left, in my opinion, to grow out of that sense of mutual obligation which is beginning to exist amongst nations. If we attack that part of the problem at first, I have very serious fears that the whole structure which we are trying to build may fall about our ears. Probably if any dispute how arose between ourselves and any other great nation—say the United States of America—the nations in difference would easily arrive at some means of settling the dispute otherwise than by war, whether by a tribunal ad hoc or in some other way. It is a very serious matter to ask great nations in the present day to agree beforehand to submit disputes of whatever nature to the arbitrament of a tribunal consisting of representatives of some two dozen or three dozen States, many of whom may be indirectly interested in casting their votes on this side or on that.

Lord Bryce, who, everyone knows, is a distinguished scholar of the science of government and international law, discussing this problem on June 26, 1918, in the House of Lords, said:

Now, the creation of such a machinery as that to which I have referred, the provision of means for the pacific settlement of disputes instead of resorting to war, is a difficult and an infinitely complex question. Attempts have been made heretofore—the one which is most familiar to your Lordships was that made under bad auspices by the Holy Alliance in 1815—to provide some method for permanent peace. That attempt was destined to failure from the false principles upon which it was founded. We must go far deeper, and found it upon principles compatible with freedom. I do not for a moment underrate the difficulties which must be faced, and I think that we may dismiss all those grandiose notions of what has been called a federation of the world, an attempt to induce the great States to forego their sovereignty and to submit themselves to some superior authority and to constitute an international army. All these schemes, if they ever are realizable, must belong to a very distant future, and I do not think we ought to contemplate any further limitation of sovereignty than is necessarily involved in the obligations undertaken by a treaty. But, however limited and cautious our plans may be, it is not to be denied that the difficulties in the way are very great, and that the questions to be solved are of the utmost complexity. I do not think anyone can appreciate how great those difficulties are unless he addresses himself to a close and long-continued study of the subject, and to the various plans that have been advanced.

Earl Curzon, while supporting the general principles of a league of nations and arbitration of the disputes which lead to war, used the following significant language, which I ask to include in the RECORD without reading.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

Then I come to the question of the sanction, which also, I think, must be somewhat closely scrutinized. The two forms suggested have been that of economic pressure or boycott and that of the use of force. In theory economic pressure is, of course, the easiest method to adopt, and it would seem prima facie to be likely to be the most effective. You suspend commercial intercourse with the offending nation; you stop her imports and exports so far as you can; you prohibit communication by telegraph, by telephone, by post, by railway, by wireless telegraphy with her; you desist from lending her capital or from paying her debts; you blockade her coasts. Well, a good many of these expedients we have adopted; almost the whole of them we are practicing in the present war. They did not, it is true, succeed in preventing the war; they have not, at any rate at present, curtailed its duration. But I should like to put it in this way: I doubt very much whether, if Germany had anticipated when she plunged into war the consequences, commercial, financial, and otherwise, which would be entailed upon her by two, three, or four years of war, she would have been as eager to plunge in as she was. Remember this: Though we have not done possibly all that we desired, we have done a great deal, and we could have done a great deal more if your hands had not been tied by certain difficulties. It is naturally a delicate matter for me to allude to this. A good many of them have been removed by the entry of the United States of America into the war, but we have always the task of handling with great and necessary delicacy the neutral States, and this difficulty still remains with us. But observe that this difficulty will not arise if you have a league of nations to which all the States belong, because then there will be no neutral States whose interests you will have to consider.

This brings me to the final point of the proposed sanction force. And here I am very much in agreement with what I understood to be the argument of my noble friend, Lord Bryce. Some people seem to imagine that you can set up an international court—or a supernational court, I suppose it ought to be called—with an international police. The powers in general under these suggestions are to retain only such forces as the court may decree; the whole of them are to be at the disposal of the central tribunal; and if that were so, it is clear that such a force would have to be so preponderant in numbers and in the other elements of strength as to exercise an overwhelming superiority in arms over any offending party with whom it might have to deal. Speaking for myself, I doubt not merely the wisdom but the possibility of setting up an international police. I doubt very much whether sovereign States would submit to this restriction, almost this derogation of their sovereignty, and I do not see how an international police, marshaled and set on foot in the way I have described, would be able to cope with the difficulties that might arise, not so much in Europe, but in the heart of the African continent or elsewhere.

I suggest, in respect of all these schemes, that we should not proceed too quickly or too far. I think that the attempt at this stage to construct a hard-and-fast juridical system would be attended with failure; and if you fail now, observe that you not only destroy the chances of the scheme which you may be trying to construct, but you may throw back the movement for generations. That has been the fate—I was alluding to history just now—of those earlier attempts at leagues of nations; they were premature; they were presently diverted from their proper object, and they expired in ridicule and scorn.

Mr. KELLOGG. It is sufficient to say that, while Earl Curzon suggests economic pressure, he dissents emphatically from any superjudicial tribunal whose decree shall be put into effect by international force. He is speaking, we must remember, after the greatest contest and the greatest trial the British Government has ever passed through probably in all its history, and certainly since the Napoleonic wars.

Mr. LEWIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Illinois?

Mr. KELLOGG. I yield to the Senator.

Mr. LEWIS. May I not ask the able Senator if he will not recall that Lord Curzon, particularly in the very matters to which the Senator is alluding, seems to rest his final determination upon the inability of having all nations become a party to the league? To use an ordinary phrase, his stumbling block was as to whether we could bring all nations into the league, but he did not say—and I yield to the Senator's better memory, as I have not had that proceeding so lately before me as the Senator has—in that same discussion, following Lord Bryce and others, that the league would depend for success upon having all of the nations enter into it.

Mr. KELLOGG. I do not think so.

Mr. LEWIS. And that upon that he rested his conclusion.

Mr. KELLOGG. I have read with great care, within the last few weeks, all of the debates in the House of Lords and the House of Commons upon that subject; I have read the principal comments of the European journals, including the French, and I do not recollect that Lord Curzon or any of the other distinguished English statesmen placed their objection upon that ground; but they placed their objection upon the ground stated

by Lord Parker, Lord Bryce, and Lord Curzon in the quotations I have given.

It is true that Mr. Balfour and the prime minister, Lloyd George, have made general declarations in favor of a league of nations, as we hear constantly in the press and by Senators' declarations that they are in favor of a league of nations, but it depends upon what the league of nations is to be. When you come to define it as a supertribunal, a standing army of the world, whereby nations of necessity give up their sovereignty or a portion of their sovereignty, few statesmen of the present day, I believe, recommend it or are in favor of it.

I was saying that the statesmen of Great Britain were standing with the great war then in their faces. They were looking over the past three years of bloodshed and ruin which had tried the British nation as never before in its history, and they were longing for peace. They were Anglo-Saxon statesmen, whose desire was to spread the doctrine of liberty over the world and not that of military power; and yet these gentlemen, with their clear-sighted vision, did not recognize in a league of nations of this kind a solution of the world's difficulties, but did recognize the necessity for a closer relation, a concert of nations, an educated public national and international sentiment, that will go far toward ending these terrible struggles.

The discussion in the House of Lords, as well as the discussion in the House of Commons, by the principal ministers in the present Government, leads me to the conclusion that England is probably willing to go as far as if not further than any of the other nations of Europe in the establishment of a league of nations which shall exercise the right of mediation, conciliation, and arbitration of disputes between nations which lead to war; that England is not ready to pronounce in favor of a superjudicial tribunal, whose decrees shall be executed by international armed force; but I think it is the consensus of opinion of her statesmen that she is willing to go much further than heretofore in the establishment of suitable machinery for mediation, conciliation, and arbitration, and to exert international pressure by concert of peoples for maintenance of peace. It will be seen that some of her public men advocate economic pressure; others the appeal to the enlightened sentiment of the nations.

In France there has been no declaration by resolution of the Chamber of Deputies or the Senate, so far as I am aware, expressing an opinion upon this subject.

I am informed that a commission was appointed by the French Government to study this important question—I believe it was headed by that distinguished jurist, Leon Bourgeoise—that a report has been made which has been furnished to the allied Governments, and that our Government has a copy, although I have not had the opportunity of seeing it and can only state what developed in the debate in the House of Lords and from what I have gathered from the French journals.

Lord Curzon stated on June 26, 1918, that such a report had been made and communicated to the allied nations, but that it had not yet reached the British Government. He said:

> The French commission appears to have pointed out that it would be out of the question to set up an international police—a State above all other States whose aims should be to substitute law for force in the settlement of these national disputes. That is a statement of opinion with which I think we shall all concur.

This commission was appointed by the French Government, as I understand, simply to make inquiry and recommendations; that it has no authority to speak for the Government. From the accounts in the French papers I would judge that while this report has not been made public the conclusions of the commission have, to a considerable extent, reached the public through the press. As near as I can judge, the French commission does not recommend any league of nations having control over the governmental affairs of the signatory powers. The commission apparently recommends the continuance of The Hague tribunals, a provision for the submission to an arbitration tribunal of those legal questions which are called, in diplomatic parlance, justiciable as distinguished from political, and the establishment of a court or commission of conciliation or mediation, to be composed of representatives from each country, which shall take up and adjust, if possible, those political or nonjusticiable disputes between nations. The question I am in doubt upon is what pressure or power this commission recommends for the enforcement of the judgment of such commissions. I am led to believe that the pressure of public opinion is the principal one relied upon and that if any force is recommended it is after all other means have been exhausted, and I am not clear that such force is recommended at all.

Mr. Robert E. Olds, a lawyer of distinction, a student of the affairs of government, and who has had an exceptional opportunity to observe public sentiment in France, writes me on October 14 as follows:

> I assume you also are following closely the career of that ancient and honorable idea of a league of nations. It is a favorite theme at the conclusion of all great wars. I try to read each day the London Times and a couple of Paris papers (usually the Figaro and the Gaulois or Journal des Debats). Two or three times a week I get the Journal de Geneve. The British and French periodicals are also, of course, available. The English, I find, are pretty generally for the league, although opinion is by no means unanimous.
>
> I think I have shown the kind of a league that the English statesmen are in favor of.
>
> In France the idea has taken no root at all. I have looked in vain for any rational discussion of it. There is a studied avoidance of the subject alike by statesmen, publicists, and journalists. One gains the distinct impression that the French regard the notion as chimerical and visionary. Perhaps the national loathing of Germany and the consequent reluctance to go into any combination of which Germany might be a member goes far to explain the attitude.

For those who have not already done so, I suggest the consideration of an outline of a league of nations proposed by Lord Parker in his speech in the House of Lords on the 19th of March. I do not believe that we are going to enter into a treaty of peace to end this great war without an earnest effort, guided by all the wisdom and experience of preceding ages, to arrive at some agreement, some league or concert of nations, which shall exercise influence not only upon world public sentiment but in guiding nations to the pathway of peace and preventing a conflict of arms. I am not, of course, willing that this country, if we could do so, should turn over to any supergovernment control over our domestic policies, the development of our great natural resources, or our trade and commerce with other nations, questions of immigration, of customs duties, or the Monroe doctrine. We are fortunately situated. We produce within our domain not only our own needs but a surplus of all the principal raw materials going into the commerce of the world. With food supplies, iron, copper, oil, timber, cotton, and other products there are but few things for which we must depend upon the outside world. But we should undoubtedly yield, as far as possible, in order that at the close of the war we and the other nations shall not commence to prepare for the next war.

In addition to the enormous burden which this war has left upon the belligerent nations, upon our country as well as the European countries, are we to press down upon the people the burden of growing armament and gigantic militarism?

I have not advocated that we should not always be prepared to meet and protect our territory and our rights, but that if possible we should stop the competition of growing armament between nations. Nor do I advocate that we should undertake, in concert with other nations, to fix the boundaries of all the States of Europe and by leagues of nations guarantee their boundaries and the integrity of their Governments. This is not within the scope of international action to try and obtain concert of the leading Governments to adjust the disputes of nations and prevent resort to arms.

As far as I am able to judge the consensus of public opinion among the allied nations to-day is in favor of the general principles of a league of nations to prevent war. You may say this is generalization. I think we may go further and say that the consensus of opinion is that there should be a league by treaty binding all the signatory powers which shall provide not only for mediation, but shall make it the duty of the powers joining to offer mediation between contending nations; that it shall provide for commissions of investigation and conciliaton and provide for the members to submit their disputes to arbitration. The vital point, to be sure, is what disputes shall be submitted and what means shall be taken to compel the enforcement of the decrees of the arbitral tribunals. I realize this is the difficult point. It is said that unless there is some force to execute the decrees of the tribunal the whole proceeding will be a farce, that nations like Germany will neither submit nor abide by the judgment.

In the first place, I believe, the conditions for conciliation and arbitration have never been as favorable as to-day and as they will be in the future. Nations heretofore have hesitated to agree to submit their disputes to arbitration for the reason that they did not wish to go into a court perhaps more or less interested in the question or kindred questions and submit matters vital to the national life to arbitration, and various schemes of excluding from arbitration those questions which were considered quite nonjusticiable or vital to the nation's welfare have been evolved. But the trouble is that those are the questions which often bring on conflicts, and it is a question whether we should not agree to submit to a proper tribunal of arbitration many questions which we are not now willing to leave to arbitration where the enforcement of the judgment is left to the enlightened sentiment of mankind. That there should be a world police or armed force is, in my judgment, impracticable and unthinkable.

It may be said that we have arbitration treaties with the principal nations of the world. We have, to be sure, with France and Great Britain an arbitration treaty, negotiated, I believe, by the distinguished Senator from Pennsylvania [Mr. KNOX] when he was Secretary of State. He will correct me if I am not stating the facts accurately. In that treaty it was provided that justiciable questions depending upon law and fact should be submitted to a tribunal, and that a board or commission of conciliation should be created. The treaty did contain a clause guarding, I think, to a great extent the interests of the country, to determine what were the justiciable questions; but the Senate did not approve it and the treaty stands as I suggested.

Mr. SMITH of Georgia. Mr. President, will the Senator yield for a question?

Mr. KELLOGG. I will.

Mr. SMITH of Georgia. And did not the Senate advise the world, by its action then, that we were entirely opposed to any kind of international tribunal that might pass upon our vital interests, our national honor, or any problems of government that might affect this country?

Mr. KELLOGG. I think it did, as I said before.

Mr. SMITH of Georgia. I was in the Senate at the time, and it was the first opportunity I had to take part in the consideration of a great question; the debates then show, as did the final action of the Senate by a substantial majority, that even a majority of the present Senate then in the Senate could not agree to ratify any treaty or any program that submitted even to arbitration between two countries, to say nothing about international tribunals representing numerous nations, the important questions of government or problems of vital interest or of national honor belonging to our own country.

Mr. KELLOGG. Answering the Senator from Georgia, I think it did; and I do not think the Senator from Georgia will draw from any remarks I have made any conclusion that I thought to the contrary.

Mr. SMITH of Georgia. I did not. I was only desiring to supplement the view of the Senator by calling attention to the fact that when it was said that we should have advised the President earlier of our attitude I meant to suggest that the Senate had advised the world as far back as 1912 of its attitude upon many of these questions; and I meant further to suggest that it was entirely proper for the Senate now to exercise its responsibility by giving its advice on the pending treaty, as to the character of the treaty that we would be willing to ratify.

Mr. KNOX. Mr. President——

Mr. KELLOGG. I yield to the Senator from Pennsylvania.

Mr. KNOX. I merely wanted to state that the exact point of divergence between the Senate and the executive department of the Government at that time over that particular treaty was this: The treaty provided that all justiciable questions should be submitted to arbitration, and then it defined justiciable questions to be those questions which are susceptible of determination by the application of the ordinary recognized rules of law and equity. But obviously a question always arose as to whether a question was justiciable or not; and the proposition of the treaty was that that question—that is, its justiciability and, therefore, its arbitrability—should be left to commissioners; and the Senate declined to do that, because it said that would possibly submit vital interests to the decision of outsiders.

Mr. SMITH of Georgia. Because the commissioners might determine contrary to the view of this country. So guarded were we as to the preservation of the independent action of our own country about problems of vital interest that we declined to accept the treaty with those provisions.

Mr. LEWIS and Mr. NORRIS addressed the Chair.

Mr. KELLOGG. I yield to the Senator from Illinois.

Mr. LEWIS. May I be pardoned for suggesting that as I recall the debates—and I can only speak of my knowledge of the debates, having studied them, in this body—Senator Rayner, of Maryland, asserted on the floor, seeking to advocate the position of the eminent then Secretary of State, now equally eminent Senator from Pennsylvania, that the real item of dispute was because the words "law and equity," as contained in the provision submitted, had no equal definition or no equal meaning in the other Governments, and that therefore the definition "law and equity" left it so open that there was no defined thing which made the limit of the conduct on the part of the commissioners to whom the subject was to be committed. Am I right about that—that that was the real, serious grievance?

Mr. KNOX. No; I am sorry to say that the Senator from Illinois is mistaken. The Senate accepted that proposition. There was no difficulty about the arbitration of justiciable questions, and there was no question raised, in the sense that no controversy succeeded, as to the definition of what a justiciable question was. The controversy arose as to whether the question of justiciability should be left to a commission if it was disputed.

Mr. KELLOGG. I now yield to the Senator from Nebraska.

Mr. NORRIS. Mr. President, I wanted to ask the Senator if he does not believe that this war, when it is considered in all of its aspects, naturally had a tendency to lead men to include questions that might be defined as justiciable that they would have excluded eight or ten years ago? In other words, referring particularly to what the Senator from Georgia has said about the Senate having gone on record, does not the Senator believe that one of the lessons of this war is that men will be more inclined, in order to avoid war and to reach an agreement, to agree to arbitrate things that probably before this war they would have hesitated to enter into any agreement to make arbitration treaties to cover?

Mr. KELLOGG. Mr. President, I have no doubt of that. I believe it is the firm opinion of the intelligent world to-day that if Germany had had a responsive government, and if war could only have been declared by a legislature after discussion, there would not have been this terrible war; and I believe that the sentiment of the world to-day is ripe for the exercise of all the powers of arbitration and conciliation that the nations can safely grant consistent with their independent sovereignties. I do not think the public sentiment has ever been as favorable to such action as at the present time.

I was suggesting the two treaties between this country, France, and Great Britain. I believe that some definition or some means of determining what are justiciable disputes can be arrived at to safeguard this country, so that our vital interests will not be submitted to nations which may have interests to the contrary, and that some means of conciliation and investigation by permanent commissions may be devised that will largely take care of the political questions.

It may be said that we have the treaties negotiated by Mr. Bryan as Secretary of State. There are a large number of them. They are all substantially alike. They simply provide for investigation and conciliation, and some of the countries agree that they will not make war while this investigation is going on. The treaties have done no harm. In fact, they may have done a great deal of good. They may, in some instances, have softened the passions of nations by giving time for consideration. But it is entirely a different proposition to negotiate a treaty between Brazil and the United States and a treaty between the United States and Chile when there is no treaty between Chile and Brazil. A league or concert of nations with the sole purpose of preventing a war, with a proper tribunal of conciliation and investigation, which shall meet periodically, which shall keep in close touch with the affairs of the various nations parties to it, is a far different thing than the separate treaties which have been negotiated for investigation and arbitration between various nations. It is the combined and concerted action of the great nations of the world at the close of this war which will prevent the recurrence of such a calamity which has devastated civilized lands.

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is Senate bill 4637.

Mr. KELLOGG. Mr. President, I am not to be understood as advocating that this country, situated as it is in the Western Hemisphere, under our form of Government, is going to enter into a league of nations which will involve it in the pitfalls and dangers of European intrigue or the maintenance of a world army which may be turned against us. But I do advocate that every effort shall be made by The Hague tribunal or some similar tribunal for the conciliation of political disputes and the arbitration and settlement of all questions which are justiciable, and for some means of determining what those questions are.

We have before us the example of two great, intelligent, progressive Anglo-Saxon nations that have been at peace for more than 100 years. The nations of the earth are growing closer and closer together, international relations are multiplied, space has been annihilated, and I believe that every effort should be made toward the conciliation of those disputes which from time to time divide the nations of the earth.

But we must remember that few nations, if supported by a proper public sentiment, which I believe is growing, will defy the arbitral tribunal and the public sentiment of the world. In the nineteenth century there were 471 international disputes favorably submitted to decision by arbitration, and in the last 20 years many such disputes have been settled in this way, in not one of which have the Governments involved refused to abide by the decision of the arbitrators. The nearest approach to such a failure is the finding of the tribunal in the case of Panama and Porto Rico, which has not yet been fully complied

with. Such a league of nations could provide for mediation, for commissions of conciliation which should investigate and find the facts and make recommendations which should be furnished to interested Governments.

It may be said that this was substantially provided for by The Hague Convention, and that in spite of the agitation for world peace, which has been the most prominent in the last 25 years, this war—the greatest since recorded history—has devastated the world. But The Hague conference did not go to the limit which I believe the principal nations are now willing to go. The central powers were not willing to agree to submit their disputes to arbitration. It may be that nothing would have prevented a trial of strength between the central empires and the rest of the world. Had there existed in Germany a responsible government, an intelligent public sentiment which could be expressed through legislatures and ministers, even with the incense burning which has been going on in Germany and the training of the German mind toward the supernation, I do not believe war would have broken out. But with the boundless ambition of the Hohenzollerns, with the control over all the resources and activities of the nation, there apparently had to come a trial of strength to decide whether this great military autocracy should survive or go down before the free peoples of the world. That time has passed, and while I do not expect that the millennium has arrived or that war will cease in the world, I do believe that the growing, enlightened public sentiment; the abolition of irresponsible governments; the growth of science which increases the instruments of destruction; the increase in the magnitude and the burden of war and all the horrors, miseries, and crimes of four years, has created a fertile field and an educated public sentiment, which is determined that such a war shall not again occur.

I am not unmindful of the teachings of our forefathers, of the wisdom of Washington, whose precepts we have followed. I believe the opinions which he expressed, the examples which he gave to the world, the influence which he exerted upon his time, have been among the most potent civilizing influences.

Notwithstanding his admonition, we did go forth and engage in battle upon foreign soil. We sent one of the greatest armies ever marshaled in war. We backed this Army by the resources of a great country and by the patriotic sentiment of a generous and enlightened people. We did this not only for our own material protection, that the institutions which we had reared might remain, but for the establishment of right and justice as the ruling factor in human destiny. Shall we hesitate now, while maintaining all our institutions, our Government, and the right to control all our internal affairs, to join in a league of nations which may have a lasting effect upon all the generations to come?

Mr. President, when the sun went down on that memorable August day four years ago, its last rays were clouded by the gathering storm of war. It was to rise upon a new world—the old had passed away—a world to be deluged with human blood and laid waste by the ravages of ruthless war, but a world of peace-loving, free people, animated by a new determination, inspired by new ideals and by new hopes, a determination that lawless military rule should end, ideals of democracy founded upon justice to all peoples, and a hope for a lasting peace. Lincoln uttered a great truth when he said, "This Nation can not exist half free and half slave." Neither can the world exist in peace half autocratic military government, recognizing no principle but that of force, and half free, self-governing democracy. A conflict is inevitable and must go on until one or the other is mastered.

Mr. President, it may be a delusion, but I like to indulge in the hope that the contest is ended, that the great preponderance of world government is representative democracy founded on safe guaranties of personal liberty, security of property, and opportunity for individual initiative and progress. It is either that or the reign of license and lawlessness, a despotism more terrible than autocratic power, which is its usual sequel.

Mr. LEWIS obtained the floor.

Mr. KNOX. Will the Senator from Illinois yield to me for a moment? I wish to call the attention of the Senator from Minnesota to a matter.

Mr. LEWIS. I yield to the Senator from Pennsylvania, though I expect to occupy only about five minutes.

Mr. KNOX. For just a moment. The Senator from Minnesota has performed a great public service in bringing to our attention the views of the English and French statesmen whom he has quoted and by his reference to the parliamentary attitude in both those countries; but he has overlooked what I regard as an even more important fact—one with which we have more concern and one which should have a greater influence over us.

We have not been behind Great Britain and France in parliamentary expression as to our attitude upon this great subject. As late as 1916, almost two years after the war began, the Congress of the United States passed an act expressing its policy, expressing its attitude not only as to the extent that we should go, but as to the method by which a conference should be brought about which should pass upon the great question as to a league of nations or a combination for the prevention of war.

Allow me to read the act of August 29, 1916:

> It is hereby declared to be the policy of the United States to adjust and settle its international disputes through mediation or arbitration, to the end that war may be honorably avoided. It looks with apprehension and disfavor upon a general increase of armament throughout the world, but it realizes that no single nation can disarm, and that without a common agreement upon the subject every considerable power must maintain a relative standing in military strength.
>
> In view of the premises, the President is authorized and requested to invite, at an appropriate time, not later than the close of the war in Europe, all the great Governments of the world to send representatives to a conference which shall be charged with the duty of formulating a plan for a court of arbitration or other tribunal, to which disputed questions between nations shall be referred for adjudication and peaceful settlement, and to consider the question of disarmament and submit their recommendation to their respective Governments for approval. The President is hereby authorized to appoint nine citizens of the United States, who, in his judgment, shall be qualified for the mission by eminence in the law and by devotion to the cause of peace, to be representatives of the United States in such a conference. The President shall fix the compensation of said representatives, and such secretaries and other employees as may be needed. Two hundred thousand dollars, or so much thereof as may be necessary, is hereby appropriated and set aside and placed at the disposal of the President to carry into effect the provisions of this paragraph.

So we have a definite American plan in respect to a league of nations. We have a definite American method by which this thing can be accomplished. We have a definite request to the President of the United States to call a conference of the representatives of the world before the close of the present war or at any earlier time he sees fit, and we have the appropriation necessary to carry the act into effect. So if there is such a thing as an American idea expressed by the representatives of the American people in an American Congress upon this subject it is found within the four corners of this act. I think this should be added to the presentation of the attitude of the other countries made by the Senator from Minnesota.

Mr. KELLOGG. I thank the Senator from Pennsylvania.

Mr. PITTMAN. Will the Senator from Illinois yield that I may ask a question of the Senator from Minnesota?

Mr. LEWIS. I yield.

Mr. PITTMAN. I desire to ask the Senator from Minnesota a question, and I do it because he is undoubtedly thoroughly prepared upon this subject. I have listened to his remarks with the very deepest interest. It is the first speech on this subject in the Senate I have had the pleasure of hearing which shows a careful study of the question, or that is not flavored with prejudice or possibly with politics. I was impressed with the fairness of the discussion by the Senator from Minnesota, and while I gained a great deal of information with regard to the many and various views of what should constitute this league of nations, I do not know that I definitely understand the particular league of nations the Senator from Minnesota favors. I should like to know if the Senator from Minnesota would be prepared, not to-day, of course, but within the next few days, to present to this body and argue as intelligently as he has this subject a proposed constitution or a proposed plan, with the necessary limitations, of a league of nations.

Mr. KELLOGG. Mr. President——

Mr. LEWIS. I yield, of course, to the Senator on the theory that it will not deprive me of my right to the floor. I know he does not intend to do so.

Mr. KELLOGG. Mr. President, it was frequently said in the House of Commons and in the upper House of Great Britain it was more important at that time to discuss general principles than details. I did not intend to burden the Senate with writing a constitution for a league of nations. What I did wish to do was to inspire if possible a sentiment in favor of some action to move the nations of the earth to enter into some agreement whereby peace might be permanently obtained. I did not flatter myself that my suggestions would reach Versailles, or have any influence upon the deliberations of the peace conference, but that it might start a discussion in the Senate by those far abler than I and better known in Europe, and produce perhaps a resolution from the Senate declaring some principles which we believe should be enacted for a league of nations. But I will say this to the Senator: I believe that there should be some permanent body like The Hague tribunal, with stated meetings, to which the United States should send representatives, which should create an arbitral tribunal to dispose of those questions which we may be able to define as justiciable, and which do not so involve the internal government and vital interests of our country to make it advisable to agree in advance to submit to arbitration. I think with the Senator from Pennsylvania [Mr. KNOX] we might go further in defining what those justiciable questions are and providing for some tribunal to determine them from time to time. I think we can go further in a united action through commissioners of conciliation who shall keep in touch with the affairs of the world and whose duty it shall be to intercede at once in the event of a threatened war.

I realize the difficulties. I have not prepared a charter, and I did not think it was necessary or would serve any good purpose. My hope was rather to start a discussion upon this question which is to-day occupying the attention of the civilized world, that the older and more experienced in mind of the Senate might discuss it for the benefit of the American people.

Mr. PITTMAN. I thank the Senator, Mr. President, and with the permission of the Senator from Illinois for a second——

Mr. LEWIS. I yield.

Mr. PITTMAN. I am now satisfied that if the distinguished Senator from Minnesota, who has given such careful consideration to a league of nations, is not now prepared to more definitely define a league of nations than he has done to-day, and he has defined it more carefully and fully than I have ever heard it defined before, it must be recognized that there is possibly some doubt even in the mind of the President as to the details to be worked out in the accomplishment of a league of nations. It is possible that all will admit, and I know that the Senator from Minnesota believes, that the President in asserting the general principle of a league or a concert of nations looking to an enduring peace has exactly the same purpose that the Senator from Minnesota has, and had exactly the same purpose in announcing it, that was, to stimulate the world to try to accomplish the same purpose.

I would have been surprised had the Senator from Minnesota gotten upon this floor and demanded a detailed explanation from the President of the United States as to what kind of a league of nations he intends to propose. I would not have been surprised if some of the other Senators had done so who knew nothing about it and did not have time to study the question, and they are the ones who have generally criticized any pronouncement of principle. I think possibly the same objections were made at the time it was suggested throughout the world that governments should agree upon rules governing civilized warfare. There was not any statesman on earth who could define the rules of civilized warfare, yet all the world believes in it. It could not be defined except by the people to be bound by it. It was defined subsequently by the nations to be bound by it. This principle is understood just as well as was the principle of civilized warfare, and this principle will be defined by the people to be bound by it, as I take it.

I think the Senator has done a wonderful service in so clearly delineating the various thoughts with regard to a league of nations.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER (Mr. GAY in the chair). Does the Senator from Illinois yield further?

Mr. LEWIS. I yield to the Senator from Minnesota.

Mr KELLOGG. I do not understand that in my remarks I criticized the President in not going into the details of a league of nations, nor would I criticize any Senator for not defining accurately what kind of a league of nations should be established, a question that has perplexed the greatest minds of the world for hundreds and hundreds of years. I would like to know whether the President believes in a world tribunal which should have its decrees executed by force or not, but I have made no complaint against the President for not going into the details of a league of nations.

Mr. LEWIS. Mr. President, I gave notice yesterday that I would on Friday address the Senate upon the proposition of a league of nations for peace. I therefore at this time do not rise to address myself to that particular subject, but I do assume to refer to the preliminary remarks of the eminent Senator from Minnesota, that which evidently was not a part of the speech he had prepared and has delivered in the present hour on the league of nations.

Mr. President, I concur with the Senator from Nevada [Mr. PITTMAN] in his complimentary allusion to the Senator from Minnesota paying tribute to the speech as being wholly divorced from anything of a partisan tinge or touch of personal prejudice; also I concur with the able junior Senator from Pennsylvania [Mr. KNOX] that the paper presented by the Senator from Minnesota this morning is a liberal contribution to history, literature, and statesmanship of the subject. Whether we will agree with his conclusions is a matter to be after determined.

But in the preliminary remarks of the eminent Senator I was very much interested. It is the first time on this floor that any Senator has referred to the failure of the President of the United States to appoint Senators as members of the commission to go abroad and attend the present gathering ordered for Versailles touching the matter of peace. From the Senator came the first expression in the Senate that could be taken note of for purposes of reply.

Mr. President, the public at large has been given the impression that in his appointments to the peace commission the President cast some slight upon this body; that by failing to appoint Members of it he indicated to the nations at large a lack of respect for its personnel or an indifference to the position it occupies in the affairs of government.

Mr. President, I am sure that the President had not any such views and was in no wise animated by the slightest sense of indifference to the very high position of this body or the influence its Members exert in anything they advocate, but I wish to bring to attention now, in reply to the Senator from Minnesota, and therefore in reply to the criticisms on this feature, some few things which I trust may not occupy any length of time, at least not any objectionable length of time, as a clear justification for the President declining to name Members of this body or of his failure to do so.

Mr. KELLOGG. Will the Senator yield?

Mr. LEWIS. I yield.

Mr. KELLOGG. I did not criticize. I gave my views.

Mr. LEWIS. The Senator is quite acquit of criticizing the action. He merely expressed the view expressed in other quarters of regret.

Mr. President, when it is suggested to the country that Senators should have been named on that tribunal there ought to arise at once this interrogation, which I hope the very faithful members of the press will present now to the Nation as from an humble Member of this body: What would be thought of any power naming as a judge to decide a cause a lawyer who had for eight months been the advocate on one side of the controversy? What would be said of that bench made up of appointed judges to try one certain cause where every one of them had been for eight months presenting his demand as to what should be the final judgment of that court? What would be thought of a court made up of members each of whom had defined what he felt to be the duty of the litigants, their obligations, and already through himself presented a final decree as to what that court should decide in the dispute? The reply would be that it was such a prejudiced tribunal that no fair man ought to suggest such, and no honorable man who had been such previous advocate would have taken a place upon it.

Mr. President, with that interrogation let us view this situation for a moment, that we might indicate to the public what must have been in the mind of the President of the United States, who must be conceded to be a learned man and a historian of the past, as to why a Member of this body was not placed by him as one of the commission to serve on that international peace tribunal.

Mr. President, first we view them entering into Versailles. They are met at once by the Governments who are interested in the conflict, with this acknowledged conclusion: "Gentlemen, you have in the United States Senate, in speeches manifold, presented the viewpoint that Alsace-Lorraine should go back to France. Yet you are here to sit upon a bench as a judge while Alsace-Lorraine is asking to be made an independent State on her merits after the order of Poland, and which you insist should be the fate of Serbia. Gentlemen of the United States Senate, you are brought here and put upon the bench when you have time and time again been urging that the attitude of France and Britain concerning certain boundary lines touching the Rhine should be of this and that conclusion." Conceded. "You have made speeches as to what should be done with Turkey; you have laid down your doctrines; you have announced them to your people; your people have accepted them from you; you have sought election; you have sought honor and position upon your views." Conceded. "And yet you come to sit as judges, with impartial minds, presumably, to have presented to you the relative contentions of these different countries as to what they feel to be the future rights, the divisions, the dispositions, the applications of all their future."

And then, further, Mr. President, we can hear them reflect: "You have, gentlemen of the Senate, time and time again stated what your opinion was as to what should be the penalty upon Germany, among which are retribution, indemnity, and the keeping by the allies of all the captured colonies of Germany."

"Yes." "You have felt it deeply in your hearts." "Yes." "You have proposed it to your countrymen." "We have." "You have rendered their verdict." "We have." "And yet you are brought to sit on this bench as impartial judges with your judgment heretofore pronounced, having been accepted by your people, against which you dare not go and the reverse of which you dare not attempt. You are here to say if the Irredenta of Italy, Austria is to go all to Italy or some to Greece or any to South Slovakia. Yet you have announced too often to count that the Irredenta should all go to Italy. You are here to decide as to a national Poland, a national Bohemia, a national Hungary. Yet as to all of these there is conflict of peoples within their domain insisting that no such organization should be created including them because of race, sect, or religion. Yet you are here," they will say, "to decide, after hearing, that which you have prejudged and time and time again announced your decision in Senate and public speeches."

Mr. SMOOT and Mr. NEW addressed the Chair.

The PRESIDING OFFICER (Mr. GAY in the chair). Does the Senator from Illinois yield, and if so, to whom?

Mr. LEWIS. I yield to the Senator from Utah, who first rose. Then I shall yield to the Senator from Indiana.

Mr. SMOOT. I desire to ask the Senator from Illinois if the same situation that he has just described as affecting Senators would not also apply to Lloyd George, to Clemenceau, and to the President of the United States, who, of course, will sit in the same case as judges?

Mr. LEWIS. I first answer the Senator from Utah. I must say "no." I had intended to refer to that feature, but I say "no," and I say "no" with great vigor. First, Lloyd George does not sit afterwards as a supreme court upon his own action as would these Senators in Senate on confirmation of the treaty; neither does Clemenceau, to ratify for France what shall transpire in that peace body. As to the President of the United States, I must impress upon the Senator from Utah his constant statement that he goes to "temper his judgment," to "participate in a consultation," but not in the decision.

Mr. SMOOT. Mr. President——

Mr. LEWIS. I yield again to the Senator from Utah, but shall then yield to the Senator from Indiana.

Mr. SMOOT. I want to say to the Senator that what I stated was just exactly what Lloyd George does do, and that is more particularly true as to him than it is as to the President of the United States. In referring to the President of the United States, I only had in mind the question as to the return of Alsace-Lorraine. I do not want the Senator to think that I went further than that as to the President of the United States, but the position that Lloyd George holds gives him the absolute power, more so than the President of France or the President of the United States, to determine, after the decision is reached, that it shall be final and binding upon England and upon the English race.

Mr. LEWIS. Mr. President, I regret that the Senator from Utah and myself can not concur in that for this reason: He has a viewpoint as to certain forms of British legislative action which has no application to the present proceeding. I will illustrate that to him in a single clause. When the overtures of peace were sought to be presented by Fox as having been presented through Napoleon, Pitt was then premier. Pitt opposed Fox in the British Parliament, denying that these overtures of Bonaparte were just, and refused particularly to accept them as presented by Talleyrand. I invite the attention of the able Senator from Utah to the fact that subsequently the subject was debated upon the floor of Parliament. It was 1800—I think February. The question then arose, if the overtures as presented were to be agreed upon, whether the Houses of Parliament had the further right, after the agreement, to pass any judgment upon them. It was then held, sir, it has always been since held, so far as I know—I do not know the history preceding this event—that after the Parliament had designated, if it did, or the King had designated, if he did, delegates to represent the Empire, and the decision had been reached, that was the conclusion, so far as Parliament had power over the decision. The only thing that could then be done, I will tell my honorable friend, is for members to oppose it as a policy, then bring it up as a resolution of party confidence if the vote is adverse. They then go to the country for a new election, this course being different from ours and more democratic. That opposition, then, is sent at once to the ballot box as against the actors, and not, as my eminent friend assumes, to Parliament for a confirmation or rejection in form, as our Senate serves.

Mr. SMOOT. Mr. President, will the Senator from Illinois yield to me further?

Mr. LEWIS. Yes, for we are seeking to get the history of this correct. I have other things to say on other branches later.

Mr. SMOOT. Mr. President, I must dissent from the position taken by the eminent Senator from Illinois, as I understand the situation. I may be wrong and the Senator from Illinois may be right; but I understand that after this peace treaty shall have been concluded Parliament will have nothing whatever to do with it; that it is an executive function entirely, so far as England is concerned. It is not so much so with France and the United States as it is with England.

Mr. LEWIS. Mr. President, may I be pardoned to say that the Senator from Utah is absolutely correct? I have been seeking to make that exact situation clear to him. He is absolutely correct in making it. Parliament has absolutely nothing to do with it. The only action to be taken if objections are made—and they are made then on the ground, sir, that it is wrong or unjust to England, and a vote of confidence in the government making the treaty is denied—is at once to issue writs for an election. If they choose a new Parliament, may I submit it to the eminent Senator, he is quite right in the assumption that it does not take the part as our United States Senate here does, to confirm the action.

Mr. SMITH of Michigan. That would not change the treaty.

Mr. LEWIS. And, as the Senator from Michigan well says, it could not change the treaty.

Mr. MOSES. Mr. President——

Mr. LEWIS. I ask pardon of the Senator from New Hampshire. May I yield first to the Senator from Indiana [Mr. NEW], to whom I owe that courtesy?

Mr. NEW. The question I proposed to ask was covered by the question asked by the Senator from Utah [Mr. SMOOT].

Mr. LEWIS. Then I yield to the Senator from New Hampshire.

Mr. MOSES. I desire to ask the Senator from Illinois a question. Being unfamiliar with the functions or prerogatives or powers of Senators, may I ask the Senator from Illinois if he deems it likely that a single speech or any number of speeches made by Senators here would be likely to commit either the Senate or the people of the United States to any policy whatsoever regarding our foreign relations?

Mr. LEWIS. Mr. President, I will say to the Senator from New Hampshire that, knowing the high character of the men occupying this body, I would assume they would be free from being prejudiced, and that they might still be wholly impartial; but it would be very difficult to impress the people of Britain, the people of France, and of the smaller nations, who are now pleading at the bar of this gathering, that such men will be impartial judges, who had already rendered decisions both to themselves and to the Senate and to their country. It is for that reason I must impress upon the Senate that the President must have seriously been influenced by these situations when he came to the consideration of naming Members of this body. It would have been, sir, as though one named members of the Supreme Court to sit in the lower tribunal to make decision of that which they themselves were to review for affirmance or reversal.

Mr. President, apart from the fact that the instances and situations I illustrate would seriously impair the usefulness of such a Senator in that tribunal, weaken his force, lessen his strength, limit his influence, or bedoud a needed esteem, what effect, sir, would it have here when he returns to this body when the treaty is presented? Would not this body well know that whatever vote he had cast there or reasons for such more or less had to be in compliance with previous views expressed in this tribunal? Would not the peace tribunal know that his influence here would be to exert the views he had expressed to his people and to the Senate previously, the reverse of which he might not dare to assume? Would they not feel therefore that the final conduct of his action there as commissioner or here as confirming Senator could not be regarded as wholly impartial? Or, let us take the other aspect—the measure the Senate would give to such Senator here on matters of confirmation. Would not certain party colleague Senators feel that they were called on to confirm the treaty out of that comity which Senators bear to each other and out of that courtesy that suggested that if they did not confirm the action of their colleague they would put that Senator in his State as one repudiated by the body of which he was a Member? Would not these party compatriots see that only by confirming could they sustain him? They know the political effect of repudiation. Would not all these considerations be pressed on them as of prime importance and necessary to reckon with?

I now invite the attention of the Senate to just a morsel of history. Henry Clay was so impressed with the fact that he would be beaten for the Presidency if he dared confirm by his own action as commissioner the treaty of Ghent, which arranged the peace of the War of 1812, that he declined to sign it. When

Gallatin, one of the commissioners, took him out into the corridor of a little hotel at Bruges to impress upon him—as history records—that if he did not sign it it would weaken us with Britain, with whom we had lately been at war, he refused upon the ground, as he then gave it—and, Senators, you are historians and you will bear me out—that the treaty in no wise contained one single line guaranteeing to us the seas, for which we went to war, and, as he said, for which he had demanded we go to war. He said—pardon the expression—"How in the hell could I sign such and go back to Kentucky?" Finally, sir, Henry Clay was called upon, through influences, to lend his acquiescence; but when the treaty came to this body and was confirmed it was so known to have been compromised to its acceptance that it lost its weight, and never to this hour is the procedure of confirmation or the terms of the treaty cited by any Members of this body as a precedent for anything.

Sir, let us recall that when the commissioners were selected to conclude peace with France in 1799 Oliver Ellsworth, Chief Justice of the United States Supreme Court, and W. R. Davie and W. V. Murray were chosen. The mission was successful and ratified here without a dissent.

Now, my able friend, the senior Senator from Michigan [Mr. SMITH], brings to my attention a matter which I shall advert to; it is that President McKinley named Senators to settle the treaty of Spain and America. Before I enter on this subject, may I ask to have a message sent the senior Senator from Massachusetts [Mr. LODGE] saying that if he has finished his lunch I should like to have him present, as I shall refer to a matter in connection with that treaty that I think is within his memory as a personal witness, and if I am in error I want correction, and if I am right I want confirmation.

Mr. President, I now state that when the war was concluded between our country and Spain President McKinley designated Senator Frye, of Maine; Senator Davis, of Minnesota; and then a Democrat, who had been a Senator, but, as I now think, was then a judge of a United States court, the Hon. George Gray.

Mr. THOMAS. Senator Gray was a Senator at the time he was appointed.

Mr. LEWIS. Was he a Senator at that time?

Mr. SMOOT. He was at that time a Senator.

Mr. LEWIS. I thank the Senators for the correction.

Mr. SMITH of Michigan. And he was a very eminent Senator.

Mr. LEWIS. He was an able man. Indeed, I recall being an advocate of his for the Presidency.

Mr. President, then, apart from the fact whether he was then in the Senate or had been appointed judge, he was designated as a minority representative. There was at that time all over this land a very serious dispute as to whether the United States should take over the Philippine Islands. It was a question to which our country was very alive. I lived on the Pacific coast then; I had the honor then to represent in Congress, as Congressman at large, a State on the Pacific coast, the State of Washington; but in New England and in the South there was great resentment against taking the Philippines, while in my section of the country there was seemingly a very strong demand for that action, on the theory that it strengthened the Pacific coast. I opposed it, and was in the minority.

Mr. President, when that treaty came back to this body it embodied the taking of the Philippine Islands and the paying of $20,000,000 to Spain. The treaty also carried with it certain other provisions. The debate as to the confirmation of that treaty continued days and weeks. Senators sitting about me, such as the Senator from Alabama [Mr. UNDERWOOD], the Senator from Michigan [Mr. SMITH], and the Senator from Kansas [Mr. CURTIS], who were then Members of the other House, will recall with what fiery dispute that peculiar debate swayed to and fro. Sir, I ask the memory of those who were around at that time to recall one of the charges which Senator Hoar, of Massachusetts, made on the floor of this Senate against the confirmation of the treaty. Among other things he said that Senators were being implored out of a comity of the relations they bore to Senators who had participated in making the treaty and in accepting what he called "the burden of blood" and putting it on the country.

Mr. SMITH of Michigan. But the country did not adopt their view.

Mr. LEWIS. That is positively true—to later qualify its position.

Mr. President, that treaty was discounted on this floor by Senators who were called upon to vote for its confirmation because of the knowledge that there was being imposed upon them a sense of fraternal obligation because of their fellow Senators being a part of the board. There has passed to heaven, let us believe, the then distinguished senior Senator from Maine, Mr. Hale, the differences between whom and Senator Frye, his colleague, who helped make the treaty, were not altogether closed even at death. If political history, incidental and otherwise, is correct, because of that peculiar situation put on Senator Hale by the position of his colleague, Senator Hale conscientiously opposed that treaty, and he was put in the peculiar position of warring against his colleague, and the burden put upon him was so heavy because of the charge that he was reflecting upon the State of Maine by his opposition to his colleague that it greatly disturbed him.

Mr. President, there was a Senator on this floor—I do not know what political designation he went by then, whether Republican, silver Republican, or Democrat—Senator Pettigrew of South Dakota—who in his opposition to the treaty——

Mr. SMITH of Michigan. He was a Democrat then. He was a Democrat in 1896, and this occurred in 1898.

Mr. LEWIS. The Senator from Michigan tells me he was designated as a Democrat. I thought he was a silver Republican, so termed. Among other things, if the public press be right, he characterized the attempt to enforce the treaty upon this body as an effort to secure political advantage to the Members of the body who had participated in framing the treaty. And, Mr. President, let the Senate recall that so bitter became the dispute in this body and so divided its counsels that that treaty was ratified finally by the very smallest margin, and the action left for years afterwards, sir, wounds which were never thoroughly healed in the lifetime of those who participated.

That being true, Mr. President, what think you, sir, would have been the result if Senators had been named by the President of the United States and had presumed to sit upon this Versailles tribunal and, although urging the best conclusion they might, had returned here and asked that all be ratified? Will anybody fancy that it would not be said that their judgment had been made before they ever took their place? Will it not be said over in Europe that we gave them a prejudiced tribunal? Will it not be charged that we sent men who were partial and who had already prejudged the case? And when they returned here would not those who had found objections to the treaty feel that they were under some obligation of fraternity, some comity of relationship, some courtesy of association to confirm that which individually they may have felt they should oppose? Would not their freedom of opposition be stinted, if not paralyzed, to a great degree by the knowledge that their assault upon the result was an assault upon one of their colleagues? And, sir, if we should confirm things that meet the objections of those of our fellow citizens anywhere, could you ever quell the voice of our protesting citizens, who could charge us with having done so for no other reason than that Members of our body had their political fortunes in the balance and at stake, and thus deprecate our action and discount the treaty? It would have a cloud on its title forever.

Surely, Mr. President, these reflections must be recorded as a very just reason why no fair man standing as the President has stood, and does stand, could have ignored the very impending and influential reasons against naming one of the members of the supreme court, who must ratify this treaty, to sit in the lower tribunal and make a decision which he himself would afterwards pass upon as right or wrong against assault.

Senators have said—I have heard them on this floor most sincerely say—that they have a right to be kept in touch with the proceedings. Mr. President, I pause. I observe the senior Senator from Massachusetts [Mr. LODGE] is now in the Chamber, and I desire to ask him if his memory accords with my own. I stated before the Senator came in, and when I sent word to ask the Senator to come in, that the public press reported that his then eminent colleague, Mr. Hoar, in his opposition to confirming the treaty known as the Spanish-American treaty in 1898, then charged, among other things, an attempt to influence the free judgment of Senators by the mere fact of the comity amongst Senators; that this treaty had been presented, among others, by those who were Members of this body; and that prevented fair and free thought. I also called attention to the speech which Senator Pettigrew is reported to have made in the Senate, who likewise, following Senator Hoar, and, seemingly to me, adopted his viewpoint, charged that they could not have free and fair consideration because of the influence of the fact that Members of this body were participants in the peace tribunal. I charged, as a result of that, that the very narrow margin by which the treaty was ratified was due to that feeling of comity. I should like to ask the distinguished Senator from Massachusetts if his memory of those debates, if he has memory of them as a then Senator from Massachusetts, agrees with the newspaper reports. I was not a Member of the Senate at that time.

Mr. LODGE. Mr. President, it is impossible for me at a distance of 20 years to state just what occurred in that debate. My colleague, Mr. Hoar, was very much opposed to the treaty; but I do not remember whether or not he said anything about coming to other Senators. I have no recollection of it. It would be discovered—no, it could not be discovered, because that treaty was discussed in executive session.

Mr. LEWIS. I may say to the eminent Senator that I would have gotten the RECORD and produced it but for the fact that I had to take such information as I have only from the public papers and traditional recital from those who recall the incidents.

Mr. LODGE. Of course. I do not recall that my colleague said it, although he may have done so. The question of the Senators being signatories to the treaty, however, played very little part in the debate, and I do not think had any influence whatever on the result. The contest arose, as the Senator is well aware, out of the provision of the treaty taking the Philippine Islands.

Mr. LEWIS. I think the Senator in the latter remark confirms what I have previously stated to the Senate was to my knowledge the contention of the time—the Philippines—as I was not then a member of this body, being a member of another body, which had no right to participate in the deliberations incident to the ratification of the treaty.

Now, Mr. President, I come to the concluding feature, to which I ask Senators' attention for a moment. Senators have stated here that they have a right to be kept in touch with the proceedings and therefore, for that reason, should have a representative at the peace conference. I reply to that by saying that if a Member of the Senate were there, however, the Senate would not be kept in touch with the proceedings; all he could do would be when he came back to arise and recite what transpired. The Senate could not have a report from him every minute an expression was had, the atmosphere that surrounded it, the sentiment that enhanced it, the prejudice that weakened it. Mr. President, does the Supreme Court of the United States have each step of the trial in a lower tribunal brought to it each moment it transpires as a reason or basis for reviewing the opinion that is before it under complaint of error and in the process of appeal for reversal? Not at all. But if the proceedings are to be made familiar to this body, it will not be overlooked that there will be stenographic reports, and the Senators will have the same reports as any other tribunal would have upon appeal. They will have the reports exactly as they have upon any other treaty negotiated and brought from abroad. They never know respecting other treaties each step that is taken in the deliberation; they have to take the paper as it is sent in to them in its entirety, not the deliberations and the debates at all, but, if so, they are in the stenographic report and in the bound official volumes. Will not that material also be before this body in this incident, as has been the custom for all time?

Then, Mr. President, is there anything else this body shall pass upon but the final conclusion reached, and the conclusion, sir, is the treaty complete? This action is measured only by the evidence that is brought before the Senate in the record. Therefore I must differ from the eminent Senators who lay down the doctrine that there should be a Senator upon the board, or many Senators, in order that the Senate may be kept in touch. First, I deny the premises; we would not keep in touch by such a plan. Second, they are not called on to keep in touch, but they are only to be cognizant of, aware of, and informed of the proceedings as concluded, and such proceedings as will enlighten them to the conclusion they will have to reach; that is, whether they wish to ratify or to reject the treaty. There can be no amendment, no change, no addition or reduction—the whole as a whole or none at all, complete acceptance or wholly rejected.

Mr. SMITH of Michigan. Mr. President, I should like to make a suggestion to the Senator from Illinois which may not be timely or important.

Mr. LEWIS. I yield to the Senator from Michigan.

Mr. SMITH of Michigan. I fail to see, as one Member of the Senate, why the treaty of peace with Germany and Austria-Hungary is so fraught with danger to our country. We are in no peril; we were victorious and sit in judgment; whatever the terms the vanquished must yield. We are not at war with Turkey, and therefore there will be no treaty of peace with Turkey so far as our country is concerned; we are not at war with Bulgaria, and there will be no treaty of peace with Bulgaria. We have renounced in advance any general monetary indemnity from the central powers, and therefore the question of a monetary indemnity can not arise. We have absolutely foreclosed ourselves against any territorial acquirements, and therefore that question can not arise; and the question of putting into treaty form with Germany and with Austria-Hungary any provision which links our Government to theirs in a league of peace must await the trend of events and the ultimate good faith of those Governments. I am speaking only of the actual work to be performed by the Senate. The Paris conference will take wider scope and undoubtedly lay the foundation of peace broad and deep. In this the President will have an important part, but the Senate need not be consulted until such action takes definite form. In other words, a league of nations is a league between England, France, Belgium, and Italy, our allies, and ourselves, and if the peace conference at Paris should finally determine informally that a league of nations was desirable an agreement must be made separate and apart from the treaty of peace with Germany and with Austria. It may be that very important questions will arise affecting the territorial limits and the integrity of smaller States; I know that they are apprehended, but this will be a matter of policy and not of law and ample information will be forthcoming. I have been very much impressed by some of the things I have heard to-day about their importance; but, nevertheless, the question of indemnity and territorial compensation having been voluntarily eliminated, it seems to me that our duty in the first instance will be a very simple one, and if we league ourselves with foreign States afterwards upon any basis of obligation and reciprocity that must be brought about by voluntary cooperation among the victors and the vanquished or by the victors alone. I have full faith that American interests will be protected by the chosen representatives of the American people.

Mr. LEWIS. Mr. President, of course that subject referred to by the Senator is fraught with serious difficulties and impends with very difficult problems. I expect on Friday to refer to that phase and will not intrude it now. It does not enter upon the present discussion to which I am addressing myself, as the Senator very wisely saw; but I nevertheless invited his observations by yielding to him. I will conclude upon the single thought——

Mr. SMITH of Michigan. I hope I did not interrupt the Senator against his will.

Mr. LEWIS. Not in the slightest. I invited it. The Senator did not interrupt me against my will; we have had associations for many years, and nothing that he has ever done that touches me has been against my will. I have not always been able to agree with him, but interrupting me by him meets my approval.

Mr. President, I was concluding upon the line of seeking to disprove wholly the ground that had been urged in many quarters, that it was necessary that Senators should be made members of this commission or that they should be kept in touch; and I replied by saying that the Senate would not be kept in touch had Members of the Senate had membership on the commission. I had stated that the only touch they are called upon to have with the proceeding is, at the conclusion, with that which will be reported to them officially, as with any other treaty, for acceptance or rejection. I reaffirm my views as expressed.

Mr. President, I have assumed at this time to offer these observations because the remarks of the Senator from Minnesota in the opening of his speech—in harmony with similar observations made in many quarters—would have led the country to conclude that which it has drawn too generally from other observations—that the President had failed to do a necessary and legal thing, or that he had failed in a necessary duty, or that there was no excuse for what he did in failing to put Members of the Senate upon the peace commission. Mr. President, may I be pardoned for saying—I can speak of my own knowledge—that it was the wish of the President of the United States to have Members of this body and some of the other legislative branch upon that tribunal, and not until close investigation and reflection restored him to the difficulties and revived to his mind what undoubtedly would confront them was he compelled to dismiss that consideration. I only mention that now that it might be known that at no time was there contumely or indifference cast upon this body by the mere omission to make those appointments.

I have made these statements, I have set forth these grounds why the President was justified, in my viewpoint, not, sir, that I wish to enter upon the discussion at this time as to what might be called the propriety or the impropriety of naming Senators, but in order that we may do no wrong to anyone. We do not wish to send the President of the United States from this country with the stamp of the scorn of his countrymen upon him. There is no patriot of this body who would send him forth striped with the maledictions of the United States Senate or send him forth as one who goes with a verdict of his countrymen of repudiation and discredit. Surely every man wishes that in the mission upon which he has entered the

President shall have Godspeed and shall have success and come back with glory. That means the honor of his country; it means the victory of his Nation. Anything else felt in the heart of any man or uttered from any American could be little less than treason to his country.

It is, therefore, for the reason only that he may be set right by a mere suggestion, which I know is sufficient when reflected upon, that I have assumed to enter upon this phase of the discussion, feeling that it is justice we seek, and only that; and my mind reverts—it is not inappropriate to enter upon that theme here in this forum—I take my text from the famous line of Bulwer-Lytton in Richelieu:

For justice, all seasons summer, all places a temple!

I thank the Senate.

Mr. SMOOT. Mr. President, just for the RECORD I wish to say that Hon. George Gray, the gentleman referred to by the Senator, served in the Senate from March 19, 1885, until March 3, 1899. He was a member of the commission which met in Quebec in August, 1898, to settle the differences between the United States and Canada, and later of the commission which met in Paris in September, 1898, to arrange the terms of peace between the United States and Spain. Therefore, he was a Senator of the United States at the time of his appointment.

Mr. McKELLAR. The treaty being concluded on February 6, 1899, before the expiration of his term of service on the 3d of March.

Mr. SMOOT. Yes. Now, Mr. President, I want to get back to the bill before the Senate.

CIVIL-SERVICE RETIREMENT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 4637) for the retirement of employees in the classified civil service.

Mr. SMOOT. Mr. President, I am compelled to leave the Chamber at this time to attend a very important meeting of the Finance Committee, and I want now to offer and have pending, unless the Senator in charge of the bill agrees to them, the amendments which I am about to state.

Mr. McKELLAR. I shall not object to the amendments.

Mr. SMOOT. Then I will just offer the amendments now and let them be passed on now.

Mr. McKELLAR. That will be all right.

Mr. SMOOT. On line 4, page 4, I move to strike out the words "and elects to receive" and insert "or is receiving."

Then I move to strike out the last word on line 4 of the same page, the word "disability," and line 5 down to and including the word "his."

After the word "service," on line 6, I move to insert the words "the period of such military or naval service."

After the word "act," on line 7, I move to insert:

And nothing in this act shall be so construed as to affect in any way his right to a pension in addition to the annuity herein provided for.

This will be adopted, I suppose, as a whole—all one amendment.

Mr. FLETCHER. Mr. President, the Senator says this is practically all one amendment. Will he state the object of it?

Mr. SMOOT. I will state briefly the object of it.

As the bill was reported, it prevents a soldier of the Civil War from receiving any benefits under its provisions. My amendment simply allows him to receive the emoluments provided for in the bill notwithstanding the fact that he is receiving a pension for service in the Civil War.

Mr. THOMAS. In other words, it permits him to receive two pensions.

Mr. SMOOT. Well, if you could call them two pensions. If this is a pension, then what the Senator says is true.

Mr. McKELLAR. Will the Presiding Officer submit the amendment?

The PRESIDING OFFICER. The Chair understands that there is an amendment pending.

Mr. SMOOT. I ask unanimous consent that this amendment be considered now, because I have to leave the Chamber.

The PRESIDING OFFICER. Is there any objection? The Chair hears none, and it is so ordered. The Secretary will state the amendment offered by the Senator from Utah.

The SECRETARY. On line 4, page 4, it is proposed to strike out the words "and elects to receive" and insert "or is receiving."

The amendment was agreed to.

The SECRETARY. On lines 4 and 5 it is proposed to strike out "disability incurred in the line of duty, the period of his."

The amendment was agreed to.

The SECRETARY. On line 6, after the word "service," it is proposed to insert "the period of such military or naval service."

The amendment was agreed to.

The SECRETARY. On the same page, line 7, after the word "act" and the period, it is proposed to insert a comma and the following words: "and nothing in this act shall be so construed as to affect in any way his right to a pension in addition to the annuity herein provided for."

The amendment was agreed to.

The PRESIDING OFFICER. The question now recurs on the amendment of the Senator from Tennessee [Mr. McKELLAR].

Mr. POMERENE. Mr. President, I ask to have the amendment stated.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. The Senator from Tennessee offers the following amendment: On page 7, line 18, strike out the words "to whom this act applies" and insert "in the classified civil service, or of each person thereafter inducted into such service, with the exceptions herein made."

Mr. McKELLAR. That is an amendment to which the Senator from Iowa [Mr. CUMMINS] called attention yesterday.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from Tennessee.

The amendment was agreed to.

The PRESIDING OFFICER. The Secretary will state the amendment offered by the Senator from Wyoming [Mr. WARREN].

The SECRETARY. On page 8, lines 10, 11, 12, 13, 14, and 15, it is proposed to strike out the following words:

There is also appropriated, out of any moneys in the Treasury not otherwise appropriated, a sum which, when added to the deductions herein provided and transferred from other appropriations under the provisions of this act, shall be sufficient to make payments provided by this act.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Wyoming.

The amendment was agreed to.

Mr. McKELLAR. The next amendment is the amendment offered by the Senator from Colorado [Mr. THOMAS], I think.

The PRESIDING OFFICER. The Senator from Colorado offers an amendment, which will be stated by the Secretary.

The SECRETARY. It is proposed to add a new section, as follows:

SEC. 17. Any employee who shall advocate, encourage, or participate in any strike against the Government, or any department, bureau, or commission thereof, or who shall join with other employees in refusing or failing to perform their duties as required by law or the rules and regulations of the heads of the departments, bureaus, or commissions, shall forfeit all right to and shall receive none of the benefits of this act.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Colorado.

The amendment was agreed to.

Mr. POMERENE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Johnson, S. D.	New	Smoot
Beckham	Jones, Wash.	Norris	Spencer
Brandegee	Kellogg	Page	Sutherland
Calder	Kendrick	Penrose	Swanson
Chamberlain	Kenyon	Phelan	Thomas
Curtis	King	Pittman	Thompson
Dillingham	Kirby	Poindexter	Townsend
Fernald	Knox	Pollock	Trammell
Fletcher	Lenroot	Pomerene	Underwood
Frelinghuysen	Lewis	Ransdell	Vardaman
Gay	McKellar	Reed	Warren
Gronna	McLean	Shafroth	Watson
Hale	Martin, Va.	Sheppard	Weeks
Harding	Moses	Smith, Ariz.	Williams
Johnson, Cal.	Myers	Smith, Ga.	

Mr. McKELLAR. I desire to announce that my colleague, the senior Senator from Tennessee [Mr. SHIELDS], is still absent on account of illness. I ask that this announcement may stand for the day.

Mr. SUTHERLAND. I announce the absence of my colleague [Mr. GOFF] on account of illness.

The PRESIDING OFFICER. Fifty-nine Senators have answered to their names. A quorum of the Senate is present.

Mr. POMERENE and Mr. REED addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. REED. Mr. President, I do not want to interrupt the Senator if he wishes to speak on the bill.

Mr. POMERENE. I was going to offer an amendment as a substitute.

Mr. REED. I desire to have read a very short statement, to which I should like to have the Senate's attention directed, if the Senator will let me have the floor that long.

Mr. POMERENE. I yield.

LEAGUE OF NATIONS.

Mr. REED. Mr. President, I send to the desk and ask to have read a portion of a letter written by Hon. D. J. Haff, of Kansas City, Mo., a very prominent lawyer, who has had a great deal to do with the organization of the National Security League and who has been a tower of strength in all matters of preparedness in this country. I should like to have read to the Senate the part that is not marked out. I think it is well worthy the attention of the Senate.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read the matter referred to.

The Secretary read as follows:

The President in his message to Congress yesterday had not one word to say on the lessons of the war, not a word regarding universal military training for our country; and he should have spoken then if ever he intended to. Indeed, he had nothing to say on the subject of future measures of preparedness except to recommend the continuance of the prewar naval program, for which let us be thankful. So if a policy of national defense is to be adopted the people must force it.

One of the things that already are turning the thoughts of the people from the necessity of an effective policy of national preparedness is the belief which the President has fostered that we are going to have a league of nations that will effectively prevent all future wars. This, for the most part, is a dream upon which we can not afford to rely. May it come to be accomplished by the coming peace treaty by clarifying and extending the principles of international law and by punishing the German murderers and pirates who have willfully and deliberately violated them and criminally and wantonly disturbed the peace of the world, as Lloyd George so ably proposed in his speech last week. A league of the more decent nations can be formed having common ideals and based purely upon treaty and honor and a sense of moral responsibility and whose membership is limited to those nations which in the past have not regarded solemn treaties as "scraps of paper"; but to have a league that will prevent war by force, that will coerce its members, is to create a supernation, which means the surrender or destruction of the independence and sovereignty of all its members.

Does any intelligent, thinking man seriously believe that we are—that the nations and the peoples of the world, or a sufficient number of them to dominate the world, are ready for such a thing, for a United States of the world? Can Aryan, Mongolian, and Hottentot, white man and yellow man and black man, Christian, Mohammedan, and Buddhist, speaking a hundred different mutually incomprehensible languages, striving after innumerable opposite ideals, rooted in thousands of years of different habits and of thinking different thoughts and molded by different educations, prejudiced by different and hostile religions, and trained in widely different moral codes, be brought together in the next three months by a peace treaty and formed into a common brotherhood, a world federation, that will kill ambition, annihilate the spirit of revenge, extinguish race pride and prejudice, hatred, greed, lust for power, and all the human passions, evil and noble, that have caused wars since the beginning of history, and thus, by a parchment-created league of nations, immediately and for all time insure the peace of the world?

Who can possibly believe, if he has intelligence and a reasonable knowledge of history, of ethnology and human nature, that it can be done in the next six months, or in a century, or in two or five centuries? Was it not Bacon who said that the only safe teacher is experience? Have the last four years taught us nothing? Did we not have an awakening that at least this generation can not, or at least should not, forget?

Well, then, let us get out of the clouds and remember the processes of evolution, the slow and painful steps by which are attained the progress of mankind and the improvement of human government.

To my mind the subject upon which the people of this country most need education during the next three months, immediately and while the peace congress is in session, is this very question of what can and what can not be accomplished by the pending peace commission and the proposed treaty in the prevention of future wars. Fools are running around dreaming foolish dreams, making much noise, and disturbing sober thought.

We shall be induced to sell our birthright for a mess of pottage if we are not careful.

Mr. WILLIAMS. Mr. President, what is the name signed to that letter?

Mr. REED. I stated who signed it.

Mr. WILLIAMS. Yes; but I want to know the name. I did not hear it.

Mr. REED. D. J. Haff, a prominent attorney of my city.

Mr. WILLIAMS. Mr. President, I want to say just this in connection with that subject——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Mississippi?

Mr. POMERENE. Yes; I yield.

Mr. WILLIAMS. I will ask the Secretary to send me the letter. I am not certain that I can recall the language to which I refer.

Mr. REED. It is a private letter, and I had only a part of it read.

Mr. WILLIAMS. I know; but the Senator put it in the RECORD.

Mr. REED. I put a part of it in the RECORD.

Mr. WILLIAMS. I want to get one part of that part of it which has been read. [Reading:]

The President in his message to Congress yesterday had not one word to say on the lessons of the war, not a word regarding universal military training for our country, and he should have spoken then if ever he intended to.

Evidently this gentleman expects the United States to go into the Prussian universal military training system immediately after the war. He expected the President to advise the representatives of the people in the Senate and the House to go into it.

He had nothing good to say on the subject of future national preparedness except to recommend the continuation of the prewar naval program, for which let us be thankful.

I am very glad to hear that this gentleman is thankful for that much, because if we keep the naval program up to where it is now nobody in Europe can ever attack us. We will be isolated—on the defensive—from all future wars. But that is not the part I was trying to reach in connection with this letter. I am trying to find the part where, as well as I remember it, he says that there are still fools raging around, having visions concerning future peace.

Mr. REED. I will find it for the Senator.

Mr. WILLIAMS. Ah! Here it is:

Fools are running around dreaming foolish dreams, making much noise and disturbing sober thought.

We shall be induced to sell our birthright for a mess of pottage if we are not careful.

"Fools are running around dreaming foolish dreams!" Jesus Christ dreamt it. David, the sweet singer of Israel, dreamt it. George Washington dreamt it. Robert E. Lee dreamt it. The poet Tennyson dreamt it. All these people are fools in the opinion of this Missouri lawyer. I suppose he is a lawyer. It sounds like it, from the way he talks.

Fools are running around dreaming foolish dreams, making much noise and disturbing sober thought.

I suspect that about the Stone Age, when one fellow went after another with a club and a piece of flint, and drove that fellow and his partner—not his wife, but the female that he had captured—back into the cave, and took her away from him, that somebody rose up at once and said: "Don't be a fool. Don't be an ass. Don't run around dreaming foolish dreams. Of course, men have got to capture women every day and carry them off out of and into caves; and of course other men that are stronger have got to invade the cave and carry the woman away again; and of course barbarity is perpetual, and we can not help it." And if the argument of the Senator from Missouri be correct, of course the whole world has got to put itself upon an equal footing with Prussia after this war is over. According to the Senator from Missouri we have got to make an armed camp for the whole world as the only hope of peace.

Now, if that is the only hope of peace, upon my honor I would rather Prussia and Germany would have whipped us and we would have had universal domination with some degree of peace. If we are to tax the people all our lives to keep prepared one against the other in mutual suspicion for future warfare and look for it every morning before breakfast: if peace be a useless dream, and if the Prince of Peace be an idle superstition, and if there be no sense in the hope that perhaps humanity may settle its quarrels without murdering one another, then, as far as I am concerned, I would rather be foregathered to my forefathers to-morrow than to live in this world another 10 years. I have seen enough of it during this war.

Fools are running around dreaming foolish dreams, making much noise and disturbing sober thought.

"Making much noise." Who is making the noise? The Prussians made it in their time. The Hohenzollerns made it in their time, and the men who wanted to wait until Prussia could get to America before they fought, instead of accomplishing peace by offensive attack, made it in their time. The Huns under Attila made the noise in their time. The Goths under Alaric made it in their time. The maddened and impassioned soldiers of the French Revolution, who started out to conquer liberty and wound up by undertaking to conquer glory under Napoleon, made it in their time.

There is or is not a God. And God either is or He is not a prince of righteousness and justice. If it be true that fools only dream of peace and fools only dream of an agreement amongst nations whereby peace can be perpetuated, then there is no God of righteousness and no God of justice and no God of mercy, or else, on the other hand, if there be a God of justice and righteousness and mercy He has given me and you a common sense and a common conscience whereby we can be guided in peace consummation. Common sense means merely the sense of all average men in the aggregate, and common conscience the conscience of the average man throughout the world. If He has given us common sense and common conscience, He has given it to us as an instrumentality whereby we can reduce the world to order and to peace and to progress and to civilization, and whereby we shall not be forced to go to the Prussian junker system of universal armament, one man and one nation and people suspecting the other all the time.

"Dreaming a fool's dream, making a noise." It has not been the poet and prophet who have made the noise and dreamed the

foolish dreams. It has been the men who have violated all the dreams of the poet and all the visions of the prophet who have done it.

I was mighty glad when my boys were willing to go out and imitate their grandfather, who went out to fight for what he thought was right, but in another sense I was mighty sorry that the condition of the world was such that they had to go. I am not willing at the end of this war to confess that America and England have been wrong and that we must imitate the continental custom of keeping always armed cap-a-pie. We have just proven that we can call upon the reserve forces of our nations and conquer a constantly prepared military barbaric power. I am not willing to keep the people ground down with taxes throughout years and years because somebody says that the dream of peace is "a fool's dream." It is not a fool's dream. It is a poet's dream. It is a prophet's vision. It is a Christian's communion with God, and it is the purpose of the God of justice and of righteousness throughout the world, and that purpose must be finally accomplished through the common sense and the common conscience of the common men in all democratic countries fighting against all autocracy and against all bolshevism and all nonsense throughout the world.

Mr. REED. I hope the Senator from Ohio will indulge me for a few moments.

Mr. POMERENE. I yield to the Senator from Missouri.

Mr. REED. Mr. President, when I offered the letter of Mr. Haff to be read I had no idea of incensing the Senator from Mississippi; neither did I expect to arouse in him that zealous fervor which always makes his speech charming. Indeed, in hastily running my pencil through the paper—because this was a private letter—I inadvertently did not carry it down far enough to cut out one paragraph which might have been taken to be a criticism of the President, although it was not of an unkind or cruel nature. What I wanted to get before the Senate was this gentleman's very sane and logical statement, a statement which the Senator from Mississippi did not hear throughout, I am sure, or he would not have singled out a single sentence and made it the subject of his bitter criticism.

I do not know what the Senator may believe about a league of nations to enforce peace, but I know that although Jesus Christ nearly 2,000 years ago taught the doctrine of peace, taught the duty of men to maintain peace toward each other, He never promised us that condition until the day should come when the great God had purified the hearts of men and out of their souls had driven all cruelty, all lust, all evil, so that the lion and the lamb might lie down together. That day has not yet arrived. It may come in the providence of God and in the fullness of time. When it does come my brother from Mississippi and myself and all others will be very different men from what we are now. We will be more charitable. We will have a truer vision. We will be less inclined to get irritated. We will not fly into a passion at the opinions of another. We will have just views on all questions. We will, in truth, be fit for the angelic abodes. But I am afraid that it will never come to my friend from Mississippi or to myself until death has closed our eyes, until we have been enfolded in the embrace of that God whose charity may be great enough to cover entirely with its broad and generous mantle our manifold faults and imperfections.

Mr. President, poets have dreamed of peace, parliaments of man, and federations of the world. The vision has been and is a beautiful one, but thus far in the history of the world it has only been a dream. The nation which to-day relies solely upon maintaining peace by moral force will almost certainly become the victim of military force. There must be something besides trusting in God. The old continental commander added, "Keep your powder dry." While we are in this workaday world we must observe the actual conditions of life.

It is true that there ought to be no savages; but if a man were to go into a savage country unarmed and unprepared to defend himself it is altogether likely that he would never come out alive. It may be said that some have done this. Some saints have gone and with their kindliness have won the hearts of savages. That is true, but taken by and large men do not place themselves within the power of uncivilized men.

As there are differences between individuals and tribes, so there are differences between the nations of the earth. Some are inspired by lofty ideals, by a spirit of justice. They recognize the priciples of law and equity.

Others are controlled by motives of cruelty and selfishness. All of them are more or less the victims of prejudice, of race hatreds, due to differences of religion, differences in morals, differences in education, differences in blood, differences in likes and dislikes. And, above all, they are divided by hatreds born of oppression. These differences have during the course of the ages so separated races that they almost seem not to belong to the same human family. It is lamentable to the last degree that this is so. It is equally lamentable that there should be living in peaceful Christian communities men who can lay their hands to the hilt of a knife and drive it into the breast of a sleeping man or woman and rob them of their property. Yet there are murderers. It is lamentable to the last degree that there are men who break the doors of houses and rob and plunder. Yet it is so that there are now, as there always have been, criminals upon the earth. It is regrettable that there are men so base that they will cheat and defraud their neighbors, who can gather to themselves wealth by dishonest practices. And yet every court there is in the world is but a monument to the fact that human cupidity and human cruelty and human injustice are everywhere. They universally are to be found. It is a most regrettable fact that we must have a police force in the city of Washington and in every other city of our land and in every city of the world, a police force without which women would not be safe upon the streets, homes would not be safe. Even strong men would not be safe without a force of law and order to suppress the evil elements of society.

It is a pity, sir, that men do not observe throughout the world a spirit of unalloyed equity, unsullied justice, and exalted righteousness. How beautiful a world it would be if all men would be just! There is no song that ever fell from lip or pen of poet with a more exalted or beautiful theme than that of a world in which justice rules and universal equity holds unchallenged sway. But it has not been. It is not now. We may dream that on some future day it will come, that sometime the divine light will penetrate the darkness of the human soul and the holy finger of love be laid upon hard and cruel heart of man. Yet though we may dream these beautiful dreams, the practical man, the sensible man, knows that he must guard his door, must be prepared to protect wife and child. He also knows that for similar reasons he must at all times be prepared to help protect his city, his State, and his country.

The men who assert this doctrine of common sense can afford to be sneered at. They can afford to exercise patience with those who grow excited and inclined to scold when they are told their vision of universal peace at this time is an idle dream—a foolish vision—and that at this day and age of the world it is impossible to substitute divine love for human cruelty and selfishness by the mere signing of an international agreement providing for a league of nations. If they believe it is foolish, they have a right to say so. I believe it is foolish; but I do not think everybody is a fool who does not agree with me. I made a speech the other day extemporaneously, and I believe I used an expression of that kind. I did it inadvertently. I withdraw it. There were a lot of people before the war came on who were telling us that the time for universal peace had come. I remember that one distinguished statesman negotiated some 20 treaties with some 20 nations. In those treaties agreements were made looking toward the arbitration of international difficulties.

The difficulty, as suggested to me wittily by the Senator from Michigan [Mr. SMITH], was that the treaties provided that all controversies were to remain in cold storage for a year. During all that time nothing was to be done to right any wrong; there was to be no war waged, no force used. I did not vote for those treaties. I nevertheless just as much desire peace as does my distinguished and brilliant friend. I just as much want peace as anyone. If dreams could only bring peace, I would be willing to dream from now until my eyes are closed for the last time in that dreamless sleep which comes at last to all.

Mr. KELLOGG. Will the Senator yield for a suggestion?

Mr. REED. I yield.

Mr. KELLOGG. I understand the Senator refers to the treaties negotiated by Secretary Bryan?

Mr. REED. Yes.

Mr. KELLOGG. I do not think those treaties provided for arbitration.

Mr. REED. They provided a method which we may call a method of arbitration for the purpose of what I am saying at the present time.

Mr. President, I did not vote for those treaties, and I will tell you why. As I understood them, a year must elapse before our Government could take any steps to arrest by force the doing of any act, except possibly the invasion of its own territory. I did not believe that was wise. One illustration will serve to present my view, whether it was correct or incorrect. Conceive this sort of a situation: A foreign nation seeking to gain control

of the country immediately adjacent to the Panama Canal either through the negotiation of a treaty with or by force entering Colombia.

Concede that this nation should start to build fortifications that would command the canal. Suppose that we should protest and our protest be disregarded. Suppose we should under such conditions find ourselves confronted with a treaty which bound us to wait a year, but did not bind the other nation to cease preparing for our injury, perhaps our destruction. Suppose we thereupon sat down to wait the expiration of the allotted 12 months. Suppose that during all that time our enemy should continue to build impregnable fortresses and to back them by an army of three or four million men. Might we not be forced ultimately to sacrifice hundreds of thousands of lives and billions of dollars to drive out the fortified enemy?

Mr. President, I may have been mistaken, but that was one of the provisions I believed was wrong about those treaties. It is true we might in an exigency of that kind disregard the treaty, disregard its letter, or disregard its spirit. That is only coming back to the ancient doctrine which all of us when we are exercising our sound judgment must acknowledge, and that is that as long as we remain a sovereign nation we must retain at all times the right to defend our vital interests upon the instant, for otherwise we may receive a deathblow while we wait.

Who is to guarantee the safety of America? It can be guaranteed in two ways. One is by the strength of our own arms. It may be the trained military arm or it may be the untrained arm possessing still enough of untrained strength so that it can defend itself even against all comers. I do not stop to argue that question. But, I repeat, we can defend ourselves in one of two ways. One is by our own strength. The other is by reliance upon other nations. Find me, if you can, any other means. Either our own strength must be relied upon or else we must rely upon the strength of other nations or, I might add, a combination of the two. How, then, shall we rely upon the strength of other nations? We must rely upon their agreements. We have nothing else to rely upon. We must substitute for the ability to defend ourselves the expectation and hope that other nations will assist us if we are attacked. That means that we are to make alliances and agreements.

There never was an agreement made between nations that did not involve reciprocal obligations. If other nations agree to defend this country if attacked, then we must in turn agree to defend them if they are attacked. If other nations in mutual agreement bind themselves to maintain the peace of the world by going to war to force peace, then we are bound to likewise go to war in the quarrels of others. Thus we have a defensive alliance and also a league that binds us to enter all the wars of the world.

The advocates of the league have now reached the point where they propose that the United States shall take her sons, boys from farm and factory and countinghouse and office, and transport them across the sea to defend not the rights of the American Nation but to settle the quarrels of European or Asiatic nations with which we are not at all or only remotely concerned.

Gild it as you may with all the ecstasies of oratory or the rhapsodies of religion, soar to every height of poesy, you can not escape the hard and cruel truth that this Government, this people, must be prepared to defend itself or it must rely upon other nations to defend it in whole or in part. I repeat that if we rely upon other nations to defend us, then we must agree to reciprocally defend them.

Now, Mr. President, that being the case, is a man just exactly a monster who suggests that it is better and cheaper in the long run to have some preparation here than to be unprepared? That is all this good lawyer said, even if he is a Missouri lawyer, and my friend seemed to find offense in that. I am sorry for it.

Mr. WILLIAMS. I did not call him a Missouri lawyer.

Mr. REED. Yes, you did; but that is all right. It would not be offensive to me.

Mr. WILLIAMS. You will find by the RECORD that I did not use the word Missouri at all.

Mr. REED. Oh, yes; but it is immaterial. Missouri and Mississippi both being a part of this great Union.

Mr. WILLIAMS. And both beginning with "M-i and a double s."

Mr. REED. Both of them are good States, and it is a credit to any man to come from either of them. What did this gentleman say?

Much can be accomplished by the coming peace treaty by clarifying and extending the principles of international law and by punishing the German murderers and pirates who have willfully and deliberately violated them and criminally and wantonly disturbed the peace of the world, as Lloyd George so aptly proposed in his speech last week. A league of the more decent nations can be formed, having common ideals and based purely upon treaty and honor and a sense of moral responsibility, and whose membership is limited to those nations which in the past have not regarded solemn treaties as "scraps of paper," but to have a league that will prevent war by force, that will coerce its members, is to create a supernation, which means the surrender or destruction of the independence and sovereignty of all its members.

Now, I hope that that is not very far from the doctrine in which the Senator believes. I can not believe that the Senator is prepared to indorse the doctrine of a league of nations in which this country shall bind itself to engage in the quarrels, the broils, and the battles that may hereafter arise in Europe, although our interests may be entirely separate from them. I would be interested to learn what the Senator's view is upon that important question.

Mr. WILLIAMS rose.

Mr. REED. I will be glad to yield to the Senator now if he desires me to do so.

Mr. WILLIAMS. No; I thought the Senator from Missouri had concluded. I will state to the Senator my view in a moment.

Mr. REED. Very well.

Mr. President, the Senator before the last war was one of the advocates of peace; he was a pacifist; it did honor to his heart. I will not say it did dishonor to his head. I should say nothing would do dishonor to his head, for he is known as one of the ablest men of our country; and I say that from the very outpourings of my heart. But the men who taught universal peace before this war were mistaken. That is all there is about it.

I have been a believer in the old doctrine of a small standing Army and a small Navy. After I got a little closer to the scene of action as a Member of this body I began to see the necessity of a larger Navy. I believe now, Mr. President, that if the United States had had a Navy three or four times as strong as she had Germany would never have dared enter upon her program of universal destruction of the commerce of the seas and would therefore have never warned us off the waters of the Atlantic Ocean. But whether that is true or is not true we need not pause to discuss.

The Senator from Mississippi frequently says, with that terse wittiness of which he is master, that "only fools refuse to change their minds." We all in this day and age of the world are changing our minds. I have made my mind up that I do not want to see another war ever fought; but if it does come I do not want the war to be over before the United States can put on the battle front a single battery of first-class cannon that was made in our own foundries. I do not want to see a situation again where the war is fought and over and still 12 months must elapse before our first-class ordnance can be ready for the field. I do not want to see another war fought with American troops sent into action not properly defended by shell fire.

I had rather, instead of paying interest on a war debt, employ some money to build works in which we can make cannon at reasonable prices in time of peace. I would make them and cord them up and have them ready, so that if any emergency should hereafter arise we shall have the guns to fight with. I am wicked enough, reactionary enough, barbaric enough, "Stone Age" enough, to actually believe that it is good common sense to have enough rifles with which to arm our men. We did not have them when we entered this war. We were forced to change our weapon. We were able to do that with reasonable speed because England had been at war and England had employed great factories here to make her rifles. They were, therefore, prepared on rather short notice to turn out a similar rifle; otherwise some of our men would have been drilling with broomsticks up to this hour.

I am absolutely wicked enough, Stone Age enough, to have arrived at the conclusion that if England retains her great fleet—and I think she will; I have no idea that England is going to surrender that fleet, though all the poets sing the sweetest songs that ever thrilled poetic souls, though orators may soar to heights above the clouds and cavort from star to star, still Great Britain will keep that fleet; mark what I tell you; every British man-of-war will still pursue its invincible course through the waters of the seas—if that is going to be, I want the United States of America to be in a position of safety. If Great Britain will stop building ships, why, then, the rest may do so. Whatever we may be able to do by mutual agreement as to disarmament, well and good; but that is not the thing of which my friend wrote in this letter. He wrote of a league of nations by which all or a part of the nations of the world should agree to stand together and crush the power of nations that stand against them and enforce the decrees that they may write. Against that he protested; against that I protest.

Lest I forget it later on, let me say now, as I said a day or two ago in a speech here, we ought to rewrite international law. It can be done. That law should be codified; its loose precedents

should be gathered into form and crystallized into an agreed law of nations. Had we possessed a law providing in plain words what I believe the law to be, according to the best precedents, no nation would have the right to declare a blockade save of ports, and there the blockade must be maintained; but no nation should have the right to undertake the blockade of an entire sea, either by scattering mines or by a paper declaration. I believe that if that had been fairly written in the law, England would not have undertaken to blockade the North Sea; and I believe if England had not undertaken to blockade the North Sea some of the difficulties that followed later might never have come. But that again is arguing a question that is in the past and one which perhaps would better not be argued too fully just now.

But thus all of the great questions of international law that have caused trouble during this war, especially those involving the rights of belligerents and neutrals upon the high seas, ought to be written down in a code of laws. Then a nation guilty of violating that code of laws would at least be compelled to answer to the moral court of the world for a willful breach of national faith.

While that itself will not guarantee us, still the ignominy which has fallen upon Germany for treating her agreements as scraps of paper would, to a large extent, tend to discourage breaches of the law agreed upon in the manner I have indicated. So there may be by common consent agreements made limiting the arms and armaments of nations. If that can be done, I am most heartily in accord with it, and I have always been. That might be accomplished, because it is reasonable. For, observe, if two men are antagonists and each of them is carrying two or three pistols as he hunts his enemy, if each shall then agree to lay down one or two of his weapons and each, in fact, shall carry out the agreement, he is comparatively as strong as he was before. Therefore that might be accomplished.

But the doctrine I am assailing and the doctrine that my friend assails in this letter is that there shall be an agreement effected between certain of the nations which shall lay down the rules of conduct for themselves and others, and that if any astute nation shall violate the rules, or if any member violates them, then that this coalition of nations will use their joint power to coerce and conquer the offender.

It may be said that is not the doctrine of the league of nations. I admit it is pretty hard to get out of all these visions that have been floating around here just what any of them mean. There was a full-page article printed in one of the papers the other day—an advertisement which was printed in many of the papers—advocating some of these doctrines. Some of the statesmen of Europe have been advocating doctrines; some of the statesmen of the United States have been advocating other doctrines. It is hard to get at what each may have in mind. Yet we may, perhaps, arrive at some general deduction.

Broadly speaking, a league of nations which goes no further than to agree that certain things are proper and certain things are improper will meet with no opposition from anybody, but a league of nations that proposes to enforce its views upon others and that binds us to contribute to it, that puts us into controversies and broils and battles and wars of Europe is another proposition, and is one that I believe the people of this country will utterly repudiate.

Mr. President, why should they not repudiate it? It is contrary to every tradition of our country. We were warned against it by Washington, Jefferson, Madison, Jackson, and all the host of men who laid the foundations and built the early structure of this Government.

If we go into an arrangement such as I am speaking of, what shall be its limitations? What nations shall be admitted? In a speech by an English statesman the other day, as I recollect it, he suggested that this league should begin with the allied nations. What is it the allies on the other side of the water are going to guarantee for the benefit of America? Are they going to guarantee us against attack? From whom do we fear attack? Are they going to protect us? From whom will they protect us? I know of no nation on earth save one of the allies, that could harm us to-day.

The only nation that flies a flag that can seriously harm America to-day is England, and nobody anticipates trouble with England. If we did anticipate it, we would hardly be making an alliance with England to protect us against herself.

What are we to get on this side of the water from this alliance? I am speaking now in a selfish way, it is true, but it is an element of selfishness that has common sense back of it. I repeat, there is no nation save Great Britain that can land a soldier on our soil and maintain him there for 30 days; and I do not think he can land, and I am in favor of fixing it so that he can not land even for 30 minutes. If we have to have more cannon and more ships, let us build them. We are spending enough money out here in front of this Capitol now on war workers' dormitories, that never will be occupied and still are going on to completion, to build one or two good battleships.

We pay out more money for moving pictures every year than would build a fleet of vessels. I am not an advocate of great navies unless we have to have them. I repeat, and I still repeat, what protection will we get from such an alliance?

Oh, it may be said, we will have trade abroad. Well, that is not a thing of such gravity as calls upon us to engage in all the wars of Europe.

But upon what a sea of trouble are we asked to embark? Senators, turn to the pages of your histories and ask yourselves why it is that for 2,000 years and more each war in Europe has been succeeded by another war. Many causes may be assigned, but away down deep under them all is race hatred and race ambition. Conquering hordes have time after time swept over Europe. They have crushed with brutal strength the native populations. The native populations have for years, sometimes for centuries, lain prostrate, hating and still hating their oppressors, waiting, waiting, for an opportunity to rise and strike for vengeance and liberty.

Time after time they have risen and driven them out only to find them returning. Sometimes they have held them back. In that case two races hating each other are face to face. The hatred may be wrong; it may be wicked; but you can no more eradicate it by a league of nations than you can wipe out the prejudice between the blacks and the whites in the South by passing a resolution in a New England sewing society. That may furnish the occasion for a dissertation to the effect that there is no prejudice; but, sirs, there is a prejudice.

Do you think that you can mix these alien peoples of Europe and of Asia and make them love each other by having a half dozen gentlemen of great distinction meet at The Hague or at Versailles and sign a paper? I tell you the Roumanian will remember the ravishment of his women and the murder of his old men a thousand years from now and hate the Hun as men hate who have suffered wrongs so great they can not find a voice.

Do you think that France will forgive the Hun in a thousand years? Will the Frenchman remember his women? Will he fail to remember how they were taken for medical examination before they were taken for ravishment? A thousand years from now will Belgium have forgotten the night of her horror? Will she ever cease to witness the burning of her cities, the defilement of her virgins, the massacre of her old men and old women? Will you make them love their oppressors and lie down in sweet serenity in a bed of peace, embracing with the tenderness of lovers? Will you make the Armenian love the Turk? Why, sirs, a million five hundred thousand new dead lie rotting in the ground—babes, little toddling babes, their brains dashed out before the mothers' frantic eyes, the fathers' maddened gaze; girls bound and borne off in brutal savagery to make a bed of lust for fiends incarnate, for such creatures as Moore describes:

> One who could pause and kneel unshod
> In the warm blood that his hand had poured
> And mutter o'er some text of God
> Engraven on his reeking sword.

Will you make the Armenian love the Turk?

What is to be the nature of this league of nations? If it be an agreement between Christian and enlightened nations to observe just rules of conduct toward each other, trusting to their honor and integrity as nations and binding them as honor binds, then well and good; hats off, and all acclaim to such a thing as that; but, if I understand the league of nations, that is not its scope. It is to bind the signatories thereto to employ force to compel obedience. If we so bind ourselves, then when Turkey and Armenia come to clash we must send our troops there. If the Serbians and the Russians come to a clash again, our troops must cross the seas. If England and France hereafter, breaking asunder the bonds of love that bind them now, shall go to fighting, then are we again to be bound to send our sons across the sea? Shall we each time there is a broil in Europe summon our troops, impose the draft, demand the first born and the youngest of the family, and once more send an endless stream of courage and heroism, but still of flesh and blood, across the distant seas to fight in foreign lands over quarrels between races that do not speak our tongue and whose rights and wrongs we do not understand?

It may be wicked, it may be the very acme of brutality, but I protest that if this great country of ours but knows its mission it will stay here within its seagirt shores, protect itself, retain its independence, suffering no single diminution of its sovereignty by agreements with other powers, making only that

character of agreement I have so often referred to, and that it will seek to continue as the great guiding influence upon the Western Hemisphere; that we shall bind to us by ties of commerce and of love those great and virgin countries that lie to our south; that we shall seek to direct the energies of our people and the energies of their people to an honest interchange of products; that we shall make the Monroe doctrine an inviolable doctrine of nations; and that we shall seek always and at all times, by kindly counsel and by generous aid, to help to maintain the peace and the happiness of this world.

Mr. President, I have made these purely extemporaneous remarks because I thought there was nothing in the letter I had read from my friend to call for any castigation of him by the Senator from Mississippi.

Mr. WILLIAMS. Mr. President, I hate to take up the time of the Senate this late in the afternoon. It is right difficult to reply to the Senator from Missouri, because one has to wait so long to begin the reply.

The Senator from Missouri has skillfully avoided and evaded the issue. The issue was the sentence in the letter which he read calling all men fools who dreamt of a permanent and just peace. Nobody was quarreling with a great deal of the other things that the Senator from Missouri said, and nobody was quarreling with the other part of the letter that this lawyer wrote.

The upshot of all that the Senator from Missouri has said is this, that if he is to have his way we are to go back to just where we were before this war started and all the nations of the world are to be armed camps, watching and suspecting one another all the time, ready to move for purposes of aggression and ready to move for fear that others may move for purposes of aggression. Are you going to put up with that? Do you stand here and tell me that that is unavoidable? Do you tell me that the common sense and common conscience and civilization and enlightenment of the world can not avoid it?

Who was talking about trying to make the Belgians love the Germans that raped their women? I was not. Who was talking about trying to make Armenians love Turks? I was not. Nobody imagines that they can do it. But what we are trying to do is to fix the status of things so that Prussians shall no more ravish Belgian women and so that Turks no more shall drive into the desert the women and children of Armenia while they take prisoner, subject to their lust, such of the women as they choose.

The Senator has, with the usual skillfulness of an adroit lawyer, attempted to shift the issue, and has attempted to put me in the position of defending the very thing that I do not defend and of attacking the very thing that I do not want to attack. Are you going to confess that what has recently happened can not be avoided for all the future to come; that gaisers and barbarians are to continue, whenever they choose, to tear up treaties as "scraps of paper," and rape women whenever they please? If so, then the Senator's speech has been successful, because it seems that he thinks that that can not be avoided. I think it can, and I think that the common sense and common conscience of the common man, wedded in and devoted to democracy throughout the world, can and will avoid it for the future.

Mr. President, if I believed, as the Senator seems to believe, that ever again this disgraceful spectacle could come upon the world's arena, to be witnessed helplessly by humanity, then I would cease to believe in God, and I would cease to believe in the common reason and the common sense and the common conscience of men, His creatures.

The Senator tells me "it may be very wicked but it is inevitable." Why, when 15 or more pioneers went into Missouri or into Mississippi in the early days, the very first thing they did was to form a league of individuals, just like the only league of nations I want. They said, "We have no government, we have no sheriff, we have no clerk, we have no law that binds us, but the man who steals a horse or kills one of us we will hang." So they formed a league of individuals without any court. Every pioneer that settled any part of America went into it with other pioneers with common sense and common conscience and his judgment that said: "We must have law, we must have order, we must have justice, we must have righteousness, and we will have it if we have to hang the fellow that interferes with it." Now, that is what we are going to say, through a league of nations, to Germany or anybody else.

Mr. REED. Mr. President——

Mr. WILLIAMS. One minute. We are simply going to say that hereafter, by the grace of God and by our own might, conjoined and not disunited, that "any civilized country, or country pretending to be civilized, that dares to make war upon another without either consenting to arbitration when it is offered or offering arbitration upon its own part shall become the common enemy of mankind," and we will deal with it like the early pioneers in Missouri dealt with a horse thief or a murderer, that is all.

Now I yield to the Senator.

Mr. REED. Of course there is nothing to be gained by the Senator or myself discussing moot questions. I was about to ask the Senator to define what he meant—what he thinks ought to be the objects of this league of nations and the reciprocal obligations.

Mr. WILLIAMS. Just precisely what was the object of the first 25 men that ever met in Albermarle County, Va., when it was upon the frontier. That was to agree that there should be peace and law and honor and justice and righteousness, and if anybody interfered with it they were going to be put outside of the pale of the law and be treated accordingly.

Mr. REED. And punish them, if necessary, by force?

Mr. WILLIAMS. And punish them, if necessary; yes.

Mr. REED. Now, will the Senator yield, just so that I may understand him? That is all.

Mr. WILLIAMS. Yes.

Mr. REED. I am not asking this in a controversial vein

Mr. WILLIAMS. Ask your question. I yield for a question.

Mr. REED. I am going to ask it. Does the Senator believe that we ought to agree with one or more or all of the nations of Europe, so that in case some nation in Europe did not obey the regulations of this league we would become a party to helping conquer that nation?

Mr. WILLIAMS. Mr. President, the Senator speaks of "the regulations" of this league. I have said nothing about the regulations of this league, and I have not said that they would make any regulations, except one plain proposition, and that is to spread abroad and proclaim the ukase, if you choose to call it so, that no civilized nation shall dare make war upon another without either offering or accepting fair arbitration. Now, that is the only regulation necessary. If they refuse to abide by that, then I say unhesitatingly that the civilized world ought to declare them the enemy of mankind and of civilization; cut them off from traffic and travel upon the high seas; cut them off from all other traffic and travel, as far as you can, and from raw materials of industry; and, if necessary, send my boys, yes, to whip them into order.

Mr. REED. That is what I wanted to know.

Mr. WILLIAMS. Why, what happens in ordinary society? Why is it that the Senator from Missouri does not load himself up to kill me when we have a difficulty?

Mr. REED. Because I would not do it under any circumstances.

Mr. WILLIAMS. Well, I say, but why do you not if you are mad enough?

Mr. REED. The Senator does not mean that I am mad, of course.

Mr. WILLIAMS. It is not because you are too good to do it, or that I am, if we get mad enough, but it is because you know the force that is behind the constable and the sheriff. [Laughter.]

Mr. REED. Mr. President, of course, in the case of a timid man like myself that might be true; but as for a valiant soul like the Senator from Mississippi, I knew that if he wanted to shoot a man he would not hesitate on account of the sheriff. [Laughter.]

Mr. WILLIAMS. I am arguing seriously. What keeps the world in order? What keeps all of you in order? What makes you carry your controversies to the court instead of settling them with pistol or knife is the fact that the court has force behind it, and what actually occurs is this: In not one case in ten thousand does the court ever have to show its force. Your mere consciousness of the fact that the force is behind the court keeps you in order, keeps the Senator from Missouri in order, keeps me in order, and keeps a whole lot of other people in order. He and I have seen the time when we would have liked to kill a fellow that made us mad enough, but we have been educated to believe that we ought not to do it. We have been educated to believe that society had a right to settle our controversy and that we had no right to settle it for ourselves.

The Senator a moment ago said that it "might be wicked, but even the city of Washington had to have police," and every city has to have them. Yes; but every man in Washington is not his own policeman, is he? All the people in Washington together select a police, and they police; but if you left each man to be his own policeman and go out and arm himself cap-a-pie to fight the balance of the world and put a chip on the top of his head and dare you to knock it off, what sort of civilization would you have?

The whole truth is, the world has one more step to make. Long ago individuals agreed that it was better to suffer a little

wrong now and then than it was to let each man be his own judge and his own executioner, and the nations of the world have to learn the same thing. Civilization will never be transmitted into enlightenment until they do, and it is not necessary to have any long list of regulations. You need only one principle; that principle is simply to say: "Before you dare go to war you must submit to the national arena, some fair arbitrament of your own choice and of your antagonist's choice, or, if you choose, some court selected beforehand by all nations of the civilized world the question in controversy." If you do not submit it, or if somebody offers to submit it to you and you do not agree to it, then you shall become like any outlaw in the United States or the District of Columbia becomes when he declines to leave the cause in controversy to the courts and undertakes to settle it for himself.

Mr. REED. Mr. President——

Mr. WILLIAMS. I want to get through.

Mr. REED. On the point, of course I suppose the Senator means to include in the proposition that the question must be submitted the further thought that the decision, when made, must be obeyed.

Mr. WILLIAMS. Certainly.

Mr. REED. Then the Senator proposes that if our country has a controversy with any nation, before it can defend itself by force it must submit to the decision of some tribunal.

Mr. WILLIAMS. Absolutely.

Mr. REED. Who is to select that tribunal?

Mr. WILLIAMS. I understand the Senator's question. The Senator a moment ago, in his own speech, answered his own question. He said there never was any obligation without reciprocal obligations. If we enter into an agreement whereby Turkey and Germany must be made to behave themselves before an international tribunal, then we also must agree that we shall behave ourselves, and there must be a tribunal organized that is fair enough, or we can select arbitrators and they can select umpires, and we must abide by the decision. It is no disgrace, if I have quarreled with you, for me to abide by the decision of the court.

Mr. REED. Will the Senator yield for another question?

Mr. WILLIAMS. I will.

Mr. REED. Would the Senator be willing to submit the Monroe doctrine to an international court the majority of which of necessity would be composed of Europeans?

Mr. WILLIAMS. Mr. President, if what I hope to see is consummated, the Monroe doctrine, like a great many other things, will cease to be at all, because there will take its place a Monroe doctrine of the entire world, and a Monroe doctrine merely confined to the Western Hemisphere will cease to exist; there will be a Monroe doctrine for the world. When you undertake to say that there shall be no war unless after arbitrament, that applies to the Western Hemisphere as well as to everybody else; and when the Senator asks that question there is in his mind the idea that while we are willing to subject Europe and Asia and Africa to a sort of league of nations, we are not willing to subject America to it.

Mr. REED. The Senator——

Mr. WILLIAMS. I want to get through, but still I will answer another question.

Mr. REED. I beg the Senator's pardon; just this one:

The Senator states that he hopes to see the Monroe doctrine abrogated, or its place taken——

Mr. WILLIAMS. By a universal world Monroe doctrine.

Mr. REED. He hopes to see substituted for it a universal world Monroe doctrine. I will not stop to discuss that; but this is the question:

Suppose, notwithstanding the setting up of this universal world Monroe doctrine, some nation should actually cross the ocean and break the Monroe doctrine upon this side——

Mr. WILLIAMS. I am ready to answer that question.

Mr. REED. And suppose that an international court had been set up to which that question was to be submitted; and suppose the majority of that international court was composed of the representatives of European governments, as it would be.

Mr. WILLIAMS. I can not suppose that.

Mr. REED. It is necessary to suppose it.

Mr. WILLIAMS. It is not necessary to suppose it.

Mr. REED. Or else it is necessary to suppose that European governments are going to——

Mr. WILLIAMS. We would select arbitrators, and the other country having controversy with us would select arbitrators, and they would select an umpire.

Mr. REED. Suppose you could not agree on arbitrators.

Mr. WILLIAMS. Well, we would agree; the world and humanity would make us agree.

Mr. REED. But you would not agree in a case of that kind—that is exactly the point—unless you had a permanent court.

Mr. WILLIAMS. Now, let the Senator ask the question.

Mr. REED. Would the Senator be willing to submit that question to any court?

Mr. WILLIAMS. Mr. President, if any nation in the world undertook to invade Central or South America and to defy the Monroe doctrine it would become our duty, if this scheme goes through, to leave to arbitration not the Monroe doctrine but the question in controversy, whatever it was. You can not leave the Monroe doctrine to arbitration.

Mr. REED. No; you leave the invasion.

Mr. WILLIAMS. But you would have to leave to arbitration the question in controversy, which, in our opinion, involves the Monroe doctrine. We would propose it; and if the other nation did not agree to it then we would have behind us Great Britain and her colonies and France and Italy and Belgium and Roumania, if my idea shall be consummated, to whip that nation into agreeing to arbitration. Now, if they did agree to arbitration and we went to it and the arbitrators decided against us, then we ought to submit. No man has a right to speculate on the court. No man has a right to agree to leave a thing to arbitration with the back thought that he will obey the decision provided it is his way and he will violate it if it is not. That goes without saying, if we are honest men.

I noticed another thing about the Senator's speech. He could not keep from betraying the fact that back of it all was either a hatred or a fear of Great Britain. He spoke very contemptuously of "the blockade of the North Sea." If it had not been for the blockade of the North Sea, we would have been whipped to-day; Germany would have been successful.

Mr. REED. The Senator misunderstood me.

Mr. WILLIAMS. No; the Senator said: "From whom do we fear attack, unless it is from Great Britain herself?"

Mr. REED. Oh, well, Mr. President, I did not use the phrase in that way. I do not want the Senator, at this period of the international situation, to intimate that I said that we fear attack from Great Britain.

Mr. WILLIAMS. I did not say you did. You said: "From whom can we have a fear of attack except from Great Britain herself?"

Mr. REED. Oh, no. Let me get the Senator right, because, while I care nothing about the matter of controversy——

Mr. WILLIAMS. I wish the Senator would let me make, in an orderly way, the few remarks I have to make. If I am wrong, the RECORD will show it. That was my recollection of what the Senator said; and if I am wrong, the RECORD will show it.

Mr. REED. Let me make the statement. It will take but a second.

The thought I sought to express was that there was but one nation in the world that could injure us, and I said that it was unthinkable that she would attempt it; but there was only one that could, and that was Great Britain. That is very different from saying that I feared attack from her.

Mr. WILLIAMS. I understand; yes. The innuendo was there, however.

Mr. REED. Well, all right.

Mr. WILLIAMS. Now, Great Britain has had command of the seas for over a hundred years, and with the exception of ourselves she is the most peace-loving nation in the world. There is no reason why we shall not have command of the seas in another 20 years if we choose. We have the resources, we have the money, and nobody can object to our building the ships. The Senator has undertaken to make it rather appear as if I did not want any Navy. He did not say so, but he argued against a man of straw, and he was answering me. It looks as if that was the impression that he meant to leave.

I want the English-speaking race to control the seas of the world, and I want them to do it not because they are the English-speaking race or my race, but because they are the only two branches of any race in the world who love peace and who will fight for peace. We will both do it, and I think we are a little bit better tempered to do it than the English, even. We love peace more than the English, even. Our passion is peace.

So I have no idea that England is going to surrender the control of the seas. There is only one thing that could make England surrender the control of the seas, and that would be an absolute reliance on the fact that we had control of the seas; and if we had it she might be willing to surrender it, because she would know that we were never going to use the control of the seas for the purpose of waging a war of aggression or of starvation upon her. She is bound to keep control of the seas as far as the Continent of Europe is concerned. If she allowed the Continent to have control of the seas, she would be starved in eight weeks; and you do not expect her to surrender the control except upon the one condition that we get it and can hold it. In that event both of us would have it and keep it

with a common peace purpose. If so, we will hold it as trustees for her, just as her fleet held the seas as trustees for us during this war. If it had not been for the fact that she had control of the seas if it had not been for the English fleet, we would have had a pretty hard time. We could not have got the men over. We would have had to wait here until these pacifists and frontyoryard fellows had been satisfied—the fellows that wanted us to stay in our yard until the enemy got in through the gate, and for God's sake not to go outside and meet him in the street. If he had got as far as the front yard, we would have been gone. That would have been the end of us for a while, at any rate.

Mr. President, this war has been fought in vain, the blood of our sons has been shed unavailingly, our treasure has been poured out like water for nothing, if at the end of this war some other autocracy, some other junkerthum, some other despotism, can perpetrate the outrage which Germany perpetrated when she invaded Belgium and which Austria perpetrated when she sent the ultimatum to Serbia.

The Senator goes on and talks about what a vain dream it is "that the lion and the lamb shall lie down together." Of course, it is a vain dream that the lion should willingly lie down; but in every civilized country in the world the lion has been controlled so that he either had to lie down or get out of the country, and that is what we are going to do with the lion in this case. He has either got to lie down or he has got to get out and go into the desert. Christ said that He did not come "to bring peace to the world but a sword"; and what He meant is just what I am talking about—that as far as the unrighteous are concerned, and the wicked, and the barbaric, and the men who believe in war, and who believe that war is the only way to carry on the world, they must either lie down in peace and make out like they are lambs, or they must be killed, or they must take to the desert.

The Senator speaks of "this workaday world." Why, the world that we have been fooling with for four years is not a workaday world. It is a murder-a-day world. It is a murder-a-second world. We do not want any more of it. Nobody is trying to control the world by moral suasion. Every word that I have said shows that I want behind the agreement of the nations that enter into this agreement something besides moral suasion. I want the force of each nation by its solemn plighted word, or I want, at any rate, enough appearance of force to make the wicked and barbarous peoples think that the force is there, and therefore fear to defy it.

The Senator says very truly that thus far we have not come to that sort of thing. No; we have not. Up to a few years ago—not many years as the world goes—somebody might have risen and said that "so far we had not come to the point where men were willing to leave their controversies to the courts." A man might very well then have been justified in believing that humanity would never reach the stage of perfection where it would agree to that.

I believe, Mr. President, with Thomas Jefferson, not in the perfection of humanity but in its "indefinite perfectability." You may tell me this, that, or the other desirable thing can not be done because of human nature, but my answer is that all you have got to do is to change your own human nature and use your own influence to change other people's human nature until there shall be a revolution in human nature that will suit new conditions.

Of course, you can never have justice and peace and righteousness on the earth as long as men get up and say it is impossible to have it, or as long as the majority of men say it, because until you get a majority of common sense and common conscience of the common people together on a proposition the minority is helpless. It is a psychological problem after all. All you have got to do is to have enough people *will* to have it, and then you will have it. If the Senator and I were about to engage in a controversy in which we had made up our minds to kill one another, and somebody would have me will not to kill him, half of the controversy would have disappeared, and if somebody would have him will not to kill me all of it would have been gone.

Mr. President, I understand that this is a sort of a question that ought not to be very much a matter of controversy but of mutual debate; it ought to be a matter of cool consideration in a mood that neither the Senator from Missouri nor I are experts, and that is a prayerful mood. He and I do have prayerful moods, I do not doubt, at times, notwithstanding the fact that we make no preachment of anything of that description.

It would be a sad thing to believe, it would be an awful thing to think, that humanity was absolutely chained and bound and helpless, and that this carnival of crime and barbarity and atrocity that we have just witnessed should be permitted to occur again. I remember that the British Army went into an action with the cry on their lips, "Never again"—fighting in order that that sort of thing should never again be necessary. You do not want it. I do not want it, nobody really wants it. Then, if we do not want it hard enough and strong enough and earnest enough it will not happen, and if there is somebody such a barbarian that he wants to have it, that he wants to carry it on, just say to him, "As much as we hate bloodshed your blood is the penalty." Kill him; yes, kill him like a mad dog. Kill him because he *is* a mad dog. Kill him because there is no other way to deal with him. Kill him in the name of peace, and kill him in the name of the Prince of Peace. Put force behind your league or your alliance or your agreement or whatever you call it. Put behind it also the willingness that when fair arbitrators decide against you you will submit, and when fair arbitrators decide against the other fellow you are going to make him submit.

Mr. REED. Mr. President, I think I could have done the Senate no greater service than when I offered this letter. It has been the occasion of clearing up, at least so far as the distinguished Senator from Mississippi is concerned and so far as I am concerned, a question that ought to be made plain, namely, what the proposal of those who bring forward the league of nations really is. The Senator from Mississippi has frankly stated that the proposition is to create a league of nations to enforce peace; that this league of nations is to provide, among other things, that no country or people shall go to war on any account until it has first submitted its contentions to arbitration or to a court——

Mr. WILLIAMS. Or offered to.

Mr. REED. Or offered to, and that the decision of that court when rendered must be obeyed, and if it is not obeyed then the force of the entire league will be used against the nation which fails to obey. Baldly stated, it is then proposed by the advocates of the league of nations that the United States shall agree to submit every controversy, however vital to the life of the Republic, to a court, and that it shall obey the mandate of that court upon peril of being conquered by an international army which it has helped to create and to which it has contributed men and money——

Mr. WILLIAMS. If the Senator will pardon me a minute, I said nothing about an international army.

Mr. REED. You plainly spoke of an international force.

Mr. WILLIAMS. Each country signing the treaty is to proceed to enforce its own agreement.

Mr. REED. Very well; in the aggregate that constitutes an international force or army.

Mr. WILLIAMS. I would not have an international army with a supernation. I agree with you about that.

Mr. REED. An international force is then to be created which when gathered shall crush this Nation for failure to obey the court's decree—that is the proposition as now modified.

Mr. President, an international court, as I showed the other day, would necessarily be composed of the representatives of the different nations of the earth. In order to be international it would necessarily have upon it the representatives of all the European nations. The European nations, as Washington said, have many interests in common and those common interests may all unite or exist in common against us.

Mr. WILLIAMS. If the Senator will pardon me, I said nothing about an international court. I said "arbitration." Ordinarily when arbitrators are to be selected one of the parties in the controversy selects a part, the other another part, and the several select an umpire.

Mr. REED. Mr. President, the term "court" was used not only by the Senator but it is in common use by the champions of the league. I am, however, willing to discuss both phases—decision by a court and decision by arbitration. Let me proceed with the court theory first. The court must be composed, as I have said, necessarily of representatives of European nations as well as our own. The European nations, as Washington warned us, I repeat, have interests peculiar to themselves, which may be common against us. Imagine, therefore, a controversy involving such a question. What would be our state if we were obliged to submit it to a court made up in the whole or in a substantial part from those having an interest against us?

Suppose, for instance, that a European nation should undertake the exploitation of a South American State, and the question should arise whether either the Monroe doctrine or the doctrine of the league of nations was being violated. Suppose we were obliged to submit that question to an international court. Is it not easy to see how the nations of Europe having representatives on this court might have a common interest

against the United States? And we would be compelled to submit this doctrine, so vital to our sovereignty and interest, to a court packed against us.

But the Senator abandons the idea of a court and takes refuge in a board or tribunal of arbitration. Really there is a distinction without much difference. By whatever name the tribunal is called, if it has the power of final decision it performs the office of a court. If it be permanent it is a permanent court. If it be temporary it is a temporary court. Mr. President, any league that proposes a tribunal of arbitration and does not name the arbitrators in advance leaves the situation so that in case of emergency incalculable damage might happen before an arbitration court could be selected and convened. Hence it would seem that the arbitrators must be agreed upon in advance. Thus we have in fact a court called by the name of a board of arbitrators. Who, now, are to constitute these arbitrators? Manifestly we could not ask to control. Manifestly some of them would be selected by our enemy. Manifestly the enemy might prevail and by strength or fortune get a majority prejudiced by interest or ties of blood in his favor. In that event the United States is obliged, nevertheless, to go to decision upon a vital matter before a board of arbitration a majority of which is against us from the first. These are the things we are asked to submit to, and if we do not submit to the decision, though it is vital to us, though it involves our national life, we are to be then crushed by a concert of nations that have a force already created for their express purpose.

Mr. President, put that to the American people. Submit to the American voter whether he will ever turn over the vital interests of this Nation to a tribunal a majority of which may be composed of foreigners and even of our enemies. Ask him for his answer. You will receive it in no uncertain terms, for the American people have some common sense left, even if some other people have not.

The distinguished Senator said another thing that conclusively proves he does not believe the doctrine he so vehemently preaches. Let us see what is this doctrine. He would have universal peace. He would have it by virtue of a league of nations. Yet, sir, he says that England must never surrender her sovereignty of the seas unless she surrenders it to us. In other words, this scheme of universal peace demands first, last, and all the time an invincible navy that can command the waters of every sea, and this navy must be that of our friend, England, or it must be our own. So we are only to have a league of universal peace upon condition that the rest of the world agrees that England and the United States, one or both, shall be able to lick every other nation. That is the dream of universal peace and "parliament of man" we are scolded for not accepting.

Mr. President, a little common sense applied to that and I believe we can arrive at the conclusion that the Senator's premise of a great navy for England that will command the seas destroys the very thought of a league of nations. Why? Let us follow it. Suppose that every nation in the world was to be disarmed to-morrow, but that England was to retain her great fleet commanding the seas. England would then command the world and stand "astride it like a colossus," and all the other nations, like little things, could crawl in and out between England's great legs.

I do not say this out of unkindness to England. How can you talk about giving England the supremacy of the sea without at the same time conceding to her supremacy upon the land, provided you insist that the other nations shall disarm upon land? When you have conceded England's supremacy upon the seas and all the other nations of the world then remain helpless upon the land they will be in a condition where they can be at once overwhelmed, where England can bring her troops from every quarter of the globe and all her allies from every clime and hurl them upon a nation standing defenseless. Few of the nations will be so foolish as to agree to that.

I do not say this out of unkindness for England. I anticipate no trouble with Great Britain. Proud I am that my blood comes from the Scotch and Irish part of Great Britain. I am no twister of the British lion's tail, but I know when we assemble around the council table the statesmen of the world they will be as jealous of England as England will be of them. I know that you can not ask that England shall retain dominion of the seas and they shall all lay down their arms upon the land. If you do ask it you will be laughed at.

So the Senator does not believe in his own doctrine. I will tell you the kind of a league of nations he believes in. His league of nations is something that suits his own ideas. It is the union of the English-speaking folk wherein England and America will dominate and all the rest of the world will obey, and if they do not obey, then the treatment is—I quote the Senator—to "kill them like mad dogs, and kill, and kill, and kill, even in the name of the Prince of Peace." That will be a very sacriligious thing to do, to kill in the name of the Holy Christ. It is true, the Emperor William did that.

Now, the whole truth is that the controversies of nations have many of them been in the best of faith. Two nations each believing the other was wrong have gone to war. Such cases have made the great majority of controversies that have brought on modern wars. Each has thought the other wrong, each has thought itself right.

So when you form your league of nations the dominant nations will think they are right about certain things and that the other nations are wrong, and will insist that the other nations shall obey, and if they do not, then they are likely to adopt the doctrine of the distinguished Senator from Mississippi and "kill, and kill, and kill." So the Senator is back in the slaughterhouse of the ages, with his league of nations and all his talk of peace, as bloody as the Kaiser's Huns. You get nowhere by that sort of a tirade. You get nowhere by going around that circle, and you get nowhere by misrepresentation.

I said with great clearness, if I am capable of making a clear statement, that I believe the nations of the world could assemble around the council table and write a code of international law so clear that any nation that violated it would stand before the world as an outlaw, a moral outcast, a moral leper, just as Germany stood before the world when she invaded Belgium. That is a great force in this world, not in any manner to be discounted or to be sneered at. I believe it is possible to agree to a partial disarmament of nations. But I do not believe in a league of nations that proposes to enforce the views of the majority or the decisions of any court upon any other nation, for that is the old Holy Alliance over again. One of these days before this debate is ended I propose to compare the Holy Alliance and the time in which it was formed with some of the circumstances and facts of this day.

Mr. President, I am glad we have had this discussion. We have at last had one frank avowal on this floor that men propose to sumbit the vital interests of the American people to a tribunal a majority of which may be and undoubtedly will be foreigners and enemies of this country. That doctrine baldly stated to the American people will be repudiated in every hamlet and village of America.

EXECUTIVE SESSION.

Mr. McKELLAR. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Thursday, December 5, 1918, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 4, 1918.

UNITED STATES SHIPPING BOARD.

Charles R. Page, of California, to be a member of the United States Shipping Board for a term of six years. (A reappointment.)

MISSISSIPPI RIVER COMMISSION.

Col. Curtis McDonald Townsend, Corps of Engineers, United States Army, for appointment as a member of the Mississippi River Commission, provided for by the act of Congress approved June 28, 1879, entitled "An act to provide for the appointment of a 'Mississippi River Commission' for the improvement of said river from the Head of the Passes near its mouth to its headwaters," to which office he was appointed during the last recess of the Senate, vice Brig. Gen. William H. Bixby, Corps of Engineers, United States Army, retired, relieved.

COLLECTOR OF CUSTOMS.

James L. McGovern, of Bridgeport, Conn., to be collector of customs for customs collection district No. 6, with headquarters at Bridgeport, Conn. (Reappointment.)

COLLECTOR OF INTERNAL REVENUE.

Bertram Gardner, of Garden City, N. Y., to be collector of internal revenue for the first district of New York, to fill an existing vacancy.

ASSISTANT CHIEF INSPECTOR OF LOCOMOTIVE BOILERS.

John A. Shirley, of San Antonio, Tex., to be assistant chief inspector of locomotive boilers.

REGISTERS OF LAND OFFICES.

Henry P. Andrews, of California, to be register of the land office at Sacramento, Cal., his present term expiring December 28, 1918. (Reappointment.)

Robert W. Davis, of Florida, to be register of the land office at Gainesville, Fla. (Reappointment.)

RECEIVER OF PUBLIC MONEYS.

Perry M. Colson, of Florida, to be receiver of public moneys at Gainesville, Fla. (Reappointment.)

APPOINTMENTS IN THE ARMY.

GENERAL OFFICERS.

To be major general.

Lieut. Gen. Robert L. Bullard, United States Army, emergency.

To be brigadier generals.

Maj. Gen. George W. Read, United States Army, emergency.
Maj. Gen. Charles H. Muir, United States Army, emergency.
Maj. Gen. Charles T. Menoher, United States Army, emergency.
Maj. Gen. James W. McAndrew, United States Army, emergency.
Maj. Gen. William G. Haan, United States Army, emergency.
Maj. Gen. James G. Harbord, United States Army, emergency.
Maj. Gen. John L. Hines, United States Army, emergency.
Maj. Gen. Charles P. Summerall, United States Army, emergency.

MEDICAL CORPS.

To be brigadier generals.

Col. Walter D. McCaw, United States Army.
Maj. Gen. Robert E. Noble, United States Army, emergency.

DENTAL CORPS.

To be first lieutenants with rank from November 30, 1918.

First Lieut. David L. England.
First Lieut. Erwin F. Bence.
First Lieut. Glen D. Lacy.
First Lieut. Harold S. Whitney.

FIELD ARTILLERY ARM.

To be second lieutenant with rank from November 1, 1918.

Cadet George Brooke McReynolds.

PROMOTIONS IN THE ARMY.

MEDICAL CORPS.

To be colonels.

Lieut. Col. Louis T. Hess, Medical Corps, from August 30, 1918.

Lieut. Col. Christopher C. Collins, Medical Corps, from October 30, 1918.

Lieut. Col. Benjamin J. Edzer, jr., Medical Corps, from November 11, 1918.

CORPS OF ENGINEERS.

To be captains.

First Lieut. Girard B. Troland, Corps of Engineers, from October 13, 1918.

First Lieut. Llewellyn M. Griffith, Corps of Engineers, from October 23, 1918.

PROVISIONAL APPOINTMENTS, BY PROMOTION, IN THE ARMY.

INFANTRY.

To be captains.

First Lieut. Augustine J. Zerbee from August 10, 1918 (subject to examination required by law).

First Lieut. Frank A. Heileman from August 10, 1918.

First Lieut. Lauritz D. Simonson from August 27, 1918.

First Lieut. Carl R. Perkins from September 6, 1918 (subject to examination required by law).

First Lieut. Franklin W. Cheney from September 7, 1918 (subject to examination required by law).

First Lieut. George F. Wellage from September 12, 1918.

First Lieut. Alfred F. Biles, jr., from September 14, 1918 (subject to examination required by law).

First Lieut. Charles T. Hearin from September 20, 1918 (subject to examination required by law).

First Lieut. John F. Fredin, jr., from October 2, 1918 (subject to examination required by law).

First Lieut. James B. Wise, jr., from October 5, 1918 (subject to examination required by law).

First Lieut. Clarence M. Culp from October 5, 1918 (subject to examination required by law).

First Lieut. Robert D. Horton from October 5, 1918 (subject to examination required by law).

First Lieut. Charles B. Kehoe from October 5, 1918 (subject to examination required by law).

To be first lieutenants.

Second Lieut. Harrison B. Beavers, from July 27, 1918.
Second Lieut. Elbridge Colby, from July 27, 1918.
Second Lieut. Allan H. Snowden, from July 31, 1918.
Second Lieut. Herbert D. Gibson, from August 3, 1918.
Second Lieut. Goulding K. Wight, from August 10, 1918.
Second Lieut. Harry S. Wilbur, from August 21, 1918.
Second Lieut. Albert S. Johnson, from August 24, 1918.
Second Lieut. Clarence O. Black, from August 27, 1918.
Second Lieut. Paul B. Robinson, from September 6, 1918.
Second Lieut. William L. Coulter, from September 6, 1918.
Second Lieut. Glen E. McCarthey, from September 7, 1918.
Second Lieut. Joseph H. Hinwood, jr., from September 12, 1918.
Second Lieut. Russell F. Walthour, jr., from September 13, 1918.
Second Lieut. James C. De Long, from September 14, 1918.
Second Lieut. Joseph P. Lawlor, from September 18, 1918.
Second Lieut. Timothy A. Pedley, jr., from September 23, 1918.
Second Lieut. Charles N. Owen, from September 29, 1918.
Second Lieut. Charles R. Gideon, from September 30, 1918.
Second Lieut. Archie MacI. Palmer, from October 2, 1918.
Second Lieut. Jack B. Chadwick, from October 2, 1918.
Second Lieut. John R. Bair, from October 5, 1918.
Second Lieut. James S. Varnell, from October 5, 1918.
Second Lieut. Arthur F. Dahlberg, from October 5, 1918.
Second Lieut. Russell C. Chapman, from October 5, 1918.
Second Lieut. Edwin T. Bowden, from October 5, 1918.

CORPS OF ENGINEERS.

To be captain.

First Lieut. Simon Medine, Corps of Engineers, from October 26, 1918.

To be first lieutenants.

Second Lieut. Roland Jens, Corps of Engineers, from August 20, 1918.

Second Lieut. William E. Thrasher, Corps of Engineers, from October 13, 1918.

Second Lieut. George W. Coffey, Corps of Engineers, from October 23, 1918.

Second Lieut. George O. Consoer, Corps of Engineers, from October 26, 1918.

FIELD ARTILLERY ARM.

To be captains.

First Lieut. Francis Fielding-Reid, Field Artillery, from October 8, 1918.

First Lieut. Harold H. Ristine, Field Artillery (subject to examination required by law), from October 19, 1918.

First Lieut. Oscar L. Gruhn, Field Artillery, from October 20, 1918.

To be first lieutenants.

Second Lieut. Dennis P. McCarthy, Field Artillery, from October 2, 1918.

Second Lieut. Albert Tate, Field Artillery, from October 8, 1918.

Second Lieut. Le Count H. Slocum, Field Artillery, from October 19, 1918.

Second Lieut. John H. Shelton, Field Artillery, from October 20, 1918.

COAST ARTILLERY CORPS.

To be first lieutenant.

Second Lieut. Charles S. Harris, Coast Artillery Corps, from October 18, 1918.

CAVALRY ARM.

To be first lieutenant.

Second Lieut. Gilbert X. Cheves, Cavalry, from October 15, 1918.

PROVISIONAL APPOINTMENTS, BY TRANSFER, IN THE ARMY.

COAST ARTILLERY CORPS.

First Lieut. LeRoy Lutes, Infantry, to be first lieutenant in the Coast Artillery Corps with rank from April 30, 1918.

INFANTRY ARM.

First Lieut. Richard B. Gayle, Coast Artillery Corps, to be first lieutenant in the Infantry Arm with rank from April 30, 1918.

APPOINTMENTS AND PROMOTIONS IN THE NAVY.

Victor Blue to be Chief of the Bureau of Navigation in the Department of the Navy, with the rank of rear admiral, for a term of four years.

David W. Taylor to be Chief Constructor and Chief of the Bureau of Construction and Repair in the Department of the Navy, with the rank of rear admiral, for a term of four years from the 13th day of December, 1918.

Capt. Henry A. Wiley to be a rear admiral in the Navy, for temporary service, from the 28th day of November, 1918.

Commander Richard D. White to be a captain in the Navy, for temporary service, from the 28th day of November, 1918.

Lieut. John L. V. Hill to be a lieutenant commander in the Navy, for temporary service, from the 26th day of October, 1918.

Lieut. William W. Meek to be a lieutenant commander in the Navy, for temporary service, from the 5th day of November, 1918.

Lieut. Justin McC. Miller to be a lieutenant commander in the Navy, for temporary service, from the 7th day of November, 1918.

The following-named lieutenants to be lieutenant commanders in the Navy, for temporary service, from the 14th day of November, 1918:

Ellsworth Davis,
Harry R. Gellerstedt, and
Charles J. Parrish.

Lieut. Oliver L. Downes to be a lieutenant commander in the Navy, for temporary service, from the 28th day of November, 1918.

Lieut. (Junior Grade) Thomas E. Flaherty to be a lieutenant in the Navy, for temporary service, from the 1st day of October, 1918.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, for temporary service, from the 10th day of October, 1918:

Charles W. Classen and
John B. Cooke.

Lieut. (Junior Grade) Allen R. Chandler to be a lieutenant in the Navy, for temporary service, from the 11th day of October, 1918.

Lieut. (Junior Grade) Maurice M. Rodgers to be a lieutenant in the Navy, for temporary service, from the 14th day of October, 1918.

Lieut. (Junior Grade) Frank Hannon to be a lieutenant in the Navy, for temporary service, from the 15th day of October, 1918.

Lieut. (Junior Grade) Harry F. Gray to be a lieutenant in the Navy, for temporary service, from the 26th day of October, 1918.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, for temporary service, from the 5th day of November, 1918:

Leonard W. Johnson,
John J. Arnaud, and
Walter C. Haight.

Lieut. (Junior Grade) Charles E. S. Lines to be a lieutenant in the Navy, for temporary service, from the 7th day of November, 1918.

Lieut. (Junior Grade) John Sharpe to be a lieutenant in the Navy, for temporary service, from the 10th day of November, 1918.

Lieut. (Juior Grade) James D. Rorabaugh to be a lieutenant in the Navy, for temporary service, from the 13th day of November, 1918.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, for temporary service, from the 14th day of November, 1918:

Charles P. Porter,
Raymond S. Kaiser, and
Lonr Mansbach.

Lieut (Junior Grade) Milton E. Robison to be a lieutenant in the Navy, for temporary service, from the 28th day of November, 1918.

Lieut. (Junior Grade) Daniel F. Mulvihill to be a lieutenant in the Navy, for temporary service, from the 15th day of August, 1918.

Ensign Peter J. Riley to be a lieutenant (junior grade) in the Navy, for temporary service, from the 21st day of September, 1918.

The following-named ensigns to be lieutenants (junior grade) in the Navy, for temporary service, from the 5th day of November, 1918:

Charles L. Bristol, jr.,
Henry W. Reding, jr.,
Elmo H. Conley,
James I. Boyce,
Robert D. Longyear,
Alfred M. Gagneux,
Louis Etshokin,
Donald E. Montgomery,
John H. Fenton,
Ralph L. Colton,
Bruce Hoggson,
Herman Siefke, jr.,
Robert A. Skinner,
Henry A. Orrick, jr.,
Cecil L. Shockley,
Perry McK. Sturges,
John F. Kelsey,
Howard L. Seaton,
Samuel W. Morris,
Stuart L. Peck,
Harold M. Levy,
Donald McL. Day,
Ralph R. Brubaker,
Frank F. Walker,
Frederick S. Hodgman,
Robert C. McKeen,
Albert L. Baker,
Vergil A. Davison,
Charles D. Ingersoll,
Robert R. Titus,
Alexander A. Cameron,
Frank N. Bolton,
Harold M. Kennedy,
Perry A. Howard, jr.,
Francis P. Baeyertz,
Cushing Phillips,
Edward R. Simpson,
Irving B. Levi,
William R. Brent,
John F. O'Rourke, jr.,
Otis R. Marston,
Allan C. Davis,
Freeman L. Curtis,
Frederick N. Worth,
Harold Edwards,
Henry S. Bothfeld,
Carlisle C. McIvor,
Caspar W. B. Townsend,
Russell C. Lewis,
Robert E. Christy,
Ralph C. Taylor,
Leonard M. Starbuck,
Raymond W. Smith,
Hoyt M. Leisure, and
David H. Hammer.

The following-named warranted officers for temporary service, to be ensigns in the Navy, for temporary service, from the 1st day of December, 1918:

Charles H. Gordon,
Otto Fuhrmann,
Harry D. Leininger,
Patrick T. Ryan,
William J. Leidy,
Guy H. Overlock,
Thomas J. Eggleston,
Flavel F. Law,
Jasper I. Ward,
John Richardson,
Harry D. Collins,
James E. Dougherty,
Patrick J. Keough,
Caesar Cooper,
Herman Ruhle,
Malcolm S. Brainerd,
Forest E. Frost, and
Frank M. Mugford.

The following-named enlisted men to be ensigns in the Navy for temporary service, from the 1st day of December, 1918:

David L. Walters,
John E. Canoose,
Harry C. Francis,
Theron S. Hare,
David Porter,
Emry M. Sindledecker,
Albert A. Webb,
Sidney J. Brawner,
Chester A. Johnson,

Rudolph Desser,
Mack Q. Wright,
Daniel L. Ertel,
Elmer Bergstrom,
Walter A. Seymour,
George A. Spedden, and
Milford McQuilkin.

Paymaster Elwood A. Cobey to be a pay inspector in the Navy, with the rank of commander, for temporary service, from the 5th day of November, 1918.

Pay Clerk Joseph Simon to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 1st day of January, 1918.

The following-named acting pay clerks to be assistant paymasters in the Navy, with the rank of ensign, for temporary service, from the 1st day of December, 1918:

Lefeber Pittman,
Thomas T. Taylor,
Crawford T. Folsom,
Robert H. Witaker,
Guy B. Falconer,
John E. Bonwell,
Walter S. Rockwell,
Frank Humbented,
Charles A. Young, and
Cheynes S. Evans.

The following-named carpenters to be assistant naval constructors in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 1st day of December, 1918:

Armand Mayville,
Joseph M. Kiernan,
William W. Hastings,
Frederick A. Johnson,
Joseph Eloms, and
William R. Bugger.

The following-named assistant naval constructors of the United States Naval Reserve Force to be assistant naval constructors in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 1st day of December, 1918:

W. Ogden Johnson and
Noah W. Cooley.

The following-named citizens to be assistant naval constructors in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 1st day of December, 1918:

James B. Welch,
Roy E. Brown,
Leopold B. Hassa,
Roland G. Mayer,
Joseph E. Roy,
Frank L. Butterworth,
William H. Balls,
Donald G. Maxson,
Emerson R. Bouvier,
George V. Whittle,
Anton Kauffman,
George W. Henderson,
Gerald W. Thomson,
Kenneth Reid, and
Roland P. Carr.

Chief Boatswain Michael J. J. Farley (retired) to be a lieutenant on the retired list of the Navy, for temporary service, from the 1st day of July, 1918.

Chief Machinist Daniel Mullan (retired) to be a lieutenant on the retired list of the Navy, for temporary service, from the 11th day of September, 1918.

Pay Clerk Roland W. Bell (retired) to be an assistant paymaster on the retired list of the Navy, with the rank of lieutenant, for temporary service, from the 1st day of July, 1918.

Acting Pay Clerk Albert H. Gerbig to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 1st day of December, 1918.

Paymaster John M. Hancock to be a pay inspector in the Navy, with the rank of commander, from the 11th day of January, 1918.

The following-named officers to be assistant naval constructors in the Navy, with the rank of lieutenant (junior grade), from the 5th day of June, 1918:

Frederick W. Pennoyer, jr.,
Melville W. Powers,
Charles F. Osborn,
Claude O. Kell,
Howard L. Vickery, and
Charles H. Easton.

The following-named officers to be assistant naval constructors in the Navy, with the rank of lieutenant (junior grade), from the 23d day of September, 1918:

Russell S. Hitchcock,
Sidney E. Dudley,
Edmund E. Brady, jr.,
Theodore L. Shumacher,
Forrest P. Sherman,
Henry A. Hutchins, jr.,
Arthur C. Miles,
Harold M. Horne,
Andrew I. McKee,
Douglas W. Coe,
Joseph W. Fowler, and
John D. Crecca.

The following-named lieutenants on the retired list to be lieutenant commanders on the retired list of the Navy, from the 1st day of July, 1918:

William G. Hannum,
George W. Danforth, and
Edison E. Scranton.

Lieut. Frederick W. Milner (retired) to be a lieutenant commander on the retired list of the Navy from the 27th day of September, 1918.

Lieut. (Junior Grade) Eugene D. McCormick (retired) to be a lieutenant on the retired list of the Navy from the 26th day of October, 1918.

Ensign Arnold H. Vanderhook (retired) to be a lieutenant (junior grade) on the retired list of the Navy from the 21st day of October, 1918.

Maj. (temporary) Emile P. Moses to be a major in the Marine Corps from the 7th day of October, 1918.

The following-named captains to be majors in the Marine Corps, for temporary service, from the 1st day of July, 1918:

De Witt Peck and
Archie F. Howard.

The following-named first lieutenants to be captains in the Marine Corps, for temporary service, from the 1st day of July, 1918:

Edward D. Kalbfleisch,
Chaplain G. Hicks,
Gustav H. Kaemmerling,
Colis Mitchum,
Leo D. Hermle, and
Frank R. Armstend.

The following-named second lieutenants to be first lieutenants in the Marine Corps, for temporary service, from the 16th day of August, 1918:

John M. McGregor,
Clinton H. Wooten,
Henry A. Carr,
William T. Hutchinson,
William G. Olive,
Orrel A. Inman,
Henry N. Hale,
Harold Powell,
William S. Kelley, jr.,
John F. Ryan,
James E. Smith,
Albyn A. Wilcox,
Leonard S. Burns,
George C. Schlecter, and
Harold E. Kellogg.

POSTMASTERS.

ALABAMA.

William K. Cooper to be postmaster at Northport, Ala., in place of W. K. Cooper. Office became presidential January 1, 1918.

Joseph H. Read to be postmaster at Bessemer, Ala., in place of Daniel W. Houston, deceased.

ARKANSAS.

Levi N. Douglas to be postmaster at Trumann, Ark., in place of L. N. Douglas. Incumbent's commission expired January 31, 1918.

Robert H. Smiley to be postmaster at Hot Springs, Ark., in place of R. H. Smiley. Incumbent's commission expired March 2, 1918.

T. W. Sparks to be postmaster at Harrisburg, Ark., in place of T. W. Sparks. Incumbent's commission expired April 29, 1918.

Lucy C. Pullen to be postmaster at Foreman, Ark., in place of Lucy C. Dollarhide, married.

Thomas L. Smith to be postmaster at Lepanto, Ark., in place of W. E. Lamb, deceased. Office became presidential January 1, 1917.

Isaac G. Ritchie to be postmaster at Hardy, Ark., in place of Arthur Sullivan, resigned. Office became presidential January 1, 1918.

Alvin G. Stamps to be postmaster at Earl, Ark., in place of J. H. Nance, resigned.

CALIFORNIA.

Nelson R. Feirl to be postmaster at Portola, Cal., in place of Andrew M. Isom, deceased.

COLORADO.

Edward M. Robinson to be postmaster at Wray, Colo., in place of Lillian A. Hawks, resigned.

Dwight Cline to be postmaster at La Salle, Colo., in place of Clinton E. Mason, declined.

Vivian Sadler to be postmaster at Cheyenne Wells, Colo., in place of Samuel W. Baber, resigned.

CONNECTICUT.

Raymond E. Allen to be postmaster at Danielson, Conn., in place of George M. Pilling, removed.

Henrietta H. Burr to be postmaster at Baltic, Conn., in place of Thomas J. Sullivan, resigned.

DELAWARE.

James J. English to be postmaster at Wilmington, Del., in place of J. J. English. Incumbent's commission expired July 2, 1917.

Alfred L. Cummins to be postmaster at Smyrna, Del., in place of A. L. Cumming. Incumbent's commission expired July 2, 1917.

Rhubert R. German to be postmaster at Delmar, Del., in place of R. R. German. Incumbent's commission expired July 2, 1917.

FLORIDA.

Henry A. Drake to be postmaster at Port St. Joe, Fla., in place of J. E. Maddox, resigned.

Edwin E. Williams to be postmaster at Passagrille, Fla., in place of F. S. Kanode, resigned.

Alexander J. Burnham to be postmaster at Bushnell, Fla., in place of L. L. Sutton, deceased.

GEORGIA.

Henry M. Miller to be postmaster at Colquitt, Ga., in place of H. M. Miller. Incumbent's commission expired May 6, 1917.

Wiley M. Rogers to be postmaster at Union City, Ga., in place of R. F. Duckworth, resigned.

Julian E. Hart to be postmaster at Sylvania, Ga., in place of H. S. White, resigned.

Robert H. Wheless to be postmaster at Nashville, Ga., in place of A. C. Sweat, removed.

Oscar O. Owens to be postmaster at Moultrie, Ga., in place of Charles Beaty, deceased.

Robert E. Barfield to be postmaster at Hahira, Ga., in place of W. W. Webb, resigned.

Ellen White to be postmaster at Fort Screven, Ga., in place of W. D. Evans. Office became presidential October 1, 1917.

Walter W. Daves to be postmaster at Cartersville, Ga., in place of H. J. Jolly, resigned.

ILLINOIS.

John H. Henson to be postmaster at Xenia, Ill., in place of J. H. Henson. Incumbent's commission expired August 27, 1917.

Charles C. Clymore to be postmaster at Vienna, Ill., in place of C. C. Clymore. Incumbent's commission expired May 5, 1918.

Benjamin R. Croxen to be postmaster at Peotone, Ill., in place of B. R. Croxen. Incumbent's commission expired August 15, 1917.

David R. Bennett to be postmaster at Panama, Ill., in place of D. R. Bennett. Office became presidential April 1, 1917.

Walter V. Berry to be postmaster at Irving, Ill., in place of W. V. Berry. Office became presidential October 1, 1918.

George H. Franzen to be postmaster at Fairbury, Ill., in place of G. H. Franzen. Incumbent's commission expired June 27, 1918.

Edward S. Bray to be postmaster at Scales Mound, Ill., in place of James Carr, resigned.

Edward W. Childe to be postmaster at Martinsville, Ill., in place of D. B. Ulrey, resigned.

William J. West to be postmaster at Odin, Ill., in place of J. M. Dace, resigned.

Blanche V. Anderson to be postmaster at Leland, Ill., in place of E. C. Schweitzer. Incumbent's commission expired July 25, 1917.

Inez M. Garrison to be postmaster at Flanagan, Ill., in place of W. F. Lutyen, resigned.

Owen C. McCartney to be postmaster at Hamilton, Ill., in place of W. H. Harkrader, resigned.

Peter C. Burrus to be postmaster at Bluffs, Ill., in place of E. D. Beird, resigned.

Noel V. Grenthouse to be postmaster at West Frankfort, Ill., in place of Robert L. Cantrell, resigned.

Frederick W. Hartbank to be postmaster at Tolono, Ill., in place of P. H. Mulligan, resigned.

John F. Mains to be postmaster at Stronghurst, Ill., in place of C. E. Fort, resigned.

Katherine Adams to be postmaster at Riverton, Ill., in place of Emory Edwards, resigned. Office became presidential April 1, 1918.

Harry C. Shales to be postmaster at North Crystal Lake, Ill., in place of John R. McWhorter, resigned.

Tilson V. Worland to be postmaster at Neoga, Ill., in place of J. C. Neal, deceased.

Ernest C. Richter to be postmaster at Menard, Ill., in place of Perry F. Hathaway. Incumbent's commission expired March 24, 1918.

Irma C. Barlow to be postmaster at Loda, Ill., in place of Margaret Keegan, resigned.

Margaret E. Taylor to be postmaster at Keithsburg, Ill., in place of W. S. Cabeen, deceased.

William H. Rodebaugh to be postmaster at Greenup, Ill., in place of James M. Nunamaker, resigned.

Grace E. Tolle to be postmaster at Glasford, Ill., in place of Earl Bitner, resigned.

Charles T. Wilson to be postmaster at Eldorado, Ill., in place of W. J. Bixler, resigned.

Elmer T. Selby to be postmaster at Camp Point, Ill., in place of William Vollbracht, resigned.

Fannie E. Sheahan to be postmaster at Altona, Ill., in place of Benjamin T. Hart, removed.

INDIANA.

Fred H. Foster to be postmaster at Oxford, Ind., in place of M. P. Halgren, declined.

Clarence B. Taylor to be postmaster at Howe, Ind., in place of C. E. Schaeffer, resigned.

Earle A. Smith to be postmaster at Gosport, Ind., in place of G. B. Spicer, resigned.

Nathan W. Ringo to be postmaster at Dugger, Ind., in place of L. E. Chowning, resigned.

Emma A. Scott to be postmaster at Boswell, Ind., in place of Emmett Scanlon, resigned.

IOWA.

Edgar A. Greenway to be postmaster at Pleasantville, Iowa, in place of John H. Kerr, resigned.

George A. Moss to be postmaster at Persia, Iowa, in place of Freeda D. Hamann, resigned.

Fred A. Gefke to be postmaster at Hawarden, Iowa, in place of William Dealy, resigned.

KENTUCKY.

Isaac E. Newton to be postmaster at Earlington, Ky., in place of C. E. Barnett, resigned.

LOUISIANA.

Thomas Siddon to be postmaster at Winnsboro, La., in place of Martha E. Thompson, resigned.

Lillian E. Collins to be postmaster at West Monroe, La., in place of L. E. Russell, resigned.

Chester A. Thompson to be postmaster at Ville Platte, La., in place of Christina Derouen, resigned.

Jesse L. Fowler to be postmaster at Oak Grove, La., in place of H. M. Bailey, resigned.

John D. Fultz to be postmaster at Newellton, La., in place of A. N. Murdoch, resigned.

MICHIGAN.

Cornelius A. Bates to be postmaster at Marine City, Mich., in place of Charles J. Tarte, resigned.

MINNESOTA.

Milton P. Mann to be postmaster at Worthington, Minn., in place of John F. Flynn, resigned.

Charles J. Hohenstein to be postmaster at Gibbon, Minn., in place of John Friedl, resigned.

William Hope to be postmaster at Morris, Minn., in place of M. F. Finnegan, deceased.

Clarence D. Maxey to be postmaster at Backus, Minn., in place of Frank W. Zaffke, resigned.

MISSISSIPPI.

Henry B. Edwards to be postmaster at Shuqualak, Miss., in place of Olivn M. Jenkins, resigned.

Minnie O. Sharbrough to be postmaster at Rolling Fork, Miss., in place of John T. Griffin, declined.

—Lawson A. Hill to be postmaster at Cleveland, Miss., in place of Solomon Seebinder. Incumbent's commission expired September 18, 1917.

William P. Wildberger to be postmaster at Clarksdale, Miss., in place of H. N. Harris, resigned.

MISSOURI.

Charles B. Neville to be postmaster at Lawson, Mo., in place of Bayard C. Wilson, resigned.

Letcher L. Robinson to be postmaster at Chamois, Mo., in place of James Robinson, deceased.

NEBRASKA.

Joseph Fenimore to be postmaster at Merna, Nebr., in place of J. Fenimore. Incumbent's commission expired July 11, 1917.

Orris K. Jones to be postmaster at Lexington, Nebr., in place of O. K. Jones. Incumbent's commission expired February 24, 1918.

George W. Howe to be postmaster at Wisner, Nebr., in place of V. W. Clayton. Incumbent's commission expired June 21, 1917.

Edgar T. Lay to be postmaster at Seneca, Nebr., in place of George McCawley, resigned.

Glenn C. Chadderdon to be postmaster at Cambridge, Nebr., in place of James H. Carroll, resigned.

Frank R. Galbraith to be postmaster at Ainsworth, Nebr., in place of Charles H. Short, resigned.

NEW HAMPSHIRE.

Frank P. Hobbs to be postmaster at Wolfeboro, N. H., in place of F. P. Hobbs. Incumbent's commission expired July 26, 1917.

NEW MEXICO.

Chester C. Parsons to be postmaster at Wagon Mound, N. Mex., in place of Joseph C. Swain, resigned.

NORTH CAROLINA.

Sarah A. Lunceford to be postmaster at Smithfield, N. C., in place of A. M. Sanders, resigned.

NORTH DAKOTA.

Pearl C. Forslof to be postmaster at Warwick, in place of Christian O. Nesa. Office became presidential July 1, 1917.

Arthur L. Young to be postmaster at Bowman, N. Dak., in place of Lillian B. Totten, removed.

OHIO.

George R. Irwin to be postmaster at Upper Sandusky, Ohio, in place of Marshall E. Foncht, removed.

Orville F. Barcus to be postmaster at Sunbury, Ohio, in place of Fred D. Baker, resigned.

OKLAHOMA.

Irving O. Diggs to be postmaster at Stillwater, Okla., in place of I. O. Diggs. Incumbent's commission expired February 2, 1918.

David G. Woodworth to be postmaster at Kingfisher, Okla., in place of D. G. Woodworth. Incumbent's commission expired March 19, 1918.

Baker B. Woodward to be postmaster at Bokoshe, Okla., in place of B. B. Woodward. Office became presidential April 3, 1918.

Hattie E. Malloy to be postmaster at Laverne, Okla., in place of John W. Lane, resigned.

Vernon B. Ellington to be postmaster at Wagoner, Okla., in place of Robert L. Windsor, resigned.

Claud Hannon to be postmaster at Wirt, Okla., in place of J. C. Cobb, removed.

Walter A. Thompson to be postmaster at Tahlequah, Okla., in place of A. B. Cunningham, resigned.

James G. Sprouse to be postmaster at McCurtain, Okla., in place of Clifford P. Martin, resigned.

Bronte L. Dean to be postmaster at Binger, Okla., in place of Opal C. Hawn, resigned.

OREGON.

Guy W. Brace to be postmaster at Yamhill, Oreg., in place of Harry C. Giet, deceased.

Richard H. Yates to be postmaster at Willamina, Oreg., in place of Paul C. Belt, resigned.

Exel Vogel to be postmaster at Rainier, Oreg., in place of J. W. Stacy, resigned.

Henry H. McReynolds to be postmaster at Pilot Rock, Oreg., in place of Ross A. Pickering, resigned.

PENNSYLVANIA.

J. Boyd D. Stewart to be postmaster at Wilson, Pa., in place of J. B. D. Stewart. Office became presidential January 1, 1918.

Edward Ace to be postmaster at Nicholson, Pa., in place of E. Ace. Incumbent's commission expired January 19, 1918.

Isaac Scarborough to be postmaster at New Hope, Pa., in place of I. Scarborough. Incumbent's commission expired January 15, 1918.

John A. Waltman to be postmaster at Mayport, Pa., in place of J. A. Waltman. Office became presidential January 1, 1918.

George B. M. Ward to be postmaster at Laceyville, Pa., in place of G. B. M. Ward. Incumbent's commission expired March 20, 1918.

Spurgeon L. Wilson to be postmaster at Driftwood, Pa., in place of S. L. Wilson. Office became presidential April 1, 1918.

James A. Cooper to be postmaster at Brockwaysville, Pa., in place of J. A. Cooper. Incumbent's commission expired May 26, 1918.

Thomas F. McHale to be postmaster at Olyphant, Pa., in place of John J. Moran, removed.

Percy W. Shepard to be postmaster at New Albany, Pa., in place of W. F. Packard, resigned.

John J. Roll to be postmaster at Natrona, Pa., in place of James S. Gordon. Incumbent's commission expired January 15, 1918.

Margaret C. Brown to be postmaster at Langeloth, Pa., in place of Thomas B. McKaig, resigned. Office became presidential October 1, 1916.

William A. Clancy to be postmaster at Foxburg, Pa., in place of J. M. Keesey, removed.

Joseph A. Hanley to be postmaster at Erie, Pa., in place of John T. Brew, resigned.

William D. First to be postmaster at Conneaut Lake, Pa., in place of G. B. Livingston, resigned.

Blair Rorabaugh to be postmaster at Clymer, Pa., in place of J. H. Fagan, resigned.

RHODE ISLAND.

Hartzell R. Birch to be postmaster at Kingston, R. I., in place of Alonzo A. Greeman, resigned.

SOUTH CAROLINA.

William A. Hill to be postmaster at Newberry, S. C., in place of W. A. Hill. Incumbent's commission expired August 2, 1917.

Luther McLaurin to be postmaster at McColl, S. C., in place of L. McLaurin. Incumbent's commission expired March 19, 1918.

Fred Mishoe to be postmaster at Gresdyville, S. C., in place of F. Mishoe. Office became presidential January 1, 1918.

Inez H. Whitlock to be postmaster at Ridgeway, S. C., in place of Richard W. Adams. Appointee not commissioned.

William T. Reynolds, jr., to be postmaster at Mount Pleasant, S. C., in place of John A. Patjens, resigned.

Oliver D. Earle to be postmaster at Landrum, S. C., in place of Rufus G. Durham, resigned.

Marie V. Keil to be postmaster at Allendale, S. C., in place of James E. Searson, resigned.

Bruce K. Arnold to be postmaster at Woodruff, S. C., in place of B. K. Arnold. Incumbent's commission expired August 1, 1917.

Francis M. Cross to be postmaster at Westminster, S. C., in place of F. M. Cross. Incumbent's commission expired March 19, 1918.

Joshua L. Young to be postmaster at Ware Shoals, S. C., in place of J. L. Young. Incumbent's commission expired February 7, 1918.

Arthur R. Garner to be postmaster at Timmonsville, S. C., in place of A. R. Garner. Incumbent's commission expired March 19, 1918.

SOUTH DAKOTA.

Arnold Poulsen to be postmaster at Lennox, S. Dak., in place of Ailt J. Miller, resigned.

Claud I. Force to be postmaster at Clear Lake, S. Dak., in place of John Knuckey, resigned.

Perry H. Cline to be postmaster at Bigstone City, S. Dak., in place of Kate A. Schnacke, deceased.

Israel R. Krause to be postmaster at Java, S. Dak., in place of I. R. Krause. Office became presidential April 1, 1918.

TENNESSEE.

John S. Gilbreath to be postmaster at Pulaski, Tenn., in place of J. S. Gilbreath. Incumbent's commission expired March 19, 1918.

Gordon B. Baird to be postmaster at Oblon, Tenn., in place of G. B. Baird. Incumbent's commission expired January 12, 1918.

William H. Howard to be postmaster at Milan, Tenn., in place of W. H. Howard. Incumbent's commission expired March 11, 1918.

Arch W. Ashton to be postmaster at Hohenwald, Tenn., in place of A. W. Ashton. Incumbents' commission expired May 2, 1918.

B. Hampton Moore to be postmaster at Halls, Tenn., in place of B. H. Moore. Incumbent's commission expired April 6, 1918.

Robert W. Caldwell to be postmaster at Gallatin, Tenn., in place of R. W. Caldwell. Incumbent's commission expired March 25, 1918.

Thomas P. Rucker to be postmaster at Franklin, Tenn., in place of T. P. Rucker. Incumbent's commission expired June 29, 1918.

Franklin W. Latta to be postmaster at Dyersburg, Tenn., in place of F. W. Latta. Incumbent's commission expired March 9, 1918.

James M. Scarborough to be postmaster at Dover, Tenn., in place of J. M. Scarborough. Incumbent's commission expired March 9, 1918.

Robert L. Long to be postmaster at Church Hill, Tenn., in place of R. L. Long. Office became presidential October 1, 1917.

Enos O. Thomas to be postmaster at Camden, Tenn., in place of E. O. Thomas. Incumbent's commission expired March 25, 1918.

Benjamin W. Scott to be postmaster at Bradford, Tenn., in place of B. W. Scott. Office became presidential April 1, 1918.

John T. Clary to be postmaster at Bellbuckle, Tenn., in place of J. T. Clary. Incumbent's commission expired August 22, 1917.

Eugene F. Allen to be postmaster at Ashland City, Tenn., in place of E. F. Allen. Incumbent's commission expired June 24, 1918.

Addie D. Bell to be postmaster at Springfield, Tenn., in place of A. D. Bell. Incumbent's commission expired June 24, 1918.

Alson C. Patton to be postmaster at Bells, Tenn., in place of G. W. Bell, resigned.

Dudley D. Edgemon to be postmaster at Englewood, Tenn., in place of Patrick H. Toomey, resigned.

Haggai M. Miller to be postmaster at Mountain City, Tenn., in place of M. W. Jackson, deceased.

Jessie R. Alexander to be postmaster at Mountpleasant, Tenn., in place of L. H. Hammond, resigned.

Lucille Morris to be postmaster at Tiptonville, Tenn., in place of Ira LaF. Lemonds, resigned.

TEXAS.

Allie R. Arnold to be postmaster at Trinity, Tex., in place of W. W. Trow, deceased.

UTAH.

Charlotte H. Nelson to be postmaster at Castlegate, Utah, in place of D. R. Evans, resigned.

Thomas Brimley to be postmaster at Farmington, Utah, in place of Nephi O. Palmer, resigned.

Clyde Panter to be postmaster at Magna, Utah, in place of Ranald M. Wooley, resigned.

VIRGINIA.

Rose A. Milligan to be postmaster at Urbanna, Va., in place of Carroll C. Chowning, resigned.

WASHINGTON.

Eugene E. Wood to be postmaster at Deer Park, Wash., in place of A. J. Peters, deceased.

Isaac H. Jennings to be postmaster at Spangle, Wash., in place of Alice Sullivan, resigned.

WEST VIRGINIA.

Arthur T. McCort to be postmaster at Follansbee, W. Va., in place of James A. Stephens, resigned.

WISCONSIN.

Douglas S. Knight to be postmaster at Bayfield, Wis., in place of Henry Wachsmuth, sr., removed.

Palmer G. Slauson to be postmaster at Evansville, Wis., in place of Alexander Richardson, deceased.

Gustav B. Husting to be postmaster at Mayville, Wis., in place of Paul A. Herberg, deceased.

Edward A. Severson to be postmaster at Neenah, Wis., in place of J. P. Keating. Incumbent's commission expired October 4, 1917.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *December 4, 1918.*

The House met at 12 o'clock noon.

The Rev. James Sherra Montgomery, of the Calvary Methodist Episcopal Church, Washington, D. C., offered the following prayer:

Almighty God, help us that we may ever lift our eyes unto the hills from whence cometh our strength. Our strength cometh from the Lord. Regard our Nation in great favor, direct us by Thy wisdom, and inspire us by Thy truth. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

Mr. CAMPBELL of Kansas, by unanimous consent, was granted leave of absence for one week, on account of illness.

CONTESTED ELECTION CASE—WICKERSHAM AGAINST SULZER.

Mr. WILSON of Louisiana, from the Committee on Elections No. 1, presented a privileged report (No. 839) from said committee in the contested election case of Wickersham *v.* Sulzer, which was ordered printed and to lie on the Speaker's table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed without amendment the bill of the following title:

H. R. 13153. An act extending the time for the construction of a bridge across the Arkansas River, at the foot of Garrison Avenue, at Fort Smith, Ark.

QUESTION OF PERSONAL PRIVILEGE.

Mr. FREAR. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. FREAR. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. FREAR. On the 23d day of September last I made a speech on the floor of the House in regard to the Security League of New York and briefly discussed the charges the league had made against the American Congress. Immediately afterwards Mr. Lydecker, of the Security League, sent a letter to the Speaker of the House, in which he charged me with "pacifism or worse." The last term would be indefinite were it not for the fact that the league had been charging Members of the House generally, myself included, with pacifism and with disloyalty.

On October 1 last the New York Tribune published an editorial, from which I take the following extract:

> It is true that the National Security League has been denounced in Congress. This was done by Representative FREAR, of Wisconsin, whom the league opposed for reelection because he had voted against the declaration of war and against the Kahn amendment, which was essential to the selective draft, and for the notorious McLemore and Cooper amendments, thereby failing to stand the "acid test" stipulated for by President Wilson. So much for FREAR.
>
> Hearst attacks the National Security League for a similar reason, namely, that it has denounced his disloyalty.

Mr. Hearst's criticism of the Security League, according to the Tribune, is because the league has attacked his "disloyalty," "a similar reason" advanced, according to this paper, for the league's attack upon myself.

Mr. Speaker, there are a number of other communications that I have with me and that I will submit later to the proper committee, but I think that presented is sufficient to qualify under the rule of personal privilege.

The SPEAKER. The gentleman may proceed.

Mr. COOPER of Wisconsin. Mr. Speaker, this is a matter of great importance to the membership of the House, and I raise the point that there is no quorum present.

The SPEAKER. The Chair will count. [After counting.] Evidently there is no quorum present.

Mr. GARRETT of Tennessee and Mr. KITCHIN moved a call of the House.

The roll was called, and the following Members failed to answer to their names:

Blackmon	Ferris	Langley	Sears
Campbell, Kans.	Fess	Littlepage	Sells
Carlin	Flood	McClintic	Shouse
Carter, Mass.	Flynn	McCormick	Siegel
Carter, Okla.	Focht	McLaughlin, Pa.	Sims
Cary	Francis	Maher	Smith, C. B.
Church	Fuller, Mass.	Mason	Stedman
Connally, Tex	Gallivan	Montague	Stephens, Miss.
Connelly, Kans.	Garrett, Tex.	Mudd	Sterling
Costello	Gray, N. J.	Nelson, J. M.	Sullivan
Cox	Hamilton, N. Y.	Nicholls, S. C.	Swift
Cramton	Haugen	Nolan	Thomas
Crisp	Hayden	Norton	Tinkham
Curry, Cal.	Hayes	O'Shaunessy	Van Dyke
Dale, N. Y.	Heintz	Pratt	Vare
Dale, Vt.	Helm	Price	Venable
Decker	Hensley	Ragsdale	Voigt
Delaney	Hood	Raker	Volstead
Dent	Howard	Roberts	Waldow
Dies	Hull, Tenn.	Rowland	Walker
Drukker	Hutchinson	Rucker	Welling
Dunn	Johnson, S. Dak.	Russell	Welty
Dupré	Juul	Sanders, La.	Wilson, Tex.
Ellsworth	Kehoe	Sanders, N. Y.	Wingo
Emerson	Key, Ohio	Scott, Mich.	Woods, Iowa
Estopinal	Kiess, Pa.	Scott, Pa.	Woodyard
Fairchild, G. W.	Kreider	Scully	

The SPEAKER. On this vote 326 Members—a quorum—have answered to their names.

Mr. KITCHIN. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors. The gentleman from Wisconsin [Mr. FREAR] is recognized.

Mr. FREAR. Mr. Speaker, I will not repeat the statement which I submitted to the Speaker and the House which raises the question of personal privilege. I will proceed directly to the subject in hand, and I trust that I shall not have interruptions, because it will take me nearly all the allotted time to say what I have in mind. I trust you will accord me the attention which I believe the subject deserves.

Mr. Speaker, during the stress of war in June, 1918, the National Security League, a New York corporation, in a bulletin published throughout the country said "it"—the league—"had taken upon itself * * * to prevent the election of incompetent or disloyal men to Congress. * * * Work for a Congress of able men. * * * Organize your district. * * * Write us what you have done. The entire membership of over 100,000 will be thrown into the campaign for the election of a loyal Congress." The bulletin contained further insinuations that the present American Congress is disloyal.

August 10, 1918, this corporation furnished to the press its chart of "acid test" votes in Congress and by direct inference purposely charged that over 300 Representatives and 47 States were disloyal, followed by the query, "What are you going to do about it?"

In a September bulletin this corporation furnished a widely published statement to the press saying "it"—the league—"is prosecuting an aggressive nonpartisan campaign in all parts of the country to insure the election to Congress of men of demonstrated loyalty and ability."

September 18 this same corporation sent an insolent questionnaire to all Representatives in Congress giving 10 days' time in which to answer, and threatening "country-wide publicity." Charges of individual disloyalty will be referred to hereafter.

During the 1918 primaries and election this corporation "aggressively" worked to defeat its blacklisted Members wherever opposition could be aroused. It claims to control a membership of over 100,000, "over 1,000 volunteer speakers cooperating with Government authorities in Washington," and admits an annual expense bill of over $1,000,000, with which to crush opposition.

Eighty per cent of the House has been branded disloyal and unpatriotic by this political blackhand corporation, while hundreds of thousands of voters, irrespective of election or defeat of individual Members, have accepted these false and dishonest statements as true. To repeat its own query, "What are you going to do about it?"

On September 23 I called attention of the House to the charges of disloyalty made by this New York corporation, which Gen. SHERWOOD appropriately terms the "National Obscurity League," against over 300 Members of this House, and similar charges made against 47 of the States, together with evidence of its efforts to defeat Representatives in 1918 in an assumed campaign to elect a "loyal Congress." A resolution of investigation was briefly discussed at that time. For reasons that will later appear efforts to press the resolution for immediate action were withheld, but I am addressing the House in support of the same general proposition and on a matter of the highest privilege. I fully appreciate my own comparative weakness in challenging public slanders issued by this powerful, arrogant corporation that boasts of its large membership, great wealth, and potent influence throughout the land whereby to destroy all those who meet with its disapproval.

On behalf of proscribed Representatives, I could wish that some older and abler Member might challenge charges that reflect upon the patriotism and loyalty of the House and of the country. In an abiding consciousness of my own rectitude of purpose to fulfill every pledge voiced by the oath of office, and in an equally confident belief that this House and this Congress has fully met every test of patriotism and every obligation imposed by the great world's war, I ask your indulgence while offering a brief statement in support of my request for an early investigation of the National Security League of New York.

Mr. Speaker, under existing law the country selects its Representatives by popular choice at both the primary and election. Responsive directly to the people, the high character of membership of this body may be measured by that fact. The House is representative of the people, and if the people are honest and strong, and they generally measure up to their critics, then the House is a fair index of those back home who are the real government.

Once all powerful and controlling in national affairs, the country has witnessed the coordinate hold on reins of government possessed by this legislative body gradually slip away, until the Senate, by usurpation of House functions, the judiciary, by setting aside legislation, often through a divided court, and the Executive, not infrequently by unmistakable command, one and all have subordinated the House to the position it now holds.

The powerful press and great business interests of the country with growing insistence demand that revenue and other important legislation be rewritten by the Senate, so that bills constitutionally originating in the House are practically nullified through limiting to amendment of conference reports and brief debates its influence on such legislation.

Not one constitutional power has been abrogated by the House, or the people whom it most closely represents, through frequent elections. Not one legislative function has been abridged by that people, but the House of Trumbull, of Madison, and of Adams has permitted a marked loss of jurisdiction constitutionally vested in it by them. This legislative body, once guided by the forceful statesmanship of Clay, Calhoun, Stephens of Georgia, and Stevens of Pennsylvania, is subordinated in its legislative prerogatives through easy custom. The forum made famous by Blaine, Garfield, McKinley, and Carlisle, the House of Randall, Reed, CANNON, and CLARK, with sole authority to impeach and in certain cases even to elect the President himself, is shorn of the power and prestige provided by our forefathers first of all when drafting the Constitution.

While Great Britain has watched powers granted under the scope of Magna Charta to its "Commons" grow beyond the dreams of a single century ago, the people of this country during that same period have watched their own popular branch of Government, through its surrender of legislative rights, become subordinated to all others.

Mr. Speaker, never has this House been more responsive to the will of the people than during the notable sixty-fifth session. From our distinguished Speaker down to the humblest Member, the honest historian will write that average patriotism, ability, and industry during these strenuous days of our greatest war have fully measured up to the highest standards of the past. Supporting to the utmost, practically unanimously for the first time in history, all the Executive's recommendations for cooperative aid, we have given millions of our best men and over fifty billions of our dollars toward the prosecution of the war. We have squarely met two great moral and governmental problems that confronted the people for a half century—prohibitory and equal suffrage legislation, both of which the House by a two-thirds vote has submitted to the country. No legislative body since the organization of governments has better deserved or more justly merited the confidence and trust of the people it represented.

It is not my purpose to offer reasons for loss of prestige and power once possessed by the House, for men will differ as to cause, however closely they agree as to results, but one cogent reason why the House is differently regarded by the country than fn days of old is because of its easy acquiescence in the new order of things.

In times of peace or war reputable writers and irresponsible scribblers, big interests and innumerable little interests, find common cause in unrebuked criticism of the House. The Intelligence and Justice Departments waste no words or time in handling slanderers of the Executive. The judiciary rarely finds need to punish for contempt, because the public refuses to permit the ermine to be dragged in the mire. The Senate reaches out with its probe and seizes interests that, cuttlefishlike, besmirch its membership, but the House is the target of ill-natured flings, from whatever source, until to-day and during the pendency of a great war, when its membership loyally joined in the support of every measure for carrying on the war, a New York corporation "league," headed by an ex-United States Senator and an ex-candidate for the Presidency, has publicly branded the House as disloyal and un-American, from its Speaker down to and including over 300 Members.

Why was the House singled out for attack by this New York corporation? Why were Mr. Root and Mr. Parker unwilling to arouse senatorial anger? Why were they silent over senatorial records that are precisely like those of House Members? Why does the House permit men, however noted, to libel its membership under a cloak of "patriotism"?

This practice of gross misrepresentation is common. Recently a local Washington paper berated Congress editorially day after day for enacting war-time prohibition. It openly charged that a majority of Representatives were stealthily smuggling liquors in back doors of their residences while legislating bone-dry conditions for the public at large in Washington and elsewhere. Such false criticism during times of war held Congress up as a parcel of hypocrites without principle or conscience. A short time ago the paper that uttered these constant and vicious attacks was disclosed to be financed by brewing interests. The motive for the attacks was then understood, but the public only

remembers unrebuked charges of double-dealing by Congress and an impression that its motives are insincere.

Stock gambling by Members generally was the gist of Tom Lawson's charges, repeated with amplifications by sensational newspapers. Proof was submitted that every charge was baseless, and Lawson's slanders were shown utterly false, but the libel against Congress, collectively and individually, was published from one end of the country to the other, and belated truth received little attention from the press that carried the libel or the humbugged public that believed it. No man was punished, no man usually is punished, however false or serious the charge.

Just and unjust criticisms are regularly voiced against public officials, and during times of peace the country is inclined to await facts and suspend judgment; but these have been days of sacrifice, individual and national, days when honest, well-balanced men were no longer of judicial mind and when crazed individuals and hysterical temperaments were unable to weigh calumny or falsehood.

Mr. Speaker, when misrepresentations and hypocritical insinuations are used by a blackmailing New York league for questioning the loyalty and Americanism of 80 per cent of the American Congress during critical times of war, when foul libels are published from one end of the country to the other, and when, under a cloak of patriotism, these interests endeavor to defeat their blacklisted roll of Congressmen, the time has come for Congress to haul before the bar of the House those responsible for malicious slanders and to measure out adequate punishment. [Applause.] If charges are true, if we are disloyal, we have no right to sit in this House. [Applause.] Every Representative, whether proscribed or of the 47 perfect patriots accepted by these interests, should join in protecting the honor and dignity of the House.

I am proud to be a Member of this honorable body that knows no superior but the people. I am jealous of its reputation for loyalty. A scene of strong partisanship in times of peace, its membership has never failed the President since war was declared. Practically unanimous in support of every measure for the conduct of the war, voting fabulous appropriations without means of determining expenditures, giving ungrudgingly to the limit from the most valued part of the Nation's wealth and strength—its manhood—there never has been in past history of this or any other country a legislative body more united and unselfish in its patriotism than the Sixty-fifth Congress. [Applause.]

In my remarks of September 23 I set forth the character of charges made by this New York Security League against the membership of the House and its acceptance by hundreds of thousands as conclusive proof of disloyalty. The use of the charges in many different congressional districts was also briefly stated. Speeches by Representatives COOPER of Wisconsin, MCCULLOUGH, HAYDEN, and others have analyzed and disclosed these false and dishonest "acid tests." Briefly stated, the notorious New York corporation declared that the loyalty of the American Congress must be measured by eight votes cast in Congress, which were as follows:

No. 1. March 7, 1916, tabling of the McLemore resolution.

No. 2. April 18, 1916, Kahn amendment to Military Committee bill.

No. 3. April 18, 1916, Brandegee amendment to military bill.

No. 4. April 13, 1916, providing for a volunteer reserve under Federal control.

No. 5. June 2, 1916, to recommit naval bill.

No. 6. March 1, 1917, amendment as to American ships carrying arms or munitions. All those six amendments or votes were before the war.

No. 7. April 5, 1917, declaration of war.

No. 8. April 23, 1917, Kahn amendment to conscription bill.

Of these eight "acid-test" votes, six were prior to the declaration of war. Only one vote, on the Kahn amendment, was since the declaration. All the one hundred or more remaining measures since war was declared, for raising millions of men and billions of dollars, were ignored by this self-constituted bunch of "loyalty" critics. It has been pointed out repeatedly that prior to the declaration of war with Germany our Government was neutral and that violations of treaty provisions by different belligerents, however objectionable, were specifically challenged only by a declaration of war. Until then no act of the Executive or of Congress, however debatable, was "disloyal." Thereafter every vote admittedly was loyal, excepting the questioned "Kahn amendment."

The Kahn amendment did not give us conscription, but struck from the conscription bill a volunteer provision and took from the President the option therein provided of determining when to enforce conscription. The Security League dishonestly and maliciously misrepresented that vote. Again, the so-called Brandegee amendment and other comparatively insignificant measures prior to war did not reach in number or amount 5 per cent of the men or money unanimously voted by the Sixty-fifth Congress after war was declared.

Mr. Speaker, such "acid tests" were never selected to determine "loyalty." Why, then, did this New York corporation promise "to elect a loyal Congress"? What kind of a corporation determined test votes on loyalty, which, if applied to Washington, Lincoln, Douglas, Greeley, McClellan, Lloyd George, or President Wilson, would have barred these men from ever holding public office? Testing these "acid tests," the full absurdity appeared when within the past month President Wilson, his Cabinet, and all leading members of his party asked for the return and reelection of the Democratic Congress, notwithstanding only four Democratic Representatives passed these "acid tests." [Applause.] On the other hand, Roosevelt, Taft, Hughes, and practically all other leading Republicans urged the reelection of over 200 Republican candidates, 80 per cent of whom were blacklisted by Mr. Root's corporation. Not one word affecting eight "test" votes or of one "test" vote came from the leading men of the country. Not one suggestion of disloyalty or un-Americanism of hundreds of candidates publicly proscribed by the "security league." Unless President Wilson and his Cabinet and Roosevelt, Taft, and Hughes, all foremost Americans, were false to themselves and to their country, then the political propaganda against Congress of this "patriotic" league and other political leagues of like character is an infamous lie, knowingly uttered for political ends. Practically every leading American so determined when these "tests" and "leagues" were ignored.

In other words, only a fool or knave will contend that several comparatively unimportant votes before war rather than 100 votes after war determines loyalty. Logically, the eight tests were a stupid blind. What, then, was the motive of their selection by this arrogant bunch of "loyalists," compared with whom Kaiser Bill and his aids were mere novices?

These witnesses against Congress first determined what the law should be on "loyalty" and then selected eight "test votes"; but in addition to the dual rôle of witnesses and lawgivers for the trial of the American Congress, these same interests arrogated to themselves the additional rôles of prosecutor and of judge. Lawgiver, witness, prosecutor, and judge, all embraced in one, is this powerful but irresponsible Wall Street corporation, which demanded the defeat of the American Congress on the most heinous charge ever laid against public officials.

England did not want an election during the war for fear it would revive all the unscrupulous graveyard political ghouls of whom our "security league" and other camouflaged patriots are exhibits. She avoided these political harpies during the war by extending the legal life of the present House of Commons three years ago. America's Constitution compelled such elections here, and so it became the refuge of every hypocritical lip patriot who had a grudge to settle, an ambition to gratify, or a secret purpose to further. To these elements in every district this New York corporation appealed in carrying out threats to defeat its blacklisted Congressmen.

Mr. Speaker, in its libelous statements given to the press Representatives generally were pilloried, including Speaker CLARK, leaders KITCHIN, FERRIS, MANN, MOORE, LENROOT, FESS, and others, and were declared to be un-American, disloyal, or whatever vile insinuation could be carried to the voters' minds, supported by the promise that this corporation would rescue the country by a political campaign for a "loyal Congress." "Forty-seven" perfect patriots in the House, like Heinze's "57" varieties of pickles, were, however, acceptable to the league, of whom just a quartette of Democrats, out of 220 Members, or less than 2 per cent, were stamped "O. K."

Even the 47 experienced some recent political casualties; but my purpose now is to show the significance of omitted legitimate tests by these same interests. The first real fight after war was declared came over the first revenue bill, which carried the sinews of war, and was passed overwhelmingly on May 23, 1917. No sensible man claims opposition to that measure was disloyal, although the bill was of vital importance to the war. The first revenue bill demanded by the President to finance the war found 19 of the 47 perfect patriots approved by the league voting "nay," or 40 per cent voted against the first war-revenue bill. On the Lenroot amendment to the revenue bill to increase taxes on incomes of $20,000 and more also passed overwhelmingly, 30 per cent of the opposing vote came from the 47 perfect patriots approved by these interests.

I am not questioning any Member's vote, but am pointing out omitted tests. Based on its inquisition chamber "acid tests,"

the New York junker corporation next determined that 47 of the 48 States were disloyal and gave to the press of the country on August 10 the following percentages of disloyalty:

Alabama, 69; Arizona, 62.5; Arkansas, 55.55; California, 48.86; Colorado, 78.12; Connecticut, 5; Delaware, 12.5; Florida, 56.24; Georgia, 58.33; Idaho, 43.75; Illinois, 39.81; Indiana, 52.88; Iowa, 64.77; Kansas, 62.5; Kentucky, 60.23; Louisiana, 45.31; Maine, 25; Maryland, 34.61; Minnesota, 68.75; Mississippi, 60.94; Missouri, 60.15; Montana, 62.5; Nebraska, 75; Nevada, 50; New Hampshire, 6.25; New Jersey, 21.87; New Mexico, 12.5; New York, 15.11; North Carolina, 56.25; North Dakota, 79.16; Ohio, 55.67; Oklahoma, 54.69; Oregon, 20.83; Pennsylvania, 31.67; Tennessee, 51.25; Texas, 66.67; Utah, 31.25; Vermont, 12.5; Virginia, 47.5; Washington, 37.5; West Virginia, 31.25; Wisconsin, 70.45; Wyoming, 75.

Presumably 100 per cent of the House membership standing for reelection and opposed by the New York Security League weathered the storm on November 5, but a few strong public men in close districts were defeated by such poisonous misrepresentation as I have described and victorious Members are left under suspicion. The "tests" and methods have been shown to be hypocritical, and brief reference to patriots responsible for such wholesale slanders may be somewhat enlightening.

The New York Junker Security League Corporation is reputed to be a creature of Wall Street, supporting big-business dreams of national expansion, wherein our Government is to encompass the world in its commercial grasp backed by its own plan or scheme of universal compulsory military training, irrespective of peace terms. A great military and naval establishment of several hundred thousand men or more may be necessary to police other countries from Russia and China to Mexico, and from Patagonia to Panama and to the Philippines. Powerful interests are not adverse to this program, interests that oppose any league of nations or gradual international disarmament or open diplomacy. An investigation will disclose their relations, if any, to this New York corporation that charges the American Congress individually and collectively with crimes of treasonable proportions.

Mr. Speaker, the "Security League, Incorporated," was organized about 1914 and at once became the self-constituted guardian of our liberties and autocratic judge of our patriotism. As set forth in a speech of September 23, its leading sponsors are Elihu Root and Alton B. Parker, of New York City. At the last annual meeting, held May 8, 1918, a "Colonel" Lydecker presented a list of 60 people, including himself, for officers, directors, and "committeemen far and wide," which list was accepted without opposition. Elihu Root was named "honorary president," and Alton B. Parker "honorary vice president."

S. S. Menken, a "Democratic league organizer" of many years' experience, was named "president," a position he had held since 1914. In June, 1918, according to the press, the resignation of Menken was demanded by the league because of his public commendation of William R. Hearst, of New York. After Menken was kicked out by the anti-Hearst interests, Lydecker, a member of the executive committee, took Menken's job. It was Lydecker who insolently wrote Speaker CLARK regarding the proposed investigation. Taking up the officers of the Security League who have attacked the "loyalty" of Congress, we first have Mr. Elihu Root, honorary president. In a June, 1918, league bulletin published throughout the country is the statement, "The entire force of the league's 281 branches and its membership of over 100,000 patriotic Americans will be thrown into this campaign for the election of a 'loyal Congress.' Elihu Root, honorary president, is taking an active part in this campaign." In August Mr. Root's corporation sent broadcast the chart of "test" votes, therein condemning the American Congress and 47 of the 48 States as disloyal.

Immediately following the recent November election the press significantly announced Elihu Root would be chief counsel and legislative agent for all the railways of the country, with $17,000,000,000 at stake, in the most gigantic legal and business deal ever known—the return of railways to private ownership. A pliable or obdurate Sixty-sixth Congress will determine questions of disposition and of terms. Coincidentally, all leading officials of the Security League Corporation are noted corporation lawyers. Coincidentally, single members of the "league's" executive committee are on the directorates of a dozen or more large railway systems. Coincidentally, politically patriotic leagues in 1918 were largely officered and financed by big-business interests. Coincidentally, many candidates for Congress of such interests had notoriously ossified and reactionary records. With billions of dollars in issue, such Representatives might be of undoubted aid during the Sixty-sixth Congress in unscrambling railway interests, according to the views of those instrumental in such elections.

I will not discuss the inglorious failure of the Russian Commission or millions of dollars loaned by the United States to a paper Russian Government after Root's unpublished report was received. Matters of personal patriotic or unpatriotic records are also trivial. The country knows that after this Security League corporation headed by Mr. Root put forth its hypocritical-acid tests and "aggressively" tried to defeat blacklisted Members, President Wilson, ex-Presidents Taft and Roosevelt, Mr. Hughes, and many other leading men ignored so-called loyalty tests and urged reelection of many proscribed Members. Why did Mr. Root and his associates lodge the infamous charge of disloyalty against scores of Representatives, a charge repudiated by the country?

Alton B. Parker is "vice president" of this New York corporation. His hold on public attention was first gained in 1904, when he was defeated by over two and one-half million votes because of alleged subserviency to Wall Street. Mr. Parker's patriotic efforts do not occupy any pages of past history. In this particular he emulates Mr. Root, but as a champion of preparedness Mr. Parker is brought out from obscurity when, standing on a platform for the Presidency in 1904, he publicly demanded "a reduction of the American Army and Army expenditures." In 1904 our total forces throughout the world numbered 64,264 officers and men, of whom only a handful were in this country fit for real military service. That small number Mr. Parker demanded should be reduced. This year he was trying to defeat a Congress that unanimously supported every measure for carrying on the war, reaching millions of men and over fifty billions of dollars in the aggregate, while the last famous utterance of Mr. Parker, a new apostle of preparedness and patriotism, was for a reduction of our Army and of Army expenditures, then reaching less than 2 per cent of those we provided. What, then, was Mr. Parker's real purpose in denouncing 300 Representatives of the American Congress as disloyal?

Next we reach Lydecker, of suggestive name, another president of the Security League, who was given Menken's job. In the only red book of blue blood treasured by the aristocracy of America, "Who's Who," Lydecker says of himself he is a lawyer engaged in "corporation work, will contests, administration of estates, reference, and counsel duties." Innate modesty prevents any further flamboyant free advertisements of his self-confessed qualifications, but Lydecker's corporation work harmonizes with recognized legal services of the honorary president and vice president, who jointly compose a small army of home-guard corporation counsel. In the list of American immortals found in "Who's Who," 1916-17, page 1531, is a eulogy of "Lydecker" written by Lydecker. He says he is "a Democrat," therefore a follower of Menken, but a hidden mystery is there revealed.

"Twenty-eight tons" of league literature and boiler plate carried free by the press of the country contain fulsome eulogies, pictures, and propaganda, with "Col." Lydecker, a fierce, military-looking man, generously occupying the center and all four corners of the boiler plate. So frequently has he been presented as a "kernel" that the close proximity of a nut was certain, but "Who's Who" says that Lydecker is no "colonel" at all. Years ago Lydecker was a major in the New York Militia, but during the Spanish-American War, apparently, he ducked war service and bravely hung close to dear old Broadway until war was over.

Answering Lydecker's malicious personal libel, incidentally I raised a company of ex-National Guardsmen for that same war and tendered it to the governor of Wisconsin for immediate oversea service. After many years' service in the Regular Army and State National Guard, when resigning as judge advocate of Wisconsin later in life, all military titles, including that of colonel, were surrendered. My father served three and a half years to save the Union. My son, still in France with the Thirty-second Division of "Les Terribles," fought at Chateau-Thierry, while Lydecker from his New York office was fixing loyalty tests for the American Congress. [Applause.]

The New York press of November 17, 1918, says "Col. Charles E. Lydecker and his league have seven broad principles which the league has mapped out for itself," the first being "to urge a just and careful peace treaty," and so forth. While framing the greatest treaty of all the ages, President Wilson, Lloyd-George Clemenceau, and all world peace delegates, together with the Senate that confirms treaties, one and all may depend upon Lydecker's aid in avoiding international carelessness for, according to Lydecker's bulletin, he also will "urge a just and careful peace treaty." Thank God for Lydecker—and Charlie Chaplin. [Laughter.]

Lydecker says in "Who's Who" he wrote a "Monograph on Militia," and so got into the "Navy League" before that league was foundered by Secretary Daniels. "Who's Who" also says modestly Lydecker was a "founder of the National Security

League." Lydecker, once a "major of militia," and now colonel of the obscurity league, declared 300 Representatives disloyal, including our colleague, Gen. SHERWOOD; yet SHERWOOD won his shoulder straps fighting his way to the top in 40 battles [applause], while Lydecker apparently ducked one real chance to fight and never had any military title or public office of moment in his life. [Applause.] Now, our imitation "major" crowds President Wilson a close second in space covered in "Who's Who." Like senators of 12 centuries ago, it well may be asked, "Upon what meat doth this our major feed that he has grown so great?" Sir Joseph Porter, of Gilbert and Sullivan's "Pinafore," comes to life in this "You-know-me-Mabel" militia rookie, who "polished up his buttons so care-ful-lie that now he's the ruler of the Nation's loyaltee."

Wearing a gobbler strut and borrowed peacock feathers, this rare bird wrote impertinently to Speaker CLARK he would fly to Washington when needed. By all means have Lydecker brought along together with his frayed militia feathers and frumpery, but any investigation that fails to include the real actors now behind the scenes will be the play of Hamlet with the Dane and ghost left out.

It is not my purpose to discuss different agents of the "league," some of whom are caustic writers; but two or three are noted whose pictures generally grace "28 tons of boiler plate" printed "in 1,400 papers" throughout the country. Among these Claude Van Tyne is a conspicuous member. A corporation cook of canned patriotism, Claude Van Tyne is the Dick Deadeye of this Pinafore crew.

Van Tyne, director of the Security League's "educational bureau," gave to the press a scurrilous attack on the Committee on Public Information, charging that its chairman heartily recommended a book about the war. Van Tyne's poisonous inquiry followed, "Is he a safe man to occupy the position he does so potent for the good or ill of our cause?" Creel's answer to Lydecker, of September 30, 1918, declares Van Tyne's attack is "dishonest and indecent." I hold no brief for Mr. Creel, but Congress is interested in Van Tyne, whose league protects "our cause" against a disloyal Congress and against other disloyal public officials.

An editorial from The Nation thus sizes him up:

> As for Prof. Van Tyne, what is to be thought of a scholar who not only aids and abets the cowardly attack but allows himself to garble and misquote printed statements upon which the attack is based?

Claude Van Tyne in a half column of "Who's Who" gives a thrilling account of several exciting bicycle and canoe trips he has survived, and also says he once wrote a book entitled "The Loyalists of the American Revolution." Therein he claims the Tories of the Revolution were real "loyalists," just as his associated Wall Street Tories now claim to be the real loyalists.

I quote briefly from his book:

> The banishment or death of these conservative and respectable Americans (Tories) is a tragedy but rarely paralleled in the history of the world; * * * driven into exile or deprived of the political and social influence because of an unremitting intolerance. * * *

Many Tories loved America with a sincerity not surpassed by the most high-minded Whigs. Though posterity has not awarded them the name, it may wisely concede to them the character of the "patriot." The "tragedy" of the Tories, "unremitting intolerance" of Washington, Adams, and other patriots against Van Tyne's Tory "patriots" of 1776 excites his criticism.

Claude Van Tyne writes of John Adams, one of the pillars of the Revolution:

> We see the folly of John Adams's theory of the creation of the Loyalist Party. Had Adams spoken * * * he would have shown a better grasp on the true state of affairs.

These are gems from Van Tyne. In Webster's wonderful eulogy on John Adams's influence on the Republic, America's leading statesman summed it up with Websterian power and force: "Adams spoke onward, right onward." Thomas Jefferson declared John Adams was our "Colossus both of thought and expression." Yet Van Tyne grasps where he says the giant Adams failed. Colossal egotism, thou art indeed Tyney. This modest Security League Solomon easily disposes of Gen. Charles Lee thus:

> Charles Lee, who at this time posed before the credulous colonists as a military genius and whose sententious piety glowed most brightly when his zeal was most hypocritical.

Mr. Speaker, great men with direct knowledge and pigmies without may differ in estimates, as shown by George Washington's letter of that period, which says regarding Lee:

> He is the first in military knowledge and experience we have in the whole Army. He is zealously attached to the cause. * * * I congratulate my countrymen on his appointment.

Claude's own book on Tory "loyalists" again says: "Every attempt to enforce an unpopular law or any real or rumored approach of the British forces was enough to make every secret Tory alert and eager to overthrow his Whig oppressors. The latter were only too well aware of the unstable nature of their tyrannical power." Many similar extracts evidence the trend of mind of this Security League's colossal egotist. The American people have not forgotten the sacrifice of our forefathers and do not accept Van Tyne's opinion regarding John Adams's "lack of grasp" or of "credulous colonists," including Washington, or the "sententious piety" and "hypocritical zeal" of Gen. Charles Lee, whatever his shortcomings, or of the "tyrannical power" of Washington, Henry, and other "Whig oppressors" of that day. However, it remained for Van Tyne to discover Tories were the real "patriots," occupying positions "so potent" for good or ill of our "cause."

Another Security League "educational director" and corporation cook of canned patriotism is Buttercup R. McNutt McElroy, whose name parted in the middle and position as bumbout woman of this modern Pinafore crew will not be challenged. R. McNutt is a strange composite of Don Quixote and the windmill. On April 6, 1918, he was sent out as a missionary by this Security League corporation of New York to the wilderness of Wisconsin in a desperate effort to save the old Badger State from wandering Indian and German tribes.

McNutt talked in Madison to university students, and then he returned to New York City, where he immediately hunted up a newspaper reporter, true to league instincts, and gave his impressions of the wild West. He said, back in New York, that while orating in Madison he was received with inattention, and so he "deliberately insulted them and called them a bunch of damned traitors." This is McNutt's statement—in New York. Fortunately no one in Madison heard McNutt, whose name explains matters, otherwise he would have been ducked in the lake on April 6 by rain-soaked students, who are no respecters of persons when "deliberately insulted."

Mr. Speaker, the Wisconsin University, second to none in learning or patriotism in the country [applause], sent to France over 1,500 students, in addition to several thousand alumni, fighting for our flag. Wisconsin has had 115,000 men in military service and furnished three regiments of the Thirty-second Division that won the title of "Les Terribles" from the French for their bravery in battle. [Applause.] These are the people McNutt insulted when he reached a safe distance. According to his extravagant eulogy of himself, in "Who's Who," McNutt was once in a training camp at Plattsburg, but never got nearer than 3,000 miles of the French battle line. [Applause.] Like all other "league" patriots, he stayed by his "security" fireside. [Laughter.]

Returning to the Madison incident, the undisputed facts, supported by statements of many reputable men sitting on the same platform, show that on April 6, 1918, several hundred cold, rain-soaked students were kept for over an hour while patriot McNutt read a long, tedious, sophomoric effort.

His talk passed without incident. Not until he reached a New York reporter, over 1,000 miles away, did he "deliberately insult" his audience or call the students a "bunch of damned traitors" for their lack of appreciation. A statement was prepared on behalf of the university by Chief Justice Winslow, a jurist of high standing in the country; President Charles R. Van Hise, one of America's leading educators; and Dean Birge, all joining in a report, submitted with a large volume of testimony, setting forth substantially that Robert McNutt McElroy first committed an asinine act in saying to a New York reporter that he "deliberately insulted" an audience he was permitted to address; second, he deliberately falsified the facts according to hundreds of people present; and, third, he maliciously refused to correct his false statements which were later approved by the libellous New York "security" league. Nothing fixes dishonest and unpardonable methods more than a statement issued by its officers based on McNutt's unsupported word that they indorsed McNutt's report "without qualification" and as "absolutely exact."

Lieut. Litchfield West, executive secretary of the *Pinafore* crew outfit, is an old salt, according to "Whos Who," belonging to several Washington golf clubs before he struck a patriotic job in New York. [Laughter.] His military title was gained on the staff of a Washington paper and his record as a conspicuous Washington lobbyist merits special investigation when the small fry of this $1,200,000 annual expense crew is probed. I wish I could repeat what has been told me within the hour on this floor about this man. I can not state it here, but if it is true it ought to stamp him forever as a man of more than doubtful reputation. Lloyd Taylor, another "chairman," wrote every individual Member November 28, several days ago, demanding "views at the present time" on compulsory military training. Lloyd and Claude and McNutt and Orth and the major are keeping strict tab on the American Congress. Who foots their bills, and why?

Charles D. Orth, "chairman of the congressional committee," is a commission man and "importer," the nearest to a military commission he has come, and while a handler of cold storage goods and director in oil corporations with foreign connections, Orth was selected to send insolent letters to Congressmen. Orth guesses the way for a "loyal Congress," commanded the American Congress to report to him within 10 days as to its individual qualifications for Congress and its opinions and aspirations, under threatened penalty of league condemnations and of "widespread publicity." Members of Congress are curious to see this pompous oil peddler at close range. [Laughter.] Other patriots appear on the security league executive staff whose innumerable corporate connections are certain to be kept in mind when fixing standards of "loyalty."

From Hawaiian sugar land companies to Skyland Sox, incorporated; from alkali and apollinaris water corporations to sugar beets and soaps and cotton oil that are listed among war profiteers; from rosin and oil to western chemical, western power, and waterproofing corporations; from directorships on a score of railways, United States steel, and insurance corporations to real and paper mining companies in this and other countries; all these will be fruitful subjects for a probe when the home guard of the security league, incorporated, answers roll call.

Brief illustrations noted indicate the league's bombast and cowardly innuendo when the false libellous "chart" on the American Congress was given to the press.

So, too, Van Tyne rushed to the newspapers with his false screed on Creel. Again, McElroy hotfooted to the newspapers with his false and wicked libel on the University of Wisconsin, and in like manner Lydecker first gave to the press his open letter addressed to Speaker CLARK. Chibillike he petulently and maliciously said I was "a pacifist or worse." Anyone who resents the cowardly, underhanded attacks of these men, whether made on Congress or upon individuals, is a target for poisoned arrows and branded by this vicious group of irresponsibles as disloyal.

Mr. Speaker, my own record of military and patriotic service is not now important, and yet may not suffer by comparison with any of the blustering bunch of league egotists, but it is the "league" and not Congress that now requires the probe. Its operations and excuse for existence will be of interest to the public that for many weeks has been surfeited with "28 tons" of bombastic boiler-plate "literature." "Lectures, boiler plate, and loyalty" are its watchwords. Not one-tenth of 1 per cent of all our millions of soldiers in France or on the seas or in American camps, or of the citizenship of the country generally, ever heard of a security league corporation lecturer or waded through a paragraph of its 28 tons of boiler-plate literature "printed in 1,400 papers." While recognized influences have helped chrystallize public sentiment in the country, patriotism and sacrifice, individual and national, are inherent in our people, who courageously but silently serve, leaving extravagant flag waving and canned loyalty essays to such leagues. Of insignificant value, as a promoter of patriotism, no organization in the country has given more distinct aid and comfort to the enemy than this New York corporation, which has published to the world the infamous charge that the American Congress is disloyal. Prating of patriotism, the corporation furnished to the country a striking evidence of irresponsible abuse of public men and of disloyalty to a common Government in which all live and serve.

In a remarkable pamphlet from the pen of a remarkably frank man of nation-wide note, Congress is advised that in America we have "our military imperialists, our banking imperialists, our political imperialists, our munition-making imperialists, our nationalist imperialists, our security leagues and Navy leagues, just like Germany's; and all of them have this in common: From the war they desire results quite other than those sought by the people who did the fighting."

Congress is entitled to know what interests and what individuals stand behind these men, what real purpose is covered up by over $1,000,000 in annual expenditures and 28 tons of boiler-plate patriotic camouflage, and what punishment can be awarded public-character assassins, who more than all other agencies in the country combined have sought to foment distrust, discord, and division among our people and to excite the suspicion of the world against our public officials. The country asks for the facts and, so far as lies in its power, Congress should furnish them.

I quote from a letter dated New York, October 12, 1918, from a business man of that city, whose grasp of public questions and keen observations of men and conditions greatly impressed me upon our first meeting in New Orleans, and thereafter in this city and elsewhere. He travels every year throughout the country, from New York to San Francisco, and covers nearly every State in his travels. A letter from his business office on "Wall Street," within the shadow of the Subtreasury Building, of less than 30 days ago, reads: "Your last resolution has surely stirred up the country. * * * In my wide travels throughout the United States I have met men in the smokers, lobbies, and diners of the so-called 'Security League.' Without exception I have found them undemocratic, always fearing the 'masses,' and afraid of 'popular rule.' Whenever I met one of these gentlemen I was reminded of Russian 'chinoviks' and Prussian Junker. Without exception they were narrow-minded and, furthermore, they never impressed me with sincerity. This 'disloyalty' issue of theirs already has its reaction. The American plain people are wise to them. I spoke to farmers from your own State, as well as those from Utah, Nebraska, Dakotas, Iowa, Illinois, and New York. I spoke to workingmen all over the country. The general impression is gathered that this loyalty and patriotism issue is terribly abused for selfish reasons, and the suspicion falls heavier on the accuser than on the accused."

Even some business men on Wall Street are growing "wise" to these self-anointed patriots.

A letter received from a soldier at the front dated November 1 says:

> The National Security League and similar leagues are not receiving much attention from the boys that are lying up here a couple of miles in the shell holes hoping to God the next "one" isn't a direct hit. They want this war over, and they are watching the men that are supporting them and getting the food up to the line and getting their full allotment of cartridges. The superpatriots and grand-stand artists aren't heard of much.

Mr. Speaker, it can not fairly be charged I have personal grievance against this league, except in common with my colleagues, who would draw the fangs of a venomous snake that strikes without warning. Although its poison was spread through my district in advance and alienated some friends, I defeated the only "loyalist" candidate by nearly two to one in the primary, and in the recent election my majority of over 15,000 votes out of 19,000 votes cast was the highest ever given in that district. [Applause.] This verdict was rendered by a constituency whose patriotism and intelligence is unimpeachable, whose boys at Chateau-Thierry, after losing 60 per cent of their effectives in killed, wounded, or missing, won their battle against the defeated shock troops of the Kaiser. [Applause.] I am proud of the confidence of that people, and now that the purpose of investigation can not be charged to efforts to influence the election, now when the House can probe deliberately, let this "league" make good before the country.

What more need be offered in support of an investigation than facts I have presented to you, showing a small coterie of unscrupulous men, acting under a libel-proof corporate name, have challenged the patriotism of hundreds of Representatives and of 47 States. Giving dishonest, widespread publicity to "wrong votes" on war and against preparedness, their query sent into congressional districts of those marked for sacrifice was "what are you going to do about it?" This challenge of the patriotism of the people was expected to and did influence tens of thousands, who did not question false "acid tests" offered by a "security league," and when followed by flamboyant announcements that a campaign would be waged for a "loyal Congress" the disloyalty charge was widely accepted by many men. Capitalized by ambitious candidates, political opportunists, and personal enemies, these infamous charges resulted in bitter campaigns and defeats of high-minded, patriotic Representatives in close districts, who are branded for life as disloyal men.

Heretofore I offered a resolution proposing an investigation be held by the Judiciary Committee. Because of the Liberty-loan campaign and following general election I was advised not to press the investigation. For that reason no hearings have been asked nor held and no steps taken other than data collected, which will be presented to the proper committee. On advice of different Members and without questioning the earnest efforts of a regular committee it has been urged that a small committee, composed of Members appointed by the Speaker selected for this special work, would be able to give time and investigation to charges submitted, not practicable with a large committee having other responsible and regular duties. Committee quorums and direct procedure might best be served by a small special committee, and for that reason I have offered a more comprehensive resolution of investigation to include the "Security League" and other so-called patriotic organizations that were active in the recent congressional campaign. To that end I have asked for a special committee of nine members, possessed with powers similar to those held by the committee that probed

the St. Louis riots, to be appointed by the Speaker, to conduct this investigation. I trust the House will support the resolution.

Questions of power of the House to act and of precedents have been considered. It may be said that if no precedents are had whereby to investigate wholesale charges of disloyalty lodged against a majority of the Members of this House by an organization that has libeled prominent men and public officials from one end of the country to the other, a slandering corporation compared to which Lawson is a child in arms, then it is time that the House makes precedents or that we abdicate the positions we now hold.

Charges of disloyalty at any time can not be lightly made, and when made in trying times of war such charges must be investigated, and if proven untrue the libeler should be punished. Unless we vote to purge ourselves of the charge by bringing before us those who have laid the indictment we may well be subject to public distrust. Are we untrue to our oaths of office and to our country? A slanderous New York corporation has so charged. Are we cringing politicians, influenced solely by policy? These contemptible lip loyalists so advertise us to the country. Are we afraid to face political black hands who traduce us? Judged by unchallenged misrepresentation they must so believe. Are we prepared to meet our accusers and test out the testers? Our action here will be the answer.

Collateral questions regarding the composition of the "league," its purposes and activities, how financed, and whether, as alleged, it is a $1,200,000 annual bombastic self-exploitation organization are all unimportant matters compared with the one specific charge that a majority of Congress is disloyal. No precedent need be asked in compelling the presence of witnesses who have so declared. In asking for an investigation I make the following specific charges, which, I believe, can be substantiated by a thorough probe.

Mr. Speaker, I charge that the National Security League, a New York corporation, as organized, is used as a convenient cloak for lawless libelous attacks on public men without resulting financial responsibility or accountability, and that the name of "National Security" was selected in an effort to invite public confidence in the propaganda and activities of its organizers.

That such corporation alleges it is organized "with 38 State branches," a "membership of over 100,000, including 200 branches in cities and towns," a speakers' bureau "of 1,000 volunteer speakers cooperating with Government authorities in Washington," a weekly "editorial news and cartoon publicity service supplied to 1,400 newspapers," has supplied "nearly 30,000,000 pieces" of "war literature," and "has placed 250,000 war maps in schoolrooms throughout the country," that this league has supplied "over 28 tons of literature and boiler-plate matter," and has an admitted annual expense bill of $1,200,000 per annum, all of which is evidence of the unrestrained power and influence possessed by the corporation's officers and agents.

That said corporation selected eight votes or measures before Congress, only one since the declaration of war, and caused to be published broadcast throughout the country a false statement that such votes were a test of loyalty and Americanism.

That said corporation, while falsely representing the character and effect of votes, urged the people of the country to defeat approximately 300 Representatives in Congress, whom it has politically blacklisted as disloyal, and that pursuant to such recommendation its agents went into different districts during the 1918 campaign to aid in the defeat of proscribed Congressmen.

That said corporation further caused to be published throughout the country a list of 47 States, which were declared to be wrong, un-American, or disloyal, according to percentages based upon the votes in Congress cast by Representatives from such States.

That in its June, 1918, bulletin said corporation published a statement saying—

> The league is planning nonpartisan cooperation with the Democratic and Republican congressional campaign pledged to support the war. * * * The entire force of the league's 281 branches and its membership of over 100,000 patriotic American citizens will be thrown into this campaign for the election of a loyal Congress.

That said corporation, by the use of money, letters, telegrams, pamphlets, literature, its officers and agents, directly and through associated leagues, entered into the political campaigns of 1918 and actively attempted to defeat for renomination and election Representatives in Congress who had been publicly branded by it as disloyal and un-American.

That no statement of contributions or expenditures used in efforts to defeat Representatives has been filed with the Clerk of the House by said corporation, under the Federal corrupt-practices act, and no statement of activities of the league or of its contributions or expenditures for political purposes have been filed under laws of the several States.

That, according to "league literature," Elihu Root, Alton Parker, and Charles Lydecker, attorneys at law, are officers of said corporation and as such officers took active part in the congressional campaigns of 1918 for the election of a so-called "loyal Congress" and as such officers are directly responsible for the publication and circulation of charges made against the loyalty of Representatives in Congress and for efforts to secure the defeat of such Representatives.

That R. McNutt McElroy, an officer of said corporation, falsely and maliciously through the public press libeled the students of the University of Wisconsin, many of whom have died in France for their country, and in his unprecedented action, after a full presentation of the falsity of his charges, he was upheld and indorsed by the corporation's officers and agents.

That said corporation has published throughout the country that the league has secured and placed on file the names of 44 Senators and 174 Representatives in Congress who are pledged to vote for compulsory military training irrespective of treaty provisions hereafter to be signed by the belligerent nations, and that such pledges have been secured without regard to terms of peace in this war, possibility of a league of nations to enforce permanent peace, or international agreement to disarm.

That the said corporation has published many tons of propaganda demanding compulsory military training and during time of war inspired unwarranted criticism of the President, Secretary of War, and of Congress by such campaign and propaganda.

On information received from brother Representatives in Congress it is charged, on information and belief, that a thorough investigation of public and secret records of the National Security League, a New York corporation, will disclose large contributions for its support made by business interests known as war profiteers and intended for the publication of propaganda and political legislative business advancement of such interests.

That said league is a powerful irresponsible New York corporation, arrogant and un-American in its methods, a slanderous libel on the patriotism of our public officials and of our citizenship, inimical to the best interests of the country, and has done more to create public discord and unwarranted suspicions and a division among a patriotic people than any other single agency.

I submitted the resolution this morning and urged its early adoption by the House. [Prolonged applause.]

This is the resolution, which I send to the Clerk's desk to have read.

The Clerk read as follows:

Resolved, That a committee of nine Members be appointed by the Speaker of the House to investigate and make report as to the officers, membership, financial support, expenditures, general character, activities, and purpose of the National Security League, a corporation of New York, and of any other political or patriotic organization, league, or association that purports to be organized or engaged in or has been directly or indirectly engaged in the nomination, election, or defeat of Representatives in Congress during the year 1918.

Said committee shall also inquire and ascertain whether charges affecting the loyalty of Representatives in Congress have been made by such leagues or associations, and if so by whom and upon what information, testimony, or record, and whether such charges are true; and shall ascertain whether such league, leagues, or other organizations that may be investigated have complied with the provisions of State and Federal laws in the filing of expense accounts; and shall inquire and ascertain such other matters concerning said league or leagues or other organizations which, in the judgment of such committee, may be found proper; and for the purposes aforesaid the agents, clerks, or employees of such committee shall have power to demand and receive for inspection and use of the committee all books, records, documents, and papers whatsoever belonging to such league or the individual members thereof concerning its activities, and the committee shall have power to send for papers, books, records, and documents and to enforce their appearance and administer oaths.

Said committee is also hereby authorised and empowered to require witnesses to answer all questions propounded by any member thereof touching the investigation ordered and require any witnesses called before it to testify fully as to any information in his possession, whether in the nature of hearsay testimony or otherwise, at such places as it may decide upon, as well as in the city of Washington, pursuant to the purpose of this resolution, and shall have the power to report at any time.

Mr. HARRISON of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. FREAR. I will if I have time; certainly.

Mr. HARRISON of Mississippi. I wanted to ask the gentleman a question. There were eight so-called acid tests, I believe, applied by the Security League. In these tests, I think, if I correctly recall them—I read them at the time—one was on the Kahn amendment on the volunteer system. They put that test, but they failed to give the vote of those men who, while they voted for the volunteer system, afterwards voted for the selective-draft bill on its final passage.

Mr. FREAR. Yes. It was a dishonest and miserable misrepresentation of the record by the Security League, as the new

Senator from Mississippi well implies. I thank the gentleman for the suggestion.

Mr. HARRISON of Mississippi. And again, as I recall, one of the acid tests was the Cooper amendment to the armed-neutrality bill, but they made no mention of the fact that those men who may have voted for the Cooper amendment to the armed-neutrality bill, but who finally, on the passage of the armed-neutrality bill, voted for it.

Mr. FREAR. That is equally true, and the gentleman has fastened it down completely. That was another deliberate falsification of the record by the Security League, as will be demonstrated on an investigation.

Mr. HARRISON of Mississippi. And again, if I recall, there was an amendment offered by the gentleman from New Jersey [Mr. BROWNING] which they made one of the acid tests——

Mr. FREAR. There was an amendment offered by Mr. KAHN in the House and by Mr. BRANDEGEE in the Senate.

Mr. HARRISON of Mississippi. But Mr. BROWNING offered a motion to recommit the naval bill that had been formulated by the Naval Committee, and which carried an increased annual appropriation of upward of $100,000,000. They applied that as a test, while nothing was said at all as to the vote on the final passage of the naval bill.

Mr. FREAR. That is an illustration of the disreputable methods of this Security League. The gentleman is again correct about that vote.

Mr. HARRISON of Mississippi. And again, I understand that there was another acid test applied, where an amendment was offered by Mr. KAHN to the military bill to increase the Regular Army, I believe, from 178,000 to 250,000. They applied that as the acid test, but said nothing about those who had supported an amendment in the same bill that brought into the Federal Army the National Guard, comprising approximately 425,000 men.

Mr. FREAR. The gentleman is right about that. And beyond that fact it was stated upon the floor by members of the Military Committee that the passage of the Kahn amendment would hopelessly confuse at that time the military program which had the approval of the President, and also would promote sergeants, as I now remember, to pay beyond that received by commissioned officers.

Mr. MANN. Mr. Speaker, will the gentleman yield for a question?

Mr. FREAR. Certainly. I am glad to yield to our distinguished party leader.

Mr. MANN. The gentleman will excuse me, because I want to get a little information about matters which I ordinarily would know about.

Mr. FREAR. I shall gladly give it if able to do so.

Mr. MANN. Owing to the advice of my physicians last summer I took no part in the campaign and did not keep track of what was going on during that time. Do I understand the gentleman to say that this league endeavored to influence the nomination of Members of Congress?

Mr. FREAR. It did; directly, in many cases.

Mr. MANN. And the election of Members of Congress in various States of the Union?

Mr. FREAR. Yes; it expressly so declares in its literature. Directly, in many cases. I have stated this before on the floor, and I have evidence of their efforts which will be offered to the committee that investigates.

Mr. MANN. I ask the gentleman for information.

Mr. FREAR. Yes; most assuredly this league did seek to influence in many cases.

Mr. MANN. In the different States?

Mr. FREAR. Oh, yes, indeed, in many States I could name.

Mr. MANN. I understood the gentleman to say that the Security League had not made any return of its expenses or receipts under the so-called publicity act.

Mr. FREAR. That is my understanding, unless it has made the return very recently.

Mr. MANN. I have always made the return myself in my own case, and I do not remember now that I ever had occasion to look up the penal section of that law, but I assume that there is some penalty.

Mr. CALDWELL. One thousand dollars fine and a year in jail.

Mr. FREAR. There certainly is a strong moral obligation to report, whether legally imposed or not.

Mr. MANN. If the gentleman is correct in what he said, I should think that the Department of Justice might very well investigate not only the corporation but the officers of the corporation.

Mr. FREAR. There is a moral obligation, no matter what the exact legal obligation is, a matter of possible interpretation, when a league of this kind, with $1,200,000 in its hands, circulates these anonymous and dishonest statements, attacking the loyalty of this Congress.

Mr. MANN. Because if a political party having a regular organization selected in a public manner is required to make these returns, an anonymous body created by itself certainly ought to be compelled to live up to the law. [Applause.]

Mr. FREAR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. McCULLOCH. Mr. Speaker, will the gentleman yield?

Mr. FREAR. Certainly.

Mr. McCULLOCH. In the analysis that the gentleman expects to place in the RECORD with regard to the eight test votes, has the gentleman pointed out the fact that in referring to the votes cast the league in its propaganda and literature which it sent out absolutely misstated what was before the House?

Mr. FREAR. I stated that particularly, and called attention to the gentleman from Ohio's remarks made on the floor several weeks ago, which were very pertinent, when he analyzed and exposed the malicious misrepresentation of the record by this league.

Mr. McCULLOCH. For instance, I should like to ask him if he called attention to this particular thing: In referring to the Kahn amendment, which was an amendment to eliminate the volunteer feature of the conscription bill as reported——

Mr. FREAR. Yes; that was the effect.

Mr. McCULLOCH. This league in referring to the Kahn amendment said:

> This amendment provided for the raising by conscription of the necessary army to give effect to the declaration of war.

The amendment was nothing of the kind.

Mr. FREAR. The gentleman is absolutely correct. The statement of the league, in my judgment, was willfully false.

Mr. McCULLOCH. It was an amendment to eliminate the volunteer feature.

Mr. FREAR. That was all. The gentleman is correct.

Mr. McCULLOCH. Therefore the league has misstated the facts and has held up to public contempt the Members of this body upon a misstatement of the facts.

Mr. FREAR. Absolutely so; and I am asking for an investigation to find out who is responsible, and the purpose behind the league. Mr. Speaker, it has been suggested to me by several Members during this discussion that I ask unanimous consent for the immediate consideration of the resolution.

Mr. GARRETT of Tennessee. What is the resolution?

Mr. FREAR. I will ask to have it read.

Mr. GARRETT of Tennessee. Let it be reported, and let us see what it is.

The SPEAKER. The Clerk will report the resolution.

Mr. MANN. Mr. Speaker, is it to be reported or read for information?

Mr. FREAR. First read for information.

The SPEAKER. Read for information.

The Clerk read as follows:

House resolution 464.

Resolved, That a committee of nine members be appointed by the Speaker of the House to investigate and make report as to the officers, membership, financial support, expenditures, general character, activities, and purpose of the National Security League, a corporation of New York, and of any other (political) or patriotic organization, league, or association that purports to be organized or engaged in or has been directly or indirectly engaged in the nomination, election, or defeat of Representatives in Congress during the year 1918.

Said committee shall also inquire and ascertain whether charges affecting the loyalty of Representatives in Congress have been made by such leagues or associations, and if so, by whom and upon what information, testimony, or record, and whether such charges are true; and shall ascertain whether such league, leagues, or other organizations that may be investigated have complied with the provisions of State and Federal laws in the filing of expense accounts; and shall inquire and ascertain such other matters concerning said league or leagues or other organizations which in the judgment of such committee may be found proper, and for the purposes aforesaid the agents, clerks, or employees of such committee shall have power to demand and receive for inspection and use of the committee all books, records, documents, and papers whatsoever belonging to such league or the individual members thereof concerning its activities; and the committee shall have power to send for papers, books, records, and documents, and to enforce their appearance and administer oaths.

Said committee is also hereby authorized and empowered to require witnesses to answer all questions propounded by any member thereof touching the investigation ordered and require any witness called before it to testify fully as to any information in his possession, whether in the nature of hearsay testimony or otherwise, relative to the inquiry ordered; and the committee may hold hearings at such places as it may decide upon, as well as in the city of Washington, pursuant to the purpose of this resolution, and shall have the power to report at any time.

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object——

Mr. KITCHIN. I will ask the gentleman from Wisconsin to withhold that and bring it up to-morrow.

Mr. GARRETT of Tennessee. Let it go to the committee.

Mr. HARRISON of Mississippi. There will be no objection to it.

Mr. FREAR. I am perfectly willing, Mr. Speaker, and I withdraw my request. It was offered, as stated, at the suggestion of several Members during the last few moments. I would prefer to have it regularly acted upon by a committee.

I append two brief statements, in which a personal request was first based.

Letter from the Security League of New York given to the press, as follows:

SEPTEMBER 23, 1918.

Hon. CHAMP CLARK,
Speaker of the House of Representatives,
Washington, D. C.

DEAR SIR: Representative FREAR, of Wisconsin, on the floor of the House has to-day asked for an investigation of the National Security League by the House Judiciary Committee. We welcome any investigation deemed proper by your honorable body and will gladly supply the fullest information.

As to the source of the demand for this investigation, it is only necessary at the present moment for me to call attention to the fact that Mr. FREAR voted against the declaration of war, against the Kahn amendment, which made possible the selective draft system, and for the McLemore and Cooper amendments, which, it is now admitted, voiced the essence of pacifism, if nothing worse.

Yours, very truly,

CHARLES E. LYDECKER, *President.*

Also a brief editorial:

[Extract from New York Tribune of Oct. 1, 1918.]

It is true that the National Security League has been denounced in Congress. This was done by Representative FREAR, of Wisconsin, whom the league opposed for reelection because he had voted against the declaration of war and against the Kahn amendment, which was essential to the selective draft, and for the notorious McLemore and Cooper amendments, thereby failing to stand the "acid test" stipulated for by President Wilson. So much for FREAR.

Hearst attacks the National Security League for a similar reason, namely, that it has denounced his disloyalty.

I also append a brief analysis of the eight test votes submitted by the Security League, in which Representative McCULLOCH on October 2 last gives a complete demonstration of the falsity and misrepresentations contained in the league's public chart. This chart was given to the press and used as a basis for the charge of disloyalty against Representatives, which I have discussed:

I shall analyze the eight propositions in the order in which they are mentioned in the circular.

"No. 1. The circular says: 'McLemore resolution, March 7, 1916. This resolution was to the effect that American citizens should forego their natural, legal, and constitutional rights to travel on the high seas.'"

"The McLemore resolution came before the House of Representatives about one year and one month before the declaration of war. The circular marks me as voting "wrong" on the McLemore resolution. It does not say what is meant by voting "wrong," but attempts by the language used to leave the inference that I favored the McLemore resolution. The facts are, as I announced at the time, that I would not vote for the McLemore resolution under any circumstances, because I was opposed to its provisions. I did not vote for it, but I voted not to table it, in order that a full and complete discussion of the subject of warning American citizens of the dangers of traveling on armed vessels of belligerent countries should have been had, as the President requested. Had the McLemore resolution not been tabled, and had it come to a direct vote without amendment, I would have voted against it, and I so stated at the time, as the CONGRESSIONAL RECORD will show, and I so stated in every speech I made during my last campaign.

"No. 2. The circular says: 'Kahn amendment to the Hay Army bill, March 23, 1916. This amendment sought to increase the Regular Army to 178,000 or more, nearly approaching the recommendation of the General Staff of the Army.'"

No such amendment was ever introduced by Mr. KAHN or anyone else. The circular marks me as voting "wrong" on such an amendment, which it says was considered over a year before the declaration of war. The Committee on Military Affairs reported the Hay Army bill unanimously from the committee, which provided for increasing the Regular Army to 140,000, as recommended by the Secretary of War. During the consideration of the bill Mr. KAHN, of California, a Republican, offered an amendment increasing the number to 220,000, which amendment was defeated by a vote of 82 to 155, by tellers, in the committee. Before voting on the bill, Mr. MANN, of Illinois, asked unanimous consent for a record vote on the Kahn amendment, which is no doubt the amendment the circular is trying to refer to, and the vote was taken on the amendment, and it was defeated by 213 to 191.

The circular evidently approves voting for this amendment. Such a vote was an antiadministration vote, as the administration approved the bill as reported and was opposed to the amendment, which, it was argued on the floor, would hopelessly complicate the Army bill. I voted against the amendment, as it was my policy to support the committee, which had investigated the requirements and which was backed by the War Department and its experts.

"No. 3. The circular says I voted 'wrong' on the 'Brandegee amendment to the Hay-Chamberlain Army bill, April 18, 1916. This amendment provided for an Army of 250,000 as against 140,000.'"

When the Hay Army bill was returned to the House from the Senate on May 8, 1916, almost a year before the declaration of war, objection was made to this increase because it was contrary to the recommendation of the War Department and the Committee on Military Affairs of the House. It was claimed that its language would provide for a large number of very high promotions for Army officers. The amendment was defeated by a vote of 222 to 141. I voted against the amendment. The circular approves voting for the amendment, which was voting against the administration and the recommendation of the War Department.

"No. 4. The circular says I voted 'wrong' on 'section 56,' providing for a volunteer reserve army wholly under Federal control, April 18, 1916.'"

This amendment was considered almost a year before the declaration of war, and was an amendment intended to destroy the National Guard and State Militia by substituting a volunteer army, composed of not to exceed 600 officers and men from each congressional district. I was appealed to by the National Guard of the State of Ohio to oppose this amendment. It was contended that our State had spent millions of dollars developing the National Guard in Ohio. A large proportion of the National Guard of the United States, including the Ohio National Guard, was on the Mexican border at the time this amendment was considered. It was claimed that if this amendment, known as section 56, were adopted, it would complicate the military situation. The President vigorously opposed this amendment, and it was known as an antiadministration amendment. I voted against the amendment, and the circular approves a vote for the amendment.

The amendment was defeated by a vote of 251 to 109 on May 8, 1916 (CONGRESSIONAL RECORD, p. 7691). The National Guards of the various States have furnished close to 500,000 men in the present crisis, trained and experienced, and after the splendid record of the Rainbow Division, the soldiers of which represent almost every State in the Union and which is on the battle front at this very hour rendering conspicuous service, of which the whole Nation is proud, I do not believe that anyone need apologize for opposing the destruction of the National Guard.

"No. 5. The circular says I voted 'wrong' on a 'motion to recommit the naval appropriation bill June 2, 1916.' This motion was designed to instruct an increase in the Navy beyond what was provided in the original bill."

The naval appropriation bill of 1916 was taken up by the House on May 27, 1916, almost a year before the declaration of war (CONGRESSIONAL RECORD, p. 8783), providing for increased appropriations for the Navy. The bill was reported with the approval of the Navy Department after extended investigations by the Committee on Naval Affairs. This committee had spent weeks on the bill with the assistance of the Navy officers and experts. The House, in Committee of the Whole, had been considering the bill for days, and just as the House was ready to vote on its final passage Mr. BROWNING, of New Jersey, moved to recommit the bill with instructions to increase the amounts of the various items approximately $76,000,000, which meant asking the House to accept without consideration or explanation changes in the bill, the effect of which would have been to destroy the work of the committee and the Navy Department. The chairman of the Committee on Naval Affairs vigorously opposed the motion. It was distinctly an antiadministration motion, and so understood by everybody, and it was defeated. I voted against it. The circular approves voting for it.

"No. 6. The circular says I voted 'wrong' on the 'Cooper amendment, March 1, 1917.' This amendment was designed to prohibit to American ships their legal right to carry arms or ammunition in their cargoes."

The statements in the circular as to the provisions of the Cooper amendment are entirely contrary to the facts. The Cooper amendment was as follows:

"*Provided*, That no ship of American registry, armed in the manner aforesaid, shall carry cargo consisting in whole or in part of arms or ammunition consigned to a belligerent country or to a citizen thereof."

This amendment was offered to the armed-neutrality bill, for which bill I voted. The armed-neutrality bill was intended, according to statements made by the President, as the last step toward keeping this country out of war. The Cooper amendment proposed that we should not arm ships to carry munitions of war to belligerent countries. He argued that to arm ships for such a purpose was an act of war. Mr. FLOOD, chairman of the Committee on Foreign Affairs, while the Cooper amendment was being considered, said:

"I do not believe that the President intends to convoy merchant vessels that carry munitions of war or to supply guns and ammunition to such vessels. Good international lawyers contend that to convoy a vessel loaded with arms and ammunition is an unlawful act; that it is an act of war."

Under the circumstances I voted for the amendment. The amendment was defeated, and I then voted for the armed-neutrality bill.

"No. 7. The circular says I voted 'right' on the declaration of war against Germany, April 5, 1917."

I voted for the declaration of war.

No. 8. The circular says I voted "wrong" on the "Kahn amendment to the conscription act, April 28, 1917. This provided for the raising by conscription of the necessary army to give effect to the declaration of war."

There never was a more false or misleading statement made than this statement, attempting to define the terms of the Kahn amendment. The Kahn amendment proposed to strike out the provisions of the conscription bill authorizing the President to call for volunteers. The conscription bill, reported by the Military Affairs Committee of the House, and which was being considered in Committee of the Whole, when the Kahn amendment was proposed, authorized the raising of an army both by conscription and by volunteers. Had the volunteer provisions not been struck out of the bill we still would have had conscription and the President would have had the additional authority to call for volunteers, which the War Department did in fact, under the law. There was no proposal to my knowledge at any time made to eliminate the conscription provisions of the bill. This vicious circular would have people believe that those who voted not to strike out the volunteer provisions of the bill were against the necessary army "to give effect to the declaration of war." In other words, everyone who had an idea contrary to that of the National Security League is disloyal.

I voted for conscription, and I also voted for the provision authorizing Roosevelt to organize and utilize the hundreds of thousands of volunteers he had already enrolled who were ready for active service. I believed that the President should have the power to call for volunteers if he saw fit to do so, and I therefore voted against the Kahn amendment, which took that power from him; but it is interesting to note that in spite of the hostility of the National Security League to volunteers that volunteers have been accepted by the War Department right along in all of the various branches of the service, and that there are now in the service thousands upon thousands of men who were volunteers and accepted as such.

Mr. GARRETT of Tennessee. Mr. Speaker, may I ask to what committee the resolution put by the gentleman from Wisconsin was referred?

The SPEAKER. The Chair directed the gentleman to put the resolution in the basket, and the Chair will refer it to the Committee on Rules.

PROPERTY OF UNITED STATES IN CHARGE OF THE DOORKEEPER (H. DOC. NO. 1352).

The SPEAKER laid before the House a letter transmitting an inventory of all property belonging to the United States in charge of the Doorkeeper of the House, which was ordered printed and referred to the Committee on Accounts.

LEAVE OF ABSENCE.

Mr. WINGO, by unanimous consent, was given leave of absence for the day, on account of illness.

SANATORIUM FOR DISCHARGED SOLDIERS AND SAILORS.

Mr. CLARK of Florida. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12947.

The SPEAKER. The gentleman from Florida moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of House bill 12947.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. FOSTER in the chair.

The CHAIRMAN. When the committee rose last evening general debate had been concluded. The Clerk will now read the bill for amendment.

Mr. GRAHAM of Illinois. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GRAHAM of Illinois. I observe that this bill is not divided into sections. Will it be considered by paragraphs, or what will be the method in considering it?

Mr. CLARK of Florida. I was going to ask unanimous consent that the bill be read and considered by paragraphs.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that the bill be considered by paragraphs and not by sections. Is there objection?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That the United States is authorized to acquire by gift a tract of land suitable for the purpose, of not less than 1,000 acres, in or adjacent to the city of Dawson Springs, Hopkins County, Ky., or in Caldwell County, Ky., adjacent to the city of Dawson Springs, Ky., or in Christian County, Ky., adjacent to the city of Dawson Springs, Ky., for the purpose of erecting a sanatorium for the treatment of persons discharged from the military and naval forces of the United States and persons who are now or hereafter may be beneficiaries of the United States Public Health Service; such sanatorium to be of a capacity of not less than 500 beds. There is hereby appropriated the sum of $1,500,000, out of any moneys in the Treasury not otherwise appropriated, for the construction of such sanatorium, including the necessary buildings with their appropriate mechanical equipment and approach work and roads leading thereto, for the accommodation of patients, officers, nurses, attendants, storage, laundries, and live stock, with all necessary furniture and equipment for the above; and an additional sum of $350,000 is hereby appropriated for operation and maintenance of the same for the fiscal year ending June 30, 1920.

The following committee amendments were read:

Amendment No. 1: In lines 4 and 5, on page 2, strike out the words "there is hereby appropriated."

Amendment No. 2: In line 4, on page 2, capitalize the letter "t" in the word "the."

Amendment No. 3: In the lines 5 and 6, on page 2, strike out the words "out of any moneys in the Treasury not otherwise appropriated" and insert in lieu thereof the words "is hereby authorized."

Amendment No. 4: In line 13, on page 2, strike out the word "appropriated" and insert the word "authorized."

The committee amendments were agreed to.

Mr. DOWELL. Mr. Chairman, I offer the amendment I send to the desk.

Mr. GRAHAM of Illinois. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GRAHAM of Illinois. I have an amendment to strike out the enacting clause of this bill. Does not that have precedence over any other amendments?

The CHAIRMAN. That is true. The Chair is under the impression that the rule is—though the Chair has not looked it up lately—where a bill is being considered by special rule under an order of the House a motion to strike out the enacting clause is not in order. The Chair would be glad to hear any argument or suggestion on the question.

Mr. GRAHAM of Illinois. I think it is in order at any time. However, I have not the precedents, but will look them up. My idea in proposing the matter at this time was that if such a motion was proper, and if carried, there would be no necessity in discussing further amendments.

The CHAIRMAN. The gentleman would be correct about that.

Mr. MANN. The Chair will recollect that the rule does not provide for the consideration of this bill. The rule only provides that it shall be in order to move in the House to go into Committee of the Whole House on the state of the Union for the consideration of the bill. Of course, that places the bill in the position that any bill would occupy where a motion was made at any time for its consideration in Committee of the Whole.

The CHAIRMAN. The rule provides for the consideration of the bill in Committee of the Whole, but the House must first decide to go into the Committee of the Whole by vote.

Mr. MANN. The rule as printed was amended, and I do not know whether the Chair has the rule as adopted. The rule printed was not the rule adopted by the House.

The CHAIRMAN. The rule provides for the consideration of the bill in Committee of the Whole under the five-minute rule for amendment. The Chair finds in volume 4 of Hinds' Precedents, page 219, section 3215, this statement:

A special order providing that a bill should be open to amendments in Committee of the Whole was held to prevent a motion to strike out the enacting clause. On March 26, 1897, the House was in Committee of the Whole House on the state of the Union considering the bill (H. R. 379) to provide revenue for the Government and to encourage the industries of the United States, under the terms of a special order, which provided:

That general debate shall continue on said bill during each day until 5 o'clock p. m., and at evening sessions, to which a recess shall be taken, to be held from 8 o'clock till 11 o'clock p. m., until and including Thursday, the 25th of March, unless sooner concluded; that from the conclusion of general debate until the 31st day of March there shall be debate upon the said bill by paragraphs, and during this time the bill shall be open to amendment as each paragraph is read, but committee amendments to any part of the bill shall be in order at any time.

Before the Clerk began the reading of the bill Mr. Samuel W. T. Lanham, of Texas, proposed to make the motion to strike out the enacting words of the bill, as provided in Rule XXIII, section 7.

After debate the Chairman held:

The Chair would like to call the attention of the gentleman from Texas to the reading of the special order under which we are operating. * * * The Chair will hold that under the provisions of the special rule under which the committee is now operating the motion of the gentleman is not now in order.

That was the ruling of the Chairman at that time under the special rule.

Mr. MANN. Mr. Chairman, I think that ruling was absolutely correct but that is not the situation before the committee now.

The CHAIRMAN. Of course——

Mr. MANN. There was a rule specifically providing for a certain length of time for amendments. Now, this rule we are operating under provided first that it should be in order to go into the Committee of the Whole House on the state of the Union. That motion has been carried, and we are in the Committee of the Whole House on the state of the Union. The rule provides that at the conclusion of such general debate the bill shall be considered for amendment under the five-minute rule. As a matter of fact, the motion referred to by the Chair under the ruling cited apparently was made before the bill was read for amendment. Now the bill is being read for amendment, and the motion to strike out the enacting clause is an amendment.

The CHAIRMAN. May the Chair ask the gentleman this question? This rule provides that this bill shall be considered under the five-minute rule for amendment. Now, if the motion which the gentleman from Illinois proposes to make, to strike out the enacting clause, should prevail, would that give an opportunity to consider the bill under the five-minute rule as completely as intended by the rule adopted by the House? The Chair would like to have the judgment of the gentleman.

Mr. MANN. It does not say anything about that. It is being considered for amendment, and if the committee should agree to that amendment of course that ends it so far as the committee is concerned at the time, unless the House should decide on its being reported back to the House that it would not agree to the amendment; but the bill is now being read for amendment under the rule, and the motion to strike out the enacting clause is an amendment like any other amendment, except it takes precedence over other amendments.

Mr. SAUNDERS of Virginia. Mr. Chairman, with respect to the point of order that has been raised I would like to say a few words. It is perfectly competent for a special rule to provide for the abrogation or modification of any existing rule or rules with respect to consideration of a bill in the Committee of the Whole. Hence with respect to the consideration of any particular bill, if it is insisted that the rule abrogates any existing rule, we should look to the rule itself to ascertain whether any such provision of abrogation is found therein. The effect of the rule in this case is simply to expedite consideration by the Committee of the Whole of this particular bill. The rule merely operates to put this bill into the Committee of the Whole for the purpose of consideration under the five-minute rule. The motion to strike out the enacting clause, so far as its parliamentary effect is concerned, is action. It is a preferential amendment. If this committee chooses to vote favorably upon the motion, then that is action on the part of the committee. It is for the committee to say whether it will take that action. The bill is before us. It has been expedited in its passage to the Committee of the Whole by the force of the rule, and yet the rule does not by its terms abrogate any existing rule for the consideration of this particular bill in the Committee of the Whole. It is still subject to the general rules provided for the consideration of a measure of this character in the Committee of the Whole. Hence it seems to me that the motion of the gentleman is in order whatever may be the action by the committee on the motion itself. The precedent cited by the Chair construed the rule affecting the consideration of that particular bill. That precedent does not establish any general rule. It merely holds that under the rule in that case the motion to strike out the enacting clause was not in order at the time it was sought to be made. The Chair distinctly declined to say that the motion would not be in order at a later stage of the consideration of the bill before the committee.

Mr. DOWELL. Mr. Chairman, I was recognized for an amendment which I desired to have read. I had the floor and submitted an amendment to the Clerk, and he was just about to read the amendment before the question was raised. I ask to have that amendment read.

Mr. GRAHAM of Illinois. Mr. Chairman, the gentleman is wrong—the parliamentary inquiry is still pending.

Mr. DOWELL. But the gentleman can not take me off my feet to make that inquiry. I was in the act of presenting the amendment.

The CHAIRMAN. The Chair thinks really the gentleman offered a preferential amendment, and, of course, on a parliamentary inquiry he would be entitled to have the amendment considered first.

Mr. MANN. He would not be entitled unless he got recognition.

The CHAIRMAN. The gentleman is correct. The Chair thinks that he did recognize the gentleman from Iowa, and the gentleman from Illinois rose to a parliamentary inquiry, and the Chair submitted this statement as found in Hinds' Precedents, and the Chair thinks, in fairness to the gentleman——

Mr. GRAHAM of Illinois. Mr. Chairman——

Mr. GARRETT of Tennessee. Mr. Chairman, does the gentleman from Illinois desire to offer his amendment?

Mr. MANN. I did not offer an amendment.

Mr. GARRETT of Tennessee. Well, the motion to strike out the enacting clause, Mr. Chairman, is in order. There is no doubt about it.

Mr. DOWELL. Is it in order while I have the floor to present an amendment?

Mr. MANN. It has not been presented.

Mr. GARRETT of Tennessee. Then who threw the monkey wrench into the machinery?

Mr. MANN. That is the question.

Mr. GRAHAM of Illinois. Mr. Chairman, as I understand, the parliamentary inquiry has been answered, and I now offer a preferential amendment——

The CHAIRMAN. But the gentleman has not the floor yet.

Mr. GRAHAM of Illinois. I understood I had.

The CHAIRMAN. The gentleman offered a parliamentary inquiry.

Mr. DOWELL. Mr. Chairman, I ask to have my amendment read, and then I will yield the floor to the gentleman from Illinois.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. DOWELL. Page 1, line 3, strike out all of lines 3, 4, 5, 6, 7, 8, and line 9 down to and including the word "Kentucky," and insert in lieu thereof the following: "That the United States is authorized to acquire by purchase or otherwise a tract of land to be selected by the Secretary of the Treasury in either of the States of Colorado, New Mexico, Arizona, or Texas suitable."

Mr. GARRETT of Tennessee. I make the point of order on that amendment.

Mr. GILLETT. What is the point of order?

Mr. GARRETT of Tennessee. The bill provides they shall acquire by gift. The amendment provides the Government shall acquire by purchase.

Mr. DOWELL. Mr. Chairman, the point of order is not good for the reason that the amendment provides that it may be acquired by purchase or otherwise. It may be by gift and it may be by purchase.

Mr. WALSH. Will the gentleman yield?

Mr. DOWELL. And that is not the question that is to be determined here. It is a question here of establishing a sanatorium. That is the question. And the amendment merely relates to the location of a sanatorium. That is all that the amendment undertakes to change.

Mr. WALSH. Will the gentleman from Tennessee yield?

Mr. GARRETT of Tennessee. Yes.

Mr. WALSH. Does the gentleman contend that the House is powerless to strike out in line 1 the word "gift" and insert the word "purchase"?

Mr. GARRETT of Tennessee. Yes; I think so.

Mr. WALSH. I notice that the gentleman has difficulty in keeping his countenance straight in answering that.

Mr. GARRETT of Tennessee. I think any germane amendment is in order.

Mr. DOWELL. Does the gentleman think that purchase is not germane to the question involved in this paragraph?

Mr. GARRETT of Tennessee. I think when the Government can acquire a thing by gift it ought to take it in that way.

Mr. DOWELL. It is not a question of order?

Mr. GARRETT of Tennessee. Now, I want to talk seriously for a moment to the gentleman. The only purpose that the Committee on Rules had in presenting this rule was to make this bill in order under the general rules of the House. The bill provides that the Government may acquire by gift. I do not think that a proposition to purchase or to authorize the Government to purchase is germane to a bill that provides for the acquirement by gift. Have I answered the gentleman or not?

Mr. GOOD. Will the gentleman yield there?

Mr. DOWELL. You have not answered the question, because this bill has for its purpose the securing of land for the purpose of establishing a sanatorium. That is the purpose of the bill. It has no other and different purpose. Now, the Government can establish whatever method it sees fit to secure the land wherever it may secure it and in a different place from that suggested in the bill if it so desires.

Mr. GARRETT of Tennessee. Oh, surely; any place can be named.

Mr. DOWELL. Does the gentleman contend that because a proposition is presented that a tract of land may be secured by gift that the Congress would be powerless to amend the bill and provide for the purchase of a tract of land in another place for the purpose for which the bill was introduced?

Mr. GARRETT of Tennessee. Yes, sir.

Mr. SAUNDERS of Virginia. In addition to the point of order raised by the gentleman from Tennessee [Mr. GARRETT], I would like to suggest that this amendment comes within a number of precedents to the effect that when there is a single distinct proposition before the House, that proposition may not be amended by the addition of other distinct propositions.

The gentleman from Iowa [Mr. DOWELL] stated that this was a proposition to acquire property by gift or purchase. I do not find that language in the bill. This is a proposition to acquire certain indicated property by gift.

Mr. WALSH. Will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. WALSH. Does not the gentleman see that this does not add to but simply enlarges the field for selection?

Mr. SAUNDERS of Virginia. But you can not enlarge the field for selection without making an addition to the bill. That is what I am objecting to.

Mr. WALSH. If the gentleman would think about it seriously, he would not make that contention.

Mr. SAUNDERS of Virginia. I have been thinking about it seriously. This is a proposition to which you can not add other distinct propositions. It is competent to amend this proposition, but not in the fashion proposed. When it is proposed to bring in additional States, you are providing for additional action to that proposed in the bill. You are not modifying the distinct proposition submitted. You are adding other and alternative propositions. It is the same thing as if it was proposed by amendment to acquire by gift another site in another State.

Mr. Chairman, this is a matter that has been ruled upon so often that I do not think it calls for elaborate discussion. I simply desire to call the attention of the Chair to a time when he was presiding, and when he announced precisely the proposition that one individual proposition may not be amended by another individual proposition even though the two belong to the same class.

Various other chairmen have announced the same principle on other occasions. It is not a question of the amendments that we would like to propose to this bill, but it is a question of what under the precedents we can do in a parliamentary way. The inquiry whether the rule precludes consideration of the proposed amendment is the only inquiry that we need pursue. We have established the boundaries on our power of action in the House, and in the Committee of the Whole by the rules, and the decisions expounding those rules. There are many prece-

dents in point. It has been held that to a bill proposing to admit one Territory into the Union, an amendment admitting another Territory is not germane. To a bill for the relief of one individual, an amendment proposing similar relief for another is not in order. To a resolution providing a special order for one bill, an amendment to include another is not in order. To a provision for the extermination of the boll weevil, an amendment including the gypsy moth was excluded on a point of order. To a provision for a clerk for one committee, an amendment for a clerk to another committee was held out of order. To a bill prohibiting transportation of messages relating to dealing in cotton futures, an amendment adding wheat, corn, and so forth was held out of order. See as to above Manual of Rules, section 778. There are many other and more recent decisions all to the same effect, and grounded upon the principle that the amendments proposed are not germane. A specific subject may not be amended by a provision general in its nature, even when of the class of the specific subject. See section 778, (b).

This is a proposition to acquire for the Government "by gift a tract of land suitable for the purpose of not less than 1,000 acres in or adjacent to the city of Dawson Springs, Hopkins County, Ky., or in Caldwell County, Ky., adjacent to the city of Dawson Springs, Ky., or in Christian County, Ky., adjacent to the city of Dawson Springs, for the purpose of erecting a sanatorium." It is a distinct proposition to acquire by gift certain territory adjacent to Dawson Springs, in the State of Kentucky. Whenever you propose to bring in Virginia, or Iowa, or any other of the States, what is that but an effort to bring in a new, distinct proposition?

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Certainly.

Mr. WALSH. I think the gentleman from Virginia was a Member of the House at the time a ruling was made to the effect that a bill providing for an interoceanic canal by one route could be amended by providing a different route.

Mr. SAUNDERS of Virginia. I am familiar with that ruling, and I have used that precedent time and time again.

Mr. WALSH. Is not that the ruling here in point?

Mr. SAUNDERS of Virginia. No. That was a case of stress in which a ruling was made for a particular situation, and contrary to the precedents. It has never been followed, so far as I am aware. I have cited that precedent on this floor time and time again, in the effort to liberalize the rule of the precedents on the matter of germaneness. In my contention that this rule should be enlarged and liberalized I have used the very precedent that the gentleman has cited, but the Chair has uniformly disregarded it. There is a great body of precedents confirming and supporting the position that I have taken. Some of these have been cited. I will refer to another, namely, the ruling as to germaneness made in connection with a bill relating to grains that was reported by the committee of which the gentleman from South Carolina is chairman. In that ruling the Chair cited a great body of precedents, and did not regard the precedent cited by the gentleman from Massachusetts [Mr. WALSH].

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Certainly.

Mr. McKENZIE. I do not want to discuss the parliamentary phases of the question, but I would like to ask the question: Suppose we passed this bill and the people of this territory adjacent to the city of Dawson Springs, Ky., failed to make the gift to the Government of the United States——

Mr. SAUNDERS of Virginia. Yes.

Mr. McKENZIE. Failed to make the gift of the land necessary on which to construct the sanatorium. Then could the Government of the United States proceed with the building of this sanatorium?

Mr. SAUNDERS of Virginia. Decidedly it could not.

Mr. McKENZIE. Is it not a fact that the whole sum and substance of this bill is wrapped up in the one proposition of enacting legislation in order to enable the Government of the United States to accept a gift?

Mr. SAUNDERS of Virginia. To do that specific thing, as a condition precedent to building a sanatorium. If we can not secure that land by gift, then the whole effort to establish this particular enterprise fails. That is all there is to this proposition.

As I have said, this is purely a question of parliamentary law and of precedent, a question of keeping our precedents straight. The principle controlling the decision of the point of order raised against this amendment is supported by a great volume of uniform and accordant decisions.

Mr. BANKHEAD. Mr. Chairman, it may not be deemed desirable to call the Chair's attention to the proposition just discussed by the gentleman from Virginia [Mr. SAUNDERS], but if the Chair will refer to section 778 of the Manual he will find there a precedent on this proposition:

"One individual proposition may not be amended by another individual proposition, even though the two belong to the same class."

It seems to me right there is probably a precedent clearly in point.

Mr. WALSH. Mr. Chairman, of course the gentleman from Alabama [Mr. BANKHEAD] is in error in contending that the amendment offered by the gentleman from Iowa is attempting to substitute another individual proposition, and if he will read the amendment offered he will see that there is no such intention or purpose in the gentleman's amendment. This amendment does not add anything, but it simply provides that instead of taking one site at Dawson Springs, in Kentucky, this one sanatorium shall be established at one point in one of four different States.

Now, it seems to me that the decision in Hinds' Precedents, section 5809, is on all fours with the situation presented here. In that case, as the gentleman from Virginia admitted, it was held that to a bill to provide for a canal by one route an amendment could be offered to construct a canal at another place by another route. He states that that precedent has not been followed. He will find that it has been followed in several different instances, and in one instance in particular, where a bill was offered to amend a general law in specific instances, and an amendment proposing to repeal the whole law was held germane.

Mr. BANKHEAD. Will the gentleman yield for a question?

Mr. WALSH. Yes; I will yield.

Mr. BANKHEAD. Does not the gentleman think this is somewhat analogous to a situation that might arise if we had under consideration a public-building bill, and moved to amend the bill by providing for another public building in some other State?

Mr. WALSH. Oh, of course not.

Mr. BANKHEAD. The same principle would apply.

Mr. WALSH. Oh, no.

Mr. DOWELL. I can answer the gentleman's question. You can amend the bill by providing that the building shall be erected in another place than that designated in the bill. This is not for the establishment of another sanatorium, but it is for the establishment of the sanatorium provided for in this bill at a different place than that designated in the bill, and that is all there is to this amendment.

Mr. BANKHEAD. An entirely different location, in a different State?

Mr. DOWELL. Yes.

Mr. WALSH. But that was the canal proposition. It was the same canal in a different location, and that was held to be germane. I imagine the same water would pass through it. I simply want to direct the attention of the House to the fact that that ruling has been followed several times; and knowing the disposition of the present occupant of the chair, I know that he will not be at all bewildered by an argument that the precedent has been established but has not been followed.

Mr. GREEN of Iowa. Mr. Chairman, my friend from Virginia [Mr. SAUNDERS] is almost always logical and accurate, but in this particular case it would seem to me that he is neither. He has talked about the precedents that he could produce. Unfortunately he has not produced any. I should be glad to have him furnish them, and I have the book of rules in my hand. If he cites any of them, I am quite confident I can show a clear and plain distinction, which will be recognized even by my friend. Having started out wrong, I hope he will not finish wrong. The logic of his argument would be that if it had been provided in the first place in this bill that the building was to be made of brick and somebody should offer an amendment that it should be made of wood instead, or that it should be made of brick and wood, the amendment would not be germane, and therefore would be inadmissible. That would be exactly where we would come out. I know of no such precedent. I looked over these precedents some time ago. I have not had an opportunity to look over them recently, but if there is anything that would exclude the amendment of my colleague I do not know what it is, and I do not think there is any such precedent.

The CHAIRMAN. The Chair begs to state that this bill now before the committee provides for the building of a sanatorium at Dawson Springs, Ky., and the land can only be secured at Dawson Springs, Ky., by gift. There is no provision in the bill saying that this land can be purchased; so that if the people of Dawson Springs, Ky., should conclude after the bill has become a law that they would not give the Government this land, then, in the opinion of the Chair, it would not be possible

to establish the sanatorium there without further legislation, because it says that it must be acquired by gift and that the land can only be secured in that way. The amendment proposed by the gentleman from Iowa says that this sanatorium may be established in either the State of Colorado, New Mexico, Arizona, or Texas by purchase or otherwise. The Chair begs to state that so far as he has been able to ascertain from a brief time spent in looking up the precedents this is the only one where it was proposed to offer an amendment to give away public land, and the Chair at that time held that that was not in order. That decision is found in Volume V of Hinds' Precedents, paragraph 5877. The point of order was made on January 20, 1859, by Mr. Cobb, of Alabama, and the decision was rendered by Speaker Orr, of South Carolina.

The Chair believes that the citation made by the gentleman from Alabama [Mr. BANKHEAD] in reference to an amendment adding another territory to a bill providing for one territory was not in order applies only indirectly to this amendment.

Mr. WALSH. Will the Chair permit an inquiry?

The CHAIRMAN. Yes.

Mr. WALSH. Would the Chair hold that because this provides for acquiring title by gift a motion to strike out the first paragraph would not be in order?

The CHAIRMAN. The Chair would not hold that a motion to strike out the first paragraph would not be in order. The Chair begs to state that, however foolish it may seem, before a bill is completed it is not out of order to move to strike out anything in the bill. The Chair believes, in the view he takes of this amendment, that if this bill should pass with this amendment in it the Secretary of the Treasury might go to either one of these States and if he was unable to secure the land otherwise than by purchase the sanatorium would not be built, and then that would compel the purchase of ground upon which to place the sanatorium, so that it would change the entire scope of the bill as now proposed, which is specifically to provide for the establishment of the sanatorium by gift. Under these circumstances, the Chair thinks that the amendment of the gentleman from Iowa would not be in order.

Mr. DOWELL. Mr. Chairman, I desire to offer another amendment.

Mr. STEENERSON. Mr. Chairman, I should like to offer an amendment.

The CHAIRMAN. The gentleman from Iowa is recognized.

Mr. DOWELL. I move to strike out all after the word "acres," in line 5, on page 1, down to and including the word "Kentucky," in line 9.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. DOWELL moves to amend by striking out, on page 1, line 5, all after the word "acres" down to and including the word "Kentucky," in line 9.

Mr. GRAHAM of Illinois. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. GRAHAM of Illinois. As I understand it, the amendment which I have mentioned, and which has been discussed—to strike out the enacting clause—will be in order at any time while the bill is open to amendment.

The CHAIRMAN. The Chair will state that it is in order at any time up to the time the bill is completed.

Mr. STEENERSON. Mr. Chairman, I offer my amendment as a substitute for the amendment of the gentleman from Iowa.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Page 1, strike out all of lines 5, 6, 7, and 8 and the first three words of line 9 and insert in lieu thereof the following: "100,000 acres of the national forest bordering on Tuck Lake and Cass Lake and Lake Winnibegoshish, in Minnesota, or so much thereof as may be required, be set aside.

Mr. CLARK of Florida. Mr. Chairman, I make a point of order against the substitute.

Mr. DOWELL. Mr. Chairman, I want my amendment read as I desire to have it. I have put it in writing and I have sent it to the desk.

The Clerk read as follows:

Amendment offered by Mr. DOWELL——

Mr. STEENERSON. Mr. Chairman, I object to changing the amendment after I have offered a substitute to it.

The Clerk continued the reading:

Page 1, line 5, after the word "acres," strike out all of the words following down to and including the word "Kentucky," line 9, and insert in lieu thereof the words "in either of the States of Colorado, New Mexico, Nevada, or Texas."

Mr. CLARK of Florida. Mr. Chairman, I make a point of order against that amendment.

Mr. STEENERSON. I make the point of order that he can not amend it after he has offered it and after I have offered a substitute. It is now a new proposition.

Mr. CLARK of Florida. I have the floor, and I make a point of order against that amendment which has just been ruled out by the Chair. It is substantially the same amendment. I made the point of order, the Chair heard arguments on it, and held that it was not in order.

Mr. STEENERSON. Will the gentleman yield?

Mr. CLARK of Florida. For a question.

Mr. STEENERSON. The gentleman from Iowa is trying to amend his amendment to which I have offered a substitute.

Mr. GARD. Mr. Chairman, is there a point of order made against the substitute offered by the gentleman from Minnesota?

The CHAIRMAN. The gentleman from Iowa offers an additional amendment. The gentleman from Iowa offered his amendment verbally from the floor, and then the gentleman from Minnesota asked recognition and offered a substitute for that amendment. Then the gentleman from Iowa having reduced his amendment to writing sent it to the Clerk's desk, which modifies his former amendment. The Chair understands that the gentleman from Minnesota objected to the modification of the amendment, and the Chair holds that the amendment can not be modified except by unanimous consent.

Mr. CLARK of Florida. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CLARK of Florida. What right has the gentleman from Iowa to recall his amendment and change it?

The CHAIRMAN. He has not the right without unanimous consent.

Mr. CLARK of Florida. Then I object.

The CHAIRMAN. The gentleman from Minnesota has already objected.

Mr. CLARK of Florida. I am raising the question now that the gentleman can not modify his amendment.

The CHAIRMAN. The Chair has so stated.

Mr. CLARK of Florida. And I make the point of order further against the amendment as originally offered and also against the substitute.

Mr. STEENERSON. On the question of the substitute I desire to address the Chair.

Mr. CANNON. Mr. Chairman, I understand this to be the practice of the House: The gentleman from Iowa offered an amendment. A point of order, I believe, was made on that amendment and sustained. Then the Chair recognized the gentleman from Iowa to offer another amendment. The gentleman from Iowa was entitled to the floor. The gentleman from Minnesota comes in and offers a substitute for that amendment. It seems to me that the gentleman from Iowa is entitled to the floor until he addresses the committee on his substitute. I am not aware that he yielded the floor, and therefore the gentleman from Minnesota is not in order.

Mr. STEENERSON. The gentleman from Iowa abandoned his first proposition and offered a new one.

Mr. CANNON. Yes; but in offering the new proposition he is entitled to withdraw the first.

Mr. CLARK of Florida. Not without unanimous consent.

Mr. CANNON. Yes; he can withdraw it without unanimous consent.

The CHAIRMAN. The Chair begs to state, as he understands it, that the gentleman from Iowa was recognized to offer an amendment, which he did verbally. Then the gentleman from Minnesota gained the floor and offered a substitute. A point of order was made against both the amendment and the substitute. The gentleman from Iowa had taken his seat and then again sought recognition for the purpose of modifying his amendment, and sent a written amendment to the Clerk's desk, which was read, and the gentleman from Minnesota objected to the modification. So, under the rule, the gentleman from Iowa was not permitted to modify his amendment, as that can not be done except by unanimous consent.

Mr. CANNON. If the Chair will indulge me, the first amendment of the gentleman from Iowa, being subject to a point of order, disappeared.

Mr. STEENERSON. It was subject to a point of order and was struck out.

Mr. SAUNDERS of Virginia. Mr. Chairman, the amendment which the gentleman from Iowa offered in the first instance was not subject to a point of order, because it was a simple motion to strike out. The gentleman from Iowa then sought to modify this amendment, and to this action on his part, objection was

made. Hence so far as the gentleman from Iowa is concerned, all that is before the House is his motion to strike out, which is in order, and upon which a vote can be taken in due course. The gentleman from Minnesota then obtained the floor and offered a substitute for the motion to strike out.

Mr. STEENERSON. And it includes the striking out and insertion of new matter.

Mr. SAUNDERS of Virginia. To this substitute of the gentleman from Minnesota the gentleman from Florida [Mr. CLARK] made a point of order. The matter immediately in hand, therefore, is the determination by the Chair of the point of order raised by the gentleman from Florida.

The CHAIRMAN. The gentleman from Virginia is correct about that.

Mr. STEENERSON. Mr. Chairman, I would like to address the Chair on the subject of the point of order. The gentleman from Florida has made a point of order against the substitute. I do not believe he knows what the substitute is. The amendment offered by the gentleman from Iowa simply struck out certain lines describing the location of this proposed hospital and my substitute strikes out the same lines and inserts in lieu of the matter stricken out another location in the State of Minnesota. Now, that is clearly a motion to strike out and insert, and the proposition already decided does not come in here at all, because the United States Government has 300,000 acres in this location that it owns in its own right and could put up any hospital there that it wants to and use as much land there as it wants to without gift or purchase. Now that, I contend, is a motion to strike out and insert and clearly in order upon this bill and I would like to discuss it.

Mr. WALSH. Mr. Chairman, the motion was to strike out. You can not offer a motion to strike out and insert for a motion to strike out. You can vote on the motion to strike out, and then offer a motion to strike out and insert, but you can not substitute a motion to strike out and insert for a motion to strike out.

Mr. LAZARO. Mr. Chairman, is it in order to move to strike out the last word and get five minutes?

The CHAIRMAN. It is not.

Mr. LAZARO. While the Chair is making up his mind.

The CHAIRMAN. The Chair is ready to make up his mind. The Chair begs to state that the amendment offered by the gentleman from Minnesota proposes to strike out all of lines 5, 6, 7, and 8 and the first three words of line 9 and insert in lieu thereof the following: "One hundred thousand acres of the national forest bordering on Tuck Lake and Cass Lake and Lake Winnibigoshish, in Minnesota, or so much thereof as may be required, be set aside." Now, the Chair thinks this bill provides for the location of a sanatorium at Dawson Springs. That is a particular point. The Chair thinks it would be in order to change the location of the same sanatorium and believes that this provides only for a change of location, not for the buying of any land but that it shall be established where the Government buys no land, and the Chair begs to call the attention of the committee to the fact that in the case of the canal decision, which has been quoted here many times, that it was in order to change the location of a canal, and therefore believes this amendment is in order and overrules the point of order.

Mr. CLARK of Florida. Mr. Chairman, one thing, if the Chair will permit me. I want to call the attention of the Chair to the fact that this amendment proposes, if the Chair will read it carefully, to strike out all of lines 5, 6, 7, 8, and to and including the word "Kentucky," in line 9. Now, at the end of line 4 is the word "one." Then it proposes to insert "100,000 acres," which would make it read "one 100,000 acres," and which is a proposition to have the Government buy land already owned by the Government. It is an absolutely impossible amendment, and that was my idea in making the point of order.

Mr. STEENERSON. That is going to the merits of the proposition.

Mr. CLARK of Florida. This is an amendment which is utterly impossible, not only not germane, but impossible of performance, because there can not be——

Mr. STEENERSON. But the Chair has ruled upon the question.

Mr. CLARK of Florida. But the Chair permitted me to say a word. I would not have undertaken to do it without the Chair's consent. I asked the permission of the Chair, and I want to say that was the main purpose I had in making the point of order, that it was an amendment which was perfectly impossible. Why, it is an amendment, Mr. Chairman, that would be absolutely impossible of performance, because it provides that the Government of the United States, if it should be written into this act, should acquire by gift a tract of land suitable for the purpose of not less than one 100,000 acres of land, whatever that means, already belonging to the Government. Now, how can the Government acquire by gift property which it already owns? The thing would be nonsensical, would be utterly impossible to carry out. For that reason I had insisted, Mr. Chairman, and do insist that the amendment is absolutely out of order upon the ground, if for nothing else——

Mr. STEENERSON. But that goes to the merits of the proposition, the correctness of the language.

Mr. CLARK of Florida. It does not.

Mr. STEENERSON. I desire to say in answer to the gentleman from Florida——

The CHAIRMAN. The Chair thinks the amendment is in order and overrules the point of order.

Mr. STEENERSON. Mr. Chairman, the report of this bill sets out that the main reason for its location in Kentucky at this place is that there is a mineral spring there and that that water is very similar to that water at Carlsbad, in Bohemia; that it is good for Bright's disease and disease of the kidneys, and that is the main reason. Here is what they said at the hearings:

Mr. CANTRILL. In further answer to the question asked by the chairman of the committee as to why this sanatorium is recommended to be located at Dawson Springs, as I understand it, it is not only because of the location of the land and the fact that it is suitable for buildings and all that sort of thing but because of the peculiar curative powers of the springs located there. That is one of the main reasons, is it not?

Dr. BANKS. That is one of them; yes, sir.

Mr. BURNETT. For diseases other than tuberculosis?

Dr. BANKS. Yes.

Mr. CANTRILL. Which would make this particular place appeal to your department above other locations?

Dr. BANKS. We have a great many of the organic diseases like Bright's disease coming out of the Army, and rheumatic affections, and the water there at Dawson Springs, Ky., is practically the same as the Carlsbad water in Bohemia, is very efficacious as a steady drink in cases of that kind.

* * * * * * *

Mr. CANTRILL. And the chemical composition of this water at Dawson Springs is identical with the Carlsbad Springs, as I understand it?

Dr. BANKS. Yes; practically so.

Mr. MANSFIELD. It is not warm water, is it?

Dr. BANKS. No; it is not especially warm. It is drinkable or potable water, and very pleasant, so far as the temperature goes.

Now, everybody knows the location of this place that is familiar with geography. It is only about 600 or 700 feet above sea level, not very far distant from the Ohio and Mississippi Rivers, and it is subject to malaria and miasma. True, it is on a ridge, but swamps and sloughs are all around it. It is a wild country. Now, who in the world ever thought that soldiers acquire kidney trouble while in the service of the Government? Kidney trouble is a sickness that comes from sedentary habits. It might affect swivel-chair officers here in Washington, but it would not affect the men in the trenches. The soldiers who have been in active service and contracted tuberculosis are not troubled with kidney disease.

And the fact that Carlsbad is a place resorted to by the aristocracy of Europe when they drink too much or eat too much or take too little exercise affords no argument for our putting a sanatorium for tuberculosis at this point. The State of Minnesota has the most salubrious climate in the world. You can see in the Statistical Abstract that the death rate in Minnesota is lower, both in the rural population and urban population, than in any other place. The death rate in 1912 in Kentucky was 17 to the thousand, where it was only 9 or 10 in Minnesota.

The State of Minnesota, in cooperation with the university and the health service of the State, has located a tuberculosis hospital near Leech Lake, at Walker. It has been in operation for several years. It was selected and located there under the advice of the State board of health and the medical staff of the university, including Drs. Mayo, of Rochester. It was selected because it is the best place in the world for the treatment of that disease. There is a pine forest all around for miles and miles. The United States Government owns there 300,000 acres of national forest. It has not parted with the title. The tuberculosis sanatorium of the State of Minnesota is right near the Minnesota National Forest. This large tract of land, covered with virgin pine, is located right near Cass Lake, Lake Winnibigoshish, and Leech Lake. The patients, if they recover, will have an opportunity to work in that region. We propose to build roads there, and we have to use men there as forest rangers in the great pine forests of that region.

I believe you can not find a better place in the United States or on the American continent for a tuberculosis hospital than right there in that region where Minnesota has placed this one. They have 200 patients and in the neighborhood of 800 acres of land. If you provide for as many patients as proposed in this bill, in the neighborhood of 15,000 or 20,000 acres will

be needed. You want land enough where they can enjoy the advantages of a park. The proposed location is right in the vicinity of the celebrated State park of Minnesota, at the headwaters of the Mississippi, including Lake Itasca. The Government has the land for the site, the location is the best, and we could not do better than adopt the amendment.

Mr. CLARK of Florida. Mr. Chairman, I am willing that there may be a little hilarity now and then, but I sincerely hope gentlemen will not vote for an amendment of this character. It will simply mean to destroy the bill. There is absolutely no evidence here that this place has ever been examined with a view to locating a hospital there of this character. There is abundant evidence here by the medical authorities of the Government that this place has been examined—Dawson Springs—and has been determined upon by them as the best location for the character of hospital which they propose to establish.

Now, if gentlemen desire to defeat the bill——

Mr. GILLETT. Will the gentleman yield?

Mr. CLARK of Florida. For a question only.

Mr. GILLETT. Can the gentleman cite us to any report of the medical board he speaks of that will say that this is the best place?

Mr. CLARK of Florida. I can cite the gentleman to the testimony of Col. Banks. It is in the hearings. I cited it yesterday.

Mr. GILLETT. That it is the best place in the country?

Mr. CLARK of Florida. The best place they have been able to find, and they have been looking for places all over the country. They visited a number of them, and this was the best they have been able to find for this kind of hospital. That is the testimony in the record, and the gentleman can read it.

Mr. STAFFORD. Will the gentleman point out where there is such testimony? I have not been able to find it.

Mr. CLARK of Florida. There is such testimony.

Mr. STAFFORD. Will he point it out?

Mr. CLARK of Florida. No. You can find it in the record. But I am not going to have my time taken up——

Mr. MADDEN. Will the gentleman yield?

Mr. CLARK of Florida. I decline to yield.

Mr. MADDEN. It is a matter for information.

Mr. CLARK of Florida. I absolutely decline to yield at this time.

Mr. MADDEN. All right.

Mr. CLARK of Florida. Now, Mr. Chairman, the importance of this matter was set forth in the letter which I shall ask to have put in later; but I want to call attention to one or two extracts from the Assistant Secretary of the Treasury. When we called upon him to know something of the urgency of this matter, he said this:

It is noted that you request information as to the necessity for the early passage of this bill, and you are advised that the facilities furnished by the various marine hospitals for the accommodation of beneficiaries of the Government entitled to treatment therein are very nearly exhausted and very few empty beds are now available for these patients.

The number of men already discharged from the Army for tuberculosis alone is over 14,000, and the necessity for additional hospital accommodations is therefore evident.

Mr. CANNON. What is the date of that letter?

Mr. CLARK of Florida. September 24, nearly two months and a half ago, and they have been increasing all the time.

Now, I want to appeal to gentlemen on the other side to drop this petty political play. The boys are suffering for lack of hospital accommodations, and I am appealing to you as Representatives upon the floor of the American Congress to play no politics in so sacred a matter as this. Let us pass the bill.

Another bill is coming. If you succeed in striking out Dawson Springs, and if a bill is passed appropriating a few million dollars to build hospitals, as is contemplated, I want to tell you that the department intends, if they get the power, to put this hospital at Dawson Springs; and you will accomplish nothing if you do succeed in striking it out of this particular bill, because if we carry out our policy to appropriate money to build hospitals over the country, as is intended to be done, one of these hospitals, if the medical authorities have anything to do with their location, will be at Dawson Springs, Ky. There is not any question about it; and I beg gentlemen to vote down this amendment and let this bill be passed as it has been reported by the committee.

Mr. LAZARO. Mr. Chairman, I move to strike out the last word.

Mr. GRAHAM of Illinois. Mr. Chairman——

Mr. LAZARO. I have the floor, I think, Mr. Chairman.

The CHAIRMAN. The Chair has recognized the gentleman from Louisiana.

Mr. LAZARO. Mr. Chairman, I shall vote for this bill.

The purpose of this bill is to provide for the establishment of a sanatorium for the treatment of persons discharged from the military and naval forces of the United States, and for other purposes.

Now that the war is over, it is nothing but right that we should bring these boys who have rendered such valuable service to our country back home as soon as possible and take the best care of them until they have had time to readjust themselves to their surroundings. It is certainly our duty to see that those who have contracted disease in the service shall receive the very best medical attention that the country can afford.

We know that the place in which tuberculosis cases can be taken care of in an intelligent way is in a sanatorium. A sanatorium would not only offer a chance of recovery to these victims, but would naturally furnish a place for the observation and study of this dreadful malady, and thereby save thousands of lives annually. It would also be an institution for the education of the people. The knowledge there obtained by the patients would not only be a benefit to themselves and their families, but to all the people.

It is unnecessary for me to take much of your time in picturing the fearful havoc wrought by tuberculosis. The story has been told often before, and to many of us has a personal bearing. It is a satisfaction to know that after many years of indifference the general public is awakening to the right conception of disease and of the great economic importance of intelligent and systematic measures to control it. It is only in the last few years that the methods of transmission have been well understood. Experience proves that upon popular education we must ultimately rely for the prevention and cure of tuberculosis in this country. Of course, the people can be educated to a certain extent by teachers, publications, and exhibitions; but here, as elsewhere, a pound of practice is worth a ton of theory, and it is in the sanatorium only that the theory is applied in practice.

We are confronted with the plain fact that consumption exists in every city and State in America, and in every country and clime, and that it is no respecter of persons, race, age, or class—that none can claim to be immune. It is a merciless destroyer and may invade any home.

When we recall the fact that millions of dollars are appropriated annually for the health of plants and cattle, and very little in proportion for the conservation of human life, we should pause and think. It is only by prevention that consumption can be controlled, and mainly by hygienic measures that it can be cured. We are spending money freely to bring strangers among us; let us spend a little to save our own people.

The private sanatoria now in operation are doing splendid work, but they are costly and the poor can not enter them. Therefore I hope the day will come when all of our poor consumptives will be offered a place where they can be treated intelligently and cured.

Climate is not an essential or even the most important factor in its treatment. Dr. Norman Bridge, an expert of wide experience and observation, once said that he would rather have a patient under proper conditions in a sanatorium in an eastern city than to send him to some better climate to shift for himself.

Fresh air, rest, and nourishing food in abundance are necessary, and the patient must be faithful and regular in all his habits. We all know that it is practically impossible for him to be so outside of a sanatorium. The fight to cure consumption is a long one in which the carelessness of one day may undo all the benefits of care of the preceding 30 days. When you tell a man to do a thing, you are just half done; the next thing is to see that he does it. We must have competent medical supervision, men of force and intelligence, selected not on account of pull, but strictly on merit.

In conclusion, Mr. Chairman, I wish to repeat that I shall vote for this bill. I think it could be improved upon if we had the time. For instance, my idea is that the location of a sanatorium of this character could be left to a commission composed of experts on tuberculosis to study and report on the construction, cost, equipment, maintenance, and location of a sanatorium before the money is spent. I do not think it is exactly right to locate the sanatorium in the bill carrying the appropriation merely because some community in a Member's district offers to donate the ground. Our Government is not a pauper, and should establish a sanatorium of this kind on the very best ground that can be selected by experts, even if we have to buy this ground. Being that we are pressed for time and that something must be done for these tubercular patients right away, and being that this bill is a step in the right direction, I hope that it will be passed. [Applause.]

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. KNUTSON and Mr. WALSH rose.

The CHAIRMAN. The Chair will recognize the gentleman from Minnesota [Mr. KNUTSON].

Mr. CLARK of Florida. Mr. Chairman, I would like to find out if we can not get some agreement as to time. Of course, under the rule I understand there is one five minutes allotted to a side, but I do not want to be at all unfair. I want to see if we can not reach some agreement for debate on this amendment.

The CHAIRMAN. The gentleman proposes a time agreement in the discussion of this substitute?

Mr. CLARK of Florida. On this amendment.

Mr. CANNON. This is the amendment of the gentleman from Minnesota [Mr. STEENERSON]?

Mr. CLARK of Florida. Yes, sir.

Mr. CANNON. Very well.

Mr. CLARK of Florida. How much time would the gentleman like to be heard on it?

Mr. CANNON. I will be entirely frank with the gentleman. I would like to have 15 minutes, but not all upon this amendment.

Mr. CLARK of Florida. I would like to make some agreement by which we can dispose of the bill.

Mr. REAVIS. Mr. Chairman, will the gentleman from Florida yield to me for a moment?

Mr. CLARK of Florida. Yes.

Mr. REAVIS. The suggestion I intended to make to the gentleman from Florida is that there is a prospective amendment to strike out the enacting clause of the bill. If liberal debate could be had on that amendment, it would probably shut off a good deal of debate on other amendments that would probably be offered. Would the gentleman agree to an hour to a side on the motion to strike out the enacting clause?

Mr. CLARK of Florida. I would with the understanding that no other amendments will be offered and the vote be taken finally on the bill.

Mr. CANNON. Oh, no.

Mr. CLARK of Florida. I am going to invoke the rule as strongly as I can if we can not get an agreement.

Mr. MONDELL. I have an amendment that I want to offer, but which would be precluded if the amendment is made to strike out the enacting clause.

The CHAIRMAN. In the absence of an agreement, the Chair will recognize the gentleman from Minnesota [Mr. KNUTSON].

Mr. KNUTSON. Mr. Chairman, in my opinion there is no necessity for this legislation. I called up the Surgeon General's Office a few minutes ago and was informed that there are to-day in this country 3,410 tubercular soldiers in Government hospitals. There are not to exceed 300 who are not receiving treatment in Government hospitals. The number of tubercular soldiers abroad is estimated at not above 5,000. The Surgeon General's Office proposes to take over Camp Pike, Ark., and turn that into a base hospital for the treatment of tubercular soldier patients. There is nothing to show that the Surgeon General's Office is in favor of this measure, and I desire to call attention to the fact that there are two tuberculosis sanatoriums within 250 miles of the place where it is proposed to locate this sanatorium, namely, Asheville, N. C.

It looks to me as though some one is trying to take home a piece of "pork." This is no time to squander the people's money. We ought to start retrenching at once. We expended, as has been said on the floor of this House, over $50,000,000,000, or, in other words, $50 for every minute since the time of Christ, in the war through which we have just passed, and it is now time that we should pare to the bone.

I contend that the location proposed is not a good one. The altitude is only 000 feet above sea level. It is admitted by the friends of the bill that the sunshine there throughout the entire year is only 70 per cent. Why not locate this sanatorium, if one is needed—and I will not concede that one is needed, because the Surgeon General's Office does not—at a point where the altitude is 5,000 or 6,000 feet, and where they have 90 or 100 per cent of sunshine, and where the afflicted soldiers may live in tents? At this place you must erect expensive barracks. At Fort Bayard, N. Mex., they are treating a good many tubercular soldiers at the present time, and many of them live in tents. Under the plan proposed by the gentleman from Kentucky [Mr. KINCHELOE] it will cost $5,000 per bed——

A MEMBER. Three thousand dollars——

Mr. KNUTSON. To take care of tubercular soldiers. If you care for the soldiers in tents, you can do so for about $50 or $75 per bed. Now, we have no right to squander the public money in this way.

Mr. KINCHELOE. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. Yes.

Mr. KINCHELOE. Where do you get that information about its costing $5,000 per bed?

Mr. CANNON. I understand it is $3,000.

Mr. KNUTSON. It is $3,000 per bed. Does the gentleman mean to tell this House that it is going to cost $3,000 per bed to take care of tubercular soldiers where they live in tents?

Mr. KINCHELOE. Are you opposed to spending the money, if necessary?

Mr. KNUTSON. No; but I am opposed to throwing it away. I am in favor of cutting out the "pork."

Mr. KINCHELOE. Then your opinion is not in harmony with the medical opinion of Gen. Blue and Dr. Banks.

Mr. KNUTSON. Oh, I have reason to fear that some of these experts were probably appointed for their political affiliations and not on account of their knowledge or experience.

Mr. KINCHELOE. I will say to the gentleman that he is a good Republican.

Mr. KNUTSON. Oh, he may be one of those "Progressive" Republicans who vote for Wilson every time he runs. [Laughter.]

Mr. KINCHELOE. The Progressive Republicans were greatly in the majority in 1912.

Mr. KNUTSON. Does the gentleman contend that there is need for three tuberculosis sanatoriums within a distance of 250 miles?

Mr. KINCHELOE. Is the gentleman asking that question of me?

Mr. KNUTSON. Yes; I am.

Mr. KINCHELOE. The hearings and the testimony show that there are no available hospitals in any part of that country for discharged soldiers of the Army or men of the Navy.

Mr. KNUTSON. Very well. If the gentleman will introduce a bill to amend the law so that we can take care of tubercular soldiers at Asheville, N. C., and in other Government sanatoriums, I will gladly support it.

Mr. CLARK of Florida. Mr. Chairman, I make the point of order that debate on this amendment is exhausted.

Mr. JONES of Texas. Mr. Chairman, I have an amendment by way of a substitute.

The CHAIRMAN. The gentleman from Florida makes the point of order that debate on this amendment is exhausted.

Mr. WALSH. I move to strike out the last two words.

Mr. CLARK of Florida. There have been 20 minutes of debate on this amendment.

The CHAIRMAN. The gentleman has a right to move to strike out the last two words.

Mr. CLARK of Florida. Yes, Mr. Chairman; but I should like to have a ruling on my point of order.

The CHAIRMAN. The gentleman's point is correct, but amendments are in order.

Mr. WALSH. Mr. Chairman, I want to direct the attention of the committee to the statement of the chairman of the Committee on Public Buildings and Grounds [Mr. CLARK of Florida] a few moments ago to the effect that Dr. Banks said that this was the best location in the United States——

Mr. CLARK of Florida. Mr. Chairman, I make the point of order that the gentleman from Massachusetts is not discussing his amendment.

Mr. WALSH. Mr. Chairman, if the gentleman will permit me to complete at least one sentence, he will perhaps see the connection between my motion to strike out the last two words and the pending amendment.

Mr. CLARK of Florida. I will, if the gentleman will discuss his amendment.

Mr. DOWELL. Mr. Chairman——

Mr. CLARK of Florida. I want the Chair to rule on the point of order.

The CHAIRMAN. The gentleman from Massachusetts will proceed to discuss his amendment.

Mr. DOWELL. Mr. Chairman, a parliamentary inquiry.

Mr. WALSH. I decline to yield.

The CHAIRMAN. The gentleman from Massachusetts declines to yield, and he can not be taken off his feet.

Mr. WALSH. I call attention to the fact that the gentleman from Florida [Mr. CLARK] stated that Dr. Banks said this was the best location in the United States. What was actually said was as follows:

Dr. BANKS. I consider it a first-class proposition.

Mr. CANTRILL. You consider it a strictly first-class proposition, and the best one that has been presented to your department?

Dr. BANKS. Well, I will not say the best one, because I have only investigated two or three others. We have had other offers from California and northern New York and one from Minnesota.

Mr. CLARK of Florida. Mr. Chairman, I make the point of order that the gentleman is not discussing his amendment.

The CHAIRMAN. The gentleman from Massachusetts will suspend. The gentleman from Florida makes the point of order that the gentleman is not discussing his amendment.

Mr. DOWELL. Mr. Chairman——

The CHAIRMAN. If the gentleman from Iowa will permit the Chair——

Mr. DOWELL. A parliamentary inquiry.

The CHAIRMAN. The gentleman can not make a parliamentary inquiry now. The gentleman from Massachusetts has moved to strike out the last two words. Of course, under the rule he must speak to his amendment.

Mr. DOWELL. Mr. Chairman, I desire to make an inquiry on that one question.

The CHAIRMAN. The gentleman can not make a parliamentary inquiry now.

Mr. WALSH. Mr. Chairman, I move to strike out the section.

Mr. CLARK of Florida. I make the point of order that that motion is not in order when an amendment is pending to perfect the section.

The CHAIRMAN. There is an amendment already pending.

Mr. WALSH. I offer a substitute to the amendment pending, to strike out the words "Dawson Springs" and insert in place thereof the words "Colorado Springs."

The CHAIRMAN. The Chair begs to state that there is a substitute pending.

Mr. CANNON. It is amendable in one degree.

Mr. WALSH. May I ask what the substitute is?

The CHAIRMAN. The amendment of the gentleman from Minnesota [Mr. STEENERSON].

Mr. WALSH. May I ask what that is a substitute to?

The CHAIRMAN. A substitute for the amendment offered to the amendment of the gentleman from Iowa.

Mr. WALSH. What is the substitute of the gentleman from Minnesota?

The CHAIRMAN. The substitute of the gentleman from Minnesota is to strike out "Dawson Springs" and to provide for the acquiring of land in Minnesota.

Mr. WALSH. May I ask the Chair to advise me what are the last two words in the substitute of the gentleman from Minnesota?

The CHAIRMAN. The last two words are "set aside."

Mr. WALSH. Mr. Chairman, if we are going to take land out in Minnesota I see no reason why it should be set aside. Neither do I think if we should set that aside, or if we should decide not to set it aside, that the land in Dawson Springs is the best site in the country for this particular purpose. I am wondering if the interest of the gentlemen in Dawson Springs who wish to have this sanatorium established there is at all dependent upon the fact that last summer a hotel in or near Dawson Springs, Ky., was burned and partially or completely destroyed. And I am wondering if the setting aside of this tract in Minnesota in place of this site in Dawson Springs, Ky., is at all connected up with the fact that it is rumored that a New York syndicate has been formed for the purpose of establishing at Dawson Springs, Ky., and setting aside and locating there a certain proportion of that land as a site for a hotel where their friends and stockholders and their neighbors and those whom they can induce may be persuaded to visit that hotel and spend some of their money, and if this site at Dawson Springs is set aside for a Government sanatorium they could advertise that fact to the country.

Mr. KINCHELOE. Will the gentleman yield?

Mr. WALSH. Certainly.

Mr. KINCHELOE. I know the gentleman does not want to make any misstatement.

Mr. WALSH. I certainly do not.

Mr. KINCHELOE. I will say to the gentleman that there has been no hotel at Dawson Springs burned. There is a corporation there that is undertaking to build a fine hotel, but it has nothing on earth to do with this proposition. No corporation has any option on this land to be devoted to Government purposes. Those who propose to give the land are not incorporated. They are doing it individually and separately, and those who own stock in this hotel have no more to do with it than the gentleman from Massachusetts.

Mr. WALSH. It will be noticed from the phraseology of the bill that Dawson Springs is "some springs." It wanders about the great Blue Grass State of Kentucky, and apparently is adjacent or appurtenant to three counties in that State, namely, Hopkins County, Caldwell County, and Christian County. I am advised that not in the immediate vicinity of Dawson Springs, perhaps, but somewhere in that neighborhood, a hotel was destroyed partly or completely by fire last summer, or within the past 18 months, and that a New York syndicate is to replace that hotel, or rebuild it, or to construct another one to take the place of the one that has been destroyed, within hailing distance of where this sanatorium is to be established. Therefore I think the words "set aside" ought to be taken out of the substitute and we ought to set aside the Dawson Springs site.

Mr. JONES. Mr. Chairman, I offer the following amendment to the substitute.

The CHAIRMAN. Does the gentleman from Massachusetts withdraw his pro forma amendment?

Mr. WALSH. Yes, Mr. Chairman; I am willing that my pro forma amendment shall be set aside. [Laughter.]

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Texas [Mr. JONES].

The Clerk read as follows:

Page 1, line 5, after the word "of," strike out the remaining portion of line 5, all of lines 6, 7, 8, and all of line 9 down to and including the word "Kentucky," and insert in lieu thereof the words "Amarillo, Potter County, Tex., or in Randall County, Tex."

[Applause.]

Mr. CLARK of Florida. Oh, yes; you gentlemen are in favor of anything that will beat this bill. Mr. Chairman, I make the point of order against the amendment on the ground that there is an amendment as a substitute now pending and on the further ground that it is not germane to the bill.

The CHAIRMAN. The Chair thinks that the amendment is in order.

Mr. POWERS. Mr. Chairman, I make the point of order that two amendments are already pending—the Dowell amendment and the Steenerson substitute.

The CHAIRMAN. The Chair begs to state to the gentleman from Kentucky that under the rules of the House there can be an amendment and a substitute with an amendment to the amendment and amendment to the substitute pending at one time. So the gentleman from Texas offers this amendment to the substitute.

Mr. POWERS. A further parliamentary inquiry. This amendment by way of substitute is merely an amendment, and you can not have more than two amendments pending at the same time.

The CHAIRMAN. The rules provide that you can have an amendment and a substitute to the amendment and then there can be an amendment to the original amendment and an amendment to the substitute all pending at one time. The gentleman from Texas will proceed.

Mr. JONES. Mr. Chairman, there has been so much eloquence wasted on the bill that I do not propose to make a long speech, but simply to state a few facts that ought to be considered. I have read thoroughly the report on the bill, and if I gather the import and purpose of the measure, it is to take care of those who have been injured in the military and naval service of the United States. The sole question should be the securing of the best possible location. [Applause.] The northwestern part of Texas is an elevated table-land 3,640 feet high. Here the amendment proposes to locate this institution. There are many tubercular patients and people afflicted with all manner of physical ailments who go to west Texas every year, regardless of hospital locations. The State of Texas has recently located a tuberculosis hospital in western Texas and in the same character and class of country where I am seeking to have this general sanatorium located. Here hundreds are treated every year. The climate is ideal. It is a land of almost cloudless skies, and is a natural climate for the treatment of injuries and diseases covered by this bill. Amarillo is within 200 miles of the geographical center of the United States. It has three trunk lines of railway and the finest water you can find anywhere in the world. Good health is catching instead of disease. In fact, Potter County, Tex., is the only county with 20,000 people in the United States that has no cemetery. [Laughter and applause.]

Mr. STEVENSON. Do the inhabitants decline to be buried there or do they go away before they die [Laughter.]

Mr. JONES. But very few die, and we take those into an adjoining county.

Mr. BURNETT. Does anybody live there?

Mr. JONES. There are 20,000 people living there according to the census. It is a good town, centrally located. No finer climate can be found anywhere in the country from the standpoint of health. I think the Lord must have created the rest of the world and then created the Panhandle of Texas; and Amarillo is its metropolis.

Mr. JOHNSON of Washington. Are the people of that locality willing to contribute the land for this institution?

Mr. JONES. Yes; I can assure the House that if you will locate the institution there we can secure a gift of anywhere from 1 to 3,000 acres.

Mr. KNUTSON. What is the altitude of that place?

Mr. JONES. From 3,000 to 4,000 feet. The particular place has an elevation of 3,600 feet.

Mr. KNUTSON. That is high enough. [Laughter.]

Mr. JONES. It is table-land, with a magnificent canyon running right along through it. For some years there has been a bill pending to make a national park out of this canyon. I will assure Congress that I can secure by telegraphic communication before the sun goes down an offer of 1,000 acres or more as a gift to the United States for the location of this institution. [Applause.]

Therefore I submit to you, if you are going to locate a hospital for the treatment of the wounded soldiers and sailors of the United States it should be located at the best place for the treatment of these diseases that you intend to treat. The right of the soldier is a paramount issue and should be the paramount purpose. I submit that inasmuch as the State of Texas has seen fit to locate a great institution of this character in that section of the country, and inasmuch as at the particular place where we offer to locate the institution there are hundreds and hundreds of patients from all over the country who go even though there is no hospital, and some of them live in tents and sleep on cots, that it is a better place to locate this institution than the other places proposed, and that this institution should not be located or operated from the standpoint of anything except the interests of those who have been fighting the Nation's battles.

Mr. REAVIS. Will the gentleman yield?

Mr. JONES. Yes.

Mr. REAVIS. What is the average temperature there in winter?

Mr. JONES. I do not know that I can give the gentleman that information, but the Weather Bureau can give it to you. It is not exceedingly cold; it is an elevated table-land and has sunshine nearly all winter. The temperature is perhaps colder than other sections of Texas.

Mr. REAVIS. Does it get so cold that the patients would not be able to sleep in tents?

Mr. JONES. No; if you were in Amarillo to-day, I could show you numbers of tents occupied by tubercular patients who sleep there all the winter on cots. It is an ideal location for the treatment of this kind of patients, and in the hospital which the State of Texas has located less than 200 miles from Amarillo, in the same character of country, there are many patients who sleep in screened porches or in tents during the winter. This is not a party question; it is a unanimous report of the committee, both Democratic and Republican. There should be a hospital, and it should be properly located. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CLARK of Florida. Mr. Chairman—— [Cries of "Vote!"] Just hold your horses and be patient; you may not vote before midnight. Mr. Chairman, no medical authority, so far as this House knows, has investigated this place in Texas. We have the statement of the gentleman who represents that district that it is a good place for a tuberculosis hospital. I am not advised that the gentleman is a physician or a surgeon and not advised that he is a specialist in tubercular matters, not advised that he knows any more about it than I do or any other average Member of this House.

Mr. JONES. Will the gentleman yield?

Mr. CLARK of Florida. No; I will not yield now.

The CHAIRMAN. The gentleman declines to yield.

Mr. CLARK of Florida. Mr. Chairman, so far as this place in Kentucky is concerned, the Public Health Service, I want to state again, and the Medical Department of the Bureau of War-Risk Insurance have examined places in Minnesota, in California, in the State of New York, and they have selected this as the place where this hospital ought to be located. Now, unless Congress can rely upon the testimony of men of that character in settling these questions, which are technical or professional in their nature, I can not understand what kind of testimony we would act upon. I have brought this in——

Mr. JONES. Will the gentleman yield?

Mr. CLARK of Florida. No.

Mr. JONES. Will the gentleman take the word of the State medical officer, of the State medical association, if I show him the letter?

Mr. CLARK of Florida. The gentleman did not say anything about that, and I would rather take the testimony of the Public Health Service of the United States—yes; I will take that. I want to say, Mr. Chairman, I brought this bill in here in the utmost of good faith, backed by the unanimous committee, Republicans and Democrats, backed by the unanimous vote of that committee to get a rule to consider it, so urgent was it deemed by the committee, and when these boys are suffering for this treatment we are met by a jocular treatment of it. It almost reminds me of the time when they say "Nero fiddled while Rome burned." The soldiers of this country are suffering, and men upon the floor of the American Congress laugh when it is proposed in real seriousness to provide something in order that they may be taken care of. Mr. Chairman, I demand a vote on the amendment offered by the gentleman from Texas.

The CHAIRMAN. The question is on the amendment offered to the substitute.

Mr. GARRETT of Tennessee. Mr. Chairman, has debate been exhausted? I would like to debate it if debate has not been exhausted. [Cries of "Vote!"]

The CHAIRMAN. Debate is exhausted.

Mr. GARRETT of Tennessee. I will take my time under the rule. [Cries of "Vote!"]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The question was taken, and the Chair announced the ayes seemed to have it.

On a division (demanded by Mr. CLARK of Florida and Mr. BURNETT) there were—ayes 75, noes 64.

Mr. CLARK of Florida. Tellers, Mr. Chairman.

Tellers were ordered.

The committee again divided, and the tellers (Mr. CLARK of Florida and Mr. JONES) reported that there were—ayes 80, noes 71.

So the amendment to the substitute was agreed to.

Mr. GARRETT of Tennessee. Mr. Chairman, is the amendment carried?

The CHAIRMAN. The amendment is carried.

Mr. GARRETT of Tennessee. Mr. Chairman, I ask unanimous consent to address the committee for five minutes.

Mr. MONDELL. Mr. Chairman, I have an amendment——

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to address the committee for five minutes. Is there objection?

Mr. WALSH. What about?

Mr. GILLETT. On what subject?

Mr. GARRETT of Tennessee. On the bill.

Mr. MONDELL. Mr. Chairman, I should like to have my amendment submitted and read for the information of the committee and then I have no objection——

The CHAIRMAN. After this request is granted.

Mr. WALSH. Mr. Chairman, reserving the right to object, I should like to ask the gentleman from Tennessee upon what topic he wants to address the committee.

Mr. GARRETT of Tennessee. Upon the bill.

Mr. GOOD. Mr. Chairman, reserving the right to object——

Mr. GARRETT of Tennessee. Mr. Chairman, I withdraw the request.

Mr. CANNON. Mr. Chairman, I hope the gentleman will not object. The gentleman wants to talk on the bill.

Mr. GARRETT of Tennessee. Mr. Chairman, I withdraw the request.

The CHAIRMAN. The question now recurs upon the substitute as amended.

The question was taken, and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. MANN) there were—ayes 75, noes 78.

Mr. MANN. Mr. Chairman, I ask for tellers.

Tellers were ordered.

The committee again divided; and the tellers (Mr. STEENERSON and Mr. CLARK of Florida) reported there were—ayes 91, noes 84.

So the substitute as amended was adopted.

The CHAIRMAN. The question now recurs upon the amendment of the gentleman from Iowa as amended by the substitute.

Mr. ROBBINS. Mr. Chairman, may we have that stated again?

The CHAIRMAN. Without objection——

Mr. BARKLEY. Mr. Chairman, I object.

Mr. ROBBINS. All right.

The question was taken, and the Chair announced the ayes seemed to have it.

Mr. CLARK of Florida. Mr. Chairman, I demand a division.

Mr. MANN. Mr. Chairman, I ask for tellers.

Tellers were ordered.

The committee again divided; and the tellers (Mr. DOWELL and Mr. CLARK of Florida) reported that there were—ayes 95, noes 91.

So the amendment as amended was adopted.

Mr. CANNON. Mr. Chairman, I desire to make a motion to strike out all of this paragraph after the enacting clause. I

do not desire to move to strike out the enacting clause, but all of the paragraph after the enacting clause.

Mr. MONDELL. Mr. Chairman——

The CHAIRMAN. Let the motion be stated from the Clerk's desk.

The Clerk read as follows:

Mr. CANNON moves to strike out, beginning on line 3, page 1, the remainder of the paragraph, down to and including line 15, on page 2.

Mr. MONDELL. Mr. Chairman, will the gentleman from Illinois yield for the purpose of offering an amendment, for the information of the House, as a substitute to be considered after his amendment has been discussed? I desire to have it pending.

Mr. CANNON. I have no objection, provided I do not lose the floor.

The CHAIRMAN. It is a matter for unanimous consent.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent to do so.

Mr. CLARK of Florida. I object, Mr. Chairman.

Mr. CANNON. Now, Mr. Chairman, I have not taken any of the time of the committee on this bill. I have had no opportunity, nor has there been opportunity, to address the committee upon the necessity for this legislation at this time, except as it has been presented by those who are friendly to the bill. And I will be glad, and I hope, although perhaps I am vain, that I may have 20 minutes of time now to talk about the necessity for this legislation, giving facts, which are official, and with no captious desire to take up time unnecessarily.

Mr. CLARK of Florida. Mr. Chairman——

The CHAIRMAN. Will the gentleman yield?

Mr. CANNON. Certainly.

Mr. CLARK of Florida. I do not want to object to the gentleman from Illinois, certainly, but, Mr. Chairman, everybody has seen how this bill has been managed, the fight that has been made upon it, and the time that has been killed upon it. Now, if we can reach some agreement and vote on striking out the enacting clause, or something that will test the House as to the bill itself, I am perfectly willing to agree, so far as I am concerned, to reasonable time on both sides to discuss it. But I do not think I would be justified, in view of everything here, in consenting to individual gentlemen spending the time—10, 15, or 20 minutes. We would never get through. Now, if we can reach some such agreement as that, I would be very glad to enter into it. I would be very glad if the gentleman from Illinois [Mr. CANNON] could have the time.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois [Mr. CANNON]?

Mr. CLARK of Florida. Reserving the right to object, Mr. Chairman——

Mr. MANN. Mr. Chairman, it is quarter to 4 o'clock. The announcement last night was that the House might adjourn until Saturday. I apprehend that no one has made definite arrangements about to-morrow. It seems to me it might be more convenient to the membership of the House not to run too long to-night and to continue with the bill to-morrow. There is nothing else that is urging that I know of that would come up to-morrow.

Mr. BURNETT. Mr. Chairman, the leader is not in, but my recollection is to-day that he told me that some gentlemen on both sides had gone under the impression that there would be no session to-morrow. I do not speak that authoritatively, but that is my recollection.

Mr. MANN. If they have gone, they are away now. So far as I am concerned, I am willing to vote on the bill or amendments or any of them at any time. I would be glad to have my colleague heard. Several gentlemen have been waiting to be heard, and my friend from Iowa knows that nearly always at the beginning of the session of Congress we waste a good deal of time on a bill like this with little parliamentary propositions.

Mr. CLARK of Florida. If the gentleman will permit me, I want to say that I am just as anxious as he can be to give the distinguished gentleman from Illinois all the time he wants.

Mr. MANN. I understand, and I think that is the sentiment of every Member in the House.

Mr. CLARK of Florida. But I do not want to do it if this performance is to continue.

Mr. MANN. I will say to the gentleman from Florida that probably there will be a motion offered very soon, by way of amendment, to strike out the enacting clause.

Mr. CLARK of Florida. Why could we not have that now and agree upon the time to debate it and close the matter up one way or the other?

Mr. BURNETT. May I ask if that is not the effect of the motion of the gentleman from Illinois [Mr. CANNON]?

Mr. SAUNDERS of Virginia. As I understand it, there would be nothing left if his motion was agreed to.

Mr. MANN. If other Members are agreeable, I am perfectly willing, if my colleague will yield for that purpose, to have my other colleague [Mr. GRAHAM] make the motion of which he gave notice, to strike out the enacting clause and agree to debate.

Mr. MONDELL. Mr. Chairman, I have a substantive proposition which will provide and care for the men that have been discharged from the military service of the United States in hospitals that we now have. And I desire before the debate closes to have an opportunity to present that amendment and to debate it, not to exceed five minutes.

Mr. GRAHAM of Illinois. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Illinois [Mr. CANNON] yield?

Mr. CANNON. I do. I hope it is not to be taken out of my time.

The CHAIRMAN. This is all by unanimous consent.

Mr. GRAHAM of Illinois. Mr. Chairman, I have given notice of a motion to strike out the enacting clause, and it has been understood probably, between the chairman of the committee and the gentleman from Nebraska and myself, that some time would be allowed for debate on that matter. And I suggest, if my colleague from Illinois will yield, that I present my motion now to strike out the enacting clause, with the agreement that time be divided in some way between the gentleman from Florida [Mr. CLARK] and whoever controls it on this side, and let the gentleman from Illinois [Mr. CANNON] and the gentleman from Wyoming [Mr. MONDELL] have all the time they desire. I myself would like a little time on the motion.

Mr. CLARK of Florida. I am perfectly willing to do that if we can get rid of everything else and settle the question as to whether we are going to have the legislation or not.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield for a suggestion?

Mr. GRAHAM of Illinois. Yes.

Mr. BANKHEAD. Why does not the gentleman offer an amendment to the amendment of the gentleman from Illinois [Mr. CANNON] to strike out the enacting clause?

Mr. GRAHAM of Illinois. No; it is to——

Mr. MANN. That would not be in order.

The CHAIRMAN. This can be offered to the amendment that is pending.

Mr. CANNON. I am perfectly willing.

Mr. CLARK of Florida. I would like to make a unanimous-consent request, if it is agreeable to the gentleman from Illinois.

Mr. CANNON. Precisely; by unanimous consent.

Mr. CLARK of Florida. It is that the colleague of the gentleman from Illinois [Mr. GRAHAM] be allowed to offer the amendment to strike out the enacting clause and that there be two hours of debate upon that proposition, one hour to be controlled on this side and one hour on that side, and then no other amendment be offered and a vote be taken.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that the gentleman from Illinois [Mr. GRAHAM] be permitted to offer his amendment to strike out the enacting clause and that there shall be two hours' debate on the proposition, one hour to be controlled by the gentleman from Florida and one hour by the gentleman in opposition, Mr SMITH of Michigan, if he is present——

Mr. CANNON. One hour on a side——

The CHAIRMAN. And at the expiration of that time the vote be taken. Is there objection?

Mr. MADDEN. Reserving the right to object, Mr. Chairman, I would suggest it be an hour and a quarter.

Mr. CANNON. Two hours is the proposition.

Mr. MADDEN. That would keep us here until 6 o'clock and after.

Mr. CLARK of Florida. I have in mind a statement made by the minority leader from Illinois [Mr. MANN], and I thought that possibly he and the majority leader [Mr. KITCHIN] could reach some conclusion about to-morrow.

Mr. MADDEN. Very well; if you are not going to dispose of this matter to-night, I object.

Mr. KITCHIN. Would there be objection to an hour to a side on the motion of the gentleman from Illinois [Mr. GRAHAM] to strike out the enacting clause?

Mr. CANNON. I would like 20 minutes.

Mr. KITCHIN. After the gentleman from Illinois has completed, an hour to a side.

Mr. GRAHAM of Illinois. No; I do not think so. I think the proposition of the gentleman from Florida is a proper one. There is a great demand for time over here.

The CHAIRMAN. Is there objection?

Mr. MADDEN. Reserving the right to object, Mr. Chairman, unless there is some understanding that this matter is not going to be disposed of to-night, I shall object to two hours' general debate on this motion.

Mr. CLARK of Florida. Let me make this request, then, Mr. Chairman, that we have an hour and a half of general debate, 35 minutes of it to be controlled by myself and the balance to be controlled by some gentleman on the other side, and that we do not vote until to-morrow, and that this agreement means the withholding of any other amendment.

The CHAIRMAN. The gentleman from Florida modifies his request by asking that 35 minutes be controlled by himself in the debate on the motion to strike out the enacting clause and 55 minutes, or the remainder of an hour and a half, to be controlled by the gentleman from Michigan [Mr. SMITH], if he is present, or some one opposed to the bill, and that the vote to strike out the enacting clause be taken to-morrow. Is there objection?

Mr. MADDEN. That is an hour and a half?

The CHAIRMAN. Yes.

Mr. REAVIS. Mr. Chairman, reserving the right to object, Is this hour and a half to be taken from the time of the gentleman from Illinois [Mr. CANNON], who has been recognized?

Mr. CLARK of Florida. I understood the gentleman from Illinois would get his 20 minutes.

Mr. GARRETT of Tennessee. Well, Mr. Chairman, you can not make an agreement in the Committee of the Whole to take a vote to-morrow. That agreement can only be made in the House. I do not care to interpose any objection to it, but you can not agree in the Committee of the Whole to take a vote in the House.

Mr. GILLETT. But if the gentleman from Florida says he will not take it in the House——

Mr. MANN. A vote is to be taken in the House.

Mr. GARRETT of Tennessee. It was stated that a vote would be had before the vote on the motion to strike out the enacting clause would be taken.

Mr. MANN. No; a vote on the motion striking out the enacting clause.

Mr. MONDELL. Mr. Chairman, reserving the right to object, from the beginning of the debate I have been intending to offer a substantive amendment which would make provision for the men discharged from the military forces of the United States needing hospital care. I have not had an opportunity to present that amendment. I shall not agree to any unanimous-consent arrangement that will cut me off from the opportunity of offering that amendment. I shall object.

The CHAIRMAN. The gentleman from Wyoming objects unless he can get opportunity to offer his amendment.

Mr. CLARK of Florida. Mr. Chairman, I wish to couple with the request already made the further agreement that the gentleman from Wyoming be allowed to offer his amendment and that there shall be five minutes' debate on either side on it.

Mr. MANN. Then the request should be made that after the motion to strike out the enacting clause is made and pending a vote upon that, the gentleman from Wyoming be permitted to offer an amendment, and that his amendment be voted upon before the vote is taken to strike out the enacting clause. I do not think it is necessary to increase the time any.

The CHAIRMAN. Does the gentleman understand that the gentleman from Florida makes that modification?

Mr. GARRETT of Tennessee. We would not know how we should vote on the motion to strike out the enacting clause unless the gentleman's amendment is voted on first.

Mr. MANN. It could be voted on first.

Mr. HASTINGS. Mr. Chairman, I think the time should be equally divided, and therefore I object unless the time is equally divided on either side. I object, Mr. Chairman.

The CHAIRMAN. The gentleman from Oklahoma objects.

Mr. CANNON. I understand that the time is equally divided.

Mr. MANN. Just a moment, Mr. Chairman. Let us make the time an hour on each side, unless Members have other engagements for to-morrow, because even under this the vote would not be taken until to-morrow, and the few minutes used in debate to-morrow will not make any difference if we adjourn a little earlier to-night. I hope the gentleman will make his request, then, the same as it was, except that the time for debate be two hours, one hour on a side.

Mr. CLARK of Florida. I will do that.

The CHAIRMAN. The gentleman from Florida now modifies his request by making it two hours' debate on the motion to strike out the enacting clause, to be made by the gentleman from Illinois [Mr. GRAHAM].

Mr. SAUNDERS of Virginia. Reserving the right to object, Mr. Chairman, as that was stated, it seemed to omit the request of the gentleman from Wyoming.

Mr. MANN. I understand the Chair has stated just one change, increasing the time for debate. The other provisions go as stated before.

The CHAIRMAN. That is the Chair's understanding.

Mr. SAUNDERS of Virginia. And part of the request is that at the expiration of the two hours' debate on the motion to strike out the enacting clause, the gentleman from Wyoming is to be recognized to offer his amendment.

Mr. MANN. Pending the two hours' debate, and that debate on his motion be had before the vote to strike out the enacting clause.

Mr. SAUNDERS of Virginia. Why pending?

Mr. MANN. So that, as Members suggest, they have a chance to vote on a substantive proposition before voting on the motion to strike out the enacting clause. It is perfectly apparent that if the enacting clause were stricken out the gentleman could not offer his amendment.

Mr. SAUNDERS of Virginia. That is precisely what I stated, that after the debate was concluded on the motion to strike out, the gentleman from Wyoming should then be recognized to offer his amendment, after which there should be 10 minutes debate, 5 minutes on a side.

Mr. MANN. Or at any time within the two hours.

Mr. MONDELL. I desire that my amendment shall be before the House during the debate. If it is offered at the close of the debate, after Members have made up their minds, there will be no opportunity. All the time I want on my amendment is five minutes, but I desire to have it pending during the debate.

Mr. SAUNDERS of Virginia. Then the gentleman wants to have it stated as a part of the request that he shall have the right, pending the two hours' debate, to submit his amendment for information.

Mr. MONDELL. To be voted on at the close of the debate.

Mr. SAUNDERS of Virginia. To be voted on at the close of the two hours' debate, and the gentleman is to have five minutes additional——

Mr. MONDELL. I do not ask any additional time beyond the two hours.

Mr. SAUNDERS of Virginia. The gentleman's five minutes will be taken out of the two hours.

Mr. MONDELL. Yes.

Mr. SAUNDERS of Virginia. I want to get the facts straight as to the agreement.

The CHAIRMAN. Let the Chair state the request. It is that the gentleman from Illinois [Mr. GRAHAM] may offer his amendment to strike out the enacting clause. Upon that motion there shall be two hours of debate, to be equally divided between the gentleman from Florida [Mr. CLARK] and the gentleman from Michigan [Mr. SMITH], and that before the debate begins the gentleman from Wyoming [Mr. MONDELL] shall have an opportunity to offer an amendment, and that that amendment shall be voted on prior to voting on the motion to strike out the enacting clause. Is that correct?

Mr. CLARK of Florida. That is correct, and that no other amendments be offered.

The CHAIRMAN. No other amendments can be offered.

Mr. GRAHAM of Illinois. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GRAHAM of Illinois. I notice that the time on our side is to be controlled by the gentleman from Michigan [Mr. SMITH], which is entirely satisfactory to me, as far as I am concerned; but I assume that if I offer my motion now, and then yield to my colleague, I can hereafter debate my motion.

Mr. MANN. The gentleman will get time from the gentleman from Michigan [Mr. SMITH]. There will be no trouble about that.

The CHAIRMAN. The Chair has no power over that. That will be in the control of the gentleman from Michigan [Mr. SMITH]. Is there objection? The Chair hears none.

Mr. POWERS. Reserving the right to object, I have been trying all day to get in my amendment for Middlesboro or Harlan, Ky. Unless my amendment can come in under the same head as that of the gentleman from Wyoming, I shall be compelled to object.

The CHAIRMAN. What does the gentleman from Florida say to that?

Mr. CLARK of Florida. I can not include all the amendments. I am trying to get rid of them.

SEVERAL MEMBERS. Regular order!

The CHAIRMAN. Is there objection?

Mr. POWERS. I withdraw my objection.

The CHAIRMAN. The Chair hears no objection, and it is so ordered.

Mr. CANNON. As I understand it, Mr. Chairman, the agreement is as follows: That I withdraw my motion, and that my colleague [Mr. GRAHAM of Illinois] shall move to strike out the enacting clause, whereupon the committee will rise and there will be an hour on a side to-morrow, and then the gentleman from Wyoming——

Mr. MONDELL. I wish to have my amendment read to-night.

Mr. CANNON. That the amendment of the gentleman from Wyoming [Mr. MONDELL] be now read, and that then he shall have five minutes to-morrow.

Mr. MANN. The first thing is that my colleague [Mr. GRAHAM of Illinois] shall offer a motion to strike out the enacting clause.

Mr. CANNON. Yes. Unanimous consent having been given to this, I withdraw my amendment.

The CHAIRMAN. Without objection it is so ordered. Now, let the Chair state further that the understanding is that the gentleman from Wyoming [Mr. MONDELL] is to offer his amendment, and that it be pending.

Mr. CANNON. Yes.

The CHAIRMAN. The Chair simply makes this suggestion.

Mr. MANN. The first thing is the motion to strike out the enacting clause.

The CHAIRMAN. Yes; but under the unanimous-consent agreement we must also have the amendment of the gentleman from Wyoming pending. The Chair wonders if it would not be more proper for the gentleman from Wyoming to offer his amendment first.

Mr. MANN. It would not make any difference about the voting, except for the unanimous-consent agreement.

Mr. GRAHAM of Illinois. Mr. Chairman, I offer an amendment which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. GRAHAM of Illinois: Page 1, lines 1 and 2, strike out the enacting clause.

The CHAIRMAN. The Clerk will now report the amendment offered by the gentleman from Wyoming [Mr. MONDELL].

The Clerk read as follows:

Amendment offered by Mr. MONDELL: Strike out all after the enacting clause and insert the following:

The Secretary of War is hereby authorized and directed to designate such general hospitals and hospitals at camps and cantonments, now under the jurisdiction of the War Department, for the treatment of persons discharged from the military and naval forces of the United States as in his opinion can advantageously be utilized for such purposes, and are not needed for those in the military and naval forces, and the said Secretary shall within 30 days after the passage of this act report to Congress as to the character, location, and capacity of the hospitals designated by him as available for the treatment of those discharged from the military and naval forces."

Mr. CLARK of Florida. I want to reserve a point of order against that amendment on the ground that it is not germane.

Mr. SMITH of Michigan. Mr. Chairman, I yield to the gentleman from Illinois [Mr. CANNON] 20 minutes.

Mr. CLARK of Florida. Will the gentleman from Illinois yield to me for a moment?

Mr. CANNON. I will.

Mr. CLARK of Florida. Mr. Chairman, with the consent of the gentleman from Illinois, I move that the committee do now rise.

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Florida for that purpose?

Mr. CANNON. I do.

The CHAIRMAN. The gentleman from Florida moves that the committee do now rise.

The motion was agreed to.

Accordingly, the committee determined to rise, and the Speaker having resumed the chair, Mr. FOSTER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12917, and had come to no resolution thereon.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 13153. An act extending the time for the construction of a bridge across the Arkansas River, at the foot of Garrison Avenue, at Fort Smith, Ark.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 9 minutes p. m.) the House adjourned until to-morrow, Thursday, December 5, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Clerk of the House of Representatives, transmitting report for the period from July 1, 1917, to June 30, 1918, both inclusive, showing names of all clerks and other persons employed, and detailed statement of the manner in which the contingent fund of the House has been expended (H. Doc. No. 1350); to the Committee on Accounts and ordered to be printed.

2. A letter from the Clerk of the House of Representatives, transmitting list of reports to be made to Congress by public officers during the Sixty-fifth Congress (H. Doc. No. 1526); to the Committee on Accounts and ordered to be printed.

3. A letter from the Librarian of Congress, transmitting statement showing in detail what officers and employees have traveled on official business from Washington to points outside of the District of Columbia during the fiscal year 1918 (H. Doc. No. 1527); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting statement of expenditures of the Coast Guard for the fiscal year ended June 30, 1918 (H. Doc. No. 1528); to the Committee on Expenditures in the Treasury Department and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting estimates for receipts of Indian tribal funds, expenditures recommended therefrom by the Secretary of the Interior for the benefit of the Indians, and estimates of amounts required to be expended under treaty stipulations and agreements for the fiscal year ending June 30, 1920 (H. Doc. No. 1529); to the Committee on Indian Affairs and ordered to be printed.

6. A letter from the Secretary of the Treasury, transmitting a statement of the proceeds of all sales of old material, condemned stores, supplies, and other public property for the fiscal year ended June 30, 1918 (H. Doc. No. 1530); to the Committee on Appropriations and ordered to be printed.

7. A letter from the acting chairman of the Federal Board for Vocational Education, transmitting a statement showing in detail the travel from Washington to points outside of the District of Columbia performed by officers and employees during the fiscal year 1918 (H. Doc. No. 1531); to the Committee on Appropriations and ordered to be printed.

8. A letter from the Doorkeeper of the House of Representatives, transmitting an inventory of all property under his charge belonging to the United States (H. Doc. No. 1532); to the Committee on Accounts and ordered to be printed.

9. A letter from the president of the United States Civil Service Commission, transmitting a statement showing in detail what officers and employees of the commission have traveled on official business from Washington to points outside the District of Columbia during the fiscal year ended June 30, 1918 (H. Doc. No. 1533); to the Committee on Appropriations and ordered to be printed.

10. A letter from the president of the United States Civil Service Commission, transmitting a report for the first four months of the fiscal year 1919, showing the average number of employees of the commission receiving the increased compensation at the rate of $120 per annum (H. Doc. No. 1534); to the Committee on Appropriations and ordered to be printed.

11. A letter from the chairman of the National Advisory Committee for Aeronautics, transmitting a report showing number of employees of this committee who have received the increase of compensation at the rate of $120 per annum for the first four months of the fiscal year 1919 (H. Doc. No. 1535); to the Committee on Appropriations and ordered to be printed.

12. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Postmaster General, submitting supplemental estimates of appropriation required by the Postal Service and payable from postal revenues for the fiscal year 1919 (H. Doc. No. 1536); to the Committee on Appropriations and ordered to be printed.

13. A letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of State submitting an estimate of appropriation for the relief of Mr. Ross Hazeltine, consul at Fort Antonio, Jamaica (H. Doc. No. 1537); to the Committee on Claims and ordered to be printed.

14. A letter from the Secretary of the Treasury, transmitting copy of communication from the Commissioners of the District of Columbia submitting supplemental estimates of appropriation required for the service of the District of Columbia for the fiscal year 1919 (H. Doc. No. 1538); to the Committee on Appropriations and ordered to be printed.

15. A letter from the Secretary of the Treasury, transmitting information and recommendations relative to deficiency estimate of appropriation for the conservation of public health, transmitted October 29, 1918 (H. Doc. No. 1539); to the Committee on Appropriations and ordered to be printed.

16. A letter from the Secretary of the Interior, transmitting statements showing for the first four months of the current fiscal year the average number of employees in the Secretary's office, the solicitor's office, and the various bureaus and offices of this department receiving increased compensation at the rate of $120 per annum (H. Doc. No. 1540); to the Committee on Appropriations and ordered to be printed.

17. A letter from the Secretary of the Interior, transmitting an itemized statement of expenditures made by this department and charged to the appropriation "Contingent expenses, Department of the Interior, 1918," for the fiscal year 1918 (H. Doc. No. 1541); to the Committee on Expenditures in the Interior Department and ordered to be printed.

18. A letter from the Secretary of the Interior, transmitting an itemized statement of expenditures made by this department and charged to the appropriation "Contingent expenses, Department of the Interior, 1918," for the fiscal year ended June 30, 1918 (H. Doc. No. 1542); to the Committee on Expenditures in the Interior Department and ordered to be printed.

19. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War, furnishing statements of moneys arising from the proceeds of public property received by the War Department during the fiscal year ended June 30, 1918 (H. Doc. No. 1543); to the Committee on Military Affairs and ordered to be printed.

20. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War, submitting supplemental estimates of appropriation for increase of salaries of officers and employees of the War Department for the fiscal year 1920 (H. Doc. No. 1544); to the Committee on Appropriations and ordered to be printed.

21. A letter from the Postmaster General, transmitting a tabular statement showing in detail the claims for postmasters for reimbursement for losses of postal, money order, and other funds and stamps, resulting from burglary, fire, or other unavoidable casualty, which have been acted on by the Postmaster General during the fiscal year ended June 30, 1918 (H. Doc. No. 1545); to the Committee on the Post Office and Post Roads and ordered to be printed.

22. A letter from the Secretary of the Treasury, transmitting annual report of the Secretary of the Treasury on the state of the finances for the fiscal year ended June 30, 1918 (H. Doc. No. 1546); to the Committee on Ways and Means and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. WINGO, from the Committee on Mines and Mining, to which was referred the bill (S. 3220) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat, to determine the practicability of their utilization as a fuel and in producing commercial products, reported the same with amendment, accompanied by a report (No. 840), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MADDEN: A bill (H. R. 13229) to reclassify the salaries of employees above the clerical grades in post offices of the first and second class; to the Committee on the Post Office and Post Roads.

By Mr. HARRISON of Mississippi: A bill (H. R. 13230) providing for the employment by the United States Government of disabled soldiers and sailors of the United States, and prescribing the preference to be extended them in filling clerical and other vacancies; to the Committee on Reform in the Civil Service.

By Mr. JONES: A bill (H. R. 13231) to provide for the retention of all uniforms issued to soldiers and sailors of the United States who have been honorably discharged, and providing also for privilege of using same for a stated period of time; to the Committee on Military Affairs.

By Mr. STEENERSON: A bill (H. R. 13232) granting the consent of Congress to Traill County, N. Dak., and to Polk County, Minn., to construct a bridge across the Red River of the North; to the Committee on Interstate and Foreign Commerce.

By Mr. GLYNN: A bill (H. R. 13233) to provide for the purchase of an additional site and the erection of an addition to the present post office thereon at Waterbury, in the State of Connecticut; to the Committee on Public Buildings and Grounds.

By Mr. CANDLER of Mississippi: A bill (H. R. 13234) providing for the local commemoration in his home county of the service rendered and sacrifice made by each soldier, sailor, marine, and aviator who lost his life while in the service of the United States during the present war; to the Committee on Appropriations.

Also, a bill (H. R. 13235) to provide for the retention of all uniforms issued to soldiers and sailors of the United States who have been honorably discharged, and providing also for privilege of using same for a stated period of time, and for one month's extra pay upon being discharged; to the Committee on Military Affairs.

By Mr. NEELY: A bill (H. R. 13236) for the relief of certain noncommissioned officers of the United States Army, who were recalled to active service during the recent war and commissioned as officers; to the Committee on Military Affairs.

By Mr. WHITE of Maine: A bill (H. R. 13237) to prohibit the transportation of illegally caught lobsters, also the importation, bringing into, or landing in the United States of any lobsters less than a certain size taken or obtained outside of territorial limits of the United States; to the Committee on the Merchant Marine and Fisheries.

By Mr. WEBB: A bill (H. R. 13238) fixing a limitation of time for bringing suits against the United States in certain cases; to the Committee on the Judiciary.

By Mr. SNYDER: A bill (H. R. 13239) for the relief of commissioned officers and noncommissioned men of the Army recommended for promotion; to the Committee on Military Affairs.

By Mr. AYRES: A bill (H. R. 13240) to give to every soldier and sailor in the Army and Navy of the United States the uniform he is wearing at time of his honorable discharge; to the Committee on Military Affairs.

By Mr. FREAR: Resolution (H. Res. 464) for the appointment of a committee to investigate the National Security League, and for other purposes; to the Committee on Rules.

By Mr. RIORDAN: Resolution (H. Res. 465) providing for the consideration of House bill 12001; to the Committee on Rules.

By Mr. SLAYDEN: Resolution (H. Res. 466) to set aside a date to receive vases given by the Republic of France to the House of Representatives; to the Committee on the Library.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 13241) granting an increase of pension to John M. Hughes; to the Committee on Invalid Pensions.

By Mr. BLANTON: A bill (H. R. 13242) granting a pension to M. S. Wyman; to the Committee on Invalid Pensions.

By Mr. CLAYPOOL: A bill (H. R. 13243) granting an increase of pension to John Reis; to the Committee on Invalid Pensions.

By Mr. DALLINGER: A bill (H. R. 13244) granting a pension to Sarah P. Carroll; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13245) granting a pension to Georgiana L. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13246) granting an increase of pension to Henry Davis; to the Committee on Invalid Pensions.

By Mr. DENT: A bill (H. R. 13247) granting a gratuity to members of the United States Army; to the Committee on Military Affairs.

By Mr. GARD: A bill (H. R. 13248) granting a pension to Gustave Stellar; to the Committee on Pensions.

Also, a bill (H. R. 13249) granting a pension to John A. Gaut; to the Committee on Pensions.

By Mr. McKINLEY: A bill (H. R. 13250) granting a pension to Isabella Gruver; to the Committee on Invalid Pensions.

By Mr. MERRITT: A bill (H. R. 13251) granting a pension to Mary E. Finch; to the Committee on Invalid Pensions.

By Mr. REAVIS: A bill (H. R. 13252) granting an increase of pension to Sarah E. Mowrey; to the Committee on Invalid Pensions.

By Mr. WALDOW: A bill (H. R. 13253) granting an increase of pension to James Hawkins; to the Committee on Invalid Pensions.

By Mr. ESSEN: Resolution (H. Res. 467) to pay E. Niedner, clerk to the late Jacob E. Meeker, a Representative in Congress, $166.66; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DALE of New York: Petition urging Smith-Bankhead bill (S. 4922 and H. R. 12880), rehabilitating through vocational training workmen disabled by industrial accidents; to the Committee on Education.

By Mr. ELSTON: Petition signed by citizens of Alameda County, Cal., that all privileges given osteopaths in House bill 5118 be extended to chiropractors; to the Committee on Military Affairs.

By Mr. GRAHAM of Illinois: Petition of Mrs. O. E. Carlstrom, Aledo, Ill., and divers other citizens of Mercer County, Ill., who are relatives or friends of men in the military service, for favorable consideration of House bill 5407 and Senate bill 4919, in order that the services of osteopathic physicians may be available to them while in the service of their country; to the Committee on Military Affairs.

By Mr. HADLEY: Memorial to Congress from Port Commission of the Port of Seattle, relative to accidents on the Alaskan coast; to the Committee on the Merchant Marine and Fisheries.

By Mr. OSBORNE: Petition of Dr. Hester L. Abbott and other friends and relatives of men in the service of the United States, requesting of the Congress favorable action respecting Senate bill 4914 and House bill 5407, in order that the services of osteopathic physicians may be available to such men; to the Committee on Military Affairs.

SENATE.

THURSDAY, *December 5, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we thank Thee that by Thy grace and leadership we have come out of a great struggle with clean hands and pure hearts. And now as we gather the fruits of a great victory and seek to adjust the relationships of men, we pray that we may be guided by the Divine Spirit, that as in all our history of the past so to-day we may build upon the sure foundations of the gospel of Thy Son the Lord and Savior, Jesus Christ. We pray to this end that Thou wilt guide us in our deliberations. Give us that unity of counsel which can only come out of the common origin and source of truth, Thy Word. May success attend our efforts to bring universal peace and brotherhood to the earth. We ask it for Christ's sake. Amen.

THOMAS W. HARDWICK, a Senator from the State of Georgia, appeared in his seat to-day.

The Journal of yesterday's proceedings was read and approved.

FOREIGN POLICY OF SPAIN.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of State, which will be read and referred to the Committee on Foreign Relations.

The communication is as follows:

DEPARTMENT OF STATE,
Washington, December 3, 1918.

Hon. THOMAS R. MARSHALL,
Vice President of the United States,
United States Senate.

SIR: I have the honor to inform you that a note has been received from the ambassador of Spain at this Capital, in which he states that when the new Spanish Government, presided over by Marquis de Alhucemas, presented itself before the Congress of Deputies the president of the council of ministers declared that the foreign policy of the Government over which it presided was steered in intimate understanding with the western powers of Europe and the United States. The ambassador also states that two incidental motions, differently worded but to the same effect, were introduced offering congratulations on the termination of hostilities and on the dawning of justice over force, the basis of liberty and fraternity among the peoples. The second of these two motions was passed with only two dissenting votes. In conclusion, the ambassador states that his Government desires the particularly unanimous sentiment of the Spanish Congress, which has given by its vote evidence of the earnest sympathy it cherishes toward the allied people and Governments, made known to the Congress of the United States.

A similar letter has been addressed to the Speaker of the House of Representatives.

I have the honor to be, sir, your obedient servant.

ROBERT LANSING.

SENATOR FROM LOUISIANA.

The VICE PRESIDENT. The Chair lays before the Senate the certificate of the governor of Louisiana certifying to the election of Hon. JOSEPH EUGENE RANSDELL as a Senator from the State of Louisiana, which will be read and placed on the file.

The credentials are as follows:

STATE OF LOUISIANA,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 5th day of November, 1918, JOSEPH EUGENE RANSDELL was duly chosen by the qualified electors of the State of Louisiana a Senator to represent said State in the Senate of the United States for a term of six years, beginning on the 4th day of March, 1919.

Witness, his excellency our governor, Ruffin G. Pleasant, and our seal hereto affixed at Baton Rouge, this 26th day of November in the year of our Lord 1918.

By the governor:

RUFFIN G. PLEASANT,
Governor.

[SEAL.]

JAMES J. BURLEY,
Secretary of State.

STATEMENT BY EX-PRESIDENT TAFT.

Mr. PITTMAN. I ask unanimous consent that the statement by former President William Howard Taft, published in the Washington Post of December 5, be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

TAFT DEFENDS WILSON'S TRIP; SAYS ADVANTAGES ARE CLEAR; CONSTITUTION CONFERS THE RIGHT—BELIEVES PRESIDENT'S PRESENCE AT PEACE CONFERENCE WILL GIVE IT A DEMOCRATIC STAMP—PROPER FOR HIM TO ASPIRE TO BE HEAD OF LEAGUE OF NATIONS—IGNORING OF SENATE DOES NOT JUSTIFY RETALIATORY ACTION, FORMER PRESIDENT THINKS.

(By William Howard Taft.)

"If one can judge from the serious doubts of the wisdom of the President's going in person to the Paris conference expressed in friendly Democratic newspapers, it is not popular. What the political effect of his trip will be it is idle to discuss so far in advance of the next presidential election. Much is to happen in the domestic field in the next two years.

"The advantages of the President's going seem clear. His presence in the conference will stamp upon it a democratic character in the eyes of all but the wild bolsheviki. This will be a real aid in allaying the unrest among the peoples of the allies. The conference between Mr. Wilson, Lloyd George, M. Clemenceau, and Sr. Orlando must be useful to the world. What is of the utmost importance is that the four great allies shall work in harmony in the great task before them. In these four men we shall have the men of real power in the four great nations.

HIS POWER LIKE PREMIER.

"King George, President Poincare, and King Victor Emmanuel are not the actual wielders of power in their respective countries as Mr. Wilson is in this. His powers are more analogous to those of the three premiers, except that he adds to his the titular headship of the American Nation as well. The personal contact of the real leaders, the intimacies of their informal conversations, and the human touch of it all should rub off angles and corners and make for sympathetic aims and harmony. Those who have projected plans for the league of nations have always insisted that the members of its executive councils should be the premiers and actual executives, in order that the council should be truly representative and have power to act.

PROPER HEAD FOR NATION'S LEAGUE.

"It has been said that Mr. Wilson aspires to be president of the league of nations. If so, it is a proper aspiration. No one could fill that place better than the President of the United States, if such a league is formed. It should attach to the office and not to the person, of course, so that when Mr. Wilson retires he should give way to his successor. The disinterestedness of this country in respect to most questions arising for the decision and action of the league would make the American President a most fitting head.

"Again, it will help President Wilson to go to the conference. He will learn much of the European situation at first hand. He will have an unusual opportunity to study the possibilities of a league of nations, its practical difficulties and their solution. There is nothing like oral intimate discussion to winnow out real differences and to remove disagreements due to misunderstanding. Of course these views are predicated on all these national leaders having open minds, a willingness to consult, and a desire to agree. If any one of them holds himself aloof from the discussion and deliberation with fixed views on every topic, he would as well stay at home.

NO CONSTITUTIONAL OBJECTION.

"There is no constitutional inhibition, express or implied, to prevent the President's going abroad to discharge a function

[illegible] given him by the Constitution. That instrument says that he shall make treaties by and with the consent of two-thirds of the Senate. It is a curious error to assume that the President himself may not attend a conference to which he can send a delegate.

"King George could hardly sit in the conference, because he has not the legal power to make treaties or to appoint a delegate. These powers are exercised by the premier, Mr. Lloyd George, who will be in person a member of the conference. It therefore comes down to the question whether the President may not in person perform a duty imposed upon him by law when it is to be performed out of the country. There is certainly no express prohibition of this sort in the Constitution, and it is difficult to see why it should be implied.

"The President is the Commander in Chief of the Army and Navy. If [illegible] in the Presidency like Frederick or Napoleon it is [illegible] the country could not avail itself of his services in a [illegible] even though that [illegible] of the United States when Congress is not in session.

[illegible]

"The President can by cable perform all his executive duties from Paris. If his duty abroad is more important than his duty here in connection with a session of Congress, Congress may well wait until his return, or, if the public exigency requires, may leave the Vice President to do these things as Acting President, which the absence of the President on foreign duty prevents his doing.

"Our constitution is great in its elastic character and in its adapting itself to the changing and varying needs of the unseen future. No other executive is forbidden to leave the country. Kings do it, premiers do it, why should we infer such a restriction when it is not expressed? Its expediency, of course, is a question for the President. Were he to abuse his discretion and [illegible] the country the people would condemn it at the polls [illegible] even become a subject for impeachment. But when [illegible] he is to perform is of such an importance as the [illegible] his decision to perform it in person the Houses of Congress may well respect.

SENATE RESENTS BEING IGNORED.

"The President's persistence in ignoring the Senate by appointing a Senator to the commission and in ignoring Congress by giving no real exposition of his present view of the peace [illegible] which was unfortunately minimized in the reception of his message on Monday last. The [illegible] of some to nag the President, however, by urging the [illegible] resolutions inviting the Vice President to act for the [illegible] with no popular favor.

"If the fact or the manner of the President's going is a mistake and it is unpopular with the American people, that may be made a legitimate ground for criticism in a political campaign. It [illegible] seek to create an embarrassment out of the [illegible] will not commend themselves as engaged in a patriotic purpose. If it be true that the President has noted [illegible] consideration to the Senate or to Congress, the people will not justify the Senate or Congress in a [illegible]. For the Republicans it is the poorest kind of [illegible] The President goes to represent the United States, and the setting up of a backfire here will not help the country or its success in the conference, and from a political standpoint it will react upon those who set it. Mr. MANN's position in [illegible] it is a wise one and all Republicans should approve it."

REPORT OF SERGEANT AT ARMS (S. DOC. NO. 312).

The VICE PRESIDENT laid before the Senate a communication from the Sergeant at Arms of the Senate, transmitting, pursuant to law, a statement showing the sale of property and the proceeds thereof which was referred to the Committee on Appropriations and ordered to be printed.

ANNUAL REPORT OF SECRETARY OF THE TREASURY.

The VICE PRESIDENT laid before the Senate the annual report of the Secretary of the Treasury on the state of the finances for the fiscal year ended June 30, 1918, which was referred to the Committee on Finance and ordered to be printed.

LIBERTY BOND ACTS (H. DOC. NO. 1474).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, statements of expenditures under the various liberty-bond acts, which, with the accompanying papers, was referred to the Committee on Finance and ordered to be printed.

INTERSTATE COMMERCE COMMISSION (H. DOC. NO. 1396).

The VICE PRESIDENT laid before the Senate a communication from the Interstate Commerce Commission, transmitting, pursuant to law, a report showing the number of persons, the grades and character of positions, the original rates of compensation, and the increased rates of compensation provided by the act of June 12, 1917, which was referred to the Committee on Appropriations and ordered to be printed.

COURT OF CUSTOMS APPEALS (H. DOC. NO. 1366).

The VICE PRESIDENT laid before the Senate a communication from the Attorney General, transmitting, pursuant to law, a statement of the expenditures of the appropriations for the United States Court of Customs Appeals for the fiscal year ended June 30, 1918, which was referred to the Committee on Appropriations and ordered to be printed.

ADDITIONAL WAR DEPARTMENT FORCE (H. DOC. NO. 1496).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, pursuant to law, a statement showing by bureaus and offices the number and designation of the persons employed under the appropriations for the temporary employment of the additional force in the War Department and the annual rate of compensation paid to each, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

VALUATION OF CARRIERS (H. DOC. NO. 1388).

The VICE PRESIDENT laid before the Senate a communication from the Interstate Commerce Commission, transmitting, pursuant to law, a statement showing the employment under appropriation for the valuation of carriers for the fiscal year ended June 30, 1918, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

CENSORSHIP EMPLOYEES (H. DOC. NO. 1473).

The VICE PRESIDENT laid before the Senate a communication from the Postmaster General, transmitting, pursuant to law, a detailed statement of censorship employees and the compensation allowed each, which, with the accompanying papers, was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

LIST OF JUDGMENTS (H. DOC. NO. 1491).

The VICE PRESIDENT laid before the Senate a communication from the chief clerk of the Court of Claims, transmitting, pursuant to law, a statement of all judgments rendered by the court for the year ended November 30, 1918, etc., which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

SUPPORT OF INDIAN SCHOOLS (H. DOC. NO. 1502).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report for the fiscal year 1918 relating to the appropriation "Indian schools, support, 1918," which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

SIOUX INDIAN FUND (H. DOC. NO. 1505).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, report of expenditures from the permanent fund of the Sioux Indians during the fiscal year 1918, which was referred to the Committee on Indian Affairs and ordered to be printed.

TONGUE RIVER RESERVATION, MONT. (H. DOC. NO. 1507).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report of expenditures made for the purpose of encouraging industry and support among the Indians on the Tongue River Reservation, Mont., during the fiscal year 1918, which was referred to the Committee on Indian Affairs and ordered to be printed.

DISEASE AMONG INDIANS (H. DOC. NO. 1521).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, stating, pursuant to law, that no expenditures were made during the fiscal year 1918 for the construction of hospitals from the appropriation "Relieving distress and prevention, etc., of disease among Indians, 1918," which was referred to the Committee on Indian Affairs and ordered to be printed.

INDIAN APPROPRIATIONS (H. DOC. NO. 1501).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, stating, pursuant to law, that no diversion of expenditures were made during the fiscal year 1918, under the act approved March 1, 1918, which was referred to the Committee on Indian Affairs and ordered to be printed.

HEIRS OF DECEASED INDIANS.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report of all moneys collected and deposited during the fiscal year 1918 under the appropriation "Determining heirs of deceased Indian allottees, 1918," which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

INDIAN HOSTILITIES (H. DOC. NO. 1522).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, stating, pursuant to law, that no act of hostility by any Indian tribe with which the United States has treaty stipulations has been committed during the fiscal year 1918, which was referred to the Committee on Indian Affairs and ordered to be printed.

INDUSTRIES AMONG THE INDIANS (H. DOC. NO. 1510).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report of the expenditures made for the purpose of encouraging industry among the Indians of the various reservations during the fiscal year 1918, which, with the accompanying papers, was referred to the Committee on Indian Affairs and ordered to be printed.

CHIPPEWA INDIAN FUNDS (H. DOC. NO. 1493).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement of expenditures from the tribal funds of the Chippewa Indians of Minnesota, which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

INDIAN SCHOOLS (H. DOC. NO. 1492).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report showing the amounts expended at each Indian school and agency from the appropriation for construction, lease, purchase, and repair and improvement of school and agency buildings, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

INDIAN IRRIGATION PROJECTS (H. DOC. NO. 1494).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement showing the cost and other data with respect to Indian irrigation projects as compiled to the end of the fiscal year 1918, which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

CARE OF TIMBER (H. DOC. NO. 1501).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement of expenditures on account of the Indian Service for the fiscal year 1918 from the appropriation commonly known as "Industrial work and care of timber," which, with the accompanying papers, was referred to the Committee on Indian Affairs and ordered to be printed.

INDIAN MONEYS (H. DOC. NO. 1509).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement of the expenditures for the fiscal year 1918 of moneys carried on the books of the department under the caption "Indian moneys and proceeds of labor," which, with the accompanying papers, was referred to the Committee on Indian Affairs and ordered to be printed.

SURVEYS OF INDIAN LANDS (H. DOC. NO. 1508).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement of the cost of all survey and allotment work on Indian reservations for the fiscal year 1918, which was referred to the Committee on Indian Affairs and ordered to be printed.

EMPLOYEES IN THE INDIAN SERVICE (H. DOC. NO. 1506).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report showing the diversion of appropriations for the pay of specified employees in the Indian Service during the fiscal year 1918, which was referred to the Committee on Indian Affairs and ordered to be printed.

CONFEDERATED BANDS OF UTE INDIANS (H. DOC. NO. 1487).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report of the expenditures made from the tribal funds of the Confederated Bands of Utes during the fiscal year 1918, which was referred to the Committee on Indian Affairs and ordered to be printed.

APACHE, KIOWA, AND COMANCHE INDIANS (H. DOC. NO. 1486).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report of the expenditures made in per capita payments to the Apache, Kiowa, and Comanche Indians during the fiscal year 1918, which was referred to the Committee on Indian Affairs and ordered to be printed.

NORTHERN CHEYENNE INDIANS (H. DOC. NO. 1504).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report of expenditures made for the purchase of cattle for the Northern Cheyenne Indians on the Tongue River Reservation, Mont., which was referred to the Committee on Indian Affairs and ordered to be printed.

REPAIRS OF BUILDINGS, INTERIOR DEPARTMENT (H. DOC. NO. 1541).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, an itemized statement of expenditures made by the Interior Department and charged to the appropriation "Repairs of buildings, Department of the Interior, 1918," which was referred to the Committee on Appropriations and ordered to be printed.

CONTINGENT EXPENSES, INTERIOR DEPARTMENT (H. DOC. NO. 1543).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, an itemized statement of expenditures made by the Interior Department and charged to the appropriation "Contingent expenses, Department of the Interior, 1918," which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

ST. ELIZABETHS HOSPITAL (H. DOC. NO. 1515).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a letter from the superintendent of the St. Elizabeths Hospital submitting the financial report of that institution for the fiscal year 1918, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

SALE OF OBSOLETE MATERIAL (H. DOC. NO. 1519).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report showing the proceeds of the sale of supplies and obsolete material and equipment during the fiscal year ended June 30, 1918, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

BLACKFEET INDIAN FUNDS (H. DOC. NO. 1488).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement of expenditures from the tribal funds of the Blackfeet Indians of Montana, for the fiscal year 1918, which, with the accompanying paper, was referred to the Committee on Indian Affairs and ordered to be printed.

STANDING ROCK INDIAN RESERVATION (H. DOC. NO. 1489).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report of expenditures made for the purchase of cattle for the benefit of the Indians on the Standing Rock Reservation, in North Dakota and South Dakota, for the fiscal year 1918, which, with the accompanying papers, was referred to the Committee on Indian Affairs and ordered to be printed.

SUPPORT OF AGRICULTURAL COLLEGES (H. DOC. NO. 1523).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report of the disbursements for the fiscal year ending June 30, 1919, under the act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and mechanic arts, which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

FREEDMAN'S HOSPITAL.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report of the surgeon in chief of the Freedman's Hospital, submitting a detailed statement of expenditures for professional and other services for the fiscal year 1918 (H. Doc.

No. 1518), which was referred to the Committee on the District of Columbia and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a letter from the surgeon in chief of the Freedman's Hospital submitting statements of receipts and expenditures on account of pay patients during the fiscal year 1918 (H. Doc. No. 1516), which, with the accompanying paper, was referred to the Committee on the District of Columbia and ordered to be printed.

PURCHASE OF TYPEWRITERS.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement of typewriters and other labor-saving devices purchased and exchanged during the fiscal year 1918 (H. Doc. No. 1525), which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Interstate Commerce Commission, transmitting, pursuant to law, statement of typewriters and other labor-saving devices purchased and exchanged during the fiscal year 1918 (H. Doc. No. 1372), which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Civil Service Commission, transmitting, pursuant to law, a statement of typewriters and other labor-saving devices purchased and exchanged during the fiscal year 1918 (H. Doc. No. 1382), which was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Federal Trade Commission, transmitting, pursuant to law, a statement of the number of typewriters and other labor-saving devices purchased and exchanged during the fiscal year 1918 (H. Doc. No. 1383), which was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Superintendent of Library Building and Grounds, transmitting, pursuant to law, a statement of the number of typewriters and other labor-saving devices purchased and exchanged during the fiscal year 1918, which was referred to the Committee on Appropriations and ordered to be printed.

TRAVEL OF EMPLOYEES.

The VICE PRESIDENT laid before the Senate a communication from the Interstate Commerce Commission, transmitting, pursuant to law, a statement showing in detail what officers or employees have traveled on official business from Washington to points outside of the District of Columbia during the fiscal year 1918 (H. Doc. No. 1397), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a statement from the Librarian of Congress showing in detail what officers or employees have traveled on official business from Washington to points outside of the District of Columbia for the fiscal year 1918 (H. Doc. No. 1527), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the chairman of the Federal Board for Vocational Education, transmitting, pursuant to law, a statement showing in detail what officers or employees have traveled on official business to points outside the District of Columbia during the fiscal year 1918 (H. Doc. No. 1531), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Superintendent of the United States Botanic Gardens, transmitting, pursuant to law, a statement showing in detail what officers or employees have traveled on official business to points outside the District of Columbia during the fiscal year 1918 (H. Doc. No. 1511), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Superintendent of Library Buildings and Grounds, transmitting, pursuant to law, a statement showing in detail the travel of employees from Washington to points outside the District of Columbia during the fiscal year 1918 (H. Doc. No. 1499), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

COMPENSATION OF GOVERNMENT EMPLOYEES.

The VICE PRESIDENT laid before the Senate a communication from the Attorney General, transmitting, pursuant to law, a report of the average number of employees receiving increased compensation under the act approved July 3, 1918 (H. Doc. No. 1377), which was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report of the average number of employees receiving increased compensation under the act approved July 3, 1918 (H. Doc. No. 1540), which was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Superintendent of the United States Botanic Gardens, transmitting, pursuant to law, a report of the average number of employees receiving increased compensation under the act approved July 3, 1918 (H. Doc. No. 1483), which was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Librarian of Congress, transmitting, pursuant to law, a report of the average number of employees receiving increased compensation during the fiscal year 1918 (H. Doc. No. 1479), which was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Superintendent of Library Building and Grounds, transmitting, pursuant to law, a report of the average number of employees receiving increased compensation during the fiscal year 1918, (H. Doc. No. 1468), which was referred to the Committee on Appropriations and ordered to be printed.

REPORT OF COMMISSIONERS OF THE DISTRICT OF COLUMBIA (H. DOC. NO. 1431).

The VICE PRESIDENT laid before the Senate the annual report of the Commissioners of the District of Columbia for the fiscal year ended June 30, 1918, which was referred to the Committee on the District of Columbia and ordered to be printed.

REPORT ON RESALE PRICE MAINTENANCE (H. DOC. NO. 1480).

The VICE PRESIDENT laid before the Senate a communication from the Federal Trade Commission, transmitting, pursuant to law, a special report dealing with the subject of resale price maintenance, which, with the accompanying papers, was referred to the Committee on Interstate Commerce and ordered to be printed.

REPORT ON LIBRARY BUILDING AND GROUNDS (H. DOC. NO. 1434).

The VICE PRESIDENT laid before the Senate the annual report of the Superintendent of Library Building and Grounds for the fiscal year ended June 30, 1918, which was referred to the Committee on the Library and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a House joint resolution (H. J. Res. 356) authorizing payment of the salaries of officers and employees of Congress for December, 1918, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 13153) extending the time for the construction of a bridge across the Arkansas River at the foot of Garrison Avenue, at Fort Smith, Ark., and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

Mr. JONES of Washington. I present resolutions of Local Union, No. 38-A-2, Shipyard Laborers, Riggers, and Fasteners, of Seattle, Wash., representing about 4,000 members, urging the establishment of another national holiday to be known as "Liberty Day," and to be the 11th of November. I move that it be referred to the proper committee. I will say to the Chair that I do not know to what committee it ought to go.

The VICE PRESIDENT. Several similar resolutions have gone to the Judiciary Committee.

Mr. JONES of Washington. That reference is satisfactory. I move that it be referred to the Committee on the Judiciary.

The motion was agreed to.

Mr. LODGE presented a petition of the National Academy of Sciences, praying for the establishment of a league of nations for the maintenance of peace, which was referred to the Committee on Foreign Relations.

Mr. NELSON presented a memorial of the Strong-Scott Manufacturing Co., of Minneapolis, Minn., remonstrating against the proposed tax of 80 per cent of the earnings in excess of 10 per cent of the invested capital in the pending revenue bill, which was referred to the Committee on Finance.

He also presented a memorial from the Minneapolis Automobile Trade Association of Minnesota, remonstrating against the increased rate of taxation on automobiles in the pending revenue bill, which was referred to the Committee on Finance.

He also presented a memorial of the Marshall-Wells Co., of Duluth, Minn., remonstrating against the 10 per cent tax on

ammunition and sporting goods in the pending revenue bill, which was referred to the Committee on Finance.

MANUFACTURE OF MUNITIONS AND CONSTRUCTION OF SHIPS.

Mr. FLETCHER. I am directed by the Committee on Commerce to move that the joint resolution (S. J. Res. 181) to authorize and empower the War Industries Board to aid in equipping and expanding power plants to carry on the manufacture of munitions and construction of ships during the war, advance moneys for that purpose to owners and operators of private plants, etc., be recommitted to the Committee on Commerce.

The motion was agreed to.

COMMITTEE TO ATTEND PEACE CONFERENCE.

Mr. HITCHCOCK. From the Committee on Foreign Relations I report back Senate resolution 358 to create a committee of eight Senators, which shall be charged with the duty of proceeding to Paris at the proper time to be present during the peace conference, and I submit a report (No. 616) to accompany the resolution, which I ask to have read.

The VICE PRESIDENT. The report will be read.

The Secretary read the report, as follows:

The Committee on Foreign Relations having considered Senate resolution 358, to create a committee of eight Senators which shall be charged with the duty of proceeding to Paris at the proper time in order to be present during the peace conference, unanimously report it back to the Senate adversely, with the recommendation that it be not passed.

Mr. PITTMAN, from the Committee on Foreign Relations, submitted the following additional views:

I make this separate report by reason of the fact that I offered an amendment to the resolution on the floor of the Senate, proposing that the number of the committee be increased from 8 to 96, which would include the entire membership of the Senate. That my position may not be misunderstood, I desire that it be known that I at all times opposed the sending of any committee of Senators to Paris, and so voted as a member of the Foreign Relations Committee, for the following reasons:

Section 2 of Article II of the Constitution of the United States empowers the President of the United States, and the President solely, "to make treaties." The Senate may advise with regard to a treaty, but it may not participate in nor interfere with the President in the initiation and negotiation of a treaty. It is true that the treaty does not become operative until concurred in by two-thirds of the Senate. This, however, is an act to be performed subsequent to the making of the treaty. The President has undertaken in person to perform this great constitutional duty. He has called to his assistance an efficient corps of statesmen, experts, and statisticians.

The proposed committee could perform no constitutional function imposed upon the Senate with relation to treaties. It would have no legal status in connection with the negotiation or making of the treaty. Its methods of obtaining information would, in the nature of the circumstances, be vagrant, uncertain, and unreliable. The report of such a committee to the Senate would be based chiefly upon hearsay and would constitute but the individual conclusions of the members of the committee and would have little force and effect with the Senate.

Such committee would neither have the information nor the power to advise on behalf of the Senate. This fact, unfortunately, might not be known to all of the foreign members of the peace council and expressions made by the members of such committee might be taken as an expression of the sentiment or a pronouncement of the position of the United States Senate with regard to questions under consideration before the peace council and in such way might embarrass and interfere with the President in the performance of his constitutional duties in the making of the treaty.

All facts bearing upon the negotiations must be presented to the peace council, and the President will undoubtedly report such facts fully to the Senate of the United States and to the country. He has already made this promise to Congress.

Mr. CUMMINS. I ask that the resolution go to the calendar.

The VICE PRESIDENT. The resolution will be placed on the calendar.

Mr. PITTMAN subsequently said: Mr. President, I ask unanimous consent to file a separate report in connection with Senate resolution 358, and I ask to have it printed in the RECORD, together with the report of the committee, submitted by the Senator from Nebraska [Mr. HITCHCOCK] this morning.

The VICE PRESIDENT. Without objection, it is so ordered.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FERNALD:

A bill (S. 5091) granting a pension to Jennie L. Barrows (with accompanying papers); to the Committee on Pensions.

By Mr. HARDWICK:

A bill (S. 5092) to repeal the act approved June 15, 1917; and

A bill (S. 5093) to repeal the act approved May 16, 1918; to the Committee on the Judiciary.

A bill (S. 5094) to repeal the act approved August 10, 1917; to the Committee on Agriculture and Forestry.

A bill (S. 5095) to repeal the act approved May 22, 1918; to the Committee on Foreign Relations.

A bill (S. 5096) to repeal the act approved July 16, 1918; and

A bill (S. 5097) to amend section 14 of the act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, by providing that such control shall continue for a period not greater than six months from the passage of this act; to the Committee on Interstate Commerce.

By Mr. SWANSON:

A bill (S. 5098) to amend an act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes"; and

A bill (S. 5099) providing for road construction and improvement out of the funds derived from the operation of motor trucks engaged in carrying parcel post under section 7 of the act making appropriations for the Post Office Department and the Postal Service for the fiscal year 1919, approved July 8, 1918; to the Committee on Post Offices and Post Roads.

By Mr. SHEPPARD:

A bill (S. 5100) for the relief of Anna M. Tobin, independent executrix of the estate of Frank R. Tobin, deceased (with accompanying papers); to the Committee on Claims.

By Mr. HARDING:

A bill (S. 5102) to authorize the change of name of the steamer *Charlotte Gravcract Breitung* to *T. K. Maher*; to the Committee on Commerce.

A bill (S. 5103 granting a pension to Mary M. Hood;

A bill (S. 5104) granting a pension to Adelphia L. Weaver;

A bill (S. 5105) granting a pension to Sylva Tarvin; and

A bill (S. 5106) granting an increase of pension to Amos L. Hood; to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 5107) granting an increase of pension to Henry H. Hering; to the Committee on Pensions.

By Mr. JONES of Washington:

A bill (S. 5108) to amend section 126 of an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes; to the Committee on Military Affairs.

By Mr. CHAMBERLAIN:

A bill (S. 5109) to provide relief where formal contracts have not been made in the manner required by law; to the Committee on Military Affairs.

By Mr. THOMPSON:

A bill (S. 5110) granting a pension to Lily D. Murphy; to the Committee on Pensions.

By Mr. BECKHAM:

A bill (S. 5111) granting an increase of pension to Albert L. Newlands; to the Committee on Pensions.

By Mr. NEW (by request):

A bill (S. 5112) to provide for paying claims to depositors of the Freedman's Savings & Trust Co., and for the establishment of a national home; to the Committee on Appropriations.

By Mr. KING:

A joint resolution (S. J. Res. 192) to stop work upon Government housing propositions; to the Committee on Public Buildings and Grounds.

RELIEF OF CERTAIN NONCOMMISSIONED OFFICERS.

Mr. POINDEXTER. Mr. President, I introduce the bill which I send to the desk and ask that it be referred to the Committee on Military Affairs. I ask that the bill be printed in the RECORD, and in connection with it I ask that an explanation of its purport be printed to follow the bill.

The VICE PRESIDENT. Without objection, it is so ordered.

The bill (S. 5101) for the relief of certain noncommissioned officers of the United States Army who were recalled to active service during the recent war and commissioned as officers was read twice by its title and referred to the Committee on Military Affairs and, with the accompanying statement, ordered to be printed in the RECORD, as follows:

A bill (S. 5101) for the relief of certain noncommissioned officers of the United States Army who were recalled to active service during the recent war and commissioned as officers.

Be it enacted, etc., That retired enlisted men of the Regular Army who were called to active service by orders of the War Department during the war with Germany and commissioned in the armies of the United States, and who will again revert to a retired status when their services are no longer required, be allowed to retain the rank held by them when mustered out of or discharged from active service and given the pay of a first lieutenant on the retired list, provided that muster out or discharge was not due to incompetency or misconduct.

MEMORANDUM.

There have been called into active service and commissioned during the present war some one hundred and fifty enlisted men from the retired list. Practically all of these men were of the highest noncommissioned grade at date of retirement, having held those grades for a long time, in many cases from 20 to 25 years.

It will be observed that the men who attained the highest noncommissioned grades and thus retired were men who on account of the strenuous life of the period in which they served must necessarily have possessed physical, mental, and moral qualifications of the highest degree, having been so retired when the country deemed it necessary that these particularly qualified experts should be brought in for the service of the country they were looked over and selected, not by

[illegible] but by their records, their qualifications, their reliability [illegible], and on these accounts only were they sought for by the country and offered commissions. The fact was they were the [illegible] that could "deliver the goods" along this line, the only people capable of performing these duties, in fact, the only living experts in existence.

The mere fact that patriotic, intelligent, expert officers of the United States Army turned their attention at once to this particular class of men and [illegible] weighed them and judged them by records, qualifications and past records, and on these offered them commissions as [illegible] rank, is sufficient guaranty of their high standard, rendering them deserving of consideration.

Their records during this war have justified the fact that their selection did not come by political or other outward influence; when they accepted the commissions they performed the duties assigned them as they did in the old Army, in all good faith, without asking for choice of stations or for any other consideration, simply giving up civic duties and abandoning business pursuits which they had established after retirement and which netted them a comfortable living, and which can not be rebuilt after the war is over; on this account they are entitled to any consideration you can give them.

Retired Army officers up to the grade of colonel recalled to active service have already been provided for, inasmuch as they will attain a higher grade upon again reverting to a retired status.

If this allowance is granted it affects but a small number of men, and as these men die the list will be lessened and in time entirely eliminated.

In justice to these men it is therefore proposed that a bill be introduced in Congress providing:

That retired enlisted men who have been returned to active service and commissioned in the armies of the United States during the present war and who again revert to a retired status be given the rank they then held with the pay of a first lieutenant, provided they have not been reverted to a retired status due to their own incompetency or misconduct.

THE PRESIDENTIAL OFFICE—PAPER BY HENRY E. DAVIS (S. DOC. 368).

Mr. SMITH of Arizona. I offer the following Senate resolution and ask unanimous consent to have it considered at this time. It proposes to print as a Senate document a monograph by a distinguished member of the District bar, Mr. Henry E. Davis. It was written some thirty years ago, at the time of the wounding of President Garfield. It is entitled "Inability of the President—What Constitutes and Who Decides?" It will save the Senate, I think, and those who are interested in the question a large amount of investigation if this monograph can be printed as a Senate document.

The resolution (S. Res. 366) was read, considered by unanimous consent, and agreed to, as follows:

Senate resolution 366

Resolved, That the manuscript entitled "Inability of the President—What Constitutes and Who Decides?" a monograph by Henry E. Davis, be printed as a Senate document.

MONROE DOCTRINE.

Mr. BORAH. I offer a resolution, which I ask may be read and lie on the table.

The VICE PRESIDENT. The Secretary will read the resolution.

The resolution (S. Res. 370) was read and ordered to lie on the table, as follows:

Senate resolution 370

Whereas in September, 1796, George Washington, then President of the United States, declared, "The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible * * *." And that "Europe has a set of primary interests which to us have none or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities"; and

Whereas in response to a letter addressed to him by James Monroe, then President of the United States, concerning the policy afterwards declared by President Monroe and since then known as the Monroe doctrine, Thomas Jefferson said in reply: "The question presented by the letters you have sent me is the most momentous which has ever been offered to my contemplation since that of independence. That made us a Nation. This sets our compass and points the course which we are to steer through the ocean of time opening on us. And never could we embark upon it under the circumstances more auspicious. Our first and fundamental maxim should be never to entangle ourselves in the broils of Europe; our second, never to suffer Europe to intermeddle with cis-Atlantic affairs. America, North and South, has a set of interests distinct from those of Europe and particularly her own. She should therefore have a system of her own separate and apart from that of Europe"; and

Whereas James Monroe, President of the United States, afterwards amplified this policy, incorporating it in a message to the Congress of the United States, declaring in effect that any attempt on the part of foreign Governments to extend their system to any portion of this hemisphere as dangerous to our peace and safety, and setting forth in full the policy which was afterwards and ever since has been known as the Monroe doctrine; and

Whereas the policies thus early announced by Washington, Jefferson, and Monroe, and ever since adhered to by this country, regardless of political parties, have contributed greatly to the peace and happiness of the people of the United States; and

Whereas we believe any material departure from these policies would be fraught with danger to the peace and happiness of the people of the United States, involving us, in all probability, in the controversies of other nations: Therefore be it

Resolved, That the Senate of the United States reaffirm its faith and confidence in the permanent worth and wisdom of these policies and stand ready, in all matters coming before it touching the interests or affairs of foreign countries to conform its acts to these time honored principles so long and so happily a part of our own policy.

ABROGATION OF TREATIES.

Mr. JONES of Washington submitted the following resolution (S. Res. 367), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary of State be, and he is hereby, directed to furnish the Senate the following information:

1. What countries, if any, have notified the United States of their intention to abrogate any treaties with the United States; and what treaties are to be abrogated and the reason therefor, if any are given.

2. The countries with which the United States has treaties which prevent us from giving preferences to Americans or American ships in the carrying of imports or exports, and what is necessary to be done to abrogate such treaties, and what, if any, steps our Government has taken to secure the abrogation of the same.

THE MERCHANT MARINE.

Mr. JONES of Washington submitted the following resolution (S. Res. 368), which was read, considered by unanimous consent, and agreed to:

Resolved, That the United States Shipping Board be, and it is hereby, directed to report to the Senate as soon as practicable what legislation, in its judgment, should be enacted by Congress to promote, continue, and insure the maintenance, development, and operation of a merchant marine under the American flag.

INVESTIGATION OF SPRUCE PRODUCTION.

Mr. POINDEXTER submitted the following resolution (S. Res. 369), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary of War is hereby requested to inform the Senate what steps, if any, have been taken upon the recommendation of Hon. Charles E. Hughes for an investigation of the spruce production section of the Aeroplane Division of the Signal Corps of the United States Army.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS.

Mr. REED submitted the following resolution (S. Res. 371), which was referred to the Committee to Audit and Control the Contingent Fund of the Senate:

Resolved, That the Committee on Public Buildings and Grounds or any subcommittee thereof be directed to inquire into the costs, construction, operation, maintenance, and future disposition of the public buildings of the Government of every nature, kind, and location, and the program and contracts of the various departments of the Government with reference to future costs, construction, operation, maintenance, and disposition of the Government buildings of every nature, kind, and location, and report to the Senate thereon, together with their recommendation of any steps which they may deem advisable to take with a view to remedying conditions.

That the Committee on Public Buildings and Grounds, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-fifth Congress to send for persons, books, and papers; to administer oaths, and to employ a stenographer, at a cost not exceeding $1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

HOUSING OF GOVERNMENT EMPLOYEES.

Mr. KING submitted the following resolution (S. Res. 372), which was referred to the Committee on Public Buildings and Grounds:

Resolved, That every official and agency of the Government, having had in charge any work, operations, construction, or expenditures authorized by the act entitled "An act to authorize the President to provide housing for war needs," approved May 16, 1918, shall and is hereby required to make a full report and account of the same to the Senate; and be it further

Resolved, That the Committee on Public Buildings and Grounds of the Senate be, and is hereby, authorized and directed to make an investigation of all work, operations, and construction, and of all expenditures made under said act, and report its findings to the Senate.

UNIFORMS OF DISCHARGED SOLDIERS.

Mr. POMERENE. I send to the desk a joint resolution and ask that it may be read.

The joint resolution (S. J. Res. 191) providing that soldiers, sailors, and marines may retain uniforms and apparel worn by them in the military service of the United States as their personal property and permitting them to wear the same under regulations to be prescribed by the War Department, was read the first time by its title and the second time at length, as follows:

Resolved, etc., That soldiers, sailors, and marines, whether in the service at home or abroad, be and they are hereby permitted to retain as their own property the uniforms, including overcoats and other articles of wearing apparel furnished them by the Government and severally worn by them at the time of their demobilization and discharge, and that they shall be permitted to wear the same under such reasonable regulations to be prescribed by the War Department as will distinguish the said soldiers, sailors, and marines so demobilized and discharged from the service and wearing the same from those who may be continued in the actual military, naval, or marine service of the country.

Mr. POMERENE. Mr. President, with the consent of the Senate, I should like, in a word, to give a brief explanation of the joint resolution.

The War Department gave out a statement sometime ago, as I learned through the press, to the effect that the soldiers after their demobilization and discharge would be permitted to wear

their uniforms for a period of 30 days. Since I prepared the joint resolution I have been advised that the Senator from Arizona [Mr. ASHURST] introduced the other day a similar resolution.

I think this is a matter of the very greatest importance to the soldiers, marines, and sailors themselves, because of the very high price of wearing apparel now. Many of these boys, I am told, not knowing how long they would be away from their homes, gave away or otherwise disposed of their clothing, and they would be put to very large expense to get new clothes if they were not permitted to wear their uniforms more than 30 days after demobilization. Certainly these uniforms and wearing apparel are of very much more value to them as individuals than they would be to the Government.

In addition to that, we are all admonished that there is a scarcity of wools and woolen, and I think common business prudence would suggest that the soldiers, sailors, and marines be permitted to wear their uniforms after they have severed their connection with the service.

I ask that the joint resolution be referred to the Committee on Military Affairs.

Mr. GRONNA. May I ask the Senator a question?

Mr. POMERENE. I yield to the Senator.

Mr. GRONNA. I have only heard the joint resolution as it was hastily read. Does it provide for any additional pay, or simply permit the soldiers to wear their uniforms?

Mr. POMERENE. It applies only to their uniforms and their clothing.

Mr. BORAH. Is the joint resolution which the Senator from Ohio introduced to go to a committee?

Mr. POMERENE. I asked that it go to the Committee on Military Affairs.

Mr. BORAH. I only want to say, Mr. President, that I hope the joint resolution will be reported out in a reasonable time and favorably. It occurred to me that it is of such merit it could be disposed of without going to a committee.

Mr. POMERENE. I have no objection to the disposition of it now. I may say, I think with propriety, I spoke to the chairman of the Committee on Military Affairs yesterday, and I know he favors the general principle. I have not submitted to him the joint resolution as it has been drawn.

Mr. JONES of Washington and Mr. FLETCHER addressed the Chair.

The VICE PRESIDENT. Does the Senator from Ohio yield; and if so, to whom?

Mr. POMERENE. I yield to the Senator from Washington, who first rose.

Mr. JONES of Washington. I am heartily in favor of the joint resolution the Senator from Ohio has introduced, but I think it would also be well to add to it a provision that when the soldiers are discharged they shall be entitled to the same transportation pay to their homes that members of the Navy are entitled to receive. I noticed in the papers sometime ago that these men were not getting sufficient to cover their transportation expenses home. That ought to be provided for.

I remember when the reorganization bill was up I endeavored to get a provision in that bill that would put the soldiers of the Army on exactly the same basis as members of the Navy upon their discharge. Apparently we could not get that done. We did get some additional compensation provided. Something of that sort ought to be done, and it would be well to put in such a provision in connection with the measure of the Senator.

Mr. POMERENE. I have rather assumed that something of that kind would be done; at least, I hope it shall be done, but my attention has been specially called to the question of the uniforms and clothing, and with that thought in mind I prepared the joint resolution.

Mr. JONES of Washington. I know that, but I think the two can very well be covered together.

Mr. POMERENE. I yield to the Senator from Florida.

Mr. FLETCHER. I was going to say that I think an arrangement has been made to carry out the suggestion of the Senator from Washington, and the matter raised by the Senator from Ohio has also been under consideration. I think it would be well to have the joint resolution go to the committee, as there are some technical questions involved, and a general policy may be outlined in the committee so that there can be no confusion. The committee meets to-morrow, and there will be no delay.

Mr. POMERENE. I may state that in the latter part of the joint resolution I have provided that the uniforms should be worn under some rule or regulation to be adopted by the War Department, so as to distinguish, perhaps, those who had been in the service but were discharged, from those who were actually in the service. I can understand how it might be possible to abuse the privilege of wearing the uniforms under certain circumstances. I think the Committee on Military Affairs would work that out so as to guard every interest.

Mr. HITCHCOCK. I think the difficulty has already arisen. Some men are wearing uniforms and refusing to salute officers. It is a matter which ought to be considered by the committee so as to avoid any difficulty of that sort.

Mr. POMERENE. I have no doubt the committee will arrange proper safeguards.

Mr. JONES of Washington and Mr. CUMMINS addressed the Chair.

Mr. POMERENE. I yield first to the Senator from Washington.

Mr. JONES of Washington. In reference to the suggestion of the Senator from Florida, that the matter of travel pay had been arranged for, I do not see how it can be done within the law unless we pass some legislation, because the reorganization act fixed the specific amount which should be paid for this purpose. I hope it has been possible to arrange it, but I think it will require legislation. I understand a bill has already been introduced covering the matter. I am glad that is true, and I hope if the joint resolution of the Senator from Ohio is to be acted upon such a provision may be put in it so as to get them through together.

Mr. POMERENE. I yield to the Senator from Iowa.

Mr. CUMMINS. For the information of the Senator from Ohio I wish to say that two or three weeks ago I introduced a bill to give soldiers and sailors the uniforms they are wearing at the time of their discharge. It was referred to the Committee on Military Affairs, and I have the promise of the chairman of that committee and several members of the committee that the subject will be taken up on Friday morning at the regular meeting of the committee for the purpose of considering the bill.

Mr. POMERENE. I was not aware that the Senator from Iowa had introduced the bill. I wish to say that I have no pride of authorship, and I shall be glad to have any disposition of the subject which will meet the situation.

Mr. POINDEXTER. Mr. President, there are two or three matters affecting the allowances made to discharged soldiers which it seems to me might be taken up by the Committee on Military Affairs together, and in the consideration of the bill the Senator from Iowa has introduced there would be no objection to attaching as a part of that measure the matter of travel pay and the matter which has been recommended by the War Department, allowing one month's extra pay to discharged soldiers. Most of the soldiers are discharged without any money at all, and they are allowed 3½ cents a mile travel pay. That is not sufficient to pay for their expenses, for their meals en route and their railroad fare, to say nothing of sleeping apartments on the train. It seems to me there ought to be some provision made so that the reasonable actual expenses of these men should be allowed.

There is another matter that I hope the Committee on Military Affairs will consider in the same connection. Under the present law the men are allowed travel pay to the place of their enlistment. They ought to be allowed travel pay to their homes. There are many cases where men enlisted at some place very far removed from their homes. I have had my attention called to cases where men whose homes were on the Pacific coast enlisted in Chicago because they happened to be in Chicago at the time they were called for enlistment, and as a matter of saving time and of convenience they enlisted at that point. When they are discharged from the Army they want to return to their permanent homes. It seems to me, therefore, nothing but fair that they should be allowed travel pay to their actual bona fide permanent place of residence to which they want to return.

The VICE PRESIDENT. The joint resolution will be referred to the Committee on Military Affairs.

Mr. JONES of Washington subsequently said:

I introduce a bill for reference to the Military Affairs Committee. I will simply say that it relates to the matters I referred to this morning in connection with the joint resolution introduced by the Senator from Ohio [Mr. POMERENE].

The bill (S. 5108) to amend section 126 of an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes, was read twice by its title and referred to the Committee on Military Affairs.

GOVERNMENT EXPENDITURES.

Mr. BORAH. Mr. President, before morning business is closed I want to make a suggestion in the way of seeking information of the able leader of the majority, the Senator from Virginia [Mr. MARTIN].

A month ago the Senator announced that we were to begin retrenchment at once, and a few days thereafter a letter was read into the RECORD showing to what a remarkable extent retrenchment had already progressed. I read from yesterday morning's Post that "Government expenditures in November reached the new high record of $1,935,249,000"—the highest figures we have reached since the war began. This is the first month of retrenchment. If the Senator has any explanation as to the progress of retrenchment, I should be delighted to hear it.

Mr. President, as I said sometime ago in discussing this matter, there will be a thousand reasons given for maintaining every expenditure which has been made during the war and every avenue of expenditure which has been authorized. I call attention to this matter this morning that we may understand that unless legislation is had and emergency bureaus and organizations are abolished and disposed of, the expenditures will continue at the seasons they have during the war time. The Appropriations Committee must recommend the conservation of funds. It is the only way we can really make progress.

Mr. MARTIN of Virginia. Mr. President, since the Senator has appealed to me for some explanation about these expenditures I feel sure that he realizes that none of us can accomplish much along that line until some appropriation bills are ready for consideration. I have appealed for retrenchment as strongly as I could; I have been to the War Department repeatedly; I have written letters, and have endeavored in every way I could to induce a more economical administration of Government affairs.

Mr. BORAH. Mr. President, may I ask the Senator what, if anything, has been done toward stopping the building of and expenditures with reference to Army cantonments?

Mr. MARTIN of Virginia. I will say that the Secretary of War wrote me a letter that most of those contracts had been canceled. The enlargement of cantonments which was in contemplation, and for which in some instances contracts had been let, has been discontinued, with perhaps one exception. I do not know that the Secretary has stopped the construction of the project at Columbus, Ga., although I made a special visit to the War Department and inquired about it, and appealed to him, because I could not think it possible that we needed additional accommodations in cantonments when a million and a half soldiers would soon vacate the cantonments that we now have.

Mr. HARDWICK. Mr. President, will the Senator from Virginia yield to me?

Mr. MARTIN of Virginia. I yield.

Mr. HARDWICK. The Senator has referred to the project at Columbus, Ga. The information that the people of that section of the country have had is that that is a permanent improvement and is intended for a war-instruction cantonment permanently for the instruction of officers of the Army. We are now informed down there that some $13,000,000 is to be expended on that project.

Mr. MARTIN of Virginia. I hope the Senator's information is incorrect. The Secretary of War told me that he was going to cut most of that out. He would not promise me absolutely to cancel the whole matter, but he said it would involve a very small expense.

Mr. HARDWICK. I do not know myself——

The VICE PRESIDENT. The Chair hopes that the conversation is not a private one. The rest of us would like to hear it.

Mr. HARDWICK. I got permission of the Senator from Virginia, and I thought also of the Chair, to interrupt.

The VICE PRESIDENT. Certainly; but it is impossible to hear the Senator.

Mr. HARDWICK. What I want to say to the Senator is that publication has been made in the papers down there that that project is to be carried forward to completion. I have no information of an official character as to whether it is true or not; but the people down there whose lands are about to be condemned or who have had notice that their lands are to be condemned have got to have some knowledge of a reliable character, so that they will know how to conduct their private affairs. Probably 4,000 acres of land, involving farming lands in two counties, are embraced in this project, and the papers down there are publishing the statement that the Columbus, Ga., project is to be carried out in its entirety, regardless of the fact that the war is over.

Mr. BORAH. Mr. President, may I ask the Senator what amount is supposed to be expended upon that project?

Mr. HARDWICK. It was stated in a rough way that $13,000,000 would be expended upon it.

Mr. BORAH. That is the initial expenditure?

Mr. HARDWICK. Yes.

Mr. BORAH. Then how much more will have to be expended upon it before we get through with it? And above all, what is the necessity of going ahead with any further expenditures?

Mr. SMITH of Georgia. Mr. President, I think I can give some information in regard to this matter.

Mr. HARDWICK. I will be glad if anybody can.

Mr. SMITH of Georgia. The original project adopted by the War Department was to provide an Infantry training school, and it was intended to instruct 25,000 officers at a time. That was begun and worked out months ago. It was a consolidation and enlargement of training schools for Infantry, but when the armistice was declared at once steps were taken to reduce the scope of the project to a peace basis. It was contemplated from the first to provide space to train 2,500, I think, and this is a permanent part of the military system. The enlargement of the project to accommodate 25,000 was incident to the war. Immediately after the armistice was declared steps were taken to abandon the larger enterprise formed in connection with the war and to complete only the small enterprise which from the first was to be a permanent part of the Military Establishment. This was generally the plan.

Mr. VARDAMAN. Mr. President, will the Senator permit me to ask him if he knows of any statute under which a permanent improvement of this character might be provided for?

Mr. SMITH of Georgia. There was a permanent school at Fort Sill, which was subsequently devoted to instruction exclusively in some other line, as I understand. I have not looked into the provision for the permanent school but think there has been such authority for some time.

Mr. McKELLAR. Mr. President, will the Senator yield to me?

Mr. SMITH of Georgia. Yes.

Mr. McKELLAR. I am quite sure that there is no special statute authorizing a permanent school of infantry and technical instruction.

Mr. SMITH of Georgia. The Senator says there is such a statute?

Mr. McKELLAR. I say there is no special statute, but the work is being done under a statute which we enacted for war purposes. I understand there is no permanent statute authorizing the work, and while I am not sure I do not think that the plan can be carried out when peace is declared.

Mr. LENROOT. Mr. President, if the Senator from Virginia will allow me, I should like to ask him whether he has any information as to whether the War Department is going ahead with expenditures for permanent purposes under appropriations made for war purposes alone?

Mr. MARTIN of Virginia. Does the Senator address the question to me?

Mr. LENROOT. Yes, sir.

Mr. MARTIN of Virginia. I have no information on that subject. I will say that I have had several conversations with the Secretary of War on the subject of economizing on war expenditures, and he assured me that he was in full sympathy with that purpose and wrote me a letter, which I put in the RECORD, showing that he had cut off a billion and a third of dollars of contracts. He assured me further that he intended to pursue that policy and cut off expenditures as far as possible.

In addition to that, I will say, Mr. President, that I had a talk with him later on about the Columbus, Ga., expenditure, and he insisted that it would be necessary to expend some money there, but that he was going to curtail the project very greatly. I differed with him, and told him so, and I desire to express now my difference. I do not believe there ought to be one dollar expended there. If these expenditures for war purposes are to go on in time of peace, this country will be brought to bankruptcy. I protest against it as strongly as I can; and when the bills appropriating money come before the committee of which I have the honor to be chairman, the Senate may rest assured that the pruning knife will be applied as rigidly as possible.

Mr. CURTIS. Mr. President, may I ask the Senator a question? In the last deficiency bill considered by the Congress there were two items asked for appropriations to buy target ranges—one, I think, in Florida, and the other in North Carolina. The committee, after a hearing, refused to make the appropriation.

Mr. FLETCHER. May I correct the Senator by saying that neither of those ranges was located in Florida? I think one was in West Virginia.

Mr. MARTIN of Virginia. One was in Kentucky and the other in North Carolina.

Mr. FLETCHER. Yes.

Mr. CURTIS. I thank the Senator for giving the correction as to the location. I have since been informed that the War Department, notwithstanding the action of the committee, have purchased one of those sites, and I should like to know if that is so.

Mr. MARTIN of Virginia. I have no information on the subject except a newspaper paragraph which stated that they had bought the site in North Carolina at a cost of $2,000,000. They asked for a million and a half, and the Committee on Appropriations struck it from the bill. The bill passed the House with that item in it. The Senate committee struck it out; the Senate sustained the committee, and the conference struck it out. So that if the War Department have expended $2,000,000 for the purchase of that site they must have gotten it out of some general appropriation, some lump-sum appropriation made by the Committee on Military Affairs, and with full knowledge of the fact that the Congress had protested against it by refusing to appropriate it.

Mr. BORAH. Mr. President, I have a letter in regard to the purchase of this site in North Carolina. The only reason why I do not insert the letter in the RECORD is because it reflects so severely upon those who had to do with it that I would not want to insert it until I had made a thorough investigation; but it is written by a business man who lives near the place. Now, if they have purchased this site in defiance of the action of the Appropriations Committee, and at the same time have purchased it at the figures which are given in proportion to the value as stated by this gentleman, the matter ought to be investigated.

Mr. HARDWICK. Mr. President, if the Senator will pardon me, if that is true, why not investigate the purchase of this old hotel property here in Washington, where exactly the same thing happened? The committee refused to authorize it; it was struck out of the bill, and the President bought it out of his war fund—a building in the city of Washington—within 48 hours after we acted adversely on it.

Mr. BORAH. I can imagine that good use could be made of the Arlington Hotel property. Of course, that perhaps would not excuse the purchase of it after the Appropriations Committee refused to appropriate for it; but there is a different story connected with this other purchase, and that is the price paid in comparison to the value of the property.

Mr. MARTIN of Virginia. With reference to the Arlington Hotel site, I will say that the committee did not act on it. When it was first presented to the Committee on Appropriations of the Senate the Committee on Public Buildings and Grounds of the House had it under advisement; and we did not feel that it was expedient or wise for us to take it up under the circumstances. We did not pass judgment on it at all, because another committee, which had jurisdiction of the subject, had under consideration a bill providing for its purchase.

Mr. HARDWICK. Mr. President, if the Senator from Virginia will yield, while that is true in one way, yet from another standpoint it is not exactly a fair statement—and, of course, the Senator does not intend to be unfair—as to what happened.

The Secretary of the Treasury came before the committee and asked to have the item included. After some investigation of the proposition, on a vote of the committee we voted not to include it and not to give him this power and authority, and within 48 hours after that action was taken it was bought from the President's $100,000,000 war fund. That is the fact.

Mr. MARTIN of Virginia. Mr. President, I do not think I am mistaken in saying that the Committee on Appropriations of the Senate did not consider it, for the reason that it was already under consideration by the Committee on Public Buildings and Grounds of the House.

Mr. HARDWICK. That is true.

Mr. MARTIN of Virginia. We expressed no opinion whatever about it. Personally I believe that if it had come before the Senate committee, if the House committee had not had it under consideration, the Senate committee would have included it, as I believe it was a wise purchase. The President purchased it, paid for it out of his emergency fund, and I believe under the conditions as they then existed it was a wise purchase. He got it at a fair price, and it is a much-needed building; it is a very valuable fireproof building that will be of permanent use to the Government work in the city of Washington.

Getting back, however, to this North Carolina purchase that the newspapers refer to, I know nothing whatever about it. I do not know whether the site has been purchased or not; but it was intended as a training ground for artillery. They told me up at the War Department that they expected to have a brigade of artillery in training there. It was not purchased for a target range. They have other places for that purpose. They have been very generously expending the public money about matters of this kind, and it was not pretended that they needed this as a place for testing artillery or for target practice, but it was for training artillery soldiers.

I can not conceive of a reason now for putting $2,000,000 into the purchase of mountainous lands in North Carolina on which to train artillery for this Government. I hope the War Department has not done it. I most seriously protest against it; and if there is any way to stop it, if it has not gone so far that it can not be stopped, I will endeavor to stop it now.

Some members of the Military Affairs Committee told me that they would take up the matter at the War Department and get the facts. It was a matter that came more especially from them, for if the officials of the department have purchased it with any money they got the money from the Military Affairs Committee. They did not get it from the Committee on Appropriations.

Mr. SMOOT. They may have gotten it out of a lump sum.

Mr. MARTIN of Virginia. Not from the Appropriations Committee. That committee has made no lump-sum appropriations that could have been properly used for the purchase of that land in North Carolina. There was another similar tract of land that the War Department was talking about purchasing, and the department had in the bill a million and a half additional for the purchase of land in Kentucky for a similar purpose.

I think, Mr. President, that the time has come when these war expenditures must stop. We need all of our money and all of our energy and all of our resources to rehabilitate the industrial condition of this country, and we ought to cease expending money for war purposes. In all probability we will not have another war in 50 years. Certainly there is no occasion at this particular time to be expending millions and hundreds of millions in preparation for war.

Mr. BORAH, Mr. JONES of New Mexico, and Mr. KENYON addressed the Chair.

The VICE PRESIDENT. The Chair has lost track of who has the floor.

Mr. BORAH. The Senator from Virginia was answering a question which I propounded to him.

Mr. MARTIN of Virginia. That fact had escaped my notice. I thought the Senator was through and had yielded the floor.

Mr. BORAH. I am very glad to have had the Senator occupy the time. I know the Senator is acting in the utmost good faith in seeking to cut down expenditures.

Mr. MARTIN of Virginia. I thought the Senator had yielded the floor; otherwise I would not have consumed as much time as I have.

Mr. KENYON. Mr. President, will the Senator from Idaho yield in order that I may ask the Senator from Virginia a question?

Mr. BORAH. I yield.

Mr. KENYON. I should like to ask the Senator from Virginia if it is not a feasible matter to call together the Committee on Appropriations, take up these different appropriation bills, find out what remains to be spent and what can be cut out of these bills, and get down to brass tacks, instead of simply talking about it all of the time?

Mr. MARTIN of Virginia. Mr. President, in answer to that question, I will say that I am in constant touch and communication with Mr. SHEELEY, the very able chairman of the House Committee on Appropriations; and he has under way now an investigation for that purpose and expects to repeal laws appropriating billions of dollars which have not been expended. He has called on all of the departments of the Government to make a statement as to what amounts that have been appropriated remain unexpended; and he expects to incorporate in the next bill that he brings in, which will be in a very few weeks, provisions repealing these appropriations that are no longer necessary, in view of the peace that has now been practically proclaimed.

For instance, there was over a billion dollars appropriated for heavy artillery, which it would take more than 12 months to manufacture. The House incorporated that in the last deficiency bill. I sent for the Secretary of War, and he appeared before the Senate committee. Peace was then being talked about, but nothing tangible had developed. He said, "If peace is attained, I will not spend that money," and I have no idea that he will. He assured the committee that he would not; but we did not feel that we could strike it out at that time, because the war was on, and we felt that it would put the country in a false position. We did not want it to go forth to our enemies that we were letting up in preparing to meet their attacks.

Mr. KENYON. Would it not be advantageous to bring in the heads of these bureaus and find out how many of this army of clerks can be spared, and spared now?

Mr. MARTIN of Virginia. I agree with the Senator.

Mr. KENYON. I appeal to the chairman of the committee to do that.

Mr. MARTIN of Virginia. I shall certainly pursue that policy, but I did not think it was necessary to do it until we had an appropriation bill before us. We will certainly take it up at that time.

Mr. McKELLAR. Mr. President, if the Senator will yield——

Mr. JONES of New Mexico. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from New Mexico? He has been standing for half an hour.

Mr. BORAH. I yield.

Mr. JONES of New Mexico. I did not understand the inquiry made by the Senator from Idaho to invite discussion of particular transactions. I rather assumed that the Senator from Idaho was seeking some light upon the general subject of the reduction of expenses.

It may be enlightening to the Senator and to the Senate to know that this morning the Secretary of War and Gen. Ward appeared before the Finance Committee and made a statement upon that subject; and without going into matters of detail at all the estimate was submitted to the Finance Commitee that after paying for all authorizations in excess of appropriations, and after paying all of the bills for the fiscal year, there would be a saving out of the actual appropriation of about seven and a quarter billion dollars. I believe it is that information that the Senator from Idaho was seeking. That is an indication of what the War Department is doing. It was quite evident from the testimony of the Secretary this morning that every effort is being made to reduce these expenses; and as the sum total of the information which he gave to the committee, he estimated that all of the expenses would be paid for the fiscal year 1919, all of the authorizations and contracts made could be called for, and result in a net saving out of the actual appropriations of something like seven and a quarter billion dollars.

Mr. BORAH. Mr. President, before the Senator takes his seat, may I ask the Senator in that connection whether the Secretary of War has made any statement to the Military Affairs Committee, to the Finance Committee, or to any other committee of which the Senator has knowledge, as to how rapidly the soldiers in Europe are to be brought home?

Mr. JONES of New Mexico. The Secretary stated to the committee this morning that arrangements are being made to have the soldiers brought home as rapidly as possible; that is, all that will not be needed, under the arrangement with our allies, to perform certain duties in Europe for some months to come.

Mr. BORAH. I saw the statement in the press that it is contemplated to keep a million and a quarter soldiers practically permanently in Europe. I should like to know if there is any such idea as that in the mind of anybody who has any connection with this Government. I shall take an interest in any program like that.

Mr. KIRBY. Mr. President, I can answer the Senator's question.

Mr. WILLIAMS. Perhaps the President means until the signing of peace.

Mr. BORAH. The press did not so limit the statement.

Mr. KIRBY. Mr. President, I will answer the question of the Senator, if permitted.

The VICE PRESIDENT. The Senator from Idaho has the floor.

Mr. BORAH. I yield to the Senator from Arkansas. He is a member of the Military Affairs Committee, and I shall be glad to have him answer the question.

Mr. KIRBY. Mr. President, the statement made to the Military Affairs Committee by the Secretary of War on yesterday or day before yesterday was that 1,250,000 men, practically 30 divisions, would remain in Europe; that the rest of them would be brought home and demobilized and mustered out as rapidly as transportation facilities could be obtained. As to how long those 30 divisions would remain in Europe, or what particular purpose was to be accomplished by their remaining there, any further than could be gathered generally by everybody, there was no statement made by the Secretary of War. That is the condition as far as it has been disclosed to the Military Affairs Committee. As I understand, we have not yet asked for any more specific information, but we expect to do so.

Mr. SMITH of Georgia. Mr. President——

Mr. BORAH. I yield to the Senator.

Mr. SMITH of Georgia. In view of this statement, I desire to call attention to the provision attached by unanimous consent to the appropriation bill of last year which limits the retention of the reserve army to four months after the proclamation of peace, and without additional legislation none of the reserve army can be kept in the Army longer than four months after the declaration of peace. That provision is clearly and emphatically carried in the appropriation bill in a provision passed subsequently to the original military bill, which used the term "the present emergency." Desiring to get away from that indefinite language, "the present emergency," we put in the express language "four months after the proclamation of peace" in legislation passed subsequently to the bill which carried "the present emergency," and that four-months limitation stands as the law to-day.

Mr. BORAH. When does the four-months limitation begin to run?

Mr. SMITH of Georgia. From the proclamation of peace, the declaration of peace.

Mr. BORAH. I see.

Mr. SMITH of Georgia. But I only mentioned it to show that unless legislation is had there can be no million of men kept indefinitely in Europe by any kind of agreement.

Mr. BORAH. I can understand the necessity of retaining men in Europe, though not in large numbers, until the treaty of peace is signed; but these publications to the effect that they are to remain there indefinitely naturally lead to inquiry as to what "indefinitely" means.

The Senator from Massachusetts [Mr. WEEKS] suggests that it is impossible to get them home. We got them over there at the rate of about 300,000 a month. When we get ready we can perhaps get them home with reasonable speed.

Mr. MARTIN of Virginia. Mr. President, if the Senator will excuse me, I simply want to add one word to what the Senator from Georgia stated. The law that limits their retention in the service to four months has also a provision, reading, in substance, "and such additional time as may be necessary to get transportation and bring them home."

Mr. NEW. Mr. President, will the Senator from Idaho yield to me.

Mr. BORAH. I yield.

Mr. NEW. Referring to the point the Senator from Georgia has just made, I call attention to the fact that it is provided by the law that all of the conscriptions and all of the enlistments in the Regular Army made subsequently to the passage of that law expire within four months after the signing of the declaration of peace. The enlistments in the Regular Army that were made prior to that date were for a longer term, and I suppose those men will stay in the Army until the expiration of the period for which they enlisted.

In making the statement that 30 divisions were to be kept on the other side, the Chief of Staff said that they were to be Regular Army divisions; that there were to be replacements; that the divisions were to be so arranged that as finally constituted they would be composed of soldiers in the Regular Army; and that all others of the National Army, the National Guard, and all that, were to be returned home. As a matter of fact, it is my understanding that there are only about 40,000 men left in the Regular Army who were enlisted prior to the passage of the act limiting the period of their service to four months after the signing of the declaration of peace. Now, I am interested in knowing how we are to make up the difference between that forty or fifty thousand, possibly, who are left in and the 1,200,000 who are to be kept over there.

Mr. BORAH. May I ask the Senator did he inquire of the Chief of Staff in regard to that matter?

Mr. NEW. No; I did not; but that question presented itself, and it would be interesting to know if anyone has any information on the subject, so that this discrepancy may be provided for.

Mr. BORAH. Mr. President, I believe I shall defer this matter for a season. But the subject shall not be permitted to die. I have no desire to criticize nor find fault, but I am going to do as I promised the Senator from Virginia [Mr. MARTIN]—give him my persistent and vigilant support in pulling down these enormous expenditures.

DELBERT JAMES HAFF.

Mr. WILLIAMS. Mr. President, upon yesterday a species of debate arose between the Senator from Missouri [Mr. REED] and me concerning a phrase in a letter from a man by the name of Haff, as I understand it, addressed to the Senator from Missouri. This morning I received a letter from a friend of mine at the other wing of the Capitol, which is a personal letter, the conclusion of which is—

> Don't forget that this conspicuous Republican may not be entirely unprejudiced politically in his criticism. More strength to your right arm.

And with this he sends me a transcript from Who's Who, giving the history and the corporate and Mexican connections of Haff. I ask that the transcript from Who's Who be inserted in the RECORD as a part of my remarks.

The VICE PRESIDENT. Is there objection? The Chair hears none. It is so ordered.

The matter referred to is as follows:

[Who's Who (1916–1917), p. 1027.]

Haff, Delbert James, lawyer; b. Oakland Co., Mich., Feb. 19, 1859; admitted to Michigan bar 1885; practiced alone, Kansas City, 1886–9; member of firm Haff & Van Valkenburg, 1889–96; practiced alone, 1896–1900; practiced with William C. Michaels, 1900–11; practiced with firm of Haff, Meserve, German, and Michaels; general counsel Nacozari R. R. Co., Mexico; also of Montezuma Copper Company, Cananea Consolidated Copper Co., Lucky Tiger Combination Gold Mining Co. Director and general attorney, Kansas City, of the Mexico & Orient Railroad Co. Director Commerce Trust Company. President Board Park Commissioners, Kansas City, 1910–12. * * * Republican. Life member American Unitarian Association; trustee All Souls' Church. Member Mexican Academy Jurisprudence and Legislation (only American member); American Society International Law; American Society for Judicial Settlement of International Disputes; American Economic Association; National Municipal League; American Civic Association; Phi Beta Kappa, etc. Scottish Rite Mason (32d degree). Clubs: American (City of Mexico), University, Kansas City, Blue Hills Country, Midday, Commercial, City, etc. Home, 416 East 36th Street; office, 906 Commerce Building, Kansas City, Mo.

STRUCTURES ON UNION STATION PLAZA.

Mr. WALSH. Mr. President, I should like to have some information from the chairman of the Committee on Public Buildings and Grounds as to why the temporary structures occupying the park between the Capitol and the Union Station, originally designed for housing war workers who came to the city in large numbers, are being continued, and continued at large expense, and for any purpose other than that for which they were originally designed to be used.

Mr. SWANSON. I will say to the Senator that I was absent from the city until about 10 days ago, and as soon as I came back I took up the matter. I was informed by those in charge of the housing proposition, not only in Washington but elsewhere, that only those buildings which have gone beyond the process of commencement and which could be utilized were being constructed, as it would cost less to complete those buildings in a reasonable time than to stop the construction now. I understand that it is the purpose of the Housing Commission not to start any new buildings, and that the program outlined is to complete only those in process of construction where the cost would be less to complete them than if left uncompleted. I am not the chairman of the Committee on Public Buildings and Grounds and have not been for nearly three months. Consequently I am not acquainted with all the details of the various propositions which were included in the housing act.

Mr. VARDAMAN. Will the Senator yield for a question?

Mr. SWANSON. I will.

Mr. VARDAMAN. Does the Senator understand that one or two of the buildings now in the course of construction on the Capitol Plaza are to be used for picture shows? The one with the gilded dome is to be devoted to that patriotic purpose. The Government has gone to enormous expense to build these houses, which presumably will be torn down in a few months. There was no necessity for the picture-show houses even if the war had gone on for years. There were plenty of places of amusement for these patriotic war workers. It is horrible to think that this expense should have been incurred by the Government for the purpose of giving somebody profits on the construction.

Mr. SWANSON. I am not familiar with that. All the buildings were needed for war workers at the time when they were commenced. I see no occasion for completing any of the buildings, except where the loss would be greater not to complete them than it would be to discontinue work upon them.

Mr. WALSH. The question I desire to ask the Senator is how there could be any loss in stopping that would be greater than the loss of completion.

Mr. SWANSON. If we had a building half completed and made arrangements to rent it, and it could be completed in three or four weeks, under those circumstances I think it would be cheaper to complete it.

Mr. WALSH. I agree with the Senator about that, but that is not the question. To what use is it proposed now to put the buildings that were constructed for the purpose of housing war workers?

Mr. SWANSON. The departments, I understand, will be overcrowded for some time. I understand it is the purpose to rent these buildings by authority of the Government and to collect the rent.

Mr. KIRBY. May I ask the Senator a question on the rent proposition?

Mr. SWANSON. That is my understanding. I will say I do not know definitely, because I was away from the city for two months on account of illness in my family. I am not acquainted with the facts, and I have not been chairman of the committee for over three months. I yield to the Senator from Arkansas.

Mr. KIRBY. It is my information that the Housing Commission have put a price on its accommodations furnished in the houses built by the Government that is as high as that charged by the people of Washington, and that was done, I suppose, to keep up the price to something like what the real estate men in Washington thought would furnish them a reasonable compensation. I understand the buildings were to be erected for the accommodation of war workers and to reduce the exorbitant price that had been charged on the outside. I have stated what has been my information as to the price fixed for people who have made arrangements to take possession of the buildings. Does the Senator know anything about it?

Mr. SWANSON. I understood the buildings were to be rented at a rate by which the Government would get about 5 or 6 per cent on the money invested. I feel that that is justified as a rental from any class of citizens. It was impossible to get buildings constructed here to take care of the war workers from various sections of the country, and the Government contemplated putting up these buildings and renting them, getting about 5 or 6 per cent return for the money invested. As to whether that has been executed or not, I am not prepared to say, nor as to what the charges are to be.

Mr. WEEKS. Mr. President——

Mr. SWANSON. I yield to the Senator from Massachusetts.

Mr. WEEKS. I am glad the Senator from Montana has brought up this question. These buildings very largely are being erected on public parks in Washington. They are being erected for a specific purpose. That purpose will disappear as soon as the urgency of the war pressure is removed and there will immediately be a pressure to pull the buildings down. If one will take a paper and pencil and figure up a moment or two, even based on the explanation which the Senator from Virginia has made, he will be able to determine that there will not be any reasonable return on the money, because the buildings have cost excessive amounts, and, in my judgment, work on those buildings should be stopped at once; it does not make any difference if they are seven-eighths completed.

Mr. SWANSON. The idea was that the Government could recoup itself for some of its expenditures. Of course the removal is finally to be determined by Congress. If Congress wants to remove them next week or a year or two years hence, Congress will determine as to whether the buildings put on these parks shall be removed or whether the Government shall obtain rent enough to get a reasonable compensation for the expenditure made or not.

Mr. KING. Will the Senator yield that I may put this proposition to him? It is obvious that after the completion of the buildings hundreds of thousands of dollars—at any rate, a very large sum—will be necessary to furnish them.

Mr. VARDAMAN. That is being done now. They are putting the furniture in now.

Mr. SWANSON. I see that the chairman of the committee, Mr. REED, is present. I am satisfied that it is his purpose to make a thorough investigation of the entire expenditures in connection with housing all over the United States. I am not acquainted with it either here or elsewhere, but the amount of money spent elsewhere exceeds that in Washington. Of course the condition all over the country should be investigated and a policy outlined.

Mr. KING. I believe every dollar spent on those buildings now will be wasted, and it is a crime to continue any work on the buildings.

Mr. SWANSON. I am not prepared to say as to what would be the wiser course to pursue.

Mr. WALSH. Mr. President, I wish to say just a word. I do not understand that the primary purpose of constructing the buildings was to bring down the price of the rent of apartments in Washington, but the primary purpose, as I understand it, was to provide accommodations for war workers who could not find accommodations in the city, and the Government very properly undertook to provide accommodations. Up to the time that the armistice was declared the war workers were housed somewhere, and as a matter of course the number would be immediately diminished thereafter rather than increased. So it occurs to me that there never will be any occasion whatever for the use of these buildings for the purpose for which they were erected—to take care of war workers who could not find accommodations anywhere else. It occurs to me, therefore, that that is one of the things that should have been stopped the day after the armistice was declared, taking whatever loss was occasioned by reason of the construction already made. But I have observed day by day that the work goes on. I observe that the buildings are being fitted out with furniture, curtains are put at the windows, the grounds are being very nicely graded, and I presume probably lawns will be cultivated and all the attractions of the home will be attendant upon them.

They are very costly buildings that are in process of construction upon the Plaza; they are quite artistic in the style of architecture. I do not know to what purpose they could be

devoted, but that ground was acquired for park purposes, and consequently the buildings there erected are going to be razed in the course of a very short time. As suggested by the Senator from Massachusetts [Mr. WEEKS], I can not conceive how the Government can ever get back the money that it is even now expending in the construction of the buildings.

Mr. SWANSON. I could not express a definite opinion on the subject unless I knew what is the program outlined after the completion of the buildings and the rent expected and what could be saved out of the appropriation. I understand the policy is to complete the buildings, except where it is better for the Government to abandon them. Of course, the Committee on Public Buildings and Grounds, of which the Senator from Missouri is the chairman, will think over this matter and ascertain the expenditures. We can rely upon the energy of the Senator from Missouri to pursue the matter to the fullest extent.

Mr. SMITH of Georgia. If the Senator will yield, I want to ask him who is managing the construction of the buildings and furnishing them down on the Plaza? It does seem to me we ought to get hold of whoever is doing it and choke them off from buying furniture and putting it into these buildings now. It is simply an inexcusable waste of public money, and the person responsible ought to be named and pilloried for it.

Mr. SWANSON. When the housing bill was before the Senate authority was given to the President to control the expenditure of the money. A Housing Commission was provided for under the bill as originally passed by the House. It was amended in the Senate by putting the President in control of it.

Mr. SMITH of Georgia. That is legislation that I am glad I voted against. I insisted that we ought to name some responsible person to do work of this kind, an officer of the United States Government on whom we could put our hands and have some influence over.

NEWS CABLE SERVICE IN PARIS.

Mr. JOHNSON of California. Mr. President, we have heard very much of late about the mode of communication between Paris and this country of the peace conference proceedings, and we have been told that there would be no restriction upon the news which would come to us respecting those proceedings. I am very glad indeed that we have thus been told, and I take it that that will be the fact. But in order that the Senate may be informed, for perhaps some have not read the particular dispatch, I wish to read a dispatch appearing this morning in the Washington Post from Paris upon this subject:

NEEDS OF 500 WRITERS EXCEED CABLE CAPACITY; 28,000 WORDS IS LIMIT.

PARIS, *December 4.*

With the arrival to-day from England of Edgar Sisson, accompanied by 3 assistants and 30 clerks, the advance guard of the Creel committee established itself here in anticipation of President Wilson's visit to Paris. They are quartered in a handsome 20-room house at 58 Avenue Montaigne, in the vicinity of the Champs Elysees. A housekeeper and a corps of servants had been provided in advance for the party.

It was explained to-night by a member of the party that every American official communication to the press must pass Mr. Creel.

Mr. Sisson in a talk with American correspondents here defined the objects of the committee during the peace negotiations.

The mission's function, said Mr. Sisson, would be solely to issue authentic statements on behalf of the American negotiators, designed to prevent mistakes that might creep into the American and foreign press if such a centralized system of authentic outgivings were not devised.

With the approach of President Wilson's arrival and the coming of the various peace delegates a unique situation in the history of telegraphic communication is expected to present itself. The cables between England and America are capable of transmitting 28,000 news words daily—positively no more, officials state. When it was reported the dribs would bring 500 writers, those here familiar with the capacity of the telegraph and cable connections expressed pessimism as to the possibility of giving every member of the huge army of correspondents a fair chance. There are only three cables supplying England, America, and Canada.

Already a plan has been set afoot for "rationing" wire space among the various news associations and individual reporters.

Mr. President, I am not concerned with the legal aspects of the President's trip. He determined to take it and we make the best of his determination. I am concerned with what may come to America of the proceedings of the peace conference, and I am concerned with whether the news that comes to us shall be "rationed" or whether it shall be censored.

I wanted to call the attention of my colleagues to this news item sent by cable from Paris so that they might, with me, if their views be similar to mine, protest against Mr. Creel "rationing" news from Paris or exercising censorship over that which shall come to us from the peace conference.

Mr. WATSON. Mr. President, I had intended myself to read the article which has just been read by the distinguished Senator from California. I am very glad that he has called the attention of the Senate and of the country to this particular censorship. The article that he has read and the information it gives is in striking contrast with the language used by the President in the address that he delivered to Congress the other day, in which he said:

> I shall be in close touch with you and with affairs on this side the water, and you will know all that I do. At my request, the French and English Governments have absolutely removed the censorship of cable news which until within a fortnight they had maintained and there is now no censorship whatever exercised at this end except upon attempted trade communications with enemy countries. It has been necessary to keep an open wire constantly available between Paris and the Department of State and another between France and the Department of War. In order that this might be done with the least possible interference with the other uses of the cables, I have temporarily taken over the control of both cables in order that they may be used as a single system. I did so at the advice of the most experienced cable officials, and I hope that the results will justify my hope that the news of the next few months may pass with the utmost freedom and with the least possible delay from each side of the sea to the other.

And is also strikingly inconsistent with a statement issued by the Postmaster General, as published in the Official Bulletin of the 3d of December, in which he says:

> An understanding has been had with those who have the immediate direction of the trans-Atlantic cable service that every facility commensurate with its importance will be given the news associations and representatives of individual newspapers for handling press matter during the period of the peace conference. It is hoped that those agencies may be given the fullest opportunities for handling the development of the peace deliberation. No discrimination will be permitted; and press matter at press rates will, where possible to do so, not be shunted aside but handled promptly so as not to impair its value as news.

Mr. WALSH. Mr. President——

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Montana?

Mr. WATSON. Certainly.

Mr. WALSH. I know the Senator from Indiana has given very careful consideration to the subject of the cables, and I ask him to advise the Senate what is the daily capacity of the cables?

Mr. WATSON. I think that this article correctly states the capacity allotted to the press. I have not much doubt about that. I am not complaining about that.

Mr. WALSH. Then let me inquire of the Senator if some system of rationing will not be absolutely necessary?

Mr. WATSON. I want to say to the Senator from Montana that I am not complaining so much about the system of rationing as I am about the man who is to do the rationing; in other words, here is the proposition:

> It was explained to-night by a member of the party that every American official communication to the press must pass Mr. Creel.

Who is to determine what is an "official communication"?

Mr. WALSH. Mr. President, I did not intend to interrupt any animadversion that the Senator from Indiana might care to make with respect to that feature of it, but I merely desired to get the information myself as to whether, if the cables are limited in their capacity—and, of course, they are—some system of rationing will not be necessary.

Mr. NEW. Mr. President, will my colleague permit me to make a suggestion?

Mr. WATSON. Certainly.

Mr. NEW. I think in answer to the inquiry of the Senator from Montana, that it is fair to say that the total capacity of the cables between this country and Europe is much in excess of 28,000 words a day, but those 28,000 words referred to are already that portion of the capacity of the cables which has been rationed to the American press for their purposes.

Mr. WATSON. That is what I understand this article to mean.

Mr. NEW. It has been rationed to the American press for news purposes, and those 28,000 words are in turn to be parceled out by Mr. Creel in the capacity in which he is to act over there, as I understand.

Mr. WALSH. That is the information which I was desirous of getting. I should assume that, as a matter of course, some portion of the total capacity of the cables will necessarily be assigned by some one for the transmission of commercial and other general news.

Mr. NEW. Certainly.

Mr. WALSH. So that if the demands upon the cables are greater than their ability to meet them some system of rationing must be put in force by some one in order to meet the situation.

Mr. WATSON. Mr. President, if the Senator from Montana has concluded, I desire to say that my contention was at the time I made the remarks I made upon this floor when the cables were taken over that George Creel was to be taken to France in order that he might censor all the news that came to this country regarding the deliberations at the peace council. That is exactly what I believed then, and it is precisely what I believe now. This article simply confirms me in that opinion. I am not disturbed about the rationing; I am not disturbed about the capacity of the cables; but I am disturbed about the fact

that the man who is to have absolute charge of every word that comes to this country respecting the deliberations of the peace council is George Creel and that George Creel was taken there for the express purpose of censoring it all and having charge of it all. That is what I complain of; and I again want to warn the American people that if George Creel is to send the words here and is to transmit the news here and if nothing is to be put on the wire except the things which he approves they should make very great allowance for their truthfulness and for their authenticity. It is for that purpose that I rose, and that only.

Mr. SHERMAN. Mr. President, the Senator from California [Mr. JOHNSON] and the Senator from Indiana [Mr. WATSON] I think have performed a needed public service in calling attention to the press reports referred to, as well as to a paragraph in the recent message just before the departure of the Executive in relation to the same subject.

I am not at all surprised at the exercise of the power, now that it has been assumed by Mr. Creel, having first been delegated and made possible by affirmative action in Congress. Congress has very largely been derelict in permitting such power to be delegated. I expected it to be unwisely exercised, and I fear I shall not be disappointed. I would be very glad to know otherwise, but the press report cabled from Paris under the date line read by the Senator from California and referred to by the Senator from Indiana only confirms what every Senator in this body believes, what every well-informed man in the press gallery knows, and what the general public who have given attention to the matter believe and know to be the purpose of the power so delegated. It was to muzzle the press, and for no other purpose, and I again call the public's attention to the fact that it will be exercised in that way.

I saw evidence of the purpose for which this power was to be used when the resolution was introduced which made possible the taking of the cables. After the belated action, the armistice having been signed, the cables were taken over. It was only cumulative evidence of the intent with which power was originally sought and was finally obtained. It is now being used in the way that every person here who gave the matter thought expected it to be used.

The very great array of clerical and other help taken by the head of the Committee on Public Information would betoken some expense to be paid out of the $1,250,000 heretofore appropriated by Congress for the support of this agency. I have no doubt there will be additional appropriations sought at the hands of Congress before it shall have completed its purposes. The conditions under which they render this service and the particular accommodations required—all of which are heralded in the very liberal arrangements made—would warrant the belief that other appropriations will be needed. The article here speaks of the "20-room house." Of course, the commissary must go along with that. Such needed help as would support in befitting state a representative of a public department of this Government would naturally occasion considerable expense. I have heretofore called attention to the very liberal arrangements that were made for the entertainment and support of this party abroad, of which Mr. Creel is only a portion. Such luxuries come high, but the administration must have them, and the people must foot the bills.

The expense of the cable service to the fathers and the mothers of the soldiers in the service has not been reduced since the Government acquired the cables.

Mr. NEW. Mr. President, will the Senator from Illinois yield?

Mr. SHERMAN. Yes, sir; I yield.

Mr. NEW. Before the Senator leaves that subject, I have heard it reported that among the other accessories provided and which were taken over on the *George Washington* were 12 new automobiles, just recently purchased. Does the Senator include them in the articles for which appropriations will probably be asked?

Mr. SHERMAN. I have no doubt, Mr. President, that appropriations will be necessary. Of course, what is necessary to support a mission of this kind is discretionary and depends upon the liberal ideas of those in authority and their desire to entertain and to give such eclat to the thing as might be considered essential, and a large number of automobiles might be thought necessary to that end. I am glad to have the Senator from Indiana call attention to this particular item of expenditure, which no doubt in due season will be before this body. It will furnish at least the foundation for appropriate comments in the absence of a majority vote against appropriations of that kind, if a seasonable statement is had, as the Senator from Indiana has already made it. It comes fitly, indeed, at a time when we have been for months admonished to save and diet and give. Advice in abundance but no example by those in authority.

Before leaving this matter, I was about to refer to the fact that when the cables were in private hands a special 6-cent rate per word was made possible by the private management of the cables to the parents of soldiers who desired to communicate with the capitals of the belligerent nations with which we are associated for the purpose of finding the latest news of their boys in the service. Since the Government has taken over the cables the old rate of 28 cents a word is now applicable to every father and mother who desires to cable to Europe to find out where their boys are. That is the old general rate. The 6-cent rate was a special rate made by the alleged "grasping private concerns" that owned the cables before the Government took them over. So much for promoting publicity and reasonable charges when they affect the sons of families, many of whom have not been heard from for months.

I have a neighbor in my home city who has three boys and one son-in-law in the service. All of them are enlisted men; they did not wait for the draft. One of the boys has not been heard of for more than three months, and the department is now cabling across trying to locate the whereabouts of this absent member. Some of the boys have been heard from, but as to this one about whom there is anxiety more than three months have elapsed without a word. It costs 28 cents a word to cable to London or to any other quarter reached by cable line under the beneficent management of the lines by Mr. Burleson, Postmaster General. I wish to add that to the benefits accruing from the cable seizure along with those Mr. Creel has already furnished.

I alluded, Mr. President, the other day to the fact that a good deal of expense would be incurred. I have here six Hoover menus prepared for Thanksgiving Day, which have just about as much to do with real benefit to the public as Mr. Creel's direction of the publicity service. They tell us what to eat; the Government reached those details long ago. These menus have been published since the armistice has been signed, and they provide six bills of fare for six days in the week, directing us how to subsist, running all the way from roast turkey and sweet pointoes down to roast goose and apple sauce—I am quoting literally from the bill of fare. So long as we are engaged in directing the individual what to do I should like to add that to the information the Senator from California has given on the sort of mental pabulum that should go along with physical nourishment. I ask that the menus referred to may be incorporated in the RECORD without reading as a part of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

SIX HOOVER MENUS ISSUED—"HOME-GROWN" THANKSGIVING DINNER URGED BY FOOD BOARD.

WASHINGTON, *November 26, 1918.*

Thanksgiving dinners of "extreme simplicity" are advocated by the Food Administration, which calls to mind that more than 300,000,000 people in the Eastern Hemisphere need food. The Food Administration says that a "home-grown" dinner is recommended, with simple menu, no waste, no imported food, and economy in the use of fats. "Feasting" during the holiday season is discouraged.

"Even with the armistice in effect the need for food saving with a view to world relief is greater than ever," says an announcement to-day.

The Food Administration suggests any one of these six simple menus as "appropriate and patriotic":

1. Roast turkey, potato stuffing, glazed sweet potatoes, string beans, pickles, turnips, onions, pumpkin pie.
2. Roast chicken, potato and celery stuffing, cranberry jelly, steamed squash, oyster plant, nuts, celery and apple salad (use locally grown nuts), plum pudding.
3. Roast pork, baked apples, cranberry jelly, squash, turnips, tomato salad (home canned tomatoes), marshmallow pudding.
4. Roast rabbit, creole stuffing, glazed sweet potatoes, cranberry sauce, head lettuce salad with mayonaise, celery, locally grown nuts, Indian pudding with raisins.
5. Roast goose, potato and walnut stuffing, apply sauce, giblet gravy, fried carrots, canned peas, fruit salad, sweet-potato pie.
6. Roast wild duck stuffed with apples, Belgian baked potatoes, stuffed olives, fried tomatoes, escalloped egg plant, cabbage salad, cranberry and apple pudding with cranberry pudding sauce.

Mr. SHERMAN. Mr. President, in addition to that, to show the latest activities of Mr. Creel before he left our shores, I wish to read from the Official Bulletin under date of November 22, 1918.

> Full many a gem of purest ray serene
> The dark, unfathom'd caves of ocean bear;
> Full many a flower is born to blush unseen
> And waste its sweetness on the desert air.

And, Mr. President, here is one of them. An imperative sense of public duty prompts me to rescue from the oblivion of the Official Bulletin of November 22, 1918, this Kohinoor of food conservation:

MORE THAN THREE MEALS WASTEFUL, FOOD ADMINISTRATION SAYS.

The real work—

This refers to farm life. The gentleman who will censor all of the news that may come to the public from Paris, having reached

there with his vanguard of custodians of public information, prints this for the edification of the public—

The real work of farm life leaves little time or appetite for afternoon teas and late suppers. Nevertheless the request of the Food Administration that the fourth meal be discontinued until food conditions are less serious suggests to all people simple hospitality. Company for dinner or supper should mean to the busiest woman a real chance to teach conservation in an agreeable form. The church supper or community dinner, too, presents an opportunity to demonstrate how good is a dinner of simple home products and when well cooked should be a substitute for one of the three regular meals.

The extra meal and lavishness in food ought to be considered an offense against humanity and good taste so long as war-torn Europe needs to be succorted and fed.

The genius who discovered this priceless gem, Mr. President, ought not to be suffered to languish in obscurity. Here is something real satisfying to the farmer. Many of us from the western section of the country have constituents in the farming communities, and I know that they will welcome with hilarious delight the information furnished them in the Official Bulletin of November 22, 1918. The farmer is solemnly warned to abstain from pink teas and after-the-theater late suppers. I have not known any among my rural constituency who have recently been giving any teas of a winter or summer afternoon. I lately visited my home and many other of the Western States, and I know none of them who are engaged in that practice. Most of them have all of the members of their families out from dawn until dark trying to keep the food resources of this country from going to waste, in order that the starving ones of the world may be fed. I have seen children eight years of age kept out of school to take the places of the boys who are in the Army. They are not wasting food, and they need no advice from these self-constituted custodians of conservation, who do not know the first principles of production and whose entire lives, Mr. President, have been those of ultimate consumers, usually without any production on their part to be credited at any time to any of their activities.

I know of nothing that Mr. Creel ever produced in his life. He never even rolled a cigar that he smokes. He never produced a pound of cereals. He never milled any of them. He never raised a pound of meat of any kind. He does not know where the sources of production are in this country; and yet he not only censors our news from abroad but he undertakes to tell us how to live, how to produce, to eat, and even how to furnish our tables. For one, I am weary, and I shall seasonably protest here at all times and take the necessary course in the Senate to call the attention of the public generally to the expenditure of money to support a public officer for such superfluous service.

Ah, but this is a seasonable and thrice-blessed admonition, Mr. President, indeed! If it were not for this, the farmer by this time would be shucking corn in a silk tile and dress suit, with a caddie to attend him, to carry his husking gloves and swear at the mules; the Government must intervene to make him abstain from such luxuries by giving him this admonition in the Official Bulletin. His wife would be out with an 8 or 10 foot train, Mr. President, milking the cows, sitting on a mahogany stool with ebony legs, unless the Official Bulletin had thrown itself into the deadly breach.

The basement church supper is referred to here—a very necessary institution, and one with which we are all entirely familiar, both in the city and in the country towns. It is to be utilized as a substitute for one of the three regular meals. The other meal can be saved for the Hun, who may otherwise starve, since he has quit robbing others for his daily bread. This suggestion of Mr. Creel's possesses both novelty and utility. My information from "dry" headquarters is that the country will soon be in that condition. Free-lunch belts are rapidly fading from metropolitan centers. The church meal will furnish the nourishment without the alcoholic excitement. The degenerate rural gourmand, who yearns for caviare and nine kinds of liquor while he shovels potatoes into the root house, must be rebuked. "Simple home products" are the thing. Yes, indeed! He refers to them in the Official Bulletin. Well, let us begin at home. That is a good place, like charity. Let it begin there, but let it not remain there forever, of course. Let the presidential party that has now sailed fill its commissary with turnips, corn meal, and cabbages. Practice what you preach. Besides, it is popularly supposed that a simple diet of that kind and of such well-known articles will ward off seasickness. It will set a salutary example in high official life for the gourmandizing farmer who is now working 18 hours a day and helping feed the world. Lavish consumption of food at sea is often not assimilated or kept in the digestive tract for any great length of time; and if simplicity in diet were followed on the articles mentioned a great saving would result not only in comfort but to feed war-torn Europe, as well as recommending the simple life as a great public example.

I shall await further information on this subject with consuming impatience from the majority side of this Chamber, and from the press report from time to time by wireless, as it flashes on its way across the sea the news of this cavalcade to the peace council.

Rear Admiral Dr. Grayson and Creel both are of this retinue, as I have been informed. The admiral is a little late, wherever he is, to lend his presence to the imposing pageant of the German Navy's surrender. He ought to have been present. The world knows how much he contributed to breaking down Germany's sea power. Creel is the editor of the Official Bulletin, advising the farmer how to eat. With two such eminent authorities at the command of the country, the medical aspect of the balanced ration and a news report of the distinguished party in the act of taking nourishment are anxiously awaited.

I wish to say something, Mr. President, somewhat connected with this subject, addressed to the claim that every time some criticism is made it is an embarrassment or a heckling of the Executive or of the administration. We would have said the same things if he had stayed here; and why, in the language of the Senator from Mississippi [Mr. WILLIAMS], is it to be taken as heaping things upon his defenseless head when he is gone? If a Senator, knowing that another one is to make some remarks about him, absents himself from his seat, the Senator remaining and still making the remarks is at liberty to say what he will in the Senator's absence. He can be present or not, as he likes.

At the other end of the Capitol, and among those who are impatient to mount the seat of power, there are interviews now anticipating the time when he shall rule. Edicts are issued from time to time, one in yesterday morning's press, saying that nothing should be said to interfere with the President's mission abroad. He must be immune in Congress and Creel must save him from a free press by censored cables. The gentleman seems to be impatient. He delivers his pronunciamento with the air of finality and the authority of a sultan; his ukase is made and published before he has even ascended the throne of power. He is much more powerful in Washington than he is at home. Upon two several occasions he has been seized with an unappeasable desire to have the delegates from his own State in a national convention. He never even nosed in under the starter's wire and got a delegate in his life. I shall be indifferent to instructions from this self-constituted dictator of the Republican Party hailing from Illinois, even if he does presume to have absorbed the Republican Party and be intent upon delivering orders to his future subjects. I am mentioning no names, as it would be a breach of the parliamentary rules to do so.

The VICE PRESIDENT. The occupants of the galleries must preserve order.

Mr. SHERMAN. But I have not accepted his leadership, except when I was reconciled to defeat and expected the party to go into the ditch, and I never have been disappointed. He possesses no elements of leadership in the West, and none in his own State, outside of Hyde Park in South Chicago.

This is all I care to say at the present time; but I give due and timely warning that even if he be Speaker of the House his premature decrees do not bind the junior Senator from that State, nor will be he heeded in Illinois. I have had my difficulties with him in days past, and few there have ever paid any attention to him, because ordinarily it is not required; but because of his putative speakership he seems to be impatiently anticipating the day when he can deliver orders. If he wishes to lead, he will have to find some constituents outside his own State. He has never led his own State, and is unlikely to do so, and I respectfully suggest to him to represent something before he begins to publish proclamations and bestride the Republican Party in anticipation of his reign. Nobody will address him as the Muskingum County, Ohio, Democrats spoke of President Wilson. He will be "His Majesty" to nobody, not even to his own constituents. It is only by forbearance that he ever gets to Congress. It speaks well for the pursuits of private life in his district that nobody wants the place. Everybody would rather stay in Hyde Park than contest his seat. He can be spared for exile in Washington, and so they bid him Godspeed.

At one time he affably referred to the Senator now having the floor as a "two spot." I replied that such limited familiarity as I had possessed of the game in which that was an element had taught me that it was something you could not lose, and we contested to see who had the highest card in the pack. He started his campaign, he had his headquarters, he issued his literature, and after a casual observation of the political landscape he retired, and his name was not heard of thereafter. I hope he will not give me an occasion for further remarks; but if he does I shall be very happy at all times to promote harmony of the kind indicated.

Mr. REED. Mr. President, before the Senator takes his seat I desire to ask if he is withdrawing the candidate for the speakership at this time? I want to know whether Champ Clark is to have an open field?

Mr. SHERMAN. Well, he is welcome to it as far as the Senator from Illinois is concerned. [Laughter.] I am cheerfully impartial, Mr. President. As between the two, I would not say even that I was "from Missouri." I would just as lief the honor would go to one as the other, personally. I suppose, politically, I ought to be loyal. We worked for the majority in the House; I contributed my drop in the bucket with the others; but I wish to warn the Republicans of the House and the Republicans of the United States, if they wish to dissipate their majority, let them choose such leaders and go into the ditch again. He belongs to that band of distinguished Tories who never learned anything and who never forgot anything, because they had not anything to forget.

The VICE PRESIDENT. The Sergeant at Arms and his assistants at different doors must warn the occupants of the galleries about the rules of the Senate. The Chair is tired of calling attention to the rules. The doorkeepers are put there to know something. Let them tell the occupants of the galleries what the rules are.

Mr. SHERMAN. So, if there is to be a leadership, it ought to garner the result of a campaign usefully; but this alleged leader has never led. His proclamations are received with tumultuous laughter and his efforts to manage the party are accepted as notice to prepare for its obsequies. He is suffering from an obsession that a parliamentary rule is of more consequence than a constitutional limitation or delegated power in that instrument. He has dwelt in the atmosphere of parliamentary ruts so long that he has never learned to distinguish between the one and the other; and I think it my duty to warn Republicans that if they are to learn by lessons beginning in 1912 and extending to the 5th of November, 1918, they might as well consider maturely, with him in the saddle, where they are headed for and what kind of a leader they are following.

Probably I ought to be a Member of the other body. I could have gone there 20 years ago from the Rock Island district if I had wished. I would enjoy life better there, no doubt. I have this to say of the House, however: They had better cast about to get a leader that has a constituency at home and his own State behind him; and this that putative candidate never had, and he never will.

The rest of it I will say upon due provocation at some other time, if it comes. [Laughter.]

The VICE PRESIDENT. Is there any further morning business? [A pause.] Is any Senator desirous of discussing anything? [Laughter.] If not, the morning business is closed. The calendar under Rule VIII is in order.

CALLING OF THE ROLL.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Hardwick	Moses	Smith, Md.
Borah	Henderson	Myers	Smith, S. C.
Brandegee	Johnson, Cal.	Nelson	Smoot
Calder	Johnson, S. Dak.	New	Spencer
Chamberlain	Jones, N. Mex.	Norris	Sutherland
Cummins	Jones, Wash.	Page	Thompson
Curtis	Kellogg	Poindexter	Trammell
Dillingham	Kendrick	Pollock	Underwood
Fletcher	Kenyon	Pomerene	Vardaman
France	King	Reed	Walsh
Gay	La Follette	Saulsbury	Watson
Gerry	McKellar	Shafroth	Weeks
Gronna	McLean	Sheppard	Wolcott
Hale	Martin, Ky.	Sherman	
Harding	Martin, Va.	Smith, Ariz.	

Mr. GERRY. I desire to announce that the Senator from North Carolina [Mr. OVERMAN] is detained on official business.

Mr. CURTIS. I desire to announce the absence of the senior Senator from New Jersey [Mr. FRELINGHUYSEN] on official business. I will let this announcement stand for the day.

Mr. SUTHERLAND. I announce the absence of my colleague [Mr. GOFF] on account of illness.

Mr. CURTIS. I desire to announce the absence of the junior Senator from Michigan [Mr. TOWNSEND] on official business. I will let this announcement stand for the day.

Mr. McKELLAR. I wish to announce that the senior Senator from Tennessee [Mr. SHIELDS] is absent on account of illness.

The PRESIDING OFFICER (Mr. WALSH in the chair). Fifty-eight Senators having answered to their names, a quorum is present.

HOUSE JOINT RESOLUTION REFERRED.

H. J. Res. 356, joint resolution authorizing payment of the salaries of officers and employees of Congress for December, 1918, was read twice by its title and referred to the Committee on Appropriations.

CIVIL-SERVICE RETIREMENT.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived the Chair lays before the Senate the unfinished business, which is Senate bill 4637.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 4637) for the retirement of employees in the classified civil service.

Mr. POMERENE. Mr. President, on yesterday I was about to present an amendment in the nature of a substitute, of which I gave notice some days ago. I now move to strike out all after the enacting clause and to insert as a substitute therefor the amendment which I send to the desk. I ask that it may be read for the information of the Senate.

The Secretary proceeded to read the proposed substitute and read to the end of section 1.

Mr. GRONNA. Does the Senator from Ohio wish to have the entire amendment read now? Would he rather not have the reading interrupted before it has been concluded?

Mr. POMERENE. I do want to have the entire amendment read, for the information of the Senate. I realize that many Senators have been engaged on very important committee work and I should like to have it in the RECORD, so that they may know what it is.

Mr. GRONNA. I was going to call attention to a certain provision in the first section, but if the Senator would rather have the amendment read through, I will defer it.

Mr. POMERENE. I would rather have it read through. Then I shall be glad to respond to any question I can.

The Secretary resumed and concluded the reading of Mr. POMERENE's amendment, which was to strike out all after the enacting clause of the bill and to insert:

That beginning with the 1st day of July next following the passage of this act there shall be deducted and withheld from the monthly salary, pay, or compensation of every officer or employee of the United States to whom this act applies an amount computed to the nearest tenth of a dollar that will be sufficient, with interest thereon at 4 per cent per annum, compounded annually, to purchase from the United States an annuity, payable quarterly throughout life, for every such employee on arrival at the age of retirement, as herein provided. The deductions herein provided for shall, in the case of employees who are in the service of the Government at the time this act goes into effect, not to exceed 8 per cent of the said salary, pay, or compensation; and shall be based on such annuity tables as the Secretary of the Treasury may direct, and interest at the rate of 4 per cent per annum, compounded annually, and shall be varied to correspond to any change in the rate of salary, pay, or compensation of the employee: *Provided, however*, That the deductions made from the salary, pay, or compensation of persons hereafter entering the service shall not exceed 8 per cent thereof, and such persons shall be entitled to such annuities only as said deductions with accumulations of interest thereon will purchase.

SEC. 2. That the amounts so deducted and withheld shall be deposited in the Treasury of the United States and credited, with interest thereon, to an individual account of the officer or employee from whose salary, pay, or compensation the deduction is made, and the Secretary of the Treasury is hereby directed to invest and reinvest such funds or any portion of such funds in any of the following securities, namely: Bonds of the United States, bonds issued under the provisions of the Federal farm-loan act, bonds or other interest-bearing obligations of any State of the United States, or any county or municipal bonds which may be approved by the board of investments hereinafter provided for.

The moneys deducted from salaries and the income derived therefrom shall be held and invested, as above described, by the Secretary of the Treasury until paid, as is hereafter provided. Any deficiency in the fund hereby created to carry out the provisions of this act shall be paid out of any money in the Treasury not otherwise appropriated.

For the purpose of aiding the Secretary of the Treasury in investing the funds and enforcing the provisions of this act, a board of investment is hereby created, composed of the Treasurer of the United States, one person to be appointed by the Secretary of the Treasury from his department, and one person to be designated by the President from among the employees of the classified civil service. The members of the board of investment shall be sworn and shall hold office until others are appointed and qualified in their stead.

SEC. 3. That all those engaged in the classified civil service shall be retired at 70 years of age and shall be entitled to the annuities and benefits herein defined: *Provided, however*, That if within 30 days before an officer or employee reaches the retirement age, the head of the department or independent office in which he is employed certifies to the Secretary of the Treasury that by reason of his efficiency and willingness to remain in the service the further continuance of such officer or employee would be advantageous to the public service, he may be retained for a further period not exceeding two years, and at the end of two years, by similar certification, he may be continued for another period not exceeding two years. Upon the failure of the head of the department or independent office to make the above-described certificates, it shall be the duty of the Secretary of the Treasury to place such employee upon the retired list.

SEC. 4. That upon absolute separation from the classified civil service prior to the age of 60 years, and only upon such separation, the officer or employee may withdraw his savings then credited to his account, with the accumulations thereon, in one sum. In case of the death of an officer or employee while in the service the amount of his savings and accumulations thereon, shall be paid to his legal representatives.

SEC. 5. That upon separation from the classified civil service at any time within 10 years prior to the age of retirement the officer or employee shall receive such life annuity as his accumulated earnings, including the interest credited thereon, may purchase: *Provided, however*, That if said employee shall die before receiving in annuities a sum equal to his accumulated savings, including the interest credited thereon, together with the compound interest thereon as herein provided then the balance remaining to his credit over and above the annuities received by him shall be paid to his legal representatives.

SEC. 6. That in case of reinstatement in the classified civil service of any person who at the time of his separation therefrom received a refund under section 4 of this act, he shall be deemed to be a new entrant to the service, and the monthly deductions from his salary shall be computed from his age at the date of such reinstatement unless he shall within 90 days after reinstatement pay to the Treasurer of the United States the amount refunded to him, which shall be applied toward the purchase of the annuity herein provided for and the deductions from his salary thereafter shall be only for such sums as may be necessary to pay for the balance of said annuity.

SEC. 7. That beginning with the 1st day of July next following the passage of this act every officer or employee then or thereafter in the classified civil service who at that time or thereafter shall have reached the retirement age shall be retired, and if in the service of the United States for 20 years or more shall receive from the United States during the remainder of his life an annuity, payable quarterly, equal to one-half of the average annual salary, pay, or compensation received during his entire period of service after July 1, 1912, such annuity not to exceed a maximum of $900, and to cease at his death. Those who have served less than 20 years shall be entitled to one-twentieth of such annuity for each year of said service: *Provided, however*, That if such officer or employee at his death shall not have received annuities equal to the amount of the savings and deductions from his salary, pay, or compensation, with compound interest, as hereinbefore provided, the United States shall pay to his legal representatives the balance remaining to his credit.

SEC. 8. That upon the retirement of officers and employees as herein provided during any fiscal year, the funds appropriated for their salaries which remain unexpended shall be applied as follows:

First. To the payment of their annuities;

Second. Ten per cent thereof shall be covered back into the Treasury; and

Third. The balance shall be available in the department or independent office from which said employees are retired, for the appointment of other officers or employees in the lower grades. Except as herein provided, all annuities shall be paid out of appropriations specially made for that purpose.

SEC. 9. That every officer and employee in the classified civil service after this act takes effect shall be deemed to consent and agree to the deductions made and provided for herein and shall receipt in full for the salary, pay, or compensation which may be paid monthly or at any other time, and such payment shall be a full and complete discharge and acquittance of all claims and demands whatsoever for all services rendered by such person during the period covered by such payment, except his claim for the benefit to which he may be entitled under the provisions of this act, notwithstanding the provisions of sections 167, 168 and 169 of the Revised Statutes of the United States and of any other law, rule, or regulation affecting the salary, pay, or compensation of any person or persons employed in the classified civil service to whom this act applies.

SEC. 10. That the Secretary of the Treasury shall prepare and keep all needful tables, records, and accounts required for carrying out the provisions of this act, including data showing the mortality experience of the officers and employees in the service and the rate of withdrawal from such service, and any other information that may serve as a guide for future calculations and adjustments of the plan for the retirement of officers and employees. The Secretary of the Treasury shall make a detailed comparative report annually to Congress showing all receipts and disbursements, together with the total number of persons receiving annuities and the amounts paid them.

SEC. 11. That this act shall apply only to persons in the competitive classified civil service of the United States, including the District of Columbia, the Canal Zone, and the insular possessions, whose salaries, pay, or compensation is paid from moneys of the United States and shall not apply to postmasters or to persons serving in positions excepted from examination, as defined in the civil-service rules. Whenever any person shall become separated from the classified civil service by reason of appointment in the unclassified service, such separation shall operate to take him out of the provisions of this act, except as to payment of any amount that may be due him. The President shall have power, in his discretion, to exclude from the operation of this act any group of employees whose tenure of office is intermittent or of uncertain duration.

SEC. 12. That none of the moneys mentioned by this act shall be assignable either in law or equity, or be subject to execution or levy by attachment, garnishment, or other legal process or to the payment of taxes, local, State, or Federal; nor shall any money paid to any employee or to the legal representatives of a deceased employee be subject to the payment of the debts of such employee.

SEC. 13. That for the clerical and other service and all other expenses necessary for carrying out the provisions of this act during the fiscal year 1917, including salaries and rent in the District of Columbia, there is hereby appropriated the sum of $20,000 out of any money in the Treasury not otherwise appropriated. No officer or employee receiving a regular salary or compensation from the Government shall receive any additional salary or compensation for any service rendered in connection with the system of retiring employees provided for by this act.

SEC. 14. That the Secretary of the Treasury is hereby authorized to perform or cause to be performed any or all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this act into full force and effect; and his decision as to the amount to be deducted, the amount of interest to be credited, the amount of an annuity or refund to be paid, in any case, shall be final and conclusive and shall not be subject to review by any officer or authority.

Mr. McKELLAR. Mr. President, I merely wish to say that this amendment, if it is adopted, will destroy the bill that has been reported out by the committee. I think the committee's bill is the measure that should be adopted by the Senate.

I wish to state, further, that the proposed substitute would provide for the possible deduction of 8 per cent of the employee's salary, which in my judgment would be too unjust and unfair. I hope the Senate will vote down the amendment.

Mr. GRONNA. Mr. President, I am in favor of legislation that will give some aid to the employees of the Federal Government after they shall be too old to care for themselves. For many years I have advocated the passage of such a law. I must confess, however, Mr. President, that after reading both the bill reported by the Senator from Tennessee and also the amendment proposed by the distinguished Senator from Ohio I am not enthused over either measure. I do not believe that either one of them is scientifically drawn.

I confess, Mr. President, I have not had time to give it the study that a measure of this importance should be given. I know, however, that in the first section of the amendment proposed by the Senator from Ohio, which provides for an assessment up to 8 per cent of the salary of an employee receiving perhaps $900 or $1,000 a year, it would be a great burden to employees and it would be difficult to pay it. No such power should be given either to a department or to a board, because no employee could afford to pay 8 per cent of his salary when receiving only such a small amount as I have mentioned. If the Government of the United States is to be of any material help to the poor individuals who have been unable during their long service with the Federal Government to accumulate or lay aside any money we ought to be honest with them and enact legislation that will be of some substantial benefit to them.

The amendment proposed by the Senator from Ohio is in some respects better than the bill reported by the committee. For instance, in the matter of the investment of the funds I much prefer the amendment of the Senator from Ohio. It is more carefully drawn. It provides how the funds shall be invested. But I can not vote for the amendment of the Senator from Ohio making it possible for a superior officer or for a board which is to have this matter under control to levy an assessment of 8 per cent upon the people who are receiving such small wages.

Mr. KING. Will the Senator yield to me?

Mr. GRONNA. Yes; I am glad to yield to the Senator.

Mr. KING. The Senator appreciates, of course, that if any annuity is to be paid to these civil employees it must be purchased either by the employee or by the Government or by both the employee and the Government. Three systems, I understand, have been adopted in various countries; that is to say, some countries have adopted the contributory system, where the Government pays it all; in others the employees pay it; and in other countries there is a division of the amount which will be paid for the purchase of the annuity.

I am not sure whether I understand the Senator's position. At this time, not knowing the commitment of the future, with the period of reconstruction before us, with the uncertainties attending the taking over of the railroads, the telegraphs, the telephones, with the uncertainties of the number of employees who will be under the civil service in the future, is the Senator in favor of a proposition that the Government shall now, without further investigation, without having suggested, using the Senator's words, "a scientific system," embark the Government upon a plan by which it shall pay any portion of the amount?

Mr. GRONNA. Mr. President, I always have a great deal of respect for the judgment of the able Senator from Utah. I will say to him very frankly that it would perhaps be better to have this matter deferred, but the bill is before us now. These two measures are before us, and while I fully realize that they only provide for a few of the employees who are in the civil service, and we have reason to believe it will be enlarged upon so as to include more, as the Senator from Utah says, I am, however, in favor of a law under which the Government of the United States will pay a certain portion of the annuity. I believe that after an employee has worked for the Federal Government until he becomes 68 or 70 years old and is then unable to perform any work he should not be thrown upon the charity of the cold world, because the Government can well afford to take care of him. I also believe that it would be in the interest of economy to do so. I dislike even to use the words "superannuated clerks," but I know that there are a great many people holding positions now to whom it is a hardship, and also it is a loss to the Federal Government; it is impossible for them to perform their full day's work.

Mr. McKELLAR. Will the Senator allow an interruption?

Mr. GRONNA. I shall be glad to yield.

Mr. McKELLAR. The Senator understands that there are 4,000, as shown by the proofs, now in the service of the Government who are absolutely incapacitated for doing any work, and their average rate is about $1,500 a year, amounting to about a $6,000,000 tax on the Government now.

Mr. GRONNA. Yes; I have read the report quite carefully, and I understand there are a great number who are unable to perform a real day's work. Of course I will not admit that all the amount which is being paid to those people would be a saving, because we must select people to take their places, but it is reasonable to suppose that younger men and younger women could be had who would be able to do two times and perhaps three times as much work as those old people are now performing. So in that way there will be a great deal of saving to the Government, and for that reason the Government of the United States can well afford to pay a portion of this cost. We should not only consider it from an economic standpoint, but I think it is the moral duty of the Government of the United States to take care of these people if it is found that they are unable to take care of themselves.

Mr. President, I was about to ask the Senator from Ohio, if he will kindly give me his attention, whether he will be willing to reduce the percentage to be assessed against the employees from 8 per cent to 4 per cent?

Mr. POMERENE. Mr. President, I do not think that that could be done under this system. I fear from what the Senator has said that he does not quite understand the plan embraced in the amendment, may I say, in view of a criticism which the Senator made, and I am not finding fault with that at all.

Mr. GRONNA. I understand.

Mr. POMERENE. The general framework of this bill is the same as that contained in the bill which was prepared by the efficiency commission appointed by President Taft. They had worked upon the matter for a year or longer—I can not state exactly the time—and had various extensive hearings, and there is a masterly report upon the subject. Later on the senior Senator from Iowa [Mr. CUMMINS] was the chairman of the Committee on Civil Service and Retrenchment, and as he stated the other day in the Senate he prepared and the committee reported a bill to the Senate which is in substance the same as that which I have presented. When I became chairman of the committee I took up the matter and the committee with me. We had various hearings and heard a number of the experts who took part in the hearings of the efficiency commission appointed by President Taft. The bill in its present form is the result of the counsel and collaboration of the committee and of these various experts.

If I may say a word further with respect to the amount of the assessment, bear in mind 8 per cent is the maximum only, and that money, whatever is taken, is not taken by the Government for its own purposes, but the 8 per cent or any sum which may be assessed against the salaries is kept in an account by the Treasury with each individual employee, and it is invested at 4 per cent compound interest, compounded annually. These assessments are made in the first place based upon the salaries then paid, so that the amount derivable therefrom at the time the annuitants reach the retirement age will be sufficient to purchase an annuity of $600 or in no event not to exceed 50 per cent of the salary.

The 8 per cent can only apply to those who are in the advanced stages of life, and it may be said that they only have to pay it for a very much less length of time than do the other employees. The estimate which was given by Dr. Brown, who is now the chief of the Bureau of Efficiency, and I think one of the ablest students of this subject with whom I have come in contact, was that to those who were 20 years of age it would only cost 3 per cent. That is based upon what was believed to be an average salary of $1,138. I may say that I telephoned for these figures a little while ago, and the memorandum I have has been sent to me in a roundabout way, but I believe it to be practically correct.

Mr. GRONNA. Of course, the Senator from Ohio means by that that it would be only 3 per cent the first year. Undoubtedly, it would be more than 3 per cent later on, as the employees grow older.

Mr. POMERENE. No; if the salary remained the same, the assessment would be the same; if the salary was advanced, the assessment would be proportionately advanced; that is to say, assuming now, for the sake of argument, that it would take a 3 per cent assessment on a $1,200 salary, that would make the annual cost to the annuitant $36; but if he received a higher salary it would still be $36; so the per cent would be that much less.

The vice of the other system, as I conceive it, is this: In the bill as reported by the committee, which is known as the McKellar bill, there is made an assessment of 2½ per cent upon the salaries of all employees. I may say that the testimony shows that the cost of this system would not be 5 per cent, as the report indicates, but that it would be within a few tenths of 6 per cent, one-half of which would have to be paid by the Government and one-half, it is said, by the employee. But the difficulty is that that means, under the system that is adopted in the so-called McKellar plan, the maximum annuity which any employee can get being $600, that he must pay 2½ per cent for that annuity, whether he is old or young, whether he receives a salary of $1,000 or a salary of $5,000. So he is paying not only the cost of his own pension, but in part the cost of the pension of his fellow employee. In other words, if a man starts out with a salary of $1,200 his assessment is 2½ per cent, or $30 a year; but if, by reason of his attention to business, his talent, his development, he gets a position which pays him $5,000 a year—it may be in a few years—then he is required to pay 2½ per cent of his $5,000 salary, or $125 a year; and that will continue until he reaches the retirement age of 68 years; or, in the language of Dr. Maddrill, who was the expert actuary who appeared before the Committee on Civil Service and Retrenchment, with this limitation of 2½ per cent many of the employees will have to pay twice the cost of their insurance or annuity that they would have to pay if they went to a private insurance company and bought the same annuity.

Mr. GRONNA. Mr. President, if I understand the McKellar bill, it provides that whatever is paid by an annuitant will be set aside to his personal credit.

Mr. POMERENE. Yes.

Mr. GRONNA. Both bills provide for that. Am I correct in that statement?

Mr. POMERENE. The Senator from North Dakota is correct as to that; but bear in mind, please, that when they are figuring the cost of the entire system, they say that to pay one-half the cost of the entire system will require 2½ per cent of all salaries, so that while this money will be actually returned later, yet the Government is having the use of the 2½ per cent; and if the 2½ per cent exceeds the cost of the annuity of a given employee, the other employees get the benefit of that. That is the difficulty of it. In other words—and I say this with all due respect to those who stand sponsors for this bill—when it is said that it is based upon the half-and-half plan, it is a deception, for some employees will be paying on the half-and-half plan, while certain other employees will be paying twice what should be the cost of the annuity.

Mr. NORRIS. Mr. President, will the Senator from North Dakota allow me to ask the Senator from Ohio a question there?

Mr. GRONNA. I yield.

Mr. NORRIS. I was wondering if the Senator from Ohio understood the statement made by the Senator from North Dakota. I may have misunderstood the Senator from Ohio, but I merely intend to ask the question to clear the matter up.

Mr. POMERENE. I shall be very glad, if I have misstated anything, to correct it.

Mr. NORRIS. The Senator from Ohio stated that the Senator from North Dakota was right when he asked whether or not every employee, no matter what he paid, when he got his annuity would get back everything that he had paid. Is that true?

Mr. POMERENE. I am speaking now with reference to the substitute bill. Let me speak of that first.

Mr. NORRIS. The Senator from North Dakota was asking the question with reference to the other bill.

Mr. POMERENE. Well, there is such a provision. Can the Senator from Tennessee refer to that section?

Mr. McKELLAR. Certainly. Of course, it is so arranged on the books of the War-Risk Insurance Bureau of the Government that each employee of the Government is entitled at all times to have the entire amount that he pays in refunded to him if he quits the service, with interest at 4 per cent.

Mr. NORRIS. If that be true, then I should like to ask the Senator from Ohio why he says that the employee, under the committee bill, would in some cases have to pay more money than he should; in other words, that he would have to pay for the benefit of some other employee, if he is getting back everything which he has paid in?

Mr. POMERENE. Certainly. Perhaps, to speak more accurately, if the Senator from North Dakota will permit me, I should say that such employee is furnishing more money than is necessary.

Mr. KING. Mr. President, will the Senator allow me to make a suggestion?

Mr. POMERENE. Just allow me to answer the question, if I can.

Note that under the substitute the total cost of this insurance for an employee 20 years of age is 3 per cent. That was the estimate. If you had a system based upon the half-and-half plan, then this employee would only have to contribute to the Government one-half of 3 per cent, or 1½ per cent. That would

be the actual cost of one-half of the annuity which he is to get when he reaches the retirement age. But under the system proposed by the so-called McKellar bill they jump at the conclusion that half of the cost is to be 2½ per cent. Now, as a matter of fact, if the data which were furnished to our committee when I had the honor to preside over it are correct, then this 2½ per cent comes within one-half of 1 per cent of paying the entire cost of the annuity. Do I make myself clear?

Mr. GRONNA. I think I understand the Senator from Ohio. I think there is no substantial difference between the Senator from Ohio and myself. The only difference is that he can explain himself so much better than I can.

Mr. POMERENE. I am sure the Senator from North Dakota has no trouble in making himself understood.

Mr. GRONNA. I think I can make it clear, at least to some, that the employee who receives a higher salary and is assessed 2½ per cent makes a larger investment; but he also receives a larger return; in other words, he receives more interest for a larger annuity. That would be the way I should figure it from a banker's standpoint.

Mr. POMERENE. Mr. President, the difficulty is—and I will see if I can not make it a little clearer, perhaps—that if the 2½ per cent on the lower salaries, let us say of $1,200, amounts to $30 per year, and that is what it does amount to—under the so-called substitute plan, the cost of that insurance would be 3 per cent, or $36, while under the McKellar plan the 2½ per cent would amount to $30.

Now, let us go further. If the employee arrives at a point where he gets a salary of $5,000 a year, then he must pay 2½ per cent of that salary, or $125.

Mr. GRONNA. Why should he not pay more? He can afford to do so.

Mr. POMERENE. Will the Senator allow me to be personal?

Mr. GRONNA. Yes; I will allow the Senator to be personal.

Mr. POMERENE. I know, and I am very glad of it, that my good friend the Senator from North Dakota has been more prosperous in gathering together this world's goods than I have been, but is that any reason why he should get a less salary than I?

Mr. GRONNA. It is no reason why I should get a less salary, but it is a reason why I should pay more taxes. If I have more goods than has the Senator from Ohio, there is no reason in the world why I should not pay more taxes.

Mr. POMERENE. I think that is all true, so far as the public expense is concerned, but when it comes to the purchase of an annuity to make provision for some one else's family or to make provision for his maintenance in his later years——

Mr. GRONNA. Well, now——

Mr. POMERENE. Just one moment—does it appeal to the Senator's sense of fairness that a given employee should help to support another employee's family?

Mr. GRONNA. No; but——

Mr. POMERENE. Pardon me just a moment. In my judgment, if we are going to adopt a system of that kind, then I should prefer that this extra expense should be paid entirely out of the Public Treasury rather than to make one employee pay the expense of another.

Mr. GRONNA. I can agree with the Senator from Ohio, but I ask the Senator this question: Is the amount assessed for the employee credited to his account upon the books of the Government?

Mr. POMERENE. Oh, yes.

Mr. GRONNA. The Senator from Ohio answers "yes." Now, how could the employee paying a larger assessment be said to be discriminated against in favor of the employee who is receiving a smaller salary when every penny is credited to his account?

Mr. POMERENE. For this reason: If each employee was only paying one-half of the cost of his annuity, then it would be perfectly fair to have the system where one employee would be paying $30 a year and another employee paying $125 a year, and then out of the sum total of these payments that one-half of the entire cost of the system is to be paid.

Mr. GRONNA. So that the Senator and I may not misunderstand each other, I understand that we agree upon the proposition that whatever the assessment may be against any employee it is credited to his personal account?

Mr. POMERENE. Oh, yes.

Mr. GRONNA. We agree upon that?

Mr. POMERENE. Oh, yes.

Mr. GRONNA. Is it not also true that the employee who is assessed a larger percentage, or I will say a larger amount, also receives a larger annuity than the one who is assessed a less amount?

Mr. POMERENE. No; the annuity is the same. Please let me state that accurately now, if I can. The highest annuity that any employee can get is $600.

Mr. GRONNA. Of course that is based upon the time the employee has served.

Mr. POMERENE. Yes; that is correct.

Mr. McKELLAR. Mr. President, if the Senator from North Dakota will yield to me, I wish to ask the Senator from Ohio a question.

The PRESIDING OFFICER (Mr. GAY in the chair). Does the Senator from North Dakota yield to the Senator from Tennessee?

Mr. GRONNA. I do.

Mr. McKELLAR. Is there any reason why any man in the civil service to-day can not buy an annuity without the amendment of the Senator from Ohio?

Mr. POMERENE. Anybody can do it either under the system proposed in the substitute or under the system proposed by the Senator from Tennessee.

Mr. McKELLAR. It does not take legislation to enable an employee to buy an annuity. The Senator's plan will simply compel each employee in the classified civil service to buy an annuity for his old age to which the Government contributes just a small proportion.

Mr. WILLIAMS. Mr. President——

Mr. POMERENE. Pardon me just a moment. Let us not confuse the idea. Both plans are compulsory.

Mr. McKELLAR. I know that.

Mr. POMERENE. Then, why does the Senator insist upon calling one system a compulsory plan and, by inference at least, saying that the other is not?

Mr. McKELLAR. One is compulsory——

Mr. WILLIAMS. Mr. President——

Mr. McKELLAR. Just one moment, if the Senator will permit me to answer the question. In one case the Government contributes half at the same time that the employee contributes half—and anyone can understand how the employee would be perfectly willing to have a system of that sort—while the other system merely makes it compulsory that he shall buy his own annuity. That is all there is to it.

Mr. WILLIAMS. Shall buy what?

Mr. McKELLAR. Shall buy his own annuity.

Mr. WILLIAMS. Yes. Now, Mr. President, I should like to ask both Senators a question and have the Senator on his feet respond to it. The Senator from Tennessee has just given an outburst to the effect that we are going to compel the employee to buy his own annuity.

Mr. McKELLAR. That is under the amendment of the Senator from Ohio, if the Senator from Mississippi will pardon me.

Mr. WILLIAMS. Under the Pomerene amendment we are going to compel him to buy his own annuity.

Mr. McKELLAR. I do not want that; I am opposed to that.

Mr. WILLIAMS. My question is this: Does not the average country blacksmith, the average State school-teacher, the average Methodist or Baptist preacher in the backwoods have to buy his own annuity if he gets it at all? And what particular reason is there to set apart as a favored clan the people who hold office from the Government by their own choice and in nine cases out of ten because they can not earn as much in any other walk of life? And now, Mr. President——

Mr. GRONNA. Mr. President, I will say to the Senator from Mississippi that I am not opposed to that plan. I believe it would be a help to those people to set aside a certain amount, but not a percentage which they could not afford to pay.

Mr. WILLIAMS. But the Senator from Tennessee has indulged in an outburst of eloquence because this particular class is forced to provide for itself. Other classes of men have to provide for themselves, or else in their old age they go naked and hungry.

Mr. President, I am willing to vote for an old-age pension on the model of the British law; I am willing to vote for any sort of a scheme that permits anybody, whether a blacksmith, a Government employee, a preacher, or a teacher to provide for himself or herself by his or her own contributions; but I am not willing to set aside this cohort of men who have special influence with Senators and Representatives as a special and favored bureaucracy, in order that they may be permitted to have, either under the half-and-half plan or any other plan, without material expense to themselves, provision for their old age, when the country blacksmith, the school-teacher, the preacher, and the ordinary one-mule farmer have not got it. After 25 years of this sort of thing you will have a worse bureaucracy than they have in Prussia, and after 25 years of this sort of thing none of you will dare disobey an order that you

get from the Letter Carriers' Association or from any other organization of employees; and very few of you dare do it now.

Mr. GRONNA. Mr. President, will the Senator from Mississippi permit me to ask him a question?

The PRESIDING OFFICER. The Senator from Ohio has the floor. Does the Senator yield the floor?

Mr. POMERENE. I think the floor belongs to the Senator from North Dakota.

Mr. GRONNA. It does not make any difference, Mr. President, but I think I have the floor.

Mr. WILLIAMS. Of course, the Senator will have to get permission of the Senator who has the floor.

Mr. POMERENE. The floor belongs to the Senator from North Dakota.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. GRONNA. What is the necessity, may I ask the Senator from Mississippi, of having the Federal Government go into the insurance business if it is going to be a purely economic compulsory insurance system?

Mr. WILLIAMS. Mr. President, I would reply almost in the words of the marine-insurance act that we passed not long ago, if the Senator addresses me upon the economic side of the proposition, that we could do it cheaper and we could do it better and we could do it more satisfactorily to everybody; but I am not arguing that any man has any right at the expense of the other people of the United States to be taken care of in his old age. I am arguing that, if we are going to start a system of having people take care of themselves in their old age by compulsory contributions, it ought not to be confined merely to Government employees.

Mr. GRONNA. Of course all these employees have the privilege and the opportunity now of investing in life insurance without this proposed legislation.

Mr. WILLIAMS. Absolutely; and where they are worth a continental cent they will take care of themselves and they have got enough to do it; they have more than the average school-teacher in Mississippi has. I do not know what the average school-teacher is paid in North Dakota; but the average school-teacher in Mississippi, who is charged with the responsibility of enlightening the next generation, while these employees are charged with nothing in particular, receives from $40 to $100 a month during the school term.

Mr. McKELLAR. Mr. President, will the Senator yield to me?

Mr. WILLIAMS. Yes.

Mr. McKELLAR. I heard the Senator from Mississippi just a few days ago say some very complimentary things about the English Government. Does the Senator know that the English Government established in 1834 and has maintained ever since, not on the half-and-half plan, as is proposed by this bill, but entirely at its own expense, a retirement system for its classified civil-service employees? I do not believe that the prediction of the Senator from Mississippi that the Government of the United States is going to the "demnition bow-wows" will come true if we pass this bill in the light of English history on the subject.

Mr. WILLIAMS. I never said that it would go to the "demnition bow-wows." I said you would become the mere obedient servants of the civil service——

Mr. McKELLAR. They have not become so in England.

Mr. WILLIAMS. And most of you are already.

Mr. McKELLAR. I think the Senator is mistaken in talking in that way.

Mr. WILLIAMS. I am not.

Mr. McKELLAR. I am quite sure that he is.

Mr. WILLIAMS. I remember the history of a distinguished Representative from the State of California who served with me in the other House, and I remember when the letter carriers declared war on him, as the Senator from North Dakota does—for the Senator was then a Member of the other House—they said his name was "Dennis"; that they were going to defeat him; and they found a Democrat mean enough to help do it. Why? Because he wanted to provide for the carriage of the mail at the cheapest rate for the Government that he could, instead of receiving his instructions from the letter carriers.

Now, Mr. President, in connection with the Senator's question, the English Government did, beginning about the time he says—I do not remember the date——

Mr. McKELLAR. It was 1834.

Mr. WILLIAMS. I presume the Senator is right about that. In 1834, or whenever it was, the English Government did inaugurate this sort of a system; but the English Government had the wisdom later on to see that if that sort of a system applied to Government employees it ought to apply to all the people in Great Britain who might reach old age naked and hungry; and so they passed a universal old-age pension law, which is in existence now. That is what we ought to do.

Mr. GRONNA. Mr. President, I shall yield the floor in just a moment or two. I simply wanted to ask a question or two of the Senator from Ohio, and he has very kindly given me the information for which I asked.

Mr. WILLIAMS. And I very obtrusively intruded; and I beg the Senator's pardon.

Mr. GRONNA. I am not complaining at all, and I will presently take my seat.

Mr. WILLIAMS. But I merely wished to bring to the attention of the Senator from North Dakota, the Senator from Ohio, and the Senator from Tennessee—all three—that while they were taking care of a particular class they were not paying much attention to protecting from the perils of old age a much more deserving part of the community.

Mr. GRONNA. I do not disagree with the Senator altogether; but I simply want to say, Mr. President, that I can see no earthly use of compulsory legislation requiring that every one of the Government's employees shall take a part of his salary and invest it in insurance; they are permitted to do so now.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Iowa?

Mr. GRONNA. I yield.

Mr. CUMMINS. I think the Senator from North Dakota has misunderstood the answer given by the Senator from Ohio [Mr. POMERENE] to an inquiry of his. I bring it up because, if I do not properly understand it, I want to be informed. As I remember, the Senator from North Dakota understands that the Senator from Ohio said, affirmed by the Senator from Tennessee, that the employee got back all that he paid in, with 4 per cent interest.

Mr. GRONNA. That is the way I understand it.

Mr. CUMMINS. That is not true, as I understand it.

Mr. McKELLAR. If he disconnects himself from the service before the limitation provided when the pension shall begin, then he gets it all back. Thereafter he gets the pension itself. It is perfectly plain.

Mr. CUMMINS. It is one of the peculiarities of the bill—and I do not know what explanation the Senator from Tennessee has to offer for it—that there would be hundreds of instances in which if the employee could separate himself from the service before he attains the age of 68, he would get a great deal more than if he remained in the service until he was 68 and was retired under the provisions of the bill. Why that is I do not know.

Mr. McKELLAR. I am sure the Senator is mistaken; that is not correct. Those are not the terms of the bill.

Mr. GRONNA. Mr. President, I confess that before I asked the Senator from Ohio for the information he has already given I had not had the opportunity of giving this bill the study that I ought to have given to it. I realize that it is a measure of very great importance, but I know enough about financial affairs, Mr. President, and I know enough about how to figure percentages to know that if you are going to assess the employees 8 per cent of their salaries you do not have to ask for legislation here in order to give them an annuity in their old age. For 8 per cent paid to a private insurance company they can be taken care of fully as well as by what you are going to give them under the provisions of this bill. I make that statement without having given it very much study.

Mr. REED. Mr. President——

Mr. GRONNA. I yield to the Senator from Missouri.

Mr. REED. The Senator awhile ago asked what reason is there for compelling Government employees to contribute to a fund from which they are to draw pensions if they pay into that fund all they take out. That was, in substance, the Senator's question. I think I can answer it. Understand, I am not by this committing myself to a support of this bill.

The ordinary man who gets a position in this life holds it just as long as his employer wants him to hold the position. The Government employee, under a law which we foolishly passed years ago, has a permanent position given to him, and he can not be gotten rid of except for cause, so that the Government has fastened upon itself a permanent employee. That system has developed this state of affairs, that as these employees become superannuated and incapable of performing their work, while the Government might discharge them upon the ground of incompetency, it nevertheless seems to be a cruel thing to do under those circumstances. Therefore the Government is in that sense compelled to carry these superannuated and sometimes useless employees upon its rolls. Under those circumstances the Government has a perfect right to say to these people who come

here and seek permanent places under this law: "You shall contribute to a fund which will take care of you, so that when you do become superannuated we can let you go, and you will not stand here before us in the attitude of a person we are about to turn out to starve."

That is the reason why the Government has a perfect right to require these employees to pay for a pension. I think the Senator will see that there is a distinction.

Mr. GRONNA. I agree, Mr. President, that there is a distinction; but may I ask the Senator a question?

Mr. REED. Yes.

Mr. GRONNA. We will say that there are two persons, one of whom goes into the employ of the Federal Government while the other stays in the country. He works in the field or on the farm or in the factory. Now, the one who remains at home is not taxed by the community, is he? That person is not taxed by that community, is he?

Mr. REED. The one who remains at home?

Mr. GRONNA. Yes.

Mr. REED. Why, certainly he is taxed.

Mr. GRONNA. How is he taxed if he has nothing to pay taxes on?

Mr. REED. Oh, I can demonstrate to the Senator's satisfaction that there is not a man living who produces more than he absolutely eats up who is not taxed, and even then he pays it as he goes along and as he is eating. I shall try to make that clear, if the Senator will pardon me for a moment.

Mr. GRONNA. Certainly; I shall be glad to hear the Senator.

Mr. REED. Let me assume that I have not a dollar in the world, that I work for $9 a week, and that I rent a furnished room. When I rent that furnished room the landlord takes into account, first, the investment that he has in that property, or its value; second, the expense of keeping up that property, which includes the taxation. All of those expenses, in the aggregate, are taken out of the tenant; and I, as the $9-a-week laborer, occupying one of those rooms, pay my proportion of the taxes upon that property. Again, if the shoe manufacturer has to pay taxes—income, corporate taxes, or direct taxes upon his factory—that cost of taxation is carried into the hobnailed shoes that I buy at the store. Again, the profits that the wholesaler and the retailer were obliged to charge me included, as a part of their costs, the taxes and burdens that they pay.

Mr. GRONNA. Of course, that would apply to both.

Mr. REED. So that this applies now throughout. There is no person in the United States who is a consumer who does not pay taxes. There is no person in the United States who has a house to live in or a room to abide in who does not pay taxes. Therefore, when you propose to pay, out of the fund gathered from all of the taxpayers of this country, an annuity to a particular class of people in this country you are taxing one part of the people of this country for the benefit of that class or portion of the community. There is no escape from the logic of that situation.

If the Senator votes for this bill, or if I vote for it, we must do it with our eyes open to the fact that we are voting to tax the hired man on the farms of our States in order to create a fund to pension ladies and gentlemen in the city of Washington who hold better jobs than he can ever hope to hold in his life.

Mr. GRONNA. Let me say to the Senator from Missouri that the laboring man in my State received as high as $7 a day and board last summer and last fall, so I believe that he can afford to pay a little tax.

Mr. McKELLAR. And if the Senator will excuse me a minute, only a very small portion of the civil-service employees are in Washington. The greater proportion, by far, is outside.

Mr. REED. Well, now, let us see. You never get anywhere by getting a special instance that is outside of the ordinary rule. The Senator knows that the ordinary hired hand in his State before these war conditions arose received on an average of from $18 to $25 a month and his board, and at the same time that he was receiving that the salaried employees in the city of Washington were receiving on the average approximately $100 to $125 a month, some of them much more, and the day laborers in the city of Washington—I do not mean the unskilled labor, but the ones who work in these departments—were receiving a wage of—I must use my recollection on this—approximately, I think, $4 to $5 a day.

So if we pass this bill we do it with our eyes open. Let it be understood that there is no old-age pension provided for the hired men on the farms of our States, the miners in the mines of our States, or, as the Senator from Mississippi [Mr. VARDAMAN] said, the school-teachers of our States, the clerks working in stores in our States, the underpaid girls who work in the department stores and other places in our States; that there is no old-age pension for the factory employee who has labored in the sweatshops under unhealthful conditions; and that it is proposed to tax these people, and from their taxation, wrung from them, to create a fund to take care of people in the city of Washington who hold jobs so desirable that there is a constant struggle to obtain them from every part of the United States.

Now, that is the proposition. That is the cold, unvarnished, naked truth of this matter. The men who vote for this bill vote to tax these people for the benefit of other people who hold jobs so much better than the other people have that they fight to maintain them and insist upon every right that they have under the civil-service law.

The Senator from North Dakota—who usually gets right when he gets to thinking about these things, and generally starts out right, too—might as well face that. It does not answer it to say, "Oh, labor has been getting $6 or $7 a day in my State this year." That is abnormal—just as abnormal as the war. It is simply a part of the war.

Mr. GRONNA. The Senator knows that the employees who were working for the Federal Government have been receiving very little more. That is true; is it not?

Mr. REED. The fact is, and it is always true, that salaries—especially the salaries fixed by law, and indeed some other salaries, but especially those fixed by law—do not go up or go down with the rapid fluctuations of values. For instance, there was a time a few years ago when money was at a very great value, when its purchasing power was very great, when wages all over the country were very low, when the salary of a Congressman was most lucrative. Then he was in clover. Then there came the period of high valuations and high wages that we are going through now. The Congressman to-day does not receive as much as many a head clerk does. He does not receive very much more than some people who are only skilled laborers. But when values get readjusted the salaried man gets back to a position of equity; and if he does not, if that does not come in a short time, then comes the cry to raise his wages, a cry that always is heard in the end.

Now, I appeal to the Senator's judgment on this matter. There is no use arguing questions for the simple sake of arguing. You would not need any civil-service law in order to keep people in their positions down here if it were not that the positions are desirable. They are desirable to-day. I have not any doubt that there are 30,000 clerks to-day in the city of Washington, brought in here by these war conditions, over half of whom would be glad to stay here and take these permanent positions. When I use the expression "thirty thousand," that is a guess. There are so many of them that I have no idea what the number is.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Utah?

Mr. GRONNA. I do.

Mr. KING. Apropos of the statement just made by the Senator from Missouri, I have had more than 100 clerks who have come to Washington for war work appeal to me to try to get them under the civil service and keep them here in these Government positions, rather than go home, they are so enamored of the situations.

Mr. VARDAMAN. Mr. President, if the Senator will pardon an interruption, I wish to say that I have been called upon to-day by quite a number of clerks engaged in the service in Washington who have urged me to bring every possible influence to bear upon the heads of the departments in which they are now engaged to retain them permanently in the service. In the Government service they are receiving larger salaries than they enjoyed as school-teachers, farmers, clerks, and, in some instances, members of the bar. They really desire the work; all of which goes to show the esteem in which the average American citizen holds Government employment.

Mr. GRONNA. Mr. President, it is evident that my simple question has provoked a great deal of discussion. I want to get through. I have not yet said what I intended to say. I simply want to state my own position. I shall only take a minute or two of the Senate's time to say what I want to say upon this whole subject.

I realize that what all of the Senators have said is true. It is undoubtedly true that these employees are receiving, take it one year with the other, larger salaries than they receive in the country or in other employments. But, Mr. President, we must take the conditions as they are. There are different environments here. When I go into these departments and see these very old men and old women—and I know some of them—they have not been able to lay up a dollar for the future. They should have provided for their old age, of course; but that is a theory and not a condition. The actual condition is that we

have here more than 4,000 of these old people, superannuated, too old to perform a day's work, and unable to take care of themselves. What are you going to do? Are you going to throw them out upon the cold world?

Mr. REED. Mr. President, how will this bill help them?

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Mississippi?

Mr. GRONNA. I do.

Mr. VARDAMAN. I wish to ask my friend, the able Senator from North Dakota, if he does not find the same poverty, squalor, and want among the people who have devoted their lives to service in the factories, the houses of merchandise, the fields, and in the workshops—in other words, in all the vocations of life? Does he not find quite as much—really more—poverty, indigence, and suffering among the people of other vocations than he does among the employees here or elsewhere in the Government service?

Mr. GRONNA. No, Mr. President; I will say frankly to my good friend from Mississippi that we do not find it.

Mr. VARDAMAN. Do you not find quite as much?

Mr. GRONNA. I come from a State where there are no rich people. We are a new State; nobody is rich, but there is not a single poorhouse in my State—not one.

Mr. VARDAMAN. Then you must be rich, all of you. Your condition is Utopian, and I congratulate you upon it.

Mr. GRONNA. But if they were so poor, our counties, our municipalities, or our State would provide for those institutions.

Mr. VARDAMAN. But you do not want them to do that. You are fortunate that the condition of your people is such that your State is not called upon to provide for the improvident aged poor in institutions of charity. I agree with my good friend, the able Senator, that it is a wise economy; it is an act of great wisdom and of social providence on the part of the Commonwealth—it may be a little bit socialistic in principle—to induce the citizen, even in the form of a tax put upon his property in the days of his prosperity, to lay aside something for a "rainy day," to take care of the old and helpless in the evening of life. That is all right and I most heartily commend the end sought to be attained. I am not opposed to the main principle upon which this proposed legislation is based, but I am unalterably opposed to the principle of partiality. I can not give my consent to any measure that has for its purpose the selection of a certain class of laborers or employees to whom special favors are vouchsafed by law and all other branches of business and vocations are taxed for their especial benefit. I do not think it is fair; it is not just. In fact, I regard it as the most pernicious principle in legislation. It is violative of the very genius of American institutions. No man or class of men would ask for such legislation if they did not feel that they had behind it a coercive influence. So far as I am personally concerned I am going to be just, and when I can be just and at the same time be generous in the performance of the functions of my place it will afford me great pleasure to do so.

Mr. GRONNA. Now, Mr. President, I want to ask my good friend from Mississippi a question.

Mr. VARDAMAN. All right; I will answer it if I can.

Mr. GRONNA. In the State of Mississippi, and in the State which I have the honor in part to represent, our people are not compelled to employ any person when he becomes old and inefficient. Is not that true?

Mr. VARDAMAN. Yes; it is true.

Mr. GRONNA. Conditions are different here in the city of Washington.

Mr. VARDAMAN. Certainly you are not compelled to employ anybody in your private business. The Government is not compelled to employ any certain individual, nor can any certain individual compel the Government to employ him or her. The Government does not contract or undertake to support an employee until he or she dies. The Government hires a man or woman for the service they are expected to render the Government, and not for the primary purpose of giving the individual employment; and when that person ceases to render acceptable or efficient service to the Government the Government is under no obligations to retain him any more than the Senator is under moral obligations to retain one of his field hands after he has performed the service for which he was first employed.

Mr. McKELLAR. Mr. President——

Mr. GRONNA. I will let the chairman of the committee answer that.

Mr. McKELLAR. Mr. President, may I be indulged to ask a question of the Senator from Mississippi?

Mr. GRONNA. Yes; I shall be glad to have the Senator do so.

Mr. VARDAMAN. And I shall be glad to answer the Senator's question, if I can.

Mr. McKELLAR. There are 4,000 old people in the employ of the Government whose employers, under a system that has existed for generations, have permitted them to remain in the Government employ without doing any work, because they are so old they can not do any work, and none is required of them. Do I understand the Senator from Mississippi to say that if he had the power he would turn out these 4,000 old people to graze at this time?

Mr. VARDAMAN. Mr. President, I have great sympathy with the men and women who have spent their lives and reached the evening thereof who have never been able to lay up something for a rainy day. It is a misfortune which confronts many of us both in public and private life, and always to be regretted. I think it is the duty of the State to enact laws protecting each man and woman in the enjoyment of the products of their toil, and, as far as human ingenuity can do so, to see that justice is done to all alike. Now, I would make some provision for the poor, helpless people described by the able Senator from Tennessee; but I would not solve that problem by the adoption of a pernicious measure of the character of the one under consideration. I would rather make a donation outright, or pass a bill pensioning these 4,000 employees, and then notify the balance of the employees of the Government that they must provide for their own support and maintenance, just as people in other walks of life are expected to take care of themselves; or I would provide for the contingency of misfortune, accident, and improvidence which comes to fruition in old age by an old-age pension law, and I would make it apply to all the people of all vocations alike, playing no favorites.

Mr. McKELLAR. Has the Senator ever introduced such a bill?

Mr. VARDAMAN. No; I have not; but if I had introduced this bill or had anything to do with its preparation I would have made its benefactions apply equally to all classes of people.

Mr. McKELLAR. I am afraid the Senator from Mississippi does not understand this bill.

Mr. VARDAMAN. The Senator's judgment of me in this instance is the quintessence of charity, for which I am profoundly grateful.

Mr. GRONNA. Mr. President, I said at the outset when I rose and made my inquiry of the able Senator from Ohio [Mr. POMERENE], and he gave me the information I asked for, that neither of these measures is drawn on a scientific basis.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Tennessee?

Mr. GRONNA. I do.

Mr. McKELLAR. I am sure the Senator does not want to be put in exactly that attitude. The bill which has been recommended by the committee is a bill that has been in the hands of the Bureau of Efficiency for about two years, and it is reported out by a Government expert.

Mr. GRONNA. I do not doubt that at all.

Mr. McKELLAR. And that Government expert said that it is a proper bill and effects this purpose.

Mr. POMERENE. Mr. President, may I ask the name of that expert?

Mr. McKELLAR. Dr. Maddrill.

Mr. REED. What is he a doctor of?

Mr. McKELLAR. He is a doctor of letters.

Mr. KING. Mr. President, will the Senator yield?

Mr. GRONNA. I yield to the Senator from Utah.

Mr. KING. I find that Mr. Maddrill disapproves of the bill which the Senator from Tennessee has reported from the committee and favors a bill which imposes upon the employee the duty to make the contribution for his own annuity.

Mr. McKELLAR. Oh, quite the contrary. The Senator has not read what Dr. Maddrill—not at all.

Mr. KING. The Senator is wrong.

Mr. GRONNA. Well, Mr. President, I shall not find any fault with any of the gentlemen who have had this bill under consideration. Perhaps they are right and I am wrong; but I made the statement, and I am going to stick to it, that it is my opinion that neither of the bills is drawn upon a scientific basis. However, I am not going to discuss that now.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Ohio?

Mr. GRONNA. Yes; I yield.

Mr. POMERENE. I think the Senator from North Dakota and I both have been very indulgent to one another, and I appreciate very much the Senator's courtesy in yielding; but in

view of the statement made by the Senator from Tennessee, I want to read from the hearings before his committee, on page 26. Let me read what the chairman says about this matter:

The CHAIRMAN. From such examination as I have been able to give to the amended proposition, as suggested by you—

That is, by Dr. Maddrill—

it introduces many complications that it will be very hard for the legislative mind to understand. In other words, it will take an expert explanation, and it is going to be very difficult to get that into the legislative mind under any circumstances.

[Laughter.]

Mr. McKELLAR. Mr. President, I will say to the Senator from Ohio that I was perhaps speaking of my own legislative mind, because I am frank to say that the figures that were then given to me were never able to penetrate my mind, and I do not think they can penetrate the mind of the Senator from Ohio.

Mr. POMERENE. I admit that the virtues of the Senator's bill do not penetrate my mind. [Laughter.] I read further from the statement of the chairman of the committee:

The present bill is absolutely so simple that anybody can understand it. Here the employees are going to contribute half and the Government is going to contribute half, and the pensions provided are fairly equitable. At any rate, all of the employees are willing to contribute on this system that they understand themselves; it has perfectly plain terms; they know exactly what they are going to get. It does not take an expert to explain what they are going to contribute, and it does not take an expert to explain what they are going to get. They can look at the terms of the bill and see what they are going to get and they can look at the terms of the bill and know exactly what they are going to contribute. Why is not that the best system in the world under the particular conditions that confront us?

Now, Dr. Maddrill said, speaking of the bill reported by the Senator from Tennessee:

May I suggest this, that there are several defects in the bill, which I have pointed out, that seem to me to be fatal?

That is the expert that my friend is quoting.

Mr. GRONNA. I thank the Senator from Ohio. It simply shows that my poor judgment is sustained by that expert.

Mr. REED. And that even the legislative mind can appreciate the statement.

Mr. GRONNA. Mr. President, I am going to vote for this bill, imperfect as I believe it to be, for the reason that I believe it is our moral duty to take care of these more than 4,000 people who seem to be unable to take care of themselves. There is no need in the world to enact legislation which will give an employee an opportunity to invest his money in life insurance. We have life insurance companies that are not run by the Federal Government; and I, for one, must confess that I do not believe we should enact this legislation, increasing the hardships upon these people who have hardly been able to live upon the salary paid them during the last two or three years. The salaries here in Washington may be high. They may be higher than they are in the country. As I said a moment ago, where we have no wealthy people in my State, we have no people there who are dependent upon the public. Poor as they may be, they have a home, humble though it may be. Most of them own a home, and we have not a single poorhouse in the State.

I believe, Mr. President, a measure of the kind I refer to is only fair in a great Government like ours, where so many people are overburdened with wealth. Look at the thousands of millionaires and billionaires. They have become so rich during these few years that they are being oppressed in taking care of their great fortunes. Yet, when it comes to a question of dividing a few thousand dollars among four thousand and a half of worthy old people who have done valiant service for the country, we hesitate to give it to them. Is that a democratic principle, I ask you? We have just gone through this tremendous war, promising not only our own people but the people of the world that we are going to take care of all the people, and here we are refusing to take care of at least four thousand and a half who we know are unable to take care of themselves.

The PRESIDING OFFICER (Mr. GAY in the chair). The question is on the amendment offered by the Senator from Ohio [Mr. POMERENE] as a substitute.

Mr. VARDAMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Beckham	Johnson, Cal	Page	Spencer
Chamberlain	Johnson, S. Dak	Phelan	Sutherland
Cummins	Jones, Wash	Poindexter	Swanson
Curtis	King	Pollock	Trammell
Fletcher	Kirby	Pomerene	Underwood
Frazier	McKellar	Ransdell	Vardaman
Gay	Martin, Ky.	Saulsbury	Walsh
Gronna	Martin, Va.	Shafroth	Warren
Harding	Moses	Sheppard	Weeks
Hardwick	Myers	Sherman	
Henderson	Norris	Smith, Mich.	

Mr. KING. I wish to announce that the Senator from North Carolina [Mr. OVERMAN], the Senator from Minnesota [Mr. NELSON], the Senator from North Dakota [Mr. STERLING], and the Senator from Delaware [Mr. WOLCOTT] are necessarily absent on official business.

Mr. PITTMAN. I desire to announce that the Senator from North Carolina [Mr. SIMMONS], the Senator from Arkansas [Mr. ROBINSON], the Senator from New Mexico [Mr. JONES], the Senator from Rhode Island [Mr. GERRY], and the Senator from Idaho [Mr. NUGENT] are necessarily detained in the Finance Committee.

Mr. SHAFROTH. I desire to announce the unavoidable absence of my colleague [Mr. THOMAS] on official business.

Mr. SUTHERLAND. I wish to announce that my colleague [Mr. GOFF] is absent owing to illness.

The PRESIDING OFFICER. Forty-two Senators have answered to their names. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. FERNALD, Mr. KELLOGG, Mr. KENDRICK, Mr. KNOX, Mr. PITTMAN, Mr. REED, Mr. SMITH of Georgia, Mr. THOMPSON, and Mr. WILLIAMS answered to their names when called.

Mr. KENYON, Mr. NEW, Mr. LENROOT, Mr. HALE, and Mr. SMITH of South Carolina entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-six Senators have answered to their names. There is a quorum present. The question is on the amendment of the Senator from Ohio [Mr. POMERENE].

Mr. KING. Mr. President, I should like to ask the Senator from Ohio to amplify his explanation in respect to a number of the provisions in the measure under consideration, particularly that provision wherein it states in substance that one-half of the amount to be paid for the annuity shall be contributed by the employees and one-half by the Government. I understood the Senator to say, and his statement is borne out by the testimony of Dr. Maddrill, that it would cost more than 5 per cent of the employee's compensation or salary to purchase an annuity. It would seem under the testimony of Dr. Maddrill and under the statement of the Senator from Ohio that more than 50 per cent of the cost of the purchase of the annuity was being imposed upon the Government.

I should like to have the Senator explain that, and also explain the provision of his substitute with respect to the 8 per cent of the compensation; that is, the maximum being 8 per cent. I should like to ask the Senator also to state, if he can, from the investigation made and the report of experts, if any have been made, what would be approximately the amount that would be required to be paid by the employees where they make the full contribution for the annuity.

Mr. POMERENE. Mr. President, the question of the Senator from Utah is very comprehensive, and it will necessitate perhaps my repeating to some extent what I have already said on the floor of the Senate.

I did make a statement to the effect that under the committee bill it would cost more than 5 per cent, and I based that upon Dr. Maddrill's statement to the effect that 5 per cent would be within a few tenths of 1 per cent less than the actual cost; in other words, that the actual total cost of the bill would be a few tenths of 1 per cent less than 6 per cent.

I did in substance say that many of these employees, if the McKellar bill were adopted, would have to pay more than 50 per cent of their pension. The information which we gleaned when I was a member of the committee was to the effect that when the young man or the young woman was 20 years of age the total cost of his or her pension would be 3 per cent of the average salary, which is $1,132. If the salary was twice that sum, then the total cost would only be 1½ per cent of the salary. If three times that sum, it would only be one-third of that amount, or 1 per cent of the salary.

I made the further objection to the bill that if we adopted the 2½ per cent assessment a man might be required to pay $30 per year or $125 per year, and he would only get the same pension as the one who paid less. In other words, if you analyze the McKellar bill, you will find that instead of calling it a fifty-fifty bill many of the employees would be required to pay not only 50 per cent of the cost of their annuity but in many instances they will have to pay 200 per cent, or twice what their actual pension will cost. I referred to the testimony of the committee's expert, Dr. Maddrill, who sustained that position.

So you have a system here under which the Government is first paying 50 per cent of the cost, and, assuming now that it only costs 5 per cent, you will have the employee paying 50 per cent of the cost of that pension, and even less than that, as I shall point out in a moment, but an amount that is equal to 200

per cent and more of the cost of the pension, depending on the amount of his salary and his age. I say that because under this system if a man is 67 years of age and he has been in the employ of the Government in the unclassified service for 14 years, not intending to be permanently with the Government, and afterwards thinks it is going to be to his pecuniary advantage to get into the classified service, and he gets into the classified service and stays there one year only, and makes certain back payments represented by the 14 years of service which he has rendered in the unclassified service, he is entitled to a pension of $420 a year. When you call that a fifty-fifty plan it is camouflage.

While the statement has been made here that all those of higher salaries want to do this, I wish to see the credentials authorizing these statements, and they have not been produced by those who make them. It is an easy matter for a man who sits here in Washington representing certain interests and, coming to a certain conclusion, to say, "I represent the employees in 48 States." Senators have had experience in similar committees. Amendments may be offered here on the floor of the Senate to-night at 4 o'clock and through the manipulation of some people who are interested here in Washington send out telegrams and to-morrow morning Senators receive telegrams from people all over their State, and, for that matter, from all over the United States, saying we are in favor of your amendment or we are against it. That kind of telegrams never leads me anywhere, and they are not very persuasive in character.

Now, then, let me go to the other proposition. The Senator from North Dakota [Mr. GRONNA] speaks of the 8 per cent limitation in the substitute bill. I recognize the fact that if we were taking 8 per cent from all employees it would be an expensive proposition, but they fail to point to the fact that 8 per cent is the maximum that can be taken under all circumstances. This 8 per cent is the extreme amount that may be assessed, and it depends upon the age of the employee and the amount of his salary, and perhaps I ought to explain that preliminarily.

You will understand that the question of health does not enter into the annuity, or, in other words, the insurable character of the employee. The assessment will be based under the substitute plan on two facts which will be all-controlling. The one is the amount of the salary, the other is the age of the annuitant at the time the assessment is made. At the time when the actuary, Dr. Brown, made the estimate the average salary was $1,132; and assuming $1,132 to be the average salary, then on that salary, if he enters the service at the age of 20, the total cost of the annuity would be 3 per cent annually. If he enters at the age of 25, it would be 4 per cent annually. If at the age of 30, it would be 5 per cent annually. If at the age of 35, it would be 6.5 per cent annually. At the age of 40 it would be 8 per cent annually. At the age of 45, 11.5 per cent annually. At the age of 50, 16 per cent annually. At the age of 55, 22.5 per cent annually, and at the age of 60, 39 per cent annually. But his annuity, if he were 60 years of age, and was to pay the entire cost of it, would amount to 39 per cent of his salary. Under the plan that we have adopted the Government can only take 8 per cent and the other 31 per cent will be paid by the Government out of the public funds in the Treasury. Now, those figures are based upon a salary of $1,132. If the salary was twice that, or $2,264, then you would have to cut these estimates in two.

Mr. President, I wish I could get Senators to give this subject enough attention to understand the total cost of this system. We have the estimate under the substitute bill, which was furnished by Dr. Brown two years ago. I have it before me, and it will be found on page 39 of the CONGRESSIONAL RECORD of Tuesday. If all those who are 70 years of age are retired, their pension will cost the Government the first year $2,890,500. From year to year the number of the annuities will increase and the amount of the expense to the Government under this system will increase for a time, then decrease for a number of years, and ultimately be self-sustaining. In 21 years it will reach a maximum, or peak, as the actuary calls it, of $6,207,600, and then from that peak it runs down to the lowest point in 60 years from date, when it will cost the Government only $100 for the year. Then the entire system is self-sustaining, but the total cost to the Government during these 60 years until we get to a point where it will be self-sustaining will amount to $172,351,800. In other words, on the average it will cost the Government about $3,000,000 a year for 60 years, and then the plan will be self-sustaining.

Mr. KING. Will the Senator yield?

Mr. POMERENE. Yes.

Mr. KING. Would those figures be continued if the number of the employees of Government within the civil service should increase, as they will, of course?

Mr. POMERENE. Of course, it is very difficult for me to say, because the number of employees retired may increase beyond present estimates, and that would increase the cost. Under all circumstances the assessments are limited to 8 per cent. That is the maximum, understand. So it is possible that the total cost during these years might be more than the figures indicated it, but after that time it will be completely self-sustaining.

Now, let me assume the case of an individual who is getting a salary of $100 a month. Suppose the Government does take the 8 per cent, it is not taking the money from him. It is saying to him simply this: "You are in the service, and you have been here for a good many years. We want you to set aside $8 a month, or $96 a year, and leave it here in a savings bank, so to speak, and we are going to pay you 4 per cent interest per annum, compounded annually upon that amount." In no event is he deprived of a dollar. If, after he becomes 70 years of age and he has paid his 8 per cent, it may be for only one year, he is then retired, and if he lives to be 100 years old the Government is paying him $600 a year for the remainder of his days. Now, that is the situation. But what about the cost of the other bill? I attribute no fault to the chairman of the committee, but it is just a little remarkable when you take into consideration the fact that they have only attempted to give the cost of their bill for a matter of six years. They only attempt to give you the amount of the assessments for six years, and they estimate that this will show a net surplus in the Treasury over and above the annuities to be paid the first year and will leave a large balance. That is like a good many other half truths. They lead to the worst kind of deception. It will be very interesting to Senators to have a complete statement from their actuaries giving the total cost for each of these years for the full period—60 years. They take no account of the fact that when they claim to retire about 7,500 superannuated employees the Government must replace them with perhaps 3,750 new clerks and they must be paid.

Let me point it out a little more carefully if I can, and I take their own figures for this. I will read from page 7 of the committee's report:

For instance, the estimated receipts from employees during the year 1920 will be $9,000,000.

But they are only taking, according to their own statement, from the employees one half of the cost of this system. The other half is to be paid by the Government. In other words, by promise of the Government and by contributions from the employees, they expect to get in one year $18,000,000. Of course, you and I know that the pay roll of the Government is going to increase from year to year by the natural increment of employees, but assuming for the sake of argument that it does not, then you have $18,000,000 as the cost to the Government and employees together for one year, and for 60 years it amounts to $1,080,000,000. In other words, the Government will pay one-half of that, or $540,000,000, in 60 years, whereas the plan in the substitute bill will cost the Government $172,351,800 for the same term of years. My belief is this: I do not think Government employees are any different from anybody else; and while it may be that some of these gentlemen who are receiving the lower salaries are willing to pay 2½ per cent of their salary for the first part of their term of service, suppose they are advanced from time to time until the salaries become twice their present pay, how long will it be before they come in here with their petitions complaining and saying, "My insurance cost me 2½ per cent when I was only getting a small salary; you are not increasing my annuity, but my salary has been doubled, and you are taking from me twice the amount that you took at first." Wonderfully fair, that is! Yet employees are led to believe that this is a half-and-half plan. They will find out some day that it is not if the McKellar bill is adopted.

Mr. President, just one further thought, and then I am going to conclude. Much is said about employees receiving lower salaries and that they can not afford to pay. I have explained that they are not paying, but simply that they are setting it aside under a compulsory system in a savings bank for a rainy day; that is all. But, on the other hand, let us admit—and I think it is true—that there are many employees who are not getting as much compensation as they ought to have. That, however, is not a reason why we should fix a pension or annuity system to meet their lower salaries. It is a reason why their salaries should be increased. In other words, my thought is that the pay system and the pension system are two separate and distinct things and that we ought either to be for a pension or against a pension, and we ought not to be for or against it

because a man is getting too much or too little pay, for some system of insurance has become a part of the system of the country. Every individual, with rare exceptions, carries a given amount of insurance. He does not carry it because he gets a large salary or a low salary, but he takes out his insurance because he wants some security against a rainy day. That is the situation here. If these salaries are not what they ought to be, then it is incumbent upon the Congress to increase salaries where they are too small and to lower them if any of them are too high.

Mr. President, I have occupied a good deal more time than I expected in this discussion, but I have gone into it so thoroughly in years gone by that I feel intensely the importance of the subject. I do not want the Government to adopt a system now that by later years of experience is going to be so offensive to the public that there will be a demand for its repeal.

I want to say to those employees who are here advocating this system that there are two steps to be taken and to be considered. One is, Shall we establish the retirement principle? The other is, After we shall have established the retirement principle, what shall the plan be? If they are a unit in desiring the retirement scheme, let us adopt a system here that will win to it the support of all. Then, after we have established a retirement system and it develops out of the abundance of experience that we shall have under it that there should be some changes, let us then make them.

If employees were drafted into the service, if they were compelled to remain in the service, then they could come with some grace and make their demands; but there is not one on the pay roll of the Government who was forced to come here. They have come into the departments, they have come into the public service, for the very reason that I am occupying the position I now have, namely, because I was ambitious to get into the Senate; they came into the Government service because they thought in the Government employ there was something of honor attached to it, and that it was a better-paying proposition than 95 per cent of them had before. Let us not forget that fact.

When people come to me and say the people back home are a unit for the system, I deny it. I say that in perfect candor. I know that those words are not welcome; but I am here as a public servant trying to do, as I have the light, that which will not only be rendering service to the employees of the Government but to the people back home as well.

Mr. President, I trust the substitute which I have offered will be adopted.

The PRESIDING OFFICER. The question is on the adoption of the substitute for the bill which has been proposed by the Senator from Ohio.

Mr. POMERENE. I ask for the yeas and nays on the amendment.

Mr. VARDAMAN. There does not seem to be a quorum present. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Beckham	Johnson, Cal.	Moses	Shafroth
[illegible]	Johnson, S. Dak.	Myers	Sheppard
Chamberlain	Jones, Wash.	New	Sherman
Cummins	Kellogg	Norris	Smith, Mich.
Curtis	Kenyon	Page	Spencer
Fernald	King	Phelan	Sutherland
Fletcher	Kirby	Pittman	Swanson
France	Knox	Poindexter	Thompson
Gay	Lenroot	Pomerene	Trammell
Gronna	McKellar	Pollock	Underwood
Hale	McLean	Ransdell	Vardaman
Harding	Martin, Ky.	Reed	Walsh
Henderson	Martin, Va.	Saulsbury	Williams

Mr. SUTHERLAND. Mr. President, I desire to announce the absence of my colleague [Mr. GOFF] on account of illness.

The PRESIDING OFFICER. Fifty-two Senators have answered to their names. There is a quorum present. The Senator from Ohio asks for the yeas and nays on his amendment.

The yeas and nays were ordered.

Mr. REED. Mr. President, I ask the Senator from Tennessee to yield until I can have a resolution reported to the Senate.

Mr. McKELLAR. The yeas and nays have been ordered on the pending amendment. Let the roll be called, and then I shall yield to the Senator from Missouri with pleasure.

Mr. REED. But there may be further discussion. The fact is that I desire to ask some questions.

Mr. McKELLAR. I will yield immediately after the roll shall have been called on the pending Pomerene amendment.

Mr. REED. I want to ask a question or two about the amendment before it comes to a vote. The resolution which I desire reported I think will take but a moment for consideration.

Mr. McKELLAR. But the trouble about it is that the yeas and nays have already been ordered.

Mr. REED. That stands.

Mr. McKELLAR. Let the roll be called, and then I will yield to the Senator from Missouri.

Mr. REED. What I am trying to explain to the Senator is that the debate may yet go on for an hour.

Mr. McKELLAR. I am perfectly willing to yield to the Senator immediately after the calling of the roll on the Pomerene amendment.

Mr. REED. The Senator from Tennessee does not understand me. The yeas and nays have been ordered, but the roll call has not been started, and the Senator from Tennessee knows there may be further debate, which may last for a week.

Mr. McKELLAR. How long will the consideration of the resolution take which the Senator from Missouri desires reported?

Mr. REED. If the resolution requires any discussion I shall not ask that it be considered.

Mr. McKELLAR. With that understanding, I am perfectly willing to yield to the Senator.

Mr. REED. Very well.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS.

Mr. THOMPSON. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate to report back favorably without amendment Senate resolution 371, submitted by the Senator from Missouri [Mr. REED], and I call the attention of that Senator to the report.

The PRESIDING OFFICER. The resolution will be read.

The Secretary read the resolution, S. Res. 371, as follows:

Resolved, That the Committee on Public Buildings and Grounds or any subcommittee thereof be directed to inquire into the costs, construction, operation, maintenance, and future disposition of the public buildings of the Government of every nature, kind, and location and the program and contracts of the various departments of the Government with reference to future costs, construction, operation, maintenance, and disposition of the Government buildings of every nature, kind, and location, and report to the Senate thereon, together with their recommendation of any steps which they may deem advisable to take with a view to remedying conditions.

That the Committee on Public Buildings and Grounds, or any subcommittee thereof, and hereby is, authorized during the Sixty-fifth Congress to send for persons, books, and papers; to administer oaths; and to employ a stenographer, at a cost not exceeding $1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee or any subcommittee thereof, may sit during the sessions or recess of the Senate.

Mr. REED. I ask unanimous consent for the present consideration of the resolution.

There being no objection, the Senate, by unanimous consent, proceeded to consider the resolution.

Mr. WILLIAMS. I do not understand precisely what that resolution is. I desire to ask the Senator from Missouri what is the purport of the resolution?

Mr. REED. I can answer the Senator from Mississippi if the Senator from Kansas will permit me.

Mr. THOMPSON. Certainly.

Mr. REED. This is merely a resolution to authorize an investigation as to the expenditure of money for the putting up of public buildings. It grows out of the debate here this morning when there was a request for the information asked for by the resolution. That is all there is to the resolution.

Mr. WILLIAMS. The expense to be paid out of the contingent fund of the Senate?

Mr. REED. The ordinary expenses of the investigation are to be paid just like those of any other investigation.

Mr. WILLIAMS. I do not think I have any objection to the resolution.

The resolution was considered by unanimous consent and agreed to.

CIVIL-SERVICE RETIREMENT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 4637) for the retirement of employees in the classified civil service.

The PRESIDING OFFICER. The question now is on the adoption of the amendment offered by the Senator from Ohio [Mr. POMERENE], on which the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CURTIS (when Mr. FRELINGHUYSEN's name was called). I am requested to announce the absence of the senior Senator from New Jersey [Mr. FRELINGHUYSEN] on official business. If he were present, he would vote for the so-called Pomerene amendment. I understand he is paired with the junior Senator from Montana [Mr. WALSH].

Mr. CURTIS (when Mr. NELSON's name was called). I am requested to announce the absence of the Senator from Minnesota [Mr. NELSON] on official business, and also to announce the absence on official business of the Senator from North Carolina [Mr. OVERMAN]. The two Senators are paired upon this question.

Mr. SAULSBURY (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. COLT]. Not knowing how he would vote on this question, I withhold my vote. If at liberty to vote, I should vote "aye."

Mr. SMITH of Georgia (when his name was called). I transfer my pair with the senior Senator from Massachusetts [Mr. LODGE] to the senior Senator from Nebraska [Mr. HITCHCOCK] and vote "yea."

Mr. STERLING (when his name was called). I have a general pair with the senior Senator from South Carolina [Mr. SMITH]. I transfer that pair to the Senator from New York [Mr. WADSWORTH] and vote "yea."

Mr. SHAFROTH (when the name of Mr. THOMAS was called). I desire to announce the unavoidable absence of my colleague [Mr. THOMAS] on account of official business.

Mr. CURTIS (when Mr. TOWNSEND's name was called). I desire to announce the absence of the Senator from Michigan [Mr. TOWNSEND] on official business. Were he present he would vote against the Pomerene amendment.

Mr. VARDAMAN (when his name was called). I have a pair with the Senator from Michigan [Mr. TOWNSEND]. In his absence I withhold my vote.

Mr. WALSH (when his name was called). I am paired with the Senator from New Jersey [Mr. FRELINGHUYSEN]. I transfer that pair to the Senator from New Hampshire [Mr. HOLLIS] and vote "nay."

Mr. WILLIAMS (when his name was called). I have a standing pair with the senior Senator from Pennsylvania [Mr. PENROSE]. I transfer that pair to the Senator from Texas [Mr. CULBERSON] and vote "yea."

The roll call was concluded.

Mr. CURTIS. I desire to announce the absence of the Senator from Indiana [Mr. WATSON] on official business. I understand he is paired with the junior Senator from Delaware [Mr. WOLCOTT], who is detained from the Senate because of attendance on a committee of the Senate.

Mr. KELLOGG (after having voted in the negative). I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS]. I transfer that pair to the junior Senator from New Jersey [Mr. BAIRD], and will let my vote stand.

Mr. DILLINGHAM. May I inquire whether the Senator from Maryland [Mr. SMITH] has voted?

The PRESIDING OFFICER. He has not.

Mr. DILLINGHAM. I have a general pair with the Senator from Maryland, which I transfer to the Senator from Wyoming [Mr. WARREN] and vote "yea."

Mr. SWANSON. I desire to announce that the Senator from North Carolina [Mr. OVERMAN], the Senator from Delaware [Mr. WOLCOTT], and the Senator from Illinois [Mr. LEWIS] are detained on official business.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from North Dakota [Mr. MCCUMBER] with the Senator from Colorado [Mr. THOMAS].

The result was announced—yeas 31, nays 26, as follows:

YEAS—31.

Beckham	Kenyon	Page	Sterling
Cummins	King	Pollock	Sutherland
Dillingham	Knox	Pomerene	Swanson
Fernald	McLean	Reed	Thompson
Fletcher	Martin, Ky.	Sheppard	Underwood
Harding	Martin, Va.	Smith, Ariz.	Weeks
Hardwick	New	Smith, Ga.	Williams
Johnson, S. Dak.	Norris	Smith, Mich.	

NAYS—26.

Calder	Hale	McKellar	Shafroth
Chamberlain	Henderson	Moses	Sherman
Curtis	Johnson, Cal.	Myers	Spencer
France	Jones, Wash.	Phelan	Trammell
Gay	Kellogg	Pittman	Walsh
Gerry	Kirby	Poindexter	
Gronna	Lenroot	Ransdell	

NOT VOTING—39.

Ashurst	Culberson	Hollis	McCumber
Baird	Fall	Jones, N. Mex.	McNary
Bankhead	Frelinghuysen	Kendrick	Nelson
Borah	Goff	La Follette	Nugent
Brandegee	Gore	Lewis	Overman
Colt	Hitchcock	Lodge	Owen
Penrose	Simmons	Thomas	Warren
Robinson	Smith, Md.	Townsend	Watson
Saulsbury	Smith, S. C.	Vardaman	Wolcott
Shields	Smoot	Wadsworth	

So Mr. POMERENE's amendment was agreed to.

The PRESIDING OFFICER. The bill is before the Senate, as in Committee of the Whole, and open to further amendment.

Mr. REED. Do I understand that the substitute offered by the Senator from Ohio [Mr. POMERENE] has been adopted?

The PRESIDING OFFICER. It has been.

Mr. REED. Mr. President, I hope this bill will not be forced to a vote to-night. While the question has been debated for a number of days it has been a broken debate, occasioned by many topics and subjects that thrust themselves upon the consideration of the Senate. I wish for my part to deal justly with the employees of the Government, but I do not want to see the employees of the Government singled out for special benefits, those benefits to be paid for by the other citizens of the Republic. There is reason, as I have already suggested, why the Government may rightfully insist that if it gives to employees permanent positions those employees should contribute to a fund which will be sufficient to retire them when they are no longer able to work. Such a law would seem to be a necessary concomitant of permanent Government employment, because otherwise the Government will find itself in the position of having superannuated or disqualified employees upon its hands and be put to the hard condition of either discharging them when they are impoverished and old or of retaining them in their places when they are worthless. But, Mr. President, when it is proposed to take from the taxpayers of the country, who have no pension provided for them, the money with which to pay the pensions of the favored Government employees that is a different proposition.

We have a peculiar condition here in Washington. A bill like the one I have just been discussing ought to have been passed at the same time that we passed the civil-service act, and thereby provided practically for permanent employees for life positions. We did not do it, however, and now we find that there are a large number of old men and old women in Washington who have worked many years for the Government. Many of these people, if discharged, would be without any means of subsistence. So the Government is carrying them upon its rolls, at full pay, although they are incompetent to do the work for which they are paid.

I think this bill ought to go back to the committee. I think the committee ought to report to the Senate a bill providing some means to take care of the present superannuated employees who are without means, and they ought to be retired. Whatever the necessary expense may be we should assume it, because no provision has been made for these people in the past; and while we are under no legal obligation so to do, we are under that kind of moral constraint which comes when the heartstrings are pulling in one direction and cold business in another. That is a very badly mixed metaphor, but I will let it stand. I think the committee ought to report a clean-cut compulsory pension bill, so that in the future we will never find ourselves with a large number of employees upon our hands who are incapable of doing work and who have nothing to live upon.

That sort of bill I will gladly support; but I do not propose, as far as I am concerned, to levy taxes upon the people of the United States who have no pension, who have nobody to look after them, and who, if they have annuities, must pay for them out of their own pocket, for the benefit of Government employees who are all their lives getting better salaries, better pay, better compensation than is generally paid for similar labor. It is not fair to the rest of the people to give a man a life job—and that is substantially what he has under the civil service—and give him a salary which is so attractive that people all over the United States are clamoring for the position he has acquired, and, having given him that benefit, then proceed to tax the rest of the people to take care of him after he quits work. This question ought to be settled on its merits. It ought not to be settled by agitation or by agitators. So far as I am concerned, I have tried to be fair with the Government employee all the time; but I am getting a little tired of a Government employee lobby constantly being around the offices, like Oliver Twist, demanding more and still more.

My heart bleeds for some of these old, decrepit creatures who are barely able to crawl around the departments. It is true that they ought to have saved something from their wages in the past, but I take it most of them have not. Nevertheless, in order to deal generously or kindly with them we ought not to fasten a permanent burden upon the people of the United States.

It is useless to deny that these Government positions are attractive. Because they are attractive, they are sought after on every hand. The wages paid in these positions are fully up to the wages paid outside under normal conditions in similar occupations, and a little better. So you find boys and girls, men and women all over the United States taking civil-service examinations and clamoring for the places, demanding to know why they do not get the places, and insisting that they are not being treated fairly because they have not received them. When they obtain one of the positions it suits them so well that they insist on their right to stay there. They do stay there in preference to entering the ordinary vocations of life.

That is sufficient to show that the position is a little better than the ordinary position they could get. We make that position permanent by virtue of the civil-service law, so that they are not like the general man, liable to be discharged at any moment, and under the disagreeable tension that the job may not exist the first of the next week or the first of the next month. Altogether the position is a desirable one for them. Now it is proposed to pay them a pension, and to pay it by taxing the rest of the people of the United States.

Let us see just how that will work. Who looks after the farmer in his old age? The poor master, unless the farmer has looked after himself. Who looks after the miner in his old age? The poor master, unless he has looked after himself. Who looks after the lawyer in his old age, if he has not saved money, if he has nothing put by? The poor master. Not often, perhaps, does this fall to the lot of the lawyer, and yet it does fall to him. Who looks after the poor girl who works in the department stores? She, again, must shift for her living. She has no permanent job, and if she grows old and superannuated, then God have pity upon her!

Mr. KING. Mr. President, will the Senator yield?

Mr. REED. I yield to the Senator from Utah.

Mr. KING. I was interested in what the Senator said in regard to the lawyers. It may refresh the Senator's recollection when I state that the average earnings of the lawyers of the United States before the war, as shown by recent statistics, were approximately between $750 and $800 per year. The average earnings of school-teachers were considerably less; and the average earnings of the American people, wage earners, were somewhere between $500 and $600. So that the employees of the Government here in Washington and elsewhere under the civil service are getting very much more than the working people throughout the United States, and many of the professional classes, too.

Mr. REED. Under normal conditions.

Mr. KING. I mean, of course, under normal conditions.

Mr. REED. We might as well look at this question fairly. It is not to be settled, or ought not to be settled, by a resolution passed in some labor council. I have the utmost respect for these organizations, but I asked a member of one of them the other day if he thought it was right to tax the union carpenter who was working in Kansas City to pay an annuity to a civil-service gentleman who was working down here in the gun factory, when nobody took care of the carpenter out there. My friend could not answer the question. I ask the same question now. But, returning to my theme, take the school-teacher.

The school-teachers of the United States are paid on the average from one-half to one-third what is paid here to Government clerks. Who takes care of the school-teachers in their old age? Who pays them annuities? The Senator from Mississippi said that if we were going to provide an old-age pension or a disqualification pension for the employees of the United States Government, we ought to do it for all of the people of the United States at the same time and not single out the favorites of the Government. Is that not a just proposition?

Mr. McKELLAR. Mr. President, will the Senator yield right there?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Tennessee?

Mr. REED. Yes.

Mr. McKELLAR. The Senator from Mississippi cited as his authority the English Government, which I have previously cited, and said that they started with pensioning the civil employees in 1834, and added these two afterwards. If the Senator from Missouri and the Senator from Mississippi believe in the theory of old-age pensions, which I am frank to say I have not examined, is it possible that these distinguished Senators believe that it can be done all at one fell swoop; or would it be wise to follow the example of the English Government, which has had experience in it?

Mr. REED. Mr. President, there are three or four answers to that proposition. The first one is that it does not make a particle of difference to me what the English Government has done or what it has not done. It may have acted wisely, and it may have acted unwisely. The English Government used to sell, and for many years did sell, its commissions in the army. That would have afforded no reason for us to have ever done it in this country. The English Government has a titled aristocracy that constitutes the English House of Lords. That is no reason why we should have it here. The English Government has a King. That is no reason why we should have one here. The English Government has classes among its people. That is no reason why we should have them here. England has sovereigns and citizens; we have sovereign citizens.

Mr. McKELLAR. Mr. President, will the Senator pardon me?

Mr. REED. The English Government has a good many things that I would not have here if I had to start a rebellion to prevent it.

Mr. McKELLAR. If the Senator will yield——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Tennessee?

Mr. REED. Yes.

Mr. McKELLAR. That may be all true; but every other government on earth except the United States Government and the Government of Turkey and perhaps the Government of Venezuela, in South America, has established a system of retirement for its civil-service employees. Is it possible that all other governments on earth are wrong and that only the Government of the United States and the Government of Turkey are right?

Mr. REED. Now, the Senator has emigrated from England and spread himself out over all the world. That is too big a territory for me to discuss; but I want to say to the Senator that it is not true that every government on earth has a civil-service system in its government.

Mr. McKELLAR. There may be some forms of government down in the South African countries that I do not know anything about.

Mr. REED. No; more than that. But I do not intend to follow this in detail. How much good does it do to know that some other Government has done something to a certain class of employees unless you know about the employees? Suppose that the German Government provided for its soldiers a pension of a certain amount, and you cited that as an example—would it help us out any? An American soldier gets a dollar a day. I understand that a German soldier gets about 4 cents a day. A man who gets 4 cents a day has to have a pension when he can not work any more or he would starve to death. The other man might or might not need a pension. Conditions of life make these differences. What about the salaries in these countries? Are they paid $100 a month? Are they paid $150 a month? Do they have the opportunity of promotion up to $3,000 or $4,000? Are they paid $6, $7, and $8 a day as wage earners? Is that the condition you find in England?

Mr. McKELLAR. Mr. President, if the question is addressed to me, I shall take a great deal of pleasure in answering it. The pensions granted to the civil-service employees are in proportion to the salaries paid by the Government.

Mr. REED. That is not the question I am raising.

Mr. McKELLAR. Yes; that is precisely the same question.

Mr. REED. No; it is not. The Senator does not understand my proposition.

Mr. McKELLAR. I think I do.

Mr. REED. Suppose in the United States we pay a clerk $2,000 a year. Suppose, merely for illustration, the same kind of a clerk in England gets but $300 a year. Manifestly there is more equity in pensioning the poor creature who has been starved all his life over there than there is pensioning the one who gets $2,000 a year here.

Mr. McKELLAR. Well, there might be.

Mr. REED. There might be? I should say there would be.

Mr. McKELLAR. There might be a case singled out in that way; but taking the general rule, the pensions accord with the salaries paid, just as we propose in this bill to make the pensions accord with the salaries paid.

Mr. REED. That is absolutely unjust. It proceeds upon the idea that if the Government has paid to one man good wages all his life it also will pay him a big pension after he quits work. But if the Government has paid another small wages all his life, it will dole out to him a meager pension after he can no longer work. Thus you give the man who never had a chance to lay by anything for a rainy day the little pension, while you give to the man who has had a chance to amass a competence a larger pension.

Mr. McKELLAR. The Senator manifestly has not read this bill. If he had read this bill he would know that that is not what this bill provides.

Mr. REED. That is just what the Senator said.

Mr. McKELLAR. Oh, no; not at all. The bill provides that they shall be divided into four classes, and paid $600 in one class, $540 in another class, $480 in the next class, and $420 in the last class.

Mr. REED. Exactly. Well, I just took the Senator's own statement; that was all. I took the statement the Senator had just made, and I commented on it. I think his statement just made confirms me.

Now, Mr. President, I want to return to my theme. Who is going to pay the old man in the Senator's own State who has worked hard all his life at common labor? Who is taking care of him? Who is pensioning him?

Mr. McKELLAR. If he was a Federal soldier the Federal Government is pensioning him, and if he was a Confederate soldier the State of Tennessee is pensioning him. We are trying to protect them and care for them, just as we are trying to do in this bill.

Mr. REED. Suppose he was a soldier in neither army, but just a plain, ordinary citizen. The soldier, of course, stands in a class by himself. He has been pensioned because of his heroic sacrifice of the richest and best years of his life.

Mr. McKELLAR. Sometimes he has and sometimes he has not. Sometimes he has been put on the roll by Congress when he has never been in the Army.

Mr. REED. Oh, well, the Senator is merely dodging the question.

Mr. McKELLAR. No; I am not.

Mr. REED. The Senator is trying to take an exception to a general rule and is arguing from that. The Senator can not put up the soldier pension roll as an argument. The soldiers have been pensioned for different reasons than the one that is being assigned here. They will be pensioned, some of these boys that come back from France, not because of the reasons assigned for this bill, not upon that basis, but upon the basis that they imperiled their lives and their health in defense of their country while others escaped that ordeal.

Let me tell you why foreign countries do not furnish a very good example on the question of old-age pensions. The old-age pension proposition in European countries grows out of conditions that are a disgrace to those countries. Men are born substantially to one place in life. They have little opportunity given to them. They are often compelled to work for a wage that does not permit the gathering of a competence. Although they have pinched and starved throughout their entire lives, when the shadows of old age engulf them, when they are groping and staggering toward the tomb and no longer able to support themselves, they become public charges. It is because of those conditions which obtain in Europe that they have the old-age pensions.

In this country we have had a different theory. We have contended that a man ought to be taught to take care of himself, that he ought to have a chance to make a living, a chance to save something, to take care of himself in old age, so that he would not be a public charge, so that he would not be a pauper, so that he would not require the crutch of government to hobble through the world upon. That has been our theory of government—a theory upon which we have prospered beyond every other nation on earth—a theory that has developed a manhood in this country that I unhesitatingly pronounce superior to the manhood of any other country under the sun.

Mr. McKELLAR. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Tennessee?

Mr. REED. I will yield for a question, of course.

Mr. McKELLAR. What does the Senator do in his own State with the helpless and superannuated? Does not the State take care of them in the State of Missouri?

Mr. REED. Oh, no, Mr. President; not in the sense that the Senator employs.

Mr. McKELLAR. I was honest in that. They do in my State.

Mr. REED. The Senator is discussing something that I did not say. I was asking the Senator who provided a pension for these people in the respective States, trying to make it plain to the Senator that while this bill proposes to single out the Government employee and take care of him nobody proposes to pension the faithful servants and laborers of the States, but, on the other hand, it is intended to tax them for the benefit of the Government employees.

Mr. McKELLAR. Mr. President, I want to make a suggestion to the Senator. In his own State the government of the State of Missouri singles out the old people in that State, and not only pensions them in the truest sense of the word, but it furnishes houses for them, it furnishes help for them, it furnishes clothes for them. After all, it is just a question of the method, whether you furnish poorhouses for them or whether you furnish pensions for them. The principle is precisely the same.

Mr. VARDAMAN. There are poorhouses and palaces; that is the difference.

Mr. McKELLAR. Quite the contrary.

Mr. REED. The Senator is talking about my State and making an assertion about it that does not exist at all.

Mr. McKELLAR. Have you no poorhouses in the State of Missouri?

Mr. REED. Yes; we have a few; but the Senator has been talking about the State of Missouri pensioning the old people of Missouri. The Senator insists on arguing everything but the case at issue. The alternative for pensions is not poorhouses.

Mr. McKELLAR. That is the practical alternative.

Mr. REED. If that be true, then your bill ought to provide for pensions for all the old people of the United States, and not leave the poorhouses to take care of everybody except the favored Government employees. Why should you send the unfortunates of Tennessee to the poorhouses of Tennessee and pension the employees in Washington, who have been paid more money all the years they have worked here than similar employments pay in your own State?

Why have you got poorhouses in Tennessee, if you want to make that kind of a comparison? You have them because it is better to keep unfortunates in poorhouses than to let them starve. But that is not the question we are discussing. We are not discussing the question whether people, when they are impoverished and in want, shall be allowed to starve. We are discussing the question whether a few people out of all the people of the United States shall be singled out, and, first, be given a better salary than is paid in similar private employments; second, be given jobs for life; third, be given pensions. We are asking whether these pensions should be paid for by taxes wrung from people who have neither a Government job nor a Government pension. We are inquiring whether the Government employee should have a pension even though he possess a competence and the citizen who never had a Government job should in old age, if helpless and poor, be given a ticket to the poorhouse? That is what we are discussing. You may wiggle and twist, and twist and wiggle, and squirm from now until eternity shall dawn, and you have got to come back to that proposition. You can not get away from it.

Let us see. Somebody said here this afternoon the poor people, the laborers in the States, did not have to pay any taxes. I answered that then, but I want to answer it now in connection with what I am saying. There was never a bigger fallacy in the world than that. The man who sleeps in a rented furnished room when he pays his rent pays the taxes upon that room. The man who wears a pair of hobnailed shoes when he buys them pays a part of the taxes of the retail dealer, of the jobber, of the manufacturer, of the tanner who tanned the skin, and of the farmer who raised the cattle. In the last analysis everybody in the world who is not a pauper is a taxpayer. The burden rests upon all. So when it is proposed to pension the $150 a month clerk in Washington and pay that pension out of taxes, let it be understood that the $50 a month country school-teacher in Tennessee pays her part of the pension and has no pension provided her. The $50 a month clerk——

Mr. GRONNA. Mr. President——

Mr. REED. One moment. The $50 a month clerk in the bank in Tennessee or North Dakota pays a part of that pension and has none provided for himself.

Mr. McKELLAR. Mr. President——

Mr. REED. In just a moment. Let it be understood that the $2 a day laboring man working on the section pays a part of that pension and nobody provides a pension for him. The farmer in his field in Tennessee or North Dakota or Missouri pays a part of that pension, but if anybody furnishes an annuity for him it is after he has paid for it in coin of the realm taken from his own pocket. The blacksmith, the groceryman, the carpenter, all classes of men in all the States you must acknowledge will be taxed for the purpose of paying the pension of the clerk in Washington. But there is no pension provided for these ordinary citizens. In their old age and poverty you propose to send them to the poor farm. Mr. President, gentlemen may seek to justify that, but it is favoritism, pure and simple.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from North Dakota?

Mr. REED. I yield.

Mr. GRONNA. I would not disturb the Senator, but in discussing the question he does me an injustice in the few remarks which I made. It was said by some Senators that these clerks paid no taxes. I think I made the statement that neither does the laboring man on the farm pay taxes. I know as well as the Senator from Missouri, at least I know to a certain extent, that every man pays a consumption tax.

Mr. REED. The clerk pays just the same as these other people.

Mr. GRONNA. But the Senator will admit, I am sure, that these clerks do not buy hobnailed shoes, they buy some other kind of shoes, and they pay proportionately the same tax that the people on the farm pay.

Mr. REED. Let me answer that. It is true the clerk in Washington who consumes, who has rent to pay, pays taxes just the same as these other people similarly situated pay taxes, and those taxes go into the Government Treasury. Now, all having contributed to a common fund, you propose to have one class take out of the common fund certain benefits you deny to all others. One class is to get back a part of that tax and the other class is not.

Mr. GRONNA. If the Senator will permit another interruption——

Mr. REED. Certainly.

Mr. GRONNA. I think the Senator and I quite agree, or we are not very far apart. I stated at the outset, in the few remarks I made, that my sympathy is for the 4,500 superannuated clerks who are not performing efficient service, who have no way of taking care of themselves. We ought to make some provision for them. I think the Senator from Missouri agrees that that ought to be done.

Mr. REED. I am willing to do that as an act of grace.

Mr. GRONNA. I made the further statement that I believe both these measures were unscientifically drawn.

Mr. REED. I agree with that.

Mr. GRONNA. I think the Senator from Ohio, whose amendment I opposed, read from the hearings or from some document where some expert supported that statement. I am perfectly willing, and I take it from the course on which the Senator from Missouri has set out, knowing him as well as I do, that he is willing to support some legislation that will help out the 4,500 people who are here at the expense of the Government, unable to perform efficient service. However, they are here, and we ought to take care of them. Is it not true that we ought to have some legislation for their relief?

Mr. REED. Exactly so. I say that this bill ought to go back to the committee, and a bill should be brought in with a provision to take care of these superannuated clerks, carefully guarded of course, so that we will not find ourselves taking care of people who do not need help, and then there ought to be, if you desire——

Mr. McKELLAR. And let the Government bear it all?

Mr. REED. Yes; that part of it.

Mr. McKELLAR. That is very much more than we propose.

Mr. REED. Oh, no. Then let the other people be provided for out of funds to be paid by the employees themselves.

Mr. McKELLAR. Will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Tennessee?

Mr. REED. Yes, sir.

Mr. McKELLAR. There is no man in the Senate for whom I have greater admiration, especially for his ability as a debater and a reasoner, than the Senator from Missouri, and I wish to ask him this question: When he labors so carefully and in such detail as to the laboring man, as to the schoolteacher, as to the man on the farm, the man in the shop, who has the great burden of taxation, does not the Senator think he is just a little unfair in his argument, because he has not mentioned that other great body of people who pay the real income of this Government and from whose taxes this annuity is to be most largely obtained? I have not heard the Senator say anything about those who pay the income taxes of the country, the wealth of the great corporations of the country, that pays almost seven-eighths of the taxes of the country.

Mr. REED. If the Senator had followed my line of reasoning a little more carefully, he would have found that I had absolutely included them.

Mr. McKELLAR. I did not so understand. I thought the Senator was laying very little stress on the capitalistic classes.

Mr. REED. I am going to make it so plain that the Senator will understand. I said that the man who rented a room, who did not have a dollar on egrth except his daily wage, paid the taxes upon that building proportionately; that the man who wears shoes paid the taxes proportionately with the retail dealer, the wholesale dealer, and the manufacturer. I in effect said that in the end the burdens of government, no matter how you may seek to avoid or obscure it, must at last fall upon the great producing classes. It is true that when men have gathered enormous profits the tax upon those profits is primarily collected from them, so that apparently the taxes are largely collected from the capitalistic classes, but the capitalistic classes, if we may use the term "classes," and I do not say it offensively, transfer that tax right down the line, as I have shown, to the ultimate consumer. This they do without the least "variation or shadow of turning." It is practically the universal rule. So while I did not name capitalists specifically, they were nevertheless covered in my illustration.

EXECUTIVE SESSION.

Mr. McKELLAR. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened and (at 5 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Friday, December 6, 1918, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 5, 1918.

SECRETARY OF THE TREASURY.

Carter Glass, of Virginia, to be Secretary of the Treasury of the United States.

UNITED STATES DISTRICT JUDGE.

Charles E. Bunnell, of Fairbanks, Alaska, to be United States district judge, District of Alaska, division No. 4. A reappointment, his term expiring January 5, 1919.

UNITED STATES ATTORNEYS.

Rinehart F. Roth, of Fairbanks, Alaska, to be United States attorney, District of Alaska, division No. 4. A reappointment, his term having expired.

Julian P. Alexander, of Jackson, Miss., to be United States attorney, southern district of Mississippi, vice Joseph W. George, resigned, effective December 31, 1918.

HOUSE OF REPRESENTATIVES.

THURSDAY, *December 5, 1918.*

The House met at 12 o'clock noon.

Representative TEMPLE offered the following prayer:

Our Father who art in heaven, we thank Thee for Thy goodness which Thou hast revealed to us. We recognize Thee as the King of Kings, the Governor among the nations, and we pray that Thy blessings may be upon this Nation. Guide the deliberations of those who attempt wise laws. Hold us and keep us in Thy way. Amen.

The Journal of the proceedings of yesterday was read and approved.

SANATORIUM FOR DISCHARGED SOLDIERS AND SAILORS.

Mr. CLARK of Florida. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12917.

Mr. FORDNEY. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Florida moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12917, and the gentleman from Michigan [Mr. FORDNEY] makes the point of order that there is no quorum present, and evidently there is not, and the Doorkeeper will close the doors and the Clerk will call the roll.

Mr. MANN. Mr. Speaker, it takes a call of the House.

Mr. KITCHIN. Mr. Speaker, I move a call of the House.

The SPEAKER. Those in favor of going into the Committee of the Whole House on the state of the Union will say aye——

Mr. MANN. But the point of no quorum was made before that motion was put and the Chair decided there was no quorum present and the Chair can not now put the motion.

The SPEAKER. The Chair can not understand the gentleman.

Mr. MANN. The Chair had decided there was no quorum present. The Chair can not now put a motion before the House except a call of the House.

The SPEAKER. That is true.

Mr. KITCHIN. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to respond to their names:

Anderson	Blanton	Caldwell	Carter, Mass.
Anthony	Bowers	Campbell, Kans.	Carter, Okla.
Bland, Ind.	Brumbaugh	Carlin	Church

Collier	Garland	McClintic	Shouse
Connally, Tex.	Garrett, Tex.	McCormick	Siegel
Connelly, Kans.	Good	Maher	Sims
Costello	Gould	Mansfield	Small
Cox	Graham, Pa.	Mason	Smith, C. B.
Crisp	Gray, N. J.	Montague	Smith, T. F.
Curry, Cal.	Gregg	Morin	Steiman
Dale, N. Y.	Hamill	Nelson, J. M.	Stephens, Nebr.
Dale, Vt.	Hamilton, N. Y.	Nicholls, S. C.	Stiness
Decker	Harrison, Va.	Nolan	Sullivan
Delaney	Haugen	Norton	Swift
Dies	Hayden	O'Shaunessy	Templeton
Donovan	Hayes	Phelan	Thomas
Dooling	Helgesa	Porter	Vare
Dupré	Helm	Powers	Venable
Eagan	Helvering	Pratt	Voigt
Edmonds	Hensley	Ragsdale	Waldow
Ellsworth	Hood	Raker	Walker
Emerson	Howard	Riordan	Ward
Estopinal	Hull, Iowa	Roberts	Wason
Fairchild, G. W.	James	Rose	Watson, Va.
Farr	Johnson, S. Dak.	Rowe	Welling
Ferris	Juul	Rowland	Wilson, Tex.
Flynn	Kehoe	Russell	Wingo
Focht	Kless, Pa.	Sanders, La.	Woods, Iowa
Francis	Kreider	Scott, Mich.	Woodyard
Fuller, Mass.	Langley	Scott, Pa.	Young, N. Dak.
Gallivan	Larsen	Sears	
Gandy	Littlepage	Sells	

The SPEAKER. On this roll call 307 gentlemen answered to their names—a quorum.

Mr. KITCHIN. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will unlock the doors.

The question was taken, and the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12917, with Mr. FOSTER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12917, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 12917) to provide for the establishment of a sanatorium for the treatment of persons discharged from the military and naval forces of the United States, and for other purposes.

The CHAIRMAN. According to previous arrangement made, the gentleman from Illinois [Mr. CANNON] is now recognized for 20 minutes.

Mr. CANNON. Mr. Chairman, this is an important bill sought to be connected with an important service. I do not believe there is a single man on either side of this House, under existing conditions, who desires to vote for something that ought not to be voted for. I have no attack to make upon Dawson Springs. I never was there. I know nothing of it, except as I have made a little inquiry, but let us talk a minute about the present situation. Unprepared when this war began, preparation had to be in haste, and it was so enormous from every standpoint that there was much effort that did not bear fruit, and it would have been impossible to have had the expenditure of every dollar bring a dollar's worth. The Army, the Navy, the Public Health Service, volunteers without pay or nominal pay, great masses of people were called into the public service. The draft came. We sent 2,000,000 people to the other side, to be reenforced by a million and a half if the war did not close. It has been an expensive war. The man power has been seriously impaired. A great debt has been created. The suffering in man power is not to be compared with dollars; yet it is over and done, and for one, as a Representative—and I think I speak for every man on both sides of the House—we will legislate and the people will approve legislation that will make good every pledge that was made in laws hastily passed to care for the people who went into the military and naval service. [Applause.] And so I will drop it right there. The question is, How can we best prepare? I said the expenditure had been extraordinary. There will be paid in round numbers interest on a public debt in the fiscal year 1920, commencing on the 30th of June next, a billion dollars.

What will be paid for compensation, what will be paid all along the line, remains to be seen. But, thank God, we are rich enough and patriotic enough so that we will meet it all by taxation. But that does not mean that with peace we are going to throw away money, and we should remember that in addition to caring for those we are obliged to care for 100,000,000 people who pay the taxes. It is quite one thing to pay taxes when we have 30 to 50 cent cotton, $2 wheat, $1.50 corn, and other things in proportion. But the time will come, and is to come rapidly, when you will have 8 to 10 cent cotton, when you will have 75 cents to $1 wheat, when you will have pork at, instead of 18 to 20 cents a pound gross, you will have it from 5 to 6 cents. And everything will be along that line. It is coming and it will come rapidly.

Am I saying this for the purpose of intimating that we are avoiding our pledges? No; I am not.

Now, let me get right down to "brass tacks." This is a provision to locate a tuberculosis hospital at Dawson Springs, a place at which there is no spring, but all wells, better, no doubt, for other diseases than tuberculosis. But let us see what we have now to care for the people in the hospitals, and what we have got to do with the situation. I will hastily, with a hop, skip, and jump, try to get to the meat of it. For general hospitals for the Army, apart from camps and cantonments, we have spent $54,000,000, for all camp and cantonment hospitals we have spent $99,500,000, making a total expenditure of $153,000,000 for construction and furnishing only. The number of beds in Army hospitals in camps and cantonments is 50,000, the number of beds in general hospitals and Army hospitals 25,000, or a total of 75,000. Now, these camp and cantonment beds are in hospitals mostly temporary in nature, but which I find, after inquiry, are good for service for 20 years. They will never be occupied, all of them. And they are scattered all over the country. And I do believe, as I stand here, after the best inquiry I can make, to say the least of it, that all of them are as good locations for tuberculosis hospitals as is Dawson Springs, the place sought to be acquired by this bill. I do not say that Dawson Springs may not be utilized, but let us use that which we have. Let us halt before we commence to make new locations for tuberculosis or other hospitals, utilizing those facilities which we have, the 75,000 beds that we have in the Army hospitals alone.

Let me go a little further. It is believed that the full capacity of these 75,000 beds has never been utilized. And I trust to God, so far as the future is concerned, that they never will be occupied. But we can amply care for those soldiers and ex-soldiers who desire hospital care with a greatly less number of beds than the 75,000 we now have.

Now, I want to speak a little further. These Army hospitals which are permanent are 37, the number of hospitals in camps and cantonments is 38, making 75 altogether. What else have we? There is a general Army and Navy hospital at Hot Springs, Ark. We all know about Hot Springs. There is a hospital there for many diseases. I suppose there is no place in the United States, or on earth, to equal Hot Springs. As my former colleague, John Allen, from Mississippi, in his closing speech, when he located the fish hatchery down there at Tupelo, said, "It is the center of the earth; that you might climb the highest tree; and that it was equally distinct to the eye as far as the eye would reach." For the purposes of a hospital, Hot Springs is a very good place. They have one there now and you can build more if it is necessary.

The Army has a tuberculosis hospital at Fort Bayard, N. Mex. My impression is, although I have not been able to fully verify it, that this is an abandoned post of the Army; that it is well located for tuberculosis treatment; and that there is already, and has been for years, a tuberculosis hospital there.

The Navy has a tuberculosis hospital in Colorado, at Las Animas, with over 600 acres, and supposed to be a good place for a tuberculosis hospital, which was established in time of peace. Now, there is a hospital that the Public Health Service has, in Fort Stanton, N. Mex. I am not sure exactly, but my belief is, from the best information I can get, that the whole area there is available for the extension of a tuberculosis hospital.

There are others that I might speak of. There is one criticism I want to make about this service in the future and what we ought to do, in my judgment. And in making it I have no reason to attack anybody. Take the Public Health Service, for illustration, and at its head is Surg. Gen. Blue, a man of extraordinary equipment for the public service, with a large staff. They have a tuberculosis hospital in New Mexico. Let us see what is proposed to be done and what has been done in peace and war for this service.

The Army bill passed on the 30th of June, I believe. I hold it in my hand, and if you will turn to page 47 of that bill, Chapter XV, you will see to what I refer. The chapter is too long for me to read, but I will read a short extract from it:

SEC. 4. That the duties of the Division of Venereal Diseases shall be in accordance with rules and regulations prescribed by the Secretary of the Treasury (1) to study and investigate the cause, treatment, and prevention of venereal diseases; (2) to cooperate with State boards or departments of health for the prevention and control of such diseases within the States; and (3) to control and prevent the spread of these diseases in interstate traffic: *Provided*, That nothing in this chapter shall be construed as limiting the functions and activities of other departments or bureaus in the prevention, control, and treatment of venereal diseases and in the expenditure of moneys therefor.

This is scattered. There are four or five departments of the Government working at this particular disease. I want to call

your attention to a provision in this bill which we have under consideration. God knows, if it passes at all, it ought to be seriously amended.

If you will turn to the bottom of page 1 and then turn over to page 2 you will find these words touching this location. What for?

For the treatment of persons discharged from the military and naval forces of the United States and persons who are now or hereafter may be beneficiaries of the United States Public Health Service.

What does that mean? Why, this Public Health Service treats all sorts of men at the public expense in this country, including people in civil life. Here is a further grant of power in this Army bill, and the first thing we know, unless we amend and limit this legislation through careful consideration later on by provisions to be proposed when we get outside of the necessity for legislation, when we will cut off many men who are duplicating work and many departments which are duplicating work, here we will have a law under which you can go into interstate commerce and take anybody that may be treated by this Public Health Service, and under their direction, with or without cooperating with the States; and here is a large appropriation to carry that out, and do what? You can fill them up from civil life—the whole 75,000 beds—and probably you might have to multiply that number by two or three.

I am here to care for and keep our pledges, whatever it costs; pledges that we made in behalf of the boys in blue or in khaki, wherever they are, when they come out of the service. But I am not ready to pick up the civilian population and include it. Mr. Chairman, how much time have I left?

The CHAIRMAN. The gentleman has two minutes left.

Mr. CANNON. Two minutes. Why, I have hardly commenced. [Laughter.] I am for the amendment that was offered by the gentleman from Wyoming [Mr. MONDELL]. Let us defeat this bill. Let us adopt that amendment, and let us find out how many of these Army and Navy hospitals will be needed, how many of them have locations that are favorable, with beds—75,000 beds—furnished and good for 20 years. I want to say, measuring my words, that this legislation as proposed is indefensible. [Applause.]

Mr. SMITH of Michigan. Mr. Chairman, I would like to inquire if the gentleman used all of his time?

The CHAIRMAN. The gentleman used all but half a minute.

Mr. SMITH of Michigan. The gentleman yields back that half minute?

Mr. CANNON. I do.

The CHAIRMAN. The gentleman from Illinois yields back half a minute.

Mr. CLARK of Florida. Mr. Chairman, I yield five minutes to the gentleman from Alabama [Mr. BANKHEAD].

The CHAIRMAN. The gentleman from Alabama is recognized for five minutes.

Mr. BANKHEAD. Mr. Chairman and gentlemen of the committee, the distinguished gentleman from Illinois [Mr. CANNON] concluded his very interesting remarks to the House by the statement that this legislation was absolutely indefensible. I challenge that statement, Mr. Chairman. I challenge it for the reason that in the orderly process of legislation a committee of this House, charged with the duty and responsibility of considering legislation, had this bill up for consideration and heard the evidence upon it; and in reporting this bill to the House it was simply carrying out the mandate of the law already passed by the Congress with reference to those who are entitled under the war-risk insurance act to hospital treatment after they had been discharged from the naval and military service of the United States.

Now, the question is, gentlemen, Do we owe an imperative and solemn duty to these men who have enlisted in the Army and Navy of the United States and who in the course of that service have contracted these insidious and in many cases what will prove mortal maladies in the discharge of their duty under the flag? No man will dispute the proposition that there can be no higher class of moral obligation that we owe to any of our citizens than that which we owe to these men.

What is the evidence that is produced by the committee and by the hearings? The evidence shows that the hospital accommodations required under the law for the treatment of these men is absolutely inadequate at this time, or apparently in the immediate future, to take care of these soldiers and sailors who are entitled under the provisions of the war-risk act to hospital treatment if they desire it.

There is talk about "haphazard legislation" and about picking out one particular place for the construction of this proposed hospital, and it is said that the matter ought to be left to those experts who are in authority to arrange a definite and permanent program. Now, gentlemen, who has made the recommendation for the establishment of this particular hospital at this particular place? Why, the executive officers of the medical department of the War Risk and Public Health Service Bureaus, the very men under whose jurisdiction and responsibility the carrying into operation of this legislative duty rests, and they have come and made a recommendation that, after an investigation of the conditions surrounding this particular place, it presents practically an ideal location for one of the units of this great system, which we all admit must later on be established in full.

Now, it must not be overlooked, gentlemen of the committee, that under the law, as testified to by Dr. Banks, the senior Surgeon General of the United States Public Health Service and the chief medical adviser of the War-Risk Insurance Bureau—and surely those positions ought to entitle Dr. Banks to some consideration at the hands of this committee—there are only at the present time, as he states in his testimony, two classes of hospitals to which they can send discharged soldiers and sailors for treatment under the provisions of the existing law. He further states that the present hospital and medical facilities are not sufficient to take care of these civilians. Bear in mind, gentlemen, that that is the status of these men that we are now seeking to take care of. They are not still in the service of the Army and Navy, but they are men who have been discharged from that service because of physical disability, and they occupy now the status of civilians, and, under the law which we passed and which we all approve of, it is the duty of the Government to provide hospital and sanatorium treatment for these men.

Now, an effort has been made to inject local issues into this fight. An amendment was proposed by the gentleman from Texas [Mr. JONES] and adopted here yesterday to move this sanatorium out to Amarillo, Tex. A large number of the gentlemen on the other side of the House said at first that they were opposed to this proposition in toto; that they were opposed to this piecemeal legislation to locate this hospital, under the terms of this bill, at any particular site. Yet it seems, gentlemen, that you took a rather inconsistent position on that proposition when you unanimously voted to waive that objection and cast an affirmative vote for that amendment locating it at another site than that proposed. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CLARK of Florida. I yield eight minutes to the gentleman from Kentucky [Mr. KINCHELOE].

Mr. KINCHELOE. Mr. Chairman and gentlemen of the committee, of course we all understand that there is a motion pending to strike out the enacting clause of this bill, which, if carried, will kill the bill.

It has not been my good fortune to have been a Member of this House many years, but during the time I have been here I have tried to take an interest in legislation, and I am candid to say that in the discussion of this bill there have been more wild, irresponsible remarks made, more innuendoes and insinuations, than I have ever seen with reference to any legislation that has ever been before the House. The gentleman from Massachusetts [Mr. WALSH] yesterday in his speech stated that his information was that a big hotel at Dawson Springs had been burned and that some New York syndicate were trying either to enhance their property or to sell bonds on the strength of getting this sanatorium here. The gentleman surely got that from some source or he would not have said it.

Mr. WALSH. The gentleman did not say it.

Mr. KINCHELOE. The gentleman said that, or in substance that, and I do not care what source it came from; there is absolutely no foundation for it in the world. At the beginning of this war there was a corporation formed to build another big hotel in Dawson Springs. Dawson Springs has 50 hotels. It is a great summer resort. The War Industries Board cut down the material. The stock had been sold. The land has been bought, and the place where it is to be located is 2 miles from the proposed location of this hospital, on the other side of the river, in another county, and the corporation at Dawson Springs which proposes to build this hotel has no more to do with this sanatorium or the furnishing of this land than I have or any other gentleman on this floor.

Why, it has been assumed here, by gentlemen on this side especially, that this is to be a sanatorium for tubercular patients altogether. The bill does not contemplate that. It does not say that. There are many men discharged from the Army with kidney trouble, many men with rheumatism. Enough men are discharged to-day as wards of this Government with these diseases, for whom there is no provision made to take care

of them, to fill two hospitals like this one which is contemplated. Col. Banks went down there at the solicitation of the department upon whose shoulders rests the responsibility of these hospitals. He testified in the hearings that the altitude had nothing to do with tuberculosis. The distinguished gentleman from Louisiana [Mr. LAZARO], who is a physician, said so in his speech yesterday. He says that the best medical science agrees to-day that you can come nearer to curing a tubercular case in the climate in which the patient lives and where he expects to live, if you want a permanent cure. Why, gentlemen talk about these hospitals down at these cantonments. I ask you gentlemen, if you had a son, would you want him to be placed at any of these various cantonments regardless of location and regardless of the accommodations? Or, after he has fought the battle and won it for the preservation of liberty and civilization, would you not want him to have the best hospital that money can buy and human brain and genius can construct? [Applause.] It is perfectly all right to go out and make broad assertions. Why, here is the statement that Col. Banks himself made. He said: "We have filled up all of the Marine hospitals to overflowing. We have rented buildings in Savannah and New York." This hospital is not to take care of wounded soldiers. It is to take care of soldiers of the Army and Navy that the War Department and the Navy Department will no longer have any jurisdiction over; and when we passed the war-risk insurance act practically unanimously in this House we said to these boys, "You go to the trenches of Europe; if you lose your health or lose your limb we guarantee you hospital treatment." [Applause.]

Are you going to say now, "We will put you out in some abandoned cantonment," after they have gone and paid the price? If you do, then take the responsibility. Do not take my word about locating this in Dawson Springs. You want to locate it in Dawson Springs or you want to send it out to Texas. Why, the gentleman who represents the Amarillo district [Mr. JONES of Texas] said yesterday that in that county there had not been any deaths for many years. I think he said there was no cemetery there. I know one of the most eminent physicians that Kentucky ever had was practically starving for a practice in Kentucky, and he went to Amarillo, Tex., and he is absolutely rich to-day. [Laughter.] If the statement of the gentleman from Texas is correct that there is no cemetery at Amarillo this physician who went from Kentucky down there is "some doctor," because he had lots of sick folks there. Of course, that is put in to kill the bill. What department of the Government said this hospital ought to go to Amarillo, Tex.? Where is there any report from any physician, or from the Bureau of Public Health, or the War-Risk Insurance Bureau, or the Secretary of the Treasury, under whose jurisdiction all of these departments are, saying that it ought to go to Amarillo, Tex.? Col. Banks, of the War-Risk Insurance Bureau, comes here and says that he went down to Dawson Springs. He does not say this is the only place for a hospital. He does not say it is for tubercular patients only. It is one of the chain of hospitals that he wants erected throughout the country in view of the dire need of them everywhere.

A bill before the Committee on Public Buildings and Grounds will be ready for your consideration in a few days appropriating $10,000,000 more, not for enlarging the hospital at Dawson Springs but constructing hospitals in your State, so that your boys can go there. I want to see them all over the country. This bill had a privileged status, and the Bureau of Public Health and the War-Risk Insurance wanted speed. They wanted to build the building immediately, because the testimony shows that there are 14,000 of these unfortunate boys to-day that Col. Banks and Dr. Simpson say have no place on earth to go.

Mr. KEATING. Will the gentleman yield?

Mr. KINCHELOE. I will.

Mr. KEATING. I wish to ask the gentleman a question, because the information I receive will determine how I shall vote. According to the gentleman from Illinois, the War Department has thousands of beds available. The Assistant Secretary of War to-day told me, not in reference to this bill, that they had 50,000 beds available. The gentleman says that there are thousands of discharged soldiers in the country without hospital conveniences.

Mr. KINCHELOE. Discharged soldiers.

Mr. KEATING. Would not the reasonable way be to pass a bill opening these available beds to discharged soldiers, so that we can take care of them at once? [Applause.]

Mr. KINCHELOE. I will say, first and foremost, that they can not be taken care of under the law.

Mr. KEATING. Why not change the law?

Mr. KINCHELOE. Suppose you change the law. Two-thirds of the hospitals at the various cantonments are on ground which the Government does not own; they are temporary. You are not able to take care of them.

Mr. LAZARO. Will the gentleman allow me to answer the gentleman from Colorado?

Mr. KINCHELOE. Yes.

Mr. LAZARO. For the simple reason that nearly all the hospitals at these cantonments are not suitable for the care of tubercular patients.

Mr. KEATING. We have at Denver a hospital in my district with 2,000 beds, and that hospital has not been occupied, and the gentleman from Illinois [Mr. CANNON] did not even mention that hospital.

Mr. KINCHELOE. Probably they could not utilize that; but I do know that the evidence all shows that they are not suitable for tubercular patients or for discharged soldiers. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMITH of Michigan. Mr. Chairman, I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, we are all of one mind in regard to the care of men discharged from the military service requiring hospital treatment. There is no difference in Congress in that regard. We will do our full duty toward these men. The question is, What is the thing to do at this time? The gentleman from Illinois [Mr. CANNON] has called attention to the fact that there are 75,000 hospital beds in camps and cantonments, 25,000 of them in the general hospitals. Seven of these general hospitals were established for the purpose of caring for tubercular patients. One of these hospitals, at West Baden, Ind., has now more than 600 empty beds. One of these hospitals is at New Haven, one of the finest in the land. Another is located near the city of New York. They are scattered all over the country. These hospitals are the best that can be built. Some of them were built for private use, and all as up to date and first class as such institutions can be. It is true that these hospitals are not now available for the treatment of men discharged from the service. It is necessary to have legislation designating these hospitals as available for such men. I have offered an amendment to this bill which calls upon the Secretary of War to designate such hospitals to be used for discharged soldiers and sailors. The Secretary of War can do that in 24 hours; he can open the doors to these splendid institutions, now fully equipped, and allow the men to go into them to-morrow, to enter them and have care and treatment. [Applause.]

What is it that is proposed? To build a hospital in a questionable location, which can not under any circumstances be ready for the admission of men inside of 18 months. How are these men to be provided for in the meantime? It is true my amendment is subject to a point of order. The gentleman in charge of the bill will probably make the point of order, but in doing that he puts himself in this position: He refuses to make immediately available for men discharged from the service the thousands of beds in the splendid institutions, now fully equipped and fully manned and ready for these men, in order that we may build somewhere in a questionable locality an institution that may be available in 18 months or two years for perhaps 500 men.

Mr. DEWALT. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. DEWALT. Does the gentleman know what the combined capacity of these institutions is?

Mr. MONDELL. The seven tuberculosis hospitals I do not know, but it is very considerable. There are 26,000 beds in these 37 general hospitals. Seven of them are hospitals specially adapted for the care of tubercular patients, and I have called attention to one splendid institution where there are 600 empty beds. The gentleman, if he makes the point of order, will refuse to allow the use of these splendid institutions now built and available in order that this scheme for building for the far distant future, for the benefit of a particular locality, may be carried forward. I appeal to the gentleman in charge of the bill, if he is really in earnest about the care of the men discharged from the service, to withdraw his point of order and thus allow us to bring immediate relief in institutions as fine as any ever built for such purposes. I appeal to the gentleman in charge of the bill to withhold the point of order and allow us to make immediate provision for the men needing this medical treatment—let us do something for the discharged soldiers rather than for Dawson Springs. [Applause.] I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back half a minute.

Mr. SMITH of Michigan. Mr. Chairman, I yield to the gentleman from Illinois [Mr. GRAHAM] eight minutes.

Mr. GRAHAM of Illinois. Mr. Chairman, I made this motion to strike out the enacting clause of this bill because I believe the bill ought not to pass. I am and every other Member of this House is in favor of doing everything that can be done to redeem our pledges to those who have suffered disease or wounds in this war. That goes without saying, that we are all for that, but this bill is not a good bill and ought not to pass for several reasons, a few of which only I shall have time to refer to. In the first place, gentlemen, there is absolutely no necessity shown in the hearings or by the facts for the establishment of this hospital at Dawson Springs or at any other place at this time. The gentleman from Illinois [Mr. CANNON] and the gentleman from Wyoming [Mr. MONDELL] have just referred to some of these reasons. I have taken the trouble to go to the Surgeon General's office this morning and get from him a list of all the hospitals in the United States, both general and in cantonments, and I have here that list, which shows not only the names of the hospitals, the number of beds already there, the number of beds that are vacant, but also the number of beds that are being built and added to the various hospitals. I want to incorporate that statement, which is not excessively long, into my remarks, and, Mr. Chairman, at this time I ask unanimous consent to extend my remarks by inserting this statement.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks by inserting the matter indicated. Is there objection?

Mr. CLARK of Florida. Mr. Chairman, what was the request?

The CHAIRMAN. The gentleman proffered certain matter which he wished to incorporate as an extension of remarks.

Mr. CLARK of Florida. From the Surgeon General?

Mr. GRAHAM of Illinois. Signed by the Surgeon General.

Mr. CLARK of Florida. Surgeon General of the Army or the Public Health Service?

Mr. GRAHAM of Illinois. Of the Army.

Mr. CLARK of Florida. I have no objection.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. TIMBERLAKE. Will the gentleman yield?

Mr. GRAHAM of Illinois. For a brief question only.

Mr. TIMBERLAKE. I just wanted to ask if these discharged soldiers mentioned in this bill can be admitted to these hospitals?

Mr. GRAHAM of Illinois. I will answer the question. In my judgment the discharged soldiers can not be admitted to these hospitals, but this can be done: These soldiers are brought back here and they are all incorporated in our Army under the selective-draft act, and under that act they are to serve "during the emergency." That emergency is not yet completed, nor will it be until peace is officially declared. During that time the Army authorities have absolute authority to keep these men in the service, and instead of discharging a man who comes back suffering with tuberculosis he can be placed in a hospital, one of the medical institutions of the Army or the Navy, and be there treated for his ailment until his Army service legitimately expires.

Mr. DEWALT. Will the gentleman yield?

Mr. GRAHAM of Illinois. For a question.

Mr. DEWALT. Is it not a fact the policy of the Army and Navy Department now is not to discharge men who are incapacitated either in whole or in part?

Mr. GRAHAM of Illinois. Absolutely. I was told at the office of the Surgeon General this morning it is their policy to keep these men in the service and see that they have medical treatment until they are well, and then turn them over for vocational education, and do all that before they are discharged.

Mr. DEWALT. Will the gentleman object to giving the totals?

Mr. GRAHAM of Illinois. I will give the totals; they are very interesting.

Mr. GARD. Will the gentleman yield for a question?

Mr. GRAHAM of Illinois. For a brief question; my time is short.

Mr. GARD. Did the gentleman get information about the time when these 14,000 soldiers were discharged—the 14,000 now claimed to be tubercular soldiers?

Mr. GRAHAM of Illinois. No, sir; I did not. He did not inform me about that, and, in fact, I did not ask. Gentlemen, this is not a partisan question. This is nothing but a matter of good common sense, and if we can economize here we ought to do it. We all feel the same way about that. In the general hospitals of the United States the standard capacity of all of them is 24,949 beds. Of those beds at this time 19,927 are occupied and 7,530 are unoccupied at this time, and are vacant. There are also proposed and now being added to these general hospitals 16,274 beds, which will be available at once. So you see, gentlemen, in the general hospitals of this country there are approximately a total of 23,000 vacant beds. These hospitals are not frail buildings, barracks temporarily constructed, but base hospitals in the United States, with the best medical attendants and the best physicians there in attendance. If it may be said that these men, even if discharged, can not be admitted there, I ask anybody how long it would take to pass a joint resolution through these two Houses to give the proper authority to the Army authorities to admit them there. I believe it can be done by Executive order, but whether it can or can not do this and the other House could and would immediately act upon such a resolution, in my judgment.

Mr. CLARK of Florida. Will the gentleman yield for a question?

Mr. GRAHAM of Illinois. Yes.

Mr. CLARK of Florida. Has the gentleman a letter, or did I understand he has a letter, from the Surgeon General?

Mr. GRAHAM of Illinois. No; this is a list of the hospitals prepared by the Surgeon General's office, and giving the information relative to them as of November 30, 1918.

Mr. CLARK of Florida. I mean, is it an official document; is it signed by the Surgeon General?

Mr. GRAHAM of Illinois. It is signed, "By direction of the Surgeon General, Wilford H. Smith, colonel, Medical Corps, United States Army." I got it this morning. Now, let me hurry along, because my time is very brief.

Mr. CLARK of Florida. Does the gentleman know whether it embraces the $800,000 hospital on the banks of Lake Michigan which has been authorized?

Mr. GRAHAM of Illinois. I have not noticed. I notice that it embraces the following tuberculosis hospitals: Fort Bayard, N. Mex., that has at this time 290 vacant beds; Otisville, N. Y., which has now 18 beds vacant; New Haven, Conn., that is full; Markleton, Pa., that has 3 vacant beds; Waynesville, N. C., with 228 vacant beds; Azalea, N. C., that has 62 vacant beds; Whipple Barracks, Ariz., 10 vacant beds; one at Denver, Colo., with 173 vacant beds.

Now, these are all tuberculosis hospitals, and you will find by looking at this list that hundreds of beds are being added to those institutions.

Mr. SNYDER. Will the gentleman yield?

Mr. GRAHAM of Illinois. For a brief question.

Mr. SNYDER. If your proposition becomes effective, would it not mean also the continuation of his salary when a soldier is committed to one of these hospitals?

Mr. GRAHAM of Illinois. Absolutely.

Mr. SNYDER. That would be a further reason why your idea should be adopted.

Mr. GRAHAM of Illinois. He gets his salary and treatment, and he is not discharged until he has finished. Why discharge a man with tuberculosis?

Mr. SNYDER. If we are attempting to do the best thing we can with the soldiers, that would be another reason why we should do as you suggest.

Mr. GRAHAM of Illinois. Absolutely. As to the camp base hospitals——

The CHAIRMAN. The time of the gentleman has expired.

Mr. DEWALT. I ask unanimous consent that the gentleman be permitted to proceed for five minutes longer.

The CHAIRMAN. All time has been allotted, and the time is in control of the gentleman from Michigan [Mr. SMITH].

Mr. SMITH of Michigan. I yield to the gentleman three minutes more.

Mr. GRAHAM of Illinois. Let us take the camp base hospitals. It has been said that they are flimsy affairs, but I am told by the Surgeon General they are good hospitals, and that in every one there is a tuberculosis ward or department. Now, I have a complete list of them here in this same appendix to my remarks. I find the total capacity of these camp base hospitals is 51,066 beds, and of that number 28,875 only are occupied, and in the camp base hospitals of this country to-day are 34,010 vacant beds, and projected and in course of erection in these same camp base hospitals are 3,470 additional beds.

Mr. KNUTSON. Is it not a fact that all ailments are treated at these camp hospitals, as well as reconstruction work being conducted there?

Mr. GRAHAM of Illinois. Absolutely. There is one at Bowie, Tex., and one at Camp Cody, N. Mex. The one at Bowie, Tex., has 1,181 vacant beds; Cody, 410; Fremont, Cal., 1,054 vacant beds; Kearney, Cal., 750; Logan, Tex., 731; McClellan, Tex., 564; at Fort Sill, Okla., 870; at Travis, Tex., 608

vacant beds. All of these beds are vacant in institutions where tuberculosis may be well treated.

Mr. CLARK of Florida. Will the gentleman yield?

Mr. GRAHAM of Illinois. Yes.

Mr. CLARK of Florida. Does not the gentleman think, or has he made any investigation to find, if when these wounded or sick soldiers are brought back from Europe these beds will be occupied by them?

Mr. GRAHAM of Illinois. Whether they would consent to it?

Mr. CLARK of Florida. These that are in the Army and which the War Department must take care of. Has the gentleman made any investigation as to whether or not they would occupy these beds?

Mr. GRAHAM of Illinois. I may say in reply to that that they have not occupied them, and they were not occupied on the 30th of November.

Mr. REAVIS. Following the line of the argument of the gentleman from Florida [Mr. CLARK], what will we do with the 14,000 soldiers who now have tuberculosis? Shall we put them in these places or wait two years?

Mr. GRAHAM of Illinois. That is exactly the question. Will we wait a year and a half to build a hospital down at Dawson Springs, Ky., and let those boys die in the meantime, or will we put them in the institutions we have? And then, when we get this institution built at Dawson Springs, it will take only 500 of them.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMITH of Michigan. I yield to the gentleman one minute more.

Mr. GRAHAM of Illinois. There are in all the hospitals of the United States at this time a total of 109,610 beds, and, gentlemen, of that number 50,520 are now vacant and unoccupied—in the general hospitals and in the camp base hospitals of this country. And in spite of that we are now asked to appropriate $1,850,000 for the erection of a hospital which we can not use for two years. And I say that the common sense and judgment of every man in this House will reject such an idea. [Applause.]

The following is the statement which I have received permission to print in the RECORD:

Hospital Division, Surgeon General's Office, Washington, Nov. 30, 1918.

[NOTE.—Those marked with * are hospitals for the treatment of tuberculosis. Those marked with ** are for the insane. General Hospital 7 is for the blind. General Hospital 11 is for eye, ear, nose, and throat. General Hospital 30 is for neurosis. The others are general hospitals.]

	Standard capacity of hospital.	Bed situation.			Additional capacity by new construction or by lease of buildings.	
		Occupied.	Vacant.	Total.	Number.	Per cent.
General hospitals:						
Hot Springs, Ark.	266	159	131	290		
*Fort Bayard, N. Mex.	1,046	1,538	290	1,828		
Letterman General (Presidio), San Francisco, Cal.	1,368	768	529	1,297		
Walter Reed, Takoma Park, D. C.	2,093	1,660	527	2,187	432	95
1 Williams Bridge, N. Y., under surgeon, port of embarkation, Hoboken, N. J.)						
2 Fort McHenry, Md. (Baltimore)	1,200	1,302		1,302	1,500	61
3. Colonia, N. J. (Railway).	1,650	1,601	49	1,650		
4. Fort Porter, N. Y. (Buffalo)	322	282	40	322		
5. Fort Ontario, N. Y.	690	667	227	894	402	95
6. Fort McPherson, Ga.	2,000	1,401	488	1,889		
7. Roland Park, Md. (Blind).	102	31	71	102		
*8. Otisville, N. Y.	579	561	18	579	421	
9. Lakewood, N. J.	932	767	130	897		
10. Boston, Mass.					1,900	50
11. Cape May, N. J.	700	550	150	700		
12. Biltmore, N. C.	451	152	439	591		
*13. Dansville, N. Y.	288	104	184	288		
14. Oglethorpe, Ga.	1,300	1,339	421	1,760		
15. Corpus Christi, Tex.	252	111	146	257		
*16. New Haven, Conn.	500	500		500		
*17. Markleton, Pa.	130	205	3	208	30	70
*18. Waynesville, N. C.	200	372	228	600	108	40
*19. Azalea, N. C.	1,000	948	62	1,000	500	93
*20. Whipple Bks., Ariz.	328	331	10	341		
*21. Denver, Colo.	618	445	173	618	410	50
22. Richmond, Va.	900	218	682	900		
23. Hot Springs, N. C.	250	4	266	270	650	18
24. Parkview Sta., Pittsburgh, Pa.	200	11	189	200	1,000	80
*25. Fort Benjamin Harrison, Ind.		439	260	699		

Hospital Division, Surgeon General's Office, etc. Continued.

	Standard capacity of hospital.	Bed situation.			Additional capacity by new construction or by lease of buildings.	
		Occupied.	Vacant.	Total	Number.	Per cent.
General hospitals—Continued:						
26. Des Moines, Iowa	1,266	1,311		1,311		
27. Fort Douglas, Utah	176	195	102	297	781	
28. Fort Sheridan, Ill.	250	129	141	269	4,740	
29. Fort Snelling, Minn.	820	579	241	820		
30. Plattsburg Bks., N. Y.	878	710	168	878	932	
31. Carlisle, Pa.	15	5	10	15	500	
33. Fort Logan H. Roots, Ark.	500	90	418	508		
**34. East Norfolk, Mass.	326	214	112	326	500	
35. West Baden, Ind.	650	133	517	650	500	
36. Detroit, Mich.					1,000	
**37. Madison Bks., N. Y.	223	95	128	223	250	80
Total	24,949	19,927	7,530	27,457	16,274	
Camp base hospitals:						
Beauregard, La.	1,178	519	921	1,440		
Bowie, Tex.	1,486	305	1,181	1,486		
Cody, N. Mex.	1,342	788	410	1,198		
Custer, Mich.	1,858	901	1,957	1,858	250	50
Devens, Mass.	1,810	870	794	1,664		
Dix, N. J.	1,978	995	1,189	2,184		
Dodge, Iowa	1,954	1,041	891	1,932		
Edgewood Arsenal, Md.	314	220	172	392		
Eustis, Abraham, Va.	1,097	506	110	616	24	98
Fremont, Cal.	1,062	212	1,054	1,266		
Funston, Kans. (See Base Hospital, Fort Riley, Kans.)						
Gordon, Ga.	1,822	1,167	645	1,812		
Grant, Ill.	1,978	799	1,211	2,010	1,000	13
Greene, N. C.	1,563	505	1,079	1,584		
Hancock, Ga.	1,518	2,072	494	2,566		
Humphreys, A. A., Va.	613	591	159	750		
Jackson, S. C.	2,016	710	3,120	3,830		
Johnston, Jos. E., Fla.	1,883	605	388	993		
Kearny, Cal.	957	819	750	1,569		
Lee, Va.	1,953	963	1,177	2,140	876	56
Lewis, Wash.	1,997	1,826	2,374	4,200		
Logan, Tex.	799	649	751	1,400		
MacArthur, Tex.	1,470	843	2,190	2,033		
McClellan, Tex.	1,693	1,109	564	1,673		
Meade, Md.	1,930	874	1,056	1,930	238	75
Pike, Ark.	2,009	1,996	1,852	2,848		
Sevier, S. C.	1,208	577	956	1,533		
Shelby, Miss.	859	418	738	1,156		
Sheridan, Ala.	1,310	552	847	1,399		
Sherman, Ohio	1,833	1,156	677	1,833		
Sill, Fort, Okla.	834	364	870	1,234		
Taylor, Ky.	1,833	1,852	890	2,742		
Travis, Tex.	1,997	1,422	608	1,930		
Upton, Long Island, N. Y.	1,739	805	1,201	2,006		
Wadsworth, S. C.	1,644	901	791	1,692		
Wheeler, Ga.	1,248	594	712	1,306		
Total	54,665	28,875	34,010	62,885	3,470	
Under surgeon, port of embarkation, Hoboken, N. J.:						
G. H. 1. Williamsbridge, N. Y.	1,082	674	676	1,350		
B. H. Camp Merritt, N. J.	3,500	1,172	1,428	2,600		
B. H. Camp Mills, L. I., N. Y.	635	729	221	950		
AUX., H. Rockefeller Institute, New York, N. Y.	55	42	13	55		
E. H. 1. St. Mary's Hospital, Hoboken, N. J.	782	375	425	800		
E. H. 2. Secaucus, N. J.	270	183	206	389		
E. H. 3. Hoffman's Island, N. Y. H.	694	158	536	694		
E. H. 4. Polyclinic Hospital, New York, N. Y.					500	
D. H. 1. Ellis Island, N. Y.	1,075	648	377	1,025		
D. H. 2. Fox Hills, Staten Island, N. Y.	1,808	1,160	648	1,808		
D. H. 3. Greenhut Building, New York, N. Y.					3,170	
D. H. 4. Nassau Hotel, Long Beach, L. I., N. Y.					1,000	
D. H. 5. Grand Central Palace, New York, N. Y.					3,408	
Total	9,901	5,141	4,530	9,671	8,078	
Under surgeon, port of embarkation, Newport News, Va.:						
B. H. Stuart Camp, Va.	1,343	939	1,908	2,847	385	90
E. H. 51. Hampton, Va.	1,533	958	575	1,533		
Total	2,876	1,897	2,483	4,380	385	
Department base hospitals:						
Fort Bliss, Tex.	882	427	222	649		
Fort Riley, Kans.	3,068	1,937	1,131	3,068		
Fort Sam Houston, Tex.	1,655	886	614	1,500	400	0
Total	5,605	3,250	1,967	5,217	400	

Hospital Division, Surgeon General's Office, etc.—Continued.

	Planned and capacity of hospital.	Bed situation.			Additional capacity by new construction or by lease of buildings.	
		Occupied.	Vacant.	Total.	Number.	Per cent.
RECAPITULATION.						
General hospitals	24,940	19,927	7,530	27,457	16,274	.....
Camp base hospitals	51,665	28,875	34,010	62,885	3,470	.....
Port of embarkation, Hoboken, N. J.	9,996	5,141	4,530	9,671	8,698	.....
Port of embarkation, Newport News, Va.	2,876	1,897	2,483	4,380	385	.....
Department base hospitals	3,668	3,250	1,967	5,217	400	.....
Grand total	94,999	59,090	50,520	109,610	28,567	.....

By direction of the Surgeon General.

WINFORD H. SMITH,
Colonel, Medical Corps, U. S. Army.

Mr. CLARK of Florida. Mr. Chairman, I yield seven minutes to the gentleman from Alabama [Mr. HEFLIN].

Mr. HEFLIN. Mr. Chairman and gentlemen of the committee, I have been surprised to see the unanimity that exists on the Republican side of the House in opposition to this measure. I do not know whether it is just a wearing off of the wire edge, felt because of your recent victory, that you are attacking in such savage fashion this very meritorious measure, or whether it is the general plan of opposition to all measures of real merit.

I recall, Mr. Chairman, when the war-risk insurance bill was up for consideration that it was opposed by many Republicans in both Houses, a bill that looked to the protection of these men sent by the country into the very jaws of death itself, when this Government, by suggestions from this side, wanted to protect these men and provide for their loved ones back at home, when they were there fighting and dying for us and humanity.

Now, I could not believe that when a measure came out from this side to provide a hospital at one of the most famous health resorts in the world, costing $1,500,000, for these poor sufferers from the white plague, that I would see the Republican Party in this House marshaled to a man in opposition to such a measure. But I have witnessed it, gentlemen; the country has witnessed it. For three days you have combated this great measure. Now, you come and the solemn proposition before this House is to strike out the enacting clause, to enact no law upon this subject. These men are coming back from the firing line in France, where they have been in the blasts of hell fire for weeks and months, driving back the murderous Huns, coming back with their lungs affected, suffering with tuberculosis, some of them, and the Government is saying, "We will open up a place for you at Dawson Springs, Ky.; medical testimony pronounces it one of the best places in the world; we will have it ready for you, we will put you there; we will take care of you; we will give you every treatment that human agency can provide," and I see the Republican Party marshaling all of its forces and fighting that bill to the death.

Gentlemen, do you think the sober, thinking people of America will indorse this peanut politics that you are playing here to-day at the cost and expense of the lives of those boys? If you do, you have got something to learn, and if you keep up this pace two years from now you will not be able, when these two million men return, who would have supported the Democratic ticket if they had been at home, you will not be able, I say, two years from now, even by the aid of the pro-German vote you got at the last election, nor with money furnished you by the whisky and profiteering interests of this country, to get enough seats to give you a majority in this House. [Laughter on the Republican side.]

Gentlemen, I am surprised at you. One of your great leaders and the greatest Republican now living, Mr. Taft, has at last seen the light, and he comes out and tells you that you have no business annoying and embarrassing the President, no business trying to belittle and discredit the President of the United States. The greatest man in this world to-day is our President, Woodrow Wilson. [Applause.] You are trying to embarrass him in another body. You are trying to heckle and embarrass him in every way you can as he goes over yonder to grapple with the greatest problems that have ever confronted the human race, and here at home is the poor old remnant of the Republican Party fighting to the death with a unanimity I have never seen before the establishment of a tuberculosis hospital for the boys coming back with injured lungs from France. My God! What a death the old Republican Party must finally die! [Applause.] Hanging around, nosing about, trying to kill such a meritorious measure. Is it not a glorious performance for the old party of Lincoln, just barking and howling and growling over the establishment of a tuberculosis hospital for the boys injured in their lungs in the war zone of France, fighting and dying to save our country and civilization, coming back as fast as ships can bring them, and the Government saying, "Establish this place, open it up, have it ready; we do not know how many such men will come," and here you are moving to shift it from one place to another, playing pusillanimous politics, and at last you make a motion to strike out the enacting clause, denying them a place anywhere in the country and saying you will put them in some swamp where we have already got a temporary cantonment, where we do not own the land, where we ought not to put them, where they have no business to be placed with weak lungs, instead of sending them down here where they can be treated for kidney troubles, stomach troubles, lung troubles, and everything.

Mr. KNUTSON. Who is responsible for placing the cantonments in the swamps?

Mr. HEFLIN. They are standing up here fighting the establishment of a tuberculosis hospital at any place. What a miserable performance. God pity the poor old Republican Party. [Laughter and applause.]

Mr. CLARK of Florida. Mr. Chairman, how much time did the gentleman use?

The CHAIRMAN. Seven minutes.

Mr. CLARK of Florida. Will the gentleman from Michigan use some of his time?

Mr. SMITH of Michigan. How much time have I, Mr. Chairman?

The CHAIRMAN. The gentleman from Michigan has 24 minutes and the gentleman from Florida has 40 minutes.

Mr. SMITH of Michigan. Will the gentleman from Florida use some of his time? He has 40 minutes and I have only 24.

Mr. CLARK of Florida. I thought we would alternate. We have had three speeches and the gentleman's side has had three. I thought it was probably better that way.

Mr. SMITH of Michigan. Mr. Chairman, I yield five minutes to the gentleman from Maine [Mr. HERSEY].

The CHAIRMAN. The gentleman from Maine is recognized for five minutes.

Mr. HERSEY. Mr. Chairman, this question is not a political one, but it is a very practical one. The proposition is this, as I understand it: There is some claim made by the proponents of this bill that there have been discharged 14,000 American soldiers because they have tuberculosis, and that they have no place to treat them, and that there should be established a series of tuberculosis hospitals, of which this is one; that by making 500 beds in this hospital and putting two in a bed you would take care of a thousand, and therefore it would require 14 hospitals to take care of this emergency.

This is but the beginning. This hospital will be erected at an expense of about $2,000,000. There will be $28,000,000 to make a beginning, and the first one is to be at Dawson Springs, Ky. Reasons have been given why the first hospital should be placed there. They are silent as to where the others are to be located. If by a party division in this House the majority is able to carry this hospital down into Kentucky, then the other 13 can be placed in the other 13 Southern States.

There is a great deal of misinformation in the House as to the necessity of this hospital. If we believe the evidence so far adduced, there is no necessity for it.

I wish to say this: As you all know, the boys who come back from France with the disease of tuberculosis, discharged, are going to their homes first of all. They are going to see father and mother, sister, or sweetheart. They are going to the old homes, and I want to tell you very few of them will go to a distant part of the country—distant from the old home—to be treated for tuberculosis unless they are forced to do so.

Mr. GARRETT of Tennessee. Will the gentleman yield there?

Mr. HERSEY. I can not in five minutes. The mind of a tuberculous patient is a great factor in the healing of that disease to-day, according to the best medical testimony. I have here a book, Tuberculosis, Its Cause, Cure, and Prevention, by Edward O. Otis, M. D., professor of pulmonary diseases and climatology, Tufts College Medical School, late president of the Boston Tuberculosis Association, member of the National Tuberculosis Association, one of the best authorities in America. What does he say? On page 79 of this work he says:

Worry is still another predisposing cause, for it depresses the nervous system, which interferes with the healthy normal functions of the body, and this reduces its power of resistance. In the treatment of the disease in sanatoriums it has been found that patients fail to improve or retrograde if their minds are not at ease, and they worry over the family left at home or some other real or imaginary trouble. Contentment of mind is an essential condition for the maintenance of a good bodily condition.

Up in my State we have two sanatoriums for the treatment of tuberculosis, maintained by the State. They have plenty of room. The beds are not all occupied. They are building in my home county another one, to be maintained by the State. Why? To bring the sanatorium home to the man, the woman, and the child afflicted with that disease in order that they may have surrounding them the environments of home and family while they are being treated and not go even to a distant part of the State.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. HERSEY. I will not yield.

Mr. GARRETT of Tennessee. I have the promise of some time, which I will give to the gentleman.

Mr. HERSEY. That does not make any difference. I have the time now, and I decline to yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. HERSEY. The soldiers who come from France to Maine, the Maine boys, are not going to Kentucky.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARRETT of Tennessee. Will the gentleman from Florida [Mr. CLARK] give me two minutes of the time that he promised me in order that I may yield it to the gentleman from Maine to answer a question?

The CHAIRMAN. Does the gentleman accept the gift of two minutes?

Mr. HERSEY. Why, I shall be very glad to have two minutes.

Mr. CLARK of Florida. Will the gentleman answer the question?

Mr. HERSEY. I do not yield for any question.

Mr. GARRETT of Tennessee. Oh, well, then—of course.

Mr. CLARK of Florida. I yield 10 minutes to the gentleman from Tennessee [Mr. GARRETT].

Mr. GARRETT of Tennessee. Mr. Chairman, I would not be candid if I did not say that in the consideration of this bill many surprises have occurred. The Committee on Rules was largely induced to report the rule for the consideration of the bill by reason of the fact that it was stated that it was a unanimous report from the Committee on Public Buildings and Grounds. Of course, we expected some opposition on the part of Members on the floor, but we did not expect that organized, concentrated opposition that has been displayed here. We did not expect that this would be made a party proposition. To our surprise, however, it seems to have been made so. We expected opposition from the gentleman from Iowa [Mr. GREEN] and the gentleman from Indiana [Mr. WOODS], who, although they have known that the armistice was signed in the world war, seem never to have learned that the Civil War was over. Sometimes when those gentlemen were talking I have wondered whether they were akin to the fellows who came out of a swamp in Indiana or Iowa or somewhere a few years ago and threw away their guns, saying that this blamed Civil War might go on just as long as it pleased, but darned if they were going to fight any more. [Laughter.] We expected opposition from that source. We did not expect a general opposition from the Republican side of the House to the building of a hospital to take care of discharged soldiers.

Mr. DEWALT. Will the gentleman yield just for a moment?

Mr. GARRETT of Tennessee. I will.

Mr. DEWALT. If that opposition was sincere on the other side of the House, would they have ever consented to the establishment of this institution at another place, to wit, at Amarillo? Is not that of itself evidence of insincerity?

Mr. GARRETT of Tennessee. Well, yes. Now, strangely enough, although we expected only picket baiting, a bit of sniping, yet all the heavy field artillery, all the machine guns, everything except the big Bertha, have been called into operation here in the fight on this bill. We had cannon to the right of us, cannon to the left of us, and very much of CANNON in front of us. [Laughter.] Then we heard the put, put, put, put of the aviator as he blithely sailed over and dropped a bomb upon a southern hospital. [Laughter.] I wonder why it is that you gentlemen now oppose a proposition which has been investigated, the only proposition that has been investigated, so far as I know, to provide quarters where discharged soldiers may voluntarily go to be treated? Of course, the gentleman from Iowa does not want his son to go there. His son does not have to go there. It is all a voluntary proposition with the soldier, if he chooses to avail himself of the opportunity presented.

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. GARRETT of Tennessee. I will.

Mr. HUSTED. I am informed that the Surgeon General was offered a hotel at Dawson Springs for hospital purposes.

Mr. GARRETT of Tennessee. The Surgeon General of the Army or of the Navy?

Mr. HUSTED. Of the Army, and that he refused to accept it. I understand the statement is made at the Surgeon General's office that they would not have taken it for a gift. I should like to ask the gentleman whether he knows anything about it, and whether that property was refused on the ground that the location was not suitable for hospital purposes?

Mr. GARRETT of Tennessee. Let me ask the gentleman where he got his information?

Mr. HUSTED. From a Member of Congress, who said he was told it at the Surgeon General's office to-day.

Mr. GARRETT of Tennessee. That is three degrees removed.

Mr. HUSTED. It was the gentleman from Illinois [Mr. GRAHAM], who has spoken here to-day.

Mr. GARRETT of Tennessee. All the information that I have and all that has caused me to act on this proposition is the official report of these gentlemen who have been sent out from the Public Health Service to investigate the situation.

Mr. HUSTED. Was there any report from the Surgeon General's office of either the Army or the Navy?

Mr. GARRETT of Tennessee. I do not think so, because my friend understands that this is not a proposition to take care of men still enlisted. This proposition is to take care of those soldiers who have been honorably discharged from the Army and the Navy, and makes it voluntary on their part as to whether they will go to the place and accept treatment.

Mr. HUSTED. Not necessarily discharged.

Mr. GARRETT of Tennessee. That is this bill, and I am speaking of this bill.

Mr. KNUTSON. Will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. KNUTSON. The gentleman from Alabama protested against locating this hospital at some cantonment which is situated in a swamp. From that I infer that some cantonment is located in a swamp. If that is the case, who was responsible for it?

Mr. GARRETT of Tennessee. The gentleman from Minnesota ought not to ask anything of that kind——

Mr. KNUTSON. I admit that it is embarrassing.

Mr. GARRETT of Tennessee. Now, the gentleman adds to the offensiveness of his question.

Mr. KNUTSON. I withdraw it.

Mr. GARRETT of Tennessee. I answer every question that is put to me on the information honestly and intelligently. I do not know whether intelligently or not, but I answer it honestly. [Laughter.]

Mr. KNUTSON. The gentleman puts me in a false position. I feel that the House has a right to know——

Mr. GARRETT of Tennessee. I know on yesterday the gentleman presented a proposition to take men from somewhere and put them in tents on land up in Minnesota.

Mr. KNUTSON. I beg the gentleman's pardon, I did not.

Mr. GARRETT of Tennessee. That is what the gentleman said; I do not know what he meant. Now, gentlemen, I do not, of course, know what is going to become of this bill; none of us can know. The gentleman from Texas I believe submarined it, and that added to the military character of it. [Laughter.] It would seem a strange thing that gentlemen are not willing upon all the reports that we have to create a hospital for the treatment not only of tubercular patients but of other diseases.

Mr. DENISON. Will the gentleman yield?

Mr. GARRETT of Tennessee. I yield.

Mr. DENISON. I want to ask the gentleman this question in all seriousness. Did the Rules Committee make any investigation whatever as to whether or not there were already hospital facilities sufficient to take care of these men?

Mr. GARRETT of Tennessee. The Rules Committee took the statement brought before it by the Committee on Public Buildings and Grounds, that it was a unanimous report, and relied upon their investigation.

Mr. DENISON. Is it the practice of the Rules Committee to report a special rule whenever there is a unanimous report from the committee reporting the bill?

Mr. GARRETT of Tennessee. That is a very persuasive thing; that has been the practice throughout this administration. I can not say what it will be in the next.

Mr. BURNETT. If the gentleman will yield, in addition to the testimony before the Committee on Public Buildings and Grounds the gentleman from Tennessee will remember that the same gentlemen who were before the Committee on Public Buildings and Grounds reiterated their statements before the Rules Committee.

Mr. GARRETT of Tennessee. Yes. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CLARK of Florida. Mr. Chairman, how much time did the gentleman from Tennessee use?

The CHAIRMAN. The gentleman used all his time.

Mr. SMITH of Michigan. Mr. Chairman, I yield four minutes to the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. Mr. Chairman, I did not want to inject anything personal into this discussion, and I have endeavored to keep anything political out of it as far as I am concerned. But the remarks that just preceded me have forced the issue upon me. I do not refer to the gentleman from Alabama who, I think, receives little or no attention from this side, and never ought to receive any.

Mr. HEFLIN. Let me say that I consider it a compliment to receive no attention from the gentleman from Iowa.

Mr. GREEN of Iowa. The gentleman is well known for missing his mark very widely. He never shoots accurately, but always hits something he did not intend to. He is welcome to the compliment.

Mr. HEFLIN. I know that I did not hit very much on that side.

Mr. WALSH. Mr. Chairman, I ask for order.

Mr. GREEN of Iowa. As far as my good friend from Tennessee, Mr. GARRETT, is concerned, I have only the highest respect and also an affectionate regard for him, and I am surprised at the tone of his remarks. I have been in Congress a few years. In any charges that have been made against me heretofore I have escaped the charge of sectionalism. The claim has never been made that I have raised that issue, and I have not in discussing this bill. But when it is claimed by the gentleman from Tennessee that I am making an argument against bills solely on the ground of politics, and that I do not want to aid the soldiers of the Army, the gentleman is forgetting or has overlooked that a year ago the 14th of this month I introduced a bill providing that the discharged soldiers might be received into any hospital or sanatorium of this Government which has been constructed for that purpose. Nearly a year ago this month I went before the Military Committee and had an extended hearing on the bill, it having been referred to that committee. I was received with the utmost courtesy by the gentlemen who are in control of it, a courtesy so profuse that I feared it was to make easy the place upon which I was to fall. They listened courteously to my statement that already many of the discharged soldiers were afflicted with tuberculosis, and that the experience of England and France showed that we would have many more. I explained that we had and would have abundant room to care for all in the Government hospitals for treatment of that disease which were already constructed. But all was to no avail and the bill was buried.

It was not reported against because gentlemen could not afford to do anything of that kind. It was not reported on favorably because of what? I had not intended to mention it, but the attitude of the gentleman from Tennessee has forced me to do so. I might have said when I spoke before on this bill, I might have said then, as I did not say, that my bill was rejected because it was introduced by a Republican and did not call for any appropriation and because it did not put a million and a half in hospital buildings located in the South. I did not say it then; I do not say it now. I leave it simply with the House to draw their own conclusion from the situation which we have before us. The bill which I offered would have taken care of every one of these soldiers who are sought to be relieved by this bill, and it would have taken care of them now, while this bill will afford no relief for a year. It would have opened these hospitals which were already constructed, with extensive buildings and grounds having every facility possible for the treatment of tuberculosis, located in favorable situations in various parts of the country—it would have opened those hospitals to the discharged soldiers. That was the special provision in my bill. It was for the discharged soldiers which gentlemen say we are unwilling to care for, but it received the fate of a bill offered by a Republican, and now they say we are talking politics when we offered a bill of that kind, which would have provided for all of these men without costing a cent to the Government, and it was rejected without a report by the Committee on Military Affairs. Now, who has brought politics into this discussion? Where has small politics—petty politics, if you please—been played when we on this side are unable to get reported a bill providing completely for cases of this kind and it sleeps the sleep of death in committee until a bill is brought forward which appropriates a million and a half dollars for the construction of a sanatorium in the South? [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CLARK of Florida. Mr. Chairman, I yield five minutes to the gentleman from Alabama [Mr. BURNETT].

Mr. BURNETT. Mr. Chairman, I do not think I care to use over three minutes. I want to say one thing in regard to the statement made as to the opinion of the Surgeon General's Office. There can be no more unfair method of trying to defeat a just measure than by that kind of hearsay testimony. Surgeon General Ireland is not yet in this country, I think, and Gen. Gorgas has been out some time; therefore the surgeons themselves could not be responsible for any such statement, and if any responsible official in the Surgeon General's Office made such a statement, then the gentleman who repeats it owes it to this House to tell who it was and to whom he said it, and ought not to resort to that kind of indirection when human life is at stake. As I said yesterday, the purpose of this bill was not to take advantage of anybody or any place. Investigation was made as to this place, investigation by the Public Health Bureau, men in official position, and by the Bureau of War-Risk Insurance. They investigated other places. They stated so before the committee—before both committees—the Committee on Rules and the Committee on Public Grounds. This one was selected, as they thought, on account of its special adaptedness to the treatment of pulmonary troubles. Why, the gentleman from Minnesota [Mr. STEENERSON] yesterday ridiculed the idea of soldiers having kidney trouble and troubles of a like character, setting up his judgment against the positive statement of Army officials that there were many cases of the kind, and told of the beneficial effect of that water upon that class of diseases and that it was a most admirable place for the location of a sanatorium. Mr. Chairman, it is opposed here because political leaders on that side or somebody wants to do something to defeat this measure, either from sectionalism or something else. It looks like gentlemen are trying to make a partisan measure now when the lives of American soldiers or those who have been soldiers will be involved. [Applause on the Democratic side.] There ought to be some humanitarian consideration given in this case, considerations of sympathy for those who have risked their lives and lost their health following the Stars and Stripes.

There is a bill, as has been stated repeatedly, before the Committee on Public Buildings and Grounds, of which I am a member, that proposes a comprehensive system for the establishment of this kind of hospitals; but, Mr. Chairman, when that bill is passed then there will have to be commissions appointed, investigations and examinations made, that will necessarily cause delay because different places all over the country will be presenting their merits and insisting upon locations there, and if this is delayed one week, of even one day, and a single soldier loses his life by reason of failure to secure the treatment he should get, you gentlemen who defeat this bill will be responsible for the murder of that man. Now, we ought not to quibble over these questions. Why, men have talked about altitude being necessary, of a dry atmosphere being necessary, and gentlemen before the committee stated that along the seacoast many sanatoriums of this kind were being established, and private sanatoriums have been established for the cure of tuberculosis everywhere, and they say it is not necessary about their having to be given a certain elevation. It is dry atmosphere there, it is a sunshiny atmosphere there, it is surrounded by agricultural lands adapted to the growing of cattle, and cattle are being grown there and everybody knows, and even a layman knows, that as a matter of common knowledge milk is one of the necessary things in the treatment of pulmonary troubles and troubles of that kind. These eminent doctors have investigated it and if there has been a contrary statement made by the Surgeon General's office the man who reports that statement here ought to be fair enough to the House to tell what official of that bureau stated it [applause on the Democratic side], and if that official made a misstatement his chief, the superiors in his department, ought to know it. But it has never been brought to the attention of the Public Buildings Committee and is not in the hearings before the Rules Committee, and there is no intimation that there has been any objection to it by anybody from the War or Navy Departments or the Surgeon General's office, but now, right on the eve of the passage or defeat of this important measure, gentlemen bring up third-hand hearsay testimony for the purpose of trying to throw a doubt over this meritorious proposition. [Applause.]

Mr. SMITH of Michigan. Mr. Chairman, I yield six minutes to the gentleman from Colorado [Mr. TIMBERLAKE].

Mr. TIMBERLAKE. Mr. Chairman and gentlemen of the committee, I have listened with much interest for the last three days to the wide range of discussion that has been indulged in with reference to the provisions of this bill. To begin with, I was vitally interested in assisting any plan to provide a proper treatment for our discharged soldiers, especially those who have been discharged by reason of their having contracted tuberculosis while in the service. I have been led to this by reason of

personal appeals that have been made to me from parties within my own district that have been discharged upon this ground. They have been returned to their homes, and not being able to get the kind of treatment that they should have they were desirous of being placed in some institution where they could receive proper treatment.

I have been advised by the War Department that there was not at this time any place under control of the Government where they could be assigned for such treatment. Many reasons have been urged here why Dawson Springs, Ky., is a proper place for the location of an institution of this kind. I have not objected seriously to this place. I have objected more seriously to the fact that this place should have been selected for the consideration of this Congress upon terms which have been presented to it, principal among which are that it has been promised a large donation of land in order to induce its location there and the medicinal qualities of the waters of the springs in that locality. Now, we have many other localities that in my judgment are better calculated for a location of this kind by reason of the altitude, dry and pure air, and bright sunshine surrounding them, and at the same time they have access to all of the very best mineral waters that can be found in any part of the country, and the famous Manitou water in the locality of the place I shall suggest is known the world over and equals, if not excels, even Carlsbad.

I have felt I would support the motion to strike out the enacting clause of the pending bill for the reason that I believed the proper proceeding would be for the health department to work out a comprehensive plan for the building of such of these institutions as might in the judgment of the department be found necessary after a careful examination of the circumstances and the demands that will be made upon the Government for this care for our brave discharged soldiers and sailors affected by this disease, which thus early are reported to be about 14,000. In that event, I expected to bring to the consideration of the Committee on Public Buildings and Grounds, which will have such a bill in charge, a location within my own State and congressional district, which I believe is one of the best places, everything considered, that could be selected for a recuperating sanatorium for tuberculosis. I refer to Colorado Springs, Colo., than which, in my judgment, there is in this country none better adapted for the location of such an institution, and, time permitting, I shall mention some of the reasons for this conclusion.

It has been suggested by one of the speakers here that it would be an improper act to send our soldiers down to occupy any of the hospitals that have been erected in our cantonments, which, as has been suggested by several speakers, might be used for this purpose temporarily, for the reason that they are on swampy ground. I hold in my hand the photograph of a place that was recently desired by the people of Colorado to be selected by the department for a cantonment, from which you can see that had this site been selected there could have been no charge about the swampy condition of that cantonment. We were unable, however, to secure a cantonment site in Colorado.

Now, then, in my time I just want to call attention to Colorado Springs briefly and why it should be taken into consideration when the subject of a location for an institution of this kind is mentioned. It is at the foot of Pike's Peak, halfway from coast to coast, connected by six lines of railway with every part of the continent—to San Francisco, 66 hours; to New York, 50 hours; to Chicago, 26 hours; to Galveston, 32 hours; altitude, 6,030 feet; Pike's Peak, 14,100 feet; 310 days of actual sunshine; mean annual temperature, 46 degrees; and among other things I could mention why this would be a most desirable place, Colorado Springs is a city of 35,000 people, progressive in every way.

I want to call attention to one feature of it that makes it desirable for a location of this kind. The fact that we have so much sunshine; the fact that the air there is so dry and pure, is said by those who have tried its efficacy to be the best means for restoring one to health who is suffering from this malady. There are persons who have spoken to me on the floor of this House and Members of our body who can testify to its efficacy in this connection.

Mr. SHERWOOD. Will the gentleman give us the highest temperature and the lowest? He gave the mean temperature. Give us the highest and the lowest temperatures.

Mr. TIMBERLAKE. I do not think that I can give the exact figures in answer to this question. The mercury may drop low on a winter day but the air is so void of moisture and the sunshine so warm that the cold is not felt as in lower altitudes. These conditions make both heat and cold scarcely objectionable in either direction.

Now, as before stated, I will give you a few of the reasons why, in my judgment, the Health Department should take into consideration Colorado Springs when considering locations for institutions of this character.

The fame of the Colorado Springs climate has spread to every quarter of the globe because it has been known from the earliest days that there at the foot of Pike's Peak is the climate that gives new life and energy, building up, invigorating, and restoring to health and vitality. The factors entering into and making this climate ideal in every respect for an institution of this kind, then, I would say, are pure air, sunshine, altitude, restful and picturesque surroundings.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. TIMBERLAKE. Mr. Chairman, I would like to ask leave to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. CLARK of Florida. Mr. Chairman, I yield seven minutes to the gentleman from Virginia [Mr. SAUNDERS].

Mr. SAUNDERS of Virginia. Mr. Chairman, this proposition has been assailed on several grounds, any one of which, if sustained, would be sufficient to defeat it. If there is any taint, or suggestion of graft in this proposition, we would all agree that it should go out. If it is a wasteful, or extravagant proposition, we are at one that it ought to be defeated. If it is an unnecessary proposition, as suggested by the gentleman from Illinois, then as a matter of course it should be rejected by this body. But the critics have failed to tender to this committee any evidence to support any one of the various objections that have been made to this bill.

No one in this body will have the temerity to say that he is opposed, to the concrete proposition, that the Government should provide curative treatment for discharged soldiers suffering from tubercular trouble. It is one of the pathetic incidents of this war that service in the trenches will afford a constantly increasing number of victims of this particular malady. We know in my State, and in many other States that training in the camps has sent home a number of tuberculous patients. In Virginia we are trying to provide treatment for these men in our State sanatorium. The deadly blight of tuberculosis has fallen upon countless thousands of allied soldiers who have served in the trenches in France in the four long years of tragical war, now so happily ended. Much of that tuberculosis supervened immediately upon service. In other cases it developed at a later period. We have every reason to believe from the medical history of this war, that for many long years to come there will be an increasing number of tuberculous cases among the discharged soldiers of this country. That being so, the problem of adequately caring for them is a large proposition. I do not undertake to say that Dawson Springs is the only proper site in the United States for a sanatorium for tuberculous soldiers.

Doubtless there are many desirable locations. They may be found practically in every State. But I do call the attention of this body to the fact that there is not one single criticism of this site that is worth considering. I do call the attention of this body to the fact that the medical experts who have testified in connection with the Dawson Springs location are all agreed, in spite of what the medical experts on this floor have stated in the way of criticism, that this is a first-class proposition.

Mr. MADDEN. Mr. Chairman, will the gentleman yield for a question?

Mr. SAUNDERS of Virginia. Yes; I yield.

Mr. MADDEN. I would just like to ask the gentleman if he will not be kind enough to say what he thinks about the propriety of providing for only 500 patients when, as a matter of fact, it is said that there are 30,000 tubercular cases? Why do we not provide for all?

Mr. SAUNDERS of Virginia. As I said a moment ago, I do not undertake to say that this will be the only plant of this character. I agree that we should provide for the 30,000, or 40,000, or possibly even 100,000 patients, that in the years to come may afford. I agree heartily with the proposition that we should provide for these unfortunates. But we must make a beginning somewhere and at some time, and this is a beginning. Are you opposed to beginning this work? Are you prepared to say, are you willing to say, that you are opposed to giving those 500 men the benefit of this legislation, simply because there are others who will be cared for by later legislation?

Mr. LAZARO. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Certainly.

Mr. LAZARO. Is it not a fact that if we are going to do anything at all for these tubercular patients they must be treated in the very beginning?

Mr. SAUNDERS of Virginia. Certainly. I maintain that we should make a beginning.

Mr. MADDEN. Will that beginning interfere with the treatment of the 20,500 other cases?

Mr. SAUNDERS of Virginia. Not at all. But if we wait on that compendious investigation to which the gentleman refers it will postpone the treatment that would be provided for the patients that will be accommodated in this particular hospital.

Mr. MADDEN. If you would give the Public Health Service the means to provide for them all, that would not happen.

Mr. SAUNDERS of Virginia. There is nothing to prevent the Public Health Service from suggesting a most compendious scheme of hospital treatment of this character.

Some ridicule has been cast upon this site by a few of the participants in this debate. They can hardly pose as qualified experts. Whatever may be the extent of their medical wisdom it can hardly be regarded as so accurate or extensive as that of Col. Banks, of the Bureau of War-Risk Insurance, or of Dr. Stimpson, assistant to Gen. Blue. These gentlemen in the most positive and unequivocal fashion have announced that as a site for a sanatorium for tuberculous patients, Dawson Springs is a first-class proposition.

Of course it is idle to suggest that, if we authorize the expenditure proposed for this particular hospital, only five, or six, or seven hundred men will be treated therein. This will be only the beginning of work at this point, and with the plant once established and the enlargement that will inevitably come thousands of men will be treated in a few years at Dawson Springs. The cost will not be $3,000 per man, once this becomes a going establishment. Not a bit of it. Counting in the cost of the plant and operating expenses the cost per bed will be $3,000 per bed for a few hundred patients, but with the enlargement of the plant the cost per patient will rapidly decline.

If this proposition is meritorious, it should be accepted, particularly in view of the fact that this action will hasten the day of benefit for hundreds of deserving soldiers, and it will in no wise jeopard the interests, or postpone the treatment of other, and equally deserving beneficiaries of an enlarged scheme of national benefaction. The larger scheme may be undertaken at once, but at least accept the offer that comes from the great hearted men who tender this magnificent location at Dawson Springs.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. CLARK of Florida. Mr. Chairman, how many more speakers has the gentleman from Michigan?

Mr. SMITH of Michigan. Two more.

Mr. CLARK of Florida. I yield three minutes to the gentleman from Pennsylvania [Mr. DEWALT].

The CHAIRMAN. The gentleman from Pennsylvania is recognized for three minutes.

Mr. DEWALT. Mr. Chairman, I have approached the consideration of this question with an entirely open mind. I have listened with a great deal of care and strict attention to all the arguments that have been presented pro and con. In other words, I was trying to place myself in the position of being a juryman, sworn to try the case according to the evidence presented.

I have heard objections made to this site by reason of the fact that certain people said it was unfitted for the cure of tubercular patients. Every line of the testimony presented, so far as my judgment goes as a lawyer and occupying, as I say, the position of a juryman, has been purely and strictly hearsay testimony.

Mr. MADDEN. Mr. Chairman, will the gentleman yield for a question?

Mr. DEWALT. I certainly will.

Mr. MADDEN. Without respect to the advisability and propriety of the site, what does the gentleman think of the propriety of providing for only 500 men out of 30,000 men?

Mr. DEWALT. As to that I would respond in this way: The life of one soldier who fought for his country in the late war is to me of greater moment than the consideration of even $1,000,000, wherever the location may be. [Applause.]

I had some portion, some little part, in the discussion and in the consideration of the war-risk insurance act. I recollect distinctly that in the discussion and in the framing of that bill the committee and this House pledged itself that if these boys came back and were suffering from any disease, or from wounds incurred in the line of their duty, or if they were deprived, by inability, of the opportunity of pursuing their usual vocations, the United States Government guaranteed, and does guarantee in that bill, that they will be taken care of by reason of such illness and by reason of such incapacity.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. DEWALT. Now, gentlemen, "consistency is a jewel."

Mr. MADDEN. Does this bill do that?

Mr. DEWALT. It does it in part. It is the commencing of a program. Now, gentlemen of the opposition—because I call you that for the reason that you have stood solidly in opposition to this bill—I repeat that somewhere it is said by the great poet, "Consistency, thou art a jewel." I ask you now, frankly, how you explain your inconsistency in opposition to this bill by saying that you are in favor of a general program and are against this location because it is not included in a general program, and yet in the same breath you vote for a location in Texas, at Amarillo? I am willing to follow oftentimes the advice of gentlemen on the other side as a fair-minded legislator. I am not bound to this party by bands which are indissoluble, because I recognize my duty as larger and greater than that, but I will never follow the lead of those who themselves prove to be inconsistent in their arguments. [Applause.]

Mr. GILLETT. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired.

Mr. DEWALT. I will yield if I can get any time.

Mr. GILLETT. I can explain that.

Mr. SMITH of Michigan. I yield four minutes to the gentleman from Nebraska [Mr. REAVIS].

Mr. REAVIS. Mr. Chairman and gentlemen of the committee, this bill must be disposed of under the condition as it exists now, and not under the condition which existed at the time the bill was offered or at the time it was reported. At the time the bill was reported we were in a war, and there was no hope of an early cessation of that war. At that time the Congress and the Nation were both very apprehensive of a tremendous list of casualties and of illness for which provision would have to be made. The war came to a termination somewhat unexpectedly, and fortunately the list of those disabled soldiers is much smaller than we had feared previous to the armistice. I am quite sure in my own mind that practically all of the soldiers who are discharged by reason of disability, or all of those soldiers who are retained in the service and who are suffering from tuberculosis can be taken care of properly by the expenditure of a sum much less than is contemplated by this bill and the other bill that will shortly be presented to the House.

All at once there comes before the House the proposition to expend a million and a half of money for the erection of a permanent hospital at Dawson Springs, Ky., with the idea of treating tubercular soldiers. So far as these hearings disclose, that locality was unheard of as a locality where tuberculosis could be treated beneficially. All over this great Nation of ours there are certain localities especially favored by climatic conditions, as, for instance, the States of Colorado, New Mexico, and Arizona. I see by the report of Dr. Banks that practically 70 per cent of the days in Dawson Springs have sunshine. In other words, one day out of every four is a cloudy day. One of the beauties of Arizona, with reference to the treatment of this disease, is that in many portions of that State they have 100 per cent of sunshine. That State has a salubrious climate, where the nights in the winter are comparatively warm, where the patient is permitted to remain in the open air 24 hours a day for practically every day of the year. I doubt very much whether there is a Member of this House, whether his mind is committed to this bill or not, who would send one of his own to Dawson Springs for treatment in preference to either Colorado Springs, Arizona, or New Mexico, if that one of his own were suffering with tuberculosis.

I am not opposing this bill upon any sectional grounds. I am opposing it because I do not care to do with a tubercular soldier what I would not be willing to do with my own son under the same conditions. [Applause.] My opposition to this bill is founded upon a desire to be of benefit to that soldier even at the expense of Dawson Springs, while it seems to me that those who favor this bill are favoring Dawson Springs to the detriment of the soldier. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CLARK of Florida. Mr. Chairman, I yield five minutes to the gentleman from Kentucky [Mr. CANTRILL].

Mr. CANTRILL. Mr. Chairman and gentlemen of the committee, it is not my purpose to say anything as to the merits of the bill, because yesterday I took up considerable of the time of the committee in debating the merits of the bill. In the few minutes that are allotted to me I simply want to absolve from some criticism that has come from this side of the House two distinguished members of the Committee on Public Buildings and Grounds on that side of the House. I refer principally to the distinguished gentleman from Tennessee [Mr. AUSTIN], with whom I have served 10 years on the Committee on Public Buildings and Grounds. I want to take this opportunity to publicly commend him for the great service which he has rendered on that committee. He is ardently in favor of this bill

and has been doing what he could to pass it. Strange to say, however, the distinguished gentleman from Tennessee, one of the most loyal Republicans in the United States, a man who has always been loyal to his party, was defeated, and you gentlemen permitted him to be defeated in the Republican primary, and my understanding is that the leading Republicans on the floor of this House undertook to bring about his defeat.

Another distinguished gentleman on the Committee on Public Buildings and Grounds is the distinguished gentleman from Ohio [Mr. HOLLINGSWORTH], who had gallant service in the Civil War. I am indeed pleased to note that he is standing solidly with us on this proposition.

Now, gentlemen on that side of the House, let me say to you that every Republican, every minority member on the Public Buildings and Grounds Committee, every minority member on the Rules Committee, was heartily in favor of this bill, and when you gentlemen on that side, with the two exceptions I have named, lined up against the passage of this bill as you did on times innumerable yesterday, you repudiated the action of the gentlemen on that side of the House who unanimously on these two committees were in favor of the proposition. [Applause.] Now, gentlemen, it is known to every man in this House that in the treatment of tubercular cases they should be separated from other people. It is folly to talk about putting tubercular patients in Army hospitals already established, with other people suffering from other diseases. It is a crime against humanity to do that, and you gentlemen know it, and you ought certainly to be abreast of the times in supporting this proposition, which will make a separate hospital for tubercular patients, where they can be put by themselves and treated in accordance with up-to-date methods.

Mr. LONGWORTH. If the gentleman will yield, I want to ask him in that connection if he will object to limiting this hospital to tubercular patients?

Mr. CANTRILL. I much prefer that it would be done, but I think it is unwise to put restrictions around the Public Health Service. They will use it largely for that purpose, but I do not think it wise to write it into the law now.

Mr. BURNETT. They have stated that they expect in this large area of land to have them segregated.

Mr. CANTRILL. That is the purpose. Now, I do not propose to discuss the merits of the bill, for I did that yesterday, and I do not want to take up much more time. There is one gentleman on that side to whom I always listen with great respect because of his long service, longer than any man in the American Congress, the distinguished ex-Speaker of this House; and although I did not see exactly how it affected the argument on this bill, yet the distinguished gentleman in his time undertook to serve notice on the country that the farmers of the country, when the next Congress comes in, should look for dollar wheat and six-cent hogs, and other things in proportion.

As I recall, one of the main things that contributed to our defeat, especially in the Western and Northwestern States, was the statement that the Democratic Party had placed the price of wheat at $2.20, and then by action of Congress raised it to $2.40, which bill was vetoed by the President of the United States, for which he gave excellent reasons. You gentlemen on that side of the House went to the people and said that the Democratic Party had reduced the price of wheat from $2.40 to $2.20, and therefore we ought to be voted out of power. In some localities in the wheat States we were voted out of power on that issue. Now, here comes a distinguished representative of the Republican Party in the House of Representatives, and he serves notice on the farmers and upon the laboring people of the country that under the next Congress, which will be under your control, the farmer can look for dollar wheat and six-cent hogs, and labor cheapened in proportion. Gentlemen, the proposition is up to you to maintain the prices where we have maintained them, and if you do not do it, after the next election there will not be a handful of you left on that side of the House. [Applause on the Democratic side.]

Mr. SMITH of Michigan. Mr. Chairman, I yield five minutes to the gentleman from Massachusetts [Mr. WALSH].

Mr. WALSH. Mr. Chairman, the gentleman from Alabama [Mr. HEFLIN], with his usual unintentional inaccuracy, stated that many Republicans in the House voted against this war-risk insurance bill, which provided for the hospital treatment. If the distinguished gentleman will refer to the CONGRESSIONAL RECORD of September 13, 1917, when the final vote was taken on that measure, he will find that there were 319 voted in favor of the measure, none voted against it, and five answered "present."

Mr. RAYBURN. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. RAYBURN. Has the gentleman investigated the RECORD to find how many Republicans spoke against it?

Mr. WALSH. I have investigated only the statement which the gentleman from Alabama [Mr. HEFLIN] made, and that was as to the vote. The gentleman sought to lay on this side of the aisle the responsibility for the defeat of this legislation, and as usual he interspersed his remarks with a most glowing and fulsome eulogy of the Chief Executive, now on the high seas. I wonder if, perchance, the Chief Executive, now on his way across the mighty deep, may not experience a deep sense of loneliness from the fact that he is not accompanied on the expedition by his champion on the floor, the gentleman from Alabama. How much it would add to the assemblage upon foreign soil if the Member from Alabama, who has the great advantage over the rest of us in that he looks apparently like what his people think a Member of the House of Representatives ought to look like, was with that expedition. [Laughter and applause.] But if the Chief Executive is deprived of that noble presence, how fortunate, indeed, are we to have him in our midst to rise upon occasions and indulge in partisan speeches, with that noble brow, that manly bosom always encompassed in snowy white.

Gentlemen of the committee, the gentleman from Alabama was present yesterday; and if he has read this measure, which I doubt, he will know that the amendment which is proposed was offered by a Member upon his side of the House who but a few days ago wore the uniform of a soldier of the Republic. [Applause.] That gentleman made a speech to his colleagues here and convinced many of them that, as far as sites go, at least, Amarillo was to be preferred to Dawson Springs, in the Blue Grass State of Kentucky. It can not be said that the gentleman from Texas [Mr. JONES] seeks to deprive his former comrades in the Army of the Republic of any benefit that might accrue as the result of this piece of legislation. He it was that offered the amendment that substituted the site. Gentlemen, the fact is that now peace times are approaching you are seeking to return to your old inefficient methods for providing for the administrative functions of the Government. You were inefficient before the war, and you were inefficient in many respects in legislating for the war; you are inefficient in seeking to provide for this great work by piecemeal, and attempting to locate a site and let all but 500 soldiers wait until further provision is made. I assert, sir, that it is just as easy to enact the measure which is pending before the committee, which has not been reported, which leaves the selection of all these sites to the duly constituted authorities, and let them begin the work upon all of these hospitals, as it is to pass this legislation, and not compel them to wait two years for the completion of a sanatorium that will only accommodate 500 people. [Applause.]

Mr. CLARK of Florida. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has 10 minutes.

Mr. CLARK of Florida. Mr. Chairman, there have been more misunderstandings and more misstatements about this bill the past three days than upon any bill that has ever been in the House during my service of 14 years.

I am going to try, if I may in the short time I have, to clear these away. Now, I want to say in the beginning that this bill is the result in part of the work of a committee appointed by the Public Health Service, the War Department, and the Navy Department, and all this talk about the Surgeon General of the Army and about there being thousands of unused beds is simply all stuff; there is not anything in it. Now, I call attention here to an official document, or rather to the men who served upon the committee and who formulated this plan which includes this hospital at Dawson Springs, Ky., and a number of other hospitals which are to be enlarged and added to—at Boston, Mass.; Chicago, Ill.; Cleveland, Ohio.; Detroit, Mich.; Evansville, Ind.; Louisville, Ky.; Norfolk, Va.; New Orleans, La.; San Francisco, Cal.; Seattle, Wash.; St. Louis, Mo.; Wilmington, N. C.; Fort Stanton, N. Mex.; Berkshire Hills; and in North Carolina—and the names of those officers are as follows: Earl H. Bruns, lieutenant colonel, Medical Corps, United States Army; W. E. Eaton, lieutenant commander, Medical Corps, United States Navy; and W. G. Stimpson, Assistant Surgeon General, United States Public Health Service. And in this document, made after this committee had made its report, Surg. Gen. Blue, of the Public Health Service, under date of September 17 last, says this, among other things:

> It should be stated that this bureau has, in an effort to supply accommodations for the greatest possible number, filled many of its hospitals to overflowing by placing beds in hallways and verandas, and even in tents scattered about the reservation, and has already rented private dwellings to be converted into temporary hospitals in order to relieve the demand for hospital treatment arising from this source, from the

increased merchant marine service, and the constantly growing work incident to caring for injured civil employees of the Government under the compensation act—

And so forth.

That is signed by Gen. Blue.

Mr. SABATH. Will the gentleman yield?

Mr. CLARK of Florida. I do.

Mr. SABATH. When was this report submitted?

Mr. CLARK of Florida. The 17th of September.

Mr. SABATH. Of this year?

Mr. CLARK of Florida. Yes, sir. Here is a letter of the Secretary of the Treasury on November 18, this past month, in which he states, among other things:

In my letter of September 20, transmitting a tentative draft of legislation, which has since been given H. R. 13026—

That is the ten-million-dollar proposition—

there was also transmitted a report from a committee appointed by the Secretary of War, the Secretary of the Navy, and myself, in which the statement was made that 13,000 beds would be required for these patients, and that the War and Navy Departments had made no provisions for patients other than those of active forces, and therefore the War and Navy Departments had no beds available for patients of the War Risk Insurance Bureau, and in addition thereto a memorandum from the Surgeon General of the Public Health Service of this department, in which the statement is made that these beds would not be for temporary purposes, but would be needed for years to come—

And so forth.

Now, Mr. Chairman, there is the official record from an official source, and I submit it to this House in opposition to the statement of a gentleman who says he went to the War Department and talked with some employee and got some information which he undertakes by the use of to defeat this bill.

Mr. BURNETT. And this is one of the very places selected by the War Department?

Mr. CLARK of Florida. One of the very places selected; yes. Now, let me say this: The evidence here in the hearings shows beyond all question that this place was selected by the sworn officers of the Government dealing with this very question. The Public Health Service and the War-Risk Insurance Bureau—they are the people who will have charge of discharged soldiers and sailors—have selected this spot, and they ask us to place a hospital there. There is not any graft in it, there is not any politics in it, and there is not anything in it except an honest effort to comply with the recommendation of the medical authorities having the matter in charge. Ah, Mr. Chairman, the gentlemen on the other side make all sorts of arguments, but when it comes to the test every one of them lined up and went through tellers and voted for Amarillo, Tex., and against locating this hospital at Dawson Springs, in Kentucky, which the Medical Department says is the proper place. They voted for Amarillo, where, I understand, there is not water enough to keep a jack rabbit alive for 30 days, and yet, without any evidence of its fitness, knowing its total unfitness, every one of them voted for it, and I dare say that if the bill should come to a vote on final passage with Amarillo, Tex., as the location for the hospital, not one of you would vote for it, and you know it, and therefore you are simply playing with a proposition here involving the health and the treatment of these soldiers and sailors who have been discharged. Your vote for Amarillo shows this beyond the shadow of a doubt.

Mr. JONES. Will the gentleman yield?

Mr. CLARK of Florida. For a question only. Mr. Chairman, how much time have I?

Mr. JONES. I would like to ask the gentleman——

The CHAIRMAN. Two minutes.

Mr. CLARK of Florida. Then I can not yield. [Laughter.] This hospital is not limited to tubercular patients. Tubercular patients, those suffering from kidney disease, those suffering from rheumatism and diseases of that kind, and there are thousands of them; it is intended for them. Gentlemen then say you can not build it in two years. I deny that, because the evidence in this record shows they are to put up narrow, long buildings that can be constructed rapidly, and which will be constructed rapidly, and the evidence in this case shows that buildings have been rented in New York, buildings rented in Savannah, residences have been fitted up, and tents have been used to try to take care of these boys satisfactorily until a proper place can be constructed where these men can go and get what we are in duty bound under our oaths to give them—the very best treatment that money, science, and intelligence can supply. You agreed to do that in the law when you passed it. You are under your solemn oath to give them this treatment, and I am appealing to you, gentlemen, for God's sake, drop your political stuff now because it happens to be on the border line, not even in the South, but happens to be on the border line, and you do not want it to go there. Why? Is it because the gentleman who represents the district is a Democrat, or is it because you think they may be tinctured with a little southernism down there? Which is it? It is bound to be one or the other. The place is testified to as the best they inspected. The officers of the departments are asking for it. The War Department, the Navy Department, the Public Health Service, and the War-Risk Bureau, all of them, are asking that the hospital be located there, and you have not a single word of testimony against it. What moves you? Politics? It is sectional alone, and you can not get around it. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. All time has expired.

Mr. JONES. Mr. Chairman, I ask unanimous consent that I may be allowed five minutes.

I wish to correct a misrepresentation of facts as to the water there and as to the location.

Mr. CLARK of Florida. I object.

The CHAIRMAN. All time has expired.

Mr. JONES. I was just asking for unanimous consent.

The CHAIRMAN. The gentleman from Florida [Mr. CLARK] objects.

The question is on the amendment of the gentleman from Wyoming [Mr. MONDELL].

Mr. MANN. Mr. Chairman, I would like to have the amendment reported.

Mr. CLARK of Florida. I make the point of order on the ground that the amendment is not germane.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. MONDELL: Strike out all after the enacting clause and insert the following:

"The Secretary of War is hereby authorized and directed to designate such general hospitals and hospitals at camps and cantonments, now under the jurisdiction of the War Department, for the treatment of persons discharged from the military and naval forces of the United States as in his opinion can advantageously be utilized for such purposes, and are not needed for those in the military and naval forces, and the said Secretary shall within 30 days after the passage of this act report to Congress as to the character, location, and capacity of the hospitals designated by him as available for the treatment of those discharged from the military and naval forces."

The CHAIRMAN. To this amendment the gentleman from Florida makes the point of order that it is not germane.

Mr. MONDELL. Does the gentleman insist on his point of order?

Mr. CLARK of Florida. I certainly do.

Mr. MONDELL. I trust the gentleman will withdraw the point of order and do something for the discharged soldiers.

Mr. CLARK of Florida. When did the gentleman get it into his mind that he wanted to do something for the soldiers, when he has been fighting a proposition for three days here to do something?

Mr. MONDELL. I am proposing something that will furnish something.

The CHAIRMAN. Does the gentleman from Wyoming [Mr. MONDELL] desire to be heard on the point of order?

Mr. MONDELL. Why, Mr. Chairman, the amendment is subject to a point of order beyond question. I was in hopes the gentleman would not insist on the point of order, as the amendment would bring about the establishment of conditions under which discharged men could be immediately provided for in hospitals.

The CHAIRMAN. The Chair sustains the point of order. The next question is on the amendment of the gentleman from Illinois [Mr. GRAHAM] to strike out the enacting clause. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. GRAHAM of Illinois: Page 1, lines 1 and 2, strike out the enacting clause.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. GRAHAM].

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. GRAHAM of Illinois. Division, Mr. Chairman!

The committee divided, and there were—ayes 95, noes 99.

Mr. GRAHAM of Illinois. Mr. Chairman, I ask for tellers.

Tellers were ordered.

Mr. GRAHAM of Illinois and Mr. CLARK of Florida took their places as tellers.

The committee again divided, and the tellers reported—ayes 116, noes 108.

So the amendment was agreed to.

Mr. CLARK of Florida. Mr. Chairman, I move that the committee do now rise and report the bill.

The CHAIRMAN. The gentleman from Florida moves that the committee do now rise and report the bill to the House with the recommendation that the enacting clause be stricken out.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FOSTER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 12917, had directed him to report the same to the House with the recommendation that the enacting clause be stricken out.

The SPEAKER. The question is on striking out the enacting clause.

Mr. CLARK of Florida. I demand the yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

The question was taken; and there were—yeas 153, nays 157, answered "present" 8, not voting 115, as follows:

YEAS—153

Anderson	Fordney	McArthur	Sanders, N. Y.
Anthony	Foss	McCulloch	Sanford
Baer	Frear	McFadden	Schall
Birch	Freeman	McKenzie	Scott, Iowa
Bland, Ind.	French	McKinley	Sinnott
Britten	Fuller, Ill.	McLaughlin, Mich.	Sloan
Browne	Gillett	McLaughlin, Pa.	Smith, Idaho
Browning	Glynn	Madden	Smith, Mich.
Burroughs	Goodall	Magee	Snell
Butler	Graham, Ill.	Mann	Snyder
Cannon	Green, Iowa	Mapes	Stafford
Chandler, Okla.	Greene, Mass.	Merritt	Stevenerson
Clark, Pa.	Greene, Vt.	Miller, Minn.	Stiness
Classon	Griest	Miller, Wash.	Strong
Cooper, Ohio	Hadley	Mondell	Sweet
Cooper, W. Va.	Hamilton, Mich.	Moore, Pa.	Switzer
Cooper, Wis.	Hamilton, N. Y.	Moores, Ind.	Temple
Copley	Haskell	Mott	Tilson
Cramton	Hawley	Nelson, A. P.	Timberlake
Currie, Mich.	Heaton	Nichols, Mich.	Tinkham
Curry, Cal.	Hersey	Osborne	Towner
Dallinger	Hicks	Paige	Treadway
Darrow	Hull, Iowa	Parker, N. J.	Vestal
Davis	Husted	Parker, N. Y.	Volstead
Dempsey	Hutchinson	Peters	Walsh
Denison	Ireland	Platt	Ward
Dillon	Kahn	Powers	Wason
Dowell	Kearns	Purnell	Watson, Pa.
Drukker	Kelley, Mich.	Ramsey	Wheeler
Dunn	Kennedy, Iowa.	Ramseyer	White, Me.
Dyer	Knutson	Rankin	Williams
Elliott	Kraus	Reavis	Wilson, Ill.
Elston	La Follette	Reed	Winslow
Esch	LaGuardia	Robbins	Wood, Ind.
Esson	Lampert	Rodenberg	Young, N. Dak.
Fairchild, B. L.	Lehlbach	Rogers	Zihlman
Fairfield	Little	Rose	
Farr	Longworth	Rowland	
Fess	Lufkin	Sanders, Ind.	

NAYS—157

Alexander	Dickinson	Jones	Riordan
Almon	Dixon	Kelly, Pa.	Robinson
Ashbrook	Dominick	Kinchloe	Romjue
Aswell	Doolittle	Kitchin	Rouse
Austin	Doremus	Larsen	Ruby
Bankhead	Doughton	Lazaro	Rucker
Barkley	Drane	Lee, Ga.	Sabath
Barnhart	Eagan	Lesher	Saunders, Va.
Beakes	Eagle	Lever	Shallenberger
Bell	Fields	Linthicum	Sims
Benson	Fisher	Lobeck	Sisson
Beshlin	Flood	London	Slayden
Black	Foster	Lonergan	Snook
Blackmon	Gallagher	Lundeen	Steagall
Bland, Va.	Gallivan	Lunn	Steele
Booher	Gard	McAndrews	Stephens, Miss.
Borland	Garner	McKeown	Stephens, Nebr.
Brand	Garrett, Tenn.	McLemore	Sterling
Brodbeck	Glass	Mansfield	Stevenson
Brumbaugh	Godwin, N. C.	Martin	Summers
Buchanan	Goodwin, Ark.	Mays	Tague
Burnett	Gordon	Moon	Taylor, Ark.
Byrnes, S. C.	Gray, Ala.	Morgan	Thompson
Byrns, Tenn.	Gregg	Neely	Tillman
Caldwell	Griffin	Oldfield	Van Dyke
Campbell, Pa.	Hamlin	Oliver, Ala.	Vinson
Candler, Miss.	Hardy	Oliver, N. Y.	Watkins
Cantrill	Harrison, Miss.	Olney	Weaver
Caraway	Hastings	Overmyer	Webb
Carew	Heflin	Overstreet	Welty
Clark, Fla.	Helvering	Padgett	Whaley
Claypool	Hilliard	Park	White, Ohio
Cleary	Hollingsworth	Phelan	Wilson, La.
Coady	Houston	Polk	Wingo
Collier	Hull, Tenn.	Pou	Wise
Cox	Humphreys	Quin	Wright
Crosser	Igoe	Rainey, H. T.	Young, Tex.
Davey	Jacoway	Rainey, J. W.	
Denton	James	Randall	
Dewalt	Johnson, Ky.	Rayburn	

ANSWERED "PRESENT"—8.

Dill	Huddleston	Keating	Shackleford
Evans	Johnson, Wash.	Kinkaid	Sherwood

NOT VOTING—115.

Ayres	Carter, Mass.	Connelly, Kans.	Decker
Bacharach	Carter, Okla.	Costello	Delaney
Blanton	Cary	Crago	Dent
Bowers	Chandler, N. Y.	Crisp	Dies
Campbell, Kans.	Church	Dale, N. Y.	Donovan
Carlin	Connally, Tex.	Dale, Vt.	Dooling
Dupré	Heintz	Morin	Siegel
Edmonds	Helm	Mudd	Slemp
Ellsworth	Hensley	Nelson, J. M.	Small
Emerson	Holland	Nicholls, S. C.	Smith, C. B.
Estopinal	Hood	Nolan	Smith, T. F.
Fairchild, G. W.	Howard	Norton	Steiman
Ferris	Johnson, S. Dak.	O'Shaunessy	Sullivan
Flynn	Juul	Porter	Swift
Focht	Kehoe	Pratt	Taylor, Colo.
Francis	Kennedy, R. I.	Price	Templeton
Fuller, Mass.	Kettner	Ragsdale	Thomas
Gandy	Key, Ohio	Raker	Vare
Garland	Kless, Pa.	Roberts	Venable
Garrett, Tex.	King	Rowe	Voigt
Good	Kreider	Russell	Waldow
Gould	Langley	Sanders, La.	Walker
Graham, Pa.	Lea, Cal.	Scott, Mich.	Walton
Gray, N. J.	Littlepage	Scott, Pa.	Watson, Va.
Hamill	McClintic	Scully	Welling
Harrison, Va.	McCormick	Sears	Wilson, Tex.
Haugen	Maher	Sells	Woods, Iowa
Hayden	Mason	Shelley	Woodyard
Hayes	Montague	Shouse	

So the motion was rejected.

The Clerk announced the following pairs:

On the vote:

Mr. SWIFT (for) with Mr. DUPRÉ (against).

Mr. HILLIARD (for) with Mr. SLEMP (against).

Mr. DALE of Vermont (for) with Mr. HELM (against).

Mr. MUDD (for) with Mr. PRICE (against).

Mr. ROWE (for) with Mr. BACHARACH (against).

Until further notice:

Mr. MCCLINTIC with Mr. GARLAND.

Mr. SMALL with Mr. EMERSON.

Mr. DENT with Mr. CRAGO.

Mr. BLANTON with Mr. COSTELLO.

Mr. HAMILL with Mr. HAYES.

Mr. EVANS with Mr. GOOD.

Mr. CARTER of Oklahoma with Mr. KINKAID.

Mr. CONNALLY of Texas with Mr. JOHNSON of Washington.

Mr. SANDERS of Louisiana with Mr. GRAY of New Jersey.

Mr. FERRIS with Mr. SIEGEL.

Mr. SCULLY with Mr. SCOTT of Michigan.

Mr. KINKAID. Mr. Speaker, I voted "present," and I am paired with Mr. CARTER of Oklahoma. If I voted, I would vote "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The motion is not agreed to. The bill stands recommitted to the Committee of the Whole House on the state of the Union.

Mr. CLARK of Florida. I was just going to make that motion.

The SPEAKER. The gentleman does not have to make it.

Mr. MANN. Oh, yes; you have to make a motion. It has been recommitted, but that is where it is now. Are we ready to adjourn?

The SPEAKER. The bill is recommitted to the Committee of the Whole House on the state of the Union. If the gentleman wants to make a motion to go into the Committee of the Whole House on the state of the Union, that is in order.

Mr. CLARK of Florida. That is exactly what I was trying to do. I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of H. R. 12917.

The SPEAKER. The gentleman from Florida moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of H. R. 12917.

The question being taken, the Speaker announced that the ayes appeared to have it.

Mr. MANN. I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas, 155, nays 153, answered "present" 7, not voting 118, as follows:

YEAS—155.

Almon	Buchanan	Dewalt	Gard
Ashbrook	Burnett	Dickinson	Garner
Aswell	Brynes, S. C.	Dies	Garrett, Tenn.
Austin	Byrns, Tenn.	Dill	Glass
Bankhead	Caldwell	Dixon	Godwin, N. C.
Barkley	Campbell, Pa.	Dominick	Goodwin, Ark.
Barnhart	Candler, Miss.	Donovan	Gordon
Beakes	Cantrill	Doolittle	Gray, Ala.
Bell	Caraway	Doremus	Gregg
Benson	Carew	Doughton	Griffin
Beshlin	Clark, Fla.	Drane	Hardy
Black	Claypool	Eagan	Harrison, Miss.
Blackmon	Cleary	Eagle	Hastings
Bland, Va.	Coady	Fields	Heflin
Booher	Collier	Fisher	Helvering
Borland	Cox	Flood	Hilliard
Brand	Crosser	Foster	Hollingsworth
Brodbeck	Davey	Gallagher	Houston
Brumbaugh	Denton	Gallivan	Hull, Tenn.

Hamilton	Lunn	Rainey, H. T.	Stevenson
Igoe	McAndrews	Rainey, J. W.	Summers
Jacoway	McKeown	Randall	Tague
Johnson, S. C.	McLemore	Rayburn	Taylor, Ark.
Johnson, Ky.	Macon	Riordan	Thompson
Jones	Martin	Robinson	Tillman
Kahn	Moon	Romjue	Van Dyke
Kelly, Pa.	Morgan	Ruby	Vinson
Kettner	Neely	Rucker	Watkins
Kitchin	Oldfield	Sabath	Weaver
Larsen	Oliver, Ala.	Saunders, Va.	Webb
Lazaro	Oliver, N. Y.	Shallenberger	Welty
Lee, Ga.	Olney	Sherwood	Whaley
Lesher	Overmyer	Sims	White, Ohio
Lever	Overstreet	Snook	Wilson, La.
Littlepage	Padgett	Stengall	Wingo
Lobeck	Park	Steele	Wise
London	Polk	Stephens, Miss.	Wright
Lonergan	Pou	Stephens, Nebr.	Young, Tex.
Lundeen	Quin	Sterling	

NAYS—153.

Anderson	Foss	Lufkin	Sanders, Ind.
Anderson	Fordney	McArthur	Sanders, N. Y.
Bacharach	Fuller	McCulloch	Sanford
Black	Frear	McFadden	Schall
Bland, Ind.	Freeman	McKenzie	Scott, Iowa
Britten	French	McKinley	Sinnott
Brooks	Fuller, Ill.	McLaughlin, Mich.	Sloan
Browning	Gillett	McLaughlin, Pa.	Smith, Idaho
Burroughs	Glynn	Madden	Smith, Mich.
Butler	Goodall	Magee	Snell
Canon	Graham, Ill.	Mann	Snyder
Chandler, N. Y.	Green, Iowa	Mapes	Stafford
Chandler, Okla.	Greene, Mass.	Merritt	Steenerson
Clark, Pa.	Greene, Vt.	Miller, Minn.	Stiness
Classon	Griest	Miller, Wash.	Strong
Cooper, Ohio	Hadley	Mondell	Sweet
Cooper, W. Va.	Hamilton, Mich.	Moore, Pa.	Switzer
Cooper, Wis.	Hamilton, N. Y.	Moores, Ind.	Temple
Copley	Haskell	Mott	Tilson
Crampton	Hawley	Nelson, A. P.	Timberlake
Currie, Mich.	Heaton	Nichols, Mich.	Tinkham
Curry, Cal.	Hersey	Ossenne	Towner
Dallinger	Hicks	Paige	Treadway
Darrow	Hull, Iowa	Parker, N. J.	Vestal
Davis	Husted	Parker, N. Y.	Volstead
Dempsey	Hutchinson	Peters	Walsh
Denison	Ireland	Platt	Ward
Dominick	Kahn	Powers	Watson
Dowell	Kearns	Purnell	Watson, Pa.
Drukker	Kelley, Mich.	Ramsey	Wheeler
Dunn	Kennedy, Iowa	Ramseyer	White, Me.
Dyer	Kiess, Pa.	Rankin	Williams
Elliott	Kraus	Reavis	Wilson, Ill.
Elston	La Follette	Reed	Winslow
Esch	LaGuardia	Robbins	Young, N. Dak.
Fess	Lampert	Rodenberg	Zihlman
Fairchild, B. L.	Lehlbach	Rogers	
Fairfield	Little	Rose	
Farr	Longworth	Rowland	

ANSWERED "PRESENT"—7.

Alexander	Evans	Johnson, Wash.	Shackleford
Cary	Huddleston	Kinkaid	

NOT VOTING—118.

Ayres	Fuller, Mass.	Lea, Cal.	Sells
Beshlin	Gandy	Littlepage	Sherley
Blackmon	Garland	McClintic	Shouse
Bowers	Garrett, Tex.	McCormick	Siegel
Campbell, Kans.	Good	Maher	Sisson
Carter	Gould	Mason	Slayden
Carter, Mass.	Graham, Pa.	Mays	Slemp
Carter, Okla.	Gray, N. J.	Montague	Small
Church	Hamill	Morin	Smith, C. B.
Connally, Tex.	Hamlin	Mudd	Smith, T. F.
Connelly, Kans.	Harrison, Va.	Nelson, J. M.	Stedman
Costello	Haugen	Nicholls, S. C.	Sullivan
Craago	Hayden	Nolan	Swift
Crisp	Hayes	Norton	Taylor, Colo.
Dale, N. Y.	Heintz	O'Shaunessy	Templeton
Dale, Vt.	Helm	Pherson	Thomas
Decker	Hensley	Porter	Vare
Delaney	Holland	Pratt	Venable
Dent	Hood	Price	Voigt
Dowling	Howard	Ragsdale	Waldow
Dupré	Johnson, S. Dak.	Raker	Walker
Edmonds	Juul	Roberts	Walton
Ellsworth	Kehoe	Rouse	Watson, Va.
Emerson	Kennedy, R. I.	Rowe	Welling
Evans	Kettner	Russell	Wilson, Tex.
Fairchild, G. W.	Key, Ohio	Sanders, La.	Wood, Ind.
Fields	Kiess, Pa.	Scott, Mich.	Woods, Iowa
Flood	King	Scott, Pa.	Woodyard
Foster	Kreider	Scully	
Francis	Langley	Sears	

So the motion was agreed to.

Mr. KINKAID. Mr. Speaker, I am paired with the gentleman from Oklahoma [Mr. CARTER]. If I were permitted I should vote "no."

Mr. SISSON. Mr. Speaker, I vote "aye."

The SPEAKER. Was the gentleman in the room listening when his name should have been called?

Mr. SISSON. I was in the Committee on Appropriations.

The SPEAKER. Then the gentleman can not vote.

The Clerk announced the following additional pairs:

Until further notice:

Mr. HELM with Mr. DALE of Vermont.

Mr. PRICE with Mr. MUDD.

Mr. DUPRÉ with Mr. SWIFT.

Mr. HOWARD with Mr. ROWE.

Mr. SEARS with Mr. BACHARACH.

The result of the vote was then announced as above recorded.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. FOSTER in the chair.

Mr. MANN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 1, line 5, after the word "acres," strike out the language down to the word "for," line 9 of page 1. On page 2, line 4, after the word "beds" insert the following:

"The location of such sanatorium under the terms of this act shall be determined by a commission of suitable size, to be appointed by the President, and such commission shall certify that the site accepted is the most desirable site tendered and is a proper site for such sanatorium."

Mr. GARRETT of Tennessee. Mr. Chairman, I make a point of order on the amendment. I understood that an agreement was entered into yesterday afternoon that after the amendment proposed by the gentleman from Wyoming was disposed of and the amendment proposed by the gentleman from Illinois [Mr. GRAHAM] was voted upon that no other amendment should be in order.

Mr. MANN. The gentleman is under a misapprehension, I think. At least I took a minor part in coming to the agreement, and that was not my understanding, and that was not the language used. We did agree to have a vote on the motion to strike out the enacting clause, and, of course, if that had prevailed there would be no other amendment offered. But there was no agreement not to offer amendments if the vote to strike out the enacting clause was not agreed to, either in the committee or in the House.

Mr. GARRETT of Tennessee. Of course, it is impossible to tell what was in the mind of the gentleman when the agreement was made.

Mr. MANN. I tried to be very careful that the request was stated in that way, and I think the RECORD will show it.

Mr. GARRETT of Tennessee. Of course, if the gentleman understood it differently, I would not try to interpose an objection to the amendment, except on the question of whether it is germane or not, and I will reserve the point of order outside the statement I have made.

Mr. CLARK of Florida. Mr. Chairman, while they are looking up the question, I think, possibly, we can settle this whole disturbance. I think the gentleman from Illinois has offered his amendment in good faith, as he always does, and if the gentleman will support the bill, if his amendment is adopted, I think we are prepared to accept it.

Mr. MANN. I will say very candidly, Mr. Chairman, that while I have not consulted with many Members on this side of the House concerning this matter, if the amendment is agreed to, I propose to vote for the bill.

Mr. CLARK of Florida. We will accept the amendment.

Mr. GARRETT of Tennessee. Then, Mr. Chairman, I withdraw the point of order.

Mr. SAUNDERS of Virginia. Mr. Chairman, I ask that the amendment be again reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

The Clerk reported the amendment again.

Mr. GARRETT of Tennessee. Will the gentleman from Illinois explain what is going to become of the Amarillo proposition under this amendment?

Mr. MANN. Mr. Chairman, we have all heard the debate on this bill and the varying positions it has occupied at different times. There is no division of sentiment in this House or in the country upon the proposition as to whether the General Government shall make ample provision for the care and restoration to health, if possible, of any and all of the boys who went to the front in behalf of the American Republic. [Applause.]

There was a proposition to locate the site of a sanatorium, said to be in the main for the treatment of tuberculosis, at a particular place, and the Committee of the Whole on a vote substituted another place. A majority of the committee in the vote indicated their belief that western Texas was probably a better location for a tuberculosis sanatorium than any place selected in Kentucky, without any reflection upon Kentucky. But after all we do not know just where this or any other sanatorium is best located. We must trust either our own judgment, which we know is weak, or trust the judgment of some of the administrative officials or of some one appointed to select a location. The proposition which I have offered strikes out the selection of any particular place and will authorize any locality to tender to the United States a thousand acres

of land. If it had not been subject to a point of order, I would not have left it to be tendered to the Government; but this permits a commission to be appointed by the President to investigate all of these circumstances and locate this sanatorium at the best place, whether it be Dawson Springs, Amarillo, Colorado Springs, the Adirondacks, or wherever it may be.

And I have had occasion to know that it may not always be easy to tell the best location for the treatment of tuberculosis, but I think we can afford at this time to take the judgment of a commission, and it may be that the commission will report in favor of some existing hospital which the Government now owns. I do not know whether under the strict terms of the bill that could be done, but I apprehend that if a commission were appointed and found that the Government had a hospital already constructed which was not needed in the future for the Army, it might properly recommend that a sanatorium under the Public Health Service should be located at that point. We can afford to spend all the money that may be necessary, and we can not afford to lose sight of the fact that Congress must begin to recognize economy in the administration of its own affairs and appropriations. [Applause.]

Mr. KINCHELOE. Mr. Chairman and gentlemen of the committee, of course I do not indorse this amendment, because I think, in view of the investigation that has already been made by those who are in authority, that this bill should pass in its original form, yet I am ready to submit to the majority of this House on any proposition, especially when any proposition has been so thoroughly discussed as this has; yet, nevertheless and despite the things that may have been said in the heat of debate, I am ready, so far as the adaptability of Dawson Springs is concerned, to submit it along with any other part of the United States, in view of its splendid climate, the medicinal qualities of its water, its central location, and its railroad facilities, and in view of that, so far as I am concerned, I shall vote for this bill as amended by the amendment offered by the gentleman from Illinois. [Applause.]

Mr. GARRETT of Tennessee. Mr. Chairman, I, of course, have no interest in the bill, except that I have been trying to do the best I could to provide a place for the treatment of injured soldiers, but I do want to say this, that in the future unanimous reports from committees coming to the Committee on Rules will not be so persuasive as they have been in the past. The Committee on Rules is a committee of procedure, not a legislative committee. It has been, or has tried to be, the servant of the House. Whenever a report from a committee has come before the Rules Committee as a unanimous report, the committee has given great consideration to that, and it has been extremely persuasive. I do not know how it will be in the future, but for the rest of this term unanimous reports of committees, unless they display some vision, will not, so far as I am personally concerned, have the effect they have had heretofore. The gentleman is throwing away everything that was involved in this bill. It was not made a straight party proposition when it was brought in here the day before yesterday. Every Republican opposed it——

Mr. DENISON. No; not every one.

Mr. GARRETT of Tennessee. Now, in order to avoid the possibility of placing themselves in the position of not trying to take care of discharged soldiers, you propose this amendment, which the gentleman from Florida has seen fit to accept. [Applause on the Democratic side.] There is no mistake about it. This was not brought in as a proposition except to serve the honorably discharged soldiers. The foundations of this hospital would have been built by now except for the objection upon the Republican side. Through two days you have maneuvered in an effort to defeat this proposition. Why? You know why. Then finally, when you found that you can not afford to go to the country upon the proposition——

Mr. WILSON of Illinois. We just came back.

Mr. GARRETT of Tennessee. Oh, surely, the gentleman from Illinois believes that the election of Republicans will cure tuberculosis and restore a limb to a wounded man! I have heard many things claimed for the Republican Party, but I never heard that claimed before. [Applause on the Democratic side.] You now are not willing to go to the country upon a straight opposition to this bill.

Mr. WILSON of Illinois. We are.

Mr. GARRETT of Tennessee. You are?

Mr. WILSON of Illinois. Yes.

Mr. GARRETT of Tennessee. Then vote down the bill.

Mr. WILSON of Illinois. We can not; you will not help us. There is not enough of us, but there will be enough of us two years from now to vote it down.

Mr. GARRETT of Tennessee. There will be enough two years from now to destroy the lives of many soldiers who are waiting for help. Oh, gentlemen, gentlemen! I have through many years seen gentlemen who have insisted upon giving pensions, service pensions, to men, not with respect to their contracting disability in the line of duty, not with respect to their financial need, but because of their service. We have been denounced as treasonable because we insisted, some of us, that there should be at least a disability or a financial need. I have seen gentlemen who have run fast to the support of that proposition stand here now and fight this thing to make a hospital for the treatment of tuberculosis.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARRETT of Tennessee. Has my time expired?

The CHAIRMAN. It has.

Mr. GARRETT of Tennessee. I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. GARRETT of Tennessee. I have seen these gentlemen who are always running to that proposition stand up and fight every movement here toward taking care of the soldiers of a united country. [Applause on the Democratic side.] Why is it? The matter is very plain and simple. Hospitals will be constructed throughout the different sections of the country for the treatment of diseased men, and the gentleman from Illinois [Mr. CANNON], I think, made some reference to unpreparedness. The Bureau of Public Health sent its representative out to look over this place, and he reported upon it favorably.

Gentlemen, many soldiers will be discharged down in Kentucky, Tennessee, Mississippi, and southern Illinois who can take advantage of this service if it is given. It is not an exclusive proposition. Gentlemen seem to have proceeded upon the theory that this was to be an exclusive hospital. It is not. Of course, the son of the gentleman from Iowa would not have to go there. But why is it that you object, gentlemen, to soldiers, men who went to the colors, having the opportunity to go to a place near by in order to be treated for whatever it may be? I understand, of course, I am entirely helpless about the matter now. I have no interest in the world in Dawson Springs. I have been there occasionally. I do not know whether it is a better place than any other place, but I do know this, that it is the only place that the Public Health Service has reported favorably upon. And I resent the idea that the Public Health Service has not been considering this proposition, and that it has failed to prepare for it.

The gentleman from Florida [Mr. CLARK] accepts the amendment. Of course, there is nothing further that I can do; there is nothing further that I desire to do. All that I have desired to do from the beginning has been to try to bring about a situation under which these men could be treated.

Mr. DENISON. What objection has the gentleman from Tennessee to a commission appointed by the President selecting the most available site?

Mr. GARRETT of Tennessee. None in the world.

Mr. DENISON. Then what are you talking about if you have no objection to that?

Mr. GARRETT of Tennessee. That is a very intelligent question, may I say? I do not know whether I can say anything to the gentleman from Illinois that would enlighten him or not. The only place that the Public Health Service has reported upon, after many investigations, is this particular proposition at Dawson Springs. I have predicated my support of this bill upon the thought that the Public Health Service, charged with the responsibility and the duty of administering the law that was provided by Congress, had investigated and favorably recommended this particular site.

Mr. POWERS. Will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from Tennessee yield to the gentleman from Kentucky?

Mr. GARRETT of Tennessee. I do.

Mr. POWERS. Is it not true that Dawson Springs is the only place that has been examined by the Public Health Service; and do not the hearings show that?

Mr. GARRETT of Tennessee. No; that is not true. Does the gentleman care to ask anything further?

Mr. POWERS. I think the hearings show that.

Mr. FESS. Will the gentleman yield for a question?

Mr. GARRETT of Tennessee. Certainly.

Mr. FESS. I understood the gentleman to say that the Committee on Rules was unanimous in the report on this measure.

Mr. GARRETT of Tennessee. I did not state such a thing. And I knew that the gentleman from Ohio, who hates everything

from the South, was opposed to it. What I stated was that it was stated before the Committee on Rules that the Committee on Public Buildings and Grounds was unanimous in favor of the report.

Does the gentleman from Ohio desire to ask anything further?

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. GILLETT and Mr. GREEN of Iowa rose.

The CHAIRMAN. The gentleman from Massachusetts [Mr. GILLETT] is recognized.

Mr. GILLETT. Mr. Chairman, I see that the House is anxious to vote. I just wish to say a word.

I have great respect for the gentleman and for his ordinary fairness, but he undertakes to read a lecture to this side of the House, and I presume he referred to me personally, for I remember when this bill came up at the last session I was one of those who said I thought the bill ought not then to be considered, and the reason I then gave was the reason which is covered by this very amendment, that we ought not to pick out without thorough medical investigation one locality in the country and place the hospital there, but that we ought to undertake a comprehensive survey and be sure that we placed it not only in a good place but in the best place.

And I wish to suggest to the gentleman that this side of the House has for the last year and a half not been critical. We have thrown away many opportunities where we thought we ought to criticize. We have allowed many bills to go through of which we did not approve and which we thought had in them favoritism and sectionalism and politics, because when the war was in progress we did not propose to raise any obstruction. We lost sight of all minor issues in the earnest support of everything which tended to win the war. And although we often thought that under the guise of a war purpose many selfish and political ends were attained, particularly by the executive departments, yet we did not yield to the temptation to criticize and oppose them, because we feared that we might retard the war.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. GILLETT. I will yield to the gentleman.

Mr. GARRETT of Tennessee. Did the gentleman vote for the Amarillo proposition yesterday?

Mr. GILLETT. I thought Amarillo was better than Dawson Springs. [Laughter and applause.] But, Mr. Chairman——

Mr. REAVIS. Mr. Chairman, will the gentleman yield to me?

Mr. GILLETT. Certainly.

Mr. REAVIS. Does not the gentleman know that this very morning the Surgeon General's office made the statement that Dawson Springs had been offered as a site, together with a hotel, if they would accept it, and they refused to do it because the location was unsuitable?

Mr. GILLETT. I was not aware of that. I am glad to be advised of that and to have that brought before the House.

Mr. BURNETT. I would like to know who in the Surgeon General's office stated that. We would like to have the authority.

Mr. REAVIS. It was stated this morning, but the gentleman's name was not given.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. GILLETT. I will.

Mr. FESS. When this matter came before the Committee on Rules I made the request to know if there had been any hearings of any sort of any representative of the Surgeon General's office or the Public Health Service, and because there had not been anyone before the Committee on Rules I said I would not vote for it; and although it passed in the Committee on Rules, it was decided later on not to report it until a subsequent meeting, about which I knew nothing. I was not at the other meeting. And I would like to state, if the gentleman from Massachusetts will permit, that the insinuation that I vote against this or that measure because it comes from any particular geographical location is hardly fair to this side of the House or to that side, either. What I object to is any party in power discriminating totally in favor of its own side and recognizing no rights on the other side. That is what I object to. [Applause on the Republican side.]

Mr. GILLETT. Mr. Chairman, while in the past we have put aside all these political and sectional thoughts, being wrapped up in the one purpose to win the war, now that the war is over I think it is but fair that that side should understand that there will be in the future more careful scrutiny of bills, and that while we stand always ready to provide for the returning soldiers whatever they may need, yet we want it done fairly. When we suspect that a bill is urged more because of some sectional or political advantage than for its ostensible purpose, when we suspect, as in this instance, that a hospital is located more for the advantage of the locality than the health of the soldiers, we are going to assert our opinion, and you know that the time is soon coming when those opinions will be put into force. [Applause on the Republican side, and cries of "Vote!"]

Mr. MANN. Mr. Chairman, I hope this side of the House will not be too tender about lectures directed to us from the other side of the House, because it is the only satisfaction they can get now.

Mr. GARRETT of Tennessee. Well, the Senate is operating somewhat.

Mr. MANN. Having been repudiated by the people at the last election—the Democratic majority of the House and the Democratic majority of the Senate—let us keep our good nature and our tempers on this side while they whine about it on that side, and let us dispose of this thing good-naturedly all the way through. [Cries of "Vote"!]

Mr. BURNETT. Mr. Chairman, I would like to have just three minutes.

The CHAIRMAN. Without objection, the gentleman from Alabama will be recognized for three minutes.

There was no objection.

Mr. BURNETT. Mr. Chairman, the only purpose that I had in view in trying to press this bill was on account of the expeditiousness of it. It was shown to be an urgent necessity by eminent physicians who were before our committee. If we delay about different sites proposed, that means months of postponement when this work could be going on.

It has been twice stated in this debate—and that is the main reason why I rose—that the Surgeon General's office, or some one in high authority there, had said that Dawson Springs was not a suitable place for the sanatorium. I want to give the gentleman who made that statement one minute of my time—whoever is responsible for it—in which to name the officer of the Surgeon General's office who made that statement. There ought not to be any hiding out. If any gentleman said he heard an official say that, and stated it on authority, the gentleman owes it to himself and to this House to state the name of the officer of the Surgeon General's office who made such a statement; and I now yield to the gentleman time to give it, whoever is responsible for that statement.

Mr. MANN. Mr. Chairman, I have not made the statement.

Mr. BURNETT. The gentleman has not.

Mr. MANN. The gentleman can see that a Member of this House who has received such information from the Surgeon General's office would be doing a very dirty trick—a very dirty trick, indeed—to disclose the name of the man who makes the statement in the Surgeon General's office here.

Mr. CLARK of Florida. Then he ought not to use it.

Mr. MANN. It certainly would be considered by the War Department as a violation of the rules, which permit no information being furnished to anybody outside, and it might result in the court-martialing of a very conspicuous officer in the Surgeon General's office.

Mr. BURNETT. Then, Mr. Chairman, I think it was certainly a very dirty statement to make when a man, for fear of compromising some official, should make the statement here and hide behind the fact that in some way it might compromise that official to name him, and therefore refuse to name him.

Mr. MANN. A great many rumors are stated on the floor of this House frequently. No gentleman has stated on the floor of this House that authoritatively such a statement was made by the Surgeon General's office.

Mr. BURNETT. If it was not made, I take that as an explanation; but I understood the gentleman to say that such a statement had been made to a Member of this House by a high official of the Surgeon General's office.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. REAVIS. Mr. Chairman, I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. REAVIS. Mr. Chairman, the statement I made on the floor of the House a few minutes ago was that I had been advised this morning by a Member of this House that one of the prominent officers in the Surgeon General's office had made the statement that the site of Dawson Springs, a thousand acres of its land, and the hotel situated thereon, had been offered to the Government for a tuberculosis hospital and had been refused by that department for the reason that the location was unsuitable. I have no doubt, knowing the character of the Member of this House who told me, that the statement was made to him. I do not know the name of the officer who made it to him, but it is certain in my mind not only that the statement was made

but that the officer related the fact to the Member. [Applause on the Republican side.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was agreed to.

Mr. CLARK of Florida. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CLARK of Florida. Does this amendment dispose of the question of Amarillo, Tex.?

The CHAIRMAN. It does. The Clerk will proceed with the reading of the bill.

The Clerk read as follows:

In carrying the foregoing appropriations into effect the Secretary of the Treasury may purchase materials and labor in open market or otherwise and employ laborers and mechanics for the construction of such buildings and their equipment as in his judgment shall best meet the public exigencies within the limits of this appropriation.

With the following committee amendment:

Strike out the paragraph, lines 16 to 21, inclusive, and insert the following:

"In carrying the foregoing authorizations into effect the Secretary of the Treasury is authorized to enter into contracts for such construction, equipment, etc., or to purchase materials and employ laborers and mechanics, and construct, equip, etc., said sanatorium, etc., as in his judgment shall best meet the public exigencies within the limits of this authorization."

Mr. WALSH. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question. Will the gentleman from Florida state what the purpose is in including the phrase "and so forth" in the committee amendment which is inserted in lieu of the language stricken out? What does it apply to and what does it mean?

Mr. CLARK of Florida. The gentleman will notice that the language stricken out really prohibited the letting of the work by contract. It confined the Secretary of the Treasury to building it himself with his own force. That was one reason why the language was stricken out and the other was inserted, so that he might enter into a contract for the purchase of materials, and so forth.

Mr. WALSH. I understand the difference between the two phrases, but I want to know what the meaning of this particular phraseology is.

Mr. CLARK of Florida. That is the phraseology that the Superintending Architect has always used in paragraphs of this sort in all public-building bills—"for construction, equipment, and so forth." I suppose that is to cover something of a like character that might be left out.

Mr. WALSH. If the gentleman will permit, may I direct his attention to the effect of this phraseology? It says:

The Secretary of the Treasury is authorized to enter into contracts for such construction, equipment, etc., or to purchase materials and employ laborers and mechanics, and construct, equip, etc.

Mr. CLARK of Florida. I should say that the approaches and appurtenances to the sanatorium would be covered by that.

Mr. WALSH. That is intended to include all the appurtenances to the sanatorium?

Mr. CLARK of Florida. That is the idea.

Mr. WALSH. "To construct, equip, and so forth, said sanatorium"—what does that mean?

Mr. CLARK of Florida. I suppose that means anything incidental to it. I do not see that this can do any possible harm.

Mr. WALSH. Does the gentleman see any harm in striking out that phraseology?

Mr. CLARK of Florida. I prefer not to strike it out, because it is their peculiar method of drafting it. I do not think it will do any harm.

Mr. MONDELL. Mr. Chairman, I desire to be heard on the committee amendment. Mr. Chairman, at the time the original provision for which the committee amendment is a substitute was adopted we were in a condition of war. Labor conditions were very uncertain. The material market was very uncertain, and it was deemed necessary to have some provision under which the work could be done otherwise than by contract. There was some objection made to the original proposition, on the ground that it possibly authorized the letting of a contract under the so-called cost-plus contract, and I presume that the substitute was adopted in order to make it clear that no cost-plus contract could be made.

However, the amendment still provides for the construction of this building through the purchase of material and equipment and the employment of labor. Now we have returned to times of peace, and it occurs to me that with the return of peace conditions we should return to the usual practice of the Government and provide for construction under contract. Not only should the amendment go out, but the original provision should go out also. That having been accomplished, this sanatorium will then be constructed under contract in the usual way. There are no conditions in the country which seem to me to justify a provision authorizing the construction under force account and the purchase of material in the open market.

Mr. GREEN of Iowa. Mr. Chairman, I offer the following substitute.

The Clerk read as follows:

Page 2, strike out lines 16 to 21, inclusive.

The CHAIRMAN. That is already proposed to be stricken out by the committee amendment.

Mr. GREEN of Iowa. The committee amendment strikes out and inserts.

The CHAIRMAN. The Chair would suggest that the way to get at that is to vote down the committee amendment.

Mr. GREEN of Iowa. I ask for a division of the committee amendment.

The CHAIRMAN. The committee amendment, being a motion to strike out and insert, can not be divided.

Mr. GREEN of Iowa. If the Chair will hear me, I offered that as a substitute for the committee amendment. It is altogether a different proposition. The committee amendment is to strike out language and insert, and my amendment is to strike out and stop there.

Mr. MANN. Mr. Chairman, under the rules the motion to strike out and insert, if defeated, would not prevent a motion to strike out.

The CHAIRMAN. That is what the Chair was trying to explain.

Mr. MANN. But the gentleman can not get a division of the proposition. He can only give notice that if the motion to strike out and insert is defeated he will then move to strike out. Let us observe the rules, in any event.

The CHAIRMAN. The gentleman from Illinois is entirely correct. The gentleman from Iowa can then offer his amendment.

Mr. GREEN of Iowa. I object to the gentleman from Illinois calling what I have offered "an amendment." With all due deference to the gentleman from Illinois, it is a substitute.

Mr. MANN. A substitute is an amendment, and so provided in the rules.

The CHAIRMAN. Certainly; but the committee can vote down the committee amendment and then the gentleman from Iowa can offer his amendment.

Mr. GREEN of Iowa. Then I want to be heard on the committee amendment. The committee amendment ought not to prevail, for the reasons stated by the gentleman from Wyoming and for numerous other reasons. There is not the excuse now that we are engaged in war as a reason why we should have this kind of a provision. It would authorize the Secretary of the Treasury not only to enter into a cost-plus contract but any other kind of a contract that he wanted to enter into, without asking for bids or proceeding in the ordinary manner. There is no occasion for this. If we are to do it with this bill, we ought to do it with every other bill that is brought before us. This is simply a proposition to exempt this particular case from all rules that we have applied to contracts made by this Government. If this contract is let at all—I do not think it ever will be—it ought to be let by publishing a proposition to receive bids. This matter is already a subject of scandal and disgrace, and this will simply make it a subject of further scandal and disgrace. I regret that the gentleman from Tennessee is not here, but I wish to say to the gentleman from Tennessee that I am opposed to this whole proposition and that I intend to vote against it; and I hope that a number of the other Members on this side will vote against it, notwithstanding the amendment offered by the gentleman from Illinois.

I agree with all that the gentleman from Illinois has said as to the reasons why he should offer his amendment, but they do not militate against the reasons why this bill should be voted down in any event. There is not the slightest necessity for it. What the other side ought to do if they want to help the soldiers and help them immediately, if they want to give these men a chance to recover instead of having a chance to die, is to present a resolution here opening the Government hospitals, where there is an abundance of room for them and abundant opportunities to take care of them. But they have declined to do this. They refused to do it a year ago when I offered my bill, and they refuse to do it now. If they can not have this pet job they will have nothing, and in my judgment they will get nothing in the end.

I regret to see gentlemen on this side giving encouragement to a scheme in which I can see nothing but waste, pure and simple,

at a time when we should be seeking every opportunity to cut down expenses. This hospital ought not to be built, because we already have more hospitals of this kind than we can use. It ought not to be built because it will not be occupied when built and is not asked for by the soldiers. Nor is there any reason for appropriating half the money provided in the bill. As a result of legislation of this kind I can only see more liberty loans, without the slightest advantage or benefit to the soldiers. I would spare no expense where the soldiers can be benefited, but how are we to obtain the money for their needs if we squander it in this manner?

Mr. CLARK of Florida. Mr. Chairman, I want to say just a word. The gentleman from Iowa talks about his bill. He admits that he simply introduced it and went around to the Military Affairs Committee once. He knows that that is not the way to get a bill through here. He knows that when a gentleman introduces a bill he has got to follow it up. He has got to go around to the committees, he has got to keep it up. There is no evidence here that he did anything except introduce it and go there one time.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. CLARK of Florida. No. Now, the original bill forced the Secretary of the Treasury to let out the work by contract, and our committee thought that we ought to give him discretion to let it by contract or purchase the materials and build it with his own constructing force if he saw fit to do so; if it was for the better interests of the Government to go into the open market and buy materials and use his own force and put up this building, that he could do that, or he could let the contracts.

Now the war has not ended. There is simply an armistice. Peace has not been declared and all the conditions of war still exist. Certainly there has been no falling off in the price of labor. There has been no falling off in the price of materials. Conditions today are exactly what they were when this bill was reported, with the exception that an armistice is in force and that we are not actually fighting today. There is no telling but what we may be fighting within a month. The war is not ended. All the conditions are exactly the same as they were except that we are not actually fighting, and it seems to me that we ought to give the officers of the Government the power to exercise their judgment, letting it by contract or else doing the work themselves, and that is all this amendment amounts to. I ask for a vote.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

And the Secretary of the Treasury is hereby authorized, in his discretion, to employ for service within or without the District of Columbia, without regard to civil-service laws, rules, and regulations, and to pay from the sums hereby authorized at customary rates of compensation of such additional technical and clerical services as may be necessary exclusively to aid in the preparation of the drawings and specifications for the above-mentioned objects and the supervision of the execution thereof; and for traveling expenses incident thereto, at a total cost for such additional technical and clerical services and traveling expenses of not exceeding $33,000 of the above mentioned limit of cost.

Mr. WALSH. Mr. Chairman, I move to strike out, in lines 6 and 7, on page 3, the words "without regard to civil-service laws, rules, and regulations," and, in line 8, strike out the word "of" where it last occurs.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr WALSH moves to amend, on page 3, lines 6 and 7, by striking out the words "without regard to civil-service laws, rules, and regulations," and, in line 8, strike out the word "of" where it last occurs in the line.

Mr. WALSH. Mr. Chairman, it would seem that in carrying on this work of construction and providing these walks, grounds, and parking, and so forth, in view of the greatly increased number of men upon the civil-service lists who have been drawn upon for various war activities, now that the need of men for war work is about to cease, we ought to permit the operation of the civil-service laws and regulations once more, and that we ought to require these men who are to be employed for this work, done under the supervision of the Secretary of the Treasury, to be drawn from the various eligible lists. Now, I wish to point out to the chairman of the committee the fact that the word "of" in line 8, where it last occurs, is evidently an error, because it does not make, I think, good sense.

Mr. CLARK of Florida. That ought to be stricken out.

Mr. PARKER of New Jersey. The word "of" ought to be "for."

Mr. WALSH. I have nothing further to submit, except I think we ought not to let down the civil-service bars on this proposition.

Mr. CLARK of Florida. Mr. Chairman, this provision refers to highly technical men, and sometimes they are over the age of civil service, beyond the age of 45. It is very hard to get them, and it has been customary in practically all the building bills we have passed here for a number of years in the days of peace as well as of war to have a provision of that character—bills for the construction of the great departmental buildings, and all that. In the construction of the great departmental buildings it has been customary to allow the Secretary, if it were necessary, to go outside and employ technical skill and to do so without regard to the rules of the civil service. I do not care anything personally about it one way or the other, except it has been customary here for a long series of years to include that kind of provision. It is really necessary if we are going to get the kind of service required.

Mr. WALSH. Of course this only applies to technical and clerical assistants?

Mr. CLARK of Florida. That is all.

Mr. WALSH. And as I understand it, the civil service does have an eligible list of technical and clerical assistants, architects, draftsmen, and so forth.

Mr. CLARK of Florida. They do have examinations, but I do not think you get many people through them. I know it has been customary in the construction of big departmental buildings always to have a provision of this character. They have always requested it.

Mr. KINCHELOE. Mr. Chairman, just an inquiry. Should not that amendment be divided? There is no objection to striking out the word "of" the last time, and it ought to go out; but there is objection to striking out the other part. I ask for information. Should not that amendment be divided?

The CHAIRMAN. It can.

Mr. KINCHELOE. I ask that it be divided.

Mr. CLARK of Florida. I accept the part striking out the word "of," which is, of course, obvious.

The CHAIRMAN. Without objection, the word "of" will be stricken out and the question is upon the other part of the amendment.

The question was taken, and the Chair announced the noes seemed to have it.

Mr. WALSH. I ask for a division. Mr. Chairman. I withdraw the request.

So the amendment was rejected.

Mr. ROBBINS. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Page 3, line 15, after the word "cost," insert "*Provided*, That no contract shall be awarded under this act under what is known as the cost-plus system of payment."

Mr. CLARK of Florida. We have no possible objection.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Said sanatorium shall be under the jurisdiction of the Secretary of the Treasury and operated under the direction of the Surgeon General of the United States Public Health Service.

Mr. SLOAN. Mr. Chairman, I move to strike out the last word. I do this, Mr. Chairman, just to make two or three brief observations. I am glad this bill is finally to pass, and pass with a somewhat national character. We have divided frequently in this House on the tariff and other questions, but the most remarkable exhibition that we have had in division in this House since I have been here has been on the subject of tuberculosis. This controversy is the second division we have had. The other occurred in the passage of the agricultural appropriation bill last winter, when it was sought to furnish the funds for the eradication of tuberculosis in food animals.

Now, this great plague has been carried more than three milleniums in man and brute and is communicable from one to the other. One of the great sources of infection or communication is from the food animals to the human being. I desire to recall for the benefit of those who have seen fit to criticize the partisanship in this division what occurred on February 1 of the present year. Look on page 1692, when a strong effort was made on this side of the House to make liberal appropriation for the work of eradication of tuberculosis. Milk from food animals is the source where human tuberculosis is obtained more than from other humans. The division in that case was practically as it has been during this contest for the past two days—divided almost strictly upon the political lines of the House. There were but six of those to my left who voted for the increased appropriation and only three on my right who voted against it. It pleases me especially to see this bill as it is about to pass take on a national character and not a sectional one. In both cases the Republicans battled for construction and control in a national and nonsectional method.

Mr. CLARK of Florida. Mr. Chairman, just a word. I want to say this: Our committee brought this bill into the House, as has been often stated here, with an absolutely unanimous vote of the committee. There was not a breath of opposition to it of any kind on either side. Of course, I had the right to expect that we would have the active support certainly of every member of the committee, because no voice was raised against it. The committee was induced to report the bill, because the Public Health Service and the Bureau of War-Risk Insurance, the Medical Department of it, had investigated sites in New York, California, Minnesota, and Kentucky and had decided on this as the logical place to build this first hospital, and it is only the forerunner of a number to follow, which are to go in different sections of the country. That high medical authority after investigation spoke in favor of it, and it was brought in here by the unanimous report of the committee. We have been now here three days trying to get this bill through and there has been a stubborn fight against it for various alleged reasons. I want to say this, if gentlemen are willing to put themselves in the attitude of trying to defeat a bill of this character because they think the site ought not to be at some particular place, I do not want to put myself in the attitude and in the way of getting a hospital, no matter where it goes.

I do not care whether they put it in Maine or in California or anywhere else. It does not make a particle of difference to me. I want it put where those gentlemen in charge of the affair and who should know, say it ought to go, and for that reason I have stood for the place named in the bill. But when I saw, Mr. Chairman, that there was a determined effort upon the other side to defeat that proposition and the eminent gentleman from Illinois [Mr. MANN] made his proposition, which I considered fair, I immediately agreed to accept it, because it means a hospital; it means that this business will be taken care of, and I am satisfied when the President appoints his commission you will see the hospital located at Dawson Springs, because it has already been selected by the medical authorities. Mr. Chairman, under permission granted me to extend my remarks I shall print herewith House Documents 1294 and 1361, Sixty-fifth Congress, second session, as follows:

[H. Doc. No. 1294, 65th Cong., 2d sess.]

HOSPITAL AND SANATORIUM FOR TREATMENT OF SOLDIERS AND SAILORS BY PUBLIC HEALTH SERVICE.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, September 20, 1918.

THE SPEAKER,
House of Representatives, Washington, D. C.

SIR: I have the honor to submit herewith a tentative draft of legislation, with the request that the same be referred to the Committee on Public Buildings and Grounds for immediate consideration:

"*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to provide immediate additional hospital and sanatorium facilities for the care and treatment of discharged, sick, and disabled soldiers and sailors, patients of the War-Risk Insurance Bureau, and for others entitled to treatment by the Public Health Service, by lease or purchase of existing plants or the construction of new hospitals and sanatoria, to include the necessary buildings, with their appropriate mechanical equipment and approach work, including roads leading thereto, for the accommodation of patients, officers, nurses, attendants, storage, laundries, and live stock, on sites now owned by the Government, or on new sites to be acquired by purchase or otherwise at such places as he may elect, including the remodeling of such of the existing or authorized buildings and their equipment, owned by the United States, as may be necessary to economically adapt such facilities to those herein provided, at the sanatorium at Fort Stanton, N. Mex., and at such of the marine hospitals where increased facilities can be placed, at a limit of cost for sites and buildings, etc., as aforesaid, complete, of $9,700,000, or as much thereof as may be found necessary; for miscellaneous furniture and equipment for the above, $800,000; in all, $10,500,000; and the above amounts are hereby authorized, and when appropriated to be immediately available and remain available until expended.

"The Secretary of the Treasury, in securing additional sites herein provided for, may request the Secretary of War, the Secretary of the Navy, the Secretary of Agriculture, or the Secretary of the Interior to transfer to the Treasury Department such lands or parts of land under their control, not required for other purposes, as may be found suitable for this use, and they are hereby authorized to make such transfer as may be in the interest of the Government.

"In carrying the foregoing authorization into effect, the Secretary of the Treasury may enter into contracts for the lease or purchase of existing buildings, grounds, and equipment, or purchase materials and labor in open market, or otherwise, and employ laborers and mechanics for the construction of such buildings and their equipment as in his judgment shall best meet the public exigencies, within the limits of this authorization.

"And the Secretary of the Treasury is hereby authorized, in his discretion, to employ, for service within or without the District of Columbia, without regard to civil-service laws, rules, and regulations, and to pay from the sums hereby authorized, at customary rates of compensation, such additional technical and clerical services as may be necessary, exclusively to aid in the preparation of the drawings and specifications for the above-mentioned objects and the supervision of the execution thereof, for traveling expenses, and printing incident thereto at a total limit of cost for such additional technical and clerical services and traveling expenses, etc., of not exceeding $330,000 of the above-mentioned limit of cost."

Attached hereto are photostatic copies of certain reports and recommendations, which are self-explanatory and show the necessity for the above legislation.

Respectfully,
W. G. MCADOO, *Secretary*.

TREASURY DEPARTMENT,
BUREAU OF WAR-RISK INSURANCE,
Washington, July 30, 1918.

THE SECRETARY OF THE TREASURY.

Subject: Need of enlarged hospital facilities.

SIR: I have the honor to invite your attention to the care and treatment of men who have been discharged from the military and naval forces of the United States who are beneficiaries of the Bureau of War Risk Insurance, and are in immediate need of sanatorium facilities.

2. Under the provisions of the amended act of October 6, 1917, defining the duties of this bureau it is provided in article 3, section 300, paragraph 3, that the sick or injured beneficiaries "shall be furnished by the United States such reasonable governmental medical, surgical, and hospital services and with such supplies, including artificial limbs, trusses, and similar appliances as the director may determine to be useful and reasonably necessary."

3. Section 303 provided that "as frequently and at such times and places as may be reasonably required, submit himself to examination by a medical officer of the United States or by a duly qualified physician designated or approved by the director."

4. At present the only "governmental" hospital services available for this work are the hospitals and relief stations of the United States Public Health Service, as the hospitals of the Army and Navy can not be used for the treatment of discharged soldiers and sailors under the law, because these men have resumed their civilian status, and for the further reason that these hospitals are entirely occupied with the sick and disabled who are now in active military and naval service. The chief medical advisor of this bureau is now making use of every hospital and relief station of the Public Health Service in all parts of the country, and as this hospitalization of discharged soldiers and sailors is increasing, the necessity of making increased provisions in the hospitals of this service will be more acute when the Army is numerically increased.

5. The great problem connected with this work is the caring for discharged soldiers and sailors suffering from tuberculosis, and as 10,000 have already been discharged and are eligible for compensation and sanatorium treatment, the chief medical advisor informs me that he has already filled the Government sanatorium at Fort Stanton, N. Mex., to its capacity, and that he is finding difficulty in procuring suitable bed space in local hospitals, where the cost of maintaining them is greater than in the Government institutions.

6. The experience of the allied nations should be our guide in making preparation for the cases which will inevitably become a charge upon this bureau in the near future, as both England and France have returned tens of thousands of cases from the front broken down by this disease.

7. It is therefore the desire of this bureau that this condition be represented to the Surgeon General of the United States Public Health Service directing his attention to the department's needs in this respect, and urging his cooperation in providing sufficient bed space, either by the enlargement of hospitals now existing or the construction of new buildings.

Respectfully,
WILLIAM C. DELANOY,
Director.

MEMORANDUM.

AUGUST 10, 1918.

THE SECRETARY: Referring to the attached letter from the Director of the Bureau of War-Risk Insurance, addressed to the Secretary of the Treasury, I beg to strongly approve the suggestion that the attention of the Surgeon General of the United States Public Health Service be directed to the needs of the medical work of the War-Risk Insurance Bureau, as pointed out in the letter of the director, and that he be urged to cooperate in providing the necessary facilities for taking care of this work with the least possible delay.

Sincerely,
THOS. B. LOVE,
Assistant Secretary.

To Surgeon General, United States Public Health Service, by direction of the Secretary.

Approved:
J. H. MOYLE,
Assistant Secretary.

AUGUST 14.

SEPTEMBER 11, 1918.

Report of the committee appointed by the chairman of the conference of officers of the Army, Navy, and Public Health Service to obtain data regarding the number of men discharged from the military forces and the percentage of those engaged who will become beneficiaries of the War-Risk Insurance Bureau; also to present conclusions, if any could be reached, regarding the accommodations which should be furnished to those patients.

This committee has the honor to make the following report:

The largest number of discharged soldiers requiring treatment will be cases of tuberculosis. Fourteen thousand men have already been discharged from the Army on account of this disease. During the remainder of the calendar year 1918 and during the year 1919 it is estimated that 20,000 men will be rejected on their primary examination at the camps after induction into the service.

The War-Risk Insurance Bureau of the Treasury Department would have to care for these patients. From its experience, three-fourths, or about 26,000, will avail themselves of sanatorium treatment.

It is estimated that the average length of time the patients will remain in a tuberculosis sanatorium is six months. Therefore 13,000 beds will be required for these patients.

The number of soldiers that will be discharged from the Army hereafter during the war will be small, as it is the policy of the War Department since May 21, 1918, not to discharge tuberculosis soldiers as long as they need sanatorium treatment. Practically the same policy is followed in the Navy Department.

The War and Navy Departments have made no provision for the treatment of patients other than those of the active forces, and therefore no beds are available for patients of the War-Risk Insurance Bureau.

The number of soldiers discharged for diseases other than tuberculosis that will require hospital accommodations will probably be small and can be taken care of in existing hospitals.

EARL H. BRUNS,
Lieutenant Colonel,
Medical Corps, United States Army.
W. E. ESTON,
Lieutenant Commander,
Medical Corps, United States Navy.
W. G. STIMPSON,
Assistant Surgeon General,
United States Public Health Service.

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TREASURY DEPARTMENT,
BUREAU OF THE PUBLIC HEALTH SERVICE,
OFFICE OF THE SURGEON GENERAL,
Washington, September 17, 1918.

Memorandum for the Secretary.

Report of the proceedings of a conference held at the office of the Surgeon General of the Army to consider what provision should be made for the hospital treatment of patients of the Bureau of War-Risk Insurance.

Officers of the Army, Navy, Public Health Service, and the chief medical advisor of the Bureau of War-Risk Insurance were present at this conference. A committee was appointed by the chairman to obtain data regarding the number of men discharged from the military forces and the number which would, in all probability, become beneficiaries of the War Risk Insurance Bureau during the remainder of the year 1918 and the year 1919. A copy of the report of this committee is attached. This report shows that 13,000 beds should be provided for patients for the War-Risk Insurance Bureau suffering from tuberculosis, and the Army and Navy state that they have made no provision for the treatment of these patients, nor do they contemplate doing so. The number of patients suffering from tuberculosis for whom beds will be necessary is estimated to be 26,000, but only one-half of this number of beds will be needed, as it is improbable that any patient will remain at the sanatorium for more than six months at one time. These beds will not be for temporary purposes, however, but will be needed for years to come, because, with recurring breakdowns of tubercular soldiers, they will apply for reentrance and treatment, and will be entitled to receive it under provision of the war-risk insurance act. If new buildings are built for this purpose, at least six months will be required for their construction after authority is granted by Congress, at a cost of approximately $26,000,000.

It is recommended that the estimates for 5,000 beds only be approved at this time, at a cost of approximately $10,000,000, and the remaining beds be provided for in a supplementary estimate, to be submitted to Congress at a later date.

The draft of a bill attached to these estimates authorizes the Secretary of the Treasury to construct new buildings or rent existing buildings, if such can be found.

RUPERT BLUE,
Surgeon General.

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TREASURY DEPARTMENT,
BUREAU OF THE PUBLIC HEALTH SERVICE,
OFFICE OF THE SURGEON GENERAL,
Washington, September 17, 1918.

The SECRETARY OF THE TREASURY.

SIR: Complying with departmental instructions of August 10, accompanying a letter from the Director of the Bureau of War-Risk Insurance, dated July 30, 1918, a copy of which is hereto attached, there is submitted herewith for your consideration and approval estimates for the supply of hospital and sanitoria facilities for the care and treatment of beneficiaries of the War-Risk Insurance Bureau and others entitled to receive treatment by the Public Health Service of this department, which it is recommended be transmitted to Congress for their earliest possible consideration as an unusual necessity brought about by war conditions.

These estimates are based on careful calculations in collaboration with the medical advisor of the War-Risk Insurance Bureau for the supply of minimum facilities which, it is believed, will serve the country's needs in this direction along the lines set forth in the letter from the director of that bureau, above mentioned.

Attention is invited to the last paragraph in the letter above referred to, in which it is stated that 10,000 soldiers and sailors suffering from tuberculosis have already been discharged and are eligible for compensation and sanatorium treatment. It should be stated that this bureau has, in an effort to supply accommodations for the greatest possible number, filled many of its hospitals to overflowing by placing beds in hallways, on verandas, and even in tents scattered about the reservations, and has already rented private dwellings to be converted into temporary hospitals in order to relieve the demand for hospital treatment arising from this source, from the increased merchant marine service, and the constantly growing work incident to caring for injured civil employees of the Government under the compensation act, and while further efforts are being made to locate and make use of privately owned hotels and other property that may be adaptive to this use this practice is neither satisfactory nor economical.

In providing these increased accommodations, it should be stated that our estimates are based on supplying facilities for caring for approximately 5,000 patients, as a maximum of the total number of patients entitled to receive treatment from these sources, who will require or demand same. It is not thought desirable, however, to limit the availability of the appropriation to accommodations for any specific number, as it may later on be found necessary to provide for a greater proportion than that above mentioned, if the same can be done within the limits of this appropriation.

One of the primary considerations in locating these sanatoria facilities is to have them in suitable climates and within economical travel and purchasing areas and in such sections of the country that beneficiaries need not of necessity be widely separated from their native surroundings or homes.

In meeting these conditions it is thought that approximately 2,000 should be placed in quarters to be erected on marine hospital sites, indicated in the attached list; that a new hospital and sanatorium should be located at Norfolk, Va., with a capacity of approximately 300 patients; one at Seattle, Wash., with a capacity of 150 beds; and that the balance be distributed in new sanatoria, located as may be best suited to the needs of the service to be performed.

For your convenience there is submitted herewith a tentative draft for legislation which it is believed provides for all the necessary things to be done in supplying these additional facilities.

The estimated cost of the necessary sites and buildings, including miscellaneous furniture and equipment, is $10,549,000.

Respectfully,

RUPERT BLUE,
Surgeon General.

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LIST OF PROPOSED HOSPITAL AND SANATORIA ADDITIONS.

Boston, Mass.; Chicago, Ill.; Cleveland, Ohio; Detroit, Mich.; Evansville, Ind.; Louisville, Ky.; Norfolk, Va.; New Orleans, La.; San Francisco, Cal.; Seattle, Wash.; St. Louis, Mo.; Wilmington, N. C.; Fort Stanton, N. Mex.; Berkshire Hills; North Carolina.

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[H. Doc. No. 1361, 65th Cong., 3d sess.]

HOSPITAL ACCOMMODATIONS FOR DISCHARGED SICK AND DISABLED SOLDIERS AND SAILORS.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, November 13, 1918.

The SPEAKER,
House of Representatives, Washington, D. C.

SIR: Pressing necessity of the utmost gravity impels me to invite your attention to two bills pending in Congress to supply hospital accommodations for discharged sick and disabled soldiers and sailors, patients of the War Risk Insurance Bureau, and others entitled to treatment by the Public Health Service of this department, namely, H. R. 12917, to provide certain hospital facilities at Dawson Springs, Ky., on land to be donated to the Government, and H. R. 13026, to provide like hospital accommodations at various points throughout the country. The former bill was introduced in the House on September 11, and on investigation by the Public Buildings and Grounds Committee was reported out and subsequently made a special rule in Congress, that the greatest possible expedition might be given to the project, and at this writing I understand that the bill is only waiting for a quorum in the House to complete the legislation in that branch of Congress.

I my letter of September 20, transmitting a tentative draft of legislation, which has since been given H. R. 13026, there was also transmitted a report from a committee appointed by the Secretary of War, the Secretary of the Navy, and myself, in which the statement was made that 13,000 beds would be required for these patients, and that the War and Navy Departments had made no provision for patients other than those of active forces, and therefore the War and Navy Departments had no beds available for patients of the War Risk Insurance Bureau, and, in addition thereto, a memorandum from the Surgeon General of the Public Health Service of this department in which the statement is made that these beds would not be for temporary purposes, but will be needed for years to come, and that the estimated cost of supplying the number of beds required would be $26,000,000 for hospital accommodations for soldiers and sailors suffering from tuberculosis.

In addition to these patients, I am advised in a letter dated October 26, from the chief medical advisor of the War Risk Insurance Bureau, that the Surgeon General of the United States Army asked for some practical solution for supplying sanatoria for restorative or institutional treatment of persons discharged from the military and naval forces suffering from epilepsy, due to shell shock and other causes. The War Department is desirous of discharging these cases into the care of the War Risk Insurance Bureau. In connection with these cases it is estimated that accommodations for not less than 2,000 should be immediately provided for out of the funds carried in H. R. 13026.

The bills above referred to represent estimates for approximately 6,000 beds only, but it is of the utmost importance that this number be made available at the earliest possible moment. Since these estimates were transmitted to Congress an armistice has been declared and hostilities ceased, but while these are happy conditions it has, as a matter of fact, foreshortened the day and hour when hospital accommodations must be made available, and has pressed home to me the tremendous responsibility of supplying accomodations for the sick and disabled discharged soldiers and sailors who will soon return from overseas in overwhelming numbers, and I can not too strongly urge upon you to exercise all your influence to translate the proposed legislation into law, as one of utmost importance, in order that the Government may carry out its part of its contract with the soldiers and sailors who have so magnificently carried out their entire contract with the Government, and to this end request that this legislation be made a special rule in the House, in order that funds may be made immediately available for the purpose above stated.

Respectfully,

W. G. MCADOO, *Secretary.*

Mr. CLARK of Florida. Mr. Chairman, I now move that the committee do rise and report the bill and amendments to the House, with the recommendation that the amendments be adopted and the bill as amended do pass.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. FOSTER, Chairman of the Committee of the Whole House on the state of the Union, reported having had under consideration the bill (H. R. 12917) to provide for the establishment of a sanatorium for the treatment of persons discharged from the military and naval forces of the United States, and for other purposes, had directed him to report the same to the House, with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is, Shall the bill pass?

The bill was passed.

Mr. CLARK of Florida. Mr. Speaker, I move to reconsider.

Mr. McARTHUR. Mr. Speaker, I ask for the yeas and nays.

Mr. MANN. Mr. Speaker, I agreed to ask for the yeas and nays.

The SPEAKER. The gentleman from Illinois asks for the yeas and nays.

Mr. GARRETT of Tennessee. Mr. Speaker, the vote has been taken and the bill is passed. If this is done, I want a separate vote on some of the amendments.

Mr. CLARK of Florida. Mr. Speaker, I had addressed the Chair and made a motion to reconsider and lay that motion on the table.

The SPEAKER. The Chair is inclined to think that the demand of the gentleman from Illinois [Mr. MANN] for the yeas and nays comes too late, because the Chair had recognized the gentleman from Florida to reconsider and lay on the table.

Mr. MANN. Mr. Speaker, I move to reconsider the vote by which the bill was passed.

The SPEAKER. The gentleman from Illinois moves to reconsider the vote by which the bill was passed.

Mr. MANN. Now, Mr. Speaker, pending that matter, I ask unanimous consent. A number of gentlemen on this side of the House said that they would like to have a roll call. I talked with some gentlemen on that side of the House, and told them I was going to ask for a roll call. Somebody was talking to me or I was thinking of something else—I do not know which——

Mr. CLARK of Florida. There is not a quorum here if you get a roll call.

Mr. MANN. I think there is a quorum in the offices. I think it would be well to have the roll call.

Mr. LEVER. Why not take an adjournment and have the vote to-morrow? Many Members have gone, thinking there would be no roll call.

Mr. BANKHEAD. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is to put the vote on the motion of the gentleman from Illinois to reconsider the vote by which the bill was passed.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. MANN. Mr. Speaker, I wanted to get a roll call. If they will not give us a roll call, I can not get a roll call on that very well.

The SPEAKER. The noes have it.

So the motion was rejected.

LEAVE OF ABSENCE.

Mr. CLARK of Florida. Mr. Speaker, I wanted to ask that my colleague, Mr. SEARS, be excused from attendance indefinitely on account of illness. And I would like to state that I had a telegram from Mr. SEARS two or three days ago asking me to do that, and it has been because of my neglect that I have not done it before.

The SPEAKER. The gentleman from Florida asks leave of absence for his colleague [Mr. SEARS] on account of illness. Is there objection? [After a pause.] The Chair hears none.

Mr. McARTHUR. Mr. Speaker, I wish to secure leave of absence for 10 days.

The SPEAKER. The gentleman from Oregon asks leave of absence for 10 days. Is there objection? [After a pause.] The Chair hears none.

ADJOURNMENT OVER UNTIL SATURDAY.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Saturday next.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet next Saturday. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, awhile ago I understood that the House was to meet Saturday only for the purpose of receiving the District of Columbia appropriation bill, and that no other business was to be transacted.

Mr. KITCHIN. I was going to give that notice, that after we have met Saturday and the gentleman from Mississippi presented his report on the District bill I would move to adjourn over until Monday.

Mr. FOSTER. Why not get permission to do it?

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. SISSON. Mr. Speaker, reserving the right to object, the bill will be perfected to-morrow or to-morrow night. It is the District of Columbia bill. We finished marking up the bill just a moment ago. Some gentlemen on that side, as I understand, have applied to the ranking member of this subcommittee for time on general debate. The bill is ready to be printed now, and if it is printed Saturday and we can take the bill up I would like to have unanimous consent that the general debate only on the bill be completed on Saturday.

Mr. MANN. Well, Mr. Speaker, I hope the gentleman will not press that request, because I do not think the House ought to be required to go into consideration of any large appropriation bill before the Members have had a chance to see it.

Mr. SISSON. Oh, I will say this to the gentleman, that——

Mr. MANN. Well, I will say this to the gentleman, that I will not have a chance to see it. The gentleman may have a chance, but the House will not have a chance to see it, certainly before Saturday afternoon. It will not be released before that. That is the usual thing until after it has been reported to the House. Now the gentleman suggests that we immediately proceed to the consideration of it.

Mr. SISSON. Let us state the facts about it correctly.

Mr. MANN. The gentleman assumes that nobody ever considers the bill under general debate. That is not a correct assumption. The gentleman would close general debate on Saturday.

Mr. SISSON. Yes; close general debate on Saturday.

Mr. MANN. That means to make the precedent that anybody who wants to be heard on an appropriation bill can not be heard on it at all.

Mr. SISSON. Then the bill can not be taken up for consideration by sections until Monday, under that agreement.

The SPEAKER. Is there objection?

There was no objection.

Mr. SISSON. Mr. Speaker, I ask unanimous consent that I may have the District of Columbia appropriation bill printed to-morrow, so that I may present it to the House on Saturday.

Mr. GILLETT. Why do you need unanimous consent?

Mr. SISSON. To get my bill printed.

The SPEAKER. The gentleman asks unanimous consent to have the District of Columbia appropriation bill printed to-morrow night. Is there objection?

Mr. MANN. Reserving the right to object—and I do not wish to object to anything that the gentleman wants done—of course, the gentleman will have the bill printed anyway, whether the House gives consent to have the bill printed or not. The bill is printed for the use of the committee, I assume.

Mr. SISSON. Yes.

Mr. MANN. It can be at any time.

Mr. SISSON. But I want it printed also for the use of the House.

Mr. MANN. The gentleman wants it printed as if reported by the committee to the House?

Mr. SISSON. Yes.

Mr. MANN. It will be reported to the House Saturday noon.

Mr. SISSON. I want to have it printed so I can report it to the House on Saturday and then take it up on Monday.

Mr. GARNER. I understand the gentleman desires to occupy Saturday in the consideration of the District of Columbia appropriation bill?

Mr. MANN. Yes; but we do not think that ought to be done.

Mr. GILLETT. The gentleman does not need unanimous consent.

Mr. MANN. I am not sure whether the practice in the Government Printing Office has been changed, but heretofore it has been the practice, where a bill was ready to be reported, that the Government Printing Office at the request of the committee would print the bill as though it were reported, and release it only when the report was made.

Mr. SISSON. Of course, that is the committee print, as it is called.

Mr. MANN. Oh, no; I am not speaking about that. I have no objection to the gentleman having it printed.

Mr. SISSON. What I want to do is not to lose a day in presenting the bill to the House. I want to have the bill printed as if it were reported to the House from the committee, and I merely ask unanimous consent that it be printed.

Mr. WALSH. If this unanimous consent is not given, when will Members be able to get copies of the printed bill.

Mr. SISSON. I hope to have the printed bill ready on Saturday——

Mr. WALSH. If this consent is not given.

Mr. SISSON. Whether unanimous consent is given or not; but what I wanted to do was to let the RECORD show that the bill was presented to the House, so that it could be taken up on Monday.

Mr. WALSH. I do not see that you are going to gain anything by that.

Mr. GARNER. If the gentleman from Mississippi reports the bill on Saturday, he can take it up on Monday. He does not need unanimous consent.

Mr. WALSH. He is asking to have the bill printed before it is reported. I do not think that is the way it ought to be done.

The SPEAKER. Is there objection?

Mr. WALSH. I object.

The SPEAKER. The gentleman from Massachusetts objects.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD on the hospital bill which we have just passed.

The SPEAKER. The gentleman from Florida asks unanimous consent to revise and extend his remarks in the RECORD on the bill that the House has just passed. Is there objection?

There was no objection.

Mr. KITCHIN. The Chair put my request that when the House adjourns today it adjourn to meet on Saturday?

The SPEAKER. Yes. That has been agreed to.

Mr. KITCHIN. I now give notice that on Saturday after the gentleman from Mississippi [Mr. STENNIS] presents his report on the District bill I shall ask that the House adjourn, so that it will be practically an adjournment until Monday, and if gentlemen desire to go home to-night and come back Monday they can do so.

Mr. PARKER of New Jersey. I want to say to the gentleman from Mississippi that I want to speak on a matter not connected with the bill.

SENATE BILLS AND JOINT RESOLUTIONS REFERRED.

Under clause 2, Rule XXIV, Senate bills and joint resolutions of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 4272. An act for the relief of the Commissioner of Internal Revenue; to the Committee on Claims.

S. 4364. An act for the payment of claims for loss of private property on account of the loss of firearms and ammunition taken by the United States troops during the labor strikes in the State of Colorado in 1914; to the Committee on Claims.

S. J. Res. 164. Joint resolution requesting the President to commend by proclamation to the people of the United States observance of the practice of prayer at noon each day for victory in the war; to the Committee on the Library.

S. 4982. An act to amend section 3 of an act entitled "An act to save daylight and to provide standard time for the United States," approved March 19, 1918; to the Committee on Interstate and Foreign Commerce.

S. 4983. An act to extend the time for the construction by the Gulf Ports Terminal Railway Co., a corporation existing under the laws of the State of Florida, of a bridge or bridges and trestles over and across the headwaters of Mobile Bay, and such navigable channels as are between the east side of the bay and Blakeley Island, in Baldwin and Mobile Counties, Ala.; to the Committee on Interstate and Foreign Commerce.

S. [illegible]. An act to amend an act entitled "An act to give indemnity for damages caused by American forces abroad," approved April 18, 1918; to the Committee on Military Affairs.

S. [illegible]. An act to amend section 269 of the act of March 3, 1911, entitled "An act to codify, revise, and amend the laws relating to the judiciary"; to the Committee on the Judiciary.

S. 2444. An act to abolish the United States land office at Springfield, Mo.; to the Committee on the Public Lands.

S. 1061. An act for the relief of Albert H. Campbell; to the Committee on Military Affairs.

S. 3886. An act to acquire the manuscript of Charles Chaillé-Long, containing an account of the unveiling of the McClellan statue; to the Committee on the Library.

S. J. Res. 187. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress; to the Committee on the Library.

S. J. Res. 186. Joint resolution authorizing the President of the United States to cause to be struck bronze medals commemorating the winning of the world's war and the valor of our military forces and to distribute and present such medals to the officers and men of our land, sea, and air forces; to the Committee on Military Affairs.

S. 1400. An act providing for an increase of salary for the United States marshal and district attorney for the western district and for the United States district attorney for the eastern district of Louisiana; to the Committee on the Judiciary.

S. 3944. An act for the relief of Emma H. Ridley; to the Committee on Claims.

S. 4878. An act to provide method of settlement for materials, stores, and supplies transferred between different bureaus, departments, or agencies of the Government, and for other purposes; to the Committee on Military Affairs.

S. 4271. An act for the relief of the Commissioner of Internal Revenue; to the Committee on Claims.

S. 4178. An act providing additional time for the payment of purchase money under homestead entries of lands within the former Fort Peck Indian Reservation, Mont.; to the Committee on the Public Lands.

LEAVE OF ABSENCE.

Mr. DRANE, by unanimous consent, was given leave of absence until Tuesday, on account of sickness in his family.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 25 minutes p. m.) the House, under its previous order, adjourned until Saturday, December 7, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Librarian of Congress, transmitting annual report as Librarian of Congress and the annual report of the superintendent of the Library Building and Grounds for the fiscal year ending June 30, 1918 (H. Doc. No. 1434); to the Committee on the Library and ordered to be printed.

2. A letter from the Office of the Attorney General, transmitting annual report as required by law for the year 1918 (H. Doc. No. 1439); to the Committee on the Judiciary and ordered to be printed.

3. A letter from the secretary of the Interstate Commerce Commission, transmitting thirty-second annual report of the Interstate Commerce Commission (H. Doc. No. 1456); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting the report of the Surgeon General of the Public Health Service for the fiscal year 1918 (H. Doc. No. 1457); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

5. A letter from the Secretary of Agriculture, transmitting a statement showing the exchange of typewriters, adding machines, and other similar labor-saving devices in the Department of Agriculture for the fiscal year 1918 (H. Doc. No. 1546); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Secretary of Agriculture, transmitting detailed statement showing the places, quantity, and price of seeds purchased, and the dates of purchase, as required by the act of March 4, 1917 (H. Doc. No. 1547); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

7. A letter from the Secretary of Agriculture, transmitting detailed statement of the manner in which the appropriation "Miscellaneous expenses, Department of Agriculture, 1918," has been expended (H. Doc. No. 1548); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

8. A letter from the Secretary of Agriculture, transmitting report of contributions on account of cooperative work with the Forest Service and the amount refunded to depositors on account of excess deposits, national forest fund, for the fiscal year 1918 (H. Doc. No. 1549); to the Committee on Agriculture and ordered to be printed.

9. A letter from the Secretary of Agriculture, transmitting a statement showing, for the fiscal year 1918, the motor-propelled and horse-drawn passenger-carrying vehicles and motor boats purchased by the Department of Agriculture for use outside of the District of Columbia, and the cost of maintenance, operation, and repair of all such vehicles and boats owned by the Department of Agriculture and operated outside of the District of Columbia (H. Doc. No. 1550); to the Committee of Expenditures in the Department of Agriculture and ordered to be printed.

10. A letter from the Secretary of Agriculture, transmitting statement showing sums paid from the appropriation of the Bureau of Chemistry during the fiscal year 1918 for the compensation of, or payment of expenses of officers or other persons employed by State, county, or municipal governments (H. Doc. No. 1551); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

11. A letter from the Secretary of Agriculture, transmitting a detailed report showing publications received and distributed by the Department of Agriculture during the fiscal year ending June 30, 1918 (H. Doc. No. 1552); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. WEBB, from the Committee on the Judiciary, to which was referred the bill (H. R. 13185) to amend paragraph 1 of section 200 of article 2 of the act entitled "An act to extend protection to the civil rights of members of the Military and Naval Establishments of the United States engaged in the present war," approved March 8, 1918, reported the same with amendment, accompanied by a report (No. 841), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DENT: A bill (H. R. 13247) granting a gratuity to members of the United States Army; to the Committee on Military Affairs.

Also, a bill (H. R. 13254) to provide increased compensation for all candidates for commission in the Air Service (Aeronautics) while receiving instructions; to the Committee on Military Affairs.

By Mr. HUDDLESTON: A bill (H. R. 13255) for the relief of discharged soldiers and sailors; to the Committee on Appropriations.

By Mr. DAVEY: A bill (H. R. 13256) to increase limit of cost of a public building at Akron, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. DENT: A bill (H. R. 13257) to fix the mileage to be paid to officers of the Army, active and retired, including members of the Officers' Reserve Corps, contract surgeons, expert accountant of the Inspector General's Department, and others connected with the Army, and also providing for reimbursement for actual expenses of travel and a flat per diem in lieu thereof; to the Committee on Military Affairs.

By Mr. HICKS: A bill (H. R. 13258) to provide that every person receiving an honorable discharge from the Naval, Marine Corps, or Coast Guard services shall retain as his personal property without cost his uniform and other clothing, and be permitted to wear same; to the Committee on Naval Affairs.

By Mr. BROWNE: A bill (H. R. 13259) to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Idaho: A bill (H. R. 12260) to grant to every honorably discharged soldier, sailor, and marine the uniform he is wearing at the time of such discharge and to provide pay for 90 days after such discharge; to the Committee on Military Affairs.

By Mr. SHERLEY: A bill (H. R. 13261) providing for the transportation from the District of Columbia of governmental employees whose services are no longer required; to the Committee on Appropriations.

By Mr. KAHN: A bill (H. R. 13262) to amend an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917; to the Committee on Interstate and Foreign Commerce.

By Mr. GARD: Joint resolution (H. J. Res. 358) authorizing and directing the payment of the usual compensation of Representatives in Congress to those Members of the House who have been discharged from their military or naval duties; to the Committee on the Judiciary.

By Mr. DARROW: Joint resolution (H. J. Res. 359) to make "The Star-Spangled Banner" the national anthem of the United States of America; to the Committee on the Judiciary.

By Mr. OSBORNE: Joint resolution (H. J. Res. 360) directing the Secretary of State to invite to the United States of America certain military officers of the Governments allied with the United States of America in the late war against the German and Austro-Hungarian Governments; to the Committee on Foreign Affairs.

By Mr. DALLINGER: Joint resolution (H. J. Res. 361) proposing an amendment to the Constitution of the United States empowering Congress to enact uniform laws for the regulation of the hours and conditions of labor; to the Committee on the Judiciary.

My Mr. PARK: Resolution (H. Res. 468) authorizing the employment of clerks by certain committees during the third session of the Sixty-fifth Congress; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOOHER: A bill (H. R. 13263) granting a pension to Rhoda Button; to the Committee on Invalid Pensions.

By Mr. FOSTER: A bill (H. R. 13264) granting an increase of pension to Orville V. Kell; to the Committee on Pensions.

By Mr. GOOD: A bill (H. R. 13265) granting a pension to Ann Bullard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13266) granting a pension to Margaret Dexter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13267) granting a pension to Amel G. Johnson; to the Committee on Pensions.

Also, a bill (H. R. 13268) granting a pension to Frank A. Morton; to the Committee on Pensions.

By Mr. MOORES of Indiana: A bill (H. R. 13269) granting a pension to Austin Daugherty; to the Committee on Invalid Pensions.

By Mr. ROUSE: A bill (H. R. 13270) granting an increase of pension to William Boone; to the Committee on Pensions.

By Mr. SNOOK: A bill (H. R. 13271) granting a pension to Anna E. Best; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13272) granting a pension to John B. Glick; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DALE of New York: Petition indorsing the McKellar-Keating bill, S. 4637 and H. R. 12352, for the retirement on annuities of all superannuated and disabled Federal service employees at a cost to be borne equally by Government and employees; to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER of Illinois: Petition of Thomas J. McCarmack, principal of the La Salle-Peru Township high school, and of W. D. Waldrip, principal of the Streator Township high school, of Illinois, favoring Senate bill 4987, for the creation of a Federal department of education; to the Committee on Education.

Also, petition of North American Union, favoring S. 3475, concerning certificates of death of soldiers or sailors who were insured under the war-risk insurance act; to the Committee on Military Affairs.

By Mr. HOUSTON: Petition of citizens of Smithville, Tenn., in behalf of bill to provide pharmaceutical corps in the United States Army; to the Committee on Military Affairs.

By Mr. HUTCHINSON: Resolution adopted at a public meeting held in Bound Brook, N. J., October 9, 1918, urging a constitutional amendment prohibiting polygamy within the United States or any place subject to their jurisdiction; to the Committee on the Judiciary.

SENATE.

FRIDAY, *December 6, 1918.*

Rev. J. L. Kibler, of the city of Washington, offered the following prayer:

O Thou God of infinite mercy, we lift our hearts unto the hills from whence cometh our help. We look to Thee with grateful hearts at the thought of Thy goodness. We thank Thee for the abundant supplies of Thy grace; for answered prayer; for the cessation of hostilities; for the prospects of a speedy and an enduring peace; and for the final triumph of the cause of justice and righteousness. We pray that Thou wilt hasten the consummation of the glad day. To this end bless Thy servants in the Senate and in the House and all other agencies that are working in the interests of our Government. Bless our President in his absence and give him wisdom in the performance of the delicate and difficult tasks which are set before him. Grant to preserve his life amid the dangers of the way and give him a safe voyage and an early return to his native soil. We pray that Thou wilt rule and overrule all the affairs of our country for the honor of Thy great name, through Jesus Christ our Lord. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

SENATOR FROM VIRGINIA.

The VICE PRESIDENT. The Chair lays before the Senate the certificate of the governor of the State of Virginia certify-

ing to the election of Hon. THOMAS S. MARTIN as a Senator from that State, which will be read and placed on file:

The credentials are as follows:

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 5th day of November, 1918, THOMAS S. MARTIN was duly chosen by the qualified electors of the State of Virginia a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1919.

Witness: His excellency our governor, Westmoreland Davis, and our seal hereto affixed at Richmond this 25th day of November, in the year of our Lord one thousand nine hundred and eighteen and in the one hundred and forty-third year of the Commonwealth.

WESTMORELAND DAVIS, *Governor.*

By the governor:
[SEAL.] B. O. JAMES,
Secretary of the Commonwealth.

SENATOR FROM IDAHO.

Mr. BORAH. Mr. President, I send to the desk the certificate of election of Hon. JOHN F. NUGENT, Senator-elect from the State of Idaho.

The VICE PRESIDENT. The credentials will be read.

The Secretary read the credentials, as follows:

STATE OF IDAHO—CERTIFICATE OF ELECTION.

To all to whom these presents shall come, greetings:

Whereas the board of canvassers of the State of Idaho, as provided in section 453 of the Revised Codes, having duly canvassed, declared, and certified on the 25th day of November, A. D. 1918, to the secretary of state that at a general election held in said State on the 5th day of November, A. D. 1918, JOHN F. NUGENT received the greatest number of legal votes cast at said election for the office of United States Senator, and is therefore elected to such office.

Now, therefore, I, W. T. Dougherty, secretary of state of the State of Idaho, do certify that JOHN F. NUGENT is elected to the office of United States Senator in and for the State of Idaho for the period commencing the — day of ———, A. D. 19—, and ending the 4th day of March, A. D. 1921, as appears by the records in my office.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Idaho.

Done at Boise, the capital of said State, this 25th day of November, in the year of our Lord one thousand nine hundred and eighteen and of the independence of the United States of America the one hundred and forty-third.

[SEAL.] W. T. DOUGHERTY,
Secretary of State.

The VICE PRESIDENT. Is there objection to the credentials? The Chair hears none, and they will be placed on file.

Mr. BORAH. The Senator elect is present and is ready to take the oath of office.

The VICE PRESIDENT. The Senator elect will present himself at the desk for that purpose.

Mr. NUGENT was escorted to the Vice President's desk by Mr. BORAH, and the oath prescribed by law having been administered to him he took his seat in the Senate.

THE PUBLIC HEALTH SERVICE (H. DOC. NO. 1457).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, the report of the Surgeon General of the Public Health Service for the fiscal year 1918, which was referred to the Committee on Public Health and National Quarantine and ordered to be printed.

NATIONAL FOREST RESERVATION COMMISSION (H. DOC. NO. 1495).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, pursuant to law, the report of the National Forest Reservation Commission for the fiscal year 1918, which, with the accompanying papers, was referred to the Committee on Forest Reservations and the Protection of Game and ordered to be printed.

TRAVEL OF GOVERNMENT EMPLOYEES.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement showing the travel of officers and employees on official business from Washington to points outside the District of Columbia during the fiscal year 1918, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

REPORT OF THE ATTORNEY GENERAL (H. DOC. NO. 1439).

The VICE PRESIDENT laid before the Senate the annual report of the Attorney General of the United States for the fiscal year 1918, which was referred to the Committee on the Judiciary and ordered to be printed.

REPORT OF THE INTERSTATE COMMERCE COMMISSION (H. DOC. NO. 1546).

The VICE PRESIDENT laid before the Senate the thirty-second annual report of the Interstate Commerce Commission, which was referred to the Committee on Interstate Commerce and ordered to be printed.

PURCHASE OF TYPEWRITERS (H. DOC. NO. 1546).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a statement showing the exchanges of typewriters, adding machines, and other labor-saving devices, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

NATIONAL FOREST FUND (H. DOC. NO. 1549).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a report of contributions on account of cooperative work with the Forest Service, and the amount refunded to depositors on account of excess deposits national forend fund, for the fiscal year 1918, which, with the accompanying papers, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

BUREAU OF CHEMISTRY (H. DOC. 1551).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a statement showing sums paid from the appropriations for the Bureau of Chemistry during the fiscal year 1918 for the compensation of or payment of expenses of officers or other persons employed by State, county, or municipal governments, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

PURCHASE OF SEEDS (H. DOC. NO. 1547).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a statement showing the places, quantity, and price of seeds purchased by the department, which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

MOTOR-PROPELLED VEHICLES (H. DOC. 1550).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a statement showing for the fiscal year 1918 the motor-propelled and horse-drawn passenger vehicles and motor boats purchased by the department for use outside the District of Columbia, which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

MISCELLANEOUS EXPENSES, DEPARTMENT OF AGRICULTURE (H. DOC. NO. 1548).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a detailed statement of the manner in which the appropriation "Miscellaneous expenses, Department of Agriculture, 1918" has been expended, which, with the accompanying papers, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

BUREAU OF ANIMAL INDUSTRY.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a report showing the names of all persons employed, their designations, and rates of pay in the Bureau of Animal Industry for the suppression of diseases of domestic animals during the fiscal year 1918, which, with the accompanying papers, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. LODGE presented resolutions adopted by the Teachers' Organization of Lowell, Mass., and a resolution adopted by the suffragists of the third Suffolk representative district of Massachusetts, favoring the adoption of an amendment to the Constitution granting the right of suffrage to women, which were ordered to lie on the table.

He also presented resolutions adopted by the school board of Beverly, Mass., favoring the enactment of legislation for the establishment of a national department of education, which were referred to the Committee on Education and Labor.

Mr. KENYON presented a petition of sundry citizens of Iowa, praying for the independence of Luxemburg, which was referred to the Committee on Foreign Relations.

Mr. FLETCHER presented a memorial from sundry citizens of Petersburg, Fla., remonstrating against being called upon to make any sacrifice, whether of food, clothing, money, or other convenience or necessary of life, to aid, comfort, or sustain the Huns, which was referred to the Committee on Foreign Relations.

WATERS OF BRITISH COLUMBIA AND ALASKA.

Mr. JONES of Washington. Mr. President, a little over a month ago a vessel was wrecked in Alaskan waters and between 300 and 400 persons lost their lives. This no doubt has been called to the attention of the Senate and I will not go into details. I have here an editorial in the Railway and Marine News, in the nature of a petition to Congress, calling attention to the conditions there and urging legislation along certain lines to prevent disasters of this character, that I feel ought to be called to the attention of Congress. I wish to read a couple of paragraphs calling attention to the particular features of the situation, which ought to have attention. It says:

Let the world know why in the past month an American vessel, with nearly 300 on board, when in dire trouble in British Columbia waters, was compelled to receive permission of officials of that Province before her passengers could be transferred to another vessel of the same fleet.

Then—

Let it ascertain—

Referring to the commission or body that is suggested ought to be organized to investigate conditions there—

Let it ascertain if it is not a fact that in the more recent and heartrending case, the wreck being in United States waters the Canadian owners would have to have permission of the United States before one of its own vessels could attach a line to the wreck or a Canadian salvage vessel could have performed its proper duties.

That question implies that that is the law; that in that case before a Canadian vessel could attach a line to an American vessel in danger and distress it would have to get permission from our authorities.

I ask that the entire editorial may be printed in the RECORD; it is not long, and I hope that Senators who are interested in matters of this kind will examine the suggestions made. I ask that it be referred to the Committee on Commerce.

There being no objection, the editorial was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

[From the Railway and Marine News.]

IN THE NAME OF HUMANITY—AN APPEAL TO THE PROPER OFFICIALS OF THE GOVERNMENTS OF CANADA AND THE UNITED STATES.

[By Kenneth C. Kerr.]

Another terrible marine casualty is reported from Alaska, where in the past years dozens of vessels, millions in property value, and numberless human lives have found a resting place in the icy waters of those sparsely lighted and poorly protected shores.

In the case of the *Princess Sophia* the loss of life is most appalling, making it the most serious wreck of record on the Pacific. The vessel struck and held for a time on the rocks, but later broke in two and sank without one survivor. In all 343 are said to have been lost, and the monument over their final resting place is the unlighted Vanderbilt Reef in United States waters.

A fairly new steel vessel of British build and registry, worth a million; possibly another million in gold dust, in addition to those precious human lives, mostly American, many Canadians, and others—all lost with not even a trace left. And possibly it could have been avoided.

Oh, the pity of it!

Without prejudice and lacking details, with no thought of suggesting criticism of the ship's officers, does not this teach a lesson? Is it not the opportune moment for insisting that something be done to at least minimize the risk of such tragedies in those waters of British Columbia and Alaska?

The route from Seattle to Skagway is, roundly, 1,150 miles. The vessels travel through waters of the State of Washington, then across the open Strait of Juan de Fuca, then for some 500 miles or more through British Columbia, and then for the balance of some 500 miles or more in the United States waters of Alaska.

For years Congress has been petitioned to build more and more lighthouses in Alaska. British Columbia is much better lighted, but there is room for vast improvement.

Then the rules governing salvage operations are positively awful. Under existing laws, both of Canada and the United States, an American vessel can not salve a wreck in British Columbia waters, nor can a Canadian vessel do salvage work in American waters. Oftentimes it is extremely difficult to draw the line between what would be considered by either Government as work of humanity and what would infringe on salvage laws. The masters of foreign ships now place their owners in jeopardy every time they extend aid to a ship in distress on Canadian or American coasts. Laws should be changed, and at once, or another and even more horrible disaster will be recorded.

Railway and Marine News, in the name of humanity, calls upon the Governments of the United States and Canada to remedy this great wrong by at once appointing a joint commission to study and report upon—

The coastwise laws,
Lights and aids to navigation,
The rules of salvage,
The dangerous reefs,
Continuance of geodetic surveys,
Charting unknown waters

of and pertaining to the waters of the Inside Passage of British Columbia and Alaska.

Without prejudice to either Government, let all coastwise laws, in so far as they pertain to navigation and safety at sea, be so readjusted and made uniform as to meet the peculiar needs exclusively existing in the Inside Passage.

No such condition or territorial boundary lines exist in other sections, so the law should be made to cover this international route exclusively.

If the salvage rules are such that they are a menace rather than a help and promote money-making on either side of the boundary, then let this commission recommend a permanent international salvage bureau, with salvage or life-saving stations, six in number, between San Juan Islands and Admiralty Island, each station to have a powerful salvage craft to be operated by and for both Governments without unjust charges.

Let the world know why in the past month an American vessel, with nearly 300 on board, when in dire trouble in British Columbia waters, was compelled to receive permission of officials of that Province before her passengers could be transferred to another vessel of the same fleet.

Let it ascertain if it is not a fact that in the more recent and heartrending case, the wreck being in United States waters, the Canadian owners would have to have permission of the United States before one of its own vessels could attach a line to the wreck or a Canadian salvage vessel could have performed its proper duties.

Think of this, citizens of Canada and the United States. Let the two illustrations, each of occurrence in October, 1918, prove the case in point.

Nearly 700 human lives in peril in one week—half of them lost!

The existing coastwise laws should not in either case be allowed to apply to the route specified, and this should be the chief work of the commission in its suggested investigation. This refers to navigation and "safety first" only.

Let us forget all the years of salvage overcharges and graft. Let any ugly scandal of the past be buried in oblivion. But let the commission make it impossible for any future overcharge or salvage graft to be consummated.

Admit that the conditions of this route are unique and demand an exclusive law regulating the navigation of ships and their safety at sea and call for an international navigation or salvage bureau, without hardship or prejudice to the owners, the employees, the passengers, or the ships of either country. Do not allow politics to delay the move. Do not permit traffic, immigration, customs, or other important matters to be interjected into the argument, but hold it down absolutely to the protection of those who must travel back and forth incessantly between the States and the Canadian Territory of Yukon and the United States Territory of Alaska, the ill-treated stepchildren of those great Governments.

And in the name of God and humanity let us appeal to the proper authorities of each Government to show their promptness and patriotism in getting quick and favorable action.

Finally, may we not plead in behalf of the hundreds of dead men, women, and children, of the thousands sorrowing in desolate homes from the Arctic Circle to the coast of California—

"Let there be light."

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and by unanimous consent the second time, and referred as follows:

By Mr. WEEKS:

A bill (S. 5113) to authorize the President of the United States to appoint Charles A. Ranlett major of Infantry; to the Committee on Military Affairs.

A bill (S. 5114) to amend the laws relating to naturalization; to the Committee on Immigration.

By Mr. LA FOLLETTE:

A bill (S. 5115) to amend an act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917, as amended by the act of May 16, 1918, and for other purposes; to the Committee on the Judiciary.

By Mr. SHAFROTH:

A bill (S. 5116) to provide for investigation of and plan for the drainage of the San Luis Valley, Colo.; to the Committee on Appropriations.

A bill (S. 5117) for the relief of A. J. Talbot; to the Committee on Claims.

By Mr. KENYON:

A bill (S. 5118) granting an increase of pension to Charles Blitz (with accompanying papers); to the Committee on Pensions.

By Mr. SMITH of South Carolina:

A bill (S. 5119) to amend the act known as the "United States cotton futures act," approved August 11, 1916, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. NEW:

A bill (S. 5120) granting an increase of pension to Lydia Louisa L. Darmer;

A bill (S. 5121) granting a pension to Clarence A. Murphy;

A bill (S. 5122) granting a pension to Herman Johnson;

A bill (S. 5123) granting an increase of pension to Allen W. Banks;

A bill (S. 5124) granting an increase of pension to George W. McMahan;

A bill (S. 5125) granting an increase of pension to William A. Downs;

A bill (S. 5126) granting an increase of pension to James E. Comstock;

A bill (S. 5127) granting an increase of pension to John M. Caulfield;

A bill (S. 5128) granting a pension to Samuel H. Frazer;

A bill (S. 5129) granting an increase of pension to Charles M. Dillen;

A bill (S. 5130) granting a pension to Frederica Carll;

A bill (S. 5131) granting a pension to Maranda E. McHaffie (with accompanying papers);

A bill (S. 5132) granting an increase of pension to Nicholas Borden (with accompanying papers);

A bill (S. 5133) granting an increase of pension to James Chaver (with accompanying papers);

A bill (S. 5134) granting an increase of pension to William A. Greene (with accompanying papers); and

A bill (S. 5135) granting an increase of pension to Benjamin F. Carter (with accompanying papers); to the Committee on Pensions.

By Mr. BRANDEGEE:

A bill (S. 5136) granting a pension to William A. Hoyle; to the Committee on Pensions.

By Mr. WATSON:

A joint resolution (S. J. Res. 193) authorizing and permitting enlisted men of the Army, Navy, and Marine Corps to retain their uniforms; to the Committee on Military Affairs.

RADIO COMMUNICATION.

Mr. WATSON submitted an amendment intended to be proposed by him to the bill (H. R. 13159) to further regulate radio communication, which was referred to the Committee on Commerce and ordered to be printed.

WITHDRAWAL OF PAPERS—PATRICK F. M'NAMARA.

On motion of Mr. WEEKS, it was

Ordered, That leave be granted to withdraw from the files of the Senate the papers accompanying the bill S. 561, Sixty-fourth Congress, first session, granting a pension to Patrick F. McNamara.

MEMORIAL ADDRESSES ON THE LATE SENATOR TILLMAN.

Mr. SMITH of South Carolina. Mr. President, I ask unanimous consent that the Senate hold a session on Sunday, December 10, for the purpose of eulogies on the life and character of my late colleague, Senator BENJAMIN RYAN TILLMAN.

The VICE PRESIDENT. At what hour?

Mr. SMITH of South Carolina. Beginning at 11 o'clock.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

EVASION OF MILITARY SERVICE BY GERMANS.

Mr. JONES of Washington submitted the following resolution (S. Res. 373), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary of War be, and he is hereby, directed to inform the Senate as soon as possible about how many citizens and subjects of countries neutral during the war with Germany there are who have resided in this country and declared their intentions to become citizens of the United States but chose to withdraw their declarations of intention to become citizens in order to evade military service under our draft laws.

THE COAL SITUATION.

Mr. VARDAMAN submitted the following resolution (S. Res. 374), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Manufactures of the Senate be, and it hereby is, authorized and instructed to make inquiry into the coal situation, its production, transportation, and consumption.

Resolved further, That the said committee, or any subcommittee thereof, is hereby empowered to sit and act during the session or recess of Congress, or of either House thereof, at such time and place as it may deem necessary; to require, by subpœna or otherwise, the attendance of witnesses and the production of papers, books, and documents; to employ stenographers, at a cost not exceeding $1 per printed page, to take and make a record of all evidence taken and received by the committee and keep a record of its proceedings; to have such evidence, record, and other matter required by the committee printed; and to employ such other clerical assistance as may be necessary. The chairman of the committee, or any member thereof, may administer oaths to witnesses. Subpœnas for witnesses shall be issued under the signature of the chairman of the committee or subcommittee thereof.

Resolved further, That the expenses thereof shall be paid from the contingent fund of the Senate on vouchers ordered by said committee, signed by the chairman thereof, and approved by the Committee on Contingent Expenses.

UNITED STATES PEACE COMMISSIONERS (S. DOC. NO. 311).

Mr. LODGE. Mr. President, I ask to have printed in the RECORD and also as a public document a statement which has been prepared at the Library for me as to all peace commissioners appointed in the United States in the various wars in which we have been engaged, beginning with Algiers in 1795. It is a brief but complete statement, and I think Senators will find it very valuable for reference.

There being no objection, the statement was ordered to be printed as a public document and to be printed in the RECORD, as follows:

UNITED STATES PEACE COMMISSIONERS, 1795 1898.

1795. ALGIERS.

David Humphreys, resident minister at Lisbon.

"Commissioner plenipotentiary by letters patent under the signature and seal of the United States of America dated the 30th March, 1795."

(Commission does not appear in the Senate Executive Journal.)

1800. FRANCE.

Oliver Ellsworth, Chief Justice.

Patrick Henry, late governor of Virginia.

W. V. Murray, minister at The Hague.

"Envoys extraordinary and ministers plenipotentiary to the French Republic, with full powers to discuss and settle, by a treaty, all controversies between the United States and France."

Nominated February 25, 1799; confirmed by the Senate February 27, 1799.

Patrick Henry did not serve; William R. Davie, governor of North Carolina, was appointed June 1, 1799, vice Patrick Henry; confirmed December 6, 1799.

1805. TRIPOLI.

Tobias Lear, consul general at Algiers.

Nominated "a commissioner to treat of peace with the Bashaw of Tripoli, vice James Leander Cathcart, appointed to another place."

Nominated November 11, 1805; confirmed by Senate November 15, 1805.

1813–14. GREAT BRITAIN.

Albert Gallatin, Secretary of the Treasury.

John Quincy Adams, minister to Russia.

James A. Bayard, ex-Senator.

Henry Clay, Member of the House.

Jonathan Russell, minister to Norway and Sweden.

"Envoys extraordinary and ministers plenipotentiary."

The first three were nominated May 29, 1813. Gallatin's nomination rejected; Adams and Bayard confirmed July 19, 1813.

The first negotiations having fallen through, new appointments were required. Adams, Bayard, Clay, and Russell renominated January 14, 1814; confirmed January 18, 1814; Gallatin renominated February 8, 1814; confirmed February 9, 1814.

1816. ALGIERS.

William Shaler, consul general at Algiers.

Isaac Chauncey, commander in chief of the naval forces of the United States stationed in the Mediterranean.

"Appointed commissioners by letters patent under the signature of the President and seal of the United States of America, bearing date at the city of Washington the 24th day of August, A. D. 1816, for negotiating and concluding the renewal of a treaty of peace between the United States of America and the Bey and subjects of the Regency of Algiers."

(Commission does not appear in the Senate Executive Journal.)

1846. MEXICO.

N. P. Trist, chief clerk of the Department of State.

Appointed by President Polk.

(Commission does not appear in the Senate Executive Journal.)

1898. SPAIN.

"At an early date after the signing of this protocol the President appointed five American peace commissioners, his selections being heartily approved by the Nation. They were William R. Day, Secretary of State; William P. Frye, Senator from Maine and president pro tempore of the Senate; Cushman K. Davis, Senator from Minnesota and chairman of the Committee on Foreign Relations; George Gray, Senator from Delaware and the foremost member of the Democratic minority in that body; and Whitelaw Reid, editor of the New York Tribune and formerly minister to France and special ambassador to Great Britain. The secretary was John Bassett Moore, Assistant Secretary of State."

The commissions were issued the 13th of September, 1898. They was appointed "Commissioner plenipotentiary of the United States." The other commissions read in a similar manner.

The nominations were not submitted to the Senate.

The commission to Mr. Day was as follows:

"Know ye! That, reposing special trust and confidence in the integrity and ability of William R. Day, of Ohio, I do appoint him a commissioner plenipotentiary of the United States, under the protocol signed at Washington of the 12th day August, 1898, to negotiate and conclude a treaty of peace between the United States and Spain, and do authorize and empower him to execute and fulfill the duties of this commission, with all the powers, privileges, and emoluments thereunto of right appertaining, during the pleasure of the President of the United States.

"In testimony whereof I have caused these letters to be made patent and the seal of the United States to be hereunto affixed.

"Given under my hand at the city of Washington the 13th day of September, in the year of our Lord one thousand eight hundred and ninety-eight, and the one hundred and twenty-third year of the independence of the United States of America.

(Signed) "WILLIAM MCKINLEY."

The commissions of the other American plenipotentiaries were in the same form, their names being as follows: Cushman K. Davis, of Minnesota; George Gray, of Delaware; William P. Frye, of Maine; and Whitelaw Reid, of New York.

PROCEEDINGS IN THE SENATE UPON THE NOMINATION OF PEACE COMMISSIONERS.

EXTRACTS FROM SENATE EXECUTIVE JOURNAL, THIRTY-FIFTH SESSION, 1813.

Monday, May 31, 1813.

The four following written messages were received from the President of the United States by Mr. Graham:

To the Senate of the United States:

Commissions having been granted during the recess of the Senate to the following persons, I now nominate them to the same offices respectively annexed to their names:

Albert Gallatin, John Quincy Adams, and James A. Bayard, to be jointly and severally envoys extraordinary and ministers plenipotentiary to negotiate and sign a treaty of peace with Great Britain, under the mediation of the Emperor of Russia; to negotiate and sign a treaty of commerce with Great Britain; and the said John Quincy Adams, Albert Gallatin, and James A. Bayard to be jointly and severally envoys extraordinary and ministers plenipotentiary to negotiate and sign a treaty of commerce with Russia.

Tuesday, June 1, 1813.

The Senate took into consideration the message of the President of the United States of yesterday, nominating Albert Gallatin and others to offices; and

Resolved, That they do advise and consent to the appointments of Mordecai Noah, Charles Harris, William J. McIntosh, and Nathaniel Pope, agreeably to their nominations, respectively.

Wednesday, June 2, 1813.

Mr. King submitted the following motions for consideration, which were read:

2. *Resolved*, That the President of the United States be requested to cause to be laid before the Senate copies of the commissions granted to Albert Gallatin, John Quincy Adams, and James A. Bayard, to negotiate treaties of peace and commerce with Great Britain and a treaty of commerce with Russia.

3. *Resolved*, That the President of the United States be requested to inform the Senate whether Albert Gallatin, commissioned as one of the envoys to treat of peace and commerce with Great Britain and of commerce with Russia, retains the office of Secretary of the Department of the Treasury; and in case of his so retaining the same to inform the Senate under what authority and by whom the powers and duties of the head of the Treasury Department are discharged during the absence of Albert Gallatin from the United States.

Monday, June 7, 1813.

The following written message was received from the President of the United States, by Mr. Graham:

To the Senate of the United States:

In compliance with their resolution of the 3d instant, the Senate are informed that the office of the Secretary of the Treasury is not vacated and that in the absence of Albert Gallatin, commissioned as one of the envoys to treat with Great Britain and Russia, the duties of that office are discharged by William Jones, Secretary of the Navy, authorized therefor according to the provisions of the act of Congress entitled "An act making alterations in the Treasury and War Department," passed May 8, 1792.

JAMES MADISON.

Monday, June 14, 1813.

Mr. Anderson, from the committee appointed the 10th instant on the nomination of Albert Gallatin, reported:

"That in obedience to the resolution authorizing the committee to inquire and report thereon he had addressed a letter to the President of the United States, inclosing a copy of the resolution under which the committee were appointed; that he afterwards called on the President of the United States, who informed him that he did not consider the authority given to the committee by the resolution such as to authorize them to call on him in their official character; but that if they were especially instructed to call upon him, he would freely receive them and appoint a time for that purpose";

Mr. Anderson submitted the following resolutions for consideration, which were read:

"*Resolved*, That in the opinion of the Senate the powers and duties of the Secretary of the Department of the Treasury and of those of an envoy extraordinary to a foreign power are so incompatible that they ought not to be and remain united in the same person.

"*Resolved*, That the committee to whom was referred the nomination of Albert Gallatin (Secretary of the Department of the Treasury) as an envoy extraordinary to treat of peace and commerce with Great Britain and of commerce with Russia be instructed to communicate the foregoing resolution to the President of the United States and respectfully to confer with him upon the mater thereof."

Wednesday, June 16, 1813.

The Senate resumed the consideration of the resolutions submitted by Mr. Anderson on the 14th instant; and

On the question to agree to the first resolution,

It was determined in the affirmative—yeas 20, nays 14.

So it was

Resolved, That, in the opinion of the Senate, the powers and duties of the Secretary of the Department of the Treasury and those of an envoy extraordinary to a foreign power are so incompatible that they ought not to be and remain united in the same person.

On the question to agree to the second resolution,

It was determined in the affirmative—yeas 20, nays 14.

So it was

Resolved, That the committee to whom was referred the nomination of Albert Gallatin, Secretary of the Department of the Treasury, as an envoy extraordinary, to treat of peace and commerce with Great Britain and of commerce with Russia, be instructed to communicate the foregoing resolution to the President of the United States and respectfully to confer with him upon the matter thereof.

Monday, July 19, 1813.

Mr. Anderson, from the committee appointed the 10th instant, on the nomination of Albert Gallatin, reported:

"That in obedience to the resolution authorizing the committee to inquire and report thereon, he had addressed a letter to the President of the United States, a copy of which accompanies this report, inclosing a copy of the resolution under which the committee were appointed; that he afterwards called on the President of the United States, who informed him that he did not consider the authority given to the committee by the resolution such as to authorize them to call on him in their official character; but that if they were especially instructed to call upon him, and the specific object should be designated, he would freely receive them and appoint a time for that purpose."

Mr. Anderson then made this further report, to wit:

"The committee to whom was referred the nomination of Albert Gallatin to be one of the envoys extraordinary and ministers plenipotentiary to negotiate and sign a treaty of peace with Great Britain, under the mediation of the Emperor of Russia, to negotiate and sign a treaty of commerce with Great Britain, and to negotiate and sign a treaty of commerce with Russia, together with the message of the President of the United States of the 7th June—

"Report: That, according to the instructions of the Senate of the 16th June, the committee, through its chairman, addressed a note to the President of the United States on the 12th instant, which accompanies this report, and in reply thereto the President addressed a note to the chairman on the 14th instant, which note also accompanies this report, appointing Friday, the 16th instant, to receive the committee, to communicate the aforesaid resolution of the Senate, and apprising the committee of his late message to the Senate containing the grounds on which he would be obliged to decline the proposed conference with the committee. Upon due consideration of this reply the committee deemed it an incumbent duty to wait on the President, according to his appointment, and to present to him both the resolutions of the Senate in relation to the nomination referred to the committee; and did, accordingly wait on him and present them; when the President was pleased to observe to the committee, in substance, that he was sorry that the Senate had not taken the same view of the subject which he had done, and that he regretted that the measure had been taken under circumstances which deprived him of the aid or advice of the Senate. After the committee had remained a reasonable time for the President to make any other observations, if he thought proper to do so, and observing no disposition manifested by him to enter into further remarks, the committee retired without making any observation on the matter of the resolutions or in reply to those made by the President."

Whereupon

The nominations of Albert Gallatin, John Q. Adams, and James A. Bayard, agreeable to the message of the President of the United States of the 31st May last, were resumed.

On the question, "Will the Senate advise and consent to the appointment of Albert Gallatin?"

It was determined in the negative—yeas 17, nays 18.

On the question, "Will the Senate advise and consent to the appointment of James A. Bayard?"

It was determined in the affirmative—yeas 27, nays 6.

So it was—

Resolved, That the Senate do advise and consent to the appointments of John Q. Adams and James A. Bayard, agreeable to their nominations, respectively; and

That they do not advise and consent to the appointment of Albert Gallatin.

Ordered, That the Secretary lay the foregoing resolution before the President of the United States.

Thursday, January 14, 1814.

The two following written messages were received from the President of the United States, by Mr. Coles, his secretary:

To the Senate of the United States:

I nominate John Quincy Adams, James A. Bayard, Henry Clay, and Jonathan Russell to be, jointly and severally, ministers plenipotentiary and extraordinary, to negotiate and sign a treaty of peace and a treaty of commerce with Great Britain.

I nominate Jonathan Russell to be minister plenipotentiary to Sweden.

JAMES MADISON.

Tuesday, January 18, 1814.

The Senate resumed the consideration of the message of the President of the United States of the 14th instant, nominating John Quincy Adams and others to offices; and

On motion by Mr. King, to postpone the further consideration thereof to Monday next,

It was determined in the negative—yeas 12, nays 20.

On the question, "Will the Senate advise and consent to the appointment of John Quincy Adams?"

It was determined in the affirmative—yeas 31, nays 2.

On the question, "Will the Senate advise and consent to the appointment of James A. Bayard?"

It was unanimously determined in the affirmative—yeas, 32.

On the question, "Will the Senate advise and consent to the appointment of Henry Clay?"

It was determined in the affirmative—yeas, 29; nays, 2.

On the question, "Will the Senate advise and consent to the appointment of Jonathan Russell?"

It was determined in the affirmative—yeas, 22; nays, 8.

So it was

Resolved, That the Senate do advise and consent to the appointments of John Quincy Adams, James A. Bayard, Henry Clay, and Jonathan Russell to be jointly and severally ministers plenipotentiary and extraordinary to negotiate and sign a treaty of peace and a treaty of commerce with Great Britain.

Tuesday, February 8, 1814.

The two following written messages were received from the President of the United States by Mr. Coles, his secretary:

To the Senate of the United States:

In consideration of the protracted absence of Albert Gallatin, Secretary of the Treasury, and the prospect of conveniently associating his services in the contemplated negotiations for a treaty of peace and a treaty of commerce with Great Britain I nominate George W. Campbell, of Tennessee, to be Secretary of the Treasury of the United States.

Albert Gallatin to be minister plenipotentiary and extraordinary, jointly and severally, with John Quincy Adams, James A. Bayard, Henry Clay, and Jonathan Russell, to negotiate and sign a treaty of peace and a treaty of commerce with Great Britain; Richard Rush, now Comptroller of the Treasury, to be Attorney General of the United States, in place of William Pinckney, resigned.

JAMES MADISON.

Wednesday, February 9, 1814.

On the question, "Will the Senate advise and consent to the appointment of Albert Gallatin?"

It was determined in the affirmative.

So it was

Resolved, That the Senate do advise and consent to the appointments of George W. Campbell and Albert Gallatin, agreeably to the nominations, respectively.

THE SECRETARY OF STATE TO THE AMERICAN COMMISSIONERS.

DEPARTMENT OF STATE,
August 5, 1813.

GENTLEMEN: I am very sorry to be under the necessity of communicating to you an event of which there was no anticipation when you left the United States.

The event to which I allude is the rejection by the Senate of the nomination of Mr. Gallatin on the idea that his mission to Russia was incompatible with the office of the Secretary of the Treasury.

After the appointment of Mr. Jay, when Chief Justice of the United State, by President Washington, and of Mr. Ellsworth, when holding the same office, by President Adams, by which a member of a separate branch of the Government was brought into an office under the Executive, and after the sanction given in practice as well as by law to the appointment of persons during the absence of a head of a department to perform its duties, it was presumed that there would not be any serious or substantial objection to the employment in a similar service of a member of the administration itself.

Although this nomination was opposed in the Senate as soon as it was noted on, yet it was not believed that it would be rejected until the vote was taken. At an early stage the President was called on by a resolution of the Senate to state whether Mr. Gallatin retained the office of Secretary of the Treasury; and in case he did, who performed the duties of that department in his absence. The President replied that the office of Secretary was not vacated by Mr. Gallatin's appointment to Russia and that the Secretary of the Navy performed its duties in his Mr. Gallatin's absence. After this reply, which was given in conformity with the President's own views of the subject, and with those of Mr. Gallatin when he left the United States, it was impossible for the President, without departing from his ideas of propriety in both respects, to have removed Mr. Gallatin from the Treasury to secure the confirmation of his nomination to Russia. It would have been still more improper to have taken that step after the rejection of the nomination. The President resolved, therefore, to leave the mission on the footing on which it was placed by the vote of the Senate, by which the nomination of Mr. Adams and Mr. Bayard was confirmed. Whatever has been done jointly under the commission, given to the three commissioners by the President when you left the United States, in compliance with your instructions will not be affected by this event. (Irving, A Great Peacemaker. The Diary of James Gallatin, secretary to Albert Gallatin, 1813-1827. New York, Charles Scribner's Sons. 1914. Pp. 10-12.)

PROHIBITION IN THE DISTRICT OF COLUMBIA.

Mr. SHEPPARD. Mr. President, I hereby give notice that it is my intention to move within a few days that the Committee on Post Offices and Post Roads be discharged from further consideration of Senate bill 5052, to make section 5 of the Post Office appropriation act for the fiscal year ending June 30, 1918, as amended by section 1110 of the war revenue act of October 3, 1917, applicable to the District of Columbia, and that the bill be placed on the calendar.

Mr. President, the making of this motion will involve no reflection on the committee. I realize the extreme difficulty of securing a quorum in the committee under present conditions. A bill similar to this has been pending before the committee for several months. A subcommittee of the Committee on Post Offices and Post Roads has made a favorable report on the bill, but it seems that it will be impracticable to get a meeting of the full committee before the holidays. Therefore I take this action as the only course which offers promise of any definite development.

THE REVENUE.

Mr. SIMMONS. Mr. President, on behalf of the Finance Committee, to which was referred the bill (H. R. 12863) to provide revenue, and for other purposes, I present a favorable report (No. 617), with certain amendments, recommending that the bill be passed as amended.

When the bill was considered before the armistice, there was unanimous action on the part of the committee. As to some parts of the bill as now presented the committee was in disagreement. My understanding is that the minority desire to file a minority report as to that part of the bill.

The Finance Committee finished the consideration of the bill at a late hour yesterday afternoon. Neither the members of the minority nor myself, representing the majority, have had time to prepare a formal report. I ask the unanimous consent of the Senate to be allowed to file a report hereafter. I did not consider it advisable to hold the bill back until these reports were prepared. On account of the necessity for the prompt consideration and passage of this legislation, it was thought best to make the formal report this morning, so that Senators, if they desire, might have a day or two to examine the bill before it is taken up for consideration.

I should like very much to have some expression from Senators as to what length of time they would like to have to look at the bill before it is taken up.

Mr. PENROSE. Mr. President, I was called out of the Chamber to answer the telephone. I do not understand that the chairman of the committee has filed his report this morning.

Mr. SIMMONS. I have made a favorable report on the bill.

Mr. PENROSE. I understand that.

Mr. SIMMONS. I stated to the Senate that we only finished the consideration of the bill late yesterday evening; that the minority desire to file a minority report as to a certain part of the bill; and that I, as representing the majority, will prepare a formal written report.

Mr. PENROSE. Does the chairman expect to file that report this week?

Mr. SIMMONS. It is my purpose to file the report to-morrow if possible. It may be that I shall not be able to do so before Monday, but by next Monday at furthest.

Mr. PENROSE. The minority have under consideration the filing of a minority report, but of course that can not very well be done until the report of the chairman of the committee is submitted to the Senate. As far as the time to be consumed in the consideration of the bill is concerned, I think I can assure the chairman of the Finance Committee that there is absolutely no disposition to delay this measure. I take it that——

Mr. SIMMONS. That was not the question I asked, Mr. President. The question I asked was propounded with a view to invite an expression of opinion as to how soon we might take up this bill for consideration, assuming of course that Senators will desire some little time to look it over before we begin the discussion.

Mr. PENROSE. I should think a reasonable time ought to be permitted for all Senators to study this very complicated and encyclopedic measure. Some time toward the middle of next week, I would say, next Tuesday or Wednesday.

Mr. SIMMONS. I had hoped it might suit the views of the minority members of the committee and Senators generally to take up the bill on Monday.

Mr. PENROSE. We could hardly get the minority report ready in that time. I would suggest that the Senate adjourn to-day until next Tuesday and then proceed with the consideration of the bill.

Mr. SMITH of Michigan. Let me ask the Senator from North Carolina a question. If the bill is not passed soon, then the revenues will be collected under the present law? Am I right?

Mr. SIMMONS. I will say to the Senator that my information from the revenue department is to the effect that safety requires that they shall begin preparing their forms at least by the 1st day of January; that is, if the returns are to be required to be made on the 15th day of March.

Mr. SMITH of Michigan. You are speaking of the bill just reported?

Mr. SIMMONS. I am speaking generally. Now I am going to reply——

Mr. LODGE. Before the Senator begins again, if he will permit me, on the point of which he made inquiry about time for Senators to examine the bill, I think, to allow a day or two for the Members of the Senate at least to look over the bill would not be unreasonable, and I think it would probably expedite discussion. It is a bill of 275 pages, and it is riddled with amendments.

Mr. PENROSE. It took the committee nearly two months and one-half to consider the amendments.

Mr. LODGE. And it took the House four months to make up the bill. I think it would not be unreasonable that Senators who were not on the committee should have an opportunity to look over the bill a little before it is taken up. I think it would really help matters if they did.

Mr. SIMMONS. Senators will understand that I have not the slightest disposition to deny a reasonable time for that purpose. I should like to ask the Senator, if the bill goes over until Tuesday, allowing three whole days, including Sunday, and I believe Senators do examine such documents on the Sabbath, does he not think that would give ample time for the purpose?

Mr. LODGE. It depends a good deal upon the time when the bill can be put in the hands of Senators.

Mr. SIMMONS. The bill has already been printed, and I can furnish Senators copies of it to-day.

Mr. LODGE. Senators can get copies of the bill to-day?

Mr. SIMMONS. Yes; right away.

Mr. PENROSE. I do not think the suggestion of the Senator from North Carolina to take up the bill on Tuesday is unreasonable. It certainly ought not to be taken up a day earlier.

Mr. SIMMONS. Assuming that that will be satisfactory, I will give notice now that on Tuesday morning, as soon as I can do so, I shall ask the Senate to proceed to the consideration of the bill. I wish to say in this connection, Mr. President, that I regard the immediate passage of this bill as so vitally important that when once we have begun consideration of it I am going to do my utmost to proceed with it to the exclusion of other business until we have reached a final vote.

Mr. PENROSE. Will the Senator further consent at the proper time to move to adjourn the Senate until Tuesday?

Mr. SIMMONS. I have not charge of the matter which is the unfinished business. I presume——

Mr. PENROSE. I assume the Senator will be largely in charge of the business of the Senate while this bill is pending.

Mr. SIMMONS. I have not had any consultation with Senators as to the program for to-morrow, if there is any, and I would not like to commit myself without conferring with them.

Mr. McKELLAR. Mr. President, I should like to say that the pending measure which is the unfinished business ought to be disposed of very shortly. I hope that will be done, and after that I would have no objection to an adjournment until Tuesday. I hope the unfinished business will be disposed of before any agreement to adjourn for three days is made.

Mr. SMOOT. I should like to ask the Senator from Tennessee if he has concluded to press a vote upon the unfinished business as it stands to-day?

Mr. McKELLAR. Yes; I think there will be a vote after we reach the hour of 2 o'clock—I hope more than one vote—but I think we can easily dispose of the bill this afternoon.

Mr. SMOOT. The reason why I asked that question was because of a remark the Senator made me last evening after the close of the session of the Senate. At that time the Senator had not fully made up his mind as to whether he would ask a vote on the unfinished business, considering its condition at this time.

Mr. McKELLAR. I see no reason why we should not finish the bill this afternoon.

Mr. LODGE. Mr. President, if I may ask the Senator from North Carolina a question, he spoke about taking up the revenue bill to the exclusion of other business. I understand that in making it the unfinished business the Senator does not propose to exclude all morning business during the consideration of the bill.

Mr. SIMMONS. No; I did not mean that. Of course, there will be the morning hour. I meant to say that I would not yield the floor for some other measure.

Mr. LODGE. That is quite right, of course.

Mr. SMOOT. I hope the Senator will make an arrangement to adjourn over until Tuesday.

Mr. SIMMONS. My embarrassment is that my bill is not before the Senate and I am not in charge of the floor, but I will take up that question with Senators on this side.

Mr. SMOOT. The Senator from Tennessee expects the unfinished business to be disposed of to-day, and then the Senate could adjourn until Tuesday.

Mr. SIMMONS. Now, if I may, I will undertake to answer the inquiry made by the Senator from Michigan [Mr. SMITH] with reference to the urgency of the passage of this bill.

The Senator asked me when was the latest date the bill should be passed in order to afford ample time for putting this machinery into operation so as to secure returns on the date provided in the bill, which is the 15th of February. I am advised by the Commissioner of Internal Revenue that it will be necessary to begin the preparation of the forms by the 1st of January. He also stated that it would be exceedingly dangerous to delay the beginning of that preparation until the 15th day of January.

The forms have to be provided, and there is considerable difficulty in their preparation; the millions of copies of them have to be printed and circulated. It is also necessary to train many experts to go out in all the districts of the country for the purpose of explaining to taxpayers the methods of calculation, of computation, and so on, in order to facilitate the returns and to enable the taxpayers to prepare them in time to make them as provided by law.

The present law and also the pending bill each contain a provision which would authorize and enable the Commissioner of Internal Revenue to extend the time of filing the returns for one month. That was done, as Senators will recall, last year, when it was found practically impossible, after the present law had been passed, to prepare the forms in due time. The commissioner exercised the power to extend the time for making the returns to the 15th of April. He can this year do the same thing. That would, however, extend the time for the payment of the first installment of taxes, and it might be a little embarrassing to the Government not to be able to realize upon the first installment of such taxes on the 15th day of March. The calculations of the Secretary of the Treasury, I understand, in making his arrangements for issuing certain certificates of indebtedness against these installments have been made with a view to the first payment being made on the 15th day of March. That is a difficulty that is not insurmountable. It merely requires some readjustment and would involve some inconvenience and all that sort of thing, but it is possible that that can be done. If that is done and if the bill should pass by the 1st of February—not later than the 15th at the outside—it would be possible to collect taxes under the law. The Commissioner of Internal Revenue, however, stated that, to be on the safe side, he ought to be making preliminary arrangements and preparations with a view to collecting taxes under the present law, not spending more money than is absolutely necessary for him to have the work in proper condition in case we should not pass this bill by the 1st day of February.

Mr. SMITH of Michigan. Then, if I understand the Senator, if the bill passes by the middle of January the Commissioner of Internal Revenue can get out his forms and prepare for the returns under the act?

Mr. SIMMONS. I think so.

Mr. SMITH of Michigan. But does the Senator from North Carolina consider it necessary that this bill shall have executive approval or be returned by the Executive without his approval? Will the absence of the President necessarily interfere with the bill becoming a law?

Mr. SIMMONS. I should say, generally speaking, the fact that the bill is passed by the 1st of February would be sufficient for the purpose, for it could be reasonably assumed under the general conditions that it would have within the legal time the approval of the President. The intervening time would be occupied only in preparing forms and getting ready for the returns.

Mr. SMITH of Michigan. What prompted me to ask the question of the Senator was a statement recently made by the Commissioner of Internal Revenue that he was preparing to send out the forms under the present law.

Mr. SIMMONS. I do not think that was probably a correct statement. He is preparing the forms under the present law.

Mr. SMITH of Michigan. That statement was attributed to him.

Mr. SIMMONS. Well, my understanding is that the Commissioner of Internal Revenue is, in a limited way, getting ready, and that probably he will continue the work of the preparation of such forms. I do not mean that he has yet begun to any considerable extent, but his purpose, as I understand, is very shortly to begin to carry on the work of the preparation of the forms with a view to collecting the revenue under the present law, but not spending any more money than is absolutely necessary to be on the safe side, and not going any further with the work than is absolutely necessary for that purpose.

Mr. SMITH of Michigan. I noticed a statement the other day—and I am simply asking the Senator in order to fortify that—to the effect that the semizone system has been fixed by the bill at 200 miles.

Mr. SIMMONS. No; the committee changed that.

Mr. SMITH of Michigan. Or 150 miles?

Mr. SIMMONS. If the Senator will permit me, I desire to say that at first we did agree upon the 200-mile zone, but it was found that that would involve complications. The country is now divided up into postal zones, and no postal zone would fit in with that arrangement; so we changed that, and we apply the exemption from the increased poundage tax only to the circulation outside of the first and second zones, the first zone being 50 miles and the second being 100 miles.

Mr. SMOOT. Or a total of 150 miles.

Mr. SIMMONS. A total of 150 miles.

Mr. SMITH of Michigan. May I ask if the committee agreed on that part of the bill?

Mr. SIMMONS. I think so; I think they are unanimously agreed on that part of the bill.

Mr. PENROSE. Mr. President——

Mr. LA FOLLETTE. I beg the Senator's pardon, Mr. President.

Mr. SIMMONS. Then I am probably in error about that.

Mr. LA FOLLETTE. The vote was not unanimous.

Mr. SIMMONS. If the Senator will pardon me, I think, if we were to speak from the vote, that there were three votes cast against it, but I do not understand that any of the Senators casting those votes had any purpose to make any protest or to file any minority report as to that action of the committee. However, I do not know; I am not advised as to that.

Mr. LA FOLLETTE. I am not advised as to the purpose of other Senators as to that particular proposition.

But, Mr. President, I desire to say, if the Senator from North Carolina will permit me, that, while it is indicated by the Senator from Pennsylvania [Mr. PENROSE] that a dissenting report will be filed by Republican Members as to certain provisions of the bill as reported, I desire to reserve the right to file a special dissenting report. I am not certain whether or not it will be ready when the minority report is presented. It will be very brief, and I think I can have it ready by that time.

Mr. SIMMONS. I was not advised, Mr. President, of the purpose of the Senator from Wisconsin to file a separate report.

Mr. SMOOT. Mr. President, I wish to say to the Senator from North Carolina that I have also given notice that I desire to file a further report, expressing my own views and what provision I think ought to have been adopted in relation to the imposition of a war-profit tax instead of an excess and war-profit tax.

Mr. SIMMONS. Then, Mr. President, the minority report will be in the nature of several different reports.

Mr. SMOOT. There will be a minority report; but I think that all of the minority members of the committee will sign and agree to it, and these are only supplemental reports to that minority report.

Mr. SIMMONS. Yes.

Mr. PENROSE. Mr. President, as I understand, there is no disagreement amongst the minority. As the Senator from Utah [Mr. SMOOT] has explained, the minority has under considera-

tion the filing of a minority report, and, so far as I know, all the minority will sign it; and then individual Senators will have a perfect right to file additional views of their own.

Mr. President, I wish to suggest to the chairman of the committee to have the same number of additional copies of this bill printed, namely, 25,000, as were printed of the revenue bill last year.

Mr. SIMMONS. Before taking my seat I was going to make a motion to that effect.

Mr. PENROSE. There will be a great demand for the bill, and I think we ought to have that number to begin with.

Mr. SIMMONS. Mr. President, I ask unanimous consent for the printing of 25,000 additional copies of the bill for the use of the Senate.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

Mr. SMOOT subsequently said: Mr. President, I call the attention of the Senator from North Carolina [Mr. SIMMONS] to the fact that the unanimous-consent order for the printing of 25,000 additional copies of the revenue bill will cost more than the law allows the Government Printer to incur by direction of either House. The law provides that not more than $500 worth of printing can be done upon the request of either House of Congress. Therefore I am going to ask the Senator to modify his request so that the number to be printed will fall within the $500 limitation as provided by law.

Mr. SIMMONS. Mr. President, I ask leave to modify the order made for the printing of additional copies of the revenue bill so as to provide for the printing of as many copies within the $500 limitation as is prescribed by law.

The VICE PRESIDENT. Without objection, that order will be made.

ADJOURNMENT TO TUESDAY.

Mr. SIMMONS. Mr. President, after a consultation with Senators on both sides of the Chamber and with the senior Senator from Virginia [Mr. MARTIN], I move that when the Senate adjourns to-day it adjourn to meet at 12 o'clock noon on Tuesday next. I have been induced to make this motion by a wish expressed to me by a number of Senators that they might have more time in which to examine and consider the revenue bill before it is taken up on Tuesday for consideration.

The VICE PRESIDENT. The question is on the motion of the Senator from North Carolina.

The motion was agreed to.

VOCATIONAL EDUCATION.

Mr. SMITH of Georgia. From the Committee on Education and Labor, to which was referred the bill (S. 5058) extending the use of the special fund for vocational education provided by section 7 of the vocational rehabilitation act approved June 27, 1918, and authorizing the Federal Board for Vocational Education to accept gifts and donations for specific purposes, I report the bill favorably with an amendment and submit a report (No. 618) thereon.

Mr. President, the bill for vocational rehabilitation authorized the Federal Board for Vocational Education to accept gifts from private parties, to be used only as the fund appropriated by the Government could be used. The board have found that persons may desire to make gifts with a specific direction in the interest of the injured soldiers broader than the limited provision in the act of June 27, 1918, which required the national contribution to be applied toward their education. Let me illustrate: A fund may be tendered toward aiding injured soldiers who are mechanics to buy sets of tools and things of that kind. The board desire that authority to receive such gifts for the use of the soldiers be given to them.

That is the substance of what this bill provides. It is an amendment of the act of June 27, 1918, and is reported favorably from the Committee on Education and Labor, with a further provision that the board shall not only report any funds received but the names of the doners. As it is quite important that the bill should pass at once, I ask unanimous consent for its immediate consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Education and Labor with an amendment.

Mr. KING. Mr. President, I should like to ask the Senator from Georgia if the act of which the bill reported by him is amendatory is the one which was under consideration some time during the past year and to which there was opposition?

Mr. SMITH of Georgia. Not at all; the act of which the bill now reported is amendatory received the unanimous vote of the Senate. That act provided for rehabilitation work amongst injured soldiers. The Government made an appropriation, which was put in the hands of the Federal Board for Vocational Education, to aid in the rehabilitation of injured soldiers. That act carries a provision that the Federal board may receive donations from private sources to be used also toward the vocational rehabilitation of wounded soldiers, but it limits the outside donations to the uses designated in the act, which are entirely educational. The board find a desire in certain directions to make contributions to soldiers from private sources and to designate the purposes to which the contributions shall be devoted, as, for instance, a fund to those soldiers who are mechanics, to aid them in procuring the tools to enable them to set themselves up in work. The extent of the bill now reported is to permit donations from private sources, subject to the approval of the board, the money to be used in the interest of the soldiers in a somewhat broader way than is now authorized by the law. Nothing comes from the Treasury by this amendment.

Mr. KING. Then, as I understand the Senator, the pending bill does not increase the appropriation.

Mr. SMITH of Georgia. Not at all.

Mr. KING. Or permit the use of the appropriation heretofore made for other purposes than have been designated?

Mr. SMITH of Georgia. Not at all; but it will allow the board to accept donations from private citizens and act in a manner as trustee for injured soldiers for such funds where private citizens desire to designate some other use than that to which the appropriation is limited. For instance, a soldier may be in position to start in a small business if he has a little help. That is not a matter for national contribution, but private contribution is seeking to help him; and the Federal board asks the privilege of receiving such contributions in the interest of soldiers in a broad way.

The VICE PRESIDENT. The Secretary will state the amendment reported by the committee.

The SECRETARY. On page 2, line 17, after the words "report of all gifts and donations offered and accepted" it is proposed to insert "the names of all persons making the same," so as to make the bill read:

Be it enacted, etc., That the special fund for vocational education, authorized by section 7 of the vocational rehabilitation act, approved June 27, 1918, is hereby made available, in addition to the purposes therein prescribed, for such other expenses as in the discretion of the board is deemed necessary and proper in the performance of the duties imposed upon it by said act, including payment of necessary travel, lodging, subsistence, and other expenses of disabled men while under investigation by the board to determine their eligibility for training under the act, and the purchase of supplies, equipment, and clothing for disabled men when ready to enter employment, and the traveling expenses of such men to place of employment.

The said board is also authorized and empowered to receive gifts or donations, from either public or private sources, offered conditionally, provided the same may be used for a purpose or purposes which the board deems necessary and proper in connection with the care, training, or placement of disabled soldiers and sailors, including donations given on the condition that the same shall be used for the purpose of making gifts and advancements of money in necessary cases to disabled soldiers and sailors. All moneys received as gifts or donations for specific purposes shall be paid into the Treasury of the United States and shall constitute a fund to be used under the direction of the said board for the specific purpose for which made, and a full report of all gifts and donations offered and accepted, the names of all persons making the same, and all disbursements therefrom, shall be submitted annually to Congress by said board.

Mr. LENROOT. Mr. President, I should like to ask the Senator from Georgia whether the change in the law appears upon the face of the bill? Is it indicated in the bill itself?

Mr. SMITH of Georgia. I do not understand the Senator.

Mr. LENROOT. This is an amendment to the existing law, to the vocational education act.

Mr. SMITH of Georgia. Yes.

Mr. LENROOT. I inquire whether a section of that act is reenacted or whether otherwise the change in existing law appears upon the face of the bill?

Mr. SMITH of Georgia. The amendment points out clearly the change.

Mr. LENROOT. I should like to ask the Secretary to read the bill. We have not had it read in full as yet.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary read the bill.

Mr. LENROOT. Mr. President, I should like to ask the Senator from Georgia to explain a little more fully what this special fund is. Most of us have forgotten.

Mr. SMITH of Georgia. The bill authorizes the Federal Board for Vocational Education to accept from private citizens donations; to be used, in addition to the appropriation made from the Treasury, in the interest of the vocational rehabilitation of injured soldiers. Under the bill as we originally passed it the fund must be placed in the Treasury and used solely, for the purposes provided in the original bill, just as the $2,000,000 appropriated from the National Treasury may be used.

As I understand the request from the board, it is that they be permitted to receive funds for purposes other than simply the educational rehabilitation of the soldiers. I am advised that funds are probably within their reach to aid the soldier even after he finishes his rehabilitation training. The suggestion is made to me that there would be soldiers who would go into industrial lines who would need their own private sets of tools, their working apparatus, who would start a small business, who would need tools and perhaps a little funds to begin. The board is of the opinion that contributions may be made, to be handled through the board, in the interest of this still further contribution toward the active work of the soldiers after they have been rehabilitated, and their desire was that the limitation as to the use of the funds might be modified to the extent of permitting them to receive these contributions, to be used according to the wish of the giver, provided that wish receives the approval of the board.

Mr. LENROOT. Mr. President, I now have the bill before me, and I think it is very much broader in its scope than the Senator indicates. Under the language of the bill, as I read it, the board would have the authority to use all of its special fund for administrative purposes. In other words, Congress in the regular appropriation bill may appropriate for the administration of this board such an amount as Congress thinks is a sufficient amount for its administration; but under the language of the bill, in addition to that amount, the board is authorized to use the whole amount of any special fund for its administration. Does the Senator think that ought to be permitted?

Mr. SMITH of Georgia. I do not think that is the case.

Mr. LENROOT. Let me read:

That the special fund for vocational education, authorized by section 7 of the vocational rehabilitation act, approved June 27, 1918, is hereby made available, in addition to the purposes therein prescribed, for such other expenses as in the discretion of the board is deemed necessary and proper in the performance of the duties imposed upon it by said act.

I should like to ask what limitation there is upon the board with reference to the expenditure of this special fund, with that language?

Mr. SMITH of Georgia. Mr. President, I call the attention of the Senator from Wisconsin to the fact that section 7 of the original bill is limited to gifts. It does not apply to the appropriations made out of the Treasury. It applies to the gifts; and the object of that first provision was to permit these general gifts, where no purpose was specified, to be used to aid the soldiers as to their travel, lodging, subsistence, and expenses of that character not provided for by our national appropriations. It was to broaden the use of the gifts already made; and the balance of the act is to authorize broader gifts for specific purposes from citizens who desire to contribute toward the soldiers.

Mr. LENROOT. Yes; but the Senator does not get my point. While they are gifts, under the law as it now stands those gifts, I take it, can not be used for the general expenses of this board. One of the purposes of this amendment is to permit those gifts to be used for such expenses. In fact, there is no limitation upon the board, if the amendment is adopted, as to the purpose for which it may use these special gifts. Congress itself loses all control over the administration of the board and the amount that it may expend, if the gifts are large enough so that the board may use these special gifts to make up in administration that for which it feels Congress has not given it a sufficient amount.

Mr. SMITH of Georgia. Does the Senator desire to limit the provisions of this bill?

Mr. LENROOT. Certainly.

Mr. SMITH of Georgia. I shall be glad to hear what amendment or restriction the Senator would put on it.

Mr. LENROOT. The one that occurs to me now is that the words "such other expenses as in the discretion of the board is deemed necessary and proper in the performance of the duties upon it by said act, including" should be stricken out, leaving it:

In addition to the purposes therein prescribed, for payment of necessary travel, lodging, subsistence, and other expenses of disabled men.

That would permit the use of this special fund for the specific purpose named in the bill; but the board ought not to have the power to use these funds for purposes for which Congress ought to appropriate, and if Congress does not appropriate for it they ought not to use special funds for this purpose.

Mr. SMITH of Georgia. They can use the funds now for anything that Congress has provided. The present bill permits all of these donations to be used broadly for the purposes for which Congress appropriated the $2,000,000. The object is to give them a wider discretion and to permit private donations to be used for the benefit of the soldiers along lines for which Congress does not think the public money can with propriety be used.

Mr. LENROOT. Let me put a case to the Senator: Suppose an estimate comes in of $100,000 or $500,000 for the administrative expenses of this vocational board. Congress in its wisdom, and the Committees on Appropriations after investigation, conclude that $250,000 is sufficient for that purpose, and Congress makes the appropriation for that purpose and limits it to that purpose. Under this amendment, if it is enacted, if there is a special fund here of $250,000, they may expend $500,000 for administration, using the $250,000 of this special fund which Congress refused to give them. That is my objection.

Mr. SMITH of Georgia. But suppose it is given by private citizens to be used in that way. Is there any objection to it?

Mr. LENROOT. But it is not so limited. Here is a special fund that may be given unconditionally. This or any other board—and that has been the practice of Congress—ought not to receive special funds to be used for their own administration. Congress itself ought to appropriate, and ought to direct by appropriation, the amount that these boards should expend for administrative purposes.

Why, if the Senator will recollect, only a few years ago we had revolving funds for our national parks. Congress itself changed that, and in most cases required the funds to go into the Treasury and to be reappropriated. That was so that Congress might have some control over the expenditures of these departments. If this amendment should be adopted, Congress will have no control over the expenditures of the board. Every dollar of these special funds might be used, not for the benefit of a soldier, but for traveling expenses and for expenses of this board. Surely, the Senator can not intend that that shall be possible.

Mr. SMITH of Georgia. I do not think it includes any traveling expenses of the board.

Mr. LENROOT. It includes any expenses that the board deem necessary. It could not possibly be wider in its scope.

Mr. SMITH of Georgia. I do not agree with the Senator as to the meaning of the language; but if he desires additional language used to restrict the possible meaning that he thinks might be applied to it, and will offer an amendment carrying out his idea, I shall be very glad to consider it. It is quite important, if the effectiveness of this work is to go on, that a broader discretion shall be given as speedily as possible to the Federal board; and unless we can get this measure out of the Senate before the revenue bill comes up we will find difficulty in getting its consideration.

Mr. LENROOT. I certainly would have no objection to this special fund being used for the particular purpose that is named in the bill; but certainly this board ought not to have the authority, without any limitation, to use this special fund for any purpose that it may see fit. I have already suggested an amendment.

The VICE PRESIDENT. Is it offered?

Mr. LENROOT. I will offer it.

The VICE PRESIDENT. The Senator from Wisconsin will state the amendment.

Mr. SMITH of Georgia. Mr. President, as the bill seems to be about to take up considerable time, I think I ought to ask, in the interest of morning business generally, that we suspend its consideration until Senators have a chance to dispose of such morning business as they wish. I do not desire to obstruct the morning business.

Mr. LENROOT. I think we may be able to agree upon an amendment.

Mr. SMITH of Georgia. Of course, I have unanimous consent for its consideration now, and I dislike to lose this advantage; but I also dislike to obstruct Senators who have morning business they wish to present. I had not anticipated any objection to the measure.

The VICE PRESIDENT. What does the Senator desire to do?

Mr. SMITH of Georgia. I wish to obtain action on the bill this morning, but I do not wish to obstruct morning business. I should like to yield temporarily to Senators who have anything they desire to present in the morning business and then come back to this bill.

The VICE PRESIDENT. Is there any objection to that method of procedure? The Chair hears none, and the bill is temporarily laid aside.

PAYMENT TO HON. CHRISTIE BENET.

Mr. CURTIS. I desire to enter a motion to recommit Senate resolution 363, calendar No. 561, relative to the payment to Hon. Christie Benet. I call the attention of the senior Senator from Kansas [Mr. THOMPSON], who is the chairman of the Com-

mittee to Audit and Control the Contingent Expenses of the Senate.

Mr. THOMPSON. As chairman of the committee I will state that it is perfectly agreeable to me to have the resolution recommitted. Several members of the committee desire to have an opportunity to consider further certain features of the matter.

The VICE PRESIDENT. Without objection, the resolution will be recommitted.

VOCATIONAL EDUCATION.

Mr. SMITH of Georgia. If there is no other morning business, I ask the Senate to return to the bill S. 5038, that we considered by unanimous consent. I think we can dispose of it in a moment.

The VICE PRESIDENT. Is there objection now to return to the consideration of Senate bill 5038?

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 5038) extending the use of the special fund for vocational education provided by section 7 of the vocation rehabilitation act, approved June 27, 1918, and authorizing the Federal Board for Vocational Education to accept gifts and donations for specific purposes.

Mr. SMITH of Georgia. I move to amend the bill by striking out, in lines 8 and 9, on page 1, the words "performance of the duties imposed upon it by said act," so that it will read:

For such other expenses as in the discretion of the board is deemed necessary and proper, including payment of necessary travel, lodging, subsistence, and other expenses of disabled men while under investigation, etc.

Mr. LENROOT. This amendment removes all the objection I made to the bill.

The amendment was agreed to.

Mr. KING. Pending the passage of the bill, I should like to ask the Senator from Georgia whether the board has filed with the Clerk of the House and the Secretary of the Senate, as required, the itemized account of expenditures, salaries, and so forth, as provided by section 9 of the act.

Mr. SMITH of Georgia. I do not know. I have not looked into that, but from my knowledge of the board if the time has come to make the report I feel sure they have made it.

The bill was reported to the Senate as amended and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PRINTING OF REVENUE BILL (S. DOC. NO. 310).

Mr. JONES of New Mexico submitted the following resolution (S. Res. 375), which was read, considered by unanimous consent, and agreed to:

Resolved, That the bill (H. R. 12863) to provide revenue, and for other purposes, as reported to the Senate on December 6, 1918, be printed as a Senate document in 10-point type, and that 6,000 additional copies be printed for the use of the Senate.

CALLING OF THE ROLL.

Mr. LEWIS obtained the floor.

Mr. McKELLAR. Mr. President, I suggest the lack of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Jones, Wash.	Nugent	Smith, Ga.
Beckham	Kendrick	Overman	Smith, Md.
Borah	Kenyon	Page	Smith, Mich.
Chamberlain	King	Penrose	Smith, S. C.
Curtis	Kirby	Pittman	Smoot
Fletcher	La Follette	Poindexter	Spencer
France	Lenroot	Pollock	Sterling
Gay	Lewis	Pomerene	Sutherland
Gerry	Lodge	Ransdell	Swanson
Gronna	McCumber	Reed	Thompson
Hale	McKellar	Robinson	Townsend
Harding	McLean	Saulsbury	Trammell
Henderson	Martin, Ky.	Shafroth	Underwood
Hitchcock	Martin, Va.	Sheppard	Walsh
Johnson, Cal.	Moses	Sherman	Warren
Johnson, S. Dak.	New	Simmons	Watson
Jones, N. Mex.	Norris	Smith, Ariz.	Williams

Mr. CURTIS. I was requested to announce the absence of the senior Senator from New Jersey [Mr. FRELINGHUYSEN] on official business. I will let this announcement stand for the day.

Mr. McKELLAR. The senior Senator from Tennessee [Mr. SHIELDS] is still absent on account of illness.

Mr. SUTHERLAND. My colleague [Mr. GOFF] is absent on account of illness.

Mr. SHAFROTH. I desire to announce the absence of my colleague [Mr. THOMAS] on account of sickness in his family.

Mr. CURTIS. I desire to announce the necessary absence of the senior Senator from New York [Mr. WADSWORTH] and of the junior senator from New York [Mr. CALDER]. I will let this announcement stand for the day.

Mr. SHEPPARD. I desire to announce that the Senator from Mississippi [Mr. VARDAMAN] is detained on official business.

The VICE PRESIDENT. Sixty-eight Senators have answered to the roll call. There is a quorum present.

LEAGUE OF NATIONS FOR PEACE.

Mr. LEWIS. I gave notice a few days past, Mr. President, that I would on this morning address to the Senate some views touching the proposed league of nations for peace. A discussion of this kind necessarily is prosy. It will not justify my eminent colleagues remaining from their lunch or their several committee meetings to hear it so far as entertainment is concerned. Having to deal as it must with many features of history it must be more or less dreary in its recital, but, Mr. President, I have felt that it is very important that Senators early express whatever view they may have upon this very impending and serious problem.

To the mind of the ordinary American it may appear that it is rather a distant thing so far as the present Senate is likely to be called upon to act. Mr. President, it is here I greatly differ from all those whom I have heard express themselves as to this view. It is my judgment, Mr. President, that the very first move on the part of those who are called the peace commission will be to ascertain if there is a foundation sufficient upon which to build this construction of some league of peace. This will be entered upon with a view of ascertaining what nations are going to consent and what particular provisions they will urge as a condition precedent to their entering upon it. When that has been determined they will then take up such other questions as they deem ought to be determined between them, but they will first, in my opinion, sir, reach a decision as to whether there is a spirit on the part of these nations participating to establish the foundaton of an international peace. If there be no such disposition, contentions and demands at the peace table will take a different form and take on a spirit of more national self-service than if there should be disclosed both the capacity as well as the willingness to come to some understanding upon a general basis of amity and unity for all future relations. Should such be disclosed by established results, then there will be the spirit of a liberal form of contention and a more generous decision.

That brings me, sir, to address to you the thought that I expect to see this tribunal meet this question first, and when it is met to promptly send it to the different Governments interested to be either ratified or rejected by those Governments through such machinery or agency as is existing in those Governments for such purpose.

Mr. President, I expect to see this particular undertaking not only entered upon as the first undertaking but decision speedily arrived at in its negative or its affirmative. And, Mr. President, be not surprised if we shall find that by the 15th day of January there shall be presented to this body upon the return of the President of the United States some form of understanding upon this particular contention, as one of the basic preliminaries essential to all other proceedings.

Mr. President, when the congress of Vienna assembled to settle the fate of the world in 1814 there were less nations by one-third than there are now engaged and whose fate hangs in the determination of this particular assemblage at Versailles. Mr. President, notwithstanding the fact that in those days there were no cables; there was no rapidity of mails such as we now have; there were no rapid steamships; these nations nevertheless began their discussion on the 9th of November and concluded their proceedings in the following June. If, sir, at that time, with the impending and important questions those nations had, they could conclude their proceedings within that limit, let it be reflected upon for a moment that with the flash of cable, with the haste of mails, and with the present wireless—as the Senator from Michigan [Mr. SMITH] kindly suggests to me—and with the other methods of communication this particular conclusion will not only be speeded because of these accommodations but hastened because of the world necessity. Therefore, Mr. President, I may be called upon to cast my vote yea or nay in the matter of the ratification of this particular and important document as to this particular and essential branch at an early date. For this reason, among others, Mr. President, I have found it agreeable to tender my views this morning that they may at least be promptly known to those of my constituency, as well as my country, for whom I may be called upon to speak in a more binding manner.

What is this thing that is suggested? It is some proposal by which the modern thought of the world may reach a conclusion

as to the future peace of mankind. Things are not to-day, sir, as they were on yesterdays. It must interest us to recall that romantic episode—reported as having transpired when there was a peace concluded in the conflict between France and Austria. Napoleon and his aids had assembled in a city in the Austrian dominions, together with the grand dukes of that land, to celebrate this peace. The soldiers of France and the soldiers of Austria commingled in one fête and one great display of triumph. The soldiers were marching by the reviewing stand, when, sir, Napoleon beheld his own soldiers rived in face with saber stroke, delimbed of arms, crippled and hobbled—their bodies deformed—and with a degree of pride turned to the grand dukes, saying, "What do you think, sires, of men who could bear scars such as these?" When one of the grand dukes who had commanded in the battles opposing these French said to the surprise of Napoleon, "And you, sire, what will you say of soldiers that could give scars like those?" For a moment Napoleon was benumbed for reply, when a little French sergeant, passing and overhearing the remark, cried out, "Tell him they are all dead, sire; that they are all dead."

Mr. President, we may well paraphrase that reply and when asked as to the kings who had gashed our Nation with their strokes of insolence and Emperors who struck our children to death with their slashes of murder, we answer—

"They are all fallen, sire—and, sire, all fleeing."

Mr. President, for more than a thousand years the striving of mankind has been for peace among all people. From Christ came the appeal to God for peace on earth—good will to men. It was the counsel of Paul to the Romans, "If it be possible, as much as lieth in you, live peaceably with all men."

Yet, it has been seen that it is only possible for men to have peace with all men when all men are moved to peace by the profit that it is to all men that they shall live in peace one with another. When nations are left alone—to pursue the objects of desire or of the profit of pride such nations fall to dispute, then to conflict. Then the land is darkened by swarms of soldiers, the fields are trampled down; mothers wail for the loss of the first-born, and strong men cry in their hearts for the sons who are fallen. The sky is clouded, the sun is hidden, blackness sets on the earth, and life bleeds out, while God's land perishes before the eyes of angels. Shall man know no end of this returning and ever-returning destruction?

Is there no covenant of men, or league of people, but that of a covenant with death, and league with hell? To-day the record of time—in the most perfect era of Christ and church, in the most advanced age of wisdom and civilization—is 20,000,000 of earth's mankind slain, dead or dying, hungering and perishing, their lands seared and bleeding, their homes crushed and fallen, their cities sacked and wasted, their possessions all ashes, and their days of happiness for their children gone forever—nothing but misery remains. In their prayers to God in Heaven for a future deliverance is their only hope. Is there no promise in men on earth? Is there no method of government that can promise peace and secure the future to preserve life, save governments, and perpetuate a Christian civilization? One device, one system of all others has had the thought of patriots, and the service of Christians. It is to band together the peoples of the nations into some common cause of mutual interest to preserve peace and by this reciprocal advantage, to those who engage with each other, create a bond that pledges for all.

As the peoples can not speak in their individual or collective voices, it is only through their organizations of society and government, called nation, that the authoritative counsels can be had and the binding decisions come forth. So it is that the thought of a council of peoples through their nations—termed a league for peace—has sprung forth. This consummation has been the expression of the statesman's wish, the patriot's dream, and the Christian's prayer for all the generations in which God has been accepted as Ruler of peoples and Christ as Savior of men. It is to this hope revived that the President of the United States has so imploringly confided. It is this as a solution of the problem of war that he brings to us as a solemn wish that we give it our earnest consideration and profound study. He asks for our cooperation in the construction of the enterprise and our indorsement of his efforts in this behalf.

Though promising fame and honor in the execution, the project is not presented by our President as new. The knowledge on his part that such design has been accepted and presented in seasons past from sincere sources of profoundest human wisdom strengthens his purpose with an approval of the world's mature reflection.

In De Monarchia the Ghibelline poet seeks to solve the riddle in saying, "In quietness the individual grows perfect in knowledge and in wisdom." Clearly, then, it is in the quiet or tranquillity of peace that security as a whole is best fitted for its proper work, which may be called "divine."

The first requisite for the attainment of the goal of human civilization is peace. How to evolve order out of chaos, how to make impossible for the future recurrence of the catastrophe, how to rebuild upon the ruins of a shattered civilization a more stately and more stable edifice—this is the problem upon which for many years to come the best thought of the best minds must now be concentrated. Ever since the break from isolated nationalism to fraternal internationalism, this question with its myriad replies has with obstinate recurrence presented itself.

I offer instances of individual effort as gathered from history. (I acknowledge debt to Mr. J. A. Marriott, of the English Parliament, and Mr. Thomas, of the French, for sources of information imparted to me when I was lately a guest of the cabinet of the countries of these statesmen.)

After the war periods of the sixteenth century, when the contest for supremacy lay between unified French and the Austro-Spanish empire of the Hapsburgs, Henry IV of France, under the guidance of his great war minister, Sully, drafted the famous "Design," which was not given to the world for a century later. This was presented by the Abbé of St. Pierre. Henry IV in this design advanced the thought of a western Europe as a peaceful confederacy of free states. There was provided a council to arbitrate in international disputes. It was to be composed of Catholic, Calvinist, and Lutheran. The supreme council or senate was to consist of 64 plenipotentiaries representing 15 confederate states of Europe and empowered to decide all disputes arising between the component states. These were to determine all matters of common import. It will be noted that before this project was published, Hugo Grotius, the Dutch lawgiver, in 1625, had issued his De jure pacis et belli. He was impressed by the havoc wrought by the wars of Spain in Holland. Sir James Mackintosh of Britain characterized this work as the most complete on the subject in his time. However, the weakness of the plan of Grotius was, as is pointed out by Mackintosh, the lack of any method for enforcement of the decree of those tribunals.

Therefore, we find that in the latter half of the seventeenth century, while Louis XIV—the arch disturber then of the world's peace—was ravaging people and despoiling lands, the Abbe St. Pierre and the Abbe de Polignac, at the conclusion of the treaty of Utrecht, published the famous *Projet de traité pour rendre la paix perpétuelle*. The details are not dissimilar to the great design of Henry IV. The one noteworthy exception is that the abbe proposed that the congress was to act as the organ of European confederacy and that the powers should enter into a mutual compact to define the cases which would involve offending States. That these offending States should be put under a ban, and the States so banned to be punished by common action until the offender should have submitted to the common will. Kant, in his famous essay on perpetual peace—which was in 1795—laid down two definite articles of civil constitution for each State and the law of nations to be applied to the federation of free states, Kant asserting that nature brings about union not by awakening competitive forces, but through the equilibrium of these forces in active rivalry. This was but the acknowledgment of the theory of Aristotle saying: "Intimate union is achieved by common work for a beautiful cause."

When Kant published his perpetual peace, Europe was in the third year of the Napoleonic wars. Nine years later, in 1804, the Czar Alexander first dispatched his representative Nikolai Navosiltsar on special mission to England to lay before Pitt the Czar's scheme on the lines of a Christian republic for universal world's peace. This was afterwards perverted into the doctrines of the Holy Alliance. The object of the league was the maintenance of peace in Europe. This project failed, first in Italy (notwithstanding the approval of the King of Naples), because England, through her foreign minister, asserted her purpose to execute the principles of the Congress of Vienna.

Then followed the protocol of Troppan (1820). This was for a league of kings sent out to combat the proposed league of small nations for the support of republican form of government. Here our reflection brings us to note the advance of the idea of league government. We now recall the league of control of Egypt by France and England from 1876 to 1882—and that of the control of the Persian Provinces by England and Russia in 1907—and the Macedonian commission of 1908. These and each of them were governed by a joint court, whose members were named by the league—a joint military force under joint command and a joint board of administration in all civil affairs. Yet these leagues of peace for an oriental people who had become inane in the sloth of personal neglect of their human rights only

followed doctrines of the sentimental statesmen philosophizing on this basis. A half century past Victor Hugo, writing beautifully, said:

> Dès à présent, dans nos mêlées
> Germe l'hymen des peuples frères.
> Volant sur nos sombres ramers,
> Comme un frêlon que l'aube éveille
> Le progrès, ténébreuse abeille,
> Fait du bonheur avec nos maux.

Or, if I may be permitted to translate—

> Even now, in our desolation, the union of the brother nations is germinating. Flying over our darksome state, like an insect awakened by the dawn. Progress, an obscure honeybee, transforms our misfortunes into good fortune.

The Roman Empire preserved peace under the Cæsars by a league of provinces, so long as it served the people of these provinces. When the peoples were absorbed by an Emperor and became subject to his imperial relict, the provinces were brought to wars for the aggrandizement of conquest—just as was the history of the German federation when absorbed and disposed of by a Prussian Cæsar, the Kaiser. Interesting it must be for you to know that the German custom zollverein and the British and English postal union were patterned after the form of these Roman provincial leagues—modernized by English and German Christian civilization. In England since 1841 to 1918 there have been 200 intergovernmental conferences, involving all nationalities and all questions for regulation and adjudication. It was after the order of these that the English representative at The Hague presented in 1897 and 1900 the project for a league of peace, the latter ratified by 35 votes and only 5 opposing—Germany, Austria-Hungary, Greece, Roumania, and Turkey; sad has been the lot of each as a consequence of their views and principles opposing this policy of communal peace—yet this opposition in face of the enjoyed results of a league of peace by the States of Austria and of the small kingdoms of Germany before confederation under military government dictated by the Kaiser.

We can now recur, Mr. President, to the support of the proposition of President Wilson carried in the indorsement and cooperating approval of Lord Grey for the lords of England, Lord Curzon seconding.

Mr. President, when the eminent Senator from Minnesota [Mr. KELLOGG] gave us, on a day past, a contribution on this subject worthy indeed of him, as it was worthy of the place; while the eminent Senator from Minnesota was presenting his views so attractively and insisting, as I understood him, that these eminent lords of England did not at that time see their way clear to suggest a final method, and did not give to the scheme their whole approval, but showed a spirit toward it, if it were impracticable, I asked the eminent Senator if it were not true that Lord Curzon, in that debate, did not specifically call attention to the fact that the success of the scheme would revolve around the mere fact of having the consent of all nations. The eminent Senator may recall such as being the basis of his theme, or, rather, what might be said to be the foundation of his view of what might or might not make success.

Seeing the eminent Senator in the Chamber, I call his attention to but an episode of that debate. Said Lord Curzon in his speech in the House of Lords, after other things which the eminent Senator has correctly quoted:

> However, it is essential that there shall be a general agreement among the nations. All the nations on earth must become parties to it to obtain the useful result.

I think the eminent Senator will agree with me, therefore, that, of course, such would be essential. Otherwise we would have some nations staying out, and they would be charged with an inimical motive of remaining out—that is, of opposing the design.

Mr. KELLOGG rose.

Mr. LEWIS. Does the Senator wish to interrupt me?

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Does the Senator from Illinois yield to the Senator from Minnesota?

Mr. LEWIS. Yes; if such is the desire of the Senator.

Mr. KELLOGG. I did not understand, however, that Lord Curzon placed his objection to a supergovernment whose decrees should be enforced by a military international force simply upon the position that all nations must agree to it. I understood him to state that it was his belief that such a scheme was not practicable.

Mr. LEWIS. Mr. President, upon that matter of enforcement, I will reach it shortly, but I was at this time particularly interested in calling attention to a verification of the view I expressed to the Senator when he allowed me to interrupt him during the debate. I was then reciting my memory of those debates of Parliament, having previously studied them, and since then having refreshed my mind to be sure that I was accurate. It is only to one point that I wish now to address myself in that connection, and that is the necessity of a concurrence of all nations with an object which will be seen in a moment very necessary to consider. I will reach later the point the eminent Senator has referred to and will, of course, reply to his suggestion, as it deserves notice.

Interesting to recall that after Lloyd George had given his approbation to the position of Wilson, Chancellor von Hertling, now deposed, broke from his Kaiser to proclaim his indorsement and his adoption of the policy as the most promising for any hope of future cessation of world wars. Sir Frederick Pollock and Lord Bryce followed with their affirmance. Then Mr. Asquith, for Britain, and Baron Sonino, for Italy, on February 23, 1918, each in their nation's parliament, gave their adherence to the policy and their encouragement to the undertaking of this commendable design. Now, for America we recall that President Roosevelt in 1907 called The Hague conference to adopt a league of peace. In this he was just ahead of the newly regenerated Czar of Russia, Nicholas II. It was attended by representatives of 44 of the world's then 57 States, double that of the first representation of the 1897 meeting, and for America the then Secretary of State, Mr. Root, said the work of the conference of 1897 made that of 1907 possible. Said he:

> The achievements of the two conferences justify the belief that the world has entered upon an orderly process through which, step by step, there may be continual progress toward making the practice of civilized nations conform to their peaceful professions.

We now have the example of success of a league such as is sought in the leagues of arrangement of the British Empire, based on mutual reciprocity and contributing profit to each. Likewise in the Pan American Union of Southern and Central Americas. Formerly, as must be recalled, it was a monthly eruption for the Central American States or an annual event for the South American countries to war among themselves or against each other. Boundary questions or conflict of commercial interests had brought the peoples in strife with one another, to the event where the older nations solemnly charged these romantic sovereignties with inability for self-government. Now the interdependent relation balances all differences, and stimulating this disposition is pride in maintaining the high esteem of their central council, while the compensations from mutual concessions of advantages reward these lands for yielding up the privilege of personal insistence on claims and contentions heretofore the incentive to conflict.

Mr. H. G. Wells, the eminent sociologist of Britain, as was pointed out by the analytical résumé of the Senator from Montana [Mr. WALSH], has lately drawn attention to the compact between our States as an illustration of a successful league which he tenders as a parallel and precedent for a league of nations for the establishment of peace. The weakness in this illustration, so far as serving as complete parallel to the tasks and responsibilities involved in the creation of a world league of peace, is in the fact that as to the States we have a homogeneous people, the exceptions being only the foreign nationalities which have not yet absorbed our American customs or adopted wholly the use of the American language. There are no conflicts for territory or boundaries as between the States. These have yielded to the Supreme Court of the United States as a tribunal of settlement for such, this being the method provided by our Constitution and laws. Nevertheless, when one reflects upon the discordance of views when the federation of States was first established and revives to mind the bitterness to which this distraction reached, leading at length to the blood atonement between the States in the tragic Civil War, one is brought to note that it was only through the spirit of resignation to the concessions necessary for complete union that these States yielded their hostilities to harmonize in common object with a central authority and united general government. In all general respects the States of the American Union of the United States of America can be presented as a controlling parallel, inspiring to emulation those who would seek a basis for a league of nations to preserve peace and comity.

Now, Mr. President, we are met with an inner interrogation on the part of all hearers as to the method on which this league may be formed and through what measures it may execute its object. Without assuming to speak the method which the convocation of world delegates may present, I offer that which to my mind is feasible and adaptable. I tender to the American thought the figure of a national convention of our great political parties assembled to name a President and Vice President. I summon to their mind the platform which is ever adopted. Also I recall to their consideration the ever-present contest for seats, presented to the committee termed "committee on credentials." By these illustrations I invite them to reflect upon the similar

branches of the convention to indicate the many methods adopted for any uses of such national gathering.

We will assume that the invited States banded themselves into a league, had done nothing further than to agree to the league, and proceeded no further in execution than to become a party to the purpose. Each of these nations will send their delegates to the central point. When assembled they organize. This organization, by the method it may choose, selects first a certain number of delegates who would be the court having to do with the disputes between nations and between countries. These especial representatives will naturally present in themselves forms of qualifications, particularly addressed to ability and experience needful to this particular branch of dispute. Then, next, these delegates to form a body constituted from the convention for the hearing and settlement of disputes between citizens of different countries as to claims involving commercial rights and shipping. This body would be made up of men of attainments fitted to this line of duty. A third constituted for the purpose of hearing and disposing of contentions within each State where the parties choose to submit the personal conflict, where they may agree to do so in view of the fact that the conflict may be one growing out of race or religious disputations, which have long been the subject of honorable and conscientious dispute among many of our peoples of the earth.

We now have drawn in the three features that have heretofore disturbed nations and produced conflicts. The next step is that the whole body name the court of appeal in matters that shall be designated to a final tribunal made up from the convention. This shall sit for the purpose of appeal upon all the questions upon which appeal is allowed.

I propose that it is ever to be provided that in purely internal disputes in any country involving the mere form of government or matters of the claimed rights of citizens yielding allegiance to the constituted authorities within their government should never be the privilege of the tribunal nor ever be placed within the jurisdiction of this tribunal to enter upon or to have any supervision over in any wise whatever. This latter guaranty makes impossible that such matters as internal uprisings for the remedy of local hardships or change of form of governments from kingdoms to revolutions or similar aspects could ever be within the jurisdiction of this court unless, as is herein provided, those who are parties to the conflict internally shall elect among themselves to submit the question to the tribunal and choose to accept the arbitration as the disposition. In no other instance is the tribunal to assume any jurisdiction of any nature whatsoever of the internal or the purely personal matters of any state or its people. One of the fundamental provisions of the constitution of this assemblage must give this guaranty.

Mr. SMITH of Michigan. Will the Senator yield for a suggestion?

Mr. LEWIS. Surely; I am glad to yield.

Mr. SMITH of Michigan. I should like to ask the Senator what becomes of our territorial controversies. Take a State like the one in which I live, bordering upon Canada. Are we to pass over controversies arising between Canada and the State of Michigan to foreigners, for instance? Are we to be deprived of our voice in the Senate in protecting our State from incursions of that character? If so, we are deprived of a very great privilege and one that may become highly important to the States.

Since I have been here we have had many controversies over territory with Canada and rights in our abutting waterways. We can not afford to pass such matters over to strangers. They are local and yet they are international under the classification described by the Senator from Illinois, and the power to deal with them here is important to the State and must be protected.

Mr. LEWIS. Mr. President, there is great pertinency in the observation of the Senator from Michigan. He is merely putting his finger on some of the difficulties, without which it would never have been necessary to discuss this proposal, so universally would it have been accepted. Of course, there are many opposing suggestions to be made, one of which, for example, is the one the Senator has made. It is one that shows a difficulty. I reply to him that if Michigan shall have a dispute with Canada concerning her boundary, Michigan's dispute is only that of a part of the United States, Canada as only a part of the British Empire. Such from both has been met before. When one of our Territories called Alaska contributed serious dispute to us in its dispute as to boundaries with Canada, it was then submitted to a tribunal made up of officials of the Governments of Britain and of the United States, and was disposed of in a finding and in a manner just as I have assumed to describe to the Senate—one that avoided conflict and cemented the bonds of peace. So it would apply in similar matters throughout all the affairs that might arise from any other country represented by the league.

Mr. POINDEXTER rose.

Mr. LEWIS. There is this to be said, that in any matter such as the Senator from Michigan alluded to I can not conceive our country not having a representative from Michigan when such dispute should arise from the State of Michigan. Nor could I conceive how Britain would fail to choose in that case some one in that league who knew all the conditions and, to use the Senator's very appropriate words, the locus quo. Therefore I think that would solve the difficulty he has in mind.

Mr. SMITH of Michigan. Let me suggest to the Senator——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Michigan?

Mr. LEWIS. I yield.

Mr. SMITH of Michigan. I suggest that under the rule of the Senate a representative of my State could insist to the very point of defeating any proposition that his State regarded as unfortunate or unfair in a controversy with our friends on the north. The Senator will recall that this Chamber rejected the general arbitration treaty with Great Britain sent here by President Taft providing that all justiciable questions should be solved by an international tribunal. I think that treaty was signed by Lord Bryce in behalf of Great Britain, and Lord Bryce himself had said that the American Senate was absolutely unnecessary in the consideration of international problems and ought not to have any power to effect treaties. That is a doctrine so wide of the plan of the fathers of the Republic and so unwise in its effect upon our domestic independence, peace, and order that it seems to me anything calculated to delegate this controversy to a special select tribunal, losing touch with the local communities affected, would be very serious and would incur, as it ought to incur, great opposition.

Mr. LEWIS. Before I reply to the Senator from Michigan I will yield to the Senator from Washington, who desires to interrogate me.

Mr. POINDEXTER. I rose to interrupt the Senator at a point where he spoke of the settlement of the Alaskan boundary dispute, a very appropriate instance of international dispute, which was settled without war between Great Britain and the United States, with satisfaction to both parties to the controversy. The Senator cited that in response to the suggestion of the Senator from Michigan as to a possible boundary dispute between Canada and the United States as matters in which Michigan was peculiarly interested. Since we were so successful in adjusting the Alaskan boundary dispute without war and have had actual experience as to the feasibility and success of the adjustment of a dispute in that way without a league of nations and the surrender of all the privileges and powers that would be necessary for the United States to surrender if it entered into a league of nations, what is the object and what the necessity of such a league in view of the ease with which these disputes can be settled without it?

Mr. LEWIS. Mr. President, first replying to the Senator from Michigan, there is a great deal to be said in favor of the preservation of the right of the Senate and the representatives of the different States in this body to preserve their States according to the early theory upon which the Senate was constructed; and it may be, as Lord Bryce said, and to which the Senator made an allusion, I think, that the Senate would have to give up some of its prerogatives if this plan should be carried out. I am compelled to answer the Senator from Michigan first by saying that to every measure of advantage there is a measure of disadvantage. In other words, to each governmental policy of profit in one direction mankind must suffer some policy of loss in another. Here and there some individual will have to give up personal gain for the general good of any undertaking we devise for government. But this much I further reply to the Senator now—that his State, under the example he gave me, could lose nothing. The Senator here would still have a voice. Why? Because the person representing Michigan, whether it be a delegate appointed specifically or a member of the tribunal, would submit back again, of course, to this country his findings.

Mr. President, the appeal from that is provided for in my system. It is an appeal to the final tribunal. If the eminent Senator feels that in the construction of any tribunal there would come no justice, then we must pause and refrain from the construction of any kind of a human tribunal. But I have provided an appeal by a tribunal of revisory power to the trial branch of the league. Let us believe that in that plan that the Senate would have had in the exercise of the right of a Senator to object to a treaty it would still retain to express its views as to the conclusions of the league.

Mr. President, I have never insisted, and can not of course now insist, that any proposed new plans for a future will not disclose somewhere some opposition to some system, if one is going to look at the same time on all the systems of yesterday being preserved in all the inventions and reformations of the tomorrow.

Now, the Senator from Washington [Mr. POINDEXTER] proposes this question, which I would later reach, anyhow: It is that if the settlement between this country and Britain over the Alaska boundary could have been so effected without a league of nations, why have one? I answer: In that instance it was successful because of the neighborly relation between Canada and our country, and thus there was every incentive to peace, every stimulus to tranquillity and none whatever to conflict; also because of a common tongue, common relationship, and like institutions. But I would also answer my friend, How about when we went to war with Spain? Had we then had a tribunal which other nationalities could have assembled to which we could have submitted disputes such as we are now attending to, will it be conceived that we might not have avoided that war?

Mr. WALSH. Mr. President——

Mr. LEWIS. I yield to the Senator from Montana.

Mr. WALSH. I take the liberty of reminding the Senator from Washington also that the result of the system to which he alludes has not always been as happy as in the case of the settlement of the Alaskan boundary dispute. It will be recalled that the results of the Webster-Asburton treaty have never been accepted with any particular degree of satisfaction by a vast number of the people of this country, and that the controversy over the Nicaraguan Canal, to which the Clayton-Bulwer treaty related, was not settled in a way that was at all satisfactory to the people of this country, if one is to judge from the repeated denunciations of it on this floor and the subsequent action of our Government. So we have not always been uniformly successful in getting what we wanted under the existing system, and we might, as a matter of course, not get all we wanted in case of the submission to some other plan that might be devised in place of it.

Mr. LEWIS. Mr. President, I thank the Senator from Montana for his pertinent contribution, particularly to the Nicaraguan matter, to which I was about to allude. He has rendered that unnecessary by the suggestion that has comprehended it entirely.

Mr. President, I now come to the final feature that interests us all alike, the manner of the enforcement of the decree and judgment of this tribunal, assuming the tribunal to have been constituted after the manner to which I have alluded, and shall have been organized and performing the functions which I have described.

Mr. BORAH rose.

Mr. LEWIS. I yield to the Senator from Idaho.

Mr. BORAH. Before the Senator takes up the important question of the manner of enforcing the decree of the international tribunal, whatever it is, let me ask the Senator does his scheme contemplate any encroachment upon what is known as the Monroe doctrine?

Mr. LEWIS. Mr. President, I will advise my friend that in a few moments I had expected to discuss that.

Mr. BORAH. I am sorry I interrupted the Senator.

Mr. LEWIS. No; I welcome the interruption.

Mr. BORAH. I shall be very glad to wait until the Senator reaches it.

Mr. LEWIS. I had expected to make allusion to it later, unless the Senator prefers that I speak of it now.

We now approach what method can be suggested as to the enforcement of the decrees of the assemblage.

Each proceeding must be left to itself. The provision for enforcing the decree must leave to the particular tribunal's discretion and judgment steps most appropriate, under the particular circumstances, to be adopted as the method of enforcement or penalty for disobedience. This is what is done in every equity proceeding in any courts of English and American jurisprudence. It is the principle prevailing as to the French courts, even as to criminal law. This is the doctrine as to jurisprudence prevailing in Holland and in Italy in all matters of civil nature, with the exception of suits for specific money damages under specific terms of declared contract. One may see, therefore, that this is the best of all methods and most suitable to those countries enforcing our form of common law or the doctrines of the Napoleonic code or still clinging to the ancient doctrine of the civil law as propounded by Justinian and transmitted in the *corpus juris civilius*.

Let it be recalled that in many instances a provision prohibiting for a certain length of time commercial intercourse with a foreign people, qualified or unlimited, or an appropriation of the customs to be applied to the damages suffered by the injured, or any form of money judgment to be paid, to be collected by the usual methods by which a money judgment is collected from one nation due to another, could be appropriate as judgment.

As to the question of enforcing these judgments by army and navy, let it now be asserted by me that no judgment that is to be enforced by army or navy will ever be enforced. Wherever armies are to be called in and war is to follow, this is an announcement that the tribunal has failed and the purpose of it has fallen. The moment that any army is called in to execute a judgment of the league, the armies of the country or the people who are being assailed must resent it, and their friends sympathizing with their cause or having similar contentions or similar claims which they may present against other nations will surely come to the rescue for their own preservation in the future, and we will be confronted with another hemispherical or semihemispherical warfare. If this court in its method is not sustained in its procedure by public opinion because of the rightfulness of the decrees, they can never be enforced.

Mr. President, if a decree should be rendered which is so apparently unjust that it ought not to be enforced, no country would permit its armies or navies to attempt to enforce it; public opinion would not tolerate such. If it is a judgment that ought to be enforced, it is the public opinion of the day, enlightened by experiences from late events, which gives to it its force and enforcement. This disposition makes unnecessary the consideration by this league of nations of the question of the disarmament of armies and the dismantling of navies. That question of the limitation of navies and of armies is a matter to be left wholly to those nations which wish to league with each other as to that separate question, and these limitations should be based altogether upon the corresponding relations that the Governments of the large navies bear to each other and to the world, as well as being guided by consideration of how far navies are essential auxiliaries and aids to commerce and how far the navies are aided by commercial auxiliaries. It must be seen that the question of limitations of navies turns rather upon the commercial relationships of countries to each other and to themselves than to the matter of the military relation or the relation of conflicts over peoples or boundaries.

Mr. WATSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Indiana?

Mr. LEWIS. Of course, I yield to the Senator from Indiana.

Mr. WATSON. If the Senator believes in a scheme of international scope, without any international force to enforce its decrees, and with the privilege of each nation maintaining as large an army as it shall see fit or as its legislative body may deem necessary under the conditions of that nation, then how is peace to be kept?

Mr. LEWIS. The Senator from Indiana has just anticipated me in a matter on which I am about to enter.

I have therefore felt, sir, that instead of there being any provision as to the general armies to be controlled by the league I would adopt the following scheme and would propose it, and I now answer the Senator from Indiana: That if armies of any kind shall ever be found necessary and accepted by us as necessary, I would propose that when this tribunal has been created and any judgment reached on any controversy, I would leave it to that tribunal to decide in each case what kind of process or verdict would be fitting to the peculiar grievance before it which was then remedied. In each instance where it was necessary to pass a judgment, whether it should be the ostracism from commercial privileges of one, the levying of a penalty of money upon another, a judgment as to boundary lines or the taking of property as to a third, or the enforcement of peace against one who threatens to assail another by a force necessary to do so, I would in each instance leave it to the tribunal to be the judge. Then, sir, when it was adjudged, the popular opinion of those nations, with their representatives being a part of the tribunal, would maintain it. I would not lay down, if Senators may understand me, a general doctrine applicable to all circumstances. I would permit, sir, in each case the privilege of such a judgment as fitted the case that would call for it, and the amount of force then and there that would be essential.

Mr. WATSON rose.

Mr. LEWIS. I yield to the Senator from Indiana.

Mr. WATSON. Enforce it how? The Senator said that there should be no international army, no international navy. It is proposed to have a court without the power to enforce its decrees. How is a decree to be enforced?

Mr. LEWIS. No. The Senator must not assume that I said "without power to enforce its decrees." What I said was that I would make no provision granting such a league the power to

maintain an international army for the purpose of enforcing its decrees.

Mr. WATSON. Precisely. That is the question I am asking the Senator.

Mr. LEWIS. I answer the Senator from Indiana that, instead of maintaining general armies for that purpose, I would vest them with the power of invoking as to each judgment, as the particular circumstance may demand, a force which would be sufficient in order to execute the judgment. Then I would vest in them the power to call upon such nations as then were the subjects of their jurisdiction for such contributions of the kind and form of force as in their judgment was then essential.

Mr. WATSON. I think I am somewhat dull of apprehension, but——

Mr. LEWIS. No; it is not an easy question.

Mr. WATSON. But I can not understand how we are to have an international court without having an international army or an international navy to back up and enforce its decrees. Here are two nations, under the scheme as I understand it—and if I am in error the Senator will inform me—and under the Senator's scheme each nation is to be permitted to maintain an army as large as the legislative body of that nation may see fit to maintain, and there is to be no effort at disarmament, as I understand, by this international body, for I understood the Senator to say that he was not in favor of having an international body interfere with the domestic affairs of any nation so as to say how large an army it should maintain, but that it should rest exclusively with the legislative body as to how large an army such a nation should maintain. With each nation maintaining just as large an army as it wants to maintain and with an international court to announce decrees, and yet with no international army or navy to enforce such decrees, and with every nation having just as large an army as it wants, how in the world does the Senator propose to enforce peace under those conditions? The powers the Senator describes, it seems to me—and the Senator will understand that I mean it in no offensive sense to him—are somewhat nebulous and misty, and I do not see how two nations armed to the teeth could be prevented from plunging into war long before this international court of the kind the Senator describes could even begin to enforce its decree to prevent war.

Mr. LEWIS. Mr. President, the deductions of the Senator from Indiana from my argument are, of course, his; but the placing in my mouth statements which I assure him are quite apart from what I said I can not accept.

Mr. WATSON. I beg the Senator's pardon.

Mr. LEWIS. I realize they are misconstructions purely. I have never said that I was not in favor of an international tribunal placing a limitation upon armies and navies. I said that this particular league for the enforcement of peace should not be the one that should have vested in it the power of enforcing such agreement respecting these limitations, but that such subject should be submitted to a tribunal made up of nations of equal proportions who have navies and armies of fairly equal size.

Let me be specific, then. I should decline to give Nicaragua and Haiti the judgment as to what should be the navy of Britain and of the United States, but I do recognize that Britain and also Germany—if she were in her former state in the pristine power of her navy—Italy, France, Japan, and the United States would then be fit equals in any court as between themselves to settle the question as to their navies. That is what I meant; that is, in this tribunal one must understand that if each nation has a single vote—if the big nations have a single vote and the small nations have a single vote—15 little nations would outvote the only 5 nations that have any navy at all, and would remove from them any expression of policy in naval matters when the lesser nations themselves might have no navy nor need of any whatever to be involved in the dispute. That is what I meant, sir.

Mr. BORAH. Mr. President——

Mr. LEWIS. Pardon me, but there is one other feature now as to which I desire to reply to my able friend from Indiana.

My able friend from Indiana misapprehends the theme. I say there must be power to enforce the judgment of such a court, but I deny that it is necessary that this league shall have the power of itself to maintain an international army; to the contrary, that it shall have power to make its decrees, and then, when necessary, to invoke of the countries which may have an army and navy, after they had settled upon the limitations, such power from them and such numbers from them and such force from them as would be necessary to enforce the judgment. The difference between my friend and myself is that I do not hold it essential that this league should maintain a standing international army, constituted in its entirety as such, but that from the armies or the navies of the different countries there may ever be drawn when the nations consent sufficient force whenever force shall be essential.

Mr. WATSON. Now, will my friend permit me to ask him a question?

Mr. LEWIS. Certainly. I shall yield next to the Senator from Idaho [Mr. BORAH].

Mr. WATSON. How would such an arrangement as the Senator from Illinois proposes have prevented the war out of which we have just emerged?

The nations in Europe under his arrangement having as large an army as each nation wanted, when the difficulty began between two nations, long before his league, without power to enforce its decrees, could get into action German troops would have been on their way through Belgium and down to France. If he had called on the other nations to withstand the onslaught of the Germans he would have called on no more nations than finally were arrayed against her, and the war would have been on with all its horrors and consequences. In other words, what I am trying to get at is that I do not see how the Senator is going to have the kind of scheme which he proposes—and to which I am opposed—without having behind it international force enough to enforce its decrees. In fact, the very title of the bill which, as I understand, the Senator from Illinois is espousing, is one providing for a league to enforce peace. How are you going to enforce peace without force?

Mr. LEWIS. Mr. President, I have tried to make my position plain, and I shall again attempt to do so. In the first place, sir, if this league were now constituted and given the complete sway for which the bill calls and Germany should attempt such a war as she has waged, we would have to call the very force to which the Senator alludes. But, Mr. President, what I wish to impress upon the Senator is this: Whenever a decree is issued by a court in Indiana giving a man property under a writ of ejectment, it is assumed that the sheriff will deliver him the property; but if, sir, the conditions were such that a posse of citizens should meet the process server and seek to obstruct the judgment, what would the court do? It would promptly give enough assistance of local force to that sheriff to enable him to carry out its order; and if, then, riot followed and it was necessary to call out the State guard, following in aid of the posse comitatus, that would follow. Then if the condition grew so menacing that the national Army had to be invoked, that would follow. That is the policy that would be followed by a United States court; that is the procedure that would be followed in the case of every court we have in civilization. Then, if my theory be at all practicable, this is the way it would operate: Instead of creating an international army that stands constantly on guard, drawn from different members of the league, we would have the power vested in the tribunal, according to its particular judgment, to put force behind it to execute it.

Then if that is met by force, I may say to the Senator, the kind of force which leads the judgment to oppose it is the only other thing that can commend itself to the mind of the court—a form of force that shall overcome the opposition. Is it possible that it will be contended that a court is to be constituted, backed by an army of vast numbers and a navy, which shall at once be invoked as the whole of the army and navy for the enforcement of a judgment before the slightest opposition arises, and which, if it should arise, would be so insignificant and meager that the very smallest force might cause it to be subdued? It is for that reason, Mr. President, that I can not adopt the theory. I hold that it is not at all an essential element of the scheme that there should absolutely exist under the jurisdiction of the league one great combined international army as an existing organization. I oppose such.

My able friend overlooks the fact that I have said that I not only thought there should be a limitation upon armaments and upon navies, but he will recall that I said I wanted that question submitted to a tribunal particularly called, an adjunct to or an auxiliary of the peace league, for that very object; not, as my eminent friend would assume, that I would have every country have as large an army as it chooses.

Mr. WATSON rose.

Mr. LEWIS. I yield to the Senator from Indiana.

Mr. WATSON. Mr. President, in what respect does the Senator's plan differ from the one that has been in existence for some time voluntarily—I refer to The Hague tribunal—where the representatives of a great many nations gathered—I do not know how many, but I think possibly——

Mr. LEWIS. Forty-five out of fifty-seven.

Mr. WATSON. Yes; and where they came to certain agreements, and where they were rapidly approaching, as we were led to believe, a stage where they were to agree to partial dis-

armament, at any rate, and perhaps to an international court or a tribunal of some kind that would be clothed with authority to try all justiciable cases and perhaps in some way to enforce its decrees, at least by moral suasion, if not by force. In what real respect does the Senator's scheme differ from that?

Mr. LEWIS. The Senator was probably not here at the time, but I alluded to The Hague tribunal, and called attention——

Mr. WATSON. I was called out of the Chamber. I desired to hear the Senator all the way through.

Mr. LEWIS. I called attention to how very parallel the proposal then presented was to that which is now presented, with the single exception that there was no public opinion behind it on the part of all of the agreeing nations such as we now have. I said in that connection, and now answer the Senator, which is to the point of his inquiry, that there was a lack of any method for the execution of its judgments, and there it was weak. My method, I answer, should it be accepted along the lines of that which is projected here, would provide for such a tribunal as could enforce its judgments, and I have presented the theory of how that force could be invoked and utilized.

Mr. McKELLAR. Mr. President——

Mr. LEWIS. I yield to the Senator from Tennessee.

Mr. McKELLAR. I am greatly interested in what the Senator is so well portraying to the Senate; it is a most interesting subject; and surely the Senator is presenting his views splendidly; but at the same time there is just one feature of it in regard to which I should like to have the Senator's opinion. Is the scheme that is presented by the Senator to take away any of the sovereignty of the United States; and if so, in what particular would its sovereignty be interfered with?

Mr. LEWIS. Mr. President, I take it the Senator's question is one that has to linger constantly in the mind when we contemplate any of these arrangements. I must say to the able Senator that a certain form of our sovereignty is always yielded any time we agree to any kind of arbitration with any other country; otherwise the agreement would be, of course, of no validity and of no utility. I have to answer by saying: Yes, a form of sovereignty such as the settlement of our own questions among our States by the United States Supreme Court would be slightly abandoned, proportionately limited, and to some degree surrendered to the main tribunal at large, but we can not avoid that. I must say that the question submitted by the Senator from Tennessee will often confront us as we proceed as a very serious obstruction, particularly to those who feel that no part of any sovereignty of our country under any circumstances ought to be yielded in any particle or at any time whatever for anything.

Now, Mr. President, in connection with this matter of the enforcement of judgments, there is one thought I must bring to the attention of the body. Senators, I am of the judgment that, if public opinion has not now been educated by the events which have been transpiring through the earth of late to where it can accept judgments of this kind without revolting and using force to obstruct them, we have again learned nothing from the sad tragedy that has been placed before our eyes and recorded itself in the blood and wails of 20,000,000 human beings.

As to armies—the volume, size, or limitation—each question has to be determined by the relation the country may bear to its immediate neighbor, the feeling existing between them, and more particularly to what may be essential to maintain peace within the States in the matter of their internal difficulties. Therefore, it must be seen that not until the attempt to invoke the army or navy arises does this tribunal, to which we are alluding, enter upon its offices or need to be invoked.

This disclosure of method brings us at once to the only real process which can execute the judgments. It is the sense of right educated in the modern thought and directed from the cultivated sense of justice which the growth of civilization has impressed upon man. In the final analysis, it is the feeling of the individual of his duty to man and the sense of his own heart as to its obligation to its fellow man and to the religion which he professes in his responsibility to that which is God. This comprehension of what is the basis of a true composition of the conflicts of men in nations, and the fair adjustment of nations flowing from the conflicts of men, was expressed by Cardinal Fleury when the *Projet de paix perpétuelle* of the Abbe de St. Pierre was submitted. Cardinal Fleury exclaimed:

> Admirable, save for one omission. I find no provision for sending missionaries to convert the heart of princes.

Thus, we must see that all of the result turns upon the heart as it is regenerated, and upon that improved public opinion which senses now for the first time in civilization the duty of respecting the right of its fellows and the knowledge that it will suffer the scorn of men and the contumely of generations if it denies these rights or assails them to their destruction.

Here I impress upon all mankind the thought that it was not only armies and navies which won the war against Germany. It was the public opinion of the world. It was not alone cannon and sword; it was the indignation of Christianity and the aroused universal hostility of refined and improved mankind. These were so shocked at the atrocities and the blood brutalities of Prussia and her allies that they rose from every quarter of the earth to explode their resentment. It was this spirit that disheartened Prussia, weakened Germany, revived the allies, strengthened the heart and purpose of the opponents of Germany; and in the consciousness that they were right and in the knowledge as expressed from every quarter of the earth that Germany was wrong those who contested against Germany found their inspiration and their support, but, above all, their encouragement and approval, and from this obtained their spirit to conquer.

Let it be now known that had part of the world believed that Germany was right in whatever were her reasons for the war, and another part believed with the allies, the war would have been continuing to-day with well-matched sides and the result in doubt. It was the public opinion of Christendom which ended the war. It is that same public opinion that will preserve peace, and if we have not in this agency the assurance of the future peace of the world, all leagues will be useless in their formation, deceiving in their profession, and a failure in their undertaking.

However, it is necessary to organize the expression of this opinion and the league organizes it into execution and expresses it in a single voice, and through that method the result desired is assured, if by methods of men it can ever be obtained.

I now advance to the objections urged. I note particularly those expressed by the junior Senator from Missouri, Mr. REED, and the junior Senator from Washington, Mr. POINDEXTER, voicing that that has often been expressed in lesser weight from many quarters. First, the Senator from Missouri [Mr. REED], the commanding genius of the opposition on this side of the Chamber, asserts that the policy runs counter to the advice of the sage fathers, particularly that expressed by Hamilton, Jefferson, and Madison, reserved in their composite wisdom, contributing to George Washington in what he adopted and gave to the world as his "farewell address." This is also insisted upon by the master voice of the Senator from Idaho [Mr. BORAH], the leader of the opposition on the Republican side of the Chamber. I would have it known that none more than I respect this wisdom, born of experience as well as of comprehension. I recall the sacred admonition of the prophet to the sons, saying: "Remove not the ancient landmarks that thy fathers have set." But I wish to bring to the attention of those interested that these landmarks were set as to one condition that has no existence now and were to guide circumstances that in no wise enter into the present plan nor in any wise are comprehended in the design.

First let us make clear the statement of Washington as against entangling alliances and the effect of the allied friendship, with one awakening the jealousy from the other, of any foreign nation:

> Observe good faith and justice toward all nations; cultivate peace and harmony with all.
>
> Nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachment for others should be excluded; and that in place of them just and amicable feelings toward all should be cultivated. The nation which indulges toward another habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or its affection, either of which is sufficient to lead it astray from its duty and its interest.
>
> The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible.
>
> Europe has a set of primary interest, which to us have none, or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. . . . Our detached and distant situation invites and enables us to pursue a different course. . . . Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?
>
> It is our true policy to steer clear of permanent alliances with any portion of the foreign world. . . . Taking care always to keep ourselves, by suitable establishments, on a respectably defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Here, it will be observed, that which Washington opposed was a thing which no man in America I now know urges. He opposed our country entering an alliance with any one country of Europe in opposition to some other country in Europe. This would awaken the jealousies of the one and might not be offset by the advantage to the other, but in the final would lead us to where we had violated the object of the admonition to avoid favoritism. Above all else the admonition was to avoid political connection with any of the European countries. Here we take for consideration the distance that then existed between us and

Europe or the smallness of our size in comparison to European lands. We will put aside the consideration that in those days none were dependent upon us—that in these days all are. We will forego the reflection of the weakness we then endured and the great strength which we now enjoy, and we will treat the subject as though there had been no change in the geographical, political, commercial, or military strengths of our land. We will note that in the proposed plan no nation is omitted. Every nation is invited and each upon exact equality, and to all the equal opportunity of method in the arrangement of the court or tribunal also in the enjoyment of its advantages, and in the suffering of its judgments. It will be seen that the proposed purpose avoids the dangers suggested by Washington as to the particular matters related by him and serves to obey the invocation of Washington as to these very lands and people whose friendships were to be desired or whose animosities were justly to be avoided, for in the very same address he says:

> Harmony and a liberal intercourse with all nations are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand, neither seeking nor granting exclusive favors or preferences.

It must be clearly observed that we neither violate the admonition of Washington nor by our method run into any of the dangers which he feared.

Now, the Senator from Missouri, the Senator from Michigan [Mr. SMITH], and Mr. POINDEXTER, from Washington, as is urged in other places, say that treaties with separate countries could effect the same purpose. I reply that the moment we concede that we can make a treaty to the same purpose, we admit the justice of entering into the arrangement. We also admit its practicability and its compensations, or it would be folly to ask that we deal in treaties if we can not get by treaties with individual nations the same result we expect by an arrangement with the combined nations. The difference is this, that with treaties with each nation our relation is between ourselves and that particular nation, but which obtains nothing from the other nations as a consequence or compensation for the arrangement in the individual treaty. Other nations are under no obligation to enforce upon any foreign country having a separate treaty with us the compliance with the provisions of the treaty. To the contrary, it may be to the advantage of the foreign country to serve some interest of its own that our treaty be violated, and the violation be encouraged for the advantages that might come to some single foreign nation, such as granting favoritism and preference in certain matters of trade to a foreign nation that may have a large trade with the particular other foreign nation that wishes to avoid obligation to us.

Then the interdependence of one with the other and upon the other and the mutual obligations, all growing out of the same promises, the same assurances, the same purpose, the same benefits, give assurance of a general aid of all nations in the compact for the enforcement by any nation—such becomes an inducement to coerce any nation into obedience which would assume to disobey. In this way the purpose is constantly before every nation of self-preservation as well as self-compensation and national security.

I do not wish to say anything in this argument, or anywhere, that shall weaken the hopes of those who advocate this system in its entirety; but, Senators, I want you to know that I would be unfair to myself here in my place if I did not speak all the thoughts I have bearing heavily on this theme, since you have indulged me to such an extent as you have.

Mr. President, I now revive to recollection the last interrogatory of my distinguished and beloved friend, the Senator from Idaho [Mr. BORAH].

Now, I have set forth many of the advantages of the scheme. I wish now to express my only concern as to possible disadvantages. My fears are not that the league will fail. My fear is founded on its success. I mean that I have more to fear from its success than I have from its failure. If it fails we are but restored to ourselves in the security of our isolation and in the protection of our present strengths, and this has been proven where it can not be questioned in this hour by any source, however prejudiced in national pride or darkened in the ignorance of events. I express my fear to be that when the league has succeeded and any dispute or demand touching my country has been decided in my favor and I enjoy its results, that a claim from other countries of a reciprocity from our country based on demands which may run wholly counter to some of the fixed cardinal policies of the Government might exact so much that if yielded to could weaken the future link with the future years, however much it strengthen us with the present. If denied, it places us in the position where bad faith or hypocrisy could be charged to us as the inaugurator of the movement which we professed to be for universal concord and world harmony.

I now specify. In Asia, Japan, taking China in her guardianship, will demand of Britain and France to demand of us in her favor, as a faithful ally, the abolishment of the policy of exclusion of the Asiatic from our citizenship; and if these European allies decline, they become the victims of Japan's natural discrimination in trade and of her opposition to these nations longer holding spheres in the Asiatic land. If they consent and prevail successfully on us, promptly they will exact of Japan and her associates to command of us the taking down the bars of obstruction to Europe in South and Central America, called the Monroe doctrine. From all these our to-morrows are filled with perils and our to-days with a warning.

Then, sirs, is that other—the freedom of the seas——

VOICES OF SENATORS. What do you mean by your expression of "freedom of the seas"?

Mr. LEWIS. I answer the Senators: I mean that were I permitted the voice for America in the light of my convictions I would demand that all ports of all seas and all lanes of all oceans be open to the United States to the same extent as is enjoyed by the nation upon that sea or ocean to her own people, so long as we grant similar privileges to these nations in our ports and our seas. I would go even further. In the light of late events and their result and of our contribution to them, I would exact of Britain in the Suez Canal and of France in the Mediterranean the privileges in these waters to the same extent we are granting these nations in our Panama Canal and in Manila Bay. In making these demands we will run counter to a long self-serving policy of each of these lands and of their adjunct nations. We will be asking a surrender or division of benefits long held as a commercial preservation by these nations as against world competition. From these problems I recite and these demands we must present, confusion, maybe embarrassment, can follow, indeed friction, and as its ever offspring, conflict, of some nature.

I may not live to see the development of this anticipated danger and it may never arise. On the other hand, there are those in my country who feel that if these dangers which I apprehend should arise, that the conceding the demands which may be sought to avoid these dangers would be small in their loss compared to the great gains which through all the time proceeding we would enjoy from the policy inaugurated and established by this league. As to that, I must submit it to the consideration of men who weigh their to-day's action by the measure of their hopes or fears of the to-morrow's. I leave the suggestion of the dangers and embarrassments or of the success and advantages of the league, that it may not be thought that I disown or ignore them.

I express unhesitatingly here that other fear which, were I to suppress it, I would be guilty of injustice to those who honor me with an audience, as well as to my own sentiments that constantly urge for expression. With the present allies we will have no difficulty in reaching agreements to execute the best objects that the leaders of the present generations of these allies assume to be for the welfare or the general interests of the world; but after these agreements have been entered into and we come to execute them and the execution will disclose some loss in commercial prestige to one, some disadvantage in political position to another, some prospect of the diminution of prestige in some subject matter to a third, then will come the claim that the compact made by their forerunners was not intended to mean the thing which in its letter and recital it appears to. Then will arise, even as between ourselves and those called allies, frictions. From these frictions disputes; from these disputes conflicts; and in these conflicts we will be as Hamlet in the description of the after sleep, saying: "What dreams will come we know not."

Mr. McKELLAR. Mr. President——

Mr. LEWIS. I now for a moment yield to the Senator from Tennessee. I have, however, something else on the same line.

Mr. McKELLAR. I just wish to ask this question, which is going a little further than the Senator has already expressed his fear.

Suppose the international court determined that the Monroe doctrine should be abrogated, and suppose the political party then in power in this country should permit the decree of the court to be carried out so far as it was possible to do so, and suppose then that at the next ensuing election that question became the great burning political issue in this country, and the people of this country by vote selected a President and a Senate and a House in favor of maintaining the Monroe doctrine after the court had decided it. Would not that put us in a position where we would have to fight for it?

Mr. LEWIS. I answer the Senator from Tennessee that if, after we had accepted such a court, the nations of the world had adhered to our theory, and we had entered upon it, our country then should have an election and elect Representatives

dispose! to repeal it, there is no power in the world that could prevent it. Now, sir, whether other nations, when they sought to have us abide by a decree that our people had repealed, would then visit war upon us is a matter as to which I can not say; but I must concede the right of the sovereignty of the people to repeal the tribunal, so far as it affects them, if they should choose Representatives who would not obey it.

Mr. REED. Mr. President——

Mr. LEWIS. I yield to the Senator from Missouri.

Mr. REED. Mr. President, I do not rise, as I do sometimes, and perhaps others, for the sake of controversial discussion, but to get the Senator's views on one or two matters in a concrete form.

I want to ask this question: Would the Senator be willing to enter into any league of nations or international agreement by which we would bind ourselves to submit the Monroe doctrine to any tribunal? Would the Senator be willing to do that?

Mr. LEWIS. I have just said, and I hoped by that to make clear, that so far as I am concerned, if left to me individually, I would put a limit upon the jurisdiction of this tribunal called a league of nations. Before the Senator came in I gave some limitation of that jurisdiction as to an army or a navy, and if the Senator asks me personally I will say that I would not submit the Monroe doctrine to that tribunal, nor to any other tribunal, to decide as to whether or not America shall no longer adhere to it. But one tribunal will I submit that to—American!

Mr. REED. Very well. I thank the Senator. That is a manly, straightforward, American statement.

Mr. LEWIS. What other would my dear friend from Missouri expect from me?

Mr. REED. I would not expect anything but a manly statement, but I have known the Senator to make many statements that were not quite so clear as that when we were having a controversy on the floor.

Mr. LEWIS. Sometimes one avoids a rock ahead of him, or endeavors so to do, as against those who may lurk around it.

Mr. REED. This is too serious a matter for us for a moment to seek to avoid or to cover up.

Mr. LEWIS. Correct you are.

Mr. REED. The Senator will not submit the Monroe doctrine to this court, and I can state his reason, if he has not done so, because I know what his reason must be. He regards it as a doctrine vital to America. Would the Senator be willing to submit to this tribunal any other vital right of America?

Mr. LEWIS. That opens a question as to what is meant by "vital."

Mr. REED. No; but I mean a matter that is vital. We do not discuss what is vital, but a matter that is vital.

Mr. LEWIS. Yes; I would say there are some things that might be vital and yet not vital to such an extent that they could not be submitted with confidence. Many things that would be vital ought to be submitted, because it is what is vital oftentimes that leads us to war. I answer, yes; there are many vital things which I would submit to the tribunal.

Mr. REED. I think we shall have to define "vital." I understand a thing to be vital only when it would involve the life of the Republic.

Mr. LEWIS. And I answer that clearly in this way, that war would involve the life of the Republic. If the force were superior to ours, it might involve wholly the life of our people. If the tribunal were constituted to avoid such war and such vital prospect and danger, I would submit it to the tribunal.

Mr. REED. I think the Senator is not pursuing now that broad path of plain statement that I had hoped we had entered upon.

Mr. LEWIS. That depends upon how the Senator views the reply.

Mr. REED. I do not want to have any misunderstanding about terms. Of course, you can imagine a condition where we might have to submit anything to save our lives. We might be forced to do it by war conditions, just as Germany, in order to save herself from utter annihilation, is now submitting to a most ignominious set of conditions—not half so ignominious as I wish they were, but I am not going to complain about that.

When I speak of the submission of vital matters, I mean this: Would the Senator be willing to bind the United States now to submit matters that are vital? I do not mean if war comes on and we have to do a thing; but is the Senator willing to submit any of the vital interests of this Nation to a tribunal the majority of whose members may be non-Americans?

Mr. LEWIS. I will answer the Senator and say that had he been here earlier he would have understood that I comprehended that by saying that the jurisdiction of the tribunal should be defined, and in defining the jurisdiction of the tribunal it would involve only those matters which could preserve peace. I answer the Senator, yes; I would submit to a tribunal made up in the form that we suggest matters vital to the country, because it would be within the limitations of the jurisdiction that had previously been made as the constitution of the tribunal.

Mr. REED. That is to say, the Senator, then, is willing to set up a court the majority of which are foreigners, and to that court submit matters which, if decided against us, may mean the death of this Republic?

Mr. LEWIS. No; such an assertion was never made by me nor such conclusions by the Senator justified. To the contrary.

Mr. REED. Then what did the Senator mean?

Mr. LEWIS. I said the thing I meant—that that which involved the life of this Republic was not a matter that could be in itself comprehended within the jurisdiction of the league, save as avoiding war.

Mr. REED. Then the Senator and I agree.

Mr. LEWIS. I think we do. I do not think there is any real difference between us when we really understand each other's position. This, however, I should like to have the Senator understand:

I see a danger, an ever-recurring danger, from the fact that a majority of the court is constituted of members from countries other than our own. I gave an illustration awhile ago respecting an attempt to make us dismantle our Navy or our Army. I pointed out that Nicaragua, Haiti, or smaller countries each would have a vote, and that for them to have the right to pass upon the question of what navy Britain, or Italy, or Japan, or my country should maintain would put each in a very serious position of minority. I say to the Senator, that he may understand my position, that I can not deny the right of foreign nations to decide the ordinary questions we have put into their jurisdiction by the constitution of this tribunal while I am asking them to decide against their countries and in behalf of my own country one that involves their ordinary situations and their interests.

Mr. REED. Exactly. The Senator is possessed of such wonderful powers of expression that it is difficult to keep right on the cold, hard rock that I am trying to get his feet on, so that we will understand and the country will understand. I do not say that in criticism; I say it in compliment. Now, the Senator has said he would not submit the Monroe doctrine, and the Senator has said he would not submit a doctrine vital to this Nation, except when we were in a position where we had to submit it in order to avoid a war and we had to choose between the destruction of war and the destruction of a bad decision. That is the equivalent of the Senator's statement.

Mr. LEWIS. No; I beg my friend's pardon. I meant to say this: I assure the Senator that what I literally said was that I would submit vital matters to the court, except those questions that involved the whole life of my Nation.

Mr. REED. Very well. The trouble is the Senator and I do not understand "vital" in the same way.

Mr. LEWIS. Possibly.

Mr. REED. The Senator seems to treat the word "vital" as meaning "important." I treat the word "vital" as embracing the idea of life and death.

Mr. LEWIS. Then I would not submit it.

Mr. REED. Very well. Now, of course the matter of what is vital is a matter of our opinion. Other nations would disagree upon that proposition. We would say that certain things were vital, and withhold them. If we withhold the Monroe doctrine, and if we withhold from this tribunal everything which we regard as vital, then would not we be obliged to concede a reciprocal right to all other nations? That is to say, they would be permitted to withhold from the league of nations or from the decision of the court those things which were vital to them, would they not?

Mr. BORAH. Mr. President——

Mr. LEWIS. I answer the Senator's question by saying that clearly that is true in every litigation that is ever submitted to any court. I say to my able friend, the moment that you submit a matter to a court you submit to the court the decision of a thing very vital to yourself. When the States have a matter within the jurisdiction of the Supreme Court of the United States, made up of foreign members, it may be, none of them from the States of the litigation, they submit a thing vital to them. The Senator is correct in saying that our difference lies in what, in each instance, would be regarded sufficiently vital to be within the exception.

Mr. REED. That is a good deal like saying "sufficiently round." A thing is vital or it is not. I am talking about vital matters, not important matters.

Now, then, the question I want to get answered—and then I have one more, and then I am through—is this: The Senator would withhold from this court matters vital to America?

Mr. LEWIS. No; I must again say to the Senator that he quotes me contrary to what I have said. I would not withhold from this court that which is vital to America. I would vest in this court that which is vital to America, but not a thing that is vital to the extent of involving its life.

Mr. REED. Oh, well, a thing that is vital must involve the life. We are going back now to that same definition.

Mr. LEWIS. I want to keep the RECORD straight. The Senator has a different version of the word "vital" than I have.

Mr. REED. When a thing is vital, it is something that has to do with life, and that is the sense in which I am using it. I am not using it in the sense of "important."

Mr. LEWIS. Let me ask the Senator. Does he want to be understood now when he uses the word "vital" as meaning a matter that really is one upon which the very life or death of the Nation would turn?

Mr. REED. Yes.

Mr. LEWIS. Then hereafter we understand each other.

Mr. REED. Yes; or so important to the Nation that it might amount to its practical destruction. Now, if we withhold matters which we regard as vital to us, would not all other nations have a reciprocal right; namely, would not they be entitled to withhold matters vital to them?

Mr. LEWIS. I answer the Senator again—that brings us back to the position which heretofore I have explained on the floor—that the constitution of this tribunal defines what particular matters it would have in its jurisdiction, and there we would settle that particular question. Now, if we never agree as to what things it should take jurisdiction of, then the league will never come into formation. If we do agree in a manner by which things such as the Senator refers to are excluded we will not have the question with us.

Mr. REED. But the Senator and I ought not to misunderstand each other about that. I am talking about forming this league, and in the process of the formation we are going to agree what kind of questions are to be submitted.

Mr. LEWIS. Correct.

Mr. REED. Now, at that time it is proposed by the Senator, as I understand, to withhold all those questions which are regarded by us as vital to America.

Mr. LEWIS. Involving its life or death.

Mr. REED. Yes. Would not that, therefore, compel us to concede a similar right to all other nations entering the league?

Mr. LEWIS. I answer the Senator, since now he has made it perfectly plain to me: Of course, if they demand equal exemption, it not only should be granted, but we could not ask the exemption for ourselves without correspondingly granting it to another in matters of such a nature. For this reason I say to the Senator that I do not assume that another nation would wish to give up its whole sovereignty to a tribunal of this nature. That is why, had the Senator been in earlier, he would have known that I discussed with great freedom that it should be limited to mere matters that would tend to maintain peace.

Mr. REED. Now, we have arrived at this point: The Senator concedes that the United States ought not to submit to this tribunal any matter vital to it, such as the Monroe doctrine or any other vital doctrine; that the same right must be conceded to the other nations; and that when we form this league it must be understood that we will withhold from the jurisdiction of the league all matters which each nation regards as vital. Now, that being the case, would it not necessarily follow that the nations of Europe would have the right to withhold, as we withhold the Monroe doctrine, the doctrine over there which they denominate "the balance of power"?

Mr. BORAH. Mr. President, may I suggest to the Senator from Missouri there, suppose we take an instance which illustrates the point of the Senator from Missouri. Some time ago, through the friendly arrangement of the Secretary of State of the United States and the Japanese Government, Japan established the Monroe doctrine for the Orient; that is to say, that those things of most vital interest to Japan should be under Japanese domination, direction, or control so far as the Orient was concerned, which is practically the Monroe doctrine. Now, if we should withhold the Monroe doctrine, of course Japan would withhold the Monroe doctrine so far as the Orient is concerned. That is to say, she would not submit to this tribunal anything which encroached upon her right to control the Orient, because that is what she proposes to do. So, on the other hand, England and the other nations would have their Monroe doctrine in a sense—that is to say, things which were vital to them—and they would withhold it. So the entire matter, it seems to me, goes to pieces at once when you refuse to submit those things which really are vital to a nation.

Mr. LEWIS. Mr. President, it seems to me that both Senators fail to catch the distinction which is intended to be preserved by the very constitution of this league. It is this: The league is proposed upon the theory of being a court to hear the grievances of individual nations as to matters that can be composed between them by arbitration, by money settlement, by harmony. There has never, as I have understood it, at any time been submitted the scheme that every nation should submit its sovereignty of its internal policies. I have specifically pointed out that that could never be comprehended, and I am not able to understand that Senators ought to fancy that such could exist, for the reason that if the constitution of the league as we first create it is such that it shall attempt to comprehend matters which the governments could not possibly submit to it it would end right there.

Mr. REED. Now, Mr. President, we are at a very interesting and crucial part. Of course, I have not said the Senator has intimated that the internal affairs of nations were to be submitted to the league of nations. It is understood——

Mr. LEWIS. That is what the question of the Senator from Idaho involved.

Mr. REED. I hardly think so; but we will not discuss that. The question I am getting at is this: If we withhold from this league questions vital to us, other nations must be permitted to withhold questions vital to them. If we withhold the Monroe doctrine, then does it not follow that the nations of Europe would be warranted in withholding the doctrine of the balance of power——

Mr. LEWIS. I answer the Senator——

Mr. REED. And similar great doctrines which affect, in their opinion, the life of their nation? Now, could you not just say whether you think that is the case or not?

Mr. LEWIS. The trouble is I can never take one of the Senator's questions and say yea or nay. It involves so many comprehensive questions previously asked in different forms that I am compelled to respond to him exactly in what I meant to say and have said before.

In the first place, the question of balance of power I can not realize at all as an international question of government. I may say the question of balance of power is that thing which nations seek to preserve as an adjunct of their defensive armament. This is sometimes done by alliances. If a policy is pointed out or to be followed by which some separate tribunal from the league should have the question of armament as between these nations there will remain a method for a complete adjustment.

Mr. REED. If the Senator will let me interrupt him, I do not understand the question of balance of power to be a question of balancing arms against each other.

Mr. LEWIS. Then the Senator and I differ as to what balance of power means. I illustrate: Italy, with 40,000,000 people and a great army and navy, is one of a balance of power; while China, with 400,000,000 and no army and navy, is not considered in the balances.

Mr. REED. Let me give an illustration. We do not differ. If we reserve from the decision of this tribunal matters which are vital to us in the sense I use the term vital, then, of course, the European nations have the same right. That the Senator concedes. Now, does the Senator know of very many wars that have not had for their fundamental reason not their immediate and irritating cause, but for their fundamental reason some great policy which has been regarded by the people of the governments of the States having the controversy as vital?

Mr. LEWIS. Mr. President——

Mr. REED. Let me finish my question. Have you not provided now that you will withhold from the decision of this tribunal the very thing that brings on the wars of the world?

Mr. LEWIS. That is a question that is answered by admission by some and a difference by others. When I was interrupted by the Senator I was about to follow my last statement as to freedom of the seas. When finished I shall then take up his query again, to which I had intended to allude. I then ask the Senator to excuse me from replying on that phase for a second.

Mr. President, I have defined what I mean to be the freedom of the seas within the meaning of my demand.

Mr. BORAH. Does the Senator refer to a time of peace or to a time of war?

Mr. LEWIS. I will tell the Senator in a moment. There is the beginning and end of what I feel satisfied is a completely full meaning of the term "the freedom of the seas" in time of peace.

In time of war, answering the eminent Senator from Idaho, there must arise a different rule. In time of war to me the freedom of the seas means that the neutral nations shall have the rights to go into the ports of the country at war as freely as in

time of peace as to all matters except contraband. That is the only exception I will make there

Mr. JOHNSON of California. May I ask the Senator a question?

Mr. LEWIS. I yield.

Mr. JOHNSON of California. Does the Senator mean that there must be no blockade in time of war?

Mr. LEWIS. No; I feel that a blockade as invariably declared in a time of conflict is addressed to some particular thing, and that is, of course, a policy which each country reserves for its protection that it could under no condition waive.

Mr. JOHNSON of California. If the Senator would prefer it, I will not continue the interrogation.

Mr. LEWIS. I shall welcome it.

Mr. JOHNSON of California. If that be so, then there can not be a free entry of neutral countries into ports in time of war.

Mr. LEWIS. The Senator is quite correct, if the blockade is to be universal.

Mr. SMITH of Michigan. They have done it now.

Mr. LEWIS. What country now?

Mr. SMITH of Michigan. They have blockaded now the North Sea, and it has been applied to countries both neutral and belligerent.

Mr. LEWIS. Pardon me; the Senator is referring to the past. I am referring to future conditions; the demands that will be made upon us. I say there will arise what is far more important. So I say, sir, that only a very patient people, such as ours were, would have endured the seizing of our ships as they proceeded along in their peaceful course and were in instances taken into the prize court and in other instances confiscating their cargoes, only from the fact that we realized her condition and assumed she was right in her judgment, and our ships were on their way to convey products to a nation making war upon her, and we granted her that privilege, then fixed in international law. I am now speaking of a change in those ancient policies of international law, many of which, were I at the peace table, I would unhesitatingly demand the nullification of.

For myself—speaking wholly upon my own responsibility and asking that no other be credited with this utterance or charged with its result—I put before my country this warning, that in the past the great wars of the world have been conducted between those who were previously partners, and grew from the execution of the compacts of peace, so called, of those who were called the allies. This is the history of the Congress of Vienna, which though concluded between 11 nations, resulted in two years in four of them at war with each other, three again in conflict in five years opposed to each other, and a continuous conflict through life until it led to this last unparalleled war of worlds that has just inflicted the generation of man beyond excuse of civilization or the forgiveness of Christianity.

Let it be remembered that persons who come into negotiations in private life reach the negotiation and dismiss each other in the courteous salutation of peace at the conclusion of their contract. This whether it be an arrangement between corporate interests in the form of stock adjustments and proper distributions, or that between individuals for the payment of money or the delivery of property. When the time comes for the execution of the document then it is that the litigation which has divided these former friends into hostile foes has arisen, and all the bitterness which is the inheritance of such contentions has gushed forth as streams of hatred and rivers of blood. I will not be blind to this prospect even as between ourselves and those we now call allies. It is because of this that I can not go further—and will not assume that those in whose behalf I speak ever intended to go further—than to provide a method in the hope that should these things which I fear arise the consequences may be minimized to where the dangers of a war may be avoided and the harmony of the friction and the settlement of the disputes composed upon the basis of the religion for justice of civilized nations, and upon the virtue in humanity of a Christian people.

Yet it is of this situation that I would speak to our President and his associates going abroad in the words of the Lord's special command to Moses, when in the thirty-fourth chapter of Exodus we have him saying:

> Observe thou that which I command thee this day: Behold, I drive out before thee the Amorite, and the Canaanite, and the Hittite, and the Perizzite, and the Hivite, and the Jebusite. Take heed to thyself, lest thou make a covenant with the inhabitants of the land whither thou goest, lest it be for a snare in the midst of thee.

I want it known that I have been an advocate of a different system than that presented by the President, though with the same principle in view as now contended for. In frequent addresses I have put forth a policy which now again, if left to my preference, I would urge. It is continental compacts made within and by separate continents instead of a hope of a single one unanimous arrangement by the general world—the united nations of the earth. Out of my regard for the situation of my own country, and recognizing that fixed fact in history that alliances of men, people, or nations are never cemented so strongly as when on mutual common interests, I would for myself propose a continental alliance for peace and harmony among nations between the United States of America, Canada, and the Latin countries of North America joining with the countries of South America, and that all of the countries of the continent of America should in one compact or union for peace be brought together for the preservation of interests common to each and which will be held together by the consciousness that the assault of one must lead to the assault upon the other, while the preservation of the one by any system will operate as the preservation of the other.

I hold that any country assuming to assail any one of this American-continental compact would be menaced—certainly admonished—by the knowledge that an assault upon any portion of the continent would bring upon them the combined resentment of the consolidated and united peoples of the whole continent, with all of their force against them. When we reflect that none apart from these could assail except at the long distances that must be traversed and recall the difficulty to be overcome before the engines of assault could meet the doors of any part of our continent—the knowledge that it must meet the combined continent of America in the single purpose of resentment of any attack upon any part of the continent—would make impossible, as I view it, the prospect of such danger. Add to this the settlement as between ourselves in this compact of any dispute along the lines of the method I have pointed out for the general league of nations, we have that other inducement to the sure settlement by method of peace of the mutual advantages to be had by living in close unity with those whose neighbors we will become. We of this continent will have become as closely allied as States in this Union are, when we measure the New England coast with the Pacific coast of our own land.

But I forego the insistence of my policy to yield to the larger sphere suggested, that it may be tried in the hope that the compact may be the result that is dreamed and the relief from strife and conflict that all mankind prays for.

If you will not adopt this means, if you refuse the league proposed—the only one that time seems to have suggested from its wisdom, and necessities offered to avoid a recurrence of their miseries—what will be the result? We will be subject to assaults from each nation wherever it will be the profit of that nation to assail us; particularly will this follow wherever that nation can allure other nations to join it in the enterprise. We in retaliation will assail and invite other nations who will find it profitable to put us under obligation, and in cooperation with these will lead conflict. This perennial course, indeed, this perpetual policy of warfare, would mean the discouragement of commerce, the death of enterprise, the slaying of our children, the paralysis of all advance and improvement; the end of the thing for which a republic is presumed to have been established to achieve—liberty of man, peace and happiness of country. Have we not had enough of this experience of desolation of lands and decimation of humanity to justify us in assuming some method that might serve as a restraint and in its trial can produce no injury, but from which, if we only consider the association, nothing but good can follow? May we not say in the words of Paul to the Romans, "Let us therefore follow after the things which make for peace"?

Now, to those who oppose this policy I propound that test interrogation, What else do you offer? What thing do you tender to take the place of this? Is it possible that we stand still, making no effort, and are content to gravitate backward into the sloth of selfishness until our retreating course is stayed only by the trench in which we are again to be arrayed in death? Are we but to repeat the disasters of the past and the destructions of the present? Might I ask, Have all our sacrifices been in vain, and is America, that advancing Nation before the world, whose generosities have preserved mankind, whose bounties have recreated civilization and whose sacrifices of her children for a world's freedom have given the first hope of peace to mankind that the world ever knew—shall we confess that we "merely make the promise to the ear and break it to the hope?"

For myself, I picture our future as the mother of tranquillity, the guide of justice, and the director of the harmonies of the world. I am content to adopt the design upon the theory of acknowledging any enterprise which may make for peace of the world, but strengthened in the confidence that I have, that any adventure entered upon by this country, sponsored by the soul of her desire and sanctioned by her spirit of justice, can not fail. From the example of her past, wherein

she has known but success, as she has amazed the world with her achievements without parallel and without rival, I salute her in the confidence of one of her sons who beholds his majestic mother as the Lady Superior of earth, from her heart sending love to nations, from her hand showering incense of happiness to people, and with her prayer invoking Heaven for its perpetual blessings to mankind.

England's great commoner, John Bright, speaking in Birmingham, England, in 1862, apostrophized this our America. Said he:

> I have a bright vision before my gaze. * * * I see one vast confederation, stretching from the frozen North to the glowing South and from the wild billows of the Atlantic westward to the calmer waters of the Pacific main. I see one people, one law, one language, and one faith, and all over that wide continent the home of freedom and the refuge for the oppressed of every race and of every clime. From this bright spot shall be proclaimed the peace that shall soften the world and assure happiness through the union of love to all God's people

Sir, we, too, have our vision! And in it dream our dream. I behold our America enthroned in her virtues, presiding as the mistress of the fates of the world. She sits in the court of nations as mediator of their differences and arbiter of their grievances; this our country vanquishing force by scorning its use. In her brow glows the star of justice that will illumine where war has blackened. About her heart is the shield of honor, in her hands neither spear of power nor the scepter of authority. She will but sway her wand of love, and beneath this will arise the genii of trust and faith to lead the nations of the world to justice, liberty, and peace—the mission of America to mankind.

CIVIL-SERVICE RETIREMENT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 4637) for the retirement of employees in the classified civil service.

Mr. McKELLAR. Mr. President, it is a long step from the eloquent language to which we have just been listening to the prosaic subject of retirement legislation, but I want to take that step and to see, if possible, if we can not dispose of this legislation this afternoon.

Mr. BORAH. Was the Senator going to make remarks on this bill?

Mr. McKELLAR. I want to have the bill passed, if possible, this afternoon.

Mr. BORAH. I wish to submit some remarks on the subject which has been under consideration.

Mr. McKELLAR. Let us vote on the bill, and then the Senator can submit his remarks. I will forego making any remarks myself on the bill if we can have a vote on it.

Mr. BORAH. If the Senator can get a vote on the bill at once I will yield.

Mr. McKELLAR. I yield for a moment to the Senator from West Virginia [Mr. SUTHERLAND], who desires to make a motion.

Mr. SUTHERLAND. I wish to state that yesterday afternoon I voted under a misapprehension. I was called out of the Chamber by a constituent and came in just before the vote was taken and voted "yea." I thought I was voting on the McKellar bill when I was voting on the Pomerene amendment. I desire to enter a motion to reconsider the vote by which that amendment was agreed to.

Mr. SMOOT. May I suggest to the Senator that he merely enter the motion? The Senator from Tennessee does not desire a vote upon reconsideration now?

Mr. McKELLAR. Why not? Why not let us vote on it and get rid of the bill?

Mr. SMOOT. I will say to the Senator that a number of Senators are absent I know, and I do not think he should ask for a vote on the bill to-day.

Mr. McKELLAR. I am inclined to think that we have a quorum here.

The PRESIDING OFFICER (Mr. KENDRICK in the chair). The Senator from West Virginia enters a motion to reconsider the vote by which the Pomerene amendment was agreed to.

Mr. SUTHERLAND. I have no desire to hurry a vote if other remarks are desired to be made at this time, but I wish to move to reconsider the vote. I should like to ask the Senator from Tennessee whether he desires now to proceed to a vote.

Mr. McKELLAR. I prefer to proceed to a vote this afternoon. We have a quorum here, and I see no reason in the world why we can not vote on the question and dispose of the bill finally. I ask for a vote on the motion of the Senator from West Virginia to reconsider. That will settle the matter.

The PRESIDING OFFICER. The Senator from West Virginia moves to reconsider the vote by which the amendment was agreed to.

Mr. McKELLAR. Upon that I ask for the yeas and nays.

Mr. BORAH. I will say to the Senator from Tennessee that it is not thought that there can be a vote upon this question this afternoon. I do not want to stand in the way of his proposition, but at the same time, if there is not going to be a vote and a final disposition of the bill, I wish to occupy the time of the Senate.

Mr. McKELLAR. I would be very glad to yield the floor to the Senator, but I think, after all the time we have spent in the consideration of this bill, the bill ought to be disposed of. As the Senator knows, when we adjourn this afternoon we will adjourn until next Tuesday, and on next Tuesday the revenue bill will come in, and of necessity will displace this bill. In all fairness does not the Senator think we ought to vote on the bill this afternoon, and dispose of it one way or the other? If it is to be defeated, well and good; if it is carried, well and good. Why not vote on it?

Mr. BORAH. I make it a universal rule never to make a speech when there is a possibility of having a vote. If the Senator is going to get a vote, I certainly will not take up the time of the Senate in debate, but I am told that Senators want to discuss this bill further. If that is true, then I want to discuss the other matter.

Mr. McKELLAR. I will yield to the Senator for that purpose.

LEAGUE OF NATIONS.

Mr. BORAH. Mr. President, the Senate has listened to a very able and remarkable speech upon a most important subject. I desire it to be understood that I do not rise to reply, nor even to engage in a debate with the very able Senator from Illinois [Mr. LEWIS] as to the position which he has taken in regard to this matter. I rise for the purpose of asking those who advocate a league of nations, Are you willing to follow your proposition to its logical conclusion? I have yet to hear or to read the discussion of anyone upon this subject of a league of nations in this country who is willing to follow it to where they themselves admit it must necessarily go if they follow it to its logical conclusion.

No graver or more far-reaching proposition has been proposed to the American people since the adoption of the Constitution. It may affect deeply the life of our people and impress itself upon our institutions for all time. It may be favorable, but it must be conceded that it may be most unfavorable in its effects. Certainly those who propose a scheme so fraught with possible changes in our national life, a proposition constituting so wide a departure from former practices, are under every obligation to take the people into their confidence. It is time to get away from generalities and deal with facts. It is time to say what you propose and what you do not propose. It is especially time that you should be willing to stand by the undoubted logic of your position. I have never read so much loose and general assertion and so little in the way of definite and specific plans as has crowded our literature on this subject for the last three years. Now, the people who must bear the burdens and suffer in case this experiment is not a success are entitled to know what you propose and what you do not propose.

The able Senator expressed his apprehension as to obstacles which would confront the President at the peace conference. I share with him that apprehension. I presume there are many of us who had the President consulted us would in all probability have advised against his personal attendance at the peace conference. But I doubt if there is anyone here or elsewhere who does not wish him the most eminent success in view of the fact that he has made up his mind to attend. Certainly no one would wish other than success for the President in the great enterprise upon which he has entered, notwithstanding that they have differed with him as to the wisdom of his going. We would have him achieve all that may be to the honor and security of his country.

But while I have some apprehension as to the difficulties which will confront the President at the peace conference with reference to this matter, I have greater apprehension with reference to the future of my country in case anything of the nature which has been proposed should be entered into upon the part of this Government. I am led more to that conclusion this afternoon than ever before after listening to the very able Senator who himself expressed the opinion in his concluding remarks that in all probability it was fraught with all kinds of difficulties and all kinds of troubles.

I am reminded by his concluding words of the words of another eminent statesman dealing with this subject matter about a century ago. At the conclusion of the Napoleonic wars they organized a league to enforce peace, which was known as

the Holy Alliance. It operated for a few years with a reasonable degree of success, degenerating, however, in the meantime from the high principles of a Christian purpose to that of a conspiracy to destroy free government and a free press. One of the most eminent statesmen of England of that day, after observing the workings of this league for a number of years, made this statement with regard to it, which, it seems to me, contains a great truth:

> There are extreme rights to which nations as well as individuals must have recourse for their preservation and for the exercise of which no legislature can provide. The extreme right of interference between nation and nation can never be made a matter of written stipulation or be assumed as the attribute of any alliance.

That was the statement of Lord Castlereagh, who had been active in connection with the organization of this league, or, at least, who had been active in its proceedings, and this he announced as the funeral eulogy of the organization.

So the able Senator from Illinois, in his concluding remarks, very fairly and frankly stated that vital issues which involve the integrity, the honor, or the rights of his Nation he would not submit to the judgment of such a league, because he knows, as we all know, that the rights of nations as between nation and nation are often of such a vital character that they can not be adjudicated by any tribunal or any alliance. It is only those incidental things or minor propositions, such as we may delegate to a board of arbitration or to a court of arbitration, that may go to an organization which is separate and apart from the organizations of the country itself. There are many questions—the great vital questions—which no nation will submit to and which can never be measured and circumscribed by any alliance or by any tribunal other than the sovereign voice of its own people.

Therefore I say that none are willing to follow this matter to the point where it would become effective and controlling, for the reason that those matters which are of vital concern no nation will ever submit to a tribunal which is composed in a large part or a majority of which are the representatives of the other nations.

The first proposition connected with the proposed league is that of a tribunal to settle the matters of controversy which may arise between the different nations. First, what is to be its jurisdiction and power? What kind of questions are you willing to submit to it? Secondly, after you have submitted such questions as are of vital concern to you, are you willing to give to that tribunal the sanction which will enable it to enforce its judgment? Are you going to organize a tribunal with the power to judge and also with the power to enforce, or are you simply going to organize an international debating society, without any power whatever to enforce its opinions? No man has yet been willing, according to my reading, to say that he is willing to give to such an international tribunal or to this superinternational court the power to render judgment and to furnish it the police power or the army to enforce it.

Will anyone advocate that those matters which are of vital importance to our people shall be submitted to a tribunal created other than by our own people and give it an international army, subject to its direction and control, to enforce its decrees? I doubt if anyone will advocate that; the able Senator from Illinois would not do so; and yet he is perhaps as earnest an advocate of this proposition as we shall be able to find. He was unwilling to give to this tribunal an army at its command. If you do not do so, Mr. President, what will your league amount to? If it renders a judgment, which judgment is for the purpose of preventing war, and can not enforce its judgment, what does it amount to?

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Missouri?

Mr. BORAH. I yield.

Mr. REED. If it does render a judgment for the purpose of preventing war and has the force to enforce its judgment, how is it going to enforce that judgment by force except by making war?

Mr. BORAH. Precisely so. In its last analysis the proposition is force to destroy force, conflict to prevent conflict, militarism to destroy militarism, war to prevent war. In its last analysis it must be that if it has any sanction behind its judgment at all. There is where the difficulty lies.

The distinguished ex-secretary of state for foreign affairs in England, Viscount Grey, has met this matter very candidly in discussing the obstacles to this proposition. He was candid enough to say that without a superinternational tribunal and without an army at its command the league would be futile. Is that your program? Do you say that you propose that American citizens shall be called into military action at the bidding of a tribunal composed almost entirely of members from Europe and Asia and wholly beyond the selective or elective control of our people? Viscount Grey said:

> The economic pressure that such a league could use would in itself be very powerful, and the action of some of the smaller States composing the league could not perhaps go beyond the economic pressure, but those States that have the power must be ready to use all the force and all the economic and military and naval force that they possess. It must be clearly understood and accepted that the deflection from or violation of the agreement by one or more States does not absolve all or any of the others from the obligation to enforce these agreements.

Let us, therefore, be entirely candid with the people of this country to start with. It may be that we are at the point where we want to organize a league of nations and give it certain powers, but let us not hesitate to tell the people of the United States precisely what we propose to do. Let us be candid with them, because the day of reckoning will come, for the people of this country still vote. Let us say to them that, if we are to organize a league of any force or effect, we propose to place an army at the disposal of the court, and that the citizens of the United States shall constitute a part of that army.

What I object to, among other things, as to those who are advocating the league is that they refuse to alight, to come down to the concrete affairs of the world, to say to those who must fill the trenches and fight the battles in case the league calls for war that that is what is expected from them in the beginning. When we reach that point, however, not a single one seems willing to accept the proposition. It is explained or modified or, as in the case of the Senator from Illinois, rejected.

Mr. Balfour has been quoted time and time again as favoring a league of nations. I want to read a paragraph or two from the debate in which Mr. Balfour stated what he meant by "a league of nations," which seems to me, after he got through with it, was nothing more than an old lady's international quilting society. He said:

> It is quite easy to imagine a court representing all the nations—a court which would have the same relations to nations that the Supreme Court in America has to the States in America. But the Supreme Court of America, which my right honorable friend truly said was a court of as high authority as any court in the world, is a court whose decrees are enforced from one end of the United States to the other, and has behind it the organized police of the United States, and my right honorable friend forgot to tell us where an international police was to be found likely to enforce the contracts between one nation and another and to see that any default of public justice and international dealings should be forbidden. He must have felt, I think, himself, when he was developing this scheme of his for the enforcement of treaties, that it did want the basis on which all enforcement of contracts in a country rests; that is, it had not behind it the power of the law to enforce the decision of the court.

Then the speaker gives us clearly to understand that Great Britain will hardly turn over to a tribunal which Great Britain does not create the power to use her army and her navy to enforce the decrees of some other tribunal. He continues:

> Therefore, so far I agree that the economic weapon—the power of imposing tariffs in certain cases—may be so misused as to amount to a very great international outrage. But I do not think that any country will consent to abandon the idea of putting on tariffs if its own economic needs, honestly and modestly conceived, require that to be done. My right honorable friend is justly entitled to speak for the great organized industries of this country, but I do not believe in the long run that labor in this country would consent to give up its power of dealing, if necessary, by tariffs with the economic problems which may arise. If no doubt there was universal free trade enforced by some court of law, it might—it certainly would—add to the wealth of the world and might not greatly injure their populations. But I venture to think that that proposition is driving the abstract economic theory to impossible limits. However that may be, I think the plan which my right honorable friend indicates is one which he would not find communities would assent to. It would be impossible, among other things, because so many countries must have tariffs—

And so forth.

So he rejects also the enforcement of the decrees through economic processes. Then he says, further:

> He again told us that the league of nations could only succeed if there was general disarmament, if there was universal freedom of trade, if there was universal arbitration, and if everybody believed in the success of those methods. I thought that last proviso showed that my right honorable and gallant friend had clearly apprehended, as, indeed, his whole speech showed, what the difficulty of his scheme was. The scheme is based on universal disarmament. Universal disarmament can only be tolerated by states which believe that they are secure from invasion, and they will not believe that they are secure from invasion unless and until they feel confidence in the international arrangement which is to stop war. So that the whole scheme, I will not say moves in a circle, but depends upon people having a conviction that their scheme will succeed, and that conviction is based upon the fact that there is universal disarmament, while universal disarmament could only take place in the event of their being persuaded that the machinery for keeping the peace of the world is going to be successful.

So, Mr. President, the able gentleman who is quoted throughout the land as being in favor of a league to enforce peace, first, rejects a superinternational court with an army to enforce its decrees; second, he rejects the proposition of an economic enforcement of its decrees; third, he ridicules and rejects the proposition of universal disarmament; and, fourth—I will not take the time to read it—he rejects the proposition of universal arbitration. Now, what is there left to a league of nations? Here is

one of the ablest and most famous advocates of a league of nations, and what a toy it is after it has been sheared of its virility by his incisive and all-inclusive logic. He is another of the statesmen who wants a league but will neither give power nor even respectability. Who will stand up for this noble conception when Mr. Balfour fails us and the able Senator from Illinois refuses also to follow where logic and events would inevitably lead him?

Mr. WALSH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Montana?

Mr. BORAH. I yield.

Mr. WALSH. I just came into the Chamber a moment ago, and am interested in what the Senator is saying. Will he kindly let me know who the speaker is whom he has just quoted?

Mr. BORAH. Mr. Balfour.

Mr. WALSH. And what was the date and place of the address?

Mr. BORAH. The 1st day of August, 1918, in the House of Commons. This is the speech that is quoted throughout the United States to show that he is in favor of a league of nations.

Mr. LEWIS. Mr. President, may I be pardoned to state to the Senator, if he will tolerate me for a moment, that the remarks just made by him might lead to the conclusion that that speech of Mr. Balfour was quoted by me as favoring a league. I did not quote Mr. Balfour.

Mr. BORAH. Oh, no.

Mr. LEWIS. I especially eschewed it as an expression that means all things to all men.

Mr. BORAH. I did not mean to be understood as indicating that the Senator from Illinois had quoted it, but at the time the speech was delivered the press carried throughout the country from across the water, properly censored, I suppose, the statement that Mr. Balfour had come out in favor of the league. I am showing the ineffable beauty of the league which he favors.

Mr. President, it has been universally understood in this country that Mr. Bryce, formerly the popular ambassador from Great Britain to this country, was in favor of the league. Well, Mr. Bryce seems to be in favor of a league, but he does not seem to be enthusiastic concerning such a league as would have any power to execute its decrees or to enforce its judgments. He says:

> I do not for a moment underrate the difficulties which must be faced, and I think that we may dismiss all those grandiose notions of what has been called a federation of the world, an attempt to induce the great States to forego their sovereignty and to submit themselves to some superior authority, and to constitute an international army. All these schemes, if they ever are realizable, must belong to a very distant future; and I do not think we ought to contemplate any further limitation of sovereignty than is necessarily involved in the obligations undertaken by a treaty. But however limited and cautious our plans may be it is not to be denied that the difficulties in the way are very great, and that the questions to be solved are of the utmost complexity. I do not think anyone can appreciate how great those difficulties are unless he addresses himself to a close and long-continued study of the subject and to the various plans that have been advanced.

It may be that all this discussion under the fascinating and pleasing phrase of a league of peace means nothing more than extending and amplifying the field of arbitration. If so, there will be no opposition, I presume. I should be glad to see all questions which could be arbitrated submitted to arbitration. If that is all that is involved, we shall likely all agree in the end.

Earl Curzon, discussing the subject at the same time, said:

> On the other hand, my noble friend Lord Lansdowne pointed out the enormous difficulties that lie in the path. He thought that it would be impossible to ration the members of the league in respect to armaments. I venture respectfully to agree with him entirely. I ask this, How could you limit the number of soldiers, guns, ships, aeroplanes in the possession of the different States who would join your league? Are you to prohibit or are you merely to limit the use of the various dreadful instruments of war which have been developed to such a high degree in the present war—submarines, poison gases, armed aircraft attacking from the sky? Or are you to limit the money that is spent by the various members of your league upon these armaments? And if so, how are you to see that all these limitations are honestly observed and are not evaded?

Again, he says:

> How are you to provide—you must provide—for legitimate territorial expansion and rearrangement in the future? You can not stereotype the existing condition of affairs. You can not, to repeat a famous phrase, "set bounds to the march of a nation."

And here, Mr. President, I digress to comment. Suppose we had been a member of a league of nations immediately after the establishment of a form of government in this country, such a league of nations as had a constituted tribunal with power to pass upon the questions which are supposed to be submitted to it. In what position would we have been in 1845 and 1846, when we had our trouble with Mexico, and which resulted in our securing from Mexico some very valuable territory lying upon the south of the United States? It is generally believed by historians that there was not very much justification for our conflict with Mexico; and, had we been a member of the league of nations and had assailed Mexico for reasons which were not satisfactory to the league, but were satisfactory to us, we would have found ourselves in the position of having signed a treaty which invited all the nations of Europe here to fight us for having engaged in war with Mexico. Indeed, who will set bounds to the growth of a nation?

Mr. REED. Mr. President, if it will not interrupt the Senator——

Mr. BORAH. Not at all.

Mr. REED. I should like to direct his attention to this thought: We have had some difficulty with Mexico in recent years; that difficulty is far from settlement; it may at any time spring into a more aggravated condition. Would the Senator be willing to submit any controversy we might have with Mexico, involving the treatment of our people, of our rights as a nation, to a tribunal composed of European kings or bolsheviki or both?

Mr. BORAH. No, Mr. President; and I would not care whether they were kings or bolsheviki, or who or what they were; if they did not owe allegiance to this Government they could not certify to their character to such an extent that I would submit a proposition to them which involved the honor, the safety, or the vital interests of the United States. All these questions, for weal or woe, are now determinable before a tribunal composed of the American people, and there, for my part, I shall leave them. I think their sense of justice, their poise in the hour of threatened danger, and their wisdom at all times will be equal to that, and, indeed, vastly greater than that of any superinternational court.

Mr. WALSH. Mr. President——

Mr. BORAH. I yield.

Mr. WALSH. I should like to ask the Senator a question. I wish to know whether he wants to leave this country at liberty to make another territorial grab, such as resulted from the War with Mexico? That is what I understand from the argument of the Senator.

Mr. BORAH. The Senator understood me about right. In other words, I am perfectly willing to leave the policy of this country to be determined by the common sense of the great masses of the American people who cast the ballot. When the American people decide to make a move I shall content myself with the belief that while the people are not always right, they are seldom wrong. I would infinitely rather trust their judgment, their sense of right, and their sense of propriety than to trust to a superinternational court composed of people over whom they have no control whatever.

Mr. WALSH. Mr. President, let me remark that everybody who considers this country alone will, of course, agree with the Senator from Idaho; but we must allow every other country to exercise exactly the same liberty, and those countries exercising that liberty drew us into the present world conflict. Now, the question is, How are we going to avoid that in the future?

Mr. BORAH. I will only say that at the time this world conflict began we had two leagues to enforce peace. We had the league composed of the allied nations and we had the league composed of the Teutonic nations; in fact, it is no trouble to organize a league of nations, because whenever you get two nations to agree that they will not permit some other nation to do something that it wants to do, you have a league to enforce peace.

Mr. WALSH. That is just where the trouble arises. Some talk was had awhile ago about the balance of power. We have tried for centuries to preserve peace by balancing one nation or group of nations against another nation or another group of nations, and it has been a dismal failure.

Mr. BORAH. The Senator evidently believes that in order that the proposed league may be a success at all, all the nations of the earth must join it.

Mr. WALSH. Unquestionably.

Mr. BORAH. Very well. Let us so assume. These leagues have no inherent necromantic power. There seem to be those, and the Senator is one of them, who believe if the league is sufficiently formidable in membership and sufficiently exalted in declared purpose that its power of incantation will be sufficient to banish strife and discord from the earth. But suppose in its membership it comprised the whole world and upon its glittering dome of purpose were inscribed the creed which was given to the race centuries ago from Sinai, it would still be this world, vexed with the jealousies and ambitions, the schemes and machinations of the most masterful minds of each succeeding age. And if anything would stir to uncommon activity and fire with unwonted zeal a Richelieu, a Metternich, a Bismarck, it would be just such an engine of power as that which is to

mold and direct not alone a nation or a single people, but all nations and all peoples.

Furthermore, Mr. President, another proposition has been presented by the question of supreme interest to the people of the United States, and that is, do they want their interests determined by representatives coming from Turkey or from the Balkan States or from the countless nations of Europe—different in race, different in language, different in aspirations, different in ambitions, and different in conceptions of right and wrong—or do they prefer——

Mr. REED. And from Asia.

Mr. BORAH. And from Asia. Or do they prefer to try to do business upon the plan outlined by the fathers of our country—no entangling alliance with any European nation? If the two propositions are presented to me that I must go into copartnership with all the nations of the earth and submit the interests of the people of the United States to a tribunal composed of a majority of those nations, or submit questions of peace or war to the people of the United States, I prefer to leave it to the people of the United States.

Mr. SHAFROTH. Mr. President——

Mr. WALSH. Pardon me. That gets us back, Mr. President, to the original question. Of course, everybody would who considers the interests of the people of the United States alone; but the trouble is that every other nation will exercise exactly the same right; it will determine for itself when it will start a war, the same as we will determine when we will start a war, and then we will encounter the difficulty which we seek now to avoid.

Mr. BORAH. What the Senator from Montana is arguing for is that we turn over to a tribunal other than a tribunal constituted by our own people the question of whether we shall be at war or whether we shall be at peace upon a particular question.

Mr. SHAFROTH. Mr. President——

Mr. BORAH. Just a moment. The Senator assumes that if we do so that that will be likely to lead to peace. I can not conceive of anything more likely to arouse animosity upon the part of the people of the United States and to stir the people of the United States to conflict than to have a decision rendered concerning their vital interests by some tribunal constituted in its membership by those who are not responsive to the people of the United States. Besides, the Senator assumes this tribunal will always decide for peace; suppose it has a bent for war. The people of the United States will always decide for peace except when honor and security are involved.

Mr. WALSH. Mr. President, if the Senator will pardon me, I interrupted him merely to emphasize as much as I could that those who are opposing the league of nations always argue the proposition as if the United States were the only nation on the earth; that is to say, if whenever the question arises it is asked whether we desire to determine our own future or allow some other nations to determine it, there is no answer to be made. Of course, we will not bind ourselves; but the other nations of the world are equally at liberty to determine their own future. Germany was entirely at liberty under the existing system to determine her own future. She conceived that she would go out and conquer the world, and we were drawn into the controversy. We may be drawn into it again. That is the situation that, it seems to me, must present itself for the consideration of Senators, rather than the question as to what we should like. Of course, we should like to run our own future according to our own wishes and desires.

Mr. BORAH. And I venture to prophesy that we will.

Mr. SHAFROTH. Mr. President——

Mr. BORAH. Wait just a moment. I should like to dispose of the argument of the Senator from Montana first.

The Senator from Montana says that Germany was at liberty to pursue her own course. Now, Germany could not be bound more strictly and more in honor than she was at the time she entered into this war. She was one of the signatory powers to a treaty which bound her not to do what she did do, and she understood perfectly that these other nations with whom she was going into war were bound to prevent her from doing that thing; but notwithstanding this agreement, which was backed up by the most powerful nations of Europe, Germany conceived the proposition that she was able to disregard the treaty, and she did disregard the honor of it, and therefore proceeded.

Mr. WALSH. Quite so.

Mr. BORAH. Now, suppose that Germany was in a league of nations and that she was bound to submit her propositions to an arbitral tribunal; but suppose Germany conceived at the time that she was powerful enough to dominate the world, to disregard the tribunal, to disown the obligations of the league, would she be in any different position, as a matter of honor or as a matter of binding obligation, then she was at the time she entered the war?

Mr. WALSH. Why, certainly not.

Mr. BORAH. Certainly not.

Mr. WALSH. Certainly not. Germany disregarded her solemn treaties and obligations because she felt that she was sufficiently strong, militarily, to defy the world and to overcome the world.

Mr. BORAH. Precisely.

Mr. WALSH. And of course if you leave Germany with perfect liberty again to develop her marvelous military organization, at some other time, 50 or 75 or 100 years from now, she may entertain the idea that the time is ripe again.

Mr. BORAH. I see the angle of vision that I did not get. The Senator now proposes that this league of nations shall supervise all the different nations of the earth, and say how many soldiers they shall have, and what the size of their navy shall be. Would the Senator permit Nicaragua and Costa Rica and Bulgaria to determine how large an Army or how large a Navy we shall have? Are we to have our security determined by the 57 varieties of nations in Europe? Does the Senator think their judgment is better and wiser than the judgment of a homogeneous people imbued with a love of peace and a love of country?

Mr. WALSH. Mr. President, the Senator is now simply adverting to some of the difficulties of representation. Why, as a matter of course we could not submit to giving these little nations the same voice that the Government of the United States would have. Great Britain would not submit to giving them the same voice. The subject of representation is one of very, very great difficulty. It was when the United States was organized. But let me add, Mr. President, that Germany disregarded her obligations because she felt that she was strong enough from a military point of view to do so. As a matter of course, disarmament or a limitation of armaments is a necessary condition precedent to a league of nations. Everybody understands that. It is for the purpose of getting rid of armaments and military establishments that a league of nations is proposed.

Mr. BORAH. The Senator says that he would not be in favor of the small nations determining these questions. That reminds me of what one of the most eminent writers on international law has said with reference to leagues of nations. He says they have always been of great binding force and effect upon small nations, but never of any binding force or effect whatever upon large nations.

Mr. WALSH. We never have had an agreement under which there was a limitation of armaments; and, Mr. President, the idea of disarmament and limitation of armaments may go on without any league of nations at all.

Mr. BORAH. The Senator says we have never had a league that provided for disarmament. The Holy Alliance provided for the disarmament of France, and kept it disarmed until such time as it permitted it to arm.

Mr. WALSH. Yes; but they did not provide for their own disarmament.

Mr. BORAH. No; precisely; and the Senator has just said that he would not consent for the small nations to have any voice in reducing the armament of the large nations, and the large nations in all probability will not reduce it themselves.

Mr. LEWIS. Mr. President——

Mr. WALSH. Mr. President, that is another difficulty that confronts the thing at the outset. My understanding is that no one has ever proposed that the armaments shall be prescribed by the league of nations. That is an arrangement that will be entered into originally and form part of the original agreement. It will be a matter of treaty between the various nations entering into the league.

Mr. REED and Mr. LEWIS addressed the Chair.

The PRESIDING OFFICER (Mr. KENDRICK in the chair). Does the Senator from Idaho yield; and if so, to whom?

Mr. BORAH. I yield to the Senator from Missouri, and then I will yield to the Senator from Illinois.

Mr. REED. Since the question was raised as to what were the objects of the Holy Alliance let me read just four or five lines. In fact the entire agreement is so exalted in its tone that it might be read with interest by all, but these gentlemen disclaimed all selfishness. Let me read this:

> They solemnly declare that the present act has no other object than to publish in the face of the whole world their fixed resolution, both in the administration of their own States and in their political relations with every other government, to take for their sole guide the precepts of that holy religion, namely, the precepts of justice, Christian charity, and peace, which, far from being applicable only to private concerns, must have an immediate influence on the counsels of princes and guide all their steps, as being the only means of consolidating human institutions and remedying their imperfections.

Mr. President, the signers of this instrument—and finally all the world signed but England and the Turk and the Pole, the latter two being excluded, but England indorsed it later—all agreed to these terms; and the despots of Europe, several of

them, including the King of Prussia and the King of Austria, both promised constitutions to their people. I only cite it to show how exalted were the ideas of these potentates.

Mr. LEWIS. Mr. President, if the Senator will allow me, incidentally with the interrogation of the Senator from Montana, I ask the Senator from Idaho if he will assume a condition where such a league as is now proposed did exist, and assume that it had existed at the time that Germany started out upon her course of war. Does the Senator from Idaho assume that Germany would have emboldened herself in the undertaking that she did had she been conscious that there was a league of which she was a member that would have then ostracized her from commercial opportunity and punished her with such restrictions as they could apply, as well as met her with combined armies? In other words, if the purpose of this league, as he understands it, were really in existence and had been in existence at the time Germany started out, and she was a member, does the Senator assume that she would have presumed to do the things that she did in the face of the penalties that this league could have inflicted?

Mr. BORAH. Of course, Mr. President, had she entertained the same opinion under the conditions which the Senator names that she did entertain when she entered upon this war—that she could conquer and dominate the world—she undoubtedly would have utterly disregarded any league or any combination of people against her. It is all a question of a state of mind, of what the German people thought, and it would be so in every instance. Germany undoubtedly thought she was strong enough to win against all possible comers. So believing she would have disregarded the mandates of a league.

Mr. LEWIS. Is the Senator, however, of the judgment that if we had the organization in existence as he understands it is proposed from certain sources, Germany then would have felt herself able to meet and dominate it, when it had a concentrated organization that could confront her?

Mr. BORAH. Of course, if Germany had thought that there was an organization of sufficient strength to have prevented her from accomplishing her purposes, she undoubtedly would not have entered into it; but she did not think that at the time she entered into this war.

Mr. LEWIS. Truly.

Mr. BORAH. She thought she could control the situation. Now, if there had been a league of nations, instead of Germany preparing for this war as she did, it is said, for about 40 years, she might have taken 10 years longer, in order to make more thorough preparation to have met a larger combination against her, and, furthermore, she might have secretly had much support inside the league. You must bear in mind this proposition, if we interpret the situation correctly, that the German people, led by their leaders, not only believed that they were capable of dominating the world, but they believed that it was their duty to impose upon the world their theory and conception of civilization.

Mr. LEWIS. Yes.

Mr. BORAH. That being true, there is no league or combination of nations that you could conceive of that would put down such a nation; and let me tell you another thing: There we come to another very vital proposition.

Suppose a nation, as a member of this league, comes to the conclusion that it must accomplish a certain thing as a people—acquire larger liberty, greater freedom, expansion of territory—and that its life is involved in such a movement, and the league decides that it must not do it. What kind of a people but slaves would submit to the domination of another nation, prescribing and bounding their growth and their development? You propose to erect by this league a bureaucratic system beyond the conception of the human mind heretofore to determine when nations shall move, when they shall grow, how they shall prosper, and how they shall expand.

Mr. LEWIS. May I not ask the Senator if his very illustration does not demonstrate this: On that theory, then, the ruling of the Supreme Court of the United States that delimits the barrier between Costa Rica and her neighbor, lately in conflict, would be utterly useless, for they would then say, as self-respecting people, how could they consent to accept such fate that was against them? Would not that naturally follow?

Mr. BORAH. Just that might follow.

Mr. LEWIS. Does not my eminent friend admit that if it is applicable at all in one case it is applicable in the other?

Mr. BORAH. But this is absolutely certain: If the Supreme Court of the United States or any other tribunal renders a decree which interferes with the growth or development of a nation as it feels it must grow and develop, it is not going to pay any attention to it.

Mr. LEWIS. I concur.

Mr. BORAH. Now, let me call your attention to another thing. For 700 years Ireland has had over it a control and a domination infinitely stronger than any league that you will ever organize to control all of the nations of the world. Has it destroyed the national spirit? Has it destroyed the national purpose or the national ambitions of that little nation? And will you ever destroy it by mere domination, direction, and control of some superior force? We make a mistake. I will say to the Senator from Illinois, in not giving due weight to those passions for development and growth, for liberty as a people conceive it, which no power can control or dominate, and which you can not destroy.

Over a century ago a league of nations combined and separated, dismembered, and destroyed Poland. For a century and a half she has been a waif upon the face of the earth. There has hardly been a revolution in Europe in that time that has not been led by some Polish spirit, and to-day, after 150 years of dismemberment by a powerful league of nations, the strongest national spirit in Europe is the Polish spirit, and you can not dominate it or control it by a league of nations.

Mr. LEWIS. If the Senator will tolerate me, by the test of the very illustration he gives I ask his judgment. In the first place, as to Ireland, does not the Senator's observation finally lead to this conclusion, that everything turns upon that public opinion which surrounds the judgment and the sense of justice which accompanies it? Second, does not the Senator concede that a different atmosphere and life are now ours than a century ago, and that the selfishness which produced all the evils to which he alludes at least has been relieved from in part, and that the object of the league is to prevent the very things which he says were wrongfully done to these nations?

Mr. BORAH. The Senator presents a question which I should like to answer; but I do not feel that this is the time, perhaps, to dwell upon some facts which have developed since the armistice was signed between the different nations which carried on this war against Germany. There is no possible doubt but that this war leaves the situation just about as the Napoleonic wars left the situation, with a very strong feeling in favor of some understanding among the nations by which to prevent wars; but it is just as equally true that all of these separate nations have their ambitions, their commercial desires and appetites, and their jealousies, if you may say so, in a business way, which are going to lead to precisely the same national rivalry, the same national ambitions that have always characterized the different nations of the world; and I sincerely hope that the time will never come in the history of the world when there will not be that distinct national spirit and national ambition characterizing the different nations of the earth.

Mr. WILLIAMS. Mr. President, will the Senator from Idaho permit an interruption there?

Mr. BORAH. Yes.

Mr. WILLIAMS. Of course, everybody agrees with him that there ought to be among nations a very strong national spirit to carry forward the culture and the civilization of nations, just as there ought to be among individuals a very strong individualistic feeling to carry forward individual development; but we have long since agreed that individual development must submit itself to some tribunal of arbitration when it comes to a row between him and me or between any other two people. Now, the Senator from Missouri has read the high-sounding tones of the Holy Alliance declaration. There was not anything so wrong about the tone. What was wrong was that they never meant it, and never intended to keep it, and never did keep it, and the really civilized nations of the world never entered into the agreement, neither Great Britain nor ourselves.

Mr. BORAH. Great Britain did not actually sign the agreement, but she adhered to it nevertheless.

Mr. REED. And indorsed it.

Mr. BORAH. And she met with them at three separate congresses, and sat in with them, and decided their policies with them, and was one of the advisers of the Holy Alliance; and she never withdrew from the alliance and severed herself from the alliance until she found that the alliance was engaged in the destruction of free government, and then she separated.

Mr. WILLIAMS. There is no difference between the Senator and me about the historical facts. Great Britain did not enter into the agreement. She did let it go with an arrière pensée of her own; and at the final time, when she found what the holy alliance was trying to do, not in accordance with its previous agreement, but in violation of it—to wit, extinguish free government from the earth—she did then suggest to the United States what we now call the Monroe doctrine, and we adopted it in

order that the South American Republics might have their freedom.

There is no difference between us as regards the historical facts; but what I am talking about now is this: Suppose they had meant what they said; suppose they had done what they said they were going to do; and suppose that Great Britain and the United States had entered into it. Can the Senator have any doubt, or can I have any doubt, that there would have been much longer preserved peace of a much more just character than the world ever afterwards met with?

Now, then, suppose that at the end of this war we agree and Great Britain agrees, the two of us controlling the seas; Japan agrees, the only other power threatening the seas; and France agrees, the only other marine power—Germany being crippled—that we will not permit any civilized nation to go to war with another civilized nation unless it has first either consented or offered to leave the question in controversy to arbitration. Suppose we mean that, and suppose we do what we mean. Does the Senator suppose that anybody will ever defy the amphictyonic council of the civilized world and its opinion in that respect?

Suppose another thing. Suppose that as a result of this war we say that no nation shall keep over half a million men under arms. Let us just suppose that.

Mr. BORAH. It is a nice thing to suppose.

Mr. WILLIAMS. I want to suppose it, because I think if is a good thing, and the only thing I am leaving in doubt is the number; but suppose it was 500,000, half a million men. That is as much as Great Britain needs, even on her far-flung battle line. That is as much as the United States needs. That is as much as Russia or France would need. It is not beyond the power even of Belgium or Switzerland to provide. It does not take away from any great, strong nation its natural advantages, because they have the natural advantage of reserve force and resources and man power behind them. There is nothing unfair about it. Suppose that were agreed to—four hundred thousand or five hundred thousand—and suppose we entered into an agreement that if any nation dared arm itself any further she would become the enemy of the civilized world, and we would so declare her and so treat her. Does not the Senator think that that would lead to a greater hope, at any rate a more assured hope of permanent and just peace in the world?

Now, one more question, and then I am through.

Mr. BORAH. I hope the Senator will not take up my time, because I have got to close. It is near adjournment.

Mr. WILLIAMS. One more observation, one more sentence, and then I am through. Now, if the Senator will add this reflection to what has gone before—that the world in the meantime has become democratic, and that the faith expressed now by nations will not be the faith of the despots who happened to control them, like the King of Prussia, and the King of Austria, and the Czar of Russia in the old time, but the expression of the will of the people themselves in all these countries—does he not agree with me that it is much more apt to be carried out than if it were the mere will of despots, subject to a revolution at home?

Mr. BORAH. Yes, Mr. President. These people who have fought and won this war in the name of democracy are about to organize a tribunal, which tribunal is to have the power to decide upon great questions of national interest, and which tribunal shall have the say as to how that shall be enforced. Now, who is to control this tribunal? What say will the people of the United States have with reference to who shall control this tribunal? They could not have any say as to more than one of them at most, and they would have only a third or fourth time removed control over that particular one.

Is it proposed that this tribunal shall be in any way selected, elected, or confirmed by these people whom the Senator talks about? This scheme removes the power to declare war farther away from the people than it is now. I think it is already too far removed from those who fill the trenches and fight the battles; but now it is proposed to give it to a tribunal which is still farther removed, which is an appointive tribunal selected by the different nations, over whose judgment the people will have no control whatever—a fitting conclusion to a war waged and won in the name of democracy! If you will demonstrate to me how the masses of the people can control this tribunal, direct its decrees in case they are not satisfied with them, or make it unmistakably responsive to the people, you will present a question much more to my liking than the one we have now.

Mr. WILLIAMS. Mr. President, do I understand, then, that the Senator thinks it is absolutely hopeless to organize any system of civilization where each nation shall not be its own judge and its own jury and its own executioner?

Mr. BORAH. I do not think it is hopeless.

Mr. WILLIAMS. I should hate to believe that, and I think the Senator would hate to believe it.

Mr. BORAH. The trouble with the proposition of the Senator from Mississippi and all these gentlemen who are discussing the league to enforce peace is that they assume that the league to enforce peace will bring peace. We who are opposed to it think that instead of "a league to enforce peace" it ought to be named "a league to promote war," because we believe that is precisely what it will do.

Mr. WILLIAMS. But, Mr. President, I assume——

Mr. BORAH. Yes, you are assuming, but I am not.

Mr. WILLIAMS. I assume that any expressed will of humanity, through its organized agencies as nationalities, to do a certain thing shall at least have a bent toward that thing, and that it shall not have the opposite effect. I believe that the will to preserve peace goes a long way to preserve it, and that if it is expressed through the organized authorities of society in the world, representing humanity and the democracy of humanity, it must have at least a tendency toward the purpose.

Mr. BORAH. That is precisely what Alexander the First thought.

Mr. SHAFROTH. Mr. President——

Mr. WILLIAMS. In that connection let me say this, and then I will not disturb the Senator any more: Alexander the Czar did say about that, and he meant it, and he was the greatest one of the men around that council table; but he was subsequently overslaughed and overawed by a great many other forces.

Mr. BORAH. Precisely. The Senator has stated there the defect of the whole proposition.

Mr. WILLIAMS. There was but one man to deal with. Every man that wanted to fix Alexander just had to see Alexander. He did not have to see a whole lot of free countries; and Alexander finally became a slave to the orthodox church, and he finally went back on everything that he had ever advocated; but he was just one man. Now we are talking about a scheme of nations, and democratic nations, and we say that they would not be likely to be controlled by one man.

Mr. BORAH. Mr. President, I hope the Senator will permit me to proceed.

Mr. WILLIAMS. Yes; I beg the Senator's pardon.

Mr. BORAH. I must close, and therefore I have to ask the Senator to let me proceed.

Mr. WILLIAMS. By the way, I want to beg the Senator's pardon. I did not intend to make the last outburst.

Mr. BORAH. That is all right.

Mr. President, the Senator has referred to the fact that Alexander changed his mind. Indeed he did. He started out with a league based upon the principles of Christianity. He ended up as the most violent advocate of a conspiracy to destroy free government and a free press. The power, however, which had been lodged in him as a Christian was still in him as a barbarian; and that is one of the defects of this league. Who is going to keep it from under the control of a Metternich, as the holy alliance came under his control? Who is going to keep it from under the control of a Bismarck? If that is true, who is going to keep them, when they are once members of this tribunal, from changing their minds from the aim of a league to enforce peace to that of a league to promote war?

Mr. SHAFROTH. If the Senator will yield, I do not understand that there is any desire to have fixed judges for the determination of these matters. I understand it is advocated for a league of nations that certain persons shall be selected upon each side and the odd man determined by lot if he can not be agreed upon, and the matter is then submitted to them.

Mr. BORAH. Mr. President, of course I do not know whether the Senator has reduced his proposition to form or not, but the only forms I have seen so far are those for a tribunal of a permanent nature, with power to decide and power to enforce.

Mr. SHAFROTH. I understand they are not to be——

Mr. BORAH. The Senator says he understands. From whom does he understand?

Mr. SHAFROTH. That is the situation now at The Hague. It is the manner in which they are selected there.

Mr. BORAH. The Hague has been rejected and put aside, and we are now dealing with another proposition.

Mr. SHAFROTH. It is an advanced stage over what has been in the way of arbitrating matters. For instance, if you have a controversy between Belgium and the United States it seems to me that Belgium could select three judges of her own and the United States select three judges of her own, and let the six select the seventh. Surely that would be a fair tribunal, and it would not be subject to the decision of six judges. I recognize that there is great difficulty in getting judges of different nations who are to determine matters. I understand

that a decree made by a tribunal of this kind is a final decree subject to no change or modification whatever, and that being the case the little nation as well as the big nation is fairly treated. If you have as a basis justice and right, which will prevail in the case of a controversy of that kind, you are not going to have the incentive to war which it gives in ordinary cases.

Mr. BORAH. Of course I do not know from whom the Senator understands this program. If it has official sanction back of it, of course it is an interesting proposition. But the proposition that has been submitted to the country does not contemplate that kind of a program at all.

Mr. President, we have seen in the discussion of this league to enforce peace that very few, if any, have been willing to say that they are willing to create a superinternational court with power to render judgment and a police force to enforce it. There are very few who are willing to say that they are willing to submit the vital matters, those matters which involve the life and death of a nation, to the court. Now, there come the other exceptions, and let us deal with them for a few moments, and I will close.

The able Senator from Illinois [Mr. LEWIS] says he does not understand that this league to enforce peace, the membership of which will be composed of all the nations of the earth, will in any way interfere with the doctrine which was announced by the Father of his Country in his Farewell Address, to wit, that there should be no entangling alliances on the part of this country with the governments of Europe, his idea being that Washington had in mind an entangling alliance with some particular one nation as against some other nation of Europe; that as this league will comprise all the nations of the world it will not be subject to the inhibition which was given to us by Washington in his Farewell Address. I have never understood that to be the construction of Washington's Farewell Address. I have never read it in that light. I do not know of anyone else except the able Senator from Illinois who has. Let us see if it will bear that construction. He says:

> The great rule of conduct for us in regard to foreign nations is in extending our commercial relations to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop.

To what did he refer? He referred to our treaty arrangements with France, the only treaty of alliance we ever had, and that was a treaty with one nation. He said, so far as this particular treaty was concerned, or so far as our former engagements are concerned, let them be fulfilled with perfect good faith. Here let us stop with all foreign nations. No alliances with foreign nations. Let there be commercial alliances, commercial understandings, and commercial agreements, but all political connections or all political arrangements or understandings are prohibited by the advice of the Father of his Country.

Now, how do you construe this?

> Europe has a set of primary interests which to us have none or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities.

Certainly, Mr. President, that can not be construed in any other light than that the Father of his Country, whatever his wisdom is worth to us now, was opposed to any foreign political combinations, arrangements, or understandings of any nature or kind whatsoever; that he excluded Europe from any political combination or understanding as a whole, because Europe had a set of primary interests of her own with which we had very little or no concern. This is the understanding of all men for more than a century. Not until the advocates of this league appeared has it ever been attempted to explain away or emasculate this doctrine. It is too late now to trifle with the last will and testament of him of whom it was said by a great Englishman, "He was the greatest man of our own or of any age."

While it is said that transportation has brought us closer to Europe than we were when Washington lived, Europe's primary interests are just as distinct in a multitude of the nations of Europe to-day as they were when Washington was upon the earth. There are some interests common to Great Britain and this country, interests common to France and this country.

These nations are advanced in the arts and in government and far progressed; but what is there in common between Bulgaria and Turkey and Asia and this Nation to-day different from what it was when Washington wrote his Farewell Address?

It is the proposition of this league that it shall include all these nations, the fifty-odd nations and perhaps one hundred and fifty when this matter shall be finally adjusted after the war, all of which are to be represented and all of which are to be members of the league. Politically we are just as far apart now as we were then, and if Washington were alive to-day he could announce his doctrine with the same accuracy, with the exception of two or three nations at most, just as emphatically and just as pertinently as he did when he bade farewell to his countrymen.

So, Mr. President, again I say, let us be candid.

I appeal to those who advance the doctrine of a league of nations to be candid with the American people and say whether it means the abandonment of the doctrine of Washington, that his Farewell Address has spent its force, has become antiquated, and should no longer have effect. It may be that the people of the United States are willing to abandon that doctrine. It may be that they are impressed with the proposition that we have entered upon a new era, but let us be candid with them and tell them that any practical league of nations means that we are to enter into entangling alliances in Europe, and all Europe, and all Asia, and all Africa.

We come now to the Monroe doctrine. I appreciate the candor and commend the Americanism of the Senator from Illinois when he says that the Monroe doctrine would have to be excepted from any league which he would indorse. But, Mr. President, a very distinguished educator at the head of one of our great educational institutions, an advocate of the league to enforce peace, has said that the league could have no more to do with the Monroe doctrine than it would have to do with the price of sugar; that he was not in favor of excepting it, because it does not affect it. Let us see whether it does or not.

The Monroe doctrine was based upon three propositions: No further colonization by European powers on the Western Continent, no extension of the European system to America, and no interference with established governments. It was called into existence by reason of the activities of the league of nations called the Holy Alliance, to which I have already referred. When this congress met at Verona in 1822 it took up the question of the Spanish-American colonies. The rising tide of democracy was sweeping away the Spanish possessions in South America. Spain was not able to control the situation, therefore this league to enforce peace had some business to attend to. Peace must be restored, and underneath the restoration were to be placed the crushed hopes and aspirations of people struggling to be free. And here let us remember that some wars are as holy as liberty itself. Peace when freedom is the price is fit only for slaves. Thus the Monroe doctrine was born. It was thrown up as a dyke against the threatened flood of foul inundation of this league of nations. It dedicated the western world to liberty. It was the new Republic's bold challenge to this unconscionable conspiracy bent upon the destruction of free governments. It is this doctrine which I contend any league of nations composed of foreign powers will destroy.

Let us illustrate. Why did we purchase the St. Thomas Islands? They were situated on one of the routes tending to the Panama Canal. It was known or feared that Germany wished to secure these islands. We would have no right to object to her securing them except the right which arises out of the Monroe doctrine. As a sovereign nation Denmark had a right to sell. As a sovereign nation Germany had a right to buy. Had she purchased and had we submitted to it, the Monroe doctrine would have been at an end. Suppose she had purchased the islands and had undertaken to take possession of them. Would we have consented for Germany to have those islands on the route to the Panama Canal? Would we have submitted to an international court the question of whether or not we should maintain the Monroe doctrine? Or if we had submitted it and it had been decided against us, would we have given up the Monroe doctrine and permitted Germany to acquire the islands? Suppose Germany had purchased them and started to take possession and we had moved our battleships to the waters in the neighborhood of these islands to prevent her taking possession. Under this league to enforce peace that would have put us in the wrong and we would have found ourselves a member of a league by the terms of which we invited all the nations of Europe to fight us because we refused to submit the Monroe doctrine to a tribunal or refused to give it up. Do you think we would have submitted any of these questions to an arbitral tribunal composed entirely of foreign nations? If it had been submitted, do you think the people of the United States would have sustained the treasonable administration that had done so? I repeat, Mr. President, I thank God the American people still vote and they will control the policy of this Nation in matters which touch their vital interests and involve the security of their country.

Take another proposition. A few years ago Germany made a move to purchase the Galapagos Islands near Ecuador. They, too, were not far from the Panama Canal. It was during the time Mr. Root was Secretary of State. Through correspondence we prevailed upon Ecuador to refuse to sell. But suppose

Ecuador had refused to accept Secretary Root's suggestion. As a sovereign nation she had a right to sell, and Germany had a right to buy.

Suppose she had purchased and undertaken to take possession and we had disputed her right to do so. Would not the Monroe doctrine again have been directly involved and would we have submitted the question of whether Germany should have these islands, which would involve the safety of our whole country, to an arbitral tribunal? But if we had refused to submit it according to the principles of the league of nations, all other members of the league would have had to send an army here to whip us into submission. We would have found ourselves the signer of a contract which would have invited every nation of Europe to take part in the affairs of the Western Continent. President Wilson once said most correctly: "The Monroe doctrine was proclaimed by the United States upon our own authority. It always has been and always will be maintained upon our own responsibility." No, indeed, we want no foreign powers settling the difficulties of the Western Continent. We have gotten along splendidly under the doctrine of Washington and Monroe without their aid or assistance.

Mr. LODGE. The Senator spoke about the Galapagos Islands a moment ago. The question came up under the McKinley administration, and Mr. Hay, then Secretary of State, served notice in form to Ecuador that there was but one purchaser for those islands if they were for sale. When it came to Mr. Root and the question arose again, Mr. Root said: "I did not propose that we should be in a position where we had to buy the islands, and I told Ecuador these islands were not to be sold to anyone."

Mr. BORAH. Precisely.

Mr. LODGE. That is the Monroe doctrine, and that would go to the winds if we had a league of peace with foreign powers.

Mr. BORAH. I thank the Senator. I have read somewhere this illustration which I make use of: A few months before the commencement of this war the President of the United States appeared before Congress and asked permission to use the armed forces of the United States to enforce the rights and protect the dignity of the United States in Mexico. Before the authority was actually given a clash of arms took place between the United States and Mexico, and some two hundred Mexicans were killed and perhaps 75 or 100 Americans killed. We gave the authority, and in due time our force in full appeared upon the scene. Suppose we had been a member of this league of nations, a league which provides that every nation before it proceeds to hostilities shall submit its question to arbitration or to the decision of an international court. Would we have submitted to European nations the question of whether we should protect the dignity and enforce the rights of Americans upon this continent? Would we have abandoned not only our rights, but abandoned the Monroe doctrine, by inviting foreign nations to settle it? And at the time that we appeared at Vera Cruz, under the conditions which existed we would have been subject to ostracism by this league of nations and would have, according to the very treaty which we would have signed, invited all the other members of the league in company with Mexico to fight us.

Not only that, Mr. President, but at the very time the President appeared before Congress and asked for this power we were in a solemn treaty with Mexico binding us in honor and good conscience in case of any controversy, before resorting to hostilities, we would undertake to arbitrate or settle it in some way in order to maintain the friendship between the two nations. It was not believed at the time that conditions permitted our adherence to this treaty. Would our honor or our conscience have been any more under the control of a treaty which was the basis of a league of nations? Would it have been any more binding upon our armies, unless it be assumed that we would refrain from fear and not from honor?

Yet these men who are advocating a league of nations, a league to enforce peace, with a court to decide difficulties, pretend to say to the American people that it would in no wise interfere with the Monroe doctrine. I repeat again, let us be candid with the people of this country and tell them what this scheme of a league to enforce peace means. Let us deal with them in the utmost candor. If anyone knows what it means, he should say so. If he does not know what it means or where it is going to lead, in Heaven's name let the people know that also.

Mr. President, let us be perfectly candid with the people of this country and tell them what this scheme of a league to enforce peace means. It means the creation of a superinternational court and turning the Army over to their direction if it has any virility. It means the abandonment of Washington's Farewell Address. It means the abandonment of the Monroe doctrine. It means that we will enter into entangling alliances with Europe. I am not in favor of it. I am not in favor of any league of nations which infringes in the least upon the sovereign power of the people of the United States to direct and control the destiny of this Nation.

Mr. President, I concede to the ideal its great place in human affairs. I am glad we have with us always the idealist. Life without its music and its poetry, the great, throbbing heart of humanity devoid of sentiment, and this world of struggle without its ideals would be the place that Byron in his gloom tells about, where all were "chilled into a selfish prayer for light." But while the ideal has its place, into that land of promise, like the patriarch of old, the legislator is not permitted to enter. He must deal with concrete things and things practical. If possible, he must know in advance to what results the plan proposed leads. He must seek to measure its effect upon those whose lot it is to tread the homely paths of life. His material is human nature as it is and as it always will be—struggling up and moving on, hoping, aspiring, but human nature still. If the uglier passions were dead and love of power were banished, if race prejudice and national rivalry and commercial hunger were at an end, if we could only realize in practice that the Creator made of one blood all nations to dwell upon the face of the earth, the task of the legislator would be easy.

But you and I are to deal with a world tortured and twisted by selfishness and greed, vexed and driven by rivalry and ambition as well as honored and ennobled by self-denial and self-sacrifice. We can no more in wisdom ignore the former than we should disregard the latter. And above all, the thing which seems to confound all purposes and frustrate the noblest schemes is that inscrutable and tantalizing fact written upon every page of human history, the fickle friendship of nations.

Six years ago had we formed a league Germany would have been welcomed and as a friend, though at that time she was preparing her war for world dominion. We would have had within the league, operating under cover of friendship, the secret forces of an avowed enemy of peace. Turkey, I presume, would have been admitted, as we never yet have felt the necessity of declaring war against her. Thirteen years ago Russia and Japan were at war. In 1917 they formed a most friendly alliance. In 1918 they are at war, or near war. It has not been long since Bulgaria and Serbia stood and fought together against the Turks, though they have since been engaged in deadly conflict against each other. Speaking again of the Turks, the most cruel and remorseless of nations, in the last hundred years, at different times, every Christian nation of Europe has been willing to enter into some kind of an alliance with her. Within the last decade Germany and Austria stood by and assisted while Italy seized Tripoli from Turkey. Since then Germany and Austria and Turkey have been at war with Italy. A powerful league was formed between France and Britain and Russia in 1914, to the effect that no peace should be made until it was made together. In a little over two years Russia had made a separate peace. Great Britain and France have been during the last century and a half more often enemies than friends. This Republic has friends now who were not our friends in former days. This is the story told from the beginning of history. There is no such thing as friendship between nations as we speak of friendship between individuals. Any plan based upon such a theory is built upon shifting sands. Equally futile are schemes to boycott in an economic way erring nations. People and nations will trade where interest and advantage invite them to trade. The Paris economic conference was a ridiculous affair, an affront to human experience. With deep insight the President disowned its purposes. Nations and peoples act from self-interest—buttressed and sustained by race rivalry and national pride, and also, thank God, by patriotism, which is love for your own country, your own government, and your own people before and above all other countries, governments, and peoples. Without that patriotism, that sacred passion, which reached its sublime heights at the Marne and at Chateau-Thierry, the world would not be fit to live in. Whatever plans we have, let us build them in the light and under the inspiration of the proud traditions of the Republic and the teachings of Washington and Jefferson, of Jackson and Lincoln.

You will read that on the night before Alexander started on his conquest of the world he visited his old tutor, Aristotle, for a last interview. The aged philosopher said to the youthful conqueror: "You are about to start upon an enterprise which will bring you into many lands and among many nations, some already celebrated in arts and in arms, and some savage and barbarian. But this last counsel I give you: Withersoever your victories lead you, never forget that you are a Greek." But Alexander did forget that he was a Greek. The self-restraint, the poise, the fine sense of justice, the philosophy of the Greek gave way to the unrestrained revelry and reckless debauchery

of the savage and the barbarian. Conscious of his great strength he tossed prudence to the wind. That which promised dominion and glory and power ended in a premature grave in a foreign land.

Sir, I fully understand that we have as a people come into a wider circle of influence and under graver responsibilities than we have known heretofore. I acknowledge in full our duty toward the peace of the world, our deep and vital interest in sustaining and extending and strengthening the domain of international law. I would shirk from no duty; I would meet every obligation. But as we are brought into contact with many nations, some advanced and enlightened in the ways of free government, some far below our standards and conception of right and justice, we should never forget that we are Americans. Through it all we should cling to our traditions, our principles and policies by means of which we have risen to leadership in the great struggle for free institutions. Americanism, the most vital principle in civilization to-day, the hope of the world, is not to be compromised, much less abandoned. The political creed under which we have attained unto greatness, the tenets of that faith which lighted this noble experiment on its way, are not to be disregarded simply because we are now victorious and strong. The simplicity, the justice, and the demonstrated wisdom of the two great underlying principles of our foreign policy are not to be bartered for the imaginary plans of an imaginary world. They harmonize with our tastes, they conform to our habits as a people, they fit into and buttress our free institutions, and for myself I do not want to give them up. "Observe justice and good faith toward all nations; have neither passionate hatreds nor passionate attachments to any, and be independent politically of all." That is the political chart with which we put out to sea over a century ago. It will be a fateful hour when overbold and too conscious of our strength we conclude that without this chart we can withstand the storms which we are bound soon to encounter. True to these principles, true to our teachings, we can still discharge every obligation toward peace and for the advancement of mankind.

Mr. WILLIAMS. Mr. President, I take it for granted that there is not an American in the world who will forget that he is an American. I take it for granted that the spirit is as widespread in Mississippi as it is in Idaho. Alexander ceased to be a Greek, as the Senator said, but for the very simple reason that he never was a Greek to start with; he was a Macedonian.

The whole sum and substance reduced to its last analysis of all the Senator said most eloquently is that he contends we have a right to be the judge in our own quarrels ourselves. That is all. If he were to announce that as a principle of philosophy among individuals the whole world would unite in putting him in a lunatic asylum or sending him to prison. It is absolutely wonderful that men who live in a state of civilization, where they leave to fair arbitrators quarrels between themselves, should contend that they lose independence and suffer indignity whenever as nations they agree to let justice and right prevail, instead of having each nation act as its own judge.

The Senator has drawn a picture of what might have happened in our quarrel with Mexico. What would have happened if we both had been members of a league of nations would have been this: In the first place, Mexico never would have fired upon the American flag. If she had fired upon the American flag—as she did fire upon it—then it would not have been we who had started the war, but Mexico. Then the league of nations would have made Mexico the common enemy of all mankind, instead of merely our enemy.

Mr. President, I believe in a God of justice and righteousness. I believe in the utterance of Tennyson, that a day will come when "the common sense of most will hold fretful realms in awe," and I do not believe that any nation has a right to say what the Senator has just said, assuming me to speak for this Nation, any more than any individual has a right to say what he has just said, if he spoke for an individual, whether himself or any other individual. I do not believe that any individual or any nation has a right to say: "I shall be the sole judge in my own quarrel; I shall try the case; I shall give judgment; and I shall execute the judgment."

There are two ways of keeping the peace of the world. One is by an amphictyonic council of the civilized world, which we are trying to secure; the other is by the domination of one great world power that shall make its will known to all the world. That is what Prussia and Germany attempted. At the bottom of the heart of the Senator from Idaho he seems to have the same idea, except that he would not have Germany do it, but he would have us do it. Of course, you can keep the peace of the world if you let one nation rule the world, and rule it with such force and such power that nobody else dares defy her. At the bottom of the Senator's heart is that notion; but it is not a right notion; it is not just; it is not fair; it is not civilized; it is not enlightened; it is not righteousness. You have no right in a dispute between me and you to be the sole judge of the controversy; and America has no right in a dispute between her and anybody else to be the sole judge of the controversy. The only reason why hitherto a nation has been the sole judge in a controversy is because it did not limit its own power to be so, if it thought it had the power. It is no less barbarous for a nation than it is for you or for me to say: "We will admit nobody else to stand in judgment; we will ourselves be the sole judge, the sole court, and the sole executioner of our own decrees."

If you are going to carry on this miserable mad world the way it has been carried on for a long while, why, go ahead with it; but it must result after a while, if you are going ahead that way, in one thing. It must result in the carrying out of the German idea by somebody else and not by Germany. Somebody must conquer the world and rule it and keep it in peace. If you want America to do it, all right, if you think you can, if you think the game is worth the candle. I do not. I would infinitely rather that the "common sense of most should hold fretful realms in awe."

When the Senator comes and tells me about what failed to be done under the Holy Alliance, with six despots gathered around a table, to agree upon things that they never intended to carry out, it has nothing to do with what we are proposing here to-day. There was only one of them that ever did intend to carry it out, and that was Alexander of Russia, and he forced it upon the council. He was an idealist, a sentimentalist, a fine fellow, except that later on he went all to pieces. But a democracy is not going to do that.

If you think we are the only democracy in the world, you are again mistaken. The Government of England is more democratic than is our own. The voice of the people of Great Britain is put upon the statute books within a few weeks after a general election, and the voice of ours may never be, and frequently has not been. France is as democratic as are you and I. Italy is almost as much so. Belgium is very nearly as much so.

If you want to carry on this mad, barbaric, insane business of any nation getting mad with another because a grand duke has been assassinated and declaring war, leading to a war of all the world, why, go ahead with it. But God will not bless you in it, whatever else you may say or do. I imagine that a different verb would suit the situation rather than the verb "bless."

The Senator from Idaho, under it all, is of the opinion that every man is in his quarrel, that he would like to settle it for himself; but we have long since agreed, in the interest of civilization, that we could not do that. It is better for a quarrel to be settled wrong now and then than it is to have both parties to a quarrel, each one to settle it for himself, the only upshot of which is that one must kill the other. So the Senator's philosophy, reduced to the ultimate analysis, is that, as between nations, each nation must be its own judge, and, in the long run, must proceed to murder all the inhabitants of the other nation.

The Senator from Idaho would say, "I am an American; I must not forget that I am an American and that I am all sovereign; I can not allow anybody else to interfere"; or, "I am a Frenchman; I must not forget that I am a Frenchman, and in all quarrels to which France is committed I alone must be the judge"; or, "I am a Briton; I look away back beyond a long line of ancestors; I am proud of them; and in any quarrel in which a Briton is engaged I alone must be the judge; the United States and France shall not have any voice at all." You had better just say, "I am a barbarian" and be done with it. "I insist, as the barbarian does, upon settling all my quarrels to suit myself." That is the only difference between a barbarian and a civilized man. A savage settles his own quarrel to suit himself, if he can, and if he can not the other fellow settles it to suit himself, and one of them dies on the spot.

Great Austria sends an ultimatum to little Serbia, saying: "One of my grand dukes has been killed, and you must kneel upon your knuckle bones and come in, and not only apologize but let me run your country for a while, while I settle this question to suit myself." Then Germany comes in and says to Russia: "Yes; you must let her settle this to suit herself; she is sovereign, and, being sovereign, she is the only judge of her own controversy."

There is a higher enlightenment coming to this world than the Senator from Idaho has thus far dreamt. It may not come now, but it will finally come. There will be a time when no

man will dare stand in any deliberative body and assert the doctrine which he has just asserted, when no man will dare stand up and say for a nation what no man now dare say for an individual, to wit, "You must not touch the sovereignty of the nation in the slightest degree, because unless each nation settles its controversy to suit itself it has lost its self-respect." Why, I do not lose my self-respect when I go to court with you or you with me.

Now, as to leaving controversies in which the United States are concerned to a biased and a partial arbitrament with separate interests of a European character, as the Senator says, that is not and never was involved in the proposition. Nobody ever said, except a few extremists who have never been listened to much, that every nation was to be represented in a council that was to settle all difficulties. The only question was that they must settle them, and that if they did not submit to fair and impartial arbitration, then the civilized world would taboo the country that did not.

Mr. President, you may talk all you please, you may say what you choose to, you may quote all the bad men and barbaric history that has ever been written—and there is lots of it that is quotable in favor of the position that the Senator from Idaho has just taken—all that is back there; all that is behind us so far is barbarism internationally; and we have got to get away from it somehow, at some time, now or hereafter. You may argue all you choose about it, but when you get through talking about it, it comes down to this: Are you fair? Are you just? Are you generous? Or, on the other hand, do you insist that you shall be the sole judge in your own quarrel? That is all; there is not anything else to it. Are you fair? Are you just? Are you honest? Have you that sense of honor that makes you give some consideration to the other man's assertion of his right, or do you stand like a savage and say, "I will be the sole judge of my own quarrel"? And when you say it as a citizen of a country or undertake to make your country say it, you are none the less criminal as an American, but you are a hundred million times more criminal than if you said it just for yourself, because you are undertaking to say it for a hundred million people.

I should like to be the judge of my own quarrel always in a way. I believe I would be generally right about it, and I reckon you think you would be, but that is not what civilization has decreed for me or for you, and that is not what civilization ought to decree for nations.

Oh, I wish the Senator from Idaho would think for just one moment about the men and the women and the children of Belgium and Serbia and Poland and of France, and what this barbarism has led to. Murder, robbery, rape, and everything else in the world; and why? Because of the absurd notion that every nation has to be the sole judge of its own quarrel, and that it was lacking in honor and lacking in self-respect and lacking in patriotism if anybody else was invoked to try and settle the controversy; that is all. Every murdered man and every ravished woman and every robbed bank or robbed household in all Europe to-day owes the guilty fact to the advocacy of the very theory that the Senator has just been talking for. The whole thing would have been avoided if, upon the suggestion of Earl Grey, Austria had been willing to leave it to arbitration. The whole thing would have been avoided if, upon his further suggestion, she had even been willing to leave it to The Hague court. It was put up to her trebly—leave it to arbitrators, to The Hague court, or leave it to the concert of Europe; and Great Britain, France, Italy, Germany, and Russia will meet and decide it. She refused all. Why? Not upon the plea, "I am an American, and I must never forget it," but upon the plea that "I am an Austrian and I must never forget that." And Germany refused to interfere upon the plea that Austria was Austria, that Germany was an ally of Austria, and that she could not even consider a proposition of having Austria submit to arbitration a question of honor, as the Kaiser called it. A question of honor—the killing of a grand duke! It amounted to no more than the killing of anybody else anywhere else, except they thought the idea of sovereignty was involved, because he was a member of a reigning house.

Mr. President, I have said upon this floor more than once in my time, I have repeated the language of Thomas Jefferson, my passion is peace, and I am so fond of peace that I will fight for it any day in the world whenever it is necessary or possible. My family has fought for it, and will continue to do so. I am so fond of peace that I do not believe that even my own country has the right to be the judge in its own quarrel, and to avoid peace when peace can be brought about with self-respect.

The Senator has instanced two or three cases in which he says, What would the American people have done under those circumstances if there had been a league of nations?

I will tell you what they would have done. The question in controversy would have been settled, and if it had been settled either way we never would have been worse off. In all the cases that have been cited, my own opinion is that the controversy would have been settled in our favor. But suppose it had not been. Suppose that a Senator owes me $25 and denies it, and goes into court, and a jury takes his word for it, and I lose my $25, and he keeps it in his pocket. Is not that better than having me kill him or having him kill me? Is that not better than to have him come and invade my household and go into the house and take my silver in order to pay himself? I am assuming a case where I believe I was right.

Mr. BORAH. The Senator always is.

Mr. WILLIAMS. Is it not infinitely better that I should lose the $25 than that I should go into his house and take his silver pitcher and his silver cups and his spoons and carry them out and sell them in order to indemnify myself? Is not the Senator lawyer enough to know that it is infinitely better to have cessation of litigation than it is even to have every judgment absolutely correct?

If we can not appeal to the conscience of the civilized world to stop this miserable barbarism of murder and rape and arson, this insanity that we call war, which now and then, under the present system, the best people in the world must resort to, just as we did this time, then where is the faith in God and the hope for enlightenment? What is the use of living? What is the use of pretending to be civilized? If I have got to go out into the world and fight for everything that I want and need and ought to have, and nobody is to be a common judge of what is right and just between me and an antagonist, then what is the use of all this structure that we have built about us—libraries, and schools, and churches, and dreams of poets, and visions of prophets, and the balance of it? Had we not better just go back frankly and butcher one another whenever we feel like it?

Aristotle's last words to Alexander were: "Remember that you are a Greek." I would hate to tell any American that the last word I had to say to him was: "Remember that you are an American." I would infinitely rather say to him: "Remember that you are a human being and a creature of God, and that, whether you are an American or not, you must not set up to be the judge in your own quarrel. You must do justice; and, for fear that you will not, you must try to organize some power that will do it, somewhere—your own power, in which you have half say; fair arbitration."

I do not know what you think about it; I do not know what you will do; but during the whole time I was practicing law I had a positive contempt for any man who refused to leave to the arbitration of his neighbors a quarrel between him and another neighbor. I never knew one of them to be right.

Patriotism, yes; nationalism, yes. They are amongst the most sacred words in the world, because they lead to the extension of our culture—not German kultur, but real, civilized culture. The only reason why the Germans spelled it with a "k" was because Great Britain had all the "c's," as somebody said in a paragraph in Life, I believe, or some other funny paper.

I would have understood the speech the Senator from Idaho has made if some other Senator had made it; but, I declare, it does not sound like him. He is the sort of man upon whom I would place my hands and say: "If there is an American in the world, the product of enlightenment and civilization, that wants to open a new vista for humanity, a new hope for it, and do away with past barbarity, here is the man." You do not imagine you can do away with past barbarity as long as you keep the door open for every nation to settle its own quarrels to suit itself.

"Oh, but it may involve the Monroe doctrine"! Well, suppose it does, and suppose you can supplant the Monroe doctrine with a world Monroe doctrine. What was the Monroe doctrine? It was that no European country should by violence extend its conquest or its system of government upon this continent. Now, suppose we say to all the world that no government whatever shall by conquest extend itself or its system of government anywhere, not only in America but all over the world. Is that not merely an extended Monroe doctrine, much higher in its character and much more enlightened in its scope?

"Somebody might have gotten the Galapagos Islands"! What harm would it have done anybody if they had? It is like the fellow who after the Spanish-American War went around speaking as if we would have been ruined if we had not had the Philippines, when most people never knew where the Philippines were before. The only thing we had ever heard about them was that Manila hats came from there. Then they tried to work us all up to a feeling of strong patriotism that if we did not keep the Philippines somebody else would get them. We

had to buy the people at so much a head to subject them to American "kultur"—this time spelled with a "k"—loaded rifles. We would have been just as well off without them. We are just as well off without the Galapagos Islands as if we had them. We do not want them anyhow. What would you do with them if you had them? And what harm could anybody else do if they had them? I mean harm to us. Of course, if Germany had them she could have done a heap of harm to the natives in her barbarous way, as she did in South Africa; but she could not have harmed us.

Mr. President, I absolutely deprecate the doctrine that patriotism or loyalty or nationality demands that my people shall be the sole judge in any controversy arising between it and any other people; and so far as I am concerned, I am willing to accept all the disapproval that may come from people pretending to be more patriotic than I on account of that opinion. I would be ashamed of myself if you and I had a controversy, and I met you and said, "I will be the sole judge of this controversy"; and I would pretty nearly murder you if you told me you would be the sole judge.

Mr. President, there is no difference in the law of ethics and morals when applied to an individual and when applied to a nation. Germany has contended that there was. She has contended that the State was an independent sort of entity, and that you must do things for the State, and you must be the creature of the State, and you must, in a way, worship the State. That never has been the American doctrine. The American doctrine is that the State is the mere instrumentality of the will of the people, and that it is erected by them, and can be thrown down by them whenever they please. They not only have the right to overcome it, but the duty to do it, if the State fails them as an instrumentality. You can not take the position that a state—a government—must be the sole judge of its quarrel, unless you go a step further—to state worship. The law of morals and of ethics is the same as between individuals. There must be mutual concessions, and there must be common and impartial arbitrament, and as between nations there ought to be the same thing.

Now, gentlemen may call this sentimentalism, they may call it idealism, but it is the highest form of practicalness. Everything else is theoretical except that. Everything else is not only sentimental but narrowly sentimental, except that; and that flag above all other flags on the surface of this earth has hitherto emblemized that idea. We have never carried it anywhere except with the idea in our minds, at any rate, that we were so nearly right that we would have left the question to arbitration if the other side had agreed.

Why, this American Union is a mere illustration, every star on that flag is a mere illustration, of the general principle. New Jersey was ready to go to war with New York; Rhode Island was holding out; North Carolina was saying that it could not come in because of its sovereignty; and yet we came in, and we had peace within our borders and interstate trade, guaranteed by a fair Federal arbitrament that we ourselves had erected. If there is any pattern for a league of nations in the world to-day, it is the American Republic, this Union of indestructible States, still remaining States, but giving up a certain degree of independence in order to accomplish a grander result.

PAY OF EMPLOYEES.

Mr. MARTIN of Virginia. Mr. President, a resolution came over from the House providing for the payment of the employees of the two Houses on the 21st of December. It was referred to the Committee on Appropriations. I ask unanimous consent that that committee be discharged from its consideration and that the Senate proceed to consider it.

The PRESIDING OFFICER (Mr. JONES of New Mexico in the chair). Is there objection? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the joint resolution (H. J. Res. 356) authorizing payment of the salaries of officers and employees of Congress for December, 1918.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SOUTHERN PORTS.

Mr. McKELLAR. Mr. President, I ask unanimous consent to insert in the RECORD two very short articles on southern ports as ports of export.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

SOUTHERN PORTS.

Secretary McAdoo, in the capacity of General Director of Railroads, has made a visit to the South to meet and confer with railroad officials in that section and incidentally he made a visit to Mobile and Pensacola. He has spoken since of the fine harbors of those Gulf ports, of the advantage that would come of their development, and the foreign trade that might be in that way conducted. Secretary McAdoo will give up control of the railroads January 1. It is to be hoped that his successor, or those on whom the work of railroad direction in the future may devolve, will continue of the same mind and show some zeal in behalf of this needed improvement.

It would be to the advantage of the Nation at large if the Gulf ports should become more important in the country's commerce and do a larger part in both importing and exporting than has appeared to be possible under old conditions.

As long as the railroad systems of the country were controlled mostly by the capital congested in the East, only the lateral lines leading to the Atlantic seaboard were important; all other railroads were mostly for "feeders" or for local convenience. It is not for the best interest of the country at large, certainly not for that of the great Middle West or the trans-Mississippi country, that it should be so. Government management of railroads should take care that there is no discrimination and that the country is served for the general public good and not for local advantage.

But it does not appear that the Government contemplates such a policy despite the interest manifested by Secretary McAdoo in Mobile and Pensacola. A short time ago a statement made of Government plans for new steamship routes included lines from New York only to Latin-American ports; some of them to Mexico and Central America in a comparatively short distance of our great ports. Possibly what Secretary McAdoo said about Mobile and Pensacola gave indication that the former plans may be amended or supplanted, giving greater advantage to the southern ports.

Not only the Gulf ports but the South Atlantic ports, Jacksonville, Savannah, Charleston, and Norfolk, could be used to better advantage than under present conditions. The Jacksonville Times-Union presents the fact that there is great waste of time and transportation in sending South American imports to New York to be reshipped over the continent. Nashville, for example, might get these imports from Jacksonville in a few hours, when much time and considerable freightage is added by sending them to New York and thence to Nashville by rail.

Now that the war is over the traffic through the Panama Canal should be greatly increased and through means of the canal an active trade with the Pacific coast of South America should be developed. This could be most effectively done through the Gulf ports.

Mexico, Central America, and the portion of South America bordering on the Caribbean Sea can also be easiest reached through southern ports.

As it was one time said that "all roads lead to Rome," all the railroads in America have a long time led to New York, or at least to the north Atlantic seaboard, and that fact furnished one reason for the great congestion of wealth and industry there. It would profit the country if there were a wider distribution of railroad terminal and Government direction of railroads should lead to that end.

Nashville would profit by the development of the Gulf ports that would place it in the line of the new north and south trade that would be in that way established. Such development would add to the upbuilding of the South in general.

[From the Jacksonville (Fla.) Times-Union.]

SOUTHERN SEAPORTS.

A number of delegates from South American countries will attend the Florida State fair. They come to the fair here instead of going to others, because Florida is nearer to their countries than any other State is and they regard this State as the logical place of departure from the United States of commerce destined for Latin America.

Senator FLETCHER thinks this meeting is one of great importance to the State, and refers to the opportunity that Jacksonville and Florida have of reaching out after Latin-American trade. One would think from its geographical position that our ports would play an important part in the inter-American trade. That is the way it looks from the map.

But as a matter of fact, by the routes of commerce, Jacksonville is not quite as near to Latin America as Chicago or as Grand Rapids, Mich. Everything must go nearly a thousand miles northward before starting southward.

New York has practically monopolized the commerce of the Atlantic coast. She has had the money and the power and it is not strange that she used both for her own interest. But a few weeks ago a statement was made of the plans of the Government for new steamship lines. As announced, the lines were from New York to Buenos Aires, New York to Rio Janeiro, New York to Colombian and Venezuelan ports, New York to various ports of Central America, New York to Vera Cruz, New York to Tampico. Lines from the United States were to reach to all foreign countries, but they were to carry scarcely any American commerce that was not first hauled to New York. In some cases there were ports not one-fifth as far as New York from the foreign country to which the ships were to sail. In some cases the haul to New York was three or four times as long as the haul to the foreign port would have been, but for some reason the Government's plan seemed to contemplate New York as almost the only seaport.

Unquestionably it would be better for this country to have its commerce take the shortest possible route. Southern products shipped through Jacksonville, Savannah, or Charleston would have little more than a thousand miles to go to reach the ports of the northern coast of South America. By New York they would have 3,000 miles to go. By New York no part of the United States is nearer than 2,000 miles to the nearest part of South America. By according to New York a monopoly of our trade we push the South back as far from South America as the Great Lakes are.

We throw away our ability to supply the people of the South American countries over a line not one-third as long as the line to Europe and supply them over a line almost as long as that to Europe. In doing this we throw away our ability to sell cheaper than our rivals in South America because of lower freight charges. We throw away our opportunity to acquire commercial supremacy in the Latin-American markets and place ourselves on terms of equality with our rivals by using a route that is fully as long as the one they have to use. In fact, it is longer by the distance to New York for the products of the greater part of the country.

The man who says the South has not produce to sell sufficient in value to support direct trade with South America does not know what he is talking about. The South has iron and steel and textiles and varied industries. Of course, it does not sell much to South America, but this is because it is by trade routes so much farther from South America than the North and East are. Our factories and foundries have to send their goods from 600 to 1,000 miles to New York, while those of the North Atlantic States have to send theirs only 100, 200,

or 300 miles. Shoved in the background as we are we have no opportunity to trade with the nations that we could supply at less cost than any other section or country if we could send our products directly.

Every section of the country would be benefited by drawing off our surplus products toward South America. With the port of New York the only outlet, our products are forced into competition with the products of the northern and eastern factories. If everything is to go to New York, we are as near as the balance of the country to Europe. Our products compete with the products of the North and East in their home markets and in the foreign markets that they are located for supplying because all location is abolished by the exclusive use of the port of New York.

To the extent that the Government is controlling or influencing the shipping business it should endeavor to straighten out trade routes. We are in competition with foreigners and our success will depend on the ability to deliver a good quality of goods as promptly as possible and with as little cost as possible; in other words, our success will depend on the elimination as far as possible of waste in distance and cost of transportation.

EXECUTIVE SESSION.

Mr. MARTIN of Virginia. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 6 o'clock p. m.) the Senate adjourned until Tuesday, December 10, 1918, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 6, 1918.

SECRETARY OF THE TREASURY.

Carter Glass to be Secretary of the Treasury of the United States.

UNITED STATES SHIPPING BOARD.

Charles R. Page to be a member of the Shipping Board.

COLLECTOR OF CUSTOMS.

James L. McGovern to be collector of customs, customs collection district No. 6, at Bridgeport, Conn.

MISSISSIPPI RIVER COMMISSION.

Col. Curtis McDonald Townsend, Corps of Engineers, United States Army, to be a member of the Mississippi River Commission.

APPOINTMENTS AND PROMOTIONS IN THE NAVY.

John M. Hancock to be pay inspector, with rank of commander.

To be assistant naval constructors, with rank of lieutenant (junior grade):

Frederick W. Pennoyer, jr.,
Melville W. Powers,
Charles F. Osborn,
Claude O. Kell,
Howard L. Vickery,
Glenn H. Easton,
Russell S. Hitchcock,
Sidney E. Dudley,
Edmund E. Brady, jr.,
Theodore L. Shumacher,
Forrest P. Sherman,
Henry A. Hutchins, jr.,
Arthur C. Miles,
Harold M. Horne,
Andrew I. McKee,
Douglas W. Coe,
Joseph W. Fowler, and
John D. Crecca.

To be lieutenant commanders, retired:

William G. Hannum,
George W. Danforth,
Edison E. Scranton, and
Frederick W. Milner.

Eugene D. McCormick to be a lieutenant, retired.

Arnold H. Vanderhoof to be a lieutenant (junior grade), retired.

Henry A. Wiley to be a rear admiral, for temporary service.

Richard D. White to be a captain, for temporary service.

To be lieutenant commanders, for temporary service:

John L. V. Hill,
William W. Meek,
Justin McC. Miller,
Ellsworth Davis,
Harry R. Gellerstedt,
Charles J. Parrish, and
Oliver L. Downes.

To be lieutenants, for temporary service:

Thomas E. Flaherty,
Charles W. Classen,
John B. Cooke,
Allen R. Chandler,
Maurice M. Rodgers,
Frank Hannon,
Harry F. Gray,
Leonard W. Johnson,
John J. Arnaud,
Walter C. Haight,
Charles E. S. Lines,
John Sharpe,
James D. Rorabaugh,
Charles P. Porter,
Raymond S. Kaiser,
Loar Mansbach,
Milton E. Robison, and
Daniel F. Mulvihill.

To be lieutenants (junior grade), for temporary service:

Peter J. Riley,
Charles L. Bristol, jr.,
Henry W. Reding,
Elmo H. Conley,
James I. Boyce,
Robert D. Longyear,
Alfred M. Gagneux,
Louis Etshokin,
Donald E. Montgomery,
John H. Fenton,
Ralph L. Colton,
Bruce Hoggson,
Herman Siefke, jr.,
Robert A. Skinner,
Henry A. Orrick, jr.,
Cecil L. Shockley,
Perry McK. Sturges,
John F. Kelsey,
Howard L. Seaton,
Samuel W. Morris,
Stuart L. Peck,
Harold M. Levy,
Donald McL. Day,
Ralph R. Brubaker,
Frank F. Walker,
Frederick S. Hodgman,
Robert C. McKean,
Albert L. Baker,
Vergil A. Davison,
Charles D. Ingersoll,
Robert R. Titus,
Alexander A. Cameron,
Frank N. Bolton,
Harold M. Kennedy,
Perry A. Howard, jr.,
Francis P. Baeyertz,
Chushing Phillips,
Edward R. Simpson,
Irving B. Levi,
William R. Brent,
John F. O'Rourke, jr.,
Otis R. Marston,
Allan C. Davis,
Freeman L. Curtis,
Frederick N. Worth,
Harold Edwards,
Henry S. Bothfeld,
Carlisle C. McIvor,
Caspar W. B. Townsend,
Russell C. Lewis,
Robert E. Christy,
Ralph C. Taylor,
Leonard M. Starbuck,
Raymond W. Smith,
Hoyt M. Leisure, and
David H. Hammer.

To be ensigns for temporary service:

Charles H. Gordon,
Otto Fuhrmann,
Harry D. Leininger,
Patrick T. Ryan,
William J. Leidy,
Guy H. Overlock,
Thomas J. Eggleston,
Flavel F. Law,
Jasper I. Ward,
John Richardson,
Harry D. Collins,

James E. Dougherty,
Patrick J. Keough,
Cæsar Cooper,
Herman Ruhle,
Malcolm S. Brainerd,
Forest E. Frost,
Frank M. Mugford,
David L. Walters,
John E. Cutnosse,
Harry C. Francis,
Theron S. Hare,
David Porter,
Emry M. Sindlesdecker,
Albert A. Webb,
Sidney J. Brawner,
Chester A. Johnson,
Rudolph Oeser,
Mack Q. Wright,
Daniel L. Ertel,
Elmer Bergstrom,
Walter A. Seymour,
George A. Spedden, and
Milford McQuilkin.

Elwood A. Cobey to be a pay inspector, with rank of commander, for temporary service.

To be assistant paymasters, with rank of ensign, for temporary service:

Joseph Simon,
Letcher Pittman,
Thomas T. Taylor,
Crawford T. Folsom,
Robert H. Witaker,
Guy B. Falconer,
John E. Bonwell,
Walter S. Rockwell,
Frank Humbentel,
Charles A. Young, and
Cheyney S. Evans.

To be assistant naval constructors with rank of lieutenant (junior grade), for temporary service:

Armand Mayville,
Joseph M. Kiernan,
William W. Hastings,
Frederick A. Johnson,
Joseph Emms,
William R. Bagger,
W. Ogden Johnson,
Noah W. Gokey,
James B. Welch,
Roy E. Brown,
Leopold R. Hussa,
Roland G. Mayer,
Joseph E. Roy,
Frank L. Butterworth,
William H. Balls,
Donald G. Maxson,
Emerson R. Bouvier,
George V. Whittle,
Anton Kauffman,
George W. Henderson,
Gerald W. Thomson,
Kenneth Reid, and
Roland P. Carr.

To be lieutenants (retired), for temporary service:

Michael J. J. Farley and
Daniel Mullan.

Roland W. Bell to be an assistant paymaster (retired) with rank of lieutenant, for temporary service.

Albert H. Gerbig to be an assistant paymaster with rank of ensign, for temporary service.

To be majors in the Marine Corps:

Emile P. Moses,
De Witt Peck, and
Archie F. Howard.

To be captains in the Marine Corps:

Edward D. Kalbfleisch,
Chaplain G. Hicks,
Gustav H. Kaemmerling,
Colis Mitchum,
Leo D. Hermle, and
Frank R. Armstead.

To be first lieutenants in the Marine Corps:

John M. McGregor,
Clinton H. Wooten,
Henry A. Carr,
William T. Hutchinson,
William G. Olive,
Orrel A. Inman,
Henry N. Hale,
Harold Powell,
William S. Kelley, jr.,
John F. Ryan,
James E. Smith,
Albyn A. Wilcox,
Leonard S. Burns,
George C. Schleeter, and
Harold E. Kellogg.

POSTMASTERS.

ALABAMA.

Joseph H. Read, Bessemer.

ARKANSAS.

Alvin G. Stamps, Earl.
Isaac G. Ritchie, Hardy.
Thomas L. Smith, Lepanto.

CALIFORNIA.

Nelson R. Feirl, Portola.

CONNECTICUT.

Henrietta H. Burr, Baltic.
Raymond E. Allen, Danielson.

FLORIDA.

Alexander J. Burnham, Bushnell.
Edwin E. Williams, Passagrille.
Henry A. Drake, Port St. Joe.

GEORGIA.

Ellen White, Fort Screven.
Robert E. Barfield, Hahira.
Oscar O. Owens, Moultrie.
Julian E. Hart, Sylvania.
Wiley M. Rogers, Union City.

ILLINOIS.

Fannie E. Sheahan, Altona.
Peter C. Burrus, Bluffs.
Elmer T. Selby, Camp Point.
Charles T. Wilson, Eldorado.
George H. Franzen, Fairbury.
Inez M. Garrison, Flanagan.
Grace E. Tolle, Glasford.
William H. Rodebaugh, Greenup.
Owen C. McCartney, Hamilton.
Walter V. Berry, Irving.
Margaret E. Taylor, Keithsburg.
Blanche V. Anderson, Leland.
Irma C. Barlow, Loda.
Edward W. Childe, Martinsville.
Ernest C. Richter, Menard.
Tilson V. Worland, Neoga.
Harry C. Shales, North Crystal Lake.
William J. West, Odin.
David R. Bennett, Panama.
Benjamin R. Croxen, Peotone.
Edward S. Bray, Scales Mound.
John F. Mains, Stronghurst.
Frederick W. Hartbank, Tolono.
Charles C. Clymore, Vienna.
Noel V. Greathouse, West Frankfort.

IOWA.

Fred A. Gefke, Hawarden.
George A. Moss, Persia.
Edgar A. Greenway, Pleasantville.

KENTUCKY.

Isaac E. Newton, Earlington.

MISSISSIPPI.

William P. Wildberger, Clarksdale.
Lawson A. Hill, Cleveland.
Minnie O. Sharbrough, Rolling Fork.
Henry B. Edwards, Shuqualak.

NEBRASKA.

Glenn C. Chadderdon, Cambridge.
Orris K. Jones, Lexington.
Edgar T. Lay, Seneca.
George W. Howe, Wisner.

NEW HAMPSHIRE.

Frank P. Hobbs, Wolfeboro.

NEW MEXICO.

Chester C. Parsons, Wagon Mound.

OHIO.

Orville F. Barcus, Sunbury.

TEXAS.

Allie R. Arnold, Trinity.

WASHINGTON.

Eugene E. Wood, Deer Park.
Isaac H. Jennings, Spangle.

HOUSE OF REPRESENTATIVES.

SATURDAY, *December 7, 1918.*

The House met at 12 o'clock noon.

Rev. Earle Willey, pastor Vermont Avenue Christian Church, Washington, D. C., offered the following prayer:

O Lord our God, we thank Thee for the multitude of blessings that Thou hast vouchsafed to us, and for this moment this morning we wait in Thy presence to ask for Thy blessing and Thy guidance.

We would remember this morning in our prayer and good wish the Chaplain of this House, who is ill. We pray that in Thy providence the hands that minister to him may minister wisely and to his restoration.

We pray this morning for Thy guidance upon the business of this day, upon each Member of this House, and may the business that shall be transacted and the great plans for our country have Thy divine blessing.

Be with the President upon the high seas, going as he is upon a mission of justice and peace. And to Thee, O God, will we give all the praise, through Jesus. Amen.

The Journal of the proceedings of Thursday was read and approved.

SPEAKER PRO TEMPORE NEXT MONDAY.

The SPEAKER. The Chair designates the gentleman from North Carolina [Mr. KITCHIN] to preside next Monday.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. SISSON. Mr. Speaker, I desire to present a privileged report (No. 842) from the Committee on Appropriations, the District appropriation bill, and ask that it be printed under the rule.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 13277) making appropriations to provide for the expenses of the Government of the District of Columbia for the fiscal year ending June 30, 1920, and for other purposes.

The SPEAKER. Ordered printed and referred to the Committee of the Whole House on the state of the Union.

Mr DAVIS. Mr. Speaker, I reserve all points of order on the bill.

Mr. SISSON. Mr. Speaker, I desire to give notice that I shall call up this bill the first thing on next Monday.

The SPEAKER. Well, the House will take notice.

EXTENSION OF REMARKS.

Mr. PRICE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by having inserted an article on farm land for returned soldiers.

The SPEAKER. The gentleman from Maryland asks leave to extend his remarks in the RECORD by printing an article on land for returned soldiers. Is there objection?

Mr. ROBBINS. Mr. Speaker, reserving the right to object, may I ask whose article it is?

Mr. PRICE. It is an article by Mr. George H. Stephenson, president of one of the farm-loan banks, who offers some very practical suggestions, using the Federal farm-loan banking system in connection with this project. It is a very able article, and I think will be interesting to all of us to read.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, I object.

Mr. HICKS. Mr. Speaker, I ask unanimous consent to extend in the RECORD my remarks and observations on the battle front. They are my own remarks.

The SPEAKER. The gentleman from New York asks unanimous consent to extend in the RECORD his observations on the battle field. Is there objection? [After a pause.] The Chair hears none.

EULOGIES ON THE LATE SENATOR TILLMAN.

Mr. BYRNES of South Carolina. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from South Carolina rise?

Mr. BYRNES of South Carolina. I desire to ask unanimous consent that a session of the House be held on Sunday, December 15, in order that eulogies may be delivered upon the life, character, and public services of the late Senator TILLMAN, the session beginning at 12 o'clock.

The SPEAKER. The gentleman from South Carolina [Mr. BYRNES] asks unanimous consent that on Sunday, the 15th of December, there shall be a session of the House, beginning at 12 o'clock, for the purpose of memorializing Senator TILLMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BYRNES of South Carolina. I ask leave of absence for my colleague, Mr. LEVER, on account of a death in his family.

The SPEAKER. The Chair designates Mr. LEVER, of South Carolina, to preside that day and wishes that he may be so notified. The gentleman also asks leave of absence for 10 days for his colleague, Mr. LEVER, on account of death in his family. Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 356. Joint resolution authorizing payment of the salaries of officers and employees of Congress for December, 1918.

The message also announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 5038. An act extending the use of the special fund for vocational education provided by section 7 of the vocational rehabilitation act, approved June 27, 1918, and authorizing the Federal Board for Vocational Education to accept gifts and donations for specific purposes.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 9 minutes p. m.) the House adjourned until Monday, December 9, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Interior, transmitting a statement showing in detail what officers or employees (other than special agents, inspectors, or employees who in the discharge of their regular duties are required to constantly travel) of the Department of the Interior have traveled on official business from Washington to points outside of the District of Columbia during the fiscal year ended June 30, 1918 (H. Doc. No. 1553); to the Committee on Expenditures in the Interior Department and ordered to be printed.

2. A letter from the Secretary of Agriculture, transmitting a detailed report showing the names of all persons employed, their designations, and rates of pay in the Bureau of Animal Industry for the suppression of contagious, infectious, or communicable diseases of domestic animals during the fiscal year ended June 30, 1918 (H. Doc. No. 1554); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior submitting a supplemental estimate of appropriation for increase in statutory salaries of the mechanical, laboring, watch, and messenger forces of the Interior Department for the fiscal year 1920 (H. Doc. No. 1555); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Attorney General submitting a supplemental estimate of appropriation for additional clerical force in the office of the Attorney General for the fiscal year 1920 (H. Doc. No. 1556); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Interior, transmitting statement showing the documents received and distributed during the fiscal year ended June 30, 1918 (H. Doc. No. 1557); to the Committee on Expenditures in the Interior Department and ordered to be printed.

6. A letter from the Secretary of Agriculture, transmitting report showing for the first four months of the fiscal year 1919 the average number of employees in the Department of Agriculture who received compensation at the rate of $120 per annum, and the average number by grades who received increased compensation at each other rate (H. Doc. No. 1558); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Secretary of War, transmitting 1352 reports of inspections of disbursements and transfers by officers of

the Army received in the office of the Inspector General during the past fiscal year (H. Doc. No. 1559); to the Committee on Expenditures in the War Department and ordered to be printed.

8. A letter from the Board of Managers, transmitting annual report of the Board of Managers of the National Home for Disabled Volunteer Soldiers for the fiscal year ended June 30, 1918 (H. Doc. No. 1560); to the Committee on Appropriations and ordered to be printed.

9. A letter from the Acting Secretary of Commerce, transmitting statement of expenditures in Department of Commerce for the fiscal year 1918 (H. Doc. No. 1561); to the Committee on Expenditures in the Department of Commerce and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII.

Mr. SULZER, from the Committee on the Public Lands, to which was referred the bill (S. 95) to provide for agricultural entries on coal lands in Alaska, reported the same without amendment, accompanied by a report (No. 843), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. TREADWAY: A bill (H. R. 13273) to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, and an act in amendment thereto, approved October 6, 1917; to the Committee on Interstate and Foreign Commerce.

By Mr. DENT: A bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law; to the Committee on Military Affairs.

By Mr. GREEN of Iowa: A bill (H. R. 13275) to amend section 1754 of title 19, of the Revised Statutes of the United States, 1878, giving preference to honorably discharged soldiers and sailors for appointments to civil positions; to the Committee on Reform in the Civil Service.

By Mr. HEFLIN: A bill (H. R. 13276) to amend the act known as the "United States cotton futures act," approved August 11, 1916, and for other purposes; to the Committee on Agriculture.

By Mr. SISSON: A bill (H. R. 13277) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1920, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. ROGERS: A bill (H. R. 13278) to amend the act of Congress of February 17, 1911, entitled "An act providing for the purchase or erection, within certain limits of cost, of embassy, legation, and consular buildings abroad"; to the Committee on Foreign Affairs.

By Mr. McKEOWN: A bill (H. R. 13279) granting a gratuity to every honorably discharged officer, soldier, and marine in the Navy of the United States; to the Committee on Military Affairs.

By Mr. KINKAID: A bill (H. R. 13280) to amend section 2 of an act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of those ores, metals, and minerals which have formerly been largely imported, or of which there is or may be an inadequate supply"; to the Committee on Ways and Means.

By Mr. McKEOWN: A bill (H. R. 13281) to grant to every honorably discharged soldier the uniform in his possession at the time of his discharge and granting a gratuity to the members of the United States Army; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 13282) granting a pension to George J. Bock; to the Committee on Pensions.

Also, a bill (H. R. 13283) granting an increase of pension to Joseph Myers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13284) granting an increase of pension to S. F. Fowler; to the Committee on Invalid Pensions.

By Mr. DARROW: A bill (H. R. 13285) granting a pension to Emma E. Brown; to the Committee on Invalid Pensions.

By Mr. GOULD: A bill (H. R. 13286) granting a pension to John Finnerty; to the Committee on Pensions.

By Mr. HASTINGS: A bill (H. R. 13287) for the relief of E. K. White; to the Committee on Military Affairs.

By Mr. KRAUS: A bill (H. R. 13288) granting an increase of pension to Thomas Petley; to the Committee on Invalid Pensions.

By Mr. MOORES of Indiana: A bill (H. R. 13289) granting a pension to Mary V. Sterling; to the Committee on Invalid Pensions.

My Mr. MORGAN: A bill (H. R. 13290) granting an increase of pension to Noah Ruhl; to the Committee on Invalid Pensions.

By Mr. HENRY T. RAINEY: A bill (H. R. 13291) granting an increase of pension to John Read; to the Committee on Pensions.

By Mr. SNOOK: A bill (H. R. 13292) granting a pension to Michael Levi; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Petition of members of Ruggles Grange, of New London, Ohio, protesting against the so-called zone system; to the Committee on the Post Office and Post Roads.

By Mr. DALE of New York: Resolution and suggestions of the Philadelphia Bourse, for the upbuilding of an American merchant marine; to the Committee on the Merchant Marine and Fisheries.

By Mr. DARROW: Resolutions and suggestions of the Philadelphia Bourse, for the upbuilding of an American merchant marine; to the Committee on the Merchant Marine and Fisheries.

By Mr. MOORES of Indiana: Petition of a mass meeting of citizens of Indianapolis, with regard to Irish emancipation; to the Committee on Foreign Affairs.

By Mr. McKINLEY: Resolutions by citizens of Decatur, Ill., relating to the anti-Jewish atrocities committed in Galicia, Roumania, and Poland; to the Committee on Foreign Affairs.

HOUSE OF REPRESENTATIVES.

MONDAY, *December 9, 1918.*

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore, Mr. KITCHIN.

The Rev. Earle Willey, pastor of Vermont Avenue Christian Church, Washington, D. C., offered the following prayer:

Almighty God, Thou whose holiest and tenderest name to us is Father, before Thy throne this morning we come to make our peace with Thee and to win from Thee Thy guiding blessing. May this be a good day for truth and justice and right, and Thy holy spirit attend us. Make us think aright, plan, purpose, and act aright. Lord, we pray Thy blessing upon our country and all its holy interests, and in this day, fraught with so many possibilities, may we be true to our own better selves, true to our country's interests, and to Thy great cause.

We ask it for Thy name's sake. Amen.

The Journal of the proceedings of Saturday, December 7, 1918, was read and approved.

EULOGIES ON THE LATE SENATOR BROUSSARD.

Mr. MARTIN. Mr. Speaker, I ask unanimous consent that Sunday, January 26, 1919, be set aside by the House for the purpose of paying tribute to the life, character, and public services of the late Senator R. F. BROUSSARD, of Louisiana.

The SPEAKER pro tempore. The gentleman from Louisiana asks unanimous consent that Sunday, January 26, 1919, be set aside for eulogies on the late Senator BROUSSARD, of Louisiana. Is there objection? [After a pause.] The Chair hears none.

DAWSON SPRINGS SANATORIUM.

Mr. GRAHAM of Illinois. Mr. Speaker.

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. GRAHAM of Illinois. I ask unanimous consent that I may proceed for two minutes.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent to proceed for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. GRAHAM of Illinois. Mr. Speaker, on Thursday last I called at the office of the Surgeon General of the United States Army—and that was during the argument on the Dawson Springs Hospital—and was there informed that an offer of a hotel at Dawson Springs had been made to the Government for a hospital, and that the offer had been refused. I at that time told the officer who told me that I would not use his name. Afterwards, in conversation with the gentleman from Nebraska [Mr.

REAVIS], I told him of this circumstance, and he asked whether the information might be used. I told him it could, but the name of the officer could not be used, because I had given him my word it would not. Afterwards, in a controversy between the gentleman from Alabama [Mr. BURNETT] and the gentleman from Nebraska [Mr. REAVIS], a rather embarrassing situation was presented, which I think it proper to clear up. This morning I went to the Surgeon General's office and am at liberty now to give the information. I informed Mr. REAVIS of this fact, and at the Surgeon General's office this morning I was informed that on the 19th day of June last Theodore Trosendle, president of the Dawson Hotel Corporation, came to the Surgeon General of the United States and offered him a hotel owned by this corporation at Dawson Springs for the purpose of turning it into a hospital, which offer was considered by the Government, and finally the project was rejected by the Surgeon General. The information relative to this can be obtained from Col. Winford Smith, in the office of the Surgeon General, and he is the gentleman from whom I obtained the information. He has told me that I might use it on the floor of the House. I make this statement out of deference to and in order to relieve the gentleman from Nebraska [Mr. REAVIS] of what is a somewhat embarrassing situation.

Mr. FOSTER. Will my colleague yield?

Mr. GRAHAM of Illinois. Yes.

Mr. FOSTER. Did they reject it on account of the location or on account of the building?

Mr. GRAHAM of Illinois. I am informed by Col. Smith, my only source of information, that about all the information he has is found in a card found in a card-index system in his office. I have given the facts as they substantially appear on this card. He says he does not remember the conversation accurately, though considerable material is filed in his office relative to the offer.

Mr. FOSTER. So he did not tell you he rejected it on account of the location at Dawson Springs or on account of the building?

Mr. GRAHAM of Illinois. He told me they considered it and rejected it.

Mr. FOSTER. It might be on account of the building?

Mr. GRAHAM of Illinois. It might be so.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. WOOD of Indiana, indefinitely, on account of illness (at the request of Mr. VESTAL).

To Mr. ALEXANDER, for one day, on account of illness.

DISTRICT OF COLUMBIA APPROPRIATIONS.

Mr. SISSON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 13277, the District of Columbia appropriation bill.

The SPEAKER pro tempore. The gentleman from Mississippi moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the District appropriation bill.

Mr. SISSON. And, Mr. Speaker, pending that I would like to ask the gentleman from Minnesota [Mr. DAVIS] if he has any suggestion to make as to general debate?

Mr. DAVIS. I have.

Mr. SISSON. How much time does the gentleman desire?

Mr. DAVIS. Thus far I have been approached for at least two hours and a half of general debate.

Mr. SISSON. Does not the gentleman think he might be able to cut that down a little?

Mr. DAVIS. And I am informed that they are still coming; but that is all up to date.

Mr. SISSON. Does not the gentleman believe that we might agree on three hours, an hour and a half on a side? Some of those gentlemen might cut their time.

Mr. DAVIS. I would like to agree on 30 minutes, so far as I am concerned, but the Members on this side of the House seem to want to do some talking, and objection has been made that they have not up to date had an opportunity to examine the printed bill. Hence they requested me to get as much time as possible in which to discuss it, and I am simply an organ through which to express their opinion at this time. I could not agree at this time to anything less than two hours and a half for my part of it.

Mr. SISSON. Would the gentleman agree to three hours, giving the gentleman's side two hours and our side having one hour?

Mr. HEFLIN. I will not agree to that.

Mr. DAVIS. I hardly think I can agree to less than two hours and a half. Perhaps some of the gentlemen will cut their time down. I cut one gentleman down 20 minutes.

Mr. SISSON. Mr. Speaker, I ask unanimous consent that general debate do not exceed five hours, two hours and a half to be controlled by the gentleman from Minnesota [Mr. DAVIS] and two hours and a half to be controlled by myself.

The SPEAKER pro tempore. The gentleman from Mississippi asks unanimous consent that general debate be limited to five hours, two and a half hours to be controlled by himself and two and a half hours by the gentleman from Minnesota [Mr. DAVIS]. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the motion that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the District of Columbia appropriation bill.

The motion was agreed to.

The SPEAKER pro tempore. The gentleman from Texas [Mr. GARNER] will please take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 13277, the District of Columbia appropriation bill, with Mr. GARNER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 13277, which the Clerk will report.

The Clerk read the title of the bill, as follows:

A bill (H. R. 13277) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1920, and for other purposes.

Mr. SISSON. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. SISSON. Mr. Chairman, I desire to make a brief statement. Gentlemen of the committee, I do not know that I can add anything to what you will find in the report. The clerk has made quite a clear report of what the bill contains. In fact, I have always believed that when the reports are accurate they frequently shorten the debate. Every Member of the House then, by reading the report, is able to determine what the changes are.

This bill apparently carries less money than has heretofore been carried, but as a matter of fact it does not do so. If the committee will give me its attention, I want to explain to you how it is that the bill apparently carries a million dollars less than last year and something over a million dollars less than has been estimated for by the commissioners. In the first place, we appropriated last year $910,000 for public-school buildings, none of which has been expended. We appropriated in round figures something like a million dollars for streets. A good portion of that was for the repair of streets, and quite a good deal of that money has been expended, but none of the money to be expended for streets as original paving or to open up new streets, or, rather, to pave new streets where no pavement has been heretofore, has been used at all.

Now, your committee reappropriated all of the money for school buildings. As a matter of fact, that is not absolutely necessary, because under the law where the contracts are made they continue until completed. But in reference to streets we reappropriated all the money carried that is unexpended, so that for street purposes we shall have more money expended during the balance of this fiscal year and during the next fiscal year than has ever been expended in one year before in the city of Washington for streets.

I think that explanation is proper, because the streets have not been in good condition, first, because of the excessively heavy traffic. Heavy Army trucks have damaged the streets quite a good deal and the excessive use of the streets by traffic has caused a deterioration of the streets of Washington. No improvements could be made, because the District Commissioners could not get the necessary labor. The demand for labor in this market has been greater than ever before, and when the commissioners could get labor at all the cost was more than twice what it was before. Therefore as to building new streets and paving streets never paved before and tearing up the old streets which are badly worn, the commissioners did not do any of that work. The only thing they have tried to do was to keep in reasonable repair the streets of Washington so that they might be used, so that, as a matter of fact, you may add over $1,500,000 to the amount carried in the bill in order to get an accurate idea of what will be expended on streets during the year which this bill covers.

Now, I want also to call your attention to the fact that a statement is made on page 2 of the report giving the surplus of the District of Columbia revenues on June 30, 1918. The surplus is $3,280,685.46, to which is to be added the surplus for this year, so that on June 30, 1919, there will be a surplus of $5,429,229.57. I want to call your attention particularly to this, because it involves the first item that we have placed in this bill. Now, from the figures I have named you will have to deduct whatever may be carried in a deficiency bill. As I understand, there will probably be some deficiency, running up, it may be, to $200,000; but it is not at all probable that the deficiencies asked for will absorb the $429,000 referred to. Therefore you will have a surplus in the District treasury of $5,000,000 on that date.

Now, the taxation in the District of Columbia, upon a comparison of taxes in other cities, is very much less than the taxes paid in other cities. Take an amount of money invested in property in the city of Washington and the assessments placed upon that property and you will find that the rate is less than that in any city in the country of this size. All the cities throughout the United States, in addition to paying their municipal expenses proper—the only expenses that the District of Columbia pays—pay a State and county tax. Therefore, if you were to add to the city taxation in the various cities throughout the country the State and county taxes, you would find that in most cases they are more than double what the people of the District of Columbia pay.

Now, the proposition which we put in this bill is one which has repeatedly passed the House by overwhelming majorities. Every time it has been voted on in the House in the last number of years it has carried by about two votes to one. The proposition is, briefly, a perfectly simple one as carried in the bill. This proposition was prepared first by the gentleman who is now the chairman of the Committee on Appropriations [Mr. SHERLEY]. That matter was taken up by the Committee on Appropriations, and the then chairman requested the present chairman to put into concrete form what the committee then agreed upon. So the proposition is not a new one. Now, some have the idea that we are endeavoring to place upon the District of Columbia a burden which she ought not to bear. I do not believe it is in the heart of a single Member of Congress to do that; but we have reached the point where we prophesied some years ago we would reach, although we reached it a little earlier than was prophesied, when, in this bill as coming from the commissioners, there will be a request of the proper committee to reduce the rate of taxation in the District of Columbia, because it is bringing in more money than the District of Columbia needs plus the amount that is paid out of the Federal Treasury. It is well now to look just a moment into the history of this matter. It has been gone into repeatedly, but in order to refresh your memory it is well enough to go into it. For quite a while they discussed the present organic act, so called. It was under the control of Mr. Blackburn, who was then a Member of the House, afterwards a distinguished Senator from the State of Kentucky. They then worked out the present system, with some modifications since made, of the Federal Treasury responding for 50 per cent of the expenses of the District. But you must take into consideration the fact that at that time when it was done there were less than 100,000 people in the District of Columbia, and under the so-called local government at that time the indebtedness of the District of Columbia was over $40,000,000. Therefore, a city of that size could not shoulder the burden of that indebtedness and in addition keep up the city as it ought to be kept up as a capital city.

The bonds of the District were then considerably below par, and there was an effort being made to refund the bonds, but no purchasers could be had. Then it was that Congress took the matter up, went carefully into it, and as a gratuity to the District of Columbia undertook to refund in that organic act the bonds at 3.65, and they are what are now known as the 3.65 bonds. That bonded indebtedness has been paid off until it is now only about $3,000,000, in round figures. We are paying $900,000 a year on the bonds, so, I believe, in 1922 all these bonds will have been paid. The Federal Treasury has responded to 50 per cent of that indebtedness, which the Federal Government had nothing to do with creating. Not only that but the Federal Treasury has responded to the District for one-half of all the interest on these bonds during all these years. Not only that, the District gets a certain number of courts, and gets a certain amount of assistance from the Federal Treasury, where the activities are limited absolutely to the District of Columbia and her affairs but paid for wholly out of the Federal Treasury. But that perhaps is not different from the States, because you have the marshals and the Federal courts in the States. So, if anything is said about the relations of the States to the District of Columbia our judgment, so far as the local taxes are concerned, should be identical with that of the States with reference to the private activities in the District of Columbia.

Now, it has been contended, and justly so as to the maintenance of the streets, that when L'Enfant laid out the streets of the Capital City he made those streets immensely wider and put in numbers of circles and numbers of points of land, necessitating sidewalks and streets, which no city except Washington has to respond to. But we have recognized that fact, because the Federal Government has taken over nearly all these points of land. It will be only a few years when all these so-called points will be taken over and will be cared for out of the Federal Treasury.

In addition to that all of the sidewalks around most of the public buildings of the Federal Government are paid for by the Federal Government. We maintain out of our Treasury the Capitol Grounds, all the parkings and streets in the Capitol Grounds. And when you take the benefits that the citizens of the District of Columbia get out of the location of the Federal Government here, you will find that they are greater than the benefits of any other people in the world, because they have a pay roll which is not affected by the crop conditions of the country, not affected by business panics, not affected by epidemics, because every salary is paid promptly every 15 days in the District of Columbia, and the average salaries paid to the employees of the Federal Government are certainly, in time of peace, greater than the average salaries paid anywhere else in the country.

Now, to show the benefit that they get from the Treasury I have mentioned these things, but that would be true wherever the Capital might be located, and I do not begrudge these people that benefit. But what the subcommittee and practically the full committee have asked for repeatedly is not that the people of this District should give up any benefits that accrue to them by virtue of the location of the Capital here, but that every taxpayer in the District of Columbia shall pay a reasonable tax upon his property, reasonably assessed, and that that shall end the contribution of the taxpayer to the expenses of the District of Columbia, and that whatever amount Congress desires to appropriate for the beautification of the National Capital shall then be paid out of the Treasury of the United States. That being true, under this bill the Federal Government will contribute nearly $4,000,000 to the support of the District of Columbia, which I think is really more than its share, but I do not begrudge that. I call your attention to the fact that in the District of Columbia the taxpayers do not pay on a rate of taxation like that on which the people of the States pay, but this does not disturb that rate of taxation. This does not disturb the property valuation in the District of Columbia. During the next current year, and until legislation shall change it, the rate of taxation and the rule of assesment will be identically the same as now, and unless a man's property is increased in amount, no resident of the District of Columbia will pay a cent more next year under this bill than he pays now. It does not increase his taxes one dollar.

Mr. BLAND of Indiana. Along that line I want to know what the rate is here in the District of Columbia as compared with other tax rates?

Mr. SISSON. Of course it varies in the different States; but in the District of Columbia a tax of 1½ per cent is fixed upon a two-thirds valuation. That is to say, the 1 per cent rate is fixed on real property and upon what they call visible personal property; that is, they pay 1 per cent on a full valuation and 1½ per cent on a two-thirds valuation.

Mr. BLAND of Indiana. What is the tax on mortgages, bonds, stocks, and so forth?

Mr. SISSON. Choses in action, three-tenths of 1 per cent.

Mr. BLAND of Indiana. It is very much lower than in the States?

Mr. SISSON. Very much lower. In the States choses in action and solvent accounts, invisible personal property, as it is designated in this bill, have to pay a tax on a full valuation in most States. But in the District of Columbia they only pay one-third of 1 per cent. Now, I will say to the gentleman from Maryland that there are no such taxes in Baltimore. The taxes there are a little more in the city than they are here, and in addition they pay a State and county tax. A resident of the city of Baltimore pays on a dollar invested in Baltimore twice as much as they pay in this city.

Mr. LINTHICUM. We pay 15 mills as a city tax and then the State and county tax in addition.

Mr. SISSON. Baltimore and the county are practically the same.

Mr. LINTHICUM. No; Baltimore and St. Louis are the only cities that have an absolutely distinct corporation.

Mr. SISSON. But you do not have a county separate from the city; the city takes it all.

Mr. LINTHICUM. Absolutely.

Mr. TOWNER. Will the gentleman yield?

Mr. SISSON. Yes.

Mr. TOWNER. In addition to what the gentleman has said, we have, notwithstanding the lowest rate of taxation in the country, perhaps the largest surplus of any other city in the country.

Mr. SISSON. I do not know of a city that has as much surplus as they have in the city of Washington. We have so much, and it is growing so rapidly that, notwithstanding we have the lowest taxation of any city in the United States, notwithstanding the fact that by virtue of the half that we have contributed from the Federal Treasury that surplus is growing so rapidly that they are here now asking the Congress to reduce that low rate of taxation.

Mr. TOWNER. Certainly there is no excuse for any dereliction in the performance of the duties that the District is required to keep up the streets.

Mr. SISSON. No; nothing in the world.

Mr. TOWNER. Will the gentleman allow me to call attention to this fact, which I think can be proven by any Member of the House? I do not think there ever was a time, not since I have been in the city of Washington, when the streets were as dirty or when they were so dangerous as they are now. On yesterday—Sunday—with the streets full going up and down the Avenue, I drove from one end to the other, and I venture to say that there is not a principal street in any city of any size in the United States that was as dirty as Pennsylvania Avenue was on yesterday. It is a disgrace to the city of Washington, and it is a disgrace to the country.

And on every day, almost, from 5 o'clock until 7 o'clock it is unsafe for women or children to be on the streets of Washington because of the fact that almost everyone seems to be riding or driving with an automobile and driving at an excessive rate of speed, violating every day on every street in hundreds and thousands of instances the ordinances of the city. It certainly seems to me that these conditions ought to be remedied.

Mr. SISSON. I do not suppose the gentleman heard the statement which I made as to the streets in my opening remarks. I referred to the fact that we appropriated last year every dollar asked for streets. We did not appropriate for opening up out in the suburbs for certain real estate activities some of the streets asked for, but every dollar for laying new pavements where the old was worn out, every dollar asked for resurfacing all streets, laying new pavements, was granted. The statement is made by the commissioners, and we all know it to be true, that it was physically impossible to get labor.

Not only that, but you could not get the War Board to release the material, the raw material, and therefore none of the appropriation for new pavement has been expended. A great deal of the last year's appropriation bill is carried over and carried in this bill as a reappropriation. Therefore having given in this bill every dollar asked for by the commissioners, we reappropriate all the money carried in last year's bill not expended, all carried over because no new streets were laid. A great deal of resurfacing is carried over, and we also give them every dollar for resurfacing at this time. And by the way, the District Commissioners say that this is all that they can spend. We give them all they can spend in one year for streets.

Mr. LITTLE. Will the gentleman yield?

Mr. SISSON. Certainly.

Mr. LITTLE. Does the lack of labor extend to lack of policemen in checking the speed of automobiles?

Mr. SISSON. There has been a time when they had much difficulty in getting policemen because many were taken into the Army and Navy and into various war activities. The result was that when they tried to get men of proper physical strength and proper physical condition they were unable to do so. There have been hundreds of places vacant, and they will tell any of you that if you will bring a man they will be liberal of examination and would take him. Maj. Pullman says he has taken a number of policemen that he would not have taken in peace times. They have requested that a certain number of soldiers be taken to police the city and a certain number have been detailed.

Mr. DENISON. Will the gentleman yield?

Mr. SISSON. Yes.

Mr. DENISON. Has the full amount asked to keep the streets been given?

Mr. SISSON. Yes; every dollar. By the way, you know they had a strike in that class of labor of short duration, for cleaning the streets, and it has been very difficult to get sufficient labor to clean the streets of the District because the demand was so great that the District Commissioners, although they paid twice as much a day as they did formerly, could not get them. And that is one reason that that appropriation was not sufficient perhaps to carry on the street cleaning, and I think there is going to be a deficiency in that particular, but this bill does not cover deficiencies, of course. But the streets referred to a moment ago by my friend from Iowa, if they have not been as clean as they ought to be, it has been because it cost twice as much to get the labor, and I am afraid that we are getting about half as much labor out of each laborer.

Mr. DENISON. Does the gentleman know what pay these men now get for cleaning the streets?

Mr. SISSON. They pay, I think, about $3.20 to $3.40 for eight hours.

Mr. DENISON. When that question came up before the Committee on Labor, of which I was a member in the last session of Congress, it was shown that a great many of these men were working for $60 a month.

Mr. SISSON. Not for that class of labor, because they are paid on a per diem basis. They get from $1.60 as I recall—and I hope the gentleman will not bind me to the absolute figures, and members of the subcommittee will correct me—I think at that time they got from $1.60 to $1.70 a day, but their wages have been practically doubled, and these $60 kind were not the street-cleaning men.

Mr. WHEELER. If the gentleman will yield, on page 25 the appropriation for garbage is $621,000. That is a considerable increase over the last appropriation by about $200,000.

Mr. SISSON. I will show that in a moment. That is a matter of bookkeeping. It really costs less to take care of the garbage.

Mr. WHEELER. It seems to be an increase over the appropriation for last year.

Mr. SISSON. It cost about $75,000 to $80,000 the preceding year to take care of the garbage. We will get it this year for about $135,000 or $140,000. We take over the garbage plant, and this apparent increase is a bookkeeping matter. I want to call attention also to the fact that in this bill we increase the salaries of the District Commissioners from $5,000 to $6,000. They did not ask for any increase for the last two or three years. Part of that time, I do not know that the present commissioners have ever asked for an increase, but we looked this matter up and found that the salaries of the District Commissioners were fixed in 1878, when they had about 60,000 or 70,000 people in the District of Columbia. Since that time their duties have increased quadruple, and I do not know of any three gentlemen in Washington who have more arduous duties and more hard work than these District Commissioners, and while some members of the committee did not think perhaps we had increased them enough, we finally unanimously agreed to increase their salaries from $5,000 to $6,000 a year. Now, in addition to their duties as commissioners, they are a utility commission, too, and during the last three or four years they have had an enormous amount of work to do as a utility commission in valuing plants under that act which we passed by which we caused the valuation of railroads throughout the country.

Mr. WHEELER. Has there been any decrease in salaries in this bill, as, for instance, police drivers and patrolmen; did not they receive $120 more than what this bill provides?

Mr. SISSON. I will state when we get to that proposition. There are no decreases in salaries.

Mr. WHEELER. According to this bill, there must be decreases.

Mr. SISSON. No; not in salaries. We have not put the $120 in. I will explain that. Well, I had just as well get at it now. I want the committee to understand the situation which we found ourselves in. All the departments of the Government, including the District of Columbia, by executive order were required to submit estimates for increase in salaries to the Executive and through the Executive to come in one budget to the House. Now, as a matter of fact, that can not be done under the law, and the chairmen of the various committees, after consultation with the members of various subcommittees, agreed that it would perhaps not be fair to the Government at that time to undertake to fix the basic salary, and therefore we will endeavor to take care of any injustice that might be done by the so-called low salaries and take it up in a separate resolution as we did before the question of increase for the current year. That is how we got the $120, not in the bill, but in a separate resolution. So that matter has not been considered by your committee.

Mr. LITTLE. Have we lost any commissioners by reason of the size of the salaries or the character of the work?

Mr. SISSON. No; we have lost none of the commissioners. I do not think that either one of the commissioners would resign, if the gentleman wants to put it that way, on that account.

Mr. LITTLE. If the gentleman from Mississippi will permit, the salary is almost as large as that of a Member of Congress, and are not Members of Congress at much greater expense than these residents are?

Mr. SISSON. I do not think that they are.

Mr. LITTLE. Where does the gentleman board?

Mr. SISSON. It is a question of economy. If we economize, we do not spend as much. The gentleman and myself are economical, and we get along with our salaries and we do not spend carelessly, but still we get $7,500.

Mr. LITTLE. The gentleman is talking for himself in saying how well we get along on the salary in this town at this time.

Mr. SISSON. And in addition to the $7,500 we get the perquisites, such as mileage, stationery account, and so forth.

Mr. LITTLE. If the gentleman will permit, we are not all like him. He has only 4,000 votes cast, whereas in our district we have 85,000 and——

Mr. SISSON. I am afraid if we had to put the salaries so as to enable men to pay their campaign expenses that we would have to increase——

Mr. LITTLE. We spend a great deal of money in many ways besides campaigns. The gentleman has only 4,000 votes cast in his district, and he is not troubled very much with correspondence from people who do not take enough interest in public questions to vote. Eighty-five thousand people who vote and take an active interest in public affairs devolve on a Member (twenty times as much correspondence and twenty times as great responsibilities as fall to one who is sent here by only 4,000.

Mr. SISSON. As a matter of fact, that is the vote that is cast in the general election. Come down to the primaries and I will show you a different story.

Now, all the other increases in salary have been for some minor places. For instance, we increased the salary of some nurses who were getting $1,000. Graduate nurses get $1,200 throughout the country, and your committee increased the salary of nurses here to that amount.

Now, just a word as to public schools. We gave last year every school-teacher asked for. We also gave them portable buildings, which are being constructed—and I presume a great many have been already constructed—to take care of the overflow of children. Now, we could not complete the school buildings in two or three years necessary to take care of the children. They could not get the material and could not get the labor. Therefore the Congress last year authorized the construction of portable buildings. This year in order to take care of the surplus children we have increased that appropriation $87,000 to erect portable buildings.

Mr. LINTHICUM. How much are you paying the school-teachers?

Mr. SISSON. We are paying the school-teachers now more than is paid in any city in the United States, even including Boston, which pays the highest salaries for teachers of any city in the United States.

Mr. LINTHICUM. I know; but they are not getting sufficient in most of the cities of the country, and I wanted to know how much they get here.

Mr. SISSON. The District of Columbia can not cure all the ills outside of the District.

Mr. LINTHICUM. With the great surplus you have on hand and the taxes so light, I was wondering why you did not pay your school-teachers sufficient salary.

Mr. SISSON. I will tell you. In the first place, we have the longevity law, which fixes it, and the Appropriation Committee undertook at one time to go into that matter, but it is one of the most difficult of all the tasks one could undertake to figure out the longevity law and exactly where you are at. Because under the longevity provision the teachers teaching five years have a certain amount added to their salary, and then when they go from a certain class to another, from A to B, or from B to A—I get it confused in my mind—where the base pay is higher than the base pay where they have been teaching five years, when they go up to that base pay they do not give up the longevity. If the original base pay plus the longevity is more than the base pay in the succeeding higher grade, the teachers get less. So you can not tell by looking at this bill or by looking at the longevity law what the school-teachers in the city of Washington are actually getting.

Mr. LINTHICUM. Who does know?

Mr. SISSON. It is figured out by the auditor and by the clerk of the board of education, who keeps the teachers' entire record. But you will find in this bill an item of something like $400,000 to care for longevity pay. So you can add $400,000 to what you see in the bill for teachers' salaries and see what they are actually getting.

Mr. LINTHICUM. Will the gentleman find out exactly the amount paid for teachers' salaries? I would like to know.

Mr. SISSON. That is quite a task.

Mr. LINTHICUM. There must be some base salary.

Mr. SISSON. If you go back to the base law, $720 is the lowest basic salary now paid in the District of Columbia. Then you can add to that whatever the longevity pay is. Up until your present subcommittee took the whole matter in hand some of the salaries of the minor teachers were as low as $500, and a great many $600. We have increased it so that the base pay is $720. But that does not tell the story. Because they begin on $720, plus the $120 we gave them, and that was taken into consideration last year, and it makes the lowest salary $840 for nine months' work.

Mr. LINTHICUM. Seventy dollars a month?

Mr. SISSON. You are taking 12 months. The gentleman must take into consideration the fact that that is the base pay of the teacher and does not include all the other. I agree with the gentleman that throughout the United States the teachers' salaries are very small, but the people back in the States—the people in your State—have not seen fit to increase their salaries as radically as they have been increased here.

Mr. LINTHICUM. We have increased our salaries very largely, but we have not this great surplus and this living under the eye of Uncle Sam that you have here.

Mr. SISSON. There is no great surplus, as the gentleman knows, in the Treasury of the United States.

Mr. LINTHICUM. I mean to the credit of the District of Columbia. There is over $5,000,000, is there not?

Mr. SISSON. As a matter of fact, that is a bookkeeping account, and the lawyers differ as to whether or not that is a claim that the District of Columbia may make against the Federal Treasury. Some lawyers claim that is collected and paid into the Treasury the same as the other and becomes a part of the funds of the Treasury. I am not expressing an opinion about it. I have some definite opinions, but do not care to encumber the RECORD about it, but that money paid into the Treasury does not represent the ability of the Federal Treasury to respond. And when I pay out the money of the Federal Treasury to the officials and to the employees of the Government, just as it is paid out to pay the employees in the city of Baltimore, I want it understood that the Federal Treasury ought not to bid against Baltimore and ought not to bid against all the communities throughout the United States, when you are bidding with their money. We have got to be fair; we have got to be just to the Treasury, and at the same time fair and just with the employees and with the school-teachers.

Now, I want to call your attention also to a provision that the committee put into the bill enabling the District of Columbia to avail itself of any property which the Government of the United States bought during the war which would become useless; for instance, typewriters, trucks, automobiles, where automobiles are used in the District of Columbia—in the fire department and in the water department—and the typewriters that may be used. We put in a provision here which authorizes the officials of the District government to buy from the Federal Government at a price not to exceed the price paid by the Government for those things, and, if they have been used, to pay not more than a reasonable price, taking into consideration their use. In that way we felt that the District of Columbia might get those things which it needs and which it has to buy very much more cheaply, and therefore when that is done they do not have to go into the open market or let bids for those matters, and they are not restricted by the regulations when they buy actually from the Government.

Then we also put a provision in the bill to the effect that the board of education should be selected by the District Commissioners. For many years the board of education has been selected by the Supreme Court of the District of Columbia. Every member of the Supreme Court of the District of Columbia says that he ought not to be burdened with that job. Every one of them says that. And, by the way, a gentleman formerly a Member of this House, and at one time one of the distinguished members of that court, makes a very strong argument as to why it should not be done. But it goes further than the fact that they never pay any attention to the schools. They have no way of going into the schools and no control of it except the mere selection of the board of education, and they would forget it but for the fact that some member of the school board calls their attention to it; and, not having given the school system any study and not knowing much about it, they must depend upon the recommendations made by the District Commissioners. With

the exception of the school board, all the other officials are selected by the District Commissioners.

This item was put in the bill once before and went out in the Senate, but at that time there was an organized fight made against it by the teachers of the District of Columbia. I understand now, however, that many members of the board of education openly express themselves as saying that the schools of the District would fare infinitely better if the appointing power of the board of education was the power that came before the congressional committee and made the statements with reference to the schools and looked after the financial statements, because the District Commissioners and the District officials have to look after all the financial statements of the schools and audit the accounts and everything of that sort. It is a peculiar history to get into as to why it was that the Supreme Court of the District of Columbia made the appointments. Perhaps it is better at this time not to go into that history. But we believe that that is proper, and we believe that almost all of the business activities of the District of Columbia believe that it is wise, so that your committee puts that in.

We also amended the law in reference to the construction of bridges across railroads so as to include the building of a bridge across the canal. Some of the bridges are necessary now to be built across the canal, and there is some doubt as to the authority to assess the canal company with the actual cost of the bridges across their physical property. I wanted to call your attention to that because that is a matter of legislation.

We also put a little amendment into the bill authorizing the District Commissioners to prescribe a schedule of fees for the examination of buildings, and so forth, but especially in reference to the inspection of elevators. There was some question raised as to the right to charge for the inspection of an elevator after it was installed.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. SISSON. In a moment. Most of the hotels and business houses that have hall elevators to inspect have gone on and paid the fees without question, but some question has been raised as to the right to charge them anything except for the first installation inspection. We all know that we want the elevators inspected at stated intervals, and the District Commissioners think they should be examined at least once in a quarter, and they want to charge, as they have heretofore been doing, the cost of actual inspection, and we have given them authority. Now I yield to the gentleman.

Mr WALSH. Referring to the appointment of the board of education, I understood the gentleman to say that he did not care to go into the reasons why the power to select them was conferred upon the Supreme Court of the District of Columbia. Now, if you are going to make a change, I should think we ought to know why.

Mr. SISSON. It is a good long history to tell you.

Mr. WALSH. I do not mean any long history, but could not the gentleman state it briefly?

Mr. SISSON. As a matter of fact, they once had a condition here where all the people of the District of Columbia voted, and they had what they called a "feather-duster legislature." That was prior to the time when the Federal Government took over the government of the District of Columbia. Then they thought that local politics entered into it entirely too much. Therefore they put the burden upon the supreme court judges simply of selecting the board of education.

Mr. WALSH. It is a relic of the old times?

Mr. SISSON. Yes; it is a relic of old times.

Now, I believe, gentlemen, that that about concludes the statement that I desired to make.

Mr. LINTHICUM. Mr. Chairman, will the gentleman yield?

Mr. SISSON. Yes.

Mr. LINTHICUM. You were speaking of the changes you recommended in the laws in certain matters. Do you not think there should be some change in reference to the automobile laws and regulations that you passed, by which you make every Marylander coming into town procure a license and pay the amount that the citizen in the District pays?

Mr. SISSON. Does not the citizen of the State of Maryland pay the same as in the District?

Mr. LINTHICUM. He does, and the State of Maryland has provided $24,000,000 worth of roads for the comfort of the people.

Mr. SISSON. The gentleman must know that it is not within the province of this body to change that law, and only in cases where, in consultation with the other committee and matters that intimately affect appropriations, has this committee undertaken to change the law.

Mr. LINTHICUM. This does affect the revenues of the District.

Mr. SISSON. Well, we are collecting the same revenues now from the issuance of automobile licenses as heretofore, but the license is very small in the District of Columbia as compared with other States.

Mr. DENISON. Mr. Chairman, will the gentleman yield?

Mr. SISSON. Yes.

Mr. DENISON. Do I understand the gentleman to state that there was a time when the people voted here and that there was a legislature of some kind? Will the gentleman state when that was?

Mr. SISSON. The act of 1878 took over the government of the District. That was when that went into effect. Prior to that time they had a legislature. That is not a very inviting bit of the history of the District of Columbia. That was during the régime of Gov. Shepherd. Whether Gov. Shepherd was a good man or a bad man I do not know. There are two sides to that. There was quite a controversy about that.

When we had that government here the District of Columbia affairs got in very bad shape. They ran it $40,000,000 into debt, the bonds were sold very much below par; indeed the time was pretty near at hand when they would have to refund some of these bonds, and there was no sale for them. At that time Blackburn in the House and Blaine in the Senate are the names that I find intimately connected with this matter. They took it up and had this organic act passed, I think in 1878, and then that act was amended several times immediately after that. Prior to that time they had a vote in the District of Columbia, and the citizens of the District voted for the legislature of the District of Columbia; and that legislature, with a governor, controlled the city very much as a State is controlled.

Mr. DENISON. But prior to that law, briefly, what was the plan of taxation here? Did the Federal Government pay any part of it?

Mr. SISSON. No; nothing at all; not a dollar.

Mr. CANNON. Will my friend allow me just a word?

Mr. SISSON. Yes.

Mr. CANNON. The gentleman speaks of Gov. Shepherd and the debt of the District. I came here in the Forty-third Congress, and that was the time that Gov. Shepherd went out, as I recall. He went out seemingly under a cloud, but there was investigation after investigation, and they resulted in unanimous reports justifying Gov. Shepherd. Then came the legislation for the half-and-half proposition. Gov. Shepherd went to Mexico a bankrupt, lived down there for many years, and finally came back and had a great reception. He laid the foundation upon which was built the present city of Washington. Of course, those men are all dead and gone. When Shepherd became governor of this District Washington had the dry rot, and he inaugurated a new era, possibly with a waste of money here and there, and there was the devil to pay and no pitch hot, but finally, by the action of the people and with their approval, there was erected in honor of Gov. Shepherd the bronze statue down on Pennsylvania Avenue, which shows him standing there in his cutaway coat, and I have no doubt that he is entitled to much of the credit for the greater Washington of to-day and of the future.

Mr. SISSON. I am not endeavoring to take from Gov. Shepherd any of the credit that may be due him. I simply stated that there was quite a controversy. A great many people contended that Gov. Shepherd was a great benefactor to the District and a great many people contended otherwise. But there is this to be said about Gov. Shepherd: You know L'Enfant made the plan for the city of Washington. As I understand it, George Washington employed L'Enfant, a great architect and landscape gardener, and he laid off the District with an eye to its defense. These circles were intended to be the site of forts, and if you will study the map of the District you will find that by putting cannon in these circles they command every street, and you can not get out of a street into an avenue without coming under the range of the cannon. In that way he proposed to defend the Capitol and the White House from any invasion. But up until Shepherd's time, as I understand it, nothing had been done toward carrying out the L'Enfant plans, and Washington was growing up very much like Topsy.

Mr. COOPER of Wisconsin. Will the gentleman permit an interruption?

Mr. SISSON. Yes.

Mr. COOPER of Wisconsin. I think also history tells us that L'Enfant made the little squares and circles with radiating avenues to meet such emergencies as confronted the French Government during the French Revolution.

Mr. SISSON. During the French Revolution; yes, for the purpose of defending the city from a mob.

Mr. COOPER of Wisconsin. L'Enfant actually saw what happened over there in Paris at that time, he being there at the time of the French Revolution.

Mr. SISSON. Now, gentlemen of the committee, I have said all that I desire to say, because all other matters are simply matters of detail. They are mentioned in the report, and I want to congratulate the clerk of the committee, Mr. Shields, on the very splendid report he has gotten out, because Members may be assured of being informed what we have done, if they will read that report.

I want to say in conclusion that I believe it to be the duty of every Member of Congress now to help unscramble the eggs. It is a very easy matter to scrumble eggs, but a very hard matter to unscramble them. Now, the task that lies immediately before us is to help the War Department and Navy Department cut off useless expenditures, and cut off those activities of the Government that ought not to be continued since the war is at an end. That is quite a task. There are going to be many people who will want to continue in their present employments. There will be many efforts made to justify their employment, and Congress desires to cut, but it ought to cut with the skill of the surgeon. We ought not to cut off necessary activities, but we ought to cut off wisely every unnecessary activity of the Government, and we must get back into our peaceful lines. We have surrendered into the hands of the Executive and the War and Navy Departments powers unheard of, and so far as I am individually concerned I want to get back to the peace times, if possible to get back where we were, and if any changes are necessary let them be made deliberately in time of peace and not under the spur of war. [Applause.]

Mr. DENISON. Will the gentleman yield for a question there?

Mr. SISSON. I will yield to the gentleman.

Mr. DENISON. I should like to ask the gentleman from Mississippi if he knows what is going to be done with these buildings and with this great, high smokestack down here on the Plaza between the Capitol and the Union Station? They are still working on those buildings. Can the gentleman give the House any information about them?

Mr. SISSON. I understand that the work has been abandoned there, except where a building was about completed. The gentleman asks me what they are going to do with them. I do not know. I have no idea what they are going to do with them. They might turn them over to the House Members of Congress at a small rental if they desire to do so. [Laughter.] They might also use those buildings down on the Plaza for the purpose of bringing down somewhat the rents and hotel rates which we are all paying here. At any rate, the buildings are there, and I can not tell you what they are going to use them for. The committee are not considering all of these matters, and I hope the Appropriations Committee, after they have gone carefully into the facts, will be able to help the gentleman find something to do with them. We are ready to take any suggestion from the gentleman from Illinois as to what ought to be done with them.

Mr. DENISON. I would be glad to give them at a later date, but I am interested in the gentleman's views on any question. He has mentioned about unscrambling the eggs. Can the gentleman give us his idea as to what should be done with the railroads?

Mr. SISSON. I do not desire to go into the proposition at this time, although I have some definite and positive views myself on the question. That has nothing to do with this bill. At the proper time I will be glad to deliver myself upon that subject.

Mr. LINTHICUM. Will the gentleman yield?

Mr. SISSON. Yes.

Mr. LINTHICUM. As long as the gentleman has given us his ideas upon some things, does not the gentleman think that something ought to be done with reference to the Saulsbury resolution by which so many people, not war workers, have taken advantage of? I know a number of cases where people not connected with war work have taken advantage of that resolution.

Mr. SISSON. I will say by way of explanation as to the reason I mentioned it at all is because every one of the war activities has been cut out of this bill. We have not left one, but have cut the bill down to a peace basis. I thank gentlemen for their attention. [Applause.]

Mr. DAVIS. Mr. Chairman, I yield one hour to the gentleman from New Jersey [Mr. PARKER].

Mr. PARKER of New Jersey. Mr. Chairman, I have thought it right at this time to break my rule to speak only on the bill before the House. It seems to me at this time that it is my duty to bring before the House a dispassionate review of the question of a league of nations regarded simply in the light of the history of such a league.

When I say league of nations, Mr. Chairman, I desire not to be misunderstood. The league that has been proposed and urged lately is a definite thing, a general league of all nations for mutual defense, with the understanding that armament should be reduced, that trade conditions given by each to the other should be equal, and that there should be some sort of a general council meeting regularly and able to deal with the affairs of nations. Such a league is proposed in the message of the President of the United States of January 8 last. It is proposed definitely and it should not be confused with an entirely different sort of league of a few nations—that is to say, what is generally termed as an alliance. It has been said by President Taft in to-day's papers that he favors such an alliance or league between England, France, Italy, Japan, and America, as the five great powers, for the purpose of the settlement of conditions of peace. Such an alliance at the peace table is necessary. But I hope with Washington, in his Farewell Address, that we shall steer clear of permanent alliances anywhere, and, as he says, that temporary alliances will serve the purpose. Such a temporary alliance or understanding by which Japan and the United States back up the countries really interested in setting a peace in Europe upon proper terms will be supported by the people of the United States.

The President's address was made in January, before Russia was under the bolsheviki; before it could be said, as it is in the paper that came out this noon, that Russian red leaders are to head the Berlin extremists; before Austria had broken down so that it no longer can make any treaty; before questions of boundaries had come up which will disturb all Europe unless they are settled. Nations of central Europe are to be established, taking them away from Germany and Austria and from Russia wherever they consist of people who were not Germans or friendly to them, so as to make the map of Europe, as I hold it in my hand, almost a Chinese puzzle, with Finland, Livonia, Lithuania, Poland, Czecho-Slovaks, Greater Roumania, Ukrania, Jugo-Slovaks, Greater Bulgaria, and Roumania, all new nations in prospect, that have no connection with one another, no legislatures, no laws, and no government, and for whom governments must be established. These nations, proposed in the President's address of which I have spoken, can not be regarded now as realities who can join a league.

The great crisis is upon us by which the allies, as the leading nations, must settle the boundaries of government as best they can for these new nations and leave their fate to be taken care of by a wise Providence hereafter.

That address says that Germany is to be a part of the scheme for a league of nations. What, when the German Armies have gone home intact to be disbanded, but with an organization that can be called together within three days while we have to take nearly as many years to get overseas—are we to agree that all nations shall now disband? The allies must reserve power until the settlement of peace be made. We will talk about that afterwards.

When we tell Germany to cough up $40,000,000,000, or some sum of that sort, are we to leave her power by her army to say whether she will or not comply with this righteous demand to restore countries that have been wrongfully despoiled, or are we to see that the indemnity is paid, as Germany did with France in 1871, by keeping the Provinces of France until it was done?

In our newspapers to-day our great ex-President says that the only league now can be a small league of great nations, and that when a small league has restored peace it will expand into a great league. Do not let us confuse the two. The temporary league to do justice now is necessary. The general league of nations to abandon our self-government and our arms and ammunition, Navy, and diplomacy to treaty and an international council is another question. We desire to study in the light of experience whether this is something we ought to wish or to go for. One thing is perfectly certain. No matter what is to be in the future we know that in the past the central powers have been dangerous because of their ability to unite countries all around them together into a great moving military force, and no league that admits Germany to membership can be established which does not also carefully provide that she shall not be able to use the policy of peaceful penetration by her banks, her merchants, her men, her officers into Russia and Turkey and the whole country of the east, so as to get a much larger army than she had in the last war and to be able to throttle and take over the whole world. It is important that there shall not be perfect equality among nations in their trade conditions as long as that threat remains.

But I direct attention now only to the project of a general league of nations, which is admitted to be far in the future by our ex-President, although it has not been so admitted by the President of the United States. Conditions will make it certain

to him that a general equal league of nations is not possible now, not possible at the present moment.

Therefore I am considering the future possibility of such a general permanent alliance only in the light of the past. The form of such an association is defined in the President's address. It can be found and has been tried in an earlier league. In the fourteenth point it is defined as follows:

A general association of nations must be formed under specific covenants for the purpose of affording mutual guarantees of political independence and territorial integrity to great and small States alike.

Such an association would begin by a declaration somewhat as was contained in the league of American States known as the Confederation, as follows: That the member States of the league "severally enter into a firm league of friendship with each other for their common defense, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other against all force offered to or attacks made upon them or any of them." That is the essence of a league of peace. It would in terms protect each member against any other State in or out of the league.

The President in his address says also that in any such league trade conditions should be equal among the members. The words were:

The removal, so far as possible, of all economic barriers and the establishment of an equality of trade conditions among all the nations consenting to the peace and associating themselves for its maintenance.

The words "the removal of all economic barriers" seem to go farther than equality of trade conditions, but it is explained by the President to mean only that each member of the league may impose what duties or other regulations it pleases provided, however, they be equal to all other members of the league. Now, it is interesting that the former league to which I have referred, our own Articles of Confederation, contains in its historic phraseology this:

The people of each State shall have free ingress and egress to and from the territory of any other State and shall enjoy therein all of the privileges of trade and commerce subject to the same duties, impositions, and restrictions as the inhabitants thereof, respectively.

While in a subsequent part of the paper, Article IX, it was provided that the league, the general league, should make no treaty "by which the several States shall be restrained from imposing such imposts and duties on foreigners as their own people are subject to, or from prohibiting the importation or exportation of any species of goods or commodities whatever."

It seems as if this article of 150 years ago had been drawn in order to carry out the President's suggestion.

Disarmament also seems to be a condition suggested by the President for such a league. He says, in the fourth point:

Adequate guaranties given and taken that national armaments will be reduced to the lowest point consistent with domestic safety.

Our Articles of Confederation, the historic league to which I have referred, provided:

No vessel of war shall be kept up in time of peace by any State except such number as shall be deemed necessary by the United States in Congress assembled (the joint council hereafter mentioned) for the defense of such State or its trade, nor shall any military force be kept up by any State in time of peace except such number only as shall be deemed requisite by the United States in Congress assembled to guarantee the force necessary for the defense of such State, but every State shall always keep up a well regulated and disciplined militia, sufficiently armed and accoutered, and shall provide and constantly have ready for use in public stores a due number of fieldpieces and tents and a proper quantity of arms, ammunition, and camp equipage.

It goes without saying that under these conditions the consent of the congress as general council of the league would be necessary, also to any special embassy or treaties by any State, or to any treaties between them, or to their engaging in war unless there was actual invasion or imminent danger of invasion by pirates, and it was so provided as would be necessary in any such league now.

This being so, any disputes as to boundaries and jurisdictions would necessarily have to be arranged by the joint council or congress and not by any of the particular States. A very careful provision was contained in the articles of league to which I refer, by which the disputants should be summoned to select a court, and that, failing so to do, the joint council might name three persons out of each of the member States, and the disputants should strike out the names until the number was reduced to 13; a court of 7 or 9 was drawn therefrom by lot, and it was left to the court to decide.

In Mr. Taft's proposition he states carefully that we must have a general court of the nations in order to settle boundaries, appointed by the five great powers.

It is hard to see how any less power than those of our confederation could be granted to any general league of nations if it is to amount to anything. It must have some legislative, executive, and judicial powers to carry on business. And in order to do this the paper that I have spoken of—our Articles of Confederation—follows a plan for a congress or joint council that they would have to use in a league now, at least in substance. Article V provided that a congress should meet once a year, to be composed of several delegates from each member State, but which would have one vote only for each State, and that Congress (Article IX) should have sole power of determining on peace and war, of maintaining diplomatic relations and making treaties and governing the seas, to appoint an executive committee of one delegate from each member State to sit in recess to manage generally the affairs of the league, to estimate probable expenditures, to borrow and appropriate money, to build a navy, and to require each member State to furnish a quota of the army, according to its population or as the council might decide. Two-thirds of all the member States would have to agree to any resolution as to war, treaties, estimates, loans, or the raising of armies or a navy, and a majority of all the member States, or two-thirds of the executive committee, was required for everything else. Any charges for war and all other expenses that shall be incurred for the common defense or general welfare were to be defrayed out of the common treasury, which was to be supplied by the several members of the league in proportion to the value of property.

It is surprising how accurately and completely this historic league conforms to all the conditions suggested by the present proposers of a league of nations. It is surprising that its provisions have not been referred to in any of the discussions, because it ought to be familiar to us. This particular league was prepared with great care by our foremost statesmen in 1777. It is known as the Articles of Confederation of the United States of America when they were free and independent States and governments; and the only change I have made in phraseology has been in sometimes changing the word "congress" to "joint council" and the word "state" to "member of the league."

We have the precedent when the United States of America formed a league in 1777, which took effect in 1781, and which went down in absolute failure in 1787 to 1789 because it was found that the affairs of nations can not be carried on either by limiting the powers of the representatives of the various components of one people who ought to be one union, or by trying to tie together people who have nothing to do with one another, like tying Serbia and Bulgaria and the Balkan States to the United States of America.

The Articles of Confederation contain nothing else of importance, except declarations of rights already possessed or recognition of existing governmental agencies. At that time every man in every one of the former British Colonies had been a British citizen and able to go into every other colony with no restriction by immigration laws of his right to be regarded as a citizen there, and that same right was declared in the Articles of Confederation. But it was a mere declaration of what existed.

There was a provision for a general post office. We run one now without any difficulty all over the world by the postal union. It is not difficult to do. But it was only declaring what had existed before the Revolution under the British rule. We can not now agree, if we wish to maintain the purity of our citizenship, that citizens of any State in the world shall come here and be citizens because we happen to be in such a league. Think of the bolsheviki, the Russians, the Serbians, the Bulgarians, the Turks, and the Armenians being told they are all citizens of the United States! But because there was then a common British citizenship that league had a much better chance of getting along than any other that we can put up at the present time. And it seems dangerous, in view of our experience, to go into the question of promising that we will make a league, offensive and defensive, with all the world.

Mr. STEVENSON. Will the gentleman yield?

Mr. PARKER of New Jersey. If I have time. How much time have I left, Mr. Chairman.

The CHAIRMAN. The gentleman has 40 minutes remaining.

Mr. PARKER of New Jersey. I yield to the gentleman from South Carolina.

Mr. STEVENSON. I wanted to ask this: I notice in the league you are discussing that each power has an equal vote. Suppose we had a league in which Liberia is placed. Is it contemplated that Liberia shall have an equal vote with the United States, or what is the proposition to avoid that? I am just asking for information.

Mr. PARKER of New Jersey. I will say that I have seen various propositions. The last proposal of Mr. Taft, which appears in to-day's newspapers, is that only the five central great powers shall rule the whole question and that the others shall come in as a sort of adjunct, to be arranged as the great

powers please. A proposition I read before that, in a book edited by Theodore Marburg, was that each of the great powers should have three delegates each and the rest one. Representation was a very complicated question, as you will remember, in framing the Constitution of the United States. The convention compromised by allowing the Senate to have equal representation from the States, great and small, and the House of Representatives to have a representation according to the population, taking three-fifths of the slaves.

This league of the United States Confederation, although they were on the same continent and subject to the same dangers and in war against the common enemy, was powerless to enforce contributions of troops or of money. "It"—the articles—"gave to the Confederation the power of contracting debts and at the same time withheld from it the power of paying them" (Curtis Constitutional History, Vol. I, p. 121). What is more, prompt decisions could not be had from a council or Congress in case of emergency. The whole thing proved to be a rope of sand, even between people with the same interests. The league was dying when it was replaced, as it could be, by the union of the people of the States. But that establishment by the people of direct governmental control over persons and property would neither be possible or desirable in a world's league.

Now, this league did not work with us, and why? Are the reasons likely to apply to the new proposition for a world league? Let us begin with the last matter, of the court to settle boundaries, because it had chief consideration in forming the federation. The great western territory of the United States had just been acquired from Great Britain as far as the Mississippi. We had claims on the territory of Spain down toward the Gulf. Those territories were the wealth of the country. Connecticut claimed directly back to the Mississippi by her grant. New York claimed the great regions occupied by the Indians as belonging to her and running over the same territory. Virginia claimed that she owned the whole Northwest Territory, and if the question had been determined according to law by any court there would have been endless hatred of one State by another.

Fortunately they never got into the court of the Confederation, for before the articles of the league of firm friendship were signed Maryland said she would not sign at all unless all the western lands were thrown into a common holding and should belong to the General Government for the benefit of all the States, and for the establishment of new States as soon as might be. She had no right there herself. You might say she was a "dog in the manger"; but she achieved the greatness of the United States by seeing that the various States could not have boundary difficulties against one another.

How is it now? If we had a world league of various nations, could they settle boundary questions in the Balkans? Would the Balkans be willing to allow it? We were not willing to leave Alaska to the rest of the world, because we felt that the boundary of the world wished to have free access through the channels that run through Alaska, and that we should not have a strip of shore. We insisted upon settling this by agreement. Would we allow Mexican questions and our difficulties there to go to an assembly composed of Europeans for determination? Are we to break down the Monroe doctrine? Would not the same difficulties come in now, and would anybody agree to anything going before a world's court?

I can not learn that during the six or nine years of the Confederacy a single question was brought before any court appointed by Congress under the terms of the Confederation, and yet there were a great many boundary questions between the States which were settled.

This is by the by. The boundaries of France, Poland, Italy, Belgium, and of the East are too important to those countries concerned to be left to any world's court of distant and careless nations. They must be settled now before the peace, and not afterwards, in order to have firm government. One of the disputes between Peru, Bolivia, and Chile is as to the nitrate beds. Would we leave that to the nations in Europe, all of which are eager to get control of those nitrate beds? Would we allow Europe to interfere? The whole scheme of compulsory intervention will fail as voluntary arbitration has failed at The Hague because of the difficulty of agreeing upon judges.

Now, as to disarmament. There is a provision that no State should maintain more than its quota of troops or ships. That accurately expresses the idea of disarmament. It never had to be enforced in this country because no State tried to have an army or navy. It is different abroad. Germany always has wanted an army, and the world had an experience there. In the time of Napoleon it was provided that Prussia should keep under arms only 42,000 men, and Stein and other German ministers arranged a system of short enlistments and short intensive service like what we have given our officers, and they turned out when the war again broke out against Napoleon with over 500,000 thoroughly trained men in the field. A provision for disarmament acts in favor of Germany, the country that expects to use her soldiers at home. It acts against a country like our own, where we have no military system, and have to take men 3,000 miles. A provision for an enrolled and disciplined militia would be necessary for us. We should do little with it, but it would cover a whole German army. There can be no safety in any equality of provision for a power that has the advantage of a central position, and with its soldiers always at the place where troubles are to be expected, while others must send soldiers from afar, and America and England from overseas.

The provision that we had in the league that no State shall keep a navy is vital. It would be dangerous now to the world. The navies of England and America now secure the safety of the world. They must be strong enough to secure that result.

The scheme of the confederation was for a general army and navy sufficient for the common defense. The same scheme is now called in the proposition in the paper this morning "An international police." The confederation failed to get any such army or navy. During the Revolution Congress was only able to get out at the highest about one-tenth of our able-bodied men, while in the Civil War the North got out one-fifth of its able-bodied population and the South got a much larger proportion.

Under the confederation, calls for quotas failed, requisitions for men and money failed, and the men we had were unpaid. The league could not enforce these quotas of men and money, even in our dire necessity, and the only remedy of Congress would have been to make war upon the delinquent States. This was actually proposed by Madison. Six weeks after the ratification of the articles in 1781 he proposed an amendment to give the United States full authority to employ their forces as well by sea as by land to compel any delinquent State to fulfillment of its Federal engagements. Washington approved of this, saying that a knowledge that this power was lodged in Congress might prevent its ever being exercised. Indeed, said Washington, if Congress were unquestionably possessed of the power nothing could induce the display of it but absolute disobedience and urgency of the general welfare. Madison argued that in the very nature of the confederation such a right of coercion was necessarily implied, though not expressed in the articles. Fiske declares that much might be said in behalf of this opinion. "The confederation asserted itself to be perpetual, but how could it have perpetuated itself for a dozen years without the right to coerce its members? Practically, however, the remedy was one which never could have been applied without breaking the confederation into fragments. To use the Army or Navy in coercing a State meant civil war. The local yeomanry would have turned out against the Continental Army with as high a spirit as that in which they swarmed against the enemy at Lexington and Kings Mountain. A government which could not collect the taxes for its yearly budget without firing upon its citizens or blockading harbors would have been the absurdest anomaly imaginable." (Fiske, "The Critical Period of the Revolution," p. 118.)

Afterwards, when we came to the constitutional convention, there were two plans, one for a government and the other for strengthening the power of the league. The latter, the New Jersey plan, set forth in the Paterson resolutions, aimed at a like right for the league to enforce contributions of money and men. Congress was to have power to collect taxes in the States if requisitions were not complied with. The resolutions changed the proportion of the quotas from property to men, because Congress had never been able to have a valuation of property. But in the last resolution it was proposed that the acts of the United States in Congress should be the supreme law, and that the judiciary of the States should be bound thereby, and that if any State or any body of men in any State shall oppose or prevent the carrying into execution such acts or treaties, the Federal Executive shall be authorized to call for the power of the confederated States, or so much thereof as may be necessary, to enforce and compel obedience to such acts and the observance of such treaties. Madison Debates, Volume I, pages 164 and 166, say:

3. *Resolved*, That whenever requisitions shall be necessary, instead of the rule for making requisitions mentioned in the Articles of Confederation, the United States in Congress be authorized to make such requisitions in proportion to the whole number of white and other free citizens and inhabitants, of every age, sex, and condition, including those bound to servitude for a term of years, and three-fifths of all other persons not comprehended in the foregoing description, except Indians not paying taxes; that if such requisitions be not complied with in the time specified therein to direct the collection thereof in the noncomplying States; and for that purpose to devise and pass acts directing and authorizing the same: *Provided*, That none of the powers hereby vested in the United States and Congress shall be exercised without the consent of at least —— States; and in that proportion if the number of confederated States should hereafter be increased or diminished.

6. *Resolved*, That all acts of the United States in Congress, made by virtue and in pursuance of the powers hereby, and by the Articles of Confederation vested in them, and all treaties made and ratified under the authority of the United States, shall be the supreme law of the respective States, so far forth as those acts or treaties shall relate to the said States or their citizens; and that the judiciary of the several States shall be bound thereby in their decisions, anything in the respective laws of the individual States to the contrary notwithstanding; and that if any State or any body of men in any State shall oppose or prevent the carrying into execution of such acts or treaties the Federal Executive shall be authorized to call forth the power of the confederated States, or so much thereof as may be necessary, to enforce and compel an obedience to such acts, or an observance of such treaties.

Is the world league to make war on poor Poland if it fail to pay its quota of expenses? This would be tyranny, not government.

Mr. BORLAND. Will the gentleman yield?

Mr. PARKER of New Jersey. I yield to the gentleman from Missouri.

Mr. BORLAND. The gentleman has been pointing out the weakness of the Articles of Confederation—how they failed to secure the necessary unity. I want to ask the gentleman this, however: Does he believe that the final union of the States in the form that we now have it could have been accomplished immediately upon the completion of the Revolution without the intervening experiment of a confederation?

Mr. PARKER of New Jersey. No; I do not; and I will ask the gentleman in reply, does he want to have a union of all the people of the world, no matter how dissimilar?

Mr. BORLAND. I am not prepared to commit myself to such a union of all the people of the world.

Mr. PARKER of New Jersey. Neither am I; and I will say that it can not be done.

Mr. BORLAND. I regard it as entirely experimental; but does not the gentleman realize that the Articles of Confederation were good for the experimental stage of American Government and that we progressed from that to a more perfect union?

Mr. PARKER of New Jersey. I think we had a right to try experiments with our sister States who had been with us in the Revolution. I do not think we have a right to try experiments with the Bolsheviki of Russia or with the other people over there to see whether we can make a union with them.

Mr. BORLAND. That is exactly what I wanted to ask the gentleman. Does he not think it would be wiser for us to try the experiment to get a league rather than to go to the full extent, logically, as he makes it, of having legislative, executive, and judicial power?

Mr. PARKER of New Jersey. No; I would never go to that extent. It is not logical at all. The statement I have made is very clear, I believe. We need a temporary understanding. I like that word better than an alliance. We need a temporary understanding with the people who have fought with us in the war, and we will secure peace on proper terms. I do not want to go further than that.

Mr. BORLAND. But the understanding to expire when the peace is secured?

Mr. PARKER of New Jersey. Yes; except so far as we choose to go ahead. We carried on this war to a successful conclusion without anything in the way of writing to bind us to do it, because we thought it was for the good of the world. We can see that peace is obtained in the same way, by a similar understanding, and I hope, thank Heaven, we can do it without breaking Washington's orders and without entering into any permanent alliances.

Mr. BORLAND. It may be that these terms of peace are going to extend some years into the future and to require a great many affirmative acts to be performed by the central powers. Does not the gentleman think a close alliance with our allies is going to be necessary possibly for years to come?

Mr. PARKER of New Jersey. No; I do not. I think we should be able to put pledges in the hands of the allied powers in Europe and be able to secure their ends in that regard. I think we want to get out of Europe as soon as we possibly can.

Mr. BORLAND. With reference to this idea of using force against members of the league, the great powers, of course, could put down the little ones.

Mr. PARKER of New Jersey. Imagine the jealousy of the great powers if that were done. Imagine the jealousy if they had more than one vote, as suggested in the Marburg plan. Alexander Hamilton, in the debate on the Paterson amendment, made some remarks, and I ask to be allowed to put in an extract and to extend my remarks in the RECORD generally.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey that he extend his remarks? [After a pause.] The Chair hears none.

Mr. PARKER of New Jersey. At that time Shays' rebellion was going on in Massachusetts and Alexander Hamilton spoke on the proposition to use force to maintain the Government. He said that military force exercised on the States means war; and continued, as to the weakness of all leagues (Madison Debates, Vol. I, p. 178):

> Force, by which may be understood a coercion of laws or coercion of arms. Congress has not the former, except in few cases. In particular States this coercion is nearly sufficient, though he held it, in most cases, not entirely so. A certain portion of military force is absolutely necessary in large communities. Massachusetts is now feeling this necessity and making provisions for it, but how can this force be exerted on the States collectively? It is possible. It amounts to a war between the two parties. Foreign powers also will not be idle spectators. They will interpose, the confusion will increase, and a dissolution of the Union will ensue.

> Influence: He did not mean corruption, but a dispensation of those regular honors and emoluments which produce an attachment to the Government. Almost all the weight of these is on the side of the States, and must continue so as long as the States continue to exist. All the passions, then, we see, of avarice, ambition, interest, which govern most individuals and all public bodies, fall into the current of the States and do not flow into the stream of the General Government. The former, therefore, will generally be an overmatch for the General Government and render any confederacy in its very nature precarious. Theory is in this case fully confirmed by experience. The amphictyonic council had, it would seem, ample powers for general purposes. It had in particular the power of fining and using force against delinquent members. What was the consequence? Their decrees were mere signals of war. The Phocian war is a striking example of it. Philip, at length, taking advantage of their disunion and insinuating himself into their councils, made himself master of their fortunes. The German confederacy affords another lesson. The authority of Charlemagne seemed to be as great as could be necessary. The great feudal chiefs, however, exercising their local sovereignties, soon felt the spirit and found the means of encroachments, which reduced the imperial authority to a nominal sovereignty. The diet has succeeded, which, though aided by a prince at its head, of great authority independently of his imperial attributes, is a striking illustration of the weakness of confederated governments. Other examples instruct us in the same truth. The Swiss Cantons have scarce any union at all and have been more than once at war with one another.

We learn from those debates how hard it is to have anything like united action in a confederacy, even of people of the same blood like the Germans or the Swiss or ourselves, and how impossible it would be among scattered nations and peoples like those who are talked of for a world's league. Do we know anything about Russia? Do we know anything about the Balkans? Can any of us tell the difference between the governmental principles of the Serbians and Bulgarians? Does anyone know now exactly what government would suit the Armenians, who have been massacred for generations and never had any government at all? Can anyone tell me why the little Czar, regarded almost as a god by his people, was after a few months taken to prison and massacred? Can anyone tell us what became of the influence of the great Russian Church, which was supposed to govern the Russian people? Do we know what they will do from day to day? Do we know whether their representatives here really represent the Russian people or not? If we made all the leagues in the world, would we know whether the delegates to the convention represented the people or not? We are face to face with a strange emergency, in which we have to change the map of Europe, fit together what we consider the separate nations according to their language and supposed autonomous desires, and finally establish governments which will be recognized by the great powers of Europe and protected by them. In all this the allied forces must see and make sure that there is no power like Germany that shall disintegrate this scheme or add to the confusion which now exists. The United States can go no further. We ought not to try to decide details in Europe, because we know nothing about them.

The present propaganda for a "league of nations" all involve the proposition that the league shall intervene with its international forces in every dispute in Europe, Asia, Africa, or America in order to compel peace, and shall have power to make its member States contribute men and money to such forces and abide by the decisions of the league council and courts.

American soldiers abroad would cost more than those on the spot. America would fulfill her engagements at any cost, though she would not want to make war in the Balkans or in Russia, because they did not contribute to the cost of the world league or obey its mandates.

If this agreement be constitutional, it may be questioned whether it be sensible to obey a league of nations in our foreign policy and be their cat's-paw.

The great nations can be trusted. They have been for peace, with the sole exception of this military monster of modern times. They have prevented war when they could.

Egypt, India, and Morocco have obtained peace and prosperity under the control of England and France, and their people now acknowledge it with almost exaggerated loyalty. The great nations have more power than they used to have, and they likewise bear the white man's burden.

Now, there is one other thing which we learn from our American league called a confederation, and that is that it was intrinsically a sham—intrinsically. The Congress had to try to be President, legislature, and judge all at once, and they did nothing well. Washington had to enforce upon them his right to be Commander in Chief, and no one but Washington could have done so. They only learned that he had that right after years of warfare, just as the modern entente have learned by constant disasters that they had to have one man, Marshal Foch, at the head of the Army if they would not fail. The league and its Congress were always impotent. Any congress of nations under such a league always will be powerless against any united nation.

The American Confederation was a sham as a legislature also. The delegates, being mere delegates, consulted the welfare of their individual States and not the common good. In order to prevent hasty action by the union of the small States against large ones, it was required that a majority of two-thirds of all the States should vote in favor of any proposition, and the result was that a minority of five States was always easily found to defeat any important action. What is more, the mere absence of a few States would defeat action, and for the last three years of the Confederation there were seldom more than 20 delegates present representing seven States, barely enough to pass routine business and not enough to determine any important thing where nine was required. The great men of the country did not go to Congress. They found that business could not be transacted. Would not this be likely in any modern league? Think of the power that would be given, as some one said, to Liberia, or let us say to the hosts of Balkan and South American, Asiatic, and other States. They could unite to make us enter into their broils or to keep us from united action because they did not want to pay the expenses.

There is no plan that can be just between people of different interests that binds them to a majority or two-thirds vote. No plan is safe at all, because with interests drawn in different directions you can not have that harmony that exists here because we are one people.

Now, we must agree on peace terms that will make for peace. But they are not the terms of this league. Constantinople, for instance, must be held under the grasp of the allied powers so as to protect Russia and the East, and there is no other way to do this. Perhaps the same thing will have to be done to the Kiel Canal to give access to the Baltic and protect northern Russia. As for the payment of indemnity to the ruined countries, the German Navy and Rhine lands will have to be kept as a pledge until Germany really surrenders and pays here indemnity. Some of us think that in addition the surrender of her troops will be necessary as a pledge against war.

The United States must preserve and maintain stores of arms and munitions and a corps of officers that will enable us to arm our citizens in case of need and not have to wait three years for lack of arms and officers. Every schoolboy should learn obedience and marksmanship under well-trained officers in civil life, who would likewise make our militia a reality. Such preparedness by ourselves would be the best guaranty that no military power would again disturb the peace of the world.

I read again from Washington's Farewell Address:

> It is our true policy to steer clear of permanent alliance with any portion of the foreign world; * * *
>
> Taking care always to keep ourselves by suitable establishments on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Mr. SLOAN. Will the gentleman yield?

Mr. PARKER of New Jersey. Yes.

Mr. SLOAN. What other nation outside of the United States is talking seriously about a league of nations?

Mr. PARKER of New Jersey. I know none.

Mr. SLOAN. Who outside of a few officers and a few individuals throughout the United States is claiming that we can establish a practical, well-working league of nations?

Mr. PARKER of New Jersey. I do not know who the parties are that provide the means for broadside advertisements of a whole page in newspapers and issue all kinds of books and articles at great expense. They have some of the best names in the whole country in their societies. At one time a general league of nations was favored immediately, but Mr. Taft, our former President, now wants a small alliance of the great powers. He and others seem to think that the alliance of great States should look to a future general league for general peace, which, perhaps, if they attempt it, will only embroil us in every foreign dissension.

Mr. SLOAN. Have they formulated a correct basis for one of these leagues except that which is a good deal of a nebulous discussion?

Mr. PARKER of New Jersey. Yes; I have two or three little books or circulars that give formative plans. One is by Mr. Everett P. Wheeler.

Mr. SLOAN. Who is Mr. Wheeler?

Mr. PARKER of New Jersey. He is a very strong lawyer and a very good man.

Mr. SLOAN. What is his record? Has he had any experience in handling national affairs?

Mr. PARKER of New Jersey. He is a very good lawyer and a very sensible man. I do not know that experience makes us any better when we come to get at new things. One other has spoken, and that is the President of the United States. His proposition is clear as to that. There is no sort of doubt about it.

Mr. SLOAN. I was asking outside of officials.

Mr. PARKER of New Jersey. I was not including him as an official. He is President of the United States.

I fear this proposed general league. I fear that it may tie us up so much that these effete governments and new governments will make confusion worse confounded. I fear for the independence of the United States of America.

America has had her experience with leagues. We turned from that league, or confederation, to what Washington glorified in his Farewell Address. He found the completion of his work in the new birth of our Nation. He tells us that the love of liberty is but the beginning, and that the end is the Union, the State, the Constitution that our own hands had framed, giving to the people a government that mere allegiance could never give, realizing the name of American, which he says belongs to us in our national capacity, and "must always exalt the just pride of patriotism more than any appellation derived from local discriminations," as embodying our common struggles, battles, triumphs, dangers, sufferings, and success. He tells us that sentiment and interest alike bind us together—North, South, East, and West—and that union alone can support liberty. He exhorts us to look to that union as our "palladium of safety and prosperity," to speak and think of it with constant affection, to discourage amendment lest that should breed the spirit of change, to let the Constitution grow as all government must grow—from within—and so to work out the destiny of one Nation, whose Constitution, once adopted by the people, is "sacredly obligatory upon all" and can be changed only "by an explicit and authentic act of the whole people."

His courage calls it a crime to doubt the continuance of the Nation. He tells us that amid such prospects and such dangers as surround us the union is worth the trial. He tells us to be prepared for war, to deal fairly with all other nations, but to avoid hatred or fondness for any, and especially to guard against any passionate attachment for any one nation, and to steer clear of permanent alliances or even a permanent commercial policy with any nation of the world.

In the earnestness of the retiring chief we read an anxiety which only history can explain. Only two years after the Constitution had been adopted he had seen the French Revolution, with its constitutions of a day or of a year, the carmagnole of party strife, and the sudden destruction of the property, credit, and institutions of that nation. That revolution was still in the height of its power. Our chief says nothing of all this, but it is plainly in his thought, and he urges on his children reverence for law, union, peace, fear of party spirit, economy, religion, hatred of change, and strict maintenance of the public credit. Clearly he was thinking of the wild doctrines of the rights of man as an individual without regard to the rights of society, which characterized the French Revolution and are still a potent force even in the modern world.

I wrote this some years ago. Such revolution as the French Revolution is going on now, certainly in Russia and possibly in other nations. It must work itself out in each case upon the spot. Each nation must learn for itself to govern itself. No others, certainly not we, can teach them how. No alliance could or should control what the President calls the autonomy of each people and their autonomous desires.

Mr. SLOAN. One other question, if you please.

Mr. PARKER of New Jersey. In just one minute.

America will intervene whenever it is necessary to save the world from robber conquest. But until that danger again arises America will mind her own business and keep her hands off while she holds up the light of liberty that will enlighten the earth after the allied armies have established a fair and business government in the various territories. [Applause.]

Mr. SLOAN. I am very much interested in the very able speech, but I did not hear all of it. I would like to know whether the gentleman attempts in any wise to square this talk for a league of nations with the Farewell Address of our first President?

Mr. PARKER of New Jersey. It can not be squared.

Mr. SLOAN. And you feel safer in following the address of George Washington than you do the distinguished passenger on the *George Washington*, do you?

Mr. PARKER of New Jersey. I am not making a comparison, sir. [Applause.]

Mr. GARD. Mr. Chairman, the gentleman from Mississippi [Mr. SISSON], in charge of the bill, wishes that 30 minutes' recognition be given to the gentleman from Missouri [Mr. BORLAND].

The CHAIRMAN. The gentleman from Missouri is recognized for 30 minutes.

Mr. BORLAND. Mr. Chairman, one of the imperative problems to be solved as a part of the reconstruction legislation of this war will be the creation of a budget system for the United States. This country, strange to say, has had nothing approaching a budget system, but the business interests of the country are now beginning to discuss with a very deep-seated earnestness the necessity for such a system. It may clarify the problem somewhat, and possibly lead to its solution, if we get some idea of what is meant by a budget system. To my mind a budget system means simply the two sides of the public ledger. It means that the Federal Government should gauge its expenditures by its income, or possibly, stated from the opposite angle, that it should provide its income in proportion to its necessary expenses, and that there should appear upon the open pages of the public ledger the exact statement of the governmental expense on the one side, balanced on the other by an exact statement of the sources of revenue out of which those expenses are to be paid.

This system is so simple and is so fundamental in all business enterprises, and its need is so clear to every man who has had the most elementary experience in business affairs, that it seems a matter of the greatest surprise that nothing of the kind has ever occurred in regard to our Federal expenditures.

One reason for this has been that we have subsisted during our national life very largely upon a system of indirect taxation, raised from tariff duties and internal revenue, under which system it is absolutely impossible to tell what the national income is to be. Hence the expenditures could not be regulated in accordance with the income. In fact, we had as many surpluses in our Federal Treasury under that system as we had deficits. Now we have come to an era of direct taxation, in which the backbone of the fiscal system of this Government must be the income tax. Every man will see reflected in his annual tax bill the burdens of the Federal Government, and there will be no opportunity to camouflage or to juggle or to say that taxes are not borne by the citizen. There will be no opportunity to pretend that the foreigner pays the tax. There will be no chance to say that taxes are not a public burden, but in some mysterious way are the source of prosperity to the Nation. Once we eliminate that idea from the public mind there will be no difficulty in getting down to a system of a budget.

Mr. STEVENSON. Mr. Chairman, will the gentleman permit a question?

Mr. BORLAND. Certainly.

Mr. STEVENSON. How much nearer will there be certainty as to the Government's income when based upon income tax that has not already been earnest than there is on the income which is based on the revenue derived from a tariff tax, which depends upon the amount of imports? I would like to find out where the greater certainty comes in.

Mr. BORLAND. There is a great deal more certainty. I am glad the gentleman asked that question. Tariff taxes are based upon the imports that chance to come in during a fiscal year. The imports are dependent upon world conditions of trade, which are absolutely out of the control of the country levying the tariff duty and which are impossible to foresee. We can only estimate them by what has occurred in the past, and we have never succeeded yet in hitting the amount even approximately. But an income tax is based upon the current income of persons and of corporations in the United States, whose volume of business for the current year is absolutely a matter of record. There is a certain margin according to which we can estimate the increase of business. We can not, of course, foresee any extraordinary matters that might increase or diminish these revenues, but we can hit approximately the revenues, and, as a matter of fact, our experience under an income tax shows that we are able approximately to estimate them.

Mr. STEVENSON. But does not income also depend largely upon the condition of business in the country, and does it not vary very largely? And when we make appropriations here in the early part of the year, based on the income that citizens are going to have that year, are we able to foretell what the conditions are going to be and what amount we are going to get?

Mr. BORLAND. We are better able to tell what the business is to be than what the tariff will produce. A man running a street car company does not know exactly how many people are going to ride on his cars next year, but he has an accurate idea of how many have ridden on them in the year before, and the prospects of an increase or a decrease, and he is able to make an accurate estimate within a few dollars of how much his fares will amount to. And exactly so as to any man's business. No merchant can tell certainly, when he puts a stock of goods on the shelves, what he will make out of that stock of goods, but nine times out of ten he can do it nearly enough to enable him to fix the prices properly. The very change of the fiscal system from the indirect to direct taxes is going to force a budget system. In my judgment that is one of two elements.

The other element is the enormous growth of the Federal expenditures. Heretofore while Federal expenditures have been comparatively little per capita in this country, little attention has been paid to them, but now they are tremendously heavy and bid fair during a course of years to be materially heavy; so materially heavy as to amount to an important factor in the earnings of every business man in the United States.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. BORLAND. Yes.

Mr. LONGWORTH. Would the gentleman care to give to the House an estimate of what he thinks our expenditures will be in the year 1920?

Mr. BORLAND. No; I am utterly unable to tell closer than was given by the leader of the majority [Mr. KITCHIN].

Mr. LONGWORTH. Does the gentleman agree with the statement of the Secretary of the Treasury that they will be about $4,000,000,000?

Mr. BORLAND. Yes. That is my estimate. That would be approximately my estimate; at least $4,000,000,000 in 1920.

Mr. LONGWORTH. At least?

Mr. BORLAND. Yes; I say "at least" because I do not think that is an overstatement at all.

Mr. FOCHT. Mr. Chairman, will the gentleman yield?

Mr. BORLAND. Yes.

Mr. FOCHT. Does the gentleman take into account any interest to be paid by the foreign countries who have secured these loans from the United States? Have you deducted that?

Mr. BORLAND. No. I do not think between now and 1920 we will collect a dollar of interest from any foreign country. On the contrary, I am quite convinced that we will continue to advance them money.

Mr. FOCHT. Under this theory, would you make provision for any payment of the public debt whatever?

Mr. BORLAND. No. That does not, in my judgment, embrace a sinking fund. That embraces the interest upon our accrued indebtedness and the cost of the upkeep of our present activities.

Mr. FOCHT. Under this budget system you would undertake to relieve the House and the country from all these difficulties that we have had with deficiency bills? We will have no more deficiency bills? Is that the idea?

Mr. BORLAND. That is a new idea, but possibly that is true.

Mr. FOCHT. Furthermore, do I understand you to absolutely abandon the old traditional policy of your party of a tariff for revenue only? [Laughter.]

Mr. BORLAND. If that is so traditional, then I abandon it, but it is not traditional, to my mind.

Mr. FOCHT. It is not?

Mr. BORLAND. No. Up to the time that an income tax was constitutional in this country—in fact, I thought it was constitutional in 1893—but up to the time that an income tax was constitutional in this country it was absolutely essential to rely upon a tariff for revenue. But the traditional policy of the Democratic Party, if I understand it aright, has always been for an income tax as the fairest and most democratic system of raising revenue. If a tariff exists the Democrats insist that it shall be so framed as to provide revenue, and not be prohibitive in character.

When we speak of a budget we understand, impliedly, the English system. Under the English system, as I understand it, the officers of the Crown, who are responsive to and practically chosen by the popular branch of the legislature, prepare both the estimates of expenditures and the tax proposal, and present them as one concrete plan to Parliament.

Under that system, if the people do not desire a certain activity of the government, then they can be assured that it will cause a certain definite reduction in the tax bill. If they insist upon a certain activity—for instance, old-age pensions—then they are confronted with the plain necessity of providing by a tax for the money necessary for that activity. If they do not want the activity, they can get along without the tax. If they want the activity, they must have the tax. They can balance the one against the other. As I understand it, the English Government must stand or fall upon its budget. It

goes before the country with its budget, which includes everything from the largest question of foreign policy and national defense down to the smallest road or bridge in the kingdom. The ministry, or the Government, as it is called, stands or falls upon the success of that budget in passing Parliament.

There is one particular feature about that system which does not prevail here. There the executive is absolutely the creature of the legislative branch. If the program of the executive is not accepted, it means political death, and a ministry must be formed which will command a proper majority in Parliament. In our Government we have an Executive chosen for a fixed term, who may lose the command of the legislative branch of the Government without being legislated out of office. It is not difficult to see why every civilized nation which has adopted parliamentary government has adopted the English system. There is no Government, outside of some unsuccessful Republics to the south of us, that has attempted to fix the tenure of executive power. The executive power in all parliamentary governments resides in a ministry responsive directly to the representatives of the people.

Under our system of government we not only have no budget system but our system is so chaotic that it is almost impossible to describe it in a few words or even in many. Under the theory of our Constitution Congress has the sole power of raising revenue and appropriating money. It has no control over the Executive; it has no control over the advisers of the Executive, who are the heads of the departments. After the Cabinet officers are once confirmed by the Senate their term of office is practically fixed. But, theoretically, Congress has absolute control over the public purse. It can raise such money as it sees fit and provide by law for the expenditure of the funds in such manner as it deems wise. The Executive is supposed to carry out those instructions. In practice that is not possible. As a matter of fact, the Executive must furnish the basis of the information upon which the appropriations are made. Under our practice that basis is the estimates. Those estimates are prepared annually by the chiefs of the bureaus and the heads of the departments. There is no correlation between them. There is no limit to them except the expansive force of the imagination of an ambitious politician who happens to be at the head of a particular bureau. Any executive officer can estimate for all kinds of activities that he thinks he would like to engage in and which might enlarge the importance of his particular work. Some of them might be good. All might be good. But there is nothing to indicate their relative value or importance. Those estimates go to the Secretary of the Treasury and as a purely clerical matter are put in the form of a compilation and are sent to Congress. Here they are distributed in fragments. A fragment is thrown to one committee and another fragment to another committee, according to the division of jurisdiction fixed by the rules of the House of Representatives. The appropriation bills are made up in those several committees absolutely without relation to the relative importance of any of the particular estimates.

It is true that there are men on all of these committees who by length of service and experience are familiar with the history of certain appropriations. It is true also that in the hearings had upon the question of granting a new appropriation it is possible in some way to have an accounting as to what was done with the previous appropriation for the same or similar purposes. But even if it were possible to have accurate information of the expenditure of previous appropriations Congress is perfectly powerless after it has got the information. In but few cases can it refuse a new appropriation for a meritorious purpose on account of the misappropriation or unwise use of a previous appropriation. It has not, except in the grossest cases of criminality, any possible control over the officer who may have been guilty of the unwise or unlawful use of the money. It can not control, except by legislative limitation, the use of the new funds. My experience is that the power of Congress to control by limitation the use of money in the hands of the executive is the feeblest power on earth. It is a power that any smart man can evade. It is a power that ties the hands only of the efficient. It is a power that adds to the delay and red tape and expense of government. It is impossible for Congress, under the form of limitation, to compel efficiency in the executive departments. We must rely upon the centralized responsibility of the executive departments themselves.

Mr. LONGWORTH. Will the gentleman yield?

Mr. BORLAND. I yield to the gentleman from Ohio.

Mr. LONGWORTH. Is not Congress under this additional disadvantage as compared with the House of Commons, that there, as I understand it, no public bill appropriating money can even be introduced in the House of Commons except through the ministry, whereas here any Member of Congress can offer any number of bills appropriating any number of millions?

Mr. BORLAND. The gentleman is entirely right.

Mr. FOCHT. That applies not only to appropriation bills, but it is well known that a member of Parliament has no right or option with relation to introducing any legislation. All legislation there is controlled by the ministry, which means the Crown.

Mr. BORLAND. Oh, no; it does not mean the Crown.

Mr. ELSTON. The gentleman has made the point that there is no limitation on the amount of the appropriation bills that may be introduced in Congress, and that therefore a great flood of such bills can accumulate in the office of the President of the United States. Now, is it not true in every State of the Union that the governor of that State generally has before him appropriations amounting to probably five times the amount that the State taxation would bear according to the ruling rate, and does not every governor have to be a sort of a budget committee of his own, and prune the appropriations down to what the people will stand?

Mr. BORLAND. Undoubtedly that is in a measure true.

Mr. ELSTON. Now, why can not the President of the United States organize an advisory committee to supervise the bills that come to him, and exercise the right of veto, and in that way, to some extent, take the place of the budget system?

Mr. BORLAND. That has been suggested, I will say to the gentleman from California—that the President of the United States be given the right to veto specific items in appropriation bills. The gentleman from California realizes what an enormous burden that would be, even if the President did it only in the counsels of his own office; but if we were to turn loose on him all the people interested for and against a particular item it would be a very much larger burden. I do not think that is the real remedy. I know it is a remedy used in a great many States, and possibly it works in a satisfactory way.

Mr. ELSTON. I spoke of that as a mediating factor and not as a solution of the proposition.

Mr. STEVENSON. Will the gentleman yield?

Mr. BORLAND. Yes.

Mr. STEVENSON. That question of vetoing the specific items in an appropriation bill would involve calling the roll of the House on each item.

Mr. BORLAND. It might.

Mr. STEVENSON. In the State of South Carolina I have seen the governor veto 100 items in one appropriation bill, and it took four days to call the roll on a sufficient number of items to pass them over his vote, and they passed every one of them.

Mr. BORLAND. To resume my discussion, I say that not only are there a dozen committees with power to frame appropriation bills, but there are a number of committees that prepare and bring in bills that provide a charge on the Public Treasury which must afterwards be met by appropriations from the public funds.

Mr. McKENZIE. Will the gentleman yield?

Mr. BORLAND. Yes.

Mr. McKENZIE. I think I got a wrong conception of the meaning of the gentleman. Does he desire us to understand that the members of Parliament can not add an amendment to a supply bill or an appropriation bill?

Mr. BORLAND. I am going to convey that idea now, although I have not reached that point. It is a fact.

Mr. McKENZIE. Does the gentleman contend that we ought to have such a budget system that the Congress of the United States would not have the power to add to or take from an appropriation bill?

Mr. BORLAND. I am going to contend that Congress does not need the power to add to the estimates of the executive.

Mr. FOCHT. Will the gentleman yield?

Mr. BORLAND. Yes.

Mr. FOCHT. I am sure the gentleman is going to include this thought, just where he is going to lodge any power or authority or discretion or option in respect to limitation of appropriations, who is to have it, and how are they to exercise it?

Mr. BORLAND. A budget system implies necessarily a centralized responsibility of the executive. It abolishes the twilight zone by which the executive and Congress both escape the ultimate responsibility of increase of governmental expenses. If there has been any failure, in my judgment it has been perfectly plain that it has been the failure on the part of Congress to control the efficiency of the executive departments. That seems to be absolutely impossible under our system. We must look the budget system squarely in the face if we are to discuss it, and under such a system it is essential that the executive be permitted to control all estimates and expenditures and all proposals of taxes, and that they balance one another, so that the program can be presented as a whole upon the responsibility of the executive. That necessarily takes away from the legislative the power to add to that program. It does not take away

from the [illegible] power to veto any or all the items of the program, not it [illegible] take away from the legislative branch [illegible] to [illegible] appropriations.

What does the legislative department really lose by the loss of that power? All of us know that, as a matter of fact, the charge that Members of Congress have an undue appetite for pork is simply a matter of newspaper persiflage. The truth about the matter is that the real appetite for pork is back in the constituency. I have rarely seen the man elected to this House from any constituency, urban or rural, that did not come here [illegible] by of his term pledged to make some kind of a raid on the Federal Treasury. I do not recall an exception to that rule. If a man wants to run for Congress anywhere in the United States, the first thing he does is to think up something he can ask the Federal Government to spend in that district and go out and campaign on that issue. If he wants to run against the sitting Member, the first charge he makes against him is that he did not bring home the bacon to that district, and he, the new aspirant, pledges himself to do better in that line than the man he hopes to unseat, who probably had a fine record himself as a pork hunter.

Mr. STEVENSON. Will the gentleman yield?

Mr. BORLAND. For a short question.

Mr. STEVENSON. If the budget can not be added to by Congress and is originated by the executive, have you not shifted the constitutional right to originate revenue and appropriate legislation in the House?

Mr. BORLAND. The Constitution says that no money shall be withdrawn from the Federal Treasury except by appropriations made in accordance with law. We are not shifting that right at all. The Constitution also says that bills that raise revenue shall originate in the House of Representatives. Of course the House of Representatives would have to adhere in a large measure to the whole program presented by the executive.

Now, what have we lost? We have lost, in my judgment, very little in losing the power to add items of appropriation on the floor, but we have gained much in the centralization of responsibility on the executive. This brings me to a point of very much more importance, in my judgment, and one that we ought to face fearlessly. If the executive has the sole power of laying out the program of revenue, the sole power of estimating for appropriations, and the sole responsibility of expenditure, as it does in fact now, then the legislative ought to reserve to itself the power of vetoing the program of the executive and ought to have the courage to veto it, if the plan does not commend itself to the popular judgment.

Men talk about the risk of starving the executive by withholding supply bills. Why, the whole history of free government rests on the power of the people to starve the Government until the policy of the executive conforms to the will of the people. Unless the people and their representatives have both the will and the courage to starve the executive until it complies with the popular will, then the lesson of parliamentary government has been learned in vain. If a plan be presented by an executive with a fixed tenure which does not meet the approval of the majority of the legislative body, it would be absolutely the right and the high moral duty of the legislative body to say so. Then the issue would be clearly presented to the people as to whether the legislature or the executive were right on that program.

Mr. FOCHT. The gentleman has answered the question I desired to ask as to where he would lodge the power. I understand it would be with the President?

Mr. BORLAND. Yes.

Mr. FOCHT. Is that the gentleman's judgment? Is that the idea of those who favor the budget system, that the President should have this control?

Mr. BORLAND. I can not speak for others, and only for myself, and am only giving a few fragmentary views of my own.

Mr. FOCHT. I would also ask if the President of the United States has control of these vast appropriations, whether he means he should allow them to follow it up by having a tenure limited to one term or whether he would expect him to stay here or not, with all this money to spend?

Mr. BORLAND. I am speaking about our system, where the Executive has a fixed tenure of power. We can not throw the Executive out of office by failure to pass supply bills. I am saying Congress still reserves the right, by failure to give him the necessary money, to control the policy of the Executive if it has the courage to exercise it.

Mr. FOCHT. I want to ask: The gentleman is differentiating between the policy and system of government that we have and that in England, and seems to be exalting theirs and depreciating ours. Is it not possible the forefathers who framed this Constitution for us believed in their hearts there would be intelligence enough in the American Congress so to frame the laws as still to retain the power given to the people instead of delegating it all to one man? What is the gentleman's answer to that?

Mr. BORLAND. I will answer it.

Mr. FOCHT. If the gentleman pleases.

Mr. BORLAND. I will answer it in this way: At the time our Federal Government was formed in 1787 a budget system was not known in England or anywhere else on earth. Our Government is the oldest government in the world.

Mr. FOCHT. Of its kind.

Mr. BORLAND. Without exception. The English Government in its present form dates from 1830. The reform bill which gave control to the House of Commons rather than to the House of Lords and the whole budget system of England dates from that time. The other parliamentary governments are the same way.

Mr. MAPES. Will the gentleman yield?

Mr. BORLAND. I will.

Mr. MAPES. Does the gentleman think, to carry out his idea of a budget system, it will be necessary to amend the Constitution of the United States?

Mr. BORLAND. No; and I will discuss that in a minute. There is one other thing I want to add at this point. Now, gentlemen, besides centralizing on the executive the absolute responsibility for all items of appropriation we retain to Congress the right to reject the budget if we decide it is wrong. Then we come to the auditing——

Mr. MANN. Before the gentleman passes away from the budget system——

Mr. BORLAND. I am not passing away from it.

Mr. MANN. I thought the gentleman was going into the question of auditing. I think I can get the gentleman a little more time if necessary. I would like to say there has been a great deal of talk throughout the country about the advisability of Congress adopting what is referred to as the "budget" system. My own experience is that I have never met anyone before who knew what it was. As I understand the gentleman, if correctly, it is not what is known in other parts of the world as the budget system. The executive prepares a list of appropriations to be made, transmits that to the legislative body, which is not able to increase any item or add any new item?

Mr. BORLAND. It has power to reject any item or reduce it.

Mr. MANN. Has power to reject any item. Of course that is in all cases as now in operation in countries where they have a responsible ministry, where, of course, the ministry does not have the parliament with it it goes by the board anyhow. Now, as a matter of fact, do not we in this country come very close to a budget system now? Is it not a fact we rarely make an appropriation which is not estimated for by the Executive?

Mr. BORLAND. Very rarely.

Mr. MANN. Is it not a fact in most cases the committees on appropriation, instead of adding new items which are not estimated for, confine most of their attention to the consideration of bills for reducing items which are estimated for, or cutting out items entirely which are estimated for?

Mr. BORLAND. That is correct.

Mr. MANN. And under the existing law, is it not the duty of the executive branch of the Government in making these estimates to make what would practically be a budget?

Mr. BORLAND. It is. It is their duty to make up this compilation of estimates.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BORLAND. I shall want about 15 more minutes.

Mr. DAVIS. I will yield the gentleman 10 minutes more.

Mr. BORLAND. I thank the gentleman. I might want more time, as I desire to cover another point.

Mr. MANN. If the budget were to be made up under the so-called budget system, would it not be made up by precisely the same individuals and departments now making up the estimates?

Mr. BORLAND. No; not in that complete sense. The estimates which come in now are only a compilation——

Mr. MANN. Oh well, the gentleman will recall that the law requires——

Mr. BORLAND. It requires it.

Mr. MANN. Well, now, if the gentleman means to say that people do not comply with the law, that is another thing. The law, as I understand, now requires all estimates shall be submitted to the President——

Mr. BORLAND. And to the Secretary of the Treasury.

Mr. MANN. To the Secretary and to the President, and that the President must send to Congress a recommendation, in case the estimates of appropriation exceed the estimated revenue,

how the additional revenue shall be raised. And I assume that the President will comply with those provisions of law. Now, how would it change the situation in the interest of economy to make a little more absolute the estimates now made by the departments which are constantly rejected by the committees and by Congress, in the form of a budget, giving them a little higher authority than they now have? How would that be in the interest of economy? By centralizing the responsibility? Is that the gentleman's idea?

Mr. BORLAND. That is exactly my idea. I am not at all positive, neither can any man be positive, that the change would result in economy. The appetite for "pork" might be transferred from the legislative to the executive department, and it is entirely possible that an administration might come into power conceiving the happy idea that by a proper distribution of appropriations it could maintain itself in power. That is not entirely impossible. There is no way to prevent that. But the responsibility would be clear, not confused. If the people wanted economy, they could get it, but if they wanted extravagance, they could get that. But the whole idea, as I understand, of the budget system is to centralize before public opinion both the power and the responsibility. Now, if we can accomplish that by simply waiving our right—our supposed right under the Constitution, which we rarely exercise, as the gentleman says—if we can waive that right to add to the budget and hold the executive strictly accountable for every item in the budget, we have accomplished at least that advantage of the budget system.

Mr. MANN. Well, the executive is now responsible for every item in the estimates.

Mr. BORLAND. The gentleman has failed to read the American press in his usual careful way, because it is the very common and widespread opinion of the people and the press that Congress is responsible for every extravagance.

Mr. MANN. I think the press is rather demanding a budget system.

Mr. BORLAND. What the gentleman says is correct. Congress very frequently cuts down the estimates of the departments.

Mr. MANN. Take, for instance, two bills that are sometimes referred to as "pork-barrel bills"—the river and harbor bill and the public-buildings bill—and is it not a fact that every year the estimates for public buildings and rivers and harbors vastly exceed the appropriations made by Congress?

Mr. BORLAND. Always, without exception, in my experience, the approved projects coming in for rivers and harbors and approved projects coming in for public buildings from the executive departments exceed what Congress is willing to grant, and yet Congress has been constantly attacked as the author and sole beneficiary of that system.

Mr. MANN. I am not seeking to defend the bills at this time. I endeavored to read something in reference to the budget system and ascertain such facts as I could. It seems to me, and I realize that we may need to do something—it seems to me the budget system as operated in other countries is mainly designed to leave to the voting power of the legislative branch free right to O. K. something which they can not refuse to do. And that it only adds to the executive power instead of taking away from it. It seems to me, while the press of the country is rather advocating the budget system, it is doing it on the theory that it will take away the executive power and add to the legislative to keep down appropriations.

Mr. BORLAND. I am very glad to have the expressed views of the gentleman from Illinois, and I do not feel that I have either the capacity or experience to answer all of the objections that he has implied and suggested. The only thing I can say is if we talk about a budget system at all we must still look the question squarely in the face and make up our mind what we mean by the budget system. I am trying to explain what it means to me; that is, definite responsibility both for revenue and expenditures.

Mr. CANNON. Will the gentleman yield?

Mr. BORLAND. I will yield to the gentleman.

Mr. CANNON. If I understand aright, a budget system is submitted by the executive, generally by the ministry. The Prime Minister in England, for instance, presents it, and if it is turned down the government changes. Then there is an election, and after an election the budget system is not worth three whoops, as I understand it.

Mr. BORLAND. I covered that a moment ago.

Mr. CANNON. I was not in, and I beg the gentleman's pardon.

Mr. BORLAND. I covered it in this way. I will say to the gentleman from Illinois: Our executive has a fixed tenure of office, but the party to which the executive belongs may lose the control of the legislative branch, without the executive going out of office. That differentiates us from all other parliamentary Governments in the world, practically. Now, what the gentleman says is true. The failure of the budget in any parliamentary Government of the world is the death of the ministry and necessitates usually a general election. With us it would not be so, we having an executive with a fixed tenure of office. With the power in Congress to provide or withhold the supplies for carrying out the orders of the executive, it would depend then upon a pure question of political courage between the legislative and the executive. If the legislative had the courage to refuse the supplies to the executive, the executive would be compelled to present a program which would be satisfactory to the legislature. That is the only answer I can see under our Constitution.

Mr. WALSH. Will the gentleman yield?

Mr. BORLAND. I yield.

Mr. WALSH. As a matter of fact, is not the budget system as it has been discussed rather a nebulous proposition, something like the freedom of the seas and the removal of economic barriers, and various other propositions?

Mr. BORLAND. It is a matter of taste.

There is one point I wanted to discuss further, and that is the question of audit. In my judgment, as I say, centralized responsibility for both pages of the ledger must rest with the Executive. And Congress must give up its nebulous power to add to the budget on the floor of the House—a power so rarely exercised that it is not worth contending over.

The third thing is true, that we must have a legislative control over the expenditures of funds that have once been granted. That is the thing that we do not now have. The audit which occurs now is what is known as the administrative audit. It is an audit only under control of the executive officer himself who spends the money, or rather it is under the same group of executive officers who expend the money. It is done by an auditor of the Treasury Department for the different departments of the Government. Of course there is an officer whose duty it is to pass upon the question whether a particular expenditure ought to be made out of one particular appropriation or out of another particular appropriation. His decision is more or less of a technical legal nature. Neither of these goes into the question of the wisdom, the efficiency, or the propriety of the expenditure of the money. Neither of them goes into the question whether the purpose the Congress had in mind could have been accomplished by a less expenditure of money or by an expenditure in a totally different way. In other words, the executive officers are in the habit of coming to Congress for all that they can possibly get and getting all they possibly can and then seeing to it that they spend it all, for fear that if they show an unexpended balance at the end of the fiscal year Congress may refuse further appropriations along the same line.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. BORLAND. Can the gentleman from Mississippi yield me 10 minutes more?

Mr. SISSON. Can the gentleman get along with five?

Mr. BORLAND. I would rather have 10, but I will accommodate myself to the gentleman.

Mr. SISSON. I yield to the gentleman 10 minutes.

The CHAIRMAN. The gentleman from Missouri is recognized for 10 minutes more.

Mr. STEVENSON. Mr. Chairman, will the gentleman yield?

Mr. BORLAND. Yes; but I would like to have the gentleman make his question brief.

Mr. STEVENSON. I got the impression from the discussions I have heard here on the budget system that it also embraces the idea that all appropriations should be carried and handled by only one committee, instead of five or six, as they are now. Is there anything like that embraced in the gentleman's idea?

Mr. BORLAND. I do not think that is fundamental. I do think, however, it is fundamental that the legislative branch of the Government should control the audit of the expenditure of the money.

Mr. STEVENSON. I have no doubt that is a good idea.

Mr. BORLAND. I think that power to audit the expenditure of the money is more valuable than the power to add appropriations from the floor of the House. It is a notable fact, gentlemen, that under the English system the auditing committee of Parliament is in control of the party opposite to the party in power. It is never even under the control of the party in power, and it does seem to me that is one of the most wholesome features of the whole thing.

It is possible for experienced members of a committee, such as my distinguished friend from Illinois [Mr. CANNON], who was at the head of the Committee on Appropriations for years and is now a distinguished and hard-working member of it, a

man of intimate familiarity with the history of appropriations, to detect in many cases the unwise and improper expenditure of the funds, but the power of Congress when that is done is a small matter. Its power is feeble when it discovers these cases of incompetence or abuse. But it is not possible for the average Member to even discover them under the glittering generalities of the average testimony that is given in the average appropriation hearing. There must be somewhere a committee charged with the power of going through these expenditures to determine the wisdom and propriety of them, not simply to determine whether they have been honestly made. For we may correctly assume, I think, that in all parties that might be in power in our Government, in the main, our expenditures would be honest under the law. But whether they have been wisely and efficiently made is an entirely different matter, and that, after all, is the real matter of interest to the taxpayer. If the Congress can not by legislative limitation control, direct, or procure efficiency in the various departments of the Government, there is only one way, then, in which it can proceed. If it can not do so by legislation in advance, then it can certainly be done by an audit and a public record of the expenditure after it has been made.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. BORLAND. Yes.

Mr. TILSON. The gentleman means for the legislature to control the expenditure of that money?

Mr. BORLAND. Yes; to require an accounting of its expenditure.

Mr. TILSON. Would he have a committee of Congress clothed with power and authority to change the expenditure in any way? What could they do more than make a formal audit to see whether it was correct or not?

Mr. BORLAND. The audit made under this system is more of a record for the public. It is not possible to recall the expenditures. In some cases, of course, it is possible to lead to the dismissal of officials, and frequently that might also be a wholesome result; but the main purpose accomplished is exactly what is done in every business house—to find out where the money has gone and whether those charged with the executive authority in that concern have wisely used the funds of the common purse.

Mr. TILSON. Then the gentleman speaks of its being in control of the minority. The gentleman, of course, means in that case that it would be opposed to the Executive? That is, in this case it would be a party in opposition to the White House?

Mr. BORLAND. That is true.

Mr. TILSON. Rather than to the majority in Congress?

Mr. BORLAND. That is true; opposition to the Executive.

Now, gentlemen, I realize what I am saying. You gentlemen on the Republican side are coming into power in the Sixty-sixth Congress. You will have your investigating committees of the executive departments anyway. They will be interesting concerns, possibly, or they may not be. It is a great deal better, in my judgment, that they should be general in their operations and have some logical and symmetrical plan than that they be simply snooling committees, as they might easily be. It is entirely possible to dig up some one item which might have some political significance without being of any service whatever to the taxpayer. But a full and genuine accounting is a very essential thing, I think, to the taxpayers, and I think it is a very essential thing to the budget. Of course, we understand that in parliamentary governments the ministers have access to the floor of the legislative branch.

Even that is not impossible under our Constitution. All that would be required would be a simple change in the rules of this House. In my judgment it would be a very highly desirable change. I think when a matter concerning the Post Office Department was before the House it would be entirely possible to have the Postmaster General given the freedom of debate. On a matter concerning the issuance of Liberty bonds and the expenses of floating the loan it would be entirely possible to have the Secretary of the Treasury here to explain the matter. If it concerned an expenditure for agricultural purposes, it would be entirely possible and very much better to have the Secretary of Agriculture here to give us some definite knowledge of his plans. We are always told from some source what the executive wants, but it would be very much better to have the right to cross-examine the executive himself and ask him why he wants that rather than some other possible plan.

Mr. MANN. Will the gentleman yield?

Mr. BORLAND. I yield to the gentleman from Illinois.

Mr. MANN. Admitting that there would be certain advantages in having Cabinet officers appear and defend the items in their bills, would not the inevitable result be that the men on the committee, who now feel the responsibility of investigation, because they have to defend the items on the floor, would feel no further responsibility, and that no one in the House would know anything about any appropriations?

Mr. BORLAND. The gentleman is suggesting a possible difficulty there. The members of the committee do undertake to post themselves as to these questions which they think are going to arise and endeavor to give information to their fellow Members of the House. Sometimes they are able to do it. Sometimes, of course, they are unable to do it.

Mr. MANN. Of course, no one knows enough to know everything that can come up on an appropriation bill, but the man in charge of an appropriation bill on the floor of this House who comes in once without knowing his bill very thoroughly, never feels anxious to come before the House again under the same disadvantage.

Mr. BORLAND. Suppose the question to be one of personal responsibility for a policy. The members of the committee are not personally responsible for the policy of the member of the Cabinet. They give all the information that is available, but they are not responsible. Suppose Congress wants to know why a certain policy was adopted by a certain member of the Cabinet, as it has a right, in framing this legislation or granting its appropriations, to be satisfied on that point. Is it not very much better to get that information at first hand from the man who is responsible?

Mr. MANN. Do we not get it at first hand?

Mr. BORLAND. I do not know.

Mr. MANN. Is not the Cabinet officer or the subordinate under him asked those very identical questions in the committee during the hearings? And those hearings are printed so that all members have an opportunity to see them in cold print. Is not that a great deal more effective than it would be for some Cabinet officer to rise here, who would not know anything about the details of the subject, without having four or five or a dozen subordinates to coach him and give him the information on something that he is not posted on?

Mr. BORLAND. I think not.

Mr. MANN. I am not indicating my own attitude on the subject.

Mr. BORLAND. I know that, of course. The Cabinet officer may not be thoroughly posted. It is impossible for the chairman of the committee to be thoroughly posted, and the Cabinet officer may not be.

Mr. MANN. I am not reflecting on anybody.

Mr. BORLAND. It is not possible for a Cabinet officer to know all the questions of detail, but he would know the general questions of policy. I heard it suggested by a distinguished Member of this House that one effect of the rule permitting Cabinet officers to appear on the floor and be subjected to the interrogation of Members of the House would be the shattering of a number of large-sized political reputations. I am not sure about that. But whatever might be the result, I think it would be wholesome.

Mr. KINKAID. Will the gentleman yield?

Mr. BORLAND. Yes.

Mr. KINKAID. As a practical proposition, does not the gentleman believe that the committee would become better informed by having a Cabinet officer or his representatives, who are better informed than the Cabinet officer himself, probably—or take several of them together, their combined information would be more effective, perhaps, than that of the Cabinet officer—to have those assistants of the Cabinet officer come once or twice or three times or more before the committee, and thus ground the committee thoroughly by examining and cross-examining, and then that well-grounded, well-advised committee come before the House and inform the House thoroughly and answer all questions? Would not that be better, as a practical proposition?

Mr. BORLAND. No; I think not. I am sorry to say I would not agree to that. I think that if the Cabinet officer could not answer the questions in detail he would do exactly as he does now. He would say, "I will file that report later"; but I think upon the broad questions of his policy he could and should be able to answer all questions. [Applause.]

Mr. SISSON. I yield five minutes to the gentleman from Louisiana [Mr. LAZARO].

Mr. LAZARO. Mr. Chairman and gentlemen of the House: last week when the bill for a sanatorium for the treatment of tubercular patients was up for consideration we were told that the Committee on Public Buildings and Grounds were preparing a measure that would take care of all the men who had contracted tuberculosis in the service. I take it that every Member of this House, Democrat or Republican, feels that something ought to be done for the care of the men who have contracted tuberculosis in the service.

Now, I want to make a few suggestions for your consideration. First of all, if you are going to do anything for these tubercular patients it must be done right away, because any medical man will tell you that unless tuberculosis is treated in its beginning there is very little chance of effecting a cure. Second, I think we ought to find out as soon as possible the number of men who have contracted tuberculosis in the service. Third, I think we ought to appropriate a sum large enough to take care of all these men. Fourth, I think we ought to select a commission composed of experts on tuberculosis to locate these hospitals, and I think that this commission ought to be instructed to divide the country into districts—say three or four districts. I make this last suggestion for two reasons: First, because we know that climate is not considered essential, and that it is better to treat a patient in the climate to which he is accustomed and where he intends to live after he is cured; second, because if these hospitals are located in these different districts—east, west, south, and in the center—it will be possible for the parents of these boys to visit them from time to time, which will keep them more cheerful, and we know what effect the mind has on the body in the treatment of disease.

Now, gentlemen, I thought I would make these suggestions for your consideration, with the view of getting quick results. Bear this in mind: Talk will not cure tuberculosis. If this Congress is going to do anything at all for the men who contracted tuberculosis in the service, something must be done right away so that these men can be treated now. If you wait until they have large cavities in their lungs, it will do no good.

Mr. TILSON. Will the gentleman yield?

Mr. LAZARO. I will.

Mr. TILSON. Will the gentleman enlarge upon the point he made that we must treat the man in the same climate in which he is to live after he is cured? That appeals to me; but it seems to me that is usually disregarded in taking people and placing them in sanatoriums in some particular kind of a climate, without any regard to the place where they are to live afterwards.

Mr. LAZARO. We know to-day that it is best to treat them in the climate in which they are expected to live.

Mr. TILSON. Is it not a fact that a man can go into a very dry climate, say, and be cured, and then if he returns to some other country from which he came, with a different kind of climate from that which he left, he probably takes the disease again and dies?

Mr. LAZARO. That is often the case. I wish to make the suggestion that if we are going to do anything at all for the men who contracted tuberculosis in the service, if we mean what we say, we must do it at once, because the time to treat the tubercular patient is in the beginning of the disease.

Mr. REED. Will the gentleman yield? I think the gentleman is right, but this program for Congress to inaugurate will take time, and in the meantime would it not be feasible to gather the worst cases together and put them into tents until the other program is ready?

Mr. LAZARO. I think a commission composed of experts on tuberculosis could have these hospitals ready within a very short time, provided we get at it right away.

Mr. DAVIS. Mr. Chairman, I yield 20 minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Chairman, it was a very interesting speech that of the gentleman from Missouri [Mr. BORLAND], on the subject of the budget, and it drew forth some interrogatories that were equally interesting, particularly those in regard to the "pork-barrel" system as it is supposed to exist, and especially at this time, when the two bills referred to as being "pork-barrel" bills occupy so modest a place in the appropriations of Congress.

I have before me a statement made by the Hon. SWAGAR SHERLEY, of Kentucky, chairman of the Committee on Appropriations, summarizing the appropriations made for the present fiscal year. They mount up to more than $24,000,000,000. The public building and grounds bill, charged with being a "pork-barrel" bill, is not mentioned in this list at all, and the river and harbor bill, which gets a very great deal of undeserved criticism, is referred to as having been passed with a paltry appropriation of only $23,000,000.

But the purpose for which I took the floor, Mr. Chairman, is to discuss not the budget system, but passing events.

It may not be unconstitutional for the President of the United States to go abroad to personally attend to such important business as must be transacted at the peace conference, but his going will probably be more criticized than any other of his public acts disregarding American precedents and traditions. While the President may deserve popular acclaim abroad—he has certainly rendered great service to the allies—we may fairly ask, What is it that he can do that could not have been done by proper and accredited representatives of the United States, who do not owe to the more than 100,000,000 Americans the constant oversight that is expected of a President? In other words, why could the President not have remained at his post of duty in the United States, where his presence is required daily and hourly, leaving it to the loyalty, integrity, and patriotism of other Americans whom he might have appointed to transact the business that must be transacted at the peace conference?

AMERICAN ALTRUISM.

In many respects, gentlemen of the House, we have been drifting from our national moorings during the last six years. It has come to be a habit. A spirit of cosmopolitan altruism like unto which there has been nothing in the history of the world seems to pervade our national life. There seems to be nothing which other nations ask of us that we will not give. The United States is supposed to be rich and prosperous, and therefore it is easy for the people of the United States to give, even to the point of suffering, in order that others who are competitors, in a commercial sense, may have and hold. That which we would not do generations ago because we believed that "he who provideth not for his own household is worse than an infidel," we now seem to want to do without any regard to the consequences of the accounting we must make.

I pause parenthetically to say that though we hear much about what other nations have done in the great world war there will be an accounting that we all, from the President down, must make to the American people, and particularly to the American taxpayer, who does not yet know what burdens have been levied on him in the interest of our allies, and in order that our own arms might be strengthened in this war.

We built the Panama Canal thinking it to be an American enterprise, and the President, as a candidate for President, insisted that it was our canal, and that it should be used by our ships, and that they should have a preference, and that the promise made in that regard "was not molasses to catch flies." But after he had entered his high office his attitude changed toward that project, and we are now told that the canal is as much for the use of other nations as for our own. I do not object to other nations using the canal, but we are compelled under existing conditions, in spite of our effort and expenditure, to give them what is in effect a seeming preference over the United States in that their shipping, apart from canal tolls, may be more cheaply conducted than our own.

And again I pause to say there is a propaganda now on in the United States which is intended to teach our easy-minded and easy-going American people that the Panama Canal should be given over as a peace offering to the nations of the world, and particularly to those who are stronger upon the high seas than we are. We have been observing a little of this free and easy disposition of our property, paid for by the taxes of the American people, in Mr. Hurley's speeches concerning the American merchant marine. One would think, judging from some of his utterances, that the billions we are spending for ships, some of them to carry American troops abroad and to bring American troops back—troops that arrived in the nick of time to save Europe and to prevent the overthrow of the democracy for which we enlisted in this fight—were spent merely to aid our competitors for the world's trade; those whom we have helped in this war and who have been protecting their markets in South America and the Orient while we were providing the men and the money to make the war a success.

Credit may be given to the British Navy—only a day or two ago the people of the United States celebrated the glory of British arms—credit may be given the British Navy for helping us to get our troops to Europe—and we seem to have paid well for that service—but while we are giving credit, a credit that may well be deserved, we should not forget that we had a Navy of our own and that that Navy was supposed to be working while all this foreign fighting was going on. Where was our American Navy when all this glorious work was being done by the British Navy? Surely we were not inactive. I made some inquiries of the Navy Department when the American ships struck by German submarines were going down upon our own coast. I learned our Navy was largely abroad or convoying troopships. We were protecting others who were supposed to be protecting us, and we were giving to them our torpedo-boat destroyers, some we sorely needed along our own coast to save our own ships, some of which were sacrificed in order that our troops could go abroad to save the European situation. While we are celebrating other navies, therefore, we do not want to minimize our own. We were certainly not idle on the other side of the water when our naval vessels were needed there.

LONG AFTER TRADE.

Were we following up our trade routes all that time? Were our American ships sent down to South America and the Occident and the Orient? They were not. They were busy on this war business. And while they were busy were our competitors ignoring their opportunities in South America? Were they avoiding these channels of commerce? The testimony of American business men who run up against all kinds of restrictions and limitations indicates they were not. They were looking after their business all the time, even when our coastwise trade was going down upon the Atlantic shores. Our business seems to have been war business exclusively, as much for the benefit of other nations as for ourselves. These are matters which the President may discuss with foreign nations when he arrives on the other side, but they certainly should not be settled to the disadvantage of American interests nor should we permit them to be so settled.

We have passed laws, like the seaman's law, which was sanctioned by the President, which would lead to the impression that our business is to dedicate ourselves and our resources to foreign nations, while they go about their business gobbling up the trade of the world. The President should watch that situation. In fact, there is a great deal about the President's foreign tour, with all the spectacular features that must necessarily accompany it, that may well give concern to oldline Americans who resent one-man power in the United States and who insist upon an old-fashioned democracy.

Our Government thus far has been conducted on a democratic basis, except as it came dangerously close to autocracy during the war period, and it is not altogether clear that the danger line has been passed even at the present moment. The President has gone abroad, leaving the White House vacant, and we must now await further developments.

Meanwhile we are told that the cables between the United States and Europe are to be put under Government control, and following that is the announcement that the President's Information Bureau, headed by Mr. Creel, who magnanimously announces that he will not ask Congress for any more money, since the President has enough in his special $100,000,000 fund to care for publicity, is to be the advance agent of the foreign expedition.

LETTING THE PRESIDENT'S APPROVAL.

Mr. LONGWORTH. Will the gentleman yield for a question?

Mr. MOORE of Pennsylvania. Yes.

Mr. LONGWORTH. A practical question in legislation connected with the subject of the gentleman's discussion. The Constitution provides in section 7 of Article I that before a bill which has passed the House and Senate becomes a law it must be presented to the President of the United States for his signature, and so forth. I would like to know how the gentleman interprets the word "presentation" in that connection, whether in his judgment it means an actual physical presentation or whether there is such a thing as a constructive presentation of a bill?

Mr. MOORE of Pennsylvania. I am not a constitutional lawyer, but I understand the Constitution to require the actual physical presentation of a bill, because of the personal signature of the President. It must be signed, and therefore the President himself must see the bill.

Mr. LONGWORTH. I am thinking particularly of one piece of legislation which Congress has been urgently requested to pass by the Executive, and that is the revenue legislation. Suppose it were possible for the Senate to consider that bill in 10 days and send it to the House; that it was sent to conference, and it was actually passed by both Houses within two weeks from to-day. Would it be possible for that bill to become a law before the 1st of January?

Mr. MOORE of Pennsylvania. It might become a law without the President's signature in 10 days.

Mr. LONGWORTH. Ten days after presentation?

Mr. MOORE of Pennsylvania. I understand the gentleman. He presents a rather complicated proposition, which the constitutional lawyers now advising the President might very well answer.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield.

Mr. GARRETT of Tennessee. The matter of actual physical presentation is one of which I will be very glad to have a definition. Does it means that the person carrying it must go exactly to the President himself and put the bill before him, finding the way to his room and laying it down before him? What does he mean by physical presentation?

Mr. LONGWORTH. The provision goes on to say that if he approves it, he shall sign it. He can not sign it unless it is presented to him. If not, he shall return it with his objections to the House. He must have the bill in his hands.

Mr. GARRETT of Tennessee. Then the Clerk of the House or the Senate, as the case may be, must go through to the President himself, through all the rooms as they may be formed, and present the bill physically? Is that the gentleman's construction?

Mr. LONGWORTH. The gentleman concludes that the President can not sign the bill unless his hands are actually on the bill.

Mr. GARRETT of Tennessee. I am talking about the definition of physical presentation as the gentleman stated it.

Mr. MOORE of Pennsylvania. Will the gentleman from Ohio yield to me?

Mr. LONGWORTH. Yes.

Mr. MOORE of Pennsylvania. Does the gentleman think that a signature by wireless or through a spiritualistic medium would be a physical presentation?

Mr. LONGWORTH. Absent treatment, in other words, of a bill?

Mr. GARRETT of Tennessee. Then just exactly what is physical presentation?

Mr. MOORE of Pennsylvania. The handing of the bill to the President, who takes it in his own hand.

Mr. LONGWORTH. And takes a pen.

Mr. GARNER. The gentlemen know that that process has not been actually gone through in 25 years.

Mr. MOORE of Pennsylvania. That may be. Very many unprecedented things have been done in this administration.

DOUBT ABOUT THE REVENUE BILL.

Mr. GARNER. Under the administration of the gentleman's party no such thing ever happened.

Mr. MOORE of Pennsylvania. I think if I were President I would not go abroad under the circumstances, seeing my responsibility to the people of the United States.

Mr. GARNER. If the gentleman were President ——

Mr. MOORE of Pennsylvania. We would have a fine Government then. [Laughter.]

Mr. LONGWORTH. May I ask the gentleman from Texas [Mr. GARNER] whether he believes a revenue bill can be passed before the 1st of January without the President's actual signature on the bill?

Mr. GARNER. If it were passed at this time I think the President's signature could be attached to it before the 1st of January.

Mr. LONGWORTH. How could it be done?

Mr. GARNER. It could be presented to him.

Mr. LONGWORTH. Precisely; and he would sign it.

Mr. GARNER. It is not necessary to fight your way to see the President. All you have to do is to give a bill to some one, who will hand it to the President, and that has been the policy for 25 years.

Mr. LONGWORTH. Has the gentleman been able to see the President lately without fighting his way?

Mr. MOORE of Pennsylvania. Could the gentleman from Texas, a distinguished member of the Ways and Means Committee, who is conversant with the methods of the other body and with the White House methods, inform the House whether there is any likelihood of the revenue bill passing another body so that it may be presented to the President of the United States?

Mr. GARNER. Apparently there is not much prospect before the 1st of January, with the disposition of certain elements in another body with which the gentleman is more familiar than I am.

Mr. MOORE of Pennsylvania. That is entirely nonpartisan?

Mr. GARNER. Entirely.

Mr. STEVENSON. As to the question of the presentation to the President, is the term "presentation" there anywise different from the general legal term of presentation which governs the presentation of all negotiable paper and things of that kind, where they present it to the general office and place the business and it becomes binding?

Mr. MOORE of Pennsylvania. I think there is a difference where a signature is required. The President can not sign by proxy.

Mr. STEVENSON. The acceptance of a paper?

Mr. MOORE of Pennsylvania. If he did sign by proxy and sent his check to a bank in which the gentleman from South Carolina has considerable interest, he would probably be arrested for forgery.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. DAVIS. How much more time does the gentleman want?

Mr. MOORE of Pennsylvania. I would like to have 15 minutes more.

Mr. DAVIS. I yield 15 minutes more to the gentleman.

UNITED STATES NOT AN EASY MARK.

Mr. MOORE of Pennsylvania. Further, I would say, the Republicans in the Senate have already indicated their purpose to exercise the right conferred upon them by the people in the Constitution. Does this mean they fear the President of the United States in the course of his foreign pilgrimage may make agreements with foreign nations that would not be sanctioned by the representatives of the American people in Congress assembled, or does it mean that the Senate and the House of Representatives, which have yielded to many requests of the President during the war, have determined, now that the war is over, to demand an accounting in the name of the people for the expenditure of funds and the creation of commissions and bureaus, the continuation of which is being sought at the expense of the people?

These are question that may actuate another body. I do not know. Certainly they are questions that come directly home to the people and will, I trust, have due consideration when the people come to consider paying for the war, paying for the troops abroad, and paying for such agreements as may be made, which do not have the sanction of the representatives of the people in Congress assembled.

At any rate it was well that the people should have put a Republican Congress on guard at this particular juncture. We have been mighty generous under the Wilson administration to almost everybody on earth. We will have a big bill to pay, and we will pay it, but there seems no good reason why those who advocate a democracy should not now demand a halt upon that irritating tendency toward autocracy that has characterized many of the bureaucracies created under cover of war. Up to date the administration has refused the cooperation of Congress to check up expenditures and to prevent extravagance and waste. A Republican Congress should seek to protect the interests of the people of the United States and prevent their becoming an "easy mark" for competitive nations or for ambitious men who seem to regard our wonderful resources as a melon to be cut. There is plenty of room under the Constitution as it now stands for a restoration of trade and business on normal lines where every willing worker may have an equal opportunity to make the most of his labor and capital. The United States normal in trade and industry has generally been far in advance of that of any other nation, and with autocratic governmental restrictions removed and adequate protection assured it should never fall below the high standard we have set for it.

PRESIDENT'S ECONOMIC THEORIES.

When the President made his declaration to Congress, enumerating the 14 points which he intended should be submitted to the peace commissioners when appointed, he made a startling statement in point 3, which has been confusing to the minds of many people, particularly those engaged in the industries of the United States, and it will bear repeating at this time, particularly in view of the fact that in his farewell message to Congress the President failed to take the Congress or the people into his confidence in regard to what he meant by that particular point 3.

What was it? A condition for the peace delegates, when assembled, to consider, emanating from the President of the United States, by which apparently he intended to be bound as the President of the United States or through such representatives as he might send. I will read it:

> 3. The removal, so far as possible, of all economic barriers and the establishment of an equality of trade conditions among all the nations consenting to the peace and associating themselves for its maintenance.

I am frank to say that many Republicans, when the President read that point 3, were alarmed at his attitude in an international sense. They knew that the President was inclined toward free trade; that he believed in a leveling of the tariff barriers. He had said so. There was no doubt in their minds as to his theoretical position, but they did not believe that the President would seriously carry those theories of his against the wishes, certainly, of the greater half of the people of the United States into an international conference by which the United States was to be bound. The President said, on coming to Congress the first time, away back on April 8, 1913, when he first ascended this American "throne":

> Our task is to square them with the actual facts. The sooner that is done the sooner we shall escape from suffering from the facts and the sooner our men of business will be free to thrive by the law of nature—the nature of free business—instead of by the law of legislation and artificial arrangement.

What did he mean? He meant that all business should be free from tariff restrictions, because further he said:

> It is plain what those principles must be. We must abolish everything—

Observe, "abolish everything"—

> that bears even the semblance of privilege of any kind or artificial advantage, and put our business men and producers under the stimulation of a constant necessity to be efficient, economical, and enterprising, masters of competitive supremacy, better workers and merchants than any in the world. Aside from the duties laid on articles which we do not, and probably can not, produce, therefore, and the duties laid upon luxuries and merely for the sake of the revenues they yield, the object of the tariff duties henceforth laid must be effective competition, the whetting of American wits by contest with the wits of the rest of the world.

TREATING AMERICAN BUSINESS ROUGH.

"The whetting of American wits by contest with the wits of the rest of the world." Yes. There was no misunderstanding the President in 1913. Apparently he had not changed his position upon this point, although he may have changed it upon one hundred other points. He meant that we should break down all tariff barriers and set the business of the United States where it would be hopelessly in competition with all other industrial business in the world, where the Fiji Islander with his product should be on an equality with the producer of citrus fruits in Florida; where the Hindu who made his cotton bagging should be on an equality with the man who manufactured cotton products in Massachusetts or elsewhere in the New England States or in the Southern States as far down the line as Texas. It meant that the man who could work for a trifling wage in the mills or shipyards of Japan should be put in competition with the highly paid worker in the American mills and in the American shipyards.

We disputed this theory of the President then, and now that he has told us of his political preferences—I refer to the letter which he wrote 10 days before the election—we are privileged to refer to it again, even though he has voluntarily, and without telling us just the reason why, gone on a mission abroad of great import to the people of the United States, and consequently to the people of the world. Yes; the President has been consistent in his desire to overthrow the preference which the industries of the United States have had by virtue of wise Republican laws, even from the first enactment of Congress down to the present time. Therein lies our danger in the conferences that may take place in Europe.

But we are talking reconstruction now. We are all for reconstruction in the United States. The foreign nations are talking reconstruction also. Every one of our allies is talking reconstruction, and many of them are reconstructing with the help and assistance of the people of the United States. Our rivers and harbors got $23,000,000 in the bill passed by this House last year merely to keep our streams in order, that we might get our ships carrying troops out of our harbors into foreign ports; but we have sent over $8,000,000,000 of American money with which they have not only been improving their rivers and harbors and building railroads, but with which they have been constructing canals for purposes of war at present but for purposes of peace thereafter. That is the condition. So that when this peace arrangement is settled and we again begin to talk about improving something in the United States we may find that they have already "reconstructed" over there, with assistance we have given them, while we refused to spend in our own behalf over here even to the extent of a pittance.

OTHER NATIONS RECONSTRUCTING.

Mr. FOCHT. Does the gentleman believe there will be any way of ascertaining how much money America has advanced for the purpose of making improvements that will be used to compete with the United States after the close of the war?

Mr. MOORE of Pennsylvania. I voted for every loan, and I stand by the propriety of sending that money abroad. But there is not a foreign nation that was advantaged by those loans that has not been making internal improvements along with its war plans, while we have been forgetting to do that same thing here for ourselves.

I am going to read to you, not from the President of the United States, who is strong on theories and stands for them in the matter of leveling tariff barriers, but from the most recent report of the Bureau of Foreign and Domestic Commerce of the Department of Commerce. The chief of that bureau went abroad for the purpose of examining this question of reconstruction on the other side. And what does he say in this report, which is just fresh from Europe?

> The outstanding fact under observation is the recognition in every land and by all statesmen of the problem called "economic reconstruction." But of more immediate importance is the fact that England, France, Italy, Germany, and Austria are making preparations to re-

their peaceful economic life with improved facilities for foreign trade, with a national supervision of the use of natural resources for the benefit of their own citizens, and with assistance from the State.

While I realize that many plans advocated or adopted in the foreign countries are unsuitable or even unnecessary for the United States, I feel impelled to point out that these plans might involve prejudice to the interests of the United States in foreign fields if they should be administered in a narrow spirit or if the United States should fail to make plain its own interest in them.

That is what England, France, Italy, Germany, and Austria are doing.

What are we doing? Well, for one thing we are still making loans to the allies. Is anybody worrying about a river and harbor "pork" bill just now? Why, we appropriated $23,000,000 for that purpose this year. Still some people worry over it and continue to grieve. Why, I venture to say that more than $23,000,000 was spent on canals in France alone during this war. And yet we have sent approximately $8,000,000,000 to the allies and are preparing to send more even after the war.

Mr. GARNER. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman from Texas.

Mr. GARNER. Has the gentleman looked at the make-up of the next Rivers and Harbors Committee? If you take seniority as the rule, has the gentleman looked to see who will be the active members of the majority in the Rivers and Harbors Committee in the next Congress?

Mr. MOORE of Pennsylvania. I have not looked at it specifically. I will say to the gentleman that the committee is now at work preparing a bill, which I assume will be reported to the House in the next two or three weeks.

Mr. GARNER. What I am speaking of is the make-up of the committee in the next Congress. If seniority rules, who will be on the conference committees and in charge of the work of that committee?

UNITED STATES SHOULD WAKE UP.

Mr. MOORE of Pennsylvania. I have not examined the personnel in particular. Of course it will be Republican next year, and if anything I have said will be of advantage to the Republicans I hope they will profit by it, just as I would expect my Democratic friends to do under like circumstances.

But this chief of the Bureau of Foreign and Domestic Commerce in the Department of Commerce goes on, in his report to the Secretary, as follows:

Although the various countries will, for a while, undoubtedly work toward economic self-sufficiency and toward the elimination of enemy interests, as the expectation of the armistice, it is essential that each of the allied and associated countries, as soon as possible and the administration of its program with full realization of the extent to which the interests of all the other allied countries are involved. We have no reason to anticipate a purely selfish spirit on the part of any of our allies. It is quite natural, inevitable really, that they should plan as soon as possible to recover their industrial, commercial, and financial equilibrium. It is for us, however, to stand ready to enter, at the proper moment, upon an understanding which will show our appreciation of the community of interest in the larger aspects of trade and economic intercourse after the war, and which will be in harmony with the motives underlying our participation in the war.

Mr. McFADDEN. Will the gentleman permit an interruption?

Mr. MOORE of Pennsylvania. I yield to the gentleman from Pennsylvania.

Mr. McFADDEN. Is the gentleman aware of the fact that five days after the signing of the armistice the English started practically all of their old steamship lines, running to all the ports of the world?

Mr. MOORE of Pennsylvania. I think that is correct. I know that from August, 1914, down to the present time American shipping has had to go through foreign influence in order to get anywhere. That condition still prevails. I have pending in the State Department now certain claims of American citizens who were wronged upon the high seas. I have been before the State Department in their behalf, but they have been advised to go and try their cases in the courts of London.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. GREENE of Massachusetts. How much time does the gentleman want?

Mr. MOORE of Pennsylvania. May I have an indefinite time, but to take more than 10 minutes?

Mr. DAVIS. How much time does the gentleman want?

Mr. MOORE of Pennsylvania. May I have 10 minutes?

Mr. DAVIS. I will yield to the gentleman 10 minutes.

Mr. MOORE of Pennsylvania. I will cease quoting from the report of the Chief of the Bureau of Foreign and Domestic Commerce in the Department of Commerce, because it is conclusive. It differs from the President's "leveling" process, but nevertheless it is conclusive. It is in the nature of a warning to both sides of the House—a warning to Democrats of what would ensue if we follow literally the President's primary proposition to break down the tariff barriers, or his secondary proposition carried over to the peace conference, to effect a leveling of all economic barriers, which I take to mean the same thing. And I would suggest to the Republicans that unless we stand firm to our principles in this matter of reconstruction we may be found wanting by the majority of the people of the United States, who, in view of the recent election, expect that we will hold in check even the highest in the land upon this question of the removal of the economic barriers that have protected American industry and American labor. [Applause.]

FOREIGN COMPETITION TOO STRONG.

Here is a report from our Democratic Tariff Commission, the United States Tariff Commission appointed by President Wilson at a time and under circumstances which led many of us to believe that perhaps the Democrats might be coming over to a protective policy and were about to leave their false gods. The chairman of the board is Prof. Taussig, who has been quoted in many ways, a very able and learned man. It delights me to quote from this report the statements these eminent Democrats have made. The matter of the manufacture of surgical instruments is dealt with in this report. It is not a large industry in the United States, but we find on examining the report that when the Underwood law—that marvelous bit of legislation passed in October, 1913—was in effect we made only about 10 per cent of the surgical instruments used in the United States. The rest were made in Germany. Some of us on our side of the House knew of this condition, but it was a matter of no great concern to those who believed in the economic policies of the President. But here—and I am not desiring to quote the President's agents against him, although the Department of Commerce has been of some service in that regard—I recur to the report of the Tariff Commission on surgical instruments as at once reaching the crux of the whole argument. The report says:

The testimony of men familiar with German conditions, men who recently visited that country, indicates that the wages paid to German instrument makers in 1914 ranged from $7.30 to $10 a week, and the average was about $8.20.

The average shipyard worker has been getting that much per day in the United States, and yet these skilled surgical instrument makers in 1914 made $8.20 a week. The American wages at that time, as quoted in this same report, were $21 to $22; that was about the average pay in the United States.

Query for the Republicans and Democrats and for the President in conference with the crowned heads of Europe next week: How can the American manufacturer of surgical instruments survive if foreign labor is paid $8.20 and the American labor is paid $22 and more now, since these are the figures of 1914? Theorists may answer that question, but practical men cannot.

Here is what the Tariff Commission say about the tariff bill—the Underwood tariff bill of October, 1913. Note that what they say is said so gently as to reduce the disastrous effects of the Underwood bill to a minimum:

The tariff reduction of 1913.—The duty on miscellaneous metal manufactures, the classification under which the bulk of surgical instruments are imported, was reduced by the act of 1913 from 45 per cent ad valorem to 20 per cent. Because of the lack of statistics showing separately the value of surgical instruments imported, it is impossible to determine the effect of the reduction in the duty upon the amount of foreign instruments brought into this country. There are indications, however, that the prices of instruments of foreign manufacture were not correspondingly reduced. The wholesalers uniformly refused to make any reduction to retailers in the prices of the instruments imported under the act of 1913, on which they had paid the 45 per cent duty. They agreed, however, to give a discount on orders placed with them for import under the new tariff.

But the German manufacturers, meanwhile, had raised their prices, and consequently the prices the retailers eventually had to pay for the instruments imported under the new arrangement did not differ materially from the prices they had paid under the old tariff. The increase in the prices of German instruments had been contemplated for some time. For several years before 1913, the costs of manufacture in Germany had been rising, but the keen competition of producers had kept prices down. Finally, however, the German manufacturers succeeded in forming an effective organization and agreed upon a uniform price policy. It is possible that they chose the time of the reduction in the American tariff as an opportunity to put in force the price increase.

WAGES IN THE COTTON MILLS.

I was talking with New Bedford manufacturers a few days ago and with some of the great cotton manufacturers of Fall River, and I inquired as to the wages of weavers—men and women—in the cotton mills, where they fabricate the raw product that the South is raising, and where we would fabricate more if the South would encourage them a little more than they do foreign nations, and they said that while they were paying $24 a week they were now, since the war closed, beginning to anticipate the competition of Japan, where they are skillful in weaving and now pay the weavers 8 to 10 cents a day.

Gentlemen, I ask both sides of this House, I ask the President of the United States when he comes to "remove the economic barriers" over there in the peace conference, if that is his purpose, to consider whether we can pay $24 to the cotton weavers in America while they can weave cotton in Japan at 10 cents a day?

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. GRAHAM of Illinois. Before we went into this war men were going out to work all over the country, and we had an insufficient tariff law and insufficient protection. Does the gentleman know any plan that has been presented by the present administration or by the party in power that will protect us after the war is over from a similar condition on the signing of the peace treaty?

Mr. MOORE of Pennsylvania. I know of no other recourse to which they have resorted. They have stood by the Underwood bill even when that bill was bringing the country to financial disaster. The President, it will be recalled, had to come in and ask for $100,000,000 to save the situation; and then he came in and asked for another $100,000,000, and he kept on coming here and asking for more money, which we had to raise by direct taxation, until we got used to it. When the war broke out he did not have to come on economic grounds, because the war closed up German shipping and foreign competition, and gave us a protection which no law of the land could give.

Mr. STEVENSON. Will the gentleman yield for a question?

Mr. MOORE of Pennsylvania. I yield to the gentleman from South Carolina.

Mr. STEVENSON. Did I understand the gentleman to say that preparations were being made to reduce the wages of the weavers in the cotton mills of New England?

Mr. MOORE of Pennsylvania. No; they desire to keep them up if possible.

Mr. STEVENSON. But they were expecting to have to reduce them?

Mr. MOORE of Pennsylvania. I said, and I will ask the gentleman to bear with me, that no American manufacturer could pay $24 a week to a weaver and remain in business in competition with a Japanese institution which paid 10 cents a day. Now, if the gentleman can show how that can be done——

Mr. STEVENSON. Then I misunderstood the gentleman's statement if he did not say that they expected to have to reduce the wages. I will ask the gentleman if he knew that they were selling their goods at prices fixed by the Government on a basis of 36-cent cotton and that they are paying 26 cents for the cotton? That is what they are doing, and if they are prepared to reduce the wages of their employees then they are simply taking it out of the employees.

Mr. MOORE of Pennsylvania. I do not know how the gentleman gets——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. Here I am stopped right in the middle of a sentence, and I must ask the gentleman from Minnesota to give me two or three minutes more.

Mr. DAVIS. Since one of the parties to whom I had apportioned time says he does not care to use his time, I will yield the gentleman 10 minutes more.

COTTON MILLS CAUTIOUS.

Mr. MOORE of Pennsylvania. I thank the gentleman from Minnesota. He is getting to be a very good chairman of the committee. [Laughter.] Answering the gentleman from South Carolina, I will say this: He is a cotton factor and better posted on the subject of raw material than I am. I do not know just what the actual price of cotton is to-day, but I do know that throughout the whole of this war, though cotton was ably defended and ably promoted on this floor by the gentleman from South Carolina and another gentleman, who comes, I think, from Alabama, if my memory serves me right——

Mr. STEVENSON. Possibly Texas.

Mr. MOORE of Pennsylvania. That they never could induce the President of the United States to fix a price on cotton, and somehow or other they never could get the President to include cotton in the embargo list. It just so happened with regard to cotton, by reason of the peculiar political complexion of this House about which I do not now complain, that the President seemed to be under some occult influence which kept cotton right side up all the way through.

Mr. STEVENSON. I know the gentleman intends to be correct——

Mr. MOORE of Pennsylvania. And to be frank with the gentleman, although I tried here several times in perfectly good faith in view of our vast financial obligations to impose a little bit of a tax on cotton—something like $3 a bale—I could not get it through. We did not have enough votes.

Mr. STEVENSON. The gentleman means to be correct, and the gentleman stated that cotton could not be embraced in the embargo. Does not the gentleman know there could not be a pound of cotton shipped without a license, and that in a very large part of the world it was not allowed to be shipped——

Mr. MOORE of Pennsylvania. I recall and the gentleman from South Carolina will remember distinctly that when the President issued his embargo proclamation including those things which should not go abroad, that for some reason or other—I could not just say whether due to influence on that side or not—it did not include cotton. You could find flour, beef, and things of one kind and another, but cotton was not to be found on the list, search as you please.

Mr. STEVENSON. The gentleman did not try to ship any cotton.

Mr. MOORE of Pennsylvania. At that time the attention of the House was called to the fact that cotton was going into Germany——

Mr. GREENE of Massachusetts. Will the gentleman yield?

Mr. MOORE of Pennsylvania. That cotton, though contraband, was still going into Germany, and we could not get head or tail of that. It was going to Germany and they were turning it into explosives to shoot us up. We could not stop it; cotton had full swing. I yield to the gentleman.

Mr. GREENE of Massachusetts. Does not the gentleman know that the New England manufacturers are having contracts canceled; in fact, that their business is disappearing at the present time and has been since the armistice was signed?

Mr. MOORE of Pennsylvania. I believe the gentleman is entirely correct. It is reported that several large mills have closed. On a recent trip to Fall River and New Bedford I found there was much concern, because they had large investments, and they began to feel that business was being taken away from them. They were not enthusiastic about the removal of these economical barriers to which the President referred before going to the peace conference.

WHAT AMERICA MUST PAY.

Now, I want to say something about reconstruction. Every foreign nation is prepared to reconstruct. Make no mistake about that. It is true, perhaps, we are going to sell them material with which to reconstruct, a great deal of material, but we will not sell a pound to any nation that can provide for itself; do not make any mistake about that. We have not only loaned them approximately $8,000,000,000, but this morning a request has come forward from the Secretary of the Treasury to increase the foreign loans in the sum of one and a half billion dollars. So when you say we are going to reconstruct and you talk of the United States as a great and rich and prosperous country, just bear in mind that we spent approximately $13,000,000,000 up to the end of last June, and have got most of it to pay back in some way or other.

Do not forget, when this spirit of cosmopolitan altruism overcomes your patriotic souls, that in addition to what we spent last year we have appropriated this year, 1919, upward of $24,000,000,000. We have authorized the expenditure of every cent of it. The chairman of the Appropriations Committee [Mr. SHERLEY] came here and gave us his statement and the Secretary of the Treasury confirmed it. Put that against your $13,000,000,000 already spent and up to the end of June, 1919, you will have spent, or have authorized to be spent, a total of $37,000,000,000, plus the deficiency bill appropriation. Of course, we are going to save some of this. Of the $8,000,000,000 to be raised by taxation it is announced that $2,000,000,000 can be saved. That remains to be seen.

But counting out the 1918 bill and dealing only with the authorizations of 1919, it will be remembered that after we had provided the $24,000,000,000 reported by Mr. SHERLEY we were obliged to report a deficiency bill for $7,000,000,000 additional. That made a 1919 total to date of $31,000,000,000, a staggering sum, but involving an indebtedness you will have to talk about back home in every district in this land when the tax and interest bills come along in due course. And they will keep on coming along for years and for generations, and it will be pay, pay, pay for us while the foreign trade is being picked up by many of our allies—God bless our allies! We hail their brave and patriotic work—but when our own people begin to realize the extent to which they have been involved in this war they will at least want to keep their mills open and their wheels turning under the shelter of reasonable economic barriers and without being forced "to whet their wits" and wages against the cheap industrial world abroad. [Applause.] I wanted to sound a little warning, because we have been a mighty easy people.

We are just as brave as any on the other side; we have as many courageous men; we stepped in when we were needed and

saved the day for our allies. Do not forget that when you praise the flags of other nations. We have not stinted ourselves in men or money, but we are not necessarily called to bear the whole burden nor to place it upon the backs of our children for generations to come. A great and glorious Nation is the United States, but she needs protection now as she never did before in her history. [Applause on the Republican side.]

We will get back to normal. Yes. We ought to get back to normal; but we have that one strange condition staring us in the face. Our spokesman, our sole representative, our overtowering personality in this great conference of the nations of the Old World, pledged to his economic theories, wedded to the destruction of every artificial barrier which heretofore protected the United States, has not taken the Congress of the people into his confidence.

Mr. SNYDER. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield.

Mr. SNYDER. After the one superior gentleman that you have been referring to returns from abroad, what position do you think the rest of our delegation will take on this same question?

Mr. MOORE of Pennsylvania. Those who have accompanied him?

Mr. SNYDER. Yes.

Mr. MOORE of Pennsylvania. The President appointed every one who went with him. Some of them we know, some of them we know not so well. But the gentleman from New York has the temerity to think that any one of the gentlemen appointed by the President will differ from him in view—no Member of the House or Senate being present—it seems to me he is going astray. No; those gentlemen accompanying him will stand with the President.

Our danger, then, is this: Holding these views, standing for the destruction of the artificial barriers of protection which have made the United States prosperous and strong, reiterating them in point 3 of his 14 points, so that England and other nations take free trade to be his meaning, we may find ourselves in disagreement when as a people and a Nation we might hope in such a crisis to stand together and as one man. It certainly can not be that the majority of the American people are ready to accept a free-trade policy. [Applause on the Republican side.]

Mr. DAVIS. Mr. Chairman, I yield to the gentleman from North Dakota [Mr. YOUNG] such time as he may desire.

Mr. YOUNG of North Dakota. Mr. Chairman, there has been considerable misapprehension as to the price guaranteed for wheat for the year 1919. As you all know, there was no price guaranteed for the crop of 1917. That crop was handled on the price fixed by a committee named by the President for that purpose. As to the crop of 1918, while there was a guaranty in an act of Congress of $2 per bushel, the United States Grain Corporation handled that crop for a considerable margin over that sum. So that practically the crops of 1917 and 1918 were handled without regard to any guaranty made by Congress. Now, we are faced with the problem of the guaranty for 1919, and, as I have hinted, there is considerable misapprehension among the Members of Congress—and I might say outside of Congress—as to just what that guaranty means. I desire to have printed in the RECORD for the information of the Members certain documents issued by the Food Administration, the vice president of the Food Administration Grain Corporation, and the President of the United States, and I wish to call particular attention to the thoughtful letter of Vice President Crowell and the recommendations made by him.

The CHAIRMAN. The gentleman asks unanimous consent to insert in the RECORD the matter indicated. Is there objection?

There was no objection.

Mr. YOUNG of North Dakota. An examination of these documents, I think, will make it clear to the minds of all that while the guaranty for the wheat crop for 1919 is specific, no agency has been created to carry that guaranty into effect.

Mr. STEENERSON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from North Dakota yield?

Mr. YOUNG of North Dakota. Yes; I do.

Mr. STEENERSON. Was not that the very purpose of the Food Administration's grain corporation, authorized under the authority of the proclamation of the President, under the laws of Delaware, first capitalized at $50,000,000 and the capital afterwards increased to $150,000,000, through which the Food Administration has been buying grain, especially wheat, for the Government and for the allies?

Mr. YOUNG of North Dakota. One of the documents that I will put into the RECORD is a letter from the Food Administration Grain Corporation of New York, in which it is stated that the corporation was organized for the specific purpose of handling the crops of 1917 and 1918, and there is nothing in the authority given to them up to this time which would warrant their handling the crop of 1919.

Mr. STEENERSON. Does the gentleman print the actual articles of incorporation and the proclamation under which that was done?

Mr. YOUNG of North Dakota. I am going to put in the RECORD the proclamation of the President.

Mr. STEENERSON. And the articles of incorporation?

Mr. YOUNG of North Dakota. I have not got those. If the gentleman has them I will be glad to put them in the RECORD.

Mr. STEENERSON. I have not got them here, but I have a copy at home. But I think the gentleman is mistaken, and the statement of the Food Administration was not well founded, that it was limited to any particular crop. It was limited to the period of the war. That was its whole scope and purpose.

Mr. YOUNG of North Dakota. I think the gentleman is referring now to the articles of incorporation issued by the State of Delaware.

Mr. STEENERSON. The President's proclamation authorized the Food Administration to incorporate under the laws of the State of Delaware. Its object was, as stated in those articles, to buy grain, and it was not limited. There is nothing in those articles that limits it to one crop.

Mr. YOUNG of North Dakota. As the gentleman knows it frequently happens that when corporations are incorporated they are authorized to do many things that are perhaps contrary to the laws of the land, and in this case, of course, the incorporation in Delaware could not give the corporation any greater powers than had been already authorized by Congress.

Mr. STEENERSON. If the gentleman will yield further, I will say I do not think that is a matter that comes up in this consideration. I was simply referring to the letter of the Food Administration to the gentleman, in which they say they were limited to the one crop. I maintain that if you examine the law and the proclamation and the articles which were formed in pursuance of that law you will find it was not limited to that crop.

I would like to have the gentleman yield further in order to permit me to inquire if the gentleman has been able to get the report of the Food Administration for the last fiscal year?

Mr. YOUNG of North Dakota. I have not seen that report yet.

Mr. STEENERSON. I will say to the gentleman that I have inquired at the document room, and there has been no report since that for the year 1917.

Mr. YOUNG of North Dakota. Of course, the gentleman's question as to whether the Grain Corporation can extend its operations over another year is comparatively unimportant, because it would be an easy matter, anyway, to extend their authority. The real question, the real problem, is whether that corporation, if it is extended, will have sufficient funds to back up the guaranty that has been made, because I think it very clear that they can not pay the farmers for the wheat unless they have the money with which to pay it.

Mr. STEVENSON. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of North Dakota. Yes.

Mr. STEVENSON. I noticed what purported to be an interview with the gentleman from North Dakota a day or two ago in the newspapers, in which it was stated that the Government would probably lose a million dollars on account of its guaranty. Did the gentleman mean to confine it to one million, or was that a mistake?

Mr. YOUNG of North Dakota. As a matter of fact, I did not hand out a statement like that. I was incorrectly quoted in one of the papers here as saying there would be a million dollars lost.

Mr. STEVENSON. What loss will there be?

Mr. YOUNG of North Dakota. I would not want to state what it will be. It seems to me the amount of loss will be dependent on how we back the Food Administration Grain Corporation. The officers of that corporation are playing a pretty big game. They have in sight a wheat crop bigger than any raised before, so far as the acreage is concerned. Heretofore they have been selling to people in Europe who wanted the wheat and who were prepared to pay the cost price plus the expenses of handling. Now they are confronted with the problem of selling wheat to countries of Europe that have the opportunity of buying their wheat elsewhere and possibly at a lower price. It might at first blush look like a serious situation or we might be facing a big loss, but the fact is that some of this wheat that the papers are talking about which the allies and people of Europe can get is so far away that it takes about 115 days to make a round trip. That is so with respect to the wheat in Australia. An ordinary freighter can make just one round trip in 115 days. The same boat can make the trip to Argentina and return in 81 days. It does not seem, with the great shortage they have in shipping now, that they could get their supply, considering the shortage of tonnage, from those countries, and yet it may be that if we do not back up the Food Administration Grain Corporation they may get enough of it from Argentia and Australia to break the market and then subject us to a heavy loss. That loss might run into very large sums.

Mr. YOUNG of Texas. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of North Dakota. Yes; certainly.

Mr. YOUNG of Texas. The gentleman comes from one of the large wheat-growing States, where there has been a good deal of criticism about the fixing of the price of wheat. They do not want the price removed from the next year's crop, do they?

Mr. YOUNG of North Dakota. I will say to the gentleman that our farmers did not ask for the fixing of a price of wheat at all. The fixing of wheat prices was imposed upon them. Now, so far as they are concerned, the price having been fixed and they having been compelled to accept prices much less than they would otherwise have received in an open market, the time has come, in their opinion, for it to operate.

Mr. YOUNG of Texas. They do not want that price removed, do they?

Mr. YOUNG of North Dakota. No; they do not.

Mr. YOUNG of Texas. I will state to the gentleman that I fought this whole price-fixing scheme.

Mr. YOUNG of North Dakota. I know that the gentleman from Texas has been a consistent opponent of all kinds of price fixing on farm products.

Mr. YOUNG of Texas. I know that we are up against a serious proposition. I agree with the gentleman. We have got to have some kind of legislation to make this guaranty good.

Mr. YOUNG of North Dakota. That is right.

Mr. YOUNG of Texas. I fought this price-fixing scheme, but in good faith to these wheat farmers I am going to do everything in my power to see that they get the guaranteed price fixed for next year's crop, because it has been promised them by legislation.

Mr. YOUNG of North Dakota. I appreciate that statement very much, particularly inasmuch as the gentleman is a member of the Committee on Agriculture, and in view of the fact that he while in the committee room and at all times has consistently opposed price fixing. He had the courage to oppose it at a time when it was very popular.

I want to say also that I have not discovered any disposition on the part of any of the officials connected with the Government at Washington to repudiate this guaranty. The only thing I can complain of is this, that some of the officials connected with the Government here, and practically all of them excepting the Food Administration Grain Corporation at New York, seem to think that the price guaranty will be self-executing, and that it will not take any money to back it up. Now, as to the amount of the loss that the gentleman from South Carolina [Mr. STEVENSON] was asking me about, it would look to me as though the more we give to the Food Administration Grain Corporation, the better support we give them, the more money we give them to make the guaranty good, the less it will cost them to make it good. The public officials of France and Italy and Great Britain are playing a big game. They are out to buy wheat anywhere in the world as cheaply as they can get it. If they can buy a little from Argentina or from Australia, enough to break the market and get the rest over here, of course that will suit them.

Mr. STEENERSON. Will the gentleman yield?

Mr. YOUNG of North Dakota. Certainly.

Mr. STEENERSON. Does the gentleman think that would be fair dealing on the part of those countries, that Mr. Hoover, the Food Administrator, should go over there and telegraph back to the United States farmer and the public that we must ship 20,000,000 tons of food, largely grain, to Europe; that we must advance large quantities, and then after they have encouraged this production and the exportation of 20,000,000 tons, that these countries which have been benefited shall then go and break the market by importing from Australia and the Argentine? Does the gentleman think that is fair play?

Mr. YOUNG of North Dakota. I do not impugn the motives of the officials connected with any other government. I am assuming that they are going to act for their own people.

Mr. BAER. I may say that it is the gentlemen in Minneapolis who break the market. The farmers of my State are glad that the price was fixed at $2.20 on their wheat, because if it had not been fixed they would only have gotten $1.25 this fall, compared to the price at which all the other products were sold.

Mr. BANKHEAD. I will ask the gentleman if his friends did not make an attack on the Democratic nominees in that section of the country on the proposition that this administration had fixed the price of wheat?

Mr. BAER. I did not. I upheld the administration, because the farmers up there realized that they would not have received over $1.25 for their wheat if the price had not been fixed.

Mr. BANKHEAD. I understood that generally that was an issue in the wheat-growing sections of the West. Was it not in Kansas and other wheat-growing sections?

Mr. BAER. I do not know anything about Kansas. The gamblers and speculators were robbing the farmers and the consumers. At Larimore, N. Dak., when wheat flour was $10.60 wholesale, barley flour was $14.60; on the same day wheat sold for $2.04 and barley was only 93 cents.

Mr. YOUNG of North Dakota. The point I was trying to make was this, that if we permit the Food Administration Grain Corporation to run along with the amount of money they have in their treasury now, or with a paltry sum, these fellows across the ocean, who are playing a clever game, will beat them. I think the men who are at the head of our Food Administration Grain Corporation at New York are thoroughly experienced, perhaps the most experienced men that could possibly have been found in the United States. They know the wheat business from the ground up. They are men who have been in the business for 25 or 30 years. They will protect us against loss, in so far as that is possible, if we will give them the necessary financial backing. The farmers have had serious losses on account of arbitrary, unjust, and unfair grading of their grain under grain grades established by the United States Bureau of Markets, but I think I am correct in saying that the farmers desire to see the Food Administration Grain Corporation given ample funds to make the 1919 wheat guaranty good.

Mr. HARDY. Will the gentleman yield for a question for information?

Mr. YOUNG of North Dakota. Yes.

Mr. HARDY. Does the gentleman know what the freight rate is on wheat from New York to Liverpool now?

Mr. YOUNG of North Dakota. Freight rates are up and down, and it is impossible to get any quotations on rates for any length of time in advance, but it stands to reason that the freight rates between here and Europe will be very much less at this time, when tonnage is short, than from the Argentine and Australia, and my proposition is this: I do not believe Europe can get enough wheat except from the United States, and if we have men at New York who have the money and have the backing of Congress they can hold that wheat until they can get a reasonable price for it.

Mr. HARDY. Exactly. The reason I asked the question was because the freight on cotton to-day is $32.50 per bale—that is, $6.50 a hundred pounds—and I wanted to know if they are knocking wheat anything like as much as they are cotton?

Mr. YOUNG of North Dakota. I think the big proposition we ought to keep in mind is this: That if we back our grain officials in New York—Mr. Barnes and Mr. Crowell, who know their business—they are not going to let those fellows in Europe get our wheat from us, where they must get it, for a price that they fix themselves by importing a little from the Argentine and from Australia to break the market. European buyers do not expect to get their wheat supplies from Argentina and Australia. They have not enough ship tonnage. What they want, I repeat, is to get enough from those countries to force a concession in price from us, then they expect to get the wheat from us.

Mr. HARDY. I agree with the gentleman in his contention, but what I wanted to know was whether our freight rates were enormously high on wheat?

Mr. YOUNG of North Dakota. They are high on everything. I can not give the gentleman the exact figures he desires.

Mr. SNYDER. Will the gentleman yield?

Mr. YOUNG of North Dakota. Yes.

Mr. SNYDER. The gentleman believes that by giving the wheat corporation a sufficient amount of money they can maintain the price on the prospective crop of next year of a billion bushels of wheat with this surplus of Argentina and other wheat-raising countries. Has the gentleman the slightest idea of what he thinks it would cost this Government to maintain the price and protect the farmers and carry out the guaranty to the Government for the ensuing year on the price of wheat as now fixed?

Mr. YOUNG of North Dakota. I think the gentleman will agree with me that it would be an impossible task to estimate what it would cost. It is impossible to say to what extent the Grain Corporation can overcome the present outlook. The loss will be measured by the difference between the price paid to the farmers and the price obtained upon a resale of the wheat.

Mr. SNYDER. I think the gentleman will find that by the time he gets ready to sell the next crop the sentiment in this matter will drop out and competition will prevail, and that the allies will buy wheat where they can buy it, in the cheapest market, without regard to fences put up by this country.

Mr. YOUNG of North Dakota. I do not blame them for buying where they can buy the cheapest, but I think it is up to Congress to see that our fellows are put in a condition to meet the competition in the best possible way.

Mr. SNYDER. I want to see the Government carry out its agreement, but it will cost the Government millions to do it.

Mr. YOUNG of North Dakota. Whatever it costs it is up to Congress to keep faith with the farmers. My contention is that if we act wisely we will place in the hands of the Food Administration Grain Corporation officials all the money they ask for, even if they ask for $1,000,000,000. Whatever is not needed will remain in the Treasury. If given ample funds our officials can foil the attempt of European buyers to force a low price upon our wheat. Let Congress put our officials in the position where they can fold their arms and say to the European gentlemen: We have the wheat; it is paid for and stored; you must have it; when you are ready to pay a reasonable price for it you may have it, but not before. [Applause.]

There is a statement issued by the United States Food Administration, which is typical of a number of statements appearing in the press. It affirms that the guaranteed price for 1919 is to stand, but fails to take into account that it will require an appropriation of money to make it good. Now is the time to face this problem, and not after Congress has adjourned.

STATEMENT OF FOOD ADMINISTRATION.

[From the Official Bulletin, Dec. 4, 1918.]

The guaranteed price of wheat for the 1919 crop stands, by the terms of the Lever Act, under which the United States Food Administration is operating. This statement was made by the Food Administration.

The President's proclamation of September 2, 1918, stated that the "producers of wheat produced within the United States * * * for the crop of 1919" are guaranteed the prices therein set forth, $2.26 per bushel at Chicago, and the end of the war or the proclamation of peace does not in any way affect this guaranty.

Section 24 of the Lever Act provides "that the provisions of this act shall cease to be in effect when the existing state of war between the United States and Germany shall have terminated, and the fact and date of such termination shall be ascertained and proclaimed by the President; but the termination of this act shall not affect any act done, or any right or obligation accruing or accrued," etc. It further states that "all rights or liabilities under this act arising before its termination shall continue and may be enforced in the same manner as if it had not terminated."

The guaranty for the 1919 wheat crop expires June 1, 1920.

THE PRESIDENT'S PROCLAMATION.

SEPTEMBER 2, 1918.

By issuing today the Government's guaranty of the same price for the 1919 wheat crop that was guaranteed for the 1918 crops I wish it to be [illegible] from the spring of 1919 I will appoint a disinterested [illegible] and secure for me the facts by that time disclosed as to the increased cost of farm labor and supplies, using the three-year prewar average prices of wheat, of labor, and of supply costs as a [illegible] this information I shall determine whether there [illegible] above the present level, and, if so, what [illegible] for the farmer a good return. Should it [illegible] that an increase is deserved over the present guaranty, however, it will be applied only to those who have by next harvest already marketed their 1918 wheat.

I [illegible] and intention of all departments of the administration to give to the wheat grower a fair and stimulative return in order that the present acreage in wheat may be maintained.

I find a great conflict of opinion among various sections of the country as to the price that should be named as a minimum guaranty. It must be obvious to all, however, that the factors which will make for increased or decreased cost of production of next year's harvest can not be determined until the near approach to the harvest.

In giving a guaranteed price for wheat one year in advance (the only instance guaranteed by the Government) there is involved a considerable national risk. If there should be peace or increased shipping available [illegible] the middle of 1920, Europe will naturally supply itself from the large stores of much cheaper wheat now in the Southern Hemisphere; and therefore the Government is undertaking a risk which might [illegible] in a national loss of as much as $500,000,000 [illegible] purposes; or, in any event, in maintaining a high [illegible] own people for a long period subsequent to freedom in the world's markets.

Despite this, the desirability of assuring a supply to the world of prime foodstuffs by insuring the farmer against the fluctuations in prices that would result from the uncertainties of the present situation and from the speculation those uncertainties entail, seems to me to make the continuation of the guaranty for another year desirable. On the other hand, it is clear that before increasing this liability by large sums with the risks set forth above, and before increasing the burden of the consumer, the matter should be subjected to searching inquiry at the appropriate time—the time when the pertinent facts will be known.

I feel confident that with this preliminary fixed guaranty, and with the assurance that justice will in any event be done to the grower, he will continue the fine patriotic effort by which he has served the country hitherto; that the Government will have acted prudently; and that the consumer will be satisfied that his interests are not unduly sacrificed, but that careful and exhaustive consideration given to every element of the matter at the proper time.

WOODROW WILSON.

STATEMENT OF F. G. CROWELL, VICE PRESIDENT OF FOOD ADMINISTRATION GRAIN CORPORATION.

UNITED STATES FOOD ADMINISTRATION,
FOOD ADMINISTRATION GRAIN CORPORATION,
New York, December 7, 1918.

Hon. GEORGE M. YOUNG,
House of Representatives, Washington, D. C.

MY DEAR MR. YOUNG: In further answer to your recent wire in reference to the United States guarantee on the price of the 1919 crop of wheat and the nonexistence of any agency or appropriation to carry the same into effect:

On September 2, 1918, the President of the United States, as provided by act of Congress, fixed the guaranteed price of wheat to be harvested in the United States during the year 1919 and offered for sale by the 1st of June, 1920, provided the producer complied with all the regulations which might be thereafter promulgated in regard to said guarantee by the President of the United States.

The President of the United States, by Executive order, provided, on August 14, 1917, for the creation of the Food Administration Grain Corporation in order to enable the United States Food Administration, acting under the direction of the President, to purchase, provide storage facilities for, and sell at reasonable prices for cash certain commodities, to wit, wheat, flour, meal, beans, and potatoes, and designated Mr. Herbert Hoover, of Washington, D. C.; Mr. Julius H. Barnes, of Duluth, Minn.; Mr. Gates W. McGarrah, of New York City; and Mr. Frank G. Crowell, of Kansas City, Mo., as directors of a corporation to be formed and to have a capital stock of $50,000,000, all the stock to be owned by the United States of America and to be paid for out of the appropriation of $150,000,000 made by Congress for the food, fuel, and other agencies created by the congressional act.

The Food Administration Grain Corporation was not ordered or requested to protect the 1918 crop guarantee by Congress, which was a congressional matter and not a Food Administration matter; but inasmuch as Congress had not passed any specific appropriation to protect its own guarantee, the President of the United States issued an Executive order on June 21, 1918, increasing the capital stock of the Food Administration Grain Corporation to $150,000,000, and ordered it to protect the 1918 price guarantee in addition to performing its other functions.

This the Food Administration Grain Corporation is now doing, and will continue to do until it has fulfilled its obligations as provided by the congressional act, even although it may necessitate its continuing in business until August or September of 1919, for it must continue to exist for this purpose—that is, protecting the 1918 guarantee and protecting its outside obligations—although the United States Food Administration ceases, under the food-control act, on the issuance of a peace proclamation by the President of the United States.

When the Food Administration Grain Corporation was formed it was required that the president, vice president, and 13 second vice presidents, and secretary, located in various parts of the United States, should serve without any remuneration, should give their entire time to the fulfillment of their duties, and should divorce themselves from the grain business by closing out their business, parting with all their stock, and if unable to do the latter that any dividends received from any grain business should be given to the Red Cross or some other national war agency. This was required in order that their policies or action might not be subject to any adverse comment. These 16 executives and heads have done this, and will continue to do this until their public service is ended by the closing up of the obligations of the Food Administration Grain Corporation, which, as I stated above, will be along in August or September of the year 1919.

In my opinion the Food Administration Grain Corporation should liquidate as soon as it has taken care of its obligations and has protected the 1918 crop and wind up its affairs and return to the President of the United States the capital intact intrusted to it, which the officers hope to do, with the feeling on their part that they have executed with a degree of efficiency this public trust.

The next question which will confront Congress is the creation of an agency, perhaps a new corporation, with a much enlarged capital and with the power to draw on the Treasury of the United States freely to meet its obligations, which will be very large in attempting to finance the 1919 crop. Under whose management or control this new agency or corporation shall be is up to Congress.

It has been intimated that some of the personnel connected with the Food Administration Grain Corporation should sacrifice their own interests further and continue to serve the United States Government in the marketing of the 1919 crop. Perhaps Mr. Barnes and some of the other executives or administrative officers will be willing to do this; I do not know. It is a tremendous problem.

If the wheat acreage is increased, as seems likely, to 75,000,000 acres, there is a possibility of the United States producing a crop of 1,200,000,000 bushels of wheat. In the marketing of this volume of wheat there is a possibility of the United States Government meeting a loss of about $1,000,000,000 in endeavoring to market the crop in competition with the crops of the world.

It is a very serious problem, and will demand your most careful study and consideration. I am of the opinion that any legislation that is enacted to carry into effect the 1919 guaranty must be drawn with the greatest care, and I am very sure that when Mr. Hoover and Mr. Barnes return from Europe some valuable suggestions might be given to you for your consideration regarding new legislation that undoubtedly will be necessary.

I am,
Cordially, yours,

F. G. CROWELL,
Vice President.

Mr. SISSON. Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. HEFLIN].

Mr. HEFLIN. Mr. Chairman and gentlemen of the committee, it has not been my pleasure to hear the speech of the gentleman from Pennsylvania [Mr. MOORE]. I understand that he discussed the failure to fix the price on cotton and the failure to lay a tax upon cotton.

I recall, Mr. Chairman and gentlemen, that in 1914, when the war broke out in Europe, it so injuriously affected the price of cotton in the United States that the farmers lost 8 cents a pound. The price was 14 cents a pound when the war broke out, and it fell down to 6 cents a pound. Gentlemen, there was real suffering in the South that fall. Many a farmer had to sell

some of his live stock that he had made that crop with. He was unable then to pay his debts. Bankruptcy occurred in many instances in the South and our people suffered greatly.

I remember that the South stood here and through its representatives called upon the Government to do something to relieve that awful situation. We were only asking the Government to do something to prevent the loss that we were suffering on that crop. We argued that this condition was brought upon us not by any fault of our own, not by any natural economic cause, but that the war had an injurious effect, which reached into our country and destroyed the value of our cotton. The South lost millions of money that year. I remember my friend from Pennsylvania was one of those who said, "Gentlemen, it is unfortunate, but you will have to take your loss; it can not be helped. The Government has no business in interfering in the price of agricultural products." That was the high and holy ground the gentleman and others on that side took, as well as some gentlemen on this side.

Now this fall, when because Europe had turned her fields into food-producing lands and cotton no longer was produced in abundance in India and Egypt and Russia, and cotton was scarce and high, the gentleman wants to seize on it and keep down the price by legislative enactment. "Oh, consistency, thou art a jewel." When the farmer was crying out to us to save him from wreck and bankruptcy in 1914, caused by the war, you would not extend a helping hand to him, but then you permitted him to suffer while his cotton crop was sold below the cost of production. When the price commences to go up and he is getting back some of the losses that he sustained in 1914, these same gentlemen wanted to seize him by the throat and choke him down and destroy the value of his cotton by legislative enactment.

Let me say here that while the price is higher than in 1914 the profit on the present cotton crop is not large. When you consider the $250 and $300 that the cotton farmer has paid for plow mules, and the increased cost of fertilizers, agricultural implements, and labor, and, in fact, everything that enters into the cost of production, you will see that the producer is not getting a large profit when he receives 35 and 40 cents a pound for his cotton. And I want to say just here that the price of raw cotton never has been in keeping with the general run of prices on cotton goods. If cotton should bring the price to-day that the price of cotton goods generally justifies, cotton would now be selling for 75 and 80 cents per pound.

I want to say that I am opposed to the price fixing of agricultural products. We were told that it was necessary to fix the price of wheat because wheat was a food product that we had to supply our allies, and we were all together in fighting the greatest enemy of mankind. I voted to fix the price of wheat at $2.20 and later, as gentlemen will recall, I voted to increase it to $2.40, for I did not want the wheat producer to lose anything on his crop.

Now, in the fall elections I understand that the wheat growers in some places said you did not put it high enough, and voted against the Democratic Party for that reason. Since the Republicans have carried the House they seem to be well pleased with this price and want to hold onto it for another year, which presents a right interesting situation. Again, consistency, I say that thou art a jewel.

Mr. SNYDER. Will the gentlemnn yield?

Mr. HEFLIN. Just for a question.

Mr. SNYDER. Is it not a fact that the Democratic administration fixed this price on wheat for next year?

Mr. HEFLIN. Well, if Congress has done that, I am in favor of living up to the contract with the farmer.

Mr. SNYDER. So am I.

Mr. HEFLIN. Now, it will not do, gentlemen, to fix the price upon farm products generally. This was foodstuff deemed necessary as a war measure, but the gentleman from Pennsylvania could not with any degree of grace attempt price fixing upon cotton without favoring the fixing of a price upon the wool of those stalwart sheep in his State that climb those high and rugged hills; and in order to tax cotton, to be consistent, he must levy a tax upon the wool of the sheep, and if he does that he must put it on flax and silk—put himself in the attitude of desiring to tax all textile material. If you tax one farm product, if you are going into that business, you will tax wheat so much a bushel, corn so much a bushel; that is what you are coming to when you lay a tax on cotton—you open the way for laying a tax on every agricultural product. Of course you will. I hope the time will never come when this Government will lay a tax on farm products, and I do not think you will ever achieve that end, gentlemen, because there will always be enough men here from the grain-growing West and the cotton-producing South to prevent such a catastrophe and calamity to the farmers of the United States. [Applause.] So that you might just as well dismiss that from your minds. But, gentlemen, I want to get all prejudice regarding cotton out of your minds. Do you know that cotton brings gold to this country when all other products fail? Cotton renders to the country a great national service every year. Cotton is the only product that goes out of this country that will unlock the vaults of foreign countries and bring gold when other products fail, and it brings more gold every year into the United States than the world's annual output. America is already the greatest cotton-producing country in the world, and I want to see her lead every other country in the manufacture and sale of cotton goods. Let the time come speedily, then, when the people of this country—East, West, North, and South—will have no semblance of prejudice against an industry of another section, but when all will look upon it as a great American industry and all working together for the good of that industry which contributes to the common good of us all. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. SISSON. The Clerk will read; I have no other requests for time.

The Clerk read as follows:

Be it enacted, etc., That the following sums are appropriated out of the revenues of the District of Columbia to the extent that they are sufficient therefor and the remainder out of any money in the Treasury not otherwise appropriated, but the amount to be paid from the Treasury of the United States shall in no event be as much as one-half of said expenses, in full for the following expenses of the government of the District of Columbia for the fiscal year ending June 30, 1920, except amounts to pay the interest and sinking fund on the funded debt of said District, of which amounts one half is appropriated out of any money in the Treasury not otherwise appropriated and the other half out of the revenues of the District of Columbia, namely:

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph just read.

Mr. SNYDER. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I had intended to speak two or three minutes while the bill was under discussion. I want to say just a few words about this reconstruction that has been so much talked about, and particularly that which we hear so much in the newspapers about the distribution of those who are employed in the munition plants and those who are wearing the uniform in the various fighting branches of our country. It is my belief that so far as those who are in uniform are concerned that they will find the patriotism of their employers such that when they return home all their employers will not only be glad but anxious to see them and put them back at least on jobs equal to those that they had when they left. Of course, there is in the Army a considerable number of men who did not leave regular employment to go into the Army. Those men may have some difficulty in getting back, but in my section of the country I should feel that an employer, either little or big, who would refuse to reinstate the man who went to the colors, either as a volunteer or by conscription, would be almost fit for the rail or some other method of getting him out of the community, and I believe that they would practically ostracize in the community any man who would refuse to do that thing. So I feel that there is very little necessity for anxiety on our part with regard to placing in employment men who wear the uniform. I have the notion that a man who has gone to war for the purpose of making the supreme sacrifice if necessary will not feel that he should be appointed to a job or led to a job when he returns home. I believe that they will want to pick out and select their own places, and therefore I do not feel any great anxiety about the men who are returning from camps or those who are coming back from the other side.

One thing I think many men overlook with regard to the difficulty of distributing the men from our munition plants back into the ordinary economic activities of the country, and that is that practically every man who went to a munition plant went from some other job to it. And the natural thing for him to do will be to return to that job which he left. And my notion about conditions to-day and those that will prevail for the next few months, at least, is that industries that were considered nonessential during the period of the war will find it rather difficult to catch up with their requirements for many months to come, and those men who are turned out of munition plants, who desire to work for the concerns that they left, at wages such as they left or wages that have been increased since they left, which may not in every case be as high as they have been receiving in munition plants, will find very little difficulty in getting back to work. So that it is my belief that we will return to normal economic conditions during the period of reconstruction with very little financial or commercial difficulty.

The one other thing that I would like to speak about, if I had time enough, is the distribution or disposal promptly of merchandise that the various purchasing departments of the

Government find themselves to have on hand at the present time and that will come into their hands on account of contracts. I am told that there probably will not be less than a billion dollars worth of competitive merchandise left on hand that the Government will have to find some method of disposing of. This, if thrown on the market in any one lot, or at any one time, would be, to my mind, the most destructive process of disposal that could possibly be found. And some way must be determined in order to protect the industries of this country, for the distribution or disposal of such competitive commodities as the Government now has on hand.

Take, for instance, the question of knit underwear. I am told, and, in fact, I am nearly correct, that there are on hand to-day 125,000,000 shirts and drawers, both wool and cotton. If any such amount of goods as that were thrown on the market it would destroy the business in knit goods for at least 12 months.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five minutes more.

Mr. SNYDER. I would like five minutes more.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that the gentleman from New York may proceed for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. SISSON. Mr. Chairman, I shall not object at this time, because many gentlemen did not have an opportunity to speak under general debate, but I want to serve notice now that I would like to have the gentlemen confine themselves to the subject matter of the bill, so we may have it passed as rapidly as possible.

Mr. SNYDER. I would be glad to do that, but I overlooked the fact that time on the bill had expired.

What applies to knit goods applies to almost everything we can think of. Take the general line of hardware. There is in the department to-day nearly $100,000,000 worth of hardware, such as shovels, hoes, picks, hammers, axes, monkey wrenches, and things of that sort, manufactured in all parts of the country; and if, as the Government must do, these goods are thrown on the market by auction or by some other terms of sale, without very careful consideration, it would disrupt the whole business community of this country.

Now, I am as anxious as any man can possibly be to see our economic conditions go on comfortably. Of course, we can not go along continuously at the high rate of speed we have been going on during the war period, but it will be a very simple matter to throw us into confusion as manufacturers and merchants in this country if due care is not taken to dispose of these tremendous amounts of competitive merchandise that the Government has on hand and will have on hand. Now, I have suggested from a business point of view a method, and I have introduced a bill to-day which I think would help the situation considerably. My idea is that if we should dispose of 20 per cent of any item of merchandise that we may have on hand during the period of any fiscal year it would not tend to disrupt to any extent the business of the country. And, like the wheat proposition, this is one that interests the whole country, and the country could assimilate and take up $200,000,000 of the several thousand various items that the Government will have to dispose of without interfering very much with any industry, and it would not be a great hardship for the Government to have to carry the balance for the other period of five years.

Mr. STEVENSON. Will the gentleman permit a question?

Mr. SNYDER. Yes, sir.

Mr. STEVENSON. Along that line, has the gentleman made any provision in his bill for compensation for cancellation of contracts?

Mr. SNYDER. I have not. I have simply tried to cover the question of the disposal of such goods as are on hand and those that the Government may have to take by reason of its inability to cancel contracts as quickly as they desire to do.

Mr. CRISP. Has the gentleman given any consideration to the fact that the goods kept would deteriorate?

Mr. SNYDER. Yes. My measure covers only items that are not perishable.

Mr. LONDON. How about placing these goods at the disposal of the desolated regions of France?

Mr. SNYDER. My bill covers that. It does not conflict with the Government disposing of it all to-morrow outside of the United States.

That is all I have to say, gentlemen.

Mr. HEFLIN. I would like to say to the gentleman that the cotton and woolen goods that the gentleman speaks of can be disposed of outside of the United States, I am sure, to advantage.

Mr. SNYDER. I will say to the gentleman that my bill has that very item in it. My bill only affects the sale within the boundaries of the United States.

Mr. STAFFORD. Mr. Chairman, I reserved a point of order on the item in the first paragraph of the bill in order to obtain some information. This is the item that has provoked considerable discussion on the floor of the House in years past. Points of order have been raised against it. I rise chiefly to inquire whether this is the identical phraseology that was carried in the last year's bill, and——

Mr. SISSON. It is.

Mr. STAFFORD. And though the House voted to adhere, the House conferees were forced by the exigencies of the occasion to finally recede from?

Mr. SISSON. Yes. This was the provision which was written by the chairman of the committee some years ago, with which the gentleman is familiar. He was not at that time the chairman of the committee, but Mr. Fitzgerald asked the present chairman of the committee, after we had agreed upon what was wanted, to draw the provision, and I will say that Mr. SHERLEY drafted this provision, which has been before the House on three different occasions.

Mr. STAFFORD. Does the gentleman in charge of the bill believe that he will meet with better success this year by reason of the other body having become better acquainted with the equity and merits of the proposition by reason of the bill having been in conference a long time last summer?

Mr. SISSON. Yes. We have made a statement which we could not have made before—that we are now demanding a reduction of the revenue because the surplus in the District treasury is becoming too great.

Mr. STAFFORD. That is, it is to the advantage of the taxpayers of the District to have this adopted?

Mr. SISSON. I do not know whether it will be to their advantage, but it will not be to their disadvantage.

Mr. STAFFORD. I withdraw the reservation of the point of order, Mr. Chairman.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Personal tax board: Three assistant assessors of personal taxes, at $3,000 each; appraiser of personal property, $1,800; clerk, $1,400; assistant clerk, $1,000; two inspectors, at $1,200 each; extra clerk hire $2,000; intangible personal property—two clerks at $1,500 each, five inspectors at $1,200 each, clerk to board of personal tax assessors, $1,800, two clerks at $1,200 each; in all, $30,800.

Mr. LONGWORTH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Ohio moves to strike out the last word.

Mr. SISSON. What is the item?

Mr. LONGWORTH. It is on the personal tax paragraph. What are the duties of these five inspectors?

Mr. SISSON. The five inspectors go out and inspect the personal property of the District. The inspection is that which finally determines the valuation of the property where there is a controversy about its value.

Mr. LONGWORTH. This is the intangible property.

Mr. SISSON. That is true.

Mr. LONGWORTH. Are they authorized to inspect men's books and their personal belongings?

Mr. SISSON. No; they are not authorized to do that. They are simply authorized to make an inspection of the returns and go back to the taxpayer and make inquiry as to whether or not a mistake has been made, or to make such investigations of the records shown by the various deeds and trusts that secure the notes, and check up accurately as to whether any of that class of property has escaped taxation. They have no inquisitorial powers, I will say to the gentleman.

Mr. LONGWORTH. That was the question I wanted to ask the gentleman.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For maintenance, repairs, fuel, lighting, fitting up buildings, lunch-room equipment; purchase, exchange, and maintenance of bicycles and motor delivery vehicles, and other contingent expenses, $11,000; in all, $29,500.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. STAFFORD. We are now coming to a very important subject, and this sparsely attended membership, I think, should not be burdened with the consideration of it.

Mr. SISSON. Where is that?

Mr. STAFFORD. On page 12.

Mr. SISSON. Very well. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. KITCHIN, as Speaker pro tempore, having resumed the chair, Mr. GARNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 13277) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1920 and for other purposes, and had come to no resolution thereon.

WITHDRAWAL OF PAPERS.

Mr. WELTY, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of George R. Gary (H. R. 1016, 63d Cong.), no adverse report having been made thereon.

LEAVE OF ABSENCE.

Mr. LARSEN, by unanimous consent, was granted leave of absence for 15 days on account of important business.

POST OFFICE APPROPRIATION BILL.

Mr. MOON, by direction of the Committee on the Post Office and Post Roads, reported the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes, which, with the report (No. 489) thereon, was ordered printed and referred to the Committee of the Whole House on the state of the Union.

Mr. STEENERSON. Mr. Speaker, I reserve all points of order on the bill.

SALARIES OF REPRESENTATIVES DISCHARGED FROM MILITARY SERVICE.

Mr. GARD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table House joint resolution 358, discharge the committee to which it was referred from further action, and put it on its passage.

Mr. LONGWORTH. I suggest that the resolution be reported.

The SPEAKER pro tempore. Is the resolution referred to a Senate resolution?

Mr. GARD. It is a House resolution.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent to discharge the committee from further consideration of House joint resolution 358 and for the immediate consideration of the same. The Clerk will report the joint resolution by title.

The Clerk read the title of the joint resolution (H. J. Res. 358) authorizing and directing the payment of the usual compensation of Representatives in Congress to those Members of the House who have been discharged from their military or naval duties.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. STAFFORD. Let it be reported for information.

The SPEAKER. The Clerk will read it for information.

The joint resolution was read, as follows:

Resolved, etc., That the Sergeant at Arms of the House of Representatives be, and he is hereby, authorized and directed to pay to those Members of the House of Representatives of the Sixty-fifth Congress who have been serving with the military or naval forces of the United States in the recent war with Germany and her allies, compensation from and after the day of their discharge from military or naval duty at the rate provided by law for Representatives in Congress, upon the resumption and during the continuance of their duties as Representatives in Congress.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, as I understand from the reading of this joint resolution it merely provides for the compensation of those Members of the House who have joined the military service from the date of their discharge?

Mr. GARD. Yes. There are several Members of the House, as gentlemen know, who went into the military service, and they are now returning to service in this body. This resolution provides a means of protection to the Sergeant at Arms in paying them for their services as Members of the House of Representatives when they have secured their discharge from the military service and have resumed their duties in this House.

Mr. STAFFORD. It makes no provision whatsoever for paying back salaries to those Members who have joined the military service while they were in the service?

Mr. GARD. No.

Mr. HEFLIN. Mr. Speaker, I have heard that some gentlemen have not accepted pay while they were in the Army and have not drawn their salaries here. What provision is made for them?

Mr. GARD. None in this joint resolution.

Mr. STAFFORD. There can be no objection, as I see it, to this joint resolution, because it merely provides for the payment of their salaries from the time they resume their duties here.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. LONDON. Mr. Speaker, may I suggest that the word "recent" be changed to the word "present," because the war is not over?

Mr. GARD. Possibly that would be better. I have no objection.

The SPEAKER pro tempore. Without objection, that change will be made.

There was no objection.

The joint resolution as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

ENROLLED JOINT RESOLUTION SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title, when the Speaker signed the same:

H. J. Res. 356. Joint resolution authorizing the payment of the salaries of officers and employees of Congress for December, 1918.

ADJOURNMENT.

Mr. SISSON. I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 5 minutes p. m.) the House adjourned until to-morrow, Tuesday, December 10, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting a detailed report of the expenditures under the appropriation "Preventing the spread of epidemic diseases," for the fiscal year ended June 30, 1918 (H. Doc. No. 1562); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Alien Property Custodian, submitting a supplemental estimate of appropriation required for salaries and expenses of his office for the fiscal year 1919 (H. Doc. No. 1563); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting a supplemental estimate of appropriation for an increase in the salary of the principal bookkeeper of the office of the Treasurer of the United States for the fiscal year 1920 (H. Doc. No. 1564); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting statement showing the number of employees and their compensation in the Bureau of Engraving and Printing whose compensation is paid from "Compensation of employees," as carried in the sundry civil bill, but who are detailed for duty in connection with clerical work of the bureau (H. Doc. No. 1565); to the Committee on Expenditures in the Treasury Department and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting copy of communication from the Acting Secretary of Commerce, submitting supplemental estimate of appropriation required by the Department of Commerce for the fiscal year 1920 (H. Doc. No. 1566); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Secretary of the Treasury, transmitting copy of communication from the Acting Secretary of Commerce, submitting supplemental estimate of appropriation required by the Department of Commerce for the fiscal year 1919 (H. Doc. No. 1567); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Secretary of the Treasury, transmitting copy of communication from the Superintendent of the State, War, and Navy Department Building, submitting a supplemental estimate of appropriation for an assistant to the superintendent, and for increases in salaries of certain employees, for the period from December 1 to June 30, 1919 (H. Doc. No. 1568); to the Committee on Appropriations and ordered to be printed.

8. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Northeast River, Duplin County, N. C. (H. Doc. No. 1569); to the Committee on Rivers and Harbors and ordered to be printed.

9. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary exami-

mission of Indian and Halifax Rivers, Fla. (H. Doc. No. 1570); to the Committee on Rivers and Harbors and ordered to be printed with illustration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. FOW, from the Committee on Rules, to which was referred the resolution (H. Res. 469) providing for an investigation of the National Security League, reported the same without amendment, accompanied by a report (No. 844), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SLAYDEN, from the Committee on the Library, to which was referred the joint resolution (S. J. Res. 187) providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress, reported the same without amendment, accompanied by a report (No. 845), which said bill and report were referred to the House Calendar.

Mr. BAKER, from the Committee on the Public Lands, to which was referred the bill (H. R. 13056) to grant to citizens of Modoc County, Cal., the right to cut timber in the State of Nevada for agricultural, mining, or other domestic purposes, and to remove such timber to Modoc County, Cal., reported the same without amendment, accompanied by a report (No. 846), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SINNOTT, from the Committee on the Public Lands, to which was referred the bill (H. R. 13042) providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act, reported the same with amendment, accompanied by a report (No. 847), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. COLLIER, from the Committee on Ways and Means, to which was referred the bill (H. R. 5090) for the establishment of Gulfport, Miss., as a port of entry and delivery for immediate transportation without appraisement of dutiable merchandise, reported the same without amendment, accompanied by a report (No. 848), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LOBECK: A bill (H. R. 13293) for the promotion of certain officers in the United States Army; to the Committee on Military Affairs.

By Mr. GARD: A bill (H. R. 13294) to amend an act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1916, and for other purposes, approved March 3, 1915; to the Committee on Military Affairs.

By Mr. GOULD: A bill (H. R. 13295) to provide that all enlisted men and noncommissioned officers in the military service shall retain, when honorably discharged, their uniform and other clothing; to the Committee on Military Affairs.

By Mr. LEVER: A bill (H. R. 13296) to authorize the Secretary of Agriculture to establish uniform standards of classification of fruits and vegetables; to provide for the use of such standards in interstate and foreign commerce; to prevent deception in reference thereto, and for other purposes; to the Committee on Agriculture.

By Mr. LAGUARDIA: A bill (H. R. 13297) for the retirement of employees of the United States; to the Committee on Reform in the Civil Service.

By Mr. GRAY of New Jersey: A bill (H. R. 13298) providing for the establishment of a national railway system to coordinate and protect the respective interests therein of the Government, the public, the investor, and the employee, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MERRITT: A bill (H. R. 13299) making an appropriation for the improvement of the Mianus River between the New York, New Haven & Hartford Railroad bridge and Mianus, Conn.; to the Committee on Rivers and Harbors.

By Mr. SNYDER: A bill (H. R. 13300) restricting the sale and disposal of certain Government supplies; to the Committee on Interstate and Foreign Commerce.

By Mr. NEELY: A bill (H. R. 13301) for the relief of certain noncommissioned officers of the United States Army who were recalled to active service during the recent war and commissioned as officers; to the Committee on Military Affairs.

By Mr. GALLAGHER: A bill (H. R. 13302) to increase the limit of cost for the new public-building site for the west side, Chicago, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. MONDELL: A bill (H. R. 13303) granting to persons honorably discharged from the military or naval forces of the United States one month's extra pay and the uniforms and apparel in their possession at the time of such discharge; to the Committee on Military Affairs.

By Mr. WATKINS: A bill (H. R. 13304) authorizing the appointment of a commission to codify, revise, double index, and annotate all of the laws of the United States of a permanent and general character; to the Committee on Revision of the Laws.

By Mr. DILLON: A bill (H. R. 13305) to permit soldiers and marines to retain the uniforms and clothing worn by them at the time of discharge and to pay them two months' extra wages; to the Committee on Military Affairs.

By Mr. SAUNDERS of Virginia: A bill (H. R. 13306) to authorize the payment of allotments out of the pay of enlisted men in certain cases in which these payments have been discontinued; to the Committee on Interstate and Foreign Commerce.

By Mr. MOTT: A bill (H. R. 13307) to deport to their native countries at the conclusion of peace all enemy aliens confined in internment camps in the United States; to the Committee on Military Affairs.

By Mr. MOON: A bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. BLAND of Indiana: Resolution (H. Res. 470) creating a committee on war-risk insurance, soldiers' and sailors' compensation and allowances, and defining its jurisdiction; to the Committee on Rules.

By Mr. IRELAND: Resolution (H. Res. 471) to pay Charlotte Sterling, clerk to the late John A. Sterling, Representative in Congress, $166.66; to the Committee on Accounts.

By Mr. RAKER: Resolution (H. Res. 472) authorizing clerks to certain committees of the House; to the Committee on Accounts.

Also, resolution (H. Res. 473) authorizing clerk for the Committee on Woman Suffrage; to the Committee on Accounts.

By Mr. MONDELL: Resolution (H. Res. 474) requesting of the Secretary of War certain information with regard to hospitals; to the Committee on Military Affairs.

By Mr. KENNEDY of Rhode Island: Joint resolution (H. J. Res. 302) requesting the plenipotentiaries of the United States at the peace conference to urge that the future government of the people of Ireland be settled by a vote of the people thereof; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND of Indiana: A bill (H. R. 13309) granting an increase of pension to Asa Stewart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13310) granting a pension to Alice Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13311) granting a pension to Julia Davis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13312) granting an increase of pension to Mathias Berry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13313) granting a pension to Frank R. Wall; to the Committee on Pensions.

Also, a bill (H. R. 13314) granting an increase of pension to Jobe C. Walton; to the Committee on Pensions.

By Mr. CANNON: A bill (H. R. 13315) granting a pension to Adelian M. Fairchild; to the Committee on Pensions.

By Mr. HAMILTON of New York: A bill (H. R. 13316) granting an increase of pension to Katharine L. Cushing; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 13317) granting a pension to Charles Desmond; to the Committee on Pensions.

By Mr. TINKHAM: A bill (H. R. 13318) authorizing the Treasurer of the United States to pay to Rosamond Linnette the sum of $763.20; to the Committee on Claims.

By Mr. WEAVER: A bill (H. R. 13319) granting an increase of pension to John Early; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ESCH: Resolution of the California State Federation of Labor, in convention assembled at San Diego, Cal., October 9, 1918, indorsing the McKellar-Keating bill and urging its favorable consideration by Congress; to the Committee on Reform in the Civil Service.

By Mr. FULLER of Illinois: Petition of Dean L. Moberley, of Streator, Ill., and Robert L. McGuire, of Earlville, Ill., protesting against tax on brokers; to the Committee on Ways and Means.

Also, memorial adopted at a mass meeting of the citizens of Peru and La Salle, Ill., for the freedom and independence of Ireland; to the Committee on Foreign Affairs.

By Mr. GALLIVAN: Resolution of the Associated Industries of Massachusetts urging amendment of the Federal tax law; to the Committee on Ways and Means.

By Mr. TAGUE: Memorial of Division No. 72, Ancient Order of Hibernians in America, of Boston, Mass., regarding home rule for Ireland; to the Committee on Foreign Affairs.

By Mr. TINKHAM: Resolution of Division No. 72, Ancient Order of Hibernians in America, urging independence for Ireland; to the Committee on Foreign Affairs.

By Mr. VARE: Resolutions of Rotary Club of Philadelphia for retirement of superannuated civil Government employees; to the Committee on Reform in the Civil Service.

SENATE.

TUESDAY, *December 10, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, our great military leaders on the field of battle have recognized Thy grace to us as a people. Thy mighty arm has gained us victory, and in this place of political power, where we shape the policies of a nation, we would no less recognize Thy right to rule and our dependence upon Thy grace and Thy power. A mighty task, unspeakable in its greatness, the greatest that has ever faced, perhaps, organized society, lies just before us. Oh, do Thou give us grace, Almighty God, to meet the issues of our day and to triumph by our dependence upon Thee and by Thy divine guidance in all that pertains to the happiness and prosperity of the world. For Christ's sake. Amen.

The Journal of the proceedings of Friday, December 6, 1918, was read and approved.

SENATOR FROM OREGON.

Mr. CHAMBERLAIN. Mr. President, I present the credentials of my colleague, Hon. FRED W. MULKEY, who has been elected for the short term by the people of Oregon as Senator. I ask that the credentials may be read.

The VICE PRESIDENT. The credentials will be read.

The Secretary read as follows:

STATE OF OREGON,
EXECUTIVE DEPARTMENT.

CERTIFICATE OF ELECTION.

To all to whom these presents shall come, greeting:

Know ye, that it appearing from the official canvass of the vote cast at the general election held within and for the State of Oregon on Tuesday, the 5th day of November, A. D. 1918, that FRED W. MULKEY, of Multnomah County, State of Oregon, received the highest number of votes cast for the office of United States Senator in Congress at said general election:

Now, therefore, I, James Withycombe, governor of the State of Oregon, by virtue of the authority vested in me under the laws of the State of Oregon, do hereby grant this certificate of election and declare said FRED W. MULKEY, of Multnomah County, State of Oregon, to be duly elected to the office of United States Senator in Congress of the State of Oregon for the term of ------ to fill the vacancy in term ending March 4, 1919.

In testimony whereof I have hereunto set my hand and caused the seal of the State of Oregon to be hereunto affixed.

Done at the Capitol, at Salem, Oreg., this 30th day of November, A. D. 1918.

JAMES WITHYCOMBE, *Governor.*

By the governor:
[SEAL.]

BEN W. OLCOTT,
Secretary of State.

The VICE PRESIDENT. Is there any objection to the credentials? The Chair hears none, and they will be placed on file.

Mr. CHAMBERLAIN. I ask that the oath be administered to Mr. MULKEY, who is present.

The VICE PRESIDENT. The newly elected Senator will present himself at the desk for the purpose of taking the oath of office.

Mr. MULKEY was escorted to the Vice President's desk by Mr. CHAMBERLAIN, and the oath prescribed by law having been administered to him he took his seat in the Senate.

SENATOR FROM IDAHO.

Mr. NUGENT. Mr. President, I present the credentials of my colleague, Hon. WILLIAM E. BORAH, which I ask to have read and placed on file.

The credentials were read and ordered to be filed, as follows:

STATE OF IDAHO—CERTIFICATE OF ELECTION.

To all to whom these presents shall come, greeting:

Whereas the Board of Canvassers of the State of Idaho, as provided in section 453 of the Revised Codes, having duly canvassed, declared, and certified on the 25th day of November, A. D. 1918, to the secretary of state that at a general election held in said State on the 5th day of November, A. D. 1918, WILLIAM E. BORAH received the greatest number of legal votes cast at said election for the office of United States Senator and is therefore elected to such office.

Now, therefore, I, W. T. Dougherty, secretary of state of the State of Idaho, do certify that WILLIAM E. BORAH is elected to the office of United States Senator in and for the State of Idaho for the period of six years commencing the 4th day of March, A. D. 1919, and ending the 4th day of March, A. D. 1925, as appears by the records in my office.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Idaho. Done at Boise, the capital of said State, this 25th day of November, in the year of our Lord 1918, and of the independence of the United States of America the one hundred and forty-third.

[SEAL.]

W. T. DOUGHERTY,
Secretary of State.

PERSONAL EXPLANATION.

Mr. HITCHCOCK. Mr. President, I rise to a question of personal privilege.

The Judiciary Committee, by direction of the Senate, is investigating the subject of German propaganda work in this country during the war. On Saturday before that committee certain evidence was produced by Mr. Bielaski and my name was so referred to as to justify me in making a brief comment.

The evidence in question consisted of a letter dated July 22, 1915, signed "Relswitz," and sent to some one whom he addressed as "Your Excellency." We are told that Relswitz was then the German consul at Chicago. His letter appears to give the so-called "excellency" information concerning a German movement in this country to stop the export of arms and ammunition. This movement was known as the Embargo Conference. In this letter Relswitz mentions my name in the following paragraph:

Among others, the following have agreed to cooperate: Senator HITCHCOCK, Congressman Buchanan, William Bayard Hale, of New York, and the well-known pulpit orator, Dr. Aked (born an Englishman), from San Francisco.

HITCHCOCK seems to be very strong for the plan. He told our representative at a conference in Omaha, "If this matter is organized in the right way, you will sweep the United States."

If his alleged "excellency" or Relswitz himself had any intelligence, either or both of them must have known that I was myself the author of the bill to prohibit the export of arms and ammunition and that I had introduced it in the Senate more than eight months before the Relswitz letter was written. They must have known that I had made a Senate speech upon it and that it had been debated in the Senate and discussed in the newspapers. They must have known that on February 17, 1915, I had offered my bill as an amendment to the shipping bill then pending and that my amendment had been defeated by a vote of 36 to 51. My position, therefore, in favor of prohibiting the export of arms and ammunition had been independently and publicly taken and was widely known months before Relswitz discovered it and revealed it to his chief as a secret.

The part I took during 1914 and 1915 in favor of prohibiting the export of arms and ammunition during our neutrality has never been a subject of concealment or apology on my part. It became a campaign issue in 1916 when I ran for reelection, and the fact that I was reelected by a comfortable majority indicates that my course and my motives were understood and approved by the people of Nebraska.

My stand was taken in 1914 as an American for neutrality. The Germans in America took theirs by forming the Embargo Conference in 1915 as partisans of Germany. They were supporting my bill, but I declined to go to their conferences, conventions, or meetings, though I was often invited to appear as a speaker. I made my only speeches here in the Senate or in defending my course later before my constituents.

In those days, Mr. President, the country was under a pledge of neutrality by virtue of the President's proclamation made when the war broke out. We should, no doubt, have remained neutral, at least nominally and officially, if Germany had not by a series of outrages made our attitude first difficult and then impossible.

My attitude naturally changed with changing conditions.

I stand first, for a strict, peaceful, and impartial neutrality even to the extent of selling no arms and ammunition and lending no money to either side.

Now, when Germany began a systematic attack on our commerce, I [illegible] the right to protect our neutrality.

I supported the President's request that we authorize him to protect our neutrality by arming our merchant ships, and I had charge in the Senate of what was known as the armed neutrality resolution, which died so dramatically here in the Senate at noon on March 4, 1917.

Later, when the issue changed from armed neutrality to war, I had charge of the declaration of war, which was vigorously debated and passed by the Senate April 4, 1917.

And so, Mr. President, like other Americans, I have passed from one phase of the situation to another—peaceful neutrality, armed neutrality, war. German conduct forced these changes not only in the case of public men, but in the case of the country as a whole. This conduct was not wholly confined to the outrages perpetrated upon the high seas and in the war areas in Europe, but it included the criminal folly of German agents, whom Mr. Bielaski has been investigating. The latter exasperated American patience at home while German treachery abroad aroused American resentment.

I have no disposition to criticize Mr. Bielaski for revealing all the secret correspondence of these German agents and conspirators with each other. It is evident, however, that they in their correspondence with each other have used the names of a number of public men recklessly if not falsely. They reached the climax of absurdity when they recorded Prof. Albert B. Hart, of Harvard, as one of the public men of America who would cooperate with them.

In my case they knew that I had refused to join their organization, refused to speak at their meetings, or even to attend them, though they were camouflaged as American.

I supported in the days of our neutrality the embargo idea as a Senator, as the publisher of a large newspaper, and as an American, but I declined to associate myself with those who became partisans of Germany.

WOMAN SUFFRAGE.

Mr. SHERMAN. Mr. President, I shall send to the desk of the Secretary in a moment the press report of the street car strike in Cleveland, Ohio, references to the difficulty by the National War Labor Board, and certain comments of Mr. Morrison, of the American Federation of Labor, thereon. If the Senate will tolerate me for about three minutes, I should like to make a short statement. There is no objection, Mr. President? The woman suffrage joint resolution is pending and undisposed of in this body, coming over here from the House.

Last September, under stress of war conditions, in Cleveland women became street car conductors, taking the place of those who were in war service or had gone into the military or naval service. There not many days ago, Mr. President, a strike was instituted on the ground that the emergency having passed, the armistice having been signed some time ago, the unions of Cleveland would not tolerate longer the presence of women as car conductors in that city. The matter came before the National War Board. It was ruled by that board that the women conductors in the Cleveland street car system must go. Mr. Morrison, of the American Federation of Labor, its secretary, says:

Organized labor has not suspended any of its rules; it has not held any of its fundamental laws in abeyance; it has simply acquiesced in certain things done by the Government because by such acquiescence it was believed the war could be more speedily brought to a successful termination. All rules which experience has shown are necessary to obtain for labor its just rights are still in full force and effect, and none has ever been abrogated or suspended.

Following this statement of Mr. Morrison, or, rather, preceding it, if I get the point of time correctly, was the ruling by the War Labor Board that the women conductors must be dispensed with in the city of Cleveland.

On the 6th day of December, 1918, here in the city of Washington a crowd of suffragettes were rotten-egged at Lafayette Park. They were in pursuance of a lawful right, holding an assembly. The purposes of that assembly I have no sympathy with. I have no sympathy with their picketing or with some of the remarks made at that assembly. I think the President has done as much to officially forward the passage of the joint resolution as any occupant of the President's office can well do, and I am not in sympathy with their criticism in this regard. Nevertheless if the women of Ohio or of the country had the same vote that men have they would not be rotten-egged in Washington, nor would they be discharged, with the approval of the secretary of the Federation of Labor and the finding of the National War Labor Board, from their service in Cleveland, Ohio, as street car conductors. If they were good enough to serve when the country was in the stress of a great emergency, they are good enough to continue that service until they see fit to voluntarily retire.

While the joint resolution is pending and undisposed of here, this disregard of the rights of women in this country probably will continue. Such exhibitions as the rotten-egging of women in Washington, whatever their conduct may be, whatever the cause which they represent may be, however much I may not be in sympathy with them, their discharge merely because they are women and not because they are not performing their duties correctly as conductors of street cars—those matters are a disgrace to Washington, they are a disgrace to the city of Cleveland, and they area reflection upon the sense of fair play that belongs to the American male citizen.

I trust the joint resolution will come in due time to a vote again, that ultimately it will pass, and that woman may be clothed with the right of a ballot, so that she may protect herself against such discrimination both in occupation and in her right of lawful assembly and expressing her sentiments.

I ask that these matters, including a protest of the National Women's Trade Union League night before last here in Washington, in which Mrs. Robbins and others entered their protest on these matters, may be incorporated in the RECORD and printed at length. I do not ask that they be read, but I think they ought to be preserved to be used in connection with the suffrage resolution which is still pending.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

CLEVELAND STREET CAR STRIKE ENDS.

CLEVELAND, OHIO, *December 6.*

Following an all-day conference, 2,400 striking motormen and conductors of the Cleveland Railway Co., who quit work Tuesday morning, have voted to accept the proposition of President John J. Stanley, of the company, that he would dismiss 150 women conductors by March 1.

The company officials and representatives of employees met and signed the agreement which ended the strike. The women conductors have been employed since September 1. Cleveland was without car service for three days.

WOMEN START FIGHT FOR JOBS—NATIONAL TRADES UNION TO MAKE CLEVELAND CASE TEST FOR NATION.

The National Women's Trade Union League last night announced through its president, Mrs. Raymond Robbins, that it would support the women street car conductors in Cleveland in their fight to retain their positions, which the National War Labor Board recently decided should be given up to men to end a strike. It will be made a test of the economic independence of women and the right to jobs they now hold as a result of the war.

Mrs. Robbins telegraphed to the women that "the league is standing by you in your fight for the right to work," and urged them to enter a formal appeal from the decisions of the National War Labor Board.

"The Cleveland case," said an officer of the league, "is but a symptom of a serious industrial possibility which will manifest itself in other occupations if this decision by the National War Labor Board is allowed to stand. It is monstrous that the Government itself should establish a precedent like this at a time so critical in the history of the whole world. The women of the country will resist it, of course, and the National Women's Trade Union League is prepared to go the limit to fight an injustice like this. We call upon all the women of the country to join us."

WAR LABOR BOARD'S DECISION ON WOMAN CONDUCTORS. TOPIC SECRETARY MORRISON, OF FEDERATION OF LABOR, REGARDS DECLARATION THAT THEIR EMPLOYMENT IS NOT ESSENTIAL TO ROADS' SUCCESS AS PRECEDENT.

Organized labor is taking especial interest in the decision of the War Labor Board declaring the employment of women on the street railways of Cleveland not essential to the successful operation of the roads. Frank Morrison, secretary of the American Federation of Labor, asserts that in the judgment of the organization the precedent established by the board is likely to be followed all over the country.

"Organized labor has not suspended any of its rules; it has not held any of its fundamental laws in abeyance; it has simply acquiesced in certain things done by the Government, because by such acquiescence it was believed the war could more speedily be brought to a successful termination," said Mr. Morrison. "All rules which experience has shown are necessary to obtain for labor its just rights are still in full force and effect, and none has either been abrogated or suspended."

RETICENT ON FEDERATION ATTITUDE.

Mr. Morrison refused to say what the attitude of the federation would be regarding what are known in munition factories and among shipbuilders as "mushroom mechanics." These are young men who have not served their time as apprentices, but have, in many cases, taken on tasks that under ordinary circumstances are not assigned to men until they have spent four years acquiring knowledge of their trade.

"This is a matter too complicated for me to discuss at the present time. It requires a great deal of thought and exhaustive treatment," Mr. Morrison said.

Mr. Morrison intimated that when the various departments employed "mushroom mechanics" organized labor did not protest, neither did it consent to the proceeding. But the exigencies of the war required that it acquiesce.

It was pointed out to Mr. Morrison that if organized labor, now that the war is over, declines longer to "acquiesce" many thousands of boys who did the work of men during the war must return to the activities usually assigned to boys or go back to school.

REGARDED AS DIFFICULT PROBLEM.

"I can't comment on that phase of the matter," Mr. Morrison said. In another responsible quarter it was stated that the problems of disposing of the woman in overalls and in uniform will be even more difficult of solution than the "mushroom mechanic problem." Many thousands of women are working at lathes in factories, are employed as riveters by the Emergency Fleet Corporation, or are engaged in other fields which before the war were not open to women workers.

"Women mechanics will have to leave the Shipping Board," an official of that organization said. "They are war-emergency workers. The war having ended, the emergency ceases to exist, therefore the woman mechanic or helper can not expect much longer to remain in this field."

EGGS FIRED AT "SUFFS"—LAFAYETTE STATUE AN UNCOOKED OMELET AFTER FEW HOURS—YOUNG GIRLS START RUMPUS—TWO MAIDS FROM THE WEST TEAR DOWN BANNER UNCOMPLIMENTARY TO WILSON BORNE AT MILITANTS' MEETING—THEY AND TWO MALES, ALSO DISTURBERS, TAKEN BY POLICE.

Facing a hostile crowd, suffragettes who met in Lafayette Square last night were forced to dodge an occasional volley of eggs thrown by some chaps who booed and hooted the speakers from the time they began their meeting at 4 o'clock in the afternoon until the meetings ended at 9 o'clock last night. Although none of the suffragettes was hit, the statue of Lafayette resembled an uncooked omelet.

Two war workers, Miss Margaret Rose Bottling and Miss Nell Louise Bowen, both of 2600 F Street NW., led a crowd shortly after 8 o'clock which tore down and destroyed the "suff" banner.

GIRLS PAY $25 COLLATERAL.

After an hour in the house of detention both girls, who came from Illinois to work for democracy, were released on $25 each collateral. Clayton West, 1796 Columbia Road, and John Rankin, 14 8 Street NW., also were arrested.

The banner which was torn down read: "We protest: Wilson has sailed away to aid democracy in Europe, while he with his party is responsible for denying democracy to 20,000,000 citizens of America. An autocrat at home is a poor champion of liberty abroad. We want democracy here!"

POLICEMEN CALL FOR HELP.

That there would be trouble was apparent shortly after the suffragettes assembled at 1 o'clock. The two policemen on hand at the beginning of the meeting were forced to call for reinforcements to hold the crowd in check. Soldiers and sailors set up rival meetings, sang and shouted.

The meeting was one of a series, held in preparation for the big demonstration on December 16, when women from every State in the country will demand immediate passage of the Anthony amendment.

STRUCTURES ON UNION STATION PLAZA.

Mr. VARDAMAN. Mr. President, I send to the desk a very short editorial from the morning Herald of this city, in which is discussed the question of investigating the construction of the buildings now in course of completion upon the Union Station Plaza, which I ask to have read. It deals with a matter which Congress should take cognizance of immediately and stop the needless waste of public funds.

There being no objection, the editorial was read as follows:

UNION STATION PLAZA HOUSING FIZZLE.

The Housing Corporation wants to spend $400,000 more to complete the 90 per cent completed housing project on the Union Station Plaza.

Of this sum $100,000 is to go for construction and the remainder for laundry, cafe and furniture.

Questionnaires to determine the expediency of completing this housing operation in face of a probable exodus of war workers are being sent to all Government departments by the Senate Committee on Buildings and Grounds, which is investigating the United States Housing Bureau.

I would like to see the questionnaire which the Senate committee would quiz certain Housing Corporation officials as to the delays of their building programs. Their work has been characterized by unfulfilled promises. It appears that the Housing Corporation, as far as its work locally is concerned, is the one Government department during the war which did not satisfactorily accomplish what it set out to do.

To the bewilderment of 2,000 women war workers the buildings on the Union Station Plaza have met with a series of delays in the course of their construction. Originally the plan, according to promises, was to have these houses ready for occupancy months ago. Now they are but 90 per cent completed and past performances of the Housing Corporation do not warrant the granting of another chance to finish construction.

It seems to be admitted by the testimony to the Senate committee that the buildings between the Capitol and Union Station would only be occupied for a year, if now completed, and then be removed.

If the immediate comfort of 2,000 tired women war workers were assured, we would say go ahead and spend $400,000 more after already wasting $1,800,000 on this work, from which not a cent's worth of benefit will be derived aside from those who received this public money for labor and material.

But if the Housing Corporation will act with the same speed and judgment in spending an additional $400,000 on this project as they did in spending nearly $2,000,000, the buildings will perhaps be completed in time to tear them down.

The improper housing of the thousands of war workers, the certain neglect of some one responsible for the providing of proper accommodations, will always be remembered over the entire country by those who suffered as the one black mark on Washington's otherwise glorious war record.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H. R. 12917. An act to provide for the establishment of a sanatorium for the treatment of persons discharged from the military and naval forces of the United States, and for other purposes; and

H. J. Res. 358. A joint resolution authorizing and directing the payment of the usual compensation of Representatives in Congress to those Members of the House who have been discharged from their military or naval duties.

ENROLLED JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the enrolled joint resolution (H. J. Res. 356) authorizing the payment of salaries of officers and employees of Congress for December, 1918.

PEACE TERMS.

Mr. LODGE. I present a statement from the executive board of the National Committee of Patriotic Societies, representing 46 leading patriotic war organizations. I ask that it may be printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the statement was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *December 7, 1918.*

The executive board of the National Committee of Patriotic Societies, representing 46 leading patriotic organizations of the country, with an aggregate membership of more than 2,500,000 in all, has formulated, with the cooperation of experts in international affairs, "dictated peace" terms for adoption at Versailles, which include payment to the central powers of the full cost of the war, including reparation and indemnity for all damages and deaths, the former German colonies not to be returned, control of raw materials by the allies, and disarmament of Germany with exclusion from any league of nations until the discharge of all her obligations. It is the conclusion of the exhaustive study of the world peace question by the board. The terms are as follows:

Restitution and reparation:

1. Restitution of all indemnities levied and property taken by the central powers.

2. Reparation of all damage to property caused by the central powers, including depredations at sea.

3. Indemnities to cover civilians murdered or injured, including those (a) in invaded countries, and (b) on the high seas.

4. (a) The central powers to bear the cost of war to the allies—the war debts of Belgium, France, and Serbia to be paid first.

(b) Application of public and private resources of central powers to such payments and the control of the finances of the central powers until all restitution and reparation are carried out.

Territorial:

1. Alsace-Lorraine restored to France.
2. Italia Irredenta restored to Italy.
3. Lands under Turkish rule to be freed and their governments reorganized in conformity with racial conditions and under the protection of the allied powers.
4. Dardanelles to be under control of allied powers.
5. Serbia, Montenegro, Albania, Roumania, and Greece to receive territories rightfully theirs by racial, lingual, and national claims.
6. Independence of Poland, Czecho-Slovakia, and Jugo-Slavia, including all districts inhabited by Poles, Czecho-Slovaks, and Jugo-Slavs.
7. Schleswig-Holstein to determine whether it wishes to return to Denmark; Duchy of Luxemburg to be independent, or joined to Belgium or France if her people so desire.
8. Order to be restored in Russia and provisions made for freedom from all Teutonic encroachments.
9. German colonies not to be returned to Germany.
10. Kiel Canal and Heligoland to be under control of allied powers.

General:

1. Treaties of Bucharest and Brest-Litovsk to be abrogated.
2. Nucleus of the central powers surrendered to the allies.
3. Disarmament of the central powers.
4. Necessary enemy territory to be occupied until restitution and reparation are effected.
5. Punishment not only of the ex-Kaiser but of the others responsible for the war and for the violations of The Hague Conventions.
6. International arbitration and league of nations as complement of policy of national defense. The central powers not to be admitted into the league until full discharge of their obligations under the treaty and until they achieve permanent establishment of free institutions.
7. Control of raw materials by the allies until the central powers are admitted to the league of nations.

This is a correct statement regarding the attitude, conclusions, and wishes of the executive board of the National Committee of Patriotic Societies, which was organized February 21, 1917, to assist in the coordination of the work of national preparedness and patriotic service carried on by the various organizations in the United States.

The members of the executive board are: Edward Harding, chairman, Boy Scouts of America; Philip S. Post, committeeman at large; William S. Ellis, National Security League; Langdon P. Marvin, Military Training Camps Association of United States; Mrs. George Thacher Guernsey, Daughters of American Revolution; George Hewitt Myers, Army Leagues of the United States; Edwin O. Holter, committeeman at large; Mrs. Lewis B. Stillwell, National League for Women's Service.

The represented societies are: Aeronautical Society of America, American Committee for Devastated France, American Defense Society (Inc.), American Rights League, Army League of the United States, Army Relief Society, Association of Military Colleges and Schools, America's Allies Cooperative Committee, Boys' Club Federation, Boy Scouts of America, Colonial Dames of the Seventeenth Century, Colonial Daughters of America, Daughters of American Revolution, Descendants of Signers of Declaration of Independence, Duryea War Relief (Inc.), General Society Daughters of the Revolution, High School Volunteers of the United States, International Lyceum Association, League to Enforce Peace, Military Order of Loyal Legion of United States, Military Order of Foreign Wars of United States, Military Training Camps Association, National Americanization Committee, National Association for Universal Military Training, National Civic Federation, National Committee of One Hundred, National League for Women's Service, National Security League, National Society of United States Daughters of 1812, National Society of Daughters of Founders and Patriots of America, Naval and Military Order Spanish American War, Naval Training Association, Navy League of the United States, Order of Founders and Patriots of America, Patriotic Service League, Pioneer Craft Association, Society of American Wars, Sons of the Revolution, Sons of Veterans United States of America, Special Aid Society for

American Preparedness, Tuesday Relief Comfort Committee, United States Flying Squadron, Universal Military Training League, Women's Department National Civic Federation, Women's Naval Service, Inc., Affiliated Society Southern Congress.

EDWARD HARDING,
Chairman Executive Board.

[By Committee, Sun, 10 April 1917.]

Mr. LODGE presented a petition of Local Division No. 72, Ancient Order of Hibernians, of Boston, Mass., praying for the freedom of Ireland, which was referred to the Committee on Foreign Relations.

He also presented a petition of the Woman's Republican Club of New York City, N. Y., praying that the German nation be not fed by the United States, and that German goods of whatever description be not received, and that this country shall have no commercial relations with Germany, which was referred to the Committee on Foreign Relations.

Mr. NEW. I send to the desk resolutions adopted at a mass meeting of citizens of Indianapolis, Ind., by the friends of Ireland, held on one evening of last week, and I ask that they be printed in the RECORD without reading.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

Memorial in favor of free government for Ireland, adopted at a mass meeting of citizens of Indiana at Tomlinson Hall, Indianapolis, Ind., Sunday, December 1.

As citizens of the United States, a Nation that has successfully battled for the ideals that stand for democracy and liberty of the world, we are interested in the welfare of all nations, including Ireland and England, and particularly so in Ireland, as she is our nearest European neighbor and as citizens of Irish blood constitute a very large proportion of our vast population.

We hold that there should be no hostility or antagonism between the Irish and English peoples; that, as neighboring States, they have many interests in common, and that the peace and welfare of these two peoples are essential to the tranquillity and progress of the world.

We hold with President Wilson "that no people should be forced under a sovereignty under which it does not wish to live;" and that "all well-defined nationalities should have the right to choose their own form of government by free and untrammeled franchise, and decide by ballots vote the form of government they desire," carrying into practice the time-honored American doctrine, "all governments derive their just powers from the consent of the governed."

We hold that Ireland, our nearest European neighbor, is a "well-defined nationality," both racially, historically, and geographically. For more than 700 years she has steadfastly refused to recognize the English Government as the rightful government of Ireland. She has demonstrated her opposition to alien rule by revolts and rebellions every 25 years of that period, in which struggles her best patriots have given their lives and her unarmed people have made every sacrifice in the cause of liberty. Apart from this she has constitutionally battled for the right of a native government, and even under a limited franchise she has for the last 40 years returned to Parliament 86 out of 103 parliamentary representatives pledged to legislative independence.

We point to the fact that within the last year, at a convention of Irish representatives, selected by the English Premier, Lloyd-George, and presided over by that eminent Protestant Irish leader, Sir Horace Plunkett, a scheme for an Irish government was adopted by a decisive majority, vote of more than 85 per cent of the delegates; that this decision, in the form of an official report, was submitted as requested to the English Government, which had promised to act on the report of said convention, and that no action whatever has been taken, and that the people of Ireland are now held in subjection to a rule of militarism and force, their leaders imprisoned and deported without charge or trial, and all the rights and liberties of free men denied them.

We hold that this condition is contrary to the expressed ideals of the nations that fought "to free the world from autocracy," abhorrent to the American people and to all lovers of liberty and directly contrary to the declarations of our President at the time the United States entered the war, declarations which he has reiterated and emphasized as recently as September 27 of this year.

This being our conviction, and mindful of the devotion and loyalty of the Irish race to America from the days of the Revolution down to the present time, we citizens of Indianapolis, in mass meeting assembled, call upon our President on the eve of his momentous journey to the peace conference to insist that Ireland, like Belgium, Poland, Bohemia, Schleswig-Holstein, Finland, Serbia, and the Czecho and Jugo Slavs, shall have the right of self-determination.

Under whatever form of government the Irish people may establish, any minority of the Irish people can be fully protected by proper guaranty, and if any security for the good faith of the Irish nation be desired as American citizens we urge the President of the United States to give that security or indorsement, to the end that Ireland's liberty and independence be secured by international agreement, and that the Irish and English peoples may enter "the new day of democracy" as friendly neighboring nations, their differences forever ended. The unhappy cause removed by the end of the domination of one of them by the other.

And that these resolutions be telegraphed to-night to the President and to our Representatives and Senators for introduction to-morrow in the Congress of the United States.

And, further, that our Representatives and Senators be, and they are hereby, requested to support in Congress this week the resolution introduced by Representative GALLAGHER, of Illinois, now before the Foreign Affairs Committee, asking the United States to intervene at the peace council for self-determination for Ireland.

Mr. KELLOGG. I send to the desk a telegram in the nature of a petition to the Senate of the United States. If there be no objection, I should like to have the Secretary read the telegram, omitting the signatures thereto.

There being no objection, the telegram was read, as follows:

MINNEAPOLIS, MINN., *December 9.*

Hon. F. B. KELLOGG,
United States Senate, Washington, D. C.:

Resolution adopted at mass meeting held in Minneapolis December 8, 1918:

Whereas well-confirmed reports have reached us of terrible massacres of Jews in Poland and Galicia, where hundreds of innocent and helpless men, women, and children were murdered or burned to death by Polish soldiers; and

Whereas it is well known that certain influential elements in Poland not only connive at these atrocities against the Jews, but actually direct and encourage them; and

Whereas the rights to life, security, and the pursuit of happiness of 4,000,000 Jews, who have lived in Poland for hundreds of years and who have contributed to her industrial and commercial developments, are thus openly and flagrantly violated by the new Polish State, that has secured freedom as a result of the great sacrifices brought by America and the allies in the great war for democracy; Therefore be it

Resolved at a mass meeting of the Jewish community of Minneapolis assembled at the Kenneseth Israel Synagogue to protest against these outrages upon the Jewish people, That we appeal to the United States Congress to intervene on behalf of our persecuted people in Poland, and that this resolution be at once forwarded to both Houses of Congress in Washington.

Mr. NELSON presented memorials of O'Connor & Van Bergen, of St. Paul; of William L. Henderson & Co., of St. Paul; and of L. J. Buchanan and sundry other citizens of Minneapolis, all in the State of Minnesota, remonstrating against the proposed tax of 10 per cent on rentals of private wires in the pending revenue bill, which were ordered to lie on the table.

He also presented a telegram in the nature of a petition from Janney, Semple, Hill & Co. and sundry other citizens of Minneapolis, Minn., praying for the early passage of the pending revenue bill, which was ordered to lie on the table.

He also presented a resolution adopted by the Trades and Labor Council, of Winona, Minn., favoring the terms of peace as proposed by the President, which was referred to the Committee on Foreign Relations.

He also presented a resolution adopted by the Pioneers of the Ancient Order of Hibernians, of Ramsey County, Minn., praying for the freedom of Ireland, which was referred to the Committee on Foreign Relations.

Mr. JONES of Washington presented a memorial of the Chamber of Commerce and Commercial Club of Seattle, Wash., relative to the deportation of aliens who have withdrawn their applications to become citizens in order to escape operations of the draft, which was referred to the Committee on Immigration.

He also presented a memorial of the Central Labor Council of Seattle, Wash., remonstrating against the forced sale by the Government of properties in the State of Washington under the jurisdiction of the Spruce Production Division of the United States Signal Corps, which was referred to the Committee on Military Affairs.

He also presented a memorial of the Sectional Central Labor Council of Spokane, Wash., remonstrating against the enactment of legislation throwing aside the restrictions against importation of Asiatic labor, which was referred to the Committee on Immigration.

He also presented a petition of the Chamber of Commerce and Commercial Club of Seattle, Wash., praying for the designation of November 11 as the proper day for national thanksgiving, which was referred to the Committee on the Judiciary.

He also presented a resolution adopted by the Chamber of Commerce and Commercial Club of Seattle, Wash., favoring the adoption of an amendment to section 202 of the pending war-revenue bill, which was ordered to lie on the table.

Mr. WARREN presented resolutions adopted by the Retail Grocers and Butchers' Association of Cheyenne, Wyo., favoring the adoption of an amendment to section 202 of the pending revenue bill, which were ordered to lie on the table.

Mr. FLETCHER. I present resolutions unanimously adopted by the Board of Trade of Orlando, Fla.; also resolutions from the war-tax advisory committee of the National Association of Credit Men, together with a telegram from the president of the Credit Men's Association and the president of the Wholesale Grocers' Association of Tampa, Fla., favoring the fixing of the amount of taxes to be assessed against the year 1918 at the earliest possible time, and praying for the speedy passage of the pending revenue bill. I ask that the resolutions lie on the table, the bill having been reported.

The VICE PRESIDENT. The resolutions will lie on the table.

Mr. TOWNSEND presented a petition of the Rotary Club of Battle Creek, Mich., praying for universal military training, which was referred to the Committee on Military Affairs.

He also presented a resolution adopted by the Slavonic Workingman's Union, of Detroit, Mich., relative to the terms of peace, which was referred to the Committee on Foreign Relations.

He also presented a resolution adopted by the Board of Education of Niles, Mich., favoring the establishment of a national department of education, which was referred to the Committee on Education and Labor.

Mr. HALE presented a memorial of sundry citizens of Portland, Me., remonstrating against the enactment of legislation to prohibit amateur wireless installation, which was referred to the Committee on Interstate Commerce.

THE REVENUE.

Mr. THOMAS. Mr. President, I desire to offer a very brief minority report (Rept. No. 617, Part II), the minority consisting of myself, to the pending revenue bill.

The VICE PRESIDENT. The report will be received and printed.

Mr. PENROSE. Mr. President, if there is no objection, I desire to present at this time the views of the minority (Rept. No. 617, Part III) of the Committee on Finance on House bill 12863, known as the revenue bill of 1918, signed by all of the minority, with the exception of the senior Senator from Wisconsin [Mr. LA FOLLETTE], who, I am informed, will make a report expressing his own views.

The VICE PRESIDENT. The report will be received and printed.

Mr. SMOOT. Mr. President, in that connection I desire to state that I had the privilege of reading the report only a short time ago. Last Friday I reserved the right to offer further additional views prepared by myself upon the bill. I have not had the time to dictate my views since reading the reports which have just been presented, but I will do so within the next couple of hours; and I ask the privilege, when those views have been prepared, of handing them in at the desk and having them printed, if there be no objection.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. LA FOLLETTE. Mr. President, I desire to say that after I have examined these several reports, if I find I am not able to subscribe to them I ask consent to submit my views upon the pending bill?

The VICE PRESIDENT. Without objection, permission is granted.

MISSOURI RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (S. 5058) to authorize the counties of Morton and Burleigh, in the State of North Dakota, to construct a bridge across the Missouri River near Bismarck, N. Dak., and I submit a report (No. 619) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred, as follows:

By Mr. LEWIS:

A bill (S. 5137) to amend section 79 of the Judicial Code; to the Committee on the Judiciary.

A bill (S. 5138) to provide for the erection of a Federal courthouse and public building at Bloomington, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. JONES of Washington:

A bill (S. 5139) to expel and exclude from the United States aliens who, to escape military service, have withdrawn their declaration of intention to become citizens; to the Committee on Immigration.

By Mr. SMOOT:

A bill (S. 5140) to forbid the payment of pensions to alien enemies;

A bill (S. 5141) granting an increase of pension to Walter C. Fairweather (with accompanying papers); and

A bill (S. 5142) granting an increase of pension to George F. Griffith (with accompanying papers); to the Committee on Pensions.

By Mr. HALE:

A bill (S. 5143) granting an increase of pension to Peter Preck (with accompanying papers);

A bill (S. 5144) granting a pension to Lizzie E. Hinds (with accompanying paper); and

A bill (S. 5145) granting a pension to Carrie E. Hewett (with accompanying papers); to the Committee on Pensions.

By Mr. NEW:

A bill (S. 5146) granting an increase of pension to William Young;

A bill (S. 5147) granting an increase of pension to Anderson Ward;

A bill (S. 5148) granting an increase of pension to George W. Yocum;

A bill (S. 5149) granting an increase of pension to Andrew Wiend;

A bill (S. 5150) granting an increase of pension to John H. Welker;

A bill (S. 5151) granting a pension to Mary E. Hagerdorn (with accompanying papers); and

A bill (S. 5152) granting an increase of pension to John N. Jones; to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 5153) granting an increase of pension to Hiram F. Stover;

A bill (S. 5154) granting an increase of pension to Henry Wilton (with accompanying papers);

A bill (S. 5155) granting a pension to Charlotte M. Potterton (with accompanying papers);

A bill (S. 5156) granting a pension to Mary Kelly (with accompanying papers);

A bill (S. 5157) granting a pension to Louisa Leppla (with accompanying papers);

A bill (S. 5158) granting an increase of pension to Francis Straub (with accompanying papers);

A bill (S. 5159) granting an increase of pension to Peter C. Danforth (with accompanying papers);

A bill (S. 5160) granting a pension to Eliza A. Teters (with accompanying papers);

A bill (S. 5161) granting an increase of pension to Isobel M. Evans (with accompanying papers);

A bill (S. 5162) granting an increase of pension to Carthenia H. Moore (with accompanying papers);

A bill (S. 5163) granting an increase of pension to Smith Culler (with accompanying papers);

A bill (S. 5164) granting an increase of pension to Robert B. Patrick (with accompanying papers);

A bill (S. 5165) granting an increase of pension to George F. Hood (with accompanying papers);

A bill (S. 5166) granting an increase of pension to Stewart Orr (with accompanying papers); and

A bill (S. 5167) granting an increase of pension to Oliver P. Stumph (with accompanying papers); to the Committee on Pensions.

By Mr. CALDER:

A bill (S. 5168) for the relief of commissioned officers of the Army recommended for promotion; to the Committee on Military Affairs.

By Mr. CHAMBERLAIN:

A bill (S. 5169) to accept from the Southern Oregon Co., a corporation organized under the laws of the State of Oregon, a reconveyance of the lands granted to the State of Oregon by the act approved March 3, 1869, entitled "An act granting lands to the State of Oregon to aid in the construction of a military wagon road from the navigable waters of Coos Bay to Roseburg, in said State," commonly known as the Coos Bay wagon-road grant, to provide for the disposition of said lands, and for other purposes; to the Committee on Public Lands.

By Mr. SHERMAN:

A bill (S. 5170) granting a pension to John S. Dornblaser; to the Committee on Pensions.

EXCLUSION OF ALIENS.

Mr. JONES of Washington. Mr. President, the draft boards in our section of the country in the discharge of their duties found a great many individuals who had declared their intention to become citizens who, under the law that we passed subsequently, declared their intention to renounce their citizenship in order to avoid military service. Our draft boards, our chambers of commerce, and various other organizations have urged that such persons be deported from the country. In order to carry out that view, in which I very heartily concur, I introduce the bill which I send to the desk and ask that it be referred to the Committee on Immigration.

The bill (S. 5139) to expel and exclude from the United States aliens who, to escape military service, have withdrawn their declaration of intention to become citizens, was read twice by its title and referred to the Committee on Immigration.

CIVIL SERVICE.

Mr. SPENCER submitted the following resolution (S. Res. 376), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Postmaster General be, and he is hereby, requested to inform the Senate, if not inconsistent with the public service, whether information can be promptly asked for and received by cable, at the request of the immediate relatives of any officer or soldier in the over-seas service of the country, where no word has been received from such officers and soldiers for more than six weeks, as to whether such officer or soldier was on November 11, 1918, dead or alive.

ORDNANCE AND QUARTERMASTER'S SUPPLIES.

Mr. POINDEXTER. I offer the resolution which I send to the desk, providing for an investigation of the Bureau of Ordnance and the Quartermaster General's office by the Committee on Military Affairs. I ask that the resolution be read and referred to the Committee on Military Affairs.

The VICE PRESIDENT. The Secretary will read the resolution.

The resolution (S. Res. 377) was read, as follows:

Resolved, That the Committee on Military Affairs shall proceed at once to investigate the Bureau of Ordnance and of the Quartermaster General of the War Department with particular reference to the manner in which funds appropriated by Congress for ordnance and supplies have been expended by those offices during the present war with Germany, and that said committee shall report to the Senate the number of 3-inch and other artillery shells, small arms ammunition, rifles, automatic rifles, light and heavy machine guns, light and heavy field artillery, with the necessary carriages and other parts and appurtenances thereof, and the amount, kind, quality, cost, and disposition of food, clothing, and other necessary supplies and equipment procured by the said Ordnance Office and the office of the Quartermaster General, respectively, and supplied during the said war to the military forces of the United States in France, and what portion of the same were procured in the United States and what portion in France.

Said committee is directed to further inquire and report to the Senate the cost at which said guns, ammunition, supplies, food, clothing, and equipment, or other articles referred to above, was procured, whether or not the supply of the same was adequate or overabundant, and whether or not in each case the prices paid for the same by the officials of said offices was reasonable and just; and said committee shall further inquire into the system and method of organization of said offices and the number of employees therein during the present war, the methods of selection and commissioning of officers and appointment of employees, the reasonableness or unreasonableness of the compensation paid to employees, the efficiency or inefficiency of the conduct of the business assigned to said offices, bureaus, and the various subdivisions, branches, and agencies thereof.

Said committee is further directed to report to the Senate any failure to procure adequate supplies, ordnance, or equipment in the matters mentioned above and any misconduct or abuse in connection therewith, if any, and shall ascertain and report to the Senate the name and identity of the officer or employee of the United States responsible therefor in any degree; and in case there was any failure of procurement or supply in respect to the matters aforesaid said committee shall report the cause of such failure and whether or not agents of the German Government were in any way responsible therefor.

For the purposes of this resolution the said committee is authorized to draw, by its chairman, on the contingent fund of the Senate to pay all necessary expenses properly vouched for by its chairman, to subpœna witnesses and documents, to administer oaths, and to do all acts and things necessary to the carrying out of the purposes of this resolution.

Mr. POINDEXTER. Mr. President, as a reason for offering the resolution I submit, and ask to have printed in the RECORD, an article by a well-known newspaper correspondent of this city, Mr. P. H. Whaley. Among the statements made in that article is the following:

The total shipment of 3-inch shells of all kinds sent from the United States to France during the whole period we were in the war was only about 3,000,000, and * * * this supply, under the intensive conditions prevailing, would hardly have met the requirements for a single month.

I beg leave to say just a word in that connection. In the case of a great manufacturing nation, such as the United States, whose manufacturers, mechanics, and scientists are noted for their efficiency, it would seem to be impossible that by mere inefficiency, by mere mistakes, such a tremendous failure as is alleged here could have occurred. The same failure occurred in the production and shipment to France of airplanes; and the same sort of mistakes were made in regard to the supplies which came under the activities of the Quartermaster General of the Army. So the query necessarily arises as to whether or not this colossal failure of a great and wealthy nation to supply its troops with essential ammunition, artillery, and ordnance was not caused intentionally, whether or not there were treasonable activities that were thwarting the efforts of the War Department. As a part of the resolution, I have asked the Committee on Military Affairs to inquire into that phase of the question.

I remark in passing that, in my judgment, if half a dozen or so of traitors and spies had been executed under the law applicable to criminals of that kind in the early stages of the war many lives of better men would have been saved. I ask leave to have printed in that connection a brief statement purporting to give an inventory of the kind and character, of clothing and other equipment now on hand, procured by the Quartermaster General's office.

The VICE PRESIDENT. In the absence of objection, it is so ordered.

The matter referred to is as follows:

MUNITION OUTPUT SERIOUS FAILURE—NEGLECT TO SUPPLY ARMY OVERSEAS WITH GUNS AND MUNITIONS SHARPLY CRITICIZED—HARBORD SAVES DAY—SUPPLY OF 3-INCH SHELLS SENT DURING WHOLE WAR TIME NOT ENOUGH FOR A MONTH.

P. H. Whaley writes from Washington to the Chicago Tribune on the failure of the United States to furnish guns and munitions in sufficient quantities to our armies in France. He says:

In October the Ordnance Department began to be seriously disturbed about its failure to supply the Army in France with guns and munitions. Not only were the cables bringing complaints and urgent demands, but returning officers had begun to talk rather boldly.

Get-together plans were therefore discussed by Ordnance officers, many of whom were former civilians, and an effort was made to bring some sort of order out of the existing chaos. It was also proposed to take some measures to anticipate a probable investigation by Congress.

Under date of November 21 an Associated Press dispatch came through from France which filled most American citizens with pride and satisfaction. Those who knew the truth and had reason to fear an investigation did not know what to make of it. They did not know whether it was a first coat of whitewash or an indication of more trouble.

The dispatch contained a message of thanks sent by Lieut. Gen. Liggett, in command of the First Army, to Gen. Harbord, in command of the supply service, as follows:

LIGGETT PRAISES HARBORD.

The First Army of the American Expeditionary Forces desires to convey its full appreciation for the great assistance afforded by the officers and soldiers of the service of supply during its recent battles.

"The battles of the Argonne and the Meuse were hard and continuous for nearly two months. During this period you never failed us. Food, ammunition, clothing, medical attendance, and other supplies always were at hand. Our confidence in your efforts was well repaid. The First Army of the American Expeditionary Forces congratulates the service of supply on its share in the great American success.

"Without your energy and push back of us our efforts would not have succeeded. You share with us the glory of our deeds."

INDEFATIGABLE EFFORTS NEEDED.

The significance of that dispatch was probably not lost on Gen. Harbord. He had, in truth, supplied the front line troops with the artillery ammunition absolutely needed, but by what indefatigable efforts only he and the men associated with him and the commanding general knew.

It was altogether proper that Gen. Liggett, on behalf of the First Army, should have thanked the supply service, because it was well known to Gen. Liggett that Gen. Harbord had been compelled to get ammunition from anywhere to compensate for that which he was expecting, but not getting, from America.

While the front line ammunition that Gen. Liggett was so thankful for was flowing forward from the supply service, cables from that same service were also going forward to Washington urging that as French resources were being strained to the utmost America must deliver munitions at once at the proper volume of flow to the front could not be maintained. And there was no reserve.

SUPPLY WOEFULLY SHORT.

When it is known that the total shipment of 3-inch shells of all kinds sent from the United States to France during the whole period we were in the war was only about 3,000,000 and that this supply, under the intensive conditions prevailing, would hardly have met the requirements for a single month, some idea of the alarming conditions which Gen. Pershing faced may be gained.

It will be said that "we got by," so what's the difference?

Pass the credit to Gen. Harbord and the supply service, as Gen. Liggett did. They "made good" when Washington fell down. Pass the credit to the French, who strained their resources to help out. But do not deceive the public by making it think that American ammunition was winning the momentous victories which led to the signing of the armistice. It was not true. It was humiliatingly untrue.

RUSSIAN SHELLS NOT SHIPPED.

And all this time there were thousands, even millions, of fully loaded shells on this side of the water waiting to be shipped. Most of them, it is true, lacked some essential part. Others which had been manufactured for Russia were in perfect condition, but the ownership of them was in question. The use of them might have offended Lenine.

All this time, too, the Ordnance Department of the Navy was working under high speed. Perhaps it was because the Navy never made a specialty of efficiency experts and systems.

Consider, for instance, the 20,000,000 or more small-caliber shell orders which were placed in Canada. No deliveries were ever made. The Canadian manufacturers seemed to be in doubt as to whether they were to manufacture the shells complete or simply build them in part and ship them to the United States to be finished. A great deal of dependence was placed on these Canadian orders.

COULD NOT PASS INSPECTION.

A firm in Indiana had a contract for some 10,000,000 small parts. It was expected to be producing about 20,000 of these parts a day, beginning months ago. After some thousands had been finished it was discovered that they were made wrong. They did not pass inspection and were worthless. More delay followed until the faults could be corrected.

This required days and even weeks. Finally production was begun again, just before the end of the war. Meantime otherwise perfectly good shells were waiting for the aforesaid parts.

There was a failure to coordinate. The production program was distributed among a number of firms all over the country. Under a perfect system of industrial organization and perfect shipments by railroad assembly might have been accomplished without unreasonable delay. But as a matter of fact, in an ordinary world the success of the program as outlined would have been a miracle. It was foreboomed to failure.

ALLIES KEPT ARMY SUPPLIED.

It is true that arrangements had been made with England and France to keep our Army provided with artillery and artillery ammunition for a certain period. Cargo space was required for things more vital at the moment than heavy artillery.

But both France and England had taxed their resources severely to supply ammunition for their own armies. France, in particular, had changed even her shipyards into munition factories. England was putting her young women into the loading plants. A year ago it was understood that America would soon be sending ammunition in quantities, possibly even supplementing the supplies of the allies.

Twenty months after the opening of the war England was producing shrapnel shells in vast quantities, millions a month. The complaint of Lord Northcliffe was not as to the quantity of production, but as to the policy which insisted on shrapnel instead of high-explosive shells.

PLANS CALLED FOR PRODUCTION.

The United States 18 months after entering the war, although dozens of factories had been making munitions for the allies during the preceding years, was actually delivering virtually no ammunition at all at the front. It is almost inconceivable. If the plans had not called for any production it would have been a different matter. But they did call for production. They called for deliveries which should have been made months ago. There was simply a collapse.

The chameleon had nothing on the Ordnance Department. It had a positive genius for changing its designs. No sooner would a big plant get its equipment and tools together and begin quantity production than orders would come from Washington to hold up operations. In a day or two some officer would arrive with new drawings.

WORK WAS EXPENSIVE.

The workmen would sit in the yard and wait until the tools and machinery could be changed. It was expensive work, but the Government paid the bills.

Indeed, the changing of plans was carried on to such an extent that some factories actually spent more time readjusting their machinery than they employed in production. Others simply threw up their hands and their contracts.

Some firms that had promised complete deliveries by June were hardly beginning deliveries in September, although they were manufacturing vital parts.

Ordnance production has become a sort of picture-puzzle game, which must have been amazingly interesting to some of the experts, but which daily became more and more of a threat to American lives and American success in battle.

When it became apparent that the facts were likely to become known the lid was clamped down closer than ever. The censorship at least was in working order. But with the signing of the armistice it became clear that the facts would eventually get out.

PLANNED DEFENSE IN ADVANCE.

There is evidence to show that it was hoped by carefully prepared publications to build up a defense in advance, and thus belittle the final exposure. The publication of these articles will prevent that. Also there are men in the Capitol who are acquainted with the startling conditions which have existed, and they will resist any attempt at whitewashing.

"I am not worried now," Secretary of War Baker said, "about any possibility that may have existed regarding a shortage of shells."

"The whole ordnance program," he added, "was in progress of development and had not reached the peak of delivery. It was rapidly progressing, making marked improvement, in delivery and transportation every week."

WAR DEPARTMENT'S RESERVE SUPPLIES ON HAND IN UNITED STATES AND FRANCE.

The War Department has these reserve stocks of supplies here and in France, it became known to-day:

Cotton coats	5,039,907
Denim coats	5,410,518
Wool coats	6,282,536
Jerkins	2,445,018
Mackinaws	19,660
Overcoats	4,167,841
Raincoats	2,170,220
Flannel shirts	9,742,824
Denim trousers	5,212,708
Cotton trousers and breeches	8,879,393
Wool trousers and breeches	8,581,829
Summer drawers	24,283,815
Winter drawers	21,050,798
Summer undershirts	27,075,892
Winter undershirts	17,437,280
Rubber hip boots	1,271,135
Rubber knee boots	859,211
Canvas leggings	7,268,419
Arctic overshoes	1,510,894
Woolen and spiral puttees	8,586,830
Russet marching shoes	3,548,660
Welt field shoes	3,314,783
Metallic fastened field shoes	4,018,636
Heavy wool stockings	25,042,752
Light wool stockings	21,070,492
Overseas caps	3,718,678
Service hats	3,120,946
Canton flannel gloves	1,599,527
Heavy leather gloves	3,084,565
Jersey knit gloves, pairs	5,968,015
Wool gloves, pairs	6,415,846
Leather mittens, pairs	3,733,779
Canton flannel mittens, pairs	2,125,907
Water sterilizing bags	38,393
Barracks bags	4,315,307
Bed sacks	4,180,861
Commercial blankets	1,035,822
Three-pound blankets	1,413,482
Two-pound blankets	2,963,287
Large paulins	38,442
Small paulins	20,134
Shelter-tent halves	1,147,205
Pyramidal tents	111,559

Stocks of materials for clothing and equipage as of November 1, consisting of stock on hand, in transit to depots, and in the hands of contractors follow:

O. D. cotton cloth, yards	12,804,655
Denim, yards	19,295,371
Duck for shelter tents, yards	4,081,804
Duck for paulins, yards	2,625,839
16 and 20 ounce melton, yards	10,688,130
30 and 32 ounce melton, yards	3,242,982
Flannel for shirts, yard	9,192,272

INDEPENDENCE OF ARMENIA.

Mr. LODGE. I offer the resolution which I send to the desk, which, with the accompanying paper, I ask may be referred to the Committee on Foreign Relations.

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 378), as follows:

Resolved, That in the opinion of the Senate, Armenia, including the six vilayets of Turkish Armenia and Cilicia, Russian Armenia, and the northern part of the Province of Azerbaijan, Persian Armenia, should be independent, and that it is the hope of the Senate that the peace conference will make arrangements for helping Armenia to establish an independent republic.

It is also the opinion of the Senate that provision should be made for the Syrians and other Christian populations of Asia Minor, and that those portions of Asia Minor where the Greeks are predominant should be placed under the control of the Government of Greece.

INDEPENDENCE OF COUNTRIES ON THE BALTIC COAST.

Mr. LODGE submitted the following resolution (S. Res. 379), which was read and referred to the Committee on Foreign Relations:

Resolved, That in the opinion of the Senate, Lithuania should be separated from Russia and given independence, and that the same right should be extended to the Letts and to Esthonia. All these people should have liberty and independence and their possessions on the Baltic coast make their independence a condition of great importance for the future freedom and peace of the world.

INDIAN GRAZING LANDS IN UTAH.

Mr. KING submitted the following resolution (S. Res. 381), which was read and referred to the Committee on Indian Affairs:

Whereas in the counties of Duchesne and Uinta, in the State of Utah, there is a large body of Indians lands known as Indian grazing lands, which has not been allotted in severalty to the Indians of the Ute Tribe, which lands adjoin the Ashley National Forest in the State of Utah; and

Whereas said lands are valuable for grazing purposes and contain areas which are also specially adapted to agricultural use and occupation; and

Whereas said lands are not being utilized for any beneficial purpose and are excluded from the use of the white settlers in said counties; and

Whereas the said Indians for whose use said lands have ostensibly been set apart are unable to occupy or make any economic or beneficial use of the same; and

Whereas said Indians for whose use said lands have been segregated and set apart are not making an economic or adequate use of said lands, and will not in the future be able to make an economic or adequate use of said lands: Now, therefore, be it

Resolved, That the Secretary of the Interior be, and he is hereby, directed to report to the Senate the present status of the so-called Indian grazing lands in Duchesne and Uinta Counties, Utah, and what means may be taken to extinguish the Indian title to said lands and open the same to use, settlement, and occupation, and whether it is convenient and advantageous to add said lands, or any part thereof, to the Uinta National Forest.

ADDRESS BY SENATOR THOMAS.

Mr. SHAFROTH. Mr. President, my colleague, the Senator from Colorado [Mr. THOMAS], in New York City, delivered an address to the National Association of Life Insurance Societies, on the 5th of December last, which was very learned, and which I think is a great contribution to those who are studying the problems which will arise after the war. Therefore, I ask unanimous consent that the address be printed in the RECORD.

The PRESIDING OFFICER (Mr. LEWIS in the chair). The Chair hears no objection, and it is so ordered.

The address referred to is as follows:

AN ADDRESS DELIVERED BY SENATOR THOMAS DECEMBER 5, 1918, TO THE NATIONAL ASSOCIATION OF PRESIDENTS OF LIFE INSURANCE SOCIETIES AT NEW YORK CITY.

"The swift and dramatic close of the great war is justly celebrated as the mightiest military achievement of the centuries. Peace has come to the afflicted nations with a suddenness they never dreamed of. We rejoice that the great conflict has ended with victory and that our appalling sacrifice of blood and treasure was not made in vain.

"Our triumph is over Imperial Germany and all that she arrogantly typified. Her conquest makes the world safe for democracy. A greater task now confronts us. We must make democracy safe for the world. This task has long been obvious, but it was visioned upon the horizon of a remote future. The mighty force of recent events has thrust it in our very faces. We shall have prevailed with the struggle for self-government only when we shall have thoroughly performed this added duty.

"We expected that ample time would be given to prepare for the larger task. But the unexpected happened. Germany broke with her first great disaster. What seemed a mighty

engine of military power, strong beyond imagination, lacked the cohesive force of a lofty national morale, and crumbled into dust before the battle shock of a unified alliance.

"We were not prepared for war with Germany, but we overcame her. We are not prepared for the new contest, but we shall conquer again. Democracy's last external peril disappeared with the despotism of the Kaiser. Her remaining ones are internal. They inhere in her theories of government and thrive by her toleration. They ran riot in her dominions before the war. They raised their sinister heads during its prosecution. They are now before us and around us. America, the greatest of democracies, must safeguard its fundamental principles. Her Statue of Liberty enlightening the world is more than symbolic. It is actual. It typifies the America of the twentieth century.

"What is democracy? The term can not be defined with exactness. It can best be comprehended by the process of elimination, by asserting what it is not. Democracy is not militarism nor anarchy. It is not socialism nor lawlessness. It does not confer absolute freedom, for that is inconsistent with equality of right. It does not require a republic; for the development of its principles are strangers to many of them, while its blessings are enjoyed by the subjects of many monarchies.

"Democracy is synonymous with ordered liberty, which respects and safeguards the rights of all. Its congenial structure is republican, and Elihu Root has finally said that republican government is organized self-control. Henry Ward Beecher declared the real democratic idea to be not that every man should be on a level with every other, but that everyone shall have liberty without hindrance to be what God made him. Any condition interfering with this conception is an unhealthy one. It may be deemed essential to class interest, but it is not democratic.

"I can not in the limited time at my disposal present more than a bare outline of some of the actual and potential problems surrounding and confronting the United States, upon whose solution its welfare and integrity largely depend. Some of these are of prewar birth, some forged in the red furnace of war.

"Democracy finds its natural expansion in social, economic, and political development. From the friction thus engendered come the ills which threaten its integrity. These lines of development must now pass through a period of readjustment before they again become normal. It is in this interval that we should ascertain our condition and set our national house in order, that other nations may guide their future by the lamp of our experience.

"Perhaps the most insidious danger to republican institutions is the indifference of the citizen to his public duties. The beneficiaries of free government become indulgent and comfortable; their responsibilities grow irksome and annoying. Their vigilance relaxes in their struggle for material things. Their time is absorbed in the pursuit of gain. The diversion of their energies from the needs of government is the opportunity of privilege, and privilege undermines democracy. The ills of the body politic will continue until the people awake to a full sense of civic obligation and realize that theirs is the business of government. To bring about this condition is a fundamental factor in the public equation.

"The war leaves us the legacy of a stupendous debt. It will reach, if it does not exceed, $35,000,000,000, or twice as much as the combined debt of the allied nations, including Russia, when the war began. The annual interest upon this stupendous sum will be $1,400,000,000, nearly twice the net total of the Nation's annual prewar expenditure. This means a vastly increased rate and radius of taxation. The people must bear the burden, for Germany can not make indemnity. They will bear it willingly if economy in public administration and the application of every dollar to the public needs shall become the policy of the Government. They will not and should not be content if the gross extravagances of the past continue. In 1910 Senator Aldrich declared that ordinary efficiency in public administration would annually save the people $300,000,000. It would now save twice that sum. If the taxpayers of America will unite in demanding a radical revision of our public service, a consolidation of duplicating bureaus, and the institution of the budget system in appropriations, it will be done. If they will also rigidly supervise public expenditures, taxation can be largely reduced. If they fail to do this, our appropriations will keep increasing, for every demand made upon the Treasury is complied with when political or organized force is behind it, and everything in these days is organized except the man who pays the taxes. Moreover, the huge debts of the nations, however well their revenues are managed and applied, will always be a fruitful source of disaffection. To those possessing none of it, yet paying taxes to meet its fixed requirements, the impulse toward repudiation may ripen into an insistent clamor. Once begun, it may spread like the virus of influenza, from nation to nation and from public to private obligations. Nothing could be more disastrous to a people than the success of such a movement, which will inevitably arise, whatever our policy. It is certain to materialize if in our financial administration we do not at all times apply sound principles to taxation and exercise a wise and frugal economy in expenditures. Nothing is more difficult in a republic than this if public interest is lax or nonexistent.

"Readjustments toward normal conditions must inevitably react on war prices and wages. The first will not be disturbing, the last may prove alarmingly so. Lowering of salaries and wages, though absolutely essential to a falling market, is always opposed by the wage earner and frequently to the extremes of violence. The higher these have risen the more bitter the opposition to their diminution becomes. This inevitable situation should be promptly recognized and every effort made to prepare against it. Labor should be urged to acquaint itself with the economic laws which compel the change and with its compensation in lowered cost of living. And the change should come as gradually and as universally as possible. These precautions may be taken without difficulty, with little trouble and with less expense. Their importance is self-evident. The most prejudiced and sometimes the most ignorant of men will listen to the persuasive influence of sympathetic discussion if interposed before their resentment becomes inflamed by a sense of injustice.

"Our immigration laws have been largely molded by political and economic considerations. The same is true of those relating to naturalization. Much of our immigration has represented the best of Europe. These have been of inestimable value to the country. They have cast their lot in America for all time, sharing our burdens and responsibilities and aiding in the great task of building a new nation upon a virgin continent.

"But the demand for labor and the need for ballots have flooded our shores with a mass of humanity apparently unassimilable. Politics bars only the Asiatic from our ports. Others are herded by trans-Atlantic steamship lines and delivered to our clamoring industries, which exploit their labor and neglect their souls. Their moral, material, and educational welfare receive scant consideration. They find no companionship beyond their own ranks, form themselves into racial groups, adhere to their national customs and language, learn nothing of American life or policies. They are as strangers within our gates, despised of employers and the public, doomed to the exactions of toil without lot or part in the land of their adoption. They measure our institutions, if they think of them at all, by the limited range of their unhappy experiences. Their conceptions of freedom and of citizenship can not be higher than their contact with the boss and the paymaster. They may at times inspire our curiosity or excite our distrust, but our sympathy and comradeship not at all. They attract the notice of political machines which encourage their naturalization to obtain their votes. This stamps the right to cast them as an asset of money value. They supply a rich and inviting soil for every social and economic fungus growth which hatred or ignorance may seek to propagate. Their colonies have become national plague spots, breeding places for all the ugly disorders of the century. They are dupes of the designing and the criminal, enemies of the established order ripening for revolt or revolution. They perceive all too easily the inequalities of society, the chasm between the very rich and the very poor, the power of combined wealth and the helplessness of the laws. Envy, hatred, neglect, the disdain of the community, and a blind sense of injustice, combine to inflame their animosities and expose their passions to suggestions of the torch and the sword as the sole arbiters of social and economic injustice.

"The disruption of the central powers, followed by the establishment of popular government for their liberated peoples, will doubtless remove all restrictions upon their continued emigration. The burden of debt, coupled with unsettled economic conditions, will encourage the western movement of their population. The added stimulus of the great steamship companies, eager for their old steerage traffic, may rapidly reestablish the high tide of antewar immigration. If it is to be checked, the dam must be erected on this side of the Atlantic, and no time should be lost in its construction.

"What are the dimensions of this evil? We are informed by the last census that our foreign-born population numbered 13,000,000 in 1910, or nearly one-eighth of the whole. Of these 6,000,000 were males of the voting age. The number attending English schools was very small. Most of them are packed in the crowded centers of our population. In this mighty city of prodigious contrasts are vast numbers of them. Every nationality is represented, and their illiteracy is appalling. It has Italian colonies, Yiddish colonies, Russian colonies, Austrian colonies, Greek colonies. Your East Side is a vast mosaic of races, clannish, clinging to their native speech, strangers to our language, jealous of their own customs and disdaining ours. From Twenty-third Street south and First Avenue east there is nothing American. In that densely peopled region the English language is as lonely as the late Kaiser in Holland. Similar conditions may be found in Chicago, in Philadelphia, in Pittsburgh, in San Francisco, in nearly all the great cities. Save the struggle for existence these people have nothing in common with the native American.

"Your city typifies the general situation. It contains the germs of every social and political disorder. Part of its press are constant and competent sowers of sedition. Among these people class distinctions are magnified, and discontent and lawlessness encouraged. From such congenial soil was bred the Black Hand and the I. W. W., consecrated by their founders to pillage and murder. The red flag of anarchy is their symbol and war against the social order their shibboleth. A powder magazine unguarded, exposed to perils of accident or design, is not more dangerous to the community.

"Into the face of this sinister menace wealth flaunts the orgies of the great white way. It thus supplies the East Side with text and justification. A population, sullen with the discontent of poverty, confronted with the vulgar and ostentatious display of lavish extravagance, will not always remain quiescent. When the extremes of the Nation's social life jostle each other too harshly an explosion is inevitable. Such conditions can not endure. No government can be secure when the lives and tendencies of its people are essentially wrong.

"Bolshevism has given the world a hideous illustration of the fundamental truth that when liberty is divorced from law justice disappears. The freedom of unrestrained license is the only freedom of the mob. Under the sway of that many-headed despot crime holds high carnival. Robbery, rape, and murder are daily pastimes. The only authority is that of the strongest, and community life is transformed from a protection to a menace. It is to this chaos that international socialism would lead the world. Russian anarchy is popularly ascribed to the oppressions of the Romanoff dynasty, whose downfall shattered the foundation of the Empire. That is largely true. Yet it is a sinister fact that, excepting Lenine, nearly all the leaders of Russian bolshevism graduated from the swarming centers of New York, Chicago, and Philadelphia. Trotsky, Volodarsky, Vritzky, Martoff are some of them. Their bloody program was formulated here, and here they proposed to test it when opportunity beckoned, and Russia became their victim. From that continental slaughterhouse they salute their accessories in America and urge them to the commission of similar atrocities.

"The assimilation of races, so essential to a national unity, can not be effected under conditions now prevailing. While they continue our citizenship must be heterogeneous and discordant. A polyglot people, without geographical separation, with conflicting aims and ideals, united, yet socially, morally, and economically antagonistic, can not endure in a republic. Racial classification is the precursor of racial animosities, and racial animosities imperil the national safety.

"But our trend toward class distinctions is not wholly ethnological. It proceeds as well along other lines and finds expression in trades, in agriculture, in legislation. Our Federal laws bristle with clauses recognizing and favoring them. In matters of penalty, revenue, trusts, transportation, and appropriation we frequently exclude foreigners, workmen, Government employees, fraternal organizations, and some others from punitive and burdensome enactments. We also extend them privileges not conferred upon others less potential in numbers or influence. The equal protection of the laws will, if this practice be not abandoned soon, be honored more in the breach than the observance.

"The laws are potent for the protection and welfare of the citizen only as they are uniform in their application, just in their mandates, and respected by the people. Laxity in their enforcement and indifference to their requirements have long been a conspicuous and sinister feature of our national life. This is particularly true of the criminal law. The disparity between homicides and convictions will serve to illustrate the assertion. Their proportions are as 30 to 1, and those due to labor controversies seldom reach the stage of a formal indictment. The expense of modern litigation, crowded dockets, and the law's delays may be largely responsible for the low level of public respect for statutes and constitutions; but whatever the cause the evil is a serious one. The public safety depends upon the public order; the public order rests upon the sanction and the mandate of the law; and the law is made contemptible whenever its protection is denied to the meanest citizen.

"To this condition we must plead guilty, for it is a melancholy fact that the citizen frequently is denied the equal protection of the laws, either by exposure without redress to acts of violence or through the tedious and expensive processes of legal machinery. Both mean a denial of justice, and Burke said that a government not founded on justice labored under the imputation of being no government at all.

"During the past four years Germany has met our protest against her many successive barbarities with the retort that lynchings and burnings in the South and promiscuous murder in our labor disputes were quite as shocking exhibitions of American methods in time of peace as her own atrocities in time of war. And we must concede in deep humiliation that in such things the two peoples occupy the same low level. This condition justified the President's protest to his fellow countrymen of last August:

> "That every American who takes part in the action of a mob or gives it any sort of countenance is no true son of this great democracy, but its betrayer, and does more to discredit her by that single disloyalty to her standards of law and of right than the words of her statesmen or the sacrifices of her heroic boys in the trenches can do to make suffering peoples believe her to be their savior. * * * I can never accept any man as a champion of liberty either for ourselves or for the world who does not reverence and obey the laws of our own beloved land, whose laws we have ourselves made. He has adopted the standards of the enemies of his country, whom he affects to despise.

"Recent events show that the President's lofty rebuke has not been wholly effective, for in some communities mob murders have not ceased. Did they accomplish the end which is said to justify them, they would still be horrible. But the only effect is to prompt their repetition. And they are a hideous reproach upon Anglo-Saxon civilization.

"If our organic act means anything, every citizen is free to work according to his own desire. He should be subject only to the limitations of the law. To interfere with this right or permit others to do so with impunity is to undermine the foundations of our political structure. A law which does not throw the shield of its protection around him is worse than useless. It is a wanton delusion. On the other hand, ample punishment for the commission of crimes is provided and safeguards as well for the shielding of the innocent. All that is needed is their vigorous enforcement. If they are not applied, the fault is with the community much more than with the criminal. Let no man, therefore, justify his contempt for the law by pleading its nonenforcement. For that he is in part responsible.

"With all due allowance for considerations peculiarly applicable to the negro, he is entitled to the guardianship of the white man. His career has been a bitter one. He has been sinned against far more than sinning. He did not intrude himself upon us. He was brought here as a prisoner and slave. He earned his freedom 50 years ago by his devotion to his master's family in the dark period of our Civil War. He has since struggled upward against fearful odds. The great war gave him the opportunity to prove his devotion to his country, and well has he improved it. He has proved his loyalty to the flag under whose folds he has not always found protection. His blood, with ours, has consecrated the vast French battle ground from Chateau-Thierry to Sedan, and the armistice found him in the very vanguard of the western front. Surely such a record inspires our admiration, as it should command our gratitude. Who will deny that the negro has earned his right to the equal protection of his country's laws?

"Ours is a land of waste, and waste is the enemy of thrift. Some one has said that with our resources the French would have saved enough since the century began to pay her own and Britain's war expenses. The war has brought us the wisdom and the simplicity of thrift. We should make it a national virtue. It is the best cure for discontent, and grows with its practice. A thrifty man need make no search for something to relieve his needs. He has it. It is a fact of the highest significance that modern socialism discourages thrift. It is the foe of disorder; a virtue that becomes hostage to fortune. Hunger is stranger to it, and hunger never breeds reforms. Hunger breeds riot and bloodshed. The supernal wisdom of Jesus is clearly revealed to man in the Lord's Prayer, whose first supplication is, 'Give us this day our daily bread.'

"In America hunger is a social crime. Out of our abundance we can feed other continents. The fault lies in distribution. Food decays for lack of consumption in one section, while people starve for want of it in another. If private control of transportation can not solve the vital problem of its distribution public control must. If our railroads are inadequate, we must

construct more. If rates are prohibitive they must be lowered. Democracy requires food, and part of her mission is to secure it.

"Corporate mismanagement and consolidations, huge issues of fictitious capital, corners in foodstuffs, manipulation of stock markets, fortunes realized overnight through financial jugglery, preponderant control of money and credits disfigured the commercial history of the two decades preceding our declaration of war. They constitute a sordid and humiliating chapter of greed and financial profligacy, and amply justify the wave of public disapproval, culminating in political revolt and codes of punitive legislation. Congressional and bureau investigations have disclosed sorry spectacles of mismanagement and of trusts betrayed by men of great wealth and commanding influence for their personal and financial aggrandizement. Public confidence in the integrity and patriotism of their class has been seriously impaired.

"These practices can not be too seriously criticized. They have inspired as they have justified every extreme of agitation. They have been condemned alike by radical and conservative. It is not too much to say that they have done more to inflame public sentiment, breed anarchy, and stir up socialist propaganda than any single influence of the century. It is the anarchy of capital. It is bolshevism in high life. Such operations can not be resumed if we hope to preserve free government in America. Otherwise than in the fortunate development of mines, great wealth may be suddenly acquired only through sinuous and criminal manipulation. Its frequent occurrence demoralizes the people. It begets discontent and compels imitation. The effort to get rich quick becomes infectious. Men look with disdain upon the slow but legitimate processes of accumulation and drift from plodding industry to the stock ticker and the exchanges. And as the vast majority of the seekers for sudden wealth are predoomed to failure they will sooner or later join the ever-increasing army of the discontented and reproach the social order for their misfortunes.

"The well-to-do element of the country is its most influential class. It occupies the great domain of leadership and constructive development. It can ill afford to weaken the social and economic structure. It can not commit or countenance methods which breed discontent and unsettle confidence. It is the expert, the guardian, and the director of material and financial integrity. Its position in the whole domain of the national activities is commanding. What it does or abstains from doing is therefore of great concern to the public and of prime importance to itself. When confidence in its honest or public spirit is impaired or overthrown the hour of upheaval will come. I therefore affirm that the suppression of the financial malversations so prevalent during the past quarter century is an insistent and overshadowing duty. Bolshevism and its kindred evils are their legitimate offspring. They supply the soap-box orator with his best ammunition and silence the protests of those who would eliminate him. You have purged life insurance of its financial sins. The bankers, merchants, manufacturers, and masters of traffic must profit by your example if indeed they have not already done so.

"Finally, the chasm between labor and capital must be spanned. This can not be done by force, by class resentments, nor by recrimination. It is a most serious problem, as it was before the war. Each of these great forces must understand the other's viewpoint. Both must realize that they are complements and coworkers of progress. Without the one the other is moribund. Neither can be discarded from the economies of trade and industry. Cooperation between them is indispensable to the public and private well-being. They must become partners in the largest sense, each exercising its legitimate functions for a common purpose. To assert this is a simple performance; to bring it about is a task for Titans. But it must be done.

"I have sketched in outline some of the difficulties with which the return of peace confronts us. The perspective is sombber but not at all discouraging. Every generation has its tasks, and if ours is unduly burdensome its performance will place posterity under a larger obligation. Let us, therefore, one and all, clear the situation and strive to make our beloved country all that its ideals require. We must institute and enforce a rigid economy in public administration. We must unify our citizenship. We must have a common language with which all men and women must be made familiar. We must bring our institutions and traditions home to the understanding of everyone. We must extend the hand of sympathy and encouragement to every alien in the land, give him a stake in the country's affairs, and imbue him with the spirit of America. We must discourage the community life of the foreigner by teaching him the need for assimilation. We must require him to become naturalized within a fixed time after his arrival or return whence he came. We must make him learn the English tongue and become reasonably familiar with the requirements of citizenship as a candidate of naturalization. The splendid type of soldier which these people have contributed to the war is a happy augury of what their development will be when our citizenship realizes and performs its full duty toward them. We must suppress all associations devoted to the commission of crime and the advocacy of disorder. We must radically change our immigration laws. We must have no ensign but the Stars and Stripes. We can have no companionship with the red flag of anarchy and revolution. We must assert and enforce the equal protection of the laws, do away with the mob, and gibbet the lyncher. We must teach the great truth that organized and ordered society is essential to man's existence and that protection of life and property is the basis of all governments worthy of the name. We must demonstrate that the strict observance of law is necessary alike to the happiness of nations and the security of communities. We must make treason odious. We must harmonize the discordant factions of industry and commerce. We must, if need be, forget party ties in the stress of tremendous obligation. We may each and all, faithful to our traditions and reverencing our ideals, struggle as Democrats and Republicans for the supremacy of our convictions, but we must remember that we are, above all, Americans, whose first and final duty is to perpetuate the welfare and shape the destiny of the great Republic. The ark of democracy's covenant was committed to Anglo-Saxon keeping long ago. Our fathers have proven worthy of the trust; we, too, must keep the faith. Henceforth the United States shall be a great training ground for the growth and development of a stalwart and genuine democracy."

THE REVENUE.

Mr. SIMMONS. I ask unanimous consent that the Senate proceed to the consideration of H. R. 12863, commonly known as the revenue bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 12863) to provide revenue, and for other purposes, which had been reported from the Committee on Finance with amendments.

Mr. SIMMONS. I ask unanimous consent that the formal reading of the bill be dispensed with and that the bill be taken up for the purpose of disposing of committee amendments first.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

Mr. LA FOLLETTE. Mr. President, I do not object, provided it be understood that amendments that are objected to may go over for the present.

Mr. SIMMONS. That has always been the practice.

Mr. LA FOLLETTE. I suppose it has been the practice; but I should like to have it understood by unanimous consent, since we are taking up the bill without reading.

Mr. SIMMONS addressed the Senate. After having spoken for some time,

The PRESIDING OFFICER (Mr. KENDRICK in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 4637) for the retirement of employees in the classified civil service.

Mr. POMERENE. Will the Senator from North Carolina yield to me just a moment?

Mr. SIMMONS. I yield.

Mr. POMERENE. The unfinished business is here on a motion to reconsider the vote by which the substitute I proposed was adopted. I realize the importance, I think, of that bill and the much greater importance of the revenue bill, and as far as I am personally concerned I have not any desire to interfere with the revenue bill. I think it ought to have first place. At the same time I should like to have the motion to reconsider disposed of, but I am not willing that it shall be disposed of when there is less than a quorum here, and I do not want to have it disposed of at any time when I may not be here, because I shall have something to say upon the subject.

Mr. SIMMONS. Is the Senator through?

Mr. POMERENE. Yes.

Mr. SIMMONS. I desire to move that the Senate proceed to the consideration of House bill 12863, commonly known as the revenue bill.

The PRESIDING OFFICER. The question is on the motion of the Senator from North Carolina.

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12863) to provide revenue, and for other purposes.

The PRESIDING OFFICER. The Senator from North Carolina will proceed.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Utah suggests the absence of a quorum, and the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Jones, Wash.	Overman	Smoot
Bankhead	Kellogg	Page	Spencer
Borah	Kendrick	Penrose	Sterling
Calder	Kenyon	Poindexter	Sutherland
Chamberlain	King	Pollock	Swanson
Colt	Kirby	Pomerene	Thomas
Curtis	La Follette	Ransdell	Thompson
Fletcher	Lenroot	Reed	Trammell
France	Lodge	Robinson	Underwood
Gay	McCumber	Saulsbury	Vardaman
Gronna	McKellar	Shafroth	Wadsworth
Harding	Martin, Va.	Sheppard	Walsh
Hardwick	Mulkey	Simmons	Warren
Henderson	Nelson	Smith, Ariz.	Weeks
Johnson, Cal.	New	Smith, Md.	Wolcott
Johnson, S. Dak.	Norris	Smith, Mich.	
Jones, N. Mex.	Nugent	Smith, S. C.	

Mr. CURTIS. I wish to announce the absence of the Senator from New Jersey [Mr. FRELINGHUYSEN] on account of illness. I ask that this announcement may stand for the day.

I should also like to announce that the Senator from New Hampshire [Mr. MOSES] is detained from the Senate by illness. I will let this announcement stand for the day.

Mr. SUTHERLAND. The senior Senator from West Virginia [Mr. GOFF] is absent owing to illness.

Mr. SHEPPARD. I desire to state that the Senator from Kentucky [Mr. BECKHAM] is necessarily detained on official business.

Mr. McKELLAR. I desire to announce the unavoidable absence of the senior Senator from Tennessee [Mr. SHIELDS] on account of illness.

The PRESIDING OFFICER. Sixty-five Senators have answered to their names. There is a quorum present. The Senator from North Carolina will proceed.

Mr. PENROSE. Before the Senator from North Carolina proceeds with his remarks, if I do not interrupt him too much, I should like to ask him what steps he has taken to have more copies of the bill printed, as well as the report of the committee? Besides, men all over the country want copies of the bill, and the supply is practically exhausted.

Mr. SIMMONS. I will state to the Senator that owing to the great size of the bill, comprising 278 pages, by Senate resolution we have been unable up to this time to get more than about 5,000 copies printed. I was contemplating introducing another Senate resolution for the printing of 5,000 more copies. If the Senator desires he may introduce such a resolution.

Mr. PENROSE. I am not particular about that, if the Senator wants me to do so. I should like to have included also copies of the report of the committee.

Mr. SMOOT. That can be done in a separate resolution.

Mr. SIMMONS. We will prepare such a resolution.

Mr. PENROSE. At the request of the chairman of the committee I will offer such a resolution, and I hope the Senator will offer a similar resolution for the printing of the report.

Mr. SIMMONS. I send the resolution to the desk and ask for its adoption.

The resolution (S. Res. 380) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That there be printed 5,000 additional copies of Senate Document No. 310, Sixty-fifth Congress, third session, entitled "Revenue bill of 1918," for the use of the Senate Committee on Finance.

Mr. SMOOT. Mr. President, I should like to ask the Senator from North Carolina if he will not prepare a concurrent resolution for the printing of 15,000 copies of the bill with the report? The demand from the House, I am told, is such that it has exhausted the 5,000 copies which have already been printed, with the Senate receiving only a very few copies of that number. I am informed that there is already a demand for about 10,000 copies of the report. That can not be supplied by a simple Senate resolution. I ask the Senator if he will not prepare a concurrent resolution providing that 15,000 additional copies shall be printed with the reports that have been made upon the bill.

Mr. PENROSE. I would suggest, as the chairman of the committee is overwhelmed, as we all know, with his task, that the Senator from Utah prepare the resolution and relieve the chairman to that extent.

Mr. SMOOT. I shall be very glad to prepare it.

Mr. SIMMONS. I will say that I conferred with Senators this morning about the preparation and introduction of a concurrent resolution for that purpose. If the Senator from Utah will be kind enough to prepare it and introduce it, I will agree to it.

Mr. SMOOT. I will do so in a very little while.

Mr. PENROSE. I should like to suggest in this connection that we ought to have 25,000 copies provided by the resolution the Senator from Utah is going to introduce.

Mr. SIMMONS. I think the Senator from Pennsylvania is correct. The demand for copies of the bill is very heavy.

Mr. PENROSE. Every cashier of every bank in the country and every business man has to have a copy of the bill.

Mr. SMOOT. The reason why I suggested 15,000 copies was because we have already ordered by the Senate 10,000 copies, and that would make 25,000 copies. I base my statement for that number upon the fact that we had 25,000 copies of the bill of 1917 printed and they were not all distributed, and I thought perhaps 25,000 copies would be sufficient.

Mr. PENROSE. The taxes were very much lighter in the act of 1917. These taxes, in some cases satisfactory, are staggering, and the bill will be read much more carefully than any preceding act of Congress on internal-revenue legislation.

Mr. SMOOT. I will make the number in the resolution, then, 25,000.

Mr. PENROSE. As has been suggested by one of my colleagues near me, the taxpayer will probably wear out two or three copies before he understands it.

Mr. McCUMBER. I should like to ask the Senator in charge of the bill whether provision has been made for printing the views of the minority with the rest of the report?

Mr. SMOOT. I intend in the joint resolution to provide that the report of the majority, with the views of the minority, together with other views which may be offered, shall be printed in connection with the report.

Mr. McCUMBER. I understood that the resolution which was agreed to provided for the printing of 10,000 copies of the report, together with 10,000 extra copies, and I want to know whether the report as it will be printed under that resolution will contain the views of the minority.

Mr. SMOOT. I was only speaking of the resolution I intend to offer. It will provide for the printing of 25,000 copies of the bill and also for printing the same number of copies of each of the reports that has been made upon the bill.

Mr. SMITH of Arizona. Is that all to be in one document, may I ask the Senator?

Mr. SMOOT. No. I will say that the concurrent resolution has not yet been offered to the Senate, but I have promised the Senator from North Carolina that I would prepare the resolution and offer it.

Mr. SMITH of Arizona. I should like to suggest that it would probably do better, for the purposes of a wide circulation, whatever purpose that may be, that it should be confined in the same resolution to the report and the bill, and let it go as one document; that instead of dividing it into four, five, or six parts, it should all be in one document. Then I think there would be no objection to the publication of it.

Mr. SHAFROTH. Let me make a suggestion to the Senator from Utah.

The PRESIDING OFFICER. The Senator from North Carolina has the floor. Does he yield?

Mr. SIMMONS. I yield.

Mr. SHAFROTH. Let me suggest to the Senator from Utah that the bill could easily be printed in the style of the report, that it would take a good deal less paper, and that it would be more convenient to have the majority report and the views of the minority and the bill all in one document. It seems to me everyone who will have the bill will want to see the report, and in that way it would be a saving of paper, and it seems to me it would facilitate the examination of the bill.

Mr. SIMMONS. Twenty-five thousand copies will be printed in the form the Senator indicates, as provided in the resolution passed a few days ago.

Mr. McCUMBER. Mr. President, a parliamentary inquiry. There was some confusion in the Senate. I understood that the resolution provided for printing 10,000 copies of the bill and the report. If that is true and that has passed, then we will have a provision for the printing of 10,000 copies of the report without there being attached to the report the views of the minority. I wish information from the Chair about it.

The PRESIDING OFFICER. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 380), as follows:

Resolved, That there be printed 5,000 additional copies of Senate Document No. 310, Sixty-fifth Congress, third session, entitled "Revenue bill of 1918," for the use of the Senate Committee on Finance.

Mr. McCUMBER. Then there has been no provision up to the present time for the printing of the report. I suggest to the chairman of the committee and the Senator from Utah, as has already been suggested by the Senator from Arizona, that in the

preparation of the document the report and the views of the minority be printed as a single document.

Mr. SIMMONS. I suggest that the Senator from Utah prepare it, and we will then see how it reads.

The PRESIDING OFFICER. The Senator from North Carolina will proceed.

Mr. SIMMONS. The Senator from Florida [Mr. FLETCHER] has indicated to me a desire to present some matter to the Senate, which he says will take him probably 20 or 25 minutes. I will yield to him for that length of time, as I am just a little weary now, and will then resume.

WOODEN-SHIP CONSTRUCTION.

Mr. FLETCHER. Mr. President, I am obliged to the Senator from North Carolina for yielding. I did not want to interrupt the consideration of the pending bill, but since it suits his convenience for me to present this matter now, I will attempt to do so very briefly.

We have heard a good deal of discussion with regard to the construction of wooden ships, and there has been evidently, as it seems to me, a pronounced propaganda intended to discredit wooden ships very largely. There is also an indication that there have been more contracts let for the construction of wooden ships than the Shipping Board now feels it would be wise to carry out, and they are considering the cancellation of some of the contracts for wooden ships. I am not urging that any new contracts for wooden ships should be made by the Shipping Board. It is probable that the better type of ship is the steel ship and a larger ship than has been heretofore contemplated, and I am not proposing to interfere with that program; but I do insist that the wooden ships which have been constructed and the wooden ships which may be constructed are neither unseaworthy nor valueless, and I do insist that the shipyards of the country and the industry should not be abandoned or stifled by way of resorting to other methods of construction or by reason of this effort to discredit the wooden ship, and that if the Shipping Board itself concludes to build hereafter different forms or types of ship and confines its operation largely to steel, still there is work to do for the wooden-ship yards. For instance, we need tugs. I think experts generally will agree that the wooden tug is quite as standard and quite as valuable a boat as the steel tug, and in some instances it is superior to the steel tug. There is also needed wooden construction for pontoons or for building dry docks or for building smaller craft, and I do not want the impression to go out that the wooden-ship yards are to be wholly abandoned in this country and that that industry is to go to pieces. I have some views on that matter which I think it timely to suggest now. I shall be as brief about it as possible.

THE WOODEN SHIPS.

The well-known naval architect and marine engineer of New York, Mr. Theodore E. Ferris, says:

Ship property probably has more critics and less originality in its production than any other commercial constructive industry.

He gives reasons.

Some years ago the wooden ship was to a large extent discarded, superseded by steel vessels.

There arose antagonisms to the wooden ships largely founded on prejudice, and there have been reasons operating against an connection of this prejudice. A great deal of misinformation has been added. There was strong opposition to the building of any wooden ships when the United States Shipping Board was hurrying to construct vessels which might serve the country in the hour of its greatest need. When, finally, it was announced that the board would build some wooden ships there was a storm of protest and dreadful predictions of failure filled the newspapers. It was in vain called to mind that for more than 2,000 years the wooden ship had sailed the seas, and the commerce of nations since the days of Tyre had largely depended upon wooden ships. To be sure, the large, modern passenger or cargo carrier built of steel is superior to the wooden vessel of approaching dimensions. But that the wooden vessel of smaller size, quick construction, whether sailer or steam, is a most useful and valuable vessel, standard in every way, there can be no possible doubt. Mr. Ferris designed a 3,500-ton wooden steam vessel and contracts were let to build them by the Emergency Fleet Corporation formed by the Shipping Board. There were some of the Hough type and some of the Dougherty type; in all 730 contracted for. They were laid down for emergency ships for overseas service and otherwise for general, all-around cargo business.

There have been delivered up to the 20th of November 98 of these wooden steamers completed. Of these, 76 have already carried cargoes or have sailed in ballast for loading ports. The others are being made ready for service; 367, including the 98 already referred to, have been launched. In addition to these 367, work has commenced on 193, and they are in partial frame or better. Contracts have been let, but work has not started, on 171. The Shipping Board has actually canceled 48 of these contracts and has authorized the cancellation of 100 more.

This has been done because it has been found that the board will have more of these ships than it can economically utilize, particularly when it takes into consideration the 400 steel ships built on the Great Lakes of about the same size and capacity.

No doubt, too, the board is influenced by the propaganda against wooden ships and the many false reports put in circulation concerning them, thus influencing the public mind to conclude that they are unseaworthy and almost worthless.

Some of the wildest, most absurd rumors have been put in circulation about them that could be conceived.

I have a complete list before me showing the record of each one of these ships which has been delivered.

The first one, *North Bend*, built by Kruse & Banks, of Coos Bay, Oreg., was immediately placed in the trade between the Pacific coast and the Hawaiian Islands, carrying general cargoes outward and sugar inward, first sailing from San Francisco to Honolulu June 3 last with coal. She sailed September 17 from San Francisco for New York with a general cargo, and from New York with general cargo for Cristobal November 2, arriving November 13.

The next one, *Biloxi*, built by Grant, Smith & Porter, St. Johns, Oreg., sailed the day she was delivered from Portland with lumber for San Francisco. Since then she has been operating between San Francisco and Honolulu until October 22, when she sailed for Chile, presumably to bring nitrates to Atlantic or Gulf ports.

These ships have been bringing coal on the Atlantic coast, nitrates from Chile, general cargoes on the Pacific coast to and from ports on the Pacific to ports on the Atlantic, lumber, sulphur, and other cargoes from the Gulf, coastwise, and, so far as I can learn, their performance is looked on with favor. Some of these ships have gone to dry dock for caulking, and one or two with rudder or engine trouble, but there has been no more of this than might be expected, no matter what the type of construction. So far as losses, beaching, and wrecking are concerned the facts are there have been just three total losses, to wit, the steamer *Coos Bay*, built by Kruse & Banks, foundered on September 11, 1918, during heavy weather, while bound from San Francisco to the west coast of South America in ballast; the steamer *Black Ford*, built by Gray's Harbor Motorship Co., was abandoned at sea during the same heavy weather of September 11 and drifted ashore on the west coast of Mexico on September 25. She was bound in ballast from San Francisco to the west coast of South America.

The steamer *Dumaru*, built by Grant, Smith & Porter, St. Johns, Oreg., while bound from the Pacific coast to the Philippines, was, in the vicinity of the island of Guam, struck by lightning on October 16, her cargo of oil exploded, and she was burned. This is the evidence of "unseaworthiness"—three losses, two from storm and one from lightning, since last June.

I think we should be governed by the facts. What we want is the truth. No matter whether that be favorable or unfavorable, good or bad, the truth should be known. We are in a position to know the facts because these ships have been in actual operation. They have actually been carrying dry and perishable cargoes. They have been operating successfully. Whether they have been operating economically and make a good business showing I have not complete data to prove. That can be supplied undoubtedly by the Shipping Board.

It has been announced that the board is willing to sell some of these ships because they are not required for any particular service. Can that be the reason for denunciation of them and the studied effort to discredit them? Be that as it may, a responsible party, an experienced ship operator, tells me that he is ready to buy a few of them at $725,000 each.

They are not adapted to trans-Atlantic service, where it is necessary to bunker for the round trip. The coal they would be obliged to carry would take up too much space and reduce too much the space for cargo. They are not of excessive draft. They weigh no more, equipped, than the steel ships which carry water ballast. They perform equal to the steel ships under like conditions. They are intended to operate overseas and to the West Indies, carrying all sorts of commodities, dead-weight cargo, such as sugar, cement, nitrates, coal; and being of the well-deck type, deck loads can be carried, such as barreled goods, structural steel, cars, boilers, machinery, lumber, and wood in the wells.

The well-deck or three-island type of ship, which these are, has been accepted by the merchant marine of the world as the

all-around most useful cargo ships, as Mr. Ferris claims. The Norwegians, who rank among the most expert ship operators, have adopted them almost universally. This is largely true of British owners.

Of course, vessels may be wanted for specific trades for which these would not be suitable.

For instance, if it is desired to carry bulk cargoes of large cubic and small dead-weight such as package freight, like cotton, with no deck load, you would want a different kind of ship. The cubic ship would be best for that service.

If it is desired to make full cubic ships out of these vessels, that could be accomplished at any time by closing in the wells.

They can be made complete two-deck vessels by closing in the forward well.

The cargo capacity could be increased by placing the machinery aft, instead of amidships, but this would not be advisable when the service is to be ocean service. Mr. Ferris favors a larger ship of this type. It is conceivable that heavy engines, racing in a rough sea, might shake, strain, loosen up the parts, and tend to rack a big ship of wooden construction. Certainly, however, wooden construction up to, say, 350 feet keel has been thoroughly demonstrated to have real merit and unquestioned value and is approved by all of the maritime nations of the world.

What I complain of is the effort to stifle or destroy an important industry in this country when there is no reason or sense in such a course.

Shall every wooden-ship yard of the country be put out of business because of this absurd and false propaganda, to the effect that the wooden ship is a failure and no more wooden construction should be allowed? We have the material and now the trained workmen, the well-equipped yards. Are these to be untilized, an extensive and highly important industry maintained, or, by reason of prejudice, ignorance, or misrepresentations, these resources, facilities, and opportunities must be wasted and abandoned?

Any other nation with the slightest appreciation of what the use of the sea means would rejoice and take full advantage of such material and facilities. Surely we will not be so blind or prodigal as to discard them. Foreign countries will keep our wooden yards busy if we will permit them to do so. Shall we play the dog in the manger, reject wooden construction, and then say our builders shall not construct for foreign account? In my judgment, we should build wooden tonnage for Americans and for foreign account, and remove all unnecessary war restrictions upon operation. The sooner this policy is adopted the better.

Mr. President, I have submitted some of the criticisms which have come to me, which have been reported in the newspapers, and which have been founded upon rumors largely to Mr. Ferris, the well-known expert and naval architect of New York, who designed the 3,500-ton Ferris type of wooden ship which was adopted by the Shipping Board. I have his reply to some of those rumors and reports which I formulated and submitted to him, which I desire to have inserted in the RECORD as a part of my remarks. I submit his letter of September 27 and also his letter of December 4.

I have also a statement from the Shipping Board, entitled "Performance of the 98 wooden steamships delivered to the Emergency Fleet Corporation up to November 21, 1918." I should like to have that also inserted in the RECORD.

The PRESIDING OFFICER. The Chair hears no objection to the request of the Senator, and permission to do so is granted.

The matter referred to is as follows:

NEW YORK, *September 27, 1918.*

Hon. DUNCAN U. FLETCHER,
Chairman Committee on Commerce, United States Senate, Washington, D. C.

DEAR SENATOR FLETCHER: Your interesting letter of the 14th instant was duly received, and I have not replied before this date owing to absence.

The criticism set forth by the shipbuilder and operator that has called on you, and these criticisms as you have frankly stated them to me are indeed somewhat sweeping.

I do not know if you are aware that ship property probably has more critics and the least originality in its production than any other commercial constructive industry, this because of the diversities of the trades in which the ships are employed, difference in commodities carried, and methods of loading and discharging not at all common to the various commodities transported. That is, the cargo ship that comes nearest being common to all trades is what is known as the well-deck, or three-island, type of ship. While in the line business, the ships are more or less of a specific type and character for the service in which they are to be engaged. Further, great pride usually connected with the design and building of ships tends in the main to cultivate criticism and jealousy. Also we find that most everybody that has to do with ships feels they know all about them, both as to design, construction, and operation, and proper types for specific trades, whereas the facts are, as the past has shown, the worst failures are where the owner and operator thought he knew the design and construction and dictated it; in other words, was the demanding naval architect. The results with the ships thus produced has proven that little knowledge was dangerous.

For the past 15 years in my work in designing and building of merchant vessels it is conceded I have had more experience than any other one person in learning the requirements and coping with the steamship operators, and the facts are I have yet to experience a failure with a merchant vessel. There is ample record of the ships turned out at my hands, both as to number of ships and types.

To point out how opinions will differ as to what is proper and correct in a ship for a specific trade: For some seven years past a large steamship interest with subsidiary operating companies, each one managed separately by its president, I have endeavored, without success, to get them to agree on one standard cargo ship that would in their opinion meet the requirements of all. Up to the present time this is a failure and seems to be impossible. Two of the subsidiary companies handle bulk freight carried under decks. The other two subsidiary companies carry dead-weight cargoes and deck loads and are more or less in the line of tramping business.

Now, as to the wooden ship, I do not know if you fully appreciate—and which is probably because of the wooden ship having been discarded; that is practically superseded by steel vessels some years ago—the trouble in maintenance of the wooden ship experienced by some of the old school of operators. To bring the wood ship back now and have it looked upon with favor is a difficult matter. We all know how difficult it was to get owners to believe in the iron ships when they first came into existence, and this we are now in a way repeating with the wood ships. There exists to an extent an antagonism against the wood ship which to a great degree is prejudice and a great deal is assumed without fact. For instance, a wood ship goes into dry dock and the critics just seem to feel free to say it was because she is leaking or had some structural weakness that caused her to leak, or other similar defect made up to nourish assumptions already founded on false premises and their expectations of what the wood ship was going to be.

It has plainly come to my realization—perhaps more so on account of being unaccustomed to it—that in a national matter where public money is being spent there seemingly is great criticism. Everyone would have done different, has different ideas, suggestions, and results than the fellow who was called upon to do it. No matter how faithfully the work had been done, he would be wrong in the eyes of these people. It seems to me, and in this I am sure you will concur—that you should know the real facts about these wooden ships. Never mind whether the facts indicate good or bad, the actual truth is what I am sure you want. Opinions and criticisms are numerous and in the same category as offered advice, which, according to the old saying, the latter usually has a bad odor. These opinions have no place in the premises; actual facts and the truth is the only matter to be considered with the proving up of these ships in actual operation, whether or not they will carry dry and perishable cargo, operate economically, and show themselves to be a good commercial proposition.

Section 1 of your letter states: "That there are five wooden ships, Ferris type, completed and started out for business. They are now somewhere in dry docks between Beaumont and Boston. Each one of them proves a practical failure."

The facts are, in accordance with information I have, there are to date, or, rather as I understand it September 15, 353 ships including requisitioned ships completed, a total of about 2,110,000 dead-weight tons. Of these 353 ships 41 are of wooden construction, and out of the 41 wooden ships I should say, approximately, 30 of them are of the "Ferris" type. Of this number some 15 or 20 are from Atlantic coast and Gulf yards and are now in service or practically ready to start on a voyage, certain ones having already made complete voyages. There have been to date, so far as I know, none of these ships pronounced as "practical failures." Quite to the contrary, their performance is looked upon with more or less favor, these about the facts and the above-quoted statement is quite untrue.

Section 2 of your letter states: "They leak so badly they have been obliged to put in dry docks and were found to have from 2 to 10 feet of water in them."

It is my understanding that each and every ship completed at the finishing yard was ordered to be dry-docked, to be given the once over, and see that they were all right before going to sea. In fact, this procedure is not uncommon in any and all vessels. There are exceptions, however, in the case of steel ships, where they are finished and go to sea without a docking before proceeding to sea.

In some cases, in fact I might say a number of cases, as I understand the situation, several of the ships being the first built and going through the pioneer work of the first building, have when on the dry dock had some work done on them; more fastening or occasional fastening put in around stern. These ships, as you know, are single screw, and when racing in a seaway the fastening around the stern must be of a most secure nature.

The keels of practically all these ships were laid purposely with a sag of about 6 inches. While I do not know the details, I hear that one of the ships when docked was laid on straight keel blocks which, of course, straightened her out and caused her to leak. There has been some few cases where the ships leak some. This was due only to calking and not from any other cause except the one above mentioned. As to any of the ships having 10 feet of water in them, I believe this is absolutely untrue. Anyone making such a statement, I think, ought to be called upon to produce the facts.

Section 3 of your letter states: "That they are excessively heavy and of excessive draft. The timbers are too large and too numerous in them, and the material in them has not been properly distributed, both as to the wood and the steel."

The facts are that none of these ships are of excessive draft over what they were originally intended to be. Quite to the contrary, from information I have, they carry in excess of the intended dead weight about 200 tons and they trim properly under light conditions. That is, they draw a sufficient amount of water aft that propeller wheel is properly immersed, so as to perform at sea without ballast. Would explain right here that a wood ship has no means for water ballast; that is, double bottom similar to steel vessels to put them down when light. It is obvious, therefore, that a wood ship's increased weight—that is, weight of the equipped ship over that of a steel ship—about makes up the weight of water ballast in a steel ship. The wood ship, if of proper model and trim, will perform equal to the steel ship under light condition—the steel ship with water ballast and the wood ship with no ballast—provided the machinery is placed amidships in the latter.

I can appreciate that to anyone looking at these ships under light conditions they may appear to be of excessive draft. But anyone who is not familiar with lakes and has favorable and experience in operating ships in ocean service knows or should know fully this condition.

As for the contention that ship being too large and too numerous and the market not promptly discovered, the facts are the instructions in designing the ships were that they were to perform in ocean service. These instructions make statement takes no account as to whether the ships are large enough for overseas service. Further, received instructions that they were to receive the highest class of the American Bureau of Shipping. The Classification Society is in the main responsible for the size of timbers, number and distribution of material. It is my judgment, however, and it always has been, that if these ships are going to operate overseas and some of them, say, to the West Indies carrying all sorts of commodities, I mean dead-weight cargo, such as sugar, cement, etc., that their construction is not too heavy especially in the pioneer wood-ship building, where something has to be allowed in this respect to offset some inferior workmanship, fastening, etc., and especially in cases where the ship is built of soft wood; that is, we class yellow pine as soft wood.

If in time considerable timber could be cut out in the way of shelf logs were it possible to obtain knees in place of them. If these ships were for moderate coastwise service only and for package-freight service such as on the Great Lakes, their scantlings could probably be reduced to some extent, and might to a moderate degree in the present situation when the builders become more skilled in the fitting and fastening of timbers. For anyone only acquainted with wood-ship building on the Lakes, where oak is universally used, to them no doubt the scantlings of yellow pine appear too large and numerous.

Section 4 of your letter states: "That comparatively slight changes in design would give a ship at a saving of 20 per cent in material, at a saving of that much in the cost, 20 per cent of the cost, at an increase of cargo capacity of something like 25 per cent."

I can not imagine how a slight change in the design can possibly effect a 20 per cent saving in material unless the classification societies requirements for scantlings was abandoned or unless a different grade of timber was used; for instance, oak instead of soft wood or yellow pine. In this type of construction little can be done in reducing scantlings and still meet the requirements of the classification societies. It is a fact, however, that a considerably larger ship could be built with no great material increase in scantlings. If a type of construction was adopted, such as diagonal wood strapping, the majority of the yards building these ships could not have done the work.

As to increased cargo capacity this is simply a matter of type. To explain, if the machinery were placed in the stern of these ships similar to Lake practice, the after well closed in there would be gain in cubic capacity by eliminating the shaft tunnel and using part of the after peak tank for cargo; and a further gain due to closing the after well. This would result in increased draft of the ships under free board regulations and in return increased dead weight. The cubic capacity could be further increased by closing in the forward well and making them complete wooden vessels. The present ships were not laid down without due consideration of the above and without due consideration of the losses against the gains. Further, the machinery could be retained amidships and the wells closed in and thus increased cubic and dead weight capacity would be gained.

Now, as for a wood ship with machinery placed aft for ocean service—that is, a coal burner, which she must be, because it is not possible to carry fuel oil in wood hulls without enormous expense in providing metal tanks. Such a ship due to weight of machinery and coal bunkers in the stern, I claimed from the start would not perform satisfactorily in ocean service, and have no reason to retract from this. The returns in the shape of some enormous loss in bunkers burning out with no latent tanks to pump up, trim, etc., not to mentioned, and performance is decidedly unsatisfactory.

The flush deck vessel for general cargo service on the Lakes is looked upon with favor, but for service to the West Indies, and in fact, overseas, the well deck type of ship has stood up against them all, having the ability to carry all kinds of cargo, due to density of 40 cubic feet per ton, and in addition has sufficient stability to take care of a deck load. Lake operators know little or nothing about deck loads, which have become more and more permanent in our American cargo ships for service to the West Indies, etc. Barrelled goods, structural steel, cars, boilers, machinery, and such commodities, including lumber and wood, are carried in wells of these ships as deck loads, which the flush-deck ship can not get away with.

Section 5 of your letter states: "Particularly the heavy keelsons running parallel on both sides of the main keel and extending some 3 feet up in the ship would necessarily interfere greatly with the discharge of cargo and are considered as being unnecessary."

It is true these girder keelsons are of some slight obstruction, but a statement that they are some 3 feet up in the ship is absolutely untrue. The fact is they extend up in the ship 16 inches and are put there for strength.

Further referring to section 5: "All the heavy timbers he considers are much too large." "He does not believe the ships will be of material value as a part of our mercantile marine. The machinery and furnishings are superb. The hull is of a design which builders discarded in 1882, but in less than a week the design could be altered so as to effect the advantages and economies mentioned."

I have made mention in the foregoing regarding the heavy timbers, and as for the ships being no material value in our mercantile marine, this can only be answered as time goes on. Their operation will have to prove this. If they show they can carry dry and perishable cargo and operate economically, then if they are not of any value it is because of two things, bad management in operation or units too small to be profitable. As to the design being discarded in 1882, do not know just what is meant by this: If it is the type of ship, would state that it has never been discarded. The well deck, or Three Island type of ship, which these ships are, have been accepted by the merchant marine of the world as the and around most useful cargo ship. The Norwegians, who rank among the keenest of ship operators in the world, have adopted them almost universal. Except as to some modifications, this also applies to English owners, who in some cases adopted long poops or quarter decks, and in all cases the machinery is placed amidships. While it is true minor changes could be made to the design, but as it affects contracts already placed and the whole program of construction, vast time in delay and confusion, can not other than but occur.

Permit me to make it clear that when these ships were laid down the distinct understanding was that they would be emergency ships for overseas service, and otherwise for general all around cargo business. If it is now contemplated that the vessels as a whole or certain ones of them be employed in specific trades, for instance, the carrying of bulk cargoes of large cubic and small dead weight, such as package freight coastwise, cotton, etc.—no deck loads—their type is not especially adapted to this sort of business. For this service what is known as a cubic ship is best. The criticisms that have been made as to the capacity of these vessels can not be in common sense unless the party has distinctly in mind the employment of the ships in a specific service of this character.

Your reference that "since these five ships are in the water and actual experience with them has taught something, do you not think it would be well to look one of them over some time soon and consider the design further and any possible changes"? Beg to say I have followed the wooden ships as well as the steel ships because of my great interest and strenuous efforts in behalf of the Government. Of course, having no official connection, it is not possible to know a great deal in detail. On about September 3 I went over the wood ship *Alcoda* while she was here in New York and am inclosing you copy of letter written Mr. James O. Heyworth, manager Division of Wood Ship Construction, at that time as a result of my inspection of this ship.

I think you should have any and all information that might be of interest or bearing on the craft. However, may I ask that you kindly treat the letter as confidential? I have no interest in the whole matter except honest work and dealings in my profession at my hands, realizing years ago that no other can be lasting.

In the case of the *Alcoda* it is interesting to know that while I was around the dock previous to going aboard there were reports circulating that she had 2 feet of water in her. I mention this to point out what I referred to in the first part of this letter. The fact is, as I verified it, the ship had not been leaking. She did go to dry dock, however, to take her rudder off and fit on it a reinforcing strap, but for no work on account of leaking.

In connection with my reference to the performance of these wooden ships, it is my understanding that 24 of them have been assigned for a voyage to Chile to bring back nitrate and about 15 out of the 24 are of the standard "Ferris" type. A cargo of nitrate will be an excellent test, provided the ships get in a good stress of weather on the return voyage. When these ships arrive at the Atlantic ports we will then know how they can stand up to their work.

I understand from recent reports that one of the Hough type of ships has foundered at sea off the Pacific coast. This is the ship of straight timber construction that was so much agitated in the early part of the wood-ship program. I am inclosing certain letters which dealt with that class of ship at that time, which perhaps you would be interested to note.

In closing, would say that it is my view, because of the experience gained in wood-ship construction, if the building of wood vessels is to be continued, a larger ship should be adopted. In the main, I believe it would be unwise to entertain any alterations to the present 3,500-ton wooden ships, for no specific gain can be made unless classification is waived or some of the ships are wanted for specific bulk freight trade, as I have referred to. In fact, if it is desired to make full cubic ships out of them, this could be accomplished at any future time by closing in the wells.

Respectfully, yours, THEO. E. FERRIS.

NEW YORK, *December 4, 1918.*

Hon. DUNCAN U. FLETCHER, Esq.,
Chairman Committee on Commerce,
United State Senate, Washington, D. C.

DEAR SENATOR FLETCHER: I regret the delay in replying to your favor of the 29th ultimo, which was due to my absence. Have received in this morning's mail copy of your statement on the wooden ship, which I think is exceedingly good, and it was thoughtful of you to send copy of same to me.

You refer to report you have from the board which shows rumors that "the ships are failures; they leak, have engine trouble, rudders must be replaced with steel or iron; a lot of them beached and others in dry dock, etc., etc.," and you mention that such rumors are basely false. They are not only false but certainly harmful in a national matter, and those who will indulge in them are not truthful, have little interest in actual facts, and bent on circulating criticism. I do not suppose you could never get any steel-ship builder to see any good whatever in wooden ships.

You ask for permission to use, if you discuss the matter in the Senate, my letter of September 27. I have no objections to this at all, except, of course, the confidential portions where same might possibly involve some other persons, and naturally I would want to see this avoided. So far as I am concerned, would greatly appreciate keeping out of any possible controversy, but would not shirk one if facts and truth were at stake.

You ask if I have any later facts as to operations, seaworthiness and commercial business showing they have made. Regret to say I have nothing more than general information. The ships that came from South America with nitrate I understand did very good work; in fact, seem to prove that none of the standard wood ships thus far have shown the slightest structural weakness. In fact, quite to the contrary, and some of them have been in pretty heavy weather.

It is correct, as I get the information from the American Bureau of Shipping, that there has been some trouble with rudder stocks, which was partly due to not having obtained the best material for them and partly on account of steering gear overrunning and putting improper twist on the stocks. I had some correspondence with Mr. Heyworth about this, and inclose copies of the letters, which are self-explanatory.

I telephoned to-day to the marine superintendent of one of the operating companies that has 16 of the wooden ships—14 of the standard type and 2 of the Hough type. Twelve of these ships have been running between New York and Galveston and there are 4 not quite ready yet. These 12 ships that have been running between New York and Galveston are carrying general cargo, and some of them, in addition to running to Galveston, have gone over to the West Indies. This marine superintendent, who certainly is a capable judge, tells me that the ships are doing very good work, have absolutely no structural weakness, and are stanch in every respect. In some cases they have had caulking to do on the ships, but that this was to be expected. He also says the ships load and discharge cargo very satisfactorily.

I also have information from the Pacific coast, where several of the ships there have carried sugar cargoes between Honolulu and San Francisco. A sugar cargo is a very particular one, for a small amount of water usually results in considerable damage, as it penetrates through the bags of sugar and the bags are thrown out and classed as damaged cargo. I understand there was no damage in these sugar cargoes. Therefore these ships could not have leaked very much.

You inquire as to what is the length of the keel in the Ferris type 3,500-ton ship. Beg to say these ships are 268 feet on the keel.

Your mention that one correspondent is inclined to limit wooden construction to 220 feet keel length is interesting, and can only say, if this correspondent really believes this, he is not conversant with wooden-ship building as we now know it.

During my connection with the Government shipbuilding program, and that part in connection with the wooden ships, believe I came in contact with pretty much all the various proposed methods of construction. Also made quite a study of what had been done in wooden-ship building. Not only did I meet and converse with practically all the wooden-ship builders of the country but also have gone among the yards on the Gulf and Atlantic coasts and also on the Pacific coast.

While I dislike to say so, I must confess that the old tradition wood-ship builders of this country—they were few—represent the great diversity of opinion as to proper wood-ship construction, and certainly were a self-opinionated lot of men. Really based on what we have proven in the Government wooden-ship-building program, these men did not know the fundamental engineering principles entering into a vessel built of wood. In laying down the Government ships flat floor—that is, without much dead rise—so as to get floor timbers without butts, throw garlet bond from bilge to bilge, and so on—naturally steel-strapping the ships, we have produced the only wooden ships ever built in this country that have not shown any tendency to hog, or rather push the bottom up. Further, the wood-ship-building regimen that came from the Pacific coast at the beginning of the Government shipbuilding program emphatically stated that sternposts and deadwoods could not be constructed of wood to hold a single-screw arrangement, and it was their idea that all self-propelled wood vessels would necessarily have to be twin screw. In the standard Government wood ships, which are single screw, the sternposts and deadwoods are standing up admirably, and the racing of the larger propeller wheel has not shown any bad effects thus far with these ships. Further, the universal claim that propelling machinery in a wooden ship, due to vibration, would rack and loosen the vessel's hull is not the case. The ships show no sign whatever of any trouble in this respect.

Of course the wood ship can not commercially be put on a parallel with the steel ship. I say commercially because a wood ship weighs about 15 per cent in excess of steel vessels of equal dimensions, or carries 15 per cent less cargo with the same amount of propelling power expended. Their upkeep and maintenance are somewhat more, but for any person or body of men to contend that because a ship is built of wood she is a commercial failure and of no commercial value is ridiculous and can only be based on purely prejudiced deductions.

My great regret with the Government wood ship is that we were allowed to be a little too much influenced by the so-called practical wood-ship builder, who, as it has turned out, did not even know the fundamental principles. By their influence we limited the size of the ship to 268 feet long, and I now feel absolutely sure that just as satisfactory a wood ship can be built up to 320 feet long of 5,000 to 5,500 tons dead weight carrying capacity, which in unit size is very much more attractive than the 3,500-ton wood ship and would do well overseas. It is also to be regretted that these wood ships could not have been fitted with Scotch boilers instead of water-tube boilers, the latter being forced upon us because of the emergency and the stated impossibility to get boiler plates, furnaces, and tubes, together with the necessary facilities to produce Scotch boilers. This, in fact, applies to many of the steel ships, and I do not believe, and never did, that the water-tube boiler will be a permanent thing in any cargo ship, the Scotch boiler being practically the only one for this class of ship.

Respectfully, yours, CHAS. E. FERRIS.

PERFORMANCE OF THE 98 WOODEN STEAMSHIPS DELIVERED TO THE EMERGENCY FLEET CORPORATION UP TO NOVEMBER 21, 1918.

[Compiled by David L. Ewing, Assistant Director of Operations, United States Shipping Board, Emergency Fleet Corporation, Washington, D. C., November 22, 1918.]

WOODEN SHIPS DELIVERED TO EMERGENCY FLEET CORPORATION.

North Bend (Hough type). Builders, Kruse & Banks, North Bend, Oreg. Delivered May 27, 1918. Sailed from San Francisco June 3 for Honolulu with coal; arrived June 13. Sailed from Honolulu June 23 for San Francisco with sugar; arrived July 3. Sailed from San Francisco July 26 for Honolulu with general cargo; arrived August 6. Sailed from Honolulu August 14 for San Francisco with sugar; arrived August 27. Sailed from San Francisco for New York September 17 with general cargo; arrived October 18. Sailed from New York November 2 for Cristobal with general cargo; arrived November 13.

Hilert (Hough type). Builders, Grant, Smith & Porter, St. Johns, Oreg. Delivered June 26, 1918. Sailed from Portland June 28 for San Francisco with lumber; arrived June 29. Sailed from San Francisco July 16 for Honolulu with general cargo; arrived July 27. Sailed from Honolulu August 8 for San Francisco with sugar; arrived August 21. Sailed from San Francisco September 8 for Honolulu with general cargo; arrived September 19. Sailed from Honolulu September 25 for San Francisco October 22 for Arica in ballast.

Wasco (Hough type). Builders, Grant, Smith & Porter, St. Johns, Oreg. Delivered June 30, 1918. Sailed from Astoria July 1 for San Francisco with lumber; arrived July 4. Sailed from San Francisco July 17 for Honolulu with general cargo; arrived July 28. Sailed from Honolulu August 2 for San Francisco with sugar; arrived August 20. Sailed from San Francisco September 6 for Honolulu with general cargo; arrived September 17. Sailed from Honolulu September 25 for San Francisco with general cargo; arrived October 5. Sailed from San Francisco October 22 for Chile in ballast; arrived November 17.

Quidnic (Hough type). Builders, Kruse & Banks, North Bend, Oreg. Delivered June 30, 1918. Sailed from San Francisco July 7 for Honolulu with general cargo; arrived July 19. Sailed from Honolulu July 24 for San Francisco with general cargo; arrived August 5. Sailed from San Francisco August 18 for Honolulu with general cargo; arrived August 29. Sailed from Honolulu September 1 for San Francisco with sugar; arrived September 17. Sailed from San Francisco September 25 for Honolulu with general cargo; arrived October 6. Sailed from Honolulu October 13 for San Francisco with sugar and pineapples; arrived October 25.

Kasota (Hough type). Builders, Grant, Smith & Porter, St. Johns, Oreg. Delivered June 30, 1918. Sailed from Portland July 5 for San Francisco in ballast; arrived July 14. Sailed from San Francisco July 29 for Honolulu with general cargo; arrived August 9. Sailed from Honolulu September 12 for San Francisco with sugar; arrived September 26. Sailed from San Francisco October 25 for Honolulu with general cargo; arrived November 6. Sailed from Honolulu November 8 for Manila.

Wishkah (Grays Harbor type). Builders, Grays Harbor Mercantile Ship Corporation, Grays Harbor, Wash. Delivered June 30, 1918. Found to be leaking. Sailed from Seattle September 2 for Honolulu with lumber; arrived September 14. Sailed from Honolulu October 29 for San Francisco with sugar; arrived October 31.

Quinault (Ferris type). Builders, Seaborn Shipyards, Tacoma, Wash. Delivered July 7, 1918. Sailed from Seattle July 9 for San Francisco. Sailed from San Francisco July 24 for Honolulu with general cargo; arrived August 1, 1918. Sailed from Honolulu August 11 for San Francisco. Ran out of coal 250 miles out. Towed in by *Point Lobos*. Arrived at San Francisco August 24, 1918. Sailed from San Francisco September 14 for Honolulu with general cargo; arrived September 23. Sailed from Honolulu October 2 for San Francisco with general cargo and sugar; arrived October 11.

Blandon (Hough type). Builders: Grant, Smith, Porter Ship Co., St. Johns, Oreg. Delivered July 17, 1918. Sailed from San Francisco July 27, 1918, for Portland with general; arrived July 30. Sailed from Astoria August 8 for San Francisco with general; arrived August 12. Sailed from San Francisco August 15 for Portland with general; arrived August 18. Sailed from Portland August 23 for San Francisco with general; arrived August 26. Sailed from San Francisco September 1 for Astoria with general; arrived September 6. Sailed from Astoria September 11 for San Francisco with general; arrived September 15. Sailed from San Francisco September 19 for Portland with general; arrived September 23. Sailed from Portland September 23 for San Francisco with general; arrived October 5. At San Francisco dry docking October 5. Sailed from Astoria October 16 for San Francisco with general; arrived October 25. Sailed from San Francisco October 26 for Portland with general; arrived October 29. Sailed from Portland November 5 for San Francisco with general; arrived November 7. Sailed from San Francisco November 14 for Portland with general; arrived November 18.

Boilston (Hough type). Builders: Grant, Smith & Porter, St. Johns, Oreg. Delivered July 26, 1918. Sailed from Portland July 27 for San Francisco in ballast; arrived July 31. Sailed from San Francisco August 7 for Honolulu with general; arrived August 18. Sailed from Honolulu for Island ports September 1 with general; arrived September 10. Sailed from San Francisco September 24 for New York with sugar. Sailed from San Francisco October 1 for New York with sugar. Sailed from San Francisco October 2 for Baltimore with quartermaster supplies; arrived Balboa October 20. Sailed from Cristobal October 31 for Baltimore with general; arrived October 31. Sailed from Hull November 12 for Philadelphia with ballast; arrived November 15. Sailed from Philadelphia November 21 for Houston with general.

Kaskaskia (Grays Harbor type). Builders: Grays Harbor M. S. Corporation, Grays Harbor, Wash. Delivered July 27, 1918. Sailed from Hoquiam July 27 for Seattle; arrived Seattle dry dock August 2. Sailed from Seattle August 11 for Comox, British Columbia, with ballast. Sailed from Union Bay August 17 for Honolulu with coal; arrived August 29. Sailed from Honolulu September 10 for San Francisco with sugar; arrived September 19. Sailed from San Francisco October 8 for Honolulu with general; arrived October 17. Sailed from Honolulu October 23 for San Francisco with general; arrived November 2. Sailed from San Francisco November 15 for New York with Navy canned goods.

Kickapoo (Hough type). Builders: Kruse & Banks, North Bend, Oreg. Delivered July 29, 1918. Sailed from San Francisco August 6 for Honolulu. Returned to San Francisco—rudder trouble. Sailed from San Francisco August 9 for Honolulu with general; arrived August 21. Sailed from Honolulu September 2 for San Francisco with pineapples; arrived September 20. Sailed from San Francisco October 16 for Arica with ballast; arrived San Diego October 18 for repairs. Sailed from San Diego October 25 for Arica, repairs completed; arrived Arica November 15; arrived Calcta Caloso November 16.

Coyote (Ferris type). Builders: Foundation Co., Newark, N. J. Delivered August 1, 1918. Sailed from New York August 16 for Norfolk with general; arrived August 18. Arrived Bermuda August 28; grounded at Bermuda September 9, 1918; arrived Norfolk September 17. Dry docked. Sailed from Norfolk September 29 for Providence with coal; arrived October 1. Sailed from Providence October 16 for Norfolk with ballast; arrived November 18. Sailed from Norfolk October 22 for —— ——; arrived Norfolk October 24 with cargo coal.

Wahkiakum (Ferris type). Builders: Seaborn Shipyards, Tacoma, Wash. Delivered August 2, 1918. Sailed from Seattle August 14 for Honolulu with general; arrived September 2. Sailed from Honolulu for San Francisco September 8 with sugar; arrived September 18. At San Francisco repairing September 27. Sailed from San Francisco October 19 for Honolulu with general; arrived October 31.

Calloch (Hough type). Builders: Grant, Smith & Porter Ship Co., St. Johns, Oreg. Delivered August 7, 1918. Sailed from Portland August 7 for San Francisco with lumber; arrived San Francisco August 10. Sailed from San Francisco August 20 for New York with general; arrived September 20. Sailed from New York October 2 for Norfolk with ballast; arrived October 4. Sailed from Norfolk October 13 for Habana with coal; arrived October 17. Sailed from Habana October 20 in ballast; arrived at Galveston October 24; arrived at New York November 4. Sailed from New York November 9 for Brunswick with general; arrived November 13.

Moritz (Hough type). Builders: Grant, Smith & Porter Ship Co., St. Johns, Oreg. Delivered August 12, 1918. Arrived at San Francisco August 17 with general. Sailed from San Francisco August 23 for Honolulu with general; arrived September 1. Sailed from Honolulu September 10 for San Francisco with sugar; arrived September 22. At San Francisco idle October 5. Sailed from San Francisco October 8 for Arica without; arrived November 1. Sailed from Iquique November 12, 1918.

Calala (Ballin type). Builders: Supple & Ballin, Portland, Oreg. Delivered August 13, 1918. Sailed from Astoria August 17 for San Francisco in ballast; arrived August 19. Sailed from San Francisco August 30 for Honolulu with general; arrived September 8. Sailed from Honolulu September 21 for San Francisco with sugar; arrived October 1. At San Francisco idle October 5. Sailed from San Francisco October 17 for Honolulu with general; arrived at Balboa November 3. Sailed from Cristobal November 9 for New York with salmon; arrived Norfolk November 18. Sailed from Norfolk November 21 for New York with general.

Bellota (Ferris type). Builders: R. J. Chandler, Wilmington, Cal. Delivered August 15, 1918. Sailed from Los Angeles for San Francisco; arrived August 11. Sailed from San Francisco August 31 for Honolulu with general; arrived September 9. Sailed from Honolulu September 13 for San Francisco with pines and sugar; arrived September 26. At San Francisco repairing October 11. Sailed from San Francisco October 17

for Honolu[illegible] with coal; arrived at Honolulu October 28. Sailed from Honolulu [illegible] 1; arrived at Honolulu November 5. November 18 lost rudder 280 miles out of San Francisco; tug *Tatoosh* ordered to assist.

[illegible] (Grays Harbor type). Builders: Grays Harbor M. S. Corporation, Grays Harbor, Wash. Delivered August 23, 1918. Sailed [illegible] August 29 for [illegible]; put in at San Francisco for [illegible]. Sailed from San Francisco September 4 for [illegible] San Pedro September 7, engine trouble. Sailed from [illegible] September 10 for Arica without; drifted ashore at Huantlan [illegible].

[illegible] (Ferris type). Builders: Seaborn Shipyard, Tacoma, Wash. [illegible] 24, 1918. Sailed from Seattle August 27 for Arica [illegible] San Diego September 1. Sailed from San Diego September [illegible] Arica arrived at Coaza September 23. Sailed from Callao [illegible] for Arica. Sailed from Arica October 1 for loading port; [illegible] November 3. Sailed from Junin October 18 for Balboa; [illegible] October 22. [illegible] November 5 for San Francisco. [illegible] San Diego November 16. Sailed from San Diego November [illegible].

[illegible] (Ferris type). Builders: Fulton Steamship Co., Wilmington, Cal. [illegible] 26, 1918. Sailed from San Francisco September 1 for Honolulu; [illegible] San Francisco September 1 for New York; arrived at [illegible] San Francisco September [illegible] New York [illegible] Canal Zone, September 20; [illegible] September 22 for New York with general cargo; [illegible] dock at Pier 36, Barber Line, [illegible] morning. Sailed from New York October [illegible] arrived October 22. Sailed from Norfolk [illegible] November 15 fire broke out in forward hold [illegible] Will return to States for repairs.

[illegible] (Ferris type). Builders: Coos Bay Shipbuilding Co., Coos Bay, Oreg. Delivered August 29, 1918. At San Francisco repairing [illegible] September 3 for Arica without. [illegible] reports that she disappeared from view at [illegible] November 18 at 22° 1' latitude north and 110° 10' [illegible].

[illegible] (Hough type). Builders: Grant Smith & Porter, St. Johns, Oreg. Delivered August 28, 1918. Sailed from Astoria September 2 for San Francisco in ballast; arrived September 4. Sailed from San Francisco September 12 for Seattle with general; arrived at Seattle, [illegible] September 23. Sailed from Honolulu September 25 for [illegible] destroyed by an explosion of oil cargo by lightning [illegible].

Red Cloud (McClellan type). Builders: Merrill Stevens Co., Jacksonville, Fla. Delivered August 28, 1918. Sailed from Jacksonville September 15 for Port Arthur with light; arrived September 24. Sailed from Port Arthur October 4 for South Norwalk with lumber; [illegible] New York October 21. Sailed from New York October 24 [illegible] arrived at New York October 30.

[illegible] (Ferris type). Builders: Tampa Dock Co., Tampa, Fla. [illegible] August 31, 1918. Sailed from Jacksonville September 10 for [illegible] with light; arrived September 14. Sailed from Norfolk September 15 for New York with light; arrived September 18. October 3 [illegible] still not be [illegible] before 19th or 20th of October; now [illegible] ready the 28th [illegible] November 15, 1918, returning to [illegible] New York November 15, 1918. [illegible] with ballast; arrived November 17. Sailed from [illegible] with coal.

[illegible] (Ferris type). Builders: J. W. Murdock, builder, Jacksonville, Fla. [illegible] 31, 1918. Sailed from Jacksonville September 21, [illegible] arrived September 23, 1918; light. Sailed from [illegible] September 29, 1918, for Baltimore; arrived September 30, 1918; [illegible] from Baltimore October 19, 1918, for Boston; arrived [illegible] October 20, 1918; coal. Sailed from New York October [illegible].

[illegible] (McLelland type). Builders: Merrill Stevens Co., builders, Jacksonville, Fla. Delivered August 31, 1918. Sailed from Jacksonville October [illegible] for Seattle; arrived October 4, 1918; light. Sailed from [illegible] October 7, 1918, for Norfolk; arrived October 9, 1918; [illegible] from Norfolk October 12, 1918, for Boston; arrived [illegible] 1918; coal. Sailed from Boston October 21, 1918, for Norfolk [illegible] December 24, 1918. Sailed from Norfolk October [illegible] for Portland; arrived December 2, 1918; coal. Sailed from [illegible] 1918, for [illegible]; arrived November 11, 1918; [illegible] Baltimore November 15, 1918, for Boston; arrived [illegible] 1918; coal.

[illegible] (Ferris type). Portland Ship Building Co., builders, Portland, Me. Delivered August 31, 1918. Sailed from Portland September 1, [illegible] September 2, 1918; light. Sailed from Boston [illegible] 1918 for Norfolk; arrived September 10, 1918; ballast. [illegible] September 20, 1918 for New Bedford; arrived September 22, 1918; coal. Sailed from New Bedford September [illegible] for New York; arrived September 26, 1918; Morse's dry dock [illegible].

[illegible] (Ferris type). Groton Iron Works, builders, Noank, Conn. Delivered August 31, 1918. Sailed from Providence August 27, 1918, for New York; arrived August 28, 1918; light. Sailed from New York September [illegible] 1918, for Baltimore; arrived September 25, 1918; ballast. [illegible] Baltimore September 27, 1918, for Searsport; arrived October [illegible] 1918; coal. Sailed from Rangor, Me., October 1, 1918, for [illegible]; arrived October 2, 1918; light. Sailed from Rockland [illegible] 1918, for Norfolk; arrived October 10, 1918; light. Sailed from [illegible] October 13, 1918, for Boston; arrived October 16, 1918; [illegible] from Boston October 21, 1918, for Baltimore; arrived [illegible] 1918; light. Sailed from Baltimore October 24, 1918, for [illegible] 28, 1918; coal. Sailed from Boston October [illegible] arrived November 3, 1918; light. Sailed from Norfolk [illegible] 1918, for Providence; arrived November 8, 1918; coal. Sailed from Providence November 10, 1918, for Baltimore; arrived November 11, 1918; [illegible].

[illegible] (Ferris type). Tacoma Shipbuilding Co., builder, Cornwall Hatchery, Pa. [illegible] 31, 1918. Sailed from Philadelphia September 1, 1918, for New York; arrived September 2, 1918; general. Sailed from New York October 23, 1918, for Norfolk; arrived October 24, 1918; general. Sailed from Norfolk November 5, 1918, for Cuba; arrived November 18, 1918.

[illegible] (Ferris type). Foundation Co., builders, Newark, N. J. Delivered August 31, 1918. Sailed from New York September 28, 1918, for [illegible]; arrived October 3, 1918; general. Sailed from [illegible]; arrived October 3, 1918; coal. Sailed from Baltimore, arrived October 12, 1918; light. Sailed from Baltimore October 15, 1918, for Boston; arrived October 21, 1918; coal. Sailed from Boston October 24, 1918, for Baltimore; arrived October 28, 1918; light. Sailed from Baltimore October 30, 1918, for Portland; arrived November 3, 1918; coal. Sailed from Portland November 7, 1918, for Baltimore; arrived November 11, 1918; light. Sailed from Baltimore November 14, 1918, for Boston; arrived November 18, 1918; coal.

Wanada (Ferris type). Grant Smith Porter, builder, Aberdeen, Wash. Delivered August 31, 1918. Sailed from Astoria September 1, 1918, for Arica; put into San Francisco; engine trouble. Sailed from San Francisco October 19, 1918, for Honolulu; arrived October 30, 1918; coal.

Wenonah (Grays Harbor type). Builders: Grays Harbor Motor Ship Co., Grays Harbor, Wash. Delivered August 31, 1918. Sailed from Tacoma September 24 for Arica; arrived San Francisco September 28, leaking.

Ketagdon (Hough type). Builders: Kruse & Banks, North Bend, Oreg. Delivered September 1, 1918. Sailed San Francisco September 14 for Arica in ballast; Arrived October 10. Sailed Mejillones October 24 for San Francisco with nitrate.

Balsam (Ballin type). Builders: Supple & Ballin, Portland, Oreg. Delivered September 2, 1918. Sailed Portland September 7 for Arica in ballast; put into San Diego September 11, leaking. Sailed San Diego October 11 for Chile. Sailed Junin, Chile, November 11 for Atlantic port with nitrate.

Wakan (Hough type). Builders: Grant Smith Porter Ship Co., St. Johns, Oreg. Delivered September 4, 1918. Sailed Portland September 9 for Seattle in ballast; arrived September 11. Sailed Seattle September 23 for Hongkong with general cargo. Put into San Francisco in distress September 30. Sailed San Francisco November 7 for Hongkong.

Bonnington (Ferris type). Builders: Nilson & Kelez, Seattle, Wash. Delivered September 9, 1918. Sailed Port Gamble September 19 for Honolulu with lumber; arrived October 6. Sailed Honolulu October 14 for San Francisco with general cargo; arrived October 25.

Boniton (Ferris type). Builders: Meacham & Babcock, Seattle, Wash. Delivered September 12, 1918. Sailed Seattle September 25 for Norfolk with general cargo; arrived October 27. Sailed Norfolk November 9 for New York with cotton; arrived November 10. Sailed New York November 15 for Charleston with general cargo; arrived November 19.

Bazaboa (Ferris type). Builders: The Coast Shipbuilding Co., Portland, Oreg. Delivered September 12, 1918. Sailed from Portland September 16 for Arica in ballast. Put into San Francisco September 29 with engine trouble. Sailed from San Francisco September 27 for Arica. Put into San Pedro October 7 with engine trouble. Sailed from San Pedro October 13 for Arica.

Cyponka (Hough type). Builders: Grant Smith Porter Ship Co., St. Johns, Oreg. Delivered September 13, 1918. Sailed from Astoria September 19 for San Francisco, in ballast. Arrived September 22. Sailed from San Francisco October 1 for Manila, with general. Arrived November 11.

Chocon (Ferris type). Builders: Seaborn Shipyards, Tacoma, Wash. Delivered September 13, 1918. Sailed from Tacoma September 19 for New York, general. Arrived at Baltimore October 25. Sailed from Baltimore November 4 for Savannah, with general. Arrived November 10. Sailed from Savannah November 14 for Boston, with general. Arrived November 18.

Acoda (Ferris type). Builders: Hammond Lumber Co., Humboldt Bay, Cal. Delivered September 12, 1918. Sailed from San Francisco September 14 for Arica, with general. Arrived October 11. Sailed from Arica October 16 for Norfolk, with nitrate. Arrived November 8. Sailed from Norfolk November 15 for New York, in ballast. Arrived November 16.

Inlet (Ferris type). Builders: Tacoma Shipbuilding Co., Tacoma, Wash. Delivered September 13, 1918. Sailed from Victoria for Honolulu September 22, with coal. Arrived October 8. Sailed from Honolulu October 11 for San Francisco, with sugar. Arrived October 20.

Bacoy (Ferris type). Builders: Grant Smith Porter Ship Co., Aberdeen, Wash. Delivered September 19, 1918. Sailed from Portland September 30 for New York, with flour. Arrived November 17.

Bosnan (Ferris type). Builders: Russell Shipbuilding Co., East Boston, Me. Delivered September 19, 1918. Sailed from Portland, Me., September 20 for Baltimore, in ballast. Arrived September 24. Sailed from Baltimore October 7 for Boston, with coal. Arrived October 12. Sailed from Boston November 5 for Baltimore, in ballast. Arrived November 7. Sailed from Baltimore November 8 for Providence, with coal. Arrived November 11.

Broncola (Grays Harbor type). Builders: The Grays Harbor Motor Ship Co., Grays Harbor, Wash. Delivered September 24, 1918. Sailed from Grays Harbor September 22 for Comox, British Columbia, in ballast. Sailed from Comox September 30 for Honolulu. Put into Victoria with engine trouble October 1. Sailed from Victoria October 5 for Honolulu. Put back again to Victoria with engine trouble October 8, leaking; arrived Seattle October 13 for repairs.

Quogue (Ferris type). Builders: Wilson Shipbuilding Co., Portland, Oreg. Delivered September 21, 1918. Sailed from Astoria September 27 for Arica in ballast. Put into Acajutla. Sailed from Acajutla October 29 for Arica. Put into Baden November 16.

Awara (Hough type). Builders: Grant Smith-Porter Ship Co. St. Johns, Oreg. Delivered September 21, 1918. Sailed from Astoria September 27 for Arica in ballast. Put into Pedro October 1 with engine trouble. Sailed from San Pedro October 7 for Pisagua, Chile; arrived November 4. Sailed from Pisagua November 15 for Atlantic port with nitrate.

Cosecia (Ferris type). Builders: Foundation Co., Newark, N. J. Delivered September 21, 1918. Sailed from New York October 19 for Norfolk in ballast; arrived October 21. Sailed from Norfolk October 25 for Habana with coal; arrived October 31. Sailed from Habana November 3 for Sabine in ballast; arrived November 12. Sailed from Sabine November 13 for Baltimore with sulphur.

Alapaha (Ferris type). Builders: Traylor Shipbuilding Co., Cornwells, Pa. Delivered September 24, 1918. Sailed from Philadelphia September 25 for Baltimore in ballast; arrived September 27. Sailed from Baltimore September 29 for Boston with coal; arrived October 3. Sailed from Boston October 11 for Baltimore in ballast; arrived October 16. Sailed from Baltimore October 27 for Boston with coal; arrived November 2. Sailed from Boston November 6 for Baltimore in ballast; arrived November 9. Sailed from Baltimore November 13 for Providence with coal; arrived November 16.

Hecuma (Ferris type). Builders: Seaborn Shipyards, Tacoma, Wash. Delivered September 24, 1918. Sailed from Seattle September 27 for San Francisco in ballast; arrived October 2. Sailed from San Francisco October 11 for Honolulu with general; arrived October 20. Sailed from Honolulu October 30 for San Francisco with pineapples; arrived November 10.

Cocosino (Hough type). Builders: Kruse & Banks, North Bend, Oreg. Delivered September 25, 1918. Sailed from San Francisco October 2 for Honolulu, with general. Put back to San Francisco October 7 leaking, badly.

Batsford (McClellan type). Builders: Merrill-Stevens Shipbuilding Co., Jacksonville, Fla. Delivered September 30, 1918. Not yet ready for service.

Boxley (Ferris type). Builders: Hillyer-Sperring-Dunn Co., Jacksonville, Fla. Delivered September 30, 1918. Sailed from Jacksonville September 30 for Norfolk in ballast; arrived October 7. Sailed from Norfolk for Halifax in naval service and further movements not given out.

Ballicit (Hough type). Builders: Coos Bay Shipbuilding Co., Marshfield, Oreg. Delivered September 30, 1918. Sailed from San Francisco October 5 for Honolulu, with general; arrived October 17. Sailed from Honolulu October 29 for San Francisco, with pineapples; arrived November 12.

Bancraft (Ferris type). Builders: Grant Smith Porter Ship Co., Aberdeen, Wash. Delivered September 30, 1918. Sailed from Astoria October 7 for Comox, British Columbia, in ballast. Sailed from Comox October 16 for Honolulu, with coal; arrived November 2. Sailed from Honolulu November 20 for San Francisco.

Holbrook (Hough type). Builders: Grant Smith Porter Ship Co., St. Johns, Oreg. Delivered September 30, 1918. Sailed from Portland October 1 for San Francisco, in ballast; arrived October 9. Sailed from San Francisco October 20 for Honolulu, with general; arrived October 30. Sailed from Honolulu November 15 for Seattle, with general.

Pascagoula (Ferris type). Builders: Dierks-Blodgett Shipbuilding Co., Pascagoula, Miss. Delivered October 1, 1918. Turned over to United States Navy and further movements not given out.

Banago (Ferris type). Builders: Alabama Dry Dock & Shipbuilding Co., Mobile, Ala. Delivered October 1, 1918. Turned over to United States Navy and further movements not given out.

Bedminster (Ferris type). Morey & Thomas, builders, Jacksonville, Fla. Delivered September 26, 1918. Sailed from Jacksonville October 18, 1918, for Philadelphia; arrived at Charleston October 21, 1918. Sailed from Charleston November 8, 1918 for Philadelphia. Returned to Charleston short of bunkers, oil, water, and with engine trouble. Sailed from Charleston November 20, 1918, for Philadelphia.

Ballosca (Ballin type). Supple & Ballin, builders, Portland, Oreg. Delivered September 28, 1918. Sailed from Portland October 2, 1918, for Arica. Put into San Francisco October 7, 1918, on account of leaking condenser. Sailed from San Francisco October 18, 1918, for South America. Arrived at Caleta Buena November 10, 1918. Sailed from Arica November 17, 1918.

Agnia (Ferris type). Tampa Dock Co., builders, Tampa, Fla. Delivered September 30, 1918. Sailed from Tampa October 9, 1918, for Jacksonville; arrived October 13, 1918, for dry docking. Expected to be ready November 30, 1918.

Congaree (Ferris type). Foundation Co., Newark N. J. Delivered October 1, 1918. Sailed from New York September 28, 1918; trial trip. Arrived at New York October 30, 1918.

Catawba (Hough type). Fulton Shipbuilding Co., builders, Wilmington, Cal. Delivered October 4, 1918. Sailed from San Francisco October 15, 1918, for New York; returned to San Francisco November 4, 1918, for repairs (general cargo).

Aberdeen (Grays Harbor type). Grays Harbor M. S. Corporation, builders, Grays Harbor, Wash. Delivered October 6, 1918. Not yet ready for service.

Astoria (Hough type). McEachern Ship Co., builders, Astoria, Oreg. Delivered October 10, 1918. Sailed from Astoria October 24, 1918, for San Francisco; arrived October 27, 1918. Sailed from San Francisco November 4, 1918, for Honolulu.

Nashotah (Ferris type). Grant-Smith-Porter Co., builders, St. Johns, Oreg. Delivered October 14, 1918. Sailed from Union Bay October 24, 1918, for Honolulu; arrived November 8, 1918.

Lone Star (Ferris type). Lone Star Shipbuilding Co., builders, Beaumont, Tex. Delivered October 14, 1918. Sailed from Port Arthur October 12, 1918, for Galveston; arrived October 14, 1918. Sailed from Galveston October 24, 1918, for Port Author; arrived October 25, 1918. Sailed from Port Arthur October 26, 1918, for New York; put into Galveston, leaking, October 27, 1918. Sailed from Galveston November 21, 1918, for New York.

Kiaro (Ferris type). G. M. Standifer, builder, Portland, Oreg. Delivered October 16, 1918. Sailed from Astoria October 21, 1918, for San Francisco; arrived October 23, 1918. Sailed from San Francisco November 4, 1918, for Honolulu. Being towed back to San Francisco because of boiler trouble; arrived November 12, 1918, in tow of the *Bellicit*.

Chimo (Ferris type). Seaborn Shipyards, builders, Tacoma, Wash. Delivered October 18, 1918. Sailed from Puget Sound October 26, 1918, for Honolulu; arrived at Honolulu November 13, 1918. Cargo, coal.

Anoka (builders' design). Builders: Peninsular Shipbuilding Co., Portland, Oreg. Delivered October 26, 1918. Sailed from Portland, Oreg., for San Francisco October 30; arrived November 2, 1918; ballast.

Bubinan (Ferris type). Builders: Traylor Shipbuilding Co., Cornwall, Pa. Delivered October 29, 1918. Sailed from Philadelphia for Brunswick November 2, 1918; arrived November 5, 1918. Sailed from Brunswick for New York ——; arrived November 12, 1918; general.

Balsto (Ferris type). Builders: Groton Iron Works, Noank, Conn. Delivered October 29, 1918. Sailed from Providence for Norfolk November 12, 1918; arrived November 14, 1918; ballast.

Alanthus (Ferris type). Builders: Foundation Co., Newark, N. J. Delivered October 29, 1918. Made sea trial November 1, 1918 at Crane's dry dock, Brooklyn; recaulking November 15, 1918.

Lonoke (Ferris type). Builders: Wilson Shipbuilding Co., Astoria, Oreg. Delivered October 30, 1918. Sailed from Astoria, Oreg., for San Francisco November 5, 1918; arrived November 7, 1918; ballast.

Bonham (Hough type). Builders: National Shipbuilding Co., Orange, Tex. Delivered October 28, 1918. Sailed from Port Arthur for Philadelphia November 6, 1918; arrived at New Orleans November 8, 1918, with water in forward and aft hold. Sailed from New Orleans for Philadelphia November 17, 1918; sulphur.

Napoleia (Ferris type). Builders: Grant-Smith-Porter, St. Johns, Oreg. Delivered October 31, 1918. Sailed from Portland, Oreg., for San Francisco November 2, 1918; arrived November 9, 1918; ballast.

Bayou Teche (Ferris type). Builders: Jahncke Shipbuilding Co., Madisonville, La. Delivered October 31, 1918. Delivered by builders but not yet ready for service.

Belaic (Ferris type). Builders: Dierks-Blodgett, Pascagoula, Miss. Delivered October 31, 1918. Sailed from Pascagoula for New Orleans [illegible] on trial trip; arrived October 27, 1918. Sailed from New Orleans for Galveston ——; arrived November 10, 1918. Sailed from Galveston for Port Arthur November 17, 1918; arrived November 17, 1918; sulphur. Sailed from Port Arthur for New York November 18, 1918; sulphur; November 19, 1918, lost rudder post 90 miles southeast of South Pass. Two vessels from New Orleans ordered to assist.

Fossler (Ferris type). Nilson & Kelez Shipbuilding Corporation, builders, Seattle, Wash. Delivered October 18, 1918. Sailed from Puget Sound October 26, 1918, for Honolulu; arrived at Honolulu November 13, 1918.

Daca (Ferris type). Meacham & Babcock, builders, Seattle, Wash. Delivered October 19, 1918. Sailed from Puget Sound October 26, 1918, for San Francisco. At Seattle November 4, 1918, repairing. Will discharge cargo into Norwegian ship *Tancred*.

Aldie (Ballin type). Supple & Ballin, builders, Portland, Oreg. Delivered October 22, 1918. Sailed from Astoria October 28, 1918, for San Francisco; arrived October 29, 1918. Sailed from San Francisco November 6, 1918, for Honolulu; arrived November 17, 1918.

Okeza (Ferris type). Russel Shipbuilding Co., builders, Portland, Me. Delivered October 23, 1918. Sailed from Portland October 25, 1918, for New York; arrived October 26, 1918. Sailed from New York November 3, 1918, for Fall River; arrived November 4, 1918.

Barrington (Ferris type). Coast Shipbuilding Co., builders, Portland, Oreg. Delivered October 23, 1918. Sailed from Portland October 26, 1918, for San Francisco. At Astoria; sailed from Astoria October 29, 1918, for San Francisco; arrived October 31, 1918. Sailed from San Francisco November 11, 1918, for Honolulu (general cargo).

Chabinbos (Ferris type). L. H. Shattuc (Inc.), Portsmouth, N. H. Delivered October 31, 1918. Arrived at Boston November 13, 1918 (light cargo).

Alabat (Ferris type). American Shipbuilding Co., Brunswick, Ga. Delivered October 31, 1918. Sailed from Jacksonville November 19, 1918, for Philadelphia.

Harish (Ferris type). J. M. Murdock, builder, Jacksonville, Fla. Delivered October 31, 1918.

Wyhaka (Ferris type). Grant Smith Port, builder, Aberdeen, Wash. Delivered November 1, 1918. Sailed from Portland November 9, 1918, for San Francisco; disabled off Point Tarena, being towed to San Francisco; arrived November 10, 1918.

Salmon (Hough type). McEachern Shipyards, builder, Astoria, Oreg. Delivered November 1, 1918. Sailed from Astoria November 8, 1918, for San Francisco; arrived November 14, 1918.

Bloomington (Ferris type). Hammond Lumber Co., builder, Humboldt Bay, Cal. Delivered November 5, 1918. Sailed from San Francisco November 13, 1918, for Honolulu.

Balino (McClellan type). Mobile Shipbuilding Co., builders, Mobile, Ala. Delivered October 31, 1918. Sailed from Mobile on trial trip October 23, 1918. Sailed from Mobile for Galveston November 8, 1918; arrived Galveston November 11, 1918; ballast.

Alpaco (Ferris type). Hodge Shipbuilding Co., Moss Point, Miss. Delivered October 31, 1918. Delivered, but not yet ready for service.

Oneco (Ferris type). Beaumont Shipbuilding Co., Beaumont, Tex. Delivered October 31, 1918. Sailed from Beaumont September 15, 1918, for New Orleans; arrived September 19, 1918; ballast. In dry dock.

Neodah (Ferris type). Grant-Smith-Porter Shipbuilding Co., St. Johns, Oreg. Delivered October 23, 1918. Sailed from Portland October 29, 1918, for San Francisco; arrived November 1, 1918. Sailed from San Francisco November 21, 1918, for Hilo, Hawaii.

Wakanna (Ferris type). Seaborn Shipyards, builder, Tacoma, Wash. Delivered October 31, 1918. Not yet ready for service.

Tillamook (Ferris type). Grant-Smith-Porter Shipbuilding Co., St. Johns, Oreg. Delivered November 6, 1918. Sailed from Astoria November 11, 1918, for San Francisco; arrived November 14, 1918.

Blythedale (Ferris type). R. J. Chandler, builder, Wilmington, Cal. Delivered November 11, 1918. Not yet ready for service.

Angoca (Ferris type). Morey & Thomas, builder, Jacksonville, Fla. Delivered November 12, 1918. Not yet ready for service.

Mahaska (Ferris type). Barber Bros., builders, Tacoma, Wash. Delivered August 31, 1918. Sailed from Tacoma September 7, 1918, for Honolulu; arrived September 20, 1918. Sailed from Honolulu October 14, 1918, for San Francisco; arrived October 26, 1918.

Mr. FLETCHER. Mr. President, I am obliged to the Senator from North Carolina [Mr. SIMMONS] for permitting this interruption at this time. As I have said, I am not contending that the Shipping Board should make any additional contracts for the construction of this type of ship if they are now in a position to contract for a different and superior type and have the time to build other types of ships which more nearly suit their needs; but at the same time I want to make this showing of facts as to the performance of the wooden ships and to insist that they have not been failures by any means; that they are valuable cargo carriers and that these yards can be utilized not only in the building of such types of ships as they have been building but can be used in the construction of smaller vessels, in the construction of tugs, and in the construction of pontoons and of other shipping craft.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Washington?

Mr. FLETCHER. I yield to the Senator from Washington.

Mr. JONES of Washington. Mr. President, I simply want to say, in confirmation of what the Senator from Florida [Mr. FLETCHER] has stated, that when I was out in Seattle a short time ago I talked with some of the leading shipping men there and asked them particularly what the record of these wooden ships had been as to efficiency and good service. Some of them were men who were inclined, I knew, toward steel construction, but they said these ships had rendered splendid service; that they were good cargo-carrying ships, especially for the coastwise trade, and even upon voyages of considerable length; that the

current rumors that had been given out, in their judgment, were practically without foundation.

I simply want to add that statement to the facts which the Senator from Florida has given and to say that I am in general accord with his suggestions.

I do not want the Shipping Board to enter into new contracts for the construction of additional wooden ships, especially if we can get plenty of steel ships; but there are some contracts which have been made and which have been in large part performed for such ships; and it would entail upon the Government a very great loss if such construction were suspended. Those ships I should like to see the Shipping Board complete. I think, when constructed, the ships would render good service, and that they could be disposed of, if we ever found it necessary to dispose of them, in a very advantageous way.

Mr. FLETCHER. Mr. President. I am glad to have the confirmation of my position by the Senator from Washington; and I will simply add that, in my judgment, it would be a great mistake to cancel our contracts for such ships where material has been ordered and is on the ground and the builders are prepared to go on with the construction of the ships, for, whether the Shipping Board really needs those ships or not, they can undoubtedly be disposed of, so that there will be no loss in their construction, and it might be a reasonable business proposition. At any rate, the evidence is clear that it is not a waste of money to construct such ships. There is a demand for them if the Shipping Board shall not want them; and, whether they want them or not and will need them in the operations that they have in mind, there will be others who will want them.

Mr. HARDING and Mr. LENROOT addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Florida yield, and, if so, to whom?

Mr. FLETCHER. I yield first to the Senator from Ohio.

Mr. HARDING. Mr. President, I want to ask the chairman of the Committee on Commerce [Mr. FLETCHER] if I understood him to say that these ships could be disposed of without loss?

Mr. FLETCHER. I said I thought they could be disposed of without loss.

Mr. HARDING. Well, is the Senator from Florida not aware of the fact that the Shipping Board is already talking of a plan of writing off the cost of these ships in order to operate them successfully?

Mr. FLETCHER. I have seen some suggestions of that kind, but I do not think they come from the Shipping Board. I think that is an idea which has been advanced by others.

Mr. HARDING. Mr. President, I am prepared to say that it does come from the Shipping Board, and I take issue with the Senator from Florida on the wisdom of going on with the contracts for the construction of such ships which have not already been begun and building at Government expense under the extraordinary conditions which were developed to meet a war emergency. With the permission of the Senate, I shall be glad to make some remarks upon that subject at a time when I shall not be intruding upon the Senator who has the floor.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. The Chair will now recognize the Senator from Wisconsin.

Mr. SIMMONS. I yield to the Senator from Wisconsin.

The PRESIDING OFFICER. Does the Senator from Wisconsin desire to take the floor?

Mr. LENROOT. No; the Senator from Ohio [Mr. HARDING] covered the question I had in mind.

THE COAL SITUATION.

Mr. THOMPSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Kansas?

Mr. SIMMONS. I yield.

Mr. THOMPSON. If the Senator from North Carolina will yield to me a moment, I desire to report back favorably with an amendment, from the Committee to Audit and Control the Contingent Expenses of the Senate, the resolution (S. Res. 374) providing for hearings before the Committee on Manufactures, and I call the attention of the Senator from Mississippi [Mr. VARDAMAN] to the resolution.

Mr. VARDAMAN. Mr. President, if the Senator from North Carolina [Mr. SIMMONS] will kindly indulge me for just a moment, I should like to ask unanimous consent for the immediate consideration and passage of the resolution submitted by the Senator from Kansas, chairman of the Committee on Contingent Expenses. It will not take a moment to pass the resolution. It merely authorizes the Committee on Manufactures to pursue further its investigation of the coal situation and to visit the anthracite coal fields of Pennsylvania and pay the expenses therefor. The committee thinks it prudent to undertake this matter. I should like to have the resolution passed, because I desire to go into this question in all of its phases and to correct what upon the surface appears to be a great economic abuse.

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Mississippi?

Mr. SIMMONS. I yield.

Mr. KING. Mr. President, I should like to ask the Senator from Mississippi whether this committee is the one that had under investigation the Hog Island frauds and scandals?

Mr. VARDAMAN. No; that was the Commerce Committee.

Mr. KING. I knew that the Senator from Mississippi was a member of the committee which had been investigating that question.

Mr. VARDAMAN. There was no subcommittee appointed for the purpose of investigating the Hog Island scandal. The pending resolution refers to a subcommittee appointed by the Committee on Manufactures. That committee desires to visit the anthracite coal fields of Pennsylvania and other coal fields in order to make further investigation; that is all.

Mr. KING. While the Senator is on the floor I should like to ask what has become of the investigation of Hog Island, first, by the committee, and, secondly, as I understand, by the Department of Justice? There was a great deal of vulgar robbery, stealing, and thievery by men engaged in the Hog Island enterprise, and I think the committee ought to make a report.

Mr. VARDAMAN. I think the language employed by the Senator from Utah, when we consider the provocation, is very moderate in his characterization of the conduct of certain plutocratic individuals connected with the Hog Island enterprise. And I agree with him that the report ought to be made, and I trust it will be, some of these days. The result of the investigation made by the Department of Justice, I understand, is in the hands of Mr. Hurley. It was first sent to the President, who, in turn, sent it to Mr. Hurley, and Mr. Hurley is now in Europe, I am advised. I join with the Senator from Utah in the desire to see the report of the Department of Justice. I wish also that the American people could see the Hog Island infamy, as it appears to me, in all of its naked enormity. In the name of patriotism the American people have been robbed by this corporation most shamefully. It would not have been tolerated a moment if it had been attempted at any other time than in time of war.

Mr. KING. Why did not the Committee on Commerce, which started the investigation, complete the investigation and make a report?

Mr. VARDAMAN. I do not think the investigation has been completed. I am sure it has not, as thoroughly as it ought to be, but, of course, I will not presume to speak for the entire committee—I am only one member of that committee—as to why the report has not been made. The hearings, however, have been published, and the Senator can judge for himself.

Mr. KING. I read a portion of the testimony, and it showed such fraud, so much stealing and wrongdoing, that I think the committee ought to complete its report and submit its findings to the Senate.

Mr. VARDAMAN. I think the Senator is right about that.

Mr. FLETCHER. Mr. President, may I state to the Senator, with reference to that investigation——

Mr. VARDAMAN. Let me suggest to the Senator that he permit the pending resolution to be disposed of, and then the Senator from Florida can discuss the question.

Mr. FLETCHER. I am not going to discuss it; I wish simply to answer the inquiries. The Senator from Utah [Mr. KING] wanted to know why the committee had not done certain things. The report as to Hog Island, to which the Senator from Mississippi has referred, has been requested by the Committee on Commerce, at least a copy of it, by a resolution adopted at its last meeting. We shall have an answer to that as soon as we meet again, and that answer will be, I take it, somewhat in line with what the Senator from Mississippi has suggested. At the same time, I do not want the inference to go out that the committee is neglecting its duty in the matter.

Whether that report is of a confidential nature or is in the nature of an official document, submitted by the Department of Justice to the President on his request, and we are entitled to it or not, is a matter that we can determine when we get to it; but that investigation was based upon the idea that there were certain matters in connection with the Hog Island transaction and the construction of the shipyard there that needed to be inquired into by the Department of Justice; in other words, to ascertain whether there were any violations of law in connection with it. That phase of the matter was turned over to the Department of Justice, and the Committee on Commerce has not gone into it since it was taken up by the Department of Justice.

Their report will probably cover that inquiry; but it is a report, as I have said, that was called for by the President, and, of course, it is a report that is in his hands or in the hands of those to whom he may have sent it. However, we will find out about it.

Mr. VARDAMAN. Mr. President, there is enough testimony already in the hands of the Committee on Commerce to justify a report to Congress looking to the abrogation of the contract entered into by the corporation for the construction of the Hog Island Shipyard. I think this enterprise is the most shameful scheme to rob the Public Treasury that has been entered into since 1914. Certain very wealthy men are to be paid a percentage on the construction of the ships to be built by this plant, erected at the cost of the Government, for which the aforesaid plutocrats did not contribute a dollar in money or a penny's worth of work. It is my judgment that it is one of the most disgraceful incidents in the annals of American history. Such a fraud should not be tolerated. But I am not going to discuss that now. I ask for the immediate consideration of the resolution which has just been reported.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi for the immediate consideration of the resolution?

There being no objection, the Senate, by unanimous consent, proceeded to consider the resolution, which had been reported from the Committee to Audit and Control the Contingent Expenses of the Senate, with an amendment, on page 1, line 15, after the word "printed," to strike out the words "and to employ such other clerical assistance as may be necessary," so as to make the resolution read:

Resolved, That the Committee on Manufactures of the Senate be, and it hereby is, authorized and instructed to make inquiry into the coal situation, its production, transportation, and consumption.

Resolved further, That the said committee, or any subcommittee thereof, is hereby empowered to sit and act during the session or recess of Congress, or of either House thereof, at such time and place as it may deem necessary; to require by subpœna or otherwise the attendance of witnesses and the production of papers, books, and documents; to employ stenographers, at a cost not exceeding $1 per printed page, to take and make a record of all evidence taken and received by the committee and keep a record of its proceedings; to have such evidence, record, and other matter required by the committee printed. The chairman of the committee or any member thereof may administer oaths to witnesses. Subpœnas for witnesses shall be issued under the signature of the chairman of the committee or subcommittee thereof.

Resolved further, That the expenses thereof shall be paid from the contingent fund of the Senate on vouchers ordered by said committee, signed by the chairman thereof, and approved by the Committee on Contingent Expenses.

The amendment was agreed to.

The resolution as amended was agreed to.

THE REVENUE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12863) to provide revenue, and for other purposes.

Mr. SMOOT submitted the following concurrent resolution (S. Con. Res. 27), which was read, considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That there be printed 25,000 additional copies of Senate Document No. 310, Sixty-fifth Congress, entitled "Revenue bill of 1918," and that there be printed separately 10,000 additional copies each of the majority and minority reports and individual views of members of the Committee on Finance on H. R. 12863, the revenue bill of 1918, for the use of the Senate.

Mr. SIMMONS. Mr. President, I think it is due to the Senate that I should follow the custom which I have uniformly followed heretofore, of making to the Senate a statement with respect to the changes and amendments that have been made in the House bill by the Committee on Finance. I shall make that statement as brief as possible.

I think, Mr. President, that every Senator, like myself, realizes the importance of prompt action in the consideration and passage of the pending bill. The taxes for the fiscal year 1919 can not be collected under it unless the time between its passage and the filing of the returns of the taxpayer is sufficient for administrative purposes. From two and one-half to three months will be absolutely necessary to enable the department to formulate regulations, print the millions upon millions of forms required, distribute them so as to reach the taxpayers of the country, and organize and train the great force necessary to personally instruct the taxpayers in properly preparing their returns.

The bill provides that the returns of the taxpayer shall be filed by the 15th day of March, and that the first installment of the taxes shall then be paid. This bill, as well as the present law, authorizes the commissioner to extend the time for making returns. If this extension is not made it will be necessary for the bill to pass by the 1st of January. If it is extended one month, as was done in the case of the last returns under the present law, it will be sufficient if the bill becomes a law by the 1st of February. Such an extension will automatically extend the time for the payment of the first installment, which would result in more or less embarrassment to the Treasury. An extension of more than a month, it is felt by the department, would be impracticable. I should add that the date named, February 1, fixes the ultimate limit. Utilizing every resource and straining every nerve the Treasury Department can, if the bill passes by that date, administer the law. The law can not be successfully administered if passed after February 1.

I think all Senators will agree that in order to pass this bill by the 1st of February it will be necessary to extend—if not now, later—the hours of our sittings and to devote ourselves to the consideration of this measure to the exclusion, as far as practicable, of other measures, and, in addition, to confine the debate, as far as possible, to discussion of questions pertinent to the bill.

If the delay in the passage of the bill makes it necessary to collect the taxes for the fiscal year 1919 under the existing law, we can not expect to collect more than $4,370,117,000, more than a billion and a half less than the Secretary of the Treasury estimates will be required. This sum, or an approximate amount, could be raised under the present law if it were amended so as to impose a war-profits tax of 80 per cent, the rate provided in the pending bill. Unless this bill passes, or the suggested amendment to the present law is made, the great war incomes and profits piled up during the present calendar year will escape war taxation, and the individuals and corporations who have made these big net incomes and profits will not contribute their just share to the burdens of the war to which they are mainly attributable. It will be unfortunate, indeed, if, by reason of the failure to pass the pending bill or amend the present law, the recipients of these great profits are allowed to keep for their own use the huge sum—approximating $2,000,000,000—which they have expected to pay and which they have collected largely out of the people on the assumption that they would have to pay an 80 per cent war-profits tax. The effect would be to increase to that extent the burdens of the great mass of taxpayers throughout the country.

Under these circumstances, Mr. President, I feel that I can with propriety appeal to Senators, and I do now appeal to Senators, to cooperate in securing the speedy enactment of adequate legislation to make this deplorable eventuality impossible.

Early in the year 1917, and shortly after we entered the war, the two Houses of Congress, upon the recommendation of the Secretary of the Treasury and the President, began the consideration of a revenue bill to raise $4,000,000,000 to meet the increased expenses on account of the war. That amount was all that was thought necessary at that time to pay the expenses of drafting, mobilizing, equipping, and supplying the added military and naval forces then contemplated, together with the necessary war expenditures resulting from that increase in the Army and the Navy and the military program.

The military situation early in the present year made it necessary, from the standpoint of safety and success, that the original program be changed. It was decided that it was necessary to raise an army of 5,000,000 soldiers, 4,000,000 of whom were intended for overseas service. It was also decided to be necessary, as a result, to enlarge our aircraft, Shipping Board, and ordnance programs. It was estimated that to meet the increased expenditures incident to this change of program we would need $8,000,000,000 of revenue instead of $4,000,000,000 for the fiscal year 1919.

Upon the recommendation of the Secretary of the Treasury, the Ways and Means Committee of the House accordingly on the 29th day of May of this year entered upon the consideration of a new revenue bill to raise this additional amount. After nearly three months of hearings, investigations, study, and discussions, on September 3, 1918, the pending bill, estimated to raise eight billion and something over one hundred million dollars, was reported to the House and, with some amendments, was, I think, unanimously passed through that body. The bill was immediately reported to the Senate and referred to the Finance Committee.

I can say, Mr. President, without any reservation, that I have never known a committee, during my 18 years' service in the Senate, to work more earnestly, conscientiously, and continuously in the consideration and preparation of any measure than the Finance Committee in its work of revising and amending this bill.

The committee, after giving mature consideration to the many very vital amendments that it was deemed proper to make in the interest of justice and equity and the fair distribution of burdens, had practically completed its labors and was about ready

to report the measure to the Senate for its further action, when the sudden and unexpected, not to say dramatic, collapse of our enemies, and the signing of the armistice—the terms of which amounted practically to unconditional surrender—radically changed the whole situation from the revenue standpoint. The task of providing revenue for financing the operations of the Government while engaged in a great war gave way to the task of financing the Government through the period of demobilization and reconstruction. Manifestly the two problems are not the same, and tax legislation appropriate to the one is not always appropriate to the other.

Not only we but our allies, as a matter of policy, had, during the war, sought by repressive taxation and other means to diminish the demand for labor, capital, and raw materials employed in the production of nonessential things. This policy was not only justifiable but necessary to conserve labor, capital, and raw materials for war purposes. But the same reasons, Mr. President, which justify and make proper and necessary these repressive taxes in times of war manifestly make them unbearable and even obnoxious in times of peace.

This interpretation of the financial significance of the cessation of the war was set forth in a letter addressed by the Secretary of the Treasury to me as chairman of the committee on the 14th day of November. In that letter the Secretary of the Treasury declared that—

> the collapse of our enemies necessitates instant reconsideration of the national plans of the Government.

He added:

> The prompt enactment of a revenue bill is imperative. The existing law is not satisfactory to the country nor to the Treasury. On the other hand, the revenue bill which passed the House is more stringent than the changed situation will justify.

In this letter the Secretary of the Treasury expressed the belief that the actual expenditures of the Government for the fiscal year ending June 30, 1919, would be around $18,000,000,000 instead of $24,000,000,000, as originally estimated, and recommended that the pending bill be revised with a view to raising $6,000,000,000 instead of $8,000,000,000 during the calendar year 1919, and $4,000,000,000 during the calendar year 1920. This recommendation of the Secretary of the Treasury has been acted upon by the committee, and the necessary changes and amendments made to give it effect.

It is estimated that of the six billions it is expected the bill as amended will raise for the present fiscal year, $4,707,000,000 will be realized from income, war excess profits, and inheritance or estate taxes, and the balance from miscellaneous taxes. Of the four billions which the bill is estimated to raise in the year 1920 about $3,000,000,000 will be raised from income and excess profits taxes and the balance from miscellaneous taxes.

There was very little division, Mr. President, in the committee with respect to the six-billion program for 1919, but with respect to the reduction of two billions proposed for the fiscal year 1920 there was sharp disagreement. It was contended that the time for making the reductions recommended by the Treasury had not arrived, and that the Congress could safely be trusted to make the reductions when the time did arrive.

It is contended by the minority that this is not the proper time to make the reductions recommended by the Secretary for the fiscal year 1919-20, based upon the profits and incomes for the calendar year 1919, but that these reductions should be postponed to a future session of the Congress.

These gentlemen admit it is entirely proper for the Congress which assembled on the 3d day of December, 1917, to provide for an increase in the revenues to meet increased expenditures for the fiscal year 1918-19, but they deny that it is proper for the Congress which assembled on the 2d of December, 1918, to enact legislation to reduce the revenues to be raised by taxation for the fiscal year 1919-20 based upon the profits and incomes of 1919. The only difference in the two cases was that Congress assembled one day earlier in the one case than in the other and the problem in one case was to increase the taxes and in the other to lower them.

They base their contention in part upon the ground that there is no necessity grounded on public policy and interest which requires that these reductions be made now instead of later, in part upon the ground that there is uncertainty as to the correctness of the estimates of the department as to the expenditures during the year 1919-20, and in part upon the ground that that action now would controvert the practice of Congress in such cases.

Mr. President, I do not agree with any of these contentions. I do not think any of them is grounded in either good logic or in the facts and circumstances of the case. I believe that every consideration of sound public policy requires that these reductions for the fiscal year 1920, based on the incomes of 1919, should be made at this session of Congress and as early as possible, to the end that the taxpayer and the consumer may know whether these taxes, which will be reflected in the prices charged and paid, are to be imposed upon the basis of a tax levy of six billions or four billions.

I believe that so far from the present being the wrong time to make these reductions, it is the right time to make them, and I do not believe there is any established practice of the Congress which demands otherwise or that there is any such uncertainty as to the estimated expenditures for the year 1919-20 as requires or makes it necessary or proper to delay action in making these reductions.

First, Mr. President, let me address myself to the question of public policy. Is it or is it not in the interest of justice and of the people, the seller and the buyer, that the question of what rates of taxes are to be imposed upon the profits and the incomes of the calendar year 1919, upon which we are about to enter, should be determined and fixed at the very earliest practicable moment? The minority says it is not. I do not agree with them; the Commissioner of Internal Revenue does not agree with them; the Secretary of the Treasury does not agree with them; the President of the United States does not agree with them.

The President in his late message strongly urged immediate legislation to this end. The Secretary of the Treasury in his letter to me on November 14 urged immediate legislation to this end.

Mr. President, the letter of the Secretary of the Treasury upon these points of expediency, of policy, of justice, is so strong, so explicit, so full, and so clear that I think I ought to read some extracts relating to this matter from it. The Secretary says in this letter:

> Nor can I overemphasize the importance of determining now the basis of taxation which will apply to the calendar year 1920 as well as to the calendar year 1919. Business and industry and individual initiative and enterprise are entitled to know in advance the basis of taxation upon which all the activities of the Nation must be conducted. Prosperity can not be maintained if business is kept in uncertainty as to taxation. It is always unfortunate to be compelled to enact a tax bill at the end of the calendar year, with retroactive effect, instead of in advance of the calendar year, which would permit contracts and business arrangements generally to be entered into with certainty as to the burdens of taxation to be borne. This is a gross injustice to business and to all forms of enterprise. It is costly to the people at large, as they are required to pay higher prices for their necessities, because producers, in order to be on the safe side, fix prices on the assumption that taxes may be higher than they subsequently turn out to be. Definiteness and certainty as to the basis of taxation should be given in the pending bill, not alone as to the calendar year 1918 but as to the calendar year 1919. This will enable business and enterprise to proceed with confidence and courage.

I am constrained to read also an extract from the President's message upon this subject. It is very brief:

> If the war had continued it would have been necessary to raise at least $8,000,000,000 by taxation payable in the year 1919; but the war has ended, and I agree with the Secretary of the Treasury that it will be safe to reduce the amount to six billions. An immediate rapid decline in the expenses of the Government is not to be looked for. Contracts made for war supplies will, indeed, be rapidly canceled and liquidated, but their immediate liquidation will make heavy drains on the Treasury for the months just ahead of us. The maintenance of our forces on the other side of the sea is still necessary. A considerable proportion of those forces must remain in Europe during the period of occupation, and those which are brought home will be transported and demobilized at heavy expense for months to come. The interest on our war debt must of course be paid and provision made for the retirement of the obligations of the Government which represent it. But these demands will of course fall much below what a continuation of military operations would have entailed and six billions should suffice to supply a sound foundation for the financial operations of the year.

I entirely concur.

Says the President—

> with the Secretary of the Treasury in recommending that the two billions needed in addition to the four billions provided by existing law be obtained from the profits which have accrued and shall accrue from war contracts and distinctively war business, but that these taxes be confined to the war profits accruing in 1918 or in 1919 from business originating in war contracts. I urge your acceptance of his recommendation that provision be made now, not subsequently, that the taxes to be paid in 1920 should be reduced from six to four billions. Any arrangements less definite than these would add elements of doubt and confusion to the critical period of industrial readjustment through which the country must now immediately pass, and which no true friend of the Nation's essential business interests can afford to be responsible for creating or prolonging. Clearly determined conditions, clearly and simply charted, are indispensable to the economic revival and rapid industrial development which may confidently be expected if we act now and sweep all interrogation points away.

Mr. President, I agree that it is unfortunate that there should be delay in the passage of a revenue bill which imposes taxes upon the current earnings of the year in which the measure must be passed. It has been unfortunate that heretofore in the enactment of these revenue bills it has been impracticable to secure their enactment into law until late in the calendar year the income for which was to be taxed. So two of these measures have had a retroactive effect. But, Mr. President, in both

instances where these bills have been delayed, as the present bill has been delayed, the necessity for the increase in the rates of taxation has been disclosed by events which happened or by conditions which first came to be understood and appreciated toward the middle of the year. The conditions which make it proper and necessary to reduce taxes for the fiscal year 1920, however, are apparent now; and this is the first time in recent years in which the facts making the change in the revenue law necessary and proper have been disclosed before the beginning of the taxable year for which new rates had to be imposed.

It will be recalled that the revenue act of September 8, 1916, was not introduced until somewhere near the middle of the year. It was not discovered until the taxable year had advanced many months that that act was necessary in order to meet the increasing expenditures of the Government, affected by the troubles on the Mexican border and influenced by the reflex action of the war in Europe. But just as soon as it was determined that it was necessary on account of the enormous increase in our expenses to raise additional revenue measures were immediately taken by the department responsible for the conduct of the fiscal affairs of the Government and by the Congress to enact suitable legislation.

Again, Mr. President, when the calendar year 1917 began we had no reason to believe that the laws then on the statute books would be insufficient to yield that part of the revenue which it was desirable to raise by taxation, but on the 6th day of April of that year the Government of the United States, acting upon the initiative of the people of the country—not of Congress and not of the President—decided that the common welfare and safety of this country required and made it the imperative duty of this Government to declare war against the Imperial German Government. Immediately it was recognized by all that it would become necessary, if we were to play the part assigned to us, if we were to render that assistance to our allies which was deemed essential in order to make success possible—I will not say "assured," but possible—that we should at once raise a great army of 2,000,000 men, mobilize them, equip them, furnish them the equipment and supplies necessary to make their service possible, and then provide the transportation incident to getting them across the water.

In order to do this it became necessary for us to adopt a new policy in this country—to enter upon a great scheme of war preparation; to build aircraft; to manufacture great quantities of ordnance; to speed up and enormously to expand our shipping program; and to provide for the manufacture of billions of dollars worth of materials that were required to minister to the needs of this great Army which we were organizing for service 3,000 miles away from home. Within less than 10 days after that event occurred which set in motion this great program of war the Secretary of the Treasury and the President of the United States called upon Congress at once to proceed to the work of changing our tax laws so as to raise the additional revenue deemed to be necessary. That work was begun, I say, within 10 days after the declaration of war.

But, Mr. President, owing to the delays that we all understand to be necessarily incident to the preparation and enactment of important legislation of this character, with all the speed that could be put behind that measure, Congress was not able to pass it until the month of October. If we had known that this additional revenue was needed before the beginning of the taxable year—before the Congress of the preceding December assembled—we would have started preparations for the enactment of that legislation at the very beginning of that session, just as I say it is our duty now, at the very beginning of this session, to enact legislation in order to remove the burdens of taxation that have been found by reason of changing conditions to be unnecessary.

Again, Mr. President, in the case of the pending revenue legislation we did not begin action upon it until several months of the taxable year had expired. Why? Because it was not definitely determined until late in the first half of the year that in order to play the part that the situation in Europe demanded we should play, it would be necessary greatly to enlarge, indeed, almost to double our Army; to raise, instead of an Army of 2,000,000 men for overseas service, an Army of over 4,000,000 men for service abroad.

Senators know how dark and discouraging the situation was at that time. Senators will recall the urgent appeals that came to us from abroad for additional help, for additional men, for additional supplies; Senators well know how we all felt that unless we responded and responded promptly to those appeals the day was lost; that civilization was jeopardized; and that, instead of the glorious victory in which we now exult we might possibly at an early day be compelled to face a great and irretrievable world disaster. For that reason, Mr. President, it was decided in the middle of the year that we must increase our taxes for the year 1918—for this taxable year.

So we commenced work upon a bill for that purpose. That bill ought to have been passed during the last session. It is a great mistake that it was not passed during the last session. If it had passed then the existing confusion about this proposal to adopt rates for 1919 now would not trouble us. If a tax law for 1918 had been passed as a separate measure then I think there would have been no confusion about our duty with reference to providing right now for the reduction of the taxes payable in the year 1920 but applicable to the earnings of 1919. The confusion grows out of the fact that by reason of our failure and inability to pass the pending measure before the beginning of the present session of Congress it becomes necessary to pass it during this session of Congress. We are simply linking to the revenue bill of 1918 an amendment to accomplish what, under other conditions, we would have accomplished properly by an independent bill.

I wish Senators would think about this matter in terms of two distinct bills. One properly should have been passed during the present taxable year and before Congress met in December. Public interest, in fact, would have been better served if the bill could have been passed at the beginning of the year instead of at the end of the year; but it could not be passed then because of conditions which Congress could not control, and it had to be passed, if at all, toward the end of the year. Now I ask that Senators consider the two propositions separately, as if the pending revenue bill fixing taxes and rates for the calendar year 1918 had passed and the proposal to fix taxes and rates for 1919—payable in 1920—were an independent proposition having no relation to the pending bill.

Mr. KING. Mr. President——

The PRESIDING OFFICER (Mr. LEWIS in the chair). Does the Senator from North Carolina yield to the Senator from Utah?

Mr. SIMMONS. I will yield; but I would rather the Senator would allow me to proceed, as I am discussing the question generally.

Mr. KING. I will yield to the desire of the Senator.

Mr. SIMMONS. When I get to the details I will be very glad to yield to the Senator, and will do so now if he insists upon it.

Mr. KING. No.

Mr. SIMMONS. I now reach the question, Mr. President, of a reduction in war taxation. If we pass this bill without special provision for the fiscal year 1920, the profits and incomes earned during the taxable year 1919 will be liable for a tax based upon an $8,000,000,000 levy. We also know now, in the beginning of the session of Congress, before the taxable year 1919 has been entered upon, that the requirements of the Government for the fiscal year 1920 make it possible and proper to lop off $2,000,000,000 from the proposed tax for the fiscal year 1919.

The minority Senators—I have not seen their report, but speak from what was said in the committee—the minority contend that it is sufficient if these tax reductions be made at some later session of Congress. When this Congress adjourns on the 4th of March next, unless the President, under the authority conferred upon him by the Constitution, shall call an extraordinary session, there will be no future Congress to enter upon this work until next December; and if this work be postponed until the first Monday of next December, it would probably be late in the spring of 1920 before the taxes would be imposed upon the earnings of 1919.

What is going to happen in the interval? How are producers to fix prices in the interval? Does anybody doubt that when they come to perform this function the principle of self-protection, as well as the principle of selfishness, will prompt or require them to place upon their products a price commensurate with a tax levy of $6,000,000,000, the tax levy provided by the then existing law?

It is said that business people, the manufacturers and the producers, have confidence that in due time this revision and reduction will be made. Ah, Mr. President, the business men of this country are not going to dispose of their products at prices based upon an uncertainty of that kind. They will say, "It is too much to ask us to take the risk. We must assume that the profits upon these goods are going to be taxed upon the basis of the existing law," and they will mark up their profits to conform to this tax and not mark them down to conform to uncertain reduction that they are promised in the future.

What will be the result, Mr. President, if that is done? The effect will be that when the taxable year 1919 shall have expired the great industries of this country will have in their possession $2,000,000,000 already collected from the people in excess of what they ought to have collected if the tax rate had

been reduced to the level of the requirements of the Government. After these unnecessary taxes have been passed on to the consumers and been paid by them the minority would remit them not to the consumers who paid them, but to those to whom they paid them in the increased prices of their necessary purchases. If so remitted, the people who paid those taxes will not get their money back nor will the Government get it. Does the minority desire to bring about this situation simply in order that a new Congress of different political control shall have the opportunity of performing the gracious service of relieving the great industries of this country from $2,000,000,000 in taxes, paid indirectly by the people in the increased prices of the necessary things they have bought? The mere statement of the question ought to be sufficient answer to it.

And why, Mr. President, should we not right now proceed to make these reductions? The revenue act of 1916, though it was not approved until the 8th day of September, was passed within eight days of the passage of the increased Army and naval appropriation bills of that year, showing that the consideration of that bill went along in the two Houses contemporaneously with the consideration of the appropriation bills on account of which those increased revenues were laid and levied.

The revenue act of October 3, 1917, followed almost upon the heels of the passage of the appropriations which these increased levies were made to pay. And this year, Mr. President, when, in the latter part of May, we began the consideration of the pending revenue bill, did we not consider it contemporaneously with the consideration of the greatly increased appropriation bills which it was found necessary to pass because of the change in our military and naval policy? We did not wait until the appropriations had been made to begin the preparation of a bill to raise additional revenue on account of those appropriations, which at that stage were largely estimates. Indeed, not all of them were estimated for when work on the revenue bill began. Even after that work began large additional estimates came in.

What were we doing during the last session of the present Congress? The most of our time was spent in passing appropriation bills for the fiscal year 1918 and in changing the revenue law in order to raise the money to meet those appropriation bills. Now a new session of Congress has opened. The time for making appropriations to meet the expenditures for the fiscal year 1920 is here. The estimates are here, much more full and much more reliable than the estimates that were before the Congress when we began the consideration of the present revenue act in April, 1917. In reducing the eight-billion to a six-billion-dollar tax budget for the fiscal year 1919 we are proceeding upon the revised estimates of the Secretary of the Treasury, based upon estimates made to him by the different departments of the Government. Are these estimates of reductions in expenditures for this fiscal year so absolutely reliable, so definite and certain that we can afford to cut off two billions of dollars from the revenue bill for 1919 and run no risk, while the estimates made for the fiscal year 1920, which are also in, are so unreliable, so vague and elusive, deceitful, inadequate, and insufficient that we can not afford to do with reference to the expenditures for 1920 the same thing that we propose to do with reference to 1919 in this very enactment?

Oh, Mr. President, let me say that, having considered the revised estimates of the departments and the Secretary for the fiscal year 1920, the estimates for 1920, in my humble judgment, are not less certain and reliable, but much more certain and reliable than the estimates upon which the reductions for the year 1919 are based. I think this could be demonstrated from the figures and the facts.

Are they reliable? What did the Secretary of the Treasury tell us about his estimates for 1919—his estimate that the expenditures could be properly regarded as reducible from twenty-four billions to eighteen billions, making one-third of that amount six billions instead of eight billions?

Mr. SMOOT. Our appropriations were thirty-six billions.

Mr. SIMMONS. Yes; and our expenditures, our estimates for expenditures, and our provision for raising taxes to meet these expenditures have little to do with appropriations. Taxes are controlled by the expenditures, not by appropriations; and in these war times we seem to have adopted the policy of raising one-third as much by taxation as is necessary to defray the expenditures.

The Secretary told the committee that his estimate of eighteen billion expenditures for the fiscal year 1919, upon the basis of which he recommends a six billion instead of an eight billion tax levy for the fiscal year 1919, and on which advice the committee acted with substantial unanimity, was nothing but an enlightened estimate. Some say he used the words "enlightened guess," but what he said was "an enlightened estimate." He explained to us the difficulties. How could he make estimates under existing conditions with absolute certainty? Who can tell how much of these prospective expenditures may now legitimately and properly be lopped off? Who can look into the future and see how many of these so-called war contracts can be canceled, and how much, if they are canceled, the Government will be necessarily and properly required to pay by way of damage and reparation? Who can tell, Mr. President, how soon the soldiers that are in Europe will be brought home, and how many of them can be discharged during the fiscal year in which we are now operating? Who can tell what will be the salvage the Government may reasonably expect to realize within this fiscal year from the sale of the enormous stock of war materials of all characters and kinds which the cessation of war makes it possible to dispose of? These are problems which can not be treated with certainty, and those were the problems which confronted the Secretary of the Treasury in making the estimates for 1919 upon which we are acting—acting with the unanimous consent of the minority, as well as the majority, of the committee.

Now, Mr. President, compare them with the possible expenditures for 1920. I defy any man to prove that the elements of doubt and uncertainty attaching to the estimates of the possible expenditures for the fiscal year 1920 are any greater than the elements of doubt and uncertainty which attach to the future expenditures of the present fiscal year.

But, Mr. President, the estimates for 1920 are in. They are in the possession of the Committees on Appropriations of this body and the House, and the latter committee is preparing legislation based upon them at this very minute. They will be passed in all probability, at least they are likely to pass at this session of Congress. According to nearly every precedent of this body we have passed the bills to increase the revenue contemporaneously with the passage of the bills appropriating the revenue, and in the name of common sense, if it is proper to adopt such legislation contemporaneously when increases are made, is it not as much if not more appropriate to pass the legislation reducing taxes contemporaneously with legislation reducing expenditures? Any other course would seem to controvene the almost universal custom to reduce taxes when expenditures are reduced.

[At this point Mr. SIMMONS was interrupted by the expiration of the morning hour and afterwards yielded to Mr. FLETCHER.]

Mr. SIMMONS. Mr. President, we have now reached a point in the presentation of the work of the committee with reference to the revenue bill where the subject matter becomes rather uninteresting.

The bill as it came from the House made a very necessary and important change in the present law with reference to income taxes. The present law has two income-tax schedules, making it necessary to calculate the tax on incomes according to the rates in two separate schedules. The House very properly combined these two systems of income taxation into one in this bill. This change will be a great relief to the ordinary taxpayer and will add greatly to the ease and simplicity of the administration of the law.

The House bill—and the Senate had not changed it in that respect—is constructed upon the general lines of the present law. While there are many amendments that do not relate directly to the rates, the general plan has been to retain the structure of the present law and increase the rates, so as to provide for the additional amount of revenue estimated to be necessary.

The committee suggests several changes in the surtax sections of the House bill. It seemed to your committee that the surtax provisions of the House bill were framed without sufficient reference to uniformity and the graduated increases were rather arbitrary in some instances.

For instance, the rates in the House bill start at 2 per cent, and are increased by steps, varying from 1 to 7 per cent, until the maximum of 65 per cent is reached upon incomes in excess of $5,000,000. These steps bear no fixed relation to each other. For example, incomes between $20,000 and $30,000 would pay 8 per cent more tax than incomes between $10,000 and $15,000, while incomes between $90,000 and $100,000 would pay only 2 per cent more than incomes between $80,000 and $90,000. Your committee sought to remedy that by beginning with a surtax of 1 per cent upon incomes in excess of $5,000 and not in excess of $6,000, and advancing to a rate of 48 per cent upon incomes in excess of $98,000 and not in excess of $100,000. This advance under the Senate provision is uniform, made by the addition of 1 per cent for each additional $2,000 of income until the $100,000 bracket is reached. Between $100,000 and a million dollars the increases are less uniform and necessarily

somewhat arbitrary, reaching 65 per cent at a million dollars, above which the tax remains at 65 per cent. The general effect of these changes is to reduce slightly the surtax upon incomes under $100,000 and to increase slightly the surtax upon incomes in excess of $100,000. The aggregate effect upon the revenue derived is very small. I think it is estimated that the amount that will be realized from surtaxes will be only $23,000,000 less under the Senate rates than under the House rates—$23,000,000 in an aggregate of something over $1,000,000,000.

The Finance Committee made no change in the normal rate provided in the House bill for the fiscal year 1919 on individuals, but we did make a very important change in the tax rates provided by the House bill for the incomes of corporations. The House bill provides a 12 per cent rate on that part of the net income of corporations which is distributed in dividends or paid in the discharge of interest-bearing obligations or in the purchase of liberty bonds issued after September 1, 1918, and imposed a rate of 18 per cent on the balance. That is to say, while earnings devoted to certain uses other than distribution were exempted from the 6 per cent differential, many other equally essential uses, such as addition to plant for purposes of further production, were not similarly recognized. A discrimination was made between the rate on income used in paying off the obligations of the corporation and the rate imposed on earnings retained for the necessary expansion and development of the plant or for the maintenance of its equipment in a state of efficiency. A distinction was made between the rate on income invested by the corporation in liberty bonds and income of the corporation invested in necessary improvements.

The committee has provided for a uniform tax upon the net incomes of corporations, this rate being 12 per cent for the 1918 taxable year and 8 per cent for succeeding years (sec. 230). Under the House bill the 12 per cent rate applied only to so much of the net income as was distributed in dividends, or paid in the discharge of interest-bearing obligations, or in the purchase of liberty bonds issued after September 1, 1918, and on the balance the rate was 18 per cent. While certain essential uses of earnings for purposes other than distribution were recognized, many other such uses of earnings equally essential, such as for additions to plant for purposes of further production, were not recognized. Failure to permit without penalty all legitimate uses of earnings for financing corporations seemed inconsistent with the policy which has in the past been actually followed by well-managed corporations and which has been urged by the War Finance Corporation and the Capital Issues Committee. To retain the differential rate while exempting from the extra tax all income used by the corporation for legitimate purposes other than distribution would, however, make the law difficult of administration, because it would involve review by the Treasury Department of too many detailed questions of the administrative policy of individual corporations. These and other considerations, among which was the fact that corporations are subject to the war excess-profits tax, to which individuals and partnerships are not subject moved the committee to restore the flat-rate system.

Experience has demonstrated the practical impossibility of conducting and maintaining corporate enterprise on a successful basis if all of its annual net earnings are distributed to the stockholders, and this has led to a practice which is practically universal of retaining a reasonable part of these earnings in the business for purposes of betterment, development, and progressive efficiency. This practice has contributed immensely to the rapid and efficient expansion of our great industrial system and should be encouraged and not penalized. It is not difficult to see that the small loss of revenue from the surtax will be more than counterbalanced by this provision, so to speak, of an automatic efficiency and development fund.

Mr. KELLOGG. Mr. President——

Mr. SIMMONS. I yield to the Senator from Minnesota.

Mr. KELLOGG. Is it possible to place surtaxes upon corporations? Surtaxes are measured by the total income; and a corporation having a total income of a million dollars would pay, say, 65 per cent of it as a surtax, while it might not be earning any more than 5 per cent on its capital.

Mr. SIMMONS. I will say to the Senator that it is absolutely impracticable to impose a surtax on the lump earnings of a corporation. You can not do it for the reason the Senator gives, and you can not do it for many other reasons which I think probably it is not necessary to go into, but which I could elaborate at some length.

Mr. President, there is one matter that gave your committee a great deal of concern. Senators will remember that when the present law was under discussion we all felt that we could not with justice subject what is known as a personal service corporation—that is, a corporation which derives its income chiefly through the activities of the members of the corporation, and whose capital, if any, is a mere incident—to an excess-profits tax, a tax fundamentally based upon the theory that the taxpayer was entitled to a certain exemption based on his invested capital. The question then was how to deal with them. The Senate, as you will recall, thought that the best way to deal with them was to exempt them from the excess-profits tax; but in conference it was insisted that, in addition to the income taxes, these corporations should pay a direct tax as a substitute for the excess-profits tax. This was agreed to and the rate fixed at 8 per cent of the net income. That provision of the present law has provoked much adverse criticism, and is an unsatisfactory way of solving the admittedly difficult problem. The House bill retains the method of the present law and increases the rate to 20 per cent.

The committee, after due consideration, recommend as a fair solution of the problem that this class of corporations be exempt from the profits taxes, but that they be taxed exactly as the bill proposes to tax partnerships. That is to say, that, like a partnership, all of the earnings of such corporation be treated for surtax as distributed whether actually distributed or not. The earnings of such corporations are assigned to the individual members according to the amount of stock held and included in their income-tax returns.

Another very important amendment recommended by the committee may vitally affect the question of the undistributed earnings of corporations. Undoubtedly there are corporations in this country which, without any regard to the requirements of the business, make a habit of retaining a large and unnecessary part of the earnings in the business, or pretending to retain it for business purposes, for the purpose of escaping the surtax. There is no doubt but that there are a number of so-called close corporations, corporations with only a small number of stockholders, that have been organized primarily for the purpose of availing themselves of the privilege of retention to escape surtaxes upon their earnings.

The present law has a provision that would seem adequate to meet that situation, but it fails in adequacy by reason of the use of just one word. It authorizes the Secretary of the Treasury to determine whether these earnings are improperly retained; and if he shall find that they are fraudulently retained or fraudulently availed of for the purpose of escaping taxes they can be taxed as if distributed to the stockholders. The law has been ineffectual because of difficulty in securing evidence to establish fraud. We have, therefore, stricken from the provision of the present law the word "fraudulent"; and it is the belief of the department that as a result the administrative branch of the Government will be able to effectually cope with these fraudulent practices and schemes for evading the tax.

Mr. President, besides the changes to which I have referred, your committee has made quite a number of important amendments intended to relieve against hardships and injustice that have been disclosed in the administration of the present law as the result of the rigid, inflexible definitions of invested capital.

As a result, in the administration of the present law, the department, as these cases have developed, has been forced, to avoid manifest injustice, to resort to alleviative regulations and constructions.

Your committee has adopted and written into the bill the substance of some of these regulations so as to give them the force and effect of law. We have also recommended a series of relief amendments relating to amortization, depletion, and shrinkage in inventories, which, if ratified by the Senate and not eliminated in conference, I think will answer to a very large extent the criticisms of the present law and correct many discriminations and inequalities which have confronted the department in the administration of the existing law. In addition, the committee has prepared a general amendment which we have been in the habit in the committee of speaking of as the relief amendment, authorizing the commissioner to classify in groups certain exceptional cases which seemed to require special treatment to safeguard the taxpayers against injustice. Every corporation which brings itself within the provisions of those classifications is given the benefit, in computing its deductions, of the like or "similar business" section of the bill; that is to say, it will be entitled to the same percentage of deductions that representative concerns in the same line of business are found to be entitled to.

There is another amendment of similar character to the one just mentioned which I regard of great importance. The House in imposing the war-profits tax realized the fact that if the tax-

payer is to be taxed 80 per cent upon his net earnings he must be given a very liberal exemption. An 80 per cent tax based upon the principle of an arbitrary exemption of 8 per cent upon invested capital would be a very heavy tax. But when you apply that high rate only to the earnings in excess of the prewar earnings it may or it may not be heavy, according to the size of the prewar earnings.

In any event, the House recognized that liberal allowances must be assured if an 80 per cent rate was imposed, and it seems to have adequately provided for every case except the case of newly established business. An old established business always has an advantage over newly inaugurated business and nothing should be done to increase or accentuate that advantage. Under the House bill an old or prewar business is allowed a deduction of not less than 10 per cent, while a new business is allowed a deduction of not more than 10 per cent. That evidently puts the new business struggling into existence upon an unfair basis of competition with old and established business concerns.

To meet the apparent equities of this situation the committee recommends an amendment providing that in the case of new business the taxpayer should be entitled to the same percentage of deduction as representative corporations engaged in the same line of business, so that if the average deduction of representative business is 12 per cent, or 15 per cent, or 16 per cent, or whatever per cent, the new business is entitled to the same percentage of deduction, thus placing the taxpayer upon a parity with his competitors in the business.

Mr. President, the recommended sundry amendments liberalizing the amortization and the depletion provisions of the House bill—but I will defer discussion as to them until they are reached in the orderly consideration of the bill because of the fact that a proper presentation of them would require more time than I wish to consume in this preliminary statement.

There is another important amendment relating to life insurance companies to which I wish to call brief attention. Speaking personally, from the beginning of these revenue bills up to the present day nothing has given me more trouble than the problem of properly adjusting taxes upon life insurance companies. The committee, with the very able assistance of members of the tax advisory board established in the Treasury Department, and after consultation with many representatives of life insurance companies, recommend an amendment which embodies a scheme for taxing the incomes of life insurance companies which, it is thought, is just and equitable to all interests. The tax is in form an income tax, but is imposed upon a net income defined with special reference to the peculiar conditions of the business of life insurance. Roughly, it consists of the gross income from interest, dividends, and rents, less tax-free interest, investment expenses, and taxes and other expenses paid exclusively in connection with real estate owned by the company. In the case of a domestic life insurance company there is also a specific deduction of $2,000. Thus the tax falls upon the true income of the company—that is, its income from investments—and the rate is so fixed that this tax takes the place of the income tax, war excess-profits tax, capital-stock tax, and the tax on the issuance of policies. It will yield considerably more revenue than the taxes which it is designed to replace, and has the great merit of simplicity and certainty. Above all, it avoids the almost insuperable difficulty of defining the invested capital of a life insurance company for purposes of the war excess-profits tax.

Early in the present session there was much controversy in the committee and on the floor of the Senate, resulting in able constitutional arguments in this chamber by Senators THOMAS, KELLOGG, and KNOX as to the constitutionality of a Federal tax on the salaries of certain State and Federal officials and on the interest of bonds of the States and municipal subdivisions thereof. After mature deliberation the committee decided to recommend an amendment striking from the House bill the provision taxing incomes from State and municipal bonds and modifying the provision as to salaries. It imposes an income tax on all gains, wages, salaries, and so forth, without differentiation. We leave the constitutional question to be settled by the courts when it is raised.

We have also exempted the proceeds of life insurance policies paid upon the death of the insured. The House bill exempts these proceeds from taxation only when paid to an individual beneficiary or to the estate of the insured. We allow the exemption to whomsoever the insurance is payable. I do not think I need to further discuss this subject.

Another exemption recommended by the committee relates to the salaries of soldiers and sailors. We remove the limitation of $3,000 in the House bill, but restrict its operation by adding a provision which limits this exemption to the period of the war and apply to those only in active service.

Mr. POMERENE. Mr. President——.

The PRESIDING OFFICER (Mr. LEWIS in the chair). Does the Senator from North Carolina yield to the Senator from Ohio?

Mr. SIMMONS. Certainly.

Mr. POMERENE. May I ask the Senator what he means by the phrase "active service"? Does that apply to the distinguished gentlemen who are in the department here?

Mr. SIMMONS. That may be a matter of administration. It was not intended that the class referred to by the Senator should have the exemption.

Now, Mr. President, I am going to hurry through the excess-profits tax section of the bill.

Mr. POMERENE. If I may ask the Senator another question for information, on page 31, section 215, under the title "Items not deductible," you have first family expenses, next amount paid out for new building, next amount expended in restoring property; and then paragraph (d) reads:

> Premiums paid on any life insurance policy covering the life of any officer or employee, or of any person financially interested in any trade or business carried on by the taxpayer, when the taxpayer is directly or indirectly a beneficiary under such policy.

Is that so drawn as to include premiums which are paid on what is known as group insurance as well?

Mr. SIMMONS. That describes what is, I think, called group insurance.

Mr. POMERENE. I was now speaking of the items that are not deductible when I referred to this, and among those items not deductible are premiums paid on life insurance. I am not claiming that it should, I am trying to get the construction the Senator places on the bill.

Mr. SIMMONS. Will the Senator give me the page?

Mr. POMERENE. Page 31. One of the controversies which we had up before was whether or not premiums paid by a corporation for insurance on the lives of its officers should be subject to a tax or not. In the past bill after it finally came out of conference it was so drawn that the amount paid in premiums would not be deductible, which I think was right. I was not clear in my mind as to whether this paragraph was so framed as to include within the words "premiums paid on life insurance" such premiums as might be payable on what is known as group insurance.

Mr. SIMMONS. Group insurance is deductible except where the taxpayer is directly or indirectly a beneficiary under the policy. That is the meaning of the section the Senator read.

Mr. President, I do not wish to take much time with reference to the war excess-profits taxes. We have retained the rates of the House bill on war profits, but we have slightly reduced the excess-profits tax rates. There was a controversy in the Ways and Means Committee, I am advised, with reference to the matter of increasing the excess-profits tax rates. The Secretary of the Treasury, and perhaps other Government officials connected with the administration of the tax laws, insisted that the excess-profits rates of the present law should not be increased, but that committee decided to increase them and the House ratified that action. There are some large corporations which, while making very large profits on account of large prewar earnings, would not be caught under the 80 per cent war-profits bracket of the bill. They will be reached, if at all, under the excess-profits brackets.

There are several very famous cases of this character. There is one great automobile company, which was making before the war such enormous profits that, under any war-tax scheme which allows a deduction to the full extent of prewar earnings, would pay practically no tax at all. The profits of that concern are now on a parity with the average war profits. The House thought—and with this thought your committee agreed—that as this class of taxpayers would escape a war-profit tax, and we are increasing taxes generally, there ought to be a substantial increase in the excess-profits taxes. But your committee thought the House increase was too great, and it accordingly recommends the middle course between the idea of the Secretary of the Treasury and the idea of the Ways and Means Committee of the House; and presents an amendment to the bill which reduces the House rate, but which materially increases the rate of the present law.

I am advised that in the administration of the present law it has been discovered that what is known as the small corporation has suffered manifest discrimination in the matter of excess-profits taxes; and that condition is not exceptional, but is general with respect to corporations of small earning capacity.

We have sought to relieve against that situation, Mr. President, by an amendment changing very materially the provision for the same purpose which was adopted in the other House. To accomplish the purpose in view, the House provided a limit of

not more than 35 per cent where the capital invested was not in excess of $25,000, and a limit of not more than 40 per cent where the invested capital was not in excess of $50,000. It is apparent, Mr. President, that while these provisions would afford some relief it would apply to only a very small number of corporations and would fall far short of meeting the situation. We think we have provided a scheme of dealing with these small corporations which is much more effective and much more equitable.

Mr. POMERENE. In what part of the bill is that?

Mr. SIMMONS. It is the excess-profits tax part of the bill. I do not have it here by sections. The amendment, however, provides a limit of 30 per cent on the income of corporations in excess of $3,000 (which is the exemption they are entitled to) and not in excess of $20,000; so that we apply the 30 per cent limit—whether there is a capital of $25,000 or a capital of $50,000, or more, so long as the resulting taxable income falls below $20,000. Twenty thousand dollars represents a good income upon a considerable capitalization. It would be 8 per cent upon $250,000, I believe.

Mr. THOMAS. That is correct.

Mr. POMERENE. Mr. President, the Senator from North Carolina has stated that, as a matter of practice, there has been a discrimination against the small corporation and in favor of the larger corporation.

Mr. SIMMONS. Yes. That is what we were advised and that is what I believe.

Mr. POMERENE. What I want to know is how this has come about. The Senator from North Carolina has stated it as a fact, but I am at a loss to understand how it was brought about so that there would be this discrimination against the smaller corporation and in favor of the larger one.

Mr. SIMMONS. Speaking generally, because, their capital being small, their basis of exemption is so small that the bulk of their income becomes subject to the high bracket rates.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from North Carolina yield to the Senator from Minnesota?

Mr. SIMMONS. I yield.

Mr. KELLOGG. I desire to say that the Senator from Ohio will find that there are a great many small corporations with a capital of $10,000, $25,000, or $50,000, where the principal stockholders give their entire time to the business and where the capital, while it is necessary to the business, bears but a small relation to the real earnings of the company. I know of many such corporations who were in the tax returns two years ago.

Mr. SIMMONS. That is true.

Mr. KELLOGG. And by reason of their capital being turned over rapidly and the personal service of their officers, who are also stockholders, or more like partners than stockholders, their earnings were very large and the tax even last year took most of their earnings.

Mr. SIMMONS. The Senator will find many corporations with only $20,000 capital with a net income greater than the capital invested, whose exemption would be infinitesimal because of their small capital. In such a case the tax without this provision would be excessive.

The Senate committee has made a number of important amendments to the definition of "invested capital." It would take me quite a time to give the reasons for these changes. And while some of them are important I do not think I shall take the time of the Senate this afternoon to discuss them—they will be fully discussed when reached.

There are two other provisions of the bill, Mr. President, to which I wish to refer. Then I think I shall conclude. I refer to the provision with reference to consolidated returns.

There is nothing in the present law which expressly authorizes such returns, but the department has by construction permitted them as being within its authority. The House bill contains a provision expressly prohibiting such consolidation. I am advised that the Ways and Means Committee were very doubtful about this, and probably would not have inserted the prohibition in the bill if the representatives of the department had been able to say to that committee that permitting this consolidation did not result in a substantial diminution of the revenue from the different units of the consolidated concerns. Since the House committee acted, the question of the effect of allowing these consolidations on the revenue has been carefully investigated by the experts of the department, and your committee was confidently advised that as a result of these investigations it was found that in the aggregate the revenues would not be adversely affected by requiring consolidation.

So far as its immediate effect is concerned consolidation increases the tax in some cases and reduces it in other cases, but its general and permanent effect is to prevent evasion, which can not be successfully blocked in any other way. Among affiliated corporations it frequently happens that the accepted intercompany accounting assigns too much income or invested capital to company A and not enough to company B. This may make the total tax for the corporation too much or too little. If the former, the company hastens to change its accounting method; if the latter, there is every inducement to retain the old accounting procedure, which benefits the affiliated interests, even though such procedure was not originally adopted for the purpose of evading taxation. As a general rule, therefore, improper arrangements which increase the tax will be discontinued, while those which reduce the tax will be retained.

Moreover, a law which contains no requirement for consolidation puts an almost irresistible premium on a segregation or a separate incorporation of activities which would normally be carried as branches of one concern. Increasing evidence has come to light demonstrating that the possibilities of evading taxation in these and allied ways are becoming familiar to the taxpayers of the country. While the committee is convinced that the consolidated return tends to conserve, not to reduce, the revenue, the committee recommends its adoption not primarily because it operates to prevent evasion of taxes or because of its effect upon the revenue, but because the principle of taxing as a business unit what in reality is a business unit is sound and equitable and convenient both to the taxpayer and to the Government. A year's trial of the consolidated return under the existing law demonstrated the advisability of conferring upon the commissioner explicit authority to require such returns.

Mr. President, the Senate committee has made one other amendment of some importance that does not require any elaboration. The House bill with reference to payment of income and profit taxes in installments provided for payment in three installments, the last of the three installments becoming due sometime in June. We have changed that, and provided for payment in four installments, the last of the four installments becoming due in December. The House required all three installments to be paid during the first half of the calendar year, while we extend the four installments over the whole calendar year. That is the difference. Of course, it can readily be seen that a part of the taxes set apart for the fiscal year 1919, under that provision, would not be paid until after June 30, when that fiscal year is ended, and, of course, in that situation the Secretary of the Treasury would probably have to resort to the sale of certificates until these installments fall due; but I do not think that is a difficulty that needs to give us any special concern.

Mr. POMERENE. Mr. President, I wish to express my gratification that the committee has arranged to make the taxes payable in installments. Last year they were all made payable in one sum, and when an effort was made by some of us to have them made payable in three or four installments a few of the wiseacres at the Treasury Department thought that it could not be done. I am glad to know, however, that the Finance Committee has found a way to do that very simple thing.

In that connection, this thought has occurred to me: I have heard various statements made as to whether or not this bill was to pass or any bill was to pass at this session. I do not know anything about that. I hope that some bill will pass; but if it does not pass, as a last resort, I hope that there will be some change made in the old law so as to permit of the payment of these taxes in installments. It ought to be done; otherwise, we are going to embarrass a great many of the smaller manufacturing concerns in the country.

Mr. SIMMONS. I was aware of the Senator's views about this matter, having had many conferences with him, and I have always sympathized with him in his view.

Mr. President, I shall not discuss the changes which we have made in the section of the bill relating to estate taxes, although they are very substantial. In brief, I may say that the difference is that the House provided for an estate tax while the Senate amendment provides for an inheritance tax. The House bill taxed directly the gross estate. The Senate amendment taxes the part coming to each beneficiary under the law, or the will of the decedent. The rates prescribed are very much less than those of the House bill. Your committee did not and does not feel that the Federal Government ought to impose upon inheritances or estates such a heavy tax as would make it practically impossible for the States to avail themselves of this source of taxation without making the joint taxes of the Federal and the State Governments oppressive if not largely confiscatory.

I shall not stop to discuss the changes made in excise, stamp, and special taxes. They can be seen in the bill, and nearly all of them are self-explanatory and do not require any statement.

Mr. Pres dent, the committee has made just two other amendments of special importance. I am not going to stop to discuss them in detail, but will content myself with a brief reference to them. I refer to the child labor amendment——

Mr. KENYON. Mr. President, I wish to ask the Senator a question regarding the House provision concerning what is commonly known as the tax on luxuries. The [illegible] this bill, is it not?

Mr. SIMMONS. That is stricken out.

Mr. KENYON. Has the Senator discussed that at all?

Mr. SIMMONS. I have [illegible]

Mr. KENYON. Does the Senator propose to discuss it?

Mr. SIMMONS. No; I do not. There are two kinds of luxury taxes in the bill. There is one that is imposed upon things that [illegible] of their nature and use, [illegible] of them.

Mr. KENYON. I refer [illegible]

Mr. SIMMONS. Yes; I [illegible] luxuries at all, but [illegible] to that [illegible] when the price is very [illegible] such as only the richer of the [illegible]

Mr. KENYON. The [illegible] be taxed.

Mr. SIMMONS. We [illegible]

Mr. KENYON. They ought to stay in.

Mr. SIMMONS. I [illegible] think so; but I do not desire to go [illegible] that direction. I should be very glad, however, to hear the Senator [illegible] question if he thinks these taxes ought to [illegible]

Mr. KENYON rose.

Mr. SIMMONS. Not [illegible]. If the Senator please.

Mr. KENYON. I [illegible] it was a fundamental doctrine of the Democratic party [illegible] be taxed.

Mr. SIMMONS. We have [illegible] the tax on luxuries, but these are not luxuries; they are necessaries—clothing and similar things.

Mr. President, the child-labor amendment ought not to be [illegible] and yet on account of the lateness of the hour and my desire to finish this amendment this afternoon I shall consume but a few minutes in discussing it at this time. I wish to say with respect to that matter, however, that I was not in agreement with my colleagues upon the committee. That does not mean that I am opposed to child-labor legislation, but by that I mean only this, and nothing more; that I do not believe that this is a matter which should be dealt with by the Federal Government. I think under the Constitution it involves the exercise of a power which rests exclusively with the States. That was the reason of my opposition in the committee. The committee has decided against my contention, and I know full well the views of a large majority in the Senate coincides with those of a majority of the committee, and I yielded gracefully and shall content myself with registering my protest. I do not feel, however, friendly to legislation—I want to say that now—and I do not care what its character is.

Mr. POMERENE. Mr. President——

Mr. SIMMONS. Pardon me; let me finish the sentence—that is framed with a view of evading and defeating a constitutional limitation of power through the abuse of the taxing powers of the Government.

Mr. POMERENE. Mr. President, when the Senator made the statement that he was going to stand by the committee on this proposition——

Mr. SIMMONS. I submit to the inevitable.

Mr. POMERENE. I thought the Senator made one of the ablest speeches I ever heard him make; and I am very sorry to hear him spoil it now by these last statements.

Mr. SIMMONS. Mr. President. The Senator should be content when I [illegible] self to a conservative statement of the [illegible] to this kind of legislation, and [illegible] to the evident will and power of [illegible]. We can evade the Constitution in the way pr[illegible] if we want to. It has been done in the past. It can be [illegible]. There seems to be no way to prevent [illegible] of a constitutional limitation [illegible] where the evasion is through an [illegible]

Mr. KENYON. Mr. P[illegible] I ask the Senator a question. I know he is w[illegible] I am not going to keep him waiting; but can the Senator tell us how much would be raised by this tax on luxuries?

Mr. SIMMONS. The Senator means the 20 per cent tax on luxuries?

Mr. KENYON. Yes.

Mr. SIMMONS. About one hundred and eighty-four millions, I think. I may be mistaken about that, but I think that is the amount. The [illegible] means the 20 per cent taxes as they are [illegible] in the House bill?

Mr. KENYON. Yes.

Mr. SIMMONS. I think I am right about that; but, at any rate, it is quite a con[illegible]

Mr. President, the [illegible] contends important changes in the first and second-class postal rates. It recommends an [illegible] effective after July 1, 1919, restoring the 2-cent rate on first-class mail matter, letter postage. Secondly, an [illegible] system as to second-[illegible] and periodicals), and substituting [illegible] for delivery within the first and [illegible] being 50 miles and the second zone [illegible] a pound for delivery in all other zones to be effective July 1, 1919.

I do not wish to enter upon a discussion of these amendments at this time further than to say the Senate committee, when the revenue act of October 3, 1917, was under consideration, struck the provision providing for the so-called zone system out of the bill, and the Senate sustained its action in this behalf, but the provision was restored in conference, under pressure. I do not know what will be the final result in case the Senate adopts the committee amendment to repeal this system; but a majority of the members of the committee felt so strongly about this matter that the committee did not feel it would be [illegible] to do everything possible, though it might eventuate in failure, to secure a repeal of that system of taxation.

At the conclusion of his speech Mr. SIMMONS said:

Mr. President, I move that the Senate adjourn until 12 o'clock to-morrow.

Mr. VARDAMAN. Mr. President, I ask that that motion be withheld for a moment. The Senator from Georgia [Mr. HARDWICK] has a joint resolution which he wishes to have acted upon to-night.

Mr. HARDWICK. Mr. President, will the Senator from North Carolina withhold his motion for a moment?

Mr. SIMMONS. Certainly.

HOUSING OF GOVERNMENT EMPLOYEES.

Mr. HARDWICK. From the Committee on Public Buildings and Grounds I submit a report (No. 620), accompanied by a joint resolution directing the United States Housing Corporation to suspend work upon all projects where construction is not more than 75 per cent completed and to cancel all contracts for furniture, and for other purposes. I desire to have the joint resolution read—it is very short—and I give notice that I shall then ask for its immediate consideration. It deals with the housing question.

The PRESIDING OFFICER (Mr. KING in the chair). The joint resolution will be read.

The joint resolution (S. J. Res. 194) directing the United States Housing Corporation to suspend work upon all projects where construction is not more than 75 per cent completed, and to cancel all contracts for furniture, and for other purposes, was read the first time by its title and the second time at length, as follows:

Whereas by the act approved May 16, 1918, the President was authorized to provide housing, local transportation, and other [illegible] for such industrial workers as are engaged in arsenals and other industries in the United States and industries connected with and essential to the national defense and their families, including employees of the United States whose duties require them to reside in the District of Columbia; and

Whereas acting under such powers, by direction of the President, a corporation known as the United States Housing Corporation, was formed, which corporation has proceeded to enter into the consideration of a large [illegible] in various parts of the country; and

Whereas [illegible] the said United States Housing Corporation [illegible] between the Capitol and the Union Station, in the District of Columbia; and

Whereas it will involve an expenditure [illegible] $400,000 to complete and furnish said group of buildings [illegible] of which would be saved to the Government if work is suspended; and

Whereas for all practical purposes the war has ended, the employees of the Government working in the District of Columbia are being rapidly discharged, and there is no reason for the completion and furnishing of these buildings [illegible] to the national [illegible]

Whereas [illegible] United States Housing Corporation proposes to proceed with the construction of a large number of buildings [illegible] early stages of their construction: Therefore, be it

Resolved, etc., That all work upon said group of buildings upon the plaza between the Capitol and the Union Station, in the District of Columbia, be suspended and all contracts made in reference thereto cancelled, and the United States Housing Corporation, representing the Government of the United States in said construction, be instructed to cancel all said contracts.

SEC. 2. That the United States Housing Corporation, representing the Government of the United States, be, and the same hereby is, directed to suspend work upon all projects in which it is now engaged in all cases where the construction is not more than 75 per cent completed, and to cancel all contracts for furniture and to return, wherever possible, all unused furniture on hand or in transit.

Mr. HARDWICK. Mr. President, if the Senator from North Carolina is willing to lay aside temporarily the unfinished business, I should like the Senate to dispose of the joint resolution that I have just reported, because I think it means the salvage of large amounts of money for the Government. Every moment's delay is costly.

Mr. NORRIS. Mr. President, does the Senator expect to have the joint resolution passed this evening?

Mr. HARDWICK. I hope so.

Mr. NORRIS. Mr. President, I have no disposition to put off or delay the consideration of the joint resolution; but, as it stands, personally I feel very much opposed to portions of it, and I doubt very much whether we can dispose of it this evening. I do not want to be put in the attitude of objecting to its consideration, because I do not want to delay it a minute longer than may be necessary.

Mr. HARDWICK. I do not want to delay it. Of course, whenever we do dispose of it, we have got to meet just such questions as that. If we delay meeting them, I think it will cost the Government a large sum of money.

Mr. NORRIS. I understand that; but the joint resolution has not even been printed, and I only know of it as I heard the Secretary read it. There are, however, parts of it that I believe it is unwise to pass. At least, I shall oppose it in the form in which the Senator has it now, and I shall want to be heard on it briefly.

Mr. HARDWICK. I want to give the Senator every opportunity to be heard. It is, of course, a serious responsibility that he is taking, because the daily waste is tremendous. The Senator understands that as well as I do.

Mr. NORRIS. Yes; but it is also a serious responsibility, it seems to me, to ask for the passage of a joint resolution here without giving any opportunity to have anyone heard, and dispose of it here when it is time to adjourn now.

Mr. HARDWICK. The Senator from Georgia was simply asking for consideration of the joint resolution. The responsibility is up to the Senate.

Mr. NORRIS. I have not objected to its consideration; but I want to suggest to the Senator that unless he expects the Senate to remain in session for some time he would not succeed in disposing of it to-night.

Mr. HARDWICK. I feel that it is my duty, on behalf of the committee, to move to take up the joint resolution; and the Senate can take whatever action it pleases on that motion.

Mr. SIMMONS and Mr. TRAMMELL addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Georgia yield; and if so, to whom?

Mr. HARDWICK. There is only this about it: Of course, I would have to make the motion without regard to the unfinished business, because we know that the revenue bill is going to be considered for weeks and perhaps for months.

Mr. ROBINSON. Mr. President, may I inquire of the Senator from Georgia whether the joint resolution has been reported from a committee? I did not hear his first statement.

Mr. HARDWICK. The joint resolution is reported from the Committee on Public Buildings and Grounds, and, of course, it goes over for a day if any Senator wants to insist upon that course. I thought, however, that we might as well begin its consideration—it is not 5 o'clock yet—and let the Senate understand what the measure is, and let it go into the RECORD, so that at least it may be considered in the morning hour.

Mr. NORRIS. It is in the RECORD now. I think we can dispose of it in the morning hour to-morrow. The joint resolution will be in the RECORD. The Secretary has read it, and it will be printed in the RECORD.

Mr. HARDWICK. I think, then, Mr. President, that if no one objects I shall ask to have the report printed in the RECORD; and I give notice to the Senator from Nebraska and to other Senators interested that during the morning hour to-morrow I shall ask, on behalf of the committee, to take up this proposition for consideration.

The PRESIDING OFFICER. The joint resolution will be placed on the calendar and the report will be printed in the RECORD.

The report submitted by Mr. HARDWICK is as follows:

The undersigned members of a subcommittee of the Committee on Public Buildings and Grounds make this preliminary report direct to the Senate, because, in the opinion of the subcommittee, the Senate should be immediately advised regarding the matters herein contained.

Proceeding under Senate resolution 371, the Committee on Public Buildings and Grounds, on the 5th day of December, 1918, convened, and by appropriate resolution authorized the chairman to appoint a subcommittee, of which the chairman of the committee should be chairman, to investigate the matters authorized by said resolution. Thereupon on the same day the chairman of the committee, Mr. REED, appointed the following subcommittee: Senator T. W. HARDWICK, Senator PARK TRAMMELL, Senator B. M. FERNALD, Senator J. I. FRANCE, and Senator I. L. LENROOT.

The committee began taking evidence on the 6th day of December and are still continuing their investigation.

The evidence thus far taken has been largely confined to the housing projects at Washington, and especially the housing project on what is commonly known as the Depot Plaza grounds, being the grounds between the Capitol and the Union Station. This evidence has all been given by Mr. Otto M. Eidlitz, Director of Housing and Transportation of the Department of Labor and president of the United States Housing Corporation, a subsidiary corporation which was created to perform the functions of the bureau, or his associates, and is to the effect that the building project referred to consists of 12 dormitories, each of these dormitories being in fact doubled, so that they may be treated as 24 dormitory buildings, or 1,800 rooms.

In addition to the dormitories there is a hospital building, a laundry costing approximately $35,000, and an administration building, containing a cafeteria, offices, and an assembly hall about 55 by 80.

The evidence shows that the dormitories are over 90 per cent finished. Some of them are completed or substantially completed. The hospital building is little more than inclosed, while the walls of the laundry building are in process of construction. The estimate of Mr. Eidlitz is that the entire project will cost when completed, including furnishings, approximately $2,100,000; that it will cost approximately $100,000 to complete the buildings [illegible] as fast as the buildings will [illegible] about $275,000; and that to complete the laundry, with machinery installed, will cost $35,000. According to the revised estimates of Mr. Eidlitz, if the materials on hand, including the laundry machinery and furniture, were turned back (which Mr. Eidlitz thinks can be done at a small loss) and the project stopped in its present situation, approximately $400,000 would be saved. That is to say, the Government would not have to pay out some $400,000 which it will be compelled to do if it carries through the enterprise.

Mr. Eidlitz further estimates that the buildings will probably not be needed for a period longer than 12 months. Of course, it necessarily follows that the furniture and fixtures, being then in a secondhand state, they would not produce any very large salvage. As the number of occupants is estimated at 1,800 and the term of occupancy would not exceed 12 months, and as it is admitted that the enterprise, if completed, will cost the Government an additional $400,000, it will be noted that the Government must expend for this period of 12 months occupancy for each occupant approximately $220.

This raises sharply the question whether the enterprise should be carried on and the Government should open what would be in reality a 1,800-room hotel, furnished and run by the Government, including meals, and at the same time should equip and furnish a laundry and do the laundry work and furnish an assembly hall at a cost of $400,000 additional, the entire enterprise to be discontinued and probably wrecked at the end of 12 months. The answer to this question must be affected by the necessity existing.

It is admitted, first, that the war for all practical purposes is over and that there must be a large decrease of Government employees in the city of Washington. Your committee has sent out inquiries to ascertain how rapidly the number of Government employees brought to Washington because of the war will be diminished. Up to this time the replies to these inquiries are just beginning to come in. The replies already received indicate a reduction in the force of most of the departments heard from of from 15 to 20 per cent since November 11, the date of the signing of the armistice, and indications are that the force in all of the departments that were engaged in war work other than the Bureau of War Risk Insurance, will be rapidly reduced.

It seems to your committee that the conclusion is irresistible, that in view of these conditions there is no necessity commensurate with the expenditure necessary for the completion of these buildings for the housing of employees, but, on the contrary, it would entail a tremendous loss upon the Government which can not be justified upon any sound business principles.

The attitude and purpose, however, of the United States Housing Corporation is to proceed to the full completion and operation of these buildings unless Congress shall otherwise order. Therefore, if any action is to be taken by Congress suspending these operations, it must be done immediately.

Your committee has made a preliminary investigation of a large number of other projects and from such preliminary investigation it is of the opinion that some projects are proposed to be completed that are even more indefensible than the one we have been considering. A number of these are in their very early stages and notably one which was brought to the attention of the committee where the foundations only of the group of buildings have been completed. Nevertheless the United States Housing Corporation proposes to fully complete those buildings at an expenditure of a very large sum of money, notwithstanding the fact that for all practical purposes the war has ended.

Your committee proposes to make further investigation of these matters, but would recommend that Congress take action suspending all operations until otherwise authorized by Congress, of all operations where the sam[illegible] have not been more than 65 per cent completed.

EXECUTIVE SESSION.

Mr. SIMMONS. Mr. President, I withdraw the motion I made a few minutes ago that the Senate adjourn. The Senator from Florida [Mr. TRAMMELL] indicates that he desires a short executive session. Therefore I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in

executive session the doors were reopened, and (at 4 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, December 11, 1918, at 12 o'clock meridian.

NOMINATIONS.

Nominations received by the Senate December 10, 1918.

COLLECTOR OF CUSTOMS.

Charles I. Lawson to be collector of customs for customs collection district No. 38, with headquarters at Detroit, Mich., vice an existing vacancy.

ASSISTANT APPRAISER OF MERCHANDISE.

Milton U. Tanahey, of New York City, to be assistant appraiser of merchandise in customs collection district No. 10, with headquarters at New York, N. Y., to fill an existing vacancy.

CONFIRMATIONS.

Nominations confirmed by the Senate December 10, 1918.

CHIEF OF BUREAU OF CONSTRUCTION AND REPAIR.

David W. Taylor to be Chief Constructor and Chief of the Bureau of Construction and Repair in the Department of the Navy, with the rank of rear admiral.

REGISTER OF LAND OFFICE.

Robert W. Davis to be register of the land office at Gainesville, Ga.

RECEIVER OF PUBLIC MONEYS.

Perry M. Colson to be receiver of public moneys at Gainesville, Fla.

POSTMASTER.

GEORGIA.

Robert H. Wheless, Nashville.

HOUSE OF REPRESENTATIVES.

TUESDAY, *December 10, 1918.*

The House met at 12 o'clock noon.

The Rev. Earle Willey, of the Vermont Avenue Christian Church, Washington, D. C., offered the following prayer:

Almighty God, our heavenly Father, we pray Thee this morning that our pathway may be clear and that we may have the strength and courage to walk therein. Help us to see the right with unclouded eyes and obey the truth with fidelity. For our country and all its righteous causes we pray Thy blessing this morning; for all in authority and for those who do the right in the name of God, and for the good of man, for Thy name's sake. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE TO EXTEND REMARKS.

Mr. HOLLINGSWORTH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the general subject of retirement from Congress.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD on the general subject of retirement from Congress. Is there objection?

There was no objection.

NATIONAL SECURITY LEAGUE.

Mr. POU. Mr. Speaker, I offer the following privileged report (No. 844) from the Committee on Rules.

The Clerk read as follows:

House resolution 469.

Resolved, That a committee of seven Members be appointed by the Speaker of the House to investigate and make report as to the officers, membership, financial support, expenditures, general character, activities and purposes of the National Security League, a corporation of New York and of any associated organizations, that purport to be organized or engaged in or have been directly or indirectly engaged in the nomination, election or defeat of Representatives in Congress during the year of 1918.

Said committee shall report and ascertain whether charges that the loyalty of Representatives in Congress have been made by said organizations; and if so, by whom, and upon what information, testimony or record; and it shall ascertain whether said organizations have complied with the provisions of law in the filing of expense accounts; and for such purposes said committee have power to send for persons and papers and examine their books before said committee and to administer oaths; and the said committee or any subcommittee thereof shall have the right to sit at such times and places, in or out of the city of Washington, as the committee may deem advisable, and shall have the right to report at any time.

Mr. POU. Mr. Speaker, I would like to secure an agreement as to the time for debate on the resolution. I have had no requests for time on this side.

Mr. COOPER of Wisconsin. Will the gentleman permit a question?

Mr. POU. Yes.

Mr. COOPER of Wisconsin. I listened to the reading of the resolution, but do not know that I am able to interpret accurately its meaning. Does the resolution propose to limit the committee to finding out whether this Security League charged Members with disloyalty?

Mr. POU. I think its scope is wider than that.

Mr. COOPER of Wisconsin. There ought not to be any doubt about it. You can injure a candidate very seriously by misrepresenting the effect of his vote, even though the misrepresentation may not amount to charging him with disloyalty. I think the resolution should be read again.

Mr. POU. The committee is authorized to "make a report as to the officers, membership, financial support, expenditures, general character, activities, and purposes of the National Security League, and of associated organizations." The scope, it seems to me, is sufficiently wide for a thorough inquiry.

Mr. COOPER of Wisconsin. Does the gentleman from North Carolina think the word "activities" is sufficient to cover what I have stated that I have in mind?

Mr. POU. If "activities" does not do it, "purposes" would.

Mr. COOPER of Wisconsin. There ought not to be any question about it.

Mr. POU. I can hardly see how the scope could be much wider.

Mr. COOPER of Wisconsin. A man may have a purpose and do nothing to effect it, and so might a corporation.

Mr. POU. This says, "general character, activities, and purposes."

The SPEAKER. The Clerk will read the resolution again for the information of the House and of the Speaker.

The Clerk again reported the resolution.

Mr. STAFFORD. Will the gentleman yield?

Mr. POU. Yes.

Mr. STAFFORD. I rise to inquire what the committee intended to be included under the designation of "associated organizations"? In Wisconsin, if the gentleman will permit, there was formed in the city of Milwaukee, which had a State-wide scope, an organization known as the Patriotic Congressional League, one of the leaders of which was Willet Spooner, son of former Senator John M. Spooner, and a member of the executive committee of the National Security League. The National Security League of New York has a large membership and a branch in the State of Wisconsin. This Patriotic Congressional League had officers collecting thousands of dollars, and they failed to make any return under the State law which required a return of expenditures. My question is whether the Patriotic Congressional League, that had for its purpose the elimination from Congress of all the Members from the State of Wisconsin who voted against war, and which was one of the main purposes of the National Security League, would be investigated under the phraseology "associated organizations"?

This organization failed to comply with the requirements of the State law. In fact, they had emissaries going around the city of Milwaukee, to my knowledge, soliciting funds of $49.50 from business interests, so that each individual would not be required to make an individual return under the State corrupt-practices act. Large manufacturers of war supplies stated that they would be willing to spend thousands of dollars to defeat me, and yet they made no returns. My direct query is whether under this phraseology the activities of the Patriotic Congressional League will be investigated?

Mr. POU. I will say that the purpose of the committee was to include just such organizations as the gentleman refers to. My own opinion is that the wording of the resolution would include an organization such as described by the gentleman. If the wording is not comprehensive enough to include such an organization, the committee would be perfectly willing for it to be amended.

Mr. STAFFORD. I am glad to know that the purpose of the committee is to cover the investigation of organizations of that character.

Mr. POU. Any associated organization for the identical purpose would come within the purview of the resolution.

Mr. STAFFORD. The word "associated" would limit the activity of the committee, because the committee would have to find at the outset that it was directly associated, and it might be difficult to prove or show the connection. Would not

the words "similar organizations" cover the point so as to include such an organization?

Mr. POU. The committee would have no objection to adding the word "similar." May I ask how much time the gentleman from Kansas thinks he will desire?

Mr. CAMPBELL of Kansas. I suggest we agree upon an hour on a side, and if the time is not called for after we get into the debate we will not use it.

Mr. POU. Mr. Speaker, I will ask unanimous consent that at the end of two hours, one hour to be controlled by myself and one hour by the gentleman from Kansas [Mr. CAMPBELL], the previous question be considered as ordered.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that he shall have one hour and the gentleman from Kansas one hour, and at the end of the two hours the previous question be considered as ordered.

Mr. COOPER of Wisconsin. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COOPER of Wisconsin. Will that preclude amendments, if that motion be adopted?

The SPEAKER. Amendments to the rule?

Mr. COOPER of Wisconsin. To the resolution. Will we have to proceed immediately and vote on the resolution without amendment?

The SPEAKER. If the previous question is considered as ordered.

Mr. COOPER of Wisconsin. Will the gentleman from North Carolina modify his request so that amendments may be offered?

Mr. POU. I will. I do not desire to cut amendments out.

Mr. COOPER of Wisconsin. Strike out the request for the previous question and ask that we go to a vote.

The SPEAKER. The ordinary rules of the House will prevail, and if the gentleman from North Carolina uses an hour and lets nobody else in to offer an amendment, and the gentleman from Kansas does the same thing, and at the end of the two hours the previous question is ordered, that is the end of the amendment business.

Mr. WINGO. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WINGO. Are we considering the resolution that has been reported by the Committee on Rules or are we considering the rule from that committee?

The SPEAKER. We are considering the resolution reported by the committee. That is why the Chair got mixed up about it.

Mr. FREAR. Mr. Speaker, reserving the right to object, I want to inquire if I may have 15 minutes?

The SPEAKER. Is there objection?

Mr. SISSON. Mr. Speaker, reserving the right to object, I understood the gentleman from North Carolina to say that there is no request for time on this side of the House.

Mr. POU. I just had a request for 15 minutes.

Mr. SISSON. Would the gentleman's request necessarily consume two hours?

The SPEAKER. Oh, a gentleman can quit whenever he pleases inside of his hour.

Mr. POU. I am going to use but 15 minutes.

Mr. SISSON. I want to get along with the appropriation bill.

The SPEAKER. A man does not have to talk an hour unless he wants to do so.

Mr. COOPER of Wisconsin. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. COOPER of Wisconsin. To ask the gentleman from North Carolina another question.

The SPEAKER. Does the gentleman yield?

Mr. POU. I do.

Mr. COOPER of Wisconsin. I call the attention of the gentleman from North Carolina to the phraseology in lines 6, 7, and 8—

that purport to be organized or engaged in or have been directly or indirectly engaged in the nomination, election—

and so forth. That is not good language, "or engaged in or have been directly or indirectly engaged in the nomination, election," and so forth.

Mr. POU. I yield to the gentleman to offer any amendment he sees fit.

Mr. COOPER of Wisconsin. Well, most certainly it ought to be amended there.

Mr. POU. I would like to get the time settled. I will yield to the gentleman 5 minutes or 10 minutes, as he desires.

The SPEAKER. Is there objection?

Mr. COOPER of Wisconsin. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COOPER of Wisconsin. What is the question?

The SPEAKER. The question is this two hours' limitation.

Mr. COOPER of Wisconsin. One hour on a side, with the previous question to be ordered?

The SPEAKER. Yes; the request is that the gentleman from North Carolina have an hour and the gentleman from Kansas an hour if he wants to use that much of it, and at the end of the two hours, or the end of the debate if it collapses sooner, the previous question is considered as ordered.

Mr. COOPER of Wisconsin. Mr. Speaker, will not the gentleman from North Carolina modify the request to do away with the previous question?

Mr. POU. I am willing to let it be modified, leaving out the previous question being considered as ordered, because I do not want to cut off amendments.

Mr. MANN. That would amount to about the same thing. There would be no debate at the end of the two hours anyhow.

Mr. POU. I am trying to satisfy gentlemen.

Mr. MANN. Suppose the gentleman asks unanimous consent, pending the two hours' debate, that it shall be in order to offer amendments by anybody who gets the floor.

The SPEAKER. Will the gentleman amend his request?

Mr. POU. I will.

The SPEAKER. And that pending this two hours' debate it shall be in order to offer amendments without the gentleman from North Carolina or the gentleman from Kansas either one yielding the floor. Is there objection?

Mr. COOPER of Wisconsin. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. COOPER of Wisconsin. For a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COOPER of Wisconsin. At the expiration of the two hours, then, will the resolution be taken up for consideration under the five-minute rule by paragraphs or in its entirety as one motion?

The SPEAKER. Why, it is just like any other resolution. If the previous question is not ordered, it is subject to amendment and debate. Is there objection? [After a pause.] The Chair hears none.

Mr. POU. Mr. Speaker, I shall only consume a very few minutes of the time of the House. Most of the Members of the House are familiar with the activities of the National Security League. It appears that this is an organization of the State of New York which has undertaken to pass upon the fitness of Members to sit in this body. But for a few things that have developed in the course of the preliminary investigation the National Security League would not be of sufficient importance to justify an investigation, but it has appeared that a large amount of money was raised and expended by this organization. I believe it is admitted that something over a million dollars was raised by the gentlemen who have charge of this organization. This is a large amount of money. Certain gentlemen who stand high in the esteem of the people of this Nation have lent their names to the organization. Now, this organization has undertaken to prescribe a certain standard by which men must stand or fall as Members of this body.

If they attain to the standard of the organization, they get a clean bill of health. If they fail to reach such standard, the organization goes into the districts of those men to accomplish their defeat if possible. Remembering that the concern has been able to raise more than a million dollars, this fact presents quite a serious question. It matters not how hard a man may work here, how patriotic he may have been, unless he comes up to the standard of this Security League he must go down in defeat. There are some gentlemen who were working for some of the things this organization claims to stand for long before it saw the light of day. Among that number is the Member who is addressing the House at this time. Long years before the National Security League was heard of I was doing what I could to convince the House of Representatives in my humble way that this Nation should maintain a great Navy. I never could see any sense in having a Navy just big enough to be defeated. I wanted a Navy big enough to defeat any other navy in the world. And I stand for that now. I except the navy of no nation. Under Mr. Roosevelt, for once in my life, I stepped out of line with my own party and voted for four battleships, and everything in the world that I could do to strengthen the naval or military power of the Government I have done here, in a humble way though it may be, for 17 years. But because I did not vote for three or four amendments to great measures this National Security League, so I am told, rates me as 50 per cent patriotic. I have been standing here all these years doing what I could, ready to give my all to my country, my two boys, the only boys I have, volunteering, and one of them sleeping beneath the soil of France; and yet I must be recorded as 50 per cent patriotic. I spit in the

face of a man who impugns my patriotism or my loyalty. [Applause.]

It is no light matter, gentlemen of the House of Representatives, in an hour like this, to have a man's patriotism or his loyalty to his country impugned. I will not say loyalty, because if I am not patriotic I am nothing. I do not want any man to call me loyal. Loyalty keeps me out of jail. Patriotism is my love for my country and my flag, a love that is willing to give all, life itself, if necessary.

I say this would not have been such a serious matter if it had not been for the powerful names behind this organization and the great amount of money they have been able to raise. Now, I say this, so far as these gentlemen are concerned who constitute this National Security League, if they go before the American people with clean hands they need not fear an investigation. [Applause.] If their motives are clean, if their purposes are patriotic they should welcome an investigation. They should have no objection to it. On the other hand, if there is a sinister purpose behind this organization, if it shall develop in this investigation that some man is using this organization to start a propaganda here for a selfish purpose, then the people of America are entitled to have this investigation in order that the whole truth may come out. So I say, Mr. Speaker, the Committee on Rules was justified in reporting this resolution.

Mr. WHEELER. Will the gentleman yield for a question for information?

Mr. POU. I will.

Mr. WHEELER. Does this National Security League recommend the defeat of any Member of Congress or the election of any Member that the gentleman knows of? That is just a matter of inquiry.

Mr. POU. My information is that it recommended the defeat of all Members who did not come up to their standard of parliamentary excellence.

Mr. FREAR. Will the gentleman yield? I have plenty of information of specific cases where they recommended the defeat of different candidates.

Mr. POU. And they actually undertook to appraise the fitness of Members to sit in this body. I say it would be laughable but for the great names and the great amount of money behind this thing. Ordinarily it would be a joke for any set of men to arrogate to themselves the power to pass upon the fitness of all candidates for the House of Representatives.

Mr. Speaker, Members of this body have differed and always will differ, but there is no dividing line when the patriotism of men who sit in this Chamber is considered. [Applause.] As a rule we have all stood shoulder to shoulder in supporting the administration in this war, in doing all that could be done to prosecute the war to a successful conclusion. [Applause.]

Mr. PLATT. Is it not true that a whole lot of other organizations do exactly the same thing, like the Anti-Saloon League, and so forth, in seeking to influence elections to Congress?

Mr. POU. So far as I am advised and informed, I hardly think the gentleman will be able to find an exact parallel to the activities of this particular organization.

Now, I conclude, Mr. Speaker, by saying that I believe that this resolution is justified. I think the House of Representatives ought to pass it and order this investigation. If the purposes of this organization are clean, then no one of its members can object to an investigation. If they are unclean, then the world ought to know it. [Applause.]

Mr. Speaker, I reserve the balance of my time.

Mr. CAMPBELL of Kansas. Mr. Speaker, this resolution raises a very important question in connection with the law that we have placed upon our statutes with respect to activities of committees in campaigns. If this National Security League can participate in a campaign as it participated in the last campaign, without let or hindrance, other organizations for other purposes can take a like active part. For instance, the Anti-Saloon League could come out in the open as this organization came out in the open. The Protective Tariff League could come out in the open as this came out in the open. A free-trade league could come out into the open as this came out in the open, without publishing the names of contributors or filing the expenses that they have been to in the conduct of a campaign for or against Members. Either we should repeal the law that prohibits political committees from activity in the election or defeat of Members of Congress altogether or we should see to it that no exception is made, not even of a committee with the high-sounding name borne by the National Security League. In addition to what has been stated by the gentleman from North Carolina [Mr. POU], no committee, however organized or of whatever political proclivity, has ever indulged in the slimy politics that was indulged in by this organization. [Applause.] It resorted through the publicity it had in the newspapers to the grossest misrepresentation as to facts.

It magnified trivial amendments into matters of the greatest possible importance. It took an amendment of a few lines in a bill of 30 pages, an amendment which of itself only added to the purpose of the bill or resolution and made it appear that Members of Congress were opposed to every line in the bill or resolution of thirty-odd pages because they voted for an amendment of three or four lines which really perfected and made effective the bill or resolution itself.

Let me illustrate a misrepresentation. The McLemore resolution was magnified into a war measure by this organization. The McLemore resolution followed a policy of the administration. On the 18th of January, 1916, long, long before we were in the war or dreamed of going into it, the administration, through the Secretary of State, published to the world that the armed merchantmen of belligerent nations should be considered as armed cruisers, and therefore nations were notified that our Government was contemplating denying those ships clearance from our ports. This was on the 18th day of January, 1916. The gentleman from Texas, Mr. MCLEMORE, introduced his resolution in February, 1916, to give effect to the administration's purposes. Something happened. There was a change in the attitude of the administration. I am not questioning the purpose of the change; I am simply stating the effect of it. The administration opposed what it had favored some five weeks before, and on the 7th day of March, when the McLemore resolution was under consideration, Members of this House on both sides voted for the conception they had of an armed cruiser on the 18th day of January, as they secured it from the Secretary of State. The American people went through a political campaign months after that. The result of that campaign was the election of a candidate for the Presidency upon a peace platform. And yet the National Security League made men in your district and in mine believe that if you voted not to lay the McLemore resolution on the table; if you voted for the resolution while our country was engaged in war or after a declaration of war had been made.

Mr. FREAR. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL of Kansas. Certainly.

Mr. FREAR. The gentleman means voted for tabling, not for the resolution?

Mr. CAMPBELL of Kansas. Yes; but the league did not say that men voted to table the resolution, or against tabling it. It said that men voted for the resolution, and the impression that people in the country had was that Members of this House voted for the McLemore resolution. Not a Member of this House voted for the McLemore resolution. It is doubtful if a dozen Members on this floor would have voted for the McLemore resolution without amendment. Every man who had convictions upon the subject involved at all would have voted for a concrete proposition of three or four lines on the subject, declaring the purpose of the Government of the United States to advise its citizens not as to what their rights were but as to what they should do as a matter of wisdom under the circumstances, and not take passage on the armed cruisers of any of the countries at war.

So much for the McLemore resolution. Now, upon another question: It was stated throughout the country, in every congressional district, that certain Members of Congress voted against the draft law. There is not a Member of this House who voted against the draft law. The National Security League published a falsehood. It said that every man who voted against the motion of the gentleman from California [Mr. KAHN] to strike out of the Army bill that provision that provided for 500,000 volunteers in six months and 500,000 more after another six months voted against conscription, which is a falsehood in cold type. [Applause.]

No man, I say, voted against conscription or the draft. The Army bill provided three ways of raising an army. First of all was the draft; second was the filling up the quotas of the Regulars and State troops; third, 500,000 volunteers in six months and 500,000 in a year if in the discretion of the President they were needed. That was the report of the Committee on Military Affairs. That was the bill that Members came upon this floor ready to support on both sides. The gentleman from California moved to strike out the provision for volunteers. Many of us believed in the volunteer—in the right of the boys to volunteer. We did not want to strike that out of the bill. It was falsely published all over the United States that the Speaker of this House made a bitter attack on conscription. He made a valiant and forceful speech on the right of men to volunteer. [Applause.] In the argument that ensued upon the motion of the gentleman from California there was a heated debate on the relative merits of conscription and volunteers. It naturally arose. But there was no question at

any time upon this floor about raising an army by conscription for the prosecution of this war, and the National Security League knew that when it published all over this country the falsehood that Members voted against the draft law. I repeat that not a Member of this House voted against the draft law except such Members as voted against the Army bill altogether. Any Member who voted for the Army bill voted for the draft law.

Mr. COOPER of Wisconsin. Mr. Speaker, will the gentleman permit an interruption?

Mr. CAMPBELL of Kansas. Yes.

Mr. COOPER of Wisconsin. The gentleman is correct in that last statement. There were 390 or more that voted for the bill which contained the conscription provision, and a few more than 20 who voted against it. Will the gentleman permit me to add a word right there?

Mr. CAMPBELL of Kansas. Yes.

Mr. COOPER of Wisconsin. I saw in my district repeated statements in newspapers denouncing our distinguished Speaker and the distinguished minority leader of the House by name as having voted against conscription. I corrected that statement at least half a dozen times in speeches, and yet the same statements were afterwards repeated over and over again, notwithstanding I exhibited the RECORD to show the falsehood of the statements.

Mr. MANN. I think the gentleman meant the majority leader of the House as having been mentioned by name.

Mr. COOPER of Wisconsin. Yes; I meant the majority leader—Mr. KITCHIN.

Mr. CAMPBELL of Kansas. In the last three days of the campaign, in order to emphasize anything it might have overlooked, the National Security League republished and sent out as a fresh reminder to every country weekly of every political faith a restatement of the falsehoods that I have indicated with respect to the votes of Members, and what I have said about the McLemore resolution and the draft law is equally true about every other proposition that it published. It was a film of falsehood and misrepresentation, of half-truths throughout. Why, a political organization found in any ward or precinct in any city in this country that indulged in that kind of politics would be anathematized by all respectable people in the community. I am amazed that the respectable gentlemen whose names appear in connection with this organization have permitted its activities along the lines upon which it participated in this campaign.

Mr. COOPER of Wisconsin. Mr. Speaker, will the gentleman permit me an interruption?

Mr. CAMPBELL of Kansas. Yes.

Mr. COOPER of Wisconsin. The gentleman from Alabama has kindly brought here the RECORD of April 28, 1917. Page 1557 of the RECORD shows that on the final vote on the Army bill, which then contained the clause providing for conscription, there were 397 yeas and 24 nays, just as the gentleman has said.

Mr. CAMPBELL of Kansas. I am glad to have the confirmation of the RECORD.

Mr. PLATT. Will the gentleman yield?

Mr. CAMPBELL of Kansas. For a question.

Mr. PLATT. Does the gentleman mean to say that the fight on the Kahn motion was not distinctly a fight over conscription?

Mr. CAMPBELL of Kansas. I mean to say that it was a fight against the right of men to volunteer.

Mr. PLATT. It was a fight against conscription.

Mr. CAMPBELL of Kansas. The clause for conscription was read. Not a word was said; not a motion was made. The clause was agreed to without a single objection. The next clause was read, providing for filling up the quotas of the National and State troops, and not a motion was made; not a word was said. That was agreed to. Both those propositions were agreed to without debate. The next clause was read, providing for volunteers. Then the gentleman from California [Mr. KAHN] moved to strike that out of the Bill, and it was upon that motion that the debate arose. It was upon that motion that the votes were had.

Mr. RUCKER. Will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. RUCKER. The particular language which the gentleman from California moved to strike out, and which was stricken out, expressly provided that nothing herein—that is, in the language stricken out—shall in any wise delay or interfere with conscription or the enforcement of the draft. It was not intended to interfere with the conscription.

Mr. CAMPBELL of Kansas. The intention of the Kahn motion was to prevent men from volunteering. That was the intention of the motion. That was the effect of the motion.

Mr. RUCKER. And the intent of those who voted against the motion was to let men volunteer if they wanted to?

Mr. CAMPBELL of Kansas. Why, certainly; and there never was any other intention. As to whether or not we could have raised an army more quickly by permitting a million volunteers than by waiting for more than six months before a single man was in uniform under the draft, that question is past; but the question is now fresh in the minds of the country that this great organization, the American Security League, misrepresented before the American people matters of great importance in a legislative way, affecting the rights of Members of Congress.

Mr. ANTHONY. Will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. ANTHONY. It is interesting to note that the War Department raised about a million volunteers, however, by the very same plan that was stricken out of the bill.

Mr. CAMPBELL of Kansas. They did that under the provision for filling the quotas of the Regulars and the State troops.

Mr. ANTHONY. They did that of their own volition afterwards, recognizing the fact that the judgment of the Committee on Military Affairs was correct in the first place, and it was subsequently indorsed by the War Department.

Mr. CAMPBELL of Kansas. Every congressional district represented here furnished volunteers, but the volunteer provision was stricken out of the bill for some reason, and men who voted to retain it in the bill were branded all over the country as disloyal, unfit for places in this House, by this great organization—great not because of its activities but because of the names that it bears upon its roster, but infamous because of the amount of money it was able to raise by its false misrepresentations as to its purposes and the necessity for its existence.

This resolution should be agreed to, and an investigation of the activities of this organization should be made. It should be ascertained as to whether or not it has complied with the laws relative to elections in the United States; and if not, steps should be taken such as are proper with respect to political organizations that have not complied with the law.

I reserve the remainder of my time. Will the gentleman from North Carolina use some now?

Mr. POU. There are no requests for time on this side.

Mr. CAMPBELL of Kansas. Then I yield five minutes to the gentleman from Illinois [Mr. RODENBERG].

Mr. RODENBERG. Mr. Speaker, I do not care to take up the time of the House any further than to say that I am very heartily in favor of the adoption of this resolution. The fact is that the loyalty of fully 90 per cent of the membership of this House has been challenged by this organization known as the National Security League, with headquarters in the city of New York. The widest possible publicity was given to these sensational charges of disloyalty. Billboards were utilized, street-car advertising was employed, newspaper space was hired, literature was sent broadcast throughout the country; in fact, nothing was left undone to discredit Members of Congress who voted on various bills and whose votes did not conform to the peculiar standards of patriotism set up by this league of self-constituted censors. It is also well known that in many instances the records of Members of Congress were deliberately falsified and their votes intentionally misrepresented. It was stated before our committee by the gentleman from Wisconsin [Mr. FREAR] that the league, according to its own admission, spent the enormous sum of $1,200,000 in this reprehensible effort to place a stigma upon the character and the reputation of the great majority of the Members of this House. One million two hundred thousand dollars is a pretty large sum of money, even at this time, when we are accustomed to talking in billions. I think it is most important that we should know where this money came from. We are entitled to know who it was that financed this campaign of vilification and misrepresentation. The country is entitled to know whether the men who contributed to this enormous fund were influenced solely by patriotic motives or whether they did not after all have some ulterior purpose to serve. An investigation of this kind will uncover the truth. It will reveal the real motives back of this attack upon the Americanism of the membership of this House. I believe that Congress owes it to itself, to its own dignity, to its own sense of self-respect, to order a full and searching investigation into all the activities of the National Security League, its auxiliaries, and the influences back of them.

Now that the question is up, if we should fail to take this action, every sneering critic of Congress in the country will at once construe it as an admission on our part of the truthfulness of the charges, and I undertake to say that the National Security League would be among the very first to assert that when given an opportunity the American Congress did not have

the courage to order an investigation of charges reflecting upon the honor, the integrity, and the Americanism of its membership.

For these reasons I am in favor of the adoption of the resolution. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield 15 minutes to the gentleman from Wisconsin [Mr. FREAR.]

Mr. FREAR. Mr. Speaker, I do not intend to discuss the [illegible] to delay its passage for a moment. I have discussed the Security League on two different occasions—on September 23 and on December 4—when I placed before the House fully the character of this organization which you are called upon to investigate. There is nothing need be added to that. I have made a prima facie case; and, further than that, the Rules Committee, without argument, has unanimously reported the resolution. I have a different purpose, of which I will speak.

First, I wish to read two letters which I received in this morning's mail, as only four I hold all to the same purpose. One is from a leading lawyer, I apprehend, in New Jersey, in which he says, under date of December 6, 1918:

> You are on the right side of this matter. I became a member of this [illegible] of. However, I have [illegible] that it is a sinister [illegible]
>
> You will find of very general [illegible] in getting an investigation of the [illegible] with the founders of a vast number of thinking people in this country, as well as a large majority of the people who know anything of the aims and purposes of the promoters of this league during the [illegible]

Now, let me read a brief extract from a letter from Boston. It is under a printed letterhead, and I assume from its tone that the writer is reliable. He writes:

> [illegible] I joined the League in 1917, assessing it to be, as it professed to be, an organization to further reasonable [illegible]
>
> * * * * *

The last paragraph is as follows:

> Feeling as I do I shall naturally follow the course of your investigation with intense interest. I hope very earnestly that such a gang of irresponsible, [illegible] tyrants may be thoroughly shown up as they deserve and their organization collapse.

I have another letter from Chicago and another from Ohio along the same lines, apart from many others received heretofore. Gentlemen who were members of the organization were misled as to the general purpose.

Now, Mr. Speaker, I do not intend to discuss the league further. As I have said, the Rules Committee has reported this resolution unanimously. You do not want to mistake the character of the proposition you are up against. These gentlemen are able, they hold great power that can be exercised, because there are many propositions involved in such an investigation, and all influences will be brought to bear.

Over a dozen years ago, if you will permit a personal allusion, in my own State I drew a resolution as vigorously as I could draft it attacking irregularities in the insurance companies of this country. I knew what they had been doing. That was before the Armstrong investigation was actually begun and the resolution was based largely on the Lawson statements. In Wisconsin the legislature created a committee with full power to investigate, and I was elected chairman of that investigation. We spent 150 odd days in investigation, and spent over $40,000. It was the basis of insurance legislation in Wisconsin, and I am sure it was of value because I never heard criticism of that investigation, although it was very expensive and of the longest duration of anything ever held of that kind.

Before we undertook the investigation I went to one of the ablest examiners in the United States, as he is conceded to be, and I said to him, "Mr. Hughes, tell me what we can do in this matter to get at the bottom of the case." We wanted to employ him. He said in reply by way of illustration that for two days in one case he was cross-examining an insurance witness, and he was about to drop the witness when it turned out that [illegible] something which completed a most important link in the evidence connecting up the yellow-dog fund and its contribution to the campaign of a Republican candidate and other illegal use of funds. Remember that there were powerful influences brought to bear on that committee, and frequently its decisions were not in sympathy with Mr. Hughes, but it was forced upon them by his fearless probe.

I could mention other things which I do not care to repeat here to show the necessity of a strong, thorough cross-examination by this committee. Why do I do this? Personally I would rather be relieved of any further connection with this work which I have undertaken simply because it is prosecuted for the House and for the good name of the House and in no way [illegible] matter. Let me say that whether I care or not, it is fair to assume that I will not be on the committee, and I shall not be.

Possibly I am too aggressive, but we will never get anywhere with this investigation unless we go to the bottom of it. Who are the men that challenge attention at this time? Who are the league's officers that have falsely traduced this body? What is their purpose? They say that they want compulsory military training. That is one purpose, irrespective of terms of peace. This junker organization that wants to force militarism upon us has other interests to further as well. I would like to show you the far-reaching influence of some of its officers, where they go and how far they go, in Mexico and elsewhere—those men who have been writing you and demanding that you respond within 10 days as to your position on public questions. There are other great influences that will be brought to bear here. The organization for the return of the railroads, headed by Mr. Root, can not be ignored, and their influence may be more powerful than we realize. I am satisfied that any committee selected here will do the best it can, and that those who are selected are sure to exercise the best judgment they have, but the responsibility is great.

That committee must do the work. You have provided no lawyers by this resolution; you have Hughes; you have no one excepting yourselves; and you have got to go down into this probe and keep at it for many days. It means work. I have worked many days in developing what I have presented to you, and I know what it means. It has not really started yet. I do not want to go on the committee, and I thank the gentlemen who have anticipated my preference. A number of my friends have said to me that they want me on the committee, but I have said frankly just how I feel in the matter.

Mr. KING. Mr. Speaker, will the gentleman yield?

Mr. FREAR. In a moment. It has been suggested I might be a prosecutor. That is impossible, for it is not my matter any more than it is yours. I would not go upon the committee in that rôle nor in the rôle of clerk of the committee. The gentlemen who are appointed on the committee can do these things and they can get good results through hard work, but they will have great opposition interests to meet.

Mr. KING. I want to say that I think it would be a misfortune to this House if the gentleman did not go on the committee.

Mr. FREAR. I thank the gentleman for his suggestion, and I do not impugn any of the motives of those who have doubted the wisdom of my being there. They think that I am too aggressive. That may be true, but you can not fight the Kaiser and his legions with a corporal's guard of pacifists. Nor can you meet this crowd of influential slanderers with kid gloves. You have got to go after these men who have been charging you with disloyalty. Will you accept that insult? You would knock a man down who would say that to you personally, would you not? Then why treat these public slanderers with gentle hands? You must act in the same rôle as a prosecuting officer. What is his purpose? He is supposed to have a judicial function, but he prosecutes to the limit to get the facts. And that is exactly what must be done here to ascertain the facts and present them to the House. The House itself is the one that will pass on the facts and will determine what shall be done, what judgment shall be imposed, but the committee must go to the bottom in its probe. If it does not it will carry to the country a wrong impression of these charges of disloyalty against the House and what they mean. Some Members suggest that this league should be brought to book because it has failed to make its report to the Clerk of the House. What a superficial suggestion! A thousand dollars fine for an organization engaged in spending a million dollars a year! That is not the point at all. We must bring these men here and say: "You charge this House with disloyalty. Why do you do it? What is behind that charge? Is it universal military training, is it junkerdom, or what is the motive for this campaign of falsehood and libel?"

Mr. Speaker, I believe it goes further than that. Is it the contribution of munition makers? I believe it is greater than that. Gentlemen will remember when I began my fight against certain legislation in the House. It was a very disagreeable thing to undertake, but I did it for the sake of better legislative standards. That was my motive entirely when I attacked the Rivers and Harbors Committee and the public-buildings bill. I met with discouragement and slurs from men I thought ought to have given me encouragement. My hope was for better legislation. Whether I succeeded to any degree or not you know. That has been my only purpose in making those fights, and so I say to you, gentlemen, that whatever may be the results, whoever may be appointed on this committee, I hope you will go on and make a thorough probe and

ascertain those who are the responsible parties. Do not for a moment ignore the fact that the interests you are probing will bring every effort to cover up their tracks to discredit your work.

Let me say, in conclusion, to my mind this is the most important investigation that this House has undertaken for years. It means much for the integrity of the House and the integrity of the individual Members and the honor of the House, as my good friend from Illinois [Mr. ROSENBERG] said, more than anything else I can think of. Those who treat it lightly have strange standards of right and wrong and of public responsibility.

I wish to speak now a word to the committee, of which I shall not be a member. Do not fail in this investigation. Go to the bottom of it. It is your duty to work to the limit, because it requires work to accomplish things. I have made a prima facie case. I can do more than that with the data collected, but much of it has to be dug out on cross-examination, the same as in every other successful probe, and it must be done in this case. Do not permit it to fail. I thank you. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. PLATT].

Mr. PLATT. Mr. Speaker, I did not know that it was lese majeste to criticize the vote of a Member of the House of Representatives, but, according to this resolution, doubtless it is. Any body of men or any individual who dares to criticize a Member of this House for voting in a certain way must be investigated and cross-examined and put on the grill and have his motives questioned, and if possible you must find out that he is connected with some munition factory or something of the kind. The purpose of this resolution seems to be to try to make out a sinister motive back of the National Security League, if you are going to investigate the National Security League, or if you ought to investigate it, then you ought to investigate all of the other numerous organizations which are doing the same thing. The Anti-Saloon League seeks to influence the election of Members of Congress, and everybody knows their literature is sent broadcast, and they are spending large sums of money. The Woman Suffrage Association seeks to influence the election of Members of Congress. The labor unions and many other organizations do the same thing to some extent.

Mr. RANDALL. Has the Anti-Saloon League accused anyone of being disloyal?

Mr. PLATT. I do not know that it has. I am not quite sure about that, but the German-American Alliance sought to influence Members of Congress and their election. They got out a circular against me in 1916, which I have proudly framed on the walls of my office at this time.

Mr. GORDON. Mr. Speaker, will the gentleman yield?

Mr. PLATT. What do we want to do? We ought to go into a general investigation of all these organizations if we are of one.

Mr. GORDON. The German-American Alliance contributed a large amount of money to the Republican State campaign in New York in 1916, just the same, and supported the Republican Party.

Mr. PLATT. The German-American Alliance attacked the Republican Members of Congress in 1916, and I never heard of it contributing any money to campaign funds, unless to Democratic funds.

It seems to me that every man who votes for this resolution votes himself a sorehead. I do not believe we can afford to do that. There are men in this House who are members of the National Security League. Why do you not ask what their motives are? They contribute a dollar a year to this organization, which is used to circulate literature. It has not accused anyone of being disloyal. That is a figment of the imagination of the men criticized. They have felt that they were wrong, but as to being called disloyal, the National Security League, so far as I know, has not used the word "disloyal," though doubtless some of the newspapers have in the heat of the campaign.

Mr. GORDON. Mr. Chairman——

Mr. PLATT. I do not yield to the gentleman from Ohio just now. I want to repeat that the objects of this organization are perfectly plain, as are the motives of similar organizations like the Navy League. Doubtless they are in favor of universal military service, but there is no object in investigating them to find out anything. The purpose of this proposed investigation is not to find out anything but to get back at somebody. I do not believe this House of Representatives can afford to lower its dignity to the position of trying to get back at somebody because the votes of some individual Members have been criticized.

Mr. GORDON. Before the gentleman takes his seat, does he think they raised——

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CANTRILL. Mr. Speaker, I yield five minutes to the gentleman from Wisconsin [Mr. FREAR].

Mr. FREAR. Mr. Speaker, I did not consume all of my time, because I imagined what was going to follow. I am always interested in objections that this House will stultify itself by having an investigation of those who assail its integrity. I should imagine, if I were a member of the 17 who had voted against the first revenue bill passed to carry on the war, or if I had voted against the amendment for the income-tax increases on $20,000 incomes, if I had the record which is carried by some gentlemen on this floor on opposing financial sinews to carry on the war, I might feel the same as the distinguished gentleman who just addressed you. That is his record. [Applause.] He voted wrong, but the Security League excepted 47 perfect Members. Why did not the league think of including these tests in its list? On the question of amendment, proposed by Senator LENROOT, for partial conscription of wealth, he was against it. Why did not the league have that vote included as one of the acid tests? [Applause.] The gentleman objects to the resolution, and he ventures to criticize the House. He ought not to criticize the House, because we want to find out what is behind all this—

Mr. PLATT. I criticize the House for being thin-skinned. It seems to me that men in politics ought to be able to take a hit once in a while.

Mr. FREAR. But if a man said that I was disloyal I would knock the man down—that is how thin-skinned I am. I will not permit any organization of this kind for a moment to get it into their heads they can declare the House disloyal without being held to answer such charges.

Mr. GORDON. Does the gentleman think the National Security League raised $1,200,000 to spend in this campaign by $1 subscriptions?

Mr. FREAR. I will say to the gentleman from Ohio we do not say they spent that amount in this campaign, but I do know this, that any organization that spent $1,200,000 annually, as they admit, could well afford to pay $1,000 fine under the corrupt-practice act, an act which we all know you can drive a horse and wagon through. We want to know who put up the money. What we are after also is to vindicate the good name of the House and of Congress, not only on this side of the aisle but on the other side. I have been asked about the eight acid tests. You will find them in the speech of December 4. Go behind the returns and find out who these league gentlemen are and what their motives are. I do not think 90 per cent of this House or 90 per cent of the country outside the league of the city of New York will accept, without resentment, charges of disloyalty. I have given you in letters just read to the House the names of men who belong to this association who now repudiate it. They are fully as high-class, I dare say, as the majority of the men who object to this investigation. Go into this investigation, and go into it fully. I will give everything I have, and I have letters in which they charge Representatives here by name as being on the disloyal list, and they ask the people of their States to disgrace and repudiate them. But, gentlemen, if you have it in your mind to raise the standard of the House and resent in this House constant insinuations against the character of the House and against the morale of the House, against the charge of being cheap politicians—if we are willing to resent insults of this kind, here is the chance, and it is your important duty to act now.

Mr. CROSSER. There is something even more important than vindicating the good name of the House. Is it not a matter of duty that the motives of these people be shown up?

Mr. FREAR. It is. The gentleman from Ohio well states a fact. All such motives should be disclosed, and it is of great importance that we keep up the standard of respectability and integrity of the House. The people expect it, and they want to know if we are performing our duty here for the honor of the people and the welfare of the country. Gentlemen, I thank you. [Applause.]

Mr. CANTRILL. Mr. Speaker, I yield five minutes to the gentleman from New York, Maj. LA GUARDIA. [Applause.]

Mr. LAGUARDIA. Mr. Speaker, inasmuch as New York City was dragged into this, I want to say as a Representative of New York City that I never heard of the National Security League until a very short time ago. In 1915, I gather from what the gentleman from Wisconsin said the other day, the National Security League came into existence. Well, at that time I was busy learning to fly at Mineola, and during the last 18 months, of course, my activities took me into other parts of the world, but

I do not believe that this is a matter concerning New York City. I believe any man has the right to criticize or differ from the views of a Member of Congress. There is no doubt about that. If we are wrong we expect to hear about it, or if we vote or act on such a way as to differ from the views of others we are bound to be criticized.

But from what the gentleman from Wisconsin [Mr. FREAR] says, there has been a charge of disloyalty. I am sure there is no man who would charge me with disloyalty and get away with it. [Applause.] And I resent a similar attack upon any gentleman of the loyalty of which I consider it a great honor to be a Member. I do not care in everything in the world with my distinguished colleague from Ohio [Mr. GORDON], but I would resent an attack on his loyalty as much as I would an attack on mine. [Applause.]

Now, the resolution, as I understand it, calls for an investigation, and until we have the facts before us we are not going to pass upon the guilt or innocence of this particular organization. But it seems to me that if its motives are really patriotic, if they had no other interest but that of securing a Congress which would act according to their views, they should welcome this investigation. We will arrive at a sad time if a Member of Congress may be called disloyal because he happens to vote the other way. That being the case, and knowing very little about this organization, but with the prima facie case presented by the gentleman from Wisconsin, I shall vote for the resolution, because I want the facts. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MANN], and then I will yield to the gentleman from Wisconsin [Mr. COOPER] to offer his amendment.

Mr. MANN. Mr. Speaker, I suppose that there is practically no opposition to the passage of this resolution. I never have been very much in favor of investigating committees or investigations by congressional committees and am not enthusiastic about this. I have been lied about so often concerning so many different things that possibly I am unduly callous to the false statements made concerning me.

Now, I do not know whether the National Security League favored or opposed my nomination or election in the last campaign. I do not care. I do not know whether they furnished the information which a very nice young gentleman gave to the public who was running against me in my district, every line of which was a falsehood, but I think he got his information from the Democratic congressional committee. [Laughter and applause on the Republican side.] And if we are going to investigate all the falsehoods published concerning us, I would commence with the Democratic congressional committee [laughter and applause], because I think——

Mr. HARDY. Will the gentleman yield right there?

Mr. MANN (continuing). Because I think they can publish more false statements about Republican candidates than the National Security League could imagine.

Mr. HARDY. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. HARDY. Does not the gentleman think they would have a hard time publishing as many false statements about Republicans as the Republican congressional committee can publish about Democrats?

Mr. MANN. I do not know. I take it that the Democrats would start in with an investigation of the Republican congressional committee; but the trouble is that the Republican congressional committee never has had as vivid an imagination as the Democratic members of the Democratic congressional committee, and most of the statements made by the Democratic congressional committee are based on vivid imagination. [Laughter.]

Mr. HARDY. Does not the gentleman think that is a pretty vivid statement he is making right now? [Laughter.]

Mr. MANN. No; that is a statement of pure fact.

Mr. HARDY. That nobody else would agree to.

Mr. MANN. If I thought the gentleman from Texas [Mr. HARDY] would agree to any statement I made, I would think I was in error. [Laughter.]

Mr. HARDY. Will the gentleman yield right there?

Mr. MANN. Oh, no.

Mr. HARDY. All right.

Mr. MANN. Of course in this House there were at times heated intimations from some Member of the House in debate that some other Member of the House in debate had not been really loyal and patriotic. Well, those things occur sometimes in debate. Of course no one can expect that an entire body will always vote the same way. If it shall ever come that upon most of the questions that come before this body all of the Members agree, it will be a sorry day for the Republic. There should be a difference of opinion in order to ascertain the truth. But in a service of some years in this House I have come to believe firmly in the real earnestness of purpose, devotion to the right, and the unflagging and unfailing loyalty and patriotism of the entire membership of Congress. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield three minutes to the gentleman from Ohio [Mr. MCCULLOCH].

Mr. MCCULLOCH. Mr. Speaker, I had not intended to say anything upon the resolution, but I regard this as a serious and not a frivolous matter. To question, directly or indirectly, the loyalty of Congress in time of war is a most serious matter and should be so regarded not alone by Members themselves but by the entire country. It is not a question of whether or not there were differences of opinion among Members of this House in regard to measures on war or preparedness that came before the House. It is not a question of whether or not we differed as to the policies to be decided upon in the entering and in carrying on of the war. It is a question as to whether or not the votes of Members were misrepresented and wrong conclusions drawn, and if so, by whom and for what purpose, and whether or not men who assume to be responsible are to be permitted to misrepresent, vilify, lie about, and slander the Members of this House and not be called to account. [Applause.]

Now, unless I have the facts wrong, and if the gentleman from New York [Mr. PLATT] or anyone else can show that I have the facts wrong in regard to this league, I will vote against this resolution. Unless I have the facts wrong, the National Security League drew conclusions in regard to the loyalty of the Members of this House upon misstatements of fact. The National Security League not only drew wrong conclusions from statements of fact, which is, to say the least, unfair, but they misstated and misrepresented facts and drew conclusions, using such misstatements as a basis, which could only have the effect of holding the Congress of the United States up to public contempt. Simply because men differ as to policy or mode of procedure does not justify an accusation of disloyalty, either directly or indirectly. So that if this league had told the truth and then charged disloyalty its conduct would have been, to say the least, reprehensible; but to misrepresent the facts and on such a false basis to charge disloyalty merits prompt and vigorous action. No Member of this House should object to honest criticism; he should expect that, but the mouth of the slanderer should be closed.

Those who would criticize Congress or its Members should be required to tell the truth. Men can not slander the Executive nor the Supreme Court without corresponding responsibility. The Senate will not stand for it, and why should the House?

I do not believe I can be included in any such class as the gentleman from New York [Mr. PLATT] referred to, because this league made a bitter fight against me in my district and increased my majority 5,000 over two years ago. I won in 1914 by 7,000 votes, and against the attacks of the National Security League in 1918 I won by 12,200. But I am deeply interested in one important thing, and that is that the honor and the dignity of this great body should be upheld. The greatest compensation that comes of being a Member of Congress is the honor. It is an honored place. To have been a Member of Congress is something to which your posterity can point to with pride in years to come. If it were a dishonor and a disgrace to be a Member of this House none of us would want to remain here. It is a great honor and should be so regarded. Now, then, the loyalty of 90 per cent of the membership of this House has been challenged in time of war. Are you going to sit idly by and allow them to get away with it? It is not a frivolous matter, and I challenge the inference of the distinguished gentleman from Illinois [Mr. MANN]. It is a serious matter, and I for one desire that this investigation shall go to the bottom of it all, and no matter how high up the men are, no matter how high the places they hold, they should be required to assume the responsibility of their false statements. [Applause.]

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield the remainder of my time and the floor to the gentleman from Wisconsin [Mr. COOPER].

The SPEAKER. The gentleman from Wisconsin is recognized for five minutes.

Mr. COOPER of Wisconsin. Mr. Speaker, I shall offer this amendment: In line 4, page 1, after the syllable "port," at the beginning of the line, insert the words "and names of contributors."

The SPEAKER. The Clerk will report the amendment.

Mr. COOPER of Wisconsin. And on line 6——

The SPEAKER. Has the gentleman finished reading his amendment?

Mr. COOPER of Wisconsin. Yes. I want to offer another one.

The SPEAKER. You had better finish this one first. The Clerk will report it.

The Clerk read as follows:

Amend page 1, line 4, after the syllable "port," at the beginning of the line, by inserting the words "and names of contributors."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. Now the gentleman will submit the next amendment.

Mr. COOPER of Wisconsin. Then, in line 6, if the word "any" is to be used there, the letter "s" should be stricken off the word "organizations." It should read "any associated organization." I move to strike out the letter "s."

The SPEAKER. The question is on agreeing to the amendment.

Mr. GARD. Mr. Speaker, does the gentleman offer that as an amendment? Does he merely purpose to investigate one associated organization or other organizations?

Mr. COOPER of Wisconsin. It should be in the singular—"organization" if you use the word "any," or else it should be "all organizations." If the amendment is adopted, and the language "any organization" used, then you can investigate a dozen if you choose.

The SPEAKER. The question is on the amendment to change the word "organizations" to the word "organization."

Mr. GARD. Mr. Speaker, I do not think the gentleman should do that. I think it means expressly what it says. I think it is now expressed in better language.

Mr. COOPER of Wisconsin. Mr. Speaker, if we wish to be accurate it should be "any organization." Then it would include all organizations. By using "any organization" you could investigate one after another, as many as you might wish.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. GARD. A division, Mr. Speaker.

The SPEAKER. The gentleman from Ohio demands a division.

The House divided; and there were—ayes 27, noes 25.

So the amendment was agreed to.

Mr. COOPER of Wisconsin. Mr. Speaker, I desire to ask the gentleman in charge of the resolution if it would not be better to strike out the word "associated," in line 6, and in lieu thereof insert the word "similar"? There may be State organizations that might contribute great amounts of money in secret.

Mr. FREAR. I would be willing to accept it, of course, if the committee is willing. That is along the line of the original resolution.

Mr. COOPER of Wisconsin. Why would it not be better, in place of the word "associated," in line 6, to insert the word "similar"?

Mr. POU. I have no objection.

Mr. COOPER of Wisconsin. Mr. Speaker, the gentleman from North Carolina accepts the suggestion. I move further to strike out the word "associated" and insert the word "similar."

The SPEAKER. The Clerk will report the gentleman's amendment.

The Clerk read as follows:

Amend page 1, line 6, by striking out the word "associated," and inserting in lieu thereof the word "similar."

Mr. MANN. Mr. Speaker, will the gentleman yield for a question?

Mr. COOPER of Wisconsin. Yes.

Mr. MANN. I do not know very much about the resolution. I thought it might be better for the committee to centralize the spotlight upon this organization rather than to scatter it over a number of organizations. There are a great many. Does the gentleman think it is desirable to have this committee, in the next two months, scatter its jurisdiction, instead of concentrating on this one organization?

Mr. COOPER of Wisconsin. Mr. Speaker, I made the suggestion solely because of what my colleague [Mr. STAFFORD] said about the activities of a certain organization in our State. It might be very difficult to prove that that organization was "associated" in any way with the National Security League. However, in order to concentrate attention upon this National Security League, I will withdraw the amendment.

The SPEAKER. The gentleman withdraws his amendment.

Mr. CROSSER. I renew it. I offer the amendment myself.

The SPEAKER. The gentleman has not the floor.

Mr. CROSSER. I will obtain the floor later.

Mr. COOPER of Wisconsin. I myself do not believe that there are many organizations which can properly be characterized as "similar" to the National Security League. I know of very few corporate bodies that engage in politics as that corporation did. I know some associations—you might call them societies—which do that, but I know of very few corporations that engage in politics after the manner of the National Security League. But perhaps the resolution is better just as it is.

Mr. POU. Mr. Speaker, I yield to the gentleman from Illinois [Mr. SABATH] to offer an amendment.

Mr. SABATH. Mr. Speaker, I desire to offer an amendment after the word "officers," in line 3, to add the words "agents and employees."

I am of the opinion that many members of this organization may have no knowledge, while some of its agents and employees, many of them professional lobbyists, organizing this and other similar organizations for the purpose of securing employment and large pay for their services, have endeavored to delegate the policies of the Congress of the United States. For that reason I am of the opinion that we should add these words, reaching these professional lobbyists and patriots for pay.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Amendment offered by Mr. SABATH: Page 1, line 3, after the word "officers" insert the words "agents and employees."

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

Mr. CROSSER. Mr. Speaker, I move to strike out the word "associated," in line 6, and insert the word "similar."

The SPEAKER. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CROSSER: Page 1, line 6, strike out the word "associated" and insert in lieu thereof the word "similar."

Mr. CROSSER. Mr. Speaker, this is an important amendment. I venture to say before any investigation is begun that it will be found that most of the activity of the kind described by Members who favor this resolution has been carried on by organizations having other names than the National Security League. Every local gang who were interested in the defeat of a man to whom they were opposed because, perhaps, of his economic views, formed some organization or another for the purpose of carrying on their opposition. If, therefore, we are really to investigate, if we desire to turn the limelight on the hypocrisy of such individuals, then, I say, let us investigate these other "groups" as well as the National Security League.

This is a much more important matter than some would try to have us believe. The fifth that such organizations spread broadcast was not merely the expression of a difference of opinion. One can not object to criticism from a man if he makes his criticism in a fair, manly way; but this organization and others of its ilk have gone much further than that. They have undertaken deliberately to ruin men's reputations. They have undertaken to destroy all that is worth while in life, the good name that men may have won after long, arduous years of toil and self-abnegation. I say that if we are going to allow that sort of thing to go on without exposure, then we care very little about the future of the country.

Mr. LAGUARDIA. The word "similar" will not carry out the intention of the gentleman.

Mr. CROSSER. Yes; it will.

Mr. LAGUARDIA. Because they will question the jurisdiction of the committee, and you will have to prove first that the organization is similar.

Mr. CROSSER. That will be a matter for the decision of the committee, and if they are favorable to the purposes of this resolution they will not have any trouble in discovering the similarity.

Mr. LAGUARDIA. The gentleman will find that it will not help a bit.

Mr. CROSSER. It will help a great deal.

Mr. GREENE of Vermont. If you undertake to investigate all these so-called similar organizations, where are you going to begin and where are you going to leave off?

Mr. CROSSER. We will begin with organizations of this character. It will not take very long; and if we are going to consider it a tedious matter to investigate these organizations, it will be found that the investigation of the National Security League may be open to that objection.

Mr. GREENE of Vermont. The gentleman is interpreting my question in a way that may please him, but it is not my question. I am trying to get at a practical way of doing the thing. If the thing itself is practical. If you are going to investigate every difference of opinion on this subject that may have associated its supporters in an organization on the face of the North American Continent in the United States of America, you will find that the investigation will be in full blast at noon on the 4th of March next.

Mr. CROSSER. The concrete case which I have in mind is that of the gentleman from Wisconsin [Mr. FREAR]. I understand that the organization that nominally was opposing him was not the National Security League but the One Hundred Per Cent American League.

Mr. GREENE of Vermont. The gentleman is aware that constitutionally our committee could not arraign anybody or correct anybody for mere difference of opinion with us.

Mr. CROSSER. To the extent of letting the public know what these men were doing, what their purposes were, and what they were trying to accomplish, the committee would have authority to compel testimony.

Mr. GREENE of Vermont. However earnest we are about it, we have got to go at this thing in the right way. We must go at this thing to discover what was contrary to law and not upon the mere difference of opinion.

Mr. GARD. Mr. Speaker, I rise to oppose the motion of the gentleman from Ohio.

Mr. FOSTER. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. FOSTER. I thought we were to have two hours' general debate.

The SPEAKER. Somehow or other they have agreed to another arrangement.

Mr. MANN. But the two hours have not yet expired.

Mr. FOSTER. I thought the gentleman from Kansas and the gentleman from North Carolina controlled the time.

Mr. MANN. But when they sit down and do not control the time, somebody else gets the floor.

Mr. GARD. Mr. Speaker, it seems to have been one of the developments of modern political life that questions are discussed largely through the medium of self-appointed committees. My observation has been that these committees, such as we have been discussing here, have their activities as long as their contributions, which they exact from credulous adherents, last, and that a great proportion of the money which they collect is spent for the salaries of the officers, agents, and employees.

However that may be, I do not view with approval the suggestion of the gentleman from Ohio [Mr. CROSSER] that similar organizations to the National Security League should be investigated under the present resolution. Rather do I agree with the gentleman from Illinois, who thinks, as I do, that the very object of this resolution is to concentrate attention and investigation upon the work of this National Security League, because if we are to open up to this committee all the activities of every propaganda organization the labor of the committee appointed by the Speaker will be unending.

There is only one way that we can logically pursue it, and that is if there is evidence established before the committee appointed by the Speaker of a particular propaganda, a particular method of conduct in which the wrongful use of money is also of large consequence, that is a matter in which the country is interested and in which the House is interested. But we are not interested in the development of every local committee or of every sort of propaganda, whatever it may be, against an individual Member of this House.

So in discussing this rule and the scope to which the rule should have effect I disagree also with another member of the Ohio delegation who has spoken recently, in which he said that certain truthful things were published and then wrongful deductions were made from it. I do not think there should be any investigation by a committee of the House or anybody else because something truthful was said and improper deductions were made therefrom.

Neither do I think the subsequent statement entirely correct, when the gentleman said that something wrong was published and then wrongful deductions were drawn from that, since that implies a double negative. I think what the House wants to get at is to investigate the National Security League and any influence that sought to control the election of Members of the House wrongfully, if it did so wrongfully, and the scope of the resolution is wide enough to accomplish that purpose.

The SPEAKER. The Clerk will again report the amendment.

The Clerk read as follows:

Amendment of Mr. CROSSER: Page 1, line 6, strike out the word "association" and insert the word "similar."

The question was taken, and the amendment was rejected.

Mr. COOPER of Wisconsin. Mr. Speaker, I offer the following amendment. After the word "to," in line 3, insert the words "the articles of incorporation," so that they will be required to make report as to the articles of incorporation.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 3, after the word "to," insert the words "the articles of incorporation."

Mr. GARD. Will the gentleman yield?

Mr. COOPER of Wisconsin. Yes.

Mr. GARD. Does not the gentleman think that the purpose of that would be reached under the language of line 4—"general character"?

Mr. COOPER of Wisconsin. I do not think so.

The SPEAKER. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question is on the resolution as amended.

The resolution was agreed to.

The SPEAKER appointed the following committee: Mr. JOHNSON of Kentucky, Mr. HARRISON of Mississippi, Mr. SAUNDERS of Virginia, Mr. CARAWAY of Arkansas, Mr. TOWNER of Iowa, Mr. REAVIS of Nebraska, and Mr. WALSH of Massachusetts.

Mr. KINCHELOE. Mr. Speaker, I ask unanimous consent to address the House for three minutes.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to address the House for three minutes. Is there objection?

There was no objection.

Mr. KINCHELOE. Mr. Speaker, yesterday the gentleman from Illinois [Mr. GRAHAM] made a statement in the RECORD that he had obtained information from the Surgeon General's office of the Army that a Mr. Troendle, from Dawson Springs, Ky., representing the Dawson Springs Hotel Co., in June tendered to the Government, or wanted to turn over to the Government, a tract of land and the hotel for the purpose of a hospital. He said that this offer was considered by the Government, and finally the project was rejected by the Surgeon General.

Mr. Speaker, I happened to be down there present at the conversation with Mr. Troendle, who is a constituent of mine. I want to say to the House, first and foremost, that the Dawson Springs Hotel Co. does not own a hotel. They own in fee simple about 1,000 acres of land down there, upon which they proposed to construct a hotel. Bonds were sold before the war was declared and excavation for a $1,000,000 hotel was already made.

Mr. Troendle did say to Gen. Gorgas in my presence that if they could get the restrictions lifted by the priority division of the War Industries Board, whereby they could get the material, he would complete the hotel and turn it over to the Government as a hospital during the war, but not turn the property over to the Government permanently. That proposition was not considered and rejected; it was not considered, because Gen. Gorgas said, "What we want are buildings now, and by the time the hotel will be completed it would be too late." That had nothing to do with the Dawson Springs hotel. They own no hotel. They expect to construct a hotel, but that has nothing to do with the bill recently passed by the House. The Surgeon General did not investigate Dawson Springs and did not reject it.

Mr. BURNETT. Mr. Speaker, will the gentleman yield?

Mr. KINCHELOE. Yes.

Mr. BURNETT. Mr. Speaker, I desire to say that I was present at a meeting of the Committee on Public Buildings and Grounds, and Col. Smith was interrogated in regard to this and said that there was an offer of property made, but that, so far as his investigation went, there was no rejection of it.

Mr. KINCHELOE. Absolutely no investigation was made.

Mr. GRAHAM of Illinois. Mr. Speaker, will the gentleman yield?

Mr. KINCHELOE. Yes.

Mr. GRAHAM of Illinois. Mr. Speaker, so far as the information in the Surgeon General's office is concerned, the gentleman will concede, will he not, that the offer was made in June and was not accepted by the Government?

Mr. KINCHELOE. Yes. It was not considered by the Government, because Gen. Gorgas said that they wanted buildings already up, and that by the time this building is constructed it would be too late to use it as a hospital for those in the service.

Mr. GRAHAM of Illinois. If the gentleman will permit the statement, my information in that office was different from what the gentleman has given. I was informed that it was considered but had not been accepted.

Mr. KINCHELOE. I am telling what I know, because I was there at the time of the conversation.

NATIONAL SECURITY LEAGUE—RESIGNATION FROM INVESTIGATING COMMITTEE.

Mr. TOWNER. Mr. Speaker, I have been named by the Speaker, I am informed, as a member of the investigating committee to investigate the National Security League.

The SPEAKER. That is correct.

Mr. TOWNER. Mr. Speaker, I must respectfully decline to serve upon the committee, thanking the Chair for the compliment paid me by the appointment. Events of a personal nature have recently occurred in my family which make me feel that I can not at this time serve on the committee, and I am therefore compelled to decline.

The SPEAKER. The Chair will fill the vacancy presently.

THE LATE REPRESENTATIVE JOHN A. STERLING.

Mr. CANNON. Mr. Speaker, I present a request for unanimous consent, which I send to the desk and ask to have read.

The Clerk read as follows:

Mr. CANNON asks unanimous consent that Sunday, January 19, 1919, be set apart for addresses on the life, character, and public services of the Hon. JOHN A. STERLING, late a Representative from Illinois.

The SPEAKER. Without objection, it will be so ordered.

There was no objection.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. SISSON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13277, the District of Columbia appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the District appropriation bill, with Mr. GARNER in the chair.

The Clerk reported the title of the bill.

Mr. SISSON. Mr. Chairman, I ask unanimous consent to correct a clerical error. On page 4, line 6, appears the word "draftmen." That should be "draftsman," and I ask that it be corrected.

The CHAIRMAN. Without objection, the correction will be made in accordance with the statement of the gentleman from Mississippi.

There was no objection.

The Clerk read as follows:

Assistant director of primary instruction, $1,400: *Provided*, That the assistant director of primary instruction now in the service of the public schools, or hereafter to be appointed, shall be placed at the basic salary of $1,400 per annum, and shall be entitled to an increase of $50 per annum for five years.

Mr. TILSON. Mr. Chairman, I move to strike out the last word. At this point in the bill last year appeared an item for the rent of offices for the recorder of deeds, $5,000. What has become of that item? Have quarters been provided in the new courthouse?

Mr. SISSON. Yes. The old courthouse is about completed, and when the office of the recorder of deeds moved out it was intended that quarters should be provided in the courthouse when it was reconstructed.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Repairs—streets, avenues, and alleys: For current work of repairs of streets, avenues, and alleys, including resurfacing and repairs to asphalt pavements with the same or other not inferior material, and including the purchase of one motor truck at not to exceed $2,000, and maintenance of motor vehicles, and including an allowance of not to exceed $30 per month for an automobile for use for official purposes, $375,000. This appropriation shall be available for repairing pavements of street railways when necessary; the amounts thus expended shall be collected from such railroad companies as provided by section 5 of "An act providing a permanent form of government for the District of Columbia," approved June 11, 1878, and shall be deposited to the credit of the appropriation for the fiscal year in which they are collected.

Mr. GARD. Mr. Chairman, I move to strike out the last word for the purpose of asking a question. Is it intended that this appropriation of $375,000, with the unexpended appropriations appearing under the heading of "Work on streets and avenues," the unexpended balances, shall be taken together for use during the coming year for the repair of all the streets?

Mr. SISSON. That is practically true; but they are two different items. One is for the repair of streets and the other is for improvements. One is for tearing up old pavements and putting down new and the other is for resurfacing.

Mr. GARD. This last is for repair?

Mr. SISSON. Yes.

Mr. GARD. And the other is for new work?

Mr. SISSON. Yes.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

PUBLIC SCHOOLS.

Officers: Superintendent, $6,000; assistant superintendent—1 $3,500, 1 $3,000; director of intermediate instruction, 13 supervising principals, supervisor of manual training, and director of primary instruction, 16 in all, at a minimum salary of $2,200 each; secretary, $2,000; financial clerk, $2,000; clerks—1 $1,600, 1 $1,400, 1 $1,200, 3 at $1,000 each, 1 (to carry out the provisions of the child labor law) $900; 2 stenographers at $1,000 each; messenger, $770; in all, $62,520.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee why it is that in making appropriations for the superintendents here that they have one at $3,500 and one at $3,000, each doing the same kind of work?

Mr. SISSON. That is fixed by law.

Mr. MADDEN. That is the law, is it not?

Mr. SISSON. Well, that is the law that fixes the salaries as they appear in the bill.

Mr. MADDEN. No; one is at $2,700, while another doing the same work gets $1,650.

Mr. SISSON. Well, I presume originally in fixing these salaries it was due to the fact that the service rendered was more important in one case than in another case because of the fact that more children were under them and more duty.

Mr. MADDEN. Well, I do not think that has anything to do with it at all myself. I think it is simply because one man is a white man and another is a black man. That is the way it looks.

Mr. SISSON. As a matter of fact that has been the salary carried for many years, and I think every member of the subcommittee will bear testimony to the fact that that question is never raised and never mentioned in our deliberations.

Mr. MADDEN. Well, it seems to me, Mr. Chairman, that when persons do equal work, whether they are men or women, and are charged with equal responsibility, are required to have the same educational qualifications, that they be compensated alike; and I think it is an injustice which ought to be remedied; and I move, Mr. Chairman, in the case where the salary is fixed in the one case at $3,500 and the other at $3,000 that both be made $3,500.

Mr. SISSON. Mr. Chairman, I make the point of order on the amendment.

Mr. MADDEN. Well, I do not think it is subject to the point of order. I would like the gentleman to state what the point of order is.

Mr. SISSON. There is no question about its being subject to the point of order, because originally the law fixed those salaries, and to change that now would make it subject to the point of order. There is no doubt about its being subject to the point of order. There is also an amendment which went into this bill some four or five years ago making the salaries carried in the preceding bill to be the salaries for this year, and to change the salary carried in the current law is also subject to the point of order under that provision carried in the bill several years ago.

Mr. MADDEN. Well, I think the estimates were made for similar salaries by the board of education and reduced by the commissioners, and it seems to me that it is competent for the House in the Committee of the Whole House on the state of the Union to increase the salaries, to raise the salaries, and I do not think it is a change of law to raise an appropriation.

The CHAIRMAN. The Chair has before him the act authorizing if, and if the gentleman from Illinois has a statute authorizing the payment of $3,500——

Mr. MADDEN. I have not looked up the law on the question. I am free to admit. Now, if the gentleman will withhold the point of order——

Mr. SISSON. I will reserve the point of order.

Mr. MADDEN. I will address myself to the merits of the case. It seems, Mr. Chairman, that any law which requires one man to work for $3,000 while another man doing similar work with equal responsibility, gets $3,500 is unjust, and there ought to be some remedy for it, and it seems to me that the committee having jurisdiction over this bill should see the injustice of the case and report an amendment to the law to remedy the evil, for it must be admitted to be an evil to require one man to do similar work for $500 a year less than another. Every person occupying the position of director of education is required to stand the test of qualification. They are required to have similar educations, they are required to pass similar examinations, they are required to do similar work, and they ought to be granted similar pay, and it seems to me that the committee which would tolerate a discrimination of this sort has failed to give the kind of consideration to the question to which it is entitled. Of course, I realize that this committee, as all other committees, are anxious

to economize in every way they can, and while they are economizing they ought to do it where economy is the proper thing. Economy ought not to be practiced at the expense of the individual. It may be said that economy is not being practiced. It may be said that $3,000 is all the pay that either of these men should get. I do not know about that. If that be true, of course it would be extravagant to pay one man $3,500 where the other man is being paid $3,000; but if it is not extravagant and it is thought that the salary is not more than commensurate with the responsibility of the work, then I submit that it is unjust to pay the one $500 less than the other. I am not very clear, although I have not the law before me, that this item is subject to the point of order.

Mr. WHEELER. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. WHEELER. The Chairman states it is fixed by statute. Are not the salaries of the commissioners fixed by statute?

Mr. MADDEN. Yes.

Mr. WHEELER. But I understand their salaries are now $5,000, and it is proposed to make them $6,000.

Mr. MADDEN. Of course, if that is true, that is a change of statute, and I shall feel compelled to make the point of order against that.

Mr. WALSH. It is too late.

Mr. MADDEN. Unfortunately I was not here.

Mr. LONGWORTH. If the gentleman will yield, do I understand the duties of these superintendents are exactly alike?

Mr. MADDEN. Exactly alike.

Mr. LONGWORTH. The gentleman could reach the object he intends to reach of equalizing the salaries by moving to reduce.

Mr. MADDEN. That would be a change of law, too, I suppose.

Mr. DYER. That would not be subject to the point of order.

Mr. LONGWORTH. If their duties are precisely the same——

Mr. MADDEN. They are precisely the same. I do not think anyone will deny that. I think that there ought to be sufficient consideration for the equities in the case to equalize the salary of the man who is not getting within $500 of the other man. I do not want to reduce the salary of the man who is getting the $500 more, because I do not think he is getting more than he ought to have, but I do think this committee ought to have sufficient consideration for the justice of the case to offer an amendment or to withdraw the point of order and allow this increased compensation to be paid.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DYER. Mr. Chairman, I would like to ask the chairman a question about this. Do these two assistant superintendents have the same amount of work to do?

Mr. SISSON. Well, they have the same character of work to do, of course, but there are more than twice as many children under one superintendent as under the other. The assistant superintendent who gets the $3,500, in the absence or illness of the superintendent, performs the duties of the superintendent. He happens to be the man who performs that duty. The assistant superintendent whose salary is fixed by law at $3,000 performs the duty of assistant superintendent at all times.

Mr. DYER. The one that gets $3,000 is a colored man? .

Mr. SISSON. I understand he is a colored man, but I did not know myself until this moment that there was any difference. The question was never raised in the committee at all.

Mr. DYER. No recommendation was made to the gentleman's committee?

Mr. SISSON. There was a recommendation made to our committee to increase the salaries of every employee in the District government.

Mr. DYER. Well, the gentleman does not recall whether there was any recommendation by the commissioners to increase the pay of this one assistant superintendent?

Mr. SISSON. I do. They recommended an increase in salary for all these officials in this particular paragraph.

Mr. DYER. To make them equal or increase them all?

Mr. SISSON. My recollection is to make the assistant superintendent $4,000; and I think they made them both $4,000.

Mr. DYER. I would ask the gentleman also if it is not a fact that a number of items recommended by the school board were eliminated also?

Mr. SISSON. I do not know that a number of items were. I do not recall.

Mr. DYER. The ground for that new school known as the Dunbar High School——

Mr. SISSON. That is for the purchase of the site, and the only thing the committee did not allow that was asked for.

Mr. DYER. Does the gentleman know anything more about the salaries paid the different teachers in the different schools? Does this inequality of pay which starts at the assistant superintendent——

Mr. SISSON. If the gentleman will turn to the longevity act he will find that all the teachers of every grade get exactly the same amount of money, and all the teachers' salaries were increased last year, notably the lower-grade teachers, and carried in the current law.

Mr. DYER. I have seen, and I suppose other Members have seen, communications touching these questions. I have one here where it says that the salaries paid to the white and colored teachers are not equalized; that the colored teachers all the way down do not receive the same pay as the white teachers.

Mr. SISSON. No. That is not true, because the status of the teachers is fixed by law. And if there has been any injustice done it has been done by the school board and not by your committee, because we have granted the salaries to teachers in lump sums to pay a certain number of teachers in a certain grade. We do not fix the salaries in this bill of any of the teachers except the principals of certain schools and the administrative force of the school system. If the gentleman will look in the bill he will find of the two thousand and odd teachers that they are divided into groups and a certain amount of money is appropriated to pay the basic salary in that group. And then there is another statute——

The CHAIRMAN. The time of the gentleman has expired. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

Mr. DYER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection?—[After a pause.] The Chair hears none.

Mr. DYER. Under the extension of remarks I insert the following:

DISTRICT OF COLUMBIA BRANCH OF
THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT
OF COLORED PEOPLE.

Washington, D. C., December 5, 1918.

Hon. L. C. DYER,
House of Representatives, Washington, D. C.

MY DEAR MR. DYER: I know it is only necessary to give you the figures concerning the colored schools that are contained in the District appropriation act, that will come up in the House on Monday, to secure support for us.

They do us gross injustice, giving us only 14.3 per cent, when we should have nearly one-third. There are also inequalities in the salaries for white and colored directors. The board of education gave us our proportion, but the commissioners eliminated the most important items, principally the ground for Dunbar High School and Stevens School. The children here have no recreational space whatever, and are forced to play in the streets, under constant menace to their safety.

We have this trouble every year with these servants of all of the people, who receive their salaries from black as well as from white taxes, and are charged with the duty of improving the citizenry. Yet they studiously set to work to deny him the chance for education, the very source of citizenship. We feel particularly grieved at this time because of our heroic service in the world war for democracy, as we thought that it would and should mean a larger measure of opportunity for us. Certainly we did not expect the strong arm of municipal government, designed to serve the people, used as an instrument of oppression.

Knowing that we can count upon your support again, I have the honor to remain,

Very respectfully, yours, NEVAL H. THOMAN.

Injustices to colored children in the estimates for 1919 for public schools.

White:	
Ground adjacent to Buchanan School	$45,000
Ground adjacent to Wheatley School	25,000
Ground adjacent to Eaton School	12,500
Ground adjacent to Tenley School	5,000
Site west of Sixteenth Street for new building	40,000
Ground adjacent to Hayes School	6,500
Ground adjacent to Peabody School	14,000
Site for seventh division	35,000
Ground adjacent to Emery School	12,000
Site for 16-room building west of North Capitol Street	30,000
Equipment for McKinley High School	15,000
Total of estimates	240,000
Colored:	
Equipment for Armstrong Manual Training School	40,000

14.3 per cent for colored schools.

Necessary items for colored schools, which the Board of Education recommended, but which the commissioners eliminated.

Ground for Dunbar High School	$99,750
Ground adjacent to Langston School	4,500
Ground adjacent to Stevens School	31,000
Ground adjacent to Payne School	7,000
Ground adjacent to Armstrong School	19,000
Ground adjacent to Bruce School	13,500
Ground adjacent to Birney School	2,100
Ground adjacent to Logan School	35,000
Ground adjacent to Beanwood School	4,000
Ground adjacent to Banneker School	20,000
Ground adjacent to Douglass-Simmons School	9,000
Total of elimination	244,850

Discrepancies in salaries of white and colored directors who do the same work and differ only in the number of subordinates under them.

The commissioners reduced the estimates of the Board of Education for the colored directors.

Assistant superintendent:	
White	$3,500
Colored	3,000

The colored superintendent has larger supervision than the white, larger powers, duties, and responsibilities under the statute.

Director of primary instruction (maximum salary):	
White	$2,700
Colored	1,650
Directors of music, drawing, domestic art, kindergartens, primary instruction, and penmanship (maximum salary):	
White	$2,000
Colored	1,550

Mr. MADDEN. Mr. Chairman, I would like to know what the position of the Chair was on the point of order.

The CHAIRMAN. The point of order was sustained. It is authorized by law.

Mr. MADDEN. I did not hear the Chair decide.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Appointments to fill vacancies hereafter occurring in the membership of the board of education shall be made by the Commissioners of the District of Columbia.

Mr. MADDEN and Mr. WALSH reserved a point of order against the paragraph.

Mr. SISSON. Mr. Chairman, the item is subject to a point of order. If the gentlemen have made up their minds to insist on the point of order, I will not discuss it.

Mr. MADDEN. I will withhold it.

The CHAIRMAN. If the gentleman insists on the point, the point of order is sustained.

Mr. SISSON. My request was if they would insist on the point of order at the conclusion of my remarks, I did not want to take up any time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Attendance officers: Attendance officers—1 $900, 4 at $800 each, 4 at $600 each; in all, $6,500.

Mr. GRAHAM of Illinois. Mr. Chairman, I would like to move to strike out the last word for the purpose of asking a question.

Mr. MADDEN. Mr. Chairman, I reserve a point of order against the increase in the number of attendance officers.

The CHAIRMAN. The gentleman from Illinois reserves a point of order against what portion of the bill?

Mr. MADDEN. They have increased the number of attendance officers by two. That must be a change of law.

Mr. GRAHAM of Illinois. You are reserving that point of order?

Mr. MADDEN. Yes; I reserve it.

Mr. GRAHAM of Illinois. I move to strike out the last word for the purpose of asking a question. I observe the same is true in this item concerning attendance officers—one at $900, four at $800 each—as occurs in the former paragraph, one assistant superintendent at $3,500 and one at $3,000. What I want to know is, Does the basic act prescribe a certain salary shall be paid to a certain assistant superintendent at a certain school?

Mr. SISSON. I do not believe the law commonly known as the longevity law, which classifies the teachers in the District of Columbia into classes, fixing their pay, deals with the attendance officers at all.

Mr. GRAHAM of Illinois. What I am trying to get at is, Who determines which assistant superintendent or which attendance officer shall get one sum and which shall get another?

Mr. SISSON. Well, the attendance officer who has charge of all the attendance officers themselves is the man who supervises the attendance of the children. These others are appointed under this one attendance officer. The principal officer gets $900, and then four get $800, and those who begin get $600. In order that the promotions may be had, after they are familiar with this service and this work, they are promoted out of the lower-grade pay into the higher grade.

Mr. GRAHAM of Illinois. Who determines in the preceding item which assistant superintendent shall receive $3,500 and which shall get $3,000?

Mr. SISSON. The board of education.

Mr. GRAHAM of Illinois. They decide according to their judgment about the matter?

Mr. SISSON. Yes, sir.

The CHAIRMAN. Does the gentleman from Illinois insist upon his point of order?

Mr. MADDEN. Certainly.

The CHAIRMAN. Has the gentleman from Mississippi any law which he can cite authorizing the increase?

Mr. SISSON. There is no law, Mr. Chairman, authorizing the increase of the attendance officers.

The CHAIRMAN. Does the gentleman from Illinois make the point of order against the $800 or the $600?

Mr. MADDEN. I make it against the two in different places. They have four at $800 instead of two.

The CHAIRMAN. That is the only portion the gentleman makes the point of order against?

Mr. MADDEN. Yes.

Mr. SISSON. Your committee gave them two additional attendance officers when they asked for four. Your committee thought that looking into the absences from school was a matter of considerable importance, and that to have enough attendance officers to attend to the duties would simply make more efficient the school system of the District.

Mr. TILSON. Is the number of attendance officers fixed by law anywhere? Is there a law that fixes the number of attendance officers?

Mr. SISSON. No. The only thing that fixes it is the fact that it has been carried in the statute for a number of years and under the provision put in an appropriation bill years ago those people carried at that salary should be paid the salary from that time on.

Mr. TILSON. And there is no law that would authorize one attendance officer at $900, two at $800, and four at $600?

Mr. SISSON. There is no law except the current law.

Mr. TILSON. Do I understand from the gentleman that to be the fact?

Mr. SISSON. Yes. The gentleman is right about it. There is no statute that fixes the number, but when an item goes into the bill the salary fixed in the current law is the salary for that particular official for all time.

To give the history of that legislation, I may say that one gentleman would make a point of order where the salary had been carried for many years and would go back to the original act creating the office; he would look all those things up, and the result was that on account of making those points of order it became necessary for Congress to pass an act to prevent all the salaries in all the departments and in the District of Columbia from being reduced to what they were many years before. I have no doubt the gentleman recalls that legislation that we put into the appropriation bill, so that all items put in this bill, like this attendance item, are in order only under that particular act that I speak of, both as to salary and as to the number of officers carried in the bill. Therefore if we increase the number of attendance officers, I know of no statute other than the fact that the item has been carried in the bill authorizing the increase of attendance officers. I think the gentleman from Illinois is making a mistake in insisting upon the point of order. I think he will withdraw it.

The CHAIRMAN. The point of order is sustained. Does the gentleman from Mississippi desire to offer an amendment?

Mr. SISSON. Yes. I desire to offer an amendment to make it "two" instead of "four."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Mississippi.

The Clerk read as follows:

Page 30, line 18, at the beginning of the line, insert the words "two at $800 each."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

Mr. SISSON. One moment, Mr. Chairman. I ask unanimous consent that if any of the items of the bill are changed the Clerk may be authorized to change the totals.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that if items are changed the Clerk may be authorized to change the totals. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Principal of the Central High School, $3,000: *Provided*, That the present principal of the Central High School shall be placed at a basic salary of $3,000 per annum and shall be entitled to an increase of $100 per annum for five years.

Mr. MADDEN. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. MADDEN. I reserve a point of order for the purpose of asking the gentleman from Mississippi a question. I want to know, if I may, why special language is employed to provide for the present principal of the Central High School?

Mr. SISSON. Well, the present principal of the Central High School is one of the most talented teachers in the District, one of the most talented men in the country. He is a man of great capacity, and we are extremely fortunate to be able to keep him. In fact, the board of education very seriously thought at the time the present superintendent was selected to make the superintendent of this school the superintendent of the city schools. He is one of the most widely known teachers in the District and is a man of very great ability, and the plant he is in charge of is one of the very largest in the country.

Mr. MADDEN. I have no doubt he is worth the money, but my purpose in rising was to get the information which the gentleman is now disclosing. I do not think I will insist upon the point of order in connection with this case or in connection with the next one.

The CHAIRMAN. The gentleman withdraws the point of order.

Mr. DOWELL. Mr. Chairman, will the gentleman from Mississippi yield for another question?

Mr. SISSON. I do.

Mr. DOWELL. How long has this principal been in the service here in the city?

Mr. SISSON. A good many years. I could not tell the gentleman exactly, but it is a good long time. Of course, he has been principal of this Central High School since it was constructed and was principal of the old high school at the time they moved into the new Central High School. It is one of the most inviting looking plants in the country.

Mr. DOWELL. I notice in this language in the bill it states that "he shall be entitled to an increase of $100 per annum for five years." Does that mean that he is to receive $100 in addition each year, or that that will be fixed by the board?

Mr. SISSON. No. It means that after July, after the passage of this act, he would get next year $3,100, and the year after $3,200, and so on for five years.

Mr. DOWELL. This does not say he shall receive that, but that he shall be entitled to it.

Mr. SISSON. He will receive it.

Mr. DOWELL. Is he not worth as much now as he will be later, and should not the salary be fixed at the amount that would be commensurate with his service?

Mr. SISSON. That is true, but the basic salary carried in the law for this principal is $3,000. So if you increased the basic salary you then would not give this extremely valuable man the benefit of what he is entitled to. Therefore your committee did not feel authorized to increase the basic salary of this teacher. I think we are extremely fortunate in holding the man at all. He has had many offers very much better than this, but he has a splendid institution, and he takes a great deal of pride in it.

Mr. DOWELL. In other words, it was the judgment of the committee that unless this principal remained the salary should be left at $3,000.

Mr. SISSON. Yes; unless we can get an equally good man, I think the salary ought to remain at $3,000.

Mr. WALSH. I move to strike out the last word. I am very glad that the gentleman from Illinois did not insist on the point of order to this item, because I have occasion to know of the excellence of this institution and to say that I have no doubt that the principal of this school could, if he so desired, command a much higher salary at similar schools in other cities of the country. The plant that he has under his care and charge there is a credit to the National Capital, and my observation has been that the corps of teachers that he supervises are most efficient, and I think it is a good thing that the subcommittee have attempted to provide for this yearly increase. I want to indorse the sentiments expressed by the gentleman from Mississippi.

Mr. GARD. Mr. Chairman, I move to strike out the last two words for the purpose of asking a question of the chairman of the committee. What is the meaning of the phrase "minimum salaries," in line 20?

Mr. SISSON. I will explain that to the gentleman.

Mr. GARD. Does that mean that under some circumstances an additional salary may be paid?

Mr. SISSON. This is the basic minimum salary. Upon that they get what is known as longevity pay. A teacher remains one year in a certain grade, at, say, $100 a month, and the next year that teacher will get an increase of $50 a year, and that continues for five years. We have nothing to do with that. That was provided for by law some years ago. You will notice a little further on in the bill an item for several hundred thousand dollars for longevity pay to the teachers in the District of Columbia.

Mr. GARD. I think one of the very best things about Washington is the general recognition of its excellent school system, and I should be glad to contribute in any way I can to its maintenance.

Mr. DOWELL. Mr. Chairman, I rise to make another inquiry. In reading the provisions of the bill relative to the principal of the Central High School I notice it says—

And shall be entitled to an increase of $100 per annum for five years.

I believe it is the intention that there shall be an increase of $100 each year?

Mr. SISSON. That is the intention of the committee.

Mr. DOWELL. Does the language of the bill provide for an additional $100 each year for five years?

Mr. SISSON. Yes; that is the language carried in all the items.

Mr. DOWELL. It seems to me that this might be construed as fixing the salary at $3,100 for five years.

Mr. SISSON. No; an increase of $100 each year for five years.

Mr. DOWELL. I understand; but it would seem from the reading of this provision that he can get no more than $3,100 for the next five years.

Mr. SISSON. No; the second year $3,200, the next year $3,300, and so on.

Mr. DOWELL. I concede that to be the intention, but I will ask the gentleman to read this language again and see if that will be the effect of it.

Mr. SISSON. The auditor has repeatedly construed this language in the past. This is the language in which it is submitted, it is the language under which that system of longevity pay for teachers is carried on, and your committee accepted that language, which had been repeatedly construed by the auditor to mean an increase of $100 each year for five years.

Mr. DOWELL. If the gentleman is certain that that is the construction which will be placed upon it, that is satisfactory to me.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Assistant principal of the Central High School, $1,800: *Provided*, That said assistant principal shall be placed at a basic salary of $1,800 per annum and shall be entitled to an increase of $100 per annum for five years.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. The assistant superintendent in a big plant like this ought to get more than $1,800 if the superintendent gets $3,000, it seems to me.

Mr. SISSON. This language has been carried before.

Mr. MADDEN. I suppose we never could change anything that has been carried before.

Mr. SISSON. I understand; but I want to explain to him that this assistant principal is actually getting more than $1,800 at this time. I do not know just what salary he is receiving, but it is something over $2,000 now.

Mr. MADDEN. This does not state the fact, then?

Mr. SISSON. The basic salary is all that is ever stated in the bill.

Mr. MADDEN. Will the gentleman state what the principal gets whose basic salary is stated at $3,000?

Mr. SISSON. He only gets $3,000, because this language only begins to apply to him this year.

Mr. MADDEN. The other man has had the benefit of the language before?

Mr. SISSON. For several years; I do not know just how long.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Principals of normal, high, and manual training high schools, eight, at $2,500 each.

Mr. GARD. I desire to ask the chairman of the committee whether the language carried on lines 5 and 6, page 31—

Principals of normal, high, and manual training high schools, eight, at $2,500 each

refers to the straight salary, or is that a basic salary upon which additional salary is computed?

Mr. SISSON. The $2,500 is the salary without any longevity.

Mr. GARD. That is the salary which is fixed at $2,500 for these principals?

Mr. SISSON. Yes.

Mr. DOWELL. Mr. Chairman, is there any reason why these salaries should not be fixed in this bill at a certain amount, and not have a basic salary and then receive some other amount?

Mr. SISSON. The longevity pay is continually changing. In other words, a person occupying one of these places may die or resign. The new teacher begins at the basic salary. The longevity pay is not calculated at the beginning of the session, but it is calculated by the number of months. If a teacher should

die or resign the first part of the session and a new teacher should come into that place, then after teaching the number of school months required to give longevity pay it would be given. The longevity pay for a particular teacher may begin in the middle of the next session.

I might say to the gentleman that I myself am not at all in favor of the longevity law as now written. Some years ago I tried to change the longevity law but did not succeed.

Mr. DOWELL. In other words, the longevity pay is not fixed for the position but for the individual?

Mr. SISSON. It is fixed for the position, and when the individual gets into that position and remains long enough the longevity pay attaches to the individual.

Mr. GARD. Is the gentleman in a position to say whether he would accept a proposal to change the salary of the assistant principal of the high school and the dean for the girls' central school to, say, $2,000 a year?

Mr. SISSON. The great trouble about accepting that would be that we would have to go all through the bill. The salaries have been arranged with some effort at harmony, although they do not always harmonize. Of course, I could not consent to that change here.

Mr. GARD. Does the gentleman think such change would be advisable?

Mr. SISSON. I do not, in view of the longevity pay.

Mr. DAVIS. Mr. Chairman, I am going to attempt to explain what little I know about the longevity pay. I have been on the committee a good many years, but I have been unable to ascertain from any source whatever the real working of longevity pay. Apparently a few years ago there was regular legislation along that line, and they agreed upon a certain principle for increasing salaries of teachers automatically regardless of merit. As an illustration I will note on page 31, line 8:

Provided, That said assistant principals shall be placed at a basic salary of $1,800 per annum and shall be entitled to an increase of $100 per annum for five years.

Now as to some teachers that would read $50 per annum instead of $100. But if gentlemen will notice, probably in the next bill, in the next Congress, you will find an omission of that increase of $100 because the basic salary being fixed at $1,800, that will be omitted, and then no one knows except the auditor of the District of Columbia how much salary the teacher is getting. He will refer back to this law and find that last year it was fixed at $1,800 with $100 longevity pay, and that two years from now it will be $200 additional without being stated in the bill. It rises automatically. We appropriate money and leave it to the auditor to figure up the complex system of longevity pay. Next year that assistant's salary will be simply $1,800, but when the auditor figures up the salary he pays it out of a lump sum and he will get $1,900.

Miss RANKIN. If you had a new assistant, he would go in at $1,800?

Mr. DAVIS. He would go in at the basic salary and then when he stays long enough the longevity pay begins to accumulate.

Miss RANKIN. Then in this bill we are fixing the basic salary at $1,800?

Mr. DAVIS. Yes; for this one, and he may be getting $1,600 as a basic salary and longevity pay running him up to $1,800, and now we propose to start him new again on a basic salary of $1,800 instead of $1,400 or $1,500 or $1,600 which he may be getting now. This increases the pay of the teachers automatically right along.

Miss RANKIN. As long as we are fixing the basic salary at $1,800, would it not be in order to fix it at $2,000?

Mr. DAVIS. I think it could be done, but subject to a point of order.

Mr. MADDEN. Why so? It is as much in order to make it $2,000 as it is $1,800.

Mr. SISSON. The law fixes the amount of longevity in the different classes in which the teachers fall. If you look at the longevity law, you will find a table.

Mr. DAVIS. We do not fix the longevity; we are fixing the basic salary.

Mr. MADDEN. The gentleman from Minnesota has replied to the question of the lady from Montana and said that the basic salary up to this time was in the neighborhood of $1,600.

Mr. DAVIS. I do not know just what it is; perhaps $1,500 or $1,600.

Mr. MADDEN. If we make it $1,800 now, we are changing the law.

Mr. DAVIS. No; we are operating in accordance with the longevity pay.

Mr. MADDEN. The longevity pay has nothing to do with the basic salary.

Mr. DAVIS. We have a right to change the basic salary when the teacher has arrived at the limit of the longevity pay. When that has expired we change the basic salary.

Mr. MADDEN. This man will get $2,000 now?

Mr. DAVIS. He gets $1,900 for this year.

Mr. MADDEN. The gentleman from Mississippi says he is getting $2,000.

Mr. SISSON. I will say to the gentleman from Minnesota that this item has been carried for two or three years in the bill.

Mr. DAVIS. I thought we had fixed a new basic salary at $1,800; that is the principle we are working on.

Mr. SISSON. The gentleman is right as to his method of calculating longevity pay.

Mr. TILSON. If the gentleman will yield, I would like to ask him, How do you arrive at the total of the bill? How do you arrive at the footing unless you know how many increases there have been?

Mr. DAVIS. We can not arrive at that with any definiteness whatever, so we always add sufficient money in a lump sum in order that the superintendent of instruction and the auditor of the District will be sure to have money enough to pay for these teachers when they figure what they are entitled to.

Mr. SISSON. Mr. Chairman, if the gentleman from Connecticut will look on page 34, he will find an item which will be illuminating upon the question that he asks—$450,000 for longevity pay. That money may or may not be used, owing to whether or not the audited claims will absorb it. Frequently some of that is carried back into the Treasury.

Mr. TILSON. You have a large lump sum in order to take care of these elastic salaries?

Mr. SISSON. We have to do it.

Mr. DAVIS. And I would say to the gentleman that if he was on this committee he would find it very difficult to ascertain the exact amount necessary to pay salaries under this longevity system.

Mr. WHEELER. Does the gentleman know how many there are who come under this longevity rule?

Mr. DAVIS. Virtually all of them.

Mr. WHEELER. The committee figures intelligently and knows exactly how many are entitled to the raise?

Mr. DAVIS. We do.

Mr. GREEN of Iowa. I would like to inquire if this longevity-pay system can not be figured up? As I understood the gentleman, he said there was no way of telling what this pay would be.

Mr. DAVIS. I say that my services upon the committee for the last six or eight years have shown me that I have been unable to get any information satisfactory to myself or to anyone else as to what constitutes this longevity pay.

Mr. GREEN of Iowa. I have no doubt about the gentleman's statements, but I wondered whether it was because of the complexity of the system or whether the officials whose duty it is to make these computations could not tell.

Mr. DAVIS. I think the complexity of the system is to blame.

Mr. GREEN of Iowa. I think it ought to be changed.

Mr. DAVIS. I think so, too; but if you will attempt to change it you will run up against much opposition.

Mr. WHEELER. I understood the gentleman to say he knew how many there are.

Mr. DAVIS. How many teachers, and how often they change their basic salaries.

Mr. DOWELL. Does the gentleman state that the assistant under this paragraph can receive more than the $1,800 with the $100 added?

Mr. DAVIS. That is all for next year. The following year he will receive another additional hundred dollars, which will be $2,000, and the next year $2,100, and then $2,200, and so on until the five years have elapsed.

Mr. DOWELL. Was the basic salary of this assistant fixed in any other bill at $1,800?

Mr. DAVIS. I do not think so, but I would not say positively. In my judgment, perhaps the man who is now getting $1,800 under this bill previously had a basic salary of $1,200 or $1,400.

Mr. DOWELL. Does the gentleman know that that is true?

Mr. DAVIS. I do not know it, because you must know that there are a great many thousand teachers, and to keep all of them in mind is difficult.

Mr. DOWELL. The question is, Does the committee fix the basic salaries upon the accumulations of another basic salary with the increase?

Mr. DAVIS. They have a right to, and they frequently do that, and that is the only way we have of having something to say as to the merits of a teacher.

Mr. DOWELL. And of changing the salaries?

Mr. DAVIS. Yes; and it has frequently been the fact that many school-teachers in the District have received increases in salary when the public knew nothing about it, and perhaps the committee that does the business was being censured for not increasing salaries.

Mr. DOWELL. There are some others that ought to have their salaries raised more than they have been.

Mr. DAVIS. And probably that would have been done this year were it not for a certain order that was promulgated to the effect, "Let salaries alone for the present."

The Clerk read as follows:

The recorder of deeds of the District of Columbia is authorized and directed to pay for copying instruments filed for record in his office 40 per cent of the fees collected by him for filing, indexing, and recording said instruments, and the same rate of compensation for making copies of the records of his office, and employees of the office of the recorder of deeds of the District of Columbia when employed therein by the day shall receive compensation at the rate of $2.50 for each day so employed, payable out of the fees and emoluments of said office.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. My understanding is, and I wish to be corrected if I am wrong, that the director of primary instruction and the assistant director of primary instruction and the directors and assistants in all cases, except in the high schools, or in schools that are so large that the one school needs a superintendent and an assistant superintendent, have equal work to do; that, as a matter of fact, the assistant superintendent is in reality a superintendent of a distinct school, not the assistant superintendent under a superintendent, but a superintendent of a school doing the work that the man or woman, as the case may be, who is classified as superintendent does, and that because of the fact that we give them the title of assistant superintendent we give them less pay. The reason why they get the title of assistant superintendent instead of the title of superintendent is that one is black and the other is white. Nobody disputes that, I think, and I think that ought not to be the case. There was no discrimination in the selection of men who fought the battles of the country in France. All were charged with equal responsibility. Everyone was drafted who was qualified to serve. All you needed were the mental and physical qualifications and citizenship in the United States to make you subject to the military service of your country. If one-tenth of the population of the United States furnished one-tenth of the soldiers to defend the flag, there is no justification why people of that race should be classed as unworthy of equal compensation for equal work.

There was no discrimination between the pay of soldiers of different races. In the American Army all were Americans, all were treated as Americans, all were sent up against the guns of the Germans. There was no thought that a man should be saved because he was black or white. The one purpose of the Army was to win the war and nobody was allowed to go into the Army unless he was a citizen, and I believe now that the country ought to recognize the work of its citizens by giving them an equal chance, and where a citizen of the United States, no matter what his color or his creed may be or his nationality, proves himself qualified to perform the functions of the office to which he has been appointed that he ought to be given equal compensation just as long as he is able to fill the bill, and if does not make any difference who he is if he is not qualified he ought not to be allowed to retain the place, but just as long as he retains the place there ought not to be any distinction in compensation. He should be required to qualify not when he entered upon the job, but as long as he continued to hold the job, and the very moment that he proves himself unqualified or unworthy he ought to be dismissed, but while he is in the service he ought to be given equal consideration and there ought not under any circumstances to be any legislation passed by the Congress of the United States discriminatory against any citizens of the Nation.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

Assistant directors of music, drawing, physical culture, domestic science, domestic art, kindergartens, and penmanship, 7, at $1,200 each: *Provided*, That the assistant director of penmanship, who shall be an instructor in the normal school and an assistant director in the grades, shall be placed at a basic salary of $1,300 per annum and shall be entitled to an increase of $50 per annum for five years.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. I wish to ask the gentleman from Mississippi if all these basic salaries have been changed in this bill or whether this is something that has been carried for a long time.

Mr. SISSON. What item?

Mr. MADDEN. Page 32, assistant directors of music, and so forth.

Mr. SISSON. No; no basic salary has been changed in this bill.

Mr. MADDEN. Is this language carried in the last bill?

Mr. SISSON. We did change some basic salaries last year and a great many of the changes of basic salary were carried in last year's appropriation bill increasing the teachers who were paid less than we thought they were entitled to under the basic salary; but in this bill no basic salary has been changed at all.

Mr. MADDEN. I was just asking for information, and I am thankful to the gentleman.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

Group A of class 6, including 7 principals of grade manual-training schools, 334, at $1,000 each.

Miss RANKIN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 32, line 16, strike out $1,000 and insert $1,200.

Mr. SISSON. Does the lady from Montana desire that I reserve the point of order? I make the point of order.

The CHAIRMAN. Does the lady from Montana desire to be heard?

Miss RANKIN. Mr. Chairman, it seems to me that $1,000 for a principal of a grade manual-training school is altogether too little to offer a teacher, and it seems to me there should be some place where Congress could change this salary to at least $1,200 a year. We find that teachers are leaving schools all over the country to take other work because they can get a better salary, and we know that the grade of teachers who seek the work is not up to the standard that it was a few years ago.

Mr. SISSON. Mr. Chairman, for the information of the House, in addition to the salary carried in this item, each principal of a grade school gets $30 per annum per room. If he has eight rooms he gets $30 per annum for each room under the law. Most of these schools are eight rooms, some are more than eight, so they get eight times $30, in addition to the amount carried in the bill, and there is rarely a school in the city where those particular teachers do not get that amount of money, $240, in addition to this pay.

The CHAIRMAN. The point of order of the gentleman from Mississippi is that this is not authorized by law?

Mr. SISSON. Not authorized by law.

The CHAIRMAN. Has the gentleman the statute before him?

Mr. SISSON. The statute is here.

The CHAIRMAN. The gentleman has the statute. The Chair sustains the point of order.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. I was interested in the statement made by the gentleman from Mississippi a moment ago to the effect that if one of these principals presided over an eight-room school in addition to $1,000 he gets $30 per room per annum. I am interested to find out how that qualification came to be made, why that was made the basis of compensation, why it was that when the qualification was originally made the salary was not fixed definitely rather than part of the salary fixed definitely and part fixed on the number of rooms.

Mr. SISSON. I will state to the gentleman that when his party had control of the House in 1906 they passed a law in 1906 fixing additional compensation of principals in these schools so that they would get $30 for each additional room. Now, I am inclined to believe there is some justice in the law which was passed, some fairness in it, because the supervisory work that a principal does would be largely dependent upon the number of rooms of which he had control. Now, if you look on page 35 of the bill, which you have there, you will find an item to pay this additional amount of money which is provided by law for this class of teachers.

Mr. MADDEN. I was very much interested in hearing the gentleman's statement, but of course I did not want to let it go without giving him an opportunity to explain it in full, as I knew he would be able to do.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

Class 3, 543 at $750 each.

Mr. DOWELL. Mr. Chairman, I move to strike out the last word for the purpose of asking a question. Is there any provi-

sion in the law for increase in the other classes, for the teachers in the class just now being read by the Clerk?

Mr. SISSON. No; except the longevity. What is being read here now is the base pay of the teachers.

Mr. DOWELL. Will the gentleman explain to the committee how much these teachers in these classes of $950, $800, and $750 actually receive under the system that the gentleman has explained here?

Mr. SISSON. The gentleman will have to get the longevity table, which I have here in this statute. You will find the class and the teacher designated here.

Mr. DOWELL. Here are two classes, for example, the ones receiving $800 and the ones receiving $750. Can the gentleman explain to the committee what those teachers are actually receiving under the system adopted?

Mr. SISSON. Now, they receive, of course, the base pay the first year.

Mr. DOWELL. That is, $800?

Mr. SISSON. Eight hundred dollars. Now, if a teacher has been teaching one year, he or she gets $830, and then gets $860 the next year, and $890 the next year, and so on—$30 a year for 10 years.

Mr. DOWELL. And that applies also to the $750 class?

Mr. SISSON. That class does not appear in the longevity law, because in last year's bill we changed the base pay of class 1 from $500 to $750, and class 2 from $600 to $750, and class 3 from $650 to $750, thus eliminating so far as salary is concerned the difference in the pay of the three lower-grade teachers. Now, in each of those grades, in addition to the $750, they get the same longevity that they got when they carried a base salary of $500 and $525, getting $25 increase each year. Now, the gentleman will have to look back at the statutes and see the longevity pay in order to determine just exactly how it all works out. And then if he will take and look it over carefully and give it some very careful thought he will find the rule is a very simple one. But it is very difficult when you try to apply it to teachers getting over $2,000 and get the exact amount.

Mr. DOWELL. It is either very difficult or I am unable to get all of it, because I know in the bill there are certain classes, giving the number of teachers, with the pay of $750. Now, according to the statement of the gentleman, the actual amount that these teachers receive depends upon the number of years they have taught. Is that correct?

Mr. SISSON. Perhaps the reason the gentleman is confused is because the longevity pay does not appear in this item, but if the gentleman will look over on page 34 he will find an item of $450,000 for the purpose of paying the longevity pay of the teachers carried on page 32, and so on. In other words, the teachers get the 10-year longevity pay in these lower classes, the lowest longevity pay being $25, and the next longevity pay being $30 a year. Those two are carried as long as the teacher remains in that particular class and carry an increase of $25 a year in one case and $30 in the next case, until they have been in the school for 10 years or are transferred to a higher grade.

Mr. DOWELL. I am utterly unable to understand how people can live in the city of Washington on $750 or $800 a year.

Mr. SISSON. They do not get that this year, because they get $120 lump sum, which is added to this salary.

I will state to the gentleman that your subcommittee realized that the lower-grade teachers were not getting the salaries which we would like to give them, but we are giving them more than the law authorized, and we are giving them more than the average pay in any of the cities throughout the country. We went into the matter at the time we made these increases. And I do not believe that either the gentleman who is now talking or any other gentleman in the House is more friendly to giving the school-teachers a proper salary than every member of this committee. Every member of the subcommittee has been in favor of giving them a substantial increase in their salary.

Miss RANKIN. May I ask the gentleman if he means to state if we were to try to get 100 new teachers for class 3 they would go in on that basic salary of $750 a year now?

Mr. SISSON. Plus $120; a total of $870.

Miss RANKIN. And the longevity rule does not apply to this $750?

Mr. SISSON. It does; but it does not apply the first year.

Miss RANKIN. It never applies to the new teachers until they have served——

Mr. SISSON. It only applies to the new teacher who has taught one session. For the second session they get longevity pay.

Miss RANKIN. How did you change the basic pay last year to $750 in class 3?

Mr. SISSON. From $500 to $750?

Miss RANKIN. By amending this?

Mr. SISSON. Yes.

Miss RANKIN. Mr. Chairman, I offer an amendment to the section.

The CHAIRMAN. The lady from Montana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Miss RANKIN: Page 32, line 20, strike out "$750" and insert "$1,000."

Mr. SISSON. Mr. Chairman, I make a point of order on that.

The CHAIRMAN. The point of order is sustained.

Mr. DOWELL. Mr. Chairman——

Mr. MADDEN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. Did the gentleman from Iowa [Mr. DOWELL] desire to be recognized?

Mr. DOWELL. I want to ask the chairman of the committee a question.

Mr. SISSON. I will answer it if I can.

Mr. DOWELL. The statement made by the gentleman a moment ago was that he was willing to increase this pay; and if he will withdraw the point of order I am certain the committee will increase the pay, as it ought to be done.

Mr. SISSON. I do not know whether they would or not. I am here now as a servant of the committee, but I do say that for many years the teachers went in at $500, and the subcommittee recommended to the full committee of this House——

Mr. DOWELL. The gentleman is aware that under the present conditions the teachers can not live in Washington on $750 a year?

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] moves to strike out the last word.

Mr. MADDEN. Mr. Chairman, I think the compensation allowed under the recommendation of the committee is the most beggarly compensation that was ever granted to intelligent people; and they must be intelligent in order to be teachers. I think that no class of America's citizens makes as great a sacrifice in their life work as do the teachers of our public schools. Never by any chance, no matter how long they remain in the work, can they put anything aside for old age. Their work is more self-sacrificing than the work of the men on the battle line. Patriotism is the watchword with those who devote their lives to teaching the children of the country.

They occupy a position in the land more important than that occupied by any other class of our citizens. Upon their ability and patriotism and devotion depends the future citizenship of America. The education—intellectual, physical, moral—of the coming citizens of the country is under their charge, and it seems to me that those who are responsible for the development of the public educational institutions of the United States ought to regard the places of school-teachers as among the most responsible places that are to be filled. They ought to regard the necessity for proper compensation.

These girls or men, as the case may be, are required to have a college education. They are required, after they get through with their college course, to go to the Normal Training School for Teachers for a year or two. They are required to become experts in the life work which they follow. There is no other expert class of men or women in America who are called upon to make the sacrifice which these people are expected to make.

The conditions that have surrounded their lives since the beginning of the war in Europe have been as onerous as the conditions surrounding the lives of other people. Girls without any knowledge, without any experience, with substantially no education, have been called into the service of the Government since the war began to do filing work in the Government offices, not only here in Washington, but everywhere throughout the land, and they have been given anywhere from $1,100 to $1,300 and $1,400 a year without any knowledge whatever; and yet here these women who have given years of their early life to acquire an education to fit them for the work to which they propose to devote their lives are compelled by the dictum of the Congress of the United States, so far as the District of Columbia is concerned, to live on starvation wages. It is a shame.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MADDEN. I ask for five minutes more, Mr. Chairman. I think this is a very interesting theme.

Mr. WHEELER. Mr. Chairman, I want to ask the gentleman a question.

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. MADDEN. The cost of living in the District of Columbia has soared so that nobody can calculate it. The wise gentlemen on the District appropriation subcommittee tell us that they do not understand what longevity pay means or how it shall be calculated, but they can readily understand that you can not get more today for a dollar than you could ordinarily get before for about 40 cents. They tell me that you can not rent a room anywhere in the District of Columbia without paying $40 or $50 a month for it, and if you can get your breakfast and can get anything to eat with it for $1.50 you are doing well.

Now, if these girls are called upon to work for $525, or say $750 now, how do they manage to live? There is no other city in the Union that pays its teachers so niggardly a salary as this city does. And who is to blame? The Congress of the United States. Who else could be to blame? We ought to have a broader vision. We ought to realize that here at the Nation's Capital we should have the very best talent that can be employed in our schools and we doubtless have, but we have compelled the talent that we do employ to work at starvation wages. Many of them have been compelled to leave the work which they intended to follow as their life work and take other employment in order that they might keep body and soul together and buy a few clothes to wear. It is a shame. It would not be tolerated anywhere else, and we who speak for the American people do not speak their sentiments when we ask these girls, these women, and frequently men, to work for this standard of wages. I think we ought not to start anyone in a work like this on less than $1,000 a year, after they have spent 10 years of their early life in preparing for the work, qualifying themselves to do the thing which we require them to do in order to build up a high standard of citizenship from our children. We ought to encourage them with the hope that they will at least be able to live in a decent way.

Now, I yield to my colleague.

Mr. WHEELER. Never mind. It is all right.

Mr. MADDEN. I said what the gentleman wanted me to say, did I?

So I say that, instead of making points of order against the increase of compensation, this committee ought to be devising ways and means to find out how we can enact a law that will give them compensation commensurate with the sacrifice which they make. Teachers of the public schools command the respect of the American people to a higher degree and to a greater extent than any other people in the Nation. They deserve it. They make more sacrifice. There is no hope for them. They live in an atmosphere which breaks them down nervously, and when they are no longer able to perform the work for which they are employed they are thrown out like a piece of driftwood. They will not keep them unless they are qualified. If you pension them, you pension them out of the savings which they themselves make. They are required to contribute to the pension roll, and frequently it happens that the pension fund which accumulates out of their own savings is dissipated by those who manage the funds, so that as the teachers grow old in the service they find themselves unable even to get the pension from the fund to which they paid. [Applause.]

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

Mr. WHEELER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. WHEELER. Mr. Chairman, I fully agree with what my colleague [Mr. MADDEN] has said, and it does seem to me that the committee has been very considerate to the District Commissioners in recommending that their salaries be raised $1,000, while the poor school-teachers and the poor fellows on the police force and some patrol drivers and station messengers, working for $750 or $800 per annum, starvation wages, have not been considered at all.

Mr. Ridlitz, head of the Housing Corporation, I believe, is trying to make contracts now with clerks here by which they will be furnished with a room and two meals for $45 per month. A single person could not meet all his expenses at $75 per month. There are any number of employees here in the District of Columbia who have families, some of them three or four or five children. It is necessary for them to rent houses with five or six rooms and to clothe and feed and school those children. They can not possibly make both ends meet at $1,000 per annum. They are not considered at all by this committee. The increasing of salaries of teachers and other underpaid employees the chairman of the committee objects to because these salaries are fixed by statute, but at the same time the committee overlook that provision of the statute when it comes to raising the salaries of the District Commissioners. It seems to me that they are unjust to the little fellow who receives starvation wages and who can not meet all expenses at his present salary.

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

Class 2, 364 at $750 each.

Mr. DALLINGER. Mr. Chairman, I move to strike out the last word. I was unable to be here when this matter of the salaries of teachers was first taken up, my attention being occupied with the case of an insane soldier.

I understand that the board of education last year recommended to the District Commissioners an increased appropriation of over $200,000 for the colored schools of this District, but that the recommendation was rejected, no attention being paid to it by the District Commissioners. This year the board of education recommended $245,350 for the colored schools, and practically no attention was paid to that. Now, I understand, Mr. Chairman, that the colored children represent 31 per cent of the total enrollment of the children in the public schools in the District of Columbia, and that the present commissioners did not recommend an appropriation of more than 10 per cent of the total appropriation for the colored schools.

Mr. SISSON. Will the gentleman yield just a moment?

Mr. DALLINGER. Yes.

Mr. SISSON. The great trouble about that statement is that it is not a fact.

Mr. DALLINGER. I should like to know what the fact is.

Mr. SISSON. The fact is that $300,000 was appropriated in the last bill for new school buildings in the District of Columbia. Of that amount none has been used. It is available now. In my remarks during the general debate I fully explained the reason why it has not been used. It was because they could not get the labor and could not get the material, because the War Industries Board would not allow it to be transported. Therefore they could not use any of that money. Now, if you will go through these items, you will find that about 33½ per cent of them are for the colored schools, which have about one-third of the children.

Mr. DALLINGER. I have been informed by those who know something about the colored schools in the District that the contrary is the case. I want to ask the chairman of the committee if it is not a fact that the board of education recommended $245,350 to the commissioners for the colored schools?

Mr. SISSON. I do not know. Those recommendations never reach us. The only things that reach us are the recommendations of the commissioners. The board of education deals with the subcommittee on appropriations only in reference to teachers and not in reference to school buildings or school property.

Mr. DALLINGER. Mr. Chairman, my authority for the statement which I made is on page 1091 of the estimates submitted by the board of education to the District Commissioners; and, as I stated, these recommendations have been ignored repeatedly. The fact is that the colored schools are being discriminated against in this District, as they are in some other parts of the country. Now, I was not here when the amendment was proposed by the gentleman from Illinois for the increase of salary of one of the assistant superintendents of schools from $3,000 to $3,500. The fact is that these two assistant superintendents originally received the same salary. One of them, who is a white man, has had his salary raised to $3,500, and the other one's salary has not been raised, simply because he is a colored man. That is the fact. You may just as well face it. Now, this colored man is a man who is a credit to any race, a graduate of Howard University, highly educated and admirably qualified for his position, and he is discriminated against simply because he is colored. I think it is pretty small business for a point of order to be made against that amendment by the committee. It was made last year when I offered it. I understand it was made this year when it was offered by the gentleman from Illinois, and I want to tell the gentleman from Mississippi that the time is coming when the colored children of this District are going to receive just and equal treatment, so far as their needs for education are concerned, and that time is coming pretty quickly, too.

Mr. SISSON. Mr. Chairman, I want to say to the gentleman that the remarks which he has made ought not to be pointed at me. On the contrary, there has not been one word said in the subcommittee or elsewhere as to whether a teacher was colored or white. Not only that, but my associates on the committee will bear testimony, sir, that without a single exception wherever a public school is needed, irrespective of whether it is white or colored, it has received my support. I have not made the least discrimination one way or the other. I think it comes in very poor grace for the gentleman to single me out because, as a member of this subcommittee of the Committee on Appropriations, it is my duty to take care of the bill presented by the committee; and if the gentleman ever gets to be the chairman of a committee and has charge of a bill on the floor when that side is in power, he will be called upon to do the same thing, and it will be his duty to take care of the bill as reported from the committee.

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

The salaries appropriated herein for teachers in classes 1, 2, and 3, clerks, and librarians in all classes during the fiscal year 1920, shall be in lieu of the present basic or initial salaries for such classes and the present rates of longevity increases of pay for the said classes shall apply to the basic or initial salaries appropriated herein: *Provided*, That for the year ending June 30, 1920, each of the teachers, clerks, and librarians in said classes shall receive placing in the class to which assigned, so that each teacher shall receive in addition to the basic salary herein provided a longevity increase which shall be equal to the longevity increase which is next above that received June 30, 1919.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word. The mention of longevity pay in this paragraph calls for some remarks. I think it ought to be stated that the schools of Washington are not what they ought to be. They do not compare with the schools in many other cities of the country. The gentleman from Mississippi [Mr. SISSON] has stated, contrary to the opinion of some of the other Members here, that we are paying higher salaries than the average city. I do not know how that may be. I think the salaries of the majority of the teachers are insufficient. But I am very decidedly of the opinion that there are a large number of teachers who are paid altogether too much. The curse of this longevity system has rested upon these schools, and we never will have good schools in the District as long as it prevails. Take a teacher who is full of ambition, who inspires his class and brings all the students up on edge, and they finish their examinations with credit. What is the difference? He gets just the same pay. Take another teacher who cares nothing about how the class progresses, and to cite an instance which I have known in this city where two-thirds of the class fail in their examinations. Anyone knows that that is a disgrace to the teacher, for a teacher with capacity would get better results. But longevity pay is added to the salary of the teacher and everything goes on just the same. We have here in these schools too many old freaks and fossils, whose intentions may be good, but who were back numbers 10 or 20 years ago, and ought to have been retired. There is, however, no proper provision for their retirement. The schools are weighed down with them, the scholars laugh at them, but they get longevity pay. If longevity was any evidence of capacity, these elderly people ought to receive twice as much as they are getting.

Mr. GARD. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. GARD. Is there no way to eliminate the freaks and fossils and the incompetent teachers?

Mr. GREEN of Iowa. Not under the present system, but there ought to be a way. It has been suggested that possibly there is authority in the board of education that controls the hiring of teachers, but I think not.

Mr. DAVIS. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. DAVIS. I think your committee has made a start in that direction, to which I hope the gentleman will not raise the point of order.

Mr. GREEN of Iowa. Not I, I assure the gentleman.

Mr. DAVIS. On page 34, at the bottom of the page, after the figures "$450,000," is a provision:

Provided, That hereafter the board of education is authorized, on recommendation of the superintendent of schools, to withhold the longevity increase of any teacher because of an unsatisfactory efficiency rating.

This is the first time that this has appeared in the bill, and I hope there will be no point of order made to it.

Mr. GREEN of Iowa. I certainly will make no point of order upon it. I have sat here several years and have sometimes known some movements to be made in that direction, but they were promptly stifled by a point of order or in some other way.

Mr. DAVIS. I think this is subject to a point of order.

Mr. SISSON. Oh, no; I hope the gentleman will not admit that.

Mr. GREEN of Iowa. It will not be made by me, but we ought to go considerably further. I presume the committee thought, in consideration of past experience, that they would do well if they got this provision through. I will say to the gentleman—and I thank him for calling my attention to that, because it escaped my notice—I am glad that they have gone that far, but we ought to have some provision so that when the general superintendent or the superintendent of the school knows where the work is not being done up to the mark and knows where he can get a competent and efficient and ambitious young teacher, the superintendent will be able to go out and secure him. That is the way the schools are brought up elsewhere and the only way that you can have the schools that you ought to have in this District. I hope the House, which pays little attention to these matters, will wake up to its duty.

I may be incorrectly informed, but I have been told that this longevity system is preserved largely because the teachers of the District are in favor of it. If so, I want to say that it does not show the proper spirit on their part. The teachers ought not to be in favor of any such rule. They ought to favor a system whereby those who do the best work will receive the best pay. It is a system that stifles ambition and discourages all attempts to be perfect in their work. The teachers are few who can resist its effect. It can not help but injure the schools from one end to the other. The teachers' pay should be fixed from year to year in accordance with the work performed and not in accordance with the time that they have served. The principal's salary should not be fixed in accordance with the number of rooms, although there is some reason for that provision, but none can be given for the longevity pay. As long as the blight of the longevity system rests upon the schools, so long they will be inefficient. The whole school system of the city needs overhauling and rebuilding. The longevity system should be abolished; a pension system, with a provision for compulsory retirement when the work of the teacher is not up to the proper standard, should be provided; all of the teachers should be marked and graded on their work under a more complete plan of supervision than any which has been used, and new blood with new methods should be brought in by obtaining teachers from outside. This is the only way in which real schools can be maintained, no matter how good your superintendents or high-school principals may be.

The Clerk read as follows:

Longevity pay: For longevity pay for director of intermediate instruction, supervising principals, supervisor and assistant supervisor of manual training, principals of normal high and manual training high schools, the assistant principal of the Central High School, the assistant principal (who shall be dean of girls) of the Central High School, principals of grade manual training schools, heads of departments, director and assistant director of primary instruction, directors and assistant directors of drawing, physical culture, music, domestic science, domestic art, kindergartens, and penmanship, teachers, clerks, librarians and clerks, and librarians to be paid in strict conformity with the provisions of the act entitled "An act to fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of Columbia," approved June 20, 1906, as amended by the acts approved May 26, 1908, May 18, 1910, and June 26, 1912, $450,000: *Provided*, That hereafter the board of education is authorized, on recommendation of the superintendent of schools, to withhold the longevity increase of any teacher because of an unsatisfactory efficiency rating.

Mr. MADDEN. Mr. Chairman, I make a point of order against the provision after the figures "$450,000," in line 21, down to and including the word "rating," in line 25.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

Central High School (New): Engineer, $1,500; 2 assistant engineers, at $900 each, electrician, $1,200; 4 firemen, at $720 each; 2 coal passers, at $540 each; janitor, $1,100; 3 assistant janitors, at $900 each; gardener, $840; night watchman, $720; 2 charwomen, at $480 each; 15 laborers, at $500 each; in all, $22,280.

Mr. LONGWORTH. Mr. Chairman, I move to strike out the last word. I observe that the salary of the janitor is fixed at $1,100. I want to ask the gentleman if the janitor gets indirectly any more pay? Does he get quarters free?

Mr. SISSON. No; he gets no quarters. Of course, he gets the $120 increase provided for all employees.

Mr. LONGWORTH. He gets no perquisites?

Mr. SISSON. None whatever.

The Clerk read as follows:

Dunbar High School: Engineer, $1,200; assistant engineer, $1,000; two firemen, at $720 each; coal passer, $540; janitor, $1,000; assistant janitor, $900; nine laborers, at $500 each; two charwomen, at $480 each; night watchman, $720; in all, $12,260.

Mr. DALLINGER. Mr. Chairman, I move to strike out the last word. I want to ask if the laborers give all of their time? Here are nine laborers, at $500 each. Do they give all their time to the work?

Mr. SISSON. No; the laborers are not employed until the buildings are closed.

The Clerk read as follows:

Medical inspectors: Chief medical and sanitary inspector, who shall, under the direction of the health officer of the District of Columbia, give his entire time to and exercise the direction and control of, the medical and sanitary conditions of the public schools of the District of Columbia, $2,500; 16 medical inspectors of public schools, 1 of whom shall be a woman, 4 shall be dentists, and 4 shall be of the colored race, at $720 each; in all, $12,500.

Mr. DALLINGER. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman from Mississippi if they can get a doctor of good standing, a first-class man, to give all his time to the medical care of the schools for $2,500?

Mr. SISSON. I think they have a very good man in charge of this work.

The Clerk read as follows:

For contingent expenses, including furniture and repairs of same, stationery, printing, ice, purchase and repair of equipment for high-school cadets, and other necessary items not otherwise provided for, including an allowance of not exceeding $300 per annum for livery of horse or not exceeding $360 per annum for garage for each the superintendent of schools, the superintendent of janitors, the two assistant superintendents, the director of primary instruction, the school cabinet-maker, the general secretary of community centers, the supervising principal of the white special schools, and the supervising principal of the colored special schools, and including not exceeding $3,000 for books, books of reference, and periodicals, $75,000.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. Do I understand that each of the principals here has a garage for the rent of which he is allowed $30 a month?

Mr. SISSON. Oh, no; not a garage, but where he devotes his horse and buggy or his conveyance to the performance of his duties he is allowed that much for maintenance. That is carried in the bill in other items.

Mr. MADDEN. I wanted to know if they were allowed that much for garage rent.

Mr. SISSON. That simply means gasoline allowance.

The Clerk read as follows:

Hereafter the board of education is authorized to use all necessary floor and room space in the Franklin School building for office purposes.

Mr. WALSH. Mr. Chairman, on that I reserve the point of order. What are they going to do with the scholars who will be ousted if they take all of this floor space for offices down there?

Mr. SISSON. They will not do that until they have provided a place for these children. If the gentleman will look at the hearings, he will find that the board of education are simply authorized to do that, and that it is understood they would not change this space until provision had been made.

Mr. WALSH. Apparently they need six additional offices. Are they not furnished accommodations in the District Building?

Mr. SISSON. No official under the school board is in the District Building at all. They are all in this Franklin School. There are but a very few children who attend the Franklin School. As the schools of the District have grown, the number of clerks essential to administering the school districts has also grown, and if the gentleman were to visit the Franklin School he would find they are much crowded now for office space.

Mr. WALSH. I have been there; but I also have a recollection of visiting some school official down here at the District Building.

Mr. SISSON. I can not imagine who that would be.

Mr. WALSH. It might have been the health officer.

Mr. SISSON. It might have been a branch of the purchasing division or the auditor's office.

Mr. WALSH. What is the necessity for six additional offices for the use of the board of education?

Mr. SISSON. The board of education do not need it themselves. They have a board room. That is for the school officials.

Mr. WALSH. Each principal has an office in his own school, has he not?

Mr. SISSON. No. What are called principals in this bill do not always mean principals actually in charge of a school. They may be supervisory principals. The activities of the schools have grown greatly and the number of scholars have perhaps more than doubled since they first went into the Franklin School. Some years ago an effort was made to absorb all of the Franklin School, and at that time I did not believe they needed the space. That is some seven or eight years ago. I prevented its being done; but since the growth of the number of scholars, the number of officials and clerks has necessarily compelled a need for this space. I do not know that they could absorb all of the space within that building within the next current year, but they will take so much of it there will be very little left for teaching space.

Mr. WALSH. The gentleman is quite sure that by taking over this space for offices he will not encourage a demand for a new school building in that vicinity to take care of these pupils?

Mr. SISSON. No; it is not contemplated at all.

Mr. WALSH. Mr. Chairman, I withdraw the reservation of the point of order.

The Clerk read as follows:

Appropriations in this act shall not be paid to any person employed under or in connection with the public schools of the District of Columbia who shall solicit or receive, or permit to be solicited or received, on any public-school premises, any subscription or donation of money or other thing of value from pupils enrolled in such public schools for presentation of testimonials to school officials or for any purpose except such as may be authorized by the board of education at a stated meeting upon the written recommendation of the superintendent of schools.

Mr. TILSON. Mr. Chairman, I move to strike out the last word. That is a very peculiar provision of law, and I should like to ask a brief explanation of it.

Mr. SISSON. That has been carried several years.

Mr. TILSON. I note that it is in the current law, and I have wondered at the reason for such a provision as that.

Mr. SISSON. Very serious complaints came to the board of education, and those complaints continued for a number of years before the board of education took it up with the District Commissioners, and they took it up with the subcommittee. Mr. Page was the chairman of the subcommittee at the time, and we had quite extensive hearings upon the kind and character of solicitations made. The gentleman would have been amazed at the number of different kinds and purposes for which subscriptions were taken. The school authorities were caused a great deal of trouble, and upon the urgent recommendation of the board of education and many of the teachers and superintendents, we put that provision in the bill and it worked very well. Of course, this does not prevent the school children from taking up their little subscriptions to buy whatever the school may need in the way of balls and bats and various and sundry things.

Mr. TILSON. I thoroughly approve of the purpose intended to be accomplished, but it seemed to me that might have been accomplished by the board of education itself or by the superintendent of the schools without any legislation.

Mr. SISSON. They doubted their authority to do that without the law, and had not been able to do it.

The Clerk read as follows:

Major and superintendent, $4,000; 2 assistant superintendents, at $2,500 each; 3 inspectors, at $2,000 each; 11 captains, at $2,000 each; chief clerk, who shall also be property clerk, $2,000; clerk (who shall be a stenographer), $1,800; clerk and stenographer, $1,500; clerks—one (who shall be assistant property clerk) $1,200, 1 $1,200, 3 at $1,000 each, 1 $700; 4 surgeons of the police and fire departments, at $840 each; additional compensation for 35 privates detailed for special service in the detection and prevention of crime, $10,800, or so much thereof as may be necessary; additional compensation for 14 privates detailed for special service in the various precincts for the prevention and detection of crime, at the rate of $120 per annum, $1,680, or so much thereof as may be necessary; additional compensation for one inspector or captain and one lieutenant detailed for special service in the detection and prevention of crime, at $400 each; 20 lieutenants, one of whom shall be harbor master, at $1,600 each; 54 sergeants, one of whom may be detailed for duty in the harbor patrol, at $1,400 each; 493 privates of class 3, at $1,320 each; 86 privates of class 2, at $1,200 each; 187 privates of class 1, at $1,080 each; amount required to pay salaries of privates of class 2 who will be promoted to class 3 and privates of class 1 who will be promoted to class 2 during the fiscal year 1920, $2,000; 8 telephone clerks, at $900 each; 18 janitors, at $600 each; laborer, $720; messenger $600; inspector, mounted on horse or motor vehicle, $360; 58 captains, lieutenants, sergeants, and privates, mounted on horses or for motor vehicle allowances, at $360 each; 64 lieutenants, sergeants, and privates, mounted on bicycles, at $60 each; 35 drivers, at $900 each; 5 police matrons, at $720 each, to possess police powers of arrest; 4 policewomen, at $900 each; in all, $1,219,060.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. How many policemen of all grades have they now in the District?

Mr. SISSON. They have seven hundred and sixty-six privates.

Mr. MADDEN. The number has not been increased at all the last few years, has it?

Mr. SISSON. Oh, yes.

Mr. MADDEN. How much?

Mr. SISSON. We gave them all they asked for last year. They have enough now to man all the police stations now in the District. It takes a certain number of policemen to each station.

Mr. MADDEN. I know, but it is not a question of manning the police stations; it is a question of patroling the territory.

Mr. SISSON. That is true; but the police stations are presumed to take care of the territory and have been so arranged. I do not believe this last police station has been put in operation; if so, very lately, because they were unable to get the men after the war broke out, and the police force is considerably short now. Just what number I am unable to inform the gentleman, but something like 80, 90, or 100 policemen.

Mr. MADDEN. And less men on the force than authorized?

Mr. SISSON. Yes. They have been unable to get them.

Mr. MADDEN. I see they have been using military police.

Mr. SISSON. They supplied the deficit by having enough soldiers detailed to take the place of the policemen they were unable to get; they actually detailed soldiers to do police duty.

Mr. MADDEN. I notice laborers under this provision of the bill get only $720 a year. Now, laborers in other departments of the Government get anywhere from $840 to $900.

Mr. SISSON. Well, most of them outside of the Postal Service get $900 to $720. These laborers are rather caretakers of the police station.

Mr. MADDEN. There are janitors there who do that. A caretaker is a janitor.

Mr. SISSON. He is a janitor, but they have some little assistant laborers; some of those are rather old men.

Mr. MADDEN. Does the gentleman state a laborer is an assistant to a janitor?

Mr. SISSON. In many cases.

Mr. MADDEN. Then a laborer gets $120 more a year than a janitor, and he is surely not an assistant to the janitor?

Mr. SISSON. The laborer that they use here in this is really where it is a little work about the police station to keep the police station in order. The janitor looks after the heating, fire, and sweeps the floor.

Mr. MADDEN. Tell me that over again; I do not get that.

Mr. SISSON. The laborer there is a man who, when a little something is out of order, does work around the police station, such as a little carpenter work; a little work around the police station to keep it in order.

Mr. MADDEN. What is the matter with Gompers and his crowd? Are they going to turn out the carpenters working around the stations?

Mr. SISSON. I am not trying to raise any more trouble along that line than I can, and I hope the gentleman will not.

Mr. MANN. Will the gentleman yield?

Mr. SISSON. I will.

Mr. MANN. The gentleman referred to details of soldiers to act as policemen. I suppose we have all noticed some of them acting as crossing policemen. How is that done?

Mr. SISSON. That I can not tell the gentleman because I know nothing absolutely how it is done. I know nothing about what power did it; but my understanding is, of course, that they were furloughed to do this duty, but by what authority I can not tell; but those men, as a rule, I understand—and this is not by any knowledge or investigation but an understanding I have about it—many of them were men in limited service and they were furloughed, and, I will not state this positively, I understand they did not get their salaries as soldiers while they were on furlough but perhaps drew their salary as policemen.

Mr. MANN. They are paid as policemen in the District?

Mr. SISSON. They are paid as policemen, as I understand it.

Mr. MANN. And not required to wear a policeman's uniform?

Mr. SISSON. No; they wear, as I saw them on the street, a soldier's uniform.

Mr. MADDEN. Military police?

Mr. SISSON. Marked "Military police."

Mr. MANN. That is what I am trying to get at. I do not quite understand how a soldier is furloughed from the Army and employed by the District Commissioners as a military policeman.

Mr. SISSON. I can not give the gentleman any information.

Mr. MANN. There is no such information drawn out by the subcommittee?

Mr. SISSON. No, sir.

Mr. GARD. If the gentleman will yield, I will say that this morning I also saw a man in military uniform delivering mail, attached to the city post office.

Mr. MANN. As I understand, a man in the Army may have resigned and he is entitled to wear his uniform a certain length of time and he may be employed as a letter carrier or may have been a letter carrier restored.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

FIRE DEPARTMENT.

Chief engineer, $3,500; 2 deputy chief engineers, at $2,500 each; 8 battalion chief engineers, at $2,000 each; fire marshal, $2,000; deputy fire marshal, $1,400; 4 inspectors, at $1,080 each; chief clerk, $2,000; clerk, $1,400; clerk (who shall be a stenographer and typewriter), $1,400; 38 captains, at $1,500 each; 40 lieutenants, at $1,320 each; 41 sergeants, at $1,200 each; superintendent of inachinery, $2,000; assistant superintendent of machinery, $1,200; 27 engineers, at $1,200 each; 27 assistant engineers, at $1,140 each; 2 pilots, at $1,150 each; 2 marine engineers, at $1,200 each; 2 assistant marine engineers, at $1,140 each; 2 marine firemen, at $840 each; 342 privates of class 2, at $1,140 each; 103 privates of class 1, at $960 each; hostler, $600; laborer, $600; in all, $761,020.

Mr. DALLINGER. Mr. Chairman, I move to strike out the last word. I understand that this is the first year that the two-platoon system has been in operation in the Fire Department of the District of Columbia. Am I correct?

Mr. SISSON. Yes; this is the first time.

Mr. DALLINGER. I am very much interested in that system and in favor of it on general principles, and I simply wanted to ask the gentleman from Mississippi in charge of this bill what the additional expense of the double-platoon system was in the District this last year?

Mr. SISSON. About 30 per cent in round numbers. This last year, however, is not fair—well it is fair in its expenditure, but not a fair test of the system, because they suffered the same inconvenience in reference to getting firemen that they had in getting policemen. Many firemen were of draft age, and I have now forgotten, but quite a large number of them were taken into the Army, and they had great difficulty in getting young men who were active and strong to stand the examination, and by the way, it is one of the most rigid examinations of any examination, and I do not think they have been able up to date to do much with the two-platoon system, but they will begin now to put it into operation before the close of the year.

Mr. DALLINGER. I thank the gentleman.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

For enforcement of the provisions of an act to prevent the spread of contagious diseases in the District of Columbia, approved March 3, 1897, and an act for the prevention of scarlet fever, diphtheria, measles, whooping cough, chicken pox, epidemic cerebrospinal meningitis, and typhoid fever in the District of Columbia, approved February 9, 1907, and an act to provide for registration of all cases of tuberculosis in the District of Columbia, for free examination of sputum in suspected cases, and for preventing the spread of tuberculosis in said District of Columbia, approved May 13, 1908, under the direction of the health officer of said District, manufacture of serums, including their use in indigent cases, and for the prevention of infantile paralysis and other communicable diseases, including salaries or compensation for personal services, not exceeding $25,000, when ordered in writing by the commissioners and necessary for the enforcement and execution of said acts, and for the prevention of such other communicable diseases as hereinbefore provided, purchase and maintenance of necessary horses, wagons, and harness, purchase of reference books and medical journals, and maintenance of quarantine station and smallpox hospital, $40,000: *Provided*, That any bacteriologist employed under this appropriation shall not be paid more than $7 per day and may be assigned by the health officer to the bacteriological examination of milk and other dairy products and of the water supplies of dairy farms, and to such other sanitary work as in the judgment of the health officer will promote the public health, whether such examinations be or be not directly related to contagious diseases.

Mr. TILSON. Mr. Chairman, does not the gentleman in charge of the bill think, in view of the experience of this city and the rest of the country during the last few months, that he ought to include influenza in the list of communicable diseases that ought to be provided against?

Mr. SISSON. I will state frankly to the gentleman from Connecticut that the subject has not come to us; but the gentleman will notice, after enumerating diseases, the language is broad enough to cover other communicable diseases, and they did, by the way, take steps in reference to influenza here under this very act.

Mr. TILSON. They construed the act as being broad enough to cover it, although it is not specifically mentioned in the act itself?

Mr. SISSON. Yes. You will notice down there it says "infantile paralysis and other communicable diseases," and under that head, if it is an infectious or contagious disease, they construe that language to be broad enough.

The Clerk read as follows:

Juvenile court: Judge, $5,000; clerk, $2,000; deputy clerk, who is authorized to act as clerk in the absence of that officer, $1,480; financial clerk, who is authorized to act as deputy clerk, $1,200; stenographer and typewriter, who is authorized to act as a deputy clerk, $1,080; stenographer and typewriter for judge's work, and to aid in keeping records in clerk's office, $1,080; probation officers—chief, $1,800; assistant chief (who shall also be investigating officer for children's cases), $1,500, 2 at $1,200 each, 1 for adult cases $1,200, 4 at $1,000 each; investigating officer for adult cases, $1,200; record and information clerk for probation office, $1,200; clerk for probation office, $900; 2 bailiffs, at $900 each; telephone operator, $600; messenger, $600; janitor, $600; charwoman, $240; in all, $28,480.

Mr. MANN. The spelling of the word "baliffs" should be corrected.

The CHAIRMAN. Without objection, the correction of the spelling of the word "baliffs" will be changed to "bailiffs."

There was no objection.

Mr. GARD. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the subcommittee if he knows what has become of the bill for the creation of a new juvenile-court code that we worked on here some time ago and which evidently was very badly needed in the District of Columbia?

Mr. SISSON. I know it passed the House, but I do not know whether it passed the Senate or not.

Mr. MADDEN. Did it not pass the Senate?

Mr. SISSON. The only thing I know of is that it passed the House, but I do not know whether it passed the Senate or not.

The Clerk read as follows:

Police court: Two judges, at $3,600 each; clerk, $2,200; deputy clerks—one $1,600, two $1,500, two at $1,200 each; deputy financial clerk, $1,500; deputy assistant financial clerk, $1,500; probation officer, $1,500; two assistant probation officers, at $1,200 each; seven bailiffs, at $900 each; deputy marshal, $1,000; janitor, $600; engineer, $900; assistant engineer, $720; firemen, $600; assistant janitor, $500; matron, $600; four cleaners, at $360 each; telephone operator, $480; in all, $46,240.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. What do they do with deputy marshals in a police court? Is not that a Government office?

Mr. SISSON. Yes.

Mr. MADDEN. Is that under the marshal of the District of Columbia?

Mr. SISSON. Yes. They call them all marshals.

Mr. MADDEN. Bailiffs, I thought they had.

Mr. SISSON. They do have a bailiff and a marshal.

Mr. MADDEN. What is the difference between a bailiff and a marshal?

Mr. SISSON. I do not know that I could tell the gentleman exactly what the difference is. The bailiff waits on the court, is a sort of a court crier, and the marshal goes out and serves papers and arrests people.

Mr. MADDEN. The bailiff does that.

Mr. SISSON. I do not think the bailiff in the District of Columbia is that sort of a fellow. I think he sits around and waits on the court and on the jury and performs functions of that kind.

Mr. MADDEN. And renders the decisions of the court, and things like that?

Mr. SISSON. Well, I do not know that he does that. Some of them may think they are able to do that, but I do not know that the judges have resigned their functions to them yet.

Mr. MADDEN. How many marshals have we?

Mr. SISSON. That I can not tell the gentleman.

Mr. MADDEN. We have a deputy marshal here. Do we have a chief marshal?

Mr. SISSON. This is a regular marshal of the District of Columbia.

Mr. MADDEN. Is that marshal in the police court an employee of the marshal of the District?

Mr. SISSON. He is under his supervision, but I am not absolutely sure whether he is appointed by the marshal or not. I believe he is, however, appointed by the marshal. I have not investigated the method of appointment. Of course, the marshal is appointed by the President, by and with the consent of the Senate.

Mr. MADDEN. Of course, if he is appointed by the marshal he ought to be appropriated for through the marshal's office.

Mr. SISSON. Each court's expenses are kept separately. It would be impossible to keep up with the expenses of the courts unless each court was able to control its own items of expense.

Mr. MADDEN. What is the difference between the expense of the police court and its receipts?

Mr. SISSON. That I can not tell. I did not make any inquiry about that, nor did any member of the committee.

The Clerk read as follows:

EMERGENCY FUND.

To be expended only in case of emergency, such as riot, pestilence, public disturbance, conditions, calamity by flood or fire or storm, and of like character, and in all cases of emergency not otherwise sufficiently provided for, in the discretion of the commissioners, $8,000: *Provided*, That in the purchase of all articles provided for in this act no more than the market price shall be paid for any such articles, and all bids for any such articles above the market price shall be rejected and new bids received or purchases made in open market, as may be most economical and advantageous to the District of Columbia.

Mr. MADDEN. Mr. Chairman, I reserve a point of order on the proviso.

The CHAIRMAN. The gentleman from Illinois reserves a point of order on the proviso.

Mr. MADDEN. Mr. Chairman, I would like to ask the gentleman from Mississippi if he can explain what this proviso means?

Mr. SISSON. I will state to the gentleman that that proviso has been in the bill for some time.

Mr. MADDEN. I read: "That in the purchase of all articles provided for in this act no more than the market price shall be paid for any such articles, and all bids for any such articles above the market price shall be rejected and new bids received or purchases made in open market." Who is going to tell what the market price is?

Mr. SISSON. The commissioners themselves.

Mr. MADDEN. How do they know? The market price keeps changing every 15 minutes. It is a funny kind of proviso.

Mr. SISSON. It has been carried for a number of years.

Mr. MADDEN. I think it is subject to a point of order. I will make the point of order on it.

Mr. SISSON. It was in the bill even when my friend was a member of the subcommittee.

Mr. MADDEN. That does not make it right.

The CHAIRMAN (Mr. FOSTER). Is there a law that provides for these purchases?

Mr. SISSON. This is a pure limitation on the expenditure of the $8,000. There is no absolutely permanent law; nothing except the limitation upon the expenditure of the $8,000.

Mr. MADDEN. The gentleman thinks it is a wise provision?

Mr. SISSON. I do; yes.

Mr. MADDEN. It does not seem to me to be susceptible of intelligent administration.

Mr. SISSON. There are a great many small articles, as the gentleman knows, for which you can not advertise, and in the purchase of these articles this is simply a protection to the Treasury. These gentlemen are charged with the duty of knowing what these things are worth in the market, and they are not authorized to expend this money for any article where the price asked is greater than the market price. I do not know the history of how it got into the bill, except that it went on long before I came to Congress.

Mr. MADDEN. They have the power to refuse to buy.

Mr. SISSON. I thought perhaps the gentleman himself might explain it to me, because it went on when he was a member of the subcommittee.

Mr. MADDEN. It is so badly written that perhaps I may have written it myself. [Laughter.]

The CHAIRMAN. Does the gentleman withdraw the point of order?

Mr. MADDEN. I will withdraw it because the gentleman from Mississippi smiles so sweetly. [Laughter.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

COURTS AND PRISONS.

Support of convicts: For support, maintenance, and transportation of convicts transferred from the District of Columbia; expenses of shipping remains of deceased convicts to their homes in the United States, and expenses of interment of unclaimed remains of deceased convicts; expenses incurred in identifying and pursuing escaped convicts and rewards for their recapture; to be expended under the direction of the Attorney General, $100,000.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. MADDEN. I would like to ask the gentleman from Mississippi how much of this $100,000 is for support, maintenance, and transportation of convicts transferred from the District of Columbia, how much is for expenses of shipping the remains of deceased convicts to their homes in the United States and expenses of interment of unclaimed remains of deceased convicts, and how much is for expenses incurred in identifying and pursuing escaped convicts and rewards for their capture?

Mr. SISSON. It is not itemized in our hearings.

Mr. MADDEN. I thought maybe the gentleman from Mississippi would know, since the committee raised the appropriation from $55,000 to $100,000. I thought the committee would have some reason for adding the $45,000 to the former appropriation.

Mr. SISSON. Originally $110,000 was appropriated in the bill for 1918, and they had a deficiency of $10,000. It was contemplated at one time that all of these prisoners should be sent to Occoquan, but some of these judges have not sent them there.

Mr. MADDEN. They could not send a man to Occoquan if he were found guilty of a felony. That is merely a Bridewell, as I understand, for misdemeanors.

Mr. SISSON. No. They have a good many life-term men down at Occoquan. But the arrangement was made by the judges because the accommodations were not then sufficient at Occoquan, and are not sufficient now to keep these prisoners, and the judges have continued to send them to Fort Leavenworth and Atlanta. That accounts for the small amount asked for and appropriated for 1919; but there will be a considerable addition to what has been asked for. The gentleman understands that the current law carries $55,000.

Mr. MADDEN. That is what I said.

Mr. SISSON. The bill for 1919 carried $110,000 and $10,000 deficiency. Most of this is for the maintenance of our prisoners by a contract with the Atlanta Penitentiary, where we pay the cost of the maintenance of the prisoners.

Mr. MADDEN. Do we not send some of these prisoners to the State of Virginia and the State of Maryland?

Mr. SISSON. I do not think so.

Mr. MADDEN. We used to.

Mr. SISSON. I think perhaps we formerly did, but I do not think any of them go there now. At a time when the penitentiaries could not accommodate them the judges would send

the prisoners to some State prison where it was convenient, but I do not think they do now.

Mr. MADDEN. Does not this largely increased appropriation indicate a greater amount of crime in the last year than formerly?

Mr. SISSON. No. Nothing can be reflected in this increased appropriation over that carried in the current year, because under the current year it was understood that improvements would be made at Occoquan to take care of the prisoners there. But when the war came on there was difficulty in getting material—not labor, because the prisoners themselves do most of the labor, except supervisory labor.

Mr. MADDEN. They make brick down there, do they not?

Mr. SISSON. Yes; the brickyard has been running, and I understand a great amount of the brick have been absorbed here in the District of Columbia.

Mr. MADDEN. They thought it was more profitable to sell the brick at fabulous prices, did they?

Mr. SISSON. They needed the brick for District purposes, and under the provision of the law they were not permitted to sell brick in the open market.

Mr. MADDEN. Will the gentleman tell the committee where they used any brick in the District of Columbia in the last year, except to build about 10 houses?

Mr. SISSON. I can not tell the gentleman.

Mr. MADDEN. There was not any brick used.

Mr. SISSON. The Government has used some brick. I do not know how these brick were finally disposed of.

Mr. MADDEN. There was no brick used here.

Mr. SISSON. They furnished most of the brick for the Central High School, but that was completed sometime ago.

Mr. MADDEN. Was that built this year?

Mr. SISSON. No; I say that was finished sometime ago. I do not know that all the work at the Central High School has absolutely been completed yet, but, of course, the building has been completed. I think they did some work there this year, but how much I can not tell.

Mr. MADDEN. That was plastering and interior work, wasn't it?

Mr. SISSON. I think they used some brick there, too, but how much I can not tell.

Mr. MADDEN. So that the gentleman can not tell whether this is on account of increased crime?

Mr. SISSON. Of course, all of our maintenance has increased greatly within the last year, on account of the great increase in the cost of living and food supply.

Mr. MADDEN. Let me ask the gentleman, Do the prisoners at Occoquan raise their own food supply?

Mr. SISSON. Yes; in so far as they can. You know they went down into a wilderness there.

Mr. MADDEN. How much land does the Government own there?

Mr. SISSON. I think they bought originally 1,100 acres, but they have added perhaps 900 or 1,000 acres since they carried the reformatory down there. They have both institutions there now.

Mr. MADDEN. Another thing. How many prisoners have we there?

Mr. SISSON. I think in both institutions in the neighborhood of about 400 or 500. We inquired into that, but my recollection is not very distinct.

Mr. MADDEN. Enough prisoners to work all these 2,000 acres of land?

Mr. SISSON. I think so. They have an orchard there, I understand, which of course does not require a great deal of work.

Mr. MADDEN. On the 2,000 acres of land do they raise food enough to feed all the 500 prisoners?

Mr. SISSON. If it was fertile land they would certainly raise more than enough.

Mr. MADDEN. How much do they raise?

Mr. SISSON. I do not know exactly.

Mr. MADDEN. How much of a deficit is there in the operation of the institution every year?

Mr. SISSON. This money is covered into the Treasury when the products are sold, and there is a very accurate accounting taken, and Mr. Tweedale, I think, made a statement to the committee. I am not certain whether it went into the RECORD or not. I asked him to make a statement, and I think he made a statement covering the itemized expenditures and the itemized income. Of course, we could not tell just what that was this year, because it is in the middle of the year.

Mr. MADDEN. Who is Mr. Tweedale?

Mr. SISSON. He is the auditor of the District of Columbia. I ought to have called him the auditor.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. I ask unanimous consent that the gentleman from Mississippi may have two minutes in which to answer the question.

Mr. SISSON. I do not know that I will take the two minutes. If the gentleman will look in the report of the Board of Charities, he will find the information from 1911 down to 1918. In 1918, $22,182 was credited; in 1907, $37,180 was credited; in 1916, $15,244, and so on.

Mr. MADDEN. Credited to what?

Mr. SISSON. Paid into the Treasury.

Mr. MADDEN. And that is all the money that was paid in out of this whole institution?

Mr. SISSON. The gentleman will understand that they are completing their buildings, clearing up the land and improving it, pulling up stumps, and so on. In other words, they went down there into the wilderness without a stick of mint. They took that land which was absolutely wild, and they have been improving it. It is quite an institution. In my judgment, it is going to pay the expenses of the convicts when it is put into cultivation. I think the management is extremely good.

Mr. MADDEN. I am very much obliged to the gentleman. I think we have reached a very important point in the consideration of the bill, and we have worked pretty hard this afternoon, and I see there are not a great many Members present.

Mr. SISSON. I hope the gentleman will not cut us off at this time.

Mr. MADDEN. I think it is about time.

Mr. MANN. We can not finish the bill to-night. There are 30 more pages.

Mr. MADDEN. I suggest that the gentleman accommodate himself to the situation.

Mr. SISSON. Let us run 30 minutes longer. I think the last inquiries made by the gentleman from Illinois were not for information very much desired.

Mr. MADDEN. It was interesting and valuable. I do not know of anyone else who could have supplied it as intelligently as the gentleman from Mississippi.

Mr. SISSON. Of course, if there was a quorum here I might insist upon going on, but I am helpless without a quorum.

Mr. MADDEN. Mr. Chairman, I suggest the absence of a quorum.

Mr. SISSON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FOSTER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 13277, the District of Columbia appropriation bill, and had come to no resolution thereon.

CALENDAR WEDNESDAY.

Mr. SISSON. Mr. Speaker, I ask unanimous consent that the business of Calendar Wednesday to-morrow may be dispensed with and that the pending bill be made a special order.

The SPEAKER. The gentleman from Mississippi asks unanimous consent that the business on Calendar Wednesday be dispensed with to-morrow and the pending bill be made a special order. Is there objection?

Mr. MANN. Reserving the right to object, as far as I am concerned, I would have no objection in the morning to dispensing with Calendar Wednesday, but I do not think it is a very good practice with the small membership we have at present to make the request when there might be Members who have matters that they wish to call up. In other words, I do not think we ought to get into the position, which we are getting into, of leaving everything to be considered by a report from the Committee on Rules. Later in the session we will have to dispense with Calendar Wednesday nearly all the time.

Mr. MOON. Mr. Speaker, what committee has the call to-morrow?

The SPEAKER. The Committee on the Post Office and Post Roads.

Mr. MOON. The Committee on the Post Office and Post Roads has a bill on the calendar already reported.

Mr. MANN. An appropriation bill would not be in order to-morrow.

Mr. MOON. I want to ask whether there is any order fixed for the consideration of the judicial salary bill. I doubt the propriety of putting that ahead of the Post Office bill. I am willing to pass over Calendar Wednesday if we can come in after the District bill.

Mr. GARD. There was a rule of that kind, I think.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

Mr. MANN. For to-night I object.

COMMITTEE TO INVESTIGATE THE NATIONAL SECURITY LEAGUE.

The SPEAKER appointed Mr. BROWNE of Wisconsin in place of Mr. TOWNER of Iowa as a member of the committee.

ADJOURNMENT.

Mr. SISSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 3 minutes p. m.) the House adjourned until to-morrow, Wednesday, December 11, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting a letter from The Adjutant General of the Army, together with report showing distribution of official documents, regulations, manuals, publications, etc., pertaining to the War Department, made during the fiscal year ended June 30, 1918 (H. Doc. No. 1571); to the Committee on Expenditures in the War Department and ordered to be printed.

2. A letter from the Secretary of Commerce, inviting attention to items in the estimates of appropriations for the Lighthouse Service for the fiscal year 1920 (H. Doc. No. 1572); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

3. A letter from the commissioner of Freedman's Savings & Trust Co., transmitting annual report of the Freedman's Savings & Trust Co. for the year ended December 1, 1918 (H. Doc. No. 1573); to the Committee on the District of Columbia and ordered to be printed.

4. A letter from the Secretary of War, transmitting the twenty-eighth annual report of the Board of Ordnance and Fortifications covering the fiscal year from July 1, 1917, to June 30, 1918 (H. Doc. No. 1423); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. SHERLEY, from the Committee on Appropriations, to which was referred the bill (H. R. 13261) providing for the transportation from the District of Columbia of governmental employees whose services are no longer required, reported the same with amendment, accompanied by a report (No. 850), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of the Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 12839) granting a pension to Bronislawa Wojciewski; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 11561) granting an increase of pension to Patrick M. Dooney; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 10833) granting an increase of pension to Tony K. Wilson; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 11024) granting an increase of pension to Abel B. Conger; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 12475) granting an increase of pension to John Weiss; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 11002) granting an increase of pension to Elizabeth Faris; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 12083) granting an increase of pension to Tillie Wester; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 12967) granting a pension to Patrick Lehan; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. [illegible]) granting a pension to Eliza Greten; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. [illegible]) granting a pension to Henry Simpson; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SCULLY: A bill (H. R. 13320) appropriating money for the improvement of the Shrewsbury River, N. J., up to Red Bank, on the North Branch, and to Branchport, on the South Branch; to the Committee on Rivers and Harbors.

By Mr. DAVIS: A bill (H. R. 13321) providing for the local commemoration in the city of Hutchinson, county of McLeod, State of Minnesota, of the soldiers, sailors, marines, and aviators who lost their lives and participated in the service of the United States during the present war; to the Committee on Military Affairs.

By Mr. SCULLY: A bill (H. R. 13322) making provision for the construction of a canal across the State of New Jersey to connect the Delaware River with New York Harbor; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 13323) appropriating money for the improvement of the Raritan River, N. J.; to the Committee on Rivers and Harbors.

By Mr. SIMS: A bill (H. R. 13324) to provide transportation, storage, and marketing facilities for and to regulate commerce among the States in live stock, meats, and other products derived from live stock or the slaughtering of live stock; to the Committee on Interstate and Foreign Commerce.

By Mr. LUFKIN: A bill (H. R. 13325) to suspend immigration; to the Committee on Immigration and Naturalization.

By Mr. GOULD: A bill (H. R. 13326) to provide relief for commissioned officers, noncommissioned officers, and enlisted persons in the Army, Navy, Marine Corps, Coast Guard, and the Army Nurse Corps; to the Committee on Military Affairs.

By Mr. CANDLER of Mississippi: A bill (H. R. 13327) to provide for the retention of all uniforms issued to soldiers and sailors of the United States who have been honorably discharged, and providing also for privilege of using same, and for one month's extra pay upon being discharged, and authorizing War and Navy Departments to sell at cost surplus clothing and supplies; to the Committee on Military Affairs.

By Mr. IGOE: A bill (H. R. 13328) to provide for the retention of all uniforms issued to soldiers, sailors, and marines and providing also for the use of same; to the Committee on Military Affairs.

By Mr. MOON: Resolution (H. Res. 475) providing for the consideration of House bill 13388, Post Office appropriation bill; to the Committee on Rules.

By Miss RANKIN: Joint resolution (H. J. Res. 363) proposing recognition by the Congress of the United States of the right of Irish independence, and requesting the commissioners plenipotentiary of the United States of America to the international peace conference to present to the conference the right of Ireland to freedom, independence, and self-determination; to the Committee on Foreign Affairs.

By Mr. FLOOD: Joint resolution (H. J. Res. 364) authorizing the appointment of an ambassador to the Republic of Peru; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 13329) granting a pension to Catharine Rodgers; to the Committee on Pensions.

By Mr. BURROUGHS: A bill (H. R. 13330) granting an increase of pension to Silas H. Avery; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13331) granting an increase of pension to John H. Bartlett; to the Committee on Invalid Pensions.

By Mr. CANDLER of Mississippi: A bill (H. R. 13332) granting a pension to Nancy E. Mullins; to the Committee on Pensions.

By Mr. DALLINGER: A bill (H. R. 13333) to authorize the President of the United States to appoint Charles A. Bartlett major of Infantry; to the Committee on Military Affairs.

By Mr. IGOE: A bill (H. R. 13334) granting an increase of pension to Sarah A. Christy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13335) granting an increase of pension to Maria Kuehn; to the Committee on Invalid Pensions.

By Mr. LINTHICUM: A bill (H. R. 13336) granting a pension to Charles Michener; to the Committee on Pensions.

By Mr. NICHOLS of Michigan: A bill (H. R. 13337) granting an increase of pension to David Kimball; to the Committee on Invalid Pensions.

By Mr. WINGO: A bill (H. R. 13338) granting a pension to Nancy M. Davis; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BURROUGHS: Petition urging that the same consideration be given to Ireland as to all other small nations; to the Committee on Foreign Affairs.

By Mr. CRAGO: Resolution and suggestions of the Philadelphia Bourse for the upbuilding of an American merchant marine; to the Committee on the Merchant Marine and Fisheries.

By Mr. DALE of New York: Petition of the San Francisco Labor Council, in meeting assembled, indorsing and recommending the McKellar-Keating bill, known as S. 4637 and H. R. 12352; to the Committee on Reform in the Civil Service.

By Mr. ESCH: Resolution of the San Francisco Labor Council indorsing and recommending the McKellar-Keating bill, known in the Senate as S. 4637 and in the House of Representatives as H. R. 12352; to the Committee on Reform in the Civil Service.

By Mr. FULLER of Illinois: Memorial of the board of education of the Ottawa (Ill.) Township High School favoring Senate bill 4987, for the establishment of a department of education; to the Committee on Education.

By Mr. GALLIVAN: Petition urging construction of Government-owned public highways throughout the United States; to the Committee on Roads.

By Mr. LINTHICUM: Resolution of the faculty of the Maryland State Normal School, Towson, Md., heartily indorsing Senate bill 4987, for equalizing educational opportunities, for promotion of physical and health education, and for preparing teachers for schools; to the Committee on Education.

By Mr. RAKER: Resolution by the City Council of Los Angeles, Cal., providing that the American Expeditionary Forces shall march through the city of Berlin and embark at a German port; to the Committee on Military Affairs.

Also, resolution by Friday Morning Club of Los Angeles, Cal., petitioning Congress to pass Senate bill 4987, which provides for the establishment of a department of education coordinate with other departments of the Government; to the Committee on Education.

Also, protest by the Writers' Club of San Diego, Cal., against the proposed zone amendment to postal law; to the Committee on Ways and Means.

Also, resolution by the San Francisco Center of the California Civic League, providing for the appointment of women on the peace council at the close of the war; to the Committee on Military Affairs.

Also, resolution by city council of the city of Los Angeles, Cal., indorsing a certain bill before Congress prohibiting the public or private display of certain flags or emblems; to the Committee on the Judiciary.

Also, resolution by the West Coast Lumbermen's Association, requesting Congress to amend the revenue laws; to the Committee on Ways and Means.

Also, resolution relative to the construction of a bridge across the Golden Gate by the Federal Government, submitted by the clerk of the board of supervisors of the city and county of San Francisco, Cal.; to the Committee on Rivers and Harbors.

Also, resolutions adopted by the Principals' Club of the Los Angeles city schools, petitioning Congress to pass Senate bill 4987; to the Committee on Education.

SENATE.

WEDNESDAY, *December 11, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come before Thee day by day for the daily tasks of life. The most common drudgery is made glorious by Thy blessing, and the high tasks of this great office call for the constant support and guidance of the loving Father in heaven. Let Thy blessing rest upon Thy servants this day in the discharge of the duties that are upon them. May they realize that they are working together with God for the accomplishment of a great ideal. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

CONGRATULATIONS OF BRAZILIAN SENATE.

The VICE PRESIDENT. The Chair lays before the Senate congratulations of the Brazilian Senate on the successful conclusion of the war, which will be read and referred to the Committee on Foreign Relations.

The congratulations are as follows:

THE PRESIDENT OF THE NORTH AMERICAN SENATE:

Washington:

I take pleasure in informing your excellency that the Brazilian Senate, after hearing read the Government's communication of the signing yesterday of the armistice granted by the allies to Germany, resolved, on motion of Senator Ruy Barboza, amidst boisterous applause and by unanimous vote of its members, to suspend to-day's session as a sign of exultation at the victory of the European allied arms and those of North America, the duty falling upon me to address the governments and senates of the allied countries expressing the sentiments of unmeasured jubilation and indescribable pride with which the Brazilian Senate and Nation received those conjectured victories which for democracy and for human liberties for four years have been gloriously fought in the fields of Europe.

Very respectfully,

ANTONIO AZEVEDO,
President of the Senate.

CONGRATULATIONS OF SPANISH SENATE.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Acting Secretary of State, transmitting a translation of a note of the Spanish Ambassador announcing that the Spanish Senate had directed to be entered on its journal congratulations on the triumph of justice over force, which will be read and referred to the Committee on Foreign Relations.

The Secretary read as follows:

DEPARTMENT OF STATE,
Washington, December 7, 1918.

The Hon. THOMAS R. MARSHALL,
Vice President of the United States.

SIR: At the request of the Spanish Ambassador at this Capital, in accordance with the instructions of his Government, I have the honor to inclose for the information of the Senate a translation of a note from the ambassador announcing that the Spanish Senate unanimously directed to be entered on its journal, in view of the signing of the armistice of November 11, 1918, congratulations on the peace and the triumph of justice over force.

I have the honor to be, sir,
Your obedient servant,

FRANK L. POLK,
Acting Secretary of State.

EMBASSY OF SPAIN,
Washington, November 15, 1918.

The Hon. ROBERT LANSING,
Secretary of State of the United States.

Mr. SECRETARY: By order of my Government and with the request that you kindly make the fact known to the American Houses of Congress, I have the honor to inform you that at the session of the Spanish Senate Señor Gimeno, former minister of state, delivered a brilliant speech eulogizing peace and dedicating effusive words to all and each of the allied countries. After a short debate, the Senate unanimously ordered to be entered into the journal that it congratulates itself on the peace and triumph of justice over strength.

I avail myself, etc.,

JUAN RIANO.

Mr. LODGE. Mr. President, if I may say a single word in connection with the letters of congratulation which have just been presented and referred to the Committee on Foreign Relations, we had some similar letters referred to the committee, and the committee unanimously reported a resolution which the Senate adopted, requesting the Vice President to respond in the name of the Senate and acknowledge the resolutions. It seems to me it is hardly necessary to go through that form again.

The VICE PRESIDENT. The Chair states to the Senator from Massachusetts that he construed the resolution as applicable to all subsequently received, and so has answered them all in a congratulatory way.

Mr. LODGE. So I supposed.

SENATOR FROM NEW JERSEY.

The VICE PRESIDENT. The Chair lays before the Senate the credentials of Walter E. Edge, Senator elect from the State of New Jersey, which will be considered read, printed in the RECORD, and placed on the file.

The credentials are as follows:

STATE OF NEW JERSEY:

I, Thomas F. McGran, president of the senate, acting governor of the State of New Jersey, do hereby certify that at an election held in the said State on the 5th day of November, 1918, Walter E. Edge was duly

chosen and elected by the people of the said State of New Jersey to be a Member of the United States Senate for the term of six years, beginning on the fourth day of March, 1919.

In testimony whereof I have hereunto set my hand and caused the great seal of the State of New Jersey to be hereunto affixed at Trenton, this 26th day of November, in the year of our Lord 1918, and of the independence of the United States the one hundred and forty-third.

THOMAS F. MCGRAN.

By the president of the senate, acting governor.

[SEAL.] THOMAS F. MARTIN, *Secretary of State.*

SENATOR FROM OREGON.

The VICE PRESIDENT. The Chair lays before the Senate the following communication, which will be read.

The Secretary read as follows:

UNITED STATES SENATE,
Washington, D. C., December 11, 1918.

The PRESIDENT OF THE SENATE OF THE UNITED STATES,
Washington, D. C.

SIR: Yesterday I tendered my resignation as United States Senator in Congress for Oregon to the governor of the State of Oregon, by a telegram, the following of which is a copy:

"I hereby tender my resignation as United States Senator in Congress for the State of Oregon to take effect on the 17th day of December, 1918."

Very respectfully, yours, FRED. W. MULKEY.

SALE OF WASTE PAPER.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a report showing the receipts of the sale of waste paper in that department, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

EMPLOYEES IN AGRICULTURAL DEPARTMENT (H. DOC. NO. 1558).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a report showing for the first four months of the fiscal year 1919 the average number of employees in the Department of Agriculture who received increased compensation at the rate of $120 per annum, which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

REPORT OF UNITED STATES SHIPPING BOARD.

The VICE PRESIDENT laid before the Senate the Second Annual Report of the United States Shipping Board, which was referred to the Committee on Commerce.

HOUSE BILL AND JOINT RESOLUTION REFERRED.

H. R. 12917. An act to provide for the establishment of a sanatorium for the treatment of persons discharged from the military and naval forces of the United States, and for other purposes, was read twice by its title and referred to the Committee on Public Health and National Quarantine.

H. J. Res. 358. Joint resolution authorizing and directing the payment of the usual compensation of Representatives in Congress to those Members of the House who have been discharged from their military or naval duties was read twice by its title and referred to the Committee on Military Affairs.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a resolution adopted by District Lodge, No. 44, International Association of Machinists, in convention assembled, in Washington, D. C., December 11, 1918, favoring the continuation and completion of all housing projects determined upon by the Housing Bureau prior to the signing of the armistice, which was referred to the Committee on Public Buildings and Grounds.

Mr. LODGE. I present resolutions passed by the Associated Industries of Massachusetts, relating to the revenue bill. I ask that the resolutions may be printed in the RECORD and lie upon the table.

There being no objection, the resolutions were ordered to lie on the table and to be printed in the RECORD, as follows:

ASSOCIATED INDUSTRIES OF MASSACHUSETTS,
Boston, Mass., November 29, 1918.

Hon. HENRY CABOT LODGE,
1765 Massachusetts Avenue, Washington, D. C.

DEAR SIR: At the annual meeting of the Associated Industries of Massachusetts held at Boston on Tuesday, November 26, 1918, the following resolution was passed:

"*Resolved*, That the Associated Industries of Massachusetts, representing more than 1,000 manufacturing concerns in the Commonwealth, strongly urge that the Federal tax law be so amended that there be equality of taxation with reference to the same earnings on the same capital employed, and that taxes be levied without any reference to prewar earnings; and

"*Resolved further*, That now that the war is over it is our belief that excessive taxation will so cripple industry as to operate to prevent, first, development of methods of efficiency and economy in manufacturing; second, giving employment to additional workers; and, third, promoting foreign trade."

Yours, very truly, FREDERIC C. HOOD, *President.*

Mr. LENROOT presented a resolution adopted by the Common Council of Milwaukee, Wis., praying that the Government of the United States issue an order immediately closing down the plant of the Newport Hydrocarbon Co., of Carrollville, Wis., which was referred to the Committee on Public Health and National Quarantine.

Mr. CURTIS presented resolutions adopted by the Rotary Club of Lawrence, Kans., favoring the creation of a department of education, which were referred to the Committee on Education and Labor.

He also presented a resolution adopted by the Retail Merchants' Association of Franklin County, Kans., praying for the enactment of legislation making it an offense against the Government to display a red flag or any other flag except the United States flag as a national, patriotic, or party emblem, etc., which was referred to the Committee on the Judiciary.

GERMAN PROPAGANDA.

Mr. CALDER. Mr. President, on last Friday there appeared before the subcommittee of the Committee on the Judiciary an official of the Department of Justice who referred to a number of citizens of the United States whose names appeared upon a list obtained from a prominent German which indicated that these citizens were in sympathy with Germany. A very worthy gentleman residing in New York State has written me a letter protesting against the use of his name in this connection. In justice to this gentleman I ask permission that the letter be read.

The VICE PRESIDENT. Without objection, the Secretary will read.

The Secretary read as follows:

TEACHERS COLLEGE,
COLUMBIA UNIVERSITY,
New York, December 9, 1918.

The Hon. WILLIAM M. CALDER,
United States Senate, Washington, D. C.

MY DEAR SENATOR CALDER: On Saturday morning there was published in all the leading papers of this country a list of names given out by the Department of Justice as suspected pro-Germans. Among the names was one that so closely resembles my own as to have been generally taken to be such, whether it was so intended or not. I therefore wish to ask if you can not in some way protest against the serious injustice on the part of the Department of Justice in thus spreading such insinuations broadcast without making the slightest investigation of the truth of the statements. Even those of us who hold no positions of national prominence have our just appreciation of a good reputation, and in this matter of pro-Germanism we who have been emphatically proally, and above all pro-American, have serious cause for protest at such an unwarranted action.

Since the very day when Germany began this criminal war I have labored in every way in my power to advance the allied cause. I have taken an active part in distributing the allied literature. I have been in constant correspondence with various leaders of thought in the universities of the allied nations, and those who know me know that I have never for a single moment entertained any other feeling than that of abhorrence at the attitude of Germany in this entire conflict.

I have thousands of my former students scattered all over this country. They will see this libel and I have no way of reaching them to combat it, and it is here that I feel most keenly the injustice of this unwarranted action.

I beg you to pardon such a long letter, but if you will put yourself in the place of a man who is so unjustly accused on the mere fact that his name is found in the notebook of a German agent you will, I feel sure, understand my motive in writing.

Yours, very truly, DAVID EUGENE SMITH.

Mr. WALSH. Mr. President, I think the letter just read at the request of the Senator from New York is likely to leave an erroneous impression, if I have the facts in mind correctly. It recites that the Department of Justice put in before the investigating committee a list of names of citizens alleged to be pro-German in their tendency. My understanding is that there was nothing submitted except extracts from a diary kept by some individual.

Mr. OVERMAN. My attention was not called to the letter at the time it was read, and I am very much obliged to the Senator for calling my attention to it. Certain records in the Department of Justice, filed there, were made by Dr. Fuehr, a German agent here, who represented the German Government and was connected with German propaganda in this country by spending large sums of money and giving the names of those who, he claimed, sympathized with Germany. It was the record made up by him, not by the Department of Justice.

Mr. CALDER. I should like to have the chairman of the subcommittee state for the RECORD if the information was not given out in a manner which indicated that the gentlemen whose names were used were dealing in some pro-German propaganda. I think it is to be regretted that the splendid work of the subcommittee and its chairman, the Senator from North Carolina, should have been marred in this degree by this publication. I know that the Senator will protect the reputation of these gentlemen.

Mr. OVERMAN. The testimony shows exactly what it is. We have the Bernstorff papers showing the whole German system of propaganda in this country by Dr. Albert, Mr. Fuerh, and several others, whose names are mentioned. These are their papers, on file in the Department of Justice. These are the names that agents of the German Government had put down on the list as sympathizers with Germany and men who could be used in the interest of Germany.

WOMAN SUFFRAGE.

Mr. JONES of New Mexico. Mr. President, on the 8th instant a mass meeting of citizens of the city of Washington and some from outside sections of the country assembled and adopted a resolution which is addressed to the Senate, and which I ask that the Secretary may read.

Mr. BRANDEGEE. It was impossible to hear on this side anything the Senator said, there was so much conversation in the Chamber. I should like to know what the matter is.

Mr. JONES of New Mexico. I stated to the Senate that last Sunday there was held at the National Theater in this city a mass meeting of people of this city and surrounding country, and at that meeting a resolution was passed, which is addressed to the Senate. I simply requested that the resolution be read.

Mr. BRANDEGEE. What is the nature of the subject matter?

Mr. JONES of New Mexico. An appeal to the Senate to pass the amendment to the Constitution relating to woman suffrage.

Mr. BRANDEGEE. Oh, I have no objection whatever.

The VICE PRESIDENT. The Secretary will read.

The Secretary read as follows:

Whereas there has been brought to a peaceful termination a world war fought for the same fundamental principle of self-government for which the National American Woman Suffrage Association has labored for nearly 50 years; and

Whereas in the conduct of the war women have demonstrated that they are equally concerned with men in national affairs and give service of equal importance to the safety of the Nation; and

Whereas woman suffrage has been given or promised by our allies and even some of the central powers as a result of the greater understanding which the war has brought of the principle of self-government and the service of women; and

Whereas our work as women of the Nation and the service of our men as soldiers of the Nation have given us a greater sense of national unity than ever before, making it especially fitting that we should address ourselves to the representatives of the Nation: Therefore be it

Resolved, That we, citizens of the United States, in mass meeting assembled, at 3 o'clock on the afternoon of December 8, 1918, in the National Theater, Washington, D. C., appeal to the Senate of the United States to speed the coming of universal woman suffrage in this country by the immediate passage of the Federal woman-suffrage amendment.

Mr. SHAFROTH. Mr. President, I should like to say just a word with relation to the resolution that has just been presented to the Senate, because I was present at that meeting and heard a most wonderful speech made by Dr. Anna Howard Shaw, giving the reasons why the Senate should pass the constitutional amendment providing for woman suffrage. It was one of the most remarkable speeches ever delivered in the United States, and I only wish that I had it in print so that it could be presented to the Senate and printed as a public document.

It seems to me, in view of the situation as it is now, the world war having been fought for liberty and freedom, that we should apply the principles won in our great and glorious victory to the right of women to participate in government. The joint resolution for the suffrage amendment to the Constitution passed the House of Representatives by a two-thirds majority; it failed by just two votes in having the two-thirds majority in the Senate. A motion to reconsider the vote in the Senate was adopted, and the measure is now pending in the Senate on the calendar, ready to be called up for consideration at any time.

Is it possible that we are going to deny the doctrine for which we fought this war, namely, that the just powers of government are derived from the consent of the governed? Is it possible that we are going to reward the constant, effective, and patriotic work of the women and the sacrifices of the mothers in giving their brave boys to their country's cause by a denial of their right as part of the governed to have some voice in the enactment of laws that will control them? We hope not. Let us this session, while this principle is well recognized and when this debt of gratitude is remembered by all, pass this measure so necessary to justice and good government.

THE CENSUS.

Mr. SHEPPARD, from the Committee on the Census, to which was referred the bill (H. R. 11984) to provide for the fourteenth and subsequent decennial censuses, reported it with amendments and submitted a report (No. 621) thereon.

PROMOTIONS IN THE MARINE CORPS.

Mr. SWANSON, from the Committee on Naval Affairs, to which was referred the bill (H. R. 12916) to provide for the temporary promotion of commissioned officers of the Marine Corps serving with the Army, reported it without amendment, and submitted a report (No. 623) thereon.

ALLOWANCES TO CIVIL EMPLOYEES IN CAPTIVITY.

Mr. SWANSON. From the Committee on Naval Affairs I report back favorably, without amendment, the bill (H. R. 12890) granting to members of the Army Nurse Corps (female) and Navy Nurse Corps (female), Army field clerks, field clerks, Quartermaster Corps, and civil employees of the Army pay and allowances during any period of involuntary captivity by the enemy of the United States, and I submit a report (No. 622) thereon.

This bill was handled in the House by the Committee on Military Affairs and came here and was referred to the Committee on Naval Affairs. The Naval Committee now report it back to the Senate with the recommendation that the Senate concur in so much of the bill as appertains to the Navy and requests that it be referred to the Committee on Military Affairs, as that committee usually handles matters relating to the Army. It refers to both the Army and the Navy, and I ask that it be referred to the Committee on Military Affirs for consideration.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

COST OF UNIFORMS.

Mr. SWANSON. From the Committee on Naval Affairs I report back favorably the bill (H. R. 12945) providing for the purchase of uniforms, accouterments, and equipment by officers of the Navy, Marine Corps, and Coast Guard, and midshipmen at the Naval Academy from the Government at cost, and I submit a report (No. 624) thereon.

Mr. BRANDEGEE. Will the Senator from Virginia allow me to ask him a question?

Mr. SWANSON. Certainly.

Mr. BRANDEGEE. From the title of the bill just reported by the Senator from Virginia I should judge that the legislation proposed was to prevent the Government from making a profit on uniforms sold to midshipmen at the Naval Academy at Annapolis.

Mr. SWANSON. The bill has been reported and will go to the calendar.

Mr. BRANDEGEE. I understand that; but I desire to ask, Has the Government been making a profit on those uniforms?

Mr. SWANSON. No. The bill is to authorize the Government to furnish at cost such uniforms to officers in the Navy as were provided for by a bill heretofore passed as to officers of the Army.

Mr. BRANDEGEE. Well, what has been the practice heretofore?

Mr. SWANSON. The practice heretofore has been that the Government has not furnished uniforms to officers. The Government now, however, has nearly all such military and other supplies. As to Army officers, a bill has been passed authorizing the Government to buy material and to furnish uniforms at cost, and the committee thought the same privilege should be extended to the Navy. Heretofore the Government has not furnished uniforms except to the privates, which they procured from the factories. The officers had to buy their uniforms.

Mr. BRANDEGEE. The Government has not heretofore furnished uniforms at all for officers?

Mr. SWANSON. No; except as to the Army; and this bill proposes to extend the privilege to naval officers which has been extended to officers of the Army. I ask that the bill go to the calendar. The Senator may read it and thereby become informed as to its provision before I call it up, which I expect to do to-morrow or on the day after to-morrow.

Mr. BRANDEGEE. I understand the scope of the bill now.

The VICE PRESIDENT. The bill will be placed on the calendar.

CALVIN WILLARD GILFILLAN.

Mr. SWANSON. From the Committee on Naval Affairs I report back favorably the bill (S. 4873) for the relief of Calvin Willard Gilfillan, and I submit a report (No. 625) thereon. I call the attention of the Senator from Texas [Mr. SHEPPARD] to the bill. I ask to have it read, after which I shall ask for its immediate consideration, as it should be acted upon at once.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read as follows:

Whereas Calvin Willard Gilfillan received and accepted an appointment to the Naval Academy for 1919, and was designated for examination in February of that year; and

Whereas the said Gilfillan received and accepted said appointment before the enactment of the present law requiring appointees to be 20 years old on the 1st of April preceding entrance; and

Whereas the said Gilfillan, who will be 20 years old on March 16, 1919, would have been eligible for admission to the academy in 1919 under the law in force at the time of his appointment; and

Whereas the said Gilfillan is the only appointee affected in this way: Therefore

Be it enacted, etc., That Calvin Willard Gilfillan be, and he is hereby, authorized and permitted to take the examination for the Naval Academy in February, 1919, and, on passing the examination, to enter the academy at the usual time in 1919.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and by unanimous consent the second time, and referred as follows:

By Mr. SHEPPARD:

A bill (S. 5171) donating captured cannon and cannon balls to the city of El Paso, Tex.; and

A bill (S. 5172) donating captured cannon and cannon balls to the city of Kingsville, Tex.; to the Committee on Military Affairs.

By Mr. POMERENE:

A bill (S. 5173) granting a pension to Charles St. John Neeld (with accompanying papers); to the Committee on Pensions.

By Mr. THOMPSON:

A bill (S. 5174) granting the soldiers and sailors in the military and naval service of the United States the uniform and equipment on their persons at the time of discharge; and

A bill (S. 5175) granting an increase in rank to certain officers of the Army, Navy, and Marine Corps who served overseas with the American Expeditionary Forces; to the Committee on Military Affairs.

By Mr. KING:

A bill (S. 5176) to provide for the deportation of certain aliens from the United States; to the Committee on Immigration.

A bill (S. 5177) to donate 25 cannon to the State of Utah; to the Committee on Military Affairs.

A bill (S. 5178) providing for a reclamation project on Green and Grand Rivers in the State of Utah; and

A bill (S. 5179) providing for a reclamation project on Price River, Utah; to the Committee on Irrigation and Reclamation of Arid Lands.

RADIO COMMUNICATION.

Mr. WATSON submitted an amendment intended to be proposed by him to the bill (H. R. 13159) to further regulate radio communication, which was referred to the Committee on Commerce and ordered to be printed.

PROMOTION OF BETTER LIVING CONDITIONS.

Mr. KENYON. I offer a resolution for which I ask immediate consideration. If it provokes any discussion, I will ask that it go over.

I desire to say in explanation of the resolution that the Committee on Education and Labor is now considering the question of vocational training for men who have been injured in industries. That subject develops a line of inquiry which the committee would like to enlarge. This resolution covers the whole reconstruction problem, which I think will be met. I desire to have the resolution read, and then I shall ask for its immediate consideration.

The VICE PRESIDENT. The Secretary will read the resolution.

The resolution (S. Res. 382) was read, as follows:

Resolved, That the Committee on Education and Labor be, and is hereby, instructed to investigate and recommend to the Senate methods of promoting better social and industrial conditions in the country, particularly as to—

First. The establishment of a national tribunal to review and adjust difficulties between employers and workmen and to improve industrial conditions in the various industries and trades.

Second. The development of the United States Employment Service into a national labor exchange.

Third. The regularization of employment.

Fourth. The prevention of unemployment among workers, both men and women, by a program of necessary public works to be undertaken during periods of industrial depression.

Fifth. The promotion of better living conditions and a plan for centralized administrative control of the housing projects of the National Government during the period of the war.

Sixth. The extension of the United States sailors and soldiers' insurance to the civil population, so that the workmen can insure against sickness, accident, and death at the lowest possible rate.

Seventh. The feasibility of a national insurance law against unemployment, old age, disability, sickness, and accident.

Eighth. The feasibility of some plan for a national minimum wage law.

Ninth. The question of extending the opportunity for vocational training and education to all people in the United States disabled by injury or sickness.

Tenth. Any other questions relating to a permanent improvement in the relations between employer and employee.

Mr. KENYON. I ask for the immediate consideration of the resolution.

Mr. LODGE. What is the nature of the resolution? Is it one merely of inquiry or is it a joint resolution?

The VICE PRESIDENT. It is a Senate resolution.

Mr. LODGE. To investigate? I thought it was proposed to legislate.

Mr. KENYON. I hope the Senator from Massachusetts will not object to the investigation proposed by the resolution.

Mr. LODGE. Oh, no.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered by unanimous consent and agreed to.

PROFITEERING IN ORES.

Mr. KING submitted the following resolution (S. Res. 383), which was referred to the Committee on Interstate Commerce:

Resolved, That the Federal Trade Commission be, and it is hereby, directed to furnish the Senate with the following information:

Any and all facts, figures, data, or information now in possession of the Federal Trade Commission relative to profiteering in the smelting, reduction, and handling of metalliferous ores and metals by smelting and refining companies and by metal-selling companies, and to investigate said companies for such supplementary information as may be required for a complete report in the premises, and to transmit such complete report to the Senate.

PROHIBITION IN THE DISTRICT OF COLUMBIA.

Mr. SHEPPARD. Mr. President, I desire to submit the motion which I send to the Secretary's desk, and I ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The Secretary will read the motion submitted by the Senator from Texas.

The Secretary read as follows:

Ordered, That the Committee on Post Offices and Post Roads be discharged from further consideration of the bill (S. 3052) to make section 5 of the Post Office appropriation act, for the fiscal year ending June 30, 1918, as amended by section 1110, war-revenue act of October 3, 1917, applicable to the District of Columbia, and that the bill be placed on the calendar.

Mr. VARDAMAN. Mr. President, I desire to ask the Senator from Texas to state briefly whether he has discussed the question involving his motion with the chairman of the Committee on Post Offices and Post Roads?

Mr. SHEPPARD. I asked the chairman of that committee last week if a meeting of the committee could be secured before the Christmas holidays. He told me that under present conditions he did not know when a meeting could be held, and that he doubted whether he could secure the presence of a quorum of the committee.

Mr. VARDAMAN. I have no objection to the consideration of the Senator's motion and to the committee being discharged from the further consideration of the bill, but as a member of the committee I merely desired to secure the statement which the Senator has made.

The VICE PRESIDENT. The question is on the motion of the Senator from Texas. The motion is agreed to. The bill will be placed on the calendar.

AFFAIRS IN RUSSIA.

Mr. JOHNSON of California. Mr. President, I should like to announce that to-morrow, with the permission of the Senate, during the morning hour, I shall endeavor to make some remarks about our policy in Russia.

HOUSING OF GOVERNMENT EMPLOYEES.

Mr. REED. Mr. President, I ask unanimous consent to have considered at this time the joint resolution (S. J. Res. 194) directing the United States Housing Corporation to suspend work upon all projects where construction is not more than 75 per cent completed and to cancel all contracts for furniture, and for other purposes. The joint resolution has particular reference to the housing project here on the Depot Plaza.

The VICE PRESIDENT. Is there any objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which had been reported from the Committee on Public Buildings and Grounds.

Mr. REED. Mr. President, unless there is some Senator who desires light on this matter, I should be glad to have the joint resolution passed.

The VICE PRESIDENT. The joint resolution is before the Senate as in Committee of the Whole and open to amendment.

Mr. NORRIS. I did not hear the Senator from Missouri; there was so much confusion.

Mr. REED. I said, unless there was some Senator who desired light on the joint resolution, I was willing to have it put upon its passage. If there is any Senator who desires light on it, I shall be glad to make a statement explaining it.

Mr. NORRIS. I should like to say to the Senator that I desire to discuss the joint resolution briefly. The particular point to which I wish to address myself is the provision which would stop the work and the furnishing of the buildings, which,

as I understand, are practically completed now. I should like to ask the Senator whether some of these buildings on the park between the Capitol and the Union Station have not even been furnished at the present time, and what the ideas of the committee are in regard to what shall be done with these buildings in case the furniture that is already in is moved out and the contracts for the furniture for the buildings that are uncompleted are canceled? I also desire to know what the idea of the committee is as to what we should do with the buildings that are practically completed?

Mr. REED. Mr. President, if I can have the attention of the Senate, I will be very glad to make a general statement, which will put the committee's views before the Senate.

The project that we are now discussing is the large group of buildings occupying what was the vacant space in the park between the Capitol and the Union Station. This ground, as everybody knows, was largely occupied by buildings of a permanent character. The Government determined to make a park, and, at a very large expense, condemned the ground that it did not own, cleared the buildings off of the ground, and had it largely turned into a park. When the war came on it was determined by the Housing Commission to build temporary structures for the accommodation of what are called war workers.

Mr. OVERMAN. Did they have any authority to put those buildings there? I should like to know where they got the authority.

Mr. REED. Mr. President, in the bill which appropriated $60,000,000, afterwards increased to $100,000,000, for the purpose of building habitations of this sort there is a reference made to the construction of these buildings upon public land. I have sent for that law and will have it in a moment, when I will hand it to the Senator or read it aloud. Whatever the authority was, the fact is that several building projects were started in the city of Washington. I understand that all of the other projects in the city of Washington, except the one which I will call the Depot Plaza project, the one first referred to, the one under consideration at this moment, were carried out on grounds the title of which the Government acquired. I think that is an accurate statement. I think the buildings contemplated, some of which have been erected, are permanent in their character; but, as to this ground which we may call the Depot Plaza and as to the buildings upon it, they were intended to be temporary and to be removed as soon as the war was over and the congestion in the various departments incident to the war had been relieved. It is the statement of Mr. Eidlitz, who has charge of this work, that it is contemplated by the Housing Board that these buildings would be removed in any event after the end of 12 months' time, because it is recognized they are temporary in their character and because it is recognized that that ground was appropriated and devoted to park purposes. So that, while these buildings would stand for some 15 or 20 years if we needed them that long, with perhaps new roofs being put on, nevertheless, the project itself from its inception has contemplated the removal of the buildings as soon as the war was over and as soon as the congestion which has grown out of the war could be relieved. Mr. Eidlitz states that that congestion ought to be relieved entirely in 12 months.

So the question that seems to be presented here is this: Under the circumstances now existing, should the Government go on and complete the project? And that question must, of course, be largely controlled by two considerations: First, how much will it take to complete the project? Second, how soon will the congestion in the city of Washington incident to the war be relieved? In other words, to put it in one question, is there a real necessity for going on with these buildings at this time?

The project, speaking broadly, is one which I never dreamed of and which I think the Committee on Public Buildings and Grounds never conceived when the bill authorizing the expenditure of this money was before the Congress. That bill recited:

That the President, for the purposes of providing housing, local transportation, and other general community utilities for such industrial workers as are engaged in arsenals and navy yards of the United States and in industries connected with and essential to the national defense, and their families, * * * only during the continuation of the existing war, is hereby authorized and empowered—

To acquire grounds and to erect buildings, and so forth.

The conception which I had, and the conception which I think the Congress had, because of the language of the bill, was that where there were no houses into which people could move, and it was necessary to have them here, the houses would be built; and that where there was not transportation to take the people to plants and industries the transportation would be furnished in some way. But the project as presented takes this form: There are to be constructed 12 dormitories, each of which is a double house connected by a walk or something of that sort. In other words, there are 24 dormitories, in fact. They contain approximately 1,800 rooms. In addition to that, there is a small hospital being constructed especially for the benefit of the people who shall live in these buildings. There is also constructed what is called an administration building. A small part of this building is used for the offices of the men who are to manage this affair. Another large part of the building is to be occupied by a cafeteria, a place where meals are to be furnished. There are, in fact, two cafeterias to be established upon this ground. The upper part is a hall for moving pictures or an assembly room. Of course it is not necessarily to be devoted to moving pictures; but it is suitable for that purpose or for lectures or for dances or for entertainments. In addition to this, there is a laundry being constructed. The purpose is, in fact, to run an eighteen hundred room hotel.

Mr. NORRIS. Mr. President, may I ask the Senator a question?

Mr. REED. Yes.

Mr. NORRIS. In what condition is the laundry, as far as its construction is concerned?

Mr. REED. I will come to that in a moment.

In other words, the proposition is, instead of constructing buildings containing rooms which could be rented for habitations, to construct what is appropriately described by those responsible for the work as practically a 2,000-room hotel. The hotel is to be furnished by the Government; the meals are to be furnished by the Government; the laundry is being established by the Government. It is proposed in this laundry not only to do the washing incident to the rooming of these people, but to do the washing of the inhabitants themselves.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator for a moment?

Mr. REED. Yes.

Mr. CHAMBERLAIN. I simply wanted to ask the Senator if, in considering this general proposition, he had taken into consideration at all the utilization of these buildings either for temporary hospital purposes for those young men who are coming back or for office rooms?

Mr. REED. I am coming to that, if the Senator will permit me. I believe that if Senators will just let me get along here I will make a statement that will be rather complete, and when I get through I will answer any questions. I am sure I can save time by approaching the subject in that way. That I say, of course, with all consideration for any Senator who wants to ask me a question.

It is proposed, in a word, that the Government shall establish this hotel, shall maintain it, and the plan is that they shall charge for each room $45 a month, which will include two meals, the right of access to the laundry, the right of access to the assembly hall or moving-picture concern, and the right to the hospital service. That is the scheme. The whole proposition was to cost, when furnished, approximately $2,100,000. The management was to be assumed by a patriotic gentleman who is experienced in the hotel business, and who proposes to work for $1 a year, as I understand.

It is stated by Mr. Eidlitz that it will take approximately $100,000 of labor to complete the buildings; that it will take approximately $275,000 to furnish them; that it will take approximately $30,000 to finish the laundry—that answers the question in regard to the laundry which the Senator from Nebraska asked—making a total of about $410,000 which must still be expended if this scheme is inaugurated; and the scheme is to end, under Mr. Eidlitz's conception, at least in 12 months from this day.

Mr. Eidlitz stated that the materials that have not yet gone into the buildings could be salvaged, that the furniture could be turned back, and that the laundry machinery could be salvaged; so that, in his judgment, there would be $400,000 saved to the Government if we should stop the buildings now. Or, to state it differently, if the project goes on it will require the expenditure of $410,000 more, and all but $10,000 of that can be saved by stopping the work at this time.

The question, therefore, is whether we want to save this $410,000 or go on with this project. It seems to the committee that unless the project is one which is absolutely demanded, in view of the fact that the war is now over—of course, we are all acting on that basis—peace is assured, and the departments are being as rapidly as possible put back on a peace basis, the question, then, is whether we should go further with this project of constructing a hotel.

In order to determine what the necessity is, let me call attention to this fact: This hotel project will room at the outside

2,000 people. We have sent requests for information to the various departments, but we have not yet received reports from the Navy Department, which is one of the largest; and in these requests we have asked them to state the maximum number of employees that they had at any time during the war, the number of employees they had on the date the armistice was signed, the number of employees they have now—which will show the present shrinkage—and the number of employees they expect to have on July 1 next, approximately six months from now. These figures show that already there has been a shrinkage since the armistice was signed of approximately 5,500, so that two and a half times the number of people that could be put in these quarters out here have already left Washington, and they have done that since the armistice was signed, which was on November 11. The estimates by these heads of departments also show—and I think none of them are overkeen to say that they will cut down their departments—that by July 1 there will be a shrinkage of 27,513; and these figures do not embrace the Navy Department, because we have not any report from them. So it would appear that by next July, according to the estimates of the heads of these departments, over ten times the total number that can be housed in this project will have left the city of Washington. That, I think, will be largely increased when we get the report from the Navy Department.

Under those circumstances it seems to the committee that we never ought to expend $400,000 to house 1,800 people as a maximum for 12 months. If we were to do that, we would expend about $220 apiece for the housing of these people for 12 months in addition to the money that is already there. That is to say, we will have to expend $200 more than is already in these buildings in order to house each one of these people for 12 months—$220 apiece—and we will have to do that in view of the fact that already two and a half times as many people as can occupy these buildings have left the city, and every train that is leaving the city is bearing away large numbers, and in the course of four or five months probably not less than 30,000 of these employees will have left the city. So the committee thinks that it is a good time to stop the construction of these buildings.

That brings forward another consideration, upon which I speak with some hesitation, because I have not yet talked with the Architect of the Capitol; but he has been conferred with, and it is thought that these buildings can be used for hospital purposes for returning soldiers, of course for troubles that are noncontagious. I have a letter from the Secretary of the Treasury in which the statement is made that the estimated cost of supplying the number of beds required will be $26,000,000 for hospital accommodations for soldiers and sailors, this letter states, suffering from tuberculosis. I have not read the whole letter. We are about to be asked to spend enormous sums of money—not less than $70,000,000 and probably over $26,000,000—for hospitals, and, of course, a large part of this hospital service will be temporary. It raises the question whether these buildings could not be appropriately used for that work for selected patients, perhaps. The advices we have up to date are that the buildings could be so used, but that they would require some modification—additional bath conveniences and other arrangements of that kind. So it would seem that if the buildings are to be transformed in this way to this purpose, the quicker the work is stopped the more conveniently and economically the changes could be made.

Mr. HARDWICK. I should like to ask the Senator, in view of that proposition, if it would not be better now to suspend the present plan so that the buildings could be completed, with such modifications as are necessary, under the direction of the medical authorities with a view of meeting hospital requirements?

Mr. LENROOT. If the Senator will allow me, I should like to suggest to him that if the buildings are to be used for hospitals, the furniture to be installed would be entirely different from what would be put into buildings used for rooming.

Mr. REED. It seems to me, Mr. President, that the suggestions made by both Senators are apt and to the point. It appears to me there is no question but that this project ought to be stopped. Everybody who has any humanity about him understands that the congestion here last winter was very lamentable. Everybody understands also that in process of time there came a natural adjustment which relieved the worst of those conditions, because a great number of clerks and employees found homes in private families, and the herding together incident to a great number suddenly coming into town without information has been largely relieved. Everybody also understands that there is a rapid exodus of clerks. I only repeat what I have already said when I say that, but everybody understands that, the war being over, there must be from now on the most rapid diminution of the extra force. The taxpayers of this country will have a sufficient burden if they shall be able to take care of the necessary expenses.

Now, if we go on and complete this project, it will be some weeks or months before it can be fully completed. The laundry walls are just going up now; the machinery is yet to be installed. The furniture, $275,000 worth of it, which is to be put into these rooms will at the end of a few months be practically worthless.

Mr. TOWNSEND. Mr. President, there is another point on which I should like to ask the Senator for information. I was interested in what he said about the scheme which has been adopted by the building committee. As I understood the Senator, and I think it is a fact also, they are constructing buildings for housing purposes elsewhere in the District. What I want to know is, does this same scheme of supplying laundries, places of entertainment, cafeterias, etc., apply to all buildings that applies to this particular section of the city? If not, on what theory then do we distinguish between the Plaza project and the other projects?

Mr. REED. I confess that as to the other projects I can not answer. Perhaps the Senator from Wisconsin [Mr. LENROOT] can answer.

Mr. LENROOT. In the case of the other projects the Government owns the grounds, and the buildings, therefore, can be of a permanent character.

Mr. REED. The question was whether the Government was to furnish a hotel.

Mr. LENROOT. I think it is a renting proposition.

Mr. REED. I am not sure of it, but——

Mr. HARDWICK. If the Senator will yield to me, I think the statement was made as to the navy yard improvement, that it was intended to be that. I think I recall that. One of the Senators on the committee can correct me if I am wrong. In other words, it is intended that there shall be hotels, cafeterias, laundries, and everything else down there.

Mr. TOWNSEND. The point with me was how the Government could discriminate among classes of employees, furnishing one certain accommodations at a price that might or might not be reasonable, and giving no such advantages to the other employees whom it seeks to house.

Mr. REED. That is, regardless of what it proposes to do with the housing proposition. The fact is that there are probably over 100,000 Government employees in the city, and only 2,000 are to be cared for by this particular project.

It is due to the gentlemen who are managing this matter to say that they have another project to house 3,000 people which had not gotten along so far, and they have abandoned it, but they propose to go on with this one. It seems to me to be an utter waste of money. In the first place, it requires the widest stretch of language of the act which Congress passed to say that it authorizes the Government to go into the hotel business at all. In fact, I do not think that such a right is embraced in the act. I read the language to the Senate. Unless you can embrace the running of a hotel under the phrase "general community utility," there is no authority in the act to do this work at all; that is, to run a hotel.

Mr. NEW. Mr. President——

Mr. REED. I yield to the Senator from Indiana.

Mr. NEW. As I understand the Senator from Missouri, he says that it will cost $410,000 additional to complete the buildings from their present condition——

Mr. REED. And furnish them.

Mr. NEW. Yes; and furnish them, and that added to that there will be a certain salvage.

Mr. REED. No; if the Senator please, it will cost $410,000 to complete the buildings and furnish them and establish the laundry. If we stop the work at this time, all of that $410,000 can be saved except $10,000. In other words, there will be a loss in the salvage process of $10,000.

Mr. NEW. I should like to ask one other question. At the time the building project was under discussion in the Senate a good deal of attention was paid to the character of the law under which the work was to be performed. It was finally provided that all contracts for buildings erected under the housing program should be let to the lowest and best tender under competitive bids. I should like to ask the Senator if the law was complied with in that respect; and if not, why not?

Mr. REED. The clause of the act to which the Senator refers is section 7. I will read it all:

That no work to be done or contract to be made under or by authority of any provision of this act shall be done or made on or under a percentage or cost-plus-percentage basis, nor shall any contract be

let until at least three responsible competing contractors shall have been notified and considered in connection with such contract, and all contracts to be awarded to the lowest responsible bidder, the Government reserving the right to reject any and all bids.

This is what happened. Mr. Eidlitz's statement will be found in the testimony: First, there was no notice sent out to the contractors of the country, there was no public bidding asked for, and no public bidding was permitted; second, the housing committee notified in this instance seven contractors that they proposed to erect these buildings and gave seven contractors the opportunity to make the kind of a bid that I will refer to in a moment. Of the seven, four in fact did make the kind of a bid referred to.

The proposition which was made to these contractors was that the Government should furnish all the material at prices which would be fixed by the Government; that the Government would pay for all labor at the prices that the contractor had to pay for the labor; that the Government would pay a fixed fee for constructing the buildings, and—here is the competition, if any competition it can be called—each contractor was required to state the plan he had and how much he would charge for the plan and he put his price down. Each contractor was required to state the amount of money he estimated it would cost to put up this work, but he did not agree to put it up for that, and each contractor was then required to say how much of a fee he would take, which was not to be in excess of the amount fixed by the Government or by Mr. Eidlitz in his estimate. So each contractor did come in and say, "I have a plan."

Mr. LENROOT. Mr. President——

Mr. REED. I yield to the Senator.

Mr. LENROOT. The Senator omitted one important proposition, that the contractor was required to state in what time he could complete the project and was not required to agree to complete it.

Mr. REED. Yes. So these various contractors came in and said: "We have a plan of a certain kind, and we will hire that to the Government for a certain amount. Second, we estimate that the work will cost a certain amount, but we do not agree to do it for that. Third, we estimate that the work can be done in a certain period of time, but we do not agree to do it in that time. Fourth, we will charge a certain fee for this work."

There were differences in the fees; I think the differences ran to about $2,000, some of them going a little below and some of them a little above. Then each contractor stated what he was going to charge per day or per week for his organization to carry the thing on. There was some difference between them, but——

Mr. STERLING. Mr. President——

Mr. REED. In just one moment. But the job of constructing these buildings was never let by contract; that is, where the contractor bid to furnish the material and the labor and put up the building for a certain amount of money. The contractor never bound himself to build them in a specified time, nor for a particular sum of money. I yield to the Senator from South Dakota.

Mr. STERLING. The question I wish to ask the Senator is whether it was an absolute fee or a percentage fee?

Mr. REED. It was an absolute fee, which they said had been arrived at by figuring the percentage upon the estimated cost which Mr. Eidlitz had made.

Mr. STERLING. What was that fee?

Mr. REED. I think approximately 2½ per cent. It ran in this case to $58,000, and Mr. Eidlitz said the estimate had been $60,000. It may be there may have been some odd figures.

Mr. TOWNSEND. What did that fee mean? What do you mean by fee?

Mr. REED. That is what the contractor gets for what they call the know-how, a phrase that seems to have come into respectability and general use.

Mr. STERLING. Mr. President——

Mr. REED. In just a second, and then I will yield. Understand that the contractor got paid for his plan; he got paid the wages of every single one of his employees, except one, at the price he said they would be paid. He got paid for his automobiles; he got paid for everything he had. He agreed to put one man on the work or to be there himself, and he was to receive in this instance $58,000. For that the only thing he bound himself to do in the way of furnishing labor was to be either there himself or to have a man there, but, of course, he was furnishing the know-how. I yield now to the Senator from South Dakota.

Mr. STERLING. I merely wish to ask the Senator from Missouri if this matter has been under investigation by some department of the Government, as to the way in which it has been managed, as to the fees or the compensation that has been received by subcontractors under the original contractor?

Mr. REED. I do not know whether any department of the Government is investigating it; if that is the case, we did not have such information before the committee; but our committee is proceeding to investigate the question now; I mean the Committee on Public Buildings and Grounds. The subcommittee is investigating the very question the Senator has asked, but we have not got into it, we have just started it.

Mr. NEW. In other words, the Housing Commission having the matter in charge has not followed the law at all, but has devised a plan of its own that is separate and distinct from the law that was passed. I should like to ask the Senator if the commission, under which this construction has taken place, has assigned any reason for having done that?

Mr. REED. Yes; Mr. Eidlitz made a number of very eloquent explanations. In the first place, he said he had the opinions of legal counsel—and they seemed to have a lawyer connected with each of these projects—that he could do this. Then he said it was war times; that the commission thought it necessary, acting in good faith, to go along and do the best they could. In general, that is the statement. Of course, I must say in all fairness that I think there was the clearest purpose in the world to avoid the provision of the law which provided that these buildings should be let to the lowest responsible bidder. I think there was an intentional, willful violation of the law. I can not use any other term and be candid with the Senate. I think there was no intention to have any real competitive bidding in this case.

Mr. CALDER. Will the Senator inform us whether any of the bidders have any other contracts let by the Housing Commission?

Mr. REED. We have not followed that up yet. We are not through with the investigation.

Mr. HARDING. Mr. President——

Mr. REED. Let me complete the sentence and then I will yield. I think, too, that the proposition of running a hotel is entirely outside the authority of the commission. I do not believe it was contemplated in the act.

Mr. ROBINSON. Mr. President, may I ask the Senator a question on that point?

Mr. REED. Yes.

Mr. ROBINSON. I noticed the Senator in the opening of his remarks stated the transactions that have occurred in this community; he said they had constructed rooming houses, provided a laundry, a cafeteria, and an assembly hall which might be used for moving pictures and for other public assemblies, and he characterized this method of operation as a hotel and as being in violation of the provisions of the act.

Mr. REED. It was described as a hotel by the head of the commission, I said.

Mr. ROBINSON. The Senator also states that he doubts whether this method or plan is within the provisions of the act.

Mr. REED. Yes; I did.

Mr. ROBINSON. It was to that that I wanted to call the Senator's attention. I am not taking issue with the Senator from Missouri upon the general proposition which he is asserting here—that is, the wisdom of suspending this construction—but I think under section 3 of the act under which the housing commission was operating the provision "and other general utilities and parts thereof" is broad enough to embrace, in all probability, all the activities which he has described, including even the assembly hall or the moving-picture show, although there might be some doubt as to the latter. Certainly a laundry is a community utility, as in all probability is an assembly hall. Certainly a cafeteria would be embraced within that description.

Mr. REED. I called attention to that language when I made my remarks, if the Senator will remember, and stated that if the right existed it would have to be embraced under that language.

Mr. ROBINSON. Yes.

Mr. REED. And I expressed an opinion opposite to that which the Senator has, namely, that I did not think that the particular things which the Senator has described were community utilities, although I say to the Senator frankly that, in view of the fact that that is a term that has never, so far as I know, been defined, we all have to make our own construction of it. My thought was controlled by the idea that to the term "utility" we have usually attached something like water works, which are a public utility, or street cars, which are a public utility, or electric lights, which are a public utility. When the bill was before the committee I did not think of giving that term any different construction. Of course, if the Senator from Arkansas is right in his construction, then they could establish hotels or almost anything.

Mr. ROBINSON. May I pursue the matter just a little further at this point?

Mr. REED. Yes. I will yield to the Senator from Ohio [Mr. HARDING] in a moment.

Mr. ROBINSON. I will conclude in just a moment. In my mind the use of the term "community utility" instead of "public utility" implies a different purpose from what would have been expressed if the term "public utility" had been used. I do not know whether the term "community utility" has any specific legal or well-defined legal definition. I was merely calling the attention of the Senator to the fact that I would not know what a "community utility" is unless it embraces those things that are useful to the community. The term "utility," of course, we all know, means a useful thing; and a "public utility" is a thing that is useful or necessary to the public. What a "community utility" would be is yet to be defined by the courts; but, in my opinion, it would embrace a laundry, treating it as a community proposition.

Mr. REED. Well, I think we get some light from the setting of the enterprise which we are engaged upon. It was explained at the time that we engaged in the enterprise that in some instances it would be necessary to erect groups of buildings near great plants where they were not supplied with light, with water, or with transportation. That is the character of thing that was discussed when the bill was before the committee; it was utilities of that character which were necessary and desirable for the community which was to be established, and which would, in fact, be a small village or almost a small city, that we had in mind. However that may be, if the construction of the Senator from Arkansas is right, then, of course, we might embrace under the term "community utilities" hotels, eating houses, laundries, employment bureaus, groceries, and everything making up a town; but I do not believe that Congress contemplated when it passed the bill that we were going so far as that. However, the question has been very ably presented by the Senator from Arkansas.

Now I yield to the Senator from Ohio.

Mr. HARDING. Mr. President, the Senator from Missouri has stated that the contractors were asked to state the charge for their organization and equipment as separate items, and he has stated that the fee in this specific case of the Union Station Plaza group of buildings approximated $60,000. Can the Senator tell the Senate approximately what the contractor's charge was for his organization and for his equipment in this particular case?

Mr. REED. I can say what the contractor's charge in this particular case was for his plant. It was $22,000; that is, a rental on the plant of $22,000. Then in addition to that he furnished a list of his employees whom he proposed to put to work on that plant. They drew a per diem. Perhaps the Senator from Wisconsin can answer as to that.

Mr. LENROOT. No; I do not remember the figures. The Senator from Missouri, however, should qualify his statement by saying that in addition to the designated plant the contractor received a fixed sum per diem for his trucks and things of that kind, which ordinarily would be considered a part of his plant.

Mr. HARDING. In other words, Mr. President, if the Senator from Missouri can enlighten us upon this point, I should like to know the sum total of the fee and rental charges for the organization and plant. I want to know what the contractor got for doing this job.

Mr. REED. I can answer that question. The contractor was to get a fee of $58,000; he was to get $22,000 for his plant; and he was to receive a per diem for the men whom he furnished; that is, each man was to be paid a certain amount. Of course, without taking the pay roll and adding up the amounts that these particular men received, I can not tell the Senator the aggregate. I have not that information, but I shall be glad to get it for the Senator later.

Mr. HARDING. Does the Senator from Missouri have any notion as to the approximate capital involved in this plant?

Mr. REED. We have not yet inquired about it, but we are only partly through.

Mr. VARDAMAN. May I ask the Senator from Missouri of what the plant consists?

Mr. REED. I shall have to send and get the contract, which has a complete description of it. However, the plant, in a general way, is the kind of plant that is used where there is some excavation to be made which requires steam engines, housing apparatus, and things of that sort. I can obtain the contract and answer the Senator's question later.

Mr. OVERMAN. The contractor, however, gets extra pay for his trucks.

Mr. REED. I desire to say, further, that the committee expects to make an exhaustive report on this contract and on all the matters which Senators have inquired about. We shall try to go into them later, but the present question is the passage of this resolution. I think the emergency exists. I think that every hour these men are working they are wasting Government money, and I think it ought to be stopped. I have said all I care to say upon the proposition.

Mr. McLEAN and Mr. JOHNSON of South Dakota addressed the Chair.

The VICE PRESIDENT. The Senator from Connecticut.

Mr. REED. One moment. There are other projects outside of Washington, some of which have been discontinued and some of which it is proposed to carry on; but I understand—and if I am wrong in the figures Senators who are on the committee will correct me, for I am speaking from recollection—it is contemplated to spend about $47,000,000 to complete the projects that are to be carried on. I ask the attention of the Senator from Maryland [Mr. FRANCE] and desire to know if I am correct in the statement that, according to the evidence, it will take about $47,000,000 to complete the contracts which the housing committee proposes to carry on?

Mr. FRANCE. I have not those exact figures in mind.

Mr. REED. Well, that is as near as I can give them; and I reserve the right to correct the figures.

Mr. McLEAN. I wish the Senator would present the reasons for the second paragraph of the resolution; it seems to me that it is pretty inclusive. Section 2 seems to me to be so far-reaching as to require a fuller explanation. The committee had hearings bearing upon the provision of section 2, and I should like to ask the Senator whether the committee considered the construction of permanent buildings elsewhere than in Washington; we will say such buildings as tenement houses upon land owned by the Government?

Mr. REED. We considered that subject.

Mr. McLEAN. I will say to the Senator that it seems to me the stopping of the construction of a permanent structure upon land owned by the Government, unless perhaps when such building was less than 75 per cent completed, would raise a pretty important question as to the wisdom of such action. It seems to me that the Government might have to sacrifice much more money if it were called upon to dispose of such buildings than it would if it completed them. I should like to have the Senator explain that section of the resolution, which seems to me so much more important than the first section.

Mr. REED. Mr. President, I have been discussing this matter as though the latter clause of the resolution did not exist. It is due to the Senate to make a full explanation of the matter contained in the second clause.

Mr. LENROOT. Mr. President——

Mr. REED. I yield to the Senator from Wisconsin.

Mr. LENROOT. An illustration might be given from the State of the Senator from Connecticut [Mr. McLEAN] as to the necessity for the second part of this resolution. The Housing Corporation informed the committee that in the city of Bridgeport they were erecting five groups of buildings; that in one group only the foundations had been completed, and yet the Housing Corporation proposes to complete those buildings unless they are stopped by Congress.

Mr. JOHNSON of South Dakota. Mr. President——

Mr. REED. In a moment I will yield to the Senator. I want to finish this topic.

Mr. McLEAN. I should like to be heard about the other four projects.

Mr. LENROOT. They are 90 per cent completed.

Mr. REED. Yes. The only project that is affected is the one that is being started.

Mr. LENROOT. That is my understanding.

Mr. JOHNSON of South Dakota. Mr. President——

Mr. REED. If the Senator will let me dispose of this matter I will agree to take up anything the Senator desires.

Mr. JOHNSON of South Dakota. Very well.

Mr. REED. A very good illustration of what the Government of the United States, if I may employ the slang term, is "up against" is this matter now from Bridgeport. There came here a committee of very fine, splendid gentlemen from Bridgeport, headed by the lieutenant governor of the State, who is also mayor of Bridgeport. This was the proposition that they put up to Congress through this committee, that they had 130,000 population, approximately, when the war began and, by reason of the war activities, that population has been increased so that it is now 200,000; that this population is a permanent addition to their population; and that the governmental activities having ceased the factories have been at once transformed into industries of peace, so that they have an addition of 70,000 people to their population. They said, therefore, that the Government of the United States ought to finish these buildings and rent them to this population. We asked in turn whether the people of Bridgeport ought not to complete this project and take care of it, because it was no longer a war project but was one which concerned the future of their city? I think that our friends went away with the impression, perhaps, that they ought to undertake that project themselves; but it serves to illustrate the case. If Bridgeport, Conn.—and I am not criticizing it at all, nor am I criticizing the gentlemen who came here—but if Bridgeport has gained 70,000 population and has permanent factories and industries as a result of the war and the Government was to build houses there to take care of these people, who are to be there permanently employed for the benefit of that splendid city and State, then it might well be said by States that did not get any benefit from the war that the Government ought to build houses within their borders so that they would have that much benefit coming out of the war.

Under the last part of the joint resolution if a building is more than 75 per cent completed its construction may be proceeded with, but if it is not 75 per cent completed then we think it ought to be stopped, the building ought to be salvaged, and the Government ought to get out of this business as soon as it can. It is perfectly——

Mr. CALDER. Mr. President, will the Senator yield?

Mr. REED. In one moment.

It is perfectly useless to talk about the Government conducting these enterprises upon a business basis. For instance, when this bill was before the committee it was stated by representatives of the great industries who came here and pleaded for the Government to go down in its Treasury for a hundred million dollars to build houses that the houses would be built upon ground that would be bought at fair prices; that the buildings could be rented and managed so that a revenue would result; and that as soon as the war was over the Government could dispose of the buildings and get all of its money out of them, except that loss which was inevitable owing to the fact that materials and labor had been high at the time the buildings were erected. Now, the war is over, and if that thing which was promised is to be accomplished it ought to be done now, and we ought not to put more money, at the present prices of materials and labor, into buildings, involving ourselves in interminable expense and undertaking afterwards to get our money out. The thing to do is to wind this business up now and let Uncle Sam get out as quickly as he can and with as little loss as possible.

I now yield to the Senator from South Dakota.

Mr. JOHNSON of South Dakota. Mr. President, I was not present when the Senator from Missouri made his opening remarks, and I only desire to ask a question or two for my own information along the lines of the joint resolution. I desire to ask the Senator if he knows how many buildings are comprised in this group in the Union Station Plaza?

Mr. REED. Yes; that has all been gone over. There are 12 double dormitories, or 24 single dormitories, being connected by some kind of a walk; there is a laundry, an administration building, which includes an assembly hall of some kind; a hospital; two cafeterias; and I am advised that there is a storehouse and heating plant, which I did not include previously.

Mr. JOHNSON of South Dakota. And what was the contract price for the whole group?

Mr. REED. There is no contract price; there is an estimated price, and the estimate is that it will cost $2,100,000, including the furniture.

Mr. JOHNSON of South Dakota. I think I understood from the Senator's remarks a few minutes ago that about $400,000 would be required to complete the project. Is that correct?

Mr. REED. To complete it and furnish it.

Mr. JOHNSON of South Dakota. Now, just one more question. Will the Senator inform me, if he knows, what amount of that $400,000 is for furniture and machinery?

Mr. REED. Approximately $275,000 is for furniture and approximately $30,000 for finishing the laundry, which embraces also the machinery, if I have the figures correct.

Mr. ROBINSON. Mr. President, while the Senator is on that point, will he let me pursue that just a little further?

Mr. REED. Yes.

Mr. ROBINSON. I believe the Senator stated that there were 2,000 rooms in the various buildings of the project.

Mr. REED. To be accurate, eighteen hundred.

Mr. ROBINSON. I was counting 2,000 rooms, under the Senator's former statement, for which $45 each per month was to be paid, in connection with services to be rendered in the hospital, two meals at the cafeteria, and laundry service to be performed.

Mr. REED. Yes.

Mr. ROBINSON. Has the Senator's committee made any computation as to whether that investment would result in a loss or in a gain, if the plan suggested by Mr. Eidlitz is carried out and the buildings are completed and operated for a year?

Mr. REED. The statement was made by the gentleman who proposes to manage it that he had figured everything down very fine and he thought it could be run without any substantial loss; that the loss would be small, if any; but that they did not expect to make any profit at all.

Mr. ROBINSON. The charges, then, were intended to cover the mere cost of operation?

Mr. REED. The mere cost of operation, without anything whatsoever coming back to the Government to compensate it for its buildings. In other words, Mr. Eidlitz said, "We count the buildings a dead loss." I think that was his expression.

Mr. CALDER. Mr. President, will the Senator yield?

Mr. REED. I will; yes.

Mr. CALDER. I was in Philadelphia the other day and I saw a number of buildings under construction—two-story brick buildings; 2,000 of them. I am not certain whether the Housing Corporation had that operation or the Emergency Shipping Corporation; but a number of these buildings were about one-third completed. They are structures of a permanent character. Streets are being laid, sidewalks are being laid, and lights are being installed in the streets. My own judgment is that that property probably can be disposed of ultimately at a price whereby the Government will not lose very much; but I wonder if section 2 of the Senator's joint resolution would not stop work on buildings of that character, and whether that would be wise?

Mr. REED. If they are 75 per cent completed, it would not. If they are not 75 per cent completed, it would stop the work.

Mr. CALDER. I know that some of these buildings are entirely completed and some are only 25 per cent completed. I am in complete accord with the Senator's position that as to any building of a temporary character which is 80 per cent completed I would stop it; but I am wondering, in the case of a building which is to be of a permanent character, like these Philadelphia houses, whether it would be wise for the Government to stop the work.

Mr. REED. I think the thing to do is to stop this business where they are not 75 per cent completed, and to stop it by law, because we can not stop these people in any other way. They are going on, and if you leave them any discretion they will go on. Then, if it is necessary, we can pass a bill authorizing the disposition of these buildings—indeed, they can be disposed of now under this law—and they can be sold to private parties, as they ought to be.

Mr. CALDER. I am in accord with the Senator on that subject, too; but it seems to me that you can not sell a building that is partly completed anywhere nearly as advantageously as you can if you complete it.

Mr. REED. I think you can beat it all to pieces, and I will tell you why. Here is a building that is being built in accordance with plans that we presume, at least, have been made along economic lines so as to get as much housing space as possible. It is a sort of stock affair; although, by the way, these houses which have been built for labor cost from $3,000 to $5,500 apiece. Now, if that house simply was inclosed—and it certainly would be inclosed if it was 75 per cent done—and a man could buy it in that condition, he could alter the interior of it to suit his own notions; and it seems to me it would be a very much more advantageous thing to him than it would be to take it after it had been fully completed according to some hard-and-fast rule. That is my notion. I am not much of a real estate man.

Mr. CALDER. I know something of the subject, Mr. President, and I am fearful that the Senator is mistaken in the statement he has just made. I want to say again that I am for his joint resolution, and if it affected temporary structures only I would have no objection; but I am wondering whether to put in "permanent buildings not more than 50 per cent completed" would not cover that matter; or perhaps, as he suggests, we could dispose of the thing to-day and let them come in with a definite development in each part of the country and ask for legislation for each one. Perhaps that might be better.

Mr. REED. If we can get this work stopped now, then these matters can be taken up and investigated; but it should be understood that hundreds of thousands of dollars are being spent here in a very few hours. Labor has been employed here in front of the Capitol, and the general plan was to work them 10 hours and pay them for 12 hours; to work them on Saturday

afternoons, and pay them double time for Saturday afternoons; to work them on Sundays, and pay them double time for Sunday work; so that we have this sort of thing presented: A man works five hours straight time on Saturdays. He then works six hours overtime on Saturdays. As a matter of fact, he worked eight hours on Saturdays, but he got paid for 11 hours on Saturdays; and so it has been going. That has been partly stopped.

Mr. WEEKS. Mr. President——

Mr. REED. I yield to the Senator from Massachusetts.

Mr. WEEKS. The Senator from Missouri suggested a moment ago that they could obtain further information if this work was stopped. Has the investigating committee had before it a complete statement of what has been done, of lands purchased, buildings under construction, contracts made, and so forth?

Mr. REED. Yes; we have a summary of it.

Mr. WEEKS. Was that obtained from the report which is provided for in the law?

Mr. REED. No; the statement was made to us that the report is being prepared. We obtained this statement from Mr. Eidlitz who is the head of this building corporation.

Mr. WEEKS. Did the Senator notice that it was one of the duties of the President to report to Congress at the beginning of each session what had been done under this act?

Mr. REED. I did. The statement was made by Mr. Eidlitz that they were preparing a report of their transactions to be transmitted to the President, and of course I presume that when it is transmitted to him he will transmit it to us. The statement was made, however, that the report was not yet completed, but that it would be out in a few days.

Mr. WEEKS. I am interested, in looking at the law on this subject, to notice something about which perhaps the Senator can give us some information:

Provided further. That the expenditure in the District of Columbia shall be made with a view to caring for the alley population of the District when the war is over, so far as it can be done without interfering with war housing purposes.

How would it be possible to erect buildings on a public park and provide that they shall be used by the alley population after the war is over?

Mr. REED. Well, Mr. President, somebody put that in this bill. What his object was, I do not know; but I think there has been no attempt made to erect any buildings for the alley population.

Mr. McLEAN. Mr. President, does the Senator know who is responsible for locating these buildings on the Plaza?

Mr. REED. Mr. Eidlitz stated that there was a committee that inspected the sites. If the Senator wants full information in regard to the matter, it appears that this project was carried out through the organization of a corporation in New York, the officers of which were made up very largely of the board which Mr. Eidlitz had gotten together; and the contracts, and so forth, have been made in the name of that corporation. While its proceedings may have been irregular, I have not seen anything wrong about it from the standpoint that the Government would lose anything.

Mr. WEEKS. I want to ask the Senator one more question about the law itself. It seems to provide that a certain amount of money may be expended for the erection of buildings in the District of Columbia, provided war employees can not be employed in some other locality equally well. Has the committee made any investigation as to whether the war-insurance activities and the food activities could not have been conducted as well in some other city as in Washington?

Mr. REED. No; we have not. Will the Senator kindly point out that language to me?

Mr. WEEKS. Yes. It is in paragraph 8, page 3, of the act, which I have before me. I will read it:

Provided. That $10,000,000, or so much thereof as may be necessary, of the amount hereby authorized shall be used only to build or acquire, as herein provided, housing accommodations within the District of Columbia for such Government employees as can not be used as advantageously in other cities in the service of the Government, of which the sum of $75,000—

And so forth. In other words, it would seem that if this work could have been conducted as advantageously in other cities there would be no authority to spend the money for erecting buildings in the District of Columbia. Now, the shipping forces were removed to Philadelphia; and it seems to me—in fact, I brought it to the attention of the Senate some two months ago—that it would be a comparatively easy matter to remove from the city of Washington a great number of these activities, and thereby prevent the congestion here, and the necessity for the expenditure of this money.

Mr. REED. The committee has made no investigation of the question raised by the Senator. As I have stated, our investigation has only begun; but we have thought it was necessary to make an immediate report, in order that the continued expenditure of money might be stopped until we find out where we are and until some steps can be taken to salvage these various propositions.

Mr. JONES of Washington. Mr. President——

Mr. REED. I yield to the Senator.

Mr. JONES of Washington. If the Senator will permit me, the Senator from Masssachusetts [Mr. WEEKS] inquired with reference to the provision relating to taking care of the alley population. I think I was responsible for having that provision put into the bill. There was not any idea, of course, that the buildings put up here on the Plaza should take care of the alley people; but it was hoped that out of this $10,000,000 that we authorized to be expended in the District of Columbia there might possibly be some work done in the alleys that would not only help in taking care of war workers but would also take care of the conditions there. It was never thought by anybody, however, that the buildings on the Plaza would be used for taking care of the alley population; and I was interested in the statement of the Senator that nothing in fact had been done with that provision relating to the alleys.

Mr. REED. Nothing that we know of.

Mr. JONES of Washington. I think the Senator is correct.

Mr. WEEKS. Mr. President, my reason for making that inquiry was that it seemed to me that with that provision relating to the alley population in the bill it was absolutely essential that such localities be selected that provision could be made for the alley population after the war. Of course, that is not possible where buildings are located on any public park.

Mr. JONES of Washington. I will say that we hoped they would follow the very course suggested by the Senator—that they would select locations like these alleys in which to put up these buildings, so that they would be of very great service afterwards; but, of course, they have not done so. They have taken the Plaza.

Mr. REED. Mr. President, there may be other members of the committee who would like to speak this morning. I am going to yield the floor unless some Senator has another question to ask.

Mr. McLEAN. Mr. President, the Senator from Missouri was about to answer the question which I asked him.

Mr. REED. I had forgotten what it was.

Mr. McLEAN. The question related to the responsibility for placing these buildings where they have been put. I asked the Senator if he knew who was responsible for locating these buildings.

Mr. REED. I am trying to find the testimony. Perhaps some member of the committee can answer that question more accurately than I can.

Mr. HARDWICK. Mr. President, if the Senator will yield, Mr. Eidlitz said that he and some of his people went around, and finally they got the President and took him around and showed him these lots, and that he picked out the site. The President, of course, did it all, he says.

Mr. McLEAN. That is the information I have had. I did not know whether it was correct or not.

Mr. REED. Mr. President, I have found it generally to be true that when people do anything that gets unpopular they always, some way or other, say that the President did it. My own opinion about the matter is that this ground was really selected by Mr. Eidlitz and by somebody representing the Secretary of Labor, and that they did it with the idea that the buildings would be temporary, and would be removed the moment the war was over. I think it was a mistake. I think it would have been very much wiser to have taken other ground, which it is admitted they could have easily obtained, and to have built these buildings in a little more substantial manner, so that when we were through with the war we could have sold the buildings to people who wanted to occupy them. But these were war times, and there seems to have been an impression—indeed, one of the witnesses said, "You are talking about the expenditure of this money when we were shooting away millions of dollars' worth of ammunition every day." The answer that was made to that was that the shooting away of ammunition was all right if you were shooting at something, but that you could even waste ammunition, and you could even waste money in war times. I think we wasted some money here.

Mr. ROBINSON. Mr. President, I should like to ask the Senator another question or two about the necessity for carrying forward any housing program. The Senator gave some figures

that were quite instructive, showing that already, I think, since the armistice was signed, something like 5,000 temporary employees have left the city, and that it is expected that before the 1st of July something like 27,000 will go out of employment.

Mr. REED. That is correct.

Mr. ROBINSON. Thus diminishing very greatly the demand for housing facilities.

Mr. REED. And those figures do not include one large department—the Navy Department—which has not yet reported.

Mr. ROBINSON. Does the Senator know, or has the Senator's committee made any investigation sufficient to form an opinion, as to whether the housing facilities will be adequate for those who are required to stay here and those who will be required, for instance, in connection with the coming decennial census? I am told that there will be about 5,000 additional employees in connection with that; and what I am trying to get at is whether there is a real necessity for completing these buildings. If there is, we want to do it, in view of the fact that they are so nearly completed; but if there is not, we ought not to do it. I am firmly of the opinion that a mistake was made in locating temporary buildings upon that particular plot of ground. It does seem to me that some other place ought to have been found.

Mr. REED. May I ask the Senator when the census organization is to be created?

Mr. ROBINSON. It ought to be done during the coming year. I should think it would begin about the 1st of March, although, of course, that is merely an opinion of mine, founded upon former experience.

Mr. SHEPPARD. The work will begin on June 30. The decennial census period begins on June 30 of next year.

Mr. ROBINSON. But I suppose the assembling of the force to do the work will probably begin before that time.

Mr. SHEPPARD. Very probably.

Mr. ROBINSON. I assume that it will begin about the 1st of March.

Mr. REED. The question is a double one. I will try to answer it with entire frankness.

First, the committee has given no consideration to the question of the census employees who may be brought here. I do not think it very material, however, in view of the fact that the estimates are that over 27,000 will go away, and that does not include one of the largest departments of the Government. I do not think these figures—27,000—give us a true picture, either. They are confined to the Government employees. Everybody knows that Washington has been filled up all winter with people who have come here, some of them out of mere curiosity, many of them because they have been wanting to get Government contracts or get into the Government service or get Government business in some way, and that large population is now disappearing.

Mr. ROBINSON. The Senator does not see much hope of that condition being relieved in the early future, I fear—the number who will be required to come here, or who will probably feel that they are required to come here, in the adjustment of controversies connected with the public service.

Mr. REED. I think it will be; but then I think there is still a larger item than that. Washington has been filled up with thousands of people who have come here in one way or another in connection with their relatives who are in the war. There is a marked decrease in that character of congestion. It must be true that we will reduce this enormous pay roll in the city of Washington. If we do not do it——

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 12863) to provide revenue, and for other purposes.

Mr. SIMMONS. Mr. President——

Mr. JONES of Washington. I should like to ask the Senator from Missouri a question. He may have answered it, as I have not been able to listen to all he said. I wish to ask him whether this building commission is erecting any buildings in the District of Columbia other than those on the Union Station Plaza?

Mr. REED. Yes; they are erecting permanent buildings in two other places. They had one or two other large projects, which they stopped.

Mr. JONES of Washington. But no other temporary buildings?

Mr. REED. I think not.

Mr. PENROSE. Mr. President——

Mr. REED. I yield to the Senator from Pennsylvania.

Mr. PENROSE. I simply rose to inquire whether it is the purpose of the Senator from Missouri to go on with the discussion of the joint resolution now.

Mr. REED. I was going to ask that we come to a vote; but if we can not vote, I can not ask the Senator from North Carolina to lay aside his important bill very long. This is a matter of emergency, and it ought to be passed speedily, if passed at all.

Mr. PENROSE. Perhaps it can be disposed of now without prolonged discussion.

Mr. ROBINSON. Mr. President, I realize that the matter ought to be disposed of as speedily as possible, and I will state to the Senator from Missouri I would like to have it go over until to-morrow, in order to make some investigation. As far as I am concerned, a vote may be had to-morrow morning, but, of course, I have no power to bind anybody else.

Mr. PENROSE. I understand the Senator from Missouri does not expect to have a vote upon the joint resolution to-day, and I merely wish to inquire as to the condition of the business of the Senate.

Mr. REED. I will say that the request of the Senator from Arkansas is a very reasonable one, and while I think we ought to have the joint resolution disposed of to-day, of course it will lie over.

Mr. NORRIS. Mr. President, I should like to state to the Senator from Missouri also that I want to discuss the joint resolution briefly. I would be perfectly willing to go on now, if it is the desire to lay aside the revenue bill. I think I will take no more than 10 or 15 minutes, and I have an amendment which I wish to propose. I have no objection, of course, to its going over until to-morrow, but I do not want to delay it long.

Mr. ROBINSON. It is understood that the joint resolution shall go over until to-morrow.

Mr. NORRIS. That is understood.

Mr. REED. I shall ask to-morrow morning the indulgence of the Senate to the extent of giving the joint resolution, as far as possible, the right of way.

Mr. PENROSE. I understand that; but, if I am permitted to quote the chairman of the committee, while he is very anxious to go on with the revenue bill, if the joint resolution could be considered now, or at least some discussion had to expedite it, there may be no objection on the part of the Finance Committee. And why not proceed with it?

Mr. SIMMONS. Mr. President, I recognize the fact that considerable time has been devoted to the discussion of the joint resolution this morning. It was suggested to me by the Senator from Missouri that he could finish it probably in a very short time. In that situation I would be willing to lay aside the revenue bill for a short time, but I understood the Senator from Arkansas [Mr. ROBINSON] to request that the joint resolution go over until to-morrow, and the Senator from Missouri has yielded to that.

Mr. REED. That is the situation. The Senator from Arkansas asked for time to investigate it, and I think it will save time by letting him have the opportunity.

THE REVENUE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12863) to provide revenue, and for other purposes.

Mr. SIMMONS. I am not advised that any Senator desires to address himself to the bill at this time.

Mr. JONES of Washington. I should like to ask the chairman of the committee a question about an amendment the committee proposes.

Mr. SIMMONS. What I was going to propose now is that we take up the bill for the purpose of considering committee amendments. I would suggest to the Senator from Washington that I think we will save time if we take up the amendments as they are reached in the bill and not undertake to go into a discussion of an amendment before we reach it. However, I have no objection to answering the Senator's question, if I can do so.

Mr. JONES of Washington. Probably the course suggested by the chairman would save time. I did not suppose that we were going on with the amendments to the bill.

Mr. PENROSE. If the Senator will permit me, I do not know of anyone who expects to address the Senate on the bill to-day, and I concur in his thought to proceed with the committee amendments. I only want to state as far as I am concerned that I expect very soon, in a few days, to address the Senate upon the pending bill.

Mr. SIMMONS. I ask that the bill be read for action on the committee amendments.

Mr. SMOOT. Before we begin with the amendments, as I stated yesterday that I would prepare my views on the bill, I now submit my views and ask that they may be printed in the RECORD.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Without objection, it is so ordered. The Chair hears no objection.

The views this day submitted by Mr. SMOOT (Report No. 617, part 4) are as follows:

"Differing materially from the plan of taxation imposed by House bill 12863 as reported to the Senate, I avail myself of the privilege of expressing my personal views, in a separate report, of the provisions of the bill that I believe should never be enacted into law. The unworkable, unscientific, and discriminatory provisions of the act of October 3, 1917, have not been eliminated by House bill 12863, the pending revenue bill. In some respects they have been modified, but in others increased. If I could have framed the pending revenue bill, I would have made it very simple and so plain that any ordinary business man or individual could have understood it and would have had no trouble in making out a tax return.

"Every individual, whether in business as such or as a member of a partnership, would have been treated alike. Every corporation would have been taxed upon the same basis, and the question of capital invested, watered stock, and bonded indebtedness would not have entered into the question of the amount of tax to be imposed, with the single exception of a few corporations with a capital stock of over $1,000,000 and making undue profits during the prewar period. I would have provided a separate provision for taxing these few corporations. I would have provided for a straight war-profits tax following the principles outlined in my amendment that I offered on January 5, 1918, to House joint resolution 195, with certain modifications to meet to-day's changed conditions.

"I believe that there should be eliminated from the bill all the harassing, nagging taxes, all of which are consumption taxes, and substituted for them a 1 per cent sale tax on all goods sold for consumption or use. A tax of that character would in no way embarrass the producer or consumer and would yield a revenue of over $1,000,000,000.

"In addition to the 1 per cent sale tax and a straight war-profits tax as above referred to, I would include in the bill title 2, income tax; title 5, tax on transportation with certain modifications; title 6, tax on beverages only so far as it affects alcohol, beer, wine, and the floor tax on the same; title 7, tax on cigars, tobacco, and manufacturers thereof with increased rates; title 9, the tax to be limited on automobiles and on leases for exhibition of any positive motion-picture film; title 10, tax upon capital stock, brokers, manufacturers of tobacco, cigars, and cigarettes, and pleasure boats. All other items found in any of the above titles should be eliminated.

"If this plan were adopted, the bill would provide a larger revenue for the Government than will be received under the provisions of the pending bill, and unjust and discriminatory taxation would be avoided.

"That part of the pending bill that deals with the imposition of a tax for the calendar year 1919 I disapprove of and agree with the statement made in the minority report upon this subject. The majority base their action of including in the pending bill provisions for the collection of taxes for the year 1920 upon the recommendations of the Secretary of the Treasury and the indorsement of that plan by the President. I call attention to the fact that the majority have not followed the plan of taxation as recommended by the Secretary of the Treasury, but maintain the unjust and discriminatory plan of taxation on so-called excess profits as provided in existing law and the pending bill. The Secretary of the Treasury recommended that a flat normal tax be imposed upon all net profits (less certain exemptions) in place of the discriminatory excess-profits tax, in which are involved the questions of watered stock, borrowed money, over and under capitalization, and the definition of invested capital—questions that if incorporated in a revenue bill can not result in anything but the collection of a discriminatory and unjust tax. I much prefer the Secretary's plan to the one proposed in the pending bill.

"I call the attention of the country to the fact that the requirements of the Government for the fiscal year ending June 30, 1920, will approximate $10,000,000,000, which I will explain in detail when I discuss the bill in the Senate. This estimate of $10,000,000,000 does not take into consideration future estimates that may be sent to Congress that will be included in deficiency appropriation bills. The $10,000,000,000, with the amount of deficiency appropriations added, will be reduced by whatever amount is received as salvage from the sale of war material paid for and not now needed either in this country or Europe. There are many relief provisions incorporated in the bill, and I frankly admit as to some of them I do not know what effect they will have upon the revenues to be collected, but that will greatly depend upon the construction that will be placed upon them by the Commissioner of Internal Revenue.

"Respectfully submitted.

"REED SMOOT."

Mr. JONES of Washington. I do not think it was the general understanding that the amendments to the bill would be taken up at this time. So I suggest the absence of a quorum in order that Senators may be present.

The PRESIDING OFFICER. The Senator from Washington suggests the absence of a quorum, and the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Hardwick	Norris	Smith, Md.
Beckham	Henderson	Nugent	Smoot
Borah	Hitchcock	Page	Spencer
Calder	Johnson, Cal.	Penrose	Sutherland
Chamberlain	Johnson, S. Dak.	Phelan	Townsend
Culberson	Jones, N. Mex.	Pollock	Trammell
Curtis	Jones, Wash.	Pomerene	Underwood
Dillingham	Kellogg	Ransdell	Vardaman
Fernald	Kenyon	Reed	Warren
Fletcher	Kirby	Robinson	Watson
France	La Follette	Sanford	Weeks
Gay	Lenroot	Shafroth	Williams
Gerry	Lewis	Sheppard	Wolcott
Gronna	McCumber	Sherman	
Hale	McKellar	Simmons	
Harding	New	Smith, Ariz.	

Mr. CURTIS. I wish to announce the absence of the Senator from New Jersey [Mr. FRELINGHUYSEN] on account of illness. I ask that this announcement may stand for the day.

I wish also to announce that the Senator from New Hampshire [Mr. MOSES] is absent on account of illness. I will let this announcement stand for the day.

Mr. SHAFROTH. I desire to announce the unavoidable absence of my colleague [Mr. THOMAS] on account of illness.

Mr. McKELLAR. I wish to announce that the senior Senator from Tennessee [Mr. SHTELDS] is unavoidably absent on account of illness.

The PRESIDING OFFICER. Sixty-one Senators have answered to their names. A quorum is present. The Secretary will read the bill.

The Secretary proceeded to read the bill.

The first amendment was, on page 1, line 5, after the word "includes," to insert "individuals"; in line 6, before the word "corporations," to insert "and," and after the word "corporations" to strike out "and associations as well as individuals," so as to read:

The term "person" includes individuals, partnerships, and corporations.

The amendment was agreed to.

The next amendment was, on page 1, line 8, after the word "companies," to strike out "as well as private corporations," so as to read:

The term "corporation" includes associations, joint-stock companies, and insurance companies.

The amendment was agreed to.

The next amendment was, at the top of page 3, to insert:

The term "life insurance company" means an insurance company engaged in the business of issuing life insurance and annuity contracts (including contracts of combined life, health, and accident insurance continuing for the life of the insured and not subject to cancellation by the company), whose reserve funds held for the fulfillment of such contracts comprise more than 50 per cent of its total reserve funds.

The amendment was agreed to.

The next amendment was, on page 3, to strike out lines 6 to 13, inclusive, in the following words:

The term "Government contract" means (a) a contract made with the United States, or with any department, bureau, officer, commission, board, or agency under the United States and acting in its behalf, or with any agency controlled by any of the above if the contract is for the benefit of the United States, or (b) a subcontract made with a contractor performing such a contract if the products or services to be furnished under the subcontract are for the benefit of the United States.

The amendment was agreed to.

The next amendment was, on page 3, to insert lines 14 to 18, inclusive, in the following words:

The term "military or naval forces of the United States" includes the Marine Corps, the Coast Guard, the Army Nurse Corps (female), and the Navy Nurse Corps (female), but this shall not be deemed to exclude other units otherwise included within such term.

The amendment was agreed to.

The next amendment was, to insert lines 19 to 21, inclusive, in the following words:

The term "present war" means the war in which the United States is now engaged against the German Government.

The amendment was agreed to.

The next amendment was, to insert lines 22 to 24, inclusive, in the following words:

For the purposes of this act the date of the termination of the present war shall be fixed by proclamation of the President.

The amendment was agreed to.

The next amendment was, on page 4, line 7, in "Title II, income tax," to strike out "212 or section 232" and insert "212, 232, or 246," so as to read:

TITLE II.—INCOME TAX.

PART 1.—GENERAL PROVISIONS.

DEFINITIONS.

SEC. 200. That when used in this title—

The term "taxable year" means the calendar year, or the fiscal year ending during such calendar year, upon the basis of which the net income is computed under sections 212, 232, or 246. The term "fiscal year" means an accounting period of 12 months ending on the last day of any other month other than December. The first taxable year, to be called the taxable year 1918, shall be the calendar year 1918 or any fiscal year ending during the calendar year 1918;

The term "fiduciary" means a guardian, trustee, executor, administrator, receiver, conservator, or any person acting in any fiduciary capacity for any person, trust, or estate;

The term "withholding agent" means any person required to deduct and withhold any tax under the provisions of section 221 or section 237.

The amendment was agreed to.

The next amendment was, on page 4, after line 19, to insert:

The term "personal service corporation" means a corporation whose income is to be ascribed primarily to the activities of the principal owners or stockholders who are themselves regularly engaged in the active conduct of the affairs of the corporation and in which capital (whether invested or borrowed) is not a material income-producing factor.

The amendment was agreed to.

The next amendment was, on page 5, to strike out lines 1 to 19, inclusive, in the following words:

The term "dividend" means any distribution made by a corporation out of its earnings or profits, accrued since February 28, 1913, and payable to its shareholders or members, whether in cash or in other property or in stock of the corporation. Any distribution shall be deemed to have been made from earnings or profits unless all earnings and profits have first been distributed. Any distribution made in the year 1918 or subsequent years shall be deemed to have been made from earnings or profits accrued since February 28, 1913; but any earnings or profits accrued prior to March 1, 1913, may be distributed in stock dividends or otherwise, exempt from the tax, after the earnings and profits accrued since February 28, 1913, have been distributed. If paid in stock of the corporation, a dividend shall be considered income to the amount of the earnings or profits distributed. Amounts distributed in the liquidation of a corporation shall be treated as payments in exchange for stock, and any gain or profit realized thereby shall be taxed to the distributee as other gains or profits.

Mr. JONES of Washington. I simply wish to ask the chairman of the committee why the definition of dividends is stricken out? I presume the term occurs several times in the bill.

Mr. SIMMONS. It follows at the bottom of the page, the Senator will observe.

Mr. JONES of Washington. I see; in section 201. I looked at the provision immediately following the part stricken out and did not observe the section further on.

The amendment was agreed to.

The next amendment was, to insert lines 20 to 22, inclusive, in the following words:

The terms "paid or incurred" and "paid or accrued" shall be construed according to the method of accounting upon the basis of which the net income is computed under section 212.

The amendment was agreed to.

The next amendment was, to insert from line 23, on page 5, to line 6, on page 7, inclusive, in the following words:

DIVIDENDS.

SEC. 201. (a) That the term "dividend" when used in this title means (1) any distribution made by a corporation, other than a personal service corporation, to its shareholders or members, whether in cash or in other property or in stock of the corporation, out of its earnings or profits accumulated since February 28, 1913, or (2) any such distribution made by a personal service corporation out of its earnings or profits accumulated since February 28, 1913, and prior to January 1, 1918.

(b) Any distribution shall be deemed to have been made from earnings or profits unless all earnings and profits have first been distributed. Any distribution made in the year 1918 or any year thereafter shall be deemed to have been made from earnings or profits accumulated since February 28, 1913, or, in the case of a personal service corporation, since December 31, 1917; but any earnings or profits accumulated prior to March 1, 1913, may be distributed in stock dividends or otherwise, exempt from the tax, after the earnings and profits accumulated since February 28, 1913, have been distributed.

(c) A dividend paid in stock of the corporation shall be considered income to the amount of the earnings or profits distributed. Amounts distributed in the liquidation of a corporation shall be treated as payments in exchange for stock or shares, and any gain or profit realized thereby shall be taxed to the distributee as other gains or profits.

(d) Any dividend received by a taxpayer shall be taxed to the recipient at the rates prescribed by law for the years in which the corporation accumulated the earnings or profits from which such dividend was paid, but the dividend shall be deemed to have been paid from the most recently accumulated earnings or profits.

Mr. SIMMONS. I desire that subdivision (d) of this amendment shall go over.

The PRESIDING OFFICER. Without objection, the request of the Senator will be granted and, without objection, the other subdivisions of the amendment are agreed to. The Chair hears no objection, and it is so ordered.

The next amendment was, on page 7, line 8, to strike out "201" and insert "202 (a)," so as to read:

BASIS FOR DETERMINING GAIN OR LOSS.

SEC. 202 (a). That for the purpose of ascertaining the gain derived or loss sustained from the sale or other disposition of property, real, personal, or mixed, the basis shall be—

The amendment was agreed to.

The next amendment was, on page 7, line 11, to strike out "(a)" and insert "(1)," so as to read:

(1) In the case of property acquired before March 1, 1913, the fair market price or value of such property as of that date; and

The amendment was agreed to.

The next amendment was, on page 7, line 14, to strike out "(b)" and insert "(2)"; in line 15, to strike out "(1)" and insert "(a)"; in the same line, to strike out "(2)" and insert "(b)"; and, in line 16, to strike out "202" and insert "203," so as to read:

(2) In the case of property acquired on or after that date, (a) the cost thereof; or (b) the inventory value, if the inventory is made in accordance with section 203.

The amendment was agreed to.

The next amendment was, on page 7, after line 16, to insert:

(b) When property is exchanged for other property, the property received in exchange shall for the purpose of determining gain or loss be treated as the equivalent of cash to the amount of its fair market value, if any; but when in connection with the reorganization, merger, or consolidation of a corporation a person receives in place of stock or securities owned by him new stock or securities of no greater aggregate par or face value, or when a person or persons owning property receive in exchange for such property stock of a corporation formed to take over such property, no gain or loss shall be deemed to occur from the exchange, and the new stock or securities received shall be treated as taking the place of the stock, securities, or property exchanged.

The amendment was agreed to.

The next amendment was, under the head of "Inventories," page 8, line 6, to strike out "202" and insert "203"; in line 10, after the word "may," to strike out "approve or"; in line 11, after the word "prescribe," to insert "as conforming as nearly as may be to the best accounting practice in the trade or business and"; and in line 13, after the word "income," to strike out "of the taxpayer," so as to read:

INVENTORIES.

SEC. 203. That whenever in the opinion of the commissioner the use of inventories is necessary in order clearly to determine the income of any taxpayer, inventories shall be taken by such taxpayer upon such basis as the commissioner, with the approval of the Secretary, may prescribe as conforming as nearly as may be to the best accounting practice in the trade or business and as most clearly reflecting the income.

Mr. JONES of Washington. Mr. President, I have received a great many letters and telegrams with reference to this provision of the bill. I have not those telegrams and letters here. I did not expect that the matter would come up to-day. So I ask that the committee amendment to this section may go over.

Mr. SMOOT. I understand the Senator from Washington has asked that the amendment shall go over, and in that case he will want all that affects inventories to go over in the same way?

Mr. JONES of Washington. Yes; I prefer that that should be done.

Mr. SMOOT. Because they are all related, and it is a very important part of the bill.

Mr. JONES of Washington. The Senator is a member of the committee and knows the other provisions better than I do.

Mr. GRONNA. Mr. President, I have also received a number of letters and some petitions opposing the provision as it passed the House. I have not had time to study the Senate committee bill, but I join in the request of the Senator from Washington that it all go over.

Mr. SIMMONS. I shall not object to that, but I wish to call the attention of the Senator from Washington to the fact that the only amendment made by the committee in that section seems to be rather a formal one. It only provides that the "Secretary may prescribe as conforming as nearly as may be to the best accounting practice in the trade or business."

Mr. JONES of Washington. I do not know exactly what is the effect of the language, and I prefer to have it all go over so as to consider the subject together.

Mr. SMOOT. Mr. President——

Mr. SIMMONS. If the Senator from Utah will pardon me I would call attention in this connection to subsection (12) on page 29, which must be considered in connection with the inventory section if we are to understand the extent of the amendment the committee has made with respect to the subject.

Mr. JONES of Washington. I thank the Senator for calling that to my attention.

Mr. SMOOT. The Senator from North Carolina asks that that may go over?

Mr. SIMMONS. Yes, that subdivision (b) on page 29 shall go over if section 203 goes over.

Mr. JONES of Washington. I hope that will be done.

Mr. SMOOT. To make it complete, as the same question comes up under the heading of corporations on page 60, subsection (13) ought to go over at the same time. Then we will not be bothered by watching for it as the Secretary reads the bill. Subsection (13), line 5, has reference to corporations just the same as the other has reference to individuals.

Mr. SIMMONS. Yes.

Mr. JONES of Washington. I hope that also will go over.

The PRESIDING OFFICER. The Chair will see if the request is understood. The request is that section 203 on page 8 shall go over and also paragraph (12) on page 29 and paragraph (13) on page 60.

Mr. SMOOT. Yes, and there is one other, so that we may have them all, and that is section 204 (a) on page 8—(a), (b), and (c), I should say, because those are involved in the question.

The PRESIDING OFFICER. Without objection the parts of the bill indicated will be passed over. The Chair hears no objection, and it is so ordered.

The Secretary resumed the reading of the bill on page 10, line 9, the next amendment of the committee being to insert at that point the following:

FISCAL YEAR WITH DIFFERENT RATES.

SEC. 205. That if a fiscal year of a taxpayer ends during a calendar year for which the rates of tax differ from those for the preceding calendar year, then (1) the rates for such preceding calendar year shall apply to an amount of the net income for such fiscal year equal to the proportion which the part of such fiscal year falling within such calendar year bears to the full fiscal year, and (2) the rates for the calendar year during which such fiscal year ends shall apply to the remainder.

The amendment was agreed to.

Mr. LA FOLLETTE. I am going to ask to have the provisions regarding the income tax go over. I do not think that it is best to take time to read them.

Mr. SIMMONS. No; certainly not. I think we shall make no objection to passing them over.

The PRESIDING OFFICER. What is the request of the Senator from Wisconsin?

Mr. LA FOLLETTE. The request is a broad one, that shall take in everything which in any way affects part 2 relating to income taxes.

Mr. PENROSE. Mr. President, I have no desire to obstruct the very proper suggestion of the Senator from Wisconsin, but I feel that this is the largest tax bill in the history of civilization, perhaps, and I want to have some of it read. The Secretary is only reading the committee amendments, I understand.

Mr. SIMMONS. No; the Secretary is reading the bill in connection with the committee amendments.

Mr. PENROSE. Is the whole bill being read?

Mr. SIMMONS. It is being read right now.

Mr. PENROSE. When I mentioned the matter of the propriety of reading the whole bill to the chairman, I understood that what he thought ought to be done was to read only the committee amendments.

Mr. SIMMONS. The Senator misunderstood me.

The PRESIDING OFFICER. The Chair will state that the whole bill is being read, except the portion passed over.

Mr. PENROSE. I am glad to know that.

Mr. SIMMONS. I do not wish the matter to pass without stating that I misunderstood the Senator's request. I understood the Senator's request to be that we should now take the bill up and have it read without acting at all on amendments.

Mr. PENROSE. Oh, no.

Mr. SIMMONS. We are doing, then, exactly what the Senator wishes.

Mr. PENROSE. I am glad to know that. I was called to the telephone and I did not know just what was being done.

Mr. President, I ask to have the income-tax schedule read, so that it may appear in the RECORD, and then let it go over.

Mr. SIMMONS. Very well.

Mr. PENROSE. It will not take more than a few minutes.

Mr. SIMMONS. I wish to ask the Senator from Wisconsin if he means that all the balance of the income-tax sections of the bill shall go over, or if he means that the section which we have now reached, which provides for the normal tax, and the next section, which provides for the surtax, shall go over. I supposed when the Senator was speaking to me about it a few minutes ago he wished to have the provision imposing a normal tax and the provision imposing a surtax go over.

Mr. LA FOLLETTE. Of course, those sections are included in my request.

Mr. PENROSE. The sections had better be read, however.

Mr. LA FOLLETTE. Then also such other provisions immediately following as affect and qualify those provisions.

Mr. SMOOT. That would be the remainder of the title.

Mr. SIMMONS. I think that would be the whole of it.

Mr. LA FOLLETTE. If it is, it must go over under the unanimous-consent agreement that was obtained on yesterday.

Mr. SIMMONS. Very well.

Mr. LODGE. Is that the title containing the 1920 provisions, on page 11?

Mr. LA FOLLETTE. It certainly is.

Mr. LODGE. I wanted to understand that, because I desire those provisions to go over. They are a separate bill, and I want to say something about them.

The PRESIDING OFFICER. The Chair requests the Senator from Wisconsin, or some other Senator, to state, for the benefit of the Secretary, what paragraphs it is desired shall go over. In the absence of such a statement, the Secretary can not make a record.

Mr. PENROSE. Before that is done, I desire to suggest to the chairman of the committee that he adopt this procedure: That the bill be read in an orderly way, including the amendments, and that, when the reading of an amendment has been proceeded with and finished, then any Senator can arise and object to the present consideration of the amendment; but let it be first read.

Mr. SIMMONS. Mr. President, that is exactly what we are doing now.

Mr. PENROSE. No, sir.

Mr. SIMMONS. The bill is being read just as it is printed, and we are considering amendments as they are reached.

Mr. PENROSE. Mr. President, the Senator from Wisconsin [Mr. LA FOLLETTE] suggested just now that the income-tax schedule should not be read.

Mr. LA FOLLETTE. Mr. President——

Mr. PENROSE. I am not criticizing the suggestion at all.

Mr. LA FOLLETTE. I understand that.

Mr. PENROSE. And I did not hear any objection from the chairman of the committee. Now, I want it distinctly understood that the procedure shall be that the bill and the amendments shall be read and that when the reading of any particular amendment is finished it will then be the right of a single Senator to object to its immediate consideration.

Mr. LA FOLLETTE. Mr. President, my suggestion that the portion which I had asked to have passed over should not be read was made for the reason that it includes a number of pages and I thought time might be saved by passing over that part of the bill, because it will have to be read when it is taken up for consideration. I thought, therefore, that the reading at this time would be a waste of time. That was my only reason for making the suggestion.

Mr. SIMMONS. Mr. President, I shall not resist the request of the Senator from Pennsylvania [Mr. PENROSE], that this part of the bill, which we now agree shall go over, shall now be read; but I think it is an unnecessary consumption of the time of the Senate. However, if the Senator insists upon its being read I shall not object.

Mr. PENROSE. Mr. President, unless the amendments to the bill are read they will not be printed in the RECORD. I say candidly that while I am as anxious as is the chairman of the committee to expedite the passage of this measure, I think it is a pretty important proceeding, and the usual procedure of deliberative bodies ought to be followed even if it does take a couple of hours longer. I should like to have a distinct understanding that whenever an amendment shall be read and the reading is finished of any particular amendment it shall then be the right of any Senator to object to its consideration.

Mr. SIMMONS. Mr. President, in view of that statement of the Senator from Pennsylvania I ask that whenever an amendment or section is put over by consent or otherwise the Secretary shall read it.

Mr. PENROSE. Clearly such an amendment or section should first be read, and then objection made after the reading is finished. It does not seem very logical to object to an amendment before it is read.

Mr. JONES of New Mexico. Mr. President, inasmuch as the matter objected to at this time is of considerable length, might not the suggestion just made by the Senator from Wisconsin be adopted; that is, that as to this part of the bill it ought to be printed in the RECORD at this point without reading. That will answer the purpose of the Senator from Pennsylvania, it seems to me, and it would get it into the RECORD and avoid all this unnecessary consumption of time.

Mr. PENROSE. Well, Mr. President, while that suggestion might perhaps practically serve the purpose, I think this is a pretty important occasion. We are passing the largest tax bill

in the history of any country of which I know, since very ancient times, in any event, and it seems to me that we ought not to incur the criticism that we have had this bill proceed in any irregular or hasty or ill-advised way. There is a certain solemnity and dignity attached to a measure of this importance, which we ought to observe; and I, at least, am impressed with the fact that these taxes are staggering in their character, and in many cases are going to cause actual distress in many parts of the country. Their only redeeming feature is the fact that they are temporary, and we all hope only for this year. I hope that the reading of the bill will be proceeded with in the regular way.

The PRESIDING OFFICER. The Secretary will continue the reading of the bill.

The Secretary resumed the reading of the bill, beginning on page 10, line 19.

The next amendment of the Committee on Finance was, under the subhead "Part II—Individuals, normal tax," in section 210, page 11, line 1, after the word "tax," to strike out "as follows," and to insert "at the following rates," so as to read:

PART II.—INDIVIDUALS.

NORMAL TAX.

SEC. 210. That, in lieu of the taxes imposed by subdivision (a) of section 1 of the revenue act of 1916 and by section 1 of the revenue act of 1917, there shall be levied, collected, and paid for each taxable year upon the net income of every individual a normal tax, at the following rates:

The PRESIDING OFFICER. Without objection, the amendment will be agreed to.

Mr. LA FOLLETTE. Mr. President, if it will comply with the notions of orderly procedure in this business to make the request for the passing over at the end of a section instead of at the beginning of each paragraph, I will make the request in that way. Otherwise I shall make it at the end of each paragraph; but at the end of each section I should think would be sufficient.

Mr. PENROSE. Mr. President, I do not desire to inconvenience any Senator. I am perfectly content to have objection made to the whole section without going into details, but I would like to have it read.

Mr. LA FOLLETTE. At the end of each section?

Mr. PENROSE. Objection to be made at the end of each section. That is all I ask.

The PRESIDING OFFICER. The Secretary will proceed with the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 11, after line 2, to strike out, down to and including line 9, as follows:

(a) In the case of a citizen or resident of the United States, 12 per cent of the amount of the net income in excess of the credits provided in section 216: *Provided*, That upon the first $4,000 of this amount the rate shall be 6 per cent;

(b) In the case of a nonresident alien, 12 per cent of the amount of the net income in excess of the credits provided in section 216.

And in lieu thereof to insert:

(a) For the calendar year 1918, 12 per cent of the amount of the net income in excess of the credits provided in section 216: *Provided*, That in the case of a citizen or resident of the United States the rate upon the first $4,000 of such amount shall be 6 per cent;

(b) For each calendar year thereafter, 8 per cent of the amount of the net income in excess of the credits provided in section 216: *Provided*, That in the case of a citizen or resident of the United States the rate upon the first $4,000 of such amount shall be 4 per cent.

Mr. LA FOLLETTE. I ask that section 210, which has just been read, may go over.

The PRESIDING OFFICER. The section will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, under the heading "Surtax," section 211, to strike out from line 3, on page 12, to line 14, on page 13, in the following words:

2 per cent of the amount by which the net income exceeds $5,000 and does not exceed $7,500;
3 per cent of the amount by which the net income exceeds $7,500 and does not exceed $10,000;
7 per cent of the amount by which the net income exceeds $10,000 and does not exceed $15,000;
10 per cent of the amount by which the net income exceeds $15,000 and does not exceed $20,000;
15 per cent of the amount by which the net income exceeds $20,000 and does not exceed $30,000;
20 per cent of the amount by which the net income exceeds $30,000 and does not exceed $40,000;
25 per cent of the amount by which the net income exceeds $40,000 and does not exceed $50,000;
32 per cent of the amount by which the net income exceeds $50,000 and does not exceed $60,000;
38 per cent of the amount by which the net income exceeds $60,000 and does not exceed $70,000;
42 per cent of the amount by which the net income exceeds $70,000 and does not exceed $80,000;
46 per cent of the amount by which the net income exceeds $80,000 and does not exceed $90,000;
48 per cent of the amount by which the net income exceeds $90,000 and does not exceed $100,000;
50 per cent of the amount by which the net income exceeds $100,000 and does not exceed $200,000;
52 per cent of the amount by which the net income exceeds $200,000 and does not exceed $300,000;
54 per cent of the amount by which the net income exceeds $300,000 and does not exceed $500,000;
58 per cent of the amount by which the net income exceeds $500,000 and does not exceed $1,000,000;
60 per cent of the amount by which the net income exceeds $1,000,000 and does not exceed $5,000,000; and
65 per cent of the amount by which the net income exceeds $5,000,000.

And in lieu thereof to insert the following:

1 per cent of the amount by which the net income exceeds $5,000 and does not exceed $6,000;
2 per cent of the amount by which the net income exceeds $6,000 and does not exceed $8,000;
3 per cent of the amount by which the net income exceeds $8,000 and does not exceed $10,000;
4 per cent of the amount by which the net income exceeds $10,000 and does not exceed $12,000;
5 per cent of the amount by which the net income exceeds $12,000 and does not exceed $14,000;
6 per cent of the amount by which the net income exceeds $14,000 and does not exceed $16,000;
7 per cent of the amount by which the net income exceeds $16,000 and does not exceed $18,000;
8 per cent of the amount by which the net income exceeds $18,000 and does not exceed $20,000;
9 per cent of the amount by which the net income exceeds $20,000 and does not exceed $22,000;
10 per cent of the amount by which the net income exceeds $22,000 and does not exceed $24,000;
11 per cent of the amount by which the net income exceeds $24,000 and does not exceed $26,000;
12 per cent of the amount by which the net income exceeds $26,000 and does not exceed $28,000;
13 per cent of the amount by which the net income exceeds $28,000 and does not exceed $30,000;
14 per cent of the amount by which the net income exceeds $30,000 and does not exceed $32,000;
15 per cent of the amount by which the net income exceeds $32,000 and does not exceed $34,000;
16 per cent of the amount by which the net income exceeds $34,000 and does not exceed $36,000;
17 per cent of the amount by which the net income exceeds $36,000 and does not exceed $38,000;
18 per cent of the amount by which the net income exceeds $38,000 and does not exceed $40,000;
19 per cent of the amount by which the net income exceeds $40,000 and does not exceed $42,000;
20 per cent of the amount by which the net income exceeds $42,000 and does not exceed $44,000;
21 per cent of the amount by which the net income exceeds $44,000 and does not exceed $46,000;
22 per cent of the amount by which the net income exceeds $46,000 and does not exceed $48,000;
23 per cent of the amount by which the net income exceeds $48,000 and does not exceed $50,000;
24 per cent of the amount by which the net income exceeds $50,000 and does not exceed $52,000;
25 per cent of the amount by which the net income exceeds $52,000 and does not exceed $54,000;
26 per cent of the amount by which the net income exceeds $54,000 and does not exceed $56,000;
27 per cent of the amount by which the net income exceeds $56,000 and does not exceed $58,000;
28 per cent of the amount by which the net income exceeds $58,000 and does not exceed $60,000;
29 per cent of the amount by which the net income exceeds $60,000 and does not exceed $62,000;
30 per cent of the amount by which the net income exceeds $62,000 and does not exceed $64,000;
31 per cent of the amount by which the net income exceeds $64,000 and does not exceed $66,000;
32 per cent of the amount by which the net income exceeds $66,000 and does not exceed $68,000;
33 per cent of the amount by which the net income exceeds $68,000 and does not exceed $70,000;
34 per cent of the amount by which the net income exceeds $70,000 and does not exceed $72,000;
35 per cent of the amount by which the net income exceeds $72,000 and does not exceed $74,000;
36 per cent of the amount by which the net income exceeds $74,000 and does not exceed $76,000;
37 per cent of the amount by which the net income exceeds $76,000 and does not exceed $78,000;
38 per cent of the amount by which the net income exceeds $78,000 and does not exceed $80,000;
39 per cent of the amount by which the net income exceeds $80,000 and does not exceed $82,000;
40 per cent of the amount by which the net income exceeds $82,000 and does not exceed $84,000;
41 per cent of the amount by which the net income exceeds $84,000 and does not exceed $86,000;
42 per cent of the amount by which the net income exceeds $86,000 and does not exceed $88,000;
43 per cent of the amount by which the net income exceeds $88,000 and does not exceed $90,000;
44 per cent of the amount by which the net income exceeds $90,000 and does not exceed $92,000;
45 per cent of the amount by which the net income exceeds $92,000 and does not exceed $94,000;
46 per cent of the amount by which the net income exceeds $94,000 and does not exceed $96,000;
47 per cent of the amount by which the net income exceeds $96,000 and does not exceed $98,000;
48 per cent of the amount by which the net income exceeds $98,000 and does not exceed $100,000;
52 per cent of the amount by which the net income exceeds $100,000 and does not exceed $150,000;
56 per cent of the amount by which the net income exceeds $150,000 and does not exceed $200,000;

60 per cent of the amount by which the net income exceeds $200,000 and does not exceed $300,000;

63 per cent of the amount by which the net income exceeds $300,000 and does not exceed $500,000;

64 per cent of the amount by which the net income exceeds $500,000 and does not exceed $1,000,000;

65 per cent of the amount by which the net income exceeds $1,000,000.

(b) In the case of a bona fide sale of mines, oil or gas wells, or any interest therein, where the principal value of the property has been demonstrated by prospecting or exploration and discovery work done by the taxpayer, the portion of the tax imposed by this section attributable to such sale shall not exceed 20 per cent of the selling price of such property or interest.

Mr. LA FOLLETTE. I ask that section 211, the reading of which has just been completed, may be passed over.

The PRESIDING OFFICER. Section 211 will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, in section 212, page 18, paragraph (b), line 19, after the word "if," to strike out the word "it" and insert "the method employed," so as to make the section read:

NET INCOME DEFINED.

SEC. 212. (a) That in the case of an individual the term "net income" means the gross income as defined in section 213, less the deductions allowed by section 214.

(b) The net income shall be computed upon the basis of the taxpayer's annual accounting period (fiscal year or calendar year, as the case may be) in accordance with the method of accounting regularly employed in keeping the books of such taxpayer; but if no such method of accounting has been so employed, or if the method employed does not clearly reflect the income, the computation shall be made upon such basis and in such manner as in the opinion of the commissioner does clearly reflect the income. If the taxpayer's annual accounting period is other than a fiscal year as defined in section 200 or if the taxpayer has no annual accounting period or does not keep books, the net income shall be computed on the basis of the calendar year.

If a taxpayer changes his accounting period from fiscal year to calendar year, from calendar year to fiscal year, or from one fiscal year to another, the net income shall, with the approval of the commissioner, be computed on the basis of such new accounting period, subject to the provisions of section 226.

The PRESIDING OFFICER. Does the Senator from Wisconsin desire this section to go over?

Mr. LA FOLLETTE. Yes; each of these sections in this part of the bill were to be passed over on request.

The PRESIDING OFFICER. The section will be passed over.

The reading of the bill was resumed.

The next amendment was, on page 19, line 9, to strike out the numerals "233" and insert the numerals "247"; and in line 12, after the word "service," to strike out "(including in the case of the President of the United States, the judges of the Supreme and inferior courts of the United States, and all other officers and employees, whether elected or appointed, of the United States, or of any State, Alaska, Hawaii, or any political subdivision thereof, or the District of Columbia, the compensation received as such)," so as to read:

GROSS INCOME DEFINED.

SEC. 213. That for the purposes of this title (except as otherwise provided in section 247) the term "gross income"—

(a) Includes gains, profits, and income derived from salaries, wages, or compensation for personal service of whatever kind and in whatever form paid, or from professions, vocations, trades, businesses, commerce, or sales, or dealings in property, whether real or personal, growing out of the ownership or use of or interest in such property; also from interest, rent, dividends, securities, or the transaction of any business carried on for gain or profit, or gains or profits and income derived from any source whatever.

Mr. SIMMONS. Does the Senator from Wisconsin desire that this go over?

Mr. LA FOLLETTE. I do.

Mr. CURTIS. If the Senator from Wisconsin does not desire it to go over, I do.

Mr. LA FOLLETTE. I do ask that it go over.

The PRESIDING OFFICER. It will go over.

The reading of the bill was resumed.

The next amendment from the Committee on Finance was, on page 19, line 25, after the word "whatever" and the period, to strike out the word "The," and in lieu thereof to insert "Except as otherwise provided in subdivision (d) of section 201, the," so as to read:

Except as otherwise provided in subdivision (d) of section 201, the amount of all such items shall be included in the gross income for the taxable year in which received by the taxpayer, unless, under methods of accounting permitted under subdivision (b) of section 212, any such amounts are to be properly accounted for as of a different period.

The next amendment was, on page 20, line 10, after the word "insured," to strike out "to individual beneficiaries or to the estate of the insured," so as to make the paragraph read:

(1) The proceeds of life insurance policies paid upon the death of the insured.

The next amendment was, on page 20, line 22, after the words "District of Columbia," to strike out "issued on or prior to the date of the passage of this act, or (if authorized by law on or prior to the date of the passage of this act) issued within six months after the passage of this act and containing a statement of such authorization and its date, or (if issued after the passage of this act) containing a statement that they are issued for the purpose of funding or refunding any interest-bearing indebtedness outstanding on the date of the passage of this act or for the purpose of carrying out a contract entered into on or prior to the date of the passage of this act: *Provided*, That there shall be excluded from gross income in the case of any person owning obligations of States, Territories, political subdivisions thereof, or the District of Columbia (the interest upon which is included in gross income) the interest upon an amount of such obligations the principal of which does not exceed in the aggregate $5,000." On page 21, line 14, after the word "its," to strike out "possessions," and insert "possessions; or (d) bonds issued by the War Finance Corporation"; in line 17, after the date "September 1, 1917," to insert "and in the case of bonds issued by the War Finance Corporation"; in line 20, before the word "authorizing," to strike out the word "act" and insert "respective acts"; in line 23, after the word "taxation," to insert "to the taxpayer"; and, in line 24, after the word "Title," to strike out the "III," and insert "III;", so as to make the paragraph read:

(4) Interest upon (a) the obligations of a State, Territory, or any political subdivision thereof, or the District of Columbia; or (b) securities issued under the provisions of the Federal farm-loan act of July 17, 1916; or (c) the obligations of the United States or its possessions; or (d) bonds issued by the War Finance Corporation. In the case of obligations of the United States issued after September 1, 1917, and in the case of bonds issued by the War Finance Corporation, the interest shall be exempt only if and to the extent provided in the respective acts authorizing the issue thereof as amended and supplemented, and shall be excluded from gross income only if and to the extent it is wholly exempt from taxation to the taxpayer both under this title and under Title III;

The next amendment was, on page 22, in line 16, after the words "government of," to strike out "the Philippine Islands or Porto Rico" and insert "any possession of the United States," so as to make the paragraph read:

(7) Income derived from any public utility or the exercise of any essential governmental function and accruing to any State, Territory, or the District of Columbia, or any political subdivision of a State or Territory, or income accruing to the government of any possession of the United States, or any political subdivision thereof.

The next amendment was, on page 22, line 22, after the word "person," to strike out "or corporation"; on page 23, line 4, after the word "person," to strike out "or corporation"; in line 6, after the word "person," to strike out "or corporation"; and in line 8, after the word "person," to strike out "or corporation," so as to make the paragraph read:

Whenever any State, Territory, or the District of Columbia, or any political subdivision of a State or Territory, prior to September 8, 1916, entered in good faith into a contract with any person the object and purpose of which is to acquire, construct, operate, or maintain a public utility, no tax shall be levied under the provisions of this title upon the income derived from the operation of such public utility, so far as the payment thereof will impose a loss or burden upon such State, Territory, District of Columbia, or political subdivision; but this provision is not intended to confer upon such person any financial gain or exemption or to relieve such person from the payment of a tax as provided for in this title upon the part or portion of such income to which such person is entitled under such contract.

The amendment was agreed to.

The next amendment was, on page 23, line 10, before the word "amount," to strike out "So much of the" and insert "The"; in the same line, after the word "received," to insert "during the present war"; in line 13, after the word "for," to insert "active"; in the same line, after the word "services," to strike out "abroad or at sea"; and in line 14, after the word "forces," to strike out "as does not exceed $3,500," so as to make the paragraph read:

(8) The amount received during the present war by a person in the military or naval forces of the United States as salary or compensation in any form from the United States for active services in such forces.

Mr. LA FOLLETTE. I ask that section 213, which has just been read, be passed over.

The PRESIDING OFFICER. The section will be passed over.

The reading of the bill was resumed.

The next amendment to the Committee on Finance was, under the heading "Deductions allowed," in section 214, page 24, line 3, after the word "or," to strike out "possession" and insert "possession of property"; and in line 4, after the word "business," to strike out "of property to which the taxpayer has not taken or is not taking title or in which he has no equity," so as to make the paragraph read:

SEC. 214. (a) That in computing net income there shall be allowed as deductions:

(1) All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered, and including rentals or other payments required to be made as a condition to the continued use or possession of property for purposes of the trade or business.

The next amendment was, on page 24, line 8, after the word "indebtedness," to insert: "except on indebtedness incurred or continued to purchase or carry obligations or securities (other than obligations of the United States issued after September 24, 1917), the interest upon which is wholly exempt from taxation under this title as income to the taxpayer"; and in line 14, after the word "interest" to strike out "paid," so as to make the paragraph read:

(2) All interest paid or accrued within the taxable year on indebtedness, except on indebtedness incurred or continued to purchase or carry obligations or securities (other than obligations of the United States issued after September 24, 1917), the interest upon which is wholly exempt from taxation under this title as income to the taxpayer, or, in the case of a nonresident alien individual, the proportion of such interest which the amount of his gross income from sources within the United States bears to the amount of his gross income from all sources within and without the United States.

The next amendment was, on page 25, line 1, after the word "benefits" to insert "of a kind tending to increase the value of the property assessed"; and in line 6, after the numerals "222" to insert "or (e) in the case of a nonresident alien individual, by the authority of any foreign country (except income, war-profits and excess-profits taxes, and taxes assessed against local benefits of a kind tending to increase the value of the property assessed), upon property or business, to the extent that the income from such property or business is subject to taxation under this title"; so as to make the paragraph read:

(3) Taxes paid or accrued within the taxable year imposed (a) by the authority of the United States, except income, war-profits and excess-profits taxes; or (b) by the authority of any of its possessions, except the amount of income, war-profits and excess-profits taxes allowed as a credit under section 222; or (c) by the authority of any State or Territory, or any county, school district, municipality, or other taxing subdivision of any State or Territory, not including those assessed against local benefits of a kind tending to increase the value of the property assessed; or (d) in the case of a citizen or resident of the United States, by the authority of any foreign country, except the amount of income, war-profits and excess-profits taxes allowed as a credit under section 222; or (e) in the case of a nonresident alien individual, by the authority of any foreign country (except income, war-profits and excess-profits taxes, and taxes assessed against local benefits of a kind tending to increase the value of the property assessed), upon property or business, to the extent that the income from such property or business is subject to taxation under this title.

The next amendment was, on page 25, line 14, after the word "sustained," to strike out "and charged off," so as to make the clause read:

(4) Losses sustained during the taxable year and not compensated for by insurance or otherwise, if incurred in trade or business.

The next amendment was, on page 26, line 8, after the word "the," strike out "exhaustion, wear and tear" and insert "depreciation," and in line 8, after the word "business," to strike out "but in the case of a nonresident alien individual only as to property within the United States," so as to make the clause read:

(8) A reasonable allowance for the depreciation of property used in the trade or business.

The next amendment was, on page 26, line 13, after the words "present war," to insert "and in the case of vessels constructed or acquired on or after such date for the transportation of articles or men contributing to the prosecution of the present war"; in line 16, after the word "there," to strike out "may" and insert "shall"; in line 18, after the word "facilities," to insert "or vessels"; in line 19, after the word "including," to strike out "amounts otherwise allowed under this title for depreciation, exhaustion, or wear and tear" and insert "any amount otherwise allowed under this title or previous acts of Congress as a deduction in computing net income"; in line 25, after the word "war," to strike out "with the Imperial German Government as declared by proclamation of the President"; on page 27, line 4, after the word "the," to strike out "necessary adjustment of the"; in the same line, after the word "taxes," to insert "imposed by this title and by Title III"; in line 6, after the word "be," to strike out "made" and insert "redetermined"; in line 7, after the word "such," to strike out "readjustment" and insert "redetermination"; and in line 11, after "section 252," to strike out "In the case of a nonresident alien individual this deduction shall be allowed only as to facilities within the United States. In no case shall the deduction allowed under this paragraph exceed 25 per cent of the taxpayer's net income as computed without the benefit of this paragraph or paragraph (11)," so as to make the paragraph read:

(9) In the case of buildings, machinery, equipment, or other facilities, constructed, erected, installed, or acquired, on or after April 6, 1917, for the production of articles contributing to the prosecution of the present war, and in the case of vessels constructed or acquired on or after such date for the transportation of articles or men contributing to the prosecution of the present war, there shall be allowed a reasonable deduction for the amortization of such part of the cost of such facilities or vessels as has been borne by the taxpayer, but not again including any amount otherwise allowed under this title or previous acts of Congress as a deduction in computing net income. At any time within three years after the termination of the present war the commissioner may, and at the request of the taxpayer shall, reexamine the return, and if he then finds as a result of an appraisal or from other evidence that the deduction originally allowed was incorrect, the taxes imposed by this title and by Title III for the year or years affected shall be redetermined; and the amount of tax due upon such redetermination, if any, shall be paid upon notice and demand by the collector, or the amount of tax overpaid, if any, shall be credited or refunded to the taxpayer in accordance with the provisions of section 252.

Mr. LA FOLLETTE. Mr. President, I do not wish to request the reading of the portions of the House bill which are stricken out when there are large blocks of such amendments, but I do think they should be printed in the RECORD, for one reading the bill in the RECORD will not see the relation of the changes to the House provisions unless the House provisions are printed.

The PRESIDING OFFICER. The Chair informs the Senator that the Secretary states that the House provisions stricken out by the committee will be included in the RECORD under the reading as it is now proceeding.

Mr. LA FOLLETTE. Although not read?

The PRESIDING OFFICER. Yes.

Mr. LA FOLLETTE. The Secretary, in reading the rates, omitted the reading of the House rates. I wish to be certain that they are published in the RECORD.

The PRESIDING OFFICER. The Chair is informed by the Secretary that under the custom that is done.

Mr. LA FOLLETTE. That all of those stricken-out portions of the House bill will be published whether read or not? Is that the rule that is followed?

The PRESIDING OFFICER. The reporters are instructed to do that, without objection. The Chair hears no objection, and it is so ordered.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 27, after line 16, to strike out:

(10) (a) In the case of oil and gas wells a reasonable allowance for actual reduction in flow and production to be ascertained not by the flush flow, but by the settled production or regular flow; (b) in the case of mines a reasonable allowance for depletion; (c) in the case of mines, oil and gas wells, other natural deposits, and timber, a reasonable allowance for depreciation of improvements; such reasonable allowance in all the above cases to be made according to the peculiar conditions in each case and under rules and regulations to be prescribed by the commissioner with the approval of the Secretary. In the case of leases the deductions allowed by this paragraph shall be equitably apportioned between the lessor and lessee. In the case of a nonresident alien individual deductions under this paragraph shall be allowed only as to property within the United States.

And insert:

(10) In the case of mines, oil and gas wells, other natural deposits, and timber, a reasonable allowance for depletion and for depreciation of improvements, according to the peculiar conditions in each case, based upon cost including cost of development not otherwise deducted: *Provided*, That in the case of such properties acquired prior to March 1, 1913, the fair market value of the property (or the taxpayer's interest therein) on that date shall be taken in lieu of cost up to that date: *Provided further*, That in the case of mines, oil and gas wells, discovered by the taxpayer, on or after March 1, 1913, and not acquired as the result of purchase of a proven tract or lease, where the fair market value of the property is materially disproportionate to the cost, the depletion allowance shall be based upon the fair market value of the property at the date of the discovery, or within 12 months thereafter; such reasonable allowance in all the above cases to be made under rules and regulations to be prescribed by the commissioner with the approval of the Secretary. In the case of leases the deductions allowed by this paragraph shall be equitably apportioned between the lessor and lessee.

The next amendment was, on page 29, line 9, after the word "the," to strike out "vocational rehabilitation" and insert "Vocational Rehabilitation"; and in line 18, after the word "rehabilitation," to strike out the period and insert a semicolon, so as to make the clause read:

(11) Contributions or gifts made within the taxable year to corporations organized and operated exclusively for religious, charitable, scientific, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual, or to the special fund for vocational rehabilitation authorized by section 7 of the Vocational Rehabilitation act, to an amount not in excess of 15 per cent of the taxpayer's net income as computed without the benefit of this paragraph. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the commissioner, with the approval of the Secretary. In the case of a nonresident alien individual this deduction shall be allowed only as to contributions or gifts made to domestic corporations or to such vocational rehabilitation fund.

The next amendment was, on page 29, after line 18, to insert:

(12) If it is shown to the satisfaction of the commissioner that during the taxable year 1919 or 1920 the taxpayer (a) has for the first time ascertained the amount of a loss sustained during the preceding taxable year and not deducted from the gross income therefor, or (b) has sustained a substantial loss (whether or not actually realized by sale or other disposition), resulting from any material reduction (not due to temporary fluctuation) of the value of the inventory for the preceding taxable year, then the amount of such loss shall be deducted from the net income for such preceding taxable year, and the taxes imposed by this title and by Title III for such year shall be redetermined accordingly. Any amount found to be due to the taxpayer upon the basis of such redetermination shall be credited or refunded to the taxpayer in accordance with the provisions of section 252

The next amendment was, on page 30, line 10, after the numeral "(9)," to strike out "and (10)" and insert "(10), and (12)"; on line 12, after the word "with," to strike out "a trade or business carried on" and insert "income arising from a source"; in line 15, after the words "with respect to," to strike out "trade or business within and without" and insert "sources of income within and without," so as to make the clause read:

(b) In the case of a nonresident alien individual the deductions allowed in paragraphs (1), (4), (7), (8), (9), (10), and (12) of subdivision (a) shall be allowed only if and to the extent that they are connected with income arising from a source within the United States; and the proper apportionment and allocation of the deductions with respect to sources of income within and without the United States shall be determined under rules and regulations prescribed by the commissioner with the approval of the Secretary.

Mr. LA FOLLETTE. I ask that section 214, just read by the Secretary, be passed over.

The PRESIDING OFFICER. That section will be passed over.

The reading of the bill was resumed. The next amendment of the Committee on Finance was, under the heading "Items not deductible," in section 215, page 31, line 7, after the word "taxpayer," to strike out "or anyone financially interested in such trade or business," and in line 8, after the word "is," to insert "directly or indirectly," so as to make the section read:

ITEMS NOT DEDUCTIBLE.

SEC. 215. That in computing net income no deduction shall in any case be allowed in respect of—

(a) Personal, living, or family expenses;

(b) Any amount paid out for new buildings or for permanent improvements or betterments made to increase the value of any property or estate;

(c) Any amount expended in restoring property or in making good the exhaustion thereof for which an allowance is or has been made; or

(d) Premiums paid on any life insurance policy covering the life of any officer or employee or of any person financially interested in any trade or business carried on by the taxpayer when the taxpayer is directly or indirectly a beneficiary under such policy.

Mr. LA FOLLETTE. I ask that section 215 be passed over.

The PRESIDING OFFICER. The section will be passed over.

The next amendment was, under the head of "Credits allowed," in section 216, on page 31, line 16, after the words "United States," to insert "and bonds issued by the War Finance Corporation," and in line 17, after the word "Corporation," to strike out "any State, Territory, any political subdivision thereof, or the District of Columbia," so as to make the paragraph read:

SEC. 216. That for the purpose of the normal tax only there shall be allowed the following credits:

(a) The amount received as dividends from a corporation which is taxable under this title upon its net income

(b) The amount received as interest upon obligations of the United States and bonds issued by the War Finance Corporation, which is included in gross income under section 213.

(c) In the case of a single person, a personal exemption of $1,000, or in the case of the head of a family or a married person living with husband or wife, a personal exemption of $2,000. A husband and wife living together shall receive but one personal exemption of $2,000 against their aggregate net income; and in case they make separate returns, the personal exemption of $2,000 may be taken by either or divided between them.

(d) Two hundred dollars for each person (other than husband or wife) dependent upon and receiving his chief support from the taxpayer, if such dependent person is under 18 years of age or is incapable of self-support because mentally or physically defective.

(e) In the case of a nonresident alien individual who is a citizen or subject of a country which imposes an income tax, the credits allowed in subdivisions (c) and (d) shall be allowed only if such country allows a similar credit to citizens of the United States not residing in such country.

Mr. LA FOLLETTE. I ask to have that section passed over, Mr. President.

The PRESIDING OFFICER. The section will be passed over.

The Secretary read section 217, on pages 32 and 33, beginning with line 13, as follows:

NONRESIDENT ALIENS—ALLOWANCE OF DEDUCTIONS AND CREDITS.

SEC. 217. That a nonresident alien individual shall receive the benefit of the deductions and credits allowed in this title only by filing or causing to be filed with the collector a true and accurate return of his total income received from all sources corporate or otherwise in the United States, in the manner prescribed by this title, including therein all the information which the commissioner may deem necessary for the calculation of such deductions and credits: *Provided*, That the benefit of the credits allowed in subdivisions (c) and (d) of section 216 may, in the discretion of the commissioner, and except as otherwise provided in subdivision (e) of that section, be received by filing a claim therefor with the withholding agent. In case of failure to file a return, the collector shall collect the tax on such income, and all property belonging to such nonresident alien individual shall be liable to distraint for the tax.

Mr. LA FOLLETTE. I ask to have that section passed over.

The PRESIDING OFFICER. The section will be passed over.

The next amendment of the Committee on Finance was, on page 33, line 6, to strike from the heading the word "Partners" and insert "Partnerships and personal-service corporations," so as to make the heading read: "Partnerships and personal-service corporations"; and on page 34, after line 23, to insert:

(e) Personal-service corporations shall not be subject to taxation under this title, but the individual stockholders thereof shall be taxed in the same manner as the members of partnerships. All the provisions of this title relating to partnerships and the members thereof shall, so far as practicable, apply to personal-service corporations and the stockholders thereof: *Provided*, That in the case of any such corporation any amounts distributed during its taxable year shall be taxed to the distributees; and any portion of the net income remaining undistributed at the close of its taxable year shall for the purposes of this subdivision be assigned to the stockholders of such corporation at the close of its taxable year in proportion to their respective shares.

Mr. LA FOLLETTE. I ask to have that section passed over.

The PRESIDING OFFICER. The section will be passed over.

Mr. SIMMONS. Mr. President, I wish to inquire of the Senator from Wisconsin if he desires to have the section with reference to personal-service corporations go over?

Mr. LA FOLLETTE. Yes; Mr. President, I think that should go over with the other sections; that is, I think all of part 2 had better go over.

Mr. SIMMONS. Very well.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, under the head of "Estates and trusts," in section 219, page 35, line 24, after the word "regular," to strike out the word "intervals" with a period, and insert the words "intervals, and the income collected by a guardian of an infant to be held or distributed as the court may direct," so as to make the paragraph read:

SEC. 219. (a) That the tax imposed by sections 210 and 211 shall apply to the income of estates or of any kind of property held in trust, including—

(1) Income received by estates of deceased persons during the period of administration or settlement of the estate;

(2) Income accumulated in trust for the benefit of unborn or unascertained persons or persons with contingent interests;

(3) Income held for future distribution under the terms of the will or trust; and

(4) Income which is to be distributed to the beneficiaries periodically, whether or not at regular intervals, and the income collected by a guardian of an infant to be held or distributed as the court may direct.

The next amendment was, on page 36, line 4, after the word "section," to strike out "212" and insert: "212, except that there shall also be allowed as a deduction any part of the gross income which, pursuant to the terms of the will or deed creating the trust, is during the taxable year paid out or permanently set aside for exclusively religious, charitable, scientific, or educational purposes, or for the prevention of cruelty to children or animals," so as to make the paragraph read:

(b) The fiduciary shall be responsible for making the return of income for the estate or trust for which he acts. The net income of the estate or trust shall be computed in the same manner and on the same basis as provided in section 212, except that there shall also be allowed as a deduction any part of the gross income which, pursuant to the terms of the will or deed creating the trust, is during the taxable year paid out or permanently set aside for exclusively religious, charitable, scientific, or educational purposes, or for the prevention of cruelty to children or animals; and in cases under paragraph (4) of subdivision (a) of this section the fiduciary shall include in the return a statement of each beneficiary's distributive share of such net income, whether or not distributed before the close of the taxable year for which the return is made.

The reading of the bill was resumed.

The Secretary read to the end of section 219, on page 37, line 13.

Mr. LA FOLLETTE. I ask to have that section passed over, Mr. President.

The PRESIDING OFFICER. The section will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, in the heading, on page 37, line 14, to strike out the words "Undistributed profits subject to surtax," and insert "Profits of corporations taxable to stockholders."

The next amendment was, in section 220, page 37, line 16, after the word "That," to strike out "for the purpose of the surtax, the net income of any individual includes the share to which he would be entitled of the gains and profits, if divided or distributed, whether divided or distributed or not, of all corporations," and insert "if any corporation"; in line 20, before the word "formed," to insert "is"; in line 21, after the word "or," to strike out "fraudulently"; in line 22, after the words "imposition of," to strike out "such tax" and insert "the surtax upon its stockholders or members"; in line 23, after the word "permitting," to strike out "such" and insert "its"; in line 24, after the words "divided or," to strike out the word "distributed" and the semicolon and insert "distributed, such corporation shall not be subject to the tax imposed by section 230 or by Title III, but the stockholders or members thereof shall be subject to taxation under this title in the same manner

as provided in subdivision (e) of section 218 in the case of stockholders of a personal service corporation"; and, on page 38, line 5, after the word "corporation," to strike out "and the," so as to make the paragraph read:

SEC. 220. That if any corporation, however created or organized, is formed or availed of for the purpose of preventing the imposition of the surtax upon its stockholders or members through the medium of permitting its gains and profits to accumulate instead of being divided or distributed, such corporation shall not be subject to the tax imposed by section 230 or by Title III, but the stockholders or members thereof shall be subject to taxation under this title in the same manner as provided in subdivision (e) of section 218 in the case of stockholders of a personal service corporation.

The next amendment was, on page 38, line 6, before the word "fact," to insert "The"; in the same line, after the word "any," to strike out "such"; in line 9, before the word "purpose," to strike out "fraudulent"; in the same line, after the word "escape," to strike out "such tax" and insert "the surtax"; in line 13, before the word "certifies," to strike out "Secretary" and insert "commissioner," so as to make the paragraph read:

The fact that any corporation is a mere holding company, or that the gains and profits are permitted to accumulate beyond the reasonable needs of the business, shall be prima facie evidence of a purpose to escape the surtax; but the fact that the gains and profits are in any case permitted to accumulate and become surplus shall not be construed as evidence of a purpose to escape the tax in such case unless the commissioner certifies that in his opinion such accumulation is unreasonable for the purposes of the business. When requested by the commissioner or any collector, every corporation shall forward to him a correct statement of such gains and profits and the names and addresses of the individuals or shareholders who would be entitled to the same if divided or distributed, and of the amounts that would be payable to each.

Mr. LA FOLLETTE. I ask that section 220 be passed over.

The PRESIDING OFFICER. The section will be passed over.

The next amendment was, under the head of "Payment of tax at source," in section 221, page 39, line 11, after the words "equal to," to strike out "12" and insert "8," and in the same line, after the word "thereof," to insert a colon and the words "*Provided*, That the commissioner may authorize such tax to be deducted and withheld from the interest upon any securities the owners of which are not known to the withholding agent," so as to make the paragraph read:

SEC. 221. (a) That all individuals, corporations, and partnerships, in whatever capacity acting, including lessees or mortgagors of real or personal property, fiduciaries, employers, and all officers and employees of the United States, having the control, receipt, custody, disposal, or payment of interest, rent, salaries, wages, premiums, annuities, compensations, remunerations, emoluments, or other fixed or determinable annual or periodical gains, profits, and income of any nonresident alien individual (other than income received as dividends from a corporation which is taxable under this title upon its net income) shall (except in the cases provided for in subdivision (b) and except as otherwise provided in regulations prescribed by the commissioner under section 217) deduct and withhold from such annual or periodical gains, profits, and income a tax equal to 8 per cent thereof: *Provided*, That the commissioner may authorize such tax to be deducted and withheld from the interest upon any securities the owners of which are not known to the withholding agent.

The next amendment was, on page 40, line 3, after the words "United States," to insert "or to a partnership: *Provided*, That the commissioner may authorize such tax to be deducted and withheld in the case of interest upon any such bonds, mortgages, deeds of trust, or other obligations, the owners of which are not known to the withholding agent," so as to make the paragraph read:

(b) In any case where bonds, mortgages, or deeds of trust, or other similar obligations of a corporation contain a contract or provision by which the obligor agrees to pay any portion of the tax imposed by this title upon the obligee, or to reimburse the obligee for any portion of the tax or to pay the interest without deduction for any tax which the obligor may be required or permitted to pay thereon or to retain therefrom under any law of the United States, the obligor shall deduct and withhold a tax equal to 2 per cent of the interest upon such bonds, mortgages, deeds of trust, or other obligations, whether such interest is payable annually or at shorter or longer periods and whether payable to a nonresident alien individual or to an individual citizen or resident of the United States or to a partnership: *Provided*, That the commissioner may authorize such tax to be deducted and withheld in the case of interest upon any such bonds, mortgages, deeds of trust, or other obligations, the owners of which are not known to the withholding agent. Such deduction and withholding shall not be required in the case of a citizen or resident entitled to receive such interest if he files with the withholding agent, on or before February 1, a signed notice in writing claiming the benefit of the credits provided in subdivisions (c) and (d) of section 216; nor in the case of a nonresident alien individual if so provided for in regulations prescribed by the commissioner under section 217.

The next amendment was, on page 41, line 9, after the word "imposed," to insert "upon," so as to make the paragraph read:

(c) If any tax required under this section to be deducted and withheld is paid by the recipient of the income, it shall not be re-collected from the withholding agent; nor in cases in which the tax is so paid shall any penalty be imposed upon or collected from the recipient of the income or the withholding agent for failure to return or pay the same, unless such failure was fraudulent and for the purpose of evading payment.

Mr. LA FOLLETTE. I ask to have section 221 passed over.

The PRESIDING OFFICER. The section will be passed over.

Mr. SMOOT. Mr. President, I simply want to call attention to a misprint. On page 40, line 3, the word "of," after the word "citizen," should be "or." We might as well change that.

The PRESIDING OFFICER. Without objection, the correction will be made.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 41, after line 12, to strike out:

CREDIT FOR FOREIGN TAXES.

SEC. 222. (a) That in the case of a citizen of the United States, the tax computed under this title shall be credited with the amount of any income, war-profits and excess-profits taxes paid during the taxable year to any foreign country, Porto Rico, or the Philippine Islands, upon income derived from sources therein, including in the case of a member of a partnership or a beneficiary of an estate or trust his proportionate share of such taxes so paid during the taxable year by the partnership or by the estate or trust.

(b) In the case of an alien resident of the United States who is a citizen or subject of a country which imposes income, war-profits, or excess-profits taxes, a like credit shall be allowed if such country allows a similar credit to citizens of the United States residing in such country.

(c) The credits allowed in subdivisions (a) and (b) shall be allowed only if the taxpayer furnishes evidence satisfactory to the commissioner showing the amount of income received from sources within such foreign country, Porto Rico, or the Philippine Islands, as the case may be, and all other information necessary for the computation of such credits.

And to insert:

CREDIT FOR TAXES.

SEC. 222. (a) That the tax computed under Part II of this title shall be credited with:

(1) In the case of a citizen of the United States, the amount of any income, war-profits and excess-profits taxes paid during the taxable year to any foreign country, upon income derived from sources therein, or to any possession of the United States; and

(2) In the case of a resident of the United States, the amount of any such taxes paid during the taxable year to any possession of the United States; and

(3) In the case of an alien resident of the United States who is a citizen or subject of a foreign country, the amount of any such taxes paid during the taxable year to such country, upon income derived from sources therein, if such country, in imposing such taxes, allows a similar credit to citizens of the United States residing in such country; and

(4) In the case of any such individual who is a member of a partnership or a beneficiary of an estate or trust, his proportionate share of such taxes paid during the taxable year by the partnership or by the estate or trust to a foreign country or to any possession of the United States, as the case may be.

(b) These credits shall be allowed only if the taxpayer furnishes evidence satisfactory to the commissioner showing the amount of income derived from sources within such foreign country or such possession of the United States, and all other information necessary for the computation of such credits.

Mr. LA FOLLETTE. I ask to have that section passed over.

The PRESIDING OFFICER. The section will be passed over.

The next amendment was, under the head of "Individual returns," in section 223, page 43, line 12, after the word "every," to strike out "person" and insert "individual"; in line 13, before the word "income," to strike out "net" and insert "gross"; and in line 19, after the word "aggregate," to strike out "net" and insert "gross," so as to make the paragraph read:

SEC. 223. That every individual having a gross income for the taxable year of $1,000 or over if single or if married and not living with husband or wife, or of $2,000 or over if married and living with husband or wife, shall make under oath a return stating specifically the items of his gross income and the deductions and credits allowed by this title. If a husband and wife living together have an aggregate gross income of $2,000 or over, each shall make such a return, unless the income of each is included in a single joint return.

The reading of the bill was resumed, and the Secretary read to the end of section 223, on page 43, line 25.

The PRESIDING OFFICER. Does the Senator from Wisconsin desire to have section 223 passed over?

Mr. LA FOLLETTE. I ask to have that section passed over.

The PRESIDING OFFICER. That action will be taken.

The reading of the bill was resumed, and the Secretary read section 224, page 44, as follows:

PARTNERSHIP RETURNS.

SEC. 224. That every partnership shall make a return for each taxable year, stating specifically the items of its gross income and the deductions allowed by this title, and shall include in the return the names and addresses of the individuals who would be entitled to share in the net income if distributed and the amount of the distributive share of each individual. The return shall be sworn to by any one of the partners.

The PRESIDING OFFICER. Does the Senator from Wisconsin desire to have section 224 passed over?

Mr. LA FOLLETTE. Yes, sir; if you please.

The PRESIDING OFFICER. The section will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, under the head of "Fiduciary returns," in section 225, page 44,

line 15, before the word "income," to strike out "net" and insert "gross"; in line 19, before the word "income," to strike out "net" and insert "gross"; and in line 25, after the words "filed in the," to insert "office of the collector of the," so as to make the section read:

FIDUCIARY RETURNS.

SEC. 225. That every fiduciary (except receivers appointed by authority of law in possession of part only of the property of an individual) shall make under oath a return for the individual, estate, or trust for which he acts (1) if the gross income of such individual is $1,000 or over if single or if married and not living with husband or wife, or $2,000 or over if married and living with husband or wife, or (2) if the gross income of such estate or trust is $1,000 or over or if any beneficiary of such estate or trust is a nonresident alien, stating specifically the items of the gross income and the deductions and credits allowed by this title. Under such regulations as the commissioner with the approval of the Secretary may prescribe, a return made by one of two or more joint fiduciaries and filed in the office of the collector of the district where such fiduciary resides shall be a sufficient compliance with the above requirement. The fiduciary shall make oath that he has sufficient knowledge of the affairs of such individual, estate, or trust to enable him to make the return, and that the same is, to the best of his knowledge and belief, true and correct.

Fiduciaries required to make returns under this act shall be subject to all the provisions of this act which apply to individuals.

Mr. LA FOLLETTE. I ask to have that section passed over, if you please.

The PRESIDING OFFICER. The section will be passed over.

The reading of the bill was resumed, and the Secretary read section 226, on pages 45 and 46, as follows:

RETURNS WHEN ACCOUNTING PERIOD CHANGED.

SEC. 226. That if a taxpayer, with the approval of the commissioner, changes the basis of computing net income from fiscal year to calendar year a separate return shall be made for the period between the close of the last fiscal year for which return was made and the following December 31. If the change is from calendar year to fiscal year, a separate return shall be made for the period between the close of the last calendar year for which return was made and the date designated as the close of the fiscal year. If the change is from one fiscal year to another fiscal year, a separate return shall be made for the period between the close of the former fiscal year and the date designated as the close of the new fiscal year. If a taxpayer making his first return for income tax keeps his accounts on the basis of a fiscal year, he shall make a separate return for the period between the beginning of the calendar year in which such fiscal year ends and the end of such fiscal year.

In all of the above cases the net income shall be computed on the basis of such period for which separate return is made, and the tax shall be paid thereon at the rate for the calendar year in which such period is included; and the credits provided in subdivisions (c) and (d) of section 216 shall be reduced, respectively, to amounts which bear the same ratio to the full credits provided in such subdivisions as the number of months in such period bears to 12 months.

Mr. LA FOLLETTE. I ask to have that section passed over.

The PRESIDING OFFICER. The section will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, under the head of "Time and place for filing returns," in section 227, page 46, line 19, after the word "therefor," to strike out: "Except in the case of taxpayers who are abroad, no such extension shall be for more than two months"; so as to make the paragraph read:

TIME AND PLACE FOR FILING RETURNS.

SEC. 227. (a) That returns shall be made on or before the 15th day of the third month following the close of the fiscal year, or, if the return is made on the basis of the calendar year, then the return shall be made on or before the 15th day of March. The commissioner may grant a reasonable extension of time for filing returns whenever in his judgment good cause exists and shall keep a record of every such extension and the reason therefor.

The reading of the bill was resumed, and the Secretary read to the end of section 227, on page 47, line 3.

Mr. LA FOLLETTE. I ask to have that section passed over.

The PRESIDING OFFICER. The section will be passed over.

The reading of the bill was resumed, and the Secretary read section 228, on page 47, as follows:

UNDERSTATEMENT IN RETURNS.

SEC. 228. That if the collector or deputy collector has reason to believe that the amount of any income returned is understated, he shall give due notice to the taxpayer making the return to show cause why the amount of the return should not be increased, and upon proof of the amount understated, may increase the same accordingly. Such taxpayer may furnish sworn testimony to prove any relevant facts and if dissatisfied with the decision of the collector may appeal to the commissioner for his decision, under such rules of procedure as may be prescribed by the commissioner with the approval of the secretary.

Mr. LA FOLLETTE. I ask to have that section passed over.

The PRESIDING OFFICER. The section will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, under the heading of "Part III.—Corporations," subhead "Tax on Corporations," in section 230, line 17, before the word "that," to insert "(a)."

The amendment was agreed to.

The next amendment was, on page 47, line 21, after the word "corporation," to insert "other than a life insurance company," and in line 22, after the word "tax," to strike out "as follows" and insert "at the following rates," so as to make the paragraph read:

SEC. 230. (a) That, in lieu of the taxes imposed by section 10 of the revenue act of 1916, as amended by the revenue act of 1917, and by section 4 of the revenue act of 1917, there shall be levied, collected, and paid for each taxable year upon the net income of every corporation other than a life insurance company a tax at the following rates:

The next amendment was, on page 47, beginning on line 23, to strike out:

(a) In the case of a domestic corporation 18 per cent of the amount of the net income in excess of the credits provided in section 236: *Provided*, That the rate shall be 12 per cent upon so much of this amount as does not exceed the sum of (1) the amount of dividends paid during the taxable year, plus (2) the amount paid during the taxable year out of earnings or profits in discharge of bonds and other interest-bearing obligations outstanding prior to the beginning of the taxable year, plus (3) the amount paid during the taxable year in the purchase of obligations of the United States issued after September 1, 1918; and

(b) In the case of a foreign corporation 18 per cent of the amount of the net income in excess of the credits provided in section 236: *Provided*, That the rate shall be 12 per cent upon so much of this amount as does not exceed the sum of (1) the amount of dividends paid during the taxable year to citizens or residents of the United States or to domestic corporations or partnerships, plus (2) the same proportion of the amount paid during the taxable year out of earnings or profits in discharge of bonds or other interest-bearing obligations outstanding at the beginning of the taxable year which the amount of gross income of the corporation from sources within the United States bears to the amount of its gross income from all sources within and without the United States, plus (3) the amount paid during the taxable year in the purchase of obligations of the United States issued after September 1, 1918.

And insert:

(1) For the calendar year 1918, 12 per cent of the amount of the net income in excess of the credits provided in section 236; and

(2) For each calendar year thereafter, 8 per cent of such amount.

(b) For the purposes of the act approved March 21, 1918, entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," five-sixths of the tax imposed by paragraph (1) of subdivision (a) and three-fourths of the tax imposed by paragraph (2) of subdivision (a) shall be treated as levied by an act in amendment of Title I of the revenue act of 1917.

Mr. LA FOLLETTE. I ask to have that section go over.

The PRESIDING OFFICER. On the objection of the Senator from Wisconsin, section 230 will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, under the head of "Conditional and other exemptions," on page 50, line 7, after the word "purposes," to insert "or for the prevention of cruelty to children or animals," so as to make the paragraph read:

(6) Corporations organized and operated exclusively for religious, charitable, scientific, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual.

The amendment was agreed to.

The next amendment was, on page 51, after line 2, to strike out:

(11) Farmers', fruit growers', or like associations, organized and operated as sales agents for the purpose of marketing the products of members and turning back to them the proceeds of sales, less the necessary selling expenses, on the basis of the quantity of produce furnished by them.

And to insert:

(11) Farmers', fruit growers' or like associations, or cooperative societies, organized and operated as sales agents for the purpose of marketing the products of members and turning back to them the proceeds of sales, less the necessary selling expense, on the basis of the quantity of produce furnished by them, or as purchasing agents for the purpose of supplying merchandise to members at cost, including the necessary expense: *Provided*, That associations or societies of the kind herein described but which also sell for or to nonmembers shall be liable to taxation under this title, but shall or allowed in addition to the deductions allowed in paragraphs (1) to (10), inclusive, of subdivision (a) of section 234, amounts paid during the taxable year to members on the basis of the quantity of products furnished by them representing the profits thereon, and (b) amounts repaid during the taxable year to members as discounts or rebates upon amounts paid by them for merchandise; but in no case shall the additional deductions authorized in this paragraph exceed the proportion of the total profits of the association or society which the amount of sales for or to members bears to the total amount of purchases or sales.

The amendment was agreed to.

The next amendment was, on page 52, after line 16, to strike out:

(14) Joint-stock land banks as to income derived from bonds or debentures of other joint-stock land banks or any Federal land bank belonging to such joint-stock land bank.

And to insert:

(14) Personal service corporations.

The amendment was agreed to.

Mr. SMOOT. Mr. President, I desire simply to call attention to page 50, line 16, where there is a typographical error in the spelling of the word "social."

The PRESIDING OFFICER. The Chair has instructed the Secretary to correct that error.

Mr. SMOOT. Very well.

The reading of the bill was resumed.

The next amendment was, under the head of "Net income defined," in section 232, page 52, line 22, after the word "corporation," to insert "subject to the tax imposed by section 230," so as to make the section read:

SEC. 232. That in the case of a corporation subject to the tax imposed by section 230 the term "net income" means the gross income as defined in section 233 less the deductions allowed by section 234, and the net income shall be computed on the same basis as is provided in subdivision (b) of section 212 or in section 226.

Mr. LA FOLLETTE. I ask to have that section passed over.

The PRESIDING OFFICER. The section will be passed over.

The next amendment was, under the head of "Gross income defined," in section 233, page 53, line 4, after the word "corporation," to insert "subject to the tax imposed by section 230," and in line 6, after the numerals "213," to strike out "except that," so as to make the paragraph read:

SEC. 233. (a). That in the case of a corporation subject to the tax imposed by section 230 the term "gross income" means the gross income as defined in section 213.

The next amendment was, on page 53, after line 7, to strike out:

(1) In the case of life insurance companies there shall not be included in gross income such portion of any actual premium received from any individual policyholder within the taxable year as is paid back or credited to or treated as an abatement of premium of such policyholder within the taxable year.

(2) Mutual marine insurance companies shall include in gross income the gross premiums collected and received by them less amounts paid for reinsurance.

Mr. LA FOLLETTE. I ask to have that section passed over.

The PRESIDING OFFICER. Section 233 will be passed over, under the objection of the Senator from Wisconsin.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, under the head of "Deductions allowed," in section 234, page 53, line 23, after the word "computing," to insert "the," and in the same line, after the word "income," to insert "of a corporation subject to the tax imposed by section 230," so as to make the paragraph read:

SEC. 234. (a) That in computing the net income of a corporation subject to the tax imposed by section 230 there shall be allowed as deductions.

The PRESIDING OFFICER. The amendment will be agreed to, without objection.

The amendment was agreed to.

Mr. LA FOLLETTE. I ask to have that whole section passed over, Mr. President.

The PRESIDING OFFICER. The section will be passed over upon the objection of the Senator from Wisconsin.

Mr. LA FOLLETTE. I speak early, because the Presiding Officer was submitting the amendments for adoption.

The PRESIDING OFFICER. The Senator means the entire section?

Mr. LA FOLLETTE. I mean the entire section.

The PRESIDING OFFICER. Very well; the Secretary will continue to read, then. The Chair will call the attention of the Senator from Wisconsin to the fact that a verbal amendment on page 53 was agreed to, in lines 23 and 24. There are two small amendments there which were agreed to. Does the Senator desire to reserve them?

Mr. LA FOLLETTE. I think they had better be reserved with the balance of the section. Then it will be understood that the whole section is reserved.

The PRESIDING OFFICER. The Chair had no way of knowing that the Senator intended to object.

Mr. LA FOLLETTE. I understand that.

The PRESIDING OFFICER. Without objection, the vote by which the amendments were agreed to will be reconsidered. The Chair hears no objection.

The next amendment was, on page 55, line 3, after the word "benefits," to insert "of a kind tending to increase the value of the property assessed"; in line 8, after the words "section 238," to insert: "; or (e) in the case of a foreign corporation, by the authority of any foreign country (except income, war-profits and excess-profits taxes, and taxes assessed against local benefits of a kind tending to increase the value of the property assessed), upon the property or business, to the extent that the income from such property or business is subject to taxation under this title," so as to read:

(3) Taxes paid or accrued within the taxable year imposed (a) by the authority of the United States, except income, war-profits and excess-profits taxes; or (b) by the authority of any of its possessions, except the amount of income, war-profits and excess-profits taxes allowed as a credit under section 238; or (c) by the authority of any State or Territory, or any county, school district, municipality, or other taxing subdivision of any State or Territory, not including those assessed against local benefits of a kind tending to increase the value of the property assessed; or (d) in the case of a domestic corporation, by the authority of any foreign country, except the amount of income, war-profits and excess-profits taxes allowed as a credit under section 238; or (e) in the case of a foreign corporation, by the authority of any foreign country (except income, war-profits and excess-profits taxes, and taxes assessed against local benefits of a kind tending to increase the value of the property assessed), upon the property or business, to the extent that the income from such property or business is subject to taxation under this title: *Provided*, That in the case of obligors specified in subdivision (b) of section 221 no deduction for the payment of the tax imposed by this title or any other tax paid pursuant to the contract or provision referred to in that subdivision shall be allowed.

The next amendment was, on page 55, line 19, after the word "sustained," to strike out "and charged off," so as to read:

(4) Losses sustained during the taxable year and not compensated for by insurance or otherwise.

The next amendment was, on page 56, line 1, to strike out "exhaustion, wear and tear" and insert "depreciation" before the words "of property"; and in line 2, after the word "business," to strike out "but in the case of a foreign corporation only as to property within the United States," so as to read:

(7) A reasonable allowance for the depreciation of property used in the trade or business.

The next amendment was, on page 56, line 8, after the word "war," to insert "and in the case of vessels constructed or acquired on or after such date for the transportation of articles or men contributing to the prosecution of the present war"; in line 11 to strike out "may" and insert "shall"; in line 13, after "facilities," to insert "or vessels"; in line 14, after "including," to strike out "amounts otherwise allowed under this title for depreciation, exhaustion, or wear and tear" and insert "any amount otherwise allowed under this title or previous acts of Congress as a deduction in computing net income"; in line 19, after "war," to strike out "with the Imperial German Government as declared by proclamation of the President"; in line 24, before "taxes," to strike out "necessary adjustment of the"; to insert, after "taxes," the words "imposed by this title and by Title III"; in line 1, page 57, to strike out the first word "made" and insert "redetermined"; in line 2 to strike out "readjustment" and insert "redetermination"; and in line 6, after the words "section 252," to strike out "In the case of a nonresident alien individual this deduction shall be allowed only as to facilities within the United States. In no case shall the deduction allowed under this paragraph exceed 25 per cent of the taxpayer's net income as computed without the benefit of this paragraph," so as to read:

(8) In the case of buildings, machinery, equipment, or other facilities, constructed, erected, installed, or acquired, on or after April 6, 1917, for the production of articles contributing to the prosecution of the present war, and in the case of vessels constructed or acquired on or after such date for the transportation of articles or men contributing to the prosecution of the present war, there shall be allowed a reasonable deduction for the amortization of such part of the cost of such facilities or vessels as has been borne by the taxpayer, but not again including any amount otherwise allowed under this title or previous acts of Congress as a deduction in computing net income. At any time within three years after the termination of the present war the commissioner may, and at the request of the taxpayer shall, reexamine the return, and if he then finds as a result of an appraisal or from other evidence that the deduction originally allowed was incorrect, the taxes imposed by this title and by Title III for the year or years affected shall be redetermined; and the amount of tax due upon such redetermination, if any, shall be paid upon notice and demand by the collector, or the amount of tax overpaid, if any, shall be credited or refunded to the taxpayer in accordance with the provisions of section 252.

The next amendment was, on page 57, after line 11, to strike out:

(9) (a) In the case of oil and gas wells a reasonable allowance for actual reduction in flow and production to be ascertained not by the flush flow but by the settled production or regular flow; (b) in the case of mines a reasonable allowance for depletion; (c) in the case of mines, oil, and gas wells, other natural deposits and timber, a reasonable allowance for depreciation of improvements; such reasonable allowance in all the above cases to be made according to the peculiar conditions in each case and under rules and regulations to be prescribed by the commissioner with the approval of the Secretary. In the case of leases the deductions allowed by this paragraph shall be equitably apportioned between the lessor and lessee. In the case of a foreign corporation the deductions under this paragraph shall be allowed only as to property within the United States.

And to insert:

(9) In the case of mines, oil and gas wells, other natural deposits, and timber, a reasonable allowance for depletion and for depreciation of improvements, according to the peculiar conditions in each case, based upon cost, including cost of development not otherwise deducted: *Provided*, That in the case of such properties acquired prior to March 1, 1913, the fair market value of the property (or the taxpayer's interest therein) on that date shall be taken in lieu of cost up to that date: *Provided further*, That in the case of mines, oil and gas wells

discovered by the taxpayer on or after March 1, 1913, and not acquired as the result of purchase of a proven tract or lease, where the fair market value of the property is materially disproportionate to the cost, the depletion allowance shall be based upon the fair market value of the property at the date of the discovery, or within 12 months thereafter; such reasonable allowance in all the above cases to be made under rules and regulations to be prescribed by the commissioner with the approval of the Secretary. In the case of leases the deductions allowed by this paragraph shall be equitably apportioned between the lessor and lessee.

The next amendment was, on page 59, line 6, before the word "contracts," to strike out "and annuity," so as to read:

(10) In the case of insurance companies, in addition to the above: (a) The net addition required by law to be made within the taxable year to reserve funds (including in the case of assessment insurance companies the actual deposit of sums with State or Territorial officers, pursuant to law, as additions to guarantee or reserve funds); and (b) the sums other than dividends paid within the taxable year on policy contracts.

The next amendment was, on page 59, to strike out lines 7 to 14, inclusive, in the following words:

(11) In the case of corporations issuing policies covering life, health, and accident insurance combined in one policy issued on the weekly premium payment plan continuing for life and not subject to cancellation, in addition to the above, such portion of the net addition (not required by law) made within the taxable year to reserve funds as the commissioner finds to be required for the protection of the holders of such policies only.

The next amendment was, on page 59, line 15, to strike out "(12)" and insert "(11)."

The next amendment was, on page 59, line 21, to strike out "(13)" and insert "(12)."

The next amendment was, on page 60, line 1, to insert "(unless already allowed under such paragraphs)," so as to read:

(12) In the case of mutual insurance companies (other than mutual life or mutual marine insurance companies) requiring their members to make premium deposits to provide for losses and expenses, there shall be allowed, in addition to the deductions allowed in paragraphs (1) to (10), inclusive, (unless already allowed under such paragraphs), the amount of premium deposits returned to their policyholders and the amount of premium deposits retained for the payment of losses, expenses, and reinsurance reserves.

The next amendment was, on page 60, after line 4, to insert:

(13) If it is shown to the satisfaction of the commissioner that during the taxable year 1919 or 1920 the taxpayer (a) has for the first time ascertained the amount of a loss sustained during the preceding taxable year and not deducted from the gross income therefor, or (b) has sustained a substantial loss (whether or not actually realized by sale or other disposition), resulting from any material reduction (not due to temporary fluctuation) of the value of the inventory for the preceding taxable year, then the amount of such loss shall be deducted from the net income for such preceding taxable year, and the taxes imposed by this title and by Title III for such year shall be redetermined accordingly. Any amount found to be due to the taxpayer upon the basis of such redetermination shall be credited or refunded to the taxpayer in accordance with the provisions of section 252.

The next amendment was, on page 60, line 23, to strike out "a trade or business carried on" and insert "income arising from a source," and on page 61, line 1, to strike out "trade or business within and without" and insert "sources of income within and without," so as to make the paragraph read:

(b) In the case of a foreign corporation the deductions allowed in subdivision (a), except those allowed in paragraphs (2) and (3), shall be allowed only if and to the extent that they are connected with income arising from a source within the United States; and the proper apportionment and allocation of the deductions with respect to sources of income within and without the United States shall be determined under rules and regulations prescribed by the commissioner with the approval of the Secretary.

Mr. LA FOLLETTE. I ask that section 234, just read, be passed over.

The PRESIDING OFFICER. It will be passed over.

The Secretary resumed the reading of the bill.

The next amendment was, on page 61, line 10, after "That," to insert "except in the case of life insurance companies," so as to read:

CREDITS ALLOWED.

SEC. 236. That except in the case of life insurance companies there shall be allowed the following credits:

Mr. LA FOLLETTE. I request that section 236 be passed over when its reading is completed.

The next amendment was, in section 236, on page 61, line 13, to insert "and bonds issued by the War Finance Corporation"; and in line 14 to strike out "any State, Territory, any political subdivision thereof, or the District of Columbia," so as to make the paragraph read:

(a) The amount received as interest upon obligations of the United States and bonds issued by the War Finance Corporation which is included in gross income under section 233.

The next amendment was, on page 61, line 17, to strike out "war-profits or excess-profits taxes"; in line 18, to strike out "by act of Congress" and insert "by Title III"; in line 21, to strike out "the portion of the excess-profits tax specified in clause (1) of section 335 shall be credited against that portion of the net income specified in clause (1) of section 239, and the portion of the war-profits or excess-profits tax specified in clause (2) of section 335 shall be credited against that portion of the net income specified in clause (2) of section 239; and," and to insert: "or beginning in 1918 and ending in 1919, the portion of the tax specified in clause (1) of subdivision (a) or (b) of section 335 shall be credited against that portion of the net income for such fiscal year specified in clause (1) of section 205, and the portion of the tax specified in clause (2) of subdivision (a) or (b) of section 335 shall be credited against that portion of the net income for such fiscal year specified in clause (2) of section 205; and," so as to read:

(b) The amount of taxes imposed by Title III for the same taxable year: *Provided*, That in the case of a corporation which makes return for a fiscal year beginning in 1917 and ending in 1918, or beginning in 1918 and ending in 1919, the portion of the tax specified in clause (1) of subdivision (a) or (b) of section 335 shall be credited against that portion of the net income for such fiscal year specified in clause (1) of section 205, and the portion of the tax specified in clause (2) of subdivision (a) or (b) of section 335 shall be credited against that portion of the net income for such fiscal year specified in clause (2) of section 205; and

Mr. LA FOLLETTE. I ask that section 236 be passed over.

The PRESIDING OFFICER. It will be passed over on the objection of the Senator from Wisconsin.

The next amendment was, on page 62, line 17, to strike out "18," before "per cent," and insert "8," so as to read:

PAYMENT OF TAX AT SOURCE.

SEC. 237. That in the case of foreign corporations not engaged in trade or business within the United States and not having any office or place of business therein, there shall be deducted and withheld at the source in the same manner and upon the same items of income as is provided in section 221 a tax equal to 8 per cent thereof, and such tax shall be returned and paid in the same manner and subject to the same conditions as provided in that section: *Provided*, That in the case of interest described in subdivision (b) of that section the deduction and withholding shall be at the rate of 2 per cent.

Mr. LA FOLLETTE. That will be passed over.

The PRESIDING OFFICER. On objection, the amendment will be passed over.

Mr. LA FOLLETTE. I ask to have section 237 passed over.

The PRESIDING OFFICER. The section will be passed over.

The next amendment was, on page 62, line 23, in the subhead "Credit for foreign taxes," to strike out the word "foreign."

The amendment was agreed to.

The next amendment was, on page 62, line 25, to strike out "income, war profits, and excess profits"; on page 63, line 1, to strike out "by act of Congress" and insert "by this title and by Title III"; in line 4, to strike out "Porto Rico or the Philippine Islands"; and in line 6, at the end of the paragraph, to insert "or to any possession of the United States," so as to read:

CREDIT FOR TAXES.

SEC. 238 (a). That in the case of a domestic corporation the total taxes imposed for the taxable year by this title and by Title III shall be credited with the amount of any income, war profits, and excess profits taxes paid during the taxable year to any foreign country upon income derived from sources therein or to any possession of the United States

The next amendment was, in section 238, on page 63, line 9, to strike out "received" and insert "derived"; in line 10 to strike out "country, Porto Rico, or the Philippine Islands," and insert "country or such possession of the United States"; and after line 13 to insert:

(b) In the case of a corporation which makes return for a fiscal year beginning in 1917 and ending in 1918, any tax paid for such fiscal year, under Title I of the revenue act of 1916 or Title I of the revenue act of 1917, shall be credited against the tax imposed by this title—

So as to read:

This credit shall be allowed only if the taxpayer furnishes evidence satisfactory to the commissioner showing the amount of income derived from sources within such foreign country or such possession of the United States, as the case may be, and all other information necessary for the computation of such credit.

(b) In the case of a corporation which makes return for a fiscal year beginning in 1917 and ending in 1918, any tax paid for such fiscal year, under Title I of the revenue act of 1916 or Title I of the revenue act of 1917, shall be credited against the tax imposed by this title.

Mr. LA FOLLETTE. That will be passed over.

The PRESIDING OFFICER. On objection of the Senator from Wisconsin, section 238 will be passed over.

The next amendment was, on page 63, after line 18, to strike out:

RATES FOR FISCAL YEAR 1917–18.

SEC. 239. That if a corporation makes return for a fiscal year beginning in 1917 and ending in 1918, the net income shall be divided into two parts, namely: (1) The portion which bears the same ratio to the total net income as the period between the beginning of such fiscal year and December 31, 1917, bears to the full fiscal year; and (2) the remaining portion of the net income.

The portion specified in clause (1) shall be subject to the rates prescribed by Title I of the revenue act of 1917 and by Title I of the revenue act of 1916 as amended by the revenue act of 1917; and the portion specified in clause (2) shall be subject to the rates prescribed by this title.

The next amendment was, on page 64, line 7, to strike out "240" and insert "239," and in line 8, to insert "subdivisions (1) to (13) of," so as to make the section read:

CORPORATION RETURNS.

SEC. 239. That every corporation not exempt under subdivisions (1) to (13) of section 231 shall make a return, stating specifically the items of its gross income and the deductions and credits allowed by this title. The return shall be sworn to by the president, vice president, or other principal officer and by the treasurer or assistant treasurer. If any foreign corporation has no office or place of business in the United States, but has an agent in the United States, the return shall be made by the agent. In cases where receivers, trustees in bankruptcy, or assignees are operating the property or business of corporations, such receivers, trustees, or assignees shall make returns for such corporations in the same manner and form as corporations are required to make returns. Any tax due on the basis of such returns made by receivers, trustees, or assignees shall be collected in the same manner as if collected from the corporations of whose business or property they have custody and control.

Returns made under this section shall be subject to the provisions of sections 226 and 228.

The PRESIDING OFFICER. Section 239 will be passed over.

The next amendment was, on page 65, beginning with line 1, to insert:

CONSOLIDATED RETURNS.

SEC. 240. (a) That corporations which are affiliated within the meaning of this section shall, under regulations to be prescribed by the commissioner with the approval of the Secretary, make a consolidated return of net income and invested capital for the purposes of this title and Title III, and the taxes thereunder shall be computed and determined upon the basis of such return.

In any case in which a tax is assessed upon the basis of a consolidated return, the total tax shall be computed in the first instance as a unit and shall then be assessed upon the respective affiliated corporations in such proportions as may be agreed upon among them, or, in the absence of any such agreement, then on the basis of the net income and invested capital properly assignable to each. There shall be allowed in computing the income tax only one specific credit of $2,000 (as provided in section 236); in computing the war-profits credit (as provided in section 311) only one specific exemption of $3,000; and in computing the excess-profits credit (as provided in section 312) only one specific exemption of $3,000.

(b) For the purpose of this section, two or more corporations shall be deemed to be affiliated—

(1) If one corporation owns directly or controls through closely affiliated interests or by a nominee or nominees substantially all the stock of the other or others, or if substantially all the stock of two or more corporations is owned or controlled by the same interests, or if one such corporation buys from or sells to another products or services at prices above or below the current market, thus effecting an artificial distribution of profits, or in any way so arranges its financial relationships with another corporation as to assign to it a disproportionate share of net income or invested capital.

(2) A foreign corporation shall not be deemed to be affiliated with a domestic corporation unless substantially all its stock is owned or controlled by such domestic corporation or by a resident taxpayer or group of resident taxpayers owning or controlling substantially all the stock of such domestic corporation. Where under this subdivision a foreign corporation is affiliated with a domestic corporation, the total tax (computed as a unit as above provided) shall be reduced by the credit authorized in section 238.

Mr. LA FOLLETTE. I should like to have that passed over.

The PRESIDING OFFICER. It will go over on the objection of the Senator from Wisconsin.

The next amendment was, on page 67, to insert lines 1 to 17, inclusive, as follows:

PART IV. LIFE INSURANCE COMPANIES.

SEC. 245. That there shall be levied, collected, and paid for each taxable year upon the net income of every life insurance company a tax as follows:

(a) In the case of a domestic life insurance company—

(1) For the calendar year 1918, 12 per cent of its net income;

(2) For each calendar year thereafter, 8 per cent of its net income.

(b) In the case of a foreign life insurance company—

(1) For the calendar year 1918, 12 per cent of the same proportion of the net income which the reserve fund upon business transacted within the United States is of the total reserve fund upon all business transacted, whether within or without the United States;

(2) For each calendar year thereafter, 8 per cent of such proportion of its net income.

Mr. LA FOLLETTE. I ask to have that section passed over.

The PRESIDING OFFICER. It will go over upon the objection of the Senator from Wisconsin.

The next amendment was, after line 17, on page 67, to insert to line 20, on page 68, as follows:

SEC. 246. (a) That in the case of a life insurance company the term "net income" means the gross income less—

(1) The amount of interest received during the taxable year which under paragraph (4) of subdivision (b) of section 213 is exempt from taxation under this title;

(2) An amount equal to the excess, if any, of 4 per cent of the mean of the reserve funds required by law and held during the taxable year, over the amount specified in paragraph (1) of this subdivision;

(3) An amount equal to 2 per cent of any sums held at the end of the taxable year as a reserve for dividends (other than dividends payable during the year following the taxable year) the payment of which is deferred for a period of not less than five years from the date of the policy contract;

(4) Investment expenses paid during the taxable year not exceeding one-fourth of 1 per cent of the mean invested assets;

(5) Taxes and other expenses paid during the taxable year exclusively in connection with real estate owned by the company not including taxes assessed against local benefits of a kind tending to increase the value of the property assessed and not including any amount paid out for new buildings or for permanent improvements or betterments made to increase the value of any property;

(6) In the case of a domestic life insurance company, $2,000.

(b) The net income shall be computed on the same basis as is provided in subdivision (b) of section 212 and in section 226.

Mr. GRONNA. I was requested by the Senator from Wisconsin to ask to have this section go over.

The PRESIDING OFFICER. Section 246 will be passed over on the objection of the Senator from North Dakota.

The next amendment was, on page 68, after line 20, to insert:

SEC. 247. That in the case of a life insurance company the term "gross income" means the gross amount of income received during the taxable year from interest, dividends, and rents.

Mr. GRONNA. I ask that section 247 may go over.

The PRESIDING OFFICER. On objection of the Senator from North Dakota section 247 will be passed over.

The next amendment was, on page 59, line 1, in the heading, after the word "Part," to strike out "IV" and insert "V."

The PRESIDING OFFICER. The amendment will be agreed to without objection.

The next amendment was, on page 69, to strike out the first paragraph of section 250 in the following words:

SEC. 250. That except as provided in sections 221 and 237 the tax shall be paid in installments, one-third of the amount of the tax shown in the return to be paid at the time fixed by law for filing the return, one-third on the 15th day of the second month thereafter, and the remaining one-third on the 15th day of the fourth month after the time fixed by law for filing the return; but where an extension of time for filing the return is granted, the first installment shall be due upon the expiration of the period of such extension, and the second and third installments shall be due as above stated, except that in the case of any taxpayer who is abroad the commissioner may extend the time for payment of the second and third installments not more than four months after the expiration of the period of any extension of time for filing his return. If any installment is not paid when due, the whole amount of the tax unpaid shall become due and payable upon notice and demand by the collector.

And to insert:

SEC. 250. (a) That except as otherwise provided in this section and sections 221 and 237 the tax shall be paid in four installments, each consisting of one-fourth of the total amount of the tax. The first installment shall be paid at the time fixed by law for filing the return, and the second installment shall be paid on the 15th day of the third month, the third installment on the 15th day of the sixth month, and the fourth installment on the 15th day of the ninth month, after the time fixed by law for filing the return. Where an extension of time for filing a return is granted the date of the expiration of the period of the extension shall be deemed to be the time fixed by law for filing the return. In any case in which the time for the payment of any installment is thus postponed because of an extension of time for filing the return, there shall be added as part of such installment interest thereon at the rate of one-half of 1 per cent per month from the time it would have been due if no extension had been granted, until paid. If any installment is not paid when due, the whole amount of the tax unpaid shall become due and payable upon notice and demand by the collector.

The PRESIDING OFFICER. The amendment will be agreed to without objection.

The next amendment was, in section 250, on page 70, line 18, to strike out "or, where an extension of time for filing the return has been granted, on or before the expiration of the period of such extension" and insert "and in the case of any tax of not over $200 so paid there shall be allowed a discount of 1 per cent of the amount thereof. Where an extension of time for filing the return has been granted no interest shall be added to the tax if the whole amount of the tax is paid on or before the time the third installment would have been due if no extension had been granted," so as to read:

The tax may, at the option of the taxpayer, be paid in a single payment instead of in installments, in which case the total amount shall be paid on or before the time fixed by law for filing the return, and in the case of any tax of not over $200 so paid there shall be allowed a discount of 1 per cent of the amount thereof. Where an extension of time for filing the return has been granted no interest shall be added to the tax if the whole amount of the tax is paid on or before the time the third installment would have been due if no extension had been granted.

The PRESIDING OFFICER. The amendment will be agreed to, without objection.

The next amendment was, on page 71, line 1, to insert, as a designation of the paragraph, "(b)".

The amendment was agreed to.

The next amendment was, on page 71, line 7, to strike out "next" and insert "subsequent," and in line 8, after the word "installments," to strike out the words "falling due," so as to make the paragraph read:

(b) As soon as practicable after the return is filed the commissioner shall examine it. If it then appears that the correct amount of the tax is greater or less than that shown in the return, the installments shall be recomputed. If the amount already paid exceeds that which should have been paid on the basis of the installments as recomputed, the excess so paid shall be credited against the subsequent installments;

and if the amount already paid exceeds the correct amount of the tax, the excess shall be credited or refunded to the taxpayer in accordance with the provision of section 252.

The amendment was agreed to.

The next amendment was, on line 2, page 72, after the word "then," to insert "in lieu of the penalty provided by section 3176 of the Revised Statutes, as amended, for false or fraudulent returns willfully made, but," and in line 6, before the words "per centum," to strike out "100" and insert "50," so as to read:

If the understatement is false or fraudulent with intent to evade the tax, then, in lieu of the penalty provided by section 3176 of the Revised Statutes, as amended, for false or fraudulent returns willfully made, but in addition to other penalties provided by law for false or fraudulent returns, there shall be added as part of the tax 50 per cent of the amount of the deficiency.

The amendment was agreed to.

The next amendment was, on page 72, line 8, to insert, as a designation of the paragraph, "(c)".

The amendment was agreed to.

The next amendment was to insert in line 12, on page 72, as a designation of the paragraph, "(d)"; in the same line, after the word "returns," to insert "with intend to evade the tax"; and in line 18, before the word "false," to insert the word "such," so as to make the paragraph read:

(d) Except in the case of false or fraudulent returns with intent to evade the tax, the amount of tax due under any return shall be determined and assessed by the commissioner within five years after the return was due or was made, and no suit or proceeding for the collection of any tax shall be begun after the expiration of five years after the date when the return was due or was made. In the case of such false or fraudulent returns, the amount of tax due may be determined at any time after the return is filed, and the tax may be collected at any time after it becomes due.

The amendment was agreed to.

The next amendment was, on page 72, line 22, to insert, as a designation of the paragraph, "(e)".

The amendment was agreed to.

The next amendment was, on page 73, line 3, after the word "due," to insert:

Provided, That as to any such amount which is the subject of a bona fide claim for abatement, the interest from the time the amount was due until the claim is decided shall be at the rate of one-half of 1 per cent per month.

In the case of the first installment provided for in subdivision (a) the instructions printed on the return shall be deemed sufficient notice of the date when the tax is due and sufficient demand, and the taxpayer's computation of the tax on the return shall be deemed sufficient notice of the amount due.

The next amendment was, on page 73, after line 12, to insert:

(f) In any case in which in order to enforce payment of a tax it is necessary for a collector to cause a warrant of distraint to be served, there shall also be added as part of the tax the sum of $5.

The next amendment was, on page 73, after line 16, to insert:

(g) If the commissioner finds that a taxpayer designs quickly to depart from the United States or to remove his property therefrom, or to conceal himself or his property therein, or to do any other act tending to prejudice or to render wholly or partly ineffectual proceedings to collect the tax for the taxable year then last past or the taxable year then current unless such proceedings be brought without delay, the commissioner shall declare the taxable period for such taxpayer terminated at the end of the calendar month then last past and shall cause notice of such finding and declaration to be given the taxpayer, together with a demand for immediate payment of the tax for the taxable period so declared terminated and of the tax for the preceding taxable year or so much of said tax as is unpaid, whether or not the time otherwise allowed by law for filing return and paying the tax has expired, and such taxes shall thereupon become immediately due and payable. In any action or suit brought to enforce payment of taxes made due and payable by virtue of the provisions of this subdivision the finding of the commissioner, made as herein provided, whether made after notice to the taxpayer or not, shall be for all purposes presumptive evidence of the taxpayer's design. A taxpayer who is not in default in making any return or paying income, war profits, or excess-profits tax under any act of Congress may furnish to the United States, under regulations to be prescribed by the commissioner, with the approval of the Secretary, security approved by the Commissioner that he will duly make the return next thereafter required to be filed and pay the tax next thereafter required to be paid. The commissioner may approve and accept in like manner security for return and payment of taxes made due and payable by virtue of the provisions of this subdivision, provided the taxpayer has paid in full all other income, war profits, or excess-profits taxes due from him under any act of Congress. If security is approved and accepted pursuant to the provisions of this subdivision and such further or other security with respect to the tax or taxes covered thereby is given as the commissioner shall from time to time find necessary and require, payment of such taxes shall not be enjoined by any proceedings under the provisions of this subdivision prior to the expiration of the time otherwise allowed for paying such respective taxes.

Mr. GRONNA. Mr. President, I ask that subsection (g) be passed over.

The VICE PRESIDENT. Subsection (g) is passed over, and, without objection, the remainder of the section is agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Finance was, under the subhead "Receipts for taxes," section 251, on page 75, line 10, after the word "shall," to insert the words "upon request," so as to read:

RECEIPTS FOR TAXES.

SEC. 251. That every collector to whom any payment of any tax is made under the provisions of this title shall upon request give to the person making such payment a full written or printed receipt, stating the amount paid and the particular account for which such payment was made.

The VICE PRESIDENT. The amendment is agreed to, without objection.

The next amendment was, under the head of "Refunds," section 252, page 76, line 14, after the word "then," to strike out the words "subject to," and to insert "notwithstanding"; and in line 16, after the word "Revised," to strike out "Statutes," and to insert "Statutes," so as to read:

REFUNDS.

SEC. 252. That if, upon examination of any return of income made pursuant to this act, the act of August 5, 1909, entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," the act of October 3, 1913, entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," the revenue act of 1916, as amended, or the revenue act of 1917, it appears that an amount of income, war profits or excess-profits tax has been paid in excess of that properly due, then, notwithstanding the provisions of section 3228 of the Revised Statutes, the amount of the excess shall be credited against any income, war profits or excess-profits taxes, or installment thereof, then due from the taxpayer under any other return, and any balance of such excess shall be immediately refunded to the taxpayer.

The amendment was agreed to.

The next amendment was, on page 76, line 20, after the word "taxpayer," to insert:

Provided, That no such credit or refund shall be allowed or made after five years from the date when the return was due, unless before the expiration of such five years a claim therefor is filed by the taxpayer.

The amendment was agreed to.

The reading of the bill was resumed and continued to the end of line 23, on page 77, the last clause read being as follows:

RETURNS OF PAYMENTS OF DIVIDENDS.

SEC. 254. That every corporation subject to the tax imposed by this title shall, when required by the commissioner, render a correct return duly verified under oath, of its payments of dividends, stating the name and address of each stockholder, the number of shares owned by him, and the amount of dividends paid to him.

Mr. SMOOT. Mr. President, I want to call the attention of the Senator from North Carolina to this section. On page 52, line 20, of the bill, the Senator will recall that we included under that title personal service corporations. That being the case, we ought to add, after the word "title," on line 19, of this section, the words "and every personal service corporation," so that it will read:

That every corporation subject to the tax imposed by this title and every personal service corporation shall, when required by the commission—

And so forth.

In other words, they are exempt in one case, and we must specifically state here that they shall make returns. We want them to make returns. I offer the amendment which I have suggested in behalf of the committee, after the word "title," in line 19, to add the words "and every personal-service corporation."

Mr. SIMMONS. I have no objection to that amendment, Mr. President.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, under the head "Returns of brokers," in section 255, page 77, line 16, after the word "broker," to strike out "on any exchange or board of trade or other similar place of business," so as to make the section read:

RETURNS OF BROKERS.

SEC. 255. That every individual, corporation, or partnership doing business as a broker shall, when required by the commissioner, render a correct return duly verified under oath, under such rules and regulations as the commissioner, with the approval of the Secretary, may prescribe, showing the names of customers for whom such individual, corporation, or partnership has transacted any business, with such details as to the profits, losses, or other information which the commissioner may require, as to each of such customers, as will enable the commissioner to determine whether all income tax due on profits or gains of such customers has been paid.

The amendment was agreed to.

The next amendment was, under the head "Information at source," in section 256, page 78, line 20, after the word "of," to insert "or at the rate of," and on page 79, line 2, after the word "manner," to insert "and to such extent," so as to read:

INFORMATION AT SOURCE.

SEC. 256. That all individuals, corporations, and partnerships, in whatever capacity acting, including lessees or mortgagors of real or personal property, fiduciaries, and employers, making payment to another individual, corporation, or partnership, of interest, rent, salaries, wages, premiums, annuities, compensations, remunerations, emoluments, or other fixed, or determinable gains, profits, and income (other than payments described in sections 254 and 255), of or at the rate of $1,000 or more in any taxable year, or, in the case of such payments made by

the United States, the officers or employees of the United States having information as to such payments and required to make returns in regard thereto by the regulations hereinafter provided for, shall render a true and accurate return to the commissioner, under such regulations and in such form and manner and to such extent as may be prescribed by him with the approval of the Secretary, setting forth the amount of such gains, profits, and income, and the name and address of the recipient of such payment.

The amendment was agreed to.

The next amendment was, under the head of "Returns to be public records," section 257, page 79, line 26, after the word "commissioner," to strike out "shall be filed in the office of the commissioner and"; on page 80, line 5, after the word "State," strike out "imposing an income tax to which corporations are subject"; and in line 10, after the word "prescribe," to insert: "*Provided further*, That all bona fide stockholders of record owning 1 per cent or more of the outstanding stock of any corporation shall, upon making request of the commissioner, be allowed to examine the annual income returns of such corporation and of its subsidiaries," so as to read:

RETURNS TO BE PUBLIC RECORDS.

SEC. 257. That returns upon which the tax has been determined by the commissioner shall constitute public records; but they shall be open to inspection only upon order of the President and under rules and regulations prescribed by the Secretary and approved by the President: *Provided*, That the proper officers of any State may, upon the request of the governor thereof, have access to the returns of any corporation, or to an abstract thereof showing the name and income of the corporation at such times and in such manner as the Secretary may prescribe: *Provided further*, That all bona fide stockholders of record owning 1 per cent or more of the outstanding stock of any corporation shall, upon making request of the commissioner, be allowed to examine the annual income returns of such corporation and of its subsidiaries.

The amendment was agreed to.

The next amendment was, on page 80, line 17, after the word "inspection," to strike out "in the office of each collector, a list," and to insert "in such manner as he may determine lists"; in line 18, after the word "names," to strike out in "alphabetical order"; and in line 20, after the word "returns," to strike out "in such district," so as to make the clause read:

The commissioner shall as soon as practicable in each year cause to be prepared and made available to public inspection in such manner as he may determine lists containing the names and the post-office addresses of all individuals making income-tax returns.

The amendment was agreed to.

The next amendment was, on page 81, after line 17, to strike out the following words:

PORTO RICO AND PHILIPPINE ISLANDS.

SEC. 260. That in Porto Rico and the Philippine Islands the income tax shall be levied, assessed, collected, and paid in accordance with the provisions of the revenue act of 1916, as amended by the revenue act of 1917: *Provided*, That the Porto Rican or Philippine Legislature shall have power by due enactment to amend, alter, modify, or repeal the income-tax laws in force in Porto Rico or the Philippine Islands, respectively.

The amendment was agreed to.

The next amendment was, on page 82, after line 2, to insert:

CITIZENS OF UNITED STATES POSSESSIONS.

SEC. 260. That any individual who is a citizen of any possession of the United States and who is not a resident of the United States shall be subject to taxation under this title only as to income derived from sources within the United States, and in such case the tax shall be computed and paid in the same manner and subject to the same conditions as in the case of other persons who are taxable only as to income derived from such sources.

The amendment was agreed to.

The next amendment was, on page 82, after line 11, to insert:

PORTO RICO AND PHILIPPINE ISLANDS.

SEC. 261. That in Porto Rico and the Philippine Islands the income tax shall be levied, assessed, collected, and paid in accordance with the provisions of the revenue act of 1916 as amended.

Returns shall be made and taxes shall be paid under Title I of such act in Porto Rico or the Philippine Islands as the case may be, by (1) every individual who is a citizen or resident of Porto Rico or the Philippine Islands or derives income from sources therein, and (2) every corporation created or organized in Porto Rico or the Philippine Islands or deriving income from sources therein. An individual who is neither a citizen nor a resident of Porto Rico or the Philippine Islands but derives income from sources therein shall be taxed in Porto Rico or the Philippine Islands as a nonresident alien individual, and a corporation created or organized outside Porto Rico or the Philippine Islands and deriving income from sources therein shall be taxed in Porto Rico or the Philippine Islands as a foreign corporation.

The Porto Rican or Philippine legislature shall have power by due enactment to amend, alter, modify, or repeal the income-tax laws in force in Porto Rico or the Philippine Islands, respectively.

The amendment was agreed to.

Mr. LA FOLLETTE. I shall ask to have the next title passed over, but I will make the request by sections as they are read.

The reading of the bill was resumed. The next amendment of the Committee on Finance was, in the heading on page 83, line 10, after the words "Title III," to strike out "War Profits and," and insert "War," so as to read: "Title III.—War Excess-Profits Tax."

The next amendment was, on page 83, under the subhead "General definitions," in section 300, in line 14, after the words "fiscal year," to insert "personal service corporation," "paid or accrued"; and in line 16, after the word "in," to strike out "section 200" and to insert "sections 200 and 201," so as to make the section read:

PART I.—GENERAL DEFINITIONS.

SEC. 300. That when used in this title the terms "taxable year," "fiscal year," "personal service corporation," "paid or accrued," and "dividends" shall have the same meaning as provided for the purposes of income tax in sections 200 and 201. The first taxable year for the purposes of this title shall be the same as the first taxable year for the purposes of the income tax under Title II.

Mr. LA FOLLETTE. I ask to have that section go over.

The VICE PRESIDENT. Does the Senator desire it all to go over?

Mr. LA FOLLETTE. Yes; I should like to have it all go over.

The VICE PRESIDENT. "Part I" will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, under the heading "Part II.—Imposition of tax," in section 301, on page 83, after "Sec. 301," to insert "(a)"; in line 23, after the word "shall," to strike out "(except as otherwise provided in section 303)"; in line 24, after the word "for," to strike out "each" and insert "the"; in line 25, after the word "year," to insert "1918"; in the same line, after the word "every," to strike out the comma; and on page 84, line 1, after the word "tax," to strike out "computed according to whichever of the two following methods yields the higher amount of tax in the case of such corporation: (a) The war-profits method specified in Part III of this title, or (b) the excess-profits method specified in Part IV of this title," and insert "equal to the sum of the following," so as to make the clause read:

PART II.—IMPOSITION OF TAX.

SEC. 301. (a) That in lieu of the tax imposed by Title II of the revenue act of 1917, but in addition to the other taxes imposed by this act, there shall be levied, collected, and paid for the taxable year 1918 upon the net income of every corporation a tax equal to the sum of the following.

The next amendment was, on page 84, after line 6, to insert:

FIRST BRACKET.

Thirty per cent of the amount of the net income in excess of the excess-profits credit (determined under sec. 312) and not in excess of 20 per cent of the invested capital.

SECOND BRACKET.

Sixty per cent of the amount of the net income in excess of 20 per cent of the invested capital.

THIRD BRACKET.

The sum, if any, by which 80 per cent of the amount of the net income in excess of the war-profits credit (determined under sec. 311) exceeds the amount of the tax computed under the first and second brackets.

(b) For the taxable year 1919 and each taxable year thereafter there shall be levied, collected, and paid upon the net income of every corporation a tax equal to the sum of the following:

FIRST BRACKET.

Twenty per cent of the amount of the net income in excess of the excess-profits credit (determined under sec. 312) and not in excess of 20 per cent of the invested capital.

SECOND BRACKET.

Forty per cent of the amount of the net income in excess of 20 per cent of the invested capital.

(c) In any case where the full amount of the excess-profits credit is not allowed under the first bracket of subdivision (a) or (b), by reason of the fact that such credit is in excess of 20 per cent of the invested capital, the part not so allowed shall be deducted from the amount in the second bracket.

(d) For the purposes of the act approved March 21, 1918, entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," the tax imposed by this title shall be treated as levied by an act in amendment of Title II of the revenue act of 1917.

Mr. LA FOLLETTE. I ask that the section be passed over.

The VICE PRESIDENT. Just this section, or the entire subject?

Mr. LA FOLLETTE. The entire subject; but there was a sort of understanding when the reading was commenced that the request should be made after the reading of each section. That is the reason I have been interrupting and making separate requests, as some Senator insisted upon its being done in that way.

The VICE PRESIDENT. The section will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, in section 302, on page 85, line 16, after the word "That," to strike out "in the case of a corporation whose invested capital for the taxable year is not more than $25,000, the tax imposed by section 301 shall not be more than 35 per cent of the amount of its net income for such year in excess of $3,000; and if its invested capital for the taxable year is more than $25,000, but not more than 850,000, such tax shall not be more than 40 per cent of the amount of its net income for such year in excess of

$3,000. This section shall not apply to any corporation whose net income is more than $50,000," and insert "the tax imposed by subdivision (a) of section 301 shall in no case be more than 30 per cent of the amount of the net income in excess of $3,000 and not in excess of $20,000, plus 80 per cent of the amount of the net income in excess of $20,000; and the tax imposed by subdivision (b) of section 301 shall in no case be more than 20 per cent of the amount of the net income in excess of $3,000 and not in excess of $20,000, plus 40 per cent of the amount of the net income in excess of $20,000. Nothing in this section shall be construed in such manner as to increase the tax imposed by section 301."

Mr. LA FOLLETTE. I ask that that section be passed over.

The VICE PRESIDENT. The section will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 86, after line 10, to strike out:

SEC. 309. That in the case of a corporation the earnings of which are to be ascribed primarily to the activities of the principal owners or stockholders who are themselves regularly engaged in the active conduct of the affairs of the corporation, and in which capital (whether invested, borrowed, rented, or otherwise secured) is not directly or indirectly a material income-producing factor, there shall be levied, collected, and paid for each taxable year upon its net income (in lieu of the tax imposed by Title II of the revenue act of 1917 and in lieu of the tax imposed by section 301 of this act, but in addition to the other taxes imposed by this act) a tax of 20 per cent of the amount of its net income in excess of $3,000. A foreign corporation shall not be entitled to the specific exemption of $3,000.

A corporation 50 per cent or more of whose gross income (as defined in section 213 for income-tax purposes) consists of gains or profits derived from purchase and sale, or of gains, profits, or commissions derived from Government contracts, or whose invested capital is more than $100,000, shall not be subject to the tax imposed by this section, but shall be subject to the tax imposed by section 301.

Wherever in this act reference is made to "war-profits" or "excess-profits" taxes, and the context shows that taxes imposed by act of Congress are referred to, such reference shall include the tax imposed by this section.

Mr. LA FOLLETTE. I ask that that section be passed over.

The VICE PRESIDENT. The section will be passed over.

The next amendment of the Committee on Finance was, on page 27, after line 11, to insert:

SEC. 303. That if part of the net income of a corporation is derived (1) from a trade or business (or a branch of a trade or business) in which the employment of capital is necessary, and (2) a part (constituting not less than 30 per cent of its total net income) is derived from a separate trade or business (or a distinctly separate branch of the trade or business) which if constituting the sole trade or business would bring it within the class of "personal service corporations," then (under regulations prescribed by the commissioner with the approval of the Secretary) the tax upon the first part of such net income shall be separately computed, and the tax upon the second part shall be the same percentage thereof as the tax so computed upon the first part is of such first part.

Mr. LA FOLLETTE. I ask that that section be passed over.

The VICE PRESIDENT. The section will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 88, line 5, after "(b)" to strike out "The taxes imposed by this title shall not be imposed in the case of a foreign corporation the net income of which during the taxable year is less than $3,000" and insert "Life insurance companies shall be exempt from taxation under this title."

The next amendment was, on page 88, after line 8, to insert:

(c) Any corporation whose net income for the taxable year is less than $3,000 shall be exempt from taxation under this title.

The next amendment was, on page 88, after line 11, to insert:

(d) In the case of any corporation engaged in the mining of gold, the portion of the net income derived from the mining of gold shall be exempt from the tax imposed by this title, and the tax on the remaining portion of the net income shall be computed upon the basis of an invested capital which bears the same ratio to the full invested capital as such remaining portion of the net income bears to the entire net income.

Mr. LA FOLLETTE. I ask that that section be passed over.

The VICE PRESIDENT. The section will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 88, line 24, in the heading, to strike out "War Profits Method" and insert "Credits," so as to make the heading read: "Part III.—Credits."

Mr. LA FOLLETTE. I am going to ask to have Part III passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 89, after line 3, to strike out section 311, as follows:

SEC. 311. That the tax, if computed by the war-profits method, shall be 60 per cent of the amount of the net income in excess of the war-profits credit (determined under section 312).

Mr. LA FOLLETTE. I ask that that section be passed over.

The VICE PRESIDENT. The section will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 89, line 8, to change the number of the section from 312 (a) to 311 (a); and on page 89, line 13, after the word "the," to strike out "invested capital added or withdrawn since the close of the prewar period; but if," and insert "difference between the average invested capital for the prewar period and the invested capital for the taxable year if," so as to read:

SEC. 311. (a) That the war-profits credit shall consist of the sum of:

(1) A specific exemption of $3,000; and

(2) An amount equal to the average net income of the corporation for the prewar period, plus or minus, as the case may be, 10 per cent of the difference between the average invested capital for the prewar period and the invested capital for the taxable year. If the tax is computed for a period of less than 12 months, such amount shall be reduced to the same proportion thereof as the number of months in the period is of 12 months.

The next amendment was, on page 89, line 20, after the word "corporation," to strike out "was not in existence during the whole of any one calendar year during the prewar period, or if it," so as to make the clause read:

(b) If the corporation had no net income for the prewar period, or if the amount computed under paragraph (2) of subdivision (a) is less than 10 per cent of its invested capital for the taxable year, then the war-profits credit shall be the sum of:

The next amendment was, on page 90, after line 3, to insert:

(c) If the corporation was not in existence during the whole of at least one calendar year during the prewar period, then the war-profits credit shall be the sum of:

(1) A specific exemption of $3,000; and

(2) An amount equal to the same percentage of the invested capital of the taxpayer for the taxable year as the average percentage of net income to invested capital, for the prewar period, of corporations engaged in a trade or business of the same general class as that conducted by the taxpayer; but such amount shall in no case be less than 10 per cent of the invested capital of the taxpayer for the taxable year. Such average percentage shall be determined by the commissioner on the basis of data contained in returns made under Title II of the revenue act of 1917, and if the average known as the median shall be used. If such average percentage has not been determined and published at least 30 days prior to the time when the return of the taxpayer is due, then for purposes of such return 10 per cent shall be used in lieu thereof; but such average percentage when determined shall be used for the purposes of section 250 in determining the correct amount of the tax.

The next amendment was, on page 91, at the beginning of line 1, to strike out "(c)" and insert "(d)."

Mr. LA FOLLETTE. I ask to have the section passed over.

The VICE PRESIDENT. The section will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 91, beginning with line 3, to strike out:

PART IV.—EXCESS-PROFITS METHOD.

SEC. 315. That the tax, if computed by the excess-profits method, shall be the sum of the following:

Thirty-five per cent of the amount of the net income in excess of the excess-profits credit (determined under section 316) and not in excess of 15 per cent of the invested capital for the taxable year;

Fifty per cent of the amount of the net income in excess of 15 per cent and not in excess of 20 per cent of such capital; and

Seventy per cent of the amount of the net income in excess of 20 per cent of such capital.

In any case where the full amount of the credit is not allowed under the first bracket above provided, by reason of the fact that such credit is in excess of 15 per cent of the invested capital, the part not so allowed shall be deducted from the amount in the next succeeding bracket, and if not then fully allowed the remaining part shall be deducted from the amount in the last bracket.

And on line 22, after the word "SEC.," to strike out "316" and insert "312," so as to read:

SEC. 312. That the excess-profits credit shall consist of a specific exemption of $3,000 plus an amount equal to 8 per cent of the invested capital for the taxable year.

A foreign corporation shall not be entitled to the specific exemption of $3,000.

Mr. LA FOLLETTE. I ask to have that all passed over.

The VICE PRESIDENT. It will be passed over.

The next amendment was, on page 92, line 3, in the heading, after the word "Part," to strike out "V" and insert "IV," so as to make the heading read: "Part IV.—Net Income."

The VICE PRESIDENT. That will be agreed to, if there is no objection.

Mr. LA FOLLETTE. There will be a request for part of this section to go over; and I think perhaps it might as well all go over, Mr. President.

The VICE PRESIDENT. Is there any objection to striking out "V" and inserting "IV"?

Mr. LA FOLLETTE. No.

The VICE PRESIDENT. That will be agreed to, then.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 92, line 25, after the word "act," to strike out "except that in the case of oil and gas wells there shall be deducted (in lieu of the deduction provided in clause (a) of paragraph (9) of subdivision (a) of section 234) a reasonable allowance for

depletion (including in the case of producers or prospectors a reasonable allowance for hazard not to exceed 10 per cent of the value in the ground of the oil withdrawn during the taxable year) such deduction to be made under rules and regulations to be prescribed by the commissioner, with the approval of the Secretary."

Mr. LA FOLLETTE. I ask to have all that go over.

The VICE PRESIDENT. The section will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 93, line 14, in the heading, after the word "Part," to strike out "VI" and insert "V," so as to read: "Part V.—Invested Capital."

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 94, line 6, after the word "thereof," to insert "or where all or part of the interest derived from such assets is in effect included in the net income because of the limitation on the deduction of interest under paragraph (2) of subdivision (a) of section 234," and in line 11, after the word "inadmissible," to insert "assets," and after the word "assets" to insert: "The term 'admissible assets' means all assets other than inadmissible assets, but only to the extent that they are allowed to be included in invested capital under the provisions of section 326," so as to read:

The term "inadmissible assets" means stocks, bonds, and other obligations (other than obligations of the United States), the dividends or interest from which is not included in computing net income, but where the income derived from such assets consists in part of gain or profit derived from the sale or other disposition thereof, or where all or part of the interest derived from such assets is in effect included in the net income because of the limitation on the deduction of interest under paragraph (2) of subdivision (a) of section 234, a corresponding part of the capital invested in such assets shall not be deemed to be inadmissible assets;

The term "admissible assets" means all assets other than inadmissible assets, but only to the extent that they are allowed to be included in invested capital under the provisions of section 326.

The next amendment was, on page 94, line 17, after the word "shares," to insert "issued at a nominal value or," so as to make the paragraph read:

(b) For the purposes of this title, the par value of stock or shares shall, in the case of stock or shares issued at a nominal value or having no par value, be deemed to be the fair market value as of the date or dates of issue of such stock or shares.

Mr. LA FOLLETTE. I ask to have that section all go over.

The VICE PRESIDENT. It will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 95, line 4, after the word "therefor," to insert a comma and the words "unless the actual cash value of such tangible property at the time paid in is shown to the satisfaction of the commissioner to have been clearly and substantially in excess of such par value, in which case such excess shall be treated as paid in surplus," so as to read:

(2) Actual cash value of tangible property, other than cash, bona fide paid in for stock or shares, at the time of such payment, but in no case to exceed the par value of the original stock or shares specifically issued therefor, unless the actual cash value of such tangible property at the time paid in is shown to the satisfaction of the commissioner to have been clearly and substantially in excess of such par value, in which case such excess shall be treated as paid-in surplus.

The next amendment was, on page 95, line 12, after the words "taxable year," to strike out "and not including the increase in the value of any asset above the original cost until such increase is actually realized by sale," so as to make the paragraph read:

(3) Paid-in or earned surplus and undivided profits, not including surplus and undivided profits earned during the taxable year.

The next amendment was, on page 95, line 19, after the word "aggregate," to strike out "20" and insert "30," so as to make the paragraph read:

(4) Intangible property bona fide paid in for stock or shares prior to March 3, 1917, in an amount not exceeding (a) the actual cash value of such property at the time paid in, (b) the par value of the stock or shares issued therefor, or (c) in the aggregate 30 per cent of the par value of the total stock or shares of the corporation outstanding on March 3, 1917, whichever is lowest.

The next amendment was, on page 95, line 22, after the numeral "(5)," to strike out "Patents and copyrights" and insert "Intangible property," so as to make the paragraph read:

(5) Intangible property bona fide paid in for stock or shares on or after March 3, 1917, in an amount not exceeding (a) the actual cash value of such property at the time paid in, (b) the par value of the stock or shares issued therefor, or (c) in the aggregate 30 per cent of the par value of the total stock or shares of the corporation outstanding at the beginning of the taxable year, whichever is lowest; but

The next amendment was, on page 96, after line 6, to strike out:

(1) Borrowed capital; or

(2) Intangible property (other than patents and copyrights) paid in for stock or shares on or after March 3, 1917.

And insert:

borrowed capital.

The next amendment was, on page 96, line 12, after the word "defined," to strike out "an amount equal to the average amount of capital invested in inadmissible assets held by the corporation during the year: *Provided*, That at the option of the corporation the amount to be so deducted shall be reduced to the amount by which such average amount invested in inadmissible assets exceeds the average amount of borrowed capital of the corporation (other than indebtedness maturing within one year of its creation, all accounts payable and current liabilities) for such year, but in such case in computing the tax under this title there shall be included in the net income for such year the same proportion of the total amount of interest and dividends received during such year from such inadmissible assets as the amount of such capital invested in inadmissible assets not deducted from invested capital bears to the total amount of such inadmissible assets," and to insert "a percentage thereof equal to the percentage which the amount of inadmissible assets is of the amount of admissible and inadmissible assets held during the taxable year: *Provided*, That no such deduction shall be made in the case of any dealer in securities, insurance company, bank, banking association, loan or trust company which elects to include in its net income all income derived from inadmissible assets; but where such election is made there shall be deducted from the net income any interest paid or accrued during the taxable year which has not been deducted under paragraph (2) of subdivision (a) of section 234: *Provided further*, That such election once made shall be adhered to in subsequent taxable years unless permission to change is granted by the commissioner," so as to make the paragraph read:

(c) There shall be deducted from invested capital as above defined a percentage thereof equal to the percentage which the amount of inadmissible assets is of the amount of admissible and inadmissible assets held during the taxable year: *Provided*, That no such deduction shall be made in the case of any dealer in securities, insurance company, bank, banking association, loan or trust company which elects to include in its net income all income derived from inadmissible assets; but where such election is made there shall be deducted from the net income any interest paid or accrued during the taxable year which has not been deducted under paragraph (2) of subdivision (a) of section 234: *Provided further*, That such election once made shall be adhered to in subsequent taxable years unless permission to change is granted by the commissioner.

The next amendment was, on page 97, line 16, after the letter "(d)," to strike out:

In the case of a foreign corporation the term "invested capital" includes only its invested capital used or employed within the United States.

(e) The invested capital for any year shall be the average invested capital for such year, as above defined, but in the case of a corporation making a return for a fractional part of the year a corresponding reduction shall be made in the invested capital.

And to insert:

The invested capital for any period shall be the average invested capital for such period, but in the case of a corporation making a return for a fractional part of a year, it shall (except for the purpose of paragraph (2) of subdivision (a) of section 311) be the same fractional part of such average invested capital.

Mr. LA FOLLETTE. I ask that that section may be passed over.

The VICE PRESIDENT. The section will be passed over.

The next amendment of the Committee on Finance was, on page 98, line 5, after the words "SEC. 327," to strike out:

(a) That in the following cases the invested capital shall be determined as provided in subdivision (b) of this section: (1) Where the commissioner is unable satisfactorily to determine the invested capital as provided in section 326; or (2) where a mixed aggregate of tangible property and intangible property has been paid in for stock or for stock and bonds and the commissioner is unable satisfactorily to determine the respective values of the several classes of property at the time of payment, or to distinguish the classes of property paid in for stock and for bonds, respectively; or (3) where capital is a material income-producing factor, but where, because of the fact that the capital employed is in large part borrowed, there is no invested capital or the invested capital is materially disproportionate to the net income as compared with representative corporations engaged in a like or similar trade or business. This section shall not apply in the case of a corporation 50 per centum or more of whose gross income (as defined in section 213 for income-tax purposes) consists of gain, profits, or commissions derived from Government contracts, unless the commissioner is satisfied that such corporation is overcapitalized.

(b) In the cases specified in subdivision (a) the invested capital shall be the amount which bears the same ratio to the net income of the corporation for the taxable year as the average invested capital for the taxable year of representative corporations engaged in a like or similar trade or business bears to their average net income for such year.

SEC. 328. (a) That in cases where invested capital is to be determined in the manner provided in section 327.

And to insert:

That in the following cases the tax shall be determined as provided in section 328:

(a) Where the commissioner is unable satisfactorily to determine the invested capital as provided in section 326;

(b) In the case of a foreign corporation;

(c) Where a mixed aggregate of tangible property and intangible property has been paid in for stock or for stock and bonds and the commissioner is unabse satisfactorily to determine the respective values of the several classes of property at the time of payment, or to distinguish the classes of property paid in for stock and for bonds, respectively;

(d) Where, as compared with representative corporations engaged in a like or similar trade or business, the taxpayer would (under section 326) be placed in a position of substantial inequality because of the time or manner of organization or because the actual value of the assets on March 1, 1913, was substantially in excess of the amount at which such assets would be valued for the purpose of computing invested capital under the provisions of section 326;

(e) Where the invested capital is materially disproportionate to the net income as compared with representative corporations engaged in a like or similar trade or business because:

1. The capital employed, although a material income-producing factor, is very small or is in large part borrowed;

2. There are excluded from the invested capital as computed under the provisions of section 326 intangible assets of recognized and substantial value built up or developed by the taxpayer;

3. The net income for the taxable year is abnormally high, due to the realization in one year of (a) gains, profits, or income earned or accrued during a period of years or (b) extraordinary gains or profit derived from the sale of property the principal value of which has been demonstrated by prospecting or exploration and discovery work done by the taxpayer. When the tax is determined under this paragraph proper allowance shall be made for the taxes which would have been payable in prior years if the gains, profits, or income earned or accrued in such years had been taxed at the rates then applicable.

4. Proper recognition or allowance can not be made for amortization, obsolescence, or exceptional depletion due to the present war or to the necessity in connection with the present war of providing plant which will not be wanted for the purpose of the trade or business after the termination of the war.

Mr. LA FOLLETTE. I ask to have that whole section passed over.

The VICE PRESIDENT. The section will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, in section 328, page 101, line 7, after the numerals "328," to insert: "(a) In the cases specified in section 327 the tax shall be the amount which bears the same ratio to the net income of the taxpayer (in excess of the specific exemption of $3,000) for the taxable year as the average tax of representative corporations engaged in a like or similar trade or business bears to their average net income (in excess of the specific exemption of $3,000) for such year"; in line 13, before the words "the commissioner," to insert "In such cases"; and in line 19, after the word "war," to insert "profits," so as to make the paragraph read:

SEC. 328. (a) In the cases specified in section 327 the tax shall be the amount which bears the same ratio to the net income of the taxpayer (in excess of the specific exemption of $3,000) for the taxable year as the average tax of representative corporations engaged in a like or similar trade or business bears to their average net income (in excess of the specific exemption of $3,000) for such year. In such cases the commissioner shall compare the taxpayer only with representative corporations whose invested capital can be satisfactorily determined under section 326 and which are, as nearly as may be, similarly circumstanced with respect to gross income, net income, profits per unit of business transacted and capital employed, the amount and rate of war profits or excess profits, and all other relevant facts and circumstances.

The next amendment was, on page 101, line 21, after the words "purposes of," to strike out "section 327" and insert "subdivision (a)"; in line 22, after the word "average," to strike out "invested capital" and insert "tax"; and in line 24, after the word "determined," to strike out "for each calendar year," so as to make the paragraph read:

(b) For the purposes of subdivision (a) the ratios between the average tax and the average net income of representative corporations shall be determined by the commissioner in accordance with regulations prescribed by him with the approval of the Secretary.

The next amendment was, on page 102, after line 2, to strike out:

In the case of a corporation making a return on the basis of a fiscal year the ratios determined for the calendar year ending during such fiscal year shall be used, except that in the case of a fiscal year ending during the calendar year 1918 the ratios based upon returns made under Title II of the revenue act of 1917 shall be used.

The next amendment was, on page 102, line 10, after the word "which," to strike out "invested capital" and insert "the tax," and in line 11, after the word "in," to strike out "section 327," and insert "subdivision (a)," so as to make the paragraph read:

(c) The commissioner shall keep a record of all cases in which the tax is determined in the manner prescribed in subdivision (a), containing the name and address of each taxpayer, the business in which engaged, the amount of invested capital and net income shown by the return, and the amount of invested capital as determined under such section. The commissioner shall furnish a copy of such record and other detailed information with respect to such cases when required by resolution of either House of Congress, without regard to the restrictions contained in section 257.

Mr. LA FOLLETTE. I ask to have that section passed over.

The VICE PRESIDENT. The section will be passed over.

The next amendment was, on page 102, line 20, in the heading, after the word "Part," to strike out "VII" and insert "VI" so as to make the heading read: "Part VI.—Reorganizations."

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, in section 330, page 102, line 23, after the word "by," to strike out "a corporation, the corporation," and insert "the taxpayer, the taxpayer"; in line 25, after the word "been," to strike out "in existence" and insert "engaged in such trade or business"; on page 103, line 3, after the words "prior to," to strike out "the organization of the corporation now carrying on such trade or business" and insert "such reorganization, consolidation, or change of ownership"; and, in line 7, after the word "of," to strike out "such corporation" and insert "the taxpayer," so as to make the paragraph read:

SEC. 330. That in the case of the reorganization, consolidation, or change of ownership after January 1, 1911, of a trade or business now carried on by the taxpayer, the taxpayer shall for the purposes of this tile be deemed to have been engaged in such trade or business prior to that date, and the net income and invested capital of such predecessor trade or business for all or any part of the prewar period prior to such reorganization, consolidation, or change of ownership shall be deemed to have been the net income and invested capital of the taxpayer.

The VICE PRESIDENT. Is this also part of the part objected to?

Mr. LA FOLLETTE. Yes, sir; the first section is, at least.

The next amendment was, on page 103, beginning with line 8, to strike out:

If such predecessor trade or business was carried on by a partnership or individual the net income for the prewar period shall be ascertained and returned upon the same basis and in the same manner as provided for income tax purposes in Title II, except that the credits provided in subdivisions (a) and (b) of section 216 shall be deducted.

And to insert:

If such predecessor trade or business was carried on by a partnership or individual the net income for the prewar period shall, under regulations prescribed by the commissioner, with the approval of the Secretary, be ascertained and returned as nearly as may be upon the same basis and in the same manner as provided for corporations in Title II, including a reasonable deduction for salary or compensation to each partner or the individual for personal services actually rendered.

If any asset of the trade or business in existence both during the taxable year and any prewar year is included in the invested capital for the taxable year, but is not included in the invested capital for such prewar year, or is valued on a different basis in computing the invested capital for the taxable year and such prewar year, respectively, then under rules and regulations to be prescribed by the commissioner, with the approval of the Secretary, such readjustments shall be made as are necessary to place the computation of the invested capital for such prewar year on the basis employed in determining the invested capital for the taxable year.

Mr. LA FOLLETTE. I ask to have that section passed over.

The VICE PRESIDENT. The section will be passed over.

The reading of the bill was resumed.

The next amendment was, in section 331, page 104, line 9, after the word "business," to insert a comma and the words "or change of ownership of property"; in line 11, after the word "business," to insert "or property"; in line 13, after the word "the," to strike out "predecessor trade or business" and insert "previous owner"; in line 17, after the word "such," to strike out "prior trade or business" and insert "previous owner"; and in line 19, after the word "received," to insert: "*Provided*, That if such previous owner was not a corporation, then the value of any asset so transferred or received shall be taken at its cost of acquisition (at the date when acquired by such previous owner) with proper allowance for depreciation, impairment, betterment, or development, but no addition to the original cost shall be made for any charge or expenditure deducted as expense or otherwise since March 1, 1913, in computing the net income of such previous owner for purposes of taxation," so as to make the section read:

SEC. 331. In the case of the reorganization, consolidation, or change of ownership of a trade or business, or change of ownership of property, after March 3, 1917, if an interest or control in such trade or business or property of 50 per cent or more remains in the same persons, or any of them, then no asset transferred or received from the previous owner shall, for the purpose of determining invested capital, be allowed a greater value than would have been allowed under this title in computing the invested capital of such previous owner if such asset had not been so transferred or received: *Provided*, That if such previous owner was not a corporation, then the value of any asset so transferred or received shall be taken at its cost of acquisition (at the date when acquired by such previous owner) with proper allowance for depreciation, impairment, betterment, or development, but no addition to the original cost shall be made for any charge or expenditure deducted as expense or otherwise since March 1, 1918, in computing the net income of such previous owner for purposes of taxation.

Mr. LA FOLLETTE. I ask to have that section passed over.

The VICE PRESIDENT. The section will be passed over.

The reading of the bill was resumed.

The next amendment was, on page 105, line 3, in the heading, after the word "Part," to strike out "VIII" and insert "VII," so as to make the heading read: "Part VII—Miscellaneous."

The amendment was agreed to.

The next amendment was, in section 335, page 105, line 7, after the words "sum of," to strike out:

(1) A tax computed under Title II of the revenue act of 1917 for the portion of such fiscal year falling in 1917; and (2) a tax computed under this title for the portion of such fiscal year falling in 1918.

The tax under clause (1) shall be computed upon the same proportion of the net income (as determined under Title II of this act for income-tax purposes) for such fiscal year as the portion of such fiscal year falling in 1917 is of the full fiscal year; and the tax under clause (2) shall be computed upon the remainder of such net income.

And to insert:

(1) the same proportion of a tax for the entire period computed under Title II of the revenue act of 1917 which the portion of such period falling within the calendar year 1917 is of the entire period, and (2) the same proportion of a tax for the entire period computed under this title which the portion of such period falling within the calendar year 1918 is of the entire period: *Provided*, That in the case of a partnership or a personal-service corporation, the amount to be paid shall be only that specified in clause (1).

Any amount heretofore or hereafter paid on account of the tax imposed for such fiscal year by Title II of the revenue act of 1917 shall be credited toward the payment of the tax imposed for such fiscal year by this title, and if the amount so paid exceeds the amount of the tax imposed by this title, or, in the case of a partnership or a personal-service corporation, the amount specified in clause (1), the excess shall be refunded as a tax erroneously or illegally collected.

In the case of a partnership or personal-service corporation no tax shall be paid under Title II of the revenue act of 1917 for any period beginning on or after January 1, 1918; and any tax so paid shall be immediately refunded to the partnership or corporation.

(b) If a corporation makes return for a fiscal year beginning in 1918 and ending in 1919, the tax for such fiscal year under this title shall be the sum of: (1) the same proportion of a tax for the entire period computed at the rates specified in subdivision (a) of section 301 which the portion of such period falling within the calendar year 1918 is of the entire period, and (2) the same proportion of a tax for the entire period computed at the rates specified in subdivision (b) of section 301 which the portion of such period falling within the calendar year 1919 is of the entire period.

So as to make the section read:

SEC. 335. (a) That if a corporation makes return for a fiscal year beginning in 1917 and ending in 1918, the tax for the first taxable year under this title shall be the sum of: (1) the same proportion of a tax for the entire period computed under Title II of the revenue act of 1917 which the portion of such period falling within the calendar year 1917 is of the entire period, and (2) the same proportion of a tax for the entire period computed under this title which the portion of such period falling within the calendar year 1918 is of the entire period: *Provided*, That in the case of a partnership or a personal-service corporation, the amount to be paid shall be only that specified in clause (1).

Any amount heretofore or hereafter paid on account of the tax imposed for such fiscal year by Title II of the revenue act of 1917 shall be credited toward the payment of the tax imposed for such fiscal year by this title, and if the amount so paid exceeds the amount of the tax imposed by this title, or, in the case of a partnership or a personal-service corporation, the amount specified in clause (1), the excess shall be refunded as a tax erroneously or illegally collected.

In the case of a partnership or personal-service corporation no tax shall be paid under Title II of the revenue act of 1917 for any period beginning on or after January 1, 1918; and any tax so paid shall be immediately refunded to the partnership or corporation.

(b) If a corporation makes return for a fiscal year beginning in 1918 and ending in 1919, the tax for such fiscal year under this title shall be the sum of: (1) same proportion of a tax for the entire period computed at the rates specified in subdivision (a) of section 301 which the portion of such period falling within the calendar year 1918 is of the entire period, and (2) the same proportion of a tax for the entire period computed at the rates specified in subdivision (b) of section 301 which the portion of such period falling within the calendar year 1919 is of the entire period.

The VICE PRESIDENT. The amendment will be agreed to, without objection.

Mr. SMOOT. I will ask that that section go over, because all of the other 1920 provisions have been passed over; and therefore I should like to have this one passed over.

The VICE PRESIDENT. The section will be passed over.

The reading of the bill was resumed.

The next amendment was, in section 336, page 106, line 25, after the numerals "304," to strike out "having a net income of $3,000 or over for the taxable year," and on page 107, after line 8, to strike out—

In no case shall the tax under this title or Title II be determined on the basis of a so-called consolidated return, but shall in each case be determined upon the basis of the net income and invested capital of the corporation liable to the tax.

So as to make the section read:

SEC. 336. That every corporation not exempt under section 304 shall make a return for the purposes of this title. Such returns shall be made, and the taxes imposed by this title shall be paid, at the same times and places, in the same manner, and subject to the same conditions, as is provided in the case of returns and payment of income tax by corporations for the purposes of Title II, and all the provisions of that title not inapplicable, including penalties, are hereby made applicable to the taxes imposed by this title.

The next amendment was, on page 107, after line 13, to insert:

SEC. 337. That in the case of a bona fide sale of mines, oil or gas wells, or any interest therein, where the principal value of the property has been demonstrated by prospecting or exploration and discovery work done by the taxpayer, the portion of the tax imposed by this title attributable to such sale shall not exceed 20 per cent of the selling price of such property or interest.

Mr. SMOOT. Mr. President, the same provision appears in two other places in the bill. They have been asked to go over, so I think we had better allow this to go over.

The VICE PRESIDENT. The section will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 107, beginning with line 21, to strike out:

TITLE IV. ESTATE TAX.

SEC. 400. That when used in this title—

The term "executor" means the executor or administrator of the decedent, or, if there is no executor or administrator, any person who takes possession of any property of the decedent; and

The term "collector" means the collector of internal revenue of the district in which was the domicile of the decedent at the time of his death, or, if there was no such domicile in the United States, then the collector of the district in which is situated the part of the gross estate of the decedent in the United States, or, if such part of the gross estate is situated in more than one district, then the collector of internal revenue of such district as may be designated by the commissioner.

SEC. 401. That (in lieu of the tax imposed by Title II of the revenue act of 1916, as amended, and in lieu of the tax imposed by Title IX of the revenue act of 1917) a tax equal to the sum of the following percentages of the value of the net estate (determined as provided in section 403) is hereby imposed upon the transfer of the net estate of every decedent dying after the passage of this act, whether a resident or nonresident of the United States:

3 per cent of the amount of the net estate not in excess of $50,000;

6 per cent of the amount by which the net estate exceeds $50,000 and does not exceed $150,000;

9 per cent of the amount by which the net estate exceeds $150,000 and does not exceed $250,000;

12 per cent of the amount by which the net estate exceeds $250,000 and does not exceed $450,000;

15 per cent of the amount by which the net estate exceeds $450,000 and does not exceed $1,000,000;

18 per cent of the amount by which the net estate exceeds $1,000,000 and does not exceed $2,000,000;

21 per cent of the amount by which the net estate exceeds $2,000,000 and does not exceed $3,000,000;

24 per cent of the amount by which the net estate exceeds $3,000,000 and does not exceed $4,000,000;

27 per cent of the amount by which the net estate exceeds $4,000,000 and does not exceed $5,000,000;

30 per cent of the amount by which the net estate exceeds $5,000,000 and does not exceed $8,000,000;

35 per cent of the amount by which the net estate exceeds $8,000,000 and does not exceed $10,000,000; and

40 per cent of the amount by which the net estate exceeds $10,000,000.

SEC. 402. That the value of the gross estate of the decedent shall be determined by including the value at the time of his death of all property, real or personal, tangible or intangible, wherever situated—

(a) To the extent of the interest therein of the decedent at the time of his death which after his death is subject to the payment of the charges against his estate and the expenses of its administration and is subject to distribution as part of his estate;

(b) To the extent of any interest therein of the surviving spouse, existing at the time of the decedent's death as dower, courtesy, or by virtue of a statute creating an estate in lieu of dower or courtesy;

(c) To the extent of any interest therein of which the decedent has at any time made a transfer, or with respect to which he has at any time created a trust, in contemplation of or intended to take effect in possession or enjoyment at or after his death (whether such transfer or trust is made or created before or after the passage of this act), except in case of a bona fide sale for a fair consideration in money or money's worth. Any transfer of a material part of his property in the nature of a final disposition or distribution thereof, made by the decedent within three years prior to his death without such a consideration, shall, unless shown to the contrary, be deemed to have been made in contemplation of death within the meaning of this title;

(d) To the extent of the interest therein held jointly or as tenants in the entirety by the decedent and any other person, or deposited in banks or other institutions in their joint names and payable to either or the survivor, except such part thereof as may be shown to have originally belonged to such other person and never to have belonged to the decedent;

(e) To the extent of any property passing under a general power of appointment exercised by the decedent (1) by will, or (2) by deed executed in contemplation of, or intended to take effect in possession or enjoyment at or after, his death, except in case of a bona fide sale for a fair consideration in money or money's worth; and

(f) To the extent of the amount receivable by the executor as insurance under policies taken out by the decedent upon his own life; and to the extent of the excess over $40,000 of the amount receivable by all other beneficiaries as insurance under policies taken out by the decedent upon his own life.

SEC. 403. That for the purpose of the tax the value of the net estate shall be determined—

(a) In the case of a resident, by deducting from the value of the gross estate—

(1) Such amounts for funeral expenses, administration expenses, claims against the estate, unpaid mortgages, losses incurred during the settlement of the estate arising from fires, storms, shipwreck, or other casualty, or from theft, when such losses are not compensated for by insurance or otherwise, and such amounts reasonably required and actually expended for the support during the settlement of the estate of those dependent upon the decedent, as are allowed by the laws of the jurisdiction, whether within or without the United States, under which the estate is being administered, but not including any income taxes upon income received after the death of the decedent, or any estate, succession, legacy, or inheritance taxes;

(2) An amount equal to the value at the time of the decedent's death of any property—real, personal, or mixed—which can be identified as having been received by the decedent as a share in the estate of any person who died within five years prior to the death of the decedent, or which can be identified as having been acquired by the decedent in exchange for property so received, if an estate tax under the revenue act of 1917 or under this act was collected from such estate, and if such property is included in the decedent's gross estate; and

(3) An exemption of $50,000;

(b) In the case of a nonresident, by deducting from the value of that part of his gross estate which at the time of his death is situated in the United States—

(1) That proportion of the deductions specified in paragraph (1) of subdivision (a) of this section which the value of such part bears to the value of his entire gross estate, wherever situated, but in no case shall the amount so deducted exceed 10 per cent of the value of that part of his gross estate which at the time of his death is situated in the United States; and

(2) An amount equal to the value at the time of the decedent's death of any property—real, personal, or mixed—which can be identified as having been received by the decedent as a share in the estate of any person who died within five years prior to the death of the decedent, or which can be identified as having been acquired by the decedent in exchange for property so received, if any estate tax under the revenue act of 1917 or under this act was collected from such estate, and if such property is included in that part of the decedent's gross estate which at the time of his death is situated in the United States.

No deductions shall be allowed in the case of a nonresident unless the executor includes in the return required to be filed under section 404 the value at the time of his death of that part of the gross estate of the nonresident not situated in the United States.

For the purpose of this title, stock in a domestic corporation owned and held by a nonresident decedent, and the amount receivable as insurance upon the life of a nonresident decedent where the insurer is a domestic corporation, shall be deemed property within the United States, and any property of which the decedent has made a transfer or with respect to which he has created a trust, within the meaning of subdivision (c) of section 402, shall be deemed to be situated in the United States, if so situated either at the time of the transfer or the creation of the trust, or at the time of the decedent's death.

SEC. 404. That the executor, within 60 days after qualifying as such, or after coming into possession of any property of the decedent, which ever event first occurs, shall give written notice thereof to the collector. The executor shall also, at such times and in such manner as may be required by regulations made pursuant to law, file with the collector a return under oath in duplicate, setting forth (a) the value of the gross estate of the decedent at the time of his death, or, in case of a nonresident, of that part of his gross estate situated in the United States; (b) the deductions allowed under section 403; (c) the value of the net estate of the decedent as defined in section 403; and (d) the tax paid or payable thereon; or such part of such information as may at the time be ascertainable and such supplemental data as may be necessary to establish the correct tax.

Return shall be made in all cases where the gross estate at the death of the decedent exceeds $50,000, and in the case of the estate of every nonresident any part of whose gross estate is situated in the United States. If the executor is unable to make a complete return as to any part of the gross estate of the decedent, he shall include in his return a description of such part and the name of every person holding a legal or beneficial interest therein, and upon notice from the collector such person shall in like manner make a return as to such part of the gross estate. The commissioner shall make all assessments of the tax under the authority of existing administrative special and general provisions of law relating to the assessment and collection of taxes.

SEC. 405. That if no administration is granted upon the estate of a decedent, or if no return is filed as provided in section 404, or if a return contains a false or incorrect statement of a material fact, the collector or deputy collector shall make a return and the commissioner shall assess the tax thereon.

SEC. 406. That the tax shall be due one year after the decedent's death, but in any case where the commissioner finds that payment of the tax within one year after the decedent's death would impose undue hardship upon the estate, he may grant an extension of time for the payment of the tax for a period not to exceed two years from the due date. If the tax is not paid within one year and 180 days after the decedent's death, interest at the rate of 6 per cent per annum from the expiration of one year after the decedent's death shall be added as part of the tax.

SEC. 407. That the executor shall pay the tax to the collector or deputy collector. If the amount of the tax can not be determined, the payment of a sum of money sufficient, in the opinion of the collector, to discharge the tax shall be deemed payment in full of the tax, except as in this section otherwise provided. If the amount so paid exceeds the amount of the tax as finally determined, the commissioner shall refund such excess to the executor. If the amount of the tax as finally determined exceeds the amount so paid, the collector shall notify the executor of the amount of such excess and demand payment thereof. If such excess part of the tax is not paid within 10 days after such notification, interest shall be added thereto at the rate of 10 per cent per annum from the expiration of such 10 days' period until paid, and the amount of such excess shall be a lien upon the entire gross estate, except such part thereof as may have been sold to a bona fide purchaser for a fair consideration in money or money's worth.

The collector shall grant to the person paying the tax duplicate receipts, either of which shall be sufficient evidence of such payment, and shall entitle the executor to be credited and allowed the amount thereof by any court having jurisdiction to audit or settle his accounts.

SEC. 408. That if the tax herein imposed is not paid within 180 days after it is due, the collector shall, unless there is reasonable cause for further delay, proceed to collect the tax under the provisions of general law, or commence appropriate proceedings in any court of the United States, in the name of the United States, to subject the property of the decedent to be sold under the judgment or decree of the court. From the proceeds of such sale the amount of the tax, together with the costs and expenses of every description to be allowed by the court, shall be first paid, and the balance shall be deposited according to the order of the court, to be paid under its direction to the person entitled thereto.

If the tax or any part thereof is paid by, or collected out of that part of the estate passing to or in the possession of, any person other than the executor in his capacity as such, such person shall be entitled to reimbursement out of any part of the estate still undistributed or by a just and equitable contribution by the persons whose interest in the estate of the decedent would have been reduced if the tax had been paid before the distribution of the estate or whose interest is subject to equal or prior liability for the payment of taxes, debts, or other charges against the estate, it being the purpose and intent of this title that so far as is practicable and unless otherwise directed by the will of the decedent the tax shall be paid out of the estate before its distribution. If any part of the gross estate consists of proceeds of policies of insurance upon the life of the decedent receivable by a beneficiary other than the executor, the executor shall be entitled to recover from such beneficiary such portion of the total tax paid as the proceeds, in excess of $40,000, of such policies bear to the net estate. If there is more than one such beneficiary, the executor shall be entitled to recover from such beneficiaries in the same ratio.

SEC. 409. That unless the tax is sooner paid in full, it shall be a lien for 10 years upon the gross estate of the decedent, except that such part of the gross estate as is used for the payment of charges against the estate and expenses of its administration, allowed by any court having jurisdiction thereof, shall be divested of such lien. If the commissioner is satisfied that the tax liability of an estate has been fully discharged, he may, under regulations prescribed by him with the approval of the Secretary, issue his certificate releasing any or all property of such estate from the lien herein imposed.

If (a) the decedent makes a transfer of, or creates a trust with respect to, any property in contemplation of or intended to take effect in possession or enjoyment at or after his death (except in the case of a bona fide sale for a fair consideration in money or money's worth) or (b) if insurance passes under a contract executed by the decedent in favor of a specific beneficiary, and if in either case the tax in respect thereto is not paid when due, then the transferee, trustee, or beneficiary shall be personally liable for such tax, and such property, to the extent of the decedent's interest therein at the time of such transfer, or to the extent of such beneficiary's interest under such contract of insurance, shall be subject to a like lien equal to the amount of such tax. Any part of such property sold by such transferee or trustee to a bona fide purchaser for a fair consideration in money or money's worth shall be divested of the lien and a like lien shall then attach to all the property of such transferee or trustee, except any part sold to a bona fide purchaser for a fair consideration in money or money's worth.

SEC. 410. That whoever knowingly makes any false statement in any notice or return required to be filed under this title shall be liable to a penalty of not exceeding $5,000, or imprisonment not exceeding one year, or both.

Whoever fails to comply with any duty imposed upon him by section 404, or, having in his possession or control any record, file, or paper, containing or supposed to contain any information concerning the estate of the decedent, or, having in his possession or control any property comprised in the gross estate of the decedent, fails to exhibit the same upon request to the commissioner or any collector or law officer of the United States, or his duly authorized deputy or agent, who desires to examine the same in the performance of his duties under this title, shall be liable to a penalty of not exceeding $500, to be recovered, with costs of suit, in a civil action in the name of the United States.

And to insert:

TITLE IV.—INHERITANCE TAX.

SEC. 400. That when used in this title—

The term "executor" means the executor or administrator of the decedent, or, if there is no executor or administrator, any person who takes possession of any property of the decedent; and

The term "collector" means the collector of internal revenue of the district in which was the domicile of the decedent at the time of his death, or, if there was no such domicile in the United States, then the collector of the district in which is situated the part of the gross estate of the decedent in the United States, or, if such part of the gross estate is situated in more than one district, then the collector of internal revenue of such district as may be designated by the commissioner.

SEC. 401. That in lieu of the tax imposed by Title II of the revenue act of 1916, as amended, and in lieu of the tax imposed by Title IX of the revenue act of 1917) a tax is hereby imposed upon the transfer by reason of the death of a resident of the United States, dying after the passage of this act, of any tangible or intangible property wherever situated, or any interest therein or income therefrom, and upon the death of a nonresident of the United States, dying after the passage of this act, of any tangible or intangible property within the United States, or any interest therein or income therefrom, to any person in trust or otherwise, equal to the sum of the following percentages of the total value of the beneficial interests transferred to such person in any manner by reason of the death of the decedent:

1 per cent of the amount by which the beneficial interests passing to such person exceed $10,000 and do not exceed $25,000;

2 per cent of the amount by which such beneficial interests exceed $25,000 and do not exceed $50,000;

3 per cent of the amount by which such beneficial interests exceed $50,000 and do not exceed $100,000;

4 per cent of the amount by which such beneficial interests exceed $100,000 and do not exceed $150,000;

5 per cent of the amount by which such beneficial interests exceed $150,000 and do not exceed $200,000;

6 per cent of the amount by which such beneficial interests exceed $200,000 and do not exceed $250,000;

10 per cent of the amount by which such beneficial interests exceed $250,000 and do not exceed $500,000;

15 per cent of the amount by which such beneficial interests exceed $500,000 and do not exceed $1,000,000;

20 per cent of the amount by which such beneficial interests exceed $1,000,000 and do not exceed $2,500,000;

Twenty-five per cent of the amount by which such beneficial interests exceed $2,500,000.

Transfers by reason of the death of a decedent dying during the continuance of the present war while serving in the military or naval forces of the United States or dying within one year after the termination of such war from injuries received or disease contracted in such service shall not be taxable hereunder.

Transfers to or for the use of the United States, a State, or any political division thereof, for public purposes exclusively, transfers to or for the use of any corporation organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, including the encouragement of art and the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual, and transfers to a trustee or trustees exclusively for such religious, charitable, scientific, literary, or educational purposes, shall not be taxable hereunder.

SEC. 402. That the following shall be deemed to be taxable transfers under the provisions of this title:

(a) Transfers by the laws of intestate succession or by will, including the creation by will of powers of appointment and the exercise by will of general powers of appointment;

(b) Transfers by deed, grant, or gift, including the exercise by deed of general powers of appointment, made in contemplation of the death of the vendor, grantor, or donor, or intended to take effect in possession or enjoyment at or after such death, except in the case of a bona fide sale for a fair consideration in money or money's worth, whether such deed, grant, or gift was made before or after the passage of this act. Any transfer of a material part of his property in the nature of a final disposition or distribution thereof, made by the decedent within two years prior to his death without such a consideration, shall, unless shown to the contrary, be deemed to have been made in contemplation of death within the meaning of this title; and

(c) Other transfers by reason of the death of the decedent, to wit: (1) The consummation in a surviving spouse of dower or curtesy or statutory rights in lieu thereof; (2) the accrual to a surviving tenant or depositor through survivorship of complete title to property held jointly or as tenants by the entirety by the decedent and any other person, or deposited in banks or other institutions in their joint names and payable to either or the survivor, except such part thereof as may be shown to have originally belonged to such other person and never to have belonged to the decedent; and (3) the receipt by a beneficiary of an amount of insurance in excess of $25,000 under policies taken out by the decedent upon his own life.

SEC. 403. That taxes upon transfers shall be computed upon the total value of all the beneficial interests transferred to the same person in any manner by reason of the death of a decedent. Whenever at the time a tax becomes due the persons to whom beneficial interests are transferred by reason of the death of a decedent are not in being or can not be ascertained, or the extent of the beneficial interests transferred can not be ascertained, for the reason that the transfers are conditioned upon the happening of a contingency or of the exercise of a discretion or a power of appointment, all the property so transferred shall for the purpose of the computation and collection of the tax be deemed to be transferred to the estate of said decedent, and as to such transfers such estate shall be treated under the provisions of this title as a person, and, except in the case of the exercise of a general power of appointment, no further tax under this title shall be collected on transfers of such beneficial interests at the time the persons to whom they are transferred or the extent of the interests transferred to such persons are ascertained.

SEC. 404. That the value of the beneficial interests, transfers of which are taxable under this title, shall be determined as follows:

(a) The total value of the net estate of the beneficial interests transferred to any transferee shall be the value of that part of the property included within the net estate of the decedent (determined as provided in sec. 406) which passes to such transferee by any of the methods of transfer described in section 402: *Provided, however*, That whenever a beneficial interest transferred to any person by reason of the death of a nonresident decedent is not an interest in specific property, the value of the beneficial interest the transfer of which is subject to taxation under this title shall be such proportion of the value of the total beneficial interest so transferred as the value of that part of the gross estate which at the time of the death of the decedent is situated in the United States bears to the value of his entire gross estate wherever situated. If an executor does not include in the return required to be filed under section 407 the value at the time of the death of the nonresident decedent of that part of his gross estate not situated in the United States, the amount of the net estate shall be apportioned among the transferees of the beneficial interests in the manner which will result in the greatest possible amount of tax upon the transfer of such net estate.

(b) In the case of resident and nonresident decedents the following rules of valuation shall apply: (1) The value of an annuity, life estate, term of years, or other interest terminating on the expiration of a certain period shall be determined by the American experience tables of mortality at a 4 per cent compound interest or by such other tables of mortality at such rate of interest as may be prescribed by the commissioner, with the approval of the Secretary; (2) the value of a remainder in any property after an annuity, life estate, term of years, or other interest terminating on the expiration of a certain period shall be ascertained by deducting the value of such annuity, life estate, term of years, or other interest terminating on the expiration of a certain period from the value of such property; (3) there shall not be included in the value of a beneficial interest the value at the time of the decedent's death of any property which can be identified as having been received by the decedent as a share in the estate of any person who died within five years prior to the death of the decedent, or which can be identified as having been acquired by the decedent in exchange for property so received, if an estate tax under the revenue act of 1917 was collected from such estate or an inheritance tax under this act was collected on the transfer of such property; and (4) there shall not be included in the value of a beneficial interest any amounts paid or required to be paid therefrom as estate, succession, legacy, or inheritance taxes imposed by any authority other than that of the United States.

SEC. 405. That the value of the gross estate of the decedent shall be determined by including the value at the time of his death of all property, real or personal, tangible or intangible, wherever situated—

(a) To the extent of the interest therein of the decedent at the time of his death which after his death is subject to the payment of the charges against his estate and the expenses of its administration and is subject to distribution as part of his estate;

(b) To the extent of any interest therein of which the decedent has at any time made a transfer in contemplation of or intended to take effect in possession or enjoyment at or after his death (whether such transfer is made before or after the passage of this act), except in case of a bona fide sale for a fair consideration in money or money's worth;

(c) To the extent of any interest therein of the surviving spouse, existing at the time of the decedent's death as dower, curtesy, or by virtue of a statute creating an estate in lieu of dower or curtesy;

(d) To the extent of the interest therein held jointly or as tenants by the entirety by the decedent and any other person, or deposited in banks or other institutions in their joint names and payable to either or the survivor, except such part thereof as may be shown to have originally belonged to such other person and never to have belonged to the decedent;

(e) To the extent of any property passing under a general power of appointment exercised by the decedent (1) by will, or (2) by deed executed in contemplation of, or intended to take effect in possession or enjoyment at or after, his death, except in case of a bona fide sale for a fair consideration in money or money's worth; and

(f) To the extent of the amount receivable by the executor as insurance under policies taken out by the decedent upon his own life; and to the extent of the excess over $25,000 of the amount receivable by any beneficiary as insurance under policies taken out by the decedent upon his own life.

SEC. 406. That the value of the net estate shall be determined—

(a) In the case of a resident decedent, by deducting from the value of the gross estate—

Such amounts for funeral expenses, administration expenses, claims against the estate, unpaid mortgages, losses incurred during the settlement of the estate arising from fires, storms, shipwreck, or other casualty, or from theft, when such losses are not compensated for by insurance or otherwise, and such amounts reasonably required and actually expended for the support during the settlement of the estate of those dependent upon the decedent, as are allowed by the laws of the jurisdiction, whether within or without the United States, under which the estate is being administered, but not including any income taxes upon incomes received after the death of the decedent or any inheritance taxes imposed by this title. If a decedent gives, bequeaths, or devises to his executor any property in lieu of compensation the value thereof in excess of reasonable compensation shall not be deducted from the value of the gross estate.

(b) In the case of a nonresident decedent, by deducting from the value of that part of his gross estate which at the time of his death is situated in the United States—

That proportion of the deductions specified in subdivision (a) of this section which the value of such part bears to the value of his entire gross estate, wherever situated, but in no case shall the amount so deducted exceed 10 per centum of the value of that part of his gross estate which at the time of his death is situated in the United States.

No deduction shall be allowed in the case of a nonresident decedent unless the executor includes in the return required to be filed under section 407 the value at the time of his death of that part of the gross estate of the nonresident decedent not situated in the United States.

For the purpose of this title stock in a domestic corporation owned and held by a nonresident decedent, and the amount receivable as insurance upon the life of a nonresident decedent where the insurer is a domestic corporation, shall be deemed property within the United States and any property of which the decedent has made a transfer within the meaning of subdivision (c) of section 405 shall be deemed to be situated in the United States, if so situated either at the time of the transfer or at the time of the decedent's death.

SEC. 407. That the executor, within sixty days after qualifying as such, or after coming into possession of any property of the decedent, whichever event first occurs, shall give written notice thereof to the collector. The executor shall also, at such time and in such manner as may be required by regulations made pursuant to law, file with the collector a return under oath in duplicate, setting forth (a) the value of the gross estate of the decedent at the time of his death, or, in case of a nonresident, of that part of his gross estate situated in the United States; (b) the deductions allowed under section 406; (c) the value of the net estate of the decedent as defined in section 406; (d) the names of the persons to whom beneficial interests are transferred in any manner by reason of the death of the decedent and descriptions of the beneficial interests so transferred; and (e) the tax paid or payable thereon; or such part of such information as may at the time be ascertainable and such supplemental data as may be necessary to establish the correct tax.

Return shall be made in all cases where the gross estate at the death of the decedent exceeds $10,000 and in the case of the estate of every nonresident any part of whose gross estate is situated in the United States. If the executor is unable to make a complete return as to any part of the gross estate of the decedent, he shall include in his return a description of such part and the name of every person holding a legal or beneficial interest therein, and upon notice from the collector such person shall in like manner make a return as to such part of the gross estate. The commissioner shall make all assessments of the tax under the authority of existing administrative special and general provisions of law relating to the assessment and collection of taxes.

SEC. 408. That if no administration is granted upon the estate of a decedent, or if no return is filed as provided in section 407, or if a return contains a false or incorrect statement of a material fact, the collector or deputy collector shall make a return and the commissioner shall assess the tax thereon.

SEC. 409. That the tax shall be due one year after the decedent's death; but in any case where the commissioner finds that payment of the tax within one year after the decedent's death would impose undue hardship upon the estate, he may grant an extension of time for the payment of the tax for a period not to exceed three years from the due date. If the tax is not paid within one year and 180 days after the decedent's death, interest at the rate of 6 per cent per annum from the expiration of one year after the decedent's death shall be added as part of the tax.

SEC. 410. That the executor shall pay the tax to the collector. If the amount of the tax can not be determined, the payment of a sum of money sufficient, in the opinion of the collector, to discharge the tax shall be deemed payment in full of the tax, except as in this section otherwise provided. If the amount so paid exceeds the amount of the tax as finally determined, the commissioner shall refund such excess to the executor. If the amount of the tax as finally determined exceeds the amount so paid, the collector shall notify the executor of the amount of such excess and demand payment thereof. If such excess part of the tax is not paid within 30 days after such notification, interest shall be added thereto at the rate of 10 per cent per annum from the expiration of such 30 days' period until paid.

The collector shall grant to the person paying the tax duplicate receipts, either of which shall be sufficient evidence of such payment, and shall entitle the executor to be credited and allowed the amount thereof by any court having jurisdiction to audit or settle his accounts.

SEC. 411. That if the tax herein imposed is not paid within 180 days after it is due, the collector shall, unless there is reasonable cause for further delay, proceed to collect the tax under the provisions of general law, or commence appropriate proceedings in any court of the United States, in the name of the United States, to subject the property of the decedent to be sold under the judgment or decree of the court. From the proceeds of such sale the amount of the tax, together with the costs and expenses of every description to be allowed by the court, shall be first paid, and the balance shall be deposited according to the order of the court, to be paid under its direction to the person entitled thereto.

SEC. 412. That each person shall be liable to the executor for the tax upon transfers to such person and the executor shall collect from such person the tax upon all transfers to such person, or shall deduct it from any property in his possession or control transferred to such person. The executor shall not pay or deliver any property the transfer of which is subject to tax to any transferee unless the tax upon such transfer has been so collected or deducted. Whenever there is a transfer of property taxable under this title of which the executor has no possession or control, the person having possession or control thereof, or under liability to make any payment to the transferee, shall be liable to the executor for the tax upon such transfer and unless the tax has been paid by the transferee to the executor shall collect or deduct it from such property or such payment and pay it to the executor: *Provided, however*, That the commissioner may, with the approval of the Secretary by regulations authorize the payment of such tax directly to the collector and relieve the executor from liability therefor: *Provided further*, That in the case of policies of insurance upon the life of the decedent payable to a beneficiary other than the executor or the estate of the decedent the corporation liable for the payment thereof shall be relieved from liability for any tax thereon if such beneficiary submits with the proofs of death and claims a written statement showing that the aggregate amount of insurance payable to such beneficiary under policies taken out by the decedent upon his own life does not exceed $25,000. All taxes, including taxes on the transfer of annuities, life estates, terms for years, and other interests terminating on the expiration of a certain period, shall be paid out of and chargeable to capital and not to income. Nothing in this title shall prevent an executor from paying taxes out of such property as the will or other instrument under which transfer is made shall direct, but such directions shall not affect any right of the United States or of the collector to collect the tax or to a lien therefor.

If the amount of tax paid or collected out of property transferred to any person exceeds the amount of tax of which such person is liable, such person shall be entitled to reimbursement to the extent of such excess out of any part of the estate still undistributed, or to a just and equitable contribution by the persons liable for the tax so paid or collected under this title.

SEC. 413. That the tax and interest thereon shall be a lien upon the property included in the gross estate of the decedent and the property acquired in substitution therefor from the death of the decedent for a period of 10 years unless it is sooner paid in full, except that such property as is used for the payment of charges against the estate and expenses of its administration allowed by any court having jurisdiction thereof, and such personal property as is sold to purchasers for value in good faith and without notice of the lien shall be divested of such lien. If the commissioner is satisfied that the tax liability on all transfers by reason of the death of a decedent has been fully discharged or provided for, he may, under regulations prescribed by him, with the approval of the Secretary, issue his certificate releasing any or all property of such decedent from the lien hereby imposed, or if he is satisfied that the tax liability on all transfers to any person by reason of the death of a decedent has been fully discharged, he may, under such regulations, issue his certificate releasing any or all property transferred to such person from the lien hereby imposed.

SEC. 414. That whoever knowingly makes any false statement in any notice or return required to be filed under this title shall be liable to a penalty of not exceeding $5,000, or imprisonment not exceeding one year, or both.

Whoever fails to comply with any duty imposed upon him by section 407, or having in his possession or control any record, file, or paper containing or supposed to contain any information concerning the estate of the decedent, or, having in his possession or control any property comprised in the gross estate of the decedent, fails to exhibit the same upon request of the commissioner or any collector or law officer of the United States, or his duly authorized deputy or agent, who desires to examine the same in the performance of his duties under this title, shall be liable to a penalty of not exceeding $5,000, in lieu of all other penalties, to be recovered, with costs of suit, in a civil action in the name of the United States.

SEC. 415. That the taxes imposed by Title II of the revenue act of 1916 as amended by the act entitled "an act to provide increased revenue to defray the expenses of the increased appropriations for the Army and Navy and the extensions of fortifications, and for other purposes," approved March 3, 1917, and by Title IX of the revenue act of 1917, shall not apply to the transfer of the net estate of any decedent dying before the passage of this act while serving in the military or naval forces of the United States in the present war or from injuries received or disease contracted while in such service, and any such tax collected upon such transfer shall be refunded to the executor.

During the reading of the foregoing:

Mr. SIMMONS. Does the Senator ask to have this amendment as a substitute go over?

Mr. LA FOLLETTE. Oh, yes.

After the conclusion of the reading:

Mr. LA FOLLETTE. It is understood that these sections will go over.

The VICE PRESIDENT. All will go over.

MEMORIAL ADDRESSES ON THE LATE SENATOR BROUSSARD.

Mr. GAY. Mr. President, I ask unanimous consent that the Senate shall convene on Sunday, January 26, 1919, at 11 o'clock a. m., to consider resolutions in commemoration of the life, character, and public services of the late Senator from Louisiana, Hon. ROBERT F. BROUSSARD.

The VICE PRESIDENT. Is there any objection? There is none, and it is so ordered.

CABLE SERVICE.

Mr. LEWIS. Mr. President, I ask permission of the Senate to have printed in the RECORD matter of some importance. I addressed a letter to the Postmaster General in which I stated that the public press had reported correspondence showing the reasons for taking over the cable; also correspondence between him and the president of the Commercial Cable Co., the president of the Western Union Telegraph Co., and the vice president of the Commercial Cable Co. I felt that the correspondence should be put before the public, and I ask that it be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., December 10, 1918.

Hon. J. H. LEWIS,
United States Senate, Washington, D. C.

MY DEAR SENATOR LEWIS: Referring to your request for copies of the recent reports of Mr. Theodore N. Vail on the telephone, telegraph, and cable situation, and other correspondence relative thereto, I am inclosing Mr. Vail's tentative report dated December 6, 1918, and his letter of transmittal of the same date; also copies of my letters to Mr. Clarence H. Mackay, president of the Commercial Cable Co.; Mr. Newcomb Carlton, president of the Western Union Telegraph Co.; and Mr. George G. Ward, vice president of the Commercial Cable Co., all dated December 4, 1918, together with copies of the replies of Mr. Mackay and Mr. Carlton, dated December 4 and 6, respectively. I am also inclosing a copy of my letter to Mr. Mackay dated December 7, 1918. There is some earlier correspondence with respect to this matter which will be furnished if you desire it.

Sincerely, yours,

A. S. BURLESON,
Postmaster General.

[Theodore N. Vail, 195 Broadway, New York. Personal.]

DECEMBER 6, 1918.

DEAR MR. BURLESON: I am inclosing herewith a tentative report of what, in my opinion, would bring about the most extended use of the telephone, telegraph, and cable.

"This idea of a unified system is not a new one. It is one with which our public is familiar and one to which they have given their unmistakable approval through its acceptance of all that has been done in the furtherance of this idea in a unified telephone system and of the common management of the telephone and telegraph, although the latter had to be undone under the interpretation and application of existing laws.

"The present problem is how much can be brought about under present conditions?

"What should be done to create an ideal system can not be done because of existing laws, nor would complete consolidation be justified since to undo such a consolidated system into its former units would lead to unwarranted waste.

"There are, however, many things which can be done which would not produce waste and which might by improvement of service help to further educate the public and create an actively favorable attitude toward some correlation or coordination of operation and service with the control and regulation and restriction, through some combination of governmental authority and private ownership or operation, retaining all the advantages and incentives of both.

"If it is within the scope of what you ask me to do, my suggestion is:

ORGANIZATION.

"That, first, to create a comprehensive operating organization by which all the properties can be brought under one executive operating head through whom all operations should be conducted, subject to the Postmaster General.

"This executive head should be one of unmistakable qualifications developed by large experience in similar situations.

"This single head should, subject to the approval of the Postmaster General, appoint experienced assistants and organize directly under him three operating 'divisions,' each embracing the distinctive operation of 'telephone service,' and 'telegraph service' and the 'maintenance and manipulation of wires of the systems' as distinct from the traffic operations.

"Each of these 'divisions' to be under control of an experienced operating head, experienced in the operation of the work of the 'division' through actual developed qualification and experience in similar work on a similar scale of operation.

"Below these 'divisions' the organization can be amplified and arranged to meet the necessities. There is abundant material for most of these positions, and there is opportunity for every experienced man now in the combined services to be employed to the full scope of his abilities.

"Under this organization the distinctive traffic operations would be amply cared for, while with the telegraph and telephone wires under one head they could be utilized for both purposes in one Government operating system without any merger or change other than to bring them to one switching terminal at each great center, involving only some temporary loop connections.

"In this way congestion in any part of the traffic could be overcome by so distributing the wires as to best carry that load.

"All the operations under this plan could be so correlated and coordinated as to bring about a very considerable increase in efficiency and much economy without doing anything disturbing to the actual property or which could not be undone at the end of the period. Your operating organization would at once plan many things which would work toward the end desired and which would not necessitate any destructive undoing at the end of Government control.

"In connection with efficiency of operation, I wish to say that never in my experience has the efficiency of operation been so handicapped by abnormal conditions as now, and until conditions become normal the public should be tolerant.

CABLES.

"There is one thing that calls for immediate action. The cable situation is and has been grave. Congestion is now the rule, and accumulation of business is at times serious, and when the activities of the peace conference are really commenced in Europe it will be greatly increased.

"By one traffic head controlling cable operation and a few slight changes in the physical property, which could centralize the cable terminals, as it were, and which would not involve any dismemberment of the property or could not be undone, the efficiency can be somewhat increased; that is, the distribution of the cable load could be effected more readily and with less confusion than under independent and coequal traffic management, each more or less jealous of his personal prerogatives or of his system and giving his system more consideration than the emergency.

"As pointed out in my letter of October 22, if it were lawful or if it could be brought about by consent of the proprietors, it would be a great feature for the commercial and political interest of the United States and of great advantage to every country reached by direct communication if the cable systems could be consolidated into one system and the cable systems rearranged and extended more or less as outlined in my letter of October 22.

"Such a combination would at once bring about an important saving in cost of operation, particularly by the commercial department. As charges for service are dependent on costs, it would eventually bring about considerable reductions in charges. So long as each independent cable company must maintain its commercial organization to obtain and retain its business, so long must this cost be distributed in the charges for service.

"A broader, cheaper, and more abundant service will be a most effective adjunct to our own commercial agents abroad in securing business of the United States industries. There is already an active movement being inaugurated, particularly in South America, by German commercial agents to recover their prewar conditions, and which must be promptly met if the United States is to get any advantage from the present situation.

"It would seem that such a merger would appeal to the business sense of the proprietors of the cable and could be brought about, particularly if the Government could put itself behind the movement.

"While considerable can be done in improving the cable operation under one management, the big features of a readjustment of the cable situation involve considerable expense and time. Cables take time to build and time to lay. There is no manufacturing of submarine cable established in the United States, and orders from American companies when placed abroad are filled after the requirements of their own companies. This is not surmise; it is the experience of American companies needing cable for repairs and extensions.

"In any event, if this country is to become a commercial and industrial world center, as it is now great in financial, political, and national industrial lines, an American cable system consonant with our obligations and opportunities must be organized and that system freed from the uncertainties of foreign cable manufacture.

"There must be a United States system which will place this country directly in communication with every country with which we have or hope to have important commercial relations. As it is now, and as my letter of October 22 pointed out, we are on one side of the world system. We must be made one of the centers of the world system if we expect to compete on even terms with the world or be properly considered by the countries we wish to reach.

"The immediate and pressing necessity is for the East Coast-South American cable to give this country and the River Plate countries direct cable communication.

"Of what use in commerce will be our investment of billions in ships to carry commerce if we do not give them and the business agents of all commerce direct communication with their home ports and home business houses?

"The cable industry and the proposed cable changes could not be brought about except through Government aid under existing conditions.

"Congress has authorized combination in foreign commercial enterprises. If the advantages and necessities were properly presented, it should be possible to obtain promptly such authorization or legislation as would give, under the aegis of the Government, authority for combination and operation of all electric intercommunicating systems in direct connection and coordination with the national wire system between this country and all foreign countries.

"Time is an element, and whatever is done should be done at once."

Sincerely, yours,

(Signed) THEO. N. VAIL.

Hon. A. S. BURLESON,
Postmaster General, Washington, D. C.

POST OFFICE DEPARTMENT WIRE SYSTEM.

Responding to your request, I beg leave to submit the following in answer to your broad inquiry into the problem of the most efficient and beneficent "extended use of the telephone, telegraph, and cable."

In the annual report of the American Telephone & Telegraph Co. for 1910 the opinion is advanced that the wire system of the future should and would afford facilities for the annihilation of time and distance by the general use of electrical transmission for written or personal communication, which would afford electrical communication of every kind of intelligence from anyone at any one place to anyone at any other place; that the service should be comprehensive, nation wide, economical; and that the service rendered should be at a minimum price so that potential business could be developed.

To do this efficiently and economically requires the combination of every kind of electrical transmission of intelligence into one system over which the most efficient service could be rendered through the development of new and useful services, and the wire plant and other facilities thus being utilized to their fullest extent.

Time and events have demonstrated and emphasized the underlying truth of this, and public opinion now recognizes the advantages of such a system. This is evidenced by the general regret which was expressed at the divorce of the telegraph and telephone under the interpretation and application of existing laws, and also by the almost universal public demands for one telephone system which have come to exist, and also in all municipal utilities the increasing tendency to the merger of all similar services.

It may be considered as settled that "extended use of the telephone, telegraph, and cable" is to be obtained through "one national system, interdependent, interconnecting, intercommunicating, by or over which direct and continuous transmission can be had within the limits of possible transmission."

Some of these beneficial results can be obtained at once, but for some the immediate cost of reconstructing parts of the systems would not warrant the expenditure, particularly as it could be done in a relatively short period without any capital charge through the normal process of reconstruction.

Under the present "state of the art" the distance of possible direct electrical communications can not for any length of time be limited by either ocean or continents.

It is possible under present conditions to send a continuous signal, without the intervention of human agency, around the world either by land wire and submarine cable or aero signal or a combination of all. The transmission of speech or electrical continuous signals is now practical from every commercial, industrial, or social community as a center to the limits of effective common control over a continuity of circuits. Any limitations are wholly in the lack of continuity in the facilities, not in the "state of the art."

The principle of "one system" not only applies to our intranational electrical intercommunication but, as the world at large is transoceanic, the cable systems within national jurisdiction must be so closely interrelated as to be integral parts of such a system.

The making up of long-distance circuits for any transmission, particularly the combination of wire and radio transmission, is impossible without perfect coordination, which can only come from one unified system or from that reciprocity between independent systems which would be virtual subordination for the time and purpose of a part of the facilities of one system to the operating control of the other system.

To get the best results, therefore, the common control of this unified system should extend to the farthest possible limits. It should cover our own Nation and the international connections to the boundaries of all other nations with which we have existing or potential relations.

Whatever may be done in the practical reorganizations and operation of electrical intercommunication—domestic or international—in or by the United States, whether "open wire," "cable," or "radio," there should be such close harmony of effort and operation each with the other and all with the internal wire system that, in effect, there should be "one control" of all, and the cooperation and coordination of all connected or related activities, including research, investigation, and experimentation.

Only in this way can the greatest results in service, in public benefit, in economy, or in cheapness be obtained.

Even in the remote past, telegraphically speaking, when the cable was relatively primitive, the necessity of a connecting land and cable system was demonstrated in an unmistakable way.

The original Commercial, or Mackay-Bennett, cables were laid by an independent cable company without any, or at least with very little, land connection. At that time no common interest existed between cables and land systems except physical interchange of business. The necessity of building up a land system in connection with the cable was the genesis of the Postal Telegraph-Cable System.

In addition, the utilitarian reasons which attach to one system—nation wide, comprehensive—the utilization of one set of wires for both telegraphic and telephonic purposes, which has become common practice, establishes a strong economic reason. To illustrate, the telephone circuit primarily calls for two wires. There must be an outgoing and an incoming channel or circuit for the electrical speaking current. These two wires under the present developed state of the art can be so equipped, composited, or arranged as to provide additional circuits or channels not only for telephonic transmission but for telegraphic transmission. A very new development, the result of several years of research and investigation, has made it possible to build up on each of the original pairs of wires at least three or four superimposed telephonic channels or circuits in addition to the "phantom" circuits. While there still remains much to be worked out, four of these imposed telephonic speaking circuits have very recently been put in simultaneous commercial use between Washington and Pittsburgh on one pair of wires.

When in addition to the primary telephonic speaking circuits over one pair of wires it is also possible to superimpose a number of secondary telephonic circuits upon the same pair of wires, some realization of the utilitarian as well as economic value of one system can be had, and also the great advance that has been made in the relatively short time since one pair of wires was exclusively needed for a telephonic circuit; conversation was only possible over a limited distance and the wires could not be used simultaneously for any other purpose.

The great economic advantage is not alone in the increased number of telephonic and telegraphic circuits or channels that can be superimposed on one pair of wires, but there follows a great reduction in the investment for plant, due to the large decrease in the size of and the amount of copper used in the wires, the great increase in capacity of pole and cable conduit due to this decrease and also in the possible use of aerial cables for concentrated traffic because of the continuous increased distance of transmission through cables.

The Annual Report of the American Telephone & Telegraph Co. for 1916 contains an account of "aero" telephonic transmission and of the combined "aero" and "wire" transmission. Mare Island Navy Yard talked direct with a battleship off Hatteras by combined wire and aero. Among the developments of the near future will be connection by aero and wire between ships at sea and the telephonic exchange system on land as readily as it is now possible to telephone from ships at sea to telephone exchange stations.

This development of aero transmission was the essential feature of the aero telephonic communication between aeroplanes in action and between aeroplanes in action and the ground, which played such an important part of the war.

The utilitarian advantages of such a unified system can be appreciated by all, and closely second to the utilitarian advantage is the economic advantage.

In any utility the permanent plant and equipment are by far the largest items of capital investment; the maintenance of plant and the proper provision for depreciation and obsolescence and taxes are second only to the cost of wages.

If the uses of combined plant can be multiplied, extended, and utilized, it not only means reduction in investment relative to the increased utilization; it means one charge for taxes, maintenance, depreciation, and obsolescence, all of which will be reflected in the cost of operation, for, broadly speaking, upon the cost of operation charges for service are based.

To establish such a combined system would be the greatest piece of constructive work of the age.

There never has been a time when the foreshadowed development in the entire field of electrical intercommunication or electrical transmission of intelligence is greater or more promising than at present. All that has been stated has been the result of consistent coordinated research, investigation, and experimentation which have been and are being carried on by the organized staffs or departments of research and

investigation of the Bell system. While this has necessitated large and continued expenditures, it is estimated that on the basis of present development at least $50,000,000 a year has been saved in construction and operating expense.

While much has been done and much more will be done by individuals working along more or less the same general lines of investigation, such work has been contributory. Without exception, improvements in operating apparatus or operating methods are the coordinated results of many individuals working upon many ideas in connection with experimentation and practical application to obtain certain results. The progress is continuous, step by step. The marked accomplishments, apparently novel, are but the milestones of progress. No new idea is complete in itself, and to be made effective it must be combined with other ideas and must be tried out upon a system substantially of the character and extent of the system to which it is to be applied. All laboratory and experimental work in all the different lines must be coordinated and carried on in connection with the practical operation and the larger and more embracing the system over which the novelties are to be demonstrated or from which suggestions will come, the greater will be the advance.

These experiments can not be confined to either telephonic transmission, telegraphic transmission, cable transmission, or aero transmission. The art of electrical transmission has reached a point in development where it is impossible to differentiate in research and experimentation as between the separate methods of transmission. Investigation, research, and experimentation are at best expensive and seemingly very wasteful, but if the work is coordinated and correlated and the cost spread over a large combination, the cost is relatively small.

The development of the past has most markedly reflected itself in the cost of and in the average charges for service, which until the "war period" have been continuously decreased, notwithstanding the increased scope and breadth of service and notwithstanding the gradual increase in wages, cost of improved working and increased beneficial conditions, and in the costs of material, which have increased enormously.

Fully 80 per cent of the telephone users get their service at much less than average rates, most of them much less, as the average rate is largely increased by the very large users who find advantage and profit and should be charged according to use.

It is well known law that, as accomplishment broadens, the rate increase of accomplishment decreases. Soon after the beginning of the "war period," the rate of decrease in cost, from improvements in methods and plant, was overtaken by the rate of increase in wages and cost of material. No corresponding increase in charges has been made for service such as has been made for all other utilities, services, and commodities. This in itself virtually constitutes a relative reduction of at least one-half in the cost of wire service.

As to our international intercommunication and transportation, I beg leave to quote from Appendix A of my letter of October 22:

"In the building up of commerce progress is directly relative to the available and dependable facilities of interchange and intercommunication.

"The international 'transportation' of the United States is substantially all by merchant marine. For this there will be abundant facilities which can be so distributed as to meet the varying demands of trade and commerce.

"Immediate intercommunication, national or international, is all electrical. Except that with adjacent countries, the international communication of the United States is all by submarine cable. These facilities take time and enterprise to establish. The construction and location are permanent and can not be substantially varied from their original location except by reconstruction, which requires time and capital. Where abundant facilities exist, however, if brought under one control, they can oftentimes be readily and quickly rearranged and connected to suit changing conditions.

"The world's system of international electric communication, largely cable, is comprehensive, abundant, and efficient. It has been built up primarily on the basis of connecting the world with the great centers, focusing these facilities, as it were, on the world's centers of finance, commerce, and industry. National prestige, local interests, competitive enterprises have influenced location, extension, and combination, so that those facilities are not in all cases arranged to be productive of the maximum possibilities of either broad efficiency or the greatest economy; but aggressive competition and strife for business have stimulated operating efficiency.

"The United States is connected with this world system only as a subordinate part, as a field to be reached and exploited, and not as a world center. This must be changed, and the United States, if full advantage is to be taken of its position and the opportunities now existing, must be put into its relative world position, put into the focus of a world system of electrical intercommunication as one of the most, if not the most, important center of commerce, industry, and finance."

To this end I have recommended in the memorandum referred to extensions of existing systems which, if carried out, will give immediately a much wider expression to the overseas trade of the United States, and ultimately make the United States one of the world centers of international commerce.

Mr. CLARENCE H. MACKAY, *President Commercial Cable Co., 253 Broadway, New York City.*

DECEMBER 4, 1918.

DEAR MR. MACKAY: The interests of the public service during the present emergency necessitate the unification in operation to the fullest extent possible the cable systems leading from this country to Europe, so that the full capacity of all the cables may be made available to the public and the press. It is manifest that this can only be accomplished through the operation of the two systems under one management. I have made a survey of the situation and am satisfied that the object sought can best be accomplished by placing the cables with the operating head of the Commercial Cable Co. I therefore direct, so far as I am authorized by the joint resolution of Congress under which the cable systems are now controlled by the Government of the United States, that Mr. George G. Ward, vice president of the Commercial Cable Co., and who I understand now has direct charge of your cable system, assume the management and operation of both the Commercial Cable system and the cable system operated by the Western Union Telegraph Co. I trust that I will have the hearty cooperation of the officials of both cable systems in carrying out these directions.

I am sending a copy of this letter to Mr. Ward; also to Mr. Newcomb Carlton, president of the Western Union Telegraph Co.

Very sincerely,

(Signed) A. S. BURLESON, *Postmaster General.*

DECEMBER 4, 1918.

Mr. GEORGE G. WARD, *Vice President Commercial Cable Company, 253 Broadway, New York Cit*

DEAR MR. WARD: I am inclosing a copy of a communication I have this day sent to Mr. Clarence H. Mackay, president of your company, containing instructions with respect to the unification in operation of the cables leading to Europe.

I trust I will have your hearty cooperation and assistance in making these instructions effective.

Very sincerely, (Signed) A. S. BURLESON, *Postmaster General.*

Inclosure.

THE COMMERCIAL CABLE CO., *New York, December 4, 1918.*

Hon. A. S. BURLESON, *Postmaster General, Washington, D. C.*

DEAR SIR: In answer to your letter to me of to-day, which has been given to the newspapers, I beg to say that the most expert cable advice that I have been able to get convinces me that better work can be done by a continuance of the present separate management of the two cable companies than by an attempt to amalgamate two plants which have been operated separately and successfully for so many years. As you doubtless are aware, the Commercial Cable Co. to-day has filed a bill in equity in the United States court in this city to prevent just such an amalgamation, and I am assured that the best interests of the public will be advanced instead of retarded if no such amalgamation takes place.

I am, sir,

Yours, very truly,

(Signed) CLARENCE H. MACKAY, *President.*

DECEMBER 4, 1918.

Mr. NEWCOMB CARLTON, *President Western Union Telegraph Co., 195 Broadway, New York City.*

MY DEAR MR. CARLTON: I am inclosing a copy of a communication I have this day written to Mr. Clarence H. Mackay, president of the Commercial Cable Co., containing instructions with respect to the unification in operation of the cable systems leading from this country to Europe.

I am sure I may count upon your cooperation and assistance in making such unification effective and successful.

Very sincerely, (Signed) A. S. BURLESON, *Postmaster General.*

Inclosure.

THE WESTERN UNION TELEGRAPH CO., *New York, December 6, 1918.*

Hon. A. S. BURLESON, *Postmaster General, Washington, D. C.*

MY DEAR MR. BURLESON: I have your letter of December 4 and beg to assure you of our hearty cooperation in your plan for the unification of the operation of the American cable system.

In my judgment, joint operation will result in an increase in the total daily capacity of the cables comprising the two systems, which is so much needed at this time, as well as in important economies in operation, and I trust that no time will be lost in beginning this unification.

Faithfully, yours,

(Signed) NEWCOMB CARLTON, *President.*

DECEMBER 7, 1918.

Mr. CLARENCE H. MACKAY, *President the Commercial Cable Co., 253 Broadway, New York City.*

MY DEAR SIR: This acknowledges the receipt of your letter of the 4th instant. Please advise me whether Mr. George G. Ward has taken charge of the joint operation of the trans-Atlantic cables in accordance with the directions contained in my letter to him under date of December 4, a copy of which has been furnished you. I am not interested in any suit you may have filed or contemplate filing, as I do not regard such action as of any importance.

Respectfully, yours,

(Signed) A. S. BURLESON, *Postmaster General.*

ADJOURNMENT.

Mr. SIMMONS. I move that the Senate adjourn.

The motion was agreed to, and (at 5 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Thursday, December 12, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *December 11, 1918.*

The House met at 12 o'clock noon.

The Rev. Earle Wilfley, of the Vermont Avenue Christian Church, Washington, D. C., offered the following prayer:

Our Father in heaven, we thank Thee this morning for the coming and the going of the seasons, for the sunshine and for the rain, for the pleasant paths and for those that are steep and difficult. We only pray Thee, O God, to give us strength and the wisdom and the courage to go on, trusting in Thee for needed strength day by day, and for light upon the pathway as we may onward go. Bless us this day, and from us may there go some good thing to other lives, and may our country and its cause to-day stand before Thee justified and right, and may we, the servants of Thine and of the people, be blessed in our doing. We ask for Thy great name's sake. Amen.

The Journal of the proceedings of yesterday was read and approved.

CALENDAR WEDNESDAY.

Mr. SISSON. Mr. Speaker, I ask unanimous consent that the business in order to-day, Calendar Wednesday, be dispensed with.

The SPEAKER. Is there objection?

There was no objection.

TRANSPORTATION OF GOVERNMENT EMPLOYEES.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 13261) providing for the transportation from the District of Columbia of Government employees whose services no longer are required, which I send to the desk and ask to have read.

The SPEAKER. The gentleman from Kentucky asks unanimous consent for the present consideration of the bill, H. R. 13261. Is there objection?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to consider this bill in the House as in Committee of the Whole House on the State of the Union. Is there objection?

Mr. GILLETT. Mr. Speaker, reserving the right to object, what is the reason for that? Why should we not go into committee?

Mr. SHERLEY. I merely thought it might expedite the matter. I have no objection.

Mr. GILLETT. I think we would better go into committee. I do not know that there will be any debate.

Mr. STAFFORD. If we go into the committee, the gentleman realizes that in general debate it might take considerable time, and therefore postpone the consideration of the District of Columbia appropriation bill.

Mr. GILLETT. I have no wish to delay the matter at all. I do not know what the gentleman may say. I am on the committee, and I do not know whether I shall want to discuss it or not.

Mr. SHERLEY. I have no desire to curtail debate. I expect to make a statement to the House as to the general purport of the measure, and if anyone desires to discuss the bill in reason I shall not object.

Mr. GILLETT. The gentleman would take an hour——

Mr. MANN. There is no hour. It would be considered under the five-minute rule.

Mr. SHERLEY. It would be considered under the five-minute rule, I presume, the same as if we were in Committee of the Whole.

Mr. MANN. I believe it has been decided that there is no general debate when the House is acting as in Committee of the Whole.

Mr. GILLETT. I shall make no objection.

Mr. MANN. Gentlemen might want a little more time than five minutes.

Mr. SHERLEY. I assume that the House would grant a reasonable extension of my time and I would to anyone else.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky? [After a pause.] The Chair hears none, and the Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the heads of the several executive departments and other governmental establishments in the District of Columbia are authorized to furnish to such civilian employees, receiving compensation at the rate of $2,500 per annum or less, of the services under their respective jurisdiction as have come to the District of Columbia since April 6, 1917, whose services are no longer required and whose employment has been or may be terminated by the Government without delinquency or misconduct on their part during the period from November 11, 1918, to March 31, 1919, inclusive, their actual railroad transportation, including sleeping-car fare, from the District of Columbia to the place from which they accepted employment, or to such other place not a greater distance as the employee may elect.

SEC. 2. That such transportation must be applied for within 10 days after the termination of service and shall be used within five days after issuance unless an extension of time on account of illness be granted by the proper authority: *Provided*, That as to the employees whose services have been terminated during the period between November 11, 1918, and the date of the passage of this act, inclusive, the foregoing limitation of 10 days shall operate from the date of the passage of this act. Any person who shall sell, exchange, or transfer such transportation for the use of another shall be punished by a fine of not more than $100.

SEC. 3. That the expenses authorized by this act shall be paid from the following appropriations for the fiscal year 1919, which hereby are made available therefor:

For the War Department, from "Transportation of the Army and its supplies."

For the Navy Department, from "Pay, miscellaneous."

For all other executive departments and independent establishments, from the appropriations for the support of the services in which such persons are employed.

With the following committee amendments:

Page 1, line 6, after the word "compensation," insert the words "exclusive of the additional $120."

Page 1, line 7, strike out "$2,500" and insert "$1,400."

Page 3, after line 6, insert new sections as follows:

"SEC. 4. That any employee who would be entitled to transportation, including sleeping-car fare, under this act and who has left the District of Columbia prior to the passage of this act, but not before December 10, 1918, upon application and presentation of proper proof shall have refunded the cost of actual railroad transportation, including sleeping-car fare, from the District of Columbia to the place from which employment was accepted or to such other place not a greater distance to which the employee may have gone: *Provided*, That payment to any employee for leave of absence not earned in proportion to the term of employment shall be deducted from the refund authorized in this section.

"SEC. 5. That the provisions made in this act for the transportation of employees shall not be supplemented in any manner by the various services in which they are employed."

Mr. SHERLEY. Mr. Speaker, I ask for the reading of the bill under the five-minute rule for amendment.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the heads of the several executive departments and other governmental establishments in the District of Columbia are authorized to furnish to such civilian employees receiving compensation at the rate of $2,500 per annum or less, of the services under their respective jurisdiction as have come to the District of Columbia since April 6, 1917, whose services are no longer required and whose employment has been or may be terminated by the Government without delinquency or misconduct on their part during the period from November 11, 1918, to March 31, 1919, inclusive, their actual railroad transportation, including sleeping-car fare, from the District of Columbia to the place from which they accepted employment, or to such other place not a greater distance as the employee may elect.

With the following committee amendment:

Page 1, line 6, after the word "compensation," insert the words "exclusive of the additional $120."

Page 1, line 7, strike out "$2,500" and insert "$1,400."

Mr. SHERLEY. Mr. Speaker, the House is somewhat familiar with the situation that has existed and still exists in the District of Columbia in respect to clerks brought here as a result of the country's entrance into the war. There were slightly more than 30,000 clerks in the District of Columbia in the various departments at the time of the outbreak of the war. It has been roughly estimated that something over 60,000 clerks have been added to that number. It is manifest that there ought to be a very rapid reduction in the number of clerks that are employed here. That is desirable in the interest of economy, it is desirable in the interest of efficiency of administration of governmental affairs, and it is particularly desirable from the standpoint of the city and the residents of the city. A very large proportion of these additional clerks are young women, who came here as a result of the intensive campaign for additional help by the various departments, due to war emergency. Many of the girls have not made that provision for their future which should have been made by them, as well as by others, and the very sudden termination of the war, with the consequent early dismissal of these clerks, finds many of them in a position without the means to provide for their transportation to their homes or elsewhere, where they may seek and obtain employment. I take it that the House is thoroughly of the opinion that there ought to be as rapid a reduction of the clerical force as is possible. If that is to take place there will inevitably result hardships in a great many cases where the clerks have not made provision for their transportation to their homes, and if no provision is made for them one of two things will happen. Either there will be such pressure to retain them upon the pay rolls as will result in a very great delay in the reduction of the clerical force here, or they will be left in this city subject to the charity of others to get home, with the result that a great many of them never will return to their homes.

I can imagine no situation worse for the community and no situation worse for those employees than for them to be dismissed from the Government service and remain here in Washington or in near-by cities without active employment. The result of such a situation would be bad from every standpoint—economic, moral, and otherwise. Any number of welfare workers in the various departments and any number of the personnel of the offices in the various departments have come to me from time to time since the assembling of Congress, stating the acute situation that existed in regard to a number of these clerks and urging that Congress should take some action to relieve the matter. As a result of that I introduced into the House, and it was referred to the Committee on Appropriations, the bill which is now pending. In the committee the bill was subjected to careful consideration, with the result of various amendments which, I think, served to perfect it in several degrees, and the first amendment, which is now pend-

ing and which is important, seeks to reduce the salary from $2,500 to $1,400 of the clerks who are entitled to relief under the act.

Mr. GARNER. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. GARNER. If I understand the gentleman's resolution, it includes the dollar-a-year men.

Mr. SHERLEY. Well, I had not thought of that. I suppose technically it does; but I question very much whether such employees would desire or accept such compensation, and I have no objection to excluding them.

Mr. GARNER. I am not so credulous as the gentleman from Kentucky, and I would like for this resolution to be very specific on that point. In that connection, may I ask if the gentleman knows the number of dollar-a-year men who have been employed by the Government?

Mr. SHERLEY. No; but I think they are very much less in number than the common impression is.

Mr. GARNER. If I understood the gentleman, there are some ninety-odd thousand employees who have been brought here under civil service——

Mr. SHERLEY. I should say 60,000.

Mr. GARNER. Well, 90,000 now under civil service, including the 32,000 here at the time the war broke out. Now, that 90,000 does not include the dollar-a-year men or the military people; that is, the people in uniform?

Mr. SHERLEY. It does not include the people in uniform, and I presume it does not include the dollar-a-year men.

Mr. GARNER. Did the gentleman say it does include the people in uniform?

Mr. SHERLEY. It does not.

Mr. GARNER. That is my understanding. I would like very much to hear why these dollar-a-year men should be included in this resolution.

The SPEAKER. The time of the gentleman has expired.

Mr. SHERLEY. I ask unanimous consent to continue for 10 minutes further.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to proceed for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. SHERLEY. Yes.

Mr. MADDEN. Was the committee able to ascertain the number of people who would be relieved from service between now and the 31st of March?

Mr. SHERLEY. Not with any degree of definiteness. I have asked the departments—and I hoped to have had that information—to prepare me a statement as to the number that they expected to dispense with, but I should hope that of the sixty-odd thousand who have been brought here by the war over 50 per cent of them might be dismissed from the service by that time. There are a number of bureaus that of necessity will have to continue for a while at their present strength, but I should think that at least 30,000 or more employees might leave the service, and one of the purposes, I will say to the gentleman from Illinois, in offering this resolution was the desirability of encouraging the separation from the service of unnecessary employees. It was felt that if you fixed the time in which the employees would receive their traveling expenses home, that a great many of them would voluntarily leave the service and that it would serve to expedite the lessening of the rolls of the Government service.

Mr. FOSTER. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. FOSTER. I want to say to the gentleman that some of the bureaus, one of them I know of, have issued a circular saying to the employees that if they resigned and went home that the department would give them the pay, and then pay them for the time coming to them on annual leave, and then they would be paid for an addition of 15 days, not to exceed 30 days' time.

Mr. SHERLEY. The War Department issued such an order and I think it terminates at a near date. The committee considered that matter and did not feel there ought to be this double gratuity, and so in the committee amendment, which is offered as section 4, the gentleman will find the proviso in these terms:

Provided, That payment to any employee for leave of absence not earned in proportion to the term of employment shall be deducted from the refund authorized in this section.

Mr. FOSTER. So that under this they would only get the pay coming to them at the time?

Mr. SHERLEY. That is the purpose of the amendment.

Mr. SNYDER. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. SNYDER. Is the gentleman willing to enumerate the bureaus which he states will have to keep in existence for a considerable period?

Mr. SHERLEY. I could not do that. For instance, the War-Risk Bureau is going to be required to stay at pretty much its present strength for a time, and I hope it may develop an efficiency that will bring it more current with its work, which in some particulars is greatly behind. Then there will be certain accounting bureaus of the War Department that will have considerably heavier work almost than they have had heretofore, because of the adjustments that have grown out of the war.

There will be a number of bureaus in the War Department, and some in the Navy Department, that will have to stay at approximately their present strength. I will say to the gentleman that personally I am looking at the other side of the picture whenever the matter comes before the Committee on Appropriations, I think that it is incumbent upon the department in every instance to show cause why they should not reduce, and the presumption ought not to be indulged that they need to stay except where the facts demonstrate it.

Mr. LAGUARDIA. In section 1 you provide for their actual railroad transportation. Does not the gentleman intend to give these employees actual tickets or equivalent of tickets?

Mr. SHERLEY. This bill does not contemplate the giving of the cash. I think they ought to give the tickets or an order for them. It was attempted so to write the bill that the transportation would not be salable or transferable. My objection to a bonus, which many urged, was that it would not help the employees very much, but simply meant that it was that much more money that the improvident would spend in the District of Columbia.

Mr. LAGUARDIA. Does not the gentleman believe, in view of giving them transportation or its equivalent, that it would be a sort of enforced deportation, and would not that be humiliating?

Mr. SHERLEY. I think not. As to enforced deportation—if the gentleman insists on that word; I use it without any sense of reflection on anybody—I think a Government employee who has come here to perform a particular task, when that task has passed away ought to go back to where he came from in the interest of the Government, in the interest of those who have to stay in the District of Columbia, and particularly in the interest of the employee himself or herself. And I can imagine no worse condition that could happen to most of the young women employees who have come here than to remain here after their employment has ceased.

Mr. PARKER of New Jersey. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. PARKER of New Jersey. I want to ask one question. You give transportation to the place from which they accepted employment. Is that their home at the time of their accepting employment, if they happen to be here, or would there be no transportation at all if they came here first and accepted employment after they came?

Mr. SHERLEY. I had not thought of just the exception of which the gentleman speaks. I think that practically all of these people came here as the result of employment that was offered them while they were at their homes.

Mr. PARKER of New Jersey. A great many people came here without any offer, and just received employment after they got here.

Mr. SHERLEY. I think the gentleman is mistaken as to the number. I think it ought to be construed in a fair sense.

Mr. PARKER of New Jersey. I only say that I think it ought to be more definite in the bill. While we are considering this very amendment, I think we ought to know what we are doing.

Mr. LONGWORTH. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. LONGWORTH. For the reason that the gentleman gives as to the advisability of practically forcing the deportation of these Government employees whose services are no longer needed, does not the gentleman think the fine of $100 is very light for what I would regard as a very serious offense in disposing of the transportation?

Mr. SHERLEY. It is light. But I become merciful as I get older. I have no objection to an increase in the penalty. I think that provision is not the effective way. The effective way is to give them the actual transportation and to make it not transferable.

Mr. LONGWORTH. Even so, some persons who wanted to remain here might be tempted, if their home was pretty far away, to sell their transportation for quite a considerable sum.

Mr. SHERLEY. I shall not object to an amendment to raise it from $100 to a larger sum.

Mr. MANN. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. MANN. I understand, or I have heard at least, that the departments, or some of them, now offer to the employees not only any leave which may be accumulated and their pay but also two weeks' pay if they resign now. Is that the case in a number of instances?

Mr. SHERLEY. I understand the War Department has issued such an order. I do not know of any other department having issued it.

Mr. MANN. Now, is the amendment known as section 5 intended to prevent such action?

Mr. SHERLEY. Yes. The idea that prevailed in the committee was——

Mr. MANN. What I want to get at is another matter.

Mr. SHERLEY. The idea of the committee was that if Congress voted this compensation there ought not to be various other inducements held out or granted by the departments.

Mr. MANN. The gentleman and I both agree, and I hope others agree with us, that it is desirable, in order to reduce the force as rapidly as possible, to offer some inducements to clerks to resign. But what is going to be the effect of this provision? A very large proportion of temporary clerks come from near-by places. I suppose there have been a great many more applications for temporary places in the Government service in Washington from points within a radius of 100 to 200 miles than there have been in a radius of 1,000 miles. Now, those clerks will not get very much from receiving railroad transportation to their homes. That is infinitesimal, almost. Does the gentleman think that any of them would be inclined to resign for the purpose of getting railroad transportation, which amounts to nothing as against the inducement that is now offered to them of two weeks' pay?

Mr. SHERLEY. Perhaps not. But I hope the departments will understand that they are not to limit the reduction from their force to those who voluntarily resign.

Mr. MANN. That may be; but the gentleman knows that the departments will naturally first accept resignations.

Mr. SHERLEY. My own idea is that if the Committee on Appropriations can get the information—and it is exceedingly difficult to do so—that, along with what else we are getting, we should cut out some of the moneys that are available for clerks and to force reductions.

Mr. MANN. That may be, but they will naturally take the resignations first. Now, if you offer an inducement in this bill in this form to people who reside at a considerable distance from Washington to quit the Government service you offer no inducement whatever to anyone living in the District of Columbia to quit the Government service and a very slight inducement, compared with what has already been offered, to the people who live in Virginia, Maryland, Pennsylvania, or West Virginia, or a good many other points near by. I wonder what the effect would be?

Mr. SHERLEY. Well, what the gentleman has stated raises an interesting phase of the matter. The Committee on Appropriations was reluctant to make too great a drain upon the Treasury, and it did not seem altogether fair that the people should be paid two weeks' additional compensation for work that they were not doing and, in addition to that, get transportation home. In point of fact, the clerks have not near as much of an equity as their advocates represent. I am dealing with the situation, not out of an agreement with the arguments of many who urge the action, as I am from the necessity of getting rid of the clerks. Most of the clerks who came here could, under proper foresight, have made provision for themselves. In some instances they could not.

Mr. MADDEN. Does the gentleman think there is any way of amending the language of this bill so as to require them to dismiss the clerks whose services are not needed?

The SPEAKER. The time of the gentleman from Kentucky has again expired.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky may proceed for 10 minutes more.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the gentleman from Kentucky may proceed for 10 minutes more. Is there objection?

There was no objection.

Mr. MADDEN. I want to know if the gentleman does not think we ought to employ language that will require the departments to dismiss them, not to wait until they resign?

Mr. SHERLEY. I do not know of any language that you could use that would produce that result and leave it in the judgment of the department. You could put in here a provision to the effect that a certain given number—if you had the information—should be dismissed in each department; but I take it that we have not that information. Now, if you say they shall dismiss all those who are not required, that simply passes the matter back to where it was before, and the department is the determining factor as to who is required. I know of nothing you can do short of an enumeration of the clerks who are to be dismissed or the taking away of the money to pay them, except to offer an inducement of dismissal, and it is hoped a realization of the obligation to the country and the Treasury will prompt them to dispense with all unnecessary employees.

Mr. MADDEN. Of course, we are only offering an inducement here, and I assume we are depending on the good faith of the bureaus and the departments to the extent that we mean that they shall dismiss them. Of course, I do not pretend to know what particular language should be employed, but what I would like to see, if it were possible to do it, would be some language inserted that would serve notice on the department heads that they shall dismiss all nonessential department employees just as fast as they can be dismissed.

Mr. SHERLEY. My understanding is that the various Cabinet heads have sent from the departments statements in substance such as the gentleman speaks of, and that the War Department contemplates that it will have by the 1st of July reduced its force 90 per cent. Personally I do not think that is possible, but their estimates for next year were predicated upon a 90 per cent reduction.

Now, a little while ago some one asked me what departments would probably have to continue the services of these extra clerks. The Adjutant General's Department will probably need all the clerks it has and an increase. It has had transferred to it all of the rolls in connection with the draft, and it is highly important, if we are to protect the Government against wrongful claims, that there should be an accurate statistical record of all the men who have gone into the service and who have left the service, so that I take it that there will be a legitimate need for a large number of clerks in that department.

Mr. MADDEN. Of course, the reorganization will call for a lot of additional work there.

Mr. LOBECK. Mr. Speaker, will the gentleman yield?

Mr. SHERLEY. Yes; I yield to the gentleman from Nebraska.

Mr. LOBECK. The point I was thinking about was brought up by the gentleman from New Jersey [Mr. PARKER], who referred to the people who came here to fill positions in the Government service. Most of them came through the Civil Service Commission, and they had to take their examination from the States where they lived. That is where they belong.

Mr. SHERLEY. I think that is true of the majority of cases, but of course it is impossible to write a law here that will work perfectly in every instance. You have got to deal with broad averages.

Mr. HILLIARD. Mr. Speaker, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. HILLIARD. Is it not true that a considerable number of persons have been employed elsewhere than in the District of Columbia under like circumstances and that similar provision should be made for them?

Mr. SHERLEY. There are such cases, perhaps, but I do not think they are acute, and I do not think we should undertake to legislate at this time to cover them.

Mr. HILLIARD. Does not the gentleman think it would be fair under the circumstances to make like provision for them?

Mr. SHERLEY. I do not think you can get theoretical and actual fairness in all cases. War in its nature is the very essence of unfairness and inequality, and the contributions that each citizen makes to that war range from the supreme sacrifice of life to a very nominal sacrifice. There is no way to equalize conditions, and I think it would be a very grave mistake to open up this bill so as to deal with employees the country over.

Mr. HILLIARD. Notwithstanding what the gentleman says, I am sure he would be the last man to want to have it unfair, and if it can be made fair, without injustice to the Government, I think he would want to do it.

Mr. SHERLEY. There is a factor that is often forgotten, and that is the taxpayers of the United States and the Treasury. I am trying to protect them. [Applause.]

Mr. HILLIARD. Why leave out deserving people when you take so many in?

Mr. SHERLEY. Because I have not sufficient information to warrant me in extending the rule.

Mr. HILLIARD. The gentleman will not claim that he has a monopoly of information?

Mr. SHERLEY. No. I am merely giving you my opinion. It is not binding on anybody.

Mr. BANKHEAD. Mr. Speaker, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. BANKHEAD. Should not those three words, "other governmental establishments," relating to the service there, be stricken from the bill? It seems to me the language is a little awkward.

Mr. SHERLEY. It is a little awkward, but if it were undertaken to use any other language it may be found that it is not generic enough. There are a great many establishments under the Government that are not departments.

Mr. BANKHEAD. Would it not take care of that section by striking out those words?

Mr. SHERLEY. It might.

Mr. BANKHEAD. So that it will read, "That the heads of the several executive departments" shall have authority under their respective jurisdictions to furnish the transportation. If you strike out those three words, it seems to me it would relieve it of any ambiguity.

Mr. SHERLEY. I am not prepared to say that that might not be a proper amendment.

Mr. BANKHEAD. I just call attention to it.

Mr. GRAHAM of Illinois. Does the gentleman know whether at this time the various departments are employing any additional clerks or not?

Mr. SHERLEY. So far as I know, they are not. Here and there an individual may be taken on in some department. I would not say that there is not.

Mr. GRAHAM of Illinois. I saw a statement in one of the local papers to the effect that all of the departments were employing new help at this time and were discharging some, and the statement gave a sort of balancing of the account, showing that they were being discharged faster than they were being employed.

Mr. SHERLEY. I presume that there are some employments. There have been some vacancies in special lines of work that have not been filled because eligible people on the rolls were not available. I take it that some have been employed. It is quite possible that the Internal-Revenue Department is enlarging its force in some particulars as a result of the added work that is placed on it in connection with the revenue. Frankly, I have not been able to check up the departments so as to know.

Mr. WINGO. If the gentleman will permit me in that connection, I understand there was an increase of a little over 1,000 employees in Washington during the month of November, as shown by the civil-service statement a few days ago.

Mr. SHERLEY. It may be that a large part of that came prior to the signing of the armistice.

Mr. WINGO. There were a little over 5,000 additions and a little over 4,000 separations from the service.

Mr. SHERLEY. I am quite sure that at this particular date there are quite a number of thousand less employees in Washington than there were at the date of the signing of the armistice.

Mr. WINGO. I think that is true. This statement also went to show that there had been a smaller increase in November than in any preceding month, and it was expected that the report for December would show a decrease instead of an increase.

Mr. WHEELER. These various employees came here anticipating that they would return home after the war closed. In some departments they are still needed. In case they resign while they are still needed, will they be entitled to any transportation under this act?

Mr. SHERLEY. I take it that if they are separated from the service without fault on their part they will be entitled to this relief.

Mr. WHEELER. Suppose they separate themselves from the service?

Mr. SHERLEY. I think they would be entitled to the relief. I am not fearful of losing the services of employees indispensable to the Government who will be affected by this act.

Mr. EAGLE. Were the thirty thousand and odd employees who were in the departments at the outbreak of the war all under the civil service?

Mr. SHERLEY. I think practically all of them were.

Mr. EAGLE. And the 60,000 additional who have come here, are they under the civil service?

Mr. SHERLEY. They have come in under the kind of civil service that we have had since the war started.

Mr. EAGLE. I am asking that for the purpose of trying to develop a bit of information. Is there anything in the fact that they are under the civil service to prevent their discharge when their services are no longer needed?

Mr. SHERLEY. I know of no civil-service law that gives indefinite tenure to anybody.

Mr. EAGLE. That is the thing I am trying to develop. Now, I gather from the observation of the chairman a moment ago that the only way by which the Treasury may in the future be relieved of the burden of paying these superfluous clerks, unless they choose to resign or unless the heads of the departments choose to cause them to resign, is that we may withhold appropriations to pay them, so that they will be compelled to leave the service.

Mr. SHERLEY. That is always the most pronounced remedy.

Mr. McFADDEN. Section 2 provides that such transportation must be applied for within 10 days, and so forth. I want to ask the gentleman whether or not a special ticket will be issued to these people when they apply, or will the heads of the departments buy the regular railroad transportation?

Mr. SHERLEY. That detail was not worked out. The idea was that they would be actually furnished the transportation—that application would be made for transportation to a given place, and then that transportation would be furnished.

Mr. McFADDEN. I realize that there is a penalty for transferring the transportation to anyone else, but at the same time I want to make this suggestion to the gentleman: It seems to me that if a special ticket is printed and each applicant is compelled to sign an affidavit, and then perhaps to sign again on the train when the conductor takes up the ticket, it will avoid any misuse of the ticket or any transfer.

Mr. SHERLEY. It did not seem quite practicable in an act of this kind to set out in detail what is purely a regulatory matter. I take it that the departments will in good faith issue the transportation in such a way as to prevent its being wrongfully used. That was the idea.

Mr. DENISON. I should like to ask the gentleman a question.

The SPEAKER. The time of the gentleman from Kentucky has again expired.

Mr. SHERLEY. I ask for five minutes, and then I will not further delay the House.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. DENISON. I should like to ask the gentleman if in his judgment this could be construed so as to allow its benefits to those who may come into the service between now and March 31 next? If it could, it might very easily be abused by the heads of departments or their subordinates, if they were disposed to permit it.

Mr. SHERLEY. I am not prepared to say that the case the gentleman supposes might not be possible. Of course that was not the intention of this act.

Mr. DENISON. The intention was to confine it to those who are now in the service?

Mr. SHERLEY. Yes.

Mr. DENISON. The act does not so state, and I think when we reach the point for amendment we should limit it to those who are now in the service.

Mr. SHERLEY. I am not prepared to say that is not wise. It is pretty difficult to draw a provision of this kind and cover every idea that may be presented.

Mr. DENISON. I understand; but I thought it worth while to call the gentleman's attention to it.

Mr. GARD. Has the gentleman any information as to how much money is to be applied for this purpose and how it is to be apportioned to those who come from different States?

Mr. SHERLEY. There was no attempt to allot moneys according to geography. The purpose of the bill is to deal concretely with actual cases. If a person lives in Mississippi, California, Utah, New York, or Massachusetts, he comes within the rule and would get transportation home. The War Department estimated that in their department it would cost as much as $450,000, but that related to all employees. It has been limited to employees drawing $1,400 a year or less. I take it that would result in very great reduction in the expense placed on the Government.

Mr. RUBEY. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. RUBEY. Does the gentleman know to what extent the Government has paid for transportation of clerks to Washington?

Mr. SHERLEY. I do not.

Mr. RUBEY. I will say that in September last, I think it was, when I came to Washington, there were about a dozen on the train who had transportation paid from St. Louis to Washington, including sleeping-car fare and $5 allowance for meals,

and even went so far as to allow them for the transportation of baggage in St. Louis and from the station in Washington.

Mr. SHERLEY. I am not sure that in all instances where transportation was furnished it was a bonus. I think it was advanced.

Mr. RUBEY. This was paid outright.

Mr. SHERLEY. It may have been paid outright, and yet with the understanding that it should be repaid out of the salary of the employee. But I am not advised about that.

Mr. LOBECK. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. LOBECK. There was a captain came from the Quartermaster's Department to Omaha and made certain offers for stenographers, and said that they would pay the transportation from there to Washington if they could get expert people. Whether any was paid or not I do not know.

Mr. SHERLEY. There may have been some justifiable expenditures in certain instances; I am not prepared to say.

Now, gentlemen, I want to state this in connection with the bill and its consideration: It is not presented as a perfect piece of legislation. The committee is not prepared to resist any proper amendment, but I hope gentlemen will realize that no matter what form it takes it will not meet with every conceivable case that men may be able to state. You can not write an act that will not be faulty in some respects, where in a matter of this kind personal equation enters into it. I believe that it should receive the support of the House.

Mr. WALSH. Mr. Speaker, I dislike to oppose a measure supported by the distinguished chairman of the Appropriations Committee, because I know that upon all matters that have to do with taking money out of the Treasury of the United States he reports them only after the most careful consideration.

I appreciate the fact that in a spirit of exaltation over the cessation of hostilities and the approach of the Christmas season the idea should be encouraged that the Government and the Treasury of the United States is one great generous Santa Claus. But the gentleman from Illinois [Mr. MANN] spoke of inducing the employees of the Government to quit the service, and that this was a scheme to further that plan. These employees were brought here after frantic efforts to get them to fill these positions. They were paid salaries, for the most part, larger than they would receive in private employment. I have seen no great disposition on the part of these employees to get out of the Government service. I have had numerous clerks come to me and seek my help to get them transferred into permanent positions rather than to assist in securing their dismissal.

But I want to direct the attention of the House to the fact that in the Navy Department men who have enlisted and who have been discharged, men who enlisted for a period of years and whose discharges have been approved, are put ashore, and they do not get a cent of transportation—men who have been serving on the battleships and cruisers, and they are not even given the benefit of the 1 cent a mile transportation. I had a young man call on me the other day, discharged from a battleship—the *Mississippi*, I think it was—and he was told that he could not get the benefit of the 1 cent a mile nor could he get any transportation.

Mr. NORTON. Does the gentleman think that a proper condition?

Mr. WALSH. I do not know; but because that exists I do not think we ought to be more generous to these civil employees. These people who have been employed, a good many, will be entitled to vacation. The result will be that they will get 10 days or two weeks with pay. They will make application for transportation. They will stay in Washington for the vacation season, spend their money, and then go home. I submit that the more orderly way to handle this situation—and it may have been considered—was to have granted these people the leave to which they are entitled, pay them in advance, let them go home, and upon the expiration of the vacation at their homes their connection with the Government pay roll should cease.

I do not know how much this will cost, but it will be an immense sum. We will be in a position of establishing a principle that the Government employees in the civil-service branch who have come here and accepted positions in the National Capital shall upon their termination of services be entitled to transportation home. It will be cited as a precedent, and I submit that, despite the emergency, we ought not to enact this into law, and we ought not to be compelled to pay the thousands of workers their transportation home. Why not give them the benefit of the 1 cent a mile, and why not let them contribute in some part at least to the expense that will be incumbent upon them when they quit the Government service?

I am opposed to giving these employees, who have been well paid and a great many of them overpaid, a great many who have not given the equivalent in work and service, this gratuity out of the Treasury of the United States, particularly in view of the fact that some of the men who have been in the active military and naval service of the Government in time of war, who have been in places of danger, who have been risking their lives, are dumped ashore upon their discharge and told to take their dunnage and find the best way they can to pay their expenses home. In the case I cited I should say that I have taken it up with the department, but have been unable as yet to get any satisfactory explanation.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. WALSH. Mr. Speaker, I ask unanimous consent to proceed for three minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. WALSH. Mr. Speaker, the only explanation I have heard is that these men enlisted for a term of years, and that the transportation pay applied only to the Naval Reserves and to the men who enlisted for the period of the war. While I have my opinion of the valiant conduct and splendid courage of some of the men in the Naval Reserve Force, I submit that men who enlisted in the Navy after the declaration of war and who, as in some cases I know, although they enlisted for a term of years, were told there would be no difficulty in their procuring their discharge if the war terminated before the expiration of the term for which they enlisted—that those men, although enlisted in the regular service, ought not to receive any less generous treatment than these clerks and stenographers who have come here to the Capital. If we have men at the heads of these departments who are competent to run them, they ought to be willing, when the need for the services of these people has ceased, to discharge them.

Mr. IGOE. Mr. Speaker, will the gentleman yield?

Mr. WALSH. Yes.

Mr. IGOE. The gentleman has spoken of a matter which I have had brought to my attention also, namely, the question of transportation for these men in the regular service who are discharged. I think it is outrageous that they do not get their transportation; but there is one thing still worse. The regulations of the Navy Department that I have seen—and I have taken up the matter with the Bureau of Navigation—provide that those men in the regular service who are released can not get an honorable discharge.

Mr. WALSH. Yes; that is another condition that attaches in some cases, I understand. Mr. Speaker, as I say, if we have men who are competent to act as the chiefs and the heads of these various departments and bureaus where the force has been so tremendously enlarged as a result of the war emergency, then when the need of their services ceases the heads of bureaus and departments ought to be courageous enough to inform the employees that their services are no longer required. Certainly the Government of the United States and its officials here in Washington ought not to be put in the position where they must have legislation in order to induce these clerks to quit the Government service and resign, and, as the gentleman from Illinois has pointed out, there are a great many of them who live near by—in the immediate vicinity—where the mere payment of the railroad transportation or offer to pay or provide them with a ticket home will be no inducement for them to resign or give up their work. I submit the proper way to do, in view of the salaries that have been paid, up to $1,400—and I notice it was originally $2,500 in the bill—would be either to give them the benefit of the 1 cent a mile which prevails for men in the service or else to give them 10 days' leave with pay and provide that upon the expiration of the 10 days if they were at home their services should cease. For that reason—although it is with some reluctance, as I said—I shall vote against this bill.

Mr. MANN. Mr. Speaker, I think the bill ought to be passed. I believe that every person who entered the Government service, either in the civil or the military or naval establishments, on account of the war ought to be returned home at the expense of the Government. I do not think it is an extravagant view, and I have never been unduly favorable to governmental extravagance. Here was an emergency such as probably we never have experienced before and that we Members will never experience again. We have poured out billions of money, and extravagance was unavoidable—I was about to say necessary. The emergency has now ceased. These people responded, many of them at considerable personal loss or effort, and I think even as to those who received higher

compensation than they otherwise would have received, treating all alike, we can afford to give them an opportunity to go home.

It will not be so very expensive, in my judgment, if we look at it from the standpoint of expense. It will certainly be cheaper for the Government to pay the railroad fare of these clerks home than it will be to keep them in the service. My friend from Massachusetts, Mr. WALSH, and a most capable man he is, thinks that the heads of the bureaus ought to discharge the clerks, regardless of whether they desire to go or not. Much of that will be done, but everyone knows that for many years we have carried provisions in the law each year requiring the discharge of those who were known as superannuated, and if anyone has ever heard of one person being discharged because of superannuation, that knowledge he has not communicated to me. I never heard of one. It is a condition which exists.

Mr. Speaker, I do not think we ought to stop at that. I think we ought to pay the men who are in the Army now up to date. I have a telegram here from West Baden, Ind., which reads as follows:

Several hundred wounded men arrived at West Baden hospital. A large number are without any funds and state have had no pay for many months. Can not some plan be put in operation to give them money when they disembark?

It is a scandal to send wounded men clear from the point of disembarkation to southern Indiana, with money due them for months and not a cent paid to them. The War Department stated yesterday, as I understand, to my colleague, Mr. MCKENZIE, of the Military Committee, that if I would have telegraphed to them the names of the men they would endeavor to pay them. I can not do that. It is their business. A wounded man in a hospital can not be expected to run after the paymaster to get his pay. It is the duty of the military department of the Government to look after him.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. MANN. I hope they will be brought to realize their duty in the matter. [Applause.]

Mr. GARD. Will the gentleman yield?

Mr. MANN. I do.

Mr. GARD. The gentleman's telegram says that these men have not been paid for several months, or language to that effect. Are there any reasons why they have not been paid?

Mr. MANN. There is no reason except they have not got the money.

Mr. BUTLER. If the gentleman will permit, it is the general complaint among these soldiers that they can not get their money and do not get their money, and it is an outrage. The money has been appropriated, and there is no excuse for their not paying it. If some of these officers would take and follow these people up they would get their money. [Applause.]

Mr. SHERLEY. Mr. Speaker, I learned on the other side of some of the conditions of which the gentleman complains, and I undertook to bring about a reformation in the matter. There is nothing that Congress needed to do, because all the money that was needed for pay had been appropriated, and under the law any deficiency for pay is permissible. I suggested two things to the department, and I was in hopes that they had been somewhat carried out. I suggested to the Red Cross that as a matter of taking care of small needs of soldiers who had temporarily lost touch with their command and were moving around in France and frequently found themselves without anything, that the Red Cross be in a position to make them advances of small sums of money. I then suggested to the War Department that there ought to be an arrangement made by which there could be given to every enlisted man a coupon book for a certain amount of money, so that no matter where he was, no matter how he had gotten separated from the pay-department service, he might be able to cash these coupons to take care of immediate needs, and I was told by the finance division of the Quartermaster's Department that they were undertaking to put into effect a system that would deal with the situation. From what the gentleman suggests, evidently they have not succeeded in doing it, but I agree with him there is no possible excuse for any large number of such cases happening. Here and there, of course, they are bound to happen, but the system ought to be such as to make numerous cases impossible. As that division is coming before my committee this afternoon, if I am through on the floor I will again take up the matter with them and see if I can get some information.

Mr. BLAND of Indiana and Mr. MILLER of Minnesota rose.

Mr. SHERLEY. I have not the floor.

The SPEAKER. The gentleman from Illinois has the floor.

Mr. MANN. I yield to either gentleman.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. GILLETT. Mr. Speaker, I favored this resolution in the committee and I favor it here not because I think it does equally an exact justice or because there are not a great many other cases that ought to be covered. I recognize the unfairness of which my colleague from Massachusetts complains. I recognize that through the country there are a great many Government factories where the employees will suffer great hardships unless some provision is made for them; but this case was presented to us first, and I am inclined to think that the Government departments in Washington are more overcrowded and need diminution more than anywhere else and that the city of Washington needs most to be emptied. [Applause.] I believe it is more congested than any other section, so this resolution simply affects that which seems to us the most pressing emergency, to empty Washington and diminish these departments.

Mr. BARKLEY. Will the gentleman yield?

Mr. GILLETT. I will.

Mr. BARKLEY. Is the gentleman able to say whether it is true that any department is retaining in its service men or women any longer than needed merely because Congress has not appropriated money to take them home?

Mr. GILLETT. I do not know whether that is so or not, but as the gentleman from Illinois suggested, the heads of departments are very much influenced in discharging men by the hardships which they will endure. As to the proposition which my friend makes that instead of doing this we should give them leave with pay, why the danger of that is that instead of going home they will stay right here in Washington and spend their money and at the end of the 10 days will be just as badly off as they are now and Washington will not be relieved of their presence. What we want to do is to get them out of the city of Washington and get them out of the departments. Now, I think it is the duty of the heads of departments not to wait until they resign, but immediately to begin dismissing them, and I hope they are doing it and this will accelerate that. I do not believe the heads of the departments appreciate the necessity for instantly reducing their force. We have had some of them before our committee, and it did not seem to me they appreciated what Congress is endeavoring to impress upon them, that they ought at once to begin to get down to the peace basis. [Applause.] The War Department told us that they were still manufacturing powder in their war emergency factories. It seems to me that is an outrageous waste. It seems to me it would be economy for the Government to stop work, even if you had to pay the laborers to do nothing. It is better to pay the laborers to do nothing than to use up raw material in producing something that we do not want and of which we have too much already. This morning a young officer told me that he has been in Washington here for weeks with not a single thing to do, trying to get out the service, but they would not let him out for some reason, and so he was kept here, could not go home where he would like again to return to business, but that he was kept here week after week doing nothing. The department ought not to stand for that. Another young officer in one of the business bureaus told me the other day that he was here in Washington and he wanted to get out of the service and go back to civil life, but that he had given a receipt for a small amount of property—I will not say how small, because I do not want to identify him—he had given a receipt for a small amount, and the property had disappeared, and his accounts were being corrected, and over a week has passed by, and he is liable to be kept here, as far as he could see, indefinitely until they could fix up that account.

He would be glad to pay it out of his own pocket, and he told them so, and go home, although he was not responsible personally for the loss. But the Government is paying him $200 a month just to try to straighten out this account for a few dollars. Now, of course, some of that is inevitable, but I do not believe the departments are awake to the necessitiy of getting down to a peace basis. And I hope this bill will impress upon them that Congress wants to get to a peace basis, and that we are adopting this so that they shall shut off their force of clerks and send them out of the city of Washington. [Applause.]

The SPEAKER. The question is on the committee amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 1, line 7, strike out "$2,500" and insert "$1,400."

The SPEAKER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. ROBBINS. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. ROBBINS: Page 2, line 7, after the word "employment" insert the words "or their legal residence."

Mr. ROBBINS. Mr. Speaker and gentlemen, on the 27th of March this House passed a bill amending the civil-service law permitting those who desired to enter the Government service to take their examination at any other point than their place of residence, and many of those who had come to Washington temporarily were permitted to take such examinations in the city of Washington. Under that bill applicants for Government employment were no longer required to return to their places of residence in order to take the civil-service examination. In order that you may understand just exactly the purpose of this amendment that I offer, I will say that the act of the 27th of March, 1918, has this provision:

Provided, That nothing herein shall be construed to abridge the existing law of apportionment or change the requirements of existing law as to legal residence and domicile of such applicants.

Now, under this bill, if a clerk came here and took temporary service, as a great many of them did, and afterwards took the civil-service examination in Washington and were credited to their home district, say Pittsburgh, Pa., under this bill, when they are discharged from the Government service and they would accept service here in Washington under their new status as a civil-service employee, the place where they accept employment would be Washington. If this bill is to be equitable and give those who shall leave the service transportation home, they would not be entitled to any transportation because they accepted service in Washington. The purpose of my amendment is simply to harmonize this act in accordance with the act of the 27th of March, 1918, and permit the clerks under those circumstances to get transportation back to the place of legal residence, and if they accept service somewhere else to receive transportation to such other place, not to exceed the cost of transportation back to their legal residence. Because, if this bill has any merit at all, it is to provide transportation for these employees home that are here in Washington now at the expiration of their time of service, which is brought upon them by the cessation of hostilities and by the action of the Government, and not of their own choice, perhaps. Therefore, I think they ought to be made whole as to the cost of transportation back to the place of their legal residence.

Mr. DENISON. If your amendment is adopted, who will say to which place the transportation shall go?

Mr. ROBBINS. The applicant can.

Mr. DENISON. The amendment does not say so.

Mr. ROBBINS. This is covered in the next proviso, which provides, "or to such other place not at a greater distance as the employee may elect." I think that is just and equitable. I have from my own district young ladies who took night-school training and have become expert bookkeepers and expert stenographers. Now, those girls will not go back to Westmoreland County, Pa., because they can get higher wages in the cities. I have a particular case in mind which I desire to cover by this amendment, because we offer amendments from information that comes to us. This young lady has graduated at a night school and is an expert stenographer. She will be forced out of the service under this bill, under the existing conditions reducing the number of employees in the service. She is offered a position in Philadelphia. She has got to go back to Westmoreland County or to Philadelphia to obtain employment. She should be allowed railroad fare to Philadelphia. That is perfectly just, providing that the fare to Philadelphia would not be greater than the fare to Westmoreland County, Pa.

Now, I do not think we are going to be able to meet this emergency—to digress a little—by forcing these employees to quit service by any other means than by cutting off appropriations. I was talking the other night to the chief clerk of one of the great bureaus of this Government. He made this statement to me when I asked him why it was that they were continuing the activities of the Government upon a war basis:

Right here under our nose the building goes on in front of the Capitol just the same as if we were in the midst of war. Those dormitories now being built will not be required. But how are we going to stop work on them? Work will never stop until we stop appropriating money. That is the only way. This chief clerk said that when a man enters the Government service he cuts his bridges behind him for private employment, and they build up in every bureau of the Government a system of schemes and plans between themselves to make their services appear necessary. They do not want to get out of the Government service. They want to make their services to the Government appear to be a necessity, and we can not dispose of them until we cut off appropriating money for the payment of their salaries. I think this amendment is eminently fair, if we are going to pass the bill, and I hope the House will adopt it.

The SPEAKER. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken, and the amendment was agreed to.

Mr. DENISON, Mr. NORTON, and Mr. GARD rose.

The SPEAKER. The gentleman from Illinois [Mr. DENISON] is recognized.

Mr. DENISON. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. DENISON: Page 1, line 7, after the word "less," strike out the words "of the services" and insert the word "now."

Mr. DENISON. I call the attention of the chairman of the committee to the fact that the words "of the services" are surplusage in there and unnecessary.

Mr. SHERLEY. I do not think the word "now" is necessary either. I am willing to have the words "in the services" go out.

Mr. DENISON. I insert the word "now" to meet the point that I called to the gentleman's attention awhile ago when he was speaking, that this bill ought to be limited to the employees in the service, so as to exclude those between now and the 31st of March.

Mr. SHERLEY. The trouble is that it would exclude those in the services yesterday who would want to be taken care of.

Mr. GARD. In line with what the gentleman has suggested in regard to the phrase "of the services," which has given the Members a little trouble in determining just what it means, it seems to me everything could be cured by striking out the word "of" and inserting the word "in," so that it would then read: "to furnish the civilian employees in the services under their respective jurisdictions."

Mr. DENISON. Why have the words in there at all?

Mr. GARD. Because they are in there to mean the service, which means a department or other governmental establishment in the District of Columbia. The words are proper, but the word "of," it seems to me, does not express the meaning as well as the word "in."

Mr. DENISON. If this amendment that I have offered is adopted, "civil employees under the respective jurisdictions," it seems to me, would be better grammar and would convey the meaning more clearly.

Mr. BLACK. Mr. Speaker, will the gentleman yield?

Mr. DENISON. Yes.

Mr. BLACK. I understand the purpose of the gentleman's amendment is to make it so that the employees who come to Washington after the passage of this act will not secure its benefits?

Mr. DENISON. Yes; that is what I want to prevent.

Mr. BLACK. Would not the addition of the following phrase after the word "seventeen," in line 10, correct that: "and prior to the passage of this act"?

Mr. DENISON. Yes. That would meet the point I am trying to get at perhaps better than the words I have used.

Mr. BLACK. I intended to offer that amendment, but the gentleman, if he cares, can just substitute that.

Mr. DENISON. Mr. Speaker, I want to modify my amendment by omitting the word "now," which I inserted, by striking it out.

The SPEAKER. Did not the gentleman from Kentucky accept that?

Mr. DENISON. No. He accepted the other part. I want to leave it by striking out those words.

Mr. WINGO. Does not section 4 cover the objection the gentleman had in mind in his amendment? Section 4 covers the man who goes out of the service yesterday. I take it that the gentleman's purpose is to prevent their taking this as a revolving proposition and sending one man home to-day and picking up another man to-morrow and discharging him on the 1st of March, and thereby permitting two men to avail of this provision.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Amendment offered by Mr. DENISON: Page 1, line 7, after the word "less," strike out the words "of the services."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. DENISON. Mr. Speaker, I want to offer this further amendment.

Mr. BLACK. The amendment I suggested was after the word "seventeen," in line 10, adding the phrase "and prior to the passage of this act."

Mr. DENISON. Mr. Speaker, I offer that as an amendment.

Mr. SHERLEY. Mr. Speaker, I suggest to the gentleman that instead of interpolating words of which it is hard to catch the whole meaning in this paragraph that you add a section at the end of the bill to the effect that this act shall not apply to those who are brought in after that date. We all agree about what we want to do. It is hard to see on the floor just what the effect is of certain words in a sentence.

Mr. DENISON. I think that is a good suggestion. I will withdraw the further amendment, Mr. Speaker. I may have time to prepare an amendment.

The SPEAKER. The gentleman withdraws his further amendment.

Mr. NORTON. Mr. Speaker, I send an amendment to the desk.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from North Dakota.

The Clerk read as follows:

Amendment offered by Mr. NORTON: Page 1, line 7, after the word "rate" insert the words "not more than," and after the word "less" insert the words "than $100 per annum."

Mr. NORTON. Mr. Speaker, the amendment is to take care of the suggestion that was made, that the provisions of this act should not be applicable to anyone receiving a dollar a year salary or a nominal salary. The provision provides that the employees shall only be those who receive not more than $1,400 or less than $100 per annum. I take it that anyone who receives a salary of less than $100 per annum is on the dollar-a-year list.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BANKHEAD. Mr. Speaker, I desire to offer an amendment.

The SPEAKER. Is this to section 1?

Mr. BANKHEAD. Yes.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Alabama.

The Clerk read as follows:

Amendment offered by Mr. BANKHEAD: Page 2, line 5, strike out the words "their actual railroad transportation" and insert in lieu thereof the following: "their railroad tickets," and in line 6 strike out the word "fare" and insert the word "ticket," and add at the end of the section the following: "*Provided*, That said railroad and sleeping-car tickets shall not be transferable."

Mr. SHERLEY. If the gentleman will permit a suggestion, I think he will not urge his amendment. My understanding is that the way transportation is furnished now is for the department to give an order upon the railroad for a ticket to a given place. This order is presented at the railroad office. The ticket is issued, the man signs the voucher, showing that he has received it, and then subsequently the railroad presents that voucher to the department for payment. The purpose of the gentleman's amendment is, I think, amply taken care of by the practice.

Mr. BANKHEAD. Well, Mr. Speaker, with that explanation I withdraw the amendment. Of course, the chairman apprehends the situation as we all understand it.

Mr. SHERLEY. We all want to prevent the sale of tickets or the issuing of money to purchase tickets.

Mr. BANKHEAD. With that explanation, I ask unanimous consent, Mr. Speaker, to withdraw the amendment.

Mr. SHERLEY. I think the word "fare," following the word "sleeping-car," might be changed to "accommodations," so as to make it certain that by the word "fare" we do not intend cash for the holder.

The SPEAKER. The gentleman from Alabama [Mr. BANKHEAD] withdraws his amendment.

Mr. SHERLEY. Mr. Speaker, I offer an amendment to strike out the word "fare," in line 6, page 2, and insert the word "accommodation."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LAGUARDIA. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 2, line 5, after the word "inclusive" insert "an amount equal to."

Mr. LAGUARDIA. Mr. Speaker, the purpose of this amendment is to do exactly the opposite of what the chairman has said was his intention, and that is, instead of giving these discharged employees their tickets, this amendment would give them an equivalent in money. As I stated when I put the question, the method provided in this bill is nothing less than a system of enforced deportation.

These employees are not incompetent, criminal, or feeble-minded. If they were, they should not have been in the service as long as this. I suppose the intention is to get them home. They want to go home, and they ought to be trusted with the equivalent of their fare, which will carry out the purpose of this resolution. It is humiliating and degrading for them to be treated by us in this manner.

Mr. JOHNSON of Washington. If the gentleman's amendment should prevail, a man who wants to go home would receive the Government's money, go to the ticket office, pay the excess fare, pay the war tax, and all that.

Mr. LAGUARDIA. He would receive an amount equivalent to the fare.

Mr. JOHNSON of Washington. He would buy a ticket and pay the war tax.

Mr. LAGUARDIA. We can provide for that by regulation. I do not see what danger there could be of these people not wanting to go home. Some of us like to stay in Washington, and some of us can not stay here as long as we would like to stay. But there is no employment here for them, and why not let them go home? Why not treat them right in return for the good, loyal service they have rendered? The distinguished chairman of the committee quotes the case of the young women. I resent that, and I believe that these patriotic young women who have come to Washington to work and who have rendered good service are amply able to take care of themselves, and will be glad to get out of here and go home. They should not be escorted by a guard and put on a train. If they do not want to go home, it is their own business, and it is not for us to deport them out of Washington. I urge the acceptance of my amendment.

Mr. WINGO. Does not the gentleman know that this plan is now used where the Government furnishes transportation? There is nothing new about this. Any officer of the Government, including any bureau chief, will get an order, go down to the ticket office, and get the transportation, which is settled for by the Government afterwards.

Mr. LAGUARDIA. Does that apply to an officer who is discharged?

Mr. WINGO. Take the case of a bureau chief in the Forestry Service who has to make a trip to the State of Washington on official business. He is allowed his transportation. He is furnished an order and goes to the railroad station and gets the ticket, and the department settles for his transportation.

Mr. LAGUARDIA. Very true; but he is in the service. He is going out and coming back, and going to remain in the service. He is on duty.

Mr. WINGO. Certainly. Now, take a young man in the Navy or in the Army, whenever he is discharged he gets an order for his transportation. I never heard any of them complain that they were insulted because we take ordinary business precautions to see that the thing is done in a businesslike way.

Mr. LAGUARDIA. We can, but let us consider the feelings of these faithful workers.

The SPEAKER. The time of the gentleman has expired.

Mr. SHERLEY. The gentleman from Washington [Mr. JOHNSON] has already indicated that this is simply the ordinary practice, and anybody who feels that he is being insulted by being furnished this transportation can avoid the insult by not receiving the transportation. It seems to me that the gentleman from New York [Mr. LAGUARDIA] is drawing upon his imagination as to the intention to insult anybody. That is not the purpose.

Mr. LAGUARDIA. That is the effect

Mr. SHERLEY. But the Congress is dealing with a concrete situation, and despite what the gentleman says, it is desirable that we provide that the form of congressional action shall not be changed by the volition of those who receive the benefit of it. I am quite sure that the House is not prepared to change the whole purpose of this bill.

THE SPEAKER. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

Mr. HILLIARD. Mr. Speaker, I offer an amendment to section 1.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. HILLIARD: Page 1, line 9, after the word "Columbia," insert the words "or gone to other place in the United States in like circumstances"; and page 2, line 6, after the word "Columbia," insert the words "or from other place as contemplated herein."

Mr. HILLIARD. Mr. Speaker, the purpose of my amendment is to insert, in line 9, page 1, after the word "Columbia," the words "or gone to other place in the United States in like circumstances."

That is, to places other than the District of Columbia. Then in line 6, page 2, after the word "Columbia," I propose to insert the words "or from other place as contemplated herein."

Mr. Speaker, I am in accord with the purpose of this bill. I think it ought to pass even without my amendment; but I appreciate that in the city of Washington, where we see everybody and where everybody sees us, we are apt to think of the thousands here and we are just as apt to forget the few hundreds who are in other places. I believe that justice would suggest that we provide for those who may have gone to Philadelphia, Pittsburgh, or Chicago, or somewhere else, in the same circumstances as the thousands who have come to Washington, that they shall have provision for returning to their homes. I know that the congestion feature of the argument does not apply in those other places. Still as long as we are giving a measure of justice I believe it is only fair that we extend it to those unheard persons who have gone from their homes to render service to the Government elsewhere. It is easy to hear those who speak and it is easy to forget those whose voices are never heard, and I venture this word and urge the amendment on behalf of those clerks who are in other places. [Applause.]

Mr. SHERLEY. Mr. Speaker, in response to the suggestion of the gentleman during my talk to the committee, I simply desire to say that the committee did not feel warranted, in view of its present information, in extending this bill to cover the service all over the United States. Conditions in other places are in no sense similar. The sudden dismissals will not be the same elsewhere as here, and the rule would not work with the same equity that the gentleman seems to think. I believe we would not be warranted in placing this added burden upon the Government at this time, and I hope the amendment of the gentleman will be rejected.

The SPEAKER. The question is on the amendment.

The amendment was rejected.

Mr. DENISON. Mr. Speaker, I offer the following amendment to section 1.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. DENISON: Page 2, line 8, after the word "elect," insert the following: "*Provided*, That the provisions of this act shall not apply to those who enter such service after the passage of this act."

Mr. SHERLEY. Does not the gentleman think the place to put that is at the end of the bill?

Mr. DENISON. I thought it would be better right here, after the end of this section, which makes provision for the transportation.

Mr. SHERLEY. I am not sure about that, but I would be sure of it in the other place.

Mr. DENISON. If the chairman prefers it to go at the end of the bill, I will not object.

Mr. SHERLEY. I think it had better go in at the end of the bill.

Mr. DENISON. Mr. Speaker, I will withdraw it for the present and offer it at the end of the bill.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

SEC. 2. That such transportation must be applied for within 10 days after the termination of service and shall be used within 5 days after issuance unless an extension of time on account of illness be granted by the proper authority: *Provided*, That as to the employees whose services have been terminated during the period between November 11, 1918, and the date of the passage of this act, inclusive, the foregoing limitation of 10 days shall operate from the date of the passage of this act. Any person who shall sell, exchange, or transfer such transportation for the use of another shall be punished by a fine of not more than $100.

Mr. LONGWORTH. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Page 2, line 20, after the word "than," strike out $100 and insert "$500, or imprisonment for not more than six months, or both."

Mr. LONGWORTH. Mr. Chairman, it may be that that penalty is slightly excessive, and if so I should be glad to modify the maximum at the suggestion of the chairman of the committee.

Mr. SHERLEY. I have no objection to it in view of the fact that there is no minimum, but that it fixes a maximum.

Mr. GARD. Mr. Speaker, I desire to be heard in opposition to the amendment. It seems to me the language attempted to be incorporated by the gentleman from Ohio is not proper. I am satisfied that punishment by a fine of not more than $100 would be a deterrent, and that is all that is necessary. It is idle to suppose that you could collect a fine of $500 from anyone who is in such a financial condition as not to be able to pay his or her way back to the place from which he or she came to Washington to accept a governmental position.

I do not join with many persons here in the idea that there is a tremendous number of young men or young women who are absolutely dependent upon this additional gratuity to get back home. I think the young men and young women who came here are of a high mental and moral caliber; that they are taking care of themselves and taking care of their money in most instances, and nearly all able to get back home. Nor do I believe the bait—because that is what it is—the bait to give transportation home as a means of having them individually apply for release from governmental employment will be very effective. My observation is that it takes something more than sleeping car fare and transportation on the railroad to separate them from the governmental pay roll. And as a deterrent the sum of $100 is, I think, a proper sum to be inserted here as a fine, but to say it should be raised to $500 or imprisonment for six months is, it seems to me, idle.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. GARD. Yes.

Mr. JOHNSON of Washington. In connection with the remarks of the gentleman as to the nonlikelihood of their leaving the service, the gentleman is aware that some bureaus are giving the employees 30 days, not as a leave but just to help them, so that they can accumulate one month's salary to help them back home.

Mr. GARD. Everybody knows that the only way to separate people from the service is to take away the appropriation for their payment.

Mr. STAFFORD. Will the gentleman yield?

Mr. GARD. Yes.

Mr. STAFFORD. Many of these clerks, being employed from a lump-sum appropriation for the year, how is it possible to discontinue the appropriation for their employment?

Mr. GARD. I confess that I can not answer the gentleman. He is a member of the Committee on Appropriations, and knows better than I do about that.

Mr. STAFFORD. That is the very idea; the Committee on Appropriations, recognizing the impossibility of discontinuing the appropriation, brought in the resolution.

Mr. GARD. I favor the resolution; but it seems to me that the cases of actual benefit will be comparatively few, because I think the clerks who came here in response to the call for patriotic service came with the earnest idea of serving during the war emergency; that they came here and are taking care of themselves and their money the best they can in view of the circumstances of extortion in the price of living in the District of Columbia.

Mr. WALSH. Mr. Speaker, I move to strike out the last word of the amendment in order to ask the gentleman from Wisconsin a question. Does the gentleman from Wisconsin contend that because some of these clerks are employed under a lump-sum appropriation the people whose duty it is to spend the lump sum must continue to expend it whether the employees are needed or not?

Mr. STAFFORD. That is rather a foolish question for the gentleman from Massachusetts to propound to a member of the Committee on Appropriations that has charge of the appropriation of millions of dollars and who at the present moment is engaged in the serious question of curtailing the appropriations of millions of dollars that have been voted for the employment of temporary clerical service.

Mr. WALSH. Well, Mr. Speaker, I decline to yield further to the gentleman unless he answers my question.

Mr. STAFFORD. It is such a ridiculous question——

Mr. WALSH. The gentleman interjected his remarks into the speech of the gentleman from Ohio.

Mr. HILLIARD. Mr. Speaker, I raise the point of order that the gentleman from Massachusetts is not discussing the amendment which he offered.

The SPEAKER. The gentleman is discussing the gentleman from Wisconsin.

Mr. GARD. And that is always in order. [Laughter.]

Mr. STAFFORD. Yes; he is always privileged to do that.

Mr. WALSH. Mr. Speaker, in view of the point of order made by the gentleman from Colorado, I shall not pursue the painful subject any further. [Laughter.]

The SPEAKER. The question is on the amendment offered by the gentleman from Ohio [Mr. LONGWORTH].

The question was taken, and the amendment was rejected.

Mr. HASTINGS. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Page 2, line 19, after the word "transfer," insert "or shall attempt to sell, exchange, or transfer, or who purchases or attempts to purchase."

Mr. HASTINGS. Mr. Speaker, it will be noted that this proposed amendment makes it an offense to attempt to sell or transfer or exchange this transportation, and also makes it an offense for one to purchase it, so that the purchaser of the transportation could be punished.

Mr. SHERLEY. Why would it not serve the gentleman's purpose to just put in the word "purchase," after the word "transfer," in line 19? We are not writing a formal penal statute here. I submit to the gentleman that an attempt to sell is not going to disturb the foundations of the Government, and if they do not sell and do not buy we will get along.

Mr. HASTINGS. Mr. Speaker, I think if we are going to provide any punishment at all we ought to punish the person who attempts to sell or transfer or exchange, and we ought to punish the person who purchases the transportation as much as the one who sells.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Oklahoma, and on a division (demanded by Mr. HASTINGS) there were—ayes 3, noes 21.

So the amendment was rejected.

Mr. KEARNS. Mr. Speaker, I move to strike out the last word for the purpose of asking the chairman of the committee a question in respect to section 2. Have not a great many of these clerks already been dismissed and have they not already left the city?

Mr. SHERLEY. Quite a number have, but I wish there had been more.

Mr. KEARNS. Section 2 undertakes to give them the benefit of this transportation.

Mr. SHERLEY. It does those who are here.

Mr. KEARNS. If they have already gone home it does not take care of them.

Mr. SHERLEY. It does not except as to those who go after December 10.

Mr. KEARNS. It applies to those who leave here after December 10.

Mr. SHERLEY. Then they are taken care of by virtue of section 4.

Mr. KEARNS. Suppose a person goes to an extreme part of the United States from here, say to the State of Washington.

Mr. SHERLEY. If a person goes after December 10 he or she gets the compensation refunded on a proper showing.

Mr. KEARNS. They have to make the application within 10 days. A great many of them will not be advised that this has become a law within that time.

Mr. SHERLEY. That is not true as to the refund. That is true as to those who are here and who have left the service. Those people ought not to be permitted to stay around here indefinitely and get their transportation.

Mr. KEARNS. What I am trying to get at is this: How long a time under this bill have the ones who go, say, to-day?

Mr. SHERLEY. Those who go after December 10 would have any reasonable time within which to present their claim.

Mr. KEARNS. There is no time fixed in the bill.

Mr. SHERLEY. There is no limitation fixed now, except the life of the appropriation. Ordinary diligence would be required of them. They ought to present their claims before the 1st of next July.

The SPEAKER. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

SEC. 3. That the expenses authorized by this act shall be paid from the following appropriations for the fiscal year 1919, which hereby are made available therefor:

For the War Department, from "Transportation of the Army and its supplies."

For the Navy Department, from "Pay, miscellaneous."

For all other executive departments and independent establishments, from the appropriations for the support of the services in which such persons are employed.

The SPEAKER. The Clerk will report the committee amendments in the form of new sections.

The Clerk read as follows:

Page 3, line 7, insert a new section, as follows:

"SEC. 4. That any employee who would be entitled to transportation, including sleeping-car fare, under this act and who has left the District of Columbia prior to the passage of this act, but not before December 10, 1918, upon application and presentation of proper proof shall have refunded the cost of actual railroad transportation, including sleeping-car fare, from the District of Columbia to the place from which employment was accepted or to such other place not a greater distance to which the employee may have gone: *Provided*, That payment to any employee for leave of absence not earned in proportion to the term of employment shall be deducted from the refund authorized in this section."

Mr. SHERLEY. Mr. Speaker, I offer to amend, in line 8, page 3, by striking out the word "fare" and inserting the word "accommodation." Also, in line 13, by striking out the word "fare" and inserting in lieu thereof the word "accommodation."

The SPEAKER. The Clerk will report the amendments offered by the gentleman from Kentucky.

The Clerk read as follows:

Page 3, line 8, strike out the word "fare" and insert the word "accommodation."

Page 3, line 13, strike out the word "fare" and insert the word "accommodation."

The SPEAKER. The question is on agreeing to the amendments.

The amendments were agreed to.

Mr. SHERLEY. Also, after the word "accepted," in line 14, insert the words "or to their legal residence," to make it accord with the amendment adopted by the House a moment ago.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 14, after the word "accepted," insert the words "or to their legal residence."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GARD. I suggest to the chairman of the committee that in line 11, after the words "upon application and presentation," it would be well to insert the words "within 60 days." There is no time limit when the application and presentation of the claim shall be made.

Mr. SHERLEY. I have no objection to a limit of time.

Mr. GARD. Does the gentleman not think that a reasonable limitation is better than to leave it as it is, entirely without limitation?

Mr. SHERLEY. I am inclined to agree with the gentleman that something ought to be put in there.

Mr. GARD. Does the gentleman desire to offer an amendment?

Mr. SHERLEY. Mr. Speaker, after the word "presentation," in line 11, I move to amend by inserting the words "within 60 days after the passage of this act."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 11, after the word "presentation," insert the words "within 60 days after the passage of this act."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question now is on agreeing to the committee amendment as amended.

The committee amendment as amended was agreed to.

The SPEAKER. The Clerk will read the next committee amendment.

The Clerk read as follows:

Page 3, line 20, insert as a new section the following:

"SEC. 5. That the provision made in this act for the transportation of employees shall not be supplemented in any manner by the various services in which they are employed."

Mr. KEARNS. Mr. Speaker, I move to strike out the last word. I find in section 4 the language "who has left the District of Columbia prior to the passage of this act, but not before December 10." Suppose some clerk or stenographer had been laid off or had lost her position, say, a week ago or two weeks ago and was still in the District. Would she get the benefit of this?

Mr. SHERLEY. Anybody in the District who has left the service since November 11 and comes under the other provisions of the act can get free transportation home.

Mr. KEARNS. If they are still in the District, although they had lost their positions, say, two weeks ago?

Mr. SHERLEY. Yes, sir; and those who have gone home after December 10. Now, the reason for section 4 was this: This act can not become a law, even if it is passed by the Senate, under presumably 10 days after it has passed the Senate. That being so, it would hold people in the service 10 days in order to get that transportation. We want to let them go out as fast as they can go, and so we made a provision by which anybody who leaves after December 10 and goes home can get a refund for their transportation.

Mr. KEARNS. Would this apply to anybody engaged in war work, no matter when they quit, if they are in the city?

Mr. SHERLEY. They will be caught either under section 2 or section 4.

Mr. KEARNS. Even if they quit a month ago or two months ago?

Mr. SHERLEY. Section 2 covers those who quit and are still here.

Mr. KEARNS. And it makes no difference when they quit?

Mr. SHERLEY. Not anybody who quit prior to the date of the armistice, November 11.

Mr. KEARNS. Is that mentioned in the bill?

Mr. SHERLEY. Yes; the gentleman will find it in section 1.

Mr. WALSH. Mr. Chairman, I move to strike out the last two words. Will the gentleman state just what section 5 is intended to cover?

Mr. SHERLEY. That is intended to cover these bonuses and any other device that the ingenuity of some generous department heads may work out at the public expense. It is to prevent the granting of additional bonuses of any kind to these clerks.

Mr. WALSH. Either in the form of leave or vacation?

Mr. SHERLEY. They are entitled under the law to the leave they have earned, which is at the rate of two and one-half days a month. Nobody desires to deny them that, but it prevents giving them any additional leave with pay.

The SPEAKER. Both pro forma amendments are withdrawn, and the question is on the amendment as amended.

The question was taken, and the amendment as amended was agreed to.

Mr. DENISON. Mr. Speaker, I desire to offer an amendment as a new section, which I ask the Clerk to read.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 22, add the following as a new section:

"SEC. 6. That the provision made in this act for the transportation of employees shall not apply to those who entered such service after the passage of this act."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. SHERLEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, Mr. ALEXANDER was granted leave of absence indefinitely on account of sickness.

Mr. RUBEY. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. RUBEY. Mr. Speaker, I desire to ask unanimous consent for leave of absence for my colleague, Mr. RUSSELL, indefinitely, on account of illness.

The SPEAKER. Is there objection [After a pause.] The Chair hears none.

DISTRICT APPROPRIATION BILL.

Mr. SISSON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13277.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13277, with Mr. ALMON in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 13277) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1920, and for other purposes.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For payment to beneficiaries named in section 3 of "An act making it a misdemeanor in the District of Columbia to abandon or willfully neglect to provide for the support and maintenance by any person of his wife or his or her minor children in destitute or necessitous circumstances," approved March 23, 1906, $6,500, or so much thereof as may be necessary, to be disbursed by the disbursing officer of the District of Columbia, on itemized vouchers duly audited and approved by the auditor of said District.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the subcommittee the reason for the change of language in this provision.

Mr. SISSON. I did not know the language had been changed; if so, it is by inadvertence. The gentleman is speaking of line 22, page 64, and the one on page 65?

Mr. WALSH. Yes.

Mr. SISSON. Well, I do not think it has been changed, so it must have been an error in printing. What change is it the gentleman from Massachusetts noticed?

Mr. WALSH. This seems to be payment to beneficiaries, and I think the law heretofore has been payment to destitute women and children, and I was wondering whether this would permit payment to others.

Mr. SISSON. They are the beneficiaries.

Mr. WALSH. Are they the only ones mentioned?

Mr. SISSON. That is all. In other words, to prevent repeating all this language the Clerk has simply carried the language for payment of beneficiaries named in section 3 of the act.

Mr. WALSH. I withdraw the pro forma amendment.

Mr. JUUL. Mr. Chairman, I desire to ask the chairman a question if I may be permitted to refer back to page 63, immediately at the top, line 1. There is a laborer provided for at $600 per annum.

Mr. SISSON. Yes.

Mr. JUUL. I would like to ask the chairman if that laborer is furnished board and lodging in the institution where he served.

Mr. SISSON. No.

Mr. JUUL. That means $50 a month?

Mr. SISSON. And he gets $120.

Mr. JUUL. According to this he gets $600 per annum?

Mr. SISSON. Yes.

Mr. JUUL. Which is $50 a month.

Mr. SISSON. And then he gets $120.

Mr. JUUL. Under the act recently passed. Does that mean his salary is $50 a month and that is all he gets?

Mr. SISSON. That means the salary is $60 a month.

Mr. JUUL. Down below, in lines 17 and 18, same page, you have a watchman at $480, and a blacksmith and woodworker at $500, and a driver for dead wagon at $365.

Mr. SISSON. They get their board and lodging and laundry. Everything is furnished except the clothing.

Mr. JUUL. But the laborer does not, the one referred to on page 63, the top line.

Mr. SISSON. The laborer in the court does not.

Mr. JUUL. Does it not strike the chairman that we ought to fix the condition of these people along lines so that they might live without stealing?

Mr. SISSON. Now, it is not necessary to put that imputation even upon this old employee. In other words, a great many of these people have got to be very old, and they do not have very much to do. They just sit around there and sort of wait on the court.

Mr. JUUL. Mr. Chairman, a man can not live and board and room anywhere in the city of Washington for the sum of money you allow him for his services here.

Mr. SISSON. This is almost in the nature of a pension. A great many conditions surround a great many of these men that are called laborers around the court. They do not have much to do. I think they might be dispensed with very well. If you want to cut it out, it would be in order for you to eliminate that pension entirely.

Mr. JUUL. I would like to see you treat the man a little different.

Mr. SISSON. You would pay a man for what he did, would you not?

Mr. JUUL. Yes.

Mr. SISSON. If he is really getting a pension you would not undertake to increase the pension or gratuity, would you?

Mr. JUUL. No, Mr. Chairman; but if he has no other employment I would want the United States to pay the man so that he might have three meals a day and have a bed to sleep in and live honestly. If it is proper to offer an amendment to strike out the figure "6" and insert "8" instead, on page 63, line 1——

Mr. SISSON. That has been passed, Mr. Chairman.

The CHAIRMAN. The gentleman from Mississippi makes the point of order that we have passed that line. The point of order is sustained.

Mr. JUUL. Mr. Chairman, I ask unanimous consent to revert to it.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to revert to the paragraph in order to offer an amendment.

Mr. SISSON. I object, Mr. Chairman. I would make the point of order if the gentleman should offer the amendment anyway.

The Clerk read as follows:

National Training School for Girls: Superintendent, $1,200; clerk, matron, and four teachers, at $600 each; overseer, $720; two parole officers, at $600 each; seven teachers of industries, at $480 each; engineer, $720; assistant engineer, $600; night watchman, $480; two laborers, at $300 each; in all, $12,480.

Mr. WALSH. Mr. Chairman, I make the point of order on the paragraph just read, in that in line 4, page 67, the word "clerk" has been inserted. The point of order is that the committee have changed the designation of "treasurer" to that of "clerk." There is no legislation authorizing any such change.

Mr. SISSON. Mr. Chairman, I ask unanimous consent that that be passed until I can look into that matter and see.

Mr. WALSH. The gentleman does not need to look beyond page 5 of the report, at the bottom of the page, where it says

that the designation of treasurer at $900 was changed to that of clerk at the same salary.

Mr. SISSON. It is possible. I will say to the gentleman, that the treasurer is not even authorized by law.

Mr. WALSH. The treasurer is authorized by law. I have the statute here which authorizes it.

Mr. SISSON. Let us just pass that for a moment.

Mr. WALSH. I am willing that the paragraph be passed until later, with the understanding that the point of order is pending.

Mr. SISSON. Oh, yes.

Mr. Chairman. I ask unanimous consent that the paragraph be passed temporarily.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that the paragraph be passed temporarily. Is there objection? [After a pause.] The Chair hears none. The Clerk will read.

The Clerk read as follows:

In all, National Training School for Girls, $37,480: *Provided*, That on and after July 1, 1919, appropriations for the National Training School for Girls shall be disbursed by the disbursing officer of the District of Columbia in the manner now provided by law for expenditures from appropriations for general expenses of the government of said District.

Mr. WALSH. Mr. Chairman, I make the point of order on the paragraph just read. That is entirely new legislation.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

Mr. SISSON. One moment, Mr. Chairman. I will ask that that also be passed, because that is coupled with this other provision. Let me look into it and see.

Mr. WALSH. The gentleman conceded the point last year. If he desires to have it passed over with the view of discussing it——

Mr. SISSON. I do.

Mr. WALSH. I have no objection to having it passed over.

The CHAIRMAN. The gentleman from Mississippi [Mr. SISSON] asks unanimous consent that this paragraph, lines 20 to 25, page 67, be passed temporarily. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

For emergency care and treatment of, and free dispensary service to, indigent patients under a contract or agreement to be made with Central Dispensary and Emergency Hospital by the Board of Charities, $26,000.

Mr. ROBBINS. Mr. Chairman, I move to strike out the last word. I want to ask the chairman of the subcommittee in charge of this bill a question.

Mr. SISSON. What paragraph?

Mr. ROBBINS. We are down to line 24, page 68. In those last three appropriations, one for the care of indigent patients, $19,000, and the other for the care of Garfield Memorial Hospital, $19,000, and this for emergency treatment, $26,000, what becomes of this money if it is not all expended for these purposes? I know the purposes are indefinite, but the appropriation is of a definite sum.

Mr. SISSON. It goes back into the Treasury.

Mr. ROBBINS. Why do not you use the same phrase, then, that you used in line 11, provision for the treatment of indigent patients, "not to exceed $19,000"? Why do you make an absolute appropriation, for an indefinite purpose, of a lump sum?

Mr. SISSON. It has been carried in this language many years.

Mr. ROBBINS. I do not think that justifies it. It is not clear.

Mr. SISSON. It has never been abused. They can not expend the money except for the purposes mentioned in the act. It would not amount to anything. They could not expend to exceed $26,000 anyway.

Mr. ROBBINS. I knew the maximum is fixed in that item. Why is not the same phraseology followed here as is followed with reference to the treatment of indigent patients in the Children's Hospital—"not to exceed" that lump sum?

Mr. SISSON. If the gentleman will notice, for care and treatment of indigent patients, under a contract to be made with the National Homeopathic Hospital Association, we limit the amount they may contract there to $10,000. That is something which fixes not the number of patients that may be treated in the hospital, but fixes a limit upon the amount which they may contract for. That is to say, they can contract for patients in the hospital not to exceed $10,000. In the case of the amount below there, the $26,000, the Board of Charities themselves handle the $26,000 for emergency cases of treatment.

Mr. ROBBINS. Yes; but in each one of these items you have the same provision, "under a contract"; and in line 10, for the Children's Hospital, for the treatment of indigent patients, the same term is used, "under a contract to be made with the Children's Hospital," and there you use the form of legislation, to wit, "not to exceed" the amount. What I criticize is the making of an absolute lump-sum appropriation of a definite amount for an indefinite object.

Mr. SISSON. That is just as definite as the other. The idea is that in the cases mentioned before you make a contract for a specific hospital, not to exceed a certain amount of money.

Mr. ROBBINS. And a specific hospital is named in connection with the other item; but with the assurance of the gentleman that no extravagance can arise under this bill as drawn, I withdraw the pro forma amendment.

Mr. MANN. A certain amount is allowed each day for each patient?

Mr. SISSON. Yes. In an emergency case a man may be injured on the street.

Mr. ROBBINS. I am not talking about that. I am talking about the theory on which you make the appropriation.

Mr. SISSON. We are simply giving the Board of Charities $26,000 to take care of the charity patients. There has been no abuse of it. That has been the practice all the while.

Mr. ROBBINS. If that is the correct explanation, Mr. Chairman, I will withdraw my amendment.

The CHAIRMAN. The pro forma amendment is withdrawn.

Mr. MANN. Mr. Chairman, my distinguished friend from Mississippi ought to be a little more frank and say it happens simply because different persons prepare the different items. The correct method is to make the appropriation not to exceed a certain amount. Sometimes they say "not to exceed," and then say "such an appropriation, or so much thereof as may be necessary"; but even when an absolute appropriation is made, you only appropriate in fact as much as is necessary, because under the law whatever money is unexpended for a purpose named in the law is covered back into the Treasury.

Mr. SISSON. Absolutely.

Mr. MANN. Now, it would be better language to strike out "not to exceed," or not to put it in. But very often in preparing these estimates they put it that way. Whoever prepared the estimate, I suppose, thinking it was a little stronger, put it that way, but it means precisely the same thing.

Mr. SISSON. If you left out the language would it not permit, in the making of these contracts with the various hospitals, the incurrence of a deficiency? We never permit deficiencies to be created in an appropriation of this kind. The Board of Charities are not permitted to expend for this particular hospital more than a certain amount of money.

Mr. MANN. I understand that. The gentleman from Pennsylvania [Mr. ROBBINS] called attention to the fact that the language of the four items is the same. They are all under contract, and they mean the same. The effect is the same. Only in one place you use three extra words, which take up that much more paper.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

For emergency care and treatment of, and free dispensary service to, indigent patients under a contract or agreement to be made with Eastern Dispensary and Casualty Hospital by the Board of Charities, $25,000.

Mr. GARD. Mr. Chairman, I move to strike out the last word for the purpose of asking a question.

The CHAIRMAN. The gentleman from Ohio moves to strike out the last word.

Mr. GARD. Mr. Chairman, I note that in these medical charities the total appropriation for hospitals made through the Board of Charities amounts to $192,000, and on page 70 there is a provision for the continuation of the erection of the Gallinger Municipal Hospital. What I want to know is, when this Gallinger Municipal Hospital is completed, is it the purpose to take care of indigent persons there or to continue the appropriations for all these other indigent hospitals?

Mr. SISSON. It was the purpose in constructing this hospital to take care of the District's indigent patients to the capacity which that hospital afforded. Of course, that hospital is not yet completed.

Mr. GARD. That is, the Gallinger Hospital?

Mr. SISSON. That is, the Gallinger Hospital.

Mr. GARD. Can the gentleman tell me how many indigent patients there are in the District of Columbia that receive hospital treatment?

Mr. SISSON. I can not. We ask about each of these items, and the gentleman will find in the hearings a statement as to the money, and how much was expended, and the contract price per patient. It runs along pretty evenly. The contract prices

vary somewhat, according to the character of treatment that the indigent patient has to receive. It is regulated largely by the cost of taking care of the patients. None of these institutions make any profit, as they claim, out of the care of the patients.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Gallinger Municipal Hospital: For continuing the construction of the Gallinger Municipal Hospital in accordance with the provision for that purpose in the District of Columbia appropriation act for the fiscal year 1918, $100,000; and the limit of cost of said hospital and accessory buildings is increased from $500,000 to $603,500.

Mr. FOSTER. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Illinois reserves a point of order on the paragraph.

Mr. FOSTER. I do not know that I will make it. This increases the limit of cost from $500,000 to $603,000. The limit of cost of this hospital was to be $500,000.

Mr. SISSON. That is true.

Mr. FOSTER. I would like to know now why, before this hospital is even begun, the limit of cost is increased $103,000?

Mr. SISSON. You see they prepared plans and specifications before the enormous increase in the cost of materials and labor took place, and in order to do the amount of work that they desire to do it is necessary to increase the limit of cost $103,000. I think, taking into consideration the vast increase in the cost of labor and materials, that is a very modest increase in the expenses necessary to build what they contemplated building out of the original sum.

Mr. FOSTER. Is there such an urgent demand for the building of this hospital that we ought to pay $100,000 more to build it now than we might have to pay later?

Mr. SISSON. I think there is, because the need for hospital facilities for the next few years in the District of Columbia is going to be very great.

Mr. FOSTER. It is not likely to be so great after the war conditions are settled as it is now.

Mr. SISSON. The medical authorities of the Army and Navy do not know, nor can anyone tell until these boys get back, just what demands there will be. Therefore they want to be able to take care of them when the demand comes.

Mr. FOSTER. I do not understand they are going to take care of these soldiers and sailors in the municipal hospital.

Mr. SISSON. That is true; that is, they will take care of all the patients they can in all the other hospitals, and, I take it, that there is no reason why arrangements could not be made to take them into this hospital. Of course arrangements could be made with the War and Navy Departments. But in addition to that the population of Washington has vastly increased, and the permanent population of the city is perhaps 100,000 more people than it was when it was first proposed to build this hospital.

Mr. FOSTER. I understand the gentleman that this does not increase the facilities of the hospital, but is only to take care of the increased cost.

Mr. SISSON. That is true. It is to take care of the increased cost of what they propose to build. If the cost of material and labor is reduced in the near future, we will get the benefit of that.

Mr. FOSTER. The gentleman does not think the Government will save any money in that case? The $100,000 will be spent just the same.

Mr. SISSON. It may be spent in enlarging somewhat the original plans, if the price of material and the price of labor go down. We went into this rather carefully, and your committee were unanimous in their opinion that this $100,000 ought to be granted. In fact, I think more than that ought to have been given.

Mr. FOSTER. Does the gentleman think this will be the last increase that will be asked for?

Mr. SISSON. Of course, the gentleman has been in Congress a long time and he knows just as much as I do about that.

Mr. FOSTER. I will not be here probably as long as the gentleman from Mississippi.

Mr. SISSON. I will say to my friend that I do not know what they will ask in the future. I do know, however, that the hospital facilities of the District of Columbia ought to be properly provided for in any event, and I am sure there is not a man in Congress who is more earnest and zealous in looking after proper hospital facilities than the gentleman from Illinois.

Mr. FOSTER. I do not think I shall make the point of order on it, though I think it is a bad policy to begin to increase the cost before we know what is going to be done. In the first place, I think that the Government had a very good arrangement for taking care of its indigent poor before we ever authorized the building of a hospital, and I have always questioned whether it was the thing to do to build a municipal hospital in the District of Columbia. Probably there is no city in the country where the indigent poor have been better taken care of than they have here, with all the hospital facilities everywhere in the District.

Mr. GARD. Has the contract been let for this Gallinger municipal hospital?

Mr. FOSTER. I do not know. I take it that there has been no contract let, but the plans and specifications have been made.

Mr. SISSON. My information is that the plans and specifications have all been made, but no contract has been let. Of course, they could not afford to let the contract until they had the money authorized.

Mr. FOSTER. The gentleman from Mississippi has always been very careful about appropriations, and I trust he is right on this proposition. I shall not make the point of order.

Mr. ROBBINS. Mr. Chairman, I move to strike out the last word. I notice in this connection that there are a great many hospitals here in Washington—the Freedmen's Hospital, Columbia Hospital, the Children's Hospital, the National Homeopathic Hospital, the Emergency Hospital, Georgetown University Hospital, Garfield Hospital, Providence Hospital, the Tuberculosis Hospital—and now they come in with this Gallinger Hospital, which the gentleman says has not been contracted for. How does it come that a city of three or four hundred thousand people should have such an array of hospitals as this? I am not enumerating any Government hospitals, either, such as Ft. Elizabeths, the Naval Hospital, or the Walter Reed Hospital.

Mr. SISSON. The hospitals which the gentleman has enumerated are none of them Government hospitals, except the Tuberculosis Hospital and the Gallinger Hospital.

Mr. ROBBINS. Here is a long list of appropriations for them aggregating an enormous sum of money, and now another hospital is to be added.

Mr. SISSON. That is for the purpose of caring for the indigent poor. There is no hospital in the city adequate to take care of the indigent sick. We have to avail ourselves of the private hospitals in order to take care of the indigent poor. We have to make contracts for these hospitals which has been the arrangement for many years where the Board of Charities make terms with the authorities to take such patients as the board may send there at a fixed price.

Mr. ROBBINS. Is the Gallinger Hospital designed to take care of the indigent poor?

Mr. SISSON. Yes.

Mr. ROBBINS. Then there will be no more indigent poor sent to these other hospitals?

Mr. SISSON. Not if the Gallinger Hospital is able to take care of all of the indigent poor; they will not be sent to the other hospitals.

The Clerk read as follows:

For maintenance, including care of horses, purchase and care of wagon and harness, $25,000.

Mr. WATSON. Mr. Chairman, I move to strike out the last word. In lines 3 and 4 it reads, "for maintenance, including care of horses, purchase and care of wagon and harness." Does that include only the horses, wagon, and harness?

Mr. SISSON. Oh, no; it includes the maintenance in the institution.

Mr. WATSON. It says "one wagon."

Mr. SISSON. This appropriation is $25,000 for the maintenance of the institution, and that includes the care of the horses and purchase of a wagon and harness.

The Clerk read as follows:

Temporary home for ex-Union soldiers and sailors, Grand Army of the Republic: Superintendent, $1,200; janitor, $360; cook, $360; maintenance, $4,000; in all, $5,920 to be expended under the direction of the commissioners; and ex-soldiers, sailors, or marines of the Spanish War, Philippine insurrection, or China relief expedition who served at any time between April 21, 1898, and July 4, 1902, shall be admitted to the home.

Mr. TILSON. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 74, line 3, after the word "of," strike out the remainder of line 3 and lines 4, 5, and 6 down to and including the figures "1902," in line 6, and insert "any war in which the United States has been engaged."

Mr. SISSON. Mr. Chairman, I make a point of order to that.

Mr. TILSON. Will the gentleman reserve it for a moment?

Mr. SISSON. I will.

Mr. TILSON. Mr. Chairman, the only purpose of my amendment is to add soldiers, sailors, and marines of the war with

Germany to the list of those who may be admitted to this temporary home for soldiers. At the present time the soldiers of the Civil War, the Spanish War, the Philippine insurrection, and the Chinese relief expedition are admitted. This simply opens the door of this temporary home to the soldiers of the present war.

Mr. BORLAND. Will the gentleman yield?

Mr. TILSON. Yes.

Mr. BORLAND. It is apparent that this wording is so framed as to embrace only what is known as Volunteer forces, and not the Regular Army of the United States. That is evidently the limitation in the form of the language.

Mr. TILSON. It does not say so.

Mr. BORLAND. Yes; the clear purpose is to confine it to the Volunteer forces as distinguished from the Regular forces.

Mr. FOSTER. The gentleman must be mistaken about that; they include the Regular soldiers.

Mr. SISSON. The gentleman is mistaken. My only objection is that we had no hearing as to what demand might be made on the fund. It is only a short time until the next bill will be ready, and then that matter can be taken up and we can determine whether there will be any funds needed. I take it that there will be nothing very technical about taking care overnight of any strange soldier that may be stranded and wished to be admitted. But I would not want to do it without knowing something about the demand that was to be made on the fund. The accommodations at the home are very limited, very small.

Mr. TILSON. I think we ought to begin just as soon as possible to recognize the parity of all of our soldiers and sailors who have served their country in the time of war. The doors of this home, originally intended for Union soldiers only, have been opened to those who were engaged in the Spanish War, in the Philippine insurrection, and in the China relief expedition. I think that we should indicate that it is our intention to make this a home, such as it is, for all who have served in the military forces of the United States in time of war.

Mr. FOSTER. But this is only a temporary home.

Mr. TILSON. Yes; I know it is only a temporary lodging house.

Mr. GARD. Will the gentleman yield?

Mr. TILSON. Yes.

Mr. GARD. I do not know that I have the language of the gentleman's amendment, but I want to say that I introduced a resolution the other day which is pending before the gentleman's committee which has for its purpose the opening of the National Military Homes throughout the country to all soldiers in the American war, including those in the present war, and including the regular volunteer forces in the selective service force, because I think every soldier in the American war is entitled to these comforts.

Mr. TILSON. I think so myself, but this is a temporary home and the resolution the gentleman refers to applies to the permanent homes.

Mr. SISSON. Mr. Chairman, I make the point of order.

The CHAIRMAN (Mr. CARAWAY). The point of order is sustained.

The Clerk read as follows:

Maintenance: Superintendent of clothing and laundry, $840; storekeeper, $720; steward, $900; stewardess, $600; veterinary and officer, $880; captain of guard, $1,200; captain of night watch, $900; two receiving and discharging officers, at $1,000 each; superintendent of laundry, $720; day guards—2 at $900 each, 22 at $840 each; 12 night guards, at $720 each; day officer, $600; 3 night officers, at $600 each; hospital nurse, $600; captain of steamboat, $1,100; engineer of steamboat, $1,000; superintendents—farm $1,200, dairy $1,000, poultry department $1,000; nurseryman, $1,000; in all, $57,240.

Mr. ROBBINS. Mr. Chairman, I move to strike out the last word in order to ask the chairman if this is the workhouse that we heard so much about when the women suffragettes were imprisoned therein, that it was not kept clean and that it was in a miserable condition. What has the gentleman to say about this, in view of this large appropriation?

Mr. SISSON. I would not be at all surprised if this prison was as clean as most prisons. I do not think any complaint was made except that they were put in a larger hall, where they could be more easily guarded. I have not heard any complaints except complaints of that kind. I have not heard of any complaint of that kind except as to the character of buildings they have. They have been wanting to build, and perhaps will have to within the next year or immediately, some new buildings in which to care for the people. The buildings they have now are constructed out of the timber that was on the land. They had a sawmill and sawed up the timber on the land and constructed these buildings. They own a brick plant down there, and they are replacing these buildings as rapidly as they can with bricks. I do not think any complaint can be made about the cleanliness of this place as a prison, because I think investigation will show it is as clean as prisons usually are.

Mr. ROBBINS. Was the gentleman ever out there to visit this workhouse?

Mr. SISSON. Yes; I have been out there twice. I never have been out there as an inmate, but simply in the performance of my official duties.

Mr. ROBBINS. Having received the assurance that the gentleman is going to provide better buildings for the suffragettes in the future, I withdraw the pro forma amendment.

Mr. FOSTER. Does the gentleman from Pennsylvania expect the suffragettes to be in jail out there again?

Mr. ROBBINS. I do not, but I am trying to provide a good place for them in case they do go.

Mr. FOSTER. I do not think they ought to be placed there.

Mr. ROBBINS. Nor do I, and I hope they will never be taken out there, or in any prison, for such offenses as they were alleged to have committed.

Mr. FOSTER. Mr. Chairman, I oppose the motion to strike out the last word. I want to ask the gentleman from Mississippi how many inmates are there in this workhouse?

Mr. SISSON. They have two institutions there connected together under one management. The total number is nearly 400.

Mr. FOSTER. Could the gentleman tell me whether the number of inmates has increased or diminished in the last two years?

Mr. SISSON. There has been a great increase in the population there in the last two years, because they transferred some there from other prisons. They had a total number of commitments during the last fiscal year of 3,739. Of course they have short commitments, and they had a daily average population, males, at one of the institutions of 312.93, and females, 50.89, making nearly 400 on an average. Sometimes it will be crowded, and these short-term people go out and the population goes down.

Mr. ROBBINS. Can the gentleman tell us the number in the year before that?

Mr. SISSON. I will state also that there are about two hundred and odd long-term men who are either at Atlanta, Ga., or at Fort Leavenworth, Kans., who ought to be out here. The judges have declined, however, to send them there because the accommodations are not sufficient to take care of the long-term men and those men who are liable to escape. I hope that in the near future we may be able to make accommodations out there sufficiently great to accommodate all of the District convicts. I believe that plant can be made not perhaps self-supporting, but can be made to reduce the expenses to the District of Columbia very materially in caring for prisoners.

Mr. FOSTER. They have a brick plant out there. Are they doing anything with that?

Mr. SISSON. They made not very many bricks last year, though I understand they did make some. They made all of the bricks that are in the Central High School, and could have made quite a number of bricks which the market would have been glad to absorb, but the gentleman will recall there is a provision in the bill not permitting bricks to be sold in the market. There is an effort being made to permit the Federal Government to buy these bricks for Federal buildings.

Mr. FOSTER. Did the Federal Government take over this brick plant?

Mr. SISSON. It did not.

Mr. FOSTER. So that there has been no decrease, but there has been rather an increase, in the number of prisoners in that workhouse this last year?

Mr. SISSON. There has been some decrease, perhaps, but I do not know whether it is due altogether to prohibition or not.

Mr. FOSTER. That is what I wanted to find out.

Mr. SISSON. There has been some decrease in the number of commitments in the courts to those two prisons, but I do not know just how that may be accounted for. The number of inmates would be increased considerably if you could get the judges to send all of the criminals convicted to these two institutions, but the long-term prisoners, 8 or 9 or 10 years, they have been sending to Atlanta and to Fort Leavenworth. If we were ready to take care of them out there, I should advocate placing a provision in some of these bills requiring the judges to send them all to Occoquan, but the judges are unwilling to do that, because if the prisoner's reputation is not very good they are afraid of his escape.

Mr. FOSTER. So that the gentleman says there really has been a decrease in the number of prisoners.

Mr. SISSON. The records show that there has been some decrease in the number of inmates.

The Clerk read as follows:

For expenses of camps, including hire of horses for officers required to be mounted, and such hire not to be deducted from their mounted pay, and for the payment of commutation of subsistence for enlisted men who may be detailed to guard or move the United States property at home stations on days immediately preceding and immediately following the annual encampments, damages to private property incident to encampments, instruction, practice marches and practice cruises, drills and parades, fuel, light, heat, care and repair of armories, offices, and storehouses, practice ships, boats, machinery and dock, dredging alongside of dock, telephone service, horses and mules for mounted organizations, street car fares (not to exceed $200) necessarily used in the transaction of official business, and for general incidental expenses of the services, $20,000.

Mr. FOSTER. Mr. Chairman, I move to strike out the last word for the purpose of asking the gentleman from Mississippi if the District of Columbia has a militia here now.

Mr. SISSON. The District of Columbia is maintaining a force not equal to the force they had in time of peace, under a special act of Congress which was passed authorizing the reorganization of the District militia, taking those men who were not subject to draft or who had not yet been taken in the draft. Of course, as soon as they are drafted they would be taken out, and as quickly and as rapidly as can be done they will reorganize under the regular militia act.

Mr. FOSTER. So that they have no militia now except what is called the Home Guard?

Mr. SISSON. Yes. The gentleman recollects that we passed a bill here at the request of the War Department organizing a special militia——

Mr. FOSTER. I notice this is called the militia.

Mr. SISSON. Yes. Under the present current fiscal year they will perhaps maintain the present organization, but this fund is for the purpose of reorganizing the regular militia and taking care of it when peace arrives. When the soldiers get back, those who want to continue in the State militia may do so.

Mr. FOSTER. It is just this home guard now, and will be until further action is taken?

Mr. SISSON. I do not presume any of this money will be used under this act. They could not use it under this act if the war officially closes between now and the end of this fiscal year.

Mr. FOSTER. The 1st of July?

Mr. SISSON. Yes.

Mr. FOSTER. They could not use any for this; but are they using this appropriation?

Mr. SISSON. Not this.

Mr. FOSTER. I do not mean this, but under the same head?

Mr. SISSON. Yes.

Mr. FOSTER. They have the right to do that; that is all.

Mr. SISSON. Yes; that is all.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

SEC. 3. That all horses, harness, horse-drawn vehicles necessary for use in connection with construction and supervision of sewer, street, street lighting, road work, and street-cleaning work, including maintenance of said horses and harness and maintenance and repair of said vehicles and purchase of all necessary articles and supplies in connection therewith, or on construction and repair of buildings and bridges, or any general or special engineering or construction work authorized by appropriations, may be purchased, hired, and maintained, and motor trucks may be hired exclusively to carry into effect said appropriations when specifically and in writing ordered by the commissioners; and all such expenditures necessary for the proper execution of said work, exclusive of personal services, shall be paid from and equitably charged against the sums appropriated for said work; and the commissioners in the annual estimates shall report the number of horses, vehicles, and harness purchased and horses and vehicles hired and the sums paid for same and out of what appropriation; and all horses owned or maintained by the District shall, so far as may be practicable, be provided for in stables owned or operated by said District: *Provided*, That such horses, horse-drawn vehicles, and carts as may be temporarily needed for hauling and excavating material in connection with works authorized by appropriations may be temporarily employed for such purposes under the conditions named in section 2 of this act in relation to the employment of laborers, skilled laborers, and mechanics.

Mr. SISSON. Mr. Chairman, I ask unanimous consent to return to page 30, line 18. The point of order was made on that paragraph, and the gentleman making the point of order now desires to withdraw it. I will ask the Clerk to read that paragraph if I get unanimous consent to return.

Mr. MADDEN. I wish to say to the Chairman that I have looked into the needs——

Mr. WALSH. I will renew the point of order until we find out what the provision is.

Mr. SISSON. The Clerk is going to read the provision. I ask unanimous consent to return to page 30, lines 17 and 18.

The CHAIRMAN. Is there objection?

Mr. WALSH. That is for the attendance officers?

Mr. SISSON. Yes.

Mr. DYER. The point of order took those lines out.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MADDEN. Mr. Chairman, I withdraw the point of order.

The Clerk read as follows:

Attendance officers: Attendance officers—one $900, four at $800 each, four at $600 each; in all, $6,500.

Mr. SISSON. Mr. Chairman, I offer as an amendment, page 30, after line 18, to make it "four" instead of "two" at $800.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 30, line 18, at the beginning of the line, strike out the word "two" and insert the word "four."

Mr. WALSH. Mr. Chairman, that is not the amendment; the entire item went out on the point of order.

Mr. SISSON. No; only to the two new places.

The question was taken, and the amendment was agreed to.

Mr. SISSON. Now, I will ask the Clerk to report the paragraph, so as to be sure it is correct.

The Clerk read as follows:

Attendance officers: Attendance officers—one $900, four at $800 each, four at $600 each; in all, $6,500.

Mr. SISSON. That is correct. Now, we will return to those items which were passed on page 67.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SISSON. In line 4 a point of order was reserved. I have looked the statute up, and the gentleman from Massachusetts is correct about it. The statute provides for a treasurer, and the committee has dropped the word "treasurer" and inserted the word "clerk." I therefore concede the point of order and offer the following amendment, on page 67, line 4, after the figures "$1,200," insert "treasurer."

The CHAIRMAN. The point of order is sustained, and the Clerk will report the amendment.

The Clerk read as follows:

Page 67, line 4, after the figures $1,200," insert the word "treasurer."

Mr. SISSON. Of course, the word "clerk" goes out on the point of order.

The question was taken, and the amendment was agreed to.

Mr. SISSON. So line 4 will read, "superintendent, $1,200, treasurer, matron, etc." Also a point of order was made at the bottom of page 67, beginning with line 20——

Mr. MANN. The gentleman does not want to strike out line 20.

Mr. SISSON. Beginning line 21 with the word "*Provided*," at the bottom of page 67, the gentleman from Massachusetts reserved the point of order on that language. The point of order is good and may be sustained.

The CHAIRMAN. The Chair still does not understand the gentleman from Mississippi——

Mr. SISSON. Strike out all after the word "*Provided*," in lines 21, 22, 23, 24, and 25.

The CHAIRMAN. Does the gentleman from Massachusetts insist upon the point of order?

Mr. WALSH. I do.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

SEC. 7. That the commissioners and other responsible officials, in expending appropriations contained in this act, so far as possible shall purchase material, supplies, and equipment, when needed and funds are available from the various services of the Government of the United States possessing material, supplies, and equipment no longer required because of the cessation of war activities. It shall be the duty of the commissioners and other officials, before purchasing any of the articles described herein, to ascertain from the Government of the United States whether it has articles of the character described that are serviceable. And articles purchased from the Government, if the same have not been used, shall be paid for at a reasonable price not to exceed actual cost, and if the same have been used, at a reasonable price based upon length of usage. The various services of the Government of the United States are authorized to sell such articles to the municipal government under the conditions specified and the proceeds of such sales shall be covered into the Treasury as a miscellaneous receipt.

Mr. WALSH. Mr. Chairman, I reserve the point of order on the paragraph.

Mr. JOHNSON of Kentucky. I want to offer an amendment.

Mr. WALSH. I reserve the point of order.

The CHAIRMAN. The gentleman from Massachusetts reserves the point of order.

Mr. SISSON. Does the gentleman want to ask a question?

Mr. WALSH. I want to ask the gentleman what is the character of material and supplies the committee had in contemplation?

Mr. SISSON. Only such as is authorized to be purchased in the bill. For example——

Mr. WALSH. There is a variety—automobiles, mops, brooms——

Mr. SISSON. Well, whatever the Federal Government has in the shape of war material that may be used in the District

of Columbia they may be authorized to purchase it. This simply authorizes them to take from the Federal Government at a reasonable price the things the Government now has and the money covered into the Treasury. We would rather buy it from the Government than to have the dealer go and buy from the Government and buy it back, or go into the market and buy the material originally.

Mr. WALSH. If the Government has a number of trucks or automobiles that they have been using in connection with war activities and some department in the District of Columbia needs an automobile they are obliged to go and buy this second-hand affair?

Mr. SISSON. Provided they can get what will suit them as well or better. In other words, this simply gives the District Commissioners the right to buy the things which the Government will dispose of.

It is in harmony with the general purpose of the Government in endeavoring to get rid of a great deal of material which they purchased during the war. Many of the articles are practically new; many of the typewriters new; many of the trucks are new; and many of the automobiles are new. There are several automobiles to be purchased in this bill. Quite a good deal of material is to be purchased by the water department and by the street department, and a good many vehicles they can use to advantage. If the Government offers them a price that will be better and more favorable than the open market, this simply gives them the opportunity to avail themselves of that opportunity to purchase from the Government.

Mr. WALSH. Is it the idea that they might make a little saving of money?

Mr. SISSON. We hope to save some money both to the Federal Treasury, by buying at a reasonable price, and also to the District treasury.

Mr. WALSH. Well, what has the gentleman to base any such unusual hope as that upon?

Mr. SISSON. I do not know as it is an unusual hope. We have got to arrange in some way to take care of a great lot of material which the Government has purchased for war purposes. Now, the war is over. There will be over a billion dollars' worth of this character of property throughout the country, as estimated by the various departments, to be sold. Now, it would be better, we think, for the Government, in the departments where Congress has authorized the purchase of these identical things, to absorb them by the Government rather than putting them upon the market.

Mr. WALSH. Are there any houses provided for in this bill?

Mr. SISSON. Any houses?

Mr. WALSH. Yes.

Mr. SISSON. No.

Mr. WALSH. There would not be any opportunity for them to purchase some of these Swiss chalets?

Mr. SISSON. No; nothing of that sort is authorized.

Mr. WALSH. Now, how far does the gentleman contend that this is compulsory upon the officials of the District of Columbia?

Mr. SISSON. Only where the District Commissioners find that they can save money; that they can get what they want at the same or less price.

Mr. WALSH. No. It says that the commissioners and other responsible officials in expending appropriations contained in this act, so far as possible, shall purchase materials. How far does the gentleman think that would go?

Mr. SISSON. In other words, the idea is that if they can get them from the Government they ought not to buy them elsewhere if they can make the same terms.

Mr. WALSH. Who is to decide?

Mr. SISSON. The commissioners, who decide where they shall buy things now.

Mr. WALSH. Well, I will withdraw the reservation of the point of order.

Mr. JOHNSON of Kentucky. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. JOHNSON of Kentucky offers the following amendment: On page 98, at the end of the bill, insert the following as a new paragraph:

"That the sum of $75,000 is hereby appropriated wholly out of the revenues of the District of Columbia to pay the indebtedness of the District of Columbia to the United States on account of the unpaid balance of the advances to defray District of Columbia expenses of the fiscal year 1878, as provided by section 17 of the act providing for the support of the District of Columbia for said fiscal year, approved March 3, 1877, and said sum shall be transferred to the credit of the United States from the amount in the Treasury to the credit of the District of Columbia immediately upon the approval of this act."

Mr. MANN. Mr. Chairman, I reserve a point of order on that amendment.

Mr. JOHNSON of Kentucky. I take it for granted, Mr. Chairman, that we had better dispose of the point of order first.

Mr. MANN. Then I make the point of order.

Mr. JOHNSON of Kentucky. If the gentleman will reserve it, I will explain the matter. Or does the gentleman desire the point of order argued?

Mr. MANN. I reserved it, for I thought the gentleman said he wanted the point of order disposed of first.

Mr. JOHNSON of Kentucky. I understood the gentleman did.

Mr. MANN. Oh, no; I reserved the point of order.

Mr. JOHNSON of Kentucky. Mr. Chairman, as the House no doubt knows, several years ago the House Committee on the District of Columbia commenced a big undertaking of going through the accounts between the District of Columbia and the United States with the view of having all sums of money due to the United States paid into the Federal Treasury. As I said, that investigation of the books and accounts has been going on several years. Up to the present time, if I remember correctly, about $2,300,000 have been recovered and paid into the Federal Treasury.

Again referring to this item, I will say that back in 1878 the United States Government advanced about $400,000 to the District of Columbia. The District of Columbia has paid $325,000, in round figures, of that amount, leaving $75,000 unpaid. The accountant acting for the District of Columbia Committee has gone through every book and account pertaining to the subject and has found that this money, in the first place, was advanced, and, in the next place, that this $75,000 account has not been paid. The Secretary of the Treasury then referred the matter to the expert accountant who keeps the accounts between the District of Columbia and the United States. That man's name is Mr. Thomas A. Hodgson, and I have here with me a written communication from him concurring in the report made by the committee accountant stating that this money has not been refunded to the United States.

In addition to that, I have here with me a communication signed by Mr. Brownlow, the president of the Board of Commissioners of the District of Columbia, stating that the auditor of the District of Columbia finds that the money was received and that this balance is unpaid.

Mr. MANN. Mr. Chairman, I know nothing about this matter except what the gentleman from Kentucky [Mr. JOHNSON] now states. I know that he has been at work investigating and has had an accountant for his committee investigating on this subject for a good while—on this subject and other subjects. Why was not this matter brought to the attention of the Committee on Appropriations?

Mr. JOHNSON of Kentucky. I will say to the gentleman that the reason why it was not brought to the attention of the Committee on Appropriations at this time, as has been done heretofore, is that Mr. Hodgson, the Treasury accountant, has recently been compelled to undergo three major surgical operations, and it was not until after this bill had been introduced that I got the written statement from him as to the correctness of this charge.

Mr. MANN. Well, on the gentleman's statement I will withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn. The question is on agreeing to the amendment.

Mr. SISSON. One moment, Mr. Chairman. My only objection to this amendment is the form in which it is drawn. I have investigated this matter, and the auditor of the District of Columbia says that this amount is due, but it appears as an appropriation. Now, we have heretofore carried this in this way, "That the sum of $75,000 shall be transferred to the credit of the United States from the amount in the Treasury of the United States to the credit of the District of Columbia." Here this is in the form of an appropriation. The money is already in the Treasury. Formerly it was a transfer of funds from the District money in the Treasury to the United States. In this way it is money appropriated in the total of the bill, which would be misleading. This amendment ought to be amended so that it would read, "The sum of $75,000 shall be transferred to the credit of the United States from the amount in the Treasury of the United States to the credit of the District of Columbia, to pay the indebtedness of the District of Columbia to the United States on account of advances to defray District of Columbia expenses of the fiscal year," and so on. If it is in this form, it will comply with the form in which these matters heretofore have appeared in this bill. I have no objection to its going into the bill in that form.

Mr. JOHNSON of Kentucky. Mr. Chairman, I wish to say in that connection that on a former occasion, when an item

similar to this was in the appropriation bill, the gentleman from Illinois [Mr. MANN] made a point of order to the language which the gentleman from Mississippi now proposes to use. In order to avoid the possibility of a point of order being made at this time, in preparing the amendment I wrote it purposely making it an appropriation. Provided the United States is to recover this amount of money, to which it is most clearly entitled, I have no choice as to the language used, my only aim being that the United States Government shall get the money.

The CHAIRMAN. Does the gentleman from Mississippi submit an amendment to the amendment?

Mr. SISSON. Yes.

The CHAIRMAN. The clerk will report it.

Mr. SISSON. Amend it so that it will read:

That the sum of $75,000 shall be transferred to the credit of the United States from the amount in the Treasury of the United States to the credit of the District of Columbia to pay—

And so forth.

The CHAIRMAN. The gentleman will send the amendment up to the desk. The Clerk will report the amendment as amended.

The Clerk read as follows:

Amend the amendment by striking out after the figures "$75,000" the words "is hereby appropriated wholly out of the revenues of the District of Columbia, to pay the indebtedness of the District of Columbia to the United States on account of," and insert in lieu thereof the following language: "shall be transferred to the credit of the United States from the amount in the Treasury of the United States to the credit of the District of Columbia, to pay the indebtedness of the District of Columbia to the United States."

The CHAIRMAN. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on agreeing to the amendment as amended.

Mr. SISSON. Mr. Chairman, I would like to have it reported now, the whole amendment as it will read.

The CHAIRMAN. The Clerk will now report the amendment as amended.

The Clerk read as follows:

Amendment as amended:

"That the sum of $75,000 shall be transferred to the credit of the United States from the amount in the Treasury of the United States to the credit of the District of Columbia, to pay the indebtedness of the District of Columbia to the United States on acount of the unpaid balance of the advances to defray District of Columbia expenses of the fiscal year 1878, as provided by section 17 of the act providing for the support of the District of Columbia for said fiscal year, approved March 3, 1877, and the said sum shall be transferred to the credit of the United States from the amount in the Treasury to the credit of the District of Columbia immediately upon the approval of this act."

The CHAIRMAN. The question is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

Mr. JOHNSON of Kentucky. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Kentucky offers another amendment, which the Clerk will report.

The Clerk read as follows:

At the end of the bill insert the following as a new paragraph:

"That the sum of $50,865 is hereby appropriated wholly out of the revenues of the District of Columbia to pay the indebtedness of the District of Columbia to the United States on account of advances to defray the expenses of constructing and equipping a school building in Georgetown, D. C., as provided in the act approved March 3, 1875, and said sum shall be transferred to the credit of the United States from the amount in the Treasury to the credit of the District of Columbia immediately upon the approval of this act."

Mr. JOHNSON of Kentucky. Mr. Chairman, as to this item, I wish to say that the accountant for the House Committee on the District of Columbia has found this indebtedness; that the accountant assigned to the work by the Secretary of the Treasury agrees with that finding; and the Commissioners of the District of Columbia, through a report from their auditor, agree that this amount is unpaid. I have those statements here in writing with me.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. SISSON. Mr. Chairman, I would like that amendment to be carried in the language usually carried and in the language of the other amendment.

The CHAIRMAN. Without objection, the amendment will be so modified as to carry the same language.

There was no objection, and the proposed modification was agreed to.

The CHAIRMAN. The question is on agreeing to the amendment as modified.

The amendment as amended was agreed to.

Mr. JOHNSON of Kentucky. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Kentucky.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Kentucky: At the end of the bill insert the following as a new paragraph:

"That the sum of $75,000 is hereby appropriated wholly out of the revenues of the District of Columbia to pay the indebtedness of the District of Columbia to the United States on account of advances for the support of the public schools of the District of Columbia, as provided by a clause of the sundry civil appropriation act approved March 3, 1877, and the said sum shall be transferred to the credit of the United States from the amount in the Treasury to the credit of the District of Columbia immediately on the approval of this act."

Mr. JOHNSON of Kentucky. Mr. Chairman, this item of indebtedness has been ascertained by the accountant for the Committee on the District of Columbia, and has been found to be correct by the accountant of the Treasury Department, and also by the auditor of the District of Columbia. In that respect it is exactly like the two which have preceded it.

Mr. SISSON. Mr. Chairman, I ask that that amendment also be modified to conform to the language of the other two appropriations.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that the amendment offered by the gentleman from Kentucky may be modified so as to contain the language in the first amendment. Is there objection?

There was no objection.

The CHAIRMAN. The question is on the amendment as modified.

The amendment as modified was agreed to.

Mr. SISSON. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the several amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 13277) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1920, and for other purposes, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

On motion of Mr. SISSON, a motion to reconsider the vote by which the bill was passed was laid on the table.

POST OFFICE APPROPRIATIONS.

Mr. MOON. Mr. Speaker, I ask unanimous consent that when the bill making appropriations for the service of the Post Office Department for the fiscal year 1920, and for other purposes, is taken up for consideration each section of the bill and every item of each section be treated as in order, notwithstanding the general rules in the House.

The SPEAKER. The gentleman from Tennessee calls up the Post Office appropriation bill, which the Clerk will report by title.

The Clerk read the title of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that every section, paragraph, and item of that bill be considered in order, notwithstanding the general rules of the House. Is there objection?

Mr. MANN. Reserving the right to object, I should like to inquire whether the Chair thinks, if that request is granted, it will permit amendments to be offered which otherwise would be out of order?

The SPEAKER. They would not be considered if the present occupant of the chair was in the chair. The gentleman's request does not apply to amendments.

Mr. MANN. I know, but here is the point I want to get at: Here is an item in the bill which is subject to a point of order. Under the practice and rules, if no point of order is made against the item when it is reached, it is open for amendment.

Mr. MOON. I should think any amendment that would be germane to the section would be in order.

Mr. MANN. What I want to inquire is whether the gentleman's request would exclude the right of an amendment over a point of order?

Mr. MOON. Not if it is germane. It is not so intended.

Mr. MANN. May I ask the gentleman further: The gentleman said, "When the bill is taken up for consideration." Is the bill coming up for consideration now?

Mr. MOON. I am going to move to consider it now.

Mr. WALSH. Mr. Speaker, reserving the right to object, if this request is granted, as I understood the inquiry and the reply thereto, no point of order can be raised on any matter contained in the bill.

The SPEAKER. That is it exactly.

Mr. WALSH. I should like to ask the gentleman from Tennessee, who has charge of this very important measure, the reason for this somewhat unusual request?

Mr. MOON. The committee directed the chairman to make this request. It is the unanimous action of the committee, and if it is not granted then I am instructed to ask for a rule.

There is nothing new in this bill except the difference in the amount of the appropriations, and the making permanent of some law that in the last bill was annual or temporary. I believe there is perhaps one little section on the question of the vacation of clerks, and there are one or two other minor matters.

The matter in this bill is identical as it has been passed by the House at the last session, except the amounts of the appropriations and the making permanent of legislation that was only temporary.

Mr. STEENERSON. Will the gentleman yield?

Mr. MOON. I yield to the gentleman.

Mr. STEENERSON. I think it ought to be stated that there are a few items not covered by the gentleman's statement.

Mr. MOON. I said there might be some other minor matters that I do not recall.

Mr. STEENERSON. There is the motor-truck matter.

Mr. MANN. And the appointment of a commission.

Mr. STEENERSON. The appointment of a commission and the aeroplane provision and the motor-truck provision, which do change existing law.

Mr. MOON. No; I do not understand that.

Mr. STEENERSON. It is new law.

Mr. MOON. It is new law, I concede.

Mr. STEENERSON. It was not covered by the gentleman's statement.

Mr. MOON. Those were covered in the last bill, but the aeroplane proposition in the last bill was carried under the steamboat appropriation. It is now carried under the inland-transportation provision, and a limitation is made on the amount to be appropriated. That is all the difference, as I understand it.

Mr. STEENERSON. I agree with the gentleman that the committee were unanimous in requesting the chairman to make this request, but I did not think the gentleman's statement of the effect of it, that it embraced new legislation only on the salary proposition, was full enough.

Mr. MOON. The new legislation on the salary proposition is simply the legislation that we have passed before, with certain modifications.

Mr. STEENERSON. It is to make permanent the changes.

Mr. CALDWELL. Mr. Speaker, I think the best way to get rid of this is to object. I object.

The SPEAKER. The gentleman from New York objects.

Mr. MOON. Mr. Speaker, I was not looking for that objection.

Mr. STEENERSON. I hope the gentleman will withdraw that. It is very important. I simply wanted the House to understand it.

The SPEAKER. The gentleman from New York objects.

Mr. CALDWELL. I will withdraw the objection.

Mr. GRAHAM of Illinois. Reserving the right to object, I was unable to hear plainly what the unanimous-consent request was.

The SPEAKER. The gentleman from Tennessee asked unanimous consent that every section, paragraph, and item in this bill brought in here should be considered in order, notwithstanding the general rules of the House. If the gentleman from Illinois knows what is in the bill he knows whether he wants to object or not.

Mr. GRAHAM of Illinois. Still reserving the right to object, I do not see the necessity of this or the advisability of it, and I object.

Mr. MOON. The necessity is this: Of course, the House will grant a rule to do the very thing I am asking to do by unanimous consent. It will take up an hour or two in the disposition of the rule. There is nothing in the bill except that that has been stated. It is the unanimous request of the committee. The gentleman will just delay us two hours to-morrow in the consideration of this bill.

Mr. GRAHAM of Illinois. I withdraw the objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. MOON. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the Post Office appropriation bill; and pending that I ask unanimous consent that general debate be limited to six hours, one half of the time to be controlled by the gentleman from Minnesota, Mr. STEENERSON, and the other half by the chairman of the committee.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that general debate on the bill be confined to not more than six hours, and that half of the time be controlled by the gentleman from Minnesota, Mr. STEENERSON, and the other half by himself. Is there objection?

Mr. ROBBINS. Reserving the right to object, I want to ask whether the general debate is to be limited to the bill.

Mr. MOON. No; it is general debate, and you can talk about anything you choose.

The SPEAKER. Is there objection?

There was no objection.

The motion of Mr. MOON was then agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. CRISP in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the bill of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 13808) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

Mr. MOON. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to dispense with the first reading of the bill. Is there objection?

There was no objection.

Mr. MOON. Mr. Chairman, I yield to the gentleman from Minnesota.

Mr. STEENERSON. Does not the gentleman from Tennessee propose to use any of his time?

Mr. MOON. Not just now, if the gentleman will yield to the gentleman from Illinois.

Mr. STEENERSON. Mr. Chairman, I yield 30 minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman and gentlemen, this bill proposes to appropriate about $359,000,000. It provides for all of the ordinary activities of the Post Office Department, and it especially provides for the continuation of the increased compensation granted in the current Post Office appropriation bill—for the $200 increased compensation for the men who are in the supervisory positions of the department.

The current law provides that the clerks in the first and second class offices and carriers in the City Delivery Service and railway mail clerks should have their compensation increased $200 for the current fiscal year. It provides also that during the current fiscal year the men in these three branches of the Postal Service shall not be entitled to automatic promotion, as the salary increases were limited to the current fiscal year.

The law provided also that all salaries above $2,200 should be increased 5 per cent; that all salaries between $1,500 and $2,200 should be increased 10 per cent; that all salaries between $1,000 and $1,500 should be increased 15 per cent; that all salaries and wages from $1,000 down should be increased 20 per cent. This was for a single year only.

The bill also provided last year that a new classification should be enacted for clerks and carriers in the first and second class post offices and for carriers in the City Delivery Service, which would increase their compensation from $800, as the law provided before, to $1,200 and make it from $1,000 to $1,500, according to the class. It provided also that the number of classes in the Railway Mail Service should have an increase of $200 per class, whereas before this law was enacted the railway postal clerks should receive $900 as an initial salary and running up to $1,800. The new classification provided that the entire personnel should start at $1,100 and go up to $2,000.

Prior to the enactment of this law the law provided that the man entering the Postal Service should begin with an initial salary as a clerk or carrier at $800, and that after a year's service in a single class he would go up $100. So that the second year of his service he would get $900, and at the end of the second year of the permanent service he would go up to $1,000, and the following year to $1,100, and the next year, if

the appropriations were made for an increase in compensation, he might go up to $1,200. But since the Congress never appropriated for the total amount required to promote all the men in the next class to the highest, all the men in the lower classes below the highest were not promoted to the higher class. The difference between this bill and that law is that these men are to be promoted from the class in which they are on the last of July, 1919, automatically after they have served one year in the class in which they find themselves on that date.

So that, for example, if a man serves in class three from the 1st of July, 1918, to the 1st of July, 1919, even though he receives an increase in his compensation of $200 during the fiscal year 1918–19, he would still on the 1st of next July be entitled to an automatic promotion to the next higher grade, which would give him $100 additional to his compensation.

The men in this service have a hard struggle to begin with. They are men of exceptional intelligence. They are required to acquire a knowledge of the Postal Service which, in fact, makes them experts in the line. No man can enter the service under ordinary circumstances without having passed a civil-service examination proving his qualifications. After he has passed the examination, as a rule he is appointed as a substitute, and in the large cities of the United States he is compelled by the conditions which surround the service to work at least four years as a substitute before he is able to obtain a regular appointment.

During the four years of his substitute service it is fair to say that he does not make more than an average of $40 a month. It has been said that he does not make more than $35 a month. So that he is not receiving a very munificent compensation for the work he does. What does he do while he is rendering substitute service? He substitutes for some man who is off duty, but what else does he do? He is required to report for duty every morning, and if he lives in a city like Chicago, which is 25 miles long and 8 miles wide, it can be readily understood that he can not report for duty to the post office without having to pay car fare, because the post office is nearly in the center of the city, north and south, and on the extreme east side of the city. After he pays car fare, as he must do in order to report for duty, he then sits around and waits to ascertain whether or not his services are needed during the day. If they are not needed, he is told so and he goes home, and he has to pay his car fare home, and he makes nothing. He does this every day during his four-year period of probation, so to speak. Then at the end of four years he finds himself or has found himself appointed regularly, and the regular appointment up to within a few years gave him $600 a year. That was finally increased from $600 to $800, and this bill increases it now to $1,000. Will anyone say that $1,000, after a man has served four years probationary service, receiving a compensation during that period of $40 a month, out of which he must pay his car fare, is excessive? Will anyone say that the man who occupies one of the clerical positions in the Postal Service, who receives a permanent appointment at an initial salary of $1,000, who is required to be on duty 10 hours every day, during which he is required to do 8 hours' actual work, and during the period when he ought to be asleep is also required to study schemes for the distribution of mail, is overpaid?

What are schemes? It will be well understood by men in the Postal Service what I mean when I say "schemes," but it may not be well understood by the general public. The study of the distribution schemes means that a man must learn to throw a letter which comes into his hands into the box which will give the letter the quickest dispatch on the first train, and he must learn to throw these letters with an accuracy that will make him 99 per cent perfect in his examination. It takes him about two hours every day during all the period of his service to study these schemes, because he is required to be examined every 30 days as to his efficiency during the period of his service. After he has done all this and has learned every post office in the State in which he resides and knows every train that reaches every town the earliest, he is given another scheme to study, and after he learns that he must forget the first; so he finds himself in a position where during all of his life, if he remains in the Postal Service all of his life, he is in a constant study of learning new schemes and forgetting old ones—taking examinations to see whether or not he is perfect.

What do the carriers do? They go through this same process of probation. They are appointed after a long period of waiting as substitutes, and they are required to learn the scheme of distribution for the district over which they deliver the mail. It frequently happens in the great cities—in fact, always happens—that they schedule a man for the delivery of his district up to the last second of his endurance, and if they find a man is able to make the delivery of all the letters in his territory 30 minutes sooner than the schedule provides, they add another block or two to the territory.

They make him speed up, in other words, and if, perchance, they find that by speeding up he can still have a moment's leisure time they send an inspector to his district with him, and the inspector follows him along and sets the pace. The inspector does not have to make the delivery or the distribution, but he sets the speed the man must walk. The inspector does not carry the load; the letter carrier does that. I think the First Assistant Postmaster Gengral said the other day in response to a question asked by me that the average load of a carrier is 40 pounds.

I have seen carriers with loads of 150 pounds. Of course, the average would not be perhaps more than 40, but it is not the average; it is the maximum load that breaks the man. The lightest load, of course, is play, but the heavy load is truck-horse work. In addition to being a truck horse, the man must have intelligence; he must have knowledge; he must have experience; he must be sober; he must dress well; he must have a constitution that will stand the inclement weather; he must be able to keep the speed set by the department; and the department, through the post offices in the great cities, sets the pace. They know how many letters each man delivers and how long it took him to deliver to a certain apartment building, whether he was in the apartment building longer than he ought to be, whether it took him longer to go through a single block than it should take him. If it did, complaint is filed and demerits are charged up against his record. If they want, by any chance, to discriminate against a man and reduce the compensation which he is earning by right of service, they can charge him up with 500 demerits. Five hundred demerits means next thing to the sliding board, and they grease the sliding board when they want to send him down, but, in any case, demerits reduce the compensation he receives. If he is now receiving $1,200 a year and the superintendent under whom he works is not as generous in his consideration of the man's rights as he ought to be, to put it mildly, he may find a way to charge demerits up against this man.

That results sometimes in the reduction of compensation to $100 less salary, sometimes $200, sometimes as much as $300 reduction in his salary. Then what happens? Why he has got to go over the same gamut again. He must start in to make good again, and if he has been getting $1,200 and he has been reduced to $900, why he starts to serve a year in the $900 grade, through which he has passed long years before, and at the end of a year's satisfactory service in that grade he goes up to $1,000, and then up to $1,100, and then to $1,200 again. Then, if he is continuing to slow up a little as he grows old, a new inspector, a younger man, with greater speed, is put onto his tracks, walks with him, talks with him, sees that he delivers the mail, and not with the ordinary speed of the ordinary man doing an ordinary day's work, but with the speed of a trotting horse, and if the inspector by force or push is able to force this man to make greater speed than his schedule provides the schedule is shortened up and he is compelled to keep the speed, and then if he is not fast enough under the new speed schedule, if he runs behind the schedule time, he is thrown in the scrap heap perhaps, and the scrap heap is a bad place for a man who has served his Government faithfully for 20 or 25 years, and he has learned nothing that is of any use to him anywhere else in the world. He has learned to be an expert in the Government service. The knowledge that he has acquired in the service is of great value to the Government, because it is expert knowledge.

Mr. MAPES. Will the gentleman yield?

Mr. MADDEN. Just a minute. But that knowledge is not salable in the commercial life of America, because it is not in keeping with the needs of commercial houses. Now I yield to the gentleman.

Mr. MAPES. I would like to ask the gentleman what redress the carrier has for the superintendent's treatment of him or if the inspector's recommendations are unfair?

Mr. MADDEN. Oh, there is no remedy. The inspector's recommendations are always fair. That is to say, they are always adhered to and the other man has no remedy.

Mr. MAPES. He can be demoted, and he has no redress?

Mr. MADDEN. Yes. Of course, what ought to happen and what I would like to see happen some day is that there shall be a board, a trial board, to which all cases of complaint shall go and that no superintendent of a bureau under which a man works who files the complaint shall sit as a trial judge on the board. But it is said by the administrative officers of the department that that would destroy the discipline. I do not think it

does. Now, take for example in my State. We have a civil-service law which every person obtaining employment in the State, the county, or city must pass, but the employing officer, while he can file complaint against the person who goes in this employment, can not try the case. The trial of the case is by the civil-service commission, and the trial of all cases of all men in this service should be by boards appointed by the civil-service commission, in my judgment. Now, I do not say that any great injustice has been done to men recently, but there have been cases within the last few years where great injustice was done to the men. For example, it was decided that a letter carrier and a collector were two different classes of men. Now, the law says that so much compensation shall be made to a letter carrier according to the class in which he serves, but it does not say that there shall be any distinction between a carrier and a collector. Now, of course a collector carries mail as well as the man who delivers mail. They are both carriers. There can be no distinction; but the Post Office Department, through the Postmaster General, decided notwithstanding the law that there is a distinction, and the Congress, I am happy to say, did not agree with the Postmaster General, and it in the next bill declared, and it is the law, that every one of these men should be restored to the position they formerly occupied, and that a carrier and collector were both carriers without distinction. It has been said that a collector does not need as much intelligence as the man who delivers mail, but every one of those men have been compelled to learn how to deliver mail, and it makes no difference whether a man is assigned to the delivery or the collection of mail, he is still a carrier and entitled to all the rights which the law grants to him.

Now, we have for example a condition in the Railway Mail Service. The Railway Mail Service is in a class by itself. There was a time when nearly all the railway mail clerks worked on postal cars, in railway post offices, so to speak. Nearly all mail was distributed as the train moved along. That has been in a large measure changed, and now we make distributions to a large extent in railway terminal post offices. This resulted in taking off the road a great many trains that moved the mail—those through cars—and on the short lines we find that instead of having mail distributed as the train moves along for early dispatch to the person to whom the mail is addressed, that now on this kind of service they have pouch delivery. Now, for example, we will take three points as a triangle, and we will say Washington is one point, Philadelphia is another, and Baltimore is another, and this would be considered short-line service; so if a letter originated in Washington, instead of being dispatched to Philadelphia it might be dispatched to Baltimore for pouching, if that is the point where pouching is done, and then redistributed in pouches, say, to Washington or to Philadelphia, as the case may be, and in that way lose two or three days in the delivery of letters. So we have had two services under the new-fangled notion of handling railway mail. It is true that it costs a little less to handle the mail in the way in which it is now handled by rail than it used to cost. First, of course, we used to send mail direct at so much a ton or pound. Now we send mail according to the space basis, and we pay for the space we use. Personally I am in favor of the space basis. I believe it is the best way to handle the movement of the mail. I believe we would get more for our money without doing any injustice to the carrying company, but if we do not supply the equipment to move all the mail as expeditiously as it ought to be moved we are going to do a great injustice to the business public of the country.

And the result is that we have complaints from all over the United States because the people are not getting their mail as promptly as they formerly did. Now, for example, I had a special delivery letter sent from New York to me on the 6th of this month. The presumption is that the man who put the delivery stamp on that letter put it on because he wanted expeditious delivery. I was rather surprised to find that that letter did not reach my desk until noon on the day of the 9th, three days from New York. Now, they say that we are delivering more special delivery letters than we used to, and that we are doing that because of the efficiency of the Postal Service in contradistinction to the inefficiency of the wire service. Well, if it takes three days to get a special delivery letter from New York to Washington, I do not know how much more efficient that is than the telegraph. But since the Government took control of the telegraph lines, I want to say that it takes about, on an average, three days now to get a telegram from Chicago. I used to get them in three hours. Of course, if we do not give the service to the public we can always be sure to report a surplus in the postal revenues. If you took off all the trains and collected all the postage, of course you would have a still greater surplus. And the surplus, notwithstanding the increased compensation this year, is $19,000,000.

Now, I do not think the Postal Service is organized for profit. The people of the United States think it is organized for the purpose of giving service. Of course, we can save money if we reduce the service. We have, for example, in my town cases where they have reduced the number of deliveries from five to three.

Well, all the mail is delivered in the three deliveries, but first it put an unjustifiable burden on the man who carries the mail by making him carry a load that no man ought to be asked to carry, and then it compels the receiver of the mail to wait for an important letter three or four hours, and sometimes a day or two, longer than he ought to have to wait. But if we reduce the number of deliveries, of course we can increase the surplus revenues.

Now, it was said last year when we increased the compensation of the carriers and the clerks that we were going to bankrupt the Postal Service; that it could not stand up under the load, under the excessive charge. But it stood up. The service has not been any better. That is not the fault of those who are receiving the compensation under the act. It is the fault of those who have failed to give the service and yet charge for it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. Mr. Chairman, I would like to have about 15 minutes more.

Mr. STEENERSON. I yield to the gentleman 15 minutes more.

Mr. TILSON. Is the gentleman going to touch upon the subject of supervisory mail clerks?

Mr. MADDEN. Yes. I did in the beginning.

Mr. TILSON. The gentleman alluded to it, but I thought he was going to explain it more fully.

Mr. MADDEN. I will say now in connection with the supervisory officials of the Postal Service that we continue in this bill the $200 annual increase that we authorized last year. That $200 annual increase, consisting of a 5, 10, and 15 per cent increase, depending on the size of the salary, will be continued until July 1, 1920.

This bill provides for the permanent compensation fixed in the bill for the carriers and the clerks and the railway mail clerks. But the law is not permanent as to the supervisory officials. However, I have a bill pending, which has not yet been considered by the Committee on the Post Office and Post Roads, for the reclassification of the supervisory officials of the service. In addition to that, this bill itself provides for the appointment of a commission of 10 Members of Congress, 5 from the House and 5 from the Senate, who shall thoroughly investigate the Postal Service with a view of reclassifying all the employees in the service and bringing them up to a better standard of efficiency and better standard of compensation, more equitably distributed, the thought being to give the men who are occupying important supervisory places compensation commensurate with the responsibilities which they assume. Take, for example, the superintendent of city delivery in the city from which I come. That is the city with which I am most familiar, but it is typical of the service. Leroy Stewart, the superintendent of city delivery, gets $3,200 a year. If he was employed in any other service in the world with like responsibility he would get $25,000 a year. He is a man of exceptional ability. There is not a record of a letter that passes through that post office that he can not point out to you at any hour of the day. He can tell you every cost of every item and the time of the delivery of every letter, the place where the letter was delayed, if it was delayed, and the cause for its delay. He has 2,900 men under him. No private concern in the United States would require the services of a man of his exceptional ability in command of such a force, calling for the technical knowledge that he must possess, and expect to get him for $3,200 a year.

Then there is Frank Galbraith, the superintendent of mails there, than which there is no man living, and I do not care who he is, knows as much about the Mail Service, and I think that would be agreed to by the First Assistant Postmaster General. He has about 4,000 men under him, and he gets $3,200 a year. He has charge of the dispatch of the mail, the distribution of the mail, and the receipt of the mail. He must have a knowledge of all the details of all the work connected with the handling of the mail. He is on duty every night, on duty every day. And, by the way, 70 per cent of the men in the Postal Service work nights, as you know. Some go on at 12 o'clock in the daytime and they work until 8 o'clock at night. Other men go on at 4 o'clock in the daytime and work until 12 o'clock midnight. Other men go on at 8 o'clock at night and work

until 4 o'clock in the morning, and so on. They work while we sleep, in order that we may be able to enjoy the privilege of reading the intelligence which comes from the mail; and while they are doing that, the carrier, in season and out, in sunshine and in storm, going from door to door, is carrying the messages of love and affection and sorrow and hope to every house from all sections of the world.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. I yield to the distinguished gentleman.

Mr. WALSH. The gentleman would not expect that the salary of these two very capable and efficient officials that he has mentioned would be increased to anything like the sums which he has stated they could get in private employment?

Mr. MADDEN. No, indeed; because I think there is an honor connected with the public service that should incite a man to do the work that he can do for the public and make a contribution of some of his genius without pay.

Mr. WALSH. Would the gentleman think that this commission might also have authority to recommend the reduction of salaries—of perhaps that of the head of the department?

Mr. MADDEN. Oh, yes. I think this commission, if it is authorized, will have the authority to recommend whatever it may think proper to recommend, not only the reduction of the salary of the head of the department but the increase of the salary of the lowest man on the rung of the ladder. Personally I will be glad to see the department so reorganized as to make every man in the service eligible to the position of Postmaster General if he had the qualifications.

Mr. WALSH. I hope the commission will make such an investigation if it will have that result.

Mr. MADDEN. I would like to make men eligible to the high offices. I would like to see men in the service stimulated by the hope that some day, if endowed with sufficient genius, they could qualify themselves to be Postmaster General of the United States. It is only through such opportunities that men develop the best that is in them; and at any rate, if I shall have anything to say about the thing in the future, I hope to be able to convince others that this department should at least permit every man in the service to rank at least up as high as First Assistant Postmaster General.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. BLACK. It is a fact, is it not, that in the Postmaster General's report he recommends a law placing the Assistant Postmasters General under the civil service?

Mr. MADDEN. I have not read the report.

Mr. BLACK. He does.

Mr. MADDEN. I have no doubt he does, because I have talked with him a good many times about it, and I know he favors it. But I would go still further, and I would take the Postal Department out of politics. I would make it impossible for the Postmaster General, whoever he might be, to be the political go-between of the President in matters of legislation, and I would insist that this department, which is strictly a business department after all, should have no semblance of politics anywhere.

Now, of course I know that lots of men in the House will not agree with me on that. I do not expect them to, but I do not care whether they do or not. I do not care what party is in power; personally, I would eliminate politics from the department from the top to the bottom. [Applause.] I would make efficiency the only standard by which to gauge the right of any man to occupy a position of power in the department. The Post Office Department is a department that affects every home in the land. Every housewife, every child, every man, every woman looks to this department as their department. This is the one department that reaches every home, and the one department to which every home looks for a message connecting that home with the loved ones who are far away. And so I say that it should be run with an eye single to the service of the American people, without respect to any thought of profit. I say that every man in the service, while required to perform his duty and submit to authority uncomplainingly, should be considered as worthy of the best treatment compatible with efficiency and discipline that it is possible for the Government to give.

I do not intend to convey the thought that the Government is the only one upon whom obligation rests, but I want it to be distinctly understood that while I believe the Government ought to be a good employer, every man and woman in the Government employ has an obligation to the Government, and that they, by their action, by their work, by their intelligence, by their patriotism, should command not only the respect of the people of the Nation, but that they should do everything within their power to economize in the department in keeping with efficiency and render the service that the Government has the right to demand and that such discipline for failure to do that as is just and fair and decent should be meted out by the men in control of the department.

Mr. WALSH. Mr. Chairman, will the gentleman yield for a question?

Mr. MADDEN. Yes.

Mr. WALSH. I am very glad to hear the gentleman's views on this particular phase of the subject, and I trust that the condition which he so eloquently depicts may in the near future be realized. But does the gentleman think that that can be accomplished under this commission, which is restricted simply to reclassifying and readjusting salaries? The commission would have no authority under the language of the bill to make recommendations to promote the efficiency or change the methods that are now in vogue.

Mr. MADDEN. Well, if there is anything lacking in the wording of the proposed section creating the commission which does not give it the authority that it ought to have, I will favor such an amendment as will give it the most comprehensive authority.

Mr. WALSH. Does not the gentleman think that the commission that is going to make the study ought to look into it?

Mr. MADDEN. I think it ought to look into every phase of the service.

Mr. WALSH. It seems to be limited to the readjustment and reclassification of salaries.

Mr. MADDEN. Of course that could not be done without looking into every other phase of the service, it seems to me.

Mr. WALSH. No; but it may not permit a recommendation to change the method of doing those things. It might change the salaries of the men doing them, but it could not change the method or plan under which the people operate.

Mr. MADDEN. I will agree now with the gentleman from Massachusetts that I will favor such modifications of the language as will make it possible for the commission, if it is decided to have a commission, to make a most comprehensive study of every phase of the Postal Service.

Mr. Chairman, I yield back the balance of my time. [Applause.]

The CHAIRMAN. The gentleman from Illinois yields back five minutes.

Mr. STEENERSON. Will the gentleman use some time on that side?

Mr. MOON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CRISP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes, had come to no resolution thereon.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 5058. An act to authorize the counties of Morton and Burleigh, in the State of North Dakota, to construct a bridge across the Missouri River near Bismarck, N. Dak.

The message also announced that the Senate had passed the following resolution, in which the concurrence of the House of Representatives was requested.

Senate concurrent resolution 27.

Resolved by the Senate (the House of Representatives concurring), That there be printed 25,000 additional copies of Senate Document 310, Sixty-fifth Congress, entitled "Revenue bill of 1918," and that there be printed separately 10,000 additional copies each of the majority and minority reports and individual views of members of the Committee on Finance on H. R. 12863, the revenue bill of 1918, for the use of the Senate.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 5058. An act to authorize the counties of Morton and Burleigh, in the State of North Dakota, to construct a bridge across the Missouri River near Bismarck, N. Dak.; to the Committee on Interstate and Foreign Commerce.

ADJOURNMENT.

Mr. MOON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 43 minutes p. m.) the House adjourned until to-morrow, Thursday, December 12, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Navy, transmitting statements showing exchanges made during the fiscal year ended June 30, 1918, of typewriters, adding machines, and other similar labor-saving devices by the Navy Department and Naval Establishment, including the United States Marine Corps (H. Doc. No. 1574); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting statements showing for the four months ending October 31, 1918, the average number of employees of the Treasury Department proper, and of the field service of the department, receiving increased compensation at the rate of $120 per annum, and the average number of grades receiving the same at each lower rate (H. Doc. No. 1575); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting a supplemental estimate of appropriation required by the Treasury Department for the fiscal year ending June 30, 1920, for the maintenance for the Division of Industrial Hygiene (H. Doc. No. 1576); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Public Printer, transmitting estimate of the average number of employees of the Government Printing Office to receive increased compensation at the rate of $120 per annum and one employee to receive increased compensation at the rate of $20 per annum (H. Doc. No. 1577); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. COOPER of Ohio, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 12995) granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a combined bridge and dam across the Mahoning River, in the State of Ohio, reported the same with amendment, accompanied by a report (No. 851), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 12996) granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River, in the State of Ohio, reported the same with amendment, accompanied by a report (No. 852), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 12997) granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River, in the State of Ohio, reported the same without amendment, accompanied by a report (No. 853), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. WINGO: A bill (H. R. 13339) to provide for the retention of all uniforms issued to soldiers, sailors, and marines of the United States who have been honorably discharged, and providing for the use of same without limitation, and for one month's extra pay upon being discharged; to the Committee on Military Affairs.

By Mr. BRITTEN: A bill (H. R. 13340) intended to equalize status and pay of officers in the National Naval Volunteers and Fleet Reserve of the United States Navy; to the Committee on Naval Affairs.

By Mr. RAMSEYER: A bill (H. R. 13341) to give every soldier and sailor in the Army and Navy of the United States the uniform he is wearing at the time of his honorable discharge; to the Committee on Military Affairs.

By Mr. LEVER: A bill (H. R. 13342) to provide that the United States shall cooperate with the States in promoting the health of the rural population of the United States, and for other purposes; to the Committee on Agriculture.

By Mr. SMITH of Michigan: A bill (H. R. 13343) to provide that each honorably discharged private soldier and sailor of the United States Army and Navy may keep his uniform and wearing apparel at the time of his discharge; to the Committee on Military Affairs.

By Mr. DYER: A bill (H. R. 13344) to amend sections 10 and 37 of the act entitled "An act for making further and more effectual provision for the national defense, and other purposes," approved June 3, 1916; to the Committee on Military Affairs

Also, a bill (H. R. 13345) providing that officers who have received temporary promotion in the Medical Corps of the Regular Army be retained in their advanced grades until promoted; to the Committee on Military Affairs.

By Mr. VAN DYKE: A joint resolution (H. J. Res. 365) appointing a joint committee of the House and Senate to investigate salaries, condition of employment, etc., of civil employees of the Government; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DILL: A bill (H. R. 13346) granting a pension to Margaret Howell; to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 13347) granting an increase of pension to George Ware; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13348) granting an increase of pension to James H. Crosser; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13349) granting an increase of pension to Bennett R. Campbell; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Resolutions of the Kiwanis Club, of Delaware, Ohio, favoring November 11 as Thanksgiving Day; to the Committee on the Library.

By Mr. ESCH: Petition of postal employees of post office at Baraboo, Sauk County, Wis., to Congressman Hon. JOHN J. ESCH, and Senators Hon. R. M. LA FOLLETTE and Hon. I. L. LENROOT, to support the McKellar retirement and pension bill; to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER of Illinois: Petition of the National Association of Credit Men, for speedy enactment of the revenue bill; to the Committee on Ways and Means.

By Mr. GALLIVAN: Resolutions of the members of Division No. 72, Ancient Order of Hibernians in America, relating to Irish independence; to the Committee on Foreign Affairs.

By Mr. KENNEDY of Rhode Island: Resolution of Sarsfield Literary Association, of Woonsocket, R. I., asking Congress to insist that American representatives to the peace conference exert the full weight of their influence and office to the end that the people of Ireland shall determine their own form of government; to the Committee on Foreign Affairs.

By Mr. LINTHICUM: Resolutions of board of directors of Baltimore Chamber of Commerce, relative to reconstruction measures; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: Protest by the McCormick-Saelzer Co., Redding, Cal., against the proposed tax of 10 per cent on arms and ammunition; to the Committee on Ways and Means.

By Mr. SMITH of Michigan: Protest of Mrs. Frank Demarest and 22 members of Quincy Grange, Michigan, against post-office zone system; to the Committee on the Post Office and Post Roads.

Also, protest of O. F. Bissell and officers and members of Richland Grange against postal-zone system; to the Committee on the Post Office and Post Roads.

SENATE.

THURSDAY, *December 12, 1918.*

Rabbi Gustav N. Hausmann, Litt. D., of New York City, offered the following prayer:

Merciful God and Heavenly Father, Thou who didst grant unto us the privilege of being victorious on the side of right against might; Thou who didst choose America to enlighten the nations of the earth; Thou who didst endow us with the gift and spirit of democracy, we beseech Thee to continue to guide and lead us. Make us worthy of these blessings. May our victories, triumphs, and successes not make us arrogant and haughty. May it not be said of this new-chosen Nation what was said of the ancient-chosen people: "But Jeshurun waxed

fat, and kicked * * * then he forsook the God which made him, and lightly esteemed the Rock of his salvation."

Bless, O God, this great Republic with abundance and honor, with peace and good will. We especially beseech Thee to bless, shield, and protect the President of the United States, the crusader of modern democracy. Bless the Congress of the United States of America, that it may truly exemplify democracy, equality, and justice. May the deliberations at the peace conference abroad result for the great benefit of humanity and redound to the honor of this Nation. May Thy name thus be glorified in and through us. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. ASHURST and by unanimous consent, the further reading was dispensed with and the Journal was approved.

LANDS IN TEXAS.

The VICE PRESIDENT laid before the Senate a communication from the Acting Secretary of the Interior, transmitting, pursuant to law, a report as to the necessity and advisability of purchasing lands for the Alabama and Coushatta Indians located in Polk County, Tex., which, with the accompanying paper, was referred to the Committee on Indians Affairs and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 13261. An act providing for the transportation from the District of Columbia of governmental employees whose services no longer are required; and

H. R. 13277. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1920, and for other purposes.

REPORTS OF COMMITTEE ON MILITARY AFFAIRS.

Mr. CHAMBERLAIN, from the Committee on Military Affairs, to which was referred Senate resolution 346, directing the Secretary of War to transmit to the Senate the names of all commissioned officers in the Army and other persons who have been, since April 6, 1917, authorized by the War Department to purchase ordnance, quartermaster, or other supplies for the military departments, etc., reported it without amendment.

He also, from the same committee, to which were referred the following bill and joint resolution, reported them each without amendment:

H. R. 12860. An act granting to members of the Army Nurse Corps (female) and Navy Nurse Corps (female); Army field clerks; field clerks, Quartermaster Corps; and civil employees of the Army pay and allowances during any period of involuntary captivity by the enemy of the United States; and

H. J. Res. 358. Joint resolution authorizing and directing the payment of the usual compensation of Representatives in Congress to those Members of the House who have been discharged from their military or naval duties.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JONES of Washington:

A bill (S. 5180) providing for the investigation of certain lands in central Washington with a view to their reclamation; to the Committee on Irrigation and Reclamation of Arid Lands.

By Mr. CHAMBERLAIN:

A bill (S. 5181) to permit certain officers and enlisted men to retain parts of their equipment and their uniforms and to wear the uniform upon occasions of ceremony;

A bill (S. 5182) to amend an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1919," approved July 9, 1918; and

A bill (S. 5183) to amend an act entitled "An act for making further and more effectual provisions for the national defense, and for other purposes," approved June 3, 1916; to the Committee on Military Affairs.

By Mr. THOMPSON:

A bill (S. 5184) granting a pension to Effie E. Milton (with accompanying papers); and

A bill (S. 5185) granting a pension to Mary M. Walden; to the Committee on Pensions.

By Mr. BECKHAM:

A bill (S. 5186) granting an increase of pension to James M. Gibbons; and

A bill (S. 5187) granting a pension to Benjamin F. Evans; to the Committee on Pensions.

By Mr. TOWNSEND:

A bill (S. 5188) granting promotion to Robert M. Smith (with accompanying papers); to the Committee on Military Affairs.

HOUSE BILLS REFERRED.

The following bills were severally read by their titles and referred to the Committee on Appropriations:

H. R. 13261. An act providing for the transportation from the District of Columbia of governmental employees whose services no longer are required; and

H. R. 13277. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1920, and for other purposes.

RAILROAD CONTROL.

Mr. KELLOGG. Mr. President, I send to the desk a communication to Congress sent to the chairman of the Interstate Commerce Committee by the Director General of Railroads, and I ask that the same be printed in the RECORD and referred to the Committee on Interstate Commerce. I shall not ask the Secretary to read the letter, as I presume most Senators have read it, but I ask unanimous consent to make a few explanatory remarks as to the letter.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The letter referred to is as follows:

DECEMBER 11, 1918.

MY DEAR SENATOR: The question of railroad legislation is of such vital importance to the country that I take the liberty of submitting to you my views as to the course that should now be pursued. The war is ended and we are now confronted with the necessity either of legislating intelligently about the railroad problem at this session of the Congress or of promptly returning the railroads to their owners.

Less than three months of the present session of the Congress remain. It will be impossible, I presume, to secure legislation in this short period providing a permanent solution of the railroad problem. This being true, only three courses are open: (1) Government operation of the railroads for one year and nine months following a proclamation of peace, which would mean, in my judgment, Government operation for a period in no event longer than two years and three months; (2) the prompt return of the railroads to private control; or (3) extension of the period of Federal control to five years.

I am convinced that it is wholly impracticable, as well as opposed to the public interest, to attempt to operate the railroads under the provisions of the present law. In the first place, the time is too short, and, secondly, the present legislation is inadequate.

As to the shortness of time, it is clear to me that the railroads can not be successfully operated under Federal control during the next two years in the face of an automatic transfer to private control at the end of that time or of an earlier relinquishment by proclamation of the President. Every month that passes will bring more clearly to the minds of the officers and employees the fundamental change in management that is impending, and the question as to what that change means to the individual. It is against human nature that there can be complete and single-minded attention to duty under such difficult circumstances. This will be especially true on account of the inevitable discussion as to what ought to be done. Already this discussion is in full swing, and its reaction on officers and employees can not be consistent with the complete concentration upon their daily duties. State railroad commissions, railroad security holders, railroad executives, shippers' organizations, and other interests are naturally and properly discussing the subject and proposing various solutions. However desirable the discussion is for the crystallization of public sentiment, it can not result otherwise than to produce a state of uncertainty and ferment among the vast army of railroad officers and employees who will inevitably feel that they face a rapidly approaching change in management.

No business in the United States so imperatively requires disciplined organization and composed conditions of operation, for officials as well as for employees, as the railroad business. Not only does the safety of the lives of millions of passengers depend upon such disciplined and efficient organization, but the commerce of the country as well. To keep this vast army of officers and employees in a state of uncertainty and ferment for a period of two years would be harmful in the highest degree to the public interest. It would be impossible to prevent a serious impairment of the morale of the railroad organizations.

From the standpoint of needed improvements the period of two years is entirely too short a time within which to plan and

carry out the comprehensive improvements which ought to be made to meet the country's requirements under peace conditions. Many of the improvements could hardly be completed and put into operation inside of the two-year period, and under such circumstances and facing a change to private management at the end of two years, it would be unwise in the highest degree to make the improvements and impossible to secure the hearty cooperation of the railroad corporations.

Because of the inadequacy of the present legislation, the authority of the States and the Federal Government has been left in doubt by provisions which I opposed when the bill was under discussion. Conflict between State and Federal jurisdictions will grow more acute under this law. The revolving fund appropriated by the Congress will be insufficient to carry the Federal operation for a two-year period. More than that, it is of the utmost importance to the commerce, industry, and life of the American people that a comprehensive program of improvements to railroad properties shall be carried forward over a period of at least five years; such a program will involve expenditures of at least $500,000,000 per annum or $2,500,000,000 for the five-year period. The needed funds are not provided by the present law. Moreover, it is difficult under the present law, without the consent of the corporations to carry forward a comprehensive plan of joint improvements, which, to be of value to the public, must of itself disregard the selfish and irreconcilable competitive interests of the various carriers. Many terminal improvements, to be genuinely serviceable to the public, must be made without regard to the interest of any particular carrier. Therefore, agreements between the Government and the railroads affected will, in many instances, be impossible, and if the Government should proceed with such improvements, using the people's money for the purpose, without securing the carriers' consent, litigation would undoubtedly arise upon the termination of Federal control, with the danger that a large part of the Government's investment in the properties might be lost.

Upon the efficiency of the transportation machine in America depends in great measure the future prosperity of the Nation. Involved in this prosperity is the extension of our foreign trade. We produce so much more than we consume that markets must be found for that surplus. Those markets are the competitive markets of the world. We must be able to enter them upon equal terms with any other nation. Our transportation system, both on land and water, must therefore function at the highest point of efficiency and at the lowest possible cost if we are to get our reasonable and fair share of the world's trade and in turn be able to keep a prosperous, contented, and happy population at home.

To attempt to continue Federal control under the inadequate provisions of the present Federal control act and for the very brief period it authorizes would be to multiply our difficulties and invite failure. On the other hand, I am convinced from the experience of the past year that the return of the railroads to the old competitive conditions will be hurtful alike to the public interest and to the railroads themselves. This course, however, will bring fewer evils in its train than the unsatisfactory, if not impotent, Federal control provided for by the present act. The railroads were taken over as a war measure. They have been operated during the past year for the paramount purpose of winning the war. I think it will be generally admitted that the war service has been successfully rendered, and I am sure that experience of great value and benefit has been gained not only for the public but for the railroads themselves during this brief test.

There is one, and to my mind only one, practicable and wise alternative, and that is to extend the period of Federal control from the one year and nine months provided by the present law to five years, or until the 1st day of January, 1924. This extension would take the railroad question out of politics for a reasonable period. It would give composure to railroad officers and employees. It would admit of the preparation and carrying out of a comprehensive program of improvements of the railroads and their terminal facilities which would immensely increase the efficiency of the transportation machine. It would put back of the railroads the credit of the United States during the five-year period so that the financing of these improvements could be successfully carried out. It would offer the necessary opportunity under proper conditions to test the value of unified control, and the experience thus gained would of itself indicate the permanent solution of the railroad problem.

The American people have a right to this test. They should not be denied it. It is to their interest that it should be done. In my opinion it is the only practicable and reasonable method of determining the right solution of this grave economic problem. I am not now and have not been for the past year interested in proving or disproving the theory of Government ownership or any other kind of theory. The railroads have been operated for the past year with the purpose of serving efficiently the paramount needs of the war and at the same time furnishing the best possible service to the public, whether such operation tended to prove or disprove any theory of railroad control, no matter what it might be. I have formed no opinion myself as to what is the best disposition of the railroad problem, because the test has not been sufficient to prove conclusively the right solution of the problem. I believe that a five-year test will give the American people the right answer. An ounce of experience is worth a ton of theory, and with the start already made under war conditions it would be a comparatively simple matter to complete the test so well begun and thereby gain the invaluable experience which will determine the solution of a problem which has vexed our State and National politics and our economic development for the past generation.

There are those who may say that an extension of five years for such a test will mean Government ownership. Personally I do not believe it. But whether such a test would indicate that the ultimate solution shall be Government ownership or a modified form of private ownership under effective Federal regulation should not cause us to hesitate or refuse to act. It seems to me that in a democracy like ours, where public opinion and the judgment of the majority must finally control, the plain duty is to take those steps which will fully inform public opinion, so that the judgment may be based upon knowledge rather than upon theory. Any test which will illumine the subject so completely that public opinion may operate upon it intelligently would seem to me to be desirable in any circumstances.

In this connection, may I draw your attention to the statement I made before the committee of the Senate on January 21, 1918, in reply to a Senator who asked if I believed "in the Government ownership of railroads." I said:

> I do not, or I have not, at least, felt that it was necessary to take the actual ownership of the railroads. I believe that it will be impossible after the return of peace to restore the competitive conditions to the same extent as they existed prior to the outbreak of the war. I favor some form of governmental regulation and control of a far stronger, more intelligent, and effective character than we have had heretofore, because I am satisfied that a stronger Government control will be demanded and will have to be worked out, both in the interest of the public and in the interest of the security holders of these railroads.

Those who may oppose an extension of five years should face the situation squarely and acknowledge that they prefer the immediate return of the railroads to private control under the old conditions without remedial legislation. It is idle to talk of a return to private control under legislation which will cure the defects of the existing laws. There is neither time nor opportunity for such legislation at present. It is impossible and hopeless for the Government to attempt the operation of the railroads for 21 months after peace under the present law. Therefore the country should squarely face the condition that the railroads must promptly go back into private control with all existing legal difficulties unless the only practicable alternative, viz, an extension of time, is promptly granted.

I hope that the Congress in its wisdom will grant a five-year period for a test of unified railroad operation under proper provisions of law which will make that test effective and at the same time take the railroad question out of politics while the test is being made. Unless this is done I do not hesitate to say the railroads should be returned to private ownership at the earliest possible moment. The President has given me permission to say that this conclusion accords with his own view of the matter.

Cordially, yours, (Sgd.) W. G. McAdoo.
Director General of Railroads.

Hon. ELLISON D. SMITH,
Chairman Interstate Commerce Committee,
United States Senate, Washington, D. C.

Mr. KELLOGG. Mr. President, this is a most remarkable document, coming as it does immediately or within a few days after the message of the President, in which the President said:

> The question which causes me the greatest concern is the question of the policy to be adopted toward the railroads. I frankly turn to you for counsel upon it. I have no confident judgment of my own.

A few days later comes a deliberate, well-considered plan, which Mr. McAdoo says is made with the approval of the President, not to keep the railroads for 21 months after the close of the war, but for 5 years, to make a test. The President, on the contrary, in his message frankly said he had no judgment of his own on the subject, but suggested three alternatives:

> We can simply release the roads and go back to the old conditions of private management, unrestricted competition, and multiform regulation by both State and Federal authorities, or we can go to the opposite extreme and establish complete Government control, accompanied, if necessary, by actual Government ownership, or we can adopt an intermediate course of modified private control under a more unified and affirmative public regulation and under such alterations of the law as will permit wasteful competition to be avoided and a considerable degree of unification of administration to be effected; as, for example, by regional corporations, under which the railways of definable areas would be in effect combined in single systems.

Mr. President, I shall not discuss at length what Congress should do, but it seems to me we ought to do this at least: Congress, through its Committee on Interstate Commerce, ought to take action at once upon a railroad bill. We ought to authorize the railroads to coordinate all their facilities, equipment, terminals, route freight where it can be routed cheapest, and the same with passengers, so as to make most effective the entire transportation system of the United States. But this should be done under strong Government control. We ought to regulate the issuance of securities of railroads engaged in interstate commerce, and we ought to authorize the commission not only to regulate the service of the railroads in a unified condition, but give the commission power to compel them to grant unified and effective service; for instance, that the railroads entering New York shall use the New York terminal of the Pennsylvania Railroad. I am not going into a discussion of that; I do not wish to take the time of the Senate to discuss this further, but I wish to invite the attention of the Senate to this proposition, which ought to be taken up by our committee and by Congress at once. This is what Mr. McAdoo said in his letter:

> The war is ended and we are now confronted with the necessity either of legislating intelligently about the railroad problem at this session of the Congress or of promptly returning the railroads to their owners.

Then he proceeds to say in the letter that there is no time to legislate at this session of Congress, and that therefore there should be a five years' extension of the period. He says further, in substance, that unless that five-year period is granted the railroads should be turned back at once.

Mr. President, the railroads were taken over presumably by the Government—that was the statement made—for war purposes. It was denied at that time that they were taken over to make a test of Government ownership. Now Mr. McAdoo says we want five years to make a test. A test for what purpose? Not a test for war purposes, but a test for Government ownership. That is the real bottom of the whole thing.

Mr. President, why legislate at this particular three months' session? He says we must have the legislation at this three months' session or we must have an extension. Why not an extra session of Congress? We have had extra sessions after each session for years, and Congress has been in almost continuous session. Why, with all the important legislation that is coming before the country at the conclusion of peace, including the railroads, should we not have an extra session of Congress after the 4th of March to consider this subject, which Mr. McAdoo says must be considered in the next three months or not at all for five years? I should like to know why.

Mr. President, why not be frank? Many of us, or at least some of us, thought that the railroads were taken over for the purpose of inaugurating Government ownership. It was stated, however, that it was a necessity during the war. I for one have not condemned the administration of the railroads. I have done everything in my power to make it a success. I did believe that it was the first step toward establishing in this country Government ownership, and the taking over of the telegraph and the telephone and the cable for war necessities after the war was over rather confirmed me in my judgment on that subject.

But, Mr. President, we have 21 months after the close of the war, which will be considerably over two years yet, to pass a railroad bill providing for complete Federal control and turning the property back to the owners or else deciding in favor of Government ownership.

Now, why not meet the issue frankly and fairly? I believe the reason why they do not wish to meet it now is that they know the people of this country are not in favor of Government ownership, and it is proposed to put Government ownership over under the guise of an extension to make a test of Government control for the period of five years. Congress deliberately acted upon this subject last winter and fixed 21 months as the period within which legislation might be had for the proper control of the railroads when they are turned back, and I see no reason why we should now change that 21 months.

Mr. LENROOT. Will the Senator yield?

Mr. KELLOGG. I yield.

Mr. LENROOT. I would like to ask the Senator whether he cares to express an opinion at this time upon the power of Congress to take over the use of the railroads in time of peace without providing for the payment of the value of the property to the owner?

Mr. KELLOGG. Of course, it can not take over the use of the railroads—I say of course; in my opinion it can not—in time of peace without paying for the use, or, if the physical property is taken over, without paying the value of the property. And I have grave doubts of the power of Congress to take them over in time of peace simply for the purpose of experiment.

Mr. President, I know of no reason why we should not proceed at once with this very important question and why we should not frame a bill during this session, and if it can not be passed in the three months I know of no reason why there should not be an extra session or why it should not be passed at the next session of Congress. We have ample time for this legislation before the 21 months expire. But Mr. McAdoo says the present legislation is entirely inadequate for the operation from now to the end of the 21 months. He does not suggest in what it is inadequate. He has not been to Congress to ask for legislation to cure the defects in the act. He says that there is a dispute about the authority of the States and the Federal Government. I say absolutely that the Federal Government has not recognized any State authority whatever, but it controlled the railroads absolutely as the Director General saw fit, without regard to State commissions. I am not complaining of it; I am merely stating it as a fact.

Mr. President, as I said before, I am not here to criticize the Railroad Administration. The railroads were earning about $4,000,000,000 per annum when the Government took them over. The rates have been increased about 25 per cent, adding at least a billion dollars to the charges the public has to pay, and I am told that this practically has all been used up, if not more, in increased operating expenses. I am not criticizing it. I have not the figures before me. I simply say I have been told that our Government will be behind this year $200,000,000 in the operation of the railroads, in spite of the enormous increase of rates. We should inquire into that and see what the result of this operation has been.

I do not believe that the American people to-day are very much in favor of Government operation, judged by the experience that they have had during the last year. I am willing to admit that it was an experiment during war, and I am not on my feet to criticize it, but what we should do now is to take up this important problem, pass some legislation which will make the railroads of the country most effective in carrying the freight and handling the great commerce of this country, and then turn them back to their owners, or else decide for Government ownership at once and end this period of uncertainty. Mr. McAdoo says that the 21 months will be a period of uncertainty. Therefore the result he wishes is to increase the uncertainty to five years and have the whole subject in the air at the end of five years.

Mr. President, I predict that at the end of five years it will be made absolutely impossible for private ownership again to assume control of the railroads if they desire to do so. If the administration is not in favor of Government ownership, say so now and let us turn our attention to procuring legislation that will be effective.

Mr. KING. Will the Senator yield?

Mr. KELLOGG. I yield.

Mr. KING. I suggest to the Senator, in view of the fact that many of us are in sympathy with the views he expresses, it might not be inappropriate to introduce a resolution asking the Interstate Commerce Commission to prepare at the earliest possible moment a plan dealing with this question.

Mr. KELLOGG. I will introduce such a resolution, but I do not care to take the time now to make any remarks upon it. I thank the Senators for their attention.

Mr. SMITH of South Carolina. Mr. President, I merely desire to suggest to the Senator from Minnesota that, so far as I understand the situation, the President in his message to Congress touched on the questions involved in the railroad problem, and frankly stated that he had no solution of it to propose, but that he left it entirely with Congress. No other official utterances were given to the committee until last night, when I received a communication from Mr. McAdoo, suggesting that the present status, with certain modifications, be continued for five years.

I have not up to the present time called the Committee on Interstate Commerce together, for the reason that the preliminary business of getting things in shape and getting into harness here in the different committees would have to be gotten out of the way before we could seriously get down to facing the railroad problem.

I do not understand that a recommendation on the part of Mr. McAdoo, or of anyone else, now that the war is over, is anything more than merely his opinion. His opinion may have more weight by virtue of the fact that he has been the Director

General of Railroads, but those of us who are charged with responsibility facing what, in my opinion, is the greatest problem which confronts the American people, one upon which everything is based—our commercial, social, and political life—the proper means of transportation, I take it will face that problem as American citizens and will solve it in the light of the best judgment we can exercise, without taking anyone's preconceived notions about it. To that end I have called the Committee on Interstate Commerce to meet next Thursday morning, giving a week's time in advance for the purpose, that they may so arrange their business as to be present, in order to discuss the status of affairs and to inquire from all those from whom knowledge can be obtained the conditions which now exist, looking toward what action we shall take in meeting the conditions which now confront us.

Mr. KELLOGG. Mr. President, I welcome the interruption by the Senator from South Carolina, and I was going to state that the Committee on Interstate Commerce had been called together. I would, however, suggest that the chairman give notice to those who wish to be heard before the committee that they appear and be present at the time of the meeting.

Mr. SMITH of South Carolina. If the Senator from Minnesota will allow me, I desire to say that the reason I have not given such notice and have not so indicated is because I believe it is important for the committee to get together, discuss all phases of the question, then decide what line of action they are going to take, and then summon witnesses to develop the line of action which they think it advisable shall be taken.

Mr. KELLOGG. Mr. President, it is true that the letter of the Director General of Railroads is a personal letter, but if the Senator from South Carolina will read the letter at the end of it he will see this:

> The President has given me permission to say that this conclusion accords with his own view of the matter.

The President made no such recommendation in his message delivered only 10 days ago. When did the President give that suggestion to Mr. McAdoo?

AMERICAN COMMITTEE FOR RELIEF IN THE NEAR EAST.

Mr. OVERMAN. Mr. President, I scarcely ever ask to have a matter of legislation taken up out of order, but I am impelled to do so this morning. I ask unanimous consent for the present consideration of the bill (S. 4785) to incorporate the American Committee for Relief in the Near East. I desire to say that great sums of money have been subscribed to take care of the poor Armenians and the Syrians, and it is now desired to form a corporation to hold such funds. The Committee on the Judiciary has passed upon the matter and has reported the bill favorably and without amendment. Its consideration, I think, will take but a moment. I therefore hope that the Senate will permit me to have the bill passed now, as its passage is very necessary.

The VICE PRESIDENT. Is there objection to the request of the Senator from North Carolina? The Chair hears none.

The Senate, as in Committe of the Whole, proceeded to consider the bill (S. 4785) to incorporate the American Committee for Relief in the Near East, which was read, as follows:

Be it enacted, etc., That the following persons, namely, James L. Barton, Samuel T. Dutton, Cleveland H. Dodge, Henry Morgenthau, Edwin M. Bulkley, Alexander J. Hemphill, Charles R. Crane, William Howard Taft, Charles Evans Hughes, Elihu Root, Harry Pratt Judson, Charles E. Beury, Arthur J. Brown, John B. Calvert, William I. Chamberlain, William T. Ellis, James Cardinal Gibbons, Jerome D. Greene, David H. Greer, Harold A. Hatch, William I. Haven, Myron T. Herrick, Hamilton Holt, Frank W. Jackson, Arthur Curtiss James, Frederick Lynch, Vance C. McCormick, Charles S. Macfarland, Henry B. F. Macfarland, William H. Millar, John R. Mott, Frank Mason North, George A. Plimpton, Philip Rhinelander, William Jay Schieffelin, George T. Scott, Albert Shaw, William Sloane, Edward Lincoln Smith, Robert Eliot Speer, James M. Speers, Oscar S. Straus, Charles V. Vickrey, Harry A. Wheeler, Stanley White, Ray Lyman Wilbur, Talcott Williams, and Stephen S. Wise, their associates and successors duly chosen, are hereby incorporated and declared to be a body corporate of the District of Columbia by the name of the American Committee for Relief in the Near East and by that name shall be known and have perpetual succession, with the powers, limitations, and restrictions herein contained.

SEC. 2. That the object for which said corporation is incorporated shall be to provide relief and to assist in the repatriation, rehabilitation, and reestablishment of suffering and dependent people of the Near East and adjacent areas; to provide for the care of orphans and widows, and to conduct any industrial enterprises or operations of a philanthropic character which may, in the judgment of the corporation, be necessary to promote the social, economic, and industrial welfare of those who have been rendered destitute or dependent, directly or indirectly, by the vicissitudes of war, the cruelties of men, or other causes beyond their control.

SEC. 3. That the direction and management of the affairs of the corporation, and the control of its property and funds, shall be vested in a board of trustees, to be composed of the following individuals: James L. Barton, Samuel T. Dutton, Cleveland H. Dodge, Henry Morgenthau, Edwin M. Bulkley, Alexander J. Hemphill, Charles R. Crane, William Howard Taft, Charles Evans Hughes, Elihu Root, Harry Pratt Judson, Charles E. Beury, Arthur J. Brown, John B. Calvert, William I. Chamberlain, William T. Ellis, James Cardinal Gibbons, Jerome D. Greene, David H. Greer, Harold A. Hatch, William I. Haven, Myron T. Herrick, Hamilton Holt, Frank W. Jackson, Arthur Curtiss James, Frederick Lynch, Vance C. McCormick, Charles S. Macfarland, Henry B. F. Macfarland, William H. Millar, John R. Mott, Frank Mason North, George A. Plimpton, Philip Rhinelander, William Jay Schieffelin, George T. Scott, Albert Shaw, William Sloane, Edward Lincoln Smith, Robert Eliot Speer, James M. Speers, Oscar S. Straus, Charles V. Vickrey, Harry A. Wheeler, Stanley White, Ray Lyman Wilbur, Talcott Williams, and Stephen S. Wise, who shall constitute the first board of trustees and constitute the members of the corporation. Vacancies occurring by death, resignation, or otherwise shall be filled by the remaining trustees in such manner as the by-laws shall prescribe, and the persons so elected shall thereupon become trustees and also members of the corporation.

SEC. 4. That the principal office of the corporation shall be located in the District of Columbia, but offices may be maintained and meetings of the corporation or of the trustees and committees may be held in other places, such as the by-laws may from time to time fix.

SEC. 5. That the said trustees shall be entitled to take, hold, and administer any securities, funds, or property which may be transferred to them for the purposes and objects hereinbefore enumerated by the existing and unincorporated American Committee for Armenian and Syrian Relief, and such other funds or property as may at any time be given, devised, or bequeathed to them, or to such corporation, for the purposes of the trust, with full power from time to time to adopt a common seal, to appoint officers, whether members of the board of trustees or otherwise, and such employees as may be deemed necessary for carrying on the business of the corporation, and at such salaries or with such remuneration as they may think proper, and full power to adopt by-laws and such rules or regulations as may be necessary to secure the safe and convenient transaction of the business of the corporation.

SEC. 6. That as soon as may be possible after the passage of this act a meeting of the trustees hereinbefore named shall be called by Samuel T. Dutton, Cleveland H. Dodge, Henry Morgenthau, Edwin M. Bulkley, Alexander J. Hemphill, William B. Millar, George T. Scott, James L. Barton, and Charles V. Vickrey, or any six of them, at the Borough of Manhattan, in the city of New York, by notice served in person or by mail, addressed to each trustee at his place of residence; and the said trustees named herein, or a majority thereof, being assembled, shall organize and proceed to adopt by-laws, to elect officers, and generally to organize the said corporation.

SEC. 7. That Congress reserves the right to alter, amend, or repeal this act.

Mr. TOWNSEND. Mr. President, as I understand the Senator from North Carolina [Mr. OVERMAN], the bill now under consideration is an emergency piece of legislation.

Mr. OVERMAN. There is suffering among the people over there, and it is desired to form this corporation for the purpose of holding and administering the money which has been subscribed for their relief. It is proposed to be only a temporary organization and one which is purely charitable.

Mr. TOWNSEND. Mr. President, will the Senator from North Carolina inform the Senate, if we pass this bill, how soon we may expect that it will reach the President in order to receive his signature?

Mr. OVERMAN. I have no idea as to that; I do not know anything about it.

Mr. TOWNSEND. Can the Senator tell me how bills which we pass are to be presented to the President for signature?

Mr. OVERMAN. No; I do not know what arrangements have been made; but I hope we shall pass this bill. Let us make a test case of this, and see what will be the result after we pass this bill. Then probably the Senator from Michigan will get the information.

Mr. TOWNSEND. Then it is urgent for us to pass it, but not necessarily urgent that it shall be signed?

Mr. OVERMAN. I think probably there will be some way out of it, though I am not now able to inform the Senator. I am ignorant on the subject.

Mr. SMITH of Michigan. Mr. President, I should like to ask the Senator from North Carolina if those who are proposed to be members of this corporation are American citizens?

Mr. OVERMAN. The trustees are to be American citizens.

The VICE PRESIDENT. The bill is still before the Senate as in Committee of the Whole and open to amendment.

Mr. LENROOT. A parliamentary inquiry, Mr. President. Has unanimous consent been given for consideration of the bill?

The VICE PRESIDENT. It has been.

Mr. KENYON. Mr. President, may we not ask a few questions about the bill?

Mr. JONES of Washington. Mr. President, a parliamentary inquiry. I did not understand that the matter had been submitted to the Senate for unanimous consent but that the bill was being first read, and the question to proceed to its consideration has not been submitted since the bill was read.

The VICE PRESIDENT. The Chair understands that the question was submitted to the Senate.

Mr. JONES of Washington. Well, the Senate did not so understand.

The VICE PRESIDENT. The Chair distinctly made the inquiry as to whether there was objection to the consideration of the bill.

Mr. JONES of Washington. The Senate did not understand that, I will say to the Chair.

The VICE PRESIDENT. The Senate did not hear, that is all; but the inquiry was made by the Chair.

Mr. LODGE. Mr. President, I desire to say a word in regard to the bill. I did not report the bill, and I am not a member of the committee from which it was reported, but I am sure that if the Senate understood the bill there would be no possible objection to it.

Mr. KENYON. We should merely like to have an opportunity to understand the bill.

Mr. LODGE. This bill proposes to incorporate a committee for the relief of the Armenians, Syrians, and other populations in Asia Minor which have been subjected to massacre and to every sort of persecution, many of them having been deprived of their homes. There is great suffering and distress among them. This is a committee which has been formed in this country, headed by some of the very best men in the country. The President has issued a proclamation, which I suppose has been seen by all—I have a copy of it here—in which, in the strongest terms, he urges the support of this committee. It is proposed to raise some $30,000,000 for the relief of these people.

It has been indorsed in the strongest way by the Secretary of State, Mr. Lansing, by ex-President Roosevelt, by ex-President Taft, by Mr. Morgenthau, the former ambassador of the United States to Turkey, and by Mr. Hughes. I have known about it myself, because I have subscribed to it in a small way; and I know of no organization that is doing a greater work for the relief of suffering than this committee for Armenian relief. It is in the best of hands; it is purely philanthropic; it is entirely temporary, and I do not think anything could be done that would be more beneficial to great bodies of suffering people than to permit this committee, which is now in existence, to take the form of a corporation for the better administration of this great trust.

Mr. WEEKS. Mr. President, I should like to ask my colleague the question which has been asked of the Senator who proposed the bill. What can be gained by passing this bill at this time in this emergency way? Is there, in his opinion, any way of the bill becoming a law before the return of the President of the United States?

Mr. LODGE. Well, Mr. President, that opens a large question which affects all our legislation. I am unable myself to see how any legislation can possibly become law until the return of the President. Under the Constitution, as everyone knows, if a bill is presented to the President and he neither signs nor vetoes it within 10 days, it becomes a law; but that can not operate in this case, because there is no opportunity of presentation that I can see. It does not seem to me, however, that on that account we ought to arrest the passage of the pending bill, which has got to pass both Houses, I presume—it is a Senate bill, is it not?

Mr. OVERMAN. It is.

Mr. WEEKS. My particular reason for asking that question is that there has recently been presented to the Military Affairs Committee by the War Department a bill which will remove the objection made by the comptroller relative to the payment of those manufacturers who have received orders and have proceeded to carry them out, the orders being verbal, the manufacturers having never had a written contract with the Government. There are hundreds, and perhaps thousands, of such cases, and it is urgent that that legislation be passed, and that it be passed without delay, or many of those people may find themselves in serious financial straits. I did not know but that my colleague, with his long experience, could suggest some way in which that legislation could become a law, even though the President happens to be out of the country.

Mr. LODGE. Mr. President, I do not think that is a reason for stopping the passage of the bill now under consideration. I think it will have to pass the House, which will take probably some little time; but the people who are interested in it are extremely anxious to get this action as soon as possible. I will read a few of the names of the national committee. They include Hon. William Howard Taft, Hon. Charles Evans Hughes, Abram I. Elkins, Hon. Elihu Root, Frederick H. Allen, James L. Barton—they are all well-known men—Cleveland H. Dodge, Charles W. Eliot, Cardinal Gibbons, and so on. It is a long list of men known throughout the country, of the very highest standing and character.

I think the bill was proposed by Mr. Root; at any rate, it is stated in the letter I have here that ex-Senator Root is one of those who prepared the bill. I had hoped when the Senator from North Carolina called the measure up that there would be no objection to it. We have in this country large numbers of Armenians, Syrians, and Greeks, who are profoundly interested in this matter, who will give largely to the funds and who are extremely desirous that this machinery be established to give relief to these large bodies of suffering people.

Mr. SMITH of Michigan. Mr. President, I should like to ask the Senator a question. As I understand, the gentlemen whose names have been read by him are members of the committee, but not the incorporators. Is that correct?

Mr. LODGE. The incorporators, I think, are mentioned in the bill.

Mr. SMITH of Michigan. Yes; but they are not the gentlemen referred to by the Senator.

Mr. LODGE. I have not the bill before me.

The VICE PRESIDENT. They are named in the bill, and the list can be read, if desired, for the information of the Senate.

Mr. SMITH of Michigan. No; that is not necessary.

Mr. LODGE. I think they must be the same men.

Mr. LEWIS. Mr. President, if the Senator from Massachusetts will permit, I think there is an idea prevailing in the minds of some Senators that the bill carries some form of appropriation. The bill carries no appropriation from Congress whatever, does it?

Mr. LODGE. None whatever.

Mr. LEWIS. That is my understanding.

Mr. LODGE. It merely authorizes the creation of a corporation under the laws of the District of Columbia.

Mr. LEWIS. And carries no liability to the Federal Government?

Mr. OVERMAN. None whatever.

Mr. LODGE. The names of the incorporators are the same as the names I read of the members of the national committee.

Mr. JONES of Washington. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Washington?

Mr. LODGE. Certainly.

Mr. JONES of Washington. I do not want the Senator to understand by anything that I may have said that I am opposed to the consideration of the bill. What I do not like to see is unanimous consent considered as being given by the Senate for the consideration of a bill before it has been read. I am in favor of the bill, so far as that is concerned.

Mr. SMITH of Michigan and Mr. OVERMAN. Question!

The VICE PRESIDENT. The bill is before the Senate as in Committee of the Whole and open to amendment.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

NATIONAL RECREATION ASSOCIATION.

Mr. SMITH of Georgia. Mr. President, I wish to bring the attention of the Senate to Senate bill 3219, which is a kindred bill to the one just passed. The two were before the Judiciary Committee together, were considered very carefully, and finally both passed the committee almost unanimously. The bill to which I refer proposes to incorporate the National Recreation Association. That association is simply made a corporation of the District of Columbia. The bill follows the report of the Judiciary Committee of the House.

Mr. KING. Mr. President, I object to the consideration of the bill.

The VICE PRESIDENT. Objection is made.

ALBERT BUSHNELL HART.

Mr. WEEKS. Mr. President, one of the names which has been referred to publicly in connection with the investigation which was made by the chief of the Secret Service is that of Prof. Albert Bushnell Hart, of Harvard University. Nobody in Massachusetts would believe that Prof. Hart is now or ever has been disloyal. I think he has appeared within two or three days before the Judiciary Committee to make some explanation of his past record. I have here a statement made by another citizen of Massachusetts relating an incident which took place before we were engaged in war in which Prof. Hart took part, and which is so conclusive as to his views at that time that I ask, in justice to him, that it be included in the RECORD.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

PROF. HART AND DR. ALBERT

NEWTON, *December* 7

To the EDITOR OF THE HERALD:

I can not resist the temptation to write in protest of the gross injustice done Prof. Albert Bushnell Hart by publishing his name among those who were pro-German. Had the name of HENRY CABOT LODGE, JOHN W. WEEKS, or Mayor Peters been in that list, I should not have been more surprised.

For the benefit of the readers of the Herald who were not present at a meeting of the Economic Club, of Boston, held in January, 1915, I will describe it. The speakers were David Starr Jordan; Prof. Kuno Francke, of Harvard, a German; Prof. Wiener, of Harvard, a Russian; Dr. Albert, connected with the German embassy; and Prof. Albert Bushnell Hart. The meeting was held at the American House.

William H. Lincoln, president of the club, made two requests. First, that, owing to the crowded condition of the room, all refrain from smoking, and second, that, owing to the fact that the speakers repre-

sented three different nations, we refrain from applause. But before David Starr Jordan had spoken five minutes the crowd burst into laughter, which was followed by applause, and Mr. Lincoln might as well have tried to stop a cyclone. Dr. Jordan had stated that in one respect this war was most peculiar. No one was willing to father it. The Austrians and Germans denied the responsibility of starting it, Russia and France the same, and England could plead an alibi, as the war had started before she went in. So he said "we shall have to regard this war as a foundling left on the doorstep of civilization."

Prof. Frank followed Dr. Jordan. His address was in substance only a eulogy on Germany. Prof. Weiner caused a great deal of merriment in his spicy criticisms of Germany. Then came Dr. Albert. He read from manuscript a plea justifying Germany in her violation of the neutrality of Belgium. He claimed that Belgium was not a neutral country, but a neutralized country. That she had not declared her own neutrality, but had been made neutral by the other powers, and Germany, being one of the signers of that agreement, had a right to withdraw at any time. At this point Prof. Hart interrupted the speaker, and addressing the president said: "May I ask the speaker a question?" Before the president had time to reply, Dr. Albert turned to Prof. Hart and said, "Certainly; any question you please." Prof. Hart then asked this question: "Do we understand the speaker to say that had Germany not agreed to the neutrality of Belgium she would not have a right to violate it, but as she had agreed to it she did have a right to violate it?" The laughter and applause that followed was entirely beyond control. I never saw so many emotions expressed in a man's face in so short a time as was expressed in the face of Dr. Albert. His discomfiture was extreme and the remainder of his paper might just as well have been read to a flock of birds, for no one gave him any attention.

When Prof. Hart rose to speak he turned to Dr. Albert and in language that was plain to understand said: "Let me tell Dr. Albert that before this war is over Germany will have to atone for every drop of blood she sheds and for every crime she commits in Belgium, for the world is not bad enough to allow such a cowardly outrage to go unpunished."

Prof. Hart then went on some 30 minutes with a masterly historical arraignment of Germany. And although he was the last speaker he held the attention of the audience to the end.

F. O. STANLEY.

AFFAIRS IN RUSSIA.

Mr. JOHNSON of California. Mr. President, I introduce the resolution which I send to the desk; and then, in accordance with the request that I made yesterday, may I have permission of the Senate to address a few remarks to it?

The VICE PRESIDENT. Without objection, it is so ordered.

The Secretary will read the resolution.

The resolution (S. Res. 384) was read, as follows:

Whereas in August, 1918, United States soldiers were sent to Vladivostok and Murmansk and Archangel, and in public announcement by the State Department armed intervention in Russia was distinctly disavowed; and

Whereas the State Department for the United States then declared, "In taking this action the Government of the United States wishes to announce to the people of Russia in the most public and solemn manner that it contemplates no interference with the political sovereignty of Russia, no intervention in her internal affairs—not even in the local affairs of the limited areas which her military force may be obliged to occupy—and no impairment of her territorial integrity, either now or hereafter, but what we are about to do has as its single and only object the rendering of such aid as shall be acceptable to the Russian people themselves in their endeavors to regain control of their own affairs, their own territory, and their destiny"; and

Whereas since the arrival of United States troops in Russia press dispatches have recounted skirmishes and battles between them and Russian soldiers, the taking and retaking of Russian towns, and various incidents indicating a state of war; and

Whereas Congress has not declared war upon Russia and is without information as to the conditions existing between our soldiers and Russian soldiers: Therefore be it

Resolved, First, that the Secretary of State be, and is hereby, directed to send to the Senate, if not incompatible with the public interest, all data, documents, and information showing or bearing upon our present relations with Russia as to peace or war, so that the Senate and the Nation may know why and for what purpose our soldiers are in Russia and what is the policy of the Government in reference to Russia.

Second, That the Secretary of War be, and is hereby, directed, if not incompatible with the public interest, to advise the Senate of the number of United States soldiers in Russia and their location and of their operations, together with any lists of casualties which they may have suffered.

Mr. JOHNSON of California. Mr. President, recently a certain Senator delivered quite a remarkable speech on current events, and subsequently received a letter from a constituent about as follows:

Senator BLANK:

I have just read your remarks of yesterday in the United States Senate, and I beg to inform you that you're an ass.

The Senator immediately replied:

MY DEAR SIR: I have just received your letter, and I thank you for the information you have given me.

Fraternally, yours.

[Laughter.]

In this day, when intolerant newspapers imperatively demand immediate and complete indorsement of prevailing opinion, it is a dangerous and a delicate thing to speak of Russia, or to inquire concerning our activities there; and the epithet applied to my distinguished colleague will doubtless be the least obnoxious of those which will greet the seeker for truth in respect to the Russian situation.

Some of us for many months desired to inquire into existing relations between the United States and Russia. We have recognized that in the Russian situation most tremendous and vital issues are involved. Free discussion of the question has been hitherto impossible, because of its complex relationship to a greater problem, the world war. While the war was on and Germany yet a menace to civilization, we thought it inappropriate to demand information or to discuss what might have been deemed mistakes or indiscretions. But now Germany has been beaten, and German militarism has been crushed. The President in repeating to Congress the armistice terms declared: "Thus the war has ended"; and on December 2 again stated this fact, and further said that the armistice was in effect a complete submission of the enemy, that the central empires knew themselves beaten and their very empires were in liquidation. The demands of the military situation, therefore, no longer require silence. The war is over. We have won. The enemy empires are in liquidation. With the authoritative utterances of the President no reason exists why we should not know the position of the United States in respect to Russia, the activities of our Army in that country, and the purposes of our Government. Not to endeavor to inform ourselves is timidity and cowardice. And it is because no Senator with whom I have talked, no public official of whom I have inquired, knows, because, indeed, we do not know, and our people do not know, what we do or what we seek in Russia or what our ultimate purpose is, that I present my resolution and these remarks.

I am quite aware that the most respectful, modest, and hesitating inquiry upon the subject of Russia will be met with accusations of bolshevism; that a mere purpose of seeking information will be denounced as sympathy with anarchy; that a demand that American boys shall not be sacrificed to the rigors of a Russian winter and conflict with a desperate people will be termed a defense of international agitators and of the "red flag." I understand full well that the peculiar intolerance which has been fostered in the past few months, the state of mind deliberately cultivated which has sought to bully and to terrorize either mild objector or seeker for information will look askance at one so lost as to ask the facts concerning Russia and our participation in its affairs. But those of us who are neither bolsheviki nor in sympathy with bolshevism of course would be unfit to sit here if we feared to pursue a legitimate inquiry within the sphere of our duties.

I have no sympathy with bolshevism. The opinions which I have formed from the press, more or less nebulous, I confess, have made Lenine and Trotsky wholly abhorrent to me. The tenets which they profess are to me worse than ridiculous, and with the hard and fast formulæ which they seem to have adopted from Marxian socialism I have no patience. The excesses in Moscow and Petrograd, which have of late appeared in the press, shock and horrify me. I do not hesitate to use the strongest language which I have seen employed in the press concerning these leaders for a moment of the Russian revolution and in denunciation of their deeds; but I do wish to know my country's attitude at this time to the Russian people and what our sons are fighting for on Russian soil. I have made diligent private inquiry without success. And because I do not know, and we do not know, the situation in Russia to-day, what we are fighting for there, and what ultimately we seek to obtain, I publicly now repeat the inquiries unsuccessfully made privately.

As a nation we have not hesitated to express ourselves concerning Russia, but the words we have spoken are at variance with our acts, and I ask that you follow me in the national promise which we made concerning Russia, and then observe the fulfillment of that promise.

December 4, 1917, the President said:

> The thought of the plain people here and everywhere throughout the world, the people who enjoy no privilege and have very simple and unsophisticated standards of right and wrong is the air all governments must henceforth breathe if they would live. * * *
>
> All these things have been true from the very beginning of this stupendous war; and I can not help thinking that if they had been made plain at the very outset, the sympathy and enthusiasm of the Russian people might have been once for all enlisted on the side of the allies, suspicion and distrust swept away, and a real and lasting union of purpose effected. Had they believed these things at the very moment of their revolution, and had they been confirmed in that belief since, the sad reverses which have recently marked the progress of their affairs toward an ordered and stable government of free men might have been avoided. The Russian people have been poisoned by the very same falsehoods that have kept the German people in the dark and the poison has been administered by the very same hands. The only possible antidote is the truth. It can not be uttered too plainly or too often.

Wonderful words! Words with which to conjure; and to-day, after the months of our intervention and our fighting in Russia, I can recebo those words of the President of the United States:

> The only possible antidote is the truth. It can not be uttered too plainly or too often.

January 8, 1918, the President said:

> There is, moreover, a voice calling for these definitions of principle and of purpose which is, it seems to me, more thrilling and more compelling than any of the many moving voices with which the troubled air of the world is filled. It is the voice of the Russian people. They are prostrate and all but helpless, it would seem, before the grim power of Germany, which has hitherto known no relenting and no pity. Their power, apparently, is shattered. And yet their soul is not subservient. They will not yield either in principle or in action. Their conception of what is right, and what it is humane and honorable for them to accept has been stated with a frankness, a largeness of view, a generosity of spirit, and a universal human sympathy which must challenge the admiration of every friend of mankind; and they have refused to compound their ideals or desert others that they themselves may be safe. They call to us to say what it is we desire, in what, if in anything, our purpose and our spirit differ from theirs; and I believe that the people of the United States would wish me to respond with utter simplicity and heartfelt desire and hope that some way may be opened whereby we may be privileged to assist the people of Russia to attain their utmost hope of liberty and ordered peace.

And the sixth of the fourteen terms of peace enunciated by the President is as follows:

> VI. The evacuation of all Russian territory and such a settlement of all questions affecting Russia as will secure the best and freest cooperation of the other nations of the world in obtaining for her an unhampered and unembarrassed opportunity for the independent determination of her own political development and national policy and assure her of a sincere welcome into the society of free nations under institutions of her own choosing; and, more than a welcome, assistance also of every kind that she may need and may herself desire. The treatment accorded Russia by her sister nations in the months to come will be the acid test of their good will, of their comprehension of her needs as distinguished from their own interests, and of their intelligent and unselfish sympathy.

The acid test, Mr. President! And how has the great democracy of the world stood that acid test?

February 11, 1918, the President again said:

> The United States has no desire to interfere in European affairs or to act as arbiter in European territorial disputes. She would disdain to take advantage of any internal weakness or disorder to impose her own will upon another people.

September 27, 1918, in stating the issues of the war, the President exclaimed:

> Shall the military power of any nation or group of nations be suffered to determine the fortunes of peoples over whom they have no right to rule except the right of force?

I quote these various excerpts from the remarks of the President of the United States because these remarks constitute the promise of the United States of America to Russia; and, constituting the promise of democracy of a Nation with its ideals untarnished, it is our duty to see that that promise is carried out in letter and in spirit.

During the early months of this year the clamor for armed hostile intervention in Russia was loud and insistent. It was resisted by our Government for a long time. Then, suddenly, in August, after having refused to accede for many months, intervention came. We denied that we were indulging either in hostile invasion or intervention, and our Government issued a disingenuous announcement, which has stood, so far as the American people know, as the determination, the position, and the attitude of the United States toward Russia. The statement issued by the administration, under which our people were told our boys were sent to Siberia, is as follows. Without reading it all, I ask permission to insert it here as a part of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

> In the judgment of the Government of the United States—a judgment arrived at after repeated and very searching consideration of the whole situation—military intervention in Russia would be more likely to add to the present sad confusion there than to cure it, and would injure Russia rather than help her out of her distresses. Such military intervention as has been most frequently proposed, even supposing it to be efficacious in its immediate object of delivering an attack upon Germany from the east, would, in its judgment, be more likely to turn out to be merely a method of making use of Russia than to be a method of serving her. Her people, if they profited by it at all, could not profit by it in time to deliver them from all their present desperate difficulties, and their substance would meantime be used to maintain foreign armies, not to reconstitute their own or to feed their own men, women, and children.
>
> We are bending all our energies now to the purpose, the resolute and confident purpose, of winning on the western front, and it would in the judgment of the Government of the United States be most unwise to divide or dissipate our forces.
>
> As the Government of the United States sees the present circumstances, therefore, military action is admissible in Russia now only to render such protection and help as is possible to the Czecho-Slovaks against the armed Austrian and German prisoners who are attacking them and to steady any efforts at self-government or self-defense in which the Russians themselves may be willing to accept assistance.
>
> Whether from Vladivostok or from Murmansk and Archangel, the only present object for which American troops will be employed will be to guard military stores which may subsequently be needed by Russian forces and to render such aid as may be acceptable to the Russians in the organization of their own self-defense.
>
> With such objects in view the Government of the United States is now cooperating with the Governments of France and Great Britain in the neighborhood of Murmansk and Archangel. The United States and Japan are the only powers which are just now in a position to act in Siberia in sufficient force to accomplish even such modest objects as those that have been outlined. The Government of the United States has, therefore, proposed to the Government of Japan that each of the two Governments send a force of a few thousand men to Vladivostok, with the purpose of cooperating as a single force in the occupation of Vladivostok and in safeguarding, so far as it may, the country to the rear of the westward moving Czecho-Slovaks, and the Japanese Government has consented.
>
> In taking this action the Government of the United States wishes to announce to the people of Russia in the most public and solemn manner that it contemplates no interference with the political sovereignty of Russia, no intervention in her internal affairs—not even in the local affairs of the limited areas which her military force may be obliged to occupy—and no impairment of her territorial integrity, either now or hereafter, but that what we are about to do has as its single and only object the rendering of such aid as shall be acceptable to the Russian people themselves in their endeavors to regain control of their own affairs, their own territory, and their own destiny. The Japanese Government, it is understood, will issue a similar assurance.
>
> These plans and purposes of the Government of the United States have been communicated to the Governments of Great Britain, France, and Italy, and these Governments have advised the Department of State that they assent to them in principle. No conclusion that the Government of the United States has arrived at in this important matter is intended, however, as an effort to restrict the actions or interfere with the independent judgment of the Governments with which we are now associated in the war.
>
> It is also the hope and purpose of the Government of the United States to take advantage of the earliest opportunity to send to Siberia a commission of merchants, agricultural experts, labor advisers, Red Cross representatives, and agents of the Young Men's Christian Association accustomed to organizing the best methods of spreading useful information and rendering educational help of a modest kind, in order in some systematic way to relieve the immediate economic necessities of the people there in every way for which an opportunity may open.
>
> The execution of this plan will follow and will not be permitted to embarrass the military assistance rendered to the Czecho-Slovaks.
>
> It is the hope and expectation of the Government of the United States that the Governments with which it is associated will, wherever necessary or possible, lend their active aid in the execution of these military and economic plans.

Mr. JOHNSON of California. Observe from this statement that military intervention is expressly disclaimed; that we tell Russia and the world that such intervention would endanger Russia rather than help her out of her distresses; that we are devoting ourselves entirely to the western front, and that we believe it would be unwise to divide or dissipate our forces, and that military action is admissible in Russia only to render protection and help to the Czecho-Slovaks against the armed Austrian and German prisoners; that whether at Vladivostok or from Murmansk and Archangel the only present object for which American troops would be employed would be to guard military stores and to render such aid as may be acceptable to the Russians in the organization of their own self-defense; and just follow these words in the promise that we then made to Russia and to the world:

> In taking this action the Government of the United States wishes to announce to the people of Russia in the most public and solemn manner that it contemplates no interference with the political sovereignty of Russia, no intervention in her internal affairs, not even in the local affairs of the limited areas which her military force may be obliged to occupy, and no impairment of her territorial integrity, either now or hereafter, but that what we are about to do has as its single and only object the rendering of such aid as shall be acceptable to the Russian people themselves in their endeavors to regain control of their own affairs, their own territory, and their own destiny.

Eloquent words in an eloquent statement of the Government of the United States, words to which we all subscribe, words which constituted the solemn declaration of the United States to Russia and to our people when troops were sent abroad to Siberia and to Archangel. And in the months since the press reports tell us of skirmishes and battles; of American soldiers fighting Russian soldiers; and of all the attendant circumstances of war between hostile peoples. November 27 the press dispatches carried from Archangel stated that American troops were holding the line against the Bolsheviki on the middle sector of the northern front in the region of Hadish, after 10 weeks of fighting in swamps and thick undergrowth. These press reports tell us:

> Under British command and with British forces aiding them the American infantrymen on this sector probably have had more fighting and more hardships than other American units in Russia. The campaign began early in August when a British and French force entered Seletskoe, a large village about midway the River Emtso. They were forced to move to another sector and the Bolsheviki occupied the town, only to be driven out a few weeks later when American reinforcements arrived. Since early in September the opposing forces have battled back and forth along the road leading toward Petrograd through tiny five-house villages. The Bolsheviki at times tried the force of their "oratorical artillery" on the Americans.

To some I assume this sort of a report will seem wholly humorous. To me there is a pathos in it.

> On two nights during the last week English-speaking Bolsheviki appeared in no man's land and made speeches urging the Americans not to fight. Great red banners also were strung along the enemy bank of the river.

Contrast these accounts of the military operations with our declarations when we sent our soldiers across the water.

December 2, this press dispatch:

ARCHANGEL, *Monday, December 2.*

A detailed report of the capture by Americans and Russians of Bolshevik positions on the Pinega River November 29 says: "Our troops, with only machine-guns and rifles, advanced against shrapnel, strangely without any, or with very few minor casualties. Before retreating the Bolsheviki are reported to have killed 30 peasants.

"An international battalion, composed mostly of Magyars, has recently been the Bolsheviki's most reliable force on the Dvina front. In the fighting of November 11 to 14 it left great piles of dead before our positions, having fought stubbornly. All sectors in the past two days have been quiet."

December 6, in press dispatches from Paris, we are thus enlightened:

The allies are busily casting a net around the outskirts of Russia, obviously with a view to intervention on a serious scale. In the north, in addition to the allied detachments in the Archangel region and the British detachments in Finland, the British have landed at Libau.

A New York paper recently asked:

What is the American policy with respect to Russia? No one seems to know. Our Government seems unable to make up its mind. There is the most painful evidence of lack of stability of view.

The policy with respect to Russia was stated in the August pronunciamento, but alas, these were mere words. The policy to-day no one knows, but what actually exists is war, and yet I know of no declaration of war by the Congress. After a year of revolution in Russia, after some months of actual warfare by our forces, the administration has taken neither Congress nor the people into its confidence. What an anomalous situation for the great democracy of the world demanding open diplomacy and justice for all peoples!

In the Inter-Allied Labor Conference, held in London in September last, of which the American Federation of Labor was a part, the following in respect to Russia was adopted:

(1) This conference sends an expression of deepest sympathy to the labor and socialist organizations of Russia, which, after having destroyed their own imperialism, continue an unremitting struggle against German imperialism.

(2) It declares that if the treaty of Brest-Litovsk stands it would confirm the collapse of the Russian revolution, and would most gravely compromise the future of the democracy of the world. It invites the workers of the allied countries to refuse to recognize any peace settlement which does not secure the complete freedom of the Russian people.

(3) The conference is of opinion that, in conformity with article 6 of the 14 points of President Wilson, the present efforts of the allied governments to assist the Russian people must be influenced only by a genuine desire to preserve liberty and democracy in an ordered and durable world peace, in which the beneficent fruit of the revolution shall be made permanently secure.

I quote these resolutions of that conference in order that you may observe that England dares discuss the Russian situation, English labor dares discuss the Russian situation, France dares discuss the Russian situation, and French labor dares discuss the Russian situation. The only place in all this world where there has been poverty of discussion or fear of discussion is in the United States of America; and if I have accomplished nothing to-day but discussion by which we may learn exactly what we are undertaking to do in that land, no matter what the views may be of those who discuss it, I will not have labored here in vain.

Bear in mind that the news which comes to us from Russia now is all colored. I have no doubt that terror exists, that many worthy people have been cruelly and outrageously murdered. I have no doubt that starvation stalks among the people, but, as I read of the net of steel cast around Russia by the allies and ourselves, by which no food can enter that unhappy country, I ask the question, "Can it be that we in any degree are responsible for the bloody terror there existing? Can it be that we in any measure are responsible for starving poor and misguided peasants?"

That you may have something of an adequate understanding of the nature of the publications in this country concerning Russia I quote to you, because of its succinctness, an article appearing in the New York Nation of November 23, 1918:

For several weeks the American public was kept in a state of agitation by reports of a "general massacre of all the upper classes" of Russia on the night of November 10. "It will be another Saint Bartholomew's night," said the dispatches; and the innocent bourgeois population of unhappy Russia was reported to be "in a panic of indescribable proportions." The hideous affair was predescribed, commented upon editorially, and, save for the practical details of execution, carried through by the press before the fateful day arrived. On November 7, it was announced that the "Russian ambassador" at Washington had communicated with the State Department "proposing that Bolsheviki and German agents be held personally responsible for the massacre before an international court." On November 11, the day after the "massacre," an obscure note appeared in one New York paper, the World, announcing in its headline that the "threat of massacre seems to have been a fake." Saint Bartholomew's night apparently passed without incident, and the only action of the Bolsheviki which might mark the occasion was a general order "giving amnesty to all arrested hostages and persons alleged to be involved in plots against the Soviets except those whose detention is deemed necessary as a guaranty for the security of the Bolsheviki who have fallen into enemy hands." Not one newspaper copied this report. Having accomplished the massacre it might have seemed inconsistent to bring the dead to life, as well as weakening to the lavishly documented case against the Bolsheviki.

After our intervention, denied though it was in August last, we heard much about "reconstructing the eastern front." Of course there is no longer an enemy against whom the eastern front should be protected. The position of those who desired to "reconstruct the eastern front" now shifts, and we hear it asserted that it is our sacred duty to rescue the Russian people from the menace of bloody revolution and civil strife; indeed, that our solemn obligation is to save the world from anarchy. We are confronted, therefore, with a concealed danger, war against revolution in all countries, whether enemy or ally, to prevent the agitation of revolution from spreading. If a "League of Nations" is formed upon any such motives, it will degenerate into a "Holy Alliance."

Again, it is repeatedly printed in our press that if we but help certain Russian factions they will overcome the Bolsheviki and will "stabilize" a new government in Russia. A policy, however, by military intervention, supporting one government here and another there, one faction in one part and a new faction in another, will but encourage every revolutionary group, which aspires to make something out of the disorder, to try its hand. The sorry and unsuccessful attempts that have been made by various groups, all of which called for "stabilization" by armed intervention, is recent history.

The extraordinary amount of misinformation given to the American people concerning Russia almost justifies the belief that there has been a regular and consistent propaganda of misrepresentation. The Creel Bureau of Public Information has, apparently, been engaged, not in developing facts to our people, but in justifying a course subsequently pursued at variance with our words. Solemnly we promised that we would not, by hostile invasion, intervene. We did, after our solemn promise, just that thing, and then in the sequence of events, apparently, the duty devolved upon the Creel bureau to justify the broken promise. As calmly we weigh what has been transpiring in Austria and Germany, as we observe the insidious propaganda and the poison of Bolshevism emanating from Russia, which have gone to the very core of the autocracy of the central empires, can we be satisfied with the Creel committee's labored efforts to demonstrate that the Bolsheviki are German agents? The facts and the current events would indicate that the problem is much more complex, and that this rabid Russian political growth is a menace to European social order, German and the allied alike. What has been transpiring between this Government and the soviet in Russia has never been told. Now and then a vagrant fact has come to us, but, apparently, it never finds publicity. Statements have come to us, apparently wholly credible and entitled to verity, but officially we can learn nothing. It is because of representations made to myself and others that I would propound to our officials for our information, and what is much more important, the information of the American people, various queries:

Is it true that the soviet government offered to the American Government a basis of cooperation, economic and military, and sought the help of the American Government to prevent the ratification of the shameful treaty of Brest, and that the American Government never replied to this offer?

Is it true that the Assistant Secretary of State, speaking for the President, definitely refused intervention in March last when, if intervention was ever desirable or possible, then was the time to intervene, before the rigors of starvation, the Red terror, or the unity of the peasants and workers against the allies had been established? Is it true that in this statement there is the language that to intervene in Siberia "would be doing in the east exactly what the Germans were doing in the west," and would subject America and the allies to the same suspicion on the part of the Russian people?

Is it true that the Russian soviet government offered, through its highest economic council, a program for making America the most favored foreign nation in trade and commerce and involving the control by the allies of all those supplies most desired by the central empires?

Is it true that representatives of the American Red Cross remained in soviet Russia until October, in perfect safety and reasonable comfort even after we had intervened and American troops were fighting the soldiers of the soviet government, and that the last member of the original American Red Cross mission to Russia left Moscow on the 5th of October and Petrograd on the 16th of October, in the safe conduct and security of the protection of the soviet government?

Is it true that the Department of State has refused to allow the American Red Cross to ship supplies to Moscow and Petrograd for the relief of the returning Russian war prisoners from Germany, 60 per cent of whom are suffering from some form of tuberculosis—these the soldiers that held the Hun in check for two years and saved civilization? Was this refusal based on Creel information and the fear that these supplies would be turned over by a starving people to Germany?

Is it true that the American ambassador and the British high commissioner in Russia recommended cooperation with the soviet government through the American railroad mission, that the soviet government invited this cooperation and promised control of the Siberian railway to be placed in the hands of this mission, and that these recommendations were refused by the American Government largely because of misinformation received through the Creel committee, supported by leaders and representatives of the old régime in Russia?

Is it true that refusal of these recommendations prevented the evacuation of large amounts of munitions and war supplies from the western front that subsequently were captured by the Germans in their advance after the Brest negotiations had failed?

Is it true that the British high commissioner, sent to Russia after the Bolsheviki revolution because of his knowledge and experience in the Russian situation, an official who had been seven years in Russia, four years consul general of his majesty's government in Moscow, who spoke Russian fluently, after four months in Russia stated over his signature that the soviet government had cooperated in aiding the allies and that he believed that intervention in cooperation with the soviet government was feasible, as late as the 5th of May, 1918?

Is it true that the American Government so delayed cooperation with the Kerensky government's plan to support the morale of the army and maintain that provisional government in power as to contribute largely to the overthrow of Kerensky and the success of the Bolsheviki revolution?

Of course, the facts in relation to such matters as are suggested ought to be in the possession of the Foreign Relations Committee. Before I came to this body I assumed that information of grave international affairs, which might culminate in war or in treaties, would ever be with that formerly important and honored committee. By rigid inquiry of the committee I have been unable to ascertain anything in relation to Russia. They are as much in the dark as the humblest American whose son's blood now reddens Russian soil.

I read, as doubtless you did, with some mystification, the strange modification of the armistice terms. When the military authorities concluded their armistice it was provided:

All German troops at present in any territory which before the war belonged to Russia, Roumania, or Turkey shall withdraw within the frontiers of Germany as they existed on August 1, 1914.

This was the provision read by the President to Congress, but subsequently this provision was modified to read:

All German troops at present in the territories which before belonged to Austria-Hungary, Roumania, and Turkey shall withdraw immediately within the frontiers of Germany as they existed on August 1, 1914. All German troops at present in the territories which before the war belonged to Russia shall likewise withdraw within the frontiers of Germany, defined as above, as soon as the allies, taking into account the internal situation of these territories, shall decide that the time for this has come.

Do you recognize the modification? First, it is stipulated that all German troops shall withdraw from Russia and go back to Germany; then, the modification that they shall not withdraw, but shall remain in Russia until it shall be determined by the allies that the time is ripe for their withdrawal.

The explanation, as stated by the New York Times, was as follows:

This notable modification, which permits German troops to remain in Russian territory, apparently means that the allies are fearful that if German troops are taken away from Russia excesses will occur which may lead to anarchy.

This interpretation was published, apparently, as the expression of our Secretary of State. What a field for speculation this modification of the armistice terms presents! Can it be that the German-bribed Bolsheviki, acting in conjunction with Germany and doing Germany's will, must be kept in order by German troops?

I realize—and I repeat what I said at the outset—the danger that there is in talking thus upon this floor; but, my friends, for a year and a half past I have sat in this Chamber with lips closed, because I wanted no word of mine, however humble that word might be, to be at variance with those who were conducting the war. The war is now done; and if I can not speak my sentiments in this Chamber upon any subject that is before the American people, I prefer to retire and go back to my very humble past existence. That expression of any sentiment upon this subject will arouse, of course, criticism and denunciation goes without saying; that that denunciation will extend to calling one who asks merely for facts Bolshevik, anarchist, and the like is, of course, well known; but I want to impress upon you again that I am neither I. W. W., nor Bolshevik, nor Socialist. In the record that I had before I came to this body I think my dealing with one of these classes when it was required that action should be had speaks for itself.

The situation which now confronts us in Russia is no longer a mere isolated flame in a disordered land; it is something far greater and something far more important. Let in the light on the Russian situation and let our people know the facts. We have been told each day for a year past that the soviet government is about to fall, that the wretched and corrupt leaders of the Bolsheviki are in flight. I read this again only yesterday. My desire is, and it is our right as well, whether the soviet government exists or is overthrown, whether bolshevism is yet in power or another order has taken its place, to know the activities of our own and our Nation's policy.

We have waged a successful war. Now in a brief period there will come to us the difficult problems of reconstruction. In less than two years we have revolutionized industry; we have wholly transmuted governmental activity; we have discarded century-old traditions and habits, and perhaps we have changed even our national thought. In the days to come our course must be steered safely between the Scylla of bolshevism on the one hand and the Charybdis of reaction on the other. And I reecho the recent bold expression of Lloyd George: "I do not fear revolution. I fear reaction." In this Nation, if we preserve at all our ideals, if we do not wholly destroy our democracy, there can be no room for bolshevism. The genesis of bolshevism is twofold. It is the spawn of oppression, and poverty, and hunger, and it is the logical end of repressive and all-embracing militarism. So long as we cherish liberty and preserve democracy, we need fear in our Nation no such noxious growth. The sporadic rantings of an occasional international agitator will find no response in a free America. Wrong, injustice, cruelty, and tyranny made Russia the natural breeding place of bolshevism. During the recent years of the world's greatest advance, Russia remained the Russia of old. Every cry for progress, for education, for freedom, for political reform was there called revolution and was met by the knout, the prison, Siberia, and execution. Ninety-three per cent of the population of that great unknown country were composed of peasants and workmen. A scant 7 per cent, constituting the privileged class, were the only ones who could receive official favor, hold positions of power, or commissions in the army.

Ninety-three per cent were ever cold and hungry and under the lash. Seven per cent were God's anointed and alone were permitted to share in God's sunlight. These 93 per cent, fighting and dying in the armies of the Empire, conceived the idea of fighting and, if need be, dying for themselves, and they broke through the centuries of darkness and stood, by revolution, for a moment in the glare of the sunlight of freedom. Is it any wonder that it blinded them? And just as a swiftly running stream tosses upon its top a discolored froth, so this new revolution flung to the surface, after its first months of travail, a few blatant leaders, who, with their grotesque formulæ and selfish and corrupt administration, have almost obscured the great, living, vital, fundamental issue which is yet in Russia. For these leaders I have naught but contempt, disgust, and detestation; but for the great mass of the struggling, striving, seething, simple peasants of Russia, groping and longing and praying for the light, eagerly and pathetically grasping for democracy such as ours, I have a deep and an abiding sympathy.

What is the policy of our Nation toward Russia? Are we now engaged in destroying bolshevism? If we are, what have we decided shall take its place? Are we again to put the Romanoffs upon the throne? Do we seek a dictator for this starved land? Is there a single faction, is there a single individual, we intend to put in power after we have waded through blood to Moscow and Petrograd? When we have buried our dead of cold, of privation, and of fatigue, and those who were slain in battle, are we, with the American flag flying in the streets of the Russian capital, to set up one kind of government as against another kind, one set of men as against another, or one man who comes out of the old régime? I ask these questions in the utmost good faith. I do not know our policy, and I know no other man who knows our policy. I do know that we are killing Russians, and they, when they can, are killing ours, and that this we are doing upon Russian soil. Is it presumptuous upon the part of one in this Chamber to ask why we are slaughtering Russians and why do we sacrifice our own blood? I warn you of the policy, which God forbid this Nation ever should enter upon, of endeavoring to impose by military force upon the various peoples of the earth the kind of government we desire

for them and that they do not desire for themselves. We have broken one nation which started to impress its will upon others by ruthless militarism. Its fate is the warning to every nation of the world that military force shall not impose one nation's will upon another.

We will hear very much in the days to come about "stabilizing" governments. And the "stabilization" will always be by hostile invasion and overpowering military forces. I want none of this for America. I want these boys who now wear our uniform in Europe, just as soon as our obligations to the peace treaty will permit, to return to their homes. I want them given the opportunity to make their own careers, to live their lives in their own way, to have their firesides, and their families, and their loved ones, and to be simple American citizens. I want no policy in our Republic of subjugating or subduing nations or peoples who do not think as we do. I want no American militarism to impose by force our will upon weaker nations.

Are we indifferent to Russia's fate that we sit here supine and in ignorance? I recall how this Chamber rung with apostrophes to freedom, with eloquent tributes to the Russian revolution, but a few short months ago. I remember how we strutted and boasted that the light of American democracy had penetrated even darkest Russia, and had emancipated a people from centuries of oppression and tyranny. Is democracy so frail a thing, is its germ so weak and fragile that excesses and wrongs of leaders forever destroy it? There is the germ of democracy yet in that stricken country, not perhaps in selfish and corrupt officials, but imperishably implanted in a hundred million humble hearts. Will you, the only people on earth to whom these stricken millions pray, by a circle of steel starve them and their women and their children? I doubt neither the righteousness nor the justice of the ultimate decision; but this decision can only be just and righteous with full knowledge of all the facts. With this full knowledge, the great democracy of the world, in the hour of the victory of its ideals, with a Christian civilization saved and preserved by its arms, will deal with a suffering and an abandoned people with justice and mercy.

The VICE PRESIDENT. What disposition does the Senator desire made of the resolution?

Mr. JOHNSON of California. I suggest that it be referred to the Committee on Foreign Relations.

The VICE PRESIDENT. It will be so referred.

HOUSING OF GOVERNMENT EMPLOYEES.

Mr. REED and Mr. BRANDEGEE addressed the Chair.

Mr. SHERMAN. Will the Senator permit me to make an inquiry?

Mr. REED. I ask now that the Senate resume the consideration of Senate joint resolution 194, being the housing resolution.

The VICE PRESIDENT. Is there any objection?

Mr. BRANDEGEE. Mr. President, I want to ask the Senator from Missouri if he will allow me to ask the Senator from California a question about the matter which he has just brought before the Senate?

Mr. REED. I should like, first, to get the joint resolution before the Senate, and then I will yield to the Senator.

Mr. BRANDEGEE. I do not object to the Senator getting it before the Senate, if he will yield to me for a moment then.

Mr. REED. Yes.

The VICE PRESIDENT. Is there any objection to the request of the Senator from Missouri?

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. J. Res. 194) directing the United States Housing Corporation to suspend work upon all projects where construction is not more than 75 per cent completed, and to cancel all contracts for furniture, and for other purposes.

Mr. BRANDEGEE, Mr. SHERMAN, and Mr. LEWIS addressed the Chair.

Mr. BRANDEGEE. I understand the Senator from Missouri has yielded to me for an inquiry, Mr. President.

Mr. REED. Yes. I intended to yield the floor. I merely wished to have the joint resolution laid before the Senate.

The VICE PRESIDENT. The Chair wishes the Senator would take the floor and dispose of it as he pleases.

Mr. REED. Mr. President, I desired to get the joint resolution before the Senate. It is now before the Senate, and, of course, Senators can speak in their own right. The Senator from Connecticut had asked me to yield to him while I was on the floor in order to make an interrogatory, and I think that courtesy ought to be extended to him at this time.

The VICE PRESIDENT. It will be. The Senator from Connecticut is recognized.

AFFAIRS IN RUSSIA.

Mr. BRANDEGEE. Mr. President, the Senator from California has had his resolution of inquiry referred to the Committee on Foreign Relations, of which I am a member. I wish to ask him in relation to the series of questions contained in his resolution, which embraces certain statements, terminating with the inquiry as to whether those alleged facts are true or not. Does the Senator mean to have the Senate infer that, upon his information and belief, he thinks they are true, or has he any knowledge about them? He merely asks the question. I do not understand whether he meant to make the assertion.

Mr. JOHNSON of California. Mr. President, I purposely refrained from indulging in any dogmatic assertions or statements in respect to the Russian situation. The questions are based upon information that has come to me. As to the absolute verity of the information, I will not say at this particular moment; but there is no question which I asked idly or about which there is no information. They are all based, as I have said, upon the vagrant facts that have come to me.

Mr. BRANDEGEE. The Senator has given me the information I desire.

Mr. LEWIS obtained the floor.

Mr. SHERMAN. Mr. President, may I make an inquiry, with the permission of the Senator?

The VICE PRESIDENT. The senior Senator from Illinois has been recognized.

Mr. LEWIS. Mr. President, before the Senator from California leaves the Chamber, as I assume it is his intention to do, I should like to address myself to one or two views expressed by the able Senator.

Mr. President, the resolution tendered by the Senator is very pertinent. The information which he seeks I fancy at this time will be interesting. Certainly it is very appropriate. But, Mr. President, I hardly feel that the deductions drawn by the able Senator from reports gathered from public papers would justify us in reaching at this time a judgment convicting the United States of America of any omission of duty or imposing upon it as a single Nation the particular obligation that the Senator from California feels should be discharged by some one; that is, the release of troops that are now in Russia.

Mr. President, when the suggestion was first made on this floor respecting the United States sending troops into Siberia; I think I assumed to say that the United States would not enter upon that mission of its own will for any purposes of its own as to governing any part of Siberia or taking jurisdiction of the affairs which were wholly Russian. I said then, sir, that our only course must be that in conjunction with those who are called allies in the necessary prosecution of the war.

Mr. President, we must view this matter as it really appeals to us all from the history and the circumstances. We were at war with Germany. It was known that there in Russia Germany had obtained influence and had turned that influence against the cause of the allies. There arose necessity for those called the allies—particularly Britain and Japan and ourselves—to take some steps to protect against the German influence and the German power that part of the Russian country which lay nearer to the East and which threatened us by the way of the Pacific. The able Senator from California will recall that it was in conjunction with what was regarded the wise thing to do on the part of those governing the armies of the allies in Europe that the troops of the United States were called upon to operate with the troops of the allied countries, particularly of Britain, of Japan, some of Italy, and many of the Slovaks, known as the Czecho-Slovaks.

Mr. President, it developed, as we gather from current history, that those who were Austrian and German prisoners had been released by Russia, and, instead of appreciating their release for freedom, banded themselves as soldiers of the central powers and turned their arms against the Americans, killing the American soldiers. The reports came to us from reliable sources that property was destroyed, lives taken, and that a general condition existed partaking of anarchy and general destruction. Under the general orders that arose from the unity of command which had been suggested and directed by this Government with France and Britain, the American troops were sent into Siberia in conjunction with the troops of the allies.

Now, Mr. President, the war has only come to an end in so far that the fighting between the contending forces has ceased under an armistice. The call is for a convention at Versailles, in France, where the terms of peace are first to be reached and the withdrawal of troops directed. And here I would have the able

Senator reflect: Is not this joint gathering the only place where we can appropriately hope for immediate reply to his questions? Is there any other government or body that can assume to discharge this duty? Are there any other people, is there any other agency, I ask the able Senator, who could assume at this time to enter upon it other than those who are about to assemble around the peace table within a week? Would not we embarrass the whole proceeding by assuming to act singly? With full knowledge of all the circumstances as they will possess it, with a consciousness that they will discharge their duty as becomes them, must we not wait until they assemble, and with the information at their hands as to all the matters referred to by the Senator reach a conclusion as to Russia, what is best to be done by America as well as by Britain and by France, as well as by Japan and the Slovaks, in the light of all the information? Then we will have a conclusion from which, let us believe, the right thing will follow and the just thing likewise to the Russian people as to America.

Mr. President, I hope this resolution will go to the proper committee, will be duly reported, and will bring forth the response of such information as can be afforded; but in the meantime I pray the eminent Senator from California and all others not to indulge in the presumption that the United States of America upon its own initiative is going to violate the solemn obligations for which it entered into this war, but that time will be given, in an orderly and proper manner, with due consideration to those with whom it is cooperating, to discharge its duties to Russia as to every other nation. Let us repeat that far from oppressing liberty this Nation will be faithful to the ideals for which it entered this war and for which its children have shed their blood—democracy and justice—and that as on this rock we have builded our house we repose the belief in the words of the great Peter "that not even the gates of hell shall prevail against it."

Mr. SHERMAN. Mr. President, I should like to make an inquiry of the Senator from California. It will occupy but a moment. May I inquire whether it would not be proper to add to the very timely address of the Senator that as early as January 8, 1915, the President made the statement in a public address, referring to Mexico, that they had a right to shed as much blood as they pleased domestically in establishing any form of government they saw proper to establish, and it was not for us to intervene?

Mr. JOHNSON of California. I recall that.

Mr. MYERS. Mr. President, I should like to have the privilege of asking the Senator from California a question, if he will do me the honor to give me his attention and reply. I did not have the fortune to hear all of his able address. I entered the Chamber while he was in the course of delivering it and heard the remainder of it with much interest. I heard him make the statement that 93 per cent of the people of Russia are struggling for liberty and freedom and democracy such as we enjoy in this country. Now, 93 per cent being a very large majority of 100 per cent, I would ask the distinguished Senator from California why the 93 per cent of the people of Russia who want liberty, freedom, and democracy do not get it and set it up, instead of indulging in a carnival of murder, assassination, robbery, and nearly every other crime known to the catalogue of criminality?

Mr. JOHNSON of California. Mr. President, of course the inquiry is not made for the purpose of eliciting information, but I will answer it in Yankee fashion.

Mr. MYERS. I want the Senator's opinion; that is what I want.

Mr. JOHNSON of California. I will answer the question in a Yankee fashion. Perhaps the Senator believes that the American people always get all that they want, even in this well-ordered democracy; but there are times when our leaders do as they see fit, and not at all as the American people wish. When I say that 93 per cent of the population of Russia are made up of peasants and workmen—nearly 90 per cent of this number being peasants, as I recall—of course it is not always the fact that the men who are in control will give to the majority of their fellows exactly what they ought to get. Why, the leadership of the world demonstrates that, and the query, indeed, is sufficient answer of itself. It is its own refutation.

Mr. MYERS. I will just say, Mr. President, that it seems to me that if the leaders of the 93 per cent are not giving the 93 per cent what they want, the 93 per cent, if they wished, could easily overthrow their leaders, as they did the Czar and his dynasty.

Mr. JOHNSON of California. Probably they will; perhaps they may not. That is not the point of the address at all. The Senator was listening to me, unfortunately, with little understanding of what I have endeavored to convey if he believes that to be the point of what I was saying to-day.

CALLING OF THE ROLL.

Mr. REED. Mr. President——

Mr. SHEPPARD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Henderson	Nelson	Simmons
Beckham	Johnson, Cal.	New	Smith, Md.
Borah	Johnson, S. Dak.	Norris	Smoot
Calder	Jones, N. Mex.	Nugent	Sterling
Chamberlain	Jones, Wash.	Overman	Sutherland
Culberson	Kenyon	Page	Thompson
Curtis	Kirby	Poindexter	Townsend
Dillingham	La Follette	Pollock	Trammell
France	Lenroot	Pomerene	Underwood
Frelinghuysen	Lewis	Reed	Warren
Gay	Lodge	Robinson	Watson
Gerry	McCumber	Saulsbury	Weeks
Gronna	McKellar	Shafroth	Wolcott
Hale	McLean	Sheppard	
Harding	Myers	Sherman	

Mr. CURTIS. I desire to announce the absence of the junior Senator from New Hampshire [Mr. MOSES] on account of illness. I will let this announcement stand for the day.

Mr. SUTHERLAND. I desire to announce the absence of my colleague [Mr. GOFF] on account of illness.

Mr. SHAFROTH. I desire to announce the unavoidable absence of my colleague [Mr. THOMAS] on account of illness.

Mr. McKELLAR. I wish to announce the unavoidable absence of the senior Senator from Tennessee [Mr. SHIELDS] on account of illness.

Mr. TRAMMELL. I desire to announce the temporary absence of my colleague [Mr. FLETCHER] on official business.

Mr. JONES of Washington. I desire to announce the necessary absence on important business of the Senator from Arizona [Mr. ASHURST], the Senator from Wyoming [Mr. KENDRICK], the Senator from Mississippi [Mr. WILLIAMS], the Senator from Minnesota [Mr. KELLOGG], the Senator from Utah [Mr. KING], the Senator from Arizona [Mr. SMITH], and the Senator from South Carolina [Mr. SMITH].

The VICE PRESIDENT. Fifty-nine Senators have answered to the roll call. There is a quorum present.

HOUSING OF GOVERNMENT EMPLOYEES.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. J. Res. 194) directing the United States Housing Corporation to suspend work upon all projects where construction is not more than 75 per cent completed and to cancel all contracts for furniture, and for other purposes.

Mr. ROBINSON. Mr. President, the joint resolution now under consideration by the Senate is of very great importance. I have no purpose to delay unduly the vote on the joint resolution; but, as indicated yesterday in some inquiries I made of the chairman of the Committee on Public Buildings and Grounds, I desired to make an investigation as to some of the facts and circumstances surrounding the housing program, with a view to submitting some remarks to-day, if justified in doing so by the information which I obtained. It is this information—incomplete but, I believe, upon the whole quite authentic and valuable—that I have taken the floor for the purpose of presenting to the Senate.

Mr. President, in emergencies like that through which the United States has just passed and is passing, it is inevitable that mistakes should be made. I do not desire, nor am I willing, to contribute anything either here or elsewhere calculated to prevent disclosures which may show mismanagement or corruption upon the part of any public officer or anyone else charged with a duty to this Government.

I am anxious that investigations may proceed wherever the circumstances justify them, but I am also anxious that neither this body nor that at the other end of the Capitol shall take action which may result in detriment or loss to the Government. I have about reached the conclusion from the best information which I have been able to obtain—which, as I have already stated, is only partial—that it would be improvident to discontinue the construction of the buildings on what is known as the Plaza, although I still believe, as I stated yesterday, that it was unwise to locate temporary buildings upon that public park.

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 12863) to provide revenue, and for other purposes.

Mr. SIMMONS. Mr. President, I am going to ask unanimous consent to temporarily lay this bill aside in the hope of getting speedy action on the joint resolution to which the Senator from

Arkansas is now addressing himself. I hope that we may be able to finish the discussion and take action upon the joint resolution within a reasonable time, say, something like an hour. I shall not undertake in any way to interfere with it that far at least, but I want to make this announcement: It is thought wise by Senators with whom I have consulted that the joint resolution should not be interfered with unnecessarily this morning. We are, nevertheless, losing time on the revenue bill, and I think every consideration requires that there should be speedy action on that bill. In view of the fact that we shall lose probably an hour at least this morning, I give notice that I am going to move for a recess when we finish the business of the day instead of an adjournment, so that there will be no morning hour to-morrow, and we may devote the whole time to-morrow to the revenue bill.

Mr. ROBINSON. Mr. President, in all that has been stated by the chairman of the Finance Committee as to the importance of proceeding with the consideration of the revenue bill and of reaching a speedy conclusion in this body concerning its provisions I am in hearty accord. I have already stated that it is not my purpose to consume very much of the time of the Senate in the discussion of the joint resolution, but I feel it my duty to present some matters which I think are of interest, and which reflect some light upon the measure.

Recurring now to the statement made before the interruption a moment ago, that I had about reached the conclusion that it would be improvident to suspend the completion of the buildings on the Plaza, I want to submit to the Senate some of the information which has led me to that conclusion.

In the first place, the completion of these buildings is necessary and advisable in order to provide the required housing accommodations for employees of the Government, present and prospective. The statement was made yesterday by the very able chairman of the Committee on Public Buildings and Grounds that since the armistice was signed approximately 5,000 temporary employees have been discharged and have left Washington, and it is expected that during the next few months—probably by the 1st of July—a total of 27,000 temporary employees or others would be discharged, thus alleviating the conditions in Washington which have made necessary the execution of the housing program.

In the Evening Star of day before yesterday there was published a statement which has been called to my attention, and which I in turn call to the attention of the Senator from Missouri. I am going to ask that that statement be inserted in the RECORD in connection with my remarks. I have had no opportunity of verifying its correctness. All that I know about that feature of the subject is contained in the statement which I am inserting in the RECORD. The statement is headed:

Increase of 770 shown in classified service. Total of 5,525 employees added by commission—

Meaning the Civil Service Commission—

in November, as against 4,755 separations.

The statement referred to is as follows:

[From the Washington Evening Star, Tuesday, Dec. 10, 1918.]

INCREASE OF 770 SHOWN IN CLASSIFIED SERVICE—TOTAL OF 5,525 EMPLOYEES ADDED BY COMMISSION IN NOVEMBER AS AGAINST 4,755 SEPARATIONS.

There was an addition of 770 employees in the United States Government service through the Civil Service Commission during the month of November. The gross admissions to the service were 5,525, with a gross separation of 4,755. It was stated by the commission to-day that it is expected there will be a considerable decrease during this month. The increases last month were the smallest since the outbreak of the war.

The departments showing decreases were: Food Administration, 81; Fuel Administration, 83; Government Printing Office, 56; Interstate Commerce Commission, 12; Department of Agriculture, 29; Smithsonian Institution, 11; Navy Department, 39; Director General of Railroads, 34; War Industries Board, 34; War Department, 36.

The increases were: Interior Department, 36; Department of Justice, 2; Department of Commerce, 13; Department of State, 23; Shipping Board, 49; Civil Service Commission, 18; Department of Labor, 105; Treasury Department, 1,118; War Trade Board, 50; Council of National Defense, 6; Federal Reserve Board, 8; Federal Trade Commission, 16.

The Panama Canal Zone office had no change in its force. The large increase attributed to the Treasury Department was due to the War-Risk Insurance and Internal-Revenue Bureaus.

Mr. ROBINSON. This statement shows, Mr. President, that during the last month, while it is true there were about 5,000 persons in the civil service discharged there were 5,770 more than the number discharged taken into the service of the Government, and instead of there being a net decrease in the number of persons coming to Washington as a result of Government employment it would appear that up to the present, or at least up to the 1st of December, there has been a net increase of 770.

Mr. REED. Mr. President, the Senator is in error in regard to the figures that I gave. The figures I gave are the net reductions. I mean to say that we asked each department how many employees did you have at the date the armistice was declared and how many employees have you now? Then the difference between those two figures gives the actual reductions.

The Senator's figures are of a different character. They take the number who came in and the number who went out in the classified civil service. It may be possible that in the classified civil service there was an increase, because many people are now getting into the classified civil service who heretofore have been received without any civil-service examination. The Senator will find that my figures showing a net reduction of over 5,000 are accurate, except that they are not complete, because there are other departments yet to be heard from.

Let me call attention to this: I have a letter here of December 9 from the Civil Service Commission. It is a memorandum furnished to Commissioner Galloway by the certification clerk. It reads as follows:

Memorandum for Commissioner Galloway: The following is a list of total number eligible, certified by various departments, during the following weeks:

Week of Nov. 2, 1918	3,024
Week of Nov. 9, 1918	2,831
Week of Nov. 16, 1918	2,107

There you will observe we pass the point of the armistice.

Week of Nov. 23, 1918	1,732
Week of Nov. 30, 1918	982
Week of Dec. 7, 1918	1,082

So since the armistice the number of certifications has been greatly decreased. I know the Senator wants to get the facts just as they are.

Mr. ROBINSON. The Senator is right. I do not wish to present any figures that would lead to a wrong conclusion.

The Senator states that there has been a diminution since the armistice was signed in the number of Government employees of 5,000——

Mr. REED. Over that number.

Mr. ROBINSON. Of over 5,000; and that there is an anticipated diminution before the 1st of July of 27,000. The figures that I have used do relate to those in the classified service rather than those in all the services. In addition to this increase in the number of persons who are coming to Washington, as indicated in various departments mentioned in that article, there will be a much greater increase in the early future occasioned by the work of the decennial census and work in the Internal-Revenue Bureau. I have not had time nor the opportunity to reach a conclusion as to how great will be the diminution in the number of persons who were in Washington at the time of the signing of the armistice and the number who will be here when conditions have been readjusted. I do not think the figures of the Senator from Missouri are calculated to lead to an accurate conclusion upon that subject. I merely used these figures for the purpose of showing that while many are going a great many are also coming in.

Mr. McCUMBER. Mr. President——

Mr. ROBINSON. I yield to the Senator from North Dakota.

Mr. McCUMBER. Will the Senator explain to us, because many of us would like to know, why it is that while we were discharging some 5,000 employees we were also drawing from every section of the United States another 5,000? Why could we not have used the 5,000 who were going for the ordinary purposes for which the 5,000 were drawn in?

Mr. ROBINSON. Making answer generally, the latter class of 5,000 came in through eligible lists established by the Civil Service Commission, and I anticipate that the large number who have gone out were temporary employees, many of whom had merely accepted employment for the period of the war, and no doubt many of them desiring to return to their former employment at the conclusion of hostilities.

Mr. LENROOT. Mr. President——

Mr. ROBINSON. I yield to the Senator from Wisconsin.

Mr. LENROOT. The Senator does not mean to say that the 5,000 increase in the eligible list have been people who have come from outside Washington? The fact is that a very large percentage of those are people who were already here who have been transferred to the eligible list.

Mr. ROBINSON. I am not making any assertions on that subject. That is largely irrelevant to the purpose which I have in mind and which I am attempting to discuss, and I do not care to pursue it into details. I want to pursue the subject immediately under consideration, and that is the necessity of continuing the construction of these buildings for housing purposes.

Mr. President, whatever may be the net result with respect to people leaving the Government employment and others taking employment, it seems probable that these buildings will be required for the comfort and convenience of persons in the employ of the Government.

I wish to call to the attention of the Senator and of the Committee on Public Buildings and Grounds a statement that has been submitted to me by the Assistant Director of the Bureau of War-Risk Insurance. It contains the formal application of 470 persons, most of them young ladies, who are seeking to secure housing accommodations, persons who are employed in the War-Risk Insurance Bureau. These persons in their applications have stated the reasons for making their respective applications. In dozens, perhaps hundreds, of instances, they are based upon the fact that under their present accommodations they have no heat, or inadequate heat is provided. Hundreds of others are based on the theory that they are living in overcrowded conditions. This statement is illustrative of the conditions that now exist in the Capital of this Nation. There are dirty, small, unventilated rooms in the city of Washington, where as many as eight white girls are living, employees of the United States Government. I propose to give to the committee the names of those girls and the place of their residence. I do not intend to insert it in the RECORD, and the reason I do not intend to do so is that it contains statements of fact which in all probability should be investigated before being given publicity. There are dozens of instances where these young ladies have stated in their applications that they are living in immoral surroundings and they want to move from where they now reside in order that they may be protected from conditions which make their lives intolerable. There are a number of cases, the names of the parties given and their present place of residence, where they say on account of the insects which swarm in the beds where they sleep they are forced to seek some new and comfortable place to live. That statement which I am submitting to the Senate relates only to one department of the Government—the Bureau of War-Risk Insurance.

As I stated yesterday, I do not want to delay the consideration of the joint resolution. I know that it is the purpose of the members of this committee to save money to the Government, to make an investigation that ought to be made, and I do not wish, and I would not delay any investigation that would be calculated to expose any crook who has violated his duty to his Government in a time of national calamity. But at the same time I do not want my indignation over alleged misconduct and mismanagement of public affairs to do injustice, to bring about avoidable abuses, or to occasion unnecessary expense to the Government. There are many instances where young ladies, employees of the United States Government, are living three, four, and five in a single room poorly ventilated and unheated. There are a number of other instances where the conditions under which they are living are so unsanitary that they want to move.

If we were just beginning the consideration of a housing program it might, Mr. President and Senators, be well enough not to undertake it, but the situation is this: This program has already proceeded, and the question for us to determine now is whether we shall abruptly suspend it or exercise some caution in proceeding with those projects which from some consideration of public interest ought to be completed and suspend only those which investigation may show should be suspended.

I am aware of the fact that the committee in recommending the suspension of the construction of buildings on the Plaza has made an investigation. I am aware of the fact that the committee has reached the conclusion that this work ought to be suspended. But I am compelled from a conviction of duty to take issue with the committee as to the conclusion which it has reached, because, as I have already stated, these buildings are needed for the immediate use of young lady employees of the United States Government.

Now, I want to talk for just a few minutes about this building program from a statement which has been furnished me by a gentleman connected with the Housing Commission. All the information I have concerning the accuracy or correctness of this statement is in the statement itself. I want to be entirely frank with the Senate. I have had no opportunity to make a personal investigation of the accuracy of the statements that are contained here.

Mr. REED. Will the Senator give the name of the author of the statement?

Mr. ROBINSON. Mr. Watson, who I understand is connected with the Housing Commission, gave me the statement at my request. He is an employee of the Department of Labor.

The housing program may consistently be divided into two classes: That which relates to the city of Washington and that which concerns other portions of the country. The appropriation for housing under the act of Congress for the city of Washington was $10,000,000. I think that statement was made by the Senator from Missouri yesterday. Five navy-yard housing projects were projected.

First. Temporary dormitories for 500 to cost about $250,000.

Second. Apartments for employees for which contract was made for $1,324,553, on the signing of the armistice reduced to $550,000.

Third. Contract for 300 houses for $1,126,073. This contract was let and was well started so far as excavations and receipt of material were concerned, but was stopped.

Fourth. Excavation contract in connection with these projects was let and is practically completed, at a cost of $70,000.

Fifth. A development on South Capitol Street, near the navy yard, suitable for the housing of navy-yard employees during the war emergency, but intended ultimately to serve for the housing of a portion of the present alley population. Project abandoned.

Department housing group, Twenty-third and B Streets, contract awarded for $2,212,300. This contract was well started but has been canceled, and it may cost $150,000 to secure release.

Dormitories on the Plaza site, at a cost of about $1,834,500, without furniture.

The development for the employees of the Washington Steel & Ordnance Co. Project abandoned.

Plans for a temporary hospital were completed and bids received, but the project has been abandoned.

Plans were in progress for apartments and dormitories for employees of the Bureau of Standards. This development also has been abandoned.

From this it will be seen that the actual buildings in the city of Washington now proceeding are: Navy apartments, $550,000; Navy temporary dormitories, $250,000; excavation for Navy development, $70,000; dormitories on Plaza site, without furniture, $1,834,500.

The furniture for the temporary Navy project and for the Plaza project amounts to approximately $330,000, all of which has been purchased and substantially all delivered.

Therefore, for the actual cost of construction for work now proceeding, and furniture, it is estimated that approximately $3,000,000 will be spent out of $10,000,000 appropriated. To complete the Plaza site will cost about $100,000 in labor. All the materials have been purchased for this project, and the bulk of them are on the site, and any change made in connection with this project will have to be done on the salvage basis.

The Senator from Missouri stated yesterday that a saving of $400,000 would be effected by discontinuing this improvement. The statement here is that all material and furniture has already been purchased and delivered and that the saving will amount to $100,000 in the matter of labor, the remainder of the saving depending upon the effectiveness with which the salvage is handled.

Mr. REED rose.

Mr. ROBINSON. I yield to the Senator from Missouri.

Mr. REED. I am surprised that the gentleman has made that statement in view of the fact that he was in the room of the committee and heard the testimony of Mr. Eidlitz, for Eidlitz said, as I stated yesterday, that the furniture had been purchased, and I think I said it was largely on hand, but Mr. Eidlitz said it could be turned back, in all probability, with but a very slight loss. The gentleman who wrote this letter does not state that, and he ought to have stated it. That, of course, makes the chief difference. There is the other difference, that of the laundry, which I do not think he has yet referred to in the statement.

I am informed now since I made my statement yesterday that there is a very large amount of material on hand that has not gone into these buildings that can be salvaged. I only state that as a matter of information. It has been stated to me that a very large part of the plumbing and—again I can only state it as a matter of information—that probably 25 per cent of the buildings remain to be completed—that is, instead of being 90 per cent completed, it is only 75 per cent—and the material is here and can be salvaged. I do not think this gentleman ought to have made the statement that only $100,000 can be saved when he sat there and heard his chief clearly state that all the furniture could be turned back with very slight loss.

Mr. ROBINSON. The gentleman referred to, Mr. Watson, did not make the statement which the Senator has attributed to him. That is the conclusion or construction the Senator makes upon it. The Senator's conclusion concerning it or the construc-

tion he places upon it is wrong. Here is what he said. I read it:

To complete the Plaza site will cost about $100,000 in labor. All the materials have been purchased for this project, and the bulk of them are on the site, and any change made in connection with this project will have to be done on the salvage basis.

There is no difference in the statement made by the Senator from Missouri and the statement made by the gentleman whom I am quoting. The only difference is a matter of conclusion. The gentleman, Mr. Watson, who gave me the statement which I am using, says that the saving in labor will be $100,000, and the saving in materials he does not undertake to estimate.

Mr. REED. Does not the Senator think he would have been a little more frank if he had said: "The estimate of my chief is that it can be salvaged, so that there will be very slight loss"?

Mr. ROBINSON. I do not know. The Senator has stated that his chief, Mr. Eidlitz, made the statement before the committee that the furniture could be returned without great loss. I take it the Senator correctly remembers the testimony and that the statement is true, but I am not reflecting upon the frankness of anyone under the circumstances of this case. I know, as others know, that when furniture has once been bought the condition must be exceptional to enable the purchaser in large quantities to return it without considerable loss. As to what the loss will be I have no more means of knowing than has the Senator from Missouri, and the opinion of Mr. Eidlitz may not be any better than the opinion of Mr. Watson or some one else. I can not say about that. I care very little about it.

Now, then, this is the showing which it seems to me justifies the continuance of this particular project. I can not say, nor can the Senator from Missouri or any other Senator say, just what might be saved by suspending this construction. I know the Senator desires to save all that he can. I know it is desirable at this time, more than at any other time in the history of the Nation, to practice economy; but in view of the conditions which I have already described in part, conditions which have been very ineffectively described in the language that I used, conditions which disclose exorbitant charges now being made upon many of these Government employees for inadequate and unsanitary housing, I reach the conclusion that it would be better for the United States Government to keep the furniture that it bought, to use the materials that it now has on the ground, and to buy the additional $100,000 worth of labor, complete these buildings, and give these Government employees the advantage of housing facilities. That is my conclusion. The Senate can reach any conclusion that it thinks is justified under the facts and circumstances.

I wish to discuss now for just a few minutes another feature of the joint resolution—that feature which suspends construction throughout the country. I have very little detailed information concerning this subject. I have engagements which I am compelled to fill, and shall hasten to a conclusion, making some further reference to the statement from which I read a while ago, and submit the matter to the Senate for such consideration as it may think the public good justifies.

The appropriation for housing, etc., in other parts of the country was $90,000,000. The bureau had taken up 80 such projects in approximately 80 different cities. Construction contracts had been let on 55. Plans were completed and ready for contract on 22. Plans were in preparation on 7. On the signing of the armistice 55 projects were abandoned, 14 projects were curtailed, and 20 are proceeding as planned.

The contracts which are proceeding (including Washington) amount to $23,076,961.11.

Curtailed projects reduced from $17,330,957.29 to $11,297,471.

Projects canceled, $17,627,952, at a cost of about $4,053,482.

Projects canceled without loss, $5,458,275.

In addition, approximately $20,000,000 worth of housing was ready to submit to contractors but was abandoned.

It is estimated that with 15 per cent allowed for contingencies this portion of the bureau's work can be completed for a total cost of about $45,000,000. Of this amount approximately one-third has already been disbursed and a second third is obligated for the necessary materials. In canceling 23 contracts adjustments will have to be made for materials ordered and for the expenditures incurred by the contractor and for sums due the contractor for his services, which will, of course, show a certain loss on account of the canceled contract.

All those that are proceeding in whole or in part have received consideration from the salvage point of view.

This bureau believes that it would be a financial mistake to stop the jobs that are now proceeding. Most of them are in various stages of completion. It is difficult to estimate their value, and the chances are good that they would be sacrificed when the time came to dispose of them and a larger loss would be realized than would result if these operations were completed. We would further call attention to the fact that the market for incomplete houses is restricted, and that it would naturally appeal only to speculators, whereas a completed structure would have a definite value for a great many different purchasers.

Furthermore, the contract work on each of these projects being done as a unit, it costs very much less than for individual purchasers to put up these houses, which means providing their own capital, their own materials, and assembling the necessary plant.

Three alternatives are now possible:

First. The Government can continue at a wholesale rate, comparatively inexpensive because of the size of the undertaking. When the houses are finished they should find a ready market.

Second. A single contractor or speculator (if such a person can be found under present conditions) can take over the entire project as it stands and complete it on a basis of wholesale cost. If the single contractor buys in order to complete and sell, he is virtually a speculator and will figure on a large profit between the price he pays the Government and the price at which he will sell the houses when completed to the public, a profit without which he will not enter upon so large an undertaking. It seems inadvisable for the Government to offer this profit to speculators.

Third. Individual purchasers of single houses or small groups of houses will have to figure a comparatively high rate of expense for completing individual houses or groups which they purchase.

If it be conceivable, as it scarcely is, that individual buyers will take single houses or small groups in their various stages of incompleteness, then, in figuring the price they will pay, they will have to count on a high pro rata expense of completion; they will deduct that expense of completion from the market price of the houses when finished and will pay the Government only the difference. On this basis, therefore, there is again a substantial loss to the Government.

Comparing all three methods, it seems reasonably clear that the plan of governmental completion is that which will bring the largest salvage value. No plan can be mathematically proven to be the best. We must take that which appears the best on the probabilities and which would be the one selected by a business man in his own affairs. Of the three it seems clear that the business man, if he had the capital, would naturally decide to complete the project himself and sell on completion.

In all cases the utilities are still incomplete, and unless completed by the bureau or by the municipality under arrangements made by the bureau as a war measure, they would remain incomplete until completed by the municipality. Left to itself the municipality would not act for a contractor, except by passing the necessary ordinances, levying a special assessment, and collecting the assessment, a procedure which ordinarily occupies a considerable time.

Therefore unless the Bureau of Housing proceeds to complete these utilities, the houses will be more or less valueless for some time to come. The obstacles which would present themselves in respect to these needed public utilities to any buyer of the tract—still more to buyers of separate parts of the tract—would be considerations militating against the price which the purchasers would pay to the Government. Every item of incompleteness in the matter of a public utility would cause a buyer to reduce his bid substantially; he would not know how much it would cost him to get water, sewers, streets, pavements, light to the project, and he would not know when, if ever, he would get them all there. Without these utilities the houses are substantially valueless.

It is also to be remembered that these houses, as above mentioned, are in various stages of completion, that if the work is stopped they will be exposed to the elements during the worst period of the year, and considerable depreciation may be looked for from physical causes alone before work could be recommenced and the houses finished.

The staff of the United States Housing Corporation is composed of experts in the problems involved in building construction and property development. It has given this subject mature consideration, and it is its deliberate judgment that the best interests of the Government, in the salvage of its housing projects, demands the completion without further curtailment of the developments now proceeding.

Mr. President, I have taken the trouble to put into the RECORD this statement, which seems to me a clear and forcible one from the standpoint of the Housing Committee. It is, of course, desirable that the Congress, in passing upon this important matter, exercise its very soundest judgment. If the completion of the projects that are proceeding would result in great loss to the Government or would result in impairment of the service, it would be the duty of Congress to suspend them. In all probability unlimited claims against the Government will be asserted by reason of our action if we arbitrarily undertake to rescind these contracts. I do not know whether the contracts themselves contain provisions for cancellation; I assume that they do; at least, they ought to; and it may be that through such provisions the loss to the Government arising out of claims hereafter to be asserted may be reduced to a minimum.

I am entirely content, Senators, that, upon consideration of this case as a whole, the Senate determines, first, whether it wants to deny the Government employees of the District of Columbia who are now suffering such gross inconvenience and mistreatment, if you please, some of them paying half their entire salary for inadequate and disgraceful accommodations, according to the statement contained in the documents I have referred to, necessary accommodations. It is for Congress to determine, in the first instance, whether, with this project so nearly completed, almost available for use, we shall now suspend it entirely and leave these uncompleted buildings to be sold or salvaged in any way that is possible.

We all know that an incomplete building has little salvage value compared to one that is complete and ready for use. We all know that the loss, if this construction be stopped, will be very great. Nobody can tell what it will be. It is a question for Congress to determine, and I am submitting it, so far as I am concerned, being compelled to leave the Chamber to attend another engagement in a committee. The buildings on the Plaza can not be sold. They must be wrecked, and unless some use of them is made it will result in total loss, for probably the removal of the buildings will consume their entire value in the present incomplete state.

Mr. JOHNSON of South Dakota, Mr. NORRIS, and Mr. LENROOT addressed the Chair.

The PRESIDING OFFICER (Mr. WOLCOTT in the chair). The Senator from South Dakota.

Mr. JOHNSON of South Dakota. Before the Senator from Arkansas takes his seat, I merely want to ask him a question or two.

Mr. ROBINSON. I shall be glad to yield to the Senator for that purpose.

Mr. JOHNSON of South Dakota. I have not studied this joint resolution and do not know much about it. I had concluded to vote for it, but the statement which the Senator from Arkansas has just made with regard to the conditions existing as to the housing of these young women, which he says he does not expect to go into the CONGRESSIONAL RECORD——

Mr. ROBINSON. I expect the statement which I have made to go into the CONGRESSIONAL RECORD, but I shall not put the applications of the young ladies for housing accommodations into the RECORD for reasons that will suggest themselves to the Senator.

Mr. JOHNSON of South Dakota. Well, that matter will change my mind on voting on the joint resolution, so far as I am personally concerned, if the vote is taken to-day. There are a great many things which ought to have more consideration than dollars and cents in connection with our Government, and this is one of them.

Mr. LENROOT. Mr. President, so far as the Plaza project is concerned, it resolves itself into a very simple proposition, which I may state in this way: If there were no legislation whatever upon the subject, in view of the fact that employees of the Government are leaving Washington at the rate of hundreds daily, there having been a decrease of 5,000 in a little more than 30 days, and it being estimated that there will be a decrease of 27,000 within six months, would the Senate to-day vote to appropriate $400,000 to provide housing accommodations for 1,800 clerks in the city of Washington for a period of less than 12 months, requiring those clerks to pay $45 a month for room and two meals daily?

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Nebraska?

Mr. LENROOT. I yield.

Mr. NORRIS. I should like to ask the Senator from Wisconsin a question in connection with what he has just said: First, does the Senator not believe that the question involves more than 1,800 clerks? Does he think that there could be only 1,800 clerks provided for in the Plaza dormitories?

Mr. LENROOT. I think that is the estimate.

Mr. NORRIS. That would be one for each room. Is it not true that, as a rule, with some exceptions, it is contemplated that there shall be two employees in each room?

Mr. LENROOT. I did not know that that was the fact.

Mr. NORRIS. Well, would not that be a reasonable supposition?

Mr. LENROOT. I think it would. I will put it in this way, and be extremely liberal. Let us say we can take care of 3,600 clerks.

Mr. NORRIS. Now, I want to ask the Senator from Wisconsin another question in regard to the time. Why does the Senator say it is to be for 12 months?

Mr. LENROOT. Because I do not think there is any Senator who would contend that this housing upon the Plaza should continue for any longer period than 12 months. The Housing Corporation themselves say that they expect at the end of 12 months all need of this housing will be gone; that the buildings will be abandoned and torn down.

Mr. NORRIS. They may be right about that. However, I should like to say, if the Senator will permit me to interject this much into what he is saying, that I have no idea that statement will be borne out by the facts. Certainly it will be several years before we get back, if we ever get back—probably we shall never get back—to where we were, so far as the number of clerks who were employed by the Government before the war is concerned.

Mr. LENROOT. That is true.

Mr. NORRIS. So that the housing proposition is going to be a serious thing for several years.

Mr. LENROOT. The housing proposition, Mr. President, may be a more or less serious thing, but the Senate will bear in mind that I think it is less than two years ago we completed the expenditure of hundreds of thousands of dollars to remove the buildings upon this very Plaza for the purpose of creating a park, and I presume that Congress is still of the opinion that that should be a park. It is fair to assume that at the end of 12 months Congress itself will order the removal of these buildings, unless we have a use for them very different from that of housing clerks.

I wish to call attention to the fact that there is to be no saving in money except in the way of accommodation to the people who will occupy these buildings upon the Plaza. I have had occasion, as other Senators have had, I have no doubt, during the past winter to make inquiry as to the average price paid for room and board by the average clerk here in the city of Washington, and it has been my observation that the $1,200 clerk, even at the very high prices that have prevailed, has not paid above an average of $45 per month for his rooming accommodations and two meals daily.

Mr. NORRIS. Mr. President, may I again interrupt the Senator from Wisconsin?

Mr. LENROOT. Yes.

Mr. NORRIS. My observation has been that about $45 for a $1,200 clerk, with two in a room and two meals a day, without any provision for laundry or anything of that kind, the accommodations being out quite a distance, would probably be the average, but farther in, for more desirable rooms, I think the price would average considerably above that. It does not follow, however, that the Government should even charge that much. Personally it seems to me that the idea of charging $45 a month for each roomer is exorbitant, and that the Government ought not to do that.

Mr. LENROOT. The Senator has been asking me some questions. I wish to ask him one. I wish to ask the Senator, if this were an original proposition, whether he would be willing to-day to vote $400,000 of the people's money to provide for accommodations for 1,800 clerks on the Plaza for a period of 12 months?

Mr. NORRIS. Most emphatically no; of course I would not.

Mr. LENROOT. Then I can not see how the Senator can justify the expenditure of the money to continue this project.

Mr. NORRIS. Since the Senator has asked me the question, let me tell him my viewpoint.

Mr. LENROOT. Very well.

Mr. NORRIS. We have the buildings; they are there now, practically finished and furnished, some of them with the furniture in now, and the girls ready to go in——

Mr. LENROOT. No; the Senator misses my question.

Mr. NORRIS. No; I think not.

Mr. LENROOT. There is involved $400,000 additional expense before these buildings can be utilized.

Mr. NORRIS. Exactly. But if we do not appropriate that $400,000, if we do not finish the buildings—what little finishing is needed now—we will have an elephant on our hands which we can not use.

Mr. LENROOT. No; I beg to differ with the Senator upon that point, because I think there is a use for these buildings, not that they should be completed, as contemplated, for hotel

purposes, but there is a use for these buildings for hospital purposes; that is very much more important than the use to which some gentlemen would put them.

Mr. NORRIS. Now, may I ask the Senator about that?

Mr. LENROOT. Yes.

Mr. NORRIS. It would cost a great deal of money to remodel them, would it not, for hospital purposes?

Mr. LENROOT. It would cost some money.

Mr. NORRIS. Does the Senator think the center of the city of Washington is a suitable place in which to construct a hospital, when we are already overcrowded? Would not that only add to the congestion that we are trying to get away from and bring in not only the sick but all of their necessary attendants, and thus increase the population to a great extent?

Mr. LENROOT. The Senator from Wisconsin will reply, as the Senator from Nebraska no doubt is aware, that we are now being asked to appropriate $26,000,000 for hospital purposes. Those hospitals are not going to be of a permanent nature, nor will they be permanently necessary. They will be necessary for some months to come—perhaps for 12 months—but we can not wait, or ought not to wait, to build hospitals for our returning soldiers to facilitate their rehabilitation. We ought, and we must, utilize existing buildings. Here are buildings that can be utilized, and utilized very soon, but they can not be turned into hospitals after we have expended $275,000 for furniture that will not be suitable for hospital purposes and after we have completed the plumbing for hotel purposes. We ought to work upon them now with the idea of devoting them to hospital purposes rather than to rooming purposes. I do not think there will be a loss there in the sense the Senator speaks of, because, if the buildings are not completed for rooming purposes, we can put them to a higher purpose and a more necessary purpose.

Mr. NORRIS. Can the Senator state how many patients they would accommodate and how many additional persons besides the patients would necessarily be brought into Washington if these buildings were used as a hospital?

Mr. LENROOT. I will say that I am informed as to conditions at the Walter Reed Hospital; and while they are doing the very best they can at the Walter Reed Hospital—and I am not criticizing it—the facilities and accommodations that would be afforded the soldiers in the rooms in the buildings upon the Plaza would be infinitely superior to the accommodations many hundreds of soldiers are receiving at the Walter Reed Hospital. So, Mr. President, it does resolve itself exactly to the proposition of whether the Senate now is willing to vote $400,000, none of which it will get back, for the purpose of providing rooming accommodations for 1,800 clerks when they are being discharged at the rate of hundreds daily.

The Senator from Arkansas [Mr. ROBINSON] read from a letter. I am not going to comment upon the propriety of a member of the Housing Corporation sending to a Senator such a letter without at least first presenting it to the committee investigating the subject; but the gentleman who wrote the letter certainly intended to leave the impression with the Senator from Arkansas and with the Senate, as the Senator from Arkansas drew his conclusion, that there would only be a saving of $100,000 in labor if this work were stopped now. That was the conclusion that the Senator from Arkansas drew from the letter, and that was the conclusion undoubtedly intended by the author of the letter that should be drawn by every Senator who heard it. Now, let me take just a moment, Mr. President, to read from the testimony——

Mr. CHAMBERLAIN. Mr. President, before the Senator proceeds, may I interrupt him?

Mr. LENROOT. Yes.

Mr. CHAMBERLAIN. There was a resolution introduced into the Senate a year or two ago, which elicited an answer showing that the governmental departments were paying at least $300,000 a year for the rent of office buildings, and so forth, and I am wondering whether the Senator has given any consideration to the proposition as to whether or not these completed structures or those that are in process of construction can be utilized for that purpose?

Mr. LENROOT. Not exactly that, I will reply to the Senator; but I have given some consideration to the fact that we have erected a great many temporary office buildings—I think a sufficient number—so that it will not be necessary to rent buildings for some time to come. Those office buildings already erected and fitted out for office purposes can be used in a very short time. For instance, the group of buildings at Seventeenth and B Streets.

Mr. CHAMBERLAIN. Then, aside from that, if the buildings on the Plaza can not be utilized for office buildings, or if that would not be necessary under the Senator's view, I am in sympathy with the idea of the Senator that in the process of housing the soldiers who come back there might be a segregation of those who might occupy these places really without having attendants.

Mr. LENROOT. I think so.

Mr. CHAMBERLAIN. I do not think that we ought to destroy these properties now, when they may be utilized for that purpose, if only for a year or more.

Mr. LENROOT. That is my view of it.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from Wisconsin yield to the Senator from Ohio?

Mr. LENROOT. I do.

Mr. POMERENE. This thought has occurred to me, too, in connection with this matter: I confess I have been a great deal out of patience with the way in which some of this money has been expended, if I am rightly informed; but as these buildings have been put up here at the public expense, I am free to admit that there is just malice enough in my heart to wish that they might be rented out to employees of the Government at reasonable rates and thereby even scores with some of the landlords who have been filching the pockets of the public.

Mr. LENROOT. I am quite in sympathy with that view, although I do not think, having in view the financial condition of the Treasury, that we should refuse to adopt business principles to accomplish any such purpose as the Senator now suggests.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Nebraska?

Mr. LENROOT. Yes.

Mr. NORRIS. Did the committee have before it anyone connected with any of the hospitals to get their judgment in respect to the use of these buildings for hospital purposes?

Mr. LENROOT. No. I wish to say that this is only a preliminary report of the committee. The committee is pursuing its investigations further. This preliminary report was made because the committee was ready to form the conclusion as to the Plaza project that thousands upon thousands of dollars would be lost to the Government each day that this project goes on.

Mr. NORRIS. I did not hear the Senator's answer. Did he say that there was somebody who appeared before the committee in that connection?

Mr. LENROOT. No; I say that we have not yet reached that point in the investigation.

Mr. NORRIS. It is a subject, then, so far as the committee is concerned, upon which there has been taken no testimony and no investigation made?

Mr. LENROOT. There has been no testimony whatever on that branch of the subject.

Now, Mr. President, from the letter of Mr. Watson, the Housing Corporation evidently would intend to have the Senate and the country believe that these housing projects have been carried on in an economical manner, and in the letter they speak of constructing these houses at wholesale rates. I wish to take a moment, Mr. President, to give to the Senate some information that came to the committee at its session this morning.

Let me say, first, that, in my opinion, there was an absolute violation of law upon the part of the Housing Corporation in the letting of all of these contracts. The law provides that these contracts should be "let to the lowest responsible bidder, the Government reserving the right to reject any and all bids."

Mr. President, I state deliberately that in a legal sense, in the sense contemplated by Congress, there was no bidding whatever upon these projects. I shall not take the time——

Mr. POMERENE. Mr. President, how were they let?

Mr. LENROOT. They were let by the Housing Corporation selecting a certain number of contractors. In the case of the Plaza project they selected seven, and they invited these seven contractors to make proposals to the Housing Corporation for the construction of the buildings. The contractors were required to state what fee they would do the work for—that is, furnish the know-how—the Housing Corporation fixing a maximum fee of $60,000. The contractors were required to state how much they would require for the rental of their equipment; they were required to state how much they would agree to furnish trucks and teams at an hourly or a per diem rate; they were required to state what, in their opinion, the work would cost; but there was no requirement upon them to agree to complete the work for the cost estimated by them. They were required to state within what time they believed the project could be completed, but there was no requirement that they should agree to complete the project within that time,

or any penalty if they failed to do so. The only semblance of bidding, Mr. President, was upon the fee received, upon the rental of equipment, and upon the charge they would make for the use of automobiles, trucks, and teams; but, Mr. President, the Housing Corporation in letting these contracts did not put it upon the basis of what the contractors did compete upon.

That, as a matter of fact, only counted about 20 points out of a possible 100 in determining who should be the contractor. They gave so many points to the estimate of the contractor as to how much the project would cost, although, as I have said, there was no agreement to build the project for the estimated cost. They gave so many points to the contractor as to the time in which he could complete the building, so that, for instance, if a contractor stated that it would cost a million and a half dollars, although he would not agree to build it for that, he would get that advantage in being looked upon as the lowest bidder. If he said it could be built in three and one-half months as against another contractor who would say five months, the three and one-half months fellow, although there was no requirement or obligation upon him to build within three and one-half months, would have that advantage in being looked upon as the lowest responsible bidder.

Mr. POMERENE. Mr. President, I have a curiosity to know who the lawyer was who advised that course.

Mr. LENROOT. The committee has been endeavoring to ascertain that fact. The committee was informed that legal counsel was taken and that the Housing Corporation were advised by written opinion that this was a compliance with the law. Mr. Eidlitz was asked to furnish that written opinion. That opinion was furnished yesterday and was put into the RECORD this morning, so I have it not with me, although I did have it in my pocket yesterday. I wish to say that that written opinion does not in any sense justify or warrant the course that was pursued by the corporation.

Mr. POMERENE. Mr. President, did I understand the Senator to call it a legal opinion?

Mr. LENROOT. The opinion is a good one upon the point that it covers, but it did not attempt or purport to cover the point as to whether the letting of a contract in such a way was in compliance with the law. I will state, further, that Mr. Eidlitz was asked this morning by me whether this legal opinion which he had produced was what he relied upon in taking the course that was pursued. Mr. Eidlitz stated that that was not the sole thing, of course; that members of the Committee on Public Buildings and Grounds of the House had been consulted; and that it was the wish of members of that committee that the work be done in this way.

I may say in passing that, as the Senate will remember better than I—because I was not a Member of this body at that time—the House, as it passed the housing bill, did not require the letting of these contracts to the lowest responsible bidder. That amendment was put upon the bill by the Senate, and it remained on when the bill finally became a law, so that any expression of opinion that the Committee on Public Buildings and Grounds of the House of Representatives might have given to the Housing Corporation had no materiality whatever, because at the time they were discussing it there was nothing in the bill that required the contracts to be let to the lowest responsible bidder.

Mr. President, this contract, so called, was let to the Fuller Construction Co. with a fixed fee of $58,000, and a rental of equipment of $22,000. I will say that the committee has not yet gone into the question of what the value of the equipment was to be, and as to whether or not that was a reasonable rental; but the committee naturally supposed that that was the extent of the profit of the Fuller Construction Co.—$80,000. It developed this morning, however, that while the Fuller Construction Co. was getting three dollars and a half an hour for trucks—three and five ton trucks—and we were told that as many as 40 were used at a time on the work, the man that actually furnished the trucks was getting $3 an hour for them; that while they were getting $1.12½ and $1.25 an hour for teams, the man who actually furnished the teams was getting 75 cents an hour for those same teams. Now, I do not say that the Fuller Co. did not have a right to charge that amount, because they stated $3.50 an hour in their bid, and they stated $9 a day for teams without scrapers and $10 a day for teams with scrapers. I will state in passing that it appeared from the testimony this morning that, while the Fuller Construction Co. were getting a dollar a day additional for the furnishing of a scraper, it also appeared that the value of that scraper was $12, so that the Fuller Construction Co. were getting a rental of $1 per day for scrapers worth $12 apiece. I want to repeat that there is nothing illegal in that. The Housing Corporation accepted that proposition of the Fuller Construction Co., and so, from a legal standpoint, they were justified in doing it; but it is merely an illustration of the way the Government is getting these houses at "wholesale prices." As far as the committee has gotten into this proposition it has not been convinced, I may say, of the economical production of this housing proposition.

I want to get back for just a moment. The statement of the Senator from Missouri [Mr. REED] has been questioned, that $410,000 would be saved by abandoning the Plaza project. I want to read from the testimony of Mr. Eidlitz:

> The CHAIRMAN. Now, then, we get down to this, that by not furnishing this project we would save $310,000.
>
> Mr. EIDLITZ. How do you figure that; on what basis?
>
> The CHAIRMAN. $275,000 on the furniture, which you say can be turned back with a slight loss, and $35,000 on the laundry, makes $310,000; and if you stopped work on these buildings at once you would save another $100,000, which would be $410,000. That is the situation, is it not?
>
> Mr. EIDLITZ. That is about it.

So, Mr. President, there can be no question concerning the saving to the Government by stopping this work now. In my judgment it will be at least $400,000. In my judgment it will be more than that.

Now, just a word, Mr. President, with reference to the contracts outside of the city of Washington, and then I shall conclude.

The committee has not had the opportunity as yet to go into such an investigation of the other projects as has been made of the Plaza project, but the committee finds this: A committee of citizens from Bridgeport, Conn., came before us the other day pleading for a continuation of all of the buildings which had been commenced in the city of Bridgeport by the Housing Corporation. It appeared that in the case of one group of buildings under contract at Bridgeport only the foundations had been put in at this time, and yet the Housing Corporation proposes to go ahead and complete those buildings, while the authority of the Housing Corporation, delegated to them by the President of the United States, and the power of the President of the United States, and the only power that he has with reference to this housing matter, is as follows:

> The President, for the purposes of providing housing, local transportation, and other general community utilities for such industrial workers as are engaged in arsenals and navy yards of the United States and in industries connected with and essential to the national defense, and their families, and also employees of the United States whose duties require them to reside in the District of Columbia * * * is hereby authorized and empowered—

And so forth.

Mr. KENYON. Mr. President, what are those houses at Bridgeport to cost?

Mr. LENROOT. The total cost of the Bridgeport project is $3,440,000. I would not be able to segregate now——

Mr. REED. The houses? I can answer the question. It was stated that the houses would cost from $3,500 to $5,500 apiece.

Mr. KENYON. The cost of the whole project at Bridgeport is the amount the Senator stated?

Mr. LENROOT. Yes; $3,440,000.

Mr. KENYON. How much of that has been expended on the foundations?

Mr. LENROOT. We have been promised those exact figures, but they have not yet been furnished to the committee.

Mr. KENYON. The Senator can not say how much of a saving there will be there in stopping that work?

Mr. LENROOT. No; but while I have not had any extensive experience in building, I do not think there is any man living who, as a business proposition, would say that either the Government or a private citizen, where only the foundations of a building have been put in and some of the material ordered, would save money by going on to complete that building. All business experience is otherwise.

I understand and appreciate the necessity for the passage of this joint resolution at the earliest possible moment, and I shall not occupy the time of the Senate further, except to say that in the case of this Plaza project I think Senators should clearly understand that in voting against the joint resolution they are voting to take $400,000 out of the Treasury of the United States for the purpose of providing houses for 1,800 employees under the conditions that are now existing, when they are so rapidly leaving Washington.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Ohio?

Mr. LENROOT. Yes; I yield.

Mr. POMERENE. Assuming that this joint resolution is passed, what plan has been adopted—or, if none has been adopted, what plan will be recommended—for the disposition of these buildings?

Mr. LENROOT. Speaking only for myself, I would expect that the Committee on Public Buildings and Grounds—the whole

committee, because it is only a subcommittee that is conducting this investigation—would take up that matter and make a recommendation. My own view is that these Plaza buildings should be utilized for hospital purposes, and I shall be ready to join in such a recommendation.

Mr. KIRBY. Mr. President, I have not followed closely the discussion of the joint resolution, and the effect its passage will have upon the projects at different places; but it seems to me that it is better to determine the matter as two propositions and decide whether we should stop the construction work here or whether it should be stopped at the other different places where it is now in progress.

If this were an original proceeding, nobody would now vote to appropriate money to construct buildings to house Government employees. There is no question about that; and at the time this bill was proposed, and before that time, I thought that these different agencies that were being created by the Government, and that would necessarily require the collection of employees in large numbers, ought not to be brought to Washington. I said there was no reason why the Food Administration should not be located in St. Louis or Chicago or the Fuel Administration at one or the other of these places. We do not produce fuel and we do not produce food in Washington in the sense that these things were intended to be regulated by these agencies. Those cities could have easily taken care of and absorbed the employees that necessarily had to be collected without constructing more buildings. I suggested that procedure then, and it was not done. No attention was paid to it. In this bill providing for the housing there is a provision—and I offered one as an amendment to some other bill, if not this one—that they should first consider whether these agencies might not be as well administered in some other city before expending the appropriation for buildings here.

We would not, as I say, as an initial proposition, proceed now along this line; and it may be true, and probably is, as the Senator from Wisconsin says, that the Government has been robbed in the construction of these buildings on the Plaza. I should think so, as an offhand expression of opinion, when they tell me that the construction of these buildings out here will cost $1,800,000. Just from common knowledge and my general information, I should think so. The conditions under which they were constructed, however, may excuse the excessive cost to some extent.

Now, the buildings have been virtually completed. What shall be done with them? Has the purpose that moved the Congress to authorize their construction been accomplished? Has the reason for it ceased? No. They say that Washington is not so much congested as it has been heretofore. Have you heard of prices being more reasonable to these people who were compelled to come here to work during the emergency? No. Have you heard of their accommodations being better or are the living conditions improved? No. The money has been expended. The buildings are down there. Has anybody given the information, or does anybody have information, as to how many persons have applied for rooms in these dormitories? Is there any lack of applications for rooms that would indicate that the buildings, after they have been finished, will not be used by these Government employees? If there is, it has not been disclosed here.

That is the condition. I think the buildings ought to be completed. I do not understand yet why anybody, in official or private life, would ever have had these buildings constructed on the public Plaza, where it was known that they could not be permanent, but must necessarily be razed, and soon. There is no salvage to be realized from these buildings, or not much. They can not be sold as buildings that can be used, since the ground can not be conveyed; and if they are not to be utilized for the purpose for which they were constructed, then it seems to me they ought to be immediately torn down and removed. You would not leave them here in a half-completed condition. They would be valueless to the Government under those circumstances. So far as I am concerned, I am not in favor of converting them into hospitals at all. Some one suggested here that they should be used as a tuberculosis hospital. What would you want with a tuberculosis hospital here in the middle of this city, right by the Capitol of the Nation? It should not be thought of. We must have tuberculosis hospitals, of course, but they should not be erected at the very door of the National Capitol.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. KIRBY. Yes.

Mr. LENROOT. I did not know that anybody had even suggested that.

Mr. KIRBY. Somebody discussed it here yesterday.

Mr. LENROOT. I do not think anyone would think that this was a proper place for a tuberculosis hospital.

Mr. KIRBY. I do not think it is a proper place for any sort of a hospital, so far as I am concerned. They might use these other buildings down here on Nineteenth and B Streets, that are supposed to be temporary in character, for hospital purposes. That might very well be done and the Government might be saved expense thereby.

Mr. NEW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Indiana?

Mr. KIRBY. Yes.

Mr. NEW. I was just about to remark that I think the propriety of using those buildings for hospital purposes would depend almost entirely upon the character of the cases that were to be assigned to the buildings. Certainly they should not be used as tuberculosis hospitals. If you were to assign to them cases of a certain character, that would not be a fit place for them at all; but out at Walter Reed Hospital, for instance, there are a good many soldiers who are convalescent and who are able to get around Washington with comparative ease, but they are remote from the city where they are. It is inconvenient for them to come in on the cars. They have no means of transportation other than the public means. If those convalescent soldiers were permitted to occupy these places down here on the Plaza, where they are within a very few minutes' walk of many places of public interest and within a few minutes' ride of the center of the city, and so on, I think it would be a good place for them; and I think the buildings are adapted to the care of patients of that character.

Mr. KIRBY. Mr. President, while it does not seem to me that they are well located or suitable for hospital purposes, if it should be found that such is the case they might be utilized along that line for the kind of people that the Senator thinks could be taken care of there. So far as my information and knowledge extend, however, the man who is in a hospital needs better accommodations than the man whose physical condition is such that he is not required to go to a hospital; and these buildings ought to be finished in as good style for hospital purposes or better style than for people who are well and do not need physicians. I do not see, therefore, that that furnishes any excuse for not completing the project.

Mr. REED. Mr. President, if the Senator please, I should like to set him right upon that point.

The PRESIDING OFFICER (Mr. GAY in the chair). Does the Senator from Arkansas yield to the Senator from Missouri?

Mr. KIRBY. Yes.

Mr. REED. If the buildings are completed for hospital purposes, they will be completed in a different way than they would for rooms; and if we completed them for rooms, then we would have to tear out and replace. If we stop now, in so far as they are incomplete, the proper kind of finishing could be done for a hospital; and, besides that, the furniture that is to go in—and that constitutes $275,000 of this $400,000—would be utterly unfit for hospitals.

Mr. KIRBY. Conceding that the condition is as stated by the Senator from Missouri, we ought to determine whether we are going to finish them at all or not, and then whether we are going to use them for this purpose for which they were intended in the beginning or whether we are going to change them so as to be adapted to the other purpose. I think we ought not to stop construction at all.

Mr. KING. Mr. President, will the Senator yield?

Mr. KIRBY. Certainly.

Mr. KING. If we intend to convert those uncompleted buildings into hospitals, it is necessary that there shall be a pause at some time and somewhere in the process of construction and an alteration in the plans. We could adopt this joint resolution, which would stop the work of construction, and then when the committee has concluded its investigation, if it determined that it would be wise to utilize them for hospitals, then a plan could be provided under which they could be converted into hospitals, and the saving to which the Senator from Missouri has just referred would then be effectuated.

Mr. KIRBY. It seems to me—and experience, I think, demonstrates it—that when you stop construction on any particular great project, and resume after a time, you lose a great deal in actual value; you have been damaged greatly. It strikes me that the committee might well have come in here and said: "We ought to have these buildings changed to hospital purposes, or we ought to have the whole project abandoned and the buildings razed."

So far as I am concerned, I do not think the project should be abandoned now. I believe it ought to be completed and the buildings ought to be used for the purpose for which they were

constructed and let these people who come here to do war work have an opportunity to get a fairly good place to stay, at a reasonable price, in the city of Washington—a thing that has not been possible within the last year and a half. I am in favor of that being done.

It has not been said that these rooms are not all applied for. It has not been said that even at the rental that they propose to charge down there the project will not produce $960,000 a year. Practically a million dollars a year is what they expect to charge for the use of these buildings when they are completed. That will furnish some little return on the investment and the expenditure, probably. But I never have been much in sympathy with this idea of the Housing Corporation calling in real-estate agents of the city of Washington and having them fix the price which should be charged to the war workers and putting it so nearly equal to the price charged by all the rest of the people in Washington that no great benefit can result if that sort of policy is followed. But I am in favor of completing these buildings, and in favor of their being used for the purpose for which they were constructed, in the hope that, as I say, these war workers in Washington will be given a fair opportunity to secure reasonable accommodations in the city without being subjected to any further extortionate charges.

Mr. NORRIS. Mr. President, while I do not agree with the committee in a portion of the joint resolution that they have proposed, I believe——

Mr. REED. Mr. President, will the Senator yield to me for just a second?

Mr. NORRIS. I yield to the Senator from Missouri.

Mr. REED. Did I understand the Senator from Arkansas to say that this project would bring in $960,000 a year?

Mr. KIRBY. I understand that it is proposed to charge $40 apiece for the accommodations furnished, and that there are 2,000 rooms, and that all of them will be occupied.

Mr. REED. I am making this answer now to save time. The Senator's information is like the information of most men who know only part of the facts. It is proposed to furnish the rooms, to furnish the heat, to furnish the washing, and to furnish food. Of course, the Senator would hardly expect all of that to be profit. Now, the fact is that the man who is to run it—one of these dollar-a-year men—stated to the committee that there would not be one cent of return even on the rooms; that it would cost the entire $40 or $45 a month to pay the expenses incident to running the affair, without charging off anything whatsoever for the use of the buildings, so that the $960,000 will disappear.

Mr. SIMMONS. Mr. President, will the Senator yield?

Mr. NORRIS. I yield to the Senator from North Carolina.

Mr. SIMMONS. At the time I consented to laying aside the unfinished business I had no idea that the consideration of this joint resolution would occupy more than an hour. The Senator from Nebraska tells me that he will not occupy the floor more than 10 or 15 minutes, and I will yield that much longer; but if the debate is going to continue I shall feel compelled to ask the Senate to take up the unfinished business immediately after the Senator from Nebraska has finished.

Mr. NORRIS. Mr. President, as I have started to say several times, I do not agree with a portion of the joint resolution that the committee have proposed, and yet it seems to me that the committee are entitled to a great deal of commendation for the work they have done and that they propose to do. Their investigation has disclosed a condition of affairs that ought to be given the widest publicity, and with most of their conclusions I am in hearty accord.

It seems to me, from what the committee have shown us, that a great many of these contracts have been made absolutely contrary to and in defiance of the laws that Congress enacted, and that no regard whatever has been paid to the congressional action and to the law under which they ought to have proceeded. I want to beg Senators, however, not to permit that fact to control their votes on a proposition like we have in the case of the Plaza here, where the buildings are practically completed.

I do not know whether this violation of law by those who are responsible for it can be met in any other way; but certainly it will do no good to practically destroy buildings that have been completed, even though the buildings have been constructed illegally, and all the steps with relation to them have been extravagant and out of all reason. Nor will it do any good to consider the legal question that has been presented here, as to whether, under the law, the committee had the right to build any of these buildings on the Plaza—a piece of ground intended for a park—because they have been built. They are there now, and Congress is as much to blame for that as anybody. They have been constructed within plain sight of the Capitol, just across the street from the Senate Office Building, where we have seen the work progress from the beginning. So if there were no legal authority existing for the construction of those buildings where they now are, Congress is at least estopped, it seems to me, from making complaint now.

Some of the things that have been disclosed by the Senator from Wisconsin [Mr. LENROOT] to-day, and by the Senator from Missouri [Mr. REED] yesterday, as to what was done with regard to the construction of these buildings and other buildings in other parts of the country, have been simply dumfounding and astonishing. I am in entire accord with the proposition of stopping the building of any of these structures wherever the work has not progressed so far as to mean that stopping the finishing of the buildings would result in greater damage than to complete them. In the case of the Plaza, however, there is another consideration in addition to that, and it is, to my mind, a very serious one. I refer to the necessity of having additional rooms for Government workers in the city of Washington.

It has been assumed by those who favor the joint resolution that the buildings on the Plaza will be torn down in a year. It seems to me that that is an assumption which is not warranted by the facts. As far as I am concerned, I would oppose tearing them down unless conditions were changed entirely, and there should be no further use for them. I do not believe anybody can give serious consideration to the conditions that confront us without reaching the conclusion that it is going to be several years before the congestion in Washington will be relieved.

Now we are confronted with this proposition: The buildings on the Plaza are mostly completed. I understand that the furniture is already in some of them. I have been told also that there have been more than 6,000 applications for rooms. I understand also that the War-Risk Insurance Bureau alone expects to retain 9,000 employees of their present force as a permanent addition to their force.

We have been confronted since the war has been on with a congestion in Washington that we have tried to remedy in the way of providing by law for those who are compelled to rent property and rent rooms in this city. We know it was a serious proposition and that it interfered seriously with the Government in doing its work. That act was intended to relieve the situation. It is true the congestion may not be as bad now as it was, and it is also true that the force is gradually being reduced, but in the next four or five years there is going to be the same congestion that we have now unless we do something in the way of providing additional rooms.

Mr. President, this congestion is something that we do not, in my judgment, fully appreciate. A member of my family happens to be connected with an organization for the purpose of finding rooms for girls who came from my State and who have been employed in the various departments. This organization came under my observation during the last year. I know something about the question, and I know that its seriousness is simply startling. If we should have cold weather—and we are liable to have it at any time—I am fearful of an epidemic in this city. We have no idea of the overcrowding not only in the houses, but in the street cars. It is something absolutely unendurable. Girls come here and are housed in rooms four or five of them sometimes in one room, with one window, where there ought to be but one person perhaps in the room. In many cases there are three or four occupying only a single hallroom with a small window for ventilation. They are compelled to ride back and forth in street cars that are crowded almost disgracefully. We can know that from observation. I talked with one of the Government clerks last night, and she said when she came from the place where she was working she had to let seven or eight cars go by before she was able to get on a car. We have had good weather until this time, but when bad, cold weather comes there is great danger of the city being in the throes of an epidemic that will mean death to thousands of people.

Somebody may ask how this will help the street car situation. If we could put 3,000 people over here in these buildings and select them from the nearest Government buildings we would take that many people out of the street cars and put them in walking distance of the places where they work. It would not do away entirely with the overcrowding, I concede that, but in most cases it would help very materially.

It seems to me we owe it as a duty not only to the girls who are employed by the Government, but we owe it to everybody in this city to see that this overcrowding ceases. As a matter of public health it seems to me to be an imperative duty. Here we are now confronted with the fact that we have about ready

for occupancy 1,800 rooms and people are ready to go into them. The buildings are almost finished and we are now to take a step that will prevent their occupancy.

It is said that we later on can decide perhaps to use these buildings for a hospital. The committee have taken no testimony on that subject. I am not an expert on it. I have my serious doubts as to whether it is a practical proposition at least. Many of the conveniences of ordinary hospitals could not be had without expending a large additional sum of money. If these rooms are rented, there will be some economy to the Government as compensation.

Mr. REED. Not a penny.

Mr. NORRIS. Yes.

Mr. REED. I have tried to correct that twice. The testimony is that not one penny will be returned to the Government.

Mr. NORRIS. Does the Senator mean to say that the rooms are going to be donated?

Mr. REED. I mean to say that the scheme and plan they have is to charge $45 a month to each occupant, for which they furnish light, heat, water, laundry service, and food, and that the gentleman who is picked out to run it states there will not one single dollar come to the Government for and on account of the use of the buildings.

Mr. NORRIS. That reminds me of another proposition on the Plaza with which I agree with the committee. I do not believe the hospital ought to be completed; I do not believe the theater ought to be completed; but that space ought to be divided up into rooms and used as the balance. If it were a housing proposition outside of the city, where it was a little community of its own and was intended to be a permanent affair, then building a theater and a laundry and entertaining facilities by the housing commission would be proper, but it seems to me entirely improper here in the middle of the city, where all of those things can be obtained as the people who room there want to enjoy them. When you tell me that you are going to rent these rooms for $45 a month, with two in a room, and make no profit, then you are simply making the best argument that has ever been made for all the rent profiteers in Washington that everybody has been condemning since the war began.

Mr. REED. In the opinion of the committee the statement made is simply true, that there is not a real benefit to come to anybody from these rooms managed as it is proposed to have them managed. The benefit will be absorbed in extra cost.

Mr. NORRIS. The Senator of course is taking into consideration the operation of the theater and the laundry?

Mr. REED. Yes. The laundry building has been going on since the armistice was declared. The laundry has been built from the ground up.

Mr. NORRIS. I understood the Senator to say yesterday that only the foundation of the laundry building had been laid.

Mr. REED. No; the side walls are going up. You can see it down here.

Mr NORRIS. It is not in operation?

Mr. REED. Not yet. The hospital building is not finished yet, but it has the walls up and there has been a marked activity since peace has come. I understand that since the strike ended they have the strikers there rushing the interior work. Now, let me say to the Senator that we may differ about a great many things as to what ought to be done as a general proposition. Let us deal with this question——

Mr. NORRIS. That is what I am trying to do.

Mr. REED. These gentlemen propose to run a hotel. They have their man picked out to run it. He states that it will cost $45 a month to each occupant, and for that they get two meals a day, except on Sunday, when they get three, and that there will be no money coming to the Government. You will have nothing coming to the Government on account of rent. So it would appear that the people who are to occupy the rooms are not to get any cheaper rents than they probably would get if they went out into the town.

Mr. NORRIS. They ought to have a cheaper rent than they can get in the town. The rents are too high for these people now. We have all been complaining about it. But I am not contending here that we ought to run the hotel. I do not want to have the Government run it. I do not want to have the Government run the laundry. I do not want to have the Government run the hospital. I do not want to have the Government run the picture show. I think I would turn this space into rooms, if I could, unless the building has not been 75 per cent completed. I would tear out what has been done for these other purposes, and then there would be some money coming in from the rooms. It is perfectly preposterous to say, even if you would run the hotel and furnish these rooms and two meals a day and $45 from each occupant, which would be $90 a month, that there would not be any profit in it. Either there is profit in it or we ought to apologize to everybody we have called a profiteer in the city of Washington since the war began. I think the price ought to be lower than $45 for room and board.

But, Mr. President, outside of that, if we do not make anything, and I do not want to make a profit as far as I am concerned out of these people, if the rooms were occupied by these workers, it would reduce the congestion just to that extent, and that is the principal thing. I think that means much more than the convenience that goes to the people themselves. It is a subject that every inhabitant who has lived in this city is interested in. It is something that the public health of this city demands, and unless we do something I very much fear that before this winter is over we will be brought face to face with a condition that will be simply beyond description.

Mr. President, there is talk about making a hospital of these buildings. I started to talk about the hospital some time ago. The committee have taken no evidence on that subject; we have just the individual opinion of Members that it might be so used. I can see how some people who are under the control of a hospital might be housed in the building without very much modification. If you put in those who are just recovering from various diseases, as one Senator suggested, who would not be attendants or assistants in the buildings, then you will want the very furniture that the joint resolution provides you shall turn back at a loss which we have already bought and paid for. You will go back and buy it over again, and they will get another profit. But if it is used for a general hospital it will bring into the city of Washington a whole lot more people whom we are anxious to keep out and only add to the overcrowding which already exists. Unless people are put in the rooms who do not need attendants and assistants it will mean many more than those who actually occupy the rooms. I do not know how many more, but everybody knows a great many more, and we will only add that many more people to the congestion which already exists to the point of danger at this minute.

If I thought these buildings were going to be torn down in a year, as the committee have assumed, I would not be so anxious about it. These buildings, with the exception of the roofs, are rather permanent constructions. They have cement foundations; they are built out of hollow tile, as far as I am able to see; they are well built in every respect, unless it be the roofs, and I do not know enough about the material they use for a roof to condemn that. That part may be as good as the balance of the building, but certainly until this overcrowded condition brought on by the war is relieved Congress will not order the buildings to be torn down, at least I hope it will not. The economy of it, it seems to me, would demonstrate that we ought to keep them, and keep them for the purpose for which they were constructed until the present condition passes away, which may be in five or six years. I think, therefore, the joint resolution ought to be amended by striking out the first section:

> That all work upon said group of buildings upon the Plaza between the Capitol and the Union Station in the District of Columbia be suspended and all contracts made in reference thereto canceled, and the United States Housing Corporation representing the Government of the United States in said construction be instructed to cancel all said contracts.

If that were taken out and section 2 left it would then provide:

> That the United States Housing Corporation representing the Government of the United States be, and the same hereby is, directed to suspend work upon all projects in which it is now engaged in all cases where the construction is not more than 75 per cent completed—

There is also in addition to that a clause which provides—

> and to cancel all contracts for furniture and to return whenever possible all unused furniture on hand or in transit.

I move to strike out section 1, and also on page 3, commencing with the word "and," where it appears the second time in line 2, to strike out the balance of the section. The words I would have stricken out read:

> And to return whenever possible all unused furniture on hand or in transit.

I do not know even whether that will be necessary. If we complete the Plaza project of course everybody will concede that the furniture that is already bought and a great deal of it installed ought to be kept.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. Strike out after the resolving clause all down to and including line 8, and the words "Sec. 2," in line 9; and on page 3——

Mr. NORRIS. Before the Secretary reads it, I am rather of the opinion, as the Senator from Wisconsin [Mr. LENROOT] has just suggested, that I will accomplish all I desire to do by striking out section 1. I am rather of that opinion, too. I will make that motion first.

The SECRETARY. Strike out section 1 and the designation on line 9, "Sec. 2," so that it will start with "That."

The PRESIDING OFFICER. The question is on the amendment of the Senator from Nebraska.

On a division, the amendment was rejected.

Mr. CALDER. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. It will be read.

The SECRETARY. On page 3, line 1, after the word "than," strike out "seventy-five" and insert "fifty," so as to read:

> In all cases where the construction is not more than 50 per cent completed.

Mr. REED. If the Senator will make that "60 per cent" I will accept it.

Mr. CALDER. All right; I will modify the amendment in that way.

The SECRETARY. Strike out "seventy-five" and insert "sixty" before "per cent."

The PRESIDING OFFICER. The question is on the amendment of the Senator from New York.

Mr. KING. Mr. President, I regret very much the Senator from Missouri has accepted that amendment. Personally I would prefer to have it 90 per cent. I do not want to legalize by any vote of mine or by the action of the Senate any of the illegal proceedings of this commission. As far as I am concerned, I should like to see the commission discharged now from the performance of any duties whatever under the provision of the act. I should like to cut the commission off entirely. I should like to terminate any work that is being done by the commission.

Mr. REED. And you would like to have a receiver to wind it up?

Mr. KING. I would.

The PRESIDING OFFICER. The question is on the amendment of the Senator from New York [Mr. CALDER] as modified.

The amendment as modified was rejected.

Mr. CALDER. I renew my amendment to make it 50 per cent.

The SECRETARY. Strike out "75" and insert "50" before "per cent."

Mr. CALDER. Mr. President, the object of this amendment is to save for the country what I believe will be a very considerable sum of money. The building operations of the Housing Corporation are all of a permanent character save alone the one here on the Plaza. These operations are in over 30 different places in the country and are in the main two-story frame or two-story brick houses, built in groups from 50 to 500 in one development. A building 50 per cent completed would have all the side walls up, the roof on, and the floors laid. A building 70 per cent completed might include the plastering, the floors laid, and a part of the plumbing.

I am unwilling without a protest to permit this joint resolution to pass in such shape that we will require these housing propositions in course of construction all over the country to stop where doing so will mean great financial loss. Many of these buildings completed under proper supervision would net nearly what they cost. I would not dream of completing a building where the foundation had only begun, but in the case of a structure inclosed, with the floors laid and the plastering done, not to finish it would be very bad business indeed. There is no market at all for an unfinished building except perhaps through another builder, and he would not take over a project of this character except at great loss to the Government; while in the case of a completed building there are always many prospective purchasers. I trust Senators understand fully that voting down this amendment will simply mean a loss of millions of dollars to the country.

Mr. REED. Mr. President, all that is meant by the joint resolution is that this work has to stop. It does not mean that it can not be renewed again under proper auspices.

The Senator from Utah [Mr. KING] has put his finger on the real question. Should this organization be permitted to go on and continue this work? The contract has been illegally let. I think I can say it has boldly and deliberately violated the law or sought to avoid it. The prices and the method of doing the work do not commend themselves to the committee. They paid $58,000 to a concern to complete this work. While the fee seems large, if that would be their whole compensation we might not object, but when we pay them in addition to that $22,000 for their plans, the price may seem to be large, but we might not object to that. That would be apparently all that ought to be exacted, because we are paying them for their intelligence and for their knowledge and for their supervision. The committee having only started its investigation, finds out that they are getting automobiles from a man who paid $2.75 an hour for them, and they pay him $3 an hour, and they charge the Government $3.50 an hour. The same thing obtains with reference to certain labor. How far this goes we do not know.

And we find another thing. Whereas the Government started into this proposition with the idea that it would erect buildings containing rooms for people to live in, because there is a clause in the act which states "and other community utilities" that has been distorted and twisted into the right to build moving-picture establishments and hospitals, although all the other people in the town go to the general hospitals; laundries, in which washing is to be done for people; and to furnish meals and establish hotels. So the phrase "community utilities" is being distorted into doing anything and everything you want to do. When you find that sort of an organization and that kind of business going on, I think it is time to stop it. Having stopped it, we do not need to throw everything to the dogs and let it go. Some plan can be devised to salvage all these enterprises and to save money, but I do not want this institution to administer upon it.

Mr. CALDER. Mr. President, I agree in the main with what the Senator from Missouri says. I merely wish to add a word. Just as sure as we are here, if this amendment fails, the committee will come again to the Senate and ask to have the joint resolution modified, for it would never do for us to abandon the completion of buildings that are 70 per cent completed and where the material for the entire completion of the work is contracted for and perhaps on the ground. To do this, it seems to me, would be very bad business management, and I do not want Senators to agree to it without fully understanding what they are doing.

Mr. BRANDEGEE. Mr. President, I notice that section 2 directs the Housing Corporation to suspend work upon the projects specified. It does not direct them to cancel the contracts, and I think that would leave the situation rather confused.

I wish I were better informed of the testimony the committee has taken. I can not discuss it critically because I have not seen it in print. But I have a feeling that sufficient attention has not been given to this subject, and that in the short time which has elapsed since the committee started to investigate the question I doubt if they have had an opportunity to become familiar with the different projects that are now in course of completion in the different sections of the country.

I feel that this is a most heroic remedy that is proposed. I do not attempt to justify any exceeding of their authority by the Housing Corporation, if there has been such, and I am not inclined to doubt the judgment of the committee that there has been such, because there are lawyers on the committee and they have compared the law with the testimony. But I do not see myself the necessity for terrific haste in deciding this matter.

I notice that all furniture contracts are to be canceled and the furniture returned. I hardly see the reason for that, unless that provision is limited to the clause which provides for the suspending of the work on buildings only a certain percentage completed, but it is not so limited according to the literal reading of the joint resolution.

I agree with the Senator from New York [Mr. CALDER] that it might be wise in certain localities, irrespective of the exact percentage of completion of a building to continue the existing contract. It may be that a contract made de novo for that same work could have been made cheaper, but the men who are engaged on a particular piece of work and are now working upon it are familiar with that job. They may have their materials on hand, as the Senator from New York has said, and to provide arbitrarily that all over the country all contracts shall be canceled and all work stopped upon all buildings that have not been more than a certain percentage completed it seems to me involves our acting with deficient knowledge.

I want to save all the money that it is possible to save for the Government, but in order to vote intelligently I think we ought to be informed that such a proposition would save money. I think the committee before recommending this proposition ought to be able to demonstrate that if it were necessary to complete the contract which is to be suspended under the provisions of the joint resolution it could be completed cheaper or at least to as good advantage to the Government as it can be completed under the present arrangement.

In anything that I say I do not want to impugn the diligence of the committee in investigating in the short time they have had to devote to this question, nor do I asperse their motives in any respect. I have no doubt they are doing what they think is for the best interests of the Government; but I feel that they

have acted too quickly and have proposed too comprehensive a scheme and too arbitrary a standard by which to judge the merits of these different proposals.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from New York [Mr. CALDER], which will be stated by the Secretary.

The SECRETARY. In section 2, page 3, line 1, before the words "per centum," it is proposed to strike out "seventy-five" and to insert "fifty."

The PRESIDING OFFICER. The question is on the amendment. [Putting the question.] The amendment is rejected.

Mr. CALDER. I ask for a division, Mr. President.

The question being put on a division, the amendment was rejected.

Mr. REED. Mr. President, on behalf of the committee, I offer an amendment in section 2, page 2, line 12, after the word "all," to strike out the word "projects" and to insert the word "buildings."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Missouri.

The amendment was agreed to.

Mr. BRANDEGEE. Now, let me ask the Senator from Missouri if it is the intention to cancel all contracts for furniture?

Mr. REED. Yes; all of them where the furniture has not been installed.

Mr. KING. All that are executory, I think.

Mr. REED. The joint resolution reads:

Whenever possible all unused furniture on hand or in transit.

Mr. BRANDEGEE. I should think it would only be desired to return furniture or to cancel contracts where the furniture was to be used in the buildings that were prohibited from being completed.

Mr. MYERS. Mr. President, I should like to ask the chairman of the committee what proportion of the buildings on the Plaza, to which the joint resolution refers, is completed?

Mr. REED. I think none of them is absolutely completed, but where they are over 75 per cent completed they can go on to completion under this proposed law.

Mr. MYERS. Will all those have to be abandoned?

Mr. REED. No; those which are 75 per cent completed will go on. This only proposes to stop those that are not 75 per cent completed.

Mr. MYERS. How many are not 75 per cent completed?

Mr. REED. Our information is to the effect that it would be only the laundry which they are putting up and this little cottage over here, which cost several thousand dollars and which they propose to use for a hospital.

Mr. MYERS. Are all the other buildings completed and ready to be occupied?

Mr. REED. There are not any of them completed, but they are more than 75 per cent completed.

Mr. MYERS. And this joint resolution would not affect any building on the Plaza except the laundry and the theater?

Mr. REED. That is our understanding.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

THE PRESIDENT'S VISIT TO VERSAILLES.

Mr. JOHNSON of South Dakota. Mr. President, I am very glad to hear the statement of the Senator from North Carolina [Mr. SIMMONS] that after to-day he would move that the Senate recess and devote all the time of the sessions of the Senate to the consideration of the revenue bill. That is a very important measure, the passage of which the public demands as soon as possible, so that the business interests of the country may know what they will have to face for the next few years. No doubt, Mr. President, its prompt passage will be helpful to the Nation in other ways. It may affect the great peace conference that will soon be gathered at Versailles, the greatest meeting the world will ever see and one in which we are all equally interested. It marks the dawn of a new creation of things. A new earth, as it were, may be the result of that meeting. The power of kings and monarchies will cease to exist. A democracy of the world will be established and the old order will be no more. The past year has given us more history than the past 25 years gave us. We have lived in an age of deeds. Let us hope that the deliberations of the peace conference will add so much of joy and comfort as to greatly ameliorate the terrible sufferings of the past.

The whole world will be at that gathering—the accredited representatives of all the nations, and a great host of others of all classes. The eyes of the world will be turned to Versailles. The fathers and mothers of our Nation will look there for safety in future years; the soldier boys who carried knapsacks and arms on the battle fields of Europe, and those who remained at their posts here waiting willingly for the command to go, will all look there. Demonstrations, no duobt, of all kinds will be held to influence the meeting. Militarism will be there, bolshevikism will be there, socialism will be there, anarchism and all the other "isms" will be there, selfishness and ambition will be there.

The great work that conference has to perform is beyond our conception. It frightens us with its possibilities of failure. We approach the great task which duty demands with hesitancy and uncertainty as to whether we may accomplish what is expected of us, but as a people we must place our trust in our commission and give them all possible encouragement and help. That is our duty as citizens of this Republic. Let us try to do that duty well and with real pleasure and devotion.

I have heard much criticism of late about the President attending the peace conference, and I deeply deplore that criticism. It seems to me utterly uncalled-for and unfair. Of his constitutional rights I shall not argue, and precedents past should not be considered, for none should be compared to the necessity which now arises. The plain facts of existing duty to our Nation, it seems to me, demand his presence there, and no doubt he realized and understood that duty to the Nation and to the world.

A resolution has been introduced to declare his office vacant and letters have been presented strongly criticizing him, all of which should have no place in the CONGRESSIONAL RECORD at this time. Nothing can do more to limit our prestige at that conference than the act of the Senate in permitting this stuff to appear. We hear this criticism on the streets, in the trains, in the hotels, and in Congress—uncalled-for, unjust, and unfair. In large part it is born of politics, pure politics, and is spoken by men who do not understand the meaning of the word, and again by men who understand it too well. The reason some give of their fear that he will not be able to attend to matters here is not going to fool anybody, because those who express it do not believe it themselves. What hurts the average politician is that the great majority of our people are glad he has gone. They want the best brains of the country at that conference, because the best brains of the Old World will be there, and President Wilson must be especially fitted to render unusual assistance to our country. His past life, his efficient management of the affairs of our Nation during the great war just closed, his abundant knowledge of conditions in all the countries of the world especially qualify him for this misdon. We must match the skill and genius of the world there at that meeting. Will you tell me that we have men better qualified? Let us be honest and then let us take hold and boost and not act as though we want to make a failure there. Surely we do not want our country to lose this war at the peace table.

They tell us that he did not take Congress into his confidence. Tell me, will you, what he could have done? You do not know, he does not know, no one knows what questions will have to be contended with when the commission gets there. Let us wait and see what they are going to ask the Senate to ratify. Our very acts here are hurting our cause there. You know that. I know that, everyone knows that.

No one should be so foolish as to think we can get everything we want at the Versailles conference. No doubt the claims of a score of the nations of the earth will be at that table to be satisfied, and we must not hope to have it all as we would like. Think of what England has suffered, think of what France has endured, study the destruction of brave Belgium, dwell upon the sacrifices of Italy, the annihilation of the smaller nations of the earth, and then think of our own beloved land. These are the things your thoughts should dwell upon. When you think of that coming event and of the great sacrifices our Nation has made, of the mothers whose sons will never come back and of the fathers and brothers who sleep in that distant land, let us, my friends, stop this quarreling. Let us put an end to this boy's play in Congress long enough to study all the great questions that may confront us as a people. Let us study the proposal for a league of nations. Let us give the best that is in us to these deliberations. It is a big question. Let us handle it in a big way.

The President of the United States has no power to bind this country by treaty unless the Senate ratifies that treaty. So why all this argument and confusion? Let us hope the peace conference will give us a new conception of things; that it will make it impossible ever again to plunge this world into another awful war. A minister said the other day in his sermon that national insanity was the cause of this war; that a friend of his who had been to Germany and talked with the Kaiser told him that Germany was war mad a year before it commenced. The press,

the pulpit, the soldiers, and the military men all talked it, and we can well believe it. And so we as a people must remember what we as a Nation have contended for, what we have morally promised our people and the people of the world, why we entered the war and our purpose in doing so, and then stand by our principles to the end. Our duty should be plain, so clear that everyone may understand it, and there let us rest.

Mr. President, a newspaper article quotes Hon. Winston Churchill, minister of munitions in England, as saying that they enter the peace conference with the absolute determination that no limitation shall be imposed on their rights to maintain their great navy. Personally I hope this is not a correct statement, for, much as we love England and admire her system of government and her statesmen, the future is what we have to look to. We admire her splendid navy, we recognize its indispensable usefulness during the past months and its glorious achievements, and yet we must recognize that it might not be wise to agree to the position taken by Mr. Churchill, if he has been quoted correctly. In future years a Napoleon might come forth in England; a Kaiser might appear upon the scene and be the controlling factor in that beautiful country, with dreams such as the late Kaiser made his life study, and then the mistake would be apparent to all mankind. But we have not reached that demand yet, and I hope we may not. Let me suggest, if you will pardon my presumption, in lieu of the Churchill suggestion, that the great fleets to patrol the waters of the world for safety be owned jointly by the civilized nations of the globe, to guard well the treaty to be made and to safeguard the world from future wars. The war has ended; let us also stop it here in this Chamber.

It has been well said that the Kaiser and God have dissolved partnership. We find him now in the land of windmills and wooden shoes, and the German people are just beginning to sit up and look around. The Hohenzollerns of Germany and the Hapsburgs of Austria have been unhorsed. The Kaiser is on his knees, as all cowards are when brought to bay. His crimes will fill generations to come with horror. Mr. President, if I were a German to-day I would feel that they of my own nationality had done more to traduce the blood that flows in my veins and the veins of my father and family than all the other countries in the world had done, and to-day I should rejoice that his power to do those things had gone, and gone forever.

A league of nations—what a great question! What great possibilities it involves and what a future it opens up! The subject is so great that it scares us. We know it will not affect our commercial condition. We know it will not disturb our moral or religious institutions and that it will not affect our educational institutions. The war has taught us a great lesson. It has taught us the possibilities of a righteous people to overcome oppressors, and, greater yet, it has taught us that right makes might, as exemplified on the battle fields in France and Belgium; but it has not taught us what the future holds for us as a Nation. A league of nations—a wonderful, untried plan! That may teach us much. We have sent our commission to meet the commissions of the world to figure this out for us, to show us its power to prevent future wars, to bring the world closer together in thought and in action, so that we may understand each other better; and let us hope that they may accomplish great things for us. They will do their best. They will give our country and the world the best that is in them. Of course they will. No one doubts that. So let us give them our confidence and our encouragement. I am interested; you are interested; we all are interested.

It will take the best talent in the world to solve the problem of our different national temperaments, its dangers and its safeguards. The war has brought us to a realization of this. The great war ended almost as suddenly as it started. It is over. Now for the reconstruction period, with the peace table as its foundation and the sound judgment of the American people as its guide. The Senate of the United States will have its work to do when the problems are all thrashed out over there and the peace treaty comes to us for ratification and approval. Then we will know what our country was asked to do and be guided by our sense of duty, I dare say.

The senior Senator from Idaho [Mr. BORAH] introduced a resolution the other day which I hope may be adopted and become operative at once in this body. It relates to open diplomacy, a subject of great importance to all countries just now, it seems to me, and especially so if the plan of a league of nations should prevail at the peace conference about to commence its deliberations at Versailles. The greatest danger to any country is the danger of secret treaties binding the people without the knowledge by the people of what they agree as a country to do. The subject is of the greatest importance to us as a people, and so, Senators, let us wait until we see what we are asked to do by this peace council, and then do what we do well and in the open. These questions, the result of this peace-table conference, are of great importance to the American people. Their future destinies depend largely upon the conclusions arrived at. The immediate welfare of the American citizen and his family, and their future as well, rest largely upon its outcome. So let us try to remember what our people sent us here to do when we were sent to Washington to represent them and help our commission there instead of quarreling among ourselves like a lot of schoolboys as to whether the President ought or ought not to have gone.

The fact is he has gone, and, God willing, he will probably reach Brest the last of this week. Personally I am glad he has gone. I recognize his ability. I appreciate his greatness and his influence. There is no man in America who could fill his place at that great gathering; and I do not care what his critics say publicly, they, too, are glad he is there.

With my colleague [Mr. STERLING], I have the honor to represent in this body a State that stands second to none in patriotism. South Dakota furnished more men in proportion to its population than any State in the Union. It raised and furnished more food for the soldiers; it bought more liberty bonds and war savings stamps. It is one of the strongest Republican States in the Union, and I am sure the people of that State are glad the President has gone and will wish him Godspeed on his mission.

And now a word more and I am through. There are three things that our commission should insist on: First, to remember the small nations; second, not to quarrel; and, third, to do justice to all as far as possible. The great danger—and it has been pointed out for weeks—is that the forces opposed to good government and the forces over there which oppose the contemplated plan of a league of nations might succeed in getting the real friends of national democracy, along whatever lines is concluded best, into a quarrel among themselves and thus destroy the usefulness of the peace mission. So we should not let ourselves discuss anything here now that will help our enemies over there to take from us any of the very important benefits that may come to us from the deliberations of that great convention on the continent across the seas. When you attack the right of any man, whether it be the President of the United States or one of the commission he selected to go to that gathering, you are doing that very thing. You are helping to destroy our influence there and thereby bringing harm to our own country, which we as Members of this body are here to protect and defend.

THE REVENUE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12863) to provide revenue, and for other purposes.

Mr. SIMMONS. Mr. President, before proceeding to the further consideration of the revenue bill I wish to say that what has just happened makes it very apparent, if any headway is to be made of such a character as would justify reasonable expectation that the pending bill can be passed in the time that it must be passed in order to become effective, that it will be necessary each day when the morning hour is over that I shall decline to yield the floor for the consideration of any other measure. Of course, there may be some things of such great importance and of such an emergent character that it would be necessary for me to disregard a fixed rule of that sort; but, with an exception as to cases of that character, I wish to state now, so that Senators may not feel, when I decline to have the revenue bill laid aside for some other measure, that I am discriminating in any way against them, that from now on after the morning business is disposed of, where we have adjourned, instead of taking a recess, I shall insist upon having the revenue bill taken up, and I shall not yield to any other bill.

I think when we concluded the session on yesterday the Secretary had just finished reading the section relating to inheritance taxes.

The PRESIDING OFFICER. The reading of the bill will be resumed.

The Secretary resumed the reading of the bill, beginning on page 137, line 1.

The next amendment of the Committee on Finance was, under the head "Title V—Tax on transportation and other facilities, and on insurance," section 500, page 137, line 3, after the word "after," to strike out "November 1, 1918," so as to read:

SEC. 500. That from and after ———, there shall be levied, assessed, collected, and paid, in lieu of the taxes imposed by section 500 of the revenue act of 1917.

The amendment was agreed to.

The next amendment was, on page 137, line 12, after the word "another," to strike out "and a like tax on the amount

paid for such transportation within the United States of property transported from a point without the United States to a point within the United States," so as to make the clause read:

(a) A tax equivalent to 3 per cent of the amount paid for the transportation on or after such date, by rail or water or by any form of mechanical motor power when in competition with carriers by rail or water, of property by freight transported from one point in the United States to another.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum. There are a number of Senators who desire to be present when this bill is being considered.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Jones, N. Mex.	Norris	Smoot
Bankhead	Kendrick	Nugent	Spencer
Brandegee	Kenyon	Overman	Sterling
Chamberlain	King	Page	Swanson
Curtis	Kirby	Poindexter	Thompson
Dillingham	La Follette	Pollock	Townsend
France	Lewis	Pomerene	Trammell
Gay	Lodge	Shafroth	Underwood
Gronna	McCumber	Sheppard	Warren
Hale	McKellar	Simmons	Weeks
Harding	Martin, Va.	Smith, Ariz.	Wolcott
Henderson	Myers	Smith, Ga.	
Johnson, Cal.	Nelson	Smith, Mich.	
Johnson, S. Dak.	New	Smith, S. C.	

Mr. LEWIS. I wish to announce that the Senator from Mississippi [Mr. VARDAMAN] is necessarily detained on public business.

Mr. McKELLAR. The senior Senator from Tennessee [Mr. SHIELDS] is absent on account of illness.

Mr. KIRBY. I desire to announce the unavoidable absence of the senior Senator from Arkansas [Mr. ROBINSON] on public business.

Mr. CURTIS. I am requested to announce the absence of the senior Senator from Washington [Mr. JONES] on account of official business.

The PRESIDING OFFICER. Fifty-three Senators having answered to their names, a quorum is present. The Secretary will continue the reading of the bill for amendment.

The reading of the bill was resumed, beginning on page 137, line 16.

The next amendment of the Committee on Finance was, in section 500, page 137, line 21, after the word "another," to strike out: ", and a like tax on the amount paid for such transportation within the United States of property transported from a point without the United States to a point within the United States," so as to make the paragraph read:

(b) A tax of 1 per cent for each 20 cents or fraction thereof of the amount paid by any person for the transportation on or after such date, by rail or water or by any form of mechanical motor power when in competition with express by rail or water, of any package, parcel, or shipment, by express, transported from one point in the United States to another.

The next amendment was, on page 138, line 10, before the word "cents," to strike out "35" and insert "42," so as to make the paragraph read:

(c) A tax equivalent to 3 per cent of the amount paid for the transportation on or after such date of persons by rail or water, or by any form of mechanical motor power on a regular established line when in competition with carriers by rail or water, from one point in the United States to another or to any point in Canada or Mexico, where the ticket or order therefor is sold or issued in the United States, not including the amount paid for commutation or season tickets for trips less than 30 miles, or for transportation the fare for which does not exceed 42 cents.

The next amendment was, on page 138, line 13, after the word "date," to insert "in connection with transportation upon which tax is imposed by subdivision (c)," so as to make the paragraph read:

(d) A tax equivalent to 3 per cent of the amount paid for seats, berths, and staterooms in parlor cars, sleeping cars, or on vessels, used on or after such date in connection with transportation upon which tax is imposed by subdivision (c).

The next amendment was, on page 138, line 16, after the word "to," to strike out "6½" and insert "8," so as to make the paragraph read:

(e) A tax equivalent to 8 per cent of the amount paid for the transportation on or after such date of oil by pipe line.

The next amendment was, on page 139, after line 10, to insert:

(h) No tax shall be imposed under this section upon any payment received for services rendered to the United States or to any State or Territory or the District of Columbia. The right to exemption under this subdivision shall be evidenced in such manner as the commissioner, with the approval of the Secretary, may by regulation prescribe.

Mr. LA FOLLETTE. I ask that section 500 be passed over.

The PRESIDING OFFICER. The section will be passed over.

The reading of the bill was resumed, and the Secretary read section 501, beginning on page 139, line 17, down to and including line 24, on page 141.

Mr. LA FOLLETTE. I ask to have that section passed over.

The PRESIDING OFFICER. The section will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, in section 502, page 142, after line 22, to insert:

The tax shall, without assessment by the commissioner or notice from the collector, be due and payable to the collector at the time so fixed for filing the return. If the tax is not paid when due, there shall be added as part of the tax a penalty of 5 per cent, together with interest at the rate of 1 per cent for each full month, from the time when the tax became due.

Mr. LA FOLLETTE. I ask to have that section passed over.

The PRESIDING OFFICER. The section will be passed over.

Mr. SIMMONS. Mr. President, does the Senator ask that the insurance section shall go over?

Mr. LA FOLLETTE. No.

Mr. SIMMONS. It is expected that the committee will later bring in an amendment to section 503 and section 504; and when those sections have been read I shall ask that each of them may go over.

The PRESIDING OFFICER. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, under the head of "Insurance," in section 503, page 143, line 5, after the word "after," to strike out "November 1, 1918"; and in line 10, after the words "United States," to insert "(except those taxable under subdivision 15 of schedule A of Title XI," so as to make the paragraph read:

SEC. 503. That from and after ——— there shall be levied, assessed, collected, and paid, in lieu of the taxes imposed by section 504 of the revenue act of 1917, the following taxes on the issuance of insurance policies, including, in the case of policies issued outside the United States (except those taxable under subdivision 15 of schedule A of Title XI), their delivery within the United States by any agent or broker, whether acting for the insurer or the insured; such taxes to be paid by the insurer, or by such agent or broker.

The next amendment was, on page 143, after line 14, to strike out:

(a) Life insurance: A tax equivalent to 8 cents on each $100 or fractional part thereof of the amount for which any life is insured under any policy of insurance or other instrument, by whatever name the same is called: *Provided*, That on all policies for life insurance only by which a life is insured not in excess of $500, issued on the industrial or weekly or monthly payment plan of insurance, the tax shall be 40 per cent of the amount of the first weekly premium or 20 per cent of the amount of the first monthly premium, as the case may be: *Provided further*, That on policies of group life insurance, covering groups of not less than 25 lives in the employ of the same person, for the benefit of persons other than the employer, the tax shall be equivalent to 4 cents on each $100 of the aggregate amount for which the group policy is issued and of any net increase in the amount of the insurance under such policy.

The next amendment was, on page 144, line 7, before the word "Marine," to strike out "(b)" and insert "(a)."

The next amendment was, on page 144, line 14, before the word "Casualty," to strike out "(c)" and insert "(b)"; in line 17, after the words "damage, or," to strike out "liability (except bonds and policies taxable under subdivision 2 of schedule A of Title XI)" and insert "liability, including mortgage guaranty policies and policies guaranteeing titles to real estate"; and in line 24, after the word "automobile," to insert "fidelity, surety," so as to make the paragraph read:

(b) Casualty insurance: A tax equivalent to 1 cent on each dollar or fractional part thereof of the premium charged under each policy of insurance or obligation of the nature of indemnity for loss, damage, or liability, including mortgage guarantee policies and policies guaranteeing titles to real estate, issued or executed or renewed by any person transacting the business of employer's liability, workmen's compensation, accident, health, tornado, plate glass, steam boiler, elevator, burglary, automatic sprinkler, automobile, fidelity, surety, or other branch of insurance (except life insurance and insurance described and taxed in the preceding subdivision): *Provided*, That in case of policies of insurance issued on the industrial or weekly or monthly payment plan the tax shall be 40 per cent of the amount of the first weekly premium or 20 per cent of the amount of the first monthly premium, as the case may be.

The next amendment was, on page 145, line 8, before the word "Policies," to strike out "(d)" and insert "(c)."

Mr. SIMMONS. I ask to have that section go over.

The PRESIDING OFFICER. The section will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, in section 504, page 145, after line 18, to insert:

The tax shall, without assessment by the commissioner or notice from the collector, be due and payable to the collector at the time so fixed for filing the return. If the tax is not paid when due, there shall be added as part of the tax a penalty of 5 per cent, together with interest at the rate of 1 per cent for each full month from the time when the tax became due.

Mr. SIMMONS. I ask to have that section passed over.

The PRESIDING OFFICER. The section will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, under the head of "Title VI—Tax on beverages," in section 600, page 146, line 2, before the word "That," to insert "(a)."

The amendment was agreed to.

The next amendment was, on page 146, line 7, after the words "tax of," to strike out "$4.40" and insert "$2.20," so as to read:

SEC. 600. (a) That there shall be levied and collected on all distilled spirits now in bond or that have been or that may be hereafter produced in or imported into the United States, except such distilled spirits as are subject to the tax provided in section 604, in lieu of the internal-revenue taxes now imposed thereon by law, a tax of $2.20.

Mr. SMOOT. Mr. President, on behalf of one of my colleagues, I simply ask that that amendment be passed over. I do not think there will be any objection other than to the rates, and therefore I am not going to ask that the title go over.

Mr. SIMMONS. Simply that amendment.

The PRESIDING OFFICER. The amendment will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 146, line 10, after the word "of," to strike out "$8" and insert "$6.40," so as to read:

(or, if withdrawn for beverage purposes or for use in the manufacture or production of any article used or intended for use as a beverage, a tax of $6.40) on each proof gallon, or wine gallon when below proof, and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon, to be paid by the distiller or importer when withdrawn, and collected under the provisions of existing law.

The amendment was agreed to.

The next amendment was, on page 146, after line 14, to insert:

(b) That the tax imposed by subdivision (a) on distilled spirits intended for beverage purposes shall not be due or payable on such spirits while stored in any distillery, bonded warehouse, or special or general bonded warehouse, and which, pursuant to any act of Congress or proclamation of the President of the United States, can not be lawfully sold or removed from any such warehouse during the period of prohibition fixed by such act or proclamation; and all warehousing bonds or transportation and warehousing bonds conditioned for the payment of tax on any such spirits so stored on the date such prohibition takes effect shall as to all such spirits actually so stored be canceled and discharged, provided the distiller of such spirits shall in lieu of such bonds and prior to their cancellation execute a bond in a penal sum of not less than $10,000, with sureties satisfactory to the collector of the district, conditioned that the principal shall, during the period of such prohibition, safely keep or cause to be kept in good condition all such spirits and the warehouse in which the same are stored, and shall not remove or suffer to be removed from warehouse, contrary to law, any such spirits during the period of such prohibition; and the bond herein prescribed shall be in such further sum and shall contain such further conditions as the commissioner, with the approval of the Secretary, may by regulations require. The distiller may, subject to the provisions of this section, be permitted to retain in any such bonded warehouse distilled spirits on which, under the terms of any existing bond, the tax imposed thereon becomes due and payable prior to the date such prohibition takes effect: *Provided*, That on the removal of such prohibition the distiller shall, as to all spirits as to which the bonded period fixed by law has not expired and which remain stored in warehouse, execute new and satisfactory bond in the form required by existing law, conditioned for the payment of the tax on all such spirits; and all provisions of existing law relating to such bonded warehouses, or the storage of spirits therein, or to the execution of new or additional bonds, so far as applicable, shall continue in force as to all distilled spirits rebonded under the provisions of this section.

Upon the withdrawal of distilled spirits from bonded warehouse, after the period of prohibition has ended, and under the conditions imposed by section 50 of an act entitled "An act to reduce taxation, to provide revenue for the support of the Government, and for other purposes," approved August 28, 1894, an allowance for loss by leakage or other unavoidable cause, not exceeding 1 proof gallon as to packages of a capacity of not less than 40 wine gallons, may be made in addition to that provided in said section 50, as amended; and a like additional allowance of 1 proof gallon as to each package withdrawn may be made for each period of four months, or fraction thereof, for such spirits as shall have remained in warehouse during the period of prohibition and after the expiration of the maximum leakage period fixed by that section.

Under regulations prescribed by the Secretary, any imported distilled spirits, wines, or other liquors which may be in any customs bonded warehouse under the customs laws on the date such prohibition takes effect shall be permitted to remain therein without payment of any taxes or duties thereon, beyond the three-year period provided in section 2971 of the Revised Statutes, during such period of prohibition; and may be exported at any time during such extended period. Any imported spirits, wines, or other liquors as to which the three-year bonded period may expire after the passage of this act and prior to the date such prohibition takes effect may at the option of the owner remain in bond during such period of prohibition.

The amendment was agreed to.

The next amendment was, on page 149, line 7, before the word "In," to insert "(c)."

The amendment was agreed to.

The next amendment was, on page 149, line 10, after the words "tax of," to strike out "$3.30" and insert "$1.10."

Mr. SMOOT. Mr. President, for the same reason that I asked that the amendment on page 146 go over, and at the request of the same Senator, I ask that this amendment be passed over.

The PRESIDING OFFICER. The amendment will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was in section 601, page 149, line 18, before the word "Islands," to strike out "West Indian" and insert "Virgin"; and in line 19, before the word "unless," to strike out "recently acquired from Denmark," so as to make the paragraph read:

SEC. 601. That no distilled spirits produced after October 3, 1917, shall be imported into the United States from any foreign country, or from the Virgin Islands (unless produced from products the growth of such islands, and not then into any State or Territory or District of the United States in which the manufacture or sale of intoxicating liquor is prohibited), or from Porto Rico, or the Philippine Islands. Under such rules, regulations, and bonds as the Secretary may prescribe, the provisions of this section shall not apply to distilled spirits imported for other than (1) beverage purposes or (2) use in the manufacture or production of any article used or intended for use as a beverage.

The amendment was agreed to.

The next amendment was, in section 602, page 152, line 5, after the word "of," to strike out "fermentation and" and insert "fermentation" with a comma; in the same line, after the word "the" to insert "filling and"; and in line 6, after the word "fermenting" to strike out "tubs" and insert "tubs, and assessments," so as to make the paragraph read:

The commissioner, with the approval of the Secretary, may by regulations exempt distilleries of ethyl alcohol, for use in the production of munitions of war, or for other nonbeverage purposes, from so much of the provisions of sections 3264, 3285, or 3309 of the Revised Statutes, and acts amendatory thereof, respecting the survey of distilleries, the period of fermentation, the filling and emptying of fermenting tubs, and assessments, as, in his judgment, may be expedient: *Provided*, That the bond prescribed in section 3260 of the Revised Statutes shall, in the cases herein provided, be in such sum and contain such further conditions as the commissioner may require.

The amendment was agreed to.

The next amendment was, in section 603, page 152, line 23, after the word "engaged" to insert "against the German Government," and in line 24, after the word "war" to strike out "with the Imperial German Government," so as to make the paragraph read:

SEC. 603. That under such regulations as the commissioner, with the approval of the Secretary, may prescribe, ethyl alcohol of not less than 180° proof, produced at any central distilling and denaturing plant established under the provisions of subsection 2, paragraph N, of section IV of the act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913, may be removed from such plant to any central denaturing bonded warehouse for denaturation, or may, before or after denaturation, be removed from such plant or from such denaturing bonded warehouse, free of tax, for use of the United States or for shipment to any nation while engaged against the German Government in the present war, and the removal herein authorized may be made in such tank wagons, tank cars, drums, casks, or other containers as may be approved by the commissioner. It shall be lawful, under regulations prescribed by the commissioner, with the approval of the Secretary, for an allowance to be made for leakage or loss by unavoidable accident and without fault or negligence of the distiller, owner, carrier, or his agents or employees, which may occur during the transportation of such spirits or while the same are lawfully stored on either of the premises herein described.

The amendment was agreed to.

The next amendment was, in section 604, page 153, line 16, after the word "tax," to strike out "of $2.20 (or, if intended for sale for beverage purposes or for use in the manufacture or production of any article used or intended for use as a beverage, a floor tax of $4.80) on each proof gallon, and a proportionate tax at a like rate on all fractional parts of such proof gallon," and insert "equal to the difference between the tax imposed by this act and the tax so paid," so as to make the section read:

SEC. 604. That upon all distilled spirits produced in or imported into the United States upon which the internal-revenue tax now imposed by law has been paid, and which on the day after the passage of this act are held by any person and intended for sale or for use in the manufacture or production of any article intended for sale, there shall be levied, assessed, collected, and paid a floor tax equal to the difference between the tax imposed by this act and the tax so paid.

The amendment was agreed to.

The reading of the bill was resumed, and the Secretary read section 605, section 606, and section 607.

The next amendment of the Committee on Finance was, in section 608, page 157, line 12, after the word "one-half," to insert "of one"; in line 13, before the word "alcohol," to strike out "cent or more of" and insert "cent, or more, of"; in the same line, after the words "manufactured and," to insert "hereafter"; in line 14, after the word "sold," to strike out "or stored, in warehouse"; and in line 20, after the word "law," to insert "to be collected under the provisions of existing law," so as to make the section read:

SEC. 608. That there shall be levied and collected on all beer, lager beer, ale, porter, and other similar fermented liquor, containing one-half of 1 per cent, or more, of alcohol, brewed or manufactured and hereafter sold, or removed for consumption or sale, within the United States, by whatever name such liquors may be called, in lieu of the internal-revenue taxes now imposed thereon by law, a tax of $6 for every barrel containing not more than 31 gallons, and at a like rate for any other quantity or for the fractional parts of a barrel authorized and defined by law, to be collected under the provisions of existing law.

The amendment was agreed to.

JUSTICE TO EDWARD B. M'LEAN IN THE MATTER OF THE BERNSTORFF CHARGES AGAINST THE WASHINGTON POST.

Mr. LEWIS. Mr. President, with the consent of the eminent chairman of the Finance Committee, at this point I desire to draw the attention of the body to a suggestion of justice to one of our prominent citizens of Washington.

Mr. President, I have received a letter which justifies me in making a motion for the insertion of a small matter in the RECORD. Some one writes me saying that as a Senator I have been addressing certain communications to the Washington Post, and that as a Senator I am addressing them to a paper that is charged by another Senator—referring to the Senator from Minnesota [Mr. NELSON]—with not having been a loyal paper.

Mr. President, I desire at this time to call attention to the fact that the Senator from Minnesota did not say, in the matter referred to, that the Washington Post was not a loyal paper. No one has ever said such. He said, in his observation, on testimony then before him as to Bernstorff and the Post, that up to a certain two years ago the only fair paper in this city was that known as the Star, intimating clearly that in the latter years, since the death of Mr. John R. McLean, there were no objections whatever to be urged by anyone to the fairness of the Post. Now, Mr. President, it was a just tribute to the Star to say it was a fair paper, but if for any reason during the long illness of Mr. McLean, sr., anyone was dissatisfied with the policy of the Post as managed by those intrusted by the senior McLean no one can intimate such as to the management under Mr. E. B. McLean, the son.

I beg to offer at this time the statement of Mr. E. B. McLean, the now owner of the Post, as he gave it, and ask the privilege of having it go in the RECORD that it may be beside the statement of the Senator from Minnesota [Mr. NELSON], that justice may be done to Mr. McLean, but more particularly that the charge made by Mr. von Bernstorff, that he considered or was being entertained in the object of purchasing that paper, be wholly disproved. If there has been at any time any intimation anywhere that the Post is not a fair and loyal and very just and eminent paper, from which the public may gather information of the proceedings of this body, this record may disprove it, and the statement of Mr. E. B. McLean wholly repudiates the mendacity of former Ambassador Bernstorff.

I thank the Senator for allowing me this interruption.

The PRESIDING OFFICER. Without objection the matter referred to will be printed in the RECORD.

The matter referred to is as follows:

[From the Washington Post, Dec. 9, 1918.]

A STATEMENT BY THE EDITOR OF THE POST.

Mr. Bielaski in his testimony before the Senate committee quotes a dispatch from former Ambassador von Bernstorff in which the statement is made that my father, the late John R. McLean, offered to sell or rent the Washington Post to the German Government. That is another of Von Bernstorff's infamous lies. The Post was never offered to him for sale or hire.

My father purchased the Washington Post for me. He managed it in my interest. If any proposition had been on foot to sell the paper or ruin it by handing it over to any special interest I would have known it.

Von Bernstorff was anxious to put through anything that would help his Government. He often lied to his Government and he was often fooled by sharpers, as previous disclosures have proved. This lie regarding the Washington Post is on a par with the rest of the German propaganda.

I am proud of the Post and jealous of its reputation. It never has been and never will be controlled by any foreign government or by any special interest or any political party.

EDWARD B. MCLEAN,
Editor-President.

RECESS.

Mr. SIMMONS. I move that the Senate take a recess until 12 o'clock noon to-morrow.

The motion was agreed to; and (at 5 o'clock p. m.) the Senate took a recess until to-morrow, Friday, December 13, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *December 12, 1918.*

The House met at 12 o'clock noon.

The Rev. Earle Willey, of the Vermont Avenue Christian Church, Washington, D. C., offered the following prayer:

O God, our help in ages past, our hope for years to come, we thank Thee for the privileges of this hour. We pray that with open eyes and understanding hearts we may meet the obligations and enjoy the privileges of this glorious day. Keep our feet from stumbling and our lips from speaking falsely. Guide us into ways of service and gladden our hearts with a sense of duty done, for Thy name's sake. Amen.

The Journal of the proceedings of yesterday was read and approved.

RESIGNATION FROM COMMITTEES.

The SPEAKER laid before the House the resignation of Mr. SANFORD from the Committee on Election of President, Vice President, and Representatives in Congress; also the resignation of Mr. LUFKIN from the Committee on Reform in the Civil Service.

Mr. MANN. Mr. Speaker, I move the election of the Members to the committees indicated by the list which I send to the Clerk's desk.

The Clerk read as follows:

WILLIAM F. BIRCH, of New Jersey, to the Committee on Banking and Currency.
ADOLPHUS P. NELSON, of Wisconsin, to the Committee on Coinage, Weights, and Measures, and Reform in the Civil Service.
FLORIAN LAMPERT, of Wisconsin, to the Committee on Patents, and Election of President, Vice President, and Representatives in Congress.
FREDERICK ESSEN, of Missouri, to the Committee on Flood Control.
WILFRED W. LUFKIN, of Massachusetts, to the Committee on Immigration and Naturalization.
ROLLIN B. SANFORD, of New York, to the Committee on Military Affairs.

The SPEAKER. Are there any other nominations?

There were no other nominations.

The Members named were elected to the various committees.

JEWISH POPULATION IN POLAND.

Mr. HASKELL. Mr. Speaker, I ask unanimous consent to address the House for two minutes.

The SPEAKER. The gentleman from New York asks unanimous consent to address the House for two minutes. Is there objection?

There was no objection.

Mr. HASKELL. Mr. Speaker and gentlemen of the House, at a mass meeting held last Sunday evening in the congressional district which I have the honor to represent, resolutions were adopted protesting against the boycott and massacre of the Jews in Poland and Galicia. The resolutions were unanimously adopted, and I was asked to call them to the attention of the House of Representatives. I send the resolutions to the Clerk's desk and ask that they be read for information, and ask permission to revise and extend my remarks on the resolutions.

The SPEAKER. The resolutions will be read for information, and the gentleman asks unanimous consent to revise and extend his remarks on the resolutions. Is there objection?

There was no objection.

The Clerk read the resolutions, as follows:

Resolutions adopted at mass meeting of the Brownsville Jewish community, held at the Hebrew Free School Auditorium, 400 Stone Avenue, Brooklyn, New York City, Sunday, December 8, 1918.

At the conclusion of the greatest war in history, which has so gloriously ended for the cause of democracy, and at a time when a new era of peace on earth and good will among men is being heralded by mankind after a long period of bloodshed and suffering, the most appalling news has reached us from abroad that in Poland the Jewish population has been singled out for slaughter and extermination; that in Lemberg 1,100 Jews have been brutally murdered; that 600 of them lost their lives in a synagogue, where they sought refuge in the sanctuary of God; that similar outrages are being committed in other parts of Poland and Galicia; and that the lives of tens of thousands of Jews—men, women, and children—are in imminent danger because of a brutal and inhuman policy adopted by the Poles to kill and exterminate the Jewish inhabitants of Poland.

We, the Jewish community of Brownsville, in mass meeting assembled, therefore appeal to the conscience of the American people to register their most emphatic protest against these barbarous crimes against humanity.

We call upon our Government to take steps to stay the hand of the assassin and save thousands of Jews from the impending fate that awaits them at the hands of a cruel and vindictive people, dazed by the prospect of their own freedom.

We call upon the conscience of all mankind to come to the rescue of these helpless people and tell the Poles that murder will not be tolerated.

We call upon the people of Poland and Galicia, amongst whom the Jews have lived for several centuries in peace and amity and have contributed in large measure to their material, intellectual, and civic progress, to stop boycotts, persecution, and massacres of their Jewish neighbors. Standing on the threshold of her own freedom and looking to an enlightened world for sympathy with her aspirations for emancipation, let Poland beware not to stain her hands in innocent blood, for the world will not condone crimes wantonly committed against a defenseless people.

LEAVE OF ABSENCE.

Mr. SINNOTT. Mr. Speaker, I ask unanimous consent for the indefinite leave of absence for my colleague, Mr. MCARTHUR, on account of the serious illness of his wife.

The SPEAKER. Is there objection?

There was no objection.

Mr. DUPRÉ, by unanimous consent, was given leave of absence for three days on account of illness.

WITHDRAWAL OF PAPERS.

Mr. SWITZER was given leave, by unanimous consent, to withdraw from the files of the House, without leaving copies, papers in the case of Ida M. Warner (H. R. 2686, 1st sess., 64th Cong.), no adverse report having been made thereon.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 4873. An act for the relief of Calvin Willard Gilfillan.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 4873. An act for the relief of Calvin Willard Gilfillan; to the Committee on Naval Affairs.

THE RAILROADS.

Mr. SIMS. Mr. Speaker, I ask unanimous consent to have a letter of Secretary McAdoo, with reference to the railroads, printed in the RECORD.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD by printing a letter of Secretary McAdoo. Is there objection?

There was no objection.

The letter is as follows:

DIRECTOR GENERAL OF RAILROADS,
Washington, December 11, 1918.

Hon. T. W. SIMS,
Chairman Interstate and Foreign Commerce Committee,
House of Representatives.

MY DEAR JUDGE SIMS: The question of railroad legislation is of such vital importance to the country that I take the liberty of submitting to you my views as to the course that should now be pursued. The war is ended, and we are now confronted with the necessity either of legislating intelligently about the railroad problem at this session of the Congress or of promptly returning the railroads to their owners.

Less than three months of the present session of the Congress remain. It will be impossible, I presume, to secure legislation in this short period providing a permanent solution of the railroad problem. This being true, only three courses are open: (1) Government operation of the railroads for one year and nine months following a proclamation of peace, which would mean, in my judgment, Government operation for a period in no event longer than two years and three months; (2) the prompt return of the railroads to private control; or (3) extension of the period of Federal control to five years.

I am convinced that it is wholly impracticable, as well as opposed to the public interest, to attempt to operate the railroads under the provisions of the present law. In the first place, the time is too short, and, secondly, the present legislation is inadequate.

As to the shortness of time, it is clear to me that the railroads can not be successfully operated under Federal control during the next two years in the face of an automatic transfer to private control at the end of that time or of an earlier relinquishment by proclamation of the President. Every month that passes will bring more clearly to the minds of the officers and employees the fundamental change in management that is impending and the question as to what that change means to the individual. It is against human nature that there can be complete and single-minded attention to duty under such difficult circumstances. This will be especially true on account of the inevitable discussion as to what ought to be done. Already this discussion is in full swing, and its reaction on officers and employees can not be consistent with the complete concentration upon their daily duties. State railroad commissions, railroad security holders, railroad executives, shippers' organizations, and other interests are naturally and properly discussing the subject and proposing various solutions. However desirable the discussion is for the crystallization of public sentiment, it can not result otherwise than to produce a state of uncertainty and ferment among the vast army of railroad officers and employees, who will inevitably feel that they face a rapidly approaching change in management.

No business in the United States so imperatively requires disciplined organization and composed conditions of operation, for officials as well as for employees, as the railroad business. Not only does the safety of the lives of millions of passengers depend upon such disciplined and efficient organization, but the commerce of the country as well. To keep this vast army of officers and employees in a state of uncertainty and ferment for a period of two years would be harmful in the highest degree to the public interest. It would be impossible to prevent a serious impairment of the morale of the railroad organizations.

From the standpoint of needed improvements, the period of two years is entirely too short a time within which to plan and carry out the comprehensive improvements which ought to be made to meet the country's requirements under peace conditions. Many of the improvements could hardly be completed and put into operation inside of the two-year period, and under such circumstances and facing a change to private management at the end of two years it would be unwise in the highest degree to make the improvements and impossible to secure the hearty cooperation of the railroad corporations.

Because of the inadequacy of the present legislation, the authority of the States and the Federal Government has been left in doubt by provisions which I opposed when the bill was under discussion. Conflict between State and Federal jurisdictions will grow more acute under this law. The revolving fund appropriated by the Congress will be insufficient to carry the Federal operation for a two-year period. More than that, it is of the utmost importance to the commerce, industry, and life of the American people that a comprehensive program of improvements to railroad properties shall be carried forward over a period of at least five years; such a program will involve expenditures of at least $500,000,000 per annum, or $2,500,000,000 for the five-year period. The needed funds are not provided for by the present law. Moreover, it is difficult under the present law, without the consent of the corporations, to carry forward a comprehensive plan of joint improvements, which, to be of value to the public, must of itself disregard the selfish and irreconcilable competitive interests of the various carriers. Many terminal improvements, to be genuinely serviceable to the public, must be made without regard to the interest of any particular carrier. Therefore agreements between the Government and the railroads affected will, in many instances, be impossible, and if the Government should proceed with such improvements, using the people's money for the purpose, without securing the carriers' consent, litigation would undoubtedly arise upon the termination of Federal control, with the danger that a large part of the Government's investment in the properties might be lost.

Upon the efficiency of the transportation machine in America depends in great measure the future prosperity of the Nation. Involved in this prosperity is the extension of our foreign trade. We produce so much more than we consume that markets must be found for that surplus. Those markets are the competitive markets of the world. We must be able to enter them upon equal terms with any other nation. Our transportation system, both on land and water, must therefore function at the highest point of efficiency and at the lowest possible cost, if we are to get our reasonable and fair share of the world's trade and in turn be able to keep a prosperous, contented, and happy population at home.

To attempt to continue Federal control under the inadequate provisions of the present Federal-control act and for the very brief period it authorizes would be to multiply our difficulties and invite failure. On the other hand, I am convinced from the experience of the past year that the return of the railroads to the old competitive conditions will be hurtful alike to the public interest and to the railroads themselves. This course, however, will bring fewer evils in its train than the unsatisfactory, if not impotent, Federal control provided for by the present act. The railroads were taken over as a war measure. They have been operated during the past year for the paramount purpose of winning the war. I think it will be generally admitted that the war service has been successfully rendered, and I am sure that experience of great value and benefit has been gained not only for the public but for the railroads themselves during this brief test.

There is one, and to my mind only one, practicable and wise alternative, and that is to extend the period of Federal control from the one year and nine months provided by the present law to five years or until the 1st day of January, 1924. This extension would take the railroad question out of politics for a reasonable period. It would give composure to railroad officers and employees. It would admit of the preparation and carrying out of a comprehensive program of improvements of the railroads and their terminal facilities which would immensely increase the efficiency of the transportation machine. It would put back of the railroads the credit of the United States during the five-year period, so that the financing of these improvements could be successfully carried out. It would offer the necessary opportunity under proper conditions to test the value of unified con-

trol, and the experience thus gained would of itself indicate the permanent solution of the railroad problem.

The American people have a right to this test. They should not be denied it. It is to their interest that it should be done. In my opinion, it is the only practicable and reasonable method of determining the right solution of this grave economic problem.

I am not now and have not been for the past year interested in proving or disproving the theory of Government ownership or any other kind of theory. The railroads have been operated for the past year with the purpose of serving efficiently the paramount needs of the war and at the same time furnishing the best possible service to the public, whether such operation tended to prove or to disprove any theory of railroad control, no matter what it might be. I have formed no opinion myself as to what is the best disposition of the railroad problem, because the test has not been sufficient to prove conclusively the right solution of the problem. I believe that a five-year test will give the American people the right answer. An ounce of experience is worth a ton of theory, and with the start already made under war conditions it would be a comparatively simple matter to complete the test so well begun and thereby gain the invaluable experience which will determine the solution of a problem which has vexed our State and National politics and our economic development for the past generation.

There are those who may say that an extension of five years for such a test will mean Government ownership. Personally I do not believe it. But whether such a test would indicate that the ultimate solution shall be Government ownership or a modified form of private ownership under effective Federal regulation should not cause us to hesitate or refuse to act. It seems to me that in a democracy like ours, where public opinion and the judgment of the majority must finally control, the plain duty is to take those steps which will fully inform public opinion, so that the judgment may be based upon knowledge rather than upon theory. Any test which will illumine the subject so completely that public opinion may operate upon it intelligently would seem to me to be desirable in any circumstances.

In this connection, may I draw your attention to the statement I made before the committee of the Senate on January 21, 1918, in reply to a Senator who asked if I believed "in the Government ownership of railroads." I said:

I do not, or I have not, at least, felt that it was necessary to take the actual ownership of the railroads. I believe that it will be impossible after the return of peace to restore the competitive conditions to the same extent as they existed prior to the outbreak of the war. I favor some form of governmental regulation and control of a far stronger, more intelligent, and effective character than we have had heretofore, because I am satisfied that a stronger Government control will be demanded and will have to be worked out, both in the interest of the public and in the interest of the security holders of these railroads.

Those who may oppose an extension of five years should face the situation squarely and acknowledge that they prefer the immediate return of the railroads to private control under the old conditions without remedial legislation. It is idle to talk of a return to private control under legislation which will cure the defects of the existing laws. There is neither time nor opportunity for such legislation at present. It is impossible and hopeless for the Government to attempt the operation of the railroads for 21 months after peace under the present law. Therefore the country should squarely face the condition that the railroads must promptly go back into private control with all existing legal difficulties unless the only practical alternative, viz, an extension of time, is promptly granted.

I hope that the Congress in its wisdom will grant a five-year period for a test of unified railroad operation under proper provisions of law which will make that test effective and at the same time take the railroad question out of politics while the test is being made. Unless this is done, I do not hesitate to say the railroads should be returned to private ownership at the earliest possible moment. The President has given me permission to say that this conclusion accords with his own view of the matter.

Cordially, yours, W. G. McADOO,
Director General of Railroads.

AMENDMENT OF LAWS RELATING TO THE JUDICIARY.

Mr. RIORDAN. Mr. Speaker, I offer the following privileged resolution.

The Clerk read as follows:

House resolution 465 (H. Rept. 856).

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 12001, "A bill to amend an act entitled 'An act to codify, revise, and amend the laws relating to the judiciary,' approved March 3, 1911"; that all general debate shall be confined to the subject matter of the bill; that at the conclusion of general debate the bill shall be considered for amendment under the five-minute rule. After the bill shall have been perfected in the Committee of the Whole House on the state of the Union the same shall be reported to the House with such recommendation as the committee may make, whereupon the previous question shall be considered as ordered upon the bill and all amendments thereto to final passage without intervening motion, except one motion to recommit.

Mr. RIORDAN. Mr. Speaker, this resolution simply makes in order the so-called judges' bill. It is a simple form of rule, doing nothing except to make the consideration of a bill in order. The time for general debate and the matter of amendment are left wide open for the committee to consider at the time of its consideration. There is no disposition to debate the rule, and if anybody wants any time I will be glad to yield.

Mr. CANNON. There is no limitation on general debate?

Mr. RIORDAN. No; no limitation.

The SPEAKER. It does not limit debate, and it is to be considered under the general rules of the House.

Mr. RIORDAN. Mr. Speaker, I move the previous question.

The question was taken; and on a division (demanded by Mr. WALSH) there were—ayes 68, noes 19.

Mr. WALSH. Well, Mr. Speaker, we ought not to begin the consideration of a measure as important as this without a quorum. I make the point of no quorum.

The SPEAKER. The gentleman from Massachusetts makes the point that no quorum is present, and evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 297, nays 23, answered "present" 4, not voting 109, as follows:

YEAS—297.

Almon	Fairchild, G. W.	La Follette	Sabath
Anderson	Fairfield	LaGuardia	Sanders, Ind.
Aswell	Farr	Lampert	Sanders, N. Y.
Austin	Fields	Lazaro	Sanford
Ayres	Fisher	Lea, Cal.	Saunders, Va.
Bacharach	Flood	Lee, Ga.	Schall
Bankhead	Fordney	Lehlbach	Scott, Mich.
Barkley	Foss	Lesher	Scott, Pa.
Beakes	Foster	Little	Scully
Bell	Francis	Lonergan	Sears
Benson	Frear	Longworth	Sells
Beshlin	French	Lufkin	Shallenberger
Birch	Fuller, Ill.	Lundeen	Sherwood
Black	Gallagher	McFadden	Siegel
Bland, Ind.	Gandy	McKeown	Sims
Bland, Va.	Gard	McLaughlin, Mich.	Sinnott
Booher	Garner	McLemore	Slayden
Borland	Garrett, Tenn.	Magee	Slemp
Bowers	Garrett, Tex.	Mann	Sloan
Britten	Gillett	Mansfield	Small
Brodbeck	Glass	Mapes	Smith, Idaho
Browne	Glynn	Martin	Smith, Mich.
Browning	Good	Mays	Snell
Brumbaugh	Goodall	Merritt	Snook
Buchanan	Goodwin, Ark.	Miller, Minn.	Snyder
Burnett	Gordon	Miller, Wash.	Stafford
Burroughs	Gould	Montague	Steagall
Butler	Graham, Pa.	Moore, Pa.	Steele
Byrnes, S. C.	Gray, Ala.	Moores, Ind.	Stephens, Nebr.
Caldwell	Green, Iowa	Morin	Sterling
Campbell, Kans.	Greene, Vt.	Mott	Stevenson
Campbell, Pa.	Gregg	Mudd	Stiness
Candler, Miss.	Griest	Neely	Strong
Cantrill	Griffin	Nelson, A. P.	Sumners
Caraway	Hadley	Nichols, Mich.	Sweet
Cary	Hamill	Oldfield	Switzer
Chandler, N. Y.	Hamilton, Mich.	Oliver, Ala.	Tague
Chandler, Okla.	Hamlin	Oliver, N. Y.	Taylor, Ark.
Clark, Fla.	Hardy	Olney	Taylor, Colo.
Clark, Pa.	Harrison, Miss.	Osborne	Temple
Classon	Harrison, Va.	Overmyer	Templeton
Cleary	Haskell	Overstreet	Tillman
Coady	Hastings	Padgett	Tilson
Cooper, W. Va.	Haugen	Paige	Timberlake
Cooper, Wis.	Hawley	Park	Tinkham
Costello	Heaton	Parker, N. J.	Towner
Crago	Helvering	Parker, N. Y.	Treadway
Crisp	Hersey	Peters	Vare
Currie, Mich.	Hicks	Phelan	Venable
Dallinger	Hilliard	Platt	Vestal
Darrow	Holland	Porter	Vinson
Dempsey	Hollingsworth	Pou	Volstead
Dent	Houston	Pratt	Walton
Dickinson	Howard	Purnell	Ward
Dies	Huddleston	Quin	Wason
Dill	Hull, Iowa	Ragsdale	Watkins
Dillon	Hull, Tenn.	Rainey, H. T	Watson, Pa.
Dixon	Husted	Rainey, J. W.	Watson, Va.
Donovan	Hutchinson	Raker	Weaver
Doolittle	Igoe	Ramsey	Welsh
Doremus	Ireland	Randall	Welling
Doughton	Johnson, Ky.	Rayburn	Whaley
Drukker	Jones	Reavis	White, Me.
Dunn	Juul	Reed	White, Ohio
Dyer	Kahn	Riordan	Williams
Eagan	Kelley, Mich.	Robbins	Wilson, La.
Eagle	Kennedy, Iowa	Robinson	Winslow
Edmonds	Kennedy, R. I.	Rodenberg	Wise
Elliott	Kettner	Rogers	Wright
Ellsworth	Kincheloe	Romjue	Young, N. Dak.
Elston	King	Rose	Young, Tex.
Esch	Kinkaid	Rouse	Zihlman
Esson	Kitchin	Rowe	
Evans	Kraus	Ruby	
Fairchild, B. L.	Kreider	Rucker	

NAYS—23.

Ashbrook	Graham, Ill.	Mondell	Thompson
Byrns, Tenn.	Greene, Mass.	Norton	Walsh
Cannon	James	Ramseyer	Welty
Cramton	McKenzie	Rankin	Wingo
Denison	McKinley	Scott, Iowa	Woods, Iowa
Dowell	Madden	Sisson	

ANSWERED "PRESENT"—4.

Johnson, Wash.	Moon	Shackleford	Steenerson

NOT VOTING—109.

Alexander	Dewalt	Kearns	Polk
Anthony	Dominick	Keating	Powers
Baer	Dooling	Kehoe	Price
Barnhart	Drane	Kelly, Pa.	Roberts
Bleakmon	Dupré	Key, Ohio	Rowland
Blanton	Emerson	Kiess, Pa.	Russell
Brand	Estopinal	Knutson	Sanders, La.
Carew	Ferris	Langley	Sherley
Carlin	Fess	Larsen	Shouse
Carter, Mass.	Flynn	Lever	Smith, C. B.
Carter, Okla.	Focht	Linthicum	Smith, T. F.
Church	Freeman	Littlepage	Stedman
Claypool	Fuller, Mass.	Lobeck	Stephens, Miss.
Collier	Gallivan	London	Sullivan
Connally, Tex.	Garland	Lunn	Swift
Connelly, Kans.	Godwin, N. C.	McAndrews	Thomas
Cooper, Ohio	Gray, N. J.	McArthur	Van Dyke
Copley	Hamilton, N. Y.	McClintic	Volgt
Cox	Hayden	McCormick	Waldow
Crosser	Hayes	McCulloch	Walker
Curry, Cal.	Heflin	McLaughlin, Pa.	Wheeler
Dale, N. Y.	Heintz	Maher	Wilson, Ill.
Dale, Vt.	Helm	Mason	Wilson, Tex.
Davey	Hensley	Morgan	Wood, Ind.
Davis	Hood	Nelson, J. M.	Woodyard
Decker	Humphreys	Nicholls, S. C.	
Delaney	Jacoway	Nolan	
Denton	Johnson, S. Dak.	O'Shaunessy	

So the previous question was ordered.

The Clerk announced the following pairs:

Mr. CARTER of Oklahoma with Mr. COOPER of Ohio.
Mr. DELANEY with Mr. COPLEY.
Mr. DUPRÉ with Mr. DALE of Vermont.
Mr. LINTHICUM with Mr. DAVIS.
Mr. FERRIS with Mr. FESS.
Mr. MCCLINTIC with Mr. GARLAND.
Mr. LITTLEPAGE with Mr. HAMILTON of New York.
Mr. SANDERS of Louisiana with Mr. GRAY of New Jersey.
Mr. BLANTON with Mr. WOODYARD.
Mr. JACOWAY with Mr. EMERSON.
Mr. THOMAS with Mr. LANGLEY.
Mr. CONNALLY of Texas with Mr. JOHNSON of Washington.
Mr. MCANDREWS with Mr. WOOD of Indiana.
Mr. HELM with Mr. KIESS of Pennsylvania.
Mr. POLK with Mr. MCARTHUR.
Mr. PRICE with Mr. MCCULLOCH.

The result of the vote was announced as above recorded.

A quorum being present, the doors were opened.

The SPEAKER. The question is on the resolution.

The question was taken and the resolution was agreed to.

Mr. WEBB. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. WEBB. Under the order adopted, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12001.

The SPEAKER. The gentleman from North Carolina moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of this judiciary bill.

Mr. WALSH. Mr. Speaker, will the gentleman from North Carolina yield?

Mr. WEBB. I do.

Mr. WALSH. Will the gentleman indicate how much general debate he expects to have on this measure and how it is to be determined and controlled?

Mr. WEBB. I want to have an agreement, if we can get it. I first thought, after discussing the question with some Members, that an hour on a side would be satisfactory. I would like to have the gentleman's opinion as to what time he thinks would be required by those who oppose the bill or want to speak on it. Of course, there will be liberal debate under the five-minute rule, and everybody can be heard then.

Mr. MANN. There is no proposition to limit debate at this time. I ask for the regular order.

Mr. WEBB. I was going to make a request that we limit general debate.

Mr. MANN. I beg the gentleman's pardon.

Mr. WEBB. I want to have an agreement, if we can, with gentlemen on the other side or any side opposed to it.

Mr. WALSH. I shall object to giving unanimous consent to restrict general debate to an hour on a side. I certainly object to that.

Mr. WEBB. What is my friend's suggestion?

Mr. WALSH. I think at least two and a half hours on a side.

Mr. WEBB. I hope my friend will not insist on that. We have very liberal rules under the five-minute debate and everybody who wants to be heard can speak 5 or 10 minutes. There is no disposition to cut off debate. I never have adopted that course.

Mr. WALSH. I appreciate the fact, but this is a very important measure and it embodies two separate propositions, and it seems to me we would wish to debate as important a measure as this for three or four hours.

Mr. WEBB. Has my friend requests for as much as two hours?

Mr. WALSH. I have no requests for time except I understand that several gentlemen expect to oppose it and——

Mr. WEBB. I wish every Member of the House to have time who really wants to talk against the bill, but I would not like to give more time than necessary in general debate because I know everybody can speak under the five-minute rule.

Mr. WALSH. I should want 20 or 30 minutes myself.

Mr. WEBB. Let me ask that general debate be limited to three hours, an hour and a half to be controlled by this side and an hour and a half to be controlled by some one opposed to the bill on that side.

Mr. MANN. I think we had better go into the committee without limitation.

Mr. WEBB. Then I will make it two hours on a side. I am sure our side will not consume that much time and I doubt whether the other side will do so.

Mr. DYER. Will the gentleman yield?

The SPEAKER. There is no law or rule compelling the consuming of that time.

Mr. DYER. The gentleman says "his side and the other side," pointing to this side. What does he mean?

Mr. WEBB. I mean those advocating and opposing the bill on your side and ours.

Mr. DYER. I want to say I think most of the Members on this side are in favor of the bill.

Mr. WEBB. I was speaking of those opposed to the bill and those in favor of it.

Mr. WALSH. How is the time to be controlled under the gentleman's proposition? Who is to have control of the time under the gentleman's suggestion?

Mr. WEBB. I suppose the Speaker will designate the gentleman to control the time in opposition to the bill, some one opposed to it——

Mr. DYER. I think the gentleman from Massachusetts, a member of the committee, should probably control the time, so far as those in opposition to it are concerned, as all the other members of the Judiciary Committee are in favor of the bill.

Mr. WEBB. I assume the chairman of the Committee on the Judiciary will control one-half of the time and somebody in opposition control the other.

Mr. MILLER of Minnesota. Do I understand the gentleman from Massachusetts to be opposed to the bill?

Mr. WALSH. I am.

The SPEAKER. Has any member of the Committee on the Judiciary filed a minority report?

Mr. WEBB. No, sir; there has not.

The SPEAKER. Is the gentleman from Massachusetts the only member on the committee fighting the bill?

Mr. WALSH. I appear to be at this time, Mr. Speaker, the only member of the committee who has continued to be opposed to the bill.

Mr. DYER. All the other members of the committee are for it.

Mr. WEBB. And my friend from Massachusetts is opposed to only one portion of it.

The SPEAKER. The Chair should think as a matter of ordinary fairness that the gentleman from Massachusetts ought to control the time.

Mr. WEBB. Then I ask that all general debate on this bill be limited to four hours, two hours to be controlled by myself and two hours by the gentleman from Massachusetts [Mr. WALSH], and all debate to be confined to the bill.

Mr. WALSH. The rules provides that.

Mr. WEBB. I know it does.

The SPEAKER. The gentleman from North Carolina asks unanimous consent, pending the motion to go into the Committee of the Whole House on the state of the Union, that general debate shall not exceed four hours, half of the time to be

controlled by himself and the other half by the gentleman from Massachusetts [Mr. WALSH]. Is there objection? [After a pause.] The Chair hears none. The question now is on going into the Committee of the Whole House on the state of the Union.

The question was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12001, with Mr. BOWLAND in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

Mr. WEBB. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none.

Mr. WEBB. Mr. Chairman, I yield 30 minutes to the gentleman from Pennsylvania [Mr. STEELE], who made the report on this bill in behalf of the committee. [Applause.]

Mr. STEELE. Mr. Chairman, the pending bill is intended to fix an adequate compensation for circuit court of appeals and district judges and provide a more perfect method for their retirement, without changing the present time of service and age limit for so doing. It therefore deals exclusively with the judiciary. The Constitution creates three coordinate branches of government, the legislative, executive, and judicial, and having in view the best results for the common welfare conferred upon them independent and complete powers. All power resting inherently in the people, they saw fit in their fundamental law to grant distinctive powers to these respective coordinate departments of government, making each one exclusive and independent within its own sphere of action. Each branch, therefore, has its well-defined limitations, and the preservation of such exact limitations will necessarily best conserve the harmony of the whole. Montesquieu, one of the foremost political philosophers of all time, is said to have been the first to definitely suggest the separation of the legislative, executive, and judicial departments of the Government. His famous treatise on the Spirit of the Laws, which appeared in 1748, dwelt upon the separation powers under the British constitution as the most remarkable feature of that system. The next generation came to regard him as an oracle of political philosophy, and his treatise was one of that small number of books which permanently turned the course of human thought. Both Hamilton and Madison cite it in the Federalist as an unquestioned authority, and Madison frequently refers to this separation of the three powers as the distinguishing note of a free government. Time has grandly vindicated that judgment. A century and a quarter of great political and social changes has proven what Washington declared, that the judicial system is the keystone of our political fabric. At the time of the appointment of the 13 original judges President Washington wrote to Edmund Randolph, his Attorney General, as follows:

Impressed with a conviction that the due administration of justice is the firmest pillar of good government, I have considered the first arrangement of the judicial department as essential to the happiness of our country and to the stability of its political system; hence the selection of the fittest characters to expound the laws and dispense justice has been an invariable object of my anxious concern.

Judges of these courts are not confined in their decisions to mere questions of personal rights, but their decisions frequently extend to the settlement of principles which affect the policy and welfare of the Nation. It is necessary that they should be statesmen as well as jurists. Looking back upon the history of our courts and testing their work solely by results, all must agree they have acted with integrity and wisdom. If there be security for life, liberty, and property in America to-day, it is largely due to the fact that our judges have not been unmindful of their obligations as ministers of justice. "Justice," said Webster, "is the great interest of man on earth. It is the ligament which holds civilized beings and civilized nations together. Wherever her temple stands and so long as it is duly honored there is a foundation for social security, general happiness, and the improvement and progress of our race. And whoever labors on this edifice with usefulness and distinction, whoever clears its foundations, strengthens its pillars, adorns its entablatures, or contributes to raise its august dome still higher in the skies, connects himself in name and fame and character with that which is and must be as durable as the frame of human society." In its final analysis the function of the judiciary rests upon popular sovereignty. It is simply the recognition of the natural and equal rights of man as the basis of a government formed for their protection by its people and regulated by law. It is a system under which every citizen shall be assured by indefeasible right the enjoyment of his life, his liberty, his property in all its forms, his home, his family relations, his freedom of conscience and of speech. The powers of government in all their extent and elaboration come down at last to this ultimate purpose. "The whole machinery of the State," says Lord Brougham, "all the apparatus of the system and its varied workings end in simply bringing 12 good men into a box."

The third article of the Constitution, in three brief sections, epitomizing legislative and judicial experience, created the most remarkable judicial establishment the world has even seen. In the first section it was provided that "the judicial power of the United States shall be vested in one Supreme Court and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the Supreme and inferior courts, shall hold their offices during good behavior, and shall at stated times receive for their services a compensation which shall not be diminished during their continuance in office." In the first section of the second article it was provided that "the President shall at stated times receive for his services a compensation which shall neither be increased nor diminished during the period for which he shall have been elected." The prohibition in the case of the judiciary was against diminishing their compensation, while in the case of the President it was provided that his compensation should be "neither increased nor diminished." These different provisions were no doubt due to the difference in their terms of service, the President serving but for four years, while judges serve for life. It is highly probable that during a life service economic conditions may so change as to render a compensation inadequate which before was considered adequate. Hamilton, one of the principal authors of the Constitution, in the Federalist, No. 79, in his usual brilliant manner, thus discusses the provision:

Next to permanency in office nothing can contribute more to the independence of the judges than a fixed provision for their support. The remark made in relation to the President is equally applicable here. In the general course of human nature a power over a man's subsistence amounts to a power over his will. And we can never hope to see realized in practice the complete separation of the judicial from the legislative power in any system which leaves the former dependent for pecuniary resources on the occasional grants of the latter. The enlightened friends to good government in every State have seen cause to lament the want of precise and explicit precautions in the State constitutions on this head. Some of these, indeed, have declared that permanent salaries should be established for the judges; but the experiment has in some instances shown that such expressions are not sufficiently definite to preclude legislative evasions. Something still more positive and unequivocal has been evinced to be requisite. The plan of the convention accordingly has provided that the judges of the United States "shall at stated times receive for their services a compensation which shall not be diminished during their continuance in office."

This, all circumstances considered, is the most eligible provision that could have been devised. It will readily be understood that the fluctuations in the value of money and in the state of society rendered a fixed rate of compensation in the Constitution inadmissible. What might be extravagant to-day might in half a century become penurious and inadequate. It was, therefore, necessary to leave it to the discretion of the legislature to vary its provisions in conformity to the variations in circumstances, yet under such restrictions as to put it out of the power of that body to change the condition of the individual for the worse. A man may then be sure of the ground upon which he stands and can never be deterred from his duty by the apprehension of being placed in a less eligible situation. The clause which has been quoted combines both advantages. The salaries of judicial officers may from time to time be altered, as occasion shall require, yet so as never to lessen the allowance with which any particular judge comes into office in respect to him. It will be observed that a difference has been made by the convention between the compensation of the President and of the judges. That of the former can neither be increased or diminished; that of the latter can only not be diminished. This probably arose from the difference in the duration of the respective offices. As the President is to be elected for no more than four years, it can rarely happen that an adequate salary, fixed at the commencement of that period, will not continue to be such to its end. But with regard to the judges who, if they behave properly, will be secured in their places for life, it may well happen, especially in the early stages of the Government, that a stipend which would be very sufficient at their first appointment would become too small in the progress of their service.

It has been well said that the judicial branch of the Government is the weakest of all. It has neither the purse nor the sword. The courts are dependent upon the President to furnish marshals to execute their decrees. They are also dependent upon annual appropriations for the bread upon which their judges live. In order to exempt them from undue control of the legislative branch the framers of the Constitution inserted a mandate that they "shall at stated times receive for their services a compensation which shall not be reduced during their continuance in office." This provision was intended to secure, so far as fixed compensation could do it, the independence of the judicial branch of the Government. It was, therefore, left to the discretion of the legislative branch to increase judicial compensation whenever new conditions and enlarged functions springing from increase of population and business made it proper to grant the same. As the legislative branch, charged under the Constitution with this duty, our inquiry must be

whether or not the present compensation is fair and proper and whether "fluctuations in the value of money" and "variations in circumstances" render an increase necessary. The Constitution said they "shall" receive a "compensation." According to its primary significance the word "shall" imports a mandate, a command. And although the word may in obedience to a discoverable constitutional intent be understood in a merely permissive sense, just as words primarily of the latter import may upon like grounds of interpretation be understood as imperative, yet it is well settled that whatever the particular language it will be treated as intended to be mandatory where the purpose is to provide for the doing of something required by public or private justice, the power conferred in such cases implying a duty to exercise it. It follows that by the express language of the Constitution, as well as its unmistakable meaning, Federal judges have a right to insist upon Congress making the contemplated compensation for their services. It is also well settled that the creation of a duty requires its performance in a reasonable way. And here again the language of the Constitution is significant. It says that the judges "shall at stated times receive for their services a compensation," thereby investing Congress with a discretion in fixing it. But it is to be a "compensation," a word which etymologically suggests the image of balancing one thing against another and popularly implies the idea of an equivalent. It can not be conceded at all that Congress can discharge its duty under the Constitution by making an unreasonable compensation, whether merely nominal or grossly extravagant. It is bound to make a fair compensation in view of the nature and extent of the services rendered and to be rendered and the usual and customary remuneration for the performance of similar services. In other words, it must be reasonably compensatory. The discretion given to Congress is a discretion only within that limitation. In view of these plain principles the duty of Congress is not doubtful.

It is not the purpose of this bill to fix any unreasonable compensation as the result of this abnormal time. It is not based upon the war-time cost of living. We all know it is a conservative statement to make that the cost of living since 1903, when judicial salaries were last fixed, is from 50 to 100 per cent greater. This fact was recognized by Congress itself, for by act of March 3, 1911, the salaries of the Justices of the Supreme Court of the United States were increased $2,000—to $14,500—and $15,000 for the Chief Justice of that court, while the salaries of the circuit and district judges were left as fixed under the act of 1903.

The present bill is, therefore, simply part of the delayed program of 1911 and is not to be considered as a new thought upon the subject. In addition to this, from figures submitted to the House when the bill to increase the compensation of postal employees and pensioners was before it, it was shown that the purchasing value of a dollar is but little greater than one-half what it was 15 years ago. Therefore it is quite unnecessary to discuss in detail this phase of the question, for it has been properly adjudicated by the act of the House under the legislation mentioned. The fluctuations in the value of money and variations in circumstances mentioned by Hamilton for increase of judicial compensation may be accepted, therefore, as existing at the present time.

The ideal principle of judicial compensation would be to make it proportionate to the services rendered in each district. To apply this principle in a legislative way, however, to the various judicial districts throughout the United States would be quite impracticable, for the reason that there is a great lack of uniformity in the character and amount of business and cost of living in all the districts. The present method of compensation takes no note of any of these differences. It was suggested, therefore, that the most reasonable method of arranging a variation in compensation according to the importance of the duty and need of the court's work would be to adopt the principle of making population the basis of compensation in the several districts. This method has worked satisfactorily in a number of States, notably in Ohio and Pennsylvania. Increase in population usually results in an increased volume of litigation and cost of living, and taking into account the variations that must necessarily occur in the different districts it was thought to afford a fairer basis for compensation than any other method that could be adopted. Representatives of the judiciary appeared before the committee and approved this method. In a statement submitted to the committee they said:

This criterion, however, is not absolute. Of necessity it produces some inconsistencies, but not sufficient to affect it as the most reliable guide, for its application will go far to correct what must occur to everybody as a manifest injustice, and wherever there appears on the statistics a seeming discrimination, when the apparent volume of work seems to entitle one district to be in a higher class or another district to be in a class lower than its business statistics would indicate, in such instances another important factor operates in some degree as a corrective, and that is the cost of living. Generally speaking, in the districts having the largest population are located courts where the cost of living is the highest, because they are the districts in which the metropolitan centers occur, wherein of necessity the court sits and the judges must reside.

It was concluded, therefore, to fix a minimum compensation of $6,500 for district judges and an increase at the rate of $500 for each one-half million of population in the district in excess of the first 500,000, with a maximum compensation of $10,000 per year. Circuit judges are to receive a salary of $1,000 in excess of that paid the district judges, with the same provision for an increase up to a maximum of $11,000 per year. The entire cost of this increase of compensation of both district and circuit judges, based upon the population of the different districts according to the last census, would be $237,500. There are now 95 district judges and 31 circuit judges throughout the United States. Including the increases mentioned, the entire cost of the salaries of the judges of the Supreme Court, circuit court, and district courts of the United States is about $100,000 less than the total amount paid by Great Britain and Ireland to the judges of the highest courts of that country, from which we have borrowed our system of laws. It should be remembered, however, that the population of that country is less than one-half the population of the United States and in extent of territory bears no comparison whatever.

It was realized that any bill that might be prepared would be subject to criticism in its practical application to the various districts. This bill, which has been most thoughtfully prepared, is open to the least amount of criticism, first, because it is a return as nearly as possible to the original scale of Federal judicial salary adjustment in use from the foundation of the Government until 1891, when the flat system was adopted; second, the system is not arbitrary, but based upon a general system by which salaries are determined on the basis of population, and population includes volume of work and expense of living. In the third circuit, where I reside, made up of the States of Pennsylvania, New Jersey, and Delaware, its practical application produces in that circuit those inequalities and necessities for compromise which must exist in a law applying to the whole Nation. The largest amount of judicial business in any Federal district is done in New York, the second largest in Chicago, and the third and fourth in Pennsylvania; but Pennsylvania is divided into three districts, hence all these districts fall in salaries behind Massachusetts, for the reason that Massachusetts has but one district and one place to hold a Federal court. The result is that Massachusetts, with less business than either Philadelphia or Pittsburgh, is placed in a higher grade of salaries than Pennsylvania. Again, the expense of living is as high in Delaware as in New Jersey, both of which are in the third circuit, but by reason of population Delaware falls in the lowest scale and New Jersey in a much higher scale. From this will be seen the difficulty of adjustment and the necessity of salary inequality even in one circuit. What is true of Pennsylvania in the application of this law is necessarily true when applied to the whole Union. The flat salary system, however, is much more objectionable than this, and the judges themselves recognize in this system as much equity and justice as any that can be devised.

In this connection it may be interesting to note the salaries paid the various English judges.

Under the "judicature acts" of that country, creating supreme judicial tribunals out of the then existing courts, the new courts consisted of a supreme court of judicature, having two branches, the court of appeal and the high court of justice, while the high court of justice is composed of the King's bench, the chancery, and the probate, divorce, and Admiralty divisions. The judges of these courts are as follows: The lord high chancellor, lords of appeal in ordinary, the master of the rolls, the lord chief justice of England, the lord justices of appeal, and associate justices of the high court. The lord chancellor appoints the associate justices, of whom there are 19 in the King's bench division and 6 in the chancery division. Their salaries are as follows:

Lord high chancellor	$50,000
Lord of appeal in ordinary, House of Lords	30,000
Supreme court of judicature:	
Court of appeal—	
Master of the rolls	30,000
Five justices, each	25,000
High court of justice—	
Chancery division, six justices, each	25,000
King's bench division:	
Lord Chief Justice Reading	40,000
15 justices, each	25,000

Scotland:	
Lord justice general	$25,000
10 associate justices, each	18,000
Ireland:	
Lord chancellor	30,000
2 justices, court of appeal	20,000
Lord chief justice	25,000
5 associate justices, each	17,500

Compared with these, our American salaries seem to be very small, indeed. The present compensation of circuit court judges is but $7,000 per annum, and of district judges $6,000 per annum, fixed by act of Congress of 1903, which, following the act of 1891, was the first general inauguration of the flat-salary plan for all district and circuit judges throughout the United States.

An examination of early legislation by Congress on this subject shows that the salaries of the district and circuit judges in the several judicial districts varied continuously from 1789 to 1891, the time of the passage of the act above mentioned. Under the acts of 1830, 1855, 1866, and, again, in the Revised Statutes of 1873, these salaries varied quite materially. Under this legislation the salaries of the judges of the districts of Massachusetts; northern, southern, and eastern districts of New York; eastern and western districts of Pennsylvania; northern districts of Illinois and New Jersey; and the districts of Ohio have only been increased $2,000 per annum in the last half century. In 1857 the salaries of the judges in these districts were fixed at $4,000 per annum, and apparently remained at that figure until 1891, when they were fixed at $5,000, and in 1903 the general increase to $6,000 was made. Meantime, in the western Pennsylvania and New Jersey districts the salaries of State judges were increased considerably more than 100 per cent. In Pennsylvania the justices of the supreme court now receive $13,000 per annum; judges of the superior court, $12,000 per annum; and the common pleas and orphans' court judges of Philadelphia and Pittsburgh each receive $11,000 per annum. The remaining orphans' court and common pleas judges are compensated on the basis of population, as follows:

From 200,000 to 500,000	per annum	$8,500
From 140,000 to 200,000	do	8,000
From 90,000 to 140,000	do	7,000
Less than 90,000	do	6,000

The judges of the Dauphin County court, where the State capital is located, receive $4,000 per annum extra for trying Commonwealth cases.

Pennsylvania, with a population of about 8,000,000, and New York, with a population of about 10,000,000, each pays its judges more than the United States pays its judiciary for administering justice to more than 100,000,000 people. In New York the justices of the supreme court and intermediate court receive $17,000 per annum. Police magistrates in New York City and Philadelphia receive a greater annual salary than the district judges of the United States located in those cities. This situation, which is not confined to the States mentioned, attracts to the State bench men of the highest talent and frequently operates to the detriment of the Federal bench. A judge should be paid a sum which would permit him to live modestly and decently when he is required to devote all his time and energy to the performance of his public duties. In almost every vocation salaries have been increased in order that people may live decently and meet the rising cost of the necessaries of life. Federal judges, whose duties are of the highest character and who are a part of a coordinate branch of the Government, should at least receive the same consideration given to the employees of the Government. If this bill should become a law, the Federal bench will become attractive to those members of the bar who because of their great ability and standing have lucrative practices and whose family obligations forbid their accepting the honor and responsibility because of the small salary now attached to the office. This will insure to the Federal judiciary of the future men of large experience and fine legal attainments. It will also result in retaining on the bench those judges who for patriotic motives remained during the war but who, without such increase, will find it necessary for financial reasons to resign within the near future.

Former Justice of the Supreme Court Charles E. Hughes, now president of the New York State Bar Association, addressed a communication to Mr. CARAWAY, chairman of the subcommittee in charge of this bill, in which he said, in part, as follows:

> I desire to express my hearty approval of the provisions of the bill now pending before your committee with respect to the increase of salaries of Federal judges. The proposed increases are reasonable, and it is of the highest importance, in my judgment, that they should be granted.

Section 3 of the bill reenacts section 260 of the Judicial Code, relating to the retirement of judges who have served 10 years and have reached the age of 70 years. Upon the resignation of a judge, under this section, his judicial functions cease, but he continues receiving his judicial salary for the remainder of his natural life. It frequently happens, however, that a judge qualified to retire is also qualified to perform judicial duties of a limited character which he would be glad to perform. The bill therefore contains a further provision for the voluntary retirement of district and circuit judges who may be called upon to perform such judicial duties as such retiring judges may be willing to undertake. In the last Congress this provision was made the subject of a separate bill and passed both the Senate and House. While on its passage in the Senate, however, it was amended by attaching a provision for an additional judge, and because of this amendment it failed of passage in the House. The merit of this provision is that instead of resigning the judge simply retires and is still enabled to perform such judicial services as he is capable of performing when the business of the district demands it. The district thereby receives the benefit of such services without any additional expense to the Government.

Further provision is made in this section for the retirement of district and circuit judges qualified to retire voluntarily and unable to render efficient services, but who nevertheless remain in office. In such cases the bill authorizes:

> The President, if he finds that any such judge is unable to discharge efficiently all the duties of his office by reason of mental or physical disability of a permanent character, may, when necessary for the efficient dispatch of business, appoint, by and with the advice and consent of the Senate, an additional circuit judge of the circuit or district judge of the district in which such disabled judge belongs.

This provision of the bill accords with repeated recommendations of the Department of Justice. Former Attorney General James C. McReynolds, now a justice of the Supreme Court of the United States, in his report as Attorney General dated December 1, 1913, made the following recommendations:

> Justices of the United States courts at the age of 70 years, after having served 10 years, may retire upon full pay. In the past many justices have availed themselves of this privilege. Some, however, have remained upon the bench long beyond the time when they were capable of adequately discharging their duties, and in consequence the administration of justice has suffered. The power of Congress to correct this condition is limited by the provision of the Constitution that judges shall hold their office during good behavior. I suggest an act providing when any judge of a Federal court below the Supreme Court fails to avail himself of the privilege of retiring now granted by law that the President be required, with the advice and consent of the Senate, to appoint another judge, who shall preside over the affairs of the court and have precedence over the older one. This will insure at all times the presence of a judge sufficiently active to discharge promptly and adequately the duties of the court.

Mr. Attorney General Gregory made the same recommendation in his reports in December, 1914, December, 1915, and December, 1916, and since then again repeated. We have, therefore, these many requests for the enactment of this legislation from the Department of Justice, made by two different Attorneys General. From these recommendations it appears to be the view of the department that this legislation is urgently needed. The bill, however, is less drastic than the recommendations mentioned. These recommendations would require that the President appoint an additional judge wherever the judge qualified to retire failed to avail himself of this privilege, while the pending bill provides only for such action when such judge is unable to discharge efficiently all the duties of his office by reason of physical or mental disability of a permanent character. The ascertainment of this disqualifying fact rests with the President; but this authority can in no sense be considered as a delegation of the legislative power. That Congress can not delegate legislative power to the President is a principle generally recognized; but this act is not inconsistent with that principle. It does not in any real sense invest the President with the power of legislation. Legislative power is exercised when Congress declares the contingency upon which the President is required to act. What the President is here required to do is simply the execution of an act of Congress. He is the mere agent of the lawmaking department to ascertain and declare the facts upon which its express will is to take effect. What is left to the President is not the legislative determination of what public policy demands, but simple ascertainment of the facts or state of things upon which the law makes or intends to make its own action depend. The practice of Congress in enacting legislation of this character since the organization of the Government has frequently received judicial sanction. A historical discussion of such legislation will be found in Field *v.* Clark (143 U. S., 649). It is recognized in sections 15, 16, 17, and 18 of the Judicial Code, where a circuit judge is authorized, "whenever in his judgment the public interests so require," to designate a district judge or circuit judge to hold a district court in the place of or in aid of any other district judge. See also McDowell *v.* United States (159 U. S., 596). A familiar instance of the exercise of this power by Congress

is the granting of pensions. Its practice is to do this both in individual cases by special acts and collectively by authorizing the Pension Bureau to grant pensions upon certain ascertained facts. Nobody ever questioned the validity of the latter procedure. Whether it shall proceed by special bill in each individual case or declare a policy to be administered by an executive official is within the legislative discretion of Congress. This was settled in the case of Union Bridge Co. *v.* United States (204 U. S., 364).

Under the judiciary article of the Constitution the power is expressly conferred upon Congress from time to time to ordain and establish "inferior courts." This bill refers only to circuit courts of appeal and district courts, and they are "inferior courts" ordained and established by Congress under this constitutional power. The retirement feature of the bill relates only to judges of "inferior courts" who have held a commission for 10 years, have attained the age of 70 years, whose services are inefficient, and who have failed to avail themselves of the law permitting them either to resign or to retire. It does not interfere with the tenure of office or salary of the judge—two features of their office protected by the Constitution. In effect, it simply fixes the status of the judge in question as a member of the court after it has been ascertained that he is unable to discharge efficiently the duties of his office by reason of mental or physical disability of a permanent character. He remains a judge of the court and can still perform judicial duties. It can not be claimed that a judge has a vested right to perform all the judicial powers exercised by him at the time of his appointment, for this would prevent Congress from changing the jurisdiction of the court in any particular. An additional judge could not be appointed to divide the exercise of judicial power, and Congress would be powerless either to add to or diminish the jurisdiction of the courts. And yet Congress in the past has actually deprived a court of its appellate jurisdiction, abolished other courts, and vested the jurisdiction of abolished courts in other judicial tribunals, and directed the judges stripped of their jurisdiction to serve in other tribunals. In United States *v.* Union Pacific Railroad Co. (98 U. S., 569) the court said:

> The discretion, therefore, of Congress as to the number, the character, the territorial limits of courts among which it shall distribute this judicial power is unrestricted, except as to the Supreme Court. * * * We say, therefore, that with the exception of the Supreme Court the authority of Congress in creating courts and conferring on them all or much or little of the judicial power of the United States is unlimited by the Constitution.

It would seem clear, therefore, that the retirement provisions of the proposed bill are in entire harmony with the Constitution, and both legislative and judicial precedents thereunder. It is less drastic in its provisions than any of the bills heretofore proposed on this subject, and practically removes all serious objections to it.

These retirement features are intended to meet conditions which have arisen in the past where, because of the life tenure of this office, some justices have remained in active service when of advanced years and when not capable, because of physical or mental condition, of performing judicial work. The need for this legislation was emphasized by a bill which was before Congress several sessions last past. It is in no way political. The features which were objected to by some Members of Congress when it was under consideration before have been eliminated. It has no application except in instances where judges have reached the age of 70 years, and by reason of physical or mental impairment of a permanent nature are incapable of performing their duties.

Much time and thought have been given to the careful preparation of this bill. It has the support not only of the Judiciary Committee of the House but of practically all the Federal judges throughout the country. It has also received the indorsement of the Attorney General and of a great number of the bar associations of the country. In my judgment it is as fair as any bill that could be devised. Its enactment would be simple justice to the men whose services are essential to maintaining the stability of our political system. Any bill that might be prepared would no doubt be subject to criticism in its application. This bill, however, in the judgment of the committee and of the judges themselves is open to but a minimum of objection or criticism.

Mr. DYER. Mr. Chairman, will the gentleman yield?

Mr. STEELE. I will.

Mr. DYER. The gentleman stated in his opening statement that when he got to that part of this bill which gives the President authority to appoint additional district and circuit judges in certain cases he would point out to the committee wherein this provision differs from the bill which we had up some two years ago, and which was defeated in the House. I remember that in that case the gentleman from Minnesota [Mr. VOLSTEAD], the ranking member on the Republican side of the Committee on the Judiciary, filed a report against that bill. I understood the gentleman from Pennsylvania to say that in this case it was the proposition of the gentleman from Minnesota that was incorporated in this bill.

Mr. STEELE. The gentleman from Minnesota revised——

Mr. DYER. Will the gentleman point out to the committee just the difference between those two propositions?

Mr. STEELE. I would be glad to do it if I had a copy of the old bill here with me. I do not happen to have a copy of the old bill here. If the gentleman from Missouri has such a copy, I would be glad to do it. I was indicating in a general way that the phraseology of this bill was radically different from the old, and that in order for the President to acquire jurisdiction to act at all under this bill a man must be in a state of physical and mental decline and unable efficiently to perform all the duties of his office.

Mr. DENISON. Mr. Chairman, will the gentleman yield?

Mr. STEELE. Yes.

Mr. DENISON. I would like the gentleman to explain, if he has an idea on that subject, what the bill means by the President finding that the judge is unable to discharge efficiently the duties of his office by reason of mental or physical disability. How will the President find that? Will it be by a mere arbitrary statement on his part, or will he have to have the man examined in some way?

Mr. STEELE. He will find that as a fact in the best way he can. That will be up to the President. It can not be an arbitrary decision, however.

Mr. DENISON. How can it be prevented from being an arbitrary decision?

Mr. STEELE. Simply because, when the President is advised in that regard, and it is necessary to appoint a judge on the bench, that appointment must be confirmed by the Senate, and if the Senate did not agree with the President in his finding, and refuses to confirm the appointment, he could not, of course, act or perform any judicial function.

Mr. DENISON. The judge, then, that is displaced in a particular case would have only one remedy, and that would be to prevent the confirmation of the new judge by the Senate. Is that the gentleman's proposition?

Mr. STEELE. I first want to take exception to the gentleman's word "displaced." He still performs such judicial functions as he can. He is not displaced. It is not within the power of the Congress or of the President to displace a judge if once appointed. He is there for good behavior, or life, practically, and he can not be removed from office; and all that this bill attempts to do is simply to change his status as a member of that court. Instead of his being senior in commission, as he may possibly be, he simply becomes the junior in commission in the performance of judicial work. He changes his status merely, but does not change his judicial function.

Mr. DENISON. It is a displacement, so far as the office is concerned.

Mr. STEELE. No; except that he is not a senior in commission.

Mr. DENISON. The point I am getting at is, suppose the judge in question disputes, or desires to dispute, the President's judgment as to his physical ability. His only chance to establish it or to defend against that charge is to go before the Senate and prevent the confirmation of the other judge. Is not that so?

Mr. STEELE. In the first place, it is a fact for the President to determine. He usually has an Attorney General who is a trained man to pass upon matters of that kind. Any dispute with reference to it would have to be submitted to the Senate.

Mr. DENISON. It would have to be submitted to the Senate?

Mr. STEELE. Yes.

Mr. ROSE. Mr. Chairman, will the gentleman yield?

Mr. STEELE. Certainly.

Mr. ROSE. Under the wording of the present bill, I take it now, there will be no pensioning of the judges, as I understand the term. In other words, the judges are not retired from active service and pensionable when retired, but I understand they will always be considered as judges and be ready to perform duties when called upon, no matter what their ages may be?

Mr. STEELE. That is true under the retirement feature. They are judges, and are supposed to be doing some judicial work. It is not true when they resign. There is still a retirement feature as to those who voluntarily resign.

Mr. OVERSTREET. Mr. Chairman, will the gentleman permit one question?

Mr. STEELE. Yes.

Mr. OVERSTREET. Do the retired judges receive the same salary under this law as they now receive?

Mr. STEELE. The same. The first retirement provision mentioned in this bill is identical with the existing law.

Mr. BURNETT. Not as they receive now, as I understand, but as they will receive, as increased by this bill. Is not that it?

Mr. STEELE. Of course they are entitled to the salary they receive at the time of their retirement.

Mr. BURNETT. I know; but the gentleman's question was whether they would receive the salaries they now receive if retired now.

Mr. STEELE. The salaries they received at the time of their retirement.

Mr. OVERSTREET. I so understood. Of course when the bill becomes a law they will receive the salaries that the bill provides.

Mr. STEELE. That is correct.

Answering the gentleman from Missouri [Mr. DYER], who asked me in reference to the provisions of the bill that was before the House more than a year ago, and contrasting the provisions of that bill with those of the one that is now before the House, I wish, for the information of the House, to read the provisions of the old bill upon the subject. It was as follows:

In the event any such judge of a district court of the United States, having so held a commission or commissions at least 10 years continuously, and having attained the age of 70 years as aforesaid, shall nevertheless remain in office, the President, if in his opinion the public good so requires, may appoint, by and with the advice and consent of the Senate.

Gentlemen of the House will note that in the previous bill the criterion for the appointment was the opinion of the President that the public good so required. The provisions of this bill are that the judge must, from mental or physical condition, be incapable of performing all the duties of his office. It was this provision, as I stated awhile ago, that was drafted by Mr. VOLSTEAD, and after careful consideration by the committee was adopted by it and incorporated in this bill.

Mr. DYER. Will the gentleman yield there?

Mr. STEELE. Yes.

Mr. DYER. Another important difference, as I understand it, between this bill and the previous bill, modified at the suggestion of the gentleman from Minnesota [Mr. VOLSTEAD], is that if this bill becomes a law it will still permit the other judge, that is, the judge who is being given this assistance, but who still remains on the bench, to be a judge in fact.

Mr. STEELE. Absolutely so.

Mr. DYER. Not a supernumerary.

Mr. STEELE. Absolutely so.

Mr. DYER. And if anyone appeared before him for a writ of any kind he would have full authority to issue that writ. In other words, the new judge would not be the only judge of the court.

Mr. STEELE. Not at all.

Mr. DYER. That was the fact under the old bill to which objection was made.

Mr. STEELE. The old judge would perform any judicial functions that he would be capable of performing.

Mr. ROSE. As I understand, under the present law a judge retiring is paid so much salary. The law provides for the amount.

Mr. STEELE. Yes.

Mr. ROSE. Under this proposed bill is there any change in that feature of the law?

Mr. STEELE. There is none. He receives the salary payable at the time of his resignation.

Mr. ROSE. The existing law is not changed by the proposed bill?

Mr. STEELE. No. Now, while I am on the subject of these retirement features of this bill, I desire to have read for the benefit of the House a letter which I received from former Justice Charles E. Hughes, of the Supreme Court, after I had reported the bill to the House, a letter relating to this retirement feature and also relating to the provisions of the bill with reference to the compensation provided. I ask the Clerk to read the letter.

The Clerk read as follows:

JUNE 27, 1918.

Hon. H. I. STEELE,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: I trust that House bill No. 12001, increasing the salaries of Federal judges, will not fail to pass. As I have already written to Congressman CARAWAY, I regard it as a highly important measure which should be passed in justice to the judges and in the interest of the public. I stated the grounds of this opinion in my letter to Congressman CARAWAY, and I need not enlarge upon them. I write now to say that I am also in favor of the provisions in House bill No. 12001, relating to the retirement of circuit and district judges. I was not in favor of the provisions embraced in House bill No. 11134, relating to the compulsory retirement of district judges, but these provisions have been eliminated and under House bill No. 12001 circuit and district judges have been put on the same basis with regard to retirement, and these provisions, it seems to me, are eminently wise.

Very sincerely, yours,

CHARLES E. HUGHES.

Mr. STEELE. The provision of this bill with reference to the compensation of judges is new in Federal practice. While it is new so far as the compensation of Federal judges is concerned, it is not new with reference to the experience of a number of the States of the Union which have adopted the same basis of compensation as is incorporated in this bill. The Constitution provides that the judges from time to time shall receive a compensation, and that this compensation shall not be diminished during their term of office. What is meant by "a compensation"? The ordinary meaning of the word "compensation" in the etymological sense of it is the image of a balancing of one thing against another. Popularly we understand it to be an equivalent for something, and the idea therefore of a compensation is that those who render judicial service shall receive an equivalent for that service from the Government.

Mr. GORDON. May I interrupt the gentleman?

Mr. STEELE. Yes.

Mr. GORDON. Suppose a judge who lived in one of these $10,000-a-year districts were detailed to go and hold court in some rural district where the compensation was only $6,500, what would be his compensation while sojourning in this other district?

Mr. STEELE. His compenation is fixed by reference to the place where he is supposed to perform his regular functions. It is extraordinary for him to leave his district and go somewhere else. Judges who leave their homes and go away to perform other duties are provided a reimbursement for their expenses while so doing. It does not add anything to their compensation. It only reimburses them for their additional expenses.

Mr. CALDWELL. As a matter of fact a man coming from a $10,000 district to a rural district is performing an additional onerous duty. He is doing more than $10,000 worth of work.

Mr. STEELE. I agree with the gentleman.

Mr. KINKAID. Suppose that in a State where the statute constitutes one district there is a population say of 3,000,000 people. There will be several district judges there.

Mr. STEELE. Yes.

Mr. KINKAID. Now, are you going to allow additional compensation to each one of the judges on the basis of the whole population?

Mr. STEELE. On the basis of the population of that State.

Mr. KINKAID. Suppose, on the other hand, there is another State with equal population which has five districts, say one judge in each district. Those judges will receive compensation in proportion to the population in their respective districts?

Mr. STEELE. Correct. It operates that way in my own State of Pennsylvania, where there are three districts.

Mr. KINKAID. There are three districts, and several judges in each district?

Mr. STEELE. No; there is but one district judge in one district, and there are two district judges in each of the other two districts, and in that same circuit is the State of Delaware with but a small population.

Mr. KINKAID. I was talking about districts, so as not to get the question confused. Does it not operate to the advantage of each judge in a district where there are two district judges, over the single judge in the district where there is only one? Granting that the population is twice as large, it ought to be consistent, in the district which has two district judges. Now they will get an increase of compensation in proportion to the population of the district. On the other hand, the district that has one judge will get an increase in proportion to the population which one judge should take care of. There will be twice the population, and therefore in a district having two district judges the compensation would be increased twofold for each judge over that in the district that has one judge.

Mr. STEELE. Each district, no matter whether it has one, two, or three judges, will have the salaries fixed according to the population of that particular district. It will be the population of that entire district which will fix the compensation of all judges in that district. Take, for instance, the city of Philadelphia, where there are two district judges in the eastern district of Pennsylvania. Side by side with that is the State of Delaware with a small population. It works out with inequalities in some instances, but on the whole it has been found upon examination that it works out as fairly as any system that can be devised. It has been the judicial experience of those who have had large experience on the bench and who have considered the subject, that population breeds increased

litigation, and an increase of population also increases the expense of living in that particular district. The two things go together.

Mr. KINKAID. If the gentleman will pardon me, I do not like to argue with the gentleman who has the floor, but if I understand correctly, it seems to me that there is a fallacy contained in the bill.

Mr. STEELE. If the gentleman will look over the report of the committee——

Mr. KINKAID. I have read it carefully.

Mr. STEELE. He will find a discussion on that aspect of it.

Mr. GARD. Will the gentleman yield?

Mr. STEELE. I will.

Mr. GARD. The gentleman has given serious consideration in the study of this, and I would like to ask his opinion about this provision on page 2, line 8, where there is found this language:

Provided, however, That the salary of any district judge appointed for more than one district shall be determined on the basis of the aggregate population of the districts for which he is appointed.

Take the instance of two districts in a State. Suppose one district—call it the southern district—has a judge. Suppose there is another district created by subsequent law in which another judge is appointed for the two districts. Under the reading of this bill, as I view it, the man who is appointed for the two districts would get a salary in proportion to the entire population of the State, even though, as a matter of fact, he tried cases only in the district in which he lives. Is it the idea to afford compensation to a judge outside his own district when he does not try any cases outside his own district?

Mr. STEELE. I will answer the gentleman in this way: That provision was intended to meet a different situation than that which the gentleman has suggested. Where a judge is appointed for a single district and performs his function there, of course he is only entitled to a salary upon the basis of the population of that particular district. There are in the country several instances of this character, where there are two judicial districts and only one judge for those two judicial districts. That is the case in Tennessee to-day. I do not know how it happened, but I know that in Tennessee there are three Federal judicial districts and but two judges for those three districts. One judge is appointed for two districts and no other judge is there to perform the duties of that district. If he performs the duties of that office in two districts and no other judge performs the duties, manifestly he should receive compensation based on the population of the two districts, if he does the work in both districts.

Mr. GARD. How about the converse—suppose he does the work in one district and is appointed for two districts?

Mr. STEELE. He would never be appointed for more than one district unless the situation arises such as I have just mentioned.

Mr. DENISON. Will the gentleman yield?

Mr. STEELE. I will.

Mr. DENISON. Will the gentleman state upon what theory the appointment of judges is made for the judicial districts? Is there any special provision of the Constitution or of law that governs the President in the appointment of judges for the district? I am asking so that I may have a better understanding of the subject.

Mr. STEELE. The Judicial Code divides the country into judicial districts. That Judicial Code and the creation of courts was passed under the clause of the Constitution which authorizes Congress to establish inferior courts below that of the Supreme Court.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. WEBB. I yield 10 minutes more to the gentleman from Pennsylvania.

Mr. STEELE. The Judicial Code divides the country up into districts, particularly defining their boundaries, and when a district judge is appointed for any particular district the jurisdiction is defined in the Judicial Code.

Mr. DENISON. Can the President appoint a judge for two districts if he wishes to, or two judges for one district?

Mr. STEELE. If the code so stipulates. That is a fact in New York City, in the eastern district of Pennsylvania, and in Chicago, where there is a heavy population and creates a large business for the court.

I was about to state that the basis of population incorporated in the bill is that applied to several States of the Union, notably Ohio and Pennsylvania. I might say with reference to the salaries fixed in this bill that the minimum is $6,500, $500 more than the district judges now receive as a basis of compensation, and we provide that they shall receive an increased compensation to the amount of $500 per annum for each additional half million population beyond the first half million that may be in that particular district.

It was the practice of Congress down to as late as 1891 to fix the compensation for each particular judge in this or that section of the country according to the amount of work that he performed. There was a variation in the salaries down to that time, when the flat salary system was adopted. That was continued in the present judicial salary act of 1903. Some gentlemen may ask, Why do you not include the judges of the Supreme Court in this bill? I answer that in 1911 the compensation of the judges of that court was increased $2,000 per annum, while the salaries of the district and circuit judges were left untouched, so that we are really finishing what was commenced by Congress in 1911.

With reference to the amount fixed here and the basis of it, I wish to say that Pennsylvania, which has adopted this salary system, and has had it for a number of years, has found it works very satisfactorily, and Pennsylvania to-day, even although you may add this increase to the judges' salaries mentioned in this bill, is paying $60,000 per year more for its judicial system than the United States is paying its judges for performing their judicial functions throughout the entire territory of the United States. New York is paying vastly more than that, and if a comparison were made with the compensation paid to the English judges our compensation in this country would seem very small indeed. The lord chancellor of England receives $40,000 per year; the lord chief justice receives $30,000 per year; the associate justices, who are equivalent to our Federal judges, receive $25,000 per year; and the lowest, as I recall, are in Scotland and Ireland, and they receive $18,000 per year. The fact of the matter is that the compensation paid to the judges of Great Britain and Ireland for performing the same judicial functions as our Federal judiciaries perform, although the population is only one-half of that of the United States, is much more than we are paying for our entire judicial system. I shall not take up the time to go into the details of that matter, and in conclusion simply wish to say that this bill has received very careful consideration by the Judiciary Committee.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. STEELE. Yes.

Mr. GOOD. Could the gentleman inform the committee what the salaries of the judges of the Circuit Court of Appeals are?

Mr. STEELE. Seven thousand dollars per year at the present time. This bill provides for a minimum increase of $1,000 per year.

I wish to say that in the framing of this bill and in its consideration the committee has had the assistance of a committee of judges who have taken the matter up. There are a number of judges now upon the bench who by reason of the increased cost of living have informed the committee that unless they receive some relief of the character described in this bill they will be unable to continue upon the bench. In New York City and in Philadelphia the police magistrates are receiving higher salaries than the United States judges are receiving for performing their vast duties in those large cities. With the expansion of the Federal activities that is going on throughout the country and which has resulted in largely increasing the judicial work performed by the judges throughout the country, it seems to me that the compensation provided in this bill is reasonable, and that making population the basis is as fair and equitable as any system that could have been devised.

Mr. DEMPSEY. Mr. Chairman, will the gentleman yield?

Mr. STEELE. Yes.

Mr. DEMPSEY. On this question of the number of judges whom the President may appoint in the different districts, does the Judicial Code provide the number? Does it say, for instance, that in southern New York a certain number of judges may be appointed and that in these two districts in Tennessee one judge shall be appointed for the two districts?

Mr. STEELE. The gentleman has stated it correctly.

Mr. DEMPSEY. In other words, it is fixed by the Judicial Code?

Mr. STEELE. Absolutely; and he can not go outside of the congressional authorization.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. STEELE. Yes.

Mr. MADDEN. What does the gentleman say about that part of the bill that provides that the President may retire judges who have served a certain length of time and who have reached a certain age, if they do not retire voluntarily, and put some one else in their place?

Mr. STEELE. I think the gentleman must have been absent from the Chamber when I discussed that phase of the matter.

Mr. MADDEN. I was absent, if the gentleman discussed it, for I did not hear it. I would like to know what the gentleman thinks of the justification of that sort of thing.

Mr. STEELE. I think the gentleman has had the same confusion of thought that a number of other gentlemen have had, that the provisions of this bill are identical with the provisions of the bill that was before the House more than a year ago. The provisions of this bill, however, are entirely different from that bill. That bill gave the President authority wherever in his opinion the public good required it to appoint a judge, whereas this bill provides that he is only authorized to act where by reason of physical and mental disability of a permanent character the judge is disqualified from performing efficiently all of the duties of his office. There can be no justification for a man remaining on the bench who has reached that stage of physical decline.

Mr. MADDEN. Where does the bill say that? Does it say that in that language?

Mr. STEELE. Yes.

Mr. MADDEN. I would like to have the gentleman read it.

Mr. STEELE. It is on page 5, commencing in line 10.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent that his time may be extended for five minutes.

The CHAIRMAN. The time for debate has been fixed by the House.

Mr. STEELE. I think if the gentleman reads that portion of the bill that he will agree with me.

Mr. WEBB. I yield 10 minutes to the gentleman from Pennsylvania [Mr. GRAHAM]. [Applause.]

Mr. GRAHAM of Pennsylvania. Mr. Chairman and gentlemen of the committee, I always listen with pleasure and respect to the gentleman from Illinois [Mr. CANNON], who has just taken his seat. I regret when I can not agree with him, as sometimes does occur; but in the main I am happy to say that I do usually accord in sentiment and judgment with what he advocates.

Here is a bill asking for an increase in the salaries of our judges. On the question of the increase in salary I think there will scarcely be an observable opposition. Every man who understands the situation recognizes that the judiciary of this country are underpaid, and have been underpaid for many years. We are performing to-day only an act of unfinished business. We increased the salaries of the Supreme Court judges, but we stopped short of moving down the line to take care of the circuit and district judges. The total increased expense measured by this bill for all the judges of the United States is a little over $237,000, an infinitesimal sum in and of itself; and when we remember the stainless and splendid record of the judiciary of this country every man ought with spontaneity to come to the rescue and say that they ought to be properly paid and properly recognized.

The distinguished gentleman from Illinois [Mr. CANNON] said we ought to have our salaries increased as Congressmen, and gave as a reason that we were called upon for contributions to the Red Cross and to other charities, which are cheerfully given. Are not the judges of the land called upon to make like disbursements? Does not the increase in cost of living weigh just as heavily upon them as it does upon every other citizen in the country? Has not a judge to maintain a certain position of dignity in the community commensurate with his position? Has not a judge to rear, educate, and provide for his family? Where is there anything to compensate him for the life that is spent upon the bench? A lawyer has opportunities for making money that never can come to a judge. The judge is barred practically from entering into any kind of business. The very fact that he has a life tenure is to a large degree a handicap upon him, for when his period of service is ended, when his life is closed, he has had no opportunity to create, augment, or increase his private fortune and leave a provision for his wife or his children who are left behind him.

Mr. FLOOD. Mr. Chairman, may I ask the gentleman a question?

Mr. GRAHAM of Pennsylvania. Certainly.

Mr. FLOOD. I see the force of the gentleman's argument. I should like to know why the judges located in the District of Columbia are not in some way provided for in this bill? Surely the expense of living is as high here as it is anywhere in the country. I should think that some provision ought to be made for the judges of the District of Columbia, even though we do not have an excessive population.

Mr. GRAHAM of Pennsylvania. The gentleman is quite right; but that bill would come under a different classification, I think. The payment, if the old rule of 50-50 prevails, would be borne partly by the District of Columbia and partly out of the Treasury of the United States. I have nothing to say against the proposition which is involved in the question. I simply say that so far as this bill is concerned, so far as the compensation of the judges sitting on our United States court benches is concerned, they are underpaid, and improperly underpaid, and their salaries ought to be increased in a proper and distinct proportion.

Mr. FLOOD. I will ask the gentleman why are not the judges of the Court of Claims here in Washington included?

Mr. GRAHAM of Pennsylvania. I do not know. The matter was not presented in the bill. The bill was considered on its merits as it was presented, and the report of the committee is in support of the bill as presented and acted upon and considered by them.

Mr. FLOOD. Does not the gentleman think the judges of the Court of Claims should be put on a parity with the other judges of the United States courts?

Mr. GRAHAM of Pennsylvania. I am not able to answer that question. It probably is true; but it ought not to hinder or hamper the passage of this bill now. That question was not before the Judiciary Committee, and was not considered by the committee, and therefore you can not, without probably defeating this bill in its passage, attempt to put an amendment at this late hour on this bill now in the nature of a provision for the courts in the District of Columbia or the judges of the Court of Claims.

Mr. REAVIS. Will the gentleman yield?

Mr. GRAHAM of Pennsylvania. Yes.

Mr. REAVIS. The gentleman stated a moment ago that taking care of the courts of the District would of necessity come under the fifty-fifty proposition. That would be true so far as the appropriation was concerned, but surely the Committee on the Judiciary has jurisdiction of the salaries of the judges of the District of Columbia; and inasmuch as it was an oversight that the judges of the District of Columbia were not provided for in this bill, does not the gentleman believe that an amendment should be offered that would make provision for them without jeopardizing or embarrassing this bill in any way?

Mr. GRAHAM of Pennsylvania. If the gentleman sees fit to offer an amendment covering those judges, so far as I am concerned I see no objection to it.

Mr. REAVIS. The same thing that inspired the committee to report a bill increasing the salaries of the Federal judges would be equally persuasive regarding the salaries of the judges in the District of Columbia, would it not, the high cost of living, and so forth?

Mr. GRAHAM of Pennsylvania. Yes; surely. I do not know the conditions that affect them, nor do I even know the salaries of the judges in the District of Columbia. I have had no investigation made of that. But I certainly think that if the gentleman wished to offer an amendment of that kind, he is a member of our Judiciary Committee, there is the place where it should have been offered, in order that it might receive full, fair, and thorough consideration.

Now, I want to pass on. The storm center relating to this bill is not as to the question of increasing the salaries nor as to the method of increasing the salaries. I think both those points have been fully and fairly considered.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. GARD. Mr. Chairman, I yield 10 additional minutes to the gentleman from Pennsylvania.

Mr. GRAHAM of Pennsylvania. So far as these matters are concerned, there is, as I stated before, very little opposition. The storm center in relation to this bill apparently is with reference to that particular portion of it that provides for the appointment of a judge under certain circumstances by the President of the United States, by and with the consent and concurrence of the Senate of the United States.

We must start with the consideration that there are occasions, rare indeed of course, where there ought to be some power that would correct an evil that everyone acknowledges does exist. Take a district where a judge has served 10 years continuously, is over 70 years of age, is incompetent either from physical or mental causes to discharge all the duties of his office, and the business of that community is being clogged and held up and the community is suffering, why ought there not to be some speedy methods of affording a remedy and quick relief?

We have considered what remedy could be applied. Two years ago a bill was introduced in this House providing for the appointment by the President—and it left it almost absolutely a matter of choice on his part—a matter of his own ipse dixit whether it should be done. I, with my colleague on the committee, Mr. VOLSTEAD, filed a minority report on the bill and opposed it. In the committee our attitude was in opposition to any measure being inserted here on this subject. Finally, as a compromise, suggested by the gentleman from Minnesota, the language now in the bill was offered and agreed to, because we felt that it furnished, probably, the best and wisest method that could be obtained.

On one occasion, thinking that perhaps it might be a good suggestion, I asked the judges who were consulted by the committee in framing and aiding us in the formation of this bill, why not leave the question of the ascertainment of incapacity of the judges of the same circuit, or a majority of them, in which the man subject to the objection was exercising the functions and duties of his office. Instantly there was a protest. "Oh, you could not get the judges to certify on that point," and so we were obliged to leave it where the bill puts it, that the President must find the fact, and the bill carefully guards what he must find. He must find that the man is incapacitated physically or mentally, permanently—not temporarily but permanently—incapacitated from discharging all the duties of his office. When he so finds he may nominate a man who shall be senior over him in that circuit, but the man himself is not disturbed; his salary continues, and he remains in the service.

Surely, my friends, if the President of the United States dared to exercise the power that is given him in this bill for the purpose of satisfying some political object, do you think that would or could be tolerated, and would it not find rejection of the nominee by the Senate?

Some one has said to me, Suppose a judge past 70—and there are many men who pass that mark who are still in possession of their faculties physically and mentally and probably capable of doing the very finest work on the bench—suppose the man has reached that stage and the President would say: "He has served 10 years, and I will find that he is incapacitated and will attempt to remove him." What would be the response? Do you think, gentlemen of the committee, that the bar of his community would sit idly by and permit any such action against the man who was capable of performing his work on the bench? Do you think for a moment that the community would suffer a competent judge to be removed in this fashion and would not the protest loud and strong sound in the ears of the Members of the Senate and be so potential with them that they would say by their votes that the appointment thus wrongfully made should not be confirmed? If the appointment is not confirmed, what harm has been done? The judge affected by the attempted appointment is still in his place, he is still in office, and the new appointee that the President has nominated has not and can not take his seat, and therefore the matter is just as it was before.

We know of no other or better way to afford relief of what is recognized by us all as a rare evil but nevertheless one actually in the administration of the justice of the country. There are cases where, perhaps, under some false notion a man may seek to hold his place on the bench when he is unfitted to conduct and perform the duties of his office, and when he ought to retire from his place and let the President appoint a new man. Surely in such a case as that, where the business of the district is clogged, there should be a remedy by which that state of affairs could be redressed. We furnish you with the remedy in this bill, the best our united thought could give, and we ask you to see that it is adopted.

Now, one word in answer to a suggestion that was made, I know not from what source such a thought could come, but, said the gentleman, the judges have tried the case and found a verdict in favor of increasing their salary. It was a question between the judges and the taxpayers, but, he said, there was nobody there to represent the taxpayer. Well, sometimes a gentleman may arrogate to himself all the excellencies and all the virtues of humanity and think that no one else is his peer, but I would have him understand that every man of the 21 members of that Judiciary Committee sat there as the representatives of the taxpayers and their counsel, and not a man would have voted for the passage of this bill if it did not commend itself to their better and unprejudiced judgment.

The bill received unanimous and favorable consideration—with perhaps one exception—and the only point of real difference in this committee to-day, as I understand it, is with reference to the clause which I have discussed at length regarding the appointment of a successor over an incumbent who is incompetent by reason of mental or physical defect for the performance of the duties of his office.

The CHAIRMAN (Mr. BORLAND). The time of the gentleman from Pennsylvania has again expired.

Mr. WALSH. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. HENRY T. RAINEY].

Mr. HENRY T. RAINEY. Mr. Chairman, the gentleman from Pennsylvania [Mr. GRAHAM], who has just taken his seat, did me the honor to refer in terms to my interruption of the speech of my colleague from Illinois [Mr. CANNON], in which I suggested that we represent here the taxpayers of the United States, and with considerable fervor the gentleman from Pennsylvania responded to that suggestion on my part. I want to say to the gentleman from Pennsylvania that, like himself, I have practiced law for many years. I practiced law for 15 years until I came to the Congress of the United States, and then I gave it up. I represented individuals and some corporations to the best of my ability for 15 years when they paid my fees, but when I came here I quit representing them and commenced to represent all the people of my State in these measures appropriating money which the taxpayers of the United States must contribute. Can the gentleman from Pennsylvania, with his corporate connections, say the same thing? I propose to continue, in spite of the criticisms of corporation lawyers, to represent to the best of my ability what I conceive to be the interests of the people of my State and of the United States.

I say again that the Federal judges of the United States, 126 of them—95 district judges and 31 circuit judges—tried this case, and there was no dissenting opinion. Every one of them agreed that their salaries ought to be raised, and they agreed upon the amount. When I practiced law I had the greatest respect for the Federal judiciary, and that respect continued until this present moment. After deciding this case without a dissenting opinion—and no one has heard of any one of these 126 judges who is opposed to this bill—they came here—12 of them—and appeared before the Judiciary Committee of the House in favor of this proposition to increase their own salaries. I say that with a blush of shame. When other individuals come here for a small compensation to represent their own interests in the corridors of this House and in the committee rooms we call them lobbyists, but when 12 judges, representing 126 Federal judges, come here and lobby—argue, I will say—for an increase in their salaries, to what particular class shall we assign them?

They are entitled to have their propositions and their suggestions weighed by the same kind of evidence that we apply to any other interests that come here before this legislative body. They come here insisting that their salaries, which are now $6,000 per year, be increased so that the minimum salary of a district judge shall be $6,500 and the maximum $10,000, and so that the minimum salary of a circuit judge shall be $7,000 and the maximum $11,000. That is their proposition in a nutshell, and that is all there is to it. Let us understand the position they occupy. Each one of them became a party to an implied contract when he vociferously accepted the position to receive $6,000 a year for his services, and for what period of time? For the period of his natural life. They have the right at the age of 70 years, if they so elect, to retire on the same salary of $6,000 a year. That is the implied contract under which they all assumed to discharge the duties of their office. They come here now, 12 of them, representing 126, who make no objections, and deliberately violate that implied contract. Are they asking these increases for those who shall succeed them when their present terms of office expire? No; they are asking these increases for themselves, during the period of the term for which they have solemnly agreed to serve for $6,000; and they say they are asking it in order that they "may be fair and judicial," in order that they may "adequately discharge the duties of their office." They subscribe here to a letter of Judge Hughes, who urges this reason for increasing the salaries:

> If we are to maintain the high standard of the Federal judiciary and suitably to recognize the great importance of the work of the Federal district and circuit courts, it would seem to be an imperative duty that a readjustment should be made of judicial salaries.

Judge Hughes, in that same letter, says:

> The present scale of salaries paid to the Federal judges is not only unjust to them, but is a serious menace to the administration of justice, and it greatly narrows the field of choice in the selection of judges to fill the vacancies.

The judges who unanimously agreed upon this increase in their salaries then, according to this letter which they present here as a reason for it, have been selected from a field which has been "greatly narrowed," because the compensation is not big enough. In other words, they have been selected from a field, according to the argument of Judge Hughes, of lawyers from whom you could not get the best judges. Yet these judges, who admit by presenting this letter here that they have been selected from a field that has been "greatly narrowed," because the salaries are not larger, come here with that admission, but insist that they are capable at least of determining this one question, namely, that their salaries ought to be increased. They ask that their salaries be increased, as stated here in the report, for

the reason that to them "people are frequently compelled to trust their lives, their fortunes, and their honor." Let us see what there can be in that kind of an argument. Here are a number of them, all of them at present receiving $6,000 a year. There will be 14 of them who will receive $6,500 a year under the provisions of this bill. Then, according to their argument, in order that the lives and property and honor of the citizens of the United States shall be safe in the hands of these 14, we ought to pay each of them $500 a year more, and if the district is larger than that, if it contains a population of 500,000 more, then the lives and the property and the honor of the citizens who are so unfortunate as to live in that larger district can only be conserved by paying each of the judges in districts as large as that $1,000 a year more than they get now.

So in that sort of arithmetical progression the lives, the property, and the honor of the people of the United States are unsafe as the population of the districts increases, and the way to make them safe is to give these judges $500 more for each 500,000 increase in the population of their districts. The report goes on to say not only that the judges themselves appeared, 12 of them, but that representatives of the judiciary appeared before the committee and approved of this bill.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. WALSH. Mr. Chairman, I yield five minutes more to the gentleman.

Mr. HENRY T. RAINEY. Mr. Chairman, it was not enough for they themselves to appear, but they appeared here by a representative, and I understand the representative was a former Member of this House and a former Member of the Senate of the United States, one of the great lawyers of the United States. They knew enough about the procedure here to select a most able representative. His fees are so high that, of course, nobody would ever call him a lobbyist when he came here before that committee presenting the argument of these judges.

Five times in the history of the United States the salaries of Federal judges have been increased by legislative action, but every time it was increased not on their initiative but on the initiative of this legislative body.

In 1873, when it was fixed at $6,000, not a representative of the judges appeared before any committee of this House. This House initiated that legislation itself. The judges were modest enough to occupy the position of not asking for that increase. To-day, when every man on the Federal pay roll, and we have nearly one-fourth of the adult population of the United States on the pay roll, is demanding an increase in his salary, the judges come in also and join the general chorus and demand an increase of their salaries. We commenced this business of increasing salaries by increasing our own clerk-hire allowance, and then we tied our hands when all the employees of this Government who are organized came here and demanded that their salaries be increased, and so we proceeded during this war increasing salaries of all employees of this Government who asked that their salaries be increased. But we have pursued the policy of increasing, first, the salaries of those who receive the lowest pay. Now, in the first legislative act that this House undertakes to perform in the opening of the period of reconstruction, we are asked to increase the salaries of 126 judges, who are among the highest paid of all the Federal officials of this Government, and when we have increased the salaries of the highest and when we have increased the salaries of the lowest, we will be compelled to increase every salary in between, and there is no place to stop in these assaults on the Treasury.

The war is over, terms of peace will be signed up in the early spring, and the time has come not to treat the expenditure of $237,500 as an "infinitesimal proposition." We have been juggling with millions and with billions, and the gentleman from Pennsylvania [Mr. GRAHAM] who just preceded me made the startling statement that in this period of reconstruction, when we must commence an effort at retrenchment, that $237,500—that is the amount of the charge on the Treasury if we comply with the wishes of these judges—is an infinitesimal amount. Well, granting that he is right about it, and it is infinitesimal as compared with the amounts we have been appropriating for the protection of this country in time of war, granting he is right about that, and nobody is willing to do that, the principle at stake in the matter, in these earliest days of the reconstruction period, of increasing the compensation of $6,000 a year officials, when prices have already commenced to go down, and when we propose to compel, if we can, still further price reduction, is a dangerous way in which to commence to retrench expenses. I hope this House will have enough courage to refuse this unanimous demand of the district and circuit judges of the United States. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARD. I yield 10 minutes to the gentleman from New York [Mr. SIEGEL].

Mr. SIEGEL. Mr. Chairman, it is not a question of dispute between the gentleman from Illinois [Mr. HENRY T. RAINEY], who has just preceded me, or the gentleman from Pennsylvania [Mr. GRAHAM]. The sole question is whether the judges on the Federal bench residing, for instance, in the State of New York, are to be receiving one-third of the salary which is being paid to judges doing similar work in the State courts. We have 144 judges in the city of New York. A magistrate on the bench receives between $7,000 and $8,000 a year. We have municipal court justices who try municipal court cases up to $1,000, and they get $8,000 a year. We have a court of special sessions that tries dismeanors, and they are getting $9,000 a year, and we have supreme court judges doing the same work which our United States district court judges are doing, and they are getting $17,500 a year. So in the city we see the spectacle of the United States district court judge trying cases involving millions getting $6,000 a year, or one-third of what is being paid to the same kind of a judge doing the same kind of work across the street.

Mr. DYER. What do the appellate judges of the State of New York get?

Mr. SIEGEL. The appellate judges receive $17,500 in the city of New York, first district. The court of appeals judges are getting approximately $13,500.

Mr. PLATT. The supreme court judges get $17,500 in the second district of New York.

Mr. SIEGEL. Twelve thousand dollars, I thought.

Mr. PLATT. I know they are getting $17,500.

Mr. SIEGEL. In your district?

Mr. PLATT. The $12,000 salary begins above my district.

Mr. WALSH. Do any of these judges hold office for life in New York?

Mr. SIEGEL. Practically for life. We reelect them. They are elected first for 14 years and then elected for 14 years again, and are retired at the age of 70 years on full pay.

Mr. DONOVAN. Has the gentleman instanced the experience of Mr. Justice Dowling in regard to his election?

Mr. SIEGEL. Mr. Justice Dowling has been elected once and then reelected and is still on the bench. Republicans and Democrats both combine and put the same man back; they repeatedly do the same thing.

Mr. WALSH. But do they not go through a campaign for reelection?

Mr. SIEGEL. They do not because both parties nominate at the same time and get rid of the expense.

Mr. LITTLE. Does the gentleman think that justice is any better administered by the paying of a judge $17,500—or in courts where they pay less?

Mr. SIEGEL. No; but I do not believe any judge should be worrying whether he is getting sufficient money in order to keep his family going. It has been testified to before the Judiciary Committee that there are judges who have been borrowing money in order properly to support their families. I think a judge ought to be paid a living wage; that he ought to be paid a sufficient amount on which to live on properly, to uphold his dignity in every possible way, and have a chance to educate his children. I could go to work and call your attention to the testimony of Judge Buffington, presiding judge of the third circuit of appeals in Pennsylvania, who testified he was unable to save anything during the entire period of time, and that he was unable to live properly on his salary which the United States had been paying him. I pointed out before the committee the rise in prices in these 15 years. We have increased the salaries of practically everyone else during the entire time except these judges.

Now, there has been some discussion here as to why it is——

Mr. EAGLE. Will the gentleman yield?

Mr. SIEGEL. I will.

Mr. EAGLE. I would like to ask the gentleman's opinion on this point: Does not the gentleman think that any family anywhere in America can live decently, respectably, and properly on $6,000 a year? I will state to the gentleman that I would not raise the salary of a Congressman above $7,500 a year simply because if any of us wishes to do so we can live in Washington in perfect comfort and decency on even $6,000 a year.

Mr. SIEGEL. In answer to that, I will say that there is not a judge upon the bench who is not called upon to contribute his share to charity and other relief work throughout the country. If he is on the bench in New York City, I believe there is not a single judge, who is not exactly compelled, but who contributes at least 10 per cent of his salary to various charities

in New York City. Why should a Federal judge in any of the large cities of the country be compelled to live in a different fashion than the man on the supreme court bench in that same city or the highest judge in that particular city?

There has been some discussion here in regard to the sliding scale, as it is called. The judges in New York, in the Eastern District or Southern District, receive $6,000 a year at the present time. A judge from New Hampshire or Vermont comes down to preside in New York. He gets only $6,000 a year salary, but he gets $10 a day additional while sitting in New York. And we have the spectacle of seeing a judge coming from New Hampshire or Vermont earning $9,000 a year, or $8,500 a year, while his fellow judge, living in New York City, can only receive $6,000 a year, although he does the greatest portion of the work there.

Mr. LITTLE. Just about what is his hotel bill?

Mr. SIEGEL. He does not have his personal expenses in his own home town to pay while in New York City. He is getting $10 a day while down there.

Mr. WALSH. And he will get that $10 a day if this bill passes, will he not?

Mr. SIEGEL. I do not construe it that way.

Mr. WALSH. The gentleman does not construe it at all.

Mr. SIEGEL. I know the work these judges are doing, and I went to see them sufficiently paid.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WALSH. Mr. Chairman, I yield 10 minutes to the gentleman from Kansas [Mr. LITTLE].

Mr. LITTLE. Mr. Chairman, I am not opposed to a proper raise in the salary of Federal judges and shall vote for it. On the other hand, I have no hesitation in saying to the Federal judges and their friends that if the measure does not suit me I will not support it. We must learn to consider these things aside from personalities.

I find here in this bill that the Federal judges in a district that has the most people will receive the largest salary. I do not like that provision. I do not see any reason for it or any excuse for it. There is no more ability in a big district than there is in a small one. The judges are constantly changed about, and any judge from a district that drew the minimum might be sent to a district that drew the maximum. If Judge Hughes's ideas just quoted are a deciding argument here, we would then say that the people in the big district who received the judge from the little district would not get the best results, because, according to that theory, in order to get exact justice you will have to pay the biggest salaries, so that you would get the lawyers with the largest incomes. But the lawyers with the big incomes are not the ablest lawyers, but simply the best managers of large interests. All of our great jurists came from the country towns almost without exception. If a judge from Kansas goes to New York City and sits in the court there, there is no reason why he should not receive the same salary as the man in New York City. Just a short time ago a judge in the district in which I live, and whose office is right across the street from mine, was sent to New York City. I never heard any complaint. He is an able jurist and did full justice to the situation so far as I have learned.

He is perfectly competent, too, and his salary should be just the same as that of anybody else, and there is no sense in trying to discriminate between these judges in one district and another. They are all liable to perform the same work, and they may be called in any week to do the same work from Baltimore or San Francisco or New York. There is no justice in attempting to classify them.

Mr. LINTHICUM. Does not the gentleman realize the fact that a judge can live more cheaply in the city of Baltimore than in any other city?

Mr. LITTLE. Well, I have heard the gentleman's arguments on the floor, and I have not moved over there yet. There are temptations over there, too, that increase the cost of living. [Laughter.]

Mr. LINTHICUM. Our markets afford the finest delicacies in the way of food, and there is the best champagne over there in the country, and all that.

Mr. LITTLE. Baltimore's temptations are hard to resist, but the economy necessary on a Congressman's salary requires self-denial. They say $10 a day extra is added when the judges are assigned elsewhere, but that will not pay their hotel and railroad fare. The salary should be the same in every district. No discrimination should be made. There is just as much ability in one district as in another. They all do about the same amount of work. Now, I think I have made myself clear on that, and I hope I may pass on to the next phase of the subject.

It is said we need more judges because some men insist on staying on the bench after they are unfitted by age to perform the duties of the position. When this Constitution was framed it was thought that the men who would hold these lofty positions would have sense and manhood enough to occupy them as long as they were useful, and when they ceased to be useful they would have sense and manhood enough to retire. I think a way should be found to retire them without expense to the people. The gentlemen in charge of this bill say this is the only way to get rid of them under the Constitution.

If that is so, the Constitution ought to be amended, and some more expeditious, fair, and equitable way should be provided to get at these old fellows who insist on holding on to the job. The office of judge is intended to be an honor and not a sinecure. The Constitution should be amended so that the situation could be dealt with in some other way than is proposed in this bill, if this is the only way it can be done under the Constitution. The fact is that the Members of this body and those at the other end of the Capitol are authorized by law to make such inferior courts below the Supreme Court as they see fit. Every judge who sits in a court below the grade of Supreme Court so sits by the permission of this Congress, and if there is any defect in the law at present authorizing these judges we ought to make a new law and remedy the defect. Congress is the creator of every Federal court except the Supreme Court and can repeal every law establishing them. Congress in three days' time could deprive every judge on the Federal bench below the Supreme Court of his seat and pass another law similar to it, so that they could be put back or not. If they have so little self-respect that they can not see that point, this Congress should attend to it. Those judges have no business in the world to perform except to decide rows between people. Our business is to pass the laws of the country.

Until I had practiced law a quarter of a century I supposed that courts were organized to do justice between man and man. They are not. They are made primarily to stop rows between people. Society established tribunals to adjust the differences between men so that their difficulties should not disturb the community. If any fellow can get justice in court, so much the better. Of course, the intention of the law is that a man shall get justice, but every lawyer knows that a good deal of the time they do not. A heavy per cent of the cases appealed are reversed, and that would indicate that the same per cent of the original decisions must be wrong. A large number of cases are decided by divided courts on final appeal, showing that that per cent of appeal judges are wrong that number of times.

The Committee on the Judiciary of this body ought to be able to find a better way than to sit here and tell us that this is the only way—to humor these old chaps who do not respect themselves. I think a statute should be enacted to meet this point, and if not I think we should pass a statute to do away with the present law and get rid of the old timber. Why should we allow it to accumulate from year to year? If the judges find we are inclined to do it they will get off the bench. I think the Committee on the Judiciary of this body ought to be able to suggest something better to us than to spend a lot of money to pay three times for work that will only be done once. If this is not possible, the Constitution should be amended. When you make laws for judges in this country, the judge who does the work in my State, or in any other of the smaller States in point of population, should receive the same salary as the judge in any other State. There is no use in classifying these men because they are classified by the amount of work they do.

One gentleman spoke of the judges in New York, who receive $17,500. On one occasion I dropped in to the court of a friend of mine who was on that bench, and he invited me for an hour or so to take a seat with him on the bench, and while I was there I saw his check brought in, and he told me what his salary was, and I observed it was at the rate of $17,500, including a second check to come later. He was a fine judge, but not one whit better than 20 judges out in Kansas, who were paid only $2,500. I was his friend, and I remember he was an aspirant for a seat on the Federal bench at $6,000, but unsuccessfully. Yet over in New York they elected him to a judgeship at $17,500. He would have preferred the Federal bench at $6,000.

Gentlemen, these things do not go by salaries. They go by ability and the confidence people have in the character of their judgment. You ought not to make a discrimination, except according to character and ability. Do not tell me that because New York is rich it can afford to pay its judges that way. That is no argument for spending the hard-earned money of people who are already taxed to the limit. I would have no objection personally to being a judge at $17,500 if I lived there. But the fact that the salaries of judges over there is $17,500 is no reason for raising the salaries of men who accepted lower salaries than that when they were appointed. There is not a Federal judge in the United States who has to meet the expenses which the average Member of Congress has to meet, away from home

half the time, and subject to constant drains in his revenues. You gentlemen who are satisfied with the salaries that you are getting ought to be content with giving Federal judges as much. If you can get along with that, it ought to be enough for a Federal judge. If they can get along on $6,000 a year, they ought to be satisfied with that, or with the salary which you are able to live on. It is preposterous, this idea of running up the salary of a Federal judge to $10,000, when Members of Congress and Senators, who have succeeded Webster and Clay, receive only $7,500.

I am in favor of a reasonable advance. I am in favor of devising some means of making these old chaps, who do nothing, get off the bench, as the Constitution intended them to do. They may not technically violate the law, but they violate its spirit. We should find some way to deal with such conditions appropriately. [Applause.]

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. GARD. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. DONOVAN].

Mr. DONOVAN. Mr. Chairman and gentlemen of the committee, I find myself very much in the position that Mark Twain found himself in one day when he went to church. An eminent divine started to speak, and Mark Twain was quite captivated with his opening remarks. He put his hand in his pocket and took therefrom a $2 bill and had it ready for the time when the collection basket was to be passed. The preacher kept on. Mark listened and put back the $2 bill into his pocket and took out a $1 bill. The preacher kept on talking. He returned the dollar bill and took out half a dollar. Still the preacher kept talking. Mark's enthusiasm was decreasing, and finally he got down to the point where he put the last quarter in his pocket. He then waited a long time for the preacher to finish and finally when the contribution basket was passed Mark reached out his hand and took $2 out of the basket, because he thought he was entitled to that for listening. [Laughter.]

Mr. LITTLE. Will the gentleman yield?

Mr. DONOVAN. Not now. As the gentleman's argument advanced I wondered at the revolutionary procedure that was recommended, and the cure-alls that were proposed and the great dearth of constructive suggestions. I wondered also if this committee had not been given their advantage. Of course, if it has not it is regrettable, and it should charge itself hereafter to see that it obtains such suggestions which may or may not be vital.

Gentlemen, I approach the consideration of this measure not from a political or partisan standpoint. It has been demonstrated by the gentlemen who have spoken that it is neither one nor the other, for we have found learned and distinguished Members on both sides of the aisle taking opposite views. While that is true, I am not so sure but that it is regarded in a parochial and provincial sense. I do not use the word "sectional," for that is not right and should not be used, but I do think it is tinctured and tainted with provincialism and parochialism, and with a selfish interest by some men. I have heard men here proclaim their experience at the bar, some who have been allied to corporate interests, some who were for corporations, and the people, and some who had given up the practice of the law with both. I chance to have the opportunity of being a member of the bar in two States. My practice has never been with corporations. It has generally been for the widow and orphan in surrogate matters. I have heard men in this House say that those who are declaring for this bill are lawyers who appear before Federal judges. I am free from the professional charge, from the partisan, parochial, and also from the provincial aspect of it, for the reason that I have above stated. But, gentlemen, it seems to me that it is a question of common sense. A $6,000 man is a cheap man on the United States bench. There is no question about that. I do not care whether he is a married man, with a prolific family, or whether he has an aged mother to support, or is a bachelor. He is a cheap man, and it is a cheap Government that insists that $6,000 a year is a proper compensation. No one will claim seriously that it is not so.

It has been laid down here that the graduation of salaries is based on population. That is true, but it is not alone on that basis. Correlated with the fact is the further fact, which is undeniable, that where the population is, there is where the business is. Where population and business are, there is where the laborer, the doctor, the preacher, and the mechanic are paid more than in smaller communities. Is not that so? It is undeniable.

You talk about the judge who comes from the far west to go to New York, designated to sit there during a term of court. I tell you, my friends, let him go to the Waldorf, to the Astor, to the Biltmore, or to any of the hotels of that city that befit his station as a United States judge; let him see if he can live on the $10 per diem allowed him under the present law while he is staying there. Why, it would hardly pay his tipping money. Gentlemen, here is the whole question, whether the present salary is a reasonable compensation or whether it is a cheap rate.

The opponents of the bill will say, "Well, now, here is the situation: This is a question of honor; this is a position which ought to be filled by an elderly man, a mature man, who has made his money. It is a dignified position." I tell you, gentlemen, if you appoint that class of men, if a man of that kind is put on the Federal bench, he does not work, he is lazy, and the result is that the people will not get justice. We have been told that the people do not get justice in those courts and that the province of the courts is to stop rows. I beg to differ. The province of the court is to interpret the law. These courts touch civilization itself in the administration of life, liberty, and property. Rows! Why, you would think these men were naught except magistrates or justices of the peace. Gentlemen, it is wrong, it is not fair, and we should see to it that these men who are, as has been so excellently explained here, specially trained and qualified men, should receive this advance in salary. Think of a man spending four years in his academic course, and four years more in law school, and then having enough experience in his work as a lawyer to fit him for a position of this kind, going on the bench for $6,000 a year.

It is said that these salaries are lifted up in bulk. That is not true. They are graduated. There are but four circuit judges who are entitled to $11,000 under the new régime. When you say, "set this measure of compensation by population," you are doing nothing but what, as has been said here, is a return to the practice as it was up to 1891. From 1903 the flat rate has been given. Has the compensation according to population been the rule in the States? Yes. Take the city and county of New York, where the supreme court judges receive $17,500, because it is a congested, busy, thriving place. Those judges work day and night. So it is with the Federal judges. Now, in the county courts outside the city of New York you find that the judges get $3,000, or a little over that. How is it regulated? In accordance with the population, because where the population is, that is where the business and the work is. Take the surrogate of the county of New York. He gets $15,000. There are two of them. What do the county surrogates throughout the State get? They average about $3,000.

You, gentlemen, who are broad, generous, big, and fair, dispel your parochial and provincial ideas, forget your man who is now on the bench, who may not be benefited by this legislation, forget whether he is blind or halting. The question is, Is $6,000 enough for a district judge, and is $7,000 enough for a circuit judge? I plead not guilty, and hope you, the jury, will bring in a verdict to pass the bill. [Applause.]

Mr. WALSH. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. GRAHAM].

Mr. GRAHAM of Illinois. Mr. Chairman and gentlemen of the committee, I do not think I shall use the amount of time that has been allotted to me, as the matter I want to present now is simply preliminary, and I may hereafter want to develop it somewhat under the five-minute rule.

So far as the first part of the bill is concerned, that part where it seeks to increase the salaries, so far as I am personally concerned, I can see no objection to it, and if an opportunity is given me to vote on that part of the bill, without having the latter part of it attached, I shall vote for it.

However, so far as the latter part of the bill is concerned, that additional matter that has been incorporated, I do not agree with it in substance nor in spirit. I think the intent of the Constitution was that men when they are appointed to these responsible positions should continue during life or good behavior. I believe that the attempt to impose conditions or terms upon their service by a bill of this kind is in contravention to the spirit, if not the letter, of the Constitution.

Mr. GORDON. Will the gentleman yield?

Mr. GRAHAM of Illinois. Yes.

Mr. GORDON. What would you do with the judge that had become insane?

Mr. GRAHAM of Illinois. Well, I am not prepared to say.

Mr. GORDON. You would not let him try your case, would you?

Mr. DENISON. The thing to do is for Congress to pass a law authorizing the President to appoint another judge in that district.

Mr. GORDON. That is just what this bill proposes to do.

Mr. DENISON. No; it does not.

Mr. GRAHAM of Illinois. I will answer in my own way. I am not talking about what I would or might do if it were I,

but I am talking about what we can do and what the Constitution provides we shall do. That is the issue. I think no man in the House has adhered more closely to the constitutional provisions than the gentleman from Ohio, and I think he will agree with me that if it is in contravention to the spirit of the Constitution to do this, the gentleman would oppose this kind of a law.

Now, look at it. This is the thought I want you to bear in mind, and if I can find any authority on it I propose to do so and present it hereafter.

This is the provision of the Constitution which I am calling attention to:

> The judicial power of the United States shall be vested in one Supreme Court and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the Supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services a compensation which shall not be diminished during their continuance in office.

The query is this—and I would like to have everybody answer it in their own minds—the Constitution says they "shall hold their offices." What does that mean? Does not the right to hold an office include also in it the right to exercise the duties of the office? Can you conceive of a person being elected to an office or appointed to an office and then by act of the legislature being shorn of the right to exercise the duties of that office? So long as the judge holds the office, does he not have the right to exercise the duties of it? If that be true, does not this act contravene the Constitution when it says that he can be shorn of the right to perform the duties of his office?

The act says the President shall, when he finds some judge is unable to perform his duties, appoint another man who shall be the senior judge and shall tell him what he can do and what he can not do. In other words, the senior judge who is appointed by the President displaces the other judge and absolutely renders it impossible for that other judge to perform the duties of the position to which he was appointed.

The query is whether it is the constitutional prerogative of this body to thus take from the judge who has been regularly appointed to hold his office under the Constitution the right to perform his functions. I doubt the constitutionality of this act, gentlemen, and while I am not prepared to say as a lawyer that it is unconstitutional, I want to put it up to you for you to consider whether we can do, in this indirect way, what the Constitution says we can not do. If I can get time hereafter, and I can find anything on the subject, I want to develop it under the five-minute rule. I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back four minutes.

Mr. GARD. Mr. Chairman, I yield five minutes to the gentleman from California [Mr. KAHN].

Mr. KAHN. Mr. Chairman, I shall favor this bill. The salaries that at present are paid the Federal judges are altogether inadequate, in my opinion. Oh, I have heard Members say you can get splendid legal talent for $6,000 a year to sit on the Federal bench and try the causes that come up there. No doubt you can. You can get a great many men out of every district that has a Representative in this House who would be willing to come here as a Member of Congress for a great deal less than the salaries that are paid to the Members of this House. That is no argument. Pay higher salaries so as to attract the very best men in the legal profession. Then we will be doing our country a real service.

And then this question of the population has been discussed here. Everybody knows that where the population increases the work of the judges increases. Before the Federal courts of this country are tried causes involving millions of dollars. The judge sitting on the bench, hearing the testimony, listens to the lawyer, who is probably paid as high as $100,000 by way of fees. He decides honestly and fearlessly, but he must frequently feel how poor and incommensurate is his own salary compared with the princely fee of the attorney representing a private corporation. I want to say in passing, that in all the history of this Republic we have had a remarkably honest and fearless and learned class of men upon the Federal bench of the country. We must pay salaries to attract the best men to these places. No man with the great prizes in civil practice dangling before him wants to give up the opportunity for amassing a competency in private practice for the mere sake of sitting on the bench at $6,000 a year. Many men, as they grow older, would cheerfully accept judicial appointments if the Government would make it worth while by paying its judges proper salaries. When you think of the many lawyers who have become presidents of corporations that pay more to such presidents for one month's salary than a Federal judge earns in a whole year one can realize the need for bettering the conditions in this country. I maintain that it is the duty of the Representatives of the Government to see to it that adequate compensation is paid to the judges of this country. The gentleman from Illinois [Mr. CANNON] referred to the fact that the House has no voice in the matter of the appointment of judges. The House has no voice in the appointment of practically any appointive officer of the Government, and yet the country has gotten along pretty well nevertheless. Of course, the Senate has to ratify and confirm the appointees provided for in this bill. It seems to me that the time has come when the country, with its great wealth, its great resources, can afford to do justice to the men who occupy the Federal bench. I know that many of these men find it difficult to scrape along on their salaries, especially those of them who live in the larger communities of the country, where the cost of living is high and their expenses are great. I hope the bill will pass without much opposition. [Applause.]

Mr. WALSH. Mr. Chairman, I yield five minutes to the gentleman from Mississippi [Mr. QUIN].

Mr. QUIN. Mr. Chairman, I have been listening to the gentleman from California [Mr. KAHN], and as usual he stands for taking the lid off and letting the salaries go to the top. You have increased the salaries of every employee of the Government, all on the proposition that we were in a war. Thank God the war has ended, and you can not bring that old excuse up here any more. We now are confronting a period of reconstruction. Where is it that the judges in this country are not receiving salary enough? A vacancy was just created in Mississippi, where my good old friend, Judge Niles, departed this life, and a great drove of the best lawyers in the State were importuning Members of the House and the Senate to have them appointed in his place—and they were not cheap-screw lawyers; they were lawyers who stand at the top of the bar, and could do so in New York City or anywhere else in this great Nation. Six thousand dollars a year for life, responsible to nobody, with a man to black his shoes, with a fellow to do everything he wants done, with the appointment of the clerk of the court, and, more than that, with a splendid stenographer, just like a Member of Congress has, is not to be sneezed at. A judge ought to be well paid; but it strikes me that $6,000 a year for life, with the right to retire from the bench when he is 70 years old and to go on as long as he lives receiving that pay, is fairly good pay. If the gentleman from California would think about it, somebody ought to notice the man who is paying the taxes, the farmer and laborer, who is grubbing around in the ground making the produce to feed the world. He is the man who is paying the taxes for all these high salaries. Is he here crying that the Federal judges should have more pay—and they are autocratic enough now, by the way. If there is one autocrat on this earth who surpasses the average city hotel clerk in this era of high cost of living, it is the Federal judge. I do not propose to vote to increase his salary and make him any more autocratic than he is to-day.

It seems to me, when you stop to think about it, that the taxpayer of this country should be considered. Already through necessary taxation, much, of course, incident to war expenditure, you have levied on the people of this country about $35,000,000,000. Over in the other end of the Capitol we have a squabble over a tax bill because we are drawing the little sum of $5,900,000,000 out of the people, and the gentleman from California [Mr. KAHN] not being satisfied with that, says, "Let us make it six billion by increasing the salaries of the Federal judges of the country." I heard a great howl some time ago about increasing the salary of the letter carriers in order to get the mail carried. I never heard of anybody resigning, and it is now proposed not only to increase the lifetime salary of the judges, but to make them bigger autocrats than they have ever been—a man responsible to nobody except the Congress of the United States, which could impeach him if he is guilty of crimes and misdemeanors. It is very seldom that you ever hear of one committing crimes enough to be impeached. Thank God, most of the judges of this country are honest. I want to reply to the gentleman from California [Mr. KAHN] by saying that you do not have to go to a low-salaried man to get somebody who is dishonest. You can find a man who is dishonest who is drawing $100,000 a year just as well as you can the poor man who is getting $500 a year. Salary has nothing to do with it. That has nothing to do with a man being honest. Does the gentleman from California mean to imply that because a man gets $6,000 a year he might be susceptible to taking outside fees or being corrupted? I resent that as an imputation upon the integrity of the honest lawyers of this country who are capable of being put upon the bench, either circuit or district or Supreme Court. All of the judges, as a rule, are honest men. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. WALSH. Mr. Chairman, I yield eight minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, what I do not know about courts and judges would fill very many very large volumes.

In my entire life, having now covered a very considerable span, I have been in a court room but a few hours all told. That is perhaps not a reason for congratulation, and I have no doubt that I have missed a great deal by not having had the benefit of attending sessions of courts. In a way, therefore, I am not informed on some of the questions involved in the matter now before us. I think that perhaps we all will agree that the salaries of Federal judges should be increased, the general cost of living in the country having so greatly increased since their present salaries were fixed. In addition to that, and quite as important a consideration, is the fact that the average income of attorneys in the country, so I am told, has very largely increased in the last few years. That is a matter that must be considered in connection with the fixing of the salary of judges, because if we are to secure good and competent men for those positions they must have a salary that bears at least some remote relation to the sum which they could earn as an attorney. Of course, we realize that any salary we may fix will be much below the income of the average prosperous attorney, particularly in the large cities. So I think we can all agree there should be an increase in the salaries of the Federal judges in order to give them an opportunity to live decently and to remove, to at least a reasonable extent, temptation from their pathway. But I am not, however, in favor of this bill, because, in my opinion, the basis on which it is contemplated that salaries shall be fixed is not an equitable one.

I do not believe that the services of a judge are properly measured by the population of the district. In some cases where there are two or three or four judges in a district each judge, taking the population as the basis, may dispose of business arising from a smaller population than a judge sitting alone in a district of less population. In a case like that the basis of population as fixed in this bill is not only inequitable but is absolutely ridiculous. If the committee is going on the theory that the business of the court is determined by the population, if that is a proper basis, then in all cases where there are two or three or four district judges the salary ought to be based on a division of the population of the district by the number of judges in the district. Unless you do that, then population is without merit as a basis on which to fix salaries. Furthermore, it does not follow and it is not a fact that a large population necessarily originates or develops a larger or more important volume of Federal business than a lesser population. Population is sparse in the country in which I live, but one district judge presides over the Federal business of an entire State, and while the population is sparse we have important water rights and mineral questions, we have land questions, we have Indian questions, which never occur or arise in the districts having the largest population. I have no doubt but what the district judge of the District of Wyoming, taking that district as an example, has just as important a jurisdiction and as many and important cases as the average district judge in the districts of large population. The argument is made, so I understand, that the difference in pay for large centers of population, as compared with the sparsely settled regions, should be provided on the theory that it costs more to live in the large city than it does to live in a smaller community. That does not necessarily follow. The gentleman from New York, in discussing the matter a moment ago, called to our attention the present rates at the Biltmore and the Waldorf. Well, I do not assume that it is necessary for a United States judge to hunt up the most expensive hostlery in the community and insist on having the bridal suite for his accommodation. I am of the opinion that a district judge can live in New York City and maintain a proper station there quite as cheaply as he could in the capital of my State. A district judge in New York is not such a conspicuous personage compared with his neighbors and fellow citizens——

Mr. CALDWELL. Will the gentleman yield?

Mr. MONDELL. A district judge in the capital of one of the Middle or Western States is one of the great men of the community, next to the governor, perhaps the best-known man in the community, and unlike the governor, who comes and goes, he is there for a lifetime, looked up to as one of the leaders of the community. He is expected to contribute to every good work and effort of the community. He is expected to maintain a mode of life in keeping with the dignity of the great office that he fills, and, in my opinion, it may cost him just as much to live decently and properly as it costs a judge to live in New York City.

Mr. CALDWELL. Will the gentleman yield?

Mr. MONDELL. And we of the West and of the rural districts are getting a little bit tired of the airs which gentlemen from metropolitan districts take to themselves when they talk of the necessity of large salaries in their communities. I yield to the gentleman.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. May I have two minutes more?

Mr. WALSH. I yield two additional minutes to the gentleman.

Mr. CALDWELL. The gentleman would expect the judges in New York to live in accordance with the community there in the same respect judges in his district would live?

Mr. MONDELL. Well, I do not think the judges in New York are called upon to ape the airs of the multimillionaires——

Mr. CALDWELL. Has the gentleman ever lived in New York, and does he know about the expense?

Mr. MONDELL. The nouveau-riche, multimillionaires, of our country congregate in New York and blow their money and put on airs and live in extravagance, but that is no reason why a district judge should attempt to ape their manner of living—I am speaking of a district judge or a circuit judge who desires to live decently and in keeping with the dignity of his high office. He, in my opinion, can live nearly as cheaply in New York, unless he tries to ape the very rich folks, as a judge in the capital or larger cities of one of the Central or Western States.

The Federal judges, if they perform the duties of their office, give all of their time and all of their energy and all of their talents to the work of the office, and while I do not insist that a flat rate is the most equitable, yet I do insist that a rate based on population as provided in this bill is not only inequitable but is ridiculous, for it does not take into consideration the fact where there are large populations there are from two to four judges, and if you were to divide these larger populations by the number of judges you would not have more people per judge to furnish business than in one of the large districts having a single judge. We should increase the salaries of the Federal judges, but we should do it on a more equitable plan.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARD. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. CLEARY]. [Applause.]

Mr. CLEARY. Mr. Chairman and gentlemen, the orators who have gone thoroughly over this matter have explained the general meaning and general thought of it, but as a transportation man in and around the city of New York I have had frequent occasions to be present in the court room for days at a time listening to cases being tried by the United States judges; and I know that it is an ordinary thing for people in New York to wonder why these able men, who are sitting on that bench continuously, and busy from morning until night, get less than half the pay of the State supreme court judges.

I have been interested in all forms of transportation. I have run steamboat lines to Albany, the city from which the gentleman there comes, and to Poughkeepsie, and around the harbor, and I know that in the congested marine districts of New York, on the Sound, the rivers, and the harbors, there is so much damage done continually by collisions and otherwise that it takes a year or two years to get a case on the calendar to be tried by one of these district judges. Judge Thomas and Judge Hough and a number of others that I could mention are busy every day, from morning to night, with an accumulation of cases. And they have to possess a peculiar ability. I am not a lawyer and make no pretense to legal knowledge, but I do know that the ordinary cases in the supreme court are governed by statute law. Now, how about the district and circuit judge in trying maritime cases and admiralty cases? There is some law regarding them, of course, but there is the precedent that the judge makes. And there you are. A judge in that court should have sufficient ability to make a precedent that is so clear, that is so fair, that it will form a part of the law in the future. And the lawyers in these courts are frequently heard to say, "It is what Judge So-and-So decided in a similar case." So the judges have to be men of great ability. You can not put an ordinary man in that position, where they have so many cases, and large cases at that, and have him do justice to everybody.

Speaking of the cases in New York, for example, the New York Central Railway have, I think, several hundred tugs and barges; the Pennsylvania Railroad the same; the Cornell Steamboat Co., that runs up the Hudson, at one time, I know, had 58 tugs. There are hundreds of barges and tugs running in every direction, and there follow hundreds of cases in the courts waiting a year or two to be tried.

Now, as I said in the beginning, the thought has always been among fair-minded men—and I have often heard it mentioned in Judge Thomas's case—"Why is this man sitting on the bench, with all the knowledge he is supposed to have and the continuous work that he has to perform for $6,000 a year, when some other man, who has had little or no experience, is getting $17,500?"

That is the way it strikes us as business men.

Mr. SIEGEL. Will the gentleman yield?

Mr. CLEARY. I will.

Mr. SIEGEL. And that is why Judge Thomas left the district court bench and went to the supreme court.

Mr. CLEARY. I was going to mention that. He did that, and the United States court bench lost one of the greatest judges it ever had when it lost Judge Thomas for that very reason. So it is difficult to keep on the bench a man of great ability, a man of great experience, who has served his time in these capacities from year to year, unless he is properly paid.

Now, in regard to this talk of the people and the taxes, it is all very nice, and it would be true if the practice were abused. But when you hire men for special purposes because of their great talent, their great ability, their great experience, their great integrity you can not hire them for small pay, and you should not try to do so. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. WALSH. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. DENISON].

Mr. DENISON. Mr. Chairman and gentlemen, unlike the gentleman from New York [Mr. CLEARY] and the gentleman from Wyoming [Mr. MONDELL], I think I spent most of my time in the 13 or 14 years before I came to Congress in the courthouse, trying cases before both Federal and State judges, and there is no subject in which I feel a greater interest than in the judiciary of the country.

Now, the trouble about this bill in its last analysis is that we are attempting to do by it two or three things that it is impossible for us to do. In the first place, we are attempting to arrange a salary for the Federal judges that will be fair and just to them all, and we can not do that in a country of this kind, because what is a fair and just salary for a judge in New York City would perhaps be excessive for a judge out in some of the Western States, because all of the conditions of living are entirely different and the class of litigation is different. Not only the standard of living and the amount of litigation, but the customary salaries paid to other judges is different in different parts of the country.

The gentlemen from New York have all spoken about the high salaries their State judges are receiving. Of course, we are legislating here for the judges all over the country. We can not pass a law that will increase the salary of the judges of New York alone or give them one salary and the judges in another part of the country a different salary. So that is the difficulty. We have to provide uniformly for the judges all over the country, and there is bound to be an inequality in the situation.

Mr. CALDWELL. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. CALDWELL. Do you not realize that this bill does exactly that thing?

Mr. DENISON. I do not realize that, and it does not do it.

Mr. CALDWELL. It tries to do it.

Mr. DENISON. It may try to do it. But the plan provided in the bill is not an equitable one, but will be inequitable, especially in districts that have more than one judge.

Now, I think that, generally speaking, gentlemen, the salaries of the Federal judges are not adequate, and if you can separate this bill in some way so that we can vote on the increase of salary alone, I may consent to vote for that proposition. I am opposed to the bill in its present form, because of its double aspect. We have had this proposition of forcibly retiring judges up in Congress two or three times before, and the Congress at one time disapproved it, and another time it failed to become the law because of an amendment attached to it. But I do not believe we ought to link the two propositions of increasing salaries and forcibly retiring judges together in order to secure the passage of a measure that, generally speaking, has not met the approval of the Congress. I think they ought to be separated, and if we can separate these propositions I would be willing to vote, I think, for the increase of salary, although I do not think that the increase upon the basis of population is entirely fair or equitable, as has been stated by the gentleman from Wyoming [Mr. MONDELL].

Now, upon this other proposition I think this bill amounts to a forcible retirement of Federal judges, which under the Constitution you can not do directly, and I will explain what I mean. If the President says to the country that a judge is mentally incompetent or is physically incompetent to perform the duties of his office, and if the Senate also says so by confirming the President's appointment of his successor, it would, of course, be a humiliation of that judge and amount to an adjudication that he is incompetent mentally or physically. And does anyone suppose that that judge can go ahead then and continue to serve and perform his duties in the United States court? Of course, he could not do so. So we are attempting by this bill to do in an indirect way what we can not do directly.

Mr. CARAWAY. Mr. Chairman, will the gentleman yield?

Mr. DENISON. Yes.

Mr. CARAWAY. Has the gentleman any objection to retiring a judge who has proven to be physically or mentally unable to administer his court as a judge and to deal out justice between litigants?

Mr. DENISON. Have I any objection to do what with him?

Mr. CARAWAY. Does the gentleman think more of the judge than he does of the people?

Mr. DENISON. No; I do not think more of the judge than I do of the people. But I still have some respect for the plain provision of the Constitution, which provides for the retirement of Federal judges only when they have been guilty of misbehavior, and then they have a right to be heard. If, in any specific case, a judge has become clearly incompetent to perform the duties of his office and it is a matter of such common knowledge that Congress could afford to act, then, of course, we can meet the situation, as we have met the situation heretofore, by an act of Congress providing an additional judge for that district, passed like other legislation after full public hearings and investigations by the House and the Senate. Congress has a clear constitutional right to provide additional judges for any district whenever the necessity may arise from any cause.

Mr. GORDON. Would not that mean an indictment of him worse than a general law?

Mr. DENISON. Not at all, because it would only be done in such a clear case that the country would accept it as proper. I do not believe that the Congress can properly, or should, delegate any of its constitutional power of creating additional judges to the President or to anyone else. The judiciary should never be under any kind of influence or restraint of the executive department of the Government. If the public interests require the creation of another judge because of the alleged mental or physical disqualification of an acting judge, it should be done by Congress itself after full public investigation, in which the judge whose disqualification is alleged ought to have a right to be heard. I do not think we should attempt, as this bill does, to circumvent a plain provision of the Constitution.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. GARD. Mr. Chairman, what is the amount of time, may I ask, that has been used by the respective sides?

The CHAIRMAN. The gentleman from Ohio has 30 minutes remaining.

Mr. GARD. How much has the gentleman from Massachusetts [Mr. WALSH]?

The CHAIRMAN. The gentleman from Massachusetts has 34 minutes.

Mr. GARD. Does the gentleman from Massachusetts want to use some more time?

Mr. WALSH. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa [Mr. SCOTT].

The CHAIRMAN. The gentleman from Iowa is recognized for 10 minutes.

Mr. SCOTT of Iowa. Mr. Chairman, I want to say at the outset that I am heartily in favor of that portion of this bill which relates to the increase of salaries to the Federal judiciary. I think they have been underpaid, and I think that their remuneration should be increased. However, I would rather see it a level raise, a uniform salary throughout the several jurisdictions of the United States.

But I am not in sympathy with the latter portions of the bill. I do not believe that that provision tending to coerce resignations is in harmony with the independence of the judiciary which the Constitution of the United States contemplates. I do not believe that we should inject into the judiciary act of the United States any element of indirectness. I believe that whatever we do with respect to those great courts should be done directly and aboveboard. I do not believe that the men who preside over these great courts should sit in fear of any man or men. I therefore am not in sympathy with the proposed law which says that even the President of the United States, with the advice and consent of the Senate, may coerce a vacation of their positions. And that is what it amounts to. A man who has passed the age of threescore years and ten and has served 10 years upon the Federal bench stands at all times in danger of having the Executive challenge his mental capacity, try him, and convict him, without any opportunity on his part to be heard. No procedure is provided; no opportunity is given for defense.

When the President finds the fact, then he may nominate another man for that district. And the President and the Senate can do more than appoint. They can create another

judgeship—something that has never been done except by legislation, the House concurring in that act. It could be done in the future, as in the past, by a law, a special law, pertaining to each district. If a case arises that necessitates action of this kind, I do not believe it will militate against the situation by giving the House permission to vote with the Senate in creating the new judgeship, because it is the creation of a new judgeship.

So much for that. I want to take advantage of the few minutes I have, however, to call attention to one of the objections to this bill. It seems to me that the able Committee on the Judiciary has been somewhat in a hurry and has become somewhat entangled in one section of this bill. Section 260 of the Judicial Code reintes to all judges of the courts of the United States appointed and holding office during good behavior. It embraces every court of the United States, not merely circuit and district courts. Now, in attempting to amend this section—unwittingly, no doubt—the committee has brought in and entangled a provision which in its very nature pertains only to judges of the district and circuit courts, and then provides that the senior circuit judge of the circuit may assign these judges to such other duties within the circuit as the judges may be willing to perform.

Now, here we have a section covering the Court of Claims, for instance, and covering all of the judges of the Court of Claims, all the judges of the Court of Customs Claims, and every other court of the United States, seated here in the District of Columbia, not within the limits of any circuit, not within the limits of any district; and yet we are having this secton say that the circuit judge within the circuit shall assign a judge to his duties in the district or in the circuit when there is not any circuit or any district.

You should amend that section and make the amendment apply only to circuit and district judges, or else you should strike out the latter part of the section entirely. For instance, it provides for the resignation and retirement of the judges of the Court of Claims in a connection which makes resignation and retirement identical; because if they retire and their successor is appointed they can not, as the district or circuit judge could, ever perform any other function. They can not be assigned to any other territory within the circuit, because there is no circuit.

Mr. STEELE. Mr. Chairman, will the gentleman yield at that point?

Mr. SCOTT of Iowa. Yes.

Mr. STEELE. Under the retirement law as it is now judges of the Court of Claims can not be retired. They can resign under the decision of the Supreme Court.

Mr. SCOTT of Iowa. Yes.

Mr. STEELE. And the language of the second clause here, the personal retirement feature, is identical with the law as it now is, and simply extends it.

Mr. SCOTT of Iowa. But the language permits the judge of the Court of Claims to retire and not resign.

Mr. STEELE. Which clause does the gentleman refer to now?

Mr. SCOTT of Iowa. I am referring to that part of section 3 added to the existing law. Instead of resigning, any judge other than the judges of the Supreme Court, which include the judge of the Court of Claims may retire.

Mr. STEELE. The law includes judges of the Court of Claims.

Mr. SCOTT of Iowa. Yes, resigning; but you are permitting here the judge of the Court of Claims to retire under a condition that would be utterly meaningless.

Mr. STEELE. I do not understand what the gentleman means when he says it is meaningless.

Mr. SCOTT of Iowa. Because to retire, under that section, is identical with resignation to a judge of the Court of Claims; he can not be called upon by the senior judge of the circuit, as you provide in the latter part of your amendment.

Mr. STEELE. But on line 23 the gentleman will notice that there is a qualification, where it says:

> But, instead of resigning, any judge, other than a justice of the Supreme Court, who is qualified to resign under the foregoing provisions, may retire.

Mr. SCOTT of Iowa. Yes; and a judge of the Court of Claims is qualified to resign.

Mr. STEELE. Exactly. We are not changing the law in that respect.

Mr. SCOTT of Iowa. But you provide for his retirement, which in his case amounts to resignation, which is already provided for in existing law.

Mr. STEELE. When he reaches the age of 70, as the law now is, if he has been 10 years on the bench, he can resign.

Mr. SCOTT of Iowa. What does that mean?

Mr. STEELE. That means that he will receive his salary and perform no work whatever. Now, under this provision in the bill, when he reaches the age of 70 and has been 10 years in service, instead of resigning he can retire, and can still be called upon to perform judicial work while he receives that compensation from the Government. It is a change in favor of the Government, because the Government then receives his services so far as he can perform services, while now when he resigns he does nothing.

Mr. SCOTT of Iowa. Under what conditions could a judge of the Court of Claims, after he had retired, perform any other judicial function?

Mr. STEELE. Under the retirement law as it is now he could resign when he reaches the age of 70, and then all his judicial functions would cease. He would have nothing whatever to do. The Government would receive no services in return for the salary it would continue to pay him as a retired judge.

Mr. SCOTT of Iowa. I understand that.

Mr. STEELE. Now, he has got to have the same qualifications to retire under this provision here as he has to resign, but the additional fact remains that the Government will receive the value of whatever services he may render in return for the payment of that salary.

Mr. SCOTT of Iowa. What service can a judge of the Court of Claims render after he has retired?

Mr. STEELE. He does not resign.

Mr. SCOTT of Iowa. I know, but when can he be called on to act?

Mr. STEELE. Under the provisions of this bill he is called on to act when he is assigned by the chief justice of the court to do a certain work which he can perform. It is a valuable addition for the benefit of the Government.

Mr. SCOTT of Iowa. When a judge is called by the Chief Justice of the Supreme Court of the United States to perform judicial duties in any other circuit, that pertains only to the circuit judges. You can not assign a judge of the Court of Claims to go out into a circuit or district court.

Mr. STEELE. But he may be ordered by the chief justice of his own court.

Mr. SCOTT of Iowa. That pertains only to district judges.

Mr. STEELE. There is a chief justice of the Court of Claims, and he can call on him.

Mr. SCOTT of Iowa. The chief justice of the Court of Claims has no jurisdiction and is not referred to in this bill. [Applause.] The bill provides for the chief justice assigning the retired judge to duties "in any other circuit." That must therefore mean the Chief Justice of the Supreme Court of the United States.

Mr. GARD. I yield five minutes to the gentleman from Minnesota [Mr. VOLSTEAD], a member of the Judiciary Committee.

Mr. VOLSTEAD. Mr. Chairman, I am in favor of increasing the salaries of these judges. This bill is a good one so far as that feature of it is concerned.

I am not able to agree with my friend from Wyoming [Mr. MONDELL] that the salaries of judges in the more sparsely settled portions of the country should be as large as the salaries of the judges, for instance, in New York, Boston, and other large centers. Anyone who will investigate the question will find that in the large centers the opportunity to earn large fees in the practice of law has been such that it has been absolutely necessary to make the salaries of the judges much larger than they are in the less sparsely settled communities. That is necessary in order to get the better men. The best men are none too good to serve upon the Federal bench. The bill has been drawn to meet that situation, and I do not think it is necessary for me to defend that policy, because I feel sure that the membership of this House recognizes it is a proper one. The increases are small in the more sparsely settled regions. I am satisfied that the public generally will approve of the increases; they are not at all extravagant. There has been a general trend upward, making it more and more expensive to live, and at the same time making more and more attractive the professional pay of attorneys, consequently requiring an increase such as that which has been provided for in the bill.

I want to touch upon one other feature of the bill, the one that appears to cause most of the opposition. It seems to me quite unobjectionable in the form in which it has finally been written in the bill.

The provision in question was offered as a substitute for another provision that I considered very objectionable. Personally I would rather that this provision had not been in the bill, but when you come to examine it it seems to me it will serve a useful purpose. During the years past it has been

very difficult to get rid of men unable to do the work but who were unwilling to resign and who continued on the bench, obstructing and interfering with the administration of justice. Now, it is true that Congress has had the power to provide other judges in such cases, but it is a slow process sometimes, politics occasionally interferes, so that men who ought to be replaced by able and capable men have continued in their positions, in some cases for several years, and thus practically denying justice to the people. Under this provision the President—and I presume in practical application the Attorney General—would investigate to determine whether a man was able to carry on the business as a judge of a district or circuit.

He would obtain his information from lawyers, clients, clerks of the court, and others, and then certify the facts to the President. If the President became satisfied that the business was obstructed by reason of the physical or mental inability of the judge to do the work, an additional judge would be appointed. It seems to me that the President would be in a position to determine whether a new judge ought to be appointed just as well as the Congress could. This bill provides that instead of removing the judge the President shall appoint an additional judge, who shall perform the duties that the old judge is incapable of performing.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. GARD. I yield to the gentleman an additional five minutes.

Mr. VOLSTEAD. He will then appoint an additional judge, but the old judge, if capable of doing any part of the work, is still to stay on the bench and is not to be removed.

I do not believe the President would dare to abuse his power under this proposed act; if he did, his action would be open to scrutiny in the Senate, as that body would have to confirm the appointment. I do not think there is anything in the contention of the gentleman from Iowa [Mr. SCOTT] that it would be a threat against the judges. It simply gives power to relieve him of part of his duties by the appointment of an additional judge. He would still be a judge; he would still draw the same salary; he would still retain in the community the same position of prominence and honor and the same power he had before. Personally I think the bill ought to pass, and I intend to vote for it. [Applause.]

Mr. GARD. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. PLATT].

Mr. PLATT. Mr. Chairman, I am not a lawyer and perhaps ought not to speak on this bill; but, unlike the gentleman from Wyoming, I have spent much time in court listening to arguments and testimony, mostly as a newspaper reporter, but sometimes as an interested spectator and interested in legal arguments.

It seems to me, and I think it is undeniable to anybody who has studied the subject and made comparisons of salaries in this country and other countries, that the Federal salaries, from the President down, are too low. We have lately seen a member of the President's Cabinet, the Secretary of the Treasury, retire with the statement that he needed to recuperate his private fortune. He has received a salary of $12,000. Unquestionably he can go to New York and enter into law practice and make $100,000 a year with no difficulty at all. Cabinet ministers receive considerably larger salaries in England than in the United States, and so do most of the judges.

I think it unquestionably true that the Federal salaries are too low, and that we might well raise them all somewhat. The Federal judges receive the lowest of the salaries paid the high officials, and I believe it is true, as I have heard one of my colleagues recently say, that most of the Federal judges in New York City would resign and take State court nominations if such nominations were within their reach. One Federal judge in New York City has recently done so in fact. Not only that, but some would resign and take the position of judge of a county court. The county judge of Westchester County receives $12,000 and the surrogate, or probate judge, receives $10,000. The county judge of Erie County receives $6,000. In Albany County the county judge receives $7,500 and the surrogate the same salary, each of them $1,500 more than the Federal judge in the same place. In the smaller rural counties, the hayseed counties, as the New York newspapers call them, we pay our county judges $3,000 or $3,500, and they are allowed to practice law in the supreme court, so that they often make $7,000 or $8,000 a year. The surrogates, or probate judges, in many counties receive salaries ranging from $2,500 to $3,500 and are allowed to practice law in the supreme court, and undoubtedly frequently make more than the salary of a Federal judge.

Now, it seems to me, it is a peculiar and somewhat humiliating condition when you pay the Federal judges less than the amounts that are paid to the county judges. Furthermore, so far as my acquaintance with Federal judges goes, and it is not large, though I have had the privilege of recommending a number of good men as candidates for Federal judgeships, the candidates are mostly middle-aged men of considerable means. I think you will find in New York and the larger cities that the list of candidates from whom the President has to choose is narrowed down perhaps not exclusively to rich men, but to men pretty well to do. Poor men—men dependent wholly on their salaries—do become candidates, but sometimes they are poor in more senses than one. Generally speaking, we do manage to get good Federal judges, for the life tenure has its attractions; but the field to select from is not as large as it should be. Many good men do not consider the office worth the seeking. Paying a small salary is like paying no salary at all, as they did until recently in the English House of Commons, expecting only rich men to become candidates. Some argue that we ought not to pay salaries to the Members of the House of Representatives, but should elect men successful in life and who have enough money to live on. But in a democracy or a republic that sort of argument hardly goes. We do not think it right to exclude the poor man. We think we ought to pay a sufficient salary for a man to maintain himself in circumstances becoming his position. In New York and in cities like Philadelphia and Chicago a Federal judge can not do that on his salary. He can live comfortably enough, perhaps, in a 15-foot house or maybe a 25-foot house on some side street, but I presume that half his salary would go to the payment of rent if he should take a 25-foot house in a neighborhood near people who would naturally be his friends and associates. They get good men, to be sure, generally speaking, but it looks to me like a very narrow policy on the part of the country to limit the Federal judges to this small salary. Most of the bill is good and I hope it will pass, but I subscribe to a good deal of the criticism that has been made in respect to the latter part of the bill—the retirement feature—by the gentleman from Illinois [Mr. GRAHAM] and others.

Mr. GARD. Mr. Chairman, I yield five minutes to the gentleman from New Jersey [Mr. HAMILL].

Mr. HAMILL. Mr. Chairman, I do not think there is any subject pending before Congress which has received so much attention as the one with which the present bill deals. I remember that four or five sessions ago a movement was on foot to increase the pay of the Federal judges, and I am sure the matter has been brought with more or less frequency to the attention of Members ever since. Can there be any question in the mind of anyone laying claim to common sense that the salaries of the district and circuit Federal judges should be increased? Let me compare those salaries with the salaries of the judiciary in a State not very large, my own State of New Jersey. The supreme court justice there gets $12,000 a year, but a supreme court justice deals only with matters of law. A vice chancellor gets $12,000 there, but he deals only with questions of equity. A Federal district court judge has an equally great volume of business to dispose of, consisting not of law cases only, but of equity cases also, and he receives $6,000 a year. By any simple process of arithmetic, taking into consideration the amount of work with which he deals, he ought to get $24,000 a year, and besides that the district court judge has to do with classes of litigation which can not be brought under the jurisdiction of the State courts, such as, for instance, with patent cases, with admiralty cases, and with a very great deal of cases arising out of many Federal statutes which we have passed in the last decade, thus putting upon the shoulders of the district and circuit judges an increasing amount of litigation to be disposed of.

Some objection has been made to the fact that the salaries under this bill are graduated. This is not a new principle in the payment of Federal officers, and it is actually being observed at the present time with other officers of the Federal courts. The salaries of Federal district attorneys can be cited. The Federal district attorney in some of the States gets $3,000 a year. The Federal district attorney in New York gets $10,000 a year.

Mr. SIEGEL. Fifteen thousand.

Mr. HAMILL. The gentleman from New York corrects me and makes my statement stronger by suggesting $15,000. Now, the district attorney, as you know, is the lawyer of the United States to present the cases to the district court, and if he is paid

in some places a larger salary than in others it is a statutory recognition of the fact that the volume of business which he has to dispose of requires and makes just the payment of such an increased salary.

I have seen some men exhibit most pitiful mental anguish on this floor at the prospect of the Constitution being violated by the provision which allows the President in a case where a judge becomes mentally or physically disqualified to appoint a successor. Just imagine such an instance actually occurring. Common sense and the safety of the interests of the people demand a new judge, but the Constitution as it is at present drawn will not allow the removal. The matter is too trivial to be corrected by an amendment to the Federal Constitution, and the only course that is open is to do this matter indirectly and to put the decision into the hands of the most conservative governing influences of the country, the President and the Senate of the United States.

Mr. DENISON. Mr. Chairman, will the gentleman yield?

Mr. HAMILL. Yes.

Mr. DENISON. Then, the gentleman's position is that we ought to do indirectly what we can not do directly?

Mr. HAMILL. My position, stated another way, is that we ought to do what common sagacity plainly suggests should be done.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. HAMILL. I greatly regret that my time has run out, for I would like to develop this important matter more fully.

Mr. WALSH. Mr. Chairman, I am opposing the provisions of this bill for two particular reasons, among others. In the first place, I oppose the proposal to increase the salaries of the Federal judiciary because of the manner in which it is sought to be done. I am willing to admit that the district and circuit judges are entitled to an increase in salary, but I do not concede that the proper method of arriving at the increase which should be given is to place it upon the population of the various districts. There are districts which have a population widespread throughout a large area which may be equal to districts more congested of similar population, where the business that is done in one does not at all equal that done in the other, and in considering the recompense that is to be accorded these judicial officers I think we should not confine it simply to the population basis, and we ought to take into consideration also the business that is done. A great deal has been said about the salaries paid in the Empire State of New York and of the business that is done there and of its immense population. I desire to direct the attention of the committee to the fact that in the State of New York the judges are elected for a term of years; that they are political officers; and that the offices do not vest in the incumbent for life; that at the expiration of their term they have to go before the people and ask them to say whether they are willing they should hold that high office for another term of years. Therefore there is no comparison between an office that is filled by the people at an election and an office that is held by an appointment for life.

Attention has been directed to the fact that sometimes a $6,000 judge passes upon a case involving millions of dollars, with a district attorney receiving a salary much more than the judge receives and with a lawyer receiving a fee of $50,000 in that particular case. Well, that has nothing to do with the fixing of the salary of the judge. You can not base salaries on fees paid to an attorney or the fees paid to a district attorney or the amount involved in litigation; you can not base the salary of a judge upon these particular incidents. They may be proper to be taken into consideration, perhaps, in considering the kind and the amount of business transacted in those particular courts, but I wish gentlemen to remember, something that has not been mentioned during this discussion during the afternoon, or if it has it has been referred to but very slightly, that there goes with this office something more than the monetary payment. There goes with it the honor that it is for any man to receive at the hands of the Chief Executive of the Nation designation and appointment to hold office in one of the Federal courts, and that honor should be part of the recompense for holding that office. We can not fix the salary and pay the men all they are worth, because if you did that you would have to base the salary in one district different than it is in another.

Mr. HUSTED. Will the gentleman yield?

Mr. WALSH. I will yield to the gentleman.

Mr. HUSTED. I would like to ask the gentleman if he thinks that $10,000 is an excessive salary for a Federal judge in the city of New York? That is the limit, I think, which is fixed in the bill.

Mr. WALSH. I would say to the gentleman in reply that I do not think $10,000 would be an excessive salary for a judge in the district of New York if there were only one judge in that district, but when you consider the population and the business that is done in the district of New York you must also take into consideration that they do not put all that business upon a single judge, that there are other judges to help out, and that is so in most of the large districts of the country. But, as I said, while I am opposed to the salary provision of this bill, my objection is not as intense as it was when it was proposed to force the consideration of this bill during the midst of a great war several months ago.

I desire to direct attention now to the most objectionable feature of the measure, in my judgment, and to a proposition which I submit is not only dangerous for us to enact, but it is a vicious practice for us to attempt to write into the statutes of this country. We have during the war conferred great powers upon the Executive and upon various other officials of the Government, and we have in doing that sometimes run counter to the interpretation which has been placed upon the Constitution of the United States. Article III, section 1, of the Constitution reads as follows:

> The judicial power of the United States shall be vested in one Supreme Court and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the Supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services a compensation which shall not be diminished during their continuation in office.

The term "good behavior," by interpretation both by legislation and by the court, has come to be considered as meaning during the life of the occupant. We are attempting here to say that the courts of this land shall be under the supervision—of whom? Not of the power that has authority to create the court, but the power that has the authority to appoint the judges after another body has created them. We say to the President, "We confer upon you power to say whether the 14 judges now eligible to retire are competently and efficiently performing the duties of their office," and he can go further and say that they are mentally or physically disqualified to hold that office and because they are not efficiently performing those duties he is empowered to appoint another judge who shall be senior in commission to the man who may have served in that capacity perhaps for some 15 or 20 years, and we are attempting to give to the Chief Executive of the land, whoever he may be, power which was not contemplated when that article of the Constitution was written, and those of you who are familiar with the debates of the constitutional convention will remember how careful and how long was debated the proposition for the appointment and the creation of Federal courts and how carefully it was sought to guard the appointments made to those courts and to keep them free from political or other influence and to make the judiciary independent, yet coordinate. Yet here we are attempting to do indirectly, as has been suggested, that which the Constitution will not permit to be done directly. Why, a year ago last March we had under consideration a bill providing for the retirement of Federal judges. True, it was not sugar-coated at that time, nor was it hitched up to the salary-increase proposition. The two now have been combined, and, as has been suggested by the distinguished gentleman from Illinois, one is expected to drag along the other and to carry this support which, I believe, if they were not connected the retirement feature would not receive.

The other proposition, a year or so ago, provided for retirement if the President thought it for the public good to retire these judges. Now he is given the authority by this bill to retire them if they are not efficiently performing the duties of the office, not saying by that phrase that it is not for the public good. It must be, if we interpret this language truthfully, that the President will act for the public good in attempting to say to a judge, "You are mentally and physically disqualified and therefore should have another appointee to take over the burdens and the labors of this court." And this is the same policy. I beg to recall to the distinguished gentleman from Pennsylvania [Mr. GRAHAM], my colleague upon the committee, who made such an eloquent and able argument in behalf of both features of this bill, the language that he used on March 2, 1917, when this same policy was under consideration and when this proposition was before you to give the President the authority to cripple, and not only cripple but to blast, the reputation of a judge and to cripple the management of the Federal judiciary. The distinguished gentleman from Pennsylvania [Mr. GRAHAM] at that time said:

> I do not approve of the policy of this bill, and doubt its constitutionality.

That, I believe, was his firm conviction at that time, and I submit that by changing the language and the methods, and slightly

the effect of the action of the Executive, has not removed this measure from the cloud of unconstitutionality that surrounds it.

The Constitution has provided that there shall be three coordinate branches of our Government, and if there are to be, if we are to continue having that form of government, I submit to the committee that we ought not to say to the courts of this land, "You are performing the functions of your office subject to the will of the Executive, who at any time, after you have reached the age of 70 and have served 10 years, may find that you are permanently physically and mentally unqualified to officially perform the duties of the office." It is in effect a removal from office, and it does not provide that the judge upon whom this verdict is passed shall have an opportunity to be heard. He only awaits the decree of the Executive.

Now, I suppose perhaps that in the concluding remarks upon the other side we may be cited to the case of Field versus Clark and the case of the Bridge Co. versus United States, which I think were referred to in the very able report of my colleague upon the committee, the gentleman from Pennsylvania [Mr. STEELE], either this year or when the bill was up before. I submit it is different. There is a different proposition here involved than giving the President the right upon finding a certain set of facts to suspend a tariff duty or to put into operation some law that the Congress has passed. There is a difference between that, gentlemen of the committee, and giving the President the right upon a finding of fact to create an office, which right rests with the Congress of the United States, because the appointment of this judge is the creation of an office, and Congress could not delegate that legislative authority, I submit, under the Constitution. Under the plain language of the Constitution it could not delegate that authority to be exercised by the President upon finding a certain state of facts.

Mr. GORDON. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. GORDON. Does not the gentleman distinguish between the addition of an incumbent to an office and the creation of an office?

Mr. WALSH. Well, I will say to the gentleman that the Constitution provides that we shall ordain and establish inferior courts, and that if you create a judge in an existing court you are creating an office and you are clothing the incumbent of that office with all the functions and powers that attach to it, and that creation is of such a character, I submit, as a legislative function, that we can not delegate it to the Chief Executive.

Mr. GORDON. Will the gentleman yield further?

Mr. WALSH. I will.

Mr. GORDON. What would you do in case you had a Federal judge who was physically and mentally incompetent to perform the duties of the office?

Mr. WALSH. In response to the gentleman from Ohio, I will say that I would do as we have done in the past. I would have the people from that district, the members of the bar who are most intimately interested, come before Congress and ask for legislation to give them an additional judge. That was done in the case of Maryland, and in the case of Missouri, and, I believe, in the case of Kentucky, by special enactment; and in that enactment we provided that when the superannuated incumbent of the office died a new judge should not be appointed. And that is the function of Congress, and I submit there is nothing to be gained by giving that to the Chief Executive and giving it in this particular way.

We do, as the gentleman from Ohio possibly may have in mind, in passing a special act, give to the Executive the power to appoint a judge by and with the advice and consent of the Senate. But I submit, sir, that we should act upon these cases, each one upon its own merits, and not give general power. Let us at least give our Constitution the benefit of the doubt.

Now, I am not seeking to reflect upon the present Chief Executive of the United States, but I will say, in view of legislation that has been passed, that if we seek to confer autocratic power such as this, from his experience during the past 20 months as the result of war legislation, I think he is qualified as an expert in the execution of autocratic powers, and that he might, if there are cases now pending where there are judges who refuse to serve, refuse to act, or who are guilty of bad behavior, use this power in a political sense, speaking broadly. [Applause.]

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. GARD. Mr. Chairman, what I have to say is brought forward not in the interest of the judiciary but in the interest of those whom the judiciary represents. While it is one of the independent parts of the trinity of government, the judiciary represents the people, or should represent the people, quite as much as this popular branch of the legislative assembly, which goes back with an account of its stewardship every two years for approval or disapproval. I think everyone should recognize, too, that political service—and political position on the bench is political service whether it is appointive or elective—carries with it almost necessarily a sacrifice of some financial benefit. Every man who is of a high order of ability—and it is from that order of ability which the Federal courts should be recruited—possesses possibly the ability to earn a greater financial return than comes to him when he occupies a position upon the bench. But this is compensated for in part by the high honor, for it is a high honor to a man who is given place in judgment upon his fellow men, and who, if he is a Federal judge, is commissioned during his lifetime or during his good behavior. It is a matter which every man, when he assumes a position on the Federal bench, should well weigh, and he should weigh it in the light of his individual responsibility to himself and to his family.

Then, too, it should be considered in the light of opportunity, for a man may have an opportunity for great professional advancement at one bar and may not have a great opportunity at another bar. But all of those things go together to make up a man's consideration for himself and this service, whether he is going to sacrifice actual financial gain for the great honor of sitting upon the Federal bench. But when he assumes the Federal bench it does not mean that he is to be crowded down upon a mere pitiful, beggarly stipend, but it means that he should be properly and reasonably recompensed that his living may be of the standard of living in his community.

I do not hold any brief, nor do I think we should, for the judges of any particular locality. We should pass a bill here, general in its scope, which will afford a fair and reasonable living wage for duty performed on the Federal bench. I think the standard, of course, is the standard of business; I think that the judge who does a great amount of business should receive a higher salary than one who does little court business. But so far as we are able to judge, business follows population. There is a greater business in the congested centers than there is in the rural counties and States of these United States. Therefore, while we may not properly expect to find any arbitrary assumption of entire justice, we may, I think, assume that population regulates business, and toward that end I think the theory upon which this present law is builded is correct. It works well in Ohio, in my own State. We apply it to nisi prius courts based on population, and there has been uniform satisfaction with it for many years.

With the parts to which gentlemen find objection—the two latter sections of the bill—I confess they have my approval as fully and as entirely as the question of salary itself. I think that the thing which the people of the United States want is service; and the particular part of this bill which says that a man may not be compelled to resign but that he may retire, and that his service may be utilized as he can render it, is most commendable, because there are parts of law work—there are parts of the administration of justice—which a man who is advanced in years may do and other things which he may not properly do.

The ideal time for a man to assume a judicial position is when he has a ripe experience, and he should be permitted to make it his life work. He should retain it as long as he has the physical and mental vigor to administer affairs efficiently, but no longer. Therefore I think that there is ample warrant for the last provision in this bill, which comes within the purview of the Constitution of the United States and of adjudications in which it has been held that "the authority of Congress in creating courts and conferring upon them all or much or little of the judiciary power of the United States is unlimited by the Constitution." I say that this is sufficient to establish this procedure, which in effect is this, that instead of having a multitude of special bills when there appears an isolated case we have here a general rule, and I have heard many times—and I have believed that argument—that the establishment of a general principle upon which everything may be based, upon which the individual cases may be determined, is better than the presentation of a special bill for a particular purpose.

Now, my view is that there are not going to be very many cases under this last provision. If there is to be a case of a man 70 years who has been on the bench 10 years and is physically or mentally incapacitated to do the work, there should be some means of affording the people of his district that which they are entitled to; that is, a speedy and efficient adjudication of their cases in court. A man so disqualified can not do this. Therefore, instead of introducing a special bill, instead of there being the necessity continually for special bills,

we here arrange for a standard by which the justice of the district or of the circuit may be maintained at high standard in administration.

Mr. HUSTED. I should like to ask the gentleman a question, if I may.

Mr. GARD. I am glad to yield to the gentleman.

Mr. HUSTED. I want to ask the gentleman if he does not think that the provision of the Constitution which provides that judges shall serve during good behavior was intended to make the judges absolutely independent of the Executive?

Mr. GARD. I do; and I think the judiciary should be absolutely independent of the Executive, but this does not interfere with that.

Mr. HUSTED. Does not the gentleman think it does, to a certain extent?

Mr. GARD. No; I do not think it does, either directly or indirectly.

Mr. HUSTED. Does it not tend to a certain extent to bring them under the influence of the Executive?

Mr. GARD. Absolutely not; because it simply provides that when a man can not do the work and will not resign the President of the United States may make an affirmative finding that he is physically or mentally incapacitated—permanently—and unable to do the business of the court, and in that event he appoints a new judge who is senior in commission, and when the incapacitated judge dies then the position is not to be filled, but the newly appointed judge takes his regular place. It seems to me the new provision is entirely within the purview of the Constitution, and that it establishes a principle which we have been very keen to maintain, and that is the principle of service, for I hold that service means as much to the judiciary as it does to the administrative, the legislative, or even the military.

Mr. HUSTED. There is not any question about that, but it seems to me that this provision, which allows the President to declare a man incompetent, violates to a certain extent that provision of the Constitution which is intended to make the judges absolutely independent of Executive authority and control.

Mr. GRAHAM of Pennsylvania. Will the gentleman from Ohio permit me to interrupt him for a moment?

Mr. GARD. I will be very glad to have the gentleman's question.

Mr. GRAHAM of Pennsylvania. The constitutional provision is that the judge shall be protected in his tenure during good behavior, is it not?

Mr. GARD. Yes; I so understand.

Mr. GRAHAM of Pennsylvania. Now, if a judge is incapacitated to perform his duties, if the business of his office is being delayed and hindered, and if justice is being denied by his obstinately remaining at his post, is he continuing in good behavior?

Mr. DENISON. If it was not good behavior, then the method of removal would be by impeachment, would it not?

Mr. GARD. Of course there is a method of removal by impeachment, yes; but this is not a matter of impeachment.

Mr. EAGLE. Will the gentleman allow me?

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. GARD. My time has expired. I am sorry I can not yield to the gentleman.

The CHAIRMAN. All time has expired, as the time was fixed by the House.

Mr. GARD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. BOWLAND, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, had come to no resolution thereon.

PAY OF WOUNDED SOLDIERS.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent to print in the RECORD a letter that I received from Gen. Lord touching the matter that was briefly discussed yesterday relative to the pay of wounded soldiers returning from abroad.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to print in the RECORD a letter from Gen. Lord. Is there objection?

There was no objection.

WAR-RISK INSURANCE.

Mr. VARE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the war-risk insurance bill.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD on war-risk insurance. Is there objection?

Mr. KITCHIN. It will be the gentleman's own remarks, will it?

Mr. VARE. My own remarks, as well as some newspaper comments.

Mr. KITCHIN. How long is it?

Mr. VARE. It is not very long.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock p. m.) the House adjourned until to-morrow, Friday, December 13, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting draft of legislation for the sale of three abandoned customs boarding stations at New Orleans, La., known as the "Jump," Southwest Pass, and Pass a Loutre, said properties no longer being required by that department (H. Doc. No. 1578); to the Committee on Public Buildings and Grounds and ordered to be printed.

2. A letter from the Secretary of the Interior, transmitting copy of a report as to the necessity and advisability of purchasing lands for the Alabama and Coushatta Indians located in Polk County, Tex., pursuant to the investigations therein directed to be made (H. Doc. No. 1579); to the Committee on Indian Affairs and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting draft of proposed legislation authorizing the acceptance of a correctionary deed to the land composing the site of the new post office in New York City (H. Doc. No. 1580); to the Committee on Public Buildings and Grounds and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting revised estimate of appropriation for defraying the cost of collecting the customs revenues for the fiscal year 1920 (H. Doc. No. 1581); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation required by the office of the Auditor for the War Department for the fiscal year 1919 (H. Doc. No. 1582); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation required by the office of the Auditor for the State and Other Departments for the fiscal year 1919 (H. Doc. No. 1583); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation for increase in salaries of officers and employees of the War Department and Military Academy for the fiscal year 1920 (H. Doc. No. 1584); to the Committee on Military Affairs and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SANDERS of Louisiana, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13143) extending the time for the construction of a bridge across the Mississippi River at or near the city of New Orleans, La., reported the same with amendment, accompanied by a report (No. 854), which said bill and report were referred to the House Calendar.

Mr. QUIN, from the Committee on Military Affairs, to which was referred the bill (H. R. 13247) granting a gratuity to members of the United States Army, reported the same without amendment, accompanied by a report (No. 855), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. TAYLOR of Colorado, from the Committee on the Public Lands, to which was referred the bill (S. 2552) to provide for a leave of absence for homestead entrymen in one or two periods and for longer times, reported the same without amendment,

accompanied by a report (No. 857), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SHALLENBERGER, from the Committee on Military Affairs, to which was referred the bill (H. R. 13294) to amend an act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1916, and for other purposes, approved March 3, 1915, reported the same with amendment, accompanied by a report (No. 859), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. TIMBERLAKE, from the Committee on the Public Lands, to which was referred the bill (H. R. 11368) to authorize the Secretary of the Interior to issue patent in fee simple to the National Lincoln-Douglass Sanatorium and Consumptive Hospital Association (a corporation), of Denver, Colo., for a certain described tract of land, reported the same with amendment, accompanied by a report (No. 858), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MONDELL: A bill (H. R. 13350) to add certain lands to the Yellowstone National Park; to the Committee on the Public Lands.

By Mr. IGOE: A bill (H. R. 13351) to provide for the issuance of a certificate of honorable service to persons serving in the regular Navy or Naval Reserve during the present emergency and for the payment of transportation to certain discharged or released enlisted men of the regular Navy; to the Committee on Naval Affairs.

By Mr. ZIHLMAN: A bill (H. R. 13352) authorizing the appointment of a commission to collate information and to consider and recommend legislation to meet the economic and industrial problems of reconstruction; to the Committee on Interstate and Foreign Commerce.

By Mr. FRENCH: A bill (H. R. 13353) to extend the provisions of the homestead laws touching credit for period of enlistment to the soldiers, nurses, and officers of the Army, and the seamen, marines, nurses, and officers of the Navy and Marine Corps of the United States who have served or will have served with the Mexican border operations or during the war between the United States and Germany and her allies; to the Committee on the Public Lands.

By Mr. SHACKLEFORD: A bill (H. R. 13354) to amend an act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916; to the Committee on Roads.

By Mr. NELSON: A bill (H. R. 13355) for the relief of the St. Croix Chippewa Indians of Wisconsin; to the Committee on Appropriations.

By Mr. BOWLAND: A bill (H. R. 13356) to provide for demobilizing the military and naval forces of the United States; to the Committee on Military Affairs.

By Mr. MOORE of Pennsylvania: A bill (H. R. 13357) to amend an act approved March 3, 1891, to incorporate the National Conservatory of Music; to the Committee on the Judiciary.

By Mr. SIMS: A bill (H. R. 13358) extending the benefits of the war-risk insurance act to certain civilians employed by the Army; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of Kentucky: Resolution (H. Res. 476) providing for payment of expenses of committee to investigate the National Security League and for its sittings during sessions of the House; to the Committee on Accounts.

By Mr. CHANDLER of Oklahoma: Resolution (H. Res. 477) to authorize the Committee on Indian Affairs of the House of Representatives of the Sixty-fifth Congress to investigate the policy and conduct of the Bureau of Indian Affairs in its dealings with the affairs of the Quapaw Indians of Oklahoma; to the Committee on Rules.

By Mr. McKEOWN: Resolution (H. Res. 478) declaring for the immediate discharge from the military service of all soldiers having dependents for which allowances are granted in the War Risk Bureau; to the Committee on Military Affairs.

By Mr. DILLON: Joint resolution (H. J. Res. 366) to acquire title, by purchase, condemnation, or otherwise of large tracts of land now held by corporations or individuals and convert the same into small farms for sale as homes to soldiers, sailors, marines, and others; to the Committee on the Public Lands.

By Mr. LAGUARDIA: Joint resolution (H. J. Res. 367) admitting into the United States 35 puncheons of Gordon's sloe gin, ordered by E. La Montagne's Sons, of New York, before the passage of the food-control act prohibiting the importation of distilled spirits, the delivery of which was delayed on account of war conditions, until after that act went into effect; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CRAGO: A bill (H. R. 13359) granting an increase of pension to Henry C. McKinley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13360) granting an increase of pension to Thomas C. Wallace; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 13361) granting an increase of pension to Thomas C. Yates; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13362) granting an increase of pension to James Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13363) granting an increase of pension to Alexander Smith; to the Committee on Invalid Pensions.

By Mr. MANN: A bill (H. R. 13364) granting a pension to Nancy Granger; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Resolution of New Korea Association relating to Korean grievances and affairs; to the Committee on Foreign Affairs.

By Mr. ELSTON: Protest of Bay City Radio Club against passage of House bill 13159 and Senate bill 5306; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of United Irish-American Societies of Alameda County, Cal., for political self-determination for Ireland; to the Committee on Foreign Affairs.

Also, memorial of Leo J. McCarthy and M. M. Roach for political self-determination of Ireland; to the Committee on Foreign Affairs.

By Mr. FULLER of Illinois: Petition of the American Licorice Co., of Chicago, Ill., for speedy passage of the revenue bill; also for the same rates of taxation against individuals and partnerships as against corporations; to the Committee on Ways and Means.

By Mr. GRAHAM of Illinois: Memorial of Dale E. Rowe, and sundry other citizens of Rock Island, Ill., and Moline, Ill., protesting against the Alexander bill, House bill 13159; to the Committee on the Merchant Marine and Fisheries.

By Mr. HAMILTON of Michigan: Petition of teachers of Berrien County, Mich., to support the bill known as S. 4967, to create a department of education; to the Committee on Education.

By Mr. RAMSEYER: Resolution of the Croatian Society of Colfax, Iowa; to the Committee on Foreign Affairs.

SENATE.

FRIDAY, *December 13, 1918.*

(Legislative day of Thursday, December 12, 1918.)

The Senate met at 12 o'clock noon.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Harding	Myers	Smith, Ga.
Beckham	Johnson, Cal.	New	Smith, Md.
Cummins	Jones, N. Mex.	Page	Smoot
Curtis	Jones, Wash.	Pollock	Spencer
Dillingham	Kellogg	Reed	Swanson
Fletcher	Kenyon	Saulsbury	Thompson
France	King	Shafroth	Townsend
Frelinghuysen	Kirby	Sheppard	Trammell
Gay	McKellar	Sherman	Underwood
Gronna	McLean	Simmons	Warren
Hale	Moses	Smith, Ariz.	Weeks

Mr. CURTIS. I desire to announce that the Senator from New Hampshire [Mr. MOSES] is absent on account of illness.

Mr. McKELLAR. The senior Senator from Tennessee [Mr. SHIELDS] is still absent on account of illness.

The VICE PRESIDENT. Forty-four Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. BORAH, Mr. CALDER, Mr. HENDERSON, Mr. JOHNSON of South Dakota, Mr. LA FOLLETTE, Mr. NORRIS, Mr. POINDEXTER, Mr. SMITH of South Carolina, Mr. SUTHERLAND, Mr. THOMAS, and Mr. WALSH answered to their names when called.

Mr. HENDERSON. I desire to announce that the Senator from Idaho [Mr. NUGENT] is necessarily detained from the Senate.

Mr. SUTHERLAND. I wish to state that my colleague [Mr. COPP] is absent owing to illness.

Mr. CULBERSON, Mr. GERRY, Mr. HITCHCOCK, and Mr. LENROOT entered the Chamber and answered to their names.

Mr. KING. I wish to announce that the Senator from North Carolina [Mr. OVERMAN], the Senator from Minnesota [Mr. NELSON], the Senator from South Dakota [Mr. STERLING], and the Senator from Delaware [Mr. WOLCOTT] are detained on official business. They are engaged in a hearing of the subcommittee of the Committee on the Judiciary.

Mr. BANKHEAD, Mr. RANSDELL, Mr. CHAMBERLAIN, Mr. MARTIN of Virginia, and Mr. VARDAMAN entered the Chamber and answered to their names.

The VICE PRESIDENT. Sixty-four Senators have answered to the roll call. There is a quorum present.

INVESTIGATION OF SPRUCE PRODUCTION.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of War, relative to an investigation of the spruce-production section of the Aeroplane Division of the Signal Corps of the United States Army, which will be inserted in the RECORD and referred to the Committee on Military Affairs.

The communication is as follows:

WAR DEPARTMENT,
Washington, December 10, 1918.

The honorable the PRESIDENT OF THE UNITED STATES SENATE.

SIR: With reference to the resolution adopted by the United States Senate December 5, 1918, "that the Secretary of War is hereby requested to inform the Senate what, if any, steps have been taken upon the recommendation of Hon. Charles E. Hughes for an investigation of the spruce-production section of the Aeroplane Division of the Signal Corps of the United States Army." I have the honor to inform you that by my direction a comprehensive investigation of the spruce situation was made, and a report rendered, during the month of July, by the Inspector General of the Army, covering all the features of the situation as it then existed.

On November 30 the Inspector General was further directed to send a very competent man to the Northwest to further investigate this situation and complete his report on the whole situation to the present date. In compliance with these instructions the Inspector General has detailed for this duty Maj. H. M. Ray of the Inspector General's Department, whom he considers specially fitted by education and special training, and this office is now engaged in this work. It is the intention of the department that this investigation shall be as thorough and comprehensive as possible.

Very respectfully,

NEWTON D. BAKER,
Secretary of War.

REPORT OF BOARD OF ORDNANCE AND FORTIFICATION (H. DOC. NO. 1423).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, pursuant to law, the annual report of the Board of Ordnance and Fortification for the fiscal year 1918, which was referred to the Committee on Military Affairs.

REPORT OF FEDERAL TRADE COMMISSION (H. DOC. NO. 1428).

The VICE PRESIDENT laid before the Senate the annual report of the Federal Trade Commission for the fiscal year 1918, which was referred to the Committee on Interstate Commerce.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a resolution adopted by the House of Representatives of Porto Rico, petitioning Congress to include in such reciprocal commercial treaties as may be negotiated with Spain or any other European nation the importation of Porto Rican coffee free of duty or under the largest tariff rebate possible, which was referred to the Committee on Foreign Relations.

Mr. LODGE presented a resolution in the nature of a petition adopted by the Woman's Christian Temperance Union of Roslindale, Mass., praying for the adoption of an amendment to the Constitution granting the right of suffrage to women, which was ordered to lie on the table.

He also presented a resolution in the nature of a memorial adopted by the Woman's Antisuffrage Association of Massachusetts, remonstrating against the adoption of an amendment to the Constitution granting the right of suffrage to women, which was ordered to lie on the table.

Mr. WARREN presented a petition from the Cullen Commercial Co., of Rawlins, Wyo., praying for the enactment of legislation authorizing the Comptroller of the Treasury to expend funds in payment on partially canceled contracts for Government shoes, which was referred to the Committee on Finance.

BILL INTRODUCED.

Mr. GAY introduced a bill (S. 5189) to donate 50 cannon to the State of Louisiana, which was read twice by its title and referred to the Committee on Military Affairs.

THE REVENUE.

Mr. KELLOGG submitted an amendment intended to be proposed by him to the bill (H. R. 12863) to provide revenue, and for other purposes, which was ordered to lie on the table and be printed.

Mr. KENYON submitted an amendment intended to be proposed to the bill (H. R. 12863) to provide revenue, and for other purposes, which was ordered to lie on the table and be printed.

Mr. RANSDELL submitted an amendment intended to be proposed by him to the bill (H. R. 12863) to provide revenue, and for other purposes, which was ordered to lie on the table and be printed.

ANNIE T. BRAHAM.

Mr. CALDER submitted the following resolution (S. Res. 385), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay, from the miscellaneous items of the contingent fund of the Senate, to Annie T. Braham, sole surviving relative of William E. Burke, late a messenger in the employ of the Senate, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

THE REVENUE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12863) to provide revenue, and for other purposes.

Mr. SIMMONS. I ask that the Secretary may continue the reading of the bill.

The Secretary resumed the reading of the bill at page 157, line 22, section 609.

The next amendment of the Committee on Finance was, on page 160, line 25, to insert in parentheses "in lieu of the internal-revenue tax now imposed thereon by law," and on page 161, line 2, to insert after "spirits" the words "whenever withdrawn and hereafter," so as to make the section read:

SEC. 612. That under such regulations and official supervision and upon the giving of such notices, entries, bonds, and other security as the commissioner, with the approval of the Secretary, may prescribe, any producer of wines defined under the provisions of this title may withdraw from any fruit distillery or special bonded warehouse grape brandy, or wine spirits, for the fortification of such wines on the premises where actually made: *Provided*, That there shall be levied and assessed against the producer of such wines a tax (in lieu of the internal-revenue tax now imposed thereon by law) of 60 cents per proof gallon of grape brandy or wine spirits whenever withdrawn and hereafter so used by him in the fortification of such wines during the preceding month, which assessment shall be paid by him within 10 months from the date of notice thereof: *Provided further*, That nothing contained in this section shall be construed as exempting any wines, cordials, liqueurs, or similar compounds from the payment of any tax provided for in this title.

The amendment was agreed to.

The reading of the bill was continued.

The next amendment was, on page 161, line 24, to insert after the word "sale" the words "containing sweet wine fortified with grape brandy," so as to make the section read:

SEC. 613. That upon the following articles which are hereafter produced in or imported into the United States, or which on the day after the passage of this act are on any winery premises or other bonded premises or in transit thereto or at any customhouse, there shall be levied, collected, and paid taxes at rates as follows, when sold, or removed for consumption or sale:

On each bottle or other container of champagne or sparkling wine, 12 cents on each one-half pint or fraction thereof;

On each bottle or other container of artificially carbonated wine, 6 cents on each one-half pint or fraction thereof;

On each bottle or other container of liqueurs, cordials, or similar compounds, by whatever name sold or offered for sale, containing sweet wine fortified with grape brandy, 6 cents on each one-half pint or fraction thereof.

The tax imposed by this section shall, in the case of any article upon which a corresponding internal-revenue tax is now imposed by law, be in lieu of such tax.

The amendment was agreed to.

The reading of the bill was continued.

The next amendment was, on page 162, line 5, before the word "tax," to insert "internal-revenue," so as to make the section read:

SEC. 614. That upon all articles specified in section 611 or 613 upon which the internal-revenue tax now imposed by law has been paid and which are on the day after the passage of this act held by any person and intended for sale, there shall be levied, collected, and paid a floor tax equal to the difference between the tax imposed by this act and the tax so paid.

The amendment was agreed to.

The next amendment was, on page 162, line 14, before the word "cents," to strike out "20" and insert "30," and in line 16, after the word "wine," to strike out "and a floor tax of 30 cents per proof gallon shall be levied, assessed, collected, and paid upon all grape brandy or wine spirits withdrawn by a producer of sweet wines for the purpose of fortifying such wines and not so used prior to the passage of this act," so as to make the section read:

SEC. 615. That upon all sweet wines held for sale by the producer thereof upon the day after the passage of this act there shall be levied, assessed, collected, and paid a floor tax equivalent to 30 cents per proof gallon upon the grape brandy or wine spirits used in the fortification of such wine.

The amendment was agreed to.

The reading of the bill was continued.

The next amendment was, in section 618, page 168, line 1, before the word "That," to insert "(*a*)," so as to read:

SEC. 618. (*a*) That under such regulations and upon the execution of such notices, entries, bonds and other security as the commissioner, with the approval of the Secretary, may prescribe, domestic wines subject to the tax imposed by section 611 may be removed from the winery where produced, free of tax, for storage on other bonded premises or from such premises to other bonded premises (but not more than one such additional removal shall be allowed), or for exportation from the United States or for use as distilling material at any regularly registered distillery.

The amendment was agreed to.

The next amendment was, on page 168, after line 18, to insert:

(*b*) Under regulations prescribed by the Commissioner with the approval of the Secretary, it shall be lawful to produce grape wines on bonded winery premises by the usual method of fermentation, and to transport and use the same, and like wines heretofore produced and now stored on bonded winery premises, as distilling material for the production of nonbeverage spirits in the production of nonalcoholic wines, containing less than one-half of 1 per cent of alcohol by volume, in any fruit brandy or industrial distillery: *Provided*, That all alcoholic spirits so obtained at any industrial distillery shall be denatured, and all spirits so obtained at any fruit distillery shall be removed and used only for nonbeverage purposes or for denaturation.

The amendment was agreed to.

The next amendment was, in section 620, on page 169, line 23, after the word "both," to insert "and in addition thereto by a penalty of double the tax evaded, or attempted to be evaded, to be assessed and collected in the same manner as taxes are assessed and collected," so as to read:

SEC. 620. That whoever evades or attempts to evade any tax imposed by sections 611 to 615, both inclusive, or any requirement of sections 619 to 621, both inclusive, or regulation issued pursuant thereto, or whoever, otherwise than as provided in such sections, recovers or attempts to recover any spirits from domestic or imported wine, or whoever rectifies, mixes, or compounds with distilled spirits any domestic wines, other than in the manufacture of liqueurs, cordials, or similar compounds, shall, on conviction, be punished for each such offense by a fine of not exceeding $5,000, or imprisonment for not more than five years, or both, and in addition thereto by a penalty of double the tax evaded, or attempted to be evaded, to be assessed and collected in the same manner as taxes are assessed and collected, and all wines, spirits, liqueurs, cordials, or similar compounds as to which such violation occurs shall be forfeited to the United States.

The amendment was agreed to.

Mr. SIMMONS. Mr. President, I desire to call to the attention of Senators the fact that I have had placed upon the desks of Senators this morning an index to this bill. It should have been prepared earlier, but I have just been able to get it.

The reading of the bill was resumed and continued to the end of section 627, on page 176, line 11.

Mr. LA FOLLETTE. Mr. President, at the request of the senior Senator from Oregon [Mr. CHAMBERLAIN], I ask that the next section be passed over without action upon the amendments.

The VICE PRESIDENT. The Senator refers to section 628?

Mr. LA FOLLETTE. To section 628.

The reading of the bill was resumed. The next amendment of the Committee on Finance was, on page 176, line 17, after the word "half," to insert "of one"; in line 19, after the word "to," to strike out "30" and insert "15"; in line 20, after the word "all," to strike out "unfermented grape juice"; in line 23, after the word "drinks," to insert "(except fruit or berry juice)"; at the beginning of line 26, to strike out "20" and insert "10"; on page 177, line 3, after the word "containers," to strike out "at over 10 cents per gallon"; and, at the beginning of line 4, to strike out "of 2 cents per gallon" and insert "equivalent to 5 per cent of the price for which so sold," so as to make the section read:

SEC. 628. That there shall be levied, assessed, collected and paid in lieu of the taxes imposed by sections 313 and 315 of the revenue act of 1917—

(a) Upon all beverages derived wholly or in part from cereals or substitutes therefor, and containing less than one-half of 1 per cent of alcohol, sold by the manufacturer, producer, or importer, in bottles or other closed containers, a tax equivalent to 15 per cent of the price for which so sold; and upon all ginger ale, root beer, sarsaparilla, pop, artificial mineral waters (carbonated or not carbonated), other carbonated waters or beverages, and other soft drinks (except fruit or berry juice), sold by the manufacturer, producer, or importer, in bottles or other closed containers, a tax equivalent to 10 per cent of the price for which so sold; and

(b) Upon all natural mineral waters or table waters, sold by the producer, bottler, or importer thereof, in bottles or other closed containers, a tax equivalent to 5 per cent of the price for which sold.

The VICE PRESIDENT. The section will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, in section 629, on page 177, line 9, after the word "imposed," to strike out "on" and insert "in respect to," and after line 14 to insert:

The tax shall, without assessment by the commissioner or notice from the collector, be due and payable to the collector at the time so fixed for filing the return. If the tax is not paid when due, there shall be added as part of the tax a penalty of 5 per cent, together with interest at the rate of 1 per cent for each full month, from the time when the tax became due.

So as to make the section read:

SEC. 629. That each manufacturer, producer, bottler, or importer of any of the articles enumerated in section 628 shall make monthly returns under oath in duplicate and pay the taxes imposed in respect to such articles by such section to the collector for the district in which is located the principal place of business, containing such information necessary for the assessment of the tax, and at such times and in such manner as the commissioner, with the approval of the Secretary, may by regulation prescribe.

The tax shall, without assessment by the commissioner or notice from the collector, be due and payable to the collector at the time so fixed for filing the return. If the tax is not paid when due, there shall be added as part of the tax a penalty of 5 per cent, together with interest at the rate of 1 per cent for each full month, from the time when the tax became due.

The amendment was agreed to.

The next amendment was, in section 630, page 177, line 22, after the word "after," to strike out "November 1, 1918"; in line 24, after the words "tax of," to strike out "2 cents" and insert "1 cent"; and on page 178, line 7, after the word "business," to strike out "*Provided*, That in cases where the charge for any such article is 7 cents or less, the tax shall be 1 cent," so as to make the section read:

SEC. 630. That on and after ——— there shall be levied, assessed, collected, and paid a tax of 1 cent for each 10 cents or fraction thereof of the amount paid to any person conducting a soda fountain, ice-cream parlor, or other similar place of business, for drinks commonly known as soft drinks, compounded or mixed at such place of business, or for ice cream, ice-cream sodas, sundaes, or other similar articles of food or drink, when any of the above are sold on or after such date for consumption in or in proximity to such place of business. Such tax shall be paid by the purchaser to the vendor at the time of the sale and shall be collected, returned, and paid to the United States by such vendor in the same manner as provided in section 502.

The amendment was agreed to.

Mr. SMOOT. Mr. President, I am perfectly willing that these amendments shall be adopted at this time, because I think they ought to be adopted if this section is to be retained in the bill as it finally passes; but I expect to offer a substitute for the whole section, and if that amendment is agreed to of course this section would be eliminated.

The VICE PRESIDENT. That would be a motion to strike out and insert. So no advantage will be lost by the adoption of the amendments.

The reading of the bill was resumed.

The next amendment was, under the head of "Title VII.—Tax on cigars, tobacco, and manufactures thereof," in section 700, page 178, line 25, before the words "per thousand," to strike out "$2" and insert "$1.50," so as to make the paragraph read:

On cigars of all descriptions made of tobacco, or any substitute therefor, and weighing not more than 3 pounds per thousand, $1.50 per thousand.

The amendment was agreed to.

The next amendment was, on page 179, line 4, before the words "per thousand," to strike out "$5" and insert "$4," so as to make the paragraph read:

On cigars made of tobacco, or any substitute therefor, and weighing more than 3 pounds per thousand, if manufactured or imported to retail at not more than 5 cents each, $4 per thousand.

The amendment was agreed to.

The next amendment was, on page 179, line 6, before the words "per thousand," to strike out "$8" and insert "$5.40," so as to make the paragraph read:

If manufactured or imported to retail at more than 5 cents each and not more than 8 cents each, $5.40 per thousand.

The amendment was agreed to.

The next amendment was, on page 179, line 8, before the words "per thousand," to strike out "$12" and insert "$9," so as to make the paragraph read:

If manufactured or imported to retail at more than 8 cents each and not more than 15 cents each, $9 per thousand.

The amendment was agreed to.

The next amendment was, on page 179, line 11, before the words "per thousand," to strike out "$16" and insert "$12," so as to make the paragraph read:

If manufactured or imported to retail at more than 15 cents each and not more than 20 cents each, $12 per thousand.

The amendment was agreed to.

The next amendment was, on page 179, line 14, before the words "per thousand," to strike out "$20" and insert "$15," so as to make the paragraph read:

If manufactured or imported to retail at more than 20 cents each, $15 per thousand.

The amendment was agreed to.

The next amendment was, on page 179, line 16, after the word "thousand," to strike out "If manufactured or imported to retail at less than 2 cents each, $4.10" and insert "$2.90," so as to make the paragraph read:

On cigarettes made of tobacco, or any substitute therefor, and weighing not more than 3 pounds per thousand, $2.90 per thousand.

The amendment was agreed to.

The next amendment was, on page 179, after line 18, to strike out:

If manufactured or imported to retail at 2 cents or more each, $5.10 per thousand.

The amendment was agreed to.

The next amendment was, on page 179, line 21, before the words "per thousand," to strike out "$9.60" and insert "$7.20," so as to make the paragraph read:

Weighing more than 3 pounds per thousand, $7.20 per thousand.

The amendment was agreed to.

The next amendment was, on page 179, line 23, after the word "cigars," to strike out "or cigarettes," and on page 180, line 2, after the word "cigar," to strike out "or, in the case of cigarettes, the ordinary retail price thereof when sold in packages of less than 40," so as to make the paragraph read:

(b) Whenever in this section reference is made to cigars manufactured or imported to retail at not over a certain price each, then in determining the tax to be paid regard shall be had to the ordinary retail price of a single cigar.

The amendment was agreed to.

The next amendment was, on page 180, line 7, after the word "cigars," to strike out "or cigarettes," so as to make the paragraph read:

(c) The commissioner may, by regulation, require the manufacturer or importer to affix to each box, package, or container a conspicuous label indicating the clause of this section under which the cigars therein contained have been tax-paid, which must correspond with the tax paid stamp on such box or container.

The amendment was agreed to.

The next amendment was, in section 701, page 181, line 6, before the word "cents," to strike out "26" and insert "18," so as to make the paragraph read:

SEC. 701. (a) That upon all tobacco and snuff manufactured in or imported into the United States and hereafter sold by the manufacturer or importer, or removed for consumption or sale, there shall be levied, collected, and paid, in lieu of the internal-revenue taxes now imposed thereon by law, a tax of 18 cents per pound, to be paid by the manufacturer or importer thereof.

The amendment was agreed to.

The next amendment was, in section 702, page 183, after line 12, to insert:

In the case of any person making due return as required by the commissioner of the stock of all such articles on such date so held by him, the tax imposed by this section shall apply only to the excess of manufactured tobacco and snuff over 50 pounds, to the excess of cigars over 1,000, and to the excess of cigarettes over 3,000.

Mr. SIMMONS. Mr. President, the semicolon at the end of line 18 should be a period. I move that that amendment be made.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, in section 703, page 184, line 4, before the word "cent," to strike out "1" and insert "one-half"; in line 5, before the word "containing," to strike out "2 cents" and insert "1 cent"; in line 6, before the word "cent," to strike out "1" and insert "one-half"; and in line 7, after the word "tubes," to strike out "2 cents" and insert "1 cent," so as to make the paragraph read:

SEC. 703. That there shall be levied, collected, and paid, in lieu of the taxes imposed by section 404 of the revenue act of 1917, upon cigarette paper made up into packages, books, rolls, or tubes, made up in or imported into the United States and hereafter sold by the manufacturer or importer to any person (other than to a manufacturer of cigarettes for use by him in the manufacture of cigarettes) the following taxes, to be paid by the manufacturer or importer: On each package, book, or set, containing more than 25 but not more than 50 papers, one-half cent; containing more than 50 but not more than 100 papers, 1 cent; containing more than 100 papers, one-half cent for each 50 papers or fractional part thereof; and upon tubes, 1 cent for each 50 tubes or fractional part thereof.

The amendment was agreed to.

The next amendment was, on page 184, after line 17, to insert as a new section the following:

SEC. 704. That section 35 of the act of August 5, 1909, be, and is hereby, repealed, to take effect April 1, 1919.

That section 3390 of the Revised Statutes be, and is hereby, amended to read as follows:

"SEC. 3390. (a) Every dealer in leaf tobacco shall file with the collector of the district in which his business is carried on a statement in duplicate, subscribed under oath, setting forth the place, and if in a city, the street and number of the street, where his business is to be carried on, and the exact location of each place where leaf tobacco is held by him on storage, and, whenever he adds to or discontinues any of his leaf-tobacco storage places, he shall give immediate notice to the collector of the district in which he is registered.

"Every such dealer shall give a bond with surety, satisfactory to, and to be approved by, the collector of the district, in such penal sum as the collector may require, not less than $500; and a new bond may be required in the discretion of the collector or under instructions of the commissioner.

"Every such dealer shall be assigned a number by the collector of the district, which number shall appear in every inventory, invoice, and report rendered by the dealer, who shall also obtain certificates from the collector of the district setting forth the place where his business is carried on and the places designated by the dealer as the places of storage of his tobacco, which certificates shall be posted conspicuously within the dealer's registered place of business, and within each designated place of storage.

"(b) Every dealer in leaf tobacco shall make and deliver to the collector of the district a true inventory of the quantity of the different kinds of tobacco held or owned, and where stored by him, on the 1st day of January of each year, or at the time of commencing and at the time of concluding business, if before or after the 1st day of January, such inventory to be made under oath and rendered in such form as may be prescribed by the commissioner.

"Every dealer in leaf tobacco shall render such invoices and keep such records as shall be prescribed by the commissioner, and shall enter therein, day by day, and upon the same day on which the circumstance, thing, or act to be recorded is done or occurs, an accurate account of the number of hogsheads, tierces, cases and bales, and quantity of leaf tobacco contained therein, purchased or received by him, on assignment, consignment, for storage, by transfer or otherwise, and of whom purchased or received, and the number of hogsheads, tierces, cases and bales, and the quantity of leaf tobacco contained therein, sold by him, with the name and residence in each instance of the person to whom sold, and if shipped, to whom shipped, and to what district; such records shall be kept at his place of business at all times and preserved for a period of two years, and the same shall be open at all hours for the inspection of any internal-revenue officer or agent.

"Every dealer in leaf tobacco on or before the 10th day of each month shall furnish to the collector of the district a true and complete report of all purchases, receipts, sales, and shipments of leaf tobacco made by him during the month next preceding, which report shall be verified and rendered in such form as the commissioner, with the approval of the Secretary, shall prescribe.

"(c) Sales or shipments of leaf tobacco by a dealer in leaf tobacco shall be in quantities of not less than a hogshead, tierce, case, or bale, except loose leaf tobacco, comprising the breaks on warehouse floors, and except to a duly registered manufacturer of cigars for use in his own manufactory exclusively.

"Dealers in leaf tobacco shall make shipments of leaf tobacco only to other dealers in leaf tobacco, to registered manufacturers of tobacco, snuff, cigars, or cigarettes, or for export.

"(d) Upon all leaf tobacco sold, removed, or shipped by any dealer in leaf tobacco in violation of the provisions of subdivision (c), or in respect to which no report has been made by such dealer in accordance with the provisions of subdivision (b), there shall be levied, assessed, collected, and paid a tax equal to the tax then in force upon manufactured tobacco, such tax to be assessed and collected in the same manner as the tax on manufactured tobacco.

"(e) Every dealer in leaf tobacco—

"(1) Who neglects or refuses to furnish the statement, to give bond, to keep books, to file inventory, or to render the invoices, returns, or reports required by the commissioner, or to notify the collector of the district of additions to his places of storage; or

"(2) Who ships or delivers leaf tobacco, except as herein provided; or

"(3) Who fraudulently omits to account for tobacco purchased, received, sold, or shipped—

shall be fined not less than $100 or more than $500, or imprisoned not more than one year, or both.

"(f) For the purposes of this section a farmer or grower of tobacco shall not be regarded as a dealer in leaf tobacco in respect to the leaf tobacco produced by him."

The amendment was agreed to.

The next amendment was, on page 188, line 13, to strike out "November 1, 1918," and leave a blank, so as to read:

TITLE VIII.—TAX ON ADMISSIONS AND DUES.

SEC. 800. (a) That from and after ——— there shall be levied, assessed, collected, and paid, in lieu of the taxes imposed by section 700 of the revenue act of 1917.

The amendment was agreed to.

The next amendment was, on page 188, line 17, to strike out "2 cents" and insert "1 cent," and in line 20, after the word "admission," to strike out the proviso in the following words:

Provided, That in cases where the charge for admission is 7 cents or less, and in the case of children under 12 years of age where an admission charge for such children is made, the tax shall be 1 cent.

So as to read:

(1) A tax of 1 cent for each 10 cents or fraction thereof of the amount paid for admission to any place on or after such date, including admission by season ticket or subscription, to be paid by the person paying for such admission

The amendment was agreed to.

The next amendment was, on page 189, line 7, to strike out "2 cents" and insert "1 cent," so as to read:

(2) In the case of persons (except bona fide employees, municipal officers on official business, persons in the military or naval forces of the United States when in uniform, and children under 12 years of age) admitted free or at reduced rates to any place at a time when and under circumstances under which an admission charge is made to other persons, a tax of 1 cent for each 10 cents or fraction thereof of the price so charged to such other persons for the same or similar accommodations, to be paid by the person so admitted.

The amendment was agreed to.

The next amendment was, on page 189, line 17, before the words "per centum," to strike out "5" and insert "10"; in line 20, to strike out "30" and insert "50" before "per centum"; and in line 22, to strike out "904" and insert "903," so as to read:

(3) Upon tickets or cards of admission to theaters, operas, and other places of amusement, sold at news stands, hotels, and places other than the ticket offices of such theaters, operas, or other places of amusement, at not to exceed 50 cents in excess of the sum of the established price therefor at such ticket offices plus the amount of any tax imposed under paragraph (1), a tax equivalent to 10 per cent of the amount of such excess; and if sold for more than 50 cents in excess of the sum of such established price plus the amount of any tax imposed under paragraph (1), a tax equivalent to 50 per cent of the whole amount of such excess, such taxes to be returned and paid, in the manner provided in section 903, by the person selling such tickets.

The amendment was agreed to.

The next amendment was, on page 190, line 4, to strike out "904" and insert "903," so as to read:

(4) A tax equivalent to 50 per cent of the amount for which the proprietors, managers, or employees of any opera house, theater, or other place of amusement sell or dispose of tickets or cards of admission in excess of the regular or established price or charge therefor, such tax to be returned and paid, in the manner provided in section 903, by the person selling such tickets.

The amendment was agreed to.

The next amendment was, in line 10, before the words "per cent," to strike out "25" and insert "10," so as to read:

(5) In the case of persons having the permanent use of boxes or seats in an opera house or any place of amusement or a lease for the use of such box or seat in such opera house or place of amusement (in lieu of the tax imposed by paragraph (1)), a tax equivalent to 10 per cent of the amount for which a similar box or seat is sold for each performance or exhibition at which the box or seat is used or reserved by or for the lessee or holder, such tax to be paid by the lessee or holder;

The amendment was agreed to.

The next amendment was, in line 15, to strike out "2 cents" and insert "1 cent" before "per cent," so as to read:

(6) A tax of 1 cent for each 10 cents or fraction thereof of the amount paid for admission to any public performance for profit at any roof garden, cabaret, or other similar entertainment, to which the charge for admission is wholly or in part included in the price paid for refreshment, service, or merchandise; the amount paid for such admission to be deemed to be 20 per cent of the amount paid for refreshment, service, and merchandise; such tax to be paid by the person paying for such refreshment, service, or merchandise.

The amendment was agreed to.

The next amendment was, on page 191, line 2, after the word "organizations," to insert "or organizations conducted for the sole purpose of maintaining symphony orchestras and receiving substantial support from voluntary contributions," so as to read:

(b) No tax shall be levied under this title in respect to any admissions all the proceeds of which inure exclusively to the benefit of religious, educational, or charitable institutions, societies, or organizations, or organizations conducted for the sole purpose of maintaining symphony orchestras and receiving substantial support from voluntary contributions, or exclusively to the benefit of persons in the military or naval forces of the United States, or admissions to agricultural fairs none of the profits of which are distributed to stockholders or members of the association conducting the same.

The amendment was agreed to.

The next amendment was, on page 191, line 24, to strike out "November 1, 1918," and leave a blank; on page 192, line 2, before the words "per cent," to strike out "20" and insert "10"; in line 6, after the word "organization," to strike out "or to any produce exchange, board of trade, or other similar organization maintaining a place where produce or merchandise is sold, or to any stock exchange"; and in line 10 to strike out "club, exchange," and insert "club," so as to make the section read:

SEC. 801. That from and after ——— there shall be levied, assessed, collected, and paid, in lieu of the taxes imposed by section 701 of the revenue act of 1917, a tax equivalent to 10 per cent of any amount paid on or after such date, for any period after such date, (a) as dues or membership fees (where the dues or fees of an active resident annual member are in excess of $10 per year) to any social, athletic, or sporting club or organization; or (b) as initiation fees to such a club or organization, if such fees amount to more than $10, or if the dues or membership fees (not including initiation fees) of an active resident annual member are in excess of $10 per year; such taxes to be paid by the person paying such dues or fees: *Provided*, That there shall be exempted from the provisions of this section all amounts paid as dues or fees to a fraternal society, order, or association, operating under the lodge system. In the case of life membership a life member shall pay annually, at the time for the payment of dues by active resident annual members, a tax equivalent to the tax upon the amount paid by such a member, but shall pay no tax upon the amount paid for life membership.

The amendment was agreed to.

The next amendment was, on page 193, line 5, to strike out "club, organization, or exchange" and insert "club or organization," so as to make the section read:

SEC. 802. That every person (a) receiving any payments for such admission, dues, or fees shall collect the amount of the tax imposed by section 800 or 801 from the person making such payments, or (b) admitting any person free to any place for admission to which a charge is made, shall collect the amount of the tax imposed by section 800 from the person so admitted. Every club or organization having life members, shall collect from such members the amount of the tax imposed by section 801. In all the above cases returns and payments of the amount so collected shall be made at the same time and in the same manner as provided in section 502.

The amendment was agreed to.

The next amendment was, in line 13, after the word "paid," to strike out "in lieu of the taxes imposed by section 600 of the revenue act of 1917," so as to read:

TITLE IX.—EXCISE TAXES.

SEC. 900. That there shall be levied, assessed, collected, and paid upon the following articles sold or leased by the manufacturer, producer, or importer, a tax equivalent to the following percentages of the price for which so sold or leased—

The amendment was agreed to.

The next amendment was, in line 18, to strike out "Automobile" and insert "Automobiles, motorcycles, automobile," and in line 20 to strike out "(including tires, inner tubes, parts, and accessories therefor sold on or in connection therewith or with the sale thereof)," so as to read:

(1) Automobiles, motorcycles, automobile trucks, automobile wagons, automobile trailers or tractors, 5 per cent.

The amendment was agreed to.

The next amendment was to strike out lines 23, 24, and 25 in the following words:

Other automobiles or motorcycles (including tires, inner tubes, parts, and accessories therefor sold on or in connection therewith or with the sale thereof), 10 per cent

The amendment was agreed to.

The next amendment was, on page 194, line 1, to strike out "(3)"; in line 2 to strike out "or (2)"; and in line 4 to strike out "or (2), 10" and insert "5," so as to read:

Tires, inner tubes, parts, or accessories, for any of the articles enumerated in subdivision (1), sold to any person other than a manufacturer or producer of any of the articles enumerated in subdivision (1), 5 per cent.

The amendment was agreed to.

The next amendment was, on page 194, line 6, to strike out "(4)" and insert "(3)"; in the same line, before "organs," to strike out "pipe" and after "organs" to insert "(other than pipe organs)"; in line 7 to insert "music boxes"; and in line 10, before "per cent," to strike out "10" and insert "5," so as to read:

(3) Pianos, organs (other than pipe organs), piano players, graphophones, phonographs, talking machines, music boxes, and records used in connection with any musical instrument, piano player, graphophone, phonograph, or talking machine, 5 per cent.

The amendment was agreed to.

The next amendment was to strike out lines 11 and 12, in the following words:

(5) Positive moving-picture films containing a picture ready for projection, 10 per cent.

The amendment was agreed to.

The next amendment was, in line 13, to strike out "(6)" and insert "(4)"; in line 21, to strike out "games," and insert "games ("; in line 22, to strike out "games" and insert "games),"; and in the same line, to strike out "other" and insert "similar," so as to read:

(4) Tennis rackets, nets, racket covers and presses, skates, snowshoes, skis, toboggans, canoe paddles and cushions, polo mallets, baseball bats, gloves, masks, protectors, shoes and uniforms, football helmets, harness and goals, basket-ball goals and uniforms, golf bags and clubs, lacrosse sticks, balls of all kinds, including baseballs, footballs, tennis, golf, lacrosse, billiard and pool balls, fishing rods and reels, billiard and pool tables, chess and checker boards and pieces, dice, games and parts of games (except playing cards and children's toys and games), and all similar articles commonly or commercially known as sporting goods, 10 per cent.

The amendment was agreed to.

The next amendment was, on page 195, line 1, to strike out "(7)" and insert "(5)," and in the same line, after "therefor," to strike out "6" and insert "3," so as to read:

(5) Chewing gum or substitutes therefor, 3 per cent.

The amendment was agreed to.

The next amendment was, in line 3, before "Cameras," to strike out "(8)" and insert "(6)," and after "Cameras," to strike out "weighing not more than 100 pounds," so as to read:

(6) Cameras, 10 per cent.

The amendment was agreed to.

The next amendment was, in line 5, to strike out "(9)" and insert "(7)," and in line 6, to strike out "10" and insert "5," before "per centum," so as to read:

(7) Photographic films and plates, other than moving-picture films, 5 per cent.

The amendment was agreed to.

The next amendment was, in line 7, to strike out "(10)" and insert "(8)," and in the same line, before "per centum," to strike out "10" and insert "5," so as to read:

(8) Candy, 5 per cent.

The amendment was agreed to.

The next amendment was, in line 8, to strike out "(1)" and insert "(9)"; in line 12, after the word "engaged," to insert "against the German Government"; in line 13, after the word "war," to strike out "with the Imperial German Government, 25 per cent in the case of pistols and revolvers and"; and in line 15, after the words "per centum," to strike out "in the case of all other firearms and shells and cartridges," so as to make the paragraph read:

(9) Firearms, shells, and cartridges, except those sold for the use of the United States, any State, Territory, or possession of the United States, any political subdivision thereof, the District of Columbia, or any foreign country while engaged against the German Government in the present war, 10 per cent.

The amendment was agreed to.

The next amendment was, after line 16, to insert:

(10) Hunting and bowie knives, 10 per cent.

The amendment was agreed to.

The next amendment was, in line 18, to strike out "(12)" and insert "(11)"; and, in the same line, to strike out "bowie knives," so as to read:

(11) Dirk knives, daggers, sword canes, stilettos, and brass or metallic knuckles, 100 per cent.

The amendment was agreed to.

The next amendment was, in line 21, to strike out "(13)" and insert "(12)"; in the same line, to strike out "Electric" and insert "Portable electric"; and before the words "per cent," to strike out "10" and insert "5," so as to read:

(12) Portable electric fans, 5 per cent.

The amendment was agreed to.

The next amendment was, in line 22, to strike out "(14)" and insert "(13)"; in line 23, before the word "containers," to insert the word "thermostatic," and after the word "containers" to strike out "10" and insert "5," so as to read:

(13) Thermos and thermostatic bottles, carafes, jugs, or other thermostatic containers, 5 per cent.

The amendment was agreed to.

The next amendment was to strike out from lines 24 to line 2, on page 198, inclusive, in the following words:

(15) Tapestries and textiles for furniture coverings or hangings in the interior decoration of buildings, and imported and American rugs (made principally of wool), 10 per cent.

The amendment was agreed to.

The next amendment was, on page 196, line 3, to strike out "(16)" and insert "(14)," so as to read:

(14) Cigar or cigarette holders and pipes, composed wholly or in part of meerschaum or amber, humidors, and smoking stands, 10 per cent.

The amendment was agreed to.

The next amendment was to strike out lines 6 and 7 in the following words:

(17) Photographs, productions, or reproductions, 10 per cent.

The amendment was agreed to.

The next amendment was to strike out line 8 in the following words:

(18) Cash registers, 10 per cent.

The amendment was agreed to.

The next amendment was, in line 9, to strike out "(19)" and insert "(15)," in line 10, before the words "per cent" to strike out "10" and insert "5," and after the words "per cent" to insert "; if the manufacturer, producer, or importer of any such machine operates it for profit, he shall pay a tax in respect to each such machine put into operation equivalent to 5 per cent of its fair market value," so as to read:

(15) Automatic slot-device weighing or vending machines, 5 per cent; if the manufacturer, producer, or importer of any such machine operates it for profit, he shall pay a tax in respect to each such machine put into operation equivalent to 5 per cent of its fair market value.

The next amendment was, in line 14, to strike out "(20)" and insert "(16)," so as to read:

(16) Liveries and livery boots and hats, 10 per cent.

The amendment was agreed to.

The next amendment was, in line 16, to strike out "(21)" and insert "(17)" before the word "Hunting," and after the word "Hunting" to insert "and shooting," so as to read:

(17) Hunting and shooting garments and riding habits, 10 per cent.

The amendment was agreed to.

The next amendment was to strike out line 18, in the following words:

(22) Bathing suits, 10 per cent.

The amendment was agreed to.

The next amendment was to strike out lines 19 to 24, inclusive, in the following words:

(23) Articles made out of any of the following furs: Seal, Hudson seal, Russian or Hudson Bay sable, ermine, silver fox, natural black fox, natural blue fox, natural American mink, fisher, otter, kolinsky, squirrel, skunk, or mole; or articles of which any such fur is the component material of chief value, 10 per cent.

The amendment was agreed to.

The next amendment was, at the top of page 197, to insert:

(18) Articles made out of any fur, or articles of which fur is the component material of chief value, 10 per cent.

The amendment was agreed to.

The next amendment was, in line 3, to strike out "(24)" and insert "(19)," so as to read:

(19) Yachts and motor boats; and pleasure boats and canoes if sold for more than $15, 10 per cent; and

The amendment was agreed to.

The next amendment was, in line 5, to strike out "(25)" and insert "(20)"; in the same line, before the word "soap," to insert the word "toilet" and to strike out "10" before "per cent" and insert "3," so as to read:

(20) Toilet soap and toilet-soap powders, 3 per cent.

The amendment was agreed to.

The next amendment was to insert after line 12:

The taxes imposed by this section shall, in the case of any article in respect to which a corresponding tax is imposed by section 900 of the revenue act of 1916, be in lieu of such tax.

Mr. SMOOT. I desire to call the attention of the Senator from North Carolina to the fact that there is a mistake in the date. It should read "the revenue act of 1917" instead of "1916." We might just as well have the change made now.

Mr. SIMMONS. The Senator has verified it?

Mr. SMOOT. Yes; it is absolutely right. I move that amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 197, line 18, after the word "section," to strike out "900" and insert "900," and lessees or licensees for exhibition any positive motion-picture film containing a picture ready for projection"; in line 22, to strike out the words "sells or" and insert "sells" before "leases," and after "leases," to insert "or licenses"; on page 198, line 2, before "leased," to strike out the words "sold or," and, after "leased," to insert "or licensed"; in line 4, before the word "lease," to strike out the words "sale or," and, after "lease," to insert "or license"; in line 5, before the word "leased," to strike out "sold or" and insert "sold," and, after "leased," to insert "or licensed," so as to make the section read:

SEC. 901. That if any person manufactures, produces, or imports any article enumerated in section 900, or leases or licenses for exhibition any positive motion-picture film containing a picture ready for projection, and, whether through any agreement, arrangement, or understanding, or otherwise, sells, leases, or licenses such article at less than the fair market price obtainable therefor, either (a) in such manner as directly or indirectly to benefit such person or any person directly or indirectly interested in the business of such person, or (b) with intent to cause such benefit, the amount for which such article is sold, leased, or licensed shall be taken to be the amount which would have been received from the sale, lease, or license of such article if sold, leased, or licensed at the fair market price.

The amendment was agreed to.

The next amendment was, on page 198, to strike out lines 7 to 12, inclusive, in the following words:

SEC. 902. That there shall be levied, assessed, collected, and paid upon all gasoline, naphtha, and other similar petroleum products having a flash point below 100 degrees Fahrenheit, as tested by the Tagliabue open-cup tester, and suitable for motor power, sold by the manufacturer, refiner, or importer, a tax of 2 cents a wine gallon.

The amendment was agreed to.

The next amendment was, in line 13, after "Sec.," to strike out "903" and insert "902"; in line 14, after "paintings," to strike out "and statuary" and insert "statuary, art porcelains, and bronzes"; in line 16, after "artist," to insert: "and upon

antique furniture sold by any person"; in line 17, before "per cent," to strike out "10" and insert "5"; and in line 18 after "sold," to insert: "This section shall not apply to the sale of any such article to an educational institution or art museum," so as to make the section read:

SEC. 902. That there shall be levied, assessed, collected, and paid upon sculpture, paintings, statuary, art porcelains, and bronzes, sold by any person other than the artist, and upon antique furniture sold by any person, a tax equivalent to 5 per cent of the price for which so sold. This section shall not apply to the sale of any such article to an educational institution or art museum.

The amendment was agreed to.

The next amendment was, in line 20, after "Sec.," to strike out "904" and insert "903" before the word "That," and after the word "That" to strike out "each manufacturer, producer, or importer of any of the articles enumerated in section 900 or 902, and every person selling any article enumerated in section 903" and insert "every person liable for any tax imposed by sections 900, 902, or 905"; and in line 25, after the word "imposed," to strike out "on such articles by this title" and insert "by such sections," so as to make the section read:

SEC. 903. That every person liable for any tax imposed by sections 900, 902, or 905 shall make monthly returns under oath in duplicate and pay the taxes imposed by such sections to the collector for the district in which is located the principal place of business. Such returns shall contain such information and be made at such times and in such manner as the commissioner, with the approval of the Secretary, may by regulations prescribe.

The amendment was agreed to.

The reading of the bill was continued.

The next amendment was, in section 904 (903), page 199, after line 5, to insert:

The tax shall, without assessment by the commissioner or notice from the collector, be due and payable to the collector at the time so fixed for filing the return. If the tax is not paid when due, there shall be added as part of the tax a penalty of 5 per cent, together with interest at the rate of 1 per cent for each full month, from the time when the tax became due.

The amendment was agreed to.

The next amendment was, on page 199, after line 12, to strike out section 905, in the following language:

SEC. 905. (a) That on and after November 1, 1918, there shall be levied, assessed, collected, and paid a tax equivalent to 20 per cent of so much of the amount paid for any of the following articles as is in excess of the price hereinafter specified as to each such article, when such article is sold on or after such date for consumption or use—

(1) Carpets and rugs, including fiber, except imported and American rugs made principally of wool, on the amount in excess of $5 per square yard;

(2) Picture frames, on the amount in excess of $10 each;

(3) Trunks, on the amount in excess of $50 each;

(4) Valises, traveling bags, suit cases, hat boxes used by travelers, and fitted toilet cases, on the amount in excess of $25 each;

(5) Purses, pocketbooks, shopping and hand bags, on the amount in excess of $7.50 each;

(6) Portable lighting fixtures, including lamps of all kinds and lamp shades, on the amount in excess of $25 each;

(7) Umbrellas, parasols, and sunshades, on the amount in excess of $4 each;

(8) Fans, on the amount in excess of $1 each;

(9) House or smoking coats or jackets, and bath or lounging robes, on the amount in excess of $7.50 each;

(10) Men's waistcoats, sold separately from suits, on the amount in excess of $5 each;

(11) Men's and boys' suits or overcoats, not including uniforms of officers in the military or naval forces of the United States, on the amount in excess of $50 each;

(12) Women's and misses' suits, cloaks, and coats, on the amount in excess of $50 each, or, when made up by a tailor or seamstress, on the amount in excess of $50 in value each;

(13) Women's and misses' dresses, on the amount in excess of $40 each, or, when made up by a tailor or seamstress, on the amount in excess of $40 in value each;

(14) Women's and misses' hats, bonnets, and hoods, on the amount in excess of $15 each;

(15) Men's and boys' hats, on the amount in excess of $5 each;

(16) Men's and boys' caps, on the amount in excess of $2 each;

(17) Men's, women's misses', and boys' boots, shoes, pumps, and slippers, not including shoes or appliances made to order for any person having a crippled or deformed foot or ankle, on the amount in excess of $10 per pair;

(18) Men's and boys' neckties and neckwear, on the amount in excess of $2 each;

(19) Men's and boys' silk stockings or hose, on the amount in excess of $1 per pair;

(20) Women's and misses' silk stockings or hose, on the amount in excess of $2 per pair;

(21) Men's shirts, on the amount in excess of $3 each;

(22) Men's, women's, misses', and boys' pajamas, nightgowns, and underwear, on the amount in excess of $5 each; and

(23) Kimonos, petticoats, and waists, on the amount in excess of $15 each.

(b) The tax imposed by this section shall not apply to any article enumerated in paragraphs (2) to (8), both inclusive, of subdivision (a), if such article is made of, or ornamented, mounted, or fitted with, precious metals or imitations thereof or ivory, or to any article enumerated in subdivision (20) or (21) of section 900.

(c) The taxes imposed by this section shall be paid by the purchaser to the vender at the time of the sale and shall be collected, returned, and paid to the United States by such vender in the same manner as provided in section 502. As used in this subdivision the term "vender" includes a tailor or dressmaker making up women's or misses' suits, cloaks, coats, or dresses.

Mr. KENYON. Mr. President, I should like to have that whole section go over, as I propose to offer an amendment to the original text. I think I shall ask that the amendment may be printed, and let the whole section go over.

The VICE PRESIDENT. It will be so ordered.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, in section 906, page 202, line 8, before the word "That," to strike out the numerals "906" and insert "904"; in the same line, after the word "after," to strike out the words "November 1, 1918"; in line 16, after the word "ivory," to insert "(not including surgical instruments)"; in line 19, after the word "sold," to insert "by a dealer"; in line 20, before the words "per cent," to strike out "10" and insert "5"; and after line 20, to strike out "This section shall not apply to any such articles sold by any person whose principal business is not the sale of such articles for consumption or use and whose gross receipt from the sale of such articles (during the preceding year ending June 30) for consumption or use does not exceed $200," so as to read:

SEC. 904. That on and after ——— there shall be levied, assessed, collected, and paid (in lieu of the tax imposed by subdivision (e) of section 600 of the revenue act of 1917) upon all articles commonly or commercially known as jewelry, whether real or imitation; pearls, precious and semiprecious stones, and imitations thereof; articles made of, or ornamented, mounted or fitted with, precious metals or imitations thereof or ivory (not including surgical instruments); watches; clocks; opera glasses; lorgnettes; marine glasses; field glasses; and binoculars; upon any of the above when sold by a dealer for consumption or use, a tax equivalent to 5 per cent of the price for which so sold.

The amendment was agreed to.

The next amendment was, on page 203, line 5, after the word "imposed," to strike out "on" and to insert "in respect to," so as to make the clause read:

Every person selling any of the articles enumerated in this section shall make returns under oath in duplicate (monthly or quarterly as the commissioner, with the approval of the Secretary, may prescribe) and pay the taxes imposed in respect to such articles by this section to the collector for the district in which is located the principal place of business. Such returns shall contain such information and be made at such times and in such manner as the commissioner, with the approval of the Secretary, may by regulations prescribe.

The amendment was agreed to.

The next amendment was, on page 203, after line 10, to insert:

The tax shall, without assessment by the commissioner or notice from the collector, be due and payable to the collector at the time so fixed for filing the return. If the tax is not paid when due, there shall be added as part of the tax a penalty of 5 per cent, together with interest at the rate of 1 per cent for each full month, from the time when the tax became due.

The amendment was agreed to.

The next amendment was, on page 203, after line 16, to strike out "section 907," as follows:

SEC. 907. That on and after November 1, 1918, in addition to the tax imposed by section 906, there shall be levied, assessed, collected, and paid, a tax equivalent to 10 per cent of the amount paid for any article commonly or commercially known as jewelry, composed in whole or in part of plantinum, when sold on or after such date for consumption or use.

Such tax shall be paid by the purchaser to the vendor at the time of the sale and shall be collected, returned, and paid to the United States by such vendor in the same manner as provided in section 502. The vendor shall include in all returns made under this section the name and address of each purchaser, the price of each article sold to him, and a description thereof, including the quantity and value of the plantinum contained therein.

The amendment was agreed to.

The next amendment was, on page 204, after line 6, to insert:

SEC. 905. That on and after the 1st day of ———, 1919, any person engaged in the business of leasing or licensing for exhibition positive motion-picture films containing pictures ready for projection shall pay monthly an excise tax in respect to carrying on such business equal to 5 per cent of the total rentals earned from each such lease or license during the preceding month. If a person owning such a film exhibits it for profit he shall pay a tax equivalent to 5 per cent of the fair rental or license value of such film at the time and place where and for the period during which exhibited. If any such person has, prior to December 6, 1918, made a bona fide contract with any person for the lease or licensing, after the tax imposed by this section takes effect, of such a film for exhibition or profit, and if such contract does not permit the adding of the whole of the tax imposed by this section to the amount to be paid under such contract, then the lessee or licensee shall, in lieu of the lessor or licensor, pay so much of such tax as is not so permitted to be added to the contract price. The tax imposed by this section shall be in lieu of the tax imposed by subdivisions (c) and (d) of section 600 of the revenue act of 1917.

The amendment was agreed to.

The next amendment was, in section 908, page 205, line 3, after the word "Sec.", to strike out the numerals "908" and to insert "906"; in the same line, after the word "after," to strike out "November 1, 1918"; in line 7, after the word "each," to strike out "10" and to insert "25"; and in

line 8, after the word "sold," to insert "by a dealer," so as to make the clause read:

SEC. 906. (a) That on and after ——— there shall be levied, assessed, collected, and paid (in lieu of the taxes imposed by subdivisions (g) and (h) of section 600 of the revenue act of 1917) a tax of 1 cent for each 25 cents or fraction thereof of the amount paid for any of the following articles when sold by a dealer on or after such date for consumption or use.

The amendment was agreed to.

The next amendment was, on page 206, line 10, after the word "body," to insert:

Provided, That the provisions of this section shall not apply to the sale of medicinal preparations which are not advertised to the general lay public.

The amendment was agreed to.

The next amendment was, on page 206, after line 20, to strike out section 909, as follows:

SEC. 909. That upon all articles (other than second-hand articles) enumerated in section 906 upon the sale of which no tax was imposed by section 600 or 602 of the revenue act of 1917, and which on the day after the passage of this act are held and intended for sale by any person, there shall be levied, assessed, collected, and paid a floor tax equivalent to the tax imposed by section 900 of this act upon the sale of such articles. This tax shall be paid by the person so holding such articles.

The taxes imposed by this section shall be assessed, collected, and paid in the same manner as provided in section 1306 in the case of floor taxes upon articles upon which the tax imposed by existing law has been paid.

The amendment was agreed to.

The next amendment was, on page 207, after line 8, to strike out section 910, as follows:

SEC. 910. That upon all articles (other than second-hand articles) enumerated in section 900 in respect to which the tax imposed by section 600 or 602 of the revenue act of 1917 was payable, and which, on the day after the passage of this act are held and intended for sale by any person, there shall be levied, assessed, collected, and paid a floor tax equivalent to the difference between (a) the tax imposed by section 900 of this act upon the sale of such articles and (b) the corresponding tax imposed by section 600 of the revenue act of 1917

The amendment was agreed to.

The next amendment was, on page 207, after line 18, to insert as a new section the following:

SEC. 907. That under such rules and regulations as the commissioner, with the approval of the Secretary, may prescribe, the tax imposed under the provisions of this title shall not apply in respect to articles sold or leased for export and in due course so exported. Under such rules and regulations the amount of any internal-revenue tax erroneously or illegally collected in respect to exported articles may be refunded to the exporter of the article, instead of to the manufacturer, if the manufacturer waives any claim for the amount so to be refunded.

The amendment was agreed to.

The next amendment was, under the heading "Title X.—Special taxes," in section 1000, page 208, line 8, after the word "corporation," to insert "other than a life insurance company"; and in line 11, after the word "of," to strike out "so much of the fair average value of its capital stock for the preceding year ending June 30 as is in excess of $5,000. In estimating the value of capital stock the surplus and undivided profits shall be included," and insert: "the excess over $5,000 of the amount of its net assets shown by its books as of the close of the preceding annual period used by the corporation for purposes of making its income-tax return; but if the corporation made no such return, then of the excess over $5,000 of the amount of its net assets shown by its books as of the 30th day of June preceding"; so as to make the paragraph read:

(1) Every domestic corporation other than a life insurance company shall pay annually a special excise tax with respect to carrying on or doing business, equivalent to $1 for each $1,000 of the excess over $5,000 of the amount of its net assets shown by its books as of the close of the preceding annual period used by the corporation for purposes of making its income-tax return; but if the corporation made no such return, then of the excess over $5,000 of the amount of its net assets shown by its books as of the 30th day of June preceding.

The amendment was agreed to.

The next amendment was, on page 208, line 21, after the word "corporation," to insert "other than a life insurance company"; and in line 24, after the word "capital," to strike out "actually invested" and insert "employed," so as to make the paragraph read:

(2) Every foreign corporation other than a life insurance company shall pay annually a special excise tax with respect to carrying on or doing business in the United States, equivalent to $1 for each $1,000 of the average amount of capital employed in the transaction of its business in the United States during the preceding year ending June 30.

The amendment was agreed to.

The next amendment was, on page 209, after line 2, to strike out:

(b) In computing the tax in the case of insurance companies such deposits and reserve funds as they are required by law or contract to maintain or hold for the protection of or payment to or apportionment among policyholders shall not be included.

The amendment was agreed to.

The next amendment was, on page 209, at the beginning of line 8, to strike out "(c)" and insert "(b)."

The amendment was agreed to.

The next amendment was, on page 209, at the beginning of line 13, to strike out "(d)" and insert "(c)."

The amendment was agreed to.

The next amendment was, in section 1001, on page 209, line 16, after the word "annually," to strike out "in lieu of the taxes imposed by section 407 of the revenue act of 1916"; in line 19, after the word "pay," to strike out "$100" and insert "$40"; on page 210, line 5, after the word "was," to strike out "not more than $2,000, $50; if such value was more than"; and in line 6, after the numerals "$2,000," to strike out "and" and insert "or more but," so as to read:

SEC. 1001. That on and after January 1, 1919, there shall be levied, collected, and paid annually the following special taxes—

(1) Brokers shall pay $40. Every person whose business it is to negotiate purchases or sales of stocks, bonds, exchange, bullion, coined money, bank notes, promissory notes, other securities, produce or merchandise, for others, shall be regarded as a broker. If a broker is a member of a stock exchange, or if he is a member of any produce exchange, board of trade, or similar organization, where produce or merchandise is sold, he shall pay an additional amount as follows: If the average value, during the preceding year ending June 30, of a seat or membership in such exchange or organization was $2,000 or more but not more than $5,000, $100; if such value was more than $5,000, $150.

The amendment was agreed to.

The next amendment was, on page 210, line 13, after the word "pawnbroker," to insert: "If the gross receipts of such pawnbroker for the preceding year ending June 30 were $2,000 or more but not more than $5,000, he shall pay $100 additional; if such gross receipts were more than $5,000 he shall pay $150 additional," so as to make the paragraph read:

(2) Pawnbrokers shall pay $100. Every person whose business or occupation it is to take or receive, by way of pledge, pawn, or exchange, any goods, wares, or merchandise, or any kind of personal property whatever, as security for the repayment of money loaned thereon, shall be regarded as a pawnbroker. If the gross receipts of such pawnbroker for the preceding year ending June 30 were $2,000 or more but not more than $5,000, he shall pay $100 additional; if such gross receipts were more than $5,000 he shall pay $150 additional.

The amendment was agreed to.

The next amendment was, on page 210, line 18, after the word "pay," to strike out "$50" and insert "$40," so as to make the paragraph read:

(3) Ship brokers shall pay $40. Every person whose business it is as a broker to negotiate freights and other business for the owners of vessels, or for the shippers or consignors or consignees of freight carried by vessels, shall be regarded as a ship broker.

The amendment was agreed to.

The next amendment was, on page 210, line 23, after the word "pay," to strike out "$50" and insert "$40," so as to make the paragraph read:

(4) Customhouse brokers shall pay $40. Every person whose occupation it is, as the agent of others, to arrange entries and other customhouse papers, or transact business at any port of entry relating to the importation or exportation of goods, wares, or merchandise, shall be regarded as a customhouse broker.

The amendment was agreed to.

The next amendment was, on page 211, line 16, after the word "representations," to insert "and not including edifices owned by religious, educational or charitable institutions, societies or organizations where all the proceeds from admissions inure exclusively to the benefit of such institutions, societies, or organizations or exclusively to the benefit of persons in the military or naval forces of the United States," so as to make the paragraph read:

(5) Proprietors of theaters, museums, and concert halls, where a charge for admission is made, having a seating capacity of not more than 250, shall pay $50; having a seating capacity of more than 250 and not exceeding 500, shall pay $100; having a seating capacity exceeding 500 and not exceeding 800, shall pay $150; having a seating capacity of more than 800, shall pay $200. Every edifice used for the purpose of dramatic or operatic or other representations, plays, or performances, for admission to which entrance money is received, not including halls or armories rented or used occasionally for concerts or theatrical representations, and not including edifices owned by religious, education, or charitable institutions, societies, or organizations where all the proceeds from admissions inure exclusively to the benefit of such institutions, societies, or organizations or exclusively to the benefit of persons in the military or naval forces of the United States, shall be regarded as a theater: *Provided*, That in cities, towns, or villages of 5,000 inhabitants or less the amount of such payment shall be one-half of that above stated: *Provided further*, That whenever any such edifice is under lease at the time the tax is due, the tax shall be paid by the lessee, unless otherwise stipulated between the parties to the lease.

The amendment was agreed to.

The next amendment was, on page 212, after the word "pay," at the end of line 4, to strike out "$200" and insert "$100," so as to make the paragraph read:

(6) The proprietor or proprietors of circuses shall pay $100. Every building, space, tent, or area, where feats of horsemanship or acrobatic sports or theatrical performances not otherwise provided for in this section are exhibited shall be regarded as a circus: *Provided*, That no special tax paid in one State, Territory, or the District of Columbia

shall exempt exhibitions from the tax in another State, Territory, or the District of Columbia, and but one special tax shall be imposed for exhibitions within any one State, Territory, or District.

The amendment was agreed to.

The next amendment was, on page 212, line 16, after the word "pay," to strike out "$20" and to insert "$15," and on page 213, line 1, after the word "than," to strike out "$200" and insert "$100," so as to make the paragraph read:

(7) Proprietors or agents of all other public exhibitions or shows for money not enumerated in this section shall pay $15: *Provided*, That a special tax paid in one State, Territory, or the District of Columbia shall not exempt exhibitions from the tax in another State, Territory, or the District of Columbia, and but one special tax shall be required for exhibitions within any one State, Territory, or the District of Columbia: *Provided further*, That this paragraph shall not apply to Chautauquas, lecture lyceums, agricultural or industrial fairs, or exhibitions held under the auspices of religious or charitable associations: *Provided further*, That an aggregation of entertainments, known as a street fair, shall not pay a larger tax than $100 in any State, Territory, or in the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 213, line 16, after the word "operating," to insert "or renting"; in line 17, before the word "automobiles," to strike out "sight-seeing" and insert "passenger"; in the same line, after the word "automobiles," to insert "for hire"; and at the beginning of line 18 to strike out "a tax equivalent to 10 per cent of the gross receipts during the preceding year ending June 30 from the operation of" and insert "$10 for each such automobile having a seating capacity of more than two and not more than seven, and $20 for," so as to make the paragraph read:

(11) Persons carrying on the business of operating or renting passenger automobiles for hire shall pay $10 for each such automobile having a seating capacity of more than two and not more than seven, and $20 for each such automobile having a seating capacity of more than seven.

The amendment was agreed to.

The next amendment was, on page 213, after line 22, to strike out:

(12) Every person carrying on the business of a brewer, distiller, wholesale liquor dealer, retail liquor dealer, wholesale dealer in malt liquor, retail dealer in malt liquor, or manufacturer of stills, as defined in section 3244 as amended and section 3247 of the Revised Statutes, in any State, Territory, or District of the United States contrary to the laws of such State, Territory, or District, or in any place therein in which carrying on such business is prohibited by local or municipal law, shall pay, in addition to all other taxes, special or otherwise, imposed by existing law or by this act, $1,000.

The payment of the tax imposed by this subdivision shall not be held to exempt any person from any penalty or punishment provided for by the laws of any State, Territory, or District for carrying on such business in such State, Territory, or District, or in any manner to authorize the commencement or continuance of such business contrary to the laws of such State, Territory, or District, or in places prohibited by local or municipal law.

(13) Persons engaged in any trade, business, or profession whose gross receipts therefrom for the preceding year ending June 30, exceed $2,500, shall pay $10. If such person is a wholesaler, he shall pay $5 additional.

This subdivision shall not apply to agriculture, to any person subject to any special tax under this section or under section 1000, 1002, 1005, or 1007, or to persons paying special taxes upon the business of manufacturing, rectifying, or dealing in distilled spirits, malt liquors, stills, oleomargarine, adulterated, process, or renovated butter, filled cheese, or mixed flour.

And insert:

The taxes imposed by this section shall, in the case of persons upon whom a corresponding tax is imposed by section 407 of the revenue act of 1916, be in lieu of such tax.

The amendment was agreed to.

Mr. JONES of Washington. Mr. President, has paragraph (13) been adopted, or was that all taken as one amendment? It is on page 214.

The PRESIDING OFFICER (Mr. KENDRICK in the chair). That was considered as one amendment.

Mr. JONES of Washington. I ask that that go over.

Mr. SIMMONS. To what section does the Senator refer?

Mr. JONES of Washington. I had in mind especially the paragraph numbered (13) stricken out on page 214. I have received several telegrams that I think affect that provision.

Mr. SIMMONS. What does the Senator wish to go over—all after line 16 on page 214 down to and including line 2 on page 215?

Mr. JONES of Washington. No; I think simply the provision on page 215. I see that the committee has stricken out the provision on page 214, and I think that is what the senders of these telegrams wanted done with it. I do not know what the effect of the amendment on page 215 is, so I will ask that that may go over until I have an opportunity to examine it. I have no objection to the amendment striking out the paragraph on page 214. All that I ask to go over is lines 3, 4, and 5 on page 215.

Mr. SIMMONS. Mr. President, that has nothing to do with the matter stricken out.

Mr. JONES of Washington. I have no objection, then, to having these paragraphs stricken out; but I want the proposed amendment on lines 3, 4, and 5, page 215, to go over.

The PRESIDING OFFICER. Lines 3, 4, and 5, page 215, will be passed over.

Mr. SIMMONS. As I understand, the amendment striking out the part before those lines has been agreed to?

The PRESIDING OFFICER. That amendment has been agreed to. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, in section 1002, page 215, line 21, after the word "pay," to insert "$24, and," and in line 22, after the word "thereof," to insert "in respect to the excess over 200,000 pounds," so as to make the paragraph read:

Manufacturers of tobacco whose annual sales exceed 200,000 pounds shall each pay $24, and at the rate of 16 cents per thousand pounds, or fraction thereof, in respect to the excess over 200,000 pounds.

The amendment was agreed to.

The next amendment was, on page 216, line 11, after the word "pay," to insert "$24, and," and in line 12, after the word "thereof," to insert "in respect to the excess over 400,000 cigars," so as to make the paragraph read:

Manufacturers of cigars whose annual sales exceed 400,000 cigars shall each pay $24, and at the rate of 10 cents per thousand cigars, or fraction thereof, in respect to the excess over 400,000 cigars.

The amendment was agreed to.

The next amendment was, in section 1003, page 217, line 5, before the word "tons," to strike out "net" and insert "gross"; in line 6, after the word "for," to strike out "trade" and insert "trade, fishing"; in line 11, before the word "tons," to strike out "net" and insert "gross"; and, in line 14, before the word "tons," to strike out "net" and insert "gross," so as to make the paragraph read:

SEC. 1003. That 60 days after the passage of this act, and thereafter on July 1 in each year, and also at the time of the original purchase of a new boat by a user, if on any other date than July 1, there shall be levied, assessed, collected, and paid in lieu of the tax imposed by section 603 of the revenue act of 1917, upon the use of yachts, pleasure boats, power boats, and sailing boats of over 5 gross tons, and motor boats with fixed engines not used exclusively for trade, fishing, or national defense, or not built according to plans and specifications approved by the Navy Department, a special excise tax, to be based on each yacht or boat at rates as follows: Yachts, pleasure boats, power boats, motor boats with fixed engines, and sailing boats of over 5 gross tons, length not over 50 feet, $1 for each foot; length over 50 feet and not over 100 feet, $2 for each foot; length over 100 feet, $4 for each foot; motor boats of not over 5 gross tons with fixed engines, $10.

The amendment was agreed to.

The next amendment was, in section 1004, page 218, after line 21, to insert:

If the corresponding tax imposed by section 407 of the revenue act of 1916 was not payable by stamp, the amount paid under such section for any period for which a tax is also imposed by this title may be credited against the tax imposed by this title.

The amendment was agreed to.

The next amendment was, on page 219, after line 2, to strike out:

SEC. 1005. That on and after January 1, 1919, every person any part of whose business consists of the retailing of merchandise through or upon orders received by mail shall pay annually a special excise tax equivalent to 1 per cent of the gross amount in excess of $100,000 received by such person from such retail sales during the preceding year ending June 30.

The amendment was agreed to.

The next amendment was, on page 219, after line 9, to strike out:

SEC. 1006. That 60 days after the passage of this act, and thereafter on July 1 in each year, and also at the time of the purchase of a new or used automobile or motorcycle by a user, if on any other date than July 1, there shall be levied, assessed, collected, and paid upon the use of automobiles and motorcycles a special excise tax at rates as follows: Motorcycles, $5; automobiles (other than electric) of 25 horsepower or less, $10; more than 25 horsepower and not more than 30 horsepower, $20; more than 30 horsepower and not more than 40 horsepower, $30; and more than 40 horsepower, $50; electric automobiles, $5 per horsepower and 50 cents for each 100 pounds of weight.

In the case of a tax imposed at the time of the purchase of an automobile or motorcycle on any other date than July 1, and in the case of the tax taking effect 60 days after the passage of this act, the amount to be paid shall be the same number of twelfths of the amount of the tax as the number of calendar months (including the month of sale or the month in which is included the sixty-first day after the passage of this act, as the case may be) remaining prior to the following July 1.

For the purposes of this section the horsepower of all automobiles other than steam or electric shall be computed as follows: Square the diameter of the cylinder in inches, multiply by the number of cylinders, and divide by two and one-half. In the case of steam or electric automobiles, the horsepower for the purposes of this section shall be the horsepower rating fixed and advertised by the manufacturer or importer thereof at the time when sold by him.

The amendment was agreed to.

The next amendment was, on page 220, after line 13, to strike out:

SEC. 1007. That on and after January 1, 1919, every manufacturer of automatic vending or weighing machines who operates such machines shall pay annually a special excise tax equivalent to 5 per cent of the gross amount received by him from such operation during the preceding year ending June 30.

The amendment was agreed to.

The next amendment was, on page 220, after line 19, to insert:

SEC. 1008. That any person who carries on any business or occupation for which a special tax is imposed by sections 1000, 1001, or 1002, without having paid the special tax therein provided, shall, besides being liable for the payment of such special tax, be subject to a penalty of not more than $1,000 or to imprisonment for not more than one year, or both.

The amendment was agreed to.

The next amendment was, on page 221, line 3, to change the number of the section from "1008" to "1006."

The amendment was agreed to.

The next amendment was, in section 1006, page 221, line 6, after the word "on" to strike out "and after January 1, 1919," and insert "on or before July 1 of each year"; in line 13, after the word "on" to strike out "and on or before the 1st day of July, annually thereafter"; in line 13, after the word "pay" to insert "the"; and in the same line, after the word "taxes" to strike out "as follows:" and insert "hereinafter provided"; so as to make the paragraph read:

SECTION 1. That on or before July 1 of each year every person who imports, manufactures, produces, compounds, sells, deals in, dispenses, or gives away opium or coca leaves, or any compound, manufacture, salt, derivative, or preparation thereof, shall register with the collector of internal revenue of the district his name or style, place of business, and place or places where such business is to be carried on, and pay the special taxes hereinafter provided.

The amendment was agreed to.

The next amendment was, on page 221, after line 15, to insert:

Every person who on January 1, 1919, is engaged in any of the activities above enumerated, or who between such date and the passage of this act first engages in any of such activities, shall within 30 days after the passage of this act make like registration, and shall pay the proportionate part of the tax for the period ending June 30, 1919; and

Every person who first engages in any of such activities after the passage of this act shall immediately make like registration and pay the proportionate part of the tax for the period ending on the following June 30.

The amendment was agreed to.

The next amendment was, on page 222, line 6, after the word "they," to insert "in the course of their professional practice," so as to make the paragraph read:

Importers, manufacturers, producers, or compounders, $24 per annum; wholesale dealers, $12 per annum; retail dealers, $6 per annum; physicians, dentists, veterinary surgeons, and other practitioners lawfully entitled to distribute, dispense, give away, or administer any of the aforesaid drugs to patients upon whom they in the course of their professional practice are in attendance, shall pay $3 per annum.

The amendment was agreed to.

The next amendment was, on page 225, line 11, after the word "practitioner," to insert "in the course of his professional practice," so as to make the paragraph read:

It shall be unlawful for any person to purchase, sell, dispense, or distribute any of the aforesaid drugs except in the original stamped package or from the original stamped package; and the absence of appropriate tax-paid stamps from any of the aforesaid drugs shall be prima facie evidence of a violation of this section by the person in whose possession same may be found; and the possession of any original stamped package containing any of the aforesaid drugs by any person who has not registered and paid special taxes as required by this section shall be prima facie evidence of liability to such special tax: *Provided*, That the provisions of this paragraph shall not apply to any person having in his or her possession any of the aforesaid drugs which have been obtained from a registered dealer in pursuance of a prescription, written for legitimate medical uses, issued by a physician, dentist, veterinary surgeon, or other practitioner registered under this act; and where the bottle or other container in which such drug may be put up by the dealer upon said prescription bears the name and registry number of the druggist, serial number of prescription, name and address of the patient, and name, address, and registry number of the person writing said prescription; or to the dispensing or administration, or giving away of any of the aforesaid drugs to a patient by a registered physician, dentist, veterinary surgeon, or other practitioner in the course of his professional practice in personal attendance upon such patient, and where said drugs are dispensed or administered to the patient for legitimate medical purposes, and the record kept as required by this act of the drugs so dispensed, administered, distributed, or given away.

The amendment was agreed to.

The next amendment was, on page 226, after line 14, to strike out:

SEC. 1009. That section 6 of such act of December 17, 1914, is hereby amended to read as follows:

"SEC. 6. That the provisions of this act shall not apply to decocainized coca leaves from which all cocaine and other related alkaloids or associated salts have been extracted, nor to preparations of such decocainized coca leaves."

The amendment was agreed to.

The next amendment was, on page 226, line 21, to change the number of the section from "1010" to "1007."

The amendment was agreed to.

The next amendment was, on page 227, line 23, to change the number of the section from "1011" to "1008."

The amendment was agreed to.

The reading of the bill was continued.

The next amendment was, on page 234, line 18, after the word "thereof," to strike out "and on all policies of guaranty and fidelity insurance, including policies guaranteeing titles to real estate and mortgage guarantee policies"; in line 23, after the word "except," to strike out "such as may be" and insert "fidelity and surety bonds taxable under subdivision (b) of section 503, and bonds," and in line 25, after the word "cents," to strike out the proviso in the following words:

Provided, That where a premium is charged for the execution of such bond the tax shall be 1 cent on each dollar or fractional part thereof of the premium charged: *Provided further*, That policies of reinsurance shall be exempt from the tax imposed by this subdivision.

So as to read:

SCHEDULE A.—STAMP TAXES.

1. Bonds of indebtedness: On all bonds, debentures, or certificates of indebtedness issued by any person, and all instruments, however termed, issued by any corporation with interest coupons or in registered form, known generally as corporate securities, on each $100 of face value or fraction thereof, 5 cents: *Provided*, That every renewal of the foregoing shall be taxed as a new issue: *Provided further*, That when a bond conditioned for the repayment or payment of money is given in a penal sum greater than the debt secured, the tax shall be based upon the amount secured.

2. Bonds, indemnity and surety: On all bonds executed for indemnifying any person who shall have become bound or engaged as surety, and on all bonds executed for the due execution or performance of any contract, obligation, or requirement, or the duties of any office or position, and to account for money received by virtue thereof, and on all other bonds of any description, made, issued, or executed, not otherwise provided for in this schedule, except fidelity and surety bonds taxable under subdivision (b) of section 503, and bonds required in legal proceedings, 50 cents.

The amendment was agreed to.

The reading of the bill was continued.

The next amendment was, on page 237, line 18, after the word "merchandise," to strike out "at" and insert "at, or under the rules or usages of," so as to read:

5. Produce, sales of, on exchange: Upon each sale, agreement of sale, or agreement to sell (not including so-called transferred or scratch sales), any products or merchandise at, or under the rules or usages of, any exchange, or board of trade, or other similar place, for future delivery, for each $100 in value of the merchandise covered by said sale or agreement of sale or agreement to sell, 2 cents, and for each additional $100 or fractional part thereof in excess of $100, 2 cents.

The amendment was agreed to.

The next amendment was, on page 241, after line 23, to insert:

15. On each policy of insurance, or certificate, binder, covering note, memorandum, cablegram, letter or other instrument by whatever name called whereby insurance is made or renewed upon property within the United States (including rents and profits) against peril by sea or on inland waters or in transit on land (including transshipments and storage at termini or way points) or by fire, lightning, tornado, windstorm, bombardment, invasion, insurrection or riot, issued to or for or in the name of a domestic corporation or partnership or an individual resident of the United States by any foreign corporation or partnership or any individual not a resident of the United States, when such policy or other instrument is not signed or countersigned by an officer or agent of the insurer in a State, Territory, or district of the United States within which such insurer is authorized to do business, a tax of 5 cents on each dollar, or fractional part thereof of the premium charged: *Provided*, That policies of reinsurance shall be exempt from the tax imposed by this subdivision.

Any person to or for whom or in whose name any such policy or other instrument is issued, or any solicitor or broker acting for or on behalf of such person in the procurement of any such policy or other instrument, shall affix the proper stamps to such policy or other instrument and for failure to affix such stamps with intent to evade the tax shall, in addition to other penalties provided therefor, pay a fine of double the amount of the tax.

The amendment was agreed to.

The next amendment was, on page 243, beginning with line 1, to strike out:

TITLE XII.—ADVISORY TAX BOARD.

SEC. 1200. That there is hereby created a board to be known as the "advisory tax board," hereinafter called the board, and to be composed of five members to be appointed by the President of the United States, by and with the advice and consent of the Senate. The board shall remain in existence during the continuance of the present war with the Imperial German Government and for a period of 12 months after the termination of such war, as declared by proclamation of the President.

Vacancies in the membership of the board shall be filled in the same manner as an original appointment. Any member shall be subject to removal by the President. The President shall designate the chairman of the board. Each member shall receive an annual salary of $9,000, payable monthly, together with actual necessary expenses when absent from the District of Columbia on official business.

SEC. 1201. That the Secretary or the commissioner may and on the request of any taxpayer directly interested shall, submit to the board any question relating to the interpretation or administration of the internal revenue laws, and the board shall report its findings and recommendations to the Secretary or the commissioner, as the case may be.

SEC. 1202. That the board shall have its office in the Bureau of Internal Revenue in the District of Columbia. The expenses and salaries of members of the board shall be audited, allowed, and paid

out of appropriations for collecting internal revenue, in the same manner as expenses and salaries of employees of the Bureau of Internal Revenue are audited, allowed, and paid.

SEC. 1203. That the board shall have the power to summon witnesses, take testimony, administer oaths, and to require any person to produce books, papers, documents, or other data relating to any matter under investigation by the board. Any member of the board may sign subpœnas and members and employees of the Bureau of Internal Revenue designated to assist the board, when authorized by the board, may administer oaths, examine witnesses, take testimony, and receive evidence.

The amendment was agreed to.

The next amendment was, on page 244, after line 14, to insert:

TITLE XII.—TAX ON EMPLOYMENT OF CHILD LABOR.

SEC. 1200. That every person (other than a bona fide boys' or girls' canning club recognized by the Agricultural Department of a State and of the United States) operating (a) any mine or quarry situated in the United States in which children under the age of 16 years have been employed or permitted to work during any portion of the taxable year; or (b) any mill, cannery, workshop, factory, or manufacturing establishment situated in the United States in which children under the age of 14 years have been employed or permitted to work, or children between the ages of 14 and 16 have been employed or permitted to work more than eight hours in any day or more than six days in any week, or after the hour of 7 o'clock p. m., or before the hour of 6 o'clock a. m., during any portion of the taxable year, shall pay for each taxable year, in addition to all other taxes imposed by law, an excise tax equivalent to 10 per cent of the entire net profits received or accrued for such year from the sale or disposition of the product of such mine, quarry, mill, cannery, workshop, factory, or manufacturing establishment.

SEC. 1201. That in computing net profits under the provisions of this title, for the purpose of the tax there shall be allowed as deductions from the gross amount received or accrued for the taxable year from the sale or disposition of such products manufactured within the United States the following items:

(a) The cost of raw materials entering into the production;

(b) Running expenses, including rentals, cost of repairs, and maintenance, heat, power, insurance, management, and a reasonable allowance for salaries or other compensations for personal services actually rendered, and for depreciation;

(c) Interest paid within the taxable year on debts or loans contracted to meet the needs of the business, and the proceeds of which have been actually used to meet such needs;

(d) Taxes of all kinds paid during the taxable year with respect to the business or property relating to the production; and

(e) Losses actually sustained within the taxable year in connection with the business of producing such products, including losses from fire, flood, storm, or other casualties, and not compensated for by insurance or otherwise.

SEC. 1202. That if any such person during any taxable year or part thereof, whether under any agreement, arrangement, or understanding or otherwise, sells or disposes of any product of such mine, quarry, mill, cannery, workshop, factory, or manufacturing establishment at less than the fair market price obtainable therefor either (a) in such manner as directly or indirectly to benefit such person or any person directly or indirectly interested in the business of such person; or (b) with intent to cause such benefit; the gross amount received or accrued for such year or part thereof from the sale or disposition of such product shall be taken to be the amount which would have been received or accrued from the sale or disposition of such product if sold at the fair market price.

SEC. 1203. (a) That no person subject to the provisions of this title shall be liable for the tax herein imposed if the only employment or permission to work which but for this section would subject him to the tax, has been of a child as to whom such person has in good faith procured at the time of employing such child or permitting him to work, and has since in good faith relied upon and kept on file a certificate, issued in such form, under such conditions and by such persons as may be prescribed by a board consisting of the Secretary, the commissioner, and the Secretary of Labor, showing the child to be of such age as not to subject such person to the tax imposed by this title. Any person who knowingly makes a false statement or presents false evidence in or in relation to any such certificate or application therefor shall be punished by a fine of not less than $100, nor more than $1,000, or by imprisonment for not more than three months, or by both such fine and imprisonment, in the discretion of the court.

In any State designated by such board an employment certificate or other similar paper as to the age of the child, issued under the laws of that State, and not inconsistent with the provisions of this title, shall have the same force and effect as a certificate herein provided for.

(b) The tax imposed by this title shall not be imposed in the case of any person who proves to the satisfaction of the Secretary that the only employment or permission to work which but for this section would subject him to the tax, has been of a child employed or permitted to work under a mistake of fact as to the age of such child, and without intention to evade the tax.

SEC. 1204. That on or before the 1st day of the third month following the close of each taxable year, a true and accurate return under oath shall be made by each person subject to the provisions of this title to the collector for the district in which such person has his principal office or place of business, in such form as the commissioner, with the approval of the Secretary, shall prescribe, setting forth specifically the gross amount of income received or accrued during such year from the sale or disposition of the product of any mine, quarry, mill, cannery, workshop, factory, or manufacturing establishment, in which children have been employed subjecting him to the tax imposed by this title, and from the total thereof deducting the aggregate items of allowance authorized by this title, and such other particulars as to the gross receipts and items of allowance as the commissioner, with the approval of the Secretary, may require.

SEC. 1205. That all such returns shall be transmitted forthwith by the collector to the commissioner, who shall, as soon as practicable, assess the tax found due and notify the person making such return of the amount of tax for which such person is liable, and such person shall pay the tax to the collector on or before 30 days from the date of such notice.

SEC. 1206. That for the purposes of this act the commissioner, or any other person duly authorized by him, shall have authority to enter and inspect at any time any mine, quarry, mill, cannery, workshop, factory, or manufacturing establishment. The Secretary of Labor, or any person duly authorized by him, shall, for the purpose of complying with a request of the commissioner to make such an inspection, have like authority, and shall make report to the commissioner of inspections made under such authority in such form as may be prescribed by the commissioner, with the approval of the Secretary of the Treasury.

Any person who refuses or obstructs entry or inspection authorized by this section shall be punished by a fine of not more than $1,000, or by imprisonment for not more than one year, or both such fine and imprisonment.

SEC. 1207. That as used in this title the term "taxable year" shall have the same meaning as provided for the purposes of income tax in section 200. The first taxable year for the purposes of this title shall be the period between 60 days after the passage of this act and December 31, 1919, both inclusive, or such portion of such period as is included within the fiscal year (as defined in section 200) of the taxpayer.

Mr. SMITH of Georgia. I know there are several Senators who desire to be heard on this provision, and I therefore ask that it may go over.

The PRESIDING OFFICER. Without objection, the amendment goes over.

The reading of the bill was continued.

The next amendment was, on page 251, line 3, after the word "appointed," to strike out "from lists of eligibles to be supplied by the Civil Service Commission and in accordance with the civil-service law" and insert "as provided by law," so as to read:

TITLE XIII.—GENERAL ADMINISTRATIVE PROVISIONS.

SEC. 1300. That hereafter the salary of the commissioner shall be $10,000 a year. The difference between the amount appropriated under existing law and the salary herein established shall, for the period between the passage of this act and July 1, 1919, be paid out of the appropriations for collecting internal revenue.

SEC. 1301. (a) That hereafter there may be employed in the Bureau of Internal Revenue, in lieu of the deputy commissioners whose salaries are now fixed by law, five deputy commissioners and an assistant to the commissioner, who shall each receive a salary of $5,000 a year, payable monthly. The assistant to the commissioner may be authorized by the commissioner to perform any duties which the deputy commissioners may perform under existing law.

(b) The salaries of collectors may be readjusted and increased under such regulations as may be prescribed by the commissioner, subject to the approval of the Secretary, but no collector shall receive a salary in excess of $6,000 a year.

(c) There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1919, the sum of $7,500,000 for the expenses of assessing and collecting the internal-revenue taxes as provided in this act, including the employment of necessary officers, attorneys, experts, agents, inspectors, deputy collectors, clerks, janitors, and messengers, in the District of Columbia and the several collection districts, to be appointed as provided by law.

Mr. SMOOT. I ask that that may go over.

The PRESIDING OFFICER. Without objection, the amendment goes over.

The next amendment was, on page 251, line 7, after the word "equipment," to insert "furniture," and in line 9, after the word "reference," to insert "not to exceed $500 for street car fares in the District of Columbia," so as to read:

telegraph and telephone service, rental and repair of quarters, postage, and the purchase of such supplies, equipment, furniture, mechanical devices, printing, stationery, law books and books of reference, not to exceed $500 for street car fares in the District of Columbia, and such other articles as may be necessary for use in the District of Columbia and the several collection districts: *Provided*, That not more than $2,750,000 of the total amount appropriated by this section may be expended in the Bureau of Internal Revenue in the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 251, line 15, to insert the following additional proviso:

Provided further, That not more than $60,000 of the total amount appropriated by this section may be expended for salaries and traveling expenses of members of an "advisory tax board," to be appointed by the commissioner, with the approval of the Secretary. Under rules and regulations prescribed by the commissioner, with the approval of the Secretary, the secretary of the commissioner may, and on the request of any taxpayer directly interested shall, submit to the board any question relating to the interpretation or administration of the internal-revenue laws. Such board shall have the power to summon witnesses, to take testimony, administer oaths, and require any person to produce books, papers, documents, or other papers relating to any matter under investigation by the board. Such board may be continued for two years.

Mr. SMOOT. In line 21 the word "of" should be stricken out where it occurs the second time and "or" should be inserted after the word "Secretary," so as to read: "with the approval of the Secretary, the Secretary or the commissioner may." I move that amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 253, line 23, before the word "Islands" to strike out "West Indian" and insert "Virgin" and after "Islands" to strike out "acquired from Denmark," so as to read:

SEC. 1304. That there shall be levied, collected, and paid in the United States, upon articles coming into the United States from the Virgin Islands a tax equal to the internal-revenue tax imposed in the United States upon like articles of domestic manufacture; such articles shipped from such islands to the United States shall be exempt from the payment of any tax imposed by the internal-revenue laws of such islands: *Provided*, That there shall be levied, collected, and paid in such islands, upon articles imported from the United States, a tax equal

to the internal-revenue tax imposed in such islands upon like articles there manufactured; and such articles going into such islands from the United States shall be exempt from payment of any tax imposed by the internal-revenue laws of the United States.

The amendment was agreed to.

The next amendment was, on page 254, to strike out lines 20 to 23, inclusive, in the following words:

Whenever in the judgment of the commissioner necessary he may require any person, by notice served upon him, to make a return or such statements as he deems sufficient to show whether or not such person is liable to tax.

And to insert:

The commissioner, with the approval of the Secretary, may require any person, whether liable to tax or not, to file returns of income or such statements as may be deemed by him to be sufficient to show whether or not such person is so liable.

The amendment was agreed to.

The reading of the bill was continued.

The next amendment was, on page 256, after line 10, to strike out section 1308, as follows:

That, except as otherwise specially provided for in this act, whoever fails to make any return required by this act or the regulations made under authority thereof within the time prescribed or who makes any false or fraudulent return, and whoever evades or attempts to evade any tax imposed by this act or fails to collect or truly to account for and pay over any such tax, shall be subject to a penalty of not more than $1,000 or to imprisonment for not more than one year, or both, and in addition thereto a penalty of double the tax evaded, or not collected or accounted for and paid over, to be assessed and collected in the same manner as taxes are assessed and collected.

And in lieu thereof to insert:

(a) That any person required under Titles V, VI, VII, VIII, IX, X, or XII, to pay, or to collect, account for and pay over any tax, or required by law or regulations made under authority thereof to make a return or supply any information for the purposes of the computation, assessment, or collection of any such tax, who fails to pay, collect, or truly account for and pay over any such tax, make any such return, or supply any such information at the time or times required by law or regulation shall, in addition to other penalties provided by law, be subject to a penalty of not more than $1,000.

(b) Any person who willfully refuses to pay, collect, or truly account for and pay over any such tax, make such return, or supply such information at the time or times required by law or regulation, or who willfully attempts in any manner to evade such tax shall be guilty of a misdemeanor and, in addition to other penalties provided by law, shall be fined not more than $10,000 or imprisoned for not more than one year, or both, together with the costs of prosecution.

(c) Any person who willfully refuses to pay, collect, or truly account for and pay over any such tax shall, in addition to other penalties provided by law, be liable to a penalty of the amount of the tax evaded or not paid, collected, or accounted for and paid over, to be assessed and collected in the same manner as taxes are assessed and collected: *Provided, however*, That no penalty shall be assessed under this subdivision for any offense for which a penalty may be assessed under authority of section 3176 of the Revised Statutes as amended, or of section 605 or 620 of this act, or for any offense for which a penalty has been recovered under section 3256 of the Revised Statutes.

(d) The term "person" as used in this section includes an officer or employee of a corporation or a member or employee of a partnership who, as such officer, employee, or member, is under a duty to perform the act in respect of which the violation occurs.

The amendment was agreed to.

The next amendment was, in section 1309, page 258, after line 12, to insert:

The commissioner, with such approval, may, by regulation, provide that any return required by Titles V, VI, VII, VIII, IX, or X to be under oath may, if the amount of the tax covered thereby is not in excess of $10, be signed or acknowledged before two witnesses instead of under oath.

The amendment was agreed to.

The next amendment was, in section 1310, page 258, line 18, before the word "That," to insert "(a)," so as to read:

SEC. 1310. (a) That in the case of any overpayment or overcollection of any tax imposed by section 628 or 630 or by Title V, Title VIII, or Title IX the person making such overpayment or overcollection may take credit therefor against taxes due upon any monthly return and shall make refund of any excessive amount collected by him upon proper application by the person entitled thereto.

The amendment was agreed to.

The next amendment was, at the top of page 259, to insert:

(b) Wherever in this act a tax is required to be paid by the purchaser to the vendor at the time of a sale, and such sale is made on credit, then, under regulations prescribed by the commissioner, with the approval of the Secretary, the tax may, at the option of the vendor, be returned and paid by him to the United States as if paid to him by the purchaser at the time of the sale, and in such case the vendor shall have a right of action in any court of competent jurisdiction against the purchaser for the amount of the tax so returned and paid to the United States.

The amendment was agreed to.

The next amendment was, in section 1312, page 259, line 24, after the word "under," to strike out "Title," and to insert "Titles"; and on page 260, line 5, after the word "price," to insert:

If a contract of the character above described was made with any person other than a dealer, the tax collected under this act shall be the tax in force on May 9, 1917.

So as to read:

SEC. 1312. (1) That (a) if any person has prior to May 9, 1917, made a bona fide contract with a dealer for the sale or lease, after the tax takes effect, of any article in respect to which a tax is imposed under Titles VI, VII, or IX, or under subdivision 13 of Schedule A of Title XI, or under this subdivision, and (b) if such contract does not permit the adding of the whole of such tax to the amount to be paid under such contract, then the vendee or lessee shall, in lieu of the vendor or lessor, pay so much of such tax as is not so permitted to be added to the contract price. If a contract of the character above described was made with any person other than a dealer, the tax collected under this act shall be the tax in force on May 9, 1917.

The amendment was agreed to.

The next amendment was, on page 260, after line 8, to strike out:

(2) If (a) any person has prior to September 3, 1918, made a bona fide contract with a dealer for the sale or lease, after the tax takes effect, of any article in respect to which a tax is imposed under Title VI, VII, or IX, or under subdivision 13 of Schedule A of Title XI, or under this subdivision, and (b) such contract does not permit the adding, to the amount to be paid under such contract, of the whole of the difference between such tax and the corresponding tax imposed by the revenue act of 1917 (or, in the case of articles in respect to which no corresponding tax was imposed by such act, the whole of the tax imposed by this act), then the vendee or lessee shall, in lieu of the vendor or lessor, pay so much of such difference (or, in the case of articles in respect to which no corresponding tax was imposed by such act, so much of the tax imposed by this act) as is not so permitted to be added to the contract price.

And in lieu thereof to insert:

(2) If (a) any person has prior to September 3, 1918, made a bona fide contract with a dealer for the sale or lease, after the tax takes effect, of any article in respect to which a tax is imposed under Titles VI, VII, or IX, or under subdivision 13 of Schedule A of Title XI, or under this subdivision, and in respect to which no corresponding tax was imposed by the revenue act of 1917, and (b) such contract does not permit the adding, to the amount to be paid under such contract, of the whole of the tax imposed by this act, then the vendee or lessee shall, in lieu of the vendor or lessor, pay so much of the tax imposed by this act, as is not so permitted to be added to the contract price. If a contract of the character above described was made with any person other than a dealer, no tax shall be collected under this act.

(3) If (a) any person has prior to September 3, 1918, made a bona fide contract with a dealer for the sale or lease, after the tax takes effect, of any article in respect to which a tax is imposed under Titles VI, VII, or IX, or under subdivision 13 of Schedule A of Title XI, or under this subdivision, and in respect to which a corresponding tax was imposed by the revenue act of 1917, and (b) such contract does not permit the adding, to the amount to be paid under such contract, of the whole of the difference between such tax and corresponding tax imposed by the revenue act of 1917, then the vendee or lessee shall, in lieu of the vendor or lessor, pay so much of such difference as is not so permitted to be added to the contract price. If a contract of the character above described was made with any person other than a dealer, the tax collected under this act shall be the tax in force on September 3, 1918.

Mr. SMOOT. Mr. President, on page 261, line 24, before the words "corresponding tax," the word "the" is omitted and should be inserted, so as to read "the whole of the difference between such tax and the corresponding tax imposed." I move that amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 262, line 7, before the word "The," to strike out "(3)" and to insert "(4)," so as to make the clause read:

(4) The taxes payable by the vendee or lessee under this section shall be paid to the vendor or lessor at the time the sale or lease is consummated, and collected, returned, and paid to the United States by such vendor or lessor in the same manner as provided in section 502.

The amendment was agreed to.

The next amendment was, on page 262, line 12, before the word "The," to strike out "(4)" and to insert "(5)," so as to make the clause read:

(5) The term "dealer" as used in this section includes a vendee who purchases any article with intent to use it in the manufacture or production of another article intended for sale.

The amendment was agreed to.

The next amendment was, in section 1314, page 262, line 20, after the word "That," to strike out "under rules and regulations prescribed by the Secretary"; in line 21, after the word "par," to strike out "and" and to insert "with an adjustment for"; and on page 263, line 1, after the word "taxes," to insert "and any other taxes payable other than by stamp," so as to make the section read:

SEC. 1314. That collectors may receive, at par with an adjustment for accrued interest, certificates of indebtedness issued by the United States and uncertified checks in payment of income, war-profits, and excess-profits taxes and any other taxes payable other than by stamp, during such time and under such regulations as the commissioner, with the approval of the Secretary, shall prescribe; but if a check so received is not paid by the bank on which it is drawn the person by whom such check has been tendered shall remain liable for the payment of the tax and for all legal penalties and additions the same as if such check had not been tendered.

The amendment was agreed to.

The next amendment was, on page 263, after line 8, to insert:

SEC. 1315. That section 3315 of the Revised Statutes, as amended, is hereby amended to read as follows:

"SEC. 3315. The Commissioner of Internal Revenue may, under regulations prescribed by him with the approval of the Secretary of the Treasury, issue stamps for restamping packages of distilled spirits, tobacco, cigars, snuff, cigarettes, fermented liquors and wines which have been duly stamped but from which the stamps have been lost or destroyed by unavoidable accident."

The amendment was agreed to.

The next amendment was, on page 263, in line 18, to change the number of section "1315" to "1316."

The amendment was agreed to.

The next amendment was, on page 264, after line 21, to insert:

(c) That the paragraph of section 3689 of the Revised Statutes, as amended, reading as follows:

"Refunding taxes illegally collected (internal revenue): To refund and pay back duties erroneously or illegally assessed or collected under the internal-revenue laws" is hereby amended to read as follows:

"To refund and pay back duties or taxes erroneously or illegally assessed or collected under the internal-revenue laws, and to pay judgments, including interest and costs, rendered for taxes or penalties erroneously or illegally assessed or collected under the internal-revenue laws, notwithstanding any limitations imposed by the act of June 20, 1874."

The amendment was agreed to.

The next amendment was, on page 265, line 10, to change the number of the section from "1316" to "1317," and after line 12 to insert:

SEC. 3164. It shall be the duty of every collector of internal revenue having knowledge of any willful violation of any law of the United States relating to the revenue, within 30 days after coming into possession of such knowledge, to file with the district attorney of the district in which any fine, penalty, or forfeiture may be incurred, a statement of all the facts and circumstances of the case within his knowledge, together with the names of the witnesses, setting forth the provisions of law believed to be so violated on which reliance may be had for condemnation of conviction.

SEC. 3165. Every collector, deputy collector, internal-revenue agent, and internal-revenue officer assigned to duty under an internal-revenue agent, is authorized to administer oaths and to take evidence touching any part of the administration of the internal-revenue laws with which he is charged, or where such oaths and evidence are authorized by law or regulation authorized by law to be taken.

The amendment was agreed to.

The next amendment was, on page 270, in line 9, after the word "law," to insert "or by regulation made under authority of law"; on page 271, in line 8, after the word "tax," strike out "50" and insert "25"; and in line 13, after the word "tax," strike out "100" and insert "50," so as to read:

SEC. 3176. If any person, corporation, company, or association fails to make and file a return or list at the time prescribed by law or by regulation made under authority of law, or makes, willfully or otherwise, a false or fraudulent return or list, the collector or deputy collector shall make the return or list from his own knowledge and from such information as he can obtain through testimony or otherwise. In any such case the commissioner may, from his own knowledge and from such information as he can obtain through testimony or otherwise, make a return or amend any return made by a collector or deputy collector. Any return or list so made and subscribed by the commissioner, or by a collector or deputy collector and approved by the commissioner, shall be prima facie good and sufficient for all legal purposes.

If the failure to file a return or list is due to sickness or absence, the collector may allow such further time, not exceeding 30 days, for making and filing the return or list as he deems proper.

The Commissioner of Internal Revenue shall determine and assess all taxes, other than stamp taxes, as to which returns or lists are so made under the provisions of this section. In case of any failure to make and file a return or list within the time prescribed by law, or prescribed by the Commissioner of Internal Revenue or the collector in pursuance of law, the Commissioner of Internal Revenue shall add to the tax 25 per cent of its amount, except that when a return is filed after such time and it is shown that the failure to file it was due to a reasonable cause and not to willful neglect, no such addition shall be made to the tax. In case a false or fraudulent return or list is willfully made, the Commissioner of Internal Revenue shall add to the tax 50 per cent of its amount.

The amount so added to any tax shall be collected at the same time and in the same manner and as part of the tax unless the tax has been paid before the discovery of the neglect, falsity, or fraud, in which case the amount so added shall be collected in the same manner as the tax.

The amendment was agreed to.

The next amendment was, on page 271, line 20, to change the number of the section from "1317" to "1318"; in line 21, after the word "this," to strike out "title" and insert "Act"; and at the top of page 272, to insert:

The district courts of the United States are hereby invested with such jurisdiction to make and issue, both in actions at law and suits in equity, writs and orders of injunction, and of ne exeat republica, orders appointing receivers, and such other orders and process, and to render such judgments and decrees, granting in proper cases both legal and equitable relief together, as may be necessary or appropriate for the enforcement of the provisions of this act. The remedies hereby provided are in addition to and not exclusive of any and all other remedies of the United States in such courts or otherwise to enforce such provisions.

So as to make the section read:

SEC. 1318. That if any person is summoned under this act to appear, to testify, or to produce books, papers, or other data, the district court of the United States for the district in which such person resides shall have jurisdiction by appropriate process to compel such attendance, testimony, or production of books, papers, or other data.

The district courts of the United States are hereby invested with such jurisdiction to make and issue, both in actions at law and suits in equity, writs and orders of injunction, and of ne exeat republica, orders appointing receivers, and such other orders and process, and to render such judgments and decrees, granting in proper cases both legal and equitable relief together, as may be necessary or appropriate for the enforcement of the provisions of this act. The remedies hereby provided are in addition to and not exclusive of any and all other remedies of the United States in such courts or otherwise to enforce such provisions.

The amendment was agreed to.

The next amendment was, on page 272, line 12, to change the number of the section from "1318" to "1319."

The amendment was agreed to.

The next amendment was, on page 273, line 1, to change the number of the section from "1319" to "1320."

The amendment was agreed to.

Mr. SMOOT. Mr. President, before the Secretary proceeds to read Title XIV, I desire to call the attention of the Senator from North Carolina to line 23, on page 272, where it reads, "and upon conviction thereof shall be fined not more than $1,000 or by imprisonment not exceeding one year, or both," it should read "and upon conviction thereof shall be punished by a fine of not more than $1,000 or by imprisonment not exceeding one year, or both."

Mr. SIMMONS. Undoubtedly, Mr. President, that amendment should be made.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In section (1318) 1319, page 272, line 23, after the words "shall be," it is proposed to strike out the word "fined" and to insert the words "punished by a fine of."

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, under the heading "Title XIV—General provisions," in section 1400, page 273, line 17, after the first word "That," to strike out "any provision of any act inconsistent with any provision of this act is hereby repealed, subject to the limitations provided in subdivision (b)" and insert:

the following parts of acts are hereby repealed, subject to the limitations provided in subdivision (b):

(1) The following titles of the revenue act of 1916:
Title I (called "Income tax");
Title II (called "Estate tax");
Title III (called "Munitions manufacturers' tax"), as amended;
Title IV (called "Miscellaneous taxes").

(2) The following parts of the act entitled "An act to provide increased revenue to defray the expenses of the increased appropriations for the Army and Navy and the extensions of fortifications, and for other purposes," approved March 3, 1917:
Title III (called "Estate tax");
Section 402 (called "Returns of dividends").

(3) The following titles of the revenue act of 1917:
Title I (called "War income tax");
Title II (called "War excess-profits tax");
Title III (called "War tax on beverages");
Title IV (called "War tax on cigars, tobacco, and manufactures thereof");
Title V (called "War tax on facilities furnished by public utilities, and insurance");
Title VI (called "War excise taxes");
Title VII (called "War tax on admissions and dues");
Title VIII (called "War stamp taxes");
Title IX (called "War estate tax");
Title X (called "Administrative provisions");
Title XII (called "Income-tax amendments").

The amendment was agreed to.

The next amendment was, on page 275, line 1, after the word "Such," to strike out "provisions" and insert "parts of acts"; in line 7, after the word "such," to strike out "provision" and insert "part of an act"; in line 9, after the word "thereof," to insert "*Provided*, That, except as otherwise provided in this act, no taxes shall be collected under Title I of the revenue act of 1916 as amended by the revenue act of 1917, or Title I or II of the revenue act of 1917, in respect to any period after December 31, 1917"; in line 14, before the word "collection," to insert the word "the"; in line 15, after the word "taxes," to insert "by the United States or by the collector from the executor of the decedent or out of the property of the decedent"; in line 19, after the word "amended," to insert "by the act entitled 'An act to provide increased revenue to defray the expenses of the increased appropriations for the Army and Navy and the extensions of fortifications, and for other purposes,' approved March 3, 1917"; and in line 25, after the word "this," to strike out "Act: *Provided further*, That in" and insert "act," so as to make the paragraph read:

(b) Such parts of acts shall remain in force for the assessment and collection of all taxes which have accrued thereunder, and for the imposition and collection of all penalties or forfeitures which have accrued and may accrue in relation to any such taxes, and except that the unexpended balance of any appropriation heretofore made and now available for the administration of any such part of an act shall be available for the administration of this act or the corresponding provision thereof: *Provided*, That, except as otherwise provided in this act, no taxes shall be collected under Title I of the revenue act of 1916 as amended by the revenue act of 1917, or Title I or II of the revenue act of 1917, in respect to any period after December 31, 1917: *Provided further*, That the assessment and the collection of all estate taxes by the United States or by the collector from the executor of the decedent or out of the property of the decedent, and the imposition and collection of all penalties or forfeitures, which have accrued under Title II of the revenue act of 1916 as amended by the act entitled "An act to provide increased revenue to defray the expenses of the increased appropriations for the Army and Navy and the extensions of fortifications, and for other purposes," approved March 3, 1917, or Title IX of the revenue act of 1917, shall be according to the provisions of Title IV of this act.

The amendment was agreed to.

The next amendment was, at the top of page 276, to insert the word "In," so as to make the paragraph read:

In the case of any tax imposed by any part of an act herein repealed, if there is a tax imposed by this act in lieu thereof, the provision imposing such tax shall remain in force until the corresponding tax under this act takes effect under the provisions of this act.

The amendment was agreed to.

The next amendment was, on page 276, after line 5, to insert:

Title I of the revenue act of 1916 as amended by the revenue act of 1917 shall remain in force for the assessment and collection of the income tax in Porto Rico and the Philippine Islands, except as may be otherwise provided by their respective legislatures.

The amendment was agreed to.

The next amendment was, on page 276, after line 10, to insert:

SEC. 1401. That section 1100 of the revenue act of 1917 is hereby repealed, to take effect on July 1, 1919, and thereafter the rate of postage on all mail matter of the first class shall be the same as the rate in force on October 2, 1917: *Provided*, That letters written and mailed by soldiers, sailors, and marines assigned to duty in a foreign country engaged in the present war may be mailed free of postage, subject to such rules and regulations as may be prescribed by the Postmaster General.

Section 1107 of such act is hereby repealed, to take effect July 11, 1919.

Mr. SIMMONS. Mr. President, the Senator from Georgia [Mr. HARDWICK] requested me to have one or both of these sections which relate to the postal rates go over. I think he referred only to that with reference to second-class matter, but I am not sure, and therefore I will ask that this section go over, and also that the other section go over when it is reached.

The PRESIDING OFFICER. Without objection, the section just read by the Secretary will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 276, after line 21, to insert:

SEC. 1402. (a) That section 1103 of the revenue act of 1917 is hereby repealed.

(b) Section 1101 of such act is hereby amended to read as follows:

"SEC. 1101. That on and after July 1, 1919, the rates of postage on publications entered as second-class matter (including sample copies to the extent of 10 per cent of the weight of copies mailed to subscribers during the calendar year) when sent by the publisher thereof from the post office of publication or other post office, or when sent by a news agent to actual subscribers thereto, or to other news agents for the purpose of sale, shall be 1 cent per pound or fraction thereof for delivery within the first and second zones applicable to fourth-class matter, and 1½ cents per pound or fraction thereof for delivery within any other zone."

(c) This section shall take effect July 1, 1919.

Mr. SIMMONS. I ask to have that section passed over also.

The PRESIDING OFFICER. The section will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Finance was, on page 277, line 13, to change the number of the section from "1401" to "1403."

The amendment was agreed to.

The next amendment was, on page 277, line 20, to change the number of the section from "1402" to "1404."

The amendment was agreed to.

The next amendment was, on page 278, line 1, to change the number of the section from "1403" to "1405."

The amendment was agreed to.

The next amendment was, on page 278, line 6, to change the number of the section from "1404" to "1406."

The amendment was agreed to.

The next amendment was, on page 278, line 8, to change the number of the section from "1405" to "1407."

The amendment was agreed to.

The reading of the bill was concluded.

Mr. SIMMONS. Mr. President, I am advised that the senior Senator from Virginia [Mr. MARTIN] desires to call up a bill which, I think, ought to be passed speedily, and I have therefore consented, and now ask, that the unfinished business may be temporarily laid aside.

The PRESIDING OFFICER. The Chair hears no objection to laying aside the bill temporarily.

CALLING OF THE ROLL.

Mr. SMOOT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Johnson, S. Dak.	Mulkey	Smith, Md.
Beckham	Jones, N. Mex.	Myers	Smoot
Cummins	Jones, Wash.	Norris	Sutherland
Curtis	Kendrick	Page	Swanson
Dillingham	Kenyon	Poindexter	Thomas
Fletcher	Kirby	Pollock	Thompson
France	La Follette	Pomerene	Townsend
Frelinghuysen	Lenroot	Ransdell	Trammell
Gay	Lewis	Saulsbury	Underwood
Gerry	Lodge	Shafroth	Walsh
Gronna	McCumber	Sheppard	Warren
Hardwick	McKellar	Simmons	Weeks
Henderson	Martin, Va.	Smith, Ariz.	Williams

Mr. SUTHERLAND. I announce the absence of my colleague [Mr. GOFF] on account of illness.

Mr. FRANCE. I desire to announce the absence of the Senator from Missouri [Mr. REED] and the Senator from Maine [Mr. FERNALD] on official business of the Senate.

Mr. HENDERSON. I desire at this time to announce the absence of the Senator from Idaho [Mr. NUGENT] on necessary business.

The PRESIDING OFFICER (Mr. KENYON in the chair). Fifty-two Senators have answered to their names. A quorum is present.

TRANSPORTATION OF GOVERNMENT EMPLOYEES.

Mr. MARTIN of Virginia. Mr. President, from the Committee on Appropriations I report back favorably, with one small amendment, the bill (H. R. 13261) providing for the transportation from the District of Columbia of governmental employees whose services no longer are required; and I ask unanimous consent for its present consideration.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Appropriations, with an amendment.

Mr. MARTIN of Virginia. Mr. President, there is only one committee amendment, and I will hand a memorandum of it to the Secretary. I can read it here, however, if necessary. The amendment is, on lines 12 and 13, page 2, to strike out the words "the foregoing limitation of 10 days shall operate" and in lieu thereof to insert:

The time within which transportation shall be applied for shall be 20 days.

The PRESIDING OFFICER. The Senator from Virginia, on behalf of the committee, offers an amendment, which will be stated by the Secretary.

The SECRETARY. On page 2, lines 12 and 13, it is proposed to strike out "the foregoing limitation of 10 days shall operate" and in lieu thereof to insert:

The time within which transportation shall be applied for shall be 20 days.

The amendment was agreed to.

Mr. CURTIS. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. It is proposed to insert as a new section at the end of the bill, or to add, the following:

SEC. 7. That the provisions of this act shall apply to the men who were offered employment by an agent of the Department of Labor, and who were taken from their homes under a promise of six months' employment or more, but who were given less than 90 days' employment.

Mr. CURTIS. Mr. President, I offer that amendment because I have received several letters from people who were brought East under a promise that they would be given a year's employment. Some of them were given only a week's employment, and some had employment for only 10 or 15 days. They were then discharged and forced to pay their way back home.

I want to read two or three of these letters. I have some 10 or 12 of them, but I will read only a few of them, so the Senate may know just how these men were treated:

BALTIMORE, MD., *September 17, 1918.*

Mr. C. CURTIS.

DEAR SIR: We came here from Independence, Kans. The Government agent there told us we would have a year's work, no matter whether the war stopped or not. Now, we are cut down $2.10 a day in our wages and five and one-half days a week, and we can not make both ends meet, as I have three small children at home.

What we want is our fares home. We have worked 24 days, and as we were misinformed as to the conditions here we would like to go back at once. I have never seen a fire since we came here and have caught the worst cold.

Please write at once. There are two of us.

I am, yours,

MALCOLM HUME.

The second letter is as follows:

LARNED, KANS., *November 25, 1918.*

HON. CHARLES CURTIS,
Washington, D. C.

DEAR SIR: On or about September 15 this year we were called on by the Government employment office of Hutchinson, Kans., to give up our employment and ship to Curtis Bay, Md., to work in ordnance depot, with the understanding that this work was just starting and that we would have one year's work. However, we found that the bulk of this work had been done earlier in the year and that said work was only an addition, and our employment only lasted seven days, minus two hours. We demanded our transportation home, and were told that there was nothing doing. We then came down to the District of Columbia and found 8 or 10 days' work on the housing proposition, and were laid off until the work was started at Twenty-first and B Streets, which was about 30 days. Working 3½ days, and that work shut down, leaving us less than fare home.

Someone has made a mistake, as we were not needed in that country at all, and we feel that it is no more than just that they reimburse us for our transportation home, which amounts to $50 each, as we were deprived of our earning capacity practically for two months and also forced to wire home and borrow money to return home on.

If you think this is due us, we ask you as our Representative to use your influence to get us that that is justly due us.

Thanking you for this favor.

Our address is:

L. E. RIGGS,
216 East Twelfth Street, Larned, Kans.
WALTER OBERAUGH,
Dodge City, Kans.

The third letter is as follows:

BALTIMORE, MD., *November 19, 1918.*

Mr. CHARLES CURTIS,
Washington, D. C.

SIR: I am writing you in regard to getting transportation back to Topeka. We were promised a long job with time and one-half for overtime and double time for Sunday. We got no Sunday work at all, and only getting in 44 hours a week; so you see it will be a hardship on us to have to pay our transportation back home. I thought perhaps you could get something done for us if anyone could. Hoping to hear from you at once in regard to the matter, I remain,

Yours, most truly,

R. F. LANE,
710 West Fayette Street.

The fourth letter is as follows:

ARK CITY, *November 18, 1918.*

DEAR SIR: I will answer your letter I received yesterday and was glad to hear from you. I got a letter from Mr. Sterns and I answered it the next day, but I guess he never got it. I gave him all the details of my work. I told him I was at work at Curtis Bay for S. H. and M., and that I was at work on those magazines they was building there and that my number was 2712, and that the superintendent's name was Mr. Craft, and that my foreman's name was Mr. O. D. Lott—there may be more than one Lott there—they have the letter he wrote me there and also the receipts I got for my fare, and that I only got to work seven days and that I was sick all the way home and that I was under the doctor's care about two weeks after I got home, and that I had lost about five weeks' work, and that my family had to live all of that time, besides paying house rent and my fare home. Well, I will close for this time. Hoping to hear from you soon, I remain,

Yours, respectfully,

S. O. PAXTON,
415 North D Street, Ark City, Kans.

I took up this matter with the department and received in reply a letter which I will read. I may say that I referred Mr. Riggs's case and several others, some eight or ten, to the department. This is the reply:

DEPARTMENT OF LABOR,
OFFICE OF THE ASSISTANT SECRETARY,
Washington, December 4, 1918.

MY DEAR SENATOR: Mr. Post has directed me to keep you informed of the state of the investigation into the case of Mr. L. E. Riggs, of Larned, Kans., which you referred to the department upon the 18th.

In response to telegraphic request, the director of employment for Kansas has made inquiries at Hutchinson regarding the complaint. His report states that no promise was made to the men with respect to any definite period of employment, but that the agent for the company which had the contract at Curtis Bay assured them that they would have several months' employment. An attempt is now being made to do something through the contractor. Regardless of the place where the blame is properly laid, the men have evidently been done an injustice which the department will do all in its power to right.

I shall keep you advised further.

Cordially,

HUGH REID,
Private Secretary.

HON. CHARLES CURTIS,
United States Senate, Washington, D. C.

Since receiving this letter I have received another letter stating that they have no appropriation out of which they could pay transportation or reimburse these people, and that they have been unable to get anything out of the contractors.

Mr. JONES of New Mexico. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from New Mexico?

Mr. CURTIS. Certainly.

Mr. JONES of New Mexico. I am very much in accord with the views of the Senator from Kansas, but I should like to suggest an amendment to his amendment.

Mr. CURTIS. I will ask the Senator to wait until I finish my statement, and then I shall be perfectly willing to have the amendment considered.

Mr. JONES of New Mexico. Very well; I will do that.

Mr. CURTIS. Now, the truth of the matter is that the representatives of the Government did tell these men that they would have a year's employment. I do not care what they say; it is not reasonable to believe that twelve or fifteen men, living in different communities, not having talked with each other, would write as to the promises that were made them, and all of them be mistaken.

Mr. JONES of New Mexico. Mr. President, it was just on that point that I wished to make a suggestion, if the Senator from Kansas will permit me to do so.

Mr. CURTIS. I am perfectly willing to listen to the Senator.

Mr. JONES of New Mexico. I was going to suggest that perhaps in practically all of these cases it would be impossible to establish the fact that the men were promised six months' work. Now, we know that these advertisements were made, and that the men had reason to expect that they would obtain work for at least a reasonable length of time; and what I wanted to suggest to the Senator from Kansas was that we may avoid that difficulty by giving this right of transportation to all who have actually had less than 90 days of employment.

Mr. CURTIS. That is what this amendment does.

Mr. JONES of New Mexico. No; if the Senator will permit me, I have his amendment before me, and it reads as follows:

SEC. 7. That the provisions of this act shall apply to the men who were offered employment by an agent of the Department of Labor, and who were taken from their homes under a promise of 6 months' employment or more, but who were given less than 90 days' employment.

It will be difficult in many cases to establish a promise from the Department of Labor for at least six months' employment. From my own State I know a number of men were taken for the purpose of being employed in the war industry only a month or two before the armistice was signed, and they have had no opportunity for employment; but I doubt if you can establish the fact that in each of such cases there was a specific promise of not less than six months' employment. But whether there was or not, they went at the request of the Department of Labor, and went undoubtedly with the view that they would have employment for a considerable period of time.

I would suggest, therefore, that the Senator from Kansas eliminate from his amendment the words "six months," so that it will read:

That the provisions of this act shall apply to the men who were offered employment by an agent of the Department of Labor, and who were taken from their homes under a promise of employment or work, but who were given less than 90 days' employment.

Mr. CURTIS. I will modify the amendment in that respect if the Senator will just erase the words "six months" with a pencil and send it to the desk.

Mr. NORRIS. May I interrupt the Senator while the modification is taking place? Why does the Senator confine it to representations made by the Department of Labor?

Mr. CURTIS. Because in every case that was presented to me the party said agents of the Department of Labor made the representation.

Mr. NORRIS. It occurs to me that very likely there will be cases where the representation was made by representatives of other departments. Why should they not be covered here by striking out the words "Department of Labor" and saying "representatives of the Government"? If this happened in any other case, they ought to be reimbursed just the same as in the Department of Labor.

Mr. CURTIS. I am perfectly willing to have that modification made.

Mr. NORRIS. I suggest to the Senator from New Mexico, while he is modifying the amendment, to make it apply to all departments.

Mr. SAULSBURY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Delaware?

Mr. CURTIS. For a question.

Mr. SAULSBURY. For a question. I wish to know if the Senator's amendment covers the cases of the employment of men at the time the armistice was signed, or would it cover employees of the Government who came here from time to time, possibly stayed only a few days, and left of their own accord? I have been told that there were hundreds every day leaving the employ of the Government when they were really needed, and that they were going home. It does not seem to me that this amendment should apply to them.

Mr. CURTIS. The amendment was intended to apply only to such men as left home under the promise of being given work, men who were promised work for a long period, and then, after working for a week or more, were notified that there was no more work for them, and who were forced to go back home.

Mr. SAULSBURY. I find no fault with such a provision as that.

Mr. CURTIS. That was the case with the gentleman who called upon me. As I stated, I have received some 12 letters from men who were in that situation. One of them was an expert brick mason. He was taken to Curtis Bay under an agreement that he would have at least one year's work, six days a week, with extra pay for Sunday and for overtime. He was limited to five and one-half days a week. Then he was given employment for less than 30 days, and he had to pay his expenses back home. I take it that if you are going to pay the expenses of clerks who came here without any promise as to the length of time they would be employed, you ought in fairness pay these laboring men their expenses back home who do not receive as large salaries. They are not asking for an extra month's pay. They have no extra month's pay. In fact, some of them came here and worked only seven days.

Mr. POMERENE. Mr. President——

Mr. CURTIS. I yield to the Senator from Ohio.

Mr. POMERENE. Knowing the Senator from Kansas as well as I do, I want to inquire why he is so ungallant as to confine the benefits of his amendment to men alone?

Mr. CURTIS. I think these outside places were given only to men, and women were employed mostly here in Washington, and they are provided for in the original bill.

Mr. TOWNSEND. Mr. President——

Mr. CURTIS. I yield to the Senator from Michigan.

Mr. TOWNSEND. Can the Senator tell us whether any estimate has been made as to how much money it is going to take to meet the requirements of the bill?

Mr. CURTIS. The Senator will have to ask the Senator from Virginia, the chairman of the committee.

Mr. TOWNSEND. May I ask the Senator from Virginia?

Mr. MARTIN of Virginia. It is impossible to make an estimate of any value. We have no idea how many of these people will have to be dispensed with or what their transportation home may cost. I think, at a rough estimate, $200,000 will probably be required.

Mr. TOWNSEND. Does the Senator believe that there will be anybody who came here to work for the Government and chose to return home for any cause who would not receive this compensation?

Mr. MARTIN of Virginia. Of course, there are many of them who will not receive transportation. It will be only those who were brought here for war service and whose services have been dispensed with.

Mr. TOWNSEND. Is it not true that an appeal was made to all parties throughout the country for help, and therefore everybody can claim that he or she came here under the representation held out by the Government?

Mr. MARTIN of Virginia. Suppose that is true. Of course, they came here under the representation that the Government needed help by advertisement and by the statements of agents. People came here at the call of the Government and rendered faithful service until the war ended, and when the Government discharges them it ought to pay their expenses home. The Senator can not discharge his coachman or his cook without notice or without paying them something for it. When a man pays wages he can not employ people and discharge them summarily and pay no attention to them whatsoever. This does not go that far. This permits them to get back home. It does not give the money to buy the ticket, but furnishes transportation which is nontransferable and must be used in five days.

Mr. TOWNSEND. Is it not a fact that the object of the bill is largely to remove from the District people who are now encumbering it?

Mr. MARTIN of Virginia. That is a strong inducement with me, but in addition it is an act of justice to give transportation to people who were brought here and put in the Government service and abruptly and summarily dismissed from that service. It simply pays their transportation home, and I think it is a very just provision.

Mr. TOWNSEND. I have no doubt there are many cases where that is true. I do know, however, as I think the Senator and everybody else knows, that people from all over the United States gave up their jobs at home with the idea that it would be better to work in Washington. Many of them were tired of the job they had on hand and came here, and left after a little while of their own motion. They were not forced to go.

Is it supposed that the bill can be so construed as to pay the expenses back home, sleeping-car expenses included, of thousands of employees who have been here on a sort of vacation? It is a fact that there are thousands of employees in the service of the Government who have been of absolutely no value whatever to the Government. There is no one who has visited the departments who has not found that to be true.

I want to be as generous as anybody can be, but to present a blanket proposition to pay the expenses back home of thousands of employees, without any information as to what the drain upon the Treasury will be, it seems to me, is a question at this time that ought to have more consideration than has been presented to the Senate.

Mr. MARTIN of Virginia. Will the Senator kindly yield?

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Virginia?

Mr. CURTIS. I yield.

Mr. MARTIN of Virginia. I will wait until the Senator gets through and then I will answer the suggestion of the Senator from Michigan.

Mr. CURTIS. Mr. President, first I want to say to the Senator from Virginia that the amendment I have offered only applies to men who were brought here under representations of the agents of the Government and were not given work but who were willing to work. Some of these men, as I stated, were experts—brick masons, carpenters, plasterers—and they were told they were slackers if they did not come East to work for the concerns that were constructing buildings for the Government. They gave up good places at home and came East and were not permitted to work long enough to earn money to buy tickets home. As was said by one of these men, he had to wire home to get the money to buy his ticket. In each case the cost of transportation back home is given and in no case was sleeping-car fare included; all of us who travel know what sleeping-car tickets cost. I will state that I bought a ticket home the other day with sleeping-car accommodations and it cost me $57.72. These men say that their transportation home, many of them living farther than Topeka, was about $50.

Mr. MARTIN of Virginia. Mr. President, I simply want to answer the suggestion made by the Senator from Michigan [Mr. TOWNSEND].

The bill as reported from the committee provides only for parties employed by the Government since the declaration of war whose employment has been terminated by the Government without delinquency or misconduct on their part. They are people who came here and were employed on war work and have been discharged from the service of the Government without any delinquency on their part. It applies to those engaged in war work summarily dismissed from service without notice and simply gives them transportation home. It is transportation and no money. It is nontransferable. The transportation is issued to the employee, and he can not transfer it. He must use it within five days after issuance. It does seem to me it is a very just thing to compensate these people by giving them the cost of transportation back home when they have come here and worked for the Government faithfully and have been discharged from the service summarily without any delinquency or fault on their part whatever.

Mr. WEEKS. Mr. President, if it is the purpose of the bill to compel bureau or departmental officials to do their duty and to discharge those who are not needed by the Government—if it is necessary to do that by passing the bill—it might have my approval. But presumably departmental officers are doing their duty in this respect and are discharging employees as rapidly as it can be done.

The confusion that will arise out of this measure is well illustrated by the questions that have been asked here relating to the amendment that has been offered here by the Senator from Kansas. If we accept his amendment—and it seems on the face of it to be just—there will be innumerable similar instances in which the Government will have made a precedent that will justify their demands being acceded to.

Most of these people have come to Washington because they have been allured here by the higher wages and the shorter hours that they could obtain. They have come very largely of their own free will. I do not mean to detract from the service which they have performed, yet everybody knows that there have been a very large number of incompetents here, untrained men and women who have been receiving very high compensation. There can not be any obligation on the part of the Government to pay a bonus to those who have not performed the very highest quality of service.

Mr. JONES of New Mexico. Mr. President——

Mr. WEEKS. I am speaking of bonuses. If we are going to pay these employees of the Government a bonus, we should pay others. These people, those employed in Washington, for

example, have been receiving the same wages as the old and trained clerks who are in the regular service, and more wages in many cases, and very frequently, if not almost invariably, they have not been as efficient.

There is no estimate made of the cost of this measure. All the Senator from Virginia says is that it may amount to several hundred thousand dollars. I maintain that the present condition of the finances of the country do not warrant Congress in paying bonuses to anyone which the Government has not obligated itself to do. If there are Government employees who have been making promises to people to come here which they had no right or justification in doing those employees should be punished for so doing. It should not be the business of the Government to appropriate money to carry out promises which the promiser had no authority for making. That is not a course that ought to be followed.

I do not know that other Senators agree with me at all in this matter, but I must say that in my judgment we are taking an ill-advised step to pass such legislation as this, which has no estimate and which I believe is unjustifiable. I shall vote against the bill.

I yield to the Senator from New Mexico.

Mr. JONES of New Mexico. I desire to call the attention of the Senator from Massachusetts to the fact that the situation here in Washington is one of the least of the evils. There was made an effort throughout the entire country to get laborers for the munition plants and that sort of thing, and they practically levied an assessment upon the various States of the country, specified the number of men whom they wanted from each State. I know that in my own State, just within two or three weeks of the signing of the armistice, a number of men were gotten to go out of that State, through an appeal to their patriotism day after day, to work in the munition plants, and they looked upon it as simply answering a demand and an appeal from the Government. They were called upon by their sense of patriotism to do it. They were promised this work, or, at any rate, the ability to get the work was held out to them, and they left their ordinary vocations and went at the personal solicitation of some representative of the Department of Labor. There was a labor agent appointed for each State in the Union, I believe, certainly in the Western States, and that State labor commissioner found the number of men who were expected from that State, and he, through his subagent, made it his particular duty to secure the requisite number.

Those men, under those circumstances, went into this employment. Now, after the armistice is signed the work has ceased and they are away from home. Many of them were poor men to begin with, and why should they be called upon to suffer, under those particular circumstances, more than any other citizens of the country? Why should they not be made whole in that respect, so long as the taxpayers of the country are able to make them whole? We can limit the matter so as not to include those referred to by the Senator from Michigan, who voluntarily separated themselves from the Government service, and have it apply only to those who are discharged by the Government when their services are no longer needed.

Mr. WEEKS. I was not aware of any such propaganda as that described by the Senator from New Mexico. Quite likely the conditions in his State are somewhat different from what they are in mine or in the locality where I live, where, generally speaking, additional employees in munitions factories and other places have come from that immediate neighborhood or from the same State. But, in any case, it does not seem to me that a reasoning man could have given up his employment in his own locality to come to Washington or to any other place without considering that that employment must cease as soon as the war ended, and if he had been looking after his own interests and those of the Government as well he would have stipulated at that time that his transportation should be paid to and from the place where he was to be employed. If agents of the Department of Labor were inducing men to leave their homes and go to a place where they could be employed they should have had authority to stipulate in that agreement that the transportation of those men should be paid.

These post facto methods of taking money out of the Treasury in a way that is going to make a precedent to be followed in other cases do not and never have appealed to me, and I object to its being done.

Mr. BORAH. Mr. President, I suppose the real merit of the bill lies in the fact that it may induce the departments to dispense with the services of some of the employees after their services have really ended. I do not state this as showing a universal practice, but in two instances within the last few days employees of the Government have told me that they have reported to the heads of the department that they felt that the work for which they had been called here was finished; that the particular work which they were doing was at an end; and that they desired to quit and return home, and both individuals were discouraged from separating themselves from the pay roll and were asked to wait to see if they could not find something else for them to do; and one waited a week without doing anything.

I can not understand the disposition of the department to retain these employees. I do not know that this is anything like a general practice, but it calls my attention to the fact that there ought to be some way to encourage the department to let people go home when they have finished their work, especially when they desire to go.

Mr. President, the bill provides that for three months and a half these parties may continue in the employ of the Government and receive the benefits of the bill. Why would it not be a good idea to fix the limit of the bill at January 15, 1919, so that the departments and the people who are interested in getting the money out of the bill will look about and see whether there is any necessity for their staying here? I can not see why you should postpone it until the 31st of March, three months and a half. While it has this merit, that it will encourage them to go and get rid of them in that way, and perhaps save the Government, it will not do so if we pay their way and still continue to employ them two or three months after their services are really ended.

I have no doubt at all that there are hundreds and hundreds of these employees who could leave here to-morrow and the Government would be just as well off. I am not speaking disrespectfully of their services at all, but because their services have ended.

I understand there is an amendment pending.

Mr. CURTIS. There is.

Mr. BORAH. When that amendment is disposed of I am going to offer an amendment to strike out "March 31" and insert "January 15."

Mr. MARTIN of Virginia. Mr. President, I did not make any allusion to the amendment of the Senator from Kansas, which seemed to be based on the statement that agents of the Government had promised these people employment for a specific time. Everybody knows that there was not any officer or agent of the Government authorized to make any such promise. It is simply ludicrous for them to expect Congress to appropriate money to fulfill promises made by irresponsible agents of the Government throughout the country, and that is all it is.

Mr. President, the gist of this whole matter is that it appealed to me—and I think it will appeal to most people—to make some provision for the young women who have been doing war work in this city; and it is chiefly the women, it is not the men. If only the men were concerned, I would never have voted to report the bill. Very few men will be benefited by it. It is intended to relieve young women who have been here doing war work in this city and find their employment suddenly ended; and the bill provides that it must be ended by the Government and not by themselves, that it must be without any fault or delinquency whatever on their part.

I submit to Senators that this should be done for the young women who have come here during the war period to do work for the Government at the solicitation of the Government, who have been employed by the Government and who have worked faithfully and honestly until the Government discharges them, and who have not been delinquent in any respect. The bill provides that none whose relations with the Government are severed because of delinquency on their part shall have any benefit under the bill.

Mr. McCUMBER. Mr. President——

Mr. MARTIN of Virginia. I yield to the Senator from North Dakota.

Mr. McCUMBER. I wish to suggest to the Senator from Virginia that as I understand the bill there is no provision made as to the length of time of service. In other words, if one served since April 6 and received $1,400 a year, that person would be entitled to his or her cost of transportation to his or her home.

Mr. MARTIN of Virginia. That is correct.

Mr. McCUMBER. Heretofore we have never granted that right to others who were discharged from month to month in all our departments. Does not the Senator think those who have earned $1,400 to $1,800 a year, or $150 a month, could have saved enough in six or eight months to have bought their tickets home?

Mr. MARTIN of Virginia. I will say to the Senator that those receiving more than $1,400 a year are not included in the terms of the bill.

Mr. McCUMBER. Even as to those who are receiving $1,400 and have been here a year and a half; have not those persons earned enough to pay $50 transportation back to their homes?

Mr. MARTIN of Virginia. The expenses of living in Washington have been very great.

Mr. McCUMBER. It is equally great to all others who have been living here.

Mr. MARTIN of Virginia. That is true. I do not say that if these young women had been very economical they might not have saved money enough to get home, but they were brought here by the Government; they have done faithful work; they are not dropped for their delinquencies or anything of that sort whatsoever, but are discharged by the Government summarily and unexpectedly, and I say some consideration should be paid to them.

Mr. McCUMBER. I do not want——

Mr. MARTIN of Virginia. As I said just now to the Senator from Michigan, the Senator could not discharge his coachman or cook under the law without a month's notice or without paying a month's wages.

Mr. McCUMBER. I do not want to allow the statement that they have done faithful work to go unchallenged.

Mr. MARTIN of Virginia. If they have not——

Mr. McCUMBER. One moment. If the Senator means that they were willing to do faithful work, I will accept that statement, but as a matter of fact we have had 50 per cent more clerks than could be used, and a great many of them were lying around and doing almost nothing, some of them not half a day's work each day, simply because there were too many of them. They were crowded in the offices, and there was no room for them. I am willing to pay those the cost of sending them back home.

I am not criticizing the bill because of that, but I do criticize the method of employing 50 per cent more than we need in our departments. I especially think the bill is meritorious because I know a great many people had only just arrived here and had to do a week's work and were discharged. Of course, we should send them back home and pay their expenses home, but I do not want it to go unchallenged that all these people here had plenty of work to do.

Mr. President, I wish to offer an amendment.

Mr. MARTIN of Virginia. I will be glad if the Senator will wait until I get through with my remarks.

Mr. McCUMBER. I thought the Senator had concluded. I beg the Senator's pardon.

Mr. MARTIN of Virginia. Mr. President, it is young women chiefly and not men who compose the class intended to be benefited by the bill, and those who make up the class under the provisions of the bill are the young women who are here working, some of them, it is true, at a fair compensation, but a great many of them in these war times at $75 a month. For instance, I know personally of a young woman of high qualifications who has been working for $75 a month, with the expense of living in the city doubled. I am not surprised that they find themselves when leaving the Government service without any money to buy a ticket home.

Mr. SMITH of Georgia. Will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Georgia?

Mr. MARTIN of Virginia. I do.

Mr. SMITH of Georgia. I had brought to my attention the fact that there are a great many young women here who are making from $900 to $1,000 a year, who thought they were going to work 12 months longer and have not saved anything. I am not defending their having been brought here. I think the Government would have been just as well off if 25 per cent of them had never come, and they would have been a great deal better off if they had stayed at home. Every time one writes to me from my State about coming I write back, "Do not come; you are better off at home. I urge you to stay."

But I want to say to the Senator that I know there are a great many of these girls who do not get more than $900 to $1,000 a year. They thought they were here for at least 12 months more, and they have not saved anything. I believe it is a wise course to help them to go home, and I should be glad to have them go by the early part of January.

Mr. SMITH of Maryland. Mr. President, I desire to say that the fact is that these ladies are here without money and they can not get home unless they are provided with money by the Government.

Mr. SMITH of Georgia. That is absolutely true. The girl who has tried to live here for nine months past on $900 could not have saved anything. The Government is to blame for bringing them here; that is the truth about it. There was not any necessity for bringing a great many of them here. Government officials had no business advertising for them and begging them to come. A good many of them came because they thought——

Mr. MARTIN of Virginia rose.

Mr. SMITH of Georgia. The Senator from Virginia yielded to me.

Mr. MARTIN of Virginia. I did, and I am not complaining at all.

Mr. SMITH of Georgia. I merely wish to make this further statement. We advertised all over the country, urging them to come, and a good many of these girls really thought they were coming here to work and to help whip the Germans just as were the boys who went into the Army. I did not agree with them. I thought they would have better helped to whip the Germans if they had stayed at home. The Government, however, is responsible for their presence here, and I think it is as little now as we can do to help these girls, if they quit work by the middle of January, to go home. I hope Senators will vote for that. The truth is, I should have been willing to give them 30 days' pay and transportation home.

I thank the Senator from Virginia for yielding to me. I merely wanted to make the statement which I have made.

Mr. NORRIS. Mr. President, will the Senator from Virginia yield to me?

Mr. MARTIN of Virginia. I will.

Mr. NORRIS. Mr. President, I want to suggest to the Senator from Virginia that, in addition to the reasons he has given in favor of this legislation, it strikes me that he might well have also stated that another reason why a great many of these girls find themselves now without money enough to go home is that they have subscribed for bonds, and are now paying for those bonds on the installment plan. They have answered the call of the Government in that respect. I presume that 95 per cent of them—perhaps 99 per cent of them—have subscribed to liberty bonds. That is one of the reasons why they find themselves without money. They have not only subscribed for other issues, but they have subscribed for bonds of the fourth loan, for which they are now paying on the installment plan.

Mr. MARTIN of Virginia. Mr. President, no doubt there has been some surplus of clerks in Washington, but we have all got into the habit of making very reckless charges about there being two or three times as many clerks here as are needed. I do not believe it. I believe there has been some abuse in that regard, but surely we can not visit that on these girls who have, in my opinion, done faithful, honest, and efficient work. The young women employees in the departments in this city are, so far as I know, entitled to thanks and commendation from the country for the excellent work which they have done. They now find themselves suddenly dropped from the pay roll; they are here in the city of Washington without means to get home. I can not think it possible that any considerable number of Senators on the floor of the Senate will be willing to deny them transportation back home when their services are suddenly and unexpectedly dispensed with. As I said a moment ago, one can not dispense with the services of his coachman or his cook in that way. By the law of the land you are compelled to give them a month's notice or pay them a month's wages.

These young ladies who are working for the Government in these departments and are summarily ordered home, under the provisions of this bill will not receive transportation home if they have been delinquent in any respect. The bill provides on its face that they must be dismissed by the Government; they are not leaving voluntarily, but in cases where they have been guilty of no negligence or fault of any sort, but are suddenly and unexpectedly dismissed from the service, they are to be given transportation home.

I can not conceive of any good reason why that should not be done. I think I may safely say that every Senator on this floor knows that if there are any who have been struggling to keep down expenses and to protect the Government Treasury from unjust raids, I am one of those who have been engaged in that work; and yet I never more earnestly advocated anything in my life than I now advocate that these young women who came here to serve the Government and have done so faithfully be transported to their homes. They have been suddenly discharged, and in justice to themselves and in accordance with the usages of the country and of all civilized countries, they ought not to be summarily dismissed without any consideration whatever. We merely furnish them transportation home; it is not money which is to be given to them, but it is a ticket home, which is nontransferable, and a penalty of $100 is imposed on any one of them who tries to sell the ticket. They are also required to use the ticket within five days after they have received it. We thus do justice to these young ladies, and at the same time relieve this city from a congestion which is very serious, very painful, and very inconvenient to all the people who live here or who have to come here for any purpose.

I never presented a bill to the Senate in my life that I felt was more meritorious and more just than this bill to transport these young women to their homes when they have come here to serve the Government, and have served it faithfully. No one

can receive any benefit under the provisions of the bill unless her work has been faithful and satisfactory.

Mr. WARREN. Mr. President, I desire to ask the chairman of the committee if he does not think that the passage of this measure will lead to a better treatment of the whole matter, resulting in the earlier discharge of these employees? Many of them lack the money with which to get home, and so the disposition on the part of those in the department under whom they are working will be to retain them. Will this not have the effect of securing the discharge of such employees earlier and sending them home, and in that way work in the interest of economy?

Mr. MARTIN of Virginia. I have no doubt of it. If I were the head of one of the departments I have no hesitation in saying that I would put off as long as I could the discharge of one of these young women when she had done faithful work and I knew that she was without the means with which to get home.

Mr. WARREN. So would I. And now, Mr. President, I desire to ask the Senator from Virginia another question. Is it not better for the morale of the departments to dispense with the services of those no longer needed employees at as early a date as possible, and, in doing so, to accord them the same consideration which they would receive if they were in private employment?

Mr. MARTIN of Virginia. Beyond a doubt.

Mr. WARREN. As the Senator from Virginia has said, nobody turns his employees out without a crust; they do not turn them out without having the means to get home. It seems to me that the departments ought to immediately proceed to reduce their force to the lowest possible point. That would be better for the finances of the Government, better for the clerks who are to be discharged, and better for the morale and the work of the employees who still remain in the departments.

Mr. MARTIN of Virginia. Beyond a doubt that is true. Before I take my seat, let me say to the Senator from Idaho [Mr. BORAH], who, I think, suggested an amendment to limit the operation of this bill to January, that a great many of these young women can not be dispensed with, though many of them can be.

Mr. BORAH. Mr. President, let us put the date at January 15. It will not take long to pass another bill. If we put it over until the 31st day of March the discharge of these employees will be very slow until about the 25th day of March.

Mr. MARTIN of Virginia. I will say to the Senator from Idaho, Mr. President, that 5,000 of these employees have been discharged, and I do not think there is any reason to suppose that the discharge of others will be very slow. I think there is an earnest desire in all of the departments to dispense with the services of the employees who are useless. I think we had better not take "two bites at a cherry"; that we had better provide to meet this evil while we are at it. The demonstration here this evening shows that it is not so certain about our passing another bill. When this bill shall have been passed I think Congress will feel that it has met its responsibility and will not be likely to pass another. I think the bill as it passed the other House and as it has been reported from the Senate committee makes a very reasonable provision for this whole matter. I hope the Senator from Idaho will not insist on an amendment, but will let the bill go through as it is. I think it relieves a real necessity, an urgent and immediate necessity; that it is demanded by justice and fair dealing. The bill ought to be passed for that reason, as well as for the purpose of relieving the congestion in this city.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Kansas [Mr. CURTIS].

Mr. McCUMBER. I desire to offer an amendment to the amendment, but I was waiting until the Senator from Virginia had completed his remarks.

Mr. President, I do not think there is anyone in the Senate who objects to the passage of this bill in a proper form. Personally I can see quite a little difference, however, between granting this right to those who have served a year and a half and those who have served but three weeks. I know a couple of girls who came from my State who have only served three weeks, who now find that they must return home. If the Government pays the price of their tickets one way they will not be even; they will still be at a loss.

There ought to be some limitation, it seems to me; a general stopping point. The Senator, of course, thinks that it ought to be granted to everyone who has been in the service since the 6th day of April, 1917. I think that I ought to ask, in all fairness, why that right ought not to be also granted to the men who have come here to labor and who have been here for nine months or over?

Mr. MARTIN of Virginia. This legislation is not limited to women. I merely stated that they were to be its chief beneficiaries.

Mr. McCUMBER. I know; but here is an amendment that applies to laborers; and as it applies to laborers, I suppose that most of them are men, and the amendment offered by the Senator from Kansas provides that only those may receive the benefit of the legislation who have secured less than 90 days' work.

Mr. President, I think probably one of the strongest arguments against the claim of the suffragettes that the women of the country can not receive fair consideration by the male sex is the very fact that you grant them a privilege far more liberal for them than you are proposing to grant to the laborers. The laborers who came down here, according to the statement of the Senator from Kansas, were actually receiving very much less per diem than these girls were receiving, and it costs just exactly as much for one of these men to go back to Kansas as it would to send women back to Kansas. Why should you make the distinction by granting the right to but one class? I assume that if you adopt this amendment you are making a different rule—a far less favorable rule—wherever it applies to laborers.

Mr. CURTIS. Mr. President——

Mr. McCUMBER. I yield to the Senator from Kansas.

Mr. CURTIS. I inserted in my amendment the limit of 90 days because in all of the letters received by me it was stated that none of the men had been given over 30 days' work, and I thought if I limited it to 90 days it would cover the cases complained of and that it would be fair to all concerned.

Mr. McCUMBER. Yes; but the Senator from Kansas can not fail to see the inconsistency in the bill itself, as it will be should his amendment be adopted, for it will then provide that Government employees receiving $1,400 a year will receive this benefit, even though they have rendered service for a year and a half, while those who came down here and could only get 95 days' Government work must pay their own way back. I certainly think it is very far from right.

But what I rose for particularly, Mr. President, was to call the Senator's attention to what I believe is an error in his amendment that ought to be corrected. The amendment proposes to add a new section, as follows:

SEC. 7. That the provisions in this act shall apply to the men who were offered employment by an agent of the Department of Labor or other governmental department, and who were taken from their homes under a promise of employment, but who were given less than 90 days' employment.

What is meant by the words "given less than 90 days' employment"? If one leaves his employment after 10 days or 3 days because he does not like the kind of work, he has had less than 90 days' employment. I suggest to the Senator that we ought not to grant this privilege to those who refused to perform any service; and I suggest as an amendment that he strike out the words "who were given less than 90 days' employment" and insert in lieu thereof the words "who were unable to secure more than 90 days' service under Government employment." That would make clear and definite that it applies only to those who did not leave of their own volition.

Mr. CURTIS. Mr. President, the difficulty with the Senator's amendment is that these people did not work for the Government after they were brought East. They were induced to leave home at the request of Government agents to work for private concerns which were engaged on Government contracts.

Mr. McCUMBER. Very well. Then, if they were not employed under the Government, let it read, "who were unable to secure more than 90 days of such service." What I want to do is to protect the Government against sending back to Idaho or to California or anywhere else those who came here and refused to work when they got here.

Mr. CURTIS. In answer to a question asked by one of the Senators on the other side, I stated that it was my intention to cover only such persons as had come East in good faith and had been deprived of employment by reason of the fact that there was nothing for them to do. I did not intend that the amendment should apply to those who left their employment of their own volition, and so far as I am concerned I will accept any amendment the Senator may suggest along that line.

Mr. McCUMBER. Well, I suggest that there be stricken out the words "but who were given less than 90 days' employment" and insert "but who were unable to secure more than 90 days' employment."

Mr. CURTIS. That is perfectly satisfactory to me.

The PRESIDING OFFICER. The question is on the amendment of the Senator from North Dakota to the amendment of the Senator from Kansas.

The amendment to the amendment was agreed to.

Mr. THOMAS. Mr. President, I should like to inquire of the Senator from Kansas what legal authority is possessed by any representative of the Government to guarantee anybody a year's work?

Mr. CURTIS. There is no such authority reposed in anyone; but the Senator will remember, if he visited any of the motion-picture shows, that there was thrown on the screen an invitation to labor not to accept any position except one tendered through an agent of the Government.

Mr. THOMAS. Yes; I saw that.

Mr. CURTIS. Then, the Four Minute Men, who were sent out to talk to labor, stated to the men that they would be unpatriotic if they accepted any employment that was not tendered them through the Government; and agents of the Government, apparently properly authorized, appealed to men in Kansas, Colorado, and other States, saying, "If you will go East and work in the factories or help erect buildings, you will have at least one year's employment," and they went for that reason and with that understanding.

Mr. THOMAS. Let me ask the Senator whether, if they had that power and authority, we should not pay these men for one year's work instead of sending them home?

Mr. CURTIS. I think not. They will be perfectly satisfied if they get their transportation home. As one man said, he had lost five weeks, but he asked nothing for that.

Mr. THOMAS. Let me ask the Senator how many men this amendment will probably cover?

Mr. CURTIS. I stated a moment ago that I did not know; but I have in my possession letters from 12 men.

Mr. THOMAS. Would this amendment cover the case of men who had never come to Washington at all, but who, for example, were sent from San Francisco to Seattle or from Denver to Topeka?

Mr. CURTIS. This amendment is intended to cover just that class of men. The men I have in mind went to Curtis Bay, Md., instead of coming to Washington.

Mr. THOMAS. Then, does not the Senator see that this amendment, if given such general application, would in all probability result in great abuse of a kind which it would be practically impossible for the Government to guard against, and that it would entail an enormous additional charge upon the Treasury?

Mr. CURTIS. Well, Mr. President, the men would be required to make a showing that they left their homes and reported at some other place and had done some work.

Mr. THOMAS. That is the easiest thing in the world to do.

Mr. CURTIS. Then, the matter could be traced back to the State from which they came, or their testimony could be taken. It would be easy to show whether or not they were asking for the relief in good faith.

Mr. THOMAS. That is the easiest thing in the world to do, and it is quite as easy to assume that the statement would be made that they were promised in some way a year's work. Apart from the fact that I think this bill is entirely wrong, my principal objection to this amendment is that it opens the door for enormous probability of abuse, and will result in all probability in the expenditure by the Government of several million dollars.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Kansas as amended.

Mr. CURTIS. I ask for a division.

On a division the amendment as amended was rejected.

Mr. BORAH. Mr. President, I move to strike out the words "March 31," in line 14, on page 1, and insert in lieu thereof "January 15."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 1, line 14, it is proposed to strike out "March 31" and in lieu thereof to insert "January 15."

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Idaho.

Mr. MARTIN of Virginia. Mr. President, just a moment. I merely wish to say that I hope the amendment will not be adopted. It is impossible for these clerks to get through with the necessary work of the Government by the 15th of January. If we are going to give them any relief, I do hope we will give them relief that will amount to something.

Mr. BORAH. Mr. President, if the clerks are needed here until the 31st of March, there is very little reason for giving them transportation home. The theory is that they are being suddenly discharged by reason of the unexpected condition which has arisen. There are many of them, hundreds of them, who will go now if they understand that they must go now or not get transportation home. The amendment I have offered would give a month in which the services of these people could be dispensed with.

Mr. MARTIN of Virginia. There are 30,000 of them who are not needed permanently, but the Government can not dispense with the services of 30,000 of these clerks within the next month.

Mr. BORAH. Mr. President, of course we will not dispense with the services of 30,000 clerks within the next month, but we could dispense very easily, in my judgment, with the services of 10,000 of them, and perhaps that is all whose services will be dispensed with until the departments are forced to discharge them all.

Mr. MARTIN of Virginia. Oh, no.

Mr. BORAH. I wish to call attention to another matter in this connection. We have started out here apparently with a view to economizing in a reasonable way in governmental expenditures. I am perfectly willing to pay the transportation home of the clerks if they are going home, and going at once or as soon as the Government is through with their services; but I am not willing that they shall stay here and work for two or three months and then have the Government pay their way home, taking into consideration the kind of work which will be performed for the next two or three months. There is not sufficient disposition on the part of the departments to curtail these expenses. The same spirit of extravagance which characterizes bureaucracy at all times characterizes it now, and unless we ourselves fix a limit there will be no limit put on in regard to these matters.

I was told a few days ago, Mr. President, that when the war ended the Government had typewriting machines piled up in the different places by the hundreds, and even by the thousands, and there was a question as to what could be done with those typewriters—how they could be disposed of. Now, I learn from the Government Advertiser, which has come in within the last two days, that the Government has just purchased 385 Remington and 2,510 Underwood typewriters, at a cost of $170,387.50, with literally hundreds or thousands of typewriters piled up in different places in Washington, some of them never used at all and some of them just as good as they were when they were new. That is the kind of shameless extravagance that is going on here all the time. Why continue this relief for two or three months, when these girls should be home for Christmas and serve their Government and their families and themselves by being at home? Let us put a limit and start the hegira now.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Idaho. [Putting the question.] By the sound, the ayes appear to have it.

Mr. MARTIN of Virginia. I ask for a division.

On a division the amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

Mr. TOWNSEND. Mr. President, I wish to ask the Senator from Virginia a question about this bill. The Senator has presented a strong case, stating that many of these employees are practically without means; that they have not any funds with which to return home; that we want to get rid of them; and that it is necessary to pass this bill in order to accomplish that purpose. How is this bill going to become a law? Does the Senator know?

Mr. MARTIN of Virginia. Mr. President, I am concerned about the exercise of my own duty; I am not troubling myself about the exercise of the presidential duty. If the Senator wants to know anything about that, he has the same opportunity to find out that I have.

Mr. TOWNSEND. Well, it is a mighty poor one that I have.

Mr. MARTIN of Virginia. Well, I have none. I do not know at all. I merely know that I have advocated and propose to continue to advocate such bills as I think are just and right, and if they fail to become laws it will be through no fault of mine. My duty is finished when I vote for them in the Senate.

Mr. TOWNSEND. I do not question the sincerity of the Senator, and I quite agree with him that it is proper for Congress to proceed to discharge its duty as it sees fit; but I am nevertheless curious in regard to this matter, and I thought the Senator might be able to enlighten me, especially as he is urging, as other Senators have urged, emergency legislation and insisting that something must be done now. It is in my thought, however, that nothing can be done now, for the President does not expect to get back here until spring, which will be after these people have suffered and perhaps died—too late for this relief to reach them.

Mr. MARTIN of Virginia. The Senator apparently knows more about that than I do. I do not know whether the President will be back in the spring or before that time. I am not speaking for the President; I do not know when he will return; but I propose to discharge my duty on the floor and rely on him to discharge his in the Executive chair.

Mr. SUTHERLAND. Mr. President, I should like to ask the Senator from Virginia, if this bill is passed, is it at all likely that the payments under it will be made within any reasonable time? If they are not made quicker than payments are made under the war-risk insurance act, the beneficiaries of the bill will hardly get any relief from it.

In this connection, Mr. President, I should like to read a telegram from Fairmont, W. Va., dated to-day and directed to me, as follows:

> Many wives and mothers of men in the service have received no funds from the War-Risk Bureau for four months. They do not want loans from the Red Cross, but the money due them from the Government. As Christmas draws near the situation becomes critical. Can you help us?
>
> Mrs. Jos. Rosier,
> *Chairman Civil Relief.*

It seems that the War-Risk Bureau are behind four months in the payments to the beneficiaries who are the dependents of soldiers serving on the other side, and there is great complaint upon that score. While we are taking care of the temporary clerks in the departments here, many of whom are deserving, something should be done, if possible, to remedy this situation which is very acute and very critical.

The PRESIDING OFFICER. The question is, Shall the bill be read a third time?

The bill was read the third time and passed.

THE REVENUE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12863) to provide revenue, and for other purposes.

Mr. LA FOLLETTE. Mr. President, I ask leave to submit a minority report (S. Rept. 617, Pt. 5) upon the pending bill.

The PRESIDING OFFICER. The views of the Senator will be received and printed.

EXECUTIVE SESSION.

Mr. SIMMONS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 4 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Saturday, December 14, 1918, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 13 (legislative day of December 12), 1918.

FEDERAL TRADE COMMISSION.

Huston Thompson, of Colorado, to be a member of the Federal Trade Commission for the term expiring September 25, 1919, vice Harris, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 13 (legislative day of December 12), 1918.

ASSISTANT APPRAISER OF MERCHANDISE.

Martin F. Tanahey to be assistant appraiser of merchandise in customs collection district No. 10, with headquarters at New York, N. Y.

POSTMASTERS.

ILLINOIS.

Katherine Adams, Riverton.

LOUISIANA.

Chester A. Thompson, Ville Platte.

VIRGINIA.

Rose A. Milligan, Urbanna.

REJECTIONS.

Executive nominations rejected by the Senate December 13 (legislative day of December 12), 1918.

POSTMASTERS.

GEORGIA.

Henry M. Miller, Colquitt.
Walter W. Daves, Cartersville.

HOUSE OF REPRESENTATIVES.

FRIDAY, *December 13, 1918.*

The House met at 12 o'clock noon.

The Rev. Earle Wilfley, of the Vermont Avenue Christian Church, Washington, D. C., offered the following prayer:

O Lord, our Lord, how excellent is Thy name in all the earth. We thank Thee, O God, for the testimony of Thy truth upon the earth, and ask Thee to bless us in our part of its propagation. We would thank Thee this morning that in Thy providence the President of the United States has arrived safely overseas. We pray that in the councils of the nations he may be guided by wisdom, truth, and courage. Be with us this day, we pray Thee, in the homeland. Guide our steps aright and lead us into paths of service and of light, for Thy name's sake. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BRAND, for four days, on account of illness.

To Mr. CLARK of Florida, for one day, on account of illness.

To Mr. LUNN, for 10 days, on account of important business.

To Mr. ASHBROOK, indefinitely, on account of the illness of his wife.

To Mr. PRICE, for 10 days, on account of important business.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bill and joint resolution of the following titles, in which the concurrence of the House of Representatives was requested:

S. 4785. An act to incorporate the American Committee for Relief in the Near East; and

S. J. Res. 194. Joint resolution directing the United States Housing Corporation to suspend work upon all projects where construction is not more than 75 per cent completed and to cancel all contracts for furniture, and for other purposes.

SENATE BILL AND JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, Senate bill and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 4785. An act to incorporate the American Committee for Relief in the Near East; to the Committee on the Judiciary.

S. J. Res. 194. Joint resolution directing the United States Housing Corporation to suspend work upon all projects where construction is not more than 75 per cent completed and to cancel all contracts for furniture, and for other purposes; to the Committee on Public Buildings and Grounds.

PAY OF WOUNDED SOLDIERS.

Mr. MANN. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, the other day I called attention to a telegram I had received from West Baden, Ind., stating that the soldiers at the hospital had not been paid for many months. Yesterday the gentleman from Kentucky [Mr. SHERLEY] inserted in the RECORD a letter from Gen. Lord giving his statement in reference to the matter of the pay of overseas soldiers, and saying that he would have an officer sent to West Baden. I received yesterday a telegram from Virginia relating to the same subject which I would like to have read.

The Clerk read as follows:

> RICHMOND, VA., *December 12, 1918.*
>
> Hon. JAMES R. MANN,
> *Washington, D. C.:*
>
> Your statement in Congress in regard to pay of wounded men is absolutely confirmed by men returned to hospital here. Men with whom I have talked stated that they are in arrears from 5 to 11 months. Large proportion of them are entirely without money except such as have telegraphed for and received money from home. Since their return the people of Richmond who know of this condition are outraged at the treatment of the men at the hands of the War Department, and sincerely hope that your action in Congress will cause the injustice to be remedied.
>
> HENRY E. BASKERVILLE.

Mr. MANN. Mr. Speaker, I appreciate the difficulties which the War Department encounters in paying these men who are detached from their regular organizations. And yet it does seem to me that they ought to find a way by such investigation as may be necessary to pay at least something to all the men returned and sent to the hospitals, so that a man at a hospital may have at least a little money. Gen. Lord explains what they are doing, but unless the men are paid the injustice exists.

Mr. GARNER. Will the gentleman yield?

Mr. MANN. Yes.

Mr. GARNER. I agree fully with the gentleman from Illinois that every effort possible ought to be made to get the money to these men, and especially those in the hospitals, where they ought to have all the assistance possible. But does not the gentleman realize that everything possible is being done, and does not the gentleman know that Gen. Lord is one of the ablest men in this country and that he is responsible to the War Department for this particular work? I want to say that I do not think there is any more intelligent, patriotic, or efficient man in the War Department than Gen. Lord.

Mr. MANN. I never heard of Gen. Lord until I saw his name in print. But if he is able and efficient, as I have no doubt he is, and if he is an able executive Army officer, and I have no doubt of that, yet the fact remains that these men are not being paid. Gen. Lord or the Secretary of War, or somebody else, ought to change the present arrangements so that they can be paid.

Mr. MADDEN. If the gentleman will yield, I have a letter from a soldier this morning, and he sets forth the fact that he made an allotment to his wife, that his allotment has been deducted from his pay, but that she has not had a dollar since last July and neither has he.

Mr. DOWELL. The statement made by the gentleman from Illinois is not only true in that case, but in thousands of other cases. It seems that this department has not made any attempt to pay the wives of soldiers, and they will not even answer the correspondence when these wives send letters.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent to proceed for two minutes along the line suggested by the gentleman from Illinois.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. STAFFORD. Mr. Speaker, at the present moment, in the Committee on Appropriations, before the legislative subcommittee, hearings are in progress, and have been since 10.30 this morning, for appropriations for the War Risk Bureau. Mr. Herbert Brown, now in charge of that work, has been testifying as to the difficulties that have been encountered by the bureau in making allotment pay to the wives and to the dependents of our enlisted soldiers. There have been great difficulties, according to his testimony, confronting the bureau in the allotment of pay to wives. There are instances where pay has not come to the wives of the soldiers of our enlisted men. They are rare, but are occasioned by the difficulties of administration. These mistakes are being ironed out. There is a tremendous task imposed on the bureau in this award of allotment of 4,000,000 soldiers. According to the testimony one-third of the entire enlisted force have made allotments to wives and dependent mothers. In many cases, as I recollect, 18,000 allotments to dependents in class B, so called, mothers, fathers, brothers, and sisters, had to be canceled because they were not warranted by the facts, which involved a saving of $500,000 to the Government. It is a great task, and a greater task is going to fall on the bureau by reason of the discharge of the men—30,000 a day—where allowances or compensation are to be awarded; but these allotments are going on and methods are being arranged whereby they can pay the money for all these claims. There are great difficulties that confront the bureau in the administration of this stupendous work. It is easy enough to pick out individual instances where they have received no allotment, but we know that they are the rare exception and that the wives have generally received allotments in due season.

I hold no brief for Mr. Brown, but I do know that they are employing clerks by the thousands in order to pay the allotments and pay the insurance that will come due and the compensation to those who have been injured.

Mr. RUCKER. Mr. Speaker, I ask unanimous consent to address the House for two minutes and a half.

The SPEAKER. Is there objection?

There was no objection.

Mr. RUCKER. Mr. Speaker, in connection with the remarks that have just been made I want to say that I have some information which I regret to say I do not feel privileged to give in full—that is, I do not feel authorized to give the name of my informant. I will state that the party who gave the information is not a Member of Congress, but is an employee of the Government. If the report which reaches me through channels which I think are reliable is true, one trouble down at the War Risk Bureau arises from gross negligence and almost the criminal conduct of some one in authority in that bureau. I speak plainly. If an investigation should be had—I state upon my official responsibility—I believe I can furnish unquestioned and satisfactory proof of the fact that while the boys were in the Army fighting more than 300,000 letters, many of them containing allotments, applications for allowances, applications in behalf of widows and wives who had been deserted, and all that sort of thing, were dumped into a heap and left there without having been opened, and when some clerk discovered this and opened up three or four thousand of them some one higher in authority said that no more of those letters should be opened, because it was making too much work. I do not assert that this is true on my personal knowledge. I do not personally know that it is true, but I do say that if an investigation should be had I shall apologize to the House if I can not furnish proof to verify what I have stated here this morning. Every mail brings to each and every one of us letters from wives and from mothers by the dozens, showing that they have received nothing for months and months, and to the extent that gentlemen are decrying against that sort of conduct, I indorse it from whatever source it comes. It ought not to be so. That bureau has the largest force of any bureau in the Government and ought to perform its duties.

Mr. MADDEN. And they are increasing it all of the time.

BOARD OF REGENTS, SMITHSONIAN INSTITUTION.

Mr. SLAYDEN. Mr. Speaker, I ask unanimous consent for the present consideration of Senate joint resolution 187, providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, etc., That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, by reason of the death of Hon. Charles Warren Fairbanks, of Indiana, be filled by the appointment of Robert S. Brookings, of Missouri.

The SPEAKER. Is there objection to the present consideration of the Senate joint resolution?

There was no objection.

The SPEAKER. The question is on the third reading of the Senate joint resolution.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. SLAYDEN, a motion to reconsider the vote by which the resolution was passed was laid on the table.

NATIONAL SECURITY LEAGUE.

Mr. JOHNSON of Kentucky. Mr. Speaker, in the absence of the gentleman from Georgia, Judge PARK, who is the chairman of the Committee on Accounts, I am directed by that committee to report House resolution 476, which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

Resolved, That all expenses that may be incurred by the special committee under H. Res. 469, adopted December 10, 1918, authorizing said special committee to make certain investigations set out in said resolution, to an amount not exceeding $25,000, shall be paid out of the contingent fund of the House of Representatives on vouchers authorized by the committee, signed by the chairman thereof, and approved by the Committee on Accounts, evidenced by the signature of the chairman thereof.

Also that the committee be, and hereby is, authorized to have done such printing and binding as, in the opinion of the committee, may be necessary; also that the committee may sit during sessions of the House.

The SPEAKER. The question is on agreeing to the resolution.

Mr. ROBBINS. Mr. Speaker, I would like to have explanation of what this is. It is not exactly clear to me.

Mr. JOHNSON of Kentucky. This is providing money to make the investigation of the National Security League.

Mr. GARNER. Mr. Speaker, does the gentleman think that the committee will use $25,000?

Mr. JOHNSON of Kentucky. I have no idea of how much will be used, but I hope the committee will not use that much. I think I can assure the gentleman that the committee will be as economical as possible.

Mr. GARNER. I realize from the personnel of the committee that it will be economical, but it occurs to me that $25,000 is rather a large sum to begin with. Of course the committee may need that much money to conduct the investigation, but it occurs to me that $10,000 would be all the money they would need unless the investigation is going to lead further than anybody now anticipates.

Mr. JOHNSON of Kentucky. Mr. Speaker, the matter has already arisen in the committee as to whether or not the committee will be compelled to go to New York and also to Chicago. If so, the railroad fares and the hotel bills are going to come pretty high.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. GARRETT of Tennessee. The resolution as reported from the Committee on Accounts does not limit in any way the character of the assistance that the committee may employ.

Mr. JOHNSON of Kentucky. I will say to the gentleman that in that respect this is a copy of the resolution that was adopted when the committee made the East St. Louis investigations.

Mr. GARRETT of Tennessee. If the gentleman will permit, the resolution upon which the report from the Committee on Accounts was predicated in that instance fixed the matter of the clerical employment or the employment of counsel. The report from the Committee on Rules in that case, if I may be permitted, provided that the committee should have authority to employ such legal and clerical assistance as it might require. The resolution which was brought in by the Committee on Rules this time made no such provision.

Mr. JOHNSON of Kentucky. I can say to the gentleman the committee is not going to employ any attorney.

Mr. GARRETT of Tennessee. Perhaps it ought. It might find itself in the position——

Mr. JOHNSON of Kentucky. That question was brought up in the committee, and the committee was unanimous upon that point, that it would not employ an attorney as such.

Mr. GARNER. Does the gentleman anticipate the employment of counsel in this case?

Mr. JOHNSON of Kentucky. I do not.

Mr. GARNER. This is merely for the expenses of the witnesses.

Mr. JOHNSON of Kentucky. If whoever should be employed as a clerk should happen to be an attorney he would be employed as clerk and not as an attorney.

Mr. GARNER. The expense largely devolves, I assume, on clerical assistance of the committee and the expenses of the committee in New York or Chicago and the expenses of witnesses brought to testify before the committee.

Mr. JOHNSON of Kentucky. Yes; we may have to bring a lot of witnesses here.

Mr. GARNER. Is that the major item of your contemplated expense?

Mr. JOHNSON of Kentucky. Yes.

Mr. MANN. Will the gentleman yield?

Mr. JOHNSON of Kentucky. I do.

Mr. MANN. I understood the gentleman to say this was a report from the Committee on Accounts.

Mr. JOHNSON of Kentucky. Yes; a unanimous report.

Mr. SANFORD. Will the gentleman yield?

Mr. JOHNSON of Kentucky. I will.

Mr. SANFORD. When was that meeting held by the Committee on Accounts?

Mr. JOHNSON of Kentucky. This morning.

Mr. SANFORD. Without notice?

Mr. JOHNSON of Kentucky. Upon notice received by me yesterday from the chairman of the committee, Judge PARK.

Mr. SANFORD. No notice was received by me, and I think I was entitled to notice.

Mr. JOHNSON of Kentucky. I will say to the gentleman I got my notice yesterday, a written notice, and when I got to the committee room this morning the clerk of the committee said the chairman of the committee would not be present, and as I was the next on the list I was asked to preside; and the clerk also said that the gentleman had resigned from the committee——

Mr. SANFORD. I have not resigned from the committee; I am a member of the committee and was entitled to notice and should have had it. Will the gentleman tell me how many members of the committee were present?

Mr. JOHNSON of Kentucky. About the resignation I know absolutely nothing——

Mr. SANFORD. I do. Will the gentleman kindly tell me how many members of the Committee on Accounts were present when they reported this resolution?

Mr. JOHNSON of Kentucky. There was a quorum.

Mr. SANFORD. Does the gentleman mind telling me how many?

Mr. JOHNSON of Kentucky. I think there were five.

Mr. SANFORD. That is not a quorum, I believe.

Mr. JOHNSON of Kentucky. The clerk of the committee announced there was a quorum.

Mr. SANFORD. I do not know that is the clerk's business.

Mr. JOHNSON of Kentucky. Yes; that is the clerk's business.

Mr. MANN. I understood the gentleman to say the special committee had decided it would not have an attorney.

Mr. JOHNSON of Kentucky. Yes.

Mr. MANN. Then I should think, with all due deference to the special committee, it might be able to tell better whether it needed an attorney after getting into the investigation.

Mr. JOHNSON of Kenucky. Well, I think so, too; and, as I said when the committee took that action, the committee could reverse itself afterwards and employ an attorney if it should find it necessary, but it is the present purpose of the committee to get through without counsel, if possible.

Mr. ROBBINS. May I ask the gentleman from Kentucky a question? Inasmuch as you are going into this without counsel, may I ask who the committee are?

The SPEAKER. The Chair announced the committee, and it is in the RECORD.

Mr. JOHNSON of Kentucky. I refer the gentleman to the RECORD.

Mr. HAMILTON of Michigan. Will the gentleman yield for a question?

Mr. JOHNSON of Kentucky. I do.

Mr. HAMILTON of Michigan. What is the history of these investigations? Do committees generally use up the whole amount authorized?

Mr. JOHNSON of Kentucky. I can say I have served on but one, and in that instance the committee did not use all the money.

Mr. HAMILTON of Michigan. I suppose it is something of a temptation?

Mr. JOHNSON of Kentucky. I do not think so at all.

Mr. STAFFORD. Will the gentleman yield?

Mr. JOHNSON of Kentucky. I do.

Mr. STAFFORD. It has been my distinct privilege to serve on two of these committees, one the very noted Mann committee to investigate pulp and paper manufacture, which I believe established a record as to expenditure, and, though we labored for 10 months, the total expenditures did not exceed $10,000. It was also my privilege to serve on the Mulhall, the famous Michael Martin Mulhall investigating committee of which the distinguished gentleman from Tennessee [Mr. GARRETT] was the chairman, and I believe that our total expenditures did not exceed in that instance, though we labored for many months, $10,000.

Mr. GARRETT of Tennessee. Three thousand five hundred dollars was the total expenditure.

Mr. STAFFORD. The gentleman from Tennessee advises me $3,500, so I do not believe there is any basis for the claim that there is any undue desire on the part of Members of Congress to use all the amount of money that has been authorized. The same way also with the St. Louis investigation. I will inquire of the gentleman from Kentucky, because I know it was not a very expensive investigation, what was the total expenditure in that case?

Mr. JOHNSON of Kentucky. I will say that was somewhat expensive for the reason the committee sat nearly five weeks over at East St. Louis, and our stenographer's bill was $1,700 or $1,800; and I recall perfectly well that when the first hotel bill was presented to me it was over $1,600, and it jumped me very considerably. Out of $7,500, if I remember correctly, that committee spent about $6,000.

Mr. STAFFORD. That certainly was not a large amount, considering the time devoted to the work and that most of the work was in St. Louis, away from Washington, where hotel expenses had to be paid.

Mr. GARRETT of Tennessee. Mr. Speaker, if the gentleman will permit just a moment, I have no objection to the resolution, but I did desire to call attention to this condition. Always, until now, when bringing in a resolution providing for the appointment of a special committee, the Committee on Rules has provided that it should have clerical assistance or should have authority to employ counsel if it should find it necessary. So far as I now remember, no resolution providing for a special committee during the last eight years, at least, has failed to carry that provision. This resolution did not carry that, however, because of the fact that some time since a point of order was raised when we were creating a committee of the House, the Water Power Committee. That provided that that committee should have authority to choose a clerk. The gentleman from New York [Mr. SANFORD] raised a point of order, and the Speaker felt constrained to hold that that destroyed the privileged character of the resolution. Therefore, the Committee on Rules in drafting this resolution did not make any provision of that sort. It was expected, of course, that the Committee on Accounts would define with some degree of definiteness the assistance that might be required. This resolution does not define it with definiteness, and this is no reflection upon the special committee, of course. It does not define any character of employee that that committee shall have.

Mr. WALSH. Will the gentleman yield?

Mr. GARRETT of Tennessee. The gentleman from Kentucky [Mr. JOHNSON] has the floor.

Mr. JOHNSON of Kentucky. I yield to the gentleman.

Mr. WALSH. Can the gentleman state how much the Committee on Rules expended for counsel during the Lawson leak investigation?

Mr. GARRETT of Tennessee. I think it was $15,000. That is my recollection.

All I wanted to say about this is that I believe it would be wise for both committees, if we have occasion to do anything of this sort in the future, to try to define in some specific degree what shall be employed. Of course, this House has every confidence in the committee that has been selected. It does not follow the usual form, either the one from the Committee on Rules or the resolution from the Committee on Accounts.

Mr. REAVIS. Will the gentleman yield to me?

Mr. JOHNSON of Kentucky. I will.

Mr. REAVIS. I do not believe that anybody can forecast just how many avenues this committee will have to enter in its

effort to make a good-faith and searching investigation of the proposition that is submitted to it. We are not to determine whether or not this organization has slandered Representatives or misrepresented the record of Members of this House. We are to determine, if possible, if I understand the resolution, whether or not the National Security League was organized for some sinister purpose, seeking to control the Congress of the United States for its own financial benefit and cloaking its real purpose under the garb of patriotism and loyalty. We have gone far enough in this to have learned that there are numerous avenues into which we must make search. It is not an easy proposition. I do not know how extensive it will be, but if it is worth doing at all, it is worth doing thoroughly. [Applause.] And so far as I am concerned, I would not care to serve on that committee if the committee were not given every opportunity to completely uncover the real character of the National Security League. I do not believe that it will require $25,000 to do it. I do know from my knowledge of the personnel of this committee that no part of the appropriation will be expended unnecessarily. It was suggested that it might cost that sum, and to save the committee the annoyance of coming back to Congress and asking for further appropriation, in case such action was necessary, the amount we asked covered to the limit of reasonable probability the amount of money that would be used or needed in this investigation. If you are going to limit the committee in its expenditure, in its effort to find the truth of this matter; if you are going to appoint a committee on investigation, and then so limit the appropriation that the investigation would necessarily be superficial, it would be my judgment that you would better not go into it at all.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken, and the resolution was agreed to.

SESSION CLERKS TO COMMITTEES.

Mr. JOHNSON of Kentucky. Mr. Speaker, in the same capacity I present another resolution from the Committee on Accounts.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 468.

Resolved, That the Committee on Expenditures in the Department of Agriculture, the Committee on Expenditures in the Department of Justice, the Committee on Expenditures in the Department of the Interior, the Committee on Expenditures in the Department of Commerce, the Committee on Expenditures in the Department of Labor, the Committee on Expenditures in the Navy Department, the Committee on Expenditures in the Post Office Department, the Committee on Expenditures in the State Department, the Committee on Expenditures in the Treasury Department, the Committee on Expenditures in the War Department, the Committee on Public Buildings and Grounds each be allowed a clerk at the rate of $125 per month during the third session of the Sixty-fifth Congress, beginning December 2, 1918; that the Committee on Enrolled Bills be allowed a clerk at the rate of $6 per diem during the third session of the Sixty-fifth Congress, beginning the 2d day of December, 1918; that the Committee on Rules be allowed an assistant clerk at the rate of $100 per month during the third session of the Sixty-fifth Congress, beginning the 2d day of December, 1918. Salaries of said clerks to be paid out of the contingent fund of the House.

Mr. SANFORD. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Kentucky. I do.

The SPEAKER. How much time does the gentleman from Kentucky grant to the gentleman from New York?

Mr. JOHNSON of Kentucky. How much time does the gentleman want?

Mr. SANFORD. Five minutes.

Mr. Speaker, I do not think the Members of the House will permit this resolution to pass under the circumstances. In fact, I hope the gentleman from Kentucky [Mr. JOHNSON] will be generous enough to withdraw the resolution. It was pending in the Committee on Accounts a week or so ago, and at my request a special committee was appointed, of which I was a member—a subcommittee of three—to investigate the necessity for this resolution. The subcommittee met and an arrangement was made with the clerk to have present the clerks of these several committees, many of whom, to my knowledge, were not in Washington and have not been for some months. Many of the committees named in this resolution need a clerk and should have the same. Many others of the committees named in this resolution do not need a clerk, and although a clerk has been provided upon the statement of its necessity by the chairmen, for nearly a year there has in some instances been absolutely no public duty for the clerks to perform. In some cases they have used their clerks as campaign managers and wholly for political purposes, to my knowledge.

While this matter was then pending before this subcommittee it was rumored in the Committee on Accounts that I am not a member of that committee. That misunderstanding arose naturally. It was expected that I would resign from that committee. I have not done so. I am a member of the subcommittee appointed to investigate this very resolution. Therefore, the committee holds a meeting this morning bright and early, without any notice to me, on account of that misunderstanding, and reports this resolution, which it is my duty to investigate. I therefore present the matter to the House. I ask the gentleman from Kentucky to withdraw the resolution, to correct the error that has been made, and to return this resolution to the committee.

Mr. JOHNSON of Kentucky. Mr. Speaker, I will say to the gentleman from New York that at the meeting of the Committee on Accounts several days ago, to which he has referred, I was not present. I knew nothing whatever of the resolution until the meeting of the committee this morning. The clerk of the committee this morning stated to those of the committee who were present that this matter had been referred to a subcommittee and that the subcommittee had reported favorably upon the resolution. Thereupon the committee took it up and ordered its favorable report.

Mr. SANFORD. The subcommittee had not reported, to my knowledge. I tried on several occasions——

Mr. JOHNSON of Kentucky. The gentleman must give the committee credit for the information coming from the clerk. The clerk of the committee said that the subcommittee had made a favorable report on it.

Mr. SANFORD. That is my very point. There is so much misunderstanding with reference to it that I think the House would like to have it straightened out. I have tried for two days to find the clerk, and I have been at the committee room four or five times, and I could not find him. Apparently he was not looking for me, but he was on hand bright and early this morning when the committee met.

Mr. JOHNSON of Kentucky. The call for the meeting of the committee was for 10.30 o'clock.

Mr. SANFORD. But it did not include me. That is the point.

Mr. JOHNSON of Kentucky. It is my opinion, without having noticed the clock, the committee commenced the transaction of business about 15 minutes after that, or about 15 minutes of 11, which I do not regard as very early this morning.

Mr. SANFORD. This matter may not be very important. I do not know whether it is or not. But I do wish to emphasize my point of view, that the House should not act with such uncertainty and confusion, which arise wholly out of a misunderstanding. I think the gentleman from Kentucky should withdraw the resolution.

Mr. GILLETT. Mr. Speaker, will the gentleman permit a question?

Mr. SANFORD. Yes.

Mr. GILLETT. Who were the members of the subcommittee?

Mr. JOHNSON of Kentucky. I did not ask. The gentleman from New York could suggest who they are.

Mr. SANFORD. I am one of the members.

Mr. JOHNSON of Kentucky. The gentleman from Massachusetts will remember that I stated that I was not present at that meeting.

Mr. SANFORD. Mr. BRODRICK and Mr. MCLEMORE.

Mr. GILLETT. I wondered if they had made a report in the absence of the gentleman from New York.

Mr. SANFORD. I do not know. There was supposed to be a meeting of the subcommittee yesterday, but I was late in coming to it, and then I went out to find the clerk, and was not able to find him or the members of the subcommittee. I presumed that they had adjourned.

Mr. JOHNSON of Kentucky. Mr. Speaker, in view of what has been stated, I ask that the resolution be rereferred to the Committee on Accounts.

The SPEAKER. The gentleman from Kentucky asks that the resolution be rereferred to the Committee on Accounts. Is there objection?

There was no objection.

ASSIGNMENT OF CLERKS TO CERTAIN COMMITTEES OF THE HOUSE.

Mr. JOHNSON of Kentucky. Mr. Speaker, I send another resolution to the desk.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House Resolution 469.

Resolved, That clerks to committees of the House during the session provided for by the legislative, executive, and judicial appropriation act for the fiscal year ending June 30, 1919, be, and they are hereby, assigned for the present session of Congress to the following committees, to wit: Committee on Education, Committee on Railways and Canals, Committee on Reform in the Civil Service, Committee on Alcoholic Liquor Traffic, Committee on Invalid Pensions (assistant clerk), Committee on the Judiciary (additional assistant clerk), Committee on Enrolled Bills (assistant clerk), Committee on Disposition of Useless Executive Papers.

Mr. SANFORD. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Kentucky. I do.

Mr. SANFORD. That is exactly in the same situation as this other resolution. I make the same request with respect to that, Mr. Speaker.

Mr. JOHNSON of Kentucky. Mr. Speaker, I ask that the resolution be rereferred to the Committee on Accounts.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that the resolution be rereferred to the Committee on Accounts. Is there objection?

There was no objection.

CONFERENCE ON WATER-POWER BILL.

The SPEAKER. The Chair desires to state that when he appointed the conferees on the water-power bill (S. 1419) Mr. LA FOLLETTE, of the State of Washington, was one of them, but for some reason, sickness, I think, in his family, he could not attend the first session of the conference committee, and the Chair appointed Mr. SINNOTT, of Oregon, in his place. Mr. SINNOTT asks that Mr. LA FOLLETTE be returned to the place, and the Chair reappoints him.

LEAVE TO ADDRESS THE HOUSE.

Mr. McKEOWN. Mr. Speaker, I ask unanimous consent to proceed for three minutes.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to proceed for three minutes.

Mr. WALSH. I want to ask the gentleman, for what purpose?

Mr. McKEOWN. I do not think a Member of this House must disclose the purpose every time he asks unanimous consent to make a few remarks. If the gentleman wants to object, he can object.

Mr. WALSH. I object.

The SPEAKER. The gentleman from Massachusetts objects.

Mr. McKEOWN. I make the point of no quorum, Mr. Speaker.

The SPEAKER. The gentleman from Oklahoma makes the point of no quorum. The Chair will count.

Mr. McKEOWN. Mr. Speaker, I will withdraw that point.

The SPEAKER. The gentleman from Oklahoma withdraws the point.

AMENDMENT TO LAWS RELATING TO THE JUDICIARY.

Mr. WEBB rose.

The SPEAKER. For what purpose does the gentleman from North Carolina rise?

Mr. WEBB. I want to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12001.

Mr. MANN. Mr. Speaker, a point of no quorum was made.

The SPEAKER. The point was withdrawn by the gentleman.

Mr. MANN. We should have order here, so that we can hear the proceedings. The gentleman must have spoken to himself when he withdrew it. Gentlemen should speak loud enough to be heard.

The SPEAKER. The Chair desires Members to speak louder.

Mr. McKEOWN. I withdrew that point, Mr. Speaker.

The SPEAKER. I know, but the gentleman from Illinois could not hear it. Hardly anybody else heard it but the Speaker.

The gentleman from North Carolina [Mr. WEBB] moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12001. The question is on agreeing to the motion.

The motion was agreed to.

The SPEAKER. The gentleman from Missouri [Mr. BORLAND] will please take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, with Mr. BORLAND in the chair.

The CHAIRMAN. The House is in Committee of the Whole on the state of the Union for the further consideration of H. R. 12001, which the Clerk will report by title.

The Clerk read the title of the bill (H. R. 12001) to amend an act entitled "An act to modify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

The CHAIRMAN. General debate being exhausted, the Clerk will proceed to read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That section 2 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, be, and the same hereby is, amended to read as follows:

"SEC. 2. The salaries to be paid to the district judges shall be $6,500 per annum, except that in districts having a population of over 500,000 the district judge or each of the district judges appointed for those districts, respectively, shall receive annually additional compensation at the rate of $500 for each half million of population or part thereof in their respective districts, in excess of the first 500,000; which additional compensation, as the same may be ascertained, as aforesaid, in the said several districts, respectively, together with said sum of $6,500, shall be the annual salary payable to the district judge or each of the districts judges in such districts, respectively: *Provided, however*, That the salary of any district judge appointed for more than one district shall be determined on the basis of the aggregate population of the districts for which he is appointed. Such salaries shall be paid in equal monthly installments, beginning on the first day of the month next following the approval of this act, and the amount to be so paid in the several districts, under the provisions of this act, shall be ascertained by the Attorney General of the United States, from the last Federal census, and certified by him to the proper disbursing officer or officers. As soon after the 1st day of January next succeeding the taking of any future Federal census as may be practicable, any changes in such salaries, due to changes in population, shall be ascertained and determined by the Attorney General of the United States, and shall become effective on and after the 1st day of July next following: *Provided, however*, That at no time shall the salary of any district judge be diminished during his continuance in office, nor shall the salary of any district judge at any time exceed the sum of $10,000 a year."

Mr. WALSH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 1, strike out all of lines 7 to 11, inclusive, and all of page 2 and lines 1 and 2, on page 3, and insert:

"SEC. 2. Each of the district judges shall receive a salary of $8,000 a year, to be paid in monthly installments."

Mr. GORDON. I move an amendment to that amendment. The salary ought not to be more than that of a Member of Congress—$7,500.

The CHAIRMAN. The gentleman from Massachusetts has the floor on his amendment.

Mr. WALSH. Mr. Chairman, in offering this amendment I have retained the language of section 2 of the judicial code, with the exception of the amount to be paid as salary, and I have increased the salary paid under the present law, which is $6,000, to $8,000, making it applicable to each district judge in the United States. Now, there may be those who believe that in some districts an increase of $2,000 would not be warranted because of the amount of business that may be done there, and that in other districts it is not sufficient for the amount of business that is transacted, but I submit when you take into consideration the increases that have been made for other officials, and take into consideration the 128 judges that I believe there are, an increase of $2,000 is equitable, and it will be sufficient in those districts where business may not at the present time warrant such an increase to cover a gradual growth of business in those districts, and it will be a proper sum to pay the judges in the districts where business has increased. It will also be in conformity with the plan which has been adhered to heretofore in most of the increases that have been made, particularly in the judiciary, of putting the judges of all the districts upon the same plane as far as compensation is concerned, and it will permit the transfer of a judge to another district, and it will be known that the man who is transferred is getting the same salary.

Mr. RUCKER. Mr. Chairman, will the gentleman yield?

Mr. WALSH. I yield to the gentleman from Missouri.

Mr. RUCKER. Does the gentleman's amendment propose to increase the salaries now written in the bill?

Mr. WALSH. No.

Mr. RUCKER. It does not increase the amount proposed in the bill?

Mr. WALSH. My amendment proposes a flat increase for all the judges. The scheme provided in the bill would give some judges a $500 increase and some judges a $4,000 increase, based upon the population of the districts. Now, I propose to amend the existing law, and that instead of paying all the district judges $6,000 we shall pay each of them $8,000.

Mr. RUCKER. Does not the gentleman think that is a little too high?

Mr. WALSH. It may be that $7,500 would be sufficient.

Mr. RUCKER. For many years, of course, I have had nothing to do with district judges or any other kind of judges, but speaking now with profound respect for the judiciary——

Mr. WALSH. Certainly, I know the gentleman has that.

Mr. RUCKER. I have that respect for them, but I think that if there is any class of American citizens who are autocratic in the last degree, Federal judges constitute that class. They sit when they please, adjourn when they please, take recesses when they please, and go wherever the devil they please, and do less hours of work than any class of men in the country; and I am not much in favor of taxing the people to pay increased salaries to these men who enjoy life tenure of office and who do the minimum of work.

Mr. WALSH. As the gentleman states, there may be district judges who are in a position to take things comparatively easy, but I think the tendency in the courts is for the judges to work much harder than they formerly did, particularly in some of the larger districts.

Mr. RUCKER. That is a very gratifying tendency, but I am afraid it is not going to operate very long or very extensively.

Mr. WALSH. I will admit that I have not had a very great deal to do with the Federal judges recently.

Mr. RUCKER. My opinion is that when we begin to increase salaries we ought to increase the small salaries, where the people work practically all the year, and do not get much pay.

Mr. WALSH. Does not the gentleman appreciate that we have done that?

Mr. RUCKER. No; we have not done that in any substantial degree at all.

Mr. WALSH. When you take the percentage of increase, it is considerable.

Mr. RUCKER. If the gentleman will yield to me further——

Mr. SHERWOOD. Does not the gentleman think he has got his figures too high?

Mr. WALSH. I have no objection to an amendment being offered to fix the salary at $7,500.

Mr. STEVENSON. I move to amend the amendment by striking out "$8,000" and inserting "$7,500."

The CHAIRMAN. The gentleman from South Carolina offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Amend the amendment by striking out $8,000 and inserting in lieu thereof "$7,500."

Mr. SHERWOOD. That is too high yet.

Mr. STEVENSON. Mr. Chairman, I think the Federal judiciary are entitled to some increase in their compensation, and I have no complaint to make of them. Until I came here I had done nothing else for the last 30 years and more except practice law. These Federal judges have a great deal to do, and it takes a high order of talent to enable a man to be a decent Federal judge or any other kind of a judge.

But I do not want to establish the precedent here of this Congress making discrimination between judges of the same class because they live in different communities. The proposition is made here to base every salary on the amount of population in their district, and that makes a sliding scale which is to be adjusted after each census. Here you have this situation: Take the southern district of New York. It is perfectly possible and entirely probable that that district may be subdivided into two districts. You will have established a set of judges with salaries of $10,000. Suppose you divide it into two districts and you cut it below the limit of the $10,000 a year, and you have judges in the district whose salary is fixed at $10,000 a year and whose salary can not be reduced during the term of office, and therefore you have them serving in a district whose population does not justify and does not give the $10,000 salary, and yet you can not prevent their getting it as long as they live.

That is one reason, and the other reason is—and there is a good deal said about the salaries of the supreme court justices of the court of appeals in different States. We can only deal with the people whom we create and whom we take care of. We can not establish an equality between our judges and the judges of the State; we can only maintain the equality among our own people.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. STEVENSON. Yes.

Mr. LAGUARDIA. Then, will the gentleman tell me why it is that when a judge from another district comes into New York he receives $10 a day additional pay?

Mr. STEVENSON. The judge from New York who goes to South Carolina also receives $10 a day additional; there is entire equality and no discrimination.

In the southern district of New York you have four district judges. Divide up the population among them and they serve 800,000 people apiece. Taking the eastern district of South Carolina, that judge holds court in four different places and has to be away a large part of the time; yet he serves 850,000 people also. The proposition here is to leave him $6,500 and put four district judges of New York at $10,000 apiece. This establishes a discrimination between the judges whom we create and whose compensation we fix that is not proper under our duty.

It is also said that if we send a judge to New York he gets $10 additional a day. They send a judge down to South Carolina and he gets the additional pay. The judge in the district of South Carolina holds admiralty court in New York a month of every year, and has for several years, I am informed. He goes there and gets his expenses paid. The judge in New York, if he wants a trip, gets assigned to the western district of South Carolina, goes to Asheville, into a high climate, and holds court, and he gets $10 a day additional. So it seems to me that we are going to establish a precedent of discrimination as among our own judges.

The proposition is advanced in the report of the committee that there are very few people and a very small amount of business in Nevada, and therefore her judge ought not to be paid as much as the judges in the district of New York or Chicago. Follow that principle out and you would say that the Senator from New York should be paid about ten times as much as you pay the Senator from Nevada. In other words, take South Carolina and Texas. South Carolina's Senator would be entitled to about one-quarter as much as Texas, and the same way in a great many other States. When you begin the policy of discrimination among the officers we create, who are coordinate and equal in every respect, you do that which will rise up to plague us for all time hereafter, and we ought not to begin it now. [Applause.]

Mr. GRAHAM of Pennsylvania. Mr. Chairman, the gentleman from South Carolina lays too much stress altogether on establishing a precedent. He forgets the fact that precedent existed in this country from 1789 down to 1891, by making a discrimination between the pay of the judges in different parts of the United States and giving them different salaries, based on the idea of population and the amount of business. This bill is not establishing precedents. This bill is restoring a condition that has been recognized as a wise and sane one for over a century in the history of this country.

In addition to that, the idea of equality pay which he advocates with respect to judges is running counter to the stream of human experience in every other direction. Why do you not make every postmaster in the United States get the same salary and the same pay. You discriminate between the rural districts and the great centers and pay the postmasters in the larger cities a greater amount because they have a greater amount of business. There is no basis upon which this line of compensation can be prescribed better than the one proposed here.

In addition, I want to ask gentlemen to remember that in the large centers the opportunities for making money are greater. The bar has more opportunities to earn compensation for their work far in excess of anything that would be paid on the bench. In such a district as that you can not draw to the bench the best and ablest man to sit upon it and administer justice. I trust that what has received the unanimous consent or approval, with one exception, of our committee will receive the approval of the House. [Applause.]

Mr. KAHN. Will the gentleman yield?

Mr. GRAHAM of Pennsylvania. I will.

Mr. KAHN. I want to call the gentleman's attention to the fact that in the last legislative appropriation bill the salaries for independent treasurers run this way in different sections of the country: In Baltimore the assistant treasurer gets $4,500; Boston the assistant treasurer gets $5,000; Chicago he gets $5,000; in Cincinnati he gets $4,500; in New Orleans he gets $4,500; in New York he gets $8,000; and in Philadelphia $5,000, and so on. So do the various collectors of customs throughout the country receive different salaries, depending upon the amount of work which they perform.

Mr. GRAHAM of Pennsylvania. That exactly supports the statement I made, that this effort to put all of these salaries upon a flat level is running counter to the stream of human experience and the wisest judgment that has been exercised in this legislative body on almost every subject.

Mr. STEVENSON. Mr. Chairman, will the gentleman yield?

Mr. GRAHAM of Pennsylvania. Yes.

Mr. STEVENSON. Is it not a fact that the discrimination which existed from 1789 to 1891 was repealed, and such precedents as it established was repudiated, and are you not trying to reenact it now?

Mr. GRAHAM of Pennsylvania. No. I was answering the gentleman's proposition that this bill was intended to establish a precedent by showing that the practice of discrimination had existed for nearly a century up to the date which I named.

Mr. STEVENSON. My proposition is that you are trying to reestablish a precedent which has once been repudiated by this Congress.

Mr. GRAHAM of Pennsylvania. That would be a wise thing to do in any case, when you find that that which was existing and approved for a century was a proper proposition and the new departure was erroneous.

Mr. WALSH. Mr. Chairman, will the gentleman yield.

Mr. GRAHAM of Pennsylvania. Yes.

Mr. WALSH. I would like to ask my colleague on the committee if he does not think that if a man has a position which he holds for life it should make some difference?

Mr. GRAHAM of Pennsylvania. No. On the contrary, I think that the appointment for life, while it has some advantage of certainty, has the disadvantage of being a handicap upon a man who is deprived of entering into any business of any kind except the administration of his office as judge.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. DYER. Mr. Chairman, this proposition of graduated increase of pay for the Federal judiciary was given the most careful consideration by the Committee on the Judiciary for many weeks. We had before us not only, as some one has said, some representatives of the judiciary but we had before us members of the bar from many States. I submitted this proposition to the bar association of my State and of my city and it met with their approval. We have heard here letters read approving of this method of increasing the pay of these judges by men of the highest character, who are members of the legal profession, including former Justice Hughes, of New York. This bill ought to pass as it has been written, after it has been considered, as I have said, by the Judiciary Committee and by the judiciary of the entire country. It was most carefully considered by the Judiciary Committee of this House, and that committee practically unanimously is for this bill as it has been presented. As has been stated by the gentleman from Pennsylvania [Mr. GRAHAM] and others, you must give consideration in increase of pay to the big centers of population where business comes pertaining to the Federal bar and the judiciary.

Mr. FAIRFIELD. Mr. Chairman, will the gentleman yield?

Mr. DYER. Yes.

Mr. FAIRFIELD. I would ask the gentleman whether it requires a higher order of intelligence and greater ability to preside over a district in the centers of population than it does in the Middle West or the West or the South?

Mr. DYER. I would say to the gentleman that in his State of Indiana there is, in my opinion, one of the ablest men that sits in any court in the United States—Judge Anderson.

Mr. GORDON. And they are fixing his salary at $6,500.

Mr. DYER. And, Mr. Chairman, go to Indianapolis, where they have a splendid bar association, and you will find men appearing almost week after week before Judge Anderson in important litigation where the lawyers receive more pay in one case than does a man of that great ability—Judge Anderson—receive in a whole year for presiding over that court. So it is in other cities in other States.

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. DYER. Yes.

Mr. HUSTED. I would like to ask whether population was considered a just and fair basis of fixing salaries by the judiciary affected by the bill, so far as they were represented before your committee? Did the judges who are affected by this bill consider population as a fair and just basis for fixing the salaries of the judiciary?

Mr. DYER. To a large extent.

Mr. STEELE. I will say in answer to the gentleman from New York, if the gentleman from Missouri will permit, that a committee of the judiciary—the entire judiciary of the United States—appeared before the Committee on the Judiciary of this House and stated that this basis of adjusting their salaries had been under consideration by the judiciary themselves and met with their entire approval; and, if the gentleman will permit another statement, I will say that the increase proposed in this amendment will be no saving to the Treasury at all, but will simply result in unfair distribution of the salaries, something that is not asked by the judiciary themselves.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. DYER. Yes.

Mr. JOHNSON of Washington. Does not the gentleman think that in the hearings, on page 4, where the classification of judges is presented, the arrangement should be reversed? The first class is given as of the smallest population and smallest salary. Will not the classes be reversed in the public mind? When one speaks of a first-class judge one will think of a $10,000 judge, and the judge in the lowest classification will be regarded as inferior, which is not intended, of course. But will not the tendency of the public mind be to classify judges in the order in which they are paid?

Mr. DYER. I do not think so. They do not do that with reference to other Federal appointees.

Mr. JOHNSON of Washington. Something like postmasters, first-class, and so on.

Mr. KEARNS. Mr. Chairman, will the gentleman yield?

Mr. DYER. Yes; and in this connection I ask unanimous consent that my time be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. KEARNS. It has been stated by the chairman of the committee that there appeared before your committee representatives from the judges' associations throughout the country.

Mr. DYER. And also the bar associations.

Mr. KEARNS. I just wondered if those judges who are to receive an increase of only $500 were represented?

Mr. DYER. Yes; and I will say to the gentleman that among those whom I distinctly remember as indorsing this bill is one of the judges who receives $6,000, and who would receive $6,500 under this bill, who for a number of years presided over the Judiciary Committee of this House with very great distinction, Judge Clayton, of Alabama. There is no division as to the fixing of this salary. The judges all over the country agree that it is the right and proper thing.

Mr. GORDON. Will the gentleman yield?

Mr. DYER. I will yield.

Mr. GORDON. Is it not a fact that all the judges who came before you on the bill were from large centers of population?

Mr. DYER. No; and I told the gentleman among others was Judge Clayton, and we have letters from judges from all over the country.

Mr. GORDON. They are all in favor of the increase in salary?

Mr. DYER. Even from those who would receive $6,500 as a maximum salary.

Mr. ASWELL. Will the gentleman yield?

Mr. DYER. I will.

Mr. ASWELL. The gentleman states that the judges are unanimous for this bill. Is it not a fact all the judges will be increased thereby, and of course they would be unanimous?

Mr. DYER. Even from those who would only be increased $500. But, Mr. Chairman, there is one proposition here that you and I must consider now and together, and that is whether we are going to enact some legislation that is badly needed, not only in increasing the pay but in remedying the situation in several parts of this country, and that is the other proposition; and, gentlemen of this House, we can stand together and enact a bill of this kind that has been so carefully considered, so unanimously agreed to by the Committee on the Judiciary and by the bar association and lawyers of the country.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. DYER. I do.

Mr. HUDDLESTON. The gentleman referred to Judge Clayton, judge of the middle district of Alabama, and he is also the judge of the northern district of Alabama. Will the gentleman permit me to call his attention to the fact that this bill as written will fix Judge Clayton's salary, taking into consideration the population of the northern district of Alabama, which is presided over by another judge, in which he does no business whatever?

Mr. DYER. That goes to show, Mr. Chairman, I take it, that the great centers of population of the country are the places where the greatest amount of work is done by the judiciary, where they sit day after day and week after week and only have a month or two of vacation away from their arduous duties the year around. Those men ought to be paid, and they ought to be paid a salary commensurate with the business they do and that accords with the practice of the bar in those States. In other words, Mr. Chairman, there ought not to be appointed to these great places men who have not the ability and who do not stand high in their bar associations where appointed, and they should not be compelled to sit performing work of that high character where lawyers come in and try a case in which they receive, as I stated, double the amount of the salary of the judge in one fee.

Mr. GORDON. Does the gentleman want to say these judges are drafted?

Mr. ROBBINS. Will the gentleman yield?

Mr. DYER. I will.

Mr. ROBBINS. Was there not evidence before the committee also that unless the salary was increased of the Federal judiciary a number would be compelled to resign?

Mr. DYER. And some have already done so, and some believe they will be compelled to do so. In some of the great cities of this country you can not rent a decent house in which a judge should live for less than half of the money he receives in compensation.

Mr. ROSE. Will the gentleman yield?

Mr. DYER. I will.

Mr. ROSE. Does the gentleman know any judgeship where the salary paid was so exceedingly low that it went begging because of a vacancy?

Mr. DYER. You can find men, of course, who will accept everything that is offered. You can find in your city and my city probably 500 or a thousand men who would accept the appointment of a Federal judgship, men who ought not to be appointed——

Mr. BAKER. Does the gentleman mean to say that in his city or in any other city a man who is not fit is accepted?

Mr. DYER. No; I do not say that; but I say they are liable to be appointed.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WEBB. Mr. Chairman, I desire, if possible, that we have some agreement about the time to be consumed on this amendment.

Mr. GORDON. Your committee has consumed all the time so far. It has all been on one side, and I would like to be heard in favor of the amendment.

Mr. WEBB. I beg the gentleman's pardon, but members of the committee have opposed the amendment.

Mr. GORDON. The last speaker spoke on the same side as the gentleman from Pennsylvania [Mr. GRAHAM], and he got 10 minutes.

Mr. WEBB. I have no disposition to cut off my friend from Ohio, but I want to have some agreement in reference to limitation of time on this amendment, and I shall be very glad to do so in order that Members may know when debate closes.

Mr. WALSH. Will the gentleman consent to 20 minutes on a side?

Mr. WEBB. That is agreeable to me. I wanted to have some limitation.

Mr. GORDON. I would like 10 or 15 minutes.

Mr. STAFFORD. As to 20 minutes on a side, does the gentleman mean 20 minutes on a side based upon the aisle or 20 minutes on a side based upon the proposition?

Mr. WEBB. For and against the amendment.

Mr. WALSH. That does not include the gentleman from Ohio?

Mr. RUCKER. Mr. Chairman, I want to get in on this somewhere, and I want to be included on one side or the other.

Mr. GORDON. I am for the amendment, and I would like 10 minutes.

Mr. WALSH. I suggest we let the debate run a little.

Mr. WEBB. I ask unanimous consent that all debate on these two amendments be closed in 20 minutes on a side, 20 minutes for those in favor of the amendment and 20 minutes for those opposed to it.

Mr. GORDON. I object to that. Fifteen minutes has been used up in favor of the amendment and five against it so far.

Mr. WEBB. As suggested by my friend from Wisconsin, I make the request of 30 minutes on a side, 30 minutes for those in favor of the amendment and 30 minutes for those opposed. That is an hour.

Mr. RUCKER. Mr. Chairman, reserving the right to object, who would control that time, so that I may know whether I get in or not?

Mr. WEBB. I hope the committee will agree to that length of time. It is very generous, it seems to me, and will give everybody who wants an opportunity to make a five-minute talk.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that the debate on the Walsh amendment and the Stevenson amendment be limited to one hour, one-half of the time to be granted to those in favor of the amendments and one-half to those opposed.

Mr. GORDON. Mr. Chairman, reserving the right to object, will the gentleman give me 10 minutes of that time? You have had 15 minutes against this amendment and only 5 for it.

Mr. WEBB. I will be glad to yield to the gentleman five minutes, and if the other side——

Mr. GORDON. That is satisfactory. Will the other side give me five?

Mr. WALSH. Yes.

Mr. RUCKER. Mr. Chairman, reserving the right to object. I would like to know if I can get in on that time?

The CHAIRMAN. Is there objection?

Mr. RUCKER. I object if I can not get some response to my question.

Mr. WEBB. I do not know to whom he has addressed it.

Mr. RUCKER. Mr. Chairman, I have three times now reserved the right to object, and have asked the gentleman through the Chair if I could get some time of that 30 minutes.

Mr. WEBB. So far as I am concerned, I will be happy to have the gentleman get five minutes.

Mr. RUCKER. I wanted 10 minutes. Can I get five from the other side?

Mr. WALSH. Yes; I think I can give the gentleman five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. RUCKER. I may not want it.

Mr. CANNON. Mr. Chairman, I would like to ask the gentleman from North Carolina just how broad his request is?

Mr. WEBB. Mr. Chairman——

Mr. CANNON. Is it on the amendment?

Mr. WEBB. It is on the amendment offered by the gentleman from Massachusetts [Mr. WALSH] and the amendment offered by the gentleman from South Carolina [Mr. STEVENSON].

Mr. CANNON. And that is as far as the request goes?

Mr. WEBB. Mr. Chairman, I want to say just one word on these amendments. I am very much in hope that the committee will not adopt either one of them. I come from a section of the country where the judges will get a smaller salary than they will get under the bill in New York City. I do not share in the prejudices which some gentlemen seem to exhibit here between judges who live in rural sections and those who live in populous sections like Pittsburgh, New York, Philadelphia, and Chicago. I know from my experience in living in Washington, and being in New York and other big cities, that it costs a man more to be a judge in New York City, Philadelphia, Chicago, and Pittsburgh than it does to be a judge in North Carolina, and I can not see any sense in the prejudice attempted to be aroused between the judges in the various sections of the country. For a hundred years, as has been stated, Congress recognized that very thing. Up to 1893 there was never an equality of salaries of the Federal judges. Take South Carolina, the State that the gentleman [Mr. STEVENSON] hails from, and I wish to say that John C. Calhoun was jealous of the rights of South Carolina, and yet when he was in the United States Senate they paid the judges down there $2,750 a year and paid them $3,750 in New York City. It costs more to live in the large cities. The fees of the lawyers are bigger in the big cities. The salary of a judge in South Carolina amounts to more than the salary of a judge in New York City. I have always contended that these judges ought to be paid graded salaries.

Mr. ASWELL. Did the gentleman ever know the judge to go back to the practice of law?

Mr. WEBB. Yes; Members of Congress do not often go back either, voluntarily.

The time has come when we must pay our judiciary a salary which is commensurate with the dignity of the office and the duty they perform and the cost to them of their performance of duty. Otherwise we will lose some of the best men we have on the bench. We pay our United States judges less in New York City than the State judges of New York, 52 of them, are paid. Those State judges get $17,500 for the work they do as State judges, while we expect to get the best talent in New York City for Federal judge for $6,000 a year.

Therefore this graded scale which we have so carefully worked out and which has met the approval, as has been stated, of the judges of the United States, not because the salaries were increased but because it meets with their sense of justice and because they realize it costs less to live in some parts of the country than in others.

Mr. DENISON. I would like to ask the gentleman what he thinks of the point made by the gentleman from South Carolina [Mr. STEVENSON] that in case the southern district of New York happened to be divided some of the judges would be drawing $10,000 salary for just a few population? What would the gentleman think of that?

Mr. WEBB. My judgment is that the southern district of New York will never be divided. It is too compact. We would have more judges instead of dividing the district.

Mr. DENISON. It will be conceded it might be done?

Mr. WEBB. I do not think it would be done.

Mr. RUCKER. If you have another judge, you give two judges the salary you give one now.

Mr. WEBB. Mr. Chairman, I reserve the balance of my time.

Mr. WALSH. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. GORDON].

Mr. WEBB. Mr. Chairman, I also yield to the gentleman five minutes.

The CHAIRMAN. The gentleman is recognized for 10 minutes.

Mr. GORDON. Now, Mr. Chairman, about all the time that has been consumed up to date has been against this amendment.

I am in favor of the amendment supplemented by the amendment of the gentleman from South Carolina [Mr. STEVENSON]. A great many erroneous things have been said about this proposition. In the first place, they are calling all the Federal judges in as witnesses to the fact that they are in favor of raising their salaries. That is a very remarkable situation. Have you anybody as witnesses that have not a self-interest in this question whom you can call? This question ought to be determined not by the testimony of interested witnesses but upon the question of the public interest.

Mr. DEMPSEY. Mr. Chairman, will the gentleman yield for a question?

Mr. GORDON. No; I will not. I want to say something myself. [Laughter.]

Now, we have had our attention called to the fact that the collectors of customs are paid fees in accordance with the amount of their collections. We have had that cited as a precedent for fixing the salaries of judges according to the amount of business done. Of course, that has no application whatever. Men who collect money on a percentage basis receive more compensation the more money they collect. There is no question about that, but that has no relation to Federal judges. The gentleman from North Carolina [Mr. WEBB] seems to think that the lowest salary fixed in this bill is about the measure of what the lawyers in his district are entitled to. [Laughter.] Well, I am not specially acquainted with the bar of North Carolina, but I have no doubt they have able lawyers in North Carolina as well as in New York. There is no sense in fixing salaries upon a scale like that. The duties of Federal judges are fixed by law. They are exactly and precisely the same in every district in the United States, and you can not defend successfully the proposition of giving a graded salary to them, dependent upon their place of residence.

The gentleman from South Carolina [Mr. STEVENSON] called attention to exactly what will happen here if they ever divide one of these districts. The Constitution prohibits the decrease of a salary of a judge during his incumbency, and if you divide a district and reduce the population in consequence, there you are. There is nothing in the argument that the value of the service rendered is in proportion to the population. If the business of a court is more than a judge can attend to the statute provides for sending additional judges into that district to clean up the docket, and that is what has been done. In 1891 Congress had sense enough to see the absurdity of fixing the salary of a Federal judge in one district at a different figure from what it was in other districts. It thereupon amended the statute making the salaries uniform, and it provided for the transfer of judges from one district to another in order to dispose of business pending upon the docket. That answers every possible reason that can be advanced, and this is going back to a bad precedent.

Reference has been made to the fact that in Ohio and Pennsylvania they have enacted legislation discriminating in favor of the cities as against the rural districts in reference to salaries and compensation of public officials. Well, of course, they have done that because the large city delegations got together and "put it across." That is all there is to it. [Laughter.] You need not tell me that there is any substantial, sensible reason for discriminating in the salaries of judges, because there is not, and there has been no intelligent reason given here up to date. I think the salaries of Federal judges ought to be fixed at about $7,500 a year, and it ought to be made general.

Mr. STEVENSON. The same as the salary of Congressmen?

Mr. GORDON. Yes. You might just as well say that some Member of Congress who represents a rural district here ought not to be paid as much as the distinguished gentleman from Pennsylvania [Mr. GRAHAM], because he comes from the city of Philadelphia. There is absolutely no more sense or logic in fixing the salaries of your judges on the basis of the place of their residence than there is for fixing the salaries of your Congressmen since the amendment of the statute providing for the transfer of judges so as to dispose of the business pending before them; none whatever. I hope that the amendment of the gentleman from Massachusetts [Mr. WALSH], as amended by the proposition of the gentleman from South Carolina [Mr. STEVENSON], fixing the salaries at the uniform rate of $7,500, will be adopted. It ought to be.

Now, the gentleman from Missouri [Mr. DYER] calls attention to the fact that the salaries of assistant treasurers of the United States occupying the positions of heads of Subtreasuries under the law that we have tried repeatedly to repeal—and which ought to be repealed, because their service no longer amounts to anything—he calls attention to the fact that their salaries were based upon the business that the Subtreasuries transacted, and he insists that that should be used as a precedent for fixing the salaries of Federal judges. Of course, there is no analogy between the duties of a Federal judge and the duties of a collector of public money or a subtreasurer.

Mr. DENISON. On the theory of this bill, what salary in the gentleman's opinion should a Senator receive as compared with a Member of the House?

Mr. GORDON. Well, a Senator from the State of New York perhaps ought to receive $25,000, while a Senator from the State of Nevada might receive $3,000. [Laughter.]

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. GORDON. Yes.

Mr. GREENE of Vermont. Right in line with the gentleman's own suggestion, if a judge had his residence in a rural district and was not given much business and went to help out a judge in New York, say, he ought to have a raise in pay, or some increase of compensation, while he is working in New York?

Mr. GORDON. Of course.

Mr. GREENE of Vermont. I know; but that would be absurd.

Mr. GORDON. Yes. Gentlemen, I hope the House will consider this legislation carefully. Many Members do not agree with me in the opinion that there ought to be any raise at all, but I would gladly vote for a general increase to $7,500 a year for these judges. But on careful consideration I do not think that the Members of this House can justify themselves in discriminating between the salaries of judges in one place and another. That thing was tolerated for a hundred years in this country, and finally, when the enormity of it began to be apparent, it was abolished, and very properly abolished. It was then provided that in those districts where there was not much business and in other districts where the business was congested a transfer of judges might be made. That is the law now, and that answers every possible argument as to discriminating between the salaries of these incumbents in these offices. [Applause.]

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman from Ohio yields back two minutes.

Mr. WALSH. To which side?

The CHAIRMAN. One minute to each side.

Mr. WALSH. Mr. Chairman, I yield five minutes to the gentleman from Wisconsin [Mr. STAFFORD].

The CHAIRMAN. The gentleman from Wisconsin is recognized for five minutes.

Mr. STAFFORD. Mr. Chairman, I protest against the policy of paying unequal salaries to the judiciary of this country. If that policy is ever adopted it will be found so unsatisfactory that you will have to raise all the salaries to the top limit. There is no justification whatsoever for paying the district judge in Chicago, Judge Landis, $9,500 and paying the district judge in my home city, Judge Ferdinand Geiger, $7,500, when the cost of living in their respective home cities is about the same, and especially when Judge Geiger is a member of the same circuit court of appeals and sits beside Judge Landis, as he frequently does. It would be an inequality and an injustice to have one of those judges receiving $9,500 and the other receiving but $7,500. There is no reason why you should pay the judge in Minnesota $9,000 just because that State is all in one district and pay the judges in Wisconsin $7,500 because Wisconsin is divided into two districts.

There are many inequalities that will come to plague this Congress if you once adopt this arbitrary policy. It will be a premium against the division of districts. It will result in the districts remaining as they are, say, for instance, in Indiana, where under the present bill the district judge is to receive a salary of $9,000. Instead of dividing the district into territorial units so as to give a better administration of justice, it will be the policy to add district judges there, so that they can receive the maximum salary.

It has been stated that the system proposed in this bill is in line with the fixing of the salaries of postmasters. I say the fixing of the salaries of postmasters at the even grade of $6,000 is the policy that should be adopted in this bill, of fixing uniform salaries of the judges. We should fix the salaries of district judges throughout the country uniformly so as to obtain the same character of ability.

In these large cities—in Philadelphia, in Pittsburgh, and in New York—there are a greater number of men who are able and willing to accept this uniform salary, and they should not have accorded to them a salary which is so much higher than in the neighboring States. The gentleman from New York refers to

what he calls the $10-a-day increase. I deny that it is an increase. The statute is absolutely clear that when district judges are away from their homes sitting as members of the Circuit Court of Appeals its judges are allowed $10 a day for actual expenses. Is it contended that these judges receive an increase of compensation for having their living expenses when they are away from home paid back to them at a sum not exceeding $10 a day? They get that when they go away from their homes in their individual districts. It is not considered as increased compensation. I will not cast the slur upon the judiciary of this country that when they go from their homes they make returns of anything else than their actual living expenses, for which the statute prescribes. The testimony shows that these judges only return their actual hotel expenses when they are serving as members of the Circuit Court of Appeals.

Mr. RUCKER. They always return $10 a day, do they not?

Mr. STAFFORD. They do not. There are many who do not, and the testimony shows that they do not.

Mr. RUCKER. I never heard of one who did not.

Mr. STAFFORD. We had this whole question up in the House some years ago, when the judicial code was under consideration, and the statute is absolute, saying that they are to be allowed their actual living expenses, not to exceed $10 a day.

Now, I protest that the population is no criterion whatsoever as to the amount of work that a district judge does or of the character of the work that he does. In these times a district judge down in Arizona may have the same responsible litigation before him that a district judge in New York or Philadelphia may have, and we should have the same character of ability in Arizona as we have in New York or in Pennsylvania.

Mr. REAVIS. I am a member of the subcommittee of the Committee on the Judiciary that has jurisdiction and control over the question of the increase of the number of Federal judges. It happens that a small State has made application before that committee for an additional judge, because the work is more than the present judge can do.

Mr. STAFFORD. The gentleman confirms what I am saying. It is not the population that ought to determine, because the country over instances are numerous where these district judges are burdened. It is not the character of the work, because we must assume that all these district judges have on occasion the same character of work.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Chairman, I was promised five minutes by the gentleman from North Carolina [Mr. WEBB]. Will some gentleman representing him accord me a few minutes?

Mr. STEELE. How many minutes would the gentleman like?

Mr. STAFFORD. I think I can conclude in three minutes.

Mr. STEELE. All right.

The CHAIRMAN. The gentleman is recognized for three minutes additional.

Mr. STAFFORD. The only question in determining what our policy should be is to fix the salary at a figure that will attract the character of men who will be able to administer the high duties of a district judge, and that salary should be the same throughout the country. There are high-priced corporation attorneys in every district of this country—in Arizona, in the arid West. There are men in New York City who have such financial returns that the honor of the district bench will not attract them, but the salary should be such—$7,500, in my opinion—that no man with honorable motives should be deterred from seeking the bench and continuing there without any outside support.

Mr. STEELE. Will the gentleman yield?

Mr. STAFFORD. I yield to the gentleman.

Mr. STEELE. The gentleman a while ago referred to the $10 a day as being actual reimbursement for actual expenses. I think the House should have the benefit of the statute. Will the gentleman object to reading that portion of the statute for the benefit of the House—section 259?

Mr. STAFFORD. I am asked by the gentleman from Pennsylvania to read as to the traveling expenses. I have not here my notations of the code——

Mr. STEELE. That is the provision of the code.

Mr. STAFFORD. I know the gentleman is a member of the Judiciary Committee, but the gentleman is not calling to the attention of the House the language incorporated in the sundry civil appropriation act, which limits this $10 a day to actual expenses.

Mr. STEELE. The Judicial Code does that likewise.

Mr. STAFFORD. I will read it:

SEC. 259. The circuit justices—

That is, the members of the Supreme Court assigned to these respective circuits—

the circuit and district judges of the United States, and the judges of the district courts of the United States in Alaska, Hawaii, and Porto Rico, shall each be allowed and paid his necessary expenses of travel, and his reasonable expenses (not to exceed $10 per day) actually incurred for maintenance, consequent upon his attending court or transacting other official business in pursuance of law at any place other than his official place of residence, said expenses to be paid by the marshal of the district in which such court is held or official business transacted, upon the written certificate of the justice or judge.

And that has been also strengthened by a provision in the sundry civil appropriation act, which restricts the expenditure of this money to the actual expenses of the judge.

Now, Mr. Chairman, there are so many inequalities that will arise if the plan suggested by the committee is adopted. Think of it, in the circuit court of appeals Judge Landis draws $9,500, where living expenses are no greater than they are in Milwaukee, and another beside him receives $7,500. Are you in favor of those inequalities—the inequality of allowing a district judge in New York City, Philadelphia, and Pittsburgh just because of an arithmetical computation, not because of the character of the litigation, not because of the amount of work, because the district judges in outside communities have just as much work as judges in the large metropolitan centers. I appeal to you to vote down this archaic, arbitrary policy of 10 years ago, when it was found not a proper basis in fixing the salary of the judges of this country. [Applause.]

Mr. WALSH. Mr. Chairman, I yield five minutes to the gentleman from Missouri, Mr. RUCKER.

Mr. STEELE. Mr. Chairman, I also yield five minutes to the gentleman from Missouri, Mr. RUCKER.

Mr. RUCKER. Mr. Chairman and gentlemen, as I understand the proposition the bill under consideration proposes to increase the salaries of Federal judges by amounts ranging from $500 to $4,000, depending on population and the amount of business, one or both. The gentleman from Massachusetts [Mr. WALSH] seeks to amend by making the salary of the judges uniform, fixing it at $8,000. The gentleman from South Carolina [Mr. STEVENSON] seeks to amend that amendment by reducing the amount to $7,500.

I am opposed to the bill and to both of the pending amendments. Much of the argument here is based on the fact that this is a unanimous report from the Committee on the Judiciary. Of course the report is unanimous, because we learn from each member of the Judiciary Committee who has spoken in support of the bill that the testimony was all one way, and they, sitting as a jury, were bound to find in accordance with the preponderance of evidence, and the evidence, it appears, was all one way. All of the district judges of the country, it seems, and representatives from State and national bar associations, probably interested in lawsuits pending in those courts, and who perhaps did not want to incur the displeasure of the circuit judge or the district judge, appeared before the committee and advocated this legislation. The testimony was all one way, and, of course, the committee returned a verdict in accordance therewith.

I am not influenced either by the testimony adduced, the argument made, or by fear of any result to me by reason of my attitude. An argument is made by the gentleman from Missouri [Mr. DYER] that the committee was warned that if Congress fails to obey the order which has been issued by these distinguished gentlemen, the children of fortune, more blest than any other class of people in America, that they, the Federal judges, will resign from the judicial positions they hold. Well, let me reply to him that when one of them resigns, in my judgment, there will be a ratification meeting in the community in which he lives if not all over his district. [Laughter.]

Mr. LAGUARDIA. Will the gentleman yield?

Mr. RUCKER. No.

Mr. LAGUARDIA. Would that apply to the Secretary of the Treasury?

Mr. RUCKER. Oh, the gentleman from New York is a high flier and I am too timid to go up with him. He will excuse me. [Laughter.] They say that in congested districts the judges have so much expense to bear that they ought to have this raise of salary. My Lord, I never heard it said that living expenses are any higher any place than they are in Washington to-day.

I stated in a colloquy this morning, and I repeat, the office of Federal judge approaches autocracy more nearly than ought to be tolerated in a free country if that country hopes to continue to be free. A district judge does not begin his court until he pleases; he convenes his court at his own sweet will, at about 10 or 11 o'clock in the morning; works up to about 12, takes a recess for much of two hours or two hours and a half; works again until about 4, and then you could plead with him, as I have seen done, to save a citizen from bankruptcy by hearing a motion or a witness which would not require more than five minutes, and he would refuse and in an arbitrary spirit adjourn his court until 10 o'clock the next morning regardless of the great financial loss to those who were dragged into his court, in most instances against their will. I know what I am talking

about, and gentlemen who hear me know that what I say is true.

In the State courts, where the judges are elected by the people, when the hour of adjournment arrives, if the lawyer informs the court, "We have a dozen witnesses here on expense, and can not you hear them to-night?" he will do so and thereby avoid much anxiety, expense, and disappointment.

I will tell you what ought to be done; instead of raising the salary, as the gentleman from Missouri [Mr. DYER] says, in order to keep Federal judges in the service we ought, if we will lay aside sentiment and cowardice, to amend the Constitution of the United States and provide that these judges who deal with the liberties and property rights of their fellow citizens shall be elected for a stated term by the voters of the country. [Applause.] Elect these judges by the people and then they will convene court at 8 or 9 o'clock in the morning, do a reasonable amount of work each day, and stop that abominable city practice of taking two hours for lunch, a custom which has spread until it has permeated every bureau of the Government in the Nation to-day. Go down to the departments now to transact business and you may find the stenographer, but you can go from room to room only to be told that the high-up officials are at lunch. They take lunch from 11 o'clock to 3 [laughter], and under such conditions there is no wonder prices are high and the pay roll of Government clerks is staggering. [Laughter.]

What we ought to do instead of raising salaries is to amend the Constitution and provide, as I said—and I repeat it—that every one of these judges shall be elected by the people and have somebody to whom he is responsible for his conduct.

Now, why raise these salaries? Oh, gentlemen, it is nice to obey the will and do the bidding of the officeholder, but I beg of you to pause and consider for a moment your duty to the already overburdened people of America, people who in the last three years, on account of the great issues involved, have willingly and patriotically submitted to a burden of taxation the like of which no country on earth, at least this country, ever witnessed before.

Mr. REED. Mr. Chairman, will the gentleman yield?

Mr. RUCKER. I have not the time. The people whom we serve are now burdened with taxation; and all over the country hundreds of thousands of loyal people—men and women—who are engaged in what they are pleased to call "war work," are pleading with us, begging of us, to give them an increase of salary; thousands are to-day begging of this Congress to give them money enough with which to return to their homes, if their services can not longer be utilized. If we grant this class of people relief we will only give them a pittance. But when it comes to this aristocratic, arrogant class—the Federal judges—I speak advisedly, and will not apologize to any district or circuit judge for my language—when we come to deal with them, gentlemen here contend that $500 increase must be allowed to judges in the rural districts, but that in the congested districts we must give the judge an increase of $4,000—more by way of increase to a salary already quite high enough than 90 per cent of the men who are performing patriotic and valiant services for the country earn in a year. I say to you that if you will brace up, if you will gird your loins and be true to yourselves and true to the great body of the people of this Nation, true to the patriotic people who are patiently suffering the enormous burdens which conditions compelled us to place upon them, you will make answer to the committee that reported this unjust and indefensible bill, that while its report is justified, because the evidence is all one way, we have considered the bill in the light of present-day conditions, and we send it back with the suggestion that if these circuit judges or district judges do not want to serve, for God's sake let them resign, and the quicker the better. Gentlemen talk about the amount of work they do. That is the curse of it. The district judge who is most popular is the one who has the least to do, as a rule. Gentlemen of the House, I know I stand alone; I know I have no support here in the views I express. I am not dull enough to indulge the hope that my appeal to this House will convert any man's judgment, but though I stand alone, though I cast the only vote, I am resolved and determined that I will never yield to a great officeholding class to put additional burdens upon the people of my district and yours—burdens which I do not believe they ought to be required to bear.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. WALSH. Mr. Chairman, I yield five minutes to the gentleman from Kansas [Mr. LITTLE].

Mr. LITTLE. Mr. Chairman, the principal complaint here seems to be that the lawyers of the great cities—which are not very numerous—can make more money off the bench than they can on. I regard that as unimportant. All of the great men, or at least most of the great men of this country, have been compelled to choose between the accumulation of wealth and the acquirement of honor and renown through the gratitude and applause of their fellow men. If the lawyers in the great cities would rather make money than achieve distinction on the bench, that is their affair; but that is no reason why the people of some other State should pay taxes in order to bestow on them greater salaries than they give their own judges for the same work; and that is the long and short of this whole discussion. As a matter of fact, practically all the great judges of the American bench came from the smaller towns. It would be difficult to enumerate any serious list of learned and distinguished jurists on the bench who did not, and if the attorneys in the big cities want to grow rich instead of going on the bench, this country can do what it has always done before, go to the smaller towns and country communities and get its great judges. There is no reason why your people or my people should increase their taxes in this way to meet such an alleged emergency.

One feature of this, of course, is the difficulty lawyers have in discussing the question of the salary of the man before whom they must make their living. They seem to think it is contempt of court for taxpayers to discuss the necessity of increasing a judge's salary. There is an ancient axiom that the ruling passion is strong in death and every great emergency. In one of Kipling's stories he tells us of an English derelict, a wreck of manhood, in India, who was rescued from some opium den and brought to a suitable hospital and afforded every advantage that modern science could give. He did not recover. As he lay there, surrounded by the best of surgeons and the kindest of nurses, his poor, distorted, dwarfed, and ruined mind groped only in the past, and as his pitiful soul winged its way from its earthly surroundings he muttered, "Not guilty, your honor."

Yesterday on this floor I heard something which reminded me of that tale, and which perhaps explained why the judges of New York City receive such ample salaries as we were told of. The gentleman from New York City [Mr. DONOVAN] who followed me on the floor said: "The question is, Is $6,000 enough for a district judge and is $7,000 enough for a circuit judge? I plead not guilty, and hope you, the jury, will bring in a verdict to pass the bill." A judge is mentioned, and Tammany Hall pleads not guilty.

There is no charge here against the gentleman from Tammany or those he represents, as there was none against the Englishman. Yet, as the Englishman left this mortal plane there lingered only in his memory the recollection of his crimes. As the gentleman from Tammany Hall takes the floor here for almost the first time, it is perhaps the instinct of Tammany Hall that forces him to say to us when a judge is mentioned, "I plead not guilty."

"Not guilty, your honor. I am in favor of paying $11,000 or $17,000 to a judge." It is only some western revolutionary who would have the audacity to challenge the demands of a tribunal before which he may some time be summoned. Tammany Hall may have big salaries for little judges before whom she appears at the bar of justice to plead for her clients or members, perhaps expecting reciprocity—and getting it—but that is no reason why the people where I live should be afraid of the dispensers of justice.

Mr. LAGUARDIA. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. No.

Mr. LAGUARDIA. Mr. Chairman, the gentleman is reflecting upon the New York bench, and I resent that.

Mr. LITTLE. I request that order be maintained. When the gentleman from New York City discussed me yesterday he refused to yield to a question and did not print in his speech the remark I made.

Kansas asks no favor from any judge or any tribunal. All we ask is justice, and justice we have been able to get so far pretty well, and intend to have hereafter, whatever salaries are paid.

Mr. LAGUARDIA. Mr. Chairman——

The CHAIRMAN. Does the gentleman yield?

Mr. LITTLE. No, I do not. I asked for order.

Mr. LAGUARDIA. The gentleman is reflecting upon the Members of this House.

Mr. LITTLE. Not as much as the gentleman is by disturbing the ceremonies here.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. LITTLE. May I ask three minutes more, Mr. Chairman?

Mr. STEELE. My time is already taken up.

Mr. LITTLE. I ask unanimous consent for three minutes in which to finish.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. LITTLE. I will after the three minutes are up, if I have finished.

Mr. LAGUARDIA. Surely you will let me reply——

Mr. LITTLE. You can reply. The gentleman from your city yesterday did not let me interrupt him and I did not cry for help. All Kansas wants is a fair fight. All men look alike to us in Kansas.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that the time may be extended for three minutes, and that he may have those three minutes. Is there objection?

There was no objection.

Mr. LITTLE. If the men who plead "not guilty" fixed the salaries of the judges in New York City, I am not surprised they run up to $17,500. Of course, gentlemen of the committee, it is somewhat difficult for a lawyer to oppose a raise in salary of the men before whom he makes his living. But that is not the question here. The only question is whether we want to raise men's salaries from $6,000 to $8,000 or from $6,000 to $10,000. Has anybody in this House demanded that his salary be raised from $7,500, and yet you know that every man in this House is put to an expense beyond that of any judge in his community, by reason of the extra expense here and the various demands upon him. You know it is impossible for a man to save anything here upon the salary he gets at this time if he has the average district of from 40,000 to 60,000 voters. If some great society appoints a man here, if he comes from a district in which only 4,000 or 5,000 vote, he may escape the responsibilities of those who represent the live wires that do America's thinking. I am in favor of raising the salaries of these judges before some of whom I practiced for 30 years to such salary as we receive, and I would vote for that, but if a man comes here and shakes his fist in my face and tells me I can not challenge the demand of any tribunal that happens to want us to pay over the money of the taxpayer, I demand his authority to dictate to the Representatives of the American people what shall be done with the people's money. You and your committee have heard everything these judges had to say, and it is proper you should. But what have you heard from the taxpayers who are to pay this money? You do not come here as attorneys who practice before a bench; you come here, gentlemen, as the direct representatives of the taxpayers of this country and——

Mr. SIEGEL. Will the gentleman yield?

Mr. LITTLE. And it is for them you should be thinking. It is the taxpayers whom you represent, not the judges, gentlemen. If you give them as much as you get, that is as much as generosity will suggest or justice should allow. I believe the gentleman here from New York wants to ask me a question. Go to it!

Mr. LAGUARDIA. It is very kind of the gentleman.

Mr. LITTLE. It is better than your colleague did for me yesterday.

Mr. LAGUARDIA. Has the gentleman any information as to the bench of New York, how it is made up? He made his statement as to Tammany judges, and I want to say that the judges on the bench of New York, candidates of Tammany, are some of the ablest jurists in the country. The gentleman has made a statement, and he does not know what he is talking about.

Mr. LITTLE. The gentleman suggests I do not know what I am talking about when I speak of the courts of New York; perhaps——

Mr. LAGUARDIA. We have lawyers practicing there——

Mr. LITTLE. He says they have lawyers practicing there. There were kings before Agamemnon and there are lawyers who do not live in New York City. John Marshall was one of them. The gentleman wants to know if I know what I am talking about. I once spent several hours sitting on the bench in New York—curiously observing McIntyre try a case—by the side of James A. Blanchard, of the supreme court, at his courteous request. I happen to know he had been a candidate for a position on the Federal bench at a salary of $6,000, and he was soon after elected judge of the Supreme Court of New York at a salary of $17,500, so I guess they did not get any better man than we can put upon the Federal bench of New York City for $6,000. Justice Blanchard was a learned and distinguished jurist who valued his work above his salary. Every lawyer in this country is more or less familiar with the bar of the metropolis. The country knows more about New York City than the city does about the country, evidently.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LITTLE. Is there any other question anybody wants to ask? I believe the gentleman from New York [Mr. SIEGEL]——

Mr. SIEGEL. The gentleman is charming, and would he answer a question——

The CHAIRMAN. The time of the gentleman has again expired.

Mr. SIEGEL. I ask unanimous consent that the gentleman's time be extended for one minute.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the time of the gentleman from Kansas be extended for one minute, not to be taken out of the time allotted. Is there objection? [After a pause.] The Chair hears none.

Mr. SIEGEL. I would like to ask the gentleman how it is he mentions the name of a justice who is dead instead of giving us a live one?

Mr. LITTLE. I do not happen to be personally familiar with any of the recent judges. My time is limited. Besides, when I begin to divulge my store of information some New Yorker objects. Are there any other questions?

Mr. REED. Will my colleague yield?

Mr. LITTLE. Yes.

Mr. REED. Why should not we raise the salary of the other arm of the Federal court, the farmer who goes and serves as juryman for a month and receives, I think, $3 a day, and has to pay for his living in the city?

Mr. LITTLE. That is a pertinent question. I expect the $3 man hardly had the means to present his claim. I suppose they would want the salaries of the jurors in the cities raised, however. No, gentlemen, this country must hold out the same prize to one lawyer in one place as it does to another in another place, and that is all there is to that. The greatest judges we have had have come from the country, and if we should have to return to that practice no harm will be done to the jurisprudence of this great Republic. David J. Brewer, of Leavenworth, never practiced law in a town of more than 5,000 people. He never held court in a city of 20,000 till the President honored the Federal bench by his appointment. Possibly in the annals of a hundred years New York City can cite from her lengthy list of jurists one instance of learning as ample, scholarship as thorough, diction as polished, character as stable, judgment as sound, and a legal mind as gifted as that of David Brewer, of Kansas.

Mr. STEELE. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. MAGEE], a member of the committee.

Mr. MAGEE. Mr. Chairman, as a member of the committee I feel that I ought to say a word upon this proposition. I am against the amendment and favor the provisions in the bill because I think that those provisions are fair and just. I have not any fault to find with any other man's opinion, but what the committee has striven to do is to base the compensation of Federal judges upon the work that is required of them in the different localities, and there is nothing new in this practice. Now, we are entirely accustomed to it to-day in the State of New York. There we have a number of justices of the supreme court, and justices of the supreme court in Greater New York severally receive an annual salary of $17,500 a year. I do not hold any brief for Tammany Hall, but Tammany Hall does not fix that salary. The salary of a justice of the supreme court up the State is $10,000 a year, and all the salaries are fixed by the State. Nobody in the State has ever complained so far as I know in reference to this difference in salary.

Mr. GORDON. Will the gentleman yield?

Mr. MAGEE. Yes; if the gentleman will get me some additional time.

Mr. GORDON. I will ask unanimous consent for it.

Mr. MAGEE. I have only a few minutes.

Mr. GORDON. Does the gentleman base that discrimination against other State judges on the ground of the high cost of living in New York or on the cost of high living in New York?

Mr. MAGEE. It is generally regarded as based upon the greater cost of living in the city of New York. It costs more to live there. It is also based upon the further fact that by reason of the large population the duties required of a judge are greater. And nobody complains.

Mr. GORDON. That does not apply in the Federal court, where they can send outside judges in to help out with the work?

Mr. MAGEE. They send outside justices into the city of New York to help the justices there.

The point I make is that there is nothing new in the application of the principle involved in this bill, and that the principle involved has been in operation in the State of New York for some years and nobody complains. Now, for instance, gentlemen—and the only purpose of every Member of the House, I assume, is to be fair and just to these Federal judges—what we want is a high standard of the judiciary, and it seems to me

that we owe it to ourselves and to the country to pay our Federal judges such salary as will draw to the bench all over the country the best legal talent procurable.

Mr. WALSH. Will the gentleman yield?

Mr. MAGEE. Yes.

Mr. WALSH. What would the gentleman say to a condition such as this, where a single judge represents an entire State, and might under the provisions of the committee bill get a salary of $10,000, and next year we might divide that State into two districts and the Federal judge to be appointed under the committee bill would get $7,500? There would be two districts of the same size, with one judge getting $10,000 and the other $7,500.

Mr. MAGEE. Who would divide the State into two districts?

Mr. WALSH. The Congress.

Mr. MAGEE. The question would then come before you. I assume, if any such question does come before the House hereafter, that the House will exercise its judgment and horse sense in doing whatever is fair and just in reference to the proposition. And that is the point exactly. I have not any fault to find with any man's views, and I respect the man who differs with me in opinion. My only purpose is to be fair and just.

Take it in my own State, further. We have more than 60 counties in the State of New York. Yet I venture to assert, and I think the record will bear me out, that so far as the county judges in the State are concerned, that no two of them receive the same salary. A judge in a county like Albany, Onondaga, Oneida, Monroe, or Erie, where there is a large population, receives a much larger annual salary than a county judge of a less populous county.

Mr. GORDON. Will the gentleman yield right there?

Mr. MAGEE. Yes.

Mr. GORDON. Do the judges in the city of New York, who receive $17,500, average higher in point of ability and character than judges up State who receive only $10,000?

Mr. MAGEE. I am not going to pass upon the legal ability of any man on the bench. That is not the point I make at all. The point I make is that we ought to take into consideration the cost of living in a locality and we ought to take——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MAGEE. I would like just half a minute more.

Mr. WALSH. I yield to the gentleman two minutes more.

Mr. MAGEE. And we ought to take into consideration also the work required of the judge. I have talked with justices up the State about the justices in the city of New York, and they are willing to concede that a justice in the city of New York is required to do more work than a justice up State; that the duties required of him are greater and the cost of living is more. They do not find fault because the justices in New York City get more pay than they. They consider it fair and just, and I think that we ought to be fair and just. It is not fair to say that they are coming here to plead their own cause or came before the Judiciary Committee to do so. I do not look upon the question in that light at all. They impressed me that they came very reluctantly before the Committee on the Judiciary. They came there because we wanted them to come and hear what they had to say. And when you hear a judge whose name is almost a household word all over these United States say to you that the salary which he receives is barely sufficient to afford him and his family the necessaries of life, it seems to me it is time for the House to take into consideration the condition that actually exists. We ought to be fair in dealing with the judges of our courts. [Applause.]

Mr. GARRETT of Tennessee. Will the gentleman from New York yield?

Mr. MAGEE. I will.

Mr. GARRETT of Tennessee. In the case of the county judges in the gentleman's State, to whom he has referred, are those judges paid out of the county treasury or out of the State treasury?

Mr. MAGEE. I think that the salaries are fixed by the State and paid by the respective counties. That is my opinion.

Mr. BENJAMIN L. FAIRCHILD. That is correct.

Mr. LITTLE. Will the gentleman yield for a question?

Mr. MAGEE. I will.

Mr. LITTLE. Did any of these gentlemen testify they could not live on $8,000 a year?

Mr. MAGEE. I did not hear any gentleman testify.

Mr. LITTLE. You did not hear——

Mr. MAGEE. Any gentleman testify.

Mr. LITTLE. Or make any statement that he could not live on $8,000?

Mr. MAGEE. The statements they made are in the hearings of the committee, I think. You can find them there.

Mr. LITTLE. I suspected that.

The CHAIRMAN. The gentleman from Iowa [Mr. SCOTT] is recognized for five minutes.

Mr. SCOTT of Iowa. Mr. Chairman and gentlemen of the committee, I shall vote for the amendment, either upon the basis of $7,500 level salary or $8,000.

Objection has come from some members of the committee to this amendment, generally, I think, based on one or two grounds: First, that a graduated scale of salaries will bring out a better class of men for the position; and, second, that it accords more equitably with the amount of work in the respective districts.

I do not believe that either one of these contentions is borne out by the truth. I concede the contention of the gentleman from Pennsylvania [Mr. GRAHAM] that there are many lawyers in the large cities who can command large incomes, notably men long trained in corporation law and having large corporations as their clientele. But I say it seriously, gentlemen, I am not yet ready to concede that that class of men affords the best material, the most desirable material, to place upon the Federal bench of the United States. My experience in the practice of law for 30 years—and I have had considerable practice in the Federal courts—leads me to believe that from the country towns of considerable size, from the smaller cities, from the large cities among that class of lawyers who have not attained the highest remuneration, you find the best, the soundest, and most reliable minds and characters.

Now, with respect to the amount of work done by men acting as judges in the centers of population as compared with those in districts more rurally situated, I do not agree with the gentlemen in their contention. Take, for instance, my own district. It embraces half of Iowa—a Western State. It contains no large cities, but it contains four divisions, and in that district one judge is compelled to hold terms of court in every one of those divisions. We all know, those of us who have practiced law, that in connection with every term of court there is a great deal of work that goes on, whether that term be short or long, and that there is much greater work in holding four terms of court in different parts of a State than there is in connection with holding the same number of days at one place and in one term.

Now, again, I venture to say that there is not one of these judges in the large centers of population but would, by choice, rather sit at home all the time, where he can be with his family all of the time, eating at his own table, than go out in a rural district, embracing a whole State or half a State, and in some instances two States, and be away from his home three-fourths or five-sixths of his time, traveling about and subject to all the inconveniences of traveling away from home. These are burdens; these are matters that should be considered with respect to those judges who are not located in centers of population. They are men whose mental attainments, whose moral attainments, and whose general judicial character equal those of any who may reside in the centers of population.

The very essence of the judicial system is uniformity and equality. We have not a hundred or more district courts in the United States. We have but one district court in the United States, and its jurisdiction extends throughout the whole territory of the United States, and all men upon the bench of that court should be treated alike. [Applause.]

Mr. WALSH. Mr. Chairman, may I inquire how much time there is remaining to those who favor the amendment?

The CHAIRMAN. The gentleman from Massachusetts has four minutes remaining. The gentleman from North Carolina [Mr. WEBB] has eight minutes remaining.

Mr. STEELE. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. DEMPSEY].

The CHAIRMAN. The gentleman from New York is recognized for five minutes.

Mr. DEMPSEY. Mr. Chairman and gentlemen of the committee, we seem in our discussion of this amendment to have lost sight of what really is before the House, or at least many of those who have been discussing the question seem to have lost sight of it.

The question is a simple one, whether we shall increase the salaries at a flat rate, making $7,500 the salary throughout the United States, or whether we shall make increases differing in the different parts of the United States according to population.

I take it that there is no substantial difference in this body upon the question as to whether or not there should be an increase. I take it that there is substantial agreement in this body that there should be an increase, and both amendments are directed to an increase.

One or two gentlemen seemed to feel that there should not be an increase at all. My learned friend from Ohio [Mr. GORDON] recognizes the fact that the general opinion of the House was not against dividing it according to population, because the consensus of opinion of all of those who have spoken, or a great

majority of those who have spoken, seemed to be in favor of dividing according to population. Then the gentleman from Ohio says that the judges that came here were unanimous in favor of the proposition because of an increase of salary. That was not at all what the Committee on the Judiciary reported. They did not come here primarily to advocate an increase of salary, and yet they have the same right as any other employee has to advocate an increase of salary. But they came here at the request of the Committee on the Judiciary to tell how that increase should be made, the manner of the increase. Although numbers of those who came came from districts where the increase would be small, although many who came came from the districts where the increase would be $500 as against the possible increase of $4,000, yet they were unanimous in saying that the increase should be according to population.

Then the gentleman from Ohio says: "Why, the postmaster should not be a criterion; the collector of customs can not furnish an example, because in those instances you award your compensation according to the amount of money that is collected." Why, yes; you award it according to the amount of business that is done, and it is measured in that instance by money. In the instances of judges it is measured by the amount of judicial business which they transact, and the one is just as good a gauge as the other. And then, to clinch his argument, the gentleman from Ohio says: "Why, if you are going to make a difference with judges, why not make a difference with Members of Congress?" He forgets that Members of Congress are based upon population according to the census nearest to the election. So you have, so far as Members of Congress are concerned, a basis absolutely and wholly upon population, and upon population ascertained in the most exact and careful way.

So I say, gentlemen, if you go into any of the States in this Union you will find that where judicial officers are chosen by the localities they receive salaries according to the size of the population. You will see that if there is a large county with a small county adjoining it the large county will pay a salary of $6,000 or $8,000 or $10,000 a year to its county judge or surrogate or probate officer, and you will see that if the adjoining county has a population of one-fifth the salary will be proportionately smaller. You will find that condition all over the country.

And then the gentleman from Ohio says we should not be bound by precedent. He said we would simply be reviving a bad precedent. Why, the bad precedent prevailed for a hundred years, and the trial of something else has lasted only about 10 years, and we have found that it is a bad thing, and after consultation with the judiciary itself the Judiciary Committee came in here and all but one of the members of that committee recommend that the method provided by this bill be adopted. I say to you, gentlemen, that as we look at this question we find that salaries should be increased, we find that the precedent of 100 years, against the precedent for 10 years, has been for increasing it in this way, and when we look at the various States we find that in every State in the Union where there is a large county you have large salaries, and where there is a small county you have small salaries.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEELE. Will the gentleman use his time?

Mr. WALSH. I yield the remainder of my time to the gentleman from Pennsylvania [Mr. FOCHT].

Mr. FOCHT. Mr. Chairman, after listening to this prolonged discussion, I take it that the object and purpose of this bill providing for an increase of salaries is that there may be attracted to the judiciary more competent men. In Pennsylvania we have increased the salaries of the common pleas judges to $6,000 a year, and I dare say that there is no State in the Union that can show more capable judges than the State of Pennsylvania. We have such a high regard for the judiciary in Pennsylvania, from whence came that master mind of jurisprudence, John Bannister Gibson, and another and one of the greatest jurists of the past century, Justice Agnew, that we have abolished the system of nominating judges by political parties, and we strive to secure the best that can be had through a nonpartisan ballot. In two judicial districts in my congressional district there are two Democratic judges selected on the nonpartisan theory. And in the district represented by my friend Mr. LESHER they have two judges who were elected on the same theory.

I do not agree with my friend from Missouri [Mr. RUCKER], who says that he is here to protect the taxpayers of his district by keeping down the salaries of the judges. It is my opinion that if good, decent salaries attract to the bench more efficient judges, then indeed by that method alone do you save money for the taxpayers, so far as the judiciary are concerned. For instead of getting judges who are inefficient, as my friend said, getting hundred-dollar men for hundred-dollar salaries, we get high-class, efficient men, and instead of 50 per cent of their cases being reversed for their erroneous decisions on law points and sent back for expensive retrial, we will get 90 per cent or 95 per cent or 100 per cent men if you give them 100 per cent salaries. That is the object and purpose, to my mind, and it is well contended here that inasmuch as the purchasing power of a dollar to-day is but 47 per cent of what it was in 1914, with the salaries of railroad employees and of men engaged in every vocation raised from 50 to 200 and 500 per cent, what objection can be offered against raising the salaries of efficient judges? No argument can be offered to refute the proposition that a man living in a large city has to pay more to subsist than a man living in the country. We all know that to be the fact. Therefore, while I am satisfied to vote for $8,000 or $9,000, I hope that the bill may go through in such form as to pay the difference between what it costs in the country and what it costs in the city. In any event we may all feel highly justified in voting for an increase, as increases are being paid everywhere, and in the present instance increases are contemplated to bring efficiency and consequent ultimate economy. [Applause.]

The CHAIRMAN. The gentleman from Pennsylvania [Mr. STEELE] has three minutes remaining.

Mr. STEELE. We have no further time to take up, and I ask for a vote.

The CHAIRMAN. The question is on the amendment of the gentleman from South Carolina [Mr. STEVENSON] to the amendment of the gentleman from Massachusetts [Mr. WALSH].

Mr. STAFFORD. I ask unanimous consent that that amendment may be again reported.

The CHAIRMAN. Without objection, it will be reported.

The Clerk read as follows:

Amendment offered by Mr. STEVENSON to the amendment offered by Mr. WALSH: Strike out "$8,000" and insert "$7,500."

The question was taken; and, on a division, there were—ayes 72, noes 72.

The CHAIRMAN. On this vote the ayes are 72 and the noes are 72, and the Chair votes aye.

Mr. WEBB. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chairman appointed Mr. WEBB and Mr. STEVENSON.

The committee again divided, and the tellers reported—ayes 93, noes 84.

Accordingly, the amendment to the amendment was agreed to.

The CHAIRMAN (Mr. BARKLEY). The question is upon the amendment of the gentleman from Massachusetts [Mr. WALSH] as amended.

The question being taken, on a division (demanded by Mr. MANN) there were—ayes 82, noes 62.

Accordingly, the amendment as amended was agreed to.

Mr. HENRY T. RAINEY. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HENRY T. RAINEY: Strike out the paragraph.

Mr. GORDON. Mr. Chairman, may we not have that paragraph reported?

Mr. HENRY T. RAINEY. My motion is to strike out the section that has just been amended.

Mr. BUTLER. Mr. Chairman, it is impossible to hear what is being said. What is the motion?

The CHAIRMAN (Mr. BORLAND). Will the gentleman from Illinois state his amendment and what section it applies to?

Mr. HENRY T. RAINEY. Section 2.

Mr. ROBBINS. That has not been read.

Mr. HENRY T. RAINEY. I move to strike out the section that has just been amended.

The CHAIRMAN. The section which has just been amended is section 1 of the bill, which includes section 2 of the Judicial Code.

Mr. HENRY T. RAINEY. I move to strike it out.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. HENRY T. RAINEY moves to strike out the following, page 1, line 7:

"SEC. 2. Each of the district judges shall receive a salary of $7,500 a year."

Mr. MANN. Mr. Chairman, the Clerk has not correctly reported the motion. The gentleman moves to strike out section 1.

Mr. WALSH. No; he is moving to strike out the section which has just been amended.

Mr. MANN. That is section 1 of the bill.

The CHAIRMAN. The Clerk will read section 1 of the bill.

Mr. HENRY T. RAINEY. As amended.

The Clerk read as follows:

Mr. HENRY T. RAINEY moves to strike out section 1, which reads as follows——

Mr. HENRY T. RAINEY. As amended.

The Clerk read as follows:

That section 2 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, be, and the same hereby is, amended to read as follows:

"SEC. 2. Each of the district judges shall receive a salary of $7,500 a year, to be paid in monthly installments."

Mr. HENRY T. RAINEY. Mr. Chairman, I move to strike out the section.

Mr. STAFFORD. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. STAFFORD. What was the agreement in the committee as to the time of debate on the amendment and all amendments thereto?

The CHAIRMAN. Thirty minutes was allowed on each side of the Stevenson and Walsh amendments.

Mr. CANNON. Mr. Chairman, I would like to understand what we are voting on. As I understand it, section 2 as numbered here is section 2 of this bill.

The CHAIRMAN. The Chair will inform the gentleman from Illinois [Mr. CANNON] that the House has just amended section 1 of the bill, which includes section 2 of the Judicial Code. The gentleman from Illinois now moves to strike out section 1 of the bill as amended. The Clerk will read section 1 as amended.

Mr. SAUNDERS of Virginia. Mr. Chairman, I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SAUNDERS of Virginia. There is section 2 on the first page of the bill, line 7. That section 2 runs down through page 2 onto page 3. Is that section 2 the entity which the gentleman from Illinois proposes to strike out?

The CHAIRMAN. The Chair so understands it. The gentleman moved to strike out section 1 of the bill as amended. The Clerk will report section 1 as amended.

The Clerk read as follows:

That section 2 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, be, and the same hereby is, amended to read as follows:

"SEC. 2. Each of the district judges shall receive a salary of $7,500 a year, to be paid in monthly installments."

Mr. HENRY T. RAINEY. Mr. Chairman, my amendment is to strike out the section as amended. The amendment has this effect: The amendment fixes the salaries of the district judges uniformly at $7,500 per year. This still leaves the salaries of the circuit judges at the rate fixed by the bill. In other words, this amendment does not satisfy anybody. The section as amended now does not meet with the approval of the committee, it does not meet with the approval of any of the judges, and it does not meet with the approval of this House.

Mr. STEVENSON. Will the gentleman yield?

Mr. HENRY T. RAINEY. Yes.

Mr. STEVENSON. The section that deals with the salaries of the circuit judges has not yet been reached. It is not accurate to say that the amendment will leave them as fixed by the bill, because I think that there will be a motion to amend that when we get to it.

Mr. HENRY T. RAINEY. There is no doubt there will be a motion to amend it. We are told by the committee that the judges unanimously favored the increase in their salaries and that they favored the increase suggested by the committee according to the graduated methods in this bill. As I stand here, through 130 years of time there comes ringing down to me the prophetic voice of Thomas Jefferson. I wish I could quote his exact language. In effect he said: "The Federal judiciary is the great object of my fears. That body, with resistless footsteps and unalarming advance, proceeds to gather unto itself more and more power."

In the days of Thomas Jefferson this body was composed largely of men who came directly from the land. Even Thomas Jefferson could hardly have foreseen in his criticism of the Federal judiciary and their great powers that 130 years from that time this body would be composed entirely of lawyers who practiced, all of them, before the Federal judiciary. And he could hardly have foreseen that a united Federal judiciary would come before this body, the majority of whom practice before them, and ask the men who practice in their courts to increase their salaries. And yet that is the situation which confronts us to-day. We are told that they did not initiate this proposition themselves. Nobody has heard that they are opposed to it. We are told that suggestions came from the bar associations throughout the United States. I am not much impressed with a suggestion of this character that comes from the bar associations of the United States, because I remember distinctly the opposition of the bar associations, speaking for all the lawyers of this country, to being taxed. The American Bar Association and our State bar associations throughout the country held meetings and protested against the clause carried in the last revenue law which sought to impose a tax upon lawyers whose incomes exceeded $6,000 a year. The American Bar Association most violently in their resolutions protested against it and sent to each Member of this House, whether he was a lawyer or belonged to some other profession or calling, a copy of the resolutions. The bar associations of the different States sent representatives here to lobby with the committee and the membership of this House, protesting against this tax. In that clause we taxed physicians and surgeons, and not a single physician or surgeon in the United States protested against the tax. It remained—and I blush to make the statement—for the lawyers to do it throughout this country. They have already won their fight against paying this tax, and they are about to win their fight to take money out of the National Treasury and divide it up among the judges before whom they practice.

The lawyers who protested most violently in the hour of this country's peril against being taxed appear here now, insisting that this additional sum shall be taken out in peace times from the Treasury of the United States. They come not with clean hands. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois to strike out the paragraph.

The question was taken, and on a division, demanded by Mr. HENRY T. RAINEY, there were—ayes 28, noes 91.

So the amendment was rejected.

Mr. MANN. Mr. Chairman, I move to strike out the first word of the section, and ask unanimous consent to proceed for 10 minutes out of order.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for 10 minutes out of order. Is there objection?

There was no objection.

Mr. MANN. Mr. Chairman, the Members of the House may have noticed in the morning paper an item in reference to the increased use of the telephone and telegraph wires. I send to the Clerk's desk and ask to have read in my time an item which appeared in the Washington Post of this morning.

The Clerk read as follows:

FIVE MAY USE ONE PAIR PHONE WIRES—NEW INVENTION ALLOWS 40 TELEGRAPH MESSAGES TO BE SENT AT ONE TIME.

Postmaster General Burleson yesterday made public a letter from Theodore N. Vail, president of the American Telegraph & Telephone Co., announcing the invention and development by the technical staff of the Bell system of "a practical system of multiplex telephony and telegraphy, by the use of which it is now possible to increase manyfold the message-carrying capacity of long-distance telephone and telegraph wires."

"With this new system," said Mr. Vail's letter, "four telephone conversations over one pair of wires are simultaneously carried on, in addition to the telephone conversations provided by the ordinary methods. Thus, over a single pair of wires a total of five telephone conversations are simultaneously operated.

"In telegraphy as well as in telephony sensational results have been attained by the new system.

"The nature of these developments is such that, if desired, wires may be used partly for telephone and partly for telegraph. A pair of wires is available either for 5 simultaneous telephone conversations or for 40 simultaneous telegraph messages, or partly for one and partly for the other."

Mr. Vail said that an installation of the multiplex telephone system between Baltimore and Pittsburgh had been in service for more than a month.

Mr. MANN. Mr. Chairman, gentlemen of the House will readily recognize the tremendous importance of any new invention or scheme which will permit one telegraph wire to be used for the transmission of 40 messages at the same time. It is now claimed, I believe, that under certain conditions one wire may be used for the transmission of four messages, though I think it is seldom, in practice, used for more than two messages at one time, and the use of one telephone wire for the transmission of five telephone conversations going on at the same time will be a matter of remarkable economy and efficiency. I call attention to this because the matter in a way originated in the House of Representatives. In the appropriation bill for the fiscal year 1910, which was passed in the Sixtieth Congress, there was the following item in the Army appropriation bill:

Wireless telephone apparatus: For the purchase and development of wireless telephone apparatus, $30,000.

In the deficiency appropriation bill in the Sixty-first Congress there was this item:

The funds appropriated in the act approved March 3, 1909, for the purchase and development of wireless telephone apparatus are hereby made available for the purposes heretofore appropriated during the fiscal year ending June 30, 1911.

We are constantly making appropriations for investigation and research in the various branches of the Government. Sometimes they produce wonderful positive results, and sometimes they produce valuable negative results. As a rule, they add something to the information of the public, even if they do not accomplish any other good. Proceeding under these appropriations, or this appropriation as reappropriated, the Signal Service branch of the Army undertook to develop something along the line of what is now known as wired wireless telegraphy. We are all more or less familiar with the idea of sticking a post high up in the air, connected in a way with wires, and sending forth an energy from that wire which diffuses everywhere throughout space in every direction. These gentlemen in the Army, or some of them—and I think particularly probably it was the man who then had charge of this branch of the service, now the general in charge of the Signal Service, then Maj. Squiers, under Gen. Allen, who was then the Chief Signal Officer—conceived the notion that there might be a method, not of scattering the energy in every direction, but possibly a method could be devised of controlling the energy so that it would run along a wire and instead of being scattered all around could be concentrated along a wire. In 1911 four patents were issued to Maj. Squiers, now Gen. Squiers, for the benefit of any person in the United States, for this wired wireless. I can not undertake to speak technically or to explain it so that technical people could understand, but the theory is that by not such a high frequency as is used with the wireless, but still a high frequency as compared with the ordinary telegraph, they send a power along the wire, on the outside of the wire, possibly penetrating a very slight distance into the wire, and while a telephone message under this perfected apparatus can be sent through the wire by the electrical energy that is passing through it, by this high frequency they can send by the telephone four messages which go on outside of the wire. I am told there is an advantage in that. We are all familiar with the noises which come from contact with the earth of the telephone wire. This wired wireless on the outside of the wire does not have those noises, and is perfectly plain.

The present process is patented in the interest of the people of the United States for the benefit of anyone. Of course, great credit is due to Mr. Vail and the American Telephone Co. for having taken up this idea and developing the apparatus especially for its use in commercial purposes. A number of years ago while these experiments were going on there were wires in use between the Bureau of Standards and the War Department, and I was told long ago at one time that the telephone company, which had rented a wire to the people in the Signal Service, were very much surprised, if not slightly chagrined, to learn that they were using the outside of the wire, without the telephone company ever having discovered that there was any disturbance or use of it at all. It is said this scheme is now in use between Pittsburgh and Baltimore. I am not familiar with any part of the new discoveries, except as stated in this article, but we can all recognize that the House, seldom complimented from the outside, may take a compliment to itself in that it provided the funds in the first instance for making an experimental use of the telephone, which is likely to make a greater change in the operation of telegraph and telephones than any that has been made, except in the origin in the first place. [Applause.]

Mr. GARRETT of Tennessee. Mr. Chairman, when I read the article in the paper this morning to which the gentleman has referred my memory ran back to an address delivered here in the House—a very brief address, as I recall it—by Mr. Samuel Smith, of Michigan, then the chairman of the Committee of the District of Columbia. I suppose that must have been in the Sixty-first Congress.

Mr. MANN. In connection with the Telepost Co., I suppose.

Mr. GARRETT of Tennessee. In connection with the Telepost Co., in which he undertook to state what had been developed by this company, and I think I remember that he referred very lucidly to this question. Was that in connection with an appropriation that we made that he spoke?

Mr. MANN. No; that had nothing to do with an appropriation we had made and had nothing to do with this.

Mr. GARRETT of Tennessee. Had nothing to do with this?

Mr. MANN. And I do not think the Telepost Co. knew anything about it.

Mr. RUCKER. Mr. Chairman, will the gentleman permit me in his time to say a word?

Mr. MANN. Yes.

Mr. RUCKER. Both the article which most of us must have read and the remarks of the gentleman from Illinois are interesting—very interesting. The gentleman is always more capable of calling our attention to what Congress has done in the past than any man on the floor on either side, and always does it with accuracy and in a very pleasing way. If I can get the gentleman, with his wonderful power, to suggest to the man who invented the wonderful contrivance by which four people can talk at once to develop a plan to make the telephone operator four times as efficient the gentleman will be a benefactor to the world.

Mr. MANN. If I can invent a scheme by which one person could talk at all through the telephone I should be very much pleased with myself, or if I can invent a scheme by which one person can get a chance at a telephone once in a while I should be very much pleased with myself, but I apprehend this system will be put in practical use, and it will make a great deal of difference even about the "hello" girls. [Applause.]

The Clerk read as follows:

SEC. 2. That section 118 of the act aforesaid be, and the same is hereby, amended to read as follows:

"SEC. 118. There shall be in the second, seventh, and eighth circuits, respectively, four circuit judges; in the fourth circuit, two circuit judges; and in each of the other circuits, three circuit judges, to be appointed by the President, by and with the advice and consent of the Senate. Each circuit judge shall reside within his circuit. The circuit judges in each circuit shall be judges of the circuit court of appeals in that circuit, and it shall be the duty of each circuit judge in each circuit to sit as one of the judges of the circuit court of appeals in that circuit from time to time according to law: *Provided*, That nothing in this section shall be construed to prevent any circuit judge holding district court or otherwise, as provided for and authorized in other sections of this act. The circuit judges shall receive, respectively, a salary equal to $1,000 in excess of the highest salary paid, under the provisions of section 2 of this act, to any of the district judges of the judicial districts comprised within the judicial circuit for or from which the said circuit judges shall be appointed. Such salaries shall be paid in equal monthly installments, beginning on the first day of the month next following the approval of this act, and the amount to be so paid in the several circuits, under the provisions of this act, shall, from time to time, be ascertained and certified to the proper disbursing officer or officers by the Attorney General of the United States, and, when subject to be changed, become effective, as provided in section 2 of this act: *Provided, however*, That at no time shall the salary of any circuit judge be diminished during his continuance in office, nor shall the salary of any circuit judge at any time exceed the sum of $11,000 a year."

Mr. STAFFORD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 10, after the word "Senate," insert "They shall receive a salary of $8,500 a year each, payable monthly," and strike out all the remainder of the section after line 18 on page 3.

Mr. STAFFORD. Mr. Chairman, as the House knows, the present judges of the circuit court of appeals receive $1,000 more than the district judges are now receiving under the law, namely, $7,000. The House has declared its judgment in favor of a flat salary increase for all the district judges at $7,500. This amendment I have proposed conforms to the established policy of the Government in paying the judges of the circuit court of appeals $1,000 additional, or $8,500. In fact, the bill as it is written recognizes the idea of providing $1,000 additional to that paid to the district judges receiving——

Mr. STEVENSON. Will the gentleman yield?

Mr. STAFFORD. I shall be glad to do so.

Mr. STEVENSON. If the bill is left standing just as it is, will it not pay all of them $8,500; in other words, $1,000 more than the district judge? The district judge is fixed at $7,500 and it will leave it exactly where the gentleman would leave it.

Mr. STAFFORD. Yes; but there is language written into the bill by the Judiciary Committee to have it harmonize with the plan of salary increase based on population. The amendment I have proposed is virtually the identical language of the Judicial Code, section 118, with the exception that instead of $7,000 I substitute $8,500. In further answer to the remark of the gentleman from South Carolina, I direct his attention to the incongruity in the language which would follow by reason of the language in the proviso on page 4:

Provided, however, That at no time shall the salary of any circuit judge be diminished during his continuance in office, nor shall the salary of any circuit judge at any time exceed the sum of $11,000 a year.

This language is not in harmony with the amendment that fixed the salary of the district judges at $7,500.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was agreed to.

Mr. FLOOD. Mr. Chairman, I offer an amendment as a separate section after section 2 of the bill.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Add as a new section, following line 10, on page 4, the following:

"SEC. 3. That section 136 of the act aforesaid be, and the same is hereby, amended to read as follows:

"'SEC. 136. The Court of Claims, established by act of February 24, 1855, shall be continued. It shall consist of a chief justice and four judges, who shall be appointed by the President, by and with the advice and consent of the Senate, to hold their offices during good behavior. Each of them shall take an oath to support the Constitution of the United States and to discharge faithfully the duties of his office. The chief justice shall be entitled to receive an annual salary of $8,000 and each of the other judges an annual salary of $7,500, payable monthly, from the Treasury.'"

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the amendment just offered.

Mr. FLOOD. Mr. Chairman, this amendment is a reenactment of section 136 in the Judicial Code down to the point where the salaries of the judges are fixed. The amendment increases the salaries by $1,500. It gives the Chief Justice of the Court of Claims, who now receives $6,500, $8,000, and the other members of the court $7,500 a year, the sum that has been provided in this bill for district judges. The other members of the court get now $6,000 apiece. I think, Mr. Chairman, this amendment should appeal to every Member of this House. It has been recognized by the Committee on the Judiciary and by the members of the Committee of the Whole that owing to the increased cost of living, increased work of the judges, some increase should be made in their salaries, and I believe it is generally conceded that there is no place in this country where the cost of living is higher than it is in Washington.

This is a most important court. Its jurisdiction extends to cases from all over the country and its work has been tremendously increased as a result of war and recent legislation.

Mr. LITTLE. Will the gentleman yield? When does the term expire under the present statute?

Mr. FLOOD. It does not expire at all. Does the gentleman mean when do the terms of the judges expire? They are appointed for life or during good behavior.

Mr. LITTLE. If we do not enact this will the court terminate?

Mr. FLOOD. No; this is simply an amendment to the present law to increase the salaries of the judges $1,500.

Mr. LITTLE. I get the gentleman now.

Mr. JUUL. Will the gentleman yield?

Mr. FLOOD. Yes.

Mr. JUUL. Outside of the salary increase there are no changes in the gentleman's amendment in the present law?

Mr. FLOOD. None at all. It does not change the number. There are five now. This amendment provides for five and simply makes an increase of $1,500 to each judge of this court.

Mr. MANN. Will the gentleman yield for a question?

Mr. FLOOD. I will.

Mr. MANN. The gentleman offers his amendment as being in line with the idea of increasing the salaries of the district and circuit judges?

Mr. FLOOD. I do.

Mr. MANN. Why should we not at the same time increase the salaries of the Customs Court judges or the District Supreme Court judges, or the District Court of Appeals judges, and other Federal judges, who are practically Federal judges?

Mr. FLOOD. Here in the District of Columbia?

Mr. MANN. Yes.

Mr. FLOOD. I am in favor of doing that, but I did not care to put it in this particular amendment, because I did not think this was a proper place to put it. I am very heartily in favor of increasing those salaries.

Mr. MANN. I am not offering any amendment and do not intend to offer any along those lines, but it seems to me if we increase the salaries of one set of judges in the District of Columbia—and I think it is a proper increase if it comes in the proper way—it ought to be done at the same time with the others—in other words, not to make it understood that a judge gets his increase in the District of Columbia as a mere matter of wire-pulling with Congress. That is perfectly proper, and I assume that the gentleman is familiar with some of the judges of the Court of Claims, and thinks that they ought to be protected?

Mr. FLOOD. I know some of the gentlemen.

Mr. MANN. I know some of the gentlemen, and I think the Court of Claims is very well thought of. But, apparently, no one in the Customs Court, so far as I have any indication, has any friend in this court. Whether anybody on the court of appeals or the District Supreme Court has somebody to speak for them here or not, I do not know.

Mr. REAVIS. I think it is only fair that, as the gentleman from Virginia [Mr. FLOOD] appears here as a special pleader, to say that he knew I had an amendment and was prepared to introduce it, providing for an increase for the court of appeals of the District and the Supreme Court of the District.

Mr. GREENE of Vermont. Is some provision made for the increase of the salaries of the judges of the United States Court of Customs Appeals?

Mr. REAVIS. Not unless some other gentleman on the floor has charge of it.

Mr. FLOOD. Mr. Chairman, the jurisdiction of the Court of Claims is a very large and important one. It has jurisdiction of cases from all over the country, contracts made with the United States covering river and harbor improvements, infringement of the patent laws, and many other matters that have come to that court as the result of recent enactments growing out of war legislation. The cost of living here is just as high as the cost of living anywhere else. It is one of our most important courts, and it does seem to me that if the district judges are to have their salaries increased to $7,500 the judges of the Court of Claims ought to get the same salary. They now get the same salary that the district judges get. I trust the amendment will be adopted.

Mr. STAFFORD. Mr. Chairman, under the reservation of the point of order, I wish to direct an inquiry to some member of the committee reporting this bill. I wish to inquire the reason for making a recommendation for increases for district and circuit judges when they did not make a recommendation for the increases of the judges of the Court of Claims, the judges of the Customs Court of Appeals, the Supreme Court of the District of Columbia, and other minor courts?

Mr. WEBB. I think I can answer my friend by saying that the Court of Claims and the Customs Court are special courts created by statute, and are separate courts from the district and circuit courts of the United States. Really, in my judgment, I think the judges of the Supreme Court of the District are included in this bill.

Mr. STAFFORD. Under what section?

Mr. WEBB. The Supreme Court of the United States has held that they are district courts of the United States and have district court jurisdiction plus what nisi prius jurisdiction arises here in Washington.

Mr. STAFFORD. Are the salaries of the members of the district court and of the Supreme Court of the District paid for under the general authorization of section 2 of the Judicial Code?

Mr. WEBB. There is another provision, I think, which makes the District of Columbia pay half the salaries of these District judges and the United States the other half. That is because probably more than half of the work done by these supreme court judges of the District arises in a local way in the District.

Mr. STAFFORD. Is not there a separate section of the Judicial Code, or some other statute, that provides especially for the payment of the salaries of the members of the Supreme Court of the District?

Mr. WEBB. I think so. I think there is a provision somewhere that requires half of their salaries to be paid out of the funds of the District and half out of the Treasury of the United States.

Mr. STAFFORD. The gentleman has not answered my original inquiry as to the reason why the committee did not consider the judges of the Court of Claims and the judges of the Court of Customs Appeals.

Mr. WEBB. I did not consider them as belonging to the judicial system of the United States. They are special courts and quite different than the district and circuit courts of the United States. But, frankly, I do not see why these judges should not be paid as much as any other judges in the District of Columbia, because the work is heavier than ever before and will be heavier from now on. The fact is they perform more drudgery work than any of the other judges.

Mr. STAFFORD. I reserved the point of order so as to get the information. I withdraw the point of order.

Mr. WALSH. I make the point of order, Mr. Chairman.

Mr. RUCKER. Will the gentleman withhold that?

Mr. WALSH. I make the point of order that it is not germane. I would like to be heard on the point of order. Mr. Chairman, this is a bill to amend certain sections of what is known as the Judicial Code, and each of its sections, except the fourth section, which provides when the amendments to the Judicial Code shall take effect, is restricted to certain sections of the Judicial Code, namely, to section 2, section 118, and section 260. The first section applies to district judges. The second applies to circuit judges. The third applies to each of the judges of those two Federal courts.

Now, it is proposed by the amendment offered by the gentleman from Virginia [Mr. FLOOD] to amend section 136 of the Judicial Code, which amendment is not related in any way to sections 2, 118, and 260. It relates to an entirely different court and to entirely different officials, and it seeks to increase the salaries of the judges of that court by incorporating a new section in this bill.

Now, I submit it is not competent for a committee having under consideration a bill limited to three sections of the Judi-

cial Code, covering two branches of the judicial system, to amend that measure by incorporating an increase of salaries for another branch of the judicial machinery of the United States.

If this amendment were in order it would be in order to offer amendments to increase the compensation of the referees in bankruptcy or the clerks of the courts, the United States marshals, and all the other officials and officers of the judiciary, which are provided for in the Judicial Code.

I want to direct the Chair's attention to section 781 of the Manual, which is to the effect that simply because the matters may be related they are not necessarily germane, where it is held that on a proposition to enact a general tariff bill it was not in order to provide for a tariff board.

Now, I submit, Mr. Chairman, that in a measure such as this the only germane amendment that can be offered must be to the branches of the judiciary that are provided for in this bill and to the provisions that are made in the bill with respect to those two courts.

I think that is all I have to say. I believe the gentleman from Illinois wishes to submit his views.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] is recognized.

Mr. MANN. Mr. Chairman, I think we are all familiar with the general rule, that where there is only one specific provision in a bill it is not in order to offer an amendment relating to some other specific provision; also that where there are two specific provisions in a bill it is in order to offer an amendment relating to a third specific provision of the same class. Those decisions have been so common and so frequent that there can be no controversy about the general statement.

Now this bill is a bill to amend the judiciary title. It contains two sections relating to the salaries of district and circuit judges. It contains two sections relating to the appointment, I believe, of district and circuit judges. It covers practically the subject of at least district and circuit judges.

It would not be in order, Mr. Chairman, I take it, to offer an amendment to this bill relating to judges which affected, for instance, the appointment of a marshal or a district attorney, although they are connected with the court. But here is a bill which undertakes to fix the salaries of Federal judges throughout the country.

Now, the Court of Claims is as much a Federal court as the district court or the circuit court, and to say that we can fix the salaries of the two classes of judges—the district judges and the circuit judges, two classes—but can not fix the salaries at the same time of another class of Federal judges, seems to me to be overruling all the precedents and all the rulings.

If this bill were brought in simply to cover the salaries of district judges, then you could not offer an amendment to fix the salaries of circuit judges. If it had been brought in to fix merely the salaries of circuit judges you could not have brought in an amendment to fix the salaries of district judges. But the bill coming in to fix the salaries of two classes of Federal judges, it seems to me it is in order to offer an amendment to fix the salaries of another class of Federal judges, almost on all fours with the general proposition that if you have a bill here for the construction of one public building or the admission of one Territory it is not in order to offer an amendment for the construction of another public building or the admission of another Territory, but if you have a bill here for the construction of two buildings you can add a third, or if you have a bill for the admission of two Territories you can add a third, being along the same line.

If it were an entirely different class and introduced a different subject matter entirely, it would not be in order. But this does not introduce a different subject matter. The subject matter of this bill is the salary. It introduces a third class of Federal courts where two classes are already embraced in the bill.

Mr. STAFFORD. Mr. Chairman, the Chair in determining whether or not this amendment is in order must consider the bill as it is presented to the House for consideration. If the Chair holds that the amendment is in order, then the Chair would have to hold in order any amendment amending any section of the Judicial Code. If the bill that has been presented were a general bill, amending generally the salaries of district and circuit judges, without regard to the amendment of certain sections of the Judicial Code, you might hold consistently that an amendment extending it to a third class, namely, the Court of Claims, would be in order. But this bill in its very form, as presented, shows that the Committee on the Judiciary merely considered the amendment of three sections of the Judicial Code, namely, section 2, section 118, and section 260. Any germane amendment to any of these sections when offered would be in order.

But I respectfully contend that it is not within the power of the committee to offer an amendment amending any other section of the Judicial Code, even though it relates to salaries, because this bill is a bill amending only these sections, and the amendments that might be offered must be limited to germane amendments connected with that section.

We had the very question up here three years ago, as I recollect—perhaps four years ago—on the Post Office appropriation bill. That committee brought in, with other amendments, two or three—three, as I recall—sections amending in minor particulars the Criminal Code. I would like to have the attention of the Chair; otherwise I do not care to proceed. That bill, brought into the House, amended three sections of the Criminal Code referring to the transmission through the mails of matters involving fraud on the public; three sections, as I remember, amending three different sections in minor particulars of the Criminal Code. The gentleman from California [Mr. RANDALL] attempted to annex an amendment that would have been in order if he could have used some other section of the Criminal Code, but it was not germane to the amendments of the sections of the Criminal Code that the Committee on the Post Office and Post Roads had recommended and which were under consideration in the House.

I then argued, and the gentleman from New York, Mr. FITZGERALD, and the gentleman from Kentucky [Mr. SHERLEY] joined in the argument and supported my position, pointing out to Speaker CLARK that if a bill was brought into the House amending three sections of the Criminal Code it would not be in order to offer an amendment changing another section of the Criminal Code. I have asked Mr. Sabine, in charge of the library, to find that debate for me. After a long argument, running perhaps an hour or more, the Speaker held that the amendment of the gentleman from California was not in order.

In determining whether this amendment is germane the Chair can not pass upon the kindred character of the subjects involved in the subjects under consideration. The whole question is, Is there before the House consideration of the subject matter relating to the salary increases of the judges of the Court of Claims? And the chairman of the Committee on the Judiciary admits that they did not even consider that subject. The very rule of germaneness is for the protection of the House, so as not to take up for consideration matters that have not been considered, or given even subsidiary consideration, by the committee considering the main proposition.

Mr. BANKHEAD. Will the gentleman yield in that connection?

Mr. STAFFORD. I yield to the gentleman from Alabama.

Mr. BANKHEAD. Does the gentleman undertake to differentiate between the circuit and district courts, and the Court of Claims here in the District of Columbia, as affecting their jurisdiction or statutory powers? Are they not in the same class, as members of the Federal judiciary?

Mr. STAFFORD. I admit that it is, but I hold that the rules of the House must be observed, and that this bill as it was introduced and as it has been reported limits the consideration to germane amendments to three sections of the Judicial Code.

If this bill had attempted by another section some general amendment outside of the Judicial Code, whereby the Chair might hold that the whole sphere of legislation embodied in the Judicial Code was under consideration, that might be a handle on which to hang the amendment offered by the gentleman from Virginia. But for the safety and protection of the House the Chair should follow the ruling of Speaker CLARK, when a similar question was presented, that when a bill is presented amending two or three sections of the statute it is not in order to amend other sections of the statute.

Why, if this is in order we can amend any section of the Judicial Code. The Chair can not hold that we are limited only to amendments relating to salaries. The Chair can not rule that way, because these amendments are not limited merely to salaries. They include the termination of the office of the incumbent. Accordingly, anything that is germane or related to those sections may be amended. But if you are going to adhere to the prior rulings you can not take into consideration as germane any amendments to sections of the Judicial Code which are not before the House for consideration.

Mr. BANKHEAD. Is the Chair ready to rule on the proposition?

The CHAIRMAN. The Chair will hear the gentleman from Alabama.

Mr. BANKHEAD. The remarks made by the distinguished gentleman from Illinois [Mr. MANN] are so clearly within the established precedents that propositions of this sort are in order, that it seems to me the Chair will not hesitate; but I desire to call the attention of the Chair particularly to the

section of the manual in which the precedents on this proposition are cited.

Section 780 is on the proposition that specific subjects are germane to general propositions of the class.

That was the reason I asked the gentleman from Wisconsin if he undertook to differentiate the class in which the Court of Claims fell, as contradistinguished from the circuit and district courts of the United States, and he very frankly admitted that there was no distinction in class. Therefore with that admission, which is undoubtedly correct, the status of the matter is brought clearly within the section which provides that a general subject may be amended by specific propositions of the same class. If the Chair will refer to those citations he will find that to a bill admitting several Territories into the Union, an amendment adding another Territory was held germane. To a bill providing for the construction of buildings in each of two cities an amendment providing for similar buildings in several other cities was held germane. To a resolution embodying two distinct phases of international relationship an amendment embodying a third was held germane.

So here we have the clear-cut proposition of an amendment offered which only attempts to bring a third entity of the same class within the purview of the provisions of the section, and it seems to me that under the logic of the situation as well as under the precedents there can be no question in the mind of the Chair as to the correct ruling on the proposition.

Mr. TOWNER. Mr. Chairman, just one suggestion. It will be understood, I think, by those who are familiar with the Judicial Code that it is an entity. It is a particular chapter of the law. It is chapter 231 of the statutes of the United States. All of the provisions of the Judicial Code are a unit, because they embrace all of the provisions of the statutes which until the time when they were codified and brought together were scattered throughout the statutes of the United States passed at different times. Now, those who are familiar with the Judicial Code know that we have the provisions for the circuit courts of the United States in a series of subdivisions of the Judicial Code. We have the provisions regarding the district courts of the United States in a series of subdivisions of the Judicial Code. We have the provisions regarding the Court of Claims in a still further subdivision of the Judicial Code. Embraced in the provisions for the district court is the provision for the salaries of the judges. Embraced in the particular subdivision for the circuit court are embraced the salaries of the circuit judges, and likewise for the judges of the Court of Claims. Now, we have this situation: We have a bill here which prescribes and fixes the salaries of the circuit judges and the district judges in the Judicial Code. They belong to the same class, the salaries of United States judges. Now, it is sought to further fix the salaries for another class of judges of the United States courts, to wit, the Court of Claims. I certainly think that is within the rule prescribed whereby when two of a class are included in a bill a third is germane. I think the statement made by the gentleman from Illinois [Mr. MANN] is absolutely correct, that if we should support the objection we would be overruling a long line of decisions. We have now here presented two provisions of the same class to which is to be added a third. It seems to me that it is within the rule.

Mr. STAFFORD. Mr. Chairman, if the Chair desires, the citation that I referred to I have now before me.

The CHAIRMAN. The Chair would like to hear the gentleman.

Mr. STAFFORD. It is contained in volume 54 of the CONGRESSIONAL RECORD, part 2, pages 1047 to 2104, second session of the Sixty-fourth Congress.

I direct the attention of the Chair to the debate found on pages 1486 and 1487.

As I stated to the Chair in my opening remarks, there were amendments carried in the bill to three different sections of the Criminal Code, and the gentleman from California offered an amendment to recommit and add a new section of a somewhat similar kind. The question was whether that amendment was germane, whether it could be considered, in view of the fact that it was not an amendment to the three sections offered by the Post Office Committee. Mr. SHERLEY made this argument:

> Now, what is the fact? The fact is, if this was not an appropriation bill at all and you were undertaking to amend a section in the Penal Code, you could only amend it in order by offering an amendment that was germane to it, and in point of fact that was true as to the amendment carried in the bill.

Further on he says:

> This would not be in order to this section if we had up the Penal Code and did not have up an appropriation bill at all, for the very plain reason that it is not in any sense germane to the section to which it is offered.

> Everybody knows the rule to the effect that if you are dealing with two subjects it is germane to add an additional subject, but if you are dealing with one class it is not germane to add another class to that particular paragraph or section.

Permit me to say that the gentleman from California [Mr. RANDALL] attempted by his first motion to recommit one of the sections that had been reported back to the House. Later he offered the new section, as follows:

> Mr. RANDALL moves to recommit to the Committee on the Post Office and Post Roads, with instructions to report the same back forthwith, with the following amendment: Page 34, after line 13, insert a new section as follows:
>
> "SEC. —. No letter, postal card, circular, pamphlet, newspaper, or publication of any kind, containing any advertisement or solicitation of a sale of any spirituous, vinous, malted, fermented, or other intoxicating liquors, shall be deposited in or carried by the mails of the United States, or be delivered by any postmaster or letter carrier.

And so forth.

The gentleman from Kentucky [Mr. SHERLEY] made the point of order on the motion that it was legislation on an appropriation bill and not germane to anything in the bill. After an argument participated in only by gentlemen in favor of the proposition the Speaker sustained the point of order, as he did to the prior amendment.

Mr. MANN. Mr. Chairman, as I remember the case distinctly, the precedent cited by the gentleman from Wisconsin has no application whatever to the present case.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Virginia presents an amendment in the form of a new section changing the salaries fixed by the judicial code for the judges of the Court of Claims. The point of order is made upon that amendment that it is not germane, in that the pending bill relates only to the salaries of certain of the United States judges, to wit, the United States district and circuit court judges, and that it is not in order by amendment to change the salary of other classes of the United States judges.

If the question related to any single section the question of germaneness would have to be measured by that section, but the amendment of the gentleman from Virginia is presented as a new section to the bill itself.

The bill itself undertakes to change the salary of the United States district and circuit judges and the third section undertakes to regulate the right of retirement of the judges who are appointed to serve during good behavior. The answer is made to the point of order that while one specific proposition can not be amended by another specific proposition, yet the rule is limited by the further proposition that where the bill or proposition under consideration applies not to specific cases but to a general class of subjects the rule of germaneness must apply to that class, and that in this case the class affected by the bill are the judges of the United States courts.

The Chair has heard with much interest the argument of the gentleman from Wisconsin based upon the point of order made to the Post Office appropriation bill last year. As the Chair recalls that, without looking over the argument at that time, the proposition was to amend several sections of the criminal code relating to matter that might be transmitted through the mails of a treasonable character.

It was proposed to amend that by introducing an amendment to another section of the code relating to the advertisement and solicitations for the sale of liquor. In the opinion of the Chair such an amendment was considered not to be germane because it did not relate to the subject matter of the bill under discussion.

In the case now before the House the Chair is constrained to say that he believes the rule is a salutary one, which confines the House and the committee to amendments clearly germane to the subject of the bill as presented by the committee to the House. But the precedents seem to indicate, and to the Chair's mind do indicate, that when the bill relates to a certain class of subjects an amendment is germane which relates to the same class of subjects, even though it may not be embraced in the same identical section. In this case there are three sections of the bill. The first section is amended in that portion which governs the salary of district judges and the second section relating to circuit judges. The third section relates to the retirement of judges of the courts of the United States who hold office during good behavior. By reference to the amendment of the gentleman from Virginia [Mr. FLOOD], section 136 of the Judicial Code, which he seeks to amend, provides:

> The Court of Claims, established by act of February 24, 1855, shall be continued. It shall consist of a chief justice and four judges, who shall be appointed by the President, by and with the advice and consent of the Senate, and hold their office during good behavior.

In other words, there are two propositions embraced in the bill before the House—one the change of salaries of certain judges of the United States and the other the right of retirement of certain judges of the United States. Any amendment

which is urged to these propositions must be germane to both of those propositions. It must relate to the salaries of judges of the United States, or that class of judges who would be affected by the particular retirement law, which is also a part of the pending measure. In the opinion of the Chair, the judges of the Court of Claims of the District of Columbia are in the same general class as the judges provided for in the pending bill. Therefore an amendment altering their salaries is germane as an amendment to the pending bill. The Chair therefore overrules the point of order.

Mr. CARAWAY. Mr. Chairman, I desire to be recognized in opposition to the amendment. I very much hope that this amendment will not be agreed to. There has not been a person before the committee asking for an increase in the salaries of the judges of the Court of Claims. There has been before the committee, and there is pending now, a bill looking to giving to the court two masters. They have asked for these, and there have been extensive hearings. The judges of the court themselves have been before the committee and have asked for these two officers of the court, saying it would enable the court to do its work more satisfactorily, but no one suggested that a change in the salary of these judges was desirable or necessary. A proposition came before the committee, brought by an attorney of the District of Columbia and advocated by him solely, to increase the pay of the judges of the Supreme Court of the District of Columbia and of the Court of Appeals of the District of Columbia. The committee did not agree to that, and, as I said, there was not any suggestion from any source that the judges of the Court of Claims should have an increase in their salary. I was never overly enthusiastic for this bill, but under certain conditions I was willing to vote for it. However, if we now, without an opportunity to know anything about the facts, are to have entirely unrelated increases in salaries applying to people who form no part of the judicial system as it was contemplated, I do not think the members of the committee ought to feel themselves under any obligation to support the changed measure. This is not a threat. I realize that it is nobody's concern as to how I vote. I am just expressing my opinion about it. I do not think an amendment increasing the salary of these men beyond the salary of the ordinary district court judge—particularly as these men have only a quasi judicial character to perform, because they have no jurisdiction of persons and merely pass on claims—should be placed in this bill, particularly in view of the fact that the judges themselves have never asked for it. When they were before the committee there was no contention that their salaries were not sufficient. They wanted to have two masters to aid the court in handling and summing up the facts. I sincerely hope that because there are meritorious cases of judges who have not only to deal with property but with the lives and liberties of American citizens, who have been underpaid, in the judgment of the committee, and therefore ought to be taken care of in a modest increase of salary, that that will not be assigned as a reason for rushing in and raising everybody's salary. It appears to me to be unwise; and, certainly, if you are going to increase the salaries of the judges of the Court of Claims I do not see why you should not increase the salaries of the Supreme Court and of the Court of Appeals of the District of Columbia, or anyone else that, under the ruling of the Chair, could be brought within the provisions of the bill.

Mr. SWITZER. Has the Court of Claims power or jurisdiction to enforce its own decrees?

Mr. CARAWAY. Oh, no.

Mr. BUTLER. It only finds the facts.

Mr. CARAWAY. It usually does not find them. I want to appeal to the friends of this measure, who believe, everything considered, that it ought to pass, not to load it down here by the increase of the salaries of men who themselves have never thought of asking for an increase of salary. There was no opportunity given to the committee to consider the matter and I sincerely hope the amendment will be voted down. I shall under the circumstances vote against the bill if the amendment is agreed to. If the chairman sees fit to consent to these changes without reference to the will of the committee, I regret to do it, but will do so.

Mr. CANNON. Mr. Chairman, I can not agree with the gentleman from Arkansas [Mr. CARAWAY]. It does not follow at all because the Committee on the Judiciary has not considered the question of increasing the salaries of the judges of the Court of Claims, that therefore the House should not consider that germane amendment. After all is said and done, the committees of the House do not control the House.

Mr. CARAWAY. Mr. Chairman, will the gentleman yield?

Mr. CANNON. Yes.

Mr. CARAWAY. The bill as originally prepared sought to grant increases upon the basis of population. The amendment offered by the gentleman from Virginia to increase the salaries of the judges of the Court of Claims takes no cognizance of that, and does not agree with the amendment offered a moment ago by the gentleman from South Carolina which fixes the salary at $7,500, but so arbitrarily fixes the salaries of these judges that they will be out of proportion to any other.

Mr. FLOOD. They are the same as district judges, they get the same salary as district judges, and this fixes the salary the same as the district judges.

Mr. CANNON. After all is said and done, the committees are the creation of the House and they do not bind the House. When the report of the committee comes before the House, whether the committee has investigated a particular matter or not, any germane amendment or any amendment in order under the rules of the House, it is proper to consider it in the House. I have high respect for the gentleman from Arkansas and I have high respect for the Committee on the Judiciary, and high respect for the other committees that prepare legislation for the consideration of the House, but, good God! when a measure comes in here to say that simply because the committee did not consider this or that amendment therefore the House ought not to agree to it is ridiculous. Just let me say a word. The fact that the judges of the Court of Claims have not appeared before the committee agonizing for an increase in their salaries perhaps is to the credit of the judges.

Well, let me tell you. I have some familiarity, being upon the Committee on Appropriations, having been appointed over a quarter of a century and its chairman for 14 years, I know about the important work done by the Court of Claims. It is a court that has long existed, and they have passed after great investigation on cases submitted to them wholesale. I think I can safely say they have passed on—I was going to say millions—but thousands and thousands of claims and have rendered judgment in many cases. There are many cases referred to that court for investigation and report to Congress, and such investigation means great labor.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON. I would like just two or three minutes longer, perhaps five minutes more; I will get through within that time.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

Mr. SHERWOOD. What is the salary of the judges of the Court of Claims?

Mr. CANNON. Six thousand dollars, the same as district judges, and by amendment that has been increased to $7,500, and this amendment proposes to increase the salary by $1,500. Now, they render judgments that are final, involving hundreds of millions of dollars, subject to appeal, of course, to the Supreme Court of the United States. Many of them are not appealed, some of them are, and now at the close of this great war, with the great number of contracts that are being canceled, with the great number of claims that are to come before this court and will come before them, I submit that the amendment should be agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia.

The question was taken, and the Chair announced the noes appeared to have it.

On a division (demanded by Mr. FLOOD and Mr. BANKHEAD) there were—ayes 73, noes 27.

So the amendment was agreed to.

Mr. REAVIS. Mr. Chairman, I offer an amendment as a new section.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 10, add as a new section the following:

"SEC. 4. The salary of the Chief Justice of the Court of Appeals for the District of Columbia shall be $9,000, and the salary of each associate justice of the Court of Appeals for the District of Columbia shall be $8,500. The salary of the Chief Justice of the Supreme Court of the District of Columbia shall be $8,000, and the salary of each associate justice of the Supreme Court of the District of Columbia shall be $7,500. The salaries provided for in this section shall be paid as now provided by law."

Mr. GARD. Mr. Chairman, I make the point of order against the amendment.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. GARD. The point of order made against the amendments proposed by the gentleman from Nebraska is that neither are germane to the purposes in the bill. The title of the bill and the purpose of the bill is to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary." In that reference is made to three sections, the first being section 2 of that act and the next section 118 of that act and the third section 260 of that act. In the act relating to the judiciary certain courts are enumerated. They are courts of the United States. They are the district courts, they are

the courts of claims, they are the Court of Customs Appeals, they are the circuit courts and the Supreme Court of the United States, and those are all the courts enumerated. Apart from that, there is a court created in the District of Columbia. Now, the District of Columbia, as everyone knows, is a Federal reservation, of which the Congress of the United States has complete legislative charge, and the jurisdiction of those courts enumerated in the amendment offered by the gentleman from Nebraska are peculiar to the District of Columbia and have no part in the general system of the judiciary. As I understood the ruling of the Chair a moment ago, it was to hold that any amendment might be in order which affected the general judicial code and the provisions which were sought to be carried in the general judicial code by reason of the purview of this bill. Now, the bill affects district judges of the United States, it affects circuit judges of the United States, and it affects those judges of the United States who are competent to retire under certain provisions, as set out in section 216. The amendment provides those judges shall be paid in accordance with existing law, and I ask the Chair's special attention to this. The bill we are considering is a bill which provides that the salaries of judges of the United States shall be paid out of the general revenues of the United States. The amendment which is offered by the gentleman from Nebraska [Mr. REAVIS] provides that half of those salaries is to be paid by the people of the United States, by the general taxpayers of the United States, and half through the revenues of the District of Columbia, thereby indicating a separate and distinct limited part of the judiciary, for such this is. The title of the judiciary, in so far as it affects the District of Columbia, is contained, not in the Judicial Code and not in the Statutes of the United States, but in a compilation of statutes in force for the District of Columbia. Very necessarily, owing to the peculiar character of this legislative and political reservation, laws and the administration of laws in the District of Columbia are entirely different from laws and the administration of laws outside of the District of Columbia. There is not the same general use, there is not the same general extension of authority, under this limited law as there is under the law affecting broadly the provisions of the Judicial Code.

In section 260 of this law which provides a new scheme of arrangement that one who is authorized to resign may, instead of resigning, retire, it provides how he may retire and what his designation may be. It provides upon his retiring the senior judge of the circuit may authorize him to perform such judicial duties as he is willing to perform, or the Chief Justice may authorize him to perform such judicial duties in any other circuit as such retired judge may be willing to undertake. There is no authority for the Chief Justice appointing any retired judge of the District of Columbia to any other work, nor is there any legislative or statutory authority for the sending of any judge of the Supreme Court of the District of Columbia into any other territory for service. Their service is limited. It is limited in a territorial sense; it is limited in a judicial sense; it is limited for a very necessary purpose, that this District of Columbia is a Federal reservation for certain purposes, and the great purpose is the administration of law necessary to carry on the General Government within the Federal reservation.

Therefore, Mr. Chairman, I make the point of order, and make it, I say, upon the soundest sense of reason, that there can be no possible reason by which a judge of the Supreme Court of the District of Columbia may be associated in any feature with the general judicial code of the United States, and, therefore, that any amendment proposed in this bill to that effect is not germane. I have no fault to find with the general scheme of compensation, because if there be any necessity for additional compensation, owing to increased cost of living, of course that may affect the judges of the Supreme Court of the District of Columbia. But we are not at that point. And I make the point of order that there is absolutely no authority in this bill, or any law associated with the bill, for the purpose of amending it with an entirely foreign, distinct, and different court.

Mr. REAVIS. Mr. Chairman

The CHAIRMAN. Does the gentleman from Nebraska desire to be heard?

Mr. REAVIS. Just a word, if I may, Mr. Chairman.

If the Court of Appeals in the District of Columbia is within what we know as the Federal courts, there can be no question that, according to the ruling made by the Chair a short time ago, this amendment is germane to the bill. It does not appeal to me as a matter of particular consequence whether the Court of Appeals of the District of Columbia and the Supreme Court of the District of Columbia are a part of the judicial code which this bill seeks to amend. Under the ruling of the Chair, it would seem to me that that question was eliminated. In my judgment, the Court of Appeals of the District of Columbia and the Supreme Court of the District of Columbia are distinctly Federal tribunals, created by the Federal Congress. Of course, their jurisdiction is limited to the Federal reservation known as the District of Columbia, but the mere fact that they may not be comprehended in the judicial code and that their creation is a matter of statute without that code would not render this amendment subject and obnoxious to the point of order that it was not germane to the subject matter of this bill.

The subject matter of this bill, as I understand it, is for the purpose of fixing the salaries of the Federal judges. True, those judges prescribed by the legislation are judges whose salaries are fixed by the judicial code, and the legislation fixing a new salary would require an amendment to that judicial code. But that is merely a means to an end. An amendment of the judicial code is not the subject matter of the legislation. It is the salary to be paid to Federal judges. Now, if within the meaning of that term the judges of the Court of Appeals for this District and the judges of the Supreme Court for this District are within the class known as Federal judges, constituting what is known as Federal courts, then this amendment under the ruling of the Chair is germane. And I submit that the point of order is not well taken.

Mr. WALSH. Mr. Chairman, I simply desire to direct the Chair's attention to one of the contentions of my colleague on the committee, the gentleman from Nebraska [Mr. REAVIS], by saying that if the Chair will examine the judicial code he will see that the courts of the District of Columbia are not embraced within the Federal judicial system. They are a separate branch, but they have conferred upon them certain Federal jurisdiction. But they are not embraced within the judiciary of the United States, and if we can incorporate amendments here for the courts of the District of Columbia that are not embraced within the Federal Judicial Code we can offer an amendment. I submit, which amendment would be germane, to increase the salary of the territorial judges of Alaska and Hawaii; and that the ruling of the Chair, as applied to the court, contained in the amendment just adopted, if applied strictly to this amendment, must necessarily lead to the conclusion that this amendment falls outside of that class.

Mr. REAVIS. Will the gentleman yield?

Mr. WALSH. I yield.

Mr. REAVIS. The Court of Appeals of the District of Columbia has an appellate Federal jurisdiction, has it not?

Mr. WALSH. It has; conferred upon it by a special statute and not by the judicial code.

Mr. REAVIS. It has the power of review of certain decisions in the Patent Office and power of review of certain decisions of the Postmaster General—distinctly a Federal jurisdiction, is it not?

Mr. WALSH. Those particular powers are Federal powers; yes.

Mr. REAVIS. And could be conferred only by the Congress?

Mr. WALSH. But they have not been conferred by the judicial code, nor does that conferring of jurisdiction make them a part of the judicial system of the United States.

Mr. REAVIS. Then, if I understand the gentleman, the point of order, in his mind, is good, because the authority creating the Court of Appeals of the District of Columbia is not within the judicial code?

Mr. WALSH. Because the authority conferring certain jurisdiction upon the Court of Appeals for the District of Columbia does not make that a Federal court, except as confined to the particular jurisdiction conferred upon it.

Mr. REAVIS. It is a court having Federal jurisdiction but not a Federal court?

Mr. WALSH. In certain instances.

Mr. GRAHAM of Illinois. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. GRAHAM of Illinois. On this point of order.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. GRAHAM of Illinois. A question has been raised in argument here, Mr. Chairman, as to whether the judges of the courts here in the District of Columbia are properly within the purview of the general designation of United States judges; and in view of the fact that the Supreme Court has decided that matter I think it might be well to call the Chairman's attention to an adjudged case. In the case James against the United States, in the Two hundred and second United States Supreme Court Reports, the question arose under a statute

which is the same statute which we will consider under section 200 of this bill.

When any judge of any court of the United States resigns his office, after having held his commission as such at least 10 years, and having attained the age of 70 years, he shall, during the residue of his natural life, receive the same salary which was by law payable to him at the time of his resignation.

Now, the Supreme Court, in passing upon the question as to whether that applies to judges in the District of Columbia, had the following to say:

On behalf of the Government it is, as we have said, contended that Justice James was not entitled to the benefit of this statute, because that statute only embraced judges of such courts of the United States as were within the purview of section 1 of Article III of the Constitution, and it is insisted the Supreme Court of the District of Columbia was not so embraced. We think the premise upon which this contention rests is wholly devoid of merit. The words of the statute, "when any judge of any court of the United States resigns his office," are broad enough to embrace all courts created by the United States, without taking into view the particular constitutional authority which was exercised in such creation. It is true that the statute excludes the conception that it was intended to apply to judges of courts created by Congress, when the term of office was of limited duration. Conversely, however, in our opinion, the text of the statute leaves no room for question that its provisions were intended to apply to a judge of any court of the United States holding his office by a life tenure, such as during good behavior. Indeed, as it is conceded at bar, that from the period of the enactment of the statute down to the present time it has, without interruption or deviation, been construed by the legislative and executive departments of the Government as applicable to justices of the Supreme Court of the District of Columbia, we do not deem it necessary to determine whether the Supreme Court of the District of Columbia is an inferior court within the meaning of section 1 of Article III of the Constitution, since even if it be not a court of that character it is nevertheless a court of the United States within the meaning of Revised Statutes, section 714.

The section referred to is the one that will be hereafter discussed, and which is similar to section 260 in this bill. I think it right to state this to the Chairman, so that he may have the benefit of it in his ruling.

The CHAIRMAN. The Chair thanks the gentleman. The Chair is ready to rule.

The gentleman from Nebraska [Mr. REAVIS] presents an amendment increasing the salary of the chief justice and associate justices of the Court of Appeals of the District of Columbia. The contention is made that this amendment is not germane to this bill; that these judges do not fall within the same general class as the judges whose salaries are affected by the bill under consideration by the House.

The question is not free from difficulty, because in a certain sense the judges of the Court of Appeals of the District of Columbia are United States judges; and yet they are judges of a local or Territorial character, taking the place in this Federal reservation of the Territorial judges in the Territories of the United States elsewhere. The question of germaneness does not depend wholly upon whether in some sense these judges are United States judges. If it did, then recourse might be had to the opinion of the Supreme Court of the United States, cited by the gentleman from Illinois [Mr. GRAHAM]. This bill which is before the House is a bill to amend an act to codify, revise, and amend the laws relating to the judiciary, this being the prime purpose of the bill before the House, and it amends the Judicial Code in certain particulars, namely, by increasing the salaries of certain classes of judges mentioned in that Judicial Code. Congress has placed the stamp of its opinion upon what constitutes the courts of the United States by defining in the Judicial Code the five courts or five branches of the court—the Supreme Court, the District Court, the Circuit Court, the Court of Customs Appeals, and the Court of Claims. Such being the judgment of Congress, it has defined the class to which the rule of germaneness must apply. The amendment offered by the gentleman from Nebraska does not seek to amend the act which this bill is directed to amend at all, but is simply directed at certain other courts which in a certain sense are also classed as courts of the United States. In the opinion of the Chair the point of order that the amendment is not germane is well taken, and the point of order is therefore sustained. The Clerk will read.

The Clerk read as follows:

SEC. 3. That section 260 of the act aforesaid be, and the same is hereby, amended to read as follows:

"SEC. 260. That when any judge of any court of the United States, appointed to hold his office during good behavior, resigns his office after having held a commission or commissions as judge of any such court or courts at least 10 years continuously, and having attained the age of 70 years, he shall, during the residue of his natural life, receive the salary which is payable at the time of his resignation for the office that he held at the time of his resignation. But instead of resigning, any judge, other than a justice of the Supreme Court, who is qualified to resign under the foregoing provisions may retire, upon the salary of which he is then in receipt, from regular active service on the bench, and the President shall thereupon be authorized to appoint a successor, but a judge so retiring may nevertheless be called upon by the senior circuit judge of that circuit and be by him authorized to perform such judicial duties in such circuit as such retired judge may be willing to undertake, or he may be called upon by the Chief Justice and be by him authorized to perform such judicial duties in any other circuit as such retired judge may be willing to undertake.

"In the event any circuit judge or district judge, having so held a commission or commissions at least 10 years continuously, and having attained the age of 70 years as aforesaid, shall nevertheless remain in office and not resign or retire as aforesaid, the President, if he finds that any such judge is unable to discharge efficiently all the duties of his office by reason of mental or physical disability of permanent character, may, when necessary for the efficient dispatch of business, appoint, by and with the advice and consent of the Senate, an additional circuit judge of the circuit or district judge of the district to which such disabled judge belongs. And the judge so entitled to resign or retire shall be held and treated as if junior in commission to the remaining judges of said court, who shall, in the order of the seniority of their respective commissions, exercise such powers and perform such duties as by law may be incident to seniority. In districts where there may be more than one district judge, if the judges or a majority of them, can not agree upon the appointment of officials of the court, then the senior judge shall have the power to make such appointments.

"Upon the death or resignation of any circuit or district judge so entitled to resign, following the appointment of any additional judge as herein provided, the vacancy caused by such death or resignation of the said judge so entitled to resign shall not be filled, but the number of judges then in office shall be reduced accordingly."

Mr. GARD and Mr. WALSH rose.

The CHAIRMAN. The gentleman from Ohio is recognized.

Mr. GARD. Mr. Chairman, I offer the following amendment and ask that it be reported.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GARD: Amend page 5, line 9, by striking out the period after the word "undertake" and inserting a comma and the following: "Or he may be called upon either by the presiding judge or senior judge of any other such court and be by him authorized to perform such judicial duties in such court as such retired judge may be willing to undertake."

Mr. GARD. Mr. Chairman, this amendment was prepared and submitted by the gentleman from Pennsylvania [Mr. STEELE] and was inspired by a colloquy yesterday between the gentleman from Pennsylvania and the gentleman from Iowa [Mr. SCOTT], in which the gentleman from Iowa called attention to the fact that this section was in need of some clarification. This is simply offered to perfect the text in accordance with the idea advanced by the gentleman from Iowa.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. GARD].

The amendment was agreed to.

Mr. WALSH. Mr. Chairman, I move to strike out the section.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 4, line 11, beginning with section 3, strike out the section down to and including line 11, on page 6.

Mr. WEBB. Mr. Chairman, it seems that this will be the only mooted question remaining in the bill, and I should like to have some agreement as to the time that we shall consume in debating the amendment. I should like a suggestion from my friend as to how much time he will desire. I think the committee are anxious to finish the bill to-night, and I hope my friend from Massachusetts will assist us in that.

Mr. WALSH. I shall be very glad to do so. I think 15 or 20 minutes on a side will be sufficient.

Mr. WEBB. I ask unanimous consent that debate on this motion to strike out the section may close in 30 minutes, 15 minutes to be assigned to those in favor of the motion and 15 to those opposed to it.

Mr. WALSH. Will the gentleman make that 20 minutes on a side?

Mr. WEBB. Yes; I will amend my request and make it 20 minutes on a side.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that all debate upon this motion to strike out the paragraph and all amendments thereto——

Mr. MANN. There could be no amendment to his motion.

The CHAIRMAN. Upon the amendment of the gentleman from Massachusetts close in 40 minutes.

Mr. WEBB. Will my friend agree to make that request cover all debate on the section itself? Then we can give notice as to when we will vote on the bill. Has anyone any amendment to offer?

Mr. MANN. I want to ask the gentleman from North Carolina with reference to the last paragraph of this section, to suggest a possible amendment.

Mr. WEBB. Very well. I will be very glad to have the gentleman do it.

Mr. MANN. This paragraph provides that—

Upon the death or resignation of any circuit or district judge, so entitled to resign, following the appointment of any additional judge as herein provided, the vacancy caused by such death or resignation of the said judge so entitled to resign shall not be filled, but the number of judges then in office shall be reduced accordingly.

Mr. ASWELL. Mr. Chairman, a parliamentary inquiry. I move to strike out the enacting clause of this bill.

Mr. MANN. Who has the floor?

The CHAIRMAN. The gentleman from Louisiana [Mr. ASWELL] is offering an amendment.

Mr. MANN. But who had the floor? We were having a debate here, and the gentleman from Louisiana was not recognized to offer an amendment.

The CHAIRMAN. The gentleman from Illinois, as the Chair understands, is asking a parliamentary inquiry.

Mr. MANN. No. I was asking the gentleman from North Carolina [Mr. WEBB], who had the floor, a question.

The CHAIRMAN. The Chair understood that the gentleman from North Carolina had the floor to prefer a request for unanimous consent.

Mr. MANN. Nobody could take him off the floor by a motion, then.

The CHAIRMAN. The gentleman from North Carolina.

Mr. STAFFORD. Would not the gentleman from Massachusetts have the floor on his motion to strike out, and was not an endeavor being made to come to an agreement as to time on that motion?

The CHAIRMAN. The gentleman from Massachusetts [Mr. WALSH] offered an amendment, which was duly reported, and pending his being recognized to debate his amendment the gentleman from North Carolina [Mr. WEBB] rose, and by tacit consent preferred a request for unanimous consent. The whole matter is now before the committee.

Mr. ASWELL. Mr. Chairman, the gentleman from Louisiana was recognized and had a right to make a preferential motion, had he not?

The CHAIRMAN. The gentleman from Louisiana rose to a parliamentary inquiry, as the Chair understood him, but the Chair is advised that at the proper time the gentleman's motion is preferential to a motion to strike out the paragraph.

Mr. ASWELL. Will the Chair state when that time will arrive?

The CHAIRMAN. It will arrive when the gentleman from North Carolina yields the floor, and the question arises between the debate upon the motion of the gentleman from Massachusetts [Mr. WALSH] and the preferential motion offered by the gentleman from Louisiana [Mr. ASWELL].

Mr. WEBB. I ask unanimous consent that the gentleman from Illinois may finish his question now.

Mr. ASWELL. Mr. Chairman, a parliamentary inquiry. Will this motion be in order during this debate of 20 minutes on a side?

The CHAIRMAN. The Chair is advised that if the gentleman offers a preferential motion before debate is begun upon the motion of the gentleman from Massachusetts, he will be entitled to offer it.

Mr. MANN. The paragraph does not provide what shall happen if a judge retires. The bill provides that a man who reaches the age of 70, having served 10 years, may resign or retire. Nature provides that he may die. You say in the bill that if an extra judge has been appointed, and the man on the bench dies or resigns, that vacancy shall not be filled. But suppose he retires. Then you have provided in another place in the bill that an appointment shall be made to fill that vacancy. Evidently that is not what you want to do.

Mr. WEBB. That is the language that was used in the Senate and the House, and we thought it covered it.

Mr. MANN. Ought it not to provide that on the death, resignation, or retirement the vacancy should not be filled?

Mr. ASWELL. Mr. Chairman, what is before the House?

The CHAIRMAN. The question of unanimous consent asked by the gentleman from North Carolina.

Mr. ASWELL. I demand the regular order.

The CHAIRMAN. The regular order is, Is there objection to the request of the gentleman from North Carolina? [After a pause.] The Chair hears none.

Mr. ASWELL. Now, Mr. Chairman, I make a motion to strike out the enacting clause.

The CHAIRMAN. The gentleman from Louisiana offers a preferential motion to strike out the enacting clause. The Clerk will report the motion.

The Clerk read as follows:

Page 1, lines 1 and 2, strike out the enacting clause.

Mr. ASWELL. Mr. Chairman, I merely want to say one word. We are soon to have 2,000,000 American soldiers return here without anything except their uniform, and some gentlemen on the other side objected to giving them that. This Government owes nearly $40,000,000,000. This is no time to pass a bill of this kind. This bill is inexcusable and indefensible at this particular time, and I ask that my motion to strike out the enacting clause be supported.

The CHAIRMAN. The question is on the motion of the gentleman from Louisiana.

The question was taken, and the motion was rejected.

Mr. ASWELL. Mr. Chairman, I make the point of no quorum.

The CHAIRMAN. The gentleman from Louisiana makes the point of no quorum. The Chair will count. [After counting.] One hundred and forty-three Members present, a quorum.

Mr. WALSH. Mr. Chairman, I yield five minutes to the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Chairman, I desire the attention of the committee to the proposition that this section is unconstitutional, and for that reason I shall support the motion to strike it out. I want to call particular attention of the gentlemen of the committee to the language of the Constitution:

ARTICLE III.

SECTION 1. The judicial power of the United States shall be vested in one Supreme Court and in such inferior courts as the Congress may from time to time ordain and establish.

Now, this language follows:

The judges, both of the Supreme and inferior courts, shall hold their offices during good behavior, and shall at stated times receive for their services a compensation, which shall not be diminished during their continuance in office.

Gentlemen who have any knowledge of the proceedings of the Constitutional Convention in formulating the Constitution know what difficulties the convention had to overcome. In the first place they desired to establish a Government that would be firm, that would be strong, and that would take the place of the unsatisfactory and weak confederation that had preceded it. They gave to the President of the United States very great constitutional powers, but they recognized at the same time that it was necessary that those powers should be very carefully limited. The principal thought in the minds of the members of the convention was that in order to secure such safeguards there should be a strong line of demarcation drawn between the three great divisions of the Government—the executive, judicial, and legislative. The various provisions of the Constitution were drawn with reference to that proposition. This provision of the Constitution which I have read was one to secure the judicial powers of the Government against the encroachment of the Executive power. If the Executive power, having created judges and then finding that they were unsatisfactory, could dismiss them as it could other appointees, then it gave the President the power to control the judiciary, and this they sought to prevent by the provisions in which they said that the judges should hold office for life or during good behavior, so that they could not be removed, and that their compensation should not be diminished, so that they might be starved out of office.

Now we have a provision in this bill which allows the Executive to do the very thing that the Constitution sought to prevent—in other words, to dismiss or discharge at his will, whenever he shall so determine, judges whom he has appointed, and whom the Constitution provides shall serve for life or during good behavior. That is the effect of the provision of this bill which this motion seeks to eliminate. Whenever the President shall conclude that any judge is incapacitated he may appoint a successor, who shall take over the duties of the office. To Congress is given the power to determine when additional judges are necessary; but this power and duty we surrender to the Executive. The Constitution declares that no one, not even the President, may remove an obnoxious judge. This provision gives the President that power.

That, gentlemen, is a violation of the Constitution of the United States. There is no way in which I think that can be avoided.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. WALSH. I yield the gentleman two minutes more.

Mr. STEELE. Will the gentleman yield?

Mr. TOWNER. For a brief question.

Mr. STEELE. I want to call the gentleman's attention to the fact that when the circuit court of appeals was created the circuit court was abolished, and the circuit judges on the bench were stripped of their powers and were directed to perform the duties of district judges, and again when the commerce court was abolished they were divested of their powers and directed to perform the duties of district judges, and this legislation was sustained by the Supreme Court.

Mr. TOWNER. We have gone over that, and the very reason given by the Supreme Court was that they were not stripped of their powers; that they were given the same powers in existence before; that a mere change of name from circuit judge, having the same jurisdiction, did not deprive them of their office.

Mr. STEELE rose.

Mr. TOWNER. I can not go further with my explanation, if the gentleman will pardon me. When you say that a man shall be retired upon the request or the declaration or the demand of the President of the United States and that another shall take his place, who can take all of the business that appertains to that office out of his hands, you not only retire him, but you, in effect, remove him from his office. In this provision you give to the President of the United States the power to say that whenever any judge is unsatisfactory in the performance of his duties under the circumstances stated he shall be removed and another substituted in his place.

Mr. WEBB. Mr. Chairman, will the gentleman yield?

Mr. TOWNER. Yes.

Mr. WEBB. Of course, this is a pretty big constitutional question that the gentleman is arguing.

Mr. TOWNER. Yes; and I wish we had more time to devote to it.

Mr. WEBB. Does the gentleman think that so eminent a man as Mr. Justice Hughes would say he regards this provision as eminently wise if he thought it was unconstitutional?

Mr. TOWNER. I think that Judge Hughes never gave the constitutional question any consideration at that time.

Mr. WEBB. Oh, yes; Judge Hughes had this under consideration for quite a while.

Mr. GRAHAM of Pennsylvania. Yes; he did, in the section letter.

Mr. WALSH. There is not a word about the constitutionality of it.

Mr. WEBB. I read from the letter of June 27, 1918, addressed to Hon. H. J. STEELE:

> I was not in favor of the provisions embraced in House bill No. 11184, relating to the compulsory retirement of district judges, but these provisions have been eliminated, and under House bill No. 12001 circuit and district judges have been put on the same basis with regard to retirement, and these provisions, it seems to me, are eminently wise.
>
> Very sincerely, yours,
>
> CHARLES E. HUGHES.

Mr. TOWNER. That does not reach the proposition. Judge Hughes may think such provisions wise, but, with the greatest respect, I can not agree with him as to their wisdom. But he does not say they are constitutional, and there is nothing to indicate that he considered the constitutional question. I think gentlemen ought to consider this simply upon its merits. The desire of gentlemen to provide a means by which some judge they have in mind might be gotten rid of in a method that is unconstitutional ought not to lead them to violate the Constitution of the United States. [Applause.]

Mr. WEBB. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. GRAHAM].

Mr. MANN. Mr. Chairman, a parliamentary inquiry. Was the rule adopted limiting debate, the rule to limit debate on the section and all amendments thereto?

The CHAIRMAN. The unanimous-consent request, as the Chair recalls it, was only upon the Walsh amendment.

Mr. GRAHAM of Pennsylvania. Mr. Chairman, the motion before the committee is a motion to strike out section 200; and I would like to have the attention of the members of the committee, because what I have to say I am saying in support of the section as it stands and because I believe the section as it stands ought to be supported. The first part of this section makes no alteration in the existing law. The second part of the section introduces a new feature, and that is what has been denominated in these debates the retirement feature. I ask the members of the committee to remember that that retirement feature was in a bill reported by our committee, passed upon by the House, approved in this House, and passed by the Senate, so that the question is not a new one, but is one that has been approved and carries great benefits with it. I recall an instance in our third circuit where the matter was under consideration. The presiding judge of the circuit stated that it was his desire, if he had the power, to call in Judge Gray, who had resigned, but that he could not because the resignation cut off his official function. Therefore it was that he suggested the framing of such a bill as this, and the bill was framed and presented to the committee and considered by the House and passed, and was regarded as a most beneficial addition upon the question of the resignation of judges. It put as a reserve force those gentlemen who were able to discharge some of the duties of the office, but who wished to retire from the more active work after their service of 10 years, and passing the age of 70. They constituted a retired list which could be called upon, if they would be willing to serve, to help out in any emergency in the business and work of the court. I respectfully submit to you gentlemen that that paragraph ought to be retained irrespective of what your opinion may be of the last clause or section of the bill.

Mr. GILLETT. I understand the gentleman from Massachusetts inadvertently included that, and that he is going to except that from his amendment.

Mr. GRAHAM of Pennsylvania. If he is, that removes any cause for further argument. But it has not been stated. His motion is to strike out the section.

Mr. WALSH. The gentleman knows that I expected to ask to modify my amendment.

Mr. GRAHAM of Pennsylvania. But the gentleman has not done it yet.

Mr. WALSH. I assured the gentleman that I would make that request.

Mr. GRAHAM of Pennsylvania. That is sufficient. Then, I pass from that point to the third paragraph and the only remaining part of this section. While previously debating this subject of the appointment of a judge in a case where a man had served 10 years continuously and had passed the age of 70 years and yet held on to the office and its duties I stated that the question of the appointment of a judge who would be senior to him without removing him from his office was one which caused difference of opinion, and as the original act was framed, the one which was considered two years ago, it was objectionable, and I joined with the gentleman from Minnesota [Mr. VOLSTEAD] in filing a minority report. The provisions of that act were drastic in the extreme and were not limited as they are in the section which is now before you for your consideration.

When we considered this bill in committee my colleague on the committee, to whom I referred, offered an amendment embodying the language that is now contained in this bill and by that amendment disarmed our objections and we agreed to pass the bill with this new provision as amended. Now, what is this amended provision? Is it constitutional?

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRAHAM of Pennsylvania. May I have just a couple of minutes more?

Mr. WEBB. I yield two minutes more to the gentleman.

Mr. GRAHAM of Pennsylvania. This is a constitutional question, and it is hard to debate a constitutional question in two minutes, and I wish simply to advert to what the gentleman from Iowa said, that this portion of the bill was unconstitutional. The original bill was unconstitutional, but I think this is not, for the judge here is not deprived of his office, and, as my colleague from Pennsylvania [Mr. STEELE] pointed out, it has been decided that as to his duties the legislative power to change or alter them is no violation of the constitutional provision that gives him tenure of office during good behavior, and during the course of debate I ventured the suggestion that possibly it might be construed that a man over 70 who had served 10 years continuously, who was incompetent to discharge the duties of his office by reason of physical or mental disability, but still maintained that position, might not be exercising "good behavior" in the office so as to be entitled to be considered as within the protection of the Constitution. But aside from that question there is no invasion of the constitutional protection, for all the power that is given to the President is to ascertain a state of facts, and when a state of facts is found showing that a man on the bench is incompetent to perform the functions—discharge the duties of his place—when that fact is found, the President may nominate a man, not a successor, but one to aid the community where this evil exists in getting rid of the evil consequences to business and to the administration of justice, and then that appointment must be confirmed by the Senate, and surely an outraged bar if this power were improperly used would reach the Senate and prevent the confirmation, and, if the confirmation is prevented, then what injury has been done? The man is vindicated and remains in his office, no harm is done, the successor fails of appointment, and the conditions are unchanged.

Mr. DENISON. If the gentleman will yield, if the successor fails of appointment, does not the gentleman think some harm has been done to the man over whom one has been appointed?

Mr. GRAHAM of Pennsylvania. On the contrary, I think what might have been before a rumor or suggestion against him has been met in the open and defeated and shown not to be the truth and he is stronger than he was before, and surely there ought to be some remedy provided for an evil such as this which exists in a number of cases.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. WALSH. Mr. Chairman, in accordance with the assurance I gave the gentleman from Pennsylvania and members of the committee I ask to modify my motion according to the language which the Clerk has at the desk.

The CHAIRMAN. The Clerk will report the modification, without objection.

There was no objection.

The Clerk read as follows:

> Mr. WALSH moves to strike out lines 10 to 25, inclusive, on page 5, and lines 1 to 5, inclusive, on page 6.

Mr. WALSH. Now I yield two minutes to the gentleman from Massachusetts [Mr. GILLETT].

Mr. GILLETT. Mr. Chairman, I was glad to yield three minutes of my time to the gentleman from Iowa, because I simply wish to state the reason why I shall vote for this amendment. It seems to me that aside from the question of constitutionality it is merely a question of balancing the advantages and disadvantages. It happens occasionally that a man attaining the age of 70 years, and with the right of retiring, is not willing to retire, although he is inefficient and incapable of performing his duties. Such an occurrence seems improbable, but we find from experience once in a while that is the case, and the question arises how to meet it. To-day we meet it by a bill in Congress, and when a judge will not retire, although he is incapable of performing his duties, Congress can easily authorize another judge, and it seems to me it is not putting the Nation to a great inconvenience to demand that.

Instead of that, this law provides that the President shall decide whether a man is inefficient or is not. The Executive is always subject to the temptation to appoint a new judge when it is not necessary. He is constantly besieged by Congressmen and others for appointments, and personally I think it is much wiser to leave the law as it is to-day, and compel Congress to authorize a new judge, than it is to subject the Executive of the United States to the pressure and temptation which I suspect might sometimes be yielded to of appointing a new judge when it is not really necessary, and imposing a slight upon the judge who is the senior by making him the junior. Inasmuch as I say a balance must be cast between the present system and this proposed system, it seems to me the balance of advantage is leaving the law as it is. I would rather leave the power with Congress than transfer it to the President. Therefore, I shall favor the striking out of this provision. [Applause.]

Mr. WEBB. Mr. Chairman, I yield five minutes to the gentleman from Minnesota [Mr. VOLSTEAD].

Mr. VOLSTEAD. Mr. Chairman, I believe the provision in question is a wise one, though I realize others disagree with me.

I think we must judge the future by the past. In a large number of instances judges who have had the opportunity to retire under existing law refused to do so. The amendment that we add in this bill to the retirement law I do not believe will change matters to any great extent. You can readily see why judges refuse to resign. When they resign they give up their power, their prominence, and importance in the district and, so to speak, become nobodies in the estimation of the public. They are not willing to do that, and they refuse to do it in almost every instance. Now, that has been our experience. When you come to Congress for relief politics often interferes and interminable delays occur; business piles up month after month and year after year, resulting in absolute denial of justice. That has been the situation.

This proposition is not to retire these judges arbitrarily. We do not ask anything of that kind. We realize that would be a violation of the Constitution. We simply say by this bill that when the Attorney General, or any one in the community where this judge lives, can satisfy the President that there is necessity for additional help, because the judge has become mentally or physically incapable of performing his duties, the President shall appoint additional help; but we provide that the old judge may remain on the bench and wear his honors until he dies. We humiliate nobody. All we are after is sufficient judges to perform the public service. That is all this section provides for; without it, justice must suffer. We ought not to deny justice; we ought not to continue a system such as the one we seek to remedy. The Attorney General has repeatedly appealed to us, time and time out of mind, for this relief. It can not be secured through Congress. It ought to be had, it seems to me, through an act such as this. [Applause.]

Mr. WALSH. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. GRAHAM].

Mr. GRAHAM of Illinois. Mr. Chairman and gentlemen of the committee, in the general debate on this subject I called attention to what my views were and suggested a query as to whether the last section of the act was constitutional, and said that if I could find authority on the matter I would later present it.

I am happy to say that there is ample authority on the question as to what constitutes an office. The query I suggested to the committee then was this, that if a man holds his tenure by the Constitution, which says he shall hold during life or good behavior, could we by legislative enactment take away from this officer the right to exercise the functions of his office? I have no doubt at all, gentlemen, from the decided cases on this matter, that we can not do so by legislative enactment. The only way I think that the judge of the United States court, appointed by virtue of the Constitution and holding his tenure of office under constitutional limitation, can be removed is by constitutional change. The definition of an office is well set out in Machem on Public Offices and Officers. And it is stated to be this:

> A public office is the right, authority, and duty, created and conferred by law, by which for a given period, either fixed by law or enduring at the pleasure of the creating power, an individual is invested with some portion of the sovereign functions of the Government, to be exercised by him for the benefit of the public. The individual so invested is a public officer.

The Supreme Court of the United States, in a leading case on the subject, marked out what the term "office" meant as stated in our Constitution. And this is the digest of it:

> An office is a public station, or employment, conferred by the appointment of the Government.

Now, this is what I want to call your attention to:

> The term embraces the ideas of tenure, duration, emolument, and duties.

That was decided by Justice Swayne in the United States against Hartwell, in Sixth Wallace, United States Reports, on page 385.

Mr. GRAHAM of Pennsylvania. Will the gentleman permit a question?

Mr. GRAHAM of Illinois. Yes; but my time is quite limited.

Mr. GRAHAM of Pennsylvania. How does the language of this bill deprive the incumbent of an office either of his term or of his official duties?

Mr. GRAHAM of Illinois. Is that the question?

Mr. GRAHAM of Pennsylvania. That is the question.

Mr. GRAHAM of Illinois. I will answer that by saying that you do by indirection what you can not do by direction, in this way: You say you will not peremptorily enforce the withdrawal of this judge or force his resignation by law, but you will do this—you will have the President appoint in his district another judge, who is his senior and who can say to him whether he shall perform the duties of his office or not. And so the senior judge who is appointed deprives the other man of his office if he desires to do so, and deprives him of all right at all to perform the duties of his office. Can you imagine a judge holding his office who has no right to perform any part of the duties of his office?

Mr. GRAHAM of Pennsylvania. Is not that true of every case in which there is a senior and a junior?

Mr. GRAHAM of Illinois. I say to you that you must govern your right to regulate whether a judge of the United States shall perform his office or not within constitutional inhibitions. You can not legislate a United States judge out of office whose term and tenure are fixed by the Constitution. You must do it by the Constitution, and here you are attempting to do something that you can not do by legislative enactment.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. GRAHAM of Illinois. Yes.

Mr. GORDON. Do not you think we can pass a law abolishing a judicial district and thereby terminating the tenure of the judge?

Mr. GRAHAM of Illinois. No.

Mr. GORDON. Congress abolished 14 Federal judges that John Adams appointed.

Mr. GRAHAM of Illinois. You can not abolish the office of judge by legislating away his district.

Mr. GORDON. I would like to see that authority.

Mr. GRAHAM of Illinois. It has been done in the case of Federal courts. You may abolish the courts, but you do not thereby abolish the judges. They still hold their offices. You can not deprive them of the right to hold their offices, and a part of the holding of such an office is the exercise of judicial duties.

Mr. IGOE. Mr. Chairman, will the gentleman yield?

Mr. GRAHAM of Illinois. Yes.

Mr. IGOE. Does the gentleman think it would be unconstitutional to appoint an additional judge in a district where there is only one judge?

Mr. GRAHAM of Illinois. Not at all. That is what you ought to do in a district where the judge is incapacitated. What you want to do here is to put into the hands of the Executive the right to put this man out of office and deprive him of the right to perform the duties of his office by indirection.

Blackstone, the great expounder of the English common law, defined an office as "a right to exercise a public or private employment and to take the fees and emoluments thereunto belonging." (2 Com., 36.) The Supreme Court of Maine, in Third Greenleaf, page 481, said that the term "office" "implies a delegation of a portion of the sovereign power to and the possession of it by the person filling the office." The Supreme Court of Illinois likewise held in Bunn against People (45 Ill., 397) that the conferring of an office involves a delegation to the individual of some of the sovereign functions of government to be exercised by him. The case I have heretofore cited, United States against Hartwell, was followed and approved in United States against Germaine, in the Ninety-ninth United States Reports, page 511, and Auffmordt against Hedden (137 U. S., 327).

It is evident, therefore, that the right to hold an office includes the right to exercise the duties of it. The legislative authority may limit the duties by restricting the size of the district or limiting the jurisdiction to a certain class of cases, but so long as the district continues you can not by legislation prevent the judge from exercising the duties of his office. And this bill does that. It says that on the making of a certain finding by the President another judge may be appointed, who shall be the senior judge, and shall prescribe what if any duties the original judge shall perform; if the senior judge wills that he do nothing, he can do nothing. He has a district and he is a judge, his tenure is fixed by the Constitution as for life or good behavior, and yet he can not perform a single function of his office except to draw his salary. What a travesty this is. By it you would emasculate the judicial office when held by a judge of over 70.

In Thomas against Owens (4 Md., 189), it was said that where the constitution has prescribed the qualifications, the possession of which shall entitle an individual to hold office under the State, it is not within the power of the legislature to change or add to them unless such power be given to the legislature either in express terms or by necessary implication. It was also held in a well-considered case in Ohio—State against Brewster (44 Ohio St., 589), that where the term of the officer is fixed by the constitution the legislature can neither extend nor abridge it. In Commonwealth against Gamble (62 Pa. St., 343), it was said that where the tenure and term of office are fixed by the Constitution, such provisions as the Constitution make are beyond the power of the legislature to alter or destroy.

There can be no doubt about this. If a district or circuit judge is guilty of misbehavior he can be impeached, otherwise he holds his office with the right to enjoy it for life. If a change in this system is desirable then the change must be a constitutional one.

And beyond the constitutional question is the equally important one presented by this bill: Is it good public policy to give to the Chief Executive the right to pass upon the capacity and usefulness of a Federal judge after he arrives at the age of 70 years? By an ex parte proceeding the President may, if this bill becomes the law, find any judge who has been on the bench 10 years and is over 70 incapable. The judge can not be heard at this proceeding—he has no right of appeal. The finding may be political, it may even be malicious, but there is no recourse. Over the head of every Federal judge who comes within the purview of this bill there will hang the constant sword of an Executive order condemning him as a man further unfit for respectable service to the country. He lives and serves with the constant knowledge that his tenure of office is at the behest and by the grace of the Executive, and that by the stroke of his pen a political Executive may shatter his usefulness and send him dishonored to seclusion and disgrace. Should such a power be given to the executive branch of our Government to thus control indirectly the courts of the country, and, by its misuse, to perhaps influence the decisions of our courts of justice? I can not believe it. It is not enough to say that such abuses would not occur. They might occur and that is sufficient reason why this provision of this bill should not be the law.

I am entirely willing to vote for a reasonable increase in the salaries of the judges of our Federal courts; I would vote for the provision increasing their salaries to $7,500 a year. But if, in order to do so, I must vote for this last provision of the bill giving the Executive power over our judges I shall not vote for the bill at all. I can not bring my mind to consent to a provision that is so altogether vicious and dangerous.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. GRAHAM of Illinois. Mr. Chairman, I ask unanimous consent to extend my remarks.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks. Is there objection?

There was no objection.

Mr. WEBB. Mr. Chairman, we have one more speaker on this side.

Mr. WALSH. I yield four minutes to the gentleman from Illinois [Mr. DENISON].

Mr. WEBB. No; there will be two short ones on this side.

The CHAIRMAN. The gentleman from Illinois is recognized for four minutes.

Mr. DENISON. Mr. Chairman and gentlemen of the committee, I have serious doubt of the constitutionality of this provision, but aside from the constitutionality of it I have very grave fears in regard to the construction that may be placed upon the language used in the section.

This section provides that the President, if he finds that any judge is unable to discharge efficiently any of the duties of his office by reason of his mental or physical disabilities, may when necessary appoint another judge, by and with the advice and consent of the Senate. I fear that the Senate will place this construction upon that, that the question of finding the physical or mental disability of the judge is one exclusively for the President, and that the Senate, in considering the confirmation of the newly appointed judge, must be confined to the sole question of his qualifications for the office.

Now, if the Senate places that construction upon this language of the bill, then the Senate will only enter into the question of the qualifications of the new judge appointed, leaving the question of finding as to the mental or physical disability of the acting judge exclusively to the President. I think the language in the bill clearly implies that that will be done.

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman yield?

Mr. DENISON. Yes.

Mr. GRAHAM of Illinois. As I understand it, these hearings as to the disability of the judge will be ex parte, from which the judge has no right of appeal to any tribunal?

Mr. DENISON. Certainly. I think that under this bill it will be exclusively the privilege of the President to make the finding as to the disability of the acting judge. He can do it in any way he wants to; and when he makes a finding satisfactory to himself he will simply send in the nomination of another judge for that district and the Senate will simply have the right to consider the qualifications of the new judge and not the disqualifications of the old judge. The bill in its present form gives no one the right to review or question the finding of the President. If that should be the construction of the provision by the Senate—and I think it will be—then you can see the danger that lies in this provision of the bill.

In the next place, gentlemen, if the Senate should not give it that construction, and if the Senate should hold that they would have the right in considering the new appointment to consider the disqualifications of the old judge, then whenever the Senate would enter into that inquiry and find differently from the President, finding, for instance, that the old judge was not disqualified, the appointment of the new judge would not be confirmed. Now, I ask the gentleman from Pennsylvania if that would not be a grave injustice to the new judge, because he would then stand before the courts and the bar and before the whole country as discredited, as unconfirmed by the Senate after the President had nominated him for the office?

Mr. GRAHAM of Pennsylvania. Replying to your question, is it not a fact that whether or not the appointment is appropriately made is one for review by the Senate? For instance, if the President appointed a man judge of a district where there was no vacancy would not the Senate have the right to consider that and say there is no vacancy and refuse to confirm, and if he made the appointment in a place where the judge was not incompetent would not the Senate have the right to say that the judge is not incompetent?

Mr. DENISON. I think not, under the language used in the bill. The gentleman knows, as we all know, that when the President appoints a judge and the Senate refuses to confirm him it is because of some disqualification of the man appointed. If the gentleman from Pennsylvania should be appointed by the President to a judicial position where the President had concluded that an acting judge was disqualified, and the Senate should refuse to confirm the gentleman from Pennsylvania, I say it would be a grave reflection on the gentleman from Pennsylvania, and a great injustice to him, and it would be so considered all over the country. I think that is very undesirable. On the other hand, when the Senate should find that the acting

judge is disqualified, does anyone think that that judge could continue to perform his duties? There would be an adjudication that he is mentally unfit or physically unfit, and he would have had no chance whatever for a hearing. I say that would be a great injustice to the acting judge. So whatever view the Senate might take of its duty under this law, there is bound to be a great injustice to one or the other, or both. [Applause.]

The fact is, if this bill becomes a law, every Federal judge who has served 10 years and has reached the age of 70 years will feel that his mental and physical condition is under the scrutiny of the President. He will know that there are many able men about him wanting his place. He will be bound to feel under constraint, or intimidation, or under a fear that without his knowledge he may be found by the President to be disqualified in some way and another judge appointed. The natural result would be to coerce or constrain the judge to retire. Such a law will strike at the independence of the judiciary and have the effect of doing indirectly what we can not do directly, and for these reasons I think this section of the bill should be stricken out.

Mr. WALSH. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has three minutes remaining.

Mr. WEBB. And I have eight minutes?

The CHAIRMAN. The gentleman from North Carolina has eight minutes.

Mr. WEBB. I yield four minutes to the gentleman from Ohio [Mr. GARD].

Mr. GARD. Mr. Chairman, there are three things guaranteed in the Constitution to one who holds a judicial position, and not one of the three is infringed by the language that the gentleman seeks to strike out. The things that the Constitution holds firmly for are the term, the duties of the office, and the salary.

There are, fortunately, only a few isolated cases where one who has occupied a position on the Federal bench does not realize his own limitations. He does not realize that with the encroachment of years or from disease he has become inefficient and incapacitated to perform the duties for which he was appointed. I am of those who believe that a man on the bench, or whatever capacity in public life, ought to be prepared at all times to do the work, and ought to be efficient and have capacity to do the work. But when a man on the Federal bench has no longer capacity, either by physical or mental impairment, there should be somebody on the bench to do the work, because the position of judge is not a sinecure created for the individual; it is a position for the adjudication of differences between the people in his district. It is necessary to have some one capable of adjusting the differences and act on the points of law brought out before him. Therefore the section provides that if one is permanently incapacitated by physical or mental disability, then the President of the United States first must affirmatively find that, and, second, he may appoint a temporary judge, because that is all it is, to do the work. This is simply to give assistance to disabled judges, which I believe is entirely within the purview of the Constitution, because there is no impairment of a single right of this incapacitated judge. He may still resign, he may still retire, and he has all the rights he can have except the right of a physically and mentally impaired man to pass on the public business brought in the court. Therefore I view it entirely within the Constitution and to be within the public policy which keeps these men in the judicial position of the highest standard of service. [Applause.]

Mr. WALSH. Mr. Chairman, I yield the balance of my time to the gentleman from New York [Mr. MAGEE].

Mr. MAGEE. Mr. Chairman, while I am in favor of increasing the salary of Federal judges and shall vote for the bill in any event, yet I hope that the amendment offered by the gentleman from Massachusetts will prevail. As I understand, it strikes out the second and third paragraphs of section 3, which provides that if any judge is unable to discharge efficiently all the duties of his office by reason of mental or physical disability of a permanent character the Executive may appoint an additional judge.

That is a tremendous power to be conferred on the Executive. It rests with him to determine as a question of fact whether the existing judge is mentally or physically disabled. Assume that the President should determine that a judge was suffering from mental disability, I do not know exactly what that phrase means, but I assume mental aberration. If that fact should be found, it seems to me it follows that such a judge would not be in a mental condition to try cases. I would not want to try a case before a judge suffering from mental disability or have a judge suffering from mental disability decide a case for my client. Further down in the paragraph it provides:

> And the judge so entitled to resign or retire shall be held and treated as if junior in commission to the remaining judges of said court, who shall, in the order of the seniority of their respective commissions, exercise such powers and perform such duties as by law may be incident to seniority.

Now, it is apparent that if a judge is suffering from mental disability the only remedy which you can apply to him is to retire him and put a sane judge in his place. In addition to that, this paragraph, in my judgement, is a partisan paragraph. It might have some weight in causing a Federal judge to be subservient to the Executive, to have some fear that the Executive might displace him. I say that is an autocratic power that we ought not to confer upon anybody.

Mr. WEBB. Will the gentleman permit a question?

The CHAIRMAN. The time of the gentleman has expired.

Mr. WEBB. Mr. Chairman, I believe I have four minutes. I want to ask my friend, How are you going to retire one of those mentally disqualified judges? We are supposing a case where he will not retire, and he can not work, and you will not let us put in a judge to help him.

Mr. MAGEE. I will answer the gentleman's question if I may be permitted to do so. It was stated here on the floor yesterday, especially by the distinguished gentleman from Illinois, that time and again an act has been passed relieving such a condition where it existed.

Mr. WEBB. That is, at the request of the judge. I helped to do that in the case of Judge Moody.

Mr. MAGEE. If such a condition arises, the House can remedy it; but I say we should not put it in the power of anybody to humiliate a Federal judge.

Mr. WEBB. Mr. Chairman, I do not suppose there is anybody in this House who is any more careful of the dignity and rights of the judges than I am. I know we all feel that way, and I do not know of any Member of the House who is any more careful about the dignity and the prerogatives of the judges than are the judges themselves, and this provision of this bill is indorsed by the Federal judges of the United States because the great majority of them know that there are a few instances of two classes. One is where men have been on the bench until they are so old that they can not do the work. I had a case brought to my attention the other day. A lawyer presented to a judge a draft of an order and the judge said the lawyer would have to fix it up in another way. The lawyer acted on the suggestion of the judge and framed the order as the judge had suggested. Then he took it back to the judge and the old man did not remember anything about the order at all. Now you can not impeach a man of that kind. He has not committed any crime. There are two classes of cases. One of them is that of an honest old judge who wants to stay in office and fight it out. In nine cases out of ten he will request the President to appoint a relief judge. The other case is that of old, effete, worn-out men who do not know just exactly what they are doing. You hate to impeach them, they will not retire, and they can not work.

Mr. HUSTED. Will the gentleman yield for a brief question?

Mr. WEBB. I have only two minutes left. If I have the time, I will be glad to yield to my friend. I say that the judges themselves think this is a wise provision, because they indorse it. I do not suppose there is any man in America of higher judicial character and honor than Charles E. Hughes, and he wrote a letter saying this is a wise provision.

Gentlemen think somebody is going to commit a crime, that somebody is going to reflect on the integrity of a judge or going to take his office away from him. I challenge anybody to show where this provision takes any power away from a judge. It just simply gives the new and younger man, whether appointed by a Republican or a Democratic President, the power to get to the front and do the hardest work. The old judge remains in office until he wants to retire or until he dies. There is no taking away of his rights, there is no reflection on him. Ordinarily, I expect the new judge will be appointed at the request of the old judge, who will say, "I can not do the work, and I will be glad to have the help of a younger man until I die or retire." I had a judge who was 74 years old tell me, "I want to die in harness, but I can not do the heavy work of this district. I should like to have an additional judge." And I imagine that judge would write to the President and ask him to give him an additional judge to help him out. I hope this paragraph will not be stricken from the bill.

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The question is on the amendment of the gentleman from Massachusetts [Mr. WALSH].

The question being taken, Mr. WALSH demanded a division.

The committee divided, and there were—ayes 57, noes 98.

So the amendment was rejected.

Mr. MANN. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 6, line 6, after the word "death," strike out the word "or" and insert, after the word "resignation," the words "or retirement"; and make the same amendment in line 9; and strike out after the word "filled" in line 10 the balance of the section.

Mr. WEBB. Mr. Chairman, I think that amendment is all right, and I thank the gentleman for suggesting it. It makes the meaning of the section clearer.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk concluded the reading of the bill.

Mr. WEBB. Mr. Chairman, I move that the committee do now rise and report the bill with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the Chair, Mr. BORLAND, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12001 and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? If not the Chair will put them en grosse. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

Mr. WALSH rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. WALSH. To offer a motion to recommit.

The SPEAKER. The gentleman will send it to the Clerk's desk.

The Clerk read as follows:

Mr. WALSH moves to recommit the bill to the Committee on the Judiciary with instructions to report the same forthwith, with an amendment striking out all of the matter embraced between line 10, on page 5, and line 5, on page 6, inclusive.

Mr. WALSH. Mr. Speaker, this motion to recommit includes the amendment which was offered in the Committee of the Whole——

Mr. WEBB. Mr. Speaker, is this matter debatable?

Mr. WALSH. It is, if I am recognized.

Mr. WEBB. I move the previous question.

Mr. WALSH. I have the floor, Mr. Speaker.

The SPEAKER. The gentleman from Massachusetts has the floor.

Mr. WALSH. It simply provides for striking out of the bill that section which gives the President opportunity upon a finding of facts——

Mr. CRISP. Mr. Speaker, I rise to a point of order. My understanding is that the rule providing for the consideration of this bill provides that the previous question shall be ordered. If the previous question was ordered, then I submit under the rules of the House a motion to recommit is not debatable.

The SPEAKER. The previous question having been ordered under the rule, the debate is not in order.

Mr. WALSH. Mr. Speaker, the previous question was ordered on the bill, but not on the motion to recommit. There is nothing in the rule which provides that the previous question shall be ordered on the motion to recommit, but I submit to the point of order.

The SPEAKER. The rule provides that the previous question shall be ordered on the bill and all amendments thereto. The question is on the motion to recommit.

The question was taken.

Mr. WALSH. Mr. Speaker, I demand a division.

The House proceeded to divide.

Mr. WALSH. Mr. Speaker, I shall ask for the yeas and nays.

Mr. STAFFORD. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Wisconsin makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and seventy-eight Members present, not a quorum. The Doorkeeper will lock the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. The question is on the motion to recommit.

The question was taken; and there were—yeas 113, nays 168, answered "present" 3, not voting 149, as follows:

YEAS—113.

Anderson	Gallagher	Longworth	Sanders, N. Y.
Aswell	Gallivan	Lufkin	Schall
Austin	Gillett	Lundeen	Scott, Iowa
Birch	Glynn	McCulloch	Sells
Black	Graham, Ill.	McFadden	Sinnott
Bland, Ind.	Green, Iowa	McKinley	Slemp
Bowers	Greene, Mass.	McLaughlin, Mich.	Sloan
Britten	Greene, Vt.	Madden	Snell
Burroughs	Griffin	Magee	Stafford
Cannon	Hadley	Mann	Stephens, Miss.
Cary	Hamilton, Mich.	Miller, Wash.	Sweet
Chandler, Okla.	Haugen	Mondell	Switzer
Classon	Hawley	Moores, Ind.	Temple
Cramton	Hersey	Mott	Tilson
Dallinger	Hicks	Nelson, A. P.	Timberlake
Davis	Husted	Norton	Tinkham
Dempsey	Ireland	Osborne	Towner
Denison	James	Paige	Treadway
Dill	Johnson, Wash.	Parker, N. Y.	Vestal
Dillon	Jones	Platt	Voigt
Dominick	Juul	Pratt	Walsh
Dowell	Kearns	Purnell	Ward
Dunn	Kennedy, Iowa	Ramseyer	Wason
Elliott	King	Rankin	Wheeler
Ellsworth	Kinkaid	Rayburn	Wilson, Ill.
Esch	Kraus	Reavis	Woods, Iowa
Fairchild, B. L.	Lampert	Rogers	
Fairfield	Langley	Rowe	
Focht	Little	Sanders, Ind.	

NAYS—168.

Alexander	Dixon	Kincheloe	Sanford
Almon	Donovan	Kitchin	Saunders, Va.
Ayres	Dooling	Lazaro	Scott, Mich.
Baer	Doolittle	Lea, Cal.	Scott, Pa.
Bankhead	Doremus	Lee, Ga.	Scully
Barkley	Doughton	Lehlbach	Shallenberger
Barnhart	Dyer	Lesher	Sherley
Beakes	Eagan	Lever	Sherwood
Benson	Eagle	Lobeck	Siegel
Beshlin	Edmonds	Lonergan	Sisson
Bland, Va.	Elston	McKeown	Slayden
Borland	Farr	McLaughlin, Pa.	Small
Brodbeck	Fisher	Maher	Smith, Mich.
Browne	Flood	Mansfield	Smith, T. F.
Browning	Foss	Mapes	Snook
Brumbaugh	Foster	Martin	Snyder
Burnett	Francis	Merritt	Steagall
Butler	Gard	Montague	Steele
Byrnes, S. C.	Garner	Morgan	Stevenson
Caldwell	Garrett, Tex.	Neely	Summers
Campbell, Pa.	Goodwin, Ark.	Nichols, Mich.	Tague
Candler, Miss.	Gordon	Oldfield	Taylor, Ark.
Caraway	Graham, Pa.	Oliver, Ala.	Taylor, Colo.
Carew	Gray, Ala.	Oliver, N. Y.	Tillman
Chandler, N. Y.	Hamill	Olney	Venable
Clark, Pa.	Haskell	Overstreet	Vinson
Cleary	Hastings	Peters	Volstead
Coady	Heaton	Phelan	Walton
Collier	Heflin	Quin	Watkins
Connally, Tex.	Helvering	Ragsdale	Watson, Pa.
Cooper, W. Va.	Hilliard	Rainey, H. T.	Watson, Va.
Cooper, Wis.	Hollingsworth	Rainey, J. W.	Webb
Copley	Howard	Raker	Welling
Crago	Huddleston	Ramsey	Welty
Crisp	Humphreys	Randall	Whaley
Crosser	Hutchinson	Riordan	Wilson, La.
Currie, Mich.	Igoe	Robbins	Wingo
Curry, Cal.	Johnson, Ky.	Romjue	Winslow
Darrow	Kahn	Rose	Wise
Davey	Kehoe	Rouse	Wright
Delaney	Kennedy, R. I.	Rubey	Young, N. Dak.
Dickinson	Kettner	Sabath	Young, Tex.

ANSWERED "PRESENT"—3.

Byrns, Tenn.	Moon	Wood, Ind.

NOT VOTING—149.

Anthony	Essen	Heintz	Miller, Minn.
Ashbrook	Estopinal	Helm	Moore, Pa.
Bacharach	Evans	Hensley	Morin
Bell	Fairchild, G. W.	Holland	Mudd
Blackmon	Ferris	Hood	Nelson, J. M.
Blanton	Fess	Houston	Nicholls, S. C.
Booher	Fields	Hull, Iowa	Nolan
Brand	Flynn	Hull, Tenn.	O'Shaunessy
Buchanan	Fordney	Jacoway	Overmyer
Campbell, Kans.	Frear	Johnson, S. Dak.	Padgett
Cantrill	Freeman	Keating	Park
Carlin	French	Kelley, Mich.	Parker, N. J.
Carter, Mass.	Fuller, Ill.	Kelly, Pa.	Polk
Carter, Okla.	Fuller, Mass.	Key, Ohio	Porter
Church	Gandy	Kiess, Pa.	Pou
Clark, Fla.	Garland	Knutson	Powers
Claypool	Garrett, Tenn.	Kreider	Price
Connolly, Kans.	Glass	La Follette	Reed
Cooper, Ohio	Godwin, N. C.	LaGuardia	Roberts
Costello	Good	Larsen	Robinson
Cox	Goodall	Linthicum	Rodenberg
Dale, N. Y.	Gould	Littlepage	Rowland
Dale, Vt.	Gray, N. J.	London	Rucker
Decker	Gregg	Lunn	Russell
Dent	Griest	McAndrews	Sanders, La.
Denton	Hamilton, N. Y.	McArthur	Sears
Dewalt	Hamlin	McClintic	Shackleford
Dies	Hardy	McCormick	Shouse
Drane	Harrison, Miss.	McKenzie	Sims
Drukker	Harrison, Va.	McLemore	Smith, Idaho
Dupré	Hayden	Mason	Smith, C. B.
Emerson	Hayes	Mays	Stedman

Steenerson	Swift	Waldow	Wilson, Tex.
Stephens, Nebr.	Templeton	Walker	Woodyard
Sterling	Thomas	Weaver	Zihlman
Stiness	Thompson	White, Me.	
Strong	Van Dyke	White, Ohio	
Sullivan	Vare	Williams	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. BYRNS of Tennessee with Mr. GOOD.

Mr. McLEMORE with Mr. RODENBERG.

Mr. THOMAS with Mr. SWIFT.

Mr. BOOHER with Mr. BACHARACH.

Mr. McCLINTIC with Mr. GARLAND.

Mr. LITTLEPAGE with Mr. HAMILTON of New York.

Mr. SANDERS of Louisiana with Mr. GRAY of New Jersey.

Mr. BLANTON with Mr. WOODYARD.

Mr. POLK with Mr. McARTHUR.

Mr. HELM with Mr. KIESS of Pennsylvania.

Mr. McANDREWS with Mr. WOOD of Indiana.

Mr. JACOWAY with Mr. EMERSON.

Mr. HULL of Tennessee with Mr. STRONG.

Mr. FERRIS with Mr. FESS.

Mr. PRICE with Mr. GRIEST.

Mr. DUPRÉ with Mr. DALE of Vermont.

Mr. BLACKMON with Mr. STINESS.

Mr. SULLIVAN with Mr. MILLER of Minnesota.

Mr. SIMS with Mr. MUDD.

Mr. CARTER of Oklahoma with Mr. COOPER of Ohio.

Mr. LINTHICUM with Mr. HAYES.

Mr. BELL with Mr. GOULD.

Mr. CLARK of Florida with Mr. COSTELLO.

Mr. DENT with Mr. DRUKKER.

Mr. DALE of New York with Mr. REED.

Mr. LUNN with Mr. STEENERSON.

On this vote:

Mr. ASHBROOK (for) with Mr. DEWALT (against).

Mr. WOOD of Indiana. Mr. Speaker, I voted "yea," but I see that I am paired with the gentleman from Illinois [Mr. McANDREWS], and I withdraw my vote of "yea" and answer "present."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

The question is on the passage of the bill.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. RUBEY. Division, Mr. Speaker.

Mr. HENRY T. RAINEY. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Missouri [Mr. RUBEY] demands a division, and the gentleman from Illinois [Mr. HENRY T. RAINEY] demands the yeas and nays. The question is on ordering the yeas and nays. All in favor of ordering the yeas and nays will rise and stand until counted. [After counting.] Forty-eight gentlemen have risen, not a sufficient number.

Mr. RUBEY. Mr. Speaker, I make the point of no quorum.

Mr. BUTLER. Mr. Speaker, I make the point of order that the roll call shows that there is a quorum present.

The SPEAKER. We just this minute took a roll call, and a quorum was shown to be present.

Mr. HENRY T. RAINEY. Mr. Speaker, I demand the other side.

The other side was taken, and 172 Members rose.

The SPEAKER. Forty-eight is a sufficient number, and the Clerk will call the roll on the passage of the bill.

The question was taken, and there were—yeas 193, nays 79, answered "present" 3, not voting 158, as follows:

YEAS—193.

Anderson	Chandler, N. Y.	Doughton	Hadley
Austin	Chandler, Okla.	Dunn	Hamill
Baer	Clark, Pa.	Dyer	Hamilton, Mich.
Beakes	Classon	Eagan	Haskell
Benson	Cleary	Elston	Hastings
Beshlin	Coady	Esch	Haugen
Birch	Cooper, W. Va.	Essen	Hawley
Bland, Va.	Copley	Fairchild, B. L.	Heaton
Borland	Crago	Farr	Heflin
Bowers	Crisp	Fisher	Hicks
Britten	Crosser	Flood	Hilliard
Brodbeck	Currie, Mich.	Foss	Hollingsworth
Browning	Curry, Cal.	Francis	Howard
Brumbaugh	Dallinger	Gallagher	Huddleston
Burnett	Darrow	Gard	Humphreys
Burroughs	Delaney	Gillett	Husted
Butler	Dempsey	Glass	Hutchinson
Byrnes, S. C.	Dill	Glynn	Igoe
Caldwell	Dillon	Graham, Pa.	Johnson, Ky.
Campbell, Pa.	Donovan	Gray, Ala.	Johnson, Wash.
Carew	Dooling	Greene, Vt.	Juul
Cary	Doremus	Griffin	Kahn

Kearns	Montague	Robbins	Stevenson
Kehoe	Moores, Ind.	Rogers	Summers
Kennedy, R. I.	Morgan	Rose	Sweet
Kettner	Mott	Rouse	Tague
Kinkaid	Neely	Rowe	Taylor, Colo.
Langley	Nelson, A. P.	Sabath	Temple
Lazaro	Nichols, Mich.	Sanders, Ind.	Tilson
Lea, Cal.	Norton	Sanders, N. Y.	Timberlake
Lee, Ga.	Oliver, N. Y.	Sanford	Tinkham
Lehlbach	Olney	Schall	Treadway
Lesher	Osborne	Scott, Mich.	Venable
Lever	Overstreet	Scott, Pa.	Vestal
Little	Paige	Scully	Vinson
Lobeck	Parker, N. Y.	Sherley	Volstead
Lonergan	Peters	Siegel	Ward
Lufkin	Phelan	Sinnott	Wason
Lundeen	Platt	Slayden	Watson, Pa.
McFadden	Powers	Slemp	Watson, Va.
McKeown	Pratt	Sloan	Weaver
McLaughlin, Mich.	Ragsdale	Small	Webb
McLaughlin, Pa.	Rainey, J. W.	Smith, Mich.	Wilson, Ill.
Magee	Raker	Smith, T. F.	Winslow
Maher	Ramsey	Snell	Wright
Mann	Randall	Snook	Young, N. Dak.
Mapes	Rankin	Snyder	
Merritt	Reavis	Stafford	
Miller, Wash.	Riordan	Steele	

NAYS—79.

Alexander	Dowell	Kraus	Shallenberger
Almon	Eagle	Lampert	Sisson
Aswell	Elliott	McCulloch	Stengall
Ayres	Ellsworth	McKinley	Stephens, Miss.
Barkley	Fairfield	Madden	Switzer
Barnhart	Foster	Mansfield	Taylor, Ark.
Black	Gallivan	Martin	Tillman
Bland, Ind.	Garrett, Tex.	Moon	Towner
Candler, Miss.	Goodwin, Ark.	Oldfield	Voigt
Cannon	Graham, Ill.	Oliver, Ala.	Walsh
Caraway	Greene, Mass.	Purnell	Watkins
Collier	Helvering	Quin	Welling
Connally, Tex.	Hersey	Rainey, H. T.	Welty
Cooper, Wis.	Ireland	Ramseyer	Wheeler
Cramton	James	Rayburn	Wilson, La.
Davey	Jones	Romjue	Wingo
Denison	Kennedy, Iowa	Rubey	Wise
Dickinson	Kincheloe	Saunders, Va.	Woods, Iowa
Dixon	King	Scott, Iowa	Young, Tex.
Doolittle	Kitchin	Sells	

ANSWERED "PRESENT"—3.

Byrns, Tenn.	Dominick	Garner

NOT VOTING—158.

Anthony	Fess	Kelley, Mich.	Roberts
Ashbrook	Fields	Kelly, Pa.	Robinson
Bacharach	Flynn	Key, Ohio	Rodenberg
Bankhead	Focht	Kiess, Pa.	Rowland
Bell	Fordney	Knutson	Rucker
Blackmon	Frear	Kreider	Russell
Blanton	Freeman	La Follette	Sanders, La.
Booher	French	LaGuardia	Sears
Brand	Fuller, Ill.	Larsen	Shackleford
Browne	Fuller, Mass.	Linthicum	Sherwood
Buchanan	Gandy	Littlepage	Shouse
Campbell, Kans.	Garland	London	Sims
Cantrill	Garrett, Tenn.	Longworth	Smith, Idaho
Carlin	Godwin, N. C.	Lunn	Smith, C. B.
Carter, Mass.	Good	McAndrews	Stedman
Carter, Okla.	Goodall	McArthur	Steenerson
Church	Gordon	McClintic	Stephens, Nebr.
Clark, Fla.	Gould	McCormick	Sterling
Claypool	Gray, N. J.	McKenzie	Stiness
Connelly, Kans.	Green, Iowa	McLemore	Strong
Cooper, Ohio	Gregg	Mason	Sullivan
Costello	Griest	Mays	Swift
Cox	Hamilton, N. Y.	Miller, Minn.	Templeton
Dale, N. Y.	Hamlin	Mondell	Thomas
Dale, Vt.	Hardy	Moore, Pa.	Thompson
Davis	Harrison, Miss.	Morin	Van Dyke
Decker	Harrison, Va.	Mudd	Vare
Dent	Hayden	Nelson, J. M.	Waldow
Denton	Hayes	Nicholls, S. C.	Walker
Dewalt	Heintz	Nolan	Walton
Dies	Helm	O'Shaunessy	Whaley
Drane	Hensley	Overmyer	White, Me.
Drukker	Holland	Padgett	White, Ohio
Dupré	Hood	Park	Williams
Edmonds	Houston	Parker, N. J.	Wilson, Tex.
Emerson	Hull, Iowa	Polk	Wood, Ind.
Estopinal	Hull, Tenn.	Porter	Woodyard
Evans	Jacoway	Pou	Zihlman
Fairchild, G. W.	Johnson, S. Dak.	Price	
Ferris	Keating	Reed	

So the bill was passed.

The Clerk announced the following additional pairs:

On the vote:

Mr. BYRNS of Tennessee (against) with Mr. GOOD (for).

Mr. DEWALT (for) with Mr. ASHBROOK (against).

Mr. LAGUARDIA (for) with Mr. CONNELLY of Kansas (against).

Mr. MILLER of Minnesota (for) with Mr. SHOUSE (against).

Mr. WHALEY (for) with Mr. DOMINICK (against).

Until further notice:

Mr. GARNER with Mr. LONGWORTH.

Mr. WALTON with Mr. WILLIAMS.

Mr. BYRNS of Tennessee. Mr. Speaker, I voted "nay." I have a pair with Mr. GOOD, who was called away to-day on account of important business. I therefore wish to withdraw my vote of "nay" and vote "present."

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. BYRNS of Tennessee, and he answered "Present."

Mr. BROWNING. Mr. Speaker, my colleague, Mr. BACHARACH, has been called to his home on account of illness in his family. He requested me to say that if he were present he would vote "yea."

Mr. BENJAMIN L. FAIRCHILD. Mr. Speaker, my colleague, Mr. HAMILTON of New York, was very anxious to vote on this bill, but he was unable to be present, and he wishes me to announce that if he were present he would vote "yea."

Mr. GORDON. Mr. Speaker, am I entitled to vote on this bill?

The SPEAKER. No; not unless you were present and listening when your name was called.

The result of the vote was announced as above recorded.

On motion of Mr. WEBB, a motion to reconsider the vote whereby the bill was passed was laid on the table.

LEAVE OF ABSENCE.

Mr. JOHN W. RAINEY, by unanimous consent, was granted leave of absence indefinitely on account of illness.

CHANGE OF REFERENCE.

The SPEAKER. By inadvertence House bill 13355, for the relief of the St. Croix Chippewa Indians in Wisconsin, was referred to the Committee on Appropriations, when it ought to have been referred to the Committee on Indian Affairs. Without objection, it will be rereferred to the Committee on Indian Affairs.

There was no objection.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 42 minutes p. m.) the House adjourned until to-morrow, Saturday, December 14, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Navy, transmitting a tentative draft of a bill to give precedence to permanent officers in the higher grades of the Navy (H. Doc. No. 1585); to the Committee on Naval Affairs and ordered to be printed.

2. A letter from the chairman of the Federal Trade Commission, transmitting annual report of the Federal Trade Commission for the fiscal year ended June 30, 1918 (H. Doc. No. 1428); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

3. A letter from the Public Printer, transmitting statement relative to purchases, exchanges, and repairs of typewriter machines in the Government Printing Office covering the period from July 1, 1917, to June 30, 1918 (H. Doc. No. 1586); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. SIMS, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 12800) to authorize the Kingsdale Lumber Corporation to construct a bridge across Lumber River, near the town of Lumberton, N. C., reported the same with amendment, accompanied by a report (No. 861), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. GOODWIN of Arkansas, from the Committee on Claims, to which was referred the bill (H. R. 1650) for the relief of W. T. Dingler, reported the same without amendment, accompanied by a report (No. 800), which said bill and report were referred to the Private Calendar.

Mr. WATKINS, from the Committee on War Claims, to which was referred the bill (S. 463) for the relief of the heirs of Joshua Nicholls, reported the same with amendment, accompanied by a report (No. 862), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 9869) granting a pension to Carrie C. Fry; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 13076) granting a pension to Presley F. Black; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 13355) for the relief of the St. Croix Chippewa Indians of Wisconsin; Committee on Appropriations discharged, and referred to the Committee on Indian Affairs.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. OLDFIELD: A bill (H. R. 13365) to prohibit gambling in cotton futures and other cotton products; to the Committee on Agriculture.

By Mr. DENT: A bill (H. R. 13366) permitting any person who has served in the Army in the present war to retain his uniform and personal equipment, and to wear the same under certain conditions; to the Committee on Military Affairs.

By Mr. BROWNE: A bill (H. R. 13367) to amend an act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916; to the Committee on Roads.

By Mr. STEENERSON: A bill (H. R. 13368) to permit certain officers and enlisted men to retain parts of their equipment and their uniforms and to wear the uniform upon occasions of ceremony; to the Committee on Military Affairs.

By Mr. GILLETT: A bill (H. R. 13369) granting the consent of Congress to the board of county commissioners of the county of Hampden, in the Commonwealth of Massachusetts, to construct a bridge across the Connecticut River between Springfield and West Springfield, in said county and Commonwealth; to the Committee on Interstate and Foreign Commerce.

By Mr. MONTAGUE: A bill (H. R. 13370) for the extension and completion of the United States Capitol; to the Committee on Appropriations.

By Mr. WATKINS: A bill (H. R. 13371) to provide for a site and public building at Mansfield, La.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 13372) to appropriate $100,000 for the improvement of navigation on Red River, in Louisiana and Arkansas; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 13373) to appropriate $30,000 to remove logs from Sabine River, and condemn and expropriate them; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 13374) to establish and maintain a fish-hatching and fish-cultural station in the State of Louisiana; to the Committee on the Merchant Marine and Fisheries.

By Mr. RANDALL: A bill (H. R. 13375) to make section 5 of the post-office appropriation act for the fiscal year ending June 30, 1918, as amended by section 1110, war-revenue act of October 3, 1917, applicable to the District of Columbia; to the Committee on the Post Office and Post Roads.

By Mr. MOON: Joint resolution (H. J. Res. 368) extending the period of Government control and possession of the telegraph and telephone systems of the United States, and authorizing the Postmaster General to fix the appraised value of the telegraph and telephone systems; to the Committee on the Post Office and Post Roads.

By Mr. HAMILL: Joint resolution (H. J. Res. 369) requesting the commissioners plenipotentiary of the United States of America to the international peace conference to present to the said conference the right of all the Ukrainian territories to freedom, independence, and self-determination; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DYER: A bill (H. R. 13376) for the relief of William Elder; to the Committee on Claims.

By Mr. ELLIOTT: A bill (H. R. 13377) granting an increase of pension to Benjamin T. Pool; to the Committee on Invalid Pensions.

By Mr. FOSTER: A bill (H. R. 13378) granting an increase of pension to Benjamin V. Carey; to the Committee on Invalid Pensions.

By Mr. HASKELL: A bill (H. R. 13379) to amend the military record of Richard Parke; to the Committee on Military Affairs.

By Mr. HAWLEY: A bill (H. R. 13380) granting a pension to William M. Metzger; to the Committee on Pensions.

By Mr. HICKS: A bill (H. R. 13381) granting an increase of pension to John H. Terry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13382) for the relief of Theodore Bloom; to the Committee on Claims.

Also, a bill (H. R. 13383) granting a pension to Marie Merz; to the Committee on Pensions.

By Mr. LESHER: A bill (H. R. 13384) granting a pension to Mary A. Adams; to the Committee on Invalid Pensions.

By Mr. PRATT: A bill (H. R. 13385) granting a pension to Ellen W. Carpenter; to the Committee on Invalid Pensions.

By Mr. PURNELL: A bill (H. R. 13386) granting an increase of pension to John P. Bradfield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13387) granting an increase of pension to Robert A. Hays; to the Committee on Invalid Pensions.

By Mr. RUBEY: A bill (H. R. 13388) granting a pension to Josephine A. Davison; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 13389) granting a pension to Myra E. Stephen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13390) granting an increase of pension to Charles C. Mauch; to the Committee on Pensions.

By Mr. WELTY: A bill (H. R. 13391) granting an increase of pension to Henry H. Shell; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BROWNING: Resolutions of Pomona Grange No. 8, Patrons of Husbandry, Gloucester County, N. J., opposing increase of postal rates on periodicals; to the Committee on the Post Office and Post Roads.

By Mr. DALE of New York: Resolution of automobile industry asking Congress to increase appropriations to aid extension of export trade; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: Resolution of the Optimist Club of Milwaukee urging Representatives in Congress to give hearty support to the flag bill; to the Committee on the Judiciary.

By Mr. FULLER of Illinois: Petition of Carson, Pirie, Scott & Co.; W. M. Hoyt Co.; Western Felt Works; and Simonds Manufacturing Co., all of Chicago, urging passage of the revenue bill before December 31, 1918; to the Committee on Ways and Means.

Also, memorial of Military Order of Legion of the United States, Commandery of the State of Illinois, for the enactment of volunteer officers' retirement bill, S. 130; to the Committee on Military Affairs.

By Mr. LUNDEEN: Petition of Ancient Order of Hibernians in mass meeting assembled at Minneapolis, Minn., demanding self-determination and freedom for Ireland; to the Committee on Foreign Affairs.

By Mr. RAKER: Resolutions adopted by the New Korea Association, presenting the grievances of Korea to the Government of the United States; to the Committee on Foreign Affairs.

By Mr. SNYDER: Protests from residents of the thirty-third New York district, against the enactment of legislation restricting the use of wireless apparatus; to the Committee on the Merchant Marine and Fisheries.

By Mr. STEENERSON: Petition in favor of the enactment of House bill 12880 and Senate bill 4922, signed by John P. Gardiner, commissioner of labor for the State of Minnesota, St. Paul, Minn.; to the Committee on Education.

SENATE.

SATURDAY, *December 14, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, the entering in of Thy law giveth life, and in the midst of the unsolved problems of this day we seek to conform our lives, our thinking, and all that we do to the law of God, that there may be light along the pathway which leads us to the realization of the great ideals for which we stand as a Nation. Guide us this day in the discharge of our duties. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Thursday, December 12, 1918, when, on request of Mr. VARDAMAN and by unanimous consent, the further reading was dispensed with and the Journal was approved.

PERSONAL EXPLANATION—HOG ISLAND SHIPPING PLANT.

Mr. VARDAMAN. Mr. President, I rise to a question of personal privilege. My attention has been called to a special dispatch from Philadelphia, Pa., published in the Washington Post of yesterday, which I send to the desk and ask to have read.

The VICE PRESIDENT. It will be read.

The Secretary read as follows:

PHILADELPHIA, *December 12.*

The lie direct has been given to Senator VARDAMAN, of Mississippi, by Rear Admiral Francis T. Bowles, assistant general manager of the Emergency Fleet Corporation.

Senator VARDAMAN in the Senate on Tuesday said the construction of the Hog Island shipyard was "one of the most infamous transactions that mar the pages of American history." He agreed, he said, with Senator KING, of Utah, who had declared "there was a great deal of vulgar robbery, stealing, and thievery by men engaged in the Hog Island enterprise."

Senator VARDAMAN said he thought there was enough evidence in the hands of the Senate Committee of Commerce to justify cancellation of the contract made with the company that constructed the Hog Island shipyard.

Admiral Bowles's heated retort to these charges was in a telegram to Senator FLETCHER, chairman of the Senate Committee on Commerce. The message follows:

"You and your committee will appreciate that this statement that the contract for the construction of Hog Island shipyard and building of ships there is an infamous transaction reflects upon all parties to it, and therefore particularly upon Admiral Capps and myself. Senator VARDAMAN has had every opportunity to know the truth, and he knows that his statement is a deliberate lie.

"At a time when every effort is being made by myself and the administration of the shipyard to organize to the best advantage a large force of men for the construction of vessels, such statements are detrimental to the interests of the United States and a gross injustice to every man connected with this enterprise."

Mr. VARDAMAN. Mr. President, years ago I would have experienced an unholy delight in taking satisfaction on the carcass of the self-convicted conscienceless slanderer who uttered that telegram. But I have passed that stage in moral growth. I have come to the conclusion that nothing is proven by physical combat except the superiority of brute force and the determination of that fact is hardly worth while.

Now, what I said about the Hog Island enterprise was uttered upon the floor of this Chamber as a United States Senator under the sanctity of an oath to uphold the Constitution, the laws of the country, and protect the interests of the American people against the greed, cupidity, avarice, and criminality of the outlaws of society. I was discussing a public enterprise and one which I know and everybody else knows is as far from being faultless as sin is far from virtue. It is an enterprise that no honest man could defend in all of its details. It is one of those peculiar enterprises that have grown up since the declaration of war, which was conceived by its promoters in private life in the sin of selfishness and brought forth swaddled in the American flag to serve a selfish purpose.

Let us for a moment consider its history. A number of highly respectable financiers came together, formed a corporation, bought a hog wallow, which was rightly named "Hog Island," capitalized it at probably double or treble its real value, and then leased it to the United States for a site for a shipbuilding plant. The land was valued at $1,700,000, and the rent charged the Government of the United States was 6 per cent on estimated value of the land, if my memory serves me correctly. This same corporation undertook and agreed to build, the Government of the United States paying all expenses, this shipbuilding plant at an estimated cost of $21,000,000 without fees or plus per cent.

The profits which the shipbuilding corporation was to receive as a commission for the patriotic service to be rendered by it was 4 or 5 per cent on the value of the ships to be built by this plant. The work in the construction of the plant had not proceeded very far, however, before it was determined by the corporation, which we are told was organized for patriotic purposes, that the building might be facilitated by subletting contracts at a fixed fee of 5 per cent upon the estimated cost of the work.

Some of the contractors, it appeared from the testimony, had stock in the parent corporation with which the Government contracted to build the plant without fees. Everyone knows, who has paid any attention to the investigation of this enterprise, that in the beginning of the building of the plant the grossest extravagance in the payment of wages, the most glaring incompetency was shown in the purchase of material, and in the general management of the company. Every man called to the service of this corporation had his wages doubled and, in some instances, quadrupled. The head man, who had been the

directing head of the contracting firm of Stone & Webster, who received from Stone & Webster $12,000 per year while serving them, was put at the head of the shipbuilding corporation with a salary of $25,000 per year. For everything that was done of a similar nature the United States Government was charged and plundered accordingly.

It will also be remembered that when this corporation undertook the construction of the Hog Island shipping plant it tried to induce the Government to fix its commission for the work it was to perform at 10 per cent, but it was finally forced down to, I think, 5 per cent. When asked by members of the committee to state what the constructing corporation had done or was to do to justify it in asking the Government to pay it 5 per cent on the ships to be built in the Hog Island yard, we were told that it was the "know how" which they were furnishing the Government; and, Mr. President, I want to say just here that, after looking over the matter carefully, I am within the bounds of conservation when I say that there was not a member of that corporation who knew any more about shipbuilding than the Democratic emblem does about the nebular hypothesis or a prairie dog knows about the political economy of the planet Mars. It was just a piece of graft, pure and simple, but they justified their extraordinary demand by saying that, if the members of the corporation did not themselves know anything about shipbuilding, the corporation furnished the Government of the United States men who did know how. With the salaries that were paid the men, certainly the United States Government did not need this corporation to act as its labor agent in securing capable men to do Government work, especially when you consider the fact that the Government paid twice and three times as much for their services as they could have gotten from private employers in the labor markets of the country.

I want the United States Government to deal fairly and justly with its citizens, but I think that every dollar the Government pays to this corporation as commission on ships built by the shipbuilding plant at Hog Island will be nothing less then robbery of the Public Treasury.

Mr. President, I was about to overlook the fact that the plant which these patriots for pelf were to construct at an estimated cost of $21,000,000, I am told, has cost over $60,000,000; and I think it has completed but one ship. Of course, I want to be fair with them. I am sure they have a good many ships on the ways. I will ask the chairman of the Committee on Commerce to correct me if I am mistaken. I think the corporation has completed but one ship. Am I correct about that?

Mr. FLETCHER. I think, Mr. President, there has been one ship delivered, accepted, and put in service; but there are other ships. I do not know how many more, that are launched. I understand that there are other ships on the ways; in fact, a ship under construction on each of the 50 ways.

Mr. VARDAMAN. I understand there are a great many on the ways.

Mr. JOHNSON of California. Mr. President, as to the one ship to which the Senator refers, is it not that particular ship which subsequently had difficulty in floating and had to be reriveted?

Mr. VARDAMAN. I can not answer the Senator about that. I hope to get these facts later, but if it does not float it will be in keeping with pretty nearly everything they have done since the plant was begun.

Mr. FLETCHER. I can not of my own knowledge say there was difficulty in regard to its floating; but it is the first that was launched there, and it might be expected that there was further work to do on it.

Mr. JOHNSON of California. Was it required to be reriveted?

Mr. FLETCHER. I do not know about what work was required after it was launched. Possibly there was some reriveting or additional riveting to be done, but it is actually in service. It has been received, accepted, delivered, and inspected and given a satisfactory classification by both Lloyd's and the American Bureau of Shipping.

Mr. VARDAMAN. The building of one ship is a great work. Will the Senator state how much Government money has been spent up to date?

Mr. FLETCHER. How much on the yard and in construction?

Mr. VARDAMAN. How much has been squandered on the Hog Island enterprise?

Mr. FLETCHER. I do not concede that anything has been squandered there. I think the Hog Island plant itself has cost more money than was expected.

Mr. VARDAMAN. How much more?

Mr. FLETCHER. The Senator will find the statement on page 10 of our hearings. Mr. Piez says:

> Mr. PIEZ. The original estimate, which was a very hastily prepared one and on a basis of plans that were subsequently materially modified, was $21,000,000. Then we gave them the contract for a second type of ship, Senator, that we know as class B, a troop ship of 15 or 16 knots speed. Their estimate after they got that, recognizing the additional complications in making two types of ships instead of one, was that the yards would cost about $27,000,000 or $28,000,000. I think the most recent estimate was $58,000,000.

Mr. VARDAMAN. Is it not a matter of fact that it has cost over $60,000,000 up to date. But that is a small matter, Mr. President, that the public——

Mr. FLETCHER. That is possible as to the entire yard and equipment; but the Senator will remember that the yard finished and completed is quite different from the yard which was originally contemplated.

Mr. VARDAMAN. Probably so; but I am surprised that such high-priced know howism should be so unreliable.

Mr. FLETCHER. It has been added to immensely, and material changes have been made in their equipment—cranes, warehouses, railroads, and all that sort of thing.

Mr. VARDAMAN. I would not under the circumstances deal unfairly with them. I am willing to concede that there are a great many ships on the way, and in the course of time they will be completed. I do not want to do this corporation an injustice. I hardly think from the impression I have from the hearings that I should have to borrow from the vocabulary of my friend the versatile Senator from Illinois [Mr. LEWIS] and one or two other Senators in order to have a vocabulary sufficiently full to describe all the failures and to characterize the failures they have made and the infamy of the transaction of which they are guilty.

Mr. JONES of Washington. Mr. President, with reference to the matter of delivering ships, I do not question the statement of the chairman of the committee; he may have much more reliable information than I have; but I want to say to the Senator that three or four days ago a very reliable gentleman told me, as a matter of fact, that the ship has not yet been delivered.

Mr. FLETCHER. The gentleman is altogether mistaken. I have it from Mr. Rossiter, I have it from Mr. Piez, and I have it from half a dozen sources that that ship has been accepted and delivered.

Mr. VARDAMAN. I hope the Senator will pardon me. I will concede that they have made one ship.

Mr. FLETCHER. They have made more than one, but they have delivered one. They have launched a number of others, and there are fifty on the ways. If all the rivets that have been driven into the 50 ships had been concentrated into 10 ships, you would have had 10 ships completed before now. They have driven rivets enough to complete practically their program, but they extended the work over 50 ships instead of confining it to a smaller number, and the contractor was ordered to proceed that way.

Mr. VARDAMAN. If they are building ships, in the language of Robert Burns—in plowman's phrase—God send them speed. I do not want to misrepresent them.

Mr. FLETCHER. I am sure the Senator does not, and I am simply trying to help him in that direction by stating the facts; that is all.

Mr. VARDAMAN. The Senator is very kind. I want to say, Mr. President, that the time has come when this robbery of the Government in the name of patriotism should be stopped; really it should never have been begun.

I remember when the president of this corporation came before this committee. He made the most glorious promises. He said, "We want to build the ships; we want to win the war; send us to the penitentiary after we win the war; but let us build ships." Of course, the fact that 4 or 5 per cent was paid them upon the value of every ship constructed had nothing to do with that burst of patriotism on his part.

There are some people in this country who seem to regard it as their God-given privilege, belonging exclusively to them, to wrap their well-fed carcasses in the American flag, and, with the words of patriotism upon their flyblown, impious lips, go over the country denouncing everybody who dares question their right to continue this nefarious business. I, for one, shall continue to denounce it and to call attention to it. As soon as I can get hold of the report of the Department of Justice which deals with this question and can again go over more carefully the investigations of the Commerce Committee I shall have more to say on the subject. In the meantime I hope the Commerce Committee will go further in the matter and make a report of the results of its investigation. Let the pitiless sunlight of publicity shine in upon the dark and devious ways of these

patriots for perquisites. Let every other enterprise which is tainted with fraud undergo similar investigation. It is more necessary that the Republic shall be preserved and the people saved from plunder than that the delicate feelings of these dollar-hearted, sordid-souled sinners shall be respected.

I repeat, Mr. President, the Hog Island enterprise is a disgrace to the administration. It is an affront to every man who wore a uniform at home or gave his life for his country in the trenches of France. It is an outrage upon the toiling taxpayers of the land.

SENATOR FROM MICHIGAN.

Mr. TOWNSEND. Mr. President, I desire to present the certificate of election of Senator Elect TRUMAN H. NEWBERRY, which I ask to have read and filed.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read the certificate.

Mr. POMERENE. Mr. President, I move that this commission be referred to the Committee on Privileges and Elections.

The VICE PRESIDENT. The Senator from Ohio moves that the certificate be referred to the Committee on Privileges and Elections.

Mr. TOWNSEND. I ask that the usual course be taken with this certificate and that it be filed.

The VICE PRESIDENT. The question is on the motion of the Senator from Ohio.

Mr. POMERENE. On that I ask for the yeas and nays.

Mr. PENROSE. Mr. President, I rise to an inquiry. All the previous credentials that I have noted when I have been in the Chamber have been ordered by the Chair to lie on the table.

The VICE PRESIDENT. They have been ordered to be placed on file.

Mr. PENROSE. That is the same thing, I suppose, and I am at a loss to understand why an exception should be made in this particular case.

The VICE PRESIDENT. The Chair is not responsible for the motion.

Mr. PENROSE. But I rose to an inquiry, Mr. President, of the Senator from Ohio.

Mr. POMERENE. Mr. President, I do not want to renew the discussion which took place here some weeks ago. I am satisfied that this matter will have to be investigated; and I believe that it should go to the Committee on Privileges and Elections. The record already shows the expense account in this case, and it shows, in my judgment—and I do not intend to prejudge when I make this statement—that the person whose commission comes here had knowledge of the fact that these expenditures were being made.

Other matters have been called to my attention, and I think it is due to the gentleman whose commission is now presented that there shall be an investigation, whether at this session or later I do not know, but that is a matter which will be determined later, I dare say. For the present, however, I insist that this commission shall go to the Committee on Privileges and Elections.

Mr. LODGE. That is a debatable question.

Mr. TOWNSEND. Mr. President, I am not objecting at this time to any investigation as to the election of this elected candidate, but there is now nothing for the Senate to do, it seems to me, but to place this certificate on file. This Congress has nothing to do with this man taking his seat. The next Congress will have full power to act, and can act as it sees fit. I do not wish anything concealed; I know of nothing that can be concealed; but I simply ask that this certificate, which is in proper form, shall take the usual course and be placed on file. When the proper time comes it may be considered.

Mr. POMERENE. Mr. President, not to repeat what was said on a former day, perhaps of the last session, it has come to my knowledge that a movement was on foot in the State of Michigan for a recount in this case. An investigation, which has been made, results in the conclusion that under the law of the State of Michigan, as it has been construed by the supreme court of that State, there can be no recount. The statutes of the State of Michigan provide, so I am informed, that after an election and the counting of the vote, the ballots are returned to the ballot boxes and sealed up, and they are there to remain until the next general election. The next general election in Michigan takes place early in April, so I am informed. Then these ballots are to be destroyed.

I have also been advised that in one precinct in Michigan it has already been discovered that 103 votes which ought to have been counted were not counted for one of the other candidates; that in another precinct 25 votes have not been counted; that in another between 40 and 50 votes have not been counted; and in a fourth that between 50 and 60 votes have not been counted. I am not saying that this is a fact, but I am saying that the facts are such as to justify this Senate in taking some action which may result in doing justice as between the candidates, and to the Senate itself as well.

I may have some information on the subject to present at a later day, but I am simply, in very general terms, indicating to the Senate what it is said will be developed.

Mr. TOWNSEND. Mr. President, the Senator's statement shows how unreliable his information must be. There has been no opportunity for a recount, and there could be no possible determination at this time of the question whether or not votes have been counted. That is a question, however, which will be perfectly open. There will be no ballots destroyed. The only body that has a right to recount is the Senate when this man, whose certificate of election has been presented, has been sworn in. At that time the Senate will have an opportunity to contest the election, if it sees fit, the same as the House has in the case of Members of that body, and the facts can all be secured. But there is nothing that this Senate at this time can do. All that the Senator's committee attempted to do before was to investigate the primary election, with a view of passing legislation controlling elections and primaries. These credentials are correct. If they are not correct, I submit that that is a question which the Senate can determine. This man's credentials are here for filing; they should be filed; and then, if there is any question as to the legality of his election, when he comes to take his seat that question can be investigated, and there is provision for such action made by the Senate itself.

The VICE PRESIDENT. The question is on the motion of the Senator from Ohio.

Mr. LODGE. Mr. President, this seems to me an effort to do by indirection what the Senate declined to do directly. This certificate is correct in form, and its authenticity is not questioned. The Senate refused, rightly as I think, in the case of the Senator from New Hampshire [Mr. MOSES] to discuss the right to a seat over which they had no possible jurisdiction. This Senate has no possible jurisdiction of any kind over this seat from Michigan. That can only belong to the next Senate. The credentials offered are regular, authentic, and in proper form; and it seems to me there can be properly no discrimination in the treatment accorded between this and other credentials which have been filed without objection. If, Mr. President, this treatment can be imposed upon these credentials, then it can be imposed upon every one of the other credentials that are here on file. It would open the door, in my judgment, to a very unfortunate situation and would contradict all of the unbroken precedents of the Senate, including the precedent that was established only the other day by direct vote. I trust that the Senate will not at this time undertake to assume jurisdiction of a case to which this Senate can have no possible relation and over which it has no power.

Mr. THOMAS. Mr. President, I am somewhat interested in the position taken by eminent Senators upon the other side of this Chamber regarding the nature of the Senate. I recall two or three years ago some of us whose terms of service were quite recent insisted that the rules of the Senate, like the calendar and the pending unfinished business, should expire with the Congress of which that Senate was a part. We were told by Senators who had been here for many years that not only was the Senate a continuous body, but the intimation was very strong that whoever denied it did so at the expense of his intelligence. At any rate, it was impossible for us to secure any consideration of the rules upon the theory that succeeding Senates were independent of each other. I recall that in one instance I was referred by my very good friend, the then Senator from New York, Mr. Root, to the statesmen of the past—Clay, Webster, Benton, and others—for information regarding the continuous character of the Senate. I availed myself of that suggestion to investigate the subject, and found that the references were correct. Now we are told that a certificate of election of a Senator whose term is to begin on the 4th of next March is not a subject for consideration by this Senate, but by the Senate of the next Congress; that is to say, by a different Senate; that is to say, that the Senate is continuous for some purposes but not continuous for others; that is to say, that it is largely a matter of political convenience whether the Senate shall be considered as continuous or noncontinuous.

Now, without regard to the propriety or the impropriety of referring this certificate to the Committee on Privileges and Elections, I think that it is a good time to emphasize the proposition that this is either a continuous body or it is not. It certainly can not be continuous for one purpose and noncontinuous for another; continuous for some matters of immediate importance and noncontinuous for other matters of immediate importance.

Mr. President, I have also made very slight investigation of the precedents regarding this subject, and I find that the history of the Senate is quite replete with instances, particularly immediately after the Civil War and during the period of reconstruction, when certificates of election, regular in form, were referred to the Committee on Privileges and Elections, and where many of those holding such certificates never did succeed in securing seats in the Senate. Of course, it may be said that times then were "out of joint," but it may be said now also that times are "out of joint."

I know nothing, Mr. President, of a personal nature regarding the expenditure of money in the State of Michigan, but I know something about the expenditure of money in my own State through the official reports which have recently been filed, and these justify the effort which I made in the Committee on Finance, and which I shall here renew, to place a tax of 100 per cent as a part of the income tax on every patriot who is so benevolent or generous as to subscribe more than $500 to each campaign.

Mr. TOWNSEND. Mr. President, I had not supposed that there would be the slightest question as to this certificate taking the usual course; but inasmuch as the chairman of the Committee on Privileges and Elections desires that it be used to establish a precedent in the Senate, I am going to withdraw the certificate at this time.

The VICE PRESIDENT. Is there any objection to the withdrawal of the certificate?

Mr. ASHURST. Mr. President, I happen to be a member of the Committee on Privileges and Elections, and I do not think the impression which is prevailing here to the effect that the chairman of the committee [Mr. POMERENE] is establishing a precedent is correct. I have not had time to examine the question particularly, but I remember that when the credentials of the Senator from Oregon [Mr. CHAMBERLAIN] were presented the chairman of the Committee on Privileges and Elections at that time objected and asked that they be referred, as, indeed, they were referred, to the Committee on Privileges and Elections, although those credentials were regular on their face and in proper form. It seemed that there was some dispute as to the authority of the Oregon Legislature, and the credentials were referred, and, so far as I know, properly referred, although I was not a Member of the Senate at that time. Now, whether the credentials should be withdrawn at this time and presented at a later day will make no difference. There is going to be no disposition to prejudge the alleged election of Mr. NEWBERRY; but Senators, if any there be, who imagine that they may escape the duty of investigating these large expenditures are chasing a rainbow. The account as filed showed an expenditure of $176,000 in the primary election alone in Mr. NEWBERRY's behalf. The question which has been before us for a long time will again be presented, to wit, Is this Senate going to seat men who come here with soiled and stained credentials and present such credentials at that bar?

The Senator from Colorado spoke of an "election" in Colorado. Why, they had no election there. They had an auction. An election for Senator in Colorado! It was an auction, and we are not going to escape the duty of investigating these questions. The day is coming—it is almost here—when a poor man does not dare offer himself as a candidate for the Senate unless he is backed by some millionaire's club. It is our duty to investigate these conditions, and if the Colorado Senators sit supinely here and fail to call for an investigation I shall have no sympathy for any situation that may arise in their State.

I hope the chairman will insist on his motion that these credentials be referred to the committee, as I believe has been the uniform custom when a charge of this sort has been made.

The VICE PRESIDENT. Is there any objection to the request?

Mr. ASHURST. Why, yes; I object.

Mr. BRANDEGEE. Mr. President, the fifth section of the first article of the Constitution of the United States provides:

> Each House shall be the judge of the elections, returns, and qualifications of its own Members.

A certificate has just been presented to the Senate in regular form, authenticated by the proper officials of a State, certifying that a certain gentleman has been duly elected a Senator of the United States, to take his office on the 4th day of next March, and to serve as a Senator in this body for six years from that time. Under the Constitution, it seems to me that the Senate will be the judge of the qualifications and the election and the returns of that Senator when he gets here, if they are called in question. If I recall substantially the provision of the corrupt-practices act, inhibiting the expenditure of more than a certain amount of money in a campaign for the office of Senator, it provides that if the Senator violates the provisions of the act, or if they are violated by others in his behalf, with his knowledge and consent, the office shall be declared vacant.

Mr. President, I fail to see the relevancy of the suggestion of the Senator from Colorado as to the Senate being a continuing body. I believe that it is a continuing body.

Mr. THOMAS. Mr. President, will the Senator permit me to interrupt him?

Mr. BRANDEGEE. Certainly.

Mr. THOMAS. My own opinion is that the Senate is not a continuing body, except in a very peculiar sense. I simply gave what seemed to be the consensus of opinion here on one or two occasions.

Mr. BRANDEGEE. I did not mean at all to intimate that the Senator believed it to be a continuing body. I say, I think his suggestion in relation to that subject is irrelevant to the case in question. I believe the Senate to be a continuing body, thereby differing from the Senator from Colorado. I believe it to be a continuing body, as a body one-third of the membership of which changes every two years.

Without, however, discussing that question, this gentleman whose certificate has just been tendered here does not pretend or claim to be a Member of this body now. In point of fact, the certificate which has just been tendered here, if tendered on the 4th day of next March, would be subject to the same motion and subject in all respects to the same conditions as it is now, except that now it seems to me that this Senate has nothing to do about the qualifications of the Senator elect. He is not a Senator yet. He is a private citizen. How is this body to be the judge of the qualifications of one of its Members who has not yet qualified as a Member?

Mr. LODGE. Mr. President, will the Senator allow me to interrupt him?

Mr. BRANDEGEE. Certainly.

Mr. LODGE. The argument about the continuing nature of the Senate related to the rules. The rules exist in this Senate. Mr. NEWBERRY does not exist as a Senator in this Senate, and you can not continue him, because he does not exist here.

Mr. BRANDEGEE. After the Senator elect has become a Member of this body, Mr. President, by taking the oath of office, if he has violated or if in his election the provisions of the secret-ballot law, or the corrupt-practices act, or whatever the official name of that act may be, have been violated, the remedy is in the hands of the Senate. Nothing is lost; nothing can be lost; nothing is waived; no advantage is achieved by anybody in receiving and placing on file a communication from the proper authorities of the sovereign State of Michigan. If it is found later on that the asseverations contained in the certificate are not true, and that Mr. NEWBERRY was not duly elected a Member of this body, he will be unseated; but to say now that before he becomes a Member of the body the Senate would proceed, through its authorized Committee on Privileges and Elections, to conduct an elaborate investigation, going into the facts and taking all the testimony in relation not only to his election to his office, or his alleged election, but to the primary in his State for the nomination for the office, seems to me to be going far afield, and contending for a construction of the Constitution which has never, to my knowledge, been asserted previously.

It seems to me that the regular order in this case, as in all similar cases, is to place the credentials on file; and if anybody rises in his place here upon petitions requesting such action, or upon information and belief, or for any reason satisfactory to himself, and makes charges or establishes a prima facie case that will convince the Senate that it ought to conduct an investigation into the circumstances of this election, if the Senate believes it should it will so vote. But to start in now, with neither the candidate nor the evidence nor the charges, if there are any, before us or within the jurisdiction of this body, seems to me to be utterly premature and utterly irregular, and would result in the establishment of a precedent which I am sure would come home to plague us in the future, and would put every Senator who runs for reelection in the future in the position of having to meet and defend the title to his office before he had qualified for it, and would be an encouragement to everybody—his enemies politically and those in his own party who were disappointed by his nomination—in some way or other, without asserting responsible charges, to subject that Senator to the defense of a suit before he had arrived to claim the office to which his State authorities had asserted he had been duly elected.

So, inasmuch as neither the dignity nor the rights of the Senate can be in any way waived or affected by receiving these credentials in the customary manner and placing them on file, and inasmuch as the whole subject is still open to complete investigation afterwards, I hope that the motion of the Senator from Ohio to commit this certificate to the Committee on Privileges and Elections will not prevail.

Mr. FLETCHER. Mr. President, the plain provision of the Constitution, section 5, is that—

> Each House shall be the judge of the elections, returns, and qualifications of its own Members.

The Senate proceeds in this sort of a case through its Committee on Privileges and Elections. A certificate is presented here. The person certified to be elected may not have been elected; the person certified to be qualified may not be qualified within the judgment of this body. This Senate is to determine that question; and it proceeds to determine it first by having the certificate, which is the evidence submitted, referred to its committee for examination and for such investigation as that committee feels ought to be given the subject.

Mr. BRANDEGEE. Mr. President——

Mr. FLETCHER. It seems to me clearly a question that comes now, at the very threshhold, to determine whether this party who is certified to have been elected was really elected; whether this party who is certified to have been qualified was really qualified to hold this position. Those are matters which this body has jurisdiction to determine. Under the Constitution its duty is to determine those matters.

Now, surely I am not in error when I recall that when our friends on the other side were in the majority in this body the universal practice was to refer these certificates to the Committee on Privileges and Elections.

Mr. BRANDEGEE. Oh, no; Mr. President.

Mr. LODGE. Oh, no.

Mr. BRANDEGEE. The Senator from Florida is mistaken about that.

Mr. FLETCHER. I do not know of any exception to that rule. When my credentials were presented here, the chairman of the Committee on Privileges and Elections asked to have them go to that committee. I remember distinctly that the distinguished Senator from Michigan, Mr. Julius C. Burrows, was chairman of that committee, and he took possession of those credentials; and my recollection is that in every instance the credentials were turned over to the Committee on Privileges and Elections. If they found everything all regular and decided that the person certified to was qualified and was elected, and the returns were properly certified here, then they reported favorably, and the matter was closed in that way. That was the practice.

Mr. BRANDEGEE. Mr. President, let me ask the Senator what his recollection is about this matter: When the certificates of all the newly elected Senators—which is the regular order, as I understand—are referred in a mass, at the time when they are to take their seats, to the Committee on Privileges and Elections for the purpose of ascertaining whether or not the certificates are regular in form, does the Committee on Privileges and Elections at that time, without any question being raised as to their election and their qualifications, proceed to conduct an investigation to determine that fact?

Mr. FLETCHER. They would have authority to do that if that question was presented.

Mr. BRANDEGEE. I did not ask the Senator that. Of course, they have authority to do it if the certificates are referred to the committee by the Senate for that purpose; but in cases where those credentials—as is generally done when Senators are elected—are referred to the Committee on Privileges and Elections in the absence of charges or a question being raised as to their qualifications, is anything ever done except to report them favorably as being regular in form according to the blanks sent out by the Secretary of the Senate?

Mr. FLETCHER. I think that is correct; but, then, who is to say whether charges will be made or not? The indications are that charges have been made in this instance. I do not know precisely what form that has taken, but the chairman of the Committee on Privileges and Elections tells the Senate that there are certain matters which the committee ought to consider in reporting upon this case.

Mr. THOMAS and Mr. BRANDEGEE addressed the Chair.

Mr. FLETCHER. How far they will reach we can not foretell, and we ought not to foreclose the Senate.

Mr. BRANDEGEE. Mr. President, it will be impossible to foreclose the Senate, if the Senator will pardon me; and I do not want the assertion of the Senator to go unchallenged when he states, as I understand him to state, that there are charges pending. Where are they, and who makes them?

Mr. FLETCHER. I say the indications are that there will be charges.

Mr. BRANDEGEE. Well, I see no indications——

Mr. FLETCHER. I am not a member of the committee.

Mr. BRANDEGEE. The indications are that they are going to try to get some, perhaps; but I know of no indication that there are charges pending. The chairman of the committee certainly has not made any such charges.

Mr. FLETCHER. Of course, if there are no charges made, then the committee has nothing to pass upon. There could not very well be any charges made, as a Senator suggests, until the matter is before the body that can consider the charges.

Mr. THOMAS. Mr. President, will the Senator yield to me?

Mr. FLETCHER. I yield.

Mr. THOMAS. I should like to inquire whether my memory serves me right, and the memory of some other Senators, that in 1913 the Vice President, by general order, referred all certificates of election of Senators to the Committee on Privileges and Elections?

The VICE PRESIDENT. That is correct.

Mr. THOMAS. Let me ask if there was any protest or exception to it?

The VICE PRESIDENT. Not at the time.

Mr. BRANDEGEE. Mr. President, these were Senators who were to take their seats in this body at that time, were they not?

Mr. PENROSE. Mr. President, I think I can throw some light on that matter, for I remember it very well. The credentials were all referred to the Committee on Privileges and Elections for the purpose of examining their correctness as to form, and they were immediately reported out to the Senate.

The VICE PRESIDENT. The Chair has a distinct recollection of the reason why they were referred at that time. They have not all since been referred to the Committee on Privileges and Elections, but there was a reason given by the Chair. The Chair does not know whether it appealed to the Senate or not. It had not anything to do with any charges which were being made against anybody. It simply had to do with the Chair's theory that under the seventeenth amendment, when Senators were elected by the people, it was the duty of the Committee on Privileges and Elections rather than the duty of the officers of the State to determine whether the Senator was elected and his credentials in proper form. That was before the Senate adopted a form of certificate and the credentials were in different forms.

Mr. FLETCHER. I was about to say, Mr. President, that the complete answer to the question about the jurisdiction of this Senate to consider and pass upon the matters involved in an issue of this kind, to determine the election and qualifications of Members of the body, is furnished by the very fact that the credentials are submitted to this Senate.

Mr. ASHURST. Mr. President, will the Senator yield?

Mr. FLETCHER. Certainly.

Mr. ASHURST. The Senator from Michigan [Mr. TOWNSEND] requested unanimous consent to withdraw the credentials, to which I objected. I now desire to withdraw my objection, after consultation with the chairman of the committee.

The VICE PRESIDENT. Is there any objection to the withdrawal of the credentials?

Mr. THOMAS. Mr. President, I object.

The VICE PRESIDENT. Then the question is on the motion of the Senator from Ohio [Mr. POMERENE] that the credentials be referred to the Committee on Privileges and Elections.

Mr. KENYON. Mr. President, I do not rise to object, but I am one of those who believe that the Newberry campaign expenses ought to be investigated, and I so voted in the committee. At the same time it seems to me to be very clear that these credentials should be received by the Senate, and I shall so vote, though these positions may seem to be somewhat inconsistent. I will refer to that in a moment. The question is argued here to-day of the right of Congress to investigate the election and primary before the beginning of one's term. I have no doubt about it in my own mind at all. We have a national law relating to campaign contributions. It seems idle to say that Congress can not investigate a statement which upon its face might be claimed to be a violation of that law, if for no other reason than that the law has been violated. Surely the investigation could be made to secure information looking to further legislation.

Again, the position that a Senator must present himself here before there can be an investigation has little force. Suppose Mr. NEWBERRY decided that he would not present himself at all to the Senate, or suppose that any other Senator thought there was such evidence of fraud and corruption in his election or in the primaries that he would not present himself and ask for the seat, would it be contended that the Senate was without power to investigate that election? The grossest frauds might be perpetrated and the light of investigation never shine in.

The point that I particularly refer to is this: The Senate Committee on Privileges and Elections decided that this matter

should not be investigated by this Congress. That was the purport of the vote. It was not a partisan vote, either. There was no politics, I think, in it. One Republican voted in favor of the authority to investigate and two Democrats voted against it. That seems to me rather in the nature of a res adjudicata as to this question, and the proper way to reach it would be for a motion in the committee to reconsider the action of the committee when those who voted contrariwise come to the conclusion that they were wrong. Feeling that it is in the nature of res adjudicata, and feeling that the only question here is the regularity of the certificate, I shall vote to receive the credentials, although I shall vote in committee and everywhere else for an investigation. The statement filed of a primary expense of $176,000 is enough prima facie to warrant an investigation. I should think Mr. NEWBERRY would welcome such investigation.

Mr. JONES of New Mexico obtained the floor.

Mr. THOMAS. Will the Senator yield to me for a moment?

Mr. JONES of New Mexico. I simply wish to ask a question.

Mr. THOMAS. Just a moment. I withdraw my objection.

The VICE PRESIDENT. Is there any further objection on the part of anyone else?

Mr. THOMAS. I did not, of course, intend to cut off the Senator from New Mexico.

Mr. JONES of New Mexico. I understand perfectly.

Mr. President, I rose for the purpose of making an inquiry of some member of the Committee on Privileges and Elections, and I intend to address my inquiry to the Senator from Iowa [Mr. KENYON], who is a member of that committee. I should like to know whether the committee has considered the question of difference between the affidavit as to the expenditures to be placed on file and the certificate of election from the governor. I have not investigated the question myself, but it occurs to me that the affidavits which are required by law to be filed here should be read into the certificate and considered as a part of the certificate. When it appears on the face of the affidavit, as stated by the Senator from Ohio, that a much larger expenditure has been made in this election than the law permits, should not that be taken into consideration and does not that establish a prima facie case of the invalidity of the certificate itself? It seems to me that when this large expenditure appears upon the record of the Senate, in compliance with the requirements of law, the showing made by that affidavit becomes a part of the certificate itself, and prima facie the person presenting the certificate is not entitled to a seat in this body. I think the presumption goes further, that where it appears from the record established under the law that a much larger expenditure has been made than was permitted by the law, the presumption is, and can only be removed by positive evidence, that the candidate himself is responsible for that situation.

I should like to know of the Senator from Iowa if that phase of the question has received any consideration by the committee?

Mr. KENYON. I prefer the chairman of the committee to state what was considered by the committee. I think that question the committee had under consideration, but I may be wrong.

Mr. BRANDEGEE. Mr. President, the certificate, of course, in question is made by the proper officials of the State, the governor or the secretary of state, whoever it may be, attesting each other's signatures. The affidavit as to expenses is filed by the candidate. It is filed, I think, several times, once for the primaries and once for the election, and perhaps at certain times before and after the date of the primaries and the election. They are on file in the office of the Secretary.

Mr. LODGE. They are regular.

Mr. BRANDEGEE. They appear to be regular on their face. The certificate of election by the duly constituted State officer is offered here. It has not yet been placed on file; it is pending. How one can be read into the other I do not quite understand.

The theory advanced by the Senator from New Mexico that because the affidavit filed by the candidate and filed in the office of the Secretary of the Senate contains figures which seem larger to him than they ought to be, that it thereby creates a presumption that the man is guilty, and that it is upon the defendant, who is presumed to be innocent until proved guilty, to prove that he is innocent, seems to me to introduce a new doctrine into the law of this country.

Of course there is no such prima facie evidence, and there is no evidence whatever or presumption of evidence of guilt until you establish that the large expenditures which exceeded, if they did exceed, the amount provided by law were made with the knowledge and consent of the candidate; and there is no presumption one way or another about that until you take evidence to find whether the candidate knew, or ought to have known, or whether the law implied knowledge to him on that point. No presumption will stretch to a guilty knowledge with intent until there is some evidence to prove it or to prove the circumstances in connection with the transaction.

Mr. BORAH. Mr. President, is the certificate withdrawn?

The VICE PRESIDENT. The Chair has been unable to determine whether there is any objection to the withdrawal of the certificate or not. The Chair hears none, and the certificate is withdrawn and stricken from the record.

Mr. BORAH. If the Senate will indulge me for just a moment——

The VICE PRESIDENT. Will the Senator from Idaho pardon the Chair? If Senators will look at Rule VI relative to the presentation of credentials, they will ascertain what can be done by the Senate. The Senator from Idaho will proceed.

ABOLITION OF CONSCRIPTION.

Mr. BORAH. Mr. President, there is an election pending now in England, a matter with which ordinarily we would not be concerned. But a statement has been made by the present Premier of England upon a subject matter which, it seems to me, does concern us. I wish to read a single paragraph from his last night's statement or speech:

> On the eve of this important election, which means so much for the country, I wish to make it clear beyond all doubt that I stand for an abolition of conscript armies in all lands. Without that the peace conference would be a failure and a sham. These great military machines are responsible for the agonies the world has passed through, and it would be a poor ending to any peace conference that allowed them to continue. Any delegate who represents Great Britain at that conference must labor to the end I have stated.

With that statement, Mr. President, I am in full and hearty accord. It is the first concrete proposition practical in its bearings with reference to this proposition of world peace that I have seen. I sincerely hope that that which the Premier evidently expressed will happen, to wit, that the people of England will indorse his position, and that the peace conference will carry it into as effectual a result as it is possible for it to do. Conscription is the basic principle of militarism. Without it great military autocracies would be impossible. The world will be grateful to Lloyd George if he forever puts the ban on conscription in all lands and countries.

SENATOR FROM WISCONSIN.

Mr. POMERENE. I present a report (No. 614, pt. 2) from the Committee on Privileges and Elections on Senate resolution 309, relating to the Senator from Wisconsin [Mr. LA FOLLETTE]. I ask that the same be printed for the information of the Senate.

The VICE PRESIDENT. Without objection, it is so ordered.

HOG ISLAND SHIPPING PLANT.

Mr. FLETCHER. Mr. President, before we get away from the subject raised this morning by the Senator from Mississippi [Mr. VARDAMAN] and without attempting to discuss in any way the occasion for his remarks, inasmuch as he expressed himself to the effect that he desired to be fair and just with reference to the Hog Island enterprise, I wish to say just a word or two about it.

The fact was mentioned that the yard there had cost some $60,000,000, whereas it was stated that the original estimate was for some $21,000,000. That is scarcely accurate. There was, in fact, really no estimate ever submitted for that yard as it stands now. There was a general discussion about the cost of the yard, and there was a statement made with reference to its probable cost. But later when they went into the enterprise they found that they would need many things they had not figured on, and in order to make it a complete yard, properly equipped and efficient in every way, they went to very much larger expense and built a very much better and larger yard than had been at first contemplated.

It will be remembered that the Shipping Board, or rather the Emergency Fleet Corporation, has been in supervisory control of the whole enterprise, and after it had been discovered what the contracts were with reference to Hog Island and the other agency yards of the Government, located at Bristol, Pa., known as the Merchants, and located at Newark Bay, known as the Submarine Boat Yard, and after these contracts were laid before the committee and these undertakings had been explained to the committee, and we had some information—quite a good deal—as to what was going on at Hog Island, Admiral Bowles was sent there by the United States Shipping Board Emergency Fleet Corporation to have direct supervision of the three agency yards. Up to that time some $19,000,000 had been spent at Hog Island. Since then the entire expenditures have been under the supervision of Admiral Bowles, representing the Emergency Fleet Corporation.

As I said, the yard was very much enlarged; and not only that, but since Admiral Bowles went to Philadelphia to look after the enterprises, and especially the Hog Island enterprise, 60 additional ships were contracted to the American International Shipbuilding Corporation, the contractors at Hog Island. The original contract contemplated 50 ships of type A and 70

ships of type B, and there were added to those 120, 60 more ships of 7,500 tons.

Of course, I grant that the cost has been enormous there. The cost has been very unusual, very high, not only at Hog Island but at the Merchants Yard at Bristol and at the Submarine Boat Yard at Newark and other yards of the country.

I think it is fair to say that one reason for the excessive costs was that we were demanding ships be built immediately, in the quickest way possible, such was our need. The contractors were instructed to build ships without attempting to do it upon a business, economic basis, without regard to cost, in effect, because we needed the ships, and it was felt we must sacrifice economy for speed. It was under those conditions and in those circumstances that all these yards have been operated. The ships have cost a great deal more than they would cost in normal times, for the reason, as I said, that speed was the chief consideration and economy was secondary.

Now the Emergency Fleet Corporation has changed that in a good many ways. In the first place, they have eliminated in this yard and elsewhere the overtime feature. Where men worked beyond eight hours they had been paid extra for anything above that. They have eliminated the Sunday work. On Sundays they had been paid for double time. Those items have been eliminated under the present regulations, and that, of course, will save very materially in the future.

In justice also to the contractors at Hog Island I know the Senator from Mississippi will agree that the Government is to pay the actual cost of the land. There are 915 acres of that land, something over 2 miles of water front, and the precise price that the land was contracted to the American International Co. is the price the Government is to pay, plus the 6 per cent, I believe the Senator stated. I am not sure whether it is five or six. That is really immaterial; but there is no profit made upon that purchase at all. The Government gets it at just what it costs the company, enjoys the use of it until the purchase price is paid, plus interest at the rate of 6 per cent per annum. It is not a mere lease, it is that together with a contract to buy, at the option of the Government.

Mr. KIRBY. Mr. President——

Mr. FLETCHER. I yield to the Senator from Arkansas.

Mr. KIRBY. Aside from the proposition about the enormous and excessive cost apparently of these matters, what business has any official in the United States of America to denounce a Senator as a liar for a statement made on the floor of the Senate?

Mr. FLETCHER. I am not attempting to discuss that feature of the matter at all.

Mr. KIRBY. That feature, it seems to me, might very well be discussed by the Senate.

Mr. FLETCHER. I do not think it needs any discussion by me. The Senator from Mississippi attended to that. That is not the object of my saying what I am submitting to the Senate. I am simply discussing the question of the charge of waste and extravagance at Hog Island, as well as at other yards, but particularly at Hog Island, and, with reference to this particular enterprise, I am saying, as the Senator from Mississippi charges the administration with responsibility for it, very properly it must take that responsibility, because the Shipping Board made this contract, and in fairness to the administration and to the Shipping Board and to the public and to everybody, it ought to be understood, I think, that the International Co. is not making any profit upon the land constituting the site of that yard. We got it for what they secured it under their contract. Of course, they may have paid more for the land than it was worth; they claim not, and that matter was examined at the time.

Mr. VARDAMAN. I do not think there is any doubt about that; but can the Senator tell the amount? The Senator knows the amount that has been spent by the Government to raise that land. Three hundred acres of this hog wallow were about 5 feet below high water, and are kept up solely by the dike which was built around the land. Does the Senator know how many million dollars have been spent to fill that up?

Mr. FLETCHER. I could not say.

Mr. VARDAMAN. Of course, the Senator knows that if the Government does not carry this thing on the Government can not escape the loss of the millions of dollars that have been planted there in the form of gravel and sand, which raises this land up above high water.

Mr. FLETCHER. I quite agree that it is impossible for the Government to ever reimburse itself there except by acquiring the title to the land. The expense of filling in was enormous, and particularly during the severe winter during which that work was carried on; but I am saying that the Government must buy this land. It is a Government enterprise. It would be folly for the Government not to complete the purchase of that land, for the Government has invested, all told, I take it, somewhere near $60,000,000 on that yard. That includes, I think, the filling in, the bulkheading, the warehouses, the machinery, equipment, and pretty nearly everything that was done there. The piles had to be driven when the ice was some 3 to 4 inches thick; they had to be driven by the assistance of steam being forced into the ground ahead of the piling, in order that it might be driven. Sometimes the ice had to be dynamited and had to be taken out of the way before the piles could be put in. A great deal of the work on the piling which was done under those circumstances, of course, was very expensive. The entire cost of putting in the piling, docking, the dredging, equipping the yards, and building the ways, and everything else is included in the figures of total cost which has been mentioned. It costs something to build a shipway—and there were 50 of them there—and equipping them with cranes, tracks, and machinery costs something. It requires time to do it. It also costs something to build the numerous railroad tracks, warehouses, and other buildings which were necessary to equip the yard; for everything there—I think the whole cost is included in the item of $60,000,000.

Ordinarily five or six years would be a reasonable time in which to complete that yard. This work was done in less than 12 months.

It takes time to build a steel ship. The record of riveting at Hog Island is better than at either of the other agency yards.

Mr. VARDAMAN. It would seem to me that $60,000,000 ought to cover a great many items. The Senator states, as I understand, that when the corporation undertook the construction of this plant there was a very hasty estimate made as to its cost. What did we pay those people for? Does the Senator defend the carelessness of the Emergency Fleet Corporation or anybody else in the expenditure of millions upon millions of dollars of the money of this Government, without going into this matter and understanding it before spending the money? The Senator certainly does not defend the enormous price which was paid for labor, as to which subsequently, after we had protested against it, two or three hundred thousand dollars of the expense was cut off. The Senator does not defend these people for taking this man Goodenough from a salary of $12,000 a year, and the moment he was put on the Government pay roll paying him $25,000 a year. That is in keeping with everything that has been done there. I know that everything was sacrificed to speed, but I do not see how the sacrifice can be carried to the extent of condoning such reckless prodigality in the expenditure of public funds.

Mr. FLETCHER. Mr. President, what I am saying with reference to that is that this yard has been very materially changed from the original plan and design to its present capacity. It has been very materially enlarged and extended and is a different yard from that originally contemplated. Of course, the original estimate can not be pressed as a fair and accurate estimate of the cost of the present yard. I am saying with reference to the extravagant expenditure as to wages, and that sort of thing, that the contractors are not responsible for that. The wage scale was fixed by a board, which determined the wages in the various shipyards. We can not lay that to the contractors. I am also saying that we must acquire that property. The Government can not afford to invest $60,000,000 in that plant without going on and completing the purchase of the land and thereby owning it.

I believe myself there was a mistake made in the very outset in attempting too big a yard. We ought not to have had a yard of 50 ways in one place. I think that a yard of from 10 to 20 ways—at any rate, not exceeding 20 ways—would be big enough to be located in any one community. When we get beyond that we are undertaking too much, we are crowding too much, we are congesting too much, we are making necessary the putting up of housing facilities and various other facilities which would not be required if the yard were not so enormous. This is the largest yard in all the world; there is nothing equal to it anywhere. It is a colossal achievement. Hog Island is a city of some 30,000 people, where 18 months ago it was a swamp. Most of them are employed in this work of building ships for the Government. I do not know whether or not the Government will continue to operate these 50 ways permanently, but probably the Government will for some time, and then can use them by leasing some of the ways out or changing them, or something of that sort. I think the original undertaking was too big. It would have been better to build that number of ways in different localities instead of concentrating them at one point. However, it is a great yard, completed in marvelously quick time.

Mr. THOMAS. Mr. President——

Mr. FLETCHER. I want to finish.

Mr. THOMAS. I simply want to ask the Senator a question. My information is that none of these ways—I think there are 50 of them—are covered, and that consequently work is prac-

ideally impossible to be carried on during the inclement seasons of the year. I should like to inquire of the Senator from Florida if that is true?

Mr. FLETCHER. I think it is true that they are not covered, but I am not well advised if that is not the case as to the ways nearly everywhere.

Mr. THOMAS. I know nothing about it, but that is my information.

Mr. FLETCHER. I think there are scarcely any ways anywhere that are covered.

Mr. THOMAS. A shipway does not need to be covered in the Senator's section of the country, but my information is that unless and until they are covered they can not be operated during the cold season. I know nothing about it personally.

Mr. FLETCHER. I think the Senator from Colorado must be wrongly informed about that, for they have been operating these ways in the worst kind of weather.

Mr. THOMAS. They were building them then.

Mr. FLETCHER. They were building them, but they have been building ships in them during pretty severe weather. I do not think it is necessary to cover shipways. I think perhaps it might be better in some respects, but that would call for a very great expenditure, for each of these ways has railroads, tramways, and immense cranes to carry the material back and forth to and from the hull under construction. I do not see how we could operate them very well unless they had very high roofs, and I doubt if it is feasible to cover the ways.

However, passing from that, it will be remembered also, and it is but fair to these contractors to say that they get nothing for their services in the construction of the yard. Under their contract their fee is limited to so much for the building of each ship. A statement is made, which is printed in our hearings, and which we may conclude to go into—at any rate, it ought to be cited here—as a claim by the contractors. I read from the hearings, on page 22, as follows:

> Now that the yard has been practically completed—and a work for which the agent in normal times would have received a fee of practically $5,000,000 has been contributed to this Nation without any compensation whatsoever, but at a cost to the agent of an amount probably in excess of $1,000,000—I think it but just to the American International Corporation that this letter should be printed as a part of your hearings.

In other words, this contractor, the International Co., would have been justly entitled to a fee of $5,000,000 for its services, or compensation to that amount for the construction of this yard, whereas it gets absolutely nothing for it under the contract, and it has furnished its organization, its service, its time, and its energies for many months without any compensation whatever, at an actual cost of approaching $1,000,000, except in so far as that may enter into their compensation for the building of the ships.

Mr. VARDAMAN. Mr. President, the Senator seems to lose sight of the fact that the greater part of the work of construction was done by subcontractors who received a fixed fee of 5 per cent.

Mr. FLETCHER. Some of the work was contracted for, undoubtedly, and I presume the greater part of it.

Mr. VARDAMAN. I think 91 per cent of it. I never heard of any of it being done except in that way; and that was done for the purpose of getting around the terms of the contract, which prevented the corporation from charging any fee.

Mr. FLETCHER. It had to be done either in that way, or it had to be done by employing people; and that was considered the customary way and the most economical way to have the work done.

Mr. ROBINSON. Mr. President, I rise to a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Arkansas will state his parliamentary inquiry.

Mr. ROBINSON. I do not desire to interrupt the Senator from Florida, but I desire to know whether morning business has been concluded?

The VICE PRESIDENT. We have had no morning business this morning.

Mr. FLETCHER. I know that is the case, Mr. President; but the Senator need not make the point, for I have about concluded.

Mr. ROBINSON. I merely wish to inform the Senator that I desire an opportunity that the morning business may be proceeded with.

Mr. FLETCHER. Very well.

Mr. JOHNSON of California. Mr. President, as a member of the Commerce Committee I can not permit to go unchallenged the defense of the Hog Island project which has just been interposed by the chairman of that committee [Mr. FLETCHER]. I will occupy, however, less than three minutes in presenting to the Senate a few pertinent suggestions which I think ought to be in their minds, if they deal with this subject at all.

First, the mode in which this particular shipyard was constructed was a mode which never should have been adopted. It was a mode by which private individuals were permitted without stint to dip into the Treasury of the United States and spend as they saw fit unlimited sums of money belonging to the people.

Secondly, you might justify that because of the necessities and emergency of war, but the fact remains that they did not deliver the goods; that the ships have not been built after this mode of construction was followed.

Thirdly, the Senator, who is chairman of the Commerce Committee, defends the price which was paid for the land. The fact is that just prior to the contract being made under which the Government was obligated, in case it availed itself of its option to pay $1,800,000, the owners of this land had contracted to sell it for $800,000, and an option of that sort was of record. So much for the price of the land.

Fourthly, the price that it was estimated that this particular shipyard was to cost was $20,000,000. Say it was a hasty estimate, if you choose, nevertheless the fact is that we have expended $60,000,000 there up to this date.

Next, we have expended the people's money in that shipyard to give to private individuals and private corporations certain percentages for what this distinguished admiral who insults a Senator of the United States says was the "know how." We developed in the testimony that not only did we pay the percentage in the contract for the "know how" of the original contractor, but we then paid a percentage for the "subknow how" and a percentage for the next "subknow how" of the next contractor. That is, we took these distinguished gentlemen who knew so much about shipyard construction, who said they would give their knowledge to us for a certain percentage or profit on ships, and then they let contracts to others for a certain percentage, the others knowing how to do what they themselves presumably did not know how to do. So we paid the percentage for the "know how," and then we paid a percentage for the "subknow how."

Mr. FLETCHER. Mr. President, the Senator knows perfectly well that the contractor was not to get any percentage on the construction of the yard.

Mr. JOHNSON of California. No; they were to get it on the building of the ships, and they were to construct the yards. That was the great desideratum and the great consideration—that they had such tremendous and extraordinary knowledge that they would construct that yard; and they performed in part by paying a percentage for a "subknow how."

Then, beyond that, when we dealt with the particular technical organization of one of these intertwined corporations that was doing this work, we paid them 100 per cent additional for the technical men of their organization.

All these things are matters of record—every one of them. I can not discuss them in detail this morning, but they are sufficient to demonstrate that there has been an extravagance in connection with this yard that beggars description; and if an admiral of the United States Navy—I do not know whether or not he is now an officer—but if an admiral who is in the service of the United States designates any statement that there has been extraordinary extravagance and outrageous extravagance there as a lie, that admiral ought to be court-martialed and removed from the service of the United States Government.

Mr. LENROOT. Mr. President, will the Senator yield for a question?

Mr. JOHNSON of California. Certainly.

Mr. LENROOT. The chairman of the committee, Mr. FLETCHER, in speaking of the land where this enterprise is located, said there was a contract of purchase, and I think the Senator from California has inferentially stated the same thing.

Mr. JOHNSON of California. I did not mean to do so.

Mr. LENROOT. It was, as a matter of fact, only leased with an option to purchase, which must be exercised within a very limited time after the completion of ships, and if at that time the Shipping Corporation should not have the money with which to carry out the option, or Congress should fail to act, the Government is powerless, and these millions of dollars must go to the International Corporation.

Mr. REED. Mr. President, before the Senator from California takes his seat, I wish to ask him if he can state how many ships have actually been completed at the Hog Island shipyard?

Mr. JOHNSON of California. I am told this morning by the chairman of the committee that one ship has actually been built. Until he made that statement I did not think there was a single

solitary ship that had been completed there. I know that the time for the delivery of these ships has run past.

Mr. SUTHERLAND rose.

Mr. REED. Did the Senator from West Virginia rise to speak on this matter?

Mr. SUTHERLAND. No; on another matter.

The VICE PRESIDENT. We are trying to get through with the morning business. We have not reached petitions and memorials as yet. There have been half a dozen objections to this discussion, but they seem to get nowhere. Petitions and memorials are in order.

PETITIONS AND MEMORIALS.

Mr. GRONNA. I present resolutions adopted by the Farmers' National Committee on War Finance, which I ask to have printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

THE FARMERS' NATIONAL COMMITTEE ON WAR FINANCE,
Washington, D. C., December 11, 1918.

To Members of the Congress:

The revenue bill reported by the Senate Finance Committee will raise less than $6,000,000,000 during the current fiscal year, whereas the House revenue bill would raise $8,140,000,000. The Farmers' National Committee on War Finance submitted briefs to both the Ways and Means Committee and the Senate Finance Committee, pointing out in detail how nearly twelve and a half billion dollars could be raised by taxation during the current fiscal year. On behalf of the farmers of America, and in view of the resolutions adopted by organized labor, I think I can appropriately say with the indorsement of organized labor, the Farmers' National Committee on War Finance respectfully asks the Congress to enact a revenue bill which will raise the sum we suggested in our briefs to the committees noted above. We shall not attempt to make any lengthy argument, but merely cite to you certain facts regarding the national income in appealing to you to enact a just revenue bill. First, may we note that America, like every belligerent in this war, is threatened with a spread of bolshevism?

WHY SHOULD CONGRESS FOSTER BOLSHEVISM?

For the Congress of the United States to enact a revenue bill which will raise less than $6,000,000,000 would probably do more than any other single thing to spread bolshevism here, because it would serve notice upon the American people that the interests of the privileged and wealthy classes of the country are regarded by Congress as paramount to the rights of the people. The number of deaths in America every year from preventable diseases, of which poverty is the basic cause, is about five times as large as the total number of American troops killed in this war. It is literally unthinkable that the Congress should agree to a proposition to saddle more of the cost of this war, which has been a prolific breeder of millionaires, upon the workers of the country in order that these few thousand wealthy men may augment their unearned incomes, and already huge fortunes, out of this war. You, gentlemen, appreciate that the concentration of wealth due to privilege in this country is a continuing menace.

TIME TO SET OUR OWN HOUSE IN ORDER.

Now that the forces of kaiserism and militarism have been successfully defeated, it is an essential part of statesmanship to set our own house in order. To tax the workers and producers instead of the wealthy and privileged will be to set our house in disorder. The Secretary of the Treasury estimates that the national debt, after we have paid the costs of the war, will be about $25,000,000,000. Some of the bonds issued are to run for 30 years, so that an amount nearly equal to the capital borrowed will probably have to be paid in interest on the loans. This makes a staggering total of nearly fifty billions, including loans to our allies. The figures from official sources, which the committees of both Houses dealing with war finance have had at their command, show that the total national income this year is approximately $72,000,000,000. The estimated net income of corporations for the present year is $9,000,000,000. The personal income subject to the income tax is estimated at about eleven and a half billions, after deducting for dividends. You are aware, doubtless, that less than 2 per cent of the population own 63 per cent of the wealth and that some 23,000 individuals own about one-quarter of the wealth. In all human probability America will never be in a better position to pay a large part of the cost of the war than it is to-day, because of the large money incomes received during the war. The huge war profits of this current year are, in point of fact, not greater than in 1917, when they were approximately $10,450,000,000. The excuse offered for reducing the amount to be raised by taxation is that the business interests of the country must not be interfered with. This is only a pretext.

WHOM DOES CONGRESS REPRESENT?

The Government has demonstrated that it can raise large loans from many subscribers of small amounts, and the issue before Congress is clearly one which can not be concealed, whether the wealth of the country and the profits directly attributable to the war, which have continued to increase during the last three or four years, shall be taken for the cost of the war or whether this burden shall be saddled upon the workers over a long period of years. With our national wealth and national income our entire outlay for the war could easily be paid within 10 years. No legitimate business enterprise will suffer in any way through this policy, because the Government can, if it will, raise money for undertakings through popular subscription, and it would be merely an act of justice to permit those of small means to invest their meager savings in highly productive commercial and industrial enterprises instead of reserving such enterprises as the sole opportunity of those who already possess large means. No liberal who loyally supports the purposes for which we entered the war can understand why the Senate Finance Committee voted to reduce the income-tax rate on incomes between ten and one hundred thousand dollars. In 1916 there were 177,120 families, largely individuals, who received incomes between these ranges, and their total net taxable income was nearly three and a third billion dollars. The total income of that class for this year will probably be close to $4,000,000,000. Neither can any fair-minded person understand how any individual can be permitted to retain an income of one to twenty millions until the cost of the war is fully met, nor why Congress should sanction such unpatriotic selfishness, though this has been done in both the House revenue bill and the Senate revenue bill. Had the German military machine defeated the forces of liberty, the recipients of these huge incomes and possessions of these swollen and privileged fortunes would have paid much more dearly than if they should be taxed as heavily proportionately as the poorest families in America, which is less than we ask. We regret exceedingly that the method of financing the war evidently contemplated by Congress should give even the appearance of justification to the false charge that America entered the war to enable a few individuals to amass huge fortunes therefrom. The enactment by Congress of the revenue bill proposed by the Senate would serve notice not only upon the American people but upon the world that the Congress has repudiated the noble purposes for which we entered the war and has deferred to the greed of un-American profiteers and despised the rights of the common people.

COLOSSAL FORTUNES ARE INCITERS TO WAR.

As you are well aware, colossal fortunes secured through privilege, as is the case with every large American fortune, and huge incomes are a prolific inciter to warfare, and valuable and even essential as is a league of nations to assure permanent peace, nevertheless America will not be fully safe against the temptation to aggressive warfare in the future unless it can compel immediately equality of financial sacrifice in paying for this war. We have demonstrated to many of you previously nearly twelve and a half billion dollars can be equitably secured by taxation during the current fiscal year from the following sources: War-profits tax, $3,875,000,000; income tax, $6,000,000,000; corporation tax, $555,000,000; customs, $230,000,000; tax on value of unused and inadequately used land, $500,000,000; miscellaneous, excise, etc., $1,321,215,000.

We therefore very earnestly request the Congress promptly to enact such a bill and to avoid the charge which it can not otherwise escape of placing unjust burdens upon the soldiers, sailors, and men in other branches of the service, and upon the countless millions of American toilers who have devoted their utmost effort to the successful prosecution of the war in order to secure economic freedom and justice, as well as to destroy political autocracy.

LETTER TO CHAIRMAN SIMMONS.

On December 4 I wrote Chairman Simmons, of the Senate Finance Committee, the following letter, to which I have not yet received a reply:

"We have been asked by many representative farmers to inquire regarding the status of the war-revenue program, and specifically on the following points. Would you be good enough to inform us?

"1. In view of the fact that huge war and excess profits and large incomes have been received during this year and that it is highly improbable that there will be such profits and incomes next year, why were the rates of taxation on incomes of $10,000 to $100,000 so materially reduced by the Senate Finance Committee?

"2. Is it true that it would not be constitutional to enact a revenue bill which would be retroactive, so that if no revenue bill applying to the calendar year 1918 is enacted during the present calendar year the rates of the revenue bill in force would necessarily apply for the current calendar year, under which rates incomes are very lightly taxed and war profits escape practically untouched?

"3. If large war profits and incomes are not taken now, have they not escaped forever?

"4. Has not 'big business' so adjusted its business by now that it can escape much of the taxes collected under the present revenue bill?

"5. What explanation can be offered for the failure of Congress to enact a revenue bill promptly with at least something of the alacrity with which the several liberty-loan campaigns have been organized and conducted?

"There is unfortunately a widespread impression that the enactment of the revenue bill by the House last summer was merely a campaign measure and that there was no intention on the part of the Senate to enact the rates provided in the House revenue bill into law. We can not conceive that anyone would so trifle with a matter of such serious import and shall therefore very deeply appreciate your replying to our questions.

"Yours, very truly, BENJAMIN C. MARSH,
"*Executive Secretary.*"

Mr. GRONNA. I also present a telegram from the Devils Lake Journal, of North Dakota, which I ask to have printed in the RECORD.

There being no objection, the telegram was ordered to be printed, as follows:

DEVILS LAKE, N. DAK., *December 11, 1918.*

Hon. A. J. GRONNA,
United States Senator,
Senate Office Building, Washington, D. C.:

Just as mail-order houses are sapping life blood from country merchants, so are Nation-wide periodicals, magazines, and city dailies sapping life blood from country press by carrying mail-order advertising, which in turn destroys country merchants and through unfair mail privileges drive country papers out of business. The zone postal rate is step in right direction and to repeal it would be great backward step. Please stand by country press. Make publishers pay the cost of transporting their output through the mails. At least help publishers who have made North Dakota what it is.

DEVILS LAKE JOURNAL.

Mr. FLETCHER. I present a telegram from the North Florida Chamber of Commerce, which I ask to have inserted in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

TALLAHASSEE, FLA., *December 13, 1918.*

Senator D. U. FLETCHER,
Washington, D. C.:

Recommend Government control of railroads as asked by Mr. McAdoo, for reason more likely to extend and construct new railroads through lands to be made farms for returning soldiers, and also will tend to keep labor steady and prevent strikes, as occurred under private ownership. Means great deal to development of Florida and other sections of United States.

NORTH FLORIDA CHAMBER OF COMMERCE.

Mr. FLETCHER. I also present a telegram, in the nature of a memorial, from citizens of Ocala, Fla., relative to Government ownership of railroads, which I ask to have printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

OCALA, FLA., *December 13, 1918.*

Hon. DUNCAN U. FLETCHER,
United States Senate, Washington, D. C.:

We, the undersigned citizens of Ocala, wish to express to you and to your colleagues through you our absolute disapproval of Government ownership of railroads and telegraph and cable companies, and believe that they should be returned to their owners. It is our earnest conviction that this policy is taking us away from true democracy and means one more step toward the autocracy of socialism. We trust that when this measure comes before the Senate and House for action that you will take counsel of your constituents, and we believe that they will agree with the above by an overwhelming majority.

JAKE BROWN.	LOUIS R. CHAZAL.
J. E. CHACE.	H. D. STOKES.
Z. C. CHAMBLISS.	A. E. GERIG.
W. S. BULLOCK.	W. M. GIST.
T. T. MUNROE.	GEORGE MACKAY.
J. M. THOMAS.	L. W. DUVAL.

PUBLIC BUILDING AT PRINCETON, IND.

Mr. REED, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 10663) to convey a strip of land on the site of the Federal building at Princeton, Ind., reported it without amendment.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KENDRICK:

A bill (S. 5190) to grant recommended promotions to officers and men of the United States Army (with accompanying papers); to the Committee on Military Affairs.

By Mr. MYERS:

A bill (S. 5191) for the relief of private owners of lands within or near the Bitter Root, Lolo, or Missoula National Forests, Mont.; to the Committee on Public Lands.

By Mr. LENROOT:

A bill (S. 5192) for the construction of a bridge across Rock River at or near Jackson Street, in the city of Janesville, Wis.; to the Committee on Commerce.

By Mr. OVERMAN:

A bill (S. 5193) to donate the big German gun captured by Company I, Three hundred and twenty-first Infantry, Eighty-first Division, marked "Three over A" and "Ersatz" over "Bremsfussigkalt," to the city of Asheville, N. C.; to the Committee on Military Affairs.

By Mr. FLETCHER:

A bill (S. 5194) to provide for the incorporation of certain companies engaged in foreign trade; to the Committee on the Judiciary.

By Mr. ROBINSON:

A bill (S. 5195) granting an increase of pension to Silas W. Norris (with accompanying papers); and

A bill (S. 5196) granting an increase of pension to Oscar S. Pomeroy; to the Committee on Pensions.

By Mr. FERNALD:

A bill (S. 5197) granting a pension to Melville L. McCorison (with accompanying papers); to the Committee on Pensions.

THE REVENUE.

Mr. SPENCER submitted an amendment intended to be proposed by him to the bill (H. R. 12863) to provide revenue, and for other purposes, which was ordered to lie on the table and be printed.

Mr. GRONNA submitted an amendment intended to be proposed by him to the bill (H. R. 12863) to provide revenue, and for other purposes, which was ordered to lie on the table and be printed.

Mr. NEW submitted an amendment intended to be proposed by him to the bill (H. R. 12863) to provide revenue, and for other purposes, which was ordered to lie on the table and be printed.

SITES FOR MILITARY HOSPITALS.

Mr. ROBINSON submitted the following resolution (S. Res. 386), which was read and referred to the Committee on Public Buildings and Grounds:

Resolved, That the Committee on Public Buildings and Grounds be, and is hereby, authorized and directed to investigate the selection and acquisition of sites for military hospitals, and contracts and expenditures for the repair, acquisition, and construction of such hospitals. Also what additional hospital facilities are required and what existing public buildings, if any, are available for use as hospitals.

BREWERS' GERMAN PROPAGANDA.

Mr. SMITH of Georgia. Mr. President, on yesterday I made a statement before the subcommittee of the Judiciary Committee which is investigating the charges against the United States Brewers' Association and allied organizations. I ask consent of the Senate that the statement which I there made be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The statement referred to is as follows:

STATEMENT OF SENATOR HOKE SMITH, OF GEORGIA, MADE DECEMBER 13, 1918, BEFORE THE SUBCOMMITTEE OF THE JUDICIARY COMMITTEE OF THE SENATE, APPOINTED TO INVESTIGATE CHARGES AGAINST THE UNITED STATES BREWERS' ASSOCIATION AND ALLIED ORGANIZATIONS.

"Senator SMITH. Mr. Chairman and gentlemen, on Sunday there appeared in several of the morning papers references to the mention of my name in a letter or report that was presented on Saturday before your committee.

"These newspaper accounts were quite vague, but stated in substance that among the many documents introduced before your committee one addressed to William Byard Hale and supposed to have been written by C. M. Jacobs, of Chicago, gave an account of the work of the American Embargo Conference and referred to me as either supporting the principles of the conference or giving moral support to it.

"As I knew nothing about the American Embargo Conference or C. M. Jacobs, I applied to your secretary Monday for a copy of the paper which made reference to me. He did not furnish it to me until late yesterday afternoon, giving as his explanation of the delay the large number of documents put in evidence and the further fact that the one in which there were a few lines referring to me was very long and he did not succeed in finding it sooner.

"I have now the paper before me. It is a typewritten communication addressed to Byard Hale, signed 'The American Embargo Conference.' The paper is quite lengthy and refers to a great many different things connected with what seems to have been the work of this American Embargo Conference, which was described as seeking to build up public sentiment in favor of forbidding the shipment of war supplies to the allies.

"The paper purports to have been written in July, 1915. The passage referring to me is in this language:

"'The visit of the press men gave us the opportunity to drive home the fact that ours was an American organization; that all of its members had to be voters; and when it was shown that the organization was receiving the moral support of such men as Senators HITCHCOCK, Works, and HOKE SMITH, they departed satisfied that this was one organization that was not a "pro-German movement."'

"I only wish to say, Mr. Chairman, that I can not recall ever having heard of C. M. Jacobs before last Sunday. I knew nothing of the American Embargo Conference or its purposes. I never had relations, dealings, or communications of any character with it or its members. I never gave the organization support of any kind, and when the Hitchcock amendment, forbidding the exportation of war supplies to the allies, was before the Senate I voted to lay it on the table.

"The subject of an embargo on war supplies was not before any committee upon which I served, and the only time—so far as I can recall—it was before the Senate I voted to lay it on the table.

"Again let me say, I never had any connection with this association, and I never gave it any support at any time.

"Senator OVERMAN. Do you not suppose, Senator, that this was a mere inference on account of the fight you made in the Senate in behalf of the shipment of cotton abroad?

"Senator SMITH. Well, I was conscious of the fact that for a while in 1915, when I was seeking to enforce the right of American citizens to ship noncontraband goods through neutral ports into Germany and Austria, it was supposed and even charged by some that I was seeking to help the Germans. In point of fact, I was entirely indifferent to the Germans. I was moved solely by the fact that I believed rights of American citizens were being illegally disregarded, and especially by the fact that my own constituents who raised cotton had been cut off from a large market, many of them ruined in the fall of 1914 and the winter of 1914–15 by the low price of cotton caused in large part by the loss of their markets. I was conscious of the fact that the fight I was making in favor of my constituents was misjudged in some quarters; but I deemed it my duty to do what I could to secure for my constituents the right to sell their cotton in every market to which they were entitled.

"Senator OVERMAN. And they at that time were almost ruined by the low price of cotton caused by the loss of markets.

"Senator SMITH. In confirmation of your suggestion, I may say I received letters during the winter of 1914 and 1915 every day—distressing letters—from men whose children were taken out of school, whose stock and farms were lost, who were just financially ruined by the unprecedented low price of cotton, due

to the war, and, in part, to the loss of one of their biggest markets, Germany and Austria. They had in prior years sold 3,000,000 bales a year into Germany and Austria, and the loss of that market, together with the big crop, put the price of cotton down below the cost of production. The suffering on the part of my immediate constituents was very great, and I agitated their right all through 1915 to get cotton into Germany and Austria. The hope that they might have a broader market and the threat to create a broader market helped somewhat the market price, and I believe it did induce British interests to come into the market in the fall of 1915 and take over a large quantity of cotton.

"Senator KING. I suppose your position, in part, was this, Senator SMITH, that a belligerent may not of its own volition determine that anything and everything is contraband and interdict the shipment by neutral nations of everything that they may denominate contraband.

"Senator SMITH. That was one of my positions; but Great Britain stopped shipments six months before they undertook to make cotton contraband. Conceding that it was not contraband, they stopped it, and then they undertook to make it contraband. I cited England's own action in the Russian-Japanese war, in which Great Britain protested such treatment of her Indian cotton by Russia and forced Russia to permit that cotton to go free to Japan.

"Senator STERLING. One claim was made, was it not, Senator SMITH, that England found contraband concealed in bales of cotton shipped?

"Senator SMITH. Yes; but I believe there was no truth in that claim. I challenged those making the claim to name a single instance and submit it to investigation. I do not see how cotton could be baled with copper inside of the bale. I never learned of an instance in which it was done. Cotton was seized on the ocean without regard to its being contraband or noncontraband. All shipments of cotton to enemy countries were stopped by Great Britain.

"Senator OVERMAN. And afterwards there was a change of attitude, so that the people were saved from absolute ruin?

"Senator SMITH. Yes; and, frankly, I believe that British agencies went into the market as large purchasers and helped to steady the price of cotton in the fall of 1915, making up, in a measure, for the markets cut off.

"Senator OVERMAN. Then, for the crop of 1915 a reasonable price was paid?

"Senator SMITH. By the fall of 1915 cotton went back to 12 cents.

"Senator STERLING. What was the lowest price?

"Senator SMITH. It had been as low as 5 cents. There really was no market at all for a while. It could not be sold always for 4 cents a pound.

"Senator OVERMAN. You could not sell it at all.

"Senator SMITH. The small farmer raised his crop on borrowed money and had to settle his debts in October and November. He had little market for his cotton in the fall of 1914. Where there was a market the price did not pay what he had borrowed to make the crop. His horses went; his partly-paid-for land went, in many instances. In other instances the children were stopped from school, and the situation was pathetic. The letters that I received from my constituents all over Georgia during the fall of 1914 were distressing.

"Senator OVERMAN. The banks sent telegrams here saying that they were threatened with bankruptcy, because they could not collect their debts.

"Senator SMITH. Yes.

"Senator OVERMAN. This money having been advanced by them to make the crop, they were in bad shape.

"Senator SMITH. Had not the price of cotton risen in the fall of 1915 bankruptcy would have swept over the whole of the cotton-growing States.

"Senator STERLING. Subsequently you got an unprecedentedly high price?

"Senator SMITH. Subsequently the cost of production rose very greatly and the price, like prices of other things, was high. The price has not been higher for cotton in proportion to the prewar prices than for other agricultural products, and the cost of producing the crops has been larger in proportion, because the greater part of the increase in the cost of producing crops has been in the increased cost of labor. No other agricultural crop requires the amount of labor that cotton does. Every boll of cotton must be picked by human fingers, and from the time you start the crop until the time you put your cotton in the gin human labor attaches to it.

"Senator OVERMAN. Notwithstanding that, when the resolution came up, you voted to table it?

"Senator SMITH. Oh, yes; that was an entirely different thing. That was sending munitions to Europe.

"Senator NELSON. I remember the incident very well. I was curious to see what you would do on the Hitchcock resolution, and you voted, as you say, against it.

"Senator SMITH. Yes. My object was to force our rights, if I could, to ship noncontraband to Germany through neutral ports; rights that the President had asserted in his letter of March 31; but whether or not I succeeded in doing that I sought to keep up an agitation in the hope that the market might be strengthened. I also wished to impress upon the British Government, as far as possible, the extent to which they were oppressing a portion of the people of the United States by disregarding their clearly established rights and to induce more liberal purchases from London so as to steady and protect the market. I know that a more liberal price was accorded the cotton crop in the fall of 1915 by British interests.

"This is the only paper before you that refers to me, so far as I know.

"Senator OVERMAN. That is the only one.

"Senator NELSON. Yes; that is the only paper.

"Senator OVERMAN. Are you through, Senator?

"Senator SMITH. Yes.

"Senator OVERMAN. There have been some names mentioned in these records that have been sent here. Of course, we can not tell what is in the records before they are read. The names of numerous gentlemen have been mentioned and we have accorded a hearing to everybody who wanted to be heard in regard to it. Senator HITCHCOCK's name was mentioned as well as yours, and he made a statement on the floor of the Senate which is printed in the CONGRESSIONAL RECORD, and at his request I am very glad to have that statement put in the record of this committee.

"Senator SMITH. I thought of presenting to the Senate the reference to myself, but I concluded the best course was to discuss it before your committee.

"Senator KING. I think that this situation, Senator SMITH, illustrates the great danger that may result from a lax interpretation of the rules of evidence in the admission into records of hearsay, and oftentimes testimony that does not rise to the dignity of hearsay, and good men and innocent men are frequently misunderstood and misrepresented by that sort of testimony. We ought to be very careful in the admission of testimony that reflects upon people where the evidence is not valid or proper.

"Senator OVERMAN. I want to say that this evidence having been furnished by the Intelligence Department of the Army and the Department of State, and most of it from the Department of Justice, was not voluntary. In pursuance of the resolution, and under the instructions of the committee, I requested, as chairman of this committee, that all the documents and evidence in regard to the brewers and in regard to German propaganda should be sent here by some agent of the department for investigation, and these names have come out in certain documents that were found in the Department of Justice, and it is not the intention of this committee to reflect upon anyone, and it accords a hearing to everyone whose name is mentioned here, and is glad to do it. The mention of persons was not volunteered by any department of the Government but comes about in response to letters that I wrote to these departments asking them to furnish evidence that they may have in regard to German propaganda, and, of course, documents are furnished and names are mentioned in the documents, as yours was, Senator, where there was just somebody who wrote a letter stating an opinion that different persons were in sympathy with them, as in your case. Of course, there is nothing to support such a suggestion in your case.

"Senator SMITH. I understood that the Department of Justice did not put this letter in with any view of criticizing me, and the mention of my name was just incident to a long story about other things; still, as it was in the letter, I wished the same record to contain my statement with reference to it.

"Senator OVERMAN. We are very glad to put it in.

"Senator SMITH. I am much obliged to you."

PAYMENT OF THE WAR DEBT BY GERMANY.

Mr. POINDEXTER. Mr. President, I present the statement which I send to the desk, and I ask unanimous consent to have it read.

The VICE PRESIDENT. Is there any objection?

Mr. FLETCHER. What was the request?

The VICE PRESIDENT. To have read something; the Chair does not know what. Is there any objection? The Chair hears none. The Secretary will read as requested.

Mr. POINDEXTER. I will state that it is an editorial from the Oakland Enquirer of December 3, 1918. After it has been read I wish to occupy about one minute in reference to it.

The Secretary read the editorial, as follows:

[From the Oakland Enquirer, Dec. 3, 1918.]

MAKE THE HUN PAY OUR WAR DEBT.

The fighting is over. The natural thirst for power may prolong war conditions, to keep us under the rule of the centurion. Thousands of American soldiers rest in graves that dot an alien landscape. The wounded and maimed are coming home. American prisoners of war are emerging from captivity embittered by every torture that the iron hand can inflict.

The day of plain speaking is here. The President goes to the peace conference to represent the wish of the American people. Does that mean the wish of the small number of parochial politicians, Socialists, and dreamers of bad dreams, or does it mean the wish of 110,000,000 of free-born people, who have furnished the money to be spent and the blood to be spilled in the great struggle?

If the latter, how does the President know the wish of the American people? They have not been consulted. From the entry of America into the war not a single appeal has been made to the patriotic initiative of American freemen. "Do as you are ordered or take the consequences" has been the rule of many of the commissions, and the people have sacrificed their liberties and their lives that the war might be won. And now what? All that we know is that the President goes to the peace conference to urge certain academic ideas of his own concerning an unexplained "freedom of the seas," which has existed for many generations, and the removal of economic barriers between nations, and a league of nations such as has never existed and never will.

How far do these empirical propositions represent the wish of the American people? What material or moral gain do they promise?

At that peace conference France will get back her Rhine Provinces; Denmark her stolen territory; England the German colonies in Africa, to enjoy hereafter the Pax-Britannica; Australia will get the German islands in the Pacific; the Balkan nations will get an ethnological autonomy; Italy will get the Irredenta occupied by her people, and will control both shores of the Adriatic; Greece will get Constantinople and control the Dardanelles and the Bosphorus, and all lands devastated by the Hun will get indemnity. Read that over with the map of Europe before you and remember that our soldiers died to make all this possible, and that we, the people, have spent $30,000,000,000 to train, arm, transport, and feed and clothe them.

As a recompense are the American people to be fed on the dry husks, or are we to get what belongs to us?

If we understand the wish of the American people, it is for liberty at home and not State socialism. The German Empire was the greatest Socialist State that ever existed. The State socialized the railways, telegraphs, and telephones, dictated the occupations the people should engage in, and compelled the civilian population to pace the lock step of socialism and the army to keep the goose step of the soldier. Do the American people want that? No; they do not. At the peace conference they have one wish—that Germany pay our war debt. If the President is deaf to this wish, it means that for four generations to come we must submit to a burden of taxation that will sap the foundation of our industry, and, like a vampire, suck the blood from our economic arteries, lower our standard of living, and send us backward. The President's repudiation of this wish will mean that our soldiers come home to bend their backs to a load of taxation such as their sires and grandsires never knew. They have done the fighting; they have liberated the world. Is not that enough? Does the President want them also to pay the bill?

Gather any group of Americans and put to them plainly the issue, "Shall Germany pay our war bill?" and they will answer, "That is our demand."

The great cities of Germany are unharmed. Her mines, mills, factories, and fields are unimpaired. Her economic resources are affluent. She will have neither army nor navy to support. The war has been brought home to her only in the sentimental humiliation of defeat. Make her feel it by paying our war bill to the last dollar. If it takes a century to do it. That is the wish of the American people. They want it because it is justice. Germany can not give us back our dead, but she can be made to leave our sorrow for the dead the only burden left upon us by the war.

If we are to do all for the world we have done and then be left to pay the bill, we become the Don Quixote of the nations, wearing a barber's basin for the helmet of Mambrino and going forth to be spent in conflicts that pay us back in honors that will not pay taxes.

Mr. POINDEXTER. Mr. President, the introduction of this editorial—which, in my judgment, very ably and cogently states the proposition that Germany should be made to pay the expenditures of the United States in this war of defense—was occasioned by a statement which I read in the public press a day or two ago from the Secretary of the Navy, who, I assume, spoke for the administration, in which the Secretary of the Navy, undertaking to state the position of this Nation on this question, said that the United States did not want, and would not have, any war indemnity.

I do not think that the Secretary of the Navy, in assuming that position, represents the public opinion of the United States. He does not represent, at least, the opinion of many people. He does not represent my opinion. I agree with the argument contained in this editorial. In litigation between parties in the courts, the successful party, who has the meritorious cause and obtains the judgment, obtains also, as a part of the decision of the court, the costs of the litigation. This greatest of all issues which has been tried out in the court of war has been decided in favor of the United States; and the United States is entitled in justice, in morals, in international law to demand its costs.

The time has gone by when the attitude of altruism and generosity in dealing with the great trusts of government should be maintained. The rights of the American people, the burdens of the American people, are not matters in which the officials of the Government who for the time being are responsible for the conduct of its affairs have a right to exercise their personal ideas of generosity. It is the duty of the Government of the United States to assert and to maintain the interests of the people of this country. Those interests demand that we shall be reimbursed for the tremendous expenditures which have been laid upon the backs of our people for the conduct of this righteous war. Our allies are perfectly willing that we should share in the war indemnity; and I, for one American citizen, resent the attitude expressed by the Secretary of the Navy, the spokesman of the administration, of rejecting the proffered indemnities which in the calculations that have been made have been set aside by the allies as the share of the United States.

ALLOTMENTS TO DEPENDENTS OF SOLDIERS.

Mr. SUTHERLAND. Mr. President, I called the attention of the Senate yesterday to the very serious situation that exists with reference to the payment of allotments to dependents of soldiers around through the various States. I know that every Senator here has received numerous complaints of this character. I think it is of the very utmost importance that these dependents out in the States shall receive promptly the amounts due them. There is no reason why this should not be done, and I expect to continue to call the attention of the Senate and of the country to this matter until some improvement is made.

I desire to have printed in the RECORD a letter upon that subject. While we are talking about the millions that have been spent, and about some of which there is some question as to whether they should have been spent, it is only right that we should take up these amounts which have been appropriated for the benefit of the dependent wives and mothers and others around through the country of our soldiers and pay them the amounts which are necessary for their very existence.

The VICE PRESIDENT. Is there any objection to printing in the RECORD the matter referred to by the Senator from West Virginia? The Chair hears none.

The letter is as follows:

ST. MARYS, W. VA., *December 12, 1918.*

Hon. HOWARD SUTHERLAND,
Washington, D. C.

MY DEAR SENATOR: I am writing you in the interest of Mrs. Marion S. Tice, of St. Marys, W. Va., who is a widow lady. Her son, Franklin L. Tice, No. 6 3734701, Company 11, One hundred and fifth-fourth Depot Brigade, is at Camp Meade, Md. He made to his mother an allotment out of his pay, but she has never received but $10 on it, and that was more than four months ago. More than one month ago I wrote the department in regard to this matter for her, but have never had any word from them, not even the courtesy of a reply. I feel that this case should be investigated by some one. I am not in position to do much in the matter, as you know, except to write them. I am a member of the legal advisory board for this county, and it is made my duty to advise and assist registrants and the men in the Army, also their dependents; but when the department is not inclined to even answer my letters or to act in the matter, I am at the end of my authority. Therefore I am writing you in regard to this matter. This boy was the only support this mother had. She has been sick and was at the time they took him in the Army away from her. He has done his part by making her an allotment. Now, it does seem to me that she should have this money. She has no other means of support. I know that she has for the last several weeks been taken care of largely by friends and neighbors. Now, if our Government has to do things this way, it seems to me that there is something very wrong in this matter. It has been more than four months since she received one cent of this allotment. I do not like to complain, but when things go this way I feel that I can not help but to put up a "kick." The Government requires us to do this work. Then not to give it the least bit of attention when we write them regarding it makes me feel that there is something very, very wrong somewhere.

Senator, I hope that you will take this matter up at once and let me hear from you. I am herewith sending you her card advising her of the allotment and hope that after you have examined it you will return it to me for her, as this is all she has.

With kindest personal regards and best wishes, and thanking you in advance for this favor, I beg to remain,

Yours, very truly, C. P. CRAIG.

Mr. BRANDEGEE. Mr. President, in view of what the Senator from West Virginia [Mr. SUTHERLAND] has said about the allotments to the families of soldiers, I desire to have the Secretary read to the Senate a copy of a letter which has been received by a friend of mine from a soldier in one of the near-by camps in relation to the demobilization. After the letter is read I will remark on it for a minute.

The VICE PRESIDENT. In the absence of objection, the Secretary will read the letter.

The Secretary read as follows:

NOVEMBER 7, 1918.

I am writing you these few lines to see if this chapter can help us soldier boys here at Camp Jamison, Ordnance Con., Amatol, N. J. Our living conditions have gotten to be something intolerable.

We are not doing any work of importance, but still the Government is keeping us here. We are in cold tents, without sufficient heat, half-cooked food, and not a sufficient amount of food. Our pay is being withheld.

The most of us here are men with families, and we want to be mustered out to return to our families, as we are drafted men, and it seems to us as if the Government has forgotten that we are here.

We will certainly be grateful if you will try and have the Government to look into the matter. We made no complaint during the war, but now the war is over and we want to return home.

Yours, respectfully,

Mr. BRANDEGEE. Mr. President, that is a copy of a letter that was written to a member of the Red Cross here, who handed it to me with the statement that they were in receipt of large numbers of letters of similar character from soldiers detained in these cantonments throughout the country. Of course, personally I know nothing of the facts, but I do not believe that the soldiers who write these letters are willfully attempting to deceive anyone. Of course, I can appreciate that they can not all be discharged at once; and I assume, of course, that the war is only over so far as the fighting has ceased. Technically I assume that the war is on until the President issues his proclamation and peace is declared; but I suppose and hope that the policy of the Government is going to be to do everything possible to hasten the return of these men to their business and to their families, and while they are being detained in these camps, even if they are detained uselessly, it is certainly within the power and authority of the Government to see that they have proper heat and proper food.

I hope the Military Affairs Committee will investigate this question and find the facts and apply a remedy if the facts warrant it.

CANCELLATION OF GOVERNMENT CONTRACTS.

Mr. OVERMAN. Mr. President, I hold in my hand some correspondence in which I know every Senator will be interested. It relates to contracts canceled by the Government. I ask that it be printed in the RECORD and referred to the Committee on Military Affairs. It is a letter from a manufacturer whose contract has been canceled, and the reply to the letter, from Col. R. W. Lea, showing that the manufacturer can not be paid by reason of a statute, because the contract was not signed by the proper officer of the Government, but the order was made and signed by a subordinate officer.

Every Senator has some cases like this in his State. There are thousands of them outstanding, and there is bound to be some legislation on the subject. Now, while I am not in favor of validating every contract, it might be well to take up the question of whether we ought not to have a committee on arbitration to settle these questions.

For example, an order is given for a million pounds of coffee. It is canceled. The man has the material on hand. He has some equity for which he is entitled to be paid. In this case a great many wagons were ordered and a great amount of equipment for the making of wagons was purchased. The Government ordered the manufacturer to do the work, and the man did it. Now he can not be paid for what he has furnished, because under a statute, passed, I think, during the Spanish-American War, the auditor can not pass the voucher because the contract was not signed by the proper officer of the Government.

These officers have been going about and giving orders all over the United States. There are millions of dollars of contracts outstanding. There is no way for the manufacturers to get their money unless there is some legislation on the subject, and a bill for the purpose is now pending.

I ask to have printed in the RECORD the letter from the manufacturer and the letter from Col. Lea to him, and the letter of a very eminent lawyer, who is the head of the Purchasing, Storage, and Traffic Division, in regard to this matter, in which he sets forth fully the information which the Committee on Military Affairs ought to have when they have this bill before them. I ask that it be printed in the RECORD without reading.

The VICE PRESIDENT. Without objection, that order will be made.

The matter referred to is as follows:

WILSON, N. C., *December 7, 1918.*

Hon. LEE S. OVERMAN,
Washington, D. C.

DEAR SIR: The writer called to see you yesterday morning, but found you were on an investigation committee; consequently left without making any interruptions.

The object of calling to see you was in getting a final settlement from the War Department, covering war activities of the Hackney Wagon Co., on orders placed by the Quartermaster Department, Motor and Vehicle Division.

We are inclosing you copy of letter given the writer in person by this division, signed by Col. R. W. Lea, which explains itself. We are also inclosing you copy of contract, showing form of contract which they made with the Hackney Wagon Co.

To be perfectly plain and frank, we are going to state that the Hackney Wagon Co. has tied up in investments of war materials for Government escort wagons and parts and in investments of equipment and machinery to make these wagons and parts approximately $400,000, and by canceling all of these orders it has placed the Hackney Wagon Co. in a very embarrassing position with the banks who financed us in this undertaking. Our unfilled contracts with the Government amount to approximately $600,000. These were to be completed by June 1, and we would have made shipments of approximately $100,000 per month and would have completed these contracts by that time.

Since cancellation of contract we have made claim on the War Department for approximately $235,000, which is the actual inventory of all material on hand, with no cost or overhead charges added on direct cost of raw materials and manufacturer's labor cost included, less the salvage we could use on this material.

It strikes us, in order to relieve these embarrassing conditions to ourselves and other small manufacturers, that the Government should either authorize us to complete these contracts or pass some legislation immediately whereby we could receive remuneration for this expenditure which we have gone to in purchasing these materials and making the necessary changes to get in shape to do this work.

We will further state that these orders came to us unsolicited; we were in a way commandeered by the War Department to put 50 per cent of our output on this work.

We assure you that any efforts you make to speed up this legislation and put it through will be very much appreciated and long remembered by this company and its officers.

With very kindest regards, we remain,

Yours, very truly,

HACKNEY WAGON CO.,
By W. N. HACKNEY, *Treasurer.*

WAR DEPARTMENT,
OFFICE OF THE QUARTERMASTER GENERAL OF THE ARMY,
Washington, December 5, 1918.

No. 451.7.
From: Motors and Vehicles Division, Vehicle Branch, O. D. of B. & S. O.
S., 3750 Munitions Building, Washington, D. C.
To: Hackney Wagon Co., Wilson, N. C.
Subject: Termination of contracts.

1. This office is in receipt of your statement showing amount which you claim due from the Government on account of the suspension of your contract owing to the cessation of hostilities.

2. Without going into the figures submitted, you are informed under decision of the Comptroller of the Treasury, dated November 25, 1918, no payments can be made to contractors when the contract was signed by an agent of the contracting officer and not by the contracting officer himself without new legislation.

3. That portion of the decision of the comptroller follows:

"As to outstanding contracts not signed by the officer named as contracting officer, their validity is open to question, and is dependent upon proof of the fact, if it be a fact, that the officer who signed was a duly authorized contracting officer and made the agreement with the contractor and that the officer named as contracting officer did not. The statute clearly requires the act of one officer in the making and signing and wholly negatives the idea of one officer signing for another.

"The purpose of section 3744, Revised Statutes, has been so clearly stated many times by the Supreme Court, and the result of failure to comply with it has been so often pointed out by that court, that I do not cite or discuss the cases. The decisions of this officer have followed the interpretation of the statute as announced by that court and have been uniform for 40 years or more.

"This office is anxious to do all in its power to meet the situation referred to in your letter and to facilitate settlement with contractors legally entitled to payment on the termination of their contracts. Cases involving only equitable claims can not be settled by executive officers without new legislation."

By authority of the Director of Purchase.

R. W. LEA,
Colonel, Quartermaster Corps,
In charge Vehicle Branch.

WAR DEPARTMENT,
PURCHASE, STORAGE, AND TRAFFIC DIVISION,
Washington, December 12, 1918.

Hon. LEE S. OVERMAN,
United States Senate.

MY DEAR SENATOR: I have before me the letter from the Hackney Wagon Co. to you, dated December 7, 1918, which you handed me with a request for information as to the status of this company's contract with the War Department.

The situation is exactly as stated in the Hackney Wagon Co.'s letter and in the letter from Col. Lea to the wagon company. During the period when every effort was being made to obtain sufficient supplies for the Army some technical requirements of law, relative to the execution of contracts, were overlooked by officers who had come into the service from civil life and were not familiar with the special and peculiar rules affecting Government contracts. One of the errors which was quite common was the signing of contracts in the name of the contracting officer by a deputy. Most of the wagon contracts made by the Quartermaster Corps, including the contract with the Hackney Wagon Co., were signed in this way.

As long as deliveries of material covered by such contracts were being accepted, there was no trouble, because under the decisions of the courts goods delivered to and accepted by the Government may be paid for at the agreed price, regardless of any informality in connection with the form or execution of the contract. Now, however, acceptance of delivery of materials no longer required has ceased, and supplemental contracts are being made whereby the contractors, for fair consideration agreed upon, consent to a cancellation of the original contracts. No distinction would be made between contractors whose contracts were signed by the contracting officer and those whose contracts were signed by a deputy of the contracting officer but for a recent ruling of the Comptroller of the Treasury to the effect that contracts executed by a deputy are not binding obligations on the Government, and that consequently in such cases the consent of the contractor to a cancellation does not constitute consideration for a payment to him. Acting on this ruling, he has declined to allow payments to contractors on such supplemental contracts.

The manufacturers who took these contracts in many cases did so against their will and under the pressure of inability to obtain materials, fuel, or transportation to carry on their usual business. They were not familiar with the technical rulings affecting Government con-

tracts and without question accepted any contract which Government officials gave them. Under the ruling of the Comptroller of the Treasury they now find themselves in the unfortunate position of having made large expenditures and incurred large obligations for which they have no legal claim against the Government. In many cases bankruptcy will result unless some method is found to protect them.

In my opinion, all such contracts should be immediately validated by legislation so as to put the contractors holding them on the same footing as other more fortunate contractors whose contracts were properly executed, and thereby enable the War Department to deal with all on the same basis.

In addition to the class of cases of which the Hackney Wagon Co.'s case is typical, there are two other classes where there is danger of contractors suffering great hardship without fault on their part. In the rush to get necessary supplies for the troops it was the common practice to advise the contractor that his bid had been accepted and to urge him to proceed with the work in advance of the preparation and execution of a formal contract. As a result, actual production was always several weeks ahead of the making of contracts, so that when the armistice was signed and purchasing ceased there were many contractors who had proceeded in good faith to carry out contracts not yet formally executed. The Comptroller of the Treasury, in a recent letter to the Secretary of War, questions the right of the War Department to execute such contracts if the material contracted for is not now needed for the supply of the Army. If this ruling stands and nothing is done to relieve the situation, many contractors will be severely penalized because of their patriotic endeavor to cooperate with the War Department in producing Army supplies at the highest possible speed. In my opinion, the doubt raised by the letter of the comptroller should be removed by legislation specifically authorizing the execution of such contracts. The War Department will then be in a position to settle with these contractors on the same basis that it settles with other contractors who are so fortunate as to have their contracts in hand.

The third class of cases arises out of a misapprehension as to the law governing the use of purchase or procurement orders in lieu of contracts signed by both parties. The statutes in regard to different bureaus of the War Department differ widely on this point; for instance, the Quartermaster Corps is authorized to make contracts in any amount where deliveries are to be made within 60 days under such regulations as to form of contract as the Quartermaster General may prescribe. (Army appropriations act for the fiscal year 1916, approved Mar. 4, 1915.) The Engineers, however, may not expend any amount in excess of $500 out of War Department appropriations, except by formal contract executed as prescribed by section 3744 of the Revised Statutes. Nevertheless, owing to a misunderstanding, the Engineers made all of their purchases by means of purchase orders, signed by the contracting officer but not by the contractor. This was unimportant so long as deliveries were accepted, but now that no further deliveries are desired the contractor discovers that, under the ruling of the Comptroller of the Treasury, he has nothing on which he can base a claim against the Government for compensation for his expenditures in carrying out the order. In my opinion, either these purchase orders should be given by legislation the status of formal contracts or the War Department should be authorized by legislation to confirm them by formal contracts, so that equitable settlements may be made with contractors who have proceeded in good faith and without knowledge that the Government was not legally obligated.

A bill has been introduced by Senator CHAMBERLAIN (S. 5109) authorizing settlements by the War Department with contractors coming within all of these three classes, but, in my opinion, the remedy provided is not adequate. The settlement authorized by the bill is quite different from the settlement which would have been made if formal contract had been executed, and which will be made with other contractors who have formal contracts; and I can see no valid reason why all contractors should not be treated alike when their difference in status, so far as they are concerned, is purely accidental. This could be accomplished by legislation along the lines suggested in this letter.

The correspondence with the Hackney Wagon Co. is returned herewith.

Respectfully, yours,

W. W. PICKARD,
Chief Award and Contract Branch,
Purchase Administrative Division,
Office of the Director of Purchase and Storage.

THE COAL SITUATION.

Mr. JONES of Washington. Mr. President, prior to the beginning of the war, I am reliably informed, the charge for storing coal in the bins in the District of Columbia was 25 cents a ton. I have also been informed that sometime ago the fuel administrator for the District of Columbia fixed the maximum charge for doing this work at 75 cents a ton. I am also reliably informed that this order is not being lived up to at all, that no attention is paid to it, and that a charge is made which is greater than 75 cents a ton.

I therefore introduce the resolution which I send to the desk, and ask for its immediate consideration. It is designed to ascertain whether or not the fuel administrator is taking any steps to enforce his order.

The VICE PRESIDENT. The Secretary will read the resolution.

The resolution (S. Res. 337) was read, as follows:

Resolved, That the fuel administrator for the District of Columbia be directed to inform the Senate what steps he is taking to enforce the order made fixing the maximum charge for putting in or storing coal at 75 cents a ton in the District of Columbia, and, if no steps are being taken to enforce said order, to inform the Senate why this is not being done, and by what authority of law was said order issued.

The VICE PRESIDENT. Is there any objection to the immediate consideration of the resolution?

Mr. REED. Mr. President, I have no objection to asking for the information, if it is done in a form which does not appear to involve the sanction of the Senate to this order.

Mr. JONES of Washington. Of course, I have not intended to do that at all.

Mr. REED. The fuel administrator in Washington, of course, has just as much authority to fix the price for putting in coal as he has to fix the price of any man's wages, and it is time that this assumption of arbitrary power should cease everywhere in the United States.

Mr. JONES of Washington. I want to say to the Senator that I am not assuming that he had authority; but, as I understand, he issued the order, and now I want to see what he has done in the way of trying to enforce it.

Mr. REED. If the Senator will strike out the words which appear to be a sanction by the Senate of this regulation, I have no objection.

Mr. JONES of Washington. If the Senator will indicate the words he wishes to have stricken out, I will gladly do it.

Mr. REED. Let me see the resolution.

Mr. JONES of Washington. I ask leave to withdraw the resolution for a moment so that the Senator may have an opportunity to read it.

The VICE PRESIDENT. Without objection, the resolution will be temporarily withdrawn.

Mr. JONES of Washington subsequently said: Mr. President, I offer the resolution in a modified form, and I ask unanimous consent for its immediate consideration. The amendment suggested by the Senator from Missouri [Mr. REED] is entirely satisfactory.

The VICE PRESIDENT. The Secretary will read the resolution as modified.

The Secretary read the resolution, as follows:

Resolved, That the fuel administrator for the District of Columbia be directed to inform the Senate what steps he is taking to enforce the order made fixing the maximum charge for putting in or storing coal at 75 cents a ton in the District of Columbia, and if no steps are being taken to enforce said order to inform the Senate why this is not being done.

The resolution as modified was considered by unanimous consent and agreed to.

THE REVENUE.

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is House bill 12863.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12863) to provide revenue, and for other purposes.

Mr. SPENCER. Mr. President, I was out of the Chamber yesterday when subsection 18 of section 900, Title IX, was reached. I desire that the action of the Senate by which the amendment was agreed to may be reconsidered.

The VICE PRESIDENT. Without objection, it will be reconsidered.

Mr. SPENCER. I ask that it may go over, to be considered with the amendment which I filed this morning.

The VICE PRESIDENT. Without objection, it will go over.

Mr. SMOOT obtained the floor.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, Cal.	New	Smith, S. C.
Bankhead	Johnson, S. Dak.	Norris	Smoot
Brandegee	Jones, N. Mex.	Page	Spencer
Colt	Jones, Wash.	Penrose	Sterling
Curtis	Kendrick	Poindexter	Sutherland
Dillingham	Kenyon	Pollock	Thomas
Fernald	King	Pomerene	Thompson
Fletcher	Kirby	Ransdell	Townsend
France	La Follette	Reed	Trammell
Frelinghuysen	Lenroot	Robinson	Vardaman
Gay	Lewis	Saulsbury	Walsh
Gerry	McCumber	Sheppard	Warren
Gronna	McKellar	Sherman	Watson
Hale	McLean	Simmons	Weeks
Harding	Myers	Smith, Ariz.	
Hitchcock	Nelson	Smith, Md.	

Mr. CURTIS. I desire to announce the absence of the Senator from New Hampshire [Mr. MOSES] on account of illness. I will let this announcement stand for the day.

Mr. SUTHERLAND. I wish to state that my colleague [Mr. GOFF] is unavoidably absent, owing to illness.

Mr. McKELLAR. I desire to announce the unavoidable absence of the senior Senator from Tennessee [Mr. SHIELDS] on account of illness.

The PRESIDING OFFICER (Mr. THOMAS in the chair). Sixty-two Senators have answered to their names. There is a quorum present.

Mr. SMOOT addressed the Senate. After having spoken for nearly an hour and a half, Mr. SMOOT said:

Mr. President, I have here a great many other matters that I intended to put into the RECORD, but I do not want to do so.

I will say to the Senator from North Carolina that the next question I desire to discuss is a most important one, and I have been asked by a number of Senators to get it up into such shape that they can answer the letters on the subject that have come to them. I refer to the relief provisions of this bill. I am quite sure that there is no Senator here who has studied the bill but who feels that the bill is a great improvement over the House bill in its relief measures in the clarification of paragraphs as written in the House that it would have been hard for anybody really to understand. I do not feel like entering upon that subject to-night and quitting in the middle of it; but if the Senator from North Carolina wants to insist upon going on to-night, I will get somebody to read these articles or items that I desire to go into the RECORD, and then I will continue my remarks on Monday morning.

Mr. SIMMONS. The Senator must understand that I have not in anything I have said stated that I wanted to interfere with his argument. If the Senator wishes that his argument, or whatever it may be called, shall go over until Monday, I certainly have no objection to pursuing that course.

Mr. SMOOT. Of course, I do not feel like going on to-night, with my throat in the condition it is, and I do not think the Senator would gain any time by having the Senate remain in session this Saturday afternoon. We all want to get everything cleared up if we can. The Senator must know that there is no disposition on the part of any Senator to delay the passage of this bill. I am certainly satisfied of the truth of what I state here. Of course, questions may come up for future discussion and I shall briefly speak on them and ask for a vote of the Senate at an early day. I know of no bill of its magnitude and of such interest to the people of the country that has ever been passed as this bill. If it were not Saturday afternoon I would go on, but really I do not want to do so.

Mr. SIMMONS. I understand the Senator says he has finished his argument——

Mr. SMOOT. On this one subject.

Mr. SIMMONS. On expenditures, and is now about to proceed to another subject.

Mr. SMOOT. The chief provisions of the bill—and I wish to say to the Senator that I have it in such shape that I can present it here condensed upon every subject, so that if there is any Senator who desires to know just what are the relief provisions of the bill of any one section he can simply turn to the relief measure, if it is section 231, and also tell just exactly where other relief measures covering the same thing can be found.

Mr. SIMMONS. I have no doubt the statement of the Senator is a very valuable one and will be very serviceable to the Senate. I am glad he has given the labor necessary to make a statement of that sort. If the Senator feels like he ought not to go on to-night——

Mr. SMOOT. I certainly feel that way.

Mr. SIMMONS. I, of course, shall not insist, but I had hoped that if the Senator discontinued his remarks this afternoon we might take up the bill where we left off and go on with it this afternoon.

Mr. SMOOT. I wish to say to the Senator the very first thing is the inventory provision, one of the most important sections of the whole bill, and not particularly that section but other parts of the bill that have reference to it. I think it vital to the bill. Sometimes I think that the relief provisions have gone almost too far, and yet as a whole I think they are absolutely necessary in order to maintain the business of the country in a position to meet the requirements upon it.

Mr. SIMMONS. The Senator has alluded to one of the most important sections in the bill, and it is being dealt with, I think, in a spirit of very great liberality, and one which will be greatly appreciated by the people of the country. Of course, if there is objection to taking up that subject this afternoon because Senators who may desire to present their views on this important question are absent, we can let it go over until Monday.

Now, I wish to ask if the Senator from Wisconsin [Mr. LA FOLLETTE], upon whose motion the income-tax sections of the bill that we have just reached were passed over, would be ready to go on this afternoon?

Mr. LA FOLLETTE. I am not.

Mr. SIMMONS. The Senator would not be willing for the Senate to take up any of those sections and discuss them and act upon them this afternoon?

Mr. LA FOLLETTE. I do not want to interfere with the Senator, because I desire to proceed as rapidly as possible, but——

Mr. SIMMONS. I am just trying to see if we can not go on this afternoon.

Mr. LA FOLLETTE. I do not want to have them disposed of this afternoon, or if they are voted upon I want them voted upon with a unanimous-consent agreement that they shall be reconsidered whenever amendments are prepared and ready to be offered to them.

Mr. SIMMONS. I wish to say to the Senator that it would be the worst sort of policy to take up a section of the bill for the purpose of discussion without having any purpose to act on it when the discussion is terminated.

Mr. SMOOT. If the Senator desires to insist on going on, we can go on with the bill and when the bill gets into the Senate, the Senator from Wisconsin could offer his amendments.

Mr. SIMMONS. I wish to ask the Senator from Wisconsin another question. I am deeply interested in expediting the bill in every way I can, because I think the country is a little impatient about the bill being passed, and I think the requirements of the department with reference to its administration are such that we can not afford to waste any time which we could utilize to advantage. If we can not utilize the balance of the time this afternoon to advantage, of course the bill will have to go over; but in this connection I wish to ask the Senator from Wisconsin if the bill goes over until Monday will the Senator then be ready?

Mr. LA FOLLETTE. Mr. President, I am not going to ask the Senator to forego proceeding with the bill this afternoon or at any other time when he desires to proceed with it. I am not going to take any responsibility. I shall be ready with my amendments as soon as I can prepare them.

Mr. SIMMONS. I am not complaining——

Mr. LA FOLLETTE. When I have them ready I shall offer them here, and if it becomes necessary for me to move to reconsider anything adopted before I have the privilege of offering them I shall take that course.

I have not had the opportunity, Mr. President, to have the services of the expert, who has been at the elbow of the chairman of the committee for two or three months, until yesterday morning for about two hours.

Mr. SIMMONS. He was at the service of the whole committee.

Mr. LA FOLLETTE. Not at the service of the whole committee at the time when the committee was not in session. When the committee was not in session I know a good deal of the time of the expert was taken up by the chairman of the committee.

Mr. SIMMONS. When the Senator asked for him he was turned over to the Senator.

Mr. LA FOLLETTE. He was turned over to me yesterday morning for two hours.

Mr. SIMMONS. I do not think there is any occasion for the Senator to become excited about it. I simply wanted to find out whether, if the bill went over, he would be in any better position on Monday than he is now.

Mr. LA FOLLETTE. I am unable to say, not being certain that I would have the services of the expert in figuring out the percentages that were necessary for me to have computed in order to prepare the amendments for this portion of the bill.

Mr. SIMMONS. Mr. President, in view of the statement of the Senator from Wisconsin, I wish to say that for next week I am going to move to take a recess instead of an adjournment.

Mr. SMOOT. That is satisfactory.

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). The Chair calls the Senator's attention to the fact that it would be out of order to move a recess at this time, as the Senate has agreed to meet to-morrow at 11 o'clock.

Mr. SIMMONS. That is very true, but the motion can be made to-morrow.

The PRESIDING OFFICER. It can be made to-morrow.

Mr. SIMMONS. What I started to say is that on Monday, when we take up the bill, as far as I can I shall insist that we act upon the amendments as we reach them. Of course, I know there will be some exceptions to that rule, but in the main I am going to insist upon taking up the amendments and disposing of them as we reach them. I regret very much that under the circumstances we can not go on longer with the bill this afternoon.

Mr. NEW. Will the Senator yield to me for a moment?

Mr. SIMMONS. I yield.

Mr. NEW. I offer an amendment to the bill, which I ask may be printed and lie on the table.

The PRESIDING OFFICER. It will be so ordered, without objection.

Mr. SIMMONS. I move that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Sunday, December 15, 1918, at 11 oclock a. m.

HOUSE OF REPRESENTATIVES.

SATURDAY, *December 14, 1918.*

The House met at 12 o'clock noon.

Rev. Earle Willey, pastor of the Vermont Avenue Christian Church, Washington, D. C., offered the following prayer:

Our Father God, we thank Thee this morning for the pathway of life that sometimes seems hard, but which, if we walk in it aright, becomes a path of pleasantness and peace. So we ask Thee for strength, O God, to do that which is pleasing in Thy sight and which commends itself to the sense of right of all men. We would remember before Thee this morning especially, our Father, our soldier heroes who are returning in constantly increasing numbers from the battle front, some of them broken and maimed in body, but, we thank Thee, undaunted in spirit. Bring them home, O God, with honor and with the plaudits and praise of a grateful Nation and to the loving devotion of those to whom they are so dear.

Wilt Thou bless the session of this House to-day and make us worthy of Thy blessing? For Jesus' sake. Amen.

The Journal of the proceedings of yesterday was read and approved.

RESIGNATION.

The SPEAKER laid before the House the following communication:

HOUSE OF REPRESENTATIVES,
Washington, December 10, 1918.

To the SPEAKER OF THE HOUSE OF REPRESENTATIVES,
Washington, D. C.

MY DEAR SIR: I have this day forwarded to the governor of Virginia my resignation as a member of the House of Representatives from the Sixth Virginia district, to take effect on Monday, December 16.

Sincerely, yours,

CARTER GLASS.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed with amendments the bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 13261. An act providing for the transportation from the District of Columbia of governmental employees whose services no longer are required.

SPEAKER PRO TEMPORE.

The SPEAKER. At the memorial service for Senator TILLMAN to-morrow the Chair appoints the gentleman from South Carolina [Mr. LEVER] to act as Speaker pro tempore.

POST-OFFICE APPROPRIATIONS.

Mr. MOON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Post Office appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes, with Mr. TAYLOR of Colorado in the chair.

Mr. OLIVER of New York. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from New York makes the point of order that there is no quorum present. The Chair will count. [After counting.] Seventy-two Members present; not a quorum. The Clerk will call the roll.

The Clerk proceeded to call the roll, when the following Members failed to answer to their names:

Anthony	Cox	Fess	Hayes
Ashbrook	Crisp	Flynn	Heaton
Bacharach	Curry, Cal.	Francis	Heintz
Benson	Dale, N. Y.	French	Helm
Blackmon	Dale, Vt.	Fuller, Mass.	Hensley
Blanton	Davey	Gallivan	Hicks
Borland	Davis	Gandy	Hood
Bowers	Decker	Garland	Howard
Brand	Delaney	Glass	Hull, Iowa
Britten	Denton	Good	Humphreys
Brodbeck	Dewalt	Gould	Hutchinson
Brumbaugh	Dies	Graham, Pa.	Jacoway
Caldwell	Dill	Gray, N. J.	Johnson, S. Dak.
Carlin	Dooling	Griest	Johnson, Wash.
Carter, Mass.	Drane	Griffin	Kahn
Carter, Okla.	Dunn	Hadley	Keating
Clark, Fla.	Eagan	Hamill	Kelly, Pa.
Coady	Eagle	Hamilton, N. Y.	Key, Ohio
Collier	Edmonds	Harrison, Miss.	Kiess, Pa.
Connally, Kans.	Emerson	Harrison, Va.	Knutson
Cooper, Ohio	Estopinal	Haugen	Kreider
Costello	Ferris	Hayden	Lampert
Larsen	Nelson, J. M.	Sanders, La.	Thomas
Linthicum	Nicholls, S. C.	Schall	Tinkham
Little	Nolan	Scott, Pa.	Van Dyke
Littlepage	Oliver, Ala.	Scully	Vare
Lobeck	O'Shaunessy	Shackleford	Vestal
London	Park	Sherley	Voigt
Lunn	Powers	Shouse	Waldow
McAndrews	Price	Siegel	Watson, Pa.
McArthur	Ragsdale	Smith, C. B.	White, Ohio
McClintic	Rainey, J. W.	Smith, T. F.	Wilson, Ill.
McLaughlin, Pa.	Reavis	Stedman	Wilson, Tex.
Maher	Riordan	Steele	Winslow
Mason	Roberts	Sterling	Woods, Iowa
Maya	Rodenberg	Stiness	Woodyard
Moore, Pa.	Rowe	Strong	Zihlman
Morin	Rowland	Sullivan	
Mudd	Russell	Swift	

The committee rose; and the Speaker having resumed the chair, Mr. TAYLOR of Colorado, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill H. R. 13308, the Post Office appropriation bill, finding itself without a quorum, had caused the roll to be called, when 280 Members responded to their names, and he reported a list of the absentees.

The committee resumed its session.

The CHAIRMAN. By unanimous consent general debate was limited to six hours, three hours to be controlled by the gentleman from Tennessee [Mr. MOON] and three hours by the gentleman from Minnesota [Mr. STEENERSON]. The gentleman from Minnesota has used 40 minutes. The gentleman from Tennessee has not occupied any time. He is now recognized.

Mr. MOON. Mr. Chairman, if I am permitted, I will attempt to discuss some of the facts connected with the bill and some of its main features as they may appear to me. To that end, inasmuch as I have no manuscript or notes or orderly line of discussion, I ask the close attention of the House. A little later on I shall discuss other matters of national importance while I have the floor. The Post Office Department had a very small beginning. I believe the sum of about $17,000 was expended the first fiscal year for the service, to the very great disgust and chagrin of the people and statesmen of that day. We have lived to see this bill, under the development of the department, reach the enormous sum of three hundred and sixty odd millions of money. The present bill carries $359,000,000 in round numbers. And yet, with the extension of this service all over the United States, with its extension to thirty odd nations by convention, carrying the mail to the four quarters of the earth, this great department of the Government for the fiscal year ending June 30, 1918, secured a revenue of some $19,000,000 surplus, after all expenses of the department were paid, to be turned into the National Treasury to meet general expenses. This is greatly to the credit of Postmaster General Burleson and his postal forces. In the development of a great business institution like this, affecting each and every citizen of the country, the Congress should be liberal and encourage progressive measures in the service for the benefit of the people.

I recollect within my service on the committee that the bill carried only $89,000,000 with a deficit of $17,000,000. That was the beginning of the rural free delivery, a wise and valuable service, that is not yet a paying service, but a service on which we lose much. The people are entitled to the best possible mail service. The employees of the Government are entitled to just and adequate compensation for this service. Therefore the increase in the pay of the low-salaried mail clerks, carriers, and others has been provided for in this measure. As we have in the past extended and improved the service and increased moderately the salaries of employees we have benefited the public and made the department self-sustaining as a whole and produced a surplus revenue. Let us move forward to the full development of this splendid service.

The Post Office Department is one of very ample power. It carries the mails by footmen, by rail, by boat, by ships, by motor vehicles, horse-drawn vehicles, by aeroplanes, and we carry it by truck from the city to the country. We are developing this great system all along the line. Of necessity there must be experiments, experiments for a long period that will not pay, and yet are of such value and service to the country that we ultimately resolve them into the fixed system of administration.

Take the rural free delivery—is there any man in this House that would want the rural delivery to cease with its 45,000 routes and carriers carrying the mail to the people of the whole country? Yet that service lacks 20 odd millions of money to pay its way.

We have attempted to secure an increase in the rates of second-class matter. We are carrying the second-class matter of the United States at a loss of more than $60,000,000 after the recoupment of $20,000,000 under the last revenue measure, yet we must carry second-class matter, the papers of the country.

We have another service, the aeroplane service. It is new, it is untried, and it is experimental. It may prove of great benefit and advantage and it may not. The experiment, I am advised, as shown by the report of the Postmaster General, so far as the long routes are concerned, is entirely satisfactory. It is compensatory on the route between Chicago and New York. It has not been a paying service between Washington and New York, but it is more and more becoming perfected.

Now, only a moment on that section. The committee has transferred the aeroplane service from the steamboat and other power-boat service to the inland transportation, and we are providing for $2,185,000 for that service. The reason is that we want the experiment made quickly, promptly, and effectively, so that if the Government is inclined to make permanent this service it may obtain it quickly. The complete experiments can not be made properly for less money than that. The committee raised the estimate of the department for that purpose.

By the way, I may say that the aeroplane service is one that is more expeditious by far than any other service, and the cost is perhaps twice that of any service, both as to postage and otherwise, but it is a service that will be in its nature special, and if used, and it probably will be, will be entirely compensatory. The motor truck has united the farm with the city, and brings the purchasers of commodities in the city to a close market with the country, and the country to the city, and so far has proved very effective.

Mr. GARD. Mr. Chairman, will the gentleman yield?

Mr. MOON. Yes.

Mr. GARD. May I ask the gentleman to enlighten the House as to what the postage rates are for the carriage of mail by aeroplane?

Mr. MOON. Six cents for letters. There have been, I believe, 31 motor routes established. The experiment has been made upon 19 routes, where the facts have been fully collected and all information ascertained over a period beginning the 1st of July and ending the 30th day of September. That experiment shows that the Government of the United States has received a revenue from those 19 routes of $8,880, net, over all expenses incurred in the operation. This would indicate that every route that might be established from a great city going out into the country for the collection of produce and carrying from the cities the goods to the country will be compensatory or self-paying. That service, if it is limited to the large cities, will have instead of 31 routes, now in force, some 250. That is practically the limit to which that service will go. Those routes will unquestionably yield a great revenue, and we have provided in this bill for $1,000,000 for further experiment along that line.

These are the new features of the bill to which I call your attention. There is contained in this bill also that legislation which we passed in the last Congress reclassifying the railway mail clerks, the postal clerks, and carriers, fixing the compensation for them, and also the compensation for the rural carriers as fixed in the last bill. This bill seeks to make permanent the law that was temporary by the provisions of the previous bill. We provide here so that the postal clerks shall have that vacation when holidays come fixed by the President in pursuance of law that are had in the other departments of the Government. Strange to say, they have not enjoyed fully that privilege heretofore. A reclassification of all of the official positions in connection with the Post Office Department and a readjustment of salaries upon a basis that will be equitable and just is altogether essential at this time. There are divisions in this department where men sitting side by side, doing identically the same work through the same length of hours, where one clerk may receive $1,200 and the other $1,400, an inequality which calls for relief. We have provided, therefore, in this bill for a commission to be appointed under the provisions of the act that will look into the questions and reclassify the salaries and report to the Congress for its actions.

The other features of the bill are practically the same that are usually carried in the annual appropriation law. The increases granted in the amount necessary for the service are due to the normal increase in the service in the instances where it is increased, but where by reason of economy in administration services may be combined, and a decrease has been effected, that decrease appears on the face of the bill.

These are the features of the bill which I felt necessary to call your attention to before the discussion under the five-minute rule, when, of course, every paragraph of this bill will be thoroughly discussed, if not understood by the House, and such information given as we are capable of giving.

The Congress changed the method of compensation to railroads for carrying the mails a year or two since from the weight basis to the space basis, with which you are familiar. While under the new system the railroads are amply compensated for the space used and the transportation of the mails, a saving of over twelve millions of dollars in the last fiscal year has been made to the Government by this change in the law.

Mr. Chairman, the development of the power of the Government under the section of the Constitution that authorizes the establishment of post offices and post roads has not only kept pace, but it has advanced beyond the development of many other powers of the Government as provided under the Constitution. We all understand the theory of our Government, that it is a representative Republic under a Constitution, that neither the Federal Government nor the State Government is a complete sovereignty; that is, the States have certain reserved rights (or the people thereof) that are sovereign in their nature that they alone can exercise. There are certain inalienable rights that neither State nor Federal Government has that belong to the citizens. The greatest of the three in the trinity of sovereignty is the Federal Government, and although we speak of its powers (as they are) as delegated powers, although we proclaim that the Federal Government can not go beyond the powers expressly granted to it in the Constitution, or those fairly implied from the powers granted to carry into effect those granted or delegated powers, still, though limited, the power is greater, tenfold greater, even in a few (much less all) the sections of the Constitution than all the powers that have been reserved to the States.

I shall not in this connection undertake to unfold the development and growth of governmental power under that clause of the Constitution that provides that Congress shall have the power to regulate commerce. I shall not undertake to show you, as I might, that under the banking and currency clause of the Constitution the Federal Government might drive all men out of the banking business and establish banks and loan money. Its powers under the sections where it has power delegated are exclusive. It is an omnipotent power, and all the other powers of Government may be called into requisition to enforce a single power within that Constitution, where fraud or injustice is attempted to be perpetrated upon the exercise of jurisdiction under the powers. So he who thinks that there is any supreme power in the United States that is effective save locally other than that delegated in the Federal Constitution has misconceived the extent of the Federal power.

What is the meaning of those simple little words in the Federal Constitution that Congress shall have power "to establish post offices and post roads"? Does it alone mean the place where letters may be deposited for the purpose of distribution to the people, carried by instrumentalities, by which they are distributed? Does it mean simply that you have the right to lay out the path to be traveled by the carrier under that clause? In view of the meaning of the terms as understood when the Constitution was framed it was impliedly, if not expressly, conferring upon Congress the exclusive jurisdiction to control, manage, and own, if it sees fit, every means of communication of intelligence. What have we done under that power in the control of intelligence or the communication of intelligence? We have said what mail matter may be sent. We have said it may be a letter, a postal card, a book, a newspaper, or a parcel-post package. We have defined the limit of the parcel-post package. If we can limit it to 50 pounds, we can, by the same power and authority, fix it at 100 pounds, and if at 100 pounds we can fix it at 1,000. There is no limit to the legislative discretion on this question. What as to the instrumentalities? We have called into requisition the pedestrian, the man with the vehicle, be it horse drawn or motor, and, as I have already said, the steamboat, the railroad, and the aeroplane.

Then if you have the right to do that, as you have, you have the right to establish the means by which the communication of intelligence can be conveyed. Then, necessarily, as an implied power from that expressed power in the Constitution, you have the right to own those instrumentalities. You have the right in your legislative discretion, which can not be controlled by the court or any other power on a question like this, the right to authorize the Government to own the thing out of which those instrumentalities may be made. How far, then, can you go in the exercise of that power? You can unquestionably own the vehicles, which you do own in many instances, by which the mails are carried and delivered. You can lease or own the steamboat or ship for that purpose; you can lease or own the railroad for that purpose, though under another power of the Constitution controlling commerce railroads may also be owned. You may own the telegraph and telephone for that purpose. It is a prime means of communication of intelligence more quickly, more expeditiously, than any that we have.

How much further can you go? If you can own the instrumentalities and own the things necessary to construct them,

can not you by virtually the same power own the coal mines that become necessary to give you the fuel to propel the engines and steamships that carry your mail? Can not you own the forests from which you obtain the material by which you can construct, as you have the right and the power to do, the cars and ships for this purpose? It may be said that Congress will never go so far as to extend this power along these lines, that it would be an invasion of the field of private enterprise that could not be and must not be tolerated. True enough. Let me tell you that when this wondrous Constitution is fully enforced and when all the power of the Federal Government both political and in the administration of its economical affairs has been fully developed, when every advantage to the Federal institution has been obtained that can be obtained under the Constitution, you will have in these United States an imperial republic greater than any Government in the exercise of its power that ever lived upon this earth.

The day is not far distant when the task of the American statesman shall be to ascertain to what extent the legislative, executive, and judicial discretion under the Constitution may prevail in the interests of the citizens and yet preserve strong, powerful, and effective Federal institutions. But, while these things are all true, there must be a proper development of the powers of government. The Post Office Department is entitled to every auxiliary that will give aid to the people in obtaining intelligence. This Government has the powers of a monopoly on this question. We ought to go to the verge of obtaining the means, at least, and the right to control the transmission of intelligence. That is done most effectually through the telegraph and telephone.

The postal system of the United States can not be, it will not be, more than half developed until these magnificent auxiliaries are attached to it, in my judgment, for the purpose not of an increase of revenue, though it would bring an increased revenue of many millions, perhaps hundreds of millions, but for the legitimate constitutional purpose of the maintenance of a post office system, the establishment of roads, the use of roads for that system; and when I say roads in this connection I mean the electric wire that flashes the intelligence from one part of the world to another quickly, as well as the established rural route. This is a progressive proposition for the development of a department under the Constitution, and provide it with the instrumentalities to which it is entitled to make it a perfect power in the interests of the people.

But, they say, you will invade the field of private business. My answer is that control of the means of communication of intelligence is a monopoly that under the Constitution belongs to the Government and if private individuals have exercised that power, as they have the power of government in other respects, there is no injustice of depriving them of it and restoring the power under the Constitution where it belongs and where it ever has been and must be if the Constitution is obeyed in the government of the United States. Then there are but a few of these great telegraph companies in the country to be effected. The Government should own them as a necessary auxiliary to the postal system. The Government should not enter upon this field without the slightest regards to the existing rights of the telegraph companies, although under the Constitution it might do so. It would neither be wise nor just to do it because the Government has tolerated the use of the telegraph and telephone by private companies, which are primarily a part of the system of the Post Office Department. Having procured the use of the means of intelligence which belongs to the department to be exercised by private corporations before taking it over it ought to compensate those corporations. Now this is no new question. I hold in my hand the Statutes at Large of the United States. You will find on pages 221 and 222 the act of Congress of July 24, 1866, on the subject of the telegraph.

I insert it:

Be it enacted, etc., That any telegraph company now organized, or which may hereafter be organized under the laws of any State in this Union, shall have the right to construct, maintain, and operate lines of telegraph through and over any portion of the public domain of the United States, over and along any of the military or post roads of the United States which have been or may hereafter be declared such by act of Congress, and over, under, or across the navigable streams or waters of the United States: *Provided*, That such lines of telegraph shall be so constructed and maintained as not to obstruct the navigation of such streams and waters or interfere with the ordinary travel on such military or post roads. And any of said companies shall have the right to take and use from such public lands the necessary stone, timber, and other materials for its posts, piers, stations, and other needful uses in the construction, maintenance, and operation of said lines of telegraph, and may preempt and use such portion of the unoccupied public lands subject to preemption through which its said lines of telegraph may be located as may be necessary for its stations, not exceeding 40 acres for each station; but such stations shall not be within 15 miles of each other.

SEC. 2. *And be it further enacted*, That telegraphic communications between the several departments of the Government of the United States and their officers and agents shall, in their transmission over the lines of any of said companies, have priority over all other business, and shall be sent at rates to be annually fixed by the Postmaster General.

SEC. 3. *And be it further enacted*, That the rights and privileges hereby granted shall not be transferred by any company acting under this act to any other corporation, association, or person: *Provided, however*, That the United States may at any time after the expiration of five years from the date of the passage of this act, for postal, military, or other purposes, purchase all the telegraph lines, property, and effects of any or all of said companies at an appraised value, to be ascertained by five competent, disinterested persons, two of whom shall be selected by the Postmaster General of the United States, two by the company interested, and one by the four so previously selected.

SEC. 4. *And be it further enacted*, That before any telegraph company shall exercise any of the powers or privileges conferred by this act, such company shall file their written acceptance with the Postmaster General of the restrictions and obligations required by this act.

Approved, July 24, 1866.

The telegraph companies then recognized that they were seeking to invade the field of Federal jurisdiction on the question of the transportation of intelligence. The Congress recognized that fact, and therefore when in the first section they conferred certain powers upon the telegraph company, yielding to it in part its sovereignty in interstate matters and in the control and construction with reference to means of communication, giving to a private corporation a part of the power that the sovereign possesses, it reserved—what? The right to put an end at any moment to the private ownership of telegraph companies then in existence or that might thereafter be in existence. And we find in the third section of the act a power conferred to take over telegraph lines as an adjunct, where, in the Constitution, it belongs alone, to the Post Office Department. That third section provides that in pursuance of this act—and I quote not the language but the substance of it—the Congress may take over, own and control, and operate as a part of the postal system the telegraph lines of the United States.

It provides that a commission of five shall be appointed—two by the Postmaster General, two by the telegraph companies, and the fifth one by the four appointed—whose duty it shall be to investigate and appraise the value of the lines owned by different companies and report the same with a reasonable value to the Congress of the United States, that it may take over the lines. What did that mean? What was the interpretation of the Congress then? That must be its interpretation now. It was that the telegraph naturally, as a means of communication and the best means of communication, was inevitably linked with the Federal postal system and essentially a part of that system. Therefore, when private corporations were permitted to develop it and obtain the benefits to which the sovereign was entitled in the first instance it laid the burden by law on the corporation to abandon its hold upon this public instrumentality and, when Congress should demand, to return the telegraph where it once was, as an instrument auxiliary to the postal system of the United States. Hence the law, hence the construction, forsooth, not merely of the policy but of the constitutional right and privilege of the Congress to control this means of communication.

The time, in my judgment, has come when Congress must reassume its jurisdiction over this question for the benefit of the people. He, indeed, is foolishly inclined who thinks there is an invasion anywhere of private rights in doing so. It is but a resumption of the power of government temporarily abandoned and now proposed to be resumed. I have introduced a resolution which will carry into effect the provisions of the act of July 24, 1866.

Mr. GARD. Will the gentleman yield?

Mr. MOON. I will.

Mr. GARD. Is it the gentleman's purpose to include this very interesting statute in his remarks so that we may have the benefit of it?

Mr. MOON. Yes.

Congress is not without authority under the Constitution to extend its power and "to lengthen its cords and strengthen its stakes" on every foot of American soil, but in doing it, if it undertakes the exercise of a power that is merely an implication upon an implication, entitled to be enforced by other provisions of the Constitution if necessary to its enforcement, it may run your Government, and will, into an imperialism. It may make the Federal head too strong. There may, and ought to be, perhaps, a limitation, as I have remarked, upon the legislative discretion in reference to these features. But will the country permit the Congress to be shorn of that power so clearly belonging to it, not as an implied power merely, but as a self-evident power under the terms of the Constitution? I hold, sir, that this postal system will have accomplished and can accomplish only half-way the purposes for which it was intended if you do not restore to its jurisdiction, the exclusive jurisdiction, the power

that it has under the Constitution to control every means of communication of intelligence, particularly the splendid, the magnificent means of communication—the telegraph.

You would let the Government be maimed and crippled in the exercise of its power and private corporations continue to exercise governmental functions if you refuse the right under this statute to the restoration of this instrumentality.

I know that there are two views of constitutional construction that must be considered. I speak not particularly of this telegraph question now, because I think that is too clear to need argument to elucidate it; but generally, in speaking of the construction of the Constitution and the powers under it, we can very readily demonstrate how a government may run to an excess on either view of construction. Why, a monarchy is the parent of despotism; the republic is a creator of liberty. An extreme monarchy is dangerous to human rights; an extreme democracy is just as dangerous to human rights.

The government with a constitution, the government with representatives under that constitution to enforce it, a government that is limited to the exercise of the powers of the constitution fairly, is the only safe government for a people. If you give over the great railroads of your country, with the millions of employees, to the control of government ultimately and finally—and that does not apply to the means of communication I have been discussing, of the telegraph—if you turn over the railroads of the country with its millions of employees, with the power under this section and under the commerce section of control, if you give the broad construction to all the other powers of government by which the forces of government in its administration may be increased in power and number, you will soon bring a condition under which the people will be forced to contest and to redeem the government from its employees. You will provide a dangerous despotism which must be avoided, I insist, at sometime by proper constitutional limitation.

Yet, on the other hand, if you so broaden the powers of the people as to destroy representative government, and shall leave to the people at the ballot box the determination of controversies between the citizens; if you shall, like ancient Athens, permit them to banish the citizen by the private ballot; if you shall give to the populace the means and exclusive right of a veto upon legislation, you will have destroyed the principles of human liberty, because you will have destroyed the spirit of the Constitution and representative government under it. But let us not fear any dangers of this sort when we simply bring back to the Federal Government and restore to its jurisdiction one of the arms of its administration to which it is entitled under the Constitution for the promotion of the business and social welfare of all the people.

Mr. BLACK. Will the gentleman yield?

Mr. MOON. I will.

Mr. BLACK. Has the Government of the United States ever owned any telegraph companies? Has it ever gone into the telegraph business? The gentleman says it will be simply restoring something to the Government.

Mr. MOON. Restoring the right.

Mr. BLACK. It has not been exercised?

Mr. MOON. The Government of the United States exercised the right to control the telegraph during and after the war of 1861–1865, just as it is doing now under the military power of the Government. But the telegraph companies were a new thing——

Mr. BLACK. Will not the gentleman admit there is a difference between the question of control and that of ownership and operation?

Mr. MOON. Oh, of course. Anyone in the world who knows the meaning of the English language knows that control means one thing and ownership another thing. My insistence is that under the Constitution you have not only the right of control which we have now under the law and which is exercised, exercising it strictly—and you always have had it—but you have got the right to own that instrumentality just as much as you have got the right to own the post office, just as much as you have the right to own the building in which you collect the mail, or the vehicles upon which it is carried.

But I want to depart from that discussion. I was only speaking of the danger of the exercise of some of our powers of government and the danger of the failure to exercise others.

There is not so much danger in the exercise of the power that will bring the beneficent results that the ownership of the telegraph and telephone will bring us in the exercise of a power, in my judgment, that would bring to this Government millions of employees, with high prices that would be established at the expense of other citizens of this Government.

But, Mr. Chairman, if I may be indulged for a few moments, under the license allowed in this debate, I will speak of that all-absorbing question—our foreign relations and the duties and responsibilities of this Government. We need offer no apology for our entry into the great European war, because Germany, in the enforcement of her imperious will, sank our ships, murdered our citizens, and denied our international rights upon the high seas.

That alone was a sufficient justification for our entry into the war, and I would not place this war, which so far as we are concerned was waged against the Central Powers of Europe, upon any other ground than the just casus belli which I have mentioned. And yet it will be a source of profound pleasure to the world and to the American people particularly to know that that action inured to the benefit and protection of human rights throughout the earth.

Did you ever think that maybe the Government of the United States was primarily, by its teachings, responsible for the conditions that brought on this great European war? Have you forgotten that we have taught the doctrine of liberty and the equality of all men, and of government resting alone upon the consent of the governed, of equal opportunities and rights to the private citizen?

Have you forgotten that we discarded the doctrine of kings and of nobles and prevented the conferring of titles under the Constitution? That great position which the Government took in the affairs of nations has had its influence. It has influenced political action through all the years since the Constitution was framed. It has mollified by its influence unquestionably the power that Great Britain exercised under her unwritten constitution. It beckoned France to the contest for liberty in a republic against an imperial government. It encouraged the people in every section of the world who were demanding a government of the people, by the people, and for the people. It was a wonderful doctrine to teach to a world benighted in despotism and inured not to citizenship, but to the position of slaves under imperial government for all the centuries.

Mr. KING. Mr. Chairman, will the gentleman yield there?

Mr. MOON. Yes.

Mr. KING. Why are we fighting Russia to-day?

Mr. MOON. We are not fighting Russia. I know we have made no declaration of war against her.

Mr. Chairman, when the gentleman interrupted me with his question I believe I was speaking of the influence of the Government of the United States over the nations of the earth. We were teaching the doctrine that every man is an uncrowned king, that he is entitled to equal participation with others under the law and under the Constitution. There was another idea prevailing in a great portion of Europe. Germany was teaching the doctrine of "Kultur," the doctrine that whatever she saw fit to do she had the right to do, without regard to morality, truth, treaty stipulations, or religion.

Those ideas of government—one making for imperialism, with all power of government centered in the emperor, and the other, with all power of government centered in the individual citizen—were antagonistic. They could not forever contend in debate. They must find, finally, a solution on the field of battle. This great European contest was, therefore, a contest of ideas, a contest of two civilizations for the control of the destinies of men. The United States listened with profound interest as she heard the declaration of war by Germany against France. She listened with deep sympathy when Germany, hurling her legions to the gates of Paris, passed over the prostrate form of Belgium in violation of her treaty obligations. She listened when now chaotic Russia, then living under an imperial government, had caught the spark of human liberty and was moving her forces to the defense of the allies. She listened and heard the tread of troops beyond the sea pass down historic highways from the ancient city of the Cæsars to the frontiers where liberty must live or forever perish. We saw the whole world lighting the conflagration of war. We entered it in defense of the rights of American citizenship. We went thither with two millions of men.

The lines of France and Great Britain and Italy were standing solid, receiving the shock of war from the advancing invaders, now receding and now advancing, until the tide of battle was rolled back by the French upon the Marne. We saw the second and third attacks with millions of men in the ranks of war. Then we saw the flag of the Republic cross the seas. We saw it unite her soldiers beneath it with the banners of Great Britain and France and Italy. We saw that onward movement that at last drove the Germans beyond the Rhine, that forced the abdication of the Emperor and the Crown Prince, and stayed not from their fall the tottering thrones of Bulgaria and Austria-Hungary. Under the influence exercised by the mighty power, under the mighty power of the arms of the allies the doctrine of human liberty has advanced over the earth. Germany, Austria-Hungary, and Turkey plead for peace. Democracy triumphs forever over "kultur" and divine right of kings.

Mr. Chairman, it is a remarkable fact that upon that very day when the armistice was signed—November 11, 1918—the British forces operating in the Holy Land having destroyed the power of the Turk and pursued and driven his fleeing legions from Palestine and Syria, that her army quietly, with dignity, moved into the city of the immortal king, the sacred city of Jerusalem. And for what shall it be? The restoration, we trust, of a nation that has been scattered throughout the ages, a nation without a country, without a home, a nation whose sons have been born under every clime, and which in war and in peace has added honor, dignity, and prosperity to the land of the flag to which they adhered. Let us hope that Israel shall be united again and take her stand among the nations of the earth. We would not have the Jews who live in our great cities renounce their native land, or all those in Europe, perhaps, go back to the land of their fathers, but to the millions of Jews in Poland and central Europe and Asia it will prove an asylum of freedom.

Can we not see them as they return to the land of their father, protected against the despotism of Turkey, protected against that despotism even before the power of Turkey was asserted upon the banks of the Jordan? We see the Jews passing from every land in great caravans, going back to the home of their ancestors. Some pass—

> Where Moab's rock a vale infolds,
> Where the aged sire was laid alone
> To slumber while the world grows old.

The tomb of Moses shall be a Mecca. They seek the caves where rest the bones of the progenitors of that great race. Some came by the Sea of Galilee. We see them with their Christian deliverers as they go down the streets of Jerusalem, stop at the market place where once was the house of Peter. They stop where the temple was, where the Christ boy contended with the wise men. They stop and witness the scenes along the highways of that beautiful city. They walk in Gethsemane. They go where Pilate sat in judgment. They go out on the road that led to Calvary, where He who spake as never man spake, bore the cross upon His back and wore a crown of thorns. They go there beholding no more the red crescent banner of the bloody Turk raised in despotism to sustain the creed of the false prophet Mohammed and to sanction murder, crime, and rapine, but behold floating from the very spot where the Son of man died for the redemption of the world the banner of modern Christian civilization, come to restore them to freedom forever. That is what this great war can do and will do for the Jewish people if rightly determined.

Mr. Chairman, my idea of democracy, and the hopes and aspirations of our people, was expressed in part by me in this House on the 9th of April, 1912, in a speech from which I quote as follows:

> Let us rejoice to see the principles of democracy spreading over the earth; I do not mean a partisan democracy, but that great democratic thought that makes the world restless to-day; that great innate force for good that has actuated men in all the ages—the love of freedom, the love of justice; that love that finds for its habitat no partisan section, but lives the world over; that great spirit of democracy that whispered words of hope into the ears of men before Aaron was a priest, Moses a prophet, or David a king—ever seeking justice, ever standing for the right—that spirit that survived the chariot wheels of the pagan warrior, the battle-ax of the Romans, the inquisition of the Spaniards, and the cannons of Great Britain; that spirit that has lived to kindle the fires on every altar erected to human liberty, that has opened the doors of every temple where men worship their Creator in obedience to their own consciences; that has loosened the shackles of slaves and placed the crown on the brows of the martyrs to truth; that catches the humble boy by the hand and leads him into the path of rectitude and bids him follow it as the only open way to the pinnacles of immortal fame.
>
> That spirit, standing under the shadow of the cross, that has echoed the divine proclamation for 2,000 years of "Peace on earth and good will to men"; that directed the hand that wrote the Declaration of Independence and hovered over the cradle of the Republic, may it live until every kingdom shall fall and every empire shall be dissolved, that government in obedience to the will of the governed may arise upon their ruins. Then the nations shall know that it was not the hand of man, but the fingers of God that fixed the stars on the flag of the Republic to light the path of liberty through all the ages to come.

Has that day dawned?

Shall the sun of human liberty continue to ascend until it reaches its zenith?

The mighty struggle in Europe is ended. Throne after throne has fallen. May republics arise on their ruins. On Monday, in Paris, there meets the greatest council that ever sat in the world's history. They shall determine, as far as their powers go, not merely the boundaries of Kingdoms and Empires and Republics, but they shall determine those questions that reflect the individual rights and welfare of great nations. And what can they do? We say that Germany must be punished. It is not for us to advise what that council shall do. We say that Germany must be made to pay the cost of the war, that Great Britain shall be indemnified, that the bleeding bosom of France shall be healed, that the tricolors which so gloriously floats over Versailles and Notre Dame to-day shall float forever nestling over Alsace and Lorraine.

We say that Belgium must be restored. If it can be done it should be done. But if the German Empire were sold to-day at the highest market price for every foot of her soil, if all the personal property that belonged to her people were converted into cash, if her 68,000,000 of people were given to slavery for 40 years, she could not compensate the world for the wrongs and injuries that she has done, even though the goddess of stern justice wrote the decree with her hand guided by the angel of mercy nestling at her side. There must be a peace, not of retaliation and revenge. The burden must be laid upon Germany and the German people and all their allies for the sins of their government as far as they can bear it, but Germany can not rightfully be destroyed by the decree of democracy. Her people must be given a government of their own. She may be shorn of her ships, she ought to be prohibited forever from the practice of those methods that would sustain the doctrines of her kultur. She ought to be deprived of her colonies and confined within the borders of her own home government, and given the right to proceed in the world to the pursuit of life, liberty, and happiness that we have demanded for the nations of the world.

But what of the United States? What return shall we have for the generous gift of $20,000,000,000 of money to the cause of liberty? What shall we have in return for the blood of "the bravest of the brave" that has been shed under our flag upon foreign lands in the defense of our rights and liberties and in support of the governments of Europe contending against the most imperial dynasties of all the ages? Nothing, nothing! We seek no reward. We ask no indemnity. We shall quietly withdraw the flag of the Republic from the banners with which it has been associated. Let us pray that it shall be returned over the soldiers of the Union without a star dimmed or a stripe tarnished, still the flag uncompromised in foreign lands or at home, that shall ever be the emblem of a great and free people exercising a supreme sovereignty under the Constitution, a sovereignty that must not and will not be impaired by treaty or otherwise, either for peace or for any other purpose. We love peace. We fight and we die for peace. But the peace that come to republics by the will of imperial arbitrators upon any great national issue where we desire to protect the constitutional rights and liberties of our people will not be the peace of freedom. It will be the peace of slavery. When our boys return we shall meet them with a greeting that is worthy of them and their valor; and as they bear our standard back to our shores a hundred millions of American citizens will salute it. The unconquered banner of an unconquerable people. "The flag to liberty given, whose every hue was born in heaven." [Applause.]

Mr. STEENERSON. Mr. Chairman, the Committee on the Post Office and Post Roads have agreed to the provisions of this bill making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and which carries in round numbers $360,000,000. In other words, it appropriates for the expenses of carrying on this great service about a million dollars a day.

I think it is rather remarkable that in these times of partisanship the committee was, so to speak, unanimous on most of the provisions of the bill. The new legislation carried covers salary increases or making permanent the increases of a year ago.

The only two items that I recall on which there was a division and on which there probably will be a division when the bill comes up for consideration are the two items of aeroplane service and motor-truck service.

I will not now take the time of the House to discuss the objections to these items. I desire to say a few words in regard to the general postal service for the past year. We have noticed in years before that a great stress has been laid by the administration officials upon the ability to produce a postal surplus. As I pointed out a little more than a year ago, that desire to show a postal surplus went so far as to compile figures that were, if not erroneous, misleading, in the way they were placed, to show a surplus that did not, in fact, exist, and which I established by a Treasury Department statement made pursuant to my request. It wiped out the boasted surpluses of the 1915-16 period. After the detailed statement the whole was embraced in a summary, as follows:

Summary.

(Part 3.)

[Treasury gained (+); Treasury lost (−).]

1912	−$1,575,986.50
1913	+ 2,389,618.12
1914	+ 3,134,973.06
1915	− 6,724,275.27
1916	− 300,362.22
Net loss 1912-1916	− 3,076,033.11

TREASURY DEPARTMENT, *January 31, 1917.*

However, the method of determining a postal surplus is simple. It consists under the law of 1835 of the difference between the audited receipts and the audited expenditures during the fiscal year. Of course, with expenditures and receipts exceeding a million dollars a day it is easy to postpone a few bills at the last end of the year, if you want to show a surplus that does not exist, but its punishment is that you will get a deficit the next year or year after, because these bills must be paid at some time. The practice I do not think has prevailed to any great extent, but the fact that it has been discussed in official reports by the department shows that there has been an exaggerated idea about the merits of a postal surplus. I think it is due to a mistaken idea of what the Postal Service is. The correct theory is that it is a public facility instituted to serve the people; whenever the receipts are not sufficient to pay for the service the rates should be increased, and when the rates are so high as to produce a postal surplus of some magnitude it would be the duty of Congress to either improve the service, make it more expeditious, reliable, and efficient, and improving the conditions of the personnel, the employees engaged in this arduous task of distributing the mails, or reduce the rates of postage. Therefore, it seems to me that a very large surplus or a very large deficit should be avoided.

The largest deficit we have had in recent years was in 1915 when there was a deficit of nearly $12,000,000. Last year and this year the statement shows a considerable surplus. In fact, the difference between the audited receipts and the audited expenditures this year shows a surplus of nineteen and one-half million dollars, a very remarkable showing, especially in view of the fact that the salaries of nearly all the employees were increased. The expense of carrying on the service was also increased, and yet there is a surplus of nineteen and a half million dollars.

Mr. BLACK. Will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. BLACK. In 1918 the only salaries increased were 10 below $1,000. The letter carriers were not increased with the beginning of July 1, 1918, which would be reflected in the next fiscal year.

Mr. STEENERSON. The gentleman will find that the salaries have been increased for the fiscal year of 1918 from what it was in 1917. Other expenses for carrying on the service increased. The star routes let that year were let at a higher price than formerly. Supplies were purchased at higher prices, and certainly the appropriations were increased, as the gentleman from Texas knows very well. Now, the wages have increased, and the price of supplies having increased all around, it is remarkable that there should be so large a surplus this year, and it is worth while, I think, to consider the reasons.

When I spoke about the increase in compensation of those who render services I did not include one of the most important parts of the service. I refer to the railway transportation. Remarkable as it may seem, the cost to the Government of transportation by rail of mail matter has very greatly decreased, but certainly the decrease has been accentuated very largely since the passage of the space-plan law of 1916, which went into effect November 1 of that year. It includes the whole of the fiscal year of 1918.

Before that law went into effect it was estimated by department officials that the per ton per mile cost of mail transportation, including railway post-office pay, was 10.26 cents. I have computed what it was last year. Now, that computation is based on the most accurate figures that have ever been obtained, for the reason that in the dispute between the railroad companies and the Government as to putting in force the space-plan law there was a general weighing of the mail matter throughout the United States. Formerly there was only a quadrennial weighing. Last year there was a complete weighing of the mail matter throughout the whole United States, all that transported by rail. Of course, some of the mail does not reach the railroad, but if it only traveled by rail a few miles it was included in the weighing. The weighing was continued for 35 days in the spring, and these days are supposed to have the most nearly average volume of mail.

I have figures here showing there was 826,000,000 ton-miles of mail. Of course, we do not usually compute mail by the ton-mile. We all know there are 2,000 pounds in a ton, and if you transmute the ton-miles into pound-miles you would have 1,000,652,000,000 pounds of mail carried 1 mile.

Now, if you simply carried a piece 1 mile, that would indicate the total volume of the mail; but the mail is carried more than 1 mile. It is believed that 400 miles represents the average haul, and some put it as high as 500 miles. If you divide that large sum of pound-miles by 400 we have about 4,225,000,000 pounds as the total weight of the mail that travels by rail.

Of course there is a percentage of mail that does not reach the railroads, and it has been estimated as high as 10 per cent. However, for the purpose of this argument here, I shall not take it into account. If you divide the total amount of railway mail pay as it is now—$53,000,000—by the total number of pounds, you will find that during the fiscal year 1918 the railway mail pay was reduced to 6.4 cents per ton-mile, or, in other words, a reduction of nearly 40 per cent. They show in their reports how many car-miles have been saved. They reduce the service to 60-foot car-miles, and they show that 32,824,260 full 60-foot car-miles have been saved by the economy of placing heavier loads on each car. This "saving," they say, was equal to 15 trains of 10 cars each every day in the year between New York and Chicago. Instead of using the space they authorized—and you will find that on page 101 of the Postmaster General's report they used a less sum—here is their table:

Miles of service per annum prorated to 60-foot car basis:	
Nov. 1, 1916	272,794,837.13
June 30, 1918	220,290,652.83
Decrease	52,504,184.30
Per cent of decrease, 19.24.	
Total authorized rate of compensation per annum:	
Nov. 1, 1916	$64,447,982.47
June 30, 1918	52,022,070.43
Decrease	12,425,912.04
Per cent of decrease, 19.28.	

How could that be done? As was stated by my colleague on the committee, Mr. MADDEN, it was saved by economy in loading. Instead of using the space authorized, they waited with a car until they could get a full load, and they are paying only for the space; and if they could get two loads on one 60-foot car, they would save one-half. They have actually saved, according to the best figures, between twelve and thirteen millions of dollars on their own basis. I have made a calculation myself from official figures.

I have taken the rate of pay as it was prescribed by the weight law and as they now pay and I find there is a difference of $20,000,000 last year. Perhaps the department's estimate will be $14,000,000, but it is immaterial whether it will be $14,000,000 or $20,000,000. That is a very large reduction, especially in view of the fact that the volume of mail has increased at a greater rate than ever before in the history of the country. Out of the 826,000,000 ton-miles that were transported by railway we know about how much there was of each class. It is desirable that each class should pay its way, and I think they are coming nearer to it now than ever before. This weighing of mail last year is the most complete determination of the total volume of mail that has ever been made. We can approximate the volume of each class. Two years ago the Post Office Department estimated after a sample count in the various offices that there were 1,000,000,000 pieces of parcels weighing nearly 2 pounds each. There has been an increase of probably 14 per cent since, so, too, multiplying the number by average weight of each piece, we get two billions and a quarter pounds. At the estimated income from those at 3 cents a pound, that would bring in some $67,000,000. The second class is paid by the pound, and, of course, it is weighed when it is put into the post office, so that of all mail matter there is no kind whose quantity is so easily ascertained, because all you have to do is to look at the number of cents paid and you have the number of pounds. It amounted to 1,170,000,000 pounds, which is a little more than one-half of the volume of parcels, but it pays only between $11,000,000 and $12,000,000 of revenue. The third class, perhaps, amounts to thirty to thirty-five millions. That embraces small books weighing less than 8 ounces, all circulars, circular letters, and mail matter that really pays quite a good deal of revenue, so I presume there is a profit on that. The first-class mail is the most profitable of all. When mail rates were 2 cents an ounce, it was estimated that it took 45 letters to make a pound—they are so much underweight on the average.

Of course, if they weighed an ounce each, that would be 32 cents a pound, each letter having full weight, but the revenue from the first-class mail runs to about 85 cents a pound, or even as high as 90 cents, the estimates varying. In 1907 they figured it cost 49 cents a pound to transport and handle first-class mail. Of course, everybody knows it is more expensive; everybody knows that it ought to have, if it has not, a more expeditious way of being transported, and, in modern war language, it should be given priority. There are many pieces to the pound, and that fact necessitates a larger clerical force. But even at that they make a profit of about 40 cents a pound. This will, therefore, explain to you why we have a postal surplus this year.

I was about to analyze the reason for the present postal surplus. I have given one in the fact that there is a very large

reduction in railway mail pay of 40 per cent of the ton mileage from what it was some years ago before the space plan was inaugurated and because of the economies thereby accomplished. There has been a reduction in pay all of the way from $12,000,000 to $15,000,000 in face of the fact that the volume of mail has been constantly increasing at the rate of 4½ to 5 per cent in weight. What is the other cause, if any there be, why the receipts are so large? The receipts were $388,000,000. Of course, you all know that the war-revenue law imposes a 3-cent rate on first-class mail and a 2-cent rate on postal cards, but that was required by that law to be estimated monthly and paid into the Treasury as a war revenue. The Postmaster General has in compliance with that, as he says, estimated it at $44,500,000 for the seven months after the passage of the act, until the end of the fiscal year. That leaves $344,000,000 as the revenue at the old 2-cent rate. It is to be noted that the Postmaster General's report does not credit in any way the war conditions for any of the increase in revenues, but it blames the war for delays in the carrying of the mail. His excuse for slow transportation and for delay in the mail is war, but he never mentions that the great surplus he has produced is very largely due to the war. The detailed report of the department does show these two things. It shows that at the cantonments the first-class mail was enormous.

Mr. AYRES. Mr. Chairman, will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. AYRES. If the surplus is due to war conditions, will the gentleman please explain in what way?

Mr. STEENERSON. I am about to do that.

Mr. AYRES. Very well.

Mr. STEENERSON. The war produced an abnormal increase in first-class mail, which is profitable—that is stating it in a very short word—and the details are found in the Postmaster General's report in reviewing these things.

Mr. AYRES. Will the gentleman yield for a question?

Mr. STEENERSON. Just wait a minute until I answer the first one. The gentleman must not load me up with two at a time.

Mr. AYRES. Certainly; that is all right.

Mr. STEENERSON. On page 6 he says:

> The combined postal receipts derived from the military branch post offices, exclusive of money-order business, approximate $1,000,000 a month, an amount greater than the receipts of a post office serving a city of 2,000,000 population.

Now, that is just here at home. Now, everybody with common sense can understand that when boys are sent away from their homes, from the farms and shops, to serve in the military camps here in the United States that letters will follow and letters will go from them home at a more numerous rate than before, so the war did stimulate first-class business, which shows a profit, as I have shown, of 40 cents a pound. In addition to that, if the gentleman will be patient, the Post Office Department report says that during the last fiscal year, 1918, the mail of our expeditionary forces abroad was not handled by the Post Office Department, except within the United States. All the mails—35,000,000 letters, first-class, and 15,000,000 and 16,000,000 parcels—they say were delivered to the military forces at the port of embarkation. There is no dispute about that; but here, on page 9, I think it is, they go on to say—I will read it:

> With the taking over of the mail by the military authorities the Post Office Department was at once furnished with the list of the units in France and the field postal stations with which they are being served. The Army organized a postal corps of 1,885 enlisted men and 115 officers—

And so forth.

So there are 2,000 men who acted as postal clerks in distributing this mail, and consequently the Post Office Department, which received the revenue, was relieved from paying those 2,000 clerks which they would have done if they were not turned over to them by the military authorities.

Mr. HUDDLESTON. Will the gentleman yield on that point?

Mr. STEENERSON. What is on the gentleman's mind?

Mr. HUDDLESTON. The military did not take over the Postal Service until nearly the close of the last fiscal year.

Mr. STEENERSON. The gentleman is in error.

Mr. HUDDLESTON. When did the military take it over?

Mr. STEENERSON. It says here the beginning of the fiscal year, June 30, 1917. No; on pages 6 and 7 the report of the department says the military took control June 1, last.

Mr. MADDEN. If my colleague will yield to me, the transportation charges across the ocean were eliminated also?

Mr. STEENERSON. I am coming to that. Now, here is a case where there is stipulated the amount of first-class mail which is profitable, and there is some profit upon the parcels going to foreign countries which are light in weight and pay a very large rate, because they are outside of the average zone. These military transports carried that mail, and they never paid them a cent. Hence you will find that the expense of the foreign mail which goes on ships carrying mail last year was at least $1,000,000 less than it was before. Why? With 2,000,000 soldiers and all the civilians that followed over into Europe, imagine the volume of mail that went across which paid first-class and parcels, and yet the payment for transportation by ships across the ocean was decreased.

If they had been carried under the legal rate on ships going abroad I venture to say it would cost $3,500,000 or $4,000,000 in addition. If we had furnished 2,000 clerks abroad, say, at $1,500 apiece, that would be $3,000,000, and presumably the clerks abroad would have cost $4,000,000. That expense was saved or avoided by the Postal Service, but they got all the revenue. Now, I am speaking of this not in criticism of the Post Office Department, not at all, but I am speaking of it because I want to show you that the large postal surplus of this year is not due to a normal state of business and that it can not be expected to continue in the future. We can not expect to have this enormous volume of domestic first-class and foreign first-class and parcel-post mail after the war ceases, and if it does continue you can expect that the expense thereof will be charged to the Postal Service and not to the War Department. Now, this accounts, more than accounts, for all the surplus. If we take these things into account there would be a deficit of very nearly $20,000,000, in my opinion. But assuming that we will have prosperous times in the future, we may avoid such a loss. Now, with regard to the railway service let me say this: I used to be considered a granger and for many years advocated stringent laws with reference to railroads, and I was sent to the legislature as an antirailroad member, representing the people. I do not believe I have any particular prejudice in favor of railroads. In regard to railway mail pay, I would say I believe it is the correct principle that we should pay for all the service rendered at a compensatory rate, at a fair rate; that you should not compel anybody to work for less than the service is reasonably worth. I do not care whether it is a railroad company or an individual. In the space-plan law we provide a $1,000 fine to any railroad company refusing to carry the mail at the rates prescribed by the Postmaster General, and when we have made a penal offense of $1,000 to refuse to carry this stuff, is it fair for us to turn around and say, "You must carry it for less than it costs you"? Evidently that would not be fair. If the compensation of the railroads by the space plan has decreased 25 per cent it is a question whether in the face of increased operating expenses it is compensatory.

The Government increased railroad freight rates 25 per cent, entailing an extra burden on the people of $600,000,000 per annum, but the freight it ships in the form of mail enjoys a reduced rate. Consequently the small country merchant, whose freight bills are increased, has a harder time to meet his city competitor, who distributes his merchandise by mail and enjoys the same old rates. In 1900, in fact as late as 1901, I think, the proportion of postal receipts paid for railway transportation was 36 per cent. It gradually was reduced until it came down to 21 per cent. In 1915 it was 21 per cent; last year it was 17 per cent of the total receipts.

Statement of total postal receipts and expenditures for railroad transportation of mails, 1900 to 1918, inclusive.

Year.	Postal receipts.	Railroad transportation.	Per cent of total postal receipts paid to railroads.
1900	$102,400,000	$37,300,000	36
1901	111,600,000	38,200,000	34
1902	121,900,000	39,500,000	32
1903	134,200,000	41,400,000	31
1904	143,500,000	44,000,000	31
1905	152,800,000	45,300,000	29
1906	167,900,000	47,000,000	28
1907	183,600,000	50,000,000	27
1908	191,500,000	48,500,000	25
1909	205,600,000	49,900,000	24
1910	224,400,000	49,400,000	22
1911	237,800,000	50,600,000	21
1912	246,700,000	51,700,000	21
1913	266,000,000	52,000,000	19
1914	287,000,000	56,200,000	19
1915	287,500,000	59,600,000	21
1916	312,000,000	61,700,000	20
1917	329,700,000	62,700,000	19
1918	344,000,000	61,000,000	17

The practice of express companies of paying 50 per cent of receipts has recently been adopted by the United States Railroad Administration. That business is analogous to parcel post, only

there is no limit on weight of packages. My colleague on the committee, the gentleman from Illinois [Mr. MADDEN], pointed out that there had been delay in the mail. The Postmaster General's report boasts of the number of car-miles that they have saved. If by the economy in loading, as it is said, you can save half the transportation by holding a car until the end of the day, if you thereby delay the letters for New York or Philadelphia one day it is poor economy. You pay the railroad company less, but you do more damage to the business public.

Now, it is not a sporadic complaint that comes to us. It is universal. I venture to say that there is not a Member of this House who has not had complaint about delay in the mail. And the Postmaster General's report seeks to excuse that by war conditions. Ever since the European war began the war has been the goat of the Post Office Department. When there was a lack of revenue, the war was blamed. They never give credit. This war is now blamed for delay in the mail. If a man waits two days to get a letter from Yonkers down to Wall Street, in New York City, they say it is war conditions that are to blame. I received a telegram yesterday from the Merchants' Association of New York, in which they say that they have timed the passage of letters from one part of New York City to the other, and that it took a day and a half or two days.

But I think my colleague on the committee [Mr. MADDEN] hit the nail exactly on the head when he said that it was due to an inordinate desire to economize by loading too heavily under the space plan. They have taken off these thousands of cars, which they say they have saved, and they have had fewer dispatches of mail. Now, that is all right, so far as merchandise is concerned, but it will not do for first-class mail. It seems to me it is strange that the department has not awakened to the fact that this is the cause. They can not have this war to blame forever. It will soon end, possibly. And I think you will find that if they continue to get the mail service from the railroads at the present economic rate, there will be a less quick dispatch than there was formerly. If space plan as operated reduces the pay below a fair compensation it is unjust. If, on the other hand, it delays the mail, it is unwise and expensive. But I almost forgot to say that this saving upon which the department places so much emphasis—the saving in railway mail pay—has not yet been sanctioned. This is a most remarkable thing. They count it as absolutely saved before they know. The space-plan law had a provision to the effect that the existing law for transportation of mail, except as therein modified, shall continue in effect until the Interstate Commerce Commission, under the provisions thereof, fixed a fair and reasonable rate of compensation for such transportation service. And then it goes on and gives them jurisdiction to determine whether the space plan is fair and just and whether the rate prescribed in the space plan is correct or not. And then it provides that, except as the department, for an experiment, puts it into effect, the rates under the old law shall continue. Now, when that was put in there it was supposed they were going to experiment with a small part. A great many people thought it was that, a small part of the railroad. But they put the space plan into effect throughout the whole United States, except on routes that were simply too light in traffic to justify hiring 3-foot compartments. Under the space plan they are divided into 3-foot, 7-foot, 10-foot, 15-foot, 30-foot, and 60-foot space, car length, and where the mail was so light they could not afford to pay even for 3 feet, then they continued it under the old law—under the weight plan. All the routes of the United States are put under the space plan, and they have computed the pay and paid them under the space plan, although the law said it should not take effect until a favorable decision by the Interstate Commerce Commission.

Now, I went down there to get the exact amount they would pay under the space plan. It seems these two plans are in force to-day. "If the Interstate Commerce Commission decides that the space plan is unjust, then what would you pay?" They could not tell me. They know what they have paid.

Mr. MANN. Will the gentleman yield for a question?

Mr. STEENERSON. Yes.

Mr. MANN. In reference to the space plan, do they work the mail on the train under that plan?

Mr. STEENERSON. To some extent, but to a very much less extent than they did formerly, because they do not authorize space enough to work it. In fact, Mr. Praeger, I believe, last year, or his man in charge of the Railway Mail Service, said that they have reduced the railway mail clerks by 1,200. They are put in as distributors in the terminals.

Mr. MANN. How do they arrange about local mail that is put on the train at all stations?

Mr. STEENERSON. Oh, that is not distributed at all. That goes by to some other post office, where they open it and send it back. There has been a great deal of complaint about that. There are a lot of mail cars that have no clerks on, and no mail can be put on such cars.

Mr. MANN. Now, let me ask you a question for information. Take the Illinois Central Railroad, running from Cairo to Chicago. There are a great many stations along the line of the road—post offices. When they put their mail sack on the train is the mail worked on the train?

Mr. STEENERSON. No. It has got to be worked at the starting point and put into a separate sack for each of those small places, and the pouches are thrown off.

Mr. MANN. I am talking about the mail that is put on the train at the small places. Part of the mail goes to Chicago.

Mr. STEENERSON. I think in most cases it goes to Chicago.

Mr. MANN. Part is addressed to Chicago, part is addressed to New York, part is addressed for eastern points, and part addressed to western points. Say, on a train going north, that mail is put on the train. Is that mail worked on the way to Chicago or not worked until it gets to Chicago?

Mr. STEENERSON. I would not be positive about that, although I have been on those mail cars several times since the space plan was inaugurated. But I do know that a great deal less mail is worked in transit than before, because they have not got the space in the cars.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. STEENERSON. Certainly.

Mr. McKENZIE. Is it not a fact that practically on all railroad lines they have what are called local mail trains, and that on those local mail trains the mail is worked by the postal clerks on the postal cars, although perhaps on the fast through trains that carry mail that is not done?

Mr. STEENERSON. Well, I have had a great deal of trouble about that kind of a case, where they will not furnish the clerks to work the mail even on those trains. You have got to assort it at the beginning of the route and put it in a separate pouch, and that pouch is thrown out.

Mr. McKENZIE. Pardon me. Suppose I mail a letter at my home town, on the Chicago & Great Western road, 140 miles west of Chicago, and address it to Freeport, Ill., about 35 miles away. My understanding is that that mail sack from my local home town is put on the train and is thrown on the table, and that letter that would be addressed to Freeport, Ill., would be thrown into a sack that would go to Freeport, and so on. It would not be sent to Chicago and sent back.

Mr. STEENERSON. That may be, if they have a clerk to do it. They do not have them on all cars.

The saving by means of the space plan can not be said to be an accomplished fact, for its justice and validity are yet to be determined. An adverse decision might wipe out all this surplus. It is a little premature to count this as an absolute surplus, because we have this contingent liability, depending on the decision of the Interstate Commerce Commission.

There is a provision in this bill authorizing, I believe, $2,300,000 for motor-truck service. The gentleman from Tennessee [Mr. MOON], the chairman of the committee, explained how enormously profitable the motor-truck service has been. The hearings before the Committee on the Post Office and Post Roads justifies that statement, and the Post Office Department report justifies it. They made about 80 per cent profit on this motor-truck service. However, upon cross-examination the Assistant Postmaster General admitted that in arriving at the income of the motor-truck service on those routes they counted all the postage. So I asked them if a letter or parcel that came from Manila, say, to Hawaii, and from Hawaii to San Francisco, and from San Francisco to Harrisburg, was put on a route from Harrisburg down to the East, they would count the postage on that as having been earned by the motor-truck service, and he had to admit that that was the case. They count all the postage that all these packages bear, and then they have a system of figuring that easily can be found to be false. I have not the time to go into it, but it stands to reason that it can not be possible that you can make such an enormous profit in carrying parcels if you count all the expense. It may be that there is a day or two or a month or two or three months in a year where you have this profitable business, but there may be months or half a year or more when there is little or no business. And the remarkable thing about this motor-truck service is that they parallel the railroads. They run parallel in most every instance to an existing railroad line, and the railroads, of course, are anxious for business. How is it, then, that by motor trucks you can carry at such a vast profit this business which otherwise would be moved by rail? It may be, but I can not understand it. I have my doubts, and consequently I have my doubts about appropriating this vast sum.

There is another thing that I want to call attention to when we come to discuss that item, that under the provision of a

law which was placed as a rider on the Post Office appropriation last year they are furnished trucks for nothing by the War Department. They are turned over free, and, of course, that item of cost does not appear.

Now, under this item they are going to spend $2,300,000, and some say it will be increased to $10,000,000. It is not segregated—so much for automobiles, and so much for this, and so much for operation, and so much for the chauffeurs. Oh, no. It is simply a lump sum, and it includes improvement of roads. It might be all used for the improvement of roads, and it might be all used for automobiles, in the discretion of the Postmaster General. You remember how hard we fought here when we passed the road law. We wanted a correct apportionment. We did not want to trust the discretion of the Postmaster General in distributing the money for roads, and so we made a careful calculation, that was very fair, that was not to discriminate against localities or States. But under this, in these times of war, they say we must confide in the Government, and therefore they give it discretion to build roads wherever they please.

Mr. RAMSEYER. Will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. RAMSEYER. I wish to ask the gentleman about the provision for the improvement of highways, in line 18, page 23, of the bill:

> The improvement of highways, the purchase, manufacture, exchange, and repair of equipment—

And so on. That is a change of existing law. My impression is that those words "the improvement of highways" were slipped in there; that that subject was not before the committee.

Mr. STEENERSON. I can not remember that I heard of that in the committee at all. I was out trying to frame another provision, and perhaps it happened while I was out.

Mr. MOON. That whole paragraph is new.

Mr. STEENERSON. This is a new provision. I have here the committee print which shows exactly what is new. The new parts were printed in italics. I presume it is a new version of a part of an old law:

> For experimental motor-vehicle truck service in such localities of the United States as the Postmaster General may select, the establishment and extension of such service, the improvement of highways, the purchase, manufacture, exchange, and repair of equipment, supervision and maintenance, and expenses incidental to conveyance and marketing of produce and commodities, $1,000,000.

Mr. RAMSEYER. Does the gentleman contend that the phrase "improvement of highways" was in last year's law authorizing the experiment with motor trucks?

Mr. STEENERSON. I will read the section of the current appropriation act. It is section 7 of last year's appropriation act:

> SEC. 7. That to promote the conservation of food products and to facilitate the collection and delivery thereof from producer to consumer, and the delivery of articles necessary in the production of such food products to the producers, the Postmaster General is hereby authorized to conduct experiments in the operation of motor-vehicle truck routes in the vicinity of such cities of the United States as he may select, and under such rules and regulations as he may prescribe, and the cost of such experiments, not exceeding $300,000, may be paid by the Postmaster General out of any unexpended appropriations of the Postal Service, and the Postmaster General shall report the result of such experiments to the Congress at the earliest practicable date.

The gentleman is absolutely right. There is nothing about highways in last year's law. In fact, I did not know it was in there at all until I saw this bill printed; but we have waived all points of order based on the fact that it is new legislation, so that we will have to debate it on the merits when the time comes.

There is another item here that carries $2,185,000 for airplane service. That is in addition to the fact that this law authorizes the War Department to furnish the airplanes for nothing.

Mr. MOON. May I suggest to the gentleman from Minnesota that when we removed the airplane proposition from the steamboat proposition, with which it was heretofore connected, by the action of the committee we reduced the steamboat proposition from $245,000 to $185,000 and we did not increase the inland transportation appropriation at all, so that the airplane appropriation now falls under the inland transportation appropriation without any increase whatever in the totals.

Mr. STEENERSON. That is correct.

Mr. MOON. So if it should transpire that a reduction can be made in the use of the money for inland transportation by the use of it for airplanes, there can be nothing lost in that case.

Mr. STEENERSON. The gentleman from Tennessee points out that this appropriation for airplanes is taken out of the appropriation for transportation of mails by railways and that it does not increase the total. It does, however, increase the amount that could be spent for airplanes.

Mr. BANKHEAD. If my friend will pardon me, in connection with the airplane proposition I want to ask a question.

Mr. STEENERSON. I will be glad to yield to the gentleman.

Mr. BANKHEAD. I notice here in the airplane proposition an appropriation of $2,185,000, which provides for the purchase of airplanes and the operation and maintenance of the airplane service. I wondered if the committee took into consideration in connection with that matter the possibility of making available the Army and Navy airplanes that probably will go out of actual service when peace is consummated, instead of purchasing them?

Mr. STEENERSON. The committee were aware that the law of last year did authorize the turning over of these airplanes to the Post Office Department, and they were told at the hearing that the department might also purchase airplanes from private manufacturers.

Now, $2,000,000, or nearly $3,000,000, for these two items is a liberal amount for an experiment. I want to call attention to another remarkable thing about automobiles, seeing we are on the automobile subject.

For a great many years the mail in the large cities was transported from the station to the post office and back again by what they called the screen-wagon service. That was a contract service. Two or three years ago it was abolished, and automobiles owned and operated by the Government were substituted. Part of the service in the cities was also performed by underground tubes. The service performed by the tubes was similar to that which was performed by the screen-wagon service. That is, it transported the mails between the station and the post office. The amount required when the Government had these contracts was $2,300,000.

This year we appropriate $6,700,000. There has been an increase of nearly 300 per cent in the cost of transporting the mail in the cities. Why should that be? The Post Office Department tells us that they have accomplished a wonderful saving this year. My colleague, Mr. MADDEN, has asked several times how it could be that they claimed such a saving last year. They said we are saving because we asked for no more this year than we asked last year, and there has been a growth in the mail service. We passed the bill, and then they went over to the Senate and had it increased $735,000. So automobiles seem to be in favor, although the expense of transporting the mail in the cities has increased nearly 300 per cent in three years, or at least 250 per cent, and they still say that they are saving us a large amount. They say that they are going to save us millions by the motor-truck and automobile, and other millions are going to be saved with great expedition of the mail by aeroplanes.

I may be of a suspicious nature, but it looks to me as though the automobile industry, which everybody knows is a great combination, having the most complete organization in every State in the Union, beyond that of any other manufacture or mercantile branch in the world, have great influence in this matter. They hold conventions, good-roads meetings, and put through constitutional amendments seeking to appropriate millions and millions of dollars of the States in order to build roads upon which joy riders can ride from Chicago to Frisco. Of course they do not reach the backwoods in my district with their fine macadam roads that cost $20,000 a mile, but they are doing a good work no doubt for roads, and they do good work for the automobiles. They are selling automobiles by the million, and they certainly have a good customer in Uncle Sam. He buys all the automobiles, and they are used up in three or four years, and yet the expense of this item is enormously increased.

Evidently they propose to wipe out the railroads altogether, because the motor-truck routes are paralleling the railroads. They say they can do it for about one-fifth. At least they do it for one-fifth of the postal revenue, as they figure.

It must be that the Post Office Department intends to supplant railroads by motor trucks, and, as the gentleman from Tennessee said, they may in time be prepared to carry a 1,000-pound parcel-post package. Instead of having railroads we will have motor-truck routes with steel-surface highways. Evidently there is a movement on the part of the automobile industry, which includes the aeroplane industry and the Oil Trust, to wipe out every other kind of transportation. They have wiped out the underground transportation in New York City and substituted automobiles, thereby selling new ones, and they now propose to wipe out the railroads, because they can get automobiles from the War Department, and no railroad can compete with them.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. GREEN of Iowa. I am much interested in the matter of motor transportation. Can the gentleman say whether in the estimate of the cost of transportation the amount of depreciation and loss caused by the upkeep and subsequent casting aside of the automobile has been fairly taken into consideration?

Mr. STEENERSON. I think the Fourth Assistant Postmaster General has covered everything. If he has not, he will; he is the most expert talker I ever listened to, and if he can not explain it nobody on earth can. [Laughter.]

Mr. GREEN of Iowa. How about his figures?

Mr. STEENERSON. I have not had time to analyze them, but I wish the gentleman from Iowa, who is on the Ways and Means Committee, would take hold of Mr. Blakslee's figures. I am afraid if he did there would not be much left. As it is, he proved before the committee that, like Col. Sellers, there were "millions in it; millions in it." That is the way the Fourth Assistant Postmaster General talked about motor trucks. Evidently he wants to wipe out transportation by railroads, and the motor-truck manufacturers are with him. They are going to do it not only by means of that sort of transportation, but by aeroplane transportation.

Well, although I was the first man to ever offer an appropriation of $50,000 for the experiment in aeroplane transportation of mail, I have not gone wild over the idea. I asked them when they were going to have it out in St. Paul and Minneapolis, in my State. They said in the spring. I did not want my territory to be overlooked. Minneapolis, for instance, and St. Paul can have their letters mailed in the evening at 7 or 8 o'clock and at 9 o'clock in the morning or 10 o'clock in the morning they are in Chicago. That is almost as good as transportation by aeroplanes, because people would not be up during the night and the mail would not be delivered.

Mr. MOON. Then the gentleman would not want the more expeditious service out there, would he?

Mr. STEENERSON. I will say to the gentleman that I have not finished yet. [Laughter.] I do not think it will amount to anything; but besides the aeroplane mail we have the telegraph. We can telegraph in a few hours if we could have as good service as we had before the war, but the war has disorganized everything in the way of telegraph service, so that service is not as good as it used to be. But if we have normal times I could telegraph Chicago and get an answer back in an hour. If you do not want to do that, you could telephone. You could telephone from Milwaukee at a reasonable rate, and I can not see any very urgent necessity for carrying mail by aeroplanes between these points. Yet if the rest of the country is going to have this spectacular service—this great means of advertising the department worthy of George Creel—we want it in Minnesota.

Mr. SLOAN. Will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. SLOAN. I note what the gentleman said about efficiency and the figures of the department, especially of the Fourth Assistant. Does the gentleman think the efficiency found in this department would warrant the Government in buying the telegraph and telephone lines so as to extend opportunities for efficiency in the Post Office Department?

Mr. STEENERSON. Mr. Chairman, how much time have I used?

The CHAIRMAN. The gentleman has used 1 hour and 15 minutes.

Mr. STEENERSON. Mr. Chairman, I shall undertake to answer the question of the gentleman from Nebraska [Mr. SLOAN], although I had not intended to discuss that feature. If he desires to have my view upon it, I shall be very glad to give it.

Mr. SLOAN. I certainly desire it.

Mr. STEENERSON. Mr. Chairman, I listened to the gentleman from Tennessee [Mr. MOON] upon that point with great attention. I thought at one time he was going to decide against Government operation of both telephone and telegraph and the railroads. He cited the Constitution as thoroughly as any constitutional lawyer could, with great emphasis. In my view, there never was any constitutional question about this matter. I do not believe anyone can raise a question of whether the United States has the power and authority under that clause of the Constitution granting it power to establish post offices and post roads, to own and operate telephones and telegraphs. I believe they can, and it was quite unnecessary for the gentleman from Tennessee to convince me it was constitutional. Moreover, I will say this, that in the nature of things communication by telephone and telegraph is very similar to communication by letter, and therefore there is nothing inherent in the difference that would preclude the Government from performing one function as well as the other. I believe in Government ownership and operation of a public utility like this whenever it appears likely that the public will thereby be served more efficiently and economically, but whether this will prove true as to any or all of these telephone and telegraph companies is a question that ought to be carefully considered.

If there exists a valid objection it is not founded on constitutional grounds. The gentleman from Tennessee, in pursuing the subject, did come very near to the real point of objection. While I should like and I hope to see some day when the Government shall operate the Postal Service, including the telegraph and telephones, with efficiency and without partisanship or politics, without carrying on a publicity campaign throughout the year to make things true that are not true, advertising surpluses that do not exist—if it should become a business institution free from politics—then I think I should like to see that department carry on this other activity.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. STEENERSON. The gentleman will excuse me until I have finished. There is another objection, not founded upon the ability of the Government to do the business, not founded upon the Constitution, but founded on the same objection that exists to assuming the numerous functions of railway transportation and various other things that we have been doing during the war. I said the gentleman from Tennessee came very near pointing out the objection, but he did not pursue it to its final logical conclusion. The real objection to assuming all these activities at this time lies in the fact that it is dangerous to free institutions. [Applause.] History and logic and science all tell us the reason why there is and must be a difference between the organizations of society in a militant state and in a peaceful state. The problem of republics has always been to develop military capacity without developing the military spirit; in other words, without becoming an autocracy or a despotism. I think one of the greatest accomplishments of any people in the world was what the American people did in organizing for war. It was not only an organization that was compelled and required by law, but an organization inspired by voluntary effort upon the part of the people.

A military organization depends upon rank. There is a regimentation from the common soldier to the sergeant, to the lieutenant, to the captain, and so on up to the general and commander in chief. One head must control it in order to make it efficient and hurl it at the enemy. It has been the history of the world that no industrial society organized upon liberal principles could be efficient in war. This has been thrown up against us always, and against a republican form of government, because of inefficiency in war. You have not got the organization.

De Tocqueville, in his Democracy in America, says:

> All nations which have been obliged to sustain long and serious warfare have consequently been led to augment the power of their government. Those who have not succeeded in this attempt have been subjugated. A long war always reduces nations to the wretched alternative of being abandoned to ruin by defeat or to despotism by success.

It was fortunate for us that we were not called into battle instantly, because over there the allies held the fort while we were coming for a year or more. We had in that time an opportunity to change from the peaceful, industrial, mercantile society into a militant society. Hence Congress was asked to confer these powers upon the President, and we readily, without regard to party, showered these powers upon him, almost buried him. The President has still to do this and to do that. As a matter of fact, he has to depend upon hundreds of thousands of agents whom he never sees to do these things. That was necessary and proper. I think it is Ferraro, in his work on militarism, that lays down this rule, that where militarism is developed to its highest point, there the army is the people mobilized, while in time of peace the people are the army quiescent. It is so complete that it only requires notice of conflict to become a military machine.

I once read an article, written by a man whose name I have forgotten, on the life of Lincoln—a very thoughtful article—and in it he mentioned this doctrine about militarism; and he says that the example of Washington, followed by the example of Lincoln, after engaging in the Revolutionary War and in the Civil War, the American people following their lead and laying down a military organization and becoming an industrial and peaceful community was the most wonderful thing in history. If the American people look upon that as a lodestar to follow, then our institutions will be safe. If, on the other hand, the same thing should happen here as happened in the ancient States of Greece and Rome, and we continue a military organization, a complete unit of command, then popular government will be destroyed. In comparatively modern times we have Napoleon as an example. He was elected first consul, but after he had engaged in those wars and had his armies complete, then what was the use of having an election? There was not a Pope good

enough to crown him. He was the autocrat supreme, and he placed the crown on his own head. There you have autocracy grown out of militarism. Have we not these lessons before us? The army was the controlling power. Have we not the lessons on this continent to the south of us, coming where military despotism has prevailed? The danger of assuming the telegraph, the telephone, and the railroad systems consists, as suggested, in the installation of an army of millions of men whose tenure of office and whose compensation are dependent upon the party in power.

If you have three or four or five million Government employees, with their friends, how long will it be before, by increase of salary or promise of increase, a President can perpetuate himself, either in his own person or in the person of his son-in-law or some other relative? I say that there never was a greater menace to the very foundations upon which our Government rests—popular, representative government—than in the piling up of these Government activities, however efficiently those activities may be performed. It is not a question whether the Government can perform these activities; it is a question of what becomes of your country. If we disregard the sanctified example of George Washington, who laid down his power to go back to his farm; if we disregard the glorious example of the immortal Lincoln, who had an army larger than any Caesar or Napoleon ever had; if we do not follow the advice of Grant that the people go back to their farms, where they will need their horses for their spring plowing, and assume peaceful occupations, but proceed to install millions and millions of Government employees by virtue of the perpetuation of the conditions which existed during the war, then it necessarily must follow that any man who reaches the presidential chair can, if he so desires, perpetuate his office, and the voice of the people will be overcome.

Mr. SLOAN. Will the gentleman yield right there?

Mr. STEENERSON. I was just answering the gentleman's question. [Laughter.] I will yield, although the answer is not complete.

Mr. SLOAN. Just at that point, in the matter of granting that power, this control and ownership, what does the gentleman have to say about the other countries that have exercised this function? Do not they generally deprive the public officials, the servants who do this work, of the right of franchise before assuming the power?

Mr. STEENERSON. I do not know.

Mr. SLOAN. They do; they say in some of the European countries——

Mr. STEENERSON. But they have a more complete and developed civil-service system. In nearly all foreign countries they have a civil-service system that is as nearly as possible free from politics, and we have not as yet. We hope to have it some day, but have not as yet. Government is growth and development, and I do not believe we can expect to have such a civil-service system for some time. If we had it now and it was so that these employees who are proposed would not interfere with politics and destroy the very institutions upon which our Government rests, I would not object. In itself it seems very meritorious, but there is another thing——

Mr. MOON. Will the gentleman yield?

Mr. STEENERSON. I will.

Mr. MOON. If I gathered from the gentleman correctly, he not only does not doubt the constitutional power but he thinks it would be a proper thing provided we can administer the matter properly?

Mr. STEENERSON. That is it exactly. I think the gentleman from Tennessee agrees with me somewhat if there was no danger.

Mr. SMITH of Michigan. Will the gentleman yield?

Mr. STEENERSON. Let me say one word before I yield to the gentleman from Michigan. I want to say that war brings many evils, and among others is the evil of profiteering, and I believe that the man who unduly profits by war conditions, whether in manufacturing or in commerce or otherwise, that the war profiteer is the most despicable person on the face of the earth. [Applause.] But worse than he, I say, is the man in power who by reason of war conditions tries to embezzle the power given him by reason of war conditions and will not disgorge them after the war is over. [Applause.] I say when you give me the power because of war, and when the reason for it is over and I seek to make it impossible, I am not acting in good faith; it constitutes an embezzlement of power which is worse than profiteering. [Applause.] Now, I will yield to the gentleman from Michigan.

Mr. SMITH of Michigan. Is it not true under private ownership of telephone lines, or telegraph lines for that matter, all persons can use them to their fullest extent and to their utmost desire? Now, what is to be gained by Government ownership?

Mr. STEENERSON. Well, I will say to the gentleman that he has omitted one main reason which he ought to advance.

Mr. SMITH of Michigan. That is what I would like to know.

Mr. STEENERSON. That is when you intrust your message in a hot campaign to the Western Union or the Postal Telegraph Co. or the telephone company you know that they are in duty bound to keep it secret, and if you have Government employees politically influenced, where are you? Are they not going to disclose in a secret way the very message upon which your election depends, or will they not refuse to transmit or delay the message until the occasion for it has gone? There is a vast danger in partisan manipulation of telephone and telegraph services which we must weigh before we determine that question.

Mr. SMITH of Michigan. But aside from war time and political campaigns, when we are having normal times I would like to know whether there is any advantage, and if so what the advantage is, in having public ownership, if there be any?

Mr. STEENERSON. If I have not spoken in vain, the gentleman appreciates there can be efficient service under both, and I have not said one was going to be very much more efficient than the other.

Mr. SMITH of Michigan. That is what I wanted to hear.

Mr. STEENERSON. The bonds and stocks of these wire companies, I am told, are over $2,000,000,000; the revenue about $415,000,000 annually. There are over 20,000 farm telephone companies. There are 927 reporting to the Interstate Commerce Commission of over $50,000 annual receipts. There are 9,585 smaller companies that filed reports. The employees number hundreds of thousands. Just why cooperative farm telephone lines should be seized by the Government as a war necessity no one understands. Is it simply to carry out a fixed desire without consulting the people? I will insert an address on rural telephones in Europe, by G. Odell, that is very instructive.

Mr. SLOAN. Will the gentleman yield further?

Mr. STEENERSON. I will.

Mr. SLOAN. Then, one of a somewhat cautious or suspicious nature like myself might infer from what the gentleman says that the management of the Post Office Department has not been entirely devoid of politics during the last five or six years?

Mr. STEENERSON. Well, I do not believe I can answer that. I take for absolute verity the statement made from this rostrum that politics were adjourned, and consequently I must decline to go into any details.

Mr. SLOAN. As I understand, the gentleman does that personally, but the gentleman does not assume to do it for the House, because some of us might not entirely agree.

Mr. STEENERSON. I am willing to assume politics is adjourned when it is announced it is adjourned.

Mr. SLOAN. Did that apply over here on Capitol Hill or Palatine Hill, at the other end of the Avenue?

Mr. STEENERSON. Mr. Chairman, I decline to be drawn into a discussion of that. How much time have I used?

The CHAIRMAN. The gentleman has used an hour and 35 minutes this time, and the Clerk informed the Chair that the gentleman had used 40 minutes the other day, whereas the Clerk now says he used 45 minutes.

Mr. STEENERSON. No; I used 40 minutes, which was given to Mr. MADDEN. I now yield the floor. [Applause.]

TELEPHONES IN EUROPE.

[From an address by Frank G. Odell, executive secretary National Conservation Congress, Dec. 8, 1916.]

Public ownership in theory is one thing. The actual working of public ownership is quite another thing. The future of any great and necessary public utility under public ownership can only be properly forecasted by a survey of what has actually been done where it has been tried for years. Such has been the effort of the writer. It is hoped that this paper will present new and important facts for the consideration of the reader.

SCARCITY OF RURAL TELEPHONES ABROAD.

Remarkable as it may seem, the rural telephone service of those countries which have public ownership is developed to so limited an extent that it seems to be considered unworthy of notice in the official reports of most of such countries. Great Britain is the only exception to this rule. In this country a special effort has been made for the eight years prior to the present war to extend the telephone into the country districts. This effort is consecutively noted in several recent reports of the British postmaster general under the heading, "Rural party lines—Farmers' lines."

The extent to which this effort has succeeded is shown by the total of such telephones in service at the date of the last official report (Mar. 31, 1915), namely, 2,265. This represents 1 telephone for each 4,290 of British rural population in the United Kingdom, as compared with a rural telephone in the United States of 1 for each 10 of population—or 1 telephone for each alternate family.

FARM TELEPHONES IN ENGLAND.

This remarkable development of the farm telephone in Great Britain—remarkable for its conspicuous failure to develop—is more noteworthy, because it is based on a very reasonable rate, to wit:

If the line connects three subscribers to the mile, each subscriber per year $14.61

If the line connects two subscribers to the mile, each subscriber per year 17.05

When the efforts of the British post-office department, offering as low as this, can only secure 2,265 farmers as telephone users in eight years in all of England, Scotland, Wales, and Ireland there must be something wrong in the British system.

Some of these inherent defects may be found in the interminable delay in securing installation of service, such as that noted by Hon. Mr. Goldsmith of the British parliamentary telephone committee, who called attention in a parliamentary debate on this subject to the fact that nine farmer applicants in Cornwall were still waiting for their telephones after a lapse of three years from the filing of their applications.

When it is considered that the applicant for service in Great Britain must pay full rental for a year in advance, the state of mind of these Cornish farmers may be better imagined than described.

It is generally conceded that the British post office is the most efficient in the world. It should be, therefore, especially competent to work out the experiment of public ownership. The obligation to do this rests peculiarly upon the British Government for the reason that the courts of that country have decided that "A telephone is a telegraph under the telegraph acts of 1863 and 1869, although the telephone was not in existence or contemplation when those acts were passed.

The telephone system of the United Kingdom shows a deficit for the last year reported (1914–15) of $540,657, while the deficit in telegraph operations for the seven years preceding 1914 amounts to $30,659,444. Similar conditions as to losses in operation are to be found generally in the reports of government-ownership countries.

EUROPEAN PERCENTAGES OF DEVELOPMENT.

The rarity of rural telephones in Great Britain and continental Europe is worthy of more than passing notice. In order to make even the discouraging financial showing which is characteristic of publicly owned utilities abroad, it is necessary to develop the service in urban districts. This is indicated by the facts as to percentages of telephone development.

The city of Paris alone has 32 per cent of all the telephones in France; Vienna has 37 per cent of all the telephones in Austria; and Brussels has 37 per cent of all the telephones in Belgium. Rural development has been strangled for the sake of immediate revenue, which is in itself insufficient to develop the districts served on modern lines, so that there is complaint all along the line.

Germany prides itself on taking care of its farmers, but after a 10-year struggle for revision of telephone rates, in which the Government admitted frequently that small communities were unjustly discriminated against, all efforts proved futile and the old rates stand. Consequently the farm telephone is practically unknown in Germany, and no mention of this class of service is to be found in the official reports of that country.

Official statistics show that in the United States the rural telephone rate averages from one-third to one-half the urban rate. In foreign countries the rural rate is generally nearly as high as the urban rate. The inevitable tendency of this condition is to retard rural telephone development by making rural costs approximately city costs.

GOVERNMENT-OWNERSHIP RESTRICTIONS.

In addition to this, government-ownership countries usually impose burdensome line and service charges, still further hampering rural development. This is aptly illustrated by the following quotation from the report of the government-ownership committee of the Farmers' National Congress:

"Government restrictions on rural telephone service: Foreign telephone rate schedules, as generally quoted, do not indicate what the subscriber in rural districts actually has to pay for his telephone service. In addition to the scheduled rates there are extra charges based upon the length of the subscriber's line. In France, for example, the Government furnishes free of charge only that portion of a rural telephone line which is located within 1¼ miles of the exchange.

The contribution toward the cost of construction is at the rate of $3.86 per 110 yards of line (metallic circuit). The annual contribution toward maintenance costs is at the rate of 39 cents per 110 yards of line (metallic circuit). The scheduled rates for local (exchange) service in rural districts consist of an annual subscription, or "ready to serve," charge which allows no outward calls and a charge of 2 cents for each outward call. The annual subscription ("ready to serve") charge varies as follows:

First year	$19.30
Second year	15.44
Third year	11.58
Fourth and subsequent years	7.72

When the additional line charges are taken into consideration, it is therefore evident that in order to secure telephone service the French farmer who lives 3 miles from a telephone exchange must pay as follows:

First year, $138.30, plus 2 cents per outward local call.
Second year, $26.36, plus 2 cents per outward local call.
Third year, $22.50, plus 2 cents per outward local call.
Fourth and subsequent years, $18.64, plus 2 cents per outward local call.

The rate of 2 cents per outward call by itself would appear to make the cost of rural telephone service in France prohibitive. An average of three outward calls per working day, or, say, 900 outward calls per year, entails a charge as great as the average cost of complete telephone service in the United States. Moreover, the contributions toward the cost of construction and the annual maintenance costs of subscribers' lines can not be divided among adjacent rural subscribers.

The independent form of farmers' cooperative or joint stock telephone associations, which is common in the United States, is unknown under Government ownership in Europe and is probably impossible under existing forms of governmental administration in European countries.

EXPERIENCE OF SWISS FARMERS.

In 1910 the Swiss Government made a detailed inquiry into the telephone rates of that country. While this inquiry was in progress the farmers of Switzerland thought it an opportune time to register a vigorous protest against the high line charges which the Government imposed upon them—for in Switzerland, as in France, a rural subscriber must pay extra for that portion of his line which is beyond 1¼ miles from the exchange.

Acting at what appeared to be the psychological moment, the Swiss Farmers' Association earnestly requested the Government to abolish these extra line charges. In the report on the results of its rate inquiry the Government dismissed the request of the farmers' association in the following language:

"The abolition of the extra charges for the portions of subscribers' lines beyond the free radius (1¼ miles from the exchange), as required by the Swiss Farmers' Association, is made impracticable by important considerations. For one thing, such a measure is quite inopportune at the present time, when the question is to add to the revenues of the telephone administration by increasing certain of the rates.

"To show the importance of the request it may be mentioned that in the year 1909 the revenue from line charges amounted to about 445 000 francs ($89,000). If these line charges are abolished the consequent loss in revenue must be offset by a further increase in the annual subscription charges of about 15 francs ($3). * * * Such a large general rate increase in the interests of a relatively small number of subscribers can not be approved. * * * One can not ask the administration to construct especially costly lines in the interest of a few subscribers unless correspondingly more revenue is received from them." (Supplementary report of the Federal council to the committee of the national council on the "Proposition to increase telephone rates," Mar. 21, 1911.)

It is not surprising, therefore, that the rural-telephone development in Switzerland is so small that it is not deemed worthy of special classification in official reports of that country.

FRANCE'S RURAL TELEPHONES.

The logical effect of burdensome regulations of this nature is aptly illustrated by a brief study of the rural telephones in France.

Like Switzerland, Germany, and other European countries, rural telephones are not specifically noted in the French reports. One may search them in vain for any clue to what is being done by the Government of France to carry the science of communication to the farmer's door.

This is not to suggest that the French Government is neglectful of the farmer, for it is not. The French farmer was borrowing money on 70 years' time at 3 and 4 per cent interest before half the American States were admitted to the Federal Union. Agriculture has been one of the greatest concerns of the French Government. One has but to reflect how her peasants paid the German war indemnity after the war of 1870 by the creation of the beet-sugar industry to understand that the Government of France is not neglectful of the farmer.

But in France, as in other European countries, the telephone, like the telegraph, is of necessity a Government monopoly, in order to have all means of rapid communication under control of the Government for military purposes. When Napoleon the Great developed the optical telegraph, he set in motion a train of militaristic influence which will never cease on the Continent until world peace is assured by the new brotherhood of man.

The writer was so fortunate as to secure access to a telephone directory of France of the year 1914, listing in one volume, about the size of the Chicago telephone directory, every telephone subscriber in the French Republic outside the exchange area of Paris. This made possible a concentrated study of rural-telephone development.

RURAL DEVELOPMENT COMPARISONS.

For this purpose the Department of Aisne, in northern France, was selected, having a population of nearly 520,000. This department was prior to the war the best-developed agricultural district of the Republic. Any statistical results attained from this study will, therefore, be exceedingly favorable to the French rural telephone system as a whole.

Every telephone subscriber in this district was counted and carefully tabulated, segregating those engaged in agricultural pursuits. This district was then compared with the strictly rural county of Custer, in central Nebraska, which has approximately the same geographical area. The results of this comparison are shown in the following table:

Comparison of telephone in rural districts in United States and France.

	Department of Aisne.	Custer County, Nebr.
Area in square miles	2,860	2,588
Population	518,991	25,608
Total telephones	4,212	4,077
Number of telephones per 100 population	0.81	15.88
Number farmers' telephones	452	2,527

Without taking into consideration the difference in population, Custer County has almost six times as many farmers' telephones as the Department of Aisne. In proportion to population, Custer County, Nebr., has nearly twenty times the number of telephones in the Department of Aisne.

The foregoing examples illustrate the way in which rural telephone development is strangled in Europe. They might be extended in the experience of practically every European country. To the student who desires to base opinion on ascertained facts these examples are a revelation of the limitations which inhere in the bureaucratic methods of Old World civilization.

Mr. MOON. Mr. Chairman, there are some important tables in the report of the committee, and I ask unanimous consent that the report (No. 849) of the committee, which is very brief, be printed in the RECORD, and also a letter from the Postmaster General in reference to this bill.

The CHAIRMAN. Without objection, the request is granted.

There was no objection.

The committee report is as follows:

The Committee on the Post Office and Post Roads, in presenting the bill making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, submits the following:

The appropriations for the fiscal year ending June 30, 1919, were $301,477,577. The estimates of the Post Office Department for the fiscal year ending June 30, 1920, including all revisions of estimates, amount to $368,782,577. The committee recommends appropriations to the amount of $359,657,577.

The appropriation for aeroplane mail service has been transferred from the item "Steamboat and other power-boat service" to that of "Inland transportation by railroad routes," and by a proviso to the latter item the Postmaster General is authorized to expend not exceeding $2,185,000 for the purchase of aeroplanes and the maintenance of aeroplane service, an increase of $1,885,000 over the amount of $300,000 originally estimated by the department for this service.

In the item for "Village delivery service," office of the Fourth Assistant Postmaster General, the committee recommends an appropriation of $1,250,000, an increase of $530,000 over the estimate of the department.

This appropriation also covers the new provision in the bill for delivery service to communities adjacent to cities having city-delivery service.

In the item "Experimental motor-truck service," office of the Fourth Assistant, the act of June 2, 1918, making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, authorized an expenditure of not exceeding $300,000 out of any unexpended appropriations for the Postal Service, for the maintenance of motor truck service. The committee recommends an appropriation of $1,000,000 for this service, an increase of $700,000 over the estimate of the Post Office Department.

The appropriations in this bill are, of course, fixed on the basis of existing law and not on the amount of increases allowed in the last bill in addition to the regular appropriations. If the provisions of sections 2 and 3 of this bill are adopted by the House, then the appropriations herein provided must be increased. To meet the requirements of those sections would add, in some instances, 15 per cent and in other instances 25 per cent of the salaries to the total appropriations. There is an increase, as shown in the bill, in the salaries of fourth-class postmasters and a 50 per cent increase in the appropriation to cover the cost of clerical service in post offices of the third class.

The salary increases herein provided for are made permanent law, and the days set aside by the President to be observed as holidays by the other departments of the Government are also made holidays within the meaning and intent of the postal laws, and postal employees performing service on such holidays will be granted either compensatory time or pay for overtime.

There is a very clear necessity for a reclassification and readjustment of the salaries of all postal employees on a just basis, and in order that the necessary information may be obtained and a proper basis recommended, the third section of this bill provides for a commission for that purpose, consisting of five Members of each House of Congress.

The report of the Postmaster General sets forth the use of the money heretofore appropriated and the revenues to be expected and expended during the coming fiscal year. It shows that for the fiscal year ending June 30, 1918, the revenues of the Post Office Department exceeded the expenditures to the amount of $19,626,774.08 after deducting all losses.

The following tables set forth by items the appropriations for 1919, the estimates of the Post Office Department for 1920, and the committee recommendations for 1920 in the office of the Postmaster General and the four assistants, and also the total of all appropriations for the Postal Service for 1919, the estimates of the Post Office Department for 1920, and the recommendations of the committee for 1920:

Post Office appropriation bill, 1920.

	Appropriated, 1919.	Estimate for 1920.	Committee recommendation, 1920.
POSTMASTER GENERAL.			
Gas, light and power, equipment shops	$4,500	$4,500	$4,500
Post-office service:			
Salaries	668,100	783,700	783,700
Per diem	350,000	350,000	350,000
Clerks, division headquarters	154,100	134,000	134,000
Travel in inspection	43,850	43,850	43,850
Delivery service	45,000	45,000	45,000
Miscellaneous expenses	7,500	7,500	7,500
Repairs and rentals	28,000	25,000	25,000
Free in Assistant Attorney General	6,000	6,000	6,000
Travel expenses, Postmaster General	1,000	1,000	1,000
Total	1,605,050	1,400,550	1,400,550
FIRST ASSISTANT POSTMASTER GENERAL.			
Compensation to postmasters	35,000,000	35,000,000	35,000,000
Compensation to assistant postmasters	4,075,000	3,680,000	3,680,000
Clerks and employees, first and second class post-offices	62,750,000	55,000,000	55,000,000
Compensation to printers, mechanics, etc	71,070	61,800	61,800
Compensation to watchmen, messengers, etc	1,980,500	1,912,500	1,912,500
Clerks in charge contract stations	1,180,000	1,200,000	1,200,000
Temporary and auxiliary clerk hire	3,428,572	6,500,000	6,500,000
Special delivery	750,000	750,000	750,000
Postal cards	150,000	300,000	300,000
Allowance to postmasters	2,400,000	[1] 3,300,000	3,300,000
Rent, light, and fuel, first, second, and third class post offices	6,500,000	7,300,000	7,300,000
Miscellaneous items, first and second class post offices	400,000	700,000	700,000
Letter carriers	40,100,000	41,000,000	41,000,000
Substitutes for letter carriers	4,685,715	4,685,715	4,685,715
Letter carriers, new offices	94,000	75,000	75,000
Vehicle allowance	6,760,000	9,750,000	9,750,000
Mail messenger service	2,700,000	3,500,000	3,500,000
Car mileage and vehicle allowance	625,000	700,000	700,000
Street car collection	9,000	9,000	9,000
Detroit River postal service	7,250	7,250	7,250
Car fare, special delivery service	13,000	14,000	14,000
Fees to special-delivery messengers	3,200,000	4,200,000	4,200,000
Travel expenses, First Assistant Postmaster General	1,000	1,000	1,000
Total	185,[illegible]9,107	179,545,265	179,545,265

[1] Revised estimate; original estimate, $3,000,000.

Post Office appropriation bill, 1920—Continued.

	Appropriated, 1919.	Estimate for 1920.	Committee recommendation, 1920.
SECOND ASSISTANT POSTMASTER GENERAL.			
Inland transportation:			
Star routes, Alaska	$430,000	$255,000	$255,000
Steamboats	1,185,000	[1] 1,185,000	1,185,000
Railroads	60,665,000	61,500,000	61,500,000
Freight or expressage, postal supplies	95,000	120,000	120,000
Railway Mail Service	32,500,000	28,385,500	28,385,500
Traveling expenses, railway mail clerks	1,613,950	1,613,950	1,613,950
Actual necessary expenses, division superintendent	48,000	55,297	55,297
Rent, light, etc., Railway Mail Service	792,156	832,156	832,156
Per diem, assistant superintendents	2,420	3,100	3,100
Electric and cable car service	555,000	545,000	545,000
Transportation of foreign mails	5,800,000	4,700,000	4,700,000
Censorship of foreign mails	1,620,000		
Balances due foreign countries	681,700	681,700	681,700
Travel expenses, Second Assistant Postmaster General	1,000	1,000	1,000
Total	105,900,235	99,877,712	99,877,712
THIRD ASSISTANT POSTMASTER GENERAL.			
Manufacture adhesive postage stamps, etc	1,100,000	[2] 1,380,000	1,380,000
Manufacture stamped envelopes, etc	3,000,000	3,000,000	3,000,000
Agent and assistants to distribute stamped envelopes	18,400	18,400	18,400
Manufacture postal cards	500,000	[3] 500,000	500,000
Ship, steamboat, and way letters	150	150	150
Limited indemnity:			
Domestic mails	670,000	[4] 1,600,000	1,600,000
International mails	10,000	10,000	10,000
Travel expenses:			
Third Assistant Postmaster General	1,000	1,000	1,000
Postal Saving System	500	500	500
Total	5,300,050	6,510,050	6,510,050
FOURTH ASSISTANT POSTMASTER GENERAL.			
Stationery for the Postal Service	725,000	896,000	896,000
Postmarking, rating, and other stamps	275,000	375,000	375,000
Twine and tying devices	370,000	420,000	420,000
Miscellaneous equipment	460,000	480,000	480,000
Expenses, shipment of supplies	194,000	194,000	194,000
Miscellaneous expenses, post-route maps, etc	20,000	(5)	
Canceling machines	465,000	347,000	347,000
Mail bags, etc	1,000,000	2,445,000	2,445,000
Labor, mail-bag shop	285,000	(6)	
Star route transportation	8,675,000	9,500,000	9,500,000
Pay of rural letter carriers	65,800,000	65,800,000	55,445,000
Village delivery service	720,000	720,000	1,250,000
Experimental motor-truck service	(7)	330,000	1,000,000
Travel expenses, Fourth Assistant Postmaster General	1,000	1,000	1,000
Total	78,989,000	81,448,000	72,323,000
RECAPITULATION.			
Postmaster General	1,605,050	1,400,550	1,400,550
First Assistant Postmaster General	185,[illegible]9,107	179,545,265	179,545,265
Second Assistant Postmaster General	105,900,235	99,877,712	99,877,712
Third Assistant Postmaster General	5,300,050	6,510,050	6,510,050
Fourth Assistant Postmaster General	78,989,000	81,448,000	72,323,000
Total	301,477,577	368,782,577	359,657,577

[1] Revised estimate; original estimate, $1,485,000.
[2] Revised estimate; original estimate, $1,450,000.
[3] Revised estimate, original estimate, $550,000.
[4] Revised estimate; original estimate, $2,100,000.
[5] Estimated under "Miscellaneous equipment."
[6] Estimated under "Mail bags."
[7] Revised estimate; original estimate, $55,445,000.
[8] Not exceeding $300,000 authorized to be paid out of any unexpended appropriations for the Postal Service.

The letter referred to is as follows:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., December 12, 1918.

Hon. JOHN A. MOON,
Chairman Committee on the Post Office and Post Roads,
House of Representatives.

MY DEAR JUDGE MOON: I have just read a copy of the bill (H. R. 13308) making appropriations for the service of the Post Office Department, and for other purposes, for the fiscal year ending June 30, 1920, and wish to state that the bill in the form as reported by your committee has my general approval. In some instances I feel that the salaries provided are not sufficient, and in other cases are possibly too high; but inasmuch as section 3 provides for a commission to investigate the salaries of postmasters and employees with a view to their reclassification and readjustment on an equitable basis, this matter can be taken care of by the commission. In addition I wish to express to you my appreciation of the prompt action of the committee in reporting the bill and the consideration which has been given the recommendations of the department in framing it.

Very sincerely,

A. S. BURLESON,
Postmaster General.

Mr. MOON. I yield 45 minutes to the gentleman from Texas [Mr. BLACK]. [Applause.]

Mr. BLACK. Mr. Chairman, I have listened with a great deal of interest to the able speech of our honored chairman of

the Committee on the Post Office and Post Roads, Mr. MOON, of Tennessee. I think it will be generally conceded that he made a very strong argument in support of the contention that the Federal Government would have the power, so far as any constitutional objections are concerned, to purchase the telegraph and telephone companies and to operate them as a public utility.

He made a very able presentation of that phase of the question, and I doubt if any Member of the House, certainly not many of us, would take issue with him upon that proposition. But I noticed that he did not devote much of the time of his speech to a discussion of the feasibility and the practicability and the propriety of the Government going into the telegraph and telephone business. His lack of argument on that all-important phase of the subject was conspicuously absent. If I understood the argument of the gentleman from Tennessee correctly, and I think I did, because I listened to it with close attention and much interest, he espoused the cause of the Government ownership of the telegraph and telephone lines and he opposed the Government ownership of the railroad companies. In other words, the able gentleman has adopted the idea of catching us "goin' and comin'"; of arguing that the world is flat and also admitting at the same time that it may be round. Of course, if he chooses to adapt his logic to these kinds of processes I have no objection. Now, the able gentleman undertakes to argue that the telegraph facilities and the telephone facilities are necessarily a part of the Postal Service. I take issue against him on that view.

I can not see any reason why the telephone business, for example, should be classed as a postal facility. I can not see that the telephone business has any more connection with the Post Office Department than the motor truck is necessarily a part of railroad transportation or that the aeroplane is indispensably connected with steamship service. Telephone communication is an entirely different matter to communication by letter through the Postal Service, and to my mind it is an absurd contention that the two are inseparably connected with each other. And I doubt if there is very much more similarity as to the telegraph business, though I will admit that there would be greater reason for arguing the latter proposition than there would be the former, so far as abstract logic is concerned.

Now, in the discussion of this question, gentlemen, I want to pause long enough to say that I have no sympathy with the argument that is frequently made by certain gentlemen who have never builded anything themselves and who have nothing to their credit in the way of constructive achievement that the American business man is an inefficient business man. [Applause.] I submit, gentlemen, that if it had not been for the aid of the wonderful organization of American business and the magnificent accumulation of capital which American citizens have been accumulating for 140 years, the enormous sums of money necessary to carry forward our part of the war to victory could not have been raised. Indeed, we have not only been able to finance our own very heavy expenses, but we have been able to finance our allies—England, France, Belgium, Italy, and Russia—to the extent of about $8,000,000,000, and without which they would have been unable to go on with their part of the titanic struggle. So when the historian comes to write the history of the great war he will not overlook the part which American business and American finance contributed, along with America's other splendid efforts, to its success. When these gentlemen who advocate the Government ownership of railroad, telegraph, and telephone lines point out to you the great progress the Postal Service has made—and I am glad to concede everything to which it is entitled—we can also point to the fact that America has admittedly the greatest railroad system in the world, incomparably the greatest, which has been built up by private initiative right alongside of the Postal Service under Government ownership. Indeed, when we pause to make a comparison of the two, we are compelled to admit that much of the success and efficiency of the Postal Service has been due to its use of the transportation facilities furnished by the railroads under private ownership. Those of us who pride ourselves on our excellent Postal Service, and we all do that, can also pride ourselves on the fact that the United States has the greatest telegraph and telephone system in all the world, and it has been built up under private ownership right along by the side of the Postal Service.

Why, gentlemen, we are continually being cited to some European country for the purposes of comparison to similar enterprises here. Ask gentlemen who have visited those countries, who have experienced the services of their public utilities, ask them which is the most efficient and satisfactory service. I have never heard anyone yet who has had the actual experience of using these European utilities but that admitted our American service is the best. "The proof of the pudding is the eating thereof." Members of the House will recall that at the last session of Congress there was a bill introduced to acquire the telephone system in the District of Columbia, and the Committee on the District of Columbia submitted a report in which they purported to make certain comparisons of telegraph rates in Europe with telegraph rates in the United States. The following table was submitted:

	Distance in miles.			
	150	250	700	3,000
Europe, average	$0.12	$0.12	$0.12	$0.24
United States	.25	.30	.50	1.00

That comparison, on its face, would seem to make a good showing for European government ownership of telegraph lines, but it does not tell the whole story. It is my information that in Europe every word in the address, name, date, signature, and so forth, is charged for, as well as every word in the body of the message. I also understand that the name, address, date, and signature contain an average of 14 words in addition to the 10 words, more or less, of the body of the message. In the United States these 14 words go free. In Europe they are charged for. I submit the following table, which takes into consideration that fact:

Average charge for a domestic or intrastate telegram containing 10 text words.

France	$0.24
Norway	.22
Sweden	.22
New Zealand	.24
Great Britain	.30
Germany	.28
Italy	.25
Denmark	.22
Austria	.20
United States	.25 to .30

The above rate at 25 cents or 30 cents for telegrams in the United States is between two points in the same State, the distance being about the same as between two points in any of these foreign countries. When we come to telegrams in the United States for longer distances the only comparison with European rates is a comparison with telegrams in Europe between different countries, on account of the long distances traveled by the average long-distanced telegram in the United States. For instance, the United States has 3,026,789 square miles and Great Britain only 121,400 square miles, or 4 per cent of that of the United States. Here is an instance of a comparison of these long-distance telegraph messages. For example, from Paris to Vienna is about 650 miles, and the cost of a 10-word message plus the address and signature, charged for, is 96 cents, as against only 40 cents, address and signature free, for a similar distance in the United States. From Stockholm to Paris, 1,000 miles, the rate for a 10-word message, the address and signature charged for, is $1.20. From New York to Chicago, about the same distance, the rate for a 10-word message, address and signature free, is 50 cents. There are many other advantages of the telegraph system in the United States which I might mention. Our telegraph companies here in this country send messengers to collect telegrams, keep open accounts for their customers, keep offices in hotels, apartment houses, and in many other ways offer competitive accommodations to their customers. It is my information that in European countries where the Government owns the telegraph lines they do nothing of the kind. I submit these figures and comparisons upon the basis of a statement issued by Mr. Edward Reynolds, vice president and general manager of the Postal Telegraph Cable Co., on April 16, 1918. I have never heard their accuracy challenged by anyone and I assume that they are correct.

Mr. SNYDER. Will the gentleman yield?

Mr. BLACK. Yes.

Mr. SNYDER. Has the gentleman any table to show the comparative time it takes to send a message in those comparative areas in the different countries? For instance, the one from Paris to Vienna, and the comparison with the same distance in this country?

Mr. BLACK. I am sorry that I can not give the information to the gentleman, though it has always been my understanding that the telegraph and telephone service in the United States is much more prompt and expeditious.

Mr. SNYDER. I wanted to know if you had had any experience abroad in sending a message. I wish to say that it will take at least five times as long to get a message through

there the same distance as it does here, and that is also true of the telephone. There is absolutely no practical comparison in any system between any country in which I have tried to send a message with this country here. We are always ahead of them in every direction.

Mr. BLACK. I take pride in the belief that the American business man is the leading business man in the world, that the American farmer is the best farmer in the world, that the American laborer is the most reliable and independent in the world, as I believe the American Republic is the best Government in the world. [Applause.]

Now, what I have said, gentlemen, is somewhat preliminary to the speech that I had intended to make.

GOVERNMENT OWNERSHIP OF RAILROAD, TELEGRAPH, AND TELEPHONE LINES.

Mr. Chairman, there is a recommendation in the Postmaster General's report which urges Government ownership of telegraph and telephone lines, and Chairman Moon, of the Committee on the Post Office and Post Roads, introduced a bill yesterday in line with the Postmaster General's recommendation. This is not a new recommendation, but is one which has been made several times before by our present Postmaster General. It is only given new and added interest at this time by reason of the fact that the control of telegraph and telephone lines has been taken over by the Government under a belief of war necessity, and these lines are now being operated under such Government control.

In the limited time which I have at my disposal it would be impossible for me to venture upon a comprehensive discussion of the question of the Government ownership of railroads or the telegraph and telephone lines. I do want to say, however, that I have seen nothing in the Government operation of either the railroads or the telegraph and telephone lines which would cause me in the least to modify my opposition to the Government ownership of either. On the contrary, I am more firmly convinced than ever that the policy would be unwise and the most dangerous sort of a governmental venture.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

Mr. BLACK. Yes.

Mr. SLOAN. Does the gentleman give in his admirable address there the date when the cables were taken over, and also the date when the telegraph and telephone lines were taken over?

Mr. BLACK. I will be glad to do that.

Mr. SNYDER. Mr. Chairman, will the gentleman yield for another question?

Mr. BLACK. Certainly.

Mr. SNYDER. In making my remark a moment ago, I had reference to the handling of the business by telegraph and telephone companies previous to the war.

Mr. BLACK. Yes. I think we all admit that the American telegraph and telephone service is more efficient and more expeditious than that of any European country. I think that is conceded by those who have had the actual opportunity to use both of them and compare their services. As I was stating when diverted by the questions, I believe this policy of Government ownership of railroads, telegraphs, and so forth, would be dangerous from a business and economical standpoint as well as to the genius of our political institutions. Unified operation of the railroads, it is true, under Government ownership will bring a saving in so far as that one particular feature of the matter is concerned, and perhaps it would do so as to telephone and telegraph lines. Theoretically, at least, the same public services can be performed in that way at less cost. There has never been any serious dispute about some economies being possible under unified control and management. Many of the most able railroad men of the country have fully realized the potency of that fact and have sought to put their ideas into execution, but they were restrained by the Sherman antitrust law and other legislative restrictions and were unable to effect this unification with its consequent economy and better service.

But under long-continued Government management, whatever is gained through unified operation in the first place will presently be lost because Government management in itself is unquestionably more expensive than private management. The roads will suffer that gradual hardening of the arteries which is inseparable from Government work; pay rolls will increase—they have increased enormously already as to railroads; initiative will decrease; red tape will grow under continued Government management; the gains incident to unified management and control will disappear. In fact, they have already made their exit, and the operating expenses of the railroads are now immensurably greater than they were under private management, and have much more than wiped out any gains which have been made by reason of unified operation.

Therefore, I say that I have seen no magic in Government operation and control of railroads and telegraph and telephone companies which would cause me to reverse my lifetime views on that subject. And I do not favor the extension of the Government operation of them any longer than the present law provides. If the time of Government operation of the railroads, for example, is extended to a period of five years, as has been suggested by Director General McAdoo in his letter to Chairman SIMS of the House Committee on Interstate and Foreign Commerce, then, judging the future by the past, at the end of that five years the railroads would be burdened with such an enormous increase in annual fixed charges that it would be utterly impossible to return to private ownership, because the public would never permit the railroad companies under private ownership to collect the high freight and passenger rates which it would be absolutely necessary to collect in order to meet these enormous additional fixed charges.

A five-year régime of Government control and operation will mean inevitable Government ownership, not because of any demonstration of greater economy or efficiency, but because of a burden of additional fixed charges and multiplied red tape and financial hardening of the arteries that will make return to private ownership impossible. Mr. G. H. Sines, chairman of the board of railroad wages and working conditions of the United States Railroad Administration, said in a recent speech before the labor reconstruction conference, Academy of Political Science, New York City, that, due to the general order of the Director General of Railroads issued May 25, this year, that the wages of railroad employees were first increased $300,000,000 per annum and that since then, in a period of less than six months, five subsequent general supplemental orders have been issued, which brings this increase up to $250,000,000 more annually, and that there are 650,000 employees who will be included in other orders which will be issued in the near future. He does not state how many millions of dollars more this order which is now pending will add to the $550,000,000 per annum which has already been fixed.

I want to pause just at this point and state briefly my views with reference to the enormous sums which have been paid out under orders of the Director General to railway employees as back pay. In settlement of wage advances which were made retroactive in their operation, I was astounded at some of the figures which I had read in the papers on this subject, and so, for purposes of verification, I requested the Director General to furnish me with accurate data as to this particular matter, and I will ask the clerk to read in my time a letter which I have received from Hon. Charles A. Prouty, director of the Division of Public Service and Accounting of the United States Railroad Administration, which gives the information, in part, which I sought:

DECEMBER 9, 1918.

Hon. EUGENE BLACK,
House of Representatives, Washington, D. C.

DEAR SIR: Yours of November 29, 1918, addressed to the Director General, has been referred to me.

The amount of back wages by class I railroads—that is, railroads with an annual income of $1,000,000 or more, most of whom are under Federal control—for the first five months of the calendar year was $230,731,277.

Some other amounts have been paid and will be paid by reason of the retroactive effect of wages, but I can not give you any accurate figures in addition to the above.

Very truly, yours,

C. A. PROUTY, *Director.*

I do not question the action of the Director General for the wage increases which were given to the railway employees in so far as they would apply from the time the awards were made. These increases were undoubtedly liberal and generous, and there may be some question if they were not too much in some cases of the higher salaried employees; but be that as it may, I do question the justice to the American tax-paying public of the Director General's order making these wage increases retroactive in their effect and paying the enormous sum of $230,731,277 in the form of back pay. I think the people may well demand some explanation of that unprecedented action. [Applause.] Suppose when we passed the Post Office appropriation bill in the month of June, at the last session of Congress, in which we gave salary increases to postal employees which were to date from July 1, 1918, that we had proposed to make these increases retroactive and go back and pay such increases from January 1, 1918. What would have been the verdict of the public as to such procedure? And yet that kind of legislation on the part of Congress would have only cost the public a few million dollars, whereas Mr. McAdoo's retroactive wage increases cost $230,731,277 in the first five months of the year, which the American public will have to pay, because certainly no one will dispute that ultimately Jones pays the freight.

Mr. SMITH of Michigan. Mr. Chairman, will the gentleman yield there for a question?

Mr. BLACK. Yes.

Mr. SMITH of Michigan. Two or three days ago I noticed in the Washington Evening Star—and I presume the gentleman noticed it—the statement that should the Government continue the control of railroads five years longer the pay of the railroad employees would not be diminished. I would like to know whether the gentleman has any explanation of the purpose, or knows the purpose, in making such a statement in the paper. It purports to come from the Director General's office. I can produce the paper.

Mr. BLACK. I will say to the gentleman that if I correctly interpreted the statement of Mr. G. H. Sines, chairman of the board of railroad wages and working conditions, the public need not expect any readjustment of these wage increases, notwithstanding there may be a substantial decline in the values of most everything else.

Mr. SMITH of Michigan. Could the gentleman explain the purpose of that statement?

Mr. BLACK. Of course, I would not attempt to interpret the statement of the purpose of another gentleman. I can only give his statement as it was made, and Members can have their own opinion as to the wisdom or unwisdom of it.

Mr. SMITH of Michigan. They might be decreased or they might be increased.

Mr. BLACK. I presume that the gentleman means that in the period that is immediately ahead of us, that there might arise good reasons for further increases or, on the contrary, a decline in values and falling off of business might make some decreases imperative. I agree with you.

Mr. SLOAN. To meet that large expenditure for back wages, and so on, was that met by increased freight collections, or was it also met in part by money which this Government loaned through its War Finance Corporation to the railroads?

Mr. BLACK. I presume it was met by the freight increases that were added since the Government took control. I can imagine that the feeling of some of the employees when they got their checks for back pay, some of them amounting to considerable sums, was somewhat akin to the feeling of one Ezekiel Corntassel, a North Carolina mountaineer, who celebrated an Easter Monday by going for the first time in his life to a horse race. It was a new experience to him, and his companions easily persuaded him to stake in the third race a dollar on a sixty-to-one shot. Contrary to all expectation on the part of the bookmakers, Zeke's horse won, and when the bookmaker handed over to him $61, he said, "Do you mean to tell me that I get all this money for one dollar?" "That's what you do," said the bookmaker. Zeke's eyes looked like Sinbad's in the valley of diamonds, and he muttered to himself, "By gosh, I wonder how long this thing has been goin' on, and just to think I never knowed it before."

No doubt many of the railroad employees when they received their checks for their part of this $230,731,277 back pay, wondered why the idea of Government operation and control had not been thought of long ago. Men usually do not forget their own interests. Human nature is very much the same the world over among all of us, and in view of this very generous and liberal treatment which the employees have received under Government operation and control, it is perfectly natural that they should advocate Government ownership.

The general public, however, who have been called upon to pay 25 per cent increase in freight rates and 50 per cent increase in passenger rates will probably not be so enthusiastic over the proposition, and will no doubt be somewhat more critical in their attitude and will ask to be "shown."

Now, I will not attempt to go exhaustively into the reasons why I do not advocate this Government-ownership idea—why I favor the principles of individual initiative under proper Government supervision and regulation rather than an experiment in State socialism—but this one other thing I want to say, and that is: Government ownership of great business enterprises like the railroad and telegraph and telephone companies would have an unfair advantage over the private business of the country in this way: When periods of reduced business activity come and things are dull, private business must adjust itself to the changed conditions, effect business economies, reduce overhead expenses, and thus meet the exigencies of the situation and cope with it until the time of depression is passed. It must do these things or else go into bankruptcy.

But not so with the Government. When times are dull and business reduced, it does not, as a usual thing, reduce expenses and effect economies. It meets the situation by making taxation rates higher, which, in the event we had Government ownership of railroads, would be reflected either in higher freight and passenger rates or else the deficit would be made up by general taxation.

Do you suppose that 2,000,000 men on the Government pay roll under Government ownership of railroad, telegraph, and telephone lines, closely organized and operating under our system of political control, would ever consent to any reduction in wages, regardless of how imperative the need might be? There is, however, one class which is never organized, except spasmodically and temporarily, to influence government in its behalf. This is the taxpayers. It is the largest class of all; but a small body of voters, having a single common interest which it has organized itself to promote, often exert more influence on government than a large class whose members do not clearly recognize their common interest and organize especially to promote it. Therefore the class which under Government ownership is least likely to be protected is the taxpayers. In the legislative consideration of this great question we certainly should not leave them out of the equation.

It is not for the railroad, telegraph, or telephone companies that I speak, because under Government ownership they would not suffer. The Constitution guarantees them against taking their property for public use without just compensation, and everybody will admit that the Government generally pays enough for what it gets. No; it is not for them that I speak. Those that I want to speak for, when this great question comes up for settlement, is the body of unorganized taxpayers, the general public, who, while they rarely ask for any special consideration, have a right to expect their Representatives in Congress to see to it that their interests are not overlooked and that they receive a square deal. [Applause.]

I confidently believe the American Congress will be equal to the task, that the rights of the public will be protected, and that Government ownership will not be fastened upon the country under the guise of war necessity.

Now, I recognize that before the railroads are turned back to their owners that it will probably be wise to enact some additional legislation for their regulation and control. Personally I think that Federal incorporation of all interstate railroads will probably be found to be a wise policy to adopt, with provisions that the capital stock of any such incorporation shall not exceed the actual cash paid in or value of the property after deducting the amount of its bonded indebtedness. I advocate the broadening and extension of the powers of the Interstate Commerce Commission, so that the securities issued by interstate railroads thus incorporated under Federal charter would be under strict Government supervision and control. This idea would carry into effect a bill introduced in the Sixty-third Congress by my colleague, Mr. RAYBURN, of Texas; also that proper pooling agreements between different systems be allowed, subject to approval of the Interstate Commerce Commission. I think that it would also probably be wise to create a commission, with power to decide questions of wages, hours of labor, and conditions of employment as they may arise between the railroad companies and their employees, and that the membership of this commission should be composed of an equal number of those representing owners and stockholders of the railroads, the employees, and the general public.

These brief suggestions I make at this time as matters worthy of consideration from the standpoint of legislative treatment of the subject, so far as the railroads are concerned. I do not know that any immediate legislation is necessary at all so far as the telegraph and telephone companies are concerned before they are turned back to their owners. To say the least of it, that is a subject which Congress can take up in the regular and orderly way, and I know of nothing which would seem to demand any precipitate haste.

Mr. Chairman, how much time have I used?

The CHAIRMAN. The gentleman has used 31 minutes.

Mr. BLACK. Now, Mr. Chairman, that is all I have to say with reference to the question of Government ownership of railroads and telegraph and telephone lines.

Mr. HASTINGS. Mr. Chairman, will the gentleman yield?

Mr. BLACK. Yes.

Mr. HASTINGS. My memory does not retain the statement of the length of time for which the back pay was given.

Mr. BLACK. The $230,731,277 was for the first five months of the year.

Mr. HASTINGS. I wanted to make that inquiry in order to be sure.

Mr. BANKHEAD. In that connection, if the gentleman will pardon me, was there not some understanding that there was a controversy as to the amount these railroad employees should be paid, and was not that submitted to some board of arbitration or conciliation to determine the just amount, and was there not an agreement at that time that the award should go back to the time when the question arose?

Mr. BLACK. There was no board of arbitration or conciliation, but when Director General McAdoo took charge he appointed a railroad wage commission, composed, I believe, of

Hon. Franklin K. Lane, Charles C. McChord, J. Harry Covington, and William R. Willcox, and after receiving their report Mr. McAdoo issued his General Order No. 27, putting the salary increases into effect. The point that I desire to stress is that in governmental enterprises salary increases should be dated from the date that the award is made, unless there is an unusual reason for it to be otherwise. Take the instance I gave as to the increase of salaries to postal employees. The Committee on the Post Office and Post Roads, of course, spent a considerable time in investigating the merits of their claims, and we determined that they were entitled to some increases, and we passed a bill giving them such increases, not so generous perhaps as were awarded to the railroad employees, and yet we did not undertake to make them retroactive. We dated it from July 1, 1918. I think that the claim of postal employees for retroactive wage increases would have rested on as good ground as that of railroad employees.

Mr. BANKHEAD. But the gentleman would easily understand that there would be more justification under the circumstances of an agreement than if it were merely an arbitrary action?

Mr. BLACK. Yes. If indeed there was any such agreement of that kind, although I do not defend the agreement, if there was, because I do not think it was a just matter to the American public to give this $230,731,277 of back pay, unless there was a much better reason for it than any which I have thus far seen advanced.

POST OFFICE APPROPRIATION BILL FOR 1920.

Mr. Chairman, the Post Office appropriation bill which we now have under consideration is for the fiscal year of 1920, which begins July 1, 1919, and ends June 30, 1920. The bill which we passed at the recent session of Congress was for the fiscal year 1919, and the latest report of the Postmaster General, which was released only a few days ago and which is now available for reference and study, is for the fiscal year 1918, which ended June 30, 1918. That report will furnish profitable information to any Member who will take the time to read it.

To my way of thinking there are some very good reasons why the receipts and disbursements of the Post Office Department for the fiscal year 1918, as disclosed by the report of the Postmaster General, should be carefully studied in comparison with the probable receipts for the fiscal year 1920, and the appropriations for expenditures carried in this bill for such fiscal year of 1920.

A recital of facts and figures of this kind is, of course, dry and uninteresting from some points of view, and yet information of such nature is necessary in determining the wisdom or unwisdom of certain legislative provisions carried in this bill and certain legislative proposals now pending in the Senate in what is known as the war revenue bill. I think I will be able to conclusively demonstrate that if the permanent salary increases to postal employees which are carried in section 2 of the bill which we now have under consideration are adopted and the increases in postage on first and second class mail matter which were provided in the war revenue bill of 1917 are repealed, then such action will inevitably and to a mathematical certainty create a large deficit annually in the Post Office Department. If this fact be true, and I think I will be able to establish that it is, then the question squarely presents itself: Do we want the Post Office Department operated upon a self-sustaining basis, or do we want it conducted at a heavy annual loss?

I am not one of those who believe that the Post Office Department should be operated as a source of profit to the Federal Government or as a money-making institution, but I do believe that it should be made to pay its own way, and that it is the duty of Congress to lend every encouragement to the Postmaster General to enable him to accomplish that result. I would not any more advocate that the Postal Service be operated at a loss than I would advocate that the railroad companies, the express companies, the telegraph and telephone companies be operated at a loss.

I hold that it is fundamental that any unnecessary taxation is unjust taxation, and that if the railroad companies or the express companies or the telegraph or the telephone companies were operated at rates and charges while under Government control which would cause a large deficit to pile up that any tax on the general public to make up such a deficit would be an unjust tax, because it would be in its very nature an unnecessary tax—unnecessary because the rates should be made adequate to meet the fixed charges.

Director General McAdoo has recognized and has taken into consideration the soundness of this view and early in the period of Government control issued a general order increasing freight rates approximately 25 per cent and passenger rates approximately 50 per cent. These increased freight and passenger rates were made necessary by increased operating expenses, which I have already discussed.

I am not passing upon the correctness of all these increased operating expenses, but what I do affirm with entire confidence is this: When these increased operating expenses were added the way to provide to meet them was by increased freight and passenger rates rather than general taxation. For in that way Jones pays the freight, rather than Jones and Smith by taxation, when maybe Smith does not have any freight to haul and stays at home and does not ride the passenger trains or the Pullman cars.

Another advantage of that method is this: When you increase these operating costs, such as increases in wages and other overhead charges, and thereby increase the rates which the public has to pay, that same public will sooner or later begin to inquire as to the reasonableness and justness of such increases and will ask to be shown why they were made. This fact will serve as a check on wasteful and extravagant expenditures, whereas, if such increases while under Government control should be allowed to pile up as a deficit and be met by general taxation, levied to meet thousands of other expenditures of the various and sundry departments of the Government, this wholesome check will not be had, and the usual invitation to extravagant and wasteful expenditures will obtain.

Therefore, I am emphatically in favor of the Post Office Department being operated upon a self-sustaining basis, both now and hereafter, and I think that the present Postmaster General deserves the thanks and commendation of the American people for having operated the Post Office Department upon something more than a self-sustaining basis during each and every year since he has been in office except one, that being the fiscal year 1915, when the European war broke out and which fiscal year began July 1, 1914.

The audited postal surplus of the Post Office Department since Postmaster General Burleson has been in office, for the several different years, is as follows:

1914	$4,376,463.05
1916	5,829,236.07
1917	9,836,211.90
1918	19,626,774.08
	39,668,685.10
1915 (deficit)	11,333,308.97
Total net surplus to June 30, 1918	28,335,376.13

Without any desire to be partisan or to criticize the policy and administration of any other Postmaster General who has served our Nation in the past, I challenge the showing of a better record than this of Mr. Burleson in the history of the Postal Service. Of course I very well understand that he has been the target of some criticism, some of it bitter, and much of it, as I think, unjust and without cause, but despite all criticism and fault-finding the fact remains that he and his able assistants and the thousands of loyal and efficient postmasters and postal employees who have served under him have moved steadily forward and are to-day operating the Postal Service more efficiently than at any time in the history of the Government, especially when the difficulties and unusual conditions of the war period are taken into consideration.

I said awhile ago that if the salary increases provided in section 2 of this bill are adopted, and the increased postage on first and second class mail heretofore provided in the war-revenue bill is repealed, then an analysis of the estimated receipts of the Post Office Department for the fiscal year 1920, taken in connection with the appropriations carried in this bill, will be bound to point out to us a large deficit in the postal revenues for the fiscal year 1920. And I think that is a subject well worthy of our thought and consideration.

Having made that statement, I will now undertake to demonstrate it: The total postal receipts for the fiscal year 1918, which ended June 30 last, were $388,975,962.24, and of this amount $44,500,000 was increased postage collected under the terms of the war-revenue bill from November 2, 1917, to June 30, 1918, and has been paid into the Treasury of the United States by the Postmaster General in the manner prescribed by the act of Congress which directed its collection.

This leaves $344,475,962.24 as general postal revenue collected under the normal postal rates for the fiscal year 1918, and, as I have stated, shows a surplus of $19,626,774.08, after deducting all expenditures, but it must be remembered that the recent salary increases of postal employees did not go into effect until July 1, 1918, and therefore are not reflected in the figures for the fiscal year 1918.

That these increases will have a considerable reflection in the fiscal years 1919 and 1920 there need be no doubt, and it is that feature of the matter that I now want to discuss in some detail.

The total receipts of the Post Office Department for the fiscal year 1918, figures of which I have already given, exclusive of the war-revenue portion, was an increase of 4.47 per cent over the receipts of 1917, and if this same percentage of increase continues for the fiscal years 1919 and 1920, then the receipts will be approximately $375,000,000 for the fiscal year 1920.

Under no stretch of reasonable imagination or intelligent forecast, based on the law of general averages which has governed in the past, can we reasonably expect that the postal revenues for the fiscal year 1920, assuming that the 3-cent letter postage and zone rates on second-class matter are repealed, will be greater than $375,000,000.

I want to call special attention to that, gentlemen, because in the consideration of this bill we must face the facts as they are. I repeat that under no stretch of reasonable imagination or intelligent forecast, based on the law of general averages which has governed in the past, can we reasonably expect that the postal revenues for the fiscal year 1920, assuming that the 3-cent letter postage and zone rates on second-class matter are repealed, there will be greater than $375,000,000.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. BLACK. Let me finish the statement, and then I will yield.

Now, the appropriations carried in the bill which we now have under consideration total $359,657,577, and if we adopt section 2 of the bill, which provides these permanent salary increases to postal employees, then at least $40,000,000 more will have to be added to the total of the bill, either here or in the Senate, which will swell the total of the appropriations carried in it to more than $400,000,000.

Mr. MOON. Mr. Chairman, will the gentleman permit an interruption there?

Mr. BLACK. Yes.

Mr. MOON. The estimate of the Post Office Department for the increase of salaries under section 2 and the carriers under section 1 totals $34,000,000.

Mr. BLACK. I called up Mr. Koons, if the gentleman will permit, the First Assistant Postmaster General, and he states that his first estimate was based on the idea of the suspension of automatic promotions. But inasmuch as the bill provides for the automatic promotions, it will take more than $40,000,000.

Mr. MOON. I think you can take that letter for it.

Mr. BLACK. I submit to the gentleman from Tennessee that the figure of $40,000,000 additional amount to be added to the appropriations already carried in the bill is correct, and that he will find it so.

Mr. GREEN of Iowa. Can the gentleman state what the loss will be by reason of the repeal of the zone rates?

Mr. BLACK. Those rates are of ascending costs. It is so framed that in the fourth year it would reach its peak of revenue, and would yield at that time between $30,000,000 and $40,000,000, I believe, depending, of course, upon the amount of second-class mail matter then carried in the mails.

I hope that gentlemen will not think that I am indulging in speculative matters of imagination or fine-spun fancies of theory. I am giving you statements of fact, which you can verify yourselves, if you will take the trouble to do so. First Assistant Postmaster General Koons has stated to me authoritatively that the adoption of section 2 of the bill will add something more than $40,000,000 to the expenses of the Post Office Department for the fiscal year 1920.

I suppose no one who is posted on the effect of the section, and has figured it out for himself, will dispute the accuracy of Mr. Koons's statement. Therefore, assuming that the average increases in postal receipts which have obtained during the war period continue for the fiscal year 1920, then the total receipts for that year will be, as I have stated, $375,000,000, or $25,000,000 less than the expenditures which we are now proposing to authorize and direct in this bill.

WAR INFLATION CAN NOT BE KEPT UP—WAR CONDITIONS WILL PASS.

But can we expect the average increase in postal receipts to continue after the war? I think not. We all very well understand that the country has been passing through a period of war inflation and unexampled prosperity in many lines, and this prosperity has been reflected in the postal receipts for the last four years, and while I do not want to be understood as making any gloomy predictions for the future, still I think it would be very unwise for us to base our calculations on the assumption that this war inflation will continue now that the war has ended. If it should continue, then one thing is very certain; it will inevitably wreck the finances of the country and bring industrial anarchy and chaos to our people. No nation, it matters not how rich it may be, can go on continually piling up a huge bonded indebtedness and an unending inflation of its paper currency. There must inevitably come a day of liquidation and no amount of foolish argument or specious pleas can avoid it. Those of Bolsheviki tendencies can pass all the resolutions they please, and make fervid and lurid speeches, but no amount of such trash and bombast can ever bring prosperity to any country or solve its problems of reconstruction and readjustment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLACK. Can the gentleman yield me 10 minutes more?

Mr. MOON. I yield to the gentleman 10 minutes.

Mr. BLACK. I read in a paper not long ago where one of these fervid Bolsheviki orators was making a speech and said: "Work after the war. Nonsense; there ought to be no work after war. Do they call that making the world safe for democracy?" It takes the great wheels of industry in the mine and factory, on the farm, and in the marts of trade, going round and round, to bring happiness and peace and prosperity to the people, and these wheels of industry must be adjusted to conditions as they are and not what a lot of dreamers and theorists would interpret them to be.

So, gentlemen, the country had just as well prepare itself for an era of some decline in prices, not too radical, I hope, and gradual in its processes, but which is bound to come, and which will be reflected in the selling prices of manufactured articles, farm products, transportation, and wages of labor. The more uniform and just in proportion this decline can be effected the less will be the disturbance to the social and industrial fabric of the Nation.

The real task of statesmanship, of those in public authority, of those in positions of business and financial responsibility, of those high in the councils of labor, is to see that the decline does fall in just and uniform proportion, and that no one interest, or class, or group is protected against this inevitable decline and shrinkage of values at the expense of the other.

Already certain interests and groups are issuing defies that they will not stand for any readjustment; that they will resist to the bitter end any curtailment of their particular interests. "Reduce the compensation of others," they say. "Let the farmer's product decline; let everything else meet the test of changing conditions; but, as for us, keep your hands off. We are going to hold what we have got."

Suppose that all business and agricultural and industrial enterprises assume the attitude that they will stand for no readjustment in prices under changed conditions. Suppose the manufacturer says that he must get the same price for his product which he has been receiving during the period of war inflation, and that if he does not, then he will close up his factory and quit. Suppose the farmer insists that he must continue to sell his corn and his cotton and his wheat and his hogs and his cattle at prices which have prevailed during the war, when millions of men have been under arms and out of the avenues of production, or else he will cease to produce and will allow the grass, the bramble, and the thorn to grow where once waved the broad acres of corn and wheat and blossomed the snowy fields of cotton. Suppose the laborer in the mine and factory and at the forge and furnace refuses to go on with his work unless some of the unusual rates of pay which have prevailed during the war are continued. What will be the result? The answer is very simple. Industrial anarchy and chaos will be inevitable. Bolshevism, if you please, will stalk abroad to point its bony fingers at a once happy and prosperous people.

But I do not take the pessimistic view that such a condition will prevail. Our people understand too well the value of cooperation with one another for a condition like that to be allowed to obtain to any very large extent. The radicals, whether in the business world or in industry or agriculture or labor or wherever they may be, will not be permitted to prevail in their radical, destructive ideas; but, on the contrary, the American spirit of justice and fair play will dominate. It is bound to dominate. It has dominated this Government for 140 years and has made our great Republic what it is to-day, and I am not afraid that we will desert our cherished principles and traditions. One very eminent American public man said in a speech not very long ago that the test of the civilization of any people is their ability to cooperate, and I think that statement is undoubtedly true, and I hope that the spirit of the American people will be able to meet this test in dealing with the complex problems which are immediately ahead of us in the months that are to come. I have confidence to believe that they will adequately meet the test, not without some blunders and mistakes—no; because human intelligence and human motives are not free from error. But all in all, by and large, we will come through these difficulties safe and sane, as we have often emerged before. [Applause.]

In the period that is ahead of us capital must realize that it must be content with smaller dividends and be willing to make a liberal and just division with labor. Labor, on its part, must

realize that the great factories, engines, forges, and furnaces are useless and but a pile of steel, mortar, and stone without capital and the power of a directing genius to operate them. All sides must realize that the spirit of justice and fair play is far more fruitful in its ultimate results than a spirit of prejudice and hate.

POST OFFICE APPROPRIATION BILL AGAIN.

But I will return from this digression. What I was talking about at the time of the digression was the prospective deficit of at least $25,000,000 in the Post Office Department for the fiscal year 1920. And now, having given the figures as to that matter, I will naturally be asked the question as to what will be my attitude as to how to meet the deficit. I do want to emphasize my emphatic advocacy of the policy that the Post Office Department should be self-sustaining in its operations, and be allowed to protect against the creation of a deficit, and that is the purpose of this part of my remarks. I have pointed out this impending deficit with the view that we should have these facts in mind when the proposition is made to repeal the zone postal law and the 3-cent letter postage. We must retain one or the other of these and maybe both. I further call your attention to the fact that these permanent salary increases which we are about to pass are of ascending costs on account of the automatic promotion law, and in 1921 will cost at least $50,000,000 more than present law and in 1922 at least $55,000,000 more than at present. In 1922 the increases will reach their peak of cost.

So it looks to me like the zone postal rates on second-class matter have come to stay, unless we are to adopt the policy of operating the Post Office Department at a large annual deficit and making up this deficit by general taxation. Surely we will not resort to so unwise a policy as that, and I certainly want to register my protest against any such idea as that. [Applause.]

Mr. MOON. Mr. Chairman, I ask unanimous consent to put in the RECORD a statement from Gen. Koons, First Assistant Postmaster General, showing additional expenditures on account of salaries for 1919 over 1918.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The statement is as follows:

POST OFFICE DEPARTMENT,
FIRST ASSISTANT POSTMASTER GENERAL,
Washington, December 11, 1918.

Hon. JOHN A. MOON,
Chairman Committee on the Post Office and Post Roads, House of Representatives.

MY DEAR JUDGE MOON: In accordance with your telephonic request, I am handing you herewith a memorandum showing the additional amounts which were required to cover salaries in the Postal Service for 1919 over 1918.

Sincerely, yours,
J. C. KOONS,
First Assistant Postmaster General.

WASHINGTON, *December 9, 1918.*

Additional expenditures on account of salary for 1919 over 1918.

Clerks, first and second class offices	$8,530,110
Assistant postmasters, first and second class offices	510,700
Watchmen, messengers, and laborers	234,360
Painters, mechanics, and skilled laborers	7,980
City letter carriers	6,907,800
Pay of substitute employees at 40 cents an hour instead of 35 cents:	
Substitute clerks	428,700
Substitute carriers	585,700
Motor-vehicle service: Superintendents, mechanics, chauffeurs, garage men	182,000
Railway Mail Service: Salaries	4,706,887
Rural Mail Service:	
Increase in salary, per annum rate	10,130,332
Additional mileage provision	2,423,472
Salaries of post-office inspectors, inspectors in charge, and employees at division headquarters	90,750
	34,738,791

Mr. STEENERSON. Mr. Chairman, I ask leave to extend and revise my remarks.

The CHAIRMAN. Without objection, the request of the gentleman from Minnesota will be granted.

There was no objection.

Mr. STEENERSON. I now yield 10 minutes to the gentleman from Massachusetts [Mr. DALLINGER].

Mr. DALLINGER. Mr. Chairman, upon another occasion I had something to say about the wretched Postal Service, particularly between the people in this country and the boys at the front. But I want to take advantage of this general debate this afternoon to say just a word in regard to the inefficient service being rendered by the Bureau of War Risk Insurance. The subject has been dealt with by a number of other Members, but I desire to present some further facts that may be of interest to the membership of the House.

In common with every Member of this House, I have been deluged with complaints from parents and wives at home stating that they have not got their allotments and allowances. While at the beginning, when the Bureau of War Risk Insurance was being organized, there were excusable delays, many of us had hoped that at the end of a year or more these annoying delays and instances of neglect would be remedied. Congress quickly responded to every request for appropriations of money amply sufficient to make this service efficient in every respect. But still complaints came in in increasing numbers. Just before the election, when I went home at the time of the recess of Congress, I had not been home 24 hours when I was called upon by two different women, who said they had not received a single cent of their allotments for nine months, and I have since had a great many similar cases. In most cases there does not seem to be any excuse whatever for the delay and neglect.

One of the most outrageous cases that came to my attention was that of a sailor boy who had been 18 months upon a vessel in the North Sea and was given 30 days' leave of absence in this country independent of and in addition to the time taken in coming and going. He had made an allotment to his wife 12 months before, and for 12 months the money had been taken out of his pay. When he reached Cambridge and went to see his family he found that they had not received one single cent and were obliged to depend for their support on the generosity of friends and neighbors. There are hundreds and thousands—yes, tens of thousands—of cases where these boys have gone over to fight the battles of their country thinking that the folks at home are being taken care of by a generous Government. And they are not being taken care of. And what are the soldier boys going to do when they come home and find that their families have been thus neglected? In my opinion they are going to hold the officials responsible for this inexcusable inefficiency to a strict account for what their dear ones have needlessly suffered.

Worse than that, after we Members of Congress take these cases up, and after months of delay the thing is straightened out and the families begin to receive the money, after a month or two it frequently happens that the same thing happens again.

Now, there is one other matter, Mr. Chairman, which I wish to call to the attention of the committee in connection with this matter. With the money that we have appropriated for the use of the Bureau of War Risk Insurance for the carrying out of this necessary work there have been put upon the pay roll hundreds of men as inspectors and field investigators, and they have been making secret reports to Washington, and on the basis of those reports allowances are being taken away from dependent families. While I have no objection to the legitimate work of these investigators in unearthing fraud, I have three cases that I want particularly to bring to your attention to show what is actually being done under the guise of protecting the Government.

There are two women in the city of Cambridge, one of whom has five boys in the service and one of whom has four. In time of peace, before this war commenced, each one of the boys in both these families brought all his wages home to his mother, and they were able to get along comfortably. In each of these cases the mother has been notified that all the Government allowances have been taken away, and that she must refund to the Government a sum of money equal to all allowances received by her. Why? These women are sisters, and it seems that they each own the equity in the house occupied by the family. I presume that these inspectors found from the records of the assessors of the city of Cambridge that there was a house assessed to each of these women. As a matter of fact the houses are heavily mortgaged, and yet on the strength of the assessment, on the ground that these mothers were not absolutely dependent upon the wages of these boys, the allowance has been taken away in both cases.

Mr. GREEN of Iowa. I do not understand what difference that can make under the law—the fact that the woman has a house. Can the gentleman explain?

Mr. DALLINGER. I simply know that the reason given by the Bureau of War Risk Insurance is that the mothers were not entirely dependent upon the boys and therefore not entitled to the allowance.

Mr. REYBURN. Will the gentleman yield?

Mr. DALLINGER. No; I have not the time.

Mr. REYBURN. The inspector has to do whatever the law requires in the case.

Mr. DALLINGER. Now, here is another case: An old man, unable to work, sick a good deal of the time, has a daughter who is also an invalid, who keeps house for him. He has three boys in the service, who before the war paid their wages to the father each week. The fourth boy, his only remaining dependence, was drafted just before the war ceased. One of the boys married just before he went into the Army, and the second one married after he got to France. That left one boy in the service who made an allotment to the father. Now, they found that the old gentleman had a house and land, which was assessed for the large sum of $1,200. On the strength of that the Bureau of War Risk Insurance took away his allowance. I say, Mr. Chairman, that such an interpretation of the law on the part of the War Risk Insurance Bureau was never contemplated by Congress. Of course, where a family had plenty of money and were not in any way dependent upon the wages of the soldier it is all right and appropriate that the Government should not add an allowance to the allotment; but where in cases of this kind, with a heavily mortgaged home or real property bringing in no income and where the boys in time of peace contributed all their wages to the support of the aged parents, I say it is outrageous to take away the allowance that Congress provided.

In my opinion there is no excuse whatever in most of these cases for the delays in the allotment and allowances. I find, however, that the same delay exists in regard to soldiers' pay. I found boys last spring in the Walter Reed Hospital that had not received any pay for months. The other day it came to the attention of the Committee on Education, in hearings on the rehabilitation act, that in all the big cities boys in uniform were begging on the streets because they had received no pay. I have case after case in my district where not only the boy has had no pay since he has been in the Army, but the family has received no allotment or allowance. Thousands of these families have to be supported by charity because of the inexcusable inefficiency and incompetency of this kind of administration of the executive branch of the Government, which is a disgrace to the Government of the United States. [Applause.]

Mr. MOON. Mr. Chairman, I yield five minutes to the gentleman from Massachusetts [Mr. TAGUE].

Mr. TAGUE. Mr. Chairman, like my colleague who has just taken his seat, I have had some unpleasant experiences with the War Risk and Allotments Bureaus of the War Department. I could repeat many cases similar to those just stated to the House. There seems to be no reason why these conditions should exist. I can readily see how a delay of a month, or perhaps for two months, might happen; but when the delays runs on for 12 months, 14 months, 15 months, and these boys are without their salaries, families without allotments, with all the men in uniform around these streets, there must be something wrong to cause such a condition.

But that, too, applies, Mr. Chairman, to the department for which we are now considering appropriations. In all my experience I have never had so many people come to me with complaints of the condition of the mail service. I can readily see, too, that there may be a reason that the deplorable condition of the service is, in some measure, because of the lack of help. I can readily see that this department may have been affected as much, if not more, than any other department of the Government, but certainly the Government has been liberal in appropriating money in order that it may do this work, and I am proud to say this year it has seen fit to give some of this money to those who are trying their utmost to build up the Postal Service of this country. It is going into the homes of the men and the women who are working in the various branches of the department. It is going to help them to receive a substantial remuneration for the service rendered, and I trust that after that money has been appropriated others will be appropriated that will not only benefit them in a financial way, but will improve their working conditions; give them a workshop fit to work in, in a building owned by the Government, and not one that would not be permitted in any city or town or by any private corporation. That condition does prevail in this country in the Post Office Department. The sanitary conditions that these men are obliged to work under are deplorable and should be discontinued at once.

Now, Mr. Chairman, I would not have taken my place to-day but for the fact that I have read in the report of the Postmaster General something that to me and others is a remarkable inconsistency. With other Members on the floor for the past four years, I have advocated the retention of a branch of the service that we believed, and I still believe, was of advantage to the people of this country. I refer to the pneumatic-tube service, which has the indorsement of all the commercial organizations of the country and the opposition of but one man—Burleson. Congress passed an act maintaining this service year after year, but the item failed to stay in the appropriation bill last session. We who advocated it were held up to ridicule and scorn because we were advocating something which we knew was benefiting the great commercial business of this country, but which, for reasons not yet properly explained, could not secure a fair word from the Postmaster General. The Postmaster General in his report to-day shows his inconsistency, shows how he has been inconsistent, for, after stating the reasons for the abolition of the pneumatic-mail service, in the very next column he advocates the building beneath the congested district of the city of New York a tunnel or tube for carrying the mails. The appropriation for pneumatic-mail service was less than $1,000,000 each year, yet here in this report, for the building of a tunnel, as he says, from the Pennsylvania Station to the New York Central Station, a distance of a mile, he wants an appropriation of $1,500,000. When I read that report, Mr. Chairman, I asked men engaged in the contracting business, who have built subways and have built different underground systems of that city, if the figures were anywhere near what they should be. They ridiculed the figures. I want to call to the attention of the committee what the conditions as I know them are in that section of the city of New York. To build a tunnel from the Pennsylvania Station to the New York Central Station they will be obliged to go down 100 feet under the ground to get under the tunnels now in existence. Under Times Square there are three separate tunnels, one under the other, and the lower tunnel is more than 100 feet under the ground. Almost every inch of that ground from the Pennsylvania Station to the New York Central Station on Forty-second Street is through solid rock.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

By unanimous consent, Mr. TAGUE was granted leave to extend his remarks in the RECORD.

Mr. MOON. Mr. Chairman, I do not believe that it is necessary to reply to the remarks of my friend from Massachusetts [Mr. TAGUE], because the amount of money already realized from the abolition of the pneumatic-tube system is very great. In reference to the tunnel in New York which is proposed, it will be remembered by the House that under the law the leases for the tube should not be continued except upon the recommendation of the postal committee appointed under the act of Congress, which provided for inspection and recommendation as to continuance or rejection. The committee reported against all of the tubes except a portion of the city of New York that was so much congested, and they thought some system of that sort ought to remain there. The Congress, however, abolished the whole system. In pursuance of the law, in pursuance of justice to the city of New York and the congested conditions that exist in that particular part of the city, there has been a recommendation made for the construction, not of these inadequate tubes but of a tunnel that would be sufficient to carry all of the mail and be a source of profit itself to the Government. But that issue is all past, and it is not necessary for me to discuss it. There is nothing of that kind in the bill.

I yield five minutes to the gentleman from New York [Mr. DONOVAN].

Mr. DONOVAN. Mr. Chairman and gentlemen of the committee, I most heartily concur with the remarks of the gentlemen from Massachusetts [Mr. DALLINGER and Mr. TAGUE] pertaining to the subjects of the soldiers' allotments and the Post Office Pneumatic Tube Service.

In my opinion the delay in the payment of the allotments is inexcusable, and my experience is the same as that of which the gentlemen complain. I am aware that the great volume of business which is constantly handled by the War Risk Insurance Bureau is one of great magnitude and complexity, but since the signing of the armistice I see no reason why a speeding up of investigation and report, as well as payments long overdue, should not be made. A newly inaugurated policy of the bureau of demanding from widowed mothers and other dependent and indigent members of the soldiers' families who have received allotments inconsistent with some technical rule of the bureau is a most inequitable, unjust, and inhuman proceeding.

Recently I have had the distressing experience of interviews with widowed mothers, one of whom had three sons in the service, from whom had been demanded the return of allotment payment. There can be no question of the embarrassment of such an existing condition, and Congress should by all means remedy this unfortunate situation.

I can not forego this opportunity when the Post Office appropriation bill is under consideration to fail to join with the gentleman from Massachusetts [Mr. TAGUE] in the indorsing of the proposal of the Postmaster General for a subservice system in the metropolitan city of New York, part of which I have the honor to represent. The Postmaster General advocates the construction of an underground tunnel from the Pennsylvania Station to the Grand Central Station. It is proposed that it be used for the distributing of the mails from the Southern and Western States to the Eastern and Northern ones. The proposed tunnel will in no way serve the city of New York in the distribution of its own mail. I am informed that the appropriation of a million and a half has been suggested for its construction. In my opinion it is uneconomic and impracticable.

Uneconomic for the reason that there are now 26 miles of pneumatic tubes connecting the Pennsylvania, Grand Central, and the Harlem district, which I represent, and its eastern and western stations with the City Hall station, which can be leased as formerly by the Government for a very reasonable price for the service performed. Since July last, when this service was abolished and the vehicular service was installed, the delivery delay has been increased to a remarkable degree. Under the tube system there was dispatched about every 10 minutes carriers which required about 18 minutes in passage for the mail to be carried from Harlem to the down-town stations. By the present auto delivery a period of two and a half hours is consumed in traveling the same area, and the time more frequently consumed is about three and a quarter hours.

It will readily be seen that the present delay in the delivery of the mails is regrettable and annoying. Telegrams from the New York Chamber of Commerce and the Merchants' Association of New York, calling attention to the abolishing of the pneumatic-tube service and expressing the hope that it will be reinstated is a substantial and intelligent expression of the desire of the business interests of the city of New York for the reoperating of the system. However, as the learned chairman of the committee [Mr. MOON] says, the present operation of the pneumatic-tube service is a closed question.

In conclusion I wish to state that I entertain no prejudice against the Postmaster General. My mind is open and not foreclosed as to his qualifications or his intentions. We must, in all fairness at least, say: That he now admits the existence of the serious traffic street congestion and the necessity for resorting to an underground mail transportation service. Such service, however, can not, in the opinion of experts, be constructed in the city of New York for the sum of a million and a half dollars by reason of the present subway railroad system. It would necessitate the sinking of the proposed tunnel to approximately 100 feet, almost an impossible engineering problem, and would be necessary to tunnel through bedrock.

I therefore submit for the consideration of the House the necessity of the underground service, which the Postmaster General now declares is essential. [Applause.]

Mr. MOON. Mr. Chairman, I yield to the gentleman from Oklahoma [Mr. MCKEOWN] 10 minutes. [Applause.]

Mr. MCKEOWN. Mr. Chairman and gentlemen of the committee, I have come this afternoon, in the midst of general debate on this great appropriation bill, to take a few minutes of your time to pay a tribute to the valor of some of Oklahoma's soldiers on the western front. [Applause.] I want to say to this House that I hope that the time will never come when it will be too busy and when the business of this House is too important to spare a few moments to pay some tribute to the heroes who have fought that we might still be here and have the right to speak. [Applause.] This war has demonstrated one thing beyond peradventure, and that is that the geographic location of the men has nothing to do with their fighting qualities. This war has demonstrated that the men from the East, the West, the North, and South have displayed great courage on the battle field side by side, and I shall take a few minutes of your time to talk about the soldiers from Oklahoma. They fought side by side with the soldiers from every State in the Union. I call your attention to the splendid record of the Thirty-sixth and Ninetieth Divisions, and I present some information that has come from across the sea. The Thirty-sixth Division, known as the Panther Division, was in action for 16 days. The record shows that the division met the crack division, known as the Kaiser's Favorites; we are told that in the first three hours of action their casualties amounted to 2,000 men. They went out upon the open, expecting the enemy to meet them in hand-to-hand fighting, but they were disappointed, because the enemy withdrew their men from the battle field east of Rheims and they had to face the machine-gun fire which caused so many casualties and losses. The Ninetieth Division, consisting of many soldiers from Oklahoma, fought for 74 days on the western front, and we are told that at 9:40 o'clock on the 11th day of November the Ninetieth was in action and under fire, and the One hundred and eightieth Brigade of that division, led by Lieut. Col. Teall, son-in-law of our distinguished and able Representative from New York [Mr. SNYDER], at that time was under fire and in the lead. [Applause.] Gentlemen, we can never say too much of the bravery of those men. They have absolutely won for themselves great glory and renown on the battle field. I say to you that they have crowned their fathers and mothers with great glory that they brought such men into the world. [Applause.]

Mr. Chairman, I want to ask the Clerk to read in my time the order of commendation that was written by Maj. Gen. Allen, commending the Ninetieth Division, a true copy of which was sent by Col. Teall.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

HEADQUARTERS NINETIETH DIVISION,
AMERICAN EXPEDITIONARY FORCES.
France, November 15, 1918.

General Orders, No. 144.

1. Prior to beginning operations in this, the Meuse-Argonne, sector the commanding general published to the division on October 15, 1918, his estimate of it, reserving final decision as to where it should be classed until later. He no longer has any doubts or reluctance in claiming for the Ninetieth Division fighting qualities second to none. Every regiment has gained its objective in every operation in which it has participated, and the division has exceeded its allotment in the execution of every task assigned it.

2. Beginning October 31, the work of the division, including the taking of the strong position Freya Stellung, from Andevanne through Villers-devant-Dun to the Meuse River, against the determined resistance of two enemy shock divisions, Twenty-eighth and Twenty-seventh, has been simply superb. The crossing of the Meuse and the taking of the line Stenay-Baulon, including both towns, has been a continuation of the previous successful work of this division.

3. This division received two official commendations for its work in the St. Mihiel salient near the Moselle River, and to-day it has received the third of a series of three commendations, in which the Third Corps commander expresses his high appreciation of the gallant conduct, which he desires to make of permanent record. I make no mention of the general commendations given by the commander of the First Army and the commander in chief of the American Expeditionary Forces, in which this division was included.

4. The division commander has no adequate words to express his great satisfaction and delight with the fine military spirit of the division and his pride in its fighting value after 74 days (less an interval of 7 days) in the fighting lines. The Engineer, the sanitary troops, the Signal Battalion, and the trains have emulated the fighting impulses of the combatant troops. In spite of the severe losses and the terrific demands that these successes have exacted, the indomitable spirit and keenness to fight continue to characterize the division.

5. Every member of this gallant force has a right to be proud of the services he has rendered in the great cause of human liberty. Our country may count with assurance upon the execution with success of whatever duty it may intrust to the Ninetieth Division.

HENRY T. ALLEN, *Major General.*

A true copy.

E. H. HEALL, *Lieutenant Colonel,*
Adjutant, One hundred and eightieth Infantry Brigade.

Mr. MCKEOWN. Mr. Chairman and gentlemen, when the casualty lists have all come in I know no more fitting tribute that this House could pay to the memory of those who gave up their all than to hold a memorial service out of respect to the soldiers of this country who died in France. Before I conclude I want to pay a word of tribute to the Indian soldiers of my country. The report shows that the One hundred and forty-second lost heavily in the fight. It was the hardest hit. "The Indians of the One hundred and forty-second started in easy, without much show of enthusiasm, but when they saw the blood they got excited and turned into savages again and turned on the Huns with such havoc that there was no withstanding them." This record, gentlemen, was made by many men who gave their lives for their country, and I hope the time will come when this House will hold a memorial service in their memory. Gentlemen, I thank you. [Applause.]

Mr. MOON. Mr. Chairman, I will ask the gentleman from Minnesota if he desires to proceed further?

Mr. STEENERSON. Mr. Chairman, I have reserved half an hour for the distinguished gentleman from New York [Mr. LAGUARDIA] to discuss the aeroplane service, but he had to go back to New York, and he requested that I should try to get him in on Monday. So, if the chairman of the committee could see in the kindness of his heart the way clear to move to rise now, I would promise that I would yield to Mr. LAGUARDIA Monday.

Mr. MOON. The gentleman has no further speeches, then?

Mr. STEENERSON. From no gentleman that is here.

Mr. MOON. Mr. Chairman, I request that the clerk read the bill.

The CHAIRMAN. The gentleman from Tennessee [Mr. MOON] did not hear the gentleman from Minnesota.

Mr. STEENERSON. I requested that the gentleman from Tennessee move to rise.

Mr. MOON. I will say this about Mr. LAGUARDIA: If you want to give him time when we get to that section of the bill, we can be liberal with the time and let him speak. We ought to close general debate on this bill now and begin its reading before adjournment.

Mr. STEENERSON. Will the gentleman agree with me to request 30 minutes for Mr. LAGUARDIA?

Mr. MOON. I, of course, do not object to Mr. LAGUARDIA speaking for 30 minutes at any time.

Mr. STEENERSON. Very well. There is no one else who desires time.

Mr. MOON. It will be under the paragraph of the bill. Of course, the House will have to give consent, but I shall make no objection.

Mr. STEENERSON. I have no further time.

The CHAIRMAN. If no one desires to speak, the Clerk will read the bill for amendment.

Mr. MILLER of Minnesota. Mr. Chairman, I understood from my colleague [Mr. STEENERSON] that Mr. LAGUARDIA desired 10 minutes to address the committee on the subject of aeroplanes. I personally consider that one of the most important addresses that this committee has ever listened to or ever will, and I think he made a very suitable request of the gentleman in charge of the bill to rise.

Mr. MOON. "The gentleman in charge of the bill" agreed that the gentleman from New York might have the 30 minutes when we came to the aeroplane proposition.

Mr. MILLER of Minnesota. Well, there will not be anybody here now. I do not like to make the point of no quorum.

Mr. MOON. There is nobody here now.

Mr. MILLER of Minnesota. I know it. The gentleman can move to rise right now and permit Mr. LAGUARDIA to have the time when we meet on Monday.

Mr. STAFFORD. Will the gentleman from Tennessee yield for a suggestion?

Mr. MOON. Yes.

Mr. STAFFORD. Will it be agreeable to the chairman of the committee that the gentleman from New York [Mr. LAGUARDIA] may have 30 minutes immediately after the reading of the Journal on Tuesday?

Mr. MOON. I do not care when the gentleman takes the 30 minutes. I wanted to start the reading of the bill by paragraphs. If he wants the 30 minutes at that time or any time during the discussion, I will have no objection.

Mr. STAFFORD. I will prefer that request when we get into the House.

Mr. MILLER of Minnesota. Why does the gentleman select Tuesday?

Mr. STAFFORD. Because this coming Monday is Unanimous-Consent and Suspension Day.

Mr. MILLER of Minnesota. Under the circumstances it seems that that might be a happy solution, but 30 minutes is not enough.

Mr. STAFFORD. That is all the time he requested.

Mr. STEENERSON. How much time have we left, Mr. Chairman?

The CHAIRMAN. The gentleman from Minnesota has 30 minutes remaining and the gentleman from Tennessee 37 minutes remaining.

Mr. MILLER of Minnesota. Could not the gentleman from Tennessee add 10 minutes to the amount of time that my colleague has?

Mr. MOON. I will see to it when it comes up. I am generally pretty liberal about those things.

Mr. MILLER of Minnesota. It is nothing but information in which, I think, every Member is interested.

Mr. MOON. I understand what he wants to talk about. I have talked with him about it, and I am sure it will be an interesting speech. We have no disposition to shut him off now, but the general debate ought to be closed now. He can address the committee under the five-minute rule.

Mr. MILLER of Minnesota. As I understand, the gentleman would make no objection to unanimous consent when we rise that Mr. LAGUARDIA have 45 minutes next Tuesday after the Journal is read to address the House on the subject of aeroplanes in the war?

Mr. MOON. No. That would go 10 minutes beyond the time he is entitled to if we had the speech now.

Mr. MILLER of Minnesota. That is entirely satisfactory. I think the gentleman.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OFFICE OF THE POSTMASTER GENERAL.

For gas, electric power and light, and the repair of machinery, United States Post Office Department equipment shops building, $4,500.

Mr. MOON. Mr. Chairman, in order that there may be no misunderstanding about the time that the gentleman from New York [Mr. LAGUARDIA] uses, I understand the motion of the gentleman is to get that time on Tuesday. It is possible that unanimous consent may be exhausted or that the House might agree that we proceed with this bill on Monday. If the gentleman desires to proceed on Monday or Tuesday he could do so.

Mr. STAFFORD. I prefer the unanimous-consent request on behalf of the gentleman from New York, that immediately after the reading of the Journal on Tuesday he be allowed 45 minutes.

Mr. STEENERSON. I understood the gentleman from New York would be here on Monday.

Mr. MOON. There should be no misunderstanding about it.

Mr. MILLER of Minnesota. It would be better for Tuesday. The Unanimous Consent Calendar has not been called for a long time and some of the bills might be considered important, and we ought to have a full day. The gentleman has arranged for Tuesday.

Mr. STEENERSON. There is no certainty about how much time will be used on Monday for unanimous-consent business.

Mr. STAFFORD. Mr. Chairman, may I inquire of the gentleman from Tennessee how far he is going to read to-night?

Mr. MOON. I am going to move to rise in a moment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For compensation to clerks at division headquarters, 15, at $1,800 each; 15, at $1,600 each; 20, at $1,400 each; 30, at $1,200 each; 10, at $1,000 each; and 10, at $900 each; in all, $134,000.

Mr. MOON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TAYLOR of Colorado, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted as follows:

To Mr. FOCHT, indefinitely, on account of illness in his family.

To Mr. BACHARACH, indefinitely, on account of illness in his family.

WITHDRAWAL OF PAPERS.

Mr. HAWLEY, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Joseph B. Doan (H. R. 10769), no adverse report having been made thereon.

LEAVE TO ADDRESS THE HOUSE.

Mr. STAFFORD. Mr. Speaker, I wish to prefer a unanimous-consent request. I ask unanimous consent that immediately after the reading of the Journal on Tuesday, not to interfere with conference reports, the gentleman from New York [Mr. LAGUARDIA] be privileged to speak for 45 minutes on the subject of aviation.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that next Tuesday, after the reading of the Journal and the disposition of the business on the Speaker's table, the gentleman from New York [Mr. LAGUARDIA] be permitted to speak, not to exceed 45 minutes, on the subject of aviation.

Mr. RAGSDALE. I reserve the right to object. Is it Mr. LAGUARDIA himself that wants that amount of time?

The SPEAKER. The Chair takes it for granted, inasmuch as the gentleman from Wisconsin is asking for it.

Mr. STAFFORD. I have been given assurance by the gentlemen acquainted with the situation that the gentleman from New York does wish that amount of time.

Mr. MILLER of Minnesota. I will say to the gentleman that he will have to boil down very materially the information he has in order to compress it within 45 minutes, but I am sure he will do it.

Mr. RAGSDALE. Is it to be an account of his trip to Europe?

Mr. MILLER of Minnesota. It is to cover his experience in aviation in the war.

Mr. RAGSDALE. Is it for or against air mail service?

Mr. MILLER of Minnesota. I do not think it concerns the air mail service. I think it will cover his experience in aviation in the war.

Mr. RAGSDALE. He will give his experience in aviation over there?

Mr. MILLER of Minnesota. Yes.

The SPEAKER. Is there objection?

Mr. GARRETT of Tennessee. Reserving the right to object, Mr. Speaker, I understood the gentleman from Tennessee [Mr. MOON] a few moments ago stated that when this bill came up for consideration under the five-minute rule there would be no objection to the gentleman from New York having 45 minutes under a motion to strike out the last word, so that that will give the gentleman from New York the time he desires.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. GARRETT of Tennessee. I do not believe that at this session we should further continue the practice of granting consent for gentlemen to speak, independent of the business before the House, immediately upon the approval of the Journal and the disposition of business on the Speaker's table, as we did during the last session.

I hope the gentleman will not embarrass the situation by insisting upon his request. If my understanding is not correct, I shall not interpose any objection; but I will ask my colleague from Tennessee [Mr. MOON] if it was not agreed just a few moments ago that the gentleman from New York [Mr. LAGUARDIA] should have 45 minutes when this bill is considered under the five-minute rule—that is, that there will be no objection so far as the gentleman is concerned?

Mr. MOON. I agreed that so far as I was concerned there would be no objection of that kind and that the gentleman might have the time whenever he wanted it.

Mr. MILLER of Minnesota. Was not the conversation and the understanding that the gentleman from New York [Mr. LAGUARDIA] was to have this time immediately after the reading of the Journal?

Mr. MOON. I did not so understand; but I want to say that so far as I am concerned I do not object to his having it immediately after the reading of the Journal.

Mr. MILLER of Minnesota. I thoroughly understand that; but the gentleman will recall that while he did not use the language, it was the language that was used and the language that was in the Member's mind when the request was submitted.

Mr. STAFFORD. I distinctly said that I would prefer a request that immediately after the reading of the Journal the gentleman from New York might have 45 minutes. That was before the gentleman from Tennessee [Mr. GARRETT] came into the Chamber.

Mr. GARRETT of Tennessee. No; the gentleman from Tennessee was in the Chamber all the time and heard the agreement that was made.

Mr. STAFFORD. Then I will say to the gentleman that the record shows conclusively, without any question, that the understanding was that I was to prefer the request when the committee got into the House, that the gentleman from New York [Mr. LAGUARDIA] should have 45 minutes immediately after the reading of the Journal. To that the gentleman from Tennessee [Mr. MOON] assented.

Mr. MOON. The gentleman from Wisconsin made that statement, and I did not object, and I want to state now that I do not object to that, or to his having 45 minutes at any other time. The fact is that it will be 45 minutes out of the time for considering this bill, and it does not matter when it comes out.

Mr. MILLER of Minnesota. May I suggest to the gentleman from Tennessee [Mr. GARRETT] that while his viewpoint respecting many requests of this kind is undoubtedly sound, yet this is a very extraordinary case. A Member of this body, one of the first to leave it to go to war, saw a great deal of extraordinarily interesting experience. Now, as the gentleman from Tennessee [Mr. MOON] has just stated, it does not matter whether the 45 minutes are used immediately after the reading of the Journal or under the five-minute rule. It is so much time and only so much time. Now, it will be a distinct advantage to the gentleman from New York [Mr. LAGUARDIA] and to the Members, I think, to have this immediately after the reading of the Journal. It will be advertised to come off at that time, there will undoubtedly be a full attendance in the House, and it will happen early in the day. If it is under the five-minute rule, everybody knows that the attendance is more or less uncertain, and the circumstances are certainly not proper. I should think the gentleman would vastly rather have this disposed of in the manner suggested than to have it disposed of by taking 45 minutes under the five-minute rule.

Mr. STEENERSON. I will say to the gentleman from Tennessee that it was my understanding that the gentleman from New York [Mr. LAGUARDIA] wanted to speak on the bill about aviation, and that consequently it would be relevant to the discussion of the bill.

Mr. STAFFORD. May I say to the gentleman that while there is good ground, as everyone must admit, for the position that he takes, that we should not in this short session grant consent to Members to speak at certain appointed times, yet in this instance there were 35 minutes of general debate remaining on the Republican side and 37 minutes of general debate remaining on the Democratic side. The gentleman from Minnesota [Mr. STEENERSON] was anxious to yield the 35 minutes to the gentleman from New York [Mr. LAGUARDIA]. He was here early in the afternoon, but had to leave to go back to New York. The gentleman from Minnesota would have yielded the 35 minutes remaining on this side and the gentleman from Tennessee [Mr. MOON] would have yielded 10 minutes more on his side, but the gentleman from Tennessee was anxious to have the reading of the bill begun so that there would be no further claims for time under general debate, and we arrived at a tentative agreement that on Tuesday, immediately after the reading of the Journal—and in effect using the time remaining in general debate—the gentleman from New York would be accorded 45 minutes, 35 of the time of the gentleman from Minnesota and 10 minutes of the time of the gentleman from Tennessee. That was the understanding, to which there was no dissent at the time it was made.

Mr. GARRETT of Tennessee. I understand that that will be exactly what will occur when the House resolves itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill, that the gentleman from New York [Mr. LAGUARDIA] will move to strike out the last word and will then speak for 45 minutes. That will give the gentleman from New York his time.

Mr. STAFFORD. Will the gentleman have any objection to this request, that when we next go into the Committee of the Whole for the consideration of the Post Office appropriation bill the gentleman from New York [Mr. LAGUARDIA] may have 45 minutes in which to discuss aviation?

Mr. GARRETT of Tennessee. I would have no objection. I will refer that to my colleague from Tennessee [Mr. MOON].

To make it perfectly clear, I want to say that there is nothing personal to our colleague, Mr. LAGUARDIA, in my attitude about this. But I do not think that during this short session we should arrange for speeches independent of the bills under consideration. We have done that by unanimous consent all during the past session. I do not think we should do it during this session. I do not want, of course, to interfere with the speaking of the gentleman from New York, but I do want it to be upon and under the time agreed upon for consideration of the bills.

Mr. STAFFORD. This is under the time for the consideration of the bill.

Mr. GARRETT of Tennessee. If we do not do this we will have many embarrassments arise.

Mr. WINGO. Mr. Speaker, who has the floor, and what is the subject matter?

The SPEAKER. Nobody has the floor.

Mr. GARRETT of Tennessee. Mr. Speaker, I do not want to exactly acquiesce in the statement of the Speaker. The gentleman from Wisconsin preferred a request for unanimous consent and I reserved the right to object.

The SPEAKER. That was so long ago that the Chair forgot it. [Laughter.]

Mr. WINGO. That satisfies my purpose, and I would like to ask the gentleman a question. Does not the gentleman think, with his long experience in parliamentary matters, that it is better for a gentleman if he wishes to speak about a post-office matter to discuss it on the Post Office bill, and if he wishes to discuss aviation, to do it on the bill for aviation?

Mr. STAFFORD. It has been the practice for years in the course of general debate for a Member to speak on any subject whatever.

Mr. WINGO. That was before the war, but this is a period of readjustment. Does not the gentleman think that we should readjust parliamentary matters and get out of some of the old ruts?

Mr. STEENERSON. Mr. Speaker, I think the gentleman from Minnesota can leave this question to the committee.

Mr. MILLER of Minnesota. Mr. Speaker, I ask unanimous consent that as soon as the Committee of the Whole on the state of the Union takes up for further consideration under the five-minute rule the Post Office appropriation bill, after the reading of the first section, the gentleman from New York [Mr. LAGUARDIA] shall have permission to address the House for a period not exceeding 45 minutes on the subject of aviation.

Mr. MADDEN. Reserving the right to object, what the gentleman from New York [Mr. LAGUARDIA] wants and what he has talked to me about and to the gentleman from Minnesota [Mr. STEENERSON] about and to Mr. MOON about, is that there is an item in the bill providing for aviation, and there is an appropriation for that purpose, and he wants to talk upon that subject when that item is reached. That is what he stated he wanted and what he said and what we agreed with him about. If he will wait until this item is reached, there will be no trouble about the time and no need of making any special arrangement about it.

Mr. MILLER of Minnesota. With all due deference to the information which I am confident that my colleague has, while I am sure the gentleman from New York wants to address himself somewhat to that proposition, I know that he wants to address himself at some length to the subject of aviation in its largest sense. That is what I want to hear him upon and the membership of the House wants to hear him.

Mr. MADDEN. He can do that when the item in regard to aviation is up.

Mr. MILLER of Minnesota. If the gentleman will permit, nobody knows when that moment will arrive—neither the gentleman from New York nor anyone else. I think it is of sufficient importance that the membership wants to be here, and if it is fixed at that time they will be here. In addition to that, if the time is fixed now, the gentleman from New York will know that he will have it, and if we leave it open we can not tell who might object to it after the first five minutes.

Mr. MADDEN. I do not see why the gentleman from New York felt it necessary to go outside of the committee, with whom he was making an arrangement, to get time and have an understanding with a gentleman who is not on the committee. I give you my word that the understanding I had with him was that I would help him get the time when the item was reached.

Mr. MILLER of Minnesota. I beg to assure the gentleman that I have no understanding of any kind with the gentleman from New York [Mr. LAGUARDIA]. I would have no authority in this matter of any kind except to make this request.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

ADJOURNMENT.

Mr. MOON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 8 minutes p. m.) the House adjourned until to-morrow, Sunday, December 15, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Department of Commerce, transmitting a copy of the report of the Chief of the Division of Publications of this department for the fiscal year 1918, which contains a detailed statement of publications received and the number distributed by this department during the fiscal year 1918 (H. Doc. No. 1587); to the Committee on Expenditures in the Department of Commerce and ordered to be printed.

2. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, together with report of J. W. Sackett, assistant engineer in charge, with map dated March 20, 1918, on a preliminary examination of Miami Harbor (Biscayne Bay), Fla. (H. Doc. No. 1588); to the Committee on Rivers and Harbors and ordered to be printed.

3. A letter from the Doorkeeper of the House of Representatives, transmitting a statement of money received from the sale of waste paper from December 1, 1917, to December 1, 1918 (H. Doc. No. 1589); to the Committee on Accounts and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. DENT, from the Committee on Military Affairs, to which was referred the bill (H. R. 13366) permitting any person who has served in the Army in the present war to retain his uniform and personal equipment, and to wear the same under certain conditions, reported the same without amendment, accompanied by a report (No. 863), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CAMPBELL of Pennsylvania: A bill (H. R. 13392) to permanently transfer the United States Coast Guard from the Treasury Department to the Navy Department, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STEPHENS of Nebraska: A bill (H. R. 13393) to extend the time for constructing a bridge across the Missouri River between the States of Nebraska and Iowa; to the Committee on Interstate and Foreign Commerce.

By Mr. VINSON: A bill (H. R. 13394) to extend the time for the completion of the dam across the Savannah River by authority granted to Twin City Power Co. by an act approved February 29, 1908, as amended by act approved March 1, 1910; to the Committee on Interstate and Foreign Commerce.

By Mr. HUSTED: Concurrent resolution (H. Con. Res. 63) declaratory of the judgment of Congress respecting foreign alliances and the freedom of the seas; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOOHER: A bill (H. R. 13395) granting an increase of pension to Edwin Hallowell; to the Committee on Invalid Pensions.

By Mr. CARTER of Massachusetts: A bill (H. R. 13396) for the relief of Thomas Casey, alias Clancy; to the Committee on Military Affairs.

By Mr. DENISON: A bill (H. R. 13397) granting an increase of pension to Wesley G. McPherson; to the Committee on Invalid Pensions.

By Mr. DYER: A bill (H. R. 13398) for the relief of Henry Schulz as branch postmaster at his drug store, at southeast corner of Vandeventer and Laclede Avenues, city of St. Louis, Mo., for war-tax stamps, war-savings stamps, postage stamps, cash, and money orders stolen; to the Committee on Claims.

By Mr. GILLETT: A bill (H. R. 13399) granting a pension to William Thornton Parker; to the Committee on Invalid Pensions.

By Mr. RAKER: A bill (H. R. 13400) granting to certain claimants a preference right to purchase certain lands in the State of Arkansas; to the Committee on the Public Lands.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. FULLER of Illinois: Petition of the National Association of Credit Men, the Associated Silver Co., the Chicago Association of Credit Men, and the Elting Co., of Chicago, for the passage of the revenue bill before the end of the year; to the Committee on Ways and Means.

By Mr. JOHNSON of Kentucky: Petition of Kentucky Tobacco Growers' Association, for the appointment of a commission to fix the price on tobacco; to the Committee on Agriculture.

By Mr. TINKHAM: Resolution adopted by New Korea Association, relating to Korea's grievances; to the Committee on Foreign Affairs.

By Mr. WHITE of Maine: Resolution of the State convention of the Ancient Order of Hibernians, at Lewiston, Me., on Irish emancipation; to the Committee on Foreign Affairs.

SENATE.

SUNDAY, *December 15, 1918.*

The Senate met at 11 o'clock a. m.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we are called together in Thy providence that we may accord a national honor to the memory of a distinguished member of this body. We pause in the midst of the pressing duties of these fateful days, and in the golden moments of the holy Sabbath we perform this sacred duty.

It is our obligation to inscribe upon the unperishable honor roll of our departed statesmen the name of the Senator from South Carolina. Thou didst endow him with many qualities of heart and mind that made him a power in our national councils. Passionate in his advocacy of the rights of all men, devoted in his friendships, consistent with the principles which he avowed in his public life.

By his far-sighted statesmanship, by his high sense of honor, by his strong defense of his political creed, he has made his name safe in the annals of American history.

We would not seek to assess the value of such a career. His record is with Thee, to whom we must all turn at last to give an account of our stewardship.

We pray that to-day as we recall his service to his country we may feel the ever-increasing responsibility of representing great sovereign States in this Senate. As we stand in this place of world-wide influence and power we seek the endowment of the spirit of righteousness to direct and control our lives according to the divine will.

We serve our fellowmen in the name and for the sake of our Lord Jesus Christ. Amen.

The Vice President being absent, the President pro tempore [Mr. SAULSBURY] assumed the chair.

MEMORIAL ADDRESSES ON THE LATE SENATOR TILLMAN.

Mr. SMITH of South Carolina. Mr. President, I offer the following resolutions and ask for their adoption.

The PRESIDENT pro tempore. The Secretary will read the resolutions.

Secretary James M. Baker read the resolutions (S. Res. 388) and they were considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate express its profound sorrow in the death of the Hon. BENJAMIN RYAN TILLMAN, late a Senator from the State of South Carolina.

Resolved, That as a mark of respect to the memory of the deceased the Senate in pursuance of an order heretofore made assembles to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Mr. SMITH of South Carolina. Mr. President, Senator BENJAMIN RYAN TILLMAN was born in 1847, which made him just the right age to receive childhood's vivid if exaggerated impression of the epoch-making period immediately preceding and culminating in the Civil War. The incidents and experiences that one must have witnessed and borne during that time, especially at the age of young TILLMAN, must have had a profound effect upon his character and his subsequent attitude as a man toward men and affairs.

The reconstruction period immediately following the war was fraught with more trials, tested more thoroughly the moral, mental, and patriotic fiber of men, than the actual period of the war itself. The struggle of the war itself was terrible, but the object to be attained was worthy of all sacrifice from the standpoint of the South. The orgy of misrule and corruption, during reconstruction times, threatened to engulf and destroy our civilization in that section. Rapine and lust, greed and avarice, in their most revolting form assumed to overrule virtue and decency, honesty and righteousness in both civil and political life.

Prominent amongst those who took part in stemming this unholy tide was young BENJAMIN RYAN TILLMAN. He did his part in bringing about the dissipation of this hideous nightmare of corruption and misrule, and helped, through the agency of the famous Red Shirt Brigade, to bring about the reestablishment of decent government in South Carolina and the liberation of its homes from the threatened beastly defilement.

When this task was accomplished and South Carolina, like other Southern States, took up her burden of rebuilding the waste places, of gathering together what resources she might in order to retrieve some semblance of the condition that made life tolerable, young TILLMAN also did his part. He, as his family before him had done, settled near Edgefield, S. C., and devoted himself to farming. Perhaps of all the occupations that felt the cruel grind of that period the farmers were the greatest sufferers. He knew at first hand by bitter experience their heritage of hardships, and his first appearance in the arena as a public man was in the advocacy of means looking toward the betterment of the conditions under which the farmer struggled. This first appearance at Bennettsville, S. C., in 1885, was the index to his future public career. His writings and speeches were devoted to the agitation of questions looking toward the betterment of agricultural conditions. In 1890 he became a candidate for governor, and was elected as a representative of the agricultural element of the State. He was reelected in 1892. During his official career as governor he devoted a great deal of time and attention to the establishment of Clemson Agricultural College. This college, as a distinct separate educational institution, was established on the old John C. Calhoun estate, Fort Hill, in Oconee County, S. C. He devoted every available energy to the development and progress of this institution, and lived to see it become one of the foremost agricultural institutions of America.

He also was instrumental in the establishment at Rock Hill, S. C., of the Winthrop Normal and Industrial College for Women. These two institutions are perhaps the most enduring monuments to Senator TILLMAN'S devotion to the cause of education, particularly for those classes for whose welfare he had written and worked so hard.

In 1894 he became a candidate for and was elected to the United States Senate to succeed Gen. M. C. Butler. In this capacity as a public man he served until his death.

Some of the most interesting things in connection with Senator TILLMAN'S career as a public man were the establishment of the dispensary system in South Carolina for the control of the purchase, manufacture, and sale of whisky by the State. Through subsequent modifications of the law it was finally abolished. In the constitutional convention of 1895 Senator TILLMAN was instrumental in having written into the constitution a prohibition against the manufacture and sale of whisky by private individuals, so that during the modification of the dispensary law it finally became an issue as to local option between the counties as political units being allowed to sell whisky or prohibition. Prohibition finally won. Perhaps the most notable innovation in our political affairs during his career was the inauguration of the primary system for the selection of candidates for the Democratic Party. Senator TILLMAN was prominent in bringing about the adoption of the primary system in South Carolina for the naming of candidates in lieu of the old convention system.

It is interesting to note the subsequent adoption of this plan more or less throughout the country.

As a Senator he made a name for himself as a bold and aggressive debater. His views on public affairs he never hesitated to assert plainly and unequivocally, nor did he hesitate to challenge fearlessly what he did not approve. He loved his State in his own peculiar passionate way and guarded her rights with a fiery zeal characteristic of him. His hold upon the people of South Carolina was without parallel; he appealed to their imagination and dominated the State's political life as perhaps no other individual in her history had done. In a similar sense this was true of his hold upon the American public; that is, in his power to awaken their interest and appeal to their imagination. I knew very little of Senator TILLMAN'S domestic life, but from what I was privileged to see of the relation that existed between him and Mrs. Tillman there was often called to my mind, as he himself was fond of quoting, that immortal verse of Burns:

> John Anderson my jo, John,
> When we were first acquent,
> Your locks were like the raven,
> Your bonie brow was brent;
> But now your brow is beld, John,
> Your locks are like the snaw,
> But blessings on your frosty pow,
> John Anderson my jo!
>
> John Anderson my jo, John,
> We clamb the hill thegither,
> And monie a cantie day, John,
> We've had wi' ane anither;
> Now we maun totter down, John,
> And hand in hand we'll go,
> And sleep thegither at the foot,
> John Anderson my jo!

No two have ever lived in the spirit of this poem as Mr. and Mrs. TILLMAN, and the last verse was recalled to my mind whenever I saw them on the street or in their home.

The latter years of Senator TILLMAN'S life were shadowed by an affliction which ultimately resulted in his death. The manner in which he bore this affliction was characteristic of the man. He refused to yield the field of his activities because of it, and only succumbed when death laid its hand upon him. He died as he had often expressed a desire to die—actually in harness. His death ended the career of one of the most remarkable characters my State ever produced.

Mr. LODGE. Mr. President, Senator TILLMAN did not come to the Senate in 1895, as many do, a man unknown beyond the limits of his own State. His reputation preceded his coming. The country had heard about him. The general public knowledge of him was not, perhaps, extensive, but it was distinct and emphatic. To those who looked below the surface it was apparent that here was a man who had wrested control of a famous State from a body of men who, from generation to generation, for 200 years had dominated its politics and its social and economic life. Both at home and in Washington they had brought forth distinguished leaders in public life, who had impressed themselves and their opinions deeply upon the history of the country and made South Carolina a power to be reckoned with throughout the eighteenth and nineteenth centuries. Whatever their mistakes may have been, however extreme their views, they had been remarkable for ability, courage, and force displayed not only by individuals but by families, whose names and achievements were familiar to all the people of the United States. They had retained their power after the Civil War as it had existed before the great conflict which they had done so much to lead and provoke. Then, as the century closed, they were suddenly overwhelmed and defeated by the forces which rallied behind Senator TILLMAN.

To the mass of the American people who did not fully realize the deeper significance of Senator TILLMAN'S victory he was known as the author of the dispensary laws, and his methods of discussion, his "pitchfork," and his reckless frankness in the use of language, of which he had ample command, had made him a picturesque figure and greatly excited public curiosity as to his activities when he reached the Senate. It was for the most part by no means either a friendly or a sympathetic curiosity, but it was both vivid and strong, for it was understood that

he intended to revolutionize the Senate, as he had already revolutionized South Carolina.

Senator TILLMAN was neither the first nor the last who has come to the Senate with such a purpose as that attributed to him, and anyone who has studied the history or watched the movements of the Senate for a number of years knows what has happened to those who have come in from another field determined to change the Senate and overturn its ways and methods. The first fact they discover is that the Senate takes a local or State reputation very calmly and is apt to remain undazzled by its beams. Power and reputation in the Senate must be acquired in the Senate itself. The Senate as a body is very tolerant and generous. There is more personal good feeling, less personal animosity, a more complete desire to be considered with each other, and a greater loyalty to the Senate itself and its traditions than in any other legislative body in the world. But on one point the Senate is firm. It declines to be bored. Its method of declination may not be obvious but it is highly effective. The men who have come here proclaiming their intention of revolutionizing and reforming the Senate have fallen in practice into two classes—those who insisted on continuing to attack the Senate and all its habits and methods and those who sooner or later, generally sooner than later, accepted the Senate traditions and ways of life. The former, very few in number, became bores and found themselves unheard and without influence and have been forgotten. The latter have been successful and often distinguished Senators, influential and effective. It is needless to say that Senator TILLMAN belonged preeminently to the second class. He never bored anyone. However widely one might disagree with him he was always and unfailingly interesting. He came not only to accept the Senate but to be one of its most ardent defenders, supporting its rules, habits, and traditions, and very proud of its history and of its power and importance.

This came about through no sacrifice of principle, but simply because he was a man naturally of strong good sense and open to conviction. He startled the country and the Senate at the very outset by an unbridled attack upon President Cleveland, and I think he even then began to see that in the Senate at least this was not the best method to advance the policies or the principles he had at heart. He came to the Senate also with bitter and deep-seated dislike, I will not say prejudice, against all Republicans and all northern men. Nevertheless, among Republicans and northern men he found before many years had passed some of his warmest personal friends. In these last years he one day made a short speech in the Senate in which he admitted that he had been mistaken in these early opinions and that he had in these respects changed his mind. It seemed, I am sure, to those who heard or read what he said an avowal at once manly and touching. But it was something more than this. It showed willingness and ability to learn, admirable and essential capacities throughout life, and especially to be cherished in old age. It also showed the courage to admit that he had been wrong, and this is a loftier and rarer attribute and a very fine quality indeed.

But if Senator TILLMAN learned to know the Senate and his fellow Senators better and to like them better as the years passed, the Senate also learned much about him. Everyone was aware that he was able, forceful, and possessed of unbounded energy. But Senators found also that the blunt words and the stormy manner when he was roused were far more in evidence in public than in private life. Behind all this was a kindly nature, plenty of humor, a serious outlook on life, and real sincerity of purpose. One at least of those who came in the process of time to know him well discovered that Senator TILLMAN had knowledge of and genuine fondness for literature and poetry—good literature and good poetry be it said—and above all that he was a lover of Shakespeare, a phase of his character not generally appreciated. He was a conspicuous and active Senator for many years and worked hard and faithfully until he was stricken by illness some years ago. After his partial recovery he went on with an uncomplaining and unfailing courage which commanded everyone's admiration until the end came. Never did he appear better than in his attitude toward the war. He never had any doubts. He recognized what Germany meant, and he was for the right and for the war with all his strength. During these years of physical trial and endurance he turned more than ever toward the friends with whom he had been long in service, and grew ever gentler and more kindly. The affection and sympathy which I think he craved, for he had an emotional nature, were freely given. After a long day of many conflicts the evening was calm and peaceful. As I talked with him and watched him amid the lengthening shadows when the sun of life was slowly setting I often thought of Dr. Holmes's lines written for his own seventieth birthday:

> Still as the silver cord gets worn and slender,
> Its lightened task-work tugs with loosening strain,
> Hands grow more helpful, voices grown more tender
> Soothe with their softened tones the slumberous brain.
>
> So when the iron portal shuts behind us,
> And life forgets us in its noise and whirl,
> Visions that shunned the glaring noonday find us,
> And glimmering starlight shows the gates of pearl.

Mr. SWANSON. Mr. President, Senator TILLMAN was one of the most striking and picturesque characters in the public life of America. No one interested or attracted the attention of the public more than he. His mental qualities and his physical appearance were each peculiarly fascinating. He possessed a strong, robust, and compact body; a firm, decisive step; large, expansive, and magnificent brow; clear, dark, and fearless eyes; firm and resolute mouth and chin, indicative of unflinching courage and resolution. He had a somber, serious aspect, which could scarcely conceal the fierce flames of passion and conviction which surged beneath. In speaking, he made very few gestures, but occasionally emphasized a point by a peculiar gesture of arm and finger, which always left a profound impression upon his hearers. His strong physical personality always left upon his auditors, whether of the Senate or public assembly, a most favorable impression. He had a strong, clear, and penetrating voice, falling pleasantly on the ears, never monotonous because frequently tinged with sarcasm or resounding with indignation. These large physical advantages, combined with his mental qualities, made him one of the most effective speakers of his day. I have heard few public speakers who could sway and hold a great audience better than Senator TILLMAN. Wherever he went in the United States large assemblages greeted him enthusiastically and applauded uproariously his bold, striking utterances. In the days of his health and vigor he was one of the most effective debaters in the Senate. Well do I recall, when I was a Member of the House of Representatives, the frequent debates between Senator TILLMAN and Senator Spooner, which crowded the Chamber with Members of the House and the galleries with interested spectators. During his long service in the Senate few of its Members engaged in more important debates than he—few participated in discussing subjects of such large range and variety. He was well informed on all matters, ranging from the smallest to those of paramount importance. In discussing them he displayed accurate knowledge, logical and patriotic conclusions.

Senator TILLMAN came to the United States Senate after he had had a most remarkable and successful career as governor of his State. He had attained political supremacy in South Carolina only after fierce conflict and unremitting combat. He had won at home by the strength of battle—not the art of diplomacy. His methods were those of the fighting warrior, and not those of the negotiating diplomat. This characterized alike his political career in the Senate. He boldly proclaimed at all times his convictions and conclusions, willing to stand or fall on their acceptance or rejection. He indulged in no equivocation, no evasion. He was bold, clear, and defiant, possessing the rare quality of complete intellectual integrity. He did not shirk going to the utmost limit dictated by his convictions and conclusions. This rugged, sterling integrity obtained for him the full confidence of his people. However much others may have differed with Senator TILLMAN, they knew he but gave utterance to his honest convictions. This gave him strength and brought to him a following which no charm of eloquence or intellectual adroitness could ever obtain. Thus all through his political life he builded on the solid foundation of courage and candor. Fear of consequences never made him fail to answer a roll call in the Senate. His integrity was such that when he made a mistake, and later realized it, he never sought refuge in evasion, but frankly and boldly confessed his error.

His intellectual integrity was only equaled by his great moral integrity. Throughout his long political career no stain followed his footsteps—no scandal tarnished his fame. Any corrupt scheme that sought to covertly wind its way through the Senate ever encountered a most vigilant and inveterate foe in Senator TILLMAN. Special privileges and favoritism always found in him a persistent enemy. His service to this country in this respect was invaluable.

His rugged, sterling honesty was one of Senator TILLMAN'S most splendid qualities. Honesty is the greatest of virtues, around which all others cling; without it they wither and fall in dust and weeds.

Mr. President, Senator TILLMAN'S legislative achievements were extensive and most useful to his country. He was a most

industrious worker and legislator. He was constant in his attendance in the Senate, active and energetic as a committee worker. He was the recipient not many years ago of a striking indication of the very high regard and esteem in which he was held by his colleagues when legislation for the regulation of railroads was put under his control and management, although a majority of the Members of the Senate at that time were of opposite political faith. In the management of this measure he displayed parliamentary skill, eloquence, and great information.

His greatest work in the Senate was that which appertained to his duties as a member of the Committee on Naval Affairs, of which he was for some time chairman. He labored incessantly in committee and on the floor of the Senate to make the American Navy sufficiently large and efficient to discharge its responsibilities. His efforts were untiring in this direction. To the accomplishment of this task, which was so dear to his heart, he brought all his rugged strength and pertinacity. Having been closely associated with him in this work, ranking next to him on this committee, I desire to bear testimony to his usefulness and invaluable service. He aided most potentially in having the American Navy properly prepared, and thus made possible its achievements in the war with Germany. The country will ever owe him a large debt of gratitude for his work in this direction. When Senator TILLMAN died the American Navy lost a strong and powerful friend.

Mr. President, my association with Senator TILLMAN was so close and intimate that I was not only cognizant of his splendid qualities as a public man but I was also fully aware of his excellence as a private individual. His private life was moral, clean, lovable, and honorable. He possessed in a preeminent degree strong moral character and integrity. He scorned duplicity and falsehood, loathing a lie. He fearlessly and scrupulously spoke the truth—sometimes almost brutally. I never knew a more tender, devoted husband; a kinder, better father. As a friend, he was steadfast and loyal. Like "Old Hickory" Jackson, his rugged character was knitted together by the strong fibers of friendship and fidelity. Of him it may be said, as was said of "Old Hickory" Jackson, "He never failed a friend, never forgot a favor."

Mr. President, in the death of Senator TILLMAN this country has sustained a great loss. In these trying hours our country needs strong, rugged characters like him, men whose broad and brave shoulders can securely bear national burdens. Our pressing need now is not beautiful and fragrant flowers, but old, gnarled oaks like Senator TILLMAN, to bear the present coming storm and stress. We do not now need eloquent and pleasing Ciceros to gloss over vice and evil and conceal dangers. We need fearless Catos, like Senator TILLMAN, to point out wrong, expose iniquity, and fearlessly meet dangers and difficulties.

Mr. NELSON. Mr. President, in 1876 the so-called "carpet-bag" and negro-rule government, which had come as a result of the close of the Civil War, in South Carolina was overturned, and the political power in the State fell into the hands of the survivors of that political aristocracy which had been in power in the years preceding the Civil War. The men who thus came into power, many of them prominent Confederate officers, continued in control of the political affairs of the State until 1890—a period of 14 years.

In the meantime a spirit of restlessness had arisen among the middle classes, or the so-called "common people," of the State, against the rule of this old-time political aristocracy. This culminated in a movement among the farmers, who formed the farmer organization of the State.

Senator TILLMAN became one of the leaders in this movement, and became a candidate for governor under the auspices and with the support of this farmer organization. It was a drastic and bitter campaign which ensued between the "old guard" and the "new guard" under the leadership of TILLMAN. He was the central figure and the moving spirit of the great political battle from which he emerged victorious at all points.

This was followed by another drastic political campaign in 1892, in which TILLMAN was again a candidate for governor, and in which he was reelected after a very hot and exciting campaign. And finally in 1894 he was elected United States Senator after a bitter and spirited fight, defeating one of the prominent leaders of the old régime.

TILLMAN's victories in these campaigns were so complete that the elements which he and his followers vanquished have never since regained the power they had previously held.

The administration of TILLMAN as governor was on the whole and in the main successful and progressive. He was instrumental in bringing about many important reforms and improvements for the welfare of the State. While he was inclined to be somewhat domineering and drastic in his ways, yet on account of his honesty and sincerity and on account of the wisdom of his measures he was looked upon with favor and became popular among the great masses of the State, and that popularity he retained in full measure until the day of his death.

While Senator TILLMAN had not had the advantages of a full college education, he had, nevertheless, been well trained in one of the academic schools of his State, where he was in attendance for upward of three years. But whatever deficiency there may have been in the training of the schools he more than made up in after life. He was a great reader and a great student, and he confined his readings and his studies largely to classical works of the highest order. He was a wonderful man in energy and perseverance, never at a standstill, always moving ahead, always seeking new worlds to conquer.

Mr. President, it came to pass that he and I took the oath of office and entered the Senate on the same day—the 4th of March, 1895. We soon became intimate friends, and that friendship continued until the time of his death. While at first he seemed somewhat crusty and abrupt, yet I soon discovered that this was but the outer shell of a kind and generous heart and a vigorous and active mind. When he entered the Senate he was a veteran of many a hard-fought political battle, and this had developed in him a belligerent attitude on many public questions, which at times seemed to make him rather impatient of opposition. But, however this might be, everyone recognized his integrity and honesty of purpose, and no one could doubt his earnestness and sincerity. As a rule, there was with him no middle ground; a measure was to him either right or wrong, and hence he was most persistent and vigorous in his advocacy or in his opposition. When he was actively enlisted in a cause there was no truce; the battle must be vigorously fought to the end.

I remember well the first great speech he made in the Senate. It seemed to me to come from a heart full of the evolutions in which he had taken part in his own State. There were many unique phrases and idioms in his speech which gave evidence of this, but on the whole his speech indicated to me that he was at heart sound and that he would zealously labor for the best interests of our common country.

As the years went by he became a good sound debater, more moderate in tone and more charitable to his opponents, and many of his early idiosyncrasies disappeared. He became a ready debater and could take and give blows as effectively as any Senator in this body. His oratory was not of the glittering kind that dealt in lofty and high-sounding periods, but rather of the kind that struck sledge-hammer blows at the heart of the question. He took no pains to sugar coat the points he made. Because of his earnestness and sincerity, and because of his avoidance of all ornament, he became a most powerful advocate or a most dangerous opponent. Above all things he believed in calling things by their right names, and if a scholarly name was not found he would evoke an idiom or phrase current among the people, but not always found in the books, which would oftentimes in its very peculiarity furnish a most potent argument.

Prior to the misfortune which befell him through a stroke of apoplexy he was one of the most energetic and hard-working Members of the Senate, participating in the debates on all important and leading questions. He took a leading part in securing the enactment of the amendatory interstate commerce act of 1906, which gave the Interstate Commerce Commission for the first time the rate-making power, a power that had been sought for, both by the commission and by the great mass of the people, for many years. I well remember the persistency with which he labored in this cause, and the helpful and effective work he did in that behalf.

He was much sought for as a lecturer, in the Northern States especially, on account of his ultra views on the so-called "race question." His discussion of this question was always illuminating and instructive; and while his audiences may not always have agreed with his views yet he always secured a large attendance of good listeners, who, to say the least, were interested in hearing his views on his side of the case.

He was always kind and considerate toward his fellow Senators, and on his lecture tours, if the occasion arose, he would always say a good word for his colleagues, whether they belonged to his party or not.

He was emphatically, in the true sense of the word, a progressive—a progressive in the sense that, although the old may have proved satisfactory, yet if anything new developed, which he found to be better, he was ready and swift to seize upon it.

He was in all things loyal and faithful to the interests and welfare of his State and to the interests and welfare of our common country. He had no patience with shams nor with glittering generalities, and in his debates he gave no mercy to either.

South Carolina has been represented by many able, cultured, and highly educated men in this body, men who commanded attention here and elsewhere; and while Senator TILLMAN may not have had the culture or the gifts of oratory of some of his predecessors, yet I doubt whether any of them rendered more effective and beneficial service in this vineyard of the people to his State and to our common country than did he.

He was an active dynamo in the moral and intellectual world, that gave ample evidence of a brave heart and a strong soul—tireless in the performance of his duties. A Senate composed of such men as TILLMAN would never go far astray and would always be apt to listen to the demands of the people for necessary constructive and remedial legislation.

Had he lived he would, no doubt, have been returned to the Senate by practically a unanimous vote of the people of his State, but the fates willed otherwise. And while he is with us no more, the public spirit which he infused into the political, social, and economic life of his State still survives, and his memory will be cherished for years to come as one of the most beloved sons of South Carolina.

Mr. LEWIS. Mr. President, among those whose fortune it is to contribute a word upon this sublime as well as solemn occasion, to me is given the privilege of expressing a heart's feeling, a thought.

These proceedings, Mr. President, are designated as obituaries. The general mankind, reading of them in the public press, is inclined to the idea that they are a mere formal proceeding, established by custom, and observed in their repetition merely that we might comply with some senatorial courtesy. Others feel, Mr. President, that they are something like a surcease of the political quarrels of the past, and are in the form of a universal forgiveness, while we robe the dead with the consideration we decline them while they live. Partisan conflicts are believed to have been so bitter in this Chamber that time never heals their wounds; nor any form of personal gift of the combatant or charm of manner in individuals ameliorates the asperities that were exhibited in the combat.

Too many assume that these proceedings but envelop with a genial glow the closing chapter of some life where before partisanship had shrouded in gloom. It is not true. It is regretful that the public should have an estimate of that nature. There is no rule of this body which calls upon a Senator to pay his respects to a dead comrade. There is no obligation upon him other than that which applies from man to man in any avenue of life. Utterances such as will be embalmed, sir, in a volume kept as a monument of memory of the deceased are volunteer expressions of admiration and heartfelt praise. We must note the tributes from such men as these two distinguished leaders of one of the great parties of our Nation—one from the East, in the classic scholar, Mr. LODGE, of Massachusetts; one from the West, in the great, strong, sturdy nature of NELSON, of Minnesota. Sir, these are not born out of courtesy, nor do they spring out of mere observance of custom. They were the overflowings of a heart that had become convinced by close association of the merit of the man. They were inspired by that impulse of justice which speaks out here and voices the sentiment to all now living who knew the dead TILLMAN as the living statesman may know how thus his rivals in politics, his opponents in conflict, and more, sir, oftentimes his enemies in party warfare remember him and appraise him as a man.

I have often thought, Mr. President, that when contributions have come, such as from these distinguished gentlemen of our side, called Democratic, toward Democrats, they would be accepted only as a tribute of party associates and regarded as a favor that was due one to whom the party associations have for a while been tender and fraternal; but it is not known to the public that even among ourselves very serious differences often exist as to ways and means and as to methods and objects and likewise, sir, among us the contribution or tribute is never tendered from mere favor or form. It is only spoken because of that conviction of truth, that sense of desert, that solemn justice we owe that deserving man, whoever he is.

Mr. President, if it were in my power, I would abolish our prevailing method of giving obituary—delaying the tribute until convenient time. I would invoke in this body that other rule prescribing that when the solemn announcement of the death of a comrade came to us, and there were those disposed to speak of his qualities and deserts, I would have that duty discharged then. I would not have it so lapse that the memory of him would be dimmed by after events, and those who had known him intimately deprived of the word that could be spoken by those of close familiarity and fresh memory. Yet, after all, I am inclined, sir, as I speak, to another thought. This lapse of time must impress the public with the sincerity of these utterances. Many events have happened since this distinguished man was laid to rest among his friends. Swirling clouds of war flashed with flames of fire, portions of the earth ripped apart, kings toppled, monarchs crushed, while dynasties have passed into the aftermath, to be remembered only as a thing to be despised or to be mourned. Only a strong man, Mr. President, who had impressed his personality greatly upon the soul of man, could have been remembered during such times as these and could have invoked from men the expression so firm in praise and so strong in love as that which has come from these who have spoken to-day of this one man—TILLMAN.

Only great merits of such a man carved in deeds upon the hearts of his fellows could have been reflected after such events. The ordinary man, to whom a tribute out of courtesy would have been given, would have been forgotten in such an hour. It is only a great star shining among planets, whose light could illume through such darkness amid which we have lived. Only the attributes of the great, sir, who have remained to reflect their glory upon mankind in such scenes as those which, amid fire and death, and universal carnage, still survive. And if the time has lapsed—which I deplore—from custom, it is to be said that in this particular instance it has served as a test of this man's great deserts. It must now be certified that amid it all and through it all still he could remain an ever-gleaming light, pouring its radiance about the hearts of his friends and reflecting again that splendid flame of character of this dead master. It must ever live as a beacon to guide the children of the State he honored with his sublime service.

Sir, Senator TILLMAN was, as these distinguished Senators have said, but a plain man; and yet what greater men have we among greatness than those who are plain men? We recall for a second the lines that Tennyson translated from the heart of that returning statesman, who from an humble farmer to premier found himself in his boyhood village. After a career of greatness in public life, he returns to where once he followed a plowshare. He looks about him, and musing stands:

> Dost thou look back on what hath been,
> As some divinely gifted man,
> Whose life in low estate began
> And on a simple village green.
>
> Who breaks his birth's invidious bar,
> And grasps the skirts of happy chance,
> And breasts the blows of circumstance
> And grapples with his evil star.

Ah, behold! That is the "pillar of a people's hope," and the "center of a world's desire."

Sir, what was the object of this man, BEN TILLMAN, citizen of the United States? Mr. President, my mother's family was from the State of South Carolina. They were the Hamiltons—I am carrying their name. The mere suggestion indicates to you, sir, that I was necessarily interested in the State from the earliest time of my life and that I must ever be interested in the affairs of its men. I left the South very early, and found my home in the West, and have remained a western man. I entered the House of Representatives in 1897, and had the delight to serve with such comrades as I see sitting about me—the eminent Senator, now chairman of the Naval Affairs Committee, succeeding Senator TILLMAN, Mr. SWANSON of Virginia, whose public service has been shown in so many characters and in so many high places of civilization; also the distinguished Senator from Colorado, Mr. SHAFROTH, whose contribution in all things to the welfare of his country is praised by those who know him. I can recall that it was one of our occupations, when we were not busy in the House, to come over to the Senate when we heard that TILLMAN of South Carolina was to engage in some form of debate or conflict. As the Senator from Massachusetts and the Senator from Minnesota have well said, he attracted attention from the mere fact that he was to speak.

Mr. President, let me say, sir, on this solemn occasion, yet, sir, with all the deliberation it commands, it was not so important in those days as to how he said that which he did; it mattered not in what words these phrases should be graced; nor particularly, sir, does it dwell now upon the mind of man as to whether they disclosed college education, the finish of literary adornment, or the perfection of phraseology. It was that the man felt justice; it was that his constant struggle in life was to do that justice to man; it was that the very soul about him surged and bent to the single purpose of having justice done by

his Government, aye, to its humblest citizen, and for this, to this, and through this he spoke.

Mr. President, I have lived through two epochs in this Government when to my mind, reflecting the lessons which the page of history gave me, there was suggested time and time again how near my country was on the verge of a civil revolution. One of these, sir, was in the years when I first came into public life, following 1896—in the year 1897. It was at the end, sir, of what was called a Democratic administration. Without regard to what might be said to be the right or wrong of measures which were then in force, or, sir, of the policies which were then invoked, it is sufficient to recall for a moment that there was a public mind throughout the land which, because of financial distresses, and not understanding the causes that brought them forth, was on the eve of overturning all of the fixed institutions of our fabric, and would have been content to do so in any form that should have presented itself to their successful undertaking. Do you realize, Senators, that but for such men as Ben Tillman, who was understood to represent the humble people, to speak for the great rights of civilization, to speak for that great mass of mankind who find themselves squirming beneath the feet of men—that but for such as he, in whom that class had confidence and felt he was for them—the people—this land of ours never could have escaped the fate that has followed all other lands since history threw its light on civilization under similar circumstances—revolution?

It was the manner of such a man, the expressions of such a man, the purpose of such a man and of his kind wherever they were, sir, which saved the Republic of the United States, and held it firm to the center of its purpose, a peaceful government of the people, by the voice of the people. He therefore, sir, contributed a great service to the Republic. Without being conscious of it, and perchance without having it in his purpose, he was one of the few who cemented our country again together when it was about to part like a ship in the mad waves of a vengeful sea.

When men shall come to consider such a man, may we not recall the atmosphere in which he lived, the time in which he spoke, the conditions he met, the remedies he offered, and the result of his contributions? By these may he not be measured? And since the tendency of us all is to look to smaller things in human life and by this diminish the real measure of greatness in the altogether, we may appeal to future history, and shall consider this great truth, to recall what was the results and the sure effect of such a life as he lived, such offerings as he gave, such services as he brought to his land in such an hour as they were given.

Mr. President, there was another period which fell to the peril of insurrection with what was called Republican administration. This was in the fall of 1912. It began in the spring of 1912, following the year 1911, culminating in a spirit in this land of a political upheaval partaking of resentment against party arrangement and party organization, and against every form of established government. Had there not been strong men on all sides to come forth at such a time and point out where the real evil was and how it could be remedied by the people themselves, there would have been a revolution in America. There was a spirit in the land that cared nothing for ancient institutions, that knew neither the fathers of the past nor recked of their glory. Sir, this and other reasons similar to that in effect which followed immediately what was known as the Cleveland administration, produced a situation that promised to overturn the courts on one hand, to dispense with all our forms of legislation throughout and end in the wreck and ruin of our form of civilization.

One can only conjecture what might have followed had it not been for the course of honest, faithful, strong-hearted men, who arose and spoke the truth without fear, placed the evil where it belonged, and registered responsibility at its just place and spoke the real remedy for the wrong endured. Tillman was one, and here in this Chamber his voice could be heard long after the expiration of 1896. Twenty years of public life had not changed his creed or modified the sincere, patriotic effort he made for mankind. He was one of its legislative saviors.

Senators have said and rightfully that men serving on this floor with each other become mollified; that they become softened; that the spirit of attack vanishes; that party contest wanes. One stands like a vestal near the flame with the swinging incense of friendship perfuming every conflict. But, sir, however true that may be, and doubtless is—and long may it continue, that we may ever be prepared for that last day when we speak the word for our friends—still, sir, as to this man neither fear of men nor partisanship of politics nor favor from his own nor affections of home ever moved him from his conviction.

Nor, sir, did the beckon of riches or the opportunity of wealth seduce him from his firm sense of right, and when he began his undertaking for men he remained true to the end. It was because of the confidence of the multitude in such men, in whom they beheld the rock around whom the vine might entwine in beauty yet remain fixed in unshaken strength. Truly, sir, his voice and character was the rock of our salvation. When we reflect upon this we can but slightly measure the service such a man does a country such as ours, founded upon the will of the people and only abiding in the faith the people have in the honesty of men.

Senators have referred to the last days of this distinguished statesman. Mr. President, in civil government his decree was justice to men, in war the duty of patriots. From neither did he ever veer. As the Senator from Massachusetts [Mr. LODGE] has well said, his eye was fixed to see through the long distance the great danger that was upon us in a later hour. He did not parley with it; he did not compromise with it nor smother its expression from fear in any quarter. His was again the drawn ax, that he might smite the head of the foe when raised to endanger his country.

The Senator from Virginia [Mr. SWANSON] well spoke of Senator TILLMAN'S efforts in behalf of the Navy. The distinguished head of the Navy, the Secretary of the Navy, Hon. Josephus Daniels, who bore the great burden in such hour, is here sitting with us. He found no aid greater, none stronger, none more patriotic, and none more sure and more uncompromising in his championship than this chairman of the Naval Committee.

Mr. President, I know the South. It was not easy for BEN TILLMAN in time of peace to stand here in support of a large Navy. He came from a State whose people were carefully considerate, among whom were few millionaires. The rich were the exception. They were inclined by nature and from a Commonwealth of past conviction inclined to resent on the part of their public servant unnecessary appropriations that would bring large taxes and heavy burdens upon their people and their earnings. No one knew this more than TILLMAN. He knew this necessarily attracted about himself a possible political opposition from which he might have to pay that penalty which public men pay for outrunning their constituents and guiding instead of following them.

But, nevertheless, sir, he did not make measure of that event. The duty of his whole country was the sole standard to him. He was willing to trust the intelligence of South Carolina. He knew her humble people as he did her superior people, and that if he were to go to them with the truth, it would be the truth that would not only make them free but save him from any injustice which might otherwise befall him. It was that feature of independence in politics that characterized him, so different from any men around him, and which justify on this day these attributes of praise which are so willingly and sweetly rendered by these his comrades who were a generation and more in public life with him.

Mr. President, I knew him as a friend. I did not hesitate to go to him for counsel. To him I had no pride in confessing blunders, which of course in all men's lives are many. I never knew a man to whom I could go with greater hope for consolation and for a sure sense of guardianship than to this man TILLMAN. It is because of this that I recall it. My sense of obligations is but different from that of his other dear comrades. I knew him as a friend, and as such I mourn him and miss him.

But, Mr. President, there was one thought which I can not omit. Those who knew him closely would ever be impressed with his Christianity. There was about TILLMAN a sense of responsibility to God and Heaven to which he felt he would some day make his last return. Sir, whatever else might have been, when that time came there would be nothing for him to seek to hide. There would be nothing which he need seek excuse from his fellow mankind. His religion was to him consoling, ever guiding and ever inspiring him. His religion was faith in God, his belief the teachings of Christ, his creed love for his fellow mankind.

This is all, sir, that nursed him through those days of illness which distinguished Senators have alluded to; it consoled him in such hour as he was by his affectionate and tender wife, who never tired, and his children about, who never wearied in their service for him. He clung to life as a duty to them. Many times we have seen him here when we knew his oppressed physical condition would not permit or justify it, yet out of duty to those around him, at the sacrifice of physical comfort, he would ever be with us in the discharge of the duty he owed to God and to man. Where will we find in after days a nobler example for men to pattern by than such a character?

Mr. President, South Carolina has contributed many great men to the world of circumstance in America, and she has inscribed in perpetual history such memorial as time affords to the names of great heroes and wondrous statesmen familiar to us. We recall them easily. John C. Calhoun was a master of sophistry, a philosopher of government—in the science of it as it is written. Hammond was distinguished by reason of something of the insistence on that class distinction which prevailed too long in the South and to her great injury; Butler, the example of noblesse oblige. In his personality he ever commanded respect and admiration. Hampton personified the valor of the soldier and the character of those who gave much of life for what they believed and could not understand the difference of another as against them or as neglectful of all their people's sacrifice.

But in TILLMAN there was the philospoher of government—that government that meant justice to all men equally wherever possible under the law. There was the courtly gentleman who knew not how to swerve from duty, with the courage of the soldier, a courage which never shrank in an undertaking, that meant the preservation of the country and the maintenance of its honor. He passed through all the stages represented by all others and in himself personified their virtues. In these days of great victories where they have been garnered by other men with every opportunity of favor or partiality, BENJAMIN R. TILLMAN leaves in his life and memory a monument of achievement over all obstacles to which after generations of his State will ever point with pride and glory, one which will inspire all children to noble efforts, and put upon their lips a chorus of praise in the coming day and in after time in the new regeneration of this, our Republic. Those who knew him will praise God that our world could produce such a man as BENJAMIN R. TILLMAN.

Mr. POLLOCK. Mr. President, in all ages and amongst all civilized peoples it has been an honored custom for the living to pay tribute to the dead, and so to-day we are met here in response to that custom to pay a meed of tribute to the memory of the distinguished Senator from South Carolina, whose seat I now have the honor to occupy.

The first ballot that it was ever my privilege, as a citizen of South Carolina, to cast for governor of my State was cast for BENJAMIN RYAN TILLMAN in 1892. The first ballot that it was ever my privilege, as a member of the General Assembly of South Carolina, to cast for United States Senator from my State was cast for the distinguished American Senator to whose memory we would to-day pay tribute.

Occupying the same seat that he so well and ably filled for nearly 24 years, succeeding him for a short time by the suffrage of the same people whom he loved so well, called upon by the people of South Carolina—his people and mine—to complete the service which they had intrusted to him, I must confess to a deep sense of my inability to pay full tribute to him as well as confess to my inability to render a service in this body comparable with the great record which he made for himself, his State, and his country, which has placed him in the front rank of not only the greatest of Carolina statesmen, but also amongst the greatest statesmen that our whole country has produced in its nearly 150 years of national existence.

The life and career of Senator TILLMAN should be an inspiration to the young manhood of America which has not had a full chance in the race of life. Coming on the scene of action immediately after the great Civil War, when his State was prostrate, his people poor, his opportunities circumscribed, without means and without educational facilities, he was compelled to work by day and study by night. He soon realized that the poor man without education fought an unequal fight, and he undertook to educate himself by study and reading whenever time permitted. Denied the education of a college, he turned to the university of hard knocks and hard work, and for many years he toiled to support his father's family and to store up knowledge of men and affairs. Living and making a living on a poor farm in South Carolina, under most adverse circumstances, he realized the hard lot of the poor and unfortunate, and it seems to me that then it was he must have read the words of Charles Dickens:

> If ever household affections and loves are graceful things, they are graceful in the poor. The ties that bind the wealthy and the proud to home may be forged on earth, but those which link the poor man to his humble hearth are of the truer metal and bear the stamp of Heaven. The man of high descent may love the halls and lands of his inheritance as a part of himself, as trophies of his birth and power; his associations with them are associations of pride and wealth and triumph; the poor man's attachment to the tenements he holds, which strangers have held before and may to-morrow occupy again, has a worthier root, struck deep into purer soil. His household goods are of flesh and blood, with no alloy of silver, gold, or precious stone; he has no property but in the affections of his own heart; and when they endear bare floors and walls, despite of rags and toil and scanty fare, that man has his love of home from God, and his rude hut becomes a solemn place.

His love of home, of wife, of children, his beautiful home life that he learned to live while he was yet poor and obscure, is evidence that the great novelist knew the real human heart, and it seems to me that in his early life our lamented friend must have breathed the same spirit that the same author expressed when he said:

> Oh! if those who rule the destinies of nations would but remember this—if they would but think how hard it is for the very poor to have engendered in their hearts that love of home from which all domestic virtues spring, when they live in dense and squalid masses where social decency is lost, or, rather, never found—if they would but turn aside from the wide thoroughfares and great houses and strive to improve the wretched dwellings in byways where only poverty may walk—many low roofs would point more truly to the sky than the loftiest steeple that now rears proudly up from the midst of guilt and crime and horrible disease to mock them by its contrast.

With such an inspiration BENJAMIN R. TILLMAN must have been filled when he went out from his humble home and obscure place to lead the ignorant and the poor out into the bright light and clear sunshine of equal opportunity and freedom, and commenced to teach them anew the truth that Jefferson had written in the immortal Declaration of Independence, "That all men are created equal; that they are endowed by their Creator with certain unalienable rights; that amongst these are life, liberty, and the pursuit of happiness. That to secure these, governments are instituted amongst men, deriving their just powers from the consent of the governed."

With this in mind he must have carried on his memorable campaign of education amongst the masses of the people of South Carolina and taught them how to vote in order that they might conduct their government in the interest of the whole people. About 1885 Mr. TILLMAN commenced a crusade, first through the press and later from the platform, to secure for the impoverished people of South Carolina better conditions of living.

The first speech that he ever delivered in public, in so far as I know, was delivered at Bennettsville, S. C., in the summer of 1885, and I well remember as a boy of 15 years of age hearing that speech in company with my father. Mr. TILLMAN was unused to public speech and had a prepared speech to read, but he had not proceeded far in a most awkward reading of it when he became disgusted with the attempt and threw his manuscript aside and launched out hesitatingly in the delivery of an extemporaneous speech which soon gained impetus and carried his audience with him. I shall never forget the expression of my father as we left the courthouse when he so well expressed my own youthful sentiments: "That man is a diamond in the rough," and so he afterwards demonstrated, but as time passed on the rough diamond was polished and smoothed and became the brightest jewel in the political crown of South Carolina, and one of the most brilliant stars in the American Nation.

The masses of the people had taken but little part in the political affairs of the State; he educated them to a realization of their rights and obligations. They had but poor educational advantages; he educated them to the idea that they were entitled to an education at the hands of the public. They had no college for the farmers' boys where they could educate the future farmers of the State; he builded Clemson College. They had no college for the young women of the State, and he caused Winthrop College for women to be builded. Each of these institutions now enrolls more than 1,000 students, and they stand as perpetual monuments to Gov. B. R. TILLMAN. Tens of thousands of young men and young women have received an education at these institutions which otherwise they could not have received, and their lives of usefulness are living pages in the book of life of Gov. TILLMAN.

He builded up the common schools, and so improved them that now a school is in the reach of practically every boy and girl within the State, as adequate, possibly, as the average State can afford.

He caused a better system of analysis and inspection of fertilizers, and so prevented the practice of mammoth frauds on the farmers of the State.

He contributed largely to the adoption of the primary election system of nominating all officials, and thereby gave equal rights and privileges to all. He caused a constitutional convention to be held, and it adopted a constitution which greatly improved the organic law of the State and preserved for the time being the Anglo-Saxon civilization of the State. He grappled with the liquor evil, as then exercised through open bar rooms, and realizing the necessity for the backing of public opinion, which was then not ripe for prohibition, instituted the system of State owned and controlled dispensaries, which subsequently became

corrupt, but which paved the way for abolition of the whisky traffic in South Carolina.

All these things were accomplished only after the hardest and bitterest of political conflicts—bitter because he was bitterly opposed and criticized; hard, because the opposition to Mr. TILLMAN was led by many of the best and brainiest men in the State who had controlled its policies and destinies and who could not see that a new day had dawned in the State.

In 1890 a preliminary convention of the representatives of the reform faction of the Democratic Party, headed by Mr. TILLMAN, was held in March, and this convention nominated a full State ticket, with Mr. TILLMAN as its candidate for governor, to be run for the regular Democratic nomination, and provided for a joint debate at each county seat between the candidates so put forward and any other candidates that might offer. Some of the most brilliant men in South Carolina joined issue with Mr. TILLMAN in the campaign, but his brilliant intellect, his keen wit, his ready retort, and his great learning were equal to every demand, and he carried the election with a tremendous majority and received the Democratic nomination. Bitter attacks were made on him, and this bitterness brought forth bitterness in return; but when the campaign was over he was ready to say, as Grant said after Appomattox, "Let us have peace." But not so. The opposition put out an independent candidate against him, but he was elected by an overwhelming majority, carrying every county in the State. He has since had the opportunity to pay a remarkable tribute to his competitor for the Democratic nomination for governor in his first race for governor, the Hon. Joseph H. Earle, who was subsequently his colleague in the Senate for a short time, and this tribute paid on the floor of the Senate shows that Mr. TILLMAN could fight a good fight, a hard fight, a bitter fight with a worthy antagonist and yet retain the respect of that man and at the same time retain a high regard for the virtues of an honorable antagonist, and such his antagonist was in 1890.

In 1892 he was a candidate for reelection as governor of South Carolina, and he was opposed in the primaries by that brilliant orator and courtly gentleman, ex-Gov. John C. Shepherd; and again Mr. TILLMAN had an antagonist worthy of the best, but so strongly was he intrenched in the hearts of the great masses of the people that he was reelected governor of his State for another term, during which he retained his wonderful hold on the regard and affections of his people, so that at the expiration of his second term as governor he was able, after a memorable campaign, to defeat the gallant Matthew Calbraith Butler, who had so well and so long served his State in peace and in war; and thus began his great senatorial career.

I shall not dwell at length on the record made by Senator TILLMAN in this body. Many of you who served with him know that record more intimately than I do. Some of you remember the inexperienced legislator who came here with his pitchfork. You saw him in action, you heard him in debate, you counseled with him in conference, and you had the opportunity of learning the massiveness of his intellect, the bigness of his heart, his desire to serve his party, his State, and his Nation.

When others left the Democratic Party, believing that the interests of the people could be better served through the Populist Party, he kept his followers within the Democratic Party and tried to make that party more truly representative of the masses of the people; where evils had crept into his own party he did not hesitate to point them out and seek to correct them. When the Republican Party was in power he did not hesitate to join issue with them in any matter that did not comport with his sense of civic righteousness, and some of his speeches on the great political problems of the past quarter of a century will go down in history as classics of the period. His fights against special privilege, his demand for a greater and more elastic currency, his opposition to the exorbitant prices charged for steel plate for battleships, his struggles against harmful monopolies—all these are matters of history and can not be overlooked by the future student of American history; but possibly the greatest service that it was his fortune to render the American people was in the upbuilding of the American Navy while he was a member and chairman of the Naval Affairs Committee, and the last official act of the distinguished Senator, the last signature that he ever placed to any document, was his signature to the conference report on the part of the Senate to the greatest naval bill that ever passed the American Congress. Under his chairmanship of the Senate Committee on Naval Affairs the American Navy was so increased and builded up that it now stands second only to that of Great Britain, and that Navy, with the assistance of those of our allies, made it possible for America to send across the ocean more than 2,000,000 of American soldiers to join with the other legions of liberty in the great war of democracy and freedom of the world without the loss of a single American transport. Under his leadership great navy yards were built and improved in all parts of the country where needed, and the one on the coast of his own State will always be linked with his name and remain a monument to his memory.

He loved his fellow man, he loved freedom, he loved liberty; and when the civilization of mankind was at stake, when the freedom and liberty of the world were threatened, when oppressed people were crying out for assistance, when American rights were disregarded and invaded, when the American flag was insulted, he declared that these conditions were intolerable and that he would vote for a declaration of war against Germany whenever the opportunity presented, and he lived to see his country and yours take its proper place in the affairs of the world, but alas! the grim reaper carried him over yonder before it was given to him to see the glorious emblem of liberty and freedom floating over the victorious troops of free America on the fields of France.

He played his part like a man, he fought his battles like a soldier, he died in the service of his country, as he wished to do, and his State and his country are the better for that he lived. He is gone but not forgotten. The memory of his service and achievement will linger long after all of those who knew him, who loved him, and respected him, shall have joined that great invisible host in the eternal over yonder.

Mr. President, as a further mark of respect to the memory of the late distinguished Senator from South Carolina, Hon. BENJAMIN R. TILLMAN, I move that the Senate stand in recess until to-morrow at 12 o'clock noon.

The motion was unanimously agreed to; and (at 12 o'clock and 30 minutes p. m.) the Senate took a recess until to-morrow, Monday, December 16, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SUNDAY, *December 15, 1918.*

The House met at 12 o'clock noon, and was called to order by Mr. LEVER as Speaker pro tempore.

Rev. F. Ward Denys, of Washington, D. C., offered the following prayer:

Almighty God, Father of all who have gone, to whom we come at this time in solemn consciousness that we ourselves must all sooner or later enter the realm of the everlasting, we invoke Thy divine guidance on this occasion, that this memorial may be a fitting expression of that which concerns the one who has gone into the realm which we all must enter, and that that which is said of him may become an imperishable evidence of the services that he, as a faithful servant of his Master and of his country, rendered in these Halls prior to his going to the halls of lasting glory. These and all things we ask in the name of Him who is the author and soul of all that is good and true and beautiful; amen.

THE JOURNAL.

The SPEAKER pro tempore. The clerk will read the Journal of the proceedings of yesterday.

Mr. BYRNES of South Carolina. Mr. Speaker, I ask unanimous consent to dispense with the reading of the Journal.

The SPEAKER pro tempore. The gentleman from South Carolina asks unanimous consent to dispense with the reading of the Journal. Is there objection?

There was no objection.

EULOGIES ON THE LATE SENATOR TILLMAN.

The SPEAKER pro tempore. The Clerk will report the special order for to-day.

The clerk read as follows:

On motion of Mr. BYRNES of South Carolina, by unanimous consent,

Ordered, That Sunday, December 15, 1918, at 12 o'clock noon, be set apart for addresses upon the life, character, and public services of Hon. BENJAMIN R. TILLMAN, late a Senator from the State of South Carolina.

Mr. STEVENSON. Mr. Speaker, I offer the following resolutions.

The SPEAKER pro tempore. The gentleman from South Carolina offers resolutions which the clerk will report.

The clerk read as follows:

House resolution 480.

Resolved, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. BENJAMIN RYAN TILLMAN, late a Senator of the United States from the State of South Carolina.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of these exercises, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The resolution was agreed to.

The SPEAKER pro tempore. The chair recognizes the gentleman from South Carolina [Mr. STEVENSON].

Mr. STEVENSON. Mr. Speaker, the passing of Senator TILLMAN was an event which marked the closing of a remarkable career of a man in a remarkable period of the history of South Carolina and the history of the United States. I had known Senator TILLMAN since the beginning of his public career, and I desire to express what I have to say about him under three periods.

The first period of his public career was one of political agitation. Business conditions in South Carolina were at a very low ebb in 1885, when he opened his career as an agitator for the betterment of the agricultural conditions in the State. There was no agricultural educational facility worth the name in the State of South Carolina at that time. There was practically no agitation looking to the betterment of agricultural conditions and, although 10 years had elapsed since the people of the State had regained control of their affairs, there was probably less prosperity than there had been 5 or 10 years before.

At a meeting at Bennettsville, in the greatest farming county, from the cotton standpoint, in the cotton belt, in August, 1885, Mr. TILLMAN startled the State by an assault upon the dry rot, as he termed it, which was prevailing in South Carolina, and an assault upon what was considered to be the ark of the covenant, almost, upon which you did not dare to lay your hands. He brought about an agitation which was far-reaching, and whose effect has not yet ceased to be felt in South Carolina.

At that time Capt. TILLMAN as he then was—captain of the Edgefield Hussars—had never asked for or held public office. He disclaimed any desire to hold public office; but he contended that there should be an agricultural institution in South Carolina which should have nothing but agricultural and mechanical education as its object, and have the united support of the agricultural interests of South Carolina.

A good deal of confusion has arisen as to the establishment of the institution which grew up out of that agitation. Claims and counterclaims have been made as to who established it. As a matter of fact, the legislature of 1888, before Senator TILLMAN became a public servant in any capacity, accepted the bequest of Thomas G. Clemson, and provided for the establishment of Clemson College, and in 1889 they made provision for the construction of the building. So many have contended that it was not the work of Senator TILLMAN, because he did not come into power until December, 1890, when he became governor of the State; but they overlook the fact that the agitation which he set in motion brought about the will of Thomas G. Clemson, who left the John C. Calhoun estate to the State of South Carolina for the purpose of establishing Clemson College, and made Senator TILLMAN one of the life trustees in that will.

Therefore it can not be questioned that this agitation promoted the establishment of that institution, which was the apple of his eye as long as he lived, and which is one of the greatest agricultural institutions in the United States, and which has given untold benefits to the State of South Carolina. That is the fact as to the establishment of Clemson College. It was to TILLMAN, not as the Governor, not as the legislator, but to TILLMAN as the political agitator, to whom we owe Clemson College, without any question or possibility of cavil, for that agitation before he ever aspired to public office forced the acceptance of the bequest and the establishment of the institution.

Senator TILLMAN was not a man who was unknown to political life, although he had never aspired to it. When he began his agitation, it is instructive to look at the associates with whom he had grown up. The list of those who were in power in South Carolina, his fellows around the board when they met in social communion, were men of great distinction: United States Senator M. C. Butler, from Edgefield; Gov. John C. Shepherd, from Edgefield; Congressman George D. Tillman, his senior brother, from Edgefield; Commissioner of Agriculture Andrew Pickens Butler, from Edgefield; chairman of the Railroad Commission of South Carolina, Gen. Milledge L. Bonham, from Edgefield; solicitor of the judicial circuit in which he lived; Richard G. Bonham, from Edgefield; United States district attorney, Leroy F. Youmans, from Edgefield, first attorney general and then district attorney—these were the representatives of his county when he began the agitation and were his associates of a lifetime.

To be sure they indicate that certainly in Edgefield political prominence and power were not wanting, and they indicate the fiber of the man who, with his own brother serving in this Hall, instituted a crusade against the conditions that then existed that was destined to hurl from power every man I have named in this distinguished list and leave them as political wrecks upon the shores of time. And yet Senator TILLMAN made that beginning, and the beginning culminated in 1890 when, at the call of the Farmers' Alliance, organized to attempt to ameliorate the conditions of this country, which was then in the throes of a financial panic, he became candidate for governor and was triumphantly elected in 1890.

And that began the period of his career as governor. That career, Mr. Speaker, was one of very distinguished ability and very distinguished ideals. The first and the greatest of his constructive ideas was the establishment in South Carolina of an institution for the technical training of the girls of that State, which has grown now to be the jewel of all of our educational institutions. And yet the statement is frequently met that he was not the founder of Winthrop. That is true in one sense of the word. Winthrop College, for the training of the girls of the State, was founded as an institution in 1887. The annual appropriation for it was $5,200 a year, a paltry pittance beside the $150,000 that we were spending for education of the males of South Carolina.

When he came into the governorship one of his first moves was to provide for the establishment of that institution on a firm basis, and in the legislature of 1891 provision was made for the obtaining of a site and suitable building and making proper appropriation, and it was carried through by the people of Rock Hill, one of the progressive communities of the State, giving the State $60,000 to establish the institution within their midst. And to-day they house within the walls of that college, I believe, 1,500 girls, and could house 1,500 more if suitable buildings could be erected; and we appropriate $130,000 every year merely for the support of the institution. Directly as the result of his far-seeing statesmanship toward the education of the youth of South Carolina, you will find 80 per cent of the teachers in the public schools of that State who are the direct product of that great institution. And you go into the homes of South Carolina, all over the State, and you see them shaped by the splendid education that has been received in that college. I say that is the crowning work of his life as governor.

He did several other things. The next was the solving of the suffrage question. We were confronted with a majority, on the popular vote of South Carolina, of 40,000 colored people—40,000 colored votes if they all voted. It had been by the most strenuous and sometimes the most questionable methods that we had maintained white civilization and the control of the white people after we had once regained control, which it took a revolution to do. Senator TILLMAN by his influence as governor brought about the holding of a constitutional convention which settled the suffrage question, in my judgment, forever for South Carolina, because the census now shows that the increase in the white race has so greatly exceeded the increase in the colored race that the voting strength is now equal if all are registered and all capable of registering. But it was his statesmanship that forced the calling of a convention which put an educational and a property qualification upon the one who desired to vote, and the provision was made absolutely equal to all. All a man had to do was either to be able to write and to read the Constitution or have $300 worth of property on the tax books subject to taxation, and he could register and vote.

I have heard a good deal said sometimes in this hall about the discrimination against the southern colored man as to voting. There is no discrimination and never has been in South Carolina since the adoption of this constitution. That was the handiwork of Senator TILLMAN; and next to the establishment of Winthrop, I consider that the greatest work he ever accomplished in State affairs.

He did another thing which shows the remarkable boldness of the man, when he put the State of South Carolina into a monopoly of the liquor business, which most people concede now was a mistake and which after 14 years passed away. And those were the three great highwater marks of achievement in his career as governor.

As a United States Senator he came to office at a time when the people of this country were crying out for an increased circulating medium, when our circulating medium was $27 a head. And when we reflect that to-day it is $56 a head, we can see what an enormous advance has been made. And he arraigned himself on the side of those who were in favor of a great increase and great elasticity in the currency of this country, which has been justified by the enactment of legislation in the last few years

which has relieved the stringency and inelasticity of finance of this country to such an extent that Senator TILLMAN has been justified in every position he took on the financial question.

He also came here at a time when we were practically without a navy and when the construction of a navy was tied up by the extortion of the Steel Trust. He won the title of "Pitchfork Statesman" in his assault upon the people who furnished the armor plate for the construction of our Navy, a title that has gone with him to his grave as a title of honor and one of which he was more proud than of any other title he ever received.

And his history here as United States Senator was bound up with the history of the development of the Navy and the development of the interests in building up the Navy until it was crowned by the establishment of an armor-plate factory, for which he contended 15 years before it came, and the administration and the efficiency of a Navy which has been a thing of pride and a comfort during the late war through which we have passed and we have all had to acknowledge the efficiency, the power, the modesty, and the high-toned conditions of this branch of the service.

As a literary man the Senator was unequaled and unsurpassed in the use of the English language, in logic that went to the heart of every matter, and his most conspicuous effort, in my judgment, in that line was the correspondence conducted with Mr. Henry Watterson, of Louisville, Ky., and Mr. George Harvey, of New York, a few years ago when they combined in an assault upon the then Gov. Wilson, of New Jersey, who was being talked of as a candidate for the Presidency, and a perusal of the correspondence between Senator TILLMAN and them will show how he unhorsed the two past masters in the use of English, and swept away the cobwebs of injustice which they were hanging about the neck of Mr. Wilson; and this helped materially to promote Mr. Wilson's nomination and election to the Presidency.

Now, I want to say just one word as to Senator TILLMAN'S private life. For 33 years he and I were personal friends. We frequently divided politically, but the personal relations between us have always been the most cordial; and I consider the strong point which made him unassailable in almost every walk of life was the beautiful character of his family life, which caused him to lean upon and trust and take counsel of his helpmeet, his wife, who stood around him like a protecting wall through all these years; the family life of that man was a benediction, and such a signpost as to point every man to the way of high living in social circles, such that no finger of scorn and no tongue of scandal assail.

Mr. WALSH. Mr. Speaker, we are met to pay tribute to the memory of one of South Carolina's great men, in order that the record of this Congress may contain some comment upon the career of one of her great statesmen. It is unnecessary that tributes should be paid in order that his State or the Nation might be impressed with the great value of his services, or with the nobleness of his character, because his service in the Nation's Congress speaks for itself. It was not my privilege to have known Senator TILLMAN intimately, but I recall as a young man, when following speeches and the career of men in the United States Senate, the impression that was made when he first came to the Capital of the Republic. I remember how he came before the attention of the citizens of the Nation and left his mark as a fearless statesman. He impressed me as one who despised all sham, and he was not afraid to speak plainly upon any issue or upon any question. He went to the meat of any subject which he undertook to discuss, and he argued and debated with a strength that impressed one as a man discussing a question with his whole soul.

I happened to be designated upon the committee that went upon that sad journey when the remains of Senator TILLMAN were consigned to their last resting place. No one who was present upon that occasion but would be impressed with the sense of loss that was apparent amid the surrounding throng who came to attend the funeral exercises. As I before stated, he was one of South Carolina's great statesmen. He left behind him a name which will be remembered and revered in the days to come. That State has given many great men to the Nation's service—Calhoun, Hampton, Butler—but in these days those who have been privileged to serve with BENJAMIN RYAN TILLMAN I am sure will be of the opinion that his name and his career are fit to be placed upon the same high pedestal to which we look when we think of those men who went before him.

I am reminded that Senator TILLMAN at one time delivered an address in which he compared and linked up, so to speak, the great history of the Commonwealth of Massachusetts, which I have the honor in part to represent, and that of the State of South Carolina. It is significant, Mr. Speaker, that to-day in the other branch of this Congress, the senior Senator from my State is among those who are paying tribute to the memory and career of Senator TILLMAN. I refer to the senior Senator from Massachusetts, HENRY CABOT LODGE, who I believe was designated by Senator TILLMAN, either just before his death or sometime ago, to speak upon his career when he should have gone.

Senator TILLMAN, although he brought great fame to the State of South Carolina, will stand forth not only as one of that State's great men, but as one of the Nation's statesmen, one who was intimately connected with many of the great problems with which we have had to contend in these later years. I was interested in hearing of his early activities in the State of South Carolina, and how with that remarkable courage, that indomitable will, he forced himself and the issues which he stood for to the front and gained a place among the councils of his State. We pay this tribute with respect and reverence, with the assurance that his memory will ever be kept green, and that his career will be looked upon as a worthy example to those who aspire to represent others either in the State or the Nation.

Mr. DOMINICK. Mr. Speaker, BENJAMIN RYAN TILLMAN sat in the seat of the immortal Calhoun in the United States Senate for nearly 24 years—a longer time than anyone else has served as a Senator from South Carolina. At the time of his entry into South Carolina politics I was only a boy, but the events that followed and the leading part he played for more than a quarter of a century have left some vivid recollections. South Carolina, among all of the States, has been noted for having more politics for its size than any other State in the Union, and from the beginning of her history many of its campaigns have attracted Nation-wide interest. She has furnished her quota of public men and statesmen, who have not only left their impress upon the history of the State but upon the history of the Nation, and among those public men and statesmen TILLMAN'S name will have to be written.

I will not attempt in this sketch to review South Carolina politics and affairs. The conditions immediately following the Civil War and the corruption of a régime from 1868 up until 1876, when the white people determined to regain control of their governmental affairs, are well known. However, after the political revolution of 1876, resulting in the redemption of the State, there developed an idea among the people that the masses did not have a proper voice in the government, and there was much complaint of government of "aristocracy," "Bourbons," and "ring rule," and in some quarters it was charged that the governor and State officers were named and chosen at the annual dinner of a prominent social club in South Carolina. This naturally resulted in a great deal of unrest among the masses of the people and they were beginning to be prepared for the political revolution that occurred in 1890.

Living in the county of Edgefield, near the banks of the Savannah River, was a farmer, unheard of and unknown, but whose family had written their names upon the brightest pages of the history of the State. This farmer was BENJAMIN RYAN TILLMAN. His brother, Jim Tillman, as Bishop Capers declared at a great rally in the city of Columbia, was the "Oriflame of his regiment" in the war of the Confederacy, and the name of Tillman can be found upon the rolls of those who fought in all of the wars of this country—the War of the Revolution, the Mexican War, the Civil War, the Spanish-American War, in which one of his nephews was a colonel, and afterwards lieutenant governor of his State, and the great World War—one of his sons being now in France, having gone there as captain of his company, and now being in charge as major of his battalion. George D. Tillman for 16 years sat as a Member of this body, and was recognized throughout the Nation as one of its greatest statesmen. BEN TILLMAN, this farmer, taking his cue from the Ellenton riot, from the dark days of '76, and that matchless and gallant leader, Mart Gary, who was known as "The Bald Eagle of Edgefield," picked up the threads of the movement where they were left by him. He knew the conditions of the masses of the people; he came forward and went on the rostrum. At that time it is stated that he was ridiculed and laughed at on account of his poor showing on the stump, notwithstanding the fact that he afterwards developed into one of the greatest stump speakers South Carolina has ever produced. He knew, though, that behind him there was a vast multitude of people who were demanding justice and who were looking to him as their leader. He appeared in the State convention of 1888, and went down in defeat as a leader of the minority in that convention.

He went back to his home; continued his agitation, and in the historic March convention of 1890, he was nominated for

governor of South Carolina. The campaign that followed is memorable in the history of our State, and no true record can be written of it that does not record its causes and great effects. Mr. TILLMAN was elected governor by an overwhelming vote of the white people. After a stormy administration of two years he became a candidate for reelection as governor and was opposed by a distinguished fellow citizen of his own county and ex-governor of the State. In that campaign, South Carolina was again aroused from the mountains to the seaboard, and partisanship and passion ran high, but again a majority of the voters said that he should be their governor. Two years more of his administration was marked by storm and discord, but it gave to the masses that which they sought—freedom of thought and political liberty, which God intended they should have. His terms as governor of South Carolina were signalized by the establishment of the Clemson Agricultural and Mechanical College for boys, at Calhoun's old home, Fort Hill—an agitation which was begun by him in 1886, for industrial and technical education in South Carolina—and this, with the establishment of Winthrop College for girls, stands forth to-day as the greatest educational achievement in the history of the State.

His administration was also signalized by the establishment of the State dispensary system for the control of the liquor traffic, which many people believed then, and believe to-day, that under proper management, is the best solution of the liquor problem. This system was established in the face of an overwhelming vote in favor of prohibition at the election in 1892, and was the cause of much discord in the political, social, and personal affairs of the people of South Carolina. The enforcement of this law, during the latter part of his last administration as governor, gave him an opportunity to show his ability as a bold and daring fighter, which characterized him throughout his political career. In March, 1894, in a clash between some of the constables appointed by him for the enforcement of this law, and some citizens at Darlington, who thought that their rights had been infaded, some were killed and many others wounded, and the riot which ensued came near resulting in serious trouble throughout the State. However, Gov. TILLMAN took charge of the situation, ordered out the entire militia of the State, took charge of the telegraph lines and railroads, and very soon restored order, and there was no further trouble.

When he had served two terms as governor, he was overwhelmingly elected to the United States Senate—having made a county to county canvass throughout the State for that office.

Senator TILLMAN was a striking figure, and he is missed by the people of his State and in the councils of the Nation. He will go down in the history of South Carolina and of this Nation as one of the strongest men who has served South Carolina as governor or represented her in the United States Senate. Of his services as a Senator they can and will be spoken of better by those who served with him there for the past quarter of a century, but on this occasion I can not refrain from quoting the closing paragraphs of an editorial written by John K. Aull, in the Charleston American, upon the death of Senator TILLMAN:

Undoubtedly, while he went to Washington under most unwelcome conditions, being openly hostile to what he believed to be the wicked Cleveland régime, his genius soon allayed the errors and suspicions of his confrères and he became a shining light. Space does not permit us to sketch even briefly the many commanding positions he assumed in legislation, nor is this the place. We have watched him there upon the Senate floor matching his genius with giants of the old days and coming off never second best. His name will long live to heighten the fame of Carolina in a body whose traditions number among them the glory of Calhoun.

Even had his health not failed him, it is gravely doubtful if in recent or future years he could mingle with the same zest amongst the almost entirely new faces in the Senate. His old colleagues were gone. They were to him merely spirits that cast perhaps across his daily path through the Senate aisle shadows of bygone days, days when the polished Senator Hoar, who learned so warmly to love him, referred, not banteringly, but earnestly to him as "the best lawyer in the Senate." Hoar, Vest, Bacon, Allison, Daniels, Hale, Cockrell, Aldrich, and many like them, who left him one by one for awhile are with him now—for although many of these differed with him and often with one another, they were all one in pure Americanism, loving and serving the land they honored with an untarnished patriotism.

So let us leave him with them. The light of heaven shines upon those mooted questions over which they opposed only the feeble light of even their great intellects. There will be no "adjournments" there, no "points of order," no "filibuster," no tariffs, subsidies, or silver question to wrangle over, but all sweet peace, truth, harmony, and happiness forever.

What more appropriate may we say than that he deserves the lines written upon the death of Napoleon:

"The lightnings may flash and the loud thunders rattle:
He heeds not, he hears not; he's free from all pain;
He sleeps his last sleep, he has fought his last battle;
No sound can awake him to glory again!"

In his native soil, in the little village of Trenton, there now rests in peace one who forged his way to a high place among the truly great of this Nation, and

Taller he seems in death.

Mr. PADGETT. Mr. Speaker, I feel that I can add nothing, or but little at best, to the eloquent tributes that have already been spoken concerning the life work of a splendid character who figured prominently for more than a quarter of a century in the national affairs of our Government. I, however, was associated largely with him, he being chairman of the Committee of Naval Affairs of the Senate, and I of the Committee of Naval Affairs of the House. This afforded an opportunity for official and personal association.

I desire, first of all, to bear testimony to the cordial good friendship which existed between us. Senator TILLMAN was a unique character. He was built in a mold strictly his own. He was unique in many respects, and the very uniqueness of his character not only attracted attention but challenged admiration. He was a man of strong personality. His personality was positive and decidedly his own. We can not find, I think, in private or public life a duplicate of Senator TILLMAN. He possesssed traits of personal character that not only attracted, not only challenged our esteem, but gained for him admiration, and brought him forward prominently in the affairs of the Government.

He was a man of strong convictions. There was nothing, if I may use a homely expression, of milk and cider in his composition. He was a man who believed sincerely and strongly whatever he believed, and he had the courage to express his convictions. He was a man of persistent purpose. Once he was convinced of the righteousness of his cause, once he was satisfied of the desirability of his course of conduct, once that it came to him as a conviction of duty, there was no let up. Continually, persistently he strove for that which his judgment and his conscience approved. As we stand under these circumstances, and would give expression not in mere formal words, but in the sincere convictions which we entertain of the man, all of us must admire this persistency of purpose, this strength of conviction, this strong personality.

He was a man of strong likes and dislikes. A man who has a strong personality, who has a persistent purpose, who has strong convictions of right and of wrong, a man who draws the line tautly between right and wrong in personal life, in private affairs, in public affairs, in the duties and responsibilities of government, could not be otherwise in the natural order of things than a man of strong likes and dislikes. He drew his friends to him with a strong grasp, and those in whom he did not have confidence—those whose integrity of purpose or of character he doubted—he repelled, because there was a congeniality between Senator TILLMAN and the truth, and there was an aspersion between him and guile and wrong. Hence it is that when we speak of him as a man of strong likes, a man in whom flowed strongly and vigorously the milk of human kindness for those who shared his esteem, we must at the same time admire that corollary attribute of character that he despised hypocrisy and made it manifest on all occasions.

He broke away from the established custom of conservatism. That was natural, and that was one of the prominent outstanding traits of his character, and one of the strong, predominant features of his life and his services.

Most of us run along in the way of least resistance. We go along the line of established organization, of established conservatism. It was not so with Senator TILLMAN. He had some convictions about the existing orders of things. Some things were going along which did not receive the sanction of his judgment or the approval of his conscience, and he broke away completely and strongly from the organized conservatism of the day and started out on lines of his own thought and of his own judgment and approval.

I would not seek to compare him in all respects, but the suggestion occurs to me that in the olden days John the Baptist broke away from the established conservatism in religious affairs. John Knox broke away from the established organization. Martin Luther battled the conservatism which he believed was not only promulgating but establishing error and wrong. And in political matters in his State, and to some extent in the Nation, Senator TILLMAN broke away from this organized conservatism, and he challenged the thought and attention, and he brought the thought and attention of the people of his own State and of the Nation to think along other and different lines.

Senator TILLMAN was honest. He became known here and was often spoken of as "honest BEN TILLMAN." However

much anyone differed with him, however much they might separate themselves from his conclusions, however much they might challenge his doctrines of political economy, no one ever doubted or really challenged his personal honesty and integrity of character or his political honesty and sincerity of purpose.

Again, Mr. Speaker, he was faithful to the trust that was reposed in him. No one has ever called him a derelict in politics. No one has ever spoken of him as in any way betraying the trust and the confidence which the people, not only of his State but of the Union, reposed in him, as an honest man and a public servant. So that to-day, under these surroundings, we can speak of him as an honest man and a faithful public servant.

Finally, Mr. Speaker, coming here as he did under peculiar and unique surroundings, occupying at the first a strange and unique attitude that called forth many criticisms and comments in the papers, causing individuals and the press to speak in terms that were out of the ordinary routine of political literature, he grew in the esteem and in the affection of his associates and of the country.

During the past summer the end came somewhat suddenly. I was selected as one of the committee to go to his home in South Carolina to lay away his body for the resurrection. It was only his body that we laid in the ground, not BEN TILLMAN. His spirit had risen into that higher, nobler, grander, larger, better life where the aspirations of his soul in all the years of his life—and a large, rich life it had been—had said, "It is not death, but life I crave; a larger, better, richer, fuller life I would have."

He realized it, and he has gone to the reward of the just. Wherever the honest, wherever the faithful are, Senator TILLMAN is there, and he has left here with us the name, the reputation, the character of an honest and faithful man.

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina, Mr. NICHOLLS.

Mr. NICHOLLS of South Carolina. Mr. Speaker, it is indeed hard for me to add anything to the wonderful tributes and the just tributes that have been paid here to our deceased colleague, Senator TILLMAN. I come from the people and from the section of the country that, when TILLMAN started, were bitterly opposed to him. From the time I was a child I had been taught that Senator TILLMAN was representing what was not best for the State, although the people with whom I most associated did not for one minute question his honor or his integrity. On one occasion when I was a mere boy I was talking to the overseer on a large plantation in my home county. He was, as we knew the word, a strong Tillmanite. The man who owned that plantation was as bitter against Senator TILLMAN as any man in South Carolina. The overseer and the man who owned the plantation had been boys together before the Civil War. In fact, the overseer's father had been the overseer of the owner's father before the Civil War.

I asked him, purely from curiosity, "How in the world can you support TILLMAN?" He said: "Sam, So-and-So told me the other day that we needed a reform in South Carolina; that ring rule had long existed; and that while he was a party in a way to the ring rule, something ought to be done, and that something ought to be started to give the honest, common people a chance to have a voice in this Government. I said"—that is, this man said—"'That is exactly what TILLMAN is trying to do.' He said: 'It should be done, but I don't think TILLMAN is the man.' And this overseer said to me, "It did not occur to me that it made any particular difference who the man was, what we wanted was a reform, and we could change the man if we found he was not the right one." To-day, Mr. Speaker, the man who made that remark about not believing that Senator TILLMAN was the right man is his friend and was his friend at the time of his death.

As one of my colleagues has stated, and I truly believe, there is no State in the Union where politics is so bitter and so partisan as in my own State of South Carolina. I am not referring to the two great parties, but to factional politics within the party. One reason that I give for this is because in our State all candidates for office go upon the same stump and have joint debates which at times get very personal. Their followers naturally take sides, and I have seen the time in South Carolina—and my other colleagues from there have seen the same thing—when a man almost took his life in his hand to go upon the stump there on either side.

When I was a boy I once asked why Senator TILLMAN was not afraid of having more fights, as I expressed it, and a gentleman from our home town said, "Well, I will tell you, Sam, why he is not afraid. It is because most of the fighting men are on his side of the proposition." That was largely true, for the people of South Carolina thought that they had been mistreated by certain politicians, and the people of South Carolina who supported Senator TILLMAN were willing to fight for those rights of which they thought they had been deprived, and they got behind him and elected him governor. What a howl went up through this country.

Almost every newspaper, not only of South Carolina but throughout the United States, called him a demagogue, called him everything that they could well call him and not be indicted for libel. What did he do? He "stuck to his guns," if you will pardon a crude expression. He worked for the interests he had promised to serve. He was not afraid. No man in the State could run him from the stump. He went before his people, and he advocated their cause. He was reelected governor in spite of strong opposition from strong men. The money powers of his State, while, of course, I do not charge them with being corrupt, were against him. The newspapers of the State were largely against him, but the masses of the toiling people of South Carolina stood behind him. He was reelected governor, as I said, and afterwards was elected to the United States Senate. Why, Mr. Speaker, I remember, although at that time I was too young to have any voice in politics, that there was strong talk in South Carolina that the Senate would not seat him when he came. But he was seated; and, Mr. Speaker, in his early days here, with that strong tongue that he had, he caused some men who had mocked and laughed at him to be very strong for him before he got through. He turned out to be not what the papers said he was, a radical and an obstructionist. I will not say at the time of his death that he was what South Carolina would have called a conservative. Senator TILLMAN could not be conservative. As my colleague from Tennessee [Mr. PADGETT] has stated, when he believed a thing there could be no conservatism. He worked to the end that he thought was right.

When I came to Washington, if you will pardon me for referring to myself, and I do it for the reason that I did not know him well when I came here, I went to his office the first day and said, "Senator, I came in to pay my respects."

He knew pretty well the attitude of every man in South Carolina as to himself. If you mentioned a man from Barnwell, Spartanburg, Columbia, Oconee, if he was a man of any political prominence, Senator TILLMAN could tell you how he stood with him in his politics. I said, "Senator, I came in to pay my respects." He said, "Sam, I am glad to see you here, but I have not a particle of use for your politics." That was his blunt way of speaking. It made me angry, and I said, "Senator, I have got no more for yours than you have for mine." He said, "I will make a trade with you. If you will let me alone over there I will let you alone over here." I said, "You have traded." And I walked out of his office. The next day the phone rang, and the Senator said, "Sam, can you come to my office?" I went over, and he said, "I did not mean anything yesterday. We have differed in politics, but I want us to get along together. You are a new man, a young man, and I possibly can give you advice and information that you will need." I shook hands with the Senator, and from that day to the day of his death he was like a father to me. There was no time when I needed advice that I did not go to Senator TILLMAN, knowing that I would get good and honest advice.

To show you the character of the Senator, the night before the last campaign opened I went to him and asked him to do a favor for a friend of mine. It turned out that we were both very much criticized by some of the newspapers because we granted the favor, a favor which was nothing more than was just and right. The Senator at that time thought that he would be in the race for the Senate again. I went to Senator TILLMAN and I said, "Senator, I know that you made this recommendation because I asked you to do it, because you believed I would not mislead you. Feeling as I do about it, I believe it my duty to come out in the papers and state that I will take the whole responsibility for that action in case it hurts you in your race." He said, "I will not let you do it. I will never put the responsibility for what I do on any man. It is true your recommendation had something to do with my signing it, but I have signed it and I am behind it."

That shows you, Mr. Speaker, the manner of man that Senator TILLMAN was. I am sorry I have been unable, on account of being away from the city, to write what I consider a fitting eulogy of this great man. Our State, as has been well said, has produced great men, but no man in the history of South Carolina has ever been in a position to make bigger history, to make more lasting history than Senator TILLMAN. We all remember at the time when the Democratic Party took charge of the Senate there was some talk throughout the country that Senator TILLMAN wanted to be chairman of another committee than Naval Affairs. He was made chairman of Naval Affairs, and, Mr. Speaker, I would rather be chairman of the Naval Affairs Committee or of the Military Affairs Committee, if I cared to go down in history

and properly serve my country in the time of this great world war, than to be chairman of any committee in either branch of Congress.

He was not stingy; he was not extravagant. He believed that what was necessary in this war should be given and freely given. And he gave to the service of his country one of the noblest boys whom I know. He was my personal friend. I say he gave him to his country, but fortunately he has not been killed. He is in France now. He is a "chip off the old block," and I am proud to say that, although this country has sustained the loss of our great statesman, he leaves one or more behind him who some day may be able to in part fill his place.

The last time I talked with Senator TILLMAN was the day before his last stroke of paralysis. He was discussing every phase of the war and seemed to think that his days were numbered. He told me that he hoped, regardless of politics in South Carolina, he would live long enough to see America and her allies victorious in this war. If he had lived that long, I believe his every ambition would have been fulfilled. My great regret is that God in His infinite wisdom did not see fit to allow him to live to see the plans which he had so carefully prepared carried out to a successful conclusion.

He died as he had lived, "with his boots on," fighting for the people, for democracy, and for everything that he thought right and just for the upbuilding of humanity.

The SPEAKER pro tempore. The gentleman from South Carolina asks unanimous consent to revise and extend his remarks. The Chair would suggest to the gentleman that he request that unanimous consent be given to all those who may desire to extend their remarks.

Mr. NICHOLLS of South Carolina. I make that request, Mr. Speaker.

The SPEAKER pro tempore. Without objection it is so ordered. The Chair recognizes the gentleman from South Carolina, Mr. WHALEY.

Mr. WHALEY. Mr. Speaker, believing that others who will speak on this occasion will give a biographical sketch of South Carolina's illustrious son in whose honor we have met, I shall avoid the probability of repetition and undertake a brief analysis of those characteristics of the late Senator BENJAMIN RYAN TILLMAN which made him so valuable a citizen and Governor of the State of South Carolina and such an effective Member of the United States Senate.

TILLMAN was born on a farm, reared on a farm, and, after the attainment of the years of manhood, followed agriculture as an occupation. It is said that his agricultural experience was not particularly successful and in this respect he had much in common with the agricultural producers of his time, not only in South Carolina but throughout the United States. During his years of ill-rewarded efforts upon the farm his observation, his difficulties, and his disappointments impressed indelibly upon his mind the severe disadvantages and the great discouragements which all too frequently surround the agricultural producer. It was through an endeavor to alleviate the condition of the farming class that TILLMAN entered public life and gave his attention primarily to the solution of the great problems which must be solved before American agriculture can be placed upon a firm and satisfactory foundation.

From his youth he had grappled with the most practical of problems in a most practical way. He learned in the hard school of adversity. His principles of economics were not gleaned from books. Although he was in later life one of the best-read men in the best of literature, the mental training which enabled him to achieve success was acquired chiefly as an incident and result of his daily observation of the circumstances under which the producing classes labor and the evils with which they must contend.

He beheld ignorance among people who are conducting an industry which requires the widest training and skill.

He observed injustice which deprived the agricultural worker of the due reward of his labor. Contemplation of these evils and injustices not only developed in him a power to reason, but nourished deep-seeded emotions which became predominating features of his political activities and public addresses. No amount of abstract economic reasoning would have produced the political revolution which he led prior to his election to the governorship of South Carolina. In the words of an illustrious President of the United States, the farmers of South Carolina were "confronted by conditions, and not theories." No ordinary methods would have aroused them to united effort sufficiently organized and sufficiently aggressive to overthrow those who were at that time dominant in the public affairs of his State.

It has been asserted and is quite likely true that TILLMAN frequently indulged in extravagances of statement which more deliberate and careful men would have avoided. No one, however, has ever accused him of overstating a fact for an ulterior or selfish purpose. Dealing with conditions which required heroic remedies, he made his attacks with what might be considered a reckless abandon, upon the assumption that the end justified the means. He was seeking results, and his overwhelming victory in the face of tremendous opposition seems to have justified the measures he adopted. That a farmer should be elected and reelected Governor of South Carolina at that time in the political history of the State was an accomplishment which could not have been achieved by the ordinary weapons of political conflict.

TILLMAN's mind was that of a nonconformist. He acknowledged the binding force of no political conventionalities. Before he had been one month in the United States Senate he had broken the rule which requires silence on the part of a new Member, and had made a speech which earned him the sobriquet of "Pitchfork TILLMAN." From that day to the time of his retirement from active participation in the work of the Senate he was recognized as a factor to be considered in almost every important piece of legislation. He was not one who delighted to participate in discussion merely for the purpose of showing his skill in debate, but, whenever any subject appealed to him as calling for action on his part, he threw the whole power of his keen intellect, his marvelous skill at repartee, and his unsurpassed command of vitriolic language into the discussion.

He asked no quarter and he gave none. Naturally this style of fighting made him few warm personal friends but aroused many enmities. It is well known and universally acknowledged fact, however, that none of the animosities thus aroused cost him either the confidence or the respect of his associates. His honesty of purpose was not brought in dispute. Knowing the purity of his motives, even those who felt the sting of his arrows admired his skill, and held him personally in the highest esteem. His diatribes furnished frequent occasion for jest, but they supplied little humor to those who were the objects of his invective.

Unlike most men who enter upon crusades against economic evils, TILLMAN was not destructive. He founded the Clemson College for the training of the young men in agriculture and the applied sciences. He established the Winthrop Normal and Industrial School for women. He secured the enactment of more just and equitable laws for the assessment of taxes. He secured the election of railroad commissioners by the people, with authority vested in them to fix passenger and freight rates. He secured the enactment of the primary system of party nominations. He was the author of the dispensary law which eliminated the public barroom from South Carolina and led the way for prohibition. These were a few of the more important accomplishments of four years in the governorship, during which time he had as strong an opposition as ever a governor faced.

Entering the United States Senate in 1895 he was for 23 consecutive years a member of that body. Although the Republicans were in control of the Senate when the railroad rate bill was under consideration in 1906, a split among the Republicans threw the management of that measure upon Senator TILLMAN—a task which he performed with much credit to himself and to his party. He was an advocate of a large navy and made his influence felt. In the framing of a multitude of important measures he participated actively, always fearlessly and aggressively representing what he believed to be the best interests of the people of the United States and of his own State.

To the youth of America the career of BENJAMIN RYAN TILLMAN should be of interest. It will be worth while for them to remember that it was through no favor of good fortune or prestige of family that he attained his high position in the councils of our Government. Neither was it personal ambition that led him into public life. He saw the need of public reforms, and although the task was great and the prospect of success doubtful, he undertook it without hesitation and devoted himself without reserve to the amelioration of the condition of his fellow citizens. He had few of the advantages of school education but neglected no opportunity for the improvement of his mind. He had confidence in himself and accepted his own judgment as his guide, even though he diverged from the course and methods laid down by American political leaders during a century of our national history.

His career emphasizes the value of practical experience in early youth, courage to undertake a difficult task, and willingness to be a nonconformist when sound judgment and high motives indicate that as the proper course. It would be difficult to find in American political history another instance of a man

whose public career shows advancement direct from the farm to the governorship and thence to the United States Senate solely as the result of individual merit and ability.

Mr. BYRNES of South Carolina. Mr. Speaker, BENJAMIN RYAN TILLMAN, the man whom we to-day honor, was born in Edgefield County, South Carolina, August 11, 1847. He was a son of Benjamin Ryan Tillman and Sophia Hancock, and was the youngest of eleven children. When he was but two years of age his father died, and he was reared by his mother on the plantation about twelve miles from the town of Edgefield. He studied at home under private tutors until he was fourteen years of age, when he attended a school conducted by Mr. George Golphin, a scholarly man who enjoyed the distinction of having served as tutor to Senator Butler, Gen. Mart Gary, and many others prominent in the political life of South Carolina. In July, 1864, when not quite seventeen years of age, he left school and volunteered in the service of the Confederate Army, but while on his way to join the army he was taken sick, and it was during this illness that he lost his left eye by reason of the formation of an abscess. For two years he was an invalid. Upon his recovery he went to Florida where he spent a year, returning in 1868 to Edgefield County, where he engaged in farming. While thus engaged Senator Tillman devoted his leisure time to study, in his own language, "reading everything of value he could lay his hands upon." He had the most retentive memory of any man I ever knew, and it enabled him in recent years to quote from the poets, verses he had not read for years. Even in speeches delivered by him in early life this familiarity with the old masters was evident, and was a constant source of surprise to those who knew that he had not enjoyed the privilege of a college or university course.

When, in 1876, the white people of South Carolina determined to overthrow the rule of the carpetbagger, the scalawag, and the negro, Tillman participated with all the force and aggressiveness that has characterized every effort of his life. He organized the Red Shirts in that community. Under Capt. A. P. Butler he participated in what is known as the Hamburg riot, and on that occasion demonstrated his physical courage and his capacity for leadership. With the Edgefield Hussars he started to the Ellenton riot, but his company did not reach there in time to participate in the fight.

With the redemption of the State from negro rule, Tillman resumed his quiet life upon the farm, and from this seclusion did not emerge until 1885 when he went to Bennettsville, S. C., as a delegate to the annual meeting of the South Carolina Agricultural Society. Tillman had never delivered a public address, but upon reaching Bennettsville he announced that he was going to address the convention and would have something out of the ordinary to say to the delegates. He did not disappoint them. He pictured the poverty of the farmers, three-fourths of whom were borrowing money upon their crops before they were made, and with fiery eloquence he denounced the State officials for their indifference to the agricultural interests of the State. He urged the farmers to demand the establishment of an agricultural school worthy of the name, in connection with the South Carolina College, and to require the board of agriculture to annually hold farmers' institutes in the various counties of the State. He spoke for an hour, and when he concluded, though neither he nor his hearers realized it, he had started a revolution in the State of South Carolina.

From that day, August 5, 1885, to the day of his death, July 3, 1918, TILLMAN occupied the center of the political stage in South Carolina, and the story of his public life is the story of the political life of the State. To appreciate the impression made by his Bennettsville speech, one has to understand the political conditions then existing. Prior to the Civil War the State of South Carolina was ruled by a small group of men of great intelligence and of high character, most of whom resided in Charleston and Columbia. The State officials were generally selected by this group from among the professional men of the State. The one-horse farmer and the man without social standing never dreamed of his having the right to hold office and he even entertained some doubt as to his right to vote. Certainly had one of them announced his candidacy for office, he would have been in imminent danger of sequestration in an asylum for the insane. At the conclusion of the war the old leaders, their heirs and assigns, immediately resumed their control of the Democratic party; but as there was a majority of 30,000 negroes of voting age, the Republican party, composed of the negroes, the carpetbaggers, and the scalawags, were able to control the elections and did run the State government until 1876, when negro rule was overthrown and white supremacy established for all time.

Immediately following 1876 there was a natural disposition on the part of the rank and file of the people to blindly follow the leadership of the men who had controlled the party in the fight for the redemption of the State. Again there was the realization that any division within the party would endanger the freedom so dearly purchased. Consequently any criticism of the conduct of the State government was met with the warning that such a course would cause a division in the party and make possible a recurrence of Negro rule with all of its horrors and outrages. It is manifest that this condition of affairs made it easy for the old leaders to perpetuate their control of the government. Conditions were such that corruption in the government could have existed without the knowledge of the people. But to the everlasting credit of those in control it must be said that, nothwithstanding their autocratic power and the unlimited opportunity for misuse of that power, careful and even hostile investigation in after years failed to disclose evidence of corruption on the part of a single State official. The honesty of those in control was testified to by Senator TILLMAN in an address delivered in the Senate in 1898, when he described the conditions then existing in the following language:

> The State was democratic or independent in national politics, but it was aristocratic in local affairs. This aristocracy, be it said to its credit, gave to the State as good government, so far as purity and honesty is concerned, as any country ever had. But a prouder, more arrogant or hot-headed ruling class never existed.

With this statement of the political conditions one can appreciate the sensation caused by the speech of TILLMAN at Bennettsville in August, 1885. It brought down upon his head the wrath of the press as well as of the political leaders. "Farmer Ben" became the target for their satire and abuse. In a series of letters he defended his course and urged upon the farmers of the State his suggestion to establish an agricultural college. He cited the agricultural colleges of Mississippi and of Michigan as proof of the practicability and the wisdom of his suggestion, and published a lot of data secured from Stephen D. Lee, then President of the Mississippi College. His letters enlisted the support of many of the leading farmers of the State, who in the spring of 1886 held a convention at which resolutions indorsing his views were adopted. As the desired object could be accomplished only by legislation it was inevitable that the "Farmers' Alliance," as it was called, should take an interest in the elections. The old leaders, however, still firmly held the reins and the movement had not attained sufficient momentum to wrest control from them.

TILLMAN continued his agitation, delivering addresses in various counties of the State during the year 1887. In the political campaign of 1888 the farmers endeavored to induce several of the old political leaders to lead their fight, but their efforts were in vain. Two years later, in the spring of 1890, what was known as the "Shell Manifesto" was issued, a document that became the platform of the reform movement. A convention followed and TILLMAN was selected as the nominee for governor. Attorney General Earle and Gen. Bratton were later selected as the nominees of the faction that became known as the Conservatives. Of the seven hundred lawyers of the State only forty were known to be supporters of TILLMAN. The press was unanimously opposed to him, but a joint debate was held in every county of the State and as nearly every man, woman, and child in the State turned out to hear the speakers, TILLMAN was able to present his cause to the people. The feeling between the factions became so great that at many meetings the speakers were unable to make themselves heard, the factions engaging in a contest to see which could cheer their champion the loudest and the longest. After the first few meetings there was never any doubt about the result, and TILLMAN was nominated, carrying all but four counties of the State.

Dissatisfied with the result, the opposition placed an independent ticket in the field in the general election, but many of the Conservative leaders of the opposition failed to support the independent movement, and the followers of TILLMAN were even more determined, the result being the overwhelming election of Capt. TILLMAN.

In this campaign TILLMAN demonstrated his wonderful ability as a stump speaker. Picturesque figure that he was, with his Napoleonic features, shaded by his broad-rimmed hat, he never failed to attract the attention of the people. In this campaign he spoke to the people in a language they understood, of their right to participate in the government of the State, and not merely to register the will of others. In passionate language he denounced the editor of the News Courier, Capt. F. W. Dawson, the brilliant leader of the opposition, and as he inveighed against ring rule he aroused his supporters to such a fever of excitement that many of them were willing to fight for him,

and, if need be, to die for him. His wonderful success as a public speaker is the more remarkable in view of the fact that he was thirty-six years old when he delivered his first public address at Bennettsville, and had he entered public life as early as do most men it is interesting to speculate upon the degree of perfection he might have attained. As it was, I do not believe, he had an equal.

During TILLMAN's first term as governor he was unable to accomplish many of the reforms he advocated because of the lack of cooperation on the part of the legislature, a majority of whom were his supporters. In 1892 he asked for reelection and in the campaign that followed designated many of the legislators as mere "driftwood" and urged the people to elect a legislature that would support him.

For reelection he was opposed by one of the ablest men in the State, ex-Governor John C. Sheppard. As in the previous campaign, factional feeling ran high, there being as clear a division between the Tillmanites and anti-Tillmanites as there is between Democrats and Republicans. The joint debates drew tremendous audiences and the feeling was so intense that men came armed, and only the coolness of the candidates prevented great loss of life. TILLMAN was reelected and very few anti-Tillmanites were elected to the legislature.

Of his service as governor it is fair to quote from his last message to the legislature, what he regarded as the achievements of his administrations:

First. The erection and endowment of Clemson College.

Second. The overthrow of the Coosaw monopoly.

Third. The just and equitable assessment of taxes on railroads and other corporations and the victory in the courts compelling them to pay.

Fourth. The passage of the dispensary law and the destruction of the barrooms.

Fifth. Refunding of the State debt, which saved $78,000 a year in interest.

Sixth. The establishment of Winthrop Normal and Industrial College for Women.

Seventh. Election of the railroad commission by the people and allowing them to fix passenger and freight rates.

Eighth. The inauguration of the primary system of party nominations for all offices in the gift of the people.

The student will search in vain for a record of achievement by any South Carolina executive to compare with this record of constructive reforms. The unfriendly critic may criticise the establishment of the dispensary system, but as we now look back upon it and recall that its establishment meant the abolishment of the barroom, we must concede that it was a long step toward the prohibition of the sale of alcoholic liquors. In theory the plan was possibly the best solution of the problem, if liquors were to be sold under any system at all, but in practice it failed because of the inability to divorce the liquor business from the politics of a State, and the dispensary system soon became so corrupt that men who at heart were not in favor of prohibition were only too glad of an opportunity to vote for prohibition in order to get rid of the dispensary system.

But no man can question the beneficial effect of the other constructive reforms above enumerated. TILLMAN by his eloquence aroused the people to a realization of their right to participate in the government of the State, and then through the primary system he furnished them the means to exercise that right. But he did not stop there. Having placed this power in the hands of the people, with the vision of a statesman he recognized that the greatest safeguard against the abuse of such power was the education of the people, and therefore in addition to extending the common schools he established during his administration the Clemson College for boys and the Winthrop College for girls. Much of the material and moral progress of South Carolina during the last 20 years can be traced to the beneficient influence of these two institutions that will ever stand as enduring monuments to the memory of Governor TILLMAN.

During his first campaign for governor, TILLMAN, in closing his speech at Anderson, S. C., said:

> How many of you can look back and recall the names of South Carolina's governors? Take out the names of the seven since 1876, and with the exception of Hayne, McDuffie, and Hammond the names of the rest are written in sand. I do not want to be such a governor. My aspiration is higher and holier than that. I would like to be a governor to whom after ages will look back and say that he was a "Carolinian and a patriot."

When one considers the far-reaching beneficial effects of the achievements above enumerated, he must conclude that the ambition of TILLMAN was gratified; that after ages will look back upon his administrations, and looking back will say "He was a Carolinian and a patriot."

At the conclusion of his second term as governor TILLMAN opposed Senator M. C. Butler, who was seeking reelection to the United States Senate. His hold upon the people was as strong as ever, and he was easily elected over his opponent. From the day that TILLMAN entered the Senate he impressed himself upon the Nation just as he had upon the State of South Carolina. His first speech in that body was delivered to a crowded Senate and a crowded gallery, and attracted the attention of the people of the entire country. In many respects it resembled his first public speech at Bennettsville, in 1885. As on that occasion the conditions were ripe for the appearance of a TILLMAN. In the South and West there was great unrest and great dissatisfaction with the administration of Cleveland, and there had begun the agitation that culminated in the free-silver fight of 1896. TILLMAN took the fight of the farmers to the Senate. Announcing that he was not familiar with the proprieties of the Senate and that he intended to use plain, blunt words, he proceeded to denounce Cleveland as no President had ever been denounced in the Senate Chamber. He pictured the economic conditions of the agricultural sections of the country as a result of the low prices for farm products, and charged the existence in Wall Street of a group of men who controlled the credit of the country, and thus the destinies of the people. The speech attracted the attention of the country. The Nation seemed about to divide itself, as South Carolina had, into Tillmanite and anti-Tillmanite camps. Pitchfork Ben became the target of the editorial writers of the East, who declared that, by the language he used, he had disgraced the Senate. The West, however, hailed him as a fearless exponent of the evils they believed to exist.

In the Senate the effect of his speech was to cause his colleagues to conclude that while he was rough and rude in his manner of speech, that he was a man of extraordinary ability, whose acquaintance might with profit be cultivated. And as they learned to know him they came to know that he was absolutely honest and sincere, and within a very short time he had won the genuine affection of the leaders of both parties in the Senate. He loved to participate in the debates, and was always a dangerous opponent because of his fund of information, his quick mind, and his ready wit. The man who interrupted him while he was speaking always regretted it. The rules of the Senate were always a source of irritation to him. Shortly after his service began he started to speak on a live subject in which he was greatly interested, but which bore no direct relation to the pending bill. A Senator, who desired to prevent his speaking, arose and asked, "Mr. President, what is before the Senate?" "I am before the Senate," said TILLMAN, and while his interrogator was counting the casualties TILLMAN proceeded to finish his speech.

He knew little of parliamentary law and cared less. The truth is that TILLMAN had no regard for any kind of law. In his consideration of a proposition there was but one question, "Is it just?" If he became convinced that the object sought to be accomplished was a just and righteous one, he was impatient of any interference by any law, rule, or regulation.

With this indifference to law, and with the absolute power that he wielded while governor, the salvation of the people was that TILLMAN acted always from impulse, and TILLMAN's impulses were always good.

It is impossible here to refer to his many achievements in the Senate. He often referred to his fight in the Fifty-seventh Congress to compel recognition of South Carolina's claim against the Federal Government for money loaned by the State in the War of 1812. By this, $386,000 of the State's bonds held by the Federal Government as a debt against the State were canceled, and $89,137.36 was returned to the State treasury in cash. That was a memorable fight because it involved the two most picturesque figures in Congressional life—Farmer Ben TILLMAN and Uncle Joe CANNON. Mr. CANNON, as chairman of the House Appropriations Committee, refused to agree to the Senate amendment to an appropriation bill providing for the payment of the South Carolina claim. TILLMAN got the floor in the Senate and declared that unless the conferees agreed to it the other appropriation bills not yet passed would never pass, because he intended to talk from then until 12 o'clock the next day, March 4, when the Congress must adjourn. At 3 o'clock in the morning TILLMAN seemed able to make good his threat and rather than provoke an extra session Mr. CANNON yielded.

During the control of the Senate by the Republicans TILLMAN was placed in charge of the railroad-rate bill, and his successful handling of it won the commendation of his colleagues.

His exposure of the frauds of the armor-plate manufacturers finally led to the construction by the Government of its own armor-plate plant.

He established the Charleston Navy Yard and has consistently labored for its development.

As chairman of the Naval Affairs Committee he devoted his time and talents to the development of the Navy, and he lived to see his efforts rewarded by the demonstration of naval efficiency in the world war that has won the plaudits of the Nation.

As a legislator TILLMAN possessed what, unfortunately, many legislators do not possess—the courage of his convictions. Former Senator Bailey, who for years sat by the side of TILLMAN in the Senate, declares that TILLMAN was not only the truest man he ever knew, but one of the most courageous. Mr. Bailey states that when the Senate was about to vote on the question of expelling Senator Lorimer that TILLMAN sent for him, and when he went to his office he saw about 100 telegrams piled upon his desk. TILLMAN handed him about a dozen of them to read. The messages from South Carolinians declared the people of South Carolina were unanimous in the belief that Lorimer should be unseated and that if he failed to vote to expel him it would endanger his reelection to the Senate. TILLMAN told him that a man who was very close to him had come to Washington that morning to advise him that if he voted against expulsion he could not be reelected. Bailey said he knew how anxious TILLMAN was to be reelected because of his interest in pending problems and stated, "TILLMAN, that is a question you must submit to your own conscience and I have no right to advise you." "I expected you to say that," said TILLMAN. "I have submitted it to my conscience, and whether I be right or wrong, on the record before us I do not believe the man should be expelled, and whatever be the consequences I shall not vote to unseat him." He went to the Senate Chamber and voted his convictions. Many South Carolinians differed with him, but they had an abiding confidence in the honesty of BEN TILLMAN and respected his courage, and I doubt whether his vote in this case alienated a single friend.

TILLMAN's service in the Senate quickly made him a national figure and he was in great demand as a public speaker. It was CHAMP CLARK, Speaker of this House, who first suggested to a chautauqua organization that TILLMAN should be induced to go upon the lecture platform. They succeeded in inducing him to go upon a lecture tour, and thirty days after he started the president of the organization advised Mr. CLARK that TILLMAN was the best drawing card they had. While he had several lectures, his lecture upon the race problem attracted most attention. Through this lecture he undoubtedly presented to the people of the North more clearly than did any other man the view of the South upon this question. But while rendering his section a service, the fatigue of the travel, after an arduous session, weakened him physically and contributed to his physical breakdown. He was stricken with paralysis. From this stroke he recovered, and while he did not regain his former strength he continued his active service in the Senate until three days before his death on July third of this year. The last day he spent in his office I visited him and he read to me a letter he was about to send to Bennettsville, S. C., to be read at the senatorial campaign meeting scheduled for the following day. I think this was the last political act of his life and so as the curtain went up on his political career at Bennettsville in 1885, with this letter the curtain fell upon his political career in July, 1918. The intervening years he had crowded to the utmost with service to the people of South Carolina, and I make bold to say that when the history of this period is written the historian of the future, freed from the prejudice engendered by political contests, will say not only that he was "a Carolinian and a patriot," but he will say that BENJAMIN RYAN TILLMAN was the greatest man that South Carolina has produced.

So much for his political life. I must speak of his private life, because great as was my admiration for him as governor and Senator, greater still was my love for him as a man. In 1868 he married Miss Sallie A. Stark, of Elbert, Ga., and to this union were born six children, five of whom are living—Benjamin Ryan Tillman, jr.; Capt. Henry Cumming Tillman; Mrs. Lona Tillman Moore; Mrs. Sophia Tillman Hughes; and Mrs. Sallie Mae Tillman Shuler.

I have never known a man more devoted than Senator Tillman was to his family. His devotion to his wife was the devotion of a boy to his sweetheart, and when forced by circumstances to be separated from her for even a day he was the unhappiest man on earth. On one occasion while accompanying him to his office he informed me that that day was the anniversary of his wedding, and I shall never forget with what sincerity he spoke of the happiness of his married life. When in Washington Mrs. Tillman spent every afternoon in his office, and to her Senator TILLMAN would submit his problems and invariably be guided by her wise counsel.

During recent years there was hardly a day during the sessions of Congress that I did not either visit his office or speak with him over the telephone. I came to love him, and in return he treated me as he would one of his sons. As I learned to know him I wondered how, even in the heat of political contests, his enemies misjudged him as they did. I saw his finer qualities, his love of truth, and his hatred of hypocrisy; his love of his fellow man and his sympathy for the downtrodden and the unfortunate; his chivalrous respect for women and his love of children. I learned, too, of his simple but firm faith in a Supreme Being, and to-day, as I recall how in daily life he practiced religion, I have an abiding confidence that a just and merciful God has granted to him that eternal rest to which a life of service justly entitles him.

Mr. BYRNES of South Carolina assumed the Chair.

Mr. LEVER. Mr. Speaker, for 40 years John C. Calhoun so thoroughly dominated politics in South Carolina that it was said, "When Calhoun took snuff the State sneezed." One of the characteristics of the volatile-minded and chivalrous people of South Carolina is hero worship. They idolized Calhoun for nearly half a century. They followed Gen. Hampton from 1876 to 1890, and they gave their indorsement to the late Senator TILLMAN, in whose memory we have met to-day, for more than a quarter of a century.

An adequate review of the activities of Senator TILLMAN in South Carolina, from the day that he began his agitation for certain reforms in the educational and governmental systems of the State until, weary with the warfare, he yielded himself in defeat to the unconquered master of man, would require the services of an historian rather than that of the eulogist. Suffice it to say that the movement in the politics of the State which gave Senator TILLMAN an opportunity for the display of his fiery and rugged eloquence was the inevitable outgrowth of conditions which had long existed and which were the results of a situation peculiar to the State.

Senator TILLMAN first attracted attention to himself by a series of articles in the Charleston News and Courier, in which he advocated the establishment of an institution for industrial and technical education. These articles drew the fire of the then brilliant editor of that paper, the late Capt. F. W. Dawson. Those who followed these brilliant exchanges were quick to see that each gladiator found in the other a foeman worthy of his steel, and that in the hitherto comparatively unknown TILLMAN there lay genius for leadership which would have to be reckoned with.

In 1885 he delivered a speech at a farmers' convention which caught the ears of a large and discontented element of the State, and created a standing interest in the uncouth but earnest man from the hill country of the State. This element made a strong fight for control of the State government in 1888, but was unsuccessful. In 1890 they called a convention, known locally as the March convention, and nominated Capt. TILLMAN for their candidate for governor. Those who opposed this movement, which was not strictly an agrarian movement, but was rather a movement representing a protest and certain demands, agreed upon Attorney General Joseph H. Earle and Gen. John B. Bratton, a brigadier general in the Confederate Army, both men of the highest character, courage, patriotism, and ability, to represent them in the contest.

The campaign began at Greenville in June of that year, and joint debates were held in every county in the State. Never perhaps in any State in the Union have there been witnessed such scenes of enthusiasm and bitterness, of crimination and recrimination, of sharp attack and sharper counterattack. However, it became very soon apparent that the people had discovered another idol, and that a tidal wave was sweeping the State from the mountain to the seaboard, and that the election of Capt. TILLMAN and his followers was inevitable.

Capt. TILLMAN was elected governor by an overwhelming majority, and immediately upon his induction into the office of governor he set about to put into law the reforms which he had so vigorously and with such masterful and powerful eloquence advocated upon the stump.

He was fought with intense bitterness at every point. The press of the State was almost unanimous against him and his program; practically every lawyer fought him, and what has since become known as big business was violently against him, but he had the support of that class of citizenship which is frequently referred to as the middle class, and he was reelected by an overwhelming vote in 1892. And with a legislature which had finally become friendly to him he succeeded during his incumbency as governor in the establishment of the Agricultural and Mechanical College at Fort Hill, the old home of Calhoun. In addition to this, the normal and industrial college for women, known as Winthrop College, was established, and which is now regarded as foremost in the Nation of institutions of this character. It was during his term as governor

that the dispensary law, an imported method for the control of the liquor traffic, was put into operation, a system which proved conclusively that liquor makes bad morals and bad government. It was during this time that the primary system for the nomination of candidates for public office from the United States Senator down to township commissioner was inaugurated. An attempt was made to equalize taxation and a spectacular contest between the chief executive and certain large corporations took place, with the result in favor of the chief executive.

These and many other reforms have profoundly affected the course of affairs in the State during the last quarter of a century, and while yet a subject of controversy, it is safe to say, that the preponderance of judgment will warrant the statement that the four years of Senator TILLMAN as governor of the State witnessed more constructive and far-reaching legislation than had ever been given to the State before in a like period of time. All credit for this, however, can not be given in justice to Senator TILLMAN, for he was surrounded in his counsels by earnest and far-seeing men, and yet it would be equally unfair to deny that the larger share of credit belongs to his genius for leadership and constructive suggestion

The historian will likely say that the reform movement, or as it is more frequently referred to "The Tillman movement," was strong and helpful in the thoroughness with which it taught the people their power, and weak in its failure, as thoroughly, to teach them how to use that power. Though the program of the reform movement at that time had included the logical sequence of all that it stood for, it should have provided for a more effective system of public education, because the possession of power without a thorough knowledge of a proper and correct use of it is most dangerous. Calmly reviewing the events of those stirring days, and the conditions that made these events possible, and the results that have come from them, the conclusion is inevitable that they were a necessary process in the evolution of popular government in the State, and that genuine democracy was advanced by them.

The biographer is likely to say that Senator TILLMAN'S most conspicuous service to the people was rendered as a State rather than as a national leader. It was in State affairs that his leadership was most conspicuous and aggressive, and he will live longest in the minds of the people for his work in State matters. His name is indissolvably linked with the two great industrial colleges for men and women. They, in themselves, are sufficient to place Senator TILLMAN on the very highest pedestal of statesmanship. These colleges are performing a service for the young men and young women of the State whose value can not be estimated.

And the primary system, crude as it was and is still, has nevertheless, brought the people in more direct control of their government, and will always be looked upon as a monument of his work, and is an evidence of the genuine democracy which, in the last analysis, was the basis of his long and remarkable domination of an overwhelming majority of his fellow citizens.

In 1894 he became a candidate for the United States Senate against General Matthew Calbraith Butler, who for 18 years had represented the State in the United States Senate with signal ability and vitality. Again the State was shaken from the mountains to the seaboard with the fury of the contest, but the result was never in doubt and Senator TILLMAN was elected by a tremendous majority.

A study of these contests will show the force and power of Senator TILLMAN in middle life. No one who witnessed them can ever forget his almost uncanny recognition of a psychological moment when addressing a popular audience. As a stump speaker, he was absolutely irresistible, and was without an equal. His vocabulary was thoroughly Anglo-Saxon, pure and pointed, the right word always in the right place. He was a student of the classics and learned deeply from them. His style was volcanically explosive, and hence almost irresistible; while his mannerisms were unique and original. His gesticulation was awkward but effective. His facial expression was a powerful asset to him as a speaker, and his voice, a high tenor, had great carrying power and was the ideal speaking outdoor voice.

It is not recorded that he ever quailed or hesitated before a dangerous situation, or that he was ever hit when he could not hit back at least a little harder. Others have imitated him and his methods with some degree of success, but his place as a campaigner before popular audiences will long remain all his own.

It had been the wish of many of his friends that in his own way he might preserve for posterity his own recollection and impression of the remarkable scenes of which he was chief actor, and it is still the hope of his friends that a competent and impartial biographer may rescue from forgetfulness these scenes.

It was not long after Senator TILLMAN took his seat as a Senator that he attracted national attention by a bitter and spectacular attack upon the Cleveland administration. These were the days when the agitation for free silver began to take possession of the imagination of the South and the West, which were then suffering from stagnation in business and from extremely low prices for farm products. His declaration, "Sixteen to one or bust," became a classic in the campaign of 1896, when gold versus silver fought their final contest for supremacy in this country. From the day of this speech until his last appearance upon the floor of the Senate he was a marked man. As he grew in experience and in age, and when responsibility began to rest more and more heavily upon him, he gradually, as is usual in all cases, began to grow more and more conservative and more and more inclined to tolerate the opinions of others. His contact with the brainiest men of the Nation was a great training for him, and his breadth of vision increased, with his more comprehensive understanding of the problems and of the variety and conflicting interests of a great Republic.

Senators of the type of Chandler, of New Hampshire; the scholarly Senator Hoar and his equally scholarly colleague, Senator LODGE; the brilliant Senator Spooner; the gentlemanly and dignified Senator Hale; soon discovered in the new Senator from South Carolina, whose large brown eye blazed with the love of combat, an intellect, a courage, and wisdom, and a knowledge worthy of the best traditions of the greatest legislative body in the world. He was not long in establishing his right of leadership in this body of great men, and this he held without dispute until the fatal disease, which was his undoing, laid its hands upon him. Four times he was elected to the Senate by the almost unanimous vote of his people, and even his bitterest enemies must and do concede that his attitude as a Senator, in almost every instance, was representative of the majority thought of his State. He had a most highly developed capacity for divining public opinion, but likewise had a capacity in an equal degree toward making public opinion. He was more generally a leader of thought than a follower of it. His mind was of the imperious kind; he dominated everything about him. He loved power, but he did not abuse it.

No man in the history of the State, save Calhoun alone, so completely and for so long a time held his sway over its people, and this was not due to his personal popularity, for, while he had warm and loyal friends, he was not of the type whose success was due to a personal following. He won his way by sheer force of intellect and courage, and the belief of his followers in his patriotism and honesty. They trusted him without stint.

The home life of Senator TILLMAN was beautiful. His passionate love for flowers, his deep and abiding devotion to his family are well known. His roughness of manner and speech were more apparent than real. Under the rough exterior there was a kindly heart. Children loved him, and the intuition of children is unerring in its accuracy.

This hastily prepared glimpse of the character and service of this great man is all too brief, but eulogy can not do such a character justice. That must be left to the biographer. May he be fair and competent that the generations to come may be able to form a correct estimate of the place in history which Senator TILLMAN shall fill.

ADJOURNMENT.

The SPEAKER pro tempore (Mr. BYRNES of South Carolina). In accordance with the provisions of the resolution heretofore adopted the House will now stand adjourned.

Accordingly, at 2 o'clock and 7 minutes p. m., the House adjourned until to-morrow, Monday, December 16, 1918, at 12 o'clock noon.

SENATE.

MONDAY, *December 16, 1918.*

The Senate met at 12 o'clock noon, on the expiration of the recess.

Mr. NELSON. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Culberson	Fletcher	Gronna
Beckham	Curtis	France	Hale
Brandegee	Dillingham	Frelinghuysen	Harding
Colt	Fernald	Gay	Hardwick

Henderson	Martin, Va.	Robinson	Thomas
Hitchcock	Moses	Saulsbury	Thompson
Johnson, Cal.	Mulkey	Shafroth	Townsend
Johnson, S. Dak.	Nelson	Sheppard	Trammell
Jones, N. Mex.	New	Sherman	Underwood
Jones, Wash.	Norris	Simmons	Vardaman
Kenyon	Nugent	Smith, Ariz.	Walsh
King	Overman	Smith, Ga.	Warren
Kirby	Page	Smith, Md.	Watson
La Follette	Penrose	Smoot	Weeks
Lenroot	Pittman	Spencer	Williams
McKellar	Pollock	Sterling	
McLean	Pomerene	Sutherland	
Martin, Ky.	Ransdell	Swanson	

Mr. McKELLAR. I desire to announce the absence of the senior Senator from Tennessee [Mr. SHIELDS] on account of illness.

Mr. SHEPPARD. I wish to announce that the Senator from Rhode Island [Mr. GERRY], the Senator from Arizona [Mr. ASHURST], and the Senator from California [Mr. PHELAN] are detained on important public business.

The PRESIDENT pro tempore. Sixty-nine Senators have answered to their names. There is a quorum present.

SHIP CONSTRUCTION FOR FOREIGN ACCOUNT.

Mr. JONES of Washington. Mr. President, I ask leave, out of order, to submit a resolution and ask for its immediate consideration. I simply wish to say that it calls for information from the Shipping Board which I think is very important in connection with matters which are now coming up. I do not think it will lead to any discussion.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Washington? The Chair hears none, and the Secretary will read the resolution.

The Secretary read the resolution (S. Res. 389), as follows:

Resolved, That the United States Shipping Board be, and it is hereby, directed to inform the Senate as promptly as possible—

1. Whether or not the war-time restrictions as to construction of wooden ships for foreign account in American shipyards have been removed; and if so, when.

2. Whether or not the war-time restrictions as to construction of steel ships in American shipyards for foreign account have been removed; and if not, why not; and if special instructions have been given to the Shipping Board not to remove such restrictions, by whom given.

3. What applications have been made for permission to negotiate contracts for the construction of steel or wooden ships in American yards for foreign account, and what action, if any, has been taken upon such applications, and when the same were presented.

4. What information the United States Shipping Board has as to the policy and action of other countries in regard to permitting their shipyards to enter into contracts for the construction of steel and wooden ships on foreign account.

Mr. SIMMONS. Mr. President, I must insist upon going on with the unfinished business. Routine business is not in order this morning. We had no adjournment. The legislative day has not expired.

The PRESIDENT pro tempore. Objection is made to the present consideration of the resolution.

Mr. JONES of Washington. I thought I had obtained the consent of the Senate to consider the resolution. The Chair presented the question, I know, to the Senate, and no objection was made.

Mr. SIMMONS. I did not hear the request. I will state to the Senator that some time during the day I think he will find an opportunity to call up the resolution. The Senator from Utah [Mr. SMOOT] has given notice that he will speak this morning.

Mr. JONES of Washington. I do not think there will be any objection to the resolution.

Mr. SIMMONS. If it can be passed now without discussion, I shall not object.

The PRESIDENT pro tempore. The Chair did announce that there was no objection.

Mr. SIMMONS. I do not object if we can put it on its passage.

The PRESIDENT pro tempore. The Chair understands that the resolution will be passed over for the present.

Mr. FLETCHER. I wish to ask in reference to the resolution whether that information has not already been printed in pursuance of other resolutions?

Mr. JONES of Washington. No; I think not.

Mr. THOMAS. Has the resolution of the Senator from Washington been disposed of?

The PRESIDENT pro tempore. The Chair understands that by agreement it has been passed over for the present.

Mr. JONES of Washington. No; the chairman of the committee said he would not object if there is to be no discussion upon the resolution.

Mr. SIMMONS. I said if it would result in no debate I would have no objection to the passage of the resolution.

The PRESIDENT pro tempore. The Chair did not hear what the Senator from North Carolina said. Is there objection to the present consideration of the resolution?

The resolution was considered by unanimous consent and agreed to.

REGENT OF SMITHSONIAN INSTITUTION.

Mr. THOMAS. I have been requested by the senior Senator from Massachusetts [Mr. LODGE], who is necessarily absent this morning, to introduce a joint resolution and to ask for its immediate consideration.

The PRESIDENT pro tempore. Is there objection?

Mr. WILLIAMS. I should like to hear what it is.

The PRESIDENT pro tempore. The joint resolution will be read.

The joint resolution (S. J. Res. 195) providing for the filling of a proximate vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, was read the first time by its title and the second time at length, as follows:

Resolved, etc., That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, which will occur on February 6, 1919, by reason of the expiration of the term of George Gray, of Delaware, be filled by the reappointment of the said George Gray for the ensuing term.

Mr. SIMMONS. I shall not object if it does not provoke debate.

Mr. WILLIAMS. There is no objection to it.

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the joint resolution (S. J. Res. 187) providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress.

The message also announced that the House had passed a bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, in which it requested the concurrence of the Senate.

The message further announced that the House disagrees to the amendments of the Senate to the bill (H. R. 13261) providing for the transportation from the District of Columbia of governmental employees whose services no longer are required, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHERLEY, Mr. BYRNS of Tennessee, and Mr. GILLETT managers at the conference on the part of the House.

The message also transmitted to the Senate resolutions of the House on the life, character, and public services of Hon. BENJAMIN RYAN TILLMAN, late a Senator from the State of South Carolina.

TRANSPORTATION OF GOVERNMENT EMPLOYEES.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 13261) providing for the transportation from the District of Columbia of governmental employees whose services no longer are required and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MARTIN of Virginia. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the President pro tempore appointed Mr. MARTIN of Virginia, Mr. UNDERWOOD, and Mr. WARREN conferees on the part of the Senate.

PETITIONS AND MEMORIALS.

Mr. NELSON presented a memorial of sundry citizens of Minneapolis, Minn., remonstrating against the enactment of legislation prohibiting the operation of private radio stations, which was referred to the Committee on Commerce.

Mr. THOMPSON presented a petition of the Retail Merchants' Association of Ottawa, Kans., praying for the enactment of legislation making it an offense against the Government to display a red flag or any other flag, except the Stars and Stripes, as a national patriotic emblem, which was referred to the Committee on the Judiciary.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NELSON:

A bill (S. 5198) granting a pension to George S. Frankenfield; to the Committee on Pensions.

By Mr. SPENCER:

A bill (S. 5199) to donate 50 cannon to the State of Missouri; to the Committee on Military Affairs.

By Mr. McKELLAR:

A joint resolution (S. J. Res. 193) authorizing the Secretary of War to accept resignations of officers and to grant discharges to enlisted men in the Army under certain conditions; to the Committee on Military Affairs.

PROMOTIONS IN THE ARMY.

Mr. THOMAS. I introduce a bill to provide for the promotion of certain officers, privates, and noncommissioned officers in the Army. I ask that it be printed in the RECORD and referred to the Committee on Military Affairs.

The bill (S. 5200) to provide for the promotion of certain officers, privates, and noncommissioned officers was read twice by its title, referred to the Committee on Military Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That all officers, privates, and noncommissioned officers who had been recommended for promotion prior to or on the 11th day of November, A. D. 1918, shall be entitled to and shall be given commissions for the rank so recommended, in all respects as though hostilities with Germany had not been suspended.

AMENDMENT TO DISTRICT APPROPRIATION BILL.

Mr. CURTIS submitted an amendment proposing to appropriate $5,000 for the aid and support of the National Library for the Blind in the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

THE REVENUE.

Mr. KING submitted an amendment intended to be proposed by him to the bill (H. R. 12863) to provide revenue, and for other purposes, which was ordered to lie on the table and be printed.

TRANSPORTATION OF GOVERNMENT EMPLOYEES—CONFERENCE REPORT.

Mr. MARTIN of Virginia submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13261) providing for the transportation from the District of Columbia of Government employees whose services no longer are required, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "February 20"; and the Senate agree to the same.

THOMAS S. MARTIN,
O. W. UNDERWOOD,
F. E. WARREN,
Managers on the part of the Senate.

SWAGAR SHERLEY,
JOSEPH W. BYRNS,
FRED H. GILLETT,
Managers on the part of the House.

The report was agreed to.

HOUSE BILL REFERRED.

H. R. 12001. An act to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, was read twice by its title and referred to the Committee on the Judiciary.

THE REVENUE BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12863) to provide revenue, and for other purposes.

Mr. SMOOT. Mr. President, I was in hopes that I could have proceeded to the discussion of the bill earlier in the day. It is Saturday afternoon, and it will be impossible for me to cover all the points I desire to speak on during the day. Knowing that it is the wish of many Senators that they shall have a little of Saturday afternoon off, I shall this afternoon confine myself to but one subject.

The American people, Mr. President, have been led to believe that the requirements of the Government for the fiscal year ending June 30, 1920, will be but $4,000,000,000. The amount that will be required is so far in excess of this figure that I thought it was proper for the Senate, and I may say for the country, to know that instead of $4,000,000,000 the expenses of our Government for the fiscal year ending June 30, 1920, will be at least $10,000,000,000, and I hope to be able to demonstrate that fact. I hope if there is any doubt in the mind of any Senator when the figures are presented by me to-day he will ask any question he sees fit to ask, and I shall gladly give the information if possible.

Mr. PENROSE. Mr. President, will the Senator permit me?

Mr. SMOOT. I yield.

Mr. PENROSE. I hope the Senator will also inform the Senate as to the accuracy, in his opinion, of the estimated expenditures for this year.

Mr. SIMMONS. Mr. President, I think the Senator from Utah made an inadvertent statement. I understood the Senator to state that the country has been led to believe that the expenditures of the Government for the fiscal year 1920 would not be more than $4,000,000,000. I think the Senator meant to say it was estimated that not more than $4,000,000,000 would be required by taxation.

Mr. SMOOT. No, Mr. President; I stated just exactly what I have gathered from the press of the country. I have seen not only magazines claiming four billions to be the amount required, but I have noticed daily papers from nearly all parts of the United States in which it is stated that the expenditures of the Government for the fiscal year will be $4,000,000,000, and that is to be covered by a $4,000,000,000 tax bill.

Mr. SIMMONS. The Senator does not deny the fact that the estimates of the Treasury Department upon which this $4,000,000,000 tax bill is based call for more than $4,000,000,000?

Mr. SMOOT. I was not speaking of any estimates of the Treasury Department, nor was I speaking of the understanding of the members of the Finance Committee. This question has been discussed time and time again in the committee. I said the people of the United States were led to believe, and I know that the press of the country has been filled with statements to the effect that the imposition of a $4,000,000,000 tax is all that is necessary to pay the expenditures for the fiscal year ending June 30, 1920.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER (Mr. THOMAS in the chair). Does the Senator from Utah yield to the Senator from Washington?

Mr. SMOOT. I yield.

Mr. JONES of Washington. I wish the Senator to yield to me that I may ask the chairman of the committee if the $4,000,000,000 estimated revenue will not cover the expenditures of the Government for 1920, does he contemplate now a bond issue to carry on the expenses of 1920?

Mr. SIMMONS. The point I desire to present to the Senator from Utah is this: The Government will receive from other sources revenue besides this $4,000,000,000. It is estimated, according to my recollection, that the total amount which will be received by the Government from the $4,000,000,000 of taxes and from other sources will amount to very nearly $6,000,000,000.

Mr. SMOOT. Mr. President, there is no need of trying to deceive ourselves or to deceive the American people. I asked the Secretary of the Treasury when he was before the committee if it was the intention of the administration to sell bonds to partially pay the expenses of the Government for the year 1920 and he frankly answered it was. I want the people to understand that bonds are to be sold in order to pay the expenses of the Government for the year 1920, so that hereafter it may not be said that the Republicans then in control of Congress were responsible for selling bonds in times of peace to pay the expenses of the Government.

Mr. SIMMONS. If the Senator will pardon me, I have sent for the statement of the Secretary of the Treasury. It is given in his annual report. I think the Senator wants to verify this matter before it is left.

Mr. SMOOT. Mr. President——

Mr. SIMMONS. If the Senator will pardon me a minute, the estimate of the department of expenditures for the present year is something over $7,000,000,000—$7,400,000,000, I think.

Mr. SMOOT. I will tell the Senator exactly if he wants to know.

Mr. SIMMONS. I have it here.

Mr. SMOOT. It is $8,080,667,298.07, less, certainly, deductions.

Mr. SIMMONS. If the Senator will pardon me, I have the estimate of the Treasury Department here. The total estimate is $7,284,000,000.

Mr. SMOOT. If the Senator will allow me to proceed, I will——

Mr. SIMMONS. Will not the Senator permit me to correct an error in his statement?

Mr. SMOOT. There is no error in my statement.

Mr. SIMMONS. The Senator said it was expected that only $4,000,000,000 would be necessary to meet the expenses of the Government for 1920.

Mr. SMOOT. The Senator is mistaken. I have never said that. I said the people were led to believe that $4,000,000,000 was all that would be necessary to meet the expenses of the Government.

Mr. SIMMONS. Mr. President——

Mr. SMOOT. If the Senator will allow me to proceed, I am going to tell the Senate of the United States just what the estimates are for every department of the Government, and I am going to show also the amount of contracts that have been entered into by our Government that will not be paid during the present fiscal year, but will reach over into the fiscal year 1920.

Mr. SIMMONS. If the Senator will just permit me, I will not interrupt him any more, if he does not desire me to do so, about any other matter.

Mr. SMOOT. The Senator can interrupt me now and at any other time he chooses for a question.

Mr. SIMMONS. Including the $4,000,000,000 of taxes that are expected to be realized from this bill, the total receipts of the Government for 1920 amount to $5,987,000,000, and $1,987,000,000 additional come from other sources.

Mr. SMOOT. That means for this year?

Mr. SIMMONS. For the fiscal year 1920.

Mr. SMOOT. Under the pending bill the estimated receipts for the fiscal year ending June 30, 1919, are $5,987,406,000. That is to be collected on business for the year 1918 during the calendar year 1919. I am discussing the question as to the amount of taxes we shall raise on the business of 1919 to pay the expenditures of the Government beginning July 1, 1919, and ending June 30, 1920. They are two separate and distinct propositions, and I want Senators to know that they are distinct propositions. I want the people of the country to know the amount of money we shall have to raise in some way to meet the expenditures for the fiscal year ending June 30, 1920, will be at least $10,000,000,000.

Mr. KENYON. Mr. President——

Mr. SMOOT. I yield.

Mr. KENYON. The Senator referred to the statement of the Secretary of the Treasury before the committee that he expected bonds would have to be issued for the fiscal year 1920. Did he state how much they expected to have issued?

Mr. SMOOT. In his statement he said 40 per cent of that—the amount required—should be raised by taxation and the balance by sale of bonds.

Mr. KENYON. I have never seen that statement in the papers.

Mr. SMOOT. That was the statement made before the Finance Committee.

Now, in order that we may get this in a concise form, so that we may follow it step by step and understand just exactly what we have to meet, I am going to begin now and call attention to the appropriations that were made for the present fiscal year, and I am going to call attention to the amount in detail as well as the total appropriations. I do not believe that this afternoon I shall take the time of the Senate to go into a detailed explanation of every one of the several department appropriations, but I am going to ask that a statement of the appropriations be put in the RECORD without reading, so that any Senator who desires to examine it carefully may have it before him at any time in the discussion of the pending measure.

The statement is as follows:

APPROPRIATIONS, NEW OFFICES, ETC.

Recapitulation of appropriations, 1918-19, Sixty-fifth Congress, second session.

Title of appropriation acts.	Amount.	Contracts to be met by future appropriations.	Total.
REGULAR ACTS.			
Agriculture	$27,875,352.00		$27,875,352.00
Army	10,225,478,812.91	$1,858,332,301.00	12,083,811,113.91
Diplomatic and Consular	7,937,326.66		7,937,326.66
District of Columbia [1]	15,096,768.66		15,096,768.66
Fortification	2,814,348,267.85	2,343,465,845.00	5,157,814,112.85
Indian	11,021,910.00		11,021,910.00
Legislative, etc.	69,937,865.25		69,937,865.25
Military Academy	2,545,005.01		2,545,005.01
Naval	1,573,468,415.84	34,000,000.00	1,607,468,415.84
Pension	229,050,000.00		229,050,000.00
Post Office [2]	357,573,342.00		357,573,342.00
River and harbor	23,771,900.00	82,700.00	23,854,600.00
Sundry civil	2,019,654,470.07	945,549,000.00	2,965,203,470.07
Total, regular acts	17,388,678,985.25	5,181,430,346.00	22,570,109,331.25

[1] One-half of the amounts for the District of Columbia payable by the United States, except amounts for the water service (estimated for 1919 at $683,000), which are payable from the revenues of the water department.

[2] The expenses of the Postal Service are payable from postal revenues to the extent they are sufficient therefor and the remainder is paid out of the Treasury.

APPROPRIATIONS, NEW OFFICES, ETC.—Continued.

Title of appropriation acts.	Amount.	Contracts to be met by future appropriations.	Total.
DEFICIENCY ACTS.			
Urgent deficiency, 1918	$731,981,789.46	$1,250,000.00	$733,151,789.46
Additional urgent deficiency, 1918	90,700,022.62		90,700,022.62
Deficiency, 1918	1,015,408,732.34		1,015,408,732.34
First deficiency, 1919	2,487,003,912.41	3,844,541,016.00	6,331,544,928.41
Total, deficiency acts	4,325,012,456.83	3,845,761,016.00	8,170,773,472.83
MISCELLANEOUS ACTS.			
Congress, expenses of	265,000.00		265,000.00
Federal land-bank bonds, purchase of	200,000,000.00		200,000,000.00
Federal operation of railroads	500,000,000.00		500,000,000.00
Loans to our allies by the third and fourth Liberty bond acts [1]	3,000,000,000.00		3,000,000,000.00
War Finance Corporation and Capital Issues Committee	500,000,000.00		500,000,000.00
Indianhead, Md., Naval Proving Ground, transportation system	1,000,000.00		1,000,000.00
Naturalization of aliens in the Army and Navy	400,000.00		400,000.00
Vocational rehabilitation of soldiers and sailors	2,000,000.00		2,000,000.00
Greece, payment to, for injuries of nationals	40,000.00		40,000.00
Combating Spanish influenza and other communicable diseases	1,000,000.00		1,000,000.00
Encouraging production and regulation of ores, metals, and minerals	50,500,000.00		50,500,000.00
Boston, Mass., dry dock for Navy, purchase of	4,550,000.00		4,550,000.00
Public Health Service, addition to Hygienic Laboratory		250,000.00	250,000.00
Encouraging production, etc., and distribution of food products	11,031,863.00		11,031,863.00
Total, miscellaneous acts	4,270,987,863.00	250,000.00	4,271,237,863.00
PERMANENT AND INDEFINITE.			
Interest on the public debt [2]	655,107,269.00		655,107,269.00
Sinking fund [2]	298,889,865.00		298,889,865.00
Preparations and issuance of loans, expenses of [2]	39,732,306.67		39,732,306.67
Increased compensation to Government employees [3]	51,946,030.00		51,946,030.00
Miscellaneous permanents and indefinites [4]	71,739,945.00		71,739,945.00
Total, permanents and indefinites	1,107,415,415.67		1,107,415,415.67
Grand total	27,092,094,720.75	9,027,441,362.00	36,119,536,082.75

[1] Reimbursable by foreign governments to whom advancements are made.

[2] Revised estimate for 1919 as submitted by the Secretary of the Treasury in his annual report for the fiscal year 1918.

[3] This sum is approximated and includes $2,000,000 for increases authorized by the legislative, etc., act and $25,946,030 authorized by the Post Office act. The latter sum is in addition to $14,053,970 definitely appropriated in that act for that purpose.

[4] Approximated.

Mr. SMOOT. This statement shows the regular appropriations for the present fiscal year were $17,388,678,985.25. This amount covers the regular acts, and in addition to the direct appropriations in the regular acts there were also contracts authorized to be met by future appropriations to the amount of $5,181,430,346. Then there were four deficiency acts, and the regular appropriations in those four deficiency acts were $4,325,012,456.83, and contracts authorized to be met by future appropriations amounting to $3,845,761,016. Then there were different miscellaneous acts passed, covering the Federal land-bank bonds purchase, the Federal operation of railroads, the loans to our allies, and other smaller amounts, and these amounted, in addition to the regular appropriations, to $4,270,987,863, and in addition contracts authorized to be met by future appropriations of $250,000.

Mr. President, taking all these appropriations, together with the permanents and indefinites that are carried every year in appropriation bills, the amount of the direct appropriations for the present fiscal year was $27,092,094,720.75. The total contracts authorized to be met by future appropriations for the present fiscal year were $9,027,441,362, making a total of appropriations direct and contracts authorized to be met by future appropriations of $36,119,536,082.75.

Senators will remember that when there was a report made to this body that our appropriations amounted to $36,000,000,000

I stated upon the floor of the Senate that it was absolutely impossible for the productive industries of the country to produce the goods for that amount, and at the same time furnish our allies with goods ordered by them. That statement has proven to be a fact. The Secretary of the Treasury now tells us that $18,000,000,000 will cover all the requirements of the Government for the present fiscal year, including what we advance to our allies.

In other words, Mr. President, up to the end of this year it has developed that the purchases and expenses of our Government will not amount to more than $14,500,000,000. When the appropriation bills were under discussion I stated that it was an impossibility to produce goods in the United States and furnish our allies with what we were called upon to furnish them to an amount exceeding $16,000,000,000. I think the history of the business of this country has fully justified me in that statement at that time.

Mr. KENYON. May I ask the Senator does his statement include the different funds that were voted to the President for use?

Mr. SMOOT. The item referred to by the Senator is included generally in a deficiency appropriation bill or a regular appropriation bill.

Mr. KENYON. Does the Senator intend to include those figures before he gets through with his statement?

Mr. SMOOT. I have not the amount of the item separately. I shall look it up for the Senator and let him know exactly what it is.

I now come to the estimate of appropriations for the fiscal year ending June 30, 1920. I have a purpose in calling attention to the appropriations of 1919 and the appropriations of 1920 separately and at this time, for I want to show to the Senate how we are going to meet the requirements of the Government for the fiscal year 1919 and then the requirements of the Government for the fiscal year 1920.

The estimates of appropriations for the fiscal year ending June 30, 1920, are as follows:

Agriculture, $30,048,786; Army, $1,916,905,572.16.

I want the Senate to know how this figure was arrived at. Gen. Lord and also the Secretary of War stated to the committee that the amount was arrived at as follows: When the estimate was first made for the fiscal year 1919–20 for the Army it amounted to $19,169,057,216. They stated the original estimate was based upon an army of 5,000,000 men, and the second estimate, the revised estimate that I have just called attention to, is based upon an army of 500,000 men. Therefore, 500,000 being one-tenth of 5,000,000, the amount of the second estimate should be one-tenth of the original estimate of $19,169,057,216, or $1,916,905,572.16.

In other words, Mr. President, if up to June 30, 1919, there were more men in the Army than 500,000 the estimate will not cover the requirements of the War Department, as it is based upon an army of 500,000 men only.

Mr. LA FOLLETTE. It is merely speculative.

Mr. SMOOT. As the Senator from Wisconsin suggests, it is merely speculative. We do not know what is going to happen before peace terms are agreed upon and signed. Not only that, Mr. President, we do not know what is going to happen after they are signed. We can not tell how many men of the American Army will be kept in Europe long after June 30, 1919.

Mr. POMERENE. Will the Senator yield?

Mr. SMOOT. I yield.

Mr. POMERENE. The Senator has given the total appropriations for the fiscal year ending June 30, 1919, and also for the fiscal year ending June 30, 1920.

Mr. SMOOT. I will give them for 1920 in a very few moments.

Mr. POMERENE. But the Senator has not thus far given any figures as to the amount of contracts for which appropriations have been made and which have been canceled.

Mr. SMOOT. I will give them to the Senator as I proceed.

Mr. POMERENE. Very well.

Mr. SMOOT. Now, continuing with the appropriations for 1920, as estimated:

For the Diplomatic and Consular Service, $11,042,236.66.

District of Columbia, $15,028,819.

Fortifications, $574,237,273.30.

Indian appropriations, $11,939,813.89.

Legislative, executive, and judicial appropriation bill, $116,021,816.83.

Military Academy, $6,032,862.70.

The Navy, $2,644,307,046.05.

Pensions, $220,050,000.

Mr. VARDAMAN. Mr. President, has the Senator from Utah read the estimates for 1920?

Mr. SMOOT. I am reading the estimates for 1920.

Mr. VARDAMAN. Do those estimates carry an appropriation of $2,000,000,000 for the Navy for 1920?

Mr. SMOOT. They carry an appropriation of $2,644,307,046.05. That is the revised estimate.

Mr. VARDAMAN. Has the Senator any idea that Congress will appropriate that much money?

Mr. SMOOT. I say frankly to the Senator that I think that appropriation will be made for the Navy. I do not want my position to be misunderstood. I have stated many times, and I state again, that if I am to be charged with approving of extravagant appropriations of Government moneys it will be in maintaining a Navy. I want the strongest first line of defense that it is reasonable for us to maintain.

Mr. REED. Mr. President, will the Senator from Utah allow me to ask him a question?

Mr. SMOOT. Yes; I am perfectly willing to have the Senator do so.

Mr. REED. Is the Senator from Utah willing to build that kind of a Navy and turn it over to somebody other than an American citizen to manage it for us?

Mr. SMOOT. Mr. President, I still have unbounded faith in the ultimate judgment of Congress and of the American people, and I do not believe that is ever going to happen. I will say to the Senator that it will never happen with a vote of mine.

Mr. REED. I know that.

Mr. SMOOT. I proceed with a statement of these expenditures:

Post Office appropriation bill, $358,307,577.

Rivers and harbors, $15,870,500.

Sundry civil, $902,231,235.48.

A total, Mr. President, of the regular estimates covering the regular appropriation bills amounting to $6,822,923,539.07.

Then the permanent and indefinite appropriations, as they are called, amount to $1,266,743,759. We can not get rid of any part of that expenditure in any way, for nearly a billion dollars of it is for the payment of interest on our bonded indebtedness.

I will explain further, so as not to repeat, of what the balance of these appropriations consist. The total regular, permanent, and indefinite estimates are $8,089,667,298.07. That amount includes the sinking fund. We have a law on the statute books that requires that there shall be 1 per cent of all of the revenues of the Government set aside as a sinking fund to meet the bonded indebtedness of the Government. That law was passed back in the sixties, while the Civil War was in progress. It was passed to give stability to the United States bonds at that time, but it has never been adhered to. I have had passed through this body several times, at the request of former Secretaries of the Treasury and once at the request of Secretary McAdoo, a bill for the repeal of that law, but so far a bill of that character has failed to pass the other House. Therefore, Mr. President, it would be perfectly fair to take the amount of that sinking fund—for it will never be expended for the purpose named—off the amount of the estimated total regular, permanent, and indefinite estimates.

Mr. SIMMONS. The appropriations.

Mr. SMOOT. The estimates. The 1 per cent sinking fund amounts to $287,943,883. Deducting that from the total of $8,089,667,298.07, which I have before stated, leaves a balance of $7,801,723,415.07.

In order that the Senate may know just what the estimated appropriations that must be provided for, it is only fair to take off the receipts of the Postal Service, for we have charged to the estimated amount of appropriations the amount appropriated for the maintenance of the Post Office Department. It is estimated that the receipts of the Postal Service will be $358,307,577, leaving a net amount of $7,443,415,838.07.

That is not all that we have got to meet. This afternoon I will only analyze the present condition of the authorized contracts of the War Department for which no appropriation has been made but actual contracts entered into, and the amount of same, together with the percentage of such that can be delivered during the present fiscal year and the percentage not to be delivered until the fiscal year ending June 30, 1920.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Minnesota?

Mr. SMOOT. I yield.

Mr. NELSON. Has the Senator from Utah included in that amount what, if anything, the Government will have to appropriate for the railroad service and for the telegraph service? Is that included in his estimate?

Mr. SMOOT. Yes; certainly.

from the sale of war materials. Under the law to-day any

Mr. SMOOT. No, Mr. President, it is not; but I have those two items, as well as others, to which I shall call the attention of the Senate.

Now, let us take the War Department and analyze the present conditions of all appropriations made to that department from April 7, 1917, the date we declared war, to the 1st day of December of this year.

Mr. LODGE. Mr. President, before the Senator begins on that I desire to ask has he included in the figures which he has already given the amount which is necessary to pay the insurance on soldiers who have been killed?

Mr. SMOOT. That is not included.

Mr. LODGE. I understand that over $400,000,000 will be required for that purpose, and probably it may reach $600,000,000.

Mr. SMOOT. I will say to the Senator that those figures are not included in the amounts which I am now stating.

Mr. LODGE. Does the Senator include them in his final statement?

Mr. SMOOT. I would, however, say that, so far as the estimate of the officials of the War Risk Insurance Bureau is concerned, they feel that by the end of the fiscal year, June 30, 1920, the premiums from now on which are paid by our soldiers who intend to maintain their insurance will be sufficient to clear off the greater amount paid for deaths caused by influenza and those who have been killed upon the battle front.

Mr. LODGE. But that bureau is now over $400,000,000 behind.

Mr. SMOOT. I do not know the exact amount, but it is away behind.

Mr. KING. Mr. President, will my colleague yield to me?

Mr. SMOOT. Yes.

Mr. KING. My colleague has not taken into account either the contemplated appropriation for the reclamation of arid lands, of swamp lands, of cut-over lands, and so forth, and the work of rehabilitation which many sensible people and some faddists are projecting for the future care and maintenance of the soldiers and sailors.

Mr. SMOOT. No, Mr. President; nor have I taken into consideration one dollar of the amount that may be appropriated for deficiencies. This estimate does not cover a single deficiency bill. It only covers what has been estimated for by the different departments of the Government for the regular expenses of the departments.

Mr. President, let us now analyze just what appropriations for war purposes have been made and amounts that have been disbursed. These statements are from figures based upon the testimony of the Secretary of War before the Finance Committee. I want to show just what amount of contracts, obligated and unobligated, will fall due in the year 1920.

Mr. President, I ask that a copy of these estimates for appropriations be inserted in my remarks, so that any Senator who desires to see them can do so at once, without following up the interruptions.

The PRESIDING OFFICER. Without objection, it will be so ordered.

The paper referred to is as follows:

Estimates of appropriations, 1919–20.

Agriculture	$30,048,786.00
Army	1,916,905,572.16
Diplomatic and consular	11,042,236.66
District of Columbia	15,928,819.00
Fortification	574,287,273.30
Indian	11,939,813.89
Legislative, etc	116,021,816.83
Military Academy	6,032,862.70
Navy	2,644,307,046.05
Pension	220,050,000.00
Post Office	358,307,577.00
River and harbor	15,870,500.00
Sundry civil	902,231,235.48
Total regular estimates	6,822,923,539.07
Permanents and indefinites	1,266,743,759.00
Total regular and permanent and indefinite estimates	8,089,667,298.07
Deduct sinking fund requirements	287,943,883.00
	7,801,723,415.07
Deduct postal service payable from postal revenues	358,307,577.00
Total	7,443,415,838.07

Mr. SMOOT. The total appropriations since the declaration of war on April 6, 1917, have been $24,335,281,638.62.

Mr. NORRIS. For the War Department alone?

Mr. SMOOT. For the War Department alone.

The disbursements to October 31, 1918, amount to $9,871,539,531.01. There is a balance remaining to the credit of the appropriations for the War Department of $14,463,742,107.61. Unpaid obligations to November 11, 1918—and that is the latest date as to which Gen. Lord could furnish the committee the actual figures—amount to $5,228,051,451.20, showing an unobligated balance of $9,235,690,656.41.

The estimated savings on obligations existing November 11, 1918, by the termination of contracts amount to $1,717,105,461.86. The estimated savings of unobligated balances existing November 11, 1918, amount to $5,475,303,470.85; the total estimated savings from contracts, obligated and unobligated, amount to $7,192,408,932.71.

Now, Mr. President, let us see just when and how we are to meet these obligations of the Government. After deducting all of the contracts, both unobligated and obligated, that can be canceled amounting to $7,192,408,932.71, as I have already stated, from the balance remaining in the Treasury to the credit of the appropriations of $14,463,742,107.61 leaves obligations to be met before the final completion of all contracts of $7,271,333,174.90.

The total contracts authorized since April 6, 1917, the date on which war was declared, to be met by future appropriations, up to November 11, 1918, was $8,125,717,662. Of this amount the Government has assumed obligations amounting to $1,704,107,205.07, and have been able to cancel, up to November 1 of this year, $586,031,205.07, leaving a balance to be met of $1,118,076,000.

I now wish to call the attention of the Senate to when payments of this obligation will have to be made. Of the contracts which can not be canceled, which have been authorized, but for which no appropriations have been made, it is impossible for all the goods to be delivered by June 30 next, the end of the present fiscal year. In answer to a question asked of the Secretary of War, he replied that 60 per cent would be delivered and settled for during the present fiscal year, and that 40 per cent would be carried over into the year 1920; or, in other words, there is to be carried over out of this one item $447,230,400.

Mr. President, before I pass from this item I wish to say that I received a letter in regard to it from Gen. Lord, dated December 11. I requested that he let me know whether this amount of $1,118,076,000 was a correct estimate, to go over it carefully again and let me know the result of a closer examination. I have his letter, dated December 11, 1918, which reads as follows:

HON. REED SMOOT,
United States Senator.

MY DEAR MR. SMOOT: I am submitting herewith a statement covering all contractual authorizations issued to the War Department bureaus and the condition of the same:

Signal Corps, $45,000,000.
Chemical Warfare Service, $150,000,000.
Medical Department, $65,000,000.
Engineer Corps, $200,000,000.
Quartermaster's Corps, $15,750,000.
Ordnance Department, $8,050,710,602.

No obligations have been made against these authorizations, with the single exception of ordnance, which shows estimated net obligations amounting to $1,260,671,573.81. The total submitted to you by me originally as the net outstanding obligations of ordnance under contractual authority granted was only $1,118,076,000.

So I call the attention of the Senate to the fact that the figures that I have used, based upon Gen. Lord's estimate of a couple of weeks ago, have been increased by $142,595,573.81, and 40 per cent of this amount will be paid for in the year 1920. I do not wish it said at some time in the future that Congress did not know what they had to meet for 1920. If bonds are to be sold in a time of peace, we want to know the reason why, and it is best to set forth the reasons now, rather than one year and a half hence.

Mr. KING. Mr. President, will my colleague yield to me?

The PRESIDING OFFICER. Does the Senator from Utah yield to his colleague?

Mr. SMOOT. I do.

Mr. KING. The Senator mentioned the sum of $15,000,000, as I understood him, as the contractual outstanding obligations of the Government under the head of the Quartermaster General's Department. I want to know whether I clearly apprehended the statement of the Senator. It seems to me that the obligations outstanding would be much in excess of that amount.

Mr. SMOOT. The Senator misunderstood me. The figures I have given are for contracts authorized, but for which appropriations have not been made. In other words, we have authorized contracts to the amount of over $9,000,000,000 to be appropriated for later. Of that $9,000,000,000, as I have said, we entered into contracts amounting to $1,704,107,205.07 and canceled of this amount $586,031,205.07, and are still obligated for the balance of $1,118,076,000; but now we find that it amounts to $1,260,671,573.81, an increase of $142,595,573.81.

Mr. JONES of New Mexico. Will the Senator yield to me for a moment?

Mr. SMOOT. Yes; certainly.

Mr. JONES of New Mexico. I wish to be certain that I understand the Senator, my attention having been diverted for just a moment. If I understood Gen. Lord's statement and the statement which has just been made, the War Department expects to take care of all of its contracts, whether appropriated for or merely authorized, and still keep the expenditures under the actual amount appropriated, and save out of the actual appropriations about $7,200,000,000.

Mr. SMOOT. That is right, as I have stated.

Mr. JONES of New Mexico. Yes; I understand that. Now, the Senator has just referred to some subsequent figures in regard to authorizations——

Mr. SMOOT. Yes.

Mr. JONES of New Mexico. And I wanted to know if those subsequent figures change the first general statement which was made?

Mr. SMOOT. No, Mr. President, they do not have reference to the first general statement, because I was dealing then with direct appropriations made to the War Department; but the letter of Gen. Lord has reference to contractural obligations authorized, but not entered into other than to the extent as named in his letter.

Mr. JONES of New Mexico. Do I understand that the statement which the Senator now holds in his hand modifies the statement which Gen. Lord made to the committee?

Mr. SMOOT. Only as to the difference between $1,118,076,000 and $1,260,671,573.81.

Mr. JONES of New Mexico. How much of a modification does that make?

Mr. SMOOT. It is a modification, in round numbers, of $152,000,000.

Mr. JONES of New Mexico. Then the saving of $7,200,000,000 is reduced?

Mr. SMOOT. It is reduced by $152,000,000.

Mr. JONES of New Mexico. It is reduced by $152,000,000?

Mr. SMOOT. Yes; that is all.

From the balances remaining to the credit of appropriations of $14,463,742,107.61 we are to deduct the total savings of direct appropriations and contract obligations of $7,192,408,932.71, leaving a balance, as I have said, of $7,271,333,174.90

The Secretary of War stated that it is impossible for all of the goods to be delivered under the contracts entered into, notwithstanding the cancellation made, during the present fiscal year. He says that there will be of the amount I have named 70 per cent of the goods delivered by June 30, 1919, and that the remaining 30 per cent will have to go over into the fiscal year 1920. Thirty per cent of the amount is $2,181,399,952.47.

Mr. President, I wish to call attention to the fact that the estimates of all the departments for the fiscal year 1919–20, as I have already stated, amount to $7,443,415,838.07. Then, 30 per cent of the contracts which have been entered into, the goods under which can not be delivered during the present fiscal year but will be delivered in 1920, amounts to $2,181,399,952.47, and 40 per cent of contracts for which no appropriation was made but for which the Government is obligated, amounts to $447,230,400, or a total, Mr. President, of $10,072,046,190.54.

I wish again to call attention to the fact that this does not include deficiency appropriations that will be made for the fiscal year of 1920. I recognize that the deficiency appropriation bills for the year 1919–20 are not going to carry—at any rate, I will say to the Senator from Virginia I hope they will not carry—a hundredth part of the amount they carried for the present fiscal year; and I know from what the Senator has stated that he is going to do everything in his power to see that they are reduced to a minimum. I admit that there is no good reason why they should not be much less than for the fiscal year 1918–19; and I will also admit, Mr. President, that the Committee on Appropriations, when deficiency bills carrying appropriations by the billions were asked for for the present year, had only one idea in mind, and that was to win the war no matter how much it cost. I would not have cared if a request had been made for $5,000,000,000 more of appropriations; I never would have set myself up to be dictator as to how many men should be sent to France or what expense should be incurred; but now that the expense has been incurred I want the American people to know what they have got to meet and when they have got to meet it. I do not want to leave it, Mr. President, until some day in the future, when the American people will wake up to the fact that they have got $10,000,000,000 to meet after having been lead to believe the amount would be but $4,000,000,000.

Mr. SIMMONS rose.

Mr. SMOOT. If the Senator will pardon me for just a moment, I will finish along this line. There is one thing that will reduce the amount required, and that is whatever salvage we receive from the sale of war materials. Under the law to-day any amounts so received are credited to the miscellaneous account of the department to which the original appropriation was made, and if there is a billion dollars of goods not now required for war purposes sold it will reduce the expenses of the Government just that much. If there is $2,000,000,000 sold, it will reduce it just that much.

Mr. SIMMONS. Mr. President——

Mr. SMOOT. I yield to the Senator now.

Mr. SIMMONS. I desire to ask the Senator this question: If some part of the expenditures that it has been estimated will be made during the fiscal year 1919 are not actually made, because the goods are not supplied, and therefore that amount has to go over into the fiscal year 1920 and be paid subsequently to the fiscal year 1919, has the Senator taken into account the fact that of the moneys that we propose to raise in this bill for the expenses of the fiscal year 1919 we have expressly provided in the bill that the last two installments of the excess-profits taxes and war-profits taxes shall not be paid until after the end of the fiscal year 1919?

Mr. SMOOT. Yes, Mr. President.

Mr. SIMMONS. Therefore, if any part of the expenditures that we have intended to take care of out of the eighteen billions that have been estimated for 1918 are not taken care of because the bills do not come in, and they go over into the fiscal year 1920, so will a part of the money that we are raising by this bill go over and not be collected.

Mr. SMOOT. The Senator is entirely wrong, Mr. President; and I will explain to the Senator just exactly how this amount of $18,000,000,000 is arrived at.

Up until the 1st day of December, or for the first five months of the present fiscal year, there has been paid out of the Treasury, in round numbers, $8,600,000,000, and the Secretary of the Treasury stated that for the next seven months of the present fiscal year he estimated that only $9,400,000,000 would be paid out, making the $18,000,000,000 as estimated requirements of the Government, and that includes what we have got to advance to our allies.

That estimate is based upon the fact that the expenses of our Government from now on, for the next seven months, will not be as great as the expenses of the past five months. It takes into consideration the billions of dollars of contracts that we have canceled, and therefore I want to predict now that every dollar of the eighteen billions will have to be raised. Not only that, but the Senator says that in the pending bill we have provided that the last two payments of the taxes to be imposed under this bill for the year 1919 will fall into the calendar year of 1920. Yes, Mr. President; they will fall into the calendar year of 1920, but when collected will be used to take up the short-time certificates that will be sold to run the Government from June 30, 1919, until the last payment of the tax under this bill is collected. Every dollar of that must be used for redeeming the short-time certificates so sold. If that is not so, then we will have to have another bond sale or a greater one than is contemplated.

How are we to raise the $18,000,000,000, the estimated requirements of the Government for the present fiscal year? We might as well state it now as at any time. Senators know that the fourth liberty bond sale yielded the Government virtually $7,000,000,000. It is expected that under the pending bill there will be collected $6,000,000,000. Therefore the figures are, the proceeds of the sale of the fourth liberty loan bonds, seven billions; the taxes to be collected under the pending bill, six billions, making $13,000,000,000; and, Mr. President, some time next spring, perhaps the month of April, there is to be another sale of bonds. I do not know whether they will call it the fifth liberty bond sale or not, and it makes no difference what it is called; there will be another bond sale.

Mr. ROBINSON. The victory loan.

Mr. SMOOT. The people of the United States will be asked to subscribe for those bonds, and the amount must be at least $4,500,000,000 in order to cover the eighteen billions that we know the requirements of the Government will be. I say "$4,500,000,000," Mr. President, because there are other miscellaneous receipts, such as $160,000,000 from the tariff and a few other items, making, in round figures, $500,000,000; and if we do not get that amount we will have to have a larger bond sale. I expect one of $5,000,000,000. Not only that, Mr. President, but I expect the American people to be as loyal, now that the war is nearly over, as they were before. The expenses have been enormous; the American people, almost as a unit, were in favor of every necessary expense being incurred, and now the American people must be willing to meet those expenses.

Mr. POMERENE. Mr. President——

Mr. SMOOT. I yield to the Senator.

Mr. POMERENE. The Senator a moment ago referred to the loans which it would be necessary for us to make to the allies. Now that the hostilities have practically ceased, has the Senator any information as to the extent of these loans which will be required from us in the future?

Mr. SMOOT. Mr. President, I want to say frankly that when the Secretary of the Treasury was asked that question he stated that he thought those loans could be floated in the regular, ordinary banking channels. He did not say positively that they could be, but he said that he expected them to be.

Mr. POMERENE. The Senator's question goes to the method of raising these funds. My question was as to the amount of them.

Mr. SMOOT. I will continue, and answer the Senator's question——

Mr. SIMMONS. Mr. President, before the Senator does continue——

Mr. SMOOT. I mean, upon the same subject. I want to answer the Senator's question.

Mr. SIMMONS. Yes; but the Senator has stated that it probably would be necessary for us, in order to raise the eighteen billions of dollars that it is estimated we will spend during the present fiscal year, to sell five billions and something more of bonds. Why, of course it will be necessary. The estimates of the Treasury Department show that it will be necessary. The statement of the Secretary of the Treasury is that we will get six billions from this bill, seven billions from the liberty bonds that we have already sold, and the balance of the eighteen billions, of course, will have to come from the sale of bonds. There is no other way to get it. There never has been any suggestion that it could be gotten in any other way.

Mr. SMOOT. No; I have not suggested anything of the kind. I was simply showing that if the $18,000,000,000 should be sufficient to meet the obligations of the Government, it would be all that it would do. The Senator says that if the entire amount of money is not spent, the balance will go over to the year 1920. Mr. President, there will be no unspent balance to go over.

Mr. SIMMONS. If the Senator will pardon me, I would not have said that but for the fact that in the early part of the Senator's speech he referred to the fact that he had predicted upon this floor that whatever amount we might appropriate and whatever amount we might estimate we would spend in this fiscal year, it would be impossible for us, because of the limitations upon the ability of the different agencies of this country to produce more than a certain limited amount, to expend more than $16,000,000,000 this year; and I understood him, in connection with that statement, to say that he now reiterated it. Therefore, I assume that he meant that although we estimate we will spend eighteen billions during this fiscal year it will be impossible for us to spend more than sixteen.

Mr. SMOOT. Oh, no; Mr. President, I said that was without any advance to the allies. The Senator certainly has not followed me in the statement I have made.

Mr. SIMMONS. The Senator knows that this $18,000,000,000 estimate includes advances to the allies.

Mr. SMOOT. Yes; it does include advances to the allies, and my estimate of sixteen billions did not include any advances to the allies.

Mr. SIMMONS. I do not know what the Senator's estimate included.

Mr. SMOOT. Now, there is quite a difference between being able to furnish $14,463,000,000 between this time and June 30, 1919, and being able to furnish $7,192,000,000. Cancellations have been made, and the War Department say in their estimates that this latter amount can not be delivered within the calendar year, and that in one case—that is, the obligations by direct appropriations—but 70 per cent of the amount will be delivered, and that under the contracts for which no appropriation has been made but 40 per cent.

Now, Mr. President, reverting to the question asked by the Senator from Ohio [Mr. POMERENE]——

Mr. SIMMONS. But the Senator does not deny that if any amount of money that we may have raised by taxation or the sale of bonds is not actually expended during the fiscal year 1919 it will go over, remain in the Treasury, and be available for the payment of any expenditures that may have to be met in 1920?

Mr. SMOOT. Oh, there is no doubt about it; but there will be no unexpended balance to go over. I want to say to the Senator now that during the first five months there was paid out of the Treasury $8,600,000,000. That is on the basis of an average of $1,720,000,000 every month; and the amount estimated to be paid out to reach the eighteen billions by the end of this year, or for the seven months, is but nine billion four hundred millions.

Mr. TOWNSEND. Mr. President, furthermore is it not true that the peak of the expenditures, the highest amount that was expended during all of the time, was in November, after the armistice had been signed?

Mr. SMOOT. There is no doubt about it. That was the very highest month, and the expenditures during that month only fell a few dollars below $2,000,000,000.

Now, I have no doubt but that we must assist poor, stricken Europe. I have no doubt but Belgium and Serbia must be assisted. I have no doubt but France and Italy will require assistance. In fact, all that we have to do is to read the public remarks made recently by the Secretary of the Treasury, where he calls particular attention to the needs of those countries, and the obligations that we are under to them to understand his position, and the least we can do is to assist them during their reconstruction period.

What did the President say in his message delivered to the joint session of Congress on December 2, 1918, the day before he sailed for Europe, on this subject? I quote from that message:

> May I not say a special word about the needs of Belgium and northern France? No sums of money paid by way of indemnity will serve of themselves to save them from hopeless disadvantage for years to come. Something more must be done than merely find the money. If they had money and raw materials in abundance to-morrow they could not resume their place in the industry of the world to-morrow—the very important place they held before the flame of war swept across them. Many of their factories are razed to the ground. Much of their machinery is destroyed or has been taken away. Their people are scattered and many of their best workmen are dead. Their markets will be taken by others, if they are not in some special way assisted to rebuild their factories and replace their lost instruments of manufacture. They should not be left to the vicissitudes of the sharp competition for materials and for industrial facilities which is now to set in. I hope, therefore, that the Congress will not be unwilling, if it should become necessary, to grant to some such agency as the War Trade Board the right to establish priorities of export and supply for the benefit of these people whom we have been so happy to assist in saving from the German terror and whom we must not now thoughtlessly leave to shift for themselves in a pitiless competitive market.

Then he goes on to say that if the war had continued it would have been necessary to raise at least $8,000,000,000, and he recommends that $6,000,000,000 be raised instead of the eight as recommended by the Secretary of the Treasury.

Not only that, Mr. President, there returned from Europe the other day Hon. H. P. Davison, the head of the Red Cross Association, right from the field of battle, the scenes of destruction, and here is what he says is expected of America:

> That there will be an appalling cry of humanity from all over the world no one can doubt.

Said Mr. Davison:

> The needs of France, Belgium, Italy, Russia, and the Balkans will not terminate with the formal declaration of peace. A hard winter is ahead. Exposure, and the hardships of war, and the dislocated industrial conditions of the world have produced hunger, want, and disease. There will be such distress in the world that it can not be met by voluntary organization. The Governments themselves must bear the chief burden; and I am confident that cooperation between the Governments may be relied upon in an endeavor to meet this wholesale work of relief which will be needed.

Mr. President, there is no doubt about it, and there is no question but that the government that will be called upon to do the most of this relief work will be the Government of the United States.

I could go on and quote further from the message of the President, but I will not take the time.

I have presented to the Senate the amount that will be carried over from the present fiscal year to the year 1920 in the case of the War Department alone. The Navy Department, Mr. President, has asked for $2,600,000,000, in round numbers, for the fiscal year 1919–20. In the past naval appropriation bills there have been contracts authorized, but no appropriations made, the same as in Army appropriation bills. So far we have been unable to find out what the cancellations were in the Navy Department and what the obligations of that department are that can not be finished and delivered this fiscal year and will fall into the year 1920. And, remember, the figures that I have given take into consideration simply the estimate of the department of the amount required for the year 1920.

Mr. President, I hope that we will receive a goodly sum by way of salvage from the sale of war materials. I hope that it may reach this year $2,000,000,000. When I say "this year" I mean the calendar year of 1919; and it seems to me, from the amount of goods we have on hand in some particular lines, that it ought to reach that amount. The Senator from Washington [Mr. POINDEXTER] the other day placed in the RECORD a list of goods that the Quartermaster Department had on hand that was almost appalling in the amount of goods undistributed by that department; and yet I would rather have had all that they have on hand, and more too, than to have seen any part of the American Army suffer from cold or hunger.

Mr. JONES of New Mexico. Mr. President, the Senator seems to have covered the proposition which he has been presenting, and in connection with it I should like to make an inquiry. Does the Senator, in presenting these estimates of appropriations, want us to infer that he would have us raise under this bill for the fiscal year 1919 more than $8,000,000,000?

Mr. SMOOT. Mr. President, if the Senator will allow me, I would rather take that up in its regular order, and give him my views when I reach that subject.

Mr. JONES of New Mexico. Certainly.

Mr. SMOOT. I want to say to the Senator now that I should like to proceed further to-night, but I have been speaking for an hour and a half and my throat is a little sore, and really I would not like to go into the subject at this time and then have to repeat it later.

Mr. JONES of New Mexico. Of course, I will not pursue it if the Senator does not care to.

Mr. SMOOT. But I am going to go over that when I get to the excess-profits tax and the war-profits tax.

Mr. JONES of New Mexico. I want to get the views of the Senator about the matter at some time.

Mr. SMOOT. Yes, Mr. President; I shall be glad to cover that subject when I reach it.

Mr. McCUMBER. Mr. President, the Senator very properly stated that he would prefer that we should have had any quantity of goods on hand in the Quartermaster's Department rather than take the chance of any part of the American Army suffering. Now, I understand that we have about 150,000 horses for Cavalry that need saddles. I also understand—and I will be corrected if I am in error—that there are something like 1,800,000 saddles for those horses that have been collected. I can not imagine their losing a saddle without losing the horse with the saddle, and it never occurred to me that it was necessary to have five or ten times as many saddles as we have horses. If the Senator has any information which he can give to explain this discrepancy, I should like to hear it.

Monday, December 16, 1918.

Mr. SMOOT. Mr. President, on Saturday afternoon I presented to the Senate certain figures showing that the requirements of the Government for the fiscal year ending June 30, 1920, would amount to at least $10,000,000,000, and, in my opinion, I desire to state now that that amount will be exceeded. The business men of this country do not object to paying the necessary taxes demanded by the Government to carry on the operations of the Government, whether during peace or war. What they do object to is a form of taxation that is discriminatory in its character, manifestly unjust, and an imposition of taxes upon one concern greater than upon another doing identically the same business, selling to the same customers, making the same profits, and yet in some cases the taxes for one are four and one-half or five times what his competitor will have to pay.

If I had no plan to offer to correct this unjustifiable discrimination, and if there was no system that could be adopted to regulate the injustice imposed upon certain business concerns under the provisions of this bill, I never would mention the fact and simply state that a law can not be written to fit all cases. But, Mr. President, such is not the case. A tax law can be written so that it will be just to every person, every partnership, and every corporation doing business in the United States.

That plan, whether it be adopted now or later, would be approved by the business men and the people of this country. I frankly admit I do not expect such a plan to be adopted at this time. I have come to the conclusion that it is absolutely useless on my part and a waste of time, as far as immediate results are concerned, to insist upon present action, but we must remember that for years and years to come the American business and the people of this country generally will be paying heavy taxes, the result of the present world war.

Therefore, I want to call attention to the fact that, on account of the discriminations in this bill, when the American people understand them thoroughly, and I wish to say that most of the business men of the country understand them to-day, there will be a movement started that will force a change in the law. The sooner it comes the better it will be for all concerned.

In my report expressing my personal views upon the pending bill I make this statement:

> If I could have framed the pending revenue bill, I would have made it very simple and so plain that any ordinary business man or individual could have understood it and would have had no trouble in making out a tax return.
>
> Every individual, whether in business as such or as a member of a partnership, would have been treated alike. Every corporation would have been taxed upon the same basis, and the question of capital invested, watered stock, and bonded indebtedness would not have entered into the question of the amount of tax to be imposed, with the single exception of a few corporations with a capital stock of over $1,000,000 and making undue profits during the prewar period. I would have provided a separate provision for taxing these few corporations. I would have provided for a straight war-profits tax, following the principles outlined in my amendment that I offered on January 5, 1918, to House joint resolution 195, with certain modifications to meet to-day's changed conditions.
>
> I believe that there should be eliminated from the bill all the harassing, nagging taxes—all of which are consumption taxes—and substituted for them a 1 per cent sale tax on all goods sold for consumption or use. A tax of that character would in no way embarrass the producer or the consumer and would yield a revenue of over $1,000,000,000.
>
> In addition to the 1 per cent sale tax and a straight war-profits tax, as above referred to, I would include in the bill—

But not in the bill for the fiscal year ending June 30, 1920, and I shall take the time of the Senate to present to this body my views as to what that tax bill should provide and the sources from which the taxes should be collected—

> I would include in the bill title 2, income tax; title 5, tax on transportation, with certain modifications; title 6, tax on beverages, only so far as it affects alcohol, beer, wine, and the floor tax on the same; title 7, tax on cigars, tobacco, and manufactures thereof, with increased rates; title 9, the tax to be limited on automobiles, and on leases for exhibition of any positive motion-picture film; title 10, tax upon capital stock, brokers, manufacturers of tobacco, cigars, and cigarettes, and on pleasure boats. All other items found in any of the above titles should be eliminated.
>
> If this plan were adopted, the bill would provide a larger revenue for the Government than will be received under the provisions of the pending bill, and unjust and discriminatory taxation would be avoided.

I say now it is impossible to impose an excess war-profits tax where invested capital is considered upon the business institutions of this country without the development of the rankest kind of discriminations. No definition of invested capital can be written, even though it covered pages and pages of our statute books, that could provide for all the emergencies that would arise in the thousands of businesses of this country; but if a straight war-profits tax is imposed, then, Mr. President, if a business makes a thousand dollars over and above the exemptions allowed under the pending bill, or if it makes ten million dollars, it pays pro rata the same rate of taxation.

When I proposed, in January, 1918, to House joint resolution 195 a war-tax amendment I received from all parts of the United States the highest of commendations. I received many letters similar in character to the one that I shall now refer to. The president of one of the large concerns of New York, after closely examining the amendment that I then offered, wrote me a letter, stating that after a thorough examination of the amendment, it was found that if my amendment were in force the concern would pay $245,000 more taxes than under the bill then pending, and now the present law; then followed the statement that the officers of the concern were willing to pay the increase—for it was manifest that the amendment treated all business alike—and pay a tax upon the amount of profits made, be they small or be they large.

Now, I want the Senate to understand that any law imposing taxes for the fiscal year ending June 30, 1920, should not, in my opinion, impose taxes upon excess profits or so-called war profits. The only war profits that there could possibly be would be derived from contracts already made and entered into by our Government, the goods to be delivered within that calendar year. I can not say, Mr. President, how much such a tax would amount to, and no one else can do so. But that is the only source from which a war-profits tax could be secured.

How should the taxes for the calendar year 1919 be raised? In the first place, Mr. President, I believe that the income tax should and will remain upon our statute books. As to whether the intermediate rates, as provided in the pending bill and in the existing law, shall remain as they are is a question. If we follow the English law, we would raise such rates. But, Mr. President, I am not so much concerned about the income tax as I am about the principle which should apply in taxing individuals, partnerships, and corporations on their net profits.

Mr. President, instead of an excess-profits tax or a war-profits tax, I would impose a tax that would be equal and just and nondiscriminatory in every respect upon all businesses, whether they be carried on by an individual, a partnership, or a corporation. That can be easily accomplished simply by providing a flat normal tax, and having that normal tax apply to all the gains of the business carried on as an individual, partnership, or corporation, less certain exemptions, applying equally to all. If the net gains, less exemptions, amount to a thousand dollars, the flat normal tax is imposed upon that amount and no more; if they are $10,000,000 the flat normal tax would be imposed upon that amount. It is my opinion, Mr. President, that such a tax would be very acceptable to the great majority of business concerns of this country, with perhaps the single exception of institutions of a character that is not making to-day more than 8 per cent upon their capital stock.

Mr. JONES of New Mexico. Mr. President——

The PRESIDING OFFICER (Mr. GAY in the chair). Does the Senator from Utah yield to the Senator from New Mexico?

Mr. SMOOT. I do.

Mr. JONES of New Mexico. I do not want to interrupt the Senator's trend of thought if it will interfere with him, but he made a suggestion that after this year there should be no tax upon the excess profits with the exception of such profits as grew out of war contracts. I should like to inquire of the Senator if he believes that profits growing out of war contracts should be treated differently from any other profits?

Mr. SMOOT. Mr. President, the Senator misunderstood me if he thought I said there should be a special tax upon war profits for the year 1920. I simply stated that only those profits could be called war profits which grew out of contracts with the Government incident to the war, and in 1920 there can be no such thing as war profits unless profits of the character I mentioned are designated as such. I call the Senator's attention to the fact, however, that if a flat, normal tax is imposed it will tax all profits, whether made by institutions that are making to-day but 8 per cent, and escaping virtually all taxation, or otherwise. The Senator knows what class of institutions in this country are in that category to-day, paying very little taxes, some of them not one cent in taxes outside of the low, normal tax imposed, and yet making millions of dollars annually. We have about reached the time we must provide legislation for the collection of taxes for many years to come to meet the requirements of the Government and such legislation must be absolutely just to all concerned.

During war times Congress has enacted many laws that never could have been passed if there had not been a state of war. Legislation has been passed by Congress, and is now upon the statute books, which the American people will demand of Congress be repeal, and rightly and justly so. Therefore, when we are talking about passing a revenue bill for the future, let us take time, Senators, and pass a bill levying taxes that no institution in this country, no individual, and no partnership can say are unjust or discriminatory. There is no necessity for passing any other kind of a law, and the 1920 provisions of the pending bill can be charged with all the defects of the provisions imposing taxes for the calendar year 1918.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from North Carolina?

Mr. SMOOT. I yield.

Mr. SIMMONS. I understood the Senator to say a little while ago that in his judgment the expenditures for the fiscal year 1920 would amount at least to $10,000,000,000. Does not the Senator think, if our expenditures should reach that figure, that at least $6,000,000,000 of that amount will be on account of the war and should be treated just the same as we treat war expenses now?

Mr. SMOOT. Well, Mr. President, if that program is to be carried out, it means that for a number of years in the future there will be sales of bonds by our Government.

Mr. ROBINSON. Mr. President, will the Senator yield to a question in that connection?

Mr. SMOOT. I would like to finish my answer to the question of the Senator from North Carolina, but I will yield to the Senator.

Mr. ROBINSON. Does the Senator think that all of the sums to be expended in the year 1920 should be raised by taxation? Does the Senator oppose the issuance of any bonds for that year if our expenditure should reach $10,000,000,000?

Mr. SMOOT. Mr. President, the Senator from Utah believes that if we now know we are to meet an expenditure of $10,000,000,000 in 1920, as I am sure we will, I would very much prefer to impose additional taxes upon the business of 1918, when we know that profits have been large, rather than to force additional taxes upon the business of 1919, when no human being can tell what the profits of that year will be.

Mr. ROBINSON. Mr. President, will the Senator yield further?

Mr. SMOOT. Just a moment. In that connection I wish to say to Senators that the estimated revenue of $4,000,000,000 to be derived from the taxes imposed for the year 1920 can hardly be justified. I think that is as mild a way as I can put it.

Mr. ROBINSON. Mr. President, will the Senator yield for a further question?

Mr. SMOOT. Yes; I yield to the Senator.

Mr. ROBINSON. The Senator has stated that, in his opinion, the expenditures for 1920 will be at least $10,000,000,000. I want to ask the Senator, first, whether included in that amount is any sum that may be advanced to the allies, or are such sums excluded from the $10,000,000,000 of estimated expenditures?

Mr. SMOOT. They are excluded, I will say to the Senator. I stated on Saturday—I do not know whether the Senator was then in the Chamber—that the Secretary of the Treasury is of the opinion that beginning with the calendar year 1919 advances would have to be made to our allies, but they would be furnished through the regular channels of banking; in other words, the obligations of our allies would be issued, and no doubt sold in this market; but the Treasury of the United States would not be compelled to advance very much more to our allies.

Mr. ROBINSON. I heard the statement as made by the Secretary himself and as repeated by the Senator on the floor on Saturday. The Senator said, in reply to a question propounded by the Senator from North Carolina [Mr. SIMMONS], that under the system provided in this bill and implied in the question of the Senator from North Carolina, this Government would be issuing bonds for a great many years; but the Senator from Utah did not answer my question. My question was, assuming the Senator's estimate to be correct that the expenditures of this Government for 1920 will be at least $10,000,000,000, and that may be increased by a couple of billion dollars advanced to the allies, whether he favors the raising of all that sum by taxation, or whether under those circumstances he would be willing to raise a portion of it by bonds?

Mr. SMOOT. Mr. President, the difficulty of trying to legislate for the fiscal year ending June 30, 1920, at a time when war profits are ceasing and reconstruction profits beginning, is demonstrated by the question just asked. We should not legislate now for 1920. We do not know, nor can we fairly estimate, what the business of 1920 is going to be; we do not know, nor can we reasonably estimate, what the profits will be. But if the profits are as in normal years I will say to the Senator that it will be absolutely impossible to raise $10,000,000,000 by taxation, because that is about all the profits that are made in ordinary times.

Mr. ROBINSON. Then, if that is the case, if the expenditures will be at least $10,000,000,000 and it proves impossible to raise that much by taxation, we will be compelled to issue bonds, will we not?

Mr. SMOOT. We will be compelled to issue bonds, but I want the people of the country to know that fact now. I do not want a realization of that fact to be left until the time comes when the bonds must be issued, when the Democratic press and politicians will claim that the Republican Party is responsible for issuing these bonds in time of peace. They will claim that the pending bill providing an estimated revenue of $4,000,000,000 for the year 1920 was ample to meet the requirements of the Government. I say now, Mr. President, that it is not ample.

Mr. ROBINSON. Mr. President, will the Senator yield now to another question?

Mr. SMOOT. Yes; I yield.

Mr. ROBINSON. The Senator has stated that it is absurd, or substantially that, to undertake to provide now for the funds necessary for expenditures in 1920. When does the Senator think that they should be provided for?

Mr. SMOOT. I think they should be provided for some time during the calendar year 1919 at a time when we will know more about prospective profits than we do now.

Mr. ROBINSON. Some time during the calendar year?

Mr. SMOOT. Yes.

Mr. ROBINSON. The Senator, of course, is aware that it must be done either during the present short session or during the next long session, which does not begin until the first Monday of December. Does the Senator favor an extra session of Congress during the year 1919 for the passage of a revenue law?

Mr. SMOOT. I favor an extra session of Congress during the year 1919, not only to pass a revenue law but to see that many of the laws now upon the statute books are repealed; laws the American people are restive under.

Mr. ROBINSON. Of course, if we wait until 1919 to pass a revenue law, we will still be passing it in advance of 1920. The Senator, then, does concede that the revenue law for 1920 must be passed before 1920. Now, let the Senator tell the Senate what difference three months or four months will make, in so far as the determination of the question of policy is concerned, as to whether we shall raise all the money necessary for our expenditures by taxation, or part of it by bonds? The only advantage that will result is that the Senator's party will be in power in Congress after the 4th of March. Is not that true?

Mr. SMOOT. I will say to the Senator that the fact that the Republican Party will be in power will prove a great advantage to the people of this country.

Mr. ROBINSON. The Senator thinks so, of course.

Mr. SMOOT. Not only that, but the Senator is wrong as to his "three or four months." The Senator knows, and has had enough experience in passing revenue legislation to know, that it will be nine months before the bill could be enacted into law and signed by the President, and by the end of nine months we will know something about the condition of business in this country. Not only that, Mr. President——

Mr. ROBINSON. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Utah yield for a further question?

Mr. SMOOT. I do.

Mr. ROBINSON. The Senator, of course, knows that at any time subsequent hereto the Republican Party, when it is in power in both Houses, can pass any legislation it chooses, assuming that it has a majority; and if this Congress passes a measure that should be repealed, the Republican Party can repeal it.

Mr. SMOOT. Mr. President, I am fully aware of that; but the whole proposition resolves itself into this——

Mr. ROBINSON. If the Senator will pardon a further statement, I will conclude what I was saying, and that is that he is trying to prove an alibi for his party in advance.

Mr. SMOOT. I know it is very disagreeable to the Senator from Arkansas even to have the people understand the true situation.

Mr. ROBINSON. Oh, no; I hope the Senator does not understand that I am not in the very best of good humor.

Mr. SMOOT. I know that the business men of this country and the people generally who pay taxes ought to know the amount that will be required by the Government for the fiscal year 1919–1920, and I believe the people of the United States are loyal enough to meet every demand made upon them, but every tax imposed upon them must be just and equitable.

Mr. ROBINSON. Will the Senator yield again for a statement in that connection? I agree with every word that the Senator has said, that the people of the country should be informed now, in so far as that information can be given them, just what they will have to meet in 1920. I do not think it is within the power of any person to say just exactly what that sum will be; but if we are to tell them what they will have to meet, why not tell them how much they will have to pay and how that may be paid, and give them the advantage of adjusting their business to meet those payments? Why wait until the business of the country has adjusted itself upon the basis of a $6,000,000,000 taxation, and every man who sells goods sells them upon the theory that he is going to pay the tax carried in this bill, and then, after he has collected this enormous amount from the consumers, reduce it? Why not give the people the advantage of both the information as to how much the expenditures of the Government will be in 1920 and the information as to how much they will have to pay then?

Mr. SMOOT. Mr. President, I want to say to the Senator that the business interests of this country have, and the American people at the recent election declared by their votes that they have, confidence in the Republican Party in readjusting the future affairs of the country, and they know full well that all the money necessary to maintain the Government will be raised by that party, and in a way that will bear lightest upon the people. I can not see why we should not have an extra session of Congress. Are there any good reasons why we should not?

Mr. ROBINSON. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Arkansas?

Mr. SMOOT. I do.

Mr. ROBINSON. Suppose there should not be an extra session of Congress. The result would be that the provisions of the present bill would probably be extended to 1920, would they not?

Mr. SMOOT. Not necessarily so. There will at least be another session of Congress by December of 1919, and the Republican Party, then in control, can at least pass a resolution imposing a different rate of taxation than that imposed by the present law before it is time to make returns for 1920, and the business men of this country know——

Mr. ROBINSON. Yes; but will the Senator yield further? If we wait until that time arrives, the people of the country will not get the benefit of any reduction that may then be made in the taxes, or, at least, the people of the country will not get all the benefit of that reduction.

Mr. SMOOT. Mr. President, the difference between the 1920 tax so imposed and the tax of 1919 will never be felt by adding to the price for which the goods will be sold.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from North Carolina?

Mr. SMOOT. I should like to proceed in some kind of order in what I have to say. I am perfectly willing to yield for a question, but not for an argument.

Mr. SIMMONS. Mr. President, I am not going to make an argument. I want to ask the Senator a question.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. SMOOT. No; I yield to the Senator.

Mr. SIMMONS. I want to ask the Senator, assuming that this bill is passed with the amendment of 1920, and assuming that the taxes are collected upon the basis of this bill and passed on to the people of this country in the price of products, as we know they will be, if at the close of the calendar year 1920 the Congress in next December shall remit one-third of the six billions of taxes collected out of the people, who will get the benefit of the $2,000,000,000 which may be remitted?

Mr. SMOOT. Mr. President, that will depend entirely upon what kind of a bill they are going to have for 1920. I say now that the difference of rates of taxation between the two bills will be so small that so far as the retail price of the goods is concerned it will make no difference. The Senator knows that goods generally are sold for all they will bring, tax or no tax, and that will be continued. What we want to do, if we do not want to destroy business entirely, is to let competition regulate those things, and I am quite sure it will.

Mr. JONES of New Mexico. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New Mexico?

Mr. SMOOT. Yes.

When interrupted, Mr. President, I was discussing the question of what I thought the taxes ought to consist of, beginning with the fiscal year 1919–20, and I had reached the point of explaining a flat normal tax upon all net gains. In addition to a flat normal tax upon all net gains, I would impose a 1 per cent sales tax; and in this connection I might say that we ought to provide a sinking fund, not this year, perhaps not next year, because of the large amount of taxes to be collected, but surely the following year. Senators must remember that the bonds of the United States will begin falling due within five years, with no provision whatever for meeting them. I believe that the bonded indebtedness of this Government should be met by all the people, and not by any one class. I trust that the principle of providing a sinking fund will be the policy of the Republican Party, at least, and I might say of any party that may in the future be in power.

Mr. JONES of New Mexico. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New Mexico?

Mr. SMOOT. Yes; for a question.

Mr. JONES of New Mexico. I should like to renew the question which I asked of the Senator on Friday.

Mr. SMOOT. If the Senator will just wait, I will answer it in connection with another subject I intend to discuss.

Mr. JONES of New Mexico. Very well; then I will withhold the question at this time.

Mr. SMOOT. There are other sources from which the Government can obtain revenue for the year 1920. The receipts from imports for the present calendar year will be not to exceed $100,000,000. We should amend the existing tariff law so that it would yield to the Treasury of the United States $350,000,000 to $400,000,000 per annum.

Mr. SIMMONS. Mr. President, will the Senator permit me a question?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from North Carolina?

Mr. SMOOT. Yes.

Mr. SIMMONS. I desire to ask the Senator if he thinks, if the tariff is to be revised, that the time between now and the next session of Congress will be an opportune time to revise it, in view of the unsettled condition of prices of labor and materials throughout the world, and especially in the countries that we have to meet, in which we have our chief competitors in our own market?

Mr. SMOOT. Mr. President, I was not suggesting that the tariff act be revised at this time.

Mr. SIMMONS. I thought the Senator was, at a special session.

Mr. SMOOT. So far as that is concerned, it would not be a bad idea to revise it at a special session, and my opinion is that it will be revised at an early date. I now state that the Simmons-Underwood tariff act will not remain on our statute books many months longer.

Mr. SIMMONS. Mr. President, I was not asking whether the present tariff act will be repealed or not. I was asking, if the present tariff act is to be repealed when the Republican Party comes into power, in view of the unsettled conditions as to the cost of labor and materials in that part of the world where we meet our strongest competition, if the Senator thought that between now and the time for the assembling of the regular session next December would be an opportune time and a proper time in which to revise the tariff?

Mr. SMOOT. Mr. President, I think it would be very proper indeed to revise the tariff during that time, though not as a whole. It will be revised as conditions change in the world; and when normal conditions are reached in the United States I wish to say now that the rates of tariff imposed by the Simmons-Underwood tariff act must be changed or the American market is going to be taken by foreigners.

Mr. JONES of New Mexico. Mr. President——

Mr. SMOOT. Will the Senator kindly let me proceed?

Mr. JONES of New Mexico. I just want to ask the Senator if he expects to substitute the Payne-Aldrich Act for the Simmons-Underwood Act?

Mr. SMOOT. As between the two, and within two years, if the substitution were made it would be a godsend to the country; yet I say there were rates in the Payne-Aldrich Act that will never be reenacted into law.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from North Carolina?

Mr. SMOOT. Unless I am allowed to proceed I will yield the floor.

Mr. SIMMONS. I want to ask the Senator a question, and if the Senator does not want to answer it he need not. When he started out he said he would be glad to have Senators ask him questions.

Mr. SMOOT. I have been on the floor nearly an hour and a quarter, and the RECORD will show a great part of that time has been taken by interruptions such as the last one, about the Aldrich Tariff Act, and a lot of stuff that has no reference whatever to the pending bill. I am getting tired of it. If Senators want to know anything about the bill, they may ask questions and I will answer them if it is in my power to do so.

Mr. SIMMONS. I wish to ask the Senator this question, and he can answer it or refuse to answer it, as he wishes. Without reference to what he calls the Simmons-Underwood Act or the Payne Act that is to be the tariff measure in the future, I want to say, parenthetically, that I do not believe either one of those measures will at all suit the conditions that obtain when the war closes. But if the Senator wants to reenact the Payne-Aldrich Act or some similar act to it, I wish to ask him if he wants a special session of Congress in which to reenact that measure during the coming calendar year?

Mr. SMOOT. There will be many pressing matters that should be acted upon in a special session of Congress other than a revision of the tariff. I say, however, that there should be a change in the present tariff law, and there should be a change as soon as possible, and as new conditions develop in this country further changes will be necessary, for I know that the keenest competition that has ever been experienced in all the world is going to follow when the reconstruction of the countries in Europe is completed. I know the best market in all the world is the American market, and it is going to be exploited by foreign countries, and there is no way to keep out foreign goods except by the enactment of a tariff law. Whether it comes during the special session or later, I say that it will come, and, Mr. President, it will come no matter what party is in power.

The present tariff law can not remain in force and the working men of this country have employment; I mean when normal conditions are reached in the United States, and in the world. How soon they will be reached nobody can tell. It may be a year, it may be two years, it may be three years, but the time is coming when they will be reached.

In mentioning the tariff question as I did I had no idea that a revision would be incorporated in the pending bill or any revenue bill. I simply mentioned it as one of the sources from which revenue could be derived for the Government for its future needs.

Mr. SIMMONS. Mr. President, in his response to the question of the Senator from Arkansas, of course the natural inference was that the Senator meant he wanted to revise the tariff in order to get a supplement to the revenues for 1920.

Mr. SMOOT. The Senator is mistaken. It was not in answer to the question asked by the Senator from Arkansas.

Mr. SIMMONS. I have had no answer to my question yet. I am not differing from the Senator in his statement of conditions that will undoubtedly develop and obtain as a result of the war; I do not say there will not be a necessity for some change in the tariff, but what I wanted to know was whether the Senator meant that he was in favor of an extra session during the next calendar year for the purpose of revising the tariff and increasing our governmental receipts.

Mr. SMOOT. I have answered the question already, but I will answer it again. I am in favor of an extra session of Congress. During that extra session of Congress I would be in favor of modifying the present tariff law, and not only modifying the present tariff law but passing a just and equitable revenue bill and proper reconstruction legislation.

Mr. SIMMONS. The Senator then is in favor of revising the present tariff law and making a new tariff law before he knows what are going to be the conditions in foreign countries upon which every tariff law, according to the theory of his party, ought to be based.

Mr. SMOOT. As the Senator knows, or every Senator with the exception of the Senator from North Carolina, there are changes necessary in the present tariff law under existing conditions, and those are the changes I would have made during the extra session of Congress. I have said two or three times already that further changes would be necessary as new conditions developed. That is my position.

Mr. President, I think the best way to provide a sinking fund to meet the payment of the bonded indebtedness of the Government is by the imposition of a consumption or sales tax. The rates can be so small that it will never be a burden on any class of people—$10 on a thousand dollars of actual purchases for consumption or use. There is another advantage in such a tax being imposed upon the consumer, as it does not impose a tax upon the manufacturer, wholesaler, or jobber and prevents the tax being passed on from one dealer to another with increased amount added by each turnover. Past experience has proven that a 5 per cent tax imposed upon the manufacturer often is the excuse for the imposition of a 20 per cent tax by the retailer upon the ultimate consumer.

If the sales tax is not adopted for raising revenue to meet the running expenses of the Government, I do hope and trust that it will be adopted in the near future to provide a sinking fund to pay the obligations of the Government.

Mr. President, I may differ from my associates in relation to an inheritance tax. I do not believe that the pending measure should impose a tax of any sort upon inheritances. I am not going into a long discussion of it, but will content myself by saying that I believe the imposition of inheritance taxes should be left entirely to the States. The only excuse for collecting any part of an inheritance must be based upon the granting of a power to transfer the property of a decedent, and that privilege can only be granted by the State and not by the Federal Government. In some of the Western States there have been withdrawn public lands in some instances to the amount of 80 per cent of the area of the State. These States are only allowed to tax the land in private ownership. They must raise from a limited source of taxation the money to maintain all the institutions of the State, and in some cases it becomes a burden so irksome that it is next to impossible to bear. People wonder why manufacturing concerns in such States are not increasing. When we stop to think that in many cases the total taxes run over 4 per cent we must of necessity admit that it is impossible to compete with like business in States where taxes are not half the amount.

I shall vote to strike out every inheritance tax in the pending measure if I have a chance to do so, as I did in the committee.

Mr. President, the provisions of the bill are unjust in the imposition of taxes as between individuals, partnerships, and corporations. I know that under the provisions of the bill it is impossible to prevent it. I have thousands of letters showing the inconsistencies in actual cases as between businesses of a similar and like character. In this connection I want to read a letter just received from a firm in Chicago:

> We received yesterday a copy of the proposed revenue law as reported by the Senate committee, and according to its provisions we would have paid on last year's business over a million and a quarter dollars in excess of what we would have paid had we been incorporated. This you will see would compel us to pay over 25 per cent more than the most unjust amount we paid last year.

Then he proceeds with an exposition of the profits of a corporation doing a similar business and shows a difference in favor of the corporation under this bill of nearly $500,000 taxes. The two concerns are engaged in the same class of business and practically the same amount with like profits, and yet that discrimination exists. You can not defend such a discrimination, and yet it exists in the pending bill.

Mr. SIMMONS. I wish to ask the Senator a question.

The PRESIDING OFFICER (Mr. KIRBY in the chair). Does the Senator from Utah yield to the Senator from North Carolina for a question?

Mr. SMOOT. I yield.

Mr. SIMMONS. The Senator has read a letter from a party, and the letter was read in the committee.

Mr. SMOOT. Not this letter.

Mr. SIMMONS. It is a letter from a big concern, and I suppose the result indicated in that case was because it was a big partnership and did not distribute any of their profits. If they had been a corporation they would have done so, but a partnership does not.

Mr. SMOOT. The Senator has stated the case wrong. Being a partnership, the tax must be paid; but in the case of a corporation no tax would have to be paid on the undistributed earnings.

Mr. SIMMONS. That is exactly what I said, but the Senator did not understand me. As a partnership they are not compelled to distribute and they are taxed.

Mr. SMOOT. That is not what the Senator said. The Senator said just the reverse.

Mr. SIMMONS. Then I did not make myself clear. That is what I meant. The partnerships are not compelled to distribute, but they are taxed just as if they did distribute. If the corporations were taxed and did not distribute they would only have to pay the taxes the Senator mentioned. That makes the difference.

But that is not the question I desire to propound to the Senator. That letter was read to the committee and discussed. I wish to ask the Senator——

Mr. SMOOT. I wish to say that this letter was not read to the committee or discussed. I only received the letter this morning. But that makes no difference, as far as the principle is concerned. I can point to hundreds of such cases——

Mr. SIMMONS. What I want to ask is, Does the Senator mean to tell the Senate that this bill will require partnerships to pay a larger tax than corporations, in view of the fact that corporations are subject to war-profits and excess-profits taxes, and partnerships are not subject to either of those forms of taxation?

Mr. SMOOT. If the Senator had waited I would have explained the difference. As between partnerships and corporations, partnerships are discriminated against in this bill in case the earnings of a corporation are retained in the business.

I have already stated that there is no law which can be written that will equalize taxation under a plan of excess profits where capital stock, intangible assets, borrowed money, and all the questions that are involved in the pending measure are to be a factor.

Mr. President, I have copies of resolutions which have been sent to me from thousands of organizations indorsing the 1 per cent sale tax; and I say now that sooner or later it will be adopted in our tax system in some form or other.

I have received from Senators many letters asking about the relief provisions contained in the pending bill. I think it proper to take up these relief provisions, beginning with section 200 of the bill, and to place them in the RECORD in such a way that any Senator can refer to the RECORD and see at once all the relief provisions in the bill, and if appearing more than once just where found and to what subject they refer to.

I will first call attention to the definition of a "personal service corporation." In section 201, page 4, from line 20 to line 26, is the definition of a "personal service corporation," and it reads as follows:

> The term "personal service corporation" means a corporation whose income is to be ascribed primarily to the activities of the principal owners or stockholders who are themselves regularly engaged in the active conduct of the affairs of the corporation and in which capital (whether invested or borrowed) is not a material income-producing factor.

Next, the question relative to the taxation of personal-service corporations as partnerships, which will be found in section 218, subdivision (e), page 34, line 24, to line 11 on page 35, is as follows:

> (e) Personal-service corporations shall not be subject to taxation under this title, but the individual stockholders thereof shall be taxed in the same manner as the members of partnerships. All the provisions of this title—

Referring to the individual income tax title—

> relating to partnerships and the members thereof shall so far as practicable apply to personal-service corporations and the stockholders thereof: *Provided*, That in the case of any such corporation any amounts distributed during its taxable year shall be taxed to the distributees; and any portion of the net income remaining undistributed at the close of its taxable year shall for the purposes of this subdivision be assigned to the stockholders of such corporation at the close of its taxable year in proportion to their respective shares.

The reason for this remedial provision arises from the following fact: Personal-service corporations many times have very little capital invested, yet there are exceedingly large profits produced by the personal efforts of the members of the corporation. If only the exemptions were allowed under the corporation provisions of the pending measure they would be very small, and in every case which was brought to the attention of the committee, at least, their gains would fall under the highest percentage bracket, and there would be imposed upon them a tax which would be very unjust. After the distribution was made they would also be taxed on the income, or on that portion that was left after paying taxes on the net profits of the corporation.

Again, section 231, subdivision (14), page 52, line 20, exempts such corporations from income tax; and section 304, subdivision (a), page 88, lines 1 to 4, relieves them from the excess-profits tax.

Section 303, page 87, lines 12 to 24, provides for excess-profits tax where the corporation is engaged in business requiring capital, and also business which if carried on alone would make the corporation a "personal-service corporation."

I ask that these be inserted in the RECORD without reading. I do not wish to take the time of the Senate to read them.

The PRESIDING OFFICER (Mr. NEW in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

> (14) Personal-service corporations.
>
> SEC. 304. (a) That the corporations enumerated in section 231 shall, to the extent that they are exempt from income tax under Title II, be exempt from taxation under this title.
>
> SEC. 303. That if part of the net income of a corporation is derived (1) from a trade or business (or a branch of a trade or business) in which the employment of capital is necessary, and (2) a part (constituting not less than 30 per cent of its total net income) is derived from a separate trade or business (or a distinctly separate branch of the trade or business) which if constituting the sole trade or business would bring it within the class of "personal-service corporations," then (under regulations prescribed by the commissioner, with the approval of the Secretary) the tax upon the first part of such net income shall be separately computed, and the tax upon the second part shall be the same percentage thereof as the tax so computed upon the first part is of such first part.

Mr. SMOOT. The next relief provisions are with reference to dividends payable to recipients at the rate for the year in which the corporation earns the profits from which the dividend is declared. Section 201, subdivision (d), page 7, lines 1 to 6, reads as follows:

> (d) Any dividend received by a taxpayer shall be taxed to the recipient at the rates prescribed by law for the years in which the corporation accumulated the earnings or profits from which such dividend was paid, but the dividend shall be deemed to have been paid from the most recently accumulated earnings or profits.

The next is, exchange of property, stock exchange in reorganizations or mergers, section 202, subdivision (b), page 7, from line 17 to line 4 on page 8, reads as follows:

> (b) When property is exchanged for other property the property received in exchange shall for the purpose of determining gain or loss be treated as the equivalent of cash to the amount of its fair market value, if any; but when in connection with the reorganization, merger, or consolidation of a corporation a person receives in place of stock or securities owned by him new stock or securities of no greater aggregate par or face value, or when a person or persons owning property receive in exchange for such property stock of a corporation formed to take over such property, no gain or loss shall be deemed to occur from the exchange, and the new stock or securities received shall be treated as taking the place of the stock, securities, or property exchanged.

Rates for the calendar year 1919 and subsequent years. First, in reference to the individual normal income tax, section 210, page 10, line 21, down to and including line 19, on page 11, reads:

> SEC. 210. That, in lieu of the taxes imposed by subdivision (a) of section 1 of the revenue act of 1916 and by section 1 of the revenue act of 1917, there shall be levied, collected, and paid for each taxable year upon the net income of every individual a normal tax at the following rates:
>
> (a) For the calendar year 1918, 12 per cent of the amount of the net income in excess of the credits provided in section 216: *Provided*, That in the case of a citizen or resident of the United States the rate upon the first $4,000 of such amount shall be 6 per cent;
>
> (b) For each calendar year thereafter, 8 per cent of the amount of the net income in excess of the credits provided in section 216: *Provided*, That in the case of a citizen or resident of the United States the rate upon the first $4,000 of such amount shall be 4 per cent.

Then subdivision (a) has reference to the imposition of the tax for the calendar year ending June 30, 1920, or a reduction of one-third from the tax imposed for the year 1919.

The corporation income tax, found in section 230, page 47, line 17, down to and including line 13 on page 49, as follows:

> SEC. 230. (a) That, in lieu of the taxes imposed by section 10 of the revenue act of 1916, as amended by the revenue act of 1917, and by section 4 of the revenue act of 1917, there shall be levied, collected, and paid for each taxable year upon the net income of every corporation other than a life insurance company a tax at the following rates.

The rates are the same as provided for under the individual income tax title. There is, however, in this section, under sub-

division (b), a change from the schedules on individual incomes. It reads as follows:

(b) For the purposes of the act approved March 21, 1918, entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners and for other purposes," five-sixths of the tax imposed by paragraph (1) of subdivision (a) and three-fourths of the tax imposed by paragraph (2) of subdivision (a) shall be treated as levied by an act to amend Title I of the revenue act of 1917.

In the operation of transportation systems of the United States the Government, under an agreement with those corporations, pays to-day the original normal tax imposed of 2 per cent, all other taxes to be paid out of the revenues of the corporations. Under this section a normal tax of 12 per cent is imposed. Therefore the railroads are compelled by this amendment to pay 10 per cent of the 12 per cent, the Government paying only the 2 per cent, as provided for in the agreement with the corporations. Three-fourths of the tax imposed under this relief provision means three-fourths of the 8 per cent for the year 1920, which means that the transportation companies shall pay 6 per cent of the 8 per cent, and the Government pay 2 per cent, as in the original agreement.

I come now to the life insurance income tax, as found in sections 245, page 67, lines 2 to 17, as follows:

SEC. 245. That there shall be levied, collected, and paid for each taxable year upon the net income of every life insurance company a tax, as follows:

(a) In the case of a domestic life insurance company—
(1) For the calendar year 1918, 12 per cent of its net income;
(2) For each calendar year thereafter, 8 per cent of its net income.

That also has reference to the tax for 1820.

(b) In the case of a foreign life insurance company—
(1) For the calendar year 1918, 12 per cent of the same proportion of the net income which the reserve fund upon business transacted within the United States is of the total reserve fund upon all business transacted, whether within or without the United States;
(2) For each calendar year thereafter, 8 per cent of such proportion of its net income.

This has reference to foreign insurance companies, and the latter paragraph—namely, paragraph 2—has reference to the tax for 1920.

The war excess-profits tax on corporations is provided for in section 301, page 83, line 21, to page 85, line 3, as follows:

SEC. 301. (a) That in lieu of the tax imposed by Title II of the revenue act of 1917, but in addition to the other taxes imposed by this act, there shall be levied, collected, and paid for the taxable year 1918 upon the net income of every corporation a tax equal to the sum of the following:

FIRST BRACKET.

Thirty per cent of the amount of the net income in excess of the excess-profits credit (determined under sec. 312) and not in excess of 20 per cent of the invested capital.

SECOND BRACKET.

Sixty per cent of the amount of the net income in excess of 20 per cent of the invested capital.

THIRD BRACKET.

The sum, if any, by which 80 per cent of the amount of the net income in excess of the war-profits credit (determined under sec. 311) exceeds the amount of the tax computed under the first and second brackets.

In order that Senators may see just how this system works out, I will insert at this point the tax that would be paid by a corporation with three stockholders, invested capital of $1,800,000, and with an income of $1,800,000.

Invested capital	$1,800,000.00	
Income	1,800,000.00	
Excess-profits credit	3,000.00	
8 per cent of $1,800,000	144,000.00	
	147,000.00	
First bracket 20 per cent	360,000.00	
Less credit	147,000.00	
	213,000.00	
At 30 per cent		$63,900.00
Second bracket	1,800,000.00	
Less 20 per cent	360,000.00	
	1,440,000.00	
At 60 per cent		864,000.00
		927,900.00
Third bracket	3,000.00	
War-profits credit	180,000.00	
	183,000.00	
	1,800,000.00	
	183,000.00	
	1,617,000.00	
At 80 per cent	1,293,600.00	
Credits	927,900.00	
		365,700.00
Total excess-profits tax		1,293,600.00
Income tax		$1,800,000.00
		1,293,600.00
		506,400.00
Normal tax ... per cent		12
		60,768.00
		506,400.00
		60,768.00
Net to corporation		445,632.00
One-third to each stockholder		148,544.00
Surtax		49,412.88
		99,131.12

$297,393.36, or slightly over 16 per cent.

Rates for calendar year 1919 and subsequent years continued:

(b) For the taxable year 1919 and each taxable year thereafter there shall be levied, collected, and paid upon the net income of every corporation a tax equal to the sum of the following:

FIRST BRACKET.

20 per cent of the amount of the net income in excess of the excess-profits credit (determined under sec. 312) and not in excess of 20 per cent of the invested capital.

SECOND BRACKET.

40 per cent of the amount of the net income in excess of 20 per cent of the invested capital.

I will not read the remainder because it is simply a reduction from the rates imposed for the calendar year 1919 applying to the calendar year 1920.

Perhaps there is no relief provision in the bill so sweeping as that in relation to oil and gas wells and mines. First, as to the sale of the mine, surtax and excess-profits tax limited to 20 per cent of the selling prices, as found in section 211, subsection (b), page 18, line 3 to line 9, is as follows:

(b) In the case of a bona fide sale of mines, oil or gas wells, or any interest therein, where the principal value of the property has been demonstrated by prospecting or exploration and discovery work done by the taxpayer, the portion of the tax imposed by this section attributable to such sale shall not exceed 20 per cent of the selling price of such property or interest.

Again, section 337, page 107, lines 14 to 20:

SEC. 337. That in the case of a bona fide sale of mines, oil or gas wells, or any interest therein, where the principal value of the property has been demonstrated by prospecting or exploration and discovery work done by the taxpayer, the portion of the tax imposed by this title attributable to such sale shall not exceed 20 per cent of the selling price of such property or interest.

Next comes the depletion allowance. The basis of value is as of March 1, 1913, in case of property acquired before that date, and at date of discovery or 12 months thereafter in case of property discovered since March 1, 1913, where value is materially disproportionate to cost; that is found in section 214, subdivision (a), paragraph 10, page 28, line 7, and line 2 on page 29.

Section 234, subdivision (a), paragraph 9, page 38, is as follows:

(9) In the case of mines, oil and gas wells, other natural deposits, and timber, a reasonable allowance for depletion and for depreciation of improvements, according to the peculiar conditions in each case, based upon cost including cost of development not otherwise deducted: *Provided*, That in the case of such properties acquired prior to March 1, 1913, the fair market value of the property (or the taxpayer's interest therein) on that date shall be taken in lieu of cost up to that date: *Provided further*, That in the case of mines, oil and gas wells, discovered by the taxpayer, on or after March 1, 1913, and not acquired as the result of purchase of a proven tract or lease, where the fair market value of the property is materially disproportionate to the cost, the depletion allowance shall be based upon the fair market value of the property at the date of the discovery or within 12 months thereafter, such reasonable allowance in all the above cases to be made under rules and regulations to be prescribed by the commissioner with the approval of the Secretary. In the case of leases the deductions allowed by this paragraph shall be equitably apportioned between the lessor and lessee.

GOLD-MINING CORPORATIONS—RELIEF FROM EXCESS-PROFITS TAX.

Section 304 (d), page 88, lines 12 to 18:

(d) In the case of any corporation engaged in the mining of gold the portion of the net income derived from the mining of gold shall be exempt from the tax imposed by this title, and the tax on the remaining portion of the net income shall be computed upon the basis of an invested capital which bears the same ratio to the full invested capital as such remaining portion of the net income bears to the entire net income.

INVESTED CAPITAL.

Section 327 (e) (3), page 100, lines 4 to 7 and 14 to 24, provides that the profits tax shall be determined on the basis of representative corporations (without regard to the invested capital of the taxpayer):

(e) Where the invested capital is materially disproportionate to the net income as compared with representative corporations engaged in a like or similar trade or business because: * * *

3. The net income for the taxable year is abnormally high due to the realization in one year of (a) gains, profits, or income earned or accrued during a period of years or (b) extraordinary gains or profit derived from the sale of property the principal value of which has been demonstrated by prospecting or exploration and discovery work done by the taxpayer. When the tax is determined under this paragraph proper allowance shall be made for the taxes which would have been payable in prior years if the gains, profits, or income earned or accrued in such years had been taxed at the rates then applicable.

INVENTORY AND OTHER LOSSES RESULTING FROM WAR CONDITIONS.

Inventory losses deducted from income of preceding taxable year. Section 214 (a) (12), page 29, line 19; page 30, line 8 (same provision in respect to corporations in sec. 234 (a) (13), p. 60, lines 5 to 19):

(12) If it is shown to the satisfaction of the commissioner that during the taxable year 1919 or 1920 the taxpayer (a) has for the first time ascertained the amount of a loss sustained during the preceding taxable year and not deducted from the gross income therefor, or (b) has sustained a substantial loss (whether or not actually realized by sale or other disposition), resulting from any material reduction (not due to temporary fluctuation) of the value of the inventory for the preceding taxable year, then the amount of such loss shall be deducted from the net income for such preceding taxable year, and the taxes imposed by this title and by Title III for such year shall be redetermined accordingly. Any amount found to be due to the taxpayer upon the basis of such redetermination shall be credited or refunded to the taxpayer in accordance with the provisions of section 252.

Net losses during 1917 and 1918 deducted from income of succeeding taxable year.

Net losses during 1919 and subsequent years deducted from income of preceding taxable year, and any excess remaining deducted from income of succeeding taxable year.

Section 204, page 8, line 15, to page 10, line 8:

SEC. 204 (a) That as used in this section the term "net loss" refers only to net losses resulting from either (1) the operation of any business regularly carried on by the taxpayer, or (2) the bona fide sale by the taxpayer of plant, buildings, machinery, equipment, or other facilities constructed, installed, or acquired by the taxpayer on or after April 6, 1917, for the production of articles contributing to the prosecution of the present war; and when so resulting means the excess of the deductions allowed by law (excluding in the case of corporations amounts received as dividends from a corporation which is taxable under this title upon its net income) over the sum of the gross income plus any interest received free from taxation both under this title and under Title III.

(b) If for any taxable year beginning after December 31, 1916, and ending not later than December 31, 1918, it appears upon the production of evidence satisfactory to the commissioner that any taxpayer (other than a life insurance company) has sustained a net loss, the amount of such net loss shall under regulations prescribed by the commissioner, with the approval of the Secretary, be allowed as a deduction in computing the net income of the taxpayer for the succeeding taxable year.

(c) If for any taxable year ending after January 1, 1919, it appears upon the production of evidence satisfactory to the commissioner that any taxpayer (other than a life insurance company) has sustained a net loss, the amount of such net loss shall under regulations prescribed by the commissioner, with the approval of the Secretary, be deducted from the net income of the taxpayer for the preceding taxable year; and the taxes imposed by this title and by Title III for such preceding taxable year shall be redetermined accordingly. Any amount found to be due to the taxpayer upon the basis of such redetermination shall be credited or refunded to the taxpayer in accordance with the provisions of section 252. If such net loss is in excess of the net income for such preceding taxable year the amount of such excess shall under regulations prescribed by the commissioner, with the approval of the Secretary, be allowed as a deduction in computing the net income for the succeeding taxable year.

(d) The benefit of this section shall be allowed to the members of a partnership and the beneficiaries of an estate or trust under regulations prescribed by the commissioner, with the approval of the Secretary.

Mr. LENROOT. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Wisconsin?

Mr. SMOOT. Yes.

Mr. LENROOT. I should like to ask the Senator two or three questions concerning section 204.

First, I should like to ask the Senator's definition, referring to subdivision (2) of section 204, permitting the deduction or the regarding as a loss of a "bona fide sale by the taxpayer of plant, buildings, machinery, equipment, or other facilities, constructed, installed, or acquired by the taxpayer on or after April 6, 1917, for the production of articles contributing to the prosecution of the present war." What definition does the Senator give to "the production of articles contributing to the prosecution of the present war"?

Mr. SMOOT. Mr. President, this has particular reference to concerns that have been induced by the Government of the United States either to increase or in many cases to establish a business for the production of goods for the Government, and they must be articles contributing to the prosecution of the present war.

Mr. LENROOT. But it is not limited in any way to articles produced for the Government, is it? And does not the Senator think it ought to be so limited—that is, to articles used by the Government? They might not be contributed or furnished directly to the Government.

Mr. SMOOT. I think this provision can not be abused in any way, even though those words are not incorporated in it. It applies only to institutions that have been established since April 6, 1917, the date of the declaration of war; and I know of no case, nor has there been presented to the committee a single, solitary case in which an institution has been, since the declaration of war, established for the purpose of manufacturing goods contributing to the war, other than goods that have been sold to the Government of the United States and to the allies. I think there should be no discrimination between goods sold to the allies and goods sold to our Government, and it is only such classes of goods that could possibly be sold to one or the other of these agencies.

Mr. LENROOT. That is true. I may say to the Senator that I do not think there has been any large establishment of business since that date that has not contributed to the war; but this language is most vague and indefinite, and, if there have been such, there are very few industrial plants in this country that might not be said in their output to have contributed to the prosecution of the war.

I more particularly wanted to ask the Senator, however, one or two questions with reference to subdivisions (c) and (c). As I understand the construction of these sections, if a taxpayer sustained a loss in 1917 he would be entitled to have that loss included as a deduction from his net income for the coming year.

Mr. SMOOT. That is correct. I will say to the Senator.

Mr. LENROOT. And if for any taxable year after January 1, 1919, a taxpayer sustains a net loss, he is entitled to have that loss included and treated as a deduction in his income tax for the preceding year, and to have that income tax redetermined upon the same basis as if the loss had been incurred for that taxable year.

Mr. SMOOT. That is a correct construction of the provision.

Mr. LENROOT. And if the loss was greater than the net income, so as to wipe out the tax entirely, under this language the entire tax that has been paid for the year 1918 must be refunded to the taxpayer for a loss incurred in 1919.

Mr. SMOOT. Such a thing could occur under the provisions of this bill.

Mr. LENROOT. And if the loss was greater than that, he is still entitled to have a deduction for the succeeding year.

Mr. SMOOT. The Senator is correct in the construction that he places upon this provision. I want to say to the Senator, in justification of the action of the committee in adopting this provision, that their idea was, in the case of this particular class of business, hazardous as it was, and the war coming to a close so quickly as it has, and the property being of very little value in some cases from now on, that a provision of this kind was really necessary in order that the manufacturers should—I will not say make money, but make themselves whole.

Mr. LENROOT. But I call the Senator's attention to the fact that this covers all ordinary business.

Mr. SMOOT. Well, all ordinary business established since the date of the declaration of war.

Mr. LENROOT. It covers all business, I will say.

Mr. SMOOT. That is correct.

Mr. LENROOT. It is not limited to business incident to the prosecution of the war.

Mr. SMOOT. Yes; that is true. But I want to say to the Senator also in that connection that there is no question but that the business of the country has been paying taxes upon a rising market. They take stock at the end of one year at the value of the goods at that time, and at the end of another year they might not have made a single dollar upon the transaction of the business. Yet if they took their stock at the market price at that time it would show a handsome profit.

Mr. LENROOT. Yes; but that is fully taken care of——

Mr. SMOOT. That is taken care of in another provision. I am perfectly aware of that. It falls within the inventory section of this bill. But now that we have reached the very highest peak of cost, and from now it will be a descending scale, there is no provision in the inventory section to provide for the repayment of the losses that may incur, and this provision is to cover that very point, which is not covered in the relief provision of the inventory section.

I wish to say to the Senator that I know that this is a very sweeping provision, and the very reason why I am calling the attention of the Senate at this time to these relief provisions is that I want Senators to see them all together, so that they can judge what they are, and if there is any discussion, let us have it as a whole. I am not so much alarmed about what the bill provides as reported to the Senate as to its effect on the future business of the country; but what I am concerned about is how will the bill come out of conference?

Mr. LENROOT. But may I suggest to the Senator that while he suggests that the provision found upon page 29, taking care of losses occurring through inventories, does not provide for a refund, it could very easily be made to provide for it.

Mr. SMOOT. Yes; it could be made to, but it does not provide for it.

Mr. LENROOT. No. Now, I should like to ask the Senator this question:

I think we all realize the possibility—I will not say probability—of an industrial depression in the future, and possibly in the very near future. If the provisions of section 204, relating to net losses, should finally remain in the bill, we might easily have a situation where a very large percentage of the businesses and industries of this country might have net losses rather than net incomes. The result would be that we would have to refund the income taxes that they paid this year; and yet in all other methods of taxation the Government imposes taxes irrespective of whether there is a profit or a loss. I think it is entirely novel in the history of taxation anywhere, in passing a tax law, to treat three years as a unit of taxation instead of one. And that is what this amounts to, is it not?

Mr. SMOOT. Yes, I must say that that is what the provision is really intended to cover. But I want to correct the Senator in saying that elsewhere there is no such tax provision known. It is true that there has never been such a provision provided in any law of the United States, but England has a provision very similar in her revenue laws, and she has found it absolutely necessary to prevent disaster to certain lines of business. As I stated, and I am perfectly frank in stating it, it is a broad sweeping provision, and if business should become unprofitable in the near future, if failures should become universal and there should be a stagnation in business in this country, the result would be just as the Senator has called attention to. But there seems to be an impression, and I think it is shared by business men generally, that it will take some time before conditions in Europe are such that they can get back to manufacturing goods for the world's commerce.

Another thing Europe is going to have her troubles the same as we will perhaps have ours in readjusting affairs and getting back into normal conditions. But the Senator no doubt knows my position on it, because I stated it this morning. I believe there is going to be a changed condition and there is going to be trouble in this country and in every other country before normal conditions arrive. But under this provision there will be very little refunding done. That is based wholly on the opinion I have that the year 1919 is not going to have the profit the year 1918 did by any manner of means, but it is going to be a fairly profitable year. If that is the case there will be very little to be refunded under the provision.

Mr. LENROOT. That would depend entirely upon industrial conditions?

Mr. SMOOT. No doubt.

Mr. LENROOT. May I put one other question to the Senator? The Government must have money to carry on the Government and meet its obligations. Can there be any justification, so long as that money must be raised, when profit has actually been realized, to pay back that profit out of a loss that wholly accrued in a subsequent year?

Mr. SMOOT. I will say to the Senator if it had not been for the war such a provision as this would never have been thought of; it never would have been offered in the Senate; and it never would have been considered by the committee. The reason why it has been considered is because of the conditions that are brought about in certain industries on account of the immediate collapse of the war.

Mr. LENROOT. May I ask the Senator this question, then? Why was it not limited to losses occurring through these conditions rather than being made general? As we all know in the general run of business, under all ordinary peace conditions, some taxpayers will have a loss and other taxpayers will have a profit. Yet under these provisions we would refund to a taxpayer, who a year or two hence may sustain loss, the income tax that he properly paid this year.

Mr. SMOOT. I will say to the Senator that we should study the question carefully. It developed in the committee that not only contractors but small subcontractors were greatly affected by the sudden collapse of the war, and in many cases the subcontractors suffer the most. If we simply confine this to the man who held the contract for the furnishing of the materials to the Government or to our allies, it would not in many cases relieve the very ones who would suffer most. I am glad the Senator brought it up, and I am glad he called the attention of the country to it, because, as I stated before, it is a broad, sweeping provision, and I can not tell, and no soul on earth can tell, what effect it is going to have upon the revenues of the Government.

Now, as to amortization, first, vessels added to the list of facilities, for which allowances are made. The House limit of 25 per cent of net income is removed by the Senate committee amendment. If Senators will look at section 214, subdivision (a), paragraph 9, page 26, line 10, to page 27, line 16, and section 234, subsection (a), paragraph 8, page 56, line 5, to page 57, line 11, they will see the provision.

AMORTIZATION.

Vessels added to list of facilities for which allowance made. House limit of 25 per cent of net income removed from bill.

Section 214 (a) (9), page 26, line 10, page 27, line 16; section 234 (a) (8), page 56, line 5, page 57, line 11:

"(9) In the case of buildings, machinery, equipment, or other facilities constructed, erected, installed, or acquired on or after April 6, 1917, for the production of articles contributing to the prosecution of the present war, and in the case of vessels constructed or acquired on or after such date for the transportation of articles or men contributing to the prosecution of the present war, there shall be allowed a reasonable deduction for the amortization of such part of the cost of such facilities or vessels as has been borne by the taxpayer, but not again including any amount otherwise allowed under this title or previous acts of Congress as a deduction in computing net income. At any time within three years after the termination of the present war the commissioner may, and at the request of the taxpayer shall, reexamine the return, and if he then finds as a result of an appraisal or from other evidence that the deduction originally allowed was incorrect the taxes imposed by this title and by Title III for the year or years affected shall be redetermined, and the amount of tax due upon such redetermination, if any, shall be paid upon notice and demand by the collector, or the amount of tax overpaid, if any, shall be credited or refunded to the taxpayer in accordance with the provisions of section 252.

INVESTED CAPITAL.

Section 326 (e) (4), page 100, lines 4 to 7, and page 101, lines 1 to 6, provides that the profits tax shall be determined on the basis of representative corporations (without regard to the invested capital of the taxpayer).

"(e) Where the invested capital is materially disproportionate to the net income as compared with representative corporations engaged in a like or similar trade or business because: * * *

"4. Proper recognition or allowance can not be made for amortization, obsolescence, or exceptional depletion due to the present war, or to the necessity in connection with the present war of providing plant which will not be wanted for the purpose of the trade or business after the termination of the war.

Mr. LENROOT. In this connection can the Senator inform us as to the rules of the Treasury Department in ascertaining losses, whether or not in making such ascertainment they take into consideration and make an adjustment of the depreciation charges and amortization charges that may have been allowed the previous year?

Mr. SMOOT. They are all taken into consideration. I will say to the Senator.

Mr. LENROOT. In determining the net loss?

Mr. SMOOT. In determining the net loss for the calendar year 1919.

In this connection I may say to the Senate that the Government has made many contracts with concerns in this country for the furnishing of goods for the immediate prosecution of the war. It has also furnished most of the money for the erection of such plants and for the installation of machinery to run them. The contracts provided for certain amortization and the losses that could be deducted. In fact, in some cases, if the war had proceeded a couple more years, they would have made money, but under the conditions existing, with the collapse of the war, they have got to have a readjustment under the provisions of the contract, and I think that will be done. I am sure in many cases an investigation is under way at the present time for the purpose of determining the amount of the losses.

There is not much difference between this and the House provision, with the exception that they added to this "vessels" and also struck out the 25 per cent limitation provided for in the House. The Treasury Department appealed to the Committee on Finance that that limitation of 25 per cent be limited. They claim that they will not be abused, but in some cases, on account of the war coming to a sudden close, would leave the corporation and the Government in a very embarrassing position if the limit is retained. In fact, I believe that under the contracts made by the Government the individual could go into any court and claim his right under the contract, and a judgment would be rendered in his favor.

I called attention to the nonresident deduction as to property outside the United States found in section 214, subdivision (a), paragraph 3, page 25, lines 7 to 13, and the same thing in section 234, paragraph 8, subsection 3, page 55, lines 8 to 14, in which I alluded to deductions for the taxes imposed. I ask that it be incorporated in the RECORD without reading.

The PRESIDING OFFICER. Without objection it is so ordered.

The matter referred to is as follows:

NONRESIDENTS—DEDUCTIONS AS TO PROPERTY OUTSIDE UNITED STATES.

Section 214 (a) (3), page 25, lines 7–13 (and section 234 (a) (3), page 55, lines 8–14), allows a deduction of taxes imposed:

"(e) In the case of a nonresident alien individual, by the authority of any foreign country (except income, war-profits, and excess-profits taxes, and taxes assessed against local benefits of a kind tending to

increase the value of the property assessed), upon property or business, to the extent that the income from such property or business is subject to taxation under this title."

Section 214 (a) (8), page 26, lines 6–9 (and section 234 (a) (7), page 56, lines 1–4), remove the House limitations that depreciation can be allowed only as property of a nonresident within the United States.

"(8) A reasonable allowance for the depreciation of property used in the trade or business."

Mr. SMOOT. Next is the extension of time for filing the income-tax returns. House bill, section 227, subdivison (a), page 46, line 20, provides that no extension shall be for more than two months. This restriction has been removed. The reason for that is this: Two months was considered by the department to be an unnecessary limitation, and in a few cases it has been found that it was not a sufficient time. Therefore, the relief asked for by the department was granted.

The next has reference to the 6 per cent differential on undistributed profits, which I ask be inserted in the RECORD without reading.

SIX PER CENT DIFFERENTIAL ON UNDISTRIBUTED PROFITS.

House bill, section 230, page 47, imposed 18 per cent tax on income of corporation not distributed as dividends, or used in payment of indebtedness or purchase of liberty bonds. This differential has been removed and a flat 12 per cent tax imposed.

Following that is the cooperative societies; the deduction of amounts repaid to members. I am not going to take the time of the Senate but ask that it go in the RECORD showing the sections and the lines so that Senators can follow it very closely.

COOPERATIVE SOCIETIES—DEDUCTION OF AMOUNTS REPAID TO MEMBERS.

Section 231 (11), page 51, line 8, to page 52, line 3.

"The following organization shall be exempt from taxation under this title: * * *

"(11) Farmers', fruit growers', or like associations, or cooperative societies, organized and operated as sales agents for the purpose of marketing the products of members and turning back to them the proceeds of sales, less the necessary selling expense, on the basis of the quantity of produce furnished by them, or as purchasing agents for the purpose of supplying merchandise to members at cost, including the necessary expense: *Provided*, That associations or societies of the kind herein described but which also sell for or to nonmembers shall be liable to taxation under this Title but shall be allowed in addition to the deductions allowed in paragraphs (1) to (10), inclusive, of subdivision (a) of section 234 amounts paid during the taxable year to members on the basis of the quantity of products furnished by them representing the profits thereon, and (b) amounts repaid during the taxable year to members as discounts or rebates upon amounts paid by them for merchandise; but in no case shall the additional deductions authorized in this paragraph exceed the proportion of the total profits of the association or society which the amount of sales for or to members bears to the total amount of purchases or sales."

The next has reference to consolidated returns found in section 240, page 65, line 1; page 66, line 16. That is a subject matter that I think ought to be very carefully considered. It allows consolidated returns. Under existing law they are prohibited. It simply means that if a corporation desires to establish in 50 different places in the United States branch concerns, organized under the laws of the State in which they operate but owned by the same stockholders as the parent company, one return, a consolidated return, can be made for all such institutions. In other words, if the concern is located in New York City and makes a profit of 100 per cent upon its invested capital and it has another store in Iowa or in any other State in the Union and that institution loses $50,000 in its transaction of business during that same calendar year, then the parent institution can deduct the $50,000 loss made in the institution in Iowa from the credit of $100,000 profit made in the State of New York.

Section 240, page 65, line 1; page 66, line 16:

"CONSOLIDATED RETURNS.

"SEC. 240. (a) That corporations which are affiliated within the meaning of this section shall, under regulations to be prescribed by the commissioner with the approval of the Secretary, make a consolidated return of net income and invested capital for the purposes of this title and Title III, and the taxes thereunder shall be computed and determined upon the basis of such return.

"In any case in which a tax is assessed upon the basis of a consolidated return the total tax shall be computed in the first instance as a unit, and shall then be assessed upon the respective affiliated corporations in such proportions as may be agreed upon among them, or, in the absence of any such agreement, then on the basis of the net income and invested capital properly assignable to each. There shall be allowed in computing the income tax only one specific credit of $2,000 (as provided in sec. 236); in computing the war-profits credit (as provided in sec. 311) only one specific exemption of $3,000; and in computing the excess-profits credit (as provided in sec. 312) only one specific exemption of $3,000.

"(b) For the purpose of this section, two or more corporations shall be deemed to be affiliated—

"(1) If one corporation owns directly or controls through closely affiliated interests or by a nominee or nominees substantially all the stock of the other or others, or if substantially all the stock of two or more corporations is owned or controlled by the same interests, or if one such corporation buys from or sells to another products or services at prices above or below the current market, thus effecting an artificial distribution of profits, or in any way so arranges its financial relationships with another corporation as to assign to it a disproportionate share of net income or invested capital.

"(2) A foreign corporation shall not be deemed to be affiliated with a domestic corporation unless substantially all its stock is owned or controlled by such domestic corporation or by a resident taxpayer or group of resident taxpayers owning or controlling substantially all the stock of such domestic corporation. Where under this subdivision a foreign corporation is affiliated with a domestic corporation, the total tax (computed as a unit as above provided) shall be reduced by the credit authorized in section 238."

The next has reference to installment payments. That simply means that there are four payment periods instead of three, as provided by the House. I ask that that be incorporated in the RECORD.

INSTALLMENT PAYMENTS—FOUR INSTEAD OF THREE.

Section 250 (a), page 69, line 20, and page 70, line 26:

"SEC. 250. (a) That except as otherwise provided in this section and sections 221 and 237 the tax shall be paid in four installments, each consisting of one-fourth of the total amount of the tax. The first installment shall be paid at the time fixed by law for filing the return, and the second installment shall be paid on the 15th day of the third month, the third installment on the 15th day of the sixth month, and the fourth installment on the 15th day of the ninth month, after the time fixed by law for filing the return. Where an extension of time for filing a return is granted the date of the expiration of the period of the extension shall be deemed to be the time fixed by law for filing the return. In any case in which the time for the payment of any installment is thus postponed because of an extension of time for filing the return there shall be added as part of such installment interest thereon at the rate of ½ of 1 per cent per month from the time it would have been due if no extension had been granted until paid. If any installment is not paid when due the whole amount of the tax unpaid shall become due and payable upon notice and demand by the collector.

"The tax may, at the option of the taxpayer, be paid in a single payment instead of in installments, in which case the total amount shall be paid on or before the time fixed by law for filing the return, and in the case of any tax of not over $200 so paid there shall be allowed a discount of 1 per cent of the amount thereof. Where an extension of time for filing the return has been granted no interest shall be added to the tax if the whole amount of the tax is paid on or before the time the third installment would have been due if no extension had been granted."

The refunds and credits in section 252, page 76, lines 4 to 24, I ask to have incorporated:

REFUNDS AND CREDITS.

Section 252, page 76, lines 4–24:

"REFUNDS.

"SEC. 252. That if, upon examination of any return of income made pursuant to this act, the act of August 5, 1909, entitled 'An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes,' the act of October 3, 1913, entitled 'An act to reduce tariff duties and to provide revenue for the Government, and for other purposes,' the revenue act of 1916, as amended, or the revenue act of 1917, it appears that an amount of income, war profits or excess-profits tax has been paid in excess of that properly due, then, notwithstanding the provisions of section 3228 of the Revised Statutes, the amount of the excess shall be credited against any income, war profits or excess-profits taxes, or installment thereof, then due from the taxpayer under any other return, and any balance of such excess shall be immediately refunded to the taxpayer: *Provided*, That no such credit or refund shall be allowed or made after five years from the date when the return was due, unless before the expiration of such five years a claim therefor is filed by the taxpayer."

As to invested capital I call attention to the fact that tangible property under the relief provisions is allowed to its full value if clearly in excess of the par value of stock paid therefor. It is section 326, subdivision (a), paragraph 2, page 95, lines 1 to 9:

INVESTED CAPITAL.

Tangible property allowed to full value if clearly in excess of par value of stock paid therefor.

Section 326 (a) (2), page 95, lines 1–9:

"(2) Actual cash value of tangible property, other than cash, bona fide paid in for stock or shares, at the time of such payment, but in no case to exceed the par value of the original stock or shares specifically issued therefor, unless the actual cash value of such tangible property at the time paid in is shown to the satisfaction of the commissioner to have been clearly and substantially in excess of such par value, in which case such excess shall be treated as paid-in surplus";

Then, again, in that same section, as to intangible property paid in prior to March 3, 1917, the House provided an aggregate of 20 per cent of the par value of the total stock or shares of the corporation outstanding on March 3, 1917. That was changed by an amendment in the Senate committee allowing 30 per cent.

Intangible property paid in prior to March 3, 1917, 30 per cent instead of 20 per cent.

Section 326 (a) (4), page 95, lines 15–21:

"(4) Intangible property bona fide paid in for stock or shares prior to March 3, 1917, in an amount not exceeding (a) the actual cash value of such property at the time paid in, (b) the par value of the stock or shares issued therefor, or (c) in the aggregate 30 per cent of the par value of the total stock or shares of the corporation outstanding on March 3, 1917, whichever is lowest."

Again, as to intangible property paid in for stock since March 3, 1917, there is the same change; that is, an allowance of 30 per cent instead of 20 per cent, as limited by the House. I ask that the following also be incorporated in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

Intangible property paid in for stock since March 3, 1917, 30 per cent instead of 20 per cent; House bill limited to patents and copyrights.

Section 326 (a) (5), page 95, line 22; page 96, line 4:

"(5) Intangible property bona fide paid in for stock or shares on or before March 3, 1917, in an amount not exceeding (a) the actual cash value of such property at the time paid in, (b) the par value of the stock or shares issued therefor, or (c) in the aggregate 30 per cent of the par value of the total stock or shares of the corporation outstanding at the beginning of the taxable year, whichever is lowest."

Tax determined on basis of representative concerns, without regard to invested capital of taxpayer—so-called "relief provisions."

Sections 327–328, page 99, line 9; page 101, line 20:

"That in the following cases the tax shall be determined as provided in section 328:

"(a) Where the commissioner is unable satisfactorily to determine the invested capital as provided in section 326;

"(b) In the case of a foreign corporation;

"(c) Where a mixed aggregate of tangible property and intangible property has been paid in for stock or for stock and bonds and the commissioner is unable satisfactorily to determine the respective values of the several classes of property at the time of payment, or to distinguish the classes of property paid in for stock and for bonds, respectively;

"(d) Where, as compared with representative corporations, engaged in a like or similar trade or business, the taxpayer would (under sec. 326) be placed in a position of substantial inequality, because of the time or manner of organization, or because the actual value of the assets on March 1, 1913, was substantially in excess of the amount at which such assets would be valued for the purpose of computing invested capital under the provisions of section 326;

"(e) When the invested capital is materially disproportionate to the net income as compared with representative corporations engaged in a like or similar trade or business because:

"1. The capital employed, although a material income-producing factor, is very small or is in large part borrowed;

"2. There are excluded from the invested capital as computed under the provisions of section 326, intangible assets of recognized and substantial value built up or developed by the taxpayer;

"3. The net income for the taxable year is abnormally high, due to the realization in one year of (a) gains, profits, or income earned or accrued during a period of years or (b) extraordinary gains or profit derived from the sale of property the principal value of which has been demonstrated by prospecting or exploration and discovery work done by the taxpayer. When the tax is determined under this paragraph proper allowance shall be made for the taxes which would have been payable in prior years if the gains, profits, or income earned or accrued in such years had been taxed at the rates then applicable;

"4. Proper recognition or allowance can not be made for amortization, obsolescence, or exceptional depletion due to the present war, or to the necessity in connection with the present war of providing plant which will not be wanted for the purpose of the trade or business after the termination of the war.

"SEC. 328. (a) In the cases specified in section 327 the tax shall be the amount which bears the same ratio to the net income of the taxpayer (in excess of the specific exemption of $3,000) for the taxable year, as the average tax of representative corporations engaged in a like or similar trade or business, bears to their average net income (in excess of the specific exemption of $3,000) for such year. In such cases the commissioner shall compare the taxpayer only with representative corporations whose invested capital can be satisfactorily determined under section 326 and which are, as nearly as may be, similarly circumstanced with respect to gross income, net income, profits per unit of business transacted and capital employed, the amount and rate of war profits or excess profits, and all other relevant facts and circumstances."

SMALL CORPORATIONS—LIMIT ON EXCESS-PROFITS TAX.

Section 302, page 85, line 16; page 86, line 10:

"SEC. 302. That the tax imposed by subdivision (a) of section 301 shall in no case be more than 30 per cent of the amount of the net income in excess of $3,000 and not in excess of $20,000, plus 50 per cent of the amount of the net income in excess of $20,000; and the tax imposed by subdivision (b) of section 301 shall in no case be more than 20 per cent of the amount of the net income in excess of $3,000 and not in excess of $20,000, plus 40 per cent of the amount of the net income in excess of $20,000. Nothing in this section shall be construed in such manner as to increase the tax imposed by section 301."

NEW CORPORATIONS—WAR-PROFITS CREDIT.

House bill (sec. 311 (b) p. 89, line 20; p. 90, line 3) limited new corporations to a deduction of 10 per cent of invested capital. The committee proposes the following provision (sec. 311 (c), p. 90, lines 4–24):

"(c) If the corporation was not in existence during the whole of at least one calendar year during the prewar period, then the war-profits credit shall be the sum of:

"(1) A specific exemption of $3,000; and

"(2) An amount equal to the same percentage of the invested capital of the taxpayer for the taxable year as the average percentage of net income to invested capital, for the prewar period, of corporations engaged in a trade or business of the same general class as that conducted by the taxpayer; but such amount shall in no case be less than 10 per cent of the invested capital of the taxpayer for the taxable year. Such average percentage shall be determined by the commissioner on the basis of data contained in returns made under Title II of the revenue act of 1917, and the average known as the median shall be used. If such average percentage has not been determined and published at least 30 days prior to the time when the return of the taxpayer is due, then for purposes of such return 10 per cent shall be used in lieu thereof; but such average percentage when determined shall be used for the purposes of section 250 in determining the correct amount of the tax."

INVESTED CAPITAL.

Section 327 (d), page 99, lines 20–24, provides that the profits tax shall be determined on the basis of representative corporations (without regard to the invested capital of the taxpayer):

"(d) Where, as compared with representative corporations, engaged in a like or similar trade or business, the taxpayer would (under sec. 326) be placed in a position of substantial inequality, because of the time or manner of organization."

Mr. SMOOT. Mr. President, those are the relief provisions as provided in the bill. Some of them are very sweeping in their scope, and if not administered by the department in absolute fairness will work an unjust discrimination against the businesses of the country. I want Senators to know that in these provisions there is placed in the hands of the Commissioner of Internal Revenue or the Secretary of the Treasury, as the case may be, a power that has never been granted to department officials before. If exercised wisely it will be a relief to the institutions of the country, and many of them will need it, but if exercised unjustly or unwisely there will be a frightful discrimination between business concerns and industries of the country.

Mr. KING. Will the Senator yield.

Mr. SMOOT. I yield.

Mr. KING. There was a great deal of complaint of the revenue bill passed a year ago because of the lack of flexibility. It was said that some of its provisions were too rigid and an appeal was directly made to the British system, which provided a practicable method of determining and adjusting those inequalities which necessarily arise. I presume the Senator now is calling attention to a feature of the bill that is somewhat along the English line, and if we administer it as England has administered hers there can be no objection to it.

Mr. SMOOT. My colleague is correct in the deduction drawn. I want to say this to the Senate: I prefer a thousand times that Congress say how far the Commissioner of Internal Revenue can go in granting relief than the way it was accomplished under the present law. We passed the 1917 revenue bill, and I said during the discussion of it that it was impossible of administration. What happened? The Secretary of the Treasury appointed a commission to work with the Commissioner of Internal Revenue for the purpose of trying to arrive at what Congress meant by certain provisions of the law, and it took 287 pages of closely printed matter to cover the interpretations of the different provisions of the act and as a basis for administration.

The law was administered not as it passed Congress but as it was interpreted by this commission.

Mr. President, I do not think it is going to take very long to pass this bill through the Senate, but I think it is going to take quite a while for the conference to agree to its provision. I feel apprehensive as to what the bill will contain when agreed to in conference. I know what a just tax bill means to the people of this country, and in whatever we pass and whatever taxes we impose upon the American people let us as Members of the Senate work to the end that no discrimination shall be made. If we do that, Mr. President, and it takes the larger part of the profits of the business of the country to meet the obligations of the Government, I know there will not be a tithe of the complaint that there will be if the provisions of the House bill are enacted into law with all its discriminatory provisions.

Mr. President, I do not care at this time to discuss the other provisions of the bill. I shall content myself when amendments are reached to discuss them briefly, confining what I have to say to the subject when it is before the Senate for consideration and disposition.

Mr. THOMAS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. NEW in the chair). The Senator from Colorado suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Jones, Wash.	New	Smith, Ga.
Bankhead	Kendrick	Norris	Smith, Md.
Brandegee	Kenyon	Nugent	Smith, S. C.
Curtis	King	Overman	Smoot
France	Kirby	Page	Spencer
Frelinghuysen	La Follette	Penrose	Sutherland
Gay	Lenroot	Poindexter	Thomas
Gronna	McCumber	Pollock	Thompson
Hardwick	McKellar	Ransdell	Townsend
Henderson	McLean	Saulsbury	Trammell
Hitchcock	Martin, Ky.	Shafroth	Underwood
Johnson, Cal	Moses	Sheppard	Walsh
Johnson, S. Dak.	Mulkey	Simmons	Warren
Jones, N. Mex.	Myers	Smith, Ariz.	Watson

Mr. McKELLAR. Mr. President, I desire to announce the unavoidable absence of the senior Senator from Tennessee [Mr. SHIELDS] on account of illness.

The PRESIDING OFFICER. Fifty-six Senators having answered to their names, there is a quorum present. The Senator from North Carolina.

Mr. SIMMONS. I ask that the Secretary begin the reading of the amendments which have been passed over. I think the first amendment passed over was on page 7. That amendment was passed over upon my statement that the Finance Committee wished further to consider that section and would probably later offer a substitute amendment for it. A meeting of the

committee has not yet been held, and I ask that that amendment again go over.

The PRESIDING OFFICER. The amendment will go over, as requested. The Secretary will state the next committee amendment which has been passed over.

The SECRETARY. The next amendment passed over, at the request of the Senator from Washington [Mr. JONES], was on page 8, from line 10 to line 13, inclusive.

Mr. GRONNA. Mr. President, the Senator from Washington [Mr. JONES] does not seem to be in his seat just at this moment. I also requested that that paragraph go over. I have offered an amendment to it, which I hope the Senator having the bill in charge will accept. I send the amendment to the Secretary's desk and ask to have it read.

Mr. SIMMONS. To what section is the amendment proposed?

Mr. GRONNA. It is proposed to section 203.

Mr. PENROSE. Let the amendment be read, Mr. President.

The PRESIDING OFFICER. The amendment proposed by the Senator from North Dakota [Mr. GRONNA] will be stated.

The SECRETARY. On page 8 it is proposed to amend section 203 by inserting a new subdivision, as follows:

In case the articles dealt in and inventoried by the taxpayer are of a kind whose cost has substantially increased since the close of the prewar period as defined in Title III of this act, the taxpayer may reduce the amount of the inventory, determined in accordance with the foregoing provisions, by a deduction of not more than 20 per cent, and in the event of such deduction the taxpayer shall with his return, under the provisions of this act, give a bond to the United States in such form and in such amount and with such surety or sureties as may be approved by the commissioner, conditioned that if, during the next succeeding taxable year, the cost of such like article shall not have declined to the full amount of such deduction the taxpayer shall pay an additional tax, determined in accordance with the provisions of this act, on the excess of such deduction over said decline in cost.

Mr. GRONNA. In support of this amendment I wish to have read, for the information of the Senate, a letter which I send to the Secretary's desk.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

GRAND FORKS, N. DAK., *November 30, 1918.*

Hon. A. J. GRONNA,
United States Senate, Washington, D. C.

DEAR SIR: Our attention has been called to section 202 of H. R. 12863, fixing the basis of values for determining the amount of income and excess-profits taxes to be levied under the proposed new revenue law. We wish to appeal to you not only in our own behalf, but in behalf of the general public and thousands of small country merchants as well. We feel the basis of value outlined under this section is unfair, and wish to present a few points that appeal to us as worthy of consideration.

It is well known that merchandise values at the present time are on a war basis and are very high. The United States entered the world war on a basis of high prices, brought about by foreign buying, and since our entrance prices in nearly every line have still further increased. Our merchants did not enter the war period with large stocks, and most of the stocks now on hand were bought at the present high prices.

To compel the merchants of the Northwest to pay income and excess-profits taxes on these values in the face of postwar conditions which, it is reasonable to assume, will bring prices down, will be unfair and may cause great hardship. Credit is a large factor in our business in the Northwest, and it will be one of the first things to be affected.

We understand amendments have been proposed or will be proposed which will afford some relief. We believe it would be only fair to allow a flat reduction on present values, but if that is not possible we feel some relief at least is afforded by the suggested amendment outlined on the accompanying sheet.

The big merchant of the cities is not the only one to be affected by this proposed basis of valuation. We have in the Northwest, and particularly in Minnesota, North Dakota, and Montana, hundreds of cooperative stores and local mercantile companies, all or most of whose stockholders are farmers and local people. If these companies are compelled to pay taxes on the present high values and at the same time face an almost certain fall in the selling value of their goods, it will seriously affect the solvency of many of them.

The retail merchant in all lines has passed through very difficult and trying times because of the increase in merchandise prices. Increased costs, taxes, wages, rents, fuel, etc., necessarily mean higher prices to the consumer. The public is demanding a return to normal prices. The local merchants only ask that the change may be made without driving them into bankruptcy. Merchandise values can not come down in the face of heavy taxation.

If it is the purpose of the proposed bill to hit the big mercantile organizations of the country, we believe it undesirable to undertake it by means that will work hardship on the public and the small local merchants and his cooperative associates in business. The big fellows can to a certain extent control the markets in their present state and protect themselves until they can return to a lower level of prices without loss.

We believe the local merchants and local company stores of the Northwest are essential factors in our present economic life and the further development of the Northwestern States. They are not only sellers of merchandise, but they are also buyers of miscellaneous farm products. We submit that the local merchants has done as much or more than any other agency to encourage general farm activities. In this State grain can be marked at almost any siding, but the big butter, egg, and cream market is furnished by the hundreds of country stores. They have stood by their people through thick and thin, using their credit to tide their communities over periods of short crops and in other trials. Hundreds of the post offices of this and the surrounding States could not be maintained except as it is possible to secure some local merchants to handle them. We feel the merchants as a class are essential and speak for all as well as ourselves.

This matter has been before our general organization and our directors. In the absence of any other definite proposal we approve the amendment submitted herewith and ask your support of it or any other change in this measure that will make it possible for the local merchants of the Northwest to face the future safely.

Yours, truly,

THE MERCHANTS' ASSOCIATION OF GRAND FORKS AND EAST GRAND FORKS,
By FRANCIS MCKERNAN, *Acting Secretary.*

Mr. GRONNA. Mr. President, I realize that to some extent the matter referred to has been taken care of by the committee. I wish, however, to ask that the amendment may go over in order that I may confer with the chairman of the committee and other members of the committee in reference to it. It is possible that the amendment which has been proposed by the committee will be satisfactory, but I have not had an opportunity to make such an investigation as I should like to make in reference to it. I therefore ask that the amendment may again go over.

Mr. SIMMONS. Mr. President, I will state to the Senator from North Dakota that the substance of the amendment which he has offered was presented to the Committee on Finance by certain corporations early in its deliberations, and their representatives argued very strongly in favor of it. It is, in substance, a proposition to set up a reserve to be utilized in case losses shall afterwards be sustained. The committee realized, and the department realized, that it was necessary to make some adequate provision with reference to possible losses in the very uncertain conditions in which we find ourselves. The matter was taken up with the experts of the department; it was discussed with them; the committee gave it the most thorough investigation, and decided that the method which we have adopted, as written in the bill, for meeting the situation was very much better than the proposal of the corporations. I had supposed that the amendments which we have made in order to meet this identical situation were entirely satisfactory to the business interests of the country.

Mr. JONES of Washington. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from Washington?

Mr. SIMMONS. I yield.

Mr. JONES of Washington. As I understand, section 203 of the bill is now under consideration?

Mr. SIMMONS. It is.

Mr. JONES of Washington. I asked the other day that that section go over.

Mr. SMOOT. That is the inventory portion of the bill.

Mr. JONES of Washington. I asked that it go over, because I had received quite a number of telegrams, letters, and petitions from merchants and commercial organizations in my State suggesting a change in it. I was not in the Chamber at the moment the amendment proposed by the Senator from North Dakota [Mr. GRONNA] was read, but I hold in my hand an amendment which has been suggested to me, and I desire to ask the chairman of the committee if the plan it embodies has been considered by the committee. I assume from what he has stated that it has been. This proposition is to add to the section the words, "a reasonable allowance being made for the increased cost of merchandise so inventoried over the average cost of like merchandise during the prewar period."

Mr. SIMMONS. Yes; that thought, I think, is covered by one of the amendments which we have made, though not exactly in that language.

Mr. JONES of Washington. The Senator from North Carolina has stated that the amendment proposed by the committee really covers that suggestion?

Mr. SIMMONS. Yes; I have.

Mr. JONES of Washington. And that is the view of the representatives of the department?

Mr. SIMMONS. Let me read to the Senator one of the amendments proposed by the committee. There are two amendments with reference to this matter. The amendment with reference to net loss has some bearing upon it, but I have not thought that was sufficiently sweeping to meet the situation because it applies only to a case where there is a net loss. There are many cases where relief is needed where there is no net loss. The great majority of cases will be of that character. We adopted this amendment to meet this situation:

(12) If it is shown to the satisfaction of the commissioner that during the taxable year 1919 or 1920—

That is the time the injury will result if any does occur—

the taxpayer (a) has for the first time ascertained the amount of a loss sustained during the preceding taxable year and not deducted from the gross income therefor, or (b) has sustained a substantial loss (whether or not actually realized by sale or other disposition), resulting from any material reduction (not due to temporary fluctuation) of the value of the inventory for the preceding taxable year, then the amount of such loss shall be deducted from the net income for such

preceding taxable year, and the taxes imposed by this title and by Title III for such year shall be redetermined accordingly. Any amount found to be due to the taxpayer upon the basis of such redetermination shall be credited or refunded to the taxpayer in accordance with the provisions of section 252.

Mr. JONES of Washington. That seems to me to pretty well cover the proposition.

Mr. SIMMONS. Yes. The gentlemen who came before the committee when the war was about to terminate said, "If the war shall suddenly end we are confronted with a very serious situation. Our income for the previous year has been based upon our inventories taken at the close of that year. Those inventories were based upon the high prices paid for the commodities in stock." Basing their income upon the value of the stock at the end of the year, they had a large net profit; but they said, "That may be nothing more than a paper profit; we have not sold the goods; they have simply been estimated for the purpose of ascertaining what has been our profit. Now, if there suddenly comes a termination of the war and the value of these inventoried articles shrinks, instead of having a profit, the profit which it was estimated we had in the previous year, we shall have a loss, because we will not be able to sell those goods until after the decline comes." To meet that situation we said that if it were discovered as the result of the decline in prices of the articles covered by the inventory that they had sustained a loss, or would have sustained a loss if the value of those goods had been estimated at the price at which they would have to sell them, they should be allowed to recoup themselves in the method provided by this amendment. I myself think it is very complete.

Mr. GRONNA. Mr. President, will the Senator from North Carolina yield for a question?

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from North Dakota?

Mr. SIMMONS. Yes; I yield.

Mr. GRONNA. May I ask the chairman of the committee if under the amendment proposed by the committee a merchant would be authorized to make the inventory according to the market value and not according to the cost of the goods?

Mr. SIMMONS. No; for the purposes of the reduction he would be permitted to correct his inventory of the previous year according to the basis of the prices to which his goods had fallen.

Mr. GRONNA. In that case would not a merchant be compelled to pay the tax just the same, unless he is authorized to make the inventory based upon the market value and not upon the cost?

Mr. SIMMONS. No; in that case the amendment provides that his income for the previous year shall be redetermined; and in redetermining it his assets are to be valued as of the basis to which they have fallen as a result of the shrinkage in value, thereby showing a less income than that upon which he has already paid a tax. Now, he is recouped for that out of his income tax for the next year.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. SIMMONS. Yes.

Mr. LENROOT. As I gathered the question of the Senator from North Dakota, his question was whether in this instance the merchant would be permitted in making his inventory to make it according to market value rather than according to cost?

Mr. SIMMONS. Yes; his first inventory is made according to market value.

Mr. LENROOT. Or according to the cost, as the case may be.

Mr. SIMMONS. Yes; or according to cost, as the case may be.

Mr. GRONNA. If that is the case——

Mr. SIMMONS. According to the market value at that time; but if, before those goods are sold, the market value shrinks and as a result of that shrinkage he makes a loss because he had valued them too high, then he is entitled to be recouped out of his next assessment.

Mr. HITCHCOCK. Mr. President, I should like to ask the Senator what he means by the use of the expression "makes a loss"? Does he mean that the provision only applies to such cases where a merchant sells his goods below cost?

Mr. SIMMONS. No; the Senator misunderstood me.

Mr. HITCHCOCK. I merely want to know what the fact is.

Mr. SIMMONS. It occurs in this way: In ascertaining his net profit a merchant has to take an inventory at the end of the year of all of his assets, there having been an inventory at the beginning of the year. He ascertains what his profits are upon the basis of that inventory. Now, if the assets have been given a fictitious value by reason of conditions, as a result of that high valuation his income may appear to be large, but he may sustain a loss because of his inability to sell the goods that were in stock at the time at the price at which they were inventoried.

The Senator will see this situation might arise: In taking that inventory at the peak prices that obtained just before the close of the war, a large profit might have been shown, but the war ends the next day, prices slump from 25 to 30 per cent, and that paper value upon which his profits were estimated has disappeared; it has gone.

Mr. HITCHCOCK. And he has suffered a loss?

Mr. SIMMONS. He has suffered a loss as a result. The profit was a war profit; it was not an actual profit shown from the result of the actual sale of the articles, but it was a profit resulting from an abnormal price that was placed upon them.

Mr. HITCHCOCK. And the merchant now has actually incurred a loss?

Mr. SIMMONS. He has actually incurred a loss.

Mr. HITCHCOCK. I understood that was the statement of the Senator. I want to put another case: Suppose at the end of the year an inventory is taken, and the profit upon the year's transaction appears to be, say, $50,000 upon the inventory of the goods at the then market value. Now, suppose during the year, instead of selling those goods at the then market value, he is compelled to sell them at a value which reduces his nominal profits of the previous year, upon which he has paid his tax, from $50,000 down to $25,000. He has suffered no loss, but his profits are only one-half as much as the profits upon which he has paid taxes. Has he any recourse against the Government?

Mr. SIMMONS. He has lost as a result of the shrinkage in value of the goods upon which his profits were estimated.

Mr. HITCHCOCK. He has made a profit upon the year's business, but he has made a profit only one-half as large as that upon which he has paid taxes. Can he recoup from the Government, so that his net payment of taxes shall only be equal to his exact profits?

Mr. SIMMONS. I think that is what the amendment of the committee means.

Mr. HITCHCOCK. But it does not say so.

Mr. SIMMONS. I do not know that I have completely understood the Senator, and I do not know that the Senator has completely understood me.

Mr. HITCHCOCK. Oh, yes; I understood the Senator perfectly. He took the position that where a merchant at the end of the year had made up his inventory and showed a certain profit and paid a tax upon that profit and afterwards sold his goods at a loss he could then recoup himself from the Government.

Mr. SIMMONS. Yes.

Mr. HITCHCOCK. But the Senator also emphasized the fact that he must have sold them at a loss. I am putting a case—and it will be far the most numerous class of cases, I am sure—in which a merchant has paid his tax upon a certain profit and there has been such a shrinkage in the market value of the goods in actual sale that, instead of making, say, a profit of $50,000, he only made a profit of $25,000, but meanwhile has paid taxes on the full $50,000; and I put it to the Senator, has the merchant any right to recover that excessive tax which he has paid?

Mr. SIMMONS. Yes; the amendment provides that that shall be deducted from his income of the previous year.

Mr. SMOOT. Mr. President, may I correct the Senator?

Mr. SIMMONS. Yes.

Mr. SMOOT. First, I will call the Senator's attention to pages 29 and 00 of the bill, in which the provisions referred to by the Senator from North Carolina are found.

Mr. HITCHCOCK. I have them here.

Mr. SMOOT. There is no deduction unless there is an actual loss, not a loss as between a profit of $25,000 and a profit of $50,000, for there is no provision whereby there will be a credit of the difference in that case; but if there is a loss of $25,000, then the provisions to which I have referred do allow the taxpayer to recover.

Mr. SIMMONS. The Senator is talking about net losses.

Mr. SMOOT. I am talking about the question asked by the Senator from Nebraska. The Senator from Nebraska stated the case in this way, that if the merchant had made $50,000, or if a concern had made $50,000 and then afterwards found that there was a reduction in the selling price of the goods, so that his profit was only $25,000, would he be repaid by the Government for the tax paid upon that difference of $25,000? No; he would not be, because he has suffered no loss; but if he had made $50,000 and in the readjustment of the prices of his merchandise had lost $50,000 and $25,000 more, then the Government, of course, would give him credit for the tax upon the $25,000; but no credit would be allowed unless there was an actual loss.

Mr. SIMMONS. I do not agree with the Senator from Utah at all in his statement. I agree that that is a correct interpretation of what we call the net-loss amendment, but this is a different matter altogether.

Mr. HITCHCOCK. Well, let me put another question to the Senator.

Mr. SIMMONS. This is a matter that provides for shrinkage in the inventory value.

Mr. HITCHCOCK. Yes. Now, can the Senator point out in the bill any provision which reimburses a merchant who has paid taxes upon a certain paper profit and it turns out during the year that that paper profit is only half as large as he had estimated it would be?

Mr. SIMMONS. Was the Senator here when I read the amendment?

Mr. HITCHCOCK. Yes; but I do not interpret it as the Senator interprets it.

Mr. SIMMONS. Now, let me read it to the Senator again. It is as follows:

(12) If it is shown to the satisfaction of the commissioner that during the taxable year 1919 or 1920 the taxpayer (a) has for the first time ascertained the amount of a loss sustained during the preceding taxable year and not deducted from the gross income therefor, or (b) has sustained a substantial loss (whether or not actually realized by sale or other disposition), resulting from any material reduction (not due to temporary fluctuation) of the value of the inventory for the preceding taxable year, then the amount of such loss shall be deducted from the net income for such preceding taxable year, and the taxes imposed by this title and by Title III for such year shall be redetermined accordingly. Any amount found to be due to the taxpayer upon the basis of such redetermination shall be credited or refunded to the taxpayer in accordance with the provisions of section 252.

Mr. HITCHCOCK. Mr. President, I do not think that covers the situation at all. That is the case of a man, say, in the wholesale dry-goods business, who has made his report of certain profits on the basis of his inventory, and he finds later on that whereas he estimated a profit of, say, $5,000 on his calicoes, he has actually sold his calicoes at a loss instead of at a profit. There was an actual loss incurred. But I am talking about a case in which, by a man's inventory, he has reported to the Government a paper profit of a certain amount, and by actual experience during the next 12 months in selling his goods he finds that instead of having had a paper profit of a certain amount, upon which he has paid taxes, his profit actually has been one-half of what he had estimated, and therefore he has paid twice as much in taxes as he should have paid.

Mr. SIMMONS. What occurs in that case is simply to authorize a redetermination of his taxes for the previous year.

Mr. HITCHCOCK. Can the Senator point out where that comes in? I am not able to find it.

Mr. SIMMONS. It appears in the very language that has been read. I do not think I can express it any more strongly.

Mr. HITCHCOCK. No; that section provides that where the merchant has incurred a loss instead of a profit on the sale of his goods he can recoup; but there is no provision there which enables him to recoup when he has sold his goods at one-half as much profit as he has paid taxes on.

Mr. SIMMONS. Well, the matter of whether or not he has sustained a loss must be determined from his books.

Mr. HITCHCOCK. Yes; but it seems to me——

Mr. SIMMONS. His books show that his assets—his merchandise, so to speak—were estimated as of a certain market value. That was the correct market value as of that date. But the next month there is a certain slump, and those goods which are still on hand and undisposed of are subject to a very sudden and marked reduction in price, and they have to be sold upon the basis of this lower level of prices. Now, as a result of that, he has sustained a loss——

Mr. HITCHCOCK. Oh, no.

Mr. SIMMONS. In the sense that he has had to pay an income tax estimated upon those goods at a certain price.

Mr. HITCHCOCK. Oh, I think the Senator is entirely mistaken. That merchant has incurred no loss. His profits have simply been cut down, and you have provided no way for him to get relief.

Mr. SMOOT. I do not think he ought to have any relief.

Mr. SIMMONS. I admit that he has not sustained a loss in the sense——

The PRESIDENT pro tempore. The Chair desires to request Senators to address the Chair before interrupting the debate.

Mr. PENROSE. And to speak one at a time.

Mr. SIMMONS. Mr. President, I admit that he has incurred no loss in the sense, probably, that the Senator is using, but the loss that is referred to is the loss that he has sustained by having to pay a higher income tax because of a fictitious estimate as to the value of his assets.

Mr. HITCHCOCK. Let me ask the Senator another question.

Mr. SIMMONS. For instance, if the Senator will let me elaborate, suppose that in taking the inventory for the purpose of estimating the annual profits the goods had been valued at $50,000 upon the high level of prices then obtaining, and that would show a profit, we will say, of $25,000. Now the slump comes, and these goods are still on hand, and they are sold for, say, $40,000. Now, my understanding is that while he has sustained no actual loss, he has paid an income tax upon a $50,000 basis of profit, whereas he should have paid an income tax upon a $40,000 basis of profit, and the income taxes are to be redetermined in the light of this disclosure as to the unreal condition of the prices that obtained at the time.

Mr. LENROOT and Mr. HITCHCOCK addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from North Carolina yield; and if so, to whom?

Mr. SIMMONS. The Senator from Nebraska has been interrogating me, and I had yielded to him.

Mr. HITCHCOCK. I agree with the Senator that that should be the purport of the bill. The Government certainly does not intend to collect from any merchant a tax upon a profit which he does not actually make. The profit necessarily has to be estimated by the inventory at the close of the year.

Mr. SIMMONS. Certainly.

Mr. HITCHCOCK. Then, if the inventory, as is probable, turns out to be excessive, he ought to be able to recover back the amount which he has paid in excess of what he should have paid.

Mr. SIMMONS. Undoubtedly.

Mr. HITCHCOCK. But it seems to me that the bill as drawn only provides that there shall be a rebate when a merchant incurs a loss and does not provide for making a rebate where he has paid an excessive tax. Now, it seems to me that this should be made clear, if that is the purpose of the Senator. The Senator from Utah [Mr. SMOOT] says that that is not the purpose. The chairman of the committee says it is the purpose; but, whatever it is, it ought to be made clear in the bill, and it ought not to be left to be a subject for dispute and doubt. The merchants ought to know "where they are at."

Mr. LENROOT. I think it is very clear, indeed.

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from Wisconsin?

Mr. SIMMONS. I do.

Mr. LENROOT. I should like to ask the Senator from North Carolina whether it is his view that a taxpayer is compelled in his inventory to inventory his goods at the market value if that market value be in excess of the cost?

Mr. SIMMONS. No; I think not.

Mr. LENROOT. So that if the cost is greater than the market value the inventory is at cost, and therefore there is an actual loss thereafter resulting.

Mr. SIMMONS. I do not quite understand the Senator.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from Utah?

Mr. SIMMONS. Yes; I yield.

Mr. SMOOT. The answer that the Senator gives to the Senator from North Dakota, that the inventory must be taken at the market price, under the provisions of section 203——

Mr. SIMMONS. It must be taken at the market price or at cost, whichever is lower.

Mr. SMOOT. Well, that is entirely a different proposition. I agree with the Senator. That is the accounting practice of all business concerns; you must take it at the price that is the lowest. If the cost is lower you take it at cost. If the market price is lower you take it at the market price.

Mr. LENROOT. If the Senator will yield, I misspoke a moment ago. When I said that there must be a loss I meant, of course, that if there was a sale at less than the inventory price there must have been an actual loss.

Mr. HITCHCOCK. Mr. President, it seems to me that is a matter of large importance, and it is evidently so doubtful in meaning that members of the committee disagree over it. Certainly the committee intends that where the falling market has resulted in imposing an actual loss upon the taxpayer, he shall be relieved by having it rebated to him later on. Now, it seems to me that the committee ought also to mean that where the merchant has paid a tax which is demonstrated by a falling market to be larger than it ought to be, he ought to be also able to recover that from the Government; and therefore the bill not only ought to provide for the reimbursement of merchants when it is found that by reason of the falling market they have incurred a loss, but it also ought to reimburse them when it has been demonstrated that by reason of a falling market the tax

which they have paid is larger than it should have been. That does not seem to me to be provided in the bill.

Mr. SMOOT. Mr. President, if the Senator from Nebraska is through——

Mr. HITCHCOCK. I have not anything further.

Mr. SMOOT. I want to say to the Senator from Nebraska that if his ideas were carried out in this bill nobody could tell what revenue we would receive. As far as I am concerned, I had no idea of any such proposition ever being written into this bill. I am perfectly willing—and that is what this amendment provides for, and I think it goes a long, long way—that where a business loses money on account of a decrease in the price of goods, as far as the tax upon the loss is concerned the Government shall refund. But if we go on and say here that the Government is to refund all of the tax—and, by the way, the tax will not be paid as stated by the Senator—if the following year we go to work and say that if goods then should fall 50 per cent, 50 per cent of the taxes that the merchant paid for the preceding year should be given back to him if he did not make a profit, then I can not tell what will become of our Treasury.

Mr. HITCHCOCK. Mr. President, will the Senator permit an interruption?

Mr. SMOOT. Certainly.

Mr. HITCHCOCK. I think that terrible predicament can hardly prove to be possible. The inventory of the goods taken on the last day of December will be an inventory which will be out of date in less than 90 days. The goods must be sold within a very short time after the inventory is taken, so that any loss which the man may sustain, which the Government might have to reimburse him for, would be a loss which would have to accrue during 90 days following the inventory. Merchants do not have their goods on hand for a year.

Mr. SMOOT. Many of them would be kept on hand for more than a year.

Mr. HITCHCOCK. It would be perfectly proper to limit it to a reasonable length of time for marketing the goods; but the point is this: The inventory is a mere guess at profits. That is all it is. It is the only way of getting at it at the time. The actual test is what the goods sell for in the natural course of business in the weeks immediately following the inventory. In the average business the goods are turned over several times a year, and it would be perfectly proper to limit this deduction to what was proven to be necessary, say, during 90 days following the inventory.

Mr. SMOOT. The Senator's argument would be perfectly correct if the amendment that is presented here in section 203 were construed as I believe he construes it; that is, that the price is to be taken at inventory, whether it is higher or whether it is lower than the market price. Now, that is not the case. The lowest is to be taken, whether it is the market price or whether it is the cost when the inventory is taken, and therefore it can not be as the Senator says. Of course, there may be a loss in the year beginning January 1, even up to the end of the year 1919. There may be a gradual decrease in the sales, and on the goods that he has purchased and sold where there was no loss as compared with cost he may come out at the end of the year with a profit; he may have almost as much gain as he would have had if he had not been purchasing goods and had sold them all out, of all kinds and characters. The Senator is asking now that no matter if he does make a profit that year, if it can be shown from the amount of goods that were taken on his inventory on the last day of the year 1918 that there is a loss between that and any time within the year 1919, he shall be relieved of the tax that he paid on the business of the year before on the difference between cost and market price. Now, that can not be done.

Mr. HITCHCOCK. I think the answer to that is that whatever profit the merchant makes during the year 1919 he will pay a tax on out of the profits of that year; but we are talking now about taxing him for the year 1918, and we are estimating his profits, and we are assuming a case in which it is found that instead of making $50,000 profit, for which he has paid the Government a tax, his profits have been only half that much.

Mr. SMOOT. But the trouble is he has not, if he takes his inventory at the lowest market price. That must show just exactly what the profit is at that date.

Mr. HITCHCOCK. If he has taken his inventory at the lowest market price, he would have that much less claim on the Government.

Mr. SMOOT. Yes.

Mr. HITCHCOCK. But I am talking about where he has an actual claim for loss, where he has paid on a profit of $50,000 and it turns out that he has only made a profit of $25,000. Does the Senator think that he ought to pay as much tax as a man who has really made $50,000?

Mr. SMOOT. I will say to the Senator that when on December 31 of this year he takes his inventory of stock, under section 203 of this bill he must take it either at the market price or at the cost price; but he must take at whichever is the lower, and perhaps that will be the market price. Now, he pays his tax not upon the invoice price, if the market price is lower, but upon the market price; and therefore at that time he is not paying upon a paper profit at all. But now we come in with the relief provision, and we say that if during the business year 1919 there should be such a slump in the price of goods that he would be compelled to sell the goods at such a price that it would show an actual loss from his inventory of December 31, 1918, then he is entitled to a refund from the Government or to a credit upon his taxes. That is what we say.

Mr. HITCHCOCK. Let me ask the Senator this question: The Senator proposes to reimburse that man if there is such a slump in the market value of the goods in his stock that he actually suffers a loss. Now, then, suppose the slump is not quite so much as that, and it only goes down to the point of wiping out all of his profits; would the Senator still claim that that man should pay the Government a tax on $50,000 of profits when he has made no profits at all?

Mr. SMOOT. Why, certainly, Mr. President. Every man who goes into business takes all of the chances of business. There are thousands of them that do not make any profits at all at any time.

Mr. HITCHCOCK. That is not the point. We understand that; but when a man does not make any profit we do not make him pay any tax. The Senator proposes to charge that man just as much tax on doing business without any profit at all as he would charge a man doing business, perhaps, in the same town, who has made $50,000 profit.

Mr. SMOOT. Oh, no. When the corporation makes its return, it does not make a return showing any more profits than it has made, and those moneys have been distributed. If it is a corporation, more than likely they have been distributed; and, Senators, under this bill now they do not even have to distribute them. All the corporation would have to pay would be the 12 per cent normal tax; and let me say to the Senator that it does seem to me that the Government of the United States can not guarantee profits to any institution in this country.

Mr. HITCHCOCK. And yet you propose to do it by this bill. You are guaranteeing a man profits when you say that if he suffers a loss you will wipe out his tax.

Mr. SMOOT. But that is if it is a loss.

Mr. HITCHCOCK. I can not see any reason why you should give him a rebate in one case and not in the other.

Mr. SMOOT. But that is only a partial loss. This, however, is a refund. We say, "If you, through some unforeseen accident or some cause over which you have no control, have lost during the year half of what you ought to have made, of course you are entitled to take it off by exemption."

Mr. GRONNA. Mr. President——

Mr. HITCHCOCK. No; the Senator says, "If he has lost half of what he has made." If he loses all he has made, he is not entitled to get anything back. It is only when he makes an actual loss that he gets anything back.

Mr. SMOOT. What the Senator meant is that he is only taxed upon his net gains, not in any way, shape, or form as to gross gains, less certain exemptions that we give him under the bill.

Mr. HITCHCOCK. The Senator is bringing in other elements now; but he is in the illogical position of proposing to refund to a merchant who has paid taxes under a misapprehension if his business has been run at a loss, but not to refund taxes also paid when he has done business without any profit at all, and yet he has paid a tax upon an assumed profit. There is no more logic in one than in the other.

Mr. SMOOT. Mr. President, he does not pay a tax upon an assumed profit.

Mr. GRONNA. Mr. President, I want to ask the Senator from Utah a question. Can the Senator from Utah inform the Senate what the practice of the Treasury Department is with reference to valuations of stocks of goods taken on inventories? That is the important question.

Mr. SMOOT. The practice will be this under the amendment offered to the House bill: If the market value is lower than the cost value, the market value will be taken. If the cost value is lower than the market value, the cost value will be taken.

Mr. GRONNA. I will say to the Senator from Utah that my amendment provides that the inventory shall be taken at the market value of the goods. It permits a reduction to the extent of 20 per cent. It does not permit a greater reduction than that in case the inventory proves to be an overvaluation. My amendment provides that instead of compelling a merchant,

as is now the practice, to take the inventory based upon the cost or upon the purchase price, not the market value, the inventory shall be based upon the market or real value. Now, I think it is unfair to compel a merchant or anybody else to take an inventory of a stock based upon what he may have paid for it, when, as a matter of fact, it is worth much less in the market of that day.

Mr. SIMMONS. Mr. President, if it is worth less than the cost price at the time the inventory is taken, he inventories it at a lower price.

Mr. GRONNA. It does not specifically say so in your bill. There is no provision for that in your bill.

Mr. SIMMONS. I think there is a provision that covers that.

Mr. GRONNA. Let me point out to the Senator from North Carolina and to the other members of the committee where, under my proposed amendment, the Government of the United States might collect more revenue than under your proposed amendment.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER (Mr. WARREN in the chair). Does the Senator from North Dakota yield to the Senator from Utah?

Mr. GRONNA. Certainly.

Mr. SMOOT. I will call the Senator's attention to one of many cases and show that there should not be the limitation of 20 per cent if we desire to do justice to all concerned.

Take a dry-goods house. It carries a line of cotton goods only, and during the prewar period its stock amounted at the inventory period to a million dollars. If that same concern, carrying the same amount of cotton goods to-day—no more yards, no more dozens, no more bolts, but just the same as was carried during the prewar period—took an inventory to-day, it would not show a million dollars, but it would show $3,000,000. Now, if the conditions were such that cotton goods would drop before December 31, 1919, 50 per cent, we will say——

Mr. GRONNA. The Senator is now speaking of prewar prices, of course. He is simply assuming that now?

Mr. SMOOT. I am stating the case exactly as it is. If they should drop 50 per cent from the price at which they are inventoried up to and including December 31, 1919, they would show then an increase in the prewar period prices of 50 per cent; and if there were no relief given in this bill in such a case, a concern of that kind, if such a thing as that should happen, could not exist. It would be impossible for them to pay the obligations that they had had to incur in order to carry $3,000,000 worth of stock instead of $1,500,000 worth.

Now, if the Senator's amendment is adopted, that would be limited to 20 per cent. Therefore, if that should happen—that is, if a decline of 50 per cent should happen between now and December 31, 1919—instead of receiving a credit on that $3,000,000 of $1,500,000, under the 20 per cent provision it would be only $600,000. That is the difference between the Senator's proposition and the proposition provided for in the bill.

Mr. GRONNA. Mr. President, the Senator from Utah, who is nearly always, except at this time, right, is supposing an impossible thing and something which never has or never will happen. I am proposing to do justice to those people who have a large amount of goods on hand, and who at the time of taking the inventory shall be permitted to reduce the price to the extent of 20 per cent. Any good merchant knows that never in the history of the country has any stock of goods in a short period of time been reduced below 20 per cent. I will say to the Senator it would be unjust not only to the merchant but to the public. How do you expect the merchant is going to reduce his price to the public when you are making it impossible for him to give a lower valuation in making his tax return?

Mr. SMOOT. Under the provisions of the amendment of the Senate committee, if he can show that there is a 20 per cent decline, he would be allowed it. If he can show more than a 20 per cent decline, he is allowed it. So all that is comprehended in the Senator's amendment is comprehended in the committee amendment, and in the committee amendment more, too, is comprehended.

Mr. GRONNA. I do not think so, Mr. President, I do not think that section 12 or the other section takes care of what I complain about. I do not believe that the merchant would be allowed to make his reduction when he takes the inventory for the reason that the department will insist that an inventory shall be taken based on the purchase price of the goods, and not the market value.

Mr. SMOOT. Do I understand the Senator to interpret the amendment to mean that the merchant arbitrarily must take 20 per cent off the inventory price?

Mr. GRONNA. No.

Mr. SMOOT. There would be no justice in that——

Mr. GRONNA. I do not.

Mr. SMOOT. Because if the goods do not decline 20 per cent he should not be allowed to take off 20 per cent.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Colorado?

Mr. GRONNA. With pleasure.

Mr. THOMAS. I had during the time the bill was before the committee a large number of conferences with gentlemen representing the merchandising interests of the country, and who were here because of their special concern upon this subject of inventory. Their spokesman informed me just before the committee adopted this amendment that he thought it was a fairly satisfactory disposition of a very intricate subject, and that the interests which they represented here would be fully protected. I do not pretend to know as much about the intricacies of the subject as the Senator from North Carolina [Mr. SIMMONS] or the Senator from Utah [Mr. SMOOT], both of whom have given it much more consideration than myself, but the fact that it is substantially satisfactory to interests that are very deeply concerned in it makes me loath to disturb it. If the question is opened again, the same concessions which are asked for the merchandising business of the country will be insisted upon by other pursuits.

Mr. GRONNA. Mr. President, I had read at the desk a moment ago a letter from the merchants' association of my State, and I think it presented a very fair and just case. The Senator from Utah said that we might do an injustice to the merchants of the country by allowing them only 20 per cent. I think if I wanted to take the time of the Senate I could point out where there is a possibility, and not only a possibility but a probability, of collecting more taxes under my amendment than the amendment proposed by the committee.

As the Senator from Nebraska [Mr. HITCHCOCK] said a moment ago, the first inventory will be taken for the purpose of determining the tax for the years 1918 and 1919. Let us suppose that the amendment reported by the committee will be interpreted as the Senator from Utah says it will be interpreted, that there will be a larger reduction made than 20 per cent.

Mr. SMOOT. I did not say that there would be.

Mr. GRONNA. What I am contending is that there would not be, but the Senator from Utah has argued all the time, if I understood him correctly, that it would be based upon the market price and not upon the price paid by the merchant.

Mr. SMOOT. No; that is where the Senator is mistaken. I contend that under the wording of the amendment in section 203 the Commissioner of Internal Revenue has no choice other than what the general practice is, and that practice——

Mr. GRONNA. Will the Senator state what the practice now is?

Mr. SMOOT. That practice is this: If the cost price is more than the market price, then the market price is to be taken. If the cost price is less than the market price, then the cost price is to be taken; or, in other words, the lowest of either the market or the cost price is always to be taken. That is the practice and that is the rule.

Mr. GRONNA. Even in that case, I will say to the Senator, there would be a less tax collected by the Government than in accordance with my amendment.

Mr. SMOOT. The only way it could possibly be more would be this: In case there was a greater loss than 20 per cent then you are absolutely correct. Under your provision there would be collected more tax, but the Senator from Utah does not think that that is going to be, and he only brought it to the attention of the Senate as he did because it could happen in certain lines of goods.

Let me call the Senator's attention to a thing that came to my attention the other day. Take the item of tungsten. Suppose there is a dealer in tungsten who bought his goods before the signing of the armistice. At that time every unit of tungsten in the United States would have brought $24.50. Immediately upon the signing of the armistice it began to decline and to-day it is only $12 per unit, or a decline of over 50 per cent. I know that is one case, and there are other cases that I could call the Senator's attention to. Therefore if the man who had purchased his tungsten before the signing of the armistice would take his inventory on the 31st day of this month, we will say, under the amendment here he will take whatever the market price is, because that is the lowest. But if tungsten had advanced to $30 a unit then he would have taken the cost price under the provision here. The Senator can see that in that case if he were allowed only 20 per cent, under the provisions of this amendment he could never get what he was really entitled to receive.

Mr. GRONNA. If the amendment proposed by the committee will do what the Senator from Utah states it will do, what is

the objection to saying in the bill that these people shall be permitted to take the inventory based upon the market value? What is the objection to that?

Mr. SMOOT. It may be in some cases an injustice and in another case it may be an advantage. It seems to me that they ought to have the privilege of taking the very lowest price. If they bought at a high price and the market value is lower, give them the market value, because they will have to go into the market and buy the goods again, and when they do that they should not be taxed more than the market price. On the other hand, if an article has risen for some unaccountable reason above the cost price of the goods they have on hand, why should he be granted that price in taking the inventory? Therefore the practice, I think, is perfectly correct to take only the lowest of the two, whichever it may be.

Mr. GRONNA. I agree with the Senator that if the price of the goods has risen he should take the inventory based upon the value.

Mr. SMOOT. That is what he will do under this amendment.

Mr. GRONNA. And that will be the market price, will it not?

Mr. SMOOT. No.

Mr. GRONNA. According to the Senator's statement, your amendment is more liberal than the one I have proposed.

Mr. SMOOT. That is what I say.

Mr. GRONNA. With that understanding I shall not further press my amendment and will withdraw it.

Mr. JONES of New Mexico. Mr. President, it seems to me this provision of the bill ought to be reasonably well understood, and when understood it ought to appeal to the good judgment of the Senate. I must say the provision caused the members of the committee, and certainly myself, as much trouble as perhaps any other one in the bill. We recognized the situation which was presented from various points of view.

I will state, in the first place, that there was no unanimity of opinion as to what would occur immediately upon the cessation of the war with respect to prices. Some were rather of the opinion that prices would at once fall off very materially; others were of a contrary opinion; they said if prices were reduced at all, there would be a gradual reduction, and that it would extend over not one year but perhaps several years. So we could not assume any actual condition that would occur upon the cessation of the war.

Some suggested as a remedy that we permit a reserve to be retained in order to take care of prospective reductions in the inventory value, but nobody could tell how much that reduction should be. We did not know what was going to occur to prices, and so we put in this provision.

Here is the way it will operate, as I see it, and it seems to me it will appeal to the good judgment of the Senator from North Dakota. In all income-tax legislation there must necessarily be periods of calculation. In order to ascertain an income tax at all you must do it for some period of time. So in this bill we take a year. It may be the calendar year or it may be the fiscal year of the business enterprise of a corporation, but we take the period of a year. Now, then, this concern has been engaged in business for the year 1918. At the end of this year its business stands upon the conditions existing at that time, and, as the Senator from Utah [Mr. SMOOT] has well said, under this provision of the bill you make your inventory upon this well-recognized rule of business concerns. At the end of the year you take either the cost price or the market value, whichever is the lowest. That gives the advantage of the situation to the business. The stock of goods on hand at that time is certainly worth the value which was carried into the inventory, and whatever appears upon the face of the business for the year is profit. That winds up the transaction for that year. The business is closed. It has made that profit, and on that profit it pays a tax to the Government. Now, then, the man decides on the 1st day of next January——

Mr. GRONNA. Mr. President——

Mr. JONES of New Mexico. Just permit me a moment. He decides the 1st day of the next January whether or not he will continue his business. He begins a new business period. He takes those goods at that value. He charges himself with that stock of goods at that value; and the stock of goods is unquestionably worth that value, because it is ascertained in the way I have just stated. He begins business for the next period. He has full value for every dollar appearing upon his books. During the year there is a decline.

Mr. GRONNA. Before the Senator goes any further, will he yield?

Mr. JONES of New Mexico. I yield to the Senator.

Mr. GRONNA. Allow me to make this statement. I have evidently not made myself plain. I do not think that the merchant or anyone should be permitted to ask for a price below the market value. I have not been pleading for any such thing as that. I believe it is only fair to the people of the country and to the Government that a fair market value should be placed upon every inventory, and that is all I have been pleading for.

Mr. JONES of New Mexico. Then, the Senator should be perfectly satisfied with this bill, because it at least does that. If the goods happen to have cost less than that, the merchant is permitted a still lower value.

Now, the business man proceeds in 1919. There may be a fall in values during 1919. If he conducts his business and at the end of the year makes no profit at all, he simply has failed to make a profit for the year 1919. That is the result of his business transactions for that year, and no remedy can or should be put into any law which would cover any other sort of a condition.

The condition presented by the Senator from Nebraska [Mr. HITCHCOCK] you could not write into a law; but if you could, you ought not to do it. It would simply mean, as I understood the Senator from Nebraska, that owing to the reduction in prices during the year 1919, if a part of that had occurred in 1918 the merchant's profit would have been less in 1918. You can not meet a contingency of that sort, and you do not want to do it.

You have got to have a definite period in which to calculate your income tax, and each year or tax period must stand upon its own bottom. But in liberality and in anticipation of some such illustration as the Senator from Utah has just given, we have gone to the extent of saying that if in the year 1919 you carry on your business and suffer an actual loss in the business, not only do not make any profit but suffer a loss, then out of the liberality of the legislation and for the purpose of meeting the extraordinary condition of things due to the war we say that you may take the amount of your net loss back into the year 1919 and have your taxes adjusted accordingly. I submit that is the fair thing to do. I believe when Senators study this situation they will come to the conclusion that the committee has done the very best they possibly could do in dealing with this most perplexing situation.

Mr. LENROOT. Will the Senator yield?

Mr. JONES of New Mexico. I yield.

Mr. LENROOT. I do not quite understand the section as the Senator explains it. He has said that it permits the carrying back into the preceding year of the loss. I do not so understand the section. As I understand the section, the loss must actually have occurred during the preceding year, but not ascertained during that year. It seems to me that is the case where it would apply. It could not apply where the inventory was at the market value and the market value was less than the cost, but it could apply in cases where the inventory was at cost, although at that time the market value was less than cost. In that kind of a case the loss would have been sustained during the preceding year and the provision of the section would apply.

Mr. JONES of New Mexico. I ask the Senator if he has in mind paragraph (b) of section 204?

Mr. LENROOT. I take it that the words "sustained during the preceding taxable year" are carried into (b) because if it is a loss for the taxable year the provision of the bill already provides for that being put in as a reduction.

Mr. SMOOT. May I suggest to the Senator from New Mexico that his remarks had reference to section 203. All that he said in relation to that section was in relation to section 203, but the Senator now refers to paragraph 12 of section 214, on page 29, the relief provision.

Mr. LENROOT. I did not think that this language permitted the carrying of a loss sustained during one year back into a previous year.

Mr. SMOOT. But it does provide that it shall be carried to a succeeding year.

Mr. JONES of New Mexico. I may call the attention of the Senator from Wisconsin to paragraph (c) on page 9, which reads:

(c) If for any taxable year ending after January 1, 1919, it appears upon the production of evidence satisfactory to the commissioner that any taxpayer (other than a life insurance company) has sustained a net loss, the amount of such net loss shall under regulations prescribed by the commissioner, with the approval of the Secretary, be deducted from the net income of the taxpayer for the preceding taxable year; and the taxes imposed by this title and by Title III for such preceding taxable year shall be redetermined accordingly.

I think the Senator has overlooked——

Mr. LENROOT. I may be wrong, but I had assumed that the words "sustained during the preceding year" also applied to subdivision (b), though, perhaps, I am wrong about it.

Mr. JONES of New Mexico. Subdivision (b), if the Senator will bear with me a moment, was intended to provide for cases where losses have already been made. I know when the paragraph was drawn I had in mind the drought conditions of the

West with respect to the cattle and sheep business. I know that during the last two or three years stockmen of the West have been suffering losses. So it was intended that if during the year 1918 the stockman made a profit and had in the year 1917 suffered an actual loss he could deduct the losses of 1917 from the profits of 1918. That is what subsection (b) means. Now, subsection (c) assumes that a profit is made in 1918. In 1919 the stockman suffers a loss. Paragraph (b) permits the commissioner then to readjust the taxes of 1918 and deduct the losses of 1919.

Mr. LENROOT. I agree with the Senator as to those provisions. I was not referring to those provisions, but to the one which was really under discussion, on page 29, with reference to inventories.

Mr. JONES of New Mexico. All these are to be read together.

Mr. LENROOT. I wish to ask the Senator with the construction of subdivision (b) that he now gives, if the only case where that would apply would not be where there was no profit during the year and it was necessary to carry it back into the preceding year in order to afford relief, because otherwise there would be a loss accruing during the year and it would be entitled to be deducted as a matter of course against the profit.

Mr. JONES of New Mexico. I think the Senator interpreted correctly paragraph (b) that he had in mind, but I believe the paragraph to which I have just referred will meet the situation.

The PRESIDING OFFICER. The Senator from North Dakota wishes to withdraw his amendment?

Mr. GRONNA. I will withdraw it for the present.

The PRESIDING OFFICER. The amendment is withdrawn. The next amendment passed over will be stated.

The next amendment passed over was, under the head of "Inventories," page 8, line 10, after the word "may," to strike out "approve or"; in line 11, after the word "prescribe," to insert "as conforming as nearly as may be to the best accounting practice in the trade or business and"; and in line 13, after the word "income," to strike out "of the taxpayer," so as to read:

INVENTORIES.

SEC. 203. That whenever in the opinion of the commissioner the use of inventories is necessary in order clearly to determine the income of any taxpayer, inventories shall be taken by such taxpayer upon such basis as the commissioner, with the approval of the Secretary, may prescribe as conforming as nearly as may be to the best accounting practice in the trade or business and as most clearly reflecting the income.

The amendment was agreed to.

The next amendment passed over was, on page 8, after line 13, to insert:

NET LOSSES.

SEC. 204. (a) That as used in this section the term "net loss" refers only to net losses resulting from either (1) the operation of any business regularly carried on by the taxpayer, or (2) the bona fide sale by the taxpayer of plant, buildings, machinery, equipment, or other facilities constructed, installed, or acquired by the taxpayer on or after April 6, 1917, for the production of articles contributing to the prosecution of the present war; and when so resulting means the excess of the deductions allowed by law (excluding in the case of corporations amounts received as dividends from a corporation which is taxable under this title upon its net income) over the sum of the gross income plus any interest received free from taxation both under this title and under Title III.

(b) If for any taxable year beginning after December 31, 1916, and ending not later than December 31, 1918, it appears upon the production of evidence satisfactory to the commissioner that any taxpayer (other than a life insurance company) has sustained a net loss, the amount of such net loss shall, under regulations prescribed by the commissioner with the approval of the Secretary, be allowed as a deduction in computing the net income of the taxpayer for the succeeding taxable year.

(c) If for any taxable year ending after January 1, 1919, it appears upon the production of evidence satisfactory to the commissioner that any taxpayer (other than a life insurance company) has sustained a net loss, the amount of such net loss shall, under regulations prescribed by the commissioner with the approval of the Secretary, be deducted from the net income of the taxpayer for the preceding taxable year; and the taxes imposed by this title and by Title III for such preceding taxable year shall be redetermined accordingly. Any amount found to be due to the taxpayer upon the basis of such redetermination shall be credited or refunded to the taxpayer in accordance with the provisions of section 252. If such net loss is in excess of the net income for such preceding taxable year, the amount of such excess shall, under regulations prescribed by the commissioner with the approval of the Secretary, be allowed as a deduction in computing the net income for the succeeding taxable year.

(d) The benefit of this section shall be allowed to the members of a partnership and the beneficiaries of an estate or trust under regulations prescribed by the commissioner with the approval of the Secretary.

Mr. LENROOT. Mr. President, as indicated by the Senator from Utah in response to some question that I asked him, this is a very far-reaching amendment, more important than I think many Members outside of the Finance Committee perhaps realize. It is something entirely new with reference to a taxation policy in the United States. It proposes instead of treating a taxable year as a unit to group them into two or three taxable years as the case may be. It provides that in the case of net losses occurring either from the ordinary conduct of business or from "the bona fide sale by the taxpayer of plant, buildings, machinery, equipment or other facilities, constructed, installed, or acquired by the taxpayer on or after April 6, 1917, for the production of articles contributing to the prosecution of the present war," these net losses may be taken into consideration. In other taxable years the net loss is deducted from the gross income of other taxable years, and in some cases the amount paid in a previous taxable year is refunded to the taxpayer. For instance, a taxpayer may have sustained a loss in 1917, and he may have made a very large profit during the year 1918. Nevertheless if the provision becomes a law that taxpayer can go back to 1917 if he has sustained a loss, we will say of $50,000, and deduct that loss from his profits of 1918. That is one provision.

The next provision, subdivision (c), provides that if after January 1, 1919, a loss is sustained, that loss may be turned back to the preceding taxable year, the tax for that preceding year redetermined, and considering that loss as a reduction a refund may be made to the taxpayer of the taxes he has already paid to the Government; and if that be not sufficient the bill provides that that loss may be carried into the next succeeding year. So in that case we may have three years in two of which a loss was incurred and in only one of which there has been a profit realized, and the taxpayer is permitted instead of paying his taxes year by year and treating each year as a unit, as has been the custom not only by the Federal Government but by every State of the Union since the beginning of the Government, we are to treat it as a three-year period and he is required to pay only his average profit for the three years.

The importance of this provision becomes very apparent when we look into the future and realize that possibly in the very near future we may have an industrial depression. We may have, instead of profits upon the part of a very considerable percentage of the industries of the country, actual losses. Although they may make large profits during the year 1918, we propose to this extent at least to insure them in future against losses and provide that if they sustain losses in the future we will pay them back when the taxes have been a revenue to the Government for the year 1918.

Mr. President, it seems to me that this is clearly wrong and can not be defended, because the Government must have money to carry on its operations. Taxes must be paid for that purpose whether business is conducted at a profit or whether it is conducted at a loss. The excise taxes that are found in this bill are imposed whether the seller is carrying on his business at a profit or whether it is carried on at a loss. When you pay taxes upon real estate you pay upon its value irrespective of whether you may next year sustain a loss, and you get no credit for the subsequent year by a refund of the taxes that you have paid during the previous year because of the loss you have sustained the subsequent year.

Some one, Mr. President, must pay the taxes to run this Government, and it is not fair, it is not just, to say to a business that is conservatively managed, that does make a profit in the future, and that does have an income tax to pay, "The portion of the profit that you make will be paid into the Federal Treasury for the purpose of paying back to some competitor of yours who did not manage his business in a conservative way, and who took speculative chances; we will tax you for the purpose of refunding to him a portion of the taxes which he paid upon the profit that he did make."

Mr. President, take the case of a grain speculator. One year he may make enormous profits; the subsequent year he may suffer a great loss; and yet this bill proposes to take the money of the business men of this country, and, in the case of that speculator, if he suffers a loss, to pay back to him the income taxes that he properly and rightfully paid during the years that he did make a large profit.

Mr. President, I am wholly in sympathy with the amendment that we have been discussing for the past hour or two with reference to losses upon inventories and the refund that is there provided; I can see some justification for making an adjustment in the case of the sale of plants acquired since April 6, 1917, for war purposes, and where a loss has been entailed; but I can see no justification for applying that principle to ordinary business which is carried on in the ordinary way. There might be reason for some legislation of this kind if the transaction out of which a loss occurred began in a taxable year and was not ended or the loss not incurred until a subsequent taxable year; but what justification can there be when here is a business during the year 1918 which is making a profit during that entire year, and its business is closed, and then we come along to the

year 1919, and that same business suffers a loss, not through any transactions which were begun in 1918, but through transactions which were begun and ended in 1919?

Mr. President, it seems to me that if the Senate realized the scope of these sections, realized their possible effect upon the Treasury of the United States in the future, it would not adopt them. I sincerely hope that before this amendment is finally passed upon there may be a fuller attendance of the Senate, in order that the Senate may act upon these sections intelligently and not simply vote upon them without consideration. I therefore make the point that there is no quorum present.

The PRESIDING OFFICER. The point of no quorum having been made, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Jones, Wash.	Nugent	Smith, S. C.
Borah	Kendrick	Page	Smoot
Brandegee	Kenyon	Penrose	Spencer
Colt	King	Poindexter	Sterling
Curtis	Kirby	Pollock	Thomas
Dillingham	La Follette	Ransdell	Thompson
Fletcher	Lenroot	Robinson	Townsend
Gay	McCumber	Saulsbury	Trammell
Gronna	McKellar	Shafroth	Underwood
Harding	Martin, Va.	Sheppard	Warren
Hardwick	Moses	Sherman	Weeks
Henderson	Myers	Simmons	Williams
Johnson, Cal.	Nelson	Smith, Ariz.	Wolcott
Johnson, S. Dak.	New	Smith, Ga.	
Jones, N. Mex.	Norris	Smith, Md.	

Mr. McKELLAR. I wish to announce that the senior Senator from Tennessee [Mr. SHIELDS] is absent on account of illness.

Mr. KING. I desire to announce that the Senator from Arizona [Mr. ASHURST], the Senator from Ohio [Mr. POMERENE], the Senator from Virginia [Mr. SWANSON], and the Senator from North Carolina [Mr. OVERMAN] are detained on important public business.

The PRESIDING OFFICER. Fifty-eight Senators having answered to their names, a quorum is present.

Mr. LENROOT. Mr. President, I wish only to restate, as so many other Senators are now present, the proposition which is involved in the pending amendment. I want to say to Senators that the Senate is now about to vote upon one of the most important amendments to this bill, and one which, in my judgment, should demand the serious and careful consideration of every Member of this body.

The proposition is this: If this amendment be adopted, if an individual taxpayer or a corporation sustained a loss in 1917, though the matter be closed, although he or they may have made very large profits in 1918, when they come to make their return next year they will be permitted to deduct the loss which was incurred in 1917 against the net income of 1918. That is the first part of the amendment.

If next year the taxpayer sustains a loss, although he may have made a large profit this year he will be permitted next year to have his income tax of 1918 redetermined, and the loss of 1919 deducted from 1918; and if the loss was larger than the income he will be entitled to be paid out of the Treasury of the United States as a refund the amount represented by that deduction. If that is not satisfactory, under the bill he will be allowed to carry into 1920 the balance of that loss, to be used as a deduction against the income of 1919.

Mr. President, I do not know whether or not the Finance Committee have any estimates of how much is involved or how much the loss of revenue will be to this Government, but I should like to ask whether any member of the committee has any estimate upon that subject?

Mr. SIMMONS. I do not think there has been any specific estimate with respect to that, but the expert of the Treasury Department advises me that in making his general estimate that was taken into consideration. He does not say, however, and has not estimated definitely how much the loss would be specifically on this item. That might be a very difficult thing to do. All he could do probably would be to make an estimate in taking this loss, if any, in connection with a number of other losses, and estimate what the total losses would amount to; and therefore to what extent such total losses would affect the revenue.

Mr. LA FOLLETTE. Mr. President——

Mr. LENROOT. I yield to my colleague.

Mr. LA FOLLETTE. I will say to my colleague, in answer to his question, that while I think the expert who made the calculations would agree that it is very difficult to estimate the loss with any degree of accuracy, yet an allowance, I am informed, of $200,000,000 was made to cover the loss of revenue under this section.

Mr. LENROOT. Assuming that a loss——

Mr. SIMMONS. Mr. President, will the junior Senator from Wisconsin pardon me?

The PRESIDING OFFICER. Does the junior Senator from Wisconsin yield; and if so, to whom?

Mr. LENROOT. I yield to the Senator from North Carolina.

Mr. SIMMONS. Mr. President, my information is that in making the estimate—of course, on account of the indefinite character of the losses no altogether satisfactory figures could be arrived at—the expert advises me that it is his opinion, as it was expressed to the committee, that the loss would run somewhere between $100,000,000 and $200,000,000.

The Senator from Wisconsin will recognize that this provision of the bill is one that was intended for the benefit of the taxpayer; it was intended to relieve the taxpayer from certain losses that might be incident to the fluctuation of values during this very uncertain period in which we have been operating and during the very uncertain inventories of values in the years designated in the amendment.

Mr. LENROOT. This amendment does not cover inventories. That matter is fully covered elsewhere.

Mr. SIMMONS. It does not exactly cover inventories, but it covers losses.

Mr. JONES of Washington. Mr. President——

Mr. LENROOT. I yield to the Senator from Washington.

Mr. JONES of Washington. Mr. President, with the permission of the junior Senator from Wisconsin, I desire to ask the chairman of the committee a question. The junior Senator from Wisconsin has made a very clear and concise statement as to the understanding he has of this provision, and I desire to know whether or not the chairman of the committee agrees with that statement?

Mr. SIMMONS. In the main. I have not heard the whole of the statement, for I was out of the Chamber for a while. The Senator from New Mexico [Mr. JONES] is looking especially after this particular item. I have not, I repeat, fully heard the statement of the Senator from Wisconsin.

Mr. JONES of Washington. The Senator from Wisconsin stated a moment ago in three or four sentences his contention as to what this amendment permits the taxpayer to do. I want to know whether or not the committee agrees with the Senator in that statement?

Mr. JONES of New Mexico. Mr. President, if I have understood the Senator from Wisconsin, he has made a very clear and distinct statement of these provisions of this bill and just what is intended by them. After the Senator from Wisconsin shall have concluded his remarks I shall assume to give my views to the Senate regarding the merits of the proposition.

Mr. SMOOT. Mr. President, will the Senator from Wisconsin yield?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. LENROOT. I yield.

Mr. SMOOT. Just for the RECORD, I wish to say that the $200,000,000 also covers the amendment on page 29, which refers to the individual, as well as the amendment of a similar character on page 60, which has reference to corporations.

Mr. LENROOT. Mr. President, assuming that the amendments which we are now considering were estimated to involve a reduction in revenue of only $100,000,000, it is fair to assume that that estimate is made upon the assumption that business will go on as usual; and if it is fair to assume that there will be a loss of revenue to the Government from this amendment of $100,000,000 with business going on as usual, if an industrial depression does come, it is fair to say that the loss of revenue growing out of this amendment will be not $100,000,000 but at least $1,000,000,000; so the Senate may realize and appreciate the importance of this amendment.

More than that, Mr. President, it would not be so bad if the Government were able to dispense with that revenue, but if we lose the billion dollars in this direction it must be raised just the same; it must be raised in some other way and in some other direction; and it will be raised, if not in this way, from the business of this country, irrespective of whether it is conducted at a profit or at a loss. Every stamp tax that is imposed must be paid, whether the transaction be a profitable one or not; every excise tax that is imposed must be paid whether it be a profitable transaction or not, and there can be no reason why we should go back to 1917 and permit a deduction of any loss that might then have accrued to reduce the amount of taxes upon an income realized this year.

Mr. McCUMBER. Will the Senator allow me to make one suggestion right now?

Mr. LENROOT. Yes.

Mr. McCUMBER. I think the Senator will agree that in the particular case I am about to cite, at any rate, the provision is

just. I had a letter a short time ago, while the committee was considering this bill, from a farmer in my State operating a very large farm. On account of excessive wet weather in 1916 he lost practically all of his crop. In 1917 he again lost his entire crop. He writes me that the total losses for the two years were approximately $80,000. It was necessary for him to go to the bank, mortgage his farm, and mortgage his crop for the ensuing year in order to continue his business. In 1918 he made upon the same farm a profit of about $40,000, so that he is still behind $40,000 for this three years of labor. He has no means with which to pay except from his crops, and those crops are entirely mortgaged. Having lost his entire crop in 1916 and 1917—and the committee went back only one year—having lost an entire crop, amounting to $40,000, in 1917, the committee thought he might deduct that as against a gain of $40,000 in 1918. Of course, if we take the two years, his business would still show a loss of $40,000.

It does seem to me where there has been such a heavy loss in 1917, or where a business, for instance, started in 1917—and most businesses lose in the first year—and lost, say, $400,000 or $500,000 in 1917 but made a profit of $600,000 in 1918, that we ought to give an allowance for the loss in entering into the business. But, irrespective of that, it certainly seems to me that allowance ought to be made where the losses have been heavy in 1917 as against a profit made in 1918.

Mr. LENROOT. Mr. President, let me ask the Senator a question. This country has experienced more than once times of general depression, when, instead of profits being the rule, losses were practically universal. It is entirely possible, as I think the Senator will agree, that that condition may be before us; I do not say it will be, but it may be before us within the next two years. That being so, under this amendment, not only securing no revenue from business being conducted at a loss but being compelled to refund to them hundreds of millions of dollars, I should like to ask the Senator where we are going to get the money to pay the obligations of the Government, carry on its operations, and refund this money under this provision of the bill?

Mr. McCUMBER. Mr. President, I will say frankly that I do not consider the losses will be very heavy from that source; but, in any event, we only go 12 months back in allowing the deduction.

Mr. LENROOT. And 12 months forward.

Mr. McCUMBER. Well, let us consider the 12 months back first. The Senator would allow a deduction of 12 months. Now, suppose that the loss occurred during 15 months back, and it was a heavy loss. Is 24 months an unreasonable time to go back in the case of a business when there has been, taking the two years, a loss, the business having expended more than it gained? If a man has made no gain from his business in two years, we ought not to tax him for an income when he does not really make that income. That is my answer.

Mr. LENROOT. The whole theory of the income-tax law is that a man shall pay taxes each year according to the income that he makes that year. That is the theory of the income-tax law; and this provision would wholly and totally upset that theory and make the basis a three-year average instead of providing for a tax on the annual income.

The Senator says that it is not at all likely that any considerable loss to the Government will accrue under these provisions. If, perchance, we should have a condition within the next few years such as we had in 1893, I want to ask the Senator whether he does not believe the Government would lose at least a billion dollars under these amendments?

Mr. McCUMBER. No; I do not think so.

Mr. LENROOT. Certainly at that time losses were universal; profits were the exception; and yet in adopting this amendment there is no safeguard against such a condition. We will not only be confronted with the problem of raising sufficient money to carry on the operations of the Government, but to raise sufficient money to refund to the men who have suffered losses. Under this amendment we propose to take some of the money of the able and successful manufacturer who operates his business in a businesslike way to pay back to the manufacturer who, instead of paying attention to his business, may be spending his time upon Broadway and letting his business run into the ground. That is the reward we give to the unbusinesslike man penalizing the legitimate, conservative, successful man in so doing.

Mr. JONES of New Mexico. Mr. President, as I have already said, the Senator from Wisconsin [Mr. LENROOT] has made a very clear statement regarding this provision of this bill. I wish to present the situation which caused the committee to put this provision in the bill, and, when I shall have done that, I believe the Senate will conclude that the committee has solved the problem in the best way that it could have been solved. There is not any pretension that this provision of the bill, as in the case of a great many other provisions of the bill, is a perfect solution of the problem, but it meets a concrete situation in the very best way that the committee could find to meet it.

The Senator from Wisconsin overlooks one great principle which will be found running through this bill from beginning to end. The principle will appear more certainly and in sharper contrast in the amendments put in by the Senate committee than in the bill as it came from the House. It was recognized that the bill as it came from the House contained many inequities. There still remain some in the bill, but I believe that the committee may very well pride itself upon the fact that many of these inequities and injustices have been eliminated from the bill. In the first place, the committee proceeded upon the theory that these taxes should be levied upon those most able to pay, and wherever you find anything changed in this bill you will find the change with that thing always in mind—that it is the ability to pay which is taxed. Does the Senator object to that principle? Does he not realize that when we are levying these great war taxes here the burdens of this war should rest more upon those who can pay, those who have the ability to pay, rather than those who have not?

Mr. LENROOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Wisconsin?

Mr. JONES of New Mexico. I yield.

Mr. LENROOT. As the Senator asks me the question, I say in reply that where a man has made a very large profit, an excessive profit, he ought not to be entitled to have a loss deducted that he may have made two or three years in the past, when you are continuing in this bill excise taxes that are imposed not according to ability to pay but arbitrarily imposed, whether the man who is compelled to pay them is making a profit or a loss.

Mr. JONES of New Mexico. Mr. President, the Senator objects to going back beyond the year, and he says that such a thing as that is unknown to this country. He is correct in that regard; but he must bear in mind that this country is very young in the establishment of income taxes. If you go to England, which has had an income-tax law for sixty-odd years, you will find that England not only takes into consideration the condition of the man's business during the previous year, but takes into consideration the state of his business for a period of three years; or, in other words, after long experience in England it has been recognized that the very thing for which the Senator from Wisconsin is contending is not justified by the experience of business at all. You can not measure the prosperity or adversity of a business by any one year. You have got to take a series of years; and if I had my way about it, instead of being limited to the year 1917 I would go back at least a year further, because it is the period of years which indicates the business prosperity, the profits of the business. You can not measure it by one year alone.

If you should undertake to do that, then the Senator would put into this bill a provision which would take from it the very relief which he himself says he wants. You take the man with a high inventory at the end of this year 1918. You say that if it is subsequently disclosed that he made a loss in 1918 you are willing to allow him some adjustment. You never can find out that he made any loss in 1918, because when he makes up his inventory at the end of the year 1918, it is a real inventory; it is based upon real values; and, as already explained here, the business man has the best of the situation, so that if there are any losses at all they occur in 1919, and in no manner can you attribute that loss to the year 1918. So the Senator would defeat the very thing which he has favored in this bill, and that is to grant some relief for losses in a previous year.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. JONES of New Mexico. I yield to the Senator from Wisconsin.

Mr. LENROOT. In the case the Senator now refers to, in every case where that will apply, the transaction must have originated in the previous year, must it not?

Mr. JONES of New Mexico. Why, not at all; not necessarily so.

Mr. LENROOT. Otherwise there could have been no inventory to which it applies.

Mr. JONES of New Mexico. Every business man takes an inventory at the beginning of the year, or at the end of the year, whichever you choose to call it.

Mr. LENROOT. What I mean is that the inception of the transaction must have occurred during the previous taxable year.

Mr. JONES of New Mexico. Not at all.

Mr. LENROOT. The goods must have been purchased, must they not?

Mr. JONES of New Mexico. Oh, he has goods on hand.

Mr. LENROOT. I mean prior to that time. It did not all occur within the year?

Mr. JONES of New Mexico. Absolutely so; and the Senator can not present the situation otherwise. In other words, on the 1st of January, 1919, the inventoried stocks of goods of this country will be worth every dollar at which they are inventoried, because they are inventoried either at the market value at that time or at the cost price, whichever is the lower. So any dealer who takes his inventory on the 1st of January, 1919, will have the value at least dollar for dollar for every dollar shown upon his books; so if there are any losses which occur in 1919 they are attributable only to the business of that year, and by no way of reasoning can you say that they originated in the year 1918 or are attributable in any part to the business of 1918.

Mr. LENROOT. Mr. President, will the Senator yield further?

Mr. JONES of New Mexico. I yield to the Senator.

Mr. LENROOT. If the inventory consists of a thousand barrels of flour owned by the taxpayer, that business transaction originated—the purchase of the flour, the entering upon that venture out of which the loss eventually occurs—prior to the taxable year. That is very plain.

Mr. JONES of New Mexico. Mr. President, this situation was presented to the committee: The Senator from North Dakota [Mr. McCUMBER] gave a very graphic illustration of what was presented to us for consideration. A man in 1917 suffered an absolute loss in his business. I do not mean by "loss" a mere lack of making profits, but a loss—a reduction of capital. So he starts into business in the year 1918 with a debit to profit and loss of a certain amount on his books from the preceding year. That means a reduction in his capital. If we assume that he suffered a loss of $100,000 in 1917, he still carries that in his profit-and-loss account, and shows it there as a charge to profit and loss. If in the year 1918 he makes a profit of $100,000, he has simply balanced the account; and if in making the loss of the $100,000 in 1917 he had to borrow the money, mortgage his plant, mortgage his farm, he has taken the $100,000 and paid off the mortgage. He has gotten square with the world again, unless the United States says to him that he shall do precisely what the Senator from Wisconsin wants—that he shall not go back and recoup his losses; that he has made a profit of $100,000, and under the terms of this bill he will pay a tax of $25,000 of it to the United States. How is he going to get his $25,000 to pay the United States? He has used his $100,000 in paying off the mortgage. Now, the Senator from Wisconsin would ask him to go and mortgage it again for $25,000 and turn that $25,000 over to the United States. That is the result of the argument of the Senator. When a man simply is recouping losses, why do we want to tax him.

In this bill there will be found other places where the tax could be raised which we are losing by this remedial process. We do lose money by this provision in the bill; but are you going to tax the farmer of the country, the stockman of the country, the business man of the country who suffers an absolute loss, who incurs a debt, and who subsequently makes money with which to pay the debt and does pay it—are you going to tax him for paying his debt?

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. JONES of New Mexico. I yield to the Senator.

Mr. LENROOT. Suppose the losses are the rule instead of the exception, whom would the Senator have pay the taxes of this Government?

Mr. JONES of New Mexico. Mr. President, the Senator is suggesting a case which never has occurred in the history of the United States, and which can not occur in any country, where all the business of the country will suffer a loss in any one year.

Mr. McCUMBER. Mr. President, let me suggest to the Senator that if everybody loses instead of gaining, then you have no profits to tax, and you ought not to tax a loss.

Mr. JONES of New Mexico. It stands to reason, Mr. President, that whenever a man loses he loses to somebody, and the somebody to whom he loses makes a gain; so the Senator's statement results finally in what would appear to be an absurdity.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. JONES of New Mexico. I yield to the Senator.

Mr. LENROOT. Who does the Senator think made the tremendous losses occurring in 1893?

Mr. JONES of New Mexico. I will ask the Senator to present his statistics. He is claiming great losses in 1893.

Mr. LENROOT. The Senator remembers as well as I do the extreme depression in every line of business in that year.

Mr. JONES of New Mexico. I remember an extreme depression. I remember a time, back in the year 1893, when people were not making money; but when the Senator undertakes to leave the impression that all of the business of the country combined and uniformly was suffering absolute loss, which would become a charge under this provision on the prosperity of the previous year, I say that he is all wrong. That situation never has occurred, and it can not occur; and so it will only be in isolated cases that there will be an absolute loss. There may be a reduction of profits, but that is not cared for in this bill, and no pretention is made to care for it.

It is simply where the man in the subsequent year fails to make a profit, and does more, suffers a loss of capital; and then we go back, take the taxes, or a part of them, which he has paid to the Government during the previous year, recoup those losses, restore his capital, put him on his feet, and let him do business again. That is what we seek to do in this bill. If he has not made a loss in the past year, but if he should make a loss in the year 1918, or if he has not made a loss in the previous years but should make a loss after the year 1919, then we are now looking forward from 1917 and 1918; we are looking forward in that provision, but if in 1919 he makes a loss he can come back, and if it is not sufficient to satisfy that loss he can carry the net loss on to the succeeding year so as to balance up, restore him, put him on his feet, as I have said, and enable him to do business again.

Does not the Senator want the business of this country put upon that foundation? Does the Senator, when he gets the farmer down, want to keep him down? Does he want to keep the manufacturer down when he is down? Does he want to tax him at these high rates as though every dollar of income were absolute profit, destroy his business, or handicap him in carrying on business in competition with his neighbor? Does the Senator want to do that?

It seems to me that if the Senator will only give a second consideration to this provision, instead of condemning it, he will thank the committee for having presented it.

Mr. LENROOT. Mr. President, as the Senator addresses his inquiry directly to me, I will reply to it that the Senator from Wisconsin is not in favor of taxing a properly conducted, well managed business for the purpose of recouping the losses of an improvidently managed, speculative, hazardous business. The Senator from New Mexico apparently is.

Mr. JONES of New Mexico. Mr. President, in regard to that, the Senator must understand that the hazardous businesses of this country compete with each other. They are not in competition with the stable industries of the country, and so the discrimination suggested by the Senator's remark seems to me not to be justified by business experience. The refund simply comes from the money which the particular taxpayer himself has put into the Treasury.

Mr. GRONNA. Mr. President, I have listened very carefully to the able argument of the Senator from Wisconsin [Mr. LENROOT], as well as to the argument of the Senator from New Mexico [Mr. JONES]. I am not going to condemn, nor am I in the few words I am about to express going to commend the provision; but I want to call the attention of the Senator from New Mexico to what happened in what we call the spring-wheat States in 1916. That year was what we call the black-rust year, and I will say that 95 per cent of the farmers of the Northwest lost money.

Mr. JONES of New Mexico. What year was that?

Mr. GRONNA. Nineteen hundred and sixteen. Some of the farmers applied to the Commissioner of Internal Revenue in 1917 and asked if they might be permitted to deduct their losses for 1916. Of course they were told that they could not do so. Now the Senator says that it is simply isolated cases where taxes have been imposed when an entire industry has sustained a loss. I must differ with the Senator in that respect. Not only the State which I have the honor in part to represent but the neighboring State to the south and the western portion of the State to the east of us sustained heavy losses. Of course, if they made no profit that year, they paid no tax; but if they made a profit in 1917, which most of them did, they did pay the tax without deducting their losses in 1916. I know single farmers who sustained a loss of more than $15,000 in 1916 and who were not permitted to deduct a single penny in 1917.

Mr. JONES of New Mexico. Mr. President, I will state to the Senator from North Dakota that that is just the reason why we are putting that provision in this bill. We are trying to remedy now a thing which the present law makes a hardship.

Mr. GRONNA. Why begin this departure now and leave out what has actually happened in past years?

Mr. JONES of New Mexico. I stated to the Senator that so far as I was personally concerned I would be willing to go back

and take in the year 1916; but the rates of that year were very low, so there was very little income tax paid in 1916. The rates were low, and it was thought that the difficulties of administration would not justify it. Besides, I am perfectly willing to state that there were some expressions of opposition to this amendment in the committee. Some of them thought that we ought not to go back at all, but that we ought to make this provision of the bill simply prospective. That opinion was expressed, and so this amendment as it appears here now is really a compromise of the views of the committee upon it. We have adjusted our differences as far as we can, some wanting it wholly prospective, and some of us—the Senator from North Dakota and myself—wanting it to go back for two years instead of one.

Mr. GRONNA. Mr. President, I do not wish to be understood as saying that I want to go back to 1916. I fully realize that some one has to pay the tax, although it is an injustice to a great many people; and it was an injustice, because the very people upon whom this very tax, this heavy burden, fell had to borrow the money. The farmer, as a rule, does not have a large reserve. The only way that this tax could be paid was by borrowing it.

Mr. JONES of New Mexico. I think that was a great injustice.

Mr. GRONNA. But even so, Mr. President, I am not willing to say that we should open up this great question and go back to 1916. The farmers were able to pay the tax, and they did pay it; and I believe that we should not enter upon this new departure now, when we have reason to believe that many of the investments made by those who are engaged in the different industries will decrease. The Senator knows as well as I do that it is not only possible but probable that values in a great many of these industries where capital has been invested are bound to decrease; but we never heard of such a thing as this proposal when it was simply a question of the farmer and his industry, and I might say his very existence was in danger. You are basing this argument upon the question of justice to the farmer. I want to say that I do not believe that it is the farmer altogether and his interest which enters into this question.

Now, Mr. President, I do not wish the Senator from New Mexico to misunderstand me. I have not asked that we go back to 1916. I myself, together with thousands of other farmers, paid our tax, although we borrowed the money to do so in 1917; but I am not complaining. I am simply calling to your attention, sir, the fact that if it is an injustice now, it was an injustice done to us then; and I believe that it would have been possible for the administration to interpret the law so as not to have permitted that injustice. I believe that the revenue law as it is upon the statute books to-day could have been interpreted so as to exempt those people who actually sustained a loss from paying this unjust tax. I know of provisions that were liberally interpreted, at least more so than the provision which has reference to the farming industry, and to their inventories, and it is only for that reason that I have called attention to it. I believe, sir, that it is a dangerous field to enter upon. I believe that there is a probability that we will lose millions of dollars if we are to carry out this provision as it is written by the committee.

Mr. JONES of New Mexico. Mr. President, referring to the situation which the Senator has just presented with respect to the year 1916, I will state that the year 1916 was the year to which the law of 1917 applied, and if a loss was made in 1916 there was nothing from which that loss could be recouped, because the man who made the loss in 1916 never paid any tax.

Now, as to the probable extent of the loss under this provision, I call attention to these statistics. You will find in the statistical report of the Commissioner of Internal Revenue a statement of the number of corporations returning losses and the number returning profits, and it also gives the deficits of the corporations which returned losses and the earnings of those that made profits. The figures have just been handed me here. In 1917 the earnings of the corporations which paid a tax were $8,765,908,000. The deficits of the corporations which made losses were $656,904,000. So in the readjustment of that it can not possibly affect the Treasury very much, because only these corporations which showed deficits of $656,904,000 will be entitled to come under this relief at all, and then they could recover only the tax which they peradventure had paid the previous year.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. JONES of New Mexico. Certainly.

Mr. LENROOT. The Senator is speaking now of the losses of 1917?

Mr. JONES of New Mexico. These are the deficits of all corporations reporting losses.

Mr. LENROOT. For 1917?

Mr. JONES of New Mexico. For 1917; yes.

The PRESIDING OFFICER. The question is on the adoption of the committee amendment known as section 204.

Mr. LENROOT. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. PENROSE. Mr. President, I rise to a point of order. I do not think the Senate understands the question before the body. As I understand, the question is on agreeing to the committee amendment.

Mr. SIMMONS. Yes; that is the question.

Mr. PENROSE. Some Senators do not understand it, and I think it ought to be presented before the roll call proceeds. All Senators who favor the committee amendment will vote "yea."

The PRESIDING OFFICER. The Chair wishes to say that the question is on the adoption of the amendment proposed by the committee commencing on line 15, page 8, under the title of "Net losses," and extending over to page 10, line 8.

Mr. PENROSE. I think the Senators are familiar with the substance of the amendment on which they are voting, but I do not think many Senators knew in what form the question was presented. It was not presented by the Chair, and that is the reason why I call attention to it.

The PRESIDING OFFICER. The calling of the roll will be resumed.

The Secretary resumed the calling of the roll.

Mr. FLETCHER (when his name was called). I have a general pair with the junior Senator from Massachusetts [Mr. WEEKS]. I am informed that if he were present he would vote for the amendment, and I therefore feel at liberty to vote. I vote "yea."

Mr. PENROSE (when his name was called). I am paired with the senior Senator from Mississippi [Mr. WILLIAMS], who I do not believe is in the Chamber; but as he is a member of the Committee on Finance and would doubtless and as far as I know vote in favor of the amendment of the committee, I shall vote. I vote "yea."

Mr. SIMMONS (when his name was called). I transfer my general pair with the junior Senator from Minnesota [Mr. KELLOGG] to the senior Senator from Texas [Mr. CULBERSON], and vote "yea."

Mr. SMITH of Georgia (when his name was called). I have a general pair with the senior Senator from Massachusetts [Mr. LODGE]. I recall the fact that he supported this amendment in the committee, and as I, too, am in favor of the amendment, I take the liberty of voting. I vote "yea."

Mr. WOLCOTT (when his name was called). I have a general pair with the Senator from Indiana [Mr. WATSON]. Not knowing how he would vote, I withhold my vote.

The roll call having been concluded,

Mr. BECKHAM. I have a general pair with the Senator from West Virginia [Mr. SUTHERLAND]. I do not know how he would vote on this question. I transfer my pair to the senior Senator from Illinois [Mr. LEWIS], and vote "yea."

Mr. JOHNSON of South Dakota (after having voted in the affirmative). I have a pair with the Senator from Maine [Mr. FERNALD]. I transfer that pair to the Senator from Oklahoma [Mr. GORE], and allow my vote to stand.

Mr. ROBINSON (after having voted in the negative). I have a pair with the Senator from Michigan [Mr. TOWNSEND]. I transfer that pair to the Senator from California [Mr. PHELAN], and will let my vote stand.

Mr. FRELINGHUYSEN. I have a general pair with the junior Senator from Montana [Mr. WALSH]. I transfer that pair to the Senator from Maine [Mr. HALE] and vote "nay."

Mr. HARDING (after having voted in the affirmative). I transfer my general pair with the Senator from Alabama [Mr. UNDERWOOD] to the junior Senator from New Jersey [Mr. BAIRD] and vote "nay."

Mr. REED (after having voted in the affirmative). I find that my pair, the Senator from Michigan [Mr. SMITH], is out of the city. I therefore transfer my pair with the Senator from Michigan [Mr. SMITH] to the Senator from Nevada [Mr. PITTMAN] and allow my vote to stand.

Mr. WOLCOTT. I transfer my general pair with the senior Senator from Indiana [Mr. WATSON] to the senior Senator from Maryland [Mr. SMITH] and vote "nay."

Mr. COLT. I have a general pair with the Senator from Delaware [Mr. SAULSBURY]. I understand that he would vote as I intend to vote, and I vote "yea."

Mr. SHEPPARD. I desire to announce that the Senator from Delaware [Mr. SAULSBURY], the Senator from Arizona [Mr. ASHURST], the Senator from Kansas [Mr. THOMPSON], and the Senator from Mississippi [Mr. WILLIAMS] are detained on important public business.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Pennsylvania [Mr. KNOX] with the Senator from Oregon [Mr. CHAMBERLAIN];

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from New York [Mr. WADSWORTH] with the Senator from New Hampshire [Mr. HOLLIS]; and

The Senator from New York [Mr. CALDER] with the Senator from Rhode Island [Mr. GERRY].

The result was announced—yeas 35, nays 17, as follows:

YEAS—35.

Beckham	Johnson, S. Dak.	Pollock	Smith, Ga.
Colt	Jones, N. Mex.	Pomerene	Smith, S. C.
Curtis	McCumber	Ransdell	Smoot
Dillingham	McKellar	Reed	Spencer
Fletcher	Martin, Va.	Shafroth	Swanson
Gay	Moses	Sheppard	Thomas
Hardwick	Mulkey	Sherman	Warren
Henderson	Overman	Simmons	Wolcott
Hitchcock	Penrose	Smith, Ariz.	

NAYS—17.

Borah	Kenyon	Nelson	Sterling
Frelinghuysen	King	Norris	Vardaman
Gronna	Kirby	Nugent	
Harding	La Follette	Poindexter	
Jones, Wash.	Lenroot	Robinson	

NOT VOTING—44.

Ashurst	Gerry	McLean	Smith, Mich.
Baird	Goff	Martin, Ky.	Sutherland
Bankhead	Gore	Myers	Thompson
Brandegee	Hale	New	Townsend
Calder	Hollis	Owen	Trammell
Chamberlain	Johnson, Cal.	Page	Underwood
Culberson	Kellogg	Phelan	Wadsworth
Cummins	Kendrick	Pittman	Walsh
Fall	Knox	Saulsbury	Watson
Fernald	Lewis	Shields	Weeks
France	Lodge	Smith, Md.	Williams

So the amendment of the committee was agreed to.

RECESS.

Mr. SIMMONS. I move that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 5 o'clock and 7 minutes p. m.) the Senate took a recess until to-morrow, Tuesday, December 17, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *December 16, 1918.*

The House met at 12 o'clock noon.

The Rev. Earle Wilfley, of the Vermont Avenue Christian Church, Washington, D. C., offered the following prayer:

O God, our Heavenly Father, we thank Thee this morning for the honors that have come to our country in these wonderful days at home and abroad; but we pray Thee, Heavenly Father, that these honors may be borne humbly and becomingly, and that greater honors may come to our great land, to its flag, and its Government because of the humanitarian principles for which we stand and the righteousness that exalteth a nation. So wilt Thou be pleased to-day to be with the sessions of this Congress, with all the deeds of those in high authority, and with all who have a part in the ongoing of our country and its cause. We ask for Thy name's sake. Amen.

The Journal of the proceedings of Saturday, December 14, 1918, and the Journal of the proceedings of Sunday, December 15, 1918, were read and approved.

HON. CARTER GLASS.

The SPEAKER. The Chair desires to state that he has a private letter from the Hon. CARTER GLASS, which, it seems to him, is really addressed to the House, and if there be no objection the Chair will have it read and put into the RECORD. [After a pause.] The Chair hears no objection and the Clerk will read.

The Clerk read as follows:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON BANKING AND CURRENCY,
December 16, 1918.

To the SPEAKER OF THE HOUSE OF REPRESENTATIVES:

Because I can not trust myself from my place on the floor to tell how greatly distressed I am to sever a long-time association with the Congress as Member of the House from the sixth Virginia district, I ask leave to use this method of saying a parting word. My service of nearly nine terms ends to-day, when at noon I shall enter on a new task as Secretary of the Treasury. While I reckon at its very highest value the great honor attaching to the President's invitation to a seat in his Cabinet, I would like my colleagues to believe that no distinction ever has or ever can come to me which will be cherished above the personal affection and the generous confidence shown me by my legislative comrades at the Capitol.

To my political adversaries not one whit less than to intimate party friends am I indebted for invariable courtesy and a quite notable purpose, as far as my work was concerned, to aid in every perplexing situation where helpful counsel and patriotic cooperation were required to accomplish same results.

With a very real appreciation of the great opportunities as well as of the grave difficulties of the Treasury portfolio, I shall approach them with painful misgivings as to my fitness for the test; but, in any event, I will confidently entertain the hope that I shall have the best wishes of the Congress in an honest endeavor wisely to use the opportunities presented and its indispensable aid in attempting to subdue the difficulties encountered.

With assurances of personal esteem, believe me, my dear Mr. Speaker,

Sincerely, yours,

CARTER GLASS.

Mr. MANN. Mr. Speaker, I think it may be appropriate for me to say that CARTER GLASS, the new Secretary of the Treasury, certainly has the best wishes of every Member of this House in his new task. I think we all believe that no better selection could have been made for Secretary of the Treasury than the appointment of Mr. GLASS. [Applause.] His service in this House will be of inestimable value to him in the performance of the duties of his new office. He has the respect and the affectionate regard of the Members of Congress, and he has the best wishes of us all at all times personally and for his success officially in his new office. [Applause.]

TRANSPORTATION OF GOVERNMENT EMPLOYEES.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 13261) providing for the transportation from the District of Columbia of governmental employees whose services no longer are required, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to take from the Speaker's table the bill H. R. 13261, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, what are the Senate amendments?

Mr. SHERLEY. Mr. Speaker, I will ask that the Clerk read the Senate amendments.

The Clerk read as follows:

Page 1, line 14, strike out "March 31" and insert "January 15."

Page 2, lines 12 and 13, strike out the words "The foregoing limitation of 10 days shall operate" and insert "The time within which transportation shall be applied for shall be 20 days."

Mr. SHERLEY. Mr. Speaker, one amendment is as to the length of time in which the act shall be effective, touching those who leave the service, and the other is the date within which claims shall be presented for those who have left the service.

Mr. ASWELL. Mr. Speaker, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. ASWELL. I would like to inquire whether if a war worker desires to resign and go home, that employee will be included within the terms of the bill, or must there be a discharge?

Mr. SHERLEY. Oh, no. An employee of the Government who resigns would come within the purview of the act provided there was nothing against the service of the employee; that is, that the resignation was not one because of lack of efficient service.

Mr. ASWELL. In the case of a young woman who desires to go home, under these conditions will she be included within the terms of the bill?

Mr. SHERLEY. She will. That is one of the purposes of the bill.

Mr. ASWELL. That is, to encourage them to resign and go home.

Mr. SHERLEY. So far as the reason for asking for a conference is concerned, it seemed that in one instance there was an unnecessary length of time fixed by the Senate, and in the other that the time was curtailed to too short a period. There will be in some of the departments, of necessity, a need for quite a few weeks, perhaps a month or two, of a large number of clerks now engaged to be held without the benefit of this act, while others in that particular department should be dismissed. It seemed to be wise to let the matter go to conference, where the matter could be discussed.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. MANN. In connection with the fixing of the time, is the gentleman able to state to the House how soon the bill, if it is enacted by both bodies, can become a law?

Mr. SHERLEY. Mr. Speaker, the gentleman from Illinois is as good and doubtless a better constitutional lawyer than I.

Mr. MANN. Oh, I do not admit that.

Mr. SHERLEY. The gentleman is aware——

Mr. MANN. I was asking what the practice was going to be.

Mr. SHERLEY. The gentleman is familiar with the provision of the Constitution which requires that bills that pass the two Houses shall be presented to the President for his approval or disapproval; that when presented to the President, unless disapproved by him, they shall become law within 10 days after such time, unless the Congress by its adjournment has made impossible his action. So I take it this bill will become a law, barring action by the President, in 10 days after its presentation to him.

Mr. MANN. Is the gentleman aware of what the present practice is as to bills sent to the White House?

Mr. SHERLEY. I have no official knowledge.

Mr. MANN. I can inform the gentleman that bills that are now taken by the chairman of the Committee on Enrolled Bills to the White House are received up there and a receipt is given that the bill is received in the absence of the President and for transmission to the President.

The ordinary receipt heretofore has been that the bill has been received by the President on such and such a date. Now they give a receipt that on such and such a date the bill is received in the absence of the President, but I am still curious if anybody can tell how long it will take to transmit a bill to the President, or if it is to be held awaiting his return. That makes quite a difference about a bill.

Mr. GILLETT. I have been told, going a little further than the gentleman has, that they are to be sent to the President in France, and I confess I think that is the right thing to do.

Mr. MADDEN. In the meantime when will it become effective?

Mr. GILLETT. Of course, it will not become a law until it reaches the President and he signs it and it is returned.

Mr. MADDEN. And in the meantime 50,000 or 60,000 people here are on the pay roll who ought not to be there.

Mr. LONGWORTH. I have been told that they would recognize a cable to the effect that the bill had been signed in Paris——

Mr. GILLETT. I had not heard that.

Mr. LONGWORTH. As being the time it would go into effect.

Mr. MANN. I spoke about the official record because I have seen the decision.

Mr. SHERLEY. Mr. Speaker, whatever may be the practice which will be adopted, this particular bill is so drawn that the benefits of the bill will flow irrespective of the particular date that it is going upon the statute books, because proyision was made in the terms of the bill for the taking care of those cases where there was separation from the service after a date fixed, and I take it that we need not now engage in discussion touching the probable or proper or actual course that may be followed in connection with the presentation of this bill.

Mr. CANNON. Will the gentleman yield?

Mr. SHERLEY. I yield to the gentleman from Illinois.

Mr. CANNON. After all, under all conditions, does the Vice President become the President?

Mr. SHERLEY. Well, the gentleman's opinion is entitled to weight, and his question indicates an opinion. I came to the conclusion some years ago that a little law will go further before the House than any place in the world. I do not want to illustrate that saying by undertaking now to qualify upon a question of constitutional law. I may have an opinion, but I do not think it is necessary that I should undertake to state one, when every Member probably has one and will continue to have it irrespective of mine.

Mr. CANNON. The question has an interrogation point at the end of it.

Mr. SHERLEY. The gentleman shows his usual skill in interrogation. [Laughter.]

Mr. DENISON. I was going to suggest that perhaps the chairman of the committee or somebody else would present this whole subject to Mr. Burleson——

The SPEAKER. That has got nothing to do with——

Mr. DENISON. And that perhaps they might use the telautograph, by which a bill could be signed in Paris, and have it transmitted by some sort of system to this country by wireless.

Mr. SHERLEY. Well, greater physical difficulties than that have been overcome, I might say to the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky? [After a pause.] The Chair hears none.

The Clerk announced the following conferees: Mr. SHERLEY, Mr. BYRNS of Tennessee, and Mr. GILLETT.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed the following resolutions:

Resolved, That the Senate expresses its profound sorrow in the death of the Hon. BENJAMIN RYAN TILLMAN, late a Senator from the State of South Carolina.

Resolved, That as a mark of respect to the memory of the deceased the Senate, in pursuance of an order heretofore made, assembles to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a mark of further respect to the memory of the deceased the Senate do now adjourn.

LEAVE OF ABSENCE.

By unanimous consent, Mr. FOCHT was granted leave of absence indefinitely on account of illness in his family.

PRINTING LETTER OF DIRECTOR GENERAL OF RAILROADS AS A HOUSE DOCUMENT.

Mr. SIMS. Mr. Speaker, I ask unanimous consent that the letter written to me by the Director General of Railroads be printed as a House document.

The SPEAKER. Is there objection?

Mr. TREADWAY. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Massachusetts rise?

Mr. TREADWAY. I ask unanimous consent to proceed for two minutes.

The SPEAKER. On the request of the gentleman from Tennessee?

Mr. TREADWAY. I understood that matter had been disposed of.

The SPEAKER. No. Is there objection?

Mr. GILLETT. Mr. Speaker, reserving the right to object, what letter is this?

Mr. SIMS. It is a letter of Director General McAdoo, addressed to myself as chairman of the Committee on Interstate and Foreign Commerce, in which he suggests the continuance of Government operation of railroads for a period of five years.

Mr. GILLETT. I remember the last letter that was sent to the gentleman from a Cabinet officer consisted largely of mutual compliments and laudations, and I thought I should object to any future letters of that kind. I understand this is not of that kind?

Mr. SIMS. This is in the RECORD.

Mr. GILLETT. Why does the gentleman want it printed again?

Mr. SIMS. Because there is a demand and request for it.

Mr. MADDEN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois objects. The gentleman from Massachusetts [Mr. TREADWAY] asks leave to proceed for two minutes. Is there objection?

Mr. RAYBURN. Mr. Speaker, reserving the right to object, on what subject?

Mr. TREADWAY. To submit a letter which I have written in reference to the war-risk insurance matter.

Mr. RAYBURN. I hope the gentleman will not do that and take up any more time on this one question which has been brought up here continually now for a week. The committee, I am sure, is going to report the bill to which the gentleman refers.

Mr. TREADWAY. It was a suggestion to Commissioner Nesbitt in the form of a communication which I thought might be of interest to the House.

Mr. RAYBURN. Mr. Speaker, I object.

The SPEAKER. The gentleman objects.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13261) providing for the transportation from the District of Columbia of governmental employees whose services are no longer required.

RETENTION OF UNIFORM AND PERSONAL EQUIPMENT.

Mr. DENT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 13366) permitting those who have served in the Army during the present war to retain one complete uniform.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 13366) permitting any person who has served in the Army in the present war to retain his uniform and personal equipment, and to wear the same under certain conditions.

The SPEAKER. Is there objection?

Mr. MADDEN. I ask to have it read.

Mr. MANN. Let it be reported.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Be it enacted, etc., That any person who served in the United States Army in the present war may, upon honorable discharge and return to civil life, permanently retain one complete suit of outer uniform clothing, including the overcoat, and such articles of personal equipment as may be authorized by the Secretary of War, and may wear such uniform clothing after such discharge: *Provided*, That the uniform above referred to shall include some distinctive mark or insignia to be prescribed by the Secretary of War, such mark or insignia to be issued by the War Department to all enlisted personnel so discharged.

SEC. 2. That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Mr. MANN. Reserving the right to object, may I ask the gentleman, first, if it requires legislation in order to do this?

Mr. DENT. That is the opinion of the War Department, and I think that is correct.

Mr. MONDELL. Will the gentleman yield?

Mr. MANN. Have they issued an order on the subject?

Mr. DENT. They have issued an order that a uniform may be retained for four months, and then returned to the Government.

Mr. MANN. That order was issued some time ago?

Mr. DENT. That order was issued some time ago.

Mr. MANN. The statement was made that they had issued a new order. Has that been done?

Mr. DENT. I do not know of any new order. This bill was prepared, I will state to the gentleman, by the War Department, and has the approval of the Secretary of War, and is drawn and reported by the committee exactly as it was prepared, with the use of the word "personal" before "equipment," so as to exclude the idea that the Government would distribute any arms.

Mr. MANN. If the gentleman will permit, I have read in one of the papers here that such a bill had been prepared, and that the Secretary of War had anticipated the passage of it and had issued an order. The statement was made as coming from the Secretary himself, and I wondered whether the Secretary was seeking to obtain credit for the order ahead of the action by Congress, or whether action by Congress was required. The paper stated that the Secretary had done all this himself.

Mr. DENT. I will state to the gentleman that I have not seen the article in the paper myself and know absolutely nothing about it, but I assume that the Secretary would not have sent to me, as chairman of the committee, a bill upon this subject and requested its passage unless it was necessary.

Mr. MANN. I notice this bill requires some distinctive badge or mark placed upon the uniform of the enlisted man. What is that for?

Mr. DENT. To show he is not in the service.

Mr. MANN. Why should it not apply, then, to officers who are also discharged?

Mr. DENT. I think it should apply to officers.

Mr. MANN. The bill does not apply to officers. Why should an officer with his uniform make out that he is still in the Army when he has taken his discharge?

Mr. LAZARO. Will the gentleman yield for a question?

Mr. DENT. In one minute.

Mr. PADGETT. I would like to ask the gentleman if that ought not to apply to the Navy also?

Mr. DENT. I think it ought to apply to officers.

Mr. TILSON. The giving of the device is only to enlisted men, but if the gentleman will read the early part of the bill he will see that it says "any person who served," and so forth.

Mr. DENT. It only requires a distinctive mark to be placed upon the enlisted man's uniform.

Mr. McKENZIE. Will the gentleman yield? I will simply state that in the national-defense act there is now a law covering the uniforms of officers, and it provides on what occasions they may wear the uniform. And inasmuch as the officer owns his uniform, there is a very great distinction between the uniforms of officers and those of private soldiers. And one of the purposes of permitting these young men to have one uniform and to wear it continuously, perhaps until it is worn out, is the fact that they will save millions and millions or conserve millions and millions of dollars' worth of wool. And it is not only economical, in my judgment, but just.

Mr. DENT. I know.

Mr. MANN. There is not any question about that. This is new law. It apparently permits an officer to wear his uniform without any distinguishing mark. My colleague from Illinois [Mr. McKENZIE] is usually correct, but I am not sure about this matter.

Mr. PADGETT. Will the gentleman yield for a question?

Mr. DENT. Let me make this suggestion, Mr. Speaker: I think the point made by the gentleman from Illinois [Mr. MANN] is well taken, and I am going to ask to amend the bill on page 2, line 1.

The SPEAKER. You can not do it now. Unanimous consent has not been given for the consideration of the bill as yet.

Mr. DENT. I suggest this amendment in advance of unanimous consent—that the bill be amended, on page 2, line 1, by inserting, after the word "all," the words "officers and."

Mr. MANN. That could be reached by striking out the word "enlisted," in line 1, page 2.

Mr. TILSON. If the gentleman will yield, it seems to me that what this proviso means is that the War Department shall furnish to the enlisted men this insignia. It says "that the uniform above referred to shall include some distinctive mark or insignia to be prescribed by the Secretary of War." Then, as a distinctive proposition, it provides that in the case of enlisted men it shall be furnished by the War Department. This is the construction I put upon the provision.

Mr. DENT. I do not think there can be any possible objection to adopting the suggestion of the gentleman from Illinois [Mr. MANN] that there should be a distinctive mark upon the uniform of the officer who has been discharged or who has retired from the service as well as on the uniform of the enlisted man.

Mr. TILSON. I think that is taken care of in this proviso, when it says "that the uniform above referred to shall include some distinctive mark or insignia to be prescribed by the Secretary of War, such mark or insignia to be issued by the War Department to all enlisted personnel so discharged." The enlisted personnel is provided for, and is the only portion of the Army provided for in the issue of the prescribed insignia.

Mr. DENT. Well, certainly there can not be any objection to making the law clear. I do not think there should be any distinction. It should include the officer as well as the enlisted man.

Mr. TILSON. It is already clear, but I see no objection to the War Department furnishing the insignia to officers as well. That is what the gentleman's amendment provides for—that the War Department shall furnish the insignia to the officers as well as to the enlisted men.

Mr. POU. The gentleman from Connecticut is absolutely right, I submit.

Mr. TILSON. The language is as clear as day.

Mr. POU. It does not need any amendment.

Mr. GILLETT. It does not need any amendment at all. It is all right as it is.

Mr. ROGERS. Mr. Speaker, will the gentleman yield?

Mr. DENT. Yes.

Mr. ROGERS. Can the gentleman tell us what is intended to be included in the phrase on line 7, "and such articles of personal equipment as may be authorized by the Secretary of War"? The soldier is permitted to retain "one complete suit of outer uniform clothing, including the overcoat, and such articles of personal equipment as may be authorized by the Secretary of War."

Mr. DENT. That would include his underclothing, and it might include a gas mask that he has used.

Mr. ROGERS. That brings me to the question I wanted to ask. For some weeks the soldiers discharged from the Army have been allowed to retain several suits of underwear and several pairs of stockings, and so forth, in their possession. Now, has that been done under authority of law or executive discretion?

Mr. DENT. It has been done under a regulation adopted by the War Department.

Mr. ROGERS. But not under authority of law?

Mr. DENT. No.

Mr. GORDON. There is a regulation authorizing them to keep three suits.

Mr. TILSON. The gentleman understands the distinction between underclothing and uniforms. When the underclothing is issued it may be accounted for as having been expended. They do not take it back and issue it to another soldier. In the case of the uniform they can do that, but when the underclothing is issued it may be accounted for as expended.

Mr. IGOE. Mr. Speaker, I called up Gen. Wood and asked him about this very thing this morning. I received the same explanation. I was informed that orders had been issued for men in the Marine Corps—and I do not know whether it applies to the Army or not—that underclothing and socks would be returned, and I asked Gen. Wood if that were to be true as to the Army and he said that all this clothing under the regulations would have to be returned within not longer than four months, and that the department was very anxious to have some measure passed because the expense of having it checked up and accounted for and returned would more than outweigh the cost.

Mr. DENT. And that this bill was framed in order to take care of that?

Mr. IGOE. Yes; and that this bill was contemplated in order that the department would be relieved in regard to this underclothing.

Mr. HUDDLESTON. Mr. Speaker, I understand that this refers to the outer clothing. I understand the soldier is required to return all his clothing, including his shirt and underwear. Why should not this apply to all the clothing he has?

Mr. DENT. It does.

Mr. HUDDLESTON. But it says "outer clothing."

Mr. DENT. It says "one complete suit of outer uniform clothing, including the overcoat, and such articles of personal equipment as may be authorized by the Secretary of War."

Mr. HUDDLESTON. Does the gentleman think underwear would be included in the term "personal equipment"?

Mr. DENT. I think so.

Mr. HUDDLESTON. It would seem that, a distinction being made as to outer clothing, the inference would be drawn that it was not intended to apply to underclothing or shirts.

Mr. DENT. The hearings before the committee disclosed the idea that the man would be expected to retain such apparel as he had used.

Mr. HUDDLESTON. I think that word "apparel," then, should be put in.

Mr. PADGETT. Mr. Speaker, will the gentleman yield?

Mr. DENT. Yes.

Mr. PADGETT. I would like to inquire, while we are legislating upon this subject, if we could not include the Navy?

Mr. SMITH of Idaho. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SMITH of Idaho. Is the bill under consideration and open for amendment?

The SPEAKER. It is not.

Mr. PADGETT. Why not provide for the Navy and Marine Corps and insert the words "Secretary of the Navy," following the words "Secretary of War"?

Mr. MANN. It should be done.

Mr. PADGETT. So as to make it complete as to the three services.

Mr. DENT. I have no objection to that. We did not take jurisdiction because we did not have it.

Mr. PADGETT. I understand; but while we are legislating on this subject we should look out as well for all of them.

The SPEAKER. Is there objection?

Mr. GARRETT of Texas. I demand the regular order, Mr. Speaker.

The SPEAKER. The regular order is demanded.

Mr. ASWELL. Mr. Speaker, I ask unanimous consent that I may proceed for two minutes before this is carried out.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. ASWELL. I reserve the right to object, if I may.

The SPEAKER. The regular order has been called for twice. Is there objection?

There was no objection.

Mr. ASWELL. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

Mr. GILLETT. On this bill?

Mr. ASWELL. Yes.

The SPEAKER. Is there objection?

There was no objection.

Mr. ASWELL. Mr. Speaker, the first day Congress proceeded to business at this session I introduced a resolution directing that the enlisted men of the Army and the Marine Corps be given their uniforms, the other departments of the Government all being included without any additional law, and the gentleman from Illinois [Mr. MANN] promptly objected to my resolution and prevented its consideration. I proceeded immediately to present the matter to the General Staff of the War Department, and I was requested to submit the resolution and to offer suggestions to the proposed resolution that I had introduced upon the floor of this House. I did so. I was informed that the bill would be prepared by the War College. I was told that the General Staff would have the bill written out in a way that would be acceptable to the War Department. Later on, in the course of human events, some week or so later, I received a very short notice, and in accordance with the archaic and fossilized and granulated rules and regulations of this House and the War Department in giving the superiority of prestige to the time or term of attendance—the rule of seniority that has been so recently so conducive to the success (?) of the Democratic Party in this country—according to that rule of priority, fossilized as it is, I received a letter from the War Department in two lines, telling me that the legislation had been prepared and that it had been presented to the proper committee, and that, therefore, it would be handled without any activity on the part of any individual. That last part I put in myself, because that is what it meant. [Laughter.]

I merely call the attention of the House to the fact that my resolution provided that the enlisted men be permitted to keep their uniforms. It is stated in the bill as "personal equipment," which means all the uniforms—their underclothes, shoes, uniforms, and hats or caps. I submit to this House that it is ridiculous and absurd for the underclothing and shoes and one or two suits of underclothing to be salvaged by the War Department or destroyed, when it would be of very great value to those soldiers if permitted to be retained.

Gentlemen of the House, it is absolutely absurd to talk about the top clothes and take the other suits away from these young men. I am for the bill if you do not give them anything but one shoe. I am for anything that you can give these boys, but it is clear that they should have their entire personal equipment.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. DENT. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. DENT. Mr. Speaker, I offer the following amendment, page 2, line 1.

The Clerk read as follows:

Page 2, line 1, strike out the word "enlisted."

Mr. McKENZIE. Mr. Speaker, did I understand the gentleman to say that the purpose of the amendment is to include officers along with the enlisted men?

Mr. DENT. Yes.

Mr. McKENZIE. Will the gentleman yield me three minutes?

Mr. DENT. Yes.

Mr. McKENZIE. Mr. Speaker, I doubt whether this amendment ought to be adopted. The purpose of this act is to amend the law now on the statute book covering the uniforms of enlisted men. Under the present law the enlisted man when discharged may wear his uniform at home and continue to wear it for three months. At the expiration of that period he is expected to return the uniform to the Government of the United States, the uniform being the property of the Government.

The purpose of this legislation is to enable the Government to give to each enlisted man one complete uniform, including the overcoat and such other articles of personal wearing apparel, things he has been using in the service, such as a helmet or a gas mask, as the Secretary of War may deem proper. In my judgment this law has nothing to do with officers or officers' uniforms. The officer owns his uniform; it belongs to him; he has paid for it, and the Congress of the United States has nothing to do with saying whether or not he shall have that uniform when he is discharged from the service. It is his personal property.

There is on the statute book, as a part of the national defense act, a provision which says under what circumstances an officer may wear his uniform. While I know that the purpose of my good friend from Alabama is to do the right thing, it will be a grave mistake to take the word "enlisted" out of the bill.

Mr. DENT. Will the gentleman permit a question?

Mr. McKENZIE. Certainly.

Mr. DENT. Under the national defense act the officer has the right to wear his uniform only on limited occasions.

Mr. McKENZIE. Yes.

Mr. DENT. Does not the gentleman believe that in this act, if we pass it, the officer can wear the uniform every day, and would not that be an amendment to the national defense act and so permit him to wear it daily? If we do that, does not the gentleman think there ought to be some distinctive mark for the officer as well as the man to show that he is not actually in the service?

Mr. McKENZIE. It seems to me, if we wish to do that, we should introduce a bill to amend section 125 of the national defense act, which covers this proposition; but we ought not to undertake to involve it in an amendment to the law which now permits soldiers and enlisted men to wear uniforms four months.

Mr. MANN. Will the gentleman yield?

Mr. McKENZIE. Certainly.

Mr. MANN. The amendment which the gentleman from Alabama has offered was offered in accordance with the suggestion that I made. I am inclined to think that my suggestion was an error, and for this reason: Each officer owns his uniform. If this bill should pass with this amendment, it apparently would restrict the officer to retaining one complete suit of outer

uniform, when he may own several. If it applies to the officer, it apparently takes away from the officer the other uniforms he may have. I will say to my friend from Alabama that it seems to me clear that this ought not to apply to officers.

Mr. DENT. I do not quite agree with the gentleman's construction, but I have no objection, Mr. Speaker, and I will withdraw the amendment. I offered it at the suggestion of the gentleman from Illinois.

Mr. DOWELL. Mr. Speaker, I desire to offer an amendment.

Mr. BARNHART. Mr. Speaker, I just asked the gentleman from Alabama if he would yield to me, and he said he would if he had the floor.

The SPEAKER. The gentleman from Alabama can not yield; he had five minutes, and he has exhausted the five minutes. The bill is being considered under the five-minute rule.

The Clerk read as follows:

Amendment by Mr. DOWELL: Page 1, line 6, after the word "overcoat" insert the word "shoes."

The SPEAKER. The question is on the amendment.

The amendment was considered and agreed to.

Mr. HUDDLESTON. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Page 1, line 4, strike out the word "present."

Mr. HUDDLESTON. Mr. Speaker, this bill, as it is presented, applies only to soldiers of the "present" war. It does not apply to those who served in the disturbance with Mexico, nor does it apply to Spanish War soldiers. We will, therefore, have the anomalous situation that soldiers serving in this war would be allowed to wear their uniforms, while those serving in the Mexican disturbance and who perhaps rendered as much service as some of the boys now being discharged will not be permitted to wear their uniforms. There are a few of us who served in the Spanish War who have our uniforms and would like to wear them on patriotic occasions.

I confess to a not wholly unselfish motive in offering the amendment, which would make it lawful for soldiers who served on the Mexican border or in the Spanish War to wear their old uniforms. I offer it on behalf of the Spanish War soldiers—of whom I was one—as well as others. I have got put away in a safe place an old blue uniform which I wore during the Spanish War, and if I should go to a soldiers' gathering, where other men who have served their country were permitted to wear their uniform and found that if I should put on my old blue uniform which I wore when a soldier I should be liable to be put in jail, I would feel very bad about it. As some one suggests, there are several moth holes in the uniform. I think it is only just that any soldier who has served his country in time of war and who has received an honorable discharge should be permitted to wear the uniform he brought home with him, even though it has a few moth holes in it.

Mr. McKENZIE. Mr. Speaker, will the gentleman yield?

Mr. HUDDLESTON. Yes.

Mr. McKENZIE. Is the uniform which the gentleman wore in the Spanish-American War identical with the uniform that we have now in the Army?

Mr. HUDDLESTON. The uniforms that we now use are khaki, and those old uniforms were blue.

Mr. McKENZIE. Then, of course, if anyone saw the gentleman wearing the old blue uniform of the Spanish-American War, he would not feel that the gentleman was impersonating a soldier of the United States at the present time.

Mr. HUDDLESTON. Oh, I can assure the gentleman that no Spanish-American War soldier wants to impersonate anyone but himself.

Mr. MONDELL. The gentleman is aware of the fact that there is no law against wearing a uniform of the United States that is no longer the standard uniform.

Mr. HUDDLESTON. Where it is a part of the official uniform, or where it so closely resembles it as to be mistaken for it, wearing it is against the law. I will say to the gentleman from Wyoming [Mr. MONDELL] that the United States Guards who are now in service in this war wear the identical uniform that was formerly the uniform of the Regular Army of the United States. In fact, it is the old uniforms that the United States Guards are now wearing.

The SPEAKER. The time of the gentleman from Alabama has expired.

Mr. QUIN rose.

The SPEAKER. For what purpose does the gentleman from Mississippi rise?

Mr. QUIN. To make a few remarks on the gentleman's amendment.

The SPEAKER. The gentleman is recognized for five minutes.

Mr. QUIN. Mr. Speaker, the question that the gentleman from Alabama [Mr. HUDDLESTON] has raised is not pertinent, because the object of this law which the chairman of the Military Committee has brought out on the floor is to give all persons who were in this late war a uniform, including his shoes, together with his socks and underclothing—one good complete uniform and overcoat, including his cap or hat, his helmet, and his gas mask, if he happened to have that, as a personal equipment. That is the intent of this bill. The gentleman from Alabama [Mr. HUDDLESTON] proposes to come up with a uniform in the Spanish War and wear that. Nobody objects to that. It is not a violation of the law, because that is not the uniform of this Government at the present time. I have no objection to the gentleman or any other veteran of the Spanish-American War, nor has the War Department any objection, to his wearing that uniform; but the object of this bill is to allow these men to wear these clothes until they wear them out. It saves in wool alone about $150,000,000 for the Army, and if you include the 600,000 men of the Navy in that, and no doubt a bill will be brought out from that committee to that effect, or an amendment offered to our bill, allowing them to wear their uniforms, you can see that as a question of economy it would be best for this bill to pass, allowing all of those men to wear those uniforms, because many hundreds of thousands of them will not be able to buy a suit of civilian clothing when they come out of the Army, because a wool suit, such as the uniforms are made of, at this time would cost a man $80.

The overcoat would cost him $50 to $75. Instead of these being turned into the scrap heap the individual soldier should be permitted to wear his uniform until he wears it out. If he does not like the khaki color he can have it dyed. Under the intent of this bill it is to be his personal, individual property, with permission to wear it until he wears it out.

Mr. BARNHART. Mr. Speaker, the gentleman is speaking for the committee, and I would like to ask him what the word "outer" means at the end of line 5. The gentleman says that it is the intention of the bill to keep a complete suit of clothing. The bill provides "one complete suit of outer uniform clothing."

Mr. QUIN. I will say to the gentleman that the War Department, in speaking before the committee, said he should keep his underclothing. Of course, his underclothes belong to him.

Mr. BARNHART. Why not strike out the word "outer"?

Mr. QUIN. I have no objection to striking out the word "outer." The intention of the War Department is that he shall have a complete outfit. If that soldier goes into a demobilizing camp and he has not a good uniform, the Government is going to give him a good one, a new one. That is the testimony before the committee. Our committee knowing that fact adopted the language of the department, in order that all of the soldiers, marines, and sailors will be given their uniforms and personal equipment to wear as long as they please in civil life.

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to modify my amendment so as to include the word "the" with the word "present" as being striken out, so that it will read, "United States Army in war," instead of "the war."

The SPEAKER. The Clerk will report the amendment as modified.

The Clerk read as follows:

Modified amendment by Mr. HUDDLESTON: Page 1, line 4, strike out the words "the present."

The SPEAKER. The question is on agreeing to the Huddleston amendment as modified.

Mr. MANN. Mr. Speaker, I hardly think the amendment suggested by the gentleman from Alabama [Mr. HUDDLESTON] is required, but his mention of uniforms in connection with the Spanish War recalls an instance to me which is probably not worth narrating, although it casts some light upon the inefficiency of human organization. I had a brother who was in the Spanish War, who was returned to Montauk Point. I went there to meet him. He was in the hospital. I obtained a furlough for him so that I might take him to Atlantic City. When we came to go away I ascertained that he had worn a uniform throughout the campaign in Cuba and that just before he came home or just after he came home, and I think it was just before, a new uniform had been issued to him. There was considerable fear that disease might come in from Cuba with the boys, and very strict quarantine regulations were adopted on our part in this country, designed to prevent it. And this wise and wonderful regulation was in force at the time my brother was furloughed.

Mr. ASWELL. Will the gentleman yield?

Mr. MANN. Yes; when I get through with this statement. He was required to give up the new uniform to be fumigated by the Government for fear it might have the lurking germs of disease in it but permitted to wear away the old uniform that he had worn all through Cuba without any fumigation at all. What a wonderful regulation that was. I now yield to the gentleman.

Mr. ASWELL. I merely wish to ask the gentleman if he does not think the permission now given to wear the present uniform three months makes it exactly in line with his proposition?

Mr. MANN. Well, I confess I do not understand the gentleman's question.

Mr. ASWELL. I mean to say that the gentleman rather criticizes the fact he wore the uniform after coming home from Cuba and he seemed to want to prevent them now from wearing the uniform——

Mr. MANN. I have not seemed to want to prevent that, notwithstanding the statement of the gentleman from Louisiana, who is seeking to advertise himself without any regard whatever for the boys, especially any more than other Members of the House, but sought to show that he was the only one who was interested in this when there were plenty of Members in the House who were interested in this subject.

Mr. ASWELL. But plenty of Members in the House did not object, as the gentleman from Illinois did.

Mr. MANN. I objected the other day to the gentleman's precipitating a resolution in here when I did not know what it contained, out of order, solely for advertising purposes.

Mr. MADDEN. Will the gentleman yield for a question——

Mr. MANN. Certainly.

Mr. MADDEN. In this connection. Mr. VESTAL, of Indiana, introduced a resolution with reference to this matter on the 21st of November, which, I think, was the first resolution introduced.

Mr. MANN. There was nobody in this House who was not interested in this subject, and no one here who did not intend that the boys should have an opportunity to wear their uniform and have them.

Mr. ASWELL. Will the gentleman yield?

Mr. MANN. I yield to the gentleman.

Mr. ASWELL. I merely wish to call the attention of the gentleman to the fact that his personal remarks are entirely gratuitous and my concern was on the first day of the meeting of this Congress, and now is, to get these uniforms for these boys.

The SPEAKER. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Alabama [Mr. HUDDLESTON].

The question was taken, and the Speaker announced the ayes seemed to have it.

On a division (demanded by Mr. DENT and others) there were—ayes 20, noes 65.

So the amendment was rejected.

Mr. MONDELL. Mr. Speaker, I have an amendment at the Clerk's desk.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. MONDELL: At the end of line 2, page 2, strike out the period and insert "and all persons honorably discharged from the military or naval service should receive one month's extra pay on discharge."

Mr. STAFFORD. Mr. Speaker, I reserve a point of order on the amendment.

Mr. DENT. Mr. Speaker, I make a point of order that it is not germane.

The SPEAKER. The point of order is sustained.

Mr. MONDELL. Mr. Speaker, I offer another amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 7, after the word "personal" insert the word "apparel."

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to amend that by adding the word "and."

The SPEAKER. The Clerk will report the amendment as modified.

The Clerk read as follows:

Modified amendment of Mr. MONDELL: Page 1, line 7, after the word "personal" insert the words "apparel and."

The SPEAKER. So that it will read.

The CLERK. "And such articles of personal apparel and equipment as may be authorized," and so forth.

The question was taken, and the amendment was agreed to.

Mr. NORTON. Mr. Speaker, I move——

Mr. DOWELL. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Iowa rise?

Mr. DOWELL. The amendment just adopted, I think, covered the question of shoes.

Mr. STAFFORD. And socks.

The SPEAKER. That was adopted a few moments ago. The gentleman from North Dakota has offered an amendment, and he has been recognized to offer it. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 5, strike out the word "outer."

Mr. NORTON. Mr. Speaker, I have been very much interested in and in favor of having some legislation enacted by Congress or some order issued by the War Department authorizing men who are discharged from the service to retain the uniforms and wearing apparel issued to them by the Government and permitting them to wear their uniforms with a suitable insignia indicating their discharge from the service. Last week I talked concerning this matter with a major general in charge of one of the sections of the War Department. He stated to me that practically the only objection the War Department had to permitting discharged soldiers to wear their uniforms in civil life was that it tended to affect the good discipline of the Army. It seems that when an officer in the service meets or passes a discharged soldier wearing the regular Army uniform he was unable to tell whether the discharged man should salute him or not. The general made it clear that officers do not desire enlisted men to salute them as a mere formality or as a personal matter, but as a practice which tends to aid in good discipline in the Army. Men in the service are required in passing to salute their superior officers. When men discharged from the service are allowed to wear the regular Army uniform it often causes much embarrassment to men in the service. I believe that the provisions in this bill providing that some insignia indicating the soldier's discharge be attached to the uniform will take care of the objections suggested by the general. I know from personal conversation with many men who have served in the Army during the war that, for sentimental as well as other reasons, they have a strong desire to retain possession of their old campaign uniforms and other wearing apparel that served them during the war. Their wish in this, it seems to me, should be granted without question or hesitation.

Mr. TILSON. Will the gentleman yield to me right there? Does the gentleman have any objection to these soldiers having more than one suit of underwear? Has he any objection to their taking away more than one suit of underwear?

Mr. NORTON. My personal opinion and desire is that they should be allowed to have all the uniforms and wearing apparel issued to them by the Government.

Mr. TILSON. That is exactly what can be done if the gentleman will withdraw his amendment, and probably will be done by the War Department; but if the gentleman's amendment is passed, then the War Department must limit them to one suit of underwear. The gentleman is doing just the opposite to which he desires to accomplish.

Mr. NORTON. I do not believe that such would at all be the effect of my amendment.

Mr. TILSON. The gentleman's amendment provides that the soldier may retain one complete suit of clothing. If the language of the law limits it to that, then he can not take any more. As it stands without the gentleman's amendment it would authorize one suit of outer clothing and such other articles of personal apparel as the War Department may see fit. The gentleman's limitation, cutting out the word "outer," will make it impossible for the War Department to give more than one suit of underwear.

Mr. NORTON. I do not believe that interpretation of my amendment is a right interpretation.

Mr. GARRETT of Texas. Have they not always kept their underwear?

Mr. McKENZIE. Is the gentleman aware of the fact that the discharged soldier is not required to return his underwear?

Mr. NORTON. No; I am not fully informed on that.

Mr. McKENZIE. That is the fact.

The SPEAKER. The time has expired. The question is on the amendment of the gentleman from North Dakota [Mr. NORTON].

The question was taken, and the amendment was rejected.

Mr. BARNHART. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. BARNHART: After the word "insignia," line 11, page 1, insert the words "to be uniform except as to length of service and."

Mr. STAFFORD. Mr. Speaker, we could not hear it. I ask that it be read again.

The SPEAKER. The Clerk will read the amendment again.

The amendment was again reported.

Mr. DENT. Mr. Speaker, I would like to have it reported to show how it will read as amended.

The SPEAKER. The Clerk will report the section as it would read as amended.

The Clerk read as follows:

So that as amended the lines will read:

"That the uniform above referred to shall include some distinctive mark or insignia to be prescribed by the Secretary of War, such mark or insignia to be uniform except as to length of service and to be issued by the War Department to all enlisted personnel so discharged."

Mr. MANN. Will the gentleman yield for a question there?

Mr. BARNHART. I would like to make a statement first. But I will yield.

Mr. MANN. If we should add, as I suppose will be offered and I hope will be adopted, a provision for the Navy and Marine Corps, the gentleman would not have the same insignia for all of them?

Mr. BARNHART. If that should be amended, it could be amended in the same way as this.

Mr. MANN. I do not know whether it could be or not, if the House agreed to this amendment and if you insert the other. This could not be amended except by reconsideration.

Mr. BARNHART. I do not think the gentleman from Illinois grasps the intent of this amendment.

Mr. MANN. Yes, I do; namely, the same insignia for the Army as the Navy.

Mr. BARNHART. You get that information from the uniform that they wear. I have not any intention to interfere with any arrangement of the chairman of the Committee on Naval Affairs or any amendment that he has prepared. The purpose, Mr. Speaker, of my introducing this amendment was to call the attention of the House to the fact that I have seen it reported in the newspapers that the War Department is preparing to issue a gold badge to the soldiers who have been called overseas and a silver badge to those who, unfortunately, did not get such service, because they did not get the order for it.

I am inclined to believe that such a distinction between the fighting men of this country, many, many of them volunteers, who went in at the very beginning of the war and were detailed to duty that did not take them to France, would be a discrimination against the bravery and self-sacrifice of the soldiers who did volunteer, who were inducted, and who were drafted into the service at the beginning of the war, but were detailed to some duty in this country, whereby they could not get across. And yet many, many who have gone across have not seen the front trenches; have not seen any more of military life than those who have remained on this side, namely, the training camps, and such are to be brought back, according to the newspaper reports, and given a gold badge because they happened to be fortunate enough to be taken overseas.

Mr. QUIN. Will the gentleman yield right there? The gentleman understands that the newspapers are not the Congress. No such bill has been reported.

Mr. BARNHART. This bill would fix that so that it could not be done, and I think it ought to be so done.

Mr. McKENZIE. If the gentleman will yield, I simply wish to ask the gentleman if he thinks his amendment will cure the evil of which he is now speaking?

Mr. BARNHART. I think it would.

Mr. McKENZIE. The fact of this insignia will only go to show that a man is an honorably discharged soldier, and will have nothing whatever to do with where he served, whether in this country or abroad, and of necessity they will all have to be alike. The way to reach the matter is to introduce a bill to prohibit

Mr. BARNHART. This will prohibit.

Mr. McKENZIE. Oh, no.

Mr. BARNHART. The gentleman has not read the amendment.

Mr. ROBBINS. Will the gentleman from Indiana yield?

Mr. BARNHART. I yield.

Mr. ROBBINS. Does not the gentleman know that there is now in force among the enlisted men and officers a distinction in the way of a chevron that is worn on the arm?

Mr. BARNHART. That relates to length of service, and the amendment provides that that shall not be interfered with.

Mr. ROBBINS. The white color indicates service in this country and the other color indicates service abroad, and that is in force now under the regulations of the War Department. I do not think it is fair——

Mr. BARNHART. That is what this amendment would correct. It would put the fighting men who did not get to France on the same pedestal of honor as those who were ordered overseas. It would prevent discrimination that will send every soldier home with a heavy heart from unjust disappointment who was denied the possibility of being sent overseas.

Mr. MILLER of Minnesota. Mr. Speaker, I would like to be recognized in opposition to the amendment.

The SPEAKER. The gentleman from Minnesota is recognized for five minutes.

Mr. MILLER of Minnesota. I would like to make an inquiry of the gentleman from Indiana, if I may have his attention.

The SPEAKER. The gentleman from Indiana will give heed.

Mr. MILLER of Minnesota. I sympathize thoroughly in the position that the gentleman takes on the question of silver and gold badges. I think it is a shame that there should be any distinction between the two. I do not think this program will be carried out. But I do not think the gentleman's amendment reaches that at all. The War Department now has full authority to issue service stripes, and it is doing it.

Mr. BARNHART. Do they do it by law?

Mr. MILLER of Minnesota. Yes; absolutely. This does not change that in any way. This particular section of the bill, if it means anything, means that they are to put some mark on the uniform to show that the wearer was in the Army or in this war; nothing else; and that he was discharged. It will have nothing whatever to say about where he served, or how long he served, or whether he was black or white or anything else.

Mr. BARNHART. There would not be anything in the provisions of this bill to prevent them from sewing on that uniform a piece of gold or silver braid if the War Department under the provisions of this bill so decided.

Mr. MILLER of Minnesota. There is nothing in this bill to do that.

Mr. BARNHART. But this amendment of mine would prevent that being done.

Mr. MILLER of Minnesota. This has nothing whatever to do with the service stripes. The law is already in existence authorizing the Secretary of War to prescribe service stripes.

Mr. ROSE. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Minnesota. This has nothing to do with the service stripe. This pertains only to the service of the man in the Army.

Mr. BARNHART. It provides that the uniform should be marked with "insignia." What is "insignia"?

Mr. MILLER of Minnesota. The gentleman could easily frame an amendment that would reach that, but his present amendment does not do it.

The SPEAKER. The time of the gentleman from Minnesota has expired. The question is on agreeing to the amendment offered by the gentleman from Indiana [Mr. BARNHART].

The question was taken, and the Speaker announced that the "noes" seemed to have it.

Mr. BARNHART. A division, Mr. Speaker.

The SPEAKER. A division is demanded.

The House divided; and there were—ayes 25, noes 57.

So the amendment was rejected.

Mr. PADGETT. Mr. Speaker, I desire to offer several amendments in order to complete the text and make it apply to and embrace the Navy and Marine Corps. On page 1, line 3, after the word "Army," insert a comma and the words "Navy or Marine Corps."

Mr. WALSH. Mr. Speaker, I wish to inquire if the Coast Guard is included in the Navy?

Mr. PADGETT. Insert the words "Navy and Marine Corps."

Mr. HICKS. Mr. Speaker, will the gentleman from Tennessee permit me to ask him a question?

Mr. PADGETT. The word "or" is correct after all. It is an alternative.

Mr. HICKS. Would not the gentleman from Tennessee be willing to include in his proposed amendment, in order to make it complete, the Coast Guard, as well as the Marine Corps and the Navy?

Mr. PADGETT. The Coast Guard is serving with the Navy, and I believe it would be embraced in the word "Navy."

Mr. HICKS. We have to include it specifically, as I understand. It would not hurt the text to include it.

Mr. PADGETT. I will include it, then.

Mr. MILLER of Minnesota. Mr. Speaker, may I make an inquiry of the gentleman?

Mr. PADGETT. I think the men of the Coast Guard are embraced under the word "Navy." They are serving with the Navy.

Mr. MILLER of Minnesota. Mr. Speaker, will the gentleman from Tennessee yield for a question?

Mr. PADGETT. Yes.

Mr. MILLER of Minnesota. I am in sympathy with the gentleman's amendment, but another query has arisen in my mind. The members of the Army Nurse Corps evidently ought not to be left out.

Mr. LOBECK. You would have to put on a red cross.

Mr. MILLER of Minnesota. No. The Red Cross is distinct. If you are going to extend this to the Army and Navy and Marine Corps, let us not forget the women, who helped win the war. The hospital surgeon, who is a male, will get this privilege.

Mr. PADGETT. This says "any person." It does not say "male."

Mr. MILLER of Minnesota. I know. But does a member of the Army Nurse Corps have the status of a person in the United States Army?

Mr. PADGETT. I think so.

The SPEAKER. Does the gentleman from Massachusetts desire to make his point of order?

Mr. WALSH. Reserving the right to object, Mr. Speaker, I desire to ask the chairman of the Naval Committee if the Coast Guard is included in the word "Navy"?

Mr. PADGETT. I think so.

Mr. MANN. Those who are not connected with the Army and Navy should not be included.

Mr. WALSH. They are connected with it.

The SPEAKER. Does the gentleman from Massachusetts make the point of order?

Mr. WALSH. I have been trying to get information in order to determine whether I shall make the point of order or not, but I have been subjected to many interruptions. I desire to ask the gentleman from Tennessee if in his amendment he includes the Coast Guard?

Mr. PADGETT. The amendment, as I offered it, includes the Army and the Navy; and my present information is that the word "Navy" includes the Coast Guard, which is serving with the Navy during the war. I have no objection to including it specifically.

Mr. MANN. Does the gentleman think that a lighthouse keeper or a man on a lighthouse tender on Lake Michigan should receive this badge?

Mr. PADGETT. No; but during the war the men in the Coast Guard have been incorporated in the Navy and serving on the same ships.

Mr. MANN. The men in the Revenue-Cutter Service?

Mr. PADGETT. No. They have been going on naval ships.

Mr. MANN. But all lighthouse keepers on inland points have been connected in that sense with the Navy, because they are in the Coast Guard.

Mr. HICKS. The lighthouse keepers and men on lighthouse tenders are not members of the Life-Saving Service.

Mr. IGOE rose.

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. IGOE. I rise in opposition to the amendment.

The SPEAKER. The Chair has been trying to find out for the last 10 minutes if the gentleman from Massachusetts [Mr. WALSH] wants to make the point of order.

Mr. WALSH. I have been trying to find out what this amendment is.

Mr. PADGETT. I have given the gentleman my opinion.

Mr. WALSH. But the gentleman's amendment does not include the Coast Guard.

Mr. PADGETT. I am willing to include that. If anyone wants to amend that, I am willing. I will include the words "Navy, Marine Corps, and Coast Guard."

Mr. MANN. I will amend it. There is no reason for including in this service a lot of men who never were in any way connected with the war. A lot of the Coast Guard were not in any way connected with the war. What do you want to cheapen the whole thing for by putting in everybody?

Mr. PADGETT. I will offer the amendment, "Navy or Marine Corps." I have done the best I can under the circumstances.

Mr. McKENZIE. Mr. Speaker, will the gentleman pardon me for an interruption for a moment?

Mr. PADGETT. Yes.

Mr. McKENZIE. I want to say, for the benefit of my friend from Massachusetts [Mr. WALSH], that if the Coast Guard men are a part of the Navy, they will be included in the amendment; and if not, they will not be included. The officer of the War Department who appeared before our committee was asked if the Army nurses would be included, and he stated they would be covered by this bill that we were considering. I do not think there is any doubt about it, because they are a branch or a part of the Military Establishment.

Mr. POU. Those not in the Navy ought not to be put in the bill.

The SPEAKER. The gentleman from Illinois makes the point of order.

Mr. MANN. The gentleman from Tennessee has modified his amendment so that my point of order would not apply.

The SPEAKER. The gentleman was objecting to the taking in of Coast Guard or Lighthouse Service, and immediately the gentleman from Tennessee withdrew that part of his amendment.

Mr. PADGETT. Now, my amendment applies only to the Navy or the Marine Corps.

The SPEAKER. Does the gentleman from Massachusetts make this point of order?

Mr. WALSH. No, Mr. Speaker; I withdraw the point of order.

Mr. IGOE. Mr. Speaker, I wish to speak on this amendment.

The SPEAKER. On which side?

Mr. IGOE. I am on both sides. [Laughter.] Let me ask the gentleman from Tennessee if the amendment includes the Naval Reserve?

Mr. PADGETT. Yes; because it served in the Navy under existing law.

Mr. IGOE. Here is a peculiar situation. I have had this experience. I think this question is of importance to 600,000 men serving in the Navy. The Regular Navy is composed of men in the Regular Service, who enlisted before the war, men who enlisted in the Regular Service after the war began for a period of four years, and men who enlisted during the war for the period of the war.

Under regulations that have been sent out by the Bureau of Navigation that I have read, and concerning which I have had conferences with the officials of the Navy Department, it is held that men who enlisted in the regular service after the beginning of the war for a period of four years can not receive an honorable discharge until they have finished the four years' service. The man who enlisted during the war for the period of the war and is now discharged under regulations does not receive an honorable discharge, because he has not completed the period of his enlistment, because technically the war is not ended. The man in the Naval Reserve Force can not be discharged, because he has not completed the period of his enlistment. Those men are not discharged, but are put back on the inactive list.

This shows how difficult it is to draw a bill on the floor of the House when you have so many different classes.

Mr. BARKLEY. Will the gentleman yield?

Mr. IGOE. Yes.

Mr. BARKLEY. I have been advised that the Navy Department has issued orders to the officers to discharge 20 per cent of the Naval Reserve Force and 10 per cent of the four-years men. Does the gentleman say they do not get an honorable discharge?

Mr. IGOE. That is my understanding, that no man in the Naval Reserve Force can get a discharge until he serves seven years, or whatever it is. He is put on the inactive list.

In this bill men getting an honorable discharge get certain privileges. In the Regular Navy this situation obtains, that the man who does not get the honorable discharge does not have his transportation paid; that is, as far as the Regular Navy is concerned. The Naval Reserve Force does have transportation paid.

Mr. ROSE. Will the gentleman yield?

Mr. IGOE. Certainly.

Mr. ROSE. What becomes of the boy who enlisted after the war began and is furloughed, receives no pay, no mileage, no subsistence, and no possibility of discharge? What is the gentleman's understanding in such a case?

Mr. IGOE. My understanding is that there is a law which prevents paying transportation of a man enlisted in the Regular Navy discharged before the period of his enlistment expires.

Mr. ROSE. I have a young man in mind who enlisted for the period of the war, and the recruiting officer told him that it made no difference whether he enlisted for 4 years or 40 years, he would be given his transportation on his discharge and be treated like all other discharged soldiers.

Mr. IGOE. Notwithstanding that the Navy Department, as far as men enlisted for the period of the war, while they may be discharged under the regulation, they have not completed their contract, because the war is not ended by a declaration of peace.

Mr. ROSE. And they will be allowed no subsistence, transportation, nor refund for cost of uniforms?

Mr. IGOE. I do not know anything about the subsistence, but I am told that they are not given transportation, but there is some method whereby they may be sent into the Naval Reserve.

Mr. ROSE. Are these boys allowed anything for the money that they spent for their clothing?

Mr. IGOE. I am not able to answer the gentleman.

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. IGOE. I ask for three minutes more.

The SPEAKER. Is there objection?

There was no objection.

Mr. LINTHICUM. Will the gentleman yield?

Mr. IGOE. Yes.

Mr. LINTHICUM. I want to say that about the middle of last week I called up the department and asked about the discharge of a young man from the Navy, and they said they could not discharge him; that he had better ask to be put on the inactive list.

Mr. IGOE. What I am talking about is not transportation; that can be taken up later; but here you are providing certain benefits for men who get an honorable discharge. The man who enlisted in the Navy during the war, whether for a four-year period or for the war, who has rendered honorable and efficient service—some have been 15 months in the war zone on destroyers—can not get an honorable discharge, and under this bill as it is now worded I do not see how these men could get any benefit from the act.

Mr. McKENZIE. Will the gentleman yield?

Mr. IGOE. Yes.

Mr. McKENZIE. If they get any discharge at all, it will be an honorable discharge.

Mr. IGOE. But they do not get any discharge at all; they are given a release certificate of some sort. There ought to be some appropriate language in the bill to take care of that situation.

Mr. HARDY. I think there ought to be a bill carefully drawn to take care of that case.

Mr. IGOE. I am going to vote for this bill, because it will benefit somebody.

Mr. LOBECK. How about the young men in these training schools?

Mr. IGOE. I do not think they will come under this bill.

Mr. PLATT. Mr. Speaker, if they are put on the inactive service they retain their uniforms, do they not, if not discharged?

Mr. IGOE. The uniforms are returned, as I understand it, to the Navy Department.

Mr. PLATT. Not while they are still in the service, whether inactive or active.

Mr. IGOE. I am not sure about that, but I think that when they are returned to the inactive list they turn in their uniforms.

Mr. LINTHICUM. Mr. Speaker, I would like to answer that question, if the gentleman will permit.

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. LINTHICUM. Mr. Speaker, I ask to be recognized for a few minutes.

The SPEAKER. On which side is the gentleman?

Mr. LINTHICUM. Like my friend here, I am on both sides. I ask unanimous consent to proceed for two minutes.

The SPEAKER. The gentleman does not have to ask for unanimous consent. The gentleman is recognized for five minutes.

Mr. LINTHICUM. I want to say to the gentleman that last week I called up and asked about the discharge of a certain young man in the Navy. I was told they could not discharge him, but that if the young man would ask to be placed on the inactive list they could grant that, and then he would not have to return $100 worth of uniform.

Mr. PLATT. Exactly.

Mr. LINTHICUM. But that if he was discharged he would have to return $100 worth of uniform. They said that they could not discharge him, but they could put him on the inactive list.

Mr. PLATT. That brings out what I had in mind. If he goes on the inactive list he does receive the benefit of this act.

Mr. IGOE. What I was complaining about was that a man can not be discharged. Why should a man be obliged to go on the inactive list if they make regulations for the discharge of some, which they do, or for letting them out of the service, and they are separated from the service—men in the Regular Navy who have enlisted during the war?

Mr. CANNON. Mr. Speaker, I move to strike out the last word, if that is in order. I have just come in. I do not know what has preceded. This bill seems to cover the Army, and, as I understand it, an amendment is now offered to perfect it by something that would include the Navy.

Mr. PADGETT. And the Marine Corps.

Mr. CANNON. And the Marine Corps. I have a case in mind in my own town where a young man is in the naval training station who is anxious to get his discharge so that he can care for those who are dependent upon him and take up the burdens of civil life. It seems to me that we have really no right to take this class of men and continue them in the inactive service. They ought to go out of the service. I do not know how far this bill goes in doing complete justice to the Army, but it seems to me that the gentleman from Tennessee [Mr. PADGETT], chairman of the Committee on Naval Affairs, ought to treat the matter separately and report a bill, which he would know how to report, that will give relief where it ought to be given, and let these young men who are in the Navy understand they are to be discharged—that they are to be divorced entirely from the service—so that they can know what their status is.

Mr. PADGETT. Mr. Speaker, this bill does not deal with the question of discharges at all. It merely provides for uniforms and allowing the men to wear their uniforms, and to provide that certain insignia shall distinguish that uniform, showing that the man wearing it is retired from active service. It does not relate to discharges from the Army, the Navy, or the Marine Corps. It is not intended for that or drawn for that purpose. It relates only to allowing them to wear their uniforms.

Mr. CANNON. Is there legislation in contemplation to divorce these young men who are, for instance, in the naval training schools, so that they can be discharged and go back to civil life with some assurance that they can make some arrangements to make a living without a liability to be called back into the naval service?

Mr. PADGETT. I can explain the matter to the gentlemen. In the Navy we have three lines of service. We have the regular service and we have a temporary service in the Regular Navy and then we have a Naval Reserve. The Naval Reserve are composed of men in civil life, carrying on their occupations, who enrolled in this Naval Reserve under a stipulation that they would train for one month during the time for which they were to receive regular pay and remain in civil employment, but in case of war or national emergency, proclaimed by the President, they could be called into active duty. When the war came on the President did call the Naval Reserve into active duty. When in active duty they have the same rating and the same pay as the Regular Navy, but when the necessity for their active service ceases they simply go back into the reserves, because that is the regular organization in which they enlisted in time of peace, and they have gone identically into the status in which they were and in which they enrolled in time of peace.

Then there is a temporary increase in the Navy, and the law provides that they shall be disbanded whenever Congress so directs, or when the President shall direct, or in no event later than six months after the declaration of peace. The law already provides for it. There are numbers of applications, and the Secretary has directed a very liberal interpretation of the rules, but it is provided, however, that the young men who are in the reserve, if they want to be released from active duty and go back to the status in which they were when they went into the service in time of peace, shall be permitted to do so, and they receive their transportation back to their homes where they enlisted.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. CANNON. I ask that the gentleman have five minutes. I want to ask some additional questions.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

Mr. CANNON. What I want to get at is this: In the training station in Chicago, near Chicago, there are many thousands of men. I have many constituents who, I understand, have enlisted in the regular service and are there for training. Now, what is to become of them?

Mr. PADGETT. Some of them, where they present cases—proper cases—are being released. The gentleman will understand there are men in the reserve, there are men in the temporary organization and there are men in the permanent organization. Now, those who are in the reserve, when they present a proper claim or application, it is granted, and they go back home into civil life just as they were before they went into the service.

Mr. CANNON. I understand that. Now, take the next case.

Mr. PADGETT. Now, the next case are the temporary ones. If they present a proper case, they are discharged. They are

not in the regular service; they are not in the permanent service; hence, the only thing is to keep them or discharge them, and they are discharged; but in the regular Navy there are only two cases in which that could be done—either to keep them or to discharge them. Now, there are three methods of enlistment—enrollment, provided for four years; that is, in the reserve, and is called enrollment. In the temporary Navy and in the permanent Navy they enlist, and the law provides that he may enlist for four years or for the war, or for such shorter time as the President may provide. Most of them enlisted for four years. That is their contract with the Government where they have enlisted for four years. A few enlisted for the war. Whenever the war officially ends their enlistment ends. The President never directed, as I am informed, any other term of enlistment except the war or the four years. He did not provide for any six months or a year or two years, or anything of that kind.

The SPEAKER. The time of the gentleman has again expired.

Mr. PADGETT. I will ask for five minutes more in order to explain these matters.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee? [After a pause.] The Chair hears none.

Mr. CANNON. I have many requests from constituents where enlistment was in one of the two classes referred to, where they have been in training, and they never received any other service.

Mr. PADGETT. All three of them are in these schools. All three services send men to the training schools.

Mr. CANNON. Does the gentleman think some legislation is necessary to enable these men who desire to get out of the service, whether for the four years or for the war, and let them go back and pick up their duties in private life?

Mr. PADGETT. I do not think there is any legislation necessary. The Secretary is doing it very rapidly, just as fast as the service will permit. We could not pass legislation here and provide just for emptying the whole thing out without regard to a proper care and preservation of the status of the Navy on an efficient basis.

Mr. CANNON. I have been referred by the department here, in many cases, that it is to be taken up in the training schools——

Mr. PADGETT. In order to expedite it the Secretary has given authority to the commanding officers at all naval stations in proper cases——

Mr. BANKHEAD. Will the gentleman yield right there?

Mr. PADGETT. To grant these releases.

Mr. CANNON. What is a proper case?

Mr. BANKHEAD. That is the question I desired to ask, What is a proper case? I have many inquiries.

Mr. PADGETT. The Secretary has indicated where young men wanted to return to complete their education that favorable consideration should be given. He has indicated that in cases of urgent family reasons, if there are any extraordinary and particular family reasons why they should return, if persons are sick or conditions have changed. A large discretion is given.

Mr. CANNON. He is to be recommended by the sailor's commanding officer?

Mr. PADGETT. He does not have to be recommended, the commanding officer is given authority to act.

Mr. RUCKER. Suppose he will not do it.

Mr. PADGETT. Then he can take it up with the department here.

Mr. RUCKER. And then he has to take it up again back there?

Mr. PADGETT. I do not know about that.

Mr. KING. Suppose their applications were torn up by the officers, as has been the case——

Mr. PADGETT. I think we would hear from the department if they were torn up.

Mr. RUCKER. Mr. Speaker, I move to strike out the last three words.

Mr. PADGETT. I have a number of amendments to offer to this one if agreed to.

Mr. RUCKER. May I have the gentleman's attention?

Mr. PADGETT. Yes, sir.

Mr. RUCKER. I have no doubt the discourse the gentleman has just given the House is perfectly intelligible to those who understand the affairs pertaining to the Navy, but to me it is just Greek. I have a letter from a constituent wanting to be discharged. He enlisted for the term of the war. I took it up with the Secretary of the Navy, and the Secretary of the Navy says, "Take it to the commanding officer." You take it to the commanding officer, and he says take it to some other commanding officer [laughter], and the result is you can not get it. Now, as I understood the gentleman's statement here a moment ago during the course of which he used the words "proper occasion" about a proper number of times, and that the proper occasion is when there is some emergency in a family, probably birth or death or about to be one or the other or both, and then they can ask to be discharged to go to school——

Mr. PADGETT. Or an important industry.

Mr. RUCKER. If he has a certificate showing he is a schoolboy, or something in reference to a severe condition in the family.

Mr. PADGETT. No, no.

Mr. RUCKER. That is what the gentleman said.

Mr. PADGETT. The Navy has been very liberal. Those are just general details of the matter, and hundreds and hundreds of boys are being discharged every day, and they are being allowed to go home if they are in the reserve under what is called inactive duty.

Mr. RUCKER. The gentleman will pardon me. The country thinks the war is over. The families who gave their husbands and their children to fight this war are now clamoring to get them home, and it looks to me as if they are going to be kept indefinitely.

Mr. PADGETT. The gentleman must realize that with the vast organization of the Navy and the vast importance of maintaining that organization you can not just simply dismiss men ad hominem ad scatterandum and just throw them off the ships. You have got to maintain the organization.

Mr. RUCKER. You can mobilize them and bunch them, but you do not seem to be able to demobilize them.

Mr. HASTINGS. Will the gentleman state how many have been discharged since the armistice was signed?

Mr. PADGETT. I do not know.

Mr. HASTINGS. The gentleman has made the statement that a great many have been discharged.

Mr. PADGETT. The Secretary told me he was discharging them rapidly.

Mr. HASTINGS. And you have no information as to the number?

Mr. PADGETT. I have not.

Mr. DOWELL. Will the gentleman yield for a question?

Mr. RUCKER. Mr. Speaker, I yield the floor. I have lost it.

Mr. DOWELL. I ask unanimous consent for five minutes.

The SPEAKER. The gentleman asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. DOWELL. I have had the information, coming from some of the boys at the Great Lakes Station, that the officers there refused to consider their applications for release, and tell the boys that they do not intend to consider them for several months. Does the gentleman have any information about that?

Mr. PADGETT. Not as to those particular things there. But it is a direct contradiction of what the Chief of the Bureau of Navigation and the Secretary told me, and it is in direct opposition to what the printed circular that I have seen says, namely, that instructions are given to discharge the boys, and the Secretary told me he had given instructions to discharge——

Mr. RUCKER. Mr. Speaker, I have the floor.

Mr. DOWELL. I have the floor.

Mr. RUCKER. You took it away from me, and I think I should take it back.

Mr. PADGETT. The Secretary told me he had given instructions to discharge 20 per cent.

Mr. DOWELL. One other matter, Mr. Speaker. The department advised me they have nothing to do with the discharge of the boys from the service, but it is entirely in the hands of the officers at the Great Lakes Station. They say they have given general instructions and the officers there can act upon these applications. The department here will not consider the applications for discharge.

Mr. SISSON. Will the gentleman yield? I wanted to try to help the gentleman if I could——

Mr. DOWELL. My time is going on here.

The SPEAKER. The gentleman declines to yield.

Mr. DOWELL. One other matter. A young man was in the city not over two days ago and advised me——

Mr. SISSON. Mr. Speaker——

The SPEAKER. The gentleman declines to yield.

Mr. SISSON. I make the point of order there is no quorum present.

Mr. DOWELL. If the gentleman wants to take up the time of the House to call the roll, he may do so.

The SPEAKER. The gentleman is out of order. The Speaker will count to see if there is a quorum present. [After counting.] One hundred and five gentlemen are present; not a quorum.

Mr. DENT. I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names:

Ashbrook	Esson	Kiess, Pa	Rowland
Bacharach	Estopinal	Knutson	Russell
Benson	Fairchild, G. W.	Kreider	Sabath
Birch	Farr	Larsen	Sanders, La.
Bland, Ind	Ferris	Lesher	Saunders, Va
Blanton	Flynn	Littlepage	Scott, Pa.
Brand	Foster	Lobeck	Shackleford
Caldwell	Francis	London	Shelley
Cantrill	Fuller, Mass.	Longworth	Shouse
Carew	Gallivan	Lunn	Siegel
Carlin	Gandy	McAndrews	Slayden
Carter, Mass.	Garland	McArthur	Slemp
Carter, Okla.	Garner	McCormick	Small
Chandler, N. Y.	Goodall	McCulloch	Smith, Chas. B.
Church	Graham, Pa.	McLaughlin, Pa.	Smith, Thos. F.
Clark, Fla	Gray, N. J.	McLemore	Stedman
Clark, Pa.	Gregg	Maher	Steele
Cleary	Griffin	Mason	Stevenson
Connelly, Kans.	Hamill	Mays	Stiness
Cooper, Ohio	Hamilton, N. Y.	Montague	Strong
Cox	Harrison, Miss.	Morin	Sullivan
Crago	Haskell	Mott	Swift
Curry, Cal.	Hayden	Mudd	Tague
Dale, N. Y.	Hayes	Nelson, J. M.	Templeton
Davey	Heaton	Nolan	Thomas
Davis	Hedlin	Overmyer	Van Dyke
Decker	Heintz	Paige	Waldow
Delaney	Helm	Park	Walton
Dewalt	Hensley	Parker, N. Y.	Ward
Dies	Hood	Price	Watson, Pa.
Dominick	Howard	Rainey, J. W.	Webb
Doremus	Hull, Iowa	Rankin	White, Ohio
Drane	Hutchinson	Reed	Williams
Dunn	Johnson, S. Dak.	Riordan	Wilson, Tex.
Dupré	Keating	Roberts	Wood, Ind.
Eagle	Kelley, Mich	Rodenberg	Wood, Iowa
Edmonds	Kennedy, R. I	Rowe	Woodyard

The SPEAKER. On this roll call 284 Members—a quorum—have answered to their names.

Mr. KITCHIN. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The SPEAKER. The gentleman from North Carolina moves that further proceedings under the call be dispensed with. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

EXTENSION OF REMARKS.

Mr. BUCKER. Mr. Speaker, I ask unanimous consent that I may have the privilege to revise and extend my remarks on the bill which was discussed in the House a few days ago to increase the salaries of judges.

The SPEAKER. The gentleman from Missouri asks unanimous consent to revise and extend his remarks on the bill to increase the salaries of judges. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

Mr. SLAYDEN, by unanimous consent, was granted leave of absence for three days on account of important business.

RETENTION OF UNIFORM AND PERSONAL EQUIPMENT.

Mr. DOWELL. Mr. Speaker, may I inquire how much time I have?

The SPEAKER. The gentleman has two minutes.

Mr. DOWELL. Mr. Speaker, as I was just about to state, a couple of men, who are engineers and who enlisted in the service for the war, advised me a few days ago that they were being held in a work that was not necessary for war work, but were engaged on construction work by the Navy Department, and they were working as privates, being held there with men who were receiving $6, $8, or $10 per day, and that they were unable to get any consideration whatever of their applications for discharge. Does the gentleman know anything about that situation?

Mr. PADGETT. No; I know nothing about individual cases; but the Secretary has issued regulations providing for the discharge of men and has given authority to the commandants of the various yards and stations to grant discharges, and has indicated certain lines where he thought they ought to be granted—men in important industry, and for family reasons, and to complete their education—and I have been told that numbers and numbers of them are being released. But I do not know about individual cases.

Mr. DOWELL. But, Mr. Speaker, what I am complaining about this is: I know that there is a general order, but I also know that many of the men in the Navy and in the Army are making applications where it is imperative that they be relieved, and I do know that their applications are receiving slow consideration by the commanding officers, and I know that the departments here are not considering these applications but advising that the commanding officers are authorized to grant these releases. It occurs to me that both the Navy and the War Departments should make every possible effort to release these young men who have enlisted for the war, where a clear showing is made that they are needed at home, either for industrial or other good reasons, and especially where they have dependents.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. DOWELL. I ask unanimous consent to proceed for three minutes more.

The SPEAKER. Is there objection to the gentleman's request?

Mr. RAGSDALE. I object.

The SPEAKER. The gentleman from South Carolina objects. All these pro forma amendments are withdrawn.

Mr. WALSH. Mr. Speaker, I have an amendment.

The SPEAKER. The gentleman will send it up. The Chair will remind the gentleman that there is an amendment pending. Is this an amendment to the amendment?

Mr. WALSH. Yes.

The SPEAKER. Let us get through with the Padgett amendment first. The Clerk will report the Padgett amendment again.

The Clerk read as follows:

Page 2, line 3, after the word "Army," insert "Navy or Marine Corps."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. PADGETT. Now, Mr. Speaker, I have several amendments perfecting the verblage of the bill.

The SPEAKER. If the gentleman from Massachusetts [Mr. WALSH] is willing that the gentleman from Tennessee go ahead, the Chair will recognize the gentleman from Tennessee.

Mr. WALSH. Very well.

The SPEAKER. The gentleman from Tennessee will proceed.

Mr. PADGETT. On page 1, line 7, after the word "authorized," insert the word "respectively."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. PADGETT. In line 8, after the comma after the word "War," insert "or the Secretary of the Navy."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. PADGETT. In line 11 of page 1, after the word "prescribed" and before the word "by," insert the word "respectively."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. PADGETT. In the same line, after the word "War," insert "or the Secretary of the Navy."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. PADGETT. On page 2, line 1, after the word "issued," insert the word "respectively."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. PADGETT. On page 2, line 1, after the word "Department," insert "or Navy Department."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. Another amendment is pending. The Clerk will report.

Mr. WALSH. I will withhold my amendment, Mr. Speaker. I understand the gentleman from Iowa [Mr. DOWELL] wishes to submit something.

Mr. DOWELL. Mr. Speaker, a few moments ago I offered an amendment to add the word "shoes" after the word "overcoat," in line 6 of the bill. Subsequently the gentleman from Wyoming [Mr. MONDELL] offered an amendment, which included the personal effects and which made this amendment unnecessary. The amendment of the gentleman from Wyoming covers all that was intended to be covered by this amendment. I therefore move to reconsider the vote whereby my amendment was adopted.

The SPEAKER. The gentleman from Iowa moves to reconsider the vote whereby his amendment was adopted. The question is on agreeing to his motion.

The motion was agreed to.

Mr. DOWELL. The amendment now is before the House, and I want to say this word: The purpose of this amendment was to include shoes with the uniform. It has now been suggested to me that by adding the word "shoes" it is limited to one pair, and, as I am advised, I think all of the boys have issued to them more than one pair of shoes. I think all of them have two pairs of shoes at least. Under the provisions of the Mondell amendment the War Department may issue to them the shoes that they think are necessary, and I am in favor of giving them whatever they are entitled to receive under their assignment.

The SPEAKER. The question is on the amendment offered by the gentleman from Iowa.

The question was taken; and the amendment was rejected.

Mr. WALSH. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Page 2, line 2, insert at the end of the line the following: "the word 'Navy' shall include the officers and enlisted personnel of the Coast Guard who have served in the Navy during the present war."

The SPEAKER. The question is on the amendment.

The amendment was considered and agreed to.

Mr. DENT. Mr. Speaker, I move the previous question on the bill and all amendments.

Mr. SMITH of Michigan. Mr. Speaker, before that is done I would like to propose an amendment by way of a new section.

The SPEAKER. The gentleman can do so if the gentleman from Alabama will withhold his motion.

Mr. DENT. I have no objection to the gentleman from Michigan offering his amendment, and I withhold my motion for that purpose.

Mr. SMITH of Michigan. I offer the following amendment.

The Clerk read as follows:

At the end of section 1 add a new section, as follows, to stand as section 2:

"SEC. 2. That the provisions of this act shall apply to all such private soldiers and sailors honorably discharged since April 6, 1917, and in cases where such clothing and uniforms have been restored to the Government on their discharge the same or similar clothing and uniform in kind and value as near as may be shall be returned and given to such soldiers and sailors."

The SPEAKER. The question is on the amendment.

The question was taken.

Mr. SMITH of Michigan. I ask for a division.

The SPEAKER. The ayes have it.

Mr. SMITH of Michigan. Oh, well, then.

The SPEAKER. And the amendment is agreed to.

Mr. FRENCH. Mr. Speaker, I rose to be recognized before the vote was taken, but now I would like to amend the language of the amendment of the gentleman from Michigan.

The SPEAKER. The Smith amendment has been adopted.

Mr. FRENCH. I ask unanimous consent to have that amendment, if it is too late now to amend it, adopted so that the language will be changed from "soldiers and sailors"——

The SPEAKER. But the Smith amendment has been adopted. If the gentleman from Alabama will withhold his motion, the gentleman from Idaho can move to amend. The gentleman from Alabama has moved the previous question.

Mr. DENT. I will yield to the gentleman from Idaho.

Mr. FRENCH. Mr. Speaker, I move to amend the section just adopted by striking out the words "soldiers and sailors" and inserting the words "persons who served in the United States Army or Navy or Marine Corps in the present war."

Mr. SISSON. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. SISSON. I understood that a division was demanded on the Smith amendment, and I think the House generally understood it.

The SPEAKER. Who demanded the division?

Mr. SISSON. The gentleman from Michigan [Mr. SMITH] demanded a division.

The SPEAKER. But the amendment was carried.

Mr. SISSON. I think the House did not realize that the Smith amendment had been adopted.

The SPEAKER. The gentleman from Michigan demanded a division under the impression, I suppose, that his amendment had been defeated. The Member whose side carries has no right to demand a division.

Mr. STAFFORD. I question that ruling, Mr. Speaker. Sometimes a Member wants to see how large his amendment carries.

The SPEAKER. Suppose he does. [Laughter.]

Mr. GARRETT of Tennessee. Mr. Speaker——

Mr. RAGSDALE. A point of order, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. RAGSDALE. As a matter of fact, the gentleman from Michigan [Mr. SMITH] withdrew his request for a division and that settled the proposition without regard to any other.

Mr. GARRETT of Tennessee. Mr. Speaker, I desire to make this observation. I hope the statement just made by the Chair may not stand as a ruling for this reason, if the Chair will permit: A gentleman may demand a division on his amendment which has carried, and if the Chair holds that he has no right to demand it, other gentlemen who are against it, relying on his having demanded a division, may fail to demand it, and then they have lost their rights. The House, as some gentlemen say in this instance—I was not myself—was misled by the fact that the gentleman from Michigan demanded a division.

The SPEAKER. The Chair thinks the gentleman from Tennessee is correct.

Mr. GARRETT of Tennessee. The House was in considerable confusion, and I submit that in all fairness to the House there ought to be a division on that proposition.

Mr. MANN. A motion to reconsider is in order.

Mr. DENT. I move to reconsider the vote whereby the Smith amendment was agreed to.

The SPEAKER. The gentleman from Alabama moves to reconsider the vote whereby the Smith amendment was agreed to.

The question was taken, and the motion was agreed to.

Mr. FRENCH. Now, Mr. Speaker, may my motion be considered as pending?

Mr. McKENZIE. Mr. Speaker, I would like to be recognized for two minutes to make a brief statement about this amendment. In my judgment, the amendment offered by the gentleman from Michigan is unwise. It will involve the War Department in endless confusion, and it will be impossible to carry it out. If the gentleman from Michigan desires to get at some concrete proposition for the benefit of deserving soldiers and sailors who have been discharged, let him offer an amendment that they shall be given in money or some equivalent to that which would be required to purchase a uniform from the Government. Any such proposition I would favor, for I want equal justice granted to all enlisted men.

Mr. DENT. Mr. Speaker, I insist upon my motion for the previous question on the bill and all amendments to final passage.

Mr. KAHN. Mr. Speaker, will the gentleman withhold that for a moment?

Mr. DENT. Certainly.

Mr. KAHN. Mr. Speaker, this amendment as drawn will not permit the issuing of uniforms to sergeants and corporals; neither will it permit the issuance of uniforms to discharged men in the Marine Corps. It is crudely drawn, and in its present shape it should not be adopted.

Mr. DENT. Mr. Speaker, I insist upon my motion for the previous question.

The SPEAKER. The gentleman from Idaho [Mr. FRENCH] wanted to offer an amendment. The question is on the Smith amendment.

Mr. SMITH of Michigan. Mr. Speaker, I would like a few moments.

The SPEAKER. The gentleman is recognized.

Mr. SMITH of Michigan. Mr. Speaker, I think that a man who enlisted and who has been honorably discharged since the beginning of the war is entitled to the benefits of this bill. They all offered their lives and services for their country and for the same purpose. They fought as only American soldiers can fight. They marched, slept, and lived in their uniforms. Their uniform was the one thing that was always with them. Many of them have been discharged since war was declared, and if there is one thing for which they have an attachment more than another it is their uniforms and the insignia they wore during their service. It occurs to me to be unjust, it occurs to me to be unfair, that a person who has served heretofore and who has been discharged before this bill can become a law shall be deprived of the benefit—the small benefit—carried by this bill. Their uniform and clothing are not of supreme value to the country. It will not carry much of any appropriation. But the uniform and the insignia worn by the soldier at the time of his discharge are prized highly by him and by rights ought to be kept by him and belong to him. There is not any reason why a person who has handed in his uniform or sent it back to the Government before the bill becomes a law, who was discharged since we declared war on the 6th day of April, 1917, should not have a uniform under the same regulation that a person gets his uniform after this bill becomes a law. This amendment provides that if the Government can not furnish the soldier the specific uniform that he had when he was discharged it should furnish him a uniform of like kind and value as worn by himself and as given up by him at the time of his discharge as near as may be. So that all of these soldiers who were honorably discharged since war was declared may be

treated fairly. What is the use of discriminating as between a soldier who was discharged last week and one who is discharged this week. It is unfair to these boys.

Mr. FRENCH. Mr. Speaker, I had intended that my amendment should be regarded as pending, and if it is not I should like to offer it again.

Mr. DENT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DENT. Is not the motion I made in order for the previous question? I have the floor for the purpose of making that motion, and I yielded only for the purpose of allowing the amendment to be offered and voted on.

The SPEAKER. The Chair understood that the gentleman from Alabama was willing to let the gentleman from Idaho offer his amendment to the amendment.

Mr. DENT. I have no objection to his offering the amendment to the amendment, but I want the previous question to be put.

Mr. FRENCH. Mr. Speaker, my amendment is at the Clerk's desk.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. FRENCH: Amend the Smith amendment by striking out in line 2 the following: "Such private soldiers and sailors honorably discharged since April 6, 1917," and insert in lieu thereof: "persons who served in the United States Army, Navy, or Marine Corps during the present war."

The SPEAKER. The question is on the amendment to the amendment.

Mr. KAHN rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. KAHN. To offer an amendment to the amendment offered by the gentleman from Idaho. Instead of the word "persons" I suggest that he use the language "enlisted men."

The SPEAKER. Does the gentleman offer that as an amendment?

Mr. SMITH of Michigan. I will accept that amendment to include all enlisted men.

The SPEAKER. The gentleman from Michigan has no right to accept the amendment.

Mr. FRENCH. Mr. Speaker, I had intended in the language I propose——

The SPEAKER. The gentleman from Alabama agreed to permit the gentleman to offer his amendment before he moved the previous question, but he insisted there should be no debate. The question is on the French amendment to the Smith amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question is on the Smith amendment as amended.

The question was taken; and on a division (demanded by Mr. SMITH of Michigan) there were—ayes 51, noes 68.

The SPEAKER. The gentleman from Alabama moves the previous question on the bill and amendments to final passage.

Mr. DALLINGER. Mr. Speaker, I rise to a point of order. I make the point of order that there is no quorum present on that amendment.

The SPEAKER. The gentleman from Massachusetts makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and eighty Members present, not a quorum.

Mr. DENT. Mr. Speaker, I move a call of the House.

The SPEAKER. This is an automatic call. The question is on the Smith amendment as amended.

Mr. EMERSON. Mr. Speaker, may we have the amendment again reported?

Mr. DENT. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DENT. I understood that the Smith amendment had been disposed of, and I rose to make the motion for the previous question. I understood the Chair to put that question when the point of no quorum was made.

The SPEAKER. The Chair never put the motion for the previous question.

Mr. DENT. The vote on the Smith amendment had been disposed of.

The SPEAKER. That is true, but the gentleman from Massachusetts [Mr. DALLINGER] was up making the point of order that there was no quorum present.

Mr. DENT. After I had made the motion for the previous question.

The SPEAKER. Oh, the gentleman made the motion for the previous question half an hour ago. It is only fair to give the gentleman from Massachusetts a chance. The question is on the Smith amendment as amended. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

Mr. EMERSON. Mr. Speaker, may we have the Smith amendment again reported?

The SPEAKER. Without objection, it will be again reported as amended.

There was no objection, and the Clerk again reported the Smith amendment as amended.

Mr. HASTINGS. Mr. Speaker, I thought an amendment had been accepted by the gentleman from Michigan to change the word "persons" to enlisted men," as suggested by the gentleman from California?

The SPEAKER. It never was accepted. The gentleman from Michigan had no power to accept the amendment. The Clerk will call the roll.

The question was taken; and there were—yeas 250, nays 35, answered "present" 2, not voting 145, as follows:

YEAS—250

Alexander	Dowell	King,	Robinson
Almon	Drukker	Kinkaid	Rogers
Anderson	Dupré	Kitchin	Romjue
Aswell	Dyer	Kraus	Rose
Austin	Eagan	Lampert	Rouse
Ayres	Elliott	Langley	Rubey
Baer	Ellsworth	Lazaro	Sanders, Ind.
Bankhead	Emerson	Lee, Ga.	Sanders, N. Y.
Barkley	Essen	Lehlbach	Saunders, Va.
Barnhart	Fairchild, B. L.	Lever	Schall
Beakes	Fairfield	Linthicum	Scott, Mich.
Beshlin	Fess	Little	Scully
Blackmon	Fields	Lobeck	Sears
Bland, Ind	Fisher	Lonergan	Sells
Bland, Va.	Fordney	Lufkin	Shallenberger
Borland	Foster	Lundeen	Sinnott
Bowers	Frear	McClintic	Slemp
Browne	Freeman	McCormick	Sloan
Brumbaugh	French	McFadden	Small
Buchanan	Fuller, Ill.	McKeown	Smith, Idaho
Burroughs	Gallagher	McKinley	Smith, Mich.
Brynes, S. C.	Gallivan	McLaughlin, Mich.	Snook
Campbell, Kans.	Gard	McLemore	Snyder
Campbell, Pa.	Garrett, Tenn.	Madden	Stafford
Candler, Miss.	Garrett, Tex.	Magee	Steagall
Cannon	Glynn	Mapes	Stedman
Cantrill	Godwin, N. C.	Martin	Stephens, Miss.
Caraway	Goodall	Merritt	Stephens, Nebr.
Cary	Goodwin, Ark.	Miller, Wash.	Sterling
Chandler, N. Y.	Graham, Ill.	Mondell	Sumners
Chandler, Okla.	Gray, Ala.	Moon	Sweet
Clark, Pa.	Green, Iowa	Moore, Pa.	Switzer
Classon	Greene, Mass.	Morgan	Taylor, Ark.
Claypool	Griest	Neely	Taylor, Colo.
Cleary	Griffin	Nelson, A. P.	Thompson
Condy	Hadley	Nicholls, S. C.	Tillman
Collier	Hamilton, Mich.	Nichols, Mich.	Tinkham
Connally, Tex.	Hardy	Oldfield	Towner
Cooper, W. Va.	Hastings	Oliver, Ala.	Treadway
Cooper, Wis.	Haugen	Oliver, N. Y.	Vare
Costello	Hawley	Osborne	Venable
Cramton	Heflin	O'Shaunessy	Vestal
Crisp	Helvering	Overmyer	Vinson
Crosser	Hersey	Overstreet	Volk
Currie, Mich.	Hicks	Padgett	Volstead
Curry, Cal.	Hollingsworth	Phelan	Walker
Dale, Vt.	Huddleston	Polk	Wason
Dallinger	Hull, Tenn.	Porter	Watkins
Darrow	Husted	Pou	Weaver
Davey	Igoe	Powers	Welty
Dempsey	Ireland	Purnell	Whaley
Denison	Jacoway	Quin	Wheeler
Denton	James	Ragsdale	White, Me.
Dewalt	Johnson, Wash.	Rainey, H. T.	Wilson, Ill.
Dickinson	Jones	Raker	Wilson, La.
Dill	Juul	Ramsey	Wingo
Dillon	Kearns	Ramseyer	Wood, Ind.
Dixon	Kehoe	Randall	Wright
Dominick	Kelly, Pa.	Rankin	Young, N. Dak.
Donovan	Kennedy, Iowa	Rayburn	Young, Tex.
Doolittle	Kennedy, R. I.	Reavis	Zihlman
Doremus	Kettner	Reed	
Doughton	Kincheloe	Robbins	

NAYS—35.

Anthony	Gordon	Mansfield	Sherwood
Browning	Greene, Vt.	Moores, Ind.	Sisson
Burnett	Harrison, Va.	Norton	Snell
Butler	Holland	Olney	Temple
Copley	Houston	Parker, N. J.	Tilson
Dent	Howard	Peters	Walsh
Elston	Kahn	Platt	Ward
Foss	McKenzie	Rucker	Welling
Gillett	Mann	Sanford	

ANSWERED "PRESENT"—2.

Byrns, Tenn. LaGuardia

NOT VOTING—145.

Ashbrook	Carter, Mass.	Drane	Fuller, Mass.
Bacharach	Carter, Okla.	Dunn	Gandy
Bell	Church	Eagle	Garland
Benson	Clark, Fla.	Edmonds	Garner
Birch	Connelly, Kans.	Esch	Good
Black	Cooper, Ohio	Estopinal	Gould
Blanton	Cox	Evans	Graham, Pa.
Booher	Crago	Fairchild, G. W.	Gray, N. J.
Brand	Dale, N. Y.	Farr	Gregg
Britten	Davis	Ferris	Hamill
Brodbeck	Decker	Flood	Hamilton, N. Y.
Caldwell	Delaney	Flynn	Hamlin
Carew	Dies	Focht	Harrison, Miss.
Carlin	Dooling	Francis	Haskell

Hayden	Littlepage	Rainey, J. W.	Strong
Hayes	London	Riordan	Sullivan
Heaton	Longworth	Roberts	Swift
Heintz	Lunn	Rodenberg	Tague
Helm	McAndrews	Rowe	Templeton
Hensley	McArthur	Rowland	Thomas
Hilliard	McCulloch	Russell	Timberlake
Hood	McLaughlin, Pa.	Sabath	Van Dyke
Hull, Iowa	Maher	Sanders, La.	Waldow
Humphreys	Mason	Scott, Iowa	Walton
Hutchinson	Mays	Scott, Pa.	Watson, Pa.
Johnson, Ky.	Miller, Minn.	Shackleford	Watson, Va.
Johnson, S. Dak.	Montague	Sherley	Webb
Keating	Morin	Shouse	White, Ohio
Kelley, Mich.	Mott	Siegel	Williams
Key, Ohio	Mudd	Sims	Wilson, Tex.
Kiess, Pa.	Nelson, J. M.	Slayden	Winslow
Knutson	Nolan	Smith, C. B.	Wise
Kreider	Paige	Smith, T. F.	Woods, Iowa
La Follette	Park	Stedman	Woodyard
Larsen	Parker, N. Y.	Steele	
Lea, Cal.	Pratt	Stevenson	
Lesher	Price	Stiness	

So the amendment was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. ESTOPINAL with Mr. DAVIS.

Mr. ASHBROOK with Mr. RODENBERG.

Mr. RIORDAN with Mr. NOLAN.

Mr. DOOLING with Mr. STINESS.

Mr. SIMS with Mr. ESCH.

Mr. HELM with Mr. KIESS of Pennsylvania.

Mr. BLANTON with Mr. WOODYARD.

Mr. BELL with Mr. MCARTHUR.

Mr. CARTER of Oklahoma with Mr. COOPER of Ohio.

Mr. SULLIVAN with Mr. MOTT.

Mr. PRICE with Mr. WILLIAMS.

Mr. DALE of New York with Mr. MUDD.

Mr. FERRIS with Mr. BACHARACH.

Mr. MCANDREWS with Mr. GOULD.

Mr. BYRNS of Tennessee with Mr. GOOD.

Mr. JOHN W. RAINEY with Mr. STRONG.

Mr. THOMAS with Mr. SWIFT.

Mr. LITTLEPAGE with Mr. HAMILTON of New York.

Mr. SANDERS of Louisiana with Mr. GRAY of New Jersey.

Mr. GARNER with Mr. LONGWORTH.

Mr. BOOHER with Mr. GARLAND.

Mr. HAMILL with Mr. DUNN.

Mr. MAHER with Mr. ROWE.

Mr. LARSEN with Mr. WINSLOW.

The result of the vote was announced as above recorded.

Mr. FRENCH. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. FRENCH. Mr. Speaker, as to the amendment that I offered a while ago and that was declared carried, the Clerk in reading was under a different apprehension than I was. I intended to strike out merely the words "such private soldiers and sailors," and not the words "honorably discharged since April 6, 1917." Now, I would like to ask unanimous consent that those words, "honorably discharged since April 6, 1917," be retained in the bill.

It was not in my mind to strike these words out, but in making the amendment from the floor the Clerk understood I intended to include them with the other words of my amendment. Many men have voted no on this amendment under the apprehension that that was really what I intended, and therefore they were against it. I would like to ask unanimous consent that those words be inserted in the proper place they were in the bill.

Mr. TILSON. Mr. Speaker, I reserve the right to object. When that is done, which would really make the amendment somewhat better, then you put in an improper light every man on this floor who has voted nay against this amendment in the shape that it was in.

Mr. TEMPLE. Mr. Speaker, reserving the right to object, I voted against this amendment because it did not have the words that it is now proposed to put in. If those words had been there, I would have voted yea. Therefore I object.

Mr. FIELDS. Mr. Speaker——

The SPEAKER. The gentleman from Pennsylvania objects. The Doorkeeper will open the doors.

Mr. FIELDS. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Kentucky rise?

Mr. FIELDS. To submit a request for unanimous consent.

Mr. FRENCH. Mr. Speaker, I want to make a motion, then. I offer as an amendment——

Mr. FIELDS. Mr. Speaker, I do not believe there is a man in this House that would have voted against the amendment had it carried the language that the gentleman has asked to have reinstated in the bill. I ask unanimous consent that that language be restored to the bill and that the roll call just had be vacated.

Mr. RAGSDALE. Mr. Speaker, I object.

Mr. FRENCH. Then, Mr. Speaker, I offer an amendment to insert, following the words of my amendment, "present war," the words "honorably discharged since April 6, 1917."

The SPEAKER. Does the gentleman from Alabama [Mr. DENT] yield for that purpose?

Mr. DENT. Yes; I yield for that purpose.

Mr. MANN. It is too late to offer an amendment to this amendment unless it is reconsidered, because the amendment has been agreed to by the House.

The SPEAKER. That is true.

Mr. FRENCH. I am offering it to the section as amended.

The SPEAKER. If the gentleman from Alabama [Mr. DENT], the chairman of the committee, who made the motion for the previous question, will yield for the gentleman from Idaho [Mr. FRENCH] to offer an amendment, the Chair will not object to it.

Mr. FRENCH. Will the gentleman from Alabama yield for that purpose.

Mr. DENT. I yield.

Mr. FRENCH. I move to amend by inserting the words "honorably discharged since April 6, 1917," following the words of my amendment adopted a while ago.

The SPEAKER. The Clerk will report it, and everybody will please give attention.

The Clerk read as follows:

Amendment offered by Mr. FRENCH: After the words "present war" insert "honorably discharged since April 6 1917."

Mr. MADDEN. Mr. Speaker, I ask for the yeas and nays on that.

Mr. MANN. Mr. Speaker, I make the point of order the amendment is not in order. The Smith amendment as amended was agreed to by the House. It is too late to amend that by changing anything in it.

The SPEAKER. The point of order is sustained.

Mr. FRENCH, Mr. WOODS of Indiana, and Mr. SCOTT of Michigan rose.

The SPEAKER. For what purpose does the gentleman from Idaho rise?

Mr. FRENCH. I want to move to recommit.

The SPEAKER. The gentleman can not move to recommit now.

Mr. FRENCH. Then I move to reconsider the vote by which the Smith amendment was adopted.

Mr. DENT. Mr. Speaker, I believe I have the floor for the purpose of making a motion for the previous question on the bill and all amendments thereto. I yielded for the gentleman from Idaho [Mr. FRENCH] to offer this amendment, and as a point of order is sustained on it I insist on my motion at this time.

Mr. DOWELL. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Iowa rise?

Mr. DOWELL. On a question of order. The gentleman had the floor and has a perfect right to make the motion to reconsider. He was yielded the floor. The Speaker gave him the floor and he made the motion to reconsider, which is in order.

The SPEAKER. The gentleman from Alabama [Mr. DENT] yielded to the gentleman from Idaho [Mr. FRENCH] to offer an amendment, and the gentleman from Illinois [Mr. MANN] made a point of order that the amendment was not in order. The Chair sustained it.

Mr. FIELDS. Mr. Speaker, I move to reconsider the vote——

Mr. MADDEN. Mr. Speaker, I think a motion to reconsider is privileged under the rules.

The SPEAKER. The Chair was trying to get to it. The gentleman from Idaho [Mr. FRENCH] moves to reconsider the vote by which the Smith amendment as amended by a piece of his amendment was agreed to. The question is on the motion to reconsider.

The motion to reconsider was agreed to.

Mr. FRENCH. Then, Mr. Speaker, I would like to have my amendment offered to include the words "honorably discharged since April 6, 1917," following the language as originally adopted, as I proposed.

The SPEAKER. The Clerk will read it. We do not want to get into any more muddles about this Smith amendment.

The Clerk read as follows:

Amendment offered by Mr. FRENCH: Strike out of the Smith amendment the following: "such private soldiers and sailors" and insert "honorably discharged since April 6, 1917."

Mr. MANN. Mr. Speaker, I ask unanimous consent that the amendment be reported as it will read if this amendment be agreed to.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

SEC. 2. That the provisions of this act shall apply to all persons who served in the United States Army, Navy, or Marine Corps during the present war honorably discharged since April 6, 1917, and in cases where such clothing and uniforms have been restored to the Government with their discharge, the same or similar clothing and uniforms in kind and value as near as may be, shall be returned and given to such soldiers and sailors.

Mr. CURRIE of Michigan. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Michigan rise?

Mr. CURRIE of Michigan. I desire to ask a question of the chairman of the committee, as to whether the words "honorably discharged" will be sufficient to cover every case desired by the House. My information is that there is a difference between an honorable discharge and a discharge which may come about upon the request of the person in the service. I have in mind the case of a young man serving in the United States Navy who was offered a commission in the Army and who made application for discharge from the Navy. He was granted the discharge on the 6th day of November. The armistice came before he could be commissioned in the Army. He was out of the naval service, but he did not receive an honorable discharge. He received what is called a discharge upon request, showing faithful service and a good rating. But under the amendment as proposed, or under this bill, he would not be permitted the privileges accorded by this bill.

The SPEAKER. Is the gentleman making a speech or is he asking a question? [Laughter.]

Mr. CURRIE of Michigan. Both. I desire information from the chairman upon the question.

Mr. DENT. I can not answer that question. I am not familiar with the regulations of the Navy, but I understand the chairman of the Committee on Naval Affairs explained that fully to-day.

Mr. CURRIE of Michigan. No; he did not.

Mr. DENT. He was on the floor about an hour, and I think he answered all questions propounded to him.

Mr. CURRIE of Michigan. He did not cover that.

Mr. PADGETT. Mr. Speaker, before the vote is taken a verbal amendment ought to be made at the end of the bill, where it says "discharged soldier or sailor." We ought to add "and marine." It says "Army and Navy and Marine Corps," but in the last passage it says simply for the "sailors and soldiers," but does not include marines. The marines ought to be included in that expression. Let the Clerk read the last words there. It also should include the Coast Guard, but that is not necessary. The bill provides that they shall be considered a part of the Navy.

Mr. KAHN rose.

The SPEAKER. For what purpose does the gentleman from California rise?

Mr. KAHN. To ask unanimous consent to extend my remarks on this amendment.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks on the amendment. Is there objection?

There was no objection.

Mr. SMITH of Michigan. Mr. Speaker, I ask the same privilege.

The SPEAKER. Is there objection?

There was no objection.

Mr. PADGETT. Mr. Speaker, I want to make a motion to amend the amendment by adding the words "and marines" at the end.

The SPEAKER. The question is on agreeing to the Padgett amendment.

The Padgett amendment was agreed to.

The SPEAKER. The question is on agreeing to the Smith amendment as modified by the French amendment.

Mr. CURRIE of Michigan. Mr. Speaker, would an amendment now be in order to the French amendment?

The SPEAKER. No. That would be an amendment in the third degree. The question is on the Smith amendment as modified by the French amendment and as modified by the Padgett amendment.

Mr. WALSH. The Padgett amendment has not been adopted.

The SPEAKER. Yes. The question is on agreeing to the Smith amendment as modified by the French amendment and the Padgett amendment.

The amendment as modified was agreed to.

Mr. DENT. Mr. Speaker, I move the previous question.

Mr. WALSH. Mr. Speaker, when was the French amendment to the Smith amendment adopted?

The SPEAKER. About three or four minutes ago.

Mr. WALSH. No. I think the Chair will find it was not.

The SPEAKER. The question is on agreeing to the French amendment as modified by the Padgett amendment.

The question was taken; and the Speaker announced that the "ayes" seemed to have it.

Mr. WALSH. Mr. Speaker, I ask for a division.

Mr. FRENCH. Mr. Speaker, I think the Padgett amendment does not apply to my amendment, but to the language of the Smith amendment. [Laughter.]

Mr. WALSH. Mr. Speaker, I ask for a division on the French amendment.

The SPEAKER. A division on the French amendment is demanded.

The House divided; and there were—ayes 155, noes 0.

So the French amendment was agreed to.

The SPEAKER. The question is on agreeing to the Smith amendment as amended.

The Smith amendment as amended was agreed to.

The SPEAKER. The question is on ordering the previous question.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. DENT. Mr. Speaker, I ask that the title of the bill be amended in conformity with the text.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the title of the bill be amended so as to conform to the text. Is there objection?

There was no objection.

On motion of Mr. DENT, a motion to reconsider the vote whereby the bill was passed was laid on the table.

LEAVE OF ABSENCE.

Mr. GARNER, by unanimous consent, was granted leave of absence, for one week, on account of illness.

UNANIMOUS CONSENT CALENDAR.

The SPEAKER. This is Unanimous Consent Calendar day, and the Clerk will call the first bill.

INTEREST ON CHEROKEE JUDGMENTS.

The first business in order on the Calendar for Unanimous Consent was the bill (H. R. 357) conferring jurisdiction upon the Court of Claims to hear, consider, and determine certain claims of the Cherokee Nation against the United States.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, I reserve the right to object.

Mr. MANN. Reserving the right to object, Mr. Speaker, let us have the bill reported.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the Court of Claims to hear, consider, and determine the claim of the Cherokee Nation against the United States for interest, in addition to all other interest heretofore allowed and paid, alleged to be owing from the United States to the Cherokee Nation on the funds arising from the judgment of the Court of Claims of May 18, 1905 (40 Ct. Cls. Rept., p. 252), in favor of the Cherokee Nation. The said court is authorized, empowered, and directed to carefully examine all laws, treaties, or agreements, and especially the agreement between the United States and the Cherokee Nation of December 19, 1891, ratified by the United States March 3, 1893 (27 Stat. L., p. 640, sec. 10), in any manner affecting or relating to the question of interest on said funds, as the same shall be brought to the attention of the court by the Cherokee Nation under this act. And if it shall be found that under any of the said treaties, laws, or agreements interest on one or more of the said funds, either in whole or in part, has not been paid and is rightfully owing from the United States to the Cherokee Nation, the court shall render final judgment therefor against the United States and in favor of the Cherokee Nation, either party to have the right of appeal to the Supreme Court of the United States as in other cases. The said claim shall be presented within one year after the passage of this act by petition in the Court of Claims by the Cherokee Nation as plaintiff against the United States as defendant, and the petition shall be verified by the attorney employed to prosecute said claim by the Cherokee Nation acting through its principal chief. A copy of the petition shall be served upon the Attorney General of the United States, and he, or some attorney from the Department of Justice to be designated by him, is hereby directed to appear and defend the interests of the United States in said cause. The law and practice and rules of procedure in said courts shall be the practice and law in this case. The attorney for the Cherokee Nation shall be paid the fee as stipulated in his contract of employment, not to exceed 15 per cent on the gross amount, if any, that shall be recovered for said Cherokee Nation. The amounts recovered for said Cherokee Nation, if any, except the fee to said attorney, shall be disbursed under the supervision of the Secretary of the Interior to the parties entitled thereto in the manner prescribed by the Court of Claims.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, as I understand, the claims involved in this bill amount in the neighborhood of about half a million dollars. Apparently the bill provides that the attorney who prosecutes a case under it in the Court of

Claims shall receive 15 per cent of the amount which the court may award. As I understand the bill, it is largely a matter, perhaps not exactly of accounting, but almost accounting; a matter to be decided by the records now in existence. Does the gentleman from Oklahoma [Mr. HASTINGS] think that attorneys, for presenting a record case to be decided by the existing records, not lengthy, ought to receive a fee of $50,000 or $60,000?

Mr. HASTINGS. In answer to what the gentleman says, I will say that this involves an accounting of four items. Three of the items are very small, and if they were to find with the Cherokee Nation on three of the four items, then the fee would be practically nothing.

But, in further answer to what the gentleman says, I will say I have prepared an amendment to leave the fixing of the fee to the Court of Claims, so that the court would fix the fee.

I have also in the amendment provided that the maximum shall not be greater than 10 per cent. But 10 per cent on three of the items would be a very inconsiderable fee. Of course, if they were to find for the nation on all the four items and for the full amount claimed, that would be a reasonable fee. Anyway, I have an amendment which it is my purpose to offer allowing the Court of Claims to fix the fee, not to exceed the amount of 10 per cent.

Mr. STAFFORD. Will the gentleman yield in that particular?

Mr. HASTINGS. I do not have the floor.

Mr. STAFFORD. It is generally conceded by anyone who has examined the report of the two bills covering the four items, and especially H. R. 4699, containing two of the items which the gentleman introduced, which was formerly on the Unanimous Consent Calendar, that there is owing to the Cherokees the sum of $27,500. That is virtually conceded by the department. As to items 2 and 3, which involve the amount of $478,000, of course the gentleman agrees that 10 per cent would be an outrageous fee for a small accounting, as has been stated by the gentleman from Illinois. Ten per cent of $27,500 would allow the attorney who has been working up these claims ever since they were adjudicated by the Court of Claims, and passed on by that court and by the Supreme Court, a liberal fee for an ordinary attorney working up claims against the Government.

Mr. HASTINGS. The amendment which I propose to offer provides that the attorney shall be paid such fee as the Court of Claims thinks reasonable and proper. It is not to be in excess of the stipulated contract, not more than 10 per cent total, but any way it provides that the Court of Claims may fix the fee, and the amount shall not be in excess of 10 per cent.

Mr. MANN. Now, let us get down to brass tacks. I remember the bill very well in the previous Congress. An attorney has a contract now under which he is to receive 15 per cent of the amount collected. The Secretary of the Interior has recommended that a bill like this be passed; that we should provide that the contract for the attorney's service must be approved by him; and the old bill provided, or the Secretary recommended, I am not sure which, that the attorney's fees should be fixed by the court subject to the discretion of the Secretary of the Interior, and fix the contract for attorney's fees not to exceed the amount in the contract. So that the attorney would have to receive the approval of the Secretary of the Interior as to the amount of the fee and also the approval of the court.

Now, when it comes to fixing attorneys' fees the court has usually only one side represented. In this case if the court makes an award to the Cherokee Nation, then comes the fixing of the attorney's fees, and there will be nobody in court on any side of the case except the attorney showing how great his services have been. He will have the contract for 15 per cent. Probably the court would allow him 10 per cent. I really think that a fee of $40,000 or $50,000 for presenting to the court simply a record in the case—and that is all that is to be presented practically, for the court to say whether a previous allowance by the court should have carried interest or not, or that the Government should have paid interest beyond a certain point, which it did—it seems to me that that is allowing a good deal. Of course, we know that we paid interest on these claims from 1812 or 1816, or something like that, and in one case the interest amounted to four or five times as much as the principal—I think they were very lucky to get the principal and still luckier to get four or five times as much in interest.

Mr. HASTINGS. The court decided it for us.

Mr. MANN. I understand. Now, it is proposed that we pay additional interest, but if that interest is to be paid it ought not to go to an attorney for practically doing nothing. I am willing that the attorney should receive a reasonable compensation.

Mr. HASTINGS. What would the gentleman suggest as an amendment? All I want is to be certain that he shall receive reasonable compensation.

Mr. MANN. I think it ought to be fixed by the court, with the approval of the Secretary of the Interior.

Mr. HASTINGS. If the gentleman will permit, let me say that the affairs of the Cherokee Nation have been wound up.

Mr. MANN. The gentleman possibly misunderstood what I said. I know the Secretary of the Interior is desirous of contracting for attorneys' fees, but I did not say that, and I understand there is no way of making a new contract. That is one reason why it seems to me that somebody seeking to protect the interest of the Indians shall have something to say about the attorney's fees. Hence I would make the attorney's fees allowed by the court and approved by the Secretary.

Mr. HASTINGS. If the gentleman wants to offer an amendment to this amendment to that effect I will have no objection.

Mr. MANN. I have not prepared any amendment.

Mr. HASTINGS. Then I will insert it in this amendment and provide that it shall be approved by the Court of Claims and the Secretary of the Interior, so that there can be no question but what we want only a fair and reasonable fee.

Mr. STAFFORD. Mr. Speaker, I was going to ask whether the gentleman was willing to accept an amendment suggested by the Secretary of the Interior, in lines 24 and 25, striking out those lines and inserting in lieu thereof "under contract approved by the Commissioner of Indian Affairs and the Secretary of the Interior, as provided by law."

Mr. HASTINGS. The only objection to that is this: An attorney has investigated this question and has been at work at it for 10 or 15 years, and inasmuch as it is going to your own court, inasmuch as it simply submits the claim against the United States on behalf of the Indian tribe, certainly the Indians ought to have something to say as to whom they shall employ. Now, the Indians have employed an attorney who understands the questions involved——

Mr. STAFFORD. The gentleman means the chief has employed an attorney.

Mr. HASTINGS. Exactly; for and on behalf of the Indians, and the Indians themselves have ratified it in convention.

Mr. STAFFORD. Would the gentleman have any objection to inserting after the word "chief" that same language?

Mr. HASTINGS. The chief is dead. There is no officer to act for the tribe. A contract has been made, and the man with whom this contract has been made is familiar with it. Let me say to you that he has given practically his life to this class of work, and he is more familiar with it than any other man I know. I am not trying to fix his fee. I am willing that the Court of Claims should fix it, or that the Secretary of the Interior shall approve it, but I do believe that a man who has given 20 or 25 years of service, first to the original claim when it was pending before the courts, who followed it through all of the courts, and who is familiar with it now, is better qualified to represent these Indians than some new attorney that may be brought in.

Mr. STAFFORD. Has the gentleman that language that will provide for the suggestion made by the gentleman from Illinois?

Mr. HASTINGS. I will have it in a moment.

The SPEAKER pro tempore (Mr. ALEXANDER). Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, early in this session there was this bill and H. R. 4699 reported favorably by the Committee on Indian Affairs. The bill under consideration referred these claims to the Court of Claims for decision and the other bill provided for direct appropriation and recognition by the Congress of the obligation to pay the Cherokee Indians the sum of $27,500. It is now proposed to refer all four claims for adjudication, so far as the back interest is concerned, to the Court of Claims. Has the gentleman the amendment that he proposes to offer in case the bill is given the right of consideration?

Mr. HASTINGS. Yes; it is to the effect that the attorney for the Cherokee Nation shall be paid such fees as the Court of Claims shall find reasonable, the same to be approved by the Secretary of the Interior, and then not to exceed a certain amount.

Mr. NORTON. Mr. Speaker, will the gentleman yield?

Mr. HASTINGS. Yes.

Mr. NORTON. Would the gentleman say that an attorney would be fairly entitled to exceed $5,000 for his work in this case?

Mr. HASTINGS. It is like this: There are four items in this claim. I think a fee of 15 per cent on three of those items in the event their contention was sustained would be very small for the services rendered. In the event the larger item is found

due, then perhaps that would be considered a large fee, but this provides that it is to be approved first by the Court of Claims and by the Secretary of the Interior, and, also, that it shall not be above a certain amount.

Mr. NORTON. Would the gentleman have any objection to stipulating that it shall not be over $5,000, and in suggesting that I would say this: I believe the Indians will receive better service, and this will be adjudicated much more quickly, if a definite sum of that kind is set. I think that is a sufficient amount.

Mr. HASTINGS. I respectfully submit that it is not a sufficient amount. The attorney who has been working on this has been working on it ever since this judgment was granted 12 or 15 years ago.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. HASTINGS. Mr. Speaker, I ask unanimous consent that it be considered in the House as in Committee of the Whole House.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk again reported the bill.

Mr. HASTINGS. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment by Mr. HASTINGS: Strike out all after the word "case," in line 6, page 3, of the bill, and insert:

"The attorney for the Cherokee Nation shall be paid such fee as the Court of Claims may find reasonable, the same to be approved by the Secretary of the Interior: *Provided*, That in no case shall the fee decreed by said Court of Claims be in excess of the amount stipulated in his contract of employment nor amount to more than 10 per cent of the sum, if any, to which the Cherokee Nation shall be found entitled. The amount recovered, if any, for the Cherokee Nation shall be disbursed under the supervision of the Secretary of the Interior to the parties entitled thereto in the manner prescribed by the Court of Claims."

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the gentleman from Oklahoma.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HASTINGS, a motion to reconsider the vote by which the bill was passed was laid on the table.

GOVERNMENT CONTROL OF TELEGRAPHS AND TELEPHONES.

Mr. MOON. Mr. Speaker, I ask unanimous consent to place in the RECORD a communication about postal matters from the Postmaster General, which I think will be found of use and information to the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The communication referred to is as follows:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., December 16, 1918.

Hon. JOHN A. MOON,
Chairman House Committee on Post Offices and Post Roads.

MY DEAR Mr. MOON: I am in receipt of your communication of December 14, 1918, inclosing copy of House joint resolution 368 and requesting my views with respect thereto.

In my judgment this joint resolution should be adopted.

The principle which justifies Government control of the Postal Service applies equally to all electrical means of communication. The Constitution, in giving Congress control over post offices and post roads, obviously contemplated, not particular physical structures, but the communication of intelligence.

To establish and maintain means of communication is as much the function of the Government as is the provision for national defense. An established and widely extended means of communication is, in fact, a part of the national defense. Moreover, it is essential to the development of the country and to the progress and prosperity of its people. It is a defense of the national interests as much in peace as in war.

The authority given by the Constitution for Government control of the transmission of communication carries with it the implied obligation on the part of the Government to provide the means of communication. The function of transmitting intelligence in the service of the general public must of necessity be a monopoly, so that it may be operated in a way to be accessible to the entire public.

The wire service is a public utility of universal necessity and is adapted to the performance of no other function than that of conveying intelligence; and, disregarding the divergence of views as to Government ownership of public utilities generally, it must be recognized that electrical agencies of communication stand alone as an essential utility performing a Government function. The progress and prosperity of the Nation are dependent upon expansive means of communication between and among the people. Extension of the wire service should be determined by public needs, not the opportunity for private gain. The wire systems are supported by the public because they are a necessity in social life and in all business enterprises, however wasteful they may be in their methods of operation or extravagant in the charges. Up to this time the charges for service have been greater and the service less extensive because of wasteful duplications and competition. The extent of the service under private ownership is restricted to areas where it may be operated profitably to the individual owners. The competition which it invites is that which is in pursuit of profit, not in rivalry for public benefit and service. An extended survey of the situation has been made by the Post Office Department since the Government assumed control of the wire systems, and it clearly appears that unification of control and operation are necessary to eliminate the wastes and inherent defects of the competing and duplicating system which has heretofore existed. It would be as logical to have two or more post offices in the same town operating independently and where the patrons of each had no means of communication with the other as to allow two telephone systems to operate in the same territory, for in either case the cost to the public is multiplied and the utility divided.

Mr. Theodore N. Vail, president of the American Telephone & Telegraph Co., and probably the highest authority on wire service in the world, in a communication of the 6th instant, in which he quotes extensively from his annual report for the American Telephone & Telegraph Co., says that the service should afford electrical communication "of every kind of intelligence from anyone at any place to anyone at any other place; that the service should be comprehensive, nation wide, economical, at a minimum price so that potential business could be developed.

"To do this effectively and economically requires the combination of every kind of electrical transmission of intelligence into one system over which the most efficient service could be rendered through the development of new and useful services, and the wire plant and facilities thus be utilized to their fullest extent * * *.

"To get the best result, therefore, the common control of this unified system should extend to the furthest possible limits. Should cover our Nation and the international communications to the boundaries of all other nations with which we have existing or potential relations.

"Whatever may be done in the practical reorganization and operation of electrical communication—domestic or international—in or by the United States, whether 'open wire,' 'cable or radio,' there should be such close harmony of effort and operation one with the other and all with the internal wire systems that, in effect, there should be 'one control' of all and the cooperation and coordination of all connected or related activities, including research, investigation, and experimentation. Only in this way can the greatest results in service, in public benefit, in economy, or in cheapness be obtained."

The Government alone can safely exercise a right of monopoly such as the wire service calls for, but some plan of organization should be devised which will combine all the advantages and the authority possessed by the Government without losing the benefits of the experience of the best operation which our industrial world has demonstrated to be advantageous. The advantages of private initiative in research, investigation, and experimentation, and in other ways where possible and consistent with Government monopoly should not be lost in the inauguration of such a new system. I believe an effective plan to accomplish that result can be worked out.

The information acquired through Federal control of the telegraph and telephone systems since August 1 last enables me to assure you that the entire wire system can be acquired without requiring the appropriation of a dollar from the Public Treasury, and that through the savings by the elimination of duplications in plants and operating expenses the entire telegraph and telephone systems of the country can be paid for through an amortization fund in 25 years without increasing the rates to the public and at the same time develop a national wire system available for the use of every community in the country co-extensive with the present Postal Service.

The economic importance of the proposition to acquire the properties by the Government is very great. Private capital is invested in public-service enterprises with the expectation of

7 to 8 per cent and often a greater return upon the investment. This, of course, the public is expected to pay, while the Government can borrow money at 4½ per cent. The public, however, pays the charge in either event. The difference between 4½ per cent and 8 per cent for the money invested in the wire systems of the United States would maintain and pay for the property in 18 years and 9 months. The Government as owner would no more expect to charge for interest on the investment than it would for money invested in postal facilities, navy yards, or other public property, and, as Mr. Vail has so well said:

"In any utility the permanent plant and equipment are by far the largest items of capital investment; the maintenance of plant and the proper provision for depreciation and obsolescence and taxes are second only to the cost of wages.

"If the uses of combined plant can be multiplied, extended, and utilized, it not only means reduction in the investment relative to increased utilization; it means one charge for taxes, maintenance, depreciation, and obsolescence, all of which will be reflected in the cost of operation, for, broadly speaking, upon the cost of operation charges for service are based."

Government ownership of the telegraph and telephone can in no sense be considered a party question. As early as 1844, when the Morse telegraph was in its infancy, Congress made an appropriation looking to its acquisition by the Postal Service.

In 1845 and again in 1846 the Postmaster Generl recommended that it be made a part of the postal monopoly. By the act of July 24, 1866, and the acceptance by the telegraph companies of the provisions thereof, the United States obtained an option to purchase the telegraph properties at their appraised value at any time. This option is still in full force and effect.

Postmaster General Randall in his annual report for 1867 called attention to the fact that the telegraph system of Great Britain had been put in charge of the British Post Office Department and, after stating that it was a matter of very great importance, which ought to be thoroughly investigated by Congress, recommended the appointment of a special commission to inquire into the workings of the new arrangement in Great Britain and into its feasibility in the United States.

Postmaster General Cresswell, who succeeded Mr. Randall, in his reports of 1869 and 1871 devoted considerable attention to the matter, and in the latter report, after discussing the progress of the regulation and control or the ownership and management of telegraph systems in foreign countries, said:

"These facts, all tending with overwhelming force in one direction, demonstrate conclusively the utility of the postal telegraph for both Government and the people. * * * I therefore deprecate further delay [in acquiring the telegraph lines] as injurious to the public interests."

In transmitting Postmaster General Cresswell's report to Congress, President Grant wrote:

"The suggestions of the Postmaster General for improvement in the department presided over by him are earnestly recommended to your special attention; especially do I recommend favorble consideration of the plan for uniting the telegraph system of the United States with the postal system. It is believed that by such a course the cost of telegraphing could be much reduced and the service as well, if not better, rendered. It would secure the further advantage of extending the telegraph through the portions of the country where private enterprise will not construct it. Commerce, trade, and, above all, the efforts to bring the people widely separated into a community of interest are always benefited by a rapid intercommunication."

Again, in 1873, Postmaster General Cresswell earnestly renewed his recommendation for the acquisition of the telegraph by the Government.

The matter of Government control of the telegraph systems of the country does not appear to have been again discussed in reports of the department until the report of Postmaster General Maynard for the year 1880. He refers to a visit to the British post office and to the success of the operation of the telegraph system by the postal service of that country, and inquires:

"Is it not time for us to renew the inquiry whether it is wise to leave this important instrument of correspondence in charge of corporations whose primary object is gain to the managers and stockholders and the convenience of the public secondary only?"

Postmaster General Howe in his report for 1882 refers to the consideration which was given in the past to the question by the Postmaster General and committees of Congress, who have urged that the Post Office Department should take exclusive possession of the telegraph service, and states that he is forced to the conclusion "that the time has fully come" when the telegraph and postal services should be embraced under one management.

Postmaster General Gresham in his report for 1883 presents the legal phase of the subject, and concludes that Congress has constitutional power to assume control of the telegraph either by acquisition and operation of existing lines or the construction of lines which would operate in competition with existing companies.

Postmaster General Wanamaker in his annual reports for 1889, 1890, 1891, and 1892 strongly urged the operation of the telegraph lines as a part of the postal system by contract or otherwise, and forcibly presented his views as to the benefits and economies to the public by such unification and operation of the two systems, and in his reports for 1891 and 1892 he also recommended the utilization of the telephone systems as a part of the Postal Service.

Postmaster General Payne in his report of 1903 recommended an appropriation by Congress for the purpose of enabling the Postmaster General to investigate the propriety of extending the privileges of special delivery of letters or the contents thereof by means of the telephone.

Postmaster General Cortelyou, in his report of 1906 referred to departmental investigations to be had to determine the feasibility of the adoption of many important policies of administration, including the postal telegraph and telephone.

Postmaster General Hitchcock in his annual report of 1911 strongly urged that the telegraph lines be made part of the Postal Service and operated in conjunction with the mail service, as is done in practically all of the European countries, including Great Britain, France, Italy, Russia, Austria, and Germany.

The present Postmaster General in his annual report for 1913 and subsequent reports has urged the Government ownership of both the telegraph and the telephone systems and their operation in connection with the Postal Service.

More than 70 bills have been introduced in Congress since 1871 to secure legislation for the purchase or control by the Government of the telegraph lines, and more than a score of these bills have been reported favorably by Senate or House committees.

The purchase, lease, or other forms of control of the telegraph and telephone have been advocated by many Senators and Representatives, and public men such as Henry Clay, Charles Sumner, Hannibal Hamlin, President Grant, Senators Edmunds, Dawes, Chandler, nearly all of the Postmasters General since the Civil War, as well as by leading publicists and economists of the country, regardless of party or factional alignments, and there is absolutely no reason why the question should be made a political one at this time.

The telegraph and telephone systems are now being operated by the Postmaster General for the duration of the war. Awards have been made for compensation, or compensation agreed upon, with the leading telegraph and telephone companies, and the properties are now being operated as one system. An opportunity is thus presented to demonstrate the advantages or disadvantages to the public of the joint operation of the telegraph and telephone systems and the Postal Service, which has been so strongly urged upon Congress in one form or another for over 75 years.

The present control will, under existing law, cease upon the proclamation of the President of the ratification of the terms of peace. Many of the independent telephone companies could not take back the properties without serious loss to the investors and great detriment to the service. I find that many of these companies were operating at a loss, due to the waste incident to competition and delivery of State regulation, and that, owing to the failure to set aside proper depreciation funds, many of the properties were rapidly drifting into a condition where they could not give proper public service and had been operating under such conditions that new capital could not be provided for renewals; in fact, some of the larger companies are losing hundreds of thousands of dollars a year in some States in operating the properties under the abnormal conditions which have existed during the present war. The interest of the public, the investors, and the maintenance of the properties all require that the telegraph and telephone properties should not be returned to the owners in the present situation of affairs.

One of the objections advanced against Government ownership of the telegraph and telephone systems is that the party in power would be able to make use of the private information contained in telegraph and telephone messages, passing over the lines, for political purposes. In this connection your attention is called to the fact that the act of Congress approved October 29 last provides heavy penalties for divulging the contents of any telegraph or telephone message. In fact, this law throws around telegraph and telephone messages all of the safeguards

as to privacy that previously existed with respect to sealed communications passing through the mails.

Some such legislations as the pending joint resolution would seem to be imperative in view of the facts stated.

Very truly, yours,

A. S. BURLESON,
Postmaster General.

PERSONNEL OF COAST GUARD.

The next bill on the Calendar for Unanimous Consent was the bill (H. R. 6979) to regulate the personnel of the Coast Guard.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, at the request of the gentleman who reported the bill, who is unavoidably absent from the city to-day, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

Mr. FOSTER. That is to go to the foot of the calendar?

The SPEAKER pro tempore. To go to the foot of the calendar?

Mr. STAFFORD. Yes.

There was no objection.

MINING ON INDIAN RESERVATIONS.

The next business on the Calendar for Unanimous Consent was the bill (S. 385) to authorize mining for metalliferous minerals on Indian reservations.

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. Mr. Speaker, I object.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the bill may remain on the calendar.

Mr. FOSTER. At the foot of the calendar.

The SPEAKER pro tempore. The gentleman from Wyoming asks unanimous consent that the bill remain on the calendar, to go to the foot thereof. Is there objection?

There was no objection.

TO PERMIT THE GOVERNMENT TO USED SEIZED OPIUM, ETC.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 9830) providing for the disposition of opium, its salts and derivatives, coca leaves, their salts and derivatives, and any other drugs seized by the United States Government in the enforcement of the provisions of the act of October 1, 1890, as amended by the acts of March 3, 1897, February 9, 1909, and January 17, 1914, or the act of December 17, 1914.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I understand this has been incorporated in the war-revenue act in the Senate——

Mr. FOSTER. I do not know; not this.

Mr. STAFFORD. When this bill was last brought up on the Unanimous Consent Calendar, if my memory serves me right, the gentleman from Illinois, who introduced the bill and made the report, requested that the bill be passed over without prejudice, and I ask unanimous consent, in his absence, that the bill be passed over without prejudice.

Mr. FOSTER. I have sent for the chairman of the Committee on Ways and Means. The chairman of the committee will be here in just a moment.

Mr. STAFFORD. I ask unanimous consent that the bill be passed over temporarily to be taken up when the gentleman from North Carolina comes in the Chamber.

Mr. FOSTER. It is a pretty important bill.

Mr. WALSH. Why should not the gentleman from Illinois [Mr. HENRY T. RAINEY] also be present, who introduced the bill and made the report?

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent that the bill be passed over temporarily. Is there objection?

Mr. FOSTER. This is to be just temporary?

The SPEAKER pro tempore. That is the announcement the Chair made. Is there objection?

Mr. WALSH. What is the gentleman's request?

The SPEAKER pro tempore. That the bill be passed over temporarily. Is there objection? [After a pause.] The Chair hears none.

EXEMPTING WRECKING VESSELS FROM THE PROVISIONS OF THE SEAMEN'S ACT.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 11408) to amend section 4516 of the Revised Statutes of the United States, as amended by sections 1 and 2 of an act entitled "An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion, and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea," approved March 4, 1915.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object——

Mr. MANN. Let us have the bill reported.

The Clerk read as follows:

Be it enacted, etc., That section 4516 of the Revised Statutes of the United States, as amended by sections 1 and 2 of an "Act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea," approved March 4, 1915, be amended by striking out the period at the end of said sections 1 and 2 and adding the following words: "or wrecking vessels."

The committee amendments were read, as follows:

Page 1, line 4, strike out the word "sections" and insert the word "section."

Page 1, line 5, strike out the words "and two," and after the word "of" strike out the word "an" and insert the words "the act entitled 'an.'"

Page 2, line 5, after the word "fifteen," strike out the word "be" and insert "and section 2 of said act of March 4, 1915, are hereby."

Page 2, line 6, after the word "by," strike out the words "striking out" and insert the words "inserting before."

Page 2, line 7, after the word "of," insert the words "each of."

Page 8, after the word "sections," strike out the words "1 and 2 and adding," and amend the title.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I wish to inquire of some member of the committee what are the provisions of sections 1 and 2 from which this bill seeks to relieve wrecking vessels?

Mr. HARDY. The gentleman from Missouri [Mr. ALEXANDER] will explain, if necessary, more at length, but I will simply say this: In the original enactment of the seamen's bill there was a requirement for certain watch officers on board the different vessels and there were exceptions to it. For instance, in the provision yachts were excepted and fishing vessels, but it was overlooked that there was not any need for different watches on board a wrecking vessel, which is stationary in the main, and when this was called to the attention of the committee, that we had required different watches on wrecking vessels, they immediately and unanimously added an exemption which also extended to wrecking vessels.

Mr. STAFFORD. Do I understand from the gentleman's statement that sections 1 and 2 merely relate to watches on board vessels?

Mr. HARDY. This provision, as I remember it, adds wrecking vessels to the exemption in reference to watches. There is no objection to it by anybody.

Mr. STAFFORD. These wrecking vessels see service on the high seas, and it is very necessary they should come under the scope of certain provisions of the seamen's law.

Mr. ALEXANDER. The seamen's act provides for the crewing of vessels and is quite rigid in its requirements. Now, in view of the fact that wrecking vessels are only navigated when going from one wreck to another, and for a greater part of the time are stationary while they are engaged in the wrecking business, it will be a very great hardship for them to be manned under the standards of the seamen's act. The law gives to the steamboat inspectors the power to determine what a sufficient manning of wrecking vessels may be for their safe navigation, just like on yachts and fishing vessels, and it gives them great discretion.

Mr. STAFFORD. The vessels will be relieved from the absolute requirement as to the number of watches and number of seamen, but leaves it to the discretion of the Secretary of Commerce to determine what should be the proper complement of men?

Mr. ALEXANDER. Yes; that is it. As it is, it is a very great hardship.

Mr. STAFFORD. I withdraw the reservation of the point of order.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The question is on the committee amendments.

The question was taken, and the committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

The title was amended to read as follows: "A bill to amend section 4516 of the Revised Statutes of the United States and section 2 of an act entitled 'An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion, and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea,' approved March 4, 1915."

On motion of Mr. FORDNEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. FIELDS. Mr. Speaker, I ask unanimous consent that roll call No. 13, which was the roll call last had, be vacated.

The SPEAKER pro tempore. The gentleman from Kentucky asks unanimous consent that the last roll call, No. 13, be vacated.

Mr. DONOVAN. Mr. Speaker, reserving the right to object, the gentleman from South Carolina [Mr. RAGSDALE] was interested in that. He has stepped from the Chamber a moment. I shall object until his return and see whether he wishes it done or not.

The SPEAKER pro tempore. Objection is made. The Clerk will report the next bill.

EXTENSION OF REMARKS.

Mr. DOWELL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD on the bill (H. R. 13366) relative to uniforms and equipment of soldiers and sailors.

The SPEAKER pro tempore. The gentleman from Iowa asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection? [After a pause.] The Chair hears none.

GOVERNMENT USE OF SEIZED OPIUM.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent to return to the bill H. R. 9830, which was passed over temporarily a moment ago.

The SPEAKER pro tempore. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 9830) providing for the disposition of opium, its salts and derivatives, coca leaves, their salts and derivatives, and any other drugs seized by the United States Government in the enforcement of the provisions of the act of October 1, 1890, as amended by the acts of March 3, 1897, February 9, 1909, and January 17, 1914, or the act of December 17, 1914.

Mr. KITCHIN. Let the Clerk read the bill.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That all opium, its salts, derivatives, and compounds, and coca leaves, salts, derivatives, and compounds thereof, which may now be under seizure or which may hereafter be seized by the United States Government from any person or persons charged with any violation of the act of October 1, 1890, as amended by the acts of March 3, 1897, February 9, 1909, and January 17, 1914, or the act of December 17, 1914, shall, upon conviction of the person or persons from whom seized, be confiscated by and forfeited to the United States; and the Secretary of the Treasury is hereby authorized to deliver for medical or scientific purposes to any department, bureau, or other agency of the United States Government, upon proper application therefor under such regulation as may be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, any of the drugs so seized, confiscated, and forfeited to the United States.

The provisions of this act shall also apply to any of the aforesaid drugs seized or coming into the possession of the United States in the enforcement of any of the above-mentioned acts where the owner or owners thereof are unknown. None of the aforesaid drugs coming into possession of the United States under the operation of said acts, or the provisions of this act, shall be destroyed without certification by a committee appointed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, that they are of no value for medical or scientific purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The bill is on the Union Calendar.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request made by the gentleman from North Carolina that the bill be considered in the House as in the Committee of the Whole? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Speaker, will the gentleman from North Carolina yield for a question?

Mr. KITCHIN. I will.

Mr. MANN. How much of this stuff is now on hand?

Mr. KITCHIN. About $100,000 worth on the date this bill was reported out.

Mr. MANN. How rapidly does it accumulate and how long a time does that represent? Does the gentleman know?

Mr. KITCHIN. I really do not know. I think most of it must have been seized since the act passed in 1914.

Mr. MANN. Well, I supposed there was a considerable amount seized on importations at different times. What has been done with that under the law?

Mr. KITCHIN. It is in the hands of the agents of the Government. The smoking opium, that which is seized mostly from importation, under the law, they can sell to the highest bidder, and that was disposed of and the money, of course, turned into the Treasury.

Mr. MANN. Is the gentleman sure that smoking opium is sold? I think it is not.

Mr. KITCHIN. Yes. Smoking opium was authorized to be sold to the highest bidder; but other opium, coca leaves, their salts and derivatives, could not be sold, and, of course, had to be held by the Government, either by the customhouse officials or, if the offenders were convicted, by the Department of Justice.

Mr. MANN. The gentleman states that smoking opium seized is sold. That was not my impression. I may be wrong about it. I had a good deal to do with the passage of the original act to prohibit the importation of smoking opium. I must say I can not see we are so much better off if a man can import smoking opium, then have it seized by the Government, and then buy it on a sale by the Government. We get the smoking opium and the evils of smoking opium. That was what we were seeking to abolish—the smoking.

Mr. KITCHIN. Now, we are seeking to turn it all over and not sell it to the highest bidder. Turn it over to the department for medical and scientific purposes, under such rules and regulations as the International Revenue Commissioner may decide.

Mr. MANN. My recollection is, although it is somewhat hazy, perhaps, that the scientists connected with the Government when we passed the original law practically stated that smoking opium was of no value for any scientific purpose.

Mr. KITCHIN. Well, it may not be; but it would be turned over for some purpose and not get into the hands of the public for smoking.

Mr. MANN. Clearly it ought not to be sold.

Mr. WALSH. Will the gentleman yield?

Mr. KITCHIN. I will.

Mr. WALSH. Is there any particular urgency for the passage of this measure in order that some of these drugs may be destroyed or turned over to the Government?

Mr. KITCHIN. I did not catch the first part of the question.

Mr. WALSH. Is there any particular urgency for passing this in order to take over these drugs that have been accumulating?

Mr. KITCHIN. No particular urgency, except some of the bureaus desire it for scientific purposes.

Mr. WALSH. As the gentleman probably knows, we passed a bill here several months ago very similar to this, almost similar, except it was to take care of intoxicating liquors that have been accumulating, and the Government is having great difficulty in finding storage place for it, and it is filling up warehouses and having to hire buildings, and it was represented that was a particular urgency. The bill passed the House and is still slumbering. I wondered if the same method was to be pursued.

Mr. KITCHIN. I assure the gentleman that we will not have to build houses to take care of the seized opium. The Secretary of the Treasury recommends this. But there is no reason why we should not pass it, because every Member recognizes the fact that this seized and confiscated opium and coca leaves, and their salts and derivatives, ought to be disposed of by the Government in the way pointed out by this bill; that is, turn it over to the Government hospitals or to some bureau for scientific purposes. I understand the hospitals are in need of a great deal of this stuff that has been seized.

Mr. WALSH. I would like to know whether the prosecutions for violation of these acts are under the jurisdiction of the Attorney General or are they under the Treasury Department? Who prosecutes them? The Department of Justice?

Mr. KITCHIN. The Department of Justice prosecutes. The Treasury hunts up the cases, gets up the evidence, and makes the seizures.

Mr. WALSH. It seems to me if the Department of Justice prosecutes the violation of this act they would be the ones that would deliver the property to these institutions, and that regulations in connection with its transfer should be made by the Department of Justice and the Attorney General rather than by the Commissioner of Internal Revenue. I wondered whether there was any particular reason for taking it out of the Attorney General's hands after the convictions had been secured. This provides that after it is seized it shall be turned over to the department under the rules and regulations of the Internal-Revenue Commissioner. I suppose after it is seized there will have to be some convictions had?

Mr. KITCHIN. Yes.

Mr. WALSH. Now, after conviction is secured you put the matter out of the Attorney General's hands and turn it back to the Secretary of the Treasury.

Mr. KITCHIN. The Attorney General would turn it over to the Internal-Revenue Commissioner's office or dispose of it according to the rules and regulations that are prescribed.

Mr. WALSH. I suppose there will not be any conflict, but it seems to me that where a law officer of the Government takes charge of the prosecution of these cases, the violation of the internal-revenue laws or the use of these drugs, he ought to be the proper official to dispose of it. It would be in his custody during the trial of the case and under his control.

Mr. HENRY T. RAINEY. Mr. Speaker, will the gentleman yield?

Mr. WALSH. I yield.

Mr. HENRY T. RAINEY. I will say to the gentleman that this opium and these derivatives are in the possession now of the Internal Revenue Department. The Attorney General's Department never gets it at all. This is taken away from the bootleggers in the red-light sections of cities and from illicit dealers everywhere. They have an immense amount of it; $100,000 worth, or even more than that much, has been taken since this bill was introduced. The amount is constantly increasing. The business of the Department of Justice is to convict these bootleggers when it can. After they are convicted there is not any provision of law under which these opiates can be disposed of at all. They are left in the hands of the Treasury Department.

Mr. NORTON. Mr. Speaker, will the gentleman yield?

Mr. HENRY T. RAINEY. Yes.

Mr. NORTON. In cases where these opiates or derivative salts are taken and no conviction is secured, although the opium and salts are retained by the Government, what disposition is made of them?

Mr. HENRY T. RAINEY. They ought not to be returned unless it can be shown they are in possession of them legitimately.

Mr. NORTON. I have in mind the fact that opium can be taken on entimes by the Government and no claimant appears for it.

Mr. HENRY T. RAINEY. The Government ought to be authorized to dispose of it. There is a demand for every bit of it in our Red Cross hospitals at this moment. They are anxious to get it.

Mr. WALSH. I know that the gentleman from Illinois is very familiar with the provisions of the bill, because he introduced it and filed the report on it. He will notice that it is only upon conviction of the persons from whom it is received that this property is confiscated, and, of course, in order to secure conviction it is necessary for the law officers of the Government to prosecute the cases.

Mr. HENRY T. RAINEY. Yes.

Mr. WALSH. And in their prosecution of the cases they must have control and possession of the drugs upon which the prosecution is based.

Mr. HENRY T. RAINEY. They do not bring it into court.

Mr. WALSH. They can not convict them without bringing it into court.

Mr. HENRY T. RAINEY. If they take a chest of these drugs they do not have to bring the entire material into court. They can make proof and secure conviction. Under the laws as they now have them, they have extreme difficulty in convicting anybody.

Mr. WALSH. But it seems they should do in this as it is proposed to be done in the case of intoxicating liquors seized in violation of the Kenyon law and the Reed law.

Mr. HENRY T. RAINEY. Yes.

Mr. WALSH. So that the Attorney General or the district attorney should turn over this property which is the basis of the prosecution and not turn it back to the internal revenue collector or to the Secretary of the Treasury, because it was not seized for failure to pay customs duties or anything of that sort.

Mr. HENRY T. RAINEY. I will say to the gentleman from Massachusetts that the entire administration of the narcotic laws is in a terrific state of confusion. The laws are insufficient and have been held insufficient by the courts in very material parts. This bill is needed as a sort of makeshift to quickly reach the opium now on hand, in order that it may be disposed of and get it into the hands of the hospitals, where it will do some good. I did not draw this bill. I do not have any particular pride of authorship in it.

Mr. WALSH. It looks as if it were drawn in the department.

Mr. HENRY T. RAINEY. It was drawn in the department, and it meets the approval of the internal-revenue officers, as well as the legal department. We are trying to amend the entire body of laws relating to the subject.

Mr. WALSH. I do not raise any objection to the passage of the bill, but in order to have a uniform practice I think it would be better to have a uniform procedure.

Mr. HENRY T. RAINEY. The entire subject ought to be rewritten. All of these laws ought to be rewritten, and they will be.

Mr. WALSH. I have no objection.

Mr. KITCHIN. Question, Mr. Speaker.

The SPEAKER pro tempore (Mr. ALEXANDER). The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. KITCHIN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER pro tempore. The Clerk will report the next bill.

OLD CUSTOMHOUSE AT KENNEBUNK PORT, ME.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 4283) authorizing the donation of land and building at Kennebunk Port, Me., known as the old customhouse, to the town of Kennebunk Port, Me.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. STAFFORD. I object.

The SPEAKER pro tempore. The gentleman from Wisconsin objects.

Mr. HERSEY. Mr. Speaker, I want to ask, in the absence of my colleague from Maine [Mr. GOODALL], who introduced the bill, which was referred to the Committee on Buildings and Grounds, that the bill be passed over by unanimous consent without prejudice.

Mr. STAFFORD. The gentleman from Maine [Mr. GOODALL], who introduced this bill, has been very energetic not only in securing the consideration of the bill in the committee but in the House, and he called upon me last night in connection with the merits of the bill. If his colleague makes this request I have no objection.

Mr. HERSEY. My colleague from Maine has been unable to be present to-day, and he asks that the bill be put at the foot of the calendar without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

DISTRICT ATTORNEY OF RHODE ISLAND.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 3563) to increase the salary of the United States district attorney for the district of Rhode Island.

The SPEAKER. Is there objection?

Mr. CRAMTON. I object.

GRANTING CERTAIN LANDS TO THE CITY OF SAN DIEGO.

Mr. KETTNER. Mr. Speaker, I move to suspend the rules and take from the Speaker's table the bill (S. 3646) and put it upon its final passage.

The SPEAKER. The gentleman from California moves to suspend the rules and take from the Speaker's table the bill (S. 3646).

Mr. MANN. Let us have the bill reported.

Mr. CRAMTON. Mr. Speaker, I reserve a point of order.

The SPEAKER. What is the gentleman's point of order?

Mr. CRAMTON. The point of order is against taking up the bill, as it is a bill that is referred to the Committee of the Whole House on the state of the Union. I have other points, but that is the particular one.

The SPEAKER. The Chair would like to hear the gentleman.

Mr. CRAMTON. Rule XXIV, paragraph 2, provides for the disposition of business on the Speaker's table. That will be found on page 394 of the House Manual, section 860.

The SPEAKER. Does the gentleman think that section applies to the suspension of the rules?

Mr. CRAMTON. Possibly not.

The SPEAKER. The Chair does not think it does.

Mr. CRAMTON. May we have the motion again reported?

The SPEAKER. The motion is to suspend the rules, take up the bill, and consider it.

Mr. CRAMTON. And the motion does not state that a similar House bill has been reported?

The SPEAKER. No; it does not state it, and it does not have to. Is that all the point that the gentleman has? The point is overruled. The Clerk will report the bill.

Mr. CRAMTON. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. That point is well taken, in all probability. [Laughter.] There is no quorum present.

Mr. KETTNER. Mr. Speaker, I move a call of the House.

The question was taken, and on a division (demanded by Mr. KETTNER and Mr. FOSTER) there were—22 ayes and 24 noes.

Mr. KETTNER. Mr. Speaker, I demand tellers.

The question of ordering tellers was taken and 25 Members arose, not a sufficient number.

Mr. CRAMTON. Mr. Speaker, I move that the House do now adjourn.

The question was taken, and on a division (demanded by Mr. STAFFORD) there were—25 ayes and 33 noes.

Mr. KETTNER. Mr. Speaker, I demand the yeas and nays on the motion to adjourn.

The yeas and nays were ordered.

The question was taken; and there were—yeas 65, nays 181, answered present 1, not voting 185, as follows:

YEAS—65.

Anderson	Esch	Little	Sanders, N. Y.
Bland, Ind.	Fordney	Longworth	Sanford
Bowers	Frear	Luckin	Scott, Mich.
Browne	Fuller, Ill.	McKinley	Sells
Campbell, Kans.	Gillett	McLaughlin, Mich.	Stafford
Canton	Green, Iowa	Mason	Sweet
Cary	Greene, Mass.	Merritt	Tilson
Chandler, N. Y.	Greene, Vt.	Mondell	Timberlake
Clark, Pa.	Hersey	Mott	Voigt
Cooper, W. Va.	Ireland	Nelson, A. P.	Volstead
Copley	Kelley, Mich.	Nicols, Mich.	Walsh
Cramton	Kraus	Parker, N. J.	Ward
Currie, Mich.	La Follette	Platt	Wood, Ind.
Dale, Vt.	LaGuardia	Purnell	Young, N. Dak.
Davis	Lampert	Ramsey	
Elliott	Langley	Ramseyer	
Ellsworth	Lehlbach	Rogers	

NAYS—181.

Alexander	Dupré	King	Schall
Almon	Dyer	Kinkaid	Sears
Ayres	Eagan	Kitchin	Shallenberger
Baer	Emerson	Lever	Sherwood
Bankhead	Evans	Linthicum	Shouse
Barnhart	Fairfield	Lobeck	Sims
Beakes	Fess	London	Sinnott
Beshlin	Fields	Lonergan	Sisson
Black	Flood	Lundeen	Slemp
Blackmon	Foss	McFadden	Sloan
Bland, Va.	Foster	McKenzie	Smith, Idaho
Blanton	French	McKeown	Smith, Mich.
Bradbeck	Gallagher	Mann	Snell
Browning	Galivan	Mansfield	Snook
Brumbaugh	Gandy	Mapes	Steagall
Buchanan	Gard	Martin	Stephens, Miss.
Byrnes, S. C.	Garrett, Tenn.	Miller, Wash.	Stephens, Nebr.
Byrns, Tenn.	Garrett, Tex.	Moon	Sterling
Campbell, Pa.	Glynn	Moores, Ind.	Sumners
Caraway	Goodwin, Ark.	Morgan	Switzer
Church	Gordon	Norton	Taylor, Colo.
Classon	Graham, Ill.	Oldfield	Temple
Claypool	Gray, Ala.	Oliver, Ala.	Thompson
Cleary	Griest	Oliver, N. Y.	Tinkham
Coady	Hadley	Olney	Treadway
Collier	Hamilton, Mich.	Osborne	Vare
Connally, Tex.	Hamlin	O'Shaunessy	Venable
Cooper, Wis.	Harrison, Va.	Overstreet	Vestal
Crisp	Hastings	Peters	Vinson
Crosser	Haugen	Phelan	Wason
Curry, Cal	Hawley	Polk	Watkins
Dallinger	Heflin	Porter	Watson, Va.
Darrow	Helvering	Pratt	Weaver
Davey	Hilliard	Quin	Welling
Dempsey	Hollingsworth	Ragsdale	Welty
Denton	Houston	Rainey, H. T.	Whaley
Dewalt	Huddleston	Raker	Wheeler
Dickinson	Hull, Tenn.	Rayburn	White, Me.
Dill	Igoe	Reavis	Wilson, La.
Dillon	Jacoway	Robbins	Wingo
Dixon	Johnson, Ky.	Romjue	Wright
Doughton	Juul	Rose	Young, Tex.
Dowell	Kahn	Rouse	Zihlman
	Kearns	Ruby	
	Kettner	Sanders, Ind.	
	Kincheloe	Saunders, Va.	

ANSWERED PRESENT—1.

Butler

NOT VOTING—185.

Anthony	Connelly, Kans.	Ferris	Heaton
Ashbrook	Cooper, Ohio	Fisher	Heintz
Aswell	Costello	Flynn	Helm
Austin	Cox	Focht	Hensley
Bacharach	Crago	Francis	Hicks
Barkley	Dale, N. Y.	Freeman	Holland
Bell	Decker	Fuller, Mass.	Hood
Benson	Delaney	Garland	Howard
Birch	Denison	Garner	Hull, Iowa
Booher	Dent	Godwin, N. C.	Humphreys
Borland	Dies	Good	Husted
Brand	Dooling	Goodall	Hutchinson
Britten	Doremus	Gould	James
Burnett	Drane	Graham, Pa.	Johnson, S. Dak.
Burroughs	Drukker	Gray, N. J.	Johnson, Wash.
Caldwell	Dunn	Gregg	Jones
Candler, Miss.	Eagle	Griffin	Kahn
Cantrill	Edmonds	Hamill	Kearns
Carew	Elston	Hamilton, N. Y.	Keating
Carlin	Essen	Hardy	Kelly, Pa.
Carter, Mass.	Estopinal	Harrison, Miss.	Kennedy, R. I.
Carter, Okla.	Fairchild, B. L.	Haskell	Key, Ohio
Chandler, Okla.	Fairchild, G. W.	Hayden	Kiess, Pa.
Clark, Fla.	Farr	Hayes	Knutson
Kreider	Mudd	Rucker	Tague
Larsen	Neely	Russell	Taylor, Ark.
Lazaro	Nelson, J. M.	Sabath	Templeton
Lea, Cal.	Nicholls, S. C.	Sanders, La	Thomas
Lee, Ga.	Nolan	Scott, Iowa	Tillman
Lesher	Overmyer	Scott, Pa.	Towner
Littlepage	Padgett	Scully	Van Dyke
Lunn	Paige	Shackleford	Walsh
McAndrews	Park	Sherley	Walker
McArthur	Parker, N. Y.	Siegel	Walton
McClintic	Pou	Slayden	Watson, Pa.
McCormick	Powers	Small	Webb
McCulloch	Price	Smith, C. B.	White, Ohio
McLaughlin, Pa.	Rainey, J. W.	Smith, T. F.	Williams
McLemore	Randall	Snyder	Wilson, Ill.
Madden	Rankin	Stedman	Wilson, Tex.
Maher	Reed	Steele	Winslow
Mason	Riordan	Steenerson	Wise
Mays	Roberts	Stevenson	Woods, Iowa
Miller, Minn.	Robinson	Stiness	Woodyard
Montague	Rodenberg	Strong	
Moore, Pa.	Rowe	Sullivan	
Morin	Rowland	Swift	

So the House refused to adjourn.

The following additional pairs were announced:

Mr. HENSLEY with Mr. WOODYARD.

Mr. STEELE with Mr. BUTLER.

Mr. ESTOPINAL with Mr. GOOD.

Mr. SULLIVAN with Mr. GOODALL.

The result of the vote was announced as above recorded.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 3646. An act to grant rights of way over Government lands for reservoir purposes for the conservation and storage of water to be used by the city of San Diego, Cal., and adjacent communities; to the Committee on Public Lands.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, the gentleman from California [Mr. KETTNER], who makes the motion to suspend the rules, because of some misunderstanding, feels that the bill would better go over to some other day. I move, therefore, that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock p. m.) the House adjourned until to-morrow, Tuesday, December 17, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of Agriculture, transmitting a detailed statement of expenditures of the Department of Agriculture for the fiscal year ended June 30, 1918 (H. Doc. No. 1590); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

2. A letter from the Secretary of War, transmitting preliminary examination of St. Lawrence River from Lake Ontario to the Canadian border (H. Doc. No. 1591); to the Committee on Rivers and Harbors and ordered to be printed with illustration.

3. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Columbia River between Carrolls and Stella, Wash., and the Cowlitz River below Ostrander, Wash. (H. Doc. No. 1592); to the Committee on Rivers and Harbors and ordered to be printed with illustration.

4. A letter from the Secretary of the Navy, transmitting statements of expenditures under the contingent appropriations for the Navy Department for the fiscal year ended June 30, 1918 (H. Doc. No. 1593); to the Committee on Expenditures in the Navy Department and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ROGERS: A bill (H. R. 13401) authorizing the Secretary of War to donate to the town of Lowell, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13402) authorizing the Secretary of War to donate to the town of Hudson, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CAMPBELL of Pennsylvania: A bill (H. R. 13403) to provide for the equitable distribution of captured war devices and trophies to the States and Territories of the United States; to the Committee on Military Affairs.

By Mr. KIESS of Pennsylvania: A bill (H. R. 13404) authorizing the Secretary of War to donate one condemned cannon to the town of Renovo, Pa.; to the Committee on Military Affairs.

By Mr. MOTT: A bill (H. R. 13405) tendering the thanks of Congress to Gen. John J. Pershing, United States Army, and to the officers and men under his command; to the Committee on Military Affairs.

By Mr. HUDDLESTON: A bill (H. R. 13413) for the relief of discharged soldiers; to the Committee on Military Affairs.

Also, a bill (H. R. 13414) for the relief of discharged sailors; to the Committee on Naval Affairs.

By Mr. WINGO: A resolution (H. Res. 479) for the consideration of Senate bill 3220; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DAVIS: A bill (H. R. 13406) granting a pension to Frederick F. Yahnke; to the Committee on Pensions.

Also, a bill (H. R. 13407) granting a pension to Mary A. Johnson; to the Committee on Pensions.

By Mr. ESCH: A bill (H. R. 13408) granting an increase of pension to Clark Sturdevant; to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 13409) granting a pension to Frank Swartz; to the Committee on Pensions.

By Mr. PURNELL: A bill (H. R. 13410) granting an increase of pension to Jesse C. Barker; to the Committee on Invalid Pensions.

By Mr. SANDERS of Indiana: A bill (H. R. 13411) granting an increase of pension to Henry Lang; to the Committee on Invalid Pensions.

By Mr. SHOUSE: A bill (H. R. 13412) granting an increase of pension to Edward F. Duke; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Petition of American Radio Relay League, protesting against House bill 13150 and Senate bill 5306; to the Committee on Merchant Marine and Fisheries.

Also, petition of Badger Talking Machine Co., of Milwaukee, Wis., protesting against sections 900, 909, and 910 of the pending revenue bill (H. R. 12863); to the Committee on Ways and Means.

Also, resolution of the executive board of Wisconsin Woman's Suffrage Association, held in Milwaukee December 6, 1918, favoring the measure introduced by Senator HOKE SMITH, creating a national department of education; to the Committee on Education.

Also, resolutions of the Optimist Club of Milwaukee, indorsing the flag bill introduced by Congressman OSBORNE; to the Committee on the Judiciary.

By Mr. DALE of New York: Resolutions of Boston Committee for a Democratic Peace, supporting the policy toward Russia announced by the President of the United States and adopted by interallied conference at Versailles; to the Committee on Foreign Affairs.

By Mr. DALE of Vermont: Petition of the Women's Club of Barre, Vt., favoring the passage of the bill to enable osteopaths to qualify for service in the Army; to the Committee on Military Affairs.

By Mr. DALLINGER: Resolution favoring league of nations; to the Committee on Foreign Affairs.

Also, petition protesting against the Alexander bill (H. R. 13150); to the Committee on the Merchant Marine and Fisheries.

By Mr. ESCH: Resolutions of Boston Committee for a Democratic Peace, supporting the policy toward Russia announced by the President of the United States and adopted by interallied conference at Versailles; to the Committee on Foreign Affairs.

By Mr. FULLER of Illinois: Petition of L. H. Schafer & Co., of Chicago, protesting against the proposed tax on sales of jewelry; to the Committee on Ways and Means.

Also, petition of Mrs. Mary B. Page, director of Chicago Kindergarten Institute, for Senate bill 4987, to create a Federal Department of Education with a Secretary of Education; to the Committee on Education.

By Mr. KENNEDY of Rhode Island: Petition of manufacturers of Italian cigars, relating to special tax of 1919 to be levied on manufactured Italian cigars; to the Committee on Ways and Means.

By Mr. SNOOK: Resolutions of the Ohio Society, Sons of the Revolution, favoring legislation against Anarchy and for the deportation of alien enemies; to the Committee on Foreign Affairs.

SENATE.

TUESDAY, *December 17, 1918.*

(Legislative day of Sunday, December 15, 1918.)

The Senate met at 12 o'clock noon, on the expiration of the recess.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Jones, N. Mex.	Page	Smith, S. C.
Bankhead	Jones, Wash.	Penrose	Smoot
Beckham	Kendrick	Pittman	Spencer
Calder	Kenyon	Poindexter	Sutherland
Colt	Kirby	Pollock	Swanson
Culberson	Knox	Pomerene	Thomas
Curtis	La Follette	Ransdell	Thompson
Dillingham	McCumber	Reed	Trammell
Fletcher	McKellar	Robinson	Vardaman
France	McLean	Saulsbury	Walsh
Frelinghuysen	Martin, Ky.	Shafroth	Warren
Gay	Martin, Va.	Sheppard	Watson
Gronna	Moses	Sherman	Weeks
Harding	Myers	Simmons	Williams
Hardwick	Nelson	Smith, Ariz.	
Henderson	Norris	Smith, Ga.	
Johnson, S. Dak.	Nugent	Smith, Md.	

Mr. McKELLAR. The senior Senator from Tennessee [Mr. SHIELDS] is absent on account of illness.

Mr. FRANCE. I desire to announce the absence of the junior Senator from Maine [Mr. FERNALD] on official business of the Senate.

Mr. THOMAS. I was requested to announce that Senators OVERMAN, NELSON, KING, STERLING, and WOLCOTT are absent on official business. I desire also to announce that the Senator from Rhode Island [Mr. GERRY] is detained on important public business.

Mr. SUTHERLAND. I wish to announce that my colleague, the Senator from West Virginia [Mr. GOFF] is absent on account of illness.

The PRESIDENT pro tempore. Sixty-five Senators have answered to their names. There is a quorum present.

SENATOR FROM MASSACHUSETTS.

The PRESIDENT pro tempore. The Chair lays before the Senate the credentials of Senator Elect WALSH, of Massachusetts, which, without objection, will be read and placed on file.

The Secretary read the credentials, as follows:

THE COMMONWEALTH OF MASSACHUSETTS.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES, greeting:

This is to certify that, on the 5th day of November in the year of our Lord 1918, DAVID I. WALSH was duly chosen by the qualified voters of said Commonwealth a Senator to represent said Commonwealth of Massachusetts in the Senate of the United States for the term of six years commencing on the 4th day of March, A. D. 1919.

Witness, His Excellency Samuel W. McCall, our governor, and our great seal hereunto affixed at Boston this 11th day of December in the year of our Lord 1918, and of the Independence of the United States of America the one hundred and forty-third.

SAMUEL W. MCCALL.

By his excellency the governor:
[SEAL.] HUBERT H. BOYNTON,
Deputy and Acting Secretary of the Commonwealth.

The PRESIDENT pro tempore. Without objection, the credentials will be filed.

SENATOR FROM OREGON.

Mr. WARREN. Mr. President, I present the credentials of Hon. CHARLES L. MCNARY, appointed by the governor of the State of Oregon a Senator from that State to serve until his successor shall have been elected and qualified.

The PRESIDENT pro tempore. The Secretary will read the credentials.

The credentials were read, as follows:

STATE OF OREGON.

To all to whom these presents shall come, greeting:

Know ye that, reposing special trust and confidence in the capacity, integrity, and fidelity of CHARLES L. MCNARY, a citizen of Salem, Marion County, Oreg.; and whereas F. W. MULKEY, United States Senator in Congress for the State of Oregon, has resigned and his resignation has been accepted, to take effect December 17, 1918, thereby creating a vacancy:

Now, therefore, I, James Withycombe, governor of the State of Oregon, do, in the name and by authority of said State, by these presents appoint and commission him, the said CHARLES L. MCNARY, United States Senator in Congress for the State of Oregon, to serve until his successor shall have been elected and qualified, in accordance with the Constitution and laws of the United States and the provisions of chapter 48 of the General Laws of Oregon for 1915, said appointment to become effective December 17, 1918, the date of the resignation of Senator F. W. MULKEY.

In testimony whereof I have hereunto caused the seal of the State to be affixed at the city of Salem this 12th day of December, A. D. 1918.

JAMES WITHYCOMBE,
Governor.

By the governor:
[SEAL.] BEN. W. OLCOTT,
Secretary of State.

Mr. WARREN. The Senator appointed is present and is ready to take the oath of office.

The PRESIDENT pro tempore. The Senator appointed will present himself at the desk and the oath will be administered to him.

Mr. MCNARY was escorted to the Vice President's desk by Mr. WARREN, and the oath prescribed by law having been administered to him he took his seat in the Senate.

EXPENDITURES IN DEPARTMENT OF AGRICULTURE.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a detailed statement of expenditures of the Department of Agriculture for the fiscal year ended June 30, 1918, which, with the accompanying papers, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

SHIP CONSTRUCTION.

The PRESIDENT pro tempore laid before the Senate a communication from the acting chairman of the United States Shipping Board, transmitting, in response to a resolution of November 21, 1918, information relative to existing contracts for ship construction, the cost of such construction, in both private and Government shipyards, etc., which, with the accompanying papers, was referred to the Committee on Commerce.

EMERGENCY FLEET CORPORATION.

The PRESIDENT pro tempore laid before the Senate a communication from the vice president of the United States Shipping Board Emergency Fleet Corporation, transmitting a report containing an account of the operations of the United States Shipping Board Emergency Fleet Corporation, under the act approved March 1, 1918, empowering that corporation to purchase, lease, requisition, or otherwise acquire lands, houses, and buildings for housing purposes in connection with shipyards, which, with the accompanying paper, was referred to the Committee on Commerce.

THE COAL SITUATION.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant director of the fuel administration for the District of Columbia, transmitting, in response to a resolution of the 14th instant, certain information relative to the price paid for storing coal in bins in the District of Columbia, which, with the accompanying paper, was ordered to lie on the table.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that Mr. LA FOLLETTE, of Washington, had been appointed a conferee on the part of the House on the bill (S. 1419) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce, in the place of Mr. SINNOTT.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 357. An act conferring jurisdiction upon the Court of Claims to hear, consider, and determine certain claims of the Cherokee Nation against the United States;

H. R. 9830. An act providing for the disposition of opium, its salts and derivatives, coca leaves, their salts and derivatives, and any other drugs seized by the United States Government in the enforcement of the provisions of the act of October 1, 1890, as amended by the acts of March 3, 1897, February 9, 1909, and January 17, 1914, or the act of December 17, 1914;

H. R. 11408. An act to amend section 4516 of the Revised Statutes of the United States, and section 2 of an act entitled "An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea," approved March 4, 1915; and

H. R. 13366. An act permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment, and to wear the same under certain conditions.

DEPARTMENT OF EDUCATION.

Mr. TOWNSEND presented petitions of the faculty and public school of Milan; of the Central Michigan Normal School, of Mount Pleasant; of the Board of Education of Rogers; and of the Teachers' Club, of Grand Haven, all in the State of Michigan, praying for the creation of a department of education, which were referred to the Committee on Education and Labor.

ANNIE T. BRAHAM.

Mr. THOMPSON, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 385, submitted by Mr. CALDER on the 13th instant, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay from the miscellaneous items of the contingent fund of the Senate to Annie T. Braham, sole surviving relative of William E. Burke, late a messenger in the employ of the Senate, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McKELLAR:

A bill (S. 5201) to provide relief for commissioned officers, noncommissioned officers, and enlisted persons in the Army, Navy, Marine Corps, Coast Guard, and the Army Nurse Corps; to the Committee on Military Affairs.

By Mr. RANSDELL:

A bill (S. 5202) to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers and sailors; to the Committee on Public Health and National Quarantine.

By Mr. HENDERSON:

A bill (S. 5203) to donate two guns or howitzers to the State of Nevada; to the Committee on Military Affairs.

By Mr. McLEAN:

A bill (S. 5204) granting an increase of pension to Herman Hoffmeister (with accompanying papers); to the Committee on Pensions.

By Mr. CALDER:

A bill (S. 5205) to create regional boards of examiners to aid in the disposition of claims arising out of the present emergency and prior to November 12, 1918; to the Committee on Military Affairs.

THE REVENUE.

Mr. JOHNSON of South Dakota submitted an amendment intended to be proposed by him to the bill (H. R. 12863) to provide revenue, and for other purposes, which was ordered to lie on the table and be printed.

COMMITTEE SERVICE.

Mr. WARREN. Mr. President, I send to the desk an order, and move its adoption. I will say in explanation that it covers the same committee places formerly occupied by the Senator from Oregon [Mr. MCNARY], and it assigns him to membership on the same committees.

The order was read and agreed to, as follows:

Ordered, That the Senator from Oregon [Mr. MCNARY] be assigned to membership on the Committee on Expenditures in the Department of Commerce, the Committee on Indian Affairs, the Committee on Irrigation and Reclamation of Arid Lands, the Committee on Manufactures, the Committee on Pacific Railroads, the Committee on the Philippines, the Committee on Public Health and National Quarantine, and the Committee on Public Lands.

WATERWAYS AT SEATTLE, WASH.

Mr. JONES of Washington. Mr. President, I have a supplemental report of the Board of Engineers for Rivers and Harbors with reference to the east and west waterways and the Duwamish waterway at Seattle, Wash. This report was transmitted from the office of the Chief of Engineers, War Department, pursuant to a resolution of the Committee on Commerce. The proposition is being considered in connection with the river and harbor bill, but until it is printed it is not in proper shape for consideration. The report is not lengthy, and I ask that it be printed and lie on the table.

The PRESIDENT pro tempore. Without objection, it is so ordered.

HOUSE BILLS REFERRED.

H. R. 357. An act conferring jurisdiction upon the Court of Claims to hear, consider, and determine certain claims of the Cherokee Nation against the United States was read twice by its title and referred to the Committee on Indian Affairs.

H. R. 9830. An act providing for the disposition of opium, its salts and derivatives, coca leaves, their salts and deriva-

tives, and any other drugs seized by the United States Government in the enforcement of the provisions of the act of October 1, 1890, as amended by the acts of March 3, 1897, February 9, 1909, and January 17, 1914, or the act of December 17, 1914, was read twice by its title and referred to the Committee on Finance.

H. R. 11408. An act to amend section 4516 of the Revised Statutes of the United States, and section 2 of an act entitled "An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea," approved March 4, 1915, was read twice by its title and referred to the Committee on Commerce.

H. R. 13360. An act permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment, and to wear the same under certain conditions was read twice by its title and referred to the Committee on Military Affairs.

THE REVENUE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12863) to provide revenue, and for other purposes.

The SECRETARY. Continuing the reading on page 10, beginning with line 19, Part II, Individuals, Normal tax. From this point in the bill all amendments were passed over down to and including line 13, on page 49.

The PRESIDENT pro tempore. This portion of the bill was passed over at the request of the senior Senator from Wisconsin [Mr. LA FOLLETTE].

The SECRETARY. The first amendment in the portion passed over will be found in line 1, page 11, where the committee proposes, after the word "tax," to strike out the comma and the words "as follows" and to insert "at the following rates."

Mr. LA FOLLETTE. Mr. President, I simply wish to state that it will be necessary for me to return to this provision of the bill, either to offer the substitute which I have prepared and upon which tables and computations are being made now and which are not completed, or to move for a reconsideration, as I may be advised is best under all considerations when the tables and computations are completed. But they are not ready at this time, and therefore I will not offer the amendment.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee. Without objection, the amendment is agreed to. The next amendment will be stated.

Mr. SIMMONS. Mr. President, before the Secretary proceeds to read further, as we have a very full Senate, I wish to make a suggestion. In order to expedite the passage of the bill before the holidays it will be necessary for us to economize time in every possible way. We are losing a great deal of time unnecessarily in calling for a quorum. When we are about to take a yea-and-nay vote it is necessary to call a quorum, or else we might not have a quorum upon the yea-and-nay vote. Therefore a quorum is called as a matter of precaution.

If Senators can not be in the Chamber during this week when we are trying to make all possible speed to bring the bill to a final vote but will try to be near the Chamber to be reached by the notice given by the ringing of the bell when a yea-and-nay vote is taken, it will save us a great deal of time that we lose now in calling for a quorum preliminarily to taking a vote.

I wanted to make that suggestion, and if Senators will act upon it I think we will save a great deal of time.

The SECRETARY. The next amendment passed over is, in section 210, on page 11, beginning with line 3, where the committee proposes to strike out all of subsections (a) and (b), in the following words:

(a) In the case of a citizen or resident of the United States 12 per cent of the amount of the net income in excess of the credits provided in section 216: *Provided*, That upon the first $4,000 of this amount the rate shall be 6 per cent;

(b) In the case of a nonresident alien, 12 per cent of the amount of the net income in excess of the credits provided in section 216.

And to insert in lieu the following:

(a) For the calendar year 1918, 12 per cent of the amount of the net income in excess of the credits provided in section 216: *Provided*, That in the case of a citizen or resident of the United States the rate upon the first $4,000 of such amount shall be 6 per cent;

(b) For each calendar year thereafter, 8 per cent of the amount of the net income in excess of the credits provided in section 216: *Provided*, That in the case of a citizen or resident of the United States the rate upon the first $4,000 of such amount shall be 4 per cent.

Mr. JONES of New Mexico. In line 14 and in line 19, before the word "amount," I move to insert the word "excess."

The amendment to the amendment was agreed to.

Mr. PENROSE. Mr. President, to this part of the bill the minority have signed a report, with one exception, reciting their objections. That report has been filed but has never been read to the Senate. It is short, and I should like the Secretary to read it.

The PRESIDENT pro tempore. Without objection, the Secretary will read the report.

Mr. SIMMONS. Mr. President, I shall not object. If the Senator from Pennsylvania insists upon the reading of the report, but instead of raising the question now, why not let subdivision (b) of that section go over?

Mr. PENROSE. I am perfectly willing as to that, but I thought we might vote on it now.

Mr. SIMMONS. Is the Senator from Pennsylvania going to address the Senate now?

Mr. PENROSE. I am going to first have the report read.

Mr. SIMMONS. I did not understand that the Senator from Pennsylvania desired to address the Senate.

The PRESIDENT pro tempore. Without objection, the Secretary will read as requested.

The Secretary read as follows:

Mr. PENROSE (for himself, Mr. LODGE, Mr. MCCUMBER, Mr. SMOOT, Mr. TOWNSEND, and Mr. DILLINGHAM), from the Committee on Finance, submitted the following views of a minority, to accompany H. R. 12863:

The undersigned minority members of the Committee on Finance feel constrained to withhold their support from the provisions recommended by the majority, having for their purpose the arbitrary fixing of rates for taxes to be collected mainly in 1920 to the estimated extent of $4,250,000,000.

With respect to those provisions of the bill as amended by the committee, which, it is estimated, will produce $6,000,000,000 revenue for a full 12-months period, we are generally in accord. These provisions are the result of months of painstaking deliberation and are based upon as accurate and reliable expert information as it was possible to obtain through every agency, official and other. They reflect actual business, industrial, and economic conditions now believed to exist, taking into consideration the rapid transition during the year from the maximum war-needs production to the sudden cessation of hostilities and the arrest of war industry.

Difficult as was the committee's task, its conclusions as to just and proper bases of taxation upon current-year conditions were, at least, approximately definite and consonant with known facts. We, therefore, were enabled by patient consideration to apply the new and increased taxes in a way to harmonize, so far as practicable, with existing economic, financial, and industrial conditions, and at the same time to provide all the revenue that revised estimates of the Treasury Department indicated as necessary in view of the signing of the armistice, namely, $6,000,000,000, or $2,000,000,000 less than was estimated the bill carried when it came to the Senate. The fact that rapidly changing conditions, while the bill was under consideration in the Committee on Finance, enabled the committee to reduce the amount of taxes $2,000,000,000 furnishes a forcible illustration of the importance of legislating on the subject of taxation, so vital to the country, with the utmost care and in the light of ascertained conditions. It further demonstrates how unwise is the policy of haste and the anticipation of future needs at a time when radical changes in domestic and world conditions render to-day's conclusions perhaps worthless to-morrow.

We recall that it was insisted in July and August, last, that the revenue bill, not even then prepared, should become a law not later than September 28. Disaster to the fourth liberty loan was predicted and apprehension was expressed as to the inability of the Secretary of the Treasury to market short-time certificates if the bill were not on the statute books by that date. These predictions, fortunately, were unfulfilled. The Secretary experienced no difficulty in placing short-time certificates and the fourth liberty loan was oversubscribed. The country was not affected by lack of knowledge in advance as to the extent and methods of taxation, but went ahead and met each situation as it arose.

Who now will claim that Congress was not justified or lacked wisdom in deliberating upon this, the greatest of all tax bills in history? The fact alone that changed conditions made possible a reduction of $2,000,000,000 in the interest of the taxpayers justifies the care and scrutiny given the bill by those charged with the constitutional duty of framing it.

In the light, therefore, of this recent valuable experience and object lesson it would be entirely without justification to attempt to prescribe for the American people what amount of taxes they shall be called upon to pay in the year 1920. We can not fail to be impressed with the many difficulties encountered, even with every possible aid, in levying just taxes for the current year; and to undertake to project ourselves into the future, so filled with portentous changes, and arbitrarily

and rigidly to fix taxes for the year 1920 is in violation of every sound principle of legislative procedure, and economically is fallacious and unsound.

No one can foresee the full course of events which will crowd the intervening months, and no one with any degree of definiteness can estimate the Government's needs or the country's industrial prosperity. Sources of revenue not now tapped may be made to yield a just portion, thus relieving other sources from onerous taxation. Who can foresee clearly results from the readjustment and reconstruction program inevitably impending and bound to follow the return of peace? Both capital and labor are vitally interested in these readjustments and will be affected by them in a way that can not be foretold. The problem of the high cost of living is not the least of those awaiting attention, and a wise and carefully considered economic policy must be framed at the proper time with full information as to the facts. Care must be exercised not to disarrange our industrial system in a way which will render either capital or labor less employed in profitable pursuits than at the present time. A sound policy demands that no legislation shall be enacted which will suddenly or unwisely disturb values and prices. Vast governmental undertakings and agencies, made necessary by the war, must come in for a large share of consideration as to the policy to be adopted with respect to those activities in the future, thus presenting the most difficult domestic problems ever confronted by this Nation.

No program for the near or even distant future has been evolved—nothing but the merest outlines, suggestions, and preliminaries—and yet, on the threshold of these nebulous conditions, it is proposed to lay down a hard and fast scheme of taxation for the future. The only argument advanced in behalf of this extraordinary proposition to fix arbitrarily the rates of taxation in the present bill for the year 1920 is that the taxpayers are entitled to know the amount of reduction in taxes and the character of the taxes for that year. It does not seem to the minority that this argument furnishes any justification for violating the methods of orderly legislative procedure. Every taxpayer in the country knows that taxes will be reduced after this year as the inevitable result of a reduction in governmental needs following the declaration of peace. Every business man knows the next Congress can enact a revenue measure, based on accurate information as to the then existing conditions, which will reduce the burdens of taxation so far as the requirements of the Government will permit. Why, then, attempt to do so in this bill with no knowledge of future conditions and needs?

As a 1918 measure the undersigned minority members of the committee concur in the reporting of the bill, but the measure should stand essentially as a 1918 measure, and the many changes which will be necessary to adapt the tax law to conditions found to obtain in 1919, and subsequent years, should follow and be made at one time and in the light of as full information as it will be possible to obtain.

BOIES PENROSE.
H. C. LODGE.
P. J. MCCUMBER.
REED SMOOT.
CHAS. E. TOWNSEND.
WM. P. DILLINGHAM.

Mr. PENROSE. Mr. President, I perhaps conveyed a wrong impression when I stated to the Senate that this minority report was signed by all the members of the minority, with one exception. I ought to say that the minority were unanimous in dissenting from the attempt to fix the 1920 taxes in this bill. The senior Senator from Wisconsin [Mr. LA FOLLETTE] refrained from joining in the minority report because of the fact that he objected to the general plan of taxation contained in the bill, in which the other members of the minority, realizing the limitations under which the present Congress is acting, were willing in a general way to concur. I think it only fair to state this, because it shows a unanimity of protest. I desire to quote from the views filed by the senior Senator from Wisconsin, in which he says:

I concur fully with the minority report of the Committee on Finance in withholding support from the provisions recommended by the majority, having for their purpose the arbitrary fixing of rates of taxation to be collected in 1920. In the confusion and chaos resulting from the sudden termination of the war, neither the needs of the Government nor the sources of its income for 1920 can be more than wildly approximated at this time, and, in my opinion, no sound reason for this proposed legislation has ever been given.

Then he goes on to say—and it explains why he did not sign the report—

I dissent, however, from so much of the report of the minority members of the Finance Committee as concurs with the majority in proposing to raise by taxation under this bill only $6,000,000,000 or even less than that amount for the taxable year, and which in consequence permits war profits and excessive incomes to escape fair and reasonable taxation.

Then he proceeds in his report to outline his views on a scheme of taxation which would meet his approval.

Mr. President, as the Senate has now reached the point in the bill where there is a sharp divergence of opinion between the united minority and majority of the Finance Committee, I shall take advantage of the opportunity to present briefly some of my views upon the pending measure.

NO OPPOSITION TO ESSENTIAL WAR REVENUE LEGISLATION.

This bill comes up for enactment after peace has been won, a victorious peace, gained in no small part through the determination, resources, sacrifices, and valor of the people of the United States. The great financial task of our country is still, however, to meet the cost of the war, and it is as a war measure that this bill primarily is to be judged. It is because the bill is essentially a war measure that I am willing to support it, although dissenting from the special 1920 provisions, and only accepting many other provisions because I realize that the bill is, perhaps, the best that can be had under existing limitations. To raise by taxation, principally upon the incomes of the people and the industries of the country for the past year, about $6,000,000,000—nearly six times the prewar income of our country from all sources—is justified only by the staggering expenditures in the great cause, and can be sanctioned only by the patriotic spirit of our people.

The report of the majority of the Finance Committee, and the address of the Senator from North Carolina, the chairman of the committee, furnish a detailed explanation of the measure which I need not duplicate or amplify. I shall confine my remarks to a brief statement of some of the salient features, an understanding of which seems to me essential for the consideration of the bill, in its present form, by the Senate and by the country. I know the measure is far from perfect, and I also recognize the difficulties which have been encountered. Yielding to the consensus of opinion of the majority in the committee and having aided so far as I could to eliminate objectionable features, and to support a large number of amendments of great importance, which have been adopted, I trust the bill will pass at as early a date as may be consistent with full consideration and discussion. In stating this I believe I am also voicing the patriotic sentiment of the country, which recognizes the needs of the hour and is willing to make the sacrifice.

PRIMARILY A WAR MEASURE.

The pending bill primarily is a war measure. It is the largest tax bill in the history of modern countries. It reaches the highest mark of taxation, and it is hoped and expected that subsequent measures will amend errors and omissions in the present bill and will provide a steady reduction of taxes as the affairs of the country are readjusted, and retrenchment, curtailment, and economy diminish the requirements of the Government. While the war is over, it must not be imagined that expenditures can drop instantly to a peace footing. One great item of expense, the maintenance and pay of the armies in the field, must remain for some time, however rapidly the troops are brought back. We can not consider ourselves fairly upon a peace basis until peace shall have been declared and demobilization accomplished.

EXHAUSTIVE CONSIDERATION OF BILL IN COMMITTEES.

The bill has had exhaustive consideration in the committees of the House and Senate for a period extending over several months. Hearings have been had, and information has been received from official experts and from communications from taxpayers, fully reciting their views. I take this opportunity to commend the spirit of patriotism, free from any taint of partisanship, which prevailed in the Committee on Finance during the consideration of the bill. In the deliberations of this committee, which frequently, in the history of the country, has been the center of political strife waged over economic questions, only one purpose seemed to prevail, and that was to raise the taxes required for the needs of the Government by methods fair and equitable. I should also like to say that a similar spirit obtained among the taxpayers who appeared before the committee or saw the members thereof in personal interviews. I do not recall a single important case where exemption from taxation was requested for any section or industry. The single desire on the part of the taxpayers seemed to be that the taxes should be levied along lines fair, equitable, and sound from an economic point of view. Further than that no claim was raised.

TAX ADVISORY BOARD.

In the act of 1917 many glaring inconsistencies and omissions exist. A large number of these defects were cured by the rulings and constructions of the Tax Advisory Board created and supported by the Secretary of the Treasury and the Commissioner of Internal Revenue, and I take this opportunity to express my

appreciation of the invaluable work accomplished in this connection by the board. Its rulings and constructions have been sane, wise, and courageous, and have resulted, in my opinion, in preventing many disastrous results which might have followed from the act of 1917 had the board not undertaken to interpret the act on broad and equitable lines. The remarkable feature about the board has been its lack of legal power to determine finally taxes or constructions. Its power has been entirely of a recommendatory character, and I do not know of any case of importance where its decisions have been overruled. The taxpayer has had the privilege of appealing directly to the board and, on the whole, I recall few bureaus of the Treasury Department which have administered such trying and arduous duties more effectively. The board has been retained in the present bill, and it is worthy of note that it has been the deliberate purpose to refrain from bestowing any actual power upon the board beyond that of recommendation, the thought being that it can perform its duties most effectively and retain the confidence of Government officials and taxpayers more firmly by continuing its powers as purely recommendatory.

CODIFICATION OF TAX LAWS.

I have referred to the many defects in the present law which have been partially remedied by rulings of the Treasury Department, and which have been more fully and definitely corrected in the pending bill by the excellent amendments made by the Committee on Finance. I think it well to call particular attention, in passing, to a very confusing defect in the present law which has been corrected in the pending bill. I refer to the very objectionable feature of the 1917 legislation in that the income tax was left spread through two statutes. This made it difficult for the taxpayer to find out what his rights and obligations were. In the present bill these taxes have been put in a single statute. It was most confusing to the taxpayer to be confronted with this independent extension of additional taxes running all through the law of 1917, including excess-profits taxes. The present measure is a complete codification of the tax laws, so far as concerns the internal-revenue system. In other words, the existing law is now codified and reenacted with the additional increased taxes and amendments, so that the old law is, for all practical purposes, to be disregarded except in so far as the few paragraphs relating to the Tariff Commission, a protective tariff on dyestuffs, and a few other paragraphs are concerned. It is needless to say, however, that the present law will still continue to affect cases pending.

IMPORTANT TREASURY DECISIONS EMBODIED IN AMENDMENTS.

I have referred to the very excellent work done by the Tax Advisory Board in construing the present law, and I am glad to be able to say that most of the important Treasury decisions construing the present law have been embodied in amendments, while many new provisions have been made to relieve the taxpayer from discrimination and inequality. In some instances these relief provisions have been especially designed to secure maximum of production in articles considered essential in the present emergency.

Mr. SIMMONS. Mr. President, if the Senator will pardon me right in that connection, I should like to say, so that it may be understood by the Senate, that while we have made no change in the House rates in the income tax and none in the excess-profits tax and surtax, except a slight reduction in the excess-profits tax for 1919 and some modifications in the surtax schedule but slightly affecting the revenue, yet we have, through the amendments the Senator is now speaking about, very materially reduced the income of the Government from those taxes. Whatever substantial deductions have been made in the income and profits taxes for 1919 have been made through the so-called ameliorative or relief measures to which the Senator is now referring, and which were adopted by the committee in order to remove the hardships growing out of a rigid enforcement of the definition of invested capital as it is found in the present law and the pending bill.

Mr. PENROSE. Mr. President, I am glad the chairman of the committee has illuminated the subject by his interruption, because there is some misapprehension as to the character of these relief provisions. I take it that in some cases they have resulted in a reduction of revenue, and in some particular cases in a very large reduction; but such revenue has been made up elsewhere, and we were very fortunate in being confronted later on with a situation where we could reduce the revenue and still meet the requirements of the Secretary of the Treasury.

Mr. SIMMONS. And the reductions have been made in a spirit of fairness and justness to the taxpayer.

Mr. PENROSE. Yes; and, Mr. President, the fact that it reduced the revenue never was an argument, to my mind, against adopting a provision to prevent injustice or inequality, or in favor of levying a tax on one man who, perchance, has an undercapitalized concern with his good will left out, on one side of the street, and another man, with his good will capitalized at an enormous figure, on the other side of the street, one paying heavy taxes and the other going scot free. Neither has it persuaded me, Mr. President, that revenue might be lost if the amendment were adopted by which the Government would not impose a tax on the taxpayer when at the end of the year he had incurred a loss instead of a profit. The Government can devise many ways of imposing taxes without taxing the bankrupt, or without framing a tax system so full of hardship and inequality that men wonder what kind of reasoning the Congress adopted to devise such a scheme.

In fact, Mr. President, on the point suggested, the general impression prevailed in the committee that these amendments were of very great and particular importance at the present time. The taxes heretofore have been so very much lower that inequality, while it might work injustice, could perhaps be borne by the taxpayer in a war measure, but when we were confronted by the provisions of a bill raising enormous revenues by taxes higher than were ever dreamed of in this country, and considerably higher, in most instances, than those prevailing in any other country, it became very evident that it was absolutely necessary to amend the bill wherever possible by carefully prepared amendments which would meet many complicated contingencies and avoid gross inequality, inequity, and, perhaps, disastrous financial results.

DIRECT AND INDIRECT TAXATION.

Direct taxation is comparatively new in the United States. Until within the last few years, whatever fiscal policy may have prevailed in the country, the bulk of the revenue was raised from the customhouse and by certain recognized and established internal-revenue taxes, chiefly on liquor and tobacco. Later on, in 1900, the revenues were supplemented by excise taxes, followed by a small income tax in 1913. It was only in 1916 and 1917, however, that the Government of the United States undertook to raise by direct taxes—I mean taxes upon income, personal and corporate—any great portion of its revenue. Our experience with this system of taxation is therefore brief. Some assistance in solving the intricate problems which such a system involves is to be derived from England, where income taxes have been long established. No country, however, has experienced the repressive effect of rates as high as those in this bill. No European country has to meet in this field the same problems which arise in the United States. In England, for example, industries are mainly old and established. Here a large part of our essential production is carried on by new enterprises, constantly developed by the initiative of our people in the midst of the opportunities afforded in a new country. As a continuing levy anything like the present rates would operate strongly to discourage and repress that invaluable American initiative and enterprise. The repressive effect would, I am confident, cost the Government, even in revenue, far more than the additional yield of high rates. It would tend to force industries into stagnation.

Profiting, so far as we might, by the example of other countries, but, chiefly, being compelled to work out our own problems from our brief experience with direct taxes in the last few years, and after the most exhaustive study of industrial and financial conditions in this country, we have had to move slowly and steadily along firm ground where the topography was fully known. The perils of theoretical schemes of taxation had to be avoided. Attractive in theory, a little study of these propositions shows that we might be embarking upon uncharted waters. I am inclined to the conclusion that it is impossible to work out any single theory of taxation that will lead to success. I have more faith in the lessons of experience and practice than in the teachings of theory. For instance, it is urged that the schedule of miscellaneous taxes is arbitrary, and the fact is that the schedule must be acknowledged to be historical, accidental, and experimental. Taxes of this kind can not be worked out on any single, definite plan, but must proceed in the light of experience; and yet the miscellaneous taxes which we have had during the past year seem to have worked out satisfactorily and without undue hardship, and I believe that the new schedules, which have been made as moderate as possible, and in most cases below the rates imposed in the House bill, will, as temporary taxes, go equally well.

On the other hand, it has been urged that we should supersede by a single uniform and simple sales tax what has been described as a jumble of miscellaneous taxes, or, to pursue the theory to its logical conclusion, that we should adopt some kind of a turnover tax. I have yet to discover a workable plan for such a sales or turnover tax. For instance, one suggestion is that a tax of 1 per cent, levied on all sales made in this

country, would be simple and yield nearly $3,000,000,000 of revenue, but I fail to find that such a tax would be simple as alleged. In the case of some articles, for instance, which pass through several trade channels before reaching the ultimate consumer, the tax would be applied four or five times, while in the case of other articles reaching the consumer more directly from the manufacturer the tax would be added, perhaps, only once or twice.

This inequality naturally would tend to create dissatisfaction on the part of the consumers. It would also operate as a great discrimination in favor of the very large industry, comprehending several different branches within itself, as compared with the small producer, who has to make use, perhaps, of other manufacturers, jobbers, and trade channels for articles which the big concern supplies for itself. To meet these difficulties it has been suggested that the tax should be 1 per cent on sales at retail, which tax would yield about $1,000,000,000. Confining the tax to retail sales would, it is claimed, work strange discrimination. Would the farmer be required to pay this tax on his plow if he bought it from the local hardware dealer? If so, he might be discriminated against as compared with the large agricultural operator of the West, who buys perhaps 20 plows in a lot from the wholesale dealer. If, on the other hand, sales of articles used only for production, even when made at retail, are not to be taxed, and the tax is to be confined to articles used only for consumption, the tax becomes most difficult of administration and, unless put at a high rate, can not produce very much revenue. This plan for a general sales tax may have much merit and be worthy of careful future consideration, but up to the present time I have not seen any scheme concretely worked out and capable of just application.

PROPORTION OF REVENUE WHICH SHOULD BE RAISED BY LOANS AND TAXES.

In the same way it is well to avoid being beguiled by theories as to the proportion of revenue which should be raised by loans and by taxes. I have already referred to the difference in conditions prevailing among the nations immediately menaced by the war as contrasted with our conditions here. In this instance also it seems to me that the exercise of common sense, and the arrival at conclusions after a careful study of the facts, will bring better practical results than the pursuit of theories. We must look at the requirements of the Government and the condition of industry. In England the proportion of expenditures of the Government raised by taxation during the war years through 1917, including amounts loaned to foreign governments, has been estimated, I am informed, at a little over 22 per cent, while in France the proportion was smaller, being some 14 per cent. In contrast with this relation between loans and taxes it is interesting to note the similar relation disclosed in the present bill. The Secretary of the Treasury's revised estimate of actual governmental expenditures for the fiscal year ending June 30, 1919, is approximately $18,000,000,000. It is estimated that this bill will, for a full 12 months' period, yield approximately $6,000,000,000, or 33⅓ per cent of the total of this vast expenditure.

Mr. SIMMONS. Mr. President——

Mr. PENROSE. I yield to the Senator.

Mr. SIMMONS. I infer from what the Senator has already said, although he has not directly expressed himself to that effect, that in his opinion 33⅓ per cent is about as much as we ought to raise by taxation.

Mr. PENROSE. That is my opinion; and it is much larger, I was about to say, than that raised by any other country in the world.

Mr. SIMMONS. I wish to ask the Senator this question: Assuming that the expenses of the Government for 1920 will be about $7,000,000,000, in round numbers—the estimate of the department being between $6,000,000,000 and $7,000,000,000—the Senator would think that $4,000,000,000 of that amount would be ample to raise by taxation, would he not?

Mr. PENROSE. If the estimates for the following year are correct, I should be entirely satisfied with that proportion. My contention is, however, that we do not know whether those estimates are correct or what our expenses will be.

Mr. SIMMONS. Let me ask the Senator: Suppose the expenditures, instead of being what the department estimates, should be as large as the Senator from Utah [Mr. SMOOT] estimates—namely, $10,000,000,000—then would the Senator still think that $4,000,000,000 raised by taxation would be a sufficient amount?

Mr. PENROSE. If the Senator from North Carolina will wait a few moments I shall proceed to discuss what my idea is of the limit of direct taxes.

Mr. SIMMONS. I thought the Senator indicated 33⅓ per cent as his idea of the amount to be raised.

Mr. PENROSE. I do not think there is any magical figure. I was trying to show that we are levying by taxation, in relation to loans, considerably more than England and over twice as much as France. I was simply stating a fact. I hope to show as I proceed, if the Senator will permit me, what would be an answer to his question.

Mr. SIMMONS. I entirely agree with the Senator, that we are raising by taxation in this bill for the year 1920 a very much larger per cent than is raised by France or England.

Mr. NORRIS. Will the Senator yield to me for a moment?

Mr. PENROSE. I yield.

Mr. NORRIS. I should like to suggest to the Senator that the rule he lays down, however we may disagree on it, certainly would not apply to a time of peace.

Mr. PENROSE. I have not laid down any rule.

Mr. NORRIS. The Senator from North Carolina referred to 1920, a year after the war. When we are on a peace basis we will expect to raise all the money, and more, too, by taxation to run the Government.

Mr. PENROSE. I think so.

Mr. SIMMONS. That depends. It may be that we will be able to pay our war expenses during the fiscal year. Then our taxes will be comparatively very low next year, very much lower than the department has estimated and very much lower than the Senator from Utah has estimated. But if our expenditures for the year 1920 reach $10,000,000,000 or $7,000,000,000, it is clear that these amounts will greatly exceed the expenses of the Government in normal times. It is clear that in either event a large part of the expenditures will be war expenditures not paid during the war but paid after the war. The question is not when we pay them but whether when we do pay them we are paying war expenses as well as peace expenses. If we have to pay next year $10,000,000,000 nobody would say that exceeding $4,000,000,000 would be peace expenditures. The other $6,000,000,000 necessarily would be war expenses that we have not been able to pay this year and carried over to the next year. Therefore they should be dealt with just as war expenses are dealt with this year.

Mr. PENROSE. I do not think there is any substantial disagreement. I concede that the war is not over by any means, so far as expenses go.

Mr. SIMMONS. Or if it is over, if the Senator will pardon me, we will not be able to pay our war expenses this year, and they will be carried over to another year.

Mr. PENROSE. Certainly; and further than that, Mr. President, the very large item in our war expenses is the enormous cost of the pay and maintenance of 2,000,000 men in France. They can not be brought back immediately; neither can they be brought back without due regard for our responsibilities in Europe. I do not favor remaining too long in Europe and participating in their troubles there, but I am informed that the mere physical return of the troops will require six or seven months, or perhaps a year.

Mr. SIMMONS. The Senator certainly would not suggest that if our expenditures in the fiscal year 1920 are $10,000,000,000 because we have not been able to clear up our war indebtedness, we should raise that $10,000,000,000 by taxation?

Mr. PENROSE. Oh, no.

Mr. SIMMONS. Certainly not.

Mr. PENROSE. I simply wanted to call attention to the fact that these war expenses must continue this year and for another year. Some Senators sitting near me, who are conversant with the situation, say that it will take three years to bring the troops back, and that they are better paid than any soldiers in the world. We have run the war on a more expensive basis than any nation in the world, and we, of course, have these war expenses. At the same time I entirely agree with the junior Senator from Nebraska [Mr. NORRIS] that when we once get on a peace footing and war expenditures are abolished, taxes should then pay all the revenues of the Government.

Mr. SIMMONS. Undoubtedly.

Mr. PENROSE. As they always have in the history of the American Government.

Mr. SIMMONS. We ought then to cease bond issues. We ought to call upon the people to pay each year as we go after we get rid of these war expenditures. We can not afford to do it now, because if we should do it and the war expenditures carried over for future liquidation should be as great as indicated by some Senators, we would have to impose heavy war taxes upon the people of the country for years to come.

Mr. PENROSE. Mr. President, I do not think it has been amiss to have elucidated this point. I have received recently a large number of letters from people asking, "Why do we not proceed to a normal tax system?" They forget the war is not over and that demobilization has not as yet been achieved. This they ought to realize.

Mr. SIMMONS. I will interrupt the Senator just to say that I have had letters of that sort from people saying, "We are perfectly willing to pay these high taxes in time of war, but the war is over and these taxes ought to be taken off of us." That would be true provided that when the war is over we are rid of the war expenses—not expenditures that may accumulate in the future or after the war terminates, but expenses that may have accumulated or may accumulate during the war and that have not yet been met and can not be met during the fiscal year.

Mr. PENROSE. I think there are a very large number of people who have no conception of the expenditures of a war nature which the Government will have to provide long after peace shall have been declared, and I suggest this without advocating in any way a policy of prolonged and continued interference in European affairs. I simply stated that our relation of taxes to loans is one-third greater than that in England and over twice that in France to show that the American people are standing a heavier tax burden in relation to loans than any of the allied nations from whom we have any definite information.

Mr. President, reference has been made to the standard of relation between loans and taxes, and there we again want to avoid being beguiled by theories. I have already referred to the difference in conditions prevailing among the nations immediately menaced by the war as contrasted with our conditions here.

In this instance also it seems to me that the exercise of a little common sense and the arrival at conclusions after a careful study of the facts will bring better results than the pursuit of theories. We must look at the requirements of the Government and the condition of industry in England and in France, as to which I have already stated the proportions. It is evident, therefore, that the proportion of taxes to loans in the United States is over one-third greater as compared with England and over twice as large as compared with France.

I am willing to go as far as anyone in raising as much of the war expenses of the Government as possible from current revenue. I am willing to set aside the argument for the present that posterity can well afford to pay the larger part of these expenditures, which ultimately will result in such tremendous gains for our country and for civilization. Neither will I now lay stress on the fact that even the indebtedness already incurred is small as compared with the resources of the country, and certainly is not to be compared with the similar debts of the allies, not to mention the damages and losses they have suffered. Our debt even now is easily borne and managed and, in a nation which is destined in the near future to grow in power and wealth by leaps and bounds, it is reasonable to expect its liquidation at a not distant period. But apart from all these considerations, there is one insurmountable limit beyond which we can not go in the way of taxation. It would seem that the argument is unanswerable that we can not tax the individuals and industries of the country beyond the point which can be endured without stagnation or destruction. Suppose we take the extreme argument that the greater part of all incomes, personal and corporate, be appropriated by the Government to defray the expenses of the war and demobilization. But one result would inevitably follow—the absolute cessation of all extension and development of business, the complete suspension of all work involving initiative and enterprise, the utter failure of business to expand or develop, or even to maintain the necessary upkeep for the conduct of industry.

It would fail to secure revenue because industry would cease to produce income. Therefore, assuming that we are willing to levy taxes to the limit of endurance, we can go only to that limit—and we can not pass it—at which corporations can retain sufficient funds to permit them to operate and individuals can still have left enough incentive to prompt that splendid initiative and enterprise which are the chief sources of the greatness of America. I am firmly convinced that the present taxes approach that limit. I am of the opinion that if we go much further we will overreach ourselves in the very object of securing the revenue we have in mind. Perhaps these taxes can be borne in view of the fact that they are temporary in their nature. They inevitably must be lowered in the following year substantially, and it is to be hoped that in a comparatively short period a system of direct taxes can be devised, together with a scheme for the refunding and payment of our national debt, which will place our tax system upon a reasonable and enduring basis so that the country may be able to proceed, carrying its burden, it is true, but carrying it cheerfully and bravely, in the tremendous task of reconstruction and development. After all, even if the taxes are high for this year, even if sacrifices have to be made and, in numerous instances, money has to be borrowed to pay the taxes and profits have to be postponed, the American taxpayers will be inspired by the same patriotism manifested by them throughout the war in their generous response to each call for liberty loans. In their patriotism and sacrifice they have been second only to those who have given their full measure of devotion upon the field of battle.

PLAN OF TAXATION.

In discussing briefly the details of the bill I should like first to refer to the plan of taxation. This bill will, according to the estimates, raise from miscellaneous sources, principally beverages and tobacco, approximately $1,370,000,000, and from incomes approximately $4,600,000,000. The latter amount will be taken from corporate incomes estimated at $10,000,000,000, and from individual incomes subject to normal tax (account being taken of the exemptions allowed) of $4,700,000,000. When it is considered that a large part of the estimated income is not available for distribution or use as cash, but is, in a sense, paper income being tied up in inventories, plant equipment, and working capital, the weight of the tax burden imposed by this bill is apparent. The individual surtax rates attaining 65 per cent in addition to the normal tax of 12 per cent contrast with the highest figure adopted in England of slightly over 52 per cent, and with the figure of slightly over 12 per cent in France. The surtax rate of 65 per cent upon incomes of $1,000,000 or over contrasts with the surtax rate of 50 per cent upon incomes of $1,000,000 in Canada. A tax schedule which subjects any individual incomes to a total levy of 77 per cent is entirely without precedent in the history of taxation in any country. While England has had the war at her very doors, and was by way of the air actually invaded, this bill, as I understand it, exacts from the income of corporations at least as much as does the law of England, and on large individual incomes it levies the highest rates in the world.

RATES FOR FUTURE YEARS CAN NOT BE DETERMINED NOW.

The rates for future years can not be determined now. I had the report of the minority of the Finance Committee read before I began my remarks, and it is not necessary for me to go into this phase of the matter at any great length, but I should like to observe, in passing, that I do not see how it can be logically claimed that the rates for future years can be now determined. Strongly as I feel the necessity of reducing rates for the future, I do not believe that an attempt to provide for the future should be made in this bill, and the minority members practically all unite in this dissent.

Mr. SIMMONS. Mr. President, will the Senator from Pennsylvania pardon me?

The PRESIDING OFFICER (Mr. MOSES in the chair). Does the Senator from Pennsylvania yield to the Senator from North Carolina?

Mr. PENROSE. Yes.

Mr. SIMMONS. I have in my hand, given to me by the clerk of the Appropriations Committee of the Senate, the estimates of all the departments for the year 1920. The House Appropriations Committee has those estimates, and is now framing the bills based upon them. The proposed bills have been sent to the Committee on Appropriations of this body in advance of their action upon them. I suppose there must be some way in which the departments can determine beforehand with reasonable definiteness what would be the expenditures. Otherwise, they could not present these figures to the two bodies of Congress as the basis of appropriations for 1920.

Mr. PENROSE. Mr. President, I have no doubt the departments have made estimates, and doubtless they have made outside estimates of far more money than they will be called upon to spend. I do not have very great confidence in the estimates of the departments at this time; in fact, during the last two years the frequently changing estimates handed in by the departments have shaken my confidence in them altogether in this connection. I am willing to make due allowance for the rapid changes which have occurred from day to day and from month to month during the war period; but I know the Secretary of the Treasury came to the Finance Committee, and has come during the last year and a half, with an estimate one week and that in another week four or five million dollars more were added, and then more, until I for one, I will say candidly, did not know "where I was at" or what I could expect.

Mr. SIMMONS. Mr. President, the Senator from Pennsylvania will recall that, while what he states is true, when the Secretary of the Treasury came before the Committee while we were framing the present law and stated that the estimates had been increased since they were originally made by the War Department and the Navy Department, still he did not ask for any more money by taxation; he did not ask that additional taxes be levied on that account upon the people.

The Senator will also recall that this year, while the committee was engaged in revising the pending bill, long before the armistice, the departments brought in some very considerable additional estimates after the appropriation bills had been passed; and, under the direction of the committee, I inquired of the Secretary of the Treasury if he would ask that more money be raised by taxation as the result of those additional estimates, and we were advised that he would not ask any additional sum by way of taxation.

I think it is not unlikely that, in addition to these estimates of appropriations of $7,443,000,000—and the estimates of the actual expenses are less—later the departments may come in and ask for more. They are not so likely to do that, however, as they were in the time of war, because then we were constantly increasing and enlarging our program, calling for more money. They may come, and probably will come; but, as I understand from the testimony of the Secretary of the Treasury before the committee, even if the appropriations hereafter should exceed those asked for by the departments, $4,000,000,000 would still, in his judgment, be enough to raise by taxation during the year 1920.

Mr. PENROSE. Mr. President, has the chairman of the committee the estimates on his desk?

Mr. SIMMONS. Yes; I have the estimates of appropriation and I can give also the estimates of expenditures here, and I will put them in the RECORD if the Senator so desires.

Mr. PENROSE. I should like to have them put in the RECORD, and I should like to ask what the total is?

Mr. SIMMONS. The total estimate, including postal, regular, permanent, and indefinite appropriations, is $8,089,667,298.07. Deducting from that the postal revenues, $358,307,577, and the sinking fund requirement of the present law, which is $287,943,883, leaves a total of $7,443,415,838.07. I ask that the table of estimates be inserted in the RECORD at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The table referred to is as follows:

Estimates of appropriations 1919–1920.

Agriculture		$30,048,786.00
Army		1,916,905,572.16
Diplomatic and Consular		11,042,236.66
District of Columbia		15,928,819.00
Fortification		574,237,273.30
Indian		11,939,813.89
Legislative, etc.		116,021,816.83
Military Academy		6,932,692.70
Navy		2,644,307,046.05
Pension		220,050,000.00
Post Office		358,307,577.00
River and harbor		15,870,500.00
Sundry civil		902,231,235.48
Total regular estimates		6,822,923,539.07
Permanents and indefinites		1,266,743,759.00
Total regular and permanents and indefinites estimates		8,089,667,298.07
Deduct:		
Sinking fund requirements	$287,943,883	
Postal Service, payable from postal receipts	358,307,577	
		646,251,460.00
		7,443,415,838.07

The Treasury estimates of actual expenditures for the fiscal year 1919–20 amount to, in round numbers, about $6,250,000,000.

Mr. WARREN. Mr. President, may I inquire at what time those estimates were submitted?

Mr. SIMMONS. Of appropriations? The clerk of the Appropriations Committee of the Senate handed them to me this morning and told me they were the estimates sent in.

Mr. WARREN. The Senator does not know how lately they have been prepared?

Mr. SIMMONS. No, I do not; but they are before the committee now, I take it.

Mr. WARREN. Of course the Senator realizes that they are only an approximation at the present time.

Mr. SIMMONS. That is so always.

Mr. WARREN. It is so now more than ever before. It is so now even more than if the war was still on.

Mr. SIMMONS. I disagree with the Senator about that. I think in times of war, when we were constantly changing our program and increasing expenditures from day to day, developing new plans and new schemes, we were likely to have a great many more additional estimates over those at first sent in than we are now when the war is over and we are drifting back toward normal conditions.

Mr. WARREN. Unfortunately, the war is not over yet; and, on the other hand, there are many thousands of contracts in connection with which an attempt is being made to secure legislation to effect a settlement. They amount not only to millions of dollars but to billions of dollars; and, of course, it is a matter of uncertainty at the present time to estimate what it is going to cost to secure a settlement where a contract is sought to be canceled by the Government and where the rights are with the other contracting party who must be bought off.

Mr. SIMMONS. My understanding is that the departments, in making their estimates for expenditures for the fiscal year 1919, in cutting down and determining what they can save, have taken care, so far as they could in their estimates, of the probable expenditures as a result of the cancellation of contracts; so that I do not think that will figure very largely in the matter.

Mr. PENROSE. Mr. President, I have not the slightest doubt; in fact——

Mr. SIMMONS. If the Senator will pardon me further——

Mr. PENROSE. Certainly.

Mr. SIMMONS. While, of course, there is some uncertainty about these estimates, I think there is less uncertainty about the estimates for 1920 than there is about the estimates for the present fiscal year. I am firmly convinced of that; and, while we are going to have, as the Senator says, to pay some damages for the cancellation of contracts and things of that sort, we are going to have also an immense salvage account this year that will result in bringing a large sum of money into the Treasury.

Then, Mr. President, we ought to consider, too, that we are going to have, as soon as the war closes, nearly $10,000,000,000 in the bonds of the allies, the best securities in the world, because, whatever might have been said about French bonds and about English bonds and Italian bonds in case the allies should have lost this fight, now that they have won there can be no question about the solvency of those securities and about their high class. Of course, those bonds are marketable, and we can utilize them for the purpose of relieving the people from excessive taxes in the future.

More than that, Mr. President, I want to say now, if the Senator from Pennsylvania will let me trench upon his time sufficiently to say it——

Mr. PENROSE. Certainly.

Mr. SIMMONS. I will say now that I do not believe that the people of this country are going to consent that the central powers shall escape without duly and properly reimbursing this country for the great losses that have been inflicted upon it by the methods which they have pursued in this war. I do not know whether the central powers will be able to pay the demands that are made upon them by the allies and by the United States; but whatever those demands are, based upon the capacity of that country to pay—and that ought to be the only limitation—the United States must have the same percentage of its losses allowed as the other allies, with the possible exception of France and Belgium. That will bring us a large fund; so that in the end, Mr. President, considering the bonds which we shall get from the allies and which we can market whenever we desire to do so—amounting to nearly $10,000,000,000—and considering the money we shall get by way of reparation and indemnity from our defeated foes, I think that the burden of war taxation will, in the last analysis, not be so heavy as we now sometimes think it will be.

While the bonds and reimbursements may not entirely wipe out our war expenditures, I hope, Mr. President, as the result of the marketing of these securities and the application to our indebtedness of this indemnity money, that in the course of a few years the burden of indebtedness that the United States has incurred on account of the war will be recouped, and that the people of this country can be relieved of taxes to pay these obligations in the coming years to the extent of that recoupment.

Mr. PENROSE. Mr. President, I have no doubt the departments have made their estimates and recommendations to the committees of the House of Representatives and to the Secretary of the Treasury; in fact, they could not very well avoid so doing. That had to be done. I only want to repeat, however, that in the last year and a half I have had all confidence shaken in the estimates of the Treasury Department, because they have been constantly changing in the direction of greater and greater expenditures. I make the criticism most respectfully, because I know that events have been piling up in an extraordinary fashion, and perhaps no one could predict with any accuracy what the requirements would be. For the very same reason I claim that in the period to come, stored as it is with portentious possibilities, we can not count on any accuracy in these estimates.

I do not believe, Mr. President, that the Treasury Department or any of the heads of departments can, with the least approximation to accuracy, tell what the revenue requirements of the Government will be for 1920. No one can surely predict the con-

ditions which will follow during a period so stored with great events. To just what extent taxes can be reduced in the future and by what method can not now be told. These difficult questions should be decided in the light of the latest and most complete information as to actual business conditions and revenue requirements. The only argument advanced in favor of this legislation for the future is that the taxpayer should receive certain assurances as to his situation for the following year, but it is impossible to give him any positive assurance when future conditions are entirely unknown. In any event, every business man in the country knows that the taxes imposed in this bill inevitably must come down, no matter what happens, and the only real question presented is as to the details and methods of taxation. Therefore, practically all of the minority members of the Finance Committee are united in dissenting from the 1920 provisions of the pending bill and leaving it, so far as incomes and profits are concerned, as a 1918 measure, to be amended by a subsequent Congress only when we can ascertain what the Government needs and what the country can stand.

WAR EXCESS-PROFITS TAX.

I desire now, Mr. President, to discuss in detail a few of the most important and novel features of the pending revenue bill. To one of these I want to refer especially, and that is the war excess-profits tax. The plan adopted by the committee avoids the alternative scheme appearing in the House bill. I do not know that I can define better what the committee has done in this respect than to quote from the report of the committee as follows:

"The House bill provides, in effect, alternative war-profits and excess-profits taxes, the taxpayer to pay whichever is the higher. To this plan grave objection was made on constitutional grounds and because the scheme was troublesome to the taxpayer. The plan was also criticized as conferring undue discretion on the Treasury Department.

"In place of this alternative scheme the committee recommends a single war excess-profits tax, which is mathematically equivalent to an alternative plan at the same rates. It unifies the two taxes by the simple device of including the war-profits tax as an additional bracket of the rate schedule.

"The committee has also simplified and reduced the rates of the excess-profits tax adopted by the House. The rates imposed in the House bill were 35 per cent of the net income in excess of the excess-profits credit ($3,000 plus 8 per cent of the invested capital) and not in excess of 15 per cent of the invested capital; 50 per cent of the net income in excess of 15 per cent and not in excess of 20 per cent of the invested capital; and 70 per cent of the net income in excess of 20 per cent of the invested capital. The committee proposes in lieu of the House brackets of 35, 50, and 70 per cent two brackets of 30 and 60 per cent, with no change in the deduction or 'excess-profits credit.' The third bracket of the committee plan is, as stated before, simply the war-profits tax of 80 per cent."

It will thus be seen that the plan adopted by the committee avoids the alternative scheme appearing in the House bill. It will also be noted that the committee has reduced somewhat the rate to which corporations having no excess of current earnings over prewar earnings will be subject. There is retained upon the excess of earnings over prewar earnings the rate of 80 per cent. This extremely high rate, however, by no means applies to all of any corporation's income. Protective deductions have been carefully provided.

These deductions, meant to assure to corporations, free from excessive tax, some return upon the capital of every corporate enterprise, depend largely upon the computation of "invested capital." Last year's law, in which was begun the experiment of a special profits tax, made use of this invested capital conception. Variations in methods by which enterprise has been financed, in the nature of business properties, in the history of the development of different businesses, in methods of accounting, and in methods of stock issues, as well as in the relation of stock issues to bond issues, have been so great that it was found impossible to apply any single definition of invested capital. Acting under certain clauses of the law of 1917 the Treasury Department wisely worked out various relief provisions which, in the enforcement of the statutory plan, operate to prevent intolerable discrimination and excess in assessments as between taxpayers. The House bill, notwithstanding the great increase in the rates of the profits tax, did not embody a number of these protective provisions. Without attempting to go into detail I can assure the Senate that all of the protective and relief provisions worked out by the department from its actual practice have now been embodied in the bill. These relief provisions, far more necessary than before the adoption of the higher rates, will, I am sure, continue to prevent injustice as between different taxpayers and will temper the apparent severity of the letter of the law.

The question of subjecting individuals and partnerships to the war excess-profits tax was given very ample attention and consideration by the committee. Their exemption from this tax is an apparent discrimination against industry which happens to be carried on under the corporate form. I became convinced, however, that because of the high surtax rates to which individual incomes are to be subject, even where derived through partnerships, this discrimination is more apparent than real and that the difficulties of placing individuals under the tax are insuperable. I am the more reconciled to this conclusion because of my belief that in the interests of the economic and fiscal welfare of the country any special profits tax, however labeled, ought, in the near future, to be altogether abolished. In its place should be substituted some carefully worked-out scheme of general and uniform taxation upon income. The Secretary of the Treasury has urged the giving up of any vestige of the excess-profits tax in this very bill, although his recommendation has not been supported by the majority of the committee. His views, however, as to the repressive and discriminatory character of a so-called excess-profits tax are entitled to the most careful consideration.

INCOME TAX; ADEQUATE RECOGNITION OF LOSSES—SHORTAGE IN INVENTORY VALUES.

The nature of the income tax is readily understood, and it is of the new and ameliorative features only that I wish to speak. I should like now to call attention to the admirable amendments looking to adequate recognition of losses. I call attention particularly to the amendments relating to shrinkage in inventory values concerning which very many communications were received from taxpayers by the committee generally and by the individual members thereof. Under the present law income for a single year is subjected to the full rate of tax without regard to the past or future financial operations of the taxpayer. If in the previous year, however, the taxpayer now to be taxed sustained a loss instead of making a profit it is clearly unjust to tax this year's profits without letting him first make up last year's loss; and if for the next year he should show a loss instead of a gain it seems just again to permit him to apply against his previous year's income the amount by which his outgo exceeds his income. In other words, in enforcing high rates of tax there should be taken into account the taxpayer's operations over some series of years and not merely his operations for a single year in which special conditions may prevail. What is in effect averaging of income is permitted by the special provision as to net losses in section 204 of the bill.

This provision, Mr. President, was discussed yesterday afternoon in the Senate, and I do not think those who were disposed to criticize it fully understood its purport and meaning. There is no doubt that it is a very liberal provision, and that it will entail a loss of revenue; but, as I said earlier in the discussion, the loss of revenue is no argument to my mind if it is a question of gross inequality and inequity, or if the revenue is to be raised by taxing a man who has suffered only losses, and I am glad that the Senate sustained the committee and retained this paragraph in the bill. Why, Mr. President, even with this provision in the measure, much anxiety still prevails all over the country upon other questions of losses, and I ought to say here that these provisions are not in the interest of the so-called very large corporations. They produce under the most favorable conditions and do not have the lean years. These relief provisions to which I am about to refer are distinctly and preeminently in favor of the small taxpayer from one end of the land to the other. The great concerns could proceed on their way very cheerfully without any of these provisions; but it is the average man doing business, whether as a dealer or as a manufacturer, who has his inventories of stock or who requires relief along other lines to which I shall now refer, for whom these relief measures are intended. There was no occult purpose in devising them to enable anyone to escape taxes, or to favor any class of industry, individuals, or section of the country. The man dealing in wheat in the West, or keeping a grocery store in a small town on the plains, is perhaps more directly and keenly interested in this and the other relief provisions than the great, big concerns in metropolitan centers.

Mr. GRONNA. Mr. President, will the Senator yield?

Mr. PENROSE. I will.

Mr. GRONNA. There were two questions debated yesterday, if I remember correctly. The first one was the question of making the inventory. Of course, as I understood, there was really no objection to the change in regard to that.

Mr. PENROSE. I had no objection. I do not know whether the Senate adopted the Senator's amendment or not. I do not recall.

Mr. GRONNA. I withdrew my amendment for the present because I was assured that the amendment proposed by the committee would in effect take care of the matter. But I rose to call the attention of the Senator to this fact. I know he does no intentionally wish to confuse the two subjects.

Mr. PENROSE. No.

Mr. GRONNA. There are really two distinct and separate subjects: The question of taking the inventory based upon a fair valuation or a market valuation is one, and the question of being permitted to make reductions on losses sustained in the years past is a distinct and separate question, as I understood it.

Mr. PENROSE. I think I understood the Senator from North Dakota, and in making this brief reference to the opposition which occurred yesterday I did not mean in any way to oppose the Senator's amendment, nor did I have the Senator's amendment in mind, I may say. I had more in mind the actual vote which occurred on the question of sustaining the committee when some 15 or 16 Senators saw fit, as was their right, to vote against the committee. I only wanted to say that I feared the character of the amendment, by reason of the bref debate in the absence of full explanation and statistics, might not have been fully understood, as is often the case.

Mr. GRONNA. As the Senator knows, there was no vote taken on the amendment which provided for making reduction in the inventory; that is, there was no objection to it. The objection was to another section which provides that any losses sustained in past years may be deducted in the future.

Mr. PENROSE. Then, no doubt, my reference was a little misleading. I should have said that objections to measures of relief of this peculiar character, perhaps, have not been fully understood, and hence there arose the suggestion of criticism to an amendment of this kind. That is what I should have said to make myself clear.

Many taxpayers, however, have expressed a fear that this new provision does not fully prevent injustice through taxing profits largely dependent upon inventories of goods at war prices when the value of these goods may suffer a sharp decline. The committee could not agree to permit reserves necessarily arbitrary against inventory values, but did provide, in section 214 (9) and 234 (13), that if after any year's profit has been calculated a loss is for the first time ascertained, due to the shrinkage in the level of inventory values or other similar cause, there may immediately be an adjustment of the tax for the past year, allowing full recognition of this loss, even though not sustained through actual sales.

Another source of anxiety, Mr. President, among the taxpayers of the country—and upon al lthese questions every Member of this body has had hundreds, if not thousands, of letters expressing the anxiety of the taxpayers—is that a very grave injustice should not be done by taxing earnings and income which really do not have any existence.

AMORTIZATION.

A source of much anxiety to concerns which have attempted to respond to the need of the country, and even upon the demand of the Government for increased production of articles contributing to the prosecution of the war, is the losses which they face through the shrinkage in value of equipment and plants acquired at unprecedented cost and likely to prove of little or no value under established peace conditions. The House bill provided that in determining the taxable income of such concerns there might be deducted from gross income reasonable allowances for such shrinkage in value estimated or actually sustained. In the House bill this allowance was, without apparent justification, limited to 25 per cent of the net income otherwise taxable.

Why the limitation, Mr. President, if still further loss were incurred over and above the 25 per cent limitation? So the Committee on Finance struck out the 25 per cent limitation, and the striking out of this limitation by the committee permits full recognition of the so-called amortization requirements and will tend to prevent the assessment of apparent profits which, in fact, are used to pay for facilities of only passing value.

There is another question which gravely disturbed the business men of the country. As I have said, many of these questions were comparatively unimportant while these taxes were low, but now that they have reached such staggering dimensions it became imperative to do something in the direction of meeting the questions which arose.

DEPLETION.

The committee gave very careful consideration to the question of depletion. The just taxation of incomes derived from the operation of mines and of oil and gas wells is a particularly difficult matter. This is due to the fact that part of what apparently is income is in reality a mere return of the capital of the enterprise. When, for example, a ton of coal is sold the excess of what is received from the cost of mining of that ton of coal is by no means all income; part of that excess must be treated as a repayment of what was invested in the mine from which the coal was taken. Such allowances for the extractive industries are covered by the depletion provision. The committee changed the language of this provision to assure continuance of the recognition of valuation of deposits as of March 1, 1913, as the basis for the deduction in the case of all property acquired by the taxpayer on or before that date. In pursuance of a policy permitting, so far as practicable, the development of new resources of this character they also provide for a more liberal allowance than heretofore permitted in the case of newly discovered mines, or oil or gas wells, permitting the deduction to be based on the fair market value of property discovered instead of its cost.

CONSOLIDATED RETURNS.

A very important provision worked out by the Treasury Department in its administration of the excess-profits tax for the past year, but which was expressly rejected by the House, is that relating to consolidated returns. In carrying on its business in different States, and also in carrying on different but closely related lines of business, it has been found necessary to employ the medium of a number of different corporations, substantially all of the stock of which is held by one company or by the controlling individuals. It is impossible to determine the true profits of such a combined enterprise except by treating the enterprise as a unit and disregarding the incidental placing of different branches in legally separate corporations. Nonrecognition of this unity in getting at true income may prevent the Government from subjecting the full income to tax or may result in subjecting the enterprise to undue tax. The committee has, therefore, embodied a provision requiring consolidated returns of income of affiliated corporations. Such returns are to be used not merely for the purpose of calculating profits tax but for the purpose of calculating the 12 per cent income tax. This section represents a determination to deal justly with business, whatever its form of organization, and to prevent business from escaping just tax by shifts in its form of organization.

NO DIFFERENTIAL TAX ON CORPORATE INCOME.

The committee could not be persuaded that there was any justification in the differential tax on corporate income. The provision of the House bill imposing an 18 per cent rate upon all of a corporation's net income, except the portion used for the distribution of dividends, for the payment of indebtedness, and investment in Liberty bonds, was entirely objectionable. It would have operated to put a premium on improvident and reckless corporate management, and to subject to penalty those conservative methods of business administration which have characterized the most wisely handled corporations. It was a direct tax upon corporate thrift. The committee has wisely abolished this differential and restored a flat rate of tax upon corporate incomes.

INHERITANCE TAX.

The taxing of estates is, to my mind, properly a matter for the States and not for the United States Government. The States are faced with the burden of raising more revenue than ever before. Sooner or later the collision between the States and the Federal Government in the field of jurisdiction over taxation is bound to become serious. I was impressed with this thought when I referred to the situation in a speech I made in the Senate in the summer of 1916 upon the then pending revenue bill, when I called attention to the situation which was then already developing. I will ask the Secretary to read a brief quotation from my remarks at that time on the subject.

The PRESIDING OFFICER (Mr. TRAMMELL in the chair). The Secretary will read as requested.

The Secretary read as follows:

"The States of the Union and the large municipalities therein all require large revenues for purposes not thought of a few years ago. Our municipalities are nearly all heavily in debt, and are in most cases restricted to a limited field of taxation. The municipal needs, however, are ever enlarging in a constantly increasing ratio without any prospect of relief from debt or the securing of revenue to meet the demands necessary for projects in the interest of the health and well-being of the citizens. The States themselves and the cities therein are called upon to maintain elaborate boards of health, systems of sewage disposal, continually increasing requirements of educational and eleemosynary institutions, and, over and above all, to cite one instance of development to an extraordinary degree of magnitude in the last few years, the imperative demand for good roads has caused an expenditure running into a stagger-

ing amount of money in the aggregate from one end of the country to the other.

"Now the States are expressly excluded by the Constitution from levying duties or imposts, and are obliged to resort to the various well-known forms of State taxation of a direct character. The Federal Government, under the doctrines recently advanced that no taxes should be imposed upon articles of consumption and, apparently, that as little revenue as possible should be collected from imports, encroaches upon the field of direct taxation belonging to the States and abandons a source of revenue from the customhouse to which the Government has the exclusive right. This seems to me illogical in principle and unfair in practice. The ultimate effect necessarily following is that the State revenues will be greatly limited, if not impoverished, and the outlook for many of our municipalities from a financial point of view is not very hopeful."

Mr. PENROSE. The situation now, of course, is very much worse than it was in 1916, when direct taxes were comparatively light. If the Federal Government keeps on piling up taxes and infringing upon the tax domain of the States one result must inevitably follow, and that is that the Government ultimately will become wholly centralized and State governments will become practically abolished or rendered ineffective for lack of revenue. Projects like road building, which the States will no longer be able to maintain, will have to be assumed by the Federal Government and the whole spirit and structure of American institutions will be altered, if not destroyed. I am one of those who still retain a respect for State sovereignty, and for the maintenance of the integrity and activities of the States. The country is too big now, and will soon become very much too big, to render it in any way safe to maintain a centralized Government over our continental domain. The safety valve for our institutions and our development is to be found in the maintenance of the sovereign States with their powers and jurisdiction. These questions of vital moment must be met at an early date, and the sooner we meet the issue by dropping from Federal revenue laws, as a preliminary of good faith and fair purpose toward the States, the Federal taxes on inheritances, the quicker will the Federal Government give an assurance of a disposition to finally adjust these questions of divided authority upon equitable lines.

The Federal Government, of course, has little to do with the transmission of the estate. The heir of the decedent finds his only title to the possession of the estate in the laws of the State, and he only secures the transmission of it through the courts and other officials of the State. Hence, this tax technically and preeminently belongs to the States, and if we are to begin upon some program by which the States may have jurisdiction over some taxable matters, not interfered with by the Federal Government, let us begin now with the inheritance taxes, where the justification therefor is admitted from every legal and practical point of view. Moreover, even at the best, the inheritance taxes, especially if heavy, are bad from an economic point of view because they are a tax on capital and not on income, and it is generally admitted not to be sound policy to tax capital but only income. Moreover, the multiplication of these inheritance taxes tends to destroy altogether properties built up by lives of hard productive effort and which are industrially essential. The tax subtracts from the capital account of the country, and if carried too far will tend largely to destroy any incentive for individual initiative or enterprise. The only argument I have heard advanced in favor of it as a tax for the Federal Government under normal conditions is that most of the fortunes in the country are the result of gains from enterprises scattered all over the country, but if this is to be an argument for Federal taxation it would apply equally as well to the owner of a corner lot in a city or to a farmer who sells his grain. There is hardly a municipality in the country where real estate values are not increased by the general growth of the whole country and the increase of population, and clearly the western farmer sells his grain wherever he can find a market, and his farm products naturally increase in value with the growth of populous centers, the increase in industry, and the greater demand thereby created. The fact is that if there is any justification for the tax at all at this time it is found only in the argument that we have been through a war and have still many great expenses to meet, due to demobilization, and the Government needs the money. Therefore, these taxes may be temporarily tolerated even if they do come on top of State taxes already in many cases large.

I am calling attention to these facts, and I suppose that under the circumstances these taxes will remain in the bill. Such a tax was used at the time of the Civil War and at the time of the Spanish War and, as I have said, may be defensible on the ground of the war. I do maintain, however, that if there is to be any tax the rate should depend not on the size of the estate as a whole, as it does under the present law and in the House bill, but so far as possible on the amount of the individual share of each person participating in the division of the estate. The new inheritance tax plan which the committee has worked out is much fairer and sounder than the estate tax plan in the House bill. The rates adopted in the House bill mean nothing short of confiscation and destruction. To pay to the Government 40 per cent of the amount of an estate would often mean that to raise this amount of money the other 60 per cent of the estate would have to be sacrificed and lost altogether. In any case the difficulty of settling an estate within a reasonable time after the death of the decedent frequently is very great and, in some instances, nearly insurmountable. Undeveloped enterprise, largely dependent upon the genius of the promoter, and forming a considerable part of a large estate, not to mention real estate and many other assets which can not be immediately disposed of without a very great loss, illustrate in a general way the difficulties encountered in bringing about any settlement in order to adjust taxes within any reasonable period. The rates adopted in the committee amendment are more of an approach to reason, and provision has been made for more liberality in the time of paying these taxes.

Public institutions and charities have been hard hit by the war. In this country educational and charitable institutions carry on in a large measure what essentially is public work. That our educational and charitable institutions have been largely founded and maintained by individual gift and bequest has been widely commented upon by publicists in every land. In this respect we differ much from older countries where State appropriations have largely aided in this work. That in the United States they have been built by private enterprise furnishes a peculiar illustration of the qualities in American civilization which have made our country great. Contributors to these institutions have been remarkably loyal but under war conditions and with the high rates of income tax they could hardly have been expected to have done as well as in times of peace. The provision of the committee inheritance tax amendment exempting from tax transfers to the Government or for any religious, charitable, or scientific purpose is to be commended particularly. The Government of the United States should not collect a cent of tax by reason of the death of any soldier or sailor. A man who dies for his country should not have to divide with his country his estate. The committee amendment properly exempts the property of soldiers and sailors.

CONSUMPTION TAX.

I shall refer briefly to the consumption or sales tax, so that some idea may be had of the character of these schedules. The committee fortunately found that the financial needs of the Government would not require the raising of $8,000,000,000 but would be satisfied with a $6,000,000,000 bill. This reduction to my mind furnishes a very striking illustration of the wisdom of the deliberation and care with which the committee considered the measure. It had been freely predicted by the Treasury Department early in the summer that unless the bill passed by September 28 the liberty loan would fail. Instead of any such prediction being fulfilled the loan was oversubscribed and the taxpayers of the country have been saved $2,000,000,000 of taxes, which would have been imposed upon them had haste been the order of the day. The fact that only $6,000,000,000 was found to be required after the armistice gave the committee some leeway in adjusting many of the taxes, although the opportunity for such reduction was not so great as would appear, because the revenue loss due to prohibitory legislation was estimated to amount to at least $1,000,000,000 for a full year after prohibition becomes effective; but even with this circumstance the committee was able to do something to relieve the burdens of the bill. The committee reduced the proposed rates on tobacco by, roughly, 25 per cent below the rates in the House bill. Tobacco is a recognized subject for taxation, and has been one of the stable sources of revenue in all civilized governments for many years. I believe the rates in the House bill had been raised beyond the maximum revenue-producing point and would have curtailed and unsettled the industry. More revenue will be raised at the reduced rate, on account of the greater consumption.

The committee struck out the new tax on gasoline, and left to the States, which maintain the roads, many of which have been destroyed by the use of Government trucks and vehicles, the field of the automobile license tax. The committee further eliminated the 20 per cent tax on many articles of clothing and apparel. As a further example of the committee's reductions, the tax on the manufacture of automobiles was made 5 per cent instead of 10; on pianos and organs, 5 per cent instead of 10; on chewing gum, 3 per cent instead of 6, while the tax was

entirely struck out on some of the proposed new subjects of taxation, such as contained in section 905.

The committee, on the other hand, retained the 3 per cent tax on freight charges, the 8 per cent tax on passenger charges, the 10 per cent tax on admissions and dues, and not only retained but increased somewhat the taxes on certain lines of manufacture while retaining the stamp taxes and increasing some of the miscellaneous special taxes on different occupations. This course seemed wise and just. When the Government comes to raise billions by taxation it is essential that it rely upon more than one method of taxation. Just now the tariff can not play the part it did in former times. Taxes on sales, freight bills, and theater tickets do, however, operate to spread out this tax burden. When the attempt is made to raise by tax on incomes $4,000,000,000, a very great if not too much reliance and weight are put on one form of taxation. Continued for more than one year such rates of tax would endanger the whole social and industrial fabric. It is, therefore, absolutely essential, in my judgment, to use and retain beside the income tax other methods of raising the enormous amount of revenue.

MEASURE RESULT OF CAREFUL THOUGHT.

I have already referred to the admirable character and work of the Tax Advisory Board. Other administrative features also received careful study by the committee. Every effort was made to make the law clear, and capable of prompt and just enforcement. Of course, I do not maintain, as I have already stated, that this measure is by any means perfect. I do say, however, that it has received more careful thought by far than any previous internal revenue bill in this country, and that it is more clearly and consistently drafted, and supplied with wiser administrative provisions than any other measure. I can not disguise the fact that I feel anxious as to the effect upon the country of the attempt to apply such higher rates of income and profits taxes as are provided in this bill. It is to be remembered that all this weight of Federal taxation comes on top of the enormous levies of State, municipal, and other taxation, the burden of which I had occasion to refer to at length during the consideration of past revenue bills in this body. Yet, in their application upon incomes and profits for the war year the only limit to Federal rates that I recognize is dictated by the necessity of preserving our industrial fabric from stagnation and even destruction. With the demobilization of our Army and the return of our 2,000,000 soldiers, it is, of course, imperative to maintain industrial activity unimpaired, if only for the purpose of furnishing employment. My belief is, however, that the collection of such taxes for the past year only, at the rates fixed by the bill, will probably in most cases not injure or destroy the business or financial structure, although ruin would result from a continuance of such rates in future years.

I am also convinced from interviews and communications on the part of several thousand taxpayers from all sections of the country during the consideration of this bill that the great body of intelligent and patriotic business men and taxpayers throughout the land are willing to accept these rates and desire the measure passed. I have never heard a suggestion or utterance from them which was not keyed in the note of highest patriotism and willingness to make every sacrifice. The war has terminated with success far beyond our expectations. The taxpayers of the country will experience the patriotic satisfaction that the revenue which they will pay will have gone toward contributing to this success. They know that the manhood of the country has paid a price infinitely beyond any that can be measured in money, and they are willing for the year of the war to show some of that spirit of sacrifice which has animated and distinguished our Army.

TARIFF ASPECTS.

I have not touched upon the tariff question in my effort to explain as concisely as may be my views upon the bill. My chief difficulty has been to condense. The materials at hand are so voluminous and the subject of such an encyclopaedic character, involving questions which strike at the very roots of the industrial system, that it would be impossible within any reasonable limits to discuss these questions in the way I would like and as their vital character would justify. They are full of significance and interest, fraught with importance to our reconstruction program, but their fuller discussion must await another day. I will say, however, that it was obvious to everyone, including consistent protectionists, that in the revenue bills coming up for consideration since the beginning of the war in Europe it has been impracticable to consider a protective tariff. The whole world has been upset and the normal course of trade, domestic and international, has been diverted from its natural channels. To have raised a portion of the revenue by a general ad valorem or specific duty on imports would not have contributed any substantial amount of revenue compared with the vast sums required, and naturally would have caused grave embarrassment to those engaged in manufactures into which these imported products entered. Further, in the midst of these upset conditions and in the limited time permitted for providing for our urgent financial needs, together with the diversity of opinion which, naturally, prevailed in the last three Congresses as constituted, it seemed obvious to everyone that it would be impossible to carry out a protective tariff scheme by levying a compensatory duty all along the line up to the finished product, without which a protective tariff is injurious and destructive.

Hence, I think nearly everyone conversant with the situation, no matter how consistent and strong his theories on protection for American capital and labor have been, has exhibited common sense and conservatism in not even attempting the discussion of these questions. The country has submitted cheerfully to a very heavy burden of taxation new and without precedent, and not alleviated by revenues which, ordinarily, would come from the customhouse. But I want to refer in passing to the fact that had it not been for the protective policy of the United States for a period, with slight interruption, of nearly 60 years we would not have had established that vast industrial system, built upon firm foundations, capable of meeting every requirement, and which has enabled us to furnish promptly to an incredible extent the munitions of war for the allies and for ourselves. It is well to pay a passing tribute to the splendid achievements in the field of American industry and to express the hope that at the proper time a tariff system will be adopted which will maintain all American activities intact and prosperous from one end of the country to the other.

INDUSTRIAL MIGHT DEVELOPED THROUGH TARIFF.

Next to our armies, the industrial might of America won the war. We must continue the same policy, especially as to war essentials, but, after all, everything is essential that contributes to our economic independence if we are to be prepared for war. I take it that hereafter almost everybody will advocate a proper protective tariff for the reconstruction and preparedness of the American people. In this legislation, however, we must await developments and be prepared to maintain America's industrial independence and uphold American standards of civilization as against all the world. We must, above all, in coming to our final conclusions on a fiscal policy, reduce expenses. Economy must be the watchword; curtailment, retrenchment, and careful legislative checks on expenditures must be the practice. We must demobilize our armies to the lowest limit of our continuing responsibilities. We must return to our national and hereditary vocation. All commerce and industry, prompted as they may be by ambition for personal gain, profit, and advancement, ultimately and really constitute the development of the arts and sciences, the elevation of the standards of men and women, the promotion of civilization, and the achievement through peaceful channels of the destiny of the human race.

EARLY PASSAGE OF BILL URGED.

Undoubtedly many defects in the bill will have to be provided for by remedial legislation in the future based on experience. It seems, however, to be the best measure that can be had at this time and unquestionably it is better than any preceding law. It is earnestly to be hoped that the bill will pass promptly. The suggestion has been made that if it fails perhaps the situation can be met by amending the present law for war-profits taxes, which procedure might meet the requirements. The fatal difficulty of this suggestion is, however, that the very valuable relief provisions in the pending bill would be lost. These provisions are, in my opinion, of inestimable value, and the more the taxpayer comes to know their full effect the more satisfaction he will feel. Moreover, it must be borne in mind that taxation has reached its peak. It is hoped that hereafter revenue bills will provide for steadily decreasing taxes. Profits taxes ought to steadily decrease and very soon disappear, and sufficient revenue for the conduct of the Government ought to be raised by a system of flat income taxes.

Mr. President, I have detained the Senate longer than I had intended, yet, as I have said, it is extremely difficult to know where to stop or how to condense on a subject so absorbing and comprehensive as is this revenue question.

AMERICAN DEMOCRACY MET EVERY REQUIREMENT OF WAR.

I should like to say in closing, however, that when we consider how successfully we have gone through this war we can approach the future in full confidence, notwithstanding the many difficulties confronting us. Who can fail to be impressed with the magnificent way in which the American democracy has met every requirement? The united strength of the country has supported the war. We had in our midst elements from

almost every nation in the world, many affiliated by ties of blood and even birth with the nations with whom we were at war, and yet, notwithstanding a vigorous and extensive enemy propaganda, especially among our alien population, the extent of disloyalty and disaffection has been quite small. In many of our largest munitions plants—I know it is the case in Pennsylvania, and I believe it is so elsewhere—a great proportion of the workers came from enemy countries and they have been among the most loyal and devoted. In fact, it would seem as if the great bulk of these people, perhaps not all of them as yet absorbed in what is called the American crucible, fully realize the value of the civil and religious liberty which they came here to enjoy. They have not only filled our munitions plants, but they have been found in full share in our Army.

Public sentiment has dictated the general policy of the war. It is a long journey from being too proud to fight, through the transition period of peace without victory, to the unconditional surrender and the armistice. Volunteer boards composed of our greatest men in industry and finance have saved a situation which otherwise would have been marked by inefficiency.

Perhaps the most notable achievement, exciting the astonishment of other countries, was our ability to pass the conscription law within a few weeks, a proposition abhorrent to every American tradition and sentiment, yet cheerfully acquiesced in and carried out while England only partially applied conscription, Australia failed altogether, and Canada only succeeded at a recent period in the war. In lesser detail many false economic and ill-advised methods were adopted, and autocratic powers unwarranted were exercised to the harassment and vexation of the business world and most of the people. Yet the robust and sturdy strength of the American body, politic and industrial, withstood the bandages and panaceas of quacks and theorists, and was strong enough to achieve victory regardless of obstacles.

In view of the splendid achievements of a united people, brought about by an appeal to their intelligence and their patriotism, every American can experience restored confidence in the competence of an enlightened and intelligent democracy, and need have no fear that in this country, at least, there will at any time arise conditions in any way approximating those existing elsewhere, but that we will be fully able to solve the problems to come in the same intelligent and patriotic fashion in which we have succeeded in meeting the issues under the stress of the war.

The PRESIDING OFFICER (Mr. POINDEXTER in the chair). The question is on the amendment of the committee.

Mr. SMOOT. Mr. President, I understand the pending amendment is the one found on page 11, beginning in line 10 and ending in line 19.

The PRESIDING OFFICER. The amendment begins on page 11, line 3, where the committee proposes to strike out and insert.

Mr. SMOOT. I desire to ask that the amendment be divided, and that the first clause of the amendment, beginning on page 11, line 10, and going down to line 14, be first voted on, and that then subdivision (b), beginning on line 15 and going down to and including line 19, be voted upon separately.

Mr. SIMMONS. That is the suggestion I made before the Senator from Pennsylvania [Mr. PENROSE] began his speech. I think this is hardly the proper time to pass upon the 1920 provisions as a part of that general amendment.

Mr. SMOOT. I remember, having been reminded by the Senator from North Carolina, that he did make a suggestion that subdivision (b) of the pending amendment go over; and that was perfectly satisfactory to me.

The PRESIDING OFFICER (Mr. GRONNA in the chair). The Chair will suggest to the Senator from Utah that this is an amendment to strike out and to insert, and therefore is not a divisible question. If the first part of the paragraph goes over it will all have to go over.

Mr. SIMMONS. Therefore I ask that the whole amendment be passed over.

The PRESIDING OFFICER. The amendment will be passed over. The Secretary will state the next amendment passed over.

The next amendment passed over was, in section 211, on page 11, line 20, after "Sec.," to insert the letter "(a)."

The amendment was agreed to.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	France	Johnson, Cal.	Knox
Calder	Gay	Johnson, S. Dak.	La Follette
Colt	Gronna	Jones, Wash.	Lenroot
Curtis	Harding	Kendrick	McCumber
Dillingham	Hardwick	Kenyon	McKellar
Fletcher	Henderson	Kirby	McLean
Martin, Ky.	Pittman	Simmons	Townsend
Martin, Va.	Poindexter	Smith, Md.	Trammell
Moses	Pomerene	Smith, S. C.	Underwood
New	Ransdell	Smoot	Vardaman
Norris	Reed	Spencer	Walsh
Nugent	Sanfsbury	Swanson	Warren
Page	Shafroth	Thomas	Watson
Penrose	Sheppard	Thompson	Weeks

Mr. SHEPPARD. I wish to announce that the Senator from Arkansas [Mr. ROBINSON], the Senator from Arizona [Mr. ASHURST], and the Senator from California [Mr. PHELAN] are detained on important public business.

Mr. THOMAS. I desire to announce that the Senator from Rhode Island [Mr. GERRY] is detained on important public business.

The PRESIDENT pro tempore. Fifty-six Senators have answered to their names. There is a quorum present. The Secretary will state the pending amendment.

The SECRETARY. The pending amendment is, under the heading "Surtax," section 211, to strike out from line 3, on page 12, to line 14, on page 13, in the following words:

2 per cent of the amount by which the net income exceeds $5,000 and does not exceed $7,500;
3 per cent of the amount by which the net income exceeds $7,500 and does not exceed $10,000;
7 per cent of the amount by which the net income exceeds $10,000 and does not exceed $15,000;
10 per cent of the amount by which the net income exceeds $15,000 and does not exceed $20,000;
15 per cent of the amount by which the net income exceeds $20,000 and does not exceed $30,000;
20 per cent of the amount by which the net income exceeds $30,000 and does not exceed $40,000;
25 per cent of the amount by which the net income exceeds $40,000 and does not exceed $50,000;
32 per cent of the amount by which the net income exceeds $50,000 and does not exceed $60,000;
38 per cent of the amount by which the net income exceeds $60,000 and does not exceed $70,000;
42 per cent of the amount by which the net income exceeds $70,000 and does not exceed $80,000;
46 per cent of the amount by which the net income exceeds $80,000 and does not exceed $90,000;
48 per cent of the amount by which the net income exceeds $90,000 and does not exceed $100,000;
50 per cent of the amount by which the net income exceeds $100,000 and does not exceed $200,000;
52 per cent of the amount by which the net income exceeds $200,000 and does not exceed $300,000;
54 per cent of the amount by which the net income exceeds $300,000 and does not exceed $500,000;
58 per cent of the amount by which the net income exceeds $500,000 and does not exceed $1,000,000;
60 per cent of the amount by which the net income exceeds $1,000,000 and does not exceed $5,000,000; and
65 per cent of the amount by which the net income exceeds $5,000,000.

And in lieu thereof to insert the following:

1 per cent of the amount by which the net income exceeds $5,000 and does not exceed $6,000;
2 per cent of the amount by which the net income exceeds $6,000 and does not exceed $8,000;
3 per cent of the amount by which the net income exceeds $8,000 and does not exceed $10,000;
4 per cent of the amount by which the net income exceeds $10,000 and does not exceed $12,000;
5 per cent of the amount by which the net income exceeds $12,000 and does not exceed $14,000;
6 per cent of the amount by which the net income exceeds $14,000 and does not exceed $16,000;
7 per cent of the amount by which the net income exceeds $16,000 and does not exceed $18,000;
8 per cent of the amount by which the net income exceeds $18,000 and does not exceed $20,000;
9 per cent of the amount by which the net income exceeds $20,000 and does not exceed $22,000;
10 per cent of the amount by which the net income exceeds $22,000 and does not exceed $24,000;
11 per cent of the amount by which the net income exceeds $24,000 and does not exceed $26,000;
12 per cent of the amount by which the net income exceeds $26,000 and does not exceed $28,000;
13 per cent of the amount by which the net income exceeds $28,000 and does not exceed $30,000;
14 per cent of the amount by which the net income exceeds $30,000 and does not exceed $32,000;
15 per cent of the amount by which the net income exceeds $32,000 and does not exceed $34,000;
16 per cent of the amount by which the net income exceeds $34,000 and does not exceed $36,000;
17 per cent of the amount by which the net income exceeds $36,000 and does not exceed $38,000;
18 per cent of the amount by which the net income exceeds $38,000 and does not exceed $40,000;
19 per cent of the amount by which the net income exceeds $40,000 and does not exceed $42,000;
20 per cent of the amount by which the net income exceeds $42,000 and does not exceed $44,000;
21 per cent of the amount by which the net income exceeds $44,000 and does not exceed $46,000;
22 per cent of the amount by which the net income exceeds $46,000 and does not exceed $48,000;
23 per cent of the amount by which the net income exceeds $48,000 and does not exceed $50,000;
24 per cent of the amount by which the net income exceeds $50,000 and does not exceed $52,000;
25 per cent of the amount by which the net income exceeds $52,000 and does not exceed $54,000;

26 per cent of the amount by which the net income exceeds $54,000 and does not exceed $56,000;
27 per cent of the amount by which the net income exceeds $56,000 and does not exceed $58,000;
28 per cent of the amount by which the net income exceeds $58,000 and does not exceed $60,000;
29 per cent of the amount by which the net income exceeds $60,000 and does not exceed $62,000;
30 per cent of the amount by which the net income exceeds $62,000 and does not exceed $64,000;
31 per cent of the amount by which the net income exceeds $64,000 and does not exceed $66,000;
32 per cent of the amount by which the net income exceeds $66,000 and does not exceed $68,000;
33 per cent of the amount by which the net income exceeds $68,000 and does not exceed $70,000;
34 per cent of the amount by which the net income exceeds $70,000 and does not exceed $72,000;
35 per cent of the amount by which the net income exceeds $72,000 and does not exceed $74,000;
36 per cent of the amount by which the net income exceeds $74,000 and does not exceed $76,000;
37 per cent of the amount by which the net income exceeds $76,000 and does not exceed $78,000;
38 per cent of the amount by which the net income exceeds $78,000 and does not exceed $80,000;
39 per cent of the amount by which the net income exceeds $80,000 and does not exceed $82,000;
40 per cent of the amount by which the net income exceeds $82,000 and does not exceed $84,000;
41 per cent of the amount by which the net income exceeds $84,000 and does not exceed $86,000;
42 per cent of the amount by which the net income exceeds $86,000 and does not exceed $88,000;
43 per cent of the amount by which the net income exceeds $88,000 and does not exceed $90,000;
44 per cent of the amount by which the net income exceeds $90,000 and does not exceed $92,000;
45 per cent of the amount by which the net income exceeds $92,000 and does not exceed $94,000;
46 per cent of the amount by which the net income exceeds $94,000 and does not exceed $96,000;
47 per cent of the amount by which the net income exceeds $96,000 and does not exceed $98,000;
48 per cent of the amount by which the net income exceeds $98,000 and does not exceed $100,000;
52 per cent of the amount by which the net income exceeds $100,000 and does not exceed $150,000;
56 per cent of the amount by which the net income exceeds $150,000 and does not exceed $200,000;
60 per cent of the amount by which the net income exceeds $200,000 and does not exceed $300,000;
63 per cent of the amount by which the net income exceeds $300,000 and does not exceed $500,000;
64 per cent of the amount by which the net income exceeds $500,000 and does not exceed $1,000,000;
65 per cent of the amount by which the net income exceeds $1,000,000.

(b) In the case of a bona fide sale of mines, oil or gas wells, or any interest therein, where the principal value of the property has been demonstrated by prospecting or exploration and discovery work done by the taxpayer the portion of the tax imposed by this section attributable to such sale shall not exceed 20 per cent of the selling price of such property or interest.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The next amendment passed over was, in section 212, page 18, paragraph (b), line 19, after the word "if," to strike out the word "it" and insert "the method employed," so as to make the section read:

NET INCOME DEFINED.

SEC. 212. (a) That in the case of an individual the term "net income" means the gross income as defined in section 213, less the deductions allowed by section 214.

(b) The net income shall be computed upon the basis of the taxpayer's annual accounting period (fiscal year or calendar year, as the case may be) in accordance with the method of accounting regularly employed in keeping the books of such taxpayer; but if no such method of accounting has been so employed, or if the method employed does not clearly reflect the income, the computation shall be made upon such basis and in such manner as in the opinion of the commissioner does clearly reflect the income. If the taxpayer's annual accounting period is other than a fiscal year as defined in section 200 or if the taxpayer has no annual accounting period or does not keep books, the net income shall be computed on the basis of the calendar year.

If a taxpayer changes his accounting period from fiscal year to calendar year, from calendar year to fiscal year, or from one fiscal year to another, the net income shall, with the approval of the commissioner, be computed on the basis of such new accounting period, subject to the provisions of section 226.

The amendment was agreed to.

The next amendment passed over was, in section 213, page 19, line 9, to strike out the numerals "233" and insert the numerals "247"; and in line 12, after the word "service," to strike out "(including in the case of the President of the United States, the judges of the Supreme and inferior courts of the United States, and all other officers and employees, whether elected or appointed, of the United States, or of any State, Alaska, Hawaii, or any political subdivision thereof, or the District of Columbia, the compensation received as such)," so as to read:

GROSS INCOME DEFINED.

SEC. 213. That for the purposes of this title (except as otherwise provided in section 247) the term "gross income"—

(a) Includes gains, profits, and income derived from salaries, wages, or compensation for personal service of whatever kind and in whatever form paid, or from professions, vocations, trades, businesses, commerce, or sales, or dealings in property, whether real or personal, growing out of the ownership or use of or interest in such property; also from interest, rent, dividends, securities, or the transaction of any business carried on for gain or profit, or gains or profits and income derived from any source whatever.

The amendment was agreed to.

The next amendment passed over was, on page 19, line 25, after the word "Whatever" and the period, to strike out the word "The," and in lieu thereof to insert "Except as otherwise provided in subdivision (d) of section 201, the," so as to read:

Except as otherwise provided in subdivision (d) of section 201, the amount of all such items shall be included in the gross income for the taxable year in which received by the taxpayer, unless, under methods of accounting permitted under subdivision (b) of section 212, any such amounts are to be properly accounted for as of a different period.

The amendment was agreed to.

The next amendment was, on page 20, line 10, after the word "insured," to strike out "to individual beneficiaries or to the estate of the insured," so as to make the paragraph read:

(1) The proceeds of life insurance policies paid upon the death of the insured.

The amendment was agreed to.

The next amendment passed over was, on page 20, line 22, after the words "District of Columbia," to strike out "issued on or prior to the date of the passage of this act, or (if authorized by law on or prior to the date of the passage of this act) issued within six months after the passage of this act and containing a statement of such authorization and its date, or (if issued after the passage of this act) containing a statement that they are issued for the purpose of funding or refunding any interest-bearing indebtedness outstanding on the date of the passage of this act or for the purpose of carrying out a contract entered into on or prior to the date of the passage of this act: *Provided*, That there shall be excluded from gross income in the case of any person owning obligations of States, Territories, political subdivisions thereof, or the District of Columbia (the interest upon which is included in gross income) the interest upon an amount of such obligations the principal of which does not exceed in the aggregate $5,000." On page 21, line 4, after the word "its," to strike out "possessions" and insert "possessions; or (d) bonds issued by the War Finance Corporation"; in line 17, after the date "September 1, 1917," to insert "and in the case of bonds issued by the War Finance Corporation"; in line 20, before the word "authorizing," to strike out the word "act" and insert "respective acts"; in line 23, after the word "taxation," to insert "to the taxpayer"; and, in line 24, after the word "Title," to strike out the "III," and insert "III;", so as to make the paragraph read:

(4) Interest upon (a) the obligations of a State, Territory, or any political subdivision thereof, or the District of Columbia; or (b) securities issued under the provisions of the Federal farm-loan act of July 17, 1916; or (c) the obligations of the United States or its possessions; or (d) bonds issued by the War Finance Corporation. In the case of obligations of the United States issued after September 1, 1917, and in the case of bonds issued by the War Finance Corporation, the interest shall be exempt only if and to the extent provided in the respective acts authorizing the issue thereof as and supplemented, and shall be excluded from gross income only if and to the extent it is wholly exempt from taxation to the taxpayer both under this title and under Title III.

The amendment was agreed to.

The next amendment passed over was, on page 22, in line 16, after the words "government of," to strike out "the Philippine Islands or Porto Rico" and insert "any possession of the United States," so as to make the paragraph read:

(7) Income derived from any public utility or the exercise of any essential governmental function and accruing to any State, Territory, or the District of Columbia, or any political subdivision of a State or Territory, or income accruing to the government of any possession of the United States, or any political subdivision thereof.

The amendment was agreed to.

The next amendment passed over was, on page 22, line 22, after the word "person," to strike out "or corporation"; on page 23, line 4, after the word "person," to strike out "or corporation"; in line 6, after the word "person," to strike out "or corporation"; and in line 8, after the word "person," to strike out "or corporation," so as to make the paragraph read:

Whenever any State, Territory, or the District of Columbia, or any political subdivision of a State or Territory, prior to September 8, 1916, entered in good faith into a contract with any person the object and purpose of which is to acquire, construct, operate, or maintain a public utility, no tax shall be levied under the provisions of this title upon the income derived from the operation of such public utility, so far as the payment thereof will impose a loss or burden upon such State, Territory, District of Columbia, or political subdivision; but this provision is not intended to confer upon such person any financial gain or exemption or to relieve such person from the payment of a tax as provided for in this title upon the part or portion of such income to which such person is entitled under such contract.

The amendment was agreed to.

The next amendment passed over was, on page 23, line 10, before the word "amount," to strike out "So much of the" and insert "The"; in the same line, after the word "received," to

insert "during the present war"; in line 13, after the word "for," to insert "active"; in the same line, after the word "services," to strike out "abroad or at sea"; and in line 14, after the word "forces," to strike out "as does not exceed $3,500," so as to make the paragraph read:

(8) The amount received during the present war by a person in the military or naval forces of the United States as salary or compensation in any form from the United States for active services in such forces.

The amendment was agreed to.

The next amendment passed over was, under the heading "Deductions allowed," in section 214, page 24, line 3, after the word "or," to strike out "possession" and insert "possession of property"; and in line 4, after the word "business," to strike out "of property to which the taxpayer has not taken or is not taking title or in which he has no equity," so as to make the paragraph read:

SEC. 214. (a) That in computing net income there shall be allowed as deductions:

(1) All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered, and including rentals or other payments required to be made as a condition to the continued use or possession of property for purposes of the trade or business.

The amendment was agreed to.

The next amendment passed over was, on page 24, line 8, after the word "indebtedness," to insert "except on indebtedness incurred or continued to purchase or carry obligations or securities (other than obligations of the United States issued after September 24, 1917), the interest upon which is wholly exempt from taxation under this title as income to the taxpayer"; and in line 14, after the word "interest," to strike out "paid," so as to make the paragraph read:

(2) All interest paid or accrued within the taxable year on indebtedness, except on indebtedness incurred or continued to purchase or carry obligations or securities (other than obligations of the United States issued after September 24, 1917), the interest upon which is wholly exempt from taxation under this title as income to the taxpayer, or, in the case of a nonresident alien individual, the proportion of such interest which the amount of his gross income from sources within the United States bears to the amount of his gross income from all sources within and without the United States.

The amendment was agreed to.

The next amendment passed over was, on page 25, line 1, after the word "benefits," to insert "of a kind tending to increase the value of the property assessed"; and in line 6, after the numerals "222," to insert "or (c) in the case of a nonresident alien individual, by the authority of any foreign country (except income, war-profits and excess-profits taxes, and taxes assessed against local benefits of a kind tending to increase the value of the property assessed), upon property or business, to the extent that the income from such property or business is subject to taxation under this title"; so as to make the paragraph read:

(3) Taxes paid or accrued within the taxable year imposed (a) by the authority of the United States, except income, war-profits and excess-profits taxes; or (b) by the authority of any of its possessions, except the amount of income, war-profits and excess-profits taxes allowed as a credit under section 222; or (c) by the authority of any State or Territory, or any county, school district, municipality, or other taxing subdivision of any State or Territory, not including those assessed against local benefits of a kind tending to increase the value of the property assessed; or (d) in the case of a citizen or resident of the United States, by the authority of any foreign country, except the amount of income, war-profits and excess-profits taxes allowed as a credit under section 222; or (e) in the case of a nonresident alien individual, by the authority of any foreign country (except income, war-profits and excess-profits taxes, and taxes assessed against local benefits of a kind tending to increase the value of the property assessed), upon property or business, to the extent that the income from such property or business is subject to taxation under this title.

The amendment was agreed to.

The next amendment passed over was, on page 25, line 14, after the word "sustained," to strike out "and charged off," so as to make the clause read:

(4) Losses sustained during the taxable year and not compensated for by insurance or otherwise, if incurred in trade or business.

The amendment was agreed to.

The next amendment passed over was, on page 26, line 8, after the word "the," strike out "exhaustion, wear and tear" and insert "depreciation," and in line 8, after the word "business," to strike out "but in the case of a nonresident alien individual only as to property within the United States," so as to make the clause read:

(8) A reasonable allowance for the depreciation of property used in the trade or business.

The amendment was agreed to.

The next amendment passed over was, on page 26, line 13, after the words "present war," to insert "and in the case of vessels constructed or acquired on or after such date for the transportation of articles or men contributing to the prosecution of the present war"; in line 16, after the word "there," to strike out "may" and insert "shall"; in line 18, after the word "facilities," to insert "or vessels"; in line 19, after the word "including," to strike out "amounts otherwise allowed under this title for depreciation, exhaustion, or wear and tear" and insert "any amount otherwise allowed under this title or previous acts of Congress as a deduction in computing net income"; in line 25, after the word "war," to strike out "with the Imperial German Government as declared by proclamation of the President"; on page 27, line 4, after the word "the," to strike out "necessary adjustment of the"; in the same line, after the word "taxes," to insert "imposed by this title and by Title III"; in line 6, after the word "be," to strike out "made" and insert "redetermined"; in line 7, after the word "such," to strike out "readjustment" and insert "redetermination"; and in line 11, after "section 252," to strike out "In the case of a nonresident alien individual this deduction shall be allowed only as to facilities within the United States. In no case shall the deduction allowed under this paragraph exceed 25 per cent of the taxpayer's net income as computed without the benefit of this paragraph or paragraph (11)," so as to make the paragraph read:

(9) In the case of buildings, machinery, equipment, or other facilities constructed, erected, installed, or acquired on or after April 6, 1917, for the production of articles contributing to the prosecution of the present war, and in the case of vessels constructed or acquired on or after such date for the transportation of articles or men contributing to the prosecution of the present war, there shall be allowed a reasonable deduction for the amortization of such part of the cost of such facilities or vessels as has been borne by the taxpayer, but not again including any amount otherwise allowed under this title or previous acts of Congress as a deduction in computing net income. At any time within three years after the termination of the present war the commissioner may, and at the request of the taxpayer shall, reexamine the return, and if he then finds as a result of an appraisal or from other evidence that the deduction originally allowed was incorrect, the taxes imposed by this title and by Title III for the year or years affected shall be redetermined; and the amount of tax due upon such redetermination, if any, shall be paid upon notice and demand by the collector, or the amount of tax overpaid, if any, shall be credited or refunded to the taxpayer in accordance with the provisions of section 252.

The amendment was agreed to.

The next amendment passed over was, on page 27, after line 16, to strike out:

(10) (a) In the case of oil and gas wells a reasonable allowance for actual reduction in flow and production to be ascertained not by the flush flow, but by the settled production or regular flow; (b) in the case of mines a reasonable allowance for depletion; (c) in the case of mines, oil and gas wells, other natural deposits, and timber, a reasonable allowance for depreciation of improvements; such reasonable allowance in all the above cases to be made according to the peculiar conditions in each case and under rules and regulations to be prescribed by the commissioner, with the approval of the Secretary. In the case of leases the deductions allowed by this paragraph shall be equitably apportioned between the lessor and lessee. In the case of a nonresident alien individual deductions under this paragraph shall be allowed only as to property within the United States.

And insert:

(10) In the case of mines, oil and gas wells, other natural deposits, and timber, a reasonable allowance for depletion and for depreciation of improvements, according to the peculiar conditions in each case, based upon cost, including cost of development not otherwise deducted: *Provided*, That in the case of such properties acquired prior to March 1, 1913, the fair market value of the property (or the taxpayer's interest therein) on that date shall be taken in lieu of cost up to that date: *Provided further*, That in the case of mines, oil and gas wells, discovered by the taxpayer on or after March 1, 1913, and not acquired as the result of purchase of a proven tract or lease, where the fair market value of the property is materially disproportionate to the cost, the depletion allowance shall be based upon the fair market value of the property at the date of the discovery, or within 12 months thereafter; such reasonable allowance in all the above cases to be made under rules and regulations to be prescribed by the commissioner, with the approval of the Secretary. In the case of leases the deductions allowed by this paragraph shall be equitably apportioned between the lessor and lessee.

The amendment was agreed to.

The next amendment passed over was, on page 29, line 9, after the word "the," to strike out "vocational rehabilitation" and insert "Vocational Rehabilitation"; and in line 18, after the word "rehabilitation," to strike out the period and insert a semicolon, so as to make the clause read:

(11) Contributions or gifts made within the taxable year to corporations organized and operated exclusively for religious, charitable, scientific, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual, or to the special fund for vocational rehabilitation authorized by section 7 of the Vocational Rehabilitation act, to an amount not in excess of 15 per cent of the taxpayer's net income as computed without the benefit of this paragraph. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the commissioner, with the approval of the Secretary. In the case of a nonresident alien individual this deduction shall be allowed only as to contributions or gifts made to domestic corporations or to such vocational rehabilitation fund.

The amendment was agreed to.

The next amendment passed over was, on page 29, after line 18, to insert:

(12) If it is shown to the satisfaction of the commissioner that during the taxable year 1919 or 1920 the taxpayer (a) has for the first time ascertained the amount of a loss sustained during the preceding taxable year and not deducted from the gross income therefor, or (b) has sustained a substantial loss (whether or not actually realized by sale or other disposition), resulting from any material reduction (not due to temporary fluctuation) of the value of the inventory for the preceding taxable year, then the amount of such loss shall be deducted from the net income for such preceding taxable year, and the taxes imposed by this title and by Title III for such year shall be redetermined accordingly. Any amount found to be due to the taxpayer upon the basis of such redetermination shall be credited or refunded to the taxpayer in accordance with the provisions of section 252.

Mr. LENROOT. Mr. President, this is one of the relief sections. Yesterday I asked some questions concerning the construction of this section, but did not pursue the inquiry at that time, preferring to wait until the amendment came up for consideration; but I wanted to ask with reference to subdivision (b) of this paragraph.

Several of the members of the committee yesterday stated that in their opinion the construction of this subdivision was that it did not in anywise relate to a loss actually sustained during the preceding taxable year, but did relate to a loss actually sustained during the taxable year in question. I should like to ask the chairman of the committee, or any member of it, whether that is correct. The preceding paragraph relates clearly to a loss sustained, but not ascertained, during the previous year.

Mr. SIMMONS. Mr. President, I will state to the Senator that that is, in effect, the contention I made on yesterday, and I am entirely satisfied of its correctness. It refers to a loss sustained in the previous year, but not determined until later, in the sense that the profits reflected in the inventory upon the basis of which the taxable income was ascertained and assessed as the result of the shrinkage in the values of the inventoried assets have not been realized and the tax has been collected upon a false estimate of values and income. When this situation is disclosed the amendment authorizes a redetermination of the income and the resulting tax.

Mr. SMOOT. Then, Mr. President, I want to say again—

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from Utah?

Mr. SMOOT. I thought the Senator was through.

Mr. SIMMONS. Let me finish what I was going to say.

Since making that statement I have referred to a statement which I have in the annotations that I have made upon this bill which relates to this very matter, and I see that it confirms me. The annotation reads as follows:

The matter of anticipated losses through the shrinkage in value of inventories from the present high level received much attention from the committee. It was believed that the provision in regard to net losses, section 204, above, might afford relief in certain cases.

In order, however, to afford more prompt relief in case it should be discovered within a relatively short time after the close of a taxable year that a loss had been sustained resulting from a material reduction in the value of the inventory or other similar cause, provision was made that the amount of the loss then discovered may be deducted from the net income of the preceding taxable year, any amount of taxes thus found to have been overpaid to be promptly refunded.

That is the substance of what I stated yesterday, Mr. President; and, in my judgment, that is the clear, unmistakable meaning of this section.

Mr. SMOOT. Mr. President, I want the Senator from Wisconsin to know that I do not agree with that proposition at all.

Mr. SIMMONS. The Senator so stated yesterday.

Mr. SMOOT. And if the Senator says that that is what this means—that I want this provision changed—but the reading of it does not say that at all. I want the Senate to understand that this is what it says:

First—and the reason why there are two subdivisions of it is because there are two separate and distinct propositions—the first one is that during the taxable year 1919 or 1920, if there is ascertained the amount of a loss that may be sustained then——

Mr. SIMMONS. That is not the subdivision the Senator from Wisconsin was talking about.

Mr. SMOOT. I will read the next one, if the Senator will wait. I called attention to the fact that there were two subdivisions, "(a)" and "(b)." The first one is where there is a loss that has been ascertained, not for the year 1918 but for the year 1919 or 1920. Subdivision "(b)" is where it has actually been sustained during those years, not any other years. Now, if the Senator's answer is correct, we go back here to 1918; and that was never the intention of the committee, or, at any rate, it was never my intention as a member of the committee, and I do not so construe this subdivision or this amendment.

I want that statement to be in the RECORD.

Mr. SIMMONS. Mr. President, the Senator loses sight of the fact that the two subdivisions contemplate entirely different classes of losses. The first subdivision relates to any loss that was actually sustained during 1919 and 1920, of any kind or character, but was not known at the time, was not discovered until a later date; and in that case, very properly, it is provided that the taxpayer may have the benefit of that fact when the loss is actually discovered.

Mr. SMOOT. The Senator is right in that statement.

Mr. SIMMONS. That is general. That is not restricted by any language whatsoever. It applies to any loss of any character or kind whatsoever.

Mr. THOMAS. But only to the preceding taxable year.

Mr. SIMMONS. Oh, yes; of course, to the preceding taxable year.

Mr. SMOOT. I agree with the Senator on that.

Mr. SIMMONS. Now, section (b) refers to losses resulting under specified conditions. It deals with a specific loss incurred in a specified way, to wit, it in effect provides that if during the succeeding taxable year it is ascertained that there has been a shrinkage in inventory values by reason of the fact that the assets were valued at a price basis which subsequent market conditions disclose was not justified, and as the result of this shrinkage it becomes apparent that the taxpayer has paid the income taxes during the preceding year upon a larger income than he actually earned, he shall be reimbursed for the loss thus sustained.

Mr. LENROOT. Mr. President, will the Senator permit an interruption?

Mr. SIMMONS. Just a minute. If the inventory, based upon either the cost price or the market value, whichever is the lower, reflects a profit which a subsequent shrinkage in prices or values shows to have been fictitious, and as a result a loss is sustained, this section enables the taxpayer to have his taxable income for the preceding year redetermined and provides for appropriate reimbursement.

Mr. SMOOT. Now the Senator has got it right.

Mr. SIMMONS. To have his inventory corrected, so as to reflect the value as shown as a result of this shrinkage; and when it is determined in that way then he recoups himself from the taxes paid in that year.

Mr. SMOOT. Mr. President, I simply want to say that the statement just made by the Senator is correct, as I understand it; but the statement he just made is exactly the reverse of the statement he made before.

Mr. SIMMONS. I do not think so at all.

Mr. SMOOT. Well, we will let the RECORD show.

Mr. SIMMONS. I have read what I said in the RECORD, and I did not change a word of it, and it sustains absolutely the statement I have made here.

Mr. SMOOT. No; I mean the RECORD to-day.

Mr. SIMMONS. I have not discussed this matter to-day. It was on yesterday that we discussed it.

Mr. SMOOT. I refer to the Senator's first statement.

Mr. SIMMONS. Oh, I beg the Senator's pardon. He meant my statement made a little while ago?

Mr. SMOOT. Why, certainly.

Mr. LENROOT. Mr. President, I agree with the construction that is now given by the chairman. That brings me to the question which I really desired to ask, and that is, in the case that he now has illustrated, whether that loss would not be reflected in the return for the present year?

In other words, here is an inventory made upon the first of January, and a shrinkage has resulted in a loss during the taxable year then following. Now, why is not that loss fully taken care of and represented in the return, without being carried back into the taxable year?

Mr. SIMMONS. That loss would not be reflected in the present year.

Mr. LENROOT. Why not?

Mr. SIMMONS. Why, if I understand the Senator, taking care of the losses of that year does not provide recoupment for an overcharge for the previous year. There was an overvaluation of assets in the inventory of the previous year showing a taxable income which was not actually earned, and as a result the taxpayer was overtaxed. The purpose of this section is to reimburse him.

Mr. LENROOT. Yes; but now the Senator says that he still has the goods. He may or may not have the goods. He is entitled to the relief of this subdivision (b), whether the goods have been sold or not. The goods may have been sold; they may have been sold at a less price than that indicated in the inventory; and if they are sold for a less price than that indicated in the inventory, for the life of me I can not see why it is not reflected in the return for the present year and why he does not receive the benefit of that loss. If I can put one more question to the Senator, I think I will make myself clear.

Mr. SIMMONS. Let me see if I understand the Senator. Of course, if you start at the beginning of the new year with

the inventory of the previous year, without correction in the way I have indicated, then your inventory at the end of the year might not properly reflect your profits; but what I say is that in a case of that sort, when you discover that your inventory of the previous year was made upon a false basis and that is corrected, then you correct the inventory at the beginning of the year upon which profits are estimated in conjunction with the inventory at the close of the year.

Mr. LENROOT. Now, let me see if I can put a case that will make my understanding of it a little clearer. Suppose the goods have not been disposed of. On the 1st of January an inventory is made, which is the basis of the relief provided by this section. The goods are not disposed of at all, and 12 months later a new inventory is made at the prices then prevailing, the value of which is very much less than the inventory of the year preceding. Now, will not that be reflected in the return for the current year? Will he not receive credit for that loss in the value of the inventory, measuring the difference between the value of the inventory on January 1 of one year and January 1 of the succeeding year?

Mr. SIMMONS. I had assumed that there would be no difficulty in the taxpayer in the succeeding year correcting his inventory to conform to the corrections that were made for the purpose of getting a rebate in his taxes. This corrected inventory is the basis upon which he starts the year's business—this inventory which shows the true value of his assets after they have suffered this shrinkage. Now, starting from that basis, he may make a profit during that year or he may make a loss during that year; and the profit or loss of that year will be reflected in the inventory made at the termination of the year. Is that what the Senator means?

Mr. LENROOT. Yes; but the Senator assumes in subdivision "(b)" that there is an error in the inventory concerning which there is a shrinkage in the value of it. I do not so read this section or so construe it. The inventory may have been absolutely accurate at the time it was made; but thereafter, through a falling of values, there may have been a shrinkage in the value of the goods represented by that inventory. If there be that shrinkage, as I read this, he is entitled to the benefits of this subdivision. That does not relate to the preceding taxable year at all.

Mr. SIMMONS. Let me ask the Senator this question: Will he not discover, before his next taxes are due, this shrinkage, this loss? And when he discovers that loss, he will be at once permitted to correct the inventory.

Mr. LENROOT. Why should he, when he has the fullest opportunity in making the return for the current year and paying his taxes for that year to have that included and taken care of, and it will be reflected, it seems to me, in his return?

Mr. SIMMONS. Mr. President, I assume that this is the situation: Suppose that during the succeeding year the taxpayer discovers that he has sustained a loss in the preceding year which is not reflected in his inventory of that year, because he did not then know of the loss, and for that reason his taxes are redetermined, and it is found that his inventory was incorrect. I do not say that fundamentally it was incorrect in the sense that it did not properly reflect cost price or the market value; but it is determined not to reflect the values upon which his income tax ought to be based, and he is permitted, for the purposes of the tax of the preceding year, to re-form it. Now, when he comes to make his inventory for the succeeding year, I do not conceive that he would base his inventory upon the prices at which they were inventoried in the previous year—prices that he had been permitted to set aside, prices which the department had reformed in this process of redetermination. His inventory as to assets brought over would take into consideration the shrinkage they had sustained as the result of falling value since the last inventory period.

Mr. LENROOT. Mr. President, will the Senator yield there?

Mr. SIMMONS. Yes.

Mr. LENROOT. Suppose the goods had been sold and disposed of, so that they would not be and could not be included in any subsequent inventory?

Mr. SIMMONS. The goods must have been sold if the shrinkage occurred after the current year. They must have been sold after the current year. They must have been sold in the next year; but it does not make any difference in my mind whether the goods are sold or not, if, as a matter of fact, they were overestimated.

Mr. LENROOT. But suppose they were not overestimated?

Mr. SIMMONS. But for the purposes of this redetermination we take them as having been overestimated.

Mr. LENROOT. There is nothing in the section that places any such limitation upon it—certainly not.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. SIMMONS. The very provision itself is based upon the idea that the inventory has shrunk.

Mr. LENROOT. Yes; but it may have shrunk after the preceding taxable year. There is the difficulty.

Mr. SIMMONS. It must have shrunk after the inventory was taken.

Mr. LENROOT. Certainly.

Mr. SMOOT. Mr. President, it seems to me the answer to the Senator is a simple one, and I do not think we ought to dodge it if we are going to support the amendment.

Let me say to the Senator that the answer to it is this: If there has been a shrinkage and the shrinkage is determined and an allowance made, it can not be deducted again; so, whatever the shrinkage may be, he can only receive credit for it once. That, it seems to me, is the answer to the Senator's question.

Mr. SIMMONS. That was what I was endeavoring to make plain.

Mr. LENROOT. That may be true; but if it can be taken care of in the current year, then it seems to me the only possible reason there can be for subdivision (b) might be where the net income or the gross income was so low as not to permit full credit for that loss—in other words, where the deduction might be greater than the income—so that it would be necessary to carry it into the preceding year to give him the relief.

Mr. SMOOT. Yes; but I want to say to the Senator it would not be fair to the Government on one hand or the merchant on the other to have it carried to the year he suggested. The loss must be, as the amendment says, actually sustained, and I will state the reason why it is given that way and the division made. The taxes for this year will no doubt be higher than they will at any other time in the history of the country, and if the loss is sustained this year and in the future a credit is allowed it ought to be at the rate of taxation of this year. If the loss shall be sustained, say, in the year 1920, the merchant ought not to be allowed the rate of taxation provided in 1918, but it will be on the taxes provided for the calendar year 1919.

Mr. LENROOT. It ought to be for the year in which the loss is sustained, ought it not?

Mr. SMOOT. No; not under the amendment.

Mr. LENROOT. Let me state the case again. I may be very dense, but it seems to me entirely clear that the entire loss may be sustained in a current year, but under subdivision (b) that loss will be carried back and treated as a loss sustained during the preceding year, when it was not sustained during that year at all.

Mr. SMOOT. The answer to that is, I will say to the Senator, that if he has paid the rate of taxation of 1918 on an inflated inventory, why should he be compelled for the calendar year 1919 to receive only credit at the lower rate of taxation? The amendment is drawn in order to take care of just such a case.

Mr. LENROOT. But subdivision (a) takes care of that kind of a case?

Mr. SMOOT. No.

Mr. LENROOT. Where a loss is ascertained for the first time, but which really occurred during the preceding year.

Mr. SMOOT. No; it says "the amount of a loss sustained during the preceding taxable year and not deducted from the gross income therefor" during that year.

Mr. LENROOT. The Senator speaks of that kind of a loss, and, of course, that is correct.

Mr. SIMMONS. I fail to understand the Senator from Wisconsin. I can not see in this provision anything except a provision to correct an inventory and to pay the tax according to the corrected inventory.

Mr. SMOOT. Mr. President, I wish to say merely a word in relation to the statement made by the Senator from Wisconsin just before the Senator from North Carolina rose. The loss was not sustained until after the reduction in the goods had been ascertained. The loss that will be sustained can not be ascertained until after this year.

Mr. SIMMONS. What I said was that when it is ascertained that there was a loss, then all this provision does is to permit the taxpayer, through the Treasury Department, to correct his inventory of the previous year so as to reflect that loss; that is all.

Mr. LENROOT. Let me ask the Senator if his attention has been called to this kind of a case: We will say that on the 1st of January next an inventory is made, the value of which, according to the return, is $100,000. We will say that that is the actual value based either upon cost or market value, if that is lower. Can there be any mistake in that inventory to correct?

Mr. SIMMONS. Yes.

Mr. LENROOT. I am assuming that it is either the actual value or cost.

Mr. SMOOT. Whichever is the lowest.

Mr. LENROOT. Whichever is the lowest. Now, because of the fall in prices beginning after the 1st of January a loss is sustained. What will happen in that case?

Mr. SIMMONS. He is simply permitted to re-form his inventory so as to make it reflect the change in the level of prices resulting from the shrinkage.

Mr. LENROOT. Why should not all that be taken care of in the year in which the loss actually occurred?

Mr. SMOOT. There was no loss. Say the inflation.

Mr. LENROOT. I speak of the current year.

Mr. SMOOT. It was the inflation in the prices given in the inventory. The case the Senator cites is a good one, and it ought to be carried clear through to the end.

Mr. LENROOT. I would be glad to have the Senator do that.

Mr. SMOOT. Take an institution whose inventory was taken, we will say, on the 31st day of December of this year, and the stock inventoried at $100,000. There was no loss sustained this year, because the actual value was determined. Now, he proceeds during the year 1919 with his business in its regular way, but on December 31, 1919, he takes an inventory of his stock again. He has on hand not the same identical goods but the same quantity of goods he had the year before. He finds the market value or the cost value of the goods, whichever is the lowest, inventories only $75,000. He has the same number of packages of goods, the same quantity of goods of every description. The inventory shows that there is a shrinkage in value to the amount of $25,000. Under (b) of this amendment he is allowed credit on whatever his taxes would be upon the loss of the $25,000 for the taxable year 1919. But the credit allowed is to be based upon the rate of taxation of 1918. Now, that is the meaning of the amendment.

Mr. LENROOT. Is it not a redetermination of the tax imposed for the previous year?

Mr. SMOOT. That is the previous year, and that is what I said. I think that case, if the Senator will look at it——

Mr. LENROOT. It will be 1918.

Mr. SMOOT. I am taking the invoices now of 1918 at the high peak. On the 31st of December, 1919, prices have shrunk $25,000. That shows that there was a loss sustained by the depreciation of the value of the goods of $25,000. Under this provision he is entitled to a credit of whatever the tax would be upon the $25,000 of loss which was sustained by the depreciation at the rate of taxation of 1918, because he has paid his tax upon the profits made upon that year's business with a value of merchandise of $100,000.

Mr. WARREN. Mr. President, allow me to make this statement to the Senator: Take the business of cattle raising. I happen to know one concern where some young men started in the business and allowed all their earnings to accumulate. Last year, about the close of the year, the prices of cattle were at their peak. They had kept books only by means of a check book and their bank account. The Government sent its expert there—perhaps they asked to have him sent—to make out their statement. Of course the matter of inventory came in. They inventoried those cattle at the market price. It was higher than was ever known before, and higher even than it is now.

In all probability as we go over into the next year there must naturally follow a very large reduction in price of stock cattle. It will be so much of a reduction probably that if we take everything that might be accumulated as profit next year it will show a net loss in the year 1919 owing to a shrinkage in prices. They were overtaxed the past year, so far as an average was concerned, and taxed at the very peak of the price.

I suppose the object of this legislation in a case like that would be to make good in some regard what was an overvaluation, as it proved, for the year before. The chairman of the committee will tell me whether that is the natural consequence of this legislation or not.

Mr. SIMMONS. I beg the Senator's pardon; I have not followed him.

Mr. LENROOT. I will agree that the case of a net loss would permit taking care of that kind of a situation, but I do contend that in a case where there is not a net loss there is no necessity or reason for carrying it back into the preceding taxable year, because it can be and would be, without this provision, fully taken care of in the current year.

Mr. WARREN. In the case I mentioned, if they make enough money the next year, notwithstanding shrinkages, so that they will be able to more than overcome the previous shrinkage and they still have some profit, I grant you that would be fair. On the other hand, if it should sweep away all the profits and a great deal more, I think the Senator will admit there should be some restitution.

Mr. LENROOT. I am not in anywise objecting to this provision, except I wanted to get the construction, and then I want to make this suggestion: The Government, it seems to me, under this theory may in 1920 lose a considerable sum of revenue.

Mr. SMOOT. I do not think anyone is going to deny that that will be the result; and I want to say that as far as I understood the proposition and the amendment it was to relieve the taxpayers of the excessively high rates that are imposed upon the business of 1918. That is what it is for, and we might just as well admit that that is the reason for this amendment.

Mr. LENROOT. The Senator then concedes that it will relieve the taxpayer of the high rates imposed in 1918 for losses wholly sustained in 1919.

Mr. SMOOT. No; I do not want the Senator to go that far. It relieves the taxpayer as to the taxes of 1918, because of the fact that during the year the inflation in prices occurred, and his inventory shows during that year the inflation of the prices. That is when the actual loss was sustained, if any loss at all was sustained. It was when the stock that he had on hand was inventoried at the then market value that the foundation of the loss was sustained.

Mr. LENROOT. Although the decline did not begin until the following year.

Mr. SMOOT. The Senator is right. That is the object of the amendment.

Mr. WARREN. Mr. President, one further remark: The discussion proceeded yesterday and to-day along the line of commercial business, stocks of merchandise, and so forth. I wish for a moment to divert attention to the agricultural products, not only such as I have mentioned, cattle, but the same as to sheep, and as to both wool and mutton and somewhat also in the matter of grain. All of these are raised upon land, and the farmer has no control over the market. He does not buy and sell for profit, but simply tills the soil and sells his product for what he can get. As I understand, the Senator believes in covering all that.

Mr. LENROOT. I fully agree that in a case in the year 1919 there could be a net loss in the whole operation of business so that there could be no offset from the inventoried loss, and then it would be proper to go back to protect the taxpayer by permitting a reduction in 1918, but I do not see that it would be fair or proper in case there is income sufficient during the year 1919 or 1920 to take care of that loss so as to reduce his net income to go back to the preceding year.

Mr. President, may I ask if it is necessary to reserve the right to further bring up the amendment in the Senate?

The PRESIDENT pro tempore. A separate vote can be demanded upon the amendment in the Senate. Without objection, the amendment is agreed to. The next amendment passed over will be stated.

The next amendment passed over was, on page 30, line 10, after the numeral "(9)," to strike out "and (10)" and insert "(10), and (12)"; on line 12, after the word "with," to strike out "a trade or business carried on" and insert "income arising from a source"; in line 15, after the words "with respect to," to strike out "trade or business within and without" and insert "sources of income within and without," so as to make the clause read:

(b) In the case of a nonresident alien individual the deductions allowed in paragraphs (1), (4), (7), (8), (9), (10), and (12) of subdivision (a) shall be allowed only if and to the extent that they are connected with income arising from a source within the United States; and the proper apportionment and allocation of the deductions with respect to sources of income within and without the United States shall be determined under rules and regulations prescribed by the commissioner with the approval of the Secretary.

The amendment was agreed to.

The next amendment passed over was, under the heading "Items not deductible," in section 215, page 31, line 7, after the word "taxpayer," to strike out "or anyone financially interested in such trade or business," and in line 8, after the word "is," to insert "directly or indirectly," so as to make the section read:

ITEMS NOT DEDUCTIBLE.

SEC. 215. That in computing net income no deduction shall in any case be allowed in respect of—

(a) Personal, living, or family expenses;

(b) Any amount paid out for new buildings or for permanent improvements or betterments made to increase the value of any property or estate;

(c) Any amount expended in restoring property or in making good the exhaustion thereof for which an allowance is or has been made; or

(d) Premiums paid on any life insurance policy covering the life of any officer or employee or of any person financially interested in any trade or business carried on by the taxpayer when the taxpayer is directly or indirectly a beneficiary under such policy.

The amendment was agreed to.

The next amendment passed over was, under the head of "Credits allowed," in section 216, on page 31, line 16, after the words "United States," to insert "and bonds issued by the War Finance Corporation," and in line 17, after the word "Corporation," to strike out "any State, Territory, any political subdivision thereof, or the District of Columbia," so as to make the paragraph read:

SEC. 216. That for the purpose of the normal tax only there shall be allowed the following credits:

(a) The amount received as dividends from a corporation which is taxable under this title upon its net income.

(b) The amount received as interest upon obligations of the United States and bonds issued by the War Finance Corporation, which is included in gross income under section 213.

(c) In the case of a single person, a personal exemption of $1,000, or in the case of the head of a family or a married person living with husband or wife, a personal exemption of $2,000. A husband and wife living together shall receive but one personal exemption of $2,000 against their aggregate net income; and in case they make separate returns, the personal exemption of $2,000 may be taken by either or divided between them.

(d) Two hundred dollars for each person (other than husband or wife) dependent upon and receiving his chief support from the taxpayer, if such dependent person is under 18 years of age or is incapable of self-support because mentally or physically defective.

(e) In the case of a nonresident alien individual who is a citizen or subject of a country which imposes an income tax, the credits allowed in subdivisions (c) and (d) shall be allowed only if such country allows a similar credit to citizens of the United States not residing in such country.

The amendment was agreed to.

The next amendment passed over was, on page 33, line 6, to strike from the heading the word "Partners" and insert "Partnerships and personal-service corporations," so as to make the heading read: "Partnerships and personal-service corporations"; and on page 34, after line 23, to insert:

(e) Personal-service corporations shall not be subject to taxation under this title, but the individual stockholders thereof shall be taxed in the same manner as the members of partnerships. All the provisions of this title relating to partnerships and the members thereof shall, so far as practicable, apply to personal-service corporations and the stockholders thereof: *Provided*, That in the case of any such corporation any amounts distributed during its taxable year shall be taxed to the distributees; and any portion of the net income remaining undistributed at the close of its taxable year shall for the purposes of this subdivision be assigned to the stockholders of such corporation at the close of its taxable year in proportion to their respective shares.

The amendment was agreed to.

The next amendment passed over was, under the head of "Estates and trusts," in section 219, page 35, line 24, after the word "regular," to strike out the word "interval" with a period and insert the words "intervals, and the income collected by a guardian of an infant to be held or distributed as the court may direct," so as to make the paragraph read:

SEC. 219. (a) That the tax imposed by sections 210 and 211 shall apply to the income of estates or of any kind of property held in trust, including—

(1) Income received by estates of deceased persons during the period of administration or settlement of the estate;

(2) Income accumulated in trust for the benefit of unborn or unascertained persons or persons with contingent interests;

(3) Income held for future distribution under the terms of the will or trust; and

(4) Income which is to be distributed to the beneficiaries, periodically, whether or not at regular intervals, and the income collected by a guardian of an infant to be held or distributed as the court may direct.

The amendment was agreed to.

The next amendment passed over was, on page 36, line 4, after the word "section," to strike out "212" and insert "212, except that there shall also be allowed as a deduction any part of the gross income which, pursuant to the terms of the will or deed creating the trust, is during the taxable year paid out or permanently set aside for exclusively religious, charitable, scientific, or educational purposes, or for the prevention of cruelty to children or animals," so as to make the paragraph read:

(b) The fiduciary shall be responsible for making the return of income for the estate or trust for which he acts. The net income of the estate or trust shall be computed in the same manner and on the same basis as provided in section 212, except that there shall also be allowed as a deduction any part of the gross income which, pursuant to the terms of the will or deed creating the trust, is during the taxable year paid out or permanently set aside for exclusively religious, charitable, scientific, or educational purposes, or for the prevention of cruelty to children or animals; and in cases under paragraph (4) of subdivision (a) of this section the fiduciary shall include in the return a statement of each beneficiary's distributive share of such net income, whether or not distributed before the close of the taxable year for which the return is made.

The amendment was agreed to.

The next amendment passed over was, in the heading, on page 37, line 14, to strike out the words "Undistributed profits subject to surtax," and insert "Profits of corporations taxable to stockholders."

The amendment was agreed to.

The next amendment passed over was, in section 220, page 37, line 16, after the word "That," to strike out "for the purpose of the surtax, the net income of any individual includes the share to which he would be entitled of the gains and profits, if divided or distributed, whether divided or distributed or not, of all corporations," and insert "if any corporation"; in line 20, before the word "formed," to insert "is"; in line 21, after the word "or," to strike out "fraudulently"; in line 22, after the words "imposition of," to strike out "such tax," and insert "the surtax upon its stockholders or members"; in line 23, after the word "permitting," to strike out "such," and insert "its"; in line 24, after the words "divided or," to strike out the word "distributed" and the semicolon, and insert "distributed, such corporation shall not be subject to the tax imposed by section 230 or by Title III, but the stockholders or members thereof shall be subject to taxation under this title in the same manner as provided in subdivision (e) of section 218 in the case of stockholders of a personal service corporation"; and, on page 38, line 5, after the word "corporation," to strike out "and the," so as to make the paragraph read:

SEC. 220. That if any corporation, however created or organized, is formed or availed of for the purpose of preventing the imposition of the surtax upon its stockholders or members through the medium of permitting its gains and profits to accumulate instead of being divided or distributed, such corporation shall not be subject to the tax imposed by section 230 or by Title III, but the stockholders or members thereof shall be subject to taxation under this title in the same manner as provided in subdivision (e) of section 218 in the case of stockholders of a personal service corporation.

The amendment was agreed to.

The next amendment passed over was, on page 38, line 6, before the word "fact," to insert "The"; in the same line, after the word "any," to strike out "such"; in line 9, before the word "purpose," to strike out "fraudulent"; in the same line, after the word "escape," to strike out "such tax" and insert "the surtax"; in line 13, before the word "certifies," to strike out "Secretary" and insert "commissioner," so as to make the paragraph read:

The fact that any corporation is a mere holding company, or that the gains and profits are permitted to accumulate beyond the reasonable needs of the business, shall be prima facie evidence of a purpose to escape the surtax; but the fact that the gains and profits are in any case permitted to accumulate and become surplus shall not be construed as evidence of a purpose to escape the tax in such case unless the commissioner certifies that in his opinion such accumulation is unreasonable for the purposes of the business. When requested by the commissioner or any collector, every corporation shall forward to him a correct statement of such gains and profits and the names and addresses of the individuals or shareholders who would be entitled to the same if divided or distributed, and of the amounts that would be payable to each.

The amendment was agreed to.

The next amendment passed over was, under the head of "Payment of tax at source," in section 221, page 39, line 11, after the words "equal to," to strike out "12" and insert "8," and in the same line, after the word "thereof," to insert a colon and the words "*Provided*, That the commissioner may authorize such tax to be deducted and withheld from the interest upon any securities the owners of which are not known to the withholding agent," so as to make the paragraph read:

SEC. 221. (a) That all individuals, corporations, and partnerships, in whatever capacity acting, including lessees or mortgagees of real or personal property, fiduciaries, employers, and all officers and employees of the United States, having the control, receipt, custody, disposal, or payment of interest, rent, salaries, wages, premiums, annuities, compensations, remunerations, emoluments, or other fixed or determinable annual or periodical gains, profits, and income of any nonresident alien individual (other than income received as dividends from a corporation which is taxable under this title upon its net income) shall (except in the cases provided for in subdivision (b) and except as otherwise provided in regulations prescribed by the commissioner under section 217) deduct and withhold from such annual or periodical gains, profits, and income a tax equal to 8 per cent thereof: *Provided*, That the commissioner may authorize such tax to be deducted and withheld from the interest upon any securities the owners of which are not known to the withholding agent.

The amendment was agreed to.

The next amendment passed over was, on page 40, line 3, after the words "United States," to insert "or to a partnership": *Provided*, That the commissioner may authorize such tax to be deducted and withheld in the case of interest upon any such bonds, mortgages, deeds of trust, or other obligations, the owners of which are not known to the withholding agent," so as to make the paragraph read:

(b) In any case where bonds, mortgages, or deeds of trust, or other similar obligations of a corporation contain a contract or provision by which the obligor agrees to pay any portion of the tax imposed by this title upon the obligee, or to reimburse the obligee for any portion of the tax, or to pay the interest without deduction for any tax which the obligor may be required or permitted to pay thereon or to retain therefrom under any law of the United States, the obligor shall deduct and withhold a tax equal to 2 per cent of the interest upon such bonds, mortgages, deeds of trust, or other obligations, whether such interest is payable annually or at shorter or longer periods and whether payable to a nonresident alien individual or to an individual citizen or resident of the United States or to a partnership: *Provided*, That the commissioner may authorize such tax to be deducted and withheld in the case of interest upon any such bonds, mortgages, deeds of trust, or other obligations, the owners of which are not known to the withholding agent. Such deduction and withholding shall not be required in the case of a citizen or resident entitled to receive such interest if he files with the withholding agent, on or before February 1, a signed notice in writing claiming the benefit of the credits provided in subdivisions (c) and (d) of section 216; nor in the case of a nonresident alien individual if so provided for in regulations prescribed by the commissioner under section 217.

The amendment was agreed to.

The next amendment passed over was, on page 41, line 9, after the word "imposed," to insert "upon," so as to make the paragraph read:

(c) If any tax required under this section to be deducted and withheld is paid by the recipient of the income, it shall not be re-collected from the withholding agent; nor in cases in which the tax is so paid shall any penalty be imposed upon or collected from the recipient of the income or the withholding agent for failure to return or pay the same, unless such failure was fraudulent and for the purpose of evading payment.

The amendment was agreed to.

The next amendment passed over was, on page 41, after line 12, to strike out:

CREDIT FOR FOREIGN TAXES.

SEC. 222. (a) That in the case of a citizen of the United States, the tax computed under this title shall be credited with the amount of any income, war-profits, and excess-profits taxes paid during the taxable year to any foreign country, Porto Rico, or the Philippine Islands, upon income derived from sources therein, including in the case of a member of a partnership or a beneficiary of an estate or trust his proportionate share of such taxes so paid during the taxable year by the partnership or by the estate or trust.

(b) In the case of an alien resident of the United States who is a citizen or subject of a country which imposes income, war-profits, or excess-profits taxes, a like credit shall be allowed if such country allows a similar credit to citizens of the United States residing in such country.

(c) The credits allowed in subdivisions (a) and (b) shall be allowed only if the taxpayer furnishes evidence satisfactory to the commissioner showing the amount of income received from sources within such foreign country, Porto Rico, or the Philippine Islands, as the case may be, and all other information necessary for the computation of such credits.

And to insert:

CREDIT FOR TAXES.

SEC. 222. (a) That the tax computed under Part II of this title shall be credited with:

(1) In the case of a citizen of the United States, the amount of any income, war-profits, and excess-profits taxes paid during the taxable year to any foreign country, upon income derived from sources therein, or to any possession of the United States; and

(2) In the case of a resident of the United States, the amount of any such taxes paid during the taxable year to any possession of the United States; and

(3) In the case of an alien resident of the United States who is a citizen or subject of a foreign country, the amount of any such taxes paid during the taxable year to such country, upon income derived from sources therein, if such country, in imposing such taxes, allows a similar credit to citizens of the United States residing in such country; and

(4) In the case of any such individual who is a member of a partnership or a beneficiary of an estate or trust, his proportionate share of such taxes paid during the taxable year by the partnership or by the estate or trust to a foreign country or to any possession of the United States, as the case may be.

(b) These credits shall be allowed only if the taxpayer furnishes evidence satisfactory to the commissioner showing the amount of income derived from sources within such foreign country or such possession of the United States, and all other information necessary for the computation of such credits.

The amendment was agreed to.

The next amendment passed over was, under the head of "Individual returns," in section 223, page 43, line 12, after the word "every," to strike out "person" and insert "individual"; in line 13, before the word "income," to strike out "net" and insert "gross"; and in line 19, after the word "aggregate," to strike out "net" and insert "gross," so as to make the paragraph read:

SEC. 223. That every individual having a gross income for the taxable year of $1,000 or over if single or if married and not living with husband or wife, or of $2,000 or over if married and living with husband or wife, shall make under oath a return stating specifically the items of his gross income and the deductions and credits allowed by this title. If a husband and wife living together have an aggregate gross income of $2,000 or over, each shall make such a return, unless the income of each is included in a single joint return.

The amendment was agreed to.

The next amendment passed over was, under the head of "Fiduciary returns," in section 225, page 44, line 15, before the word "income," to strike out "net" and insert "gross"; in line 19, before the word "income," to strike out "net" and insert "gross"; and in line 25, after the words "filed in the," to insert "office of the collector of the," so as to make the section read:

FIDUCIARY RETURNS.

SEC. 225. That every fiduciary (except receivers appointed by authority of law in possession of part only of the property of an individual) shall make under oath a return for the individual, estate, or trust for which he acts (1) if the gross income of such individual is $1,000 or over if single or if married and not living with husband or wife, or $2,000 or over if married and living with husband or wife, or (2) if the gross income of such estate or trust is $1,000 or over or if any beneficiary of such estate or trust is a nonresident alien, stating specifically the items of the gross income and the deductions and credits allowed by this title. Under such regulations as the commissioner with the approval of the Secretary may prescribe, a return made by one of two or more joint fiduciaries and filed in the office of the collector of the district where such fiduciary resides shall be a sufficient compliance with the above requirement. The fiduciary shall make oath that he has sufficient knowledge of the affairs of such individual, estate, or trust to enable him to make the return, and that the same is, to the best of his knowledge and belief, true and correct.

Fiduciaries required to make returns under this act shall be subject to all the provisions of this act which apply to individuals.

The amendment was agreed to.

The next amendment passed over was, under the head of "Time and place for filing returns," in section 227, page 46, line 19, after the word "therefor," to strike out: "Except in the case of taxpayers who are abroad, no such extension shall be for more than two months," so as to make the paragraph read:

TIME AND PLACE FOR FILING RETURNS.

SEC. 227. (a) That returns shall be made on or before the 15th day of the third month following the close of the fiscal year, or, if the return is made on the basis of the calendar year, then the return shall be made on or before the 15th day of March. The commissioner may grant a reasonable extension of time for filing returns whenever in his judgment good cause exists and shall keep a record of every such extension and the reason therefor.

The amendment was agreed to.

The next amendment passed over was, on page 47, line 21, after the word "corporation," to insert "other than a life insurance company," and in line 22, after the word "tax," to strike out "as follows" and insert "at the following rates," so as to make the paragraph read:

SEC. 230. (a) That, in lieu of the taxes imposed by section 10 of the revenue act of 1916, as amended by the revenue act of 1917, and by section 4 of the revenue act of 1917, there shall be levied, collected, and paid for each taxable year upon the net income of every corporation other than a life insurance company a tax at the following rates:

The amendment was agreed to.

The next amendment passed over was, on page 47, beginning on line 23, to strike out:

(a) In the case of a domestic corporation 18 per cent of the amount of the net income in excess of the credits provided in section 236: *Provided*, That the rate shall be 12 per cent upon so much of this amount as does not exceed the sum of (1) the amount of dividends paid during the taxable year, plus (2) the amount paid during the taxable year out of earnings or profits in discharge of bonds and other interest-bearing obligations outstanding prior to the beginning of the taxable year, plus (3) the amount paid during the taxable year in the purchase of obligations of the United States issued after September 1, 1918; and

(b) In the case of a foreign corporation 18 per cent of the amount of the net income in excess of the credits provided in section 236: *Provided*, That the rate shall be 12 per cent upon so much of this amount as does not exceed the sum of (1) the amount of dividends paid during the taxable year to citizens or residents of the United States or to domestic corporations or partnerships, plus (2) the same proportion of the amount paid during the taxable year out of earnings or profits in discharge of bonds or other interest-bearing obligations outstanding at the beginning of the taxable year which the amount of gross income of the corporation from sources within the United States bears to the amount of its gross income from all sources within and without the United States, plus (3) the amount paid during the taxable year in the purchase of obligations of the United States issued after September 1, 1918.

And to insert:

(1) For the calendar year 1918, 12 per cent of the amount of the net income in excess of the credits provided in section 236; and

(2) For each calendar year thereafter, 8 per cent of such amount.

(b) For the purposes of the act approved March 21, 1918, entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," five-sixths of the tax imposed by paragraph (1) of subdivision (a) and three-fourths of the tax imposed by paragraph (2) of subdivision (a) shall be treated as levied by an act in amendment of Title I of the revenue act of 1917.

Mr. SMOOT. As this same amendment referring to individuals was passed over at the request of the Senator from North Carolina, I think perhaps, as this has reference to corporations, it ought to go over, because the 1920 provision is, in this respect, just the same as the other.

Mr. SIMMONS. Yes; that can go over.

The PRESIDENT pro tempore. It will be passed over.

Mr. JONES of New Mexico. I did not understand what was done with the amendment at the bottom of page 47.

The PRESIDENT pro tempore. It was agreed to without objection.

Mr. JONES of New Mexico. I should like to have that matter go over for the time being. I expect to submit some remarks upon it to-morrow.

Mr. SIMMONS. Section 230?

Mr. JONES of New Mexico. Section 230.

Mr. SIMMONS. If the Senator desires to submit some remarks upon that amendment and wants to move for its reconsideration, of course he can do that.

Mr. SMOOT. It can go over. We will save time in that way.

Mr. JONES of New Mexico. To save time, let it go over.

Mr. SIMMONS. Very well.

The PRESIDENT pro tempore. The Chair will state that the amendment agreed to ends at line 22 on page 47. The amend-

ment under consideration is to strike out beginning with subdivision (a) in line 23 and ending at the bottom of the succeeding page and the insertion of the matter on page 49. That is the amendment now under consideration.

Mr. JONES of New Mexico. That is precisely what I now ask may go over. It is the subject matter of the House provision which I desire to discuss.

The PRESIDENT pro tempore. Without objection, that amendment will be passed over temporarily. The Chair hears no objection. The next amendment passed over will be stated.

The next amendment passed over was, under the head of "Net income defined," in section 232, page 52, line 22, after the word "corporation," to insert "subject to the tax imposed by section 230," so as to make the section read:

SEC. 232. That in the case of a corporation subject to the tax imposed by section 230 the term "net income" means the gross income as defined in section 233 less the deductions allowed by section 234, and the net income shall be computed on the same basis as is provided in subdivision (b) of section 212 or in section 226.

The amendment was agreed to.

The next amendment passed over was, under the head of "Gross income defined," in section 233, page 53, line 4, after the word "corporation," to insert "subject to the tax imposed by section 230" and in line 6, after the numerals "213," to strike out "except that," so as to make the paragraph read:

SEC. 233. (a) That in the case of a corporation subject to the tax imposed by section 230 the term "gross income" means the gross income as defined in section 213.

The amendment was agreed to.

The next amendment passed over was, on page 53, after line 7, to strike out:

(1) In the case of life insurance companies there shall not be included in gross income such portion of any actual premium received from any individual policyholder within the taxable year as is paid back or credited to or treated as an abatement of premium of such policyholder within the taxable year.

(2) Mutual marine insurance companies shall include in gross income the gross premiums collected and received by them less amounts paid for reinsurance.

The amendment was agreed to.

The next amendment passed over was, under the head of "Deductions allowed," in section 234, page 53, line 23, after the word "computing," to insert "the," and in the same line, after the word "income," to insert "of a corporation subject to the tax imposed by section 230," so as to make the paragraph read:

SEC. 234. (a) That in computing the net income of a corporation subject to the tax imposed by section 230 there shall be allowed as deductions.

The amendment was agreed to.

The next amendment passed over was, on page 54, line 7, to strike out the words "to which the corporation has not taken or is not taking title, or in which it has no equity"; in line 10, after the word "indebtedness," to insert "except on indebtedness incurred or continued to purchase or carry obligations or securities (other than obligations of the United States issued after September 24, 1917) the interest upon which is wholly exempt from taxation under this title as income to the taxpayer"; and in line 16, before the word "which," to strike out "paid," so as to read:

(1) All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered, and including rentals or other payments required to be made as a condition to the continued use or possession of property;

(2) All interest paid or accrued within the taxable year on its indebtedness, except on indebtedness incurred or continued to purchase or carry obligations or securities (other than obligations of the United States issued after September 24, 1917) the interest upon which is wholly exempt from taxation under this title as income to the taxpayer, or, in the case of a foreign corporation, the proportion of such interest which the amount of its gross income from sources within the United States bears to the amount of its gross income from all sources within and without the United States.

The amendment was agreed to.

The next amendment passed over was, on page 55, line 3, after the word "benefits," to insert "of a kind tending to increase the value of the property assessed"; in line 8, after the words "section 238," to insert: "; or (c) in the case of a foreign corporation, by the authority of any foreign country (except income, war-profits and excess-profits taxes, and taxes assessed against local benefits of a kind tending to increase the value of the property assessed), upon the property or business, to the extent that the income from such property or business is subject to taxation under this title," so as to read:

(3) Taxes paid or accrued within the taxable year imposed (a) by the authority of the United States, except income, war-profits and excess-profits taxes; or (b) by the authority of any of its possessions, except the amount of income, war-profits and excess-profits taxes allowed as a credit under section 238; or (c) by the authority of any State or Territory, or any county, school district, municipality, or other taxing subdivision of any State or Territory, not including those assessed against local benefits of a kind tending to increase the value of the property assessed; or (d) in the case of a domestic corporation, by the authority of any foreign country, except the amount of income, war-profits and excess-profits taxes allowed as a credit under section 238; or (e) in the case of a foreign corporation, by the authority of any foreign country (except income, war-profits and excess-profits taxes, and taxes assessed against local benefits of a kind tending to increase the value of the property assessed), upon the property or business, to the extent that the income from such property or business is subject to taxation under this title: *Provided*, That in the case of obligors specified in subdivision (b) of section 221 no deduction for the payment of the tax imposed by this title or any other tax paid pursuant to the contract or provision referred to in that subdivision shall be allowed.

The amendment was agreed to.

The next amendment passed over was, on page 55, line 19, after the word "sustained," to strike out "and charged off," so as to read:

(4) Losses sustained during the taxable year and not compensated for by insurance or otherwise.

The amendment was agreed to.

The next amendment passed over was, on page 56, line 1, to strike out "exhaustion, wear and tear," and insert "depreciation" before the words "of property"; and in line 2, after the word "business," to strike out "but in the case of a foreign corporation only as to property within the United States," so as to read:

(7) A reasonable allowance for the depreciation of property used in the trade or business.

The amendment was agreed to.

The next amendment passed over was, on page 56, line 8, after the word "war," to insert "and in the case of vessels constructed or acquired on or after such date for the transportation of articles or men contributing to the prosecution of the present war"; in line 11 to strike out "may" and insert "shall"; in line 13, after "facilities," to insert "or vessels"; in line 14, after "including," to strike out "amounts otherwise allowed under this title for depreciations, exhaustion, or wear and tear" and insert "any amount otherwise allowed under this title or previous acts of Congress as a deduction in computing net income"; in line 19, after "war," to strike out "with the Imperial German Government as declared by proclamation of the President"; in line 24, before "taxes," to strike out "necessary adjustment of the" and insert, after "taxes," the words "imposed by this title and by Title III"; in line 1, page 57, to strike out the first word "made" and insert "redetermined"; in line 2 to strike out "readjustment" and insert "redetermination"; and in line 6, after the words "section 252," to strike out "In the case of a nonresident alien individual this deduction shall be allowed only as to facilities within the United States. In no case shall the deduction allowed under this paragraph exceed 25 per cent of the taxpayer's net income as computed without the benefit of this paragraph," so as to read:

(8) In the case of buildings, machinery, equipment, or other facilities, constructed, erected, installed, or acquired, on or after April 6, 1917, for the production of articles contributing to the prosecution of the present war, and in the case of vessels constructed or acquired on or after such date for the transportation of articles or men contributing to the prosecution of the present war, there shall be allowed a reasonable deduction for the amortization of such part of the cost of such facilities or vessels as has been borne by the taxpayer, but not again including any amount otherwise allowed under this title or previous acts of Congress as a deduction in computing net income. At any time within three years after the termination of the present war the commissioner may, and at the request of the taxpayer shall, reexamine the return, and if he then finds as a result of an appraisal or from other evidence that the deduction originally allowed was incorrect, the taxes imposed by this title and by Title III for the year or years affected shall be redetermined; and the amount of tax due upon such redetermination, if any, shall be paid upon notice and demand by the collector, or the amount of tax overpaid, if any, shall be credited or refunded to the taxpayer in accordance with the provisions of section 252.

The amendment was agreed to.

The next amendment passed over was, on page 57, after line 11, to strike out:

(9) (a) In the case of oil and gas wells a reasonable allowance for actual reduction in flow and production to be ascertained not by the flush flow but by the settled production or regular flow; (b) in the case of mines a reasonable allowance for depletion; (c) in the case of mines, oil and gas wells, other natural deposits, and timber, a reasonable allowance for depreciation of improvements; such reasonable allowance in all the above cases to be made according to the peculiar conditions in each case and under rules and regulations to be prescribed by the commissioner with the approval of the Secretary. In the case of leases the deductions allowed by this paragraph shall be equitably apportioned between the lessor and lessee. In the case of a foreign corporation the deductions under this paragraph shall be allowed only as to property within the United States.

And to insert:

(9) In the case of mines, oil and gas wells, other natural deposits, and timber, a reasonable allowance for depletion and for depreciation of improvements, according to the peculiar conditions in each case, based upon cost, including cost of development not otherwise deducted: *Provided*, That in the case of such properties acquired prior to March 1, 1913, the fair market value of the property (or the taxpayer's interest therein) on that date shall be taken in lieu of cost up to that date: *Provided further*, That in the case of mines, oil and gas wells discovered by the taxpayer on or after March 1, 1913, and not acquired

as the result of purchase of a proven tract or lease, where the fair market value of the property is materially disproportionate to the cost, the depletion allowance shall be based upon the fair market value of the property at the date of the discovery, or within 12 months thereafter; such reasonable allowance in all the above cases to be made under rules and regulations to be prescribed by the commissioner with the approval of the Secretary. In the case of leases the deductions allowed by this paragraph shall be equitably apportioned between the lessor and lessee.

The amendment was agreed to.

The next amendment passed over was, on page 59, line 6, before the word "contracts," to strike out "and annuity," so as to read:

(10) In the case of insurance companies, in addition to the above: (a) The net addition required by law to be made within the taxable year to reserve funds (including in the case of assessment insurance companies the actual deposit of sums with State or Territorial officers, pursuant to law, as additions to guarantee or reserve funds); and (b) the sums other than dividends paid within the taxable year on policy contracts.

The amendment was agreed to.

The next amendment passed over was, on page 59, to strike out lines 7 to 14, inclusive, in the following words:

(11) In the case of corporations issuing policies covering life, health, and accident insurance combined in one policy issued on the weekly premium payment plan continuing for life and not subject to cancellation, in addition to the above, such portion of the net addition (not required by law) made within the taxable year to reserve funds as the commissioner finds to be required for the protection of the holders of such policies only.

The amendment was agreed to.

The next amendment passed over was, on page 59, line 15, to strike out "(12)" and insert "(11)."

The amendment was agreed to.

The next amendment passed over was, on page 59, line 21, to strike out "(13)" and insert "(12)."

The amendment was agreed to.

The next amendment passed over was, on page 60, line 1, to insert "(unless already allowed under such paragraphs)," so as to read.

(12) In the case of mutual insurance companies (other than mutual life or mutual marine insurance companies) requiring their members to make premium deposits to provide for losses and expenses, there shall be allowed, in addition to the deductions allowed in paragraphs (1) to (10), inclusive (unless already allowed under such paragraphs), the amount of premium deposits returned to their policyholders and the amount of premium deposits retained for the payment of losses, expenses, and reinsurance reserves.

The amendment was agreed to.

The next amendment passed over was, on page 60, after line 4, to insert:

(13) If it is shown to the satisfaction of the commissioner that during the taxable year 1919 or 1920 the taxpayer (a) has for the first time ascertained the amount of a loss sustained during the preceding taxable year and not deducted from the gross income therefor, or (b) has sustained a substantial loss (whether or not actually realized by sale or other disposition), resulting from any material reduction (not due to temporary fluctuation) of the value of the inventory for the preceding taxable year, then the amount of such loss shall be deducted from the net income for such preceding taxable year, and the taxes imposed by this title and by Title III for such year shall be redetermined accordingly. Any amount found to be due to the taxpayer upon the basis of such redetermination shall be credited or refunded to the taxpayer in accordance with the provisions of section 252.

The amendment was agreed to.

The next amendment passed over was, on page 60, line 23, to strike out "a trade or business carried on" and insert "income arising from a source," and on page 61, line 1, to strike out "trade or business within and without" and insert "sources of income within and without," so as to make the paragraph read:

(b) In the case of a foreign corporation the deductions allowed in subdivision (a), except those allowed in paragraphs (2) and (3), shall be allowed only if and to the extent that they are connected with income arising from a source within the United States; and the proper apportionment and allocation of the deductions with respect to sources of income within and without the United States shall be determined under rules and regulations prescribed by the commissioner with the approval of the Secretary.

The amendment was agreed to.

The next amendment passed over was, on page 61, line 10, after "That," to insert "except in the case of life insurance companies," so as to read:

CREDITS ALLOWED.

SEC. 236. That except in the case of life insurance companies there shall be allowed the following credits:

The amendment was agreed to.

The next amendment passed over was, in section 236, on page 61, line 13, to insert "and bonds issued by the War Finance Corporation"; and in line 14 to strike out "any State, Territory, any political subdivision thereof, or the District of Columbia," so as to make the paragraph read:

(a) The amount received as interest upon obligations of the United States and bonds issued by the War Finance Corporation which is included in gross income under section 233.

The amendment was agreed to.

The next amendment passed over was, on page 61, line 17, to strike out "war-profits or excess-profits taxes"; in line 18, to strike out "by act of Congress" and insert "by Title III"; in line 21, to strike out "the portion of the excess-profits tax specified in clause (1) of section 335 shall be credited against that portion of the net income specified in clause (1) of section 239, and the portion of the war-profits or excess-profits tax specified in clause (2) of section 335 shall be credited against that portion of the net income specified in clause (2) of section 239; and," and to insert: "or beginning in 1918 and ending in 1919, the portion of the tax specified in clause (1) of subdivision (a) or (b) of section 335 shall be credited against that portion of the net income for such fiscal year specified in clause (1) of section 205, and the portion of the tax specified in clause (2) of subdivision (a) or (b) of section 335 shall be credited against that portion of the net income for such fiscal year specified in clause (2) of section 205; and," so as to read:

(b) The amount of taxes imposed by Title III for the same taxable year: *Provided*, That in the case of a corporation which makes return for a fiscal year beginning in 1917 and ending in 1918, or beginning in 1918 and ending in 1919, the portion of the tax specified in clause (1) of subdivision (a) or (b) of section 335 shall be credited against that portion of the net income for such fiscal year specified in clause (1) of section 205, and the portion of the tax specified in clause (2) of subdivision (a) or (b) of section 335 shall be credited against that portion of the net income for such fiscal year specified in clause (2) of section 205; and

The amendment was agreed to.

The next amendment passed over was, on page 62, line 17, to strike out "18," before "per cent," and insert "8," so as to read:

PAYMENT OF TAX AT SOURCE.

SEC. 237. That in the case of foreign corporations not engaged in trade or business within the United States and not having any office or place of business therein, there shall be deducted and withheld at the source in the same manner and upon the same items of income as is provided in section 221 a tax equal to 8 per cent thereof, and such tax shall be returned and paid in the same manner and subject to the same conditions as provided in that section: *Provided*, That in the case of interest described in subdivision (b) of that section the deduction and withholding shall be at the rate of 2 per cent.

The amendment was agreed to.

The next amendment passed over was, on page 62, line 23, in the subhead "Credit for foreign taxes," to strike out the word "foreign."

The amendment was agreed to.

The next amendment passed over was, on page 62, in line 24, to insert "(a)" after "Sec. 238"; line 25, to strike out "income war profits, and excess profits"; on page 63, line 1, to strike out "by act of Congress" and insert "by this title and by Title III"; in line 4, to strike out "Porto Rico or the Philippine Islands"; and in line 6, at the end of the paragraph, to insert "or to any possession of the United States," so as to read:

CREDIT FOR TAXES.

SEC. 238 (a). That in the case of a domestic corporation the total taxes imposed for the taxable year by this title and by Title III shall be credited with the amount of any income, war profits, and excess-profits taxes paid during the taxable year to any foreign country upon income derived from sources therein or to any possession of the United States.

The amendment was agreed to.

The next amendment passed over was, in section 238, on page 63, line 9, to strike out "received" and insert "derived"; in line 10 to strike out "country, Porto Rico, or the Philippine Islands," and insert "country or such possession of the United States"; and after line 13 to insert:

(b) In the case of a corporation which makes return for a fiscal year beginning in 1917 and ending in 1918, any tax paid for such fiscal year, under Title I of the revenue act of 1916 or Title I of the revenue act of 1917, shall be credited against the tax imposed by this title.

So as to read:

This credit shall be allowed only if the taxpayer furnishes evidence satisfactory to the commissioner showing the amount of income derived from sources within such foreign country or such possession of the United States, as the case may be, and all other information necessary for the computation of such credit.

(b) In the case of a corporation which makes return for a fiscal year beginning in 1917 and ending in 1918, any tax paid for such fiscal year, under Title I of the revenue act of 1916 or Title I of the revenue act of 1917, shall be credited against the tax imposed by this title.

The amendment was agreed to.

The next amendment passed over was, on page 63, after line 18, to strike out:

RATES FOR FISCAL YEAR 1917–18.

SEC. 239. That if a corporation makes return for a fiscal year beginning in 1917 and ending in 1918, the net income shall be divided into two parts, namely: (1) The portion which bears the same ratio to the total net income as the period between the beginning of such fiscal year and December 31, 1917, bears to the full fiscal year; and (2) the remaining portion of the net income.

The portion specified in clause (1) shall be subject to the rates prescribed by Title I of the revenue act of 1917 and by Title I of the revenue act of 1916 as amended by the revenue act of 1917; and the portion specified in clause (2) shall be subject to the rates prescribed by this title.

The amendment was agreed to.

The next amendment passed over was, on page 64, line 7, to strike out "240" and insert "239," and in line 8, to insert "subdivisions (1) to (13) of," so as to make the section read:

CORPORATION RETURNS.

SEC. 239. That every corporation not exempt under subdivisions (1) to (13) of section 231 shall make a return, stating specifically the items of its gross income and the deductions and credits allowed by this title. The return shall be sworn to by the president, vice president, or other principal officer and by the treasurer or assistant treasurer. If any foreign corporation has no office or place of business in the United States, but has an agent in the United States, the return shall be made by the agent. In cases where receivers, trustees in bankruptcy, or assignees are operating the property or business of corporations, such receivers, trustees, or assignees shall make returns for such corporations in the same manner and form as corporations are required to make returns. Any tax due on the basis of such returns made by receivers, trustees, or assignees shall be collected in the same manner as if collected from the corporations of whose business or property they have custody and control.

Returns made under this section shall be subject to the provisions of sections 226 and 228.

The amendment was agreed to.

The next amendment passed over was, on page 65, beginning with line 1, to insert:

CONSOLIDATED RETURNS.

SEC. 240. (a) That corporations which are affiliated within the meaning of this section shall, under regulations to be prescribed by the commissioner with the approval of the Secretary, make a consolidated return of net income and invested capital for the purposes of this title and Title III, and the taxes thereunder shall be computed and determined upon the basis of such return.

In any case in which a tax is assessed upon the basis of a consolidated return, the total tax shall be computed in the first instance as a unit and shall then be assessed upon the respective affiliated corporations in such proportions as may be agreed upon among them, or, in the absence of any such agreement, then on the basis of the net income and invested capital properly assignable to each. There shall be allowed in computing the income tax only one specific credit of $2,000 (as provided in section 236); in computing the war-profits credit (as provided in section 311) only one specific exemption of $3,000; and in computing the excess-profits credit (as provided in section 312) only one specific exemption of $3,000.

(b) For the purpose of this section, two or more corporations shall be deemed to be affiliated—

(1) If one corporation owns directly or controls through closely affiliated interests or by a nominee or nominees substantially all the stock of the other or others, or if substantially all the stock of two or more corporations is owned or controlled by the same interests, or if one such corporation buys from or sells to another products or services at prices above or below the current market, thus effecting an artificial distribution of profits, or in any way so arranges its financial relationships with another corporation as to assign to it a disproportionate share of net income or invested capital.

(2) A foreign corporation shall not be deemed to be affiliated with a domestic corporation unless substantially all its stock is owned or controlled by such domestic corporation or by a resident taxpayer or group of resident taxpayers owning or controlling substantially all the stock of such domestic corporation. Where under this subdivision a foreign corporation is affiliated with a domestic corporation, the total tax (computed as a unit as above provided) shall be reduced by the credit authorized in section 238.

Mr. SMOOT. Mr. President, I ask that subdivision (b) may go over. The Senator from Minnesota [Mr. KELLOGG] was compelled to leave the city on business and he will not be back until to-morrow or the next day. He has an amendment to offer to that paragraph.

The PRESIDENT pro tempore. Does the Senator ask that the section shall go over, or the amendment?

Mr. SMOOT. Having been read, it will take no longer time, so that it all may go over.

The PRESIDENT pro tempore. The amendment will be passed over temporarily.

The next amendment passed over was, on page 67, to insert lines 1 to 17, inclusive, as follows:

PART IV. LIFE INSURANCE COMPANIES.

SEC. 245. That there shall be levied, collected, and paid for each taxable year upon the net income of every life insurance company a tax as follows:

(a) In the case of a domestic life insurance company—

(1) For the calendar year 1918, 12 per cent of its net income;

(2) For each calendar year thereafter, 8 per cent of its net income.

(b) In the case of a foreign life insurance company—

(1) For the calendar year 1918, 12 per cent of the same proportion of the net income which the reserve fund upon business transacted within the United States is of the total reserve fund upon all business transacted, whether within or without the United States;

(2) For each calendar year hereafter, 8 per cent of such proportion of its net income.

The amendment was agreed to.

The next amendment passed over was, after line 17, on page 67, to insert to line 20, on page 68, as follows:

SEC. 246. (a) That in the case of a life insurance company the term "net income" means the gross income less—

(1) The amount of interest received during the taxable year which under paragraph (4) of subdivision (b) of section 213 is exempt from taxation under this title;

(2) An amount equal to the excess, if any, of 4 per cent of the mean of the reserve funds required by law and held during the taxable year over the amount specified in paragraph (1) of this subdivision;

(3) An amount equal to 2 per cent of any sums held at the end of the taxable year as a reserve for dividends (other than dividends payable during the year following the taxable year) the payment of which is deferred for a period of not less than five years from the date of the policy contract;

(4) Investment expenses paid during the taxable year not exceeding one-fourth of 1 per cent of the mean invested assets;

(5) Taxes and other expenses paid during the taxable year exclusively in connection with real estate owned by the company, not including taxes assessed against local benefits of a kind tending to increase the value of the property assessed and not including any amount paid out for new buildings or for permanent improvements or betterments made to increase the value of any property;

(6) In the case of a domestic life insurance company, $2,000.

(b) The net income shall be computed on the same basis as is provided in subdivision (b) of section 212 and in section 226.

The amendment was agreed to.

The next amendment passed over was, on page 68, after line 20, to insert:

SEC. 247. That in the case of a life insurance company the term "gross income" means the gross amount of income received during the taxable year from interest, dividends, and rents.

The amendment was agreed to.

The next amendment passed over was, on page 69, line 1, in the heading, after the word "Part," to strike out "IV" and insert "V."

The amendment was agreed to.

The next amendment passed over was, on page 69, to strike out the first paragraph of section 250 in the following words:

SEC. 250. That except as provided in sections 221 and 237 the tax shall be paid in installments, one-third of the amount of the tax shown in the return to be paid at the time fixed by law for filing the return, one-third on the 15th day of the second month thereafter, and the remaining one-third on the 15th day of the fourth month after the time fixed by law for filing the return; but where an extension of time for filing the return is granted, the first installment shall be due upon the expiration of the period of such extension, and the second and third installments shall be due as above stated, except that in the case of any taxpayer who is abroad the commissioner may extend the time for payment of the second and third installments not more than four months after the expiration of the period of any extension of time for filing his return. If any installment is not paid when due, the whole amount of the tax unpaid shall become due and payable upon notice and demand by the collector.

And to insert:

SEC. 250. (a) That except as otherwise provided in this section and sections 221 and 237 the tax shall be paid in four installments, each consisting of one-fourth of the total amount of the tax. The first installment shall be paid at the time fixed by law for filing the return, and the second installment shall be paid on the 15th day of the third month, the third installment on the 15th day of the sixth month, and the fourth installment on the 15th day of the ninth month, after the time fixed by law for filing the return. Where an extension of time for filing a return is granted the date of the expiration of the period of the extension shall be deemed to be the time fixed by law for filing the return. In any case in which the time for the payment of any installment is thus postponed because of an extension of time for filing the return, there shall be added as part of such installment interest thereon at the rate of one-half of 1 per cent per month from the time it would have been due if no extension had been granted, until paid. If any installment is not paid when due, the whole amount of the tax unpaid shall become due and payable upon notice and demand by the collector.

The amendment was agreed to.

The next amendment passed over was, on page 73, after line 16, to insert:

(g) If the commissioner finds that a taxpayer designs quickly to depart from the United States or to remove his property therefrom, or to conceal himself or his property therein, or to do any other act tending to prejudice or to render wholly or partly ineffectual proceedings to collect the tax for the taxable year then last past or the taxable year then current unless such proceedings be brought without delay, the commissioner shall declare the taxable period for such taxpayer terminated at the end of the calendar month then last past and shall cause notice of such finding and declaration to be given the taxpayer, together with a demand for immediate payment of the tax for the taxable period so declared terminated and of the tax for the preceding taxable year or so much of said tax as is unpaid, whether or not the time otherwise allowed by law for filing return and paying the tax has expired; and such taxes shall thereupon become immediately due and payable. In any action or suit brought to enforce payment of taxes made due and payable by virtue of the provisions of this subdivision the finding of the commissioner, made as herein provided, whether made after notice to the taxpayer or not, shall be for all purposes presumptive evidence of the taxpayer's design. A taxpayer who is not in default in making any return or paying income, war profits, or excess-profits tax under any act of Congress may furnish to the United States, under regulations to be prescribed by the commissioner, with the approval of the Secretary, security approved by the commissioner that he will duly make the return next thereafter required to be filed and pay the tax next thereafter required to be paid. The commissioner may approve and accept in like manner security for return and payment of taxes made due and payable by virtue of the provisions of this subdivision, provided the taxpayer has paid in full all other income, war profits, or excess-profits taxes due from him under any act of Congress. If security is approved and accepted pursuant to the previsions of this subdivision and such further or other security with respect to the tax or taxes covered thereby is given as the commissioner shall from time to time find necessary and require, payment of such taxes shall not be enforced by any proceedings under the provisions of this subdivision prior to the expiration of the time otherwise allowed for paying such respective taxes.

The amendment was agreed to.

The next amendment passed over was, under the subhead "Receipts for taxes," section 251, on page 75, line 10, after the word "shall," to insert the words "upon request," so as to read:

RECEIPT FOR TAXES.

SEC. 251. That every collector to whom any payment of any tax is made under the provisions of this title shall upon request give to the person making such payment a full written or printed receipt, stating the amount paid and the particular account for which such payment was made.

The amendment was agreed to.

The next amendment passed over was, in the heading on page 83, line 10, after the words "Title III," to strike out "War profits and" and insert "War," so as to read: "Title III.—War excess-profits tax."

The amendment was agreed to.

The next amendment passed over was, on page 83, under the subhead "General definitions," in section 300, in line 14, after the words "fiscal year," to insert "personal service corporation," "paid or accrued," and in line 16, after the word "in," to strike out "section 200" and to insert "sections 200 and 201," so as to make the section read:

PART I. GENERAL DEFINITIONS.

SEC. 300. That when used in this title the terms "taxable year," "fiscal year," "personal service corporation," "paid or accrued," and "dividends" shall have the same meaning as provided for the purposes of income tax in sections 200 and 201. The first taxable year for the purposes of this title shall be the same as the first taxable year for the purposes of the income tax under Title II.

The amendment was agreed to.

The next amendment passed over was, under the heading "Part II.—Imposition of tax," in section 301, on page 83, after "Sec. 301," to insert "(a)"; in line 23, after the word "shall," to strike out "(except as otherwise provided in section 303)"; in line 24, after the word "for," to strike out "each" and insert "the"; in line 25, after the word "year," to insert "1918"; in the same line, after the word "every," to strike out the comma; and on page 84, line 1, after the word "tax," to strike out "computed according to whichever of the two following methods yields the higher amount of tax in the case of such corporation: (a) The war-profits method specified in Part III of this title, or (b) the excess-profits method specified in Part IV of this title," and insert "equal to the sum of the following," so as to make the clause read:

PART II. IMPOSITION OF TAX.

SEC. 301. (a) That in lieu of the tax imposed by Title II of the revenue act of 1917, but in addition to the other taxes imposed by this act, there shall be levied, collected, and paid for the taxable year 1918 upon the net income of every corporation a tax equal to the sum of the following:

The PRESIDENT pro tempore. Without objection, the amendment will be agreed to.

Mr. THOMAS. Mr. President, I ask that that go over for the present.

The PRESIDENT pro tempore. Being objected to, the amendment will go over.

Mr. SIMMONS. What was the request of the Senator from Colorado, Mr. President?

Mr. THOMAS. I have asked that this Title III, in reference to war-excess profits, go over.

The PRESIDENT pro tempore. Does the Senator's request extend to line 15, on page 85?

Mr. THOMAS. Yes, sir; I wish to offer a substitute for the title.

The PRESIDENT pro tempore. The amendment will be passed over.

Mr. THOMAS. That will apply to the entire title.

The PRESIDENT pro tempore. That action will be taken, unless there is objection.

Mr. SIMMONS. Mr. President, I understood the Senator from Colorado to say that he was going to offer a substitute for this title.

Mr. THOMAS. Yes.

Mr. SIMMONS. Before the substitute is offered is it not proper that we should perfect the text by the adoption of the amendment?

Mr. THOMAS. I have no objection to any course of procedure——

Mr. SIMMONS. Therefore I think the regular course would be to agree or to disagree to the amendment reported by the committee and have the Senator from Colorado offer his substitute to the title as amended.

Mr. THOMAS. I have no objection to any procedure that will not estop me from offering a substitute to that title.

Mr. SIMMONS. Clearly the method that I suggest would not estop the Senator from offering his substitute, and it would be the proper procedure in order to lay the foundation for his substitute.

Mr. SMOOT. I should like to have the part of the title referring to the year 1919 go over.

The PRESIDENT pro tempore. Without objection, the title will be passed over.

Mr. SIMMONS. It will all have to be passed over if the section referred to by the Senator from Utah is passed over.

Mr. SMOOT. It involves the same question as the other, and I think it ought to go over.

The PRESIDENT pro tempore. Is the Chair correct in understanding that the Senator from Colorado has asked that the portion of the amendment down to line 24, on page 88, go over?

Mr. THOMAS. That was not my request.

The PRESIDENT pro tempore. The Chair so understood the Senator.

Mr. THOMAS. My request was to pass over the entire title.

The PRESIDENT pro tempore. To what point—including the part of the bill under the heading "Credits"?

Mr. THOMAS. The entire title. The subsequent title is "War and excess profits." I do not object to perfecting the title or the subject matter of the title if the Senator having charge of the bill so prefers.

The PRESIDENT pro tempore. The Secretary will first read the proposed amendments, and then the title, if amended, will be passed over as amended.

Mr. JONES of New Mexico. Mr. President, I desire to offer an amendment which will cover the excess-profits provisions for the calendar year 1919 and subsequent years. The Senator from Utah [Mr. SMOOT] has reserved that provision on page 84. I am sure there are other provisions in the bill which affect that question.

Mr. SMOOT. I am positive that there are such provisions under this title, and I think the quickest way to accomplish the object desired would be to let the title go over.

Mr. JONES of New Mexico. I agree with that view of the Senator.

Mr. SIMMONS. There is not any necessity of the whole title going over because there is a 1920 provision in one of the amendments. The amendment in which that 1920 provision occurs ought to go over, but the remainder of it ought not to go over.

The PRESIDENT pro tempore. The Chair, of course, is unable to determine what portion of the bill should go over when Senators simply state the object of an amendment without referring to line or page.

Mr. SIMMONS. Mr. President, let us proceed with the reading of the bill, and when a 1920 provision injects itself in any way the Senator from Utah [Mr. SMOOT] can ask that the paragraph go over.

The PRESIDENT pro tempore. The Secretary, then, will resume the reading of the amendments on page 84, beginning in line 7, and continue the reading until an amendment to the amendment is offered or a reservation is made.

The SECRETARY. The next amendment passed over was, on page 84, after line 6, to insert:

FIRST BRACKET.

Thirty per cent of the amount of the net income in excess of the excess-profits credit (determined under sec. 312) and not in excess of 20 per cent of the invested capital.

SECOND BRACKET.

Sixty per cent of the amount of the net income in excess of 20 per cent of the invested capital.

THIRD BRACKET.

The sum, if any, by which 80 per cent of the amount of the net income in excess of the war-profits credit (determined under sec. 311) exceeds the amount of the tax computed under the first and second brackets.

(b) For the taxable year 1919 and each taxable year thereafter there shall be levied, collected, and paid upon the net income of every corporation a tax equal to the sum of the following:

FIRST BRACKET.

Twenty per cent of the amount of the net income in excess of the excess-profits credit (determined under sec. 312) and not in excess of 20 per cent of the invested capital.

SECOND BRACKET.

Forty per cent of the amount of the net income in excess of 20 per cent of the invested capital.

Mr. SMOOT. Let subdivision (b) go over, Mr. President.

The PRESIDENT pro tempore. Subdivision (b) will go over. The previous portion of the amendment will be agreed to, without objection. The Secretary will continue the reading of the amendment.

The SECRETARY. It is further proposed to insert:

(c) In any case where the full amount of the excess-profits credit is not allowed under the first bracket of subdivision (a) or (b), by reason of the fact that such credit is in excess of 20 per cent of the invested capital, the part not so allowed shall be deducted from the amount in the second bracket.

(d) For the purposes of the act approved March 21, 1918, entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and

for other purposes," the tax imposed by this title shall be treated as levied by an act in amendment of Title II of the revenue act of 1917.

The amendment was agreed to.

The next amendment passed over was, in section 302, on page 85, line 16, after the word "That," to strike out "in the case of a corporation whose invested capital for the taxable year is not more than $25,000, the tax imposed by section 301 shall not be more than 35 per cent of the amount of its net income for such year in excess of $3,000; and if its invested capital for the taxable year is more than $25,000, but not more than $50,000, such tax shall not be more than 40 per cent of the amount of its net income for such year in excess of $3,000. This section shall not apply to any corporation whose net income is more than $50,000;" and insert "the tax imposed by subdivision (a) of section 301 shall in no case be more than 30 per cent of the amount of the net income in excess of $3,000 and not in excess of $20,000, plus 80 per cent of the amount of the net income in excess of $20,000; and the tax imposed by subdivision (b) of section 301 shall in no case be more than 20 per cent of the amount of the net income in excess of $3,000 and not in excess of $20,000, plus 40 per cent of the amount of the net income in excess of $20,000. Nothing in this section shall be construed in such manner as to increase the tax imposed by section 301."

Mr. SMOOT. I ask that that section go over.

The PRESIDENT pro tempore. The section will be passed over.

The next amendment passed over was, on page 86, after line 10, to strike out section 303, as follows:

SEC. 303. That in the case of a corporation the earnings of which are to be ascribed primarily to the activities of the principal owners or stockholders who are themselves regularly engaged in the active conduct of the affairs of the corporation, and in which capital (whether invested, borrowed, rented, or otherwise secured) is not directly or indirectly a material income-producing factor, there shall be levied, collected, and paid for each taxable year upon its net income (in lieu of the tax imposed by Title II of the revenue act of 1917 and in lieu of the tax imposed by section 301 of this act, but in addition to the other taxes imposed by this act) a tax of 20 per cent of the amount of its net income in excess of $3,000. A foreign corporation shall not be entitled to the specific exemption of $3,000.

A corporation 50 per cent or more of whose gross income (as defined in section 213 for income-tax purposes) consists of gains or profits derived from purchase and sale, or of gains, profits, or commissions derived from Government contracts, or whose invested capital is more than $100,000, shall not be subject to the tax imposed by this section, but shall be subject to the tax imposed by section 301.

Wherever in this act reference is made to "war-profits" or "excess-profits" taxes, and the context shows that taxes imposed by act of Congress are referred to, such reference shall include the tax imposed by this section.

And to insert:

SEC. 303. That if part of the net income of a corporation is derived (1) from a trade or business (or a branch of a trade or business) in which the employment of capital is necessary and (2) a part (constituting not less than 30 per cent of its total net income) is derived from a separate trade or business (or a distinctly separate branch of the trade or business) which if constituting the sole trade or business would bring it within the class of "personal service corporations," then (under regulations prescribed by the commissioner with the approval of the Secretary) the tax upon the first part of such net income shall be separately computed, and the tax upon the second part shall be the same percentage thereof as the tax so computed upon the first part is of such first part.

The amendment was agreed to.

The next amendment passed over was, in section 304, on page 88, line 5, after "(b)," to strike out "The taxes imposed by this title shall not be imposed in the case of a foreign corporation the net income of which during the taxable year is less than $3,000" and insert "Life insurance companies shall be exempt from taxation under this title."

The amendment was agreed to.

The next amendment passed over was, on page 88, after line 8, to insert:

(c) Any corporation whose net income for the taxable year is less than $3,000 shall be exempt from taxation under this title.

The amendment was agreed to.

The next amendment passed over was, on page 88, after line 11, to insert:

(d) In the case of any corporation engaged in the mining of gold, the portion of the net income derived from the mining of gold shall be exempt from the tax imposed by this title, and the tax on the remaining portion of the net income shall be computed upon the basis of an invested capital which bears the same ratio to the full invested capital as such remaining portion of the net income bears to the entire net income.

The amendment was agreed to.

The next amendment passed over was, on page 88, line 24, in the subhead "Part III.—War-profits method," to strike out "War-profits method" and to insert "Credits," so as to read: "Part III.—Credits."

The amendment was agreed to.

The next amendment passed over was, on page 89, after line 3, to strike out "section 311," in the following language:

SEC. 311. That the tax, if computed by the war-profits method, shall be 80 per cent of the amount of the net income in excess of the war-profits credit (determined under section 312).

The amendment was agreed to.

The next amendment passed over was, on page 89, line 8, to change the number of the section from 312 (a) to 311 (a); and on page 89, line 13, after the word "the," to strike out "invested capital added or withdrawn since the close of the prewar period; but if" and insert "difference between the average invested capital for the prewar period and the invested capital for the taxable year if," so as to read:

SEC. 311. (a) That the war-profits credit shall consist of the sum of:

(1) A specific exemption of $3,000; and

(2) An amount equal to the average net income of the corporation for the prewar period, plus or minus, as the case may be, 10 per cent of the difference between the average invested capital for the prewar period and the invested capital for the taxable year. If the tax is computed for a period of less than 12 months, such amount shall be reduced to the same proportion thereof as the number of months in the period is of 12 months.

The amendment was agreed to.

The next amendment passed over was, on page 89, line 20, after the word "corporation," to strike out "was not in existence during the whole of any one calendar year during the prewar period, or if it," so as to make the clause read:

(b) If the corporation had no net income for the prewar period, or if the amount computed under paragraph (2) of subdivision (a) is less than 10 per cent of its invested capital for the taxable year, then the war-profits credit shall be the sum of:

The amendment was agreed to.

The next amendment passed over was, on page 90, after line 3, to insert:

(c) If the corporation was not in existence during the whole of at least one calendar year during the prewar period, then the war-profits credit shall be the sum of:

(1) A specific exemption of $3,000; and

(2) An amount equal to the same percentage of the invested capital of the taxpayer for the taxable year as the average percentage of net income to invested capital, for the prewar period, of corporations engaged in a trade or business of the same general class as that conducted by the taxpayer; but such amount shall in no case be less than 10 per cent of the invested capital of the taxpayer for the taxable year. Such average percentage shall be determined by the commissioner on the basis of data contained in returns made under Title II of the revenue act of 1917, and the average known as the median shall be used. If such average percentage has not been determined and published at least 30 days prior to the time when the return of the taxpayer is due, then for purposes of such return 10 per cent shall be used in lieu thereof; but such average percentage when determined shall be used for the purposes of section 250 in determining the correct amount of the tax.

The amendment was agreed to.

The next amendment passed over was, on page 91, at the beginning of line 1, to strike out subsection "(c)" and to insert "(d)."

The amendment was agreed to.

The next amendment passed over was, on page 91, after line 2, to strike out down to and including line 21, as follows:

PART IV. EXCESS PROFITS METHOD.

SEC. 315. That the tax, if computed by the excess profits method, shall be the sum of the following:

35 per cent of the amount of the net income in excess of the excess-profits credit (determined under section 316) and not in excess of 15 per cent of the invested capital for the taxable year;

50 per cent of the amount of the net income in excess of 15 per cent and not in excess of 20 per cent of such capital; and

70 per cent of the amount of the net income in excess of 20 per cent of such capital.

In any case where the full amount of the credit is not allowed under the first bracket above provided, by reason of the fact that such credit is in excess of 15 per cent of the invested capital, the part not so allowed shall be deducted from the amount in the next succeeding bracket, and if not then fully allowed the remaining part shall be deducted from the amount in the last bracket.

The amendment was agreed to.

The next amendment passed over was, on page 91, line 22, to change the number of section 316 to 312.

The amendment was agreed to.

The next amendment passed over was, on page 92, line 3, to strike out the Roman numeral "V" and to insert "IV," so as to read:

Part IV.—Net income.

The amendment was agreed to.

The next amendment passed over was, on page 92, line 25, after the word "act," to strike out "except that in the case of oil and gas wells there shall be deducted (in lieu of the deduction provided in clause (a) of paragraph (9) of subdivision (a) of section 234) a reasonable allowance for depletion (including in the case of producers or prospectors a reasonable allowance for hazard not to exceed 10 per cent of the value in the ground of the oil withdrawn during the taxable year) such deduction to be made under rules and regulations to be prescribed by the commissioner, with the approval of the Secretary."

The amendment was agreed to.

The next amendment passed over was, on page 93, line 14, after the word "Part," to strike out the Roman numerals "VI" and to insert "V," so as to make the subhead read: "Part V.—Invested Capital."

The amendment was agreed to.

The next amendment passed over was, on page 94, line 6, after the word "thereof," to insert "or where all or part of the interest derived from such assets is in effect included in the net income because of the limitation on the deduction of interest under paragraph (2) of subdivision (a) of section 234," and in line 11, after the word "inadmissible," to insert "assets," and after the word "assets" to insert: "The term 'admissible assets' means all assets other than inadmissible assets, but only to the extent that they are allowed to be included in invested capital under the provisions of section 326," so as to read:

The term "inadmissible assets" means stocks, bonds, and other obligations (other than obligations of the United States), the dividends or interest from which is not included in computing net income, but where the income derived from such assets consists in part of gain or profit derived from the sale or other disposition thereof, or where all or part of the interest derived from such assets is in effect included in the net income because of the limitation on the deduction of interest under paragraph (2) of subdivision (a) of section 234, a corresponding part of the capital invested in such assets shall not be deemed to be inadmissible assets;

The term "admissible assets" means all assets other than inadmissible assets, but only to the extent that they are allowed to be included in invested capital under the provisions of section 326.

The amendment was agreed to.

The next amendment passed over was, on page 94, line 17, after the word "shares," to insert "issued at a nominal value or," so as to make the paragraph read:

(b) For the purposes of this title, the par value of stock or shares shall, in the case of stock or shares issued at a nominal value or having no par value, be deemed to be the fair market value as of the date or dates of issue of such stock or shares.

The amendment was agreed to.

The next amendment passed over was, on page 95, line 4, after the word "therefor," to insert a comma and the words "unless the actual cash value of such tangible property at the time paid in is shown to the satisfaction of the commissioner to have been clearly and substantially in excess of such par value, in which case such excess shall be treated as paid in surplus," so as to read:

(2) Actual cash value of tangible property, other than cash, bona fide paid in for stock or shares, at the time of such payment, but in no case to exceed the par value of the original stock or shares specifically issued therefor, unless the actual cash value of such tangible property at the time paid in is shown to the satisfaction of the commissioner to have been clearly and substantially in excess of such par value, in which case such excess shall be treated as paid-in surplus.

The amendment was agreed to.

The next amendment passed over was, on page 95, line 12, after the words "taxable year," to strike out "and not including such increase in the value of any asset above the original cost until such increase is actually realized by sale," so as to make the paragraph read:

(3) Paid-in or earned surplus and undivided profits, not including surplus and undivided profits earned during the taxable year.

Mr. RANSDELL. I ask that that paragraph go over. I have an amendment to propose to it, and I am not ready to argue it now.

The PRESIDENT pro tempore. Without objection, it will be passed over.

Mr. SIMMONS. I am willing that that paragraph shall go over at the request of the Senator from Louisiana.

The PRESIDENT pro tempore. The Chair understands the request to apply to lines 12, 13, and 14 on page 95.

Mr. RANSDELL. Yes, sir.

The PRESIDENT pro tempore. It will go over.

The next amendment passed over was, on page 95, line 19, after the word "aggregate," to strike out "20" and insert "30," so as to make the paragraph read:

(4) Intangible property bona fide paid in for stock or shares prior to March 3, 1917, in an amount not exceeding (a) the actual cash value of such property at the time paid in, (b) the par value of the stock or shares issued therefor, or (c) in the aggregate 30 per cent of the par value of the total stock or shares of the corporation outstanding on March 3, 1917, whichever is lowest.

The amendment was agreed to.

The next amendment passed over was, on page 95, line 22, after the numeral "(5)," to strike out "Patents and copyrights" and insert "Intangible property," so as to make the paragraph read:

(5) Intangible property bona fide paid in for stock or shares on or after March 3, 1917, in an amount not exceeding (a) the actual cash value of such property at the time paid in, (b) the par value of the stock or shares issued therefor, or (c) in the aggregate 30 per cent of the par value of the total stock or shares of the corporation outstanding at the beginning of the taxable year, whichever is lowest; but

The amendment was agreed to.

The next amendment passed over was, on page 96, after line 6, to strike out:

(1) Borrowed capital; or

(2) Intangible property (other than patents and copyrights) paid in for stock or shares on or after March 3, 1917.

And insert:

borrowed capital.

The amendment was agreed to.

The next amendment passed over was, on page 96, line 12, after the word "defined," to strike out "an amount equal to the average amount of capital invested in inadmissible assets held by the corporation during the year: *Provided*, That at the option of the corporation the amount to be so deducted shall be reduced to the amount by which such average amount invested in inadmissible assets exceeds the average amount of borrowed capital of the corporation (other than indebtedness maturing within one year of its creation, all accounts payable and current liabilities) for such year, but in such case in computing the tax under this title there shall be included in the net income for such year the same proportion of the total amount of interest and dividends received during such year from such inadmissible assets as the amount of such capital invested in inadmissible assets not deducted from invested capital bears to the total amount of such inadmissible assets," and to insert "a percentage thereof equal to the percentage which the amount of inadmissible assets is of the amount of admissible and inadmissible assets held during the taxable year: *Provided*, That no such deduction shall be made in the case of any dealer in securities, insurance company, bank, banking association, loan or trust company which elects to include in its net income all income derived from inadmissible assets; but where such election is made there shall be deducted from the net income any interest paid or accrued during the taxable year which has not been deducted under paragraph (2) of subdivision (a) of section 234: *Provided further*, That such election once made shall be adhered to in subsequent taxable years unless permission to change is granted by the commissioner," so as to make the paragraph read:

(c) There shall be deducted from invested capital as above defined a percentage thereof equal to the percentage which the amount of inadmissible assets is of the amount of admissible and inadmissible assets held during the taxable year: *Provided*, That no such deduction shall be made in the case of any dealer in securities, insurance company, bank, banking association, loan or trust company which elects to include in its net income all income derived from inadmissible assets; but where such election is made there shall be deducted from the net income any interest paid or accrued during the taxable year which has not been deducted under paragraph (2) of subdivision (a) of section 234: *Provided further*, That such election once made shall be adhered to in subsequent taxable years unless permission to change is granted by the commissioner.

The amendment was agreed to.

The next amendment passed over was, on page 97, line 16, after the letter "(d)," to strike out:

In the case of a foreign corporation the term "invested capital" includes only its invested capital used or employed within the United States.

(e) The invested capital for any year shall be the average invested capital for such year, as above defined, but in the case of a corporation making a return for a fractional part of the year a corresponding reduction shall be made in the invested capital.

And to insert:

The invested capital for any period shall be the average invested capital for such period, but in the case of a corporation making a return for a fractional part of a year, it shall (except for the purpose of paragraph (2) of subdivision (a) of section 311) be the same fractional part of such average invested capital.

The amendment was agreed to.

The next amendment passed over was, on page 98, line 5, after the words "Sec. 327," to strike out:

(a) That in the following cases the invested capital shall be determined as provided in subdivision (b) of this section: (1) Where the commissioner is unable satisfactorily to determine the invested capital as provided in section 326; or (2) where a mixed aggregate of tangible property and intangible property has been paid in for stock or for stocks and bonds and the commissioner is unable satisfactorily to determine the respective values of the several classes of property at the time of payment, or to distinguish the classes of property paid in for stock and for bonds, respectively; or (3) where capital is a material income-producing factor, but where, because of the fact that the capital employed is in large part borrowed, there is no invested capital or the invested capital is materially disproportionate to the net income as compared with representative corporations engaged in a like or similar trade or business. This section shall not apply in the case of a corporation 50 per cent or more of whose gross income (as defined in section 213 for income-tax purposes) consists of gain, profits, or commissions derived from Government contracts, unless the commissioner is satisfied that such corporation is overcapitalized.

(b) In the cases specified in subdivision (a) the invested capital shall be the amount which bears the same ratio to the net income of the corporation for the taxable year as the average invested capital for the taxable year of representative corporations engaged in a like or similar trade or business bears to their average net income for such year.

SEC. 328. (a) That in cases where invested capital is to be determined in the manner provided in section 327.

And to insert:

That in the following cases the tax shall be determined as provided in section 328:

(a) Where the commissioner is unable satisfactorily to determine the invested capital as provided in section 326;

(b) In the case of a foreign corporation;

(c) Where a mixed aggregate of tangible property and intangible property has been paid in for stock or for stock and bonds and the commissioner is unable satisfactorily to determine the respective values of the several classes of property at the time of payment, or to distinguish the classes of property paid in for stock and for bonds, respectively;

(d) Where, as compared with representative corporations engaged in a like or similar trade or business, the taxpayer would (under section 326) be placed in a position of substantial inequality because of the time or manner of organization or because the actual value of the assets on March 1, 1913, was substantially in excess of the amount at which such assets would be valued for the purpose of computing invested capital under the provisions of section 326;

(e) Where the invested capital is materially disproportionate to the net income as compared with representative corporations engaged in a like or similar trade or business because:

1. The capital employed, although a material income-producing factor, is very small or is in large part borrowed;

2. There are excluded from the invested capital as computed under the provisions of section 326 intangible assets of recognized and substantial value built up or developed by the taxpayer;

3. The net income for the taxable year is abnormally high, due to the realization in one year of (a) gains, profits, or income earned or accrued during a period of years or (b) extraordinary gains or profit derived from the sale of property the principal value of which has been demonstrated by prospecting or exploration and discovery work done by the taxpayer. When the tax is determined under this paragraph proper allowance shall be made for the taxes which would have been payable in prior years if the gains, profits, or income earned or accrued in such years had been taxed at the rates then applicable.

4. Proper recognition or allowance can not be made for amortization, obsolescence, or exceptional depletion due to the present war or to the necessity in connection with the present war of providing plant which will not be wanted for the purpose of the trade or business after the termination of the war.

The amendment was agreed to.

The next amendment passed over was, in section 328, page 101, line 7, after the numerals "328," to insert: "(a) In the cases specified in section 327 the tax shall be the amount which bears the same ratio to the net income of the taxpayer (in excess of the specific exemption of $3,000) for the taxable year as the average tax of representative corporations engaged in a like or similar trade or business bears to their average net income (in excess of the specific exemption of $3,000) for such year"; in line 13, before the words "the commissioner," to insert "In such cases"; and in line 19, after the word "war," to insert "profits," so as to make the paragraph read:

SEC. 328. (a) In the cases specified in section 327 the tax shall be the amount which bears the same ratio to the net income of the taxpayer (in excess of the specific exemption of $3,000) for the taxable year as the average tax of representative corporations engaged in a like or similar trade or business bears to their average net income (in excess of the specific exemption of $3,000) for such year. In such cases the commissioner shall compare the taxpayer only with representative corporations whose invested capital can be satisfactorily determined under section 326 and which are, as nearly as may be, similarly circumstanced with respect to gross income, net income, profits per unit of business transacted and capital employed, the amount and rate of war profits or excess profits, and all other relevant facts and circumstances.

The amendment was agreed to.

The next amendment passed over was, on page 101, line 21, after the words "purposes of," to strike out "section 327" and insert "subdivision (a)"; in line 22, after the word "average," to strike out "invested capital" and insert "tax"; and in line 24, after the word "determined," to strike out "for each calendar year," so as to make the paragraph read:

(b) For the purposes of subdivision (a) the ratios between the average tax and the average net income of representative corporations shall be determined by the commissioner in accordance with regulations prescribed by him with the approval of the Secretary.

The amendment was agreed to.

The next amendment passed over was, on page 102, after line 2, to strike out:

In the case of a corporation making a return on the basis of a fiscal year the ratios determined for the calendar year ending during such fiscal year shall be used, except that in the case of a fiscal year ending during the calendar year 1918 the ratios based upon returns made under Title II of the revenue act of 1917 shall be used.

The amendment was agreed to.

The next amendment passed over was, on page 102, line 10, after the word "which," to strike out "invested capital" and insert "the tax," and in line 11, after the word "in," to strike out "section 327" and insert "subdivision (a)," so as to make the paragraph read:

(c) The commissioner shall keep a record of all cases in which the tax is determined in the manner prescribed in subdivision (a), containing the name and address of each taxpayer, the business in which engaged, the amount of invested capital and net income shown by the return, and the amount of invested capital as determined under such section. The commissioner shall furnish a copy of such record and other detailed information with respect to such cases when required by resolution of either House of Congress, without regard to the restrictions contained in section 257.

The amendment was agreed to.

The next amendment passed over was, in section 330, page 102, line 23, after the word "by," to strike out "a corporation, the corporation" and insert "the taxpayer, the taxpayer"; in line 25, after the word "been," to strike out "in existence" and insert "engaged in such trade or business"; on page 103, line 3, after the words "prior to," to strike out "the organization of the corporation now carrying on such trade or business" and insert "such reorganization, consolidation, or change of ownership"; and in line 7, after the word "of," to strike out "such corporation" and insert "the taxpayer," so as to make the paragraph read:

SEC. 330. That in the case of the reorganization, consolidation, or change of ownership after January 1, 1911, of a trade or business now carried on by the taxpayer, the taxpayer shall, for the purposes of this title be deemed to have been engaged in such trade or business prior to that date, and the net income and invested capital of such predecessor trade or business for all or any part of the prewar period prior to such reorganization, consolidation, or change of ownership shall be deemed to have been the net income and invested capital of the taxpayer.

Mr. POMERENE. Mr. President, I wish to offer an amendment to the amendment to be inserted after the word "taxpayer."

The PRESIDENT pro tempore. The Secretary will state the amendment to the amendment.

The SECRETARY. On page 103, line 7, after the word "taxpayer," it is proposed to insert the following proviso:

Provided, That nothing herein contained shall be so construed as to conflict with the provisions of section 326.

Mr. POMERENE. Mr. President, if I may have the attention of the chairman of the committee, the reason for that amendment is this: This section provides as to what shall be done with reorganized companies and goes to the question as to what shall be considered invested capital. The section reads:

SEC. 330. That in the case of the reorganization, consolidation, or change of ownership after January 1, 1911, of a trade or business now carried on by the taxpayer, the taxpayer shall for the purposes of this title be deemed to have been engaged in such trade or business prior to that date, and the net income and invested capital of such predecessor trade or business for all or any part of the prewar period prior to such reorganization, consolidation, or change of ownership shall be deemed to have been the net income and invested capital of the taxpayer.

In section 326 "invested capital" is defined and includes cash. When the two sections are construed together I do not think that there can be very much difficulty about the construction, but a question has been raised by some of my constituents, and, if I may give the example which was presented to me, it is this: A certain corporation, with assets aggregating about $300,000, was sold out to a reorganized corporation for $200,000. They added to its capital approximately $800,000 of new capital. Under this section, as it now reads, it would seem as if the invested capital would be the same as that of the original company. I wish to make it perfectly clear that the invested capital shall be as defined in section 330 plus any newly invested capital that may be put into it. In other words, the amendment simply goes to the clarity of the provision; it in no sense, I think, changes the thought that the committee had in mind.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Ohio to the amendment reported by the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The PRESIDENT pro tempore. The Secretary will take the next amendment passed over.

The next amendment passed over was, on page 103, beginning with line 8, to strike out:

If such predecessor trade or business was carried on by a partnership or individual the net income for the prewar period shall be ascertained and returned upon the same basis and in the same manner as provided for income-tax purposes in Title II, except that the credits provided in subdivisions (a) and (b) of section 216 shall be deducted.

And to insert:

If such predecessor trade or business was carried on by a partnership or individual the net income for the prewar period shall, under regulations prescribed by the commissioner, with the approval of the Secretary, be ascertained and returned as nearly as may be upon the same basis and in the same manner as provided for corporations in Title II, including a reasonable deduction for salary or compensation to each partner or the individual for personal services actually rendered.

If any asset of the trade or business in existence both during the taxable year and any prewar year is included in the invested capital for the taxable year, but is not included in the invested capital for such prewar year, or is valued on a different basis in computing the invested capital for the taxable year and such prewar year, respectively, then under rules and regulations to be prescribed by the commissioner, with the approval of the Secretary, such readjustments shall be made as are necessary to place the computation of the invested capital for such prewar year on the basis employed in determining the invested capital for the taxable year.

The amendment was agreed to.

The next amendment passed over was, in section 331, page 104, line 9, after the word "business," to insert a comma and the

words "or change of ownership of property"; in line 11, after the word "business," to insert "or property"; in line 13, after the word "the," to strike out "predecessor trade or business" and insert "previous owner"; in line 17, after the word "such," to strike out "prior trade or business" and insert "previous owner"; and in line 19, after the word "received," to insert: "*Provided*, That if such previous owner was not a corporation, then the value of any asset so transferred or received shall be taken at its cost of acquisition (at the date when acquired by such previous owner) with proper allowance for depreciation, impairment, betterment, or development, but no addition to the original cost shall be made for any charge or expenditure deducted as expense or otherwise since March 1, 1913, in computing the net income of such previous owner for purposes of taxation," so as to make the section read:

SEC. 331. In the case of the reorganization, consolidation, or change of ownership of a trade or business, or change of ownership of property, after March 3, 1917, if an interest or control in such trade or business or property of 50 per cent or more remains in the same persons, or any of them, then no asset transferred or received from the previous owner shall, for the purpose of determining invested capital, be allowed a greater value than would have been allowed under this title in computing the invested capital of such previous owner if such asset had not been so transferred or received: *Provided*, That if such previous owner was not a corporation, then the value of any asset so transferred or received shall be taken at its cost of acquisition (at the date when acquired by such previous owner) with proper allowance for depreciation, impairment, betterment, or development, but no addition to the original cost shall be made for any charge or expenditure deducted as expense or otherwise since March 1, 1918, in computing the net income of such previous owner for purposes of taxation.

The amendment was agreed to.

The next amendment passed over was, on page 105, line 4, after the numerals "335," to insert "(a)," so as to read "Sec. 335. (a)."

The amendment was agreed to.

The next amendment passed over was, in section 335, page 105, line 7, after the words "sum of," to strike out:

(1) A tax computed under Title II of the revenue act of 1917 for the portion of such fiscal year falling in 1917; and (2) a tax computed under this title for the portion of such fiscal year falling in 1918.

The tax under clause (1) shall be computed upon the same proportion of the net income (as determined under Title II of this act for income-tax purposes) for such fiscal year as the portion of such fiscal year falling in 1917 is of the full fiscal year; and the tax under clause (2) shall be computed upon the remainder of such net income.

And to insert:

(1) the same proportion of a tax for the entire period computed under Title II of the revenue act of 1917 which the portion of such period falling within the calendar year 1917 is of the entire period, and (2) the same proportion of a tax for the entire period computed under this title which the portion of such period falling within the calendar year 1918 is of the entire period: *Provided*, That in the case of a partnership or a personal-service corporation, the amount to be paid shall be only that specified in clause (1).

Any amount heretofore or hereafter paid on account of the tax imposed for such fiscal year by Title II of the revenue act of 1917 shall be credited toward the payment of the tax imposed for such fiscal year by this title, and if the amount so paid exceeds the amount of the tax imposed by this title, or, in the case of a partnership or a personal-service corporation, the amount specified in clause (1), the excess shall be refunded as a tax erroneously or illegally collected.

In the case of a partnership or personal-service corporation no tax shall be paid under Title II of the revenue act of 1917 for any period beginning on or after January 1, 1918; and any tax so paid shall be immediately refunded to the partnership or corporation.

(b) If a corporation makes return for the fiscal year beginning in 1918 and ending in 1919, the tax for such fiscal year under this title shall be the sum of: (1) the same proportion of a tax for the entire period computed at the rates specified in subdivision (a) of section 301 which the portion of such period falling within the calendar year 1918 is of the entire period, and (2) the same proportion of a tax for the entire period computed at the rates specified in subdivision (b) of section 301 which the portion of such period falling within the calendar year 1919 is of the entire period.

So as to make the section read:

SEC. 335. (a) That if a corporation makes return for a fiscal year beginning in 1917 and ending in 1918, the tax for the first taxable year under this title shall be the sum of: (1) The same proportion of a tax for the entire period computed under Title II of the revenue act of 1917 which the portion of such period falling within the calendar year 1917 is of the entire period, and (2) the same proportion of a tax for the entire period computed under this title which the portion of such period falling within the calendar year 1918 is of the entire period: *Provided*, That in the case of a partnership or a personal-service corporation, the amounts to be paid shall be only that specified in clause (1).

Any amount heretofore or hereafter paid on account of the tax imposed for such fiscal year by Title II of the revenue act of 1917 shall be credited toward the payment of the tax imposed for such fiscal year by this title, and if the amount so paid exceeds the amount of the tax imposed by this title, or, in the case of a partnership or a personal-service corporation, the amount specified in clause (1), the excess shall be refunded as a tax erroneously or illegally collected.

In the case of a partnership or personal-service corporation no tax shall be paid under Title II of the revenue act of 1917 for any period beginning on or after January 1, 1918; and any tax so paid shall be immediately refunded to the partnership or corporation.

(b) If a corporation makes return for a fiscal year beginning in 1918 and ending in 1919, the tax for such fiscal year under this title shall be the sum of: (1) The same proportion of a tax for the entire period computed at the rates specified in subdivision (a) of section 301 which the portion of such period falling within the calendar year 1918 is of the entire period, and (2) the same proportion of a tax for the entire period computed at the rates specified in subdivision (b) of section 301 which the portion of such period falling within the calendar year 1919 is of the entire period.

Mr. SMOOT. I ask that that go over down to the end of the section on page 106.

The PRESIDENT pro tempore. The portion indicated by the Senator from Utah will be passed over. The Secretary will state the next amendment passed over.

The next amendment passed over was, in section 336, page 106, line 25, after the numerals "304," to strike out "having a net income of $3,000 or over for the taxable year," and on page 107, after line 8, to strike out "in no case shall the tax under this title or Title II be determined on the basis of a so-called consolidated return, but shall in each case be determined upon the basis of the net income and invested capital of the corporation liable to the tax," so as to make the section read:

SEC. 336. That every corporation not exempt under section 304 shall make a return for the purposes of this title. Such returns shall be made, and the taxes imposed by this title shall be paid, at the same times and places, in the same manner, and subject to the same conditions, as is provided in the case of returns and payment of income tax by corporations for the purposes of Title II, and all the provisions of that title not inapplicable, including penalties, are hereby made applicable to the taxes imposed by this title.

The amendment was agreed to.

The next amendment passed over was, on page 107, after line 13, to insert:

SEC. 337. That in the case of a bona fide sale of mines, oil or gas wells, or any interest therein, where the principal value of the property has been demonstrated by prospecting or exploration and discovery work done by the taxpayer, the portion of the tax imposed by this title attributable to such sale shall not exceed 20 per cent of the selling price of such property or interest.

The amendment was agreed to.

The next amendment passed over was, on page 107, beginning with line 21, to strike out:

TITLE IV. ESTATE TAX.

SEC. 400. That when used in this title—

The term "executor" means the executor or administrator of the decedent, or, if there is no executor or administrator, any person who takes possession of any property of the decedent; and

The term "collector" means the collector of internal revenue of the district in which was the domicile of the decedent at the time of his death, or, if there was no such domicile in the United States, then the collector of the district in which is situated the part of the gross estate of the decedent in the United States, or, if such part of the gross estate is situated in more than one district, then the collector of internal revenue of such district as may be designated by the commissioner.

SEC. 401. That (in lieu of the tax imposed by Title II of the revenue act of 1916, as amended, and in lieu of the tax imposed by Title IX of the revenue act of 1917) a tax equal to the sum of the following percentages of the value of the net estate (determined as provided in section 403) is hereby imposed upon the transfer of the net estate of every decedent dying after the passage of this act, whether a resident or nonresident of the United States:

3 per cent of the amount of the net estate not in excess of $50,000;

6 per cent of the amount by which the net estate exceeds $50,000 and does not exceed $150,000;

9 per cent of the amount by which the net estate exceeds $150,000 and does not exceed $250,000;

12 per cent of the amount by which the net estate exceeds $250,000 and does not exceed $450,000;

15 per cent of the amount by which the net estate exceeds $450,000 and does not exceed $1,000,000;

18 per cent of the amount by which the net estate exceeds $1,000,000 and does not exceed $2,000,000;

21 per cent of the amount by which the net estate exceeds $2,000,000 and does not exceed $3,000,000;

24 per cent of the amount by which the net estate exceeds $3,000,000 and does not exceed $4,000,000;

27 per cent of the amount by which the net estate exceeds $4,000,000 and does not exceed $5,000,000;

30 per cent of the amount by which the net estate exceeds $5,000,000 and does not exceed $8,000,000;

35 per cent of the amount by which the net estate exceeds $8,000,000 and does not exceed $10,000,000; and

40 per cent of the amount by which the net estate exceeds $10,000,000.

SEC. 402. That the value of the gross estate of the decedent shall be determined by including the value at the time of his death of all property, real or personal, tangible or intangible, wherever situated—

(a) To the extent of the interest therein of the decedent at the time of his death which after his death is subject to the payment of the charges against his estate and the expenses of its administration and is subject to distribution as part of his estate;

(b) To the extent of any interest therein of the surviving spouse, existing at the time of the decedent's death as dower, curtesy, or by virtue of a statute creating an estate in lieu of dower or curtesy;

(c) To the extent of any interest therein of which the decedent has at any time made a transfer, or with respect to which he has at any time created a trust, in contemplation of or intended to take effect in possession or enjoyment at or after his death (whether such transfer or trust is made or created before or after the passage of this act), except in case of a bona fide sale for a fair consideration in money or money's worth. Any transfer of a material part of his property in the nature of a final disposition or distribution thereof, made by the decedent within three years prior to his death without such a consideration, shall, unless shown to the contrary, be deemed to have been made in contemplation of death within the meaning of this title;

(d) To the extent of the interest therein held jointly or as tenants in the entirety by the decedent and any other person, or deposited in banks or other institutions in their joint names and payable to either or the survivor, except such part thereof as may be shown to have originally belonged to such other person and never to have belonged to the decedent;

(e) To the extent of any property passing under a general power of appointment exercised by the decedent (1) by will, or (2) by deed executed in contemplation of, or intended to take effect in possession or enjoyment at or after his death, except in case of a bona fide sale for a fair consideration in money or money's worth; and

(f) To the extent of the amount receivable by the executor as insurance under policies taken out by the decedent upon his own life; and to the extent of the excess over $40,000 of the amount receivable by all other beneficiaries as insurance under policies taken out by the decedent upon his own life.

SEC. 403. That for the purpose of the tax the value of the net estate shall be determined—

(a) In the case of a resident, by deducting from the value of the gross estate—

(1) Such amounts for funeral expenses, administration expenses, claims against the estate, unpaid mortgages, losses incurred during the settlement of the estate arising from fires, storms, shipwreck, or other casualty, or from theft, when such losses are not compensated for by insurance or otherwise, and such amounts reasonably required and actually expended for the support during the settlement of the estate of those dependent upon the decedent, as are allowed by the laws of the jurisdiction, whether within or without the United States, under which the estate is being administered, but not including any income taxes upon income received after the death of the decedent, or any estate, succession, legacy, or inheritance taxes;

(2) An amount equal to the value at the time of the decedent's death of any property—real, personal, or mixed—which can be identified as having been received by the decedent as a share in the estate of any person who died within five years prior to the death of the decedent, or which can be identified as having been acquired by the decedent in exchange for property so received, if an estate tax under the revenue act of 1917 or under this act was collected from such estate, and if such property is included in the decedent's gross estate; and

(3) An exemption of $50,000;

(b) In the case of a nonresident, by deducting from the value of that part of his gross estate which at the time of his death is situated in the United States—

(1) That proportion of the deductions specified in paragraph (1) of subdivision (a) of this section which the value of such part bears to the value of his entire gross estate, wherever situated, but in no case shall the amount so deducted exceed 10 per cent of the value of that part of his gross estate which at the time of his death is situated in the United States; and

(2) An amount equal to the value at the time of the decedent's death of any property—real, personal, or mixed—which can be identified as having been received by the decedent as a share in the estate of any person who died within five years prior to the death of the decedent, or which can be identified as having been acquired by the decedent in exchange for property so received, if any estate tax under the revenue act of 1917 or under this act was collected from such estate, and if such property is included in that part of the decedent's gross estate which at the time of his death is situated in the United States.

No deductions shall be allowed in the case of a nonresident unless the executor includes in the return required to be filed under section 404 the value at the time of his death of that part of the gross estate of the nonresident not situated in the United States.

For the purpose of this title, stock in a domestic corporation owned and held by a nonresident decedent, and the amount receivable as insurance upon the life of a nonresident decedent where the insurer is a domestic corporation, shall be deemed property within the United States, and any property of which the decedent has made a transfer or with respect to which he has created a trust, within the meaning of subdivision (c) of section 402, shall be deemed to be situated in the United States, if so situated either at the time of the transfer or the creation of the trust, or at the time of the decedent's death.

SEC. 404. That the executor, within 60 days after qualifying as such, or after coming into possession of any property of the decedent, whichever event first occurs, shall give written notice thereof to the collector. The executor shall also, at such times and in such manner as may be required by regulations made pursuant to law, file with the collector a return under oath in duplicate, setting forth (a) the value of the gross estate of the decedent at the time of his death, or, in case of a nonresident, of that part of his gross estate situated in the United States; (b) the deductions allowed under section 403; (c) the value of the net estate of the decedent as defined in section 403; and (d) the tax paid or payable thereon; or such part of such information as may at the time be ascertainable and such supplemental data as may be necessary to establish the correct tax.

Return shall be made in all cases where the gross estate at the death of the decedent exceeds $50,000, and in the case of the estate of every nonresident any part of whose gross estate is situated in the United States. If the executor is unable to make a complete return as to any part of the gross estate of the decedent, he shall include in his return a description of such part and the name of every person holding a legal or beneficial interest therein, and upon notice from the collector such person shall in like manner make a return as to such part of the gross estate. The commissioner shall make all assessments of the tax under the authority of existing administrative special and general provisions of law relating to the assessment and collection of taxes.

SEC. 405. That if no administration is granted upon the estate of a decedent, or if no return is filed as provided in section 404, or if a return contains a false or incorrect statement of a material fact, the collector or deputy collector shall make a return and the commissioner shall assess the tax thereon.

SEC. 406. That the tax shall be due one year after the decedent's death, but in any case where the commissioner finds that payment of the tax within one year after the decedent's death would impose undue hardship upon the estate, he may grant an extension of time for the payment of the tax for a period not to exceed two years from the due date. If the tax is not paid within 1 year and 180 days after the decedent's death, interest at the rate of 6 per cent per annum from the expiration of one year after the decedent's death shall be added as part of the tax.

SEC. 407. That the executor shall pay the tax to the collector or deputy collector. If the amount of the tax can not be determined, the payment of a sum of money sufficient, in the opinion of the collector, to discharge the tax shall be deemed payment in full of the tax, except as in this section otherwise provided. If the amount so paid exceeds the amount of the tax as finally determined, the commissioner shall refund such excess to the executor. If the amount of the tax as finally determined exceeds the amount so paid, the collector shall notify the executor of the amount of such excess and demand payment thereof. If such excess part of the tax is not paid within 10 days after such notification, interest shall be added thereto at the rate of 10 per cent per annum from the expiration of such 10 days' period until paid, and the amount of such excess shall be a lien upon the entire gross estate, except such part thereof as may have been sold to a bona fide purchaser for a fair consideration in money or money's worth.

The collector shall grant to the person paying the tax duplicate receipts, either of which shall be sufficient evidence of such payment, and shall entitle the executor to be credited and allowed the amount thereof by any court having jurisdiction to audit or settle his accounts.

SEC. 408. That if the tax herein imposed is not paid within 180 days after it is due, the collector shall, unless there is reasonable cause for further delay, proceed to collect the tax under the provisions of general law, or commence appropriate proceedings in any court of the United States, in the name of the United States, to subject the property of the decedent to be sold under the judgment or decree of the court. From the proceeds of such sale the amount of the tax, together with the costs and expenses of every description to be allowed by the court, shall be first paid, and the balance shall be deposited according to the order of the court, to be paid under its direction to the persons entitled thereto.

If the tax or any part thereof is paid by, or collected out of that part of the estate passing to or in the possession of, any person other than the executor in his capacity as such, such person shall be entitled to reimbursement out of any part of the estate still undistributed or by a just and equitable contribution by the persons whose interest in the estate of the decedent would have been reduced if the tax had been paid before the distribution of the estate or whose interest is subject to equal or prior liability for the payment of taxes, debts, or other charges against the estate, it being the purpose and intent of this title that so far as is practicable and unless otherwise directed by the will of the decedent the tax shall be paid out of the estate before its distribution. If any part of the gross estate consists of proceeds of policies of insurance upon the life of the decedent receivable by a beneficiary other than the executor, the executor shall be entitled to recover from such beneficiary such portion of the total tax paid as the proceeds, in excess of $40,000, of such policies bear to the net estate. If there is more than one such beneficiary, the executor shall be entitled to recover from such beneficiaries in the same ratio.

SEC. 409. That unless the tax is sooner paid in full, it shall be a lien for 10 years upon the gross estate of the decedent, except that such part of the gross estate as is used for the payment of charges against the estate and expenses of its administration allowed by any court having jurisdiction thereof, shall be divested of such lien. If the commissioner is satisfied that the tax liability of an estate has been fully discharged, he may, under regulations prescribed by him with the approval of the Secretary, issue his certificate releasing any or all property of such estate from the lien herein imposed.

If (a) the decedent makes a transfer of, or creates a trust with respect to, any property in contemplation of or intended to take effect in possession or enjoyment at or after his death (except in the case of a bona fide sale for a fair consideration in money or money's worth) or (b) if insurance passes under a contract executed by the decedent in favor of a specific beneficiary, and if in either case the tax in respect thereto is not paid when due, then the transferee, trustee, or beneficiary shall be personally liable for such tax, and such property, to the extent of the decedent's interest therein at the time of such transfer, or to the extent of such beneficiary's interest under such contract of insurance, shall be subject to a like lien equal to the amount of such tax. Any part of such property sold to a purchaser or transferee or trustee to a bona fide purchaser for a fair consideration in money or money's worth shall be divested of the lien and a like lien shall then attach to all the property of such transferee or trustee, except any part sold to a bona fide purchaser for a fair consideration in money or money's worth.

SEC. 410. That whoever knowingly makes any false statement in any notice or return required to be filed under this title shall be liable to a penalty of not exceeding $5,000, or imprisonment not exceeding one year, or both.

Whoever fails to comply with any duty imposed upon him by section 404, or fails to file the information or control any record, file, or paper, containing or supposed to contain any information concerning the estate of the decedent, or, having in his possession or control any property comprised in the gross estate of the decedent, fails to exhibit the same upon request to the commissioner or any collector or law officer of the United States, or his duly authorized deputy or agent, who desires to examine the same in the performance of his duties under this title, shall be liable to a penalty of not exceeding $500, to be recovered, with costs of suit, in a civil action in the name of the United States.

And to insert:

TITLE IV. INHERITANCE TAX.

SEC. 400. That when used in this title—

The term "executor" means the executor or administrator of the decedent, or, if there is no executor or administrator, any person who takes possession of any property of the decedent; and

The term "collector" means the collector of internal revenue of the district in which was the domicile of the decedent at the time of his death, or, if there was no such domicile in the United States, then the collector of the district in which is situated the part of the gross estate of the decedent in the United States, or, if such part of the gross estate is situated in more than one district, then the collector of internal revenue of such district as may be designated by the commissioner.

SEC. 401. That (in lieu of the tax imposed by Title II of the revenue act of 1916, as amended, and in lieu of the tax imposed by Title IV of the revenue act of 1917) a tax is hereby imposed upon the transfer by reason of the death of a resident of the United States, dying after the passage of this act, of any tangible or intangible property wherever situated, or any interest therein or income therefrom, or by reason of the death of a nonresident of the United States, dying after the passage of this act, of any tangible or intangible property within the United States, or any interest therein or income therefrom, to any person in trust or otherwise, equal to the sum of the following percentages of the total value of the beneficial interests transferred to such person in any manner by reason of the death of the decedent:

One per cent of the amount by which the beneficial interests passing to such person exceed $10,000 and do not exceed $25,000;

2 per cent of the amount by which such beneficial interests exceed $25,000 and do not exceed $50,000;

3 per cent of the amount by which such beneficial interests exceed $50,000 and do not exceed $100,000;

4 per cent of the amount by which such beneficial interests exceed $100,000 and do not exceed $150,000;

5 per cent of the amount by which such beneficial interests exceed $150,000 and do not exceed $200,000;

6 per cent of the amount by which such beneficial interests exceed $200,000 and do not exceed $250,000;

10 per cent of the amount by which such beneficial interests exceed $250,000 and do not exceed $500,000;

15 per cent of the amount by which such beneficial interests exceed $500,000 and do not exceed $1,000,000;

20 per cent of the amount by which such beneficial interests exceed $1,000,000 and do not exceed $2,500,000;

25 per cent of the amount by which such beneficial interests exceed $2,500,000.

Transfers by reason of the death of a decedent dying during the continuance of the present war while serving in the military or naval forces of the United States or dying within one year after the termination of such war from injuries received or disease contracted in such service shall not be taxable hereunder.

Transfers to or for the use of the United States, a State, or any political division thereof, for public purposes exclusively, transfers to or for the use of any corporation organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, including the encouragement of art and the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual, and transfers to a trustee or trustees exclusively for such religious, charitable, scientific, literary, or educational purposes, shall not be taxable hereunder.

SEC. 402. That the following shall be deemed to be taxable transfers under the provisions of this title:

(a) Transfers by the laws of intestate succession or by will, including the creation by will of powers of appointment and the exercise by will of general powers of appointment;

(b) Transfers by deed, grant, or gift, including the exercise by deed of general powers of appointment, made in contemplation of the death of the vendor, grantor, or donor, or intended to take effect in possession or enjoyment at or after such death, except in the case of a bona fide sale for a fair consideration in money or money's worth, whether such deed, grant, or gift was made before or after the passage of this act. Any transfer of a material part of his property in the nature of a final disposition or distribution thereof, made by the decedent within two years prior to his death without such a consideration, shall, unless shown to the contrary, be deemed to have been made in contemplation of death within the meaning of this title; and

(c) Other transfers by reason of the death of the decedent, to wit: (1) The commutation in a surviving spouse of dower or curtesy or statutory rights in lieu thereof; (2) the accrual to a surviving tenant or depositor through survivorship of complete title to property held jointly or as tenants by the entirety by the decedent and any other person, or deposited in banks or other institutions in their joint names and payable to either or the survivor, except such part thereof as may be shown to have originally belonged to such other person and never to have belonged to the decedent; and (3) the receipt by a beneficiary of an amount of insurance in excess of $25,000 under policies taken out by the decedent upon his own life.

SEC. 403. That taxes upon transfers shall be computed upon the total value of all the beneficial interests transferred to the same person in any manner by reason of the death of a decedent. Whenever at the time a tax becomes due the persons to whom beneficial interests are transferred by reason of the death of a decedent are not in being or can not be ascertained, or the extent of the beneficial interests transferred can not be ascertained, for the reason that the transfers are conditional or contingent or of a contingency or of the exercise of a discretion or a power of appointment, all the property so transferred shall for the purpose of the computation and collection of the tax be deemed to be transferred to the estate of said decedent, and as to such transfers such estate shall be treated under the provisions of this title as a person, and, except in the case of the exercise of a general power of appointment, no further tax under this title shall be collected on transfers of such beneficial interests at the time the persons to whom they are transferred or the extent of the interests transferred to such persons are ascertained.

SEC. 404. That for the purpose of the value of the beneficial interests, transfers of which are taxable under this title, shall be determined as follows:

(a) The total value of the beneficial interests transferred to any transferee shall be the value of that part of the property included within the net estate of the decedent (determined as provided in sec. 406) which pursuant to such transfer by any of the methods of transfer described in section 402: *Provided, however*, That whenever a beneficial interest transferred to any person by reason of the death of a nonresident decedent is not an interest in specific property, the value of the beneficial interest the transfer of which is subject to taxation under this title shall be such proportion of the value of the total beneficial interest so transferred as the value of that part of the gross estate which at the time of the death of the decedent is situated in the United States bears to the value of his entire gross estate wherever situated. If an executor does not include in the return required to be filed under section 407 the value at the time of the death of the nonresident decedent of that part of his gross estate not situated in the United States, the amount of the net estate shall be apportioned among the transferees of the beneficial interests in the manner which will result in the greatest possible amount of tax upon the transfer of such net estate.

(b) In the case of resident and nonresident decedents the following rules of valuation shall apply: (1) The value of an annuity, life estate, term of years, or other interest terminating on the expiration of a certain period shall be determined by the American Experience Tables of Mortality at four per cent compound interest or by such other tables of mortality at such rate of interest as may be prescribed by the commissioner, with the approval of the Secretary; (2) the value of a remainder in any property after an annuity, life estate, term of years, or other interest terminating on the expiration of a certain period shall be ascertained by deducting the value of such annuity, life estate, term of years, or other interest terminating on the expiration of a certain period from the value of such property; (3) there shall not be included in the value of a beneficial interest the value at the time of the decedent's death of any property which can be identified as having been received by the decedent as a share in the estate of any person who died within five years prior to the death of the decedent, or which can be identified as having been acquired by the decedent in exchange for property so received, if an estate tax under the revenue act of 1917 was collected from such estate or an inheritance tax under this act was collected on the transfer of such property; and (4) there shall not be included in the value of a beneficial interest any amounts paid or required to be paid therefrom as estate, succession, legacy, or inheritance taxes imposed by any authority other than that of the United States.

SEC. 405. That the value of the gross estate of the decedent shall be determined by including the value at the time of his death of all property, real or personal, tangible or intangible, wherever situated—

(a) To the extent of the interest therein of the decedent at the time of his death which after his death is subject to the payment of the charges against his estate and the expenses of its administration and is subject to distribution as part of his estate;

(b) To the extent of any interest therein of which the decedent has at any time made a transfer in contemplation of or intended to take effect in possession or enjoyment at or after his death (whether such transfer is made before or after the passage of this act), except in case of a bona fide sale for a fair consideration in money or money's worth;

(c) To the extent of any interest therein of the surviving spouse, existing at the time of the decedent's death as dower, curtesy, or by virtue of a statute creating an estate in lieu of dower or curtesy;

(d) To the extent of the interest therein held jointly or as tenants by the entirety by the decedent and any other person, or deposited in banks or other institutions in their joint names and payable to either or the survivor, except such part thereof as may be shown to have originally belonged to such other person and never to have belonged to the decedent;

(e) To the extent of any property passing under a general power of appointment exercised by the decedent (1) by will, or (2) by deed executed in contemplation of, or intended to take effect in possession or enjoyment at or after, his death, except in case of a bona fide sale for a fair consideration in money or money's worth; and

(f) To the extent of the amount receivable by the executor as insurance under policies taken out by the decedent upon his own life; and to the extent of the excess over $25,000 of the amount receivable by any beneficiary as insurance under policies taken out by the decedent upon his own life.

SEC. 406. That the value of the net estate shall be determined—

(a) In the case of a resident decedent, by deducting from the value of the gross estate—

Such amounts for funeral expenses, administration expenses, claims against the estate, unpaid mortgages, losses incurred during the settlement of the estate arising from fires, storms, shipwreck, or other casualty, or from theft, when such losses are not compensated for by insurance or otherwise, and such amounts reasonably required and actually expended for the support during the settlement of the estate of those dependent upon the decedent, as are allowed by the laws of the jurisdiction, whether within or without the United States, under which the estate is being administered, but not including any income taxes upon incomes received after the death of the decedent or any inheritance taxes imposed by this title. If a decedent gives, bequeaths, or devises to his executor any property in lieu of compensation the value thereof in excess of reasonable compensation shall not be deducted from the value of the gross estate.

(b) In the case of a nonresident decedent, by deducting from the value of that part of his gross estate which at the time of his death is situated in the United States—

That proportion of the deductions specified in subdivision (a) of this section which the value of such part bears to the value of his entire gross estate, wherever situated, but in no case shall the amount so deducted exceed 10 per cent of the value of that part of his gross estate which at the time of his death is situated in the United States.

No deduction shall be allowed in the case of a nonresident decedent unless the executor includes in the return required to be filed under section 407 the value at the time of his death of that part of the gross estate of the nonresident decedent not situated in the United States.

For the purpose of this title stock in a domestic corporation owned and held by a nonresident decedent, and the amount receivable as insurance upon the life of a nonresident decedent where the insurer is a domestic corporation, shall be deemed property within the United States, and any property of which the decedent has made a transfer within the meaning of subdivision (c) of section 405 shall be deemed to be situated in the United States, if so situated either at the time of the transfer or at the time of the decedent's death.

SEC. 407. That the executor, within 60 days after qualifying as such, or after coming into possession of any property of the decedent, whichever event first occurs, shall give written notice thereof to the collector. The executor shall also, at such time and in such manner as may be required by regulations made pursuant to law, file with the collector a return under oath in duplicate, setting forth (a) the value of the gross estate of the decedent at the time of his death, or, in case of a nonresident, of that part of his gross estate situated in the United States; (b) the deductions allowed under section 406; (c) the value of the net estate of the decedent as defined in section 406; (d) the names of the persons to whom beneficial interests are transferred in any manner by reason of the death of the decedent and descriptions of the beneficial interests so transferred; and (e) the tax paid or payable thereon; or such part of such information as may at the time be ascertainable and such supplemental data as may be necessary to establish the correct tax.

Return shall be made in all cases where the gross estate at the death of the decedent exceeds $10,000 and in the case of the estate of every nonresident any part of whose gross estate is situated in the United States. If the executor is unable to make a complete return as to any part of the gross estate of the decedent, he shall include in his return a description of such part and the name of every person holding a legal or beneficial interest therein, and upon notice from the collector such person shall in like manner make a return as to such part of the gross estate. The commissioner shall make all assessments of the tax under the authority of existing administrative special and general provisions of law relating to the assessment and collection of taxes.

SEC. 408. That if no administration is granted upon the estate of a decedent, or if no return is filed as provided in section 407, or if a return contains a false or incorrect statement of a material fact, the collector or deputy collector shall make a return and the commissioner shall assess the tax thereon.

SEC. 409. That the tax shall be due one year after the decedent's death; but in any case where the commissioner finds that payment of the tax within one year after the decedent's death would impose undue hardship upon the estate, he may grant an extension of time for the payment of the tax for a period not to exceed three years from the due date. If the tax is not paid within one year and 180 days after the decedent's death, interest at the rate of 6 per cent per annum from the expiration of one year after the decedent's death shall be added as part of the tax.

SEC. 410. That the executor shall pay the tax to the collector. If the amount of the tax can not be determined, the payment of a sum of money sufficient, in the opinion of the collector, to discharge the tax

shall be deemed payment in full of the tax, except as in this section otherwise provided. If the amount so paid exceeds the amount of the tax as finally determined, the commissioner shall refund such excess to the executor. If the amount of the tax as finally determined exceeds the amount so paid, the collector shall notify the executor of the amount of such excess and demand payment thereof. If such excess part of the tax is not paid within 30 days after such notification, interest shall be added thereto at the rate of 10 per cent per annum from the expiration of such 30 days' period until paid.

The collector shall grant to the person paying the tax duplicate receipts, either of which shall be sufficient evidence of such payment, and shall entitle the executor to be credited and allowed the amount thereof by any court having jurisdiction to audit or settle his accounts.

SEC. 411. That if the tax herein imposed is not paid within 180 days after it is due, the collector shall, unless there is reasonable cause for further delay, proceed to collect the tax under the provisions of general law, or commence appropriate proceedings in any court of the United States, in the name of the United States, to subject the property of the decedent to be sold under the judgment or decree of the court. From the proceeds of such sale the amount of the tax, together with the costs and expenses of every description to be allowed by the court, shall be first paid, and the balance shall be deposited according to the order of the court, to be paid under its direction to the person entitled thereto.

SEC. 412. That each person shall be liable to the executor for the tax upon transfers to such person and the executor shall collect from such person the tax upon all transfers to such person, or shall deduct it from any property in his possession or control transferred to such person. The executor shall not pay or deliver any property the transfer of which is subject to tax to any transferee unless the tax upon such transfer has been so collected or deducted. Whenever there is a transfer of property taxable under this title of which the executor has no possession or control, the person having possession or control thereof, or under liability to make any payment to the transferee, shall be liable to the executor for the tax upon such transfer and unless the tax has been paid by the transferee to the executor shall collect or deduct it from such property or such payment and pay it to the executor: *Provided, however*, That the commissioner may, with the approval of the Secretary, by regulations authorize the payment of such tax directly to the collector and relieve the executor from liability therefor: *Provided further*, That in the case of policies of insurance upon the life of the decedent payable to a beneficiary other than the executor of the estate of the decedent, the corporation liable for the payment thereof shall be relieved from liability for any tax thereon if such beneficiary submits with the proofs of death and claims a written statement showing that the aggregate amount of insurance payable to such beneficiary under policies taken out by the decedent upon his own life does not exceed $25,000. All taxes, including taxes on the transfer of annuities, life estates, terms for years, and other interests terminating on the expiration of a certain period, shall be paid out of and chargeable to capital and not to income. Nothing in this title shall prevent an executor from paying taxes out of such property as the will or other instrument under which transfer is made shall direct, but such directions shall not affect any right of the United States or of the collector to collect the tax or to a lien therefor.

If the amount of tax paid or collected out of property transferred to any person exceeds the amount of tax of which such person is liable, such person shall be entitled to reimbursement to the extent of such excess out of any part of the estate still undistributed, or to a just and equitable contribution by the persons liable for the tax so paid or collected under this title.

SEC. 413. That the tax and interest thereon shall be a lien upon the property included in the gross estate of the decedent and the property acquired in substitution therefor from the death of the decedent for a period of 10 years unless it is sooner paid in full, except that such property as is used for the payment of charges against the estate and expenses of its administration allowed by any court having jurisdiction thereof, and such personal property as is sold to purchasers for value in good faith and without notice of the lien shall be divested of such lien. If the commissioner is satisfied that the tax liability on all transfers by reason of the death of a decedent has been fully discharged or provided for, he may, under regulations prescribed by him, with the approval of the Secretary, issue his certificate releasing any or all property of such decedent from the lien hereby imposed, or if he is satisfied that the tax liability on all transfers to any person by reason of the death of a decedent has been fully discharged, he may, under such regulations, issue his certificate releasing any or all property transferred to such person from the lien hereby imposed.

SEC. 414. That whoever knowingly makes any false statement in any notice or return required to be filed under this title shall be liable to a penalty of not exceeding $5,000, or imprisonment not exceeding one year, or both.

Whoever fails to comply with any duty imposed upon him by section 407, or having in his possession or control any record, file, or paper containing or supposed to contain any information concerning the estate of the decedent, or, having in his possession or control any property comprised in the gross estate of the decedent, fails to exhibit the same upon request of the commissioner or any collector or law officer of the United States, or his duly authorized deputy or agent, who desires to examine the same in the performance of his duties under this title, shall be liable to a penalty of not exceeding $5,000, in lieu of all other penalties, to be recovered, with costs of suit, in a civil action in the name of the United States.

SEC. 415. That the taxes imposed by Title II of the revenue act of 1916 as amended by the act entitled "An act to provide increased revenue to defray the expenses of the increased appropriations for the Army and Navy and the extensions of fortifications, and for other purposes," approved March 3, 1917, and by Title IX of the revenue act of 1917, shall not apply to the transfer of the net estate of any decedent dying before the passage of this act while serving in the military or naval forces of the United States in the present war or from injuries received or disease contracted while in such service, and any such tax collected upon such transfer shall be refunded to the executor.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the committee.

Mr. SMOOT. Mr. President, I wish to call the attention of the chairman of the committee to an amendment which I am quite sure will be agreeable to him and to the committee. It is a perfecting amendment. At the end of section 407, on page 131, line 9, after the word "taxes," I move to insert the following:

Each beneficiary of an amount of insurance in excess of $25,000 under policies taken out by the decedent upon his own life shall within 20 days after coming into possession of such insurance give written notice thereof to the collector, and shall also at such time and in such manner as may be required by regulations made pursuant to law file with the collector a return under oath setting forth (a) the total insurance received, (b) such additional data as may be necessary to establish the correct tax, and (c) the tax paid or payable thereon. At the same time or upon his later appointment a duplicate of such return shall also be furnished the executor. The beneficiary shall pay the tax upon such insurance to the executor within 30 days after receipt of the amount, or if the executor has not then been appointed within 30 days after such appointment.

Mr. SIMMONS. Mr. President, that amendment, I think, is agreeable to the committee, and I make no objection to it.

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. SMOOT. In section 411, page 133, line 1, after the word "decedent," I move to insert "or beneficiary under life insurance policies."

The amendment to the amendment was agreed to.

Mr. SMOOT. In section 412, page 133, line 19, after the word "transferee," I move to insert "except payment of insurance upon the life of decedent."

The amendment to the amendment was agreed to.

Mr. SMOOT. In section 412, page 134, I move to strike out beginning with the words "*Provided further*," in line 1, and ending with "$25,000," in line 9.

The amendment to the amendment was agreed to.

Mr. SMOOT. In section 412, page 134, line 12, after "period," I move to insert "except where such annuities or limited estates are created in the proceeds of insurance taxable under this title."

The amendment to the amendment was agreed to.

Mr. THOMAS. Mr. President, I wish at this time to present a motion to strike out all after the semicolon on page 123, line 23, down to the bottom of the page, reading as follows:

and (3) the receipt by a beneficiary of an amount of insurance in excess of $25,000 under policies taken out by the decedent upon his own life.

I do not feel disposed to present reasons for this motion in the absence of so many Members of the Senate. I deem the motion of sufficient importance to justify the serious consideration of the Senate, and I therefore ask to have that part of this amendment go over for the present.

Mr. SIMMONS. The Senator means subdivision (c)?

Mr. THOMAS. The last clause of subdivision (c).

Mr. SIMMONS. That is clause 3 of subdivision (c)?

Mr. THOMAS. Yes; the clause beginning on line 23.

Mr. SIMMONS. The Senator's motion is to strike that out?

Mr. THOMAS. Yes.

Mr. SIMMONS. And the Senator wishes that to go over?

Mr. THOMAS. Yes; I wish that to go over.

The PRESIDENT pro tempore. The Chair will say, this being a motion to strike out and insert, of course it can not be divided, but the whole question, the chair thinks, would have to go over.

Mr. THOMAS. Of course I am not responsible for that. I do not care to discuss the motion to-day.

Mr. SIMMONS. I understand the Chair to mean that the whole section 402 should go over?

The PRESIDENT pro tempore. The whole amendment, the Chair thinks, should go over, it being a motion to strike out and insert.

Mr. SIMMONS. I think there is no objection to that course, because, as the Senator from Utah [Mr. SMOOT] suggests to me, that is a long amendment, it has already been read, and it will involve no trouble when the amendment of the Senator from Colorado is acted upon.

The PRESIDENT pro tempore. The amendment will be passed over. The Secretary will state the next amendment passed over.

The next amendment passed over was, on page 137, line 12, after the word "another," to strike out "and a like tax on the amount paid for such transportation within the United States of property transported from a point without the United States to a point within the United States," so as to make the clause read:

(a) A tax equivalent to 3 per cent of the amount paid for the transportation on or after such date, by rail or water or by any form of mechanical motor power when in competition with carriers by rail or water, of property by freight transported from one point in the United States to another.

The amendment was agreed to.

Mr. JONES of Washington. Mr. President, I have just entered the Chamber and I wish to find out whether the amendment on page 137, to strike out lines 12, 13, 14, and 15, has been agreed to. If so, I ask that the vote whereby the amendment was agreed to may be reconsidered, because I want to oppose the

adoption of that amendment. I did not know the Senate had reached that point in the bill.

The PRESIDENT pro tempore. We have just reached it, and the amendment has been agreed to. The question is on the motion of the Senator from Washington to reconsider the vote by which the amendment was adopted striking out lines 12 to 15, on page 137.

The motion was agreed to.

Mr. JONES of Washington. If the next amendment was adopted I wish that reconsidered also.

Mr. SMOOT. That was not adopted.

The PRESIDENT pro tempore. That will go over.

Mr. JONES of Washington. I have had to be present in the Appropriations Committee all day, and as I did not think that the Senate would reach this part of the bill I am hardly prepared to discuss it this afternoon. Therefore I wish to ask if the chairman would object to allowing it to go over until to-morrow? I will be ready to take it up to-morrow.

Mr. SIMMONS. No; I shall not object.

Mr. JONES of Washington. I wish both amendments to go over—the one striking out lines 12, 13, 14, and 15, and the one striking out part of line 21 and lines 22, 23, and 24.

Mr. SIMMONS. I have no objection to the Senator presenting his argument now.

Mr. JONES of Washington. I am not ready to present the argument at this time. I did not think we would reach this part of the bill to-day and I have not my papers with me; but I will be ready to take it up to-morrow if the Senator wants to take it up then.

Mr. SIMMONS. Very well.

The PRESIDENT pro tempore. All of subdivisions (a) and (b) of section 500 will be passed over. The Secretary will state the next amendment passed over.

The next amendment passed over was, on page 138, line 10, before the word "cents," to strike out "35" and insert "42," so as to make the paragraph read:

(c) A tax equivalent to 8 per cent of the amount paid for the transportation on or after such date of persons by rail or water, or by any form of mechanical motor power on a regular established line when in competition with carriers by rail or water, from one point in the United States to another or to any point in Canada or Mexico, where the ticket or order therefor is sold or issued in the United States, not including the amount paid for commutation or season tickets for trips less than 30 miles, or for transportation the fare for which does not exceed 42 cents.

The amendment was agreed to.

The next amendment passed over was, on page 138, line 13, after the word "date," to insert "in connection with transportation upon which tax is imposed by subdivision (c)," so as to make the paragraph read:

(d) A tax equivalent to 8 per cent of the amount paid for seats, berths, and staterooms in parlor cars, sleeping cars, or on vessels, used on or after such date in connection with transportation upon which tax is imposed by subdivision (c).

The amendment was agreed to.

The next amendment passed over was, on page 138, line 16, after the word "to," to strike out "6½" and insert "8," so as to make the paragraph read:

(e) A tax equivalent to 8 per cent of the amount paid for the transportation on or after such date of oil by pipe line.

The amendment was agreed to.

The next amendment passed over was, on page 139, after line 10, to insert:

(h) No tax shall be imposed under this section upon any payment received for services rendered to the United States or to any State or Territory or the District of Columbia. The right to exemption under this subdivision shall be evidenced in such manner as the commissioner, with the approval of the Secretary, may by regulation prescribe.

The amendment was agreed to.

The next amendment passed over was, in section 502, page 142, after line 22, to insert:

The tax shall, without assessment by the commissioner or notice from the collector, be due and payable to the collector at the time so fixed for filing the return. If the tax is not paid when due, there shall be added as part of the tax a penalty of 5 per cent, together with interest at the rate of 1 per cent for each full month, from the time when the tax became due.

The amendment was agreed to.

The next amendment passed over was, under the head of "Insurance," in section 503, page 143, line 5, after the word "after," to strike out "November 1, 1918"; and in line 10, after the words "United States," to insert "(except those taxable under subdivision 15 of schedule A of Title XI)," so as to make the paragraph read:

SEC. 503. That from and after ——— there shall be levied, assessed, collected, and paid, in lieu of the taxes imposed by section 504 of the revenue act of 1917, the following taxes on the issuance of insurance policies, including, in the case of policies issued outside the United States (except those taxable under subdivision 15 of schedule A of Title XI), their delivery within the United States by any agent or broker, whether acting for the insurer or the insured; such taxes to be paid by the insurer, or by such agent or broker.

The amendment was agreed to.

The next amendment passed over was, on page 143, after line 14, to strike out:

(a) Life insurance: A tax equivalent to 8 cents on each $100 or fractional part thereof of the amount for which any life is insured under any policy of insurance or other instrument, by whatever name the same is called: *Provided*, That on all policies for life insurance only by which a life is insured not in excess of $500, issued on the industrial or weekly or monthly payment plan of insurance, the tax shall be 40 per cent of the amount of the first weekly premium or 20 per cent of the amount of the first monthly premium, as the case may be: *Provided further*, That on policies of group life insurance, covering groups of not less than 25 lives in the employ of the same person, for the benefit of persons other than the employer, the tax shall be equivalent to 4 cents on each $100 of the aggregate amount for which the group policy is issued and of any net increase in the amount of the insurance under such policy.

The amendment was agreed to.

The next amendment passed over was, on page 144, line 7, before the word "Marine," to strike out "(b)" and insert "(a)."

The amendment was agreed to.

Mr. SIMMONS. Mr. President, in section 503 I desire subdivision (a), on page 144, and also subsection (b), including the remainder of the title, to go over. It all relates to marine and fire insurance. I will state frankly that the committee is considering an amendment to that title, and probably will be able to present it to the Senate on to-morrow.

The PRESIDENT pro tempore. Without objection, the title will be passed over.

Mr. SIMMONS. From the point I have indicated I desire to have the remainder of the title passed over.

The PRESIDENT pro tempore. The remainder of the title will be passed over. The Secretary will state the next amendment passed over.

The next amendment passed over was, on page 146, line 7, after the words "tax of," to strike out "$4.40" and insert "$2.20," so as to read:

SEC. 600. (a) That there shall be levied and collected on all distilled spirits now in bond or that have been or that may be hereafter produced in or imported into the United States, except such distilled spirits as are subject to the tax provided in section 604, in lieu of the internal-revenue taxes now imposed thereon by law, a tax of $2.20.

The amendment was agreed to.

The next amendment passed over was, on page 146, line 10, after the word "of," to strike out "$8" and insert "$6.40," so as to read:

(or, if withdrawn for beverage purposes or for use in the manufacture or production of any article used or intended for use as a beverage, a tax of $6.40) on each proof gallon, or wine gallon when below proof, and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon, to be paid by the distiller or importer when withdrawn, and collected under the provisions of existing law.

The amendment was agreed to.

The next amendment passed over was, on page 149, line 10, after the words "tax of," to strike out "$3.30" and insert "$1.10," so as to make the paragraph read:

(c) In lieu of the internal-revenue tax now imposed thereon by law there shall be levied and collected upon all perfumes hereafter imported into the United States containing distilled spirits a tax of $1.10 per wine gallon, and a proportionate tax at a like rate on all fractional parts of such wine gallon. Such tax shall be collected by the collector of customs and deposited as internal-revenue collections, under such rules and regulations as the commissioner, with the approval of the Secretary, may prescribe.

The amendment was agreed to.

The next amendment passed over was, in section 628, page 177, line 3, after the word "containers," to strike out "at over 10 cents per gallon"; in the same line, after the word "tax," to strike out "of 2 cents per gallon"; and, in line 4, to insert "equivalent to 5 per cent of the price for which so sold," so as to make the paragraph read:

(b) Upon all natural mineral waters or table waters, sold by the producer, bottler, or importer thereof, in bottles or other closed containers, a tax equivalent to 5 per cent of the price for which so sold.

The amendment was agreed to.

Mr. SMOOT. Mr. President, there is an amendment on page 176 which the Senator from Oregon [Mr. CHAMBERLAIN] asked to have go over. That Senator is not present, and I will ask in his behalf that the amendment go over.

Mr. SIMMONS. What part of the bill is that?

Mr. SMOOT. It is the grape-juice provision.

The PRESIDENT pro tempore. The amendment will be passed over. The Secretary will state the next amendment passed over.

The next amendment passed over was, on page 195, line 13, after the word "war," to insert a comma.

The amendment was agreed to.

The SECRETARY. The next amendment passed over is, on page 197, heretofore agreed to, and reconsidered on the motion of the

junior Senator from Missouri [Mr. SPENCER], where the committee proposes to insert at the top of the page:

"(18) Articles made out of any fur, or articles of which fur is the component material of chief value, 10 per cent.

Mr. SMOOT. Mr. President, I ask that the amendment may go over for the day.

The PRESIDENT pro tempore. The amendment will be again passed over, without objection.

The next amendment passed over was, on page 190, after line 12, to strike out:

"SEC. 905. (a) That on and after November 1, 1918, there shall be levied, assessed, collected, and paid a tax equivalent to 20 per cent of so much of the amount paid for any of the following articles as is in excess of the price hereinafter specified as to each such article, when such article is sold on or after such date for consumption or use—

(1) Carpets and rugs, including fiber, except imported and American rugs made principally of wool, on the amount in excess of $5 per square yard;

(2) Picture frames, on the amount in excess of $10 each;

(3) Trunks, on the amount in excess of $50 each;

(4) Valises, traveling bags, suit cases, hat boxes used by travelers, and fitted toilet cases, on the amount in excess of $25 each;

(5) Purses, pocketbooks, shopping and hand bags, on the amount in excess of $7.50 each;

(6) Portable lighting fixtures, including lamps of all kinds and lamp shades, on the amount in excess of $25 each;

(7) Umbrellas, parasols, and sun shades, on the amount in excess of $4 each;

(8) Fans, on the amount in excess of $1 each;

(9) House or smoking coats or jackets, and bath or lounging robes, on the amount in excess of $7.50 each;

(10) Men's waistcoats, sold separately from suits, on the amount in excess of $5 each;

(11) Men's and boys' suits or overcoats, not including uniforms of officers in the military or naval forces of the United States, on the amount in excess of $50 each;

(12) Women's and misses' suits, cloaks, and coats, on the amount in excess of $50 each, or, when made up by a tailor or seamstress, on the amount in excess of $50 in value each;

(13) Women's and misses' dresses, on the amount in excess of $40 each, or, when made up by a tailor or seamstress, on the amount in excess of $40 in value each;

(14) Women's and misses' hats, bonnets, and hoods, on the amount in excess of $15 each;

(15) Men's and boys' hats, on the amount in excess of $5 each;

(16) Men's and boys' caps, on the amount in excess of $2 each;

(17) Men's, women's, misses', and boys' boots, shoes, pumps, and slippers, not including shoes or appliances made to order for any person having a crippled or deformed foot or ankle, on the amount in excess of $10 per pair;

(18) Men's and boys' neckties and neckwear, on the amount in excess of $2 each;

(19) Men's and boys' silk stockings or hose, on the amount in excess of $1 per pair;

(20) Women's and misses' silk stockings or hose, on the amount in excess of $2 per pair;

(21) Men's shirts, on the amount in excess of $3 each;

(22) Men's, women's, misses', and boys' pajamas, night gowns, and underwear, on the amount in excess of $5 each; and

(23) Kimonos, petticoats, and waists, on the amount in excess of $15 each.

(b) The tax imposed by this section shall not apply to any article enumerated in paragraphs (2) to (8), both inclusive, of subdivision (a). If such article is made of, or ornamented, mounted, or fitted with, precious metals or imitations thereof or ivory, or to any article enumerated in subdivision (20) or (21) of section 900.

(c) The taxes imposed by this section shall be paid by the purchaser to the vendor at the time of the sale and shall be collected, returned, and paid to the United States by such vendor in the same manner as provided in section 502. As used in this subdivision the term "vendor" includes a tailor or dressmaker making up women's or misses' suits, cloaks, coats, or dresses.

Mr. KENYON. Mr. President, I ask that that entire section may go over. I desire to make some remarks on it, but I do not want to do so this evening.

The PRESIDENT pro tempore. Without objection, section 905 will be passed over.

The SECRETARY. The next amendment passed over is on page 215, where it is proposed, after line 2, to insert:

The taxes imposed by this section shall, in the case of persons upon whom a corresponding tax is imposed by section 407 of the revenue act of 1916, be in lieu of such tax.

The amendment was agreed to.

The SECRETARY. The next amendment passed over is on page 244, after line 14, where it is proposed to insert: "Title XII. Tax on employment of child labor."

Mr. SMITH of Georgia. Mr. President——

Mr. HARDWICK. Mr. President, I shall be glad if the Senator from North Carolina will have that amendment passed over. His colleague, the junior Senator from North Carolina [Mr. OVERMAN], and myself both have some observations to submit on this matter, and possibly some authorities to cite to the Senate on it.

Mr. SMOOT. And it can not be done to-day?

Mr. HARDWICK. I am hardly prepared to do so this afternoon.

Mr. SIMMONS. Very well; let it go over.

Mr. SMITH of Georgia. Mr. President, I wish to record my vote against the amendment when the opportunity is presented.

Mr. HARDWICK. We are not going on with it to-day.

Mr. SMITH of Georgia. I understand. I did not want it passed over, though, as if there were no objection to it.

Mr. HARDWICK. I am asking to have it passed over for the day.

Mr. SMITH of Georgia. I understand; but it was about to be agreed to a few days ago without objection, and I objected.

Mr. SIMMONS. Let it go over, Mr. President.

Mr. SMITH of Georgia. I was present, and I objected and stopped it.

The PRESIDENT pro tempore. The amendment will be passed over without objection.

The next amendment passed over was, on page 251, line 3, after the word "appointed," to strike out "from lists of eligibles to be supplied by the Civil Service Commission, and in accordance with the civil-service law," and insert "as provided by law," so as to read:

(c) There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1919, the sum of $7,500,000 for the expenses of assessing and collecting the internal-revenue taxes as provided in this act, including the employment of necessary officers, attorneys, experts, agents, inspectors, deputy collectors, clerks, janitors, and messengers, in the District of Columbia and the several collection districts, to be appointed as provided by law.

Mr. SMOOT. I ask that that may go over.

The PRESIDENT pro tempore. Without objection, the amendment will be passed over.

The next amendment passed over was, on page 276, after line 10, to insert as a new section the following:

SEC. 1401. That section 1100 of the revenue act of 1917 is hereby repealed, to take effect on July 1, 1919, and thereafter the rate of postage on all mail matter of the first class shall be the same as the rate in force on October 3, 1917: *Provided*, That letters written and mailed by soldiers, sailors, and marines assigned to duty in a foreign country engaged in the present war may be mailed free of postage, subject to such rules and regulations as may be prescribed by the Postmaster General.

Section 1107 of such act is hereby repealed, to take effect July 11, 1918.

The PRESIDENT pro tempore. Without objection, the amendment will be agreed to. The Chair hears no objection.

Mr. THOMAS. This is section 1401?

The PRESIDENT pro tempore. Section 1401.

Mr. THOMAS. I object to it.

Mr. HARDWICK. That is the first-class mail provision.

The PRESIDENT pro tempore. The question is on agreeing to the amendment. [Putting the question.] The ayes seem to have it. The ayes have it, and the amendment is agreed to.

The Secretary will state the next amendment passed over.

The next amendment passed over was, on page 276, after line 21, to insert as a new section the following:

SEC. 1402. (a) That section 1103 of the revenue act of 1917 is hereby repealed.

(b) Section 1101 of such act is hereby amended to read as follows:

"SEC. 1101. That on and after July 1, 1919, the rates of postage on publications entered as second-class matter (including sample copies to the extent of 10 per cent of the weight of copies mailed to subscribers during the calendar year) when sent by the publisher thereof from the post office of publication or other post office, or when sent by a news agent to actual subscribers thereto, or to other news agents for the purpose of sale, shall be 1 cent per pound or fraction thereof for delivery within the first and second zones applicable to fourth-class matter, and 1½ cents per pound or fraction thereof for delivery within any other zone."

(c) This section shall take effect July 1, 1919.

Mr. HARDWICK. Mr. President, let that go over. It is the amendment relating to second-class mail matter.

Mr. SIMMONS. That can go over, if the Senator wishes.

The PRESIDENT pro tempore. By agreement, section 1402 will be passed over.

That completes the reading of the bill.

RECESS.

Mr. SIMMONS. I move that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 4 o'clock and 35 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, December 18, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *December 17, 1918.*

The House met at 12 o'clock noon.

The Rev. Earle Wilfley, of the Vermont Avenue Christian Church, Washington, D. C., offered the following prayer:

O God, our Father in heaven, we thank Thee for this beautiful day, and we pray that with the coming of this day may come renewed energies for the tasks that lie before us, that Thy wisdom and Thy guidance may be our portion. We would especially pray Thy blessing upon the great institution of the Red Cross, an institution whose ministries are so blessed and

so holy, as to-day and these days that follow it plends for the rapport of the people. And grant upon all institutions of like character that look to the help of human kind in these days of suffering Thy divine blessing. So wilt Thou be with us this morning and always. For Jesus' sake. Amen.

The Journal of the proceedings of yesterday was read and approved.

CONGRATULATIONS FROM THE SPANISH SENATE.

The SPEAKER. The Chair lays before the House a communication from the Secretary of State, which has been on hand for some time.

The Clerk read as follows:

DECEMBER 3, 1918.

The Hon. CHAMP CLARK,
Speaker of the House of Representatives.

SIR: I have the honor to inform you that a note has been received from the Ambassador of Spain at this Capital, in which he states that when the new Spanish Government, presided over by Marquis de Alhucemas, presented itself before the Congress of Deputies the president of the council of ministers declared that the foreign policy of the Government over which it presided was steered in intimate understanding with the western powers of Europe and the United States. The ambassador also states that two incidental motions, differently worded but to the same effect, were introduced offering congratulations on the termination of hostilities and on the dawning of justice over force, the basis of liberty and fraternity among the peoples. The second of these two motions was passed with only two dissenting votes. In conclusion the ambassador states that his Government desires the particularly unanimous sentiment of the Spanish Congress, which has given by its vote evidence of the earnest sympathy it cherishes toward the allied peoples and governments made known to the Congress of the United States.

A similar letter has been addressed to the President of the Senate.

I have the honor to be, sir, your obedient servant,

ROBERT LANSING.

The SPEAKER. Ordered printed and referred to the Committee on Foreign Affairs. The Chair also lays before the House a communication from the Acting Secretary of State.

DECEMBER 7, 1918.

The Hon. CHAMP CLARK,
Speaker of the House of Representatives.

SIR: At the request of the Spanish ambassador at this Capital, in accordance with the instructions of his Government, I have the honor to inclose for the information of the House of Representatives a translation of a note from the ambassador announcing that the Spanish Senate unanimously directed to be entered on its journal, in view of the signing of the armistice of November 11, 1918, congratulations on the peace and the triumph of justice over force.

I have the honor to be, sir,
Your obedient servant,

FRANK L. POLK,
Acting Secretary of State.

Inclosure from Spanish ambassador November 15, 1918.

The SPEAKER. The Clerk will also read the communication from the Spanish ambassador.

The Clerk read as follows:

NOVEMBER 15, 1918.

The Hon. ROBERT LANSING,
Secretary of State of the United States.

Mr. SECRETARY: By order of my Government and with the request that you kindly make the fact known to the American Houses of Congress, I have the honor to inform you that at the session of the Spanish Senate Senor Gimeno, former minister of state, delivered a brilliant speech eulogizing peace and dedicating effusive words to all and each of the allied countries. After a short debate the Senate unanimously ordered to be entered into the journal that it congratulates itself on the peace and triumph of justice over strength.

I avail myself, etc.,

JUAN RIANO.

The SPEAKER. Ordered printed and referred to the Committee on Foreign Affairs.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, one of its enrolling clerks, announced that the Senate had passed the following resolution, in which the concurrence of the House of Representatives was requested:

S. J. Res. 195. Joint resolution providing for the filling of a proximate vacancy in the Board of Regents of the Smithsonian Institution, of a class other than Members of Congress.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, Senate joint resolution of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. J. Res. 195. Joint resolution providing for the filling of a proximate vacancy in the Board of Regents of the Smithsonian Institution, of a class other than Members of Congress; to the Committee on the Library.

LEAVE OF ABSENCE.

By unanimous consent, Mr. JONES was granted leave of absence for two weeks on account of important business.

LEAVE TO PRINT.

Mr. LOBECK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD with a communication or article by John Skelton Williams, published in the November Forum on "Usury and the banks."

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the RECORD by printing a communication from the Comptroller of the Currency in the November Forum on the subject of "Usury and the banks." Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, how long is the article?

Mr. LOBECK. It is not a very long article; is is very short. I think probably one column will cover it.

Mr. WALSH. One column in the RECORD?

Mr. LOBECK. It is not a long article, but it is a very interesting article and covers the history of usury from the earliest dawn to the present time.

Mr. WALSH. Is it in connection with any pending legislation in the House?

Mr. LOBECK. It is in connection with banking and currency legislation that comes before the House at all times every session.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

POST OFFICE APPROPRIATION BILL.

Mr. MOON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13308, the Post Office appropriation bill.

The motion was agreed to; accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13308, with Mr. CRISP in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13308, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

The CHAIRMAN. Under a previous order of the House after the first paragraph of the bill is read the gentleman from New York [Mr. LAGUARDIA] is entitled to 45 minutes. The Clerk will read.

The Clerk read as follows:

For traveling expenses of inspectors without per diem allowance, inspectors in charge, and the chief post-office inspector, and expenses incurred by inspectors not covered by per diem allowance, unusual and extraordinary expenses necessarily incurred for maintenance by inspectors over and above per diem allowance while traveling on official business in connection with the postal service of Alaska, and for the traveling expenses of four clerks performing stenographic and clerical assistance to post-office inspectors in the investigation of important fraud cases, $43,850.

Mr. LAGUARDIA. Mr. Chairman, if there is no objection on the part of the chairman of the committee, I prefer to address the House when we reach page 15, at which time I am going to put in an amendment to that section. It was at that time I had arranged with the chairman and also with the gentleman from Minnesota.

Mr. STEENERSON. Why not speak now? We understand what the item is.

The CHAIRMAN. The gentleman from New York is recognized for 45 minutes.

Mr. LAGUARDIA. Mr. Chairman, the section of this bill that I am interested in is on page 15, which provides for an appropriation of $2,185,000 for the purchase of aeroplanes and the operation and maintenance of aeroplane service. Now, I do not want any time for any other purpose. I shall limit myself to that provision. Unfortunately, the other evening some gentleman stated that I intended to address the House on the general subject of aviation. Now, I have no desire to make any speech on anything which is not before the House. When the Army or Navy appropriation bill shall come before the House I shall then speak on that subject and give the benefit of what experience I might have gained during the past 15 months. I want to say that in opposing this particular appropriation I am not at all opposing the general proposition of transporting part of the mail by air. That is still in an experimental stage. We can save the $2,185,000 asked for in this bill and to be handed over to the Post Office Department for the purchase of aeroplanes. Now, if there is one body in the world which should have by this time accurate information on aviation it is the American Congress. We have appropriated more money for aviation in the past 15 or 16 months than any other government in the world, and we have less to show for it.

We might as well start now and discourage these piecemeal experiments, because the moment we commence experimenting in aviation we go into millions.

Now, the Second Assistant Postmaster General testified before the committee, and he has given this subject considerable study, and I am quite willing to accept his views on it. He did not ask for the $2,000,000 at all. He came before the committee—and I take it from the testimony—and asked for $300,000, and no more. In the course of the hearings it developed that $300,000 would not be enough, and in some manner and for some unknown reason they arrived at the $2,185,000 item.

Now, then, on page 60 of the testimony the Second Assistant Postmaster General, Mr. Praeger, testified that he was not now in a position to say how much it would cost to carry out the general scheme of aeropost service. He asked for $300,000, and he said—and I am reading from the testimony:

We will need more, and after we have laid out two or three of these lines I want to come back to the committee and give the detailed cost of the whole thing, and then you can determine before the bill is settled how much further you want to go on the showing we make.

That is a straight, businesslike statement. He does not know at this time how much it will cost. He says, "Let us try it out on one or two small lines, and we will see how it turns out, and then if Congress wants to go into it we can do so." Now, that is what I want to urge, namely, that we try it out, and I want to try it out with what we have on hand.

The Second Assisant Postmaster General was asked:

Has not the Army any American aeroplanes that can be turned over to you now?

To which he replied:

None that will fly with any dependability.

Now, if that was the Chief of the Air Service testifying in July, 1917, that answer might have been true. But the Army now has planes that we can use for this purpose.

Mr. BORLAND. Will the gentleman yield there?

Mr. LAGUARDIA. Yes.

Mr. BORLAND. My understanding is that the Army has a good many planes that will do for scouting work if the weather conditions are right, but that a dependable mail service means a service going on schedule every day, winter and summer, through rain and storm, or any other kind of weather, and it takes an especially heavy machine for that purpose, and that the Army machines adapted to high speed and that sort of thing are not adapted to mail service. Is not that the case?

Mr. LAGUARDIA. No.

Mr. BORLAND. I would like to have the gentleman explain that. I do not want the words "dependable service" to pass without some explanation.

Mr. LAGUARDIA. The machine the gentleman from Missouri describes—a machine which will fly in all sorts of weather, through rain and storm, and at all other times—does not exist. When we get to that stage, then we will have all sorts of travel and air service.

Mr. BORLAND. It is perfectly manifest that this training machine, this Curtiss machine, is not the machine for aerial mail service.

Mr. LAGUARDIA. I will come to that in a minute. If I do not cover it, call my attention to it before I close.

Mr. LAZARO. Can the gentleman tell us something about this friction we have read about in the papers between the gentleman who had charge of this service and the Postmaster General?

Mr. LAGUARDIA. I have no information about that at all. I never have had the pleasure of meeting any of these gentlemen.

Mr. LAZARO. The gentleman read that?

Mr. LAGUARDIA. Yes; it is very interesting.

Now, a provision was made some time ago that the Army should turn over to the Post Office Department machines to carry out this service. This question was put to the Second Assistant Postmaster General, and he so testified. And the machines that they now use are Army machines. Now, then, in answer to the Postmaster General, stating that the Army had no dependable machines to turn over, I must say that the Army now has in this country 1,495 De Haviland 4's, fitted with your Liberty motor. If the Liberty motor is all you state it is, it is an ideal machine for that purpose. You have a 400-horsepower motor on the De Haviland machine, with sufficient carrying capacity for present mail requirements.

I will state to the gentleman from Missouri [Mr. BORLAND] that the De Haviland machine is not a battle plane. It is not a pursuit machine. It is a reconnaissance, day-bombing machine. During the course of this war we did not turn out a pursuit machine, although a good many of my colleagues are under the impression that the skies of France were black with American-built battle planes. They were not. The De Haviland 4 is the nearest to an almost perfect machine that was sent abroad. And it is a reconnaissance machine, used for observation over the lines or used for day bombing. It ought to be an excellent machine to use for transportation of mails at this time.

Then we have the JN-4, with the Hispano-Suiza motor. This could be used in transportation to, say, points like Philadelphia-Washington, or New York-Philadelphia, Omaha-Milwaukee; it would be an ideal machine for short trips.

Mr. BORLAND. Those Curtiss JN-4's are light machines. They could not make head against a 110-mile gale, could they? Could they go against an ordinary winter storm and make 10 or 12 miles an hour?

Mr. LAGUARDIA. No other machine will do it, either.

Mr. BORLAND. That is what is necessary in a dependable postal service.

Mr. LAGUARDIA. We have not a machine to-day that will do that.

Mr. BORLAND. How about the De Haviland machines. Will they do that?

Mr. LAGUARDIA. In a winter storm—no.

Mr. STEENERSON. Was the gentleman's attention directed to the hearings on page 48? I would like to call his attention to this language of the Second Assistant Postmaster General.

He says:

The CHAIRMAN. We will go to the next item: "For inland transportation by steamboat or other power-boat routes or by aeroplanes," with the proviso "That out of this appropriation the Postmaster General is authorized to expend not exceeding $100,000 for the purchase, operation, and maintenance of aeroplanes for an experimental aeroplane mail service between such points as he may determine," $1,485,000, an increase of $300,000.

Now, the paragraph that the gentleman read makes it possible to purchase airplanes for the whole service. The Postmaster General did not recommend that he should have $1,485,000 with which to buy airplanes, but he said that he could use it for operation or purchase.

Mr. LAGUARDIA. Yes. What I am seeking to do is to cut off that power, so that he can not buy a single airplane. I want him to use the airplanes that we have, which otherwise will deteriorate and become obsolete, even if we leave them in the hangars. The Army and the Navy have these planes now, and the Postmaster General says this appropriation is not for this year; it is for next year.

Mr. STEENERSON. And the existing law provides that they shall turn them all over?

Mr. LAGUARDIA. Exactly. Besides the machines I have mentioned, we have 100 Handley-Page machines; 12 of these have been turned over, according to the testimony of the Postmaster General, and 12 more are to be turned over. That would give 24 Handley-Page machines for immediate use in the very near future. I never flew a Handley-Page, but it can stand up against any other machine, so far as weather is concerned. But even that machine could not fly under the conditions described by the gentleman from Missouri [Mr. BORLAND]. We have these 200 Handley-Pages that will be built and turned over to the Army. Now, then, the law provides that the Army shall furnish the machines to the Post Office Department. Is it not better to use these machines for the service and utilize them instead of letting them stay in the hangars rotting away or be worn out by practice flights? A machine will last just so long, and no longer. If you leave it in the hangar it will get out of line and out of use in a certain time. If you fly it, it will fly so many hours and no more.

Mr. STEENERSON. How many hours?

Mr. LAGUARDIA. Well, I do not know what your miraculous Liberty motor will do, but the motors that were used on the other side for war conditions you could run for 40 or 50 hours and then have them overhauled, and then run them for 40 or 50 hours more. We flew the Isotta-Fraschini upward of 80, 90, or 100 hours before they had to be overhauled. After that you can not tell when you will have a trouble or when something will happen. I do not know what the Liberty will do. I am unable to find out how many hours they will run.

Mr. EMERSON. Pardon me. Is that continuous running?

Mr. LAGUARDIA. No. That is engine duration.

Now, with the personnel that we have, let me see, we have in the United States 6,083 finished pilots, and we have 4,835 flying cadets. These boys are finishing their course in flying; these cadets and these pilots, immediately after they have earned their wings, after they have taken their pilot test, are not first-class pilots—not until they have had at least 40 or 50 hours in the air in cross-country flights.

Now, the intention of the Army is to give these men this training. We want to maintain, if we can, a sufficient force of trained pilots. These boys will be flying across country to make up this time, to get this experience. Why can we not utilize them in carrying on this mail service instead of having them make circles over the field and going across country in chase

of an imaginary enemy? My whole purpose is to utilize what we have on hand and experiment for this year and next year before we go into this very extensive scheme of the Post Office Department.

Mr. GILLETT. Mr. Chairman, will the gentleman allow a question?

The CHAIRMAN. Does the gentleman yield?

Mr. LAGUARDIA. Certainly.

Mr. GILLETT. I would like to ask the gentleman there as to the danger which there is in utilizing these men who have been trained. I noticed that about one a day was killed during the training period down in Texas, and so forth, and one of the officers who appeared before our Committee on Appropriations gave some very damaging testimony about the real danger in flying. The gentleman has had great experience, and I wondered whether he could say whether it was too dangerous for the Post Office Department to use in civil life.

Mr. LAGUARDIA. Flying is dangerous. As long as we are going to have flying and many machines in use we are bound to have accidents. Now, if we were to carry out the scheme of carrying the mail all over the United States we are sure to have, well, a few fatal accidents every month, because when something goes wrong in the air there is nothing to hold you there. You are bound to come down. That is inevitable.

Mr. LITTLE. Mr. Chairman, will the gentleman yield right there?

Mr. LAGUARDIA. Yes.

Mr. LITTLE. Is not the parachute practical in connection with the airplane?

Mr. LAGUARDIA. Well, we used the parachute from the S. P.—I think I can tell you this now that the thing is over—to land agents in Austrian territory. It is very hazardous work. The machine has to be specially constructed, and landing is made under ideal conditions. But the trouble is, if something goes wrong and you get into a tail spin, you have very little opportunity to use the parachute. With time, even that may be practicable. We must, gentlemen, consider present existing conditions.

Now, as to the training, I will say to the gentleman from Massachusetts [Mr. GILLETT] that these accidents are almost inevitable. The student is flying with his instructor up to a certain time, and until the instructor feels that the pupil can negotiate the machine himself he stays with the pupil; but when he is turned loose if something happens, then, of course, that is the only way of telling whether the man is able to fly. The only way is to let him fly. The instructor naturally corrects any defect of maneuvers when he is flying with his student, and he may unconsciously correct any overcontrol in banking or landing, so that when the time comes to turn this student loose he does so, and if the student is excitable or negative in flying, of course he is subject to danger. I had, I think, 496 American students in our school in Italy. I think we lost 11 men. Out of 11 we have to subtract 3 who met an accident through a collision in the air, so that we lost perhaps 8 men in the course of their training. It is possible in time of peace, when the training is slower and there is no need of turning them out rapidly, to reduce the number of accidents, but accidents are unavoidable.

Mr. FESS. Is there anything in the statement that numerous accidents are due to unusually hazardous stunts in the air, where you are maneuvering to get away from an enemy, which would not be required if the flier were in the mail service?

Mr. LAGUARDIA. Oh, absolutely; the boys who take up pursuit work have to train in what they call stunt flying; it is not stunts, it is aerobatics. It is necessary to so train in order to be able to skillfully maneuver and get around or away from an enemy plane. It is the whole thing in aerial combat. Although the boy might turn out well in straight and preliminary flying, when he gets to doing advanced maneuvers there is great danger. In the mail service we would not have that; it would not enter into the mail service at all. The danger would be limited to forced landings, losing course of route, defective materials, and the like.

Mr. FESS. That was the query in my mind, whether the mail service would be as dangerous in training an aviation corps.

Mr. LAGUARDIA. Absolutely not. It would be the regular cross-country flying. If we have a good system of training and discipline all through the service we can keep fatal accidents down. For instance, the Postmaster General suggests that he is going to start regular service between Chicago and San Francisco immediately after the war. He can not do anything of the kind. We are in no more condition to start flying from Chicago to San Francisco than we were in the spring of 1917 in sending over a hundred thousand planes to France. We have to make some preparation, and I might as well take that up now as at any time. If he starts from San Francisco to Chicago he has the whole country to cross, and it will require considerable preparation.

Mr. FORDNEY. Mr. Chairman, I suggest that the gentleman from New York be not interrupted. His remarks are very interesting. If he is constantly interrupted his statement is disconnected and will not be as satisfactory as it otherwise would be.

The CHAIRMAN. The Chair will state that the matter is entirely in the hands and control of the gentleman from New York. He can decline to be interrupted.

Mr. LAGUARDIA. I am anxious to give all the information that I can, and will cheerfully answer questions. The Postmaster General suggests that we will open these lines and promises to take mails from Chicago to San Francisco, passing through Cheyenne and Omaha, and from Minneapolis to Laredo, Tex., immediately upon conclusion of the war.

We can not do that. We have not the fields; we have not the men; we have not the signal system; we have no preparation at all to undertake a gigantic scheme of that size. If we start the delivery of mail from Chicago to San Francisco we would have to establish landing places every so many miles, or radio control stations, if he is going to do the flying by night, as he promises, or we would have to establish perfect light signal stations all the way across.

When we were flying from our field over into the territory of the enemy to bomb them we would have regular light signals every 30 kilometers up to our lines, and if it was a nice, moonlight night we could follow the enemy signals for their own planes which were out of our territory.

Flying at night is easy to say, but unless you are flying over a river that you can see at all times or over your own fields or over flat country, it is a difficult thing to do. They have developed to a certain extent radio control that will be perfected in a very short time. This control keeps the machines within the radio station. But all these things must be established and are necessary before we can establish a line from Chicago to San Francisco. Inasmuch as the Army is now experimenting with these very things, and inasmuch as we have appropriated money for the Army to do that very thing, let them do it in connection with this service. Then we will have not only a real air service for military purposes but also a well-regulated postal air service. Then the money appropriated for the Army will not have been entirely wasted, while every cent that is appropriated for this purpose is apart from that, and the amount appropriated here is enough to carry out the whole scheme.

Mr. LAZARO. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Louisiana?

Mr. LAGUARDIA. I do.

Mr. LAZARO. The gentleman stated that he wanted to give all the information he could. When the ground was selected for aviation camps it was said that they were selected with a view of making them permanent, so that they could be used in the carrying of the mail and passengers and packages, and so on. Does the gentleman know how that would work and if there was any foundation for that?

Mr. LAGUARDIA. As to that I will say that in the State of Texas we have 10 fields. We have one in Oklahoma and a few scattered around in that region; there are some in Illinois and one in Michigan, but between Chicago and California there are none.

Mr. LAZARO. We have a very good one at Lake Charles, in my district.

Mr. LAGUARDIA. There is not a single field between Chicago and San Francisco. We have some in the southern part of California and one in about the central part. But all that territory of the United States between Chicago and the Pacific coast and from Canada to the Gulf, through the Central States, has no fields. So we would have to establish fields all along the line.

Mr. RANDALL. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. RANDALL. Is it a difficult matter to establish fields? Is it a serious proposition?

Mr. LAGUARDIA. It is not serious, but it is very expensive.

Mr. RANDALL. Nothing but the expense?

Mr. LAGUARDIA. That is one thing that I am worrying about. Of course, the gentleman will admit that it is somewhat difficult to find a field where you can land in the Rocky Mountains. You can not land a plane on a mountain peak.

There is no doubt that we have sufficient machines in the Army and the Navy to carry out every reasonable undertaking that the Post Office Department desires to experiment on. No doubt about that.

Now, as to the personnel. We have to train young men to fly. A good many men who have not had the opportunity to go abroad

are eager and anxious to do a little more flying. They know that they are not expert fliers, and they want to get all the experience they can. So this would furnish an excellent opportunity to establish the air postal service with the personnel that it now has on hand.

The Postmaster General says that in order to carry out the scheme he presents to the committee he will require a thousand pilots which he intends to pay $200 a month, 1,000 mechanics which he will pay $160 a month, and 1,500 helpers.

The total amounts to $7,575,000. That is for personnel alone. The Army could furnish the same number of men, and on their present pay it would cost only $4,261,500, a difference of $3,313,500; but I say that we would save more—I say that it is a saving of the entire amount of $7,000,000 if the Army Air Service carries this mail. The Army is going to spend this money anyhow, and these men will be dying over the fields, or in formation flying in the air, if we do not use them for the post office. There is a total saving of $7,000,000 on the personnel. That is something which can be easily figured. But when you take the whole United States and endeavor to establish an air service with as many machines as it will require, we are going into the hundreds of millions of dollars. All the experience the post office has had to-day is with one trip a day from New York to Washington, and as Mr. Praeger said, he is not in a position to say now how much it will cost for maintenance and operation in the elaborate plan of aerial mail routes he proposes.

Mr. MOON. The gentleman says only one machine?

Mr. LAGUARDIA. That is, a day.

Mr. MOON. There is a service from New York to Chicago.

Mr. LAGUARDIA. When will that start?

Mr. MOON. It has been started, I am informed.

Mr. LAGUARDIA. I think it started yesterday, did it not?

Mr. MOON. No; I think some time ago.

Mr. LAGUARDIA. A gentleman called at my office yesterday from the Assistant Postmaster General, and he stated that it would start either yesterday or to-day.

Mr. MOON. I understand that is additional service to those points and to others, but that it can not be started to-day by reason of the fact that the War Department has refused to turn over machines under previous acts of Congress which were to be used for that purpose, and hold that the statute was directory and not mandatory, and, therefore, they were not bound to do that. The General Staff has made an order that deprived the Post Office Department of these machines.

Mr. LAGUARDIA. Very well; we will make it mandatory.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. MANN. That service has started a good many times, but I believe it has never yet functioned.

Mr. LAGUARDIA. No; and it will not for some time, and it can not. The establishment of an organization to fly from Chicago to New York is no simple matter. That is quite a flight, and if you are establishing a daily service between New York and Chicago, I will say to the chairman of the committee that it will not be regularly systematized and running daily for a year or a year and a half.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. McKENZIE. I am interested in this matter, and I would like to ask the gentleman one question: If you are going to take the flyers from the Army or the Navy, how do you expect to get them? By volunteering on the part of the men, or does the gentleman assume that the War Department would have the power to detail a man who had enlisted for military service to do civilian work? Has the gentleman gone into that?

Mr. LAGUARDIA. Absolutely, and unless we do that we are going to have an Army and a Navy on our hands which is not up to date. You have to give all of these men practical experience. I will go further and say that I do not see any reason why we can not use our Navy for transporting mails and cargo. I would sooner have the ships used in useful occupation than chasing around the ocean in wild flights. We are coming to that.

The type of planes which will eventually be used for carrying mail will be the multiengine type of bombing machine. The piloting of these ships in day and night flights, under varying conditions of weather, will develop in our pilots the very skill in air navigation that is required in time of war, and the element of regularity involves a disciplinary factor that is of great importance. The practical training that our mechanics would receive is obvious, and it will also bring about constant development of material through the experience gained by many hours of flight under widely varying conditions. As an example of this we may cite the use of radio direction apparatus. I spoke about that a moment ago. Also radiotelephony, improvements in compasses, automatic stabilizers, improvements in various other things, which will give us the very opportunity that we are looking for to develop a real air service.

I will not go into the work of the Air Service during the war. At the proper time, if the House desires to hear about it, I shall tell them what I know. I am willing to spill the beans if you want the information.

Mr. EMERSON. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. EMERSON. I was going to ask the gentleman if he would give us some information on how our American-made planes compared with the planes made by the countries in Europe.

Mr. LAGUARDIA. I will say to the gentleman that he will have to find somebody of more experience than I have had. I have been flying for only 15 months. I have been at both fronts, but I have never seen an American plane.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Certainly.

Mr. MANN. Do I understand the gentleman's recommendation is that the air service that carries the mail shall be under the direction and control of the War Department?

Mr. LAGUARDIA. No; I would not recommend that. My suggestion would be that the Post Office Department outline the routes and call upon the War Department to turn over the planes to carry the mail.

Mr. MANN. I am speaking of the carrying of the mail.

Mr. LAGUARDIA. Yes.

Mr. MANN. That that is to be under the operation of the War Department after the mail leaves the post office and is put on the aeroplanes?

Mr. LAGUARDIA. And delivered, just as it is now carried by a railway or a steamboat.

Mr. MANN. Personally, I do not see why that might not be feasible, although, as a rule, departments do not work well together.

Mr. MOON. Does not the gentleman think it would be better for the War and Navy Departments to turn over their aeroplanes to the Post Office Department for the purpose of carrying the mail, that being its function? The Post Office Department could use the aviators under proper regulations.

Mr. LAGUARDIA. Well, we are going to have a united air service, there is no doubt about that, unless we continue to waste millions of dollars. We have now the Army service, the Navy service, the Marine service, the Postal Service; we have the Bureau of Standards experimenting; we have five different branches of the Government wasting millions, and if we unite all of them, the same as England has done and Italy is doing and France is doing, we will save millions—not thousands, but millions. We are coming to that, and when we have this service it will be the easiest thing in the world to take care of all the needs of the Post Office Department. What I am trying to do is, inasmuch as the Post Office only desires to experiment—it asks nothing for the present; they say they have enough machines for this year—let us save this $2,000,000 and use the machines and personnel we have to carry on this scheme if they want to carry it out.

Mr. GREEN of Iowa. If the gentleman will pardon the interruption, it seems to me to be as reasonable for the Post Office Department to ask to operate the engines on the railroad as to operate these.

Mr. LAGUARDIA. It is an analogous case.

Mr. TOWNER. Will the gentleman yield?

Mr. LAGUARDIA. I do.

Mr. TOWNER. I desire to make only this suggestion: There would be no difficulty whatever in the War Department detailing those who are engaged in the aviation service, and especially those who are learning the aviation service, for work under direction of the Post Office Department—that is, they could be detailed especially for that purpose under the direction of the Post Office Department. They could just as well be detailed in the matter as detailed for service in an aviation school or on the practicing field, or any other way?

Mr. LAGUARDIA. That is merely a detail to work out. What we have before us now is, let us stop a waste of $2,000,000.

Mr. TOWNER. I entirely agree with the gentleman.

Mr. BORLAND. Will the gentleman yield?

Mr. LAGUARDIA. I do.

Mr. BORLAND. As I understand the gentleman's recommendation, it is that the pilots and machines, the system now built up by the War Department, shall be utilized in carrying these mails?

Mr. LAGUARDIA. Yes.

Mr. BORLAND. The gentleman believes that will be a great benefit to the military aerial service to keep abreast of the times by actual experiment?

Mr. LAGUARDIA. And incidentally will be a great help to the Post Office Department.

Mr. BORLAND. Is it not likely to work the other way? Is it not likely to hamper and restrict the Postal Service in developing the carrying of the mails properly? Would not the Post Office be restricted in that case to the kind of machines that the military were building and furnishing or were willing to furnish?

Mr. LAGUARDIA. If that were true, if we had the machines which were of the kind needed, if there is such a machine which is so good it will carry the mails in all weathers, under all conditions, that is the kind the Army wants.

Mr. BORLAND. Suppose the Postal Service finds that a machine adapted to the work of the Postal Service is not in existence and it wants such a machine created and put in the service. How could the Army furnish that?

Mr. LAGUARDIA. The Army is experimenting all the time. Let us call it the air service. The air service is experimenting all the time to get just a machine of that kind, and if it is good enough to carry the mails it is good enough to carry bombs for any future war. I trust there will never be another.

Mr. BORLAND. The Army might say that their requirements are totally different; that they want a single-seater, a pursuit machine, of high power. It is not a question with the Army that they are to carry a certain quantity of weight, but what they want is a high power, speedy machine. Now——

Mr. LAGUARDIA. No; I am not willing to admit that what we want is a high-powered machine. You have been led to believe that for the past 16 months. It was not adopting an engine to existing conditions, but what was attempted was to adopt everything to that particular motor—the planes, war conditions, weather, the elements, everything had to be changed to utilize your motor. It was all wrong. [Applause.]

Mr. BORLAND. Is it not a fact, however, that the machine that is going to be adopted for postal and commercial service will be a heavier and slower machine than the military machine?

Mr. LAGUARDIA. It will be an ideal bombing machine.

Mr. BORLAND. I want to call attention to this, that the Army would have been at a great loss in its motor-truck service if it had not been for the high development of commercial motor trucks and if it had not been for the training of a large number of commercial chauffeurs, and the Army had those immediately to draw from. Suppose they had not had any commercial apparatus or aviators, that we did not have any commercial or postal machines for the Army to draw upon in a future war, that everything was military. Would that be an advantage?

Mr. LAGUARDIA. No; it is entirely different. We are still in the experimental stage in aviation, and all the Post Office Department is trying to do is to try this out. I want to save money—I think that is our duty—unless I am entirely wrong, unless it is not the intention of this Congress to save money. If we continue to appropriate the way we are, I do not know how we are going to pay for it. I am concerned, inasmuch as my State pays a big part of the taxes of the United States. I think we ought to have something to say about it. As I said, we are still in the experimental stage, and what we are trying to do now is to centralize the experiments. When we arrive at the commercial-machine period, as we have in the motor truck and automobiles, and they can be as safely operated, it will be time then to give the Post Office machines of its own to operate.

Mr. LAZARO. If the gentleman will permit, the gentleman said a while ago that these men who are now at these aviation camps could be used to better advantage carrying the mails.

Mr. LAGUARDIA. Yes.

Mr. LAZARO. Is that correct?

Mr. LAGUARDIA. Yes.

Mr. LAZARO. The gentleman does not mean to say that we would have no aviation camps where these men could do these stunts and practice for war purposes in cases of emergency. You would not want to use them all in the mail service?

Mr. LAGUARDIA. Before he starts to do his stunts, if we can give him a good deal of flying he will acquire the art of advanced flying much easier. We could give the pilot the preliminary training experience in actual cross-country flying and then go into aerobatics. We could make three or four months' postal flying part of the course after he has taken his pilot's test. That would give him what he needs, actual experience. If we can give each pilot three or four months of postal flying and then train him further in aerobatics, if he desires, we would then have an ideal expert flying pilot.

Mr. LAZARO. What does the gentleman think, with the number of aviation camps we have in this country, as to the advantage of using them in the future during peace times? Can the gentleman give me any thought concerning that?

Mr. LAGUARDIA. No. All I know is what Gen. Foulois told me on that. And he said in laying out the fields he had in mind the future commercial use. On the map that I have before me, as I said before, we have no fields from Illinois to California at all, and, of course, we would have to lay out a series of fields all along the line.

Mr. JOHNSON of Washington. I understand the gentleman to say, in addition to these items, the Government has not—with a route from Indianapolis to Texas and from Chicago to San Francisco—the Government has not the money?

Mr. LAGUARDIA. Neither has the Post Office, and if we got $2,000,000, and even if we start a regular service from Chicago to New York and start to buy planes and learn what it costs to keep up these planes, they will come back with a $15,000,000 or $20,000,000 deficit in the next appropriation bill. That, gentlemen, is absolutely certain. Two hundred thousand dollars is not enough, and it will get the Post Office Department in considerable trouble. It will cost us several millions more, unless we take it out of their hands entirely.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. LAGUARDIA. I ask unanimous consent for three minutes more.

Mr. SMITH of Michigan. I ask unanimous consent that the time of the gentleman be extended five minutes.

Mr. MOON. I have no objection to his getting five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SMITH of Michigan. Mr. Chairman, I would like to inquire whether or not the Liberty motor has proven itself a successful carrying motor?

Mr. LAGUARDIA. Yes. The Liberty motor is a good motor. It is a good motor, but that is all. Why should it not be? The greatest industrial country in the world stopped everything to build it. It is a good 400-horsepower motor. It is not a miracle; it is not a new discovery. There is nothing on that motor that is new. But you stopped everything to build the Liberty motor. I will tell you more about it the next chance I get.

Mr. LONGWORTH. Will the gentleman yield?

Mr. LAGUARDIA. I will.

Mr. LONGWORTH. How many American-built battle planes were on the battle front?

Mr. LAGUARDIA. Does the gentleman mean pursuit planes?

Mr. LONGWORTH. Yes.

Mr. LAGUARDIA. There was not one—not an American machine of any kind.

Mr. RANDALL. Will the gentleman yield?

Mr. LAGUARDIA. For just a question.

Mr. RANDALL. I would like to ask the gentleman what he thinks happened to the mail service in France when it was taken away from the Post Office Department?

Mr. LAGUARDIA. When? Will the gentleman give me the date?

Mr. RANDALL. The date was six months after we went into the war that the Post Office Department turned the whole thing over to the Army.

Mr. LAGUARDIA. France at that time had all she could do.

Mr. RANDALL. I am not talking about France, but our own mail service to our boys in France.

Mr. LAGUARDIA. We never had anything like that.

Mr. RANDALL. We never had any mail service?

Mr. LAGUARDIA. We never had any mail service.

Mr. RANDALL. The gentleman does not understand the question. The gentleman is aware that the Post Office Department attempted to conduct a mail service to our boys in France for a number of months. Then, finding the Army was unwilling to cooperate in the delivery of the mail, they turned the entire service over to the Army. Was the service better under Army regulations as compared with Post Office regulations?

Mr. LAGUARDIA. That was not aerial. I do not know anything about that.

Let us not repeat the errors of 1917 and give a million dollars to everybody who wants to come in and wants to try to experiment on aviation. [Applause.] That was my whole purpose in taking up your time. If we give them this $2,000,000 and they commence to buy aeroplanes and establish a New York-Chicago-San Francisco line and a Minneapolis-Laredo line, it will go into $100,000,000.

Mr. MOON. I very fully agree with the gentleman that we do not need the $2,000,000 carried in this bill for that purpose, provided that the department may get, as the law authorizes it, the aeroplanes from the War and Navy Departments. But the

gentleman perhaps is not advised of the fact that the department can not get them, although we passed the act, as it holds that the act is not mandatory and they refuse to turn over the planes now. Now, this bill might be amended so as to authorize the Post Office Department to take a certain number of those machines over and avoid this large expense.

Mr. LAGUARDIA. You ought to make the law mandatory, and the War Department might as well know now that the American Congress is going to run the War Department, and that the War Department is not going to run Congress. [Prolonged applause.]

Mr. MOON. You are right about that.

The CHAIRMAN. The Clerk will read.

Mr. JOHNSON of Washington. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Washington moves to strike out the last word.

Mr. JOHNSON of Washington. Mr. Chairman, I move to strike out the last word for the purpose of expressing the hope that one or more of the inspectors mentioned in the paragraph of the bill last read, or some other inspectors of the Post Office Department, may visit that part of the State of Washington just west of Puget Sound, with a view to ameliorating mail transportation conditions there, which are not good.

Mr. MOON. What paragraph does the gentleman refer to?

Mr. JOHNSON of Washington. I desire, if the chairman will permit, to call attention to certain conditions in the mail-carrying service. To come from the interesting discussion of the aerial mail service just held, in which the distinguished New York Congressman, Maj. LAGUARDIA, pointed out the probability that we are to waste millions of the public money, to a statement about rural and steamboat routes and the bad existing service seems like a fearful and frightful drop.

And yet, Mr. Chairman, it will not do to appropriate millions for an air service and to seriously propose air routes from Chicago to San Francisco and from Minnesota to Texas and at the same time let the little routes which actually serve the people in out-of-the-way places go entirely to pieces. And, strangely enough, the changes which seem to have made the trouble in portions of the districts represented by my colleagues, Messrs. MILLER and HADLEY, and myself, were made under a mistaken notion of economy—the sort of penny-wise and pound-foolish economy that we so often see.

It seems that during the summer contracts were let for carrying the mails on various parts of Puget Sound and tributaries, and that whenever possible steamboat contracts were abandoned and contracts let to automobile carriers. The result is that many autos are struggling over mountainous routes in a country where the natural routes are by water. Possibly some small money is saved, but the mail service is impaired out of all proportion to the economy. For instance, one route that was 8 miles by water is now 115 miles by a combination of water, auto, and carrier; a route that formerly was covered in 45 minutes is now covered in anywhere from 24 hours to 5 days. Further, the cutting out of the steamboat mail service into Hoods Canal has caused the auto mail to arrive at the landings at changed hours and has thrown the connecting star routes out of kilter, necessitating either changed hours or unsatisfactory service, or both. I bring this matter up on the floor, Mr. Chairman, because part of the routes are under the jurisdiction of the Fourth Assistant Postmaster General and part in the office of the Second Assistant Postmaster General, and it is not easy to secure the necessary liaison.

How can we find a way to bring these two officers together in the hope of finding the right thing to do for routes that can be either automobile or steamboat? I have availed of this opportunity in the hope that the two Assistant Postmasters General, the Second and the Fourth, will see that it is necessary either for the inspectors or some one selected, respectively, from their two offices to get together and establish steamboat routes in a country where water routes are preferable to automobile routes over the mountains. [Applause.]

Both offices are busy and the Post Office Department is busy always, but especially so now, with grand, visionary, and expensive schemes, and I hope that before we get too far along with these grand experimental appropriations we should get busy in the hope of restoring the transportation of the mails to some degree of efficiency. Before we authorize $2,000,000 for new mail airplanes and $7,000,000 for air pilots' salaries, let us put the steamboat routes back, if they are the natural routes, even if they do cost a few dollars more than a "jitney" service. I hope the proper officials will take note, so I withdraw the pro forma amendment.

The CHAIRMAN. The gentleman from Washington withdraws his pro forma amendment. The Clerk will read.

The Clerk read as follows:

Substitutes for clerks and employees absent without pay.

And to provide for the promotion of 85 per cent of the clerks in first-class post offices from the fifth to the sixth grade, and for the promotion of 15 per cent of the clerks in the sixth grade to the designation of "special clerk" in the $1,300 grade, and for the promotion of 15 per cent of the designated "special clerks" in the $1,300 grade to the designation of "special clerk" in the $1,400 grade, and to provide for the promotion of 85 per cent of the clerks in second-class offices from the fourth to the fifth grade, and for the promotion of 15 per cent of the clerks in second-class post offices from the fifth to the sixth grade: *And provided further*, That there may also be employed at first-class post offices foremen and stenographers at a salary of $1,300 or more per annum; in all, $55,000,000.

Mr. MADDEN. Mr. Chairman, I move to strike out all the language from line 14, on page 10, down to and including the words "per annum," on page 11, on the second line.

The reason for that is that we provide later on in the bill for the automatic promotion of the men that this refers to, and it would be superfluous language.

Mr. MOON. What language does the gentleman refer to?

Mr. MADDEN. To provide for the promotion of the carriers and all that. This would be in conformity with the language carried later.

Mr. MOON. If it is carried later on, it would be superfluous here. Let the motion be put and agreed to now, and if we do not carry the other matter we can come back to this.

Mr. MADDEN. All right. I am willing to let this matter pass.

The CHAIRMAN. The gentleman from Illinois moves to strike out the language from line 14, page 10, to line 2 of page 11. The question is on agreeing to that motion.

The motion was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For allowances to third-class post offices to cover the cost of clerical services, $3,300,000: *Provided*, That hereafter no allowance in excess of $450 shall be made where the salary of the postmaster is $1,000, $1,100, or $1,200; nor in excess of $600 where the salary of the postmaster is $1,300, $1,400, or $1,500; and that no allowance in excess of $750 shall be made where the salary of the postmaster is $1,600 or $1,700; nor in excess of $1,200 where the salary of the postmaster is $1,800 or $1,900: *Provided further*, That the Postmaster General may, in the disbursement of this appropriation, expend not exceeding $600,000 for the employment, at a maximum salary of $900 per annum, of assistant postmasters at post offices of the third class where the salary of the postmaster is $1,800 or $1,900 per annum.

Mr. ROBBINS. Mr. Chairman, I have an amendment that I would like to offer to this paragraph.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Pennsylvania.

The Clerk read as follows:

Amendment offered by Mr. ROBBINS: Page 12, line 12, strike out "$450" and insert "$600." In line 14, strike out "$600" and insert "$900." In line 15, strike out "$750" and insert "$1,000."

Mr. ROBBINS. Mr. Chairman, this amendment, as you will observe, raises the clerk hire in the third-class post offices where it is necessary to employ clerical assistance. Now, I think anyone will understand that in a post office such as exists in western Pennsylvania, in the district I have the honor to represent, that puts up mail for rural carriers or serves a large local constituency, or puts up mail for branch railroads, where it is necessary to employ a clerk that is intelligent, that has good judgment, a clerk who is educated in order to efficiently discharge that service the sum of $450 per year is an entirely inadequate compensation. The same is true of the next item there, $600. That is at the rate of $50 a month. That has proved to be inadequate; and $750, which is only $60 per month, has also proven to be inadequate.

I have received many complaints, and I have in mind now four different post offices where the postmasters have been compelled to quit because they could not themselves discharge the service required in the office and where it was impossible to employ clerical assistance to discharge the duties of the post office.

The mails come in in the morning. They must be made up and sent out by rural routes, or they must be made up and sent out on branch railroads, and in order to discharge that service there must be an intelligent and competent clerk employed in the post office, and you can not employ them for $450 or $600 or $750 per year. In these third-class offices the salary of the postmaster ranges from $1,000 to $1,400, and the pay of the clerk is entirely inadequate for the service performed. It is unfair to expect it. You do not expect it in private life. You can not get that kind of service for that money. Clerks that can do that work in the post offices and discharge the duties efficiently find better employment and higher wages in civil life and they leave the post offices.

I have in mind two offices where that is true—one is Derry station and the other Manor station in my district. The postmasters have assured me that they could not keep clerical help. The postmaster at Derry quit because he could not get additional clerk hire. It is wrong. We ought to pay them sufficient to employ competent clerical help to discharge the duties. The mail is heavy. The rural routes run out of these places and the branch railroad runs from one of them, and the service that is placed upon them is very heavy.

The mail is very large in amount, it must be handled in time for the rural carriers to leave every day on time, and in order to meet the trains the distribution must all be done in the morning in the space of an hour and a half or two hours. It requires competent clerical help, and it is unfair to expect that service unless we compensate for it. I have asked that an increase be made by my amendment to this bill that is reasonable and not exorbitant.

Mr. MADDEN. Will the gentleman yield?

Mr. ROBBINS. Certainly.

Mr. MADDEN. Does the gentleman know that these figures are 50 per cent higher than they ever were before?

Mr. ROBBINS. I can not help that; they are not enough.

Mr. MADDEN. After examination the committee thought that this was adequate, as it is a 50 per cent increase.

Mr. ROBBINS. It is insufficient, so the postmasters tell me.

Mr. MADDEN. But they do not know anything about this.

Mr. ROBBINS. You can not employ a clerk to devote his time to postal matters for $450 per year.

Mr. REED. They only get $350 now.

Mr. ROBBINS. I do not care; that was grossly inadequate, and this bill provides a sum which is inadequate. The increase that I ask is not unreasonable, but on the other hand the increases are proper and will be sufficient to obtain the postal service required.

Mr. MOON. Mr. Chairman, I hope the committee will not agree to this amendment. The estimate for this branch of the service is $3,000,000. We increase it $600,000. The committee thought it was very liberal on this item, perhaps more so than on any other item in the bill, when it provides a straight increase of 50 per cent along these lines. The committee thought it was enough. They have been getting along fairly well at the present figures, and we, realizing the conditions, thought that they ought to have a little more. It was the unanimous opinion of the committee that this was sufficient.

Mr. CANNON. Will the gentleman yield?

Mr. MOON. I will.

Mr. CANNON. I call the gentleman's attention to the language "not in excess" of these sums. Why not make the pay absolute?

Mr. MOON. No; we ought not to do that, because in some places they do not need it; we do not want to give it where it is not needed. To give every one a straight increase, in many instances the offices are going back from third into fourth class, or very close to it.

Mr. CANNON. But we do not give any increase to fourth-class postmasters.

Mr. MOON. Yes; we do.

Mr. CANNON. Those that are under $1,000.

Mr. MOON. Yes.

Mr. CANNON. I do not think there is any allowance made for them.

Mr. MOON. We will come to it after a while, when the gentleman will find that in fourth-class offices the postmasters receive 100 per cent instead of 80 on the first quarter, and 60 instead of 50 as the law now provides, and they receive all the emoluments of the office provided for by law outside of that.

Where the salary is less than $50 they receive a straight increase of 20 per cent.

Mr. CANNON. My recollection is in former years, when I was familiar with Post Office appropriation bills, there was an allowance for separation up to a certain point. That, I suppose, is still retained.

Mr. MOON. There is no change in the law on that subject.

Mr. STAFFORD. Mr. Chairman, I hope the committee will not adopt the radical increases proposed in the amendment offered by the gentleman from Pennsylvania [Mr. ROBBINS].

Mr. ROBBINS. If the gentleman will yield, the gentleman will understand that the amendment I offered is not in excess of these amounts. The Postmaster General will still have discretion.

Mr. STAFFORD. I am quite advised as to the purpose and also the language of the amendment. Ten years ago we granted no allowance whatever for clerk hire to postmasters of the third class. They were limited exclusively to their salary of $1,000 up to $1,900, according to the grade. There were small offices just about the same as fourth-class offices where the receipts total in the smaller offices $1,900 a year. You are all acquainted with that character of office. It was called to the attention of the Post Office Committee that in some instances there was need of an allowance for clerks to relieve the postmaster during the time when he went to meals, or, perchance, when the mails came in in large quantities. So the committee adopted the provision of allowing a minimum allowance, as I recollect, of $100 additional in these offices up to $1,200, $200 from $1,300 to $1,500, $300 from $1,600 to $1,700, and $400 from $1,800 to $1,900. That was a gradual increase. And, mind you, it is not a salary to be paid clerks, but it is an additional compensation to the postmaster—giving him the money whether he employs additional clerical assistance or not. It is an outright increase of the salary of the postmaster. In the present Post Office bill there is privileged to be paid by the postmaster $300 in the first grade, $400 in the second, $500 in the third, and $800 in the last. The committee this year in the bill—and you will find the increase allowed so that the Postmaster General is privileged to increase the postmaster's allowance to a compensation of $300 to $450 in the first grade, and it is now proposed by the gentleman from Pennsylvania to double it.

In the second grade the committee recommends an increase from $400 to $600, and the gentleman's amendment proposes to increase it to $900, more than double what he can receive at the present time.

Mr. ROBBINS. Mr. Chairman, the gentleman is talking about my amendment, and I will ask him if he will yield.

Mr. STAFFORD. Certainly.

Mr. ROBBINS. Does not the gentleman know that the amendment I offer merely increases the maximum?

Mr. STAFFORD. It fixes the maximum.

Mr. ROBBINS. Yes.

Mr. STAFFORD. Does not the gentleman know that the postmaster himself is allowed whatever that is, not to exceed the certain amount fixed? That is an increase in compensation, and that is what I am protesting against. The Postmaster General, in the administration of this fund, determines what the maximum amount shall be to these respective officers. The third-class postmaster receives it. The postmaster is not obliged to give any accounting of that fund whatsoever, as to whether he employs clerical assistance or not. It is a pure increase of compensation. What does the gentleman propose to do? Where the salary is $1,300 to $1,500, where the maximum allowance now is $400, he proposes to increase the third-class postmaster's allowance to $900, more than double the amount.

Mr. ROBBINS. Oh, the gentleman misquotes my amendment.

Mr. STAFFORD. I do not wish to misquote the gentleman's amendment.

Mr. ROBBINS. It makes it $600 in that amount, and it is only allowed in case of a written recommendation.

Mr. STAFFORD. As I caught the gentleman's amendment, it is $900 maximum in cases where the salary is $1,300, $1,400, and $1,500. Am I in error about that?

Mr. ROBBINS. No.

Mr. STAFFORD. That is what I protest against, and today, under existing law, it is $400. The gentleman surely does not know that, otherwise he would not have the temerity to offer this unusual increase of compensation to third-class postmasters.

Mr. ROBBINS. Oh, I am quite acquainted with existing law; I read it before I prepared this amendment.

Mr. STAFFORD. Then I will give the gentleman full credit. I did not think he was.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. SMITH of Idaho. Mr. Chairman, I ask to have the gentleman's time extended for one minute.

Mr. STAFFORD. Oh, Mr. Chairman, I will ask to have it extended five minutes.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that his time be extended for five minutes. Is there objection?

There was no objection.

Mr. SMITH of Idaho. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. SMITH of Idaho. Is the House to understand that the gentleman is attempting to make it appear that the postmaster is paid the money for these clerks? Is not the money paid direct to the clerks?

Mr. STAFFORD. Oh, by no means. The gentleman is not acquainted with the operation of the third-class post offices in his own State, where there are hundreds of third-class post offices. He is not acquainted with the administration of those third-class post offices. I suggest to him when he has an opportunity, and I know that he has not had much opportunity of late to get into the field, when he gets back in his State to

make inquiry of some third-class postmaster and ascertain whether he does not put that allowance right into his pocket.

Mr. SMITH of Idaho. They may do that in Wisconsin, but they do not do it in Idaho.

Mr. STAFFORD. Oh, the fact is that that is the universal practice.

Mr. SMITH of Idaho. The gentleman has not yet answered my question.

Mr. STAFFORD. I have directly answered it with a very positive no. I could not answer it more positively. There is no direct clerk allowance for these respective postmasters. The postmaster does not have to make any accounting as to whether he employs a clerk or not. It is pure compensation. Call up the Post Office Department and you will find that my position is correct. I would not be speaking so positively if I did not know whereof I speak.

Mr. BLACK. Will the gentleman yield?

Mr. STAFFORD. I yield to an expert on postal matters.

Mr. BLACK. I came in while the gentleman was speaking, and it is my understanding that the department always carefully ascertains the need for this clerk hire before the allowance is made.

Mr. STAFFORD. I believe that the Post Office Department inquires as to the amount of business, and parcels out this allowance uniformly, based on the amount of business. If I am in error about that, I yield to the gentleman to correct me.

Mr. BLACK. I think the gentleman is substantially correct.

Mr. STAFFORD. But the money does not go to any clerks, it goes to the postmaster.

Mr. BLACK. He pays it out.

Mr. STAFFORD. He does not have to account for it at all. That is the main position that I am contending about here.

Mr. REED. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. REED. As my colleague from Pennsylvania [Mr. ROBBINS] stated, there are not so many places, but there are places with unusual conditions, that are terminals for several rural routes. Would the amount in line 9, $200,000, reach those unusual cases, if they do exist?

Mr. STAFFORD. No; the gentleman will have to go to a prior paragraph. Those relate to something arising of an emergency character and not a permanent character.

Mr. REED. It seems to me that this ought to be elastic. Some might not need $400 to $600, and another might need as much as $700.

Mr. STAFFORD. That unusual condition applies to all post offices.

Mr. ROUSE. Such as exists at Nitro, W. Va.

Mr. STAFFORD. The gentleman has suggested Nitro, W. Va., where the conditions arose very suddenly, and this was the fund from which the department was authorized to provide for those exigent conditions.

Mr. BURNETT. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. BURNETT. My understanding is that they do not pay any more than the postmaster certifies he is paying for clerk hire. Is not that correct?

Mr. STAFFORD. No. Of course, it is some time since I served on the Post Office Committee, and I am speaking from recollection, but I have the assurance of gentlemen on the committee that that is not the rule. The gentleman from Kentucky [Mr. ROUSE] so states.

Mr. BURNETT. I know that some time ago at the request of the postmaster I made application for increased clerk hire, and they turned to a file and said that they were giving him all that he was paying out.

Mr. STAFFORD. Was that a second-class office?

Mr. BURNETT. In a third-class office.

Mr. ROUSE. In addition to this allowance the postmaster is also entitled to 3 cents on each money order that he issues.

Mr. STAFFORD. Yes; that is additional compensation. I have said sufficient to show that there can not be any justification for the unusual increase as proposed in the amendment offered by the gentleman from Pennsylvania, and I hope that it will be voted down.

Mr. ROBBINS. Does not the gentleman know that in each instance where application is made for additional clerk hire the postmaster is required to state the amount of service he performs, the hours when it is performed, and the amount of clerical assistance required, which is then submitted to the post-office inspector, and that they are never allowed more than they certify they have to pay for this clerical service? That is my information from the postmaster who complained to me.

Mr. STAFFORD. The gentleman is quite accurate in his statement of the minutia of administration by which these allowances are obtained.

Mr. ROBBINS. If that is true is it not a fact that no part is allowed to the postmaster as additional salary, but allowed as clerk hire strictly?

Mr. STAFFORD. It is allowed as additional salary, and the postmaster does not have to give any accounting whatever as to the use of that fund. He can put it in his pocket and may employ the members of his own family and not pay them anything. It is a question of administration.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

For pay of letter carriers at offices already established, including substitutes for letter carriers absent without pay, and for the promotion of 85 per cent of the letter carriers in the first-class post offices from the fifth to the sixth grade, and for the promotion of 85 per cent of the letter carriers in second-class post offices from the fourth to the fifth grade, and for the promotion of 15 per cent of the letter carriers in second-class offices from the fifth to the sixth grade, City Delivery Service, $41,000,000: *Provided*, That hereafter all days set aside by the President of the United States as holidays to be observed by other departments of the Government, shall be construed as holidays within the meaning and intent of the postal holiday laws, and postal employees performing service on such holidays shall be granted either compensatory time off or pay for overtime.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I rise for information to inquire what days would be considered holidays for the benefit of postal employees under this paragraph which are not now so construed under existing law?

Mr. MOON. I am not able to inform the gentleman as to all the holidays which are provided by law in the country, but the department says there are special holidays proclaimed by the President that are not applicable to the Post Office Department. We did not inquire into the item as to what they were, because we regarded that as immaterial. The Post Office Department thought they ought to have them.

Mr. STAFFORD. Is it the purpose that when the President sets aside, for instance, a half-day holiday for the clerks in Washington that the postal employees in the field shall be accorded the benefit of that half holiday?

Mr. MOON. I think not in the field, because the departmental service is entirely different from the Postal Service.

Mr. STAFFORD. But the phraseology of this amendment would be broad enough to carry that, because it says "all days set aside by the President of the United States as holidays to be observed by other departments of the Government shall be construed as holidays within the meaning and intent of the postal holiday laws." We all know days are set aside by the President for half holidays in the departments.

Mr. MOON. Suppose under that order the employees of the Treasury Department in cities throughout the country were entitled to half a day, for the same reason the post-office people think they ought to have it.

Mr. STAFFORD. There is no question if the proclamation of the President is extended to departmental employees in the field that the postal employees should be accorded the same privilege.

Mr. AYRES. The gentleman will notice the third line from the bottom of the paragraph; it says, "within the meaning and intent of the postal holiday laws."

Mr. STAFFORD. Yes. Those are now defined and prescribed.

Mr. AYRES. Yes.

Mr. STAFFORD. Consisting of the main holidays of the year.

Mr. MOON. This is going to add to them such holidays as may be proclaimed by the President.

Mr. STAFFORD. For departmental employees.

Mr. GARRETT of Tennessee. Mr. Chairman——

Mr. STAFFORD. I yield the floor to the gentleman from Tennessee.

Mr. GARRETT of Tennessee. Mr. Chairman, if my colleague will yield, during the summer months in the city of Washington, as we all know, there is a half holiday each Saturday afternoon beginning, I believe, in June or July and running through until September. I do not know whether that is proclaimed by an order of the President or whether it is simply a departmental custom.

Mr. MOON. I think each department makes its own order.

Mr. STAFFORD. If the gentleman will permit, I believe it is a presidential order.

Mr. GARRETT of Tennessee. I am not so sure about that.

Mr. STAFFORD. I am quite certain it is.

Mr. MOON. If it should be by Executive order instead of by order of the departments, which could be done, it would be an Executive proclamation on that subject, and of course it ought to apply, notwithstanding what the provision may be to the contrary in the postal laws, to the postal employees.

Mr. GARRETT of Tennessee. I do not know whether I am prepared to agree thoroughly with my colleague about that or

not—whether the reasons for giving half holidays during the heated months to the departmental employees here in the city of Washington would apply with equal force to every rural and city carrier——

Mr. MOON. No; I did not say that. I said it applied with equal force to the departmental people in Washington.

Mr. GARRETT of Tennessee. Of course it does apply to the departmental people in Washington, but, if my colleague will permit, this further uses the expression, in line 15, "and postal employees performing service on such holidays shall be granted either compensatory time or pay for overtime." As I construe that——

Mr. MOON. That has application only, of course, to a general proclamation of the President declaring not a holiday in the District of Columbia, but a general holiday for the whole United States.

Mr. GARRETT of Tennessee. That is the construction of it?

Mr. MOON. If the proclamation covers the country, and there is anything in the postal laws that would prevent in some instances post-office employees from enjoying that holiday, this is intended to relieve that situation. As to what extent the postal laws do that I am not aware.

Mr. GARRETT of Tennessee. I can see the equity of that——

Mr. BLACK. Mr. Chairman——

Mr. GARRETT of Tennessee. I yield to the gentleman from Texas.

Mr. BLACK. Does not the gentleman from Tennessee think it would be well to offer an amendment, beginning line 14, to read as follows: Insert "throughout the United States," so that it will read "that hereafter all days set aside by the President of the United States as holidays to be observed by other departments of the Government throughout the United States shall be construed as holidays," and so forth?

Mr. GARRETT of Tennessee. Well, I think that would make it clear.

Mr. MOON. But here would be left a situation, and if there is any provision in the postal law or any construction in that law that when a holiday was ordered by the President of the United States for the city of Washington and for employees of other departments the Post Office Department could not enjoy it, they ought to have it. I do not know that the construction would justify that position, but in view of the fact the department's recommendation is along that line, it occurs to me, so far as the departmental holiday or proclamation may be concerned, if there be one, it ought to apply to the post-office people. And, if the proclamation applies to the whole country, it ought to apply to them.

Mr. SISSON. Will the gentleman yield?

Mr. MOON. The purpose simply was to give the same rights to the post-office employee, notwithstanding the provisions of some of the postal laws that might deny them, that are given to the other employees of the Government, both in the departments and in the field.

Mr. GARRETT of Tennessee. Does my colleague think that if there should be inserted the language suggested by the gentleman from Texas [Mr. BLACK] at the place suggested it would prevent them in the cases I have specifically mentioned—that is, where the departments here have their half holidays during the heated months—from having it?

Mr. MOON. That language there would unquestionably cover the case, as the text does, when the proclamation reached to the whole country, but it would operate as an exclusion so far as the department is concerned.

Mr. GARRETT of Tennessee. So far as the practice is concerned, there surely is no law, because those in the Post Office Department have these half holidays.

Mr. MOON. They did have them for a time, but they were controlled, I understand, by the department. They did not enter upon them at the same time as some of the other departments did, I am informed, and did not end them at the same time. Personally I do not know how that is.

Mr. SISSON. Will the gentleman yield?

Mr. MOON. I will.

Mr. SISSON. The amendment suggested by the gentleman from Texas [Mr. BLACK], if this language is applied in all of its force, would mean if the Treasury Department should be granted by Executive order a half holiday in the city of Washington this law would make it apply then to all the employees in the Post Office Department, not only in the city of Washington but throughout the country?

Mr. GARRETT of Tennessee. No; I hardly think so.

Mr. SISSON. I think it was the manifest purpose of that clause to give to the employees outside of the District of Columbia the same rights and privileges that they get inside of the District of Columbia.

Mr. GARRETT of Tennessee. That may be the purpose of this proviso, but I think the amendment suggested by the gentleman from Texas would cure that proposition. In other words, if the amendment suggested by the gentleman from Texas should be adopted then it would apply to postal employees wherever the President issued an Executive order making it a holiday throughout the United States.

Mr. SISSON. You think his language would be a limitation upon this proviso rather than an enlargement of it?

Mr. GARRETT of Tennessee. Yes. I fear that this proviso as it now stands would be considered to mean, for instance, in the case that I have stated, where half holidays are given in all the departments here in the District of Columbia, to apply to the Federal employees throughout the United States, although it would not apply to the employees of the other departments outside of the District of Columbia. Therefore, it seems to me that as a matter of safety the language suggested by the gentleman from Texas ought to be adopted.

Mr. SISSON. In other words, as this language is drawn, I will ask the gentleman from Texas, a member of the committee, if he does not believe if the President should proclaim a half holiday, beginning in June and ending, as it sometimes does, in October, if September happens to be a hot month, that the very Executive order issued by the President, giving the half holiday within the District of Columbia, would not cause this law to automatically operate and give the half holiday to all the employees throughout the United States?

Mr. BLACK. I will say in reply to that question that that was not the intention of the committee, but I believe the language would be broad enough to be subject to that construction. I do not think that there is any question but that it ought to be amended, as I have suggested, so that the condition could not possibly arise.

Mr. SISSON. Does the gentleman think if the language "the United States" were put in this proviso it would be observed by departments throughout the United States, and that would limit this clause to a proclamation made by the President specifically including the other services of the Government outside of the District of Columbia?

Mr. BLACK. Surely. And it would have to specifically do that before the employees of the Postal Department outside of the District of Columbia could get the benefit of the proclamation.

Mr. SISSON. I think that was the intention of the committee.

The CHAIRMAN. The time has expired. Without objection, the pro forma amendment will be withdrawn.

Mr. BLACK. Mr. Chairman, on line 14, page 13, I move to amend by adding the following language:

Throughout the United States.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

Mr. MOON. Mr. Chairman, I do not see, construing this section with that added to it, that it does any particular harm. It is something like pasting on a horse's back "This is a horse."

The CHAIRMAN. The Chair would like to ask the gentleman from Texas whereabouts in line 14 he wishes the amendment to come in?

Mr. BLACK. At the beginning of line 14, just before the word "shall."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. BLACK offers the following amendment: At the beginning of line 14, on page 13, insert the words "throughout the United States."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken and the amendment was agreed to.

Mr. MADDEN. Mr. Chairman, I would like to move an amendment to strike out the language in all of lines 5, 6, 7, 8, 9, and up to the word "grade," and including the word "grade," on line 10, page 13. That is the equivalent to the amendment I offered.

Mr. MOON. I think that is satisfactory, in view of the fact that we intend to pass a little later on a provision to take care of that.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. MADDEN moves to amend by striking out, on page 13, beginning with line 5, the following language: "and for the promotion of 85 per cent of the letter carriers in the first-class post offices from the fifth to the sixth grade, and for the promotion of 85 per cent of the letter carriers in second-class post offices from the fourth to the fifth grade, and for the promotion of 15 per cent of the letter carriers in second-class offices from the fifth to the sixth grade."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. STAFFORD. I assume that the gentleman in moving that amendment intends to have it conform to the recommendation of the committee for an increase of the salaries of all letter carriers and clerks up to class 6, receiving $1,500 a year?

Mr. MADDEN. That is it.

Mr. STAFFORD. I wish to inquire whether it is the policy of the committee to increase the salaries of clerks and carriers in all second-class offices by automatic promotions up to the highest class, and that the clerks and carriers in second-class offices should receive the same salary as those in first-class offices?

Mr. MADDEN. Yes.

Mr. STAFFORD. So that there is to be no difference in pay, as heretofore, between the first class and the second class?

Mr. MADDEN. None whatever.

Mr. STAFFORD. Originally, when this classification was first adopted, it was intended that the maximum pay of clerks and carriers in the second class should be one grade below those in the first class?

Mr. MADDEN. Yes. This places them on a basis of equality.

Mr. STAFFORD. So that the clerks and carriers in the city of New York or in the city of Chicago, where there is a population of 2,000,000 and more, will receive only the same salary as the carrier and clerk in the city of Sheboygan, Wis.? No; the city of Sheboygan is a first-class office; say, in a city where the population may be only 5,000?

Mr. MADDEN. Yes.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. MADDEN].

The amendment was agreed to.

Mr. SISSON. Mr. Chairman, I am going to move to strike out the proviso on page 13, beginning on line 11, down to the end of the paragraph.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Mississippi.

The Clerk read as follows:

Mr. SISSON moves to amend by striking out, on page 13, line 11, all of the proviso.

Mr. SISSON. Now, Mr. Chairman, the proviso as amended simply provides that where the President issues a proclamation granting certain holidays to other employees a like holiday shall be granted by this proviso to employees of the Post Office Department. The reasons, of course, may or may not be the same, but if the President should see fit at any time in the future to grant a legal holiday to any particular service of the Government—the customs department or any other department—peculiar reasons might exist why that proclamation might not apply to the Post Office Department, and he might not desire to issue the proclamation with reference to the Post Office Department. But this proviso would automatically give the employees of the Post Office Department that same holiday, whether in the wisdom of the President in issuing the proclamation they would be entitled to it or not.

Not only that, but this becomes rather a bad precedent, it seems to me, in legislation. There is no telling just how much legislation will be engrafted in the other appropriation bills invoking this as a precedent. As the law now is, if the President desires to issue a proclamation granting holidays he can do it. That has been true for many years, and if you are going to leave it to the discretion of the President to grant half holidays or whole holidays on some specific occasion in reference to the other departments of the Government there might be a question as to whether he would or would not issue the proclamation as to the postal employees outside of the District of Columbia. For that reason I think the proviso ought to be stricken out.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

Mr. SISSON. I yield.

Mr. SLOAN. In what case has the President heretofore granted half holidays or holiday to any particular class and not granted it to the whole country?

Mr. SISSON. I do not know of any instance. I will be frank with the gentleman.

Mr. SLOAN. I understand he makes it for the country and not for any particular class of employees or citizens.

Mr. SISSON. Yes. That is why I am opposed to this proviso. I have never known a President in the past to proclaim a holiday throughout the country, on Labor Day or any other day, when he has not made the proclamation to include all the employees alike.

Mr. MOON. But if there is something in the postal laws that makes it impossible to include the postal employees there ought to be compensatory pay or a means to enable the man in the service to get the holiday. The postal employees can not stop for a half or whole holiday. This business must go on, and they do not get the benefit under the postal laws. This subjects them to the rules of the Postal Department and makes them work on a holiday. Now, the President may proclaim a holiday all over the country. It may apply to the Treasury and to the Interior Department and not affect the public business for the employees of those departments to take a holiday or a half holiday; but you can not stop the machinery of the Post Office Department and the mails running through the country, and you can not let the mail carriers off. Yet when a general holiday provided for by a presidential proclamation exists and the postal employees have to work, inasmuch as they can not take the time in view of the postal laws, and are ordered not to do it, they ought to have compensatory time or pay. It is a matter of simple justice.

Mr. SISSON. Take the Fourth of July and Christmas and Labor Day and other days of that kind. All the post offices throughout the country close. The rural carriers all stop. The mails run on the trains, however.

Mr. MOON. The machinery of the post office does not stop. Of course, there may be some instances that occur. But the gentleman does not keep in view the laws of the Post Office Department, by which the Postmaster General or the superior supervisory officer can make these men work, regardless of whether it is a holiday or not, and they ought to have the compensatory time whether they get the holiday or not.

Mr. SISSON. Then this is an indirect method of paying a salary to postal employees when they do not work?

Mr. MOON. No. The gentleman is as muddy as mud can be. [Laughter.]

Mr. SISSON. I am not muddy at all.

Mr. MOON. That idea does not exist at all. Here is the point: The law permits the Post Office Department to force these employees to work on holidays. If everybody else is getting a holiday, then common justice would say that they ought to have a holiday. But if they can not get the holiday by reason of the exactions of their duties and the orders of the department, and have to go on and work during a holiday when other employees of the Government are getting holidays, they ought to have compensation for that time. That is all there is in this, in my judgment.

Mr. SISSON. Mr. Chairman, there is nothing muddy in my mind about this matter. I simply know that the amendment means that if the holidays are granted to other people, and these people work on that holiday, they do get pay for it. But I have never known, except in cases of railway employees, where the holiday is granted that it has not been granted to rural carriers and postmasters throughout the country, and they get pay for it. You do not deduct anything from the postmaster's salary, and you would not deduct anything from the pay of the rural carrier.

Mr. MOON. And he does not get any compensation for it.

Mr. SISSON. He will get double compensation here, because he would get pay for a half holiday whether he works or not.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last two words. I wish to call the attention of the gentleman from Mississippi to the fact that the rural carriers have to work on Christmas Day. At one time I offered an amendment, which went out on a point of order, providing that they need not work on Christmas Day.

Mr. MADDEN. All carriers have to work on Christmas Day.

Mr. GREEN of Iowa. I presume that is true. In my district nearly everybody from the country comes to town on Christmas Day and could as well get their mail in town. But if we accept the amendment offered, the rural carriers will get extra pay if they serve on Sunday or Christmas Day.

Mr. SISSON. In answer to my friend, it is true that they work on Christmas Day, because the business on Christmas Day is heavy, and they have to deliver packages. That day is used by the Post Office Department, and they usually grant them another day off when it is not so busy. That, of course, is to facilitate the Christmas holiday business, which is heavier during that season of the year than at any other time.

Mr. GREEN of Iowa. That may be so, but I still think it is unnecessary to make them work on Christmas Day.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi to strike out the proviso.

The question was taken and the amendment was rejected.

The Clerk read as follows:

For vehicle allowance, the hiring of drivers, the rental of vehicles and the purchase and exchange and maintenance, including stable and garage facilities, of wagons or automobiles for and the operation of screen-wagon and city delivery and collection services, $9,750,000: *Provided*, That the Postmaster General may, in his disbursement of this appropriation, apply a part thereof to the leasing of quarters for the housing of Government-owned automobiles at a reasonable annual rental for a term not exceeding 10 years: *Provided further*, That not to exceed $60,000 of the amount herein appropriated shall be immediately available for the erection and equipment of a garage on the site owned by the Government in the rear of the main post-office building in the District of Columbia.

Mr. STEENERSON. Mr. Chairman, I move to strike out the last word. I want to call attention to this item which shows the greatest increase of any in the bill. Originally this item was more restricted. It was originally an item which covered horse hire and vehicle allowance, and in the bill of 1916 the language was enlarged so as to cover all the things mentioned in this provision, which reads "vehicle allowance," and so forth. That was when they had a contract system. At that time they changed from a contract system to Government-owned motor vehicles and Government operation. The item at once increased from $2,600,000 to an expenditure of $5,500,000 the next year.

At that time, 1916, 1917, and during 1918, a part of the City Delivery Service was by motor vehicles, it having been enlarged, and included the City Delivery Service. Then a large part of the city transportation was in the tubes in five cities—Boston, Philadelphia, Chicago, St. Louis, and New York. That was at an expense of $986,000 per year. They claimed before the commission that was investigating the subject that there was great economy in substituting automobile service for tube service. Now we find that since the Government has owned and operated these vehicles in the City Delivery Service and the screen-wagon service the expenditure has increased from $5,100 to $5,985, $5,964, $6,700,000, and now to $9,750,000.

Now, the committee has never been able to understand where the economy comes in when you have an increase of appropriation at the rate of 20 to 25 or 30 per cent a year. The City Delivery Service takes up some, but the larger part of it was transportation from post offices to depots.

However, it is the same service in the same language that has been covered by appropriations for the last three years. The other branches of the service have not been increased. This appropriation has nearly doubled. It seems to me that this matter ought to be called to the attention of the House.

Mr. TILSON. Will the gentleman yield?

Mr. STEENERSON. I will.

Mr. TILSON. Is this the first result of the abolition of the pneumatic tube?

Mr. STEENERSON. Yes; the second result, because when the tube provision was defeated by veto the Post Office Department went to the Senate and got inserted an increase of $735,000. We had passed it, and they increased it over $700,000 after they saw that they were going to succeed in wiping out the tubes. Now we are paying $3,000,000 more than we were paying before.

Mr. TILSON. What did the tubes cost?

Mr. STEENERSON. Nine hundred and seventy-six thousand dollars a year, or thereabouts. They saved that sum, but increased the estimate to $9,750,000.

Mr. TILSON. And the difference the first year was a difference of $3,000,000. A wonderful showing of economy!

Mr. SLOAN. Will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. SLOAN. I notice that the gentleman is speaking along the lines of economy and against extravagance. Does he not think that his speech is subject to a point of order in the House on this bill?

Mr. STEENERSON. I know the gentleman from Nebraska is an expert on points of order, and I will leave it to him. I am not raising a point of order, but calling attention to a most wonderful increase in an item which they claimed every year was an attempt in the line of economy. If they keep on economizing like that, I do not know what is going to become of us. One more economy like this and we are lost.

Mr. MANN. Mr. Chairman, I think the item ought to be explained. The appropriation last year for this service was $6,700,000, of which $300,000 was to be expended in the fiscal year of 1918, leaving an appropriation for this fiscal year of $6,400,000. The bill now carries $9,750,000, a 50 per cent increase. The gentleman from Minnesota [Mr. STEENERSON] has called attention to the fact that the method of carrying the service has been changed. What was formerly done by contract, in the main, is now done by Government ownership, and we are not informed here whether the increase of 50 per cent is because of increase of service and a decrease in the appropriation of some other item, whether it is partly the result, as undoubtedly it may be, of the increased amount of mail, or whether it is mainly an increase because the Government is doing the work itself. I apprehend it will keep on increasing, because the automobiles that the Government owns will soon have to be replaced, as well as repaired, and I hope the gentleman from Tennessee [Mr. MOON], who has the information, will inform us why it is.

Mr. MOON. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. MOON. Of course, personally I know nothing about this item. The estimates of the department are for $9,750,000, an increase of $3,050,000, as the gentleman has stated.

Mr. MANN. An increase of more than that, because $300,000 of the appropriation last year was for the preceding fiscal year.

Mr. MOON. One cause is that the cost of vehicles for mounted carriers has doubled in some instances. I shall read from the hearings:

Where we used to rent motor trucks for seven or eight hundred dollars to-day the price has doubled on account of the increased cost of gasoline and labor. New contracts are to be let next year, and the bids are expected to be much higher. Contracts let last year have to be readjusted, which will result in letting them at a higher rate. Automobiles have advanced 100 per cent.

Then there is a proposition of the building of a garage.

Mr. MANN. Generally automobiles have not advanced 100 per cent.

Mr. MOON. I could not take issue with the gentleman in respect to that. I am reading what the department says about the matter.

Mr. MANN. I understand.

Mr. MOON. It is in view of that testimony, and possibly of not getting the service for less, that the committee put that in. It may be that they will not use it all, but we ought to leave some leeway.

Mr. MANN. How much of this work is now being done under contract system and how much by the Government?

Mr. MOON. I do not know. I can not advise the gentleman about that.

Mr. MANN. I should think that would be the first thing that the Post Office would inform the committee about.

Mr. MOON. The department bases it upon the ground that I have stated, that the actual cost of the automobiles and the employment of labor and everything in connection with it is going to be so increased that they ought to have that sum. I think it is possible that we can reduce that amount somewhat, but I give the House the benefit of the hearings.

Mr. STEENERSON. Mr. Chairman, I would like to ask the gentleman from Tennessee a question. When was that information furnished to the chairman, which he just read, about the increased cost of automobiles?

Mr. MOON. Sometime ago. I think it is out of the hearings, on page 21.

Mr. MADDEN. Mr. Chairman, perhaps a partial explanation of the item referred to may be found in the following colloquy that took place in the committee, and I read from page 23 of the hearings:

Mr. MADDEN. This item provides for the expenditure of $9,750,000 for vehicle allowance, the hiring of drivers, rental of vehicles, and the purchase and exchange and maintenance, including stable and garage facilities, of wagons or automobiles for, and the operation of, screen-wagon and city delivery and collection services. What is the comparative cost, under the present method and the contract method, for the wagon service?

Mr. KOONS. So far as the dollars and cents is concerned, Mr. Madden, that is hard to estimate.

Mr. MADDEN. You know what the contract method cost?

Mr. KOONS. Yes; but that is four years ago, and the mail has increased so tremendously since that time.

Mr. MADDEN. What is the percentage of difference in the volume of mail?

Mr. KOONS. The volume of mail has increased more than 100 per cent in many cases.

Mr. MADDEN. The volume of mail has increased more than 100 per cent?

Mr. KOONS. Yes, sir.

Mr. MADDEN. Have the receipts increased 100 per cent?

Mr. KOONS. The receipts would not increase 100 per cent, and it is not necessary that they should for the volume to increase 100 per cent, because the increased volume is in the parcel post, and does not represent a large portion of the receipts.

Mr. MADDEN. I think it is an interesting question to find out, and I think the Post Office Department is equipped to make such a statement, and I am going to request that it be furnished the committee; that is, prior to the introduction of Government-owned vehicles, when you had contract-vehicle and screen-wagon service, what the annual cost of such service was in each city and what the aggregate cost was. Will you furnish that?

Mr. KOONS. Yes; we will furnish that.

Mr. MADDEN. And what amount of money has been invested since in Government-owned equipment to supply the contract service which was discontinued, the screen-wagon service that was discontinued, and what the cost of such service, including all items of expenditure, has been; and what is the difference between the cost of the two propositions will be shown.

Mr. Koons then goes on to give some figures, which I shall not undertake to read, and in the note below states:

The annual cost of Government-owned service at Boston, Brooklyn, Buffalo, and New York is based on the average monthly expenditure for that portion of the fiscal year ended June 30, 1918, that Government-owned service was in operation in the cities named. While the

statement shows that Government-owned service during the fiscal year ended June 30, 1918, exceeded by $141,867 the cost of contract service, attention is called to the fact that the contract service figures in some instances are based on expenditures made as far back as 1915. Congress by act of July 2, 1918, authorized the Postmaster General to readjust the pay of screen-wagon contractors to cover losses due to unusual conditions resulting from the war, and in making adjustments it has been found that the average increase has been approximately 40 per cent. Applying this increase to the cost of contract service (vehicle charge only) will add $795,096 to the cost of that service, bringing the total expenditures for contract service up to $4,135,315. Deducting the cost of Government-owned service ($3,482,176) from the total for contract service ($4,135,315) shows an annual saving of $653,139 in favor of Government-owned service. Government-owned service besides being more economical than contract service, is also very much more efficient

Mr. Chairman, I do not undertake to analyze these figures. The figures are here in the record of the hearings, and they probably explain themselves. Whether we have a more economical service or a more expensive service I am not prepared to say. What I want to find out, and which I do not think I found out, was how many more cities we are supplying with Government-owned service than we are supplying with the screen-wagon contract service. We know exactly what it costs to supply a certain number of cities with the screen-wagon contract service. If we have had 10 more cities added for the Government-owned vehicle service, of course it would add whatever the cost of the screen-wagon service in those 10 cities might have been; but it does not appear that we have added any new cities, and a great deal of the $1,000,000 which has been added to the cost of the service appears be due to the readjustment of the contracts due to war conditions, which added 40 per cent to the cost.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. SLOAN. Mr. Chairman, I move to amend by striking out the figure "9" in line 3 and substituting therefor the figure "8."

The CHAIRMAN. The gentleman from Nebraska offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. SLOAN moves to amend, page 14, line 3, by striking out the figure "9" following the dollar mark and inserting in lieu thereof the figure "8."

Mr. SLOAN. Mr. Chairman, I do this after listening to what the ranking member on the committee, the gentleman from Minnesota [Mr. STEENERSON], has said about this matter in his attack upon it and in the defense submitted by the chairman of the committee.

Mr. MOON. The what?

Mr. SLOAN. The defense submitted by the chairman of the committee, and I use a rather strained expression, and rather complimentary, when I give it that much dignity, if it may please the chairman of the committee.

Mr. MOON. That is much more than anybody would expect from the gentleman.

Mr. SLOAN. Well, the expectations of the wicked usually perish—as the moon goes down.

Mr. MOON. The moon did not go down in the last election, as I think the Sloan did.

Mr. SLOAN. Mr. Chairman, I shall have to ask the Chair to take charge of this exuberant Member, who does not ask for recognition before he interrupts. He is quite mistaken; I did not go down in the last election. I desire to say that I offer this amendment after listening to the remarks of the gentleman from Illinois [Mr. MADDEN], who is usually very clear on these propositions.

And I think from what he has said and what has been said by others it is clear to all of us this estimate is altogether too high. Especially is this true because there seems to be a lack of explanation and detail upon the part of the department so that it would be difficult for the chairman or any member of the committee successfully to defend the figures presented. If this is reduced $1,000,000 at this time there will be ample opportunity in the next stage of legislation for the Post Office Department, if it has an explanation lucid and sufficient, to bring this before the committee, and this amount can be reinstated in another body. But the strongest fact indicating a lack of basis for this large estimate is that the price of automobiles has doubled. That may be true somewhere, but it is not true in my experience. I had something to do with the purchase of a number of automobiles in the last two years, and I know of no automobile that has doubled in price either wholesale or retail.

Mr. AYRES. Will the gentleman yield?

Mr. SLOAN. I will be pleased to do so.

Mr. AYRES. I do not think that the First Assistant made the statement that the cost of automobiles had doubled. You will find on page 21 that he gives several items which have increased, for instance, gasoline. Now, anyone who has run an automobile for the last two or three years knows that gasoline has very materially increased.

Mr. SLOAN. But he does not know that it has doubled in the last year.

Mr. AYRES. Probably not in the last year, but in the last two or three years.

Mr. SLOAN. But not in the last year, and I understood it is compared with last year's appropriation and not the appropriation of several years ago.

Mr. AYRES. That is true; but you will find several other items on page 21 where the price has increased, and in the case of automobiles——

Mr. SLOAN. Will the gentleman from Kansas indicate one that has doubled in price in all those he speaks about?

Mr. AYRES. No; I do not know that I can, but he does not say it has doubled, but he says it has increased from 40 to 50 per cent.

Mr. SLOAN. That is not as I understood it as read by the chairman, therefore I think this should be reduced $1,000,000.

Mr. MOON. Mr. Chairman, the very fresh gentleman from Nebraska has suggested that he understands more about this situation than anybody on the committee, and that his views ought to prevail. He possibly may be right about it, he may be wiser than anybody else, he may know about this, and his views perhaps ought to prevail, in view of the fact that the gentleman is perhaps expressing his views on this bill for the last time. That, however, was not a source of any pleasure to me whatever. Now, the committee has to act upon the facts that are before it. It is very clear that the statement of the department is not perhaps as strong as gentlemen might desire it to be, as for the reasons for the large increase in this item, and yet your committee can only guess at that; that is all we can do in making this estimate, to make a reasonable guess from the proof as to what amount of money ought to be appropriated under the conditions that may hereafter exist. Now, it may be that these things will be much higher another year than now, may be they will be less; we do not know. But he says the increase is due to many causes. One is that the cost of vehicles for mounted carriers has doubled in some cases. Well, the gentleman from Nebraska says that is not true. I do not know how he knows that is not true. The department thinks it is true. It has been stated that it is true. I have no reason to take the judgment of the gentleman from Nebraska over that of the department. Why, we used to rent motor trucks for $700 and $800, and to-day the price has doubled on account of the increased cost of gasoline and labor. They do not say it has doubled on account of the actual manufacture of machines, as the gentleman from Nebraska has left the impression, at least upon my mind. Now, contracts are to be let next year, and the bids are expected to be much higher. Contracts let last year are being readjusted, which will result in letting them at a higher rate. Automobiles have advanced 100 per cent. Now, whether these things are true or not I do not know; the gentleman from Nebraska does not know any more about it than I do. He might know more than I do, but he does not know all about it. The department is supposed to have some information on this question; they are the persons charged with the responsibility of administration, and we ought to have some regard for the views that they express. Now, if this money is not necessary, it will not be used. If it is necessary and they do not have it, the department may be crippled in this service. That is all there is to it. Well, we are guessing at this, and they are guessing more or less, and I am not objecting to guessing off a half a million of dollars on this item if you want to, but I do not think it ought to be cut too deep.

Mr. TILSON. Will the gentleman yield?

Mr. MOON. I will.

Mr. TILSON. What impresses me is the fact that in the year when the war is going on at its height this item seems to have cost $6,000,000, with the high price of automobiles, gasoline, and labor, and all the rest. Now, for the year beginning July 1, 1919, after the war has been over for more than half a year and the new year starts, this item is going to cost $9,700,000. Now what is the reason for the jump of 50 per cent in the year after the war is over?

Mr. MOON. The gentleman just heard the statement of the reasons.

Mr. TILSON. But those reasons are all based on the war, it seems.

Mr. MOON. No; they are not based on the war, but they are based on the market prices. The war has got nothing to do with it.

Mr. SISSON. Will the gentleman yield for one moment?

Mr. MOON. I am yielding to the gentleman from Connecticut.

Mr. SISSON. I want to say, in answer to what the gentleman says, just what the deficiency is I do not know, but there is a considerable deficiency bill before the Committee on Appropriations in this item. Now, in making calculations for the coming year it will become necessary to take into consideration how much short the six million and odd dollars will be this year.

Mr. TILSON. Is it as much as $3,000,000?

Mr. SISSON. In excess of $6,000,000.

Mr. TILSON. Is the deficiency as much as $3,000,000?

Mr. SISSON. Well, I can not tell the gentleman about that because I only know there is a considerable deficiency asked for by the Post Office Department.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SISSON. I ask for recognition in my own right.

The CHAIRMAN. Does the gentleman move to strike out the last word?

Mr. SISSON. I move to strike out the last word.

The CHAIRMAN. The gentleman from Mississippi.

Mr. SISSON. If you reject this item it will simply result in the Post Office Department coming back to Congress with a deficiency bill. In this item there was a readjustment of contract, I understand. Just how much I do not know. But wherever the mail is carried by contract, which contracts were let prior to the war, screen wagon, the cost of carrying the mail was so greatly increased by virtue of the war that many of these contractors were compelled to throw up the contracts and new contracts were let. Therefore I understand, if I am in error the chairman of the committee can correct me, the postal authorities readjusted these contracts and that to some extent accounts for the deficiency asked for. And then the readjustment of other contracts, I understand, will be cared for in this item. Therefore it will be next to impossible to determine just what this item will be. If you cut the item materially it will simply mean the Appropriations Committee will be called upon to make good in a deficiency bill what you fail to appropriate at this time.

Mr. GALLIVAN. What real harm will that do?

Mr. SISSON. I do not know that any real harm would originate, except the Government would be behind in the payment of its contracts.

Mr. MANN. Oh, no.

Mr. SISSON. It might be behind in the payment of some of its obligations.

The CHAIRMAN. The question is on the amendment of the gentleman from Nebraska [Mr. SLOAN].

The question was taken, and the amendment was rejected.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last two words. I rise to inquire what is purposed as to the last proviso in providing for a $60,000 Government garage in the rear of the Government post-office building. Can the gentleman give any idea as to the extent of the building or the character of the construction of this Government garage?

Mr. MOON. I suppose I can answer the gentleman better by just reading from the hearings. They say:

In this appropriation we ask that $60,000 of this amount be made available immediately for the erection and equipment of a garage on the site owned by the Government in the rear of the main post-office building in the District of Columbia. Back of the city post office we have a space sufficiently large for a garage. The nearest point we can get a garage is about a mile or a mile and a half from the office there; the rents are very high, and from the best statistics we can get, or, rather, the best estimates we can get, we can construct a garage for about $60,000, and the interest on that amount would be much less than any rental we would have to pay, and we could save that difference.

Now, that is the statement of the department.

Mr. STAFFORD. Can the gentleman inform the committee as to the size of the tract of land the Government owns there and the size of the building that is purposed to be erected for use as a garage?

Mr. MOON. I do not know. I think the lot is perhaps 100 feet front. However, it is a small lot. It is not very large. I do not know anything about the construction of the garage or what it will cost. I have read the statement of the department from their estimates, which they furnished to the committee. We did not feel it was necessary to call for details.

Mr. STAFFORD. The gentleman can not give any information as to the number of automobiles sought to be accommodated in this garage?

Mr. MOON. I understand there will be a great many. The gentleman can see from the hearings all I know about it.

Mr. STAFFORD. I do not believe there is anything in the hearings on that subject, so far as these details are concerned.

Mr. MOON. The hearings are practically what I have read.

Mr. STAFFORD. Mr. Chairman, I did not get the information that I sought, but I withdraw the pro forma amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For inland transportation by railroad routes and aeroplanes, $61,500,000: *Provided*, That not to exceed $1,000,000 may be expended for payment of freight and incidental charges for the transportation of mails conveyed under special arrangement in freight trains or otherwise: *Provided further*, That out of this appropriation the Postmaster General is authorized to expend not exceeding $2,185,000 for the purchase of aeroplanes and the operation and maintenance of aeroplane service between such points as may be determined: *And provided further*, That separate accounts be kept of the amount expended for aeroplane service.

Mr. MOON. Mr. Chairman, at the end of line 17, page 15, after the word "service," I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. MOON offers the following amendment: Insert after the word "service," in line 17, page 15, the following:

"*And provided further*, That the Secretary of War is hereby directed to deliver immediately to the Postmaster General 100 De Haviland 4 aeroplanes, 100 Handley-Pages, 10 Glen Martin day bombers, all planes completely assembled, and with the necessary spare parts. Also 100 extra Liberty engines with spare parts, 30 Hispano-Suiza engines of 300-horsepower motors, and 20 Hispano-Suiza engines with 150-horsepower motors. The same to be out of any equipment that the War Department has on hand or under construction. The War Department appropriation to be credited with the equipment turned over to the Post Office Department."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the amendment just proposed.

Mr. MOON. Mr. Chairman, the amendment comes from the department. It is one that they desire to have placed in this bill. The reason for it is that Congress passed a law that permitted the War Department to turn over a certain class of aeroplanes in whole or in part that had been used for war purposes to the Post Office Department for use in the Aeroplane Mail Service. I understand that the War Department construes that statute as merely directory, and that it has declined to turn over these planes, owing to some controversy existing between it and another department and a contention which has arisen with that department and the Post Office Department. If you want this aeroplane service to continue, you have got to provide for it in some way. The cheapest and best way will be the use of aeroplanes that we now have and of which the War Department has control. That department does not insist it has any particular use for these planes. It is just a controversy inside the General Staff. The General Staff has assumed its authority and issued its orders. The Post Office Department has got to put in these planes now if it is desired to have the service from New York to Chicago and elsewhere. If we are to have this service, we have got to provide for it. The wisest thing, in my judgment, would be to take the aeroplanes the War Department and the Navy Department may have and use them in the Postal Service. They will not be needed in the war service, and this is practically making mandatory a provision, as to the extent, of course, of the number of planes stated in the amendment, of a law which is held to be directory, and by which the Post Office Department is deprived of its benefits.

Now, I want to say this in reference to that: The committee in making this large recommendation of $1,185,000 anticipated—a part of them at least—a trouble of this sort with the War Department, and they thought it necessary to have an amount of money sufficient to have a reasonable practical experiment of airplanes as mail carriers, and therefore they placed in there the recommendation of the department as $2,185,000. The department did not want to have more than half a million dollars if they could get the use of the airplanes from the War Department and get the benefit of the statute that we heretofore passed on that subject; so that if this amendment is passed I am going to move to reduce the direct appropriation of $2,185,000 to the sum of $500,000.

It is suggested that it might be added to this amendment. If the gentleman from Wisconsin insists on his point of order we can bring in the amendment under the Holman rule, and I hope it will not be objected to.

Mr. CANNON. If the gentleman will allow me, I will make a point of order on that paragraph, that portion of it which says "and airplanes, $61,500,000."

Mr. MOON. The point of order, I will say to the gentleman from Illinois, would not be well taken without the consent of the House. By the rule of the House adopted in connection with this bill, or rather by unanimous consent, it is provided that every section and paragraph in the bill shall be in order. Of course, any amendment that is germane to any section of the bill is in order.

Mr. CANNON. I was not aware of that unanimous consent. If I had been in the House, I would have reserved a point of order. I think I should have.

Mr. MOON. I think the amendment is germane. If not, it can be made so by providing for a reduction.

Mr. LAGUARDIA. Mr. Chairman, will the gentleman yield?

Mr. MOON. I yield to the gentleman.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. LAGUARDIA. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. LAGUARDIA. Mr. Chairman, would the gentleman amend his amendment by providing that the War Department furnish these machines and the personnel for their operation and maintenance if the Post Office Department can use them in established lines?

Mr. MOON. Oh, no.

Mr. LAGUARDIA. That is, you do not want these machines turned over if you can not use them; and, on the other hand, we do not want them turned over if the Post Office Department is not equipped to use them. Why not include a provision for the personnel and the use of the machines?

Mr. MOON. Under the law the personnel would be subject to the Civil Service Commission, and in the next place, we do not want to mix the War Department in any way with the Post Office Department, so far as the carrying of mail is concerned and so far as the administration of the postal function is concerned. The amendment that I have offered does not in any way combine the services of the two departments. It just provides for the handing over by the War Department of certain machinery which belongs to the Government for use in the Postal Service. The War Department is to have credit for it. This is proposed so that we may have the benefits of the proper balancing of accounts.

Mr. LAGUARDIA. In the event the Post Office Department is not in position to receive these machines and care for them at the present time, does the gentleman still insist that the Post Office Department shall take them over?

Mr. MOON. We are not going to assume anything of the sort. The function of carrying the mails and the airplane function belong to the Post Office Department, and it is best to assume that it can discharge all the duties of transportation of the mails by any means apart from the War Department.

Mr. LAGUARDIA. The gentleman is misinformed as to that. In the event this amendment goes through, will the gentleman consent to strike out this appropriation?

Mr. MOON. I am going to move to amend the appropriation so as to reduce it to $500,000.

Mr. LAGUARDIA. I will tell the gentleman that he is getting a lot of white elephants on his hands that he can not care for. That is what it will be. The Post Office Department can not take care of these machines.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. MOON. Yes.

Mr. BLACK. It occurs to me that this is a very large number of airplanes and motors. Has the gentleman any information as to what the value of that aircraft is?

Mr. MOON. I will say to the gentleman that this amendment was sent to me to-day by the Post Office Department, with the request, if possible, to have it put in the bill at this particular point. I have no more information about the matter than other gentlemen.

Mr. BLACK. It strikes me that this will include at least $10,000,000 worth of aircraft.

Mr. LAGUARDIA. It is in existence. It is there.

Mr. MANN. Mr. Chairman, I was very much impressed with the suggestion made by the gentleman from New York [Mr. LAGUARDIA]. While I have not had the time to give it careful consideration yet, and while I appreciate the difficulties always involved in two departments engaged in a work to reach one result, still I can see no real reason why the Army can not carry the mail over the routes selected and provided by the Post Office Department, so far as the air service is concerned. We shall undoubtedly maintain in the Army an air service greater or lesser for all time. To give them something actually to do would be to their benefit, would improve the aviation service in the Army, and would prevent duplication in the Post Office Department. If at any time the air service of the Post Office Department reached vast proportions it might not be advisable, then, to have the Army do it. But so long as it is in an experimental condition, and we have the trained men now in the Army—and we propose to continue to train men in the Army—why not give them something to do?

The great trouble with the Army and Navy is in times of peace to find something for them to do. Now, here is an opportunity to take a service that will be continued and not only occupy their time but give them the training which they need to have, without much, if any, additional expense to the Government; whereas if we provide an extra service in the Post Office Department we shall have divided our aviation service so that neither branch will make the same progress that they would make if consolidated in one branch.

Now, the difficulties of having the Army perform the service are not great. The Post Office Department would still control the mail. They would deliver the mail to the airplanes as they now deliver it to the railroad trains. The mail would be carried by the Army as it is now carried by rail or other methods of carriage. I can see no reason why it is not perfectly feasible to do that. And if it be feasible to do it, then certainly no one will dispute that it would be economical to do it. And if it be both feasible and economical, why is it not the proper thing to do?

It may be that it can not be done at this moment on this bill, I do not know. Probably no one is prepared with a proposition that would cover it. But that is a matter that is easily changed and provided for in the future, and if we start in and build up a big aviation service in the Post Office Department there never will be much chance of consolidation in the future, because from some experience and long observation I have discovered, what I think all the rest of us know, that when you propose to change or abolish any branch of the Government you run up against a hard proposition; either the head of the department is opposed to it or the foot where the service rests is opposed to it, one of the two almost invariably. Why not act in a sensible manner. There is not a business concern on earth that would do what is now proposed in the manner proposed in the bill.

Mr. MADDEN. Mr. Chairman, I am not going to take issue with anybody in connection with the item and in the consideration of the proposed legislation. I would like to ask unanimous consent, Mr. Chairman, to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. CANNON. Will the gentleman yield for a suggestion?

Mr. MADDEN. Yes.

Mr. CANNON. There is a point of order now pending against the amendment.

Mr. MADDEN. I am not talking about the amendment.

Mr. CANNON. The gentleman is not waiving the point of order?

Mr. MADDEN. Oh, no; but I am not talking about the amendment. My idea was that such information as members of the committee have ought to be disclosed to those present.

I started in to say that I conceived it to be my duty as a member of the committee to make such investigation as I might be able to make for the purpose of familiarizing myself with the possibility, or the desirability, if I may put it in that way, of aeroplane service in connection with the Post Office Department. I went into the matter in some detail. I tried to obtain information as to what the attitude of the War Department had been to the aeroplane service for letter delivery and what the attitude of the Post Office Department had been toward this same service, and how nearly the War Department and the Post Office Department had been able to cooperate—what the outcome of their effort to engage and cooperate had been.

I reached the conclusion that they were not very successful in their attempt to cooperate. In the first place, I concluded from the information I have been able to obtain that the War Department, through some of its officers, decided that it was impossible to operate an aeroplane mail service successfully. On the other hand, the Post Office Department claimed that it was possible and feasible, notwithstanding the statements of officers of the Army, and they proceeded, if I am informed correctly, to demonstrate the ability of the aeroplane service, notwithstanding the condemnation of it by the War Department.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. MADDEN. Not until I get through with my statement, and then I will yield if anybody wants to ask a question. Now, I have made some memoranda in regard to this in order that I might not make any misstatement.

In the first place, last March Col. Deeds, who was connected with the Liberty motor and aeroplane construction work during all the period of the war, was a signal officer of the War Department in the aeroplane service. He requested the Postmaster General to permit the Army to operate its mail planes, offering to furnish planes and fliers and to share the expense with the Post Office Department. He said it would harmonize with the Army training program as suggested by Maj. LAGUARDIA. The Post Office Department acceded to the suggestion made by Col. Deeds on condition that the War Department would operate the service daily without break, except on Sunday. This agreement between the signal officer and the Second Assistant Postmaster General was reduced to writing and approved by the Acting Secretary of War, Mr. Crowell. It speedily developed, however, that there was a serious opposition among Army officials directly interested in aviation to the Army conducting the flying for the Post Office Department. An attempt was made at a conference with the post-office officials

to induce them to give up military participation in aerial mails. Public announcement had, however, been made of the service and the Post Office Department insisted on the Army carrying out its agreement to the letter to fly daily. Feeling that the Army was not interested in this participation whole-heartedly, the Post Office Department purchased its equipment to take over the work should the military authorities at any time desire to relinquish this cooperation.

The Post Office Department took over the service from the War Department on the 12th of August and operated it with civilian fliers. It made, as far as I have been able to discover, something of a success of the service between here and New York.

Mr. AYRES. The War Department operated it from May 15 up to August 12.

Mr. MADDEN. Yes; to August 12. The Post Office Department, as far as I have been able to gather information, made a fairly successful service between Washington and New York. They have demonstrated their ability to fly in all kinds of weather, whether it is raining, foggy, or whether the wind is blowing or not. Yesterday they came over from New York to Washington in an hour and forty minutes.

Mr. LAGUARDIA. And killed a man.

Mr. MADDEN. I do not know how many men have been killed.

Mr. LAGUARDIA. Flying in the fog.

Mr. MADDEN. They have killed men in all the services of the Government; it does not make any difference whether it is carrying the mail or carrying bombs, they are killing men. I do not pretend to say that the air service is a safe service. What I pretend to say is that the Army is putting every obstacle in the way of the service that they can. I am opposed to turning over the service to the Army, where they refuse to operate it. They now think the service is likely to become practicable, because it has been fairly demonstrated that it can be done, and as soon as they find it can be done they want to take it back. We turned the mail over to them for delivery of letters on the other side, and we know what kind of service they gave to us and our soldiers. Thousands and thousands of letters were never delivered, and it was under the conduct of the Army over there. Who is to blame for that I do not pretend to say. I yield to the gentleman from New York.

Mr. SNYDER. Mr. Chairman, I was about to ask the gentleman if he thought the position of the Army was based on their knowledge of the fact that it could not succeed?

Mr. MADDEN. That is what they said.

Mr. SNYDER. Or whether it was because they wanted to act in opposition to the Post Office Department?

Mr. LAGUARDIA. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. In just a moment. They have succeeded so far in flying 80,000 miles since the 12th of August with civilian fliers. They have made 111 days from August 12 up to the present time, and up to December 1 only seven forced landings had been made. Only two trips were lost on account of weather conditions and only three trips were interfered with requiring the placing of the mail on the train through failure of motor. In a flying program exceeding 80,000 miles there has not been a single casualty, except one or two minor casualties, until yesterday.

Mr. LAGUARDIA. The gentleman does not make that statement for a fact, does he?

Mr. MADDEN. What does the gentleman know about it?

Mr. LAGUARDIA. When the Post Office Department thought they could run aeroplanes the same as they did their automobiles, they found out they could not, for they killed three men in a fog and they killed one yesterday.

They killed three men in a fog a few weeks ago.

Mr. SNYDER. Mr. Chairman, will the gentleman yield again?

Mr. MADDEN. Yes.

Mr. SNYDER. In the gentleman's memorandum does he tell us how many machines have been actually used up in making the 80,000 miles?

Mr. MADDEN. Surely.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LAGUARDIA. Will the gentleman yield for a question in the five minutes?

Mr. MADDEN. Oh, surely; I will yield at any time. The estimate of the Post Office Department for $300,000 was submitted to the committee for this experimental service, but the Postmaster General and his assistants indicate that in order to carry the service on successfully for a year it will cost about $3,000,000.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. BLACK. Is it not a fact that if the War Department turns over to the Post Office Department 100 De Havilland planes, 100 Handley-Paige, 10 Glen Curtiss planes, 100 extra Liberty engines, and 70 Hispano-Suiza planes, would that not be at least $5,000,000 worth of aircraft?

Mr. MADDEN. I do not know what the value would be.

Mr. BLACK. And does the gentleman think we ought to go into the service that strong?

Mr. MADDEN. What I think is that we ought to experiment properly. I do not pretend to say that we are ready to make complete air service mail delivery all over the United States, but I do pretend to say that you can run aeroplanes across the continent in 250-mile relays successfully, just as well as you can run between here and New York successfully. There is no reason why you should attempt to run the entire stretch of the continent without stopping and changing planes. There ought to be periods, stations where you can stop and change, just like the railroads change engines at the different division headquarters.

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. GRAHAM of Illinois. Has the gentleman any figures there giving the cost of the service in these 80,000 miles run and the number of machines used?

Mr. LAGUARDIA. It costs $5.95 a pound.

Mr. MADDEN. We charge 6 cents an ounce for mail.

Mr. GRAHAM of Illinois. I mean the cost to the Government.

Mr. MADDEN. The cost to the Government so far has been in excess of the receipts, but if the planes were to carry what we are told they should carry, and what they are qualified to carry, they would be run on a profitable basis, on the basis of a charge of 6 cents an ounce.

Mr. GRAHAM of Illinois. About how much mileage have we been able to get out of a new machine in this service?

Mr. MADDEN. I really could not tell the gentleman that.

Mr. GRAHAM of Illinois. Does the gentleman know how many machines we have used.

Mr. MADDEN. I will tell the gentleman that in a moment.

Mr. LAGUARDIA. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Just in a moment. Let me say something myself.

Mr. LAGUARDIA. You have been saying it for 15 minutes.

Mr. MADDEN. I did not speak in that way to the gentleman when he had the floor, and I do not see any reason why he should be impertinent to me now.

Mr. LAGUARDIA. I do not mean to be impertinent. I want to give the gentleman some information.

Mr. MADDEN. The gentleman can not be impertinent to me, and I want him to understand it. Col. Goodyear, in charge of flying operations under Col. Deeds, came up with Col. Bloomfield, the English flying officer here, and he said you could not operate planes between here and New York. The fact that they have been operated successfully between here and New York proves that Col. Deeds and Col. Goodyear and Col. Bloomfield were mistaken.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. In just a moment. Let me get through with this first. We are operating between New York and Washington 10 planes, one round trip each week day, rain or shine, and the average time between here and New York is 2 hours and 20 minutes, while the average time between New York and Washington is 2 hours and 45 minutes. The reason for the difference in time is on account of the way the winds prevail. You are running against the wind in one case and with the wind in the other. There are 16 aeroplanes between Chicago and Washington that are proposed to be started in that service. They say it is feasible to make that trip in 10 hours, beginning at 6 o'clock in the morning and landing at 3 o'clock in the afternoon, and a machine came over here from New York yesterday in an hour and 40 minutes, came through zero weather, through a sleet storm part of the way, stopped 10 minutes at Philadelphia, and it was 10 degrees below zero part of the way over.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. GRAHAM of Illinois. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for two minutes, as I would like to get some information.

Mr. MANN. Let the gentleman conclude. I ask that the gentleman may have five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

Mr. MADDEN. Now, the Navy is wiring the machines for the Post Office Department. It already has and it is putting in radio apparatus, so that they can telephone and keep in communication, and also have radio range finders, so that a man can not get off the course in the rain or fog, and the Bureau of Standards is projecting a magnetic induction set which will enable a man who flies a machine to reach the center of the field, no matter what the weather is, what the hour of the day is, how dark the night may be or how foggy it may be, and with these perfected instruments it seems to me that notwithstanding what the Army says we are making progress, and that we are making this progress with civilian fliers, men who are willing to go, men who are not saying they can not go, and that is what Col. Deeds said and that is what Col. Goodyear said and that is what Bloomfield said. Now I yield to the gentleman from Illinois.

Mr. GRAHAM of Illinois. If the gentleman has finished his statement, I was trying to find out if the gentleman knew how many planes we had used in this service up to date.

Mr. MADDEN. Twenty-six.

Mr. GRAHAM of Illinois. Are they all being used yet, does the gentleman know?

Mr. MADDEN. They are all being used yet.

Mr. LAGUARDIA. Is the gentleman aware that from May 15 to May 31 the cost of running 10 machines by the Post Office Department was $32.54 an hour and 50 cents a mile?

Mr. MADDEN. I expected it would be at least $25 an hour. That was when it was run by the Army.

Mr. LAGUARDIA. From the statement of the Postmaster General. Now, the gentleman makes the statement that they have machinery and the appliances and improvements by which a machine can fly at night, regardless of weather conditions, in a fog, or any kind of weather?

Mr. MADDEN. I did not say we have them; I said they were being equipped.

Mr. LAGUARDIA. That is exactly it. Is the gentleman aware that it is going to cost millions of dollars to equip and install?

Mr. MADDEN. It will not cost millions of dollars to equip 25 or 30 of these.

Mr. LAGUARDIA. If you are going to install radio control in machines, do you know you have to string along the wires, whether you have 100 or 1 machine?

Mr. MADDEN. We are experimenting on these, and I think it is worth while to make the experiment.

Mr. LAGUARDIA. Exactly. But is it not better to have one experiment for all departments of the United States Government?

Mr. MADDEN. We may in the end come to turn all the departments into one, but I do not believe that it is feasible or practicable or wise to turn the mail service over to the Army.

Mr. LAGUARDIA. That is the only objection the gentleman has?

Mr. MANN. Will the gentleman yield for a question?

Mr. MADDEN. Surely.

Mr. MANN. I understood my colleague to say that the present postage was 6 cents an ounce?

Mr. MADDEN. Yes.

Mr. MANN. Is that the same as it was when it was started or is it a reduction?

Mr. MADDEN. I think it was 24 cents.

Mr. SMITH of Idaho. No: it was 15 cents an ounce for the first few months.

Mr. MANN. There is no law——

Mr. TILSON. I think the gentleman is mistaken. When it first started it was 24 cents for each letter.

Mr. MANN. My recollection is, and that is the reason I asked the question, that there was a statement in the papers some time ago that the postage had been reduced because the department could now afford to carry the mail for the reduced amount.

Mr. MADDEN. Well, I do not pretend to say what the cost is. I am only saying I think the experiment is justified. I do not think we ought to expend too large a sum in experimentation, but I think we ought to give the department an opportunity to prove the feasibility. Now, it seems to me that they have made a good deal better proof of its feasibility than the Army succeeded in making. They are for it and the other people were against it.

Mr. TILSON. Does not the gentleman think as a practical man that we ought to utilize the resources that we already have at hand?

Mr. MADDEN. Surely.

Mr. TILSON. And if we have a certain number of planes complete; I do not know just how many——

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. TILSON. Mr. Chairman, I move to strike out the last word. It seems to me that we ought to proceed on business principles, so far as we can, even though airplane mail service may be in the experimental stage.

Two years ago in the consideration of the Post Office appropriation bill I moved an amendment making appropriation for experimental post-office delivery of mail by airplane. It was ruled out on a point of order. We had no airplanes in the Postal Service and none of account in the military service at that time. Since that time a great deal of water has run over the dam. We now have not only a number of airplanes complete, but have a much larger number in process of construction. In addition to that we have what we did not have then—a considerable number of trained fliers.

It seems to me that what we ought to do is to utilize our resources in both personnel and matériel. It would be bad business for the Post Office Department to start anew, on its own hook, and buy airplanes when we already have a department of the Government with a considerable number of airplanes and with enough trained fliers to use them. For the military flier this would be the best possible practice and at the same time perform a very useful governmental work. I see no insuperable objection to the two departments of the same Government, under the same Chief Executive, working in cooperation. If they do not work in harmony voluntarily, they might be compelled to work in cooperation.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. TILSON. I yield to the gentleman from Tennessee.

Mr. GARRETT of Tennessee. I think I can see one very great objection, namely, that those who are in the military service are absolutely subject to military orders. And so far as your trained personnel is concerned, you will have a very large number who have been trained in the Army and undoubtedly will go out into civil life, and who unquestionably would be very glad to take charge of the service in the Post Office Department. Is not that a fair statement?

Mr. TILSON. Assuming that we could secure in civilian employment a number of men who had been thus trained in military flying, we should have utilized part of your personnel resources. Now, what as to the matériel? What as to the planes themselves?

Mr. GARRETT of Tennessee. I think unquestionably that the planes should be transferred from the War Department to the Post Office Department, in accordance with the provisions of this amendment. Whether this provides for too many or not, of course I am not prepared to say, but if they are not going to be of service in the War Department, why, most assuredly they ought not to be wasted.

Mr. TILSON. What is the gentleman going to say as to continuing the training of the men, the fliers, as a matter of national defense, as a necessary part of our military training? That must be kept up at whatever cost. Shall we have a large corps flying for training purposes without carrying anything and at the same time have alongside of it another flying corps in the Post Office Department carrying the mail? Why not combine the two?

Mr. GARRETT of Tennessee. To my mind it is an all-sufficient reason that those who are in the Army will be subject to military orders at all times.

Mr. TILSON. That is no objection at all.

Mr. GARRETT of Tennessee. And being so subject to military orders at all times, I do not believe that they will be properly fitted to go into civilian employment.

Mr. TILSON. They are officers of the very same Government, and, whether they are under the Post Office control or the military control, they are subject to the orders of the same Chief Executive. In my judgment we shall make a great mistake if we do not maintain the air service in a state of efficiency as a part of our military program, and it will help rather than hinder to utilize it in carrying the mail.

Mr. SNYDER. Will the gentleman yield?

Mr. TILSON. I will.

Mr. SNYDER. Suppose the Army was operating the railroads of this country, would it be thought they could not carry the mail successfully?

Mr. TILSON. No.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TILSON. Mr. Chairman, I ask for two additional minutes.

Mr. MOON. Mr. Chairman, I ask unanimous consent that the debate on this close in five minutes.

Mr. TILSON. I object.

Mr. STEENERSON. Mr. Chairman, I would like to have five minutes.

The CHAIRMAN. The Chair recognizes the chairman of the committee.

Mr. MOON. I do not want to cut off anybody.

Mr. STEENERSON. The chairman of the committee ought to yield five minutes to me.

The CHAIRMAN. That is another matter.

Mr. MOON. Mr. Chairman, I do not want to cut off my friend from Minnesota or anybody else who wants to talk on this amendment. Here is a general debate going on on the whole subject that may be interminable. Now, I want to move to limit the debate. The debate under the rules has already been exhausted long ago, and I ask unanimous consent——

The CHAIRMAN. The Chair will also state that there is a point of order pending.

Mr. BLACK. Mr. Chairman, I have an amendment to the amendment that I want to offer.

Mr. MOON. Mr. Chairman, I move that all debate close in 40 minutes, to be divided by the Chair among the gentlemen who have applied for it.

Mr. BLACK. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. BLACK. I want to submit an inquiry. I would like to know if that motion would interfere with my offering a motion to amend the amendment?

Mr. MOON. Mr. Chairman, there has a point of order been made on this amendment, and I believe, before we indulge in this 40 minutes of debate, we ought to dispose of it, because if the point of order is well taken there will be no use for the debate.

Mr. ROBBINS. I have an amendment that will probably raise the same question in a different way.

Mr. MOON. Does the gentleman from Wisconsin wish to argue his point of order?

Mr. STAFFORD. Most assuredly.

Mr. MOON. State your grounds. If it is subject to a point of order we will save a good deal of time by not carrying on the debate.

Mr. STAFFORD. I make the point of order that the amendment proposed is not germane to any legislation carried in the bill, and it violates the rule of the House prohibiting legislation on appropriation bills.

Mr. MOON. Mr. Chairman, the subject that we have under discussion is inland transportation of mails. That is provided for, of course, by law. Here is an appropriation limiting the amount of transportation in the airplane line and in the inland transportation line to a fixed sum. The amendment now proposed is simply this: It is to provide a means—an additional means—of transportation. The statute authorizes the transportation of inland mails. It does not designate the different methods by which it can be done, and it is within the meaning of the statute and the province of the House under its rules to add, I take it, any means of transportation to the mail facilities that we now have on an appropriation bill or anywhere else with proper limitations.

Now, I have said to the gentleman that if there is any point on the question of the limitation I would be glad to amend the section hereafter and bring it under the Holman rule if possible. But I insist that the amendment is in order now. It is germane to the existing statute, which provides for inland transportation of mails. We have got a right, unquestionably, to combine, under the practice of the House, on an appropriation bill or anywhere else, all of the instrumentalities of transportation that are permitted under the law, and they are all permitted. I do not think, then, that it would be very farfetched or a close construction of the statute to admit the amendment which the department has asked for in this bill.

Mr. GREEN of Iowa. Mr. Chairman, I desire to be heard on the point of order.

The CHAIRMAN. The gentleman from Wisconsin [Mr. STAFFORD] will be heard first.

Mr. GREEN of Iowa. Excuse me.

Mr. MOON. I want to say that every paragraph of this bill has, by unanimous consent, been made in order, and the only question here is whether this amendment is germane to the matter that is now in order.

The CHAIRMAN. The gentleman from Wisconsin is recognized.

Mr. STAFFORD. Mr. Chairman, as the chairman of the committee has just stated to the Chair, there was an order agreed to in the House that all the legislation carried in this appropriation bill would be considered in order. The question before the Chair now is whether this item, being presented on an appropriation bill and a point of order having been waived, the amendment now proposed by the gentleman from Tennessee would have been in order. He advances that as his major premise for holding the amendment to be in order, and also the fact that provision has been made for the establishment of airplane service.

There is no authority for the establishment of airplane service by law other than which is carried in the appropriation act, which merely provides in general language as follows:

> For inland transportation by steamboat or other power-boat routes or by airplane.

That is the extent of the present language authorizing the establishment of airplane service. Now, I direct the attention of the Chair——

Mr. MOON. Mr. Chairman, may I ask the gentleman a question right there?

Mr. STAFFORD. Yes.

Mr. MOON. The agreement of the House by unanimous consent makes this airplane legislation in order.

Mr. STAFFORD. I have already stated that. If the gentleman heard my opening remarks, he will remember that I stated that to be the position of the gentleman as the basis for his argument that it is in order.

Mr. MOON. Why is it, then, not in order?

Mr. STAFFORD. Because it is not germane. If the gentleman will hold himself in patience, I will try to demonstrate that it is not germane.

Mr. MOON. Very well.

Mr. STAFFORD. There was authorization in the last appropriation act covering this airplane service. It is found in section 8. This amendment that is now proposed, Mr. Chairman, seeks to change the existing law covering this question as found in section 8 of the present Post Office appropriation act. May I read section 8? It reads as follows:

> That the Secretary of War may, in his discretion, deliver and turn over to the Postmaster General from time to time, and without charge therefor, for use in the Postal Service, such aeroplanes and automobiles or parts thereof as may be, prove to be, or as shall become, unsuitable for the purposes of the War Department but suitable for the use of the Postal Service; and the Postmaster General is hereby authorized to use the same, in his discretion, in the transportation of the mails and to pay the necessary expenses thereof out of the appropriation for inland transportation by steamboat or other power boat or by airplanes on star route.

He is seeking by this amendment to direct and take out of the power of the Secretary of War—which is existing law—the discretion which is now lodged in the Secretary of War, to turn over a certain number of airplanes of different types and a certain number of engines. Certainly on this appropriation bill he can not add that character of legislation, and the mere fact that there was an order entered making in order the legislation that was carried in this bill would not go to the extent of making in order a distinct, substantive proposition of law changing existing law unless it is germane to the matter that is contained in the existing appropriation bill.

And that is what we are brought to in the last analysis, whether it is germane to this paragraph; whether a direction, a mandatory direction, to the Secretary of War to turn over a certain number of airplanes and motors is germane to the authorization as carried in this bill providing for the expenditure of not exceeding $2,000,000 for the purchase of airplanes and the operation and maintenance of airplane service between such points as may be determined. I may be in error in the position I am now presenting, but I respectfully submit in all candor that in determining whether it is germane I believe the Chair should consider the question as if this were a separate bill, and it provided merely for the purchase of airplanes, whether it would be germane to direct the Secretary of War to turn over supplies under his control. But even if you would hold that it would be germane under those circumstances, you could not escape the ruling that no legislation shall be in order on an appropriation bill, although we have made an order that everything that is covered in this bill shall be in order. That does not signify that it wipes away the general rules of the House——

Mr. MOON. That is just what it does——

Mr. STAFFORD. That other legislation can be carried on an appropriation bill.

Mr. STEENERSON. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. I do.

Mr. STEENERSON. Is the gentleman aware of the fact that the law authorizing the Secretary of War to turn over airplanes to the Post Office Department was carried as a rider in last year's appropriation bill, and is not included in this bill? It is a separate, independent law of last year.

Mr. STAFFORD. I may have been in the realm of fancy, but I thought that a few minutes ago I read the very section in last year's appropriation bill that grants that authority.

Mr. STEENERSON. I was not listening.

Mr. MOON. Mr. Chairman, the very purpose of obtaining unanimous consent was to make each and every item, section, and paragraph in the bill in order, so as to avoid the rule that there could not be new legislation on an appropriation bill. The House made in order this section providing that out of the appropriation the Postmaster General is authorized to expend not exceeding $2,185,000 for the purpose of aeroplanes and the operation and maintenance of aeroplane service between such points as he may determine.

Now, there is a provision in reference to utilizing aeroplanes for mail service and provides for the appropriation of money for that purpose. That is all in order. Why is it that the proposition to authorize the purchase from another department, that department to be credited with them, is not in order to this section which is in order? That is all I desire to say about it.

Mr. STAFFORD. Will the gentleman yield?

Mr. MOON. Yes.

Mr. STAFFORD. Does the gentleman contend that the Committee on Post Offices and Post Roads has the authority to control the supplies of the War Department?

Mr. MOON. No; but the Committee on Post Offices and Post Roads is proposing under this act, which provides for the payment of them, to pay for them by crediting them to the War Department.

Mr. STAFFORD. The gentleman's committee would not have authority to control the supplies of the War Department, and how can an individual on the floor have a greater authority under the rules of the House?

Mr. MOON. I do not appreciate the point the gentleman makes.

Mr. STAFFORD. The gentleman has admitted that the committee has no authority to report a bill covering supplies legitimately in the possession of the War Department. The gentleman individually now seeks to introduce a bill or amendment on the floor of the House carrying that very subject which his committee would not have authority to act upon. How can an individual Member on the floor of the House have a greater authority than his committee would have?

Mr. MOON. We are simply proposing to carry out the provision of the section that is made in order notwithstanding the general rules of the House.

Mr. GREEN of Iowa. Mr. Chairman, I want to be heard briefly on the point of order. The question of germaneness ought to depend on the prime and principal object of the amendment and not upon something incidentally connected with it. The principal purpose of this amendment is to take the property of one department and turn it over to another department. Incidentally it might enable the other department to carry on something provided for in the bill, although it does not modify or change any section in the bill. Let us see where we would land if we adopted that rule that because the matter proposed incidentally affected in some way the aeroplane provision the amendment might be germane.

If this amendment is germane, an amendment turning over to the Post Office Department the aeroplane fields would be germane. Perhaps the paragraph does not go far enough; but under the same theory we might have an amendment turning over from the Navy Department to the Post Office Department the ships of war to carry the mails. We might have a similar amendment taking from the War Department some of its automobiles and turning them over for mail wagons. If an amendment can be made germane under that principle, it is easy to make any kind of an amendment germane. The real purpose of this amendment and its only effect is to transfer property from the War Department to the Post Office Department. The fact that such property could be used for postal purposes does not make the provision germane to the bill.

The CHAIRMAN (Mr. SAUNDERS of Virginia). The facts in this case are as follows. The paragraph proposed to be amended, beginning with line 7, provides an appropriation of $61,500,000 for inland transportation by railroad route and aeroplane. This is an appropriation pure and simple. Then follow certain provisions which are limitations. In line 11 is a provision that empowers the Postmaster General to expend not to exceed $2,185,000 for the purchase of aeroplanes, and the operation and maintenance of the aeroplane service, between such points as he may determine. This sentence affords authority to the Postmaster General to do certain specified things.

It was agreed by unanimous consent that everything in this bill should be in order, the rules of the House to the contrary notwithstanding. But it can hardly be contended that this agreement makes in order everything proposed to be added to the bill, and that is the crux of the contention that the amendment under consideration is in order.

The effect of this amendment is to direct the War Department to turn over certain property to the Post Office Department. That direction changes the discretion of the War Department, in fact it leaves it no discretion whatever in this particular. The amendment commands the War Department to do certain specific things which otherwise it would not be required or empowered to do. In a word the amendment in this respect controls the activities of that department. It does not control or relate to the discretion of the Post Office Department, but operates to provide that department with certain material. Such a provision is certainly new law. In connection with the contention that this amendment is in order because the matter in the bill is in order, the Chair will call attention to the rulings to the effect that when an item is made in order in a bill, by a rule or otherwise, such action does not authorize new illegalities or allow matter to be inserted that would not be in order, unless it was a perfecting germane amendment.

To direct the War Department to turn over these aeroplanes to the Post Office Department is not a development of the authority of the Post Office Department to purchase operate and maintain aeroplanes. It enlarges the powers of the War Department. Having in mind that the War Department has shops to repair and keep in order its planes, would an amendment be in order to direct the War Department to keep in proper condition the planes which it is directed to deliver to the Post Office Department? Yet that amendment would stand on the same footing as the one under consideration. This is a proposition of new legislation relating to another department, and the Chair does not think that it is perfecting by way of amendment the matter made in order in the bill, and the Chair sustains the point of order.

Mr. MOON. I did not quite understand; did the Chair sustain the point of order?

The CHAIRMAN. The Chair sustains the point of order.

Mr. MOON. I would not be surprised if the Chair is right about that. [Laughter.]

Mr. ROBBINS. Mr. Chairman, I have an amendment, which is at the desk, which I ask to have reported.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. ROBBINS: Page 15, line 11, strike out all after the word "otherwise" down to and including line 17.

Mr. ROBBINS. Mr. Chairman, this amendment strikes out the proviso on page 15 that relates to the authorization to the Postmaster General to expend $2,185,000 for the purchase of aeroplanes and the operation and maintenance of aeroplane service between such points as may be determined. Under the act that we passed on the 2d of July, 1918, we provided that the Secretary of War should turn over, in his discretion, to the Post Office Department, and deliver to the Postmaster General from time to time, such aeroplanes for use in the Postal Service and automobiles and parts thereof as shall become unsuitable for war purposes, but suitable for the use of the Postal Service. That is paragraph 8 of the act of July 2, 1918. The war is over, and the whole aeroplane equipment will become useless for the purposes of war. I visited the Department of Aeronautics of the Government this morning to find out what aeroplanes we have that are available for this service, and I was informed down there by one of the officers in charge that we have three classes of aeroplanes set up in the hangars or at the ports or boxed up ready for shipment, but complete, that are available for use in the air-mail service. First, we have about 1,500 75-mile speed machines designated as JN-4 D, equipped with the Curtiss engines, that could be used; second, we have about 1,000 JN-4 H machines of 180 horsepower that develop a speed of 105 miles per hour that are available for this purpose; third, we have about 1,000 machines equipped with the Hispano-Suiza engines, known as the De Haviland-4 machine, which are equipped with 400-horsepower Liberty 12-cylinder engines, that are available for this use. Yet with all that equipment we now propose to authorize the Postmaster General to purchase and expend in buying aeroplanes the sum of $2,185,000, and on page 53 of the hearings it is stated "that the Postmaster General's program will require between three and four million dollars."

Mr. AYRES. Mr. Chairman, will the gentleman yield?

Mr. ROBBINS. If I can get more time. I yield for a brief question.

Mr. AYERS. The gentleman has stated what the law provides, that the War Department shall turn these aeroplanes over, but it is within the discretion of the Secretary of War.

Mr. ROBBINS. That is true, and I also said in my opening remarks that the discretion of the War Department would be exercised against parting with this equipment during war, but the war is over, and there is no use of this equipment now for war purposes.

Mr. AYRES. Does the gentleman know that they have refused to-day to turn it over?

Mr. ROBBINS. I do not know it.

Mr. AYRES. That is a fact.

Mr. ROBBINS. I say if they have, then I should favor an amendment to this bill, if this amendment is voted down, reenacting the eighth clause of the act of July 2, 1918, striking out the words "in his discretion" and insert the words "shall such aeroplanes," and so forth, and making it mandatory.

Mr. AYRES. But that would be subject to a point of order, which has just been ruled upon.

Mr. ROBBINS. The clause just ruled out would not apply to this, because it does not change existing law. We have all of this equipment, and if there is any equipment that will go out of order by storage and nonuse very quickly it is aeroplane equipment. It is just like any other new machine. Constant improvements are being made upon them, and the thing to do is to use up this equipment now while we can use it, without any additional expense to the Government in this mail service. We have a trained body of aeroplane operators, and where are they? They are in the Army, developed there by operating aeroplanes in the Army. They are not in civil life. Another set of them is in the biplane or hydroplane service of the Navy, and we propose to establish a service with Cuba and Porto Rico and we will have to get those naval machines known as "hydroplanes," having boats suspended under the aeroplane, so why develop three branches of the service when the Post Office Department could get all the necessary machines from the War Department, using the equipment we have, taking over the trained men in the War Department already prepared by education, training, and experience to carry on this work of transporting the mail by airplanes.

Mr. MOON. Mr. Chairman, will the gentleman yield?

Mr. ROBBINS. Yes.

Mr. MOON. Why did the gentleman want to strike out the appropriation, if he now talks about using it in connection with the War Department, when there is no authority to have any connection with the War Department?

Mr. ROBBINS. If we do not have the authority we can easily provide it, and by striking out this proviso we are merely stopping the Postmaster General from buying a lot of aeroplanes when the War Department has 3,000 that could be obtained free by the Post Office Department.

Mr. MOON. You are stopping the whole service.

Mr. ROBBINS. When we already have aeroplanes. If you are going to carry this service on in the Post Office Department let us take the equipment we now have on hand, that will not cost us a cent, that is going to rust and wreck and ruin, because the hangars are very poor places to protect property of that sort. They are made of linen and silk and fragile wood, and the machines rust and corrode very quickly.

Mr. MOON. But we can not get them. We would be very glad to have them.

Mr. ROBBINS. This Congress can not get them? I will tell the chairman of the committee why we can not get anything: It is because we submit here like a supine lot of Members and allow these departments of the Government to run the whole Nation and to run Congress also. Does this legislation not mean anything? If it does, let us have it carried into effect.

Mr. MOON. The gentleman may apply that characterization to himself or anyone else, but not to this side.

Mr. ROBBINS. You gentlemen have been running the Government for some time, and I think that has been going on on both sides of this House. I do not criticize the majority side or the gentleman, but I say that we pass legislation here day after day and the departments ignore it, and we all know that, and it is time now to see to it that our legislation is obeyed.

The United States Government has on hand between two and five thousand airplane machines, either in actual use of packed ready for shipment, all of which could be put in use in a very short time. The carrying power of these machines varies from 100 pounds to the De Haviland, which carries approximately 500 pounds. The United States has contracts for a large number of machines that are yet being built or partially built, so that when the present air service is closed out, the United States will have on hand probably somewhere between five and ten thousand of several kinds of airplanes ready for service, and practically all of these could be used for mail service.

The proper way to install this service is not by establishing an expensive special bureau in the Post Office Department, which has already been started by the appointment of a superintendent of air-mail service with a corps of assistants, all of which is useless expense and a waste of money. The proper way to carry the mail by air is to turn the whole matter of transportation over to the Army.

It is now admitted that aeronautics has become an absolutely necessary part of modern warfare, and the airplane is now regarded as the "eyes of the Army."

It is, therefore, necessary that both the Army and Navy keep up its organization and constantly train men for this service. These men would have nothing to do, except simply to train and make practice flights. If, on the other hand, they were carrying the mail, we would be constantly developing a corps of experts, who would be experienced by flights in the air, and also a trained and experienced corps of mechanicians and mechanics, who would observe the airplanes as they operated and develop the experience necessary to meet conditions as they arise.

All this service would be conducted without any additional cost whatever, because the War Department must maintain this service, and while taking the necessary military training, the mails would be transported free of cost by the Army experts and fliers in the Army machines. This service could also be extended across the water by using the Navy biplanes for the same service, without any cost to the Post Office Department.

Moreover, it does not require a very far look into the future to discover that airplanes are going to be used for private business and pleasure. If each town with a population of 10,000 was required to purchase and maintain landing places for airplanes—because it must be remembered that no service in the air can be carried on without landings—then at each of these landing places the Army could maintain a service station and two men who would not only look after the Government machines but would train enthusiastic private citizens who desire to acquire a knowledge of airplanes and also train men for business service in the art of flying and caring for airplanes.

The appropriation in this bill amounting to over $2,000,000 is nothing but pure waste of the people's money, which can not be justified on any reasonable ground. It is simply an attempt to establish another bureau in the Post Office Department, fill it up with useless appointees and high-salaried officials, and squander millions of dollars of the taxpayers' money at a time when economy should be the rule in Congress; and any who vote for this appropriation vote, in my judgment, in favor of simply wasting that amount of the taxes of the people. This mail can be carried more efficiently by the Army airplanes on land than it can by the Post Office Department and without any extra cost whatever to the Government and to the taxpayers.

Before the war the mails were transported by the railroads by simply turning over to the railroads at their termini and received from them at their destination, and it was efficiently carried. The mails to be carried by airplanes should be delivered to the military airplanes at the point of origin and taken from the military airplanes at the point of destination in the same way. Any other course is wasteful and extravagant.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

By unanimous consent Mr. ROBBINS was granted leave to extend his remarks in the RECORD.

Mr. STEENERSON. I move to strike out the last seven words of line 16 and the first five words of line 17, page 15, and insert in lieu thereof "that the Postmaster General shall keep an account"——

Mr. MANN. I think we had better dispose of the present amendment.

The CHAIRMAN. The gentleman from Pennsylvania offered an amendment to strike out part of the bill. As the Chair understood the amendment of the gentleman from Minnesota, it was to perfect the text; if so, that will be voted on before the motion to strike out.

Mr. ROBBINS. I did not understand it.

The CHAIRMAN. That is the way the Chair understood the motion.

Mr. ROBBINS. It is to perfect the text of the section?

The CHAIRMAN. That is the way the Chair caught it. The gentleman from Minnesota will state his amendment again.

Mr. STEENERSON. Strike out the last seven words of line 16 and the first five words of line 17 and in lieu thereof insert the following on page 15, line 16: "that separate accounts shall be kept of the amount of extra postage received for aeroplane service and the amount of expenditures."

The CHAIRMAN. If the gentleman has the amendment in writing, send it up.

Mr. STEENERSON. No; I have not.

The CHAIRMAN. The Chair will have to ask the gentleman to repeat the amendment; the Clerk can not get it.

Mr. STEENERSON. Strike out the last seven words of line 16 and the first five words of line 17 and insert in lieu thereof the following words: "that separate accounts shall be kept of the amount of extra postage received for aeroplane service."

Mr. MOON. Mr. Chairman, that is a good amendment, and I have no objection to its adoption.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 15, line 16, after the word "further" strike out the following: "that separate accounts be kept of the amount expended for aeroplane service" and insert in lieu thereof the following: "that the Postmaster General shall keep a separate account of the amount of extra postage received for aeroplane service."

Mr. MANN. Why does not the gentleman from Minnesota offer his amendment to follow the provision in the bill and instead of striking out the provision for keeping a separate account of expenditures let that stay in?

Mr. STEENERSON. I am willing to accept the suggestion of the gentleman from Illinois and simply amend by adding to the last word in line 17 the following.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Modified amendment. After the word "service" in line 17, strike out the period, insert a comma, and add the following: "and keep a separate account of the amount of extra postage received for aeroplane service."

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The gentleman from Pennsylvania has an amendment pending to strike out the section.

Mr. LaGUARDIA. I have a substitute for his amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 15, line 13, after the word "exceeding" strike out "$2,185,000 for the purchase of aeroplanes and" and insert in lieu thereof "300,000 for."

Mr. LaGUARDIA. Mr. Chairman, I hope the chairman of the committee will accept this amendment. This will enable the Postmaster General to operate the planes which he now has and continue the service which he originally planned to commence under the 1918 and 1919 program. That is all the Post Office Department asked for. I am in full sympathy with the chairman in reference to the attitude of the War Department. Now, the attitude of this House is to compel the War Department to cooperate with the Post Office Department. Their appropriation bill will be here in a few days and that is an opportunity which we will take to arrange their appropriation so that the air service may conduct this postal-air service. I spoke this morning and endeavored to show that we can conduct the mail service without the expenditure of an additional cent. With my amendment we are giving the Postmaster General all he asks for. He can carry out his plans as submitted to the committee and we have plenty of time to change the law and make it mandatory upon the Secretary of War to cooperate and turn over machines and personnel. I urge the acceptance of my amendment.

Mr. MOON. Mr. Chairman, it would appear upon the face, even of the hearings, that an addition of $300,000 was as much as the Postmaster General wanted, but, going to the report, you find an entirely different thing. That is due to the fact that the question of aeroplane service was transferred from the steamboat and aeroplane service to the inland transportation service and made a part of it, and the amount of $61,000,000 was appropriated. If it had been left as it was the Postmaster General could have used $10,000,000, if he wanted to, on these combined services.

A MEMBER. Or all of it.

Mr. MOON. Or all of it, if he saw fit, but the committee realized that he wanted three or four millions more for that purpose and wanted to prevent him from using any more than the amount, so we fixed the amount at $2,155,000. Now, if we could get the aeroplanes we ought to have from the department, if that controversy did not exist which will not be settled until we have made a mandatory law on the subject, we might get along, perhaps, with $500,000 for the operation and preparation of these planes. Perhaps we would not want all that, but we need a great many of them. As this was in the original language, it would have given the Postmaster General the right to use any part of it he saw fit and——

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. MOON. I will.

Mr. GREEN of Iowa. If I understood the gentleman correctly—I am not sure I did—if the amendment of the gentleman from Pennsylvania to strike out this proviso is sustained, the Postmaster General could use as much as he chooses?

Mr. MOON. He would get nothing then, not a cent.

Mr. GREEN of Iowa. I did not understand the gentleman.

Mr. MOON. If we strike it out, he will not get a cent, because we do not provide in this section for anything but $2,185,000.

Now, it might be construed, I will say to the gentleman from Iowa—and I would not undertake to say as a matter of law how that was now—that if that limitation was stricken out and we still leave the aeroplane service linked up with the inland transportation, that he might use all of it that he wanted to.

Mr. RAMSEYER. That is exactly what the Postmaster General wanted.

Mr. MOON. To make that certain we put the limitation in there.

Mr. PARKER of New Jersey. Mr. Chairman, I desire to speak on this subject.

The CHAIRMAN. The gentleman from New Jersey is recognized.

Mr. PARKER of New Jersey. There has been a great deal said here about the impossibility of making one department help another, and it is said, for instance, that the War Department and the Navy Department can not help the Post Office Department. I desire to point to a precedent.

In the year 1847 a great many of our people had gone to Oregon, and it was desirable to establish a mail service to connect, through Panama and the Chagres River, with Oregon and the west coast, and thereupon the act of March 2, 1847, which I find in the Twenty-ninth Congress, chapter 62, provided in section 4 that the Secretary of the Navy should make the mail contracts—

That from and immediately after the passage of this act, it shall be the duty of the Secretary of the Navy to contract, on the part of the Government of the United States, with A. G. Sloo, of Cincinnati, for the transportation of the United States mail from New York to New Orleans, twice a month and back, touching at Charleston (if practicable), Savannah, and Habana; and from Habana to Chagres and back, twice a month.

Now, how was he to do it? By ships constructed under direction of the Navy Department—

The said mail to be transported in at least five steamships of not less than 1,500 tons burden, and propelled by engines of not less than 1,000 horsepower each, to be constructed under the superintendence and direction of a naval constructor in the employ of the Navy Department, and to be so constructed as to render them convertible at the least possible expense into war steamers of the first class.

So the Secretary of the Navy was to direct the construction of these steamers, as he ought now of the aeroplanes. And it goes on that the ships should be under naval officers—

And that the said steamships shall be commanded by officers of the United States Navy not below the grade of lieutenant, who shall be selected by the contractor, with the approval and consent of the Secretary of the Navy, and who shall be suitably accommodated without charge to the Government.

And not only that, but—

Each of said steamers shall receive on board four passed midshipmen of the United States Navy, who shall serve as watch officers, and be suitably accommodated without charge to the Government; and each of the said steamers shall also receive on board and accommodate, without charge to the Government, one agent, to be appointed by the Postmaster General, who shall have charge of the mails to be transported in said steamers.

Then, after providing for a limit of cost—

That the compensation for said service shall not exceed the sum of $290,000, and that good and sufficient security be required for the faithful fulfillment of the stipulations of the contract.

Section 6 provides that the vessels shall be under naval control:

That it shall be the duty of the Secretary of the Navy to provide, in the contracts authorized by this act, that the Navy Department shall at all times exercise control over said steamships, and at any time have the right to take them for the exclusive use and service of the United States, and to direct such changes in their machinery and internal arrangements as the Secretary of the Navy may require; due provision being made in the said contracts for the mode of ascertaining the proper compensation to the contractors therefor.

Under that act, Mr. Chairman, for years the mails to the Pacific coast were carried for the Postmaster General under contract made by the Secretary of the Navy and appropriations in the naval appropriation bill, in ships constructed under his direction by naval constructors, and in ships commanded by naval officers. In the opening of the Pacific coast the Navy carried the mails. It is a precedent which worked out well. It is right, as said by the gentleman from New York this morning, that where we have Government agents in other departments like the War and Navy that can do Government work, like the carriage of the mail in aeroplanes now held by these departments, we should provide that they may do so, and we have the precedent therefor. [Applause.]

The CHAIRMAN. The gentleman from Iowa [Mr. GREEN] is recognized.

Mr. GREEN of Iowa. Mr. Chairman, I favor the amendment of the gentleman from New York. I am not entirely clear as to what would be the effect of the amendment of the gentleman from Pennsylvania. If I was sure that it would strike out any right to use this money in aeroplane service, I would very much favor the amendment of the gentleman from Pennsylvania [Mr. ROBBINS].

This appropriation is for the purpose of transportation by railroad routes and aeroplanes. Whether an appropriation for transportation by aeroplanes would authorize the purchase of aeroplanes or not I am unable to say at this time. If it would, then, if the motion of the gentleman from Pennsylvania prevailed, the effect would be to permit the Postmaster General to use as much money as he wanted to use above the amount specified in this paragraph, for the proviso which the gentleman seeks to strike out contains the only limitation on the purchase of aeroplanes now in the paragraph.

I say I am not entirely clear on this point, and for that reason I support the amendment of the gentleman from New York [Mr. LaGUARDIA], which limits the amount which may be expended in the aeroplane service to $300,000, which, I think, is not an unreasonable amount on the whole.

Mr. MOON. Allow me to ask the gentleman. He says it is not unreasonable on the whole. The department thinks it ought to have three or four million dollars to develop it. What sort of an experiment can you make now with $300,000 in building aeroplanes and carrying on this service?

Mr. GREEN of Iowa. If the gentleman will permit me to go further, I will show him why I am opposed to this. If you can not experiment with $300,000, how can you experiment with $3,000,000? It only takes $20,000 to build a plane, but the War Department will furnish the planes. The Post Office Department has only to operate them. Is not $300,000 enough to waste? I wish to say again that it is the despair of those who are on the Ways and Means Committee, who endeavor to raise the vast sums which we are using nowadays, to see provisions come in like this appropriating a million to three million dollars for things that are not necessary, that no man claims are necessary, but simply are for things that would be nice to have. It would be a delightful thing if we could transport a letter from New York to this town in an hour and a half, but nobody is particularly benefited by it. And, by the way, I might state that a letter arrived for me last Saturday night in this town which was not delivered to me until the next Monday, although it had a special delivery stamp on it, and we have three deliveries a day at the House Office Building on Sunday. It did not reach me until evening of the second day after it arrived here. If we can get some plain ordinary things done in this Postal Service we could dispense with some of these frills, such as having the mail carried by Airplane Service.

Here is an opportunity to save money. Advantage should be taken of it right here and now. Why should we not make a beginning at this time? We have got to make it or else we have got to do what the recent Secretary of the Treasury has proposed—to sell bonds to pay our interest in 1920. That is the proposition which is pressed at this time. Why? Because the Secretary says the people ought not to be burdened with taxes further. They will not submit to having these war-time taxes kept forever, and we should reduce expenses wherever practicable.

Now, in another body, which I need not mention at this time, a gentleman who is very well informed estimated the expenses for the fiscal year of 1920 at over $10,000,000,000. I think he is right. I think the amount will be more than $10,000,000,000 if we adopt projects like the one under consideration. Here we go on with expenses of this kind, as I said, devoting a million dollars here and a million dollars there, and adding a few more frills that we could dispense with very easily and nobody would be hurt at all. Why should we not cut this out? Why not commence right here to economize? I hope the amendment of the gentleman from New York [Mr. LaGUARDIA] may be sustained. [Applause.]

The CHAIRMAN (Mr. CRISP). The time of the gentleman from Iowa has expired.

Mr. MOON. Mr. Chairman, the amendment of the gentleman from Pennsylvania [Mr. ROBBINS], as I understand it, strikes out the words "*Provided further*," in line 11, page 15, and all the balance of that section.

The CHAIRMAN. The gentleman is correct.

Mr. ROBBINS. The balance of the paragraph.

Mr. MOON. It does not interfere with the second proviso.

The CHAIRMAN. The way the gentleman from Pennsylvania made his motion was to strike out all the paragraph, commencing with the word "*Provided*," in line 11, which would include the second proviso and the amendment to the section which has already been adopted.

Mr. MOON. Mr. Chairman, I am entirely ready to see the motion of the gentleman from Pennsylvania prevail.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Tennessee yield the floor?

Mr. MOON. Is the amendment of the gentleman from New York the first substitute?

The CHAIRMAN. The only motion pending before the committee is the amendment of the gentleman from Pennsylvania [Mr. ROBBINS] to strike out that paragraph.

Mr. MOON. Then strike it out.

The CHAIRMAN. No. The Chair is in error. The gentleman from New York [Mr. LaGUARDIA] has a substitute for that motion, which the Clerk will report for the information of the committee. The Chair was in error.

Mr. SUMNERS. Mr. Chairman——

The CHAIRMAN. Let the Clerk first report this amendment.

The Clerk read as follows:

Amendment offered by Mr. LaGUARDIA: Page 15, line 13, after the word "exceeding," strike out "$2,185,000 for the purpose of aeroplanes and" and insert in lieu thereof "$500,000 for."

The CHAIRMAN. The gentleman from Texas [Mr. SUMNERS] is recognized.

Mr. SUMNERS. Mr. Chairman and gentlemen of the committee, it is agreed by all present that the Government has all the airplanes it needs. It is contended here that we have no power to compel the War Department to turn over to the Post Office Department the airplanes which the War Department does not need and which the Post Office Department can use. Neither the Post Office Department nor the War Department is independent of the Congress. We are through with the war now. The time has come, gentlemen of the committee, when we must coordinate these branches of the Government. No business man, if he had material in one department which he did not need there, would leave such material in that department and purchase the same sort of material for another department in which it was needed. No farmer, if he had farming machinery on one farm which he did not need there but did need on another farm, would go and buy new implements for the second farm while the implements which were not needed were stored in a warehouse on the first farm. He would use some old-fashioned, practical horse sense, and that is what we need to use here. Now, gentlemen, if these departments will not coordinate, we can afford to stop right now and compel them to coordinate. [Applause.]

Mr. EMERSON. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS. In a moment. Now I am going to offer an amendment to strike out this $2,185,000 and provide that "no part of said funds shall be expended for the purchase of aeroplanes." That is exactly what we ought to say right now. [Applause.]

Mr. EMERSON. Did we not pass a bill some time ago directing the coordination of these departments? In that bill we placed everything practically in the hands of the President, coordinating these departments. Why should we not make an order to that effect?

Mr. SUMNERS. We are confronted by a definite situation. The Chair has ruled that we can not now in this bill direct the War Department to turn over the aeroplanes.

Mr. EMERSON. We could not, but why should not the President?

Mr. SUMNERS. We shall have another day here. This is not the only legislative day. We can see to it that the War Department shall turn over aeroplanes that it does not need for war purposes, and we should not now provide for their purchase by the Post Office Department. Everybody knows that many of the airplanes that we now have will be put into the scrap heap in the course of a few years. Why not use them before they become obsolete? It is ridiculous not to use these airplanes now. Everybody knows that airplanes of the present type will in course of time be superseded by other types and go out of use. Let us see if we can not bring out of the War Department's hangars some of these airplanes that can be used now for the mail service and save the people's money for a necessary use.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. ALMON. Mr. Chairman, I yield to the gentleman from Illinois.

The CHAIRMAN. The gentleman from Illinois is recognized for five minutes.

Mr. CANNON. Mr. Chairman, this is a substitute for what? I want to find out.

Mr. SUMNERS. Striking out the item of $2,185,000.

Mr. CANNON. And inserting $300,000?

Mr. LAGUARDIA. Yes.

Mr. CANNON. It would not do to strike out without inserting, as the gentleman [Mr. SUMNERS] who last addressed the committee stated it was his intention at the proper time to do, striking out $2,185,000. That would not do, because, unless you went up there on lines 7 and 8 and struck out "aeroplanes, $61,500,000," you would not accomplish your purpose.

Mr. SUMNERS. That provides that no part of this fund shall be expended for the purchase of airplanes.

Mr. LAGUARDIA. My amendment will read this way: "That out of this appropriation the Postmaster General is authorized to spend not exceeding $300,000 for the operation and maintenance of airplane service."

Mr. CANNON. Without the purchase?

Mr. LAGUARDIA. Yes.

Mr. CANNON. That is a limitation, simply striking out the $2,185,000 and putting in $300,000?

Mr. LAGUARDIA. That is simply for operation, not to purchase, because he has the machines now.

Mr. CANNON. I will vote for any amendment that will curtail the appropriation or legislation on this bill for the aeroplane service. We are falling into a very bad habit, that of putting all important legislation almost, more and more all the time, on appropriation bills without due consideration. The Aeroplane Service may or may not be a good service. It is being tested. I am quite in harmony with the proposition that after full consideration we should take care of the aeroplanes that the Government owns and that are not needed by the War Department and put to this service to give it a fair trial.

But why not let the great committees of the House deal with that proposition of initiating new service, considering it, and let it be reported in the House, and let us have a fair chance to amend and consider fully, rather than to put it on by the multiplied millions that frequently in effect lead to tens and hundreds of millions expenditure with a hop, skip, and a jump that must pass to maintain the Post Office Service, and to be settled finally when the last hours of the short session of Congress come by an agreement between the conference committees of the House and the Senate if there be disagreement. I would like to, and I think I will, offer, when this amendment is disposed of, an amendment to strike out of lines 7 and 8 the words "and aeroplanes."

Mr. ALMON. Mr. Chairman, the bill as reported by the committee makes an appropriation of $2,185,000 for the purchase of aeroplanes and maintenance and operation of the aeroplane service. It is admitted by the distinguished gentleman on the committee who reported the bill that only one-half a million dollars would be needed for the putting of this service into operation if the Government was permitted to use the aeroplanes owned by the Government. It is agreed by all, and I believe by the War Department and the Secretary of War, that after the declaration of peace that but few of the aeroplanes now owned by the Government will be needed for War Department purposes, and I have every reason to believe that if that discretion is not taken away from the Secretary of War he will exercise his discretion in favor of the Government and this service and deliver to the Postmaster General all the machines needed. But if he does not, shall we stand by and appropriate $2,000,000 to buy something that we already have? [Applause.] Why not remove his discretion and make it mandatory on the Secretary of War to turn over the machines now owned by the Government and not needed by the War Department, turn them over to the Post Office Department for carrying the mails according to the act of Congress. I do not believe there will be any trouble about it, but if there is I think we ought to act on the suggestion of the Chairman and reduce the appropriation $500,000 and amend the bill so that no part of the appropriation shall be used for the purchase of aeroplanes, but limit it to maintenance and operation of the aeroplane service.

The Chair has held, and I think properly, that we could not strike out the provision that gives the discretion in the former bill to the Secretary of War. But if found necessary we can, in the next 10 days, pass a separate bill taking away that discretion from the Secretary of War. We had better do that than to spend $2,000,000 for something that we already own and is not needed in the War Department. This is no time to appropriate money to purchase something already owned by the Government.

Mr. MOON. Mr. Chairman, let me say to the gentleman that I think in the main we ought to use things we have got and not spend money to buy more. I think the point of order against the bill that the Chair properly held out of order will cost the Government about $1,000,000 in order that a gentleman might show his learning on the subject of parliamentary law. I want to say further that $500,000 will not buy many machines and operate them. Now, I want to be perfectly candid with the House; I can not afford not to be. The suggestion I made a while ago was that if you strike out all of the second proviso it will leave $61,000,000 subject to be used by the Postmaster General for inland transportation by any sort of means—aeroplanes or railroad within the limitation. Of course, if you want to go to the top of the section and strike out the word "aeroplanes," as the gentleman from Illinois suggested, you destroy the aeroplane system entirely.

Mr. BLACK. Will the gentleman yield?

Mr. MOON. I will.

Mr. BLACK. I would like to ask the gentleman about the language for inland transportation by railroad routes and aeroplanes. Under that language the Postmaster General could not purchase any aeroplanes, could he, any more than he could purchase a railroad, unless some legislation gave him that authority to purchase aeroplanes? I would not think he would have the authority to purchase them.

Mr. MOON. That may or may not be, I would not undertake to say; but it vests the power for the operation of machines, and I do not see how he could operate the machines unless he had them.

Mr. SUMNERS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SUMNERS. If the gentleman who has offered an amendment accepts my substitute will it be in order?

The CHAIRMAN. The gentleman who has offered an amendment can withdraw it with the consent of the committee. It is not in order for two substitutes to be pending at the same time.

Mr. MANN. Mr. Chairman, I call the attention of the Chair to the fact that there is no substitute pending, notwithstanding the mover may have called it a substitute. The motion was to strike out a part of the text. Then there was an amendment proposing to perfect the text. That is not and could not be a substitute for the motion to strike out the text. The only proposition pending is a motion to strike out the text and a second amendment to perfect the text, which is to be voted on first. A substitute can be offered.

The CHAIRMAN. The Chair understood the proposition that the gentleman from Pennsylvania [Mr. ROBBINS] offered an amendment to strike out certain lines in the bill. The gentleman from New York offered what he called a substitute. The Chair had not examined it to see whether it was a substitute, and when the Chair answered the gentleman from Texas he took it that there was a substitute pending, and stated that two substitutes could not be pending at the same time.

Mr. MANN. The Chair would be correct, but the amendment offered by the gentleman from New York is an amendment to the text which it is proposed to be stricken out.

The CHAIRMAN. If the committee will indulge the Chair a moment, the Chair will examine the amendment. The Chair has examined the amendment, and it is undoubtedly not a substitute, but is an amendment to the text, to perfect the text, as suggested by the gentleman from Illinois [Mr. MANN]. Therefore no substitute being now pending, under the rules of the House a substitute is in order, and the Chair will recognize the gentleman from Texas to offer a substitute.

Mr. SUMNERS. Mr. Chairman, I offer the following substitute, which I send to the desk and ask to have read.

The Clerk read as follows:

Substitute offered by Mr. SUMNERS: Page 15, line 11, after the word "further" strike out down to and including the word "determined," in line 15, and insert in lieu thereof the words: "No part of said funds shall be expended for the purchase of aeroplanes."

The CHAIRMAN. Does the gentleman desire to be heard?

Mr. SUMNERS. Mr. Chairman, I shall detain the committee just for a moment. Gentlemen of the committee, I deem it hardly necessary to explain the amendment offered. It provides for the elimination of the item of $2,185,000 for the purchase of aeroplanes. If there is any question in the mind of any gentleman of the committee which he would like to propound while I have the floor I should be very glad, indeed, to undertake to answer.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS. Yes.

Mr. MANN. As I understand the gentleman's amendment, it would prohibit the use of any of the money for the purchase of aeroplanes, but would give to the Postmaster General practically unlimited money for the maintenance and operation of aeroplanes.

Mr. SUMNERS. It does not affect the purpose of any feature of the section except the one dealing with the purchase of aeroplanes.

Mr. MANN. Oh, yes; the gentleman strikes out the limitation for the purchase, operation, and maintenance of aeroplanes. His amendment prohibits the use of the money for the purchase of aeroplanes, but under the provision of the first portion of the paragraph the Postmaster General would be authorized to operate and maintain aeroplanes.

Mr. SUMNERS. But the amendment offered prohibits the use of any part of the fund for purchasing aeroplanes, but does not contemplate limiting operation.

Mr. MANN. The gentleman does not propose to limit that?

Mr. SUMNERS. No; it is not my purpose—the amendment was hastily drawn—to place a limitation upon the authority and power of the Postmaster General to expend money for the operation and maintenance of aeroplanes.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS. Yes.

Mr. GREEN of Iowa. If I understand the gentleman now, it would seem to me that the amendment of the gentleman from New York [Mr. LAGUARDIA], which provided that $300,000 might be used for the operation and maintenance, would be what we want.

Mr. SUMNERS. It would be, provided the item of $300,000 is sufficient to operate and maintain. I am not advised on that point.

Mr. LAGUARDIA. That is all they asked for, and on page 60 the Postmaster General said that was all he wanted.

Mr. SUMNERS. Then with that statement I should be glad to withdraw the amendment just offered, but I do insist upon the elimination of authority to purchase aeroplanes.

The CHAIRMAN. The gentleman from Texas withdraws his amendment. The question now is on the amendment offered by the gentleman from New York [Mr. LAGUARDIA].

Mr. GARRETT of Tennessee. Mr. Chairman, I offer the following substitute for the amendment offered by the gentleman from Pennsylvania [Mr. ROBBINS], which I send to the desk and ask to have read.

The Clerk read as follows:

Mr. GARRETT of Tennessee offers the following: Strike out the paragraph beginning with line 7 and insert:

"For inland transportation by railroad routes and aeroplanes, $59,825,000: *Provided*, That not to exceed $1,000,000 be expended for payment of freight and incidental charges for the transportation of mails conveyed under special arrangements in freight trains or otherwise: *Provided further*, That out of this appropriation the Postmaster General is authorized to expend not exceeding $500,000 for the purchase of aeroplanes and the operation and maintenance of aeroplane service between such places as may be determined: *Provided further*, That the Secretary of War is hereby directed to deliver immediately to the Postmaster General 100 De Haviland 4 aeroplanes, 100 Handley-Pages, 10 Glen Martin day bombers, all planes completely assembled and with the necessary spare parts; also 100 extra Liberty engines with spare parts, 50 Hispano-Suiza engines with 300-horsepower motors and 20 Hispano-Suiza engines with 150-horsepower motors, the same to be out of any equipment that the War Department has on hand or under construction, the War Department appropriation to be credited with the equipment to be turned over to the Post Office Department: *And provided further*, That separate accounts be kept of the amount expended for aeroplane service."

Mr. GREEN of Iowa. Mr. Chairman, I make the point of order against that portion of the amendment providing for the turning over of property from the War Department to the Post Office Department.

The CHAIRMAN. The Chair will hear the gentleman upon that and call his attention to the provisions of the Holman rule.

Mr. GREEN of Iowa. I will say to the Chair that while the present occupant of the chair was out the previous occupant of the chair ruled upon this matter.

The CHAIRMAN. While the present occupant of the chair was not in the chair at the time, he was in the Hall, and he heard the ruling of the distinguished gentleman from Virginia, Judge SAUNDERS; as the amendment was proposed then the present occupant of the chair is in perfect accord with that ruling; but the present occupant of the chair thinks the proposed substitute now offered is capable of differentiation from the Moon amendment under the Holman rule, as it is reducing by about $2,000,000 the amount covered in this appropriation bill.

Mr. GREEN of Iowa. Mr. Chairman, I hardly think the Chair would want to rule that an amendment which would be proper under the Holman rule could also have tacked onto it a further amendment which was neither germane to the amendment itself nor to the bill and thereby make this last amendment, which was not germane, in order. If so, it seems to me, there is no limitation to where we would stop under the Holman rule. We have simply got to get the first part of it so that it will be admissible under the Holman rule, by providing for reduction of expenditures, and then we can go on and insert something that is not germane at all, if the ruling of the previous occupant of the Chair is correct as to germaneness—something that is not germane either to the amendment itself or to the bill.

Mr. PARKER of New Jersey. If the Chair will permit me to say a word, did the Chair hear the previous occupant of the chair when he said that the direction of the Secretary of War to deliver over to a separate department these aeroplanes was new legislation and could not be supported?

The CHAIRMAN. It is unquestionably new law, and it is permissible under rules of the House to adopt new law and legislate on an appropriation bill, providing it comes within the purview of the Holman rule.

Mr. GREEN of Iowa. Very true, as I stated; but, Mr. Chairman, if the Chair will indulge me a moment——

The CHAIRMAN. The Chair will be glad to hear the gentleman.

Mr. GREEN of Iowa. May we introduce an amendment which reduces expenses and thereby comes under the Holman rule, and then by virtue of that amendment tack on also a further amendment which is neither germane as a part of the regular amendment nor to the bill itself? If so, there is no limitation as to where we will land under the Holman rule. We will get anything whatever in there because the rule with regard to germaneness is of no consequence whatever. All we have to do is to have some entirely disconnected provision which is admissible under the Holman rule, and then put on something else which has no connection whatever with the nature of the proviso, and have it dragged in by virtue of the first part of the amendment which is admissible under the Holman rule. I hardly think the Chair can find a ruling in support of that, although I yield with great deference to the opinion of the Chair, knowing he is well informed on these subjects and an authority with reference to parliamentary practice.

Mr. MANN. Mr. Chairman, the gentleman from Iowa is right in saying that an amendment that is not germane ought not to be held in order, and that is the rule; but under the Holman rule any amendment which reduces the amount of money covered in the bill with legislation attached to it is in order if it is germane, and the question is whether it is germane. The Chair will decide that. We have been discussing the matter here nearly all the afternoon on the Post Office bill. I made a few remarks on the subject, the gentleman from Iowa made a few lucid remarks on the subject, many other Members of the House made remarks on the subject, all of them, I hope, thinking their remarks were germane to the proposition under consideration in the bill, and unless we have all been out of order in talking as we have then the amendment is germane to the bill. [Laughter.]

Mr. STAFFORD. Mr. Chairman, if the Chair will hear me, I take it from the remark of the Chairman in passing obiter upon the decision of the former occupant of the chair, the gentleman from Virginia [Mr. SAUNDERS], that he agrees with the gentleman from Virginia that his ruling was correct, that the amendment then presented for consideration was not germane.

The CHAIRMAN. If the gentleman will permit the Chair, the Chair understands the crux of the ruling of the gentleman from Virginia was this was legislation and, therefore, being legislation it was not in order on an appropriation bill, but the Chair does not——

Mr. STAFFORD. I take issue with the Chairman in that particular, and the decision of the then Chairman, the gentleman from Virginia, will sustain the position that the gravamen of his decision was that it was not germane, and that for it to be germane it was necessary to be directly connected with the matter in issue, and that the mere authorization of the purchase—I can not use his exact words—the mere authorization of the purchase of aeroplanes did not warrant authority to direct another department to turn over supplies. It was based fundamentally not on the position that it was legislation on an appropriation bill, but because the subject matter presented to the consideration of the House was not germane to the matter carried in the bill. Now, I direct the attention of the Chair to the fact that the Holman rule relates to legislation, forbidding legislation on an appropriation bill; that if the amendment itself shows that a reduction of the amount will result in a retrenchment of expenditure, so far as the rule is concerned that forbids legislation on an appropriation bill, that then it will be in order, but it does not remove the rule of germaneness, and I direct the Chair's attention——

The CHAIRMAN. The Chair is in full accord with the proposition and he does not care to argue it.

Mr. STAFFORD. If the Chair is going to adhere to the ruling of the pro tempore Chairman, and if there is any question about his position, I would request that the ruling of the gentleman from Virginia be read for the information of the committee, and the Chair will find that his ruling was that the

amendment was not germane. Now, this is the very point in issue here. It is the same amendment, the identical amendment, that was not germane to the provision carried in this bill. For the sake of consistency of ruling on the same afternoon, I know the present occupant of the chair is not going to cast aside the decision and the raison d'être of the decision of the gentleman from Virginia, because I know he has very high regard for the gentleman from Virginia. I leave it to the Chair to adhere to the ruling made in that instance—that it was not germane—and in this instance for the same reason—it is not germane.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Tennessee offered a substitute for the amendment of the gentleman from Pennsylvania, but for the purpose of this decision the Chair can state that the amendment is a substitute for the language in the appropriation bill, and the effect of the amendment is to reduce the amount appropriated in the bill from $61,700,000 to $55,825,000, and it provides, in lieu of making an appropriation of $2,185,000 available for the purchase, maintenance, and the operation of aeroplanes in the management of the inland postal service of the United States, that the Secretary of War shall turn over to the Post Office Department certain aeroplanes owned by the Government, to be used in that service, and so forth. Now, the question presents itself to the Chair under the point of order made whether this amendment is germane and if it is legislation on an appropriation bill, whether it is in order under the rules of the House. Clause 2 of Rule XXI of the House provides:

> No shall any provision in any such bill or amendment—
>
> Referring to general appropriation bills—
>
> thereto changing existing law be in order, except such as being germane to the subject matter of the bill shall retrench expenditures by the reduction of the number and salary of the officers of the United States—

Of course, the amendment does not do that—

> by the reduction of the compensation of any person paid out of the Treasury of the United States—

The amendment does not do that—

> or by the reduction of amounts of money covered by the bill.

The amendment here reduces the amount covered by the bill by over a million dollars. Then the question presents itself to the Chair to determine whether the amendment is germane and whether the legislation proposed in the amendment is germane and logically follows the reduction of the amount covered in the bill.

Now, the Chair has the greatest respect for the decision of the able gentleman who ruled a few moments ago on this amendment without the amount in the bill being reduced, and the Chair heard that decision and the Chair understood the point of order to be sustained because the amendment legislated, and legislation is not in order on an appropriation bill except in special cases. The present occupant of the chair is forced to conclude that the subject we are dealing with is aeroplanes for the use of the Government in the Postal Service and that an amendment proposing aeroplanes owned by the Government under the control of another branch be turned over to the Postal Department is germane. And while it is legislation, in the opinion of the Chair it is germane to the provision of the bill we are discussing; by the amendment the amount appropriated in the bill is reduced, and the reduction naturally follows the legislation proposed; and, therefore, under the Holman rule, the Chair overrules the point of order.

Mr. GARRETT of Tennessee. Mr. Chairman, I think the committee very well understands what is accomplished by this amendment, and I do not care to take up any further time of the committee in the discussion of it. Briefly stated, for the benefit of any gentleman who may not have been here during the discussion of this matter within the last hour or two, it accomplishes——

Mr. SHERWOOD. Will the gentleman yield?

Mr. GARRETT of Tennessee. I will.

Mr. SHERWOOD. As I heard the amendment read it seemed to say for the purchase and operation of.

Mr. GARRETT of Tennessee. That is the exact language, I will say to the gentleman, that is carried in the bill. The only change is in the amount. This is exactly the language carried in the bill except the change in amount plus the amendment that was offered by the gentleman from Tennessee [Mr. MOON] requiring the War Department and making it mandatory upon them to turn over to the Post Office Department for the public service these aeroplanes, engines, and fixtures.

Mr. STAFFORD. Mr. Chairman, I wish to offer an amendment to the substitute offered by the gentleman from Tennessee [Mr. MOON].

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

Mr. STAFFORD. To follow that part of the gentleman's amendment just prior to the direction to the Secretary of War to turn over a certain number of aeroplanes and motors to the Postmaster General.

The CHAIRMAN. The Clerk will report the amendment proposed by the gentleman from Wisconsin.

The Clerk read as follows:

> Mr. STAFFORD moves to amend the substitute by inserting after the word "determined," the following:
>
> "That the Postmaster General in expending the appropriation herein for aeroplane service shall purchase, so far as possible, the aeroplanes, motors, equipment, and supplies from the War Department and Navy Department when no longer required, because of the cessation of war activities. It shall be the duty of the Postmaster General before purchasing any of such articles to ascertain whether the War or Navy Department has articles of the character described that are serviceable, and articles purchased from either of said departments, if the same have not been used, shall be paid for at a reasonable price, not to exceed actual cost, and if the same have been used, at a reasonable price based upon length of usage. Said departments are authorized to sell such articles to the Post Office Department under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as a miscellaneous receipt."

Mr. STAFFORD. Mr. Chairman——

The CHAIRMAN. The gentleman from Wisconsin is recognized.

Mr. BORLAND. Mr. Chairman, I reserve a point of order on that.

The CHAIRMAN. The gentleman from Wisconsin was recognized and started his speech, and, under the rules of the House, the gentleman from Missouri is too late.

Mr. BORLAND. I thought the chairman of the committee would raise the point of order.

Mr. MOON. The chairman of the committee was looking after his interests. I favor the amendment.

Mr. STAFFORD. Mr. Chairman, this is similar to the provision carried in the District appropriation bill that passed the House a few days ago. There is no question but what the War Department and perhaps the Navy Department have large quantities of aeroplanes in their possession that are no longer needed for war activities. There is no question but what these departments have other supplies that could be used by other activities of the Government.

The House a few days ago established the policy, and a very commendable one, that when any of these war-engaged bureaus and departments have supplies that are utilizable by other departments the departments having need of them should first call upon them and purchase those supplies before going into the market and purchasing other supplies. We are about to launch on a new policy so far as the purchase or use of aeroplanes is concerned. I thought I would present this amendment as being in harmony with the policy adopted by the House in connection with the District appropriation bill.

Mr. SUMNERS. Will the gentleman yield?

Mr. STAFFORD. I yield to the gentleman from Texas.

Mr. SUMNERS. I wanted to ask the gentleman if he does not believe, in making this arrangement, some provision ought to be carried under which the Government machine shops could be used for repairing these aeroplanes? Now, the Government has a number of repair depots stationed over the country, and, unless some provision is made, after the Government gets its aeroplanes it will have to either construct machine shops or have them repaired in other shops, while the Government machine shops would not be in use.

Mr. STAFFORD. In reply to the gentleman's inquiry, I would say it is outside of the provision and independent of the idea carried in the amendment that I have offered. For my part, I am quite in sympathy with the policy suggested to the committee to-day by the gentleman from Illinois [Mr. MANN]. I think there will be a duplication of activities for the Government to have one branch of the service like the military developing men in the experimentation and use of aircraft and at the same time allowing the Postmaster General to carry on independent operations without the cooperation and without the assistance of the military.

With that idea in mind I made the point of order so that the air service under the Postal Service could not all of a sudden grow into a tremendously expensive adjunct by developing an airplane service with hundreds and hundreds of planes. I thought it was far better for the Committee on the Post Office and Post Roads to have hearings whereby the representatives of the military branches of the Government could come before it and give the committee the benefit of their views and experience rather than with only limited knowledge on the subject for us to legislate here. But certainly this amendment that has been proposed by me is in consonance with sound governmental and business methods, and I submit it for the consideration it deserves.

Mr. BORLAND. Mr. Chairman, this amendment of the gentleman from Wisconsin [Mr. STAFFORD] is offered as an amendment to the substitute of the gentleman from Tennessee [Mr. GARRETT]. The proposition of the gentleman was that the Government should turn over from the War Department to the Post Office Department certain specified airplanes, to be used in establishing this airplane postal service, and that logically follows, as the Chairman has ruled, the reduction in the amount carried in the bill.

A part of the reduction is involved in the provision that the airplanes now owned by the Government in another department shall be turned over to and used by the Post Office Department. The gentleman from Wisconsin undertakes to amend that by providing that the Post Office Department shall buy these airplanes from the War Department. That, of course, would not logically follow any reduction in the bill, and therefore it would not have been in order if the point had been made in time.

Mr. MANN. Is the gentleman aware that the Garrett amendment authorizes the purchase of machines?

Mr. BORLAND. I am aware that it authorizes the purchase of machines, but it also directs the War Department to turn over certain machines; and the Chair, as I understand, rules that the part turning over the machines was logically connected with the reduction.

Mr. MANN. I think so; but if the Post Office Department is going to purchase any machines, why should it not have the privilege of purchasing parts? I take it it would not be machines. Why should it not have the privilege of purchasing parts from the War Department?

Mr. BORLAND. That is not the whole scope of the gentleman's amendment. If it were, I think there might be something said in its favor. The scope is that we shall buy these airplanes. The only theory upon which we would direct the machines to be turned over at all is the theory that they have ceased to be necessary for the use of the War Department. If that is true—and that is the only argument upon which the turning of them over can be predicated—then why should they be bought from the War Department, and what would be done with the money that was paid for them? Would it be put in the aeroplane fund and used for the purchase of more unnecessary machines? Just exactly why we should buy them from the War Department when the Government already owns, presumptively, more machines than it can use in that department?

The whole purpose and scope of the proposition of the gentleman from Tennessee is violated by this amendment. It has no relation whatever to the attempted economy which is suggested by the amendment of the gentleman from Tennessee.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. BORLAND. Yes; I yield to the gentleman.

Mr. STAFFORD. Is the gentleman acquainted with the order of the President, made by him on the eve of his departure for France, whereby the departments of the Government—the War and Navy Departments and all other boards and bureaus with war activities are obliged to turn over to the Supply Committee of the Treasury Department all supplies that are not needed by them in connection with the further operation of their departments and activities, and that all other departments are compelled to purchase their supplies from this Supply Committee, and that the amounts so paid shall be turned back into the Treasury as miscellaneous receipts? This amendment is directly in harmony with the suggestion of the President in that order.

Mr. BORLAND. Let me ask the gentleman why does he desire these supplies to be purchased instead of turned over? What does he expect to accomplish?

Mr. STAFFORD. I can not forecast what the ultimate form of this amendment will be in when it is enacted into law, and, further, it affords a check by Congress on the amount of supplies that are so transferred.

Mr. BORLAND. The gentleman is responsible for the form he puts it in.

Mr. STAFFORD. I accept that responsibility. There is a fund of $500,000 put in the hands of the Postmaster General with which to purchase supplies. The War Department has vast supplies. I think the Postmaster General should be compelled, as the amendment requires, to go to the War Department and obtain these supplies from the War Department, if they are no longer needed there, instead of going out in the open market and purchasing them.

Mr. BORLAND. Why should not that be a general regulation?

Mr. STAFFORD. It is a general regulation as to supplies no longer needed to be turned over to the Treasury Department, supplies such as desks and furniture and the like. And that very order provides—and it is an Executive order—that the various departments shall purchase their supplies out of the contingent funds, and the Treasury Department shall turn these receipts over to the Treasury as miscellaneous receipts.

Mr. BORLAND. The gentleman has just there revealed the weakness of his attitude. These supplies are to be turned over to the supply committee when no longer needed by the departments. We are legislating on the assumption that the War Department does not need these airplanes. We are not asking them whether they no longer need them, but we are deciding that question, which is a very important proposition. We say to the War Department, "You do not need these airplanes and therefore we will require you to turn them over as a matter of economy and efficiency to the Post Office Department."

Mr. STAFFORD. I assume that the Secretary of War and the Secretary of the Navy are patriotic in their endeavor to conserve the revenues of the Government, and they are not going to retain to-day supplies that they do not need when other branches of the Government need them; but if they do not need them and decline to turn them over they can be directed by Congress to turn them over.

Mr. BORLAND. But the gentleman is going on the theory that the War Department thinks they do not need these airplanes.

Mr. MANN. Mr. Chairman, I do not quite get the theory of my friend from Missouri [Mr. BORLAND]. So far there has been no proposition made to eliminate that portion of the Garrett amendment, which provides that the airplanes shall be turned over by the War Department to the Post Office Department. And if we are to have an airplane service conducted by the Post Office Department, I would certainly be in favor of that proposition. I do not understand that the Stafford amendment interferes with that. That is where I am willing to receive enlightenment. I understood that the Garrett amendment directed absolutely that certain machines should be turned over by the War Department to the Post Office Department and also included a provision that the Post Office Department might purchase machines within the limit—purchase, operation, and maintenance—for $500,000. While I do not apprehend they could purchase many machines under that appropriation, I do apprehend that the purchase of the parts of machines will be necessary of somebody somewhere, and it would seem that there would be no objection from the War Department or the Navy Department if the Post Office Department required these parts to purchase them from the War or Navy Department.

Mr. BORLAND. I understand the Garrett amendment is to include the turning over of not only aeroplanes and engines, but the spare parts.

Mr. MANN. That is true.

Mr. BORLAND. In other words, my understanding is that it directs the War Department to turn over whatever it can turn over now.

Mr. MANN. Whatever it can turn over immediately, but not what it can turn over a year from this time. I take it that if they operate the aeroplanes they will soon require new parts if they do not require new machines. At any rate, the Garrett amendment authorizes the purchase, and if we are to have the purchase I think we ought to permit the War Department to sell the machines and parts to the Post Office Department, as I was in favor the other day of permitting the District Commissioners to purchase from the various departments of the Government the material which they no longer needed.

Mr. MOON. Mr. Chairman, I think the amendment which is offered is appropriate and ought to be passed.

The CHAIRMAN. The Chair will state that the gentleman from Pennsylvania [Mr. ROBBINS] offered an amendment to strike out certain lines of the bill. To that the gentleman from New York [Mr. LAGUARDIA] offered an amendment to perfect the text. The gentleman from Tennessee [Mr. GARRETT] offered a substitute for the amendment of the gentleman from Pennsylvania to strike out a certain paragraph of the bill and the gentleman from Wisconsin offered an amendment to the substitute offered by the gentleman from Tennessee. The vote will first be had on perfecting the original text and next on perfecting the substitute before the vote is had on whether the substitute shall prevail over the original text. The Clerk will report the amendment offered by the gentleman from New York.

The Clerk read as follows:

> Page 15, line 13, after the word "exceeding," strike out "$2,185,000 for the purchase of aeroplanes and" and insert in lieu thereof "$300,000 for."

The CHAIRMAN. The question is on the amendment just read.

The question was taken; and on a division (demanded by Mr. MOON) there were—ayes 30, noes 33.

Mr. LAGUARDIA. Mr. Chairman, I ask for tellers.

The question of ordering tellers was taken, and 16 Members arose.

The CHAIRMAN. Not a sufficient number, and tellers are refused.

So the amendment was rejected.

The CHAIRMAN. The question now is on the amendment of the gentleman from Wisconsin [Mr. STAFFORD] to the amendment of the gentleman from Tennessee [Mr. GARRETT].

Mr. GARRETT of Tennessee. Mr. Chairman, if I may be indulged before the vote is put on the amendment——

The CHAIRMAN. The gentleman can proceed without objection.

Mr. GARRETT of Tennessee. I want to offer a suggestion to my colleague from Wisconsin. I am reliably informed that there will be an amendment offered as an opportunity is presented to strike out the provision for the purchase of aeroplanes. It will leave the amount the same, but it will strike out the provision for the purchase.

Now, if the amendment of the gentleman from Wisconsin prevails, as I have no doubt it will, as there seems to be no committee opposition to it and as it is a reasonable amendment, there is some language in there which I think the gentleman would not desire to have in if the amendment prevails to strike out the provision for the purchase of aeroplanes. I suggest, if agreeable to the gentleman from Wisconsin, that temporarily, by unanimous consent, he withhold the amendment until the gentleman from Alabama can offer the amendment to strike out the provision for the purchase. Let that be voted on, and then, if it prevails, I think the gentleman from Wisconsin would want to strike out the word "aeroplanes" from his amendment.

Mr. STAFFORD. My purpose in presenting the amendment is to have it a part of the bill when it goes to the Senate. It is in harmony with all the legislation that we are proposing in utilizing supplies no longer necessary. We can not forecast what attitude the Senate will take on this important proposition, and it should be a part of the bill when it goes to the Senate. I do not think there will be any great discord in the amendment if the word "purchase" should be eliminated. I think we had better proceed.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment to the substitute was agreed to.

Mr. ALMON. Mr. Chairman, I offer the following amendment as a substitute:

The Clerk read as follows:

Amendment by Mr. ALMON: After the words "five hundred thousand dollars for," strike out the words "the purchase of aeroplanes and."

Mr. ALMON. Mr. Chairman, the Post Office Department has made known to the committee the number and kind of aeroplanes needed for the aeroplane service. It is also agreed that the Government already owns all the aeroplanes that will be needed by the Post Office Department. For that reason I offer this amendment, so that no part of this half a million dollars will be used by the Postmaster General for the purchase of aeroplanes, but that it be used solely for the operation and maintenance of an aeroplane service. Of course, they could use a part of this half million dollars for the buying of parts, because that would be a part of the expense and maintenance, but no part of it should be used for the purchase of aeroplanes themselves, as they can be furnished by the War Department.

Mr. MOON. Mr. Chairman, I want to suggest that that is too close a limitation. If you are going to do any good with this service, you ought not to hamper the Postmaster General in that way. It may be that he might want to purchase several aeroplanes as well as operate them. With the fact before you that he can not now under the law that has been passed get a single aeroplane I believe we better just leave the language as it is and give him at least some discretion as to the $500,000. If you are not going to give him any discretion, just wipe out the whole thing.

Mr. MANN. Mr. Chairman, the original provision in the paragraph was—

For inland transportation by railroad routes and aeroplanes, $61,500,000.

The committee inserted a limitation in that so that the Postmaster General might not expend more than $2,185,000 for purchase, maintenance, and operation. It was a question in my mind when the propositions were presented to the committee a while ago whether, if you strike out the limitation, you do not authorize the Postmaster General to spend as much as he pleases of the $61,500,000 for operation, for maintenance, and for purchase. In other words, under the original provision of the text, if there had been no limitation the Postmaster General would have had authority, I am inclined to think, to use such portions of the entire appropriation as he pleased for the purchase of aeroplanes.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. MANN. Certainly.

Mr. BLACK. Suppose we should authorize $100,000 for screen-wagon service and have no authority of law to purchase, does the gentleman think the Postmaster General would have the right to go out and purchase Government-owned vehicles to operate that service?

Mr. MANN. I think he has exercised that right. He has purchased automobiles without any specific authority of Congress. He purchased and owned railroad cars without any specific authority of Congress, so far as I remember.

Mr. BLACK. I do not agree or disagree with the gentleman on that proposition, because I do not have the information; but I do not think he would have the right to go out and make these direct purchases without authority of law.

Mr. MANN. There are certain things that he could not purchase. He probably can not purchase land, but if you authorize the Postmaster General to do certain things, and if there is no way to do it except by the purchase of certain things, he probably can make the purchase. Whether that be the case or not is not so pertinent. I was inclined to think he would have the authority. It is perfectly plain to me that if you strike out the word "purchase" here and put no limitation on the purchase and have included a provision in the bill in the same paragraph that he may purchase from the War Department, that he can purchase without limit. The Stafford amendment authorizes the purchase, and it has been agreed to by the committee, by the Post Office Department, and any law officer of the Government would say it was a very silly aggregation of men in Congress who would make an appropriation of $61,000,000 for the maintenance of an aeroplane system and then authorize the purchase from the War Department and say they could not use the money for that purpose.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. GARRETT of Tennessee. That was why I ventured to express to my friend the wish that he would withdraw temporarily his amendment.

Mr. MANN. I understand. I am not sure that the Stafford amendment should be agreed to under the conditions.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Alabama to the substitute.

The amendment was rejected.

Mr. LAGUARDIA. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend the amendment of Mr. GARRETT of Tennessee by adding the following:

"*Provided*, That said planes, motors, and material be operated, repaired, and maintained by the personnel of the Air Service of the Army."

Mr. MOON. Mr. Chairman, I make the point of order on that.

The CHAIRMAN. Does the gentleman from New York desire to be heard upon the point of order?

Mr. LAGUARDIA. Yes. If it was germane to turn over the machines of the War Department to the Post Office Department, I do not see why it is not germane to provide that those machines be operated by the personnel of the Army. It is simply a question of appropriation. These machines were purchased by the War Department out of money appropriated for the War Department, and there is no reason, if the committee is acting in good faith, why they can not go the whole limit and do this thing right. What you have now is a botched up job. You have machines that the Post Office can not take care of, they can not maintain, and you are just taking machines out of proper care and turning them over to the Post Office. It is the most unintelligent piece of legislation—and that is saying a whole lot—that the Sixty-fifth Congress has ever passed. It is up to you, gentlemen.

Mr. GREEN of Iowa. Mr. Chairman, I would like to be heard for a moment upon this. I think this amendment is admissible under the Holman rule. It reduces expenses very clearly.

The CHAIRMAN. The Chair is ready to rule.

Mr. STAFFORD. Mr. Chairman, will the Chair hear me for a moment?

The CHAIRMAN. The Chair will hear the gentleman, but the Chair's mind is made up.

Mr. STAFFORD. Very well.

The CHAIRMAN. The Chair sustains the point of order.

Mr. GREEN of Iowa. Then I reoffer the amendment with a further amendment to it, adding the words "without expense to the Post Office Department."

Mr. MOON. I make the point of order on that.

Mr. GREEN of Iowa. I shall wait until I shall hear the ruling of the Chair, and if that is not in order then I shall offer still another.

The CHAIRMAN. The Chair will sustain the point of order on the ground that the amendment nowhere reduces the amount covered by the bill, does not reduce the number of employees or officers of the Government, and does not fall within the limits of the Holman rule.

Mr. STAFFORD. Mr. Chairman, may I inquire in that connection, with all due respect to the Chair, if the amendment now proposed had been originally incorporated as a part of the Garrett amendment, the Garrett amendment reducing expenditures, would the Chair then hold that the amendment was not germane to the matter contained in the Garrett amendment?

The CHAIRMAN. The Chair has been here long enough not to cross bridges until he arrives at them.

Mr. STAFFORD. That is the question that is up to the Chair.

Mr. GREEN of Iowa. Mr. Chairman, I offer the following amendment: "*Provided*, That no part of said sum shall be expended for the operations of the said planes, motors, and material which shall be maintained and operated by the personnel of the Air Service of the Army."

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Iowa.

Mr. GARRETT of Tennessee. Let the amendment be reported; there may be a point of order against it.

The CHAIRMAN. The Chair will state there is no point of order made on the amendment.

Mr. MOON. The amendment never has been reported under the rule.

The CHAIRMAN. That is correct. The Clerk will report the amendment.

The Clerk read as follows:

Mr. GREEN of Iowa offers the following amendment to the Garrett amendment: Add at the end of the Garrett amendment the following proviso:

"*Provided*, That no part of said sum shall be expended for the operation of the said planes, motors, and material which shall be maintained by the personnel of the Air Service of the Army."

Mr. MOON. I make a point of order on it.

Mr. EMERSON. Mr. Chairman, I ask unanimous consent that this section be read by the Clerk.

The CHAIRMAN. The point of order is pending. Does the gentleman from Iowa desire to be heard on the point of order?

Mr. LITTLE. What is the point of order?

The CHAIRMAN. The point of order is that this is legislation that is not in order on this appropriation bill.

Mr. LAGUARDIA. It is logical.

Mr. LITTLE. Let the gentleman state what his point of order is.

The CHAIRMAN. The Chair is only passing upon it.

Mr. MANN. If that is the point of order, of course that is not any good, because this is an amendment in the way of legislation to an amendment, which is all legislation, practically, and which is in order under the Holman rule. So far as its being legislation is concerned, if that is the point of order that is made, why the Chair will readily see that point of order is not good.

The CHAIRMAN. The Chair, of course, spoke hastily. The Chair understood the gentleman makes the point that this amendment was not in order because it added affirmative direction and added additional legislation that was not germane to the legislation proposed in the substitute amendment offered by the gentleman from Tennessee.

Mr. GREEN of Iowa. If that is the point of order, I would like to be heard very briefly. I do not see how the Chair could possibly hold it is not germane after having held the other amendment was germane. This relates to the disposition of these particular aeroplanes provided for in the original Garrett amendment, tells how they shall be disposed of and used, so it seems to me it is very clearly germane.

Mr. BLAND of Indiana. Mr. Chairman, I make the point of order there is no quorum present.

The CHAIRMAN. The gentleman from Indiana makes the point of order there is no quorum present. The Chair will count. [After counting.] Sixty-three gentleman are present, not a quorum, and the Clerk will call the roll.

Mr. MOON. Well, Mr. Chairman, as gentlemen seem to be anxious to rise, and while I would be glad to work on, I defer to their wishes, and I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CRISP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 13308, and had come to no conclusion thereon.

LEAVE OF ABSENCE.

By unanimous consent Mr. MUDD was granted leave of absence for 10 days on account of sickness.

DISPENSING WITH CALENDAR WEDNESDAY.

Mr. MOON. Mr. Speaker, I ask unanimous consent that the business on Calendar Wednesday be dispensed with to-morrow so that we may take up the Post Office appropriation bill.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to dispense with Calendar Wednesday in order to take up this appropriation bill. Is there objection?

Mr. ALMON. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from North Carolina [Mr. KITCHIN] when we may expect to be given an opportunity to take up the Private Calendar. There are a number of undisputed bills on that calendar which passed the last Congress and did not pass the Senate for want of time.

Mr. KITCHIN. If we get through with this bill in time, by Friday, we can take that calendar up on Friday. I propose to ask to take up the Private Calendar on Friday.

The SPEAKER. Is there objection?

Mr. WALSH. Reserving the right to object, I would like to ask what would be in order if this bill should be concluded early to-morrow afternoon—what would be taken up?

Mr. KITCHIN. We have no appropriation bill ready to take up, and in that case we could take up the Private Calendar on Thursday.

Mr. WALSH. Will it be in order to adjourn after passing this bill?

Mr. KITCHIN. The gentleman means to-morrow afternoon; yes. We will adjourn when we get through with this bill to-morrow.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS.

Mr. GRIEST. Mr. Speaker, I ask unanimous consent to extend my remarks on the Post Office appropriation bill.

The SPEAKER. Is there objection to the request? [After a pause.] The Chair hears none.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 32 minutes p. m.) the House adjourned until to-morrow, Wednesday, December 18, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Speaker of the House of Representatives of Porto Rico, transmitting "Petition to the Congress of the United States to include in such reciprocal commercial treaties as our nation may negotiate with Spain or any other European nation the importation of Porto Rican coffee free of duty or under the largest tariff rebate possible" (H. Doc. No. 1594); to the Committee on Ways and Means and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting a communication from the Secretary of the Smithsonian Institute submitting a proposed paragraph of legislation for inclusion in the sundry civil appropriation bill relative to the appropriation for observation of the eclipse of the sun June 8, 1918, making the balance available for the eclipse of May 28, 1919 (H. Doc. No. 1595); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting a tentative draft of legislation for the inclusion in the legislative, executive, and judicial appropriation bill (H. Doc. No. 1596); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of Commerce submitting a supplemental estimate of appropriations required by the Bureau of Foreign and Domestic Commerce (H. Doc. No. 1597); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of the

Interior submitting a supplemental estimate of appropriation for the building and grounds at St. Elizabeths Hospital, fiscal year 1919 (H. Doc. No. 1598); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Acting Secretary of State, transmitting a translation of note from the ambassador announcing that the Spanish Senate unanimously directed to be entered on its journal, in view of the signing of the armistice of November 11, 1918, congratulations on the peace and the triumph of justice over force (H. Doc. No. 1599); to the Committee on Foreign Affairs and ordered to be printed.

7. A letter from the Secretary of War, transmitting a recommendation that an item be included in the pending river and harbor bill for the purchase of and improvement of the inland waterway from Delaware River to Chesapeake Bay (H. Doc. No. 1600); to the Committee on Rivers and Harbors and ordered to be printed.

8. A letter from the Secretary of State, transmitting information that a note has been received from the ambassador of Spain stating that the Spanish Government was in intimate understanding with the western powers of Europe and the United States (H. Doc. No. 1601); to the Committee on Foreign Affairs and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. MANSFIELD, from the Committee on the District of Columbia, to which was referred the bill (H. R. 12635) to incorporate the American Committee for Relief in the Near East, reported the same without amendment, accompanied by a report (No. 866), which said bill and report were referred to the House Calendar.

Mr. SIMS, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 4024) to amend section 336 of the Revised Statutes of the United States, relating to the annual report on the statistics of commerce and navigation of the United States with foreign countries, reported the same without amendment, accompanied by a report (No. 867), which said bill and report were referred to the House Calendar.

Mr. DILLON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13232) granting the consent of Congress to Traill County, N. Dak., and to Polk County, Minn., to construct a bridge across the Red River of the North, reported the same with amendment, accompanied by a report (No. 868), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. GREGG, from the Committee on War Claims, to which was referred the bill (H. R. 10152) to carry into effect the findings of the Court of Claims in favor of Elizabeth White, administratrix of the estate of Samuel N. White, deceased, reported the same without amendment, accompanied by a report (No. 865), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. KELLY of Pennsylvania: A bill (H. R. 13415) to provide for the present emergency arising out of the demobilization of soldiers and sailors by securing for them opportunities for permanent and profitable employment through the settlement, colonization, and development, upon a systematic and comprehensive basis, of agricultural lands, and of the forest, mineral, and other natural resources within the United States and Alaska, and for other purposes; to the Committee on Labor.

By Mr. CAMPBELL of Pennsylvania: A bill (H. R. 13416) to authorize the compilation, printing, and sale of a Spanish-English and English-Spanish dictionary; to the Committee on the Library.

By Mr. DUPRÉ: A bill (H. R. 13417) providing for the improvement of Barataria Bay, La., and connecting waters; to the Committee on Rivers and Harbors.

By Mr. SANDERS of New York: A bill (H. R. 13418) retiring veterans of the late Civil War and granting them pensions; to the Committee on Invalid Pensions.

By Mr. SNYDER: A bill (H. R. 13419) to create regional boards of examiners to aid in the disposition of claims arising out of the present emergency and prior to November 12, 1918; to the Committee on the Judiciary.

By Mr. DOOLITTLE: A bill (H. R. 13420) to amend the act of May 11, 1912, as amended by the act of June 10, 1918, granting pensions and increase of pensions to soldiers and sailors of the Civil War, and for other purposes; to the Committee on Invalid Pensions.

By Mr. PHELAN: A bill (H. R. 13421) to amend sections 7, 10, 11, and 25 of the Federal reserve act, and section 5172, Revised Statutes of the United States; to the Committee on Banking and Currency.

By Mr. GOULD: Resolution (H. Res. 481) requesting the President for certain information in accordance with the so-called Overman Act; to the Committee on the Judiciary.

By Mr. McFADDEN: Resolution (H. Res. 482) authorizing the creation of a select committee to inquire into the affairs of the Bureau of War Risk Insurance; to the Committee on Rules.

By Mr. EMERSON: Joint resolution (H. J. Res. 370) directing the peace commissioners to insist as a part of the peace treaty that outrages against Jews be discontinued; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DENTON: A bill (H. R. 13422) granting a pension to Margaret A. McFadden; to the Committee on Invalid Pensions.

By Mr. DOOLITTLE: A bill (H. R. 13423) granting an increase of pension to James Myers; to the Committee on Invalid Pensions.

By Mr. GOODALL: A bill (H. R. 13424) granting an increase of pension to Frank C. Stevens; to the Committee on Invalid Pensions.

By Mr. SANFORD: A bill (H. R. 13425) granting an increase of pension to Emeline McAllaster; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Petition of Frank E. Noyes, publisher of Mariette Eagle-Star, recommending the present postal zone rates; to the Committee on Ways and Means.

By Mr. ESSEN: Petition of Central Council of Central Agencies of St. Louis, Mo., praying for the passage of House bill 12880; to the Committee on Education.

By Mr. EMERSON: Resolutions of the Hebrew Social Aid Society, of Cleveland, Ohio, urging protest against cruel and unmerciful massacre of innocent women and children in Poland and Galicia; to the Committee on Foreign Affairs.

Also, resolutions by the North American Union at Cleveland, Ohio, urging Senators and Congressmen of that district to assist in passage of Senate bill 3475; to the Committee on the Judiciary.

By Mr. KENNEDY of Rhode Island: Resolution of United Irish Societies of Woonsocket, R. I., requesting Congress to urge American representatives at peace conference to use full weight and influence to the end that the principle of self-determination shall be applied to the settlement of the future government of the people of Ireland; to the Committee on Foreign Affairs.

By Mr. LUNDEEN: Protests from boiler makers of the Minneapolis & St. Louis and Chicago, Milwaukee & St. Paul railroads against the action taken by Senator KELLOGG in regard to Government ownership of railways and favoring Mr. McAdoo's proposition of five-year control; to the Committee on Interstate and Foreign Commerce.

Also, petition of allied shopcraft of the Chicago, Milwaukee & St. Paul Railroad, of Minneapolis, Minn., asking Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of International Brotherhood of Blacksmiths and Helpers of the Chicago, Milwaukee & St. Paul Railroad asking Government control of railroads for five years; to the Committee on Interstate and Foreign Commerce.

Also, petition of Soo Line System Federation, protesting against the return of the railroads to private ownership and asking for genuine Government ownership; to the Committee on Interstate and Foreign Commerce.

By Mr. MADDEN: Resolutions by Federal grand jury at Boston, Mass., urging increase in wages; to the Committee on the Judiciary.

By Mr. RAKER: Resolutions by the Sacramento Valley (Cal.) Development Board, requesting the passage of Senate bill 758 and House bill 4595; to the Committee on Pensions.

Also, resolution by the Gardena Parents-Teachers' Association, Los Angeles, Cal., indorsing Senate bill 4987; to the Committee on Education.

By Mr. VARE: Petition of Hon. John J. Guerin, representative of building and loan associations, clubs, and fraternal organizations of South Philadelphia, urging passage of legislation for the retirement of aged Government employees; to the Committee on Reform in the Civil Service.

Also, resolutions of the Lumbermen's Exchange of the city of Philadelphia, relative to making the Darby River navigable; to the Committee on Rivers and Harbors.

SENATE.

WEDNESDAY, *December 18, 1918.*

(Legislative day of Sunday, December 15, 1918.)

The Senate met at 12 o'clock noon, on the expiration of the recess.

The VICE PRESIDENT resumed the chair.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, Cal.	New	Spencer
Baird	Johnson, S. Dak	Norris	Sterling
Bankhead	Jones, N. Mex.	Nugent	Sutherland
Beckham	Jones, Wash.	Overman	Swanson
Borah	Kellogg	Pearose	Thomas
Brandegee	Kenyon	Pittman	Thompson
Chamberlain	Kirby	Poindexter	Townsend
Colt	Knox	Pollock	Trammell
Culberson	La Follette	Pomerene	Underwood
Curtis	Lenroot	Robinson	Vardaman
Fernald	Lodge	Saulsbury	Walsh
Fletcher	McCumber	Shafroth	Warren
France	McKellar	Sheppard	Watson
Gay	McLean	Sherman	Weeks
Gronna	McNary	Simmons	Williams
Harding	Martin, Ky.	Smith, Ariz.	Wolcott
Hardwick	Martin, Va.	Smith, Ga.	
Henderson	Moses	Smith, Mich.	
Hitchcock	Myers	Smoot	

Mr. CURTIS. I wish to announce the absence of the junior Senator from New York [Mr. CALDER] on account of illness. I will let this announcement stand for the day.

Mr. CHAMBERLAIN. The Senator from Maryland [Mr. SMITH] is detained on official business.

Mr. SUTHERLAND. My colleague [Mr. GOFF] is absent owing to illness.

The VICE PRESIDENT. Seventy-three Senators have answered to the roll call. There is a quorum present.

SENATORS FROM GEORGIA AND ALABAMA.

The VICE PRESIDENT. The Chair lays before the Senate the following document which has been sent to the Chair. It will be read and referred to the Committee on Privileges and Elections.

The Secretary read as follows:

The State of Georgia. By his excellency Hugh M. Dorsey, governor of said State.

To the Hon. WILLIAM J. HARRIS, greeting:

Whereas by the Constitution of the United States of America it is ordained and established that the Senate of the United States shall be composed of Members chosen every six years by the people of the several States; and

Whereas by the returns made agreeably to law of the election held on the 5th day of November, A. D. 1918, for a Member of the Senate to represent this State in the Senate of the United States for six years, beginning on the 4th day of March, 1919, you were duly elected by the people of this State.

These are, therefore, to commission you, the said WILLIAM J. HARRIS, to take session in the Senate of the United States for six years beginning on the 4th day of March, 1919, and to use and exercise all and every the privileges and powers which of right you may or can do in and by virtue of the Constitution of the United States in behalf of this State.

Given under my hand and the great seal of the State at the capitol in Atlanta, this 30 day of December, in the year of our Lord 1918, and of the independence of the United States of America the one hundred and forty-third.

HUGH M. DORSEY, *Governor.*

By the governor:
[SEAL.]

HENRY B. STRANGE,
Secretary of State.

Mr. UNDERWOOD. I present the credentials of my colleague [Mr. BANKHEAD] for the new term for which he has been elected. I ask that they be read and filed.

The credentials were read and ordered to be placed on file, as follows:

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 5th day of November, 1918, JOHN H. BANKHEAD was duly chosen by the qualified electors of the State of Alabama a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1919.

Witness: His excellency our governor of Alabama and our seal hereto affixed at the capitol this 19th day of November, in the year of our Lord 1918.

CHARLES HENDERSON, *Governor.*

By the governor:
[SEAL.]

JOHN PURIFOY,
Secretary of State.

Mr. SMITH of Georgia. Mr. President, I had the privilege some days ago of handing you the usual form of certificate of election of my future colleague, Mr. HARRIS, which was laid before the Senate and placed on file in the ordinary course. I only desire to call attention to it now.

The VICE PRESIDENT. This document came to the Chair with the request that it be laid before the Senate.

Mr. LODGE. Mr. President, my attention was diverted. What disposition was made of that credential?

The VICE PRESIDENT. Which one?

Mr. LODGE. The Harris credential.

The VICE PRESIDENT. It was referred to the Committee on Privileges and Elections.

Mr. LODGE. I thought the Senator from Georgia spoke of it as having been placed on file.

The VICE PRESIDENT. As the Senator from Georgia informed the Senate, the regular certificate was handed down some days since. This is a commission from the governor to the effect that Mr. HARRIS will appear and take his seat here on the 4th of March next. It is not in the form of a credential; but it came with the request that it be laid before the Senate, and it has been referred to the Committee on Privileges and Elections.

Mr. LODGE. What was the other credential?

Mr. SMITH of Georgia. It conformed to the usual conditions as provided by the Senate.

The VICE PRESIDENT. The other was in the usual form, as ordered by the Senate. This is going to be the rule of the Chair, unless otherwise ordered by the Senate. The Senate adopted a form to be followed by the governors of the various States when certifying to the election of United States Senators. When the credentials come in that form they will be laid before the Senate, and unless the Senate takes some other action they will be placed on file, but when they come in some other form and do not comply with the resolution of the Senate they will be referred to the Committee on Privileges and Elections.

Mr. SMITH of Georgia. I think this document was not necessary at this time. The certificate that I presented was in the regular form required by the Senate, and my only desire was to mention the fact that the certificate, in pursuance of the form prescribed by the Senate, had been filed and had taken the usual course.

Mr. LODGE. If I may ask, was the other credential, which I understand was that of the Senator from Alabama [Mr. BANKHEAD], placed on file?

The VICE PRESIDENT. It was the regular certificate, and was filed. On December 3 the regular certificate of the Senator elect from Georgia was placed on file.

Mr. SMITH of Georgia. This is a supplemental commission issued by the governor that I do not think was necessary.

Mr. LODGE. I was asking about another credential, which I understand was presented and placed on file.

PAY OF THE NAVY.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Navy, transmitting a letter from the Chief of the Bureau of Navigation requesting that the temporary increases in the pay of the Navy as authorized by the act approved May 22, 1917, be made permanent, which, with the accompanying paper, was referred to the Committee on Naval Affairs and ordered to be printed.

STATEMENT OF EXPENSES.

The VICE PRESIDENT laid before the Senate a communication from the Acting Secretary of the Interior, transmitting, pursuant to law, a report from the Commissioner of the General Land Office showing a statement of expenses incurred in detailing temporary clerks from the office of one surveyor general to another, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, requested the Senate to return to the House for correction the bill (H. R. 12001) to amend an act entitled "An act to revise, codify, and amend the laws relating to the judiciary," approved March 3, 1911.

PETITIONS AND MEMORIALS.

Mr. KNOX obtained the floor.

Mr. FLETCHER. I ask the Senator from Pennsylvania to yield that I may present some telegrams, which I ask be noted in the RECORD. They relate to the railroad situation.

Mr. KNOX. I yield for that purpose.

Mr. FLETCHER presented a telegram in the nature of a petition from the Sawyer Godfrey Co., of Jacksonville, Fla., praying for the speedy return of the railroads to private ownership, which was referred to the Committee on Interstate Commerce.

He also presented a telegram in the nature of a resolution from the Central Trades and Labor Council of Jacksonville, Fla., and a telegram in the nature of a resolution from the Brotherhood of Railway Carmen, Lodge No. 540, of Tampa, Fla., favoring the extension of Government ownership of railroads, which were referred to the Committee on Interstate Commerce.

He also presented a telegram from the Henry W. Horst Co., of Moline, Ill., relative to the housing project at Rock Island, Moline, and East Moline, Ill., which was referred to the Committee on Public Buildings and Grounds.

Mr. SIMMONS. Mr. President, I am going to call for the regular order.

Mr. FLETCHER. I present a communication with reference to the State of Florida and the United States courts, which I move be referred to the Committee on the Judiciary.

The motion was agreed to.

Mr. FLETCHER. I present a communication in the nature of a petition from the Federal grand jury for the southern district of Florida, praying for an increase in the compensation for members of the grand and petit juries and for witnesses before the Federal courts. I move that it be referred to the Committee on the Judiciary.

The motion was agreed to.

Mr. PHELAN presented a memorial of the Iron Trades Council of San Francisco, Cal., remonstrating against the Government's contracting with Chinese shipbuilders, which was referred to the Committee on Commerce.

HOUSING PROPOSITION.

Mr. SHERMAN. Mr. President, I wish to present a communication that probably ought to go to the Committee on Public Buildings and Grounds. It is an offer from a business firm in Rock Island, Ill., to take over the housing proposition for the Government at that place, complete all the buildings, and they will then pay cost, so that the Government will be out nothing. Probably it is the most intelligent salvage offer that has come to the attention of the Senate. I ask that it be referred to the Committee on Public Buildings and Grounds.

The VICE PRESIDENT. It will be so referred.

STATE OF THE COUNTRY.

Mr. McLEAN. I present a brief extract from the proceedings of the New England Baptist convention, held at Asbury Park, N. J., which I ask may be printed in the RECORD.

There being no objection, the paper was ordered to be printed in the RECORD, as follows:

THE 1918 STATE OF COUNTRY.

[The New England Baptist convention at Mount Pisgah Baptist Church, Asbury Park, N. J., June 13-17, 1918. By Rev. W. B. Reed, D. D., Hartford, Conn.]

War has been declared against all sin through all ages by the Throne of all power. War has been declared by our convention against sin, unrighteousness, class of racial laws, and we meet in this forty-fourth annual session to report progress. War has been declared by four-fifths of the world against autocracy, against political slavery, oppression, brute force, and discrimination against the weak; the price for this blessed world freedom is being paid in sacrifice, privation, untold suffering, blood, and death.

Never since man dropped from the breath of God has the world waded through such carnage of war. Never since the old serpent poured out his vials of sin, deception, and grief in the home of man have nations given the flower of their manhood that freedom might be written around the world. Never since civilization lifted men to councils of reformation, order, and law have women and children been sacrificed as now in the midst of this civilization. Never since treaties between nations were written have nations joined themselves together for a victory to be handed down to nations yet unborn. The world is in arms for world freedom and lasting peace among the nations great and small. What is to be the answer to this great conflagration upon fields of battle? On what side of the line through countless streams of blood will victory be written? Shall the unspeakable Kaiser, with his bloody sword, spoil the treasures of earth and his war lords become masters of the human family? Or shall truth be enthroned throughout the world, democracy proclaimed in every country, and individual liberty safeguarded in every home and upon every highway?

We almost hold our breath as the war news is flashed upon the bulletin board, less adversity should curse the human race. Thousands of fathers like Eli of old wait for tidings from the battle ground, inquiring from returning heralds, "What is there done?" Womanhood trembles while Prussianism shoots further and further its gaseous calamities among the children of men.

Our Nation has decreed that an honorable grave is more to be desired than the dishonorable vassal of Kaiser. We as a part of this Nation from its foundation, we who have marched under the Nation's flag in all its battles, say "Amen" to this decree. Some are "over there," others are in training, while others are waiting the call, with sleeves uprolled, shirt collars unbuttoned, and feet prancing for the march. Democracy, like running lightning, is playing on the vision of man. Something charming in the name. For 300 years we have prayed long, labored, and waited for real democracy. God is answering us and we accept the answer, though it comes through perils of war in a strange land.

Other men are dying who see only the shadow of oppression; we have been grievously tormented under the oppression they dread. Together we fight, together we die, together we must triumph, or together we fail. Kaiser's red knows no color, race, or creed.

While the cannon roar, smoke envelops armies; while nations are locked in arms and their brave men are dying; while the only son of a sad but patriotic father stands between his country and autocratic invasion; while the young father gives his life for the success of his country and the freedom of his child, we ask that democracy, for which four-fifths of the world is fighting, be made clear to all men. Colored people are looking for real democracy and nothing but real democracy.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JONES of Washington:

A bill (S. 5206) to provide for the inspection of fruits, vegetables, and other farm products at point of shipment, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. NEW:

A bill (S. 5207) to declare unlawful the exhibition of a red flag, and to fix a penalty therefor; to the Committee on the Judiciary.

By Mr. STERLING:

A bill (S. 5208) for the relief of certain noncommissioned officers of the United States Army who were recalled to active service during the recent war and commissioned as officers; to the Committee on Military Affairs.

By Mr. WILLIAMS:

A joint resolution (S. J. Res. 197) authorizing the appointment of an ambassador to the Republic of Peru; to the Committee on Foreign Relations.

THE REVENUE.

Mr. STERLING submitted an amendment intended to be proposed by him to the bill (H. R. 12863) to provide revenue, and for other purposes, which was ordered to lie on the table and be printed.

Mr. WOLCOTT submitted an amendment intended to be proposed by him to the bill (H. R. 12863) to provide revenue, and for other purposes, which was ordered to lie on the table and be printed.

Mr. GORE submitted an amendment intended to be proposed by him to the bill (H. R. 12863) to provide revenue, and for other purposes, which was ordered to lie on the table and be printed.

Mr. McKELLAR submitted an amendment intended to be proposed by him to the bill (H. R. 12863) to provide revenue, and for other purposes, which was ordered to lie on the table and be printed.

RETENTION OF UNIFORMS.

Mr. ASHURST submitted an amendment intended to be proposed by him to the bill (H. R. 13366) permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment, and to wear the same under certain conditions, which was referred to the Committee on Military Affairs and ordered to be printed.

SALARIES OF FEDERAL JUDGES.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives requesting the return of the bill (H. R. 12001) to amend an act entitled "An act to revise, codify, and amend the laws relating to the judiciary," approved March 3, 1911.

Mr. SMITH of Georgia. I ask unanimous consent that the Committee on the Judiciary be discharged from the further consideration of the bill and that it be returned to the House of Representatives.

The VICE PRESIDENT. Without objection, it is so ordered.

LEAGUE OF NATIONS FOR PEACE.

Mr. KNOX. Mr. President, with the indulgence of the Senate, I ask the privilege of submitting a few observations in relation to the resolution that I introduced not long ago, which I ask to have read from the desk.

Mr. SIMMONS. I understand that the Senator desires to have it read simply in connection with his remarks and not for action?

Mr. KNOX. Only in connection with my observations.

Mr. SIMMONS. That is all right.

The VICE PRESIDENT. The resolution will be read.

The Secretary read the resolution (S. Res. 361) submitted by Mr. KNOX December 3, 1918, and referred to the Committee on Foreign Relations, as follows:

Whereas the United States of America entered the war with Germany and Austria-Hungary in order to vindicate the ancient rights of navigation as established under international law and in order to remove forever the German menace to our peace; and

Whereas the splendid effort of the American people and the valor of our soldiers and sailors during a year and a half, when added to the enormous sacrifices, the steadfast fortitude, and the noble courage displayed by our allies during more than four years, have made possible the attainment of those aims, now best expressed as restitution, reparation, and guaranties against the German menace; and

Whereas the surrender of Germany and Austria-Hungary to the terms of the armistice has attained a great part, and has rendered enforceable the remainder of those aims; and

Whereas conferences are about to take place with the purpose to complete, to perfect, and to guarantee the attainment of the war aims aforesaid and thus to pass to the state of formal peace: Therefore be it

Resolved, That the purposes of the United States of America in those conferences should be confined to the aforesaid aims and matters germane thereto.

Second. That for the safeguarding of those aims the first essential is a definite understanding that the same necessity arising in the future there shall be the same complete accord and cooperation with our chief cobelligerents for the defense of civilization.

Third. That any project for any general league of nations or for any sweeping change in the ancient laws of the sea as hitherto recognized as international law and violated by the Teutonic powers should be postponed for separate consideration, if and when at some future time general conferences on those subjects might be deemed useful.

Resolved further, That immediately upon compliance with the terms of the armistice and the guaranteed attainment of the war aims as aforesaid, the Army and Navy of the United States should be withdrawn from foreign territories and waters except in so far as their retention might be temporarily necessary to establish the status contemplated by the armistice; and further that the extraordinary powers conferred upon the President for the prosecution of the war should be withdrawn and the country restored to a normal condition of peace with the greatest possible celerity consistent with the national interest.

Mr. KNOX. Mr. President, in addressing the Senate on October 28, in presenting the resolution of December 3, and in the remarks I now wish to make upon the subject of that resolution I am actuated by the conviction that the great national policies involved in the diplomatic closing of the state of war and in the conditions under which this Nation is to pass to the state of peace and to face the future are matters upon which the Senate and, indeed, the whole Congress of the United States should, through thorough discussion, reach a clear crystallization of their views upon the basis of the calm thought and the conscience of the American people. It is upon this necessity of full discussion, rather than advocacy of a particular program, that I wish, first of all, to dwell. But since a definite formulation of views is the best basis for practical discussion, I shall endeavor to put before the Senate some quite definite considerations.

For the fact that "the surrender of Germany and Austria-Hungary to the terms of the armistice has attained a great part, and has rendered enforcible the remainder of our war aims," we have the testimony of the President, who on November 11 read to Congress the terms of armistice signed by the enemy, and, having done so, said:

> The war thus comes to an end; for having accepted these terms of armistice, it will be impossible for the German command to renew it.

Continuing, he said war "is at an end," and then added:

> We know, too, that the object of the war is attained; the object upon which all free men had set their hearts; and attained with a sweeping completeness which even now we do not realize.

Further on he also said:

> The arbitrary power of the military caste of Germany, which once could secretly and of its own single choice disturb the peace of the world, is discredited and destroyed.

These statements as to the results already accomplished the President repeated with equal emphasis in his address to Congress on December 2.

It is clear, then, that our attention should now be directed to the enforcement of the remainder of our war aims, now best expressed as restitution, reparation, and guaranties; and to the purpose to complete, to perfect, and to guarantee those aims as we pass to the state of formal peace. (I use again the language of the resolution of December 3.)

The definite problem of formally ending the war is: By what measures as to "restitution, reparation, and guaranties" shall we assure that the war now won shall stay won; that the menace now removed shall stay forever removed. Germane, in a broad sense, is the question by what measures of safeguard we may make the recurrence of any similar menace in the future most improbable. Germane too, in this broad sense, are certain of the questions of the conditions under which the United States is to face the future; certain questions, but not all questions. We must guard against too great amplification just here.

Restitution becomes an accomplished fact with the evacuation of invaded territories and the definitive return to France of Alsace-Lorraine. The principle of restitution, applied to Germany's enforced relinquishment of political and economic means of aggrandizement in Russia, Roumania, Turkey, and elsewhere, extends into the field of measures to guarantee the world against a revival of the menace of Teutonic dominion.

Reparation is a matter of arithmetic, of law, and of equitable justice. In other aspects it also extends into the conception of practical, in contradistinction to paper, guaranties for the future. In this view it is not improper to consider whether the imposition of excessively onerous money payments might not have the effect of either a desperation favorable to anarchy or else a necessity to allow Germany great foreign-trade facilities (if indeed she can find customers for her goods) in order that she might produce the wealth required for vast indemnities. The latter alternative might in the long run have the result of forcing economic aggrandizement upon a people who, we have seen, can not now be safely intrusted with great power in the world. This war must be a lesson to Germans and to all who may ever think of emulating them. It occurs to me that to demand the cancellation of the German internal bonded war debt and the allocation of that sum to the funds for the indemnities of restoration, and so forth, might possibly be considered. Such a scheme would appear to punish the people who financed a villainous war in a way that they would be slow to forget.

As to guaranties, the condition of relative impotence in the face of the preponderant power of the allies to which Germany has been reduced by the terms of the armistice is, of course, the first of our real guaranties. The maintenance of that condition during a long period of repentance, probation, and expiation for the years of horror into which the Teutonic peoples plunged the world is the first of real guaranties against the recrudescence of any similar German menace.

As part of this guaranty for the future, as well as for the sake of humanity and the interest of the peoples affected, it seems entirely clear that her colonies should not be returned to Germany, but should either be divided among the chief belligerents or else jointly held by them, with their respective authority somewhat proportioned to their respective local interests and to their position as factors in victory. In either case the allies could determine and apportion such share of raw materials from their tropical and other territories as they found convenient after supplying their own requirements and having in view to give Germany the means of subsistence but not the means of aggrandizement.

The setting up of new free states as a cordon to cut off for the future the "Mittel Europa" and Near Eastern dream of founding Teutonic world dominion is in this respect another practical measure in the broad conception of real guaranties for the future. The effectiveness of this last-named form of guaranty against the Germanic menace may well call, from time to time, not only for measures to secure the external durability of those newly created states as against a powerful nation such as Germany, but also for measures to maintain safe conditions within and as between the new states in question. Thus it is true that even while we confine ourselves to what is broadly but no less really germane to our war aims, we are carried far afield, and we look for limits to the obligations which America could wisely share with Europe.

Here is the road we have traveled. The United States of America slowly, but in the end very clearly, perceived that a menace of Europe by the dominion of aggressive military power was in this nineteenth century a menace also to the safety of this Nation. America manifested this perception by throwing its entire power into the scales to join in the suppression of that menace of Europe by military imperialism.

Can we not perceive emerging from these facts a new American doctrine? I will state this great new doctrine in these words: If a situation should arise in which any power or combination of powers should, directly or indirectly, menace the freedom and peace of Europe, the United States would regard such situation with grave concern as a menace to its own freedom and peace and would consult with other powers affected with a view to concerted action for the removal of such menace.

If this had been the avowed and understood policy of the United States before July, 1914, it is, in my judgment, very improbable that the war would have occurred. When at length the United States had perceived and had acted upon this policy

with mighty effect the war entered on its last and victorious phase. America has now perceived and manifested its perception of the principle of this policy. It has put this policy to successful test. Avowed by public official declaration, it might prove worthy, I believe, to serve with the Monroe doctrine as a fundamental doctrine of American diplomacy. It entangles us in no way, but it makes us the potential ally of the defenders of liberty whenever a great menace shall arise.

When the British statesman Canning saw that the aggressive designs against the Western Hemisphere that were cherished by certain powers were capable of a repercussion likely to menace the European situation, the Monroe doctrine arose to ward off that menace (as well as to secure American safety). The Monroe doctrine, with virtual European sanction, and especially with British sanction, serves its purposes well. It would, I think, be sure of British support if it were menaced. But the Monroe doctrine leaves to the United States the mandate that it carries, and it is for the United States to do what need be done to maintain safe conditions within and as between the Republics of this hemisphere in connection with our predominant interest in their external durability as against an aggressive power from without.

There is a certain analogy between this and what would be a corollary to the doctrine now suggested, as it would touch the question of our obligation in the matter of new States now being raised up in Europe. The corollary would be that if such new States were menaced as part of a general European danger then the United States would be concerned; but that what need be done to maintain safe conditions within, or as between them, would be primarily a European concern and a European obligation in the discharge of which we need take no part. And this is as it should be. There is no need that American troops should travel thousands of miles for any other purpose than to ward off a menace to vital American interests.

The doctrine which I propose would seem to embody a simple and safe basis for that "definite understanding that, the same necessity arising in the future, there shall be the same complete accord and cooperation with our chief cobelligerents for the defense of civilization" as was effective in this case, and which is "the first essential for the safeguarding of our war aims," to use the language of the resolution of December 3.

That resolution next records the opinion that—

> any project for any general league of nations, or for any sweeping change in the ancient laws of the sea as hitherto recognized as international law and violated by the Teutonic powers should be postponed for separate consideration not alone by the victorious belligerents but by all the nations, if and when at some future time general conferences on those subjects might be deemed useful.

Let me turn now to the resolution's recommendation that no project for any general league of nations should be dragged into the peace negotiations. As I have previously had occasion to remark, an act of Congress of August, 1916, authorized and requested the President to call a conference of the nations on the subjects of the arbitration of international disputes and gradual disarmament of the nations. The representation of this country was to consist of 10 delegates, eminent in the law and for loyalty, who were to report back their conclusions to their own Government. It was requested that the conference should be called not later than at the close of the war. An appropriation of $200,000 was voted for the purpose. If any such subject is to be taken up, we have here authoritative recommendation by the Congress for its separate consideration.

The object of my resolution is not to condemn in advance any league of nations—and least of all the existing entente, or a permanent understanding of all the English-speaking peoples—of a kind that might in time commend itself to the considered judgment of the American people. The object of my resolution is simply to postpone the larger and very disputable question of some comprehensive league of nations for that separate and very deliberate consideration that its nature demands and that an act of Congress has already sanctioned.

After all, why such hurry? If a league of nations is a good thing, surely its merit will be the better appreciated after careful study. If the debate that preceded our Declaration of Independence raged for almost a decade before the Revolution; if the debate over the meaning of the Constitution as to the powers of the Nation and the rights of the States lasted for generations and is not yet ended; if a single phase of the debate over State and National rights occupied years, culminating in the immortal intellectual combat between Stephen A. Douglas and Abraham Lincoln; if every great question in every free country has required a long period of discussion and thought before the people could reach a conclusion upon it, should not this, one of the biggest, deepest, and most far-reaching proposals ever made to the American people, also receive careful and extended public examination before the people are called upon to render their verdict?

If a league of nations may not be a good thing, certainly the agitated days following a great war should not be seized upon to saddle the country with a policy it has not examined and which is no necessary part of the making of peace.

I, for one, am entirely ignorant of what the President means by a league of nations. The American people do not know. Our judgments must to-day be hypothetical. Conceptions of a league of nations range from a sort of world republic to a mere entente for certain purposes of the United States and our chief allies—something that need not necessarily cause alarm.

Some people speak of an international order founded upon justice and good faith as necessarily the antithesis of an international order founded upon power. The victorious allies have in this war placed invincible power at the service of justice and good faith. We have seen the glorious result. Where would justice and good faith and civilization be to-day if those powers had not leagued together to vindicate them? Are justice and good faith so sure to prevail in a heterogeneous, experimental league of all nations, hastily created now, that we are ready to surrender our national conscience to such a league? Can we create a league with a purer conscience or higher ideals than the one called into existence by the German attack? Wise policy, as opposed to shallow empiricism, would seem to counsel us to solidify and build upon what we have tried rather than to plunge headlong into a universal experiment.

Nor can we nurse every backward nation. The most we can do is to strive to give favorable opportunity to evolution. It may be that we shall have to guard against letting the phrase "self-determination of peoples" quite run away with us. Is the phrase always sure to possess an absolute merit that it lacked, for example, in America in the sixties?

One danger to the country is the extreme radical, the progressive who demands the millenium here and now and who is very intolerant of the views of others who may differ from him as to ways and means. The coequal danger is the danger of reactionarism. The path for America's true progress lies through the middle ground of a wise and sound liberalism. That middle ground has been vacated often by the political leadership of the day. I appeal particularly to Senators on this side and to Republicans generally to occupy and make their own that middle ground of constructive, wisely progressive, modernized policy that is called for by these great days. And I know that many of my Democratic colleagues feel this same appeal.

The discussion of a league of nations reveals two tendencies of thought, both of which seem to me to be dangerous, the one premature and the other out of date. One set of proponents of the league of nations idea in an extreme form seem to argue that a league of nations must be a universal one and must be made at once in order that the difficult geographical, ethnographical, economic, and other questions arising out of the war may be settled by it. Strange idea! The practicability of such a league in any thoroughgoing sense is, to say the least, most doubtful, if indeed it be not altogether chimerical at this period of civilization. Yet some advocates of that ideal would create their league offhand and would instantly confront it with vast problems of the utmost difficulty. Any league would be designed to prevent violent disturbances of the international status quo and to further adjustments and developments carefully worked out to foster an evolution along just, humane, and honorable lines, in the hope of forestalling those tensions between evenly balanced powers that make possible the most horrible wars. Not fiat, but higher civilization, will bring the millennium nearer.

We have now passed from a dangerous balance of power to a beneficent preponderance of power in the hands of the proved trustees of civilization. The English-speaking people and our principal allies formed a real league and they have enforced peace and saved civilization. This league we have stands ready to enforce the conditions of peace.

It may be doubtful whether we need any international courts in addition to the rusting machinery of The Hague tribunal. It may be doubtful whether we desire more comprehensive arbitration treaties than those negotiated with Great Britain and France in 1912. The text of that treaty shows a way in which great powers might safeguard their mutual peace in case of any mutual dispute. For the rest, an entente of those powers, with their preponderant power on sea, in air, and in the economic field, can stand ready, in their wise discretion, to take measures together, when they believe it their duty to do so, if the peace of the world is seriously threatened from any other quarter.

A universal league of nations which should be the arbiter of the international rights of each nation, if it were democratic—that is, based on world majority rule according to populations—or if it were based upon a formula taking both sovereignties and populations into account, would have the power to impose upon the peoples most advanced in honor, justice, truth, enlightenment, and humanity—that is, in civilization—the judgment and the verdict of peoples less advanced.

Now, the conscience and temper of the American people, as we have just seen in this war, can impose upon them a great international task even without any treaty obligation to assume that task. Unless impelled by their own conscience and judgment it is more than doubtful whether any treaty could drive this nation to a foreign war. Is it not better, then, that the obligation we assume should depend upon our own judgment and the conscience of the English-speaking peoples and our present allies, rather than upon the judgment of some vast world league?

As to any practicable league, it must be fostered by the creation of a community of interest in peace and justice and good faith. Upon just this principle of the creation of community of interest, of self-interest in peace and welfare, rested the six-power policy in China which was so unthinkingly wrecked in 1913. Upon the same principle rested the "dollar diplomacy" that succeeded in bringing an unusual degree of peace and prosperity to the turbulent countries of the Caribbean Sea. If we perfect our diplomacy, with due practical regard to this common-sense principle, we shall enable it, I hope, by the gradual extension of the same principle to render great service to the world at large. Power in the hands of the defenders of civilization holds the best promise of an ultimate international order founded upon justice and good will, which all good men long to see.

Whether the question of some kind of league of nations shall really come before the Senate in connection with the peace negotiations, and, if so, in what form, is a matter involving the policy of our allies, as to which we are not yet enlightened. But we shall not waste our time if we now consider some of these possibilities, even in a form necessarily hypothetical.

Let us suppose, for example, that there should be proposed a permanent entente of the English-speaking peoples and of the French, Italians, and Japanese to enforce this peace; to consult together whenever peace was anywhere threatened, with a view to endeavor to maintain peace; to cooperate economically, each recognizing the other's leadership in its peculiar field, and to form a permanent committee for consultation on these subjects.

The question would then arise as to whether the United States should for general purposes join in or remain outside of such an entente. I think the day has gone by for the rejection on principle of any close association of this Government with governments of other countries. To dogmatize against any possible entente under any possible circumstances would be almost as unreasonable as to wish to rush headlong into some Utopian world league.

Washington referred to a "detached and distant situation" that no longer exists, as all know. He referred to the danger of a weak nation's becoming entangled with a powerful one. The questions we are considering will have to be decided by the application of present wisdom to present conditions, not by the easy misapplication of old wisdom to entirely new conditions.

Emerson truly said that—

> Every law and usage was a man's expedient to meet a particular case; that they are all imitable, all alterable; we may make as good; we may make better.

With Britain dominant in the regions of India and the Near East and vastly interested in Africa; with Japan preeminently interested in the Far East; with France and Italy possessing acknowledged special interests in the Mediterranean; with the sphere of the United States conformed primarily to the regions affected by the Monroe doctrine, the relations of these powers afford excellent opportunity for mutual recognition of special interests and for honest mutual cooperation in sane economic and diplomatic policies. With their own accord safeguarded, it might be possible for such a group of nations to serve the world and the cause of peace and of civilization in a fashion to gratify all those who pursue a policy and not a fetish.

Suppose that it were proposed that the United States should bind itself in advance by treaty to go to war in given circumstances. Under the Constitution war can be declared only by the Congress. How could the President, by negotiating a treaty, and the Senate, by consenting to its ratification, bind this country to declare war? A declaration of war is, under the Constitution, a prerogative of the Congress. The appropriations to initiate or to conduct war are in the discretion of the Congress.

The Senate has always been jealous of its treaty-making function. When arbitration treaties have been before it, the Senate has steadily refused to consent to a treaty for the arbitration even of justiciable questions, except in a form that would reserve to it the right to say yes or no to the question of the fitness for arbitration of each specific issue that might arise under any such general treaty.

How, then, could a President of the United States, even in conjunction with the Senate as a part of the treaty-making power, bind in advance the Congress of the United States to vacate its predecision, under the Constitution, of future questions of declaring or not declaring war; nay, more, to surrender to foreign nations their constitutional right to make that decision whenever it arises? Might not the annulment of so important a check upon war-making dangerously diminish the people's rightful control over that most momentous step—the declaration of war? I put this question merely in passing. It is one of many we have to consider; but it is the larger questions which now cry loudest for our earnest thought.

As between the proposition contained in my resolution that there should be a definite understanding for cooperation to defend civilization should the same necessity arise as gave cause for the late war on the one hand and the project of a supergovernment by some league of nations on the other hand, I quote from a series of lectures delivered at Oxford some years ago by W. A. Phillips, M. A.—

> but it is none the less true that the new holy alliance, of which the pacifists dream, would be faced by very much the same problems as those which confronted Alexander and his allies. They, too, proposed to establish their international system on the principle of the preservation of the status quo—indeed, there is no other practical principle conceivable; they, too, would apply the principles of the Troppau protocol, by empowering the universal union, in the event of any State violating or threatening to violate the public law of the world, to bring it to reason "by peaceful means, or if need be by arms." Now, it might be possible that, as Sir Frederick Pollock points out, "contests for supremacy or predominant influence," which in their very nature can not be "disposed of by argument," might be effectually prevented by a coalition of powers of superior collective strength which "should be prepared to enforce the principles which now stand unanimously acknowledged by the second peace conference of The Hague."
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> This would, in effect, be to apply the principle which the grand alliance directed against France, that of a coalition ad hoc. But if an attempt were made to expand this coalition into "a universal union" and to base its action not on the exigencies of circumstances as they arise, not on the particular joint interests recognized by all the parties to it, but on the general right of the world organization to coerce its refractory members, what becomes of the sovereign independence of nations? Especially it would be the small States whose independence would be prejudiced; for though international law recognizes in theory the equality of all sovereign States, no international system which should attempt to translate this theory into practice would survive. If, on the other hand, the voting power of the central "directory" were to be proportioned to the size and importance of its constituent States, the result would be precisely such a hegemony of the great powers as was exercised by the grand alliance after 1815. Nor is it extravagant to suppose that the new holy alliance, thus constituted, would develop, mutatis mutandis, very much on the lines of the old. It would begin by repudiating the principle of intervention in the internal affairs of the constituent nations, only in the end to find itself compelled to intervene; for, in new forms, the old difficulty of drawing a sharp distinction between external affairs and "internal affairs having an external effect" would be sure to emerge.
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> The truth is, to cite Sir Frederick Pollock once more, that the effective working of an international federal system demands a far greater uniformity of political institutions and ideas among the nations of the world than at present exists. This truth was realized by the sovereigns and statesmen of the Holy Alliance, and they attempted to secure the necessary uniformity by forcing their own model on the European States, not primarily in the interests of despotism but in the supposed interests of the general peace of society. It has quite recently received a fresh and striking illustration in the attitude of President Wilson toward the revolution in Mexico and similar conditions in other Latin American States, an attitude developed logically out of the assumption by the United States, under the Monroe doctrine, of the duty of policing the Americas. Like the signatory powers of the Troppau protocol, he too demands "guaranties of legal stability and order" before he will recognize a de facto government; like them, he proposes to reconcile the guilty State to his system "by peaceful means or, if need be, by arms"; he differs from them only in his conception of what constitutes the guaranty required. The sovereigns of the Holy Alliance found this in the submission of the peoples to their governments ab antiquo; by President Wilson it is assumed to depend upon the will of the people "properly expressed and registered."
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> From the point of view of our present inquiry it matters not which conception of "legitimacy" be the more reasonable. The important thing is that for any international organization, whether dominated by a group of powers or by a single power, a certain uniformity of political system is essential, and that sooner or later this uniformity would be enforced by armed intervention. The moment of such intervention, moreover, will be determined always by the interests of the dominating power or powers. "This abyss of iniquities which we call politics," wrote the beautiful and unhappy Empress Elizabeth of Russia in 1817, "is vainly covered with a tissue of brilliant phrases, since it is easy for anyone of the least intelligence, whose heart is in the right place, to see through this tissue and recognise that, in spite of evangelical treaties, in spite of the reign of justice, it is always the weaker who are sacrificed to the interests of the more powerful." This was true enough when it was spoken; is there any reason to suppose that it is less true of the present age, or will be less true of the age to come?

These wise words remind us of the antiquity of the ideal of a league of nations to bring the blessings of sure and universal peace otherwise than through the slow amelioration of the heart and thought of man, the slow growth of a finer public

opinion, and the maintenance, meanwhile, of a vigilant preparedness to defend one's right. Some of the league of nations enthusiasts have referred to those who would look before we leap as being men who look backward. The truth is that these Utopians have looked backward for every idea they now so enthusiastically flash before the public eye. Their every idea and aspiration is as old as the Amphictyonic League, the "Grand Design" of Henry IV, the Holy Alliance of Alexander I. They have not coined a new phrase; they have coined a new human nature, and that coinage is to be scrutinized in the light of history. It did not pass in the past. Have we sound reason to believe it a safe currency to-day?

So long as you have national consciousness, so long will a nation fight for its life just as an individual will do if life is deemed more desirable than death. Even the most optimistic do not pretend to the blotting out of all war, even occasional civil war, but only to the lessening of international war, by international action. And even the forcible prevention or just decision of all international war, wherever and however arising, by a league of nations of which the United States was a member would presuppose the sending of American troops thousands of miles for some distant purpose perhaps of no great concern to American citizens. However small the force we sent, still some one's sons would be asked to die for a far-away cause of rather academic appearance.

I do not believe the American people would approve such an exigency. I should not wish to see this country signatory to an agreement which the American people would be likely to repudiate if put to the test. I should not vote for any treaty that subjected this Nation's judgment and conscience as to its vital interests or its war-making prerogative to the will of a foreign majority.

I think the American people—North, South, East, and West—believe in Americanism. I think they believe in nationalism as an instrument for good. I do not for one moment believe they would be willing to see this country ordered about by a heterogeneous world league of all nations. I do not think that, when they come to study the subject, they will be willing to go farther than a policy of nationalism a little mitigated and accommodated to a judicious and limited accord upon certain common mutual concerns, especially if that accord be first of all an accord of the English-speaking peoples, and, as it now is in fact, with our principal great allies for the firm enforcement of our war aims.

Bacon said, "As for the philosophers, they make imaginary laws for imaginary commonwealths, and their discourses are as the stars, which give little light because they are so high." As the Holy Alliance was falling apart Canning wrote with a very human breeziness, "Things are getting back to a wholesome state again. Every nation for itself and God for us all." Between dangerous pursuit of the ignis fatuus of the theorists and a stubborn reversion to the cynicism and selfishness of that intense national individualism which admits no duty to the society of nations there is a middle ground. There, I think, this great country should take its stand. Both within nations and as between nations this is the day of individualism modified by social consciousness. The problem is to sacrifice neither of those necessities to a high civilization, national and international.

If it prove wise for the United States to enter some definite entente, well and good, provided it be a small and natural one, bringing only limited and appropriate obligations. Any "league of nations" should await future exhaustive consideration. As I have already suggested, even without an entente, except for the unfinished business of enforcing and insuring our war aims, the United States can, without any "entanglement" whatever, place in advance at the service of the world's peace, if seriously threatened, the whole of its influence and of its potential power. This can be done, as I said, by a new declaration of some correspondence to the Monroe doctrine—a declaration that a menace to the liberty of Europe is a menace to America, and that America will consult her friends and prepare for action if ever such menace shall again arise.

I have said enough, I hope, to make this much clear:

First. That the issues of the war were issues between the central powers and the allies and ourselves. The function of a peace treaty is to settle those issues.

Second. The issues as to a league of nations and a revision of the laws of the seas are issues between the allies themselves and between them and each of them and all of the neutral powers.

Third. I have shown conclusively that upon these latter issues there exist the widest diversity of opinion, and I have concluded that it is wise not to force upon a conference that must adjust the comparatively simple demands of the one the complexities and confusions of the other.

Mr. PITTMAN. Mr. President, I had no intention of discussing the subject the distinguished Senator from Pennsylvania [Mr. KNOX] has just so ably presented. I had reason to believe that it would not be discussed to-day. I feel, however, that in view of the fact that this resolution is under consideration by the Foreign Relations Committee and possibly would have been acted upon to-day at its meeting had not its determination been put over until Saturday, the speech of the Senator would have been answered by the report of the Committee on Foreign Relations.

I am unwilling as a member of that committee to permit the view announced by the Senator from Pennsylvania to be considered for one moment as an expression of the view held by me as a member of that committee or even of a majority of the committee, because I am confident the committee will report adversely upon the resolution.

I regret that the Senator from Pennsylvania in the circumstances did not see fit to make his very able address after the Committee on Foreign Relations had had an opportunity of reporting on the resolution on the coming Saturday. At that time the resolution may be debated by those who are in favor of it and those who are against it, or possibly the resolution may be by the committee framed in a less obnoxious form.

I simply want to call attention to the fact that the resolution does not express the sentiments, in my opinion, of the Committee on Foreign Relations or the Senate, and certainly not the aspirations of the people of this country. The speech of the Senator with regard to a league of nations may or may not express the sentiments of this body; it may or may not express the sentiments of the people of this country; but of this I am sure—his resolution does not. The resolution has had no emphasis in the speech of the Senator. I desire to call attention to it. I call attention to the first "whereas":

> Whereas the United States of America entered the war with Germany and Austria-Hungary in order to vindicate the ancient rights of navigation as established under international law and in order to remove forever the German menace to our peace.

I think that is a very unhappy and incomplete description of the causes that forced the United States into this war. I would dislike for the world to believe that such were the sole causes for our Government entering the war. Did we enter into this war for the pure and sole purpose of defending laws of navigation upon the high seas? Did we enter into this war solely to support some theory of international law, no matter how just? Yet the reading of the resolution that the Senator asks this body to adopt may be subject to that construction.

Not satisfied with such unhappy statement of the causes of war, in the second "Whereas" of his resolution, which is the foundation for his speech and for the suggested action of the Senate, he says:

> Whereas the splendid effort of the American people and the valor of our soldiers and sailors during a year and a half, when added to the enormous sacrifices, the steadfast fortitude, and the noble courage displayed by our allies during more than four years, have made possible the attainment of those aims, now best expressed as restitution, reparation, and guaranties against the German menace.

Do we desire no guaranties against any other menace than German that may arise in the future? Having abated one epidemic, are we to make no preparations against another and different epidemic? Are those all the aims of this Government? Are those the sole aims of the American people? Yet the Senator says that those are the sole aims; in other words, according to the resolution the sole aim of the American people in this war is to sustain the right of navigation as established under international laws and to forever remove the German menace to our own peace.

I take it that the Members of this body have a higher conception of our peace aims. That which directly forced us into this war is one thing and that which we hope to derive from the peace agreement is another thing. The Senator from Pennsylvania is confusing in the minds of the people of this country and of the world the distinction between the causes for entering the war and the aspiration of a nation in making peace.

We entered the war because war was forced on us, because our rights were trampled on, because we were insulted, because civilization was threatened, because we would have deserved the ignominy of the world if we had not entered the war. But after entering the war, did we have no aspirations when peace would come other than restitution, indemnities, and the destruction of the German military power? Are we perfectly satisfied to end the war and have another war come the next year or the year after that? Do our aspirations for peace embrace no hope whatever of a lasting peace? Yet there is nothing in the resolution

of the Senator from Pennsylvania that breathes the spirit of a hope that the President of the United States has announced and that lives in the souls of the American people.

Do you think for one moment that the great spirit which inspired our magnificent Army to die by thousands upon the battle field was solely that of fear of German menace or desire for revenge? Do you not know that every soldier who, in his young manhood, in the bright years of his life, when hope was in his bosom, marched to certain death was sustained in that hour by the knowledge that he was giving his life for a better country, for a better world, and so that those who would follow him might not suffer what fate had compelled him to suffer?

The Senator from Pennsylvania states the cause of the war. How did the President of the United States state the cause of this war in his war message? He says:

> The new policy has swept every restriction aside. Vessels of every kind, whatever their flag, their character, their cargo, their destination, their errand, have been ruthlessly sent to the bottom without warning and without thought of help or mercy for those on board, the vessels of friendly neutrals along with those of belligerents. Even hospital ships and ships carrying relief to the sorely bereaved and stricken people of Belgium, though the latter were provided with safe conduct through the proscribed areas by the German Government itself and were distinguished by unmistakable marks of identity, have been sunk with the same reckless lack of compassion or of principle.
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> I was for a little while unable to believe that such things would in fact be done by any government that had hitherto subscribed to the humane practices of civilized nations. International law had its origin in the attempt to set up some law which would be respected and observed upon the seas, where no nation had right of dominion and where lay the free highways of the world. By painful stage after stage has that law been built up, with meager enough results, indeed, after all was accomplished that could be accomplished, but always with a clear view, at least, of what the heart and conscience of mankind demanded. This minimum of right the German Government has swept aside under the plea of retaliation and necessity and because it had no weapons which it could use at sea except these which it is impossible to employ as it is employing them without throwing to the winds all scruples of humanity or of respect for the understandings that were supposed to underlie the intercourse of the world. I am not now thinking of the loss of property involved, immense and serious as that is, but only of the wanton and wholesale destruction of the lives of noncombatants—men, women, and children—engaged in pursuits which have always, even in the darkest periods of modern history, been deemed innocent and legitimate. Property can be paid for; the lives of peaceful and innocent people can not be. The present German submarine warfare against commerce is a warfare against mankind.
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> It is a war against all nations. American ships have been sunk, American lives taken, in ways which it has stirred us very deeply to learn of, but the ships and people of other neutral and friendly nations have been sunk and overwhelmed in the waters in the same way.

Compare that statement of the causes urging this Government to enter the war, and the bare, cold, brutal, technical statement urged by the Senator from Pennsylvania, which he asks this body to express as the causes that moved this country to enter the war.

Again, the President in the same message says:

> The German Government denies the right of neutrals to use arms at all within the areas of the sea which it has proscribed, even in the defense of rights which no modern publicist has ever before questioned their right to defend.

And the causes that Congress knew so well were again enumerated by the President in his Flag Day address at Washington on June 14, 1917, when he said:

> They filled our unsuspecting communities with vicious spies and conspirators and sought to corrupt the opinion of our people in their own behalf. When they found that they could not do that, their agents diligently spread sedition amongst us and sought to draw our own citizens from their allegiance—and some of those agents were men connected with the official embassy of the German Government itself here in our own Capital. They sought by violence to destroy our industries and arrest our commerce. They tried to incite Mexico to take up arms against us, and to draw Japan into a hostile alliance with her—and that not by indirection but by direct suggestion from the foreign office in Berlin. They impudently denied us the use of the high seas and repeatedly executed their threat that they would send to their death any of our people who ventured to approach the coasts of Europe.

And, again, in his war message, the President said:

> There is one choice we can not make, we are incapable of making—we will not choose the path of submission and suffer the most sacred rights of our Nation and our people to be ignored or violated. The wrongs against which we now array ourselves are no common wrongs; they cut to the very roots of human life.

Again, we find the President, in defining the causes that forced us into this war taking the position that it was not alone the dispute over the right of navigation on the high seas but the right of nations to exist, and the right of peoples to govern themselves. He said:

> We are accepting this challenge of hostile purpose because we know that in such a government, following such methods, we can never have a friend; and that in the presence of its organized power, always lying in wait to accomplish we know not what purpose, there can be no assured security for the democratic governments of the world. We are now about to accept gauge of battle with this natural foe to liberty and shall, if necessary, spend the whole force of the Nation to check and nullify its pretensions and its power. We are glad, now that we see the facts with no veil or false pretense about them, to fight thus for the ultimate peace of the world and for the liberation of its peoples, the German peoples included; for the rights of nations great and small and the privilege of men everywhere to choose their way of life and of obedience. The world must be made safe for democracy. Its peace must be planted upon the tested foundations of political liberty. We have no selfish ends to serve. We desire no conquest, no dominion. We seek no indemnities for ourselves, no material compensation for the sacrifices we shall freely make. We are but one of the champions of the rights of mankind. We shall be satisfied when those rights have been made as secure as the faith and the freedom of nations can make them.

The Senator from Pennsylvania attemps in his resolution to state the aims of this Government. The aims of this Government, according to the Senator, were apparently solely to defeat and dictate terms of peace to Germany. We were to defeat Germany and we were to allow other peoples to accumulate the same forces for the purpose of precipitating upon the world the same devastation; we were to defeat Germany and then we were to desert Belgium; we were to defeat Germany and then we were to desert Serbia; we were to defeat Germany and then we were to desert the Armenians and the other helpless peoples who could not continue to maintain their independence without sustaining power. So the Senator's resolution may be construed. The President of the United States has never used expressions that might be so construed.

If the Senator from Pennsylvania desires to speak the voice of this Senate, if he desires to speak the voice of the American people, let him copy in his resolution, as the causes of this war, the statements made by the President of the United States which resulted in a unanimous vote for war; which was indorsed unanimously, not only by the Congress of the United States but by all the people of the United States. If the Senator from Pennsylvania desires to include in any resolution a pronouncement of the aims of this Government and of its people in the making of a peace, let him quote the language of the President of the United States and he will not only receive the approval of the Senate but he will receive the approval of all the people of this country. He does not speak them. He should know that he does not speak them. He should know that he does not speak the sentiments of the Foreign Relations Committee; he should know that he does not represent the sense of the United States Senate. Is it by reason of such fear he speaks ahead of time? This country, however, will know, and Europe will know, and the great statesmen who will listen to the sound of the President's voice throughout the world will know that the resolution of the Senator from Pennsylvania will not be adopted. They will know that he does not speak for the Congress nor for the American people.

Does any Senator doubt that the President spoke the sentiments of the American people when he said:

> Our object now, as then, is to vindicate the principles of peace and justice in the life of the world as against selfish and autocratic power and to set up amongst the really free and self-governed peoples of the world such a concert of purpose and of action as will henceforth insure the observance of those principles. Neutrality is no longer feasible or desirable where the peace of the world is involved and the freedom of its peoples, and the menace to that peace and freedom lies in the existence of autocratic governments backed by organized force which is controlled wholly by their will, not by the will of their people. We have seen the last of neutrality in such circumstances. We are at the beginning of an age in which it will be insisted that the same standards of conduct and of responsibility for wrong done shall be observed among nations and their governments that are observed among the individual citizens of civilized states.

There are the aims of the people of the United States expressed by their President. Those are the objects that we seek in peace, no matter what may have been the causes of war. The cause of war might have been the firing upon an American ship, but the object of peace is not alone to sink the ship that sunk ours. The peace aims and aspirations of our people can not be circumscribed by any reasons that forced them into war. But before leaving the last expression of the President, may I call attention to the language in which he describes there a league of nations—

> to set up amongst the really free and self-governed peoples of the world such a concert of purpose and of action as will henceforth insure the observance of those principles.

The Senator from Pennsylvania speaks of a league of nations as though it were some corporation which each country must support with its money, which each Government must defend with its navy and with its army. Is there anything in any expression of the President of the United States from which that conclusion may be drawn? Is there no peaceful power behind a government that will enable it to punish wrongs? I say to you that the will, the determination, the attitude, the ostracism of the great civilized nations of the world of any criminal nation would have just as much power to drive it into the right channels as would all of the armies and navies of the world.

I am not arguing as to the character or kind of league of nations which should be instituted; the question has not come down to that. The President has not presented any particular form of a league of nations; no great statesman has presented

any particular form of a league of nations; but that there shall be concerted action between the great nations of the world to prevent precipitate and thoughtless war is the aim and object of all. When that is the aim and object of all, when that is the hope of civilization, when that is the hope of the American people, why should any great statesman of America stand here and, with a cynicism that must obscure argument, attempt to create the impression that it is impossible for nations to act in concert in behalf of a lasting peace? Is it accomplishing any good? Is that advice to the President of any benefit to him? Is that advice to the peace conference of any benefit to it? Is there a statesman connected with the peace conference, if he has the love of peace in his heart, if he has the love of humanity in his soul, who would listen to the hopeless argument of the Senator from Pennsylvania that it is impossible for nations to act in concert to minimize the occurrence of war?

Throughout his whole speech is there a hopeful word? Then, why is it made? Does anyone appreciate advice which simply says, "You can not do this; you can not do that," and yet tells him nothing that he can do toward accomplishment of that which all of the people of the world want done? Is it not time for this useless—yes, this harmful—advice to cease to be given in the United States Senate? Do you not know that under the Constitution of the United States the President, and the President alone, has imposed on him the duty to negotiate peace? The Senate can not negotiate it. The President can not surrender or delegate this power; he himself must negotiate treaties.

Oh, but it is said that, under the Constitution, the Senate of the United States may advise with regard to treaties. Advise what? They can advise that the negotiations be undertaken, but they can not advise the negotiation, because there is but one negotiator. They may advise that a treaty be entered into of a certain kind or character, but the Senate of the United States has no constitutional authority to advise the President as to the method of conducting such negotiation.

The Senator from Pennsylvania does not attempt to advise the President as to whether or not there shall be a league of nations. It is true that he discourages the hope that there may be one; but he says to the President, "Take that question up at some future time." I say there is no constitutional authority for the Senate of the United States to advise the sole negotiator of this country with regard to the method that he shall adopt or the procedure he shall follow with regard to those negotiations. Not only is it useless, but it is an attempted usurpation of the authority that the people of this country have vested in the President as the sole negotiator of treaties.

We must know that the adoption of the resolution can do no good. Can it do harm? Yes; it can do harm. You ask how can it do harm. Lloyd George, representing England; Clemenceau, representing France; Orlando, representing Italy, might think when the President of the United States says to them that the people of this country are more interested in everlasting peace than in anything else in the world that he does not speak for the American people. That is one way in which it may do harm. There is no doubt that Orlando and Lloyd George and Clemenceau agree with the President that there should be a concert of action, but, if they are led to believe that this country is opposed to that action now, they may oppose the President now.

How can you settle upon peace without the effect of that settlement reaching far into the future? Can you conceive of it? France and Germany settled upon peace after the Franco-Prussian war, and Germany took Alsace-Lorraine. Even Germany this knew that the time would come, even if it were hundreds of years off, when France would right that wrong and take back to her bosom her own people. You can not make a peace to-day that will not have its effect to-morrow; and yet the Senator from Pennsylvania, in his practical statesmanship, would like to decree that Germany surrender territory and pay indemnities, and that the peace settlement should be considered then consummated. How can you ever settle the question until all of the rights that have been brought into question by this war are justly and fairly settled? You have got to settle the rights of Poland; you have got to settle the rights of Belgium; you have got to settle, not only the rights of Italy, but the rights of the Jugo-Slavs; you have got to settle, not only the rights of Poland, but of the Czecho-Slovaks; you have got to settle the conflicting and intricate rights of all of these and other peoples; otherwise, the peace that you are declaring now is but the establishment of a cause for future wars.

Is not that sufficient reason for taking these questions up now? Would anybody for one moment say that we will make a peace with Germany, Austria, and Turkey, leaving out of consideration the rights of all of these peoples? And if we are trying to take into consideration the rights of all of these peoples who are involved, then it is solely on the ground of preventing future wars; and, if we are justified in doing this to prevent future wars, then we are justified in considering at this time a league of nations and every question that will minimize the occurrence of war in the future.

I think it is deplorable. I think it is the most unfortunate thing in the world, to hear a great statesman, a man who has been Secretary of State of this Government, one for whose opinions I, with all the rest of the Senate, have the very highest respect, devote his great talents to pessimism, to destruction, to obstruction, rather than to optimism, hope, and construction. Oh, if he should tell the President of the United States the character of concert of nations that would be accepted by him, if he would advise the President of the United States as to the character of a league of nations that would meet our constitutional requirements, if he should say to the President in these negotiations, "If you, Mr. President, will take this position, I believe that you can sustain it before all the world," ah, then the advice of the Senator from Pennsylvania would be of great benefit. He does not do that. He offers a resolution here which is destructive, which is obstructive, and which has not a word of construction in it. It is as cold as the North Pole. It is as barren of hope as hades. It is useful for no other purpose than the enjoyment of a technical discussion of the Constitution, while the souls of humanity weep for everlasting peace throughout the world.

I am not here to argue in favor of a league of nations. There is no league of nations proposed to-day. The President has not proposed it. He has proposed that there be a concert of action of these powers to prevent war in the future. That may be called a league of nations or an association of nations, or whatever it may be; and that question should be determined by the peace conference now. It should be determined while the brutal effects of war are fresh in the minds of the people of the world as well as those of statesmen. It should be determined now, when the necessity of concerted action is recognized.

The Senator says there was concerted action between these great allies. He says there was a league of nations between the allies and the United States that won this war. Yes; but that league of nations did not come into force and effect until the great moving cause that destroyed millions of human lives had gotten beyond the control of Governments. We want some such league of nations as that which won the war, but instead of having it to win wars, we want it to prevent wars. If nations may concert and league themselves together for the purpose of winning war, why in the name of reason can they not league themselves together for the purpose of preventing war?

The Senator's own argument has shown the possibility of it, and yet he finds a thousand little difficulties that may occur. He finds the same grounds for argument that anyone may find with regard to any great undertaking. When we entered this war some of our great statesmen said to the President: "You can not get your army to France; it is too late. You can not get them over there; you are not prepared to transport them, and when they get over there they will not be trained to fight." Was that not what they told the President and the country with the same pessimism and discouraging obstruction? These great statesmen said that the President was not prepared for war, that he was not prepared to take the men over there, and that they were not prepared to fight when they got there; but we got more than 2,000,000 men over there, and we got men there who were prepared to fight when they got there as no men ever fought, as all the world will admit to-day.

The same course is now apparently being pursued toward the President's efforts for a lasting peace. The President is trying to do something over there to-day, and they are busy here telling him what he can not do. Let the President alone. He knows more of constitutional and international law than even the great and distinguished Senator from Pennsylvania. He has been in closer touch with all of the conditions in Europe than the Senator from Pennsylvania or any other Senator upon this floor. His heart, his soul, his reputation, his whole life are in this consummation. With that incentive, with that motive, with his knowledge, and with his power let him perform his constitutional functions, and this war will be ended with a peace that we will be just as proud of as we are proud of the victory that was attained by our soldiers.

Mr. President, I have here an editorial from the Philadelphia Inquirer. While I realize that it is a Republican paper, it deals in a nonpartisan way with a nonpartisan subject, namely, a league of nations. I ask that it be printed in the RECORD as a part of my remarks.

The PRESIDING OFFICER (Mr. HENDERSON in the chair). Without objection, the editorial will be printed in the RECORD.

The matter referred to is as follows:

[From the Philadelphia Inquirer of Wednesday, Dec. 18, 1918.]

THERE MUST BE A LEAGUE OF NATIONS.

The Foreign Relations Committee of the Senate is about to pass upon a resolution offered by Senator KNOX, of Pennsylvania. This resolution opposes the coupling of the league of nations proposition with the consideration of peace treaties. It would postpone the whole subject until some later time.

We have no hesitation in pronouncing the Knox resolution to be mischievous in the extreme. The Senator is trifling with a most important matter. He is erecting barriers in the pathway of permanent peace, or at least an effort to secure permanence. To reject the league of nations idea is to uphold militarism—the continuation of secret alliances; the maintenance of vast standing armies. Unless the nations that have suffered from the insane ambition of German despots are prepared to prevent a similar outbreak in future, there can be no safety.

The United States entered the war—more than a year late, to be sure, but we entered it—not only to defend our rights but to destroy autocracy. To use the well-known phrase of the President, we wished to "make the world safe for democracy." We can not insist upon making the world safe for democracy unless we give of our best to bring it about. We can not stand aloof and leave it for other nations to do. That would be a selfish position to occupy. We can not trust our security to others. We must have a hand in world events. Unless we bear our full share of the burden and unless we join in a league to enforce peace, we shall see a return to old methods. Triple alliances and triple ententes and balances of power schemes have proved futile. The only safe organization is that of the important nations welded together with a determination to act in unity against any nation that shall hereafter attempt to start a world upheaval.

The time to enter into such an association is right now. A league of nations is the cornerstone of peace settlements. With a league there can be a genuine reduction of standing armies. Without a league there can be no assurance of radical disarmament. Mere treaties can not be relied upon. Germany has proved the worthlessness of pledges when pledges stand in the way of inordinate ambition. Navies must be kept up. They are largely defensive in nature. Neither England nor the United States would consent to a reduction of naval strength. But the pure militarism of vast armies trained for the definite purpose of menace can and should be restricted. But they will not be unless the treaties of peace are founded upon a league that will see to it that they are.

We do not pretend to say that war positively can be prevented, but we do insist that a league of nations offers the most promising preventive. What is more, we assert our belief that if there is to be such an organization, it should be created—not at some indefinite time in the future, but before the peace terms are written into treaties.

Senator KNOX's resolution is obstructive, and we have no patience with it.

CALLING THE ROLL.

Mr. ASHURST. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, S. Dak.	New	Smith, S. C.
Beckham	Jones, Wash.	Norris	Smoot
Brandegee	Kellogg	Nugent	Spencer
Chamberlain	Kenyon	Overman	Sterling
Culberson	Knox	Penrose	Sutherland
Curtis	La Follette	Phelan	Swanson
Dillingham	Lenroot	Pittman	Thomas
Fletcher	McCumber	Poindexter	Thompson
France	McKellar	Pollock	Townsend
Gay	McLean	Pomerene	Underwood
Gerry	McNary	Ransdell	Vardaman
Gronna	Martin, Ky.	Sheppard	Walsh
Hardwick	Martin, Va.	Sherman	Watson
Henderson	Moses	Simmons	Weeks
Johnson, Cal.	Nelson	Smith, Ariz.	Wolcott

Mr. SUTHERLAND. I desire to announce the absence of my colleague [Mr. GOFF] on account of illness.

Mr. McKELLAR. I wish to announce the absence of the senior Senator from Tennessee [Mr. SHIELDS] on account of illness.

The PRESIDING OFFICER (Mr. GERRY in the chair). Sixty Senators have answered to their names; there is a quorum present.

THE REVENUE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12863) to provide revenue, and for other purposes.

Mr. SIMMONS. Mr. President, on yesterday, toward the close of the day, we reached the subject of tax on employment of child labor, and the Senator from Georgia [Mr. HARDWICK] asked that it go over until to-day. I suggest that we take up that subject first for consideration.

The PRESIDING OFFICER. Without objection, that will be done.

The SECRETARY. On page 244, after line 14, it is proposed to insert the following: "Title XII.—Tax on employment of child labor."

The PRESIDING OFFICER. The amendment has been stated heretofore.

Mr. HARDWICK. Mr. President, it is not my purpose to address the Senate at any length on this question, nor to do anything except to make an earnest appeal to Senators who are about to vote on a great question.

Some time ago—in 1916, I think—the Senate passed a bill, in the identical language of this amendment, undertaking to prohibit the transportation of the products of child labor through the channels of interstate commerce. At that time several Senators, including myself, made an earnest appeal to the Senate not to enact the proposition, because we contended that it was a clear violation of the reserved rights and powers of the several States. The Senate was patient with us, and heard us at length on the question. The matter was thoroughly debated and thoroughly thrashed out. I think the proposition was well argued from both standpoints; but it was the judgment of the Senate that the bill which had already passed the House of Representatives was constitutional and valid and ought to become the law of the land. Consequently, the bill passed, was signed by the President, and went to the Supreme Court of the United States finally for test, because some citizen of North Carolina, when an effort was made to enforce the law against him, urged that it was invalid and unconstitutional, and carried the question to the courts. When it reached the Supreme Court of the United States that court, in a well-considered opinion that I will incorporate in my remarks, decided that it was invalid and unconstitutional; that the Federal Government had no right and no power to prescribe what should be the hours of labor and the terms of employment of the citizens of the several States within the limits of those States, respectively.

Mr. President, the question was fairly raised, and it was fairly decided. The power of Congress was denied in toto by the highest court of our land in regard to this proposition. Now we are presented with exactly the same proposition, and in no different manner, except that it is proposed that Congress shall do what the Supreme Court of the United States had decided we had no right even to touch, by means of a tax levy on the products of this particular kind of labor, instead of as a regulation of interstate commerce.

I am very well aware of the decisions—if I had known certainly that this matter would be up here this morning I would be prepared to lay them before the Senate—with respect to the oleomargarine matter, and with respect to the tax on State banks; but it must be remembered that neither one of those decisions, when they are carefully understood and when they are carefully analyzed, involves the proposition that in levying the tax Congress undertook indirectly to act without regard to other provisions of the Constitution and to assert a control over the domestic and internal affairs of a State by the use of taxation. That was not true about the oleomargarine proposition. There the confessed purpose, the real object of the legislation, was to put oleomargarine out of business in the interest of the dairymen of the country; and while there is this question that is identical between that proposition and this—namely, that the tax was not levied in that case, as it is not levied in this case, for the real purpose of raising revenue—the courts did decide that they could not go behind the certificates of the presiding officers and into the purposes and reasons which induced Congress to enact particular legislation, and therefore could not hold the tax invalid, under the broad taxing powers of the Government. But it does seem to me, Mr. President, that when we not only exercise the taxing powers of the Government, not for the purpose of raising revenue at all but for the express purpose of doing indirectly something that the highest court in the land has decided with respect to this very matter and with respect to this identical language that we can not do directly in the form of a bill, it can not be expected that the decision of the court will be very different when this question is presented there for settlement again, as it probably will be if we take this action.

When addressing a body of this kind, containing so many eminent lawyers, I would feel that I was trespassing unduly on the patience of the body if I undertook to read these decisions in line and word and go into an extensive argument. I think we know that we are undertaking in this bill and by this action to do precisely what we tried to do three or four years ago and what the courts of the country, the Supreme Court of the United States, decided we had not the slightest power or right to do. We are not expecting to raise any revenue from this proposition. We are not expecting to do anything except to assert the Federal power by this indirect and unjustifiable method over a matter and over domestic concerns to which it does not and can not relate. That is the situation.

There has been a great deal said about the moral sentiment that is back of this.

Mr. KENYON. Mr. President——

Mr. HARDWICK. I yield.

Mr. KENYON. I do not know whether the Senator is about to get away from it, but before he gets to the moral question,

was the Senator in Congress at the time the phosphorus-match legislation was enacted?

Mr. HARDWICK. Yes; the Senator from Georgia was then a Member of the House.

Mr. KENYON. Did not the Senator vote at that time in the House that the power might extend?

Mr. HARDWICK. No, sir; I opposed it and voted against it. My recollection is that I opposed it on the ground that Congress did not have power in that case; but, as the Senator very well knows, the principle is very different about that matter from what it is here.

Mr. KENYON. It was stated at that time, was it not, that the purpose of it was entirely moral, to get rid of a dangerous situation and not for the purpose of revenue?

Mr. HARDWICK. The difference between that matter and this, if the Senator will permit me, is that there was something that might be inherently dangerous in the character of the article transported and we might regulate it. I think the courts finally put it on the ground of interstate commerce, because if there is anything inherently dangerous or inherently wrong in the article transported per se then the power of Congress attaches. But here there is no such principle——

Mr. KENYON. Take the oleomargarine cases. There was nothing inherently dangerous in the coloring of oleomargarine. Does not the Senator admit that Congress has power to tax these matters out of existence, provided it does not strike down some fundamental right protected under the Constitution?

Mr. HARDWICK. No; I do not admit that. That is the very thing I am saying. I have not the slightest doubt about the power in the oleomargarine case nor in these other cases, because in each one of those instances which the Senator has in mind the taxing power of the Constitution did not come in conflict with other equally potent and other equally valid provisions of the Constitution.

Mr. KENYON. Of course, the Supreme Court said in the oleomargarine cases that the taxing power probably could not be used to strike down some fundamental right.

Mr. HARDWICK. In other words——

Mr. KENYON. But the right to produce certain articles with child labor is not any fundamental right.

Mr. HARDWICK. No; but it is the right of a State in this Union to regulate its own domestic and internal concerns, and our people more than any others cling to this right, and you strike at the fundamental right of every local community of this Republic when you undertake to do it.

Mr. LENROOT. Is there not this distinction: Is not the fundamental right that is spoken of in the oleomargarine case the fundamental right of a taxpayer to do business irrespective of the permission of the State? In other words, in the oleomargarine case the court held that the Congress had the right to prohibit that thing which was properly within the taxing power of Congress because it did not interfere with the fundamental rights which were given the State.

Mr. HARDWICK. No; the proposition is this. I think I can state it so that no lawyer will dispute it. First, the taxing power of the Congress is plenary and complete and will not be questioned on any ordinary ground or for any ordinary reason. Yet that is only one of the constitutional powers. It is only one of the Federal powers, and you can not exercise that power in such a way as to utterly destroy and entirely abrogate other provisions of the Constitution of the United States. No court has ever held that Congress could do that. That is what I am saying in this case, that the trouble about this proposition as a matter of law is that in the exercise of the taxing power you undertake to utterly negative and utterly deny and utterly destroy other equally valid powers under the Constitution. The proof of that is that in respect to this very matter the courts have held that we have no right whatever to regulate it.

Mr. LENROOT. Will the Senator allow me?

Mr. HARDWICK. I yield.

Mr. LENROOT. May I ask the Senator what is the fundamental right that he thinks will be destroyed by the exercise of this power?

Mr. HARDWICK. I thought I had just stated it.

Mr. LENROOT. I did not hear all the Senator's remarks.

Mr. HARDWICK. I said the fundamental right involved under our form of government is that each State in this Republic has the right and the power, absolute and exclusive, to control for itself and according to its own will the conditions and terms of child employment or man employment or woman employment or any other and all other domestic and internal affairs and concerns within that State.

Mr. LENROOT. May I ask the Senator whether he can produce any authority which holds that that kind of a right is a limitation upon the Federal taxing power?

Mr. HARDWICK. If the Senator will read the child-labor decision——

Mr. LENROOT. No; in this case.

Mr. HARDWICK. I am afraid I never will be able to agree with the Senator in that case. We undertook there under the commerce clause to say that these articles should not be transported through interstate commerce at all or enter into interstate commerce unless the people engaged in labor in the several States of the Union were required to conform to certain standards of conduct which we fixed. The Supreme Court of the United States said, strange as it may seem in this day and time, that one of the fundamental rights in this country still left was the right of each State in this Republic to regulate its own domestic and internal concerns, to decide what hours of employment and what conditions of labor should control within the limits of the State.

Mr. LENROOT. Will the Senator allow me again?

Mr. HARDWICK. I yield.

Mr. LENROOT. It was not the fundamental right of the State or the fundamental right of the taxpayer, because there was nothing in the child-labor decision to the effect that it is a pure and fundamental right of the individual to employ child labor.

Mr. HARDWICK. Undoubtedly; I see what the Senator means. There is no trouble about that. I am making the complaint that this legislation is in violation of the fundamental right of the individual citizen or taxpayer, and I say it is utterly invalid and can not be supported, because it undertakes to do something in this indirect way that we have no right to do, because it is against the fundamental right of the States and the fundamental right of local communities of the State.

Now, I am going to ask permission before I conclude to have the text of these decisions incorporated in my remarks. I shall quote from them when I do extend my remarks. I am sorry this is brought up at a period when I have not the decisions at hand. I am going to put in the opinion in the oleomargarine case and, I think, in the State bank case.

But there is no need of continuing the legal argument on the amendment. I think we all know what the decision was. We fought it out here through weary weeks and months, and it was decided fairly on its merits.

Mr. KENYON. The decision was four to five.

Mr. HARDWICK. That may be true, yet that same statement could be made about almost every important decision that has been made recently by the Supreme Court of the United States. They nearly always divide on these great questions, but the decision of the court is the controlling thing and it ought to be controlling with us.

The proposition I come to next is this: We have heard a great deal in the debates on this question, protracted during a great many years here and throughout the country, about the moral side of it, the moral sentiment that is back of it. We have had a great deal of such talk, some of it, I reckon, perfectly honest, perfectly sincere; most of it, it may be. Some of it, in my opinion, is more or less selfish and inspired by motives that would not bear too careful a test, but the effect of that argument and that sort of talk about the moral sentiment fails. I want to appeal to Senators on both sides of this Chamber, because it is no partisan question at all about the morals of undertaking to do in this way what the highest court in our country has decided we have no power to do at all. What about the right of an individual Senator to vote in this bill the exact language of an outlawed proposition under the guise and pretext of raising revenue for the Government? No Senator can for one moment contend, or for one second believe, that that is the purpose of it or the intent of it, or the reason for it is to raise revenue for the Government.

There is a good deal of morals involved in this. If we are bound by the decisions of our courts on questions of constitutional law and if the courts have decided solemnly and formally that we have no right in this forum to regulate as a national question the employment of child labor in the several States of this Union, then what Senators can say or ought to say is that we can accomplish precisely the same purpose by levying a tax upon it so heavy as to do indirectly what we can not do directly.

Now, that is the question. It is a naked one, and I present it here nakedly. We can do it if we want to do it, I reckon. I do not think the court will sustain it if we do it; but, of course, each Senator will be his own judge in that matter and cast his own vote according to his own judgment.

But, Mr. President, it does seem to me that each Senator ought to have some hesitancy, some doubt, no matter what his position was on the question originally, about undertaking to do in this indirect manner exactly and precisely what has been decided on this identical issue to be beyond the power of Congress to do.

When we were sworn in each of us swore to support and defend the Constitution of the United States against all enemies, foreign and domestic. Are we to violate our oath in a technical manner? Are we to stand here and vote for legislation that we know has been decided to be beyond the authority and power of Congress simply because we believe that the courts will say that this being a taxing question it is not within the power of anyone to raise that question in the court? I do not think we ought to do it. For one, I can not do it, and for one, I have no doubt if we do it the Supreme Court of the United States will again decide that it is unconstitutional and invalid, otherwise the taxing power may become the Frankenstein which will utterly destroy all other constitutional powers and limitations, and will finally change both the form and substance of the government, after devouring the Constitution itself.

Mr. LENROOT. Mr. President, I did not hear all the Senator's argument, but I wish to ask him in view of the distinction that he attempts to make between the oleomargarine case and this case, what distinction he makes in the bank-tax case?

Mr. HARDWICK. Between that and the oleomargarine case?

Mr. LENROOT. Yes.

Mr. HARDWICK. There is no difference.

Mr. LENROOT. The difference is that in the oleomargarine case, as I understand it, each State has the full right to regulate. In the case of oleomargarine we might have prohibited the transportation of interstate commerce through a regulation of commerce, and therefore the tax could be sustained. Am I correct as to his contention?

Mr. HARDWICK. Yes. They held in the oleomargarine case, as I recall the decision—I have not read it very recently—that, although the real purpose of the bill might not be to raise revenue, the court could not inquire as to that, and would sustain the tax.

Mr. LENROOT. How does the Senator distinguish between the decision in the State bank case and this?

Mr. HARDWICK. That is easy enough. In the case the Senator refers to the real purpose of the tax might have been to unify the system of Federal banking under the Constitution of the United States, and it would not have been violative of any State provision.

Mr. LENROOT. The Senator will recollect that the opinion in that case puts the two propositions upon distinct and independent grounds. It placed the constitutionality of the tax solely upon the taxing power of Congress, irrespective of any consideration the Senator now presents.

Mr. HARDWICK. While that is true, neither in the bank case nor in the oleomargarine case was there this necessary conflict over the power of the State to make its local regulations effective upon all its citizens concerning its own domestic and internal concerns alone involved, according to my understanding of those two decisions.

Mr. LODGE. Mr. President, I do not desire to detain the Senate more than a few moments on the amendment now pending, but as I happened to be one who moved in the committee the adoption of the amendment of the Senator from Ohio [Mr. POMERENE], I think I ought to say something in regard to it and my reasons for so doing. I have been very deeply interested in the question of child labor for a great many years. I introduced the first bill here for the protection of child labor in the District of Columbia, and I have always sought for legislation on that subject.

I am not going to argue the details. It is a great evil. The States have had ample and abundant opportunity to deal with it themselves. Most of the States have; some have not. I think it is something that ought to be ended.

Congress passed the bill for that purpose by a large majority. That form of legislation has been held unconstitutional by the Supreme Court, and therefore it would seem to me that our only resort is to the taxing power. I am no fonder of resorting to that power for this purpose than anyone else, but the Government of the United States has resorted to it in more than one case. In the lottery cases it was not a taxing power, but exclusion from the mails, but the court dwelt on the justification of the action of Congress very largely on account of the ethical question involved, that the lottery was against public policy. We used it in the oleomargarine cases. We used it in the bank cases, which I am sure the Senator from Wisconsin [Mr. KELLOGG] will show better and more fully than I can to the Senate.

It so happened that some years ago I carried through a bill, which became a law, to exterminate by the use of the taxing power the manufacture of white phosphorus matches, which produced hideous diseases among the workers. The bill failed in one Congress and passed in the next. I think the constitutionality of that law has never been questioned.

The amount of revenue to be raised by this measure may be little or nothing. The main purpose is to put a stop to what seems to be a very great evil, and one that ought to be in some way put a stop to. If we are unable to reach it constitutionally in any other way, then I am willing to reach it by the taxing power, which the courts have held can be used constitutionally for such a purpose. I see no other way to do it.

It seems to me that we are justified in using the taxing power for that purpose. It is a constitutional, but extreme method, I readily admit. I think we are justified in it by the fact that the police power of the States has failed to regulate it as it should be regulated.

It was for these reasons, Mr. President, that I moved the insertion of this amendment, which was adopted by the committee by a large majority.

Mr. HARDWICK. Will the Senator yield?

Mr. LODGE. Certainly; but I am about through.

Mr. HARDWICK. I shall not keep the Senator very long; I have been very much interested in the Senator's statement. I was wondering where his doctrine would lead. If the Senator feels that the police power of any one or more States was not exercised in a way to conform to the Senator's judgment, if it were possible to do so, the Senator would not hesitate to constitute the Congress as a final judge of the matter, whether they had been properly exercising it or not and would use the taxing power to carry out his own ideas?

Mr. LODGE. It is not a question of my own ideas.

Mr. HARDWICK. I am asking the question in all sincerity. Would not that sort of doctrine utterly destroy the right of the local community to regulate its domestic concerns?

Mr. LODGE. I say we ought to do it as little as possible.

Mr. HARDWICK. It is a very dangerous doctrine.

Mr. LODGE. I admit that it is a dangerous power to use, but I thing cases have arisen where it is less dangerous to use the power than to neglect the evil. I think there is very much better and stronger ground for this legislation than there was for the oleomargarine legislation. It is the fault of the States themselves. I am as much opposed as anyone to the absorption of State powers by the Federal Government. The fact that that is proceeding as I think in very many cases to a very unfortunate limit is owing to the fact that the States have failed to exercise their powers. There has been, more than that, a disposition in the States to throw all sorts of things on the Federal Government, to turn to the Federal Government instead of attending to it themselves. I wish the States would be more alive to their own rights and duties under the Constitution than they have proved themselves to be. But when they leave us after years with a very great evil like this, as I believe it to be, in existence I think there is no choice left for Congress unless it is ready, as I said, to neglect it and allow it to exist without touching it, except to deal with it in that way.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from South Carolina?

Mr. LODGE. Certainly.

Mr. SMITH of South Carolina. Is it not a fact that the conditions which have brought about this proposed legislation were the conditions existing or supposed to exist in the great manufacturing States, and is it not a fact that in the last few years practically every manufacturing State in the Union where child labor has been more or less employed has had progressive legislation on its own initiative on this very question looking toward the very end that this legislation is looking to? Take South Carolina, for instance. Compare the child-labor law of South Carolina with the pending measure. Yet the State was maligned and misrepresented by some of the individuals who, I suppose, were hunting employment and wanted to create some kind of a sensation in order to show themselves great philanthropists and uplifters. In my State that law is enforced, and it is infinitely better than this. Yet I suppose my State was one of those that was pointed out as being one of the great sinners against pure, innocent childhood.

Mr. LODGE. Mr. President, I have not examined the very recent laws of the State, but if the State has made adequate laws of course it will be in no wise affected by this legislation; it will interfere in no way with their industries or their economic policies; but if the evil does exist anywhere then this law will, in my judgment, be highly beneficial.

Mr. SMITH of South Carolina. Mr. President, I want to say just a few words in extension of what I have said. I have been amazed here on the floor of the Senate to see men, when questions come up in which is involved the right of the State under our dual form of government, lend themselves to what they know is absolutely destructive of our present system of govern-

ment and contributing just as rapidly as possible toward a centralized form of government that means a disruption of our present system.

The question of woman suffrage has been discussed here and it has been defended on the ground that it is the bedrock upon which our conception of democracy rests. The right of self-determination and the right of local self-government rest fundamentally upon the proper exercise of the franchise by the political unit that is concerned, because it goes without saying that the very moment you modify the right to exercise sovereign power you cease to be sovereign.

This is one of the rights granted or reserved to the States. The Supreme Court has said it is unconstitutional. Some of those who have opposed woman suffrage on the ground that it is violative of the principles of our Government come here and, in the face of the decision of the Supreme Court hardly dry on the books, seek by a subterfuge unworthy of a Senator and of a great legislative body to bring about the very thing that the supreme judicial power of this country has said is violative of the principle that we stood at that desk and swore to uphold.

The Senator from Massachusetts said it would not affect my State. I would be unworthy of standing on the floor of the Senate if I only advocated those things that would help South Carolina and opposed things that would not. I am glad that South Carolina will not be affected by it, for then I will not be charged with opposing it, because my State might suffer if it becomes a law. I am opposing it because I do not believe we have any right either in morals or in law to violate the very fundamental principle of the Constitution. The logic of events is centralizing fast enough without lending ourselves to the centralizing force.

I for one will vote against it not because I am not as much in favor of protecting children and granting them the full enjoyment as far as may be of the kingdom of childhood, but I am voting against it because I believe each and every State is better qualified to determine under what conditions the children under their jurisdiction shall live than the Congress of the United States.

South Carolina is better able to know the condition of her children than the State of Washington knows of South Carolina, and I warn the Senate now that these encroachments and these raids on our form of government are coming thick and fast, and we will wake up after a while to find that the splendid system of government that makes our liberty possible has passed away and we are a great centralized socialistic body without the power of self-determination in any local form whatever.

Mr. OVERMAN. Mr. President, the Senator from Massachusetts [Mr. LODGE] very frankly admits that the purpose of this provision is to nullify a decision of the Supreme Court of the United States. This bill is entitled "A bill to raise revenue"; that is stated as its purpose. I want to ask my colleague if this provision was inserted for the purpose of raising revenue? Was it the desire of the committee to raise revenue when they incorporated this provision in the bill?

Mr. SIMMONS. I can only say to the Senator that I do not think there was any estimate made as to the amount of revenue that would be raised by it.

Mr. OVERMAN. The Senator from Massachusetts was very frank in his statement. He said it was inserted to nullify the action of the Supreme Court.

Mr. LODGE. Oh, no. I beg the Senator's pardon. I did not say that.

Mr. OVERMAN. In effect the Senator said that. If the Senator please, he said that the Supreme Court had declared the child-labor law unconstitutional——

Mr. LODGE. I have not questioned that.

Mr. OVERMAN. Just a moment—and that this provision will be inserted in the bill, and the taxing power is to be used to nullify an opinion of the Supreme Court, in which it stated that the act was unconstitutional.

Mr. LODGE. It was to reach the same object in a constitutional way.

Mr. OVERMAN. I ask the Senator if the effect would not be to nullify that opinion?

Mr. LODGE. It would nullify the practical effect of the decision, but not its legal validity.

Mr. OVERMAN. It would nullify it so far as its practical effect as a law is concerned, and there is no estimate as to this provision for raising revenue.

Mr. SIMMONS. I can only make the statement to my colleague that there was no estimate presented to the committee as to the amount of revenue which would be derived from it; and I do not think anyone suggested that any would be derived.

Mr. OVERMAN. Did the committee expect that any revenue would be raised by it?

Mr. SIMMONS. I do not know what the members of the committee expected, but I have heard no one suggest that any revenue would be raised by it.

Mr. OVERMAN. Frankly, does my colleague think that any revenue will be raised by it?

Mr. SIMMONS. My individual judgment is that no revenue will be raised by it.

Mr. OVERMAN. Mr. President, we have before us a taxing bill here for the purpose of raising revenue, and we have the chairman of the Committee on Finance frankly admitting that this provision was put into the bill for the purpose of raising revenue when no revenue is expected and no revenue was estimated to come from it. We have the learned Senator from Massachusetts, in effect, saying that the provision is put in here for the purpose of nullifying the decision of the Supreme Court of the United States.

Mr. President, in reference to the oleomargarine case and the Veazie case, I ask upon what grounds did the court decide that the questions therein decided were constitutional, when it was admitted here in the Senate during its consideration that the provision inserted was not for the purpose of raising revenue? The Supreme Court said they could not go behind what the bill purported or was in the mind of Congress; but they went on and said that the question of constitutionality ought to be left with the conscience of each Senator.

There are three grand divisions of this Government—the executive, the legislative, and the judicial. When the judiciary, the Supreme Court of the United States, says that a law which we have passed through Congress providing for the same thing as this provision is unconstitutional, and members of the committee say that this provision is put into the pending bill for the purpose of avoiding that decision, I say that morally it is wrong, and, in my judgment, the Supreme Court will declare it to be unconstitutional.

In the oleomargarine case (195 U. S., 55) the court says in reference to this matter of the division of this Government into three departments, that each branch of the Government ought to receive from the other branches due consideration. The opinion states:

> It is believed to be one of the chief merits of the American system of written constitutional law that all the powers intrusted to the Government, whether State or National, are divided into the three grand departments—the executive, the legislative, and the judicial; that the functions appropriate to each of these branches of Government shall be vested in a separate body of public servants, and that the perfection of the system requires that the lines which separate and divide these departments shall be broadly and clearly defined. It is also essential to the successful working of this system that the persons intrusted with power in any one of these branches shall not be permitted to encroach upon the powers confided to others, but that each shall by the law of its creation be limited to the exercise of the powers appropriate to its own department and no other.

Mr. President, I have read this extract from the oleomargarine case itself, this statement that we, as Senators, ought not to encroach upon the judiciary or upon any other department of the Government. It is wrong in morals if we do so; and yet this is done, according to the Senator's admission here and the statement by the committee itself, for the purpose not only of encroaching upon the rights of the Supreme Court but in order to nullify its decision. The power to tax is the power to destroy; and when the Senate of the United States goes out of its way to interfere with another great branch of this Government, and it appears in the RECORD—and I suppose the Supreme Court will read this RECORD—that it is done for that purpose, that court is not going to uphold this section.

It was a taxing power which was discussed in the oleomargarine law; but it, too, was a revenue bill, and the court would not go behind the law, because they took it for granted that Members of Congress passed the law for the purpose of raising revenue, and they could not go behind that. But here is an admission that this is not done for the purpose of raising revenue; that it will not raise revenue; but that it is for the purpose of destroying the decision of the Supreme Court.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). Does the Senator from North Carolina yield to the Senator from Minnesota?

Mr. OVERMAN. I yield.

Mr. KELLOGG. The Senator does not claim that there are not any number of precedents where Congress has passed laws imposing a tax where there was no expectation that such laws would yield revenue?

Mr. OVERMAN. I have just stated that Congress has passed such laws.

Mr. KELLOGG. Congress passed a 10 per cent tax on the issues of State banks.

Mr. OVERMAN. I have just stated that Congress had passed such laws, the constitutionality of one of which was involved in the Veazie case and another in the oleomargarine case; but I gave the reason why they declared those acts constitutional.

Mr. KELLOGG. The Senator from North Carolina would not claim that, if oleomargarine is a legitimate subject of commerce, the Federal Government could prohibit its manufacture in the States? The Senator does not claim that?

Mr. OVERMAN. No.

Mr. KELLOGG. But Congress can levy a tax upon it.

Mr. OVERMAN. Congress can levy a tax against it and destroy it.

Mr. KELLOGG. Very well.

Mr. OVERMAN. Congress can levy a tax and destroy it if it wants to do so, but Congress can not go out of its way to nullify a decision of the Supreme Court when it is clear that such is the purpose of the law itself. Does the Senator from Minnesota think it can do so? Does he think that this Congress, upon the ground of morals alone, can take advantage of a taxing law to nullify a decision of the Supreme Court of the United States?

Mr. KELLOGG. I think Congress is the judge of whether the taxing power should be imposed or not. If the effect is to nullify a decision of the Supreme Court, and it is legal, Congress is the one to judge of that, of course.

Mr. OVERMAN. What is the object of a revenue bill? It is to raise revenue. Now, I ask the Senator if the object is not to raise revenue but to destroy the decision of the Supreme Court in morals, is that correct?

Mr. KELLOGG. I think it is perfectly correct; it is as correct as it was in the case of the State banks. In that case it was done to prevent the States from issuing money and not for the purpose of raising revenue.

Mr. OVERMAN. There is no decision of the Supreme Court involved in that case. I put the case to the Senator, If the purpose of this provision is to nullify a decision of the Supreme Court, a coordinate branch of this Government, and not to raise revenue, in morals is that the right thing to do?

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield; and if so, to whom?

Mr. OVERMAN. I have yielded to the Senator from Minnesota [Mr. KELLOGG]. Later I will yield to the Senator from Ohio.

Mr. KELLOGG. Mr. President, I think the decision of the Supreme Court is placed upon the ground that Congress had no power to prohibit a State from manufacturing a certain article purely in intrastate commerce, but that the same object could be obtained by levying a tax—which is clearly within the constitutional power of Congress—and that there is nothing immoral about doing it.

Mr. OVERMAN. The Senator from Minnesota has not answered my question. I asked him if it were right in morals for Congress, a coordinate branch of the Government, to include in a taxing law a provision to nullify a decision of the Supreme Court of the United States when that was done for the purpose of nullifying such a decision and not for the purpose of raising revenue?

Mr. KELLOGG. I think I answered the Senator's question. I say that I think if the tax imposed is within the constitutional powers of government it is for Congress to decide and not for the courts.

Mr. OVERMAN. Yes; it is for the Senator from Minnesota and for me to determine now whether it is right in law or not. The Supreme Court of the United States says in its opinion that we are the judges of it. I admit that under the oleomargarine case or the Veazie case, this being a bill to raise revenue, and nothing else, that, as the Supreme Court says, we can levy a tax which will destroy; no matter what it does, they can not go behind what Congress has done to ascertain the purpose of it; but here is an admission upon the floor of the Senate that the committee inserted this provision for the purpose of nullifying the decision of the Supreme Court of the United States.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Ohio?

Mr. OVERMAN. I yield.

Mr. POMERENE. Mr. President, the Senator from North Carolina now admits that we have the taxing power to deal with this subject—the taxing power to raise revenue. That being admitted, the Senator has admitted his entire case away, for the courts will not inquire into the motives which may have prompted Congress in passing a bill.

Mr. OVERMAN. Mr. President, that is just what I said was the decision in the oleomargarine case; but I further stated that where the motive is admitted——

Mr. POMERENE. No; but, Mr. President, there is not any Senator here who can admit a motive by Congress.

Mr. OVERMAN. Well, everybody knows that what I stated is true, and we might as well be candid with each other. I will ask the Senator this question: If the Supreme Court knew that this legislation was passed with the intention of nullifying their decision, if that were admitted as the motive, would that act stand for a minute?

Mr. POMERENE. Looking at this from the standpoint of the constitutionality of the provision, it may be admitted that one of its purposes is the raising of revenue.

Mr. OVERMAN. Is that true?

Mr. POMERENE. It is true.

Mr. OVERMAN. To raise revenue?

Mr. POMERENE. It is true. We are dealing with the other proposition as well, and we——

Mr. OVERMAN. Did the Senator introduce his bill on this subject for the purpose of raising revenue?

Mr. POMERENE. Mr. President, if the Senator will allow me to state this in my own way, I will say that we have sought to deal with this question in various ways. In a bill which was passed some time ago we invoked the power of Congress over interstate commerce. The Supreme Court by a divided tribunal, five to four, held that that was unconstitutional. The friends of the measure sought to adopt some other plan by which we could deal with the question. In the pending bill we are raising revenue, and we saw fit to draft this provision for the purpose of raising revenue and at the same time to meet the child-labor problem. Now, we are not shying away from that question at all; but if we can find the power to deal with this question under the taxing power it makes no difference to the Supreme Court what other purpose may have been in the minds of the draftsmen of the law.

Mr. OVERMAN. The Senator will not say that he introduced his bill for the purpose of raising revenue?

Mr. POMERENE. I have just said to the Senator—and I can not make it any stronger—that there was a twofold purpose, and we saw fit to use the taxing power to meet this situation because we believed it could be done.

Mr. OVERMAN. Does the Senator believe, if this provision were constitutional and it should be upheld, that it will raise any revenue?

Mr. POMERENE. I do; and if it does not, then you have nothing to complain of, because——

Mr. OVERMAN. Mr. President, along the line I suggested as to the morals of this procedure, I should like to read what the great——

Mr. HARDWICK. Mr. President, will the Senator yield to me for a moment?

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Georgia?

Mr. OVERMAN. I yield.

Mr. HARDWICK. It is a matter that I did not state with as much clearness as I wished in my previous remarks. I wish to ask the Senator from North Carolina if he believes that in the exercise of the taxing power of the Government, which is only one of the powers conferred on Congress, we can violate other cognate provisions of the Constitution?

Mr. OVERMAN. No, Mr. President; and the Supreme Court in one case has held that that can not be done.

Mr. HARDWICK. That is the real question here. We can not take the taxing power of the Federal Government, in my opinion, and so exercise it as to utterly disregard and trample upon other provisions that are entirely valid.

Mr. KENYON. Mr. President, will the Senator from North Carolina yield to me to ask the Senator from Georgia a question?

Mr. OVERMAN. Certainly.

Mr. KENYON. What is the view of the Senator from Georgia as to the limitation of the Constitution on the taxing power of Congress?

Mr. HARDWICK. I think the taxing power, Mr. President, can not be exercised in any way so as to repeal or affect or nullify other provisions of the Constitution.

Mr. KENYON. That is, to destroy fundamental rights?

Mr. HARDWICK. Exactly—the fundamental rights of the States.

Mr. KENYON. That is the ultimate question?

Mr. HARDWICK. Of course, that is it.

Mr. OVERMAN. Mr. President, I have said that this provision in the bill is not for the purpose of raising revenue, but it is, and we might as well be candid, to nullify a decision of the Supreme Court of the United States. Whenever that is admitted, Mr. President, then everybody must admit that it is a very dangerous power, because if we can do this in one case we can do it in a million cases.

Judge Tucker, quoting from Cooley, says—I am reading from Tucker on the Constitution, Volume I, pages 501 and 502:

Constitutionally a tax can have no other basis than the raising of revenue for public purposes, and whatever governmental exaction has not this basis is tyrannical and unlawful.

This is the language of Judge Cooley:

A tax on imports, therefore, the purpose of which is not to raise revenue, but to discourage and indirectly prohibit some particular import for the benefit of some home manufacture may well be questioned as being merely colorable, and therefore not warranted by constitutional principles.

He (Judge Cooley) says that, as it is a duty from which revenue may be derived, the judicial power, where the motive of laying does not appear on the face of the act—

Just what we contend and what the court said in the oleomargarine case—

can not condemn it as being unconstitutional, but it is none the less a violation of the Constitution by the legislator who knows its object and levies the duty from a motive not justified by the Constitution.

In other words, this provision appears upon its face to be for the purpose of raising revenue, but when a Senator, knowing that it is done for another purpose and not for the purpose of raising revenue, votes for it, he is violating his oath.

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Georgia?

Mr. OVERMAN. I yield.

Mr. SMITH of Georgia. As there will be no tax laid if children are not worked in the factories——

Mr. OVERMAN. That is right.

Mr. SMITH of Georgia. And as the purpose of the law is to prevent children from being worked in the factories, the purpose of the law is not to raise any revenue.

Mr. OVERMAN. I have just said that; and it is practically admitted. Therefore, according to our textbooks and to the Supreme Court of the United States, whenever a Senator votes for that sort of a provision of law which is not for the purpose of raising revenue he is violating his oath as a Senator, because the Supreme Court, when it looks at the act to determine as to its constitutionality and sees from the title of the bill that it is "for the purpose of raising revenue, and for other purposes," according to the decision in the oleomargarine case, it will not go behind that; and yet the announcement is made that this provision is not expected to raise any revenue. This is a great coordinate branch of the Government; it ought to respect the Supreme Court of the United States and have due respect for its decisions, and each Member of it ought to respect the oath he has taken to stand by the Constitution. Of course, Mr. President, my remarks do not apply to any Senator who thinks that this provision will raise revenue or who thinks it has been put in the bill for the purpose of raising revenue; but I assume, from the admissions made here by members of the committee, that it is not for that purpose. I quote further from Judge Tucker's great book on the Constitution, as follows:

It may be added that when the protection of private enterprise is not through the agency of protective duties but assumes the bolder form of taxation to put money into the Treasury for appropriation to the payment of bounties for private enterprise, the features of unconstitutionality of which Judge Miller speaks are obvious on the very face of the law; and that such appropriation for private enterprise of public money obtained by public taxation is "none the less robbery because it is done under the forms of law, and is called appropriation."

That is in reference to another case, but citing the same principle that the Supreme Court can not go behind the bill itself which Congress says it has passed for a certain purpose. It is left to each Member of Congress in his conscience.

The Supreme Court has decided in United States v. Dewitt that an act of Congress making it criminal for a citizen to mix for sale, etc., certain explosives was unconstitutional. Chief Justice Chase said: "The questions certified resolve themselves into this: Has Congress power under the Constitution to prohibit trade within the limits of a State? * * * Standing by itself, it is plainly a regulation of police." He adds: "As a police regulation, relating exclusively to the internal trade of the States, it can only have effect where the legislative authority of Congress excludes territorially all State legislation, as, for example, in the District of Columbia. Within State limits it can have no constitutional operation. This has been so frequently declared by this court, results so obviously from the terms of the Constitution, and has been so fully explained and supported on former occasions that we think it unnecessary to enter again upon the discussion."

The question then confronts us, If Congress can not by direct action constitutionally put down and prevent the sale of an article in a State, can it by the indirection of the taxing power seek to destroy what the Constitution prohibits it to touch?

I read the conclusion:

In other words, it can not pervert the use of a power given for one purpose into an instrument for accomplishing another purpose which is expressly denied to it. It can not do by indirection what under the Constitution it has no power to do by direct means.

Without discussing the morals or the merits of the provision, I place myself upon the oleomargarine case itself, in which it is said that it is a matter of conscience for each Senator. Knowing that this amendment is not for the purpose of raising revenue, and knowing that it is for the purpose of nullifying a decision of the Supreme Court of the United States, and doing by indirection that which Congress can not do by direction, is it right for the Senate to make it a part of a revenue bill?

As I have already stated, this bill is for the purpose of raising revenue to pay the war debts. Will this provision aid in that purpose? It is admitted that it will not. Is there something that stands in the way of this sort of legislation? It is admitted there is. Where? In the decisions of the Supreme Court of the United States. It is admitted that it will not raise revenue; it is admitted that we are trying to do something by indirection that we can not do by direction; it is wrong; and I protest against it.

Mr. THOMAS and Mr. LENROOT addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. THOMAS. I yield to the Senator from Wisconsin.

Mr. LENROOT. Mr. President, in the first place, before entering into a discussion of the legal proposition which has been raised, I wish to say that, in my judgment, this amendment can be sustained and voted for as a taxing measure without regarding it in any wise as a subterfuge. No one will dispute that Congress in the exercise of its taxing power can say, "We will tax, as an excise tax, all profits of a given business." That must be admitted, because we are not limited in the exercise of our taxing power to the taxing of profits; we may tax capital. Nearly a hundred years ago Chief Justice Marshall coined the phrase with which we are all familiar, "The power to tax is the power to destroy." It is equally legitimate for Congress through the exercise of its taxing power to say to the employer of child labor, "We do not prohibit the employment of child labor, but you shall not profit by coining into money the lives of little children, and any money that you shall so make the Government will take from you."

Mr. HARDWICK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Georgia?

Mr. LENROOT. I do.

Mr. HARDWICK. I merely wish to develop the Senator's position just a little further. If what he has stated be true, then, can not Congress by the use of the same power in the same manner say to the people of every State in the Union, "We will tax all labor employed over eight hours," and in that way control that question even in an intrastate matter?

Mr. LENROOT. Possibly. There is—and I shall come to it later—one exception other than is found in the constitutional provision itself, and that is the fundamental right that the Senator spoke of in his remarks—not the fundamental right of the State to control a private business, but the fundamental right of the taxpayer himself, guaranteed by a free government.

Mr. HARDWICK. Does the Senator say that what I last suggested to him could be done under his view of the taxing power?

Mr. LENROOT. The Senator asks me whether, in my judgment, we might tax through the exercise of the taxing power all of the earnings of labor employed over eight hours.

Mr. HARDWICK. The profits of labor employed more than eight hours throughout the country. Could we tax that under the Senator's view?

Mr. LENROOT. I will frankly answer the Senator's question, and, from the standpoint of the constitutional power of Congress, unhesitatingly say "yes"——

Mr. HARDWICK. Then the Senator thinks the taxing power is so transcendent——

Mr. LENROOT. Let me finish. Granted, as I think we perhaps both would agree, that the State itself would have the right to make an eight-hour limitation in the exercise of its powers.

Mr. HARDWICK. A State may or may not choose to do that.

Mr. LENROOT. Then I would not be prepared to answer the question.

Mr. HARDWICK. If the State makes the limit 10 hours it would not make any difference in the question of power, but if the Senator is correct in his position it must follow that the Congress of the United States has a right to say that it will impose any tax that it chooses upon the product of labor in every State in the Union that may be employed more than eight hours in any one day. That is true, is it not?

Mr. LENROOT. It is true if we grant that the State itself in the regulation of the hours of labor might prohibit more than eight hours work in a day.

Mr. HARDWICK. I say, conceding that question.

Mr. LENROOT. Very well.

Mr. HARDWICK. Now, let us go a step further. If that be true, then the Senator's position is that the taxing power of the Federal Government is so transcendent that it repeals every other cognate provision of the Constitution——

Mr. LENROOT. Not at all.

Mr. HARDWICK. No matter what reservations are left to the States and to their people, respectively.

Mr. LENROOT. The taxing power does not repeal any other provisions of the Constitution, but it stands upon its own bottom and is complete in itself, as the Supreme Court has held in a number of cases.

Mr. HARDWICK. The trouble that I see about the Senator's position is that it would give the Federal Government the right absolutely to regulate every vested and internal concern in every State in this Union in spite of the other provisions of the Federal Constitution which deny that right expressly and explicitly.

Mr. LENROOT. Limited only by the suggestion made in the McCray case, to which I shall refer in a moment, and the limitations found in the clause itself, I say that the taxing power of the Federal Government is supreme and unlimited. The limitation to which I have referred—although not necessary to the decision, for it is obiter, but I think we would all concur in it—is that the taxing power can not destroy fundamental inherent rights of an individual, which neither State nor Federal Governments can directly destroy, but it may destroy any rights that a State in the exercise of its police powers might destroy. That is the situation. The States unquestionably have the right in the exercise of their police powers to prohibit the employment of child labor under the ages designated by this provision of the bill. Therefore it clearly is within the proper exercise of the taxing power of Congress by a taxing law to say to the employers of child labor, "We will take all of the profits that you may make out of child labor."

I am frank to say that, of course, that will result in the nonemployment of child labor, because the only reason that child labor is employed throughout this country is the expectation of profit upon the part of the employer by utilizing the services of children of tender age. Take away from the manufacturer the hope of profit, and, of course, there is no further incentive for him to employ child labor and it will cease.

In this connection I wish to quote from the address that President Wilson made at the joint session of Congress on May 27 last, which we all heard, in reference to this very revenue bill which he then proposed. In that address he said:

The profiteer that can not be got at by the restrictions of conscience and love of country can be got at by taxation.

This is only one of the provisions of the bill that seek to get at profiteers, men who will not through the restraint of conscience or love of country do those things which ought to be done.

But, now, to get back for one moment again to the contention of the Senator from Georgia. If I understand his contention aright, the Federal Government could not tax to the point of destruction, at least, a business of which the State alone had the power of regulation. If that be true, this revenue bill is full of taxes imposed upon business conducted wholly within the States, wholly within the jurisdiction of a State, business over which the Federal Government under the interstate-commerce clause or other clauses of the Constitution has no control. For instance, take the tax upon beverages. It is wholly within the police power of a State to regulate the manufacture of intoxicating liquors or to permit the sale of intoxicating liquors within a State. Will the Senator say that the validity of an act of Congress placing a tax upon beverages, as is done in other provisions of this bill, is to be measured by whether or not the tax destroys the business?

Mr. HARDWICK. Mr. President——

Mr. LENROOT. I yield.

Mr. HARDWICK. I think I can give the Senator an illustration of what the Senator from Georgia, at least, would say on that subject.

Mr. LENROOT. I shall be very glad to have it.

Mr. HARDWICK. Suppose the local laws, the laws of the several States, taking any one of them for illustration—Georgia, say—provided that barrooms should stay open until midnight, 12 o'clock. Does the Senator think that we could regulate that purely local question by levying a tax, not on all whisky sold in States but only on that class of whisky where barrooms were kept open later than 9 o'clock?

Mr. LENROOT. I have no doubt whatever of it.

Mr. HARDWICK. Well, that is a very fair illustration.

Mr. LENROOT. And, if the Senator will remember, questions of identically that nature have already been passed upon by the Supreme Court in a number of cases where excise taxes and income taxes have been before the Supreme Court, and the contention was made that there was discrimination between different kinds of income or different kinds of property; and in every case the Supreme Court has said that the only uniformity that is required in levying excise taxes is a geographical uniformity, and that it will not inquire into the matter of discrimination between this kind of business and that kind of business.

Mr. President, this entire matter has been before the Supreme Court a great many times; and if a question can ever be considered settled, this question, so far as the matter of constitutionality is concerned, is settled by the Supreme Court.

Reference has been made to the oleomargarine case, the case of McCray against United States, found in One hundred and ninety-fifth United States, page 27. After reviewing a great many of the leading cases upon the subject, the court sums up its conclusion, and I wish very briefly to quote from the opinion.

The court says:

Since, as pointed out in all the decisions referred to, the taxing power conferred by the Constitution knows no limits except those expressly stated in that instrument, it must follow, if a tax be within the lawful power, the exertion of that power may not be judicially restrained because of the results to arise from its exercise.

The Senator from Georgia and other Senators, especially the Senator from North Carolina [Mr. OVERMAN], urge that because this taxing power will change the status of the employment of child labor permitted by the decision of the Supreme Court in the child-labor case, therefore this is a wrongful exercise of the taxing power; but in this case and in many others the courts expressly recognize that through the exercise of the taxing power results may follow quite apart from the direct powers of the Federal Government, but nevertheless in every case the courts have held it to be a proper exercise of the taxing power.

I continue to quote:

The proposition now relied upon was urged in Knowlton v. Moore (178 U. S., 41) and was overruled. In that case it was insisted that although death duties were within the power to levy excise taxation, as the effect of their extreme enforcement would involve the power to destroy the right to the passage or receipt of property on the occasion of death—a subject within the exclusive control of the States—therefore death duties, when imposed by Congress, must be held to be unconstitutional.

In considering this contention, after referring to the statement of Mr. Chief Justice Marshall in McCulloch v. Maryland, that the power to tax involves the power to destroy, it was observed:

This principle is pertinent only when there is no power to tax a particular subject, and has no relation to a case where such right exists. In other words, the power to destroy which may be the consequence of taxation is a reason why the right to tax should be confined to subjects which may be lawfully embraced therein, even although it happens that in some particular instance no great harm may be caused by the exercise of the taxing authority as to a subject which is beyond its scope. But this reasoning has no application to a lawful tax, for if it had there would be an end of all taxation. That is to say, if a lawful tax can be defeated because the power which is manifested by its imposition may when further exercised be destructive, it would follow that every lawful tax would become unlawful, and therefore no taxation whatever could be levied.

It will be observed that in the case of Knowlton against Moore, cited in the quotation that I have read, the constitutionality of a Federal tax levying death duties was raised; and there the disposition of estates—inheritances—was clearly a subject wholly within the power of the States. Under no clause of the Federal Constitution was the Federal Government given any power of control over that subject, save alone through the taxing power. The taxing power was employed. Through the taxing power the right of the State might be absolutely defeated, as was here held. Nevertheless, it was sustained; and so here, notwithstanding the right of your State or my State to regulate the employment of child labor, the right to say that a child of a younger age than that prescribed in the bill might be employed in the State, the law would stand. There is no interference with the right; but the taxing power, supreme, comes along and says that of the proceeds of that kind of a business the Federal Government will take so much. The State has not been interfered with; the individual has been interfered with; and he has no fundamental right beyond the power or control of the taxing power of Congress.

Again, in the same case—and I wish especially to call this to the attention of the Senator from Georgia—the court says:

The judiciary is without authority to avoid an act of Congress exerting the taxing power, even in a case where to the judicial mind it seems that Congress had, in putting such power in motion, abused its lawful

authority by levying a tax which was unwise or oppressive, or the result of the enforcement of which might be to indirectly affect subjects not within the powers delegated to Congress.

I do not know how language could be plainer or how the doctrine could be more clearly stated that under the taxing power of Congress it may indirectly accomplish a result that Congress could not deal with directly, exactly as is the case in the case before us, the employment of child labor.

Mr. HARDWICK. Mr. President, if the Senator will yield——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Georgia?

Mr. LENROOT. I yield.

Mr. HARDWICK. I suggest to the Senator that the only possible answer to that is found in the very first authority which he cited, which was the oleomargarine case. I think, was it not?

Mr. LENROOT. This is the oleomargarine case.

Mr. HARDWICK. Yes. The first citation the Senator read was from the opinion in the oleomargarine case.

Mr. LENROOT. Yes.

Mr. HARDWICK. In which the Supreme Court said that the power of taxation was limited only by other provisions of the Constitution itself. That was the opening sentence that the Senator read, and that is precisely the contention that is made here.

Mr. LENROOT. But while that may have been a general statement, the Senator can not point to any decision of the Supreme Court of the United States, from the beginning to this day, where in a given case the doctrine that he now states has been applied, because from the foundation of this Government to the present day the doctrine has been uniform that the power of taxation is supreme, limited only by the limitations found in the clause itself and limited again only by the exception stated in the McCray case, to which I shall now refer.

The opinion in the McCray case concludes—as I remember this is the concluding paragraph—with this language——

Mr. HARDWICK. Mr. President, may I interrupt the Senator for a moment?

The PRESIDING OFFICER. Does the Senator from Wisconsin further yield to the Senator from Georgia?

Mr. LENROOT. Yes.

Mr. HARDWICK. There is an unbroken line of decisions to the exact opposite, I think, of what the Senator has contended, beginning with Marshall's day, in the early days of this Republic, that the Federal Government, even under this omnipotent power of taxation of which the Senator speaks, can not tax State securities and can not tax State salaries, because the power of taxation is limited by other provisions in the Federal Constitution.

Mr. LENROOT. I have not read those decisions recently, but I think I have them clearly in mind, and, as I recollect them, the doctrine of which the Senator now speaks was not placed upon any express limitations in the Constitution itself, but was placed upon the correct doctrine that each State is a sovereignty, and is as truly sovereign within its sphere as the Federal Government is sovereign within its sphere.

Mr. HARDWICK. Well, of course; but that doctrine rests on the tenth article of amendment.

Mr. LENROOT. Yes. I thought the Senator had in mind some of the specific grants and not the reserved powers.

Mr. HARDWICK. No.

Mr. LENROOT. That was, of course, the contention in this leading case, the real gist of the matter in McCulloch against Maryland, but the distinction is very apparent. That involved the case of one sovereignty taxing another sovereignty, as distinguished from the business conducted by an individual within the sovereignty.

Mr. HARDWICK. But, if the Senator pleases, it also involved the proposition that even this omnipotent and universal power of taxation could not be exercised, and the court so held in a case where the Federal Constitution made provision against its exercise.

Mr. LENROOT. There are, as I have stated, and as the Senator will admit, only two limitations, and one of those is found in the clause itself, and this other that I did not think of treating as an exception or limitation, because it involved one sovereignty taxing another sovereignty, and the Supreme Court very properly held that that could not be done, and, of course, there has been a long line of cases sustaining that doctrine. But I challenge the Senator to point to a single case of the taxing of any private individual, or any taxation otherwise than taxation of another sovereignty or the agency of that sovereignty, where a clause of the Constitution other than the limitation found in the clause itself has been invoked and sustained as a limitation upon the taxing power. It can not be done, because it does not exist, and because the decisions are uniform that the power is supreme, and limited only by the limitations found in the clause itself, and this general exception to which I now come.

The court said in the McCray case:

> Let us concede that if a case was presented where the abuse of the taxing power was so extreme as to be beyond the principles which we have previously stated, and where it was plain to the judicial mind that the power had been called into play not for revenue but solely for the purpose of destroying rights which could not be rightfully destroyed consistently with the principles of freedom and justice upon which the Constitution rests, that it would be the duty of the courts to say that such an arbitrary act was not merely an abuse of a delegated power, but was the exercise of an authority not conferred. This concession, however, like the one previously made, must be without influence upon the decision of this cause for the reasons previously stated.

And what were the reasons previously stated? The reasons previously stated, taking the oleomargarine case out of this exception, were that the State in the exercise of its police power had the fullest authority to absolutely prohibit the manufacture of colored oleomargarine, because of the tendency to deception and fraud growing out of such manufacture; and therefore there was no inherent, there was no fundamental, right of the citizen to engage in the manufacture of oleomargarine. So this exception could not be invoked in the oleomargarine case, for, Mr. President, in the case of child labor the cases are exactly parallel. No one will contend that the States in the exercise of their police powers can not absolutely prohibit the employment of all child labor under the ages designated in the amendment now pending. The States have so held; the Supreme Court of the United States has affirmed time and time again legislation upon that subject. Therefore, Mr. President, it is not a fundamental and inherent right of the citizen to employ child labor, because the State in the exercise of its police powers may prohibit it; and therefore, in the exercise of this taxing power, by the taxes imposed by this amendment, we are not destroying the fundamental right of an employer of child labor, because no such fundamental right exists.

I shall not occupy further time, Mr. President, except to say that I do not believe that there has ever been a question before Congress where the law has been so clearly and so well settled as it is as applied to the amendment now pending.

Mr. President, I venture to say that the court can not find this amendment invalid without overruling, I will say, a hundred cases from the foundation of the Republic down to the present day—one long, unbroken line of consistent doctrine. The Supreme Court will not do so. The Supreme Court will sustain this amendment if it becomes a part of the law.

I have not gone into any discussion of the question that was merely suggested with reference to whether or not the Supreme Court would inquire into the motives of Congress in passing a taxing measure, because even the opponents of the measure, I understand, admit that the Supreme Court will not so inquire; and, of course, the Supreme Court will not so inquire. It will assume that this is a revenue, a taxing, measure, and, as I have tried to show, it is clearly within the power of Congress. It can be sustained. It can be voted for by Senators not feeling that they are voting for something as a subterfuge to accomplish by indirection what could not be accomplished directly, but it can be voted for upon the theory that by the exercise of the taxing power we will deprive employers of child labor of profit. Depriving them of profit, it will follow that the employment of child labor will cease.

Mr. THOMAS. Mr. President, the title of the pending bill is:

> An act to provide revenue, and for other purposes.

I imagine, therefore, that it is sufficiently comprehensive to include the pending amendment and practically anything or everything else which might be offered for the consideration of the Senate.

So far, then, as the form or purpose of this amendment is concerned, in view of the absence of limitations upon our power to legislate, I know of no reason why it is not perfectly appropriate in this bill. I think the Senator from Wisconsin [Mr. LENROOT] has also demonstrated the uniformity of the provisions of the amendment with the recent decisions of the Supreme Court of the United States upon the Federal power of taxation; and I presume that, following the line of modern decision, the act will be sustained.

There is, however, one fundamental difference between the facts or the history of this proposed legislation and that of analogous tax legislation which has been sustained. I refer, of course, to the fact that the Supreme Court within the last few months has declared a measure under which Congress exercised its jurisdiction over the whole question of child labor to be beyond the powers of the General Government, and, of course, this amendment, following directly upon the heels of that opinion, presents a different situation—whether it is an important one or not remains to be seen—from that of all preceding instances.

I do not think there is any question but that the purpose of this amendment is to prohibit the use of child labor in certain industries in the States of the Union. The matter of revenue is merely an incident, or, if it is a matter of revenue, is merely the basis for the exercise of the power. The purpose to be accomplished is precisely the purpose sought to be accomplished by the measure which was held to be unconstitutional.

Much as I sympathize with the constantly growing sentiment in favor of the prohibition of child labor, I was unable to support the measure which the Supreme Court set aside, and for the reason which the majority opinion declares much better than I was then able, or am now able, to declare. I did not believe, and I do not believe now, that the power of Congress over interstate commerce is sufficiently broad to give it jurisdiction of the police powers of the States, and the recognition of that jurisdiction in one direction necessarily recognizes the right to exercise the power in all other directions whenever Congress in its wisdom shall see fit to do so.

This recent line of decisions of the Supreme Court is a development of the judicial power of the United States. There is no question about that. The case read by the Senator from North Carolina from Ninth Wallace, and cases previous to the date of that one, and possibly some afterwards, recognized very plainly and enforced the proposition that a constitutional limitation, the absence of a constitutional power, could not be overcome by an indirect exercise of that power any more than by the attempt at the direct exercise of it.

The Supreme Court has been keeping pace, however, with the growth of public thought. I have always thought that Mr. Dooley's claim to the first place among the humorists of this time was the inculcation in his very amusing way of a great deal of genuine philosophy. In discussing the insular cases, for example, Hennessy asked him whether he believed that the Supreme Court followed the flag. His reply was that he did not know, but he observed that they followed the elections mighty closely; and that is absolutely true. I do not mention it as at all discreditable, because it is not, but merely as a fact; and the constant growth of those cases toward the recognition of the right of taxation, even to the power of confiscation, has been largely due to the fact that it dawned upon the congressional mind some time ago that through the exercise of that power a great deal could be accomplished which otherwise could not be accomplished at all.

It may be, Mr. President, that if such a power had been invoked earlier in the history of the United States we could have avoided a great deal of unpleasantness and possibly some of the internecine strife which has disfigured the pages of our history. For example, if, in 1860, a special and prohibitive tax had been placed upon the products of slave labor, its abolition might have been accomplished without resorting to arms or an attempt to destroy the Government of the United States. If slavery should rear its head in any of our possessions or in the United States again, we may comfort ourselves with the reflection that we can very easily knock it all to pieces by resorting to a system of taxation.

Mr. President, my objection to this amendment is therefore not a constitutional but a practical one. I think that we have gone as far as we ought to go in using the taxing power of the United States for the purpose of effecting social reforms; and I am afraid that if we go much further it will be perhaps the only medium through which these reforms will be attempted, and some of them may not be ultimately to our liking.

The oleomargarine case, apart from the bank case, was perhaps the first attempt to utilize the taxing power for a purpose other than the raising of revenue. The outcry against oleomargarine came from the dairymen, from those who produced and furnished the country with butter. They saw in the oleomargarine situation a potential source of competition, and those who were interested invoked the taxing power of the United States to put a quietus upon it. The Supreme Court sustained the legislation; and, after sustaining it, more drastic legislation was enacted, which is now in force. Nobody who knows anything about the history of the oleomargarine legislation pretends that its purpose was to raise revenue; and so, Mr. President, with some of the other cases which have been cited.

The present measure, if it goes into effect, will unquestionably result in preventing the employment of children within the prescribed ages in the pursuits which are specified in the bill. It will, in other words, accomplish precisely what was sought unsuccessfully to be accomplished in our legislation of a year or two ago, and the reasons given for the sustaining of the law will be precisely the reasons, perhaps stated in a little different way, which have been presented by the court in sustaining similar legislation. It will add, however, another precedent, and goes further than any of the preceding ones in the direction of utilizing the taxing power for the purpose of effecting social changes and reforms, and it may also be utilized for the purpose of political and industrial punishment under the guise of social reform.

The other day, I think in the city of Cleveland, there was a very serious strike. The employees of the local traction company, objecting to the employment of so many women, went upon a strike because their protest against female employment went unheeded. How the matter was settled I do not pretend to say, but I can easily understand how, in the fierce competition for employment, rivalry and controversy more than State wide may present itself between men workers and women workers; and I can easily understand how, if legislation of this kind is to be passed and sustained, the same power may be resorted to by the successful element at the polls against the vanquished element.

Let us suppose, for example, Mr. President—and I do not think the supposition is a violent one—that within the next 10 years the pressure of female employment upon male employment becomes so exciting and so drastic as to present a political issue to the voters of the country. In the meantime, woman suffrage has become an established fact. The States, whatever their legislation may be upon the subject in the meanwhile, will not present a uniform condition. That can be acquired only by national legislation.

The side winning the election then comes to Congress for relief, and presents a bill, we will say, like this, if the men win, as they sometimes do, that every person operating any business situated in the United States where women have been employed or permitted to work during any portion of the taxable year shall be taxed, we will say, 25 per cent of the proceeds of the business. Of course, it is an attempt to apply the taxing power of the Constitution to the accomplishment of a greatly desired industrial condition which has been made an issue at the previous election. Or suppose the controversy becomes acute between organized and unorganized labor, and that unorganized labor, which was the more numerous, should succeed at the polls, and attempt, as it doubtless would, if that sort of legislation is to become generally recognized, to prohibit the employment of union labor anywhere in the United States by invoking against it the constitutional power of taxation. Then a bill is to be presented that every person operating business where organized labor has been employed or permitted to work, and so forth, should be taxed 25 per cent or 50 per cent or any other amount which may be necessary to make the real purpose of the bill effective.

Suppose an anti-Semitic agitation in the United States or an anti-German industrial agitation in the United States within the immediate future, how easy it would be to exclude such persons, all such persons, from the possibility of earning a living in this free land of ours by so penalizing the employees through the exercise of the taxing power as to make it impossible for them to exercise their right.

Mr. President, I foresee a great many very serious differences of an industrial and economic character which will certainly be evolved from this war, and upon the return of our millions of soldiers and upon their reabsorption into the industrial and economic life of this country another pressure upon Congress with the probable difficulty of securing employment. I greatly fear if we utilize this power and do it unduly and improperly, not consciously so, perhaps, but nevertheless improperly, we are creating precedents which may arise to disturb us very seriously in the immediate future.

So believing, Mr. President, I hesitate, as I did in the committee, to cast my vote for this or any similar amendment, not because it is a part of the revenue law, but because I do not believe in the safety or expediency of such legislation at this time.

Mr. KELLOGG. Mr. President, I am not going to take the time of the Senate to discuss the constitutionality of this proposed law. It seems to be conceded that Congress has the power to levy a tax, and I believe there can be no question about that. But it is urged that because the law is passed to evade the effect of a decision of the Supreme Court in the child-labor case it is improper to pass a tax bill, some claiming, I believe, that it will be unconstitutional to evade the decision, and others, as the Senator from North Carolina [Mr. OVERMAN], saying that it rests upon the conscience of a Senator himself.

I do not see how it can be unconstitutional if Congress has the power to levy the tax simply because it is an evasion of a decision of the Supreme Court, if it may be called so. Congress clearly would not have the power to prohibit the manufacture of any legitimate article of commerce purely within the State for intrastate consumption. Yet clearly Congress may place a

tax on a product or the profit arising from the manufacture to the extent that would take away all incentive to manufacture.

As I said before, from the beginning of the Government to the present time we have the precedent of Congress levying a tax for the purpose of prohibiting the exercise of certain functions by private individuals and by corporations, notably the tax on State banks and the oleomargarine cases. Of course, the court was passing upon the question under another provision of the Constitution, upon an absolute prohibition by Congress, such as the prohibition against the manufacture, we will say, of certain articles, but when Congress comes to pass a tax because the tax would render unprofitable the employment of child labor and was therefore, as they say, an invasion of the decision of the Supreme Court, the court is not going to inquire into the motives of Senators in voting for or against the measure. It rests on the conscience of every Senator whether he believes that this proposed law is a legitimate exercise of legislative power, and whether it will accomplish the object he has in mind. I for one believe I would not have a great deal of difficulty in satisfying my conscience on that score.

I shall not take the time of the Senate to discuss the merits of child-labor laws which have been adopted in the interest of humanity in many States. Every Senator knows that the future of the race, the future of this great people, depends upon the purity and strength of the child and his bringing up. I believe that Congress and the States should throw around the child every protection they can to insure a strong and vigorous manhood. I do not consider this to be an invasion of the Constitution.

Mr. POMERENE. Mr. President, we have heard a great deal of complaint by certain Senators concerning this amendment, because they believe it to be unconstitutional, and they say to vote for it would be to violate their oath of office. Those who entertain that opinion of course should vote against it. Their conscience should guide their vote. I do not share that opinion, and my conscience will be perfectly easy in voting for this amendment. If I thought it was even probably unconstitutional I should not vote for it, but when I contemplate the power of Congress over the subject of taxation I have very little difficulty in finding the authority for such legislation as this.

"The Congress shall have the power to lay and collect taxes, duties, imposts, and excises," the Constitution says. There is only one limitation upon that power in the Constitution, and that is that Congress shall not levy a tax upon exports, and there are only two qualifications upon it in addition to that limitation. The first is that all direct taxes shall be apportioned among the States according to the census. The second is that all excise taxes shall be uniform in their operation. And as the Senator from Wisconsin [Mr. LENROOT] said, the Supreme Court, time and time again, has held that it is a geographical uniformity to which the Constitution refers.

With only these limitations we have here a plenary power to tax, and I submit that the Senate needs nothing more to convince itself of that fact than a study of the pending measure. It is true, it is sometimes said that to place a tax of the character involved in this amendment is making an unjustifiable classification, but I know of nothing in the adjudicated cases that would uphold that contention.

In levying our taxes we see fit to make one tax against the individual, another against a partnership, and a third against a corporation. Does anybody contend that a law which makes these discriminations is unconstitutional for that reason?

Again, in the last several revenue measures we made an especially high tax upon the manufacturers of munitions, and, while there was a difference of opinion as to the policy of such a distinction, no one questioned the power of the Congress to do it. We could place a certain tax upon the manufacture of steel and a certain other tax upon the manufacture of copper and a certain other tax upon the manufacture of flour—I mean in the form of an excise tax—and, while we might question the wisdom of legislation of that kind, no one would question the constitutional power to do it.

At the present time and for a number of years we find, as a matter of fact, that certain manufacturers and certain mine operators employ labor of tender years. As the Senator from Wisconsin [Mr. LENROOT] has said, they employ it because of the profit they are making out of it, and for no other reason. The Congress of the United States sees that situation. Is it beyond their discretionary power to say that if these men are going to employ children of tender years we will say to them we are going to levy an additional tax? That is all this amendment involves.

When we make this suggestion we are told that we should leave this subject to the legislatures of the several States, because we are offending certain of the States. In answer to that I say your action is offending the whole United States.

In the McCray case the Chief Justice, in delivering the opinion, in referring to the power of Congress, said, on page 61, One hundred and ninety-fifth United States Reports:

> The right of Congress to tax within its delegated power being unrestrained, except as limited by the Constitution, it was within the authority conferred on Congress to select the objects upon which an excise should be laid.

We have seen fit by this amendment to say that here is a certain class of individuals or corporations, as the case may be, who are exercising certain rights and privileges under the permission of Congress, and they employ certain instrumentalities. The fact that they are permitted to do these things, it seems to me, includes the power to say if you are going to do it out of your profits you shall pay an additional tax.

I am not able to distinguish between the tax on the profits derived from child labor and the tax on the profits derived from the manufacture of oleomargarine. It is a tax on profits. The tax on oleomargarine to a certain extent discourages the manufacture of oleomargarine, but that did not make it unconstitutional. The tax upon those men who employ child labor is but a tax upon one of the instrumentalities by which they coin their profits. Is there any legal distinction between the two? If so, I am not able to see it. I feel very confident that in view of the long line of decisions sustaining the taxing power in similar legislation, the court, when it comes to review this amendment, if it becomes a law, will sustain it.

Mr. KENYON. Mr. President, there has been so much said on this matter I feel that I can not add anything to the very thorough discussion of the legal problem, but I do want to make a few observations. I have been much interested in the whole course of the child-labor legislation, and was so keenly disappointed with the decision of the Supreme Court, deriving very little satisfaction from the fact that four judges dissented, that I want to add just a word or two to what has been said.

I have come to the conclusion that there is no constitutional question so clear that it is not without very serious difficulties. I felt that way about the child-labor bill before. The argument advanced here by the distinguished Senator from Georgia [Mr. HARDWICK], whose opinion I value so highly on constitutional questions, that we, in fact, are getting around or nullifying the action of the Supreme Court, does not appeal to me with great force. When the income-tax case was decided by the Supreme Court we did not hesitate to try to nullify the action of the Supreme Court by passing further legislation.

Now that the Supreme Court in the original child-labor case has decided that that law was unconstitutional, it seems to me perfectly proper and perfectly right that we should try and find some means of nullifying that action of the Supreme Court, and that is what we are trying to do.

Mr. LENROOT. Will the Senator yield?

Mr. KENYON. Yes.

Mr. LENROOT. I would like to ask the Senator whether it is exactly correct to assume that we are nullifying the action of the Supreme Court when the Supreme Court nullified the action of Congress?

Mr. KENYON. That is correct, of course, and better stated. The same is true as to the employers' liability act. The method we tried to get at it the Supreme Court declared unconstitutional. Then we tried some other method. Here the Supreme Court decided that our attempt through the interstate-commerce clause of the Constitution to regulate this wrong was an unconstitutional way to get at it. Now, we try another way, and pass that on to the Supreme Court for them to state whether or not it is constitutional legislation.

Some things are particularly well established in this discussion. First, this is an excise tax; it is not a direct tax. Second, I think it is conceded, established by a long line of decisions, that the court does not go into the question of the motives or intention or the purposes of the Congress. Third, another proposition fairly established is that there are few limitations upon the taxing power. Of course, direct taxes follow the constitutional rule of apportionment. Indirect taxes must be uniform in their operation. There can be no tax on exports; there can be no tax upon the agencies of State government, but outside of that there are practically no limitations on the taxing power. It has been held that the fifth amendment does not amount to a limitation upon the taxing power.

Mr. HARDWICK. Mr. President——

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). Does the Senator from Iowa yield to the Senator from Georgia?

Mr. KENYON. I yield.

Mr. HARDWICK. One important exception is that there can be no tax on State officers or State securities under the constitutional provision.

Mr. KENYON. Let me say that we can not interfere with the rights of the State or the power to carry on the State government by any scheme of taxation.

Mr. HARDWICK. If it is true in respect to State securities and State officers that there should be such a limitation on the Federal power, why is it not true in reference to other rights and powers?

Mr. KENYON. I do not think there are any such rights and powers involved here.

Mr. LENROOT. I wish to call the Senntor's attention to the dispensary cases in South Carolina some years ago, where the State itself undertook to go into the liquor business and claimed that the State undertaking that business it was not subject to the general internal-revenue tax; but the court held that while there was such a limitation in so far as necessary to carry on the State government they were exempt from a Federal tax; wherever the State undertook to go into private business it was subject to the Federal tax the same of an individual.

Mr. KENYON. There might be agencies of the State carrying out its public functions not its private business. The agencies carrying out public functions can not be interfered with by taxation.

I am not going to prolong this discussion. I think the propositions I have laid down are incontrovertible.

Now, what was the real decision in the child-labor case? I want to read just a word or two, so that it may go into the RECORD, from the majority opinion. I feel myself the minority is the strongest opinion. It is the case of Hammer against Dagenhart. The court said:

> In our view the necessary effect of this act is, by means of a prohibition against the movement in interstate commerce of ordinary commercial commodities to regulate the hours of labor of children in factories and mines within the States, a purely State authority. Thus the act in a twofold sense is repugnant to the Constitution. It not only transcends the authority delegated to Congress over commerce, but also exerts a power as to a purely local matter to which the Federal authority does not extend. The far-reaching result of upholding the act can not be more plainly indicated than by pointing out that if Congress can thus regulate matters intrusted to local authority by prohibition of the movement of commodities in interstate commerce, all freedom of commerce will be at an end and the power of the States over local matters may be eliminated, and thus our system of government be practically destroyed.

It seems to me we come to this question in the final analysis, that if the Supreme Court shall say we brush aside all the questions as to taxation, and this is apparently to us an attempt to regulate affairs of a State within a State under the doctrine of the old child-labor case, we hold this statute to be unconstitutional. In other words, while not inquiring into the motives of Congress or the purpose of Congress, yet if it is apparent to them that the taxing power has been used to strike down a fundamental right, then the Supreme Court declares it unconstitutional. That is the question here, and that is the question that no one short of the Supreme Court can determine.

In the oleomargarine case, the McCray case, referred to by the Senator from Ohio [Mr. POMERENE], in One hundred and ninety-fifth United States, the language makes this point rather clear. In the concluding part of that opinion the court said:

> Let us concede that if a case was presented where the abuse of the taxing power was so extreme as to be beyond the principles which we have previously stated, and where it was plain to the judicial mind that the power had been called into play not for revenue but solely for the purpose of destroying rights which could not be rightfully destroyed consistently with the principles of freedom and justice upon which the Constitution rests, that it would be the duty of the courts to say that such an arbitrary act was not merely an abuse of a delegated power but was the exercise of an authority not conferred. This concession, however, like the one previously made, must be without influence upon the decision of this cause for the reasons previously stated; that is, that the manufacture of artificially colored oleomargarine may be prohibited by a free government without a violation of fundamental rights.

So that the prohibition of child labor—a prohibition of that character—would not violate fundamental rights, though I know the point is made by the Senator from Georgia [Mr. HARDWICK] that it violates the fundamental right of the State to control its own affairs; that is slightly different from the mere question of prohibiting child labor.

In the discussion on this floor of the law which was involved in what is known as the phosphorus match case, which has been referred to this afternoon, it was openly conceded—I think by the Senator from Massachusetts—that the purpose of that proposed act was not for revenue, but was to blot out that evil; a general public policy to get rid of those detrimental things in manufacture which were injuring the lives of the workingmen. The then Senator from Texas, than whom no greater constitutional lawyer, I think, ever sat in this body, said, among other things, in that debate, as will be found in the CONGRESSIONAL RECORD of April 3, 1912, he having been speaking with reference to the power of the courts to inquire into the motives of Congress:

> But whatever my opinion may be about that, the rule is too well established now to be successfully assailed, and I know perfectly well that if Congress passes this act, and it is challenged in the courts, the courts will sustain it precisely as they sustained the oleomargarine act.

Mr. LENROOT. The Senator from Iowa has not given the name of the Senator from Texas to whom he refers.

Mr. KENYON. I am reading from the speech of former Senator Bailey, of Texas. Texas has produced so many great constitutional lawyers, I suppose that I should have mentioned Senator Bailey's name, though I thought everyone would recognize the fact that I referred to him.

So it gets back, in its final analysis, to the suggestion, it seems to me, which was made by the Senator from Minnesota [Mr. KELLOGG], of each Senator, under his oath, determining in his own mind whether this proposed legislation is or is not constitutional. Oftentimes questions arise here when we can not determine that matter. As to what was known as the Webb-Kenyon law, in the argument of that question upon the floor of the Senate, I said very frankly that it was a close constitutional question. So great a lawyer as President Taft vetoed the bill, saying that it was unquestionably unconstitutional, and the then Attorney General of the United States rendered a very learned opinion, in which he said there was no question about its being unconstitutional. However, we passed the bill over the veto of the President; it went to the Supreme Court and was there sustained, I think, with only two dissenting votes. So we meet that practical question in all of this forward-looking legislation.

Here is a great wrong to be remedied. Perhaps it is not so great now as it has been in the past. We have to take some chances on all such legislation, as to its constitutionality. We have tried one method to cure the evil, and it has been a failure. This is the only method left. Can the Supreme Court say, "We assume that there will be no taxes raised by this law; that it is a mere subterfuge"? What right have they to do that? In order to overthrow the law they will have to overthrow their decision in the oleomargarine case; they will have to assume that this legislation clearly shows that it is not for the purpose of raising any revenue but is solely for the purpose—even going to the extreme cited by the Senator from Georgia of striking down some rights within the State which belong only to the regulatory power of the State in order to hold the act to be unconstitutional. I have no trouble, in my own mind, in reaching the conclusion that, under those circumstances, believing that we are remedying a great wrong, a great evil, and are trying to protect and to conserve the children of this country, my duty is to vote for this amendment to the pending bill. It is the only means now presented for curing this evil of child labor.

Mr. FRANCE. Mr. President, I shall vote for this amendment because it furnishes us an opportunity for legislating at this time upon this most important matter; but lest my position should be misunderstood, I desire to say now that I shall not vote for the amendment because I am laboring under that which I believe to be a general misapprehension, that we must accomplish by indirection and by subterfuge, so to speak—for that is what we are proposing to do in this instance—the beneficent end which this legislation seeks to achieve.

I know that probably the lawyers here may not agree with me, and those who have studied the Constitution for many years may differ with me, but, notwithstanding, I believe it to be a fact that we might adopt this as a rule of constitutional interpretation. So broadly constructive and progressive is the Constitution in its purposes and in its whole nature that segregative, disintegrative, negative, and purely prohibitive legislation must generally be found to be repugnant to it, while constructive, conservative, affirmative, and ameliorative measures are almost of necessity in harmony with its provisions.

The soundness of this principle of constitutional interpretation, it seems to me, is well illustrated in the recent decision of the Supreme Court with reference to this very child-labor law. I do not understand, from reading that decision rather carefully, that the Supreme Court nullified that legislation because it was ready to affirm that this Republic had no right whatever to protect the life, the health, and the liberty of the children who are to become the citizens of this Republic; I do not understand that the Supreme Court nullified that law because of an opinion that all jurisdiction over the children of the land belongs to the several States. The decision, it seems to me, says very clearly that this act was unconstitutional because it prohibited to interstate commerce certain articles, whereas the

Congress is only empowered to regulate interstate commerce. There is the essence of the whole opinion of the court in this case.

The legislation which was annulled is a very clear example of prohibitive, negative, and, I believe, in one sense, destructive legislation, although the purposes of the legislation were clearly commendable and the ends sought to be achieved were entirely beneficent. I am not willing to criticize the Supreme Court of the United States for nullifying this legislation, for I think that the legislation was an attempt to accomplish by illegitimate means most legitimate purposes. The whole object of the brief remarks which I am making will appear when I say that I am not willing to admit that it is ever necessary to evade constitutional provisions in order to accomplish such beneficent purposes as we have in view in the adoption of this amendment. My purpose in saying this much is simply this: There is a constructive way to deal with the child-labor question, and that is the way in which we must deal with it ultimately. It must be dealt with affirmatively and not negatively. It is not enough to deny that children should labor; we must do more than that. We must affirm that they must all be educated and trained for citizenship.

I believe that it is the duty of this Republic, when the State fails to train children for citizenship in a universal compulsory system of State education, to provide for such training of its citizens. I propose at some time in the near future to discuss whether or not the Federal Government has the power to train its youth for citizenship, or whether it must stand helpless while certain of the States may be allowing an illiteracy of nearly 20 per cent to continue to exist.

I think that the constitutional question is very clear. Some, since the beginning of the war, have maintained that the powers of the Constitution, by war, are enlarged; others have contended that the powers of the Executive during war are increased, and yet others have contended that during war the powers of the Constitution and the limitations imposed by the Constitution are suspended. There is no foundation for any of these contentions. The constitutional powers exist continually; they are neither enlarged by war nor are they narrowed by war or peace. I will not go into any quotation of Supreme Court decisions to that effect. While the constitutional powers of the Executive are more largely exercised during war, they are not enlarged. I do not care to go into a discussion of that question at this time, although I have before me certain cases which will support that contention.

I wish merely to say that the very purpose of the adoption of the Constitution—and that was clearly set forth in the great argument of Marshall before the Virginia convention—was to make better provision for the national defense. His opponent at that convention, whom you all well remember as you have in mind that debate, contended that the Nation might easily in times of war prepare for war, and John Marshall, of course, made in reply that great statement, in which he showed that the powers to prepare for war must exist as well during times of peace as during times of war, or otherwise the Nation would not have the necessary powers in times of peace to prepare for times of war.

Mr. President, if that great doctrine is true, that all of the powers which the Federal Government enjoys during times of war it can also exercise in times of peace in preparation for war, then, of course, all of the powers which we exercised during this last war we can exercise, if we see fit, during times of peace, so far as those powers were exercised for putting the country into a condition to wage war. What I mean is this: We found when we made a census to see what available man power we had for carrying on this war that among those of military age there were 700,000 who could neither read nor write, who were unprepared to understand the simplest written orders presented to them by a commanding officer; and there is at least one instance where a man was court-martialed in the United States Army, so I am informed, because he could not read an order nor would he admit his own illiteracy. During the war we sent men to colleges to be educated; we sent men, adults, to schools in the camps to be educated so that they might read their orders and comprehend the written statements which it was necessary for them to understand in order that they might properly perform their duties of citizenship during war.

Now, we face this situation: Is the Constitution of such a nature that we can take 700,000 men who can neither read nor write and compel them during times of war to get that preliminary education which they need in order to become soldiers to defend the Nation, and yet are we as a Nation helpless to see that illiteracy is eradicated in times of peace? Mr. President, the doctrine that the Federal Government is helpless to deal with the illiteracy which the States are permitting to exist is a monstrous doctrine. It is a doctrine which is repugnant not only to the whole constructive nature of our Constitution, but it is one of which the fathers never dreamed. The very first presidential inaugural addresses dealt with the subject of the necessity for the extension of education, and the fathers never contemplated that we should attempt to form a great Federal Government which would be helpless to prevent its citizens living in ignorance and degradation if certain of the States saw fit to let them so live.

Mr. President, I did not care to have this occasion pass without saying that I do not subscribe to the doctrine that we must legislate for the accomplishment of these great and beneficent ends by methods of indirection. I wish to read just a short paragraph from what Alexander Hamilton said in connection with this general subject as to the division of the Federal and the local powers. His language expresses very well what I would say if I were gifted with the power of expression which he had:

> Whatever constitutional provisions are made to the contrary, every government will be at last driven to the necessity of subjecting the partial to the universal interest. Gentlemen ought always in their reasoning to distinguish between the real, genuine need of a State and the opinions and prejudices which may prevail respecting it. The latter may be opposed to the general good, and consequently ought to be sacrificed. The former is involved in it and can never be sacrificed.

I am making these observations to present to you this great question which I propose later on to discuss. I believe it is the greatest question we have to consider during this reconstruction period—how we can accomplish these beneficent ends, which we must accomplish, without violating any of the provisions of the Constitution.

I have offered some amendments to the census bill which not only change the method of the census, but which also change the whole theory upon which the census is based. Under these amendments to the census bill if enacted there would be a continuing enrollment of the people of the country, with the collection of vital, social, and industrial statistics such as are necessary if we are to legislate with that precision which is so desirable. These amendments which I mention look forward to legislation which would establish a Federal system or a federalized system of education, a federalized system of public health, and a more scientifically organized federalized system of employment agencies. It is because I am looking forward to the discussion of these amendments and to the presentation of such legislation that I am not willing to seem to be going on record as one of those who believe that we must continue to seek to accomplish these great and beneficent ends by indirection, when I believe that we have under the Federal Constitution ample powers for the enactment of such conservative, constructive, and truly ameliorative legislation.

The PRESIDING OFFICER. The question is on the amendment reported by the committee.

Mr. UNDERWOOD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Jones, Wash.	Nugent	Spencer
Baird	Kellogg	Overman	Sterling
Bankhead	Kenyon	Penrose	Sutherland
Beckham	Kirby	Poindexter	Swanson
Chamberlain	La Follette	Pollock	Thomas
Curtis	Lenroot	Pomerene	Thompson
Dillingham	Lodge	Ransdell	Underwood
France	McKellar	Saulsbury	Vardaman
Gay	McLean	Shafroth	Warren
Gerry	Martin, Ky.	Sheppard	Watson
Gore	Martin, Va.	Sherman	Williams
Hardwick	Moses	Simmons	Wolcott
Henderson	Nelson	Smith, Ga.	
Johnson, Cal.	New	Smith, S. C.	
Johnson, S. Dak.	Norris	Smoot	

Mr. JONES of Washington. I desire to announce that the junior Senator from Michigan [Mr. TOWNSEND] is necessarily absent on account of illness in his family.

Mr. SAULSBURY. I wish to announce that the senior Senator from Maryland [Mr. SMITH] is absent on important business of the Senate.

Mr. McKELLAR. I desire to announce the absence of my colleague [Mr. SHIELDS] on account of illness.

The PRESIDING OFFICER. Fifty-seven Senators have answered to their names. A quorum is present. The question is on agreeing to the amendment reported by the committee.

Mr. HARDWICK. On that question I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. SAULSBURY (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. G

I am told by the Senator that on this question he would vote as I shall vote. I therefore vote "yea."

Mr. McKELLAR (when Mr. SHIELDS's name was called). I announce the absence of the senior Senator from Tennessee [Mr. SHIELDS] on account of illness.

Mr. UNDERWOOD (when his name was called). I have a general pair with the junior Senator from Ohio [Mr. HARDING]. Not knowing how he would vote on this question, I transfer that pair to the Senator from Illinois [Mr. LEWIS] and vote "nay."

The roll call was concluded.

Mr. GERRY (after having voted in the affirmative). I have a general pair with the junior Senator from New York [Mr. CALDER]. I transfer that pair to the senior Senator from Texas [Mr. CULBERSON] and will let my vote stand.

Mr. FLETCHER. I have a general pair with the junior Senator from Massachusetts [Mr. WEEKS]. I am informed that he would vote as I shall vote on this question, and I therefore vote "yea."

Mr. JONES of Washington. The junior Senator from Michigan [Mr. TOWNSEND] is necessarily absent on account of illness in his family. He is paired with the senior Senator from Arkansas [Mr. ROBINSON]. If the junior Senator from Michigan were present and at liberty to vote, he would vote "yea."

Mr. CHAMBERLAIN. I have a pair with the junior Senator from Pennsylvania [Mr. KNOX]. In his absence I withhold my vote. If at liberty to vote I should vote "yea."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Oklahoma [Mr. OWEN] with the Senator from West Virginia [Mr. GOFF];

The Senator from Wyoming [Mr. KENDRICK] with the Senator from New Mexico [Mr. FALL];

The Senator from Missouri [Mr. REED] with the Senator from Michigan [Mr. SMITH];

The Senator from Arkansas [Mr. ROBINSON] with the Senator from Michigan [Mr. TOWNSEND];

The Senator from Tennessee [Mr. SHIELDS] with the Senator from Connecticut [Mr. BRANDEGEE]; and

The Senator from Montana [Mr. WALSH] with the Senator from New Jersey [Mr. FRELINGHUYSEN].

The result was announced—yeas 50, nays 12, as follows:

YEAS—50.

Ashurst	Jones, Wash.	Myers	Sherman
Baird	Kellogg	Nelson	Smoot
Curtis	Kenyon	New	Spencer
Dillingham	Kirby	Norris	Sterling
Fernald	La Follette	Nugent	Sutherland
Fletcher	Lenroot	Penrose	Swanson
France	Lodge	Pittman	Thompson
Gay	McCumber	Poindexter	Vardaman
Gerry	McKellar	Pomerene	Warren
Gore	McLean	Ransdell	Watson
Henderson	McNary	Saulsbury	Wolcott
Johnson, Cal.	Martin, Va.	Shafroth	
Johnson, S. Dak.	Moses	Sheppard	

NAYS—12.

Bankhead	Martin, Ky.	Simmons	Thomas
Beckham	Overman	Smith, Ga.	Underwood
Hardwick	Pollock	Smith, S. C.	Williams

NOT VOTING—34.

Borah	Goff	Knox	Smith, Md.
Brandegee	Gronna	Lewis	Smith, Mich.
Calder	Hale	Owen	Townsend
Chamberlain	Harding	Page	Trammell
Colt	Hitchcock	Phelan	Wadsworth
Culberson	Hollis	Reed	Walsh
Cummins	Jones, N. Mex.	Robinson	Weeks
Fall	Kendrick	Shields	
Frelinghuysen	King	Smith, Ariz.	

So the amendment of the committee was agreed to.

Mr. SIMMONS. Mr. President, I should have liked very much to take up this afternoon the section of the bill repealing the zone system; but several Senators who desire to submit some remarks upon that section of the bill do not wish to begin so late in the afternoon. I am advised that it is necessary to have an executive session, and, therefore, Mr. President——

Mr. SWANSON. Mr. President, before the Senator moves an executive session there are two bills on the calendar, which have been reported from the Naval Affairs Committee, that ought to be passed. We have saved some little time on the pending bill on account of not having had a morning hour, and I should like to have the bill laid aside temporarily in order that the bills on the calendar may be passed.

Mr. SIMMONS. I yield to the Senator for that purpose; and I ask unanimous consent to lay aside temporarily the unfinished business. I understand from the Senator from Virginia that the bills to which he refers will take only a few minutes.

Mr. SWANSON. Only a few minutes. I do not think there will be any objection to them. They are reported unanimously from the Naval Affairs Committee.

The PRESIDING OFFICER. Is there objection to laying aside temporarily the unfinished business? The Chair hears none.

PURCHASE OF UNIFORMS.

Mr. SWANSON. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of House bill 12945, providing for the purchase of uniforms, accouterments, and equipment by officers of the Navy, Marine Corps, and Coast Guard, and midshipmen at the Naval Academy, from the Government at cost.

Mr. NORRIS. Mr. President, let the bill be read.

The PRESIDING OFFICER. The Secretary will read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That hereafter uniforms, accouterments, and equipment shall, upon the request of any officer of the Navy or any officer of the Marine Corps or any officer of the Coast Guard while operating with the Navy or any midshipman at the Naval Academy or cadets at the Coast Guard Academy, be furnished by the Government at cost, subject to such restrictions and regulations as the Secretary of the Navy may prescribe.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TEMPORARY PROMOTIONS IN THE MARINE CORPS.

Mr. SWANSON. I ask unanimous consent that the Senate proceed to the consideration of House bill 12916, to provide for the temporary promotion of commissioned officers of the Marine Corps serving with the Army.

Mr. KIRBY. Mr. President, I should like to have the bill read.

The PRESIDING OFFICER. The Secretary will read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That commissioned officers of the Marine Corps detached for duty with the Army under the provisions of section 1621, Revised Statutes, shall be eligible, in the same manner as officers of the Regular Army, for temporary promotion to higher grades in any of the forces provided by the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917: *Provided*, That officers of the Marine Corps temporarily promoted to higher grades in any of the forces of the Army under the provisions of this act shall not thereby vacate their permanent appointments or commissions, or be prejudiced in their relative lineal standing in the Marine Corps: *Provided further*, That temporary vacancies in the Marine Corps caused by the appointment of officers to higher grades in the Army shall be temporarily filled in the same manner as is now prescribed by law: *And provided further*, That the temporary promotions herein authorized shall continue only while such officers are detached for duty with the Army.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. KIRBY. Mr. President, I should like to ask the chairman of the committee a question. What is the purpose of this sort of legislation with the war over and with the demobilization of the Marine Corps to a large extent in prospect?

Mr. SWANSON. Mr. President, the Marine Corps have been brigaded with the Army. They have several brigades that have been serving with the Army in Europe. They have served gallantly. This bill simply gives them the same right of temporary promotions that has been accorded to the Army. After they have been temporarily promoted in the Army the question arises as to whether they revert back to their permanent places in the Marine Corps, which is under the Navy; and the question also arises, after they have had these temporary promotions that have been accorded them on account of gallantry and superb conduct and bravery in the Army, as to whether their positions in the Marine Corps are thereby vacated. This bill gives them the right of having temporary promotions while serving with the Army equal to an Army officer, which is a right they ought to have. It then provides that when they have thus been promoted that fact shall not deprive them of the permanent positions which they had previously in the Marine Corps. It is a measure of justice and right, and the record of the Marine Corps is such that they are entitled to this consideration. The question has arisen as to whether they do not vacate their permanent appointments in the Marine Corps in case they are temporarily appointed to positions in the Army.

Mr. LODGE. Mr. President, I desire to say, if the Senator from Virginia will permit me——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Massachusetts?

Mr. SWANSON. Certainly.

Mr. LODGE. It is true, I think, as the Senator from Virginia knows and other Senators perhaps do not know, that the Marine Corps is assimilated throughout on Army rank and Army pay; and this is simply to relieve what might be a very considerable injustice.

Mr. SWANSON. In addition to that the Marine Corps is legislated for in connection with the Navy and the positions that they can get in the Navy are fixed; and a question might arise as to whether these temporary appointments that have been or will be accorded them are in accordance with the law.

Mr. WARREN. Mr. President, I understand that this bill puts them on precisely the same plane as the Army?

Mr. SWANSON. Precisely, for temporary appointments. While serving with the Army they are entitled to temporary promotions like officers of the Regular Army—no more and no less. When they have these temporary appointments in the Army and are promoted as such the bill provides that they shall not vacate the appointments that they have in the permanent Marine Corps. I can see no objection to it. It is a matter of justice and right.

The PRESIDING OFFICER. If there be no amendment to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THE REVENUE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12863) to provide revenue, and for other purposes.

EXECUTIVE SESSION.

Mr. SIMMONS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session, the doors were reopened.

MEMORIAL ADDRESSES ON THE LATE SENATOR GALLINGER.

Mr. MOSES. Mr. President, I ask unanimous consent that the Senate shall convene on Sunday, January 19, 1919, at 11 o'clock a. m., to consider resolutions in commemoration of the life, character, and public services of the late Senator from New Hampshire, Hon. JACOB H. GALLINGER.

The PRESIDING OFFICER. Is there any objection? There is none, and it is so ordered.

RECESS.

Mr. SIMMONS. I move that the Senate take a recess until to-morrow at 12 o'clock noon.

The motion was agreed to; and (at 4 o'clock and 55 minutes p. m.) the Senate took a recess until to-morrow, Thursday, December 19, 1918, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 18 (legislative day of December 15), 1918.

COLLECTOR OF INTERNAL REVENUE.

Charles J. Cronan, of Louisville, Ky., to be collector of internal revenue for the fifth district of Kentucky, in place of Thomas Scott Mayes, resigned.

MEMBER OF BOARD OF GENERAL APPRAISERS.

George E. Weller, of New York, N. Y., to be a member of the board of general appraisers of merchandise at New York, to fill an existing vacancy.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 18 (legislative day of December 15), 1918.

UNITED STATES ATTORNEY.

Julian P. Alexander to be United States attorney, southern district of Mississippi.

COLLECTOR OF CUSTOMS.

Richard I. Lawson to be collector of customs for customs collection district No. 38, with headquarters at Detroit, Mich.

COLLECTOR OF INTERNAL REVENUE.

Bertram Gardner to be collector of internal revenue for the first district of New York.

POSTMASTERS.

DELAWARE.

Rhubert R. German, Delmar.
Alfred L. Cummins, Smyrna.

LOUISIANA.

John D. Fultz, Newellton.
Jesse L. Fowler, Oak Grove.
Lillian E. Collins, West Monroe.
Thomas Siddon, Winnsboro.

OHIO.

George R. Irwin, Upper Sandusky.

OREGON.

Henry H. McReynolds, Pilot Rock.
Exel Vogel, Rainier.
Richard H. Yates, Willamina.
Guy W. Brace, Yamhill.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *December 18, 1918.*

The House met at 12 o'clock noon.

The Rev. Earle Wilfley, D. D., of the Vermont Avenue Christian Church, Washington, D. C., offered the following prayer:

O God, we pray Thee this morning that across the pathway of duty as it lies before us may shine the illumination of Thy holy will. We pray that among the nations of the earth Thy will may be known more and more as the days go by, and, when clearly known, may men be constrained to do it. Bless our own country as it strives to do Thy righteous will, and may those in authority and those who are in this Congress be pleased to find Thy will and be courageous to do it. So wilt Thou bless the deeds of this day in the Congress of our country. For Thy name's sake. Amen.

The Journal of the proceedings of yesterday was read and approved.

TRANSPORTATION OF GOVERNMENT EMPLOYEES—CONFERENCE REPORT.

Mr. SHERLEY. Mr. Speaker, I present a conference report on the bill H. R. 13261, and I ask unanimous consent to have it taken up without printing under the rules.

The SPEAKER. The gentleman asks unanimous consent to take up this conference report without having it printed under the rules. Is there objection?

Mr. WALSH. Reserving the right to object, has the gentleman made any other change?

Mr. SHERLEY. The House conferees receded from the amendment which gave 20 days in connection with the proving up of claims for transportation in place of lesser time, and the House agreed to the Senate amendment with an amendment touching the date that the act would be in effect. The House passed it as of the 31st of March; the Senate passed it as of the 15th of January, and the conferees agreed on the 20th of February.

The SPEAKER. Is there objection to the present consideration of this conference report? [After a pause.] The Chair hears none.

Mr. SHERLEY. Mr. Speaker, I ask that the statement be read in lieu of the report.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The following are the conference report and statement:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13261) providing for the transportation from the District of Columbia of governmental employees whose services no longer are required, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "February 20"; and the Senate agree to the same.

SWAGAR SHERLEY,
JOSEPH W. BYRNS,
FRED'K H. GILLETT,
Managers on the part of the House.

THOMAS S. MARTIN,
O. W. UNDERWOOD,
F. E. WARREN,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13261) providing for the transportation from the District of Columbia of governmental employees whose services no longer are required, submit the following written statement in explanation of the effect of the action agreed upon by the conference committee in the accompanying conference report as to each of the said amendments, namely:

On No. 1: Fixes February 20, 1919, instead of January 15, as proposed by the Senate, and March 31, as proposed by the House, as the date on or before which employees must be separated from the service in order to come within the benefits of the bill.

On No. 2: Extends the time from 10 to 20 days, as proposed by the Senate, within which employees who have been separated from the service between November 11, 1918, and the date of the passage of this act must apply for transportation.

SWAGAR SHERLEY,
JOSEPH W. BYRNS,
FRED'K H. GILLETT,
Managers on the part of the House.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the conference report was agreed to.

RETURN OF HOUSE BILL 12001 FOR CORRECTION.

Mr. STEELE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution which I have sent to the Clerk's desk.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 483.

Resolved, That House bill 12001, having been passed by the House on the 13th instant and erroneously transcribed as fixing the salaries of circuit judges at $7,500 instead of $8,500 per annum, as fixed by the House, and so erroneously transcribed messaged to the Senate on the 16th instant, the Senate be respectfully requested to return same for correction.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken, and the resolution was agreed to.

AVIATION RECORD, SOUTHER FIELD, AMERICUS, GA.

Mr. CRISP. Mr. Speaker, I ask unanimous consent to address the House for two minutes.

The SPEAKER. The gentleman from Georgia asks unanimous consent to address the House for not exceeding two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CRISP. Mr. Speaker and gentleman of the House, yesterday, when the Post Office bill was up for consideration, we had under discussion the question of aeronautic service. I was in the chair presiding over the committee and did not take part in the debate.

I have some statistics relative to one of the aviation camps, located at my home, Americus, Ga., that I think would be a valuable contribution to the debate, and I have asked this time to give you the benefit of those statistics.

The commandant of that camp is Maj. Carlisle Hilton Wash, a West Pointer, appointed from Minneapolis, Minn., and he himself a very distinguished flier. While at home during the recess of Congress he gave me these figures as to the record of Souther Field, Americus, Ga. The camp was completed this year, and cadets first arrived about May. From that time up to the 5th of November there were graduated as pilots from that camp 227 cadets. The cadets and officers of the camp had been in the air 20,000 hours. They had flown 1,200,000 miles, equivalent to about 50 times around the world, and with that record they had only one serious accident. I think this is the best record of any camp in the United States. [Applause.]

POST OFFICE APPROPRIATION BILL.

The SPEAKER. The gentleman from Tennessee [Mr. MOON] is recognized.

Mr. MOON. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13308, the Post Office appropriation bill.

The SPEAKER. The gentleman from Tennessee moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the Post Office appropriation bill. The question is on agreeing to that motion.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13308, the Post Office appropriation bill, with Mr. CRISP in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the Post Office appropriation bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

The CHAIRMAN. When the House rose yesterday afternoon an amendment was pending, proposed by the gentleman from Iowa [Mr. GREEN], to which a point of order was made, and the Chair will recognize the gentleman from Iowa.

Mr. GREEN of Iowa. Mr. Chairman, for the purpose of saving the time of the committee by not offering further amendments, I ask unanimous consent to withdraw the amendment that was pending when the committee rose last evening and to offer a new amendment, which embodies all the points that I desired to raise. I will then offer no further amendments after this amendment is disposed of.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to withdraw his amendment and to offer a new amendment in lieu thereof. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Iowa.

The Clerk read as follows:

Amendment to the Garrett amendment by Mr. GREEN of Iowa: After the word "aeroplanes," in the first line, strike out "$59,825,000" and insert in lieu thereof "$59,625,000"; after the word "exceeding," in the second proviso, strike out "$500,000" and insert "$300,000" in lieu thereof; and at the end of the amendment, after the words "aeroplane service," strike out the period, insert a comma, and add the following: "and that no part of this sum shall be expended for the maintenance or operation of the aeroplanes above directed to be delivered to the Postmaster General by the Secretary of War, which shall be operated and maintained by the personnel of the air service of the Army."

Mr. MOON. Mr. Chairman, I reserve a point of order on that.

Mr. GREEN of Iowa. Mr. Chairman, in this particular case, this matter having been gone over at some length, I ask that the gentleman from Tennessee [Mr. MOON] make his point of order now, so that we can dispose of it.

Mr. MOON. I do not know for sure that the point of order is well taken. I may withdraw it later, but I reserve it in the meantime.

Mr. EMERSON. Mr. Chairman, I would like to have the section read as it is now written.

Mr. GREEN of Iowa. I hope, Mr. Chairman, that this will not be taken out of my time.

The CHAIRMAN. Without objection, the Clerk will read the amendment of the gentleman from Tennessee [Mr. GARRETT] and then the amendment proposed by the gentleman from Iowa [Mr. GREEN]. Of course, it will not be taken out of the time of the gentleman from Iowa.

The Clerk read as follows:

Amendment offered by Mr. GARRETT of Tennessee: Strike out all of the paragraph beginning with line 7 and insert:

"For inland transportation by railroad routes and aeroplanes, $59,825,000: *Provided*, That not to exceed $1,000,000 be expended for payment of freight and incidental charges for the transportation of mails conveyed under special arrangements in freight trains or otherwise"——

Mr. GREEN of Iowa. Mr. Chairman, either the Clerk did not understand the direction of the Chair or I did not. I understood that the Chair directed that the Garrett amendment be read first and then that my amendment be read.

The CHAIRMAN. The Clerk is reading the Garrett amendment. The Clerk will read the Garrett amendment as it now stands before the committee, and after that is read he will read the amendment offered by the gentleman from Iowa.

The Clerk read as follows:

Mr. GARRETT of Tennessee offers the following: Strike out the paragraph beginning with line 7 and insert:

"For inland transportation by railroad routes and aeroplanes, $59,825,000: *Provided*, That not to exceed $1,000,000 be expended for payment of freight and incidental charges for the transportation of mails conveyed under special arrangements in freight trains or otherwise: *Provided further*, That out of this appropriation the Postmaster General is authorized to expend not exceeding $500,000 for the purchase of aeroplanes and the operation and maintenance of aeroplane service between such places as may be determined: *Provided further*, That the Secretary of War is hereby directed to deliver immediately to the Postmaster General 100 De Haviland 4 aeroplanes, 100 Handley-Pages, 10 Glen Martin day bombers, all planes completely assembled and with the necessary spare parts; also 100 extra Liberty engines with spare parts, 50 Hispano-Suiza engines with 300-horsepower motors, and 20 Hispano-Suiza engines with 150-horsepower motors, the same

to be out of any equipment that the War Department has on hand or under construction, the War Department appropriation to be credited with the equipment turned over to the Post Office Department: *And provided further*, That separate accounts be kept of the amount expended for aeroplane service."

The CHAIRMAN. The gentleman from Iowa proposes to add an amendment to follow this.

Mr. MANN. The Clerk did not finish reading the amendment.

The CHAIRMAN. The Chair begs the committee's pardon. The Chair thought he had.

Mr. MANN. The committee amended the amendment. That part has not been read yet.

Mr. GARRETT of Tennessee. The committee had adopted the Stafford amendment.

The CHAIRMAN. The Clerk omitted to read the Stafford amendment, adopted into the Garrett amendment. The Clerk will read it again. The Clerk will read the Garrett amendment with the Stafford amendment incorporated.

Mr. MANN. It came in at the end.

Mr. GARRETT of Tennessee. No; it came in the middle.

The Clerk read as follows:

The Garrett amendment, as modified by the Stafford amendment: Strike out the paragraph beginning with line 7 and insert:

"For inland transportation by railroad routes and aeroplanes, $50,000: *Provided*, That not to exceed $1,000,000 be expended for payment of freight and incidental charges for the transportation of mails conveyed under special arrangements in freight trains or otherwise: *Provided further*, That out of this appropriation the Postmaster General is authorized to expend not exceeding $500,000 for the purchase of aeroplanes and the operation and maintenance of aeroplane service between such places as may be determined; and that the Postmaster General in expending the appropriation herein for aeroplane service shall purchase, so far as possible, the aeroplanes, motors, equipment, and supplies from the War Department and Navy Department when no longer required, because of the cessation of war activities. It shall be the duty of the Postmaster General before purchasing any of such articles to ascertain whether the War or Navy Department has articles of the character described that are serviceable, and articles purchased from either of said departments, if the same have not been used, shall be paid for at a reasonable price, not to exceed actual cost, and if the same have been used, at a reasonable price based upon length of usage. Said departments are authorized to sell such articles to the Post Office Department under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as a miscellaneous receipt: *Provided further*, That the Secretary of War is hereby directed to deliver immediately to the Postmaster General 100 De Haviland 4 aeroplanes, 100 Handley Pages, 10 Glen Martin day bombers, all planes completely assembled and with the necessary spare parts; also 100 extra Liberty engines with spare parts, 50 Hispano-Suiza engines with 300-horsepower motors and 20 Hispano-Suiza engines with 150-horsepower motors, the same to be out of any equipment that the War Department has on hand or under construction, the War Department appropriation to be credited with the equipment turned over to the Post Office Department: *And provided further*, That separate accounts be kept of the amount expended for aeroplane service."

The CHAIRMAN. The gentleman from Iowa offers an amendment to add to that amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GREEN of Iowa: After the word "aeroplanes" in the first line strike out "$50,825,000" and insert in lieu thereof "$50,625,000"; after the word "exceeding" in the second proviso strike out "$500,000" and insert "$300,000" in lieu thereof; at the end of the amendment, after the words "aeroplane service," strike out the period, insert a comma, and add the following: "and that no part of said sums shall be expended for the maintenance or operation of the aeroplanes above directed to be delivered to the Postmaster General by the Secretary of War, which shall be operated and maintained by the personnel air service of the Army."

Mr. GREEN of Iowa. Mr. Chairman, the effect of my amendment may be briefly stated by saying that it would carry out what was proposed by the gentleman from New York [Mr. LAGUARDIA]. The House has already voted, in effect, although the Garrett amendment has not actually been adopted, for the turning over to the Post Office Department of a large number of planes—I think altogether 150—by the War Department.

In the Garrett amendment as it stands there is a provision for the use of $500,000 for operating and maintenance of aeroplanes by the Post Office Department. My amendment reduces the total carried by the paragraph $200,000, and in order to make up for that reduction, in order to fix matters so that the reduction can be made, it provides that the planes which are turned over by the War Department shall be operated by the air personnel or air service of the War Department.

Some objection has been made when the question was brought up before that this is hardly practicable, that it can not be carried out in fact. This argument has only been adduced by gentlemen, although of high ability and judgment, who never had any practical experience in military affairs or in the operation of aeroplanes. The two gentlemen who have spoken on the subject, who have large experience and, I think, are high authority on the subject, are the gentleman from Connecticut, Col. TILSON, and the gentleman from New York, Maj. LAGUARDIA. Col. TILSON has had a long experience in the management of military affairs as an officer in the service, and he says it is entirely practicable; that there is not difficulty at all about carrying it out. Maj. LAGUARDIA has had extensive experience with aeroplanes, both in their operation and maintenance, and he says it is perfectly practicable and can be easily carried out. The House is aware, of course, that he is an experienced and highly successful flyer.

Mr. MOON. Will the gentleman yield?

Mr. GREEN of Iowa. Yes; with pleasure.

Mr. MOON. It seems to me that this is a postal matter and a postal function. What experience has Maj. LAGUARDIA or Col. TILSON in postal affairs?

Mr. GREEN of Iowa. If the gentleman will allow me to reply in the same manner, what experience has an engineer on a railroad in postal matters? And yet he is able to take the trains along and carry the mails.

Mr. MOON. That is not the question you are dealing with here.

Mr. GREEN of Iowa. Exactly; it is the operation and maintenance of planes which are provided for just the same as the engineer operates the engine and looks after its maintenance and repair.

Mr. CANNON. Will the gentleman yield?

Mr. GREEN of Iowa. With pleasure, to the distinguished gentleman from Illinois.

Mr. CANNON. The operation by the Army would not determine what mail should be carried, but that would be under the direction, so far as the service is concerned, of the Postmaster General.

Mr. GREEN of Iowa. Exactly.

Mr. CANNON. That was my understanding, and I wanted to be sure that I was right.

Mr. GREEN of Iowa. The distinguished gentleman from Illinois expressed the relation exactly. That is what would take place—the time the mail is to be carried, its destination, when it shall start, the amount that is to be carried—all would be under the direction of the Post Office Department. A great saving would be made thereby, and I have accordingly cut down the appropriation by my amendment.

Now, I wish to comment upon some of the remarks of the gentleman now in the chair before we went into Committee of the Whole this morning. He stated that in one of these aviation camps flights had been carried on sufficiently to carry a man in a straight line fifty times around the earth. Think of it! It was all to no purpose except to give the aviators experience in flying. Otherwise all this time was wasted, and probably a million dollars spent. Yet it might just as well have been used, as the gentleman from New York, Maj. LAGUARDIA, says, in the work of carrying the aeroplane mails as a part of the training for military operations. In the post-office work there would be no use of learning stunts necessary for the operation of machines in the air for military purposes, but as the gentleman from New York well remarked, in order to first perform these stunts it is necessary to have experience in straight flights, it is necessary to get accustomed to air currents in the handling of the aeroplane, and numerous other conditions that might all be learned by the operation of these planes in the post-office service.

I can see no good reason whatever for not accepting this amendment. The matter has been argued so well by other gentlemen that I do not care to dwell on the subject further.

Mr. MOON. Mr. Chairman, I reserved a point of order on the amendment, but I take it that probably the gentleman's amendment is in order coming under the provisions of the Holman rule, and I therefore will not insist on the point of order. But I want to insist to the House that it is not a good thing or a wise system of administration for the functions of one department to be performed by another and be under the control of another department of the Government. They ought not to be mixed in that way. It does not make for good government nor for a good service.

It evidently is true that those who are experienced as aviators would make the best drivers of machines for carrying the mails, but it does not necessarily follow because that class of men are in the service of the War Department that the War Department should take over the Postal Service that they might perform it. It might be well if a provision was made in the bill for the employment of these men in the Post Office Department and under the direction of the Postmaster General. It is very clear in my mind that differences between the departments will arise on matters of this sort, as they have already arisen between the officers of the War Department and the Post Office as to turning over these machines.

The War Department refuses absolutely to turn over the machines to the Post Office Department, notwithstanding the act of Congress, because within that act they have the discretion to retain the machines. There is no desire in the world to do anything more than to promote to the utmost this service. It is an experimental service. It is one that may turn out to be valuable; it is one that we may feel later on we ought to discard; but the experiment wholly and completely ought to be under the jurisdiction of that branch of the Government that is carrying the mail, and the War Department ought not to have anything to do with it.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. MOON. It may be all right if you provide in some amendment a means by which we can use the aviators, but do not put the carrying of any part of this mail directly or indirectly under the War Department. It is not the proper place for it. I yield to the gentleman.

Mr. GREEN of Iowa. The gentleman refers to the fact that the War Department heretofore has refused to turn over these planes, but we have already in effect adopted a provision which would remedy that part of it.

Mr. MOON. I know, but I refer to it not that there may be so much trouble about it hereafter, but in order to refer to the fact that where a duty is imposed on two instead of one conflicts will arise, and they are more likely to arise from this matter than anything else.

Mr. GREEN of Iowa. The Postal Department has nothing to do with fixing the train schedules. Those are all fixed by the railway authorities. They determine when they shall run their trains, and then the Post Office Department simply put their mail on the train.

Mr. MOON. Oh, the gentleman is mistaken about that. The department has the power to fix the schedules by which this mail is carried on the train, and it did fix them for years, and I believe still fixes the schedules for special trains on the southern roads. As a rule the gentleman is correct—the railroads do fix their own schedules, and if it suits the convenience of the department well and good, but where it does not suit the convenience of the department an order is made through the department requiring certain trains to be run.

Mr. GREEN of Iowa. I was about to go further and say in this connection that under the provisions of my amendment the Post Office authorities would be given greater authority than they have over the running of the railroad trains.

Mr. MOON. Why do you want to tie them up with the War Department? Why not keep these departments separate?

Mr. GREEN of Iowa. To save money.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. MOON. Yes.

Mr. GARRETT of Tennessee. The gentleman from Georgia directed our attention, before the House resolved itself into the Committee of the Whole, to the fact that a large number of these young men have been trained at a camp in his section. There will be hundreds of young men trained and hundreds have already been trained to this work of flying. As a matter of fact, I understand that already hundreds of them are seeking some kind of service, and appeals have been made to the State Department to see if they could not secure some sort of service abroad for them. Those men are discharged from the military service and are ready to enter civil life. From this group of men the Post Office Department can secure a personnel for this service, and if the exigency of war should arise those men would return to the military service. That would keep your departments separate and keep down any friction.

Mr. MOON. I am very much obliged to my colleague for his suggestion, but as a matter of government we ought in all instances to keep these departments separate and apart in order that the responsibility may rest upon one and not upon two for good service. It is a matter about which I have not the slightest feeling. I think that it is wise and best, if we want to promote that service, to let the Post Office Department have exclusive control. I believe if you do not do that it will finally result in the disorganization and possible discontinuance of the service, even though it may be a very fine service.

Mr. MANN. Mr. Chairman, I think I appreciate the feeling of the gentleman from Tennessee [Mr. MOON], yet I am not able to agree with him. I do not think the Green amendment interferes in any way whatever with the conduct of the Post Office Department or with their control over the air service. The Green amendment provides only that, as to aeroplanes which are turned over by the Army to the Postmaster General, they shall be operated and maintained by the personnel of the War Department. That personnel will have no control over the regulations in regard to the transportation of mail. The provisions for the transportation and location of routes and times of departure, the question of how the mail shall be delivered at one end or obtained at the other will still be under the control of the Postmaster General.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. MANN. I would prefer to make a consecutive statement, if the gentleman will pardon me. This is merely the practical operation of the aeroplanes in the air. The Postmaster General retains all other authority. Not only that, but under the Green amendment the Postmaster General would have $300,000 with which to operate an air service by civilians, if he desires to, under his own control. He can still continue his New York-Washington route under the operation of the same people now operating it. What is the sense of the Government having in its employ great numbers of men in the Army operating aeroplanes with nothing to do but to kill time or get themselves killed? Why should they not be authorized to transport the mails, if the Postmaster General desires to have it transported by aeroplane? Not only that, but we make special provision in case an Army officer is killed operating an aeroplane, and we make practically no provision in respect to civilians under the Postmaster General in case they are killed operating aeroplanes. Although I do not speak with knowledge, yet I have no doubt it will cost a great deal more to employ civilian aviators, per man, than it will Army aviators.

Mr. MOON. Mr. Chairman, will the gentleman yield?

Mr. MANN. I prefer to make a consecutive statement. Whether that be the case or not, there is reason for it. It will eventually be the case, if we pursue the system, because we must take into consideration the danger of the service. You can not expect men to volunteer in a service which is liable or likely sooner or later to cost them their lives unless they receive higher compensation than they would for other services. Here is a practical business situation. It is idle to say that in a Government like ours we are unable to coordinate two branches of the Government and, therefore, must duplicate the work of the two. It is a reflection upon the Government itself and upon our form of Government if we beg the question by saying that we have the capacity to do the work with the War Department, but, forsooth, because they may not be able to agree between the War Department and the Post Office Department, therefore we leave the War Department service idle and build up a new service for the Post Office Department.

If that is the contention of the gentleman from Tennessee, instead of making it he ought to endeavor to provide a way to avoid the trouble. If we have reached that point in government where we are so complicated, so involved, that we have to duplicate services, for God's sake let us endeavor to simplify the work of government instead of going ahead with uneconomical, extravagant duplications. [Applause.]

The CHAIRMAN. The Chair had agreed to recognize the gentleman from Illinois [Mr. CANNON], if he desires it.

Mr. CANNON. I will apply for recognition later.

Mr. BLACK. Mr. Chairman, I think my record in the House will establish that I stand for economy as much as the average Member. But this proposition to place one branch of the Postal Service under the control of the military branch appeals to me as an unwise proposition, and would neither effect economy or efficiency. The gentleman from Illinois [Mr. MANN] asks the question, Why have a number of aviators in the Army with nothing to do but fly? It might be just as reasonable to ask the question, Why have men in the Regular Army with nothing to do but fight? Why not put them out to building roads? If you have got men in the Army who are railroad engineers, why not detail them to Director General McAdoo and put them to running the trains of the country? The gentleman from Illinois might as well ask the question, If you have got men in the Navy of the United States in time of peace with nothing to do, why not transfer them to the merchant marine and private merchant ships instead of using them on our great battleships that sail the seas? There is no logic, gentlemen, for his argument. The Army and the Navy ought to keep in times of peace only enough men in the Aviation Service that is deemed wise and prudent as a nucleus for expansion in time of war. We certainly would not need to keep them in the Army to run the Postal Service. That would be about as foolish a proposition as I ever heard of.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. BLACK. I yield to the gentleman.

Mr. GREEN of Iowa. As far as the comparison the gentleman makes with reference to the merchant marine, I think it might well be operated by the Navy under certain circumstances. Now——

Mr. BLACK. Let me answer the gentleman's question before I yield further. Would the gentleman advocate the putting of our battleships in dry dock during time of peace and turning over our Navy personnel to the merchant marine?

Mr. GREEN of Iowa. Oh, yes; I am going to advocate the putting of a large number in dry docks. That is where they ought to be.

Mr. BLACK. I do not know what Congress will decide as to the future size of our Navy, but whatever that may be, I think it will be operated as a naval service and not a merchant marine.

Mr. GREEN of Iowa. The operation of these aeroplanes will be in a direct line with what these aviators will be doing in the Army.

Mr. BLACK. That may be true, but when they go out of the Army, as many of them will do very soon, they will be qualified to enter this Postal Service as civilian employees. Would that not be more in harmony with American precedents? Now, let me reply to one argument the gentleman from Iowa made. He cites the fact that the railroad companies in transporting the mail are not under the jurisdiction of the Postal Service. That is very true, but the gentleman will no doubt bear in mind that the men on the railway trains that have charge of the mail matter are the railway mail clerks, who are absolutely under the control of the Post Office Department and subject to its disciplinary rules and paid by its revenues.

Mr. GREEN of Iowa. Does not the gentleman realize that an officer of the Post Office Department will be the person who will go with these aeroplanes and be in charge of the mail? The operator can not handle these sacks and attend to this.

Mr. BLACK. It is not at all necessary there be any distinction between the operator and the man who handles the sacks. All of these men ought to be under the control of the Postal Service. Why, gentlemen, if you adopt the Green amendment you will have men transporting the mail who are under the control and direction of the Secretary of War. If it should not suit their convenience to fly on a certain day, how is the Postmaster General going to give them orders that would be obeyed? It does not seem to me that there is any logic at all in the gentleman's position that the War Department should furnish the personnel to operate this aerial mail service.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLACK. I would ask for two minutes more.

The CHAIRMAN. The gentleman requests that his time be extended for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BLACK. I want to bring out this point: In the hearings before our committee it was developed that the Post Office Department has in mind the perfecting of an aeroplane whereby some mail can be assorted in transit, so that it will be ready for delivery when it reaches its destination in these large cities. In railway mail transportation a great deal of the mail is assorted in transit, and that is why its delivery is so rapidly expedited when it reaches its destination. Now, are we going to have these men, who are under the control of the Army—are we going to have them trained to the distribution of mail? I submit——

Mr. LAGUARDIA. If the gentleman will permit, can the gentleman enlighten us and give any details as to the improved machine which will deliver mail in transit?

Mr. BLACK. I want to say this: It is expected that the Post Office Department will be wise enough to make improvements in the service, and it is not expected that it will remain stationary and immovable. Of course the Post Office Department expects——

Mr. LAGUARDIA rose.

Mr. BLACK. I do not yield.

Mr. LAGUARDIA. They will have to show a more marked improvement in the service than they have shown for the last hundred years.

Mr. BLACK. I do not yield for any observation of that kind. The Post Office Department expects to develop this service and make a useful, practical thing out of it, and therefore we ought not to tie their hands, but ought to put it under the exclusive jurisdiction of the Post Office Department. If it succeeds, then the Post Office Department can take the credit. If it fails, the responsibility will be theirs. Looking at any phase of the matter, I do not think there should be a divided responsibility. [Applause.]

Mr. CANNON. Mr. Chairman, the Post Office Department does a very valuable service. The mails are carried and practically the great service of delivering the mail matter is through the railways. Of course we have the star service, let by contract. You have all the employees of the department that deliver the mail when it arrives at its destination, the carriers, and so forth, but I want to submit that this is an experiment. Why, think of it! An hour and 30 minutes from New York over here, so they say. Of course it takes more than one man. There will be an employee to care for the mail, so far as the delivery is concerned. The flier himself can not run his machine and handle the mail and deliver it. Of course we have traveling post offices on the railroad for distributing the mail, and so forth. Now, I do not know, I have my doubts, very serious doubts, with the telegraph and the telephone and the rapid railroad transit, whether this service will prove to be a valuable service, for the reasons assigned by my colleague from Illinois, and I heartily agree with him and with his reasoning in the premises.

I want to say another thing. The Postmaster General—and I have no attack to make on him personally—is for absorbing permanently railroads, telegraphs, telephones, and the air service. He is a radical Government-ownership man. Now, as we have these planes and as we have the men in the Army that would be glad, and more than enough, to operate them, men who are skilled already, trained, and we have 3,000 planes in this country, far more than would be used for the coming year, I want to submit, with all that Congress has to do in unscrambling the eggs, that this experiment can be tried, and tried with far less expense, tried by people who will fairly try it, so far as the operations of the machines are concerned, with those who are educated for it; and, of course, the mails would go under the direction of the Postmaster General.

Mr. AYRES. Will the gentleman yield for a question?

Mr. CANNON. Yes.

Mr. AYRES. Two departments have experimented with it. One has made practically a failure of it, and the other has met with fairly good success. Which would the gentleman prefer? That is the record made by the War Department and also by the Post Office Department.

Mr. CANNON. The two departments. All the Army would do with these planes that are under the direction of the Army would be to let the planes be operated by those who are already trained at the Government expense, and they could be operated less expensively in trying out this experiment than to let the Postmaster General train a lot of people.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON. I would like two or three minutes further.

Mr. STEENERSON. Mr. Chairman——

Mr. MOON. Mr. Chairman, I ask unanimous consent that the time of the gentleman from Illinois be extended for five minutes.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the time of the gentleman from Illinois be extended five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CALDWELL. Mr. Chairman, I would like to have the amendment read.

The CHAIRMAN. It has been reported twice. If the gentleman desires it, when the gentleman concludes the Chair will have it reported again. The gentleman from Illinois [Mr. CANNON] is recognized.

Mr. CANNON. There is no more trouble in operating these planes by men in the service of the Army, already trained, than there is in operating the railways. The same argument that would prevent us in adopting this amendment would apply to the Government taking over the railroads.

Mr. MOON. May I interrupt the gentleman?

Mr. CANNON. Certainly.

Mr. MOON. I want to ask the gentleman what his construction of the amendment of the gentleman from Iowa [Mr. GREEN] is? Is he of the opinion that by the terms of that amendment the War Department would simply be compelled to turn over to the Post Office Department machines and aviators to be directed and controlled by the Post Office Department? Is that the extent of it?

Mr. CANNON. Oh, no. As I understand the amendment, it would require the Army, which owns, so to speak, the planes, to have the trained men in the service of the Army to operate these planes as the Postmaster General might direct.

Mr. MOON. Then there would be no objection to placing at the end of this amendment, "under the control and direction of the Postmaster General"?

Mr. CANNON. Not at all, except this——

Mr. GREEN of Iowa. I would have no objection.

Mr. CANNON. So far as this is concerned, under the control and direction of the Postmaster General, not that he could remove an aviator, not that he could appoint an aviator, not that he could build an aeroplane, because, God knows, we have 3,000 of them in this country and I do not know how many in France, costing multiplied millions of dollars. I think they have spent for aviation something in the neighborhood of a billion of dollars. I do not want to place the operation and the flying of these machines under the Postmaster General. I am perfectly willing—and the amendment, as I understand it, would allow it—

for the Postmaster General to establish the routes, whether they go to Chicago, whether they fly across the continent, or wherever they may be, in trying out this experiment. The Army would have no power in the premises touching that matter. And the Army, under the amendment, would be compelled to furnish the aeroplanes upon the routes as prescribed by the Postmaster General.

Mr. CALDWELL. Will the gentleman yield?

Mr. CANNON. Certainly.

Mr. CALDWELL. Does the gentleman know how many men there are in the Aviation Service who will be in four months after the terms of peace are signed?

Mr. CANNON. Enough of them, and five times over, to do this service, and men that are trained.

Mr. CALDWELL. Are not many of the men who are there now practically reserve officers, who came in under emergency legislation, and four months after peace is declared go out of the service?

Mr. CANNON. After all that is said, there are plenty of them there to operate all the machines and try out this experiment. I do not want to go and buy a lot of aeroplanes. I do not want to build aeroplanes. We have them already, and God knows, with the great burden that we are under to care for the interest on the public debt, to pay our debts, to bear all the burdens that result—and we are not going to shirk any of them—from this great struggle, I believe in being somewhat economical when it does not impair the public service. And therefore I shall vote for this amendment. [Applause.]

Mr. STEENERSON. Mr. Chairman, the Garrett amendment, as I understand it, provides already that these machines shall be turned over by the War Department to the Post Office Department, and the Green amendment provides that the sum of $300,000 shall be expended for maintenance and operation, and provides that no part of it shall be expended for the maintenance or operation of the aeroplanes above directed, to be delivered to the Postmaster General by the Secretary of War, which shall be operated and maintained by the personnel of the Air Service of the Army. Now, it strikes me that creates an inconsistency. I have the greatest confidence in the judgment of the gentleman from Illinois [Mr. CANNON] and his colleague [Mr. MANN] and the gentleman from New York [Mr. LAGUARDIA] as to what should be done in regard to this aeroplane service. But I want to call attention to the fact that this money is taken out of the appropriation for transportation of mail by railways.

Now, the railway transportation of the mail is a contract service. The Post Office Department makes a contract. It may not be wholly voluntary on the part of these railroad companies, but it is considered a contract service; and the railroads agree to carry the mail at such and such a compensation, they furnishing all the machinery and the engines and the cars and the space that is required and all the equipment, and mail cars of steel, and the equipment for the distribution of mail, and so forth, all complete, with engines and cars and tracks and everything. They agree to furnish it at so much per pound, or at so much according to space, and the Post Office Department has the privilege of putting the clerks on to distribute the mail.

This amendment provides, first, that you compel the War Department to turn over flying machines to the Post Office Department, and then you compel the Army or the War Department to supply some of their personnel as aviators to run these machines, which the War Department has no control over. They will have been turned over to the Post Office Department.

Now, what can be the object of that? If you are going to have something analogous to the main provision relating to the Railway Mail Service, you want to require that the Post Office Department should enter into a contract with the War Department for carrying the mail by air. Then the airplanes would not have to be turned over to the Post Office Department, and the department which owns the airplanes would have the responsibility of keeping them in repair and would have responsibility for the safety of the fliers. As it is now, you compel the Army aviator to ride in a plane that is inspected and repaired and kept in condition by the Post Office Department.

There is no necessity for it. If you use any logic in this proposition, it would require that the Post Office Department do it all, simply requiring that the Post Office Department act as the proprietor of the business and let out a contract of carrying the mail by air, just as you let out contracts for carrying the mail by railway or steamboat or star route or motor-truck route or any other contract service.

It seems to me, if you adopt either of these amendments—and I should like to support them, deferring to the opinion of the gentleman from New York [Mr. LAGUARDIA] and the opinions of the gentlemen from Illinois [Mr. CANNON and Mr. MANN]—you will involve us in an inconsistency and illogical situation that will require the War Department to furnish aviators to operate machines over which they have no control, although they are responsible for the life and safety of the personnel. The Post Office Department would not have the facilities, anyway, to take as good care of these machines as the department that owns them has, and the turning them over to the Post Office Department is superfluous and unnecessary.

Mr. FORDNEY. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Michigan moves to strike out the last word.

Mr. FORDNEY. Mr. Chairman and gentlemen, I will be very brief, but I believe that the time for spending the people's money extravagantly, without questioning the purpose for which it is raised and spent, is nearly at an end.

During the war all men in Congress were patriotic and raised no question as to what use the people's money was going to be put in carrying on the war. Much of it has been extravagantly spent and hereafter will be accounted for with much criticism, perhaps.

I believe that to delegate to the Postmaster General the power to establish a system of mail carriage by the air service means the expenditure of not a few million dollars, but more than a billion dollars before long.

Personally—I speak for myself—I believe that it would be wise to place all of the air service under one department, a separate department. I do not believe it would be wise to delegate to the Postmaster General this authority and this power. He is wholly inexperienced and all the men under his control or in the Postal Service are inexperienced in the air service. We do have now some experienced men in the War Department, some experienced men in the air service.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield right there?

Mr. FORDNEY. Yes, sir.

Mr. GREEN of Iowa. I will say that if my amendment does not prevail the Postmaster General will have a great deal more power than he would have otherwise.

Mr. FORDNEY. I agree with the gentleman. I am speaking in the interest of the gentleman's amendment. I concur with him in his views.

Now, to point out the incompetency of some men, let me tell you what may happen if we give this power to the Postmaster General. I had occasion a few days ago to ask for certain information about certain Army supplies. I found that at the time the armistice was signed we had 128,000 Cavalry horses owned by the Government. We had on hand 1,050,000 saddles for those 128,000 Cavalry horses.

Now, I mention this to show the incompetency of some men back of the management of these affairs. I will only mention that, but I could stand here and give you a dozen more illustrations of supplies on hand quite equal to the extravagance that I have mentioned in the purchase of Army supplies.

Mr. MOON. That was not the Post Office Department. It was the War Department.

Mr. FORDNEY. Oh, it was another instance of incompetency. I have no faith in the Postmaster General's knowledge of the air service in handling the mail, and therefore I am opposed to giving to him this great power to spend the people's money.

The time has come, my friends, when patriotism no more appropriates the people's money. I have stood here, as other men have, and voted for taxing the people to the extreme for money to carry on successfully this war, and we have succeeded. Now comes the time, my friends, to scrutinize closely the expenditure of large sums of money by this Government.

Mr. STERLING. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Michigan yield to the gentleman from Pennsylvania?

Mr. FORDNEY. Yes; I yield.

Mr. STERLING. I would like to ask the gentleman if he proposes, in the line of the Green amendment, to make this experiment of carrying the mails by air with the War Department rather than with the Postmaster General?

Mr. FORDNEY. My good friend, it is useless for me to go over the ground that has been so thoroughly discussed here, and that is this: I do not want to interfere with the Postmaster General's management of the mails——

Mr. STERLING. I understand.

Mr. FORDNEY. But—wait a minute; you have asked a question; let me answer you—there is no more comparison between the two propositions than there is between the sun and the moon. The Army can manage the airplanes. Let the Postmaster General handle the mails, just as it is now handled on the railroads and on the steamboats of the country.

Mr. STERLING. I have great respect for the gentleman's position on all matters, because of his experience in business.

Mr. FORDNEY. I thank you.

Mr. STERLING. What I am trying to find out is, if the experiment is made under the supervision and control of the War Department and it proves to be a success, would it continue under the operation and control of the War Department? And does the gentleman believe, after all that the American people have sacrificed, not only in money but in lives and in the bodies and health of the men, that the people of this country are ready to turn over the control of any civil department to military operation and control?

Mr. FORDNEY. Mr. President, I have stated that personally I am in favor of establishing a separate department for the air service.

Mr. SHERLEY. Yes; I think that is all right; but the gentleman would not turn it over to the military, would he?

Mr. FORDNEY. I have said, and I repeat, that the Army has experimented and does have some knowledge of the air service.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. FORDNEY. Mr. Chairman, I ask for just one minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FORDNEY. Whatever experienced men we have now in the service are in the Army and the Navy and not in the Post Office Department. Therefore, if we put the control of aeroplanes under the War Department we will start out with some experienced men, whereas if we give the Postmaster General this power, he must learn the whole business, as must all the men who come under his control.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes; although I have but a minute.

Mr. GARRETT of Tennessee. Hundreds of men who have been trained in aviation are being discharged from the military now.

Mr. FORDNEY. That is true, and rightfully so. I am in favor of discharging the men more rapidly than we are, but I presume all the machinery that is available is set at work in discharging our men now. That does not enter into this question at all.

Mr. GARRETT of Tennessee. Precisely. I think it does, because from that force the Postmaster General can draw experienced men to operate these machines.

Mr. MOON. Mr. Chairman, this matter has been discussed two or three hours, and all time allowed under the rules for the discussion of amendments long since has passed. I move that debate be now closed and that we take a vote on the proposition.

Mr. SISSON. Mr. Chairman, I would like to have five minutes.

The CHAIRMAN. The motion of the gentleman from Tennessee is a privileged motion. The gentleman moves that debate on the paragraphs and amendments thereto be now closed.

Mr. MOON. It is on this amendment and all amendments thereto.

The CHAIRMAN. That is the way the Chair stated it—on the paragraph and all amendments thereto.

Mr. MANN. Do I understand that the gentleman moves to close debate on the paragraph and all amendments thereto?

Mr. MOON. I move to close debate on this amendment.

Mr. MANN. I understood the gentleman was desirous of having an amendment offered to this amendment.

Mr. MOON. I have no objection to that, without debate.

The CHAIRMAN. The gentleman's motion, as stated by the Chair, was to close debate on the paragraph and all amendments thereto.

Mr. MOON. Mr. Chairman, I am going to modify that motion just a little. The gentleman from Iowa, I understand, wants to offer an amendment to his amendment, and I am willing to have that done. The gentleman from Mississippi desires five minutes, as does the gentleman from Connecticut [Mr. TILSON], and I move that all debate close on this amendment and all amendments thereto in 10 minutes.

Mr. LAGUARDIA. Mr. Chairman, will the gentleman let me have three minutes?

Mr. MOON. No; we have talked about this too much now.

The CHAIRMAN. The gentleman from Tennessee moves that all debate on the paragraph and all amendments thereto close in 10 minutes.

The question was taken, and the motion was agreed to.

Mr. GREEN of Iowa. Mr. Chairman, I ask unanimous consent to modify my amendment. The gentleman from Tennessee has indicated that he would like to see a modification of it, and, as I understand, said that if that modification were made there would be no objection on his part.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to modify his amendment. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman will state his modification.

Mr. GREEN of Iowa. Add at the end of my amendment the words "under the control and direction of the Postmaster General."

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modify the amendment offered by Mr. GREEN of Iowa by adding at the end thereof the words "under the control and direction of the Postmaster General."

Mr. GREEN of Iowa. Mr. Chairman, I ask unanimous consent to further modify my amendment. The gentleman from Illinois [Mr. MANN] whom we all know is an expert in drafting legislation has suggested that the word "which," after the words "Secretary of War" in my amendment, might possibly not be construed as a direction, but simply as a part of the limitation, which I did not intend, and he suggests that the words "but such machines," be substituted for that word. I ask unanimous consent to so modify the amendment.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to further modify his amendment as indicated by him, and the Clerk will read the suggested modification.

The Clerk read as follows:

Strike out the word "which," after the words "Secretary of War," and insert in lieu thereof "but such machines."

The CHAIRMAN. Is there objection to the modification?

There was no objection.

The CHAIRMAN. There are four minutes of the time of the gentleman from Iowa left, and the Chair will recognize the gentleman from Connecticut.

Mr. TILSON. Mr. Chairman, I hope the membership of the House will bear in mind that the air service in the War Department must go on, whether it carries the mail or not. It must go on so that we may have as a part of our national defense a well-trained, adequate air service. It is unthinkable that we should stop now and let this most important branch of our military service dwindle or decay. Unless we keep men engaged in it all of the time we are not going to have a trained air service. Therefore let us start with the proposition that, at any rate, we are going to have an air service in the War Department, that we are going to have plenty of trained fliers in the War Department, and that we are going to keep them flying, whether the mail is carried or not, whether the Post Office Department has an additional air service or not. If we have that, then, as a matter of economy, as a matter of good, sound business judgment, it seems to me the thing for us to do is to let that service, which must be flying anyway, carry the mail, as it can be done with little additional expense to the Government. In my judgment, no sufficient reason has been advocated here why that service, which must go on, should not also perform this additional service. For that reason it seems to me to be unwise for us to start here another department doing the very same work.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. TILSON. Certainly.

Mr. LAGUARDIA. Is it not true that the flying is the smallest part of aviation; that the great expense is the maintenance and repair; and if the Post Office were to take over the machines to be delivered to it, it has no facilities to take care of the machines or for repairing them—machines worth millions of dollars? The Post Office Department has no shops and no mechanics to take care of them.

Mr. TILSON. The gentleman is entirely correct and speaks with knowledge based upon a wonderful experience in the military service. We must maintain a repair and maintenance service to keep these machines going, and it must be done under the War Department, whether there is any postal air service or not.

Mr. CALDWELL. Will the gentleman yield?

Mr. TILSON. Yes.

Mr. CALDWELL. Is it not a fact that if the repair business is done under the Army it will be done by enlisted men as soon as the Army is demobilized, and you will have enlisted men competing with organized labor?

Mr. TILSON. Such work must be done in this service just the same as in any other branch of the military service. The maintenance of the air service in a high state of efficiency, in peace as in war, is more important because it takes more expert training to fit a man to perform these duties than in any other branch of the military service.

Mr. SISSON. Mr. Chairman, I am very much interested in this aeroplane service. I am interested in the development of the service so that it may carry the express and the fast mail, and I look in time for it to carry passengers. But in my own mind I believe it to be unthinkable that you should turn over to the Post Office Department this branch of the military service of the War Department. I think it will result in a failure if you permit the War Department to have the training, manufacture, and control of aeroplanes until it gets into this service. So far as economy is concerned, everyone of you gentlemen know that there has not been an ounce of economy in the War Department in the time of peace. The training of the Army and the naval officers never made for economy. They have been educated by a Government that is rich; all Army engineers have been educated by a rich Government, and they never look at economical means to accomplish results. What they want is the result. Ask the man who built the canal and he will tell you that that is one of the faults that the Army engineers have had. If you want economical service, if you want efficient service, if you want to develop the aeroplane service, let the Post Office Department take advantage of it, assemble the experts, whose whole business will be not only to carry the mail but to develop the proper plane for economical and efficient carrying of the mail. If you permit the War Department to spend its time and energy in developing planes for military and bombing purposes, you will not have the experience in experimental matter in machines for carrying the mails; you will not get the imagination necessary for that development. You will make a mistake and you will be doomed to failure if you permit the development of the plane and the fliers to be left to the military arm of the service.

Another thing we must guard against in this demobilizing period is that we want to get the Government back into peaceful pursuits. I am one who will never admit that the Army or the Navy can do things in civil life as well as men in civil life. If this is granted in one instance, it will be asked for in others; and why not let them run the railroads, why not let them run the factories, why not let the Army run all the different departments of the Government and have a military government?

Mr. MADDEN. Will the gentleman yield?

Mr. SISSON. I can not yield now.

Mr. MADDEN. I want to help the gentleman.

Mr. SISSON. Well, the gentleman can help me by voting.

Mr. MADDEN. I will do that.

Mr. SISSON. It will not do to let the military nose get under the tent, and the next Congress may be more militaristic than this if you adopt this amendment.

When this war is ended I hope to see the Army reduced to a minimum. If you love peace and want to develop this along peaceful lines, let us not encourage a more extensive Army.

They say that the aviators in the Army will not have much to do. I do not believe—and perhaps I have no right to speak, not being an expert, but I have a right to my opinion—that mere flying in carrying the mails will not develop a fighting man in the air. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired and all time has expired. The Chair will state the proposition before the committee to be passed upon: The gentleman from Pennsylvania [Mr. ROBBINS] offered an amendment to strike out certain lines in a paragraph of the bill. To that amendment the gentleman from Tennessee [Mr. GARRETT] offered a substitute. The substitute has been amended by the committee by the adoption of the Stafford amendment to the substitute. There is now pending to the substitute offered by the gentleman from Tennessee an amendment proposed by the gentleman from Iowa [Mr. GREEN], which will first be voted upon. The Chair will direct the Clerk to report the amendment of the gentleman from Iowa [Mr. GREEN].

Mr. GRAHAM of Illinois. Can we not have the paragraph read as it will read when amended.

The CHAIRMAN. The paragraph is stricken out and this is an entirely different proposition.

Mr. GRAHAM of Illinois. Can we have the Garrett amendment reported with the amendment of the gentleman from Iowa?

Mr. GARRETT of Tennessee. Mr. Chairman, that has been twice read this morning.

Mr. GRAHAM of Illinois. I admit that, but I was busy about something else.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the substitute offered by the gentleman from Tennessee as amended be again read. Is there objection?

There was no objection.

The Clerk again read the substitute as it would read if amended.

The CHAIRMAN. The vote will first be taken on the amendment to the substitute offered by the gentleman from Iowa [Mr. GREEN].

The question was taken; and on a division there were—74 ayes and 80 noes.

Mr. GREEN of Iowa. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed as tellers the gentleman from Tennessee [Mr. MOON] and the gentleman from Iowa [Mr. GREEN].

The committee again divided; and the tellers reported there were—ayes 96, noes 82.

So the amendment was agreed to.

The CHAIRMAN. The question now recurs on the adoption of the Garrett substitute as amended for the Robbins amendment.

The question was taken, and the Chair announced the ayes seemed to have it.

On a division (demanded by Mr. CALDWELL) there were—ayes 110, noes 6.

So the substitute was agreed to.

The CHAIRMAN. Now, the question is on agreeing to the Garrett substitute as amended.

The question was taken, and the Garrett substitute as amended was agreed to.

The Clerk read as follows:

Railway Mail Service: For 15 division superintendents, at $3,250 each; 2 assistant superintendents, at $2,350 each; 15 assistant division superintendents, at $2,250 each; 115 chief clerks, at not exceeding $2,100 each; 432 clerks, grade 10, at not exceeding $1,800 each; 1,922 clerks, grade 9, at not exceeding $1,700 each; 375 clerks, grade 8, at not exceeding $1,600 each; 7,703 clerks, grade 7, at not exceeding $1,500 each; 952 clerks, grade 6, at not exceeding $1,400 each; 1,737 clerks, grade 5, at not exceeding $1,300 each; 2,721 clerks, grade 4, at not exceeding $1,200 each; 60 clerks, grade 3, at not exceeding $1,100 each; 4,666 clerks, grade 2, at not exceeding $1,000 each; 1,164 clerks, grade 1, at not exceeding $900 each; in all, $28,385,500: *Provided*, That railway postal clerks shall be credited with full time when deadheading under orders of the department, and the appointment and assignment of clerks hereunder shall be so made during the fiscal year as not to involve a greater aggregate expenditure than this sum; and, to enable the Postmaster General to reclassify the salaries of railway postal clerks and make necessary appointments and promotions, he may exceed the number of clerks in such of the grades as may be necessary: *Provided*, That the number of regular clerks in the aggregate as herein authorized be not exceeded.

Mr. BLACK. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 16, line 15, after the word "railway" insert "and substitute railway."

Mr. BLACK. Mr. Chairman, the purpose of the amendment I have offered is to enable the Post Office Department to credit substitute railway postal clerks for full time when deadheading under orders of the department; and in respect to the amendment I will state to the committee that the Second Assistant Postmaster General says that he now has no authority to credit a substitute with his time while he is deadheading under orders of the department, and that in many cases a hardship is thereby done the substitute, and he favors an amendment of this kind. I do not think it is necessary to argue it any further, unless the committee should have some objection.

Mr. MOON. Mr. Chairman, I see no reason why the amendment should not be agreed to.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For miscellaneous equipment and supplies, including the purchase and repair of furniture, letter boxes, package boxes, posts, trucks, baskets, satchels, straps, letter-box paint, baling machines, perforating machines, duplicating machines, printing presses, directories, cleaning supplies, and the manufacture, repair, and exchange of equipment, the erection, manufacture, repair, and painting of letter-box equipment, and for the purchase and repair of presses and dies for use in the manufacture of letter boxes; for miscellaneous expenses in the preparation and publication of post-route maps and rural-delivery maps or blue prints, including tracing for photolithographic reproduction, and the Postmaster General may authorize the sale to the public of post-route maps and rural-delivery maps or blue prints at the cost of printing and 10 per cent thereof added, the proceeds of such sale to be used as a further appropriation for the preparation and publication of post-route maps and rural-delivery maps or blue prints; of this amount $1,500 may be expended in the purchase of atlases and geographical and technical works, and for other expenditures necessary and incidental to post offices of the first, second, and third classes, including offices of the fourth class having or to have rural-delivery service, $480,000.

Mr. ROBBINS. Mr. Chairman, I want to ask the gentleman in charge of this bill if they have adopted any standard for

rural mail boxes? Do they require any uniform manufacture, make, or form in the case of these boxes?

Mr. MOON. What item, what page?

Mr. ROBBINS. In this paragraph they refer to letter boxes.

Mr. MOON. On page 20, is it?

Mr. ROBBINS. It is on page 20. It seems to be covered in this paragraph. Is there any uniformity required in the rural boxes that are put up by the patrons of the rural routes?

Mr. MOON. Well, I think the department has heretofore indicated the character of box that might be used upon a route, but there is no requirement.

Mr. ROBBINS. There is no required form other than that those placed by the patron should be accessible to the carrier?

Mr. MOON. I think so.

The Clerk read as follows:

For rental, purchase, exchange, and repair of canceling machines and motors, mechanical mail-handling apparatus, and other labor-saving devices, including cost of power in rented buildings, and miscellaneous expenses of installation and operation of same, including salaries of five traveling mechanicians and for per diem allowance of traveling mechanicians while actually traveling on official business away from their homes and their official domiciles at a rate to be fixed by the Postmaster General, not to exceed $4 per day, $337,000

Mr. FOSTER. Mr. Chairman, I move to strike out the last word. May I inquire of the chairman of the committee, in reference to the rental of these canceling machines, what the annual rental is, what the purchases amount to now in place of rental, and if it is the policy of the department to purchase these machines instead of renting them whenever it is possible to do it?

Mr. MOON. Well, the department says in the hearing:

Estimate of the department is $337,000, a decrease of $86,000. That decrease is due to the fact that the department is now operating its own canceling machines. There will be no rented canceling machines in the Postal Service after December 31, 1918.

Mr. FOSTER. So they are not purchasing any at all?

Mr. MOON. They are not buying at all.

Mr. FOSTER. Can the gentleman inform the committee how much these machines are costing—these large machines?

Mr. MOON. The individual machine?

Mr. FOSTER. Yes.

Mr. MOON. No; I can not. It is in the hearing, perhaps, but I do not recall it.

Mr. FOSTER. I withdraw the pro forma amendment.

The Clerk read as follows:

For experimental motor vehicle truck service in such localities of the United States as the Postmaster General may select, the establishment and extension of such service, the improvement of highways, the purchase, manufacture, exchange, and repair of equipment, supervision and maintenance, and expenses incidental to conveyance and marketing of produce and commodities, $1,000,000.

Mr. STEENERSON. Mr. Chairman, I move to strike out the words "the improvement of highways."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, line 18, after the word "service," strike out the words "the improvement of highways."

Mr. MOON. Mr. Chairman, I hardly think it is necessary to take any time on that. I think that motion is a very good one, and I think it ought to be stricken out.

The question was taken, and the amendment was agreed to.

Mr. STEENERSON. Mr. Chairman, I now move to strike out "$1,000,000" and insert "$500,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, line 21, strike out "$1,000,000" and insert "$500,000."

Mr. MOON. Mr. Chairman, I suggest to the gentleman from Minnesota that we ought not to limit this matter too closely. Possibly $1,000,000 is a little excessive; suppose he makes his amendment $750,000.

Mr. STEENERSON. If the gentleman will permit me perhaps I will do that, but I want to say I have a letter from the department, from Mr. Blakslee, Fourth Assistant Postmaster General, and I would like to have it read and answer it. I will require about 10 minutes. It relates to this point. I ask that I may have 10 minutes.

Mr. MOON. I request that the gentleman have 10 minutes.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to proceed for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. STEENERSON. Now, I would like to have this letter read.

The CHAIRMAN. Without objection, the letter will be read in the time of the gentleman.

There was no objection.

The letter was read, as follows:

POST OFFICE DEPARTMENT,
Washington, December 17, 1918.

Hon. HALVOR STEENERSON,
House of Representatives.

MY DEAR CONGRESSMAN: I note in the CONGRESSIONAL RECORD of Monday, December 16, 1918, that you state—

"And the remarkable thing about this motor-truck service is that they parallel the railroads. They run parallel in most every instance to an existing railroad line, and the railroads, of course, are anxious for business."

Later you state:

"It must be that the Post Office Department intends to supplant railroads by motor trucks."

The hearings before the Committee on the Post Office and Post Roads will disclose that experimental motor vehicle truck service is to be established between any two large markets through producing territory not adjacent to rail or water transportation facilities. This is exactly what has occurred in every instance, except where road conditions would not permit any other method of operation unless adjacent to railroad lines. This only in a very limited number of instances.

You also state that under cross-examination it was admitted "that in arriving at income of motor-truck service on those routes they counted all the postage."

Any expert accountant will assure you that this method is pursued in all enterprises that maintain accurate income or cost records. Gross revenue is always reckoned on the basis of total amounts received and in making up cost sheets deductions are made for every item that should be properly charged against the total income. Therefore, in the hearings before the Committee on the Post Office and Post Roads it was clearly set forth that allowances had been made for war tax and for the treatment of mail prior to its receipt on motor-truck routes and its dispatch from terminal thereof, together with every conceivable direct or indirect operating expense, including depreciation, interest on the investment, and replacement of equipment.

I note you fail to include in your remarks any reference to the mile cost of this service as compared to star contract service or rural delivery service.

You made inquiry by telephone of the department on these subjects.

The cost of star route service per mile is 11.8 cents; the cost of rural delivery service is 18.4 cents; the cost of motor vehicle truck service is 17.1 cents.

No doubt you overlooked these statistics on account of the many numerous items in the postal appropriation bill which you endeavored to explain.

I wish to thank you for your complimentary reference to my ability, and in return I feel sure that your well-known sense of fairness will prompt you to include this letter in the RECORD to correct any misunderstanding as to the intent of this service to parallel railroads or to take credit for earnings that belong to some other branch of the postal establishment.

My contention has always been that where the railroads should be used, use them; where the waterway should be used, use it; where the air lane should be used, use it; and where the highway should be used, I hope for your hearty cooperation.

Sincerely, yours,

JAS. I. BLAKSLEE,
Fourth Assistant Postmaster General.

Mr. STEENERSON. Mr. Chairman, now it is unnecessary for me to say it was far from my intention to misrepresent anything that Mr. Blakslee has said, that the omission to mention the cost of rural service per mile, motor-truck service and contract service, the star-route service. The subject was not on my mind. I had very many subjects to deal with, and I had no intention to create a false impression by such omission. But what he mostly complains of here is a few remarks I made in reference to the inquiry of the gentleman from Iowa [Mr. GREEN]. Mr. GREEN inquired about the calculations, whether they were too optimistic or not, and it was rather a little pleasantry on my part that in referring to the Fourth Assistant Postmaster General I described him as rather too sanguine about phenomenal returns of this service. Well, it was not my intention to reflect in any way upon the gentleman's ability or correctness or intended correctness in his testimony, but I did intend to indicate that he was a little too optimistic, that he was led too far afield by his vivid imagination.

Now, we all like an imaginative person. I do. I am very fond of the Fourth Assistant Postmaster General personally. But he has, no doubt, a very vivid imagination, and he is an optimist, which is also creditable; but it is not always safe to follow the calculation of people who are so sanguine. Now, one of the points he makes in his letters is, that it does not parallel the railroads as I said it mostly did. Now, if you take the Postmaster General's report, where he deals with the subject, you will find in every instance so far as I can determine the motor-truck route starts from a railroad point, a railroad town, and ends in a railroad town, in most of the cases on the same railroad. The gentleman refers here to a blue print that he gave to the Committee on the Post Office and Post Roads. I have been unable to see it. Perhaps that blue print would indicate that the motor-truck route does bulge out, or makes a little departure from the straight line of the railroad. But in the sense I used it, I think it is fair to say that it is competitive with the railroads and that it is to a great extent competing. However, I wanted Mr. Blakslee's statement to go before the House, as it was far from my intention to misrepresent anything. I derived my information not from a blue print but from the general maps

of the country, which give the railroads in this section, and, of course, they are drawn on rather a small scale, and when you only know the two termini of a road, and they both begin and end on the same railroad, you naturally conclude that it is a competing and parallel line.

The most important part of the letter is in reference to the calculating of the revenue, and he says that you should always include the total postage. He says that is the practice of accountants. That shows he has faith in accountants. He trusts blindly in them. But I submit that you can not always do that. You must think it out for yourself, if you want to arrive at the truth. Now, let us see what the result of this method of the accountants would be.

You take one of these motor-truck routes 100 miles long, and you credit the total postage. We will say that on the starting point and on the stopping places along the route he collects 100 pounds of first-class mail, and he collects 1,500 pounds of parcels, farm truck, and such things, which is the usual amount, say, 1,000 or 1,500 pounds. The revenue on that would be about a cent and a half a pound on the farm produce. Under the lower parcel rate for 150—that is, 5 cents for the first pound and 1 cent additional for each additional pound—fifteen hundred pounds would be $22.50. But the letter postage is 2 cents an ounce, which was the rate before the war, and would bring in 90 cents a pound, and 100 pounds would bring in $90, or, if it was 3 cents an ounce, it would be $135. And if you credit the route with the first-class postage, why, you can figure up a most wonderful income for that route. But if it did not go by motor route but went by rail then it would cost about 6½ to 7 cents per ton-mile, and you would have about 35 cents for the whole cost, if I figure it right in my head. A profit of $89 or $134, as the case might be, according to what rate of letter postage is charged.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEENERSON. I would like to have two minutes more.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to proceed for two minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr STEENERSON. So that the letter mail when it is paid by the pound is the most profitable thing and it pays for nearly the whole service. And, of course, if you are going to give the credit to the motor route for all the postage on first-class mail that passes over it, you include what it costs the Government to bring letters through, and so forth. However, Mr. Blakesley seems to think that it is right to credit the route with this postage on this profitable matter as correct. I can not agree with him. If we shipped the letters by rail it would only cost a few cents, and the rest would help to pay other postal expenses.

However, I submit his letter to the House for what it contains. I am afraid of this proposition. The gentleman is too sanguine. Every great man is sanguine. If Columbus had not been visionary and been gifted with great imagination, he would never have discovered America and we would not have been here. So I do not want to blame him for being too optimistic; but at the same time, inasmuch as we are holding the purse strings, I want to go a little slow, and I want to be a little careful. I would like to have an accountant, an inspector, an expert in journal business, go over these routes and inform Congress before we go to work to appropriate so much as this.

Now, the chairman of the committee has suggested that if the motion was to substitute $750,000 instead of $1,000,000 he might agree to it. However, I think it is fair to the House that we should vote on my motion to strike out $1,000,000 and insert $500,000. I understand there are others here on the floor that would like to increase it to $1,500,000. So you would have your choice. It seems to me it is a dangerous thing to place so much money in the hands of the department for this purpose, because you are simply duplicating other service to a very large extent; and you are entering upon a new field, and you will not know where it will end.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SAUNDERS of Virginia. Mr. Chairman, I wish to offer an amendment. I understand the motion is to strike out of the bill $1,000,000 and insert $250,000.

Mr. STEENERSON. Five hundred thousand.

Mr. SAUNDERS of Virginia. I offer a substitute for that, making it $1,500,000.

The CHAIRMAN. The Clerk will report the substitute offered by the gentleman from Virginia [Mr. SAUNDERS].

Mr. SAUNDERS of Virginia. I would like to say a word in connection with the bill.

The Clerk read as follows:

Substitute offered by Mr. SAUNDERS of Virginia: Page 23, line 21, strike out "$1,000,000" and insert "$1,500,000."

Mr. SAUNDERS of Virginia. Mr. Chairman, if there is any one feature of this bill which should commend itself to the Representatives from the country districts, as most of us are, it is the provision for this motor service.

The gentleman from Minnesota [Mr. STEENERSON] indicated that he was afraid of these "experiments" (as he calls them), on the part of the Post Office Department. But, having in mind the experiment upon which we have entered in the aeroplane venture, we should not be afraid of experiments like this on firm ground. We are not "up in the air" with respect to this proposition, but on the sure foundation of the solid earth.

This proposition relates to a form of activity by the Post Office Department which will inevitably develop every area into which these projected lines will run. The scheme has been fully worked out on trial routes. It does not come before the committee enveloped in the uncertainty which surrounds the aeroplane project. While I believe that airplanes may be used in connection with the transportation of the mails and to a limited extent may be serviceable, yet I have no idea that any largely extended airplane service will ever be worth one tithe of the money that will be required to maintain it. The conditions of the enterprise limit its commercial feasibility.

Mr. MOON. Mr. Chairman, will the gentleman yield there?

Mr. SAUNDERS of Virginia. Yes.

Mr. MOON. As I understand the gentleman from Minnesota [Mr. STEENERSON], he is now willing to let the amount of $1,000,000, which the department desires, remain in the bill. He is willing to withdraw his amendment for $500,000. I think it would be a good idea for the gentleman from Virginia also to withdraw his amendment for $500,000 more, and let the amount remain in the bill as it is.

Mr. SAUNDERS of Virginia. Well, if it is the sense of this committee, and the sense of the Committee on Post Office and Post Roads that this amount of $1,000,000 is as much as we should expend at this time in this connection, I would be willing under those circumstances to withdraw my amendment.

Mr. STEENERSON. I understand that the department never asked that the amount given by the committee be increased.

Mr. SAUNDERS of Virginia. So far as that is concerned, I am proposing that the House should increase this amount. As I have stated, this is one of the most fruitful and hopeful projects of development under the auspices of the Post Office Department which has come to my attention.

Mr. STEENERSON. The proposition of the chairman of the Committee on the Post Office and Post Roads was, as I understood it, the advisability of adhering to the committee's figures. I will say to the gentleman from Virginia that I am disposed to follow my distinguished colleague on the committee, the chairman of the committee.

Mr. SAUNDERS of Virginia. Well, so far as I am concerned, I will complete the remarks that I had in mind in this connection.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. TILSON. Is the gentleman willing to limit this provision to the handling of rural mails, and not go into an experiment to show that motor trucks can successfully compete with railroad trains in carrying the mails? In order to make a good financial showing it is probably necessary that these motor-truck routes should run from one big city to another. If so, it is almost sure to parallel a railroad and duplicate what the railroad might do.

Mr. SAUNDERS of Virginia. The experiment has been sufficiently tried out under practical conditions, to enable any open-minded investigator to conclude that it will be a success on a largely extended scale, indeed on a Nation-wide scale. I have examined some of the expense sheets in connection with this service, showing the expenses, and returns, and if these sheets may be relied upon the success of the experiment thus far has been simply wonderful. Having before us the main fact of these eminently successful trial routes, I see no reason why we should not extend this service, particularly in view of the liberal not to say extravagant amount which this bill provides for extensive experimentation in the air service, a field in which any ultimate outcome of commercial success is admittedly highly uncertain. The meager results which have been attained from experiments admittedly incomplete in the field of aerial mail transportation, do not justify the really gigantic sum which has been appropriated for further experimentation in this direction. Yet gentlemen who favored this fanciful scheme for handling the mails, begrudge any adequate sum for the development of

a service which has successfully stood the rigid tests to which it has been subjected in the effort to ascertain its feasibility, and practical utility.

Mr. TILSON. Does not the gentleman see the distinction? In the case of the Air Service we must run the airplane as a part of our military program, in any event. We must keep the airplanes flying; but it is not necessary to keep the automobiles going.

Mr. SAUNDERS of Virginia. I understand of course that now that the Army has a finger in the pie, my friend will support this fantastic project of experimenting with aeroplanes as a new instrumentality for transporting the mails, without regard to the likely chances of serious pecuniary loss that we confront in carrying out this enterprise. But this other experiment, as I have said, has been worked out, and the expense sheets show a most satisfactory and practical success in the operation of the service. For that reason I desire to see this enterprise which will be conducted on the solid ground, supported by such ample appropriations that it will affect with its benefits the people of the entire country. This enterprise enlists my support on the ground that it is feasible, practical, thoroughly worked out, beneficial alike to the people on the routes, and in the cities, and capable of practically indefinite expansion all the while paying its way in the process of extension.

Mr. MADDEN. Mr. Chairman, I understand that the gentleman from Virginia [Mr. SAUNDERS] has withdrawn his amendment, but I want to make a few observations on this amendment anyway.

Mr. MOON. Can it not be understood, first, that both amendments are withdrawn, and then the gentleman from Illinois can proceed?

Mr. ROBBINS. I thought you agreed to $750,000 as to that item.

Mr. MOON. I understood that the gentleman from Minnesota [Mr. STERNERSON] would withdraw his amendment, and that the gentleman from Virginia [Mr. SAUNDERS] would withdraw his, and leave the amount as it is in the bill.

Mr. SAUNDERS of Virginia. That is not the proposition, as I understood it.

Mr. MOON. If that is not correct, the gentleman from Virginia is misinformed, and his amendment ought to be still pending.

Mr. STERNERSON. I said I understood that was the proposition of the gentleman from Tennessee. I did not say that I would agree to it.

Mr. MOON. Will the gentleman agree to it?

Mr. STERNERSON. I am not prepared to do that.

Mr. MOON. I think we had better consider as pending the proposition of the gentleman from Virginia.

The CHAIRMAN. Both amendments could be withdrawn at the same time if desired.

Mr. MADDEN. I hope the amendment of the gentleman from Virginia [Mr. SAUNDERS] will not prevail. I rather hope the amendment of the gentleman from Minnesota will prevail, if it is still pending. I think I am authorized to say that I have had a talk with the Postmaster General in connection with this legislation, in the course of which he assured me—and he authorized me to say so if I chose to do it—that he is utterly opposed, to begin with, to any appropriation in this bill for the building of highways. That is already eliminated, so that that is not under discussion. He says that he has no purpose whatever to establish a comprehensive system of truck service. I have a great deal of admiration for the imagination of the Fourth Assistant Postmaster General, Mr. Blakslee. He has just as much imagination as Mulberry Sellers ever had. He is one of the nicest fellows I ever knew, and personally I like him, and he has some good views, but he is overenthusiastic. I am afraid he is too optimistic about what the outcome of this system of service will be.

What I fear is if we establish the service on anything like the basis suggested it will be a good deal more of a pork barrel in the future than the river and harbor bill ever was, because everybody in Congress will want truck routes established in their district. Already, I think, appeals have been made for the establishment of truck lines where they ought not to be. I understand that the Posmaster General already has appointed a committee of experts to examine into the desirability of establishing this truck service, and that these men understand the Postal Service better than any others connected with the department. I understand that they are almost ready to report, and whatever their report may be I do not know, but I apprehend that it will not be very favorable to the establishment of these truck lines. There is no sense in having them. We ought not to be in the truck business; we ought not to be dealing in garden truck, for that is what this means. It seems to me that we are establishing automobile lines here, there, and everywhere, for the purpose of carrying products from the farm to the middlemen, and adding not to the economy of the consumer but to the profit of the men who sell to the consumer. We are doing it at the expense of the taxpayer. It is easy to figure out a large profit, but it is not so easy to prove that the profit figured out is there. As long as you have the Treasury of the United States behind any scheme that may be established from which to draw, of course, you can go on, but if you had to put this on a business basis, depending on its own earning power, without the right to draw against the Treasury of the United States for the deficiency, you would find out before 30 days that instead of making fabulous profits you were making fabulous losses. I dare anyone to undertake to prove that a profit has ever been made on any truck service that so far has been at work in the Post Office Department. You can not do it. Mr. Blakslee can do it, but, as I said, I have a good deal of admiration for Mr. Blakslee's imagination. If he only had the other ingredients of Col. Sellers that he never was able to find, the Post Office Department would be flying around the United States on wings, and you would never have to charge postage for any service rendered to the people. Mr. Blakslee has a scheme by which his imagination can work up into the clouds and from which profits rain into the coffers of the Treasury Department. If you would listen to Blakslee there would not be a highway in the United States that would not be rebuilt in the next six months out of the earnings in the truck service of the Post Office Department. And we would be unable to find men to build the roads these profits would build. We have over 2,000,000 miles of highways in the United States, but that would not satisfy Blakslee. He comes from Pennsylvania, where the air is rarified on account of the mountain scenery, and he imagines that everything is built on the basis of the mountains of Pennsylvania.

Why, Mr. Blakslee is one of those imaginary dreamers in the matter of post-office profits that nobody every heard of before. I do not say that in disparagement of Mr. Blakslee's ability. I like it, I like imagination; it takes a man with imagination to accomplish results, but he is going too far afield. [Applause.]

Mr. MOON. Mr. Chairman, I usually find some ground on which my good friend from Illinois and I may stand together, but I can not agree with him on this proposition. This proposition is one that will bring very great benefits to the people of the country in the handling of their produce. It is one that will bring benefit to the merchant in the disposition of his goods and to the people of the country in the exchange of produce for cash, but I believe, too, it will reduce the cost of living to the masses of the people in the cities. I am not going into the argument which has been offered so ably and frequently in support of such propositions.

I want to observe the remarkable fact that when anything arises in the House for Government control, anything that promises direct and immediate benefit to the common people of the country, it obtains too much resistance on this floor. It is a remarkable fact that that is so, because the majority are from the country districts.

The gentleman from Illinois [Mr. MADDEN] said it has not been demonstrated that this is a profitable service. Who knows whether it is profitable or not? Not the gentleman from Illinois, not myself, not any other individual who has not been closely and intimately associated with the operation of this service. The Postmaster General ought to know, but the Fourth Assistant Postmaster General ought to know more about it than the Postmaster General does, because the Fourth Assistant has installed the service, and he shows in the report that it is not only a self-sustaining proposition but a money-making proposition. From the 1st of July to the 30th of September in the last fiscal year on 19 routes there was a profit of $18,880. If that goes through 250 routes which may possibly be established—and that is all that is going to be established—you will have a profit of $2,300,000 at least.

Now, whether there is a profit or not, if it was self-sustaining and gives to the country people an advantage to which they are entitled in moving the products, we ought not to hesitate to pass this provision.

Mr. FOSTER. Mr. Chairman, it seems to me that there has been no more important amendment proposed than the amendment for the experimental motor-truck service. I think Mr. Blakslee may be very enthusiastic, and yet I think he has reason to be congratulated on the success that he has made so far with this experimental truck service. This has been in operation for some time—more than a year, as I now recall—and he has demonstrated that it is a money-making part of the Postal Service and a great convenience to the people. These trucks

go through the country, from one city to another, and gather up the produce that would probably not get to the market if it was not for this service. He has delivered it to the cities in quicker time than is ordinarily done and it has been sold to the consumer at a less price than the consumer has heretofore been compelled to pay. It seems to me when this service has been successful so far, that we ought not to cut down the appropriation, but rather that we ought to increase it so that the service be extended. I hope it will never be a pork barrel. It ought not to be. It ought to be established upon its merits and where it would be justified. I do believe we ought to continue it. If it is demonstrated that it is not a paying service, if it is not a benefit to the people, then it ought to be discontinued. So far the Fourth Assistant Postmaster General has demonstrated his ability to make it successful. If it is necessary to appropriate $1,500,000, $500,000 more than is already in the bill, we ought to do it. We ought not to cut down this appropriation at this time, but should give sufficient money to make this experiment, whether it be located in Illinois, or Pennsylvania, or Georgia, or any other State. I shall vote for the amendment of the gentleman from Virginia so as to give this branch of the Postal Service a fair trial.

Mr. KELLY of Pennsylvania. Mr. Chairman, I sincerely hope that this amendment to reduce the appropriation for the motor-truck service of the Post Office Department will not be adopted. On the contrary, the amount of $1,000,000 carried in the bill for this service should be doubled. No money expended by the Government at this time will bring more profitable returns than that used in expanding this method of direct communication between country and city.

It is a new service, but the initial appropriation of $300,000 made by Congress last year has produced results which warrant an extension of a chain of routes radiating from all the large cities of America to the farming communities within a radius of a hundred miles.

Experience with the routes now in operation demonstrate that this service is not only self-supporting but profitable to the Government. It costs $800 a month to operate the route between Washington and Philadelphia, and the gross earnings are $16,000 a month. Gen. Blakslee, of the Post Office Department, in his statement before the Committee on Post Offices and Post Roads, states that the gross earnings of the 19 motor-truck routes already established between July 1 and September 30 of this year were $292,024.95. On a yearly basis these 19 routes will produce revenues of more than a million dollars. Of course, the war-revenue tax on the mail matter and crediting to other branches of the service its share of the first-class mail matter carried would reduce this figure, but after making all allowances there is a substantial profit in the operation of each of these routes.

Now, these results have been obtained by individual dealing between the farmer in the country and the individual consumer or business firm in the city. When the disadvantages and difficulties of such dealing are taken into consideration, the showing made by these truck routes is but a faint idea of the possibilities of this service.

Daniel C. Roper, former First Assistant Postmaster General, in his book The United States Post Office states that the operation of the parcel post has proved "disappointing."

That is true, for in spite of the eagerness of the people to utilize the parcel-post facilities, there have been many difficulties, and even those who were most enthusiastic in the inauguration of the service five years ago to-day confess that those difficulties must be removed before the parcel-post idea in America can be acclaimed a real success.

But every one of those difficulties, so vitally affecting the success of this means of communication, arise from the lack of organization and cooperation between the consumers on one side and the producers on the other.

For instance, the expense of securing individual shipments of food products from the farmer to the city dweller is almost prohibitive. The expense of shipping a single dozen of eggs is so much greater in proportion than shipping a crate of eggs that it raises the price to a point which minimizes the value of the service.

Suppose a family in the city desires a dozen eggs a week and wishes to get them direct from the poultry yard in the country. It is necessary to buy a metal container, which costs $1. The postage is 7 cents on each dozen. Then letters must be written in ordering the eggs and in sending payment. Money orders require an additional fee. If the eggs are ordered from different producers, still more letters are necessary.

I believe it is a fair estimate to say that it costs 15 cents a dozen to buy eggs direct in this manner, which is entirely too high. The fact that this service has proved at all successful is due to the very earnest desire of many persons to secure fresh, wholesome products direct from the producer, for which they are willing to pay even the highest price.

But we should have this service of value to those who can not afford the highest price—to the average man both in the city and country.

How can this cost be lowered? Only by organization and combined action on the part of consumers and producers. Instead of individual, there must be collective dealing.

Suppose there were an organization of consumers in the city and of producers in the country, both acting as a unit, with a responsible agent for each association.

Thirty or more families desire a dozen eggs each week. The order goes in a single letter to the organization in the country. The standard 30-dozen crate, which costs 15 cents, is used. The postage on the entire crate is 65 cents. One letter carries the money order for payment. In this way eggs can be delivered direct at a transportation charge of 3 cents a dozen.

Fifteen cents a dozen by individual dealing; 3 cents a dozen by collective dealing. Those figures spell the difference between failure and success in this service.

But there is another great difficulty in the plan of individual dealing between producer and consumer. That is the inconvenience to the producer of handling many petty accounts. He must fill each individual container and ship it. He must keep his records and collect his bills from many customers, with the danger of loss in some of them. It is little wonder that many farmers, after having tried to deal direct with individual customers, have become discouraged and given it up. The inconvenience is too great and the farmers go back to the old methods of marketing.

But organized action does away with this difficulty entirely. The farmer is dealing through a responsible association with a responsible association. His eggs and other products are shipped in bulk and he is paid with one check instead of a score. He has no bad bills, for the collecting is made by the agent of the consumers when the products are delivered. It requires organized buying and selling to meet this difficulty, which has prevented the success of direct dealing.

Then there is a third difficulty with the system of individual dealing. The producers and consumers do not know each other. The man in the city does not know what farmers desire to sell their produce direct and the farmer does not know the city dweller who is longing for his products.

Since this motor-truck service was established some postmasters have published lists of the farmers along the routes who will sell produce direct. But after all a name means nothing to the consumer who desires mutually profitable relations, and little benefit has resulted from these lists.

Think of the difference when rural and city community are both organized. Responsible agents speak for each of them. The quantity of goods available and the prices are known and are sent to the city community. On one side the producers who have the commodities, on the other the consumers who desire them. Between them the motor transport service of the Post Office Department linking them up and uniting them in a profitable relationship.

This, then, is the problem of parcel post success. There must be organization both in city and country, at both ends of the line. Only when this is done can we expect success in the plan of getting the products of the farm direct to the table of the consumer.

Neighborhoods must be organized if this plan is to succeed. The unit of neighborhood in America is the public school district, and that is the logical basis for this marketing organization. The public-school building is located within convenient reach of the children of the neighborhood, and therefore of all the people as well.

This building belongs to all the people, not to a group. Whether all the children go to school in it or not, the fact remains that the building is built with public funds, to which all contribute. Every citizen shares with all the other citizens in the community of its ownership.

Every one of these buildings in America is capable of being used as the headquarters of the people of the neighborhood. They stand ready to hand to be used as stations of collection and distribution in the great movement to bring the consumers and producers together, through the agency of the Post Office Department, operated for public service.

Mr. Chairman, that the schoolhouse and the post office can be linked together in a successful effort of coordination is not a theory, it is a proven fact.

Here in Washington City the people of Park View district have organized their community in their schoolhouse. They have elected their officers, of whom the most important is the com-

munity secretary, Mr. J. G. McGrath, who is the responsible agent for the neighborhood in its marketing operations.

This organization has been in existence for two years and has been a splendid community center, where all the people come for recreation and for discussion of vital questions. It has made of Park View district a real neighborhood with a fraternity of feeling plainly evident. During the war the various war activities were presented at the community meetings and were entered upon with enthusiasm by the community. Each citizen gained through his membership in this all-inclusive organization the sense of "belonging" to America.

Three months ago the community secretary was appointed a postal-station agent and a complete post-office equipment was set up in the schoolhouse. This unprecedented arrangement, which should be the most natural combination of activities, has been a success from the first day. The people gladly avail themselves of the postal facilities in the schoolhouse and the receipts have increased rapidly.

Then came the question of using these facilities for the purpose of securing food products directly from the producer. The motor-truck service was utilized and orders were sent out to individual farmers. The result proved the advantages of buying direct, but there were difficulties which had to be overcome. It required the product of many farmers to supply the needs of the community, and a great deal of inconvenience was experienced in getting in touch with producers who desired to sell their produce in this manner.

Finally it was seen that the only solution is organization on the part of the producers. The shipments at the farm must be organized, and in the rural sections, too, the schoolhouse stands ready to be used for this purpose.

One of the motor-truck routes from Washington leads to Gettysburg, Pa. It traverses a good farming country for 80 miles and in no part of it parallels a railroad. In the past hundreds of tons of vegetables, fruit, and so forth, raised in this territory have been allowed to rot and waste simply because there was no connection with a market which offered profitable returns.

The route passes through Mount Joy Township, Adams County, Pa., which is on the edge of the historic battle field of Gettysburg. There only a few weeks ago was formed the first rural postal-school organization in the United States. The producers of the township, gathered in the Two Tavern schoolhouse, formed the Mount Joy Community Association. Mr. Rudisill, a former member of the State legislature, was elected president, and the public-school teacher was made the community secretary. This official is A. Nevin Sponsellor. His election as community secretary was by the people of the community, and by virtue of that election he has been made a postal agent of the motor transport service of the Post Office Department.

The motor truck stops each morning at the schoolhouse and picks up the crates of eggs, containers of butter, boxes of poultry, and other commodities collected there. These goods are delivered the same evening at the Park View schoolhouse in Washington and there distributed to the people of the community.

The list of prices is sent each week by the Mount Joy community secretary to the Park View community secretary. Orders are sent out and the goods shipped as desired. Payment is made by check weekly, and the community secretary at Mount Joy keeps the records of the shipments made by each farmer and makes payments accordingly.

It is the first direct communication between rural and urban communities by means of the motor transport service in American history. It is but the beginning, for already the Washington community is demanding more than the entire output of the township and other organizations are being formed to meet the demand.

Around that little town of Gettysburg 55 years ago was fought the greatest battle on American soil. For three days the red gods of war took mighty toll of blood and life. From that field the Confederacy reeled backward, facing a certain end. Sixty-six hundred men died there in fratricidal strife, brother slaying brother in a frenzy of wrath and hate.

It seems peculiarly appropriate that there, within sight of Cemetery Ridge and the Peach Orchard and the Wheat Field and the Round Top, should be organized the first community center in the linking up process of the Postal System and the public school, the community added to communication for a united, coordinated America.

There on the site of battle, where men went through blood and fire because of disunion and secession, began the movement for unity and cooperation. And the victory which is yet to be won and celebrated for this real fellowship and fraternity of America will be even more far-reaching than that which crowned the storm-swept crests of Gettysburg in those bloody days of sixty-three.

Here is the constitution adopted by the people of Mount Joy community assembled in the schoolhouse. It shows the many phases of activity possible to such organization of the citizenship and it will serve as a model for similar organizations elsewhere:

CONSTITUTION OF THE MOUNT JOY COMMUNITY ASSOCIATION.

We, the people of the United States residing in Mount Joy Township, Adams County, Pa., in order more perfectly to fulfill the obligations of our membership in humanity and of our citizenship in this Nation, this State, this county, and this township, and thus to secure the blessings of democracy to ourselves and our posterity, do constitute ourselves a community association, and, for our use and guidance, do ordain and establish this constitution:

ARTICLE I.—NAME.

The name of this organization is the Mount Joy Community Association.

ARTICLE II.—PURPOSE.

Our purpose in this association is orderly, all-sided, constructive conference upon public questions and practical cooperation in the common interest.

ARTICLE III.—MEMBERSHIP.

SECTION 1. Members: All citizens of the United States 21 years of age or over, both men and women, residing in Mount Joy Township are, by virtue of this national citizenship and this residence, members of this association, and have full and equal responsibility and right to attend all community meetings, to participate in all discussions, and, upon being registered or enrolled, to vote and otherwise share in the proper exercise of citizen authority in and through this association.

SEC. 2. Prospective members: All aliens 21 years of age or over, both men and women, residing in Mount Joy Township, who have declared their intention to become citizens are, by virtue of this declaration of intention and this residence, prospective members of this association, and as such may attend all community meetings and participate in all discussions, but may not vote, hold office, or otherwise share in the exercise of citizen authority in or through this association.

ARTICLE IV.—OFFICERS.

The officers of this association are president, vice president, and the community secretary.

ARTICLE V.—DUTIES OF OFFICERS.

SECTION 1. President: It is the duty of the president of this association to preside at all community meetings and to perform such other functions as are hereinafter prescribed.

SEC. 2. Vice president: It is the duty of the vice president of this association to preside at community meetings in the absence or at the request of the president.

SEC. 3. The community secretary: It is the duty of the community secretary to serve as the agent of the citizens of the United States residing in this township and constituting the membership of this association in officially communicating with and receiving official communications from national, State, and county representatives and administrators and in preparing for market and dispatching or ordering and receiving commodities for residents of this township as this association may direct; to serve as the clerk in connection with and at such community meetings as this association may direct to be called; inviting and arranging for the coming of such public officials, candidates for public office, or other speakers as the association may desire to hear; seeing that the school building is open and in readiness for each community meeting or other gathering arranged by or under the auspices of this association; being responsible to the board of school directors for assuring the observance of the board's regulations established to forward the rightful and prevent the improper use of the public-school property; keeping a correct roll of registered members and prospective members and a complete record of attendance, topics considered, principal speakers, and actions taken at each community meeting; to serve as custodian of all books, pamphlets, charts, pictures, and other informational or exhibit material belonging to, loaned to, or to be acquired by this association; cataloguing and arranging the same so as to facilitate its effective and proper use, and making available for signing such nominating, initiating, or other petitions, subscription rolls, lists of positions vacant, applications for employment, or other lists, forms, or files as the association may direct or the public need require to be compiled or kept; to serve as the executive of this association in arranging for such occasional or special programs, lectures, exhibits, entertainments, celebrations, festivals, and commemorations as this association may direct; in organizing and conducting the social and recreational activity of the youth and children of the township as this association may direct; and in managing whatever tax-maintained cooperative enterprise or enterprises or local branch of a national, State, or county enterprise or enterprises as may be established or authorized to be conducted in or in connection with this public-school building; to serve as supervisor of such dramatic, literary, or other special-group organizations, societies, clubs, or classes as may be formed under the auspices of this association or authorized to meet in this school building; and at all times and in every way to seek to assure a proper coordination and harmony between the instructional use of the public-school property for the children and its use by the older members of this community.

ARTICLE VI.—ELECTION OF OFFICERS.

The election of the officers of this association shall be by ballot. The officers elected at the time of organization shall serve until the annual community meeting, to be held in ——. Thereafter the term of each office shall be one year. Each officer shall serve until his successor shall have been duly installed. Any officer may be recalled at any regular community meeting upon a three-fourths vote of the members present, the association having determined by a two-thirds vote at a community meeting held at least two weeks before that the question of such officer's recall is to be voted on at such community meeting. In the event of the death, resignation, or recall of any officer, or in the event of failure on the part of the board of school directors to ratify the citizens' election of community secretary and to intrust to the person thus elected the care of the public-school property for its use outside of regular school hours, a special election shall be held upon arrangement with the board of school directors, due notice of such special election being given.

ARTICLE VII.—COMMITTEES.

There shall be six standing committees—the committee on food production and marketing, the committee on savings and investment, the committee on health and sanitation, the committee on recreation and the interests of youth, the committee on child welfare, and the executive committee. Special committees may be appointed from time to time as the association shall direct. The chairmen of all committees, except the executive, shall be named by the officers of the association, subject to the approval of the association. The chairman of each committee, except the executive, shall select the other members of his committee. The duties of the several committees, except the executive, shall be to cooperate with the community secretary in promoting understanding and effective action regarding the particular matters indicated by their respective titles, and to discharge such other functions as this association may direct. The officers of the association, together with the chairmen of the several committees, shall constitute the executive committee. The president of the association shall serve ex officio as chairman of the executive committee. The executive committee shall act as advisory council to the community secretary and discharge such other functions as the association may direct.

ARTICLE VIII.—MEETINGS.

A regular community meeting shall be held in the Two Taverns schoolhouse on Friday evening of each week, beginning at 8 o'clock. Special community meetings may be called at any time by the community secretary.

ARTICLE IX.—QUORUM.

Twenty members present at any regular community meeting and 40 members present at any special community meeting shall constitute a quorum for the transaction of business.

ARTICLE X.—AMENDMENTS.

This constitution may be altered or amended by a two-thirds vote of the members present at any regular community meeting, the proposal to amend having been submitted in writing at a regular community meeting not less than two weeks prior to the meeting at which the proposed amendment is to be voted on.

ORDER OF BUSINESS.

1. Call to order.
2. Reading of minutes of previous meeting.
3. Correction and approval of minutes of previous meeting.
4. Presentation of proclamations of the President of the United States or other official statements or communications from National, State, or county representatives or administrators.
5. Discussion and action regarding matters presented in official communications.
6. Reports of standing committees.
7. Reports of special committees.
8. Presentation of and discussion and action upon unfinished business.
9. Presentation of and discussion and action upon new business.
10. Address of evening or other special program.
11. Discussion and action upon matters presented in address of evening.
12. Adjournment.

(Music or other entertainment may, of course, precede and social activities follow this regular order of business.)

RULES OF PROCEDURE.

RULE 1. Parliamentary usage, as set forth in Robert's Rules of Order, and parliamentary courtesy shall be strictly observed in the conduct of all community meetings.

RULE 2. All participation in discussion, whether upon matters presented in official communications, unfinished or new business, or matters set forth in the address of the evening, shall relate directly to questions properly before the meeting at the time, and must have the character of orderly, all-sided, constructive conference. Otherwise it is out of order.

RULE 3. In all discussions speakers, except the speaker of the evening, shall be limited to five minutes each, with extension of time only by unanimous consent.

RULE 4. In all discussions no person may speak a second time until all others who wish to speak have spoken.

RULE 5. Before adjournment the speaker of the evening shall be given opportunity to sum up, answer questions, and close the discussion.

The order of business may be suspended or changed, and the rules of procedure may be altered, amended, or added to by a three-fourths vote of the members present at any regular or special community meeting.

More money paid to the producer, less money paid by the consumer; that is the record made by these initial organizations, the beginning of a movement which should soon be nation wide.

In Washington the prices of oysters have almost doubled in the past five years, while the price paid to the producer has remained stationary. For gathering the oysters, shucking, and so forth, the producer received about 75 cents a gallon. Those oysters were sold to the people of Washington at from 60 to 80 cents a quart.

A few months ago the Park View community association, of Washington, decided to establish direct connection with oyster farmers, using the motor transport service of the Post Office Department.

They engaged to buy the entire supply of Charles Connelly, of Britton Bay, at $1.50 a gallon. He agreed to furnish the containers and pay the postage.

Those oysters were delivered to the postal station at the Park View schoolhouse and were delivered to the people of the community at 40 cents a quart, which covers the entire cost of paper container, handling, wastage, and so forth. Of course, no profit was included, the public machinery of school and post office alone being used.

What has been the result? The first order was for 10 gallons a week. Within two months it had been made 35 gallons a week with the demand growing continuously. The producer having for the first time a sure and profitable market is developing a first-class oyster business. He is experimenting in an effort to produce the very best oysters possible. He is employing additional men at good wages and at steady work. The old uncertainty of delivery, the loss of all the oysters gathered for the day if the boat failed to arrive, which meant the total loss of food supplies, has given way to certainty. And the oysters gathered in the morning are served on the tables of Washington families that same evening.

Above all, the producer gets twice as much for his oysters as he ever received before and the consumer pays exactly half the price he was formerly compelled to pay.

If that is not an object lesson as to the mutual benefits of this community organization plus the post-office motor service, I do not know what could be.

When oysters can be handled to such advantage in this manner it goes without saying that many other food products can be handled still more advantageously. Eggs, butter, poultry, honey, apples, potatoes, and many other commodities can be easily transported by this motor-truck service. In fact, all of them have been successfully handled by the Park View organization.

For Thanksgiving the members of this community association purchased turkeys at 32 cents a pound when they were selling in the markets at 50 cents a pound.

Christmas trees which sold in the market for $1 added to the joy of the holiday in Park View homes just as successfully even though they only cost 25 cents. They had come direct from a schoolhouse community center in Maryland after having been cut in the woods by the schoolboys.

For Christmas in the Park View community an order was placed by Community Secretary McGrath, with Miss Love, community secretary of a newly organized rural neighborhood center in Maryland Springs, for 140 turkeys. Those turkey were brought to the schoolhouse by the producers and were shipped directly to the Washington schoolhouse on a post-office motor truck.

They were disposed of in less than an hour at 42 cents a pound. One thousand three hundred and sixty-eight pounds of turkeys, and they were carried out of the schoolhouse by men and women who have proven the value of this kind of collective action. These Washington City residents paid 42 cents a pound, an average of 15 cents a pound less than the price prevailing in the markets here.

But the turkey raisers in the country received 41 cents a pound, 6 cents a pound more than they were paid by the dealers in this city.

Such a demonstration shows the value of organized action. Six cents a pound more to the producer and 15 cents a pound less to the consumer ought to prove what this system of direct communication means when expanded to its possibilities. Give that kind of encouragement to the man who raises food products and it will increase production. It will prevent the loss of that which is raised. It will reduce the cost of living to the city dweller. It will bring both producers and consumers into closer contact, will develop better understanding between them, and make their business relations of mutual profit and benefit.

Almost every form of farm produce can be handled by this organized system. Park View School postal station has distributed chickens, turkeys, oysters, butter, eggs, potatoes, apples, cranberries, and other fruits. Mr. McGrath, community secretary, states that he is doing now a business of $200 a day and that his greatest difficulty is in securing the produce to meet the demand. Not a cent of profit is taken, it is carried on by public agencies in the schoolhouse by the post-office motor transport service and its advantages go wholly to the people themselves.

"Food—that is the future of freedom and peace." During the last two years the world's food and feeding problem was the trembling issue on which all the hopes of liberty for the world rested.

Now that the war is over, it is true that the task of producing and distributing the food which is necessary to the very life of every American holds its challenge just the same. The high cost of living is not a war product; it is a vital problem of peace.

People should live more cheaply in America than anywhere else on earth. We have unlimited resources; land enough to feed the world in abundance. We have not begun to crowd ourselves, for here there are only 33 persons to the square mile, while Belgium before the war supported 671 persons to the square mile. France had 191, England 379, and the other European nations were generally as thickly populated.

But in spite of marvelous advantages the prices of foodstuffs have been climbing steadily upward for years and have reached the point where many persons are unable to secure sufficient of these necessities to enable them to maintain proper physical conditions. The consumer is obliged to pay a vastly too large

proportion of his day's work to secure these commodities of life.

I have heard men gravely declare that there is no answer to this flaming question. They state that prices of food must of necessity go higher and higher, and that hunger will always be the lot of some of the population of America.

I do not believe it. I will not believe that the Nation that can perfect the telephone and telegraph, the wireless, the flying machine, and a hundred other marvels of science, must halt helpless before this task. I will not believe that the America which would harness its energies into an invincible fighting machine in a single year's time must be forced to bow impotent before this problem.

The fact is that America has never tried to solve this problem in constructive fashion. While banking, transportation, industry have been highly organized, the mighty business of producing and distributing the food of the Nation has been left to blind chance. There has been no organized effort, only a medley of conflicting interests which injured producer and consumer alike.

Now let us try cooperation in the production and the distribution of food. The organization which has proved so effective in other lines will prove equally effective in this great work of feeding the people. The schoolhouses of America offer the logical centers for action, both in country and in city. Once the people realize the advantages, they will eagerly seize this opportunity for mutual benefit, as is proven by the many requests that have come from neighborhoods in the vicinity of Washington that schoolhouse organizations be formed.

And connecting these communities, like veins and arteries of the body, carrying the life-giving currents to every part, should be the motor-transport service of the Post Office Department. It is a public service of the people for the people and by the people.

Mr. Chairman, I believe that this motor transport service of the Post Office Department may be made as important an agency in peace as the motor transport service of the United States Army has been in war.

Over there in France the victories of Chateau Thierry and St. Mihiel were made possible because of those soldiers of transport and subsistence, who fought against a hundred obstacles, but who carried a burden of tonnage which is one of the marvels of the war. For every soldier in France it required 9 tons of supplies a year. These supplies were landed in great base depots in France and then were transported, mainly by motor trucks, to the front lines.

It was no accident that made those names in France stand for great deeds in American history. It was because the American machine that fed the fighting men was so well constructed that it met every need.

I saw great warehouses going up overnight. They were filled with supplies before they were roofed. Farms were turned into factories and swamps into teeming communities. We built a motor town in France almost as large as Detroit.

The roads were literally filled with trucks carrying supplies to the trenches. They ran up under the fire of the shells, and no braver feats were performed than those of the drivers who held the steering wheels and kept their trucks moving forward in momentary peril of dreadful death.

The service of supply it was called, and its scope and success over there gives us a sure faith that it can be made a great factor in the readjustment over here.

American soldiers were spread over 400 miles of communication. A million men were split up into units of from five hundred to a hundred thousand, and all had to be supplied. A 90-day reserve supply of food for the entire overseas force was necessary.

Every day tens of thousands of tons of supplies were landed at the ports. This was placed in base supply depots at the ports. Then it was taken to the intermediate supply depots and then farther up front to the advanced supply depots. Each one of these institutions was a city, with thousands of workers and every detail of a bustling, thriving community.

American soldiers were better fed than those of any other nation in this war. The meat ration was 20 ounces a day, the largest known army meat ration. There were vegetables, fruits, chocolate, coffee, and other components. All of these were collected, transported, and distributed by the wonderful organization of the service of supply.

The reserve rations, for use in emergency, such as breakdown in food supply in the rear, were brought up in motor trucks. Often a motor truck was used as a traveling commissary store and it brought its supplies up within gunshot of the enemy, but doing its service to the soldiers just the same.

I maintain that the same ability and genius which made possible the service of supply in France will make possible an even greater success of the service of supply in America.

Mr. Chairman, the motor transport service of the Army can be used in this new service of peace. Already this Congress has empowered the Secretary of War to turn over automobiles, trucks, and so forth, which may be of use to the Post Office Department. There are at least 50,000 trucks now in possession of the War Department which will admirably suit the purposes of this new service. The use of these for the transportation of commodities through territory not touched at present by any adequate means of communication will give employment to 50,000 soldiers who have been a part of the personnel of this war agency.

We are hearing much of the problems of demobilization and we are going forward largely in a planless way. Here is a practical way to guarantee to many thousands of returning soldiers useful employment, which will mean the welfare of the Nation. Here is a program of constructive development which will be of permanent benefit not only to the veterans but to all the people. In the midst of the parades and enthusiasm and red fire for the victorious soldiers of America we should show in practical fashion the real measure of public appreciation and gratitude.

The operation of this direct marketing plan between organized communities will show very soon, also, the importance of permanent road construction. A system of great trunk highways, crossing the continent east and west and north and south, can be built and paid for largely out of the receipts of this motor transport service of the Post Office Department. They would be post roads as intended by the Constitution, and would be Federal highways with connecting roads built by the States and local subdivisions.

No more important task could be undertaken by this Government now, and it would furnish constructive employment to thousands of those who are returning from overseas with experience in road construction in France and Italy and Belgium.

These roads, thus constructed, would bind the Nation together in a unity which would defy the barriers of sectionalism. They would result in better schools, for there is a direct relation between poor schools and poor roads. Children are kept from school by bad roads, and frequently the average small attendance is so greatly reduced that the efficiency of the one-room country school is materially affected. Good roads mean consolidated schools, with better educational facilities and with the pupils carried to and from the schoolhouse in motor trucks, which might also be a part of the post-office equipment and engaged at the same time in post-office service. When you link the post office and the schoolhouse together you have laid the foundation for real progress along many lines.

Mr. Chairman, we have heard much of Americanization and the vital necessity of making the melting pot function. No group effort and no piecemeal procedure can meet this problem of making Americans of those strangers who comes to our shores. The foreigner must be made a member of the Nation. He must be given the sense of belonging.

That means that the action must come from the community in which he lives. If there is to be no "Little Italy" or "Little Russia" or "Little Poland" or "Little Anything Else," there must be all-inclusive American communities where each resident feels a sense of partnership, of real fellowship.

Organizing the community in the school building, the property of all, will help weld the citizenship into one composite whole as nothing else could do. It will bring neighbors together for many varied purposes—educational, social, recreational, and so forth. And when people get together they find agreement, fellowship, and cooperation.

Making of that schoolhouse a station of the Postal Service, with one of those engaged in educational work as the responsible agent of the community and also an agent of the Post Office Department, means the linking up of the individual citizen with the Federal Government. It means that Government, instead of being paternal, is fraternal.

But it does still more than that. For the International Postal Union is the one organization that has swept aside all barriers of nationality and made of the entire world a neighborhood. Through it the most remote community in America is in direct communication with every community in the world.

So it is that the prosaic bread-and-butter question, which makes necessary the organization of producers and consumers and the establishment of communication between them, with no unjust and unnecessary toll levied, may well be the impelling force which will drive us to true democracy, which will be safe for us and for the world—a democracy that means not only universal liberty but universal organization, which will guarantee equal opportunity and equal justice to all.

Mr. SISSON. Mr. Chairman, I am going to support the amendment offered by the gentleman from Virginia [Mr. SAUNDERS]. One of the problems that has confronted every man living on the farm at some distance from a market has been to get the products of his farm to the place where it is to be consumed. There is, perhaps, not a rural community in the United States where a great deal of food does not go to waste solely because they have no economical means of getting it to market. It would not matter how completely the farmers of one part of the country might organize unless they had an assured and daily transportation to carry their produce to the city. I do not believe this will help the man in the country half as much as it will help the man in the city. The problem has always been with the human family in thickly populated sections of the country to be able to get ample food supplies. That problem has not confronted the people of America so much in the past as it will in the future. As population continues to increase we have got to have a quick, easy access from the place of production to the place of consumption. When the place of consumption is easily, economically, and certainly reached the production always necessarily increases rapidly, because the demand is there. If you can supply the demand, the man in the country is willing to produce the stuff to satisfy the demand; but when he produces it and it is wasted or destroyed, that makes for inefficiency in the distribution of food products. The railroads have been of very great advantage. They have developed in this country great industries that never could have been developed but for the transportation from the point of production to the point of consumption. In many communities they are now running what is called the milk daily wagon, where the farmers themselves, without the assistance of the Government, have established milk routes, and they find when they get a creamery established in the community that it is extremely profitable. The number of cattle has been greatly increased, which not only increases the amount of milk supply, so much needed, but the meat supply also, because it makes raising cattle profitable. So if you will connect the gardens and the fields of the farmers with the consuming communities products will be increased rapidly, because it will pay the farmer to produce the food. I think it would be taking a backward step to cut the appropriation down. I think the people in the cities are the ones who will be much more benefited than the people in the country. I shall support the amendment offered by the gentleman from Virginia.

Mr. BLACK. Mr. Chairman, I would not support any amendment to cut down the appropriation in the bill, neither will I support the amendment of the gentleman from Virginia to increase the appropriation. I have no attack whatever to make on the motor-truck service as it has been inaugurated by the Post Office Department. It is, of course, more or less in the experimental stage. I think it has in it great possibilities if it is put in operation in those places where it is practicable and where it is feasible, but in my discussion with the Fourth Assistant Postmaster General, who is one of its most enthusiastic advocates, and in the hearings that we have had on this proposition I have pointed out this fact as a reason for caution in dealing with a matter of this kind; that we are inaugurating a new transportation service in the Post Office Department, and as long as it is left to the wise judgment of the administrative officers to put it into operation where it is feasible and proper it is all right and will be operated as a success, but when it gets to the point that Congress will step in and, without hearings, without information, and without facts, vote large additional sums and force the Post Office Department to extend where it is not feasible and proper, it will then become a source of deficit rather than revenue. In other words, my contention is that this new form of service should not be extended beyond the bounds of reason based on the data and information in hand. Now, what information does the gentleman from Virginia or the gentleman from Mississippi give us throwing light as to whether there are any places where this $500,000 will be needed? I believe the gentleman from Virginia moved to increase it by that amount?

Mr. SAUNDERS of Virginia. I will ask the gentleman—he is a member of the Committee on the Post Office and Post Roads, I believe—what information he gave of a definite character that we needed the gigantic sum for the aeroplane service called for in the bill?

Mr. BLACK. I will answer that question very frankly. I voted in the committee and stood for the proposition to only spend $300,000 for aircraft-mail service in the fiscal year 1920. I feel free to make that statement because it was my contention that the aerial-mail service was still more or less experimental and not too great a sum should be appropriated for its extension and operation until its feasibility and practicability had been more thoroughly established.

Mr. SAUNDERS of Virginia. I am not assailing the gentleman's attitude at all; I am asking what information of any definite character was given to this body that that gigantic sum was needed properly for the aeroplane service?

Mr. BLACK. Answering that with perfect frankness, not sufficient information, in my opinion. Now, the item we have under consideration the Post Office Department in its original estimate asked $300,000 for the service for the next fiscal year. The committee, after hearing the statement of Fourth Assistant Postmaster General, Mr. Blakslee, saw fit—and I am not going to attack the action of the committee—to increase that to $1,000,000. And now come other gentlemen, without information to show where it can be put into successful operation, and seek to increase that $500,000 more. I submit, gentlemen, that it is a matter we ought not to act on without information and therefore should not adopt the amendment of the gentleman from Virginia.

Mr. STEENERSON. If the gentleman will permit, is it not a fact, under last year's law, that, in addition to this money, the department could get free motor vehicles from the War Department?

Mr. BLACK. That is true. The present law provides that the Secretary of War may, in his discretion, deliver and turn over to the Postmaster General from time to time and without charge, for use in the Postal Service, such aeroplanes and automobiles as may prove to be or shall become unsuitable for the purposes of the War Department, but suitable for the Postal Service.

Mr. SAUNDERS of Virginia. Mr. Chairman, my amendment seems to have led rather to an attack upon the Fourth Assistant Postmaster General (Mr. Blakslee) than to a discussion of the merits of motor routes as provided for in the bill.

Mr. MADDEN. Will the gentleman yield?

Mr. SAUNDERS of Virginia. I will.

Mr. MADDEN. I hope the gentleman did not take what I said as an attack upon the Assistant Postmaster General.

Mr. SAUNDERS of Virginia. When you refer to an official in charge of a great department of the Government, and presumably a hard-headed, efficient, practical man of affairs, as a dreamer, and put him, and the men who agree with him as to the utility of this enterprise in the class of Col. Mulberry Sellers, what is that but an attack upon his capacity as a public official? If it is not an attack upon him, what is it? Should a man of the Sellers type hold a responsible Government position? Your remarks centainly present this official as an incapable member of the working force of the Post Office Department. Dreamers, visionaries, enthusiasts of the Mulberry Sellers type, are not likely to afford an efficient, or satisfactory administration of the large responsibilities that attach to the position of Fourth Assistant Postmaster General. I have noted, as the gentleman from Tennessee has noted, that whenever any proposition that is presented in this body that has nothing to commend it, save that it will be helpful to the plain people, such a project is sure to be viciously assailed as a pork barrel, or as an airy fantastic dream. There is nothing of the glamorous about this project. It does not touch the imagination, like the project for carrying the mails by hurrying flocks of fast-flying aeroplanes. It is a prosaic, humdrum, every-day working proposition that has nothing in its favor save that it will develop the communities which it will serve with its branching routes, and serve alike to their advantage the farmers on the routes, and the working population of the cities. Of course it is a dream. Of course it smacks of the pork barrel to its opponents. It is too absurd to be formulated, or supported save by dreamers. But this country, and humanity owes much to the alleged dreamers: They are generally the pioneers in new projects of universal utility. For years the dreamers dreamed of a parcel-post law. I recall the arduous road traveled by the dreamers and enthusiasts who struggled and fought to make a place for that enterprise in our post-office system. Other dreamers, visionaries, and enthusiasts dreamed of a comprehensive road development in continental United States with the help of Federal aid extended by an appropriate Federal statute. The project was vehemently assailed. Like this project of Mr. Blakslee it was denounced as a pork-barrel scheme that would put all other pork-barrel enterprises to the blush. This apprehension was expressed in terms of picturesque invective.

Yet none of these dreadful apprehensions have been realized, and in view of the great expansion of road development that

has taken place, and is now in progress since the passage of the Federal road act, I doubt if there is a Member of this body who would now expunge this measure from the statute books, if he had the power to do so, or who would not admit, unless he is a reactionary of the most hopeless type, that his gloomy anticipations have not been realized. If the man who devised, developed, and patiently, and thoroughly laid out these motor routes, is a dreamer, and the men who regard them as hopeful enterprises, promising large returns of public benefits, are dreamers, what shall we say of the men who pin their faith to the aeroplane as a practical instrumentality for the commercial carrying of the mails, and are willing to risk millions in that enterprise? Certainly as a practical man I can not see that these two propositions rest upon any equality of merit, or hopefulness. The truck enterprise has been thoroughly tried out, and its value determined. If anyone desires to ascertain the results of this experiment he can call at the office of the Fourth Assistant Postmaster General, and by scrutinizing the returns, and expenses of the enterprise, satisfy himself that this is not the airy fabric of a dream but a practical experiment under severe tests which has fully justified the hopes of its friends.

If the Fourth Assistant Postmaster General is a dreamer as to this enterprise, there are others to be remitted to that class. The chairman of the Committee on the Post Office and Post Roads seems to be a dreamer, since a few minutes ago he gave vigorous testimony to the feasibility, practicability and fruitful possibilities of this enterprise. I am not afraid to put this project of rural development upon a sure foundation basis of development, or unwilling to expend in experimentation on this line, if indeed the development of this project can now be fairly styled experimentation, a sum far greater than that which has been voted for experiments in mail carrying by fast-flying machines in the uncertain realm of the air, nor do I apprehend that appropriations to enlarge this project of universal utility will ever be the subject of successful attack.

Mr. BLACK. Will the gentleman yield?

Mr. SAUNDERS of Virginia. I am perfectly willing, so far as I am concerned, to take all the chances of mischief that it is suggested will follow upon the adequate development of this service. The figures on file at the Post Office Department very sufficiently establish both the merits and the potentialities of this child of the brain of the Fourth Assistant Postmaster General.

Mr. BLACK. Will the gentleman yield?

Mr. SAUNDERS of Virginia. With pleasure.

Mr. BLACK. The gentleman says he wants to put it at least on an equal footing with the aeroplane experiment.

Mr. SAUNDERS of Virginia. To do that, having in mind the value of the machines directed to be turned over by the War Department, and the amount of the appropriation, we ought to appropriate in this connection about $7,000,000.

Mr. BLACK. I want to call this fact to the gentleman's attention. The aeroplane appropriation, as we passed it, carries $500,000. This carries a million, and the Post Office Department will get the Army trucks from the War Department, just as they will get the aeroplanes, and you will have $2 for this where you would have $1 for the other.

Mr. SAUNDERS of Virginia. The gentleman has not fully apprehended the effect of the Garrett amendment. According to the best estimate I can make, of the value of the planes, and engines directed to be delivered to the Post Office Department, the effect of the Garrett amendment will be to turn over to that department material that must be worth $5,000,000 or $6,000,000. We do not propose to turn over any such value in motor trucks to this service.

Mr. BLACK. We have the authority now.

Mr. SAUNDERS of Virginia. We have directed the War Department to turn over these planes and engines to the Post Office Department. The War Department will have no discretion in the matter. Our mandate is peremptory, and we have nominated the material to be delivered.

Mr. CANNON. Mr. Chairman, I regret I have not had the benefit of the discussion on this amendment, which, I understand, is the difference between $1,500,000 and $500,000. I should be very glad to see that part of the paragraph stricken out and not give either the $500,000 or $1,500,000.

Let us stop and think a minute. We are scattering jurisdiction to this department and that department and the other department. This, as I understand it now, is to repair motor trucks, and for the purchase, manufacture, exchange, and expenses incidental to conveyance and the marketing of produce and commodities. That is broad enough, I take it, to cover the construction of roads.

Mr. SAUNDERS of Virginia. If the gentleman will pardon me, because of the apprehension on the part of some gentlemen that it might be possible to do that under this amendment, that portion relating to roads has been stricken out.

Mr. CANNON. I know; but you leave language there that I believe would be held, when it came to be passed on by the comptroller, to include the improvement of roads.

Now, let us stop and see where we are. There has been under the highway act money appropriated, and it is available for two years, to the extent of $75,000,000, to aid in the construction of roads.

Mr. MADDEN. Will my colleague yield?

Mr. CANNON. I will.

Mr. MADDEN. The road question is out of this.

Mr. CANNON. The road question is out of it, but you leave language in here that any comptroller who passed upon it would hold would apply to the construction of roads. Now, when you get good roads the farmer will take care of himself. We have gotten railroads. I hope that they would not become largely increased in the expense of their operation a little later on by legislation. God knows, I want to see us get back instead of going forward and having the Federal Government running the whole machine, because then you come to inefficiency, with great expense and many cooks.

Now, I have a letter here from the Agricultural Department touching the construction of highways, $75,000,000 all told. It is an interesting letter, but I have not time to read it in my five minutes. I speak in the highest respect of our former collengue, Postmaster General Burleson, but he is running to the extent of his ability, at railroad speed, toward the Government doing everything.

Now, there is upon us here during this Congress and the one to follow after many questions concerning the unscrambling of these eggs. We put it in expressly as to highways, but you strike highways out, and it would have to be construed under "repair of equipment, supervision, and maintenance, and expenses incidental to conveyance and marketing of produce and commodities." Now, I represent an agricultural district, one of the best in the United States. My State of Illinois has just voted, on a referendum, $60,000,000 for the purpose of improving the roads—those black lands. My own county voted $1,500,000 to improve roads. We have the spirit. The time has come when we can afford to do it. And here is the legislation calling for $75,000,000 altogether. And if one State does not take it in two years, it can be reapportioned to the States that do take it. Let us keep this thing as near as we can under one jurisdiction.

The CHAIRMAN. The time of the gentleman has expired.

Mr. QUIN. Mr. Chairman, I do not agree with the distinguished gentleman from Illinois [Mr. CANNON]. This branch of the Post Office Department has gone through its experimental stage and has demonstrated it is to be not only self-sustaining but a great boon to both the people who live in the urban communities and to the producers of farm products.

The gentleman from Illinois has advanced no argument here why the farmers of this country should not have the Government, through its post-office facilities, go out through the country and gather up butter and eggs and vegetables of all kinds and bring them into town. What good would a million dozen eggs left out in the country be if the people in the cities who want them could not get them? What if you have potatoes, Irish and sweet potatoes, carrots, corn, away out in the country when the people in the towns, who are hungry for something to eat, can not get them?

If you please, the Government, through the Post Office Department, has demonstrated that it can send these motor trucks out into these rural communities and upon the payment of the bare parcel post on them bring all the farm products into the town and transport them into the cities where the people can use them, without one cent of cost to the Government. If the gentleman from Illinois will inquire of the Fourth Assistant Postmaster General, Mr. Blakslee, he will learn that these trucks have made enormous profits in the populous settlements of this country. Of course he will not introduce this service in places where they could not find any farm products or bring anything into town to satisfy the hunger of the people. It must be assumed that the Post Office Department will exercise common sense and judgment and find these communities where the motor trucks will do the most good and where the service will be self-sustaining and of advantage to the man out in the country who has farm products for sale, as well as the man in the city who must eat.

The gentleman from Illinois must think that a man can have 500 hens running around in his front yard in the city and that he can raise farm products in town. [Laughter.] That is a mistake. This produce must all come from the country. The farmers make it to sell to people in the cities. Of course, the man in town must pay the profits of all these middle men that

have had the benefits derived from the old system all these years. In Washington City it takes a rich man to get enough to eat. You can not live and pay the high prices that are exacted here, because all these middle men must get their rake-off before this produce gets on the consumer's table.

The department has gone into that and realizes the necessity for relief and has demonstrated its plan to be a success; and now the department asks this Congress to put up the money in order that it may go out into different branches all over this Republic and do the splendid work that it has done in these communities where it has tried out the system as an experiment. Yet the gentleman from Illinois finds fault with that. He complains that out of this money highways might be built somewhere. That feature is stricken out of the bill. I would not care if it were allowed to remain. I want the people out in the country to get good roads. I can not see why the gentleman from Illinois should object to the man who has produce to bring into town having a good road to travel over. The improvement of roads is one of the best things in this country that has ever been started, and I for one will be glad to see the improvement of roads extended all over this country. [Applause.] Yet the gentleman from Illinois is afraid the Comptroller of the Treasury might construe this item to warrant the officials of the Post Office Department in going out and building roads wherever they please. He complains that they will have to sustain this equipment. Does he object to the improvement of the equipment and having the motor trucks kept in good repair—the motor trucks which are necessary to haul this produce? Of course, the motor trucks would go down if you did not furnish money in this bill to keep them in repair and supply them with axle grease and lubricating oil and all other things that are necessary to keep up the equipment. [Applause.]

The CHAIRMAN. The gentleman from Minnesota [Mr. STEENERSON] offers an amendment to strike out "$1,000,000" and insert in lieu thereof "$500,000," and the gentleman from Virginia [Mr. SAUNDERS] offers a substitute by striking out "$1,000,000" and inserting in lieu thereof "$1,500,000." The question is on agreeing to the substitute offered by the gentleman from Virginia.

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. NORTON. A division!

The CHAIRMAN. A division is called for.

The committee divided; and there were—ayes 19, noes 39.

So the amendment was rejected.

The CHAIRMAN. Now, does the gentleman from Minnesota [Mr. STEENERSON] desire to withdraw his amendment?

Mr. STEENERSON. I am willing to withdraw it.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For travel and miscellaneous expenses in the Postal Service, office of the Fourth Assistant Postmaster General, $1,000.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. TREADWAY. I do so for the purpose of asking the chairman of the committee the courtesy to kindly allow me to ask him a question with reference to the paragraph on lines 5 to 7, which have already been read. I understand the star-route contracts are for a four-year period. I simply wish to ask him whether or not there is any provision whereby an increase of the rates over those stated in the contracts made four years ago can be made, in view of the additional cost of maintenance to those who have taken contracts at the prices then prevailing for marketable goods at that time?

Mr. MOON. The act making appropriations for the department for 1918 provided that the Postmaster General may readjust all these star-route contracts on the basis of equity and justice, regardless of the original contract, and may continue the service at whatever sum may be reasonable or may relieve him of the contract entire.

Mr. TREADWAY. That is the law now?

Mr. MOON. Yes.

Mr. TREADWAY. And it would apply to such a condition as that to which I refer?

Mr. MOON. Yes.

Mr. TREADWAY. I have in mind several cases where contractors are actually losing money on account of the increased cost of their equipment, horses, and feed.

Mr. MOON. I think that was the main inducement for the passage of that law.

Mr. TREADWAY. At that time?

Mr. MOON. Yes; at that time.

Mr. TREADWAY. I thank the gentleman for his courtesy.

Mr. MONTAGUE. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Virginia moves to strike out the last two words.

Mr. MONTAGUE. I make this pro forma amendment, Mr. Chairman, with a view of asking the chairman of the committee [Mr. MOON] a question. I would like to ask the distinguished chairman whether or not he has any report from the Post Office Department in relation to the action taken under section 4 of the act of July 2, 1918, authorizing the Postmaster General to adjust the equities under certain contracts where in the performance of these contracts great losses have accrued to the contractors?

Mr. MOON. No; there is no report made to the committee, and none properly due to the committee under the law on that subject. My information is that the Postmaster General, in exercising the discretionary power that he has in that matter, has made an adjustment of a number of those matters, but there are some that have not been adjusted.

Mr. MONTAGUE. I would like to follow that with another question. I am apprised that there are one or two, perhaps more, contracts in which the losses are so great that the department declines to adjust them. In one instance the loss has been as much as 125 per cent, and the ground of nonaction is that the loss is too great to adjust. I submit that the greater the injustice, the greater the loss, the greater is the reason for adjustment.

Mr. MOON. That is not an inquiry for me to answer; it is a matter of administration under the Postmaster General.

Mr. MONTAGUE. I wanted to get the view of the chairman upon it.

Mr. ROUSE. Will the gentleman yield?

Mr. MONTAGUE. Certainly.

Mr. ROUSE. I will state that I know of one single case where the contractor for screen-wagon service in Cincinnati has that kind of a contract, and it has not been adjusted, but they are working on a basis of 80 per cent.

Mr. MONTAGUE. Has not the Postmaster General designated the Federal Trade Commission, or some official from that body, to ascertain the losses incident to the performance of these contracts?

Mr. ROUSE. I am not advised on that matter, but I know that there are constantly received at the Post Office Department appeals asking that these contracts be adjusted.

Mr. MONTAGUE. I am advised that the Federal Trade Commission has in one contract found the losses to be 125 per cent, and yet the Post Office Department has declined to afford any remedy. The contractor is not released from the performance of his contract, but must continue in its performance, thus driving him into bankruptcy.

Mr. NORTON. Has the Post Office Department any authority to revoke or cancel these contracts?

Mr. MONTAGUE. Under the provision I have just cited it would seem that he has such authority. I refer to the act of July, 1918.

Mr. ROBBINS. Will the gentleman yield?

Mr. MONTAGUE. I will.

Mr. ROBBINS. I have a pressing case in my district, and when this fourth section of the act of July, 1918, was up I called the attention of the committee to it, and I think I asked the chairman if it was not the intention to adjust such contracts. The contractor in my district has filed a claim and wanted the contract adjusted; he is day after day losing money, his bondsmen are responsible, and he has protested, but can get no relief. The section is being evaded or overlooked. I am anxious to have light on the subject, and I am very much interested in the interrogation of the gentleman from Virginia.

Mr. Chairman, examine the part of this bill beginning on page 26, line 2, and note that line 22 provides for the compensation of rural carriers. A day's work of the rural carrier, so far as travel is concerned, is 24 miles and the time is six days per week. For such service the carrier receives $1,440, and he is allowed $24 per year for each mile or major fraction over 24 miles that he is compelled to travel, and the compensation is reduced where the mileage is less by a graded scale until where the route is 4 miles and less than 6 miles the compensation is only $576 per year. This compensation is inadequate, although it was increased by the last act of Congress. In rural districts where the country is hilly and the roads, many of them,

almost impassable during the winter season the carriers are put to a greater expense to keep up the service.

In Westmoreland and Butler Counties, composing the twenty-second congressional district of Pennsylvania, that I have the honor to represent in Congress, many of the carriers, in order to meet the requirements of the service, now that parcel post has grown so heavy, are required to keep two horses and wagons, and some of them use motor cars and wagons, and others use motor cars alone; but nearly all of these are required to keep both kinds of transportation—horses and wagons for winter and motor cars for summer.

When this matter was examined into by the last Congress, a hearing was given the rural carriers, and it was shown by the report of 30 carriers, which I filed from my district, that the actual necessary expense in keeping up the vehicles was from $67.50 per month down to $30 per month, so greatly had the cost of horse feed, horseshoeing, and upkeep of vehicles, and cost of gasoline, tires, and upkeep of automobiles increased during the last year. The majority of the carriers were compelled to pay out on an average of $60 per month for transportation alone. This left them but from $50 to $60 per month upon which to live and keep their families. The result has been that in my district many vacancies in the service have occurred, caused by resignations, because the carriers could no longer support their families and continue in the service.

Formerly these carriers made a large amount of money by carrying packages and making small purchases in the stores for their constituency. This, now, is taken away by the Parcel Post Service, these packages being sent more cheaply by postage.

These carriers applied for an advance in this compensation at this Congress and filed their claim with the committee, in which it was set forth, "We respectfully ask your committee for increase of 30 per cent on the basic pay for the next year and the same gradation of pay above the standard that is provided by law for less than the standard." Yet this appeal was ignored by the committee. They have granted an increase to the city carriers, where the pay of $1,500 per year is allowed, and they are furnished with automobile or horse and wagon by the Government; but the rural carriers are compelled to furnish their own automobile or their own horse and wagon, pay entirely for its upkeep, and carry the mail for a maximum of $1,440 per year for 24 miles per day travel.

This is unfair. The compensation is inadequate and ought to be increased, and I shall vote for the amendment pending to increase this pay, although the amendment pending does not go as far as I would go, because I would favor the increase of 30 per cent which the carriers ask.

There is another matter, which is covered by the next paragraph of the bill, namely, the investigation of conditions arising from contracts on the star-route service and the adjustment of the compensation therefor.

Under the act of July 2, 1918, the Postmaster General was authorized to adjust these contracts and give relief under the following provision of the law:

SEC. 4. That the Postmaster General is authorized to investigate conditions arising from contracts in the star route, screen wagon, and other vehicle service entered into prior to June 30, 1917, and from contracts for furnishing envelopes, blanks and blank books, and the Official Postal Guide, for contracts entered into prior to June 30, 1917, with a view to determining whether any adjustment should be made in the compensation and to adjust the same for materials or services hereafter to be furnished or rendered in cases where the facts disclose the necessity for such adjustment, or, in his discretion, with the consent of the contractor and his bondsmen, the Postmaster General may cancel such contracts.

Yet it seems to be impossible to obtain from the Postmaster General an examination into and adjustment of the compensation of star-route carriers, who, because of the increased cost of transportation and living, are losing money in carrying out their contracts.

I have in my district a star route extending from Mount Pleasant to Donegal, Pa., and serving several intermediate offices. This contractor took this contract for a period of four years beginning in 1916, before the great advance in cost of the necessary articles that he is compelled to use in carrying out his contract. He has been losing money every day for more than a year and a half last past. He has demonstrated to the Post Office Department that the cost of horses and wagons and the upkeep thereof and the increased burden of the Parcel Post Service have made it impossible for him to complete his contract. He is, however, under bond, and the Government insists upon him carrying out the contract and losing money continuously and seems to be unwilling to grant him the relief that the law provides. The Government of the United States should not be an unfair employer. It ought not to extort, under changed conditions, compliance with a contract when it makes a bankrupt of the party with whom the contract is made.

To meet that very condition the above law was enacted, and Congress in good faith has given the Postmaster General power to adjust unusual cases, such as the one I have cited, and yet the Post Office Department seems unwilling to grant the relief it is legally authorized to extend to this unfortunate man. Mr. Chairman, I submit that these two wrongs ought to be corrected.

Mr. MONTAGUE. Mr. Chairman, I concur in the suggestion of the gentleman from Pennsylvania, but I wish to couple with that suggestion the observation, perhaps a repetition of what I said a moment ago, that the greater the inequity, the greater the losses, the more the reason for the department to take action. It appears here that the reason for nonaction is just the converse of that contention, namely, that the losses are so great that the department should not take action.

Mr. AYRES. We have given the Postmaster General the authority under the act of July 2, 1918. What further can Congress do?

Mr. MONTAGUE. Of course, something further could be done; it is possible to provide mandatory legislation, but I am simply bringing the subject to the attention of the committee that they may see what the legislation has accomplished.

Mr. MADDEN. Will the gentleman yield?

Mr. MONTAGUE. Yes.

Mr. MADDEN. I simply wish to say to the gentleman from Virginia that when the Post Office Committee reported this legislation for the relief of contractors losing money on account of the war, we assumed that the larger the loss the greater the need of readjustment.

Mr. MONTAGUE. Precisely; the greater the loss the greater the reason that remedy should be afforded.

Mr. MOON. I want to say that the power conferred in the act on the Postmaster General was discretionary, and it does not lie in the mouth of anybody in Congress to say that that discretion has been improperly exercised, unless the facts are presented upon which that might be determined. The gentleman, in his opinion, may think it has been improperly exercised, but the Postmaster General may, on the other hand, think he has exercised his discretion properly.

Mr. MONTAGUE. Will the gentleman permit a question?

Mr. MOON. Yes.

Mr. MONTAGUE. Suppose the designated agent from the Federal Trade Commission has reported a loss of 125 per cent in one contract, and the contractor requests a readjustment, does not the gentleman think that that would be an instance for the exercise of discretionary power?

Mr. MOON. If we have no statement of facts accompanying it, it would be a mere conclusion and not worthy of consideration. If all the facts involved show the loss has occurred and that the matter requires readjustment, I think the Postmaster General would be in error in not exercising the discretion.

The CHAIRMAN. The pro forma amendment is withdrawn and the Clerk will read.

The Clerk read as follows:

SEC. 2. That on and after July 1, 1919, clerks in first and second class post offices and letter carriers in the City Delivery Service shall be divided into six grades, as follows: First grade, salary $1,000; second grade, salary $1,100; third grade, salary $1,200; fourth grade, salary $1,300; fifth grade, salary $1,400; sixth grade, salary $1,500: *Provided*, That clerks in first and second class post offices and letter carriers in the City Delivery Service shall be promoted successively after one year's satisfactory service in each grade to the next higher grade until they reach the sixth grade. All promotions shall be made at the beginning of the quarter following one year's satisfactory service in the grade: *Provided further*, That clerks in first and second class post offices and letter carriers in the City Delivery Service who have served satisfactorily for one year in grades 1, 2, 3, 4, and 5, respectively, under the act approved July 2, 1918, shall be promoted to the next higher grade: *Provided further*, That the salaries of railway postal clerks shall be graded as follows: Grade 1, at $1,100; grade 2, at $1,200; grade 3, at $1,300; grade 4, at $1,400; grade 5, at $1,500; grade 6, at $1,600; grade 7, at $1,700; grade 8, at $1,800; grade 9, at $1,900; and grade 10, at $2,000.

Mr. CANNON. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman wherein this changes existing law.

Mr. MADDEN. It does not; it only makes it permanent law.

Mr. MOON. That is all; it is exactly the same as the previous statute, except that we make this permanent.

Mr. CANNON. There is no increase in the salary; it simply makes it permanent law?

Mr. MOON. That is all.

Mr. CANNON. And there is no other change beyond——

Mr. MOON. There will be when we come to the next page.

The Clerk read as follows:

The Postmaster General shall classify and fix the salaries of railway postal clerks, under such regulations as he may prescribe, in the grades provided by law; and for the purpose of organization and establishing maximum grades to which promotions may be made successively, as hereinafter provided, he shall classify railway post offices, terminal

railway post offices, and transfer offices with reference to their character and importance in three classes, with salary grades as follows: Class A, $1,100 to $1,400; class B, $1,100 to $1,500; class C, $1,100 to $1,700. He may assign to the offices of division superintendents and chief clerks such railway postal clerks as may be necessary and fix their salaries within the grades provided by law without regard to the classification of railway post offices.

Mr. MADDEN. Mr. Chairman, I desire to offer an amendment.

The Clerk read as follows:

Page 25, line 3, strike out "$1,400" and insert "$1,500."

Mr. MADDEN. And in line 7 strike out "$1,500" and insert "$1,600."

The Clerk read as follows:

And in line 7 strike out "$1,500" and insert "$1,600."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendments were agreed to.

Mr. LAGUARDIA. Mr. Chairman, I move to amend, on page 25, in line 7, by striking out "$1,700" and inserting "$1,800."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 25, line 7, strike out "$1,700" and insert "$1,800."

Mr. MADDEN. Mr. Chairman, the classes of the railway mail clerks within which the classes A, B, and C are grouped have been fixed in the classification laws, and the idea was, and is, by the amendments suggested by me, to permit of an automatic promotion of $100 in each grade. Without the amendments I suggested they would not be able to get the automatic promotions within those classes. It has always been understood that there was $100 difference between each of the grades, and for the men in class A, running from $1,100 to $1,500, that will give them an automatic promotion of $100 now. For those from $1,100 to $1,600 in class B it makes a difference of $100 there; and if class C remains where it is, it makes exactly $100 difference between class B and class C, as there is between class A and class B. I do not see any reason in the world why the gentleman from New York [Mr. LAGUARDIA] should offer the amendment that he has offered, or, having offered it, why the committee should adopt it, because it makes a disparity between the classes which ought not to exist. This is a matter that has been given consideration by the members of the Post Office Committee—a matter in connection with which consultations have been had both with the postal authorities and the men in the Railway Mail Service—and I may say that the amendments that I offered, which have been adopted, are not only satisfactory to the postal authorities, but they are also satisfactory to the man who speaks for the railway mail clerks, and he has, in words that could not be misunderstood, expressed satisfaction with the action that was proposed to be taken and which has been taken.

Mr. LAGUARDIA. It was simply to keep it in the same ratio as you have it now.

Mr. MADDEN. That is a mistake. There ought not to be $200 difference between them. There ought to be $100 difference.

Mr. LAGUARDIA. You have $200 now, between $1,500 and $1,700.

Mr. MADDEN. But we have three classes—$1,500, $1,600, and $1,700—$100 difference between each class.

Mr. LAGUARDIA. I will state to the gentleman that the matter was called to my attention by the Railway Mail Clerks' Association.

Mr. NORTON. Mr. Chairman, will the gentleman from Illinois yield?

Mr. MADDEN. Yes.

Mr. NORTON. What are these various classes—class A from $1,100 to $1,500?

Mr. MADDEN. These are classes that have been in existence in the Railway Mail Service for years. For example, class A men do the work on the light routes, class B the work on trains that run on heavier routes, and class C includes the men who work on very heavy routes.

Mr. NORTON. They begin to work at the same rate as class A?

Mr. MADDEN. They begin to work at the same rate, but as long as they are in the class they can go to a certain point only, and after they are transferred to another class they get a new compensation.

Mr. NORTON. They go in a higher grade.

Mr. MADDEN. That is it.

Mr. MOON. Mr. Chairman, I want to say that I approve of the remarks of the gentleman from Illinois [Mr. MADDEN], and while this is not a committee amendment the committee have informally considered it and have approved it, so far as a majority of them is concerned. All of them could not be consulted. It is also approved by the Post Office Department and it is approved by the railway mail clerks to be benefited by the legislation.

Mr. STEENERSON. Mr. Chairman, will the gentleman yield?

Mr. MOON. Yes.

Mr. STEENERSON. I did not catch what the gentleman said about the Post Office Committee's action.

Mr. MOON. I said the Post Office Committee had not acted on it.

Mr. STEENERSON. The bill as printed represents the action of the Post Office Committee.

Mr. MOON. The bill as printed is the action of the Post Office Committee; but I am speaking of the amendment offered by the gentleman from Illinois.

Mr. STEENERSON. When was that considered?

Mr. MOON. It has not been considered by the Post Office Committee. A majority of the committee have indicated informally, without acting upon it, that they were favorable to the amendment.

Mr. STEENERSON. Including the chairman? The chairman is in favor of it?

Mr. MOON. I think so. I hardly ever set up my judgment against the majority of the committee, against the Post Office Department, and against the people who are to be benefited by the legislation.

Mr. STEENERSON. I wanted to be sure, because I did not know anything about any action.

Mr. MOON. The chairman did not call anyone into consultation about it. He simply received that information from the members.

Mr. STEENERSON. Will this result in any discrimination as to the amount of increase of other employees?

Mr. MOON. I think not in the least.

Mr. STEENERSON. The suggestion has been made that it might make a larger increase for these men than the increase that we have given to the other employees.

Mr. MOON. I think not.

Mr. BLACK. Mr. Chairman, I move to strike out the last word in order to explain the reason for the Madden amendment by perhaps mentioning one matter that the gentleman from Illinois [Mr. MADDEN], who offered it, did not mention. Under the plan of increase that we have in section 2 of the bill the post-office clerks and letter carriers will be automatically promoted one grade each year from the grade they are now in to $1,500. Under the grouping of the railway mail clerks group A would be from $1,100 to $1,400 as written in the bill, and the gentleman from Minnesota, if he will give heed, can readily see that those in group A could never go as high in their promotions as letter carriers or postal clerks, because they would be restricted to $1,400.

Mr. STEENERSON. They are performing similar service to the post-office clerks.

Mr. BLACK. Yes; and we think it equitable to enlarge that group $100, making it $1,100 to $1,500, and to enlarge the second group from $1,100 to $1,600, and leave the third group as it is now, at $1,100 to $1,700.

Mr. STEENERSON. Otherwise the clerks in these terminals covered by this proposition would receive higher pay as clerks than the regular clerks.

Mr. BLACK. Yes; the gentleman is correct. Group A is restricted in section 2 from $1,100 to $1,400 and ought to be enlarged another grade.

Mr. STEENERSON. That is simply correcting an error of the committee?

Mr. BLACK. Yes; it really would not be doing justice to the railway mail clerks if we did not make the change so as to harmonize with the other provisions of the bill.

Mr. STEENERSON. But the gentleman opposes the amendment of the gentleman from New York?

Mr. BLACK. I do not favor the amendment of the gentleman from New York. I think the amendment which we have just adopted is sufficient to adjust the equities of the case.

Mr. LAGUARDIA. Mr. Chairman, I just want to make one statement—that this matter was called to my attention by the representative of the Mail Clerks' Association, and they are not at all satisfied, as was stated on the floor. They desire to have the increase of grade C kept in the present ratio; that is, the difference between grade B and C. That is all the information I have on this, and I submit it.

The CHAIRMAN. The Chair will state the committee has already adopted the amendment of the gentleman from Illinois. The question now is on the amendment of the gentleman from New York.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Clerks in class A shall be promoted successively to grade 3, clerks in class B shall be promoted successively to grade 4, and clerks in class C shall be promoted successively to grade 5, at the beginning of the quarter following the expiration of a year's satisfactory service in the next lower grade. Promotions above these grades within the maximum grades of the classification may be made in the discretion of the Postmaster General for meritorious service. No promotion shall be made except upon evidence satisfactory to the Post Office Department of the efficiency and faithfulness of the employee during the preceding year: *Provided further*, That clerks assigned as clerks in charge of crews consisting of more than one clerk shall be clerks of grades 6 to 10, inclusive, and may be promoted one grade only after three years' satisfactory and faithful service in such capacity: *Provided further*, That on and after July 1, 1919, the compensation of each rural letter carrier for serving a rural route of 24 miles and over, six days in the week, shall be $1,440 and $24 per mile for each mile or major fraction thereof over 24 miles per annum, payable monthly; on routes 22 miles and less than 24 miles, $1,382; on routes 20 miles and less than 22 miles, $1,296; on routes 18 miles and less than 20 miles, $1,152; on routes 16 miles and less than 18 miles, $1,008; on routes 14 miles and less than 16 miles, $864; on routes 12 miles and less than 14 miles, $806; on routes 10 miles and less than 12 miles, $748; on routes 8 miles and less than 10 miles, $691; on routes 6 miles and less than 8 miles, $635; on routes 4 miles and less than 6 miles, $576. A rural letter carrier serving one triweekly route shall be paid on the basis for a route one-half the length of the route served by him, and a carrier serving two triweekly routes shall be paid on the basis for a route one-half of the combined length of the two routes: *Provided further*, That hereafter postmasters of the fourth class shall receive the same compensation as now provided by law, except that they shall receive 100 per cent of the cancellations of the first $900 or less per quarter: *Provided, further*, That if the compensation does not exceed $75 for any one quarter, fourth-class postmasters shall be allowed an increase of 20 per cent of the compensation allowed under existing law: *Provided further*, That hereafter the increased compensation provided in section 2 of the act approved July 2, 1918, making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes, shall remain the same for employees other than those mentioned herein.

Mr. ALMON. Mr. Chairman, I offer the amendment which I have sent to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 26, line 2, strike out, after the words "*Provided further*," down to and including the figures "$576," in line 17, and insert the following: "That on and after July 1, 1919, the compensation of each rural letter carrier for serving a rural route of 24 miles and over six days in a week shall be $1,500 and $24 per mile for each mile or major fraction thereof over 24 miles per annum, payable monthly; on routes 22 miles and less than 24 miles, $1,440; on routes 20 miles and less than 22 miles, $1,350; on routes 18 miles and less than 20 miles, $1,200; on routes 16 miles and less than 18 miles, $1,070; on routes 14 miles and less than 16 miles, $900; on routes 12 miles and less than 14 miles, $840; on routes 14 miles and less than 12 miles, $780; on routes 8 miles and less than 10 miles, $720; on routes 6 miles and less than 8 miles, $660; on routes 4 miles and less than 6 miles, $600.

Mr. MOON. Mr. Chairman, I reserve a point of order on the amendment. I just make the point of order and I will let the Chair rule on it. This is new legislation on an appropriation bill, and the fact that each section of this bill was put in the order by agreement does not authorize, in my judgment, any new legislation or any change in the salary law. That increase was put on in accordance with the existing salaries already provided by law and the amendment proposed would be a change of the salary law.

Mr. ALMON. Mr. Chairman, the purpose and effect of the amendment is simply to provide for a small increase in the compensation for rural letter carriers over that reported in the bill, and as far as I am concerned I am willing to submit the question of the point of order to the Chair. The gentleman from Tennessee [Mr. MOON], the chairman of the committee, has not given any reason why my amendment is not in order under the rules of the House, and I am willing to leave it with the Chair to decide.

Mr. MOON. I suggest the law as it now exists fixes these salaries. This amendment proposes to change it in this appropriation bill.

The CHAIRMAN. The Chair would like to ask the gentleman from Tennessee a question. The Chair would like to ask the gentleman from Tennessee if there is any statutory law fixing the salary of rural letter carriers?

Mr. MOON. I think there is.

Mr. MANN. Mr. Chairman, it makes no difference if there are 40 statutes fixing the salary of letter carriers, because what is proposed in the bill is to fix the salary of letter carriers and made in order by unanimous consent of the House. It would be subject to the point of order if it had not been by unanimous consent. This fixes the salary after the 30th of June next and is made in order. Now, the amendment changing the rate of salary is, of course, germane and clearly in order.

The CHAIRMAN. The Chair agrees with the gentleman from Illinois, and the Chair was asking the chairman of the committee a question for information, because the Chair does not pretend to know all the postal laws. The Chair overrules the point of order.

Mr. ALMON. Mr. Chairman, I have offered this amendment for the purpose of equalizing the compensation of city letter carriers and rural letter carriers.

The basic pay of city letter carriers is $1,200 per year for eight hours per day, and pro rata pay for all overtime.

The basic pay of rural letter carriers is $1,200 per year for daily service on routes of 24 miles, with half the pro rata pay for overmileage.

The allowance for mounted city letter carriers covers the entire cost of equipment maintenance, and amounts in some cases, for horse-drawn vehicles, to $700, and for motor vehicles, $1,500. (First Assistant Postmaster General Koons has stated that the cost would in some instances be increased 100 per cent this year.)

The allowance for equipment maintenance for rural carriers is nothing.

Under the Post Office appropriation bill, as reported by the Post Office Committee, city letter carriers are given an increase of $300 per year.

Under the same bill rural carriers are given an increase of $240 per year.

Under the bill a mounted city letter carrier will receive:

Salary	$1,500
Equipment allowance (possible)	1,500
Total	3,000
Under the same bill a rural letter carrier will receive a total of	1,440
Difference in favor of the city carrier	1,560

For some reason—I do not know why—the last Post Office appropriation bill reported by the committee made provision for an increase of compensation for city letter carriers amounting, on the average, to 20 per cent, the same bill making provision for an increase of compensation for rural letter carriers of 15 per cent. I offered an amendment making it 20 per cent, which was adopted and concurred in by the Senate. The same thing has occurred again. The bill now before the House provides for the classification of city letter carriers and fixing their compensation on an average of 25 per cent more than it was before the war.

Mr. BLACK. Will the gentleman yield?

Mr. ALMON. Yes.

Mr. BLACK. I want to call the gentleman's attention to the fact that the increases we have in this bill as to letter carriers, postal clerks, and railway mail clerks are identical with what we have in the bill passed in June, 1918, and at the same time the gentleman offered his motion to increase the salary of the rural carriers to 20 per cent.

Mr. ALMON. It is evident to anyone who will examine this bill that the statement which I have just made is correct. I think the increase of compensation provided for city letter carriers is just and proper, and I favor it, but I am opposed to the discrimination provided for in this bill. I have always thought if there was any difference in compensation in these two classes of postal employees it should be in favor of the rural letter carrier, for the reason that he is required to furnish his own equipment for the carrying of the mails, the cost of which in some cases is one-half the salary paid the carrier. The cost of living and equipment is as great as it was a year ago, if not greater.

This bill provides for a large increase in the appropriation to cover the expenses of equipment furnished by the Government to mounted city letter carriers. The chairman of the committee, in support of that increase, said that it was shown by the statement of the First Assistant Postmaster General that the Government had to pay in some cases as much as 100 per cent more for its equipment for mounted city letter carriers than four years ago, one reason being the increased cost of labor and gasoline, and another reason was in some cases there had been an increase of 100 per cent in mail matter over several years ago. For the same reason there should be an increase of compensation given the rural letter carrier.

I know of rural letter carriers who have been required to purchase additional equipment and keep as many as three horses to carry the mail on routes where one horse and a light vehicle were sufficient several years ago. And after paying the present high price for corn, hay, and oats and the upkeep of his equipment there is but little left of his salary with which to support himself and family. I have always believed that the rural letter carrier should be paid more than the city carrier, for the reason he is required to furnish and maintain his equipment.

Considerable has been said about the permanent feature of the salaries fixed by this bill by some of the Members. They seem to overlook the fact that section 3 of this bill makes provision for the appointment of a commission to investigate and report to the next Congress on the subject of equalizing and readjusting the salaries of the postal employees. If this is done, I trust that the commission will call attention to the unjust discrimination against rural letter carriers, if this bill should be passed as reported by the committee, and recommend that the next Congress readjust the salaries in such a manner as to be fair to the rural carriers.

Mr. ROUSE. I would like to ask the gentleman if he knows how much this would increase the appropriation?

Mr. ALMON. I have not made the calculation, but understand it would be about $2,000,000 a year.

Mr. ROUSE. It would be about $2,500,000.

Mr. ALMON. Let it be that. We should do the right thing regardless of what it will cost.

Mr. ESCH. Can the gentleman inform the House how many resignations there were of rural letter carriers last year?

Mr. ALMON. I don't know, but am informed that it amounted to about 18 per cent of the carriers.

Mr. ESCH. My impression is, judging from my own district, there must be a very large number.

Mr. ALMON. There have been more resignations of rural letter carriers in the district which I represent since their salaries were increased 20 per cent than before this was done, on account of the increased cost of living and equipment and because the carriers claim they can make more in other lines of business.

I hope that the House will adopt my amendment and correct the proposed very unjust discrimination against these faithful and underpaid postal employees engaged in carrying the mails to the people in the rural districts of this country. [Applause.]

The CHAIRMAN. The gentleman from Tennessee [Mr. MOON] is recognized.

Mr. MOON. Mr. Chairman, I know that the House is always very strongly in sympathy with the raising of salaries of rural carriers. I feel that way myself. I do not know why, but for some reason they have felt pretty close to me. I suppose they are pretty good men in a district. We are all alike in matters of that sort.

But we must have some consideration for the Treasury in matters of this kind. We have provided in this bill for a commission that will look into the whole question of salaries, and that commission will classify and rearrange the whole system throughout the department affecting its officials. Until that is done I do not believe there ought to be any increase in the salaries over those carried in the present bill.

Now, we carry in this bill exactly the same provision on the question of city clerks and carriers and city post offices and railway mail clerks and rural carriers as was carried in the last bill. We carry the 10 or 15 per cent provision in another section of the bill for other employees of the department.

You will observe, if you will think for a moment, that in the statute that was passed there was a discrimination which was unfair to the other employees of the department, because those employees did not get the percentage of raise that the carriers got, or that the rural carriers got, and the rural carriers got the best raise of all. The average raise of the other clerks did not amount to 15 per cent, but this House raised the pay 20 per cent additional to the rural carriers on the bill which was approved last year and became part of the law.

Now, we are seeking to make that permanent. That is all we are giving them; exactly the 20 per cent which they had before; and that is going to add $10,150,000 to this bill—even the provision that we have got here now. This is to make it permanent.

It seems to me we should go a little slow in handling the public money. Nobody is demanding a raise except the gentleman from Alabama [Mr. ALMON]. The representatives of the rural letter carriers express themselves as being entirely satisfied with the present salaries. I have had no request as chairman of this committee from any rural carriers in the United States to raise their salaries. They are all satisfied to have the present raise made permanent and to take their chances before the commission.

Mr. ROBBINS. Mr. Chairman, if the gentleman will read page 116 of the hearings before his committee he will notice that a statement was filed by Mr. W. D. Brown, attorney for the National Rural Letter Carriers' Association, in which he says:

> I respectfully ask your committee for an increase of 30 per cent on the basic pay for the next year and the same gradation of pay for mileage above the standard, as is provided by law for less than the standard. A little later I will submit statistics in support of my request.

Mr. MOON. He puts that in the record. But the gentleman should understand that he is not the only representative of these people. He has no authority, so far as I know, to make that request. However, I do not want to discuss that.

Mr. ROBBINS. He says he asks for an increase of 30 per cent on the basic pay of this year, so that there is a request for an increase.

Mr. MOON. That is what they are going to ask under this commission when it is created, as I am informed. No contest was made before our committee or the suggestion pressed. Everybody, including Mr. Brown, appeared to be satisfied with this provision. But, as I said, I do not care to go into a discussion of that matter. There is no demand from the individual carriers anywhere, except a few, that has come to this committee for an increase. I know they want a slight increase in the final readjustment, as Mr. Brown stated, in these salaries, but it is not a very large one. It is a small one. It is one that ought to come to them, but it ought to come on the basis of the readjustment of the other salaries. We have made the provision in the last bill permanent law, and I think that is all we ought to do.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Alabama [Mr. ALMON].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 3. That a commission consisting of five members of the Committee on Post Offices and Post Roads of the United States Senate and five members of the Committee on the Post Office and Post Roads of the House of Representatives, to be appointed by the chairmen of the respective committees, is hereby authorized to investigate the salaries of postmasters and employees of the Postal Service with a view to the reclassification and readjustment of such salaries on an equitable basis; and said commission shall make a report with recommendation to Congress at the first day of the next regular session. The expense of such inquiry shall be paid from the unexpended balance of any appropriation for the Postal Service for the fiscal year ending June 30, 1919.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. MANN. How much of an expense is it expected that this commission will cause?

Mr. MOON. I do not know. There has been no estimate of it and no discussion of it, so far as I know. I take it that this commission ought to sit entirely in the city of Washington, where they can get all the facts that are necessary to make their report. These expenses are usually about $15,000 or $20,000, I believe, but I see no reason why this should be as much as would be incurred by a commission sitting outside of the city.

Mr. MANN. Is it expected that the commission will have any traveling expenses throughout the country?

Mr. MOON. We did not contemplate any. We did not know of any.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn. The Clerk will read.

Mr. MADDEN. Mr. Chairman, I would like to offer an amendment as section 3½ for the time being.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois.

Mr. MOON. Is that an appropriation?

Mr. MADDEN. No. It is to authorize the Post Office Department to purchase supplies from the Army and other departments. I would like to have it read for information.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Insert as section 3½ a new section, as follows:

"SEC. 3½. That the Postmaster General and other responsible officials, in expending appropriations contained in this act, so far as possible, shall purchase materials, supplies, and equipment, when needed and funds are available, from the various services of the Government possessing materials and supplies and equipment no longer required because of the cessation of war activities. It shall be the duty of the Postmaster General and other officials before purchasing any of the articles described herein to ascertain from the other services of the Government whether they have articles of the character described that are serviceable, and articles purchased from other sources of the Government, if the same have not been used, shall be paid for at a reasonable price, not to exceed the actual cost, and if the same have been used, at a reasonable price based upon length of usage. The various services of the Government are authorized to sell such articles to the Postal Service under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as a miscellaneous receipt."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

Mr. ROUSE. Mr. Chairman, I desire to call the attention of the gentleman from Illinois to the amendment he offered yesterday.

Mr. MADDEN. We can go back to that. I would like to ask unanimous consent to go back to page 10.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to return to page 10.

Mr. MOON. Mr. Chairman, that is for the purpose of restoring two or three lines that are left out. I believe we had better finish the bill and go back to it.

Mr. MADDEN. Very well.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 4. That if the revenues of the Post Office Department shall be insufficient to meet the appropriations made by this act, a sum equal to such deficiency of the revenue of said department is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to supply said deficiencies in the revenues for the Post Office Department for the year ending June 30, 1920, and the sum needed may be advanced to the Post Office Department upon requisition of the Postmaster General.

Mr. MOON. Mr. Chairman, I desire to offer an amendment to the section. After the figure "4," in section 4, I want to insert before the word "that" the following: "That there shall be appropriated out of any money in the Treasury of the United States not heretofore appropriated a sum equal to the sum that will be necessary to pay the increased salaries allowed in this bill."

The CHAIRMAN. Has the gentleman reduced his amendment to writing?

Mr. MOON. I have not, but the gentleman from Texas [Mr. BLACK] will.

The CHAIRMAN. While that is being done we will take up the request of the gentleman from Illinois.

Mr. MADDEN. I ask unanimous consent to return to page 10.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MADDEN. After the word "pay," on line 13, I move to amend by inserting the following, which I send to the Clerk's desk.

The Clerk read as follows:

Page 10, line 13, after the word "pay," at the end of the line, insert the following: "*Provided*, That there may also be employed at first-class post offices foremen and stenographers at a salary of $1,300 or more per annum; in all, $55,000,000.

Mr. MADDEN. That was in the bill before, and we struck it out, but it ought not to have been stricken out.

Mr. STEENERSON. "Thirteen hundred dollars or more?"

Mr. MADDEN. Yes; that is the way it read in the bill.

Mr. STEENERSON. Not less than $1,300.

Mr. MADDEN. No; at a salary of $1,300 or more.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

Mr. MOON. Now, Mr. Chairman, I offered an amendment with the view that it was possible that the last section which has been read does not carry language of appropriation for the amount of the increased salaries. But I take it, in view of the language employed there providing for a deficiency to be paid out of the Treasury for all appropriations, that it will not be necessary to offer the amendment, and I therefore withdraw it.

Mr. STEENERSON. I will say that in my opinion it is entirely unnecessary.

Mr. MANN. It is covered by the language in the first paragraph of the bill.

Mr. ROBBINS. Mr. Chairman, I ask unanimous consent to revise and extend my remarks on the rural-carrier proposition.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent to proceed for three minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for three minutes. Is there objection?

There was no objection.

Mr. MADDEN. Mr. Chairman and gentlemen of the committee, it has been my privilege for a number of years to serve as a member of the Post Office Committee under the distinguished chairman, Mr. MOON. I want to say that I have never occupied a service in all the history of my experience that has been so satisfactory as the service I have had with him. [Applause.] He has been clean, courteous, painstaking, and fair in everything he had to do, and this being the close, substantially, of the gentleman's chairmanship, I think it is only fair for me to say to him and to you what I think of the service he has rendered.

No man has ever occupied a distinguished position with greater conspicuity than the gentleman from Tennessee [Mr. MOON] has occupied in the chairmanship of this committee. [Applause.]

The country owes him a debt of gratitude for the painstaking care and conduct of this great service. I am proud to testify not only to my confidence in him but to his ability, to his fairness, and his character as a man, and to say that if I have the good fortune in the future to be placed as satisfactorily in my work in the House as I have in my service under JOHN MOON, the chairman of this committee, I shall be very happy indeed. [Applause.]

Mr. STEENERSON. Mr. Chairman, I ask unanimous consent for one minute.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STEENERSON. Mr. Chairman, I take great pleasure in uniting with the gentleman from Illinois [Mr. MADDEN] in this encomium upon our chairman. I began service with the gentleman from Tennessee 16 years ago, and although he is a man of positive views, and I have disagreed with him many times most radically, we have in the main agreed. Where we have disagreed we have disagreed in the most reasonable and fair way. Our disagreements have never left any rankling in our hearts, and when the dispute was over I always found the gentleman from Tennessee the very acme of good nature and companionship, so that I can heartily second every word that the gentleman from Illinois has said. [Applause.]

Mr. MOON. Mr. Chairman, I hardly think I am entitled to all the compliments my two friends, the gentleman from Illinois and the gentleman from Minnesota, have paid me, and yet I hope with becoming grace I accept them with much pleasure. It always does us good to know that our friends think well of us, and even if they do not think so well of us, in public they always say they do. [Laughter.] I am to be with them, I hope, again on this committee. There is no reason why the distinguished gentleman from Minnesota and the distinguished gentleman from Illinois should not occupy positions at the head of the table in the next Congress. At the foot of the table I will render them all the earnest service I shall be capable of giving. I thank them for what they have said. Mr. Chairman, I move that the committee do now rise, and that the Chairman be directed to report the bill back to the House with the recommendation that the amendments adopted in the Committee of the Whole be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CRISP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 13308) making appropriation for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. AYRES. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. AYRES. I desire to offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. AYRES. I am not.

The SPEAKER. If any gentleman opposed to the bill wants to make a motion to recommit, the Chair will recognize him. Otherwise the Chair will recognize the gentleman from Kansas. The Clerk will report the motion to recommit.

The Clerk read as follows:

I move to recommit the bill to the committee, with instructions to report the same back forthwith with an amendment striking out the amendment offered by the gentleman from Iowa [Mr. GREEN], which amendment reads as follows:

"After the word 'aeroplanes,' in the first line, strike out '$59,825,000' and insert in lieu thereof '$59,025,000'; after the word 'exceeding,' in the second proviso, strike out '$500,000' and insert '$300,000' in lieu thereof; and at the end of the amendment, after the words 'aeroplane service,' strike out the period, insert a comma, and add the following: 'And that no part of said sums shall be expended for the maintenance or operation of the aeroplanes above directed to be delivered to the Postmaster General by the Secretary of War, but such machines shall be operated and maintained by the personnel of the Air Service of the Army, under the control and direction of the Postmaster General.'"

Mr. MANN. Mr. Speaker, I make the point of order that the motion to recommit offered is not in order. I believe the Speaker has ruled on several occasions that where an amendment has been agreed to by the House, reported from the Committee of the Whole House, it was not then in order to move to recommit to strike out a part of the amendment which had just been agreed to. Of course the gentleman could have reached this proposition by offering an amendment to the amendment when it came before the House, but that was not done.

The SPEAKER. The gentleman's contention is correct. The motion to recommit is not in order. If the thing could be done which the gentleman from Kansas is trying to do, discussion of the bill in Committee of the Whole would be almost useless.

Mr. LONDON. Mr. Speaker, can not the object of the gentleman from Kansas be reached by asking for a separate vote on his amendment?

The SPEAKER. It is too late. All of the amendments have been agreed to, and the bill has gone to a third reading. Anybody who examines the question can easily tell the reason for the ruling. The question is on the passage of the bill.

The bill was passed.

Mr. MOON. Mr. Speaker, I move to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion was agreed to.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted to Mr. LINTHICUM for four days on account of important business.

CHARLOTTE STERLING (H. REPT. NO. 873).

Mr. SANFORD. Mr. Speaker, I offer the following privileged resolution from the Committee on Accounts, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 471.

Resolved, That the Clerk of the House of Representatives be, and he is hereby, authorized and directed to pay out of the contingent fund of the House, to Charlotte Sterling, clerk to the late John A. Sterling, a Representative from the State of Illinois at the time of his death, October 17, 1918, the sum of $166.66, being an amount equal to one month's salary of a clerk of a Representative in Congress.

The SPEAKER pro tempore (Mr. GARRETT of Tennessee). The question is on agreeing to the resolution.

The resolution was agreed to.

E. NIEDNER (H. REPT. NO. 872).

Mr. SANFORD. Also the following, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 467.

To pay E. Niedner, clerk to the late Jacob E. Meeker, a Representative in Congress, $166.66.

Resolved, That the Clerk of the House of Representatives be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, to E. Niedner, clerk to Jacob E. Meeker, a Representative from the State of Missouri at the time of his death, October 16, 1918, the sum of $166.66, being an amount equal to one month's salary of a clerk of a Representative in Congress.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

MARY B. JONES (H. REPT. NO. 871).

Mr. SANFORD. Also the following, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 450.

Resolved, That the Clerk of the House be, and he is hereby, authorized to pay, out of the contingent fund of the House, to Mary B. Jones, daughter of Thomas D. Jones, late an employee in the office of the Clerk of the House of Representatives, a sum equal to six months of his compensation as such employee, and an additional amount not exceeding $250 to defray burial expenses of said Thomas D. Jones.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

W. RAY LOOMIS (H. REPT. NO. 874).

Mr. SANFORD. Mr. Speaker, I also offer the following resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 436.

Resolved, That the Clerk of the House is hereby directed to pay out of the contingent fund of the House, until otherwise provided for, extra compensation to W. Ray Loomis, assistant superintendent of the document room of the House, for extra work performed in compiling and editing the Weekly Compendium and Monthly Compendium, at the rate of $125 per month from and after January 31, 1918, the date when the preparation of said compilations began.

With the following committee amendments:

Line 2, strike out the words "until otherwise provided for" and insert "during sessions of the Sixty-fifth Congress."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

Mr. SANFORD. Mr. Speaker, this resolution requires some explanation and perhaps some consideration. As a general rule, I am opposed to paying extra compensation to persons who are regularly carried on the rolls of the House, but in this particular instance I favor making an exception to that rule and passing this resolution. W. Ray Loomis is an employee in the document room, receiving, I think, $2,500 a year. He undertook at the date mentioned in the resolution the publication of a monthly compendium and a weekly compendium. He has done unquestionably a vast amount of work and he has done it well. He has received from about 240 Members of Congress encouragement in doing this work and has received their approval. In a word, I desire to tell you the contents and the purpose of this compendium. It contains a subject index of all public laws and joint resolutions receiving action during the Congress, a list of all resolutions introduced seeking investigation, a list of laws and public resolutions enacted during the Congress, a synopsis of the riders that appear in the different appropriation bills, and a history of the omnibus pension status, and a numerical status of all bills and resolutions and other transactions of Congress that are not so easily classified. I have made some investigation among the different Members of Congress who have used this publication, and I find that those who use it universally commend it.

Mr. MADDEN. Did the gentleman say how many used it?

Mr. SANFORD. Two hundred and forty Members of Congress have certified in writing that they have used it, and they have been helped greatly by it.

Mr. MADDEN. I would not give 50 cents for it.

Mr. SANFORD. There are Members of Congress, on the other hand, who take the position the gentleman from Illinois takes, who do not find it useful, but it does seem to me from the examination I have given it and the use I have made of it and my secretary has made of it that it does serve a purpose that is not duplicated in any way by the daily calendar or the synopsis that appears in the RECORD.

Mr. BLACK. Will the gentleman yield?

Mr. SANFORD. I will.

Mr. BLACK. Speaking of the 250 Members who have approved the publication of this compendium, is it not true that the author of it has written Members of Congress asking their judgment of his work?

Mr. SANFORD. I have no doubt the author of this work, like authors of a great many other literary publications, has sought commendation for his efforts. I dare say, however, that a Member of Congress has not given that approval without some consideration.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. SANFORD. I will.

Mr. HUDDLESTON. If this work is any different in its nature from the regular calendar, why should it not be prepared just as the calendar is prepared; why should we leave it to private initiative?

Mr. SANFORD. That question can not be answered. I do not know why Congress does not provide to have everything done that ought to be done, but the fact remains there is a great deal of precedent in the House for encouraging these men who on their own initiative find a field for their efforts and work diligently in that field. It can be said for this man that he has certainly worked with a great degree of assiduity, and his publication does show that it has been carefully and conscientiously done and that Congress has been using it. Of course, I have no interest in having this man paid; in fact, my prejudice would be against having him paid; but on a full examination of the facts it seems to me the man merits the compensation which he asks.

Mr. HUDDLESTON. When does the man do this work?

Mr. SANFORD. I have asked very carefully, and he says he does it outside of the regular hours of his employment in the Document Room.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. SANFORD. I do.

Mr. GREEN of Iowa. I will say that I have on three different occasions saved several hours of time in looking up matters. I know in one instance I got the data which I knew from previous experience took me half a day to get.

Mr. SANFORD. I have had that same experience, and I have against my prejudice become a convert to this resolution. I have had a great many conversations with this fellow and looked over his work, and I can not resist his claim for compensation for that reason.

Mr. SMITH of Idaho. Is it not possible to refer to this compendium and ascertain the status of any bill that has been acted upon in committee and in process of enactment?

Mr. SANFORD. Not only that but also to find its number, when it has become the law, and by this publication it seems that a man without much experience in Congress can readily find out what he wants to know about the status of legislation. I know of no other way that a man who is not very familiar with proceedings here can find his way about.

Mr. MANN. Will the gentleman yield to me a moment?

Mr. SANFORD. I shall be glad to do so.

Mr. MANN. Mr. Speaker, I do not oppose the passage of the resolution. I yield due deference to the gentleman who did the work but question very much whether all the work he has done has been performed outside the hours of his usual employment. This weekly compendium is quite a bulky affair, weekly and monthly. I do not pretend to pass judgment upon it. I have been away very much of the time when it was being issued. It is not used in my office. I have examined it and could find nothing in it that I could not find in the regular index to the CONGRESSIONAL RECORD. The index to the RECORD is issued every two weeks. This is issued every week. This does not cover private bills. Usually the most difficulty which Members have in looking up matter in the RECORD is as to private bills. It may be, however, useful, and if useful it should be provided for in the regular way. However, I have no objection where a man has performed the service to having him paid extra compensation, although it raises his compensation, I think, to $4,000 a year. The last Republican House had a man employed who kept track of every bill that was introduced and notified the introducer of the bill whenever any move was made on the bill, both in the House and the Senate. When the bill was referred, when the bill was reported, when the bill was acted on in the House, when the bill was sent to the Senate and referred and reported by the Senate committee, when acted on by the Senate, when enrolled and sent to the President, the introducer of the bill received a notice telling him what action had been taken, which was quite useful. I remember with what enthusiasm for economy the Democratic side of the House abolished that place, said that hereafter we do not propose to waste the people's money [laughter on the Republican side] for these extravagant things. Let Members keep track of the legislation that is going on; they ought to know what is doing in the House from day to day, and along comes a very good man over in the Document Room receiving, I think, a salary of $2,500 a year, and, recognizing the extent of the ignorance of Congress, proceeds to instruct them by getting out practically a duplicate of what is now issued by other employees of the House in the form of the index to the RECORD. Well, I do not know how he got it published, but it was published. The work evidences a great deal of hard labor on the part of this gentleman. There is no doubt about that. And if Members of the House make use of it—as they say they do, and I do not dispute that—then, of course, fairness would require that he be paid and that his place be provided for in the regular way, not by giving him increased compensation for doing something which he says he does out of regular hours and which we know can not be done out of regular hours entirely. Give him pay for that instead of double pay for performing one service and drawing pay for another.

The SPEAKER pro tempore (Mr. GARRETT of Tennessee). The question is on agreeing to the committee amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER pro tempore. The question is on the passage of the resolution as amended.

The question was taken, and the Speaker pro tempore announced that the noes appeared to have it.

Mr. SANFORD. Mr. Speaker, I ask for a division.

The House divided; and the resolution was agreed to.

CHAIRMAN OF COMMITTEE ON BANKING AND CURRENCY.

Mr. KITCHIN. Mr. Speaker, I wish to nominate and move the election of Mr. PHELAN, of Massachusetts, to be chairman of the Committee on Banking and Currency, to fill the vacancy caused by the resignation of Mr. Glass. [Applause.]

The SPEAKER pro tempore. The gentleman from North Carolina nominates Mr. PHELAN to the chairmanship of the Committee on Banking and Currency, and moves his election.

The question was taken, and the motion was agreed to.

THE PRIVATE CALENDAR.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that it shall be in order to-morrow to consider bills on the Private Calendar.

The SPEAKER pro tempore. The gentleman from North Carolina asks unanimous consent that it shall be in order to-morrow to consider bills on the Private Calendar.

Mr. FOSTER. May I ask the gentleman if this is to be bills unobjected to or are we to commence with the Private Calendar and take up each bill?

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Reserving the right to object, I understood from the gentleman in private conversation that the desire was to substitute to-morrow for Friday.

Mr. KITCHIN. It would be regularly in order on Friday.

Mr. MANN. The Private Calendar would be in order on Friday?

Mr. KITCHIN. Yes.

Mr MANN. And the gentleman desires to substitute to-morrow, as I understood, with the intention that by agreement we would adjourn over until Monday?

Mr. KITCHIN. Yes; and when we finish to-morrow's work, which is when we adjourn to-morrow, I shall ask unanimous consent to adjourn over until Friday.

Mr. MANN. Let us have it all in one request.

Mr. KITCHIN. I will ask that.

The SPEAKER pro tempore. The gentleman from North Carolina asks unanimous consent that the business in order under the rules on Friday next shall be in order to-morrow, and when the House adjourns to-morrow it shall stand adjourned until Monday next at 12 o'clock noon. Is there objection?

Mr. TILSON. Reserving the right to object, may I ask one further question? Ordinarily the claims alternate, with war claims and pension claims sandwiched in between Friday after Friday. Now, what special committee will have the floor to-morrow?

Mr. KITCHIN. Private claims on the Private Calendar.

Mr. TILSON. There are a number of other bills besides claims.

Mr. KITCHIN. Those that are on the Private Calendar, some from the Indian Affairs Committee, some from War Claims, and some of what we call private claims, from the Committee on Claims.

Mr. TILSON. On one Friday claims are in order and on the next Friday pensions, and the next Friday war claims and the next Friday pensions again. Which will be considered to-morrow?

Mr. KITCHIN. It is for all as they appear on the Private Calendar.

Mr. LONGWORTH. Mr. Speaker, reserving the right to object, may I ask the gentleman if he has come to any determination about the Christmas recess?

Mr. KITCHIN. I think I have stated, certainly once or possibly twice, that when we adjourn Tuesday I shall ask unanimous consent to adjourn over until Friday, with the understanding that on Friday we will do no work, but adjourn over until the following Monday.

Mr. LONGWORTH. The gentleman expects to have a session on both Monday and Tuesday of next week?

Mr. MANN. Probably there will no business.

Mr. KITCHIN. This coming Monday and Tuesday?

Mr. LONGWORTH. Yes.

Mr. KITCHIN. I understand the rivers and harbors bill will be in. I saw the chairman, the gentleman from North Carolina [Mr. SMALL] about it, and he says he will report the river and harbor bill to-morrow and they will take that up on Monday and Tuesday.

Mr. STAFFORD. And the next appropriation bill——

Mr. KITCHIN. Will be the legislative bill, we hope.

Mr. STAFFORD. I thought the foreign affairs bill would be first in order.

Mr. KITCHIN. Whichever is ready first.

Mr. STAFFORD. I do not believe the legislative bill will be ready until the week after the holidays.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina [Mr. KITCHIN]?

Mr. MONTAGUE. Mr. Speaker, reserving the right to object, may I ask the gentleman from North Carolina a question?

Mr. KITCHIN. Certainly.

Mr. MONTAGUE. There is a bill upon the calendar, but I do not think upon the Private Calendar, yet in one sense it is private, which relates to an incorporation to dispense a very urgent and imperative charity for the relief of suffering people in the Near East. If I could get unanimous consent I would like to bring it up to-morrow.

Mr. KITCHIN. I think the gentleman could ask unanimous consent to-morrow morning for that.

Mr. MANN. I think he could do it. I do not know what the bill is.

Mr. KITCHIN. It is to incorporate a charitable institution. I can say that the gentleman can ask unanimous consent to-morrow before we take up private claims.

Mr. MONTAGUE. I do not want to take up the time of the House. If it should take up the time of the House I would not want to do it.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. KITCHIN. Both requests were included in one, Mr. Speaker, as I understand.

The SPEAKER pro tempore. Yes.

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title:

H. R. 13261. An act providing for the transportation from the District of Columbia of governmental employees whose services no longer are required.

The SPEAKER announced his signature to enrolled joint resolution of the following title:

S. J. Res. 187. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Member of Congress.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 30 minutes p. m.) the House adjourned until to-morrow, Thursday, December 19, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of Agriculture, submitting a supplemental estimate of appropriation required by the Department of Agriculture for the general expenses of the Forest Service, fiscal year 1919 (H. Doc. No. 1602); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Department of Commerce, transmitting report of the board of visitors to the Bureau of Standards (H. Doc. No. 1603); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

3. A letter from the Secretary of the Department of the Interior, transmitting traveling expenses incident to the detail of employees from the office of one surveyor general to another during the fiscal year ended June 30, 1918 (H. Doc. No. 1604); to the Committee on Expenditures in the Interior Department and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. RAKER, from the Committee on the Public Lands, to which was referred the bill (H. R. 249) to authorize the Secretary having jurisdiction of the same to set aside certain public lands to be used as national sanitariums by fraternal or benevolent organizations, and for other purposes, reported the same with amendment, accompanied by a report (No. 869), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Idaho, from the Committee on the Public Lands, to which was referred the bill (H. R. 13353) to extend the provisions of the homestead laws touching credit for period of enlistment to the soldiers, nurses, and officers of the Army and the seamen, marines, nurses, and officers of the Navy and the Marine Corps of the United States who have served or will have served with the Mexican border operations or during the war with Germany, reported the same with amendment, accompanied by a report (No. 870), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. HOUSTON, from the Committee on War Claims, to which was referred the bill (H. R. 4440) for the relief of the heirs of Mrs. Susan A. Nicholas, reported the same with amendment, accompanied by a report (No. 864), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ZIHLMAN: A bill (H. R. 13426) authorizing and directing the Secretary of War to make certain donations of ordnance and cannons to designated cities; to the Committee on Military Affairs.

By Mr. KELLY of Pennsylvania: A bill (H. R. 13427) granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Monongahela River at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: A bill (H. R. 13428) for the protection and improvement of the Lassen Volcanic National Park, Cal., and for other purposes; to the Committee on Appropriations.

By Mr. CAMPBELL of Pennsylvania: A bill (H. R. 13429) granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania; to the Committee on Interstate and Foreign Commerce.

By Mr. HUSTED: A bill (H. R. 13430) to amend section 1766 of the Revised Statutes relating to officer in arrears; to the Committee on the Judiciary.

By Mr. CAMPBELL of Pennsylvania: A bill (H. R. 13431) granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Monongahela River at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania; to the Committee on Interstate and Foreign Commerce.

By Mr. RIORDAN: A bill (H. R. 13432) providing for a survey of Great Kills, Staten Island, N. Y.; to the Committee on Rivers and Harbors.

By Mr. STEELE: A bill (H. R. 13433) to promote interstate trade or commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GANDY: A bill (H. R. 13440) transferring jurisdiction and control over Battle Mountain Sanitarium of the National Home for Disabled Volunteer Soldiers from the Board of Managers of the National Home for Disabled Volunteer Soldiers to the Secretary of War for use for Army hospital purposes for the period covered by the exigencies growing out of the present war; to the Committee on Military Affairs.

By Mr. DARROW: Joint resolution (H. J. Res. 371) expressing the sense of Congress on the punishment of the late Emperor of Germany and everyone associated with him in violation of the law of nations and the committing of brutal atrocities in the late war; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND of Indiana: A bill (H. R. 13434) granting a pension to Adeline Bomgardner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13435) granting an increase of pension to William R. Roark; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13436) granting an increase of pension to Burnetta Dayton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13437) granting an increase of pension to Frank B. Gillespie; to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 13438) granting an increase of pension to Charles H. Crandall; to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 13439) granting a pension to Henry S. Palmer; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of president and faculty of Duquesne University, Pittsburgh, Pa., urging the independence of Ireland; to the Committee on Foreign Affairs.

By Mr. DALE of New York: Resolutions by transportation bureau of the Denver Civic and Commercial Association, favoring the return of the railroads to the management of their respective owners at earliest date practicable; to the Committee on Interstate and Foreign Commerce.

By Mr. DOOLING: Resolutions adopted at a mass meeting of citizens of New York City, held at Corpus Christi Hall, November 26, 1918, relating to Irish freedom and self-determination; to the Committee on Foreign Affairs.

By Mr. ESCH: Resolutions of the Oshkosh Rotary Club, pledging their support to the principle of universal obligatory military training for all young men before voting age; to the Committee on Military Affairs.

By Mr. FULLER of Illinois: Resolutions of Rockford (Ill.) Affiliated Council, No. 169, of the North American Union, favor-

ing Senate bill 3475, concerning certification of death of soldiers; to the Committee on the Judiciary.

By Mr. KAHN: Resolution of San Francisco Sales Managers' Association, urging the appointment by Congress of a business-planning commission; to the Committee on Ways and Means.

Also, resolution by members of local board No. 151, New York City, urging passage of legislation recognizing the various draft boards for their past services; to the Committee on Military Affairs.

By Mr. LUNDEEN: Petition of Minnehaha Lodge, No. 827, I. A. of M., of Minneapolis, Minn., requesting permanent Government control and eventual ownership of the railroads of the United States; to the Committee on Interstate and Foreign Commerce.

Also, petition of Electrical Workers' Local No. 528, of Minneapolis shops, Chicago, Milwaukee & St. Paul Railway, asking that the railroads remain under Government control; to the Committee on Interstate and Foreign Commerce.

By Mr. BAKER: Resolution urging the passage of Senate bill 4067, by faculty of State Normal School of San Jose, Cal.; to the Committee on Education.

By Mr. SCHALL: Resolution by Dr. S. N. Deinard, Rabbi Silbers, Rabbi Matt, Dr. Marcus, and M. Zipperman, and sundry other Jewish citizens of Minneapolis, Minn., urging intervention on behalf of the Jews in Poland and Galicia; to the Committee on Foreign Affairs.

SENATE.

THURSDAY, *December 19, 1918.*

(Legislative day of Sunday, December 15, 1918.)

The Senate met at 12 o'clock noon on the expiration of the recess.

Mr. SIMMONS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, S. Dak.	Myers	Smith, Ga.
Bankhead	Jones, N. Mex.	New	Smith, Md.
Beckham	Jones, Wash.	Nugent	Smith, S. C.
Calder	Kellogg	Page	Smoot
Culberson	Kenyon	Penrose	Spencer
Curtis	Kirby	Phelan	Sutherland
Dillingham	La Follette	Pittman	Thomas
Fletcher	Lenroot	Poindexter	Townsend
Gay	Lodge	Pollock	Trammell
Gerry	McCumber	Pomerene	Underwood
Gronna	McKellar	Ransdell	Vardaman
Hale	McLean	Shafroth	Watson
Harding	McNary	Sheppard	Weeks
Hardwick	Martin, Ky.	Sherman	
Henderson	Martin, Va.	Simmons	
Johnson, Cal.	Moses	Smith, Ariz.	

Mr. McNARY. I desire to announce that my colleague [Mr. CHAMBERLAIN] is absent on official business.

Mr. TOWNSEND. I wish to announce the absence of my colleague [Mr. SMITH of Michigan] on account of illness.

Mr. McKELLAR. The senior Senator from Tennessee [Mr. SHIELDS] is absent owing to illness.

Mr. SUTHERLAND. My colleague the senior Senator from West Virginia [Mr. GOFF] is absent on account of illness.

The VICE PRESIDENT. Sixty-one Senators have answered to the roll call. There is a quorum present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13261) providing for the transportation from the District of Columbia of governmental employees whose services no longer are required.

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bill and joint resolution, and they were thereupon signed by the Vice President:

H. R. 13261. An act providing for the transportation from the District of Columbia of governmental employees whose services no longer are required; and

S. J. Res. 187. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Member of Congress.

SHIPS OF WAR SURRENDERED TO THE ALLIES.

Mr. LODGE. Mr. President, I know this is a recess and there is no opportunity for morning business, but I have a Senate resolution of inquiry which I should like to have read to appear in the RECORD. I shall call it up at the proper time when we have routine business.

The VICE PRESIDENT. Without objection, the resolution will be read.

The Secretary read the resolution (S. Res. 390), as follows:

Resolved, That the Secretary of State be directed to inform the Senate whether the report that the peace delegates of the United States at Paris are advocating the destruction of the ships of war surrendered to the allies and to the United States is correct; and, if so, by what authority the delegates to the peace conference are demanding the destruction of enemy property in part surrendered to the United States.

LEAGUE OF NATIONS.

Mr. PHELAN. Mr. President, on November 21, 1918, I submitted a resolution (S. Res. 351) approving the organization of a league of nations to prevent wars and enforce justice, which was ordered to lie on the table. I move that the resolution be taken from the table and be referred to the Committee on Foreign Relations.

The motion was agreed to.

LIQUOR TRAFFIC.

Mr. OVERMAN, from the Committee on the Judiciary, to which was referred the bill (H. R. 2614) to amend sections 2139 and 2140 of the Revised Statutes and the acts amendatory thereof, and for other purposes, asked to be discharged from the further consideration of the bill and that it be referred to the Committee on Indian Affairs, which was agreed to.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MYERS:

A bill (S. 3309) granting an increase of pension to David W. Herriman; to the Committee on Pensions.

By Mr. MOSES:

A bill (S. 3210) to donate a gun or howitzer to the town of Claremont, in the State of New Hampshire; to the Committee on Military Affairs.

A bill (S. 3211) granting an increase of pension to Henry S. Silsby (with accompanying papers); to the Committee on Pensions.

By Mr. LENROOT:

A bill (S. 3212) for the relief of Philip S. Everest; to the Committee on Claims.

AMENDMENT TO LEGISLATIVE APPROPRIATION BILL.

Mr. JONES of Washington. I ask unanimous consent to submit an amendment intended to be proposed to the legislative, executive, and judicial appropriation bill. I simply wish to say that it relates to the compensation of clerks and assistants to Senators, which we have had up several times before, and on which I hope to have favorable action by the committee hereafter. I move that the amendment be referred to the Committee on Appropriations and printed.

The motion was agreed to.

SALARIES OF FEDERAL JUDGES.

Mr. GORE submitted an amendment intended to be proposed by him to the bill (H. R. 12001) to amend an act entitled "An act to revise, codify, and amend the laws relating to the judiciary," approved March 3, 1911, which was referred to the Committee on the Judiciary and ordered to be printed.

THE REVENUE.

Mr. KELLOGG submitted an amendment intended to be proposed to the bill (H. R. 12863) to provide revenue, and for other purposes, which was ordered to lie on the table and be printed.

AERIAL MAIL SERVICE.

Mr. SHERMAN. Mr. President——

Mr. SIMMONS. Mr. President, I must object to further routine business to-day.

Mr. SHERMAN. May I offer a matter that I wish referred to the Committee on Military Affairs?

Mr. SIMMONS. I will be glad to yield to the Senator if he will just send it to the desk.

Mr. SHERMAN. Yes; it will take but a moment. I submit a communication from Capt. B. B. Lipsner, lately received, relating to the aerial mail service. I think it ought to go to the Committee on Military Affairs.

The VICE PRESIDENT. It will be so referred.

THE REVENUE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12863) to provide revenue, and for other purposes.

Mr. SIMMONS. When we recessed on yesterday, it was with the understanding that we should take up this morning the

section relating to the repeal of the zone system. I understand the Senator from Georgia [Mr. HARDWICK] is ready to proceed with it.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 276 the committee proposes to add a new section, to be known as section 1402, in the following words:

SEC. 1402. (a) That section 1103 of the revenue act of 1917 is hereby repealed.

(b) Section 1101 of such act is hereby amended to read as follows:

"SEC. 1101. That on and after July 1, 1919, the rates of postage on publications entered as second-class matter (including sample copies to the extent of 10 per cent of the weight of copies mailed to subscribers during the calendar year) when sent by the publisher thereof from the post office of publication or other post office, or when sent by a news agent to actual subscribers thereto, or to other news agents for the purpose of sale, shall be 1 cent per pound or fraction thereof for delivery within the first and second zones applicable to fourth-class matter, and 1½ cents per pound or fraction thereof for delivery within any other zone."

(c) This section shall take effect July 1, 1919.

Mr. HARDWICK. Mr. President, I hope to have the attention of Senators present, because I am not endeavoring to make a speech, but to present certain facts in behalf of the Post Office Department. Senators who are about to vote on this question undoubtedly will want to do so with the fullest information possible on the merits of the matter upon which they are about to vote. For that reason I express the hope that the Senate may give me its attention, and in return I promise to be as brief and compact in my statement of the matter as possible.

Under date of December 13, 1918, the Post Office Department sends me this memorandum respecting the proposed committee amendment:

The rates proposed in the revenue bill for second-class matter would abolish the present zone rates and make the flat rate of 1 cent a pound for the first zone of 150 miles; beyond that it would be 1½ cents per pound. This would make the old second-class rate apply to the first 150 miles and the increase beyond that but one-half cent per pound. This would possibly increase the revenue over the old rate—

That is, the old law before the war—

approximately $4,000,000 annually, not as much additional revenue as will be derived from the present law during the first year.

The Senate will recall, let me say parenthetically, that in the first war-revenue bill we increased these rates through a period of years, climaxing, my recollection is, at the end of the third fiscal year.

If the amendment proposed in the revenue bill now before the Senate is finally made law, the second-class publications will be handled at an annual loss of approximately $68,000,000. It was estimated that the zone rates now in effect would ultimately have increased the revenue on second-class matter about $18,000,000 or $20,000,000. Even at those rates in effect the loss would have been at least $50,000,000 over the cost of transportation handling. The proposed rates will not pay the handling costs in any instance, let alone the transportation and other charges.

Mr. President, it is therefore evident to the Senate, unless Senators are prepared to dispute the statements of fact made by the Post Office Department, that second-class mail matter was being handled at the time this war began at an annual loss of approximately $70,000,000. The figures have varied, I think, all the way from $68,000,000 to $73,000,000.

When we passed the last war-revenue bill it was finally voted into that bill that there should be an increase on the zone system, applicable to the advertising sections alone of newspapers and magazines, which the department now says it estimates at the period when the greatest increase would be applicable to reduce that loss, the deficit of handling this sort of matter from $18,000,000 to $20,000,000 per annum by that amount.

Now, the Senate Committee on Finance proposes, before this law can have but a few months' trial, to substitute for it a proposition which will not possibly increase the postal revenues from this class of matter more than $4,000,000, and which will still leave the Government handling publications of that character and mail matter of that class at an annual loss of approximately $60,000,000.

Mr. President, I think the most complete and comprehensive statement of the facts that was ever made with reference to this much-disputed matter was made on the 1st day of May, 1918, before the Senate Committee on Post Offices and Post Roads by the present able and efficient First Assistant Postmaster General, Mr. Koons. The Publishers' Association, supporting Senator McKELLAR's proposition, had appeared before that committee. They had been given an extended and exhaustive hearing. At the conclusion of their hearing Mr. Koons, representing the Government, appearing for the Post Office Department, presented what I regard as the most compact and complete statement of the facts with reference to this matter that has ever appeared in print.

The old law affecting second-class mail rates, or establishing them, which the Senate committee proposes to restore with a slight increase, almost inappreciable, of $4,000,000, was passed in 1885. Mr. Koons, on that question, presenting the view of the department, made this short statement of fact to which I wish to invite the attention of the Senate. He said:

The matter of increased rates of postage on second-class matter has been pending for a great many years. The present low flat rate was enacted in 1885. It has been investigated by at least one commission and on numerous occasions by the department. Increased rates have been recommended by practically every Postmaster General for the last 12 or 15 years.

The act that goes into effect on the 1st of July, as you know, is a part of the revenue bill. The department's attitude on the legislation was stated yesterday by Senator HARDWICK, and is a matter of public record. The Congress has passed this legislation. The department is not in favor of any change or suspension of the law at this time.

The bill as passed, as you know, provides a separate rate for reading matter and advertising matter.

Proceeding with the statement before the committee, Mr. Koons said——

Mr. POMERENE. May I ask the Senator what he is reading from?

Mr. HARDWICK. I am reading from the hearings before the Post Office Committee, May 1, 1918, the statement of the First Assistant Postmaster General, Mr. Koons.

Continuing his statement before the committee, Mr. Koons observed that the existing law—that is, the so-called zone system for advertising matter—had been framed by the department, by the Postmaster General, and by that officer of the Government presented to the conferees on the first war-revenue bill, by them adopted, and by them reported to both Houses of Congress, which finally assented thereto.

He continues:

The present low flat rate of 1 cent a pound has been in effect for many years, and that rate was fixed for the purpose of the dissemination of news and educational matter. It was the desire of the department that this flat rate be continued. At the time the present law was passed the advertising matter constituted about 5 per cent of the publications, and the flat rate will continue on publications that do not exceed this amount.

That was in 1885 that the per cent of advertising matter, taking the country as a whole and these publications as a whole, both magazines and newspapers, amounted to 5 per cent of the total contents of their respective publications.

Mr. Koons appears there to go on to demonstrate from the facts on file in his office that the percentage of advertising matter carried in the publications of the country, both in magazines and newspapers, has increased to such an extent that to-day it is at least 50 per cent or probably more.

Mr. LA FOLLETTE. Mr. President, there was so much confusion in the Chamber at the time the Senator from Georgia made his statement as to the provisions of the old law that I am going to ask him to repeat it.

Mr. HARDWICK. Very well. The provisions of the old law——

Mr. LA FOLLETTE. I refer to the provisions of the law which was passed in 1917.

Mr. HARDWICK. The provisions of the old law, which imposed the present flat rate of 1 cent a pound—the purpose of which was to encourage the dissemination of educational matter throughout the country—should be continued on all reading matter, but that on advertising matter—and that is very easy to determine with a foot rule—the department would exact a slight increase, graduated through a scale to a climax at the end of the third fiscal year, from which increase the department estimates that from $18,000,000 to $20,000,000 of this $70,000,000 deficit on this class of postal matter would be saved to the Government and to the Public Treasury at the end of the three-year period and annually thereafter.

Mr. Koons, in proceeding with this proposition, took the Saturday Evening Post, Harper's Weekly, and a great many of the leading magazines throughout the country. He showed the development of the advertising proportion of their matter in each of these publications, beginning at a very low rate in 1885—an average of 5 per cent throughout the country—of advertising as compared to the total space in these publications, which has increased until it has reached an average of 50 per cent throughout the country.

I pause here, Senators, to show you the kind of matter which we are handling as mail. Now, here [exhibiting] is a recent issue of the Iron Age. Its weight is 5¼ pounds. It is almost entirely advertising. Any Senator who desires to do so can examine it.

Mr. POMERENE. Mr. President, I desire to ask the Senator from Georgia who is the publisher of the Iron Age?

Mr. HARDWICK. I shall have to examine the publication in order to answer the Senator. I suppose it is published by a company, as most of these magazines are.

Mr. POMERENE. Mr. Penton is the publisher, is he not?

Mr. KELLOGG. Yes.

Mr. HARDWICK. He may be at the head of the company.

Mr. POMERENE. I may say that Mr. Penton is one of the most earnest advocates of the increase of postage on second-class mail matter.

Mr. HARDWICK. Well, it is very much to his credit; and I am glad to hear the Senator from Ohio make that statement.

Mr. POMERENE. The Senator will find, in the discussion which occurred on this question probably a year ago, that I introduced a letter from Mr. Penton urging the increase.

Mr. HARDWICK. I am very glad to hear the Senator say that, and it reflects very great credit on Mr. Penton.

Mr. POMERENE. I may also say that Mr. Penton not only has control of the publication to which the Senator from Georgia has called attention but he also has control of three or four or perhaps five other similar publications.

Mr. HARDWICK. Yes. I presume the Senator from Ohio knows the facts; and I again say that it is very much to the credit of this gentleman that he does not want to continue that indefensible graft which we are responsible for, if we continue the policy at the expense of the taxpayers and Treasury of this country.

I want to read to the Senate briefly an analysis made by the Post Office Department in reference to this particular magazine, the Iron Age.

Mr. KELLOGG. From what issue is the Senator from Georgia reading?

Mr. HARDWICK. I am reading from a statement of the department as to the issue of January 3, 1918. What I shall now read is not found in the hearings. The Iron Age is a weekly publication. The analysis is as follows:

Weight per copy ..... pounds	5¼
Circulation (weekly) (about)	14,000
Estimates based on 90 per cent by mail (about)	12,600
Pounds mailed this issue (about)	64,000
Postage at 1 cent per pound paid on same	640
If sent by express, charges, with war tax, would have been from 11 to 54 cents per copy.	
At minimum of 11 cents per copy	$1,386
Advertising rate per page—	

That is what the publisher or the publishing company got for advertising—

This issue	$42
Number pages advertising this issue	692
Total number pages this issue	848

So out of 848 pages, 692 were advertising—

Percentage of advertising ..... per cent	81
Advertising revenue this issue	$29,000

The Post Office Department lost nearly $4,000 in the distribution of this one issue.

Mr. President, I next take up one of the trade journals, which is called the Hardware Age. The department sends me an analysis of a single copy of that publication. I am not going to bore the Senate by putting in a great number of these, but I am going to take two, merely to show that the one that I have offered is not exceptional. The analysis as to this issue of the Hardware Age of February 7, 1918, is as follows:

Hardware Age, annual spring buying number, issue of Feb. 7, 1918.

Weight per copy ..... pounds	2¼
Circulation (weekly) (about)	18,000
Estimates based on 90 per cent by mail (about)	16,200
Pounds mailed this issue (about)	40,500
Postage at 1 cent per pound (present rate) (about)	$405
If sent by express, charges, with war tax, would have been from 11 cents to 36 cents per copy.	
At minimum of 11 cents per copy (about)	$1,782
Advertising rate per page this issue	$56
Number pages advertising this issue	300
Total number pages this issue	420
Percentage of advertising this issue ..... per cent	73
Advertising revenue	$17,304

The Post Office Department lost nearly $2,500 in the distribution of this one issue.

I have had sent to me by the Post Office Department a great number of other exhibits of the same kind and type, demonstrating, as they do, a condition that ought to be intolerable to any man who knows the facts accurately, and representing a condition which I do not believe any Senator of the United States will vote to perpetuate and continue if he knows the truth about the matter.

Mr. SHAFROTH. Mr. President, I desire to ask whether or not there is any postage on the reading matter in these magazines over and above what there was under the old law?

Mr. HARDWICK. Not one penny is added. The original policy established by this Government was that, in order to encourage the dissemination of information among the masses of the people, which is necessary if democratic institutions are to be maintained and perpetuated, we would give practically a nominal rate for the diffusion among the people of that sort of information, and the law which the committee is now seeking to repeal left that policy absolutely unchanged and unaltered.

Mr. SHAFROTH. That is a rate of 1 cent per pound?

Mr. HARDWICK. Yes, sir; a rate of 1 cent a pound.

Mr. SHAFROTH. Now, I should like to ask the Senator whether the Government sustains a loss on the shipment of this second-class matter even at 1 cent a pound on the reading matter?

Mr. HARDWICK. Yes. I have already told the Senate that the loss by reason of that fact is $70,000,000 a year.

Mr. SHAFROTH. Can the Senator estimate how much the loss is per pound?

Mr. HARDWICK. I can state to the Senator that the estimate of the Hughes Commission—and the department approved of it—was that it cost the Government 8 cents and a fraction per pound to handle and transport this second-class mail matter, taken as a whole. Therefore when we charged a cent a pound we lost over 7 cents a pound on every pound we handled. I will give the Senator from Colorado the exact figures, if he would like to have them, though I have stated them substantially.

Mr. SHAFROTH. I should like to have the exact figures.

Mr. HARDWICK. It is incomprehensible to my mind——

Mr. MYERS. Mr. President, I should like to ask the Senator if the committee purposes entirely repealing the law to which he has referred and going back to the old system?

Mr. HARDWICK. Almost that. The committee proposes that after——

Mr. MYERS. I should like to know what it does propose.

Mr. HARDWICK. The Senator will find it in the bill on page 276.

Mr. SHAFROTH. It establishes a rate of one and a half cents a pound after the second zone.

Mr. HARDWICK. After the second zone—which is 150 miles, according to my understanding—they propose to charge a cent and a half a pound instead of 1 cent, and a cent per pound even on such stuff as this [exhibiting] in the first zone.

Mr. MYERS. Then it is without limit after they get out of the first zone?

Mr. HARDWICK. After they pass the first two zones there will be charged a cent and a half, without any further charge for advertising matter or anything else.

Mr. SHAFROTH. And leaving a loss of six and a half cents on each pound shipped by the Government?

Mr. HARDWICK. Involving a loss of six and a half cents on each pound shipped by the Government, amounting, the Postmaster General says, to $00,000,000 out of the pockets of the taxpayers and the Public Treasury of this country.

Mr. THOMAS. Mr. President, is it not also true that the owners of these periodicals, as to the short hauls, instead of taking advantage of the mails or of the mail routes use the express companies, because they find it cheaper? So they put the long haul upon the Government and deprive it of the profitable short haul by taking advantage of the express companies.

Mr. HARDWICK. Undoubtedly; but we have no right to expect anything else. That is just good business on their part.

Mr. THOMAS. Of course; and I am not complaining about it.

Mr. HARDWICK. But I understand the fact is as the Senator states it.

Mr. THOMAS. And it is something that ought to be considered in connection with this proposition.

Mr. HARDWICK. The Senator is quite right; that does not add to the beauties of the situation, considered from the standpoint of the taxpayer and the Public Treasury. But it seems to me that we have not any right as sensible men to expect that they as sensible business men will do anything else except that.

Mr. SHAFROTH. I should like to ask the Senator another question, namely, whether this cheap rate of postage, in the case of magazines particularly, has had a tendency to increase the advertising matter in the magazines and to make it more profitable to the magazines themselves?

Mr. HARDWICK. I think it has, of course; I think the Senator's question answers itself. Under this principle of the Government which we put into the law for the education of the people, a great commercial business has been built, which has been sustained and fostered and strengthened and enriched out of the Public Treasury and at the expense of the Nation. It is not only true, let me say to the Senator, with reference to the magazines, but it is true with reference to every newspaper in this country, daily and weekly alike.

Mr. SHAFROTH. Has the Post Office Department made any estimate as to the increase in advertisements and increase in their profits occasioned by the low rates?

Mr. HARDWICK. Yes, sir; I have made some reference to that, and, if the Senator will give me his attention, he will find that I am going to cover that pretty well, I think.

Mr. SHAFROTH. Very well.

Mr. HARDWICK. Mr. Koons continues—

We have been able to find a few of the publications in the Public Library. The Saturday Evening Post, for instance, on July 11, 1885, carried a total number of columns of 64. It carried 3.7 columns of advertising. In the issue of April 14, 1917, the total number of columns of that publication was 528, with 324 columns of advertising, or 61 per cent of advertising. It has increased from 5.8 in 1885 to 61 per cent of advertising.

Harpers Magazine apparently carried no advertising, so far as we are able to ascertain, in the early days. In the issue of January, 1885—

When the law establishing the 1-cent rate was originally put into effect—

It carried 48 columns (of advertising) out of a total of 328. In the issue of April, 1917, out of a total of 574 columns it carried 238 columns of advertising; or had increased from nothing to 41.49 per cent.

That statement is true with reference to a great number of other publications.

Mr. SMITH of Arizona. Nearly all of them.

Mr. HARDWICK. Yes. And let me say, Mr. President, that it is not only true with reference to the magazines, from which we all seem to be willing to require to render full and exact justice to the Public Treasury and to the people of the United States, but it is true with reference to the newspapers, that most of us want to favor and exempt in this matter. I will demonstrate that, too, before I finish.

I desire now, Mr. President, to ask permission to incorporate in my remarks, without wearying the patience of the Senate to read them, the tables to which I have referred.

The VICE PRESIDENT. Without objection, it is so ordered.

The tables referred to are as follows:

Proportion of advertising to reading matter in certain publications of the dates indicated.

SATURDAY EVENING POST, PHILADELPHIA, PA.

Date of issue.	Total columns contents.	Advertising columns.	Advertising.	Date of issue.	Total columns contents.	Advertising columns.	Advertising.
			Percent.				*Percent.*
Aug. 1, 1871	48	11	3.12	July 22, 1875	48	4.4	9.16
Oct. 17, 1874	48	11	3.12	Jan. 3, 1885	64	5.4	8.44
Dec. 1, 1874	48	0.7	1.50	May 2, 1885	64	3.2	5.00
Jan. 1, 1875	48	8.1	17.00	July 11, 1885	64	3.7	5.80
May 1, 1875	48	7.5	15.62	Apr. 14, 1917	528	234.0	44.00

HARPER' MAGAZINE, NEW YORK, N. Y.

June, 1850	240	None.	None.	January, 1875	392	None.	None.
July, 1850	248	None.	None.	June, 1875	320	None.	None.
August, 1850	248	None.	None.	October, 1875	304	None.	None.
September, 1850	288	None.	None.	January, 1885	328	48	14.63
October, 1850	288	None.	None.	May, 1885	320	52	16.25
November, 1850	288	None.	None.	October, 1885	370	44	11.89
December, 1850	288	None.	None.	April, 1917	574	238	41.49

NORTH AMERICAN REVIEW, NEW YORK, N. Y.

January, 1850	264	None.	None.	July, 1875	244	3	1.23
April, 1850	276	None.	None.	October, 1875	268	23	8.61
July, 1850	272	None.	None.	January, 1885[1]	176	18	15.34
October, 1850	264	None.	None.	May, 1885[1]	108	10	9.34
January, 1875	292	7	2.78	October, 1885[1]	114	6	5.31
April, 1875	280	7	2.70	April, 1917[1]	178	16	8.99

[1] Monthly.

AMERICAN AGRICULTURIST, NEW YORK, N. Y.

January, 1860	62	4½	7.26	October, 1875	120	29	24.58
March, 1860	64	7½	11.19	January, 1885	144	45	31.25
October, 1860	64	5½	8.85	March, 1885	150	57	38.75
January, 1875	172	35½	20.89	October, 1885	150	58½	38.00
March, 1875	120	33½	28.05	May 12, 1917	80	32	40.00

Mr. HARDWICK. After giving these tables, Mr. Koons concludes with this proposition:

This shows—

That is, the tables referred to—

that since the present law—

That is, the 1-cent law of 1885—

was passed a new feature has entered into the business of these publications, and that is the feature of advertising. They have commercialized to a large extent the second-class matter.

Mr. Koons was next asked to give to the committee the prices that these users of the second-class mail privilege get for their advertising, and he gives us a table showing what they get per page and per column. Take, for instance, the Saturday Evening Post. The price for advertising in that publication is $5,000 a page and $1,250 a column. The different publications receive varying amounts, but I am not going to weary the patience of the Senate by reading this table. I am going to ask, Mr. President, in a general way, permission to include each of the tables to which I shall refer during the course of these remarks without other than the general permission from the Senate.

The VICE PRESIDENT. Without objection, it is so ordered.

The table last referred to by Mr. HARDWICK is as follows:

Prices for advertising.

	Page.	Column.
Christian Herald	$600.00	$225.00
Saturday Evening Post	5,000.00	1,250.00
Collier's Weekly	3,000.00	750.00
The Youth's Companion	1,600.00	425.00
Literary Digest	1,280.00	435.00
Harper's Magazine	225.00	112.50
American Magazine	1,200.00	420.00
Pelmanist	3,500.00	1,000.00
Everybody's	700.00	250.00
Farm Journal	2,205.00	750.00
Good Housekeeping	1,000.00	375.50
Ladies' Home Journal	6,000.00	1,000.00
Cosmopolitan	1,750.00	625.00
McCall's	2,100.00	600.00
Ladies'	1,445.00	425.00
Metropolitan	1,400.00	350.00
Modern Priscilla	1,680.00	420.00
Review of Reviews	300.00	150.00
Scribner's	250.00	125.00
Successful Farming	1,400.00	600.00
Woman's Home Companion	3,800.00	1,000.00
World's Work	320.00	112.00
Iron Age	72.00	(?) 35.00
Engineering News-Record	(?) 45.00	(?) 24.00

Mr. SHAFROTH. Does the $5,000 referred to by the Senator relate to the rate for advertising in one issue only or for a year or for a month?

Mr. HARDWICK. The rate for each issue.

Mr. SHAFROTH. For one issue?

Mr. HARDWICK. For one issue—$5,000 a page and $1,250 a column. If any Senator wishes to ask about any particular one of these publications, I have the information here for him, and I think I am prepared to give it, but he will find these tables in the RECORD if he will read them after they are printed.

The fact is, Mr. President, that these men have grown rich out of commercializing the Governmental principle of sending through the mail reading matter at a nominal rate among the people in order to maintain democratic institutions in a free country. The position of the Post Office Department, and my position here to-day, speaking for them and in my representative capacity, is that we ought to make these men, every one of them, pay to the extent to which they have commercialized this principle. It is all right to continue to let them educate our people, if by courtesy in some cases we still choose to term it "education," by sending out publications among them; but it is all wrong to let them commercialize the proposition to the extent of more than 50 per cent and to send out their advertising in books like this [exhibiting] at a cost of thousands of dollars to the Government for each issue of each one of these publications.

Mr. POMERENE. Mr. President——

Mr. HARDWICK. I yield to the Senator.

Mr. POMERENE. I have before me the letter of Mr. John A. Penton, of the Penton Publishing Co., written to me on June 7, 1917.

Mr. HARDWICK. I should be glad to have the Senator read it, if he cares to do so.

Mr. POMERENE. I will send it to the desk and ask to have it read.

Mr. HARDWICK. Is it a very long letter?

Mr. POMERENE. It is about a third of a column.

Mr. HARDWICK. I do not object to the Senator having it read.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

[From the CONGRESSIONAL RECORD of August 27, 1917, at page 6362.]

THE PENTON PUBLISHING CO.,
Cleveland, June 7, 1917.

Hon. ATLEE POMERENE,
United States Senate, Washington, D. C.

MY DEAR SIR: We desire to make a protest against the suggestion to increase, particularly at this time, the cost of letter postage to the people of the United States. A burden of more than $60,000,000 a year would be imposed upon them if Congress puts into effect the proposal to advance the rate of the ordinary letter from 2 to 3 cents and of the postal card from 1 to 2 cents. This is seriously contemplated despite the fact that over $70,000,000 is given annually as a subsidy to the publishers of America in the form of a rate of 1 cent a pound for carrying their publications when it costs perhaps 7 or more cents a pound to perform this service.

Receiving the benefit of this service there are actually, for instance, monthly publications weighing as little as 75 to the pound. In other words, one of these periodicals must be carried and delivered through the mails for six and one-fourth years for 1 cent.

A subsidy such as this is outrageous. In our judgment it would be entirely justifiable for our Government to pay a bounty to build up our merchant marine, which involves international competition; but in our domestic business Government aid is unwarranted, and those accepting it do, in a sense either consciously or unconsciously, make of themselves objects of charity. Congress has no jurisdiction over foreign ships, which, under normal conditions, are the recipients of Government aid of one kind or another, but it might well overcome the handicap resting against American ships by some character of Federal assistance. Congress has, however, complete jurisdiction over all domestic enterprises, including publications.

The daily, weekly, and monthly periodicals of the United States have in a majority of cases carried on an incessant campaign against every real and imaginary form of special privilege for many years. At the same time they are themselves the greatest, most insistent, irrepressible, and unyielding seekers for Government aid in this or any other Nation. There is no more excuse, economic, educational, or sentimental, for this unrestrained expenditure of public funds than there would be were the Federal Treasury to subsidize our railroads, street cars, lighting systems, department or corner grocery stores.

To hand over $70,000,000 annually to the publishers simply because they demand it is to yield to a "hold-up" of the most brazen kind. It is an example of Government extravagance which every Senator and Representative must know is indefensible.

To do this and then attempt to further penalize the business interests of America, who are the large buyers of postage stamps, while our first class postage already shows a profit of upward of $80,000,000 a year, is but little short of a crime.

To say the least, it is immoral, and our company does not desire to be the beneficiary of a system that is as much of a reflection upon those who receive it as it is upon those who give it.

Yours, sincerely,

JOHN A. PENTON, *President*.

Mr. HARDWICK. Mr. President, I can only say that I congratulate the Senator from Ohio on the possession of so honest and so fair-minded a constituent. Although this man himself is a beneficiary, and a large one, as I have shown, of this very system, he has the honesty to repudiate it; and I wish there were more like him, not only among the magazine publishers, but among the daily and weekly publishers of this country.

Mr. POMERENE. Mr. President, I may say—perhaps I did say a moment ago—that he is a publisher of four or five trade journals.

Mr. HARDWICK. Four or five magazines of this character, I understood the Senator to say.

Mr. President, a moment ago the Senator from Colorado [Mr. SHAFROTH] propounded a question that I am coming to in detail next. He said the proposition is that we shall charge 1 cent a pound for the first 150 miles, and a cent and a half a pound for all limits longer than that for this class of mail. What does it cost us to give the service? Reading from page 60 of the hearings, the Post Office Department, speaking through Mr. Koons, gave the committee, and through it the Senate, this information. He was asked the same question by the Senator from Tennessee [Mr. MCKELLAR], and his reply was:

Now, for the first, second, and third zone rates the average cost would be 5.44 cents a pound. That includes transportation, handling, and overhead charges. That is the first 300 miles. For the fourth zone, which is from 300 to 600 miles, 6.35 cents; in the fifth zone, which is from 600 to 1,000 miles, 7.76 cents; in the sixth zone, 1,000 to 1,400 miles, 9.18 cents; in the seventh zone, from 1,400 miles to 1,800 miles, 11 cents; and in the eighth zone, 1,800 miles and over, 12.62 cents.

Averaging for the country as a whole, and following the conclusions reached by the Hughes commission, which some years ago gave this very matter an exhaustive and careful investigation, the cost was stated to be for the country as a whole, 8⅞ cents a pound.

The contention was made before the committee that a great part of this deficit came from magazines and trade journals of the character I have exhibited to the committee. The department, replying to that question through Mr. Koons, said this:

The estimated total expense for the daily and weekly papers was 53 per cent of the entire expense * * * for handling all second-class matter.

So that no Senator need delude himself with the idea that the loss comes principally from such publications as this, because 53 per cent of all—$53 out of every $100—comes from the newspapers themselves, which any man who reads them knows contain a large and an increasingly larger percentage of advertising matter in their columns, dailies and weeklies alike. The other 47 per cent of second-class matter, Mr. Koons said, was composed of magazines. The weight of the dailies and weeklies, based on an estimate made in 1912, was 400,000,000 pounds, and the total weight of all second-class mail matter was 704,000,000 pounds; so you see that his 53 per cent estimate is not excessive.

The contention was made by the publishers of certain small dailies, as I will term them for comparative purposes, published in cities the size of Nashville and Memphis and Atlanta and Savannah and cities of that type throughout the country, that they caused very little of this deficit; and a very distinguished and able gentleman, who was the owner and publisher of one of these papers at Nashville, undertook to make an elaborate argument before the committee to sustain that contention, on which contention, let me say, the McKellar proposition rests solely and exclusively. Mr. Koons's reply to him was to show the difference that that same gentleman made to his own subscribers when his paper, the Nashville Banner, was delivered by carrier in the one instance or by mail in the other; and he put in evidence before the committee the subscription rates charged on his paper under the two systems.

Now, here are the subscription rates for the daily and Sunday Banner by carrier in Nashville and the surrounding towns and by mail outside of Tennessee and Alabama and southern Kentucky:

By carrier, first, for one month they charge 65 cents. If delivered by mail, 45 cents for one month.

Three months, $1.95 if by carrier; $1.35 if by mail.

Six months, $3.75 by carrier and $2.00 by mail.

One year, $7.50 if delivered by carrier and $5 if delivered by mail.

So you can see how much this privilege is worth to daily newspapers of that kind and character.

Mr. KELLOGG. Mr. President——

Mr. HARDWICK. I yield to the Senator.

Mr. KELLOGG. Were those subscription rates under the law of 1917?

Mr. HARDWICK. No; this was the difference under the old law, before the law of 1917 came into effect. It must be remembered that the law of 1917 did not go into effect until July 1 of the present year.

Mr. HITCHCOCK. Mr. President, the Senator is aware that in delivering to a subscriber by mail in almost all cases the delivery is not made to his house, but is made to the post office in the town in bulk, whereas the newspaper in delivering to the subscriber by carrier delivers it by special messenger, practically, to his house; so that the cost of delivery in delivering by carrier is very much larger than it is in delivering at the post office in bulk, where the subscriber comes and gets his paper.

Mr. HARDWICK. Exactly; or where it is sent to him by the Government servants, either by the rural carrier or by the city carrier.

Mr. HITCHCOCK. In the case of rural delivery, it is delivered along the route; but most of the subscribers to daily papers are residents of towns, and the papers are delivered in mail bags to the post office, and the subscriber comes to the post office and gets his paper.

Mr. HARDWICK. No; very rarely.

Mr. HITCHCOCK. I am calling the attention of the Senator to the fact that the cost of delivery in one case is not comparable with the cost of delivery in the other.

Mr. HARDWICK. And I am replying by calling the Senator's attention to the fact that this privilege is worth a good deal to the publisher of that class of paper. That is right. They are sent to the post office. The Government then, at its own expense—and that is why this charge is all proper against the papers—sends them out, either by rural carrier or by city carrier, in most cases, to the residence. The papers in cities like Atlanta and Savannah are always delivered through the mail by letter carrier.

Mr. HITCHCOCK. Mr. President, the answer to that is this: If you take the town of Atlanta, Atlanta has its own daily papers.

Mr. HARDWICK. Yes.

Mr. HITCHCOCK. And people in Atlanta do not subscribe to a paper published in another city; but, on the other hand, the people living in a small town of, say, 500 or a thousand population, which has no delivery from the post office, are the ones who subscribe to daily papers; and if you take a town of, say, a couple of thousand population in Georgia, distant perhaps 100 miles from Atlanta, the people in that town taking a daily paper from Atlanta will go to the post office themselves and get it.

Mr. HARDWICK. They prefer that. They do not mind that. They like to go to the post office to see their neighbors and gossip about local affairs.

Mr. HITCHCOCK. I am impressing upon the Senator that his comparison of the daily rates when the paper is delivered to the individual home and the rates by mail when the subscriber goes to the post office and gets the paper is not a fair one.

Mr. HARDWICK. Well, I do not agree with the Senator; that is all. The Senator is not impressing it on me very much. He is not impressing me. I do not think so. Of course, the Senator is entitled to his opinion, but that is not mine.

Mr. Koons continues:

It will be observed that where delivery is made by the publisher, he charges $2.50 more per annum than where it is made by mail. This additional charge of $2.50, of course, covers the delivery cost only to the publisher. Based on the weight of the publication, this would be an average cost of approximately 3 cents a pound for delivery service only, which the publisher charges the subscriber. These subscription rates also demonstrate that it is possible to charge two rates for subscriptions, or, in other words, to zone the rates as it will be observed that within a certain zone the subscription price is $5 per annum, and in a more distinct zone it is $7.50 per annum.

I next invite the attention of the Senate to the statement furnished it by the Post Office Department concerning the average haul, taking the country as a whole, of these various classes of publications that avail themselves of the second-class mailing privilege:

Average haul of different classes of publications, as shown by the department's testimony before the Hughes Commission.

	Average haul, miles.
Daily newspapers:	
Subscribers' copies	255.41
Sample copies	315.25
Subscribers' copies and sample copies combined	255.75
Weekly and other than daily newspapers:	
Subscribers' copies	489.80
Sample copies	495.99
Subscribers' copies and sample copies combined	490.13
Scientific periodicals:	
Subscribers' copies	793.82
Sample copies	780.21
Subscribers' copies and sample copies combined	793.62
Educational periodicals:	
Subscribers' copies	641.91
Sample copies	706.29
Subscribers' copies and sample copies combined	644.27
Religious periodicals:	
Subscribers' copies	598.38
Sample copies	666.47
Subscribers' copies and sample copies combined	599.27
Trade journal periodicals:	
Subscribers' copies	704.86
Sample copies	736.02
Subscribers' copies and sample copies combined	707.11
Agricultural periodicals:	
Subscribers' copies	520.83
Sample copies	576.51
Subscribers' copies and sample copies combined	525.49
Magazines:	
Subscribers' copies	905.64
Sample copies	1,027.02
Subscribers' copies and sample copies combined	920.79

That is 920 miles for the magazine as against about 255 miles for the daily newspaper, and about 490 for the weekly newspaper; but it must be remembered that both the daily and the weekly newspaper have a greater volume of business and a larger number of copies to handle than the magazines, and that fact has to be taken under consideration.

I next invite the attention of the Senate to the loss involved—the loss to the Government, to the Public Treasury, and to the people of the United States—by this transaction.

Mr. KELLOGG. Mr. President——

Mr. HARDWICK. I yield to the Senator.

Mr. KELLOGG. Does the Senator mean the loss between the bill of 1917 and the proposed committee bill?

Mr. HARDWICK. I am going to take up, first, if the Senator pleases—the Senator's question is very pertinent, because I have not yet made it exactly plain—first, what the loss is under the old act, the act of 1885; second, how much of that loss we would have recouped under the existing law, the zone system included in the war-revenue bill of 1917; and, third, how much of that loss we would recoup if we substituted the McKellar proposition for the existing law or for the committee amendment.

Mr. KELLOGG. As I understand, the law of 1917 provided that the zone system should go into effect July 1, 1918.

Mr. HARDWICK. Yes.

Mr. KELLOGG. And the Senator will give us an estimate of the difference in revenue between that law, if it is allowed to remain as it is, and the proposed changes in second-class mail rates?

Mr. HARDWICK. Yes, sir; between that bill and the rates that the committee proposes, and the rates that the Senator from Tennessee [Mr. MCKELLAR] proposes. I am going to do it in all three instances.

Mr. KELLOGG. And the present amendment of the committee does reduce the charges for second-class mail, as I understand.

Mr. HARDWICK. It reduces the loss from it, the Senator means?

Mr. KELLOGG. Yes.

Mr. HARDWICK. Yes; $4,000,000, and I will tell you frankly——

Mr. KELLOGG. The committee amendment is a reduction over the one of last year?

Mr. HARDWICK. Oh, yes; it is a reduction to the publishers.

Mr. KELLOGG. Yes; that is what I mean.

Mr. HARDWICK. It leaves the Treasury about where it was before. The $4,000,000 is not worth the expense and trouble of collecting it, and the change is not worth making, because then we will be met with the claim that we have already started a reform in this matter, and reduced it, and the subject ought not to be reopened again.

Mr. KELLOGG. The reason why I ask the Senator is this: I am not on the Finance Committee, but I have been told by some members of the Finance Committee that the committee amendment would increase the revenues of the Government, and increase the charges to the newspapers over the existing law of last year.

Mr. HARDWICK. Let me read it again, because the Senator evidently did not hear what the Post Office Department said about it.

Mr. KELLOGG. I heard what the Senator read.

Mr. HARDWICK (reading)—

This would possibly increase over the old rate—

That is, the law of 1885—

approximately $4,000,000 annually.

The Senator has that figure fixed in his mind. He says:

It was estimated that the zone rates now in effect would ultimately have increased the revenue on second-class mail matter about $18,000,000 to $20,000,000.

In other words, the Post Office Department makes a statement that under the law contained now in the revenue act of 1917, which only took effect July 1, after the three-year period of increase is through and a maximum has been reached, an increase in the revenue from second-class matter of from $18,000,000 to $20,000,000 would result.

Mr. SMOOT. At the end of three years.

Mr. HARDWICK. Of course, the proposition would be a small increase—five or six million dollars the first year, ten or twelve million dollars the second year, eighteen or twenty million dollars the third year.

Mr. KELLOGG. Then, as I understand the Senator, it is claimed that in three years the increase of the revenue of the Government would be about eighteen or twenty million dollars.

Mr. HARDWICK. Yes, sir.

Mr. KELLOGG. But under the committee amendment only $4,000,000.

Mr. HARDWICK. Only $4,000,000. That is the fact. The department estimates that if the amendment proposed in the revenue bill now before the Senate becomes a law, second-class publications will be continued to be handled at an annual loss of approximately $68,000,000. The department contends also—it has estimated and does estimate—that the zone rates now in effect—that is, the existing law enacted in the revenue bill—would have ultimately raised the revenues by a sum of from eighteen to twenty million dollars; that is, when we arrive at the end of the three-year-period increases and reach the climax of increases, it was the figure that was to be annually raised thereafter.

Mr. President, it is utterly impossible to defend or justify the policy that this Government has maintained since these publications have been so largely commercialized. Just as this honest publisher out in Ohio said, it is a graft that no man who understands the truth can justify. I can not believe that the Senators of the United States for any motive, political or otherwise, with the truth staring them in the face and the facts known to them and their own Government appealing to them in the interest of the taxpayers and the Public Treasury, will continue to perpetuate this thing.

The truth is, Mr. President, that the increase carried in the revenue act of 1917 is from $18,000,000 to $20,000,000, but the period of gradual increase through a three-year period, in order to give these men time to adjust their business to it, is the most reasonable, and extraordinarily reasonable, increase in a matter of this kind that I ever heard suggested. We did not get near out of them what we ought to have gotten in the way of an increase. If the Government is losing $70,000,000, in round numbers, in this matter to carry publications, magazines, newspapers, and what not throughout this country that are one-half commercial and one-half advertising matter, instead of educational matter, it ought to recoup itself to the extent of $35,000,000 a year at least, instead of $18,000,000 or $20,000,000. Yet if we follow the recommendations of the Senate committee, instead of reducing the deficit from $70,000,000 to, say, $50,000,000 or fifty-odd million dollars, by taking back $18,000,000 or $20,000,000 of losses, as we have done in the existing law, we will only add a measly, trifling $4,000,000 to the revenues of the Government. If we were to adopt the proposition proposed by the Senator from Tennessee [Mr. MCKELLAR], the effect would be simply this, that we would reduce the losses from the old standard by about $8,000,000 or, it may be, $10,000,000, at the outside, and practically exempt from con-

tributing their share to it all papers in towns of the size of Nashville, Macon, Atlanta, and Savannah. That is the real meaning of his proposition. I do not say he so intended it, but it is the effect of it. It is a middle ground. In other words, by the existing law we cut down the $70,000,000 deficit about $20,000,000—$18,000,000 at least—and under the proposal of the Senate committee suggested by the Senator from Utah we would reduce it $4,000,000 only. Under the proposition of the Senator from Tennessee [Mr. McKELLAR] we would reduce it $10,000,000 at the outside.

It is very difficult, Mr. President, to make an argument of this sort to a Senate as busy as this one. I do not propose—because I am not trying to make any speech—to waste any further effort on it. I feel that I have discharged my duty by the Senate and by the Post Office Department and by the Government when I have done what I have in reference to the matter. I think Senators either know or can know the truth about this thing, and I am sure if they take the trouble to know they will not come in here and blindly vote for the committee amendment.

Mr. THOMAS. Mr. President, I am very glad the Senator from Georgia [Mr. HARDWICK] has given the Senate the benefit of his information upon this very important subject. That it is one of far-reaching importance has always been recognized, and particularly by the members of the Finance Committee, before which it has been very thoroughly discussed on at least one side of it on two occasions, one being during the pendency of the act of 1907 before the committee, and the other during the past summer and fall when the committee was considering the pending bill.

Mr. President, I have not the slightest desire to inflict any injustice or be the cause of any injury to the newspapers and periodicals of the country. If I thought that the present law in any wise unnecessarily placed a burden upon the shoulders of the publishers of the various magazines, newspapers, and journals, I should be among the last to insist upon its retention on the statute book.

I have not given this subject the same consideration that it has received at the hands of the Post Office Committee, where it properly belongs, but I have had occasion to look into it to some extent, and I have come to the conclusion, rightly or wrongly, that the old second-class postal rate has built up a system of periodicals and has operated to I will not say prohibit but very largely interfere with the circulation of local periodicals in the country to a degree which perhaps is not generally understood.

In correspondence with one of the representatives of the press during the past two or three months, my statement that the Government under the old system, as under the present system, was carrying and distributing second-class matter at a loss was challenged. It was very spiritedly challenged, with the result that I wrote a letter to the Post Office authorities and received from the Attorney General a statement the effect of which was substantially that to which the Senator from Georgia has already called attention.

I am, therefore, Mr. President, forced to the conclusion that we are giving the mail facilities of the Government of the United States to a certain class of its citizens at an enormous annual loss, while, on the other hand, we are unduly burdening other classes of mail matter from which a revenue and a large revenue has for many years been derived.

One of the most significant facts regarding the manner in which this evil has been taken advantage of is disclosed by the growth of the volume of second-class mail, which in 1880 was only 60,000,000 pounds, but which in 1907 was 1,202,000,000 pounds, an increase which is so enormous as to be almost incredible, but which is sustained by the statistics and records of the Post Office Department. Of course, it may be said that the growth of the country is commensurate with the growth of periodicals, and that in some degree is true, but the growth of the country, while very large, has certainly not kept pace with the growth of second-class mail matter.

In the very nature of things, Mr. President, it does but stand to reason that a system of postal rates which virtually carries one pound 2,000 miles at the same rate, or substantially so, at which it carries a half ounce is a losing proposition, or one which imposes an undue burden upon the lighter class of matter, and that is only saying that there would be a similar imposition in the other direction. The need for such a regulation if it existed, whatever the cost to the Government, could be justified by its existence; but the need, if there ever was a need, has in my judgment long ago disappeared.

Nowadays, Mr. President, the purpose of the average daily, weekly, and monthly periodicals is advertisements. Formerly these periodicals were circulated for educational purposes, for the dissemination of information, and for the amusement as well as the edification of the general public. We know that the press has been commercialized, however, along with practically everything else in this country, until the time has come when newspapers and periodicals are not so much distinguished for the substance of the reading matter which they carry as for the great bulk of advertising matter which through circulation they are able to command.

Mr. President, I am credibly informed, and I think there is no doubt about the fact, that under the old second-class postal system a great many periodicals were organized and instituted, and then proceeded to build up circulation by virtually giving it as a gratuity, sometimes for a comparatively small amount, frequently, through combinations of different periodicals for practically nothing, the object being to establish a large circulation list, which, of course, is the best of all assets for advertising purposes.

Mr. JOHNSON of South Dakota. Mr. President——

Mr. THOMAS. I yield to the Senator.

Mr. JOHNSON of South Dakota. I wish to ask the Senator if he means by the old system the system which was in operation before the law of 1917 went into effect?

Mr. THOMAS. That is exactly what I mean; and I believe that practice is equally feasible now because of the very slight increase. My attention has been called to a number of trade journals which have gone out into the highways and byways of the country and have offered irresistible inducements for subscriptions at prices far below the actual cost of the publication—sometimes below the cost of the paper used in the publication—and, of course, for the obvious purpose of approaching advertisers with a very large subscription list, which is not only valuable in securing advertisements but also in fixing the rate for which the advertisement shall be carried. That has resulted in an undue multiplication of trade journals. We have a number of technical journals on agriculture, mechanics, coal, mining of all kinds, ostensibly devoted to these lines of industry, but really prompted to come into being and inspired by the tremendous profits that can be realized from advertisements, and that is the reason for such a multiplication. I do not think that is good for the various pursuits which are particularly represented by these journals. I think half a dozen, or, if you please, one in every large community and State, ably managed and capably run, filled with information of a valuable and educational character, making the matter of advertisement entirely secondary to its value as an educational institution, is worth to the country and to the community a half dozen journals of similar character in the same community bent upon the obtaining of advertisements.

The daily and weekly newspapers have, I will not say, followed suit. They may, perhaps, have set the example. Take any of the great papers of the country and compare them with what they were 30, 35, or 40 years ago. In those days the managing editors of the great metropolitan papers of the country—New York, Chicago, Philadelphia, St. Louis, San Francisco—were leaders and directors of public thought and opinion. Who can name to-day, outside of the press gallery, of course, the managing editor of a single New York paper? Who knows who is the managing editor of a San Francisco paper, a Chicago or St. Louis paper, a Philadelphia paper; aye, the papers in Washington here? The reason is not far to seek. Journalism has become a specialized and commercialized industry and depends not upon its readers except in so far as the readers can be made available for advertising purposes.

Take the magazines. I have heard a good deal about the educational work which the magazines of the country must perform and which they can not perform if they are compelled to pay decent rates of postage. There was a time when most of the magazine literature of the country was educational in a high degree. I can recall a few years ago when it was the only medium of genuine public instruction, when it was really independent, and when it sought not so much to secure advertisements as to convey to people an actual knowledge of existing conditions, whether for good or for evil. They, too, yielded to the general impulse and fell into the general current, so that they were known more by the extent of their advertisements than by the reading matter which they contained, and to-day I do not know of a single magazine of the new birth, if I may coin the expression, by which I mean magazines other than the Century, Scribner's, the Atlantic, and Harper's Monthly, in which you can find anything whatever that is worth reading.

Then think of the crops, Mr. President, of cheap magazine literature containing stories, some interesting, some questionable, some decidedly off color, but accompanied always in the beginning and in the end of the books with vast quantities of

advertising matter, carried to the minds of those who are fond of that kind of so-called literature. They are the things which the advertiser wants to call to their attention for the purpose of increasing business.

Mr. JOHNSON of South Dakota. Mr. President——

Mr. THOMAS. I yield to the Senator from South Dakota.

Mr. JOHNSON of South Dakota. Mr. President, if the conclusions of the Senator from Colorado are correct—and I am inclined to think they are—this proposed amendment would affect every small weekly newspaper in the country and also every small daily.

Mr. THOMAS. I am coming to that, if the Senator from South Dakota will permit me.

Take the Sunday editions of the leading papers in every city having a daily newspaper in the United States, some of them having circulation all over the country. They generally consist of some 25, 75, and even 80 pages, including their comic supplement; and those comic supplements, Mr. President, are not only a disgrace to modern journalism, but they are a reflection upon the intelligence of the American public. Perhaps as high as 75 per cent of these papers contain advertising matter. Some of them contain some very interesting educational articles, but those could easily be condensed into a very small supplement. I am not complaining about the newspapers because, after all, in my judgment, the people get the class of newspapers they want and are willing to pay for, and the apology for the yellow newspaper is a yellow public in nine cases out of ten.

Mr. McKELLAR. Mr. President——

Mr. THOMAS. I yield to the Senator from Tennessee.

Mr. McKELLAR. Speaking of the educational advantage of magazines, I desire to ask when it is realized that we pay $70,000,000 per year bonus for those educational papers, would it not be better if the Government is going to do that, is going to afford that kind of education for the public, that the Government should publish its own educational magazines whereby the public could get something that would be really worth while?

Mr. THOMAS. The Senator's suggestion, Mr. President, is absolutely unanswerable. That is true, but I do not think the Government, if it desired to publish magazines, would publish such magazines, for example, as Adventure, the Black Cat, the Red Dog, and Stories of the Sea, and all that stuff and nonsense which to-day forms, I am sorry to say, a great, if not the greatest, element of reading matter of the public.

Some time ago, Mr. President, a gentleman whose little pamphlet on the subject I shall ask to have incorporated in the RECORD a little later, and who is the head of an association whose purpose is to secure, if possible, 1-cent first-class postage, called attention to the fact that the patronage of the public libraries was constantly decreasing with regard to books of real substantial educational value, while it was increasing very perceptibly as regards the trashy literature comprising what are called "the best sellers," and their imitations—and, of course, the imitations are very numerous—all of which has evidently as its origin the circulation of cheap, weedy literature, which no man who has anything to do at all would waste his time by devoting himself to.

Why is this so? Because these things can be scattered over the country at the public expense, and all subscription lists, once secured, become an asset for advertising. Fortunes of enormous amounts are made by a great many of these publishers, perhaps by the majority of them. I am not finding fault particularly with that, for it is merely a phase of human nature. If I were in the publishing business I should like nothing better than to start a magazine of some kind, and then go out and get as many subscriptions as possible all over the country and utilize them for the purpose of making money and for securing advertisements.

The Senator from South Dakota [Mr. JOHNSON] asked me a question with regard to the effect of these conditions upon the local periodicals and journals. When this subject was up last year the Senator from North Dakota [Mr. GRONNA] placed in the RECORD a letter which he had received from one of his constituents, the editor and proprietor of a newspaper at Devils Lake, I think, in his State. I hope that Senator will, before this subject is disposed of, again call attention to the substance of that communication, for it is the best thing upon the subject I have seen. This gentleman's name is Bloom; he used to live in my State, and I know him very well. His letter was a reply to an organization in the East committed to the repeal of the present law, and asking him to carry in his paper the literature of the organization in behalf of the repeal of the zone system. His answer was that he was in favor not only of the zone system but of an increase of rates, because, independently of the subject as considered from a national standpoint and from the standpoint of subsidy, of its effect upon local journalism. This gentleman, and others similarly situated, can not compete or if they do can only compete under adverse circumstances with Chicago papers enjoying the largess of the Government to such a degree as to enable them to lay down their issues every day at prices with which local competition is practically impossible.

Mr. President, if the so-called rural journalists of the country could only wake up to existing conditions, they would, in my judgment, be practically a unit in insisting upon the extension of these zone systems and the increase of the postage which the Government now exacts. There is a great loss at present, but this was the best that could be done under the circumstances, owing to the tremendous opposition of the beneficiaries of the system, and the average legislator, while he fears an organization or a union, is mortally afraid of a newspaper, because the newspaper has something to say pretty much every day, and to a gentleman of tender conscience and timid impulses such a thing, to use a common expression, is apt to get upon the nerves. It is because the daily press of the country and the periodical press of the country are the beneficiaries of this system that it is impossible to do away with the abuse and impossible to offer much remedy for it, and I think impossible to go any further than the present bill proposes.

One of the gentlemen who appeared before our committee sought to illustrate the injury of the present system upon periodicals by citing the case of the Sunset Magazine, which is printed at San Francisco, Cal. His wail was that, owing to the zone system, the Sunset Magazine had been able very largely to build up and increase its circulation by offering special inducements within the zones contained in the place of publication and those immediately adjoining. Mr. President, to my mind that was the strongest, or at least one of the strongest, possible argument in favor of its continuation, for it indicates that without it the publication in San Francisco, the publication in Denver, the publication in South Dakota, the publication in Kansas City, or in Texas, because of the partnership of the Government with the huge publications of the eastern houses, find their limitations prescribed for them, and, apart from the immediate wants of the particular locality, they are unable to spread the benefits of their particular publication, however desirable it might be to do so.

Mr. President, I refer now to another consideration. I called the attention of the Senator from Georgia [Mr. HARDWICK] to the fact that, so far as the short haul is concerned, the only haul upon which the Government can make any money at all on second-class matter, these periodicals use the express companies because they can get cheaper rates, with the result that the Government loses the profit which it might derive from the short haul and at the same time loses the difference between the cost and its charges upon the long haul. It gets left in both directions. I am not complaining about this, because any publisher, following the dictates of common business horse sense, will of course use the cheaper method of transportation wherever it is possible; but certainly, Mr. President, it is inconsistent for these people to come before the Congress of the United States and ask for the perpetuation of this subsidy when admittedly they only use it when it redounds to their financial benefit.

Mr. McKELLAR. Mr. President——

Mr. THOMAS. I yield to the Senator.

Mr. McKELLAR. In other words, when the transportation rate is less than 1 cent, or when the periodical is transported such a short distance that the rate is less than 1 cent, the publisher uses the freight rate.

Mr. THOMAS. Yes.

Mr. McKELLAR. And the Government gets no advantage of the short haul.

Mr. THOMAS. None whatever; it is obsolete for all practical purposes.

Mr. McKELLAR. It is absolutely obsolete within a certain zone of the home office of a newspaper publication, but when it goes beyond the 1-cent rate they use the Government facilities and get the advantage.

Mr. THOMAS. Precisely; and that is good business. The newspapers must not be blamed for that; it is the conditions which cause it, Mr. President; and so long as they exist so long will they be availed of.

We have added four or five million dollars, I think—and four or five million dollars only—to the burden to those who patronize the second-class mail facilities of the Government, but for the purpose of raising revenue to meet war expenditures we increased the postage on first-class mail matter for long distances by 50 per cent, and we increased the postage rate on first-class mail matter for short distances, such as postal cards, 100 per cent, although for some time prior to the commencement of the war first-class postage was paying the Government a profit

of from seventy-five to eighty million dollars. By a stroke of the pen, Mr. President, we inflicted upon the people of the United States who patronize the mails by the use of first-class matter an additional burden of from sixty-five to seventy million dollars. If we are going to show favors, if we are going to extend privileges through the operation of governmental machinery, why should we not extend it to those who are already paying too much instead of increasing their burdens and barely touching the others?

Mr. President, if this subject could be stripped of its political aspects, I do not believe that the cent-a-pound proposal would get half a dozen votes in this body. If the matter could be regarded from the standpoint of what is fair and just and right to the taxpaying public of the United States, I do not think that any publishing organization would have the audacity to come here and insist upon the perpetuation of a system which subsidizes a class by imposing an added burden of millions upon the taxpayers of the United States.

Mr. President, I shall conclude by asking that there be inserted at the end of my remarks the little pamphlet which I hold in my hand, entitled "Justification of Zone-System Advances," by Mr. Charles William Burrows, of Cleveland, Ohio.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

JUSTIFICATION OF ZONE-SYSTEM ADVANCES IN POSTAGE RATES OF ADVERTISING MATTER IN PERIODICALS ENACTED IN FIRST SESSION OF SIXTY-FIFTH CONGRESS.

[A precis specially prepared for Members of Congress by Mr. Charles William Burrows, president National One Cent Letter Postage Association, 1219-20 Guardian Building, Cleveland, Ohio, January, 1918.]

INTRODUCTION.

Many articles have appeared recently denouncing zone advances in mail rates on the advertising pages only of periodicals.

Most are clearly misleading as to what has been done, while insistently missing its meaning. An understanding, therefore, of what advances have been made and why is highly desirable.

Congress will scarcely undo the sole piece of constructive postal legislation looking toward right enacted in a generation. Magazines should not dare to ask that their "special privilege," a fraction only of which has been cut off, should be restored, while "everybody" else loyally contents to be "taxed till it hurts."

Most such articles deplore "a fine on reading"; are piteous about "sectionalism," prate about "perfidy," and misrepresent generally until they forcibly remind us of Macaulay's cogent statement that "the discovery of universal gravitation would still be disputed if a financial interest were arrayed against it."

Every contention may be convincingly answered. Those mammoth issues which harp so mobly upon "special privilege" never turn the light inward.

Let us hope that publishers may in time see a light in connection with their industry, which, conducted like all others for profit, is the only one by law freed from paying cost of distribution of those advertising pages which are its mainspring. These latter, too, are simply circulars stitched together, and should pay third-class rates, or 8 cents a pound instead of 1.

IMPERATIVE NECESSITY FOR BENT ADVANCES IN SECOND-CLASS MAIL RATES.

Many emphatic arguments exist for advances in the almost free second-class rates, but one of the strongest is that higher rates will diminish the ever increasing loss in revenues.

The volume of second-class mail—

In 1880 was only 60,000,000 pounds; loss about $4,000,000.
In 1890 was 204,000,000 pounds; loss about $12,000,000.
In 1900 was 1[illegible],000,000 pounds; loss about $27,000,000.
In 1910 was 5[illegible] pounds; loss about $5[illegible],000,000.
In 1917 was 1[illegible],000,000 pounds; loss over $70,000,000.

And 2,000,000,000 pounds, with accompanying loss of $125,000,000, was in sight within 10 years had advances not been made. This loss, which is due to the utterly insufficient rate periodicals pay, is a serious menace to the government's finances.

Second class practically doubles in volume each decade and consequent loss increases as rapidly.

Even though a surplus exists for the past year, the deficit created by second class is no less enormous, simply large profits upon letter mail permit the showing. Had each class paid its way the entire profit created by first class would have been revealed as surplus instead of a commonly very meager sum. It would have been $190,000,000 instead of only $5,000,000.

Giving service to second class, which disregarding parcel post is about two-thirds of the mail for less than $11,500,000, while total expense runs $300,000,000, and requiring free space in vehicles one-fifth as much and costing less, to pay $190,000,000 income (at pre-war rates) for service costing half that is an evident grave injustice.

Letter mail has produced $1,700,000,000 revenue in late years, while costing less than $700,000,000. On the contrary, periodicals at the almost free rate of 1 cent a pound (second-class mail) have yet in the same 10 years produced only $85,000,000 revenue, though costing about $800,000,000.

Moreover, this utterly inadequate revenue from over a billion pounds a year of periodical mail has resulted in cumbersome service everywhere, and here is found the main source of complaint about poor work.

In these days of war conservation in all ways Congress absolutely can not sit quietly by and see 1,000,000,000 pounds of periodical mail grow to 2,000,000,000 within very few years. Publishers must begin to stand, not all, but a fairer part of cost of distributing their merchandise.

Fair play by all means, but no more $70,000,000 subsidy. No mischief; no check to healthy growth; tenderness even in lopping off part of the subsidy. With this in mind, Congress did not make the law operative until July, 1918, and then the first advance is small, while all will not be effective until 1921. "Reading" matter, memoirs, is exempted from some advances, which apply solely to advertising and then only if in excess of 5 per cent.

IS A ZONE SYSTEM OF ADVANCES "UNFAIR"?

Publishers often assert that postage rates for periodicals based on a zone system are "unfair." It will be seen by a little thought, however, that a step toward rather than away from "fairness" has been made.

Remember that the zone system applies solely upon high-priced advertising pages, simply circulars stitched together, which should go at third-class rate of 8 cents a pound instead of 1.

Also any reasoning about a "flat" rate based upon its being accorded to letter mail is fallacious. Handling of letters is a monopoly. You are not at liberty to send them in any way other than through the post office. Also as the rate is high, Government gets mostly profitable haul. The revenue from billions of such letters not only takes care of loss incurred in handling the comparatively few which get long haul and delivery in sparsely settled regions, but also provides large net profit.

With second class this is all different. The pound rate it pays, only 1 cent, is a mere fraction of cost, and its carriage neither is a monopoly nor can well be made one, so publishers give long runs and single-copy deliveries to Government and short runs and bulk lots, on which the department might make a profit, to express companies. So Government gets all losing and no profitable business. Any "flat" rate on second-class mail will be "unfair" to the department, which will get little revenue from hundreds of millions of pounds of such mail. To users of letter mail, whose excessive rate produces revenue to care for loss occasioned by inadequate charge on second class, it is also "unfair."

There are, however, several kinds of second-class mail—

That which is hauled 2,000 miles and given copy distribution may easily cost 50 or more cents a pound, though paying but 1. Packages of daily papers, however, sent in bulk to near-by newsdealers may cost little more than they pay.

Can anyone think it "fair" to make the rate for these two kinds of service the same?

Moreover, lack of candor on the publishers' part is evident when we find them characterizing as "unfair" a zone basis for handling hundreds of millions of pounds of printed advertising, their merchandise, and yet remember that a few years ago they, one and all, clamored for a zone system for parcels of other merchandise.

From the service efficiency standpoint there is also to be found a strong argument against a "flat" rate for second class.

Of first class there are over 45 pieces in an average pound; of second class under 5 (4.72). Due to greater uniformity in size and lighter piece weight, a "sorter" can "throw" a tray of several thousand letters in "takes" of 20 quicker than he can "plant" one-tenth as many pieces of second class, many of which are of such awkward shape that they can not be "thrown" at all. Others are so heavy that it would damage other mail and equipment to "throw" them. They must be "placed" in bag or pigeonhole.

The above is another reason why a "flat" rate is economical for letters but not for second-class mail.

WHY A POUND-RATE LAW WAS ENACTED AND SOME OF ITS EFFECTS.

One publisher contends (Leslie's, Nov. 24, 1917, p. 574) that enactment of a pound rate law was "voluntary," and that change was made, not for the benefit of publishers but of subscribers.

Passing a pound-rate law was forced by necessity. Postage on periodicals had been paid quarterly in advance by subscriber in dribbet sums, running 7, 11, etc., cents. No track could be kept of these thousands of trivial amounts without prohibitive expense. It was difficult to keep accounts correct, and some made little effort to do so. Investigation became necessary and showed that of every 100 errors perhaps 90 were in our Government.

So passage of a law enacting postage "at source" was enacted. Publishers opposed against the high enough to cover cost. The founder of one great magazine worked strenuously for low rates; and as the amount involved was small, they were granted.

To sum up, contrary to Leslie's statement, the law was distinctly passed not to benefit either subscriber or publisher, but to diminish opportunity for fraud, and evidence exists that publishers had much to do with making the rate low when on June 23, 1874, the law was enacted. Rates were then, however, higher than now, being 3 cents a pound for magazine and 2 for newspapers.

The operation of this law entirely changed our periodical literature. The old literary magazines like Atlantic, North American Review, Century, Harper's, etc., had paid expenses, both of production and distribution, as does the book, through price charged. They remained a luxury product of high class. They made for plain living and deep thinking.

The fruit of this enactment was a "subsidized" periodical getting distribution at practically a nominal rate. Then was born a new kind of magazine edited from the business office to carry advertising, only circulars stitched together, or third-class matter, which should pay 8 cents instead of 1.

Tempted by this nearly free distribution, an average of more than 10 new periodicals a day have secured second-class privileges for every day (Sundays and holidays included) in the past 15 years.

Of the product thus evolved, the opinion held by one editor is shown in quotation from Howe's Monthly, Atchison, Kans., here presented:

"Best sellers in magazines vie with each other in vulgarity. They outrival each other as to which can be boldest without being barred from the mail. Stories dealing with sex problems, having unmarried mothers and women of the demimonde as heroines fill them. The country is overrun with publications issued to secure advertising under the benign protection of the second-class rate."

Without altogether agreeing with the editor, nevertheless the "weedy" literary matter of some, combined with the high-priced advertising that constitutes these book, must it evident that Government has distributed this kind of honey long enough. It is time to call a halt.

At this time, when Government seeks to check all added periodical publishing, organized for profit, as are other industries, should be abundantly satisfied to be advanced from one-sixth to one-third cost only instead of having to pay full costs of distribution. They should be grateful that a $70,000,000 subsidy is reduced one-third instead of abolished entirely.

As publishers deliberately close their pages to articles opposing the second-class privilege, and as they not just now are secured across but also constitute virtually the sole publicity machinery of the land, it is easily seen why this inquiry has persisted.

SECTIONALISM.

A recent article in Saturday Evening Post stated that zone advances for second class mail would "denationalize" the press and introduce "sectionalism."

It further stated that we would not permit seaboard States to levy duties on trans-Mississippi wheat or bacon nor tolerate any sectional tariff.

To answer their contention, it is obvious that when merchandise is sent to different parts of the country and goes "prepaid," whether it be bacon, boots, books, or wheat, the freight will vary with distance and total cost will, therefore, vary, which variation, through price being figured on article delivered, sometimes shows indirectly.

It has never been argued, however, that for a packer to charge more for sending bacon 1,000 miles than 100 would "sectionalize" the United States. No more will slight differences in postage "denationalize" the country just because the merchandise, instead of being bacon, happens to be paper in shape of circulars stitched together, the advertising pages of periodicals.

As well might we attempt distribution of the fruits of the earth, the products of the manufacturer, the wares of the merchant at a "flat" rate as to extend this favor to over 1,000,000,000 pounds of periodicals, the merchandise of fewer than 30,000 publishers, whose output moreover is susceptible of such excessively rapid increase in volume.

When we reflect that this particular issue of the Post contained over 50 pages of advertising, costing $5,000 a page and upward, and that it carried, therefore, more than $250,000 of advertising, yet paid for its postage only about $15,000 for service that cost over $80,000 for the portion mailed, and that this is repeated weekly, we well understand why the Post opposes any advance, even though to but one-third cost and on the advertising only.

That the Post, which, it is reported, carried last year more than $20,000,000 of advertising, can not take care of added expense of this sort, is not believable. Doubtless in preparation for just this situation it has by increasing proportion of advertising and in other ways apparently increased its advertising receipts heavily since war began.

HIGH-PRICED PAPER ADVANCES.

Publishers contend that there have been such advances in price of paper that the present is an inauspicious time for postage increase.

To give this contention weight, specific assertion is made that for a series of 86 journals, whose combined profits amounted to but $1,197,000, extra cost of paper for one year will amount to $3,034,000.

Answer to this is simple. These publishers protest too much. If all these increases are more than publishers can stand, they will be driven out of business anyway, and postal advances will matter little. If, however, by drastic readjustment they can meet conditions, then it will be comparatively easy to absorb the postal expense.

The advances in paper are real, but let us remember that in 1911 and in 1914 many publishers, at a time when print paper was about the lowest known, bitterly opposed advances, that in 1914 being a "flat" one of only 1 cent a pound.

Furthermore, since enactment of postal advance in October, 1917, magazine publishers are quite generally making lower subscription rates, which all shows that enlarged circulations with consequent higher advertising rates are what they want. They would give away "circulation" if Government permitted. This is indicated by a report that one prominent magazine recently sold to an agency 200,000 "circulation" at 27 cents per subscription. Its nominal yearly rate is $1.50. The object is, of course, apparent—to get the largest possible output.

Another instance: One E. T. Meredith, of Des Moines, Iowa, publisher of Successful Farming, while vigorously denouncing all advances in postage rates, "zone" or "flat," has, we are informed, offered seven years' subscription to his journal (a large affair with lots of advertising) for $1, a rate that probably does not pay half cost of paper.

These low prices for periodicals stimulate wasted consumption. The story goes that one man subscribed for three magazines with aggregate list prices of $3 because he could get them for $2. When they began to arrive, however, he found that the first was one he didn't want, the second his wife didn't want, the third neither wanted.

WILL ADVANCES KILL THE READING HABIT?

One contention of publishers is that our boys and girls will be shut out from forming the "reading habit" at time of life when most essential.

In writer's opinion, the contrary effect will result. Taking away from a school girl opportunity to eat half a pound of chocolates daily will probably turn here to nutritious bread, meat, and potatoes, which should mainly constitute her diet.

Similarly, feeding youthful imaginations with Magazine of Mystery, Stories of Adventure, Police Gazette, scores like them and hundreds of the "popular-but-weedy" variety tends, through oversupply of "literary sweetmeats," to destroy opportunity to benefit the mind by reading the best in essay, history, poetry, travel, and "belles-lettres" generally.

Due almost solely to its inadequate postal rate, second class, as shown previously, has increased from forty million pounds in 1875 to twelve hundred million pounds in 1917. This means that several billion more copies of popular magazines are issued than formerly, and each extra hundred million magazines crowds out ten million books.

The result is that while America publishes more periodicals than all nations of the globe united and half as many again, she has lost her position as a book producer save of "best sellers" in erotic fiction. Fast power presses that print periodicals have displaced for young and old the natural training that good books alone can give.

Our literary decadence has been deplored by many thinkers. While we formerly held high rank as publishing good books in all lines, to-day (under normal conditions) book publishing in Switzerland, the Scandinavian and Teutonic nations, France, and Great Britain runs from six to eight times as many per capita as with us. Japan publishes four times as many; Roumania, thrice; Russia, of whose population 79 per cent is an ignorant peasantry that can neither read nor write, publishes for the remainder many more books than we; while Spain issues as many books per capita as we.

The "weeds of literature" are that too many trashy periodicals are, have been too much for the book.

This lack of "cultural" value in the reading most available results in impoverished development of the young intellect.

Further detrimental influence is seen in an economic direction. In the farm-journal line, overproduction has been excessive, so much so that we are mailing over 600,000,000 farm journals per annum to our 6,000,000 farmers. Many of these are "islands" of reading surrounded by "oceans" of advertising, prepared often thoughtlessly, always hastily, so publication date may not be delayed.

Under the influence of such "reading," American farmers produce, working on soil of unsurpassed fertility, from one-quarter to one-half as much of a given crop per acre as their European brothers, who get carefully prepared manuals, not weak journals loaded with advertising.

One representative of a conservative old farm journal told the writer that he would gladly see competition diminished. He asserted that in the effort to get circulation, a journal with yearly subscription rate of $1 had to give 95 cents to the canvasser who secured the order. It was further necessary to give the farmer a premium represented as worth price of subscription, though it actually cost about 35 cents. This building circulation by premiums has caused wasteful overproduction in this field. The department, in fact, was finally obliged to investigate. The report of the Third Assistant Postmaster General (1911, p. 89) shows that one such agricultural publication with 143,000 circulation had 122,000 premium induced. Another, with circulation of 53,000 had 41,000 so secured. A third, with nearly 500,000 per issue, had only 60,000 subscriptions not obtained by means of this extraneous inducement.

Another illuminating fact as to this "special privilege" is seen in the financial field. Investigation shows that something like 86 banking periodicals are issued to supply a need which a prominent bank official stated would be better filled by 6. The extra ones were just "leg-pullers" for advertising.

And the situation in nearly all lines is similar.

MISCELLANEOUS POINTS.

Appointing commissions.

Many publishers contend that before advance in postage is made a congressional commission should sit, make scientific research, weighings, not for a month only, but for a year, and that the department should get down to "brass-tack" information and establish a bureau to examine the situation scientifically.

The answer to this is that six different commissions have investigated the question in the past 20 years at a direct expense of over $300,000 and an indirect one many times as large. The uniform decision of all is that the 1 cent a pound paid is a mere fraction of cost of service.

While there is some dispute as to exact cost, none exists as to the general conclusion. No person of sound mind, however, can require the "findings" of any commission to decide this question himself. With an expense account (parcel post disregarded) of $300,000,000 per annum, and two-thirds of the mail, second class, paying only $11,500,000 of revenue, one conclusion only is possible, namely, that it pays nowhere near enough. Of course, the deficit is cared for by requiring one-fifth as much first class to pay $190,000,000 revenue.

No acute perception is needed to see why another commission is desired. It would inject delay into the situation.

No commission need make microscopic measurement of a superdreadnaught to decide whether that mammoth construction can be installed in an apartment-house kitchenette. Some things are self-evident. This for one and the second-class mail situation for another.

How much does second-class mail feed first class?

Another plea of publishers is that second-class gives rise to much first-class mail, originated in responding to advertisements. Now, if second-class mail originates first class in large amount anywhere, it is upon rural routes. The city man who desires an advertised article goes to a shop for it. The country resident is the one who must write a letter ordering it.

In spite of some such mail this is not the case to a profitable extent, for only about $8,000,000 worth originated on all rural routes last year, while loss on second class was over $70,000,000. Credit answers to advertisements with half of this, and even give it credit for as much more from large cities, and the situation is little changed.

The gross exaggeration of this claim is further shown below. Recently an advertiser in a certain number of the Saturday Evening Post addressed a letter to all other advertisers in the same issue asking how many replies each had gotten. Responses showed about 20,000; figure all as letters at 2 cents each and a revenue of $400 from that source appears.

Of the 118 who advertised 83 replied and 35 did not, but allow that half only replied, instead of four-fifths, and that the other half would furnish another 20,000 replies, the profit would have been only $400. But loss on distribution of this issue was about $70,000.

WHAT POSTMASTER GENERAL ALBERT SIDNEY BURLESON SAYS ABOUT SECOND-CLASS MAIL RATES.

[From his report for fiscal year ending June 30, 1917, p. 60, F. F.]

Regarding advances in second-class mail rates enacted in the war-revenue act the report says in part:

Advanced rates on second class were to partly reimburse the department for enormous loss in handling this class.

Difference between revenue and admitted cost is so great that publishers could no longer expect to defer remedial legislation.

When it became apparent that some increase in rates must be enacted the Postmaster General conferred with many publishers, but at no time was he able to suggest a method acceptable to all.

Advertising, a new element, amounts to as much as 60, 70, or even 80 per cent of the issue. It is but just that this matter pay more.

The department was at all times scrupulously fair to publishers in presenting its statistics.

Realizing that they had adjusted business to the low rate, Congress showed greatest care in framing the law.

While the new rate on first-class mail went into operation within 30 days, the first slight advance in second-class rates will not be effective until July 1, 1918. Additional increases are distributed over a three-year period, giving ample time for readjustment.

Continuance of the low flat rate on reading is a complete answer to criticism that the zone system applied to advertising matter will build up sectionalism. No greater limitation than before was put on dissemination of information, but the law wisely made a distinction between reading and advertising.

Advertising matter is in all respects third-class matter, except in method of circulation, so a higher rate is rightly fixed upon it, this rate varying with cost, which varies with distance. It properly goes under a zone system, as do parcels.

Even on short hauls the exceedingly low "flat" rate is inadequate to pay the expense of handling and transportation.

If a publication contains less than 5 per cent of advertising it is exempt. The rates which apply to reading matter are lower than those that have been recommended by any investigation commission, and even the highest rate on advertising is lower than the same material would cost distributed as circulars—that is, as third-class mail—and also much less than cost of handling. The department will still incur heavy loss from second class.

Some publishers claim that they can not pay a higher rate of postage. That legitimate business can not readjust itself to normal costs is an argument without merit.

This is not believed true of any legitimate business, even publishing.

Mr. McKELLAR. Mr. President, just for a few moments I wish to restate some of the propositions which arise annually, and sometimes oftener, in regard to this question. Every year, and sometimes several times a year, the publishers come before Congress seeking to perpetuate this subsidy. The question is, Shall we change the plan that we adopted last year; and, if so, how shall it be changed?

Mr. President, I am unalterably in favor of a zone system for second-class mail matter. It is the only fair, just, and equitable method of handling it.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER (Mr. McLEAN in the chair). Does the Senator from Tennessee yield to the Senator from North Dakota?

Mr. McKELLAR. I yield to the Senator.

Mr. GRONNA. Mr. President, this is a very important matter, and I think we ought to have more Senators present. I therefore suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, S. Dak	Martin, Va.	Simmons
Beckham	Jones, N. Mex.	Moses	Smith, Ariz.
Borah	Jones, Wash.	Myers	Smith, S. C.
Curtis	Kellogg	New	Smoot
Dillingham	Kendrick	Nugent	Spencer
Fernald	Kenyon	Page	Sterling
France	King	Penrose	Sutherland
Gay	Knox	Polindexter	Thomas
Gerry	La Follette	Pollock	Townsend
Gronna	McCumber	Saulsbury	Trammell
Hale	McLean	Shafroth	Underwood
Henderson	McNary	Sheppard	Warren
Hitchcock	Martin, Ky.	Sherman	Wolcott

Mr. SHEPPARD. I wish to announce that the Senator from Arkansas [Mr. KIRBY], the Senator from Mississippi [Mr. VARDAMAN], and the Senator from Oregon [Mr. CHAMBERLAIN], are necessarily detained on important public business.

Mr. TOWNSEND. I desire to announce again the absence of my colleague, the senior Senator from Michigan [Mr. SMITH], on account of illness. This announcement may stand for the day.

Mr. McKELLAR. I desire to announce the absence of the senior Senator from Tennessee [Mr. SHIELDS] on account of illness.

Mr. SUTHERLAND. I announce the absence of my colleague [Mr. GOFF] on account of illness.

The PRESIDING OFFICER. Fifty-two Senators have answered to their names. A quorum is present.

Mr. McKELLAR. Mr. President, the old flat rate of 1 cent per pound on second-class mail matter prior to July 1, 1918, had been in force for nearly or about 30 years. During that time, of course, the amount of second-class postal matter going through the mails has increased in a very remarkable degree.

In 1880, about the time the flat rate was first established, there were only 60,000,000 pounds of second-class matter going through the mails, and the Government at that time lost only $4,000,000 a year in carrying it. In the year 1885 the amount had increased up to 204,000,000 pounds, and the loss of the Government was $12,000,000. In 1890 the amount had increased to 450,000,000 pounds, and the loss to the Government was $27,000,000. In 1900 it was 873,000,000 pounds, and the loss had increased to $52,000,000. In 1917, when the law was changed, the amount of second-class mail matter going through the mails had increased to 1,202,000,000 pounds, and the loss to the Government in transporting it had increased to $70,000,000 per year. It is estimated that if this growth had continued in the same way that it had been going on since 1880 there would be a loss of $125,000,000 to the Government each year for carrying second-class postal matter through the mails.

These potent facts of loss to the Government, by reason of the Congress granting a subsidy to a class of publishers, had made such a great impression upon the Congress and upon the country that in October of last year the system was changed from a flat rate to what is known as the zone rate; and I want to read for just a moment the law as it was passed in 1917 to remedy this very patent monstrosity in the matter of carrying this portion of our mails.

In 1917—on October 3, as I recall—the Congress passed this law on the subject:

In the case of the portion of such publication devoted to advertisements—

I need not read the preceding part, because this will give the entire system—

the rates per pound or fraction thereof for delivery within the several zones applicable to fourth-class matter shall be as follows (but where the space devoted to advertisements does not exceed 5 per cent of the total space, the rate of postage shall be the same as if the whole of such publication was devoted to matter other than advertisements): (1) On and after July 1, 1918, and until July 1, 1919, for the first and second zones, 1¼ cents; for the third zone, 1½ cents; for the fourth zone, 2 cents; for the fifth zone, 2½ cents; for the sixth zone, 2½ cents; for the seventh zone, 3 cents; for the eighth zone, 3½ cents; (2) on and after July 1, 1919, and until July 1, 1920, for the first and second zones, 1½ cents; for the third zone, 2 cents; for the fourth zone, 3 cents; for the fifth zone, 3½ cents; for the sixth zone, 4 cents; for the seventh zone, 5 cents; for the eighth zone, 5½ cents; (3) on and after July 1, 1920, and until July 1, 1921, for the first and second zones, 1¾ cents; for the third zone, 2½ cents; for the fourth zone, 4 cents; for the fifth zone, 4½ cents; for the sixth zone, 5½ cents; for the seventh zone, 7 cents; for the eighth zone, 7½ cents; (4) on and after July 1, 1921, for the first and second zones, 2 cents; for the third zone, 3 cents; for the fourth zone, 5 cents; for the fifth zone, 6 cents; for the sixth zone, 7 cents; for the seventh zone, 9 cents; for the eighth zone, 10 cents.

That is the law as Congress established it a little more than a year ago. That is the law that we are called upon to-day to change in this bill; and that proposed change is found in section 1101, on page 277, of the pending bill. That section reads as follows, and I want to have it go into the RECORD so that Senators may have it in a form that they can look at:

SEC. 1101. That on and after July 1, 1919, the rates of postage on publications entered as second-class matter (including sample copies to the extent of 10 per cent of the weight of copies mailed to subscribers during the calendar year) when sent by the publisher thereof from the post office of publication or other post office, or when sent by a news agent to actual subscribers thereto, or to other news agents for the purpose of sale, shall be 1 cent per pound or fraction thereof for delivery within the first and second zones applicable to fourth-class matter, and 1½ cents per pound or fraction thereof for delivery within any other zone.

It is seen that the change which is made is substantially going back to the old flat-rate system. The only change in the old flat-rate system provided in the pending amendment is this, that in the first two zones of 200 miles, 50 miles for the first zone and 150 miles for the second zone, there is a flat rate of 1 cent a pound, and in all zones beyond that 1½ cents a pound. The amount of increased revenue from that provision will be very small. It has not been estimated, as I find, by the committee. Certainly we have had no report on it. The question for the Senate to decide is whether we are going back to the old flat-rate system, as provided in this committee amendment. Are we going back to the subsidy system, or are we going back and instead of paying $70,000,000 paying perhaps $65,000,000 a year in subsidies to the publishers on account of rebates in rates on the magazines largely?

I want to be frank with the Senate in this matter. I am inclined to believe that the provision of 1 cent a pound within a radius of 200 miles for newspapers, or for all periodicals, is fair and right. I believe that the newspapers pay their own way within such a zone, and I shall be very glad to see the zone system modified so as to fix a rate of 1 cent a pound within the first two zones. That part of the amendment changing it is all right; I see no objection to it. I want it adopted. It is somewhat the same as an amendment that I proposed last year, and I really believe it would be better for this reason: It will be remembered that the real cost to the Government of the second-class mail is transporting it a long distance at a flat rate. It has been shown by proof that I believe to be competent before the Post Office Committee from time to time that within a zone of 200 miles, and I think even farther than that, probably 250 miles, newspapers are absolutely self-sustaining; in other words, they pay for the cost of their transportation. The present law provides for a constantly increasing rate, as has been seen by my reading of it a few moments ago, gradually increasing the rates on the first two zones from 1 cent and a quarter a pound up to 2 cents a pound. I believe when we reach the maximum of 2 cents a pound in a zone of 200 miles, it is going to be found to pay a great deal more than the cost of transporting all the periodicals within that zone. Indeed, I think it will pay twice as much as it costs the Government to transport it. I do not believe that is proper or right.

On the other hand, it will be found that the rates were too low for the farther zones. The highest rate it will reach is, I think, 8 cents a pound. I understand the present law will produce in revenue, when the system is in full force in 1921, when this increase in rates year by year goes on until 1921, about $20,000,000. In other words, all that will be done by this bill will be to wipe out about $20,000,000 of the deficit, taking away from the publishers $20,000,000 of the subsidy now granted them. In other words, the United States will thereafter pay to the publishers a subsidy of $50,000,000 instead of a subsidy of $70,000,000, as it does now. That is the effect of the present law passed in 1917, and so far so good.

That is the effect of the present law, passed in 1917, and so far so good.

The zone system certainly ought not to be abolished as by this bill is provided. The only modification that I have to suggest is this: Under the amendment I have offered, and which is pending before the Senate, in a zone of 200 miles, the first two zones, instead of the rates being 1¼ cents, as it is now, and

gradually ascending to 2 cents, my amendment provides that it shall be 1 cent. The subsequent part of my amendment retains a zone system just as it is, but increases for the farther zones just a little more than the proposal of the committee. The result is that under the provisions of the amendment I have offered, in addition to its being a fairer method of settling this controversy by reason of the fact that the newspapers and periodicals circulating in a zone of 200 miles are now paying their own expenses, it simply amounts to this: The amendment that I have offered does not go quite as far as the law does now. Under my amendment the amount that will be produced to the Government will be from twelve to fifteen million dollars, about three-fourths not of what is now brought in but what will be brought in at the end of the four-year period under existing law.

Mr. President, I am going to offer that amendment and ask the Senate to vote on it. If the Senate declines to accept that amendment I am going to vote against any change of the zone system, because I believe that the zone system is the only proper method of dealing with this second-class postal rate question.

It is contended that the present zone system is unfair. I suppose whenever any bounty is taken away from anyone the method adopted of taking it away is considered by those whom it affects as being unfair. Did it ever occur to Senators, now that there is such a complaint about the first-class mail matter, as to the cause of that complaining? Every day our mail is filled with complaints from the fathers and mothers of this country about their letters not reaching their boys in Europe and about their boys' letters not reaching them. Just this morning I received a letter from a Congressman elect saying that his boy had been in France for four months; that the family had written to him very often, and he had never received a letter in the four months. Just a day or two ago the parents received four letters written at various times from their boy. In these he said that he had never received a dollar of pay since he had been over there, and that though his father had sent him money from time to time he had never received a dollar of that money. There must be some fault about our mails. I do not know how it can be accounted for except that our mails are so full of second-class mail matter that the first-class mail matter is being neglected to give way for carrying the second-class mail matter. In other words, the mails are so crowded and stifled that first-class mail matter does not have a fair chance. I do not know that that is the reason for it, but there ought to be some explanation of the very remarkable fact that letters do not go as they formerly did.

Mr. HITCHCOCK. Mr. President——

Mr. McKELLAR. I yield to the Senator from Nebraska.

Mr. HITCHCOCK. Mr. President, I am afraid the explanation the Senator from Tennessee gives for the defective mail service between the United States and France will hardly do. As a matter of fact there is comparatively little second-class mail that goes to France, and therefore it could not be held responsible for the failure of the delivery of letters there. On the other hand, the second-class mail in this country is very large, and the delivery of first-class mail in this country is entirely satisfactory.

The only explanation for the failure to deliver the mail to the soldiers in France, and for the failure to receive the letters of soldiers in France written to their families in this country is, in my opinion, rank incompetency; and I just take this occasion to say that it is one of the most disgraceful breakdowns of the Post Office Department, in the first place, and of the War Department management, in the second place, that the soldiers in France have been deprived of their home letters and the folks at home have been deprived of the letters from their soldiers. It has been destructive or injurious, at least, to the morale of our soldiers abroad, and it has caused a world of anxiety unnecessarily to families here. It is due, first, last, and all the time to the rankest sort of mismanagement and incompetency in the Post Office Department and the War Department. We might as well be plain about that. It is one of the things that is causing in this country the most widespread dissatisfaction and indignation, and no explanation for it has been made, and none can be made, except rank, miserable incompetency.

Mr. McKELLAR. The Senator may be entirely correct about it. At the same time I notice that the increase in the volume of second-class matter is out of all proportion in the matter of pounds, in the matter of millions of pounds, to the first-class matter. It may be that first-class matter has got blocked, as I suggested a while ago. I can not say about that. I am not here to decide the question as to who is responsible for it. I have a different proposition on hand just now which I want to talk about. There have been many difficulties to overcome in handling our over-seas mail.

Mr. HITCHCOCK. It is just——

Mr. McKELLAR. And I will be glad to proceed. I know the Senator is correct in his statement that there is constant complaint from citizens all over the country about the mails between here and their boys in Europe, and we ought not to be in a position where complaints can justly be made. I know they are made, and repeatedly made, and I wish I could in some way remedy that very unfortunate situation. I can not undertake to attempt to fix the blame now.

Mr. HITCHCOCK. The Senator knows from his service on the Military Committee that repeated efforts have been made to ascertain the cause of this miserable breakdown, and the committee has been unable to get anything like an adequate explanation from the people responsible for it. It is worse probably, but not much worse than the breakdown of the business management in this country which has failed to pay family allotments to the families of soldiers who are serving abroad. It is like the business breakdown which has resulted, when, as we know, soldiers in the service have gone one, two, three, four, five, and six, and in some case seven, months without their pay. It is such a business breakdown that it reflects most seriously against the business management of these departments we have intrusted with responsible duty during this war.

Mr. SHAFROTH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Colorado?

Mr. McKELLAR. I yield.

Mr. SHAFROTH. I wish to say a word in answer to the Senator from Nebraska [Mr. HITCHCOCK]. I have three sons in the service and they write and we get the letters not every day, but seldom a week passes that we do not get letters from them. I can not understand why there should be such a lack of letters that are written by soldiers to other people. We have had a fair return in the way of answers and the letters that have been written from our side have reached them; sometimes not rapidly, of course, for there is difficulty in transmitting mail over there, and there is great difficulty also in finding the regiments because the troops are going from one part of the line to another every few days. I can give an illustration of this difficulty. When my youngest boy was about to sail from Long Island we went to see him off. We had been informed that he was going to sail in a day or two. We got to the gate and we were told that the battery had not gone. They said it would be found several blocks over in a certain direction. We went over in that direction making frequent inquiry. We went a distance of six or seven blocks and there we were told we should go over in another direction. We went to no less than eight different places that were designated and at last found a man who said, "I will take you right to the battery," and so he did, and that is the only way we found it. We found that the battery was located within two blocks of where we first made inquiry, but they had said "no; it is not here."

Of course, it is on account of the temporary character of the location of the troops; nobody can keep track of them, and on that account I have not any doubt but that there have been failures to deliver mail. I have not any doubt but that some of the mail does not come here that is written by our soldiers abroad, but considering the confused character of the various regiments, batteries, and companies and the movements almost daily to different parts of the line, I have not any doubt but that the service has been very good; not the best in the world, because it can not be so good as when people are established in a locality.

Mr. CURTIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Kansas?

Mr. McKELLAR. I yield.

Mr. CURTIS. Has not the Senator received a large number of complaints from his constituents that their mail has not been delivered and that they have not received their mail from over there?

Mr. SHAFROTH. Yes; I have received some, not many; but I say to the Senator, while some of the complaints are well founded, I find in many instances it is absolutely the fault of the soldier boy. In one instance a mother complained bitterly and said there must be some fault, that her boy was a most dutiful boy, and his allowance had always come to her; but for the past four or five months she had not heard from him; that something was terribly wrong, and she wanted something done. I made inquiry concerning the matter, and I found that the boy five months before had married and transferred his allowance to his wife instead of his mother.

There are instances, of course, where there are failures to deliver the mail at times, and it may be the case for a while longer;

but when you have two or three million men scattered over wide territory, no one knowing exactly where they are—the mail authorities probably do not know—it does seem to me that there has been a fair accommodation in mail matters between Europe and the United States.

Mr. WEEKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Massachusetts?

Mr. McKELLAR. I yield for a question; but I want to go on. It will take me but a few minutes to conclude. The mail service matter is beside this particular question.

Mr. WEEKS. I do not want to ask a question. I want to ask about what has been said on this subject, if the Senator will permit me.

Mr. McKELLAR. That is wholly apart from the subject I am discussing, but I yield.

Mr. WEEKS. I did not suppose there was a Senator on this floor who would have the temerity to even apolize for the foreign mail service. The Senate Military Committee, as the Senator from Tennessee knows, has frequently made inquiry about the matter. There has been a deluge of complaints from every source, complaints that have been verified, and it has been acknowledged on the part of the War Department officials appearing before the committee that the service was bad and they did not know, practically speaking, how to correct it. What the Senator from Nebraska [Mr. HITCHCOCK] has said about it is absolutely true. It is not only a breakdown, it is a hopeless breakdown, and it shows an incompetency which I have not seen anywhere in the Government service since I have been in Congress.

Mr. HITCHCOCK. Mr. President, one more moment. The Senator can go further than that. He can say it got so bad that the War Department itself insisted upon taking over the service. It was taken away from the Post Office Department because it was so impossible, and now the War Department itself has broken down in about the same degree. It has attempted the delivery of mail to soldiers over there, and I am told by those who have seen it that mail for weeks is held piled up by the ton in the sacks it came in without having been delivered.

Mr. SHAFROTH. I have no doubt that the failure has been because of the difficulty in getting the addresses of companies and the location of them. Here is a letter I have just received from one of my sons, written the 30th of November, mailed the 2d of December, and received to-day. Seventeen days in transmission from France is not bad. Considering the fact that in a great big army of that kind the addresses are often wrong, it does seem to me that that is a pretty fair service. It is true that you can not have perfect service where you have two or three million men who are in various and different locations, moving from one part of the line to another, but it seems to me that all things considered it is not a bad service. When officers are doing the best they can under the circumstances I believe they should be encouraged instead of being condemned.

Mr. McKELLAR. Mr. President, we have wandered somewhat afield, and I want to come back to the real controversy here. Our New England, New York, and Eastern friends who are interested in the publishing business frequently tell us it is very unfair to the West, to the far-off States, for their citizens not to be able to get the advantages of the lower rates of postage, and there is a great educational propaganda that is being sent out by the aforesaid eastern publishers for the benefit of our far-off southern and southwestern and western communities. I do not think I ever read a better answer to that proposition than in a letter I have before me, and I am going to call the attention of the Senate to it. It is from Mr. F. P. Holland, who is president of the Texas Farm and Ranch Publishing Co., and, I think, answers every contention I have ever heard made on that subject. For the benefit especially of our western and southwestern Senators I want to read it:

DEAR SIR: I have been advised that there is a strong movement under way——

He is right about that, I will interpolate, not a strong movement but a strong movement has been, is now, and ever will be as long as we permit these gentlemen to enjoy this subsidy. Mark me, as long as Congress permits the owners and controllers of this subsidy that they are drawing from the Government in whole or in part we are going to find a strong current right here in Washington seeking to uphold it, seeking to make it larger, seeking to defeat all the legislation that has been passed here to put them on an equality with the rest of our citizens. I read on:

I have been advised that there is a strong movement under way to repeal the zone system, and I desire to enter a protest, both as a publisher and a citizen, feeling that the period of readjustment following the war will be difficult enough, without sudden shifts in the salutary program recently adopted.

The old flat rate, in effect, constituted an economic, social, religious, and political barrier. It tended to discourage literary and technical development in the magazine field outside of the East.

May I interpolate right here that the complaint that is coming here from the zone system emanated directly or indirectly in the eastern part of our country and not from the western and southern part of our country.

In operation it was nothing less than a subsidy granted the New York publications.

Remember, Senators, the Government gives as a bounty scores of millions of dollars every year, and it is growing constantly under the old flat-rate system which we are asked to restore.

If to the former subsidy in postage the existing burden in freight is added—and freight in carload lots to Texas amounts to between $400 and $500—then it is clear that no publication outside of the favored circle has an even chance to make good, except to the extent that it is able to give greater value for less money.

The freight rate has increased by the action of Congress almost double. The Government has to pay more for the cost of carrying these periodicals than ever before—probably 100 per cent more—and yet because Congress has taken just a small portion of that subsidy away from them they were back here at Congress urging us to restore the old flat rate almost before we got acquainted with the new law. I do not see how any Senator can vote for a return to the old flat-rate system. I do not know how he is going to defend his vote. I do not believe he can defend his vote. But I will read on:

The eastern publications have carried on a vigorous propaganda since the zone system was first suggested, spending thousands of dollars in their efforts to secure a flat rate, even at double the present cost in postage. Why? They desire to perpetuate the principle of subsidy as an advantage against the remainder of the country, whether the haul is 10 miles or 10,000.

Now, notwithstanding the fact that many of them have increased their subscription rates enough to absorb the additional cost of carriage, they are still bent upon creating a monopoly.

They have already increased the rates for their magazines upon the people to pay them for this increased cost of transportation; they are still bent upon holding their subsidy and building up their monopoly——

The only side of the argument presented to the public has been their side, and many organizations have indorsed their statements without giving the facts any consideration whatever.

And may I interpolate again that to my certain knowledge thousands and thousands of letters printed and signed by various organizations in my State have been forwarded to me against the zone system, and I believe in every case where I have taken the trouble to write to the writer of the letter and ask how it happened that he or she wrote to me about it, he or she came back and said they were asked to do it by the publisher of a certain paper or in answer to a request in an advertisement; that they knew nothing about it themselves, but they were caught with the idea that they would get their periodicals cheaper perhaps. Reading on:

It is unfair to assume that a magazine mailed from Dallas to Waco should bear the same rate borne by a magazine going from New York to Manila, just as it is unfair to argue that publications at a distance from the paper mills should enjoy the benefit of a common freight rate. Indeed, when it comes right down to it, I might as well contend that a publisher in Texas is entitled to the reduced freight rate, since the argument differs in no material respect.

But there is another and a far more vital reason why the East should not be permitted to furnish the reading matter for the Nation. As you will remember, Wall Street clamored against currency reforms, and yet, when the reforms were finally inaugurated, the country, as a whole, derived immediate benefits, and to-day it is doubtful whether a financial panic is possible.

That was one of the financial reforms inaugurated. So when the Federal reserve bank was established we remember that these same eastern allied interests—not the same interests, of course, but I suppose similar—were absolutely sure that it would ruin the country. Yet Congress adopted the great Federal Reserve System of banking, and you see the benefits all over the country, notwithstanding the cocksure predictions of some of our eastern friends.

With greater elasticity an era of confidence was ushered in, despite the loud predictions of interested prophets. The equitable rate offered publishers came during the war, when materials and wages were high; at a time when the Government very wisely prohibited the consumption of paper in new ventures.

Had the zone system been adopted during normal times, legitimate expansion would have disarmed the sharpest critic of the existing system. New York has the population, the factories, the combinations of capital, and the magazine. It is inevitable under existing conditions that the magazines should offer the standards of the East for the consideration of the West, to the exclusion of the ideals and ambitions of the West; that instead of abolishing sectionalism they should gradually bring the country to one system of belief, founded on sectionalism brought to its highest possible standard of refinement.

There is no such thing, for example, as a national farm paper, owing to the varying conditions of climate, soil, transport, market, and labor, and agriculture, admittedly, is the basic occupation. Considering this phase of the business alone, it is to the advantage of the Nation to encourage the development of journals which reflect local conditions and stimulate community progress, and what is true of

agriculture in the narrow sense is true of education in the broader sense, for each section of the country has an inherent right to self-expression, and the newspaper is not the medium through which thought becomes a permanent enriching asset.

Wall Street was not slaughtered by currency reforms, neither will the national magazine be killed by a fair rate of remuneration for the service rendered. It is rather absurd, when you come to think of it, that a Texas magazine, which occupies new territory, should have to help defray the carriage on an eastern publication. The subscriber should pay the bill if he happens to be a long way from market, just as he pays on a shipment of mackerel from Maine.

I believe that the maximum benefit will be derived by the people of this country when they are fortunate enough to be able to present their own views in their own way, and I am convinced that enough of the big journals will endure to help bind the people together, although I am not quite certain, under the provision of the zone system which provides that not more than 50 per cent can be paid in commissions for subscriptions, that some of the advertising sheets which depend solely upon bogus circulation will continue to prosper. Again, I hardly think that the spiritual uplift of the Nation will be furthered by a low rate on such decadent trash as Snappy Stories and The Parisienne, themselves a thousand times more pernicious than the so-called sectional journalism which New York dreads.

As I have pointed out, the publications which contend for the flat rate, even at a stiff increase, are interested primarily in the ratification of a system of subsidy under which they can operate more readily against competition arising off the Atlantic coast. If the flat rate is sound and the people stand in need of education, as authors of the propaganda contend, then it certainly follows that the Bible, Shakespeare, Gibbon, Dickens, and Wilson should enjoy it, for it is hardly compatible to urge that a passage from Diamond Dick equals a passage from the Bible when it comes to promoting morals, progress, political unity, and literary comprehension.

Remember, Senators, that on all these books there is a different rate; they pay according to the length of transportation, and do not go as second-class matter.

Before the zone system is tampered with, I think it is only fair that it should be given a thorough trial under conditions of peace. To alter it now because it is bitterly opposed by selfish interests claiming leadership in intellectual matters would lead to confusion and leave the question of merit undetermined.

I believe that the Government, which now aspires to such big things in regard to the common welfare, would commit a grievous blunder if it reestablished the old form of subsidy, which enabled periodicals in the great centers to circulate advertising through its direct patronage.

I do not want to place myself in the light of contending for special consideration; I do want to make myself clear in regard to postage determined by the nature of the service rendered.

Yours, very truly,
F. D. HOLLAND,
President Texas Farm and Ranch Publishing Co.

Mr. President, I want to commend the statements in this letter to the Senate. Let us give this zone system a fair and impartial trial. The magazines have not gone out of business since it has been established, which was a little over a year ago, and it has been in force since last July. I have not heard of a single magazine that has suspended. Freight rates have increased nearly a hundred per cent. The Government has to stand that, while the magazine rates have been increased by the Government only about 10 or 11 per cent, and they never will go to an increase of more than 20 per cent under the present law.

The truth of the business is that the publishers ought to be glad, looking at it from a selfish standpoint, which I do not think ought to exist; but looking at it from their own selfish standpoint, they ought to be glad to forgo the $70,000,000 of subsidy which the Government is giving them under the present law and accept what the present law gives them. The Government is not giving to any other class of our citizens a subsidy. The lawyers of the country do not get a subsidy; the farmers of the country do not get a subsidy; the mechanics of the country do not get a subsidy; the laboring men do not get a subsidy; the ministers of the gospel do not get a subsidy; the doctors, the merchants, the blacksmiths, the clerks, do not get a subsidy; no other class of our people get a subsidy except this one class, and we are giving them $70,000,000 a year under the flat-rate system. We have only as yet taken away $4,000,000 of this, and yet they want us to return it.

Who appeared before the committee? Did the publishers? I ask the chairman of the committee, did the publishers or any of the representatives of the publishers appear before the committee and ask that this system be changed almost before we even started it?

Mr. SIMMONS. Mr. President, I will say to the Senator from Tennessee that at the time we were having hearings and up to the time we closed our hearings there was no suggestion of a change. The suggestion of the amendment came in executive session, but a great number of publishers came personally and talked with members of the committee.

Mr. McKELLAR. I am not surprised. The publishers have been here very regularly in their own behalf. They argue well a bad cause. I am sure that there is no public sentiment for the change back to the old flat-rate system except such as has been created by the advertisements of publishers and salesmen and by personal visits. In almost every magazine of this country we have seen advertisements substantially like this: "Do you think that the people in distant communities ought to be discriminated against; that they ought to pay more for their reading matter than the people in New York pay? Ought they not all to have their reading matter at the same rate as the New Yorkers get theirs?"

Quite frequently that kind of argument catches the person to whom it is addressed. These advertisements are so arranged as to make them very enticing to people who do not understand the matter, people who would not for a moment uphold any Senator or any Representative in voting this immense subsidy of $70,000,000 to the allied magazine interests. I think there are about 87 magazines in the whole country, or something like that. According to the proof they are all united by bonds of some sort; all have a community of interest in fighting for the restoration of this flat rate, fighting for this subsidy. One publisher, as I recall the facts, is the owner of 11 magazines, and receives an annual subsidy from the Government of over $5,000,000. Is that right? Why to that distinguished publisher, owning many newspapers and 11 magazines, should Congress vote a rebate in freight rates of over $5,000,000 a year?

The time has come, Senators, when we should be very careful about the expenditure of the people's money. The war is over. It is necessary for us to tax our people heavily; we have got to lay a heavy taxing hand on them, but we ought to be very careful about expenditures and to be very careful about the subsidies which we grant to any class of our citizens. Let us give this system, which we only enacted last year, a fair trial. It is not exactly what it ought to be. I think it might be made a little more equitable. I may be wrong about it, but we have just put it into force; it has not yet been in force for six months. Let us give it a fair trial. Do not let us change at this time.

I beg the Senate to disagree with the unamended amendment which has been offered by the committee and to vote it down. I ask the Senate first to vote for the amendment which I have offered. If added to the committee amendment it will perfect that amendment. It will retain the zone system and will not require newspapers circulating in a zone of 200 miles to pay more than the cost of transportation within that zone. It will distribute the cost more equitably. I want to insert here the committee amendment as amended by my amendment. If this amendment is not adopted I shall vote against the repeal of existing law.

The PRESIDING OFFICER. In the absence of objection, the amendment of the committee, as proposed to be modified by the amendment of the Senator from Tennessee, will be printed in the RECORD.

The committee amendment, as proposed to be modified, is as follows:

SEC. 1402. (a) That section 1103 of the revenue act of 1917 is hereby repealed.

(b) Section 1101 of such act is hereby amended to read as follows:

"SEC. 1101. That on and after July 1, 1919, the rates of postage on publications entered as second-class matter (including sample copies to the extent of 10 per cent of the weight of copies mailed to subscribers during the calendar year) when sent by the publisher thereof from the post office of publication or other post office, or when sent by a news agent to actual subscribers thereto, or to other news agents for the purpose of sale, shall be 1 cent per pound or fraction thereof for delivery within the first and second zones applicable to fourth-class matter.

"Third zone, 1½ cents per pound.
"Fourth zone (300 to 600 miles), 2 cents per pound.
"Fifth zone (600 to 1,000 miles), 3 cents per pound.
"Sixth zone (1,000 to 1,400 miles), 4 cents per pound.
"Seventh zone (1,400 to 1,800 miles), 5 cents per pound.
"Eighth zone (over 1,800 miles), 6 cents per pound:

"*Provided*, That free-in-county circulation provided by law shall continue as at present: *Provided further*, That the Postmaster General may hereafter require publisher to separate or "make up" to zones, or in such manner as may be directed, all matter of the second class when offered for mailing."

(c) This section shall take effect July 1, 1919.

Mr. SMOOT. Mr. President, I feel myself guilty in taking the time of the Senate to discuss this question, but the time so far to-day has been taken up by Senators who are opposed to the repeal of the zone system. I am, therefore, going to ask the indulgence of the Senate for just a few minutes to call attention to some of the statements which have been made and to briefly state why I think that, for the best interests of the country at large, the zone system should be repealed.

We have heard repeated again to-day the old charge that there was a subsidy of $70,000,000 granted to the publishers of this country through the old 1-cent rate upon second-class mail matter. Mr. President, how is that arrived at and upon what is it based? Everyone who makes the statement bases it upon the Hughes Commission report. I say now that if all of the second-class mail matter were eliminated from the mails to-day and first-class mail matter alone carried, instead of there being a profit, there would be a deficit.

The $70,000,000 which is charged up to the second-class mail matter is reached in this way, which is unfair: The mail is

weighed and after determining the number of pounds of all the mail which is carried from all parts and to all parts of the country, the expense of carrying the mail, and administering the affairs of the Post Office Department are all ascertained. They then find how much it is going to cost a pound to carry the mail—first class, second class, third class, and fourth class—and the second-class mail matter is charged with its pro rata amount of expense based upon the total weight. We are told that by that system there is a deficit in carrying second-class mail matter of $70,000,000.

Mr. McKELLAR. Mr. President, will the Senator from Utah yield to me?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Tennessee?

Mr. SMOOT. Yes; I yield to the Senator from Tennessee.

Mr. McKELLAR. The Senator from Utah seems to be in doubt as to whether this is a fair method of reaching what the actual amount of the deficit is. On the other hand—and the Senator may be correct about it, as I am not certain about it myself—the Senator has no doubt in his mind that whether the method of finding out the cost is correct or not, there is a deficit of many millions of dollars in carrying the mails, has he?

Mr. SMOOT. The Senator from Tennessee has asked me that question before, and I frankly said I had no doubt of a deficit; but I wish to say to the Senator that it costs the Government of the United States more to deliver a hundred pounds of first-class mail matter than it does to deliver a hundred pounds of second-class mail matter, and——

Mr. HARDWICK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Georgia?

Mr. SMOOT. I do.

Mr. HARDWICK. While that is true, the department reports full allowance for that, and they give the figures for each class. The Senator understands, if he has examined the question, that the department has applied the same system for determining what it costs for each class of mail matter.

Mr. SMOOT. That is exactly what I said, that this same system was applied to every class of mail matter in the United States, and I say that it is not fair. Take a letter that weighs an ounce. Under the old rate it was 2 cents for a letter; it could be carried from New York to San Francisco for 2 cents, and it could be carried from San Francisco to England for 2 cents, there being no zone system whatever in regard to that class of mail. I call attention to the fact that nearly every civilized country in the world carries its mail on a flat rate, and no matter whether the distance is 10 miles—if 10 miles is outside of the drop zone—or 3,000 miles, the rate is the same.

Mr. McKELLAR. Mr. President, will the Senator from Utah yield to me?

Mr. SMOOT. I yield first to the Senator from Georgia.

Mr. HARDWICK. I want to call the attention of the Senator to the fact that, while this system of including overhead charges applies to all four classes of mail matter, as I stated just now, the fact remains that the department, the Hughes Commission, and everybody else has always figured the cost of handling first-class mail as being in excess of 50 cents a pound, instead of 8 cents, which is the estimate for handling second-class mail matter.

Mr. SMOOT. I say to the Senator that I will agree with him when he says that the Post Office Department and the Hughes Commission agreed to the cost, but when he says that everybody else agrees to it, I must disagree with his statement.

Mr. HARDWICK. Probably I "covered too much territory."

Mr. SMOOT. I want to say to the Senator that there are men in the Post Office Department who have studied this question, and who are as intimately acquainted with it as any of the assistant postmasters general; and they say that the Hughes Commission report can not be sustained. But even granting what the Senator says, Mr. President, I say, in my opinion there is a loss in carrying second-class mail matter——

Mr. HARDWICK. There is a very heavy loss.

Mr. SMOOT. But not any such loss as shown by the Hughes Commission report.

Mr. McKELLAR. What would the Senator fix the loss at?

Mr. SMOOT. Mr. President, I never like to state a figure upon the floor of the Senate unless I am pretty positive that it is correct. So I can not answer the Senator's question positively; but I will state to him that it would not surprise me at all if there was a loss of $10,000,000 or $15,000,000 a year, basing the estimate upon the old rate, provided the overhead charges and the expense of delivering the second-class mail matter are estimated as they have been estimated in the past. I have no desire, Mr. President, to try to mislead Senators upon this question.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield further to the Senator from Tennessee?

Mr. SMOOT. Yes; I yield.

Mr. McKELLAR. The Senator spoke of the policy of other Governments, and said that none of them had established a zone system, but that they had a flat rate. I am not advised about that; but the Senator understands, does he not, that no Government in the world has as good a postal system as we have?

Mr. SMOOT. Mr. President, take Canada, on the north. The rate charged by Canada on second-class mail matter is half a cent a pound, or 50 per cent of what we originally charged. Canada, passing through this war, imposing such taxes upon her people as never were known before, and looking for money from every possible source, has felt that it was very unwise to increase the rate on second-class mail matter. I could, Mr. President, go into the postal rates of every country this afternoon, but I do not wish to take the time of the Senate now to do so. I simply wish to record my dissent from some of the statements that have been made here to-day in relation to the cost to the United States Government of handling second-class mail matter.

The Senator from Tennessee just a few moments ago said that there was one publisher in the country who was receiving from the Government of the United States a bonus of $5,000,000. I know to whom the Senator refers, and I wish to say to the Senator that if he would go to the Treasury Department and could secure the return of that publisher showing his net income for the last year, the Senator would find that his income was not anywhere near $5,000,000.

Mr. President, the United States Government established postage rates; it invited all the publishers of the United States to build their business upon those rates, and the publishers of this country had a perfect right to believe that the rates that were imposed in the old law would stand. Why? Because no other civilized country has thought of increasing rates upon second-class mail matter, but the almost invariable rule in other Governments has been to decrease such rates.

Mr. McKELLAR. Mr. President, if the Senator will look at the hearings he will find the figures which I gave to be accurate, so far as the proof was concerned. That leads me to ask the Senator this question: The Senator will recall that last year and heretofore the question of zone rates was fought out by the Post Office Committee. There was a great fight made, and the Post Office Committee had very extended hearings on the subject. They went over the whole matter, and they reported a system after the most careful examination. Now, why is it that the Finance Committee takes jurisdiction of this matter after a system had been adopted by Congress under a report of the Post Office Committee?

Mr. SMOOT. Mr. President, we find that a year ago the revenue bill was made the vehicle, as it were, for an amendment to the then law increasing the rate of postage, and not only increasing the rate of postage but providing for the establishment of a zone system. The bill which we have now under consideration repeals that law and enacts another law, and the Finance Committee is simply carrying out the policy adopted when the zone system was put into effect.

Mr. President, can anybody defend the fact that an American citizen living in San Francisco can send to the farthest ends of India second-class mail matter for about one-quarter of the amount that he can send it from San Francisco to New York? Can anyone defend the fact that a citizen of Canada, to the north of us, can send to the farthest parts of the United States a magazine published in Canada for nearly one-fourth of what an American citizen can send a magazine published in New York to the same point when the new rates shall be in full force?

Mr. McKELLAR. Mr. President, I do not know whether that can be done under our law or not; the Senator is more familiar with it, probably, than I am; but I wish to say to the Senator that, if that is the law, I will very cheerfully join the Senator in an attempt to repeal it, so as to make it fair to the American public.

Mr. SMOOT. I wish to say to the Senator that it is not fair to-day; and the Senator's amendment, I will add, is simply midway between the present law and the amendment which is reported by the committee; in other words, the amendment reported by the committee will yield over and above the old rate between four and five million dollars per annum, while the amendment which the Senator from Tennessee has just offered to the committee amendment would yield about ten or eleven million dollars a year over and above the old rate in force before the present law.

Mr. President, America must not be split up into half a dozen sections. I believe in the theory of the fathers that the Post Office Department was never intended as a revenue-collecting institution. It is not so regarded in any country, and it should not be so regarded in our country.

I could not help smiling when the letter of Mr. Penton, the publisher of the Iron Age, was read. In all of these tax matters, Mr. President, when a letter comes recommending certain increases in taxes that may fall upon the party making the recommendation, I always look for "the nigger in the woodpile," and he can generally be found. In this case the writer of the letter does not say that he is in favor of a zone system, but he does say that he would prefer to have an increase in second-class postage rather than to have an increase in first-class postage rates. Why? Pick up the Iron Age, Mr. President, particularly the holiday issue that has been presented here to-day as a frightful example, and you will see in that publication thousands of little advertisements. The publisher of that periodical knows that he can pay upon the 18,000 copies of each issue the increased rate on second-class mail matter and still pay less than if he had to pay increased postage on his letters to his advertisers, not only on the original letter addressed to them, but when a return is made for the payment of the advertisements on the letter acknowledging its receipt; indeed, there is no telling how many other letters must be sent, including statements showing amounts due, and in connection with other contracts between the publisher and the different advertisers in his periodical. Therefore it perhaps would have been an advantage to him to let the postage on first-class mail matter remain as it was and increase the rates on second-class mail matter as he suggested.

Mr. POMERENE. Mr. President, is the Senator referring to Mr. Penton?

Mr. SMOOT. I am referring to Mr. Penton, publisher of the Iron Age.

Mr. POMERENE. Does the Senator know how many letters he writes each year?

Mr. SMOOT. I do not know the number; but I do not think it is necessary; the same can be fairly judged.

Mr. POMERENE. Does the Senator know the amount of second-class mail matter that Mr. Penton sends out?

Mr. SMOOT. He at least sends out his weekly issue of 18,000 copies or more.

Mr. POMERENE. Let me ask the Senator upon what does he base his assertion that Mr. Penton would be saving money in that kind of way?

Mr. SMOOT. I base it upon the evidence that has been submitted of similar publications to the committee several times when this question has been up. I wish to say to the Senator that publishers and others who have used the second-class mail privilege have shown to the committee that their first-class postage was more than their second-class postage expense.

Mr. POMERENE. Mr. President, the Senator referred to Mr. Penton's letter?

Mr. SMOOT. Yes.

Mr. POMERENE. I know Mr. Penton, and I know him to be an honest man. He knows his business, and, I dare say, knows it better than this Senator from Utah knows it; and I am a little surprised to hear the Senator make a statement of that kind without having more data with regard to Mr. Penton's business.

Mr. SMOOT. The Senator from Ohio did not hear what the Senator from Utah said or he would not have made the statement which he has made. The Senator from Utah has not charged Mr. Penton with being a dishonest man; but the Senator from Utah has stated that he was bright enough and a smart enough business man to know what his expense would be under the zone system for second-class mail as compared with the increase in the first-class letter postage.

Mr. POMERENE. Does the Senator mean by that statement to have it inferred that Mr. Penton is controlled in his views with regard to public legislation by the amount of money he is to get out of it?

Mr. SMOOT. Mr. President, I think that was what brought forth his letter—the very fact that there were taxes to be imposed that fell upon his business; and the letter itself shows that that was the reason why he wrote it.

Mr. POMERENE. Always these men who are after a certain class of governmental graft are questioning the motives of other men. I deny the right of the Senator to question Mr. Penton's motive in this matter.

Mr. SMOOT. Well, Mr. President, I have made the statement, and I think it is well within the bounds of truth.

Mr. HARDWICK. Mr. President——

Mr. McKELLAR. Mr. President, will the Senator yield to me for a question?

Mr. SMOOT. I promised the Senator from North Carolina [Mr. SIMMONS] that I would be through in a very few moments, and I have taken now more time than I anticipated.

Mr. McKELLAR. If the Senator declines to yield, very well.

Mr. HARDWICK. Mr. President, will the Senator yield to me?

Mr. SMOOT. I will yield the floor, if necessary.

Mr. HARDWICK. All right. I will take it, then, to answer what the Senator has said.

Mr. SMOOT. But I am not through yet.

Mr. HARDWICK. Oh! I thought the Senator had yielded the floor. Mr. President——

The VICE PRESIDENT. The Senator from Georgia.

Mr. HARDWICK. I just want to suggest that there might be more force in the last argument made by the Senator from Utah with reference to Mr. Penton, of Ohio, if it were not for the fact that the Senator from Utah proposes in this same bill to reduce not only his second-class postage but his first-class postage back to where it was; so the position of the Senator from Utah is that he will save for him at both ends of the line.

Mr. SMOOT. Mr. President, this letter was written in June, 1917, when the present law was under consideration; and the Senator has not found Mr. Penton writing a letter now, when a decrease of rates is proposed.

Mr. HARDWICK. No, Mr. President; and that is not the important phase of the matter; but here was a proposition of a gentleman who was a very large beneficiary of this system telling the truth about it, whatever his motive. Now, he is not to be discredited by the committee because he has done that—and of course I know there is no personal effort to discredit him, and I have not taken any such view as that of the matter—when the committee in one hand hands him a reduction on his first-class mail matter and in the other hand presents him a reduction on his second-class matter.

Mr. SMOOT. Now, Mr. President, I should like to proceed.

I wish to say that I have not reflected upon Mr. Penton in any way, shape, or form. He has done just what other business men in the United States have done; but I want to say that if in this bill we had proposed an increase in the postal rates on first-class matter no doubt you would have heard from Mr. Penton, and there is no reason why you should hear from him now when there is a decrease.

I can understand why the publishers of the Saturday Evening Post do not care whether they have the zone system or whether they do not. That developed at the hearing of a year ago. The officers of that paper know well that if the zone system is in vogue there will be perhaps thousands of magazines and small weekly newspapers that will go out of existence, and the more that go out of existence the greater monopoly the Saturday Evening Post will have; and they can make more money by eliminating competition and competitors than they can by trying to secure reduced rates of postage.

The Senator has tried to make it appear that only the publishers of the country are interested in this subject, those that are pecuniarily interested; that they are the ones that are appealing to Congress. Why, Mr. President, there was a great convention held by the United States Chamber of Commerce at Atlantic City just the other day. Business men from all over this country, representing all classes of business, were in attendance upon that convention, and this is the resolution that was adopted by the convention:

Whereas the absolute industrial unity of our Nation is the basic factor in our splendid and prosperous development, and is moreover the basis upon which industrial reconstruction must rest; and

Whereas national unity is wholly dependent upon the maintenance of easy and equitable channels of communication between all sections of the Nation, which can only be accomplished through the operation of equal postal functions and uniform postal rates between all parts of the country; and

Whereas the postal zone law hastily passed by Congress last year is not only destructive of such unity, both educationally and industrially, but means the sectionalizing of our Nation: Therefore be it

Resolved, That we most earnestly urge the repeal of this postal zone law on second-class matter, and most heartily commend and indorse the action of the Finance Committee of the Senate of the United States in incorporating an amendment to repeal this destructive and un-American law.

Mr. President, I can not state the reasons for the repeal of this obnoxious law more succinctly or more to the point than the resolution passed by that great body of business men of this country.

Much has been said about carrying magazines with advertising matter in them. I have on my desk, I suppose, a hundred letters from different organizations of the country, showing the amount of mail first class in character that comes to those concerns through the advertisements as they appear in publications; and in every case the receipts by the Government from the first-class mail will far more than pay the expenses of carrying that advertising matter through our mails. Think of the millions of

advertisements in the magazines of the country. Every issue, whether they be weekly or monthly, reaching to the ends of the country, going to the homes of the people; and we all know that unless it was profitable, and unless there was some return by way of orders from the people, they would not advertise. There is no order given, there is no invoice sent, there is no return made, there is no letter of explanation given from the purchaser or the advertiser, but that carries a postage stamp of 3 cents upon it. So, Mr. President, when we stop and consider the situation as it is, I believe with all my heart that a mistake will be made if we begin sectionalizing this country.

Why should a citizen of San Francisco pay four times the amount of transportation for his magazines from New York than a citizen of Ohio pays?

Mr. McKELLAR. Mr. President, why should he pay more for the transportation of himself from New York to San Francisco than he does from New York to Ohio?

Mr. SMOOT. I expected that very question, Mr. President.

Mr. McKELLAR. The Senator has had it.

Mr. SMOOT. And I want to say now to the Senator that that is quite a different proposition. One is a commercial transaction pure and simple. The other is an educational matter, and recognized as such by every civilized country in all the world. I may answer it by asking the same question: Why should a letter be sent from New York to San Francisco at the same rate of postage as from New York to Jersey City? For the same reason and no other, Mr. President; and when we begin to chop up this country into sections it will be a sorry day for the unity and unification of the people of this country.

Therefore, Mr. President, I trust that the committee amendment will be agreed to by the Senate.

Mr. TOWNSEND. Mr. President, I know it will be useless to spend any time in discussing this question, especially as I have no particular suggestions to make for or against the pending amendment, and I do not propose to delay action, but I do not care to let the matter pass without repeating somewhat that I said last year.

I did not believe that in last year's revenue law we dealt with postal rates in a scientific manner, nor do I consider the committee provision or the pending amendment as more than an attempt to palliate a bad condition in existing postal laws. In spite of all the arguments that have been made or that will be made to the contrary, it is a notorious fact that second-class mail matter is not paying its proportionate share of the maintenance of the Post Office Department. Special commissions composed of wise men from civil life and others from congressional membership have investigated the question and determined this truth. The stock argument that newspapers and publications generally, without distinction, are educational and necessary for upbuilding the intellectual and moral tone of the country is always advanced as reason for granting special privileges to second-class mail matter, but it is nevertheless a fact that a great majority of these beneficiaries are issued as commercial projects, with no other object in the world. They are maintained for the money the publishers get out of them.

However, this seems to be a legislative question that is very difficult to settle. I do not know whether this is due to the fact that the newspapers and magazines have such a great political influence as to warp the legislative mind or not, but I think it is. It is also true that many Members of Congress are interested in newspapers, and I can readily see that this is an embarrassing matter to them. I may not know what the reason is, but it seems to be impossible to deal with this question by itself. It ought to be considered as a separate proposition. It was not put in the revenue bill in the first place for the purpose of raising revenue. It is not now here as a purely revenue matter, but because there was and is an opportunity to annex it to a tax bill. Those who have had courage enough to meet the question of postal rate adjustment have been in the minority and have been unable to secure consideration for it as an independent proposition.

I hope that during the next Congress we shall deal with this whole question in a separate bill, and that it can be brought forward standing upon its own bottom. The bill that we have here makes very little present difference in the situation as it affects publishers. The existing law has only been in force since the 1st of last July. It has not wrought serious injury to these publications; they are simply afraid of the future; and the pending amendment does not propose to change the 300-mile limit zone. That is to be at the old rate of 1 cent a pound. Such rate, in my judgment, is too low. I have no hesitation in saying that, because evidently it is true.

We are conducting the business of transporting these publications at a loss to the people. First-class letter postage pays not only its cost but yields a big revenue besides to the Government, and yet under our existing rates on second-class matter we are obliged to use all of that surplus revenue to make up the deficit on such matter. Will anyone contend that it is right in equity or morals for the Government to tax one class of mail users at least 100 per cent more than the cost of their service in order that a bonus may be granted to another class of users who pay less than one-fifth of what it costs the Government to serve them? And when you consider that this latter class are using the mails largely for commercial purposes the more astounding the proposition becomes.

Mr. President, I for one propose to insist at the next session of Congress, if it is possible to do so, upon having this question raised and settled upon its merits. I do not want to do injustice to the publishers of the country. I may not know the facts, but I want to know them, and if they disclose discriminations I want to correct them. If I could be sure that this would be done, I would not care what happened in this bill. It would not make very much difference what you do with it if we could get action in the immediate future upon this proposition.

We have been dodging the issue. As was submitted by the Senator from Ohio [Mr. POMERENE], in the letter from Mr. Penton, some of the publishers themselves admit that they are securing from the Government something to which they are not entitled, and all of them know that this is so. It is unadulterated favoritism; and it is granted, I submit, simply or largely because of the influence that those publications can exert upon the political fortunes of Members of Congress who are called upon to legislate.

I feel this way, and this is my only excuse for giving expression to my thoughts at this time. I do not like to have the provision passed with the thought that I acquiesce in these things. When I have yielded in the past it has been because I have been obliged to do so, not being able to secure the thing that I felt was absolutely just and fair to all the people of the United States. If justice and equity were done, we could reduce first-class letter postage to 1 cent, and handle all the mail of the country without loss.

You may talk about educational influences, but I suppose that letter mail is an instrument of education quite as essential as the great majority of the publications that are getting this subsidy from the Government. People correspond through the mails. It is a source of intelligence; it has an uplifting influence; and yet we tax the letter writer 2 and 3 cents per letter in order that we can give advertising mediums an opportunity to go into the Treasury of the United States and use up all its surplus postal fund.

These are plain facts, but I believe they are truths. Some newspapers and other publications might be injured if they were compelled to pay their cost of transportation to the Government. Some might have to suspend; but I submit that other provisions of this tax law are not so solicitous of the businesses to which they apply. If we must impose special burdens upon one class of mail users in order to grant special privileges upon another class, if we must, in fact, place a financial burden upon the people, in order to keep alive a few newspapers and magazines published and circulated for personal benefit and financial profit, it is time we found out whether the result is worth while.

Mr. POMERENE. Mr. President, I had not intended to make any observations upon this subject, more than to ask a few questions as the debate progressed. My attention, however, has been called to the fact that the Senator from Utah [Mr. SMOOT], in beginning this discussion, referred to the letter of Mr. John A. Penton, which I had read into the RECORD, as having something about it which was an object of suspicion; at least, he referred to it as having a "nigger in the woodpile," or a nigger in the "wood fence," I am informed, is the way he put it.

I have known Mr. Penton for a good many years. He does not belong to my party, but he is one of the Republicans who has real courage; and when he sees that a thing is wrong the mere fact that righting it may take dollars out of his pocket does not influence his judgment as a public citizen.

No matter what position Senators may take as to what is the actual cost of delivery of second-class mail matter, everyone seems to concede that the carrying of newspapers and magazines by the Government is done at a very large loss. So far as this legislation is concerned it matters not whether that loss is $25,000,000 or $50,000,000 or $70,000,000. The amount which the statute now requires these publishers to pay is only a modicum of the actual cost, and Senators shoot far afield when they simply suggest that it does not cost the Government as much as the Post Office Department contends that it does cost.

We have heard the argument to the effect that the press is an influence for good, and that therefore we ought to let it have these privileges. No one is denying the fact that the press is

an influence for great good. Through the propaganda which has been spread over this country during the past few years I have heard from many ministers of the Gospel on this subject, and they delight to tell of the influence of the religious papers, and state that they will be handicapped if they are not permitted to have them carried at special rates. But at the same time the atheist circulates his paper, having the same privileges; and while the minister of the Gospel is saying one word for the religious paper he is saying the same word for the atheist publication.

Then we have the publishers of the great literary magazines speaking of the benefit of their publications; and at the same time that they are speaking in the interest of their publications they are saying a good word for the publishers of the Police Gazette.

Mr. President, there is only one thing to do when it comes to legislation of this character, and that is to do what is going to be right for all the taxpayers and all the citizens of the country.

The Senator from Georgia [Mr. HARDWICK] referred to the large increase in the amount of advertising matter that appears in many of these periodicals. There is no question but that his statement is absolutely accurate, if he has not understated it; and what is this advertising matter? Why, it is a part of the merchandise of the advertiser.

The newspapers have said, the magazines said last year, "If you increase our rates, we must increase our subscription rates." Well, what if they do? Just the other day I received a statement from one of the magazines which heretofore I have received at $3.50 a year. They have increased the subscription rate to $4 a year. I am not complaining about that. It is a magazine that I have read for 30 years, and I expect to continue to read it. But I suspect that this great magazine—and its influence is great—if it would continue to take the right side of problems of this kind and say to the publishers everywhere, "You must pay for the service you get," would have a greater influence in the moral world than it and similar magazines have when they are insisting always that public servants shall vote to them large subsidies. If the Senators who are pleading for this subsidy for the publishers now were to ask for the same privilege for any other interest they would be driven from public life.

The fact is that I have heard it stated that those publishers who are opposed to this increase are now boasting of the scalps they got at the last election, and they are going to continue the fight. When I can stay in public life only by yielding to influences of that kind or threats of that kind, I prefer to get out of public life and remain in private life.

Mr. President, when this matter was up before I had some correspondence with the publishers of newspapers, and I read into the RECORD a letter from Mr. Harry E. Taylor, who is the publisher of one of the very live daily papers in southern Ohio. His home city is Portsmouth, a city of probably forty or fifty thousand inhabitants, and this was his letter:

> DEAR SENATOR: I wish to express my hearty approval of your stand on the matter of newspapers and periodicals paying their way through the Postal Service. We are engaged in a legitimate commercial business, and we have no right to ask or expect that the Government shall carry our papers at a loss, as is being done now. I am confident that the great majority of publishers engaged in legitimate business feel about it as I do and are willing to pay their way with the Government or anyone else.
>
> Sincerely, HARRY E. TAYLOR.

And again he wrote me another letter, from which I at that time read into the RECORD a paragraph. I want to read it:

> I have always felt that the drawback to the newspaper business was that it was not generally recognized as a legitimate commercial enterprise. It was the custom so long for publishers of newspapers to sit around at the back doors with their hands out, begging for alms, that newspaper men came to be regarded as a sort of high-class mendicant—a sort of necessary evil, as it were. Newspaper men seemed to think, and religiously cultivated the idea, that they could not get along without subsidies and concessions from city, county, State, and National Governments in the way of special privileges. It has seemed to me that the sooner we get away entirely from this idea and stand squarely on our feet, paying our way as we go, neither asking nor accepting favors, the better it will be for all of us.

I submit that Mr. Taylor takes the real position which ought to be assumed by every publisher.

Mr. TOWNSEND. May I interrupt the Senator from Iowa?

Mr. POMERENE. I yield.

Mr. TOWNSEND. I was interested in what the Senator said about the notice he had received from the magazine publisher that the price of his magazine was going up 50 cents a year. It reminds me of a little correspondence I had with one of my constituents who had been importuned by a magazine publisher to write to his Senator asking me to defeat any proposition which looked to an increase of the second-class mail rate, stating that if that were done the publisher would have to increase the price of his magazine 50 cents a year. I wrote to this correspondent of mine and asked him about how many letters he and his family wrote during the year. He wrote me back that they figured it up that he and the rest of his family wrote on an average at least four letters a week, or 208 letters a year, on which they paid a postage of $4.16. I suggested to him that the proposition was to reduce first-class letter postage to about what it cost, and to raise second-class mail postage to about what it would cost the Government, and if that were done he would get his letter postage for 1 cent and save $1.08, and could therefore well afford to pay 50 cents to the publisher and save the balance.

Mr. POMERENE. I am glad the Senator has contributed that information to the discussion. I had a good deal of correspondence on this subject, too. Some of it was with high-school children. One of these very magazines to which I refer telegraphed me at one time to the effect that their magazine was being taken by many thousands of high-school pupils in the great State of Ohio, and so forth, and urged that I, for their benefit, should allow these publishers to get their hands into the public till. While they have increased the subscription price of the magazine, I dare say if we would reduce the price of postage on second-class mail matter to what it was before the increase was made there would not be any decrease in the subscription price of the journal.

Mr. McKELLAR. The amendment which I propose is to perfect the amendment of the committee. I now offer it and ask for a vote. I call attention to the fact that the amendment comes in on line 10, page 277 of the bill, immediately after the word "matter."

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 277 strike out all of line 10 after the word "matter" and all of line 11 and insert in lieu thereof the following:

> Third zone, 1½ cents per pound.
> Fourth zone (300 to 600 miles), 2 cents per pound.
> Fifth zone (600 to 1,000 miles), 3 cents per pound.
> Sixth zone (1,000 to 1,400 miles), 4 cents per pound.
> Seventh zone (1,400 to 1,800 miles), 5 cents per pound.
> Eighth zone (over 1,800 miles), 6 cents per pound:
> *Provided*, That free-in-county circulation provided by law shall continue as at present: *Provided further*, That the Postmaster General may hereafter require publisher to separate or "make up" to zones, or in such manner as may be directed, all matter of the second class when offered for mailing.

Mr. GRONNA. Mr. President, I shall occupy only a few minutes of the time of the Senate to briefly explain my own position and to state why I am opposed to the proposed change of the law. I think all of us realize the importance of collecting as much revenue as we possibly can to defray the expenses of this war. I believe even the Senator from Utah will admit that it is necessary in order to carry on the tremendous expenses of the Government.

If the provision which is now being discussed was simply one which affected newspapers I should not take any of the time of the Senate, nor should I oppose the provision offered. We know, Mr. President, that that is not the amendment which we are about to vote upon.

A farmer in the South raising cotton has just as much right to ask for a subsidy and ask that his cotton shall be transported free of charge to the markets as a newspaper publisher has to ask for the subsidy which is provided for in this amendment, not that portion of his paper or magazine which diffuses knowledge to the public, but the commercial part of his paper, namely, the advertising part, which is purely a commercial affair.

I say the cotton planter in the South has just as much right to ask for a subsidy and ask that his cotton be transported free, and so has the grain producer of the West or anyone else in the United States to ask for similar subsidy. Think of it, Senators! If any of us should propose a bill or an amendment asking that our product should be transported free of charge how ridiculous it would appear! But it is being done in this case simply because some of us are afraid of the great metropolitan press, afraid of the influence of newspapers and the magazines. Senators, the day may come when some of us will be willing and glad to let those gentlemen get our scalps rather than to submit to propositions which we know are unfair and unjust.

The Senator from Ohio [Mr. POMERENE] referred to the fact that those same people had gloated over the fact that they got the scalps of certain men in the last election, and that that campaign will be carried on. So far as I am personally concerned they are welcome to my scalp if at the expense and the sacrifice of my own conscience and my own judgment I shall submit to a proposition which is, in my judgment, unfair, unjust, and indefensible.

In the first place, Mr. President, I am going to vote against the amendment and support the Post Office Department in what they ask, because I know the Government needs the revenue. In the second place, I am going to oppose this amendment because I believe it is an injustice to the small newspaper men in the country. I wonder what the great Security League of New York will think about Senators who are opposing administration measures now. I hope this will not be one of the 8 or 10 propositions upon which they agreed to determine whether a man was loyal or disloyal.

I say to the Senator from Utah, who is courageous, that he is taking a tremendous responsibility upon himself, because that great league is composed of the great men of this country. I know one of them very well. He testified before the Committee on Agriculture last year, at least he was present for about 30 days. He was at that time representing some of the great trusts of the country. I do not say that all trusts are bad—100 per cent bad—but this particular gentleman was not representing the common people throughout the country at that time. Perhaps he has reformed now. Perhaps he has seen the error of his ways and been instrumental in having the resolution adopted in that great convention, and which the Senator from Utah just read into the RECORD, and I have no doubt it was a great convention, composed of very eminent men.

I say to the Senator from Utah if you take it as legitimate business proposition, you can not defend it; it is indefensible; and while you argue in favor of it, you will have to argue around a circle in order to defend yourself. From the standpoint of the publishers of the small newspapers of the country, I ask to have this letter read at the desk.

The PRESIDING OFFICER (Mr. KIRBY in the chair). The Secretary will read as requested.

The Secretary read as follows:

JAMESTOWN, N. DAK., *December 13, 1918.*

Hon. A. J. GRONNA,
Washington, D. C.

DEAR SENATOR: We understand an effort is being made by the big daily and the magazine publishers to secure their old subsidy privileges of the mail by a repeal of the present zone system of postage rates. We earnestly hope you will oppose vigorously this rank discrimination against the small dailies, which are growing in numbers and filling a field satisfactorily. The small daily is rapidly developing into a necessity of the smaller towns, and the reason is evident. Type-setting machines and telephones transmitting news formerly sent by telegraph have given the small daily a chance to supply the needs of the community with a combination local and general newspaper. The big dailies do not print the local news, and all the small dailies now have wire press reports and print the important news of the world and the Nation, together with the local, State, and county news.

Many persons in small towns are not able to take or have time to read the larger dailies for the general news, and are satisfied with the small daily service. The local merchant also has in the small daily a satisfactory medium to advertise his goods, which is of value to the community and a right to which it is surely entitled.

The small daily is also filling a demand of farmers for a daily newspaper delivered by rural carriers. The war, the draft, and the Red Cross have created a new class of newspaper readers, and thousands of town and farm families are now subscribers to local dailies who never subscribed or read regularly any daily paper before. The combined local and general news in concise space is all that this class of readers desire. Should they be deprived of it?

Is not the privilege of the residents of the smaller towns equal in importance to the demands of publishers of larger dailies who wish to monopolize the local field, and is it just to permit the small daily to be driven out of existence by subsidizing the larger ones by Federal discrimination?

We believe that the injustice in permitting this will only add fuel to the arguments of those who are using claims of big business favoritism to create a strong sentiment in this country against all conservative, sane, and fair legislation for all classes alike.

We hope you will oppose strenuously and promptly any change in the zone system of postage rates for newspapers.

Yours, truly,

ALERT PUBLISHING CO.,
By W. R. KELLOGG.

Mr. GRONNA. Mr. President, that letter is from a newspaper man in my State, a man of very high standing. He is also a Republican.

If it were not for the fact that the Government at this particular time needs all the money that we can possibly collect, it might not be out of place to take this $70,000,000 out of the Treasury and subsidize the press to that amount, if they were willing to acknowledge that they are subsidized. But, Mr. President, for one I have nothing against the large newspapers of the country. They are really responsible for my presence here, because I have always had their opposition. Had it not been for their opposition, I doubt if I would have been here at all. I know the voice of the country press, of the little weekly newspaper, of the small daily newspaper in the country comes nearer to expressing the real sentiment of the people of the country than the voice of some of the large metropolitan newspapers.

Some other day, when the time of the Senate is not so precious as it is now, I shall try to amplify upon this subject; but I see that my patient, good friend from North Carolina, the chairman of the committee, is getting somewhat anxious to have the bill passed.

Mr. SIMMONS. The Senator has correctly interpreted my feelings.

Mr. GRONNA. I shall forego taking up very much more time, although I should like to have an hour or two to tell the Senators who are present and others who may hear me what I think about this proposition. But I am going to ask the Senate to listen to a letter written by a Democratic editor of North Dakota, the editor of the only daily Democratic newspaper in my State. It is a letter which was sent to me last year. I ask the Secretary not to read his letter to me, but to read a letter which is addressed to Mr. Rex Beach. It seems that Mr. Rex Beach was president of the Authors' League of America to educate other editors throughout the country, and the letter which I ask to have read is in answer to Mr. Rex Beach by Col. J. H. Bloom, of Devils Lake, N. Dak.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

DEVILS LAKE, N. DAK.

MR. REX BEACH,
New York, N. Y.

DEAR SIR: I have your article advocating repeal of the new second-class postage rates which you kindly gave me first chance to publish here. I can not use this article, for I am not at all in sympathy with your position, nor is this very strange. You are a magazine and story writer; I just a plain country editor. We have no interests in common.

With the abolition of the railroad pass and other "something-for-nothing" privileges, there no longer exists any good reason why even newspapers should be deadheading it at the post office. Whatever faint excuse there may have been at one time for the carriage at a loss by Government of newspapers, none has ever existed for so carrying magazines, for this nearly free carriage and distribution could be regarded as advisable only in connection with dissemination of news, not of mere information, no matter how valuable the latter. Books give information, generally more thoughtfully prepared. Free or nearly free distribution for country newspapers did give a means of quickly getting to rural and small-town residents important news about current happenings, but that argument never applied to the magazine, which of necessity is prepared days and even weeks ahead of publication. Its contents, while in some instances containing knowledge, by no possibility furnish news, for such information as is provided ceased to be news 24 hours after it was made public.

My objection to the new law is that it does not go far enough nor quick enough. If I had my way, the rates would jump until this handling of second-class mail became profitable. Subscribers who were unwilling to pay a proper price, based on cost, for favorite periodicals, would be of mighty little value to the community.

I live in a region of farmers, and so far as they are concerned know that they are literally pestered with "junk" masquerading as farm journals, and a law that would relieve them would be welcome. I am quite aware that many people have no high regard for the country press and consider it of little consequence. Likewise many people think that we have too many magazines which are entirely unsulted for admittance to respectable homes. They get their large circulations because, through "sponging" their transportation from the Government, they can afford to make enticing offers to subscribers, and having built a big circulation get a stiff price from advertisers. Moreover, these advertisements are simply circulars or third-class matter, save in method of distribution. As such, they should pay 8 cents per pound instead of 1.

They would give away circulation if the law permitted, and even now they circumvent it in every way possible. Here is one way in which farm journals get around it: With a subscription price of $1, a journal I have in mind gives a solicitor 95 cents for procuring the subscription, and then gives a premium to the farmer which costs 35 cents, though it is represented as worth $1.50. In one case of this sort 60,000 subscriptions out of 500,000 issue were taken because of a real desire for the farm journal, the entire remainder being induced by joint action of glib-tongued solicitor and fascinating "premium."

As a result, advertisers are "bilked" into giving business to "circulation" which few read, and the post office is burdened with distribution at a loss of mountains of trash. With popular magazines the desire for increased circulation induces publishers to give agencies such rates that clubbing offers work a similar fraud upon the department and the advertiser. Wasted circulation is promoted. A subscriber who takes three periodicals, with aggregate list price of $3.50 for $2, may find that the first is one he does not want, the second his wife does not want, and the third neither wants.

I will admit I am mercenary in opposing, just as you are in exploiting, your program. I am opposed to classifying newspapers with magazines for postage purposes. Not only do newspapers render services to the public which entitle them to better rates but also the haul of the magazine is a thousand miles, and then some, while the newspaper goes perhaps 50 miles. When rates are based on common sense, the country paper will come into its own again, and the advertising that formerly appeared in its columns but has of late been carried in magazines will once more return there. Then its influence will increase, for advertising will protect its patrons against mail-order vampires, and the local merchant can once more afford to take space and exploit his wares, to the joint benefit of himself, the farmer, and the small paper.

THE ZONE SYSTEM IS THE SALVATION OF THE COUNTRY PAPER.

Every country newspaper in the United States should oppose your scheme of repeal, but they won't, for they haven't sense enough to do it. They will follow the lead of the big city papers and magazines of the East and howl about the great injustice of the increase, as you so thrillingly put it, blissfully unconscious of the fact that by so doing they are assisting the chief agents of the mail-order houses in stealing away their trade.

Another point: I want any paper that comes into my territory from St. Paul, Chicago, and New York to pay well for the privilege; at least, let it pay cost. I have to pay freight on my paper which comes to me before it is printed and then I distribute it to near-by patrons by mail, and I object to the easterner getting his paper, just because it is printed, into my people's hands free, or nearly so.

If our Congressmen do their duty by their constituents, the only change that will be made in the law will be to put more "teeth" into it, making second-class mail pay cost of handling.

Believe me, the noise the "big boys" are making is tuneful to me, but I am wondering if they can continue to get away with it. I know they should not, but they are a resourceful lot. It wasn't such a bad idea, either, to get you and the Authors' League to do some of the calamity howling.

Yours, very truly,

J. H. BLOOM,
Editor The Journal.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Tennessee [Mr. MCKELLAR] to the amendment of the committee.

Mr. SIMMONS. I understand the amendment of the Senator from Tennessee is an amendment to the committee amendment repealing the zone system.

Mr. MCKELLAR. It is to perfect the amendment.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question recurs on the adoption of the amendment proposed by the committee.

Mr. HARDWICK. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Beckham	Johnson, Cal.	New	Smith, S. C.
Borah	Johnson, S. Dak.	Norris	Smoot
Calder	Jones, N. Mex.	Nugent	Spencer
Curtis	Jones, Wash.	Page	Sutherland
Dillingham	Kellogg	Penrose	Swanson
Fernald	Kendrick	Poindexter	Thomas
Fletcher	Kenyon	Pollock	Townsend
France	Kirby	Pomerene	Trammell
Frelinghuysen	Knox	Ransdell	Underwood
Gay	La Follette	Saulsbury	Vardaman
Gerry	Lodge	Shafroth	Warren
Gronna	McKellar	Sheppard	Watson
Harding	McNary	Sherman	Weeks
Hardwick	Martin, Ky.	Simmons	
Henderson	Martin, Va.	Smith, Ariz.	
Hitchcock	Moses	Smith, Md.	

The PRESIDING OFFICER. Sixty-one Senators have answered to their names. There is a quorum present. The question recurs upon the adoption of the amendment as proposed by the committee.

Mr. MCKELLAR. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. NORRIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. NORRIS. Is the vote to be taken on the committee amendment or is there a vote to be taken on an amendment to the amendment?

The PRESIDING OFFICER. The vote is now to be taken on agreeing to the amendment as proposed by the committee.

Mr. NORRIS. I thought the Senator from Tennessee had offered an amendment to the amendment.

The PRESIDING OFFICER. His amendment to the amendment was defeated. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. GAY (when his name was called). I announce my pair with the Senator from Indiana [Mr. NEW]. If I were at liberty to vote, I should vote "yea." Not knowing how the Senator from Indiana would vote if present, I refrain from voting.

Mr. FERNALD (when Mr. HALE's name was called). I desire to announce that my colleague, the junior Senator from Maine [Mr. HALE], is absent on official business. If he were present, he would vote "yea."

Mr. KNOX (when his name was called). I have a general pair with the senior Senator from Oregon [Mr. CHAMBERLAIN], who is not present. I transfer that pair to the senior Senator from Minnesota [Mr. NELSON] and vote "yea."

Mr. PENROSE (when his name was called). I have a general pair with the senior Senator from Mississippi [Mr. WILLIAMS], which I will transfer to the junior Senator from Maine [Mr. HALE] and will vote "yea."

Mr. SAULSBURY (when his name was called). I have a general pair with the Senator from Rhode Island [Mr. COLT]. Not knowing how he would vote, if present, I refrain from voting.

Mr. SMITH of South Carolina (when his name was called). I have a general pair with the Senator from South Dakota [Mr. STERLING]. In his absence I withhold my vote.

Mr. TOWNSEND (when his name was called). I have a pair with the senior Senator from Arkansas [Mr. ROBINSON], and therefore withhold my vote.

The roll call was concluded.

Mr. UNDERWOOD. I wish to announce that my colleague [Mr. BANKHEAD] is absent on account of official business. He is paired with the Senator from New Jersey [Mr. BAIRD].

Mr. KENDRICK (after having voted in the affirmative). I have a general pair with the senior Senator from New Mexico [Mr. FALL]. I transfer that pair to the Senator from Texas [Mr. CULBERSON], and will let my vote stand.

Mr. SHERMAN (after having voted in the affirmative). I have a pair with the senior Senator from Kansas [Mr. THOMPSON]. I am informed that if present he would vote for the committee amendment. So I am at liberty to vote, and I will let my vote stand.

Mr. WATSON (after having voted in the affirmative). I have a general pair with the junior Senator from Delaware [Mr. WOLCOTT]. I voted, but because I am unable to obtain a transfer of my pair I desire to withdraw my vote.

Mr. WARREN (after having voted in the affirmative). Has the Senator from North Carolina [Mr. OVERMAN] voted?

The PRESIDING OFFICER. He has not.

Mr. WARREN. Then I will ask to withdraw my vote, as I have a general pair with that Senator.

Mr. STERLING. I desire to state that the Senator from North Carolina [Mr. OVERMAN], the Senator from Delaware [Mr. WOLCOTT], the Senator from Minnesota [Mr. NELSON], the Senator from Missouri [Mr. REED], and the Senator from Utah [Mr. KING] are absent on business of the Senate.

Mr. GERRY. I wish to announce that the Senator from California [Mr. PHELAN] is detained on official business.

I desire also to announce that if the Senator from Utah [Mr. KING] were present, he would have voted in favor of the so-called McKellar amendment.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED]; and

The Senator from New York [Mr. WADSWORTH] with the Senator from New Hampshire [Mr. HOLLIS].

Mr. MCKELLAR. I desire to announce that my colleague [Mr. SHIELDS] is detained from the Senate on account of illness.

Mr. STERLING (after having voted in the affirmative). I am informed that the Senator from South Carolina [Mr. SMITH], with whom I have a general pair, has not voted. Not knowing how he would vote, I withdraw my vote.

The result was announced—yeas 34, nays 22, as follows:

YEAS—34.

Borah	Hitchcock	McNary	Simmons
Calder	Johnson, Cal.	Martin, Va.	Smith, Md.
Dillingham	Jones, N. Mex.	Moses	Smoot
Fernald	Jones, Wash.	Page	Spencer
Fletcher	Kendrick	Penrose	Swanson
France	Knox	Poindexter	Underwood
Gerry	Lodge	Pollock	Weeks
Harding	McCumber	Ransdell	
Henderson	McLean	Sherman	

NAYS—22.

Beckham	Kenyon	Norris	Sutherland
Curtis	Kirby	Nugent	Thomas
Gronna	La Follette	Pomerene	Trammell
Hardwick	McKellar	Shafroth	Vardaman
Johnson, S. Dak.	Martin, Ky.	Sheppard	
Kellogg	Myers	Smith, Ariz.	

NOT VOTING—40.

Ashurst	Gay	Overman	Smith, S. C.
Baird	Goff	Owen	Sterling
Bankhead	Gore	Phelan	Thompson
Brandegee	Hale	Pittman	Townsend
Chamberlain	Hollis	Reed	Wadsworth
Colt	King	Robinson	Walsh
Culberson	Lenroot	Saulsbury	Warren
Cummins	Lewis	Shields	Watson
Fall	Nelson	Smith, Ga.	Williams
Frelinghuysen	New	Smith, Mich.	Wolcott

So the amendment of the committee was agreed to.

Mr. SIMMONS. Mr. President, on page 7, line 1, the committee desire to perfect its amendment by adding, after the word "any," the word "stock," and after the word "taxpayer," by inserting the words "during the calendar year 1918."

The PRESIDING OFFICER (Mr. MARTIN of Kentucky in the chair). The amendment to the amendment proposed by the Senator from North Carolina will be stated.

The SECRETARY. On page 7, line 1, after the word "any," which is the first word in the line, it is proposed to insert the word "stock," so that it will read "any stock dividend," and after the word "taxpayer," in the same line, to insert the words "during the calendar year 1918."

The PRESIDING OFFICER. The question is on the amendment to the amendment of the committee.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

Mr. SIMMONS. Mr. President, I will ask the Secretary to read the next committee amendment which was passed over.

The SECRETARY. The next amendment passed over was, on page 11, beginning in line 3, which was passed over at the instance of the senior Senator from Wisconsin [Mr. LA FOLLETTE], where the committee proposed to strike out beginning in line 3, down to and including line 9, as follows:

(a) In the case of a citizen or resident of the United States 12 per cent of the amount of the net income in excess of the credits provided in section 216: *Provided*, That upon the first $4,000 of this amount the rate shall be 6 per cent.

(b) In the case of a nonresident alien, 12 per cent of the amount of the net income in excess of the credits provided in section 216.

And in lieu thereof to insert:

(a) For the calendar year 1918, 12 per cent of the amount of the net income in excess of the credits provided in section 216: *Provided*, That in the case of a citizen or resident of the United States the rate upon the first $4,000 of such amount shall be 6 per cent.

(b) For each calendar year thereafter, 8 per cent of the amount of the net income in excess of the credits provided in section 216: *Provided*, That in the case of a citizen or resident of the United States the rate upon the first $4,000 of such amount shall be 4 per cent.

Mr. SIMMONS. Mr. President, that amendment was passed over with my consent. It involves the 1920 tax, and I think it may again be passed over. I do not think we are ready to take it up at this time.

Mr. President, I think the Senator from Wisconsin [Mr. LA FOLLETTE] asked that the surtax section on page 11 be passed over. There is no notation on the back of the bill that he requested it, but I am quite sure that he did request it. I will ask the Senator from Wisconsin if I am correct about that?

The PRESIDING OFFICER. That amendment has been agreed to.

Mr. LA FOLLETTE. It has been agreed to. I waived that request.

Mr. SIMMONS. Very well; I overlooked that fact.

The PRESIDING OFFICER. The next amendment passed over will be stated.

The SECRETARY. The next amendment passed over is the one at the foot of page 47, which was passed over at the instance of the Senator from New Mexico [Mr. JONES]. The amendment is under the heading of "Tax on corporations"——

Mr. JONES of New Mexico. Mr. President, I should like to have that section go over again if agreeable. I wish to submit to the Senate some remarks concerning it, and I do not believe that I care to do so this afternoon, unless it is insisted upon. I should like to take that up with some other provisions of the bill, which I hope to discuss the first thing to-morrow.

Mr. SIMMONS. Mr. President, I shall not insist upon it, because I am aware of the fact that the Senator desires to discuss other portions of the bill in connection with that provision.

The PRESIDING OFFICER. The Secretary will state the next amendment passed over

The SECRETARY. The next amendment passed over was passed over at the request of the Senator from Utah [Mr. SMOOT], on page 65, beginning in line 1, to insert:

CONSOLIDATED RETURNS.

SEC. 240. (a) That corporations which are affiliated, within the meaning of this section, shall, under regulations to be prescribed by the commissioner, with the approval of the Secretary, makes a consolidated return of net income and invested capital for the purposes of this title and Title III, and the taxes thereunder shall be computed and determined upon the basis of such return.

In any case in which a tax is assessed upon the basis of a consolidated return, the total tax shall be computed in the first instance as a unit and shall then be assessed upon the respective affiliated corporations in such proportions as may be agreed upon among them, or, in the absence of any such agreement, then on the basis of the net income and invested capital properly assignable to each. There shall be allowed in computing the income tax only one specific credit of $2,000 (as provided in section 236); in computing the war-profits credits (as provided in section 311) only one specific exemption of $3,000; and in computing the excess-profits credit (as provided in section 312) only one specific exemption of $3,000.

(b) For the purpose of this section, two or more corporations shall be deemed to be affiliated—

(1) If one corporation owns directly or controls through closely affiliated interests or by a nominee or nominees substantially all the stock of the other or others, or if substantially all the stock of two or more corporations is owned or controlled by the same interests, or if one such corporation buys from or sells to another products or services at prices above or below the current market, thus effecting an artificial distribution of profits, or in any way so arranges its financial relationships with another corporation as to assign to it a disproportionate share of net income or invested capital.

(2) A foreign corporation shall not be deemed to be affiliated with a domestic corporation unless substantially all its stock is owned or controlled by such domestic corporation or by a resident taxpayer or group of resident taxpayers owning or controlling substantially all the stock of such domestic corporation. Where under this subdivision a foreign corporation is affiliated with a domestic corporation, the total tax (computed as a unit as above provided) shall be reduced by the credit authorized in section 238.

Mr. SMOOT. Mr. President, I will state that I asked that that amendment go over at the request of the Senator from Minnesota [Mr. KELLOGG], who is now present and who will offer any amendment he desires.

Mr. KELLOGG. Mr. President, I have heretofore presented an amendment, which was printed, providing a substitute for subdivisions 1 and 2 of paragraph (b) of the amendment in regard to consolidated returns; but on reconsideration I ask to perfect the amendment so as simply to strike out part 2 of subdivision (b), on page 66, and insert in lieu thereof the amendment which I will ask to have read.

The PRESIDING OFFICER. The Secretary will read the amendment offered by the Senator from Minnesota to the amendment reported by the committee.

The SECRETARY. On page 66, beginning in line 8, it is proposed to strike out subdivision 2 of paragraph (b) down to and including line 16 on that page and to insert in lieu thereof the following:

(2) A foreign corporation shall not be deemed to be affiliated with a domestic corporation unless a majority of the stock or a controlling interest in the stock is owned or controlled by such domestic corporation or a resident taxpayer or group of resident taxpayers, or by such domestic corporation and a resident taxpayer or group or resident taxpayers closely affiliated with the management of said domestic corporation. Where under this subdivision a foreign corporation is affiliated with a domestic corporation the total tax (computed as a unit, as above provided) shall be reduced by the credit authorized in section 238.

Mr. KELLOGG. Mr. President, the object of that amendment is simply this: A domestic corporation doing business in a foreign country—in Canada, for illustration—renders a consolidated return of all its business and profits, but it is given credit for the taxes which it pays in Canada, as Canadian corporations are given credit for taxes they pay in this country. As a matter of fact, in carrying on business in Canada American corporations have found it necessary, instead of becoming admitted into Canada as foreign corporations, to hold the stock of Canadian corporations, and in many instances they have allowed local stockholders of their holding company to subscribe for stock in the Canadian company.

While, of course, the Congress can not compel a foreign corporation to make a consolidated return in this country, yet it is to the advantage of the foreign corporation to make a consolidated return if it can have a credit for the taxes it pays in that country, the same as foreign corporations have for taxes paid in this country; otherwise it is perfectly manifest that holding corporations in this country which have been compelled to carry on their business in a foreign country through a subcompany will not have any dividend declared from the subcompany.

I believe the Treasury Department is convinced that the Government will get more taxes under the amendment I have proposed and at the same time it will encourage American business men to continue business in Canada.

Along the northern boundary of this country there are a great many business institutions which have branches in Canada which are usually controlled by a holding company. The holding company sometimes owns 35 or 40 or 50 per cent, and the stockholders, resident taxpayers, will hold the remainder; but they are affiliated together, the companies are operated as one company, and they are perfectly willing to make returns as one company.

This bill provides—and it is a very wise provision—that where substantially all the stock belongs to a holding company it shall make consolidated returns. Personally I can not see any reason why, if they control the subcompany, a consolidated return should not be required in the same way.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. KELLOGG. Certainly, I yield.

Mr. SMOOT. I notice that the Senator's amendment provides, "unless a majority of the stock or a controlling interest in the stock is owned or controlled by such domestic corporation or a resident taxpayer," and so forth. A controlling interest in the stock might be even less than a majority of the stock.

Mr. KELLOGG. It might be less.

Mr. SMOOT. That often happens.

Mr. KELLOGG. If the company is controlled by the stock of some of its own stockholders who act with the company that would be a controlling interest.

Mr. SMOOT. Does not the Senator think that if the corporation is allowed to make a consolidated return it at least ought to have a majority of or a controlling interest in the stock? Many corporations are controlled by one man who owns, say, 45 per cent of the stock; and it seems to me if we are going to allow consolidated returns at least there ought to be a majority of the stock owned by the individual.

Mr. KELLOGG. That is owned by the company or individual stockholders—resident taxpayers—who act with it.

Mr. SMOOT. Certainly.

Mr. KELLOGG. I have no objection to that, and I will perfect the amendment in that way if the Senator from North Carolina is willing to accept it.

Mr. SIMMONS. What is the suggestion?

Mr. SMOOT. I called the attention of the Senator from Minnesota to the fact that under the wording of his amendment a controlling interest in the stock may be less than the majority of the stock, and I asked the Senator if he would not be willing to amend his amendment so as to require a majority of the stock to be owned or controlled by the corporation making the consolidated return.

Mr. SIMMONS. Not less than a majority.

Mr. SMOOT. Not less than a majority of the stock.

Mr. SIMMONS. If the Senator will do that——

Mr. KELLOGG. Mr. President, I have no objection to that, provided that majority includes the stock held by resident taxpayers who act with the affiliated corporation, the same as in the case of the original amendment.

Mr. SMOOT. Then say "not less than a majority of the voting stock."

Mr. KELLOGG. If the Senator in charge of the bill wishes, I will withdraw the amendment at present and offer it later.

Mr. SIMMONS. I think that will hardly be necessary.

Mr. KELLOGG. Then, Mr. President, I will read the amendment as I have modified it:

(2) A foreign corporation shall not be deemed to be affiliated with a domestic corporation unless a majority of the voting stock is owned or controlled by such domestic corporation or a resident taxpayer or group of resident taxpayers or by such domestic corporation and a resident taxpayer or group of resident taxpayers closely affiliated with the management of said domestic corporation. Where under this subdivision a foreign corporation is affiliated with a domestic corporation the total tax (computed as a unit as above provided) shall be reduced by the credit authorized in section 238.

Mr. SIMMONS. I did not hear the first part of the suggestion, having been interrupted. Does it provide that it shall be not less than a majority of the voting stock?

Mr. KELLOGG. Yes; "unless a majority of the voting stock"——

Mr. SIMMONS. If that is the amendment, while I think the committee amendment is somewhat preferable, I am anxious not to have controversies where it is not necessary, and the amendment of the Senator from Minnesota is so much like that of the committee that I am disposed to accept it.

Mr. KELLOGG. I send the amendment to the desk.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Minnesota to the amendment reported by the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The SECRETARY. The next amendment passed over will be found on page 84, beginning with line 19.

Mr. SIMMONS. I will ask the Chair if there was not an amendment passed over on page 83?

The PRESIDING OFFICER. There was not. The Senator from Colorado gave notice that later on he would offer a substitute for the amendment on page 83.

Mr. SIMMONS. Yes. It is marked here, and the mark does not indicate the purpose.

The SECRETARY. The next amendment passed over begins on page 84 with the subdivision (b) under the third bracket on line 19, and was passed over at the request of the Senator from Utah [Mr. SMOOT].

Mr. SMOOT. Those are the 1920 rates on excess profits, and that amendment will be disposed of in connection with the other similar amendments in other parts of the bill.

Mr. SIMMONS. Let that go over again.

The PRESIDING OFFICER. The amendment will be again passed over.

Mr. SMOOT. Mr. President, on page 168, if the Senator will turn to that page, on line 25, the word "in," after the word "spirits," should be "and."

Mr. SIMMONS. That is correct.

Mr. SMOOT. I move to strike out "in" and insert "and" at that point.

The PRESIDING OFFICER. Without objection, the vote whereby the amendment was agreed to will be reconsidered. The Chair hears no objection.

The SECRETARY. On page 168, line 25, after the word "spirits," it is proposed to strike out the word "in" and insert in lieu thereof the word "and."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The SECRETARY. The next amendment passed over is on page 85——

Mr. SMOOT. The amendment on page 85 was passed over for the same reason as the former amendment.

Mr. SIMMONS. That is because it involves the question of the excess-profits tax.

The SECRETARY. On page 95——

Mr. SIMMONS. Mr. President, that amendment was passed over at the request of the Senator from Louisiana [Mr. RANSDELL]. I think the Senator has decided not to offer an amendment, which at one time he expected to offer.

The PRESIDING OFFICER. The question is upon agreeing to the amendment of the committee.

The amendment was agreed to.

The SECRETARY. The next amendment passed over will be found on page 105, under "Part VII.—Miscellaneous," section 335.

Mr. SMOOT. That is the same thing, and I ask that that be passed over.

The PRESIDING OFFICER. The amendment will be again passed over.

The SECRETARY. The next amendment passed over is the one on page 107, at the foot of the page, where the committee proposes to strike out "Title IV.—Estate tax," going to the bottom of page 136. The amendment was passed over at the instance of the Senator from Colorado [Mr. THOMAS].

Mr. SIMMONS. Mr. President, I do not see the Senator from Colorado in the Chamber. I should like very much to have action upon this amendment this afternoon, if possible.

Mr. LA FOLLETTE. Mr. President, I think the Senator from Colorado has left the Chamber for the day. He stated to me a few moments ago that he was having some throat trouble, and had to be treated by a specialist; and I understood him to say that he would not be here for the balance of the afternoon.

Mr. SIMMONS. Very well. Mr. President; let it go over.

The PRESIDING OFFICER. The amendment will be again passed over.

The SECRETARY. The next amendment passed over will be found on page 137.

Mr. SIMMONS. That amendment was passed over at the instance of the Senator from Washington [Mr. JONES]. He is not here, and he requested me to have it passed over again. He said that he was necessarily called out of the Chamber.

The PRESIDING OFFICER. The amendment will be again passed over.

The SECRETARY. The next amendment passed over will be found on page 144, and was passed over at the suggestion of the chairman of the committee.

Mr. SIMMONS. Mr. President, I now send to the desk an amendment proposed by the committee as a substitute for the whole of the balance of that section. The section relates to marine and fire insurance and some other miscellaneous insurance.

I will state to the Senate that the committee has worked out in the case of fire and marine insurance a different scheme of taxation from that embodied in the bill, just as it worked out a different scheme of taxation on life insurance companies, which has heretofore been adopted by the Senate. I now send the amendment to the desk. It will be seen that there are at the end of the substantive amendments a great many small amendments that are made necessary by the sweeping change in this title of the bill.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. The amendment begins on page 143, line 4, with the heading "Insurance." After the heading "Insurance," it strikes out all of sections 503 and 504 and proposes the insertion of four new sections, as follows:

SEC. 503. That there shall be levied, collected, and paid in respect of all policies (not exempt under subdivision (b) of section 505) issued by any mutual insurance company a tax equivalent to 1 per cent of the excess of the gross amount of premiums charged (including reinsurance premiums charged) under such policies over the amount of premiums paid for reinsurance, return premiums, and premiums on policies not taken, such tax to be paid by the company issuing the policy.

SEC. 504. That from and after January 1, 1918, there shall be levied, collected, and paid, in respect of all policies (not exempt under subdivision (b) of section 505) issued by any insurance company other than a mutual insurance company, the following taxes upon the excess of the gross amount of premiums charged (including reinsurance premiums charged) under such policies, over the amount of premiums paid for reinsurance, return premiums, and premiums on policies not taken, such tax to be paid by the company issuing the policy:

(a) In the case of policies of casualty insurance, a tax equivalent to 1½ per cent of such excess:

(b) In the case of policies of marine and inland insurance (except policies of insurance upon exports) a tax equivalent to 2½ per cent of such excess: *Provided*, That under rules prescribed by the commissioner, with the approval of the Secretary, any marine insurance company or fire and marine insurance company may elect to be taxed in respect of all policies (including policies of insurance upon exports)

issued by such company, in which case the rate shall be 1½ per cent, but such election once made shall be adhered to in subsequent years unless permission to change is given by the commissioner;

"(c) In the case of all other policies a tax equivalent to 1½ per cent of such excess.

"SEC. 505. (a) That for the purposes of sections 503 and 504 the term 'policies' includes contracts of reinsurance, and all fidelity and surety bonds upon which premiums are charged, and the term 'insurance company' includes reinsurance companies.

"(b) Policies issued by any corporation enumerated in section 231, life insurance and annuity contracts issued by any life insurance company, and mortgage guarantee policies and policies guaranteeing titles to real estate, shall be exempt from the taxes imposed by sections 503 and 504.

"SEC. 506. That the taxes imposed by sections 503 and 504 shall be computed quarterly for the periods ending on March 31, June 30, September 30, and December 31, of each year, and every person subject to such taxes shall make quarterly returns under oath, in duplicate, to the collector of the district in which the principal office or place of business of such person is located. Such returns shall contain such information and shall be made in such manner and at such times as the commissioner, with the approval of the Secretary, may prescribe. The tax shall, without assessment by the commissioner or notice from the collector, be paid to the collector at the time so prescribed for filing the return: *Provided*, That in the case of the tax imposed by section 504 for the calendar year 1918, return shall be made and the tax shall be paid on or before March 15, 1919, and any amounts theretofore paid under subdivision (b) or (c) of section 504 of the revenue act of 1917, or under subdivision 2 of schedule A of Title VIII of the revenue act of 1917, on account of any policy issued on or after January 1, 1918, shall be credited toward the payment of such tax.

If any tax imposed by section 503 or section 504 is not paid when due, there shall be added as part of the tax a penalty of 5 per cent of the amount unpaid, together with interest thereon at the rate of 1 per cent for each full month from the time the tax became due until paid.

Mr. SIMMONS. Mr. President, my motion is to strike out all of section 503 and all of section 504 and insert what has been read by the Secretary. It begins on page 143, line 5, and is a motion to strike out all of section 503 and section 504.

Mr. CURTIS. Mr. President, does the Senator expect to have a vote on that amendment to-night?

Mr. SIMMONS. I should like to have it voted upon to-night.

Mr. CURTIS. There are several Senators who are interested in that section, and who were not aware that the amendment was to be proposed. If the Senator wants a vote now, I shall have to suggest the absence of a quorum.

Mr. SIMMONS. I shall not ask for a vote to-night if the Senator is going to make that motion; but I do not believe there will be any objection to this change in the bill.

Mr. CURTIS. The amendment has not yet been explained, and it is a new proposition. It has not yet been printed.

Mr. SIMMONS. Very well, Mr. President; the matter may go over. Does the Senator object to having it adopted subject to a motion to reconsider if any Senator desires?

Mr. CURTIS. If the Senator will consent to that action being taken.

Mr. SIMMONS. Yes; I will consent to that.

Mr. CURTIS. The Senator will agree to have it reconsidered if anybody objects in the morning?

Mr. SIMMONS. I will agree to it; yes.

The PRESIDING OFFICER. The question is on the amendment proposed by the committee.

The amendment was agreed to.

The SECRETARY. On page 9, in lines 8 and 16, after the word "company," it is proposed to insert the words "or a mutual insurance company."

The PRESIDING OFFICER. For the purpose of this amendment and the others about to be stated, the votes whereby amendments have already been agreed to will be reconsidered in the absence of objection.

Mr. SIMMONS. I make that motion, Mr. President.

The PRESIDING OFFICER. The Chair hears no objection, and the votes will be reconsidered.

Mr. SIMMONS. Therefore the Chair can consider as being reconsidered all the amendments necessary to perfect this amendment.

The SECRETARY. On page 9, lines 8 and 16, after the word "company," it is proposed to insert the words "or a mutual insurance company" within the parentheses.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The SECRETARY. On page 31, line 14, after the word "income," at the end of the line, it is proposed to insert a comma and the words "or taxable under section 504."

The amendment was agreed to.

The SECRETARY. On page 39, line 7, after the word "income," it is proposed to insert a comma and the words "or taxable under section 504."

The amendment was agreed to.

The SECRETARY. On page 47, lines 21 and 22, after the word "corporation," in line 21, it is proposed to strike out the words "other than a life insurance company" and insert "except insurance companies taxable under section 245 or section 504."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The SECRETARY. On page 55, line 24, after the word "income," it is proposed to insert a comma and the words "or taxable under section 504."

The amendment was agreed to.

The SECRETARY. On pages 58 to 60, it is proposed to strike out paragraph "(10)," beginning on line 24, page 58, and all of paragraphs "(11)" and "(12)" down to and including line 4 on page 60.

The amendment was agreed to.

The SECRETARY. On page 61, lines 10 and 11, it is proposed to strike out the words "except in the case of life insurance companies" and insert in lieu thereof "for the purpose only of the tax imposed by section 230."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The SECRETARY. On page 67, line 1, after the word "companies," in the title, it is proposed to add the words "and mutual insurance companies."

The amendment to the amendment was agreed to.

The SECRETARY. On page 67, line 4, after the word "company," it is proposed to insert "and every mutual insurance company."

The amendment to the amendment was agreed to.

The SECRETARY. On page 67, line 5 and line 10, it is proposed to strike out the words "life insurance."

The amendment to the amendment was agreed to.

The SECRETARY. On page 67, line 18, it is proposed to strike out the words "a life" and insert the word "an."

The amendment to the amendment was agreed to.

The SECRETARY. After the word "company," in line 19, it is proposed to insert the words "taxable under section 245."

The amendment to the amendment was agreed to.

The SECRETARY. On page 67, line 23, and on page 68, line 1, it is proposed to strike out the word "An" and insert the words "In the case of a life insurance company, an."

The amendment to the amendment was agreed to.

The SECRETARY. On page 68, line 16, it is proposed to strike out the words "life insurance."

The amendment to the amendment was agreed to.

The SECRETARY. Also, on page 68, line 21, it is proposed to strike out the words "a life" and insert the word "an."

The amendment to the amendment was agreed to.

The SECRETARY. And after the word "company," it is proposed to insert the words "taxable under section 245."

The amendment to the amendment was agreed to.

The SECRETARY. On line 24, after the word "rents," it is proposed to insert a semicolon and the following: "and (2) the term 'reserve funds required by law' includes, in the case of any assessment insurance company, sums actually deposited with State or Territorial officers pursuant to law as guarantee or reserve funds."

The amendment to the amendment was agreed to.

Mr. SIMMONS. Mr. President, in the amendment on page 68, line 21, which reads: "Strike out the words 'a life' and insert the word 'an,' and after the word 'company' insert the words 'taxable under section 245,'" I am advised that the numeral "1" should be inserted in brackets.

The SECRETARY. In the amendment on page 68, line 21, it is proposed to strike out the words "a life" and insert "an," and after the word "company," at the end of the line, it is proposed to insert "taxable under section 245," and to insert in brackets the numeral "(1)."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The SECRETARY. On page 77, line 19, after the word "title," it is proposed to insert the words "or by section 504." There are already inserted at that place the following words:

And every personal-service corporation.

The amendment was agreed to.

Mr. SIMMONS. Mr. President, there is an amendment already adopted on page 77, line 19, and this comes before that amendment.

The SECRETARY. Then it is proposed to insert, before the amendment already agreed to, after the word "title," on page 77, line 19, the words "or by section 504."

The amendment was agreed to.

The SECRETARY. On page 88, line 8, after the word "companies," it is proposed to insert a comma and the words "mutual insurance companies and insurance companies taxable under section 504."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The SECRETARY. On page 208, lines 8 and 9, strike out the words "other than a life insurance company."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The SECRETARY. On page 208, lines 21 and 22, it is proposed to strike out the words "other than a life insurance company."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The SECRETARY. On page 209, line 12, after the numerals "231," at the end of the line, it is proposed to insert a comma and the following: "nor to any life insurance company, mutual insurance company or insurance company taxable under section 504."

The amendment was agreed to.

The SECRETARY. On page 234, line 21, after the word "all," it is proposed to insert the words "mortgage guarantee policies and policies guaranteeing titles to real estate, and on all."

The amendment was agreed to.

The SECRETARY. On page 234, line 24, it is proposed to strike out the words "subdivision (b) of," and after "503" to insert "or 504."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. SIMMONS. Mr. President, on page 87, line 24, I offer the amendment which I send to the desk.

The SECRETARY. On page 87, line 24, it is proposed to strike out the period and insert in lieu thereof a colon and the following:

Provided, That the tax upon such second part shall in no case be less than 20 per cent thereof, unless the tax upon the entire net income, if computed without benefit of this section, would constitute less than 20 per cent of such entire net income, in which event the tax shall be determined upon the entire net income, without reference to this section, as other taxes are determined under this title.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. SIMMONS. I offer the following amendment, to come in on page 94, line 13.

The SECRETARY. On page 94, line 13, in the amendment already agreed to, strike out all after the word "assets" and the comma, and insert in lieu thereof: "valued in accordance with the provisions of subdivision (a) of section 326, section 330, and section 331."

The PRESIDING OFFICER. Without objection the vote by which the amendment was agreed to will be reconsidered, and the question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. SIMMONS. On page 94, line 22, after the word "capital," I move to insert "for any year."

The amendment was agreed to.

Mr. SIMMONS. On page 95, line 12, I move to strike out the word "taxable" before the word "year."

The amendment was agreed to.

Mr. SIMMONS. On page 98, after line 4, I move to add as a new paragraph the following:

The average invested capital for the prewar period shall be determined by dividing the number of years within that period during the whole of which the corporation was in existence into the sum of the average invested capital for such years.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. SIMMONS. On page 191, line 2, after the comma and following the word "organizations" where it first occurs in that line, I move to insert the words "Society for the Prevention of Cruelty to Children or Animals."

The amendment was agreed to.

Mr. SIMMONS. I yield to the Senator from Louisiana [Mr. RANSDELL].

Mr. LA FOLLETTE. Will the Senator from Louisiana yield to me to offer an amendment?

Mr. RANSDELL. Yes, sir.

Mr. LA FOLLETTE. I offer an amendment in the nature of a substitute for the pending bill, which I ask to have printed.

The PRESIDING OFFICER. Without objection, the amendment will be printed.

Mr. LA FOLLETTE. In connection with the amendment in the nature of a substitute which I have just presented, I submit a table which I have had prepared, being a comparison of the income-tax rates and the amount of income taxes upon specified individual incomes under the existing law, the Senate bill, and the proposed substitute for the bill.

Also, I submit a table showing the surtaxes upon individual incomes at the steps provided in the substitute and an estimate of the revenue it would raise, compared with the estimated revenue from individual incomes under the rates of the bill reported from the committee. I ask that the tables be printed in the RECORD.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Comparison of income taxes upon specified incomes under the existing law, the Senate bill, and the proposed substitute bill.

Income.	Existing law.		Senate bill.		Substitute bill.	
	Amount.	Rate.	Amount.	Rate.	Amount.	Rate.
		Per cent.		*Per cent.*		*Per cent.*
$2,500	$10	0.40	$30	1.20	$10	0.40
$3,000	20	.67	60	2.00	20	.67
$3,500	30	.86	90	2.57	30	.86
$4,000	40	1.00	120	3.00	40	1.00
$4,500	60	1.33	120	3.33	50	1.11
$5,000	80	1.60	150	3.00	60	1.20
$5,500	105	1.91	215	3.91	95	1.73
$6,000	130	2.16	250	4.16	130	2.17
$6,500	155	2.38	320	4.92	165	2.54
$7,000	180	2.57	390	5.57	200	2.86
$7,500	205	2.73	460	6.13	235	3.13
$8,000	235	2.93	530	6.63	285	3.56
$8,500	265	3.12	605	7.12	335	3.94
$9,000	295	3.28	680	7.71	385	4.28
$9,500	325	3.42	755	7.95	435	4.58
$10,000	355	3.55	830	8.30	485	4.85
$12,500	530	4.24	1,235	9.88	860	6.88
$15,000	740	4.87	1,675	11.13	1,295	8.63
$20,000	1,280	5.90	2,630	12.15	2,345	10.67
$25,000	1,780	7.12	3,720	14.88	3,945	15.74
$30,000	2,380	7.93	4,930	16.43	6,295	20.95
$35,000	2,980	8.51	6,270	17.91	8,695	24.67
$40,000	3,580	8.95	7,730	19.33	10,995	27.48
$45,000	4,380	9.73	9,320	20.71	13,545	30.05
$50,000	5,180	10.35	11,030	22.06	15,895	31.79
$60,000	6,780	11.30	14,830	24.71	21,595	35.99
$70,000	8,880	12.69	19,130	27.33	27,485	39.26
$80,000	10,980	13.72	23,930	29.91	34,085	42.61
$100,000	16,180	16.18	35,030	35.03	48,485	48.49
$150,000	31,680	21.12	67,030	44.69	86,985	57.99
$200,000	49,180	24.59	101,030	50.52	125,485	62.74
$300,000	92,680	30.89	173,030	57.68	209,485	69.83
$500,000	192,680	38.54	325,030	65.00	361,485	72.29
$1,000,000	475,180	47.52	703,030	70.30	761,485	76.14
$3,000,000	3,140,180	62.80	2,783,030	75.66	3,961,485	79.21

Surtax rates and estimated revenue under the substitute bill.

Net income.	Taxable income.	Surtax rate.	Revenue.
		Per cent.	
$5,000 to $7,500	$575,000,000	5	$33,750,000
$7,500 to $10,000	340,000,000	8	27,200,000
$10,000 to $15,000	474,000,000	13	61,620,000
$15,000 to $20,000	315,000,000	20	63,000,000
$20,000 to $25,000	225,000,000	30	67,500,000
$25,000 to $50,000	615,000,000	45	276,750,000
$50,000 to $75,000	240,000,000	57	136,800,000
$75,000 to $100,000	220,000,000	70	154,000,000
$100,000 to $200,000	394,000,000	75	295,500,000
$200,000 to $300,000	185,000,000	76	140,600,000
$300,000 to $500,000	163,000,000	77	125,510,000
Over $500,000	425,000,000	78	332,280,000
Total	7,900,000,000		1,714,510,000
Normal tax		2	70,000,000
Estimated return under Senate bill			1,784,510,000
			1,432,000,000
Increase over Senate bill			352,510,000

MERCHANT MARINE.

Mr. RANSDELL. Mr. President, I have been very much interested in the subject of ships and shipping and our American merchant marine. After conferring with several friends I decided to call a conference in this city of patriotic Americans who feel an interest in this subject. I have prepared this invitation, which I would like to read to the Senate, dated yesterday, and addressed to patriotic Americans interested in ships and shipping. It will take but a minute to read it.

WASHINGTON, D. C., *December 18, 1918.*

To all patriotic Americans interested in ships and shipping:

In my capacity as a Senator from Louisiana, a State vitally interested in our merchant marine, and as a member of the Commerce Committee of the United States Senate I invite to a conference in the auditorium of the Smithsonian Institution at the Nation's Capital, January 22 and 23, 1919, representatives of every class of patriotic Americans who wish to see our shipping restored to the proud place it held 80 years ago, when 90 per cent of American commerce was carried in American ships and the Stars and Stripes floated over rich argosies of trade in every sea.

For three-quarters of a century we have had no ship policy worthy of the name. Since the world war began marked progress in legislation has been made and excellent and important work done by the United States Shipping Board and the Emergency Fleet Corporation. It is essential to our welfare that this work be continued and expanded; that we build and operate ships of commerce on a scale commensurate with our greatness and the national security; and that a secretary of marine be created.

There is much wisdom in unity of counsel. Exchange of views between many wise men, representing all interests in America, gathered together in this center of the Nation's thought should result in outlining a ship policy and in supporting it by healthy public opinion under the guidance of a great voluntary patriotic association to be formed by the conference, if deemed best.

I respectfully urge each and every citizen who has real ideas on this vital subject to attend the meeting and present his suggestions. Those who expect to be present will please advise me as promptly as possible.

JOSEPH E. RANSDELL.

Mr. President, I do not intend to take the time of the Senate to discuss this subject now. At a later date I hope to do so rather fully.

CHANGE OF NAME OF STEAMER.

Mr. HARDING. I ask permission to submit a report from the Committee on Commerce. From the Committee on Commerce I report back favorably, without amendment, the bill (S. 5102) to authorize the change of name of the steamer *Charlotte Gravcraet Breitung* to *T. K. Maher*, and I submit a report (No. 626) thereon. I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the Commissioner of Navigation is hereby authorized and directed, upon application of the owner, the Morrow Steamship Co., of Mentor, Lake County, Ohio, to change the name of the steamer *Charlotte Gravcraet Breitung*, official No. 27665, to the *T. K. Maher*.

The bill was reported to the Senate without amendment, ordered to be engrossed for the third reading, read the third time, and passed.

LEAGUE OF NATIONS FOR PEACE.

Mr. LODGE. Mr. President, I wish to give notice that on Saturday next, immediately after the morning business, if we have any morning business on that day, I shall address the Senate on the question of peace and the proposed league of nations. If we do not have routine morning business on Saturday, I fear I may be compelled to connect the speech with the revenue bill now pending.

AFFAIRS IN RUSSIA.

Mr. TOWNSEND. Mr. President, a day or two ago the junior Senator from California [Mr. JOHNSON] submitted to the Senate some remarks relative to the situation in Russia so far as the United States is concerned.

I have received many letters concerning our men in the American Army who are in Russia. I have called the attention of the Secretary of War to some of these conditions; but for the purpose of giving a little more publicity to the situation, I send to the desk a letter which I have received to-day on this subject, and I ask to have it read.

The PRESIDING OFFICER (Mr. MCLEAN in the chair). Without objection, the Secretary will read the letter.

The Secretary read as follows:

DETROIT, MICH., *December 17, 1918.*

Senator CHARLES E. TOWNSEND,
Washington, D. C.

DEAR SIR: I have been requested to write to you by Mrs. Charles A. Hawley, a widow, of 734 East Lawn Avenue, Detroit, Mich., regarding her son, Sergt. Harold Culver, Company A, Three hundred and thirty-ninth Infantry, American Expeditionary Force, northern Russia. She has written to him numerous times, but has never received a letter from him since he went overseas, and notwithstanding repeated efforts in various directions has been unable to learn anything about him.

She would indeed appreciate anything you can do to acquaint her with his present whereabouts and condition, if alive, or to confirm her belief that he has been killed or has died of disease.

In connection with this, although perhaps boring you with details that you have no doubt heard in many forms heretofore, I would also like to register a complaint regarding treatment of the American Expeditionary Force in northern Russia.

I have a personal acquaintance with at least a dozen families in Detroit who have boys in this force and know of a number of others with whom I have not a personal acquaintance, every one of which has, I believe, a just complaint. In the first place, this force sailed for England on July 22 and arrived there on August 4. Left England for Russia on the 25th and arrived in Archangel September 10 to 12. The first mail that this force received after leaving Camp Mills was delivered to them on October 6, which, to put it very mildly, is some delay in service, and especially so when every man no doubt was longing and wishing for letters from home. I sent two cablegrams to my son, Corpl. Howard A. Stafford, Three hundred and thirty-ninth Infantry, Machine Gun Company, American Expeditionary Forces, while he was still in England. These cablegrams did not reach him until October 6, and then by mail. Postal money orders mailed to him were two months and a few days in reaching him, and we were not allowed to send anything to him that would add to his comfort and pleasure until October 21, and not since then. Right here I would ask if it is not possible now to send small packages containing things of which he is fond and which he is unable to get in northern Russia?

I have written at least two letters to the War Department asking what bearing the armistice will have in the home-coming of this north Russian force. Also inquired if it is possible to get them out of Archangel or that vicinity during the winter, back to civilization, but have received no direct answer, the only answer of any consequence being to the effect that the peace conference in Paris would determine the future policy in Russia, but whereas we know that four months after peace treaty is signed their term of service automatically discontinues. This date of possible release is so indefinite that I would like to have it substituted by something more definite.

In connection with this, I would like to ask if the purpose of the American Expeditionary Force in northern Russia has been changed since the signing of the armistice, as I believe that the force has accomplished the object for which it was originally sent to Russia, namely, the protection of the port of Archangel from German invasion. I have before me a letter received by an officer in that north Russian American Expeditionary Force, who says that they have accomplished everything for which they originally went to Russia to accomplish.

In view of this and the unnecessary hardships these men are suffering at the present time at the front, after accomplishing their object, namely, living in small box cars, as many as 15 to a car, which car also must contain their equipment of every kind, stove, wood, ammunition, etc., and I understand that some of the organization has been at the front for two months or more, and there they are obliged to live in old log houses, or, if there are no log houses in the vicinity, they live outdoors, which in Russia at this time of year, you must admit, will probably bring them back to us, if at all, in bad condition.

I do not pretend to attempt to dictate what the Government is doing with their military forces. This handful of men in Russia, in so far as I can see, can not accomplish anything of value, and they seem to have been forgotten, and the Government evidently has no stated policy or reason for keeping them in that territory, and if you and others could but add your protest to that of Senator JOHNSON of California it might be possible to get these forsaken fellows out of that God-forsaken country. The feeling in Detroit against maintaining them longer in Russia is crystallizing and gaining in strength, as witnessed by very numerous letters of protest appearing daily in all Detroit papers, and I would ask that you use your large influence in protest against what I believe is unnecessary suffering and get this American force out of Russia as soon as possible, leaving this police duty—for it can be no more than that with so small a force—to the people to whom this work rightfully belongs, namely, European forces.

Understand, the writer is calling your attention to these things, which are creating a great deal of dissatisfaction everywhere, especially in Detroit, the home of 80 per cent of this American Expeditionary North Russian Force, knowing full well that the welfare of these Michigan boys is close to your heart and that when the extent of the feeling against maintaining this American force in Russia is brought home to you that you will thoroughly investigate the truth of what I have said and you will use your best endeavor to rectify the Government's failure to handle the situation in Russia correctly as regards the Three hundred and thirty-ninth Infantry.

With sincere thanks for what you may be able to accomplish, I am,

Yours, very truly,

D. P. STAFFORD.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its Enrolling Clerk, announced that the House had passed the bill (S. 4924) to amend section 336 of the Revised Statutes of the United States relating to the annual report on the statistics of commerce and navigation of the United States with foreign countries.

The message also announced that the House agrees to the amendment of the Senate to the bill (H. R. 11709) granting the consent of Congress to the village and township of Halstad, Norman County, Minn., and the township of Herberg, Traill County, N. Dak., to construct a bridge across the Red River of the North on the boundary line between said States.

The message further announced that the House had passed a bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILLS REFERRED.

H. R. 12001. An act to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, was read twice by its title and referred to the Committee on the Judiciary.

H. R. 13308. An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes, was read twice by its title and referred to the Committee on Post Offices and Post Roads.

THE REVENUE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12863) to provide revenue, and for other purposes.

Mr. SMOOT. Mr. President, it is so late in the evening that I shall not now offer an amendment respecting the income of estates, but I shall move to perfect that section of the bill the first thing in the morning.

EXECUTIVE SESSION.

Mr. SIMMONS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

COMMERCE WITH GUATEMALA.

On motion of Mr. HITCHCOCK, the following convention between the United States and Guatemala, signed December 3, 1918, was ratified and the injunction of secrecy removed therefrom:

The Senate:

I transmit herewith, to receive the advice and consent of the Senate to its ratification, a convention between the United States and Guatemala, signed December 3, 1918, for the development of commerce between them and to increase the exchange of commodities by facilitating the work of traveling salesmen.

Respectfully submitted.

WOODROW WILSON.

THE WHITE HOUSE,
Washington, December 3, 1918.

The PRESIDENT:

The undersigned, the Secretary of State, has the honor to lay before the President with a view to its transmission to the Senate, if his judgment approve thereof, to receive the advice and consent of the Senate to its ratification, a convention between the United States and Guatemala, signed December 3, 1918, for the development of commerce between them and to increase the exchange of commodities by facilitating the work of traveling salesmen.

Respectfully submitted.

ROBERT LANSING.

DEPARTMENT OF STATE,
Washington, December 3, 1918.

The United States of America and the Republic of Guatemala, being desirous to foster the development of commerce between them and to increase the exchange of commodities by facilitating the work of traveling salesmen, have agreed to conclude a convention for that purpose and have to that end appointed as their plenipotentiaries: The President of the United States of America; Robert Lansing, Secretary of State of the United States; and the President of the Republic of Guatemala, Señor Don Joaquín Méndez, his envoy extraordinary and minister plenipotentiary to the United States, who, having communicated to each other their full powers, which were found to be in due form, have agreed upon the following articles:

ARTICLE I.

Manufacturers, merchants, and traders domiciled within the jurisdiction of one of the high contracting parties may operate as commercial travelers either personally or by means of agents or employees within the jurisdiction of the other high contracting party on obtaining from the latter, upon payment of a single fee, a license which shall be valid throughout its entire territorial jurisdiction.

In case either of the high contracting parties shall be engaged in war, it reserves to itself the right to prevent from operating within its jurisdiction under the provisions of this treaty, or otherwise, enemy nationals or other aliens whose presence it may consider prejudicial to public order and national safety.

ARTICLE II.

In order to secure the license above mentioned the applicant must obtain from the country of domicile of the manufacturers, merchants, and traders represented a certificate attesting his character as a commercial traveler. This certificate, which shall be issued by the authority to be designated in each country for the purpose, shall be visèed by the consul of the country in which the applicant proposes to operate, and the authorities of the latter shall, upon the presentation of such certificate, issue to the applicant the national license as provided in Article I.

ARTICLE III.

A commercial traveler may sell his samples without obtaining a special license as an importer.

ARTICLE IV.

Samples without commercial value shall be admitted to entry free of duty.

Samples marked, stamped, or defaced in such manner that they can not be put to other uses shall be considered as objects without commercial value.

ARTICLE V.

Samples having commercial value shall be provisionally admitted upon giving bond for the payment of lawful duties if they shall not have been withdrawn from the country within a period of six months.

Duties shall be paid on such portion of the samples as shall not have been so withdrawn.

ARTICLE VI.

All customs formalities shall be simplified as much as possible with a view to avoid delay in the dispatch of samples.

ARTICLE VII.

Peddlers and other salesmen who vend directly to the consumer, even though they have not an established place of business in the country in which they operate, shall not be considered as commercial travelers, but shall be subject to the license fees levied on business of the kind which they carry on.

ARTICLE VIII.

No license shall be required of—

(a) Persons traveling only to study trade and its needs, even though they initiate commercial relations, provided they do not make sales of merchandise.

(b) Persons operating through local agencies which pay the license fee or other imposts to which their business is subject.

(c) Travelers who are exclusively buyers.

ARTICLE IX.

Any concessions affecting any of the provisions of the present treaty that may hereafter be granted by either high contracting party, either by law or by treaty or convention, shall immediately be extended to the other party.

ARTICLE X.

This convention shall be ratified, and the ratifications shall be exchanged at Washington or Guatemala within two years, or sooner if possible.

The present convention shall remain in force until the end of six months after either of the high contracting parties shall have given notice to the other of its intention to terminate the same, each of them reserving to itself the right of giving such notice to the other at any time. And it is hereby agreed between the parties that, on the expiration of six months after such notice shall have been received by either of them from the other party as above mentioned, this convention shall altogether cease and terminate.

In testimony whereof the respective plenipotentiaries have signed these articles and have thereunder affixed their seals.

Done in duplicate, at Washington, this 3d day of December, 1918.

RECESS.

Mr. SIMMONS. I move that the Senate take a recess until to-morrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 15 minutes p. m.) the Senate took a recess until to-morrow, Friday, December 20, 1918, at 12 o'clock meridian.

NOMINATIONS.

Executive nomination received by the Senate December 19 (legislative day of December 15), 1918.

INTERSTATE COMMERCE COMMISSION.

Joseph B. Eastman, of Massachusetts, to be a member of the Interstate Commerce Commission for a term expiring December 31, 1922, vice George W. Anderson, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 19 (legislative day of December 15), 1918.

ASSISTANT CHIEF INSPECTOR OF LOCOMOTIVE BOILERS.

John A. Shirley to be assistant chief inspector of locomotive boilers.

APPOINTMENT IN THE NAVY.

Victor Blue to be Chief of the Bureau of Navigation in the Department of the Navy, with the rank of rear admiral.

HOUSE OF REPRESENTATIVES.

THURSDAY, *December 19, 1918.*

The House met at 12 o'clock noon.

The Rev. Earle Wilfley, of the Vermont Avenue Christian Church, Washington, D. C., offered the following prayer:

Almighty God, Thou who art the giver of every good and perfect gift, from whom we take our being and to whom we must at last give account of ourselves, we pray that Thy holy word may have lodgment in our hearts to-day and Thy holy spirit attend us along the journey of life. Be with the deliberations of this day in the House, keep Thy servants in perfect peace, in clearness of mind, in strength of heart and purpose, and to Thy name shall be all the praise, through Jesus Christ, our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

CONTESTED-ELECTION CASE—WICKERSHAM AGAINST SULZER.

Mr. WILSON of Louisiana. Mr. Speaker, I desire to give notice that the contested-election case of Wickersham against Sulzer will be taken up in the House on the 3d day of January.

Mr. STAFFORD. The gentleman from Louisiana will notice that the 3d of January is Friday of the week in which New Year's occurs.

Mr. WILSON of Louisiana. Yes.

Mr. STAFFORD. And a great number of the Members will not be here.

Mr. FOSTER. They ought to be here.

Mr. STAFFORD. Yes; but many Members have not their families here with them, and they have gone home to spend the holidays with their families.

Mr. WILSON of Louisiana. I imagine that there will be a quorum here on that day.

Mr. STAFFORD. I think it would be more convenient for the membership of the House if we took it up on the Monday following.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 12945. An act providing for the purchase of uniforms, accouterments, and equipment by officers of the Navy, Marine Corps, and Coast Guard, and midshipmen at the Naval Academy from the Government at cost; and

H. R. 12916. An act to provide for the temporary promotion of commissioned officers of the Marine Corps serving with the Army.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to return to the House of Representatives, in compliance with its request, the bill (H. R. 12000) entitled "An act to amend an act entitled 'An act to codify, revise, and amend the laws relating to the judiciary,' " approved March 3, 1911.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 988. An act providing for the payment of certain interest on items 1 and 4 of the judgment of the Court of Claims of May 18, 1905, in favor of the Cherokee Nation; to the Committee on Indian Affairs.

RESOLUTION BY NATIONAL ASSEMBLY OF PANAMA (H. DOC. NO. 1607).

The SPEAKER laid before the House a communication from the Acting Secretary of State, as follows, which was ordered to be printed, with accompanying documents, and referred to the Committee on Foreign Affairs:

DEPARTMENT OF STATE,
Washington, December 17, 1918.

Hon. CHAMP CLARK,
Speaker of the House of Representatives.

SIR: I have the honor to inclose for the information of the House of Representatives a copy of a dispatch from the American minister at Panama, communicating a copy of the resolution adopted by the National Assembly of Panama on November 11 last felicitating the Government of the United States and the Governments of the allies on the signature of the armistice on November 11, 1918.

I have the honor to be, sir,
Your obedient servant,
FRANK L. POLK,
Acting Secretary of State.

AMENDING THE LAW RELATING TO STATISTICS OF COMMERCE AND NAVIGATION.

Mr. SIMS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4924) to substitute the calendar year for the fiscal year for statistical reports from the Bureau of Foreign and Domestic Commerce in the Department of Commerce. The bill has passed the Senate, and if passed now the department can put the new year in force on the 1st day of January. The committee has had a hearing and feels satisfied that it is legislation that ought to be enacted.

The SPEAKER. The gentleman from Tennessee asks unanimous consent for the present consideration of the bill S. 4924, which the Clerk will report.

The Clerk read as follows:

An act (S. 4924) to amend section 336 of the Revised Statutes of the United States relating to the annual report on the statistics of commerce and navigation of the United States with foreign countries.

Be it enacted, etc., That section 336 of the Revised Statutes of the United States be, and the same is hereby, amended by striking out the word "fiscal" immediately preceding the word "year" at the end of the first sentence of said section and by inserting in lieu thereof the word "calendar."

Mr. STAFFORD. Mr. Speaker, the bill does not give us very much information, and I think the gentleman from Tennessee should give us some statement as to the real purpose of the bill.

Mr. SIMS. The report is very short, although we had a full hearing in the committee.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that before the objection is waived that the report be read.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The Clerk read the report (by Mr. SIMS), as follows:

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (S. 4924) to amend section 336 of the Revised Statutes of the United States relating to the annual report on the statistics of commerce and navigation of the United States with foreign countries, having considered the same, report thereon with a recommendation that it pass.

The following is the report of the Senate Committee on Commerce on this bill:

"The Committee on Commerce, to whom was referred the bill (S. 4924) to amend section 336 of the Revised Statutes of the United States relating to the annual report on the statistics of commerce and navigation of the United States with foreign countries, having considered the same, report favorably thereon with the recommendation that the bill do pass.

"The bill has been referred to the Secretary of Commerce, and his report thereon (together with communications from the chairman of the United States Shipping Board and the War Industries Board with reference to H. R. 11848, on the same subject) is as follows:

"DEPARTMENT OF COMMERCE,
"OFFICE OF THE SECRETARY,
"*Washington, September 19, 1918.*

"MY DEAR SENATOR: In response to your communication of September 14, requesting for your committee suggestions touching the merits of S. 4924 and the propriety of its passage, I take pleasure in advising you as follows:

"From time to time it has been proposed that the annual official report on the statistics of foreign trade of the United States which, as provided in paragraph 1 of section 336 of the Revised Statutes, is now required to be issued to the close of the fiscal year ending June 30, be changed to cover the period to the close of the calendar year.

"At the time when this law was passed these statistics were compiled and published principally for the information and guidance of the Government particularly as a guide for legislation. In later years the use of foreign-trade statistics by industrial and commercial organizations has been rapidly increasing, and as their business year is more largely than any other the calendar year they find it inconvenient not to be able to procure official statistics of our foreign trade of calendar years.

"The chief value of trade statistics lies in their comparability with statistics of production and with trade statistics of other countries. Practically all the statistics of production, both agricultural and industrial, that are compiled and published by the executive departments of this Government, as well as of other governments, relate to the calendar year, as, for instance, the statistics of manufacture, etc., compiled by the Bureau of the Census of this department, the statistics of mineral production compiled by the Geological Survey, and the statistics of agricultural production and estimates compiled and published by the Department of Agriculture. The United States is the only important country in the world which publishes its foreign-trade statistics for the fiscal year rather than for the calendar year, the only other countries being Mexico, Turkey, Persia, Honduras, and Haiti, and the following British colonial possessions: Canada, Australia, and India.

"The change proposed in the pending bills has been recommended by a special statistical committee appointed by the Department of the Treasury and the Department of Commerce as well as by a special statistical committee of the Chamber of Commerce of the United States. Moreover, at the present time the Shipping Board, the War Trade Board, and the War Industries Board, which boards are making very valuable use of our statistics in connection with the Government's control of trade and industry, and particularly the Shipping Board in its efforts to conserve tonnage for military use, are all very anxious to have these statistics issued for the calendar instead of for the fiscal year. For this reason the proposed legislation may be looked upon as a war time measure, the speedy enactment of which will be of considerable assistance in the fulfillment of our military program.

"I am taking the liberty of sending with this letter a copy of the latest issue of Commerce and Navigation of the United States, being the report authorized by section 336 of the Revised Statutes and which it is now desired to have relate to the calendar rather than the fiscal year. Should you desire additional copies of this report for any of all of the members of your committee, they will be gladly furnished on request.

"Very truly, yours, "WILLIAM C. REDFIELD,
"*Secretary.*

"Hon. DUNCAN U. FLETCHER,
"*United States Senate, Washington, D. C.*

"UNITED STATES SHIPPING BOARD,
"*Washington, September 19, 1918.*

"Hon. DUNCAN U. FLETCHER,
"*Chairman Senate Committee on Commerce,*
"*United States Senate, Washington, D. C.*

"MY DEAR SENATOR FLETCHER: My attention has been called to a bill now pending in the House (H. R. 11848) providing for the compilation of foreign-trade statistics, published by the Bureau of Foreign and Domestic Commerce of the Department of Commerce, by the calendar year rather than the fiscal year.

"Inasmuch as statistics are valuable to the extent that they may be used in reference to future action, and inasmuch as such value is greatly enhanced if statistics are readily comparable with other statistics of a like nature, it seems to me highly desirable that the foreign-trade statistics of the Department of Commerce should be brought in line with the statistics gathered by the Bureau of the Census, Geological Survey, Bureau of Mines, and trade statistics of most of the foreign countries. All these statistics are published for the calendar year. I feel confident that this legislation will find ready acceptance in your committee, but write to you in view of my personal interest in foreign-trade matters.

"With kindest regards, I am,
"Yours, very truly, EDWARD N. HURLEY,
"*Chairman.*"

"WAR INDUSTRIES BOARD,
"*Washington, September 20, 1918.*

"Hon. DUNCAN U. FLETCHER,
"*Chairman Senate Committee on Commerce,*
"*United States Senate, Washington, D. C.*

"MY DEAR SENATOR: The bill H. R. 11848 authorizing a change from the fiscal to the calendar year in the compilation of foreign-trade statistics in the annual report of the commerce and navigation of the United States, as published by the Department of Commerce, would, in my opinion, effect a valuable aid to American business and statistical organizations. Because of that I should like to see the proposed legislation enacted.

"Very respectfully, "B. M. BARUCH."

The SPEAKER. Is there objection?

Mr. GREEN of Iowa. Mr. Speaker, reserving the right to object, I would like to make an inquiry of some gentleman to explain the bill, whether it be the gentleman from Tennessee or the gentleman from Wisconsin.

Mr. SIMS. I would be glad to have the gentleman from Wisconsin answer the question, as he is very familiar with the facts.

Mr. GREEN of Iowa. Does this pertain to the matter included in the monthly reports called the Reports of Commerce and Navigation, which are subsequently bound in the annual report?

Mr. ESCH. It covers that, although they get out an annual report.

Mr. GREEN of Iowa. Does this apply simply to the annual report? I ask for this reason: The committees that are making up the bills, especially the Ways and Means Committee, need the report that corresponds to the fiscal year, with reference to the amount of imports and exports, especially imports, in order that we may know how much tariff dues to lay for the fiscal year. We ought to have some report of the fiscal year. If we do not we will have to do a large amount of work ourselves to sift it out of the report for the calendar year.

Mr. ESCH. I understand from the officials of the Bureau of Foreign and Domestic Commerce that they would make out a report for six months, and also the annual report. They would make out some annual reports which would give the committee the information the gentleman seeks.

Mr. GREEN of Iowa. And we will still receive the monthly reports?

Mr. ESCH. Yes. The object is to harmonize the foreign statistics as to exports and imports with the statistics we are gathering in other fields. The agricultural statistics are for the calendar year, and the statistics of the Geological Survey as to minerals are annual. Up to 1916 the Interstate Commerce Commission gathered the statistics of railroads for the fiscal year, but in the latter part of 1915 they issued an order making these reports based on the calendar year. So that these three great statistical bureaus are all on the calendar-year basis. We are trying to put the foreign and domestic commerce statistics on the same basis, to correspond likewise with the statistics furnished by all the great commercial nations of the world, and it ought to be done at once, so that the department can begin on the 1st of January.

Mr. SIMS. Mr. Speaker, one further statement which the gentleman from Wisconsin did not refer to: It was testified before our committee that under the present plan of making reports business men and corporations were continually calling for reports with reference to foreign trade, and as these were made up at the end of the fiscal year there was some difficulty, requiring much more time to get up reports for the calendar year to comply with the special inquiries made. If this bill was passed it would save a great deal of work for the bureau that they now have to do in order to supply people with the statistical information that they request on the calendar-year basis.

Mr. NORTON. Mr. Speaker, will the gentleman yield for an inquiry?

Mr. SIMS. Yes.

Mr. NORTON. I note that the report urged as a reason for the passage of this legislation that it was a war measure.

Mr. SIMS. That was the statement before the Senate committee.

Mr. NORTON. And the argument for its passage was that it was a war measure. In what way does the chairman of the committee hold that this particular legislation is a war measure, needed to carry on the war?

Mr. SIMS. That statement was made by the Secretary to the Senate committee, in his letter to the Senate committee.

Mr. NORTON. I call attention to that for the reason that I think that statement is ridiculous. It seems to me this legislation is meritorious, from a business point of view. There is a real need for it, but it has nothing to do with the war.

Mr. SIMS. We are not asking for the bill on that account.

Mr. ESCH. Mr. Speaker, in reply to the gentleman's suggestion, that letter was written before the signing of the armistice, and prior to that date the War Industries Board and the War Trade Board made numerous demands on the Bureau of Foreign and Domestic Commerce for statistics, and the information given was important to these two war boards. That is possibly why in that letter it was referred to as a quasi war-time measure.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to make an inquiry. What has this to do with the war?

Mr. SIMS. The war now?

Mr. MANN. Yes.

Mr. SIMS. Nothing that I know of.

Mr. MANN. I notice that the principal reason why the Secretary of Commerce asks for the enactment of this legislation is contained in this sentence:

For this reason the proposed legislation may be looked upon as a war-time measure, the speedy enactment of which will be of considerable assistance in the fulfillment of our military program.

Is it not about time that the various departments of the Government asking for legislation by Congress should quit trying to impose upon Congress the idea that legislation in no wise connected with the war is desired to further the interests of the military program?

Mr. SIMS. There was nothing before our committee to that effect.

Mr. MANN. Oh, yes; this was before the committee, and it was just read from the Clerk's desk at the gentleman's request as a part of the report of the committee, and it was the only thing practically that the committee had before it.

Mr. SIMS. Oh, no. We had hearings, and officials from the Department of Commerce were there, and they did not even refer to the war.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the third reading of the Senate bill.

The bill was ordered to be read the third time and was read the third time and passed.

On motions of Mr. SIMS, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS THE RED RIVER OF THE NORTH.

Mr. STEENERSON. Mr. Speaker, I ask the Chair to lay before the House the bill (H. R. 11709) granting the consent of Congress to the village and township of Halstad, Norman County, Minn., and the township of Herbert, Traill County, N. Dak., to construct a bridge across the Red River of the North on the boundary line between said States. It is a House bill with Senate amendments.

The SPEAKER. The Chair lays before the House the bill H. R. 11709, a House bill with Senate amendments, which the Clerk will report.

The Clerk read the Senate amendments.

The SPEAKER. The question is on agreeing to the Senate amendments.

The Senate amendments were agreed to.

AMERICAN COMMITTEE FOR RELIEF IN THE NEAR EAST.

Mr. MONTAGUE. Mr. Speaker, I ask unanimous consent to discharge the Committee on the Judiciary from further consideration of the bill (S. 4785) to incorporate the American Committee for Relief in the Near East, and that the same be considered at this time.

Mr. MANN. Where is the Senate bill now?

Mr. MONTAGUE. It is before the Committee on the Judiciary. A similar House bill has been unanimously reported by the Committee on the District of Columbia.

The SPEAKER. The gentleman from Virginia asks unanimous consent that the Committee on the Judiciary be discharged from further consideration of Senate bill 4785, and that the same be taken up for consideration at this time. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the following persons, namely, James L. Barton, Samuel T. Dutton, Cleveland H. Dodge, Henry Morgenthau, Edwin M. Bulkley, Alexander J. Hemphill, Charles R. Crane, William Howard Taft, Charles Evans Hughes, Elihu Root, Harry Pratt Judson, Charles E. Beury, Arthur J. Brown, John B. Calvert, William I. Chamberlain, William T. Ellis, James Cardinal Gibbons, Jerome D. Greene, David H. Greer, Harold A. Hatch, William I. Haven, Myron T. Herrick, Hamilton Holt, Frank W. Jackson, Arthur Curtiss James, Frederick Lynch, Vance C. McCormick, Charles S. Macfarland, Henry B. F. Macfarland, William B. Millar, John R. Mott, Frank Mason North, George A. Plimpton, Philip Rhinelander, William Jay Schieffelin, George T. Scott, Albert Shaw, William Sloane, Edward Lincoln Smith, Robert Eliot Speer, James M. Speers, Oscar S. Straus, Charles V. Vickrey, Harry A. Wheeler, Stanley White, Ray Lyman Wilbur, Talcott Williams, and Stephen S. Wise, their associates and successors duly chosen, are hereby incorporated and declared to be a body corporate of the District of Columbia

by the name of the American Committee for Relief in the Near East and by that name shall be known and have perpetual succession, with the powers, limitations, and restrictions herein contained.

SEC. 2. That the object for which said corporation is incorporated shall be to provide relief and to assist in the repatriation, rehabilitation, and re-establishment of suffering and dependent people of the Near East and adjacent areas; to provide for the care of orphans and widows, and to conduct any industrial enterprises or operations of a philanthropic character which may, in the judgment of the corporation, be necessary to promote the social, economic, and industrial welfare of those who have been rendered destitute, or dependent directly or indirectly, by the vicissitudes of war, the cruelties of men, or other causes beyond their control.

SEC. 3. That the direction and management of the affairs of the corporation, and the control of its property and funds, shall be vested in a board of trustees, to be composed of the following individuals: James L. Barton, Samuel T. Dutton, Cleveland H. Dodge, Henry Morgenthau, Edwin M. Bulkley, Alexander J. Hemphill, Charles R. Crane, William Howard Taft, Charles Evans Hughes, Elihu Root, Harry Pratt Judson, Charles E. Beury, Arthur J. Brown, John B. Calvert, William I. Chamberlain, William T. Ellis, James Cardinal Gibbons, Jerome D. Greene, David H. Greer, Harold A. Hatch, William J. Haven, Myron T. Herrick, Hamilton Holt, Frank W. Jackson, Arthur Curtiss James, Frederick Lynch, Vance C. McCormick, Charles S. Macfarland, Henry B. F. Macfarland, William B. Millar, John R. Mott, Frank Mason North, George A. Plimpton, Philip Rhinelander, William Jay Schieffelin, George T. Scott, Albert Shaw, William Sloane, Edward Lincoln Smith, Robert Elliot Speer, James M. Speers, Oscar S. Straus, Charles V. Vickrey, Harry A. Wheeler, Stanley White, Ray Lyman Wilbur, Talcott Williams, and Stephen S. Wise, who shall constitute the first board of trustees and constitute the members of the corporation. Vacancies occurring by death, resignation, or otherwise shall be filled by the remaining trustees in such manner as the by-laws shall prescribe, and the persons so elected shall thereupon become trustees and also members of the corporation.

SEC. 4. That the principal office of the corporation shall be located in the District of Columbia, but offices may be maintained and meetings of the corporation or of the trustees and committees may be held in other places, such as the by-laws may from time to time fix.

SEC. 5. That the said trustees shall be entitled to take, hold, and administer any securities, funds, or property which may be transferred to them for the purposes and objects hereinbefore enumerated by the existing and unincorporated American Committee for Armenian and Syrian Relief, and such other funds or property as may at any time be given, devised, or bequeathed to them, or to such corporation, for the purposes of the trust; with full power from time to time to adopt a common seal, to appoint officers, whether members of the board of trustees or otherwise, and such employees as may be deemed necessary for carrying on the business of the corporation, and at such salaries or with such remuneration as they may think proper; and full power to adopt by-laws and such rules or regulations as may be necessary to secure the safe and convenient transaction of the business of the corporation.

SEC. 6. That as soon as may be possible after the passage of this act a meeting of the trustees hereinbefore named shall be called by Samuel T. Dutton, Cleveland H. Dodge, Henry Morgenthau, Edwin M. Bulkley, Alexander J. Hemphill, William B. Millar, George F. Scott, James L. Barton, and Charles V. Vickrey, or any six of them, at the Borough of Manhattan, in the city of New York, by notice served in person or by mail, addressed to each trustee at his place of residence; and the said trustees named herein, or a majority thereof, being assembled, shall organize and proceed to adopt by-laws, to elect officers, and generally to organize the said corporation.

SEC. 7. That Congress reserves the right to alter, amend, or repeal this act.

The SPEAKER. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, I hope the gentleman from Virginia will make some explanation of the bill.

Mr. MONTAGUE. Mr. Speaker, I should be very glad to make an explanation, if it is desired. I do not want to consume the time of the House, for I know this day has been set apart for the consideration of bills on the Private Calendar. If this charity is to be effective, however, the bill must be very speedily passed. Ten days at least must elapse before the bill can become operative after its passage.

Mr. GARRETT of Tennessee. This makes this a corporation of the District of Columbia; does it?

Mr. MONTAGUE. It makes it a national corporation, in my opinion.

Mr. TOWNER. It makes it a corporation of the District of Columbia by the terms of the bill.

Mr. MONTAGUE. Technically, it is a corporation with head offices in the District of Columbia.

Mr. TOWNER. Mr. Speaker, if the gentleman will permit, the important matter is that it should be incorporated by the Congress of the United States. It effects almost the consolidation of existing societies, because of the importunate nature of the relief work. About 4,000,000 of these Syrians and Armenians have been driven from their homes and are refugees only, without clothes and without food, dying every day.

The importunate nature of this is to gather together and unify this relief work. This organization of men embraces leading men who have been interested in this relief work, and is to unify it and place it under one control. That, of course, is the object of the bill. It passed the Senate unanimously the other day, and it has been favorably reported by the committee here.

Mr. GARRETT of Tennessee. Now, there is some language in section 2——

Mr. MONTAGUE. I would say to the gentleman, supplementing what the gentleman from Iowa has said, that the temper and mind of the peoples in the Near East with whom this fund will have to be distributed is such that unless you have some governmental impress upon the organization itself its object can not be effectively secured. It is proposed to raise a very large sum by voluntary contributions, to be administered by this corporation for the relief of the distressed people of Armenia, of Syria, and the other sections of the country formerly under the Ottoman domination. I may say that perhaps no distress and suffering ever equaled the distress and suffering that this bill attempts to meet, and the immediate necessity alone justifies me in asking its present consideration by the House.

Mr. GARRETT of Tennessee. I desire to call my friend's attention to the language in section 2, in which there is enumerated the object or objects, "and to conduct any industrial enterprises," that is in lines 18 and 19.

Mr. MONTAGUE. If the gentleman will read the residue of the sentence, he will see it says, "and to conduct any industrial enterprises or operations of a philanthropic character." That is, the operations of the industrial enterprise must be of a philanthropic character. There may be technical and mechanical training schools, for example.

Mr. GARRETT of Tennessee. The gentleman says there may be technical schools there. May I ask where?

Mr. MONTAGUE. In Armenia or Syria, Asia Minor.

Mr. GARRETT of Tennessee. It is not expected they will operate in this country?

Mr. MONTAGUE. Not at all. The entire administration of this philanthropy is to be in what is generally called the Near East; that is, in Syria, Asia Minor, and contiguous country.

Mr. GARRETT of Tennessee. Now, may I ask my friend from Virginia just why it is necessary to have a special act? Why can not this be incorporated under the general laws of the District of Columbia?

Mr. MONTAGUE. For the reason suggested by the gentleman from Iowa awhile ago; that is, unless the people in the Near East believe that the Federal Government in some way has given its impress to this philanthropic undertaking it will not meet with the success that is desired.

Mr. GARRETT of Tennessee. Mr. Speaker, may I ask the gentleman if this bill or a similar bill is now pending before the Committee on the Judiciary?

Mr. MONTAGUE. This bill was presented by me some months since, and the next day, upon looking at the calendar, I found the bill had been referred to the Committee on the District of Columbia. I thought it should have been referred to the Committee on the Judiciary, in my ignorance. The Committee on the District of Columbia, however, reported it out unanimously, so I was informed by Mr. JOHNSON of Kentucky, the chairman of the committee. In the past few days a similar bill has passed the Senate unanimously, being reported by the Judiciary Committee of the Senate. That bill came to this body and was referred to the Committee on the Judiciary. Therefore I made the request a few moments since for unanimous consent that the Committee on the Judiciary should be discharged from the further consideration of the Senate bill, and that that bill should be taken up and considered in lieu of the House bill heretofore reported by the Committee on the District of Columbia. That is the parliamentary status, as I understand it.

Mr. SLAYDEN. Will the gentleman yield for a question, just for a moment?

Mr. MONTAGUE. I will.

Mr. SLAYDEN. Is this money to be collected by this proposed organization to be handled in the same way as that of the Armenian Relief Committee, who heretofore handled contributions sent to them without overhead charges or expense for transmission, and so forth?

Mr. MONTAGUE. I am very glad the gentleman has asked that question, and I would like to have the attention of the gentleman from Tennessee and the other Members of the House, because it is an important inquiry. Millions of dollars have been solicited and much already sent to these suffering people and not one cent of overhead charge has been incurred in connection with the distribution or the administration of that fund, and the hope of the incorporators is to do the work without any overhead charge. It is a piece of clean charity from beginning to end. It is simply asked that the organization may have the imprimatur of the Government itself to facilitate its banking operations or its contact with the Governments of that country to give the organization a standing greater than a mere voluntary or a private organization could obtain.

Mr. LONDON. Will the gentleman yield?

Mr. MONTAGUE. I will.

Mr. LONDON. Does the expression "Near East" have a definite legal meaning?

Mr. MONTAGUE. I think not. I think it has a historic meaning which is better understood by the gentleman than by myself.

Mr. LONDON. Would it not be better to define it in the law?

Mr. MONTAGUE. It says the "Near East and adjacent areas" and specifically contemplates Syria and Armenia, does it not? I think that is ample geographically and governmentally. The trouble is if this bill is amended now it will have to go back to the Senate, and what we desire to do is to get immediate relief to these poor, starving people.

Mr. LONDON. Does the gentleman believe the slightest amendment would defeat the bill now?

Mr. MONTAGUE. I do not think it would defeat the bill, but it would delay the bill, because it would have to go back to the Senate.

Mr. LONDON. Of course, the expression "Near East" has a definite historical meaning and is used in historical works. The question is whether the courts will take judicial notice of the meaning of that expression.

Mr. MONTAGUE. Well, I do not know what the courts would hold. I will say to the gentleman that I think the term "Near East," if I am not mistaken, has, as the gentleman says, a definite historical meaning, and it was put in this bill by the suggestion of those who have given very largely to this charity, and I have no doubt they had quite a satisfactory idea of what is meant by the terms "Near East" and "adjacent areas."

Mr. EMERSON. Will the gentleman yield?

Mr. MONTAGUE. I will.

Mr. EMERSON. How were these names suggested?

Mr. MONTAGUE. These names were suggested originally by this very committee, or some gentleman of this committee, as I understand. It was a voluntary committee, and perhaps enlarged by these names contained in the bill.

Mr. EMERSON. All the interests have been consulted in connection with this?

Mr. MONTAGUE. I understand from my correspondence with the secretary that this bill is the unanimous wish of all of these incorporators—very eminent incorporators, as the gentleman will observe.

Mr. ALMON. Mr. Speaker, reserving the right to object, I will say to the gentleman from Virginia that this day was set aside especially for the Private Calendar, and with the understanding that he would let this bill go over if discussion arose and it was found that time would be required to pass it. I think if it requires discussion and time he ought to let it go over until the Private Calendar is disposed of.

Mr. MONTAGUE. I assure the gentleman that I am not desirous of discussion.

Mr. ALMON. With the understanding that you will let it go over if time is required——

The SPEAKER. Is there objection?

Mr. GARD. Reserving the right to object, Mr. Speaker, this bill, as I understand, was introduced by the gentleman from Virginia in the House on the 1st of July, 1918. It was referred, possibly inadvertently, to the Committee on the District of Columbia, the only connection which one can see being the fact that it is supposed to be incorporated in the District of Columbia. The real object of such a bill as this is to obtain what they call the "prestige" of having the United States of America back it as an incorporation. The bill has never had any action in the Committee on the Judiciary of the House of Representatives, notwithstanding that it is now there. The Senate bill is sought to be substituted, without consideration or amendment, and the Senate bill is now, so I am informed as to the parliamentary status, in the Committee on the Judiciary of the House of Representatives.

It seems to me there may be a number of things in this bill in the matter of the perfection of the details, as suggested in this debate, in the matter of seeing to whom this relief does go, in the matter of consideration of the great scope of section 2, which provides for the conduct of industrial enterprises and of operations of a philanthropic character, and proceedings necessary to promote the economic welfare, and such things of that kind—and I assuredly have no objection to the accomplishment of these very worthy objects—but I have an objection to the incorporation without consideration of bodies of men calling themselves different associations, seeking to become incorporated in the District of Columbia for a national purpose, and it certainly is most unwise to make an incorporation even of this admittedly excellent character unless it can be passed upon by the proper committee, unless certain amendments or suggestions can be considered after hearings, unless the membership of the House can be advised rightly, because it is not a right thing to incorporate and to give the great benefit of national incorporation to any society unless we know the exact meaning of what is sought to be accomplished and see whether these meanings coincide with our power to afford national incorporation. It seems to me we ought not peremptorily set aside action and discharge a committee which has never had opportunity to give consideration to a bill and take up a Senate bill that we know little of. This proposed relief has been and can be afforded without this bill. And under the circumstances, therefore, Mr. Speaker, I am constrained to object until the proper committee has opportunity to consider it.

The SPEAKER. The gentleman objects, and the gentleman from Mississippi is recognized.

PRIVATE CALENDAR.

Mr. KITCHIN. Mr. Speaker, I believe it is understood that we call the bills as they appear on the Private Calendar.

Mr. MANN. You have to move to go into the Committee of the Whole.

Mr. KITCHIN. I was going to make a unanimous-consent request. I ask unanimous consent that all bills on the Private Calendar be considered in the House as in the Committee of the Whole.

Mr. MANN. Oh, no. I will say to the gentleman that that is wholly impracticable.

The SPEAKER. The gentleman from Illinois objects.

Mr. KITCHIN. I thought we could save time.

Mr. MANN. The bills are called only by unanimous consent.

The SPEAKER. The gentleman from Illinois objects.

EXTENSION OF REMARKS.

Mr. ALMON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD on the Post Office appropriation bill.

The SPEAKER. The gentleman from Alabama asks unanimous consent to revise and extend his remarks in the RECORD on the Post Office appropriation bill. Without objection, it is so ordered.

There was no objection.

PRIVATE CALENDAR.

Mr. KITCHIN. Then we will have to make a motion on each bill.

Mr. MANN. Oh, no.

The SPEAKER. The only motion to make is to go into the Committee of the Whole.

Mr. KITCHIN. I move, Mr. Speaker, that we go into the Committee of the Whole House on the state of the Union to consider bills on the Private Calendar.

The SPEAKER. The gentleman from South Carolina moves that the House resolve itself into the Committee of the Whole House on the state of the Union to consider bills on the Private Calendar.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of bills on the Private Calendar, with Mr. GARD in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the purpose of consideration of bills on the Private Calendar. The Clerk will report the first bill.

STEAMSHIP "CALDERA."

The first bill in order on the Private Calendar was the bill (H. R. 4988) to authorize the changing of the name of the steamship *Caldera*.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice and take its position at the foot of the calendar. The reason for my making that request, I believe, though I have not had time to confirm it, is that there is a Senate bill of identic character that was passed some months ago. Otherwise I would move to lay the bill on the table.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin that this bill be passed without prejudice and go to the foot of the calendar?

Mr. FOSTER. Mr. Chairman, why not let it take its place? It is not being objected to. Why not leave it where it is and pass it over temporarily?

Mr. STAFFORD. I have no objection to that, Mr. Chairman. If there is any member of the Committee on the Merchant Marine and Fisheries in the Chamber, I would be glad if he would give us information on this bill. I believe that a Senate bill of identical character was passed in the summer session. Mr. Chairman, I ask that the bill be passed over without prejudice.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin by unanimous consent that this bill be passed over without prejudice?

There was no objection.

The CHAIRMAN. The Clerk will report the next bill.

DAVID L. BRAINARD.

The next business in order on the Private Calendar was the bill (S. 959) for the promotion and retirement of Col. David L. Brainard, Quartermaster Corps, United States Army.

The title of the bill was read.

The CHAIRMAN. Is there objection to the consideration of this bill?

Mr. STAFFORD. Mr. Chairman, we are not considering bills under reservation of objection. We are considering all the bills on the Calendar in their order. This bill is on the Calendar, and has been called, and is entitled to consideration. I rise to ask recognition from the Chair.

Mr. KITCHIN. The gentleman from California [Mr. KAHN], who is familiar with this bill, is here.

The CHAIRMAN. The gentleman from Wisconsin [Mr. STAFFORD] asks recognition of the Chair?

Mr. STAFFORD. Yes.

The CHAIRMAN. The Chair recognizes the gentleman.

Mr. STAFFORD. I was under the impression, Mr. Chairman—and that impression is confirmed by the gentleman from California [Mr. KAHN]—that the purpose of this bill was incorporated in the Army appropriation bill. I therefore move that the bill be reported back to the House with the recommendation that it lie upon the table.

The CHAIRMAN. The gentleman from Wisconsin moves that this bill (S. 959) be reported back to the House with the recommendation that it lie on the table. The question is on agreeing to that motion.

The motion was agreed to.

STEAMSHIP "CALDERA."

Mr. STAFFORD. Mr. Chairman, my attention has been called, since the first bill was brought up for consideration, to the calendar, which shows that Senate bill 2469, now public law 118, authorizing the change of the name of the steamship *Caldera*, has passed both bodies and is now a law. I now ask that the House bill 4988 be called up formally so that I may make a motion to have it reported back to the House with the recommendation that it lie on the table.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to call up the bill H. R. 4988. Is there objection?

There was no objection.

Mr. STAFFORD. I move, Mr. Chairman, that the bill H. R. 4988 be laid aside with the recommendation that it lie on the table.

The CHAIRMAN. The gentleman from Wisconsin moves that the bill (H. R. 4988) to authorize the changing of the name of the steamship *Caldera* be laid aside with the recommendation that it lie on the table. The question is on agreeing to the motion.

The motion was agreed to.

The CHAIRMAN. The Clerk will report the next bill.

MARY NEAF.

The next business in order on the Private Calendar was the bill (H. R. 7715) for the relief of Mary Neaf.

The title of the bill was read.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That Mary Neaf, mother of Richard Neaf, who served under the name of John Ryan as a private in the One hundred and sixty-seventh Company, Coast Artillery Corps, shall be considered as the duly designated beneficiary of the late Richard Neaf, alias John Ryan, under the act approved May 11, 1908, as amended by the act approved March 3, 1909.

Mr. STAFFORD. Mr. Chairman, I move, if some member of the committee does not wish so to move, that this bill be laid aside with a favorable recommendation that it do pass. I beg the pardon of the gentleman from Missouri [Mr. IGOE]. The gentleman can make the motion.

Mr. IGOE. Never mind. Go ahead.

The CHAIRMAN. The gentleman from Wisconsin moves that the bill (H. R. 7715) for the relief of Mary Neaf be laid aside with the recommendation that it do pass. The question is on agreeing to that motion.

The motion was agreed to.

The CHAIRMAN. The Clerk will report the next bill on the Private Calendar.

CLAIMS AGAINST THE CHOCTAW AND CHICKASAW NATIONS.

The next business in order on the Private Calendar was the bill (H. R. 329) referring certain claims against the Choctaw and Chickasaw Nations of Indians to the Court of Claims.

The title of the bill was read.

Mr. HASTINGS. Mr. Chairman, the bill just read by title was incorporated as an amendment to the Indian appropriation bill last year. For that reason I move that the bill be reported back to the House with the recommendation that it lie on the table.

The CHAIRMAN. The gentleman from Oklahoma moves that the bill H. R. 329 be reported back to the House with the recommendation that it lie on the table. The question is on agreeing to that motion.

The motion was agreed to.

HARRIET FISHER.

The next business in order on the Private Calendar was the bill (H. R. 855) for the relief of Harriet Fisher.

The title of the bill was read.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to issue a patent to Harriet Fisher, of St. Louis, Mo., for the southeast quarter of the southwest quarter of section 28, in township 17 south, range 7 west, of the fifth principal meridian in Arkansas: *Provided*, That she shall file application for the land and pay therefor at the rate of $1.25 per acre within six months after the approval of this act.

Mr. TILLMAN. Mr. Chairman, I assume that there will be no opposition to the passage of this measure.

In 1861 a certain military land warrant was issued and it was sought to be located on a particular 40 acres of land in the State of Arkansas, and described in the bill. A mistake was made in the location of the land and the location was canceled. Later another effort was made to locate this particular land warrant, which was located on different land from the tract in question. For the past 50 years this tract of 40 acres has been occupied and thought to be owned by different individuals. Finally this St. Louis woman, Mrs. Harriet Fisher, acquired the land through purchase in good faith for a valuable consideration. It developed that the tract had never been patented. During all these years the taxes assessed against the property have been paid. The title was thought to be good, and now this party simply asks the privilege of entering it at the prevailing price of $1.25 an acre.

I move, Mr. Chairman, that the bill be reported back to the House with the recommendation that it be passed.

The CHAIRMAN. The gentleman from Arkansas moves that the bill H. R. 855 be reported back to the House with the recommendation that it be passed. The question is on agreeing to that motion.

The motion was agreed to.

The CHAIRMAN. The Clerk will report the next bill on the Private Calendar.

ALEXANDER F. M'COLLAM.

The next business on the Private Calendar was the bill (H. R. 1423) for the relief of Alexander F. McCollam.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to issue a patent to Alexander F. McCollam, of Yankee Jims, Placer County, Cal., for the lands described in homestead entry No. 07349, Sacramento series, being homestead-entry survey No. 147, in section 28, township 14 north, range 10 east, Mount Diablo Meridian, in Sacramento land district, in Placer County, Cal., and containing 1 1/6 acres, according to official plat of homestead-entry survey No. 147, in the Tahoe National Forest made July 19, 1915.

Mr. RAKER. Mr. Chairman, this bill passed the House and went to the Senate during the last days of the last Congress, and like many other bills did not get through the Senate. The committee has again unanimously reported it to the House, and I move it be reported to the House with a favorable recommendation.

Mr. MANN. Mr. Chairman, I know from observation in the past that the gentleman from California can make himself heard, but we could not hear what he said at this time.

The CHAIRMAN. Does the gentleman ask that the gentleman from California repeat his statement?

Mr. MANN. I could not ask that he repeat it, but I ask the gentleman to explain the bill so that we may know something about it.

Mr. RAKER. Mr. Chairman, I would be pleased to make a statement. The purpose of the bill is to have a patent issued to the present owner, Alexander F. McCollam, so far as the records are concerned of the probate court in Placer County. Originally Henry Eckhoff made application for a homestead. It was land segregated in a forest reserve set apart for town purposes. People were allowed to make homestead entries on the land. Eckhoff made a homestead entry, inclosed it, and thereafter died before patent could issue. The probate proceedings were taken in the court of Placer County before Judge Prewett, the necessary proceedings were had at the sale, and McCollam purchased the property and a deed was issued to him.

Mr. STAFFORD. Will the gentleman yield?

Mr. RAKER. Yes

Mr. STAFFORD. Under the regulations of the Land Office is it necessary for the purchaser at an administration sale of the rights of the deceased intestate to public lands to also prove that he himself is qualified as an entryman and entitled to a patent?

Mr. RAKER. It might be if it was an ordinary homestead of 100 or 320 acres; but this is a small tract of a forest reserve that these people were allowed to homestead. The gentleman will notice that this only comprises 1.16 acres of land—a town lot.

Mr. STAFFORD. The gentleman has not answered my question. The gentleman is on the Public Land Committee, and, I suppose, is well acquainted with the laws as to the rights of purchasers of the claims of deceased homesteaders.

Mr. RAKER. If a man makes a purchase at a valid sale he does not have to prove his qualifications as a homestead claimant, if all the proceedings are under the land laws. But in this particular instance, being a town lot, fenced, and a nice little home on the place, they do not require the purchaser to show his qualifications as a homestead claimant. In other words, the ordinary course would be to make final proof and get a patent for the heirs. There were no heirs. The effort was made, and the court allowed the proceedings to go through the probate court, and McCollam purchased at an administrative sale, paid his money, and then his only course by which he could obtain the title to the land was to make a proper showing to the Land Office, which he has done, and they recommended that the patent be issued for this small tract of land.

Mr. STAFFORD. I do not believe the department has gone quite as far as the gentleman says in recommending that a patent be issued to the purchaser of the rights of the deceased claimant.

Mr. RAKER. They have said that they would make no objections.

Mr. STAFFORD. I am a little in doubt as to whether the purchaser would not have to qualify to show that he was a qualified entryman in order to entitle him to a patent.

Mr. RAKER. No; if he applied to the Land Office and got a patent issued to him directly, not as an heir of the original applicant, he might have to do it; but there are no provisions in the law whereby you can sell the rights of a homestead claimant at an administrative sale and get a patent, and therefore it requires this kind of legislation.

Mr. NORTON. Will the gentleman yield?

Mr. RAKER. Yes.

Mr. NORTON. As a matter of fact, the estate of this man Eckhoff had no interest in this land whatever under existing law.

Mr. RAKER. Except as a homestead claimant.

Mr. NORTON. That is no interest at all. You are trying to have enacted law which would give McCollam this land, whereas under any claim of right that he makes as having a right from Eckhoff does not exist. The gentleman is asking Congress to give him pure new legislation, to give him this land and put it under the guise that Eckhoff at one time had a claim on the land. That is it in substance.

Mr. RAKER. I beg the gentleman's pardon, there is no assumption about it. The probate court assumed jurisdiction and wound up the estate. Administration was completely had and the court authorized the sale by giving public notice, which was given. They authorized the sale of 1.16 acres, and at the executive sale Mr. McCollam bought and paid the money and got his deed. Eckhoff had no heirs that they have been able to find. Mr. McCollam has paid the money and the Department of Agriculture has received it, and the Secretary of the Interior says that this is the only method by which a man can obtain title to what he has bought and paid for. We have taken this method to do it.

Mr. NORTON. You would have exactly a similar case if a man had last year taken up 640 acres in North Dakota, settled on it, and a few days after settling had died, and I had gone out there, had his estate probated, and had included in the estate the 640 acres and made a purchase of it, when under the law I knew that that land would not descend to his estate at all.

Mr. RAKER. Oh, yes.

Mr. NORTON. And the administration of the estate, including that land, was a mere fiction.

Mr. RAKER. Oh, I beg the gentleman's pardon. Under any homestead filing properly complied with the widow, if any, and the minor children, if any, or the representatives, may make final proof on the homestead and get a patent. I have seen it done many times.

Mr. NORTON. So have I; but in this case there is no widow and no children.

Mr. RAKER. In this case it is only a town-lot site set aside in a forest reserve as part of the town, where the man had been living on it, and they called them homesteads, and the man got his filing for this 1.16 acres, built a nice home, and then died, and the probate court administered upon it, and McCollam purchased it at the sale. This is the only method by which he can get the title.

Mr. HAMILTON of Michigan. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Yes.

Mr. HAMILTON of Michigan. Assuming the probate proceedings were entirely regular, did not McCollam take only such title as Eckhoff actually possessed, and he possibly bought the property in at the administrators' sale at a price somewhat below what the property would be worth if the title was known to be absolutely settled?

Mr. RAKER. No; I think not. I understood from what I gathered, which is not in the record, that it was offered at public sale, and he paid a fair price. Just what amount he paid I do not remember.

Mr HAMILTON of Michigan. Of course, he bought the property with his eyes wide open, knowing what he was getting.

Mr. RAKER. Oh, surely; but the judge who administered upon the case is one of the ablest men in California, and ordinarily people have great confidence in a proceeding before a judge of that kind. The judge assumed jurisdiction and completed the administration. Here is a little home, and the man assumed that he would eventually get the title. He finds now that the strict legal title is in the Government. The equitable title to the fence and in the house was in McCollam, beyond question. He asks Congress to allow the Secretary of the Interior to issue him a patent for this land, and the Department of the Interior as well as the Department of Agriculture accede to that; they think it ought to be done.

Mr. HAMILTON of Michigan. Of course, the gentleman understands that I am not questioning the legal ability of the court.

Mr. RAKER. I appreciate the importance of the gentleman's question.

Mr. NORTON. The gentleman states that Eckhoff built a nice home on this land.

Mr. RAKER. He did.

Mr. NORTON. And lived there—settled there.

Mr. RAKER. He did.

Mr. NORTON. He resided there for some time?

Mr. RAKER. He resided there for some time and then died.

Mr. NORTON. How much was this home worth?

Mr. RAKER. I do not remember now just what it is worth.

Mr. NORTON. I notice that McCollam paid $75 for it.

Mr. RAKER. Yes.

Mr. NORTON. It must have been a very fine home.

Mr. RAKER. I have seen many homes on this land we are trying to legislate about, for homesteaders, for $50 or $75.

Mr. NORTON. What is the land worth per acre?

Mr. RAKER. At this particular place?

Mr. NORTON. Yes.

Mr. RAKER. Oh, it is a little town in the mountains.

Mr. NORTON. As a matter of fact, of course, under the law I know, and I think the gentleman knows——

Mr. RAKER. I said that the strict legal title is in the Government.

Mr. NORTON. It is just passing legislation here to give him a piece of Government land which he can acquire in another way.

Mr. RAKER. No, he can not.

Mr. NORTON. Can he not make entry on this land now?

Mr. RAKER. No.

Mr. NORTON. Why not.

Mr. RAKER. It would not be practical to use his homestead rights on an acre of town lots that he thought he was getting title to. It is too small to take the time of the House.

Mr. NORTON. Another way in which he would acquire it, instead of coming here to Congress and taking the time of Congress and incurring an expense of several hundred dollars on the part of Congress, would be to buy scrip and scrip it.

Mr. RAKER. No; that kind of land is not subject to scrip.

Mr. NORTON. Santa Fe scrip.

Mr. RAKER. No; you can not scrip on an acre and sixteen one-hundredths of an acre.

Mr. NORTON. I do not want to dispute the gentleman, but I do not know of any land that can not be scripped.

Mr. RAKER. There have been too many thousands of acres scripped in my district, taken from the Santa Fe, and you can not do it.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Yes.

Mr. STAFFORD. I was rather surprised at the gentleman's statement of the law that it was not necessary for the purchaser to qualify himself as an entryman in order to entitle him to succeed to the rights of the deceased intestate. I direct the gentleman's attention to the language of the Secretary of the Interior on that subject on page 4 of the report. That is the reason that I inquired as to the law and regulations governing that phase of the subject. In the last paragraph but one from the end the Secretary writes:

No evidence has been submitted tending to show whether or not Alexander F. McGillam possesses the requisite homestead qualifications necessary to the entry by him of public lands under the homestead laws.

I take it from that statement that the department would decline to recognize any person as purchaser of the rights of a homestead entryman unless he could qualify as a homestead entryman.

Mr. RAKER. Not in a case of this kind. I feel quite sure of the point because of the peculiar status of those town-site lots. It is divided up in blocks or lots, and these people were permitted to take these pieces each one was living on and call it his home, and in a way they called it a homestead.

Mr. STAFFORD. They had to qualify to take those pieces of land under the homestead law?

I do not believe the intent of the homestead law would cover that case. Unquestionably, in my mind, from reading the Secretary's letter, it does technically require that a person must be a qualified entryman.

Mr. RAKER. Ordinarily I think there is no doubt about that. Mr. Chairman, I move that the bill be laid aside with a favorable recommendation.

The motion was agreed to.

DAVID E. GRAY.

The next business in order on the Private Calendar was the bill (H. R. 1607) for the relief of David E. Gray.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Postmaster General be, and he is hereby, authorized and directed to credit the accounts of David E. Gray, postmaster at Greeley, Colo., in the sum of $10,088.09, due to the United States on account of postage stamps and other stamped paper on account of losses resulting from burglary of said post office on July 1, 1913.

Mr. TIMBERLAKE. Mr. Chairman, unless some explanation is asked of this bill I would like to move that it be reported back to the House with a favorable recommendation.

Mr. STAFFORD. Mr. Chairman, the bill carries the very large amount of $10,000, and I think the gentleman should make some explanation of the merits of this bill before moving its adoption.

Mr. TIMBERLAKE. I will be very glad to do so. This is the case of a post-office burglary. The post office at Greeley, Colo., in 1913 was robbed of stamps and post-office receipts to the amount of $10,088.09. The report accompanying this bill is a very complete showing that full investigation of the robbery was made by the representatives of the Post Office Department in Colorado, to which investigation the postmaster himself gave every aid possible and spent quite a large sum of money in order to apprehend the thief and recover the stolen property, however without avail. The fact that it exceeds the amount of $10,000 is the only thing that prevented prompt settlement by the Post Office Department, the law requiring that when the amount exceeds $10,000 that the Post Office Department must be authorized by a special act of Congress to relieve the indebtedness, and that is the purpose of this bill, which has the full indorsement of the Postmaster General.

Mr. MANN. Will the gentleman yield for a question?

Mr. TIMBERLAKE. Yes; I shall be glad to do so.

Mr. MANN. Has this bill been before previous Congresses?

Mr. TIMBERLAKE. That is a question that I am unable to answer. It only was brought to my attention in the fore part of 1916. At the time I introduced the bill, I think——

Mr. STAFFORD. I know that the gentleman is very familiar with it, but the report does not disclose that it has ever been submitted to the House or the Senate for action.

Mr. TIMBERLAKE. I think that is true if I remember correctly.

Mr. STAFFORD. And the letter of the Postmaster General on this subject is as late as January 22 of this year.

Mr. MANN. It seems to me remarkable that where the Post Office investigators promptly made an investigation and promptly reported that the postmaster should be relieved from the liability no claim has been made to Congress between 1913 and 1917. I did not recall the bill in a former Congress, and that is the reason I asked the gentleman.

Mr. TIMBERLAKE. The report does not disclose that, and I have no personal information with reference to it. I know a considerable sum was spent by the postmaster himself in conjunction with the representatives of the department in an endeavor to run down the thief. They had several clues presented to them, and considerable time was used in such investigation before remedy was asked from the department.

Mr. BLANTON. Will the gentleman yield?

Mr. TIMBERLAKE. I shall be very glad to do so.

Mr. BLANTON. Did the committee before whom this bill was pending hear evidence of the justice of the claim?

Mr. TIMBERLAKE. The member of the Post Office Committee [Mr. STEENERSON] who made the report on the bill will answer that question.

Mr. BLANTON. I would just like to know whether or not favorable report on this bill was made solely upon the letter of the Postmaster General or did they hear evidence?

Mr. STEENERSON. We heard the representative of the Post Office Department and the committee was unanimous in recommending it.

Mr. BLANTON. I wanted to know if the evidence showed that the requirements under section 361 of the postal regulations were carried out by the Postmaster, that the funds were securely locked up as required by that regulation?

Mr. STEENERSON. Yes; the evidence showed that they were locked in a safe furnished by the United States Government, and it was not the postmaster's property.

Mr. BLANTON. That the postmaster was in no way negligent?

Mr. STEENERSON. No; the burglar entered by taking out a pane of glass in the rear and reaching around and opened the lock of the door. This safe formerly was in use by the United States Government at Colorado Springs, and the post-office inspector had this safe moved to Greeley, and it was furnished to the postmaster by the United States Government and locked, and they knocked off—what is it?

Mr. TIMBERLAKE. The combination of the safe.

Mr. STEENERSON. The knob you turn.

Mr. BLANTON. I would like to know whether if the full amount of the loss, as evidenced by this claim, was definitely proven by evidence of probative force?

Mr. STEENERSON. It was absolutely proven and the only reason why the Post Office Department did not pay it at once was because it exceeded by $85 the maximum the department can pay in such cases under the statute of 1888.

Mr. BLANTON. I would like to state to the committee the reason I am asking these questions is there are a number of claims coming from various postmasters all over the country for alleged loss of stamps and funds, and so forth, against which I expect to lodge objection, and I did not want a precedent to be established in this particular case by letting this bill go through unless all of these matters had been met——

Mr. STEENERSON. That is very true.

Mr. BLANTON. I want to call the attention of the committee to the fact that during the past fiscal year there were 664 claims made in the Post Office Department by 664 different postmasters, aggregating $98,966.40, which were allowed by the Postmaster General and paid, not claims made and disallowed but claims made and allowed by the Postmaster General.

Mr. STEENERSON. Because they were less than $10,000.

Mr. BLANTON. Because the Postmaster General could not say that they had not met the requirements of the law or had been negligent. Now, if there were this number of claims allowed by the Postmaster General, the committee can readily understand how many other claims were made and were turned down. So you can see it is a momentous question, after all, that is under consideration. And I want to see these claims especially proven before the committee by competent evidence of probative force, and not merely take it for granted that the loss occurred and the postmasters suffered the various losses claimed.

Mr. STEENERSON. There is no question in this claim.

Mr. BLANTON. No question as to the loss or want of negligence on the part of the postmaster?

Mr. STEENERSON. The claim would have been paid by the department if they had had jurisdiction, but unfortunately it exceeded their jurisdiction by $88. It is recommended by the department and urged by them.

Mr. TIMBERLAKE. Mr. Chairman, I move that the bill H. R. 1607 be referred to the House with a recommendation that it pass.

The CHAIRMAN. The gentleman from Colorado [Mr. TIMBERLAKE] moves that the bill be referred to the House with the recommendation that it pass.

Mr. BLANTON. Mr. Speaker, just one moment. I would like to ask the gentleman why this particular claim was not referred to the Committee on Claims for attention? It occurs to me that it is a claim that should properly have gone to the Committee on Claims.

Mr. TIMBERLAKE. In reply to the question of the gentleman from Texas, permit me to say that I was quite new in my service here at the time I presented this bill, and I took advice from older parties, and that was that, with the recommendation and reports that were made by the Post Office Department, the Committee on the Post Office and Post Roads would be the proper place to refer the bill.

Mr. BLANTON. May I ask whether the Committee on the Post Office and Post Roads usually investigate claims of this character? Are they in the habit of investigating claims of this character?

Mr. STEENERSON. We have in some cases. In some cases, if they are less than $10,000, we do not want anything to do with them. That is a claim the department has control of. In a claim of this kind the statute itself requires it to be reported to the Speaker of the House for adjustment.

Mr. BLANTON. I might add that the Committee on Claims has lately investigated carefully a case involving over a million dollars. So, I take it——

Mr. STEENERSON. I know that the committee did not ask for any bill. I would like to get rid of it, but as long as it was before us without objection we did our best to report it. The chairman of the committee is here.

Mr. MOON. Mr. Chairman, I want to say that it is very clear under the rules that not only the Committee on the Post Office and Post Roads but the Committee on Claims may take jurisdiction of claims of this character. It has been the habit of the Committee on the Post Office and Post Roads frequently to take care of these cases, and where many of these claims have come to us we have voluntarily relinquished our jurisdiction and sent them to the Committee on Claims for adjudication. There is no question of the right of the Post Office Committee to determine these matters.

The CHAIRMAN. The gentleman from Colorado moves that the bill H. R. 1607 be reported back to the House with the recommendation that it be passed.

The motion was agreed to.

WILLIAM M. WILSON.

The next business in order on the Private Calendar was the bill (H. R. 2635) to authorize the issue of a patent to certain land in Alabama to William M. Wilson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby directed to issue a patent to William M. Wilson, of Chilton County, Ala., for the southeast quarter of the southeast quarter of fractional section 32, and the southwest quarter of the southwest quarter of fractional section 33, township 21 north, range 17 east, St. Stephens meridian, in the State of Alabama, reserving to the United States the right to overflow all or any part of said land in the construction and maintenance of work for the improvement of navigation in the Coosa River, without compensation to the said Wilson, his heirs or assigns, for any damages they may sustain by reason of such overflow.

Mr. FOSTER. Mr. Chairman, this is a bill in reference to land, as I understand, down in Alabama. I notice in the report it says something about the use of this land for Government work in that vicinity, as I have it marked here. I would like to ask if this land is to be used in Government work down there in the completing of a dam, or whatever it may be, for the improvement of navigation.

Mr. WALTON. I am unable to personally answer that question. This is a bill of the gentleman from Alabama [Mr. BLACKMON], and I understand he is ill. I was directed by the Committee on Public Lands to make a favorable report. As I understand, this land was withdrawn in 1908, on the Coosa River, it being the intention to determine just what portion was necessary for the river's improvement. In 1912 Mr. Wilson through inadvertence was allowed to make a homestead entry, which he perfected, but on account of a prior withdrawal patent could not be granted. I do not know anything about the project.

Mr. FOSTER. The letter of a Secretary of the Interior says:

The tracts involved, with other unappropriated lands bordering on the Coosa River and the islands therein, were in the year 1908 withdrawn from all forms of disposal for use in connection with the improvement of said river until it should have been determined what portions were actually needed for the work.

Now, this man went on there. I think he is entitled to some relief. But we have in some of these cases allowed a money consideration for damages in going on the land, and I wondered if this land was really land that was to be used in Government work down there. I notice it says that the Government shall not be held responsible for any damage done to this land by overflow, but the question is whether it was in proximity to this work, where this land was necessary, and it probably ought to be retained, and whether the man ought or ought not to be paid, instead of given the land, for whatever damages have come to him as the result of his being permitted to settle on the land. That is the inquiry I wanted to make.

Mr. WALTON. I am not familiar with the facts in detail. Perhaps the gentleman from Alabama [Mr. ALMON] knows something about them.

Mr. ALMON. I understand the only way the land will ever possibly be needed by the Government will be by reason of overflow for building of dams, and the bill provides that Mr. Wilson shall not have any claim against the Government for overflow, and if that is true I do not see that the Government would have any further interest in it.

Mr. ROBBINS. Mr. Speaker, I notice in this report this significant statement of the Secretary of the Interior, namely, that there has been an appeal taken from a decision; that this man appears to have inadvertently gone onto land which was withheld from entry, and it simply says this, quoting from the report:

From said decision an appeal was prosecuted to the department, and the case is now pending here pursuant thereto.

It seems to me there has been no decision on the appeal in the Land Office. If that is true, I do not think we ought to legislate until that appeal is decided.

Mr. FOSTER. Here is some land that was afterwards withdrawn from entry. There comes along a man who is permitted to enter on the land. Of course, the Government does not guarantee a title when men enter upon land, and yet he was permitted to enter on the land and it seems he made all proof to secure this land.

I think when the Government does that it is at least morally under obligation not to permit men to spend their money and get nothing for it. We have passed bills similar to this, I will say to the gentleman from Pennsylvania, and have paid men for the land where it was not feasible to give the land.

Now, the only question in my mind is whether this land is of the kind to be used by the Government in its work down there. I do not believe there is any question but that the man has a claim against the Government. We are assured by the gentleman from Alabama [Mr. ALMON] that that land is not to be used by the Government, so that under the circumstances, as I look at it, this man ought to have this land. He has complied with the law as far as he could. The fact that the land was withdrawn was not known to him.

Mr. ROBBINS. Does the gentleman, who speaks with some knowledge of this bill, know anything about the improvements that have been made upon the land by Mr. Wilson, the alleged settler?

Mr. RAKER. Mr. Chairman, if the gentleman from Illinois will permit, Mr. BLACKMON appeared before the Committee on Public Lands when this bill was under consideration, and my recollection is that he stated there were some improvements on the land such as a homesteader generally places on land, and I recall the further fact that this man in good faith made his filing, and the Land Office permitted him to make the filing, but they denied him the final proof, which they had to do under the law, because the land had been withdrawn. He took his appeal in order to keep his homestead intact. The Secretary of the Interior in the last Congress—the Sixty-fourth Congress—recommended that this bill be passed, and the Secretary again recommends here that the bill be passed. This man had to take the appeal or he would have been down and out entirely. He has taken the appeal solely to protect his rights. With the appeal pending in the Land Office, the Secretary heartily recommends that the bill be adopted, so that the applicant may get title to the land.

I recollect the further fact, as presented by Mr. BLACKMON, that it is a question, even if the Coosa Dam was built, whether it would overflow it.

Mr. ROBBINS. I was going to ask how far is this Government improvement on the Coosa River from this land? It is evidently a backwater proposition that they are trying to protect here. What information has the gentleman on that?

Mr. RAKER. At this time I have no information as to the distance of this land from the dam, but it is on the river where it is expected there may be an overflow. But this protects the Government, and this man would get no compensation for it.

Mr. ROBBINS. On that statement I have no objection.

Mr. WALTON. Mr. Chairman, I move that the bill be reported back to the House with favorable recommendation.

The CHAIRMAN. The gentleman from New Mexico moves that the bill H. R. 2635 be reported back to the House with the

recommendation that it do pass. The question is on agreeing to that motion.

The motion was agreed to.

The CHAIRMAN. The Clerk will report the next bill on the Private Calendar.

ALMA HARRIS.

The next business in order on the Private Calendar was the bill (H. R. 4240) for the relief of Alma Harris.

The title of the bill was read.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to issue patent to Alma Harris for the southeast quarter section 12, township 29 south, range 7 west, New Mexico principal meridian, in the Las Cruces land district, New Mexico, upon payment of the lawful purchase price of said land, without further proof of compliance with law.

Mr. FOSTER. Mr. Chairman, I understand the only reason why the bill seeks to give this woman the title to the land without further proof of compliance with the law is on account of its being close to the Mexican border.

Mr. WALTON. Yes. This land is located close to the Mexican border.

Mr. FOSTER. And it is unsafe for her to be there?

Mr. WALTON. Yes; and the War Department notified her that it would be unsafe. I move the bill be reported to the House, Mr. Chairman.

The CHAIRMAN. The gentleman from New Mexico moves that the bill H. R. 4240 be reported to the House with favorable recommendation. The question is on agreeing to that motion.

The motion was agreed to.

The CHAIRMAN. The Clerk will report the next bill.

THOMAS CAMPBELL.

The next business in order on the Private Calendar was the bill (H. R. 1873) for the relief of Thomas Campbell.

The title of the bill was read.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to remove from the records of his department the charge of desertion against Thomas Campbell, formerly of Company K, Ninth Regiment New York Volunteer Infantry, and to issue to him an honorable discharge as of the date of May 20, 1863, when said regiment was mustered out of service.

With a committee amendment, as follows:

At the end of the bill insert the following:

"*Provided*, That no pension, bounty, or allowances shall accrue prior to the passage of this act."

Mr. CRAGO. Mr. Chairman the gentleman from New York [Mr. RUSHAN] is absent from the House, as is Mr. CALDWELL, who reported the bill. In their absence I ask that the bill be favorably reported to the House.

Mr. FOSTER. Mr. Chairman, as I understand, this is to give this man an honorable discharge.

Mr. CRAGO. Yes, sir.

Mr. FOSTER. That, to my understanding, has never been done. I recall a few years ago getting a bill unanimously through this House twice and through the Senate twice unanimously, and each time it was vetoed. Does the gentleman suppose that if he gets this bill through for an honorable discharge for this man he will get it signed?

Mr. HARRISON of Virginia. They have a prescribed form.

Mr. FOSTER. I understand so. This is designed, as I understand, to give this man a pensionable status, and there is a prescribed form by which that is done.

Mr. MANN. Not a prescribed form, but a customary form.

Mr. FOSTER. Yes; that is better.

Mr. CRAGO. This is out of the ordinary.

Mr. MANN. If the gentleman from Pennsylvania will yield, I will say that when I came here first this form of a bill was passed and a great many bills of this character became laws. Finally the War Department advised, I think, President Roosevelt first that it was without the power of Congress to change the facts, and President Roosevelt vetoed all of the bills of this character which were sent to him after a certain time. There were not very many sent. When Mr. Taft came in as President a bill of this kind slipped through the House and the Senate, and was, I believe, vetoed by President Taft for the same reason.

The War Department has consistently maintained the position that it would recommend that the President veto any bill which provided that you grant an honorable discharge to a man who had not received an honorable discharge, and that Congress by legislating could not alter facts. The fact remains in the War Department that a man had been dishonorably discharged. We might say that we change the facts, but the facts would still remain. We adopted then the policy of granting the right of pension to soldiers on the theory that that would admit them to the Grand Army of the Republic if they were granted a pension, because ordinarily a man can not receive a pension unless he has an honorable discharge, and the fact was they got their pension and practically an honorable discharge.

Mr. CRAGO. I think the gentleman is entirely correct as to the proposition, and we have endeavored in our committee to put all the bills in that shape. I think the proper course here would be, since that has not been done with respect to this bill, to change it in accordance with that form.

This man Campbell is a brother of the late Hon. Timothy J. Campbell, who served in the House from New York a number of years ago.

I move, Mr. Chairman, that the bill be amended to read as follows:

That in the administration of any laws conferring the rights, privileges, or benefits upon honorably discharged soldiers, Thomas Campbell, formerly of Company K, Ninth Regiment, New York Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of said company and regiment on the 20th day of May, 1863, when said regiment was mustered out: *Provided*, That no pension, bounty, or allowances shall accrue prior to the passage of this act.

Mr. STAFFORD. Will the gentleman yield before the gentleman makes that motion? Will the gentleman advise the committee as to the policy of the Committee on Military Affairs in favorably reporting bills of this character, where the soldier was obligated to serve a term of three years and then deserts, and his justification is that when he enlisted he enlisted with the understanding that he was only to enlist until his regiment was mustered out?

Mr. CRAGO. I will say that the policy of the Military Committee on these bills has been this: They are all referred to a subcommittee, the subcommittee looks over the records, considers them carefully, and if they are unanimous in their conclusions they so report it to the full committee. The full committee authorizes some one of the subcommittee to make the report. With the thousands of cases before the committee, they steer clear of giving any man a pensionable status who had not served one year. This man was transferred to this battery with the understanding that when the organization went home to New York he would go home with them and be discharged. He served more than a year, and went back to New York with his battery, and he thought he was mustered out.

Mr. STAFFORD. But he enlisted for a term of three years.

Mr. CRAGO. The battery went home and was mustered out, and he thought he was mustered out. He stayed there in his usual avocation, and it is easily understood that where a man's organization was taken home to New York, and he was a member of that organization, it was not a very great stretch of the imagination for him to think that he was mustered out as well as the rest. It was merely a matter of bookkeeping.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out certain language and insert the language that he has stated.

Mr. CRAGO. I will furnish the Clerk with the amendment in writing.

The CHAIRMAN. The question is on the motion of the gentleman from Pennsylvania.

The motion was agreed to.

Mr. CRAGO. I move that the bill as amended be reported to the House with the recommendation that it be passed.

The motion was agreed to.

CHARLES LYNCH.

The next business on the Private Calendar was the bill (H. R. 1954) for the relief of Charles Lynch.

The Clerk read the bill, as follows:

Be it enacted, That in the administration of any laws conferring the rights, privileges, or benefits upon honorably discharged soldiers, Charles Lynch, who was a private in Company A, Ninth Connecticut Volunteer Infantry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a member of said company and regiment on the 16th day of July, 1864: *Provided*, That no back pay or pension be allowed prior to the passage of this act.

Mr. FOSTER. Mr. Chairman, I notice this proviso is in a little different form than usual on these bills. This says that "no back pay or pension shall be allowed prior to the passage of this act." Usually it says that "no back pay, bounty, or allowances shall accrue," and so forth.

Mr. TILSON. There was no intention not to have this in the usual form. Mr. Chairman, I move that the proviso be amended so as to read that "no pension, bounty, or allowances shall accrue prior to the passage of the bill."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend the proviso by making it read: "*Provided*, That no pension, bounty, or allowances shall accrue prior to the passage of this act."

The amendment was agreed to.

Mr. TILSON. Mr. Chairman, this bill was passed unanimously by the Sixty-fourth Congress and failed to receive consideration in the Senate. It is back here by unanimous report of the Committee on Military Affairs.

The facts are set out quite fully in the report, and unless there is some question, which I shall be very glad to answer, I move that the bill be laid aside with a favorable recommendation.

Mr. STAFFORD. Will the gentleman yield?

Mr. TILSON. Yes.

Mr. STAFFORD. I would like to know the reason why he was denied an honorable discharge.

Mr. TILSON. Because he was left by his organization. He had been in the service nearly three years. His regiment started to return by boat from New York, having been at home to fill up its ranks by recruiting, and he was to sail with the rest of the regiment, but they went away without him. He had been allowed to go ashore by his lieutenant for the purpose of purchasing some tobacco. When he returned to the dock the ship with all his personal equipment and everything else was gone. Instead of trying to follow up his command or reporting himself to the Provost Marshal, as he should have done, he was improperly advised and enlisted in another regiment 12 days later. In the new regiment he served until August, 1865. He has an honorable discharge by law from the second enlistment, but he has no honorable discharge from the first enlistment, and this precludes him from receiving a pension. I move that the bill be laid aside with a favorable recommendation.

Mr. RAGSDALE. Will the gentleman yield?

Mr. TILSON. Yes.

Mr. RAGSDALE. I thought the House was committed to the policy that where people did not have an honorable discharge in this war they should not be allowed a pension. Why should they be allowed a pension in any other service if not in this war? Is not the service as great in this war as in any other war?

Mr. TILSON. Oh, yes; but this man has an honorable discharge from one service, but has not from the other. He was accidentally left by his organization, and while technically he was a deserter, he was not really a deserter.

Mr. RAGSDALE. And yet by the rule which has been stated on the floor of the House he would not be entitled to a pension.

Mr. TILSON. That is the rule as it has always existed, but under the facts we think he ought to have a pension.

Mr. RAGSDALE. Then we are going to make exceptions to the rule which we affirmed the other day relating to those who are serving in France to-day.

Mr. TILSON. Oh, I suppose we shall make exceptions under all laws where proper cases arise.

Mr. FOSTER. There will probably be soldiers in this war where they make a proper showing, where exceptions will have to be made.

Mr. TILSON. Undoubtedly; it is human to err, and mistakes have been made through all time. Where we find that a real mistake has been made and because of it some soldier who has rendered honorable service has been injured, that mistake ought to be remedied just as far as possible.

Mr. RAGSDALE. The gentleman thinks this is purely a question of mistake and of no intention upon the part of the man?

Mr. TILSON. The committee was entirely convinced that there was no fault on the part of the soldier so far as his being left was concerned, and it is shown that he was very much disturbed on account of being left behind. The boat carried away all of his clothing and equipment, and it appears that the man was very much disconcerted on account of it.

The CHAIRMAN. The question is on the motion of the gentleman that the bill H. R. 1954 be laid aside with a favorable recommendation to be reported to the House with the recommendation that the bill as amended do pass.

The motion was agreed to.

The CHAIRMAN. The Clerk will report the next bill.

JEREMIAH STOVER.

The next business on the Private Calendar was the bill (H. R. 667) for the relief of Jeremiah Stover.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Jeremiah Stover, who was a private of Company B, One hundred and eighty-eighth Pennsylvania Infantry Volunteers, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a member of said company and regiment on the 16th day of October, 1865.

Mr. CRAGO. Mr. Chairman, unless some explanation is asked to this bill——

Mr. FOSTER. Oh, I think the gentleman should explain it.

Mr. CRAGO. The facts, in brief, are these: This bill went through the same course as all the other bills in the subcommittee and in the full committee. Jeremiah Stover is more than 80 years of age. He lives in Gettysburg. He has a son-in-law there who is a prominent citizen and an official of one of the railroads. Mr. Stover was a soldier who served more than three years' honorable service. He was doing provost duty at one time and was authorized by the officer having charge of that duty to purchase his own horse. He purchased his own horse, and later, with some of the natives in that locality, he made a trade, and I imagine, like some horse trades that we have all heard of, it was not a satisfactory trade. In any event, after the organization had left that immediate vicinity, this man, who had traded the horse for Stover's own horse, reported to the military authorities that Stover had gone off with a Government-owned animal. The truth of the matter is that if it was a Government-owned animal, it was an animal that was in this other man's possession, and was traded to Stover for Stover's own horse. Stover knew nothing of this for several months after that, until just before they were mustered out. He was then charged with it, and I believe was found guilty of having in his possession an animal owned by the United States Government. He was sentenced to serve some time, but the sentence was commuted, and he was released from arrest. He went home. He is an honorable citizen and has been resting under this unjust charge all of these years. He simply made a trade with one of the natives with a horse that he owned himself or a horse which might have belonged to the United States Government, and the committee thought in view of his more than three years of honorable service for his country this old man at this time ought to be put on the honor roll.

Mr. FOSTER. So the gentleman thinks in this case it was just as in other cases where one man got the better of another in a horse trade.

Mr. CRAGO. That is all there is to it.

Mr. RAGSDALE. Mr. Chairman, will the gentleman yield?

Mr. CRAGO. Yes.

Mr. RAGSDALE. In other words, this person to whom it is proposed to give relief was guilty merely of receiving stolen goods.

Mr. CRAGO. That is only according to the man who may have got the worst of it in a horse trade.

Mr. RAGSDALE. That is the fact in the case, is it not?

Mr. CRAGO. That is the allegation.

Mr. RAGSDALE. The charge was that he had stolen a horse.

Mr. CRAGO. Yes.

Mr. RAGSDALE. And the difference is that he merely received stolen goods.

Mr. CRAGO. The difference is that he traded for this horse, which may have belonged to the United States Government.

Mr. RAGSDALE. Is it not a fact that it did?

Mr. CRAGO. I am not sure.

Mr. RAGSDALE. Is not that the record? In other words, he could not have stolen the horse at all; but it did belong to the Government.

Mr. CRAGO. He made a trade of his own animal for this animal.

Mr. RAGSDALE. The relief that the gentleman is asking is from the charge of having stolen a horse, when the fact is that he was found in possession of property that did belong to the Government.

Mr. CRAGO. What appealed to the committee was this: Here is an old man 80 years of age, who has given more than three years of service to his country, and all of these years he has been denied any of the financial benefits——

Mr. RAGSDALE. I am not making any question about that. What I am trying to do is to get at the facts. The facts are that the property was the property of the United States Government.

Mr. CRAGO. That was the finding of the court-martial; yes.

Mr. RAGSDALE. The finding was that he got the property of the United States Government.

Mr. CRAGO. Probably that is true.

Mr. RAGSDALE. And the only thing the gentleman is pleading here is that, instead of having gotten it directly from the Government, he received stolen goods that were the property of the Government, although he gave his horse in return for them.

Mr. CRAGO. What Mr. Stover maintains with all the vigor that any man can maintain is that he knew nothing about the ownership of this animal, except that he thought the man with whom he made the trade owned it.

Mr. RAGSDALE. I am just trying to get the facts. He did receive goods that was stolen from the United States Government.

Mr. CRAGO. That was the finding, I suppose, of the court-martial.

Mr. RAGSDALE. And that you are trying to relieve him of.

Mr. CRAGO. Yes.

Mr. RAGSDALE. And the plea put up is that instead of stealing it he received it.

Mr. CRAGO. Not knowing that it was stolen.

Mr. RAGSDALE. The plea the gentleman is making is that instead of stealing it he simply received stolen goods.

Mr. CRAGO. No; there is nothing of that kind.

Mr. RAGSDALE. Why, the gentleman offers by way of justification that he did not know that the horse was stolen.

Mr. CRAGO. That is exactly correct.

Mr. RAGSDALE. Therefore he was receiving stolen goods, and the plea by way of justification is that he did not know it was stolen.

Mr. CRAGO. The court-martial found that the property he received was stolen.

Mr. RAGSDALE. The court-martial found he was receiving stolen goods.

Mr. CRAGO. He admits that he received this, but he does not admit he knew it was the property of the Government.

Mr. ELSTON. Will the gentleman yield?

Mr. CRAGO. I will.

Mr. ELSTON. We will presume the court-martial gave him a trial, and there were witnesses examined and possibly a judgment was had after a full explanation on his part, so far as he could make it. How does he explain that the court-martial made a wrong judgment in the case on the facts?

Mr. CRAGO. That is sometimes a violent assumption in time of war. It is not always true, and a private soldier, even in time of war, has very little chance of defending himself or presenting his side of the case to the court-martial where they consider him technically guilty.

Mr. ELSTON. Did he give an explanation which satisfied the committee that was true?

Mr. CRAGO. The explanation that he gave to me individually was this: That he had this horse, that the organization was preparing to move, and this man had this other horse in his possession—he was a farmer in the locality—that he made this trade in good faith, believing that this other horse belonged to the man with whom he was trading. He was allowed to have this horse by permission of the provost marshal.

Mr. PARKER of New Jersey. Will the gentleman yield for a question?

Mr. CRAGO. Yes.

Mr. PARKER of New Jersey. This was a court-martial during time of war. Did the gentleman have any record of the evidence taken by that court-martial?

Mr. CRAGO. We could not get the evidence.

Mr. PARKER of New Jersey. Had the man ever made any application for relief to Congress, or when did he first do it?

Mr. CRAGO. So far as I know—well, I can not give any answer to that.

Mr. PARKER of New Jersey. Did he make the application before the witnesses were dead who were called before the court-martial, or after they had died?

Mr. CRAGO. We had the affidavit of his comrades as to his service and as to the fact that when this was reported to his company there was not a man who was in the company who believed that this man would be guilty of anything of the kind.

Mr. PARKER of New Jersey. That may be all true; but you did not have any opportunity to go over the court-martial, which always ought to stand unless there is some mistake.

Mr. CRAGO. After all these years it was hard to do that.

Mr. PARKER of New Jersey. Then, after all these years we ought not to entertain a bill——

Mr. CRAGO. One of the things which appealed to the committee was that he had rendered three years of valuable service——

Mr. PARKER of New Jersey. A great many people gave valuable service.

Mr. CRAGO. Mr. Chairman, I ask that the bill be laid aside with a favorable recommendation.

Mr. FOSTER. Mr. Chairman, before that is done, let us have the amendment put on.

Mr. STAFFORD. I would like to ask for recognition——

Mr. CRAGO. If the gentleman will notice, this is the exact form prescribed by the department or suggested, and, if the gentleman will notice, it says "shall hereafter be held and considered to have been honorably discharged." Now, the ruling under that is that prior to the passage of this act and its approval he is not entitled to any benefits of pension or anything of that kind.

Mr. FOSTER. I do not know; the Military Affairs Committee has been bringing in all kinds of bills—some of them with language in them and some without—and we ought to have some uniformity of bill. If we say that no back pay, bounty, or allowance can be paid from the passage of the act——

Mr. CRAGO. It can not be. That is in another form of a bill.

Mr. HARRISON of Virginia. This last form is what the Secretary of War furnished as being the proper form.

Mr. RAGSDALE. Mr. Chairman, it seems to me, if the gentleman will permit the suggestion, this was a finding of a body of fellow soldiers of Mr. Stover.

Mr. CRAGO. Of officers; yes.

Mr. RAGSDALE. Well, they were fellow soldiers. I believe the gentleman himself was an officer of the Spanish-American War?

Mr. CRAGO. Yes.

Mr. RAGSDALE. Well, officers are soldiers.

Mr. CRAGO. I often went before court-martials and got fellows free from charges when, I think, if I had not appeared they would have been held under the charge of dishonorable conduct.

Mr. RAGSDALE. In other words, the gentleman thinks the tendency of the officers appointed by our Government is to discredit soldiers?

Mr. CRAGO. No; not in all cases; but in some cases very little consideration is given the rights of the individual soldier.

Mr. RAGSDALE. The gentleman thinks men who fought 50 years ago had very little consideration given them by the officers who commanded them?

Mr. CRAGO. That may have been true in certain cases but not in all cases.

Mr. RAGSDALE. Now, this man was tried by his fellow soldiers?

Mr. CRAGO. That is what the record shows.

Mr. RAGSDALE. And the record shows he was found guilty of theft.

Mr. CRAGO. That is the record.

Mr. RAGSDALE. And he is here now after fifty-odd years asking for relief.

Mr. CRAGO. That is a mere matter of argument.

Mr. RAGSDALE. No——

Mr. CRAGO. This is the situation this man finds himself in to-day, and he appeals to us as reasonable human beings after 50 or more years have gone by. This man served for more than three years in the defense of his country, rendered good service—we have letters to the War Department from members of the company who served with him, and not a man of that company believed that this man would be guilty of anything of the kind of which he was charged.

Now, admitting that he was found guilty of having received a horse which his own investigation ought to have shown him was Government property; admitting that he did it, he used it in the Government service. That is all that happened to the animal. Now, technically he may have been guilty. Can not we afford to overlook that matter and put this old man, 80 years of age——

Mr. SLAYDEN. On the pension roll?

Mr. CRAGO. On the pension roll. That is exactly correct.

Mr. RAGSDALE. Will the gentleman pardon me?

Mr. CRAGO. Yes, sir.

Mr. RAGSDALE. The record is that he bought a horse and took it for his own service.

Mr. CRAGO. He bought a horse originally by the permission of the provost officer for his own use. He traded that horse for this horse. This man afterwards alleged——

Mr. RAGSDALE. For his own use?

Mr. CRAGO. In the Government service. He was not a cavalryman.

Mr. RAGSDALE. Where does that appear? That was at the time of his discharge.

Mr. CRAGO. Oh, no; it was while he was in the service.

Mr. RAGSDALE. The record does not show that. It states——

Mr. CRAGO. The record shows that Stover obtained permission from the provost marshal to purchase a horse, which he did, and that the man with whom Stover had traded reported he had gone off with a Government horse. The facts of the case are that he was doing duty which made it convenient for him to be mounted, and he bought a horse at his own expense, and, in continuing this duty, he traded that first horse which he bought for this horse which they afterwards alleged was Government property.

Mr. RAGSDALE. That does not appear in here.

Mr. CRAGO. I am telling you the story that I got from his comrades and himself.

Mr. RAGSDALE. According to the records here, he was permitted to buy a horse; he traded it for another horse, and then he took this horse, which belonged to the United States Government, home with him. His comrades in arms, with whom he served, tried him and convicted him of being a thief. He was convicted, having two years' service.

Mr. SLAYDEN. Penal service?

Mr. RAGSDALE. It does not say. It was remitted, and he served until 1865. This transpired fifty-odd years ago. Now, the gentleman from Pennsylvania [Mr. CRAGO], with that same sort of fairness and desire to protect the common soldier that he referred to this morning when he was a comrade in arms in the last war, I am sure, is led to come forward and ask for consideration for this man. But the question is, What is there to show that this man at that time did not know that he was getting United States property that could not have been shown at that time? And if he could not show it to his comrades in arms at that particular time, and as the country he was fighting for at that particular time was being heavily taxed and he was breaching their trust and carrying their property away, and he was tried and convicted at that particular time, not only with being disloyal to the flag but for a breach of trust, why after 50 years should the man come in, a man of that type, and be put on an honorable footing with the men who were loyal?

Mr. CRAGO. He has paid the penalty for 50 years. He has been kept off the honor roll, and kept from being paid a pension, and if that is not penalty for a man who has served three years for his country—and I ask the indulgence of this House in refusing to debate the question of whether or not he should be relieved of the stigma that was passed upon him.

Mr. RAGSDALE. I am willing to debate the question of whether a soldier, wearing the uniform of the United States, who by his own associates in arms was convicted of being a thief, and who stole Government property, should ever enjoy the honorable place that a soldier does who served in the same war and who was never guilty of anything dishonorable.

Mr. CRAGO. A soldier may step aside, as a civilian, and do something that may ruin his record for years and years. I say this, that where these years have passed, and he has borne the stigma all that time, it is not very much of a recompense for the service that man gave to the country at this time for us to come here in his old age and restore him to the honor roll.

Mr. RAGSDALE. I would much prefer to give him money compensation than put him in the same position of the men who deserved the confidence that the Union placed in them and who never betrayed it.

Mr. SLAYDEN. Does the gentleman from Pennsylvania really believe that the records of the War Department—and this does not apply to this particular case, I will say to the gentleman—does the gentleman believe that the records of the War Department should be falsified in the interest of men who deserted?

Mr. CRAGO. We are not changing that feature.

Mr. SLAYDEN. I know you are not, in this particular case. But the gentleman and I have sometimes discussed these so-called charges of desertion, where the records have been made to tell a falsehood and to say that a man was honorably discharged when in point of fact he was dismissed because of the most serious of all military crimes, namely, desertion, and men have been restored purely because they wanted to get a pension and live upon the taxpayers. Here is the case of a man about which I know nothing except that I have heard the facts stated in the discussion by gentlemen here—the case of a soldier who served——

Mr. CRAGO. Yes; he served after the alleged act for which he was tried was committed.

Mr. SLAYDEN. How long did he serve before that?

Mr. CRAGO. About two years.

Mr. SLAYDEN. And then he committed an offense which——

Mr. CRAGO. He denies that he committed an offense. The court found him technically guilty.

Mr. SLAYDEN. Well, they dismissed him for dishonesty, and perhaps because they needed his services they put him back again. Does the gentleman believe that the pension rolls ought to be further padded at the expense of the people by adding the names of men who have been proved guilty, at least, of serious military offenses and personal dishonesty?

Mr. CRAGO. I will say to the gentleman from Texas that of the thousands of cases that have come before our committee we do not favor many of them, but where a case goes to a subcommittee and that subcommittee finds that a man has given one or two or three years' faithful service to the Government, even admitting that the man did what he is charged with doing, we have taken the position in such cases that such a man ought really to be restored to his rights.

Mr. SLAYDEN. "His rights"? I understood you were proposing it a little while ago on the basis of charity. I do not think he has any "rights."

Mr. CRAGO. I think it is a right. In many cases where courts-martial were justified in acting as they did, in 10 or 15 or 25 years afterwards it is not a very great act of graciousness on the part of the Government in restoring them.

Mr. SLAYDEN. When a man deserts, he forfeits his rights.

Mr. CRAGO. There is no charge of desertion here.

Mr. SLAYDEN. And when a man steals a horse, that is an act of dishonesty.

Mr. CRAGO. With all our facilities for keeping our records, and all our bookkeeping, and the millions of money that we have spent in trying to keep track of affairs in the past year or two, thousands of errors, glaring errors, have been made, not only in the records of the War Department but in orders. I have on my desk a death certificate sent to the parents of a boy who was said to have been killed in France, whereas the boy is in Walter Reed Hospital to-day. I told him he should keep that death certificate as a souvenir. Men are certified by the department as having been killed in action when they are alive and well, and others will be reported as absolutely safe, when they have been killed perhaps 60 or 90 days before; so that these records of the Civil War, like those of the present war, are not perfect records, and every now and then a case occurs where, if the facts were presented to a court-martial, the man concerned would not be declared guilty. I have been out with men who have been away from home for two or three years fighting for their country, and who happened in a moment of forgetfulness to do something that we would not want to see them do, and yet in the main they were good men.

Mr. ELSTON. May I inquire of the gentleman if this man is up in years?

Mr. CRAGO. Yes. He is advanced in years.

Mr. RAGSDALE. Simon F. Smith, who signed the affidavit which is filed by the committee in this case of Jeremiah Stover, was the man himself from whom Jeremiah Stover claimed to get the horse?

Mr. CRAGO. He was the man who received the horse on the Jeremiah Stover trade, but I imagine that he did not receive as good a horse as he thought he was getting, and that is the reason why he reported the case.

Mr. RAGSDALE. But if it was not a fact would he have directed the attention of the Government to the fact that this stolen horse was carried away?

Mr. CRAGO. I am in favor of reporting the bill with the recommendation that it pass.

Mr. RAGSDALE. So that the gentleman's position is that although the court-martial's decision was just, and Jeremiah Stover was a thief and stole this property from the Government, he favors action which would put Jeremiah Stover on the level with those who served under the flag of the Union faithfully, and would put that man on the honor roll at this time along with men who served the flag gallantly and honorably until the Nation had been made one again?

Mr. PARKER of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. CRAGO. Yes.

Mr. PARKER of New Jersey. Does the gentleman know whether or not at that time all Government horses were branded with the letters "U. S."?

Mr. CRAGO. I asked that question of the gentleman, and he said he did not know. I do not know.

Mr. PARKER of New Jersey. I understood they always had the letters "U. S." branded on the Government horses.

Mr. BLANTON. Mr. Chairman, will the gentleman yield for a question?

Mr. CRAGO. Yes.

Mr. BLANTON. The gentleman speaks of incorrect reports being made by the War Department. There is no such thing usually as an incorrect report made in the finding of a court-martial unless it is set aside, is there? The finding of a court-martial is based upon evidence and not merely on such reports as are made ordinarily?

Mr. CRAGO. The court-martial, of course, is a human agency for administering justice.

Mr. BLANTON. Like a court, it is presumed to carry out the law.

Mr. CRAGO. Many findings of courts-martial are such that we would not make them if you and I were on those courts.

Mr. BLANTON. The Congress does not go behind the findings of courts-martial.

Mr. CRAGO. That is the only relief they have—at the hands of Congress.

Mr. BLANTON. But very rarely does Congress go behind the findings of a court-martial.

Mr. CRAGO. I want to give an illustration of how courts-martial are conducted sometimes. I remember the case of a court-martial trying an officer in the Philippines. There were five Regular Army officers on that court and six men who never served in the Regular Army. Those five Regular Army officers were serving with the volunteer forces. When it came to a question of guilt of the captain who was tried—a volunteer officer—every man on the court-martial who had seen service in the Regular Army voted "guilty" and every man who came from the volunteer service voted "not guilty." They stuck to that notwithstanding the court-martial proceedings were sent back three times for revision, by direction of the commanding general, to change the findings.

Mr. BLANTON. The question I am trying to get the gentleman to answer is, Is it not a dangerous precedent for Congress to go behind the court-martial?

Mr. CRAGO. Not 50 or 60 years after it happened.

Mr. BLANTON. The further removed, the more danger there is.

Mr. CRAGO. I hardly think so.

Mr. FIELDS. Will the gentleman yield?

Mr. CRAGO. Yes.

Mr. FIELDS. It is guaranteed to the accused that he will have a fair trial; and if the court-martial knows that there is another tribunal that will review it, it makes a difference.

Mr. BLANTON. Fifty years after?

Mr. CRAGO. My attention has been called to the fact that they went behind the record of the court-martial in the case of Fitz John Porter, and President Garfield was a member of the court-martial and also a Member of the House later.

Mr. SLAYDEN. But the gentleman remembers what Congress did in the case of Fitz John Porter. It was to have the accused retried, and at West Point on the court-martial were three major generals of the Army.

Mr. EMERSON. Will the gentleman yield?

Mr. CRAGO. Yes.

Mr. EMERSON. Is this a case where two soldiers traded horses?

Mr. CRAGO. No; a soldier and a civilian. He found a horse in the hands of a civilian that he liked better, and he traded. After they went away the man charged him with having sold a horse that belonged to the Government.

Mr. EMERSON. Was that in the South or in the North?

Mr. CRAGO. I can not answer the question, but my impression is that it was in the North.

Mr. EMERSON. I did not know that they found them guilty in the South.

Mr. MANN. Mr. Chairman, there were a good many errors in findings by courts-martial during the Civil War; probably there are a good many errors in the findings of courts-martial in the present war. That is not strange when you consider that the War Department itself officially is constantly making errors. I would like to give one illustration of the fallibility of human endeavor as exemplified by the business methods in the War Department. I received a letter the other day from a lady residing in Texas stating that her son was in the Army in France; that before he went he made an allotment of a part of his compensation to her. The War Department, which has charge of it, informs her that they have no record of the allotment. So she has not received any money, but they have deducted the entire amount of the allotment when they went to pay the son. So he has not received the money. The War Department has received no such notice of the allotment when it comes to paying money to the one, but has full notice when it comes to pay money to the other.

Mr. BLANTON. That is an error of some $100 a month clerk down here in the War-Risk Insurance Bureau who has passed upon the matter without giving it careful investigation.

Mr. MANN. I think the War-Risk Insurance Bureau has nothing to do with it.

Mr. BLANTON. Well, some clerk in the War Department. The error before the House, the error that is claimed, is against the court-martial, which is in effect the judgment of a court. That finding of the court-martial is to be passed on by Members of Congress, who know nothing in the world about the facts, nothing at all about the rules and regulations of the War Department, and it was made 50 years ago in the performance of its duties.

Mr. MANN. I fully appreciate the position of the gentleman from Texas, and yet courts-martial and courts frequently register the opinion of the clerk, who may or may not receive as much as $100 a month. I do not know whether this was a $100 clerk in the War Department or not, but I do know that the records, except for the fallibility of human nature, ought not to show, in the War Department or elsewhere, that a certain fact exists for one purpose and does not exist for another purpose.

Mr. SHALLENBERGER. Mr. Chairman, if the gentleman will yield, I call the attention of the gentleman from Texas and the gentleman from Illinois to the fact that during this war there has been a large number of men sentenced to be shot to death by musketry for desertion and the President of the United States has set aside the findings of every one of these courts-martial and the penalty has not been inflicted. So the President has set aside these findings.

Mr. RAGSDALE. Mr. Chairman, in view of the fact that the distinguished gentleman from Illinois, the minority leader, for whom I have profound respect, calls attention to the errors being committed to-day, I suggest that there never was a time when the House ought to be more particular in the findings that condone or encourage those who have been dealing unfairly with the Government. Whatever mistakes have been made by the War Department or in the Army, whatever has been done by any man in this war, certainly this is the time for the American Congress to go on record that where a man in uniform, no matter what his position, has been found guilty of thieving and has been convicted by his associates, his name should not be placed on the roll of honor.

Mr. CRAGO. Mr. Chairman, I move that the bill be laid aside with a favorable recommendation.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. CRAGO. Yes.

Mr. STAFFORD. Does not the gentleman intend to incorporate in this bill the customary proviso about pension and bounty?

Mr. CRAGO. No; that is not necessary. This is the form that is recommended by the Secretary of War to the committee and it does not require that proviso. Where we use the other form that proviso is necessary.

Mr. STAFFORD. Then I desire recognition.

The CHAIRMAN. The Chair will recognize the gentleman from Wisconsin.

Mr. STAFFORD. Mr. Chairman, a distinguished member of the Committee on Military Affairs states that it is not customary to add the proviso that no pension, bounty, or allowance shall accrue prior to the passage of this act. The bill considered just previous to this was a bill in identic phraseology to the bill now before the committee, and that bill contained that proviso.

Mr. CRAGO. It was in the old form, and we changed it to this form. I do not believe the gentleman has the facts clearly before him.

Mr. STAFFORD. Oh, yes; I have. I direct the gentleman's attention to the bill introduced by the gentleman from Connecticut [Mr. TILSON], which has just been considered.

Mr. CRAGO. Will it be satisfactory to the gentleman if we put that amendment on?

Mr. STAFFORD. We ought to take that precaution, at least.

Mr. CRAGO. Very well. Mr. Chairman, I move that the language "provided that no pension, bounty, or allowances shall accrue prior to the passage of this act" be added to the end on this bill.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CRAGO: After line 11, after the word "sixty-five," add the words:

"*Provided*, That no pension, bounty, or allowances shall accrue prior to the passage of this act."

The CHAIRMAN. The question is on agreeing to this amendment.

The amendment was agreed to.

Mr. CRAGO. Mr. Chairman, I move that the bill as amended be laid aside with a favorable recommendation.

The question was taken.

Mr. RAGSDALE. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from South Carolina makes the point of order that there is no quorum present. The Chair will count.

Mr. RAGSDALE (interrupting the count). Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The gentleman from South Carolina withdraws the point of order. The question is on the motion of the gentleman from Pennsylvania that the bill as amended be laid aside with a favorable recommendation.

The motion was agreed to.

CLEMENT H. COLE.

The next business on the Private Calendar was the bill (H. R. 3090) for the relief of Clement H. Cole.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Clement H. Cole, who was a private in Company H, Fifty-eighth Regiment Pennsylvania Volunteer Infantry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of said company and regiment on the 5th day of November, 1864.

Mr. CRAGO. Mr. Chairman, in order to comply with the request of the gentleman from Wisconsin [Mr. STAFFORD], I move that the amendment be inserted at the end of the bill, as in the previous bill.

The CHAIRMAN. The Clerk has the language at the desk and will report the amendment offered by the gentleman from Pennsylvania.

The Clerk read as follows:

Mr. CRAGO moves to amend, on page 1, line 10, after the word "sixty-four," by inserting the following:

"*Provided*, That no pension, bounty, or allowances shall accrue prior to the passage of this act."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CRAGO. Mr. Chairman, if there is no explanation desired of this bill, I shall move that it be laid aside with a favorable recommendation.

Mr. STAFFORD. Mr. Chairman, I think we ought to have some statements of the bill.

Mr. CRAGO. Mr. Chairman, the facts in the case are these: This old gentleman, 80 years old, lives up in the northern part of Pennsylvania. He served for two years and nine months and four days in the Army. He became ill. He was in a hospital for a time, and was then given a furlough of 35 days. He was suffering at that time from chronic diarrhea, which, of course, was the curse of the Army. He returned to the home of Mrs. Adaline Metcalf, at Port Allegany, Pa., which is at the headwaters of the Allegheny River of Pennsylvania, practically on the New York State line. He made his home there, having none of his own. He was unable to leave his bed for many months. There does not appear to be any doubt of the facts. The soldier suffered from chronic diarrhea for from 18 months to two years after reaching home. We have the affidavits of the attending physicians. He was wholly disabled for military duty. There is evidence that the soldier stands well in his community, and that he has served five terms as a justice of the peace. The committee thought it to be one of the cases that was deserving of consideration. I therefore move that the bill be laid aside with a favorable recommendation.

Mr. PARKER of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. CRAGO. Yes.

Mr. PARKER of New Jersey. Mr. Chairman, this is one of the cases where a man states that he was sick and went home on a furlough and then overstayed his furlough. When I was a member of the Committee on Military Affairs my friend, Mr. Bishop, who served in the Civil War and who lost his arm there, would have nothing to do with such a case. He said: Did the soldier ask for his pay; did he report where he was; did he send a letter saying where he was? If he did and if he were well, he would have been taken to camp. If he were sick, he would have been given a discharge because of illness, if his illness was incurable. He would have been given his pay if he was not shirking. Mr. Bishop used to say, for he would have written for his pay and reported where he was, and the thing would have been settled at that time. I learned from Mr. Bishop, with whom I served on the subcommittee, never to vote for a case where a man said he went home sick and stayed home sick and was not able to get back unless the man had reported where he was.

Mr. CRAGO. Mr. Chairman, I will just say to the gentleman that this case comes within the cases where it was decided where a man had had honorable service for two years or more he should receive consideration, even though he did not do what a reasonable man should have done in making his whereabouts known.

Communication was not easy 50 years ago, and these men did not know often where to report their whereabouts. This man had gone home sick. The evidence is undisputed by those who attended him. These affidavits, I would say, were made quite a number of years ago, but they are on record in the War Department, and they show that from 18 months to 2 years after he went home, long after the close of the war, that he was not fit for military duty.

Mr. PARKER of New Jersey. Will the gentleman permit a question?

Mr. CRAGO. I will.

Mr. PARKER of New Jersey. The gentleman says he did not know to whom to report?

Mr. CRAGO. Many of these men did not.

Mr. PARKER of New Jersey. Does not the gentleman know there were provost marshals in every district of the whole United States looking after fellows who were out of the ranks, and all he had to do was to report, and he would either have been returned to the ranks or else he would have been sent to the hospital or else discharged? It is not a man's business to come to Congress 50 years afterwards——

Mr. CRAGO. We are not passing a strict judgment in this matter. We are simply trying to do what we think is an act of justice on the part of the Government after all these years in view of the man's honorable service in the Army.

Mr. RAGSDALE. Will the gentleman yield for a question?

Mr. CRAGO. I will.

Mr. RAGSDALE. If one of the young men who enlisted from the gentleman's own district, who had been conscripted and had gone into the service under the flag in the great war we have just won, had deserted under a condition like this, would the gentleman at this time want him reinstated on the roll of honor?

Mr. CRAGO. I will say to the gentleman if I am spared to be here to plead for him 50 years from now I will do so very gladly.

Mr. RAGSDALE. I am not talking about the future. I am asking the gentleman, when the boys come back who have done so nobly over across the seas, where they have undergone everything that they have been called upon to bear, where they have won battles the like of which were never seen before, if a man had deserted and left them there to die and suffer as they have, the men who have been left in the ranks to undergo all they have, does the gentleman think a deserter who left them there ought to have the same place in the affections of the people of this country and on the rolls of honor of this country as the men who stayed?

Mr. CRAGO. No; but I do say if some innocent country boy got away from his command and was sick and in the hospital, and did not properly report where he was and his whereabouts to the War Department, and the War Department on the records recommend the giving of a dishonorable discharge, I am contending he ought to have an honorable discharge when his comrades know he is no deserter.

Mr. RAGSDALE. Does not the gentleman know at this particular time they are not asking the consideration of any boys, nor will they do it in this Congress, because the Secretary of War has asked that no bill of any kind relieving desertion should be reported since October 15, because of the effect on the boys who are now in the service?

Mr. CRAGO. I do not know anything of that kind.

Mr. RAGSDALE. The Secretary of War has not addressed a communication to your committee asking you not to bring in bills for the relief of desertion since October 15?

Mr. HARRISON of Virginia. Mr. Chairman, I would like to make a statement to this effect, that several of these desertion bills were submitted to the War Department for report thereon in accordance with the custom of the committee; that the Secretary of War or the Assistant Secretary of War—well, both the Secretary of War and the Assistant Secretary of War—recommended that the committee should not favorably report that particular bill, because at this present time—at the time he wrote—he did not think there ought to be any condonation of desertion cases.

Mr. McKENZIE. I would like to ask my colleague if it is not true the Committee on Military Affairs of this Congress, and especially this session or the last session, has declined to report any desertion bill or take up any new cases, and that all of those cases on the calendar are simply bills that have been reported and most of them passed in the last Congress?

Mr. CRAGO. That is true.

Mr. HARRISON of Virginia. I would like to add I happen to be chairman of this subcommittee before which these desertion cases come, and the cases that are now on this calendar are cases that have been previously reported in former Congresses and in many cases they passed the House, were favorably reported by the Senate, but died in the Senate because they could not be reached on the calendar.

Mr. McKENZIE. If the gentleman will allow me one question for the benefit of my friend from South Carolina, is it not a fact that the Committee on Military Affairs have consistently refused to report any bill where the evidence indicated that the soldier deserted from the Army under fire or when a battle was imminent?

Mr. CRAGO. Yes; or if it was willful desertion.

Mr. RAGSDALE. I am going on the record, and the record states that the Government was sufficiently considerate of this man to give him 35 days' furlough, that he left there and never came back; the showing is that he never returned, nor is there any showing that he made any effort to return, nor was there any effort made by him to advise anybody of his whereabouts; and the question now before this body is, Was desertion fifty-odd years ago a penal offense? Was it a threat against the flag? Was it a danger to the United States? If it was then, is it not now? He deserted fifty-odd years ago at a period of time when the very preservation of the Union was threatened to be set aside, and I wonder, if Benedict Arnold could come on the floor of this House and have our illustrious friend from Pennsylvania to help him, would we receive and reinstate him in the affections of the American people and put him upon our roll of honor?

Mr. Chairman, if the gentleman will permit me——

Mr. CRAGO. The gentleman is making quite a speech.

Mr. RAGSDALE. It seems to me there ought never to have been a time nor should there ever be a time when the men who fought for the flag should ever cease to be properly venerated. There ought never to be a time when those who deserted, those who left their comrades in arms in places of danger and exposed them to death ought to receive the same commendation at the hands of this Congress or of the American people as those who stuck by their guns until the end was in sight.

Mr. CRAGO. Mr. Speaker, in answer to the eloquent argument of the gentleman from South Carolina [Mr. RAGSDALE] I simply want to say this, that if one of these boys over in France, even though he may never have seen more than three months, or six months, or one year of service, should be sent home sick and should fail to report to his commanding officer and in innocence of what was required of him as a soldier should remain at home ill, I know there is no question of what the Congress would do in righting that man's record. And I am proud to say, after we have made an investigation of these cases, that I am doing what I can to help personally all these old men, who for one year, two years, or three years fought for this Union, and technically committed some error. I am willing to help them in the last years of their lives to join their comrades in the Grand Army of the Republic, and to acknowledge that they paid a bigger price than many men pay who fight their cause here in Congress.

Mr. FIELDS. Mr. Chairman, I have given a good deal of thought to cases of this character, having been on the Military Affairs Committee for some time and for a while chairman of the committee on desertions. There are a number of cases where men are charged with desertion where the evidence and the records of the case fail to show that there was ever any intent on the part of the man to desert. Now, we all realize, as the gentleman from Pennsylvania [Mr. CRAGO] said a moment ago, that means of communication were not good during the days of the Civil War. The gentleman from New Jersey [Mr. PARKER] asked why the man did not report to the provost marshal. Why, probably he was 50, possibly 100 miles away from the provost marshal at that time. Men in many instances were captured or were confined to hospitals or were left sick by the roadside.

Mr. RAGSDALE. Will the gentleman permit an interruption?

Mr. FIELDS. Not just now. Men who lived in that day know how difficult, and not only difficult but impossible, it was for men to go single handed and alone and reach their commands after their recovery or after their release or escape from prison.

Mr. NORTON. Will the gentleman yield?

Mr. FIELDS. Not just now, with all courtesy.

I have in mind a case where a man enlisted and served for two years. He was captured in the Battle of Richmond. He was kept in prison for seven months. He escaped from prison by some means that I do not now recall. The day following his escape from prison he enlisted in another organization, being informed that his own organization was at that time in Texas. He had been detained somewhere in Kentucky. Does it stand to reason that that man could reach his organization in Texas? Would any reasonable man on the floor of this House or anywhere else charge him with desertion because of his failure to reach his organization, which was then reported in Texas? He probably should have reported to the proper military authorities and gotten a new assignment. But we can understand how easy it is for men who are gathered up here and there, who never had any military service or military training, and probably are illiterate, to fail to understand their duties. But the man did the best thing he knew to do. He enlisted in another organization and served until the end of the war, engaged in four or five battles, and was given an honorable discharge. Yet years afterwards when he applied for a pension he was notified by the War Department or by the Pension Bureau that he was a deserter, and the charge of desertion stands against him to-day.

There are many cases along that line, and I feel that the most cruel thing that the Government can do is to call to its service a patriotic man and after months or probably years of service, because of some circumstances for which he is not responsible, he is separated from the service to then charge him with desertion. I have no patience with a willful deserter. I have no sympathy for him. But I say to you that the Government had better pension 99 deserters than to charge 1 innocent man who served his country faithfully with desertion when he did not desert. It is, as I have said, the most cruel thing, to my mind, that the Government of the United States could do. And the officials of the War Department should be careful, and Congress should not consider its functions of too great importance to review these cases. Because it is upon that spirit, the spirit of patriotism, that these men show when they go to war, that the safety and perpetuity of the Republic depends, and it should be protected in the individual the same as in the public at large.

Mr. RAGSDALE. Will the gentleman permit an interruption?

Mr. FIELDS. Yes.

Mr. RAGSDALE. Was not the gentleman very eloquent on the floor and very active the other day in an endeavor to get through a bill here which denied any consideration to deserters? Why, did not the gentleman try to vacate a vote here on the floor this very week because of the fact that some benefits might accrue to somebody that might be charged with desertion?

Mr. FIELDS. Not at all.

Mr. RAGSDALE. What is the reason the gentleman asked for the vacating of that vote?

Mr. FIELDS. I am glad the gentleman asked that question. A vote was had here the other day on a bill, which a good many gentlemen voted against because the words "honorably discharged" had been stricken out of it through mistake, between the gentleman who offered the amendment and the Clerk at the desk. That did not worry me. The bill had to go to the Senate and to conference. I will say to the gentleman that had the words not been restored I, as one of the conferees, should I be one of them, would see to it that the words were restored in conference. And I think I would have no trouble in doing that, because I think every conferee would have been willing for the restoration of the words. So that was no reason in my mind for voting against the bill, though many men voted against it who had probably not thought of that phase of it after the record vote was had on the bill. I asked unanimous consent to restore the language to the bill and then vacate the roll call to prevent putting men on this floor in a false position.

I think that the gentleman from South Carolina should have been fair enough to have agreed for the roll call to be vacated. I want to say to the gentleman from South Carolina that I never found pleasure—and I hope I may never find pleasure—in taking advantage of men on the floor of this House and attempting to put them in false positions before the country because of some unfortunate position that has arisen here. I was not in that position. I voted for the bill, but men who had voted against it because those words were left out of the bill were not given a fair deal, and the gentleman from South Carolina was not fair in his objection to the vacation of the roll call. It did not mean anything to me. It was not worth anything to me to vacate the roll call, but in a spirit of fairness to the men who had voted against the bill because those words had been omitted.

Mr. RAGSDALE. Mr. Chairman——

Mr. CRAGO. I yield to the gentleman from South Carolina.

Mr. RAGSDALE. Mr. Chairman, I may be unfair, but if I am unfair to men it will be while they are on the floor of the House, and it will not be afterwards. I understood from the gentleman from Kentucky that the matter would not be taken again on the floor that day.

Mr. FIELDS. Mr. Chairman, will the gentleman yield?

Mr. RAGSDALE. Yes; I will deal a little more fairly with the gentleman than he did with me. He declined to yield to me.

Mr. FIELDS. I will say to the gentleman that I had no such agreement as that with the gentleman from South Carolina.

Mr. RAGSDALE. Mr. Chairman, the gentleman from New York [Mr. DONOVAN] was sitting right by me, and he heard what transpired, and at no request of mine, but because he understood from the conversation between the gentleman from

Kentucky and myself that I was under the impression that the motion would not be made to vacate in my absence from the Chamber, he objected and prevented the gentleman from Kentucky from succeeding in vacating the motion.

Now, Mr. Chairman, I think those who have served with me here during the period of time that I have been here know whether or not I have been fair. They know whether or not I have brought sectionalism into the discussions or attempted to arouse any party strife here, or to do those things on the floor of this House that ill become a Member of this House. I have stood here trying not to injure the good name of any Member of this House, nor have I tried to do those things that would create animosity or unkindly feeling between Members. I am sorry that the gentleman from Kentucky should come on the floor of the House and charge me with being unfair merely because I, as a representative of the people who have sent me here, objected to the use by him of a motion to vacate a roll in the House. If I have to defer to him, if I must give up my right to object to the undoing of things that have been done in the RECORD in order to maintain his good will, Mr. Chairman, then, great as the loss must be to me, irreparable as the injury is that I must suffer, I am sorry that I shall have to go from this body with that great loss, for which nothing else can recompense me.

Mr. CRAGO. I yield five minutes to the gentleman from Kentucky [Mr. FIELDS].

The CHAIRMAN. The gentleman from Kentucky is recognized for five minutes.

Mr. FIELDS. Mr. Chairman and gentlemen of the House, I should not reply to the gentleman from South Carolina [Mr. RAGSDALE] had he not charged or intimated that I had an agreement with him that I would submit a request for unanimous consent in his absence.

Mr. RAGSDALE. Mr. Chairman, will the gentleman permit an interruption?

Mr. FIELDS. Yes.

Mr. RAGSDALE. I did not make any such statement, Mr. Chairman. What I stated was that I had a conversation, and that a listener thought from the conversation that took place that I was under the impression that the motion would not be renewed. Mr. DONOVAN, of New York, made that statement to me.

Mr. FIELDS. I asked unanimous consent to vacate the roll call, and the gentleman objected. I spoke to him over there, or over here, and asked him not to object. I told him that it was only fair to the membership that the roll call be vacated, and he said that he was unwilling that it should be vacated, and later in the day I asked unanimous consent again. I did not say to the gentleman nor did I intimate to him that I would not renew my request that the roll call be vacated. If I had said to the gentleman that it was over for the day, I will say to him now that I would not have asked it at a later time. But I made no such statement to the gentleman, nor did I say anything to him in the conversation from which any man could draw the inference that I intended not to call up or ask for the unanimous consent during his absence. It is true that the gentleman was not on the floor when I made the request the last time, and I will say, Mr. Chairman, that it is so much easier to transact and expedite business in the absence of the gentleman from South Carolina than it is in his presence that no man could be blamed for submitting his request during the absence of the gentleman. If he wanted to object to it, he should have stayed here.

Mr. BURNETT. Mr. Chairman, I just rose for the purpose of expressing the hope that the gentlemen will not delay legislation by settling their grievances here when the Private Calendar, that we so seldom get an opportunity to take up, is under consideration. For the Lord's sake, let us get along with this important business.

Mr. CRAGO. Mr. Chairman, I yield to the gentleman from Ohio [Mr. LONGWORTH].

The CHAIRMAN. The gentleman from Ohio is recognized.

Mr. LONGWORTH. Mr. Chairman, I merely desire to ask the gentleman a question relating to the policy of the committee on this class of cases, in order that I may intelligently answer men who occasionally ask me to introduce such bills as these. My recollection is that in the first 10 years of my service in this House it was the invariable rule of the Committee on Military Affairs to report none of these bills under any circumstances. I am not quite clear what the policy after 1914, when I came back to this House, has been. I would like to ask the gentleman what the policy of the committee has been and what it will be in the future in regard to desertion cases.

Mr. CRAGO. I explained to the House the procedure of the committee. All bills are referred to a subcommittee. If the bill meets with the unanimous approval of the subcommittee it is reported back to the full committee, and if the full committee unanimously agrees to it some one is appointed to make a report. This class of cases has received favorable consideration, and they are cases where the man has had a year and a half or two or three years honorable service. There have been hundreds and hundreds of cases where sympathy dictated relief, but the committee did not think they were justified in giving relief.

Mr. LONGWORTH. Is that to be the policy in the future? I understood the gentleman from Virginia to say that such cases would not ordinarily be considered.

Mr. CRAGO. That is true during the period of the war. We were not considering desertion cases during the war, for fear it might have some effect on the morale of the soldiers.

Mr. HARRISON of Virginia. I understood that was to be the settled policy of the committee.

Mr. CRAGO. These are all bills considered one or two years ago.

Mr. HARRISON of Virginia. This question of desertion cases does not seem to be a new question at all with the subcommittee. Hundreds of cases passed by Congress gave relief to men who had been charged with desertion, and it did not seem to be right that any distinction should be made between men that became entitled to it virtually under the same circumstances. And so our committee has been reporting these cases of desertion where there were equitable grounds, although the men may have been shown to have had an honest service for two or three years. But when these cases were sent to the Secretary of War, as all these cases are, the Secretary of War made the request that there should be no further reports made on cases of this character. I prepared a letter and sent them to gentlemen interested in these cases.

Mr. LONGWORTH. Then it will be correct to say that now it is the policy of the committee to report no desertion cases?

Mr. HARRISON of Virginia. That is the standing policy of the committee.

Mr. CRAGO. Mr. Chairman, I move that the bill be reported to the House with a favorable recommendation.

The motion was agreed to.

MARSHALL M. POOL.

The next business on the Private Calendar was the bill (H. R. 2492) to establish the military record of Marshall M. Pool.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to cause the name of Marshall M. Pool to be entered on the muster roll of the United States Army as captain of Illinois Volunteers under date of August 25, 1864, and to issue to said Marshall M. Pool an honorable discharge as captain of Illinois Volunteers and as aid-de-camp on the staff of Bvt. Maj. Gen. James H. Wilson, under date of April 23, 1865.

Mr. CRAGO. Mr. Chairman, the gentleman from Illinois [Mr. MANN], who introduced the bill, knows all about the personality of Mr. Pool. The thing that struck me forcibly as a member of the subcommittee on this bill was a letter from Gen. James H. Wilson. Gen. Wilson, as you all know, is probably one of the greatest living officers of the Civil War. He was also an officer in the Spanish-American War. He is said to have been probably the greatest engineer officer in the Civil War and has written one of the most interesting histories, not only of the Civil War but later of the Spanish-American War. He organized for the Army of the Potomac the Cavalry branch of the Army, and it is on the strength of that letter certifying to the services of Marshall M. Pool, reading between the lines, that I would take it for granted that Mr. Pool was a young man, who, in his eagerness to serve the Nation, did not go through the formality of securing a commission in the Federal Army. He was, however, commissioned by the governor of the State of Illinois and was ordered to report for duty at the headquarters of the military division of the Mississippi at Nashville, Tenn., and he did so report. Transportation was furnished him by the Army for two horses and one servant. Gen. Wilson certifies that he served on his staff in the month of November, 1864, as aid-de-camp. He participated in the Cavalry operations against Hood's army from that date until Hood was expelled from Middle Tennessee.

Capt. Pool then continued on my staff at the Cavalry camp of instruction at Gravelly Springs, Ala., till about the 20th of March, 1865, when operations began against Selma, Montgomery, West Point, and Macon, Ga. He participated in all the marching and fighting that was done during that campaign, ending in the capture of Jefferson Davis and various members of his cabinet. Capt. Pool left my staff about the 1st of May, 1865, when the war was entirely ended, and returned to his home in Illinois.

That in brief is about the service of Capt. Poole on the staff of Gen. Wilson, one of the most distinguished officers of the Civil War. Your committee thought it was only just and

proper that he should be given a discharge from the service, having served as an officer of the United States Army.

Mr. STAFFORD. Will the gentleman yield?

Mr. CRAGO. Yes.

Mr. STAFFORD. Can the gentleman inform the committee whether there are many instances of persons commissioned by the governors of the respective States who joined the Federal service but did not enlist in the Federal Army, similar to the case of Capt. Poole?

Mr. CRAGO. I have known of other cases where they have been given commissions later.

Mr. STAFFORD. What reason can the gentleman give for Mr. Poole not enlisting in the Regular Army but retaining a commission from the governor?

Mr. CRAGO. At that time not enough attention was given to the technical position in which it placed them. The governors of the States commissioned men to serve in the Federal Army and commissioned them as officers of the volunteer forces in these States.

Even as late as the Spanish-American War commissions issued to volunteer troops in that war were issued by the governors of States for Federal service, and men were simply mustered into the service of the United States by the officers of the company, and the entire company lining up and taking the oath of allegiance to the United States. This young man was commissioned just the same as any other officer, but he was assigned staff duty, and the matter of being mustered in had probably been overlooked, because he was not with any organization. If he had been with the First Illinois or any other organization, he would have gone out and held up his hand and been mustered in, and that would have been his commission, because the only one he would have would be the commission from the governor of the State. Not having been mustered in, he is not on the muster rolls of the Federal Government, but he did this service, and it is certified to by Gen. Wilson, and I think is deserving of consideration.

Mr. STAFFORD. He joined the Federal forces rather late in the war.

Mr. CRAGO. Yes; he was a very young man, and his father furnished him with his outfit, horses, and everything.

Mr. STAFFORD. I wish to inquire whether under the phraseology of this bill he will be entitled to a pension dating back to 1865.

Mr. MANN. Oh, no; because no back pensions ever date prior to the date of application.

Mr. STAFFORD. By this bill granting him an honorable discharge as captain of Illinois Volunteers, under date of April 23, 1865——

Mr. MANN. He is entitled to pay and they recommend that he be allowed pay for the time he served.

Mr. STAFFORD. I am more concerned about whether he would have a claim against the Government for a pension.

Mr. MANN. He would not have any claim.

Mr. FOSTER. Has he ever applied for a pension?

Mr. CRAGO. No.

Mr. MANN. If he has, it is not known to me. He would not have had any status for a pension.

Mr. FOSTER. Suppose he had made application for a pension and we should pass this legislation, what then?

Mr. MANN. This would not give it to him. I am not in favor of granting him back pension.

Mr. STAFFORD. No one would be in favor of granting him a pension to date back to 1865 under any circumstances.

Mr. MANN. I move that the bill be laid aside with a favorable recommendation.

The motion was agreed to.

MAJ. CHALMERS G. HALL.

The next business on the Private Calendar was the bill (S. 8299) authorizing the President to reappoint Maj. Chalmers G. Hall, retired, to the active list of the Army.

Mr. CRAGO. Mr. Chairman, the facts in this case have left me just at the present time; but I want to call the attention of the House to the communication from the present Secretary of War dated January 17, 1918, in which he finds that Maj. Hall was not given a fair chance when he was mustered out of the Army. It seems that he had been sick and an operation had been performed upon him, and before he had recovered from that operation, which was performed by a medical officer of the Army, he was mustered out because of physical disability. I quote from the letter of the Secretary of War:

Maj. Hall protested against retirement and requested a delay of six months, to be then again examined to determine his fitness for promotion. This was denied him, but he was assured that if he fully recovered he could be returned to the active list under the law. The application of the law as applied to said officers had expired March 5, 1917. Maj. Hall accepted the action of the board under this misapprehension, and having recovered from his physical disability it seems evident that the retiring board erred in its findings of permanent disability. Maj. Hall was examined January 14 by a board of medical officers and was found physically fit to return to the active list. In view of these circumstances I recommend the passage of this bill.

Very respectfully, yours,

NEWTON D. BAKER, *Secretary of War.*

In view of these circumstances, we think he is entitled to consideration.

Mr. MANN. When was he retired?

Mr. CRAGO. Some time in the year 1916.

Mr. MANN. Is he in the Army now?

Mr. CRAGO. I can not answer that. I will say frankly to the gentleman that the status of this gentleman has slipped my mind. I did not know this matter was coming up to-day.

Mr. MANN. Of course, he would have had an opportunity to get back during this war.

Mr. CRAGO. And I have no doubt that he did.

Mr. MANN. If he did, is it necessary to enact this legislation?

Mr. CRAGO. I would say, to put him back regularly, it is. Under this recommendation made in January, 1918, I think we ought to take action, because if he did go in, he would go in simply as a volunteer officer and would be mustered out. They have no authority to keep in men except Regular Army men, and this would put him in a position so that he could take his status as a Regular Army officer.

Mr. MANN. Here is what was in my mind. I do not see any objection to passing this bill if war had not occurred; but if he did not get back in the Army, to put him back now in the rank he would have had if he had remained in the Army, with the very large promotions, would not be right, I think. I do not know that it would give him anything above a colonel. Plainly it ought not to give him anything except an automatic promotion.

Mr. CRAGO. I suggest that it might be well to let this bill go through, and then we could thoroughly investigate matters before it was taken up in the Senate, before any action was taken upon it. I will say frankly that I do not know this, but I shall endeavor to find it out.

Mr. MANN. The gentleman will not have any control. Maj. Hall, if he is around, will look after it himself. I am not going to object.

Mr. GREENE of Vermont. The gentleman from Illinois will remember we did in some Army bill some years ago make a provision returning to the active list officers retired if they were fit to return, but there was a date put upon it.

Mr. MANN. I have no objection to letting him go back into the Army, even if we do not need him as an officer. I take it we do not, if he went in the Army during the war. If he declined to go into the Army during the war, it does not seem to me he ought to be retired now and give him the rank that he would have had if he had remained in the Army from the beginning.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the President is hereby authorized to reappoint to the Cavalry Arm as an extra number, with such rank as he would have had if he had never been retired, Maj. Chalmers G. Hall, of the United States Army, retired.

Mr. CRAGO. Mr. Chairman, I move that the bill be laid aside, to be reported to the House with a favorable recommendation.

The motion was agreed to.

JENNIE M. HEATH.

The next business in order on the Private Calendar was the bill (H. R. 10225) striking from the pension roll the name of Jennie M. Heath.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to strike from the pension roll the name of Jennie M. Heath, helpless and dependent child of Charles E. Heath, late of Company G, First Regiment Minnesota Volunteer Infantry, who is now pensioned by special act of Congress approved August 7, 1914.

Mr. STAFFORD. Mr. Chairman, I think some little mention should be made of this unprecedented bill in the history of legislation in the Congress. I do not recall in my 14 years of service where we have ever separated any person from the pension roll of the Government. Here is a case, an exceptional case, one that will go down in the history as a cause celèbre, perhaps, where the Committee on Invalid Pensions recommends the separation of a pensioner who lately became married to a rich person. I suppose if the pension rolls were examined there would be many similar instances where pensions are payable to persons after their pensionable status is removed. I move, if there is no member of the Committee on Invalid Pensions who desires to do so, that the bill be laid aside with a favorable recommendation.

The motion was agreed to.

THOMAS J. ROSE.

The next business in order on the Private Calendar was the bill (H. R. 925) for the relief of Thomas J. Rose.

The Clerk read as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Thomas J. Rose, who was a private in Company H, Sixth Pennsylvania Volunteer Infantry, and a private in Company H, Forty-eighth Pennsylvania Volunteer Infantry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of Company H, Forty-eighth Pennsylvania Volunteer Infantry, on the 11th day of November, 1862.

Mr. CRAGO. Mr. Chairman, in view of the remarks which have already been made concerning the other bills, I move you that the usual proviso be inserted at the end of the bill.

Mr. STAFFORD. Before the gentleman moves the amendment and general debate is terminated thereby, I rise for recognition. I do not wish, however, to take the gentleman off of the floor.

The CHAIRMAN. Does the gentleman yield to the gentleman?

Mr. CRAGO. I will gladly yield to the gentleman.

Mr. STAFFORD. I may be misinformed about this case, but the report, as I read it, shows that this soldier was pronounced fit for duty on November 11, 1862, and yet at that time he left the service. I understood from the statement of the gentleman from Virginia that it was the policy of the committee that they would not recommend any bills where the soldier left the service and really was a deserter.

Mr. CRAGO. The gentleman will notice, if he goes into this further, that what we are trying to help out here is really the supplementary service. If the gentleman will let me explain the bill, I will make my motion to amend a little bit later. This soldier did enlist in 1861 and served until September 9, 1862, having been reported in the meantime or pronounced fit for duty. The testimony shows that this soldier suffered with the disease for which he had been treated. He went to Pittsburgh, Pa., to visit a sister, and after partially recovering from said disability enlisted in the Navy at Pittsburgh, Pa., on August 25, 1864, for service on the Mississippi Squadron. The fact of his naval service is borne out by the records of the Navy Department, as follows:

That Thomas J. Rose enlisted in the United States Navy at Pittsburgh, Pa., August 25, 1864, to serve one year; served on the *Grampus*, *Great Western*, and *Volunteer*, and was discharged August 1, 1865, at Mound City, Ill.

So the two services combined make a good and faithful service of more than two years and a half. After his discharge from the service he went to Pittsburgh, and never went through the formality of securing an honorable discharge, but thought that since he was reinstated in the Navy that that would cure everything. The record has stood on that basis up to the present time. Now, I simply want to call attention to the fact that crept into this report from the correspondence that we have, and that is, namely, that the only brother of this soldier—George W. Rose—lost an arm at Antietam; that his father, Daniel Rose, was wounded in the Battle of the Wilderness; and that his mother, Susanna Rose, was a nurse in the Harewood General Hospital, Washington, D. C. This old gentleman has been an honored resident in the district represented to-day in Congress from our State by Mr. HEATON, of Pennsylvania, all these years, and we thought it was only a simple act of justice for the Government to give this man credit for those two services. He has an honorable discharge from the last service, and he wants to connect up the two of them. I, therefore, move to amend by adding the usual proviso at the end of the bill.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 12, after the word "sixty-two" insert "*Provided*, That no pension, bounty, or allowances shall accrue prior to the passage of this act."

The amendment was agreed to.

Mr. CRAGO. Mr. Chairman, I move that the bill be laid aside with a favorable recommendation.

The motion was agreed to.

MARY J. LACEY.

The next bill in order on the Private Calendar was the bill (H. R. 8856) for the relief of Mary J. Lacey.

The bill was read as follows:

Be it enacted, etc., That Mary J. Lacey, mother of William A. Stewart, late private, Company E, Fifth Regiment Maryland National Guard Infantry, who died on October 4, 1916, at Indio Ranch, El Paso, Tex., while in the service of the United States, shall be regarded as the duly designated beneficiary of the late Pvt. William A. Stewart, under the act approved May 11, 1908, as amended by the act approved March 3, 1909.

Mr. COADY. Mr. Chairman, I move that this bill be reported back to the House with the recommendation that it do pass.

The CHAIRMAN. The gentleman from Maryland moves that the bill (H. R. 8856) be reported back to the House with the recommendation that it do pass.

The motion was agreed to.

THOMAS G. ALLEN.

The next bill in order on the Private Calendar was the bill (H. R. 4610) to compensate Thomas G. Allen for injuries received while employed in the General Land Office of the United States and making an appropriation therefor.

The bill was read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thomas G. Allen the sum of $3,000 for injuries received while employed in the United States General Land Office, Washington, D. C., December 27, 1915.

Also the following committee amendment was read:

Committee amendment: Page 1, line 6, strike out "$3,000" and insert "$1,000 in full settlement of all claims against the Government."

Mr. STAFFORD. Mr. Chairman, I wish to be recognized in opposition to the bill. Unless the gentleman wishes to take the floor I will withhold asking for recognition at present.

Mr. STEPHENS of Mississippi. Mr. Speaker, I would like to make a statement. This bill is for the relief of Thomas G. Allen, who was employed in the General Land Office of the United States. It seems while Mr. Allen was working in the line of his duty that some heavy bookcases, containing some large books, fell upon him. He was entirely covered up by this mass of stuff, and it required the work of about 15 persons for 30 minutes to remove the débris from him and take him out from under the things that had fallen upon him. Mr. Allen was in the hospital two or three months, and was considered to be in rather a serious condition. After two or three months he was discharged and returned to work.

I have seen this gentleman recently. This accident occurred about three years ago this month. He is still in an enfeebled condition, claims that he suffers very much from the injuries received on that occasion. He was receiving at the time the sum of $1,000. The bill provided that he should be paid the sum of $3,000, but the committee, after considering the matter, amended it by providing the payment of $1,000 in full settlement of all claims. That amounts to one year's salary. We feel under all the circumstances that this gentleman should be allowed that sum.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield?

Mr. STEPHENS of Mississippi. I will.

Mr. McLAUGHLIN of Michigan. Has this claimant returned to take up his own work under the Government?

Mr. STEPHENS of Mississippi. Yes. He went back to work there, but he was able to do only very light work. I do not remember that I asked him his age, but he must be 70 years of age.

Mr. McLAUGHLIN of Michigan. Is he receiving the same salary now that he did before the injury?

Mr. STEPHENS of Mississippi. I think he is receiving practically the same salary; yes, sir.

Mr. McLAUGHLIN of Michigan. Then his loss, so far as money is concerned, was for being deprived of his salary during his absence in the hospital?

Mr. STEPHENS of Mississippi. Yes, sir. Then, of course, he had to defray his doctor's bill, and the man has suffered a great deal through all these years.

Mr. McLAUGHLIN of Michigan. I speak only of the money loss.

Mr. STEPHENS of Mississippi. I think the monetary loss is what you say.

Mr. McLAUGHLIN of Michigan. He did not receive a salary while he was absent?

Mr. STEPHENS of Mississippi. I do not think he was allowed the entire salary. I think, perhaps, he had 30 days' sick leave during that time.

Mr. McLAUGHLIN of Michigan. Do you know if the custom of that department is if a man is injured in the service and it necessitates his absence from duty longer than the 30 days' leave that is given, that he is stricken from the roll and not permitted to draw any of the stipend?

Mr. STEPHENS of Mississippi. I do not think he was stricken from the roll. I think he was allowed to continue in the employ of this department.

Mr. McLAUGHLIN of Michigan. If there is any foundation for this claim, it would be in the idea that the Government was to blame for the injury and not the man himself, and under those circumstances, it seems to me, he ought not to have been deprived of his wages during the time he was in the hospital or unable to perform his work.

Mr. STEPHENS of Mississippi. It was held, I will say to the gentleman, that this man did not fall within the compensation act of 1908. Some of the employees of the Government when injured are compensated.

Mr. McLAUGHLIN of Michigan. We would have provided a fixed compensation under that act?

Mr. STEPHENS of Mississippi. Yes, sir.

Mr. McLAUGHLIN of Michigan. I was speaking of the burden resting on the Government to continue that man on the roll and pay him wages for the injury, which was the fault of the Government and not that of the man himself.

Mr. STEPHENS of Mississippi. It appeared clear to the committee that the injury was the fault of the Government and not of the man.

Mr. McLAUGHLIN of Michigan. The amount of money allowed him, then—$1,000—is evidently small enough.

Mr. STEPHENS of Mississippi. We thought so.

Mr. FOSTER. How much would he get under the compensation act of 1908 if he received it under that law?

Mr. STEPHENS of Mississippi. About the amount, I think, the committee allowed.

Mr. STAFFORD. What is the basis of the gentleman's statement? The gentleman is making some statements that are not supported by the report.

Mr. STEPHENS of Mississippi. I do not understand.

Mr. STAFFORD. The gentleman is acquainted with the report. I know he does not do it intentionally.

Mr. STEPHENS of Mississippi. I do not know what the gentleman means by that statement. I would like to have him say.

Mr. STAFFORD. The gentleman said this man was out of work for several months.

Mr. STEPHENS of Mississippi. I did not say "several months."

Mr. STAFFORD. Two months?

Mr. STEPHENS of Mississippi. Something like that—two or three months.

Mr. STAFFORD. The report showed that he was confined to his bed only three weeks, and he was only disabled from performing his duty from December 27 to February 7.

Mr. FOSTER. He was able to do only a little work.

Mr. STAFFORD. Though the record does not show, and I believe I am not indulging in a wild assumption when I say that he is one of the old men connected with the Land Office who is carried on the rolls as a pensioner.

Mr. STEPHENS of Mississippi. I will say to the gentleman that the records show he was incapacitated from regular work, and when he came back he was allowed to do very light work, about two months later. For quite a little time he was not in condition to do work of any moment at all. Therefore he was practically out of business, as I said, for two or three months.

Mr. FOSTER. As I understand, under the compensation law for a death they gave a year's salary. Many of them have been denied further compensation than the one year's salary, whatever it might be. This man was not killed, but went back to work to do something, at least, in the course of a few months. It does not seem to me that under that compensation law he would be entitled to a thousand dollars. I have not looked it up; I have forgotten about it. When I served on the Committee on Claims I used to be more familiar with the law than I am now. I do not remember, but it seems to me it would not be a thousand dollars.

Mr. MANN. Under the compensation act he would be paid only for the time he was absent.

Mr. FOSTER. Yes. As to these cases that did not come under the compensation act we have always settled them on the basis of the compensation act of 1908.

Mr. MANN. We have endeavored to settle them on the basis that they should not receive more than a year's pay, which was the utmost allowed by the compensation act.

Mr. FOSTER. That was for very severe injury or death.

Mr. MANN. Even then we paid it on the theory that we would not allow more than that, and we have allowed that in a good many cases where they would not have received it under the compensation act.

Mr. FOSTER. I know we investigated a number of very pitiable cases that excited the sympathy of every Member, but we did not go beyond one year's salary for a death.

Now, if this man was out but a few weeks or a few months and went back and received his salary in full, it seems to me we are doing more for him than we did for those in the past.

Mr. MANN. Of course.

Mr. FOSTER. And I do not think we ought to establish a precedent of this kind.

Mr. EDMONDS. I want to call attention to the fact that the committee has given him this $1,000 on account of the fact that he was permanently injured.

Mr. FOSTER. He is drawing a salary from the Government.

Mr. EDMONDS. Of course. He is permanently injured, and Secretary Lane states in his letter that he is of opinion that he should have some compensation.

Mr. FOSTER. He is drawing the same salary that he formerly received?

Mr. EDMONDS. I think he is.

Mr. FOSTER. It seems to me that giving him a thousand dollars is more than we have been doing in the past for others.

Mr. STEPHENS of Mississippi. It has been done time after time.

Mr. BLANTON. Mr. Chairman, the committee, as stated by the gentleman from Pennsylvania [Mr. EDMONDS], based its action, as I understand it, on this language by the Secretary of the Interior:

> Mr. Allen was unable to return to his official duties until February 8, 1916, and he has not entirely recovered to this time from the injuries inflicted and will probably never be restored to his former physical condition.
>
> I am therefore of the opinion that Mr. Allen should be compensated for the injuries he sustained.

Like my friend from Illinois [Mr. FOSTER], I think that the compensation is excessive; I believed that $500 was maximum compensation, in view of the fact that he drew all of his wages. He lost none of his wages while he was out of the office for some time. When he came back he got his pay. I think $500 really is an excessive amount, but I was willing to give that amount. But in view of the fact that all my colleagues on the committee agreed to reduce the claim from $3,000 to $1,000 and all insisted on giving him a thousand dollars, I did not see fit to fight their action in the committee.

Mr. FOSTER. I am not sure that he ought to have anything.

Mr. STAFFORD. Mr. Chairman, this is a claim to reimburse an old person, 74 years of age, for some slight injuries that occurred in the performance of his work, from no fault of his, I take it, although the report does not show that. I will concede that. And his injury came not through any negligence of the Government. He was in the filing room of the Land Office and some books and files fell down, which resulted, according to the certificate of the physician, in contusion of the abdomen and an abrasion of the knee. The accident occurred on December 27, 1916.

Mr. McLAUGHLIN of Michigan. Nineteen hundred and fifteen.

Mr. STAFFORD. Yes; 1915. He was confined to bed for three weeks. He resumed his duties on February 8, 1916. He was receiving a salary of $1,200—a man 74 years of age. It is not a radical assumption that he was a pensioner—a clinger-on to the Government pay roll—and is to-day. There are many such men in all our departments. That is one of the great questions before the Government in the administration of its affairs—that we keep on the salary rolls men who are of no value in the administration of its affairs and pay them a salary of $1,200, or thereabouts, because we have no civil pension list. He returns to duty, and the only permanent injury, as disclosed by the report, is that he is nervous. A man suffers an abrasion of the knee.

I want to treat this man as he deserves to be treated, but if he were in private employment he would not have the nerve to ask any such amount as $3,000. He would be glad to receive his salary, such as he receives from the Government, and the expenses of his sickness and hospital charges. But no; he retains his position with the Government and makes a claim for $3,000 upon that statement. This superannuated employee was only out of the service for six weeks and confined to bed for only three weeks, and the only permanent injury is nervousness; the committee reports in favor of paying him $1,000.

I say we should not establish the precedent here to pay any of the Government employees when they are so slightly injured as this man is. There is another bill on the calendar substantially similar in extent, to pay a man $1,000.

I am going to be liberal. I am going, Mr. Chairman, to move—so that they can not say that I have no milk of human kindness toward the Government employees and toward this superannuated old employee—to reduce the amount of $1,000 to $250. We are pensioning him at $1,200 a year. He has not lost any salary at all. I do not believe that he should receive anything. With consummate nerve, suffering only from that slight injury, and the Government keeping him on the pay roll at $1,200, he comes here and asks for reimbursement to the extent of $3,000.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. SLOAN. Is the gentleman giving evidence of his milk of human kindness by reducing this old man's claim from $1,000 to $250? Does not that indicate that the gentleman's milk of human kindness is considerably soured? [Laughter.]

Mr. STAFFORD. No. That is the kind of logic that the gentleman from Nebraska usually uses in this Chamber, because the gentleman from Nebraska has the reputation of pouring more bitter gall on the other Members of this Chamber than any other Member of this body.

Mr. BLANTON. Mr. Chairman, I desire to be recognized, being a member of the committee, to speak on this question. Under the law this man is not entitled to a single dollar. Anything that is given him here is merely a bounty given by this Government. I quite agree with the gentleman from Wisconsin [Mr. STAFFORD] that the committee has been too liberal in passing upon this case. I do not think that a precedent should be set here to pay every man who gets injured unless he comes within the purview of the law. We have a law providing for the compensation of injured employees. To get compensation he should bring himself within the provisions of this statute. I do not think we should set a precedent out of the bounty of the people's money by paying every person who gets hurt.

As stated, this man was in bed only three weeks. He was 74 years of age at the time he was hurt. If he had been younger, he probably would not have been injured. Of course, he can not be condemned because he is old, but I take it that he was hurt primarily because he was old, and that if he had been a younger and more active man he would have gotten out of the way when the cases fell. I think $250 would be a maximum amount out of the bounty of the people's money, and I hope the amendment offered by the gentleman from Wisconsin will be passed.

Mr. STEPHENS of Mississippi. Mr. Chairman, in answer to the gentleman from Wisconsin, the record shows that this man suffered more than from bruise of the knees. The doctor's certificate states that he suffered contusion of the abdomen, with shock and contusion of abdominal contents, contusion and abrasion of knees.

It is stated further that this man had become very nervous since the accident. It is not surprising that he should become so, becnuse it is stated by the employees in that department that it required them, with the assistance of 15 or more men, 20 minutes to take him out from under the files and books which covered him up. I did not prepare this report, but it happens that there is nothing stated in it in regard to his present condition. Only a few days ago, the first time I ever saw the old gentleman, I did see him, and he was in the same condition that the doctor stated, to wit, he was very nervous. The old man is almost a nervous wreck. As I said a moment ago, it is not surprising that that condition should come upon him, covered up as he was for 20 minutes under these heavy books and file cases, suffering, not as the gentleman says, with some abrasions of the knees, but contusion of the abdomen, shock, and contusion of the abdominal contents.

I think, Mr. Chairman, that the House ought not to allow this old man so small a sum as $250. It is my judgment that he ought to be allowed a reasonable and decent sum or nothing at all.

The CHAIRMAN. The question first is on the committee amendment, which the Clerk will report.

The Clerk read as follows:

> Page 1, line 6, strike out the figures "$3,000" and insert "$1,000, in full settlement of all claims against the Government."

Mr. STAFFORD. Mr. Chairman, I offer an amendment to the committee amendment. Strike out "$1,000" and insert "$250."

The Clerk read as follows:

> Amendment by Mr. STAFFORD to the committee amendment: Strike out "$1,000" and insert "$250."

The CHAIRMAN. The first question is on the amendment to the committee amendment offered by the gentleman from Wisconsin.

The question was taken; and on a division (demanded by Mr. BLANTON) there were 6 ayes and 27 noes.

Mr. BLANTON. Mr. Chairman, I make the point of order that no quorum is present.

Mr. STEPHENS of Mississippi. Mr. Chairman, I move that the committee do now rise.

The question was taken; and the Chairman announced that the noes had it.

Mr. STEPHENS of Mississippi. I demand tellers.

Tellers were ordered, and the Chair appointed Mr. STEPHENS of Mississippi and Mr. BLANTON as tellers.

The committee again divided; and the tellers reported—ayes 2, noes 58.

So the committee declined to rise.

Mr. GARRETT of Tennessee. Has the Chair declared that no quorum is present?

The CHAIRMAN. The Chair has not.

Mr. MANN. The point of no quorum was made some time ago.

Mr. GARRETT of Tennessee. But the Chair has not declared that no quorum was present.

Mr. BLANTON. Mr. Chairman, I withdraw my point of order, and I offer the following amendment.

The Clerk read as follows:

> Amend the committee amendment by striking out "$1,000" and inserting "$500."

Mr. MANN. That amendment is not in order unless the other amendment is withdrawn.

The CHAIRMAN. The Chair has declared the amendment of the gentleman from Wisconsin as not agreed to, and it was not agreed to.

Mr. BLANTON. Mr. Chairman, I understand this is acceptable to the chairman of the committee and his associates.

Mr. STEPHENS of Mississippi. The gentleman from Texas is mistaken. I told him to see the author of the bill.

Mr. BLANTON. I have seen him, and the gentleman from Pennsylvania [Mr. BRODBECK] is willing to accept it.

Mr. BRODBECK. I am willing to accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas to the committee amendment.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 41, noes 13.

So the amendment to the amendment was agreed to.

The CHAIRMAN. The question now recurs on the committee amendment as amended.

The committee amendment as amended was agreed to.

Mr. STEPHENS of Mississippi. Mr. Chairman, I move that the bill as amended be reported back to the House with the recommendation that it pass.

The CHAIRMAN. The gentleman from Mississippi moves that the bill be reported to the House with the recommendation that as amended it do pass.

The motion was agreed to.

MRS. W. E. CRAWFORD.

The next business on the Private Calendar was the bill (H. R. 2012) for the relief of Mrs. W. E. Crawford.

The Clerk read the bill, as follows:

> *Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to Mrs. W. E. Crawford the sum of $140.40 in full compensation for services rendered as auxiliary carrier of mails at Decatur, Ala., from February 28, 1914, to June 28, 1914.

Mr. ALMON. Mr. Chairman, I will make this explanation: This bill is to appropriate $140.40 to Mrs. Crawford for services rendered as auxiliary letter carrier. It is admitted by the Post Office Department that the services were rendered, and the amount is due and unpaid, but that for technical reasons the department did not see proper to pay the claim, because it was claimed that there was a civil-service register from which the postmaster should have selected some one to render this service. It is claimed by the Post Office Department that the postmaster knew that there was such a register and had been notified to make the selection from the register. It was claimed that the notice was given to him by the secretary of the Civil Service Commission. The postmaster says that he did not receive notice. The records fail to disclose any such notice to the postmaster, and even if the postmaster did have knowledge of it, Mrs. Crawford, who rendered the service, had no notice of it. I made this explanation before the committee at the last session of Congress, and the bill passed this House unanimously, but failed to pass the Senate for want of time.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. ALMON. Yes.

Mr. STAFFORD. As I recall the reading of the report, she was paid up to March 28, 1914.

Mr. ALMON. Up to the time it was claimed that the Civil Service secretary notified the postmaster to discontinue her services. The postmaster states that he had no such notice, and that Mrs. Crawford was continued in the service until June 28, 1914, at $1.50 a day.

Mr. STAFFORD. Was not the postmaster compensated at the time when he might have obtained a person from the civil-service register?

Mr. ALMON. She was paid up to the time the claim the civil-service secretary gave the notice to the postmaster; and while

it appears there was a civil-service register, the postmaster states that he could not have gotten anyone to serve from that register if he had gotten the notice.

Mr. STAFFORD. The bill states that he was paid for services from February 28, 1914, to June 28, 1914. The Postmaster General's letter in the third paragraph from the end says:

In the settlement of the postmaster's accounts, after very careful consideration by this department and the Civil Service Commission of all the facts in the case, this department allowed the postmaster's claim up to March 28, 1914, the date on which the postmaster was given a clear understanding of the situation by the district civil-service secretary.

Mr. ALMON. Yes.

Mr. STAFFORD. They allowed his claim up to March 28.

Mr. ALMON. I am asking for pay from February 28, 1914, to June 28, 1914.

Mr. STAFFORD. But he was allowed compensation, according to the Postmaster General, up to March 28, 1914, and I am rising to inquire whether the gentleman is not giving him more pay than he is entitled to, paying him for time for which he has already received compensation.

Mr. ALMON. No.

Mr. STAFFORD. There is surely some confusion here somewhere.

Mr. ALMON. The report says:

This bill is for the payment of $140.40 earned by Mrs. Crawford as temporary auxiliary carrier of the mails at Decatur, Ala., for February 28 to June 28, 1914.

That is in the report.

Mr. STAFFORD. I think this is a mathematical error. The bill itself provides for the payment for services from February 28, 1914, to June 28, 1914. I direct the attention of the chairman of the committee to the statement as contained in the Postmaster General's letter which I just read. There is some conflict there. You are paying him in addition to what he has already received compensation for.

Mr. ALMON. There may be a difference in date there, but there is no question about the amount.

Mr. STAFFORD. The record of the department shows that he was allowed compensation up to March 28, 1914. I go further and I read

Mr. ALMON. I am only asking in the bill for payment after February 28.

Mr. STAFFORD. I know, but he already received compensation up to February 28.

Mr. ALMON. I see what the gentleman means now.

Mr. STAFFORD. There is a conflict there, whereby you are paying him money for the month for which he has already received compensation.

Mr. ALMON. The bill ought to be amended so as to make it March 28. The amount is correct. There is no question about that.

Mr. MANN. I think he was only paid up to February 28.

Mr. ALMON. That is the way my bill reads.

Mr. STEPHENS of Mississippi. On page 10 of the report the First Assistant Postmaster General, Mr. Roper, fixed the time from February 28 to June 28, 1914.

Mr. STAFFORD. But the gentleman is reading from a letter of date March 25, 1915, and I am reading from the latest expression by the department, February 5, 1916, on page 2 of the report, the first letter in the report.

I will continue reading to show that while this postmaster has no technical right for reimbursement after February 28, 1914, notwithstanding the department allowed him compensation up to March 28, 1914, and in support of that position I will continue the reading where I left off a minute ago:

Under a strict application of civil-service rules the postmaster's claim should not have been allowed beyond the date on which the eligible register was established, February 28, 1914, but because of his ignorance and misunderstanding of the rules the Civil Service Commission agreed to approve Mrs. Crawford's employment until the date mentioned above.

What was that date? Originally March 28, 1914. There was one month's compensation for which she has already received allowance. Originally, as the letter of the First Assistant points out, and which is supported by the position of the Postmaster General, he is technically entitled to no money after February 28, but the Post Office Department allowed him compensation up to March 28, 1914.

Mr. WELLING. But if the gentleman will continue reading, and read the next paragraph—

The amount stated in the bill is the amount disallowed in the postmaster's account.

So if there is any confusion in these dates it certainly does not go to the amount that the bill asks for of $140.

Mr. STEPHENS of Mississippi. The very next sentence below where the gentleman stopped reading shows that.

Mr. STAFFORD. This is a small matter; I went over it carefully some months ago and I gained the impression from my reading of the full report, which is of some 14 pages—I may have wasted a lot of time, perhaps, on the matter—that he was not entitled to that $140, and I base that upon the statement of the postmaster. This is a letter addressed by the First Assistant Postmaster, January 20, 1915:

I therefore ask that you suspend the small technicality of the law and authorize the payment of this amount; also that the amount already expended, $40.50, from February 27 to March 31, 1914, be paid. The total amount of these sums held up is $140.40.

That confirms what I said originally. The postmaster asks for compensation from February 28 up to June 28 of a total of $140. In that amount there was a claim for $40.50 from February 27 to March 31, and the Postmaster General states he has been allowed that up to March 28. On that basis you are giving her about $35 or $40 more than to which she is entitled.

Mr. ALMON. It will amount to $140.40, at $1.50 a day, for the time the gentleman claims.

Mr. STAFFORD. I read this very carefully, and I could not arrive at any other conclusion but that he had received this by reason of the courtesy of the Postmaster General.

Mr. ALMON. There is no mistake in the amount of the claim.

Mr. STAFFORD. From his own statement he says the total amount, February 28 to June 28, is $140.40. This amount, February 27 to March 31, was $40.50, and the total amount of those sums held up is $140.40. The Postmaster General claimed he receded from his original position and says, "We will pay you up to March 28, 1914."

Mr. MANN. Mr. Chairman, probably this claim will be allowed and paid, yet it involves quite an important general proposition. We have had a great many complaints on our side of the House that there has been quite a disregard of the civil-service law in many branches of the Government in recent days, months, and years. Many have been employed for duty, and let us assume they have performed the service, where the law provided they should not have been appointed. We have had complaints of that character. Now, here is a case where the Postmaster General reports—and there is no controversy about it—that the postmaster first ignorantly disregarding the civil-service law appointed his wife as a carrier of mail. She has been paid for the time while he was in ignorance. She was appointed when there was no civil-service register for the place. Afterwards a civil-service register was posted and the department says the postmaster was fully cognizant of the fact and of the law but he deliberately, according to the statement of Gen. Burleson, disregarded the law and continued the appointment of his wife, and—so far as I know there is no reason why he should not have appointed his wife to perform the service; maybe he could not have gotten anybody else to do it as well—deliberately disregarded the law. The Civil Service Commission after consideration of the case authorized the payment of the time while he was in ignorance but declined to authorize the payment of compensation after he knew better. The Postmaster General winds up his letter on the subject in the report on this bill in this way:

There is no question as to the performance of the service by Mrs. Crawford, but this department can not recommend the enactment of this bill because the postmaster persistently and knowingly violated the civil-service rules.

Now, the lady who performed the service was probably as well posted on the subject as her husband who made the appointment. Of course the service so performed would not have cost any less to have it performed by somebody else, but after all it is a question, where the service is required and performed and appointment has been made in flat violation of law, with a willful disregard of law, whether Congress should take special action to pay the person who has not only himself or herself disregarded the law, but whose superior making the appointment disregarded the law. Why should not anybody disregard the law in reference to appointment if they are to be paid just the same as though the law had been complied with?

Mr. ALMON. Mr. Chairman, just another word. The statement of the Postmaster General that the postmaster had notice of the civil-service register is based upon the statement that the civil-service secretary had given the notice to the postmaster. There is nothing in the record, there is nothing furnished by the Post Office Department showing that the civil-service secretary gave the notice to the postmaster. The postmaster states positively that he did not have the notice. Now, if the postmaster had gotten the notice from the civil-service register then there would be something on which the Postmaster General could have based this statement, and if that notice was given by the civil-service secretary to the postmaster there

ought to be some evidence of it, and some record of it should have gone into this hearing before the committee.

It is not in there, which corroborates the postmaster when he makes his statement that he did not get such a notice, and for that reason he continued Mrs. Crawford in the service. It is stated the lady who did this work was the wife of the postmaster. That is true, and his predecessor had his daughter in this service for many years. It is usual and customary down there. And besides that, there is no question but that her work was efficient and that she performed it faithfully and well. The hearings show that just before that time by the civil-service register that there were four or five on the register, and the postmaster was unable to get anyone of them to serve. Now, this same question was raised, and my good friend from Illinois [Mr. MANN] reserved his objection when we had it up last Congress, and when I made this explanation he withdrew his objection, and I am quite sure he is not going to oppose the passage of the bill at this time.

Mr. MANN. I am not.

Mr. STAFFORD. Will the gentleman yield?

Mr. ALMON. Yes.

Mr. STAFFORD. Has the gentleman examined the record since I addressed the House as to the amount? I can not, after going over it again, find that I am in error in my position that she was paid this $40 from February 28 to March 28.

Mr. ALMON. No. I have been listening to the gentleman from Illinois [Mr. MANN].

Mr. SHALLENBERGER. I have computed it at $1.50 a day for 93 days, which, of course, is $139.50. She evidently was paid for the extra month, but still has $139.50 under the bill.

Mr. ALMON. The statement shows that the auxiliary letter carrier was allowed $1.50 a day.

Mr. EDMONDS. I would like to call the attention of the gentleman from Wisconsin to the fact that in the same letter the postmaster states the amount in the bill is the amount disallowed in the postmaster's account.

Mr. STAFFORD. After he had been given an allowance.

Mr. MANN. This claim is for 93 days.

Mr. ALMON. Yes.

Mr. MANN. That would be from March 28 to June 28 and not from February 28. From February 28 to June 28 is four months.

Mr. ALMON. Mr. Chairman, I move to amend the bill in the eighth line by striking out "February" and inserting in lieu thereof "March."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. ALMON moves to amend, page 1, line 8, by striking out the word "February" and insert in lieu thereof the word "March."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. ALMON. I move that the bill be reported to the House as amended, with the recommendation that it do pass.

The motion was agreed to.

Mr. LONDON. Mr. Chairman, may I ask unanimous consent that the committee take up out of order a bill, No. 144 (H. R. 8473), page 36? It is the only private bill I have introduced. It will take but a minute or two.

Mr. BROWNING. Mr. Chairman, I object. I have a bill on the calendar.

Mr. FAIRFIELD. I have one bill on the calendar, and it comes next.

The CHAIRMAN. The gentlemen object.

IRA G. KILPATRICK AND GUY D. DILL.

The next bill in order on the Private Calendar was the bill (H. R. 8444) for the relief of Ira G. Kilpatrick and Guy D. Dill.

The bill was read, as follows:

Be it enacted, etc., That the title of Ira G. Kilpatrick and Guy D. Dill, as tenants in common, in and to the west half of the southeast quarter of section 3, township 32 north, range 8 east, in the district of lands subject to sale at Fort Wayne, Ind., in Whitley County, Ind., as assignee from Jonathan Pearson, by conveyance be, and the same is hereby, quieted and confirmed, and patent therefor shall issue to the said Ira G. Kilpatrick and Guy D. Dill as tenants in common.

Also the following committee amendment was read:

Committee amendment: After the word "common," in line 11, insert "upon payment to the United States of $1.25 per acre."

Mr. FAIRFIELD. Mr. Chairman, this bill is a bill to perfect the title for 80 acres of land held for something like over 50 years on a tax title. It was found rather a strange circumstance that they taxed the land, sold the tax title, then went upon it and improved it, and ditched it, and to-day the land is worth perhaps $50 or $60 an acre. The bill has passed the House once before, but too late to have action upon it in the Senate. It has been recommended by the committee and also by the Secretary of the Interior.

Mr. Chairman, I move that the bill be laid aside with a favorable recommendation.

The CHAIRMAN. The question first arises on the committee amendment.

The question was taken, and the committee amendment was agreed to.

The CHAIRMAN. The question now recurs on the motion made by the gentleman from Indiana to lay aside the bill H. R. 8444 as amended, with a favorable recommendation.

The motion was agreed to.

Mr. STEPHENS of Mississippi. Mr. Chairman, I move that the committee do now rise and report the bills back to the House with the recommendations of the committee.

The CHAIRMAN. A motion is made by the gentleman from Mississippi that the committee do now rise and report the bills back to the House with the recommendation, in some instances, that the bills be laid on the table and, in other instances, that the bills, with and without sundry amendments, be passed.

Mr. MANN. Not all of them should pass. They should be reported back to the House, with the recommendations made by the committee.

The CHAIRMAN. That motion is made by the gentleman from Mississippi. The question is on agreeing to the motion.

The motion was agreed to.

Thereupon the committee rose; and the Speaker having resumed the chair, Mr. GARD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration certain bills on the Private Calendar and had directed him to report the same back to the House, with the recommendation that as to some of them they be laid on the table, and that as to others, some with amendments and some without amendments, that they be passed.

The SPEAKER. The Chairman of the Committee of the Whole House on the state of the Union reports that that committee has had under consideration sundry bills and has directed him to report the same back to the House, some with amendments and some without, with the recommendation that the amendments be agreed to and that the bills do pass, and three with the recommendation that they lie on the table. The Clerk will report the first of these bills.

STEAMSHIP "CALDERA."

The Clerk read as follows:

A bill (H. R. 4988) to authorize the changing of the name of the steamship *Caldera*.

The SPEAKER. Without objection, it will lie on the table.

There was no objection.

COL. DAVID L. BRAINARD.

The Clerk read as follows:

A bill (S. 979) for the promotion and retirement of Col. David L. Brainard, Quartermaster Corps, United States Army.

The SPEAKER. Without objection, the bill will lie on the table, according to the recommendation of the committee.

There was no objection.

CLAIMS AGAINST THE CHOCTAW AND CHICKASAW NATIONS.

The Clerk read as follows:

A bill (H. R. 329) referring certain claims against the Choctaw and Chickasaw Nations of Indians to the Court of Claims.

The SPEAKER. Without objection, it will lie on the table.

There was no objection.

MARY NEAF.

The Clerk read as follows:

A bill (H. R. 7715) for the relief of Mary Neaf.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

HARRIET FISHER.

The Clerk read as follows:

A bill (H. R. 855) for the relief of Harriet Fisher.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

ALEXANDER F. M'COLLAM.

The Clerk read as follows:

A bill (H. R. 1423) for the relief of Alexander F. McCollam.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed

DAVID E. GRAY.

The Clerk read as follows:

A bill (H. R. 1007) for the relief of David E. Gray.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

WILLIAM M. WILSON.

The Clerk read as follows:

A bill (H. R. 2035) to authorize the issue of a patent to certain land in Alabama to William M. Wilson.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

ALMA HARRIS.

The Clerk read as follows:

A bill (H. R. 4240) for the relief of Alma Harris.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

THOMAS CAMPBELL.

The Clerk read as follows:

A bill (H. R. 1873) for the relief of Thomas Campbell, with amendments.

The SPEAKER. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

CHARLES LYNCH.

The Clerk read as follows:

A bill (H. R. 1954) for the relief of Charles Lynch, with amendments

The SPEAKER. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

JEREMIAH STOVER.

The Clerk read as follows:

A bill (H. R. 667) for the relief of Jeremiah Stover.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

CLEMENT H. COLE.

The Clerk read as follows:

A bill (H. R. 3090) for the relief of Clement H. Cole, with amendments.

The SPEAKER. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

MARSHALL POOL.

The Clerk read as follows:

A bill (H. R. 2492) to establish the military record of Marshall Pool.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

MAJ. CHALMERS G. HALL.

The Clerk read as follows:

A bill (S. 3399) authorizing the President to reappoint Maj. Chalmers G. Hall, retired, to the active list of the Army.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

JENNIE M. HEATH.

The Clerk read as follows:

A bill (H. R. 10225) striking from the pension roll the name of Jennie M. Heath.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

THOMAS J. ROSE.

The Clerk read as follows:

A bill (H. R. 925) for the relief of Thomas J. Rose, with amendments.

The SPEAKER. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

MARY J. LACEY.

The bill (H. R. 8856) for the relief of Mary J. Lacey, reported from the Committee of the Whole without amendment, was ordered to be engrossed and read a third time, was read the third time, and passed.

THOMAS G. ALLEN.

The bill (H. R. 4610) to compensate Thomas G. Allen for injuries received while employed in the General Land Office of the United States, and making an appropriation therefor, was reported from the Committee of the Whole with an amendment.

The amendment was agreed to and the bill as amended ordered to be engrossed and read a third time, was read the third time, and passed.

MRS. W. E. CRAWFORD.

The bill (H. R. 2012) for the relief of Mrs. W. E. Crawford was reported from the Committee of the Whole House with an amendment.

The amendment was agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

IRA G. KILPATRICK AND GUY D. DILL.

The bill (H. R. 8444) for the relief of Ira G. Kilpatrick and Guy D. Dill was reported from the Committee of the Whole with an amendment, the amendment was agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read a third time, and passed.

Mr. STEPHENS of Mississippi. Mr. Chairman, I move to reconsider the votes whereby the several bills were passed and that that motion lie on the table.

The motion was agreed to.

SALE OF LANDS MISSOULA COUNTY, MONT.

Mr. EVANS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 9865) to authorize the sale of certain lands to school district No. 28, of Missoula, Mont.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to sell and convey to school district No. 28, of Missoula County, Mont., the southwest quarter of the southwest quarter of the southeast quarter of section 36, township 21 north, range 20 west, on the Flathead Indian Reservation, in Montana, or so much thereof as may be required, for public school purposes, under such terms and regulations as he may prescribe, at not less than its appraised value; and the net proceeds from the sale of said land shall be deposited in the Treasury of the United States to the credit of the Flathead Indians, to draw interest at the rate now provided by law, and to be used for the benefit of the Indians on the Flathead Indian Reservation: *Provided*, That the patent therefor shall contain the condition that Indian children residing in the said school district No. 28 shall at all times be admitted to the privilege of attendance and instruction on equality with white children.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. EVANS. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

Mr. ROBBINS. May I ask at what price these lands are to be sold? This is a quarter section?

Mr. EVANS. No; there is only about 10 acres of the land. The land was appraised by a commission and was turned over to the town of Ronan. But the town of Ronan can not turn it over to the school district, and there is no other way to make it available except by this legislation.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. EVANS, a motion to reconsider the vote whereby the bill was passed was laid on the table.

LEAVE OF ABSENCE.

Mr. MARTIN, by unanimous consent, was granted leave of absence for 15 days on account of important business.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 11709. An act granting the consent of Congress to Norman County, Minn., and Traill County, N. Dak., to construct a bridge across the Red River of the North on the boundary line between said States.

ADJOURNMENT OVER.

Mr. KITCHIN. Mr. Speaker, on yesterday unanimous consent was given that when the House adjourns to-day it adjourn to meet on Monday next. I ask unanimous consent to modify that so that when the House adjourns to-day it adjourn to meet on Saturday next, with the understanding that nothing will be done on Saturday except the filing of the report of the Committee on Rivers and Harbors, and then a motion to adjourn will be made immediately thereafter.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to modify the order of yesterday that when the House adjourns it adjourn to meet next Monday so that it will meet on Saturday next. Is there objection? [After a pause.] The Chair hears none.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 43 minutes p. m.) the House, under its previous order, adjourned until Saturday, December 21, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting a communication from the Secretary of Agriculture submitting a supplemental estimate of appropriation required by the Department of Agriculture for the eradication of the potato wart (H. Doc. No. 1605); to the Committee on Agriculture and ordered to be printed without illustrations.

2. A letter from the Secretary of War, transmitting a tentative draft of a bill to prohibit intoxicating liquors and prostitution within the Canal Zone, and for other purposes (H. Doc. No. 1606); to the Committee on Military Affairs and ordered to be printed.

3. A letter from the Acting Secretary of State, transmitting copy of a dispatch from the American minister at Panama communicating a copy of the resolution adopted by the National Assembly of Panama on November 11 last, felicitating the Government of the United States and the Governments of the allies on the signature of the armistice on November 11, 1918 (H. Doc. No. 1607); to the Committee on Foreign Affairs and ordered to be printed.

4. A letter from the Secretary of Commerce, transmitting a statement of the expenditures in the Coast and Geodetic Survey for the fiscal year ended June 30, 1918 (H. Doc. No. 1608); to the Committee on Expenditures in the Department of Commerce and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. BRUMBAUGH, from the Committee on Railways and Canals, to which was referred the bill (H. R. 11579) to authorize the appointment of a board of engineers to make a preliminary location, survey, and plans for a canal connecting the waters of Lake Erie and the Ohio River on the line of the Miami & Erie Canal from Toledo to Cincinnati, Ohio, and from a point near Defiance, Ohio, to a point in the southerly end of Lake Michigan, and to estimate the cost thereof, reported the same with amendment, accompanied by a report (No. 875), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DENT, from the Committee on Military Affairs, to which was referred the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, reported the same with amendment, accompanied by a report (No. 877), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. RAYBURN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13306) to authorize the payment of allotments out of the pay of enlisted men in certain cases in which these payments have been discontinued, reported the same with amendment, accompanied by a report (No. 876), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MONDELL: A bill (H. R. 13441) to authorize advances to the reclamation fund, and for the issue and disposal of certificates of indebtedness in reimbursement therefor; to the Committee on Ways and Means.

By Mr. GOULD: A bill (H. R. 13442) authorizing and providing for the purchase of land abroad for military cemeteries, and for their preservation and maintenance, in which to inter the remains of officers and enlisted men of the American Expeditionary Forces killed in battle or who have died abroad; to the Committee on Military Affairs.

By Mr. GREEN of Iowa: A bill (H. R. 13443) to provide for the organization of an army to be used abroad, known as the Army of Occupation, and the discharge of enlisted men in the military service not included in the Regular Army; to the Committee on Military Affairs.

By Mr. MOTT: A bill (H. R. 13444) to commission members and chief clerks of local and district draft boards; to the Committee on Military Affairs.

By Mr. WELTY: A bill (H. R. 13445) to provide for the registration and Americanization of aliens; to the Committee on Immigration and Naturalization.

By Mr. MORIN: A bill (H. R. 13446) granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 13447) granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Millvale Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania; to the Committee on Interstate and Foreign Commerce.

By Mr. CHARLES B. SMITH: A bill (H. R. 13448) to amend the act entitled "An act to extend temporarily the time for filing applications and fees and taking action in the United States Patent Office in favor of nations granting reciprocal rights to United States citizens," approved August 17, 1916; to the Committee on Patents.

Also, a bill (H. R. 13449) amending section 4904 of the Revised Statutes of the United States; to the Committee on Patents.

Also, a bill (H. R. 13450) amending chapter 143 of the act of March 3, 1883, and for other purposes; to the Committee on Patents.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARKLEY: A bill (H. R. 13451) to pension Lettie A. Troutman, dependent mother of Charles Troutman, late of the United States Navy; to the Committee on Pensions.

By Mr. PETERS: A bill (H. R. 13452) granting an increase of pension to Elisha S. Perkins; to the Committee on Invalid Pensions.

By Mr. POLK: A bill (H. R. 13453) granting an increase of pension to George W. Shuck; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 13454) granting a pension to Nancy Cook; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13455) granting a pension to William H. Hart; to the Committee on Pensions.

Also, a bill (H. R. 13456) granting a pension to George W. Foust; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13457) granting a pension to David A. Turner; to the Committee on Invalid Pensions.

By Mr. SLEMP: A bill (H. R. 13458) granting a pension to Hiram Dillon; to the Committee on Pensions.

By Mr. CHARLES B. SMITH: A bill (H. R. 13459) for the relief of George Deitz; to the Committee on Military Affairs.

By Mr. VOLSTEAD: A bill (H. R. 13460) granting a pension to Samuel S. Daniell; to the Committee on Pensions.

By Mr. WHITE of Ohio: A bill (H. R. 13461) granting a pension to Edward C. Crawford; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ESCH: Evidence to accompany H. R. 13408, granting a pension to Clark Sturdevant; to the Committee on Invalid Pensions.

By Mr. FULLER of Illinois: Petition of A. H. Cohn (Inc.) and Slade, Tenney & Weadley, of Chicago, protesting against a discriminating tax on jewelry, and asking that all industries be taxed alike; to the Committee on Ways and Means.

By Mr. RAKER: Resolution by military order of Loyal Legion of the United States, Commandery of the State of Illinois, requesting Representatives of the Lower House of Congress from State of Illinois to use their endeavors to have Senate bill 130, or the bill prepared by Congressman Raker, reported out that it may come to a vote; to the Committee on Military Affairs.

SENATE.

FRIDAY, *December 20, 1918.*

(Legislative day of Sunday, December 15, 1918.)

The Senate met at 12 o'clock noon, on the expiration of the recess.

Mr. SIMMONS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Jones, N. Mex.	Myers	Smoot
Bankhead	Jones, Wash.	New	Spencer
Calderson	Kellogg	Norris	Sterling
Curtis	Kendrick	Nugent	Swanson
Fernald	Kenyon	Page	Thomas
France	King	Penrose	Townsend
Frelinghuysen	Knox	Pittman	Trammell
Gay	La Follette	Poindexter	Underwood
Gerry	Lenroot	Pollock	Vardaman
Gronna	Lodge	Saulsbury	Walsh
Hale	McCumber	Shafroth	Warren
Harding	McKellar	Sheppard	Watson
Henderson	McLean	Simmons	Weeks
Hitchcock	Martin, Ky.	Smith, Ariz.	
Johnson, Cal.	Martin, Va.	Smith, Ga.	
Johnson, S. Dak.	Moses	Smith, S. C.	

Mr. McKELLAR. I desire to announce that the senior Senator from Tennessee [Mr. SHIELDS] is absent on account of illness.

Mr. SAULSBURY. I wish to announce that the senior Senator from Maryland [Mr. SMITH] is necessarily absent on important business of the Senate.

Mr. STERLING. I desire to announce that Senators NELSON, OVERMAN, WOLCOTT, and REED are necessarily absent on official business.

Mr. CURTIS. I wish to announce that the Senator from Illinois [Mr. SHERMAN] is absent on account of illness in his family. I ask that this announcement may stand for the day.

Mr. SHEPPARD. I desire to announce that the senior Senator from Oregon [Mr. CHAMBERLAIN] and the Senator from California [Mr. PHELAN] are detained on important public business.

The VICE PRESIDENT. Sixty-one Senators have answered to the roll call. There is a quorum present.

BUSINESS OF THE SENATE.

Mr. LODGE. Mr. President——

Mr. SIMMONS. If the Senator will pardon me, I wish to state to the Senate, in fact I was requested to state to the Senate, that arrangements have been made for an adjournment for the holidays as soon as the revenue bill is passed; that is to say, if the bill is passed on Saturday or on Monday arrangements have been made to recess until the 2d day of January. Of course that would not be the case if we fail to pass the bill by Saturday night or at furthest by Monday.

PERSONAL EXPLANATION.

Mr. LODGE. Mr. President, I rise to a question of personal privilege.

I notice in the Associated Press dispatch to the Washington Post this morning the following statement at the end of the dispatch on page 3:

> President Wilson continues to receive exhaustive reports of what is going on in Washington and the United States, and he has read the 21 points outlined by Senator LODGE in a speech in the Senate.

What particular form of misinformation has been given to the President or what particular form of misrepresentation of the President is implied in that statement I can not tell, but I do know exactly what the misrepresentation is so far as it affects me. I have made no speech in the Senate, and I have not outlined 21 points or any other number of points.

On the 10th of December I introduced a statement from the executive board of the National Committee of Patriotic Societies, representing 46 leading patriotic war organizations, and I asked that it be printed in the RECORD and referred to the Committee on Foreign Relations. They were resolutions in the nature of a petition. It is needless to say here that we all introduce resolutions and petitions which may not represent our personal views at all, because it is the duty of a Senator to present petitions sent to him by his constituents whether he agrees with them or not. Those 21 points, many of which are excellent, were not mine nor did they represent my views. It represented the views of 46 patriotic war organizations. I hope to-morrow to speak, and then I shall give my own views in my own way. These resolutions included among them "international arbitration and league of nations as complement to the policy of national defense" and "the control of raw materials by the allies."

I do not think myself that the league of nations or any provision looking in that direction ought to be made a part of the peace with Germany. I feel very strongly it should be treated separately entirely. As to the control of raw materials by the allies and the United States, I have never heard of such a proposition except in this way.

As I said, Mr. President, everybody knows that we all present petitions and resolutions which do not represent in the slightest degree our own opinions. That it is well known here is shown by an article printed in the New York World, which speaks about this matter and the interpretation given it abroad, and says:

> The newspapers began gravely discussing "Senator Lodge's statement of peace terms." He promptly and properly explains that the communication he offered did not represent his personal views.

I stated that to the press some days ago, and it is known, as that shows, to the American press; and now comes back this thing from Paris. I have no doubt misrepresenting the President, utterly misrepresenting me.

This is not a time, Mr. President, for such misrepresentations to be made. This subject is too important, the utterances here in the Senate carry too much weight for such misrepresentation.

I am told it was said that some newspaper correspondent in New York sent it out that I was going to advocate these 21 points. Of course, that is pure misrepresentation and invention.

Mr. President, it is an illustration of the inaccuracy, to use no harsher word, of the reports which we receive from Paris and which Paris receives from us. To such opinions as correspondents choose to put out I have no objection, but no responsible press association has any right to misrepresent facts in this great debate now going on.

I desired to make this explanation and show the utter falsity of what I have quoted, and I hope that the great press association which committed the error will correct it in Paris.

FREEDOM FOR GREEKS.

Mr. SMOOT. I have a telegram from the chairman of an organization of Greek people in the State of Utah, and with it the request of the organization to have it printed in the RECORD. I ask that that may be done.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

PRICE, UTAH, *December 19, 1918.*

Hon. REED SMOOT,
United States Senate, Washington, D. C.

Kindly present the following resolution to the United States Senate and House of Representatives:

We, 2,000 law-abiding American citizens of Greek descent, residing in Carbon County, Utah, by resolution appeal to the honorable House of Representatives of the United States of America for liberty and unity for the Greek Nationals, all Grecian people residing in Thrace, Asia Minor, Epirus, and the Ægean Islands, who have suffered for 450 years under barbarous Turks. The majority of said territories are Greek. There are in the Vilayets of Konstantinopolis and Adrianopolis 800,000 Greeks, having 658 schools, 1,500 teachers, and 80,000 pupils; North Epirus and Koritsa, 222,000 Greeks, 275 schools, 386 teachers, and 13,000 pupils; Ægean Islands, 105,000 Greeks. All of said population is looking for the great assistance of the United States of America, and depending on the honorable House of Representatives of the United States, whose platform forever is liberty and freedom for all people who are suffering as slaves. We are begging you to protect our brothers there, appealing to our great President, Hon. Woodrow Wilson, to obtain liberty and unity for these long-suffering Grecian people.

STYLIAN STAES, *Chairman.*

HOUSE BILLS REFERRED.

H. R. 10225. An act striking from the pension roll the name of Jennie M. Heath, was read twice by its title and referred to the Committee on Pensions.

The following bills were severally read twice by their titles and referred to the Committee on Military Affairs:

H. R. 607. An act for the relief of Jeremiah Stover;
H. R. 925. An act for the relief of Thomas J. Rose;
H. R. 1954. An act for the relief of Charles Lynch;
H. R. 2492. An act to establish the military record of Marshall M. Pool;
H. R. 3090. An act for the relief of Clement H. Cole;
H. R. 7715. An act for the relief of Mary Neaf; and
H. R. 8856. An act for the relief of Mary J. Lacey.

The following bills were severally read twice by their titles and referred to the Committee on Public Lands:

H. R. 855. An act for the relief of Harriet Fisher;
H. R. 1423. An act for the relief of Alexander F. McCollam;
H. R. 2635. An act to authorize the issue of a patent to certain land in Alabama to William M. Wilson;
H. R. 4240. An act for the relief of Alma Harris;
H. R. 8444. An act for the relief of Ira G. Kilpatrick and Guy D. Dill; and
H. R. 9865. An act to authorize the sale of certain lands to school district No. 28, of Missoula County, Mont.

The following bills were severally read twice by their titles and referred to the Committee on Claims:

H. R. 2012. An act for the relief of Mrs. W. E. Crawford; and
H. R. 4610. An act to compensate Thomas G. Allen for injuries received while employed in the General Land Office of the United States and making an appropriation therefor.

The following bills were severally read twice by their titles and referred to the Committee on Post Offices and Post Roads:

H. R. 1607. An act for the relief of David E. Gray; and
H. R. 1873. An act for the relief of Thomas Campbell.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the bill (S. 3299) authorizing the President to reappoint Maj. Chalmers G. Hall, retired, to the active list of the Army.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 607. An act for the relief of Jeremiah Stover;
H. R. 855. An act for the relief of Harriet Fisher;
H. R. 925. An act for the relief of Thomas J. Rose;
H. R. 1423. An act for the relief of Alexander F. McCollam;
H. R. 1607. An act for the relief of David E. Gray;
H. R. 1873. An act for the relief of Thomas Campbell;
H. R. 1954. An act for the relief of Charles Lynch;
H. R. 2012. An act for the relief of Mrs. W. E. Crawford;
H. R. 2492. An act to establish the military record of Marshall M. Pool;
H. R. 2635. An act to authorize the issue of a patent to certain land in Alabama to William M. Wilson;
H. R. 3090. An act for the relief of Clement H. Cole;
H. R. 4240. An act for the relief of Alma Harris;
H. R. 4610. An act to compensate Thomas G. Allen for injuries received while employed in the General Land Office of the United States, and making an appropriation therefor;
H. R. 7715. An act for the relief of Mary Neaf;
H. R. 8444. An act for the relief of Ira G. Kilpatrick and Guy D. Dill;
H. R. 8856. An act for the relief of Mary J. Lacey;
H. R. 9865. An act to authorize the sale of certain lands to school district No. 28, of Missoula County, Mont.; and
H. R. 10225. An act striking from the pension roll the name of Jennie M. Heath.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 11709) granting the consent of Congress to Norman County, Minn., and Traill County, N. Dak., to construct a bridge across the Red River of the North on the boundary line between said States, and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

Mr. LODGE presented a petition of sundry citizens of Boston, Mass., praying for the submission of a Federal suffrage amendment to the legislature of the several States, which was ordered to lie on the table.

He also presented memorials of the Olympia Theaters (Inc.) and sundry other motion-picture theaters in the State of Massachusetts, remonstrating against any increase in the tax on admission to theaters and also against the taxation of motion-picture films, which were ordered to lie on the table.

He also presented resolutions adopted by the County Galway Men's Benevolent Association, of Greater Boston, of Local Division No. 9, Ancient Order of Hibernians, of Weymouth; of Local Division No. 6, Ancient Order of Hibernians, of Gardner; and of Local Division No. 14, Ancient Order of Hibernians, of Brighton, all in the State of Massachusetts, praying for the freedom of Ireland, which were referred to the Committee on Foreign Relations.

Mr. TOWNSEND presented a petition of the Cadillac (Mich.) city schools, and a petition of teachers and board members of the public schools of Charlotte, Mich., praying for the creation of a department of education, which were referred to the Committee on Education and Labor.

SHIP CONSTRUCTION (S. DOC. NO. 315).

Mr. FLETCHER. Mr. President, I ask unanimous consent to report a resolution from the Committee on Commerce. It is to print a report from the Shipping Board in pursuance of a resolution passed by the Senate on November 21, 1918. The report should have been ordered printed when it was received by the Senate, but it was simply referred to the Commerce Committee, and that committee desires that it be printed. I therefore report this resolution in connection with it and I ask unanimous consent for its present consideration.

The resolution (S. Res. 391) was read, considered by unanimous consent, and agreed to, as follows:

> *Resolved*, That the communication from the acting chairman of the United States Shipping Board, transmitting, in response to a Senate resolution of November 21, 1918, information relative to existing contracts for ship construction, the cost of such construction, in both private and Government shipyards, be printed as a Senate document.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HITCHCOCK:

A bill (S. 5213) to amend the act approved April 18, 1918, to give indemnity for damages caused by American forces abroad; to the Committee on Military Affairs.

By Mr. TOWNSEND:

A bill (S. 5214) granting a pension to William Meyers (with accompanying papers); to the Committee on Pensions.

By Mr. MARTIN of Virginia:

A bill (S. 5215) granting a pension to Floyd B. Daugherty; to the Committee on Pensions.

By Mr. JONES of Washington:

A bill (S. 5216) granting a pension to Nellie White (with accompanying papers); to the Committee on Pensions.

WAR-RISK INSURANCE.

Mr. POMERENE. Mr. President, I ask unanimous consent to introduce a bill which provides for the amendment of the act governing the Bureau of War Risk Insurance. Several similar bills are before the Finance Committee, and I think this one should also be referred to that committee. I have before me a statement in explanation of the bill which has been made by a very practical insurance man, and I believe that it will be of service to the committee. I ask that the bill and accompanying statement be printed in the RECORD without reading, and referred to the Committee on Finance.

The bill (S. 5217) to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance at the Treasury Department," approved September 2, 1914, and amended October 6, 1917, and for other purposes, was read the first time by its title, the second time at length, and, with the accompanying paper, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

> *Be it enacted, etc.*, That article 4, section 400, of House bill 5723, approved October 6, 1917, as amended, is hereby amended to read as follows:
>
> "SEC. 400. That in order to give to every commissioned officer and enlisted man and to every member of the Army Corps (female) and of the Navy Nurse Corps (female) when employed in active service under the War Department or Navy Department greater protection for themselves and their dependents than is provided in Article III, the United States, upon application to the bureau and without medical examination, shall grant insurance against the death or total permanent dis-

ability of any such person in any multiple of $500, and not less than $1,000 or more than $10,000, upon the payment of the premiums as hereinafter provided.

"A grace of 31 days shall be granted for the payment of premiums, during which time the insurance shall continue in force; but in the event of the death of the insured during said period the overdue premium shall be deducted from the amount payable.

"The insurance certificate or policy may be reinstated by the insured at any time within six months after the expiration of the 31 days of grace upon application in writing to the Bureau of War-Risk Insurance, and without medical examination, upon payment of all arrears, with interest thereon, not to exceed 6 per cent per annum."

This amendment to take effect as of November 11, 1918.

The accompanying statement was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

There is a very important matter which should be taken up in regard to the United States Government war-risk insurance.

Millions of Americans are now engaged in the military and naval service of the Government, and most of these men have taken out what is known as war-risk insurance. The great bulk of this insurance is kept in force by the payment to the Government of a small amount of money each month, and these payments are generally deducted from the pay of the soldiers and sailors, thus keeping the insurance in force by this automatic method of deducting the amount which is due monthly from the monthly pay.

When the war is over and the armies are disbanded, the pay of the soldier or sailor will cease and the Government will have no funds due those who carry insurance from which to deduct the amounts payable for the insurance.

As a practical insurance man I know that a very large number of the soldiers will fail to pay the premiums which are due in order to keep the insurance in force and it will lapse. Many of those who are insured do not know where to send the money to keep the insurance in force; there are many others who do not realize the great value of the Government insurance; they do not know that they can keep the insurance in force by the payment of small monthly premiums for a period of five years after the war, and that within this five-year period they have the privilege of converting the insurance into regular old-line contracts at net rates without medical examination; that is, that they can secure from the Government a regular policy on the ordinary 10, 15, or 20 payment life plan, or can apply for a policy on the endowment plan. These policies will contain the regular paid-up extended insurance and cash-surrender values.

Something should be done to inform every soldier as to just how he can keep the insurance from lapsing; just where he may pay the premium and the amount of premium; and a campaign should be conducted to post every soldier and sailor as to the great value of this insurance.

As a suggestion, I think a law should be introduced into Congress extending the time for the payment of premiums for six months after the armies are disbanded and allowing every soldier to reinstate his policy within the six-month period without medical examination, so that they all really have an opportunity to secure the benefits of this protection.

It will be the most natural thing in the world for most of the men now engaged in the military and naval service of the country, as soon as demobilization takes place, to start for their homes. The great war will be over; their thoughts will be entirely centered upon seeing the home folks; they will not think of insurance, and I do not know of any provision in the law which will prevent the policies, or, rather, certificates of insurance, from lapsing in the event that the monthly payments are not made.

The Government war-risk insurance not only supplies what is generally known as life insurance but also supplies disability insurance at the same time. The proceeds of the insurance are nonattachable for debt, and the cost to the insured is very low. In fact, the Government is only requiring the insured to pay the theoretical mortality rate in peace times on the term plan without making any expense charge, without charging anything for the disability hazard, and without making any charge for the increased hazard due to war.

Many of the soldiers and sailors will return in impaired physical condition, so that they would not be able to pass a medical examination, and would thus be debarred from getting life insurance anywhere else. These men who are fighting the battles of our country should be given every opportunity to keep this insurance in force, and surely no party would deny them this right.

I have met officers in both the Army and Navy of the United States who had a very vague idea of all of the advantages and privileges contained in the war-risk insurance law, and if this is so in the case of many commissioned officers it will probably be more general in the case of privates and noncommissioned officers.

The certificates of war-risk insurance issued by the United States Government contain the following clauses: "Subject to the payment of the premium required"; "subject to the provisions of the acts of March and October and of any amendments thereto and all regulations thereunder."

MINING CLAIMS IN ALASKA.

Mr. JONES of Washington. Mr. President, I introduce a joint resolution and ask that it be referred to the Committee on Territories. This joint resolution is in lieu of the one I introduced a few days ago covering the same subject, and I think it covers the situation much better.

The joint resolution (S. J. Res. 198) to suspend the doing of assessment work on mining claims in Alaska for the years 1917, 1918, 1919, and 1920, and extending to that Territory the provisions of public resolution No. 10, Sixty-fifth Congress, approved July 17, 1917, and public resolution No. 12, Sixty-fifth Congress, approved October 5, 1917, and for other purposes, was read twice by its title.

Mr. JONES of Washington. I ask that the joint resolution be referred to the Committee on Territories.

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). The Chair will inquire of the Senator from Washington whether joint resolutions of this character do not properly belong in the Committee on Public Lands?

Mr. JONES of Washington. This measure relates particularly to Alaska, and therefore should go to the Committee on Territories.

The PRESIDING OFFICER. Has the Senator any precedent for that request?

Mr. JONES of Washington. I think all measures which relate solely to Alaska go to the Committee on Territories. I move that the joint resolution be referred to the Committee on Territories.

The motion was agreed to.

THE REVENUE.

Mr. JONES of New Mexico submitted six amendments intended to be proposed by him to the bill (H. R. 12863) to provide revenue, and for other purposes, which were ordered to lie on the table and be printed.

Mr. KIRBY submitted an amendment intended to be proposed by him to the bill (H. R. 12863) to provide revenue, and for other purposes, which was ordered to lie on the table and be printed.

COMMITTEE ON AMERICANIZATION.

Mr. MOSES. Mr. President, I ask that the report of the Committee on Americanization for the State of New Hampshire relative to the teaching of the English language in public, parochial, and other private schools be referred to the Committee on Printing with a view to having it printed as a public document.

The VICE PRESIDENT. Without objection, it is so ordered.

ALLOTMENTS TO FAMILIES OF SOLDIERS.

Mr. STERLING. Mr. President, I have received a great many complaints because of the failures and delays in the payment of allotments to the wives and dependents of enlisted men. I appreciate the fact that there is a great deal of work connected with the payment of these allotments on the part of the War Risk Insurance Bureau, but it would seem that an allotment having been made, and a payment having once been made on that allotment, there is little excuse then for subsequent delays and failures in making the payments.

I have a letter here received from the chairman of the local board for the county of Minnehaha, in my State, and I ask unanimous consent that the communication may be read to the Senate. It occurs to me that the War Risk Insurance Bureau, or perhaps better, the Treasury and War Departments themselves, as well as the country, should know something not only of the inconvenience but of the actual suffering caused the wives and dependents of soldiers because of the failure to pay the allotments on time.

The VICE PRESIDENT. Is there objection to reading the letter?

Mr. SIMMONS. I shall not object, but after the letter is read I shall ask for the regular order.

The Secretary read as follows:

SIOUX FALLS, S. DAK., *December 17, 1918.*

Hon. THOMAS STERLING,
United States Senate, Washington, D. C.

DEAR SIR: The following are a few instances of nearly a hundred cases of similar kind that have come to the knowledge of the board. It appears to this board that the way these allotments have been handled is a disgrace to the American Nation, the memory of which will remain with the returned soldier as long as he lives.

A lady came into the board office carrying two children aged 2 and 4 years. She asked the board to obtain her allotments and allowance for her, stating that her husband had been in the Army six months and she had received one check only from the War-Risk Insurance Bureau. She had a few hens and had traded a dozen eggs that day for a bottle of milk and a loaf of bread, and that was all they had to eat. Her children were both sick. One of the children had spasms the night before; she thought it would die but did not have enough money to notify a physician.

The board, out of their own pockets, furnished her with some money to buy food and medicine and sent her to a physician, who prescribed free of charge. Her case was then referred to the Red Cross, and afterwards she was taken care of.

Another woman appeared before the board with four small children. Her husband had felt it his duty to enlist in the Army. He had been gone since last May. In July she had received one allotment and had received no more up to the present time. Her husband had made arrangements; with her allotment and with the money he left her she would be able to support herself without any assistance.

Owing to the fact that her allotments did not come, she had reached the point where she could not furnish food for her children or fuel to keep them warm, so she asked the board if we could not hasten her allotment. Her case was then turned over to the Red Cross, and they furnished her support.

Another instance: A mother has three sons in the service and two small children. Each of her boys is making allotment to her. She received one allotment of $25 several months ago and has never received another one. When she reported she was without coal; her children were suffering from the cold, both from lack of fuel and the lack of proper winter clothing. The Red Cross has furnished her with the necessities of life, awaiting the action of the War-Risk Insurance Bureau.

In another case the woman came to us, telling us that her husband had been in the war for months; that they had been able to accumulate sufficient furniture to make a home; that she had been obliged to go

to a hospital for an operation. Due to this, she was unable to work; due to the operation at the hospital, she would have to wear a cast for a year or more. So she had been obliged to eat up her furniture until she had eaten up all except the bed, a small oil stove, and a few cheap dishes. When she reached the point where she had no more furniture, she applied to the local board to see if they could not get her allotment for her.

These are a few cases which are typical of about 100 cases which we have had brought to our attention in this county, and we wish to say that we are certainly ashamed of the portion of the Government which handles the allotments of war widows.

Yours, truly,
D. L. MCKINNEY,
Chairman Local Board, Minnehaha County.

THE REVENUE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12863) to provide revenue, and for other purposes.

Mr. JONES of New Mexico. Mr. President, I realize the importance of promptly passing the pending bill, and I shall not delay the Senate a great while in submitting some remarks which I have thought the Senate ought to hear.

I realize that it is extremely difficult to get the Senate to consider provisions of such a bill as this independently of the recommendations of the committee, and under ordinary circumstances, involving only ordinary questions, I should feel like voting for a bill recommended by the committee in its entirety, but this bill proposes to raise such an enormous sum of money by taxation that I believe Senators, although not members of the committee, are justified in studying its provisions. Moreover, I believe that it is the duty of a member of the committee who has been devoting a number of weeks to the exclusive study of the provisions of such a bill as this, to give to the Senate the benefit of that study and to let his views be known. I shall not take a great while in giving to the Senate some thoughts which I think the Senate ought to have, and which I believe the Senate will want to have. I shall discuss the matter just as briefly and as concisely as I can. I hope to conclude before Senators feel that they must retire to the lunchroom.

I think it is important that we get a perspective of what this legislation means and what the war has made necessary in the way of finances. This revenue legislation is a principal part of the system for providing revenues for carrying on the war. The war began in April, 1917, during the latter part of the fiscal year 1917, the year ending June 30 of last year; but even during that period the finances of the country felt the effects of the war, and, of course, during the whole of the last fiscal year, ending June 30, 1918. It is feeling the effects of it now, and its effects will undoubtedly extend to the end of the fiscal year 1920. So we have in mind these four years of war financing, and I am sure it will be interesting to Senators to get a short view of what has been done.

For the first fiscal year ending June 30, 1917, the total expenditures of the Government were $2,026,678,446.74. The receipts from revenue for that year were $1,124,000,000. That leaves a deficit of $902,000,000—I will give the figures in round numbers—but of that sum we loaned to the allies prior to June 30 of last year $885,000,000, leaving a net debt increase of only $17,000,000.

In the next fiscal year ending June 30, 1918, the total expenditures were $13,000,000,000 plus, and the revenues were over $4,000,000,000, leaving a debt incurred of $9,000,000,000, but of this we loaned to the allies $4,739,000,000 plus, leaving a net debt increase of only $4,276,000,000.

For the year ending June 30, 1919, it is estimated by the Treasury Department that the expenditures of the Treasury for the year will be $18,000,000,000. We have already loaned during the fiscal year to our allies about one and three-fourths billion dollars. It is thought that the loans to the allies will be increased to at least $3,000,000,000 up to June 30, 1919.

We expect to raise from revenue during the fiscal year by this bill $6,000,000,000. There are other miscellaneous receipts. During the fiscal year 1917 the miscellaneous receipts were $500,000,000, or half a billion. Laying aside the increase which will come from miscellaneous sources, we shall raise in revenue during the fiscal year ending June 30, 1919, $6,500,000,000, which will leave a deficit of $8,500,000,000.

No official estimate has been made of the expenditures for the fiscal year ending June 30, 1920; but if we take the estimate of the Senator from Utah [Mr. SMOOT] and place the figure at $10,000,000,000——

Mr. SIMMONS. Mr. President, did the Senator from New Mexico say that no official estimate has been made of the expenditures for 1920?

Mr. JONES of New Mexico. I so stated.

Mr. SIMMONS. The Senator is mistaken. The official estimates are in the reports of the Secretary of the Treasury, and they are, in round figures, $6,250,000,000.

Mr. JONES of New Mexico. I understood that those were the estimates for appropriations.

Mr. SIMMONS. No; the estimates for appropriations are $7,440,000,000.

Mr. JONES of New Mexico. Then the estimates unquestionably are those just stated by the chairman of the committee; but the Senator from Utah made some statements regarding expenditures which I am inclined to believe will increase the estimates which have been made by the Treasury Department.

Mr. SMOOT. I will say to the Senator from New Mexico that my estimate and that of the department for the regular appropriations amounted to $7,443,000,000.

Mr. SIMMONS. That is for the appropriations.

Mr. SMOOT. That is to be appropriated for, and then there are the additional amounts for contracts, both obligated and unobligated, on the part of the Government, which must be filled and which can not be canceled. That will drop into the year of 1920, making $10,000,000,000.

Mr. JONES of New Mexico. I think that the Senate has gotten these various views as to probable expenditures, and while my personal belief is that the expenditures for the fiscal year 1920 will not reach $10,000,000,000, I thought it wise to assume some such expenditure as that. I think the Senator from Utah [Mr. SMOOT] included in his estimate some "hangovers" from the expenditures on war contracts which the Treasury Department expected to be included in the $18,000,000,000, and for that reason I am inclined to believe that the actual expenditures will not reach $10,000,000,000; but when I made the remark awhile ago that there was no official estimate I rather intended to be understood by that as saying that there was no official estimate of such a definite character that we could absolutely rely upon it. Assuming, however, $10,000,000,000 to be the sum of expenditures for the fiscal year 1920, we expect to raise in revenue under this bill $4,000,000,000. The miscellaneous receipts, if not increased, would amount to $500,000,000 more, making four and a half billion dollars, leaving a deficit for the fiscal year 1920 of five and a half billion dollars. But we know already of very large sums of money which are going to be derived through the salvage of purchases for the war. What they shall amount to, of course, we can not definitely state at this time, although I should not be surprised to see something in the neighborhood of $2,000,000,000 realized from that source.

But laying that aside, and assuming a deficit of five and a half billion dollars, then we have this showing: During this war for the first fiscal year a deficit of $17,000,000; for the second fiscal year, $4,276,000,000; for the third fiscal year, $8,500,000,000; and for the fourth fiscal year, $5,500,000,000, making a total, in round numbers, of $18,000,000,000. My belief is that through the processes to which reference has just been made the total deficit will be around $15,000,000,000 or $16,000,000,000, not, of course, taking into consideration any sums which have been loaned to our allies. The credits arranged in that connection already amount to about eight and a quarter billion dollars, and probably will reach $10,000,000,000 altogether, which will give us at the conclusion of the war an increase in our bonded indebtedness of about $25,000,000,000 or $26,000,000,000.

I think it will be interesting to know how our financing has compared with that of other countries. Italy and France, of course, have raised by taxation a very small sum, relatively speaking, for the purposes of the war, I think, amounting to about 12 or 15 per cent only of their expenditures. England has done a little better than that; her receipts from taxation have amounted to about 24 per cent of her total indebtedness; but, excluding the amounts of money which England has loaned to the allies, she has raised about one-third of the cost of the war by taxation.

Mr. SMOOT. A little less than 30 per cent.

Mr. JONES of New Mexico. I am putting it at the maximum. It is claimed that it is less than a third, and even less than 30 per cent.

The United States has gone further than that. For the first fiscal year of the war, which was only a partial year, the United States raised in revenue within 1½ per cent of the total cost of the war, including the loans to the allies. For the second fiscal year the amount raised by taxation amounted to just about 50 per cent of the total war expenditures; for the third fiscal year, if the estimates which have been made here are accepted of $18,000,000,000 of expenditure and only $3,000,000,000 loaned to the allies, then we are paying by taxation, even for this fiscal year, at the peak of war financing, 43½ per cent of the expenditures; and for the fiscal year 1920, if we assume expenditures of $10,000,000,000 and raise only four and a half

billion dollars, and exclude all receipts from salvage, we are still paying 45 per cent of the cost of the war by taxation. Taking that all together, if you sum up the total expenditures of the war and deduct the amount of money loaned to the allies, you will find that, taking the four-year period, the United States through taxation has raised just about 30 per cent of the cost of the war.

Mr. THOMAS. Mr. President, before the Senator proceeds let me ask him if he has made any computation of the percentage, including the advances to our allies?

Mr. JONES of New Mexico. I have not those figures here, except in this way: I have got the amount, but I have not figured out the percentages.

Mr. SMITH of Georgia. Mr. President, the percentages, however, which the Senator gives are intended to be percentages exclusive of loans to the allies——

Mr. THOMAS. The Senator said that.

Mr. SMITH of Georgia. Treating them not as an expenditure, but as an investment.

Mr. JONES of New Mexico. Yes, sir.

Mr. THOMAS. The Senator so stated.

Mr. SIMMONS. Mr. President, I wish to say to the Senator that I have been making the same character of investigation that he has made, and I think that his statement is substantially correct.

Mr. GERRY. Mr. President, will the Senator yield?

Mr. JONES of New Mexico. I yield to the Senator.

Mr. GERRY. There is no country in the world in the history of war finance that has ever accomplished such an enormous feat as that.

Mr. JONES of New Mexico. I am sure the Senator from Rhode Island is absolutely correct. To my mind, and so far as my information goes, this is unprecedented in the history of the world.

This signifies something more, and something which, I think, will cause a feeling of pride to glow in the breast of every American citizen. These billions of dollars we have been talking about—these twenty-five or twenty-six billions of dollars—do not represent mere currency, but every dollar which has been expended thus far represents commodities, the production of the people of this country. We do not shoot dollars. We have not loaned dollars to our allies. What we have done has been to ship material and commodities, and use those; and when we consider the net income of the United States prior to this war, we get a view of what the country has actually done.

Statisticians tell us that prior to our entry into the war the annual total net income of the United States which was used for new investments was only five or six billions of dollars; so during this war we have not only put into it an amount equal to the total net income of the country prior to the war, but during the first full year of the war we put into it more than twice what was the net income of the country prior to the war, and we are proposing to put into it this fiscal year more than three times what was the total net income of the country prior to the war.

Mr. President, I believe that this thought should encourage the people of this country. It should make them proud of this country. They should realize the latent resources of the country; and I want to say here and now that the brain which visualized the latent resources and the latent energy of this country has furnished the world one of the most monumental conceptions in all history. This enormously increased production has been accomplished by the people of this country. With their patriotism aroused, realizing the enormity of the task which we had undertaken, they were willing to make the necessary sacrifices. It was necessary to divert from peaceful pursuits the vast energy of this country. It is estimated now, I believe, that we have 15,000,000 men engaged in war pursuits who ordinarily are engaged in peace pursuits; and we have done all this with 4,000,000 of the flower of our manhood taken from productive pursuits. I think that the country, for all time to come, will not forget the enormous service that the people of this country—the workers of this country—have performed in this great time of stress.

Mr. President, while that represents production, yet in order to get the production it was necessary in the first place to obtain the money; and this, of course, was raised only from two sources—from bond issues and from taxation. We all know the history of the sale of bonds; and I suppose it may be generally known also that when we entered the war and it became known that our allies would call on us for assistance, the bankers of the country considered the situation, and the opinion was expressed by some eminent bankers that the utmost this country could loan to our allies was four or five hundred millions of dollars. When we came to the first sale of liberty bonds, the bankers of this country predicted that we could not sell over $1,000,000,000 of bonds; that the country would not take them. But some master brain conceived the notion that through arousing the patriotism of this country it was willing to accept more than a billion dollars in bonds, and the result of the recent experience is that in one bond issue there was sold nearly $7,000,000,000 of bonds, or more by far than the total net income of the country for a year prior to the war.

Mr. President, the rest of this money has been raised by taxes, and it is interesting to keep in mind the amount of taxes which has been collected. During the first full year we collected over $4,000,000,000; during this year we contemplate raising six and one-half billions of dollars; and I might say that before the signing of the armistice it was contemplated to raise $8,000,000,000, and a bill which would have done substantially that was passed by the other House and came to the Senate and the Senate committee. It is stated by the chairman that it passed the House without a dissenting vote. When it came here and was referred to the Senate Finance Committee, that committee went to work to prepare a bill which would raise the $8,000,000,000, and had it practically prepared when the armistice was signed, and then we found that the total expenditures during the fiscal year probably would be $18,000,000,000 instead of twenty-four.

This money, raised by taxes, has come from two general sources, the principal source being a tax upon incomes and excess profits, the remainder being a tax which I might term an indirect tax upon incomes, because in the final analysis all taxes must be paid from income. It may not have come in just immediately, but it is income; so, when we talk about consumption taxes, that is only an indirect tax upon incomes.

In addition to this tax which we have raised, measured in dollars, there has been an additional burden upon the people of this country which is unmeasured. The high cost of living by reason of the war has been in effect a tax upon the small incomes of the country. It has been a tax equivalent, I believe, to about 100 per cent, and when people talk about the rich paying the expenses of this war, and assert that we are levying undue tribute upon wealth, I wish to remind them that there has been a hundred per cent tax upon the salaried people of this country during the war. This indirect tax upon incomes, through high living expenses and through the taxes which we have levied upon so-called luxuries or semi-necessaries, has been principally borne by those with the smaller incomes of this country. And so when we come to consider the equities of this bill we should not overlook the tremendous fact that while we make exemptions which seemingly exempt a very great class from the burdens of this war, they have not really been exempted, but in my judgment have been taxed far more, relatively, than any other class of people in this country. Unfortunately it can not be avoided.

Mr. President, we are still proposing to levy taxes upon consumption. We have six titles in this bill practically devoted to that end. I might in the first place, however, refer to the position of the Senator from Utah [Mr. SMOOT], in which he proposed that a 1 per cent tax should be levied upon all sales of commodities to be used; and he suggested that that ought to be done so as to create a sinking fund for this war debt. I want to say to the Senator from Utah that the people of this country will never consent that the sinking fund shall be taken out of the mouths of the people of this country. If we are going to create a sinking fund—as we must—then, I say, that that sinking fund should be created in an equitable manner, and not imposed upon the poverty and stress and necessities of the country.

There is another title in this bill, Title IV, which is an inheritance tax. The bill as it came to us from the House contained an estate tax. We have changed this to an inheritance tax, and I think it might very properly be called a special form of income tax, because we impose the tax upon the income from the estate which the beneficiary receives. That tax, while some have opposed it in its entirety, is in my belief a just tax. Moreover, I believe that it might very well be increased, and I think that would be one prolific source for obtaining revenue with which to create a sinking fund.

I shall not refer to these consumption taxes or indirect taxes, such as the tax on transportation, the tax on the manufacture of commodities, and so forth. There is no general principle involved, further than that, in my humble judgment, such taxes should be made just as light as possible. But the committee has considered that matter. It is a mere weighing of opinion as to the amount of such taxes; and while I would like to have a great many of them reduced, and while I think I can show

before I conclude where we could reasonably bring about some reduction of such taxes, yet in the main I am sure the Senate is going to accept such taxes.

Mr. SIMMONS. Mr. President, will the Senator permit me to say there—because I think it probably ought to go in his statement right at this point—that the committee has reduced the inheritance or estate tax as imposed by the House to a point that will leave a large margin to the States for taxing inheritances; and I think I ought further to suggest to the Senator, with reference to the tax on transportation, that it is one of the few taxes that the committee has left right where it is in the present law without making any change whatever.

Mr. JONES of New Mexico. I am sure that Senators are glad to hear the remark of the chairman of the committee. Some members of the committee contended that there should be no tax upon inheritances or estates; that all of that should be left to the States; but, for one, I was unable to see any distinction between that and an income tax. There is no reason why the States should not raise their revenue by income taxes; and if we are going to turn over to the States any one source of revenue I do not see why it could not be argued that anyone might be left out of this bill, and have few sources remaining.

Much the greater portion of this revenue, however, has been raised by a direct tax upon incomes; and when we realize that the taxes upon incomes and profits for this fiscal year will amount to $4,600,000,000 we must also realize the importance of imposing those taxes in an equitable and a fair way.

At this juncture I want to call the attention of the Senate to a question which has been discussed at considerable length in the press of the country. I call attention to a discussion of it published in a newspaper in my own State and dated December 9. If that article had appeared during the campaign I should not have referred to it, I should have considered it only as an argument for the purposes of the campaign; but the article appears on December 9 of this year, and I think it well that some excerpts from it may be submitted to the Senate. This article which I read was published and appeared in the Albuquerque Morning Journal of Monday, December 9, of this year. It says:

> A gentleman, evidently a lawyer from one of the Southern States, asks the Journal for proof that southern Congressmen who controlled war legislation were guilty of shifting from the South its just proportion of the taxation burdens necessary for the support of the war.
>
> The Journal has complied. The communication by Mr. Simmons—
>
> Not Simmons but Simmons—
>
> is printed elsewhere and the figures asked by him are appended. They are taken from official publications of the present administration, therefore should not be questioned by any Democrat.
>
> The following States, which constitute what is commonly called the solid South—Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, Tennessee, and Arkansas—have wealth estimated by the United States census approximately three times as great as that of the State of Ohio. Yet the State of Ohio paid in taxes for support of the war $75,000,000 more than was paid by all of these Southern States combined. In other words, the revenue bills were so juggled that $16,000,000,000 of wealth in 11 Southern States was left untouched by the tax collector.
>
> And then similar figures are given and comparisons made as to the wealth of Pennsylvania, New York, and other States. It then proceeds as follows:
>
> The southern people did not ask KITCHIN and SIMMONS and Carter Glass and the rest of the southern chairmen of the great committees to exempt them from their just burdens of carrying on the war. They responded readily and patriotically to the draft. They volunteered before the draft. The sons of South Carolina and Texas have fought and died side by side with the sons of Massachusetts and New York.
>
> It speaks of some southern Senators who were left out in the last election.
>
> But both KITCHIN and SIMMONS come back from North Carolina, and Tom Watson was elected to Congress from Georgia.
>
> The article containing the data from which those statements were made was copied from the New York Sun. The date of the article in the Sun I do not know, but the New York Sun is considered one of the reputable papers of this country, and I may say, parenthetically, that the Albuquerque Journal is also ordinarily an ably edited paper. Yet this comes as published in the New York Sun where these various comparisons were made. In quoting the article from the New York Sun the editor of this paper, in parentheses, as an introduction to the quoted article, uses this language:
>
> The Journal always tries to accommodate its readers; therefore it reprints the summary which recently appeared in the New York Sun, the figures of which were taken from the latest reports of the United States as to the wealth of the various States, and from the report of the Treasury Department of the revenues collected from each State for war purposes. As to the statesmen responsible, first of all were Congressman KITCHIN, chairman of the House Ways and Means Committee, who openly stated several times that the bill was being framed so that the burden would fall on the Northern States, and Senator SIMMONS, chairman of the Finance Committee. Along with these men were all the Congressmen and Senators from the Southern States, except one from Virginia and two from Tennessee.

Why there should have been excluded the one from Virginia and two from Tennessee I am sure I do not know.

After giving a comparison of the estimated wealth of the States, and then the taxes paid, the article from the Sun continues:

> Even the border States could not escape the discrimination which the Kitchins exercised against everybody and everything beyond the sacred soil which they were saving from taxes. Missouri, with less wealth than Texas, must pay twice the taxes paid by Texas. Maryland, with less wealth than Georgia, must pay two and a half times more taxes.
>
> Thus the very records of the United States Government show that the Kitchin taxes were deliberately and malignantly rigged so that the solid South oligarchy might not merely sponge, but prey, upon the taxpayers whom KITCHIN had threatened north of Mason and Dixon's line.

Mr. President, it seems to me that such statements are "the limit." The assumption that this Congress, the Senate and the House, are controlled by Members from the so-called solid South is absolutely preposterous. To assume that the Finance Committee is dominated by a few Senators from the South, and to assume likewise that the honored Senators from the South who are members of the committee would so stultify their position as to bring about this alleged unsavory situation, is beyond belief of anyone, and it is likewise beyond the conception of any just being why any such argument as this should be used in this connection in these papers.

I will recite the names of the members of the Finance Committee of the Senate, for the benefit of the RECORD and in the order in which they appear:

SIMMONS, of North Carolina, chairman.
WILLIAMS, of Mississippi.
SMITH, of Georgia.
THOMAS, of Colorado.
GORE, of Oklahoma.
JONES, of New Mexico.
GERRY, of Rhode Island.
LEWIS, of Illinois.
NUGENT, of Idaho.
ROBINSON, of Arkansas.
And of the minority:
PENROSE, of Pennsylvania.
LODGE, of Massachusetts.
MCCUMBER, of North Dakota.
SMOOT, of Utah.
LA FOLLETTE, of Wisconsin.
TOWNSEND, of Michigan.
DILLINGHAM, of Vermont.

Of all these 17 Senators only 4 come from the solid South—SIMMONS, WILLIAMS, SMITH, and ROBINSON—and to try to have the people of the country believe that those four men could, if they so desired, control that committee and accomplish this outrageous purpose is beyond the conception of man. Anyone who knows those four men likewise knows that such a thought never entered the heart of any of them.

Mr. SMITH of Michigan. Mr. President, will the Senator allow me to ask him a question?

Mr. JONES of New Mexico. I yield to the Senator.

Mr. SMITH of Michigan. In doing so I simply want to develop the fact that I do not think the Senator has given the South the entire credit it deserves. I am not one who finds fault with the preponderance of the South in shaping this and other important legislation. It has always been so whenever the Democrats have been in control of Congress. The dominating strength of that party, which is in the South, has taken charge of the most important part of its legislation. I find no fault with it. The South controls the Democratic Party. But where was the Senator from New Mexico born?

Mr. JONES of New Mexico. I was born in the great State of Tennessee.

Mr. SMITH of Michigan. Exactly. And I think the Senator from Oklahoma [Mr. GORE] was born in Mississippi. When you trace back to its final analysis the geographical strength of the South on this committee you get a pretty fairly generous representation on all committees, and, I think, rather a high-minded representation.

I want to observe in the Senator's time that from the chairman of that committee, the distinguished Senator from North Carolina [Mr. SIMMONS], to the humblest member of the committee, I do not think the members could have been more patriotic or country loving in their purpose than they have been, even if they had all come from the great industrial centers which I in part represent.

Mr. JONES of New Mexico. Mr. President, I felt sure that the Senator would make the latter remark.

Mr. SMITH of Michigan. The distinguished Senator from Colorado [Mr. THOMAS] was from Georgia. I do not care

where Senator THOMAS was born; he is an able, honorable, clean, high-minded man, and brings to the discharge of every public duty an intelligence and patriotism and independence most rare. I hope the Senator is not seriously annoyed over the suggestion that the preponderating influence in congressional legislation is from the South. If it is good legislation and the best that can be devised under the present strained conditions, I do not care where it comes from, and the fact that our party has practically indorsed it in the House as well as here does not leave very much party ground to stand on.

Of course, some of us would have pursued a different course. I would revive the old protective duties which have carried us safely through many severe trials and which I hope to see reestablished under favorable conditions; but this can not be done now, and we must bow to present conditions.

Mr. SMITH of Georgia. Mr. President, while this subject is under consideration I ask leave to simply make this statement: There never has been at any meeting when I was there a party vote except on one question. That was the general scheme of the reduction of taxation for 1920. On the items of the bill we split in that committee right straight along without reference to party.

Mr. JONES of New Mexico. I thank the Senator from Georgia for making that statement, because I was going to try to convey the same idea. I might say not only that with reference to this bill, but with reference to the bill which passed Congress last year, during the deliberations of the committee last year there was not a party vote on any question.

Mr. McKELLAR. May I interrupt the Senator?

Mr. JONES of New Mexico. I yield to the Senator from Tennessee.

Mr. McKELLAR. I want to interrupt just to say I think the record shows as to two distinguished Senators in this body, one representing the State of Washington in part and a Republican in politics, Senator MILES POINDEXTER, and the other Senator, A. A. JONES, representing the State of New Mexico in part, and a Democrat in politics, that both these distinguished gentlemen were born in Tennessee—the first in Memphis and the second in Union City—and Tennessee is very proud of them in every sense of the word. She is proud of the splendid records of both of these progressive and successful sons of hers, without regard to their politics. They are living evidences of Tennessee's ability to produce the best that is in either party.

Mr. SIMMONS. Will the Senator let me state one circumstance, which seems to conclude this question, the fact that the bill we are now considering was adopted by the House without a dissenting vote. If there can be anything more conclusive than that in rebuttal of the suggestion that the bill is sectional, I can not conceive of it.

Mr. JONES of New Mexico. Mr. President, of course, as to the statement made in the newspaper article about the tax paid, it is probably true that the figures were taken from the official document of the Government, but with respect to the amount of the tax annually arising from each State, the figures themselves as stated in the article do not represent the fact. I read from the official document this short paragraph. It says:

> The following table shows the net income and tax reported in the returns by States. The figures do not represent, however, what may be called the geographical distribution of income. They are based upon the returns filed in each State. An individual files his income-tax return in the State in which he resides and a corporation files its income-tax return in the State in which its principal place of business is located. Consequently income reported by an individual or corporation in one State may have been derived from sources in other States. Furthermore, under the provision for the collection of tax at the source the collecting agent filed the return in the State in which the agent was located, regardless of the residence of the person earning the income.

So the figures given do not reflect the inference which is drawn from them. But the vital point in this connection is overlooked. If we were taxing the wealth of the country by a direct tax upon the land and the property itself, then I submit that the inference drawn in these articles might very well be drawn, but it was to escape that kind of taxation, to escape even a tax based upon population, that the Constitution of the United States was amended, and that is why we have the right now to levy a tax upon incomes. There is no contention here that a man in Georgia or North Carolina does not pay the same tax upon an equal income as a citizen of New York. There is no claim that there is any discrimination between the corporation of Georgia or New York. The only deducible result of the argument upon the facts stated is that there should not be an income tax at all.

Mr. President, to my mind the amendment of the Constitution providing for an income tax has enabled the country to carry on this war, and without it we should have met with disaster. The horror of the situation, if any, arises not from the fact that these taxes are sectional in their nature but from the fact that the incomes of the country have become sectionalized so far as location is concerned, through transportation, the control of finances, and the tariffs of the country. Consider for a moment that for the last 50 or 60 years one section of the country has been gathering into its borders the liquid wealth, the liquid assets of the country, and that much the greater part of all the railroads and ocean transportation lines have been made tributary to New York. Until the passage of the Federal reserve act all the finances of the country centered in New York, and we all know that the tariffs, whether for good or ill, have resulted in fostering manufacturing industries which are in great preponderance located in the so-called Northern States.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER (Mr. NUGENT in the chair). Does the Senator from New Mexico yield to the Senator from North Carolina?

Mr. JONES of New Mexico. I yield.

Mr. SIMMONS. As the Senator has spoken of the South's, and especially of North Carolina's, contribution to the taxes of the Federal Government under the revenue bills which have heretofore been passed, I desire to say that under the present revenue law for the last fiscal year, imposing an aggregate taxation of $4,000,000,000, North Carolina paid into the Federal Treasury something over $50,000,000—$54,000,000, I think; but, at any rate, over $50,000,000. If you will eliminate the great States of New York, Pennsylvania, and Illinois, which because of their great population and wealth are not to be compared in this matter with the other States, North Carolina paid as much as did the average State in this Union.

Mr. PENROSE. Mr. President, I should like to state on that point that Pennsylvania paid one-sixth of all the revenues received by the Government.

Mr. JONES of New Mexico. And I may add right in that connection, not for the purpose of minimizing the Senator's statement, but for the purpose of emphasizing the fallacy of the position which I have been trying to combat, that the State of New York pays more than three times as much in taxes as does the State of Pennsylvania.

Mr. PENROSE. Mr. President, if the Wall Street district, which really belongs to the whole country, is eliminated, Pennsylvania pays a much larger amount of taxes than does the whole State of New York.

Mr. JONES of New Mexico. Mr. President——

Mr. SIMMONS. If the Senator from New Mexico will pardon me, the incomes of the Wall Street taxpayers are not made in New York nor in Wall Street, but they are made in every quarter of this country.

Mr. PENROSE. I have stated that that district admittedly belongs to the whole country.

Mr. SMITH of Georgia. But if we take the apparent tax paid by that State, simply from the returns made in the State, the facts would seem to be as suggested by the Senator from New Mexico [Mr. JONES]. However, the distinction made by the Senator from Pennsylvania [Mr. PENROSE] is undoubtedly a just and a correct one, and it also equally applies to other States in the Union.

Mr. PENROSE. But it applies preeminently and particularly to the Wall Street district.

Mr. JONES of New Mexico. Mr. President, I am glad this colloquy has taken place, for it emphasizes more than any expression of my own could have done that these references to the sectionalizing of our revenue bills are without any foundation, and to my mind they are an imposition upon the intelligent reading public of this country.

Mr. President, I am now reaching a point where I feel that I must present to the Senate some views not in accord with the action of the committee.

Mr. SIMMONS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested, and the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Henderson	Myers	Simmons
Baird	Johnson, S. Dak.	Nelson	Smith, Ga.
Bankhead	Jones, N. Mex.	New	Smith, Mich.
Beckham	Jones, Wash.	Norris	Smoot
Borah	Kendrick	Nugent	Spencer
Curtis	Kenyon	Overman	Sterling
Dillingham	King	Page	Swanson
Fernald	La Follette	Penrose	Townsend
Fletcher	Lenroot	Phelan	Trammell
France	McKellar	Pittman	Vardaman
Frelinghuysen	McLean	Poindexter	Walsh
Gerry	McNary	Pollock	Warren
Gronna	Martin, Ky.	Pomerene	Watson
Hale	Martin, Va.	Ransdell	Wolcott
Hardwick	Moses	Sheppard	

The PRESIDING OFFICER. Fifty-nine Senators having answered to their names, there is a quorum present. The Senator from New Mexico will proceed.

Mr. JONES of New Mexico. Mr. President, I have now reached the point where I feel like presenting to the Senate some facts regarding the operation of this bill which, to my mind, can be demonstrated as tending or promising to work very great injustices. In a revenue measure of this magnitude I think the prime question should be, Have we made the measure as equitable as we can? Does the burden bear equally upon all shoulders of the same width? I do not believe I shall have any difficulty in pointing out to the Senate at least some instances wherein the bill will not operate in the way that it should.

Unfortunately we can not treat all incomes just alike; I mean we can not tax them in the same manner. There are individual incomes, incomes from partnerships, and incomes from corporations. The theoretically accurate way would be to have all incomes, all earnings from whatever source derived and to whatever use put, taxed precisely in the same way; and I may say that during the Civil War, with some exceptions, when a tax was put upon corporate incomes, those incomes were taxed as the property of individuals, and all of the earnings of the corporations were considered as divided for the purposes of taxation among the stockholders, precisely in the same way as we are proposing to do now in the case of partners. We say that individuals and partnerships shall be taxed alike. We require the individual partner to make out his return and include in it all of his share of the earnings of the partnership, whether distributed or taken out of the business or not; but we do not do that with corporations; and from that very fact a most confusing and perplexing problem is presented. I do not believe that anybody can ever present a scheme which will bring about exact justice in this situation, but I do say that Senators should exert themselves in every conceivable way to bring about exact justice as nearly as may be.

As between individuals and members of partnerships there is comparative equality in this bill, but there are three exceptions even there. In the first place, this bill exempts from its operations taxes upon interest derived from State and municipal bonds, and of course some of the income from Federal bonds is exempt from taxation. That makes an inequality. If a man who is confronted with high surtaxes sees fit to do so, he can invest his money in State and municipal bonds and the few bonds of the General Government which are exempt from all taxation. There is a great inducement under this bill for that to be done.

The total taxes under this bill in the higher brackets reach 77 per cent of the income, and in the case of a man with an income of $2,000,000 or $3,000,000 or $4,000,000, every dollar of new income means that he must give 77 per cent of it to the Government. If he can invest it in State and municipal bonds, he can afford to carry those bonds for three or four years without getting any interest, rather than add to his income for the taxable year and pay 77 per cent of it in taxes.

What is the result of this? If you will examine the financial columns of the press you will find that the securities market for State and municipal bonds is on the boom. You will also see advertisements of State and municipal bonds calling attention especially to the fact that they are exempt from income taxes and that they are, therefore, an advantageous investment for men of great wealth. You will find further that those bonds are sold to-day upon a rate of interest not exceeding 4¼ per cent, and that while those State and municipal bonds bearing 4¼ per cent sell at par, even the bonds of the Federal Government bearing 4¼ per cent are to-day discounted almost 5 per cent.

Mr. PENROSE. Mr. President, will the Senator permit an interruption?

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Pennsylvania?

Mr. JONES of New Mexico. I yield.

Mr. PENROSE. I simply wish to take this opportunity, with the permission of the Senator, to remind him that in the Committee on Finance I favored taxing these bonds. I think they ought to be taxed, and I believe that a very large proportion of the financial leaders of Pennsylvania, particularly in the western part of the State, also think that these bonds ought to be taxed.

Mr. JONES of New Mexico. I am glad the Senator has made that statement.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Ohio?

Mr. JONES of New Mexico. I yield.

Mr. POMERENE. May I ask the Senator what, in his judgment, would be the effect of a tax upon the salability of municipal bonds? Would it not have the effect to increase the rate of interest on the bonds themselves, and in that way interfere with the financing of municipalities?

Mr. JONES of New Mexico. Mr. President, I am very glad the Senator has asked the question.

Mr. PENROSE. Mr. President, before the Senator goes on I should like also to remark that my colleague [Mr. KNOX] addressed the Senate on the constitutionality of a tax on these bonds and advocated that they should be taxed.

Mr. JONES of New Mexico. Mr. President, replying to the Senator from Ohio [Mr. POMERENE], the Senator is quite right in intimating that exempting such bonds from taxation will make them bring a higher price in the market. To state it in another way, it would mean that you could sell State or municipal bonds at par bearing a lower rate of interest than if the interest on them were subjected to the taxes which we are now seeking to impose. But, Mr. President, I ask the Senator from Ohio if under all the circumstances he thinks such bonds should be exempted? There are in this country already about $6,000,000,000 of such securities. It would simply enable six or seven billion dollars of the liquid wealth of this country which is subject to these very high surtaxes to bury itself in such bonds.

I am sure the Senator voted for the bill providing for the second and third liberty loans. The Senator will observe that in that bill we exempted the income from Federal bonds only from the normal income tax; we did not exempt them from any surtax; but finally we came to the conclusion that in order to help float the fourth liberty loan, which was so tremendous, the act ought to be amended in some respects. So we provided that a limited amount of Federal bonds, not exceeding $30,000, might be exempt from surtaxes for a period of only two years after the war. And why did we do it? Because the Senate objected on principle to hiding the wealth of this country where it could not be reached to pay the expenses of the Government.

Mr. POMERENE. Mr. President——

Mr. JONES of New Mexico. I yield to the Senator.

Mr. POMERENE. The Senator has addressed his argument to me, and perfectly properly, because I asked the question. I am not entirely clear as to what is the best policy in connection with this matter, but I do know the effect that the taxing of bonds has had in my own State.

For instance, years ago our Constitution provided, and had so provided for many years, that all municipal, county, educational, and township bonds should be made taxable the same as any other credit or security under our Constitution. The result was that when there was a sale of public bonds for a public purpose these bonds were not purchased by Ohioans, or, if purchased, were not held by Ohioans, but they were immediately taken up by the Massachusetts and New England savings banks. Later on we amended our Constitution and provided that these public bonds should not be made taxable. The result of this was that our bonds sold in Ohio for a very much better figure, or, to put it in another way, at a lower rate of interest. Our farmers and people of small means would take up these bonds, and it had the effect of bringing into circulation a lot of money which otherwise would have been kept in private safe-deposit boxes, or in old socks, as we sometimes say in Ohio.

Now, it seems to me that it is hardly a fair proposition to say that six billions of bonds will escape taxation. That is true in one sense of the word; but these six billions of bonds, if they are not made taxable, will be sold at a lower rate of interest, and the income which the holders will have from those bonds will be less than if it was taxed. That is the other side of the proposition.

Mr. JONES of New Mexico. The Senator has very concisely presented the arguments which I have heard for the other side.

Mr. POMERENE. And if I may add this further, in a great industrial State like my own, where these towns and cities are increasing in population almost fabulously, they are having serious difficulty now to finance themselves, and my fear has been that if you make these bonds taxable you are going to increase the difficulties which the cities and towns of the States would have.

Mr. JONES of New Mexico. The fact remains, however, that the Federal Government has deemed it wise not to exempt from surtaxes its own bonds; and if it is not wise to exempt from surtaxes its own bonds, is it wise to permit the incomes from State and municipal bonds to escape taxation? It has been thought by the Federal Government that we could afford to pay a higher rate of interest at the present time rather than to permit its bonds, bearing any reasonable rate of interest, to be purchased and hoarded by the extremely wealthy persons of this country.

To illustrate to the Senator just what it means, it is only necessary to call attention to the fact that to-day in the market the 3½ per cent bonds of the Federal Government are selling

for nearly par, while the 4¼ per cent bonds of the Federal Government are selling at about a 5 per cent discount. That means that for the present, at least, the Government is paying in interest about 22 per cent for the privilege of making the interest from these bonds ultimately subject to taxation. If the Government is willing to pay that price in order to prevent what appears to be a grave evil, shall we give this privilege of exemption to those who hold the bonds of the States and the municipalities to-day, and not only for those that are already issued but for the billions of such bonds that may be issued in the future?

The House in its bill did not tax bonds presently issued, but it did make subject to taxation the incomes from State and municipal bonds which may be issued in the future. I think that the House might very well have imposed a tax upon all incomes, in the language of the amendment to the Constitution, "from whatever source derived." I believe that is what we should do, but the least we can do is to sustain the provision which was inserted in the bill by the House. The House bill provided that the taxes should be imposed only upon the interest derived from future issues of such bonds, and that the interest from such future issues upon holdings not in excess of $5,000 should be exempt.

Mr. SMITH of Georgia. Mr. President, does the House bill apply to bonds already issued or only to future bonds?

Mr. JONES of New Mexico. Only to the future issues.

Mr. SMITH of Georgia. Does not the Senator think that is thoroughly objectionable? If we are going to tax these bonds at all, ought not the tax to apply to all of the bonds, rather than to those issued in the future alone?

Mr. JONES of New Mexico. I think it should certainly apply to all issued in the future; and, so far as I am concerned, I think it should apply to the income from all those issued in the past. The bonds issued in the past were sold upon the market in competition with all other securities, and to exempt them from these taxes now is to present to the present holders of those bonds an increase in value of at least 20 per cent.

Mr. President, there is one other injustice which I think exists with respect to the taxation as between individuals. Under this bill, if an individual or a corporation or a partnership owns the building in which he does business he is not charged as income with the rental value of it; and if his competitor does not own the building in which he does business and has to rent it, the competitor is permitted to charge off of his income the amount which he must pay for rent. I think that is fair, but when you come down to the other class of taxpayers who are not engaged in a business we find that they are not put on the same equal basis. If the head of a family owns his home he is not charged with the reasonable rental value of that home as a part of his income, but if he does not own a home he is not permitted to deduct from his taxable income the rent which he must pay for a home. I believe that is a gross injustice to the man who is unable to own a home and who pays rent. I think he, with the same income from his daily wage or from his salary ought to be put on precisely the same level as the man who owns a home, and therefore I offer an amendment providing that the head of a family who pays rent may deduct from his taxable income the amount of rent actually paid by him within the taxable year, but not exceeding $1,000.

These special taxes in the bill operate unequally. They tax some industries and not others, but how to remedy that maze of confusion I confess I have no definite plan. We have to raise some money from some such sources.

Now, with respect to corporations: I do not believe the tax as between corporations bears equally upon all, or as nearly equally as it can be made to bear. All incomes of corporations, of course, are taxed with what we call a normal tax of 12 per cent. That bears equally upon all; but we have provided in this bill what we call a war excess-profits tax. There are two exemptions from the amount of income which is subject to this tax. There is what is called the war-profits tax, but it is not. It is a plan which simply provides that a man may deduct from his income 10 per cent of his invested capital, and on the excess above the 10 per cent he pays a tax of 80 per cent. The other plan is that he may deduct 8 per cent of his invested capital.

Mr. SIMMONS. Mr. President, has not the Senator got that wrong? I understood the Senator to say that from his war profits he is entitled to deduct only 10 per cent.

Mr. JONES of New Mexico. The Senator is quite right; I did not cover the whole field. That blanket exemption of 10 per cent applies to new corporations and those which had no prewar income and to the additional capital which the taxpayer has brought into his business subsequent to the prewar period.

Mr. SIMMONS. And as to the whole business it is only a minimum tax. The minimum is 10 per cent as to the whole business; but the deduction as to the whole business is the full amount of the average prewar earnings.

Mr. JONES of New Mexico. The Senator is right as to concerns which had prewar incomes. It operates, however—and it was the operation that I had in my mind, and that caused the confusion in the expression—so that the old businesses of the country, the businesses largely capitalized, are exempted as to 10 per cent, whether they earned it before the war or not; and in effect as to a great mass of industries in this country it simply operates as a 10 per cent deduction and a tax of 80 per cent on the amount above that. But if the concern was fortunate enough prior to the war to earn more than 10 per cent, then it is exempt, whatever it earns, from this 80 per cent tax, but not less than 10 per cent.

The next is an exemption of 8 per cent of the invested capital. On the earnings above 8 per cent and not above 20 per cent of the invested capital the tax is 30 per cent. Above 20 per cent of the invested capital the tax is 60 per cent; and virtually, as stated in the bill as it came from the House, the tax is levied on the income measured by whichever one of these plans will produce the most revenue.

Mr. President, to my mind that kind of a tax is inequitable; it is harmful; it is going to destroy the future progress and development of this country. It destroys individual initiative. It absolutely prevents the investment of money in some of the most essential industries of this country. It takes no reckoning of the difference between safe investments and hazardous investments. In my State to-day the merchants and the stockmen are paying 8 and 10 per cent interest on money with which to do business, and to give them only an exemption of the interest rate is simply to discourage and deter business in such circumstances. We all know that prior to the war, and even now, the stocks of some of the old, stabilized industries of the country were and are selling upon less than a 6 per cent basis. Why? Because the experience of years has made the investment absolutely safe. To put money into a concern of that sort is almost equivalent to buying a Government bond; and so the man who does it, who knows that his money is safely invested, is willing to derive only the limited rate of interest. But take the man who is going into a new industry, where the field is unexplored, whether it be in one section of the country or the other. Will he put his money into the enterprise if he can only hope to earn a paltry 8 per cent? Take it in the mining industry. Will a man venture a dollar in a mine if he can only hope to retain 8 or 10 per cent of his earnings? The reason of it is that there is more than a dollar put into the ground and lost for every dollar that is taken out of the ground; and unless there is some unusual reward no man will take the risk of venturing into such an industry.

Mr. SIMMONS. Mr. President——

Mr. JONES of New Mexico. I yield to the Senator.

Mr. SIMMONS. Has the Senator taken into account a very important fact, to my mind, in that connection? He has referred to the 8 per cent interest charge paid in his country. Has he taken into account the fact that in addition to the flat exemption of 8 per cent upon the invested capital the 8 per cent interest that the operator he has spoken of who borrows money has to pay is also allowed him as an additional exemption? That is to say, before his income is assessed any interest charge that he may have paid is deducted.

Mr. JONES of New Mexico. The Senator is quite right; and just in that connection I want to observe that every one of these old, stablized concerns which borrows money has a right to deduct the amount which it pays in interest when we come to consider its income. So in that respect the one industry is on precisely the same plane as the other.

Mr. SIMMONS. I ask the Senator to take into account another fact. Where there is a new industry we allow a flat exemption of 10 per cent, but we allow the new industry also the privilege of what we call the earnings of representative concerns—that is to say, we give the new business, whatever it represents, what is allowed to representative concerns engaged in like or similar business.

Mr. JONES of New Mexico. The Senator is quite right.

Mr. SIMMONS. That enlarges the deduction which a new concern is entitled to.

Mr. JONES of New Mexico. It helps out in that individual case, and it is one of the remedial measures in the bill to which I intended to call attention a little later. The bill as it comes from the House makes a far greater inequality than the bill now presented to the Senate, and for such remedial measures as the Senator from North Carolina has now referred to I think many concerns in the country will be exceedingly grateful. But that does not alter the fact that there are still inequities and injustices in the bill.

Mr. SIMMONS. I wish to say, and the Senator is entitled to have it said, that in my judgment when the Senate committee changed the House proposition, which was to allow new business an exemption of only 10 per cent and allowed it the exemption that representative concerns were entitled to, one of the most important relief measures that the Senate committee has provided was incorporated in the bill, and I want to add that it was incorporated into the bill at the instance of the Senator from New Mexico. I think the country is entitled to give to him credit, and ought to give him credit for that very excellent relief amendment.

Mr. JONES of New Mexico. I thank the Senator for his very complimentary reference. I am thankful to the committee for the very many meritorious features of the bill, but I still feel that I would be derelict in my duty to my constituents and my country if I did not call attention to other inequities in the bill which in my judgment could be remedied and ameliorated.

Of course, as is suggested to me, these remedial features are not yet the law; we do not know what may occur in conference, but I do want to make an earnest appeal to the conferees on the part of the House to retain these provisions in the bill. I know the conferees on the part of the Senate will do all that they can in that direction, but for the good of the country and for the good of business, I appeal to the conferees on the part of the House to permit these remedial features to remain in the bill.

Mr. President, that does not alter the fact that a national bank, the good old Chemical National Bank, that we have known of all our lives, with its stock selling for $4,000 a share, and on a basis of a dividend return of only 4 or 5 per cent upon the investment, is entitled to the same exemption from excess-profits taxes under this bill as the other concern which has gone out into the mountains or upon the plains of the country and developed the natural resources of the country which have been so essential in the conduct of this war.

Is that right? There is only one excuse on earth for the provisions of the bill in that respect, and that is absolute necessity. If we have got to raise the money in that way, I say the business men of the country will stand it; they will stand anything to pay the expenses of the war; they will stand it for the year 1918, but I want to say that they will not stand this discrimination for long, and the Representative in Congress or the Senator or the party which tolerates such inequities will soon be deprived of power.

Mr. President, there are a great many remedial measures which have been brought into the bill. I shall not take the time to refer to them. I wish I did have the time, because I think the country ought to know that we have at least tried to do something to equalize conditions and that we have partially succeeded. For instance, under the present law if a man discovers a mine or if he discovers oil he may have made a failure all his life until to-day. He finally makes a strike. He makes a discovery. The cost of the particular discovery may not be large; it may be nominal. Under existing law if he sold the property the next day for a million dollars the whole million dollars would be considered as income and subjected to these high taxes. We have changed that in this bill. We have provided that in such circumstances he shall be credited with its then value, and if he sells it the tax shall not exceed 20 per cent of the proceeds of the sale. But I call attention to the further fact that if he does sell it and a man puts his money into the operation of the mine, puts it in the operation of the oil well, he does not know when the vein is going to stop. He does not know when the flow is going to cease. But under the bill he is entitled to only the same deduction from excess-profits tax as the man who owns Chemical National Bank stock. Is that right? I am willing to bear the burden for the year 1918 because it is almost ended. The business of the year has been done, the money has been earned; it was earned during the war; and we are willing to pay that money to the Treasury. I say "willing"; I think the people will stand it; but I think there will be complaining, and I think there will be just complaining. I wish we might change it.

But for one I am willing to compromise by saying that the provisions of the bill, harsh as they are, shall apply to the earnings of 1918. However, I do not want to say to the hardy manhood of this country, "If you go out into a new enterprise, if you go into a hazardous industry, hoping to derive a reward from your efforts, you shall be treated only upon the same plane as the man who suffers no risk, who sits by his own fireside and clips coupons."

Mr. SIMMONS. If the Senator would not consider my interruption out of order, I should like to make just one suggestion to him. The Senator has spoken of a case where a mine can be sold and where a flat tax is imposed of 20 cents instead of 25, but he says if the owner of that mine, not having sold it, should operate it, the mine might soon be exhausted and the capital would all be gone. I understood that to be the suggestion of the Senator. I ask the Senator, is it not a fact that one of these amendments which he has so heartily indorsed provides in that case for an amortization to the full extent of the cost of the mine and its development?

Mr. JONES of New Mexico. I am glad the Senator has referred to that again. I think it is just one of those cases which probably points to the reason why we have been unable to get more relief in the bill for the hazardous industries. The question of the Senator contemplates that the mine shall be exhausted in the ordinary and expected course of operation. He loses sight of the fact that you never in the operation of mines know when the ore is going to stop; you never know of a mine when the cost of production is going to be beyond the selling price. There are hazards innumerable in connection with the mining industry which I do not believe Senators from other sections of the country understand. If they did understand them, I am satisfied that they would be willing to grant more relief. It is because, in my humble judgment, these things are not understood that I am here now trying to let the Senate understand and the country understand.

For the calendar year 1919 I have prepared an amendment which I am going to offer. Under that amendment we will raise just as much revenue through what is called the excess-profits tax of the bill as we do under the provisions of the reported bill, and, in my judgment, it would be acceptable to all the interests of the country; at any rate, I believe it will be acceptable to every honest-minded business man in the country. Bear in mind that the receipts of the next year are going largely to pay war expenses. Bear in mind also that thousands and thousands of the war contracts will expire next year; will be settled up next year; the profits will be derived next year. I believe the people of the country will stand an excess-profits tax; they will stand a war-profits tax; but, Senators, if we can raise the amount of money and have the result of it—a war-profits tax proper—then, I say, let us do that. So I have prepared an amendment to this effect, that the exemption from the excess-profits tax shall be the average earnings of the concern for the three years prior to the war. If it is an old, stabilized industry can it not afford to be limited at this time to the average earnings in its experience for three years prior to the war and give the balance, if need be, to the Government? But I do not ask for all the balance. We know that business was prosperous in this country, generally speaking, during those years. We know that the country progressed during those years. We know that there was development during those years; and if our taxes do not touch such profit we have every reason to believe that the business of the country will continue to prosper. I take into consideration that during the year 1919 the earnings of corporations and businesses generally will not be as large as in 1918, but if we give them every dollar that representative business earned prior to the war and tax the additional earnings 70 per cent, we will still raise a billion and a quarter dollars. That is the estimate of the experts.

This proposed amendment of mine allows to every concern its average profits for the three years' period, not exceeding 20 per cent. There is but one other limitation. The limitation is in the other direction. It provides that no concern shall be forced to pay any tax unless its net profits are above 6 per cent. Between those rates the concern will hold exempt from this tax everything that it earned before the war. I believe that concerns which were earning 20 per cent and more before the war are willing that all above 20 per cent may be subject to this tax.

As to the new business, business which was not earning before the war, and parenthetically I wish to say that 25 per cent, or one-fourth of all the corporations in this country to-day, have come into existence since the war, those new concerns are going to be permitted to have exempt from this excess tax just as much as the representative business of the entire industry prior to the war. Is not that fair, when we provide for a tax upon new business only if it is making more than the representative level before the war, and the old business can keep all it made or as much as it made before the war, provided it does not exceed 20 per cent upon the invested capital? The English war-profits tax law permits exemptions in the more hazardous industries equal to 23½ per cent of the invested capital. The tax is imposed only upon strictly war profits and the rate is 80 per cent. The method I propose relieves the Treasury Department of very great embarrassment. As far as invested capital is concerned, of old business you only have to consider two limitations, whether it is under 6 per cent or above 20 per cent. It will be found easy of administration, because under the bill as it is now framed all the new corporations are to receive the exemption of the representative business. You have got to find

under the reported bill what the earnings of the representative business were before the war in order to fix a tax upon one-fourth of all the corporations of the country, and while you are classifying and fixing that rate for the one-fourth of all the corporations—over 100,000 in number—why not, after you have found out what it is, apply it to all corporations which fall in those classes under my amendment and let them all be treated alike?

Mr. TOWNSEND. Mr. President——

Mr. JONES of New Mexico. I yield to the Senator.

Mr. TOWNSEND. Would it disturb the Senator if I presented here a letter on this subject which I have received from the Calumet & Arizona Mining Co.?

Mr. JONES of New Mexico. Not at all.

Mr. TOWNSEND. The letter is as follows:

CALUMET & ARIZONA MINING CO.,
Calumet, Mich., December 16, 1918.

DEAR SIR: On examination of House bill 12863, Report No. 617 of the Committee on Finance, being "An act to provide revenue, and for other purposes," I call your attention to section 311, covering the war-profits credit.

Section (a) gives to old corporations a credit equal to the average net income of the corporation for the prewar period. But if the corporation had no income for the prewar period this credit is limited by section (b) to 10 per cent, and if it is a new corporation not in existence during the prewar period it is placed upon the same basis as corporations having prewar income and is allowed a credit of the same percentage as corporations having prewar income.

There are many mining companies that were organized long before the prewar period which had no earnings whatever during the prewar period, but were prospecting and developing their properties and preparing for the time when there might be some income. Such corporations are placed at an undue disadvantage over old corporations and are not allowed a credit which other corporations in like business are allowed before assessing a war tax.

For a concrete example use our New Cornelia Copper Co., which was organized in 1909 as a successor to several corporations which had been developing a copper property in Arizona prior to that time. The new corporation continued to develop the property from its organization, but had no income during the prewar period and was not a producer of copper during that period. Later development both on the property, ore bodies, and in the method of treatment of ores since that time have developed a very valuable mine. As a matter of fact it is the only new producer of copper in the years 1917 and 1918, or during the period since the United States entered the war, to add a considerable tonnage to the supply of copper. It began production on a considerable scale in June, 1917, and since that time has produced about 70,000,000 pounds of copper.

Under section 311 other copper-producing companies will be allowed from 50 to 200 per cent credit before the war tax can attach; in other words, they will pay an excess-profits tax but no war tax. These companies also had the benefit of the high prices of copper prior to the entrance of the United States into the war and prior to the time when the price of copper was fixed at 23½ cents a pound.

This new company has sold all the copper which it produced at the price fixed by the Government and has no war profits; yet on account of the wording of the act it would seem that it would be compelled to pay a war-profits tax of 80 per cent, and if forced to pay such a tax at the present time, it would be practically thrown into bankruptcy, as its income of the past year has been barely sufficient to pay the debts incurred to enable it to become a producer.

Is there any reason why corporations having no prewar earnings should not be placed in the same class as corporations not in existence for at least a whole year during the prewar period?

I suggest the elimination of paragraph (b) of section 311 and the amendment of paragraph (c) to read substantially as follows:

"If the corporation had no net income for the prewar period, then the war-profits credit shall be the sum of one and two."

This would place old corporations having no prewar earnings and new corporations, which, of course, could have no prewar earnings, in the same class, and place them on an equality with old corporations having prewar earnings.

I believe that you will see the justice of this and sincerely hope that you will use your best efforts to secure the amendment of the bill accordingly.

I also desire to register a protest against those provisions of the act which extend these taxes through years subsequent to 1918.

Very sincerely, yours,

GORDON R. CAMPBELL,
Secretary.

Hon. CHARLES E. TOWNSEND,
United States Senate, Washington, D. C.

I present this letter because it seems to me to have been intelligently written and bears understandingly on the question.

Mr. JONES of New Mexico. I am very glad the Senator has contributed that information to this subject.

Mr. SIMMONS. If the Senator will pardon me, I do not know whether I caught the latter part of the statement correctly or not, the statement with reference to earnings last year——

Mr. TOWNSEND. Of the prewar period, the same as we make the distinction for gas and oil.

Mr. SIMMONS. Does that statement refer to the prewar period or the last year?

Mr. TOWNSEND. The prewar period. All the period up to 1917.

Mr. SIMMONS. I understood the letter read by the Senator to refer to the earnings last year, and the statement, as I understood it, was that the expenses of operation had practically consumed the entire profits of last year.

Mr. TOWNSEND. No.

Mr. SIMMONS. I was going to suggest if that is true the writer of the letter stated himself out of court.

Mr. TOWNSEND. No; he does not state that. He states that this corporation was organized in 1909, and up until 1917 it had produced no copper, but at that time it did commence to produce copper on a paying basis and had produced large amounts of it since; that it would have no prewar profit and all its earnings this year would have to be exhausted in paying the debts which were incurred during the time it was not a paying proposition.

Mr. JONES of New Mexico. I am not sure that I understand the case presented, but I call the attention of the Senator to the fact that that particular case in some degree at least seems to be met by the remedial features of the bill.

Mr. SIMMONS. It would have the benefit of the prewar earnings on like business.

Mr. TOWNSEND. Nineteen hundred and seventeen and 1918 were the only years when it made a profit.

Mr. JONES of New Mexico. Under my amendment it would have the benefit of prewar earnings on like business, and, in addition to that, if it made an absolute loss in the year 1917, under the provisions of the bill it would be entitled to deduct the amount of that absolute loss from its income of this year before the question of taxes was considered at all.

The amendment which I offer is as follows:

PROFITS TAX FOR 1919 AND SUBSEQUENT YEARS.

SECTION 301.

Page 84, line 21, strike out, after the word "to," through line 3, on page 85, and insert in lieu thereof the following: "70 per cent of the amount of the net income in excess of the war-profits credit as determined under section 313."

Page 85, line 6, strike out "or (b)."

SECTION 311.

Page 89, line 8, after the word "That," insert the words "for the purpose of the tax imposed by subdivision (a) of section 301."

SECTION 313.

Page 92, after line 2, insert a new section, as follows:

"SEC. 313. (a) That for the purposes of this section the term 'trade percentage' means the percentage relation of the average net income to the average invested capital for the prewar period of corporations engaged in a trade or business of the same general class as that conducted by the taxpayer, but shall in no case be less than 6 per cent or more than 20 per cent. The trade percentage for each class of trade or business shall be determined by the commissioner upon the basis of data contained in returns for the taxable year 1917 made under Title II of the revenue act of 1917 and returns for the taxable year 1918 made under this act, and the determination of the commissioner when approved by the Secretary shall be final.

"(b) For the purpose of the tax imposed by subdivision (b) of section 301, the war-profits credit shall consist of a specific exemption of $3,000 plus the greater of the two following amounts:

"(1) An amount equal to the trade percentage of the invested capital of the taxpayer for the taxable year.

"(2) An amount equal to the average net income of the taxpayer for the prewar period plus or minus, as the case may be, an amount equal to the trade percentage of the difference between the average invested capital for the prewar period and the invested capital for the taxable year. If the tax is computed for a period of less than 12 months, such amount shall be reduced to the same proportion thereof as the number of months in the period is of 12 months.

"A foreign corporation shall not be entitled to the specific exemption of $3,000."

In this connection I wish to emphasize the importance of that remedial feature of the bill. It was discussed on Monday or Tuesday to a considerable extent in the Senate, and I want to call attention to that discussion. Under that provision of the bill, which has already been adopted by the Senate, if there were losses during the year prior to the taxable year, those losses may be recouped from the income of the taxable year before the net income on which taxes are imposed is ascertained, and likewise if they shall pay taxes this year and make absolute losses next year, then the concern may have its taxes for this year readjusted so that during a three-year period there shall be just and equitable balancing of taxes. I think that is a highly commendable feature of the bill.

Mr. SIMMONS. If the Senator will pardon me, what the writer of that letter speaks of as a hardship might possibly have occurred under the bill as it came to the Senate, but I think the Senator from New Mexico will agree with me that under the amendment we have made to the bill relating to industries of that kind, and I think the Senator will agree with me further that we have been very liberal to that class of industries, that sort of a result could not possibly happen now.

Mr. JONES of New Mexico. It certainly could not. I think that class of cases has been reasonably cared for in the bill.

Mr. THOMAS. By the amendments?

Mr. JONES of New Mexico. By the amendments which have been put upon it in the Senate committee and already adopted by the Senate.

I wish to insert at this point, if I may, sections 327 and 328 of the bill without reading them. They cover a great many

remedial features of the bill which have not been expressly referred to.

The PRESIDING OFFICER. Without objection, the sections will be inserted.

The sections referred to are as follows:

SEC. 327. That in the following cases the tax shall be determined as provided in section 328:

(a) Where the commissioner is unable satisfactorily to determine the invested capital as provided in section 326;

(b) In the case of a foreign corporation;

(c) Where a mixed aggregate of tangible property and intangible property has been paid in for stock or for stock and bonds and the commissioner is unable satisfactorily to determine the respective values of the several classes of property at the time of payment, or to distinguish the classes of property paid in for stock and for bonds, respectively;

(d) Where, as compared with representative corporations, engaged in a like or similar trade or business, the taxpayer would (under sec. 326) be placed in a position of substantial inequality, because of the time or manner of organization, or because the actual value of the assets on March 1, 1913, was substantially in excess of the amount at which such assets would be valued for the purpose of computing invested capital under the provisions of section 326;

(e) Where the invested capital is materially disproportionate to the net income as compared with representative corporations engaged in a like or similar trade or business because:

1. The capital employed, although a material income-producing factor, is very small or is in large part borrowed;

2. There are excluded from the invested capital as computed under the provisions of section 326, intangible assets of recognized and substantial value built up or developed by the taxpayer;

3. The net income for the taxable year is abnormally high due to the realization in one year of (a) gains, profits, or income earned or accrued during a period of years or (b) extraordinary gains or profit derived from the sale of property the principal value of which has been demonstrated by prospecting or exploration and discovery work done by the taxpayer. When the tax is determined under this paragraph proper allowance shall be made for the taxes which would have been payable in prior years if the gains, profits, or income earned or accrued in such years had been taxed at the rates then applicable;

4. Proper recognition or allowance can not be made for amortization, obsolescence, or exceptional depletion due to the present war, or to the necessity in connection with the present war of providing plant which will not be wanted for the purpose of the trade or business after the termination of the war.

SEC. 328. (a) In the cases specified in section 327 the tax shall be the amount which bears the same ratio to the net income of the taxpayer (in excess of the specific exemption of $3,000) for the taxable year as the average tax of representative corporations engaged in a like or similar trade or business bears to their average net income (in excess of the specific exemption of $3,000) for such year. In such cases the commissioner shall compare the taxpayer only with representative corporations whose invested capital can be satisfactorily determined under section 326, and which are, as nearly as may be, similarly circumstanced with respect to gross income, net income, profits per unit of business transacted and capital employed, the amount and rate of war profits or excess profits, and all other relevant facts and circumstances.

(b) For the purposes of subdivision (a) the ratios between the average tax and the average net income of representative corporations shall be determined by the commissioner in accordance with regulations prescribed by him with the approval of the Secretary.

(c) The commissioner shall keep a record of all cases in which the tax is determined in the manner prescribed in subdivision (a) containing the name and address of each taxpayer, the business in which engaged, the amount of invested capital and net income shown by the return, and the amount of invested capital as determined under such section. The commissioner shall furnish a copy of such record and other detailed information with respect to such cases when required by resolution of either House of Congress, without regard to the restrictions contained in section 257.

Mr. JONES of New Mexico. I do want to call attention to two special classes of enterprises which are not cared for in the bill, one of them being extremely important; that is, an irrigation company. We are wanting to develop irrigation in this country just as much as we can; but under the existing law and under this bill as now presented the process would be about like this: A man would have a piece of land; he would borrow enough money to construct the irrigation works, which would amount to thirty, forty, fifty, seventy-five, or perhaps a hundred dollars an acre; he would give a mortgage upon the property. The mortgage would provide that all of the proceeds of the sale of land would have to be applied to the payment of the mortgage. That is the usual provision in such mortgages; it is the usual course of business. Under the rulings of the Treasury Department, and I think legally so, whenever he sold his first 80 acres or his first section, if the total proceeds of that, after deducting the actual cost of the land, were more than enough to pay his running expenses for the year, he would be taxed upon the balance as net income. Anybody who has had any practical experience with irrigation enterprises knows that that thing will not work out; that if the law remains in that form there will never be another irrigation enterprise in the West built by private capital.

The truth of it is that when you start in upon an irrigation enterprise it is treated as an entire project; it must be viewed from only one standpoint; and that is the final result. You may sell your land along for years, but you are still in debt; you have not had returned to you the original value of the land; you have not even paid your mortgage until you have sold enough to do those things, and there is not a possible dollar of income or profit in the business until after the mortgage is paid and the original investment is returned.

After that time everything that comes in may very well be considered income, but you never know whether you are going to reach that stage or not. There have been far more failures in irrigation enterprises than there have been successes, and to say that a man makes an income while he is still trying to get people to settle on the land and to pay for it while they are still subduing the wild soil is a great mistake. It is an absolute deterrent upon an enterprise of that kind.

As I have already stated, you will never hear of another such enterprise unless the provisions of the reported bill be changed. The war is over. Let us look to the future; let us encourage these industries; let us at least give the promoters of those enterprises a chance to make homes for the soldiers who are returning from the war.

Mr. KING. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). Does the Senator from New Mexico yield to the Senator from Utah?

Mr. JONES of New Mexico. I yield.

Mr. KING. I should like to ask the Senator from New Mexico whether the Committee on Finance placed the same construction upon this proposed act which the Senator from New Mexico now places upon it, and whether they did not conceive that the result of this act would be as just indicated by the Senator from New Mexico? Let me say that it seems to me manifest that those results will follow, and in view of that fact the Senate, if it wants to deal fairly with this subject, if it wants to permit the development of the West, must of necessity accede to the amendment which the Senator from New Mexico has suggested.

Mr. JONES of New Mexico. Mr. President, I do not like to discuss in the Senate what occurred in the committee, but I am sure, if the committee could have found some general provision which would have cared for this situation, the committee would have tried to have adopted it, but apparently the committee was unable to do so. Now, what I am proposing to do is to put irrigation company enterprises and town sites, which are handled in the same way, in a class by themselves, and an amendment is now being prepared by one of the experts to do that. I certainly hope that when it is prepared the committee itself will meet and recommend its adoption.

Mr. SIMMONS. I will state to the Senator from New Mexico that the committee considered an amendment this morning that may in a measure meet the objections of the Senator.

Mr. JONES of New Mexico. I am sorry to say, Mr. President, that I could not attend the committee meeting this morning, although I believe I have attended about as many meetings of the committee as has any other member of it, with the possible exception of its chairman. I was busy collating data for the present discussion.

Mr. SIMMONS. I think the Senator's statement in that regard is correct.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from North Dakota?

Mr. JONES of New Mexico. I yield to the Senator.

Mr. GRONNA. Mr. President, I am very much interested in the discussion of the Senator from New Mexico. He is a member of the Committee on Finance, and, of course, thoroughly understands this bill, but it is possible that I misunderstood his statement.

In speaking of an irrigation enterprise and of one who might own the project, is it not true that under the provisions of this bill the owner of the project would be allowed credit for whatever interest he pays?

Mr. JONES of New Mexico. Yes.

Mr. GRONNA. Is not the Senator from New Mexico overlooking that fact?

Mr. JONES of New Mexico. No; I am not overlooking that fact at all. Of course the mortgage itself would provide that the interest would have to be paid; and that concern in that respect is on precisely the same plane as are all other business concerns.

Mr. GRONNA. Now, if the Senator will pardon me further, the Senator is, however, overlooking the fact that all throughout the country, whether it is in the West or in the East, he will find persons who may own real estate which may be mortgaged practically for what it is worth, and yet the payments, when they are made, will be taxed; in other words, the owners of the property will have to pay the tax upon those payments, and no deductions will be made because they are indebted practically for the full amount on the real value of the land. The only deductions which will be allowed them will be for the

interest upon the debt. In what different position is the man on the irrigation project from other people, I ask the Senator from New Mexico?

Mr. JONES of New Mexico. Mr. President, the Senator from North Dakota has presented a most interesting question, and I do not know how to deal with it; I mean I do not know how that matter should be dealt with, generally speaking; but the case mentioned by the Senator is different from that of an irrigation enterprise or a town-site company, for the reason that the total income in the case of the irrigation concern and of the town-site company is derived from the sale of a part of the investment, a part of the property, while, in the case of the farmer, the return comes from the cultivation of the soil. The farmer is not selling any part of the land; he is not parting with it. The question which the Senator raises is a very important one, and I can give him other illustrations.

A man will buy a herd of cattle and may mortgage the herd for three-fourths of what it is worth. When he makes a partial sale of the cattle he has got to apply all of the proceeds of the sale to the payment of the mortgage. And you find the same difficulty where you are selling in the usual course of business; you may apply that to a case where a man will buy a thousand shares of stock and will sell only a hundred shares of it. He may have a mortgage on the balance for nearly its full value. So the Senator must realize that there are situations which can not be relieved against without bringing about other abuses which are much greater, and this is one of them. I wish I could deal satisfactorily with the problem which the Senator from North Dakota has presented, but I do not know how to do so without bringing about a situation which would be worse than is the evil complained of.

Mr. GRONNA. Mr. President, I do not wish unduly to disturb the Senator from New Mexico in his argument, but I desire to say that I do not think I made myself quite clear to him.

I am very glad to hear that the Senator is willing, as he always is, to remedy any evil which exists; but suppose the owner of real estate does not himself farm the land, but sells it on crop payments, which is the custom in nearly all of the Western States. The owner of the land is in debt for practically all the land is worth, but when payment is made to him, he must pay the taxes on that money. Now, in what different position is the owner of an irrigation project from that of the owner of the land to which I refer?

Mr. JONES of New Mexico. May I inquire of the Senator from North Dakota whether he is now referring to the man who purchased the land under the circumstances which he has stated?

Mr. GRONNA. No; I refer to the man who sells the land and gets no return from it except the payment. He sells it on time.

Mr. JONES of New Mexico. But if he sells it on time he gets the interest on his mortgage?

Mr. GRONNA. Yes; that is true.

Mr. JONES of New Mexico. And he gets his share of the crop?

Mr. GRONNA. The only share he gets of the crop is the payment, or at least a part of his payment, which is applied to the principal, and while he gets interest, he also pays interest, just as a man does who may own an irrigation project.

Mr. JONES of New Mexico. Well, if he gets interest he is entitled to have any payments of interest deducted.

Mr. GRONNA. He receives the interest from the party to whom the land is sold, but he also pays interest.

Mr. JONES of New Mexico. Then the payments would undoubtedly offset each other if they were of like amount.

Mr. GRONNA. I am not speaking of interest, I am speaking of the capital. That will be assessed as income, and whoever receives it must pay the tax upon it, according to the pending bill.

Mr. JONES of New Mexico. I do not know that I have the case in mind as the Senator from North Dakota presents it or as the Senator has it in his mind. I really do not see where there would be much injury in the case he cites, because there must be absolutely net income before there can be any tax collected on it, and the exceptions in this bill from the gross income are very great, indeed. I think they cover the case mentioned by the Senator from North Dakota. I think the payer of interest would be entitled to deduct that from any of his income before the tax would apply; but if he receives interest, of course that interest would become a part of his income.

Mr. GRONNA. I am referring to the capital.

Mr. JONES of New Mexico. Well, if it is capital, then it is not considered as income at all, unless there is a profit in the transaction. When a sale is made and the proceeds are received in payment, there is no tax upon that unless it is sold for more than was paid for it.

Mr. GRONNA. That is exactly it.

Mr. JONES of New Mexico. And if the man sells it for more than the difference, of course it becomes income and is subject to tax.

Mr. President, I am sorry to have consumed so much time, and I am going to hasten just as much as possible with the other points which I have in mind.

I desire to call attention at this point to certain injustices as between corporations and individuals. I think I have shown, in certain cases, at least, discrimination. Now, I propose a remedy for that, and one which I believe will be very far-reaching in its effect. No man up to the present moment has suggested any reason which is convincing, to me, at least, as to why it should not be adopted. Last year under the present law we imposed excess-profits taxes upon individual business, upon partnership business, and upon corporate business all alike, so there is no obstacle to imposing an excess-profits tax upon partnerships and individuals. We also provide in this bill that certain corporations, where personal service is the principal source of income, may make a return as partnerships. Is there any reason on earth why partnerships which are discriminated against and why an individual in his business who is discriminated against should not make their returns as a corporation? I do not know of any. If there is a discrimination as between corporations and partnerships, why should not the corporation be permitted to make a return as a partnership? I do not know of any reason why it should not be done.

I can give you concrete cases where one business, which is a corporation on one side of the street, will pay one tax under this bill, and where a business concern doing a similar business on the other side of the street as a partnership will pay another, and where the discrimination is over a million dollars. Why not permit a partnership to make a return as a corporation, so far as its business is concerned, and if the inequity is the other way, why not permit the stockholders of a corporation to make return as a partnership?

Under this bill it may very well be said that, taking corporations as a whole and taking individuals and partnerships as a whole, one class of enterprises will bear probably as much taxes as the other, but the trouble comes from the fact that in the case of corporations only a small percentage of them will pay any excess-profits tax. Take the old stabilized industries, which make normal earnings but which are not earning above 10 per cent. They pay no excess-profits tax, or, if they pay any, it is very small; but the same kind of a concern doing business as a partnership on the opposite side of the street will pay surtaxes reaching up to 50 or 75 per cent. Is that right? Should not the one be able to make the same kind of a return as the other if it wants to do so? Give it the right to elect. By that process you will simply put competitors upon the same footing, whether they are partnerships or corporations or individuals. If they are competitors and earn the same amount of profits, simply put them upon the same basis. Can anybody suggest a reason why that should not be done? There is no difficulty in administration. The effect of this reported bill is to discriminate against the partnership which does not earn any excess profits and against the individual who does not earn any excess profits. Why not put them on the same plane? Therefore, I have prepared a couple of amendments dealing with that subject, providing that a corporation may make a return as a partnership, and that individuals and partnerships may have the right to make returns on the same basis and be subjected to the same tax as a corporation.

Mr. KELLOGG. Mr. President——

Mr. JONES of New Mexico. I yield to the Senator.

Mr. KELLOGG. If a partnership should make a return as a corporation, then you would exempt the individual partners from any income tax?

Mr. JONES of New Mexico. Precisely.

Mr. KELLOGG. Would you consider the sums paid out to the partners as dividends?

Mr. JONES of New Mexico. That would be the effect of it.

Mr. KELLOGG. But they would pay an income tax on their dividends.

Mr. JONES of New Mexico. Yes, sir; whatever they withdrew from the business would be the same as dividends from the corporation.

Mr. KELLOGG. Under the present bill, as a whole, I do not see how it can be said that partnerships are discriminated against, because we simply tax the income as an income derived by the individual partners, but do not attempt to levy upon them an excess-profits tax.

Mr. JONES of New Mexico. I will explain the matter to the Senator in just a moment. I was going to call attention to a very great advantage in making returns as a corporation. Under this bill, if a corporation pays no excess-profits tax, all the tax that it pays is the normal tax. If a partnership has a large capital and earns precisely the same amount annually as the corporation, all the individual partners must pay high taxes. As an illustration we will take two concerns with a capital of $1,000,000, one a partnership and the other a corporation. Each earns $100,000 or, we will say, $80,000 because of the excess-profits exemption.

The corporation will pay only 12 per cent on that $80,000, or $9,600, while in the case of the partnership, if there are two partners, each partner will be taxed on $40,000 of income whether taken out of the business or not, and on an income of $40,000 under this bill the taxes reach up to 30 per cent, and each one of them would pay up to 30 per cent on his return.

Mr. KELLOGG. That is only in case the corporation does not declare any dividend; but if it declares dividends the stockholders have to pay their individual taxes on the income derived from the dividends.

Mr. JONES of New Mexico. The Senator is quite right; but I wish to tell the Senator that experience shows that, taking all the corporations in this country during last year and the year before, at least 50 per cent of the earned profits were not distributed in dividends; or, in other words, last year out of total profits of corporations amounting to $10,000,000,000, $5,000,000,000 remained in the treasuries of the companies and paid no surtax on the part of the stockholders, and, unless they paid an excess-profits tax, paid no tax at all other than the normal tax.

I call the attention of the Senator to the further fact that not only can a corporation fail to distribute its income and avoid any tax except the normal tax, but under this bill and under the present law it can add the retained income to its capital and receive exemption upon that for the next year. The fact is that last summer I called the attention of the Senate as graphically as I could to that situation. Unfortunately it was noised throughout the country that I wanted to impose a tax upon all accumulated surplus and undivided profits. Senators know that I did not want to do anything of the kind; that I proposed to put a tax simply upon current income so as to meet that situation, so as to have it operate as at least a partial surtax on the undistributed profits to equalize them with the surtaxes which individuals would pay or which individual stockholders would pay if that money were distributed. That retained income amounted to $5,000,000,000 last year, and under this bill that $5,000,000,000 now is added capital, and will have an exemption from the taxes this year of 8 or 10 per cent, whichever it may be.

So I appeal to Senators here to consider the question whether the House provision should not be adopted. Acting upon the case which I presented here last year, the House has partially met the situation. It imposes a tax of 6 per cent additional to the normal tax of 12 per cent on undistributed corporate income, but took the substance away by providing that it should not apply to earnings paid out on indebtedness or profits invested in Government bonds. It would not give an individual the right to pay his debts out of his income before his income is taxed, but it gives to the corporation the right to retain its income and to pay only a normal tax on the amount which remains after paying its debts or paying off its bonded indebtedness.

Mr. President, I am going to vote for the House provision of this bill in that respect; and I will propose another amendment to this bill which will meet the situation partially. Under this bill, as I have said, the undistributed dividends are added to the capital as a basis of exemption the next year. What I propose is that earnings since December 31, 1916, and up until the end of this year, shall not be added to capital for the purposes of exemption. That little amendment will add to the revenue of the Government a little over $100,000,000. The corporations retained the earnings in the first place for the purpose of preventing surtaxes being paid upon them. They have not only done that, but they have been adding that to capital, and they are now claiming their exemption of 8 or 10 per cent upon it from the taxes imposed under this bill. I say that is not right. If you have raised enough revenue without it, take the taxes off of commodities and leave that tax of $100,000,000 upon those earned profits which have been undistributed and which have only paid a normal tax.

Mr. President, it is said that ultimately these profits will be distributed. We have taxed stock dividends, but I want to say there will never be any stock dividends, the corporations will not declare any if they are subject to tax, and my judgment is that it will not be long before the Supreme Court will declare that such a tax is unconstitutional, for a stock dividend is a division of capital and not of profit or of income.

Now, Mr. President, I am going to close; but I do want to say just a word about the provision in this bill for taxes for the calendar year 1919.

In England, where they have had an income-tax law for over 60 years, the income tax has always been provided in advance of the earnings, so that anybody who was going to earn profits subject to an income tax knew at the beginning of the year just what he would have to pay on his profits earned during the ensuing year; and everybody knows that when a business man begins business the very first thing he does is to estimate the taxes he will have to pay. When he goes to mark his goods he includes in the mark upon every piece of goods the estimated tax upon conducting that business. Now, why should he not know it in advance?

I have here a little clipping, which says that last year the United States Steel Corporation overestimated its tax for the year by $36,500,000. Do you want to have anybody doing business as blindly as that—so blindly as to make a mistake, not against themselves, of course, but against the consumers, of $36,500,000?

Mr. President, I do think that for the year 1919 if we raise $4,000,000,000 that amount will be ample; and while it is a heavy load to carry, I believe the industries of the country will bear it, provided you can convince them that it is just. But I do want the committee and the Senate to consider the amendment which I have provided with respect to excess profits. I believe that if you adopt that amendment you will give hope to enterprise, you will give some encouragement to business initiative, you will enable the country to develop, you will enable new enterprises to come into existence. I do not believe, however, that we should work an injustice in any case where it can be avoided; and I appeal to Senators to give thought and consideration to these measures, to the end that enterprise may go forward, that our country may again become prosperous during this reconstruction period, and that no American citizen shall suffer an injustice through taxation.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Jones, Wash.	New	Sheppard
Curtis	Kellogg	Norris	Simmons
Fletcher	Kenyon	Nugent	Smith, Ga.
France	La Follette	Page	Smoot
Gerry	Lenroot	Penrose	Spencer
Gronna	McKellar	Phelan	Thomas
Hale	McLean	Pittman	Trammell
Henderson	McNary	Pollock	Warren
Johnson, Cal.	Martin, Ky.	Pomerene	Watson
Johnson, S. Dak.	Moses	Saulsbury	
Jones, N. Mex.	Myers	Shafroth	

Mr. McKELLAR. I announce the absence of the senior Senator from Tennessee [Mr. SHIELDS] on account of illness.

The PRESIDING OFFICER. Forty-two Senators have answered to their names. There is not a quorum present. The Secretary will call the names of the absentees.

The Secretary called the names of the absent Senators, and Mr. CULBERSON, Mr. HARDING, Mr. KIRBY, Mr. KNOX, Mr. LODGE, Mr. McCUMBER, Mr. MARTIN of Virginia, Mr. SMITH of Arizona, Mr. VARDAMAN, and Mr. WALSH answered to their names when called.

The PRESIDING OFFICER. Fifty-two Senators have answered to their names. There is a quorum present.

Mr. THOMAS. Mr. President, before the bill was reported out of committee I offered an amendment in the nature of a substitute for Title III, which deals with what are known as the war-profits and excess-profits taxes. The amendment, with one or two exceptions, is a rescript of the law of 1917 upon that subject of taxation as first reported to the Senate, as I now recall, in the month of July of that year. Owing to the very sudden increase in estimated expenditures, the Finance Committee then requested that the bill be returned to it for further consideration, it being necessary to provide for a larger amount of revenue than at first contemplated. When the bill was rereported and passed and went to the conference committee and was there considered the original plan of taxation upon war profits was completely transformed, and the Senate on final vote accepted the report of the committee and enacted the present so-called excess-profits system of taxation.

I did not then, nor do I now, find myself convinced of either the wisdom or the justice of the method of taxation upon which the excess-profits tax is founded; and I am somewhat gratified in having the support in this particular of the President of the

United States and the late Secretary of the Treasury, Mr. McAdoo. So fortified, I felt that the least I could do regarding the matter was to make an effort to substitute for the so-called excess-profits tax a system of war-profits taxation founded upon and analogous to the British system.

The original Senate bill of 1917 was largely modeled upon the British method of taxation. We had, therefore, and we still have, the experiences of the British Government in the administration of that law, and particularly as regards its effect upon business conditions. I am more than ever convinced, therefore, that we should adopt that system of raising extraordinary revenues, based upon unusual profits, rather than a system which in the very nature of things must be of an arbitrary nature, and which, therefore, must operate unequally and unjustly upon different corporations and individuals if the tax is carried to individuals and partnerships.

The distinction between war-profits and excess-profits taxes is nowhere stated better than by the Secretary of the Treasury before the House Committee on Ways and Means last summer. He then said:

> The distinction between a war-profits tax and the excess-profits tax is not a matter of form, but of substance. By a war-profits tax we mean a tax upon profits in excess of those realized before the war. By an excess-profits tax we mean a tax upon profits in excess of a given return upon capital. The theory of a war-profits tax is to tax profits due to the war. The theory of an excess-profits tax is to tax profits over and above a given return on capital. A war-profits tax finds its sanction in the conviction of all patriotic men, of whatever economic or political school, that no one should profit largely by the war. The excess-profits tax must rest upon the wholly indefensible notion that it is a function of taxation to bring all profits down to one level with relation to the amount of capital invested and to deprive industry, foresight, and sagacity of their fruits. The excess-profits tax exempts capital and burdens brains, ability, and energy. The excess-profits tax falls less heavily on big business than on small business, because big business is generally overcapitalized and small business is often undercapitalized.
>
> The war-profits tax would tax all war profits at one high rate; the excess-profits tax does, and for safety must, tax all excess profits at lower and graduated rates. Any graduated tax upon corporations is indefensible in theory, for corporations are only aggregations of individuals, and by such a tax the numerous small stockholders of a great corporation may be taxed at a higher rate than the very wealthy large stockholders of a relatively small corporation. The object of a graduated tax should be to make taxes fall upon the rich, who are best able to pay them. The graduated excess-profits tax disregards this and often produces the reverse result.

On the 27th day of May last the President of the United States, addressing a joint session of the two Houses of Congress, directed attention very briefly but very significantly to this unequal and unjust system of taxation. He did not, of course, go into detail, either by way of description or of definition, as the Secretary of the Treasury subsequently did, but I have no doubt that the reasons which actuated the President in condemning this method of taxation must have been the same which were afterwards stated by the Secretary of the Treasury before the Ways and Means Committee.

The excess-profits tax is a tax which must necessarily comprehend a profit over and above some fixed rate or percentage. The very term "excess" presupposes the necessity of such a condition; and the necessity of fixing an exemption percentage, to be called a normal profit, requires a definition of invested capital, and no definition of invested capital is possible for the purposes of such a tax which can satisfy everyone or operate equally and with a fair degree of justice.

To illustrate how the present law operates, Mr. President, in a single instance, public opinion for years has been aroused by, and has condemned, the undue and fictitious issue of capital stock. What is generally termed "watered stock" is banned by good business sense and by good public morals. We have enacted statutes, both State and National, to reach and control in part this tendency, but we have not been able to control it much. Now, the excess-profits tax, strange to say, so operates, under the definition of invested capital which is a part of it, as to encourage and reward the company which is overcapitalized, which is heavily capitalized, which is watered, and to punish the corporation whose capital stock is moderate in its amount, and therefore properly represents its actual capital value or investment. As a result, many corporations which have defied public opinion, many corporations whose stock consists more largely of a fictitious than of an actual issue, pay less taxes under this system than other corporations which have kept within the law, which have been conservative in their capital issues, and which have sought to harmonize the amount of their capitalization with the actual value of the capital and property invested in the business.

Upon the face of things, Mr. President, a system of taxation which in its practical operation will so result is wrong. It is fundamentally wrong; and I know of no way in which it can be corrected except by some definition of invested capital which the genius and the capacity and the experience of the Treasury experts have not yet been able to devise.

I may say here, Mr. President, that the country is under a great debt of obligation to three or four gentlemen connected with the Treasury Department, thoroughly experienced in all questions of taxation and of revenue, and who have given an amount of time and who have exhibited a capacity and an ability to handle these questions and have so handled them as to entitle them to the appreciation and the gratitude of the whole American people. I do not know what their personal opinions of an excess-profits tax may be; they have had enough to do without indulging in expressions of opinion; but I dare say that some of them who have been connected with the administration of the existing law feel just as I do regarding it.

Mr. President, the British theory of war-profits taxation does entirely away with the definition of invested capital except in so far as is necessary to reach corporations which have gone into business subsequent to the prewar period. That tax is levied not upon percentages of profit but upon actual amounts of profit regardless of the percentage as compared with invested capital. To illustrate, if during the three years which form the prewar period the normal profit of Corporation A was $25,000, and if during the taxable year the profit of the same corporation was $50,000, the war tax attaches to the addition $25,000. It takes no note whatever of the amount of capital invested. It merely considers the prewar profit, the normal profit, and the profit of the taxable year, which is the war profit, or rather the difference between which is the war profit; and the tax is then placed upon that amount without regard to the capital invested.

Of course, Mr. President, I have no idea in the slightest that anything which may be said by myself or by anyone else against so important a provision of the bill as this will have the slightest influence upon the action of the Senate. We have before us a bill which imposes a tax of $6,000,000,000, more than the amount of money in circulation, upon the productive energies of the American people; but as I discuss this very important feature I am able to count upon the Republican side five Members of the Senate and upon the Democratic side four Members of the Senate, exclusive of the occupant of the chair. That being the case, there can be no possibility, Mr. President——

Mr. POMERENE. Give us credit for the number who are here.

Mr. THOMAS. I do. I give Senators ample credit for their presence. I am not complaining in the slightest degree.

Mr. POMERENE. But there are six on this side.

Mr. THOMAS. The Senator from Ohio says that my calculation is wrong and that there are six Democratic Senators present. Neither am I complaining of these things. Whatever may be said of unpleasant and inconvenient things in the Senate, we are not obliged to stay and listen to each other's speeches. That is something from which we are fortunately relieved. Hence, Mr. President, I know I am simply wasting my sweetness upon the desert air when I attempt to give reasons for the substitute which I have offered, but I feel that, inasmuch as a permanent record will be made of what I have to say, it may possibly be that somewhere in the country the merits of the one and the demerits of the other system of taxation may be realized and to a certain degree fully understood.

Mr. President, I am not going to ask to have the amendment which I have offered read, because I think I can state the substance of its requirements and recitals with a sufficient degree of clearness and by that means very materially abbreviate the length of time that I will occupy the floor.

This proposed amendment takes the place of Title III and wipes out excess profits entirely, leaving the title to deal exclusively with war-profits taxes, and these taxes are to be levied not only upon corporations but upon partnerships and individuals as well; that is to say, upon all so-called war profits, whether they are realized by workmen, by farmers, by capitalists, by manufacturers, by partnerships, by individuals, or by corporations, because I take it that what we call a war profit as defined in our assessment and revenue laws is a war profit regardless of who may be the recipient of that profit; and wherever any individual or corporation or partnership has made a profit in excess of the prewar profit, such partnership, corporation, or individual should pay his, their, or its proportion of this extraordinary tax, because since war conditions have made these profits possible, the needs of war conditions should require the payment of a very considerable part into the Treasury.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Minnesota?

Mr. THOMAS. I yield.

Mr. KELLOGG. Generally speaking, what the Senator says about an excess-profits tax is in equity doubtless true; but

is it not a fact that under the bill substantially 90 per cent or more of the taxes paid will be under war profits instead of excess profits?

Mr. THOMAS. I do not think so.

Mr. KELLOGG. Because wherever the war-profits tax would yield more the war-profits tax applies.

Mr. THOMAS. On the contrary, we have wiped out, or supposed we had wiped out, that alternative condition by consolidating the two forms of tax. I do not want the Senator to misunderstand me. I do not say that the committee has done that. I have some doubt about it. But the committee attempted to do it, and in the opinion of a majority they succeeded.

But, Mr. President, it may be true, and for the sake of the argument let me concede that it is true, that it is the war profits rather than the excess profits which will pay 90 per cent of the revenue to be derived from this particular title; I am as much concerned about the 10 per cent as I would be if the proportions were reversed. My objection is rather to the method than to the amount of tax which may be realized under it. The one has reference to an artificial, extraordinary, and unnatural financial situation; the other is one which, without regard to war profits, levies a tax upon everything above an arbitrary percentage of profit, and it will affect corporations making more than 8 per cent or 10 per cent plus the $3,000 prior to the war quite as much as corporations making more than that since the war. In other words, it affects not war profits alone, but is liable to affect all profits whether they are war profits or not. That may be all right under the income-tax provisions of the law, but for the so-called extraordinary tax it is indefensible, in my judgment, and ought not to disfigure a great bill like this, as I am satisfied it must.

The Senator from New Mexico [Mr. JONES] spent a good part of the day in calling attention, in behalf of his amendment to this title, to the injustice which must result to many enterprises, and particularly speculative ones, from the statutory allowance by way of percentage of normal profits, which fixed at 8 per cent is applicable to institutions whose earnings of 6 per cent would be more than enough, whose earnings of 8 per cent are plenty, but also to those whose earnings of 8 per cent are not the equivalent of the risk taken by the capital invested, and which, of course, should be much greater. As you know, Mr. President, in the section of the country from which we hail [Mr. SHAFROTH in the chair] there are many enterprises sufficiently hazardous in their nature to offer no temptation whatever to capital yielding only 8 per cent net profit. If such a statute had been in existence 25 or 50 years ago, the tremendous development of that section would have been impossible through the absence of capital there. Because of the hazardous nature of the enterprises the promise of profit was not sufficient to make the risk justifiable. That, under the provisions of this bill, however, as drawn will unquestionably exist for some time and will affect parts of the country where mining of all kinds is carried on, where irrigation schemes must necessarily depend upon an extraordinarily good market, and where new enterprises, the pathway of which must be blazed in the future, may through experience realize certain profits, and therefore small ones, and which would attract capital, or large profits which need the extra inducement to secure the required investment.

The only argument I have heard to justify the excess-profits tax feature of the present law or of the proposed bill is that the war-profits tax will not reach a large number of corporations whose profits during the prewar period were abnormally large, and that as a consequence some other method of reaching them must be enacted into law. To meet that I have changed the text of the old bill by introducing on page 9 the following clause:

> (d) That if the Secretary of the Treasury finds that a corporation, partnership, or individual had a net income during the prewar period in excess of the average net income of representative corporations, partnerships, and individuals engaged in a like or similar trade or business, the war profits of such corporation, partnership, or individual shall for the purposes of this title include the amount of such excess.

In other words, if any corporation enjoying extraordinary profits because of war contracts given to them by the allies before our entry into the war would for that reason be exempt from any tax under the war-profits system of taxation, this clause will make them equally liable, since it fixes the normal profit of the representative corporations during the prewar period as the standard for the corporation which prior to the prewar period because of these extraordinary circumstances was enjoying extraordinary profits.

That feature, Mr. President, is not a unique one in this bill. We resort to that in other instances; indeed, in three or four, as I now remember. Consequently it is not an innovation. Indeed, the feature appears in the House bill in at least one instance that I recall, and I am inclined to think in two or three others. It does away with the only possible objection that could be made to the elimination of the excess-profits tax from the bill.

So much, Mr. President, for this particular amendment. I am not going to elaborate, as I intended to do, because the holidays are approaching, the Senate is impatient and a final vote upon this bill is desired, and also because the condition of my voice is such as to make it impossible, however important I may personally regard this substitute, to speak upon it as extendedly as I might desire.

Mr. POMERENE. Mr. President——

Mr. THOMAS. I yield to the Senator.

Mr. POMERENE. As the Senator has not read his amendment and I have not seen it, I want to ask him a question to see whether I understand it.

Mr. THOMAS. I have several copies of it here. A page will distribute them to the Senators who are present. I think he will find there are more than enough copies to go around.

Mr. POMERENE. Assume, for the sake of the argument, that during the prewar period, if you provide for a prewar period——

Mr. THOMAS. I do; for three years prior to the war.

Mr. POMERENE. Assume that the net profits were 100 per cent on the capital stock, and that was technically what might be called an excess profit. Suppose another corporation with a similar capital stock during the prewar period had made a net profit during the three years of 10 per cent, and that during the war and due to the war it made a net profit upon that same capital stock of 25 per cent, 10 per cent of which would be due to the usual routine business, and 15 per cent of which would be due to the war. Under those circumstances, would the Senator by his amendment take a greater proportion of the 15 per cent than he would of the 100 per cent?

Mr. THOMAS. No; the same proportion. There is no graded tax provided for in this substitute. There is a flat rate of 70 per cent upon the war profits.

Mr. POMERENE. Let me ask the Senator a further question, so that I may understand the principle that is involved. I confess that theoretically there is a clear distinction between an excess-profits tax and a war-profits tax, as the able Secretary of the Treasury defines it, and I can arrive at a theoretical definition which satisfies my mind; but when it comes to the application of that definition to the business of each particular institution, I have always feared that there would be very great difficulty in the administration of the law; in other words, that it will be extremely difficult to say what shall be regarded as excess profits of a given corporation under the definition and what part of the earnings would be a war-profits tax under the definition.

Mr. THOMAS. Mr. President, the difficulties of administration of this title for the most part arose from the excess-profits division of it, not from the war-profits division of it. We have the experiences of the British Government to guide us with regard to war profits. The difficulties which the Senator apprehends have not for the most part materialized, if I am correctly informed. Their difficulties arise for the most part when they come to deal with institutions which have gone into business after the prewar period, and where a definition of capital is necessary in order to determine what their tax must be. So I think I can answer with perfect safety that, with the experiences of the British Government plus our own experiences under the existing law and with the known and acknowledged difficulties and complications which necessarily confront us under the excess-profits system, this amendment eliminates instead of increases and aggravates the difficulties with which the Treasury Department must contend in their attempt to apply the law to the taxpayers of the country.

Mr. President, I filed a minority report to this bill on my own account. I was as much alone, perhaps, in that respect as I am alone on the floor of the Senate in calling attention to it. Among the recitals of that report are outlined some objections to another title of the bill, which deals with taxes on inheritances or taxes upon estates. I voted for a motion to strike that title from the bill, which motion was rejected. I did so because I do not believe that the Government of the United States should extend its taxing power to the estates of individuals; not because I have any hesitation about taxing estates, not because I do not believe estates should be required to pay certain percentages to the Government, but because I think that that particular subject of revenue should be left to the States of the Union.

The Senator from New Mexico referred to that subject before taking his seat, and he said it would be quite as logical to insist that the tax on incomes should be left entirely to the States. It may be true that that might be done, but the reasons

upon which my objection rests would not apply to any other title of the bill.

In the first place, it is the States which are endowed with power to enact laws of descent and distribution. The Government of the United States, powerful as it is, has, up to this time, not even pretended to be invested with power to define and provide for descent of estates in Massachusetts or Colorado, and if such an attempt were made I believe that even in these days of liberal construction the Supreme Court of the United States would hold that such a power did not exist. Inasmuch as it is the States and the States alone which can prescribe rules and conditions of inheritance, therefore it is the States and the States alone which should have the power to determine what amounts of such estates shall, when called in, be paid into the local treasury.

Mr. President, taxes upon inheritances have been sustained by the Supreme Court of the United States largely upon the ground that they are not taxes at all, but rather conditions of inheritance. Being conditions of inheritance, a fortiori should the States and the States only be permitted to determine what those conditions are. I am aware, of course, that the Supreme Court has also held that a Federal estate tax is constitutional, although I never have been able to reconcile the decision in the case of Magoun versus the Illinois Trust Co. and in the Knowlton case with each other, since, if it be true that this is not a tax but a condition of inheritance, then it certainly should logically follow that only the sovereignty which has the power to impose this condition of inheritance would have the power to collect the so-called tax. So the subject matter of the tax being sui generis, I believe that the Federal Government should leave this item of taxation to the local sovereignty instead of arrogating that subject to itself.

There is another reason, Mr. President. Federal tax laws are constantly encroaching upon the domain of State powers of taxation. The imposition of Federal taxes comes in conflict—not legally, but practically—with the imposition of State taxes, and inasmuch as the Government is supreme as compared with the States, Federal taxation must necessarily supersede in time State taxation wherever the two shall so seriously conflict as to threaten the source of taxation with extinction.

The States must have revenue just as well as the United States. The municipalities created by the States must have revenue just as well as the States. It is impossible to conceive of an Anglo-Saxon community having any sort of existence without the power to levy and collect the revenues necessary to pay its actual expenses.

What are the sources of State taxation thus far left uninvaded by the Federal authority? I know of but one, and that is real estate, and even there taxes upon the incomes derived from real estate under the amendment to the Constitution are also subject to Federal taxation so far as they are regarded as incomes. The States raise a good deal of money by the imposition of licenses, principally upon cigars, tobacco, and intoxicants; but intoxicants are about to disappear and as a consequence the power to raise revenue through licenses is restricted to that extent.

Apart, therefore, from the raising of taxes by license, the raising of taxes from the sales of public property, which is so inconsiderable as not to be worth mentioning, and real estate, I know of nothing that is left excepting estates. We know that the expense of State administration is growing by leaps and bounds. I venture to say that there is not a State in the Union, I care not how economically its affairs are administered, whose actual expenses are not 30 or 40 per cent higher to-day than they were 20 years ago. I know that in the matter of municipalities, consequent upon borrowing money and making municipal improvements, taxes are very much heavier than they were even 10 years ago, and the tendency to increase is quite as obvious as our tendency here to increase the burden of our expenditures.

Mr. President, we have only begun in the levying of taxes upon estates. We have taken but one or two strides in the direction of progressively increasing rates of taxation. In all probability the next step, and it is bound to be taken, will be so considerable as to make it difficult, if not impossible, to provide for the collection of the Federal as well as the States' taxes upon inheritances. In the conflict the States must yield, and the ultimate outcome will be the imposition of all State taxes upon real estate only, and the burden of that State tax is liable to be so great as to give ground for all those social and industrial controversies and contentions which inevitably arise from the discontent of a too heavily taxed people.

This, Mr. President, is a legitimate ground for State taxation, and the Federal Government, in my judgment, is not justified in invading it, since it must necessarily, by restricting the sources of State taxation, not only increase the burden because of that fact but the burden must be increased also because of the growing expenditures. I think, therefore, that we are making a mistake, and particularly since the war is over, in not retracing our steps with regard to this basis of taxation, and leaving it, as it ought to be left, to the States to determine what the tax shall be and to collect it.

I know many fear that the great estates will escape the due burden that ought to be placed upon them unless the Federal Government imposes the tax. I have no such fear, Mr. President. The theory upon which American tax laws, State and National, is based is to impose the tax in such wise as to offend the least number of voters possible. I have heard a good deal about the theory of this bill. That is the theory of this bill. Let us levy this enormous tax so as to create as few resentments, and therefore subject ourselves to as little political danger, as possible. There is no danger of taxing the estates of dead men; they can not vote; usually speaking, their children are not old enough to vote; we consequently are within a sphere of taxation that seems to give immunity to the lawgiver; and the States will be quite as cognizant of that fact as is the Congress of the United States. Hence that circumstance, coupled with the natural tendency to place taxes upon wealth, which is perfectly proper, should rob the most apprehensive of any real, substantial fear of such a consequence if this field of taxation is not invaded by the General Government.

Mr. President, while I am on my feet—I have said practically all that I care to say with regard to the amendment and the report which I filed—I want to refer to two or three other subjects which are either in the bill or are closely related to it.

I have stated what I thought the theory of this bill was. I have heard some statements about its general policy. The only policy involved in this bill that I have been able to clearly perceive is the policy of raising $6,000,000,000. A great many objections—and I thought substantial objections—to various parts of the bill during its consideration by the committee were met with the query, "How is that going to affect the revenue? We have got to raise $6,000,000,000." I entertain an old-fashioned notion, Mr. President, that the equity and justice of the tax is quite as important as is the amount which we propose to raise, and that, in the event of a conflict between the two, equity and justice should be given first place.

The Senator from Utah [Mr. SMOOT] proposed to raise a large part of the amount which this bill covers by what is called a general sales tax. His idea was to impose a tax of 1 per cent upon retail sales throughout the country, and by that means not only raise a very considerable revenue—something over a billion dollars—but enable us to do away with those specific taxes which are more or less irritating in their operation, and which, consequently, produce much unpopularity and much resentment, and I think justly so. That proposal was not only voted down, but it is to-day objected to by the Senator from New Mexico [Mr. JONES] upon the ground that it is placing a tax upon the mouths of the people—I think that was his identical expression—in other words, it is a tax upon consumption. Mr. President, I know of no tax in this bill, with the possible exception of the income tax—and that may be transferred so far as the recitals of this bill are concerned—that is not ultimately a tax on consumption. The difference between the proposition of the Senator from Utah and the provisions of this bill is simply that the Senator from Utah proposes not to make two or three bites at a cherry, but to put the tax where it will ultimately go, while the provisions of the bill by an indirect process, of which the taxpayer may be wholly unconscious, reaches the same result.

Mr. SMOOT. Only multiplied.

Mr. THOMAS. Only multiplied as it passes from hand to hand, for every man who passes the tax on—I will not say every man, but many men who pass the tax on—takes advantage of his power to pass it on by adding a little something to it for extra measure, so that he gets not only the tax which passes on but gets a profit besides.

Mr. President, the man who invented the system of indirect taxation is the real inventor of chloroform and all other methods of bringing about a blissful unconsciousness during surgical operations. I have always objected to the protective tariff, among other grounds, because of its indirect processes, through which the taxpayer is hypnotized and then robbed. The other titles of this bill do the same thing. They hypnotize the ultimate consumer, and then they place the tax upon him.

Why, Mr. President, nine out of every ten—I do not think I exaggerate—of the men coming before our committee and objecting to this, that, and the other tax, placed their objections specifically upon the ground that they did not see how they could pass the tax on; and every man who was in a position to be able to pass on the tax, if he made any objection at all, objected to it for other reasons, and his objections were not

so loud and so insistent and so painful as were those of the gentlemen who did not see how they could pass the tax on.

Mr. President, it seems to me that the way to make the people take some concern about the manner in which public moneys are expended is to place the tax right upon their shoulders in the first place; to let them understand that they, and they alone, must "pay the piper." It is not only the best way to tax, it is the only honest way to tax, and honesty in taxation, Mr. President, in the long run, is perhaps more profitable even to the politician than that indirect process which bleeds the man to death while making him think that he is dreaming about paradise and happiness here and hereafter.

I am sorry that the tax proposed by the Senator from Utah was not incorporated in the bill in place of the taxes upon freight rates and passenger rates, in place of taxes upon candy and similar commodities, in place of taxes upon sales of automobiles and a great many necessities of life appearing in these other schedules. The committee, however, thought otherwise, and I have no doubt that the people will be told that this so-called sales tax, having for its purpose the taxing of the mouths of the people directly, was rejected so that the tax could be placed upon wealth, where the mouths of the people would in no manner be concerned or interested. I therefore voted for that tax as I understood it.

The Senator from Pennsylvania [Mr. PENROSE] called attention to the fact that the practical operation of that tax presented a great many difficulties, but that is true, Mr. President, of every important feature of taxation, either National or State wide in its scope, particularly if it is in an invasion either of some new field of taxation or the application of some new method of assessing the tax.

Mr. President, I have heard a number of estimates of the expenditures of the Government for the next year. The chairman of the committee having charge of the bill, and following the estimates submitted to him, fixed our expenditures for the year 1920, if I recall the figures properly, at something, in round numbers, like $8,000,000,000.

Mr. SIMMONS. Not $8,000,000,000 for the expenditures for 1920.

Mr. THOMAS. Yes.

Mr. SIMMONS. The department estimates the expenditures for 1920 as being about $6,250,000,000, in round numbers.

Mr. THOMAS. Well, I got it a little bit too large.

Mr. SIMMONS. The estimates of appropriations are $7,440,000,000.

Mr. THOMAS. Well, my figures, Mr. President, were sufficiently comprehensive. The Senator from Utah [Mr. SMOOT] is equally certain that our expenditures for that year will exceed $10,000,000,000.

Mr. SIMMONS. If the Senator will pardon me, before he goes on further I desire to say that the Secretary of the Treasury stated to the committee that whether or not the estimates which were presented covered the entire estimates, he thought $4,000,000,000 was as much money as we ought to raise by taxation.

Mr. THOMAS. Yes; I am aware of that.

Mr. President, a good many years ago Mr. Garfield, afterwards President of the United States and before then a Member of the House of Representatives, demonstrated that the peak of expenditures caused by a great war is only reached some months after the war has ended; in other words, the momentum of expenditures goes beyond the time of peace and projects itself into a part of the adjacent peace period. I forget what Mr. Garfield stated the average to be, but it was certainly not less than 12 or 14 months; and that, I am sure, will be our experience. I am inclined, therefore, to think that, unless we practice some sort of economy, the figures presented by the Senator from Utah may be verified by events.

What I am concerned about, however, Mr. President, regarding that feature of this discussion, is not so much what our expenditures are going to be but what our economies should be. I have not heard so far any discussion about retrenchment. I have heard much about probable expenditures, and I want to say that if this Congress and the succeeding one, recognizing the enormous burden of this war debt, will, regardless of party or party advantage, unite in effecting some system of substantial reform, we can reduce our expenditures for 1920 by perhaps $1,500,000,000, if not by $2,000,000,000. Will we do it?

Mr. President, primarily retrenchment is possible upon a large scale only by the adoption of a budget system. Just so long as I can introduce a bill for an appropriation of money which my constituents demand I am going to do it, regardless of the condition of the Treasury; just so long as the Senator from Utah, or the Senator from North Carolina, or the Senator from Texas, or the Senator from any other State, or the Representative from any other State can do the same thing, just so long, Mr. President, will the Treasury of the United States be utilized for the purpose of paying our political debts and replenishing the money in our respective districts and among our constituents. Indeed, Mr. President, that has grown into such a habit that the man who fails to bring home a sufficient amount of "swag" stands in great danger of being kept at home forever. The measure of a Senator's service in these degenerate days is the amount of money or the number of contracts he can get for his constituents, whether it be for the making of cottage cheese, the killing of prairie dogs, the treatment of boll weevils, the erection of public buildings at our various crossroads, or the payment of unnecessary pensions—it makes no difference what, so long as you get the money.

A budget system, Mr. President, will make that sort of thing absolutely impossible; and not only so, but it will relieve Members of Congress of both Houses of the embarrassments which necessarily result from getting money for one project in a State and failing to get it for another. It was not so in the olden days. I remember that Robert Toombs, of Georgia, once said that his proudest boast was that while in the Senate of the United States he never asked nor received a dollar for the benefit of his State or of its people. If he should get up before a Georgia community or any other American community to-day and make a statement of that kind he would simply read his own political death warrant. I regard it as he did, as a chaplet surrounding his brow and something that would look well as his epitaph upon a monument.

Now, we can make a great many reductions, Mr. President.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Iowa?

Mr. THOMAS. Always.

Mr. KENYON. I am interested in what the Senator is saying about a budget system. Does the Senator believe that so long as the condition which he has described exists, this local representation and this measure of service of a Representative or a Senator by what he can get out of the Public Treasury for his State or for his district, there can be any budget system adopted by Congress?

Mr. THOMAS. I will have to answer that question like the Yankee by asking another one. The Senator asked me whether I thought that so long as that condition existed there could be a budget system?

Mr. KENYON. Whether we would not have to start the leaven working at the other end of the line so as to cause the people to demand a budget system?

Mr. THOMAS. I do not think there will be any budget system so long as the present condition exists. I was going to put my answer in the form of a question, but I will say that I do not believe that a budget system is possible until public opinion gets behind it, until the taxpayer wakes up to the fact that we are squandering his money.

Mr. KENYON. Exactly.

Mr. THOMAS. About the only quarrels we have here now grow out of controversies as to how much we shall tax him.

Mr. KENYON. When he comes to realize that by taxation it is all coming back on him to some extent he may change his views as to how to measure the services of a Representative or a Senator. I wish to say to the Senator that I have been working for some time here in my feeble way to get even consideration for a budget system.

Mr. THOMAS. I know the Senator has.

Mr. KENYON. And there is a resolution now on the calendar proposing to create a commission to report a budget system to Congress, which would be under no obligation to adopt the report unless it wanted to do so. When the resolution was before the committee, and when I urged its adoption, the statement was made: "We do not know anything about a budget system; we do not know what it is." When it was replied that this commission would bring in outsiders who would give the information, the answer came back: "We do not want any outsiders to come and tell us our business." So the situation is almost impossible. I am glad that the Senator is for a budget system, and I hope that we may get the resolution to which I have referred adopted and have a commission appointed to report to the next Congress some form of a budget system.

Mr. THOMAS. I am very much in favor of it, because I think that without it the United States is going to be bankrupt within the next 15 or 20 years.

Mr. KENYON. Of course it is.

Mr. SMOOT. Mr. President, I should like to say to the Senator from Colorado that his criticism, if it does apply to Congress, certainly applies in a greater degree to the heads of the departments of our Government. I say now that there

has never been a Congress which has appropriated the amount of money that has been asked for by the heads of the departments, and if the Appropriations Committees of the House and the Senate had appropriated all that has been asked for by the different departments of this Government our appropriations would have been at least 20 per cent greater than they have been.

Mr. THOMAS. Mr. President, that is true; but the department heads are extravagant because Congress permits them to be. They would not spend the money if they did not know that we not only permit it but, by the enactment of deficiency bills, make good all that sort of thing. We have got to begin here. In the old days in Great Britain the principal controversy raging around the throne was the power of controlling the purse, and the assertion of the right to control the purse by the people's representatives, or the claim of that right, culminating in the Cromwellian wars, limited the right of expenditure by royal prerogative to such sums of money as might be granted by the people. In those days it was supposed that the people, who earned and raised the money as well as paid it, would see to it that economy was everywhere practiced, due regard being had to the public welfare; but no monarch of Great Britain, in his wildest dreams of extravagance, could compare to the modern American Congress, which, as representatives of the people, controls the public purse, and in these days not only welcomes but invites access to it by every combination that controls a sufficiently formidable number of votes.

Mr. President, we heard from the Senator from Pennsylvania [Mr. PENROSE] a day or two ago an estimate of appropriations for 1919–20, amounting in all to $8,089,667,298, of which $2,644,307,000 was for the Navy. I do not believe that one-half of that sum, that one-third of that sum, is necessary, actually necessary, for the Navy in 1920. We have a naval program that ought to be carried out, but I do not believe that that program should be amplified. I believe that every dollar placed in a battleship is so much money wasted. I do not believe, Mr. President, that 20 years from now a battleship will exist in the seven seas. This war has revolutionized naval conflict, and out of the welter and stress two great engines of warfare survive—one the submarine and the other the naval airplane—and between them the wars upon the seas in the future will very largely be waged. To spend money to-day upon new battleships and dreadnaughts is simply to provide quarter decks for naval officers, and in all probability the generation which succeeds this one will recognize it and act accordingly.

Mr. GERRY. Mr. President, will the Senator yield?

Mr. THOMAS. I yield to the Senator from Rhode Island.

Mr. GERRY. Does the Senator mean to say that the first-line battleships did not have the effect of keeping the German merchant marine off the seas, and that we could have won this war if we had not had first-line battleships, both of the English Navy and our own Navy, which gave us the freedom of the seas?

Mr. THOMAS. I have not said anything of the kind. The first-line battleships in this war were very, very valuable, because Germany had a lot of first-class battleships that had to be kept in check. The first-line battleships and the other battleships were very, very essential in the protection of the English mercantile marine, but I want to say to the Senator that if when this war began Germany had had 150 submarines instead of having only half a dozen, we never would have heard of the first-line battleships or, much more, about the merchant marine of England. Fortunately, during the war the development of defensive measures against the submarine, and the multiplication of submarines by the allies, practically upon a line with their multiplication by the Germans, held that method of warfare in check.

Mr. President, I believe that if this war had continued six months longer every German battleship at Kiel would have been destroyed by American airplanes. I believe that airplane squadrons would have visited that rendezvous in quick succession, with the consequence that everything upon which the law of gravitation could operate would either have been disabled or swept out of existence, because of the myriad airplanes which, bearing the American colors, by that time would have had the supremacy of the air. I think that we should develop our submarines, our torpedoes, our aircraft, but I think, Mr. President, that the effect of this war upon the battleship will be precisely what the effect of the Civil War was upon the old wooden battle frigate—it will be retired and in length of time forgotten.

But whether that be true or not, Mr. President, if we are going to have, as I trust we shall have, a permanent peace—permanent for half a century at least—why should we, a year and a half after the war is ended, during a time of profound peace, spend more than two and a half million dollars for the increase of our Navy, when we have at the same time this gigantic burden of debt to carry, which our children, our children's children, and their children's children will never live long enough to pay?

We can cut out a great many other things, such as river and harbor bills and many appropriations in our Agricultural bills. We can do away entirely with the very foolish and expensive practice of erecting public buildings in little towns throughout the country; we can put a quietus here in Washington to enormous expenditures by serving notice upon the heads of the departments, to which the Senator from Utah referred, that these vast expenditures will no longer be tolerated. We can close up, and ought to close up, a very large percentage of the so-called bureaus and divisions not only in this city but their ramifications all over the country, and, above all, Mr. President, we can reduce the membership of our civil service by 40 per cent, save hundreds of millions of dollars, and at the same time increase our efficiency of service.

Why, Mr. President, a bill was introduced here the other day by a very enthusiastic and patriotic Senator, providing for three months' pay to every soldier in the United States Army upon his discharge. That appeals to the average man as something delightful; but I wonder if the Senator made a calculation as to what that would cost the Treasury of the United States. I have. It is considerably more than $400,000,000; but it has been introduced here, and it is not the only one. I simply cite it as a sample. The chances are that in our desire to secure the political support of these 4,000,000 of gentlemen when they come home the two great political parties will see which can get to its goal first and cast the most votes for that bill.

I do not know to what extent these things are going, but I do know that the watchword of this Congress and the next Congress should be retrenchment, frugality, economy—cheesepparing, if you please—and if we do that, $4,000,000,000 will be enough not only for the next year but for the year thereafter, and that is what I want to see in connection with this bill.

I hope, therefore, that before the conference committee passes upon this bill we will have an estimate of economies as well as an estimate of expenditures, and see how they look, publish them, let the people consider them, and let them contrast some of the various means to which we are proposing to resort to get money out of the Treasury. I do not know of anything that would make more interesting news than a collation of two weeks' introduction of bills in the House and the Senate calling for appropriations for this, that, and the other thing. I am inclined to believe that it would furnish a sort of a kaleidoscopic object lesson to the people of the manner in which the legislative department of the United States regards the money of the people, and perhaps, by its very extravagance and ludicrousness, awaken a public sentiment which up to this time, I am sorry to say, seems to be entirely dormant.

Mr. President, I had intended to discuss some other features of this bill at this time, but my failing voice warns me, to say nothing of the frowns of my very much beloved friend, the Senator from North Carolina, who has this bill in charge and who up to this time has displayed wondrous patience and forebearance with men like myself.

Mr. SIMMONS. I am not frowning; I am smiling.

Mr. THOMAS. I will, therefore, for his sake, if not for my own, to say nothing of the large and enthusiastic audience with which I have been honored during my discussion, leave the floor, in the hope that when my amendment is submitted for a yea-and-nay vote it will at least get the votes of the Senators who have honored me with their attention.

Mr. McKELLAR. Mr. President, I give notice that I shall ask for a separate vote on the postal-zone amendment, when it comes up in the Senate. It is section 1402 of the bill, amending section 1101 of the revenue act of 1917.

Mr. SIMMONS. Mr. President, I have placed in the Secretary's hands some amendments adopted by the committee which I should like to have read and acted upon. Most of them are pro forma amendments.

The PRESIDING OFFICER (Mr. JOHNSON of South Dakota in the chair). The amendments will be stated.

The SECRETARY. On page 7, line 15, the Senator from North Carolina proposes to reconsider the votes by which the amendments on that line were agreed to, and simply to strike out the numeral "1" in parentheses, and the numeral "2" in parentheses.

The PRESIDING OFFICER. Without objection, in cases where amendments are proposed to portions of the bill where amendments have been heretofore agreed to, the votes will be reconsidered. The Chair hears no objection. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The SECRETARY. On page 8, line 24, strike out all after the word "amounts," down to the words "net income," on page 9, line 1, and insert "allowed as a deduction under paragraph (6) of subdivision (a) of section 234."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The SECRETARY. On page 31, line 14, after the word "income," and after the amendment already inserted at that place, insert a comma and the following: "and amounts received as dividends from a personal-service corporation out of earnings or profits upon which income tax has been imposed by act of Congress."

The amendment was agreed to.

The SECRETARY. On page 55, line 24, after the word "income," and after the amendment already inserted at that place, it is proposed to insert a comma and the following: "and amounts received as dividends from a personal-service corporation out of earnings or profits upon which income tax has been imposed by act of Congress."

The amendment was agreed to.

The SECRETARY. On page 10, after line 18, it is proposed to insert a new section, as follows:

PARTS OF INCOME SUBJECT TO RATES FOR DIFFERENT YEARS.

SEC. 206. Whenever parts of a taxpayer's net income are subject to rates for different calendar years, the part subject to the rates for the most recent calendar year shall be placed in the lower brackets, the part subject to the rates for the next preceding calendar year shall be placed in the next higher brackets, and so on until the entire net income has been accounted for.

For purposes of the normal tax any personal exemption or other specific exemption allowed in any preceding year shall not be again allowed against that part of the taxpayers' net income for the taxable year which is subject to the rates for such preceding year.

Any deductions not otherwise allocable to any preceding year shall be applied against the income subject to the rates for the most recent calendar year; and any balance thereof shall be applied against the income subject to the rates for the next preceding year or years until fully allowed.

The amendment was agreed to.

The SECRETARY. On page 62, line 12, after the word "corporations," it is proposed to insert the words "subject to taxation under this title."

The amendment was agreed to.

The SECRETARY. On page 23, after line 14, it is proposed to insert:

In the case of a device which the taxpayer has invented and which has been accepted by the War or Navy Department since April 6, 1917, for use in the present war, and which has been put into actual use as the basis for successful major operations by the United States Government in said war, and the Secretary of War or the Secretary of the Navy shall so certify to the Secretary of the Treasury, no tax shall be imposed for the year 1918 on the royalties received or any amount received in lieu of royalties by the taxpayer for use of said device, and the expense and deduction properly allocated to such exempt income shall not be deducted from any remaining income of the taxpayer subject to taxation.

The amendment was agreed to.

The SECRETARY. On page 33, line 17, strike out the words "the last annual," and in lieu thereof insert the word "any."

The amendment was agreed to.

The SECRETARY. On page 33, line 18, strike out the words "prior to the close of," and in lieu thereof insert "ending within."

The amendment was agreed to.

The SECRETARY. On page 36, line 18, strike out the period and insert a comma and the following: "except that in determining the net income of the estate of any deceased person during the period of administration there may be deducted the amount of any income properly paid or credited to any legatee, heir, or other beneficiary."

The amendment was agreed to.

The SECRETARY. On page 36, at the end of line 22, insert the following: "and in the case of any income of an estate during the period of administration or settlement permitted by subdivision (c) to be deducted from the net income upon which tax is to be paid by the fiduciary."

The amendment was agreed to.

The SECRETARY. On page 37, line 6, strike out the words "the last annual" and insert in lieu thereof the word "any."

The amendment was agreed to.

The SECRETARY. On page 37, line 7, strike out the words "prior to the close of" and in lieu thereof insert the words "ending within."

The amendment was agreed to.

The SECRETARY. On page 64, line 26, after the period, add a new sentence, as follows:

When return is made under section 226, the credit provided in subdivision (c) of section 236 shall be reduced to an amount which bears the same ratio to the full credit therein provided as the number of months in the period for which such return is made bears to 12 months.

The amendment was agreed to.

The SECRETARY. On page 73, line 5, after the word "abatement," strike out the comma and insert "such sum of 5 per cent shall not be added, and."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The SECRETARY. On page 97, line 8, after the word "income," where it first occurs, insert the words "for the purposes of this title and of Title II."

The amendment to the amendment was agreed to.

The SECRETARY. On page 97, line 9, strike out the word "the" and in lieu thereof insert the word "such."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The SECRETARY. On page 207, beginning on line 19, strike out all of section 907, down to and including line 3, on page 208, and in lieu thereof, on page 250, after line 10, insert the following:

(c) Under such rules and regulations as the commissioner, with the approval of the Secretary, may prescribe, the taxes imposed under the provisions of Titles VI, VII, or IX shall not apply in respect to articles sold or leased for export and in due course so exported. Under such rules and regulations the amount of any internal-revenue tax erroneously or illegally collected in respect to exported articles may be refunded to the exporter of the articles instead of to the manufacturer, if the manufacturer waives any claim for the amount so to be refunded.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The SECRETARY. On page 251, lines 24 and 25, strike out the words "internal-revenue" and insert "income-tax and war excess-profits tax."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The SECRETARY. On page 273 strike out lines 1 to 15, inclusive, and insert:

SEC. 1320. That wherever by the laws of the United States or regulations made pursuant thereto any person is required to furnish any recognizance, stipulation, bond, guarantee, or undertaking, hereinafter called "penal bond," with surety or sureties, such person may, in lieu of such surety or sureties, deposit as security with the official having authority to approve such penal bond United States liberty bonds or other bonds of the United States in a sum equal at their par value to the amount of such penal bond required to be furnished, together with an agreement authorizing such official to collect or sell such bonds so deposited in case of any default in the performance of any of the conditions or stipulations of such penal bond. The acceptance of such United States bonds in lieu of surety or sureties required by law shall have the same force and effect as individual or corporate sureties, or certified checks, bank drafts, post-office money orders, or cash, for the penalty or amount of such penal bond. The bonds deposited hereunder, and such other United States bonds as may be substituted therefor from time to time as such security, may be deposited with the Treasurer or an Assistant Treasurer of the United States, a Government depository, Federal reserve bank, or member bank, which shall issue receipt therefor, describing such bonds so deposited. As soon as security for the performance of such penal bond is no longer necessary such bonds so deposited shall be returned to the depositor: *Provided*, That in case a person or persons supplying a contractor with labor or material as provided by the act of Congress approved February 24, 1905 (33 Stat., 811), entitled "An act to amend an act approved August 13, 1894, entitled 'An act for the protection of persons furnishing materials and labor for the construction of public works,'" shall file with the obligee, at any time after a default in the performance of any contract subject to said acts, the application and affidavit therein provided, the obligee shall not deliver to the obligor the deposited bonds nor any surplus proceeds thereof until the expiration of the time limited by said acts for the institution of suit by such person or persons, and in case suit shall be instituted within such time shall hold said bonds or proceeds subject to the order of the court having jurisdiction thereof: *Provided further*, That nothing herein contained shall affect or impair the priority of the claim of the United States against the bonds deposited or any right or remedy granted by said acts or by this section to the United States for default upon any obligation of said penal bond: *Provided further*, That all laws inconsistent with this section are hereby so modified as to conform to the provisions hereof: *And provided further*, That nothing contained herein shall affect the authority of courts over the security, where such bonds are taken as security in judicial proceedings, or the authority of any administrative officer of the United States to receive United States bonds for security in cases authorized by existing laws. The Secretary may prescribe rules and regulations necessary and proper for carrying this section into effect.

The amendment was agreed to.

Mr. SIMMONS. Mr. President, I ask that we now return to the amendments that have not been acted upon.

The SECRETARY. On page 11, an amendment was passed over at the instance of the Senator from Wisconsin [Mr. LA FOLLETTE], whereby the committee proposed to strike out all of line 3, down to and including line 9, and to insert two subdivisions, "(a)" and "(b)." Also, on page 47, at the bottom of the page, an amendment passed over at the instance of the Senator from New Mexico [Mr. JONES], under the head of "Corporations—Tax on corporations," all passed over down to and including line 13 on page 49.

The PRESIDING OFFICER. Does the Senator from North Carolina wish to have the amendments simply stated?

Mr. SIMMONS. That can go over. I am just trying to see if I can find any amendment that has been passed over that we can act upon this afternoon.

The SECRETARY. On page 65, under the head of "Consolidated returns," section 240 was passed over at the request of the Senator from Utah [Mr. SMOOT].

Mr. SMOOT. Mr. President, yesterday that section was disposed of, as far as the request made by me that it go over was concerned, after the Senator from Minnesota [Mr. KELLOGG] had offered his amendment, and it was accepted.

Mr. LENROOT. Mr. President, if that be true, I ask for its reconsideration now, so that it may remain open and go over. I wish to offer an amendment to section 240.

Mr. SMOOT. To the consolidated-returns section?

Mr. LENROOT. Yes.

Mr. SMOOT. Then it can go over again.

Mr. LENROOT. I ask that there may be a reconsideration.

The PRESIDING OFFICER. Is there any objection to the reconsideration?

Mr. SIMMONS. I have no objection, if the Senator desires to offer a further amendment.

The PRESIDING OFFICER. Without objection, the action whereby the amendment was agreed to will be reconsidered, and the section will be passed over until tomorrow.

The SECRETARY. The next amendment passed over will be found on page 84, beginning with the subdivision "(b)."

Mr. SIMMONS. Let that go over.

Mr. SMOOT. That may go over.

The PRESIDING OFFICER. The amendment will be again passed over.

The SECRETARY. The second bracket, also; and there were passed over the amendments which follow in section 302, proposing to strike out and insert.

Mr. SMOOT. Let that go over, too, Mr. President.

The PRESIDING OFFICER. The amendment will be again passed over.

The SECRETARY. On page 105, under "Miscellaneous," section 335 was passed over at the request of the Senator from Utah [Mr. SMOOT].

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The amendment will be again passed over.

The SECRETARY. On page 107, at the bottom of the page, Title IV, "Estate tax," was passed over at the instance of the Senator from Colorado [Mr. THOMAS].

Mr. THOMAS. Mr. President, that was with a view to the motion that I submitted to strike out, on page 123, beginning with line 23, after the word "decedent," the remainder of the sentence. I should like to take that up in the morning.

Mr. SIMMONS. Mr. President, that is all right. I am going to move to take a recess until 11 o'clock to-morrow.

Mr. THOMAS. Just a minute, Mr. President.

Mr. SIMMONS. I have not yet made the motion.

Mr. THOMAS. I am going to suggest to the Senator that there is a very important meeting of the Committee on Foreign Relations called for 10 o'clock to-morrow morning to consider two resolutions, one introduced by the Senator from Pennsylvania [Mr. KNOX] and the other by the Senator from California [Mr. JOHNSON]. They are both of great present importance, and I do not think it would be possible for that committee to finish its consideration of those resolutions and be able to attend the session of the Senate at 11 o'clock.

Mr. SIMMONS. I will state to the Senator that I was just about to say that the senior Senator from Massachusetts [Mr. LODGE] has given notice that he will make a speech to-morrow upon a resolution which he offered, I think, this morning. I have conferred with him about the matter of taking a recess until 11 o'clock and he does not offer any objection to it, as he will speak immediately after the Senate assembles and probably will occupy about an hour. By that time it will be the usual hour of assembling. I simply wanted to make that statement preliminary to making the motion—that the Senator from Massachusetts will speak in the morning when the Senate meets at 11 o'clock.

Mr. LODGE. Mr. President, in reply to what the Senator from North Carolina has said, I will state that it makes very little difference to me at what hour I speak; but there is a meeting of the Committee on Foreign Relations to-morrow at 10 o'clock which is of very great importance. It would be rather embarrassing for that committee to have a meeting of the Senate at 11 o'clock, and it would be rather difficult for me to be here. I could leave the committee, of course. My presence there is not essential.

Mr. SIMMONS. Then the Senate might take up this bill and continue its consideration at 12 o'clock.

Mr. LODGE. I have no objection to the Senate meeting at 11 o'clock, and I can arrange myself to be here at that time.

RECESS.

Mr. SIMMONS. I move that the Senate take a recess until 11 o'clock to-morrow morning.

The motion was agreed to; and (at 4 o'clock and 55 minutes p. m.) the Senate took a recess until to-morrow, Saturday, December 21, 1918, at 11 o'clock a. m.

SENATE.

SATURDAY, *December 21, 1918.*

(Legislative day of Sunday, December 15, 1918.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The Vice President being absent, the President pro tempore assumed the chair.

Mr. KENYON. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, S. Dak	Martin, Va.	Smith, Ga.
Brandegee	Jones, Wash	Moses	Smith, Mich.
Culberson	Kellogg	Myers	Smoot
Curtis	Kenyon	New	Spencer
Dillingham	King	Norris	Sutherland
Fernald	Kirby	Page	Swanson
France	Knox	Penrose	Thomas
Gay	La Follette	Pittman	Townsend
Gerry	Lenroot	Poindexter	Trammell
Hale	Lodge	Pomerene	Underwood
Harding	McCumber	Saulsbury	Vardaman
Henderson	McKellar	Sheppard	Warren
Hitchcock	McLean	Simmons	
Johnson, Cal.	McNary	Smith, Ariz.	

Mr. CURTIS. I desire to announce the unavoidable absence of the Senator from Indiana [Mr. WATSON]. I will allow this announcement to stand for the day.

Mr. KING. I wish to announce the absence of the senior Senator from Minnesota [Mr. NELSON], the senior Senator from South Dakota [Mr. STERLING], the junior Senator from North Carolina [Mr. OVERMAN], the senior Senator from Missouri [Mr. REED], and the junior Senator from Delaware [Mr. WOLCOTT] on official business.

Mr. McKELLAR. The senior Senator from Tennessee [Mr. SHIELDS] is absent on account of illness.

Mr. SUTHERLAND. My colleague, the senior Senator from West Virginia [Mr. GOFF], is absent owing to illness.

Mr. CURTIS. I wish to announce the absence of the Senator from Illinois [Mr. SHERMAN] on account of illness in his family. I will let this announcement stand for the day.

Mr. SHEPPARD. I desire to announce that the Senator from California [Mr. PHELAN] and the Senator from Montana [Mr. WALSH] are detained on official business.

I wish also to announce that the Senator from Mississippi [Mr. WILLIAMS] is detained by illness.

The PRESIDENT pro tempore. Fifty-four Senators have answered to their names. There is a quorum present.

PETITIONS AND MEMORIALS.

Mr. JOHNSON of South Dakota. I have a telegram here from the Business Club of Deadwood, S. Dak., on the important subject of the Government ownership of railroads and express companies. I should like to have it printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

DEADWOOD, S. DAK., *December 10, 1918.*

Hon. E. S. JOHNSON,
United States Senate, Washington, D. C.:

Resolved, That it is the sentiment of the Deadwood Business Club that railroads, express companies, telegraph, telephone, and cable lines, which were taken over for operation by the Government as a war measure, should be returned to their respective owners for operation with least possible delay, and that the country be restored to an industrial peace basis as soon as possible.

DEADWOOD BUSINESS CLUB.

Mr. NELSON presented memorials of the J. N. Collins Co., of Minneapolis; the A. M. Ramer Candy Co., of Winona; of the Roach Tisdale Co., of Minneapolis; and of the Schuler Chocolate Factory; and McCussick Towle & Co., of Winona and Minneapolis, all in the State of Minnesota, remonstrating against a

tax on candy as proposed in the pending revenue bill, which were ordered to lie on the table.

He also presented a memorial of the Janney, Semple, Hill & Co., of Minneapolis, Minn., remonstrating against the proposed tax of 10 per cent on sporting goods, which was ordered to lie on the table.

He also presented a petition from the Albert Lea Publishing Co., of Albert Lea, Minn., praying for the repeal of the present zone rate on second-class mail matter, which was ordered to lie on the table.

He also presented a memorial of the Marshall Hardware Co., of Duluth, Minn., remonstrating against an increase in the tax on guns and ammunition, which was ordered to lie on the table.

He also presented a memorial of the Raw Fur Merchants' Association of New York City, N. Y., and a memorial of the Fur Merchants' Credit Association of New York City, N. Y., remonstrating against the proposed 10 per cent tax on furs in the pending revenue bill, which were ordered to lie on the table.

He also presented a memorial of William White & Co., of Moline, Ill., remonstrating against the passage of the pending revenue bill, which was ordered to lie on the table.

He also presented a memorial of the Minneapolis Auto Trade Association of Minnesota, remonstrating against the proposed tax on automobile parts and accessories, which was ordered to lie on the table.

He also presented a memorial of the North West Haynes Auto Co., of Minneapolis, Minn., remonstrating against the proposed tax of 5 per cent on automobiles and trucks, which was ordered to lie on the table.

GOVERNMENT CONTRACTS.

Mr. KING, from the Committee on the Judiciary, to which was referred the bill (S. 4733) requiring the filing of copies of all contracts for services rendered or materials furnished to the United States or certain contractors and agencies of the United States, reported it without amendment and submitted a report (No. 627) thereon.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. JONES of Washington:

A bill (S. 5218) granting an increase of pension to Alonzo R. Cole (with accompanying papers); to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 5219) granting a pension to Edwin W. Gordon; to the Committee on Pensions.

By Mr. BANKHEAD:

A joint resolution (S. J. Res. 200) authorizing the Secretary of War to transfer to the Secretary of Agriculture certain war material suitable for improvement of highways, to be distributed among the several States; to the Committee on Post Offices and Post Roads.

EPIDEMIC OF INFLUENZA IN ALASKA.

Mr. JONES of Washington. Mr. President, the governor of Alaska has called to my attention a situation in Alaska that I think requires early and prompt action by the Government. That Territory, especially the southeastern part, is being ravished by the influenza, which is taking off natives by the hundreds. All the Territorial funds, the educational and medical funds, and the Red Cross funds are exhausted, and the governor has incurred obligations to the amount of seventy-odd thousand dollars more than he has money in taking care of the situation there, and the demands are increasing. From what he tells me, I think Congress ought to take action without delay, and, looking to that end, I ask unanimous consent to introduce a joint resolution, to be referred to the Committee on Appropriations, in the hope that the committee may meet soon and hear the governor and take proper action to meet the situation.

The joint resolution (S. J. Res. 199) proposing an appropriation to combat the prevailing influenza in Alaska, was read twice by its title and referred to the Committee on Appropriations.

EXCESS WAR DEPARTMENT SUPPLIES.

Mr. NORRIS. Mr. President, I submit a resolution of inquiry, and I desire to ask unanimous consent for its present consideration. The Senator from North Carolina [Mr. SIMMONS] has consented to yield for that purpose, if it does not take any time, and I am satisfied it will not.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Nebraska?

Mr. PENROSE. Let the resolution be read for information.

The PRESIDENT pro tempore. The Secretary will read the resolution.

The resolution (S. Res. 392) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of War be instructed to inform the Senate:

1. What amount of clothing, boots and shoes, leather, wool, cotton, and supplies of food the department has on hand that will not be necessary for the use of the Army under present conditions.

2. What action, if any, does the department contemplate in regard to the sale of such excess of supplies.

3. Is any additional legislation necessary to authorize the department to sell such supplies not necessary for the use of the Army?

SHIPS OF WAR SURRENDERED TO THE ALLIES.

Mr. KING submitted the following resolution (S. Res. 393), which was referred to Committee on Foreign Relations:

Whereas it is reported that plans are being formed by the naval authorities of the United States and the allied Governments to sink and destroy the vessels of war surrendered by Germany, according to the terms of the armistice; and

Whereas the destruction of such vessels is unnecessary and would serve no good or useful purpose, but, on the contrary, would be an unwarranted act of waste and improvidence: Now, therefore, be it

Resolved, That it is the sense of the Senate that said vessels of war be disposed of equitably between the United States and the allied powers, and that the same be adapted to proper use as vessels of war or be altered and adapted to proper use in maritime service.

THE REVENUE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12863) to provide revenue, and for other purposes.

Mr. SIMMONS. I should like to inquire of the Senator from Wisconsin [Mr. LA FOLLETTE] if he is ready to go on this morning?

Mr. LA FOLLETTE. Has the Senate disposed of all of the committee amendments?

Mr. SIMMONS. No; they are not all disposed of yet.

Mr. LA FOLLETTE. I will wait until they are disposed of before I offer a substitute.

Mr. TOWNSEND. May I propose an amendment? I do not care to discuss it to any extent. It was discussed before the committee, and I should like to have a vote of the Senate upon the proposition.

Mr. SIMMONS. There are some committee amendments left over and I will call them up.

Mr. TOWNSEND. I have no objection to taking up committee amendments. I know, of course, we have not disposed of the 1920 amendment, and it has to be debated, and I desire to discuss it when it comes up, but there is another amendment, a provision which was adopted by the committee, which I should like to have stricken from the bill. I am willing to reserve the matter until the proper time.

Mr. SIMMONS. There is some Senator, I do not now remember who it is, who desires to present an amendment to the section with regard to consolidated returns.

Mr. LENROOT. I desire to offer that amendment. I move to amend section 240, page 65, line 22, by inserting before the word "shall" the words "engaged in the same kind of business."

Mr. SIMMONS. I have no objection to that amendment if the Senator will, after the word "same," insert the words "or related," so as to include everything.

Mr. LENROOT. What would be the Senator's idea in inserting the word "related"?

Mr. SIMMONS. Where the work was in a coal mine, and in transporting it they were working in cooperation.

Mr. LENROOT. I have no objection.

Mr. SIMMONS. I have no objection to the amendment modified in that way.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. HITCHCOCK. I should like to hear the amendment read.

The PRESIDENT pro tempore. The Chair could not hear it himself. The Secretary will read the amendment.

The SECRETARY. On page 65, section 240, which was reconsidered last evening, line 22, after the word "corporations," insert "engaged in the same kind of business," so as to read:

(b) For the purpose of this section, two or more corporations engaged in the same kind of business shall be deemed to be affiliated—

And so forth.

Mr. PENROSE. That is not the way it was put. The word "related" was offered by the chairman.

Mr. SIMMONS. The word "related" should be inserted.

The PRESIDENT pro tempore. The Senator from Wisconsin will please send his amendment to the desk in writing.

Mr. PENROSE. There is really no difficulty about the amendment. The Senator from Wisconsin offered it, and the chairman of the committee suggested another word which the Secretary failed to read.

The PRESIDENT pro tempore. The Chair has been barely able to hear either of the Senators in regard to this amend-

ment, and the Secretary has not been able to do so. The rule requires an amendment to be reduced to writing.

Mr. SIMMONS. Mr. President, I have the amendment in writing at hand here. If the Senator from Wisconsin will give me his attention, I desire to say I think the amendment should read in this way:

For the purpose of this section two or more corporations engaged in the same or related business shall be deemed to be affiliated.

That is the amendment, Mr. President.

The PRESIDENT pro tempore. The Secretary will state the proposed amendment.

The SECRETARY. On page 65, line 2, after the word "corporations," it is proposed to insert the words "engaged in the same or related business."

Mr. HITCHCOCK. Mr. President, I would like to ask the Senator this question: Suppose one corporation is engaged in a manufacturing business and it finds it necessary, say, to construct a building for its use, or partly for its use, and it does so through another corporation, would that other corporation come within this limitation which the Senator now proposes to prescribe?

Mr. LENROOT. Certainly not if the building were only partly for the use of the corporation, and it ought not to; but if it were wholly for its use I should say "yes."

Mr. KELLOGG. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Minnesota?

Mr. SIMMONS. The trouble with the suggestion of the Senator is that this would not apply to any one transaction, but it must be related in regular business.

Mr. HITCHCOCK. As the law has been heretofore, Mr. President, and as I think this bill proposes to leave it, any corporation could form a subsidiary corporation for some such purpose as that; but if I understand the Senator's amendment correctly, such a corporation, so formed, would not be subject to a consolidated return if it had in any degree any outside interest.

Mr. SIMMONS. Oh, no.

Mr. LENROOT. I will say in reply to the Senator that my understanding of the present regulation of the Treasury Department is that the consolidated return is now permitted only if the two corporations are engaged in the same kind of business.

Mr. HITCHCOCK. I think the Senator from Wisconsin is entirely mistaken in that. I have known of cases in which the consolidated return has been required where concerns, either mercantile or manufacturing, had constructed buildings, as in the instance I have given. The construction of a building and the operation of a building are not allied, are not similar, and are not the same business; it is only a subsidiary business, in a degree.

Mr. LENROOT. Does the Senator think, in that kind of a case, a corporation should be relieved from the payment of a war-profits tax because of the ownership of a building which it is renting to tenants?

Mr. HITCHCOCK. I do not understand that this is for the purpose of relieving such a corporation from the payment of the war-profits tax——

Mr. LENROOT. I understand it is.

Mr. HITCHCOCK. But it is for the purpose of requiring a consolidated return instead of two separate returns.

Mr. LENROOT. No; but it does, Mr. President, if I may give to the Senate my understanding of this provision as it now exists. Here is a corporation making tremendous war profits, and but for this provision it would pay a war-profits tax based upon the invested capital and income of that corporation; but if that corporation, or the individual who may own the stock in the corporation, is also engaged in some other business, or, in the instance such as the Senator from Nebraska now speaks of, an individual has erected a building and rented it to tenants, out of which there are no war profits at all, out of which he receives but a normal return, under this consolidated return section he may include all of the capital that the other corporation has invested in that building out of which it is receiving a normal return, and may have that capital included in the capital of the corporation making war profits, and thereby greatly reduce the war-profits taxes that the corporation shall pay.

Mr. THOMAS and Mr. KELLOGG addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield, and, if so, to whom?

Mr. LENROOT. I yield to the Senator from Colorado.

Mr. THOMAS. I merely wish to say that the experts who have been assisting the Finance Committee in the structure of this bill informed us that this consolidated system of returns will increase instead of decreasing the revenues of the Government. I do not think, therefore, that the construction which the Senator places upon the effect of this proposed consolidated return is a correct one.

Mr. LENROOT. I desire to ask the Senator this question: It does not require an expert to determine the fact that, if a corporation is engaged in making large war profits and it also owns stock in other corporations making only normal profits, under this consolidated return the corporation making war profits will be relieved from paying on war profits.

Mr. THOMAS. If the returns were to be made for the purpose indicated by the Senator from Wisconsin, of course the result would be as he claims; but the purpose of the consolidated return is largely as a matter of convenience, and the affairs of the different subsidiary corporations are set out in the consolidated return precisely as they would be if there were separate returns for each. It is a matter of administration, simplifying and expediting the business of the department.

Mr. LENROOT. Well, if the Senator please, the purpose in making the return can have no effect upon the results growing out of the return. The consolidated return is made compulsory.

Mr. THOMAS and Mr. KELLOGG addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield further; and if so, to whom?

Mr. LENROOT. I yield further to the Senator from Colorado.

Mr. THOMAS. I merely wish to say, if the Senator will permit me to make another statement—and that is a matter, of course, with which he is as familiar as myself—the consolidated returns, which are now permissible, result from departmental regulations and not from the statute; and the manner in which they have been made conforms to the process provided for in this proposed amendment. As made they have not had the effect, if I am correctly informed, now predicted by the Senator from Wisconsin.

Mr. KELLOGG. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Minnesota?

Mr. SMOOT. Mr. President, I think the Senator from Colorado——

The PRESIDENT pro tempore. The Senator from Minnesota [Mr. KELLOGG] has been attempting to get the floor, and the Chair has asked the Senator from Wisconsin if he yielded to the Senator from Minnesota. Does the Senator from Wisconsin yield to the Senator from Minnesota?

Mr. LENROOT. I yield to the Senator from Minnesota

Mr. SMOOT. I wish to say to the Chair that I thought the Senator from Wiconsin had yielded to me.

The PRESIDENT pro tempore. The Senator from Wisconsin has yielded to the Senator from Minnesota.

Mr. SMOOT. Excuse me. I did not know that.

Mr. KELLOGG. Mr. President, if I understand the Senator from Wisconsin [Mr. LENROOT], what he wishes to accomplish is this: The Senator does not object to a consolidated return in the case of what may be called an integrated business. If a manufacturing corporation must have a separate company to produce its raw materials and another company to transport the raw materials, and perhaps another company in this or in a foreign country to sell the manufactured materials, the Senator does not object to such a company rendering a consolidated return and the tax being paid on such consolidated return; but what he does object to is a corporation organizing or having stock in an entirely unrelated business simply for the purpose of reducing its taxes. If the amendment will accomplish the object which the Senator seeks, it would seem to me it would be a fair amendment if the Treasury Department believes that to be the result of the amendment.

Mr. SIMMONS. Mr. President, I did not understand that the Senator from Wisconsin was particularly opposing the consolidated return in the original section of the bill, but that he was proposing to amend it so as to make it better, in his judgment.

Mr. LENROOT. I am not opposed to the kind of a case which the chairman of the committee in his opening speech gave an illustration of, where a corporation was really engaged in the same kind of business. The Senator from Utah, I think, gave an illustration of a chain of stores, where, for convenience sake or possibly because of State laws, they were organized in different States, but were really one business.

Mr. SIMMONS. Where they were really one business.

Mr. LENROOT. I am not objecting to that; but I am objecting to the case where a corporation engaged in one line of business, making very large profits, may utilize the capital and returns of another corporation not making large profits to reduce the tax that it pays to the Government.

Mr. SIMMONS. In that, I think, I agree with the Senator. I think his amendment is very helpful, and I hope it will be adopted.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. LENROOT. Yes.

Mr. KING. I think the Senator from Wisconsin in the statement that he has just made suggests a limitation that goes too far. I do not think that in the case of two corporations controlled by the same forces or the same individuals, and engaged in the same business—for instance, the manufacture of munitions—one in one town and one in another, one of which is profitable and the other is unprofitable, the losses of the unprofitable should be subtracted from the profits of the profitable for the purpose of diminishing the taxes. There they would be engaged in the same business; that is, the same character of business; but it does seem to me that it would be wholly improper and certainly unfair to the Government to permit the unprofitable concern to subtract its losses from the profits of the profitable one.

Mr. LENROOT. Mr. President, may I say to the Senator that when this amendment is disposed of I shall offer another amendment, striking out from the paragraph the provision authorizing consolidated returns in the case of individuals holding the stock of two or more corporations, even though they are doing the same kind of business. If one corporation has subsidiary corporations engaged in the same kind of business I think it is proper that a consolidated return be permitted; but if one man owns a dozen corporations in different States, although they are engaged in the same business, the fact that an individual owns the corporations should not permit consolidated returns, thus relieving those corporations from just taxation.

Mr. KING. Mr. President, let me invite my friend's attention to the fact that in the mining districts can be found an exemplification that may result from the interpretation which I think can legitimately be placed upon this section. A and B may incorporate to operate a copper-mining claim and may also incorporate to operate a lead mine. From the copper property they may derive enormous profits, while the lead property, perhaps a hundred feet away, will be very unprofitable. The ownership is the same. It seems to me that it would be very unfair and very unjust to the Government for those individuals to take from the profits that they have made from the copper property the losses that they have sustained in the lead property for the purpose of diminishing the taxes which ought to be paid by the copper property corporation to the Government.

Mr. LENROOT. Mr. President, I will repeat that I expect to cover that question when the pending amendment is disposed of by offering another amendment to the committee proposal.

Mr. KING. I think the entire section is so dangerous that perhaps, in the interest of the Government, it ought to go out altogether.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Wisconsin to the amendment proposed by the committee.

The amendment to the amendment was agreed to.

The PRESIDENT pro tempore. The question now is on agreeing to the amendment of the committee as amended.

Mr. LENROOT. I offer another amendment.

The PRESIDENT pro tempore. Is the Senator's amendment to the same amendment reported by the committee?

Mr. LENROOT. It is another amendment to the amendment of the committee.

The PRESIDENT pro tempore. The Secretary will state the proposed amendment to the amendment.

The SECRETARY. At the bottom of page 65, line 25, after the word "others," it is proposed to strike out the words "or if substantially all the stock of two or more corporations is owned or controlled by the same interests."

Mr. KING. May I ask the Secretary to state the amendment again?

The PRESIDENT pro tempore. The Secretary will again state the amendment.

The amendment was again stated.

Mr. LENROOT. Mr. President, this amendment reaches the question just raised by the Senator from Utah [Mr. KING]. Under the language of the amendment as reported by the committee, if adopted, we will have this kind of a situation: There may be three or four corporations in a given locality and three or four other competing corporations, some of which are making money, some of which are making war profits, and some of which are making only normal profits. If one man or one group of men own the three or four corporations, some of which are making exorbitant profits, others of which are making normal profits, and some of which may be making no profits at all, the amendment reported by the committee will permit consolidated returns of all of those corporations, depending upon the ownership by an individual of the corporations. In other words, it does this: The very wealthy man who may own several corporations will pay very much less taxes to the Government, and the Government will receive very much less revenue from those corporations by reason of the ownership of those corporations by an individual than it would receive from those same corporations if they were owned by different individuals.

Mr. NORRIS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Nebraska?

Mr. LENROOT. Yes.

Mr. NORRIS. I am in sympathy with what the Senator is trying to accomplish, and perhaps his amendment will accomplish exactly what he expects it to do; but this idea has occurred to me: Suppose the Senator's amendment is agreed to, would it not be possible for these same individuals to incorporate and let the parent corporation own the stock rather than the individuals and thus avoid the effect of the provision which the Senator seeks to incorporate in the bill?

Mr. LENROOT. I think that is true, except that these very high taxes are levied for the year 1918, and they could not incorporate to escape the taxes that are really levied by this bill. That is the answer to the question.

Mr. NORRIS. I think that is a good answer, at least so far as the year 1918 is concerned; but they might adopt some such procedure for the next year.

Mr. LENROOT. As to the other proposition, I think that I can see within proper bounds for permitting consolidated returns. In some cases benefit may actually result to the Government by such a consolidation, while, of course, in others it will not; but we ought not by an amendment to offer a premium to enable a corporation or an individual owning a corporation to escape war profits.

Mr. President, the language of the amendment as reported by the committee does just this: It gives a premium, it gives a bonus, to the man who has control over a large number of corporations, tending to monopoly and tending to trusts in restraint of trade. The Government would take from the corporations owned by that man very much less in taxes than it would take from the same corporation if owned by separate individuals. It seems to me, Mr. President, that such a course can not be justified. Merely because Mr. Rockefeller, for instance, may own the stock of half a dozen corporations ought not to relieve those corporations from paying the same tax to the Government that those corporations would pay if they were owned by different individuals.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Wisconsin to the amendment reported by the committee.

Mr. SIMMONS. Mr. President, I simply desire to say that this question of consolidated returns has been a very much mooted question. The Commissioner of Internal Revenue under the present law, although it was not expressly authorized, provided by regulation for consolidated returns in the case of the excess war-profits tax. The question was raised, first, as I understand, in the appropriate committee of the House as to the effect of that practice upon the revenues of the Government. Admittedly it is in the interest of easy and expeditious administration. It was contended, however, that possibly it might reduce the revenues of the Government because of the situation that the Senator from Wisconsin has presented.

The House did not authorize the continuance of this practice by the commissioner. It expressly prohibited it, and it did so upon the idea, as I am advised, that the result would be a diminution in the revenues of the Government. When the matter came before the committee of the Senate for revision we requested the authorities of the department to make a thorough investigation, based upon the experience of the department, with reference to these consolidated returns as practiced under the present bill; and as a result of that investigation—very thoroughly made, as they have advised us—they found that instead of reducing the taxes of the Government it increased the taxes of the Government. Of course, we were advised that there would be cases in which the revenue would be less and that there would be cases in which the revenue would be greater; but, taking the average, we were informed that the returns to the Government were greater under this system than under the method provided by the House.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. SIMMONS. I yield to the Senator from Wisconsin.

Mr. LENROOT. I should like to ask the Senator two questions. First, I should like to ask him whether, under the present practice of the Treasury Department, the department permits a consolidated return depending upon the ownership by an individual of the stock of corporations?

Mr. SIMMONS. I am advised that it does.

Mr. LENROOT. Does the Senator think that there is any authority in law for doing that?

Mr. SIMMONS. Will the Senator repeat his question?

Mr. LENROOT. My question was whether the Treasury Department now, in permitting or requiring consolidated returns, permits or requires them, not depending upon the ownership of one corporation by another, it being a subsidiary corporation, but permits or requires a consolidated return depending upon the ownership of the stock of two or more corporations by an individual or group of individuals?

Mr. SIMMONS. Mr. President, it is very clear that if the stock of two corporations is substantially owned and controlled by one individual or a number of individuals, that is a unity of interest, and that is the basic principle of this amendment—that where there is a substantial unity of interest in both corporations or in both concerns, whatever may be their character, there may be a consolidation of their returns, because it is substantially the same interest, however owned. I do not conceive that it makes any difference whether it is owned by an individual or owned by a corporation. If the individual, as a matter of fact, owns a sufficient amount of the stock of the corporation to absolutely control that corporation, and owns a majority of whatever profits it makes, I do not see that that changes the situation at all. How does that differ from the case of a number of individuals joining their stock and controlling a corporation? Here you have, in the case of one individual, the same condition that you might have in another case as applied to five individuals interested in identically the same thing.

Mr. LENROOT. If I may answer that, there is just this difference—that you are offering a premium to large aggregations of capital, and saying to those large aggregations of capital: "The Government will take from you in taxes less than it will take from competing individuals." That is the answer.

Mr. SIMMONS. Mr. President, you would be offering that premium, as the Senator says, provided as the result of actual experience it is shown that you are granting a privilege to them, that you are permitting them to escape with a less tax. But when the proposition is sustained by the experience of the department, showing that, taken as a whole, it is not a privilege, but it is a burden, you do not reduce, as the result taken as a whole, the taxes that have to be paid and that the Government receives, but you increase the taxes to be paid and which the Government receives.

But, Mr. President, there is even a stronger argument than that in behalf of this general proposition. I think it requires only a little bit of analysis and reflection to see that if you permit separate returns for these great concerns that are substantially owned and directed by the same interest, you open the door to all sorts of manipulations, both as to capital and as to income. They may assign capital excessively to one concern, if it is to their interest to do it; they may assign income excessively to one concern, if it is to their interest to do it; and by manipulating the income and the investment of these affiliated corporations they may avoid and escape just taxation. Now, if you can treat them as a unit, the department can protect the Government against that sort of manipulated returns.

I am told—I do not know whether it is true or not—by representatives of the department that the department is in possession of information, since the passage of the bill through the House prohibiting consolidated returns, that there is a system being developed right now in this country, that some of the shrewdest talent of this country is being engaged in developing it, by which that can be made the means of so manipulating the returns of the taxpayers as to escape taxation upon a broad and big scale.

Mr. LENROOT. Mr. President, the Senator states that experts of the Treasury Department have advised the committee that the committee amendment would increase rather than decrease the revenue of the Government. In reply to that I will say that that can not be so if the Treasury Department performs its duty in allocating invested capital and incomes. It can only be true if the Treasury Department permits a corporation to assign to another corporation a greater proportion of income than belongs to that corporation, or a greater amount of capital than belongs to that corporation. But even if that were so, it would only come about through an increase—for the Senator states that he is speaking of the average—in the taxes of some corporations, thereby making up a deficit that will be created by the exemption from taxation of the war profits of other corporations. Even though that be true, it ought not to be a correct policy to lay down the rule that the wealthy corporation shall be permitted to escape its fair share of taxes if we make it up from some smaller corporation, so that the Government in the end does not lose revenue.

It is very plain, Mr. President—it must be plain to every Senator—that if there is a wealthy group of men, who of course own many corporations, a wealthy group of men making enormous profits out of this war, if they shall be permitted to include the stock, the capital, and returns of every other corporation that they may own—and of course they own a great many, some of them perhaps making losses, some of them making only a normal return—they will be permitted to utilize those corporations to escape their share of the tax on the war profits.

I have no hesitation in saying that if this provision remains in the bill, considering the fact—as fact it is—that most of these great corporations engaged in war activities are owned and controlled by a small group of men also owning and controlling many other corporations, it will readily be seen that the loss to the Government in revenue from the incorporation of this provision in the bill will run into hundreds of millions of dollars. It is one of these instances where, on the face of a bill, we seem to be exacting a very large share of the profits of corporations engaged in war activities, but in other parts of the bill there are concealed—I do not say intentionally by the committee, but nevertheless found there—provisions which it is difficult for any Member of the Senate, especially one who is not a member of the committee, to ferret out and find out whereby these war-profit-making corporations may escape their taxes on war profits. It is very difficult to ascertain the loopholes in this bill which do permit them so to escape. Nevertheless, they are there; and this provision that I seek to strike out is one of them. I say that if it does remain in the bill, the war profits that seem to be imposed upon these corporations would be very greatly reduced, without any justice and without any equity.

Mr. McCUMBER. Mr. President, the Senator from Wisconsin asserts very vociferously that the taxes will necessarily be reduced. The experts of the department say that they will be increased, and that was the testimony that was given before the committee—that the result of this change will be to increase and not decrease the taxes.

Mr. SIMMONS. That was the result of testing it out on the returns of last year.

Mr. McCUMBER. Yes; that was the result of testing it in connection with the returns of last year.

Mr. LENROOT. Mr. President——

Mr. McCUMBER. Now, the Senator from Wisconsin assumes that, in the majority of cases at least, the subsidiary corporations will not be making good profits; that there will be normal profits, or very little profits, or no profits, or losses; and that those will necessarily be deducted from the gains made by the principal corporation. But let us suppose, Mr. President, that you have here a corporation that makes a hundred million dollars, and that that is the principal corporation. It has 10 subsidiary corporations, each of them making $10,000,000, we will say. That would be another $100,000,000. Now, add those together and you have $200,000,000; and if in a consolidated return you base your excess profits upon the $200,000,000, the Government is going to get more money out of it than the Government would get out of it if you were to allow each one of the subsidiary corporations to make its exemptions and then pay on a basis of a very much less income. So the result will be, on the whole, that you would lose rather than make.

Mr. SMITH of Michigan. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Michigan?

Mr. McCUMBER. I do.

Mr. SMITH of Michigan. I should like to ask the Senator before he takes his seat what would be the effect if in the one company the owner or principal owner was making $100,000,000 and in each of a dozen subsidiary companies he was losing a million or two or three millions?

Mr. McCUMBER. Necessarily, Mr. President, there would be a loss; but inasmuch as the facts show that practically all of our corporations are doing well and making money, and making more money than they ever did before, and practically all of them are making excess profits, if you will add the excess profits of the subsidiary corporations to the excess profits of your principal corporation you will have a very much bigger tax for the Government than you would get if you should allow each one of the subsidiary corporations to make its deductions which are allowed by law and then to pay a less percentage upon a less amount of income.

Mr. NORRIS. Mr. President, may I ask the Senator from North Dakota, before he takes his seat, whether it is not true that in the illustration he has given he has not taken into consideration the capital of the subsidiary corporations? Even though they all make a profit, I desire to ask him whether, in the aggregate, the tax would be greater than though they paid their tax separately? Would it not depend upon the size and the capitalization of these various subsidiary corporations?

Mr. McCUMBER. Whether they would make profits, or whether they would make losses, or whether they would break even, necessarily would depend upon the amount of capital invested as compared with the income received; but I am assuming that they are making a fair return upon their capital in most instances.

Mr. NORRIS. So am I. I am assuming that that is true, and I am just trying to get the real meat in the coconut if there is any. But the Senator, in adding the excess profits of the subsidiary corporations to those of the mother corporation, has said that that would make a largely increased profit, which would be true, and the rate would be higher as you go up.

Mr. McCUMBER. Certainly.

Mr. NORRIS. But it would be reduced by the amount of the capitalization, and the other deductions that each separate corporation would be entitled to make. They could take it out of the consolidated amount, just the same as though they made individual returns; so that that would be an element to consider, as to whether it would be an increase or a decrease.

Mr. McCUMBER. Yes; but if you will take a total of $200,000,000, and take $100,000,000 that will make a certain profit, we will say of $50,000,000 over the prewar conditions, and you take the other $100,000,000 which is earned by 10 other corporations, which is only $10,000,000 apiece, and then allow them their amount of exemptions, placing them in lower brackets than they would be placed in if they were added to the other $50,000,000, the Senator can easily see that there would necessarily be a loss to the Government.

If the hypothesis of the Senator from Wisconsin [Mr. LENROOT] is correct—that in the majority of cases, even in those that he mentions, where an individual interest owns the stock in a great many corporations, it would lower the taxes—of course, his argument would be good; but the evidence before the committee was just exactly to the contrary, and what we know of business in 1918 is that practically all corporations have made excess profits.

THE COMING TREATY OF PEACE.

Mr. LODGE. Mr. President, I regret to interrupt the debate, but I asked permission of the Senate a day or two ago that I might address them to-day on the question of the peace, which is the greatest question now before the world.

In the field of battle the great war has come to an end. The fighting with the German armies has stopped. An armistice, which amounts to an unconditional surrender on the part of the Germans, has been signed and is in course of fulfillment. But the peace is yet to be made. We must not lose in the terms of peace the fruits of the great victory which the armies of the allies and of the United States have won. A heavy responsibility, therefore, rests upon everyone who is to have any part, no matter how small, in the making of peace. The share of the Senate of the United States in that great work is very large and of decisive importance. No treaty can become binding upon the United States or be made the supreme law of the land without the consent of the Senate. The Constitution also gives to the Senate the right to advise as well as to consent, and it is the clear right of the Senate to offer its advice, whether invited or unasked, at any stage of the negotiations. Cases are not lacking in our history where Presidents have consulted the Senate before taking action in our foreign relations.

In 1902 I wrote an article on the treaty-making power of the Senate, and I there gathered together, I think, all the instances in which the Senate advised with the President before entering upon negotiations or upon any diplomatic transaction. They are very many. I am going to call attention to only two or three of them. The first one does not relate so directly to the situation now existing as some of the others.

In 1813 President Madison sent in a nomination for minister to Sweden to open diplomatic relations with that country and the Senate appointed a committee to confer with the President upon the subject. The discussion turned upon the President communicating through a committee of the Senate, but he makes a general statement, which I desire to read, because I think it is not without interest. He said:

> Without entering into a general review of the relations in which the Constitution has placed the several departments of the Government to each other, it will suffice to remark that the Executive and Senate, in the cases of appointments to office and of treaties, are to be considered as independent of and coordinate with each other.

How queer and old-fashioned it sounds to hear a President speak of the Senate as "an independent and coordinate body," and yet Mr. Madison was one of the framers of the Constitution, one of its principal authors, and in his day was considered a very able man.

On March 3, 1835, the Senate passed the following resolution:

> *Resolved*, That the President of the United States be respectfully requested to consider the expediency of opening negotiations with the Governments of other nations, and particularly of the Governments of Central America and New Grenada, for the purpose of effectually protecting, by suitable treaty stipulations with them, such individuals or companies as may undertake to open a communication between the Atlantic and Pacific Oceans by the construction of a ship canal across the isthmus which connects North and South America, and of securing forever, by such stipulations, the free and equal right of navigating such canal to all such nations, on the payment of such reasonable tolls as may be established, to compensate the capitalists who may engage in such undertaking and complete the work.

There the Senate advised the President to enter on certain negotiations, and the President was Andrew Jackson, a man usually reputed in history to have had a somewhat determined will and to be at times perhaps a little arbitrary. Did he resent it? On the contrary, on January 9, 1837, nearly two years afterwards, President Jackson replied to this resolution stating that in accordance with its terms an agent had been sent to Central America but that from his report it was apparent that conditions were not such as to warrant entering upon negotiations or treaties relating to a ship canal.

President Van Buren, on June 7, 1838, sent in a message announcing that he intended to authorize our chargé d'affaires to Peru to go to Ecuador and, as agent of the United States, negotiate a treaty with that Republic. Before doing so, however, he thought it proper, in strict observance of the rights of the Senate, to ask their opinion as to the exercise of such a power by the Executive in opening negotiations and diplomatic relations with a foreign State.

President Polk, on June 10, 1846, sent to the Senate a proposal in the form of a convention in regard to the Oregon boundary submitted by the British minister, together with a protocol of the proceedings, and on this he asked the advice of the Senate as to what action should be taken. The message then continues as follows:

> In the early periods of the Government the opinion and advice of the Senate were often taken in advance upon important questions of our foreign policy. Gen. Washington repeatedly consulted the Senate and asked their previous advice upon pending negotiations with foreign powers, and the Senate in every instance responded to his call by giving their advice, to which he always conformed his action. This practice, though rarely resorted to in later times, was, in my judgment, eminently wise and may, on occasions of great importance, be properly revived. The Senate are a branch of the treaty-making power, and by consulting them in advance of his own action upon important measures of foreign policy, which may ultimately come before them for their consideration, the President secures harmony of action between that body and himself. The Senate are, moreover, a branch of the war-making power, and it may be eminently proper for the Executive to take the opinion and advice of that body in advance upon any great question which may involve in its decision the issue of peace or war.

On August 4, 1846, President Polk, by message, consulted the Senate as to entering on peace negotiations with Mexico and advancing to that country a portion of the money to be paid as consideration for the cession of territory.

On February 21, 1861, President Buchanan asked the advice of the Senate as to entering into a negotiation with Great Britain for a treaty of arbitration in regard to a controverted point in the Ashburton-Webster treaty of 1846. His own words are: "The precise questions I submit are three: Will the Senate approve a treaty," and so forth.

On March 16, 1861, President Lincoln, in his first message to the Senate, repeated the questions of his predecessor as to entering upon this negotiation for an arbitration with Great Britain, and said, "I find no reason to disapprove the course of my predecessor on this important matter, but, on the contrary, I not only shall receive the advice of the Senate therein, but I respectfully ask the Senate for their advice on the three questions before recited."

Lincoln, I think, could hardly be described as a poor-spirited man, and yet that was the view he took of the relation between the Senate and the President.

May 13, 1872, President Grant sent a message to the Senate relating to differences which had arisen under the treaty of Washington, and said: "I respectfully invite the attention of the Senate to the proposed article submitted by the British Government with the object of removing the differences which seem to threaten the prosecution of the arbitration, and request an expression by the Senate of their disposition in regard to advising and consenting to the formal adoption of an article such as is proposed by the British Government.

"The Senate is aware that the consultation with that body in advance of entering into agreements with foreign States has many precedents. In the early days of the Republic Gen. Washington repeatedly asked their advice upon pending questions with such powers. The most important recent precedent is that of the Oregon boundary treaty, in 1846.

"The importance of the results hanging upon the present state of the treaty with Great Britain leads me to follow these former precedents and to desire the counsel of the Senate in advance of agreeing to the proposal of Great Britain."

On March 3, 1888, the Senate passed a resolution asking President Cleveland to open negotiations with China for the regulation of immigration with that country. President Cleveland replied that such negotiations had been undertaken.

Mr. BRANDEGEE. The Senator has referred to this as an article prepared by him. Will he give the title of it and where it can be found?

Mr. LODGE. It is printed as a Senate document, Fifty-seventh Congress, first session, Document No. 104.

It will be observed, Mr. President, that nearly all the Presidents have consulted the Senate in advance of negotiations, and they lay stress on the fact of the importance of the two branches of the treaty-making power consulting together before diplomatic negotiations of great moment are entered upon. No diplomatic negotiation ever entered upon compares in importance with that now pending.

President Polk, President Van Buren, and President Jackson, who was a soldier, Gen. Grant, who had been a great commander, all thought it expedient, and we have above all the precedent of the action of Washington and Lincoln, and, although I know a good deal of time has elapsed since they died, I think they are still considered two very great men.

Mr. LA FOLLETTE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Wisconsin?

Mr. LODGE. Certainly.

Mr. LA FOLLETTE. I am loath to interrupt the Senator, but I should like to quote right in connection with what the Senator has been saying with reference to the position of Washington and Lincoln the views of President Wilson as set forth in a brief paragraph——

Mr. LODGE. I think I was about to quote it.

Mr. LA FOLLETTE. I beg the Senator's pardon.

Mr. LODGE. If it is not, the Senator can add it to mine.

I was going to say, Mr. President, in concluding my precedents, that even our present President recognized the possibility of original thought on the part of Congress when he said in his message of December 4, 1917:

> If I have overlooked anything that ought to be done for the more effective conduct of the war, your own councils will supply the omission.

I yield to the Senator from Wisconsin if what he has is different.

Mr. LA FOLLETTE. The quotation I wish to present is very different from that. It presents tersely the views of Mr. Wilson a year or two before he became President. In his work on Constitutional Government in the United States, published in 1911, Mr. Wilson clearly defined his views as to the unlimited and exclusive prerogative of the Executive in dealing with foreign affairs. I now quote a short paragraph from that work. He said:

> One of the greatest of the President's powers I have not yet spoken of at all—his control, which is very absolute, of the foreign relations of a nation. The initiative in foreign affairs which the President possesses without any restriction whatever is virtually the power to control them absolutely. The President can not conclude a treaty with a foreign power without the consent of the Senate, but he may guide every step of diplomacy; and to guide diplomacy is to determine what treaties must be made if the faith and prestige of the Government are to be maintained. He need disclose no step of negotiation until it is complete, and when in any critical matter it is completed the Government is virtually committed. Whatever its disinclination, the Senate may feel itself committed also.

Mr. LODGE. Let timid souls then take courage and be cheerful. There is nothing either in law or good manners or custom which stands in the way of advice from the Senate to the Executive charged with initiating and carrying on negotiations when the Senate thinks advice desirable. Let me not be understood in saying this as reflecting in any way upon the President's failure to give the Senate representation among the delegates charged with the work of formulating the peace. While I think it a grave mistake on the part of the President to ignore the Senate, because our ultimate responsibility in making the peace is quite equal to his own, I have no fault to find with his not appointing Senators as delegates to the conference. There is no obligation whatever upon him to make such appointments. It has been done, I believe, only once in our history, and that was when President McKinley sent three Senators to Paris as delegates to make the peace with Spain. The fact that three Senators signed that treaty certainly helped in its ratification, which was strongly contested, and it seemed to me at the time that this was a fortunate circumstance, because it is extremely desirable that peace treaties should be promptly ratified and with general approbation.

This, however, is something wholly different from the proposition that the Senate should know nothing about the treaty or the considerations which led to the adoption of its terms until it is actually laid before them. It is equally distant from the sister proposition that it is an impertinence on the part of the Senate to dare to have or to express opinions upon the terms of a peace which involves the fate of the civilized world. After all, Senators are men of voting age and not devoid of responsibility. In the present situation, which is grave beyond comparison, I think it is of the last importance that those concerned in the actual negotiation of the treaty should at least know the views of the Senate so far as the Postmaster General, in control of the cables, and Mr. Creel, in control of the news, will permit the opinion of the Senate to be transmitted to Paris.

In the present unparalleled situation the right of the Senate to advise as to a treaty becomes a solemn, an imperative, duty. We can not compel information, but we are abundantly able to make our own opinions known not only to the President but to the allies, who have a very clear and even acute idea of the power of the Senate in regard to treaties. They must know that the Senate can reject and often has rejected treaties. Others the Senate has refused to ratify and held without action. Many others have been vitally amended. The allies should not be kept in the dark as to the views of the Senate nor should the Senate keep silent as to its own opinions or as to the wishes and demands of the American people. The plan seems to be to project upon the Senate the most momentous treaty ever made without any information as to the steps which led to it or as to the arguments and conditions which brought about its adoption. This scheme, which is indicated by all the facts known to us, rests on the theory that the Senate, although possessing the power, would not and could not dare to reject a treaty of peace. This unworthy calculation is perhaps sound in practice, and yet I have seen a peace treaty bitterly opposed and ratified, after the exertion of the most powerful influences, with only two votes to spare. But if a treaty of peace might not be rejected it can be debated and amended, and I can conceive of extraneous provisions wholly needless for a peace with Germany being unwisely added, provisions which would surely be stricken out or amended, no matter how many signatures might be appended to the treaty. Protracted opposition and amendments mean long delays, and delay is only less unfortunate than rejection. All these untoward results can be avoided if the Senate frankly expresses its views beforehand on certain leading points for the consideration of the allies and of the President himself.

We have had already some important, able, and illuminating debates upon at least one question with which it is supposed the peace delegates will be called upon to deal. I repeat that I should be glad if those debates could be supplemented by some definite resolutions expressing the views of the Senate tersely and simply on some of the most important points. Whether the Senate will take such action—although I know that we have very definite opinions—I can not tell because there seems to be a feeling among some Senators that it is an act of intolerable audacity for the Senate even to suggest to the Executive that it has opinions which ought to be considered. Personally I do not share that view. It appears to me more becoming to an autocratic government or to a dictator than to the constitutionally representative democracy which has thus far made the Government of the United States so successful and which has raised the country to the peak of greatness to which it has attained. But if the Senate is not ready to take action as a body, which I earnestly hope they may determine to do, I desire at least to express my own views of the situation.

We have had a great deal of eloquence expended here on the beauties of peace and the horrors of war. We have had flaming appeals to the God of justice and all the usual rhetorical accompaniments which go with an earnest desire to shun unpleasant facts. I have no fault to find with the rhetoric or the eloquence of the eulogies of peace and the denunciations of war. They have all been uttered many times and will be said over many times more. They have one distinct advantage. Everybody agrees with them. They have one very great disadvantage. They lead nowhere except into a pathless jungle of words. The mighty questions which confront us can not be settled or even intelligently dealt with by words and phrases or by setting forth in glowing terms, consecrated by long use, what are called ideals. We must deal with human nature as it is and not as it ought to be if we are to have any beneficial and effective results or if we are to convert ideals into realities. Let me therefore assume what is undoubtedly true, that we are all agreed in a fervent desire for peace and in an ardent hatred for war, and that

we all hope to have justice and righteousness prevail, and that we are all alike seeking to secure a durable peace. This agreement effected, let us come down to facts. In what I am about to say I shall confine myself to stating the facts which I believe are beyond dispute as simply as possible without ornament and without any attempt at eloquence or epigram.

Peace being our object, the first step toward peace is to make a peace with the country with which we have been and are at war—that is, with Germany. If the peace with Germany is to be durable, terms must be exacted which will make it, so far as human foresight goes, impossible for Germany to break out again upon the world with a war of conquest. This can not be done merely by treaty engagements and signatures to documents. At this juncture of affairs Germany would sign anything, and her pledge would be as worthless as the guaranties she gave to Belgium. It is well also to remember that Germany did not change her nature overnight when the Kaiser ran away to Holland. The deep-rooted ambitions, the evil principles carefully instilled for half a century, the barbarous methods and doctrines all remain unaltered. Physical guaranties which when taken would make signatures to treaties negligible can alone assure a durable peace with Germany. I do not need to rehearse what those physical guaranties should be, for I have stated my views upon them more than once to the Senate, and I think there is general agreement upon them not only in the Senate but among the American people. They include the restoration of Belgium, the return of Alsace-Lorraine to France, of the Italia Irredenta to Italy, the establishment of a Jugo-Slav State, and of an independent State formed by the Czecho-Slovaks. They include also the security of Greece, the settlement of Albania and Montenegro, the restoration of Roumania, the consolidation of all the Roumanian people under one government, as well as the neutralization of the straits, the putting of Constantinople under international protection, with Greece perhaps as the mandatory of the powers to administer the affairs of the city, the independence of Armenia, the return of those portions of Asia Minor where Greeks are predominant to Greece, the protection of Syria and Palestine from the Turks, a large, powerful, and independent Polish State, the independence of Russia's Baltic Provinces, the return of Danish Slesvig to the Danes, and the neutralization of the Kiel Canal. These physical guaranties which I have thus far suggested all have one object, and that is so to hem Germany in that she can not attempt conquest in Russia or in the East, and that the Slavic populations, which she has mercilessly used in her wars, can never be so used by her again. In addition to these guaranties, there must be heavy indemnities paid by Germany for the ruin she has wrought in Belgium and northern France and in Italy and for her destruction of vessels, both neutral and belligerent, through the use of submarines. In those indemnities the United States must have its proper and proportional share, not only direct indemnity for its ships destroyed by submarines and its people murdered on the *Lusitania* and other vessels, but a suitable restitution, in part at least, of the vast expenses forced upon us by Germany.

It will be for the peace conference to determine what disposition should be made of the German colonies, but one thing is essential, and that is that they should not be returned to the tyrannical misgovernment of Germany and that she should be deprived of those means for extending her commerce and building up military outposts in all parts of the world. The payment of the indemnities will be a work of time, and it will be necessary to take and hold ample security for the extinction of these debts. It is the duty of the allies and the United States to meet and determine what terms they will impose upon Germany, and then, and not until then, call in the representatives of Germany and impose the terms upon them. When this is done, the first great step will be taken toward the establishment of the world's peace. If we eliminate Germany from the opportunity to make war, the only source from which a great war is likely to come would be closed for generations.

Such in outline are the necessary steps demanded by exact justice, upon which, I think, the United States and the allies are substantially agreed, in order to make a lasting peace with Germany. But making peace by imposing the terms which we think proper upon Germany is only half the work which at this moment must be done. The peace must not only be made and agreed to, but it must be effective, and to render the peace effective there is much more to do than can be done by ink and paper. The first thing needful is to face the situation and look facts in the face. Nothing can be accomplished unless we work in complete harmony with those who are associated with us in the war against the central powers. I know very well that technically we had no treaty of alliance with the allies by whose side we fought, but technicalities are of no consequence in the presence of facts. No treaty of alliance could have caused a greater unity of action than was established between us and the nations with whom we joined in the war against Germany. Binding arrangements were made for common action in regard to food supplies, in regard to fuel, in regard to munitions of war, for the building of railroads and docks and everything concerning the supply of the armies in France. Our Navy worked in close alliance with the navies of Great Britain, France, and Italy. Our troops served under the command of a French marshal. All these things were vitally necessary, and these relations must be continued if we are not to lose at the peace table what we won in the field. To attempt in any way to separate us from our allies now or to prevent perfect unity of action is as harmful as such efforts were when we were fighting in northern France and on the plains of Flanders. To encourage or even to permit any serious differences to arise between the United States and Great Britain, or with France, or Italy, or Belgium, would be a world calamity of the worst kind. Any serious difference among English-speaking people would be deplorable in the highest degree. Any thought of war among them would be as abominable as it is inconceivable. To differ greatly with France, bound to us by so many ties of faith and affection, or with Italy or Belgium, is unthinkable.

Do not forget, however, that German propaganda with this object in view is as active and poisonous to-day as it has ever been. The people here and in the allied countries who were favorable to Germany are again busy in the effort to part the allies and the United States from each other, and their efforts find expression in dispatches in the newspapers and in the thousand and one forms with which we have been painfully familiar in the years just past. We must have common action now in making the peace as we had in carrying on the war, and this unity between us and the allies is the first essential condition for a successful peace.

We are also confronted with the great difficulty of finding a government in Germany capable of making a peace and fulfilling its international obligations. This is a problem which must be faced and which will require the greatest wisdom and caution of which the united peace delegates of the allies and the United States are capable. These are the two vital conditions precedent to a successful and truly victorious peace.

If these are fulfilled, then comes the practical work of making the peace effective. In other words, the terms of the peace must be carried out and executed. The United States did not enter this great war simply to vindicate its rights at sea, which had been invaded and disregarded by the German use of submarines, although that may have been the last drop which caused the cup of wrong and outrage to overflow. It was no doubt the technical point on which relations were broken, but it was trifling compared to the really great objects with which we entered the war and which alone justified our doing so. We took up arms against Germany because we were determined not only to protect our own safety and independence against her attacks but because the people of the United States believed that if the world was to be a possible place for free, law-abiding people to live in, the autocratic system and the organized barbarism of Germany must once for all be eliminated from among the nations. We went to war to save civilization. For this mighty purpose we have sacrificed thousands of American lives and spent billions of American treasure. We can not, therefore, leave the work half done. We are as much bound, not merely by interest and every consideration for a safe future but by honor and self-respect, to see that the terms of peace are carried out as we were to fulfill our great determination that the armies of Germany should be defeated in the field. We can not halt or turn back now. We must do our share to carry out the peace as we have done our share to win the war, of which the peace is an integral part. We must do our share in the occupation of German territory which will be held as security for the indemnities to be paid by Germany. We can not escape doing our part in aiding the peoples to whom we have helped to give freedom and independence in establishing themselves with ordered governments, for in no other way can we erect the barriers which are essential to prevent another outbreak by Germany upon the world. We can not leave the Jugo-Slavs, the Czecho-Slovaks, and the Poles, the Lithuanians, and the other States which we hope to see formed and marching upon the path of progress and development unaided and alone.

These are some of the tasks which the war has brought and which peace demands. They involve no alliances. They are specific questions, the settlement of which has been imposed upon us by the war, and they all are vital to an enduring peace. They ought to make the peace of the world. And behind the work of occupation to insure the payment of indemnities, behind these new States, whose existence we have recognized and whom

we have helped to call into existence, lies the great problem of Russia. We can not shirk the Russian question. The whole civilized world has been shaken and torn by the convulsion of the war, the greatest war in recorded history. As one of the greatest and most powerful of the civilized nations, if we are to have a lasting peace now, we can not avoid the problems which the war has bequeathed to us. Of these problems that of Russia is probably the most difficult. Moreover, we have been committed to this work by the statement of the President on the 8th of January. In stating his sixth point, he said:

> The evacuation of all Russian territory and such a settlement of all questions affecting Russia as will secure the best and freest cooperation of the other nations of the world in obtaining for her an unhampered and unembarrassed opportunity for the independent determination of her own political development and national policy and assure her of a sincere welcome into the society of free nations under institutions of her own choosing, and, more than a welcome, assistance also of every kind that she may need and may herself desire. The treatment accorded Russia by her sister nations in the months to come will be the acid test of their good will, of their comprehension of her needs as distinguished from their own interests, and of their intelligent and unselfish sympathy.

The evacuation of Russia by the German troops, although postponed, is required under the armistice, but the President went much further than that. In the statement I have just read he in effect pledged the United States to aid Russia in rising from the chaos and disorder which had come upon her to the place which she ought to occupy in the family of nations. The restoration of Russia is essential not only to the peace but to the economic life of the world, in which we have so large a share, and the difficulties presented by Russia are in the last degree formidable. We have troops now in the northern part of western Russia, and other troops in Vladivostok. Unfortunately they are so few in number that it is greatly to be feared that they are wholly inadequate for the work they may have to do. Nevertheless they are there and must be sustained and very probably increased. We have at present no government in Russia with which anyone can deal intelligently. The thing that calls itself a government is no more fit to be dealt with in negotiation, no more capable of carrying out agreed terms, than a band of anthropoid apes.

We hear the condition of Russia spoken of as if it resembled that of the French Revolution. The only resemblance between them is that they were both revolutions. Russia is a welter of disorder, feebleness, and destruction. The French Revolution, it is true, was stained with great crimes and many executions, but the world has seldom seen a stronger government than that of the Committee of Public Safety. They consolidated France with a ruthless thoroughness which would have terrified the despotic kings like Philip the Fair, Louis the Eleventh, and Louis the Fourteenth, who devoted their lives to the same object. They put down civil war with one hand and threw back and defeated banded Europe with the other. Whatever the defects of the Government of France during the Revolution may have been, weakness was not one of them; but Russia within two years has spun round the whole circle from despotism to anarchy, and the most conspicuous feature is the utter inefficiency and feebleness of everyone concerned. They overthrew the autocracy, and the Duma established a provisional government, the natural step to be taken toward ordered liberty. The provisional government fell before Kerensky and his followers, who lacked every quality necessary to meet the situation. They had nothing but words to offer, and they fell in turn before men who were backed by German money and whose object was not to give freedom to Russia, but to destroy their fellow citizens and every element which was necessary to a social fabric under which men could live and prosper while they themselves profited in money and in power from the ruin they wrought. They have indulged in murder and massacre. They have destroyed property and all the instruments of industry, and the unhappy and ignorant people of Russia, in whose name they undertook to act, are to-day suffering from famine and disease and are in a worse condition than they were in the days of the Romanoffs. There is nothing to indicate that the Russian people have the power among themselves to extricate the country from this condition. It seems as if they had come full circle and had reached the point where nothing could rescue them but the strong man at the head of an army. Whatever the solution finally reached, however, it is perfectly clear that they will need the help of the civilized nations who have beaten Germany to her knees. It would be discreditable, indeed, to the United States if it failed to recognize its duty to this great country, a duty to which the President, so far as he could, has committed the United States. How the problem can be solved no man at this moment can say. The one ray of light seems to come from the people of the Ukraine, and we may be able to rebuild Russia by aiding the only people who have shown any capacity for maintaining a government and preventing the dissolution of the social fabric.

We must not forget the enormous importance of the Russian question and how much is at stake on its right solution. The only hope for Russia is to be found in the fact that there are countries, where a dissolution of the social fabric has not yet set in, which are able to sustain and help her. If Russian anarchy should be permitted to spread through western civilization, that civilization would fall. We have had in the past one great lesson in the fall of the civilization of Rome throughout the western empire. The ruin of the Roman civilization was followed by the Dark Ages, as they were called, and it took a thousand years for western Europe to creep slowly back to the plane of the civilization which had been destroyed. It is easy to wreck a great civilization. It is the work of centuries to restore it. We can not leave Russia lying helpless and breathing out infection on the world. We must help to bring her back to health and sanity and well-being. Some proper settlement of the Russian question is absolutely vital to the modern civilization of which we are a part. We can not disregard it or stand by as idle spectators without making any effort to aid Russia to rid herself of the poison which is now eating out her life and once more resume her place among the great nations of the world.

Beyond Russia lies the Empire of China, divided now into two governments. Our interest in China has always been great. It was never greater than at the present moment, for our safety in the Pacific may well depend upon the right settlement of the Chinese question.

I have merely touched upon some of the pressing questions growing out of the war and essential to the establishment of peace. These questions will tax the best ability and all the intelligence and disinterestedness of the civilized world, and now I ask, Is that not enough for the moment? If we are to bring out of the wreck of the war with Germany a world peace, is not the first step to make peace with Germany, with which we have fought, and settle, so far as we can, the grave problems which are inseparably connected with the war and the peace? Would it not be folly to attempt at this moment to go further? I ask this question because other propositions have been brought forward which, if an attempt is made to fasten them upon the peace with Germany, may ruin all by trying to do too much at once. The questions involving peace with Germany and the settlement of the questions growing out of the peace without which it can not be established are in themselves almost appalling in their difficulty and in their magnitude. Could anything be more unwise than to add to them needlessly and introduce subjects which may lead to division among the nations which have conquered Germany and retard the settlement of all the difficulties to which this war has given rise?

The other questions to which I refer, and which I think ought at this time certainly to be postponed, are those suggested by the President in his first four points and in his last point of January 8. The first one relates to secret diplomacy. The crying evil of what is loosely called secret diplomacy lies in the secret treaties familiar to Europe. No such treaties ought to exist. They never have existed in this country. They can not exist under the Constitution, because the Senate is an integral part of the treaty-making power. As to the negotiations by which treaties are brought into existence there must be a certain amount of secrecy. If all informal discussions of differences between nations were cried from the housetops and discussed in public assemblies we should produce abundance of quarrels and very few treaties. There are parts of negotiations and certain gatherings of the nations in convention, such as we have had at The Hague, which can no doubt be made public, but that all the preliminaries of negotiations and all discussions leading up to them should be in public seems to me impossible. I think it will be generally admitted that we have never had more secret diplomacy than in the last four years under President Wilson, which would seem to indicate that it is easier to talk about than to discard or abandon those methods. I think this may have been inevitable, but it demonstrates at least that secret diplomacy is a loose term, and also it shows, I think, that the question is one of no vital importance at this moment, and that whatever our views may be about the methods of diplomacy we can make peace with Germany without undertaking to settle what shall constitute secret diplomacy in the future and what shall not.

The next point is the freedom of navigation upon the seas outside territorial waters. Here again is a subject which is not defined. The seas are free to navigation in time of peace. Therefore this proposition can apply only to time of war, and what it is proposed to do in regard to freedom of navigation in time of war we have yet to learn. If it means that there must be

an abandonment of the belligerent right of blockade, by which in a large measure the United States was able to win the Civil War, I think the United States, as the greatest maritime Nation in the world next to England, will hesitate before it abandons a weapon absolutely necessary for its own safety and with regard to troubles which may arise within the regions covered by the Monroe doctrine. I can not imagine that England would for a moment think of abandoning the belligerent right of blockade, but I have no desire to enter upon the discussion of a subject which is wholly in the clouds. We can not talk intelligently about any proposition until we know just what it means, and that has not yet been disclosed to an interested world.

I can not, however, leave this question without pausing a moment to call attention to the strange development which has taken place in connection with the Naval appropriation bill now being considered by the House committee. It appears that the department is urging the adoption of a new program so large that it will in 1925 give us a Navy equal to that of England at that time, allowing for the British increase. I have been always an extremist in regard to the Navy. I have always desired to go further than almost anyone else, I think, in building ships. I strongly favored the program of two years ago because I believed that we had suffered from not working on a program and had an ill-balanced Navy owing to our helter-skelter method of unsystematic authorizations. But I never at any time advocated making the fleet of the United States equal to that of England, and I have never heard it advocated by anybody else. It has always been felt that the English fleet, which was based on the double standard—that is, which was always to be equal to the combined fleets of any two other nations—resulted in a navy larger than we needed in the United States and entailed a corresponding burden of expense. Our policy has been—that is, the policy of those who were extremely anxious that we should have a powerful Navy—to make our Navy the second in the world; but no one has ever thought it necessary to put it on the double standard. At this moment I am thoroughly in favor of a very strong Navy. I do not believe in reducing our Navy. I should be glad to see the number of enlisted men on the active list increased; but this new program goes beyond anything that I, at least, have ever contemplated. The present administration of the Navy, during the four years preceding the war, was in favor of a small Navy policy, to which I was greatly opposed. Now, the war is over. The German fleet has passed out of existence. The only naval danger that we were obliged to consider in the past on the Atlantic coast has ceased to be. We need a powerful fleet in the Pacific, and I am sure that we shall have a Navy sufficient to furnish that fleet to the western coast. And yet at this moment we are suddenly called upon to build a fleet which shall be equal to that of England. As one item, we are to have in 1925, 20 battle cruisers. Six are already authorized, although not yet begun; but I can not understand why it is proposed at the present time to provide for 20 battle cruisers at a cost of twenty millions each, to say nothing of the increases in all the other branches of the Navy which must correspond to the number of battle cruisers. I have heard reports that it was intended to be used in the negotiations to compel England to agree to disarmament under the menace of a great naval competition on our part. I mention this rumor only to say that it is unbelievable. I can not for a moment think that such an idea should be entertained by anyone, but it gives a suggestion of the impression which this enormous proposal for the naval increase brings. It must be false. Such a motive as that is too entirely unworthy to be entertained by any responsible public man. Another explanation was that offered by Admiral Badger, when he was advocating this new program before the committee of the House, which was to the effect that we should require it for police duty in connection with the league of nations. I will not stop to ask who is to order that navy about the world for police duty in behalf of the league of nations. I will merely say that it seems to me extraordinary that we should enter on a scheme for eternal peace throughout the world by proposing to build a Navy which in seven years is to be equal to that of England, so that at the end of that time England and the United States would have the two most enormous navies that the sun ever shone upon. How it fits in with the policy of reduction of naval and military forces or with the high objects of a league of nations I can not conceive. It is not necessary, however, to stop longer at this point.

One thing is certain, that the questions of international law involved in the loose term "freedom of the seas" are not in the least essential or necessary in making a peace with Germany now and in bringing the present war to an end.

The third point is about economic barriers. Different interpretations have been placed upon this proposition, but the President, in two notes which were read to the Senate not long ago, explained it to mean, as I understood, that while each nation was to impose any import duties which it pleased, the nations were all to agree that their respective tariffs should be the same to all other nations; that is, that there should be no discrimination. Let me remark in passing that this would prevent our having a reciprocity treaty with Cuba, which has been of great value both to the island and to ourselves; and if past treaties were exempted it would still prevent our making similar treaties with any of our neighbors in the Americas, because a reciprocity treaty is in its very nature a discrimination in favor of one nation against other nations. Personally I believe that we should have the right to discriminate against Germany if we choose, or against any other nation. The import duties we impose are a domestic question, and it should rest with the people of the United States to say whether they would discriminate or would not discriminate in those duties, whether they would make reciprocity treaties with other countries or whether they would not make such treaties.

Again let me say that I do not care to enter further upon this question, which opens a wide field of discussion. I desire simply to put it aside, because its settlement is not in the least essential to ending the war by a peace with Germany. We can make that peace without determining at this moment what we shall do with our tariffs, in the making of which I think every nation ought to have entire freedom.

The fourth is the point about armaments; in other words, the reduction of armaments, which, as I have already said, finds a queer expression in the administration's new naval policy. At this time reduction of armaments is a question which ought to be postponed, because we have neither the facts nor the knowledge necessary for intelligent action. It may be imperative to determine what sort of an armament Germany shall have by sea or land, because Germany has tried to conquer the world, and the world having conquered Germany has the right to put restrictions on her which would prevent her attempting the conquest a second time. But there is no reason for bringing up at this moment a general question of this sort, which can not now be intelligently determined with the world in the broken and torn condition it now is in.

The last proposition is the league of nations. The words "the league of nations" are captivating and attractive. Everybody would like to bring about a world condition in which wars would be impossible. We are all lovers of peace; we all are equally desirous to prevent the recurrence of wars. We all are deeply in sympathy with the purposes which the words "league of nations" are supposed to imply. But we ought to be extremely careful that in our efforts to reach the millennium of universal and eternal peace we do not create a system which will breed dissensions and wars. It is difficult to discuss it at this time, because no definite plan of any kind has yet been put forward by any responsible person. The Senator from Idaho the other day said and reiterated that in dealing with a league of nations we should demand that those who advocated it should be candid with the American people. That is the essence of the whole question. We all share in aspirations for complete world peace and for its maintenance; but the attempt to convert these aspirations into the hard, dry, and exact formulas of laws and treaties is a very arduous task. Intelligent discussion becomes difficult when the advocates of the league of nations drape themselves in trailing clouds of glory and omit to tell us the conditions to which they propose to bind the nations.

And yet it is essential that before we can pass upon a league of nations we must have the most precise definitions of what is intended. A league of nations is not a bill which can pass by title. A league is an agreement. We must know what we are to agree to, and no one has yet thought it worth while to tell the people of the United States what they are to agree to when a league of nations is formed. If, however, there is to be a league of nations in order to enforce peace, one thing is clear. It must be either a mere assemblage of words, an exposition of vague ideals and encouraging hopes, or it must be a practical system. If such a league is to be practical and effective, it can not possibly be either unless it has authority to issue decrees and force to sustain them. It is at this point that the questions of great moment arise. I will put a few of them as to details, which are more vital here than theories and which I hope will be carefully considered, not only by the Senate and the House but by the American people.

What nations are to be members of the league? Is Germany to be one of the members? If so, when? How are these nations thus joined in a league to vote in determining the operations of the league? Theoretically, in international law every independent sovereign nation is the equal of any other nation. Are the small nations to have an equal vote with the great nations

in the league, a vote equal to that of the United States or England or France? I saw that there occurred in New York a few days ago a meeting of representatives, so called, of some small nations who demanded this equality of voting power. I have the report of the meeting here, but it is not necessary to read it.

If this form of voting were agreed to, the small nations could determine the action of the league, and if the league had an international force behind it, they could order that force where they pleased and put it under any command they pleased, which might give rise to complications. If nations are to vote in the league on a democratic basis, then their voting power must be determined by population. Here, too, some curious possibilities arise, not without a certain intricacy. The population of China is, roughly, four times that of the United States, and this system would give China four times the vote of the United States in the league. If England is to have the right to cast the vote of her possessions, India alone would give her from three to four times as many votes as the United States and ten times the vote of France. This system seems open to some objections at first glance, and they are objections which will have to be considered.

All the plans which have been put forward tentatively for a league of nations, so far as I know, involve the creation of a court. We must remember that we have carried voluntary arbitration as far as it can practically go. Assuming that there is a distinction between justiciable and nonjusticiable questions, who is to decide whether a question is justiciable or not? Is it to be done by the league, voting in some manner hitherto undefined, or is each nation to decide for itself whether a question affecting its own interest is or is not justiciable? Let me give an example, to make my meaning clearer. We have recently purchased the Virgin Islands. Suppose that that purchase had not been effected and that Denmark undertook to sell those islands to Germany or some other great power. Is that a justiciable question? If it is and it went before a court there can be no doubt that any court would be obliged to hold that Denmark had the right to sell those islands to whom she pleased. In the past the United States would never have permitted those islands to pass out of Denmark's hands into any other hands, because we consider their possession of vital importance to our safety and to the protection of the Panama routes. The same will be true in regard to Magdalena Bay—a case in which the Senate passed a resolution, with unanimity, I think, stating that on the plain doctrine of self-preservation we could not allow Magdalena Bay, or any other similar position of advantage, to be turned into a naval base or military post by another power. Would that be justiciable? And if not justiciable, then is the league of nations to compel, nevertheless, its submission? The League to Enforce Peace and the League of Free Nations Association, of New York, state as their second proposition that for questions which are not justiciable in their character there shall be created a council of conciliation as mediator, which shall hear, consider, and make recommendations, and failing acquiescence by the parties concerned, the league shall determine what action, if any, shall be taken. This would deny to nations the right, hitherto exercised by every sovereign nation, to determine whether a question is vital to their independence and safety or not. This, I think, I may say without exaggeration, would be a very grave step for any nation to take.

Suppose now that the court is established with a police force behind it. I have seen it proposed that any nation refusing to obey this court's decrees shall be compelled to do so by the international police force just as the decrees of our own courts are carried out by a police force. Let us dispense with metaphors. An international police force is an international army and navy. Who is to order that army and navy into action, and who is to command it when it is in action? Are we prepared to allow any association of nations by a majority vote to order the troops and the ships of the United States to go to war? Unless we are prepared to do so we are not prepared to join a league of nations which is going to enforce peace, and we should never put our name as a nation to any treaty or agreement which we are not ready to carry out both in letter and spirit. To sign a treaty and then evade or disregard its provisions is not only bad faith and dishonor, it is the surest breeder of wars. Let us be honest with ourselves. It is easy to talk about a league of nations and the beauty and the necessity of peace, but the hard practical demand is, Are you ready to put your soldiers and your sailors at the disposition of other nations? If you are not, there will be no power of enforcing the decrees of the international court or the international legislature or the international executive, or whatever may be established.

This is the heart of the whole question, but there are others which would necessarily have to be considered. Are we ready to abandon the Monroe doctrine and to leave it to other nations to say how American questions shall be settled and what steps we shall be permitted to take in order to guard our own safety or to protect the Panama Canal? Are we ready to have other nations tell us by a majority vote what attitude we must assume in regard to immigration or in regard to our tariffs? These are lesser points, but they must be met and answered before we commit ourselves to permitting an association of nations to control in any degree the forces of the United States.

If we insist upon the Monroe doctrine, do you imagine that the other nations of the world are going to permit us with our vote and our power to say what shall be done in Africa, Europe, and Asia, and then when it comes to the Americas to be met with the statement that there is a great circle drawn by the Monroe doctrine about those continents and that they can not put their hands on them? Does anyone imagine for a moment that the other nations of the world would accede to such a proposition as this? The only alternative, if we are to have a league of nations which is to travel over the world and settle all possible wars under the authority of a body of nations assembled by representation, is to place them all on the same footing and the Monroe doctrine would have to be abandoned.

We have now at this moment a league of nations. They have been engaged in compelling Germany to make peace and in restoring peace to the world. It has taken four years of the bloodiest war ever known to get that peace. By this existing and most efficient league the peace once signed must be carried out and made effective. Therefore, it is well to reflect that entering upon a new and larger league of nations involves somewhat heavy responsibilities and dangers which must be carefully examined and deliberately considered before they are incurred. The attempt to form now a league of nations—and I mean an effective league, with power to enforce its decrees—no other is worth discussing—can tend at this moment only to embarrass the peace that we ought to make at once with Germany. The American people desire as prompt action on peace with Germany as is consistent with safety. The attempt to attach the provisions for an effective league of nations to the treaty of peace now making with Germany would be to launch the nations who have been fighting Germany on a sea of boundless discussion, the very thing Germany most desires. It would cause wide differences of opinion and bring long delays. If the attempt was successful and a league of nations, with the powers about which I have ventured to inquire vested in it, were to come here before the Senate, it might endanger the peace treaty and force amendments. It certainly would lead to very long delays. Is not the first duty of all the countries united against Germany to make a peace with Germany? Is that not the way to bring peace to the world now? Ought we not to avoid, so far as possible, all delays? Ought we not, speaking only for ourselves, to have a treaty here before the Senate which will not involve interminable discussions about the provisions of a league? Is it not our first duty and our highest duty to bring peace to the world at this moment and not encumber it by trying to provide against wars which never may be fought and against difficulties which lie far ahead in a dim and unknown future? I have merely glanced at these outlying questions, my purpose being simply to show that they ought none of them to be pressed at this time; that the making of peace with Germany and the settlement of the questions inseparably connected with it is enough and more than enough for the present without embarrassing it with questions which involve the settlement of the unknown, without the attempt to deal with all possible questions that ever may arise between nations. To enter on these disputed fields which are not necessary to the making of the peace with Germany seems to me perilous and more likely at this moment to lead to trouble and to a failure with the German peace and its associated questions than to anything else.

Mr. KELLOGG. Mr. President——

Mr. LODGE. If the Senator will allow me, as the supply of Document No. 104 is exhausted and many Senators desire to have it reprinted, I will print it at the end of my speech, if I have permission.

The PRESIDENT pro tempore. Without objection, leave will be granted.

The document referred to is as follows:

[Senate Document No. 104, 57th Cong., 1st sess.]

THE TREATY-MAKING POWERS OF THE SENATE.

(By HENRY CABOT LODGE. Reprinted, by permission of Charles Scribner's Sons, from Scribner's Magazine for January, 1902.)

"The action of the Senate upon the Hay-Pauncefote treaty in December, 1900, gave rise to much discussion not only in regard to the merits of the treaty and of the Senate amendments, but also as to the rights and functions of the Senate as part of

the treaty-making power. That there should be differences of opinion as to the merits of the questions involved in the treaty is entirely natural, but it seems strange that there should be any misapprehension as to the functions and powers of the Senate, because those are not matters of opinion, but well-established facts, simple in themselves and clearly defined both by law and precedent. Yet such misapprehension not only existed but was manifested here and there in the United States by statements and arguments as confident as they were erroneous. The English newspapers, as a rule, of course, did not know anything about the powers of the Senate, but seemed to have a general belief that the Senate amendments were in some way a gross breach of faith, a view not only susceptible of explanation, but very soothing to those who held it, and quite characteristic. It is, however, a much more serious matter when misapprehension of this kind is found among those who are charged with the conduct of government. It is their duty and their business to understand thoroughly the institutions, constitutional provisions, and political methods of other countries with which they are obliged to have dealings and to maintain relations. We have a right to expect that Lord Lansdowne, a statesman of long experience, who has held some of the highest offices under the British Crown, who has just been advanced from the great post of secretary of war to the still greater one of secretary of state for foreign affairs, should understand thoroughly the constitutional provisions and modes of governmental procedure in the United States. Yet we find in Lord Lansdowne's note to Lord Pauncefote of February 22, 1901, in reference to the Senate amendments the following statement:

"'The Clayton-Bulwer treaty is an international contract of unquestionable validity; a contract which, according to well-established international usage, ought not to be abrogated or modified save with the consent of both the parties to the contract. His Majesty's Government find themselves confronted with a proposal communicated to them by the United States Government, without any previous attempt to ascertain their views, for the abrogation of the Clayton-Bulwer treaty.'

"The meaning of this passage, taken as a whole, is not very clear, and in the last clause it contains at least one singular proposition. Admitting the international usage to be as Lord Lansdowne states it, the Hay-Pauncefote negotiation conformed to it strictly. The sole purpose of the Hay-Pauncefote treaty was to modify, by amicable agreement, the Clayton-Bulwer treaty. So far as the Hay-Pauncefote treaty went it modified the Clayton-Bulwer treaty, and to that extent superseded it. How far it superseded it was a disputed point. It was strongly argued here that the Hay-Pauncefote treaty ex necessitate superseded entirely the Clayton-Bulwer treaty, and those Senators who advocated the insertion of the words 'which is hereby superseded' were generally held to be overcautious. It was in fact this division of opinion as to the extent to which the Clayton-Bulwer treaty had been superseded which led to the adoption of the first Senate amendment. It would now appear from Lord Lansdowne's note that those who desired a specific statement of the supersession of the Clayton-Bulwer treaty were right in their construction, that the supersession was not complete as the Hay-Pauncefote treaty originally stood.

"The point, however, to which I wish to draw attention here is quite different from the question of the supersession of the Clayton-Bulwer treaty in whole or in part, and is contained in the last sentence of the passage I have quoted. Lord Lansdowne there complains that his Government is confronted by a proposal from the United States without any previous attempt to ascertain their views. Here is where his misapprehension of our Constitution appears. If Mr. Hay had proposed to Lord Pauncefote, at any stage of their discussion, to insert clauses like the Senate amendments the proposal might have been accepted or rejected, but no complaint would or could have been made that His Majesty's Government was confronted by a proposal upon which their views had not been previously ascertained. Such propositions, coming from Mr. Hay, would have been entirely germane to the purpose of the negotiations, even if they had extended to a simple abrogation of the Clayton-Bulwer treaty, and would have been so recognized. What actually happened was that these propositions were offered at a later stage of the negotiation by the other part of the American treaty-making power in the only manner in which they could then be offered, and are therefore no more a subject of just complaint on account of the manner of their presentation than if they had been put forward at an earlier stage by Mr. Hay. If we follow the negotiation through its different phases, what has just been stated becomes apparent. Mr. Hay and Lord Pauncefote open a negotiation for the modification of the Clayton-Bulwer treaty in such manner as to remove the obstacles which it may present to the construction of the Central American canal by the United States. After due discussion they agree upon and sign a treaty. That agreement, so far as Great Britain is concerned, requires only the approval of the King for its completion, but with the United States the case is very different, because no treaty can be ratified by the President of the United States without the consent of the Senate. The treaty, so called, is therefore still inchoate, a mere project for a treaty, until the consent of the Senate has been given to it. That all treaties must be submitted to the Senate and obtain the Senate's approval before they can be ratified and become binding upon the United States was, we may assume, well known to Lord Lansdowne. But he does not seem to have realized that the Senate could properly continue the negotiation begun by Mr. Hay and Lord Pauncefote by offering new or modified propositions to His Majesty's Government. Of this he was clearly not informed or he would not have made the complaint about being confronted with new propositions, as if something unusual and unfair had been done. No one expects the 'man in the street' or the London editor to remember that so long ago as 1795 the Senate made an entirely new amendment to the Jay treaty and that England accepted it, or that so recently as March, 1900, the Senate made amendments to the treaty regulating the tenure and disposition of the property of aliens and that England accepted them, or that it has been the uniform practice of the Senate to amend treaties whenever it seemed their duty to do so. But a British secretary of state for foreign affairs is, of course, familiar with all these things and ought, therefore, to realize that the Senate can only present its views to a foreign Government by formulating them in the shape of amendments, which the foreign Government may reject or accept or meet with counter propositions, but of which it has no more right to complain than it has to complain of the offer of any germane proposition at any other stage of the negotiation.

"With misapprehension like this existing not only in the British foreign office and the London press, but also in the minds of one or two exceptionally 'able' editors and correspondents in this country, who spoke of the Senate's action in amending the Hay-Pauncefote treaty as a modern usurpation, it seems not amiss to explain briefly the nature and history of the treaty-making power in the United States. The explanation is easy. It rests, indeed, on constitutional provisions so simple and on precedents so notorious that one feels inclined to begin with an apology for stating anything at once so familiar and so rudimentary. Yet it would appear that the circumstances just set forth fully justify both the explanation of the law and the statement of the facts of history.

"The power to make treaties is at once a badge and an inherent right of every sovereign and independent nation. The 13 American colonies of Great Britain, as part of the British Empire and as dependencies of the British Crown, were not sovereign nations and did not possess the treaty-making power. That power was vested in the British Crown, and when exercised the colonies were bound by the action and agreements of the British Government. When the 13 Colonies jointly and severally threw off their allegiance to the British Crown and became independent, all the usual rights of sovereignty which they had not before possessed vested without restriction in each one of the 13 States. The treaty-making power was exercised accordingly by the Continental Congress, which represented all the States and where the vote was taken by States. Under the subsequent Articles of Confederation the treaty-making power could not be exercised by any State alone or by two or more States without the consent of the United States in Congress, and was vested in the Congress of the Confederation, where, as in the Continental Congress, each State had one vote and where the assent of nine States was required to ratify a treaty. From this it will be observed that this sovereign right which had vested absolutely in each State, although it was confided to the Congress of the United States, was kept wholly within the control of the States as such, and was never permitted to become an executive function. This was the practice and this the precedent which the Convention found before them when they met in Philadelphia in 1787 to frame a new constitution, and they showed no disposition to depart from either. The States were very jealous of their sovereign rights, among which the power to make treaties was one of the most important, and having so recently emerged from a colonial condition they were also very suspicious and very much afraid of dangerous foreign influences, especially in the making of treaties. At the outset, therefore, it seems to have been the universal opinion that the relations of the United States with other nations should be exclusively managed and controlled by the representatives of the States, as such, in the Senate. The strength and prevalence of this feeling are best shown by the various plans for a constitution presented to the Convention. The Virginia plan, so called,

was embodied in resolutions offered by Mr. Randolph, which proposed to enlarge and amend the Articles of Confederation and passed over without mention the treaty-making power, accepting apparently the existing system, which vested it in the States, voting as such through their representatives. The plan offered by Mr. Pinckney provided that—

"'The Senate shall have the sole and exclusive power to declare war, and to make treaties, and to appoint ambassadors and other ministers to foreign nations, and judges of the Supreme Court.'

"The New Jersey plan offered by Mr. Patterson, which aimed only at a mild amendment of the Articles of Confederation, left the treaty-making power, as under the Confederation, wholly within the control of the States voting as such in Congress.

"Hamilton, who went to the other extreme from the New Jersey plan, gave the treaty-making power in his scheme to the President and the Senate, but conferred on the Senate alone the power to declare war.

"All these plans, as well as the general resolutions agreed upon after weeks of debate, went to a committee of detail, which on August 6 reported through Mr. Rutledge the first draft of the Constitution.

"Section 1 of article 9 of this first draft provided that 'the Senate of the United States shall have power to make treaties and to appoint ambassadors and judges of the Supreme Court.'

"The manner in which this clause as reported by the committee of detail was modified is best described by Mr. George Ticknor Curtis in his 'Constitutional History of the United States.' (Vol. I, pp. 579–581. Last edition.)

"'The power to make treaties, which had been given to the Senate by the committee of detail, and which was afterwards transferred to the President, to be exercised with the advice and consent of two-thirds of the Senators present, was thus modified on account of the changes which the plan of government had undergone, and which have been previously explained. The power to declare war having been vested in the whole legislature it was necessary to provide the mode in which a war was to be terminated. As the President was to be the organ of communication with other governments, and as he would be the general guardian of the national interests, the negotiation of a treaty of peace and of all other treaties was necessarily confided to him. But as treaties would not only involve the general interests of the Nation, but might touch the particular interests of individual States, and, whatever their effect, were to be part of the supreme law of the land, it was necessary to give to the Senators, as the direct representatives of the States, a concurrent authority with the President over the relations to be affected by them. The rule of ratification suggested by the committee to whom this subject was last confided was that a treaty might be sanctioned by two-thirds of the Senators present, but not by a smaller number. A question was made, however, and much considered, whether treaties of peace ought not to be subjected to a different rule. One suggestion was that the Senate ought to have power to make treaties of peace without the concurrence of the President, on account of his possible interest in the continuance of a war from which he might derive power and importance. But an objection, strenuously urged, was that if the power to make a treaty of peace were confided to the Senate alone, and a majority or two-thirds of the whole Senate were to be required to make such a treaty, the difficulty of obtaining peace would be so great that the legislature would be unwilling to make war on account of the fisheries, the navigation of the Mississippi, and other important objects of the Union. On the other hand, it was said that a majority of the States might be a minority of the people of the United States, and that the representatives of a minority of the Nation ought not to have power to decide the conditions of peace.

"'The result of these various objections was a determination on the part of a large majority of the States not to make treaties of peace an exception to the rule, but to provide a uniform rule for the ratification of all treaties. The rule of the Confederation, which had required the assent of nine States in Congress to every treaty or alliance, had been found to work great inconvenience, as any rule must do which should give to a minority of States power to control the foreign relations of the country. The rule established by the Constitution, while it gives to every State an opportunity to be present and to vote, requires no positive quorum of the Senate for the ratification of a treaty; it simply demands that the treaty shall receive the assent of two-thirds of all the Members who may be present. The theory of the Constitution undoubtedly is that the President represents the people of the United States generally and the Senators represent their respective States, so that by the concurrence which the rule thus requires the necessity for a fixed quorum of the States is avoided and the operations of this function of the Government are greatly facilitated and simplified. The adoption also of that part of the rule which provides that the Senate may either "advise or consent" enables that body so far to initiate a treaty as to propose one for the consideration of the President, although such is not the general practice.'

"'The obvious fact that the President must be the representative of the country in all dealings with foreign nations, and that the Senate in its very nature could not, like the Chief Executive, initiate and conduct negotiations, compelled the convention to confer upon him an equal share in the power to make treaties. This was an immense concession by the States, and they had no idea of giving up their ultimate control to a President elected by the people generally. Here, therefore, is the reason for the provision of the Constitution which makes the consent of the Senate by a two-thirds majority necessary to the ratification of any treaty projected or prepared by the President. The required assent of the Senate is the reservation to the States of an equal share in the sovereign power of making treaties which before the adoption of the Constitution was theirs without limit or restriction. The treaty clause, as finally agreed to by the convention and ratified by the States, is as follows: 'He (the President) shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur, and he shall nominate and by and with the advice and consent of the Senate shall appoint ambassadors,' etc.

"I have quoted the provision in regard to appointments in order to define more fully the previous one relating to treaties. The use of words 'advice and consent' in both provisions has given rise to misapprehensions in some minds, and even in one instance at least to the astounding proposition that because the Senate can not amend a nomination by striking out the name sent in by the President and inserting another, it therefore, by analogy, can not amend a treaty. It is for this reason well to note that the carefully phrased section gives the President absolute and unrestricted right to nominate, and the Senate can only advise and consent to the appointment of a given person. All right to interfere in the remotest degree with the power of nomination and the consequent power of selection is wholly taken from the Senate. Very different is the wording in the treaty clause. There the words 'by and with the advice and consent of' come in after the words 'shall have power' and before the power referred to is defined. The 'advice and consent of the Senate' are therefore coextensive with the 'power' conferred on the President, which is 'to make treaties' and apply to the entire process of treaty making. The States in the convention of 1787 agreed to share the treaty power with the President created by the Constitution, but they never thought of resigning it or of retaining anything less than they gave.

"The Senate, being primarily a legislative body, can not in the nature of things initiate a negotiation with another nation, for they have no authority to appoint or to receive ambassadors or ministers. But in every other respect, under the language of the Constitution and in the intent of the framers, they stand on a perfect equality with the President in the making of treaties. They have an undoubted right to recommend either that a negotiation be entered upon or that it be not undertaken, and I shall show presently that this right has been exercised and recognized in both directions. As a matter of course, the President would not be bound by a resolution declaring against opening a negotiation, but such a resolution passed by a two-thirds vote would probably be effective and would serve to stop any proposed negotiation, as we shall see was the case under President Lincoln. In the same way the Senate has the right to advise the President to enter upon a negotiation, and has exercised this right more than once. Here, again, the President is not bound to comply with the resolution, for his power is equal and coordinate with that of the Senate, but such action on the part of the Senate, no doubt, would always have due weight. That this right to advise or disapprove the opening of negotiations has been very rarely exercised is unquestionably true in practice, and the practice is both sound and wise; but the right remains none the less, just as the Constitution gave it, not impaired in any way by the fact that it has been but little used.

"The right of the Senate to share in treaty making at any stage has always been fully recognized, both by the Senate and the Executive, not only at the beginning of the Government, when the President and many Senators were drawn from among the framers of the Constitution, and were, therefore, familiar with their intentions, but at all periods since. A brief review of some of the messages of the Presidents and of certain resolutions of the Senate will show better than any description the relations between the two branches of the treaty-making power in the United States, the uniform interpretation of the Constitution in this respect, and the precedents which have been established.

"On August 21, 1789, President Washington notified the Senate that he would meet with them on the following day to advise with them as to the terms of a treaty to be negotiated with the Southern Indians. On August 22, in accordance with this notice, the President came into the Senate Chamber, attended by Gen. Knox, and laid before the Senate a statement of facts, together with certain questions, in regard to our relations to the Indians of the southern district, upon which he asked the advice of the Senate. On August 24, 1789, he appeared again in the Senate Chamber with Gen. Knox, and the discussion of our relations with the Southern Indians was resumed. The Senate finally voted on the questions put to it by the President, and in that way gave him their advice. (During the first years of its existence the Senate sat with closed doors, and there is no record of any of its debates. The only official records we possess are the dry entries of the Journal, stating the questions put and the votes. For the first two years, however, we have an account of the doings of the Senate in the diary of William Maclay, a Senator from Pennsylvania during the period from 1789 to 1791. In that diary (pp. 129 to 133) there is a full description of what happened upon the only occasion when a President personally met with the Senate to consider a treaty, a mode of consideration which was undoubtedly contemplated as the most suitable at the time of the framing of the Constitution. In reading Mr. Maclay's narrative it is well to remember that he was one of those persons who are never satisfied in regard to their own integrity unless they impugn the conduct and suspect the motives of everyone else, and especially of those who differ with them in opinion. Mr. Maclay was exceedingly hostile to Washington and could not appreciate him. His opinions as to men are curious and untrustworthy, but his statements of facts and as to what actually occurred may as a rule be accepted, and are of peculiar interest because we possess no other account of Senate debates at that period. Washington's attempt to confer with the Senate in this direct way was so obviously inconvenient, and the discussion upon the propositions was so annoying to the President on the one side, while the restraint of the President's presence was so much felt by the Senate, that the plan of personal deliberation between the Chief Executive and his constitutional advisers was then and there abandoned. In the same connection there is an interesting story told in the diary of John Quincy Adams which is worth repeating, and which throws an interesting light upon the incident: 'Mr. Crawford told twice over the story of President Washington's having at an early period of his administration gone to the Senate with a project of a treaty to be negotiated and been present at their deliberations upon it. They debated it and proposed alterations, so that when Washington left the Senate Chamber he said he would be damned if he ever went there again. And ever since that time treaties have been negotiated by the Executive before submitting them to the consideration of the Senate. The President said he had come into the Senate about 18 months after the first organization of the present Government and then heard that something like this had occurred. Crawford then repeated the story, varying the words, so as to say that Washington swore he would never go to the Senate again.' (Memoirs of John Quincy Adams, Vol. VI, p. 427.)

"On August 11, 1790, President Washington, in a written message, asked whether it was the judgment of the Senate that overtures should be made to the Cherokees to arrange a new boundary; if so, what compensation should be made, and whether the United States should stipulate solemnly to guarantee the new boundary. The Senate by resolution replied to these inquiries in the affirmative.

"On January 19, 1791, President Washington laid before the Senate the representation of the chargé d'affaires of France in regard to certain acts of Congress imposing extra tonnage on foreign vessels, and asked the advice of the Senate as to the answer he should make. On February 26, 1791, the Senate, by resolution, replied to this message, stating their opinion as to the meaning of the fifth article of the treaty in relation to the acts of Congress which had been called in question, and advising that an answer be given to the chargé d'affaires of France defending the construction put upon the treaty by the Senate.

"On February 14, 1791, a message was sent in which illustrates in a very interesting way how close the relations were between the Senate and the President in all matters relating to treaties, and how completely Washington recognized the right of the Senate to advise with him in regard to every matter connected with our foreign relations. In this message he explained his sending Gov. Morris in an unofficial character to England, in order to learn whether it were possible to open negotiations for a treaty, and with the message he sent various letters, so that the Senate might be fully informed as to all this business, which was in its nature entirely secret and unofficial.

"On November 10, 1791, the Senate ratified the treaty made by Gov. Blount with the Cherokee Indians, and the report of the committee begins in this way: 'That they have examined the said treaty and find it strictly conformable to the instructions given by the President; that these instructions were founded on the advice and consent of the Senate on the 11th of August, 1790,' etc.

"It is not necessary to multiply instances under our first President. These cases which have been quoted show how Washington interpreted the Constitution which he had so largely helped to frame. It is clear that in his opinion, and in that of the Senate, which does not appear to have been controverted by anybody, the powers of the Senate were exactly equal to those of the President in the making of treaties, and that they were entitled to share with him at all stages of a negotiation.

"On April 16, 1794, Washington consulted the Senate on a much more important matter than any of those to which I have referred. On that day he sent in the name of John Jay to be an envoy extraordinary to England in addition to the minister already there. He gives in the message his reasons for doing this, and in that way caused the Senate to pass not only upon the appointment of Mr. Jay but also upon the policy which that appointment involved.

"On May 31, 1797, President Adams, in nominating his special commission to France, followed the example of Washington when he nominated Jay, and explained his reasons for the appointment of this commission, in that way taking the advice of the Senate as to opening the negotiations at all.

"On December 6, 1797, President Adams, in submitting an Indian deed, which was the form taken by the treaty, suggested that it be conditionally ratified; that is, that the Senate should provide that the treaty should not become binding until the President was satisfied as to the investment of the money, and the resolution was put in that form. This is interesting, because it is the first case where the President himself suggests an amendment to be made by the Senate.

"On March 6, 1798, in ratifying the treaty with Tunis, where the Senate had made an amendment, they recommended that the President enter into friendly negotiations with the Government of Tunis in regard to the disputed article.

"February 6, 1797, President Adams nominated Rufus King minister to Russia, and stated that it was done for the purpose of making a treaty of amity and commerce with that country.

"When President Adams reopened negotiations with France, an action which signalized the fatal breach in the Federalist Party, he sent in the name of William Vans Murray to be minister to France, explained that it was to renew the negotiation, and stated further what instructions he should give if Murray was confirmed by the Senate. So much opposition was aroused by this step that in order to secure the assent of the Senate to his policy Mr. Adams sent in the names of Chief Justice Ellsworth and Patrick Henry to be joined with Murray in the commission, and stated more explicitly the conditions on which alone he would allow them to embark.

"President Jefferson, on January 11, 1803, sent in a message nominating Livingston and Monroe to negotiate with France, and Charles Pinckney and Monroe to negotiate with Spain, in regard to Louisiana, setting forth fully his reasons for opening negotiations on this subject, so that the Senate in advising and consenting to the appointments assented also to the policy which they involved.

"President Madison, on May 29, 1813, sent in a nomination for a minister to Sweden, to open diplomatic relations with that country. The Senate on June 14 appointed a committee to confer with the President upon the subject. Madison declined the conference on the ground that a committee could not confer directly with the Executive, but only through a department. His statement of the relations of the President and Senate in his message of July 6, 1813, is interesting as showing how he, one of the principal framers of the Constitution, construed it in this respect:

"'Without entering into a general review of the relations in which the Constitution has placed the several departments of the Government to each other, it will suffice to remark that the Executive and the Senate, in the cases of appointments to office and of treaties, are to be considered as independent of and coordinate with each other. If they agree, the appointments or treaties are made; if the Senate disagree, they fail. If the Senate wish information previous to their final deci-

sion, the practice, keeping in view the constitutional relations of the Senate and the Executive, has been either to request the Executive to furnish it or to refer the subject to a committee of their body to communicate, either formally or informally, with the head of the proper department. The appointment of a committee of the Senate to confer immediately with the Executive himself appears to lose sight of the coordinate relation between the Executive and the Senate which the Constitution has established, and which ought therefore to be maintained.'

"On April 6, 1818, President Monroe laid before the Senate correspondence with Great Britain making an arrangement as to naval armaments on the Great Lakes. He asked the Senate to decide whether this was a matter which the Executive was competent to settle alone, and if they thought not, then he asked for their advice and consent to making the agreement.

"President Jackson, on March 6, 1829, asked the consent of the Senate to make with the chargé d'affaires of Prussia an exchange of ratifications of the treaty with that country, the time for the exchange having passed before the Prussian ratification was received. The request was repeated on January 26, 1831, under similar circumstances in regard to the Austrian treaty. (This became the universal practice in cases where the time for exchanging ratifications had expired by accident, or otherwise, before the exchange had been effected. It is not necessary to cite other instances.)

"May 6, 1830, President Jackson, in a message relating to a treaty proposed by the Choctaw Indians, asked the Senate to share in the negotiations in the following words: 'Will the Senate advise the conclusion of a treaty with the Choctaw Nation according to the terms which they propose? Or will the Senate advise the conclusion of a treaty with that tribe as modified by the alterations suggested by me? If not, what further alteration or modification will the Senate propose?' President Jackson then goes on to give his reasons for thus consulting the Senate. The passage is of great interest because it not only states the change of practice which had taken place since Washington's time in regard to consulting the Senate before or during a negotiation, but recognizes fully that although reasons of convenience and expediency had led to the abandonment of consultation with the Senate prior to a negotiation, yet it was an undoubted constitutional right of the President to so consult the Senate, and of the Senate to take part, if it saw fit, at any stage of a negotiation. President Jackson says:

"'I am fully aware that in thus resorting to the early practice of the Government, by asking the previous advice of the Senate in the discharge of this portion of my duties, I am departing from a long and for many years unbroken usage in similar cases. But being satisfied that this resort is consistent with the provisions of the Constitution, that it is strongly recommended in this instance by considerations of expediency, and that the reasons which have led to the observance of a different practice, though very cogent in negotiation with foreign nations, do not apply with equal force to those made with Indian tribes, I flatter myself that it will not meet the disapprobation of the Senate.'

"Under President John Quincy Adams a convention had been made with Great Britain referring to the decision of the King of the Netherlands the points of difference between the two nations as to our northeastern boundary line. On January 10, 1831, the King of the Netherlands rendered his decision, against which our minister at The Hague protested. On December 7, 1831, President Jackson submitted the decision and protest to the Senate, asking whether they would advise submission to the opinion of the arbiter and consent to its execution. The President took occasion to say in this connection: 'I had always determined, whatever might have been the result of the examination by the sovereign arbiter, to have submitted the same to the Senate for their advice before I executed or rejected it.'

"On March 3, 1835, the Senate passed the following resolution:

"'*Resolved*, That the President of the United States be respectfully requested to consider the expediency of opening negotiations with the governments of other nations, and particularly of the governments of Central America and New Grenada, for the purpose of effectually protecting, by suitable treaty stipulations with them, such individuals or companies as may undertake to open a communication between the Atlantic and Pacific Oceans by the construction of a ship canal across the isthmus which connects North and South America, and of securing forever, by such stipulations, the free and equal right of navigating such canal to all such nations, on the payment of such reasonable tolls as may be established, to compensate the capitalists who may engage in such undertaking and complete the work.'

"On January 9, 1837, President Jackson replied to this resolution, stating that in accordance with its terms an agent had been sent to Central America, but that from his report it was apparent that the conditions were not such as to warrant entering upon negotiations for treaties relating to a ship canal.

"President Van Buren, on June 7, 1838, sent in a message announcing that he intended to authorize our chargé d'affaires to Peru to go to Ecuador and, as agent of the United States, negotiate a treaty with that Republic. Before doing so, however, he thought it proper, in strict observance of the rights of the Senate, to ask their opinion as to the exercise of such a power by the Executive in opening negotiations and diplomatic relations with a foreign state.

"President Polk, on June 10, 1846, sent to the Senate a proposal in the form of a convention in regard to the Oregon boundary submitted by the British minister, together with a protocol of the proceedings, and on this he asked the advice of the Senate as to what action should be taken. The message then continues as follows:

"'In the early periods of the Government the opinion and advice of the Senate were often taken in advance upon important questions of our foreign policy. Gen. Washington repeatedly consulted the Senate and asked their previous advice upon pending negotiations with foreign powers, and the Senate in every instance responded to his call by giving their advice, to which he always conformed his action. This practice, though rarely resorted to in later times, was, in my judgment, eminently wise and may on occasions of great importance be properly revived. The Senate are a branch of the treaty-making power, and by consulting them in advance of his own action upon important measures of foreign policy which may ultimately come before them for their consideration the President secures harmony of action between that body and himself. The Senate are, moreover, a branch of the war-making power, and it may be eminently proper for the Executive to take the opinion and advice of that body in advance upon any great question which may involve in its decision the issue of peace or war.'

"On August 4, 1846, President Polk, by message, consulted the Senate as to entering on peace negotiations with Mexico and advancing to that country a portion of the money to be paid as consideration for the cession of territory.

"On July 28, 1848, President Polk sent to the Senate a message explaining his refusal to ratify an extradition treaty with Prussia, to which the Senate had agreed. When the treaty was sent to the Senate, on December 16, 1845, the President stated his objections to the third article. The Senate ratified the treaty with the third article unamended, and thereupon, and because the Senate had not amended or stricken out the third article, the President refused to ratify the treaty himself.

"On April 22, 1850, President Taylor invited the Senate to amend either the Clayton-Bulwer treaty or that with Nicaragua, so that they might conform with each other.

"On February 13, 1852, President Fillmore pointed out certain objectionable clauses in the Swiss treaty and asked the Senate to amend them.

"On June 26, 1852, President Fillmore sent a letter from Mr. Webster calling attention to the nonaction of the Senate upon an extradition treaty with Mexico and asked that, if it was thought objectionable in any particular, amendments might be made to remove the objections, such amendments to be proposed by the Executive to the Mexican Government.

"On February 10, 1854, President Pierce sent to the Senate the Gadsden treaty, signed by the plenipotentiaries on December 30, 1853, and with it certain amendments which he recommended to the Senate for adoption before ratification. It would be difficult to find a better example than this, not merely of the right of the Senate to amend, but of the fact that Senate amendments are simply a continuance of the negotiation begun by the President.

"President Buchanan, on February 12, 1861, asked the advice of the Senate as to accepting the award made by commissioners under the convention with Paraguay, following therein the precedent set by President Jackson.

"On February 21, 1861, President Buchanan asked the advice of the Senate as to entering into negotiation with Great Britain for a treaty of arbitration in regard to a controverted point in the Ashburton-Webster treaty of 1846. His own words are: 'The precise questions I submit are three: Will the Senate approve a treaty,' etc.

"On March 16, 1861, President Lincoln, in his first message to the Senate, repeated the questions of his predecessor as to entering upon this negotiation for an arbitration with Great

Britain, and said, 'I find no reason to disapprove the course of my predecessor on this important matter, but, on the contrary, I not only shall receive the advice of the Senate therein, but I respectfully ask the Senate for their advice on the three questions before recited.'

"On December 17, 1861, President Lincoln sent to the Senate a draft of a convention proposed by the Mexican Government and asked not for ratification but merely for their advice upon it.

"On January 24, 1862, he asked again for advice as to entering upon the treaty for a loan to Mexico, so that he might instruct Mr. Corwin in accordance with the views of the Senate.

"On February 25, 1862, the Senate passed a resolution to the effect 'that it is not advisable to negotiate a treaty that will require the United States to assume any portion of the principal or interest of the debt of Mexico, or that will require the concurrence of European powers.' Meantime Mr. Corwin, not having received instructions, had made and signed two treaties for the loan, and President Lincoln, on sending them in, on June 23, 1862, said in his message: 'The action of the Senate is, of course, conclusive against acceptance of the treaties on my part,' but the importance of the subject was such that he asked for the further advice of the Senate upon it.

"March 5, 1862, President Lincoln sent a message repeating President Buchanan's request for the advice of the Senate as to accepting the Paraguayan award.

"February 5, 1863, President Lincoln sent in for ratification a convention with Peru, and suggested an amendment which he wished to have made by the Senate.

"January 15, 1869, President Johnson sent in a protocol agreed upon with Great Britain, and asked the advice of the Senate as to entering upon a negotiation for a convention based upon the protocol submitted.

"April 5, 1871, President Grant transmitted a dispatch from our minister to the Hawaiian Islands and asked for the views of the Senate as to the policy to be pursued.

"May 13, 1872, President Grant sent a message to the Senate relating to differences which had arisen under the treaty of Washington, and said: 'I respectfully invite the attention of the Senate to the proposed article submitted by the British Government with the object of removing the differences which seem to threaten the prosecution of the arbitration, and request an expression by the Senate of their disposition in regard to advising and consenting to the formal adoption of an article such as is proposed by the British Government.

"'The Senate is aware that the consultation with that body in advance of entering into agreements with foreign States has many precedents. In the early days of the Republic Gen. Washington repeatedly asked their advice upon pending questions with such powers. The most important recent precedent is that of the Oregon boundary treaty, in 1846.

"'The importance of the results hanging upon the present state of the treaty with Great Britain leads me to follow these former precedents and to desire the counsel of the Senate in advance of agreeing to the proposal of Breat Britain.'

"June 18, 1874, President Grant sent in a draft of a reciprocity treaty relating to Canada and asked the Senate if they would concur in such a treaty if negotiated.

"President Arthur, on June 9, 1884, asked the advice of the Senate as to directing negotiations to proceed with the King of Hawaii for the extension of the existing reciprocity treaty with the Hawaiian Islands.

"On March 3, 1888, the Senate passed a resolution asking President Cleveland to open negotiations with China for the regulation of immigration with that country. President Cleveland replied that such negotiations had been undertaken.

"From these various examples it will be seen that the Senate has been consulted at all stages of negotiations by Presidents of all parties, from Washington to Arthur. It will also be observed that the right to recommend a negotiation by resolution was exercised in 1835 and again in 1888, and was unquestioned by either Jackson or Cleveland, who were probably more unfriendly to the Senate and more unlikely to accede to any extension of Senate prerogatives than any Presidents we have ever had. It will be further noted that the Senate in 1862 advised against the Mexican negotiations, and that President Lincoln frankly accepted their decision, and did not even ask that the treaties which had been actually made meantime should be considered with a view to ratification.

"The power of the Senate to amend or to ratify conditionally is, of course, included in the larger powers expressly granted by the Constitution to reject or confirm. It would have never occurred to me that anyone who had read the Constitution and who possessed even the most superficial acquaintance with the history of the United States could doubt the right of the Senate to amend. But within the last year I have seen this question raised, not jocosely, so far as one could see, but quite seriously. It may be well, therefore, to point out very briefly the law and the facts as to the power of the Senate to amend or alter treaties.

"In 1795 the Senate amended the Jay treaty, ratifying it on condition that the twelfth article should be suspended. Washington accepted their action without a word of comment, as if it were a matter of course, and John Marshall, in his Life of Washington, has treated the Senate's action of that memorable occasion in the same way. From that day to this, from the Jay treaty in 1795 to the alien property treaty with Great Britain in 1900, the Senate has amended treaties, and foreign governments, recognizing our system and the propriety of the Senate's action, have accepted the amendments. A glance at the passages which have been cited from the Messages of the Presidents is enough to disclose the fact that no President has ever questioned the right of the Senate to amend, and that several Presidents have invited the Senate to make amendments as the best method of continuing the negotiations. In this, however, we are not left to deduce the obvious right of the Senate to amend, from an unbroken line of precedents and the unquestioned recognition of the right by the Chief Executive. On this point we have a direct and unanimous declaration by the Supreme Court of the United States. In Haver *v.* Yaker, Mr. Justice Davis, delivering the opinion of the court, said: 'In this country a treaty is something more than a contract, for the Federal Constitution declares it to be the law of the land. If so, before it can become a law the Senate, in whom rests the authority to ratify it, must agree to it. But the Senate are not required to adopt or reject it as a whole, but may modify or amend it, as was done with the treaty under consideration.' (9 Wallace, pp. 34 and 35. Mr. Rawle, in his View of the Constitution of the United States, p. 64, says: 'The Senate may wholly reject it, or they may ratify it in part, or recommend additional or explanatory articles, which, if the President approves of them, again become the subject of negotiation between him and the foreign power; and, finally, when the whole receives the consent of the Senate, and the ratifications are exchanged between the respective Governments, the treaty becomes obligatory on both nations.' Mr. Rawle's entire chapter on the treaty-making power merits careful consideration in this connection.) This decision of the court is conclusive, if any doubt had ever existed as to the amendment powers of the Senate; but the following lists of treaties, amended by the Senate and afterwards ratified by the countries with which they were made, exhibits the uniform and unquestioned practice which has prevailed since the foundation of our Government:

"Algiers, 1795; Argentina, 1885 (amity and commerce), 1897 (extradition); Austria, 1856; Baden, 1857; Bavaria, 1845, 1853; Belgium, 1858, 1880 (consular); Bolivia, 1859, 1900 (extradition); Brunswick and Luneburg, 1854; Chile, 1900 (extradition); China, 1868, 1887 (exclusion); Colombia, 1857; New Granada, 1888 (extradition); Congo, 1891 (relations); Costa Rica, 1852, 1861; France, 1778, 1843, 1858, 1886 (claims), 1892 (extradition); Great Britain, 1794, 1815, 1889 (extradition), 1891 (Bering Sea), 1896 (Bering claims), 1899 (real property); Guatemala, 1870 (amity and commerce); Hawaii, 1875 (reciprocity), 1886 (reciprocity); Italy, 1868; Japan, 1886 (extradition), 1894 (extradition), 1894 (commerce and navigation); Mexico, 1843, 1848, 1853, 1861, 1868, 1883 (reciprocity), 1885 (reciprocity), 1886 (boundary), 1888 (frontier), 1890 (boundary); Netherlands, 1887 (extradition); Nicaragua, 1859, 1870 (amity and commerce); Orange Free State, 1896 (extradition); Peru, 1863, 1887 (commerce and navigation), 1899 (extradition); Russia, 1889 (extradition); Saxony, 1845; Siam, 1856; Sweden, 1816, 1869 (naturalization); Switzerland, 1847, 1850, 1900 (extradition); Tunis, 1797; Turkey, 1830, 1874 (extradition); Two Sicilies, 1855; Venezuela, 1886 (claims).

"From this list it appears that there have been 68 treaties amended by the Senate and afterwards ratified.

"The results of the preceding inquiry can be easily summarized. Practice and precedent, the action of the Senate and of the Presidents, and the decision of the Supreme Court show that the power of the Senate in the making of treaties has always been held, as the Constitution intended, to be equal to and coordinate with that of the President, except in the initiation of a negotiation, which can of necessity only be undertaken by the President alone. The Senate has the right to recommend entering upon a negotiation, or the reverse; but this right it has wisely refrained from exercising, except upon rare occasions. The Senate has the right to amend, and this right it has always exercised largely and freely. It is also clear that any action taken by the Senate is a part of the negotiation, just as much so as the action of the President through the Secretary of State.

In other words, the action of the Senate upon a treaty is not merely to give sanction to the treaty, but is an integral part of the treaty making, and may be taken at any stage of a negotiation.

"It has been frequently said of late that the Senate in the matter of treaties has been extending its powers and usurping rights which do not properly belong to it. That the power of the Senate has grown during the past century is beyond doubt, but it has not grown at all in the matter of treaties. On the contrary, the Senate now habitually leaves in abeyance rights as to treaty making which at the beginning of the Government it freely exercised, and it has shown in this great department of executive government both wisdom and moderation in the assertion of its constitutional powers.

"This is not the place to discuss the abstract merits of the constitutional provisions as to the making of treaties. Under a popular government like ours it would be neither possible nor safe to leave the vast powers of treaty making exclusively in the hands of a single person. Some control over the Executive in this regard must be placed in the Congress, and the framers of the Constitution intrusted it to the representatives of the States. That they acted wisely can not be questioned, even if the requirement of the two-thirds vote for ratification is held to be a too narrow restriction. These, however, are considerations of no practical importance, and after all only concern ourselves. Our system of treaty making is established by the Constitution and has been made clear by long practice and uniform precedents. The American people understand it, and those who conduct the government of other countries are bound to understand it, too, when they enter upon negotiations with us. There is no excuse for any misapprehension. It is well also that the representatives of other nations should remember, whether they like our system or not, that in the observance of treaties during the last 125 years there is not a nation in Europe which has been so exact as the United States, nor one which has a record so free from examples of the abrogation of treaties at the pleasure of one of the signers alone."

Mr. KELLOGG. Mr. President, I have been very much interested in the very able address of the Senator from Massachusetts. I should like to mention one subject dwelt upon by the Senator, and that is the question of secret treaties. It seems to me to be very pertinent at this place to call the attention of the Senate to the interview by Lord Northcliffe published in the morning papers and given out in Paris yesterday. It seems to bear upon this question of secret negotiations and secret treaties. Lord Northcliffe said:

Nothing can be worse for the prospects of the coming conference than an atmosphere of secrecy and half truths. Yet up to the present there has been no official statement that the momentous meetings about to take place will be held in accordance with President Wilson's expressed views on the question of open diplomacy.

I will call the attention of the Senate in a moment to what those views are.

DAYS OF SECRET CONCLAVES GONE.

The days of secret conclaves are dead and gone. Clandestine assemblies are the harbingers of intrigue, suspicion, and possible deception. It would be intolerable that the fate of whole nations—great and small—should be decided in secret. Shall the destinies of millions of peoples in all quarters of the globe be left to the tender mercies of a comparative handful of delegates, against whose enactments there is no public appeal? Such would be mockery of that principle of self-determination of free nations which has been fought for and won in this war.

Labor, upon which the great losses of life during the war have mainly fallen, is alarmed at the prospect of great world plans being carried out without its knowledge. It is reported from London that the Labor Party has sent a strong protest to our Government, which, so far, has done nothing to allay public anxiety on the subject.

WILL SUPPORT WILSON'S VIEW.

The British press and people may be relied upon to support fully the President's enlightened expression of opinion as to the need of publicity at the momentous meetings expected to begin in Paris on the 6th of January. Surely the world has suffered enough from secret diplomacy to realize that mediævalism of that kind is totally incompatible with the conception of a league of free nations. A great part of the President's popularity is due to the knowledge that he is the father of open diplomacy, which it was understood would be the course adopted at the forthcoming sessions.

We, having learned enough of the evil of secrecy during the last four and a half years, therefore are alarmed at rumors, which have not yet been officially contradicted, that the doings of the peace conference are to be wrapped in a black cloak of silence.

WILL BE RATIONED, HE SAYS.

So far as the United States is concerned, I have been assured that neither the French nor American Government will exercise any control over the cables conveying news of the proceedings of the conference, except such amount of control as is necessary in rationing to each newspaper and news-distributing agency, made obligatory by the fact that the Atlantic cables already are loaded beyond their capacity.

Mr. President, the particular view of the President which Lord Northcliffe had in mind is the one referred to by the distinguished Senator from Massachusetts; that covenants of peace shall be openly reached; that there shall be no private international understandings of any kind; and that diplomacy shall proceed always frankly and in public view.

Lord Northcliffe, in describing what he understands to be the program of President Wilson, has relied upon his speech of January 8, 1918, in which the President said:

1. Open covenants of peace, openly arrived at, after which there shall be no private international understandings of any kind but diplomacy shall proceed always frankly and in the public view.

I wish his noble lordship to understand a fact which has probably escaped his attention, that the President took it all back in his letter of March 12, 1918. When the Senator from Idaho [Mr. BORAH] proposed that treaties of peace should be considered in open session in the United States Senate, interpreting the language of the President to mean covenants openly arrived at as well as openly considered in the Senate, the President wrote a letter to Secretary of State Lansing, which is as follows:

THE WHITE HOUSE,
Washington, March 12, 1918.

Hon. ROBERT LANSING,
Secretary of State.

MY DEAR MR. SECRETARY: I wish you would be kind enough to formulate a careful and conclusive memorandum for the use of the committee of the Senate with regard to the inclosed resolution. I take it for granted that you feel as I do, that this is no time to act as the resolution prescribes, and certainly when I pronounced for open diplomacy I meant not that there should be no private discussions of delicate matters but that no secret agreement of any sort should be entered into and that all international relations, when fixed, should be open, above board, and explicit.

Cordially and sincerely, yours, WOODROW WILSON.

Mr. President, as said by the distinguished Senator from Massachusetts, under our form of Government it is impossible to have a secret treaty, and no such treaty ever existed in the history of this Nation. If that is all the President meant by his declaration in the first of his 14 points, it meant nothing.

Now, let Lord Northcliffe understand that those are phrases, simply phrases. If they did not mean that the great issue pending before the peace commissioners sitting in Paris to settle the destinies of the world should be known to the people of the world, they meant nothing. Lord Northcliffe makes the plea for open diplomacy and says that the secrecy which to-day surrounds Paris is ominous.

Now, I have not criticized the President, nor is that my intention, but here comes the greatest journalist of England, who has been one of the mainstays of Great Britain through a trial greater than the British Empire ever went through before, and says that the secrecy which surrounds Paris to-day bodes no good to the nations of the world.

What do we know about it? Do we know what is meant by the league of nations or what the President has in mind? If the President has in mind a framework of supergovernment, which has been the dream of some intellectuals since history was written, he will find out immediately that the American people will not stand for it.

It has been reported that the President is in favor of a league of nations controlling the raw materials and resources of the various nations of the world because those are the things for which nations have often gone to war. I for one do not believe the President has in his mind any such absurd proposition for this country, which owns those resources; but if he has we ought to know it.

I do believe that the principal great points involved in this negotiation should be made known to the American people.

The Senator from Idaho made a very able speech on the subject of open diplomacy and the consideration of treaties in open session of the Senate. I submitted a few unimportant remarks on the same subject, and it was a hopeful sign that some twenty or twenty-five of our colleagues voted for that proposition. I am glad to see that the leading statesmen of the world as well as of this country are adapting the proposition, and I welcome the Senator from Massachusetts to that circle.

To be sure we are not going to disclose every whispered conversation unimportant which takes place, but the great fundamental issues which involve the happiness, the peace, and stability of the world must be known and must be discussed openly by the people to be affected or else the peace pact will be a failure.

THE REVENUE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12863) to provide revenue, and for other purposes.

The PRESIDING OFFICER (Mr. FLETCHER in the chair). The question is on the amendment of the Senator from Wisconsin [Mr. LENROOT] to the amendment of the committee.

Mr. LENROOT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	McLean	Sheppard
Bankhead	Johnson, Cal.	McNary	Simmons
Beckham	Johnson, S. Dak.	Martin, Ky.	Smith, Ariz.
Borah	Jones, N. Mex	Martin, Va.	Smith, Ga.
Brandegee	Jones, Wash.	Moses	Smoot
Curtis	Kellogg	New	Spencer
Fletcher	Kendrick	Norris	Sutherland
France	Kenyon	Nugent	Swanson
Frelinghuysen	King	Page	Thomas
Gay	Knox	Penrose	Trammell
Gerry	La Follette	Phelan	Underwood
Gronna	Lenroot	Pittman	Vardaman
Hale	Lodge	Poindexter	Warren
Harding	McCumber	Pomerene	Weeks
Henderson	McKellar	Shafroth	

Mr. SHEPPARD. I desire to announce that the Senator from North Carolina [Mr. OVERMAN], the Senator from Delaware [Mr. WOLCOTT], and the Senator from Missouri [Mr. REED] are detained on official business.

Mr. McKELLAR. I desire to announce the absence of my colleague, the senior Senator from Tennessee [Mr. SHIELDS], on account of illness.

The PRESIDING OFFICER. Fifty-nine Senators have answered to the roll call. A quorum is present.

Mr. LENROOT. Mr. President, before the pending amendment is voted on I merely desire to present an illustration of the application of the two systems of consolidated returns and separate returns to a hypothetical case. The Senator from North Dakota [Mr. McCUMBER] undertook to say that a consolidation of returns of various corporations making money would be greatly to the benefit of the Government and would increase the tax. That, of course, Mr. President, is an impossibility if the Treasury Department performs its duty.

In the case of four corporations, each capitalized at a million dollars, I have computed this hypothetical case: Assuming one of them engaged in war activities makes a profit of 100 per cent and the other three make a profit of 10 per cent, what would be the result? In the case of the consolidated return there would be a consolidated capital of $4,000,000 and a consolidated income of $1,300,000. The excess-profits credit which will be allowed under the consolidated return is one credit of $3,000, 8 per cent on $4,000,000, the consolidated capital, or a total of $323,000, leaving taxable excess profits of $977,000. The tax imposed upon that will be 30 per cent on $800,000, or $240,000, and 60 per cent on $177,000, or $106,200, making a total tax paid to the Government in this case on a consolidated return of $346,200.

In the case of separate returns one corporation with a capital of $1,000,000 makes a profit of $1,000,000, or 100 per cent. In this case the excess-profits credit would be $3,000, 8 per cent on $1,000,000, or $80,000, making a total excess-profits credit of $83,000, leaving a taxable excess profit upon that corporation of $917,000. Applying the excess-profit tax brackets, they would pay 30 per cent on $200,000, or $60,000, 60 per cent on $717,000, or $430,200, making a total tax for that corporation of $490,200.

The other corporations would each pay an equal amount, having a net income of $100,000 each; they would each have an excess-profits credit of $3,000; each would have an 8 per cent exemption on their capital of $1,000,000, or $80,000, leaving an excess-profits credit of $83,000 to be deducted from their net income of $100,000, leaving the total of excess profits taxable $17,000. Applying the rate of 30 per cent on that, each of those corporations would pay $5,400 in excess profits, making a total for the three of $16,200. The one with 100 per cent profit would pay $490,200, making a total tax for these same corporations rendering separate returns of $506,400, as against the tax paid under the consolidated returns of $346,200, or a difference against the Government on the excess-profits tax of $160,200 on a capitalization of only $4,000,000.

The only saving of the Government would be upon the 12 per cent income, where it would save the three exemptions of $2,000 apiece, making $720. So the net loss to the Government in the illustration I have given, should the committee amendment be adopted, would be $159,480, growing, Mr. President, solely out of the fact that these four corporations happened to be owned by one little group of wealthy individuals, whereas if those same corporations had been owned by local capital, by different individuals, they would pay $160,000 more to the Government than they will pay under this amendment if the corporations are owned by a little aggregation of capital. In other words, Mr. President, with this amendment as reported by the committee, it offers a reward to trusts and monopolies owning corporations in this country of $150,000, as against the taxes that will have to be paid by like corporations who have like business and who are making a like income which are owned and operated by private individuals.

The Senate ought to know exactly the result this amendment will have. Then, if the Senate chooses to adopt it, the Senate will do it with its eyes open.

I ask the yeas and nays upon the amendment.

Mr. SIMMONS. Mr. President, of course the Senator from Wisconsin can pick out a supposititious case, make his calculations, and show a result one way or another upon a matter of this sort. The question is not, will this concern escape with a little less tax and that concern pay a little more tax as the result of consolidated returns, but the question is, will the Government get more money out of one system than it will out of the other system, and will the department be in a better position to adjust the equities between the different branches of these consolidated concerns so as to do justice to the Government and do justice to the taxpayers.

It is clear to my mind, Mr. President, that when we provide for these consolidated returns we put the operations of these various subsidiary concerns in the hands of the Internal Revenue Department. We put them in a position where they can adjust not only equities but where they can see that the incomes and the invested capital of these concerns are properly distributed and adjusted in the interest of taxation and also in the interest of the taxpayer. That is what this does.

Senators come here and say, "I can find an illustration." The truth is, Mr. President, that the department, after one year's experience in the administration of a $4,000,000,000-tax law, has taken the cases that arise under the consolidated returns, which they by regulation provided for; they have examined to see whether under that system of returns the Government has lost or the Government has gained; and, as a result of this acid test of actual experience, the department has found that the Government is the gainer. Now, that is all there is of it, Mr. President.

Mr. PENROSE. Mr. President, I should merely like to add to what the Senator from North Carolina has said, but which has perhaps not fully impressed the Senate, that this provision of the bill is identical with the method which has been adopted by the Commissioner of Internal Revenue and the tax advisory board in administering this part of the present law.

Mr. KELLOGG. Mr. President, I was in favor of the first amendment offered by the Senator from Wisconsin [Mr. LENROOT], which I think was intended to make clear that only integrated concerns having different branches of business in separate corporations should be allowed to make consolidated returns; but when it comes to a group of individuals who are associated together or an individual owning all of the stock of the corporations engaged in a certain business and making consolidated returns, I am inclined to follow the recommendation of the Treasury Department in that matter, for the Treasury Department must know what has been the best practice and what would be the best practice.

The individuals who own the stock of these various corporations which are engaged in business, of course, do not pay an excess-profits tax; so the question is entirely different from that of a holding company, and if it is the opinion of the Treasury Department that, taking all of these concerns together, it is fairer and better for the Government to have a consolidated return, I am inclined to believe that that ought to be provided for by the Senate.

I have no doubt that one might pick out a particular case and show that that would lose money to the Government; but, so far as I am concerned, I feel as though I must be controlled in that respect by the experience of the Treasury Department on this subject. I have no desire to allow any of these combinations which will enable any corporation to escape its share of taxes.

Mr. LENROOT. Mr. President, will the Senator from Minnesota yield to me?

Mr. KELLOGG. Yes.

Mr. LENROOT. I should be very glad if the Senator, or any member of the Finance Committee, will give any illustration of where, under a proper administration of the law, the Government could be the gainer by a consolidated return.

Mr. KELLOGG. Mr. President, I have not made the figures as to particular concerns. I concede, however, if any individual were incorporated and had to pay an excess-profits tax, that it might be impossible to make such an illustration; but where it is a combination of certain concerns in business I can see how they might so manipulate their earnings or expenses as to injure the Government, especially where they are more or less integrated concerns, being different branches of the same business. It is to such concerns that I understand this provi-

sion is intended to apply, and not to corporations having no relation whatever with each other. I am not able to give a case, and I do not in the least dispute the illustration given by the Senator from Wisconsin.

Mr. PENROSE. Mr. President, the chairman of the Committee on Finance would probably explain this matter, but I desire to say that one very notable case where the Treasury experts informed me the Government is the gainer by this system is the case of the United States Steel Corporation through its subsidiaries. The Government gets a considerably larger tax return from that enormous concern than it would if this paragraph were not in the bill.

Mr. LENROOT. Will the Senator from Pennsylvania explain how that can be if the capital and income are properly allocated to the different corporations?

Mr. PENROSE. Well, Mr. President, that would require my getting access to the figures to show how that does arrive, but I shall be very glad later in the day to show the Senator that and to have two or three examples of it inserted in the RECORD. I think it would be well to do so, and I shall endeavor in the course of half an hour to get the figures in tabulated form.

Mr. LENROOT. If the Senator is through, I desire to say that I think he will see that it is an absolute impossibility for the Government to be the gainer by consolidated returns if the corporation makes the proper return and if the Treasury compels the proper return.

Mr. PENROSE. Mr. President, I think I can persuade the Senator from Wisconsin that the contrary is the fact, and also that there is hardly a paragraph in this bill in which an inequality can not be shown, as compared, perhaps, to different corporations, and notably in the case of comparison between partnerships and corporations. It is impossible to provide for every contingency so as to make the provisions of this bill bear with absolute equality. It has been a gigantic task even to approximate equality. I hope the Senator will wait for a little while, in order that he may be furnished some tabulated figures on the point to which he has referred.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Wisconsin [Mr. LENROOT] to the amendment reported by the committee.

Mr. LENROOT. On that I ask for the yeas and nays.

Mr. SIMMONS. Mr. President, I desire to say merely a word. The Senator from Wisconsin [Mr. LENROOT] calls for a statement of a particular case. The Senator from Pennsylvania [Mr. PENROSE] has referred to the great Steel Corporation. I am assured by the experts of the Government that that great corporation, taken in connection with its subsidiaries, will pay more tax under a consolidated return system than it would under a separate return system.

The Senator from Wisconsin says there is no case where a corporation would pay more under a consolidated return system; he challenges the proponents of this proposition to cite a case. All I can answer to that is that it is the positive statement of the department that there are numerous cases, and that the number of cases where the Government would receive more money would exceed the number of cases, so far as the aggregate results are concerned, where the Government would receive less money. Of course, if the department is misleading us, and if the Senator knows about this matter better than does the department which has dealt with the figures, that is a matter upon which I do not wish to pass any judgment.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Wisconsin to the amendment reported by the committee, on which the yeas and nays have been requested.

The yeas and nays were ordered.

Mr. SIMMONS. Mr. President, my understanding is that those who want to sustain the committee will vote "nay."

The PRESIDING OFFICER. The question before the Senate is the amendment offered by the Senator from Wisconsin [Mr. LENROOT] to the amendment reported by the committee. Those in favor of the amendment to the amendment will vote "yea," and those opposed will vote "nay." The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I have a general pair with the junior Senator from Georgia [Mr. HARDWICK]. In his absence I withhold my vote. If at liberty to vote, I should vote "yea."

Mr. GERRY (when his name was called). I have a general pair with the junior Senator from New York [Mr. CALDER]. I transfer that pair to the senior Senator from Illinois [Mr. LEWIS] and vote "nay."

Mr. JONES of Washington (when his name was called). The senior Senator from Louisiana [Mr. RANSDELL] is necessarily away for a few days. I have agreed to pair with him during that time unless I could secure a transfer. Therefore, I withhold my vote. If at liberty to vote, I should vote "yea."

Mr. SAULSBURY (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. COLT]. I have been told, however, that if present he would vote as I shall vote on this amendment. Therefore, I feel at liberty to vote, and vote "nay."

Mr. TOWNSEND (when his name was called). I have a pair with the senior Senator from Arkansas [Mr. ROBINSON], and therefore withhold my vote.

Mr. UNDERWOOD (when his name was called). I have a general pair with the junior Senator from Ohio [Mr. HARDING]. In his absence I withhold my vote.

Mr. WOLCOTT (when his name was called). I have a general pair with the senior Senator from Indiana [Mr. WATSON]. In his absence I withhold my vote.

The roll call was concluded.

Mr. PENROSE (after having voted in the negative). I observe that the senior Senator from Mississippi [Mr. WILLIAMS] has not voted. I have a general pair with that Senator, which I transfer to the junior Senator from New Jersey [Mr. BAIRD], who is absent, and will let my vote stand.

Mr. FRELINGHUYSEN. I inquire if the junior Senator from Montana [Mr. WALSH] has voted?

The PRESIDING OFFICER. He has not.

Mr. FRELINGHUYSEN. I have a general pair with the junior Senator from Montana, which I transfer to the senior Senator from Rhode Island [Mr. COLT], and vote "nay."

Mr. STERLING (after having voted in the affirmative). I am informed that the Senator from South Carolina [Mr. SMITH], with whom I have a general pair, has not voted. I therefore withdraw my vote.

Mr. JONES of Washington. I understand I can transfer my pair with the Senator from Louisiana [Mr. RANSDELL] to the senior Senator from Minnesota [Mr. NELSON]. So I will do that, and vote "yea."

Mr. REED. I transfer my pair with the Senator from Michigan [Mr. SMITH] to the Senator from Ohio [Mr. POMERENE], and vote "yea."

Mr. HARDING (after having voted in the affirmative). I understand that the Senator from Alabama [Mr. UNDERWOOD], with whom I have a general pair, withheld his vote because of my absence from the Chamber. Therefore, I beg leave to withdraw my vote.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Illinois [Mr. SHERMAN] with the Senator from Kansas [Mr. THOMPSON];

The Senator from New York [Mr. WADSWORTH] with the Senator from New Hampshire [Mr. HOLLIS];

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS]; and

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH].

The result was announced—yeas 21, nays 34, as follows:

YEAS—21.

Ashurst	Johnson, S. Dak.	Lenroot	Reed
Borah	Jones, Wash.	McKellar	Trammell
Fletcher	Kendrick	McNary	Vardaman
France	Kenyon	Norris	
Hale	King	Nugent	
Johnson, Cal.	La Follette	Poindexter	

NAYS—34.

Beckham	Jones, N. Mex.	Myers	Smith, Ga.
Bankhead	Kellogg	New	Spencer
Frelinghuysen	Knox	Page	Sutherland
Gay	Lodge	Penrose	Swanson
Gerry	McCumber	Pollock	Thomas
Gore	McLean	Saulsbury	Warren
Gronna	Martin, Ky.	Shafroth	Weeks
Henderson	Martin, Va.	Sheppard	
Hitchcock	Moses	Simmons	

NOT VOTING—41.

Baird	Goff	Pomerene	Thompson
Brandegee	Harding	Ransdell	Townsend
Calder	Hardwick	Robinson	Underwood
Chamberlain	Hollis	Sherman	Wadsworth
Colt	Kirby	Shields	Walsh
Culberson	Lewis	Smith, Ariz.	Watson
Cummins	Nelson	Smith, Md.	Williams
Curtis	Overman	Smith, Mich.	Wolcott
Dillingham	Owen	Smith, S. C.	
Fall	Phelan	Smoot	
Fernald	Pittman	Sterling	

So Mr. LENROOT's amendment to the amendment of the committee was rejected.

The PRESIDING OFFICER. The question now is on the amendment of the committee as amended.

The amendment as amended was agreed to.

Mr. SIMMONS. Mr. President, I think probably the most controverted matter in the bill is that which relates to the tax for the fiscal year 1920, and I think we might just as well take it up now. The 1920 proposition occurs at quite a number of places in the bill—that is to say, it has a number of separate parts that will have to be acted upon separately when we come to vote. There will be some general debate; and I suggest that we take up now the first amendment that proposes to make a change as between the fiscal year 1919 and the fiscal year 1920.

Mr. PENROSE. Mr. President, I suppose the vote of the Senate on the first paragraph relating to the 1920 proposition will, of course, determine the action of the Senate on all of the other numerous cases where the principle occurs; and if, perchance, the amendment should be stricken out, the clerks could fix the rest of the bill accordingly.

Mr. SIMMONS. I assume that probably after some additional general debate we will take a vote upon the first section in which the 1920 subject comes up, and that the vote upon that will probably determine the result on all other amendments.

Mr. President, the Senator from Pennsylvania tells me that on account of the confusion in the Chamber the statement I have just made was not distinctly heard on his side of the Chamber.

The PRESIDING OFFICER (Mr. KING in the chair). The Senate will be in order.

Mr. SIMMONS. I wish, therefore, to repeat briefly in a general way what I did say.

The 1920 tax imposed in the Senate amendment is separated so as to appear in different places in the bill—that is, it appears once when we are dealing with income-tax rates; it appears again when we are dealing with excess-profits tax rates, and so forth. I had supposed that the best way of dealing with this matter was to take up first the section in which the first amendment relating to 1920 taxation occurs, and if there is any general debate let it take place upon that amendment, because if that amendment is voted in then I take it that all the balance of them will likewise be voted in; and the test vote can come, therefore, upon the first amendment to the bill that deals with 1920 taxation.

Mr. WARREN. Mr. President, the Senator believes that they are so correlated that that vote will settle practically the entire matter of 1920 taxation?

Mr. SIMMONS. I think so.

Mr. WARREN. I think it would be very wise if we could do that upon one vote.

Mr. PENROSE. Mr. President, the proposition is simply whether the Congress at this time should fix the 1920 taxes.

I spoke at length upon this phase of the question when I made a formal presentation of my views to the Senate two or three days ago, and I do not know that I have anything in particular to add at this time. The minority, with practical unanimity, have filed a report on the pending bill. Only one member of the minority did not sign the report, the senior Senator from Wisconsin [Mr. LA FOLLETTE], who was not in disagreement at all with his minority colleagues in the committee on that point, but who has a series of amendments of his own to offer, practically constituting a new scheme of taxation. Therefore with entire consistency he filed his own report, in which he states his agreement with the rest of the minority in dissenting from this attempt to fix the 1920 taxes in the pending measure, and then proceeds to explain his own views with regard to a scheme of taxation.

I have no doubt, from what I can gather, that the views expressed in this minority report are the views of the minority on the floor of the Senate.

Mr. SIMMONS. Mr. President, do I understand the Senator to mean that he thinks the Senators on his side of the Chamber will vote solidly against these taxes?

Mr. PENROSE. Oh, no; but I do not believe they will support any effort to impose in this bill the taxes for 1920.

Mr. SIMMONS. That is what I am talking about. I am talking about the 1920 provisions of this bill.

Mr. PENROSE. While I have not made a canvass of the minority, I take it that they will very largely, if not unanimously, vote against this attempt to fix the taxes for 1920 in the bill.

Mr. SIMMONS. I think probably the Senator is right. In the committee we were divided upon party lines upon this question. I do not think there is any concealment about that.

Mr. PENROSE. While the chairman of the committee says he believes I am right regarding the minority, I think I can make a safe guess that the majority will all vote the other way. The committee was divided in this respect on strictly party lines. I think, perhaps, it was the only case in the nearly three months' deliberations of the Finance Committee, sitting all day and every day, in which party lines developed to any marked degree.

Mr. President, it surely seems like a violation of all ordinary legislative procedure to attempt to fix taxes for 1920 in this measure. We ought to pass the bill for 1918; and, after the 4th of March, when Congress must inevitably be called in extra session, a new revenue bill can be drafted to meet the requirements and conditions as they then exist. If this method of procedure was a violation of all precedents in normal times, it is, in my opinion, absolutely without excuse or reason at present when the immediate future is so stored with great events.

The pending bill, Mr. President, is the result of from five to six months of close, persistent study and consideration in the Ways and Means Committee of the House and in the Committee on Finance of the Senate. I do not believe the Senate nor, of course, the public realize the painstaking work which has been put upon this measure. We have had every assistance through frequent communications from taxpayers all over the United States. Leaders of industry from one end of the continent to the other have communicated their views to the committee. The committee had at its sessions the great benefit of the presence of several of the tax experts from the Treasury Department, notably representatives from the Tax Advisory Board. These gentlemen have, you may say, been living with this proposition for a year, and thinking of little or nothing else. They are thoroughly familiar with it from one end to the other. Their services could hardly have been replaced, nor could their value well be exaggerated; and yet, even with all this help and continuous labor, it taxed the energy and intelligence of the committee almost to the limit to frame the bill on its present lines.

Had the committee gone hastily to work and reported this measure to the Senate in a slipshod way gross inequities would have continued. It must be borne in mind that while these inequities can be endured when taxes are low, they become of infinite hardship when taxes reach the staggering figures imposed in this measure. I think one of the most extraordinary illustrations of the wisdom of deliberation, and of the influence of changing conditions, is that referred to in the report of the minority.

The Secretary of the Treasury urged the committee repeatedly, and finally in a communication to the chairman of the committee, that the measure must be passed before the 28th of September. As a matter of fact, it was not even reported to this body until several weeks after the 28th of September, much less passed by the Congress by that time. The Secretary predicted disaster to the fourth liberty loan, and apprehension was expressed time and again as to the inability of the Secretary of the Treasury to market short-time certificates should the bill not be on the statute books by September 28; yet, Mr. President, the Secretary experienced no difficulty whatever in placing his short-time certificates, and the fourth liberty loan was oversubscribed.

Mark you, Mr. President, the fact that the committee deliberated, and took its time, resulted in saving $2,000,000,000 to the taxpayers of the country. Had the committee, I may say, been intimidated—for the course of the Secretary almost reached the status of intimidation—into hastening the passage of the bill, it would have carried $8,000,000,000 instead of $6,000,000,000, and the taxpayers of the country would have groaned under this increased burden. But the armistice occurred, peace came in sight, and the committee was able to reduce the taxes carried in the measure by some $2,000,000,000.

It is true, Mr. President, that it is only an apparent reduction, because the loss on beverages, due to prohibition, ultimately will be considerably over $1,000,000,000; but it did enable the committee to reduce taxes several hundred million dollars and to put in provisions, some of which on two or three occasions have been the subject of discussion on the floor, and which, in my opinion, constitute the most admirable features of the measure. Provisions such as those relating to amortization, depletion, depreciation, the inventory paragraphs, and others which might be mentioned, do not relieve anyone of just taxation but do eliminate inequalities and inequities and do not tax a man whose outgo is greater than his income or who has sustained losses by reason of the wonderful transition from a war to a peace period. Had the committee not been familiar with the most recent conditions, many of these relief provisions would not be in the bill. Had we hurried, $8,000,000,000 of taxation would have been imposed upon the taxpayers instead of $6,000,000,000.

While it is true that the departments have sent in their estimates to Congress, they are after all very liberal estimates. The natural instinct of a department chief is to protect him-

self from a deficit and he goes on the basis of the outside figures. The Secretary of War was before the Committee on Finance, as was the Secretary of the Treasury. They did not impress me with having any certain estimates of the requirements of the Government in the months to come, and I do not know that I can criticize them for not being able to make such estimates, because the whole world is unsettled and we can hardly tell from week to week what our expenditures are going to be and what our responsibilities will require. So it would seem that every argument was in favor of postponing any provision for taxes for 1920 until these conditions can be ascertained.

The only argument advanced by any member of the committee advocating what I may call this most irregular fiscal legislative procedure was that the taxpayers are entitled to know what the taxes are going to be for 1920, so that they may be prepared for them. Now, Mr. President, as a matter of fact, every taxpayer in the United States knows that the taxes will be reduced. He knows that, whatever the form and scheme of taxation, we are not going to require $6,000,000,000 out of current taxes for another year; and as to the methods of taxation, we are in no position to inform him what kind of taxes he will be expected to pay.

One flagrant instance of great diversity of view is illustrated by the recommendation of the Secretary of the Treasury to drop the special-profits taxes and rely largely on the income taxes, personal and corporate; and yet that recommendation was entirely ignored by the majority members of the Finance Committee in providing taxes for 1920. There might have been some excuse for their not giving heed to his suggestion in the bill for 1918; but the Secretary's suggestion, in my opinion, is entitled to the most careful consideration. It indicates the form of taxation which we are bound to come to ultimately in this country, in which all these war-profits and excess-profits taxes will disappear and some kind of a straight income tax will be provided. Yet the majority of the committee entirely disregarded the recommendation of the Secretary of the Treasury, even with respect to the taxes for 1920. I do not think the taxpayers of the country are so anxious to know just what form of taxation is going to confront them, if they can get some reasonable prospect of a form of taxation which shall be fairer, and not work the hardships of these special-profits taxes. In my opinion, they would be much happier and business would be much better satisfied if they had the general feeling that taxes are going to be lower, rather than have these special-profits taxes retained in the 1920 provision.

Mr. President, it may be, and I hope it will be, that our war expenditures, outside of the funding provisions and the repayment of the national debt, will very largely have ceased by next summer when we come to frame a tax bill, should we be permitted to have that opportunity. To attempt now to tie up the Government and the business of the country with a continuance of these special-profits taxes, even if they are reduced, is, in my judgment, unwarranted and without justification. It is difficult for me to conceive of any logical argument which prompts the majority to insist on this amendment to the bill.

Mr. SMITH of Georgia. Mr. President, with much of what the Senator from Pennsylvania has said I am entirely in accord. It is undoubtedly true that the Finance Committee and all the members of the committee labored earnestly and faithfully in an effort to place this enormous tax bill upon the people with as little unfairness as possible and to lighten wherever possible the burdens, although raising by taxation so unprecedented a sum must necessarily bear heavily upon many, many of the people.

The House sent us the bill prepared with the purpose of levying eight billions of taxes, payable next year from the receipts of this year. The sum of eight billions was fixed upon the theory that the total expenditures for next year would be twenty-four billions. There was a difference of opinion as to what portion of the expenses should be carried as taxes. Some desired to raise half or even more of the entire expenditures immediately by taxes. Some wished to have 20 per cent, or even less, raised in that way. We arrived at a middle course and determined to raise one-third of the expenses of next year by a tax bill.

We first sought to lessen some of the burdens of the House bill, largely by opportunities for adjustment in the office of the commissioner. He had called to his assistance last year a board of five very able experts in tax matters, who had advised him on many questions at places where the original bill was somewhat in doubt, and who aided him in adjusting that bill, where discretion was left, to a fair and equitable administration of the law. As the Senator from Pennsylvania has said, we had the benefit of the assistance of that board—fair-minded, capable men, interested solely to help us adjust this enormous tax as fairly as it could be done.

When the public think of the parts of this bill which grate upon them, they must not forget that we were engaged in a war with the most powerful military country in the world. We were mobilizing our resources to strike down the enemy of the peace of the world. We were fighting for our own homes and firesides, as well as for the freedom of other peoples.

The sum we are compelled to take from the people is unprecedented in the history of the world; and it is simply impossible to levy an $8,000,000,000 tax and not have it felt, and felt severely in many, many quarters. We took the benefit of the views of the board to which I referred, and we enlarged the discretionary power of the Commissioner of Internal Revenue in a number of places where the unequal effect otherwise of the bill might have brought unjust burdens.

We took the normal income tax and put into it more brackets, so that from $100,000 incomes down it was not quite so severe as the bill as passed by the House.

A large part of our work was in adjusting points looking toward a more equitable distribution of the burden until suddenly the armistice came and the war ended. Then the question was how much of the burden could we take off in consequence of the fact that we would not be actively engaged in the war next year.

After studying the probable expenditures required for next year, it was determined $18,000,000,000 instead of $24,000,000,000 would be the probable sum that would be required, and we thereupon, following the rule of raising by taxation one-third of the expense, determined to reduce the tax bill to $6,000,000,000 instead of $8,000,000,000.

We reduced somewhat the excess-profits tax. The brackets before had for their lowest charge 35 per cent and they went to 75 per cent. We reduced it to 30 and to 60 as a maximum. We took up the various schedules—the excise tax, the special taxes. We went through with those taxes likely to especially burden, to especially annoy. We reduced a large portion of them one-half. We struck out a number of them that we thought were the more unreasonable. We struck out the tax on gasoline because it entered into so many different occupations not simply being used in automobiles. We struck out the tax on the users of automobiles because we found from satisfactory evidence that the majority of the cars, the large majority, were really used in industries and that a very small portion constituted the cars used simply for pleasure. We had left a tax on the manufacture of cars, and we felt that was the share the automobile ought to carry.

We struck out a number of the taxes based upon the idea that if a suit of clothes cost more than a certain sum we would tax the excess, or a bonnet so much we would tax the excess. We simply struck out that paragraph of the bill. We believed that it was annoying and unnecessary. We brought the bill down to $6,000,000,000.

There was not a vote cast up to that time in which party lines showed themselves at all. Then the question was this: We had fixed the $6,000,000,000 tax bill for the year 1918, payable in 1919, and continuously this would have been the tax until it was changed by legislation. It was, under the bill, the tax for 1919, payable in 1920, and it was the tax for 1920, payable in 1921. It was the tax which would rest upon the people of this country until some future Congress might reduce it. It was prepared under peculiar circumstances. It was prepared bill down to $6,000,000,000.
not for 1920. We knew that we would not need to levy a tax for so large a sum by $2,000,000,000 for 1920.

Now, should we leave the tax bill fixing the tax for 1919, payable in 1920, at $6,000,000,000, or should we reduce it in this bill, when we know we could do with $2,000,000,000 less for 1920?

Senators say by reducing these taxes to $4,000,000,000 payable in 1920 we have undertaken to anticipate future tax legislation and encroach upon the prerogative of the next Congress to make a tax bill. In other words, the Senate will, after the 4th of March, change as to party control, and so will the House. Therefore, they insisted that we should not fix the tax bill for 1919 payable in 1920. But the bill without change would do it. We fix it at $6,000,000,000 for 1919, payable in 1920, if we do not amend the bill. The responsibility is with us to-day, and as nearly as we can fix what the tax should be for 1919, payable in 1920, we have undertaken to do it.

Mr. SIMMONS. We are making appropriations right now for 1920.

Mr. SMITH of Georgia. Appropriations are being made now, as the Senator from North Carolina says, for 1920.

Mr. PENROSE. Mr. President——

The PRESIDING OFFICER (Mr. VARDAMAN in the chair). Does the Senator from Georgia yield to the Senator from Pennsylvania?

Mr. SMITH of Georgia. I yield.

Mr. PENROSE. The Senator does not mean to maintain that the responsibility will be on his party after the 4th of March altogether?

Mr. SMITH of Georgia. I do not; but it is on us now to say what should be the tax for 1919, so far as this bill fixes it, and I decline to vote for $6,000,000,000 fixed by this bill for 1919, payable in 1920. We no more control the action of the majority after March 4 by reducing the tax $2,000,000,000 for 1919, payable in 1920, than we would control their action if we left it at $6,000,000,000. They are just as free to handle the problem of taxation next year when we reduce the tax $2,000,000,000 for next year as if we did not reduce it. It is our responsibility now.

Mr. SMITH of Arizona. It will be theirs then.

Mr. SMITH of Georgia. It will be theirs then, and we are unwilling to say it shall be $6,000,000,000. We are unwilling to report a general bill fixing it at that sum for years to come.

I hope the majority after the 4th of March will act together, but we know that the views of the majority diverge on the subject of taxation. We understand perfectly that they are farther apart than they are from us; that the extreme of one side of the majority after the 4th of March is farther from the extreme on the other side of the majority than they are from us. We can, at least, make a start toward reducing the taxes for next year.

And what have we done? We have provided that the normal income tax shall be reduced one-third next year. We have cut it from 12 to 8 per cent. We reduce the excess-profits tax one-third for the next year. We cut the 30 rate to 20, the 60 rate to 40. We restore after July 1 first-class postage to its normal 2 cents a letter.

I hope Senators on the other side of the Chamber will be able to make more reductions next year. I hope we will find less money required, and I hope we will find means even better than those we will leave in this bill and less burdensome by which to raise required revenue. Because we make these three reductions it does not mean that the majority on the other side will not receive the heartiest cooperation from this side to perfect the best bill possible. I believe we will follow the example they set us during the past few months. I believe every Member on the other side sought to help make the best bill possible up to the six billions. I have not really been able to understand why they objected to this reduction for next year. I do not see why they should object to it. It does not mean final action any more than the $6,000,000,000 would be final action if we left the tax for next year at $6,000,000,000; but we see we can make these reductions.

Where would be better places to make them than to take one-third off the normal tax that falls upon everybody, to take one-third off the excess-profits tax, and put our first-class postage back at the old rate? We had trimmed all along through the other items in getting rid of the $2,000,000,000, reducing the total amount from $8,000,000,000 to $6,000,000,000. I will repeat that we do not mean by this in any way that we are trying to preclude legislation by Congress. We could not do it.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Utah?

Mr. SMITH of Georgia. I yield to the Senator from Utah.

Mr. KING. I hope the Senator will pardon me for making a brief statement connected with one question referred to by him. While I shall vote with the majority of the committee upon the proposition to include in the pending measure the provisions imposing taxes for the fiscal year ending June, 1920, I confess that the views of the minority have much to commend them to the country. This great revenue bill will raise the largest revenue that has ever been imposed upon a people in any Government for an annual period. It proposes to raise six billions by way of taxes for the calendar year 1918 and four billions for the calendar year 1919. The position of the minority is that to lay taxes now to meet the expenses for the fiscal year ending June 30, 1920, is unwise because of the uncertain conditions and the confused situation in the economic and industrial life of our country. We are just emerging from the clouds of war and moving toward the plain of peace. It is difficult to determine what the conditions of the coming year will be. It is difficult, indeed almost impossible, to determine what the expenses of the Government or the industrial and economic conditions of our country will be.

We can not with any degree of certainty project ourselves into the coming year and visualize conditions and predetermine at this time what the requirements of the immediate future will be. Scarcely any two persons agree as to what the appropriations for the coming year will be. No one can forecast how long we will be required to keep troops in Europe or the expenditures which the War Department will be compelled to make during the coming year. Personally I think the President should call a special session of Congress early in the coming year to deal with the revenue question and other important matters. Indeed, I think it is necessary, in order to meet the great questions which will demand solution, that Congress be convened in extra session early in the year 1919. At that time we would have fuller information as to the financial requirements of the Government for the fiscal year 1919-20 and could therefore act more intelligently.

The Senator from Pennsylvania [Mr. PENROSE] stated a few moments ago that the Secretary of the Treasury recommended that in any taxing measure providing for revenue for the coming year the excess and war profits taxes upon corporations should not be imposed. Without expressing any opinion as to the wisdom of this recommendation, the pending measure shows that the views of the Secretary of the Treasury have not been followed by the committee.

However, I realize that there are some cogent reasons for laying the taxes now for the coming year; they have been strongly stated by the able chairman of the committee [Mr. SIMMONS], but, with the permission of the Senator from Georgia, who has the floor, I desired to make this statement in order that he might appreciate the point of view which the discussion of this measure suggests to some members of the majority but not members of the Finance Committee.

Mr. SMITH of Georgia. I regret to hear the views of the Senator from Utah, but I am pleased to hear that he will vote for the tax reduction for 1919.

Mr. President, we have no power to call Congress together in March. The Senator from Utah can not do so. If the Senator from Utah would consider the subject carefully he would realize that we will know very little more about the situation in March than we do now. He ignores entirely the fact that the $6,000,000,000 tax would be left applicable to the next year payable in 1920 unless we made the reduction, and he ignores entirely the further fact that making the reduction in no sense prevents Congress from considering a revenue bill later on during next year; that it is no more binding upon Congress than the six billion tax bill would be binding upon Congress; and that it is simply a declaration that these three taxes can be reduced.

Mr. PENROSE. Will the Senator permit me?

Mr. SMITH of Georgia. Certainly.

Mr. PENROSE. Does the Senator think that this action of the majority is calculated to inspire confidence in the great body of taxpayers, when the majority in the committee entirely disregard the recommendation of their own Secretary of the Treasury? The majority party is not even united on the tax scheme of 1920. The Secretary of the Treasury makes one recommendation and the committee makes another.

Mr. SMITH of Georgia. Yes; I think it will. I think our course was sound and the recommendation of the Secretary of the Treasury unsound. It is a question of judgment as to how we will raise the money. The Secretary of the Treasury suggested that all excise taxes on corporations be abolished, even though the normal income tax might be increased. We did not agree with that view. We thought that the normal income tax reaching all the people should be reduced and the excess-profits tax reduced equally, and we determined, I think more wisely than his suggestion, that it should be one-third off from each. I think the majority of the people will approve our view rather than his.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from North Dakota?

Mr. SMITH of Georgia. Certainly.

Mr. McCUMBER. I think the Senator will recall that in determining how we would raise the $4,000,000,000 for 1920 we simply took off practically one-third of the present rate. That is correct, is it not?

Mr. SMITH of Georgia. One-third off the normal and one-third off the excess profits, and we estimated that the balance lost from the war-profits tax would make up the $2,000,000,000. The war-profits tax ceases with war, as the war profits cease.

Mr. McCUMBER. But it is based upon the assumption that the profits on the basis of 1920 or 1919 will be substantially the same as in 1918, and therefore if you reduce the rate one-third you will thereby reduce the amount of taxes received. But what assurance has the Senator or anyone else at this time that in 1919 or in 1920 the same rate of taxation would produce the same amount of taxes?

Mr. SMITH of Georgia. Nobody has any absolute assurance as to just what the income will be of individuals next year, nor have we any absolute assurance as to what the incomes of companies or corporations will be. We have no accurate knowledge now of what the incomes for the past year have been.

Mr. McCUMBER. But as we near that period will we not have a better basis of judgment as to what that income will be than we will one or two years prior to that time?

Mr. SMITH of Georgia. Instead of the policy of fixing a tax bill at the end of a year to apply to the year gone by, I regard it as much wiser and fairer to prepare the tax bill before the year begins. The only excuse we have for not getting our tax bill out earlier last year applicable to this year is the peculiar circumstances that surrounded us. Instead of adopting the view that we should wait until late in next year to see what would happen to fix the tax bill for next year, I believe it is sound policy to fix it, if possible, before the year begins with the best information and the best judgment based upon obtainable facts, and let people move into the year and through the year knowing in advance what proportion of their incomes they are to turn over to the Government as a result of taxes.

The wisdom of these three reductions that we make can not be questioned. They were intelligent reductions; they were sane reductions. We had already made reductions in the excess-profits tax, and we went further and reduced them one-third. The entire reductions we make are two-fifths, but we finally reduced them one-third from the figure we adopted for a $6,000,000,000 tax; we reduced the normal taxes one-third and we reduced our first-class postage one-third after July 1, which amounted to something like $70,000,000. That is vastly better than to go into next year entirely in the dark. It is vastly better than to go into next year with $6,000,000,000 on us.

Suppose, Mr. President, when we got into next year the Senator from Pennsylvania [Mr. PENROSE] and the Senator from Wisconsin [Mr. LA FOLLETTE] undertook to agree on a tax bill, and we had to wait for a reduction of taxes until they agreed, we would get no bill, and we would leave the $6,000,000,000 on us. The Senator from Wisconsin will yet offer amendments to the bill we have agreed upon, seeking to change it substantially in a direction that the Senator from Pennsylvania [Mr. PENROSE], the Senator from Massachusetts [Mr. LODGE], the Senator from Utah [Mr. SMOOT], and the other Senators on that side will hardly agree to.

You will not have easy sailing making a tax bill in the new Congress unless we help you do it. You can not make one on your own side; you can not agree on a tax bill as you will be organized, if the differences of views that have been so far displayed by Members on your side continue to exist.

We feel sure, however, that when the time comes, if additional modifications in the line of reductions can be made that appeal to the intelligence of Senators, cooperation will exist once more between the large majority of this committee, without regard to party. But in the meantime we are unwilling to say that the tax for 1919 shall be $6,000,000,000 when we know that much will not be needed. We are unwilling to go to the country fixing a tax of $6,000,000,000 for 1919, when we are sure $4,000,000,000 will be enough. We in no way commit you finally by it; we in no way commit ourselves. We take the one step to help reduce the taxes, and later on, if we can find the amount needed or find revenue elsewhere, so that some of these taxes may be stopped or reduced, we will meet you, just as you met us, and seek to help accomplish the best results possible in behalf of the people of the entire country.

Mr. TOWNSEND. Mr. President, I do not intend to enter into a general discussion of the revenue bill at this time. I realize that the measure is already determined and Senators are desirous of voting at the earliest possible moment. Neither do I wish to be left out of that mutual admiration society, composed of the members of the Finance Committee, who have so generously congratulated themselves upon the excellent work that they have done. I am glad to be numbered among such efficient and patriotic Senators.

Mr. SMITH of Georgia. Does not the Senator think that we really tried to do the best we could, all of us, without regard to party?

Mr. TOWNSEND. I was going to say that I think——

Mr. SMITH of Georgia. I was meaning especially to compliment the minority.

Mr. TOWNSEND. Before I finished I was going to say something about those left-handed compliments which the Senator has paid the minority. But I do agree that up until the November election and the necessities of the Democratic Party seemed to require another course the committee worked in unison. I saw no indication of party lines in the Committee on Finance. The chairman was universally courteous and kind, and everything proceeded as it ought to proceed in legislation of this character. I think the chairman and the Senator from Georgia will agree that if ever there was a lack of a quorum at our committee meetings it was not because of the absence of the Republican members. They were in their seats at all sessions, almost without exception. They worked hard and conscientiously to frame the best possible bill to meet the emergencies of the times.

The Senator from Georgia fears that the Republican Party may not be able to make a suitable bill when it comes into power because of the lack of harmony among the members of the Republican Party. I hope he is sincere. I am going to assume and believe he is when he says that in preparing a revenue bill of this kind the minority should cooperate with the majority. It is more than possible that an opportunity will be offered.

Mr. President, I do not propose to enter into a discussion of the revenue bill for this year. It contains many provisions which I do not like, provisions which I could not change, and I am not sure that my suggestions, if they had been adopted, would all have been better, because an emergency revenue bill is a complicated matter and no general rule can be applied along the line of taxation that will deal justly and equitably with all concerns and individuals, even with those in the same class of business, depending, as the matter does depend, to a great extent upon the capital, the degree of intelligence and expertness, the amount of experience, and many other things that are involved.

I am very much opposed to this 1920 proposition of the majority of the committee. It is clearly a partisan movement and as unwarranted as it is unprecedented. The Senator from Georgia says it will make no difference in the future legislative situation and can not possibly embarrass the next Congress, whether the pending measure stands for the current fiscal year or includes the provision for 1920. The Sixty-fifth Congress can change the law if it wishes. That would seem so on the face of the statement, at least; but is it so as a matter of fact? The next Congress will be Republican—the House certainly and the Senate nominally so. No law can be enacted which does not receive the approval of the President. A two-thirds majority can not be obtained to override his veto. The law now enacted may continue till March 4, 1921. But no one believes that the most narrow, partisan President would allow a $6,000,000,000 tax law to remain a statute after the war, when it is no longer needed. He would call Congress in extra session, as would be his duty to do and as other Presidents have done, to meet legislative needs. No, Senators; do not believe that the next Congress would fail to enact a proper law. No administration could remain in power and leave the Federal tax levy at $6,000,000,000 in 1920. Therefore the President would necessarily call the Congress together for the purpose of legislating in reference to this matter.

I submit, further, Mr. President, if it had not been for the result of the election last November this 1920 provision would not have been inserted in this bill. Congress would have followed the usual course and would have legislated for the future as its necessities were disclosed.

If, however, you adopt this $4,000,000,000 tax amendment for 1920 there will be no special tax need for calling Congress together after March 4, 1919, and there will be no opportunity to embarrass the President by the Congress recently elected by the people and against his expressed wish. Indeed, it might be possible, as I have said, to have no legislation until after the election in 1920, whatever situation may confront the country.

It is a fact that neither the Secretary of the Treasury nor the experts of the Treasury Department nor the majority of the committee understand clearly what are the needs of this year due to the changed conditions which have come upon the country. If we had continued in war with the program outlined which we were to follow we could have told more accurately how much money would be required than we do now. The Secretary of the Treasury bases his statement that we need $6,000,000,000 this year upon the fact that we are going to materially reduce the expenses of the Government, and he gives as an illustration the expenditures of the first five months of the war as $8,600,000,000. He says those expenses are going to decrease, yet the fact of the matter is that the very last month of the five—November—which was mostly in time of peace, or since the armistice was signed, there was the largest expenditure of any month of the number. It is also true as a historical fact that these expenses will probably multiply for several months after the war closed. It would seem, therefore, that the actual expenses of the first five months of this year being $8,600,000,000, we can not rely upon the guess that only $9,400,000,000 will be required for the last seven months. Anyway, it is, to use the Secretary's words, "the wildest guess." Our great expenditures are going to continue in 1919, and they are going to reach into 1920. They are going to be very great.

Nobody knows what they will be. Nobody can make an intelligent estimate as to what they will total.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER (Mr. SPENCER in the chair). Does the Senator from Michigan yield to the Senator from North Carolina?

Mr. TOWNSEND. I am glad to yield.

Mr. SIMMONS. Mr. President, at the time the Secretary of the Treasury was before us he gave us the actual expenditures of the Government, I think, up to some time in November. Since that time we have the actual expenditures for the first six months of this calendar year, and practically they are brought down to the last of December. With an estimate as to some part of December—the part that has not yet expired, with just a slight element of an estimate—the actual expenditures of the first six months of this calendar year can now be definitely stated, and they amount to $9,000,000,000, and I do not remember now how many odd millions.

Mr. SMOOT. And six hundred and odd million dollars.

Mr. SIMMONS. I think the Senator from Utah is right that it is somewhere near $9,600,000,000. On the $18,000,000,000 basis that would allow $8,400,000,000 for the next six months. That is only a difference of a billion dollars. Does the Senator from Michigan believe that the expenses of the next six months of this fiscal year are going to be anything like so great as were the expenses of the past six months, when we were in war most of the time and when our expenditures were at the peak?

Mr. TOWNSEND. I was stating, Mr. President, before I was interrupted by the Senator from North Carolina, that these are simply estimates; that I do not believe that even the Senator from North Carolina now has any adequate information as to what will be the expenditures of the Government during the balance of this fiscal year.

Mr. SIMMONS. The Senator from Michigan is right; I have no absolute information. All my absolute information is as to the expenditures of the first six months; that is practically absolute now.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Utah?

Mr. TOWNSEND. I will yield to the Senator from Utah when the Senator from North Carolina shall have concluded.

Mr. SIMMONS. I want to say to the Senator from Michigan, however, that from time immemorial all statements of our expenditures which have been made before the beginning of the fiscal year have been nothing but estimates.

Mr. TOWNSEND. Yes.

Mr. SIMMONS. We never can have anything but estimates.

Mr. TOWNSEND. And they are always based on normal conditions.

Mr. SIMMONS. They are based on appropriations for a fiscal year which is to begin in the future.

Mr. TOWNSEND. But they are all based on normal conditions.

Mr. SIMMONS. Yes; they are based on normal conditions.

Mr. TOWNSEND. And we are now making, according to what the Secretary of the Treasury called it, "the wildest guess"; we are guessing about an unknown future, untried by any experience that we have ever had.

Mr. SIMMONS. What I have said to the Senator is that during the last six months, when we had the most abnormal conditions that we have ever had, we only spent a little over $9,000,000,000. It is reasonable to suppose that during the next six months conditions will not be so abnormal, though they will still be abnormal, but not so much so as they were during the first six months. Of course, if we are going to assume that when the war is over our expenses are going to be just as great as they were during the last six months, when our expenditures were going up and up until they reached the peak, why, then, there will be something in the argument which the Senator from Michigan is now making.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Utah?

Mr. TOWNSEND. Just let me say a word, and then I will yield to the Senator from Utah.

The Senator from North Carolina [Mr. SIMMONS] states that the conditions have been most abnormal possible during the last six months. I do not think that is necessarily true. I think there are more uncertainties, more doubtful problems, entering into the next six months than have entered into the last six months as to what we are going to do. What is going to be done with the Government contracts; what is going to be done with the men who are employed; what is going to be done along the lines of the President's recommendation in his last message that we look after the restoration of northern France and Belgium; and what is going to be done with all of these great new problems, which will involve the expenditure of billions of dollars? No one can tell. No one can make better than a "wild guess" as to what is going to be done and what will be required.

I now yield to the Senator from Utah.

Mr. SMOOT. Mr. President, I was simply going to say to the Senator from Michigan that there is no doubt the $18,000,000,000 will be expended before the present fiscal year is ended. The appropriations for the fiscal year were over $24,000,000,000, and, in fact, the authorized appropriations—that is, the authorization for contracts for which there was no appropriation made—and the sums loaned to the allies amounted to $36,000,000,000; but the $18,000,000,000 that are spoken of here are based upon the actual expenditures of the Government for the first six months and not upon the appropriations at all. For the first six months the actual demands of the Treasury of the United States were nine billion six hundred and odd million dollars. So, if in the following six months, or the latter half of the present fiscal year, there should be paid out of the Treasury $8,400,000,000 that would cover the $18,000,000,000.

As I said the other day, there is no more chance of having the requirements of the Government for the fiscal year ending June 30, 1919, falling short of $18,000,000,000 than there is that we shall have to raise more than $6,000,000,000 for the year 1920.

Mr. TOWNSEND. Mr. President, I believe that the Senator from Utah is absolutely correct about that. I do not think any Senator, not even the Senator from North Carolina, seriously believes or will contend that we are going to have any of the $18,000,000,000 left at the end of this fiscal year. We, of course, are both guessing, and time alone can tell which is right.

Mr. SIMMONS. Mr. President, I did not mean to say that we should have anything left; but what I meant to say was that the $19,000,000,000 estimate for this year is as nearly accurate as are the ordinary estimates made by the department. But that is neither here nor there, according to my judgment. The question is, how much money we ought to raise by taxation this year without reference to how much is going to be our expenditure. I think $6,000,000,000 is enough; but, if the Senator will be so gracious as to yield to me and will let me take it out of his time, let me say to the Senator from Utah that however certain he may be about his position—and the Senator from Utah is generally very certain about his position; he makes statements which do not leave any doubt in my mind that he thinks he is absolutely infallible in his figures, and I am not saying that by way of criticism——

Mr. TOWNSEND. And he is generally pretty nearly right.

Mr. SIMMONS. Perhaps that is a good quality; but the chairman of the Committee on Appropriations of the other House is credited in the newspapers this morning with having made a statement to that body on yesterday, based upon his knowledge of the situation acquired by dealing with the estimates which have come to his committee, that from the substantially $9,000,000,000 of authorized contracts that are included in the $36,000,000,000 of which the Senator has just spoken, $8,000,000,000 of that amount will never be expended. He stated that from the balance of the appropriations—the appropriations proper, not the authorizations—there will be a saving, and I assume he means by cancellation of contracts and otherwise, and not only by such cancellation, but because it is not necessary to spend the money which we expected to spend—that there will be a saving of $8,000,000,000 more. Therefore, we have in those two items which were included in the estimate of $36,000,000,000, referred to by the Senator from Utah, $16,000,000,000 that under this statement would disappear.

Mr. SMOOT. Mr. President, certainly the Senator from North Carolina has not followed what I have said in the past. If the expenditures of the Government shall amount to $18,000,000,000, that sum, taken from the $36,000,000,000, will leave more than the amount to which the Senator has referred. I knew that it was impossible for the expenses of the Government to be $38,000,000,000, and stated so when the appropriations were made; and I do know that the requirements of the Government for the fiscal year ending June 30, 1919, will be as near $18,000,000,000 as it is possible for a person to estimate.

Mr. SIMMONS. Then, the Senator from Utah confirms the statement that $18,000,000,000 is a fair estimate for the year 1918.

Mr. SMOOT. There is no doubt of it, Mr. President.

Mr. SIMMONS. That is what I have been contending.

Mr. SMOOT. That is absolutely true. My opinion is that, if anything, it will be a little more, but not much more.

Mr. SIMMONS. But that is a fair estimate?

Mr. SMOOT. It is a fair estimate.

Mr. SIMMONS. That is just what I have contended for all the time.

Mr. SMOOT. That is what I said a week ago to-day in a speech which I then made.

Mr. SIMMONS. The idea I meant to convey when I referred to the statement of the chairman of the Appropriations Committee in the other House was that, according to his statement—and his statement was not all embracing—I do not think he showed that the $16,000,000,000 that were included in the appropriations and the authorizations had practically already been saved.

Mr. TOWNSEND. That is, $16,000,000,000 to be deducted from the $36,000,000,000.

Mr. SMOOT. Yes; and that will leave $20,000,000,000.

Mr. TOWNSEND. The Senator means the $20,000,000,000, that he thought might have to be provided for. That is $2,000,000,000 more than the estimate and more than the amount provided. I mention that only incidentally; and the argument which has occurred here shows that I was correct in saying that there is some dispute as to how much money the departments want this year; and yet Senators propose to go into the year following and determine now how much money should be raised by taxation and how. I repeat that only the exigencies of politics—poor politics, I admit—would induce such unwise legislation. This Congress can with greater wisdom devote its time to devising economies than to tying the hands of the next Congress.

There was no special consideration of this matter before the committee. I am not complaining, for I am inured to Democratic methods, but the chairman of the committee proposed to make this proposed amendment overnight. We afterwards called the Secretary of the Treasury, the Secretary of War, and the Secretary of the Navy before us for the purpose of trying to get some information as to what the actual needs for 1920 would be. They were brought in afterwards, after the majority by a strict party vote had agreed to put on this provision for 1920; and then after we had heard these Secretaries there were very many of us—and I think some of the majority—who were not clear that anybody knew how much money would be needed in 1920.

Mr. BORAH. Mr. President, will the Senator from Michigan permit me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Idaho?

Mr. TOWNSEND. I yield.

Mr. BORAH. Mr. President, there is a great deal of mystery about the 1920 proposition from beginning to end. In the first place it seems to appear as a mystery, and in the second place the attitude of the Republican members of the Committee on Finance is a mystery to the rest of us. It was distinctly understood for a time, and it was published to the country, that the Republican members thought it was such an injudicious thing to do that it would be fought to the close of the session. It has been reported around here that the Republican members of the committee were called into conference and unanimously agreed that it was such an injudicious thing to do, that it was so unwise and so unfair to the taxpayers of the country that it would be fought to the close of the session. The next day or two the leader upon the Republican side of the Finance Committee appeared and stated that the Republicans had concluded to let it pass with what seemed a mere camouflage of opposition. Is this being done because it is in the interest of the taxpayers of this country or is it mere party finesse here in the Senate Chamber? Why is it that this appeared overnight first upon the Democratic side and disappeared overnight on the Republican side?

Mr. SMITH of Georgia. Mr. President, I should like to correct the Senator's statement. The exact measure appeared overnight, but it had been under discussion for days. From the day the armistice took place at once the question of reducing taxes for the following year was discussed.

Mr. BORAH. But, Mr. President, the 1920 proposition was brought to light and presented to the country and to the Senate as a whole, so far as public information was concerned, overnight.

Mr. SMITH of Georgia. That is a mistake.

Mr. BORAH. It is not a mistake, so far as the public is concerned.

Mr. SMITH of Georgia. The public may not have gathered it, but it had been openly discussed.

Mr. BORAH. That is another example of secret diplomacy.

Mr. SMITH of Georgia. It was not secret. It was talked of in the Marble Room, and it was discussed generally. I had been urging it for two weeks before it was brought forward by the chairman of the committee.

Mr. TOWNSEND. But not before the committee.

Mr. SMITH of Georgia. Yes; I mentioned it at least once before the committee; I brought it up twice before the committee, I am sure.

Mr. TOWNSEND. I never heard of it.

Mr. McCUMBER and Mr. PENROSE addressed the Chair.

Mr. BORAH. Mr. President, just a moment. So far as the Democratic portion of the strategy is concerned, I am not deeply moved about it, but I do not understand the maneuvering of the Republican members of the Finance Committee.

The country was advised that this was such an injurious, unfair, improvident, and unwise thing to do that the party coming into power felt constrained to defeat it even by the consumption of time, and yet within a few hours after that position was announced, as a result of a conference of all the members of that committee upon the Republican side, as I have understood, the whole program was changed overnight. I do not understand it, except as the bill itself unravels the mystery. I think if you shall find that this bill, which purports to levy an 80 per cent tax, in fact levies only a 48 per cent tax, you will have discovered the reason why this change took place.

Mr. TOWNSEND. Mr. President——

Mr. McCUMBER. Mr. President, may I ask a question of the Senator?

Mr. TOWNSEND. I was going to discuss the matter which the Senator from Idaho has brought up, but I will yield.

Mr. McCUMBER. It relates to the question when this matter was first brought before the Senate. I wish to ask the Senator from Georgia if it ever came before the Senate committee in any form before the 6th day of November?

Mr. SMITH of Georgia. It came before them immediately after the armistice. I do not locate it with reference to the election at all, because the election never entered into my mind in connection with it. I locate it in connection with the armistice. Immediately after it appeared that the war was going to end I began agitating it and published interviews concerning it in my own State. I expressed my views to other newspaper men, but they were not as much impressed as the papers of my home State. The suggestions of reducing taxes for 1919 were carried in the papers in my home State immediately after the German collapse. I do not connect their expression and publication with the election. So far as I am concerned the election had absolutely nothing to do with the proposed tax reduction.

Mr. McCUMBER. Mr. President, no one after the middle of October, when both Bulgaria and Austria-Hungary were out of the war and had surrendered and the Germans were all in full retreat, thought for a moment that the war would last another year. We knew then that the war was going to be over in less than a year, but it never occurred to us at that time that it was necessary to provide for the taxes for 1920, and it was never suggested in any form or shape until after the 6th day of November, 1918.

Mr. TOWNSEND. I think I will go on for a few moments now, because I wish to say something about that very subject before it is entirely exhausted.

Mr. SIMMONS. Mr. President, I think perhaps indirectly I have been wrongly criticized——

Mr. TOWNSEND. I assure the Senator that nobody wants to do that.

Mr. SIMMONS. And I should like to have an opportunity to make a statement.

Mr. TOWNSEND. Very well.

Mr. SIMMONS. I do not know what the Senator from Idaho [Mr. BORAH] means when he says there was a mystery about the provision for the 1920 taxes getting into the bill. I think the Senator from Michigan will bear me out in the statement that the Secretary of the Treasury wrote a letter, addressed to me as the chairman of the committee, which letter I submitted to the committee, in which he recommended that the committee make a reduction in the taxes for 1920, upon the ground that it would not be necessary to raise as much for that year by taxation as for the year 1919.

Mr. TOWNSEND. Does the Senator remember the date of that letter?

Mr. SIMMONS. I can not remember the date of it. I have it not here.

Mr. TOWNSEND. Well, it was after the election, and I understood that the chairman——

Mr. SIMMONS. It was after the armistice, and being after the armistice, of course it was after the election. We had not won the war when the election came on.

Mr. TOWNSEND. No; nor the election afterwards. Did not the Senator have conferences with the Secretary of the Treasury and with members of his own party as to this proposition before the Secretary wrote the letter to him?

Mr. SIMMONS. A few days before the Secretary wrote to me I had a talk with him in his office about this subject, and of course I talked with some of the members of the committee with reference to it. I do not now recall what members of the committee, but I do not think I made any distinction between the Democrats and Republicans of the committee.

Mr. TOWNSEND. Well, Mr. President, I attended the meetings with great regularity.

Mr. SIMMONS. Will the Senator let me say a word further?

Mr. TOWNSEND. Certainly.

Mr. SIMMONS. I think the Senator from Idaho, when he made the statement a little while ago that, instead of 80 per cent, we were only levying a tax of 48 per cent, made a statement which is probably not warranted by the figures.

Mr. BORAH. The Senator from Idaho did not say that. I said that, if it should be developed here, as we have been assured that it will be by one member of the Finance Committee, and it is revealed that we are only taxing war and excess profits 48 per cent when we are professing to tax them 80 per cent, that will be perhaps one of the explanations for the cessation of the fight on the 1920 tax provisions of the bill.

Mr. SIMMONS. I will not say that the total average profits tax would be 80 per cent. Nobody ever supposed it would be; nobody ever supposed that even the war-profits tax of 80 per cent would in practical operation levy more than 70 per cent upon war incomes. Many estimate it at less than 60; but the calculation to which the Senator refers groups the excess-profits tax and the personal-service corporation tax with the war-profits tax and strikes an average of all of them and then professes to be an average upon the 80 per cent tax, while, in fact, it is an average upon the 80 per cent tax, the 30 per cent, and 60 per cent tax, and the less than 20 per cent tax.

Mr. SMOOT. Mr. President, not only that, but it is an average of the taxes upon all corporations, some of which will not pay any taxes whatever.

Mr. SIMMONS. Exactly; and that will be developed when that position is taken before the Senate.

Mr. PENROSE. If the Senator from Michigan will permit me, I undertook particularly in the statement of my views before the Senate to say that the 80 per cent tax was not a full 80 per cent tax on the whole income of any corporation.

Mr. SIMMONS. Mr. President, if the Senator from Michigan will pardon me, it would only be an 80 per cent tax at the very maximum upon war profits.

Mr. PENROSE. Yes; upon war profits alone.

Mr. SIMMONS. But in arriving at this 48 per cent average I may say that it was computed on the 80 per cent war-profits tax, the 30 and the 60 per cent tax, and the very much lower tax upon personal-service corporations, and is practically, I think, a general average of taxes.

Mr. BORAH. Mr. President, what I had reference to is the statement—and I have some confidence in the gentleman who makes the statement, because he has been pretty accurate in the past on the subject and was infinitely more correct with reference to the amount of the tax in the last tax bill than those who were advocating its passage—after making these computations, that—

> The net result of all these deductions is that instead of this tax being an 80 per cent tax it will average no more than 48 per cent of the net income of corporations, and most likely even less than this.

Mr. KELLOGG. Mr. President, may I ask the Senator from Idaho a question?

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Minnesota?

Mr. TOWNSEND. Yes.

Mr. KELLOGG. Does not the Senator mean 48 per cent of all income, without allowance for any exemptions at all?

Mr. BORAH. I am reading what the Senator from Wisconsin states in his views as one of the minority.

Mr. KELLOGG. I will ask the Senator if the 80 per cent tax was supposed to mean 80 per cent of all income, without any prewar exemption?

Mr. BORAH. No; I understand that it was——

Mr. KELLOGG. The 48 per cent referred to includes all income, without allowance for any exemption?

Mr. BORAH. Is that the Senator's understanding, that it only amounts to 48 per cent as an average?

Mr. KELLOGG. That is what I understand.

Mr. BORAH. Then, Mr. President, I can easily see why there should be great interest in the passage of this bill without much further discussion.

Mr. KELLOGG. I do not know that the figures are correct, but the statement does not purport to be 48 per cent of all war profits, but 48 per cent of the entire profits.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER (Mr. JOHNSON of California in the chair). Does the Senator from Michigan yield to the Senator from Utah?

Mr. TOWNSEND. I do.

Mr. SMOOT. Mr. President, I think if the Senator from Idaho would give this subject close study and take the amount of taxes actually imposed for the year 1918 on all business in the United States, he would come to the conclusion that an average tax of 48 per cent was a very high tax.

Now, I wish to say to the Senator that the amount, as estimated by the Senator from Wisconsin [Mr. LA FOLLETTE], includes all of the business of the country, some of which does not pay any excess war profits taxes.

Mr. BORAH. I do not know——

Mr. SMOOT. I know.

Mr. BORAH. Because the Senator from Wisconsin does not say so in his report.

Mr. SMOOT. But that is absolutely true, I will say to the Senator. Another thing I will say to the Senator here is, that under the bracket system which has been provided for here, wherever an institution has made war profits they pay 80 per cent upon all of the war profits; but if the Senator will notice I put in the RECORD, as a part of my remarks on last Monday, an example of just what an institution would pay under the bracket system. This is not a bracket step by step upon the different percentages, but it is so arranged that, if there are war profits, the tax is 80 per cent of the war profits made by the institution.

Mr. BORAH. Mr. President, may I ask the Senator from Utah if this sudden change of front with reference to the 1920 tax provision is not due to some things in the bill? Does the Senator know why this sudden change of front was made?

Mr. SMOOT. Mr. President, I can not answer that question, but I can say to the Senator that if a Republican Congress can act upon a revenue bill in time to change the law for 1920, I have no doubt they will do so, because the whole system now proposed, as I stated the other day, not only for this year but for 1920, is wrong, discriminatory, unjust, and can not be defended; and when the Republicans come into power I indulge the hope that we will pass a revenue bill that will be just to all business concerns in this country, irrespective of whether they are making large profits or small profits.

Mr. TOWNSEND. Now, Mr. President, I will proceed for a few moments. I desire to say to the Senator from Idaho that I was quite as much surprised as he was over the failure of the minority to stand up to the strong resolutions that were adopted when this provision was put in the bill by the solid Democratic majority in the Committee on Finance. I felt at that time that we were justified in going to any extent in defeating the bill if that provision was incorporated in it, and I understood that all of the minority members of the committee felt the same way. I can not see that this action can have anything to do with the tax provisions for 1919 contained in this bill, because they were agreed to practically before the provisions for 1920 taxes were brought forward.

There is something that attaches to the 1920 provision that is regarded as of political advantage, I think, on both sides. I think it was discovered, in the first place, or the Democrats thought they discovered, that there would be an advantage in now framing the tax law for 1920 and hold it on the statute books as against any action by the minority, because, as I have said, notwithstanding the statement of the Senator from Georgia [Mr. SMITH], the Republican Congress will be absolutely powerless to change this law unless he desires a change in it. He can then decide what action, if any, can be taken, and I protest against this. The Sixty-fifth Congress was elected upon the express issue of legislating without Executive coercion. The 1920 provision is unjust and inequitable. It will not be quietly tolerated in time of peace. Only normal and excess-profits taxes are reduced. All of the obnoxious war taxes of the 1919 law are retained. Transportation taxes and those on automobile truck manufacturers remain in the 1920 provision. As a war measure the people will submit even to apparently unjust taxation, but you must not impose upon them in peace.

It is not a safe political thing for any party to undertake a tax revision, but it must be undertaken from time to time. I am willing to assume the responsibility when the necessity arrives. I am unwilling to have a repudiated majority prevent action by the next Congress. I do not fully understand all the reasons which actuate the majority in forcing this amendment. They are not fully disclosed. I do not understand either why some of the minority hesitate to use every means to defeat this proposition; but, so far as I am concerned, I have been prepared, believing as I do believe, that this is an unjust matter, to fight it to the end, even if the revenue bill itself were de-

feated, because the existing law will remain on the statute books, and it is admitted that we have got to raise from $5,000,000,000 to $7,000,000,000 by bonds during the next six months.

We have got to borrow that amount of money, and there will not be a difference of $1,000,000,000—I think not a difference of $700,000,000—between the revenues derived under the present law and those which will be obtained by the 1919 provisions of the pending bill. We could get along and the Government would not be embarrassed. But the Senator from Georgia [Mr. SMITH] says that he felt that it was our duty to legislate for 1920; that we ought not to leave the provisions of the law for 1919 on the statute books, as we have left all other laws on the statute books until repealed or amended; but why, if he is so concerned about that feature, ought we not to legislate for 1921 and 1922, and, indeed, up to 1930? Why trust future Congresses? If we want to satisfy the business of the country that taxes are not going to exceed a certain amount, why not legislate for the next 10 years? We have not been in the habit of doing so, and, as the junior Senator from Utah [Mr. KING] said a little while ago, it appears to an honest mind that this is an unusual procedure. Congress can be called together on the day following the 4th of next March to legislate under existing conditions at that time, and that would have been the case, sir, if the Democratic Party had retained control of the Congress.

There would have been no 1920 provision in this bill; but it is here now, and it leaves an open field for speculation as to why it appears.

No one should be criticized for speculating on the motive which caused this thing to be done, because it is unusual and unnecessary. As far as I am concerned, I am perfectly willing to meet the responsibilities of an extra session and a new revenue bill. I feel that it is my duty to do that. I think we could legislate better under revealed facts than we can under speculative conditions, such as now confront us; and, I repeat, I am willing to assist in defeating this amendment and even to go to the extent of filibustering against this revenue bill, knowing that my country would not suffer and believing that a more just and equitable law would be enacted in the light of reconstruction and peace conditions; and no one believes—I do not think the senior Senator from North Carolina believes—that $4,000,000,000 will measure the necessary expenditures for 1920.

Mr. SIMMONS. Mr. President——

Mr. TOWNSEND. It may be too little; it may be too much; but if it is true, as has been stated by the senior Senator from Utah [Mr. SMOOT] and shown, it seems to me quite clearly, that our expenditures next year in time of peace will total about $10,000,000,000. It will be a novel experience for the Government under a Republican administration to issue bonds to meet current expenses in time of peace. And yet everyone knows now that Democratic financing during the last six years will make a large bond issue necessary in 1920.

I rose to-day more particularly to file my protest against the criticism, which will be charged up in the years to come to the party or to the administration then in power, that it was necessary to raise by bond issues two years after the war was over some six or seven billion dollars, it may be, to meet the expenses of the Government. When that time comes it may be necessary, it may be wise, to issue the bonds. No one can tell that now. No one is wise enough to know what it will be best to do when these new conditions arise. It may require a less tax than $4,000,000,000 for 1920. Certainly, a new system of taxation may be desirable. No one can tell. I believe we will have to raise more than $4,000,000,000 in 1920. I think our Democratic brethren believe it will be necessary, and it is possible they may see some political advantage in the probability.

Mr. SIMMONS. Mr. President, will the Senator permit me to interrupt him now?

Mr. TOWNSEND. I think it is but holding out a promise to the ear and breaking it to the heart of business to say that the taxes are going to be comparatively small when the necessities of the Government will be so large.

Mr. SIMMONS. Why, Mr President, if the Senator will pardon me, of course I know that the expenditures of the Government for 1920 are going to be more than $4,000,000,000, just as I know that the expenditures of the Government for 1918 are going to be more than $6,000,000,000; and nobody, from the Treasury down, has ever proposed to levy a tax sufficient to pay all the expenses of this Government in those years, including its war expenditures.

Mr. TOWNSEND. That is right.

Mr. SIMMONS. Now, I want to ask the Senator this question: If the Senator from Utah [Mr. SMOOT] is correct in his estimate—and I think I can show conclusively that he is not correct—that the expenditures for the year 1920 will be $10,000,000,000, does not the Senator know that at least one-half of that amount will be war expenses that have been incurred by the Government and the bills for which will not have been paid by that time? In case our expenditures reach $10,000,000,000—five billions of the ten billions being war expenditures—does the Senator want to raise all of that money by taxation? Does he want to impose upon the people of this country a burden of ten billions in taxes, one-half of which is to pay war bills that have been incurred but not paid?

Mr. TOWNSEND. The Senator from Michigan is advocating nothing of the kind. The Senator from Michigan is advocating the policy of knowing what we have to meet, or approximately so, in order to proportion the amount of taxes to the amount of bond sales. That is what the Senator from Michigan is advocating. Four billions of dollars may be too much; it may be too little. That fact can not be determined until the time comes, and we will be better able to legislate adequately when we have all of the facts before us.

Mr. SIMMONS. If the Senator will permit me, the Senator says four billions may be too much. If four billions may be too much, then six billions certainly will be too much. What we are proposing is to reduce the taxes to be levied for that year from six to four billions.

Mr. TOWNSEND. But the Senator from North Carolina, like other Senators on that side, begs the question when he uses the expression "six billions." Nobody in the country, nobody in the world, believes it will be six billions. Nobody believes that at all; but if you left the law as it is now we would have an extra session of Congress to change it, to bring it to what is necessary and what justice requires should be levied upon the people of the country.

Mr. SIMMONS. How does the Senator know that we would have an extra session of Congress?

Mr. TOWNSEND. Well, President Wilson may be back by that time, and I assume that even he would realize that it was his duty, just the same as though there had not been a Republican Congress, to call an extra session to look after the interests of the people of this country, to frame a tax bill to meet the conditions and the needs of the country during that year. I am assuming that.

Mr. SIMMONS. The Senator is speculating about the question of whether or not we are going to have an extra session. He does not know, and I do not know. I assume that under ordinary circumstances, unless we make these changes now, they will not be made until some time after the beginning of the next Congress, which will be in December, 1919. If that happens, if we leave the provision for six billions of tax in the law, does not the Senator believe that from now until that reduction is made next December, probably—perhaps later than next December—the business people of this country, when they go to fix the prices of their products that are to be sold in the calendar year 1919, will make allowances in the prices they will charge the people for the taxes they would have to pay under the law existing at the time of their sales?

I think we shall all be forced to agree that that would naturally be the course followed. These profits taxes are passed on. The business man is not going to take any risk. He is not going to say: "These taxes may be lowered at some time in the future." He is going to say: "I will fix my prices according to the rates as I find them in the law." Therefore, of course, he will go on in that way, fixing his prices according to the rates he finds in the law until next December, the end of the calendar year; and then suddenly you remit two billions of those taxes to the taxpayers of this country. Then you will have this situation, if the Senator will pardon me further: The people will have paid, in the increased prices of the products they buy, $2,000,000,000; it will be in the pockets of the men who sell them these necessaries of life; and then you will remit that $2,000,000,000, and it is nothing more than a pure subsidy.

Mr. TOWNSEND. Why does not the Senator's anxiety extend to the year 1921 as well? The next Congress may not pass any tax bill, and according to his theory we ought to fix it for all time to come.

Mr. SIMMONS. The Senator knows perfectly well that the bill provides that the tax for the next calendar year, based upon the income of the next taxable year, shall be six billions, and for every year thereafter four billions. Now, if the four billions is more than is needed in any subsequent year, you can reduce it; but until you do reduce it or increase it that will be the tax for 1921, 1922, 1923, and so on indefinitely, until it is changed.

Mr. TOWNSEND. I am very glad the Senator brought that out, because it shows conclusively what he had in mind—a peace tax of $4,000,000,000 to run for years to come.

Mr. SIMMONS. No; Mr. President.

Mr. TOWNSEND. Or that may run for years to come.

Mr. SIMMONS. The Senator misrepresents me.

Mr. TOWNSEND. No.

Mr. SIMMONS. I said to the Senator a little while ago that a considerable part of the expenditures for 1920 was going to be made up of left-over war bills.

Mr. TOWNSEND. But the Senator fixes that tax for all years to come.

Mr. SIMMONS. Yes; because after that year I have no basis of any kind whatsoever.

Mr. TOWNSEND. The Senator is wise enough to know that Congress is going to meet and pass revenue bills. He knows that. He knew they would have done that if there had not been any provisions for 1920 in this bill. The President would have called Congress together. I believe that he is going to do it anyway, whether he wants to or not, because I assume that he was sincere and the Secretary of the Treasury was sincere when they asked us to act immediately on the railroad question. I assume that he was; and if he was, we shall have to have an extra session of the National Legislature. I can not remember a time since I have been in Congress, during 14 or 15 years, when we have not had a special session at the end of the old Congress. We ought to have an extra session after March 4. I think we must have one. I think if the Republican Members had stood up and fought this provision to the finish there would have been one or else this iniquitous amendment would have been defeated.

Mr. SIMMONS. Let me say to the Senator that the Senator from Idaho thinks there is some mystery about the original position of the Republicans as illustrated in their caucus. I do not think there is any mystery about it at all. I think the only ground in precedent, in principle, or in policy for opposing fixing the tax for 1920 at less than that for 1919 grew out of the desire of the Republican Party to force an extra session. I believe that was the ground of the opposition.

Mr. TOWNSEND. Does the Senator think that adopting this provision for 1920 will force an extra session?

Mr. SIMMONS. I think the minority had an idea at one time, and I think that idea prevailed in the caucus——

Mr. TOWNSEND. The conference.

Mr. SIMMONS. That if they defeated this proposition to reduce the taxes for the year 1920 probably it would contribute to, if it did not force, the calling of an extra session.

Mr. TOWNSEND. Oh, well, I did not understand. I understood the Senator to say that the majority changed its position and favored the 1920 provision to force an extra session.

Mr. SIMMONS. If I said "majority," I meant "minority." I referred to the statement which the Senator from Idaho [Mr. BORAH] made here a little while ago, in which he said that there was a great mystery about the change—the sudden, overnight change—in the policy of the minority with respect to this 1920 tax, and he could not imagine what had brought about that sudden change. He stated to the Senate—and I was glad he did—and to the country that you had a caucus—I believe you call it a conference, but it was a caucus—in which you agreed, according to the Senator's statement, to oppose to the bitter end, to fight to the last ditch, so to speak, this 1920 tax.

Mr. PENROSE. Mr. President——

Mr. SIMMONS. And he said that suddenly the minority had changed on that question, and he said that there was a mystery about it.

Mr. PENROSE. Mr. President, before the Senator continues statements with no foundation in fact I should like to inform him——

Mr. SIMMONS. If there is no foundation in fact for any statement I have made, the Senator knows that I will take it back; but I was here, I listened to the Senator from Idaho, and I think I understood the Senator from Idaho as well as the Senator from Pennsylvania.

Mr. PENROSE. The Senator from North Carolina has stated that the Republicans held what he called a caucus.

Mr. SIMMONS. Oh, I did not say that. I know nothing about it. I said that the Senator from Idaho spoke of it in that way.

Mr. PENROSE. There was no such caucus or conference, whichever it may be termed, held at any time that I know of. The Senator from Georgia [Mr. SMITH] was the first member of the committee to breathe fire and flame when he declared that he would rather defeat the bill than not have the 1920 provision in it; and perhaps some of the minority might have been a little incensed at this effort, after election day, to tie up the Government. But, like a great deal of talk in this world, it passed by and patriotism prevailed and everyone felt that the Government had to have the money and the bill had to be passed.

Mr. SIMMONS. I have made no charge, and I am making no charge, against the minority.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER (Mr. MOSES in the chair). Does the Senator from Michigan yield to the Senator from Massachusetts?

Mr. TOWNSEND. I am perfectly willing to yield, but I should like to have a little regularity about these interruptions, so that I can follow them myself. I now yield to the Senator from Massachusetts.

Mr. LODGE. I only wanted to say to the Senator from North Carolina that he must not suppose us quite so ignorant of the parliamentary situation as to think that the bill with which to force an extra session is a revenue bill. Nobody thought that for a moment. The existing law could go on. But there are other bills which will force an extra session; and I will simply say that perhaps the Senator has been so long in power that he does not quite remember what has happened. There may be an extra session. Do not count so confidently on there not being one.

Mr. SIMMONS. I have not said that there would not be one. I have not said that there would be one. I do not know. Frankly, I do not know. What I said was that I believed that one of the reasons or considerations for the original position to which the Senator from Idaho referred was that it was thought at one time refusal to cooperate with the majority in this matter might contribute toward forcing an extra session. Now, I will let that statement stand in the RECORD for what it is worth.

Mr. TOWNSEND. Mr. President, I think I have finished, and I think everybody else has had an opportunity to say what he wished to say in my time. I did not expect to intrude so long upon the Senate. I simply wanted to voice my opposition to this 1920 provision. It makes reductions in income taxes, war taxes, and so on; but it leaves for 1920 all of the most obnoxious war taxes of 1919.

For instance, we have here—and I am going to offer an amendment to eliminate it—a special tax provision of 5 per cent on the manufacturer of automobile trucks. We have many other similar taxes in the bill. Unless it is necessary for the support of the Government, there is no more reason why you should put a tax upon the manufacturer of automobile trucks than there is for placing a tax upon the manufacture of wagons or buggies or any other necessity; for automobiles and automobile trucks have come to be absolute necessities. I am going to offer an amendment to strike that out of the bill when we get to it. But what I say is that here, two years in advance, you proceed by a system of reduction in certain items of taxation in a war-revenue bill to make the jaw for 1920. You can not know now in advance whether these are the only things that should have a reduction or not. There may be others. We may feel like eliminating some of these obnoxious, disturbing taxes which are an annoyance, which bring in little revenue, but which create injustice and burden legitimate industry. I think we ought to consider these questions by themselves, and it can not be done unless we take up a new bill, as we would be obliged to do if we brought up one next spring.

Mr. McCUMBER. Mr. President, I wish most briefly to state why I can not concur in the majority view that we should legislate this year for the fiscal year 1920. I have taken up no time whatever in the discussion of this bill on the floor, having said what I wanted to say on each feature as it arose before the committee; but I wish I could eliminate from my mind not the mere suspicion but the very strong conviction that the 1920 provision is a political provision only and is instituted for the purpose of gaining political advantage.

I know that in the bill of 1917 there was not in the committee one word or expression that would indicate any character of partisanship in bringing that bill before the Senate; and I know also that from the time the present tax bill came before the committee, as suggested by the Senator from Georgia [Mr. SMITH] and the Senator from North Carolina [Mr. SIMMONS], there never had been, prior to November 6, an intimation on either side of any desire to take any political or partisan advantage in the form the bill should assume. We got along very nicely until after the 6th of November, 1918; and then there was suddenly brought before us this provision to tie the hands of the succeeding Congress for 1919.

I know of only one instance in the whole history of the country in which a tax bill passed by Congress has provided for a different rate for any succeeding year. That was in the revenue bill of 1828, as I remember, which was a tariff bill and which provided that in each succeeding year the tariff should be reduced 10 per cent. We know the result of that upon the coun-

try. By the year 1893 it had brought about a condition almost of bankruptcy throughout the United States. We have never attempted that since, to my knowledge, until we reached the bill that is before the Congress at the present time.

In considering this matter I have to sort of decide what I would do were I attempting in any way, as a good Democrat, to influence the election of 1920. I would reason along about this line:

I would first provide, by a bill in 1918, for a tax which I knew would not raise the necessary amount of funds for the year 1920, and I would leave that for the succeeding political party to get out of the best way they possibly could. I would reason, as we all reason, that the American public, like every other public, detests taxes of any kind. I never knew any character of tax that any people were particularly enamored with; and if I could say, "The Democratic Party has placed upon you for 1920 a tax that will bring in only $4,000,000,000, and now a Republican majority comes in and finds that it has to raise $8,000,000,000," the Republican Party would necessarily have to take the onus of issuing bonds in times of peace; and I would reason somewhat along the same line of reasoning that was indulged in after President Cleveland found it necessary to issue bonds to the extent of $262,000,000, which had a very strong influence against the party then in power and assisted the Republicans to come into power. I would naturally follow that course.

That is just exactly what was done in the Committee on Finance. Nothing was ever urged or said about providing for the 1920 taxes until all the votes had all been counted on the 6th of November, 1918; and immediately thereafter we found that we had to provide for a lower tax in 1920.

Mr. President, I do not think it was necessary to take into consideration the 1920 taxes; but I want to ask why, if it was thought necessary, the majority party never dreamed of it until after the 6th day of November, 1918? In the early part of October, 1918, Bulgaria had surrendered. Shortly thereafter Austria-Hungary had practically surrendered to the allies. The German eastern flank was threatened. Every single day from the 18th of July Haig had advanced, up until the 10th day of November. Foch, on the French line, had day after day advanced his armies. The Germans were retreating everywhere; and in the latter part of October, long before we had determined what the political policy of this country should be for the ensuing year, the whole German Empire had thrown up their hands and yelled "Kamerad!" We knew that they were defeated. We knew then that the war would not and could not last even until January. Even before the election they had pleaded with us to make terms of armistice, and had intimated that they were ready to surrender, whatever our terms might be. Still it never occurred to anyone up to that date that it was necessary to provide a lesser sum to be raised by taxation in 1920, although we knew positively at that time that the war could not last another three months.

Mr. President, the Senator from Pennsylvania has intimated that in all probability the Republican Congress would lower the taxes. I am going to differ with him there. I do not think it is going to be possible to have lower taxes for the year ending July 1, 1920, than for the year ending July 1, 1919, and I will tell you why. The reason is simply this: You have lowered your rate about one-third. Does anyone believe that in times of peace, when all of the business interests of the country will be that much nearer to a normal condition and when they will have to compete against not the necessities of a government which would buy everything they produced at three times its value but against the entire commercial world, there are going to be any such fabulous fortunes made in 1920 as were made in 1919? I think I am conservative in saying that at least the profits will be reduced 33 per cent, taking the whole country over; and if you reduce the profits 33 per cent, then upon the same rate of taxation you will not raise any more than four billions in 1920, even with the rate of taxation that you have in force to-day.

So it is not necessary to deceive the American public into the idea that their taxes will be less for 1920 than they are to-day. There is just one way, and that is to introduce and pass during the next session—an extra session—a tariff bill that will take a portion of the taxes from other portions of the world and relieve us to just that extent. If we can take $160,000,000, which is, I believe, about what we raise to-day from the tariff, and make it raise $200,000,000, of course we can gain $140,000,000, and if we can raise it to $500,000,000 we can raise just exactly that much more and reduce the taxation in this country to just that extent.

But, Mr. President, we will have to issue bonds, and the amount of bonds will be considerable. We have been conducting the war in a most criminally extravagant manner, in a manner, when all the facts are known, that will shock the sense of justice and the conscience of the American public. We made our contracts and we have to pay the bills. Many of those bills will run over into next year. Then we will have to raise the money to meet them, no matter what the extravagance might have been. We are going to need more than $4,000,000,000 in 1920, in my judgment, unless we reduce the amount by some character of tariff legislation.

So, Mr. President, I think it is unjust for the majority to say to the American people you are going to be taxed less than we believe you will have to be taxed to meet the requirements of the Government, and enforce upon a succeeding party the necessity of explaining why it is necessary to raise this amount.

Mr. President, I say candidly that I can not, for one, vote to fix the revenue for 1920 at an amount which I honestly believe will be far less than the amount required. Nor am I willing to base a tax upon what the Secretary of the Treasury says emphatically is the wildest kind of guess as to what we shall need in 1920. As has been suggested by the Senator from Michigan [Mr. TOWNSEND], if we are going to legislate for 1920 we might legislate for 1921 and 1922.

Mr. SIMMONS. Mr. President, I think the Senator does not mean to misrepresent the statement of the Secretary of the Treasury.

Mr. McCUMBER. Certainly I do not.

Mr. SIMMONS. I think the Secretary of the Treasury was referring specifically to the estimates for 1919 of $18,000,000,000.

Mr. McCUMBER. Oh, no; if I remember rightly he used the words, in answer to a question that was propounded to him, and said it was really the wildest kind of a guess as to what the requirements of the Government would be for 1920.

Mr. SIMMONS. That was stated here the other day, and I am very sure he did not say it. I examined the record.

Mr. McCUMBER. If there is a difference of opinion between the Senator and myself upon that point, I think there is no difference in our opinion that in fact it is the wildest kind of a guess to determine what our expenses will be two years from now.

Mr. SIMMONS. I wish to say to the Senator it is my candid opinion, after thorough investigation, that there is more uncertainty about the estimates for 1919 than about the estimates for 1920.

Mr. McCUMBER. We have dealt with 1919, and if we make a mistake and in our mistake vote for a sum that is far too little, it must necessarily carry itself into the next year and but exaggerate the error which we are now going to make in providing for less than we shall need during that year.

Mr. President, it seems to me that sufficient unto the day is the evil thereof, and that we must legislate for 1920 in 1919. I appreciate the fact that the majority party do not wish to have an extra session. I wish it were possible that we could escape an extra session next year. I can naturally understand that if we do not have an extra session and do not introduce a new tariff bill until December, 1919, we will run well, perhaps, into 1920 before we find out the operation of that new tariff bill, and in the meantime the opposing party will have all the political advantage it can possibly acquire from such an uncertain condition. I wish that we could settle what our tax legislation shall be in 1919, just as we have always done in the past, with only the taxation for the ensuing year, without attempting to tie the hands of Congress.

Mr. KELLOGG. Mr. President, I shall not take the time of the Senate for a general discussion of the revenue bill. I recognize that it is the desire of the Senate to pass it at once. But I do not wish the bill to become a law without at least registering a brief protest against carrying the iniquities of war profits and war excess taxes beyond the period of the war.

It has been stated by the Senator from North Dakota [Mr. McCUMBER] that we have been carrying on the war extravagantly. That unfortunately is true. I shall not take the time of the Senate to go into the details, but I should like to remind the Senate that Great Britain carried on the war for four years, raised 5,000,000 men, built all her new cantonments and manufactories, added to her navy, policed the North Sea, transported armies to foreign shores, to the East, and purchased much of the material in our market at high prices, and paid the bills for $34,000,000,000.

Mr. BORAH. Great Britain did not have any Hog Island.

Mr. KELLOGG. That is quite true. We, on the other hand, according to estimates, in the two years of our participation in the war, including the estimates for the next six months, will

spend $31,000,000,000. Not including any loans we may make to the allies from now until next July, at least we will spend that, and probably those loans will increase it so that our two years of war will cost us as much as Great Britain spent in four years.

Of course, Mr. President, we have been extravagant. In the ordinary course of events a country not organized for war but for peace, which undertook to marshal a great army and all its resources in so short a time would be extravagant. But we have been more than extravagant. When we realize that the report of the Department of Justice shows that in the Hog Island shipyards, which the revised estimate showed would cost $27,000,000, they have spent $63,000,000, and the department confesses its inability to account for the difference; when we realize that a billion dollars has been spent in the airplane service, and that when the war closed we had a negligible number—only 312; and when we realize the enormous extravagances of the Ordnance Department and the waste in the housing department, of course we can see where these expenditures have gone.

But, Mr. President, we are willing to forget and wipe the slate, at least so far as paying the bills are concerned, because of the splendid results of the men we sent abroad. Their accomplishments, the wonderful strength of the Army, drawn from the best manhood of this country, furnishes a bright page in American history. And it is because of the success of the war and because of the results achieved by our armies upon foreign shores that the American people are willing that this bill, large as it is, should be passed and the expenses of the war be paid.

But with this tax bill, which I believe is unprecedented in any country engaged in the war, there will be at least $5,000,000,000 more bonds to be sold between now and July, 1919, and probably $5,000,000,000 more in 1920.

Mr. President, I am not willing to vote to carry the inequalities and injustice of this system of taxation into a period after the war. I believe the next Congress should be given an opportunity to frame a just and equitable tax bill, when we are not under this pressure of raising in a short time the largest sum of money possible with safety to the business interests of the country.

A personal, progressive income tax, with a heavy surtax on large incomes and a corporation income tax are just and equitable taxes. The wisdom of man can not discover a way of making an excess-profits tax a just and equitable tax between individuals, partnerships, and corporations. The very nature of an excess-profits tax—since an exemption basis of earnings by way of capital must first be established—makes it discriminatory, because the overcapitalized concern escapes taxation and the conservative undercapitalized business man is penalized. It can not be helped.

I do not believe that we should carry into 1920 this most vicious part of the bill. A war-profits tax is more equitable, but, of course, both the war-profits tax and the excess-profits tax of necessity must impose a great hardship on some business concerns and unjust discrimination between different corporations engaged in business.

Last year, as I said, when the excess-profits tax bill was before the Senate it discriminated against corporations, partnerships, and individuals engaged in business with a small capital, conservatively organized concerns, and was in favor of the large capitalized corporations of the country. This bill will inevitably do the same thing. We have a section of this bill carrying into next year the discriminations and inequalities of such a system. Of course, it is a large tax bill. The necessities of the Government make it inevitable. I shall not go into any general discussion of the features of this bill. I have prepared a synopsis of the income taxes and other war taxes of Great Britain, France, Italy, and Germany in order that they might be compared with the proposed taxes in this country. I shall not stop to discuss it, but I ask permission to print it in the RECORD at the end of my remarks as an appendix.

The PRESIDING OFFICER (Mr. MOSES in the chair). Without objection, it is so ordered.

Mr. KELLOGG. While it is true that it is difficult to compare this tax bill with the taxes imposed in foreign countries, I believe I am well within a conservative statement when I say that we are levying, all in all, the heaviest tax ever levied by any of the countries in this war—income, excess-profits, and war taxes altogether. It is true that the normal tax on incomes in Great Britain, as you will find, is 30 per cent; but it is also true that there are so many exceptions, reservations, and exemptions that it is hard to say whether the normal tax, as a whole, is greater than ours.

The surtax in Great Britain is higher for the smaller incomes, but for the larger incomes the proposed surtax in this bill is very much higher than the British. I am speaking from recollection when I say that no surtax in Great Britain goes above 22½ per cent. This is upon incomes of $50,000 or more. The exemptions of the war-profits tax in Great Britain are fully as liberal, if not more so, than ours. The rate levied is 80 per cent on the balance. I do not think it is fair to say that this bill does not levy 80 per cent upon the war profits. In order to arrive at a war-profits tax, of necessity the bill must first provide for an exemption of prewar net earnings, and our system of arriving at prewar earnings is in general the British system, and we levy 80 per cent upon the balance.

I have not heard of any serious objection by the American business men to the payment of taxes last year or the proposed taxes in this bill. The American people have made up their minds to win this war, and if it was necessary they were willing to pledge every dollar of their incomes and the vast resources of this country to that end, and they will pay these taxes without serious objection. But what I do object to is, at the present time, without the knowledge of what we shall need next year, carrying forward the worst part of this bill into 1919 and 1920.

As stated by the chairman of the Committee on Finance [Mr. SIMMONS] in his opening speech, we can not tell what the expenses of the Government will be next year. We do not know what we have to pay in liquidation of the contracts of millions and millions of dollars for the various war projects. We do not know what we may have to pay in liquidation of the wheat guaranty, which was a war measure. We can not say now what taxes should be levied for the next year. I hope that it will not be necessary to levy more than the $4,000,000,000. I think the American people are entitled to look forward to a decrease of these enormous war taxes. It is said that the tax bill should be passed and become a law before the beginning of the year in which the taxes are to accrue. Undoubtedly that is true, but that has not been our practice. The tax bill of 1917 was passed in October of that year, and this bill, which might have been passed last summer had the majority party desired to do so, is now still on the calendar of the Senate near the 1st of January.

As I have said before, while I do not wish to take the time to discuss the bill at length, I wish to enter my protest against the taxes for 1919 and 1920.

APPENDIX.

SYNOPSIS OF INCOME-TAX ACTS, VARIOUS COUNTRIES, 1918.

It is almost impossible to formulate a comprehensive comparative statement of the income-tax rates of the different countries now engaged at war. The best that can be done is to state as concisely as possible the general rates applicable under general varied circumstances in each particular country.

GREAT BRITAIN.

INCOME TAX—RATES OF TAX.

Normal tax, 30 per cent of net income. This, however, is not without qualifications. There are certain exemptions, abatements, and reliefs, hereinafter specified, which pertain to incomes below $12,500 per year, and which must be considered in connection hereto.

Incomes below $12,500 per annum.

EXEMPTIONS.

Incomes not exceeding $650 per annum are exempt from the operation of the income tax.

ABATEMENTS.

In the case of incomes over $650 per annum and not exceeding $3,500, deductions, known as abatements, are made before the income tax is applied. This abatement is graduated as follows:

Income—	Abatement.
Exceeding $650, not exceeding $2,000	$600
Exceeding $2,000, not exceeding $3,000	500
Exceeding $3,000, not exceeding $3,500	350

In the case of incomes exceeding $3,500 no abatement is made, and the tax is levied on the whole income at the rate applicable thereto.

RELIEFS.

In the respect of wife and dependent relatives, and in the respect of life insurance premiums, etc.: Relief from tax upon certain portions of his income is accorded each taxpayer to specified sums in the contingency that said taxpayer is supporting dependent or indigent relatives coming within the certain specified class. Relief from the normal tax is granted to the taxpayer on the amount of annual premiums for life insurance or deferred annuity on his own life or the life of his wife, but this allowance shall not reduce the income as estimated for purposes of exemption or abatement, neither shall it exceed one-sixth of the total income of 1 per cent of the capital sum insured, or $500 in all.

EARNED INCOME RELIEF.

Where the income does not exceed $12,500 and any part of that income is earned income, the following graduated rates instead of the normal tax are applicable to the earned income:

	Per cent.
When total earned income does not exceed $2,500	11¼
Income $2,500 to $5,000	15
Income $5,000 to $7,500	18¾
Income $7,500 to $10,000	22½
Income $10,000 to $12,500	26¼

UNEARNED INCOME RELIEF.

Where the income does not exceed $10,000, the following graduated rates instead of the normal tax are applicable to the unearned income:

	Per cent.
Does not exceed $2,500	15
From $2,500 to $5,000	18¾
From $5,000 to $7,500	22½
From $7,500 to $10,000	26¼

SPECIAL WAR PROVISION.

Reduced rates on pay of soldiers, sailors, etc.: The service pay of any person in the Army, Navy, Air Service, or Red Cross (if stationed abroad) is taxed as follows:

	Per cent.
Does not exceed $1,500	3¾
Exceeds $1,500 but does not exceed $2,500	6¼
Exceeds $2,500 but does not exceed $5,000	8¾
Exceeds $5,000 but does not exceed $7,500	11¼
Exceeds $7,500 but does not exceed $10,000	13¾
Exceeds $10,000 but does not exceed $12,500	16¼
Exceeds $12,500	17½

ABATEMENT IN CASE OF SOLDIERS, SAILORS, ETC.

If the total income does not exceed $1,500 the prewar abatement of $800 is granted.

SUPERTAX.

Incomes over $12,500 are subject to a supertax according to the following graduated scale:

	Per cent.
First $10,000	
Next $2,500 ($10,000 to $12,500)	5
Next $2,500 ($12,500 to $15,000)	7½
Next $5,000 ($15,000 to $20,000)	10
Next $5,000 ($20,000 to $25,000)	12½
Next $5,000 ($25,000 to $30,000)	15
Next $10,000 ($30,000 to $40,000)	17½
Next $10,000 ($40,000 to $50,000)	20
Next $10,000 (above $50,000)	22½

EXCESS-PROFITS TAX.

Basis of tax: Excess of profits during war-trade years over prewar standards, prewar standard being the average of any two of the last three prewar-trade years selected by the taxpayer, except that it is not to be counted at less than 6 per cent (in the case of business not carried on by a company or corporation, 8 per cent) on the capital invested at the end of the last prewar-trade year. Allowance is made for increase in capital during a war-trade year at the rate of 9 per cent (in which case of noncorporate business, 11 per cent); for decrease in capital during a war-trade year, at the rate of 6 per cent (for noncorporate business, 7 per cent). If the average profits of the last three prewar years were 25 per cent or more lower than during the three previous years, any four of the six years may be taken as a basis for the prewar standard. In the case of new business the prewar standard is counted as 9 per cent of the capital invested (or for noncorporate business, 11 per cent).

EXEMPTIONS.

(1) Amount: $1,000, increased by one-fifth of the amount by which the profits are less than $10,000 if the prewar standard does not exceed $2,500.

(2) Kinds of business: Agriculture, offices, profession, insolvent businesses in the hands of a liquidator.

Rate of tax, 80 per cent.

FRANCE.

Income tax imposed, 1913.

EXEMPTIONS.

Persons whose incomes do not exceed $600, ambassadors and other foreign diplomatic agents, including consuls and consular agents of foreign countries, are exempted from the operations of the war-income tax, providing, in the case of ambassadors and consuls and consular agents, this exemption is granted on the condition that the countries said ambassadors and agents represent extend similar privileges to French diplomatic agents and consuls.

GENERAL INCOME TAX.

The tax shall be levied on the total amount of the annual income of every taxable person. Such net income shall be determined with due regard to the personal and real property of the taxpayer, the professions exercised by him, the wages, salaries, pensions, and life annuities enjoyed by him, and the profits derived from any gainful occupation in which he may be engaged, after deducting therefrom the certain exemptions and annuities herein specified.

Married persons are entitled to an abatement of $400. In addition each taxable person shall be entitled to an abatement of $200 for each person dependent upon him, not exceeding five. For each such dependent person after the fifth, $300 shall be the abatement. Each taxable person shall be taxed only on such part of his income as exceeds, after making deductions and abatements, the sum of $600. The tax shall be computed by adding together:

One-tenth of the portion of the taxable income included between $600 and $1,600.

Two-tenths of the portion of the taxable income included between $1,600 and $2,400.

Three-tenths of the portion of the taxable income included between $2,400 and $3,200.

Four-tenths of the portion of the taxable income included between $3,200 and $4,000.

Five-tenths of the portion of the taxable income included between $4,000 and $8,000.

Six-tenths of the portion of the taxable income included between $8,000 and $12,000.

Seven-tenths of the portion of the taxable income included between $12,000 and $16,000.

Eight-tenths of the portion of the taxable income included between $16,000 and $20,000.

Nine-tenths of the portion of the taxable income included between $20,000 and $30,000.

And the whole of the excess of income beyond this and applying to the figure so obtained the rate of 12.5 per cent.

Further exemptions on the tax computed in accordance with the above provide that each taxpayer is entitled to a reduction of 5 per cent for one dependent, 10 per cent for two dependents, 20 per cent for three dependents, and so on each dependent after the third entitles him to an additional reduction of 10 per cent providing the total deductions do not exceed one-half of the tax.

TAXATION OF COMMERCIAL AND INDUSTRIAL PROFITS.

An annual tax is imposed on the profits from commercial and industrial undertakings realized during the preceding year or during the period of 12 months as to which the last return was made, when such period does not coincide with the calendar year.

For the purpose of computing such tax, that portion of the net profits of such business not exceeding $300 shall be reckoned as one-quarter. From $300 to $1,000 as one-half; the excess beyond as a whole.

The rate of tax is fixed at 4½ per cent. Various specified occupations and enterprises of a commercial character are exempted from the operation of this tax, except in so far that their net profits exceed the sum of $300.

SPECIAL TAX.

Independently of tax on profits derived from industrial and commercial undertakings as above imposed, a special tax is imposed on the amount of business transacted by undertakings having for their principal object the retail sale of provisions or goods, when the amount of such business exceeds $200,000, not including exports to foreign countries, to Algiers, or to French colonies and protectorates. The said special tax is fixed in accordance with the following scale:

One-tenth of that portion of the amount of business between $200,000 and $400,000.

Two-tenths of that portion of the amount of business between $400,000 and $2,000,000.

Three-tenths of that portion of the amount of business between $2,000,000 and $20,000,000.

Four-tenths of that portion of the amount of business between $20,000,000 and $40,000,000.

Five-tenths of that portion of the amount of business over $40,000,000.

Agricultural and cooperative organizations which limit themselves to the transaction of business for the profit of their immediate members are not within the operation of this special tax.

TAXES ON AGRICULTURAL PROFITS.

An annual tax is imposed upon the profits derived from agricultural undertakings. The profits derived from such agricultural undertakings are considered for the purpose of assessing the tax as equal to one-half the rental value of the land; when the actual rental value does not exceed $2,400, the farm owners shall pay the tax only on such portion of the income as exceeds $250. He shall be entitled to an abatement of two-thirds on the portion of the income between $250 and $400 and one-third on the portion between $400 and $600. The rate of tax is 3.75 per cent.

TAXATION OF SALARIES, WAGES, PENSIONS, ANNUITIES, ETC.

Pensions, life annuities, and so forth, are subject to tax levied on that portion of their yearly total which exceeds the following amounts:

Pensions and life annuities, $250.

Salaries, allowances, fees, and wages, if the taxable person lives in a community of less than 10,001 inhabitants, $300.

In a community of between 10,001 and 100,000 inhabitants, $400.

In a community of more than 100,000 inhabitants, $500.

In Paris and specified immediate vicinity, $600.

Provided that in computing the tax only one-half of the portion of the taxable income included between the exempted minimum and the sum of $1,000 shall be considered. The rate of the tax is fixed at 3.75 per cent.

TAXES ON PROFESSIONAL INCOMES.

The incomes from liberal professions and other nonmercantile offices and employments, as well as from all lucrative occupations and undertakings not liable to a special income tax, shall be subject to a tax levied annually upon the net income of the preceding year, consisting of the excess of total receipts over expenses incurred. The tax shall be levied only on that portion of the net profits in excess of the sum of $300 when the person lives in a community of less than 10,001 inhabitants; $400 if in a community of from 10,001 to 100,000, and $500 if in a community over 100,000 inhabitants; $600 if person lives in Paris and specified vicinity. Provided, however, that for the purpose of computing the tax, that portion of the net profits included between the exempted minimum and the sum of $1,000 shall be divided in half. The tax rate is fixed at 3.75 per cent.

TAXATION OF INCOMES FROM TRANSFERABLE SECURITIES.

The rate of tax is 5 per cent.

TAXATION OF INCOMES FROM IMPROVED AND UNIMPROVED REAL ESTATE.

Rate of tax on unimproved real estate is 5 per cent on net income. Rate of tax on improved real estate fixed at 4 per cent of net income.

EXCESS-PROFITS TAX.

Basis of tax: Excess of profits during war-trade years over prewar standard of profits, prewar standard being the average of the last three years prior to August 1, 1914, but not to be counted at less than $1,000 nor less than 8 per cent on the capital invested.

EXEMPTIONS.

(1) Amount: In the case of mine owners and persons subject to the business-license tax, $1,000; in the case of plants wrecked by the war or located in the invaded territory, 6 per cent of the capital invested; in the case of all who are subject to the tax, extra amounts necessary for depreciation.

(2) Kinds of business: All except those conducted by mine owners, persons subject to a business-license tax, and persons furnishing supplies to the Government.

Rate of tax—	Per cent.
On the portion of the taxable profits below $20,000	50
On the portion of the taxable profits between $20,000 and $50,000	60
On the portion of the taxable profits between $50,000 and $100,000	70
On the portion of taxable profits exceeding $100,000	80

ITALY.

EXCESS PROFITS TAX.

Basis of tax: New profits or excess of profits during war-trade years over the average of the amounts ascertained for personal property tax for the years 1913 and 1914, but this average is not to be counted as less than 8 per cent of the capital invested.

EXEMPTIONS.

(1) Amount, $500 or less; in the case of commission agents, 10 per cent increase in income or less. (2) Kind of business: (a) The tax is imposed only on merchants and manufacturers and on commission agents; (b) those helping to advance the Italian mercantile marine enjoy a qualified exemption.

Rates of tax—	Per cent.
(1) For merchants and manufacturers:	
On fraction of profits from 8 to 10 per cent on capital invested	20
On fraction of profits from 10 to 15 per cent on capital invested	30
On fraction of profits from 15 to 20 per cent on capital invested	40
On fraction of profits from 20 per cent on capital invested	60
(2) For commission agents:	
On excess over 10 per cent up to 50 per cent of prewar profits	10
On excess over 50 per cent up to 100 per cent of prewar profits	15
On excess over 100 per cent up to 200 per cent of prewar profits	20
On excess over 200 per cent up to 300 per cent of prewar profits	25
On excess over 300 per cent of prewar profits	40

GERMANY.

PROPERTY INCREASE TAX.

Basis of tax: Any increase in the total value of the property of individuals between January 1, 1914, and December 31, 1916, excluding all increases due to transfer of property at death.

EXEMPTIONS.

(1) Any increase of not more than 3,000 marks ($750); (2) any increase where the total amount of the increased value of the property is not more than 10,000 marks ($2,500); (3) that portion of any increase equal to the difference between the original capital and 10,000 marks ($2,500) whenever the total amount of the increased capital is not more than 15,000 marks ($3,750).

Rate of tax:	Tax.	Surtax.
	Per cent	*Per cent*
On the first $2,500	5	1
On the next $2,500 or fraction thereof	10	2
On the next $2,500 or fraction thereof	15	3
On the next $5,000 or fraction thereof	20	4
On the next $12,500 or fraction thereof	25	5
On the next $25,000 or fraction thereof	30	6
On the next $50,000 or fraction thereof	35	7
On the next $75,000 or fraction thereof	40	8
On the next $75,000 or fraction thereof	45	9
On any further amount	50	10

If the increased capital of a taxable individual does not exceed $25,000 he receives an abatement.

If he has three children under 18, of one-fourth the amount of the surtax.

If he has four children under 18, of one-half the amount of the surtax.

If he has five children under 18, of three-fourths the amount of the surtax.

If he has more than five children under 18, the whole of the surtax.

EXCESS PROFITS TAX (BUSINESS COMPANIES).

Basis of tax: Excess of profits of domestic and foreign companies during war trade years over prewar standards of profits; prewar standard being the average of those three of the last five prewar years arrived at by excluding the year with the largest and the year with the smallest profits, if company has existed for five years, except that it is not to be counted as less than 6 per cent on the paid-up original capital stock.

Exemptions, 5,000 marks.

Rate of tax—A. Domestic companies:

Rate of tax on excess profits.

If ratio of average annual excess profits to capital stock and reserve amounts to—	Per cent.
Not more than 2 per cent	10
More than 2 per cent, but not more than 5 per cent	15
More than 5 per cent, but not more than 10 per cent	20
More than 10 per cent, but not more than 15 per cent	25
More than 15 per cent	30

Rate of surtax percentage of principal tax.

If ratio of average annual total profits during war-trade years to capital stock and reserve amounts to—	Per cent.
More than 8 per cent, but not more than 10 per cent	10
More than 10 per cent, but not more than 15 per cent	20
More than 15 per cent, but not more than 20 per cent	30
More than 20 per cent, but not more than 25 per cent	40
More than 25 per cent	50

B. Foreign companies:

Rate of tax on profits.

If excess profits amount to—	Per cent.
Not more than $5,000	10
More than $5,000, but not more than $10,000	12
More than $10,000, but not more than $15,000	14
More than $15,000, but not more than $20,000	16
More than $20,000, but not more than $25,000	18
More than $25,000, but not more than $30,000	20
More than $30,000, but not more than $35,000	22
More than $35,000, but not more than $40,000	24
More than $40,000 but not more than $45,000	26
More than $45,000, but not more than $50,000	28
More than $50,000, but not more than $62,500	30
More than $62,500, but not more than $125,000	40
More than $125,000	45

Rate of tax on domestic and foreign companies proposed in place of above rates by the budget bill 1918–19 (Board of Trade Journal, May 23, 1918, p. 654):

If excess profits amount to—	Or (in the case of German companies whose excess profits do not exceed $25,000) if the ratio of total profits to capital stock and reserve amounts to—	Per cent.
Less than $12,500	Less than 8 per cent	30
Less than $25,000	Less than 10 per cent	36
Less than $50,000	Less than 15 per cent	42
Less than $75,000	Less than 20 per cent	48
Less than $125,000	Less than 25 per cent	54
$125,000 or more	25 per cent or more	60

The PRESIDING OFFICER. The question is on the amendment of the committee.

Mr. PENROSE. Let us have the question stated, Mr. President.

The PRESIDING OFFICER. The Secretary will state the amendment.

Mr. SIMMONS. Mr. President, I make the point of no quorum.

The PRESIDING OFFICER. The Senator from North Carolina suggests the absence of a quorum, and the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Henderson	Martin, Ky.	Simmons
Bankhead	Hitchcock	Martin, Va.	Smith, Ariz.
Beckham	Johnson, Cal.	Moses	Smith, Ga.
Borah	Johnson, S. Dak.	Myers	Smoot
Culberson	Jones, N. Mex.	Nelson	Spencer
Curtis	Jones, Wash.	New	Sterling
Dillingham	Kellogg	Norris	Sutherland
Fernald	Kendrick	Nugent	Swanson
Fletcher	Kenyon	Overman	Thomas
France	Kirby	Page	Townsend
Frelinghuysen	Knox	Penrose	Trammell
Gay	La Follette	Poindexter	Underwood
Gerry	Lenroot	Pollock	Vardaman
Gore	McCumber	Pomerene	Walsh
Gronna	McKellar	Saulsbury	Warren
Hale	McLean	Shafroth	Weeks
Harding	McNary	Sheppard	Wolcott

Mr. McKELLAR. I desire to announce the absence of my colleague, the senior Senator from Tennessee [Mr. SHIELDS], on account of illness.

The PRESIDENT pro tempore. Sixty-eight Senators have answered to their names. There is a quorum present. The question is on the amendment of the committee, which will be stated.

The SECRETARY. On page 11, after line 2, the committee proposes to strike out paragraphs (a) and (b), as follows:

(a) In the case of a citizen or resident of the United States 12 per cent of the amount of the net income in excess of the credits provided in section 216: *Provided*, That upon the first $4,000 of this amount the rate shall be 6 per cent.

(b) In the case of a nonresident alien, 12 per cent of the amount of the net income in excess of the credits provided in section 216.

And in lieu thereof to insert:

(a) For the calendar year 1918, 12 per cent of the amount of the net income in excess of the credits provided in section 215: *Provided*, That in the case of a citizen or resident of the United States the rate upon the first $4,000 of such amount shall be 6 per cent.

(b) For each calendar year thereafter, 8 per cent of the amount of the net income in excess of the credits provided in section 216: *Provided*, That in the case of a citizen or resident of the United States the rate upon the first $4,000 of such amount shall be 4 per cent

Mr. SMOOT. Mr. President, I should like very well if we could vote upon subdivision (a) first, and then vote on subdivision (b) thereafter. I will ask the Senator from North Carolina if it would not be better to vote upon the whole question of the 1920 taxes at once in order to save the time of the Senate?

Mr. SIMMONS. I do not see how we can do that.

Mr. SMITH of Georgia. We may vote on one of them.

The PRESIDENT pro tempore. Does the Senator from Utah ask for a division of the question?

Mr. SMOOT. Yes; I should like to divide the question by first voting on subdivision (a) and then voting on subdivision (b).

The PRESIDENT pro tempore. This being a motion to strike out and insert, the Chair does not think that can be done.

Mr. SMOOT. I was afraid it would not be in order, but simply asked the question as to whether or not it would be allowed.

The PRESIDENT pro tempore. The Chair thinks not.

Mr. McCUMBER. Mr. President, I wish to ask if it would not be perfectly proper to move to amend the Senate committee amendment by striking out subdivision (b)?

Mr. SIMMONS. That would be the best way to reach it.

The PRESIDENT pro tempore. The Chair thinks that would be a proper amendment.

Mr. McCUMBER. I move to amend the amendment of the committee by striking out paragraph (b) commencing on line 15.

The PRESIDENT pro tempore. The matter proposed to be stricken out by the Senator from North Dakota will be stated.

The SECRETARY. On page 11, it is proposed to strike out paragraph (b) of the committee amendment, as follows:

(b) For each calendar year thereafter, 8 per cent of the amount of the net income in excess of the credits provided in section 216: *Provided*, That in the case of a citizen or resident of the United States the rate upon the first $4,000 of such amount shall be 4 per cent.

The PRESIDENT pro tempore. The question is on agreeing to the amendment to the amendment.

Mr. SIMMONS. Mr. President, those who are in favor of the committee amendment will vote "nay," and those opposed to it will vote "yea."

The PRESIDENT pro tempore. The Senator from North Carolina has correctly stated the proposition.

Mr. SMOOT and Mr. TOWNSEND called for the yeas and nays, and they were ordered.

The Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I transfer my pair with the junior Senator from Georgia [Mr. HARDWICK] to the junior Senator from New York [Mr. CALDER], and vote "yea."

Mr. DILLINGHAM (when his name was called). I have a general pair with the senior Senator from Maryland [Mr. SMITH], who is absent. Therefore I will withhold my vote. If permitted to vote, I should vote "yea."

Mr. FRELINGHUYSEN (when his name was called). I have a general pair with the junior Senator from Montana [Mr. WALSH]. He has released me on this and all other votes on this bill. Therefore I vote "yea."

Mr. GERRY (when his name was called). I have a general pair with the junior Senator from New York [Mr. CALDER]. I transfer that pair to the Senator from Georgia [Mr. HARDWICK], and vote "nay."

Mr. JONES of Washington (when his name was called). As I announced awhile ago, I have a pair with the senior Senator from Louisiana [Mr. RANSDELL]. If permitted to vote, I should vote "yea."

Mr. KENDRICK (when his name was called). I transfer my pair with the Senator from New Mexico [Mr. FALL] to the Senator from Illinois [Mr. LEWIS], and vote "nay."

Mr. KNOX (when his name was called). I have a pair with the senior Senator from Oregon [Mr. CHAMBERLAIN]. I ask if he has voted?

The PRESIDENT pro tempore. He has not voted.

Mr. KNOX. Then I will withhold my vote.

Mr. PENROSE (when his name was called). I have a general pair with the senior Senator from Mississippi [Mr. WILLIAMS], which I transfer to the junior Senator from New Jersey [Mr. BAIRD], and will vote. I vote "yea."

The PRESIDENT pro tempore (when Mr. SAULSBURY's name was called). On this particular question my general pair with the senior Senator from Rhode Island [Mr. COLT] is binding. If present he would vote "yea" and I should vote "nay."

Mr. STERLING (when his name was called). I have a general pair with the Senator from South Carolina [Mr. SMITH], and therefore withhold my vote. If at liberty to vote, I should vote "yea."

Mr. TOWNSEND (when his name was called). I have a pair with the senior Senator from Arkansas [Mr. ROBINSON]. If he were present he would vote "nay" and I should vote "yea."

Mr. WOLCOTT (when his name was called). I have a general pair with the senior Senator from Indiana [Mr. WATSON]. In his absence I withhold my vote. If at liberty to vote, I should vote "nay."

The roll call was concluded.

Mr. STERLING. I transfer my pair with the Senator from South Carolina [Mr. SMITH] to the Senator from Iowa [Mr. CUMMINS] and will vote. I vote "yea."

Mr. CURTIS. I desire to announce the absence of the Senator from Illinois [Mr. SHERMAN] on account of illness in his family. He is paired with the Senator from Kansas [Mr. THOMPSON]. If the Senator from Illinois were present, he would vote "yea."

Mr. FRELINGHUYSEN. I desire to announce the unavoidable absence of my colleague [Mr. BAIRD] on account of illness. If present, he would vote "yea."

Mr. KNOX. I transfer my pair with the Senator from Oregon [Mr. CHAMBERLAIN] to the senior Senator from Michigan [Mr. SMITH] and vote "yea."

Mr. McKELLAR. The senior Senator from Tennessee [Mr. SHIELDS] is detained from the Senate on account of illness. If he were present, he would vote "nay." He is paired with the senior Senator from Connecticut [Mr. BRANDEGEE].

Mr. REED. In view of the transfer arrangement just announced by the Senator from Pennsylvania [Mr. KNOX], I am at liberty to vote, and vote "nay."

Mr. GAY. The senior Senator from Louisiana [Mr. RANSDELL] is detained on official business. If present, he would vote "nay."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from New York [Mr. WADSWORTH] with the Senator from New Hampshire [Mr. HOLLIS]; and

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS].

The result was announced—yeas 31, nays 37, as follows:

YEAS—31.

Borah	Johnson, Cal.	McLean	Poindexter
Curtis	Kellogg	McNary	Smoot
Fernald	Kenyon	Moses	Spencer
France	Knox	Nelson	Sterling
Frelinghuysen	La Follette	New	Sutherland
Gronna	Lenroot	Norris	Warren
Hale	Lodge	Page	Weeks
Harding	McCumber	Penrose	

NAYS—37.

Ashurst	Johnson, S. Dak.	Overman	Smith, Ga.
Bankhead	Jones, N. Mex.	Phelan	Swanson
Beckham	Kendrick	Pittman	Thomas
Culberson	King	Pollock	Trammell
Fletcher	Kirby	Pomerene	Underwood
Gay	McKellar	Reed	Vardaman
Gerry	Martin, Ky.	Shafroth	Walsh
Gore	Martin, Va.	Sheppard	
Henderson	Myers	Simmons	
Hitchcock	Nugent	Smith, Ariz.	

NOT VOTING—28.

Baird	Fall	Ransdell	Smith, S. C.
Brandegee	Goff	Robinson	Thompson
Calder	Hardwick	Saulsbury	Townsend
Chamberlain	Hollis	Sherman	Wadsworth
Colt	Jones, Wash.	Shields	Watson
Cummins	Lewis	Smith, Md.	Williams
Dillingham	Owen	Smith, Mich.	Wolcott

So Mr. McCUMBER's amendment to the amendment of the committee was rejected.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee as amended.

The amendment as amended was agreed to.

Mr. SIMMONS. Mr. President, I ask that the Secretary may now read the next amendment involving the 1920 provision.

The PRESIDENT pro tempore. Will the Senator direct the Secretary's attention to the page and line?

Mr. SIMMONS. I shall have to go through the bill very carefully in order to do that.

Mr. SMOOT. The amendment is on page 49, Mr. President.

The SECRETARY. The amendment on page 49 begins on page 47, line 23, where the committee proposes to strike out paragraph (a), paragraph (b), and everything down to and including line 24 on page 48, and to insert:

(1) For the calendar year 1918, 12 per cent of the amount of the net income in excess of the credits provided in section 236; and

(2) For each calendar year thereafter, 8 per cent of such amount.

(b) For the purposes of the act approved March 21, 1918, entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners and for other purposes," five-sixths of the tax imposed by paragraph (1) of subdivision (a) and three-fourths of the tax imposed by paragraph (2) of subdivision (a) shall be treated as levied by an act in amendment of Title I of the revenue act of 1917.

Mr. PENROSE. In order to bring the question before the Senate, I move to strike out paragraph 2.

Mr. SIMMONS. Mr. President, I will ask the Senator from Pennsylvania if he thinks it is necessary to have a yea-and-nay vote on all these amendments?

Mr. PENROSE. No; I do not.

The PRESIDENT pro tempore. The Senator from Pennsylvania proposes an amendment to the committee amendment, which will be stated.

The SECRETARY. It is proposed to strike out paragraph 2, or the following, on page 49, line 4:

(2) For each calendar year thereafter, 8 per cent of such amount.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Pennsylvania to the amendment of the committee.

The amendment to the amendment was rejected.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment.

The amendment of the committee was agreed to.

Mr. SMOOT. The next amendment is on page 84.

The SECRETARY. On page 84, in the third bracket, the committee amendment is to strike out and insert; but all of the amendment has been agreed to except subdivision (b), on page 84, which reads as follows:

(b) For the taxable year 1919 and each taxable year thereafter there shall be levied, collected, and paid upon the net income of every corporation a tax equal to the sum of the following.

Mr. PENROSE. Mr. President, I move to strike out paragraph (b).

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Pennsylvania to the amendment of the committee.

The amendment to the amendment was rejected.

The PRESIDENT pro tempore. The question now is on agreeing to the amendment of the committee.

Mr. JONES of New Mexico. Mr. President, I should like to have the Secretary state the amendment which I offered on yesterday to paragraph (b), the paragraph which has just been read. I will state that quite a number of Senators are present to-day who were not here on yesterday when I discussed this proposed amendment.

Mr. SIMMONS. Mr. President, will the Senator permit an inquiry?

Mr. JONES of New Mexico. I yield to the Senator from North Carolina.

Mr. SIMMONS. I was simply going to suggest to the Senator that we have just rejected an amendment to the amendment of the committee. Now, the Senator is going to propose a substitute, as I understand.

Mr. JONES of New Mexico. Not at all. My amendment is an amendment to the committee amendment. It begins on line 21, page 84; and I will state just what the amendment is. On page 84, line 21, I move to strike out, after the word "to," through line 3 on page 85. By the way, the amendment as printed has the word "or" in it instead of "on." I ask leave to make that amendment in the amendment.

The PRESIDENT pro tempore. The Senator has that right.

Mr. JONES of New Mexico. On pages 84 and 85, I move to strike out the matter just indicated and to insert in lieu thereof the following:

Seventy per cent on the amount of the net income in excess of the war-profits credit as determined under section 313.

The Senators will observe that the provision, as reported by the committee, simply takes the exemption of the present bill as applied to the year 1918 and reduces the percentage of the tax upon that exemption. The war-profits tax for the year 1919 has been eliminated from the bill by the committee under its proposed amendment, so as to leave in the bill for the calendar year 1919 the excess-profits tax. That excess-profits provision simply provides for an exemption of 8 per cent upon the invested capital, as defined in the bill. It gives precisely the same exemption from the excess-profits tax to one concern in the country as it does to all. It makes no distinction between the safe and stable businesses of the country and the hazardous businesses of the country. It carries only this language, "an exemption of 8 per cent upon the invested capital." As I stated on yesterday, if this provision is adopted, it will be an absolute embargo upon any new enterprises of a hazardous nature. It will prevent the development and progress of the country; and at this time, when we are facing the reconstruction period, instead of deterring business we ought to encourage it.

The Secretary of the Treasury has recommended to the committee that we levy no excess-profits tax for next year. I am not willing to go quite to that extent; but I do believe that there is a happy compromise which can be very well substituted, and take a middle ground between the recommendations of the Secretary of the Treasury and the recommendations of the Finance Committee, and I believe it to be absolutely fair. It will raise precisely the same amount of revenue for the Treasury. It will not discourage any business in this country. It will give to all the businesses in this country for the next calendar year precisely the same exemption, equal to the same profits which all the enterprises of the country made prior to the war.

It exempts from any excess-profits tax the profits which the businesses of this country were making prior to the war, but not in excess of 20 per cent on the invested capital. If we do that, it means that we can raise as much revenue as is proposed to be raised by this committee amendment. If we can do it in a way which will not injure any business, why should it not be done?

Therefore I offer this provision as an amendment to the committee amendment. I sincerely trust that Senators will consider it seriously. This amendment of mine will not discourage any enterprise. The country was prosperous before the war. This amendment permits the same degree of prosperity after the war.

Mr. SHAFROTH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New Mexico yield to the Senator from Colorado?

Mr. JONES of New Mexico. I do.

Mr. SHAFROTH. I should like to ask the Senator what effect this is going to have upon the mining industries of the West, the development of new mines?

Mr. JONES of New Mexico. I will state to the Senator from Colorado that I do not believe there will be a dollar going into a new mining industry in this country during the year 1919 if this committee amendment is adopted; but if you adopt my amendment, it will allow to the mining industry and to the new mining industry the same percentage of exemption from an excess-profits tax which the representative concerns of the country earned prior to the war; and if they developed mining industries prior to the war, under this amendment of mine they will do it again. But if you adopt the amendment proposed by the Senate committee and allow to a mining industry an exemption of only 8 per cent upon its invested capital, and tax its earnings above that amount, you will not get another dollar into the mines of the country. You will not get another dollar into the stock interests of the country. You will not get a dollar into any new industry, any untried industry; but you will have plenty of dollars for the old, stable industries of the country. You will have dollars to go into the preferred stocks of the country, but you will destroy any incentive, any initiative, for capital to go into a new concern or develop a new enterprise. So I say to the Senators, you are assuming a great responsibility in supporting the amendment proposed by the committee.

The Secretary of the Treasury said to us that, in his opinion and in the opinion of the President, we ought to put no excess-profits tax on business after the war; but there is a sentiment in the country that there ought to be some sort of a tax on high profits, and in my amendment I put the tax on profits above 20 per cent, whether earned before the war or after. That, however, is the only limitation. As between 6 per cent and 20 per cent, all classes of business may earn and hold, exempt from this tax, precisely the same amount of earnings that they made before the war. The country was prosperous then. We have reason to believe that if they are permitted to go on in that way the country will be prosperous after the war; but, I beg of you, do not put this tax on the business of the country, which would be an absolute burden upon any business of a hazardous nature. It gives an absolute exemption to all of the old, steady, heavily capitalized industries of the country. They will not pay any tax under this committee provision, but the new industries, the hazardous industries, will bear the entire burden; and it is those industries that you want to encourage instead of destroying them.

Therefore I propose this amendment.

Mr. SIMMONS. Mr. President, if the Senator is right in the statement he makes that the excess-profits tax will allow a heavy profit to be made by the old industries of the country and will not tax them adequately as to the provisions of the 1920 section of the bill, then the excess-profits tax that we have imposed in the bill for 1918 will have the same effect.

Mr. President, if there was anything that was thoroughly worked out in a spirit of generosity toward the industry concerned, it was the sections of the bill that apply to mines and mining and timberlands and gas wells, and all that sort of thing. There were on the committee three or four members who represented States in which those industries constitute a large part of the business of the people. They asked and demanded various and sundry relief provisions. We granted to them substantially everything that they asked us to grant them. We provided, in the case of a mine, that if there was a sale it should pay a tax of not more than 20 per cent upon the sale price. We provided an amortization provision for mines that were operated, which allowed them to amortize to the full extent of the original cost of the mine and its development.

This question was thoroughly thrashed out in the committee. The Senator from New Mexico presented his views there as fully as he has presented them here to-day and on yesterday, and the committee decided against his contention. If the amendment of the Senator should be adopted, we would have to rewrite many of the most important sections of this bill.

Mr. JONES of New Mexico. Mr. President——

Mr. SIMMONS. It would have to go back to the committee in order that we might adjust the other sections of the bill to the changes made here.

Mr. JONES of New Mexico. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from New Mexico?

Mr. SIMMONS. I do.

Mr. JONES of New Mexico. I ask the Senator to state any important provision of this bill which would have to be changed if this amendment were adopted.

Mr. SIMMONS. Rather than undertake to go into that argument, I would prefer to withdraw the statement. That is my judgment about it—that we would have to consider very seriously the effect of this change upon the other sections of the bill. Especially, Mr. President, we would have to consider very seriously its effect upon the revenues of the Government.

Mr. JONES of New Mexico. I will simply state, if the Senator will permit me, two facts: First, my amendment relates only to the excess-profits tax for the year 1919, and no other important provision of the bill will have to be amended at all. Secondly, the experts of the Treasury say that the amendment which I propose will produce precisely the same amount of revenue as the scheme proposed by the committee.

Mr. SIMMONS. Mr. President, the Senator's amendment is in effect a war excess-profits tax. It proposes to substitute for the excess-profits tax proposed by the committee for 1920, with the low rates of 20 and 40 per cent, a war-profits tax of 70 per cent, with an exemption as high as 20 per cent. So, when you go to analyze it, the proposition means nothing more than to substitute for a low excess-profits tax a war-profits tax with a high exemption and a high rate.

Mr. JONES of New Mexico. Mr. President, I want to say just a word in reply to what the Senator from North Carolina has said.

His scheme makes a low exemption, or reduces the exemption, and imposes a low tax. My scheme makes a high exemption and imposes a high rate of tax; but my scheme has the exemption balanced by the experience of the business prior to the war. He talks about this being called a war-profits tax. It is that, and the war is still here; and the purpose of this amendment is to catch the hang-over profits from the war and to help pay the war debt.

The Senator speaks about the remedial provisions of the bill with reference to amortization and the limitation of the tax upon sales in the case of mines. That is true. They are the most important provisions in the bill. Those provisions simply seek to put that particular class of business upon the same plane as other business, which is not done in the existing law. It is only intended to equalize the mining business with other business in that respect.

It comes down to the question of an excess-profits tax. Are you going to put the same rate of tax upon the earnings of a mining company after allowing it 8 per cent exemption that you are going to put on the Chemical National Bank after allowing it 8 per cent? The Chemical National Bank never earned 8 per cent and never tried to do so on its invested capital and accumulated surplus. Take the other stabilized industries of this country, which have their preferred stocks outstanding at a low rate of dividends; take any of those old, safe investments, and they do not expect to earn much over 8 per cent. Therefore they pay none of this excess-profits tax; but with that 8 per cent exemption you are putting that excess-profits tax upon the brain and energy of this country where a new business is started in this country, depending upon brains to build up the business in order that the new business may compete with the old, stabilized concerns which are highly capitalized through the building up of surplus during past years, through watered stock, and that sort of thing. They are highly capitalized, and do not expect to make a high percentage of income upon their capital. Are you going to encourage the new and vigorous rising competitors, that they may grow and increase their business and develop the country?

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from New Mexico [Mr. JONES] to the amendment.

Mr. JONES of New Mexico. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GERRY (when his name was called). I have a general pair with the senior Senator from New York [Mr. CALDER]. I transfer that pair to the Senator from Texas [Mr. CULBERSON] and vote "nay."

Mr. JONES of Washington (when his name was called). Making the same announcement of my pair with the senior Senator from Louisiana [Mr. RANSDELL], I withhold my vote.

Mr. KENDRICK (when his name was called). I transfer my pair with the Senator from New Mexico [Mr. FALL] to the Senator from Illinois [Mr. LEWIS] and vote "yea."

Mr. KNOX (when his name was called). I have a general pair with the Senator from Oregon [Mr. CHAMBERLAIN] and withhold my vote.

The PRESIDENT pro tempore (when Mr. SAULSBURY's name was called). My general pair with the senior Senator from Rhode Island [Mr. COLT] does not apply to this vote. I therefore vote. I vote "nay."

Mr. STERLING (when his name was called). Again announcing my pair with the Senator from South Carolina [Mr. SMITH], I withhold my vote.

Mr. TOWNSEND (when his name was called). Announcing my pair with the senior Senator from Arkansas [Mr. ROBINSON], I withhold my vote.

The roll-call was concluded.

Mr. CURTIS. I am advised that the junior Senator from Georgia [Mr. HARDWICK], with whom I have a general pair, will vote the same way I intend to vote. I will therefore vote. I vote "nay."

Mr. WOLCOTT. I transfer my general pair with the Senator from Indiana [Mr. WATSON] to the Senator from Montana [Mr. WALSH] and vote "nay."

Mr. MYERS. I have a pair with the Senator from Connecticut [Mr. McLEAN], who has not voted. I transfer that pair to the Senator from Georgia [Mr. HARDWICK] and vote "yea."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Illinois [Mr. SHERMAN] with the Senator from Kansas [Mr. THOMPSON];

The Senator from New York [Mr. WADSWORTH] with the Senator from New Hampshire [Mr. HOLLIS]; and

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED].

The result was announced—yeas 15, nays 44, as follows:

YEAS—15.

Ashurst	Johnson, S. Dak.	McNary	Shafroth
Fletcher	Jones, N. Mex.	Myers	Sheppard
Henderson	Kendrick	Phelan	Thomas
Johnson, Cal.	King	Pittman	

NAYS—44.

Bankhead	Kellogg	Nelson	Smith, Ga.
Beckham	Kenyon	New	Smoot
Curtis	Kirby	Nugent	Spencer
France	La Follette	Overman	Sutherland
Frelinghuysen	Lenroot	Page	Swanson
Gay	Lodge	Penrose	Trammell
Gerry	McCumber	Poindexter	Underwood
Gronna	McKellar	Pollock	Vardaman
Hale	Martin, Ky.	Pomerene	Warren
Harding	Martin, Va.	Saulsbury	Weeks
Hitchcock	Moses	Simmons	Wolcott

NOT VOTING—37.

Baird	Fernald	Owen	Sterling
Borah	Goff	Ransdell	Thompson
Brandegee	Gore	Reed	Townsend
Calder	Hardwick	Robinson	Wadsworth
Chamberlain	Hollis	Sherman	Walsh
Colt	Jones, Wash.	Shields	Watson
Culberson	Knox	Smith, Ariz.	Williams
Cummins	Lewis	Smith, Md.	
Dillingham	McLean	Smith, Mich.	
Ball	Norris	Smith, S. C.	

So the amendment of Mr. JONES of New Mexico to the amendment was rejected.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The PRESIDENT pro tempore. The next amendment passed over will be stated.

The SECRETARY. On page 85——

Mr. SMOOT. I ask the Secretary if, on page 67, subdivision (b), paragraph 2 was passed over? It is on the same subject, but it is not marked in my copy of the bill as having been passed over. I refer to lines 16 and 17, on that page.

The PRESIDENT pro tempore. The Chair is informed that it was agreed to.

Mr. SMOOT. It is on the same subject matter. The next amendment passed over is on page 85.

The PRESIDENT pro tempore. The Secretary will state the next amendment passed over.

The SECRETARY. On page 85 the committee proposes, in line 16, after the word "That," at the beginning of section 302, to strike out all down to and including the numerals "$50,000," in line 25, and to insert——

Mr. SMOOT. It has been read once.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

Mr. SMOOT. Page 105 is the next.

The SECRETARY. On page 105, section 335 was passed over. In line 7, after the words "sum of" and the colon, the committee proposes to strike out the remainder of the paragraph, all down to and including the word "income," in line 16, and to insert——

Mr. SMOOT. That has been read.

The PRESIDENT pro tempore. It has already been read. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The SECRETARY. On page 107, at the foot of the page, Title IV—Estate tax——

Mr. SIMMONS. I am advised, although I have not had time to verify it, that the sections relating to the deduction of taxes for 1919 and 1920 have now been acted on.

The PRESIDENT pro tempore. Everything has been disposed of down to "Estate tax," on page 107.

Mr. SIMMONS. Mr. President, I am exceedingly anxious, and I think everyone else is, to have the bill finally put upon its passage on Monday. In order to do that, it will be necessary for us to meet very early on Monday, and we may have to hold a night session.

I move that the Senate take a recess until 10 o'clock on Monday.

The motion was agreed to; and (at 5 o'clock and 10 minutes p. m.) the Senate took a recess until Monday, December 23, 1918, at 10 o'clock a. m.

HOUSE OF REPRESENTATIVES.

SATURDAY, *December 21, 1918.*

The House met at 12 o'clock noon.

The Rev. Earle Wilfley, of the Vermont Avenue Christian Church, Washington, D. C., offered the following prayer:

Heavenly Father, we ask Thee to accept our thanksgiving for what of gladness may fill our hearts this morning. We thank Thee for the approach to the holiday season, and as we come to this time of the year when we are thinking of those dear to us may we also think in kindness and love of all the suffering and needy ones of earth. O Lord, temper our thinking, our speaking, and our doing with the spirit of this holiday season. God, grant Thy blessing, therefore, upon to-day's doings, upon those things that enter into our lives, and upon us as we strive to do Thy will. For Thy Name's sake. Amen.

The Journal of the proceedings of Thursday, December 19, 1918, was read and approved.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. SMALL. Mr. Speaker, by direction of the Committee on Rivers and Harbors I report herewith the river and harbor appropriation bill, with the report (No. 878) of the committee. I understand that the gentleman from Wisconsin [Mr. FREAR] desires to file a minority report. Is he present?

Mr. FREAR. That is correct.

Mr. SMALL. The gentleman has that report now?

Mr. FREAR. Yes.

Mr. SMALL. And that the minority report of the gentleman from Wisconsin be also filed.

The SPEAKER. The gentleman from North Carolina [Mr. SMALL], by direction of the Committee on Rivers and Harbors, files the river and harbor appropriation bill, together with the report of the majority and the minority report filed by the gentleman from Wisconsin [Mr. FREAR].

Mr. ROBBINS. Mr. Speaker, I reserve all points of order on the bill.

Mr. FREAR. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Wisconsin and the gentleman from Pennsylvania reserve all points of order on the bill.

Mr. MANN. Has the bill been reported?

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

H. R. 13462. A bill making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The SPEAKER. The bill, with the accompanying report, is ordered printed and referred to the Committee of the Whole House on the state of the Union.

ORDER OF BUSINESS.

Mr. LONGWORTH. Mr. Speaker, may I ask the gentleman what his intention is with regard to the consideration of the river and harbor appropriation bill?

Mr. SMALL. It is the present intention to call up the bill on Monday. There may be some short bills which by agreement may precede the consideration of the river and harbor appropriation bill.

Mr. LONGWORTH. But the gentleman does not intend to proceed any further than general debate until after the holiday recess?

Mr. SMALL. Can the gentleman tell whether we will be in session on Tuesday or not?

Mr. LONGWORTH. I think the gentleman from North Carolina [Mr. KITCHIN] may be able to give us some information about that.

Mr. KITCHIN. Mr. Speaker, I have stated to the House twice that our intention is to work on Monday and Tuesday, and when we adjourn on Tuesday to adjourn over until Friday, with the understanding that we will adjourn from Friday until the following Monday; that nothing will be done from Tuesday until Monday.

Mr. LONGWORTH. The purpose of my question is to ascertain whether it is expected there will be a vote on the river and harbor bill on Tuesday.

Mr. KITCHIN. Oh, no. I do not think it possible to conclude more than general debate for the recess.

Mr. FREAR. Mr. Speaker, I do not think there will be any objection to the general debate, but it seems to me we ought not to read the items and attempt to discuss them unless a reasonably full House is present.

The SPEAKER. The Chair understood the gentleman from North Carolina [Mr. SMALL] to include in his statement the request for printing the minority report of the gentleman from Wisconsin [Mr. FREAR].

Mr. SMALL. That is correct.

Mr. MANN. Mr. Speaker, will the gentleman from North Carolina yield?

Mr. KITCHIN. Yes.

Mr. MANN. Does the gentleman think there is any probability of proceeding with business in the House before New Year's Day?

Mr. KITCHIN. I doubt very much whether we will have a sufficient number here to proceed very seriously, but that will take care of itself when we adjourn next week.

Mr. MANN. The question is really whether we shall punish some of the Members who may stay here for the reason that they want to be here if business is to be transacted, so that they will not go home, and then when the time comes not be able to transact any business because no one will be here.

Mr. KITCHIN. If it is satisfactory to the House, we shall have an understanding now, that when we adjourn from Tuesday, say, we will adjourn until Friday, and from Friday to Monday, and that on Monday we can then adjourn until Thursday.

Mr. MANN. I think that will be the wisest course, because my judgment, based on observation of the past, would be that the House would not be prepared to consider the river and harbor bill by items on Monday, preceding New Year's Day, or in the holiday week, unless we proceed all of next week; but having vacation for practically six days, a great many Members will go away. I doubt whether it is desirable to punish those who do come back by getting them to come back, when it is certain that we will not do anything.

Mr. KITCHIN. Of course, there is no desire to punish anyone, but in the arrangement some one might be punished. Whatever is done will have to be done by unanimous consent.

Mr. MANN. Oh, no; it could be done by announcement. When the gentleman from North Carolina makes an announcement, that would settle the matter.

Mr. KITCHIN. Then I will make this announcement.

Mr. GREEN of Iowa. Before the gentleman makes the announcement, will he yield for another suggestion?

Mr. KITCHIN. Yes.

Mr. GREEN of Iowa. Was there not some report from the Committee on Elections that was to come up?

Mr. KITCHIN. That is on January 3. I make this announcement, that I shall ask unanimous consent on Tuesday that when we adjourn we adjourn over until the following Friday, with the understanding that nothing will be done on Friday except to go over until the following Monday, and then on Monday I shall ask unanimous consent to go until the following Thursday.

Mr. SLAYDEN. That takes you until what date?

Mr. KITCHIN. Thursday, because there is already one matter set for January 3, an election contest.

Mr. MOORE of Pennsylvania. Is the gentleman from North Carolina satisfied that we will have a quorum here on Tuesday to take up the river and harbor bill?

Mr. KITCHIN. I just want to say with respect to the river and harbor bill, we will have general debate on Monday, and if the chairman of the committee would prefer that on Tuesday we do not take up the bill but adjourn from Monday after general debate, instead of on Tuesday, until Thursday, and then until Monday and until Thursday, we would be able to do that.

Mr. TOWNER. With the understanding that on Thursday as on Monday there will be no business transacted.

Mr. FOSTER. No; I do not agree to that.

Mr. TOWNER. The statement was made by the Speaker a short time ago.

Mr. FOSTER. The gentleman means the day after Christmas?

Mr. TOWNER. Yes.

Mr. FOSTER. That is all right.

Mr. KITCHIN. The only thing I can say is that I will ask unanimous consent on those days to adjourn over.

Mr. MANN. I think it is perfectly safe to say that probably there will be no quorum here and the House will be protected in the absence of a quorum if any person should object to adjourning over. I am not going home.

Mr. HAWLEY. If the gentleman will yield, the statement the gentleman has already made indicated that there will be a gentleman's agreement for an adjournment of three days at a time until Thursday, January 2?

Mr. KITCHIN. Yes. It is a question of adjourning Monday or Tuesday, and I would ask the gentleman from North Carolina [Mr. SMALL] as to his committee's desire to go on on Tuesday?

Mr. SMALL. Mr. Speaker, it is the desire of the committee, if possible, to conclude general debate before the Christmas recess. On this side there are requests for time which in the aggregate only amount to about an hour. I have not conferred with Mr. KENNEDY, the ranking minority member of the committee; he does not seem to be in the Hall, but it is the desire to conclude general debate.

Mr. MANN. I think there will be no trouble in concluding general debate on Monday or Tuesday with the understanding we are not to proceed with the reading of the bill under the five-minute rule before the holidays.

Mr. SMALL. Not until Thursday, January 2; that is satisfactory.

Mr. KITCHIN. We will adjourn over when we finish general debate——

Mr. MANN. Monday or Tuesday.

Mr. KITCHIN. When we finish general debate, whether it is Monday or Tuesday, I shall ask unanimous consent to adjourn over three days at a time until after January 2, with the understanding that nothing will be done except the reading of the Journal and a motion made to adjourn.

Mr. MANN. Why not, if it is possible to make an agreement, ask for it now?

Mr. KITCHIN. The only thing I could do under existing circumstances is to make this request, and I think the House will give unanimous consent.

Mr. MCKENZIE. Will the gentleman from North Carolina yield for a question?

Mr. KITCHIN. I will.

Mr. MCKENZIE. I simply wanted to inquire of the gentleman from North Carolina about a bill known as the contract bill, reported from the Committee on Military Affairs, which I understand is to come up on Monday——

Mr. KITCHIN. On Monday morning.

Mr. DUPRÉ. And will have precedence over the river and harbor bill.

Mr. MCKENZIE. That is very important.

Mr. KITCHIN. The River and Harbor Committee will yield, I understand, to the gentleman from Alabama, chairman of the Committee on Military Affairs, to ask unanimous consent to consider that bill.

Mr. MANN. It can only come up by unanimous consent.

Mr. KITCHIN. Yes; and it will also yield to the gentleman from Virginia [Mr. MONTAGUE] to ask unanimous consent to consider his charter bill.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. KITCHIN. I will.

Mr. MOORE of Pennsylvania. I would like to know whether the gentleman means we shall quit after general debate on the river and harbor bill, without commencing the reading of the bill?

Mr. KITCHIN. Yes.

Mr. MOORE of Pennsylvania. I am frank to say that there ought to be a quorum here if we are to begin the reading of the bill on Tuesday, but I understand from the gentleman there is to be nothing but general debate?

Mr. KITCHIN. That is all.

Mr. FESS. Will the gentleman yield?

Mr. KITCHIN. I will.

Mr. FESS. Could not we arrange this discontinuance on Monday, as there are some of us who would like to be home on Christmas eve?

Mr. KITCHIN. There will not be anything but general debate. We have agreed to that, on the river and harbor bill. After the general debate is concluded, I shall ask unanimous consent to adjourn over.

Mr. FESS. Those of us who desire to go home would like to be home on Tuesday evening.

Mr. KITCHIN. I think the gentleman would be perfectly safe in going home Monday night.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. GRAHAM of Illinois, indefinitely, on account of important business.

EULOGIES ON SENATOR GALLINGER.

Mr. BURROUGHS. Mr. Speaker, I ask unanimous consent that Sunday, January 19, 1919, be set aside for addresses on the life, character, and public services of Hon. JACOB H. GALLINGER, late United States Senator from the State of New Hampshire.

Mr. PARKER of New Jersey. Mr. Speaker, eulogies on Mr. STERLING of Illinois have been set for that day.

The SPEAKER. There are so many they will have to be doubled up if we are going to have them on Sunday.

Mr. KITCHIN. I did not understand the request of the gentleman from New Hampshire.

Mr. BURROUGHS. I asked unanimous consent for the making of addresses on Senator GALLINGER's life and public services for the 19th of January.

Mr. KITCHIN. There is no objection to that.

Mr. BURROUGHS. I understand now the gentleman from New Jersey says that that date has been set aside for another purpose. I will therefore modify the request and make it January 26.

The SPEAKER. There is one set aside for that date—Senator BROUSSARD.

Mr. MANN. It does not make any difference.

The SPEAKER. The Chair stated a moment ago there are so many eulogies we will have to double up and have two at a time.

Mr. BURROUGHS. Then, I will renew my request for the 19th, as originally stated.

The SPEAKER. The gentleman from New Hampshire asks unanimous consent that Sunday, January 19, be set apart for memorializing Senator GALLINGER at the same time the gentleman from Illinois [Mr. STERLING] is memorialized. Is there objection? [After a pause.] The Chair hears none.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

EXTENSION OF REMARKS.

Mr. STEENERSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the postal telegraph.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to extend his remarks in the RECORD on the question of the postal telegraph. Is there objection?

Mr. KITCHIN. Reserving the right to object, I hope the gentleman will withdraw that and wait until Monday, because several gentlemen have asked for the same thing, and I have asked them to wait until that time.

Mr. STEENERSON. All right.

ADJOURNMENT.

The SPEAKER. The question is on the motion of the gentleman from North Carolina [Mr. KITCHIN] that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 21 minutes p. m.) the House adjourned until Monday, December 23, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting items to be included in the sundry civil bill for the fiscal year 1920 (H. Doc. No. 1610), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. GRIFFIN, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 13026) to authorize the Secretary of the Treasury to provide hospital and sanitarium facilities for discharged sick and disabled soldiers and sailors, reported the same with amendment, accompanied by a report (No. 879), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SMALL: A bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. CRAMTON: A bill (H. R. 13463) to amend section 3 of public act No. 106 of the Sixty-fifth Congress, entitled "An act to save daylight and to provide standard time for the United States," approved March 19, 1918; to the Committee on Interstate and Foreign Commerce.

By Mr. DENT (by request): A bill (H. R. 13464) to amend the medals of honor, distinguished-service crosses, and distinguished-service medals provisions of the Army appropriation act, approved July 9, 1918; to the Committee on Military Affairs.

Also, a bill (H. R. 13465) to create in the Army of the United States a corps to be known as the Corps of Chaplains; to the Committee on Military Affairs.

By Mr. BANKHEAD: A bill (H. R. 13466) making certain items of appropriation contained in section 8 of the vocational rehabilitation act, approved June 27, 1918, available for additional purposes and construing the term "family allowance," as contained in section 2 thereof; to the Committee on Appropriations.

By Mr. DENT (by request): A bill (H. R. 13467) fixing the rank, pay, and allowances of chaplains in the Army; to the Committee on Military Affairs.

By Mr. WHITE of Ohio: A bill (H. R. 13468) to provide an extension to the post office at Zanesville, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. CRAMTON: A bill (H. R. 13469) to authorize the Secretary of the Interior to issue patent in fee simple to the county of Huron, in the State of Michigan, for a certain described tract of land for public park purposes; to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURROUGHS: A bill (H. R. 13470) for the relief of John Chick; to the Committee on Military Affairs.

By Mr. CARAWAY: A bill (H. R. 13471) granting a pension to Thomas W. Breckenridge; to the Committee on Pensions.

By Mr. COX: A bill (H. R. 13472) granting a pension to Luther Sloan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13473) granting an increase of pension to Jacob Eberts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13474) granting a pension to Ella May Sloan; to the Committee on Invalid Pensions.

By Mr. DENTON: A bill (H. R. 13475) granting a pension to Greenup T. Berlin; to the Committee on Invalid Pensions.

By Mr. LINTHICUM: A bill (H. R. 13476) granting a pension to George Polleti; to the Committee on Pensions.

By Mr. MONTAGUE: A bill (H. R. 13477) granting an increase of pension to Young W. Cordell; to the Committee on Pensions.

By Mr. ROUSE: A bill (H. R. 13478) granting an increase of pension to William Boone; to the Committee on Invalid Pensions.

By Mr. WHITE of Ohio: A bill (H. R. 13479) granting a pension to Rhoda E. Pryor; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CURRIE of Michigan: Petition of R. A. Elias, William E. Strong, Nelson Dow Griswold, Herbert S. Beckwith, Ronald P. Lowry, and W. A. Robinson, jr., amateur wireless operators, protesting against House bill 13159, which provides for the taking over of all radio stations; to the Committee on the Merchant Marine and Fisheries.

By Mr. KENNEDY of Rhode Island: Resolution of board of aldermen of the city of Newport, R. I., protesting abandonment of work on housing proposition at Newport, R. I.; to the Committee on Public Buildings and Grounds.

By Mr. LINTHICUM: Resolution of the Baptist Ministers' Conference of Baltimore and vicinity, urging a league of nations; to the Committee on Foreign Affairs.

By Mr. RAKER: Brief of Dr. Wilson Compton, relative to the definition of "Invested capital" as applying to the pending revenue bill; to the Committee on Ways and Means.

Also, petition of California White and Sugar Pine Manufacturers' Association, relative to capital, surplus, and undivided profits in the revenue bill; to the Committee on Ways and Means.

By Mr. SMITH of Michigan: Petition of H. A. Stafford, president of the Brotherhood Railway Clerks, Lodge No. 338, Kalamazoo, Mich., favoring the retention of William G. McAdoo for Railroad Director; to the Committee on Interstate and Foreign Commerce.

By Mr. VARE: Petition of residents of Philadelphia, protesting against the enactment of legislation restricting the use of wireless apparatus; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of Philadelphia Maritime Exchange, indorsing resolutions adopted by the Atlantic Deeper Waterways Association; to the Committee on Rivers and Harbors.

Also, resolutions of Pennsylvania Branch of Women's Peace Party of Philadelphia, discussing terms of peace; to the Committee on Foreign Affairs.

Also, petition of Logan Iron & Steel Co., Philadelphia, protesting against the enactment of legislation looking to the adoption of the metric system; to the Committee on Coinage, Weights, and Measures.

SENATE.

MONDAY, *December 23, 1918.*

(Legislative day of Sunday, December 15, 1918.)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

The VICE PRESIDENT resumed the chair.

Mr. WARREN. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, S. Dak.	Penrose	Spencer
Chamberlain	Jones, Wash.	Pollock	Sterling
Cummins	Kenyon	Saulsbury	Thomas
Dillingham	Knox	Shafroth	Vardaman
Gerry	Lenroot	Sheppard	Warren
Gronna	Martin, Va.	Simmons	Williams
Hale	Nugent	Smith, Ariz.	
Henderson	Overman	Smith, Ga.	
Johnson, Cal.	Page	Smoot	

Mr. SAULSBURY. I desire to announce that the senior Senator from Maryland [Mr. SMITH] is necessarily absent temporarily on very important business.

The VICE PRESIDENT. Thirty-three Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. HITCHCOCK, Mr. MCCUMBER, Mr. MCNARY, Mr. NELSON, Mr. POINDEXTER, Mr. TRAMMELL, and Mr. WEEKS answered to their names when called.

Mr. KELLOGG, Mr. NEW, Mr. NORRIS, Mr. FRANCE, Mr. CURTIS, Mr. CULBERSON, Mr. KIRBY, Mr. UNDERWOOD, Mr. TOWNSEND, Mr. MCKELLAR, Mr. KING, Mr. WATSON, Mr. LA FOLLETTE, Mr. SUTHERLAND, Mr. HARDING, and Mr. POMERENE entered the Chamber and answered to their names.

Mr. MCKELLAR. I wish to announce that the senior Senator from Tennessee [Mr. SHIELDS] is absent on account of illness.

Mr. SUTHERLAND. My colleague, the senior Senator from West Virginia [Mr. GOFF], is detained by illness.

Mr. GERRY. I desire to announce that the Senator from Kentucky [Mr. BECKHAM], the Senator from California [Mr. PHELAN], the Senator from Nevada [Mr. PITTMAN], and the Senator from Wyoming [Mr. KENDRICK] are detained on official business.

Mr. CURTIS. I wish to announce that the Senator from Illinois [Mr. SHERMAN] is detained at home by illness.

The VICE PRESIDENT. Fifty-seven Senators have answered to the roll roll. There is a quorum present.

CABLE SERVICE.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Postmaster General in response to a resolution of the 10th instant, which will be inserted in the RECORD and lie on the table.

The communication is as follows:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., December 23, 1918.

The SECRETARY UNITED STATES SENATE,
Washington, D. C.

DEAR SIR: I have to acknowledge the receipt of Senate resolution No. 376, adopted December 10, 1918, as follows:

"*Resolved*, That the Postmaster General be, and he is hereby, requested to inform the Senate, if not inconsistent with the public service, whether information can be promptly asked for and received by cable, at the request of the immediate relatives of any officer or soldier in the overseas service of the country, where no word has been received from such officers and soldiers for more than six weeks, as to whether such officer or soldier was, on November 11, 1918, dead or alive."

In reply I have to advise the Senate that all cablegrams have been dispatched as addressed by the cable companies, and while there has been considerable congestion in the cable service, at no time has the delay, so far as the cables are concerned, extended beyond a few days.

The operation of the cables is now under Government control and has been placed under a single managing head in order to coordinate them and relieve such congestion with the hope that the coordination of cables will materially remove the delay. The Navy Department through the radio service is cooperating with this department and relieving the cables of large numbers of Government messages. Steps have also been taken to remove the bar against private code messages which, when accomplished, will still further relieve the load on the cables.

The condition recited in the joint resolution does not seem to be in any way related to such congestion as has heretofore existed with relation to the cable service. I am informed by the cable companies that many inquiries of the nature covered by the resolution have been sent to France but that only a small percentage of them have been answered. The cable companies have no definite information as to the reason for this, but report that in their opinion it is due to the fact that the parents and friends who send such messages are not advised as to whom the inquiries should be addressed or the whereabouts of the person addressed. It is also manifest that with the rapid movement of troops, the many casualties, and the different locations of hospitals in various sections of France and England to which the wounded were sent, it would be impossible in many cases to obtain the information which is so earnestly desired by friends and relatives of the soldiers. The War Department, however, would probably be able to furnish more specific information as to the difficulties encountered in delivering cablegrams of this character. Neither the cable companies nor the Postal Service is in a position to speak with respect to matters growing out of military operations.

Respectfully, yours,

A. S. BURLESON,
Postmaster General.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed a joint resolution (H. J. Res. 372) to amend Senate joint resolution No. 78, approved October 5, 1917, entitled "Joint resolution to suspend requirements of the annual assessment work on mining claims during the years 1917 and 1918," in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 12916. An act to provide for the temporary promotion of commissioned officers of the Marine Corps serving with the Army; and

H. R. 12945. An act providing for the purchase of uniforms, accouterments, and equipment by officers of the Navy, Marine Corps, and Coast Guard, and midshipmen at the Naval Academy from the Government at cost.

PETITIONS AND MEMORIALS.

Mr. TOWNSEND presented a petition of Local Lodge No. 650, Brotherhood of Railway Carmen, of Durand, Mich., and a petition of Mackinaw Lodge, No. 996, Brotherhood of Railway Carmen, of Marshall, Mich., praying for the enactment of legislation extending the time of Government control of railroads, which were referred to the Committee on Interstate Commerce.

He also presented petitions of sundry school-teachers of Northville, of sundry citizens of Allegan, of the Woman's Club of Saginaw, of the teachers of the high school of Grand Rapids, of sundry teachers of Republic, of the school board of Republic, and of the principals of the high schools of Lansing, praying for the establishment of a department of education, which were referred to the Committee on Education and Labor.

Mr. LODGE presented a petition of sundry citizens of Boston, Mass., praying for the immediate withdrawal of American troops from Russia, which was referred to the Committee on Military Affairs.

He also presented resolutions adopted by the War Service Committee of the Fur Industry of the United States, favoring the elimination of the proposed tax on furs, which were ordered to lie on the table.

He also presented resolutions adopted by the Joseph Plunkett Branch, Friends of Irish Freedom, of Brighton, Mass., favoring the freedom of Ireland, which were referred to the Committee on Foreign Relations.

He also presented resolutions adopted by the congregation of the First Parish Church of Cambridge, Mass., and resolutions adopted at a mass meeting of sundry citizens of Cambridge, Mass., favoring the creation of a league of nations for the maintenance of peace, which were referred to the Committee on Foreign Relations.

He also presented resolutions adopted by the United Irish Societies of Lowell, Mass., and resolutions adopted by Local Division No. 18, Ancient Order of Hibernians, of North Brookfield, Mass., favoring the freedom of Ireland, which were referred to the Committee on Foreign Relations.

Mr. WARREN presented a petition of members of the Local Board of Albany County, Wyo., praying for Government recognition of the work of the local boards in raising the National Army, which was referred to the Committee on Military Affairs.

COST OF WAR WITH GERMANY AND AUSTRIA.

Mr. McKELLAR submitted the following resolution (S. Res. 395), which was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretaries and heads of the several executive departments, as well as the heads of all separate bureaus, commissions, boards, or similar bodies authorized to expend the public funds for war purposes be, and they are hereby, directed to furnish the Senate at an early practicable date full information and figures relative to the cost of the war with Germany and Austria, as shown (1) by the expenditures already made by their several departments; (2) by the sums already obligated by their several departments to be hereafter paid; (3) any other costs of the war, such as the cost of transportation of our soldiers back home and their demobilization, or any other extraordinary expenses traceable to the war.

Resolved further, That the Secretary of the Treasury be, and he is hereby, directed to furnish, in addition to the cost of the war in his department, an epitome of the cost of the war in the various other departments to the extent which it is shown by his books, together with the totals, thus giving the complete cost of the war, as far as his books show it.

SENATOR FROM WEST VIRGINIA.

Mr. POMERENE. I am directed by the Committee on Privileges and Elections to report a resolution to reimburse the Senator from the State of West Virginia [Mr. SUTHERLAND] for expenses incurred by him in defense of his title to his seat in the Senate, and I submit a report (No. 628) thereon. I ask that the resolution be read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The resolution (S. Res. 394) was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay from the miscellaneous items of the contingent fund of the Senate to Hon. HOWARD SUTHERLAND, a Senator from the State of West Virginia, the sum of $2,495 in reimbursement of expenses necessarily incurred by him in defense of his title to his seat in the Senate, said sum to be considered as a full and final settlement of all expenses, including counsel fees, incurred by him in connection with the said contest.

Mr. POMERENE. I ask that this matter be disposed of at once. I think the Committee on Contingent Expenses is ready to report.

Mr. JONES of New Mexico subsequently, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the foregoing resolution, reported it favorably without amendment, and it was considered by unanimous consent and agreed to.

PROMOTIONS IN OVERSEAS SERVICE.

Mr. McKELLAR. From the Committee on Military Affairs I report back favorably, without amendment, Senate resolution 359, requesting the Secretary of War to furnish the Senate full information in reference to promotions in overseas service, and also of officers who have not seen overseas service, and so forth, and I submit a report (No. 629) thereon.

I ask for the immediate consideration of the resolution. It is very short, and is of the same general nature as the resolution submitted by me a few minutes ago and which was adopted.

The PRESIDING OFFICER (Mr. KING in the chair). The resolution will be read.

The Secretary read the resolution, as follows:

Resolved, That the Secretary of War be, and he is hereby, requested and directed to furnish to the Senat full information in reference to promotions in overseas service.

Also, full information as to promotions already made of officers who have not seen overseas service.

Also, any plans he may have of equalizing promotions, to the end that those who have become entitled to promotions by reason of service abroad or at home shall be accorded such promotion

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. WILLIAMS. I am not prepared to allow that resolution to be agreed to just now without question. At some later time I may not object.

The PRESIDING OFFICER. Objection is made. The resolution will be placed on the calendar.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred, as follows:

By Mr. SHEPPARD:

A bill (S. 5220) donating captured cannon and cannon balls to the city of Santa Anna, Tex.;

A bill (S. 5221) donating captured cannon and cannon balls to the city of Galveston, Tex.; and

A bill (S. 5222) granting honorably discharged members of the armed forces of the United States during war with Germany one month's furlough on full pay, transportation and subsistence expenses to their homes, and permission to keep and wear uniforms; to the Committee on Military Affairs.

A bill (S. 5223) for the relief of the Alabama and Coushatta Indians in Polk County, Tex.; to the Committee on Indian Affairs.

By Mr. CHAMBERLAIN:

A bill (S. 5224) to prohibit intoxicating liquors and prostitution within the Canal Zone, and for other purposes; to the Committee on the Philippines.

By Mr. FERNALD:

A bill (S. 5225) granting a pension to Sarah F. Robinson; to the Committee on Pensions.

By Mr. SHAFROTH:

A bill (S. 5226) for the relief of Daniel W. Booth, alias Daniel Frantz; and

A bill (S. 5227) for the relief of Edward H. Lockwood; to the Committee on Military Affairs.

A bill (S. 5228) for an addition to Rocky Mountain National Park, and for other purposes; to the Committee on Public Lands.

A bill (S. 5229) granting a pension to Elizabeth Crossley;

A bill (S. 5230) granting an increase of pension to Mary H. Doherty;

A bill (S. 5231) granting a pension to Alice B. Elliott; and

A bill (S. 5232) granting an increase of pension to George C. Hazeltine; to the Committee on Pensions.

By Mr. KENYON:

A bill (S. 5233) granting a pension to Annie Tullis (with accompanying papers); to the Committee on Pensions.

By Mr. HENDERSON (by request):

A bill (S. 5234) to supplement an act of Congress approved October 5, 1918 (Public, 220), and to authorize the Secretary of the Interior, from the funds appropriated by said act, to determine, adjust, and pay losses sustained by investments preparatory to production of war minerals mentioned in said act; to the Committee on Mines and Mining.

By Mr. HALE (for Mr. FRELINGHUYSEN):

A joint resolution (S. J. Res. 201) relative to the payment of claims occasioned by or attributable to explosions at the plant of the T. A. Gillespie Loading Co. at Morgan, N. J., on or about October 4 and 5, 1918; to the Committee on Military Affairs.

AMENDMENT TO DISTRICT APPROPRIATION BILL.

Mr. POINDEXTER submitted an amendment proposing to appropriate $2,000 to aid the Columbia Polytechnic Institute for the Blind in the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

COMMITTEE ON PUBLIC INFORMATION.

Mr. MOSES. I submit a resolution and ask that it be read and lie upon the table.

The resolution (S. Res. 396) was read and ordered to lie on the table, as follows:

Resolved, That the Committee on Public Information be requested to supply the United States Senate with copies of all matter filed in Europe by the committee or any of its agents since December 3, 1918, for cable or telegraphic transmission to the United States or to any neutral or allied country.

EXECUTIVE DEPARTMENT EMPLOYEES.

Mr. HITCHCOCK. I offer the resolution which I send to the desk, and I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The Secretary will read the resolution.

The resolution (S. Res. 397) was read, as follows:

Resolved, That until the military, naval, and civil forces of the United States have been reduced to the normal requirements of the Government the respective heads of the executive departments, including also the United States Shipping Board, the Food Administration, and the Fuel Administration, be, and are hereby, directed to report to the Senate, beginning January 1, 1919, and every two weeks thereafter during the present session of Congress, the number of civil employees in their respective departments and the number discharged during the previous two weeks.

In addition to the above the Secretary of War and the Secretary of the Navy are directed to report each two weeks, beginning January 1, 1919, the number of officers and enlisted men in active service in their respective departments and the number discharged or retired during the previous two weeks.

Mr. WILLIAMS. Mr. President, I do not see the immediate necessity of that resolution.

The PRESIDING OFFICER. Objection is made.

Mr. HITCHCOCK. Mr. President, will the Senator from Mississippi permit me to explain? The resolution is simply for the purpose of securing information so that the Senate may know how fast the civil employees are being discharged.

Mr. WILLIAMS. But the Senator wants the information every two weeks, and that would embarrass the department with an unnecessary amount of work.

Mr. HITCHCOCK. There is no work involved. We simply ask for the numbers; it is mere clerical information that is sought. I consulted the chairman of the committee before offering the resolution.

Mr. WILLIAMS. Is that all it asks for—the number?

Mr. HITCHCOCK. That is all.

Mr. WILLIAMS. Then I shall not object.

The resolution was considered by unanimous consent and agreed to.

RELIEF OF PORTO RICAN SUFFERERS.

Mr. SAULSBURY. Mr. President, I move that House joint resolution 345, Calendar No. 553, to provide relief for sufferers from earthquakes occurring in Porto Rico during the month of October, 1918, be recommitted to the Committee on Pacific Islands and Porto Rico. I will state the reason is that the committee desire to have hearings from some residents of Porto Rico who are in Washington, and we hope to hear them while the Senate is practically in recess.

The PRESIDING OFFICER. The question is on the motion of the Senator from Delaware.

The motion was agreed to.

AERIAL MAIL SERVICE.

Mr. TOWNSEND. Mr. President, at the request of the Senator from Illinois [Mr. SHERMAN], who is detained at home by illness, I ask that a letter addressed to that Senator from the Second Assistant Postmaster General in regard to equipment for the aerial mail service be received and referred to the Committee on Military Affairs in connection with some matter which was submitted by the Senator from Illinois a few days ago.

The VICE PRESIDENT. Without objection, it is so ordered.

LEAGUE OF NATIONS FOR PEACE.

Mr. BORAH. Mr. President I ask permission to have printed in the RECORD a statement by the famous French writer, M. André Chéradame upon the subject of a league of nations.

The PRESIDING OFFICER (Mr. ASHURST in the chair). Is there objection to the request of the Senator from Idaho? There being none, the statement will be printed in the RECORD.

The statement is as follows:

PREMATURE DISCUSSION OF LEAGUE OF NATIONS IMPERILS PEACE—QUESTIONS OF IMMEDIATE PRACTICAL IMPORTANCE MUST BE SETTLED BEFORE THE PROBLEM OF CONFEDERATION IS TAKEN UP.

[By André Chéradame.]

I propose to demonstrate:

1. The success of the peace conference—hence real and definitive victory—depends in a very large measure on the order in which the different problems to be considered are taken up.

2. The discussion of the league of nations and of the "freedom of the seas" can have most unfortunate consequences if it does not come in its logical order: that is, if it is premature.

The establishment of a specific program of discussion for the conference is necessary for two principal reasons:

In the first place, it is evident that all questions can not be treated at the same time. Second, there are certain problems that can be resolved only after others apparently unconnected with them have been dealt with.

At an epoch when time is so precious, in order to end sufferings so long endured, it is obviously dangerous to engage in the discussion of unsolvable problems because it has not been foreseen that their solution depends on other and more urgent problems. As that perilous road seems to have been already entered upon, it is time for public opinion to realize the danger in order that its influence may prevent a catastrophe.

THEORIES AND THEIR APPLICATION.

To understand the subtle but very real peril before which we stand it is necessary first to grasp a very simple truth, which has, nevertheless, not been made sufficiently plain to the public: A theory, however good, is not necessarily practical.

There are theories whose justice can not be contested, but the mere attempt to put them in practice leads to a veritable catastrophe. For example, the theories that ruled The Hague conference, put forward by the Czar Nicholas II, were just, but, in fact, those theories contributed powerfully to making the war possible; that is, they killed millions of men.

This was so because The Hague conference led the British, the French, and other people to think the peace of Europe assured just at the time when Germany was preparing intensively for a war of aggression. Thus, The Hague conference without question put into circulation ideas not in conformity with the times, that were premature, hence unrealizable and by consequence infinitely dangerous.

In fact, completely reassured regarding the intentions of Germany, the powers that now compose the entente neglected the armaments that would have made the Germans renounce their ideas of aggression on account of the risks a fully armed enemy would have entailed.

One sees clearly that by its psychological consequences The Hague conference contributed largely to provoke the war and make possible the aggression that surprised the nations now allies.

This example, drawn from The Hague conference, makes it plain that an idea may be theoretically good, but that its application would not be practical until there has been a further considerable advance in social evolution.

Absolutely the same result can be looked for from certain questions in the allied peace program, notably the league of nations and the "freedom of the seas."

The league of nations can not be organized until after the solution of certain other problems. Incontestably the league of nations is based on an idea theoretically of the highest justice, but it will end in an immense catastrophe if it is attempted to put it in practice in advance of the solution of other problems infinitely more urgent, and the solution of which, moreover, is indispensable to the creation of a state of things in which a league of nations can be developed.

What is the state of things which, according to all evidence, will be most favorable for the development of a league of nations? It is without question the situation that will result from the liquidation, as completely as possible, of the essential problems arising from the European war, notably the complete destruction of German militarism, realized not by treaties on paper but by accomplished facts (the destruction in Germany of the machinery specially designed for the manufacture of munitions of war; the imposing on Germany of the payment of annuities, moderate, but spread over a sufficiently long period to assure reparation and amounting to enough so that Germany will not be able to rearm; the creation of anti-Pan-German States in central Europe).

Once these things have been done, a state of things will have been created favorable to beginning the organization of the society of nations. On the contrary, it is clear that an effort to organize a society of nations has no chance of success if an attempt is made to regulate the affairs of Europe on paper, and if, in consequence, the league of nations rests on written conventions, like those of The Hague, and not on realities.

It is therefore plain that it is indispensable to follow a well thought-out program in the discussion of the diverse problems to come before the peace conference, and not to follow this program will lead to certain failure.

UTOPIANS, BOLSHEVISTS, AND THE LEAGUE OF NATIONS.

Unfortunately, in each of the allied nations there are some Utopians who do not understand the situation and say, "Organize the league of nations first and we will negotiate the peace afterwards."

This is a party of which some of the most notable members are the French and British Socialists, who both before and during the war showed their inability to comprehend realities. It is the same lack of understanding that characterizes all the bolshevists of the entente—Germanophile, in truth, and knowing full well that such a program would be of the utmost benefit to the Germans during the armistice period.

We will now examine the reasons why to begin by studying the league of nations and the "freedom of the seas" would be at the same time absurd and playing into the hands of the Boches.

The situation created by the war that must be liquidated with the utmost speed is the most difficult ever known. To begin by discussing the league of nations and the "freedom of the seas," which one can talk to infinity, would result only in voluntarily complicating practical affairs and would be manifestly absurd.

Further, to discuss the league of nations as something still to be created is to forget that which already exists—the entente. Is not it, such as it is, a league of nations, since it brings into one group three-fourths of the people of the world, a proportion never before reached in history?

Does not common sense tell us to wait to see the results of this league of nations that already exists before creating another without knowing how the one we have will function? No engineer would think of building a new type of engine of 1,000 horsepower without knowing how an engine of the same type but of 500 horsepower worked.

Is it not evident that if—for the sake of argument—the league of nations we already have should not be able, with its infinite resources, to solve the problems arising from the war (reparations, reorganization of Europe territorially), a fortiori a league of nations still greater would be utterly incapable of doing better. Those who can do the most can do the least, but those who can do the least can not do the most. This is elementary common sense; but, alas! the partisans of the league of nations seem to care little for common sense.

Finally, and this is much more important, to discuss these immense and ill-defined problems, such as the league of nations and the "freedom of the seas," before the urgent, concrete problems are solved would be to do exactly what the Germans want.

The Germans count on the following sequence of events:

The discussion of great questions such as the league of nations and the "freedom of the seas" will divide the allies.

The time taken for those discussions will be lost for the settlement of concrete problems that Germany fears especially, such as reparation.

The allied armies, ceasing to believe in positive results from the negotiations, will demand demobilization.

The question of reparation will be decided only in principle and on paper.

No police force capable of compelling the Germans to pay their indemnities will be created.

The German people will pay only a very small part of the damage they have caused and will keep the greater part of the loot of all kinds they have stolen everywhere during the war.

Under these conditions the financial situation of the European allies, and especially of France, would carry self-evident consequences. The cost of living in France and England reaching intolerable proportions, industries could not be reorganized, and Bolshevism would be easily spread among the populations by Boche agents.

Finally, since the war expenses of Germany have been considerably less than those of the allies, and since, according to our hypothesis, Germany would retain her loot, there would be so great a difference of economic power in favor of Germany that within a short time she would have attained her victory, not on the field of battle, but none the less in reality, as a consequence of the economic situation without precedent created in Europe by four years of war.

The danger I have described is not chimerical. Already the discussion of the "freedom of the seas," because it is premature, has caused divergencies among the allies. As soon as it was intimated recently that England would be willing to give up her command of the seas Mr. Winston Churchill, as spokesman for England, declared that she would never think of such a thing. It was a very natural reply, if one remembers that the suggestion was made to England on the morrow of an experience that has demonstrated that her life was saved by her navy and that the military spirit is far from being destroyed in Germany.

On the other hand, Americans, seeing the turn of events, are saying, "Let us get back to the Monroe doctrine and keep out of European affairs, unless we want to see Europe, as soon as her hands are free, mix in our affairs."

But the continuation of American intervention in European affairs on a cordial basis is absolutely necessary. American intervention, by its noble, generous, and ideal character and its comprehension of the future dangers, is a tremendous page in the history of humanity. Anything that could weaken the extent of American intervention or change its character would be a veritable disaster. Hence, it is only necessary to know what is already being published in certain journals of the entente to be convinced that the discussion of the league of nations and the "freedom of the seas," because the discussion of these questions is premature, can only tend to weaken instead of strengthen the ties that now exist between America and Europe.

PROGRAM DICTATED BY COMMON SENSE.

For many reasons, following the French proverb, don't put the cart before the oxen. Solve first the most urgent practical problems arising from the war, problems that must be solved in order to bring an end to the sufferings of millions of human beings, sufferings that have already lasted only too long. It is easy to see in what order these essential problems before the conference should be put.

The first is the reparation and restitution the German people must make, both of objects stolen and material damages caused. It is not justice only that demands the immediate solution of this problem. Its solution is the single condition of victory, as has been said. The peace will be durable and assured only if in consequence of her enormous thefts and war expenses Germany will not be able to preserve an economic superiority over the allies.

The second problem, and which can be taken up at the same time, is that of the territorial reconstruction of Europe by the adjustment of frontiers and by forming new States to raise a barrier against the pan-Germanists, such States as Poland, Bohemia, Roumania, the Magyar State, and the Jugo-Slav State.

The problem of the league of nations comes in the third place, but it will then be in a position for more favorable consideration. It is clear that if the first two problems, reparation and territorial reorganization, are satisfactorily cleared up by the entente, it will be relatively easy to solve the third, as the world, convinced by what the entente will have done, will want to transform the entente into a league of nations of greater extent by taking in all the nations worthy of a place.

Last comes the question of the "freedom of the seas." And by coming last it has the best chance for success. It is easy to understand that a real and durable solution of that problem can follow only from the extension of the league of nations. Such an extension implies a real disarmament in Europe, but this disarmament can come about only after Prussian militarism has been absolutely destroyed. Land disarmament having been accomplished, it will be relatively easy to disarm on the seas and from that will result the "freedom of the seas."

In short, when England can be assured of not being menaced by any continental power she will have no longer any interest in carrying the huge burden of naval supremacy.

This program for the consideration of the problems before the peace conference is only an application of common sense. But it is indispensable to assure victory that this order shall be followed. Therefore public opinion must demand that the league of nations and the "freedom of the seas" shall be discussed only in their logical place; that is, after all the urgent problems growing directly out of the war have found a practical solution.

INDEPENDENCE OF ARMENIA (S. DOC. NO. 316).

Mr. LODGE. Mr. President, I have here a memorandum in regard to Armenia and her claims to freedom and national independence, which I should like to have printed and referred to the Committee on Foreign Relations.

The VICE PRESIDENT. Without objection, that order will be made.

THE REVENUE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12863) to provide revenue, and for other purposes.

Mr. SIMMONS. There are Senators here who desire to take up next the section with regard to the luxury taxes.

Mr. KENYON. Page 199, section 905. Does the Senator desire to take that up at this time?

Mr. SIMMONS. I have just stated that at the request of Senators I will take it up now.

Mr. KENYON. I wish to make a few observations before a vote is taken. Does the Senator wish to address the Senate on the subject?

Mr. SIMMONS. I do not care to make any statement to the Senate further than I have already made. I will state to the Senator that I requested the Senator from Utah [Mr. SMOOT] to look after this section for me if I happened to be out of the Chamber.

Mr. KENYON. Mr. President, I wish to draw the attention of the Senate to section 905, page 199, of the printed bill. I realize how useless it is generally, especially amid the confusion in the Senate, to draw attention to these sections and try and have the action of the committee changed by a vote of the Senate. I think there have been at times as many as 12 or 13

Senators in the Chamber during the discussion of this bill—seldom any more—and when the time comes to vote on a section Senators rush in, the chairman of the committee announces in the midst of the roll call that a vote "yea" is to sustain the committee and a vote "nay" is against the committee, and Senators almost fall over themselves supporting the committee. I think if the people of the country could look down from the galleries on some of these proceedings they would wonder what is the use of having any Senate here outside of the committee.

So it is with great diffidence that I disagree with the committee in their action in striking out section 905. It is what is commonly accepted as a section providing for a tax on luxuries. I find in no report of the committee any reason for this action, neither in the majority report nor in the minority report. We have had no word on the floor from the chairman of the committee or any member of the committee as to why this was done.

The theory of the section as placed here by the House is that, while wearing apparel and articles that may be covered by the section are not in themselves luxuries but necessities, when more than a certain price is paid they become luxuries. In other words, it is a tax upon ostentation. As the House provided, as to suits of clothing of $50 this tax would not apply, but where more than $50 was paid there would be a tax of 20 per cent on the surplus above the $50.

Upon shirts under $3 in value, no tax; above that, a tax. That ought to be a sufficient price to pay for a necessary garment of that character, but if some people wanted to array themselves in a glory equal to Solomon's and pay more than that, the tax should be levied. That is the theory upon which the House concluded to make this section a tax upon luxuries. Now, the action of the committee, it seems to me, is amazing. At a time when we are raking every source of revenue and business in this country to secure taxes we are striking out of this bill the tax known as the tax on luxuries.

What the House committee in their report say I want to put in the RECORD, because I realize that the Senate will not pay much attention to this matter, but I realize that the people of the country some day are going to begin to inquire about this bill and begin to study it and observe the soft cushions for the lighting of those who have secured great war profits, and they are going to inquire why it is that the Congress of the United States, especially the Democratic Party, strikes out of the bill the tax on luxuries. The House committee say in their report:

> In recommending excise taxes in the proposed bill your committee has endeavored to select articles that fall within two classes: (1) Articles that are more or less a luxury because of their nature and (2) articles that become in the nature of a luxury when sold for more than a fixed price.

That is the basis of this provision.

> The purpose of the committee in recommending these taxes is two-fold: (1) To provide revenue and (2) to reduce extravagance.

Of all the reports that come to the Senate from the committee, the only one at all referring to this, as I read it, is the report of the Senator from Wisconsin [Mr. LA FOLLETTE]. He says:

> I am also of the opinion that the proposed taxes on occupation, amusements—particularly of the cheaper kind—taxes upon freight, express, and passenger rates, upon telegraph and telephone messages, and consumption taxes generally, should be eliminated from the bill and that a heavy tax should be imposed on luxuries.

Mr. President, not only is there the necessity of securing revenue, which this would do to the extent of $185,000,000, as estimated in the House report, but if the amendment which I shall propose to the text shall be adopted, providing for a tax on meals at hotels, restaurants, dining cars, above a certain amount in value, it will add enough to this to make a $200,000,000 tax on luxuries. Can anybody tell me, in these times when we are taxing everything under the sun except the air we breathe, why this tax on luxuries should not be levied? There is something more than raising revenue. Senators, there is a psychology about this situation. It is a blind man indeed in this country who buries his head in the sand and will not look out and see the conflicting tides flowing in the ocean of our national life to-day; and that psychology is this: You do not want to send word to the people of the country or have them believe that a tax bill is so shaped as to favor big business, and so shaped as to favor those who have secured the great war profits, and so shaped as to take the taxes off of the inconsequential and useless luxuries.

What can be said to you Democrats in doing that? What leadership are you following? For 100 years, since the second inaugural of Thomas Jefferson down to April 8, 1913, when Woodrow Wilson addressed the American Congress, your party has stood for a tax on luxuries.

I remember as a boy Roger Q. Mills coming out to Iowa to instruct our farmers as to the beauties of free trade. I traveled as a boy 125 miles to hear that speech. It did not impress me any about free trade, but I did remember what he said as to a tax on luxuries, and your leaders all the way down to the present moment have been for it.

What is the matter with you Democrats, anyway? One of your leaders is in Paris and another is retiring from public life in order to recoup his private fortune. You had better get some leaders back to try to get you back to your platforms through all these years, and not have you seduced by those who are against the proposition of taxes on luxuries.

I remember when we had the debate here on the Underwood-Simmons bill. The distinguished Senator from New Hampshire [Mr. HOLLIS]—I wish he were here now—one of the best men who ever sat in any legislative body on earth, one with a heart that has some responsive beats to the great heartbeat of humanity—in a speech he made here, enunciated that Democratic doctrine of a tax on luxuries; and that strong Democrat from Indiana—Senator Shively, who has gone to his reward—enunciated the same doctrine here; and that great Democrat from Kentucky—great of heart, great of brain, and great of body, who has likewise passed to his reward, dear old Ollie James, and I wish he were here now—on that night, with crowded galleries, made this Chamber ring with the old Democratic doctrine of taking the taxes off of the sugar bowl of the poor and putting them on those who could best stand it.

You have gone out on the stump from one end of this country to the other preaching that doctrine—and I am talking in a heartfelt way to you Democrats, because I like you—but you have just been thrashed completely, and when you do this you will be "wiped off the map." I do not want to see you come to such an untimely death so suddenly. You have gone to every part of this country and talked to the people about the tax on luxuries. I do not believe that there is a man on the other side of this Chamber who has not made that kind of a speech. I have heard some of you do it in days gone by.

What is the matter? What has gotten into you? Is there such a fetish for committee action that you do not dare vote against the committee? Have you any independence when a great question like this is involved—one that is fundamental?

Mr. HITCHCOCK. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Nebraska?

Mr. KENYON. I yield.

Mr. HITCHCOCK. Can the Senator from Iowa give us any assurance of what support there will be on his side of the Chamber?

Mr. KENYON. There will be a very strong support; I will give the Senator from Nebraska that assurance.

Mr. HITCHCOCK. I am very glad to hear it. I have had some doubts.

Mr. KENYON. I think, while it has been one of the cardinal doctrines of the Democratic Party to tax luxuries, it has likewise been a cardinal doctrine of progressive republicanism as well. Not only that, Mr. President, but you could glean a good deal of wisdom from once in a while consulting the writings and messages of Grover Cleveland, that honest old Democrat, who was always willing to have the truth told.

Mr. THOMAS. Mr. President, I respectfully protest against the classification of the late Grover Cleveland as a Democrat.

Mr. KENYON. That may be the reason, Mr. President, why luxury taxes have been stricken out of this bill. Grover Cleveland stood for taxes on luxuries.

Mr. THOMAS. No, Mr. President; but because Cleveland, in his administration, was a great deal more of a Republican than he was a Democrat.

Mr. KENYON. I am afraid that if the old former President in the world beyond can hear that he certainly will be shocked. Anyway, notwithstanding this admonition, I will venture the suggestion that in his third annual message Grover Cleveland said:

> The taxation of luxuries presents no feature of hardship.

You Democrats have sent out to the country every year, bound in nice binding, these Democratic campaign textbooks [exhibiting], wonderful works of the veriest fiction, tales that rival those of Baron Munchausen, clothed in a modesty that is quite wonderful, that all the relations of the universe and everything that is good have come from the action of the Democratic Party.

I notice in one of these publications that credit is taken entirely for the Smith-Lever bill for the Democratic Party, when everybody knows that the old patriot from Vermont, Senator PAGE, had more to do with the passage of that bill than any other living man, a fact which has been so generously conceded many times by the Senator from Georgia [Mr. SMITH].

But I wish you would take up and read your own promulgations to the American people. Of course, there are some parts of these promulgations that you would not want to read. The arraignment of ex-President Taft, I imagine, in one of those books for junketing around the country at public expense when he ought to have been in Washington is something perhaps you would not want to read; but the general doctrine therein enunciated is that taxes should be imposed on luxuries. I am not going to fill the RECORD with them. You held out the Underwood-Simmons bill as something for the people to support, because it levied such duties on luxuries.

Why the change? There seems to be so much mystery about this bill. We had the newspaper announcement of the terrific fight that the Republicans were going to make against the bill, and then overnight it all seems to have been changed. I hope that some reason can be given us for this change.

I wish we could go further in the tax on luxuries. I never see an automobile coming down the street with distinguishably gowned ladies sitting in the rear seat, and a Pekinese pup sitting by their sides, or some stalwart man, as you can see every night, out exercising some of these chow-chow dogs, that I do not wish that we could put a tax on some of these things, and either blot out this nauseating ostentation or else raise some revenue.

I shall introduce an amendment to the text of the committee amendment, should it be voted down, providing, in addition to the taxes therein contained, that there shall be included in the prohibition against exemption the amount of every meal at any hotel, café, dining car, or eating house in excess of $2 per person.

If Senators would only understand this bill as it has come to us from the House, it provides that on carpets and rugs of over $5 per square yard there shall be a 20 per cent tax. Rugs may be necessities, but of course the usual necessities would be comprehended under the term of $5 per yard. If people want to surround themselves with oriental rugs and luxuries costing more than that, let them pay for it; that is reasonable.

The Senator from Washington, in his speech on the Simmons-Underwood bill, uttered something that I thought a good deal about under this problem of taxation, and it applies to that exact situation. He said at that time that we should tax superfluities. So with this bill.

As to the second item, picture frames in excess of $10 each; is that not enough to spend on an ordinary picture frame? If you want a picture frame that is gilded or bronzed to cost more than $10, it is in the nature of a superfluity; but if that should appeal to you, then pay for it. Those who can have these great luxuries are willing to pay for them. Taxes upon such articles can be collected without irritation and without injuring anybody.

Valises, in excess of $25 each. If anyone wants to pay more than $25 for a valise or a traveling bag, why not let him pay a tax on it?

Hand bags, in excess of $7.50 each. What harm will come to anyone who wants to buy a hand bag for $35 or $40 by being compelled to pay a tax upon the amount in excess of the $7.50? So it runs—umbrellas, suits of clothes, women's suits of clothes, and so forth.

But I leave this, Mr. President, without further remark, merely calling it to the attention of the Senate in the hope that there will be some discussion and some consideration——

Mr. CURTIS, Mr. ASHURST, Mr. JOHNSON of South Dakota, and Mr. JOHNSON of California addressed the Chair.

The VICE PRESIDENT. Does the Senator from Iowa yield; and if so, to whom?

Mr. CURTIS. I desire to address the Senate if the Senator from Iowa has concluded, and I thought he had concluded.

Mr. KENYON. I will conclude in a moment.

I repeat, Mr. President, I merely call this question to the attention of the Senate in the hope that on this item, at least, we may have a vote which will reflect the individual judgment of Senators without any question of their being in any way afraid to oppose the Finance Committee.

Mr. ASHURST. Mr. President, I should like to ask the Senator a question, but if the Senator has concluded, of course I will not do so.

Mr. KENYON. I have concluded, but I will be very glad to answer any question that I can.

Mr. ASHURST. Mr. President, I simply wish to ask the Senator if he does not believe this was a clerical error?

Mr. KENYON. I hope that may be true, but, as there has been no minority report, I assume that no error was made.

Mr. ASHURST. I am inclined to believe that it is only a clerical error, because the Democrats are bound, so far as faith and conscience can bind men, to tax the very articles of luxury which the committee, through some inadvertence, has stricken out, and I have no doubt that when the roll is called the vote on this side will be unanimous to correct this egregious blunder.

That provision—paragraph 905—of the House bill which the committee proposes to strike out imposes a tax—a small tax—on what we call the luxuries of life; in other words, it provides for a tax on those things which are beyond the reach of the man who is denominated in his life as a poor man. It lays a very small tax on luxuries, and I repeat that I feel bound to vote against the committee in this matter, because since I have been making political speeches it has been my particular text that we should tax luxuries.

I have gone about this country like a peripatetic volcano in constant eruption, urging a tax on luxuries. I think the Senator from Iowa [Mr. KENYON] has performed a very useful service to the country in calling attention to it.

Now, just one other word. The distinguished Senator from Colorado [Mr. THOMAS] objected to Grover Cleveland being called a Democrat. Grover Cleveland has passed from this earthly scene to, I believe, a better world. Whatever he was, whether he was a Democrat, a stand-pat Republican, a Progressive, or what not, he had two qualities that commended themselves to me: He had the chilled-steel nerve to do just exactly what he thought was right in spite of ten thousand furies that barked at his heels; and Grover Cleveland was honest. In his lifetime I did not agree with him on many questions; but Grover Cleveland never failed to sustain the honor and integrity of this country. It was the statesmanship of Grover Cleveland that built the Navy that showed our prowess during the Spanish War, and in the perilous times through which we have passed, I am very certain had Grover Cleveland been alive his voice would have rung out in support of President Wilson on the great questions that have confronted our people. We have Cleveland Democrats, Bryan Democrats, high protective tariff Democrats, and all other kinds of Democrats. We do not want any hyphenated Democrats; we simply want Democrats. A Democrat is a man who votes for a tax on luxuries; a stand-pat Republican is a man who votes against a tax on luxuries.

Mr. JOHNSON of South Dakota. Mr. President, I wish to ask the Senator from Iowa the amount of revenue, if he knows, which will be derived from this section?

Mr. KENYON. I did not understand the Senator.

Mr. JOHNSON of South Dakota. I inquire the amount of revenue that will be derived under this section?

Mr. KENYON. Approximately $185,000,000, according to the House figures, and I think conceded by the committee.

Mr. JOHNSON of South Dakota. I expect to vote against the committee on this matter, and I wanted to know the amount of revenue that would be derived.

Mr. JOHNSON of California. Mr. President, I wish to occupy just a very few moments this morning in the interest of historical preservation, and so I want to recall what has transpired in the past very, very briefly in one aspect concerning the revenue bill, and then I want to call to the attention of my colleagues what this particular revenue bill provides for.

A little over a year ago this Chamber was the scene of the greatest contest I have witnessed since I have been a Member of it, a contest rendered memorable by the fact that we were dealing then with a revenue bill such as the country had never before seen, and dealing then with modes of taxation concerning which there was a wide divergence of opinion. I recall during the consideration of that revenue bill in August, 1917, that a very small minority of this body—9 upon this side and 8 upon the other side, 17 in all—stood their ground as well as they were able in presenting to the Senate and to the people of the country the mode of taxation which that small minority believed to be just. I recall also during the consideration of the war-revenue bill then that that small minority—17 Senators—stood here upon this floor and demanded that war profits should be taxed 80 per cent, demanded it day in and day out, until overwhelmed by the vast number of their fellows and defeated in the amendments they then presented. I recall, Mr. President, during that time how the verbal shot and shell and shrapnel beat us to the ground, and how the poison gas on the part of the press that responds to the big business of this country spread broadcast the infamy of the 17 men who dared to stand upon this floor and ask that war profits be taxed 80 per cent. I recall a part of the great metropolitan dailies of the land telling of the anarchists and of the pro-Germans who were here in the Senate of the United States asking that we take with the strong arm of the law war profits, the money coined out of our blood, in the same fashion that we had clutched the bodies of the boys whom we love. I remember during that period how from the eastern border of our land to the uttermost corner upon the western shore there was abuse and denunciation and vilification and constantly applied epithets of all sorts to the

men who dared ask 80 per cent of war profits. I recall how during those days the 17 who favored this sort of thing talked of England, and how England was taking 80 per cent of war profits, and how, in the year just previous, England had taken 60 per cent, and in the time immediately prior 50 per cent, and how it was related that for three years the great war profits of this country had gone untouched into the coffers of those who had coined war into dollars. I remember that as we talked about that 80 per cent it was asserted again and again to us that you could not take 80 per cent of war profits; that it was confiscatory; that it would not enable business to continue in its ordinary and normal flux and flow; that productivity would cease; and that you would destroy utterly the great industries of the Nation.

All of these things happened a year and a couple of months ago in this Chamber. The 17 went down to defeat with their proposition asking 80 per cent. They went down to defeat; and possibly that part of the great press of the country that responds always to profit, no matter how that profit may be coined, sent us down not only to defeat but possibly to infamy for all time.

I wish to recall the passing events since transpiring. In May of this year the President of the United States, in an address, said to Congress:

> Only fair, equitably distributed taxation, of the widest incidence and drawing chiefly from the sources which would be likely to demoralize credit by their very abundance, can prevent inflation and keep our industrial system free of speculation and waste. We shall naturally turn, therefore, I suppose, to war profits and incomes and luxuries for the additional taxes.

The President, in May of this year, recognized after the debate of last year and after the months that were spent in the endeavor to demonstrate the appropriate mode of taxation that we would turn to war profits and incomes and luxuries for additional taxes. Then he added in another part of his address:

> An intense and pitiless light beats upon every man and every action in this tragic plot of war that is now upon the stage. If lobbyists hurry to Washington to attempt to turn what you do in the matter of taxation to their protection or advantage, the light will beat also upon them. There is abundant fuel for the light in the records of the Treasury with regard to profits of every sort. The profiteering that can not be got at by the restraints of conscience and love of country can be got at by taxation. There is such profiteering now and the information with regard to it is available and indisputable.

And I may say that there was profiteering at the time we passed the revenue bill in 1917, and the evidence was indisputable and was put into the RECORD during the debates upon that bill.

But subsequently to the address of the President there was a discovery made by the Secretary of the Treasury, a discovery that sheds a great, white, effulgent light upon this subject; a discovery that finally brought home to all of us the taxation in which England was indulging, and the possibilities that might come to us in taxation which we should levy. The Secretary of the Treasury on June 5, 1918, in a letter to the Ways and Means Committee of the House, says:

> The existing excess-profits tax does not always reach war profits. The rates of excess-profits taxation are graduated, and the maximum is 60 per cent. In Great Britain there is a flat rate of 80 per cent on all war profits.

If the Secretary of the Treasury had not made this startling discovery in June, 1918, a waiting and an expectant Congress would have been in ignorance until now of the rate of taxation that was levied by Britain and the possibilities which might have come from a tax of 80 per cent on war profits. Last year when we were crying from the housetops for three months what Britain charged upon her war profits, when we were demanding that the very largest percentage of war profits should be taken from those who made these profits from our war, when we proved indisputably profiteering and that billions made from profiteering were escaping, where was the knowledge of the Secretary of the Treasury and where was the recommendation then in relation to 80 per cent?

You may answer me, and the answer, I presume, may be made upon this floor to-day, that we did not levy a tax of 80 per cent upon war profits last year in order that we might have a reservoir for this year of war profits. The very statement of the proposition is its own refutation. You could have taken 80 per cent of war profits last year and you could have relieved normal business, real, legitimate business, ordinary business, of a couple of billion dollars that ordinary normal business will have to pay in the days to come. Every dollar that was left of war profits in the last revenue bill, every penny that was coined out of the war that was permitted to go into the coffers of those who coined those war profits will have to be paid in the future, Mr. President, by normal business, peace business, in peace times, and by normal industry and normal productivity.

I resume reading what is said by the Secretary of the Treasury in his letter to the Ways and Means Committee:

> In Great Britain there is a flat rate of 80 per cent on all war profits.

How naively the Secretary of the Treasury says in June, 1918, that in Great Britain there is a tax of 80 per cent! How feeble were our voices in August, 1917, when for three months we were shouting that fact not only on the floor of the Senate but wherever and whenever we could obtain an audience to listen!

The Secretary of the Treasury proceeds, in his letter to the Ways and Means Committee:

> The Government departments, under great pressure as they are to get necessary war materials and supplies with the utmost expedition, can not in the nature of things fix their prices nor guard their contracts in such a way as to avoid the possibility of profiteering. The one sure way is to tax away the excessive profits when they have been realized. I do not say this in a spirit of criticism of the corporations or business men of the country, who have for the most part loyally supported the Government. In entering into war contracts they take grave risks. They are called upon to make vast expenditures of capital for purposes which may prove unproductive after the war. They are not to be blamed in these circumstances for asking for prices and terms which cover these risks. On the other hand, when the risk has been liquidated by proper allowances and the contract had proved profitable, the Government should take back in taxes all profits above a reasonable reward. Under existing law that does not happen, because the tax rates are not high enough and can not safely be made high enough, since the test now is not how much of the profits are due to the war but what relation the profits bear to the capital invested. A company with a swollen capital and huge war profits escapes.

So much for the justification of the position which we took a year ago—tardy justification and vindication—by the President and the Secretary of the Treasury, and now, Mr. President, what do we observe in the present revenue bill?

I have read the report of the Senator from Wisconsin [Mr. LA FOLLETTE], in which he takes issue with the percentage of war-profits tax that is stated by the Finance Committee to be in the revenue bill, but I accept for the moment, but only for the moment, the view of the chairman of the Finance Committee and the others of the Finance Committee who have spoken upon the subject, that the bill provides for a tax of 80 per cent upon war profits. Now, assuming that it does what the chairman of the Finance Committee and the members of the Finance Committee say, we have then presented to us a revenue bill which, adopting the language of the members of the Finance Committee flung at us a year ago in this Chamber, is anarchical, is designed to destroy business, is pro-German, is, indeed, a bill which is aimed at preventing the successful prosecution of the war, and is a bill which no man with an atom of financial sense, as they said to us a year ago, could for a moment advocate. What a marvelous change now! What a miracle, that the Finance Committee boasts it now taxes war profits 80 per cent!

I accept the conversion of the Finance Committee. I welcome the members of the Finance Committee finally, after two billions of war profits have escaped taxation, to an 80 per cent rate upon war profits this year, and I am delighted to-day, finally, in the latter part of 1918, after two billions of war profits have escaped taxation in 1917, to welcome the Finance Committee of the Senate to membership with the 17 who stood upon this floor a year ago and asked that 80 per cent of war profits then be taken while we had the opportunity.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. JOHNSON of California. I yield.

Mr. LENROOT. The Senator does not mean that the bill as reported by the Finance Committee takes 80 per cent of the war profits?

Mr. JOHNSON of California. I accept, as I said, their statement in that regard; and accepting their statement as they have made it upon the floor here, while not admitting the fact, I welcome them to membership in the very small minority that a year ago advocated a tax of 80 per cent upon war profits.

Mr. LENROOT. Will the Senator yield further?

Mr. JOHNSON of California. Yes.

Mr. LENROOT. The Senator is aware that the bill upon its face first exempts 10 per cent of the capital?

Mr. JOHNSON of California. Yes.

Mr. CHAMBERLAIN. Mr. President, there is a little bill that passed the House some days ago that affects the Army uniforms. I wish to ask unanimous consent that it may be taken up and considered now.

Mr. SIMMONS. Will the Senator wait until we dispose of this item? Then I shall not interpose any objection.

Mr. CHAMBERLAIN. I do not think the bill will require any further than the reading.

Mr. SIMMONS. If the Senator will wait until we finish this item, then he can take it up.

Mr. CURTIS. Mr. President, I hope the Republicans will support the amendment offered by the Senator from Iowa.

Mr. KENYON. Mr. President, may I make a suggestion to the Senator? I have not offered the amendment I had in mind. The question now is on adopting the committee amendment, which is to strike out that section.

Mr. CURTIS. Then I hope the committee amendment will be defeated.

I was glad to have the Senator refer to the Simmons-Underwood bill, because if that is an evidence of Democratic taxation on luxuries the people should know it. Last year we imported into this country $3,000,000,000 of merchandise. We collected on that merchandise a revenue of $180,000,000 only. Of that $3,000,000,000, $500,000,000 were luxuries. Why, there should have been collected upon the luxuries alone more than $200,000,000 in revenue. This provision, if retained in the bill, will carry only $185,000,000. We ought to have more than that from imported luxuries, to say nothing of a tax upon luxuries produced in this country. There should be a proper tax upon luxuries, a tax that would not be a burden upon anyone, for a tax should be fixed in accordance with ability to bear it. A proper tax on imports, a large tax on imported luxuries, and a reasonable tax on domestic luxuries would produce at least $1,000,000,000 a year, while the provision of the committee on luxuries will raise only $185,000,000.

A year ago, when the revenue measure was up, I took the position in this body that the expenses of the war, as far as possible, should be paid by those who are making large profits out of war contracts, those who have large incomes, and those who use luxuries. Nothing was done in that measure to tax luxuries to any great extent; and now, when the bill comes here from the House with a provision placing a very small tax on luxuries, it is stricken out by the committee!

I do hope that those on this side of the Chamber will vote against the committee amendment.

Mr. SIMMONS. Mr. President, I wish first to refer only very briefly to the statements made by the Senator from California [Mr. JOHNSON]. The Senator rather felicitates himself and some of his colleagues who joined with him when the revenue bill of 1917 was under consideration in advocating an 80 per cent war-profits tax, and he congratulates himself that the Finance Committee and the Ways and Means Committee have, as he claims, come to his way of thinking upon that subject.

Mr. President, the Senator forgets that the present law, the one to which he refers, contains a war excess-profits tax rising as high as 60 per cent, and that a 60 per cent excess-profits tax is higher than this 80 per cent war-profits tax. That 60 per cent rate applies to income in excess of a deduction of only 8 per cent of the invested capital. This 80 per cent rate applies only to income in excess of a deduction of the entire net earnings of the corporation during the prewar period. So the maximum rate, if you take into consideration the deduction, is greater in the present law than in the proposed law, although, of course, the average rate is reduced by the lower brackets contained in the existing war excess-profits tax.

But it was not to that that I desired to call attention. The Senator from California knows, and every Senator here knows, that in 1917 we were levying a tax to raise about $4,000,000,000. To-day, even after the reductions that we have been able to make as a result of the armistice, we are levying a tax to raise $6,000,000,000. As a result of the fact that we are levying for the purpose of raising a larger amount of money than in the act of 1917, all the taxes in this bill, the excess-profits tax as well as many other miscellaneous taxes, are raised to a level considerably higher than that reached in the present law.

Mr. President, it would have been a crime against the people of this country if when we needed only $6,000,000,000 we should have levied as high taxes upon the people as when we need $8,000,000,000. If we have come to these higher taxes it is only because we have been forced to come to them by the necessities of the Government and by the increased expenditures of the Government.

Then I call the Senator's attention to a further fact. He says we permitted war profits to escape. While we imposed in the last bill a war excess-profits tax of 60 per cent at the maximum, there was also in existence a flat tax of 12½ per cent upon the profits arising from the manufacture of munitions of war. The term "munitions of war" includes practically everything that is manufactured for the purpose of equipping men to fight, outside of the clothes they wear and the food they eat. Under the last bill we imposed a maximum tax upon war profits of 60 per cent above a deduction which is small as compared with the present deduction, and in addition we had a munitions tax originally imposed at the rate of 12½ per cent and subsequently reduced to 10 per cent.

But, Mr. President, I do not wish to pursue that any further. I rose for the purpose of addressing myself to the very remarkable argument of the Senator from Iowa [Mr. KENYON] and to the statement that has been made by different Senators upon the floor with regard to this proposition.

Mr. President, I must believe that the remarks of the Senator from Iowa and of other Senators with respect to that matter are based upon an entire misconception of what has been done. I do not think there is anyone in this body who believes more heartily than I do in a properly adjusted luxury tax. I believe the members of the Finance Committee will bear me out when I say that when this bill was under consideration, when the Senator from Utah made a proposition to strike out all the luxury taxes in the bill, all these special taxes, all these excise taxes, and substitute for them a gross-sales tax, I said then that I never would consent to the elimination of what I regarded as luxury taxes for the purpose of substituting consumption taxes. That is the way I feel about it. I am as heartily in favor of luxury taxes as the Senator from Arizona [Mr. ASHURST] or any other Senator upon this floor. I believe it is a just principle of taxation that the things which are unnecessary should be heavily taxed as compared with the things which are necessary. I think that is the principle which the committee followed in this matter. I do not remember with absolute certainty as to the vote in the committee upon this subject, but my impression is that there was no division in the committee upon the proposition to strike out these taxes; but if I am not correct, the Senator from Michigan [Mr. TOWNSEND], who is an honored member of the committee, will correct me.

Mr. TOWNSEND. I will remind the Senator that there was.

Mr. SIMMONS. I am told the Senator voted against it.

Mr. TOWNSEND. I voted against it.

Mr. SIMMONS. Did any other Senator in the committee vote against it?

Mr. TOWNSEND. I admit there was very little discussion upon the proposition. Many of us believed that these had better be retained and many of the taxes that were also retained eliminated so that we could get at more just taxes.

Mr. SIMMONS. I think it was practically a unanimous vote.

Mr. President, when I say I believe in taxing luxuries, I refer to those things which in their nature and their essence are luxuries, which are not necessary, which can be dispensed with, and which if bought are bought only by those who can afford more than the comforts of life.

Let me call the attention of the Senate to what has been actually done by the committee. There are two classes of these taxes that have been designated by the press loosely, I think, as luxury taxes and semiluxury taxes. In my opinion they do not deserve to be so characterized, but there are in the bill distinctive luxury taxes, and these have been kept in the bill. There have been reductions, and those reductions were in keeping with the amount of money which by reason of the practical termination of the war we were able to remit to the people.

Let me ask Senators to take the bill and turn to page 193. That section begins with a tax upon automobiles. I am not going to discuss the question whether an automobile is a luxury or not. There are some people who think it is; there are some people who think it is not. In any event Congress has heretofore decided the question that automobiles are legitimate subjects of taxation under the circumstances which exist.

But passing that by, Mr. President, the next provision with regard to these taxes that we come to is the tax upon pianos and organs, piano players, graphophones, talking machines, music boxes, records, and so on. Those taxes were retained. Tennis rackets, nets, racket covers, toboggans, polo mallets, baseball bats, and a whole category of sporting articles are enumerated. The tax upon these is retained.

Then we come to chewing gum, supposed to be a luxury. The tax upon that is retained. On cameras the tax is retained. On candy the tax is retained but reduced. Upon firearms, shells, cartridges, and so on, the tax is retained. On hunting and bowie knives, dirks, daggers, stilettos, brass knuckles, and so on, the tax is retained. On portable electric fans the tax is retained. On thermos bottles the tax is retained. On cigar and cigarette holders the tax is retained. On automatic slot-device weighing or vending machines the tax is retained. On liveries and livery boots and hats the tax is retained. On hunting and shooting garments and riding habits the tax is retained. On articles made out of any fur, or articles of which fur is the component material of chief value, there is a tax of 10 per cent. On yachts and motor boats the tax is retained. On toilet soaps and toilet soap powders a 3 per cent tax is retained. Then there is a tax upon moving-picture films, which is retained. Upon paintings, sculptures, statuary, porcelain, and so on, the tax is retained.

Finally, Mr. President, without enumerating them all, we get to the tax imposed upon jewelry, pearls, precious and semiprecious stones, articles made of or ornamented, mounted, or

fitted with precious metals or imitations thereof, opera glasses, marine glasses, field glasses, binoculars, and so on, the tax is retained.

That is what I have regarded as the luxury title of the bill. Those taxes are upon things that are unnecessary, as a rule. In the public mind they are regarded as luxuries, and they were properly and legitimately the subject of taxation under the circumstances.

But, Mr. President, when we come to these other taxes which the Senator from Iowa thinks are distinctively luxury taxes, I contend that they are in no true sense luxury taxes. They are taxes upon necessaries of life when those necessaries are sold beyond a certain price. That is all there is in that schedule.

Mr. KENYON. May I ask the Senator just one question to illustrate my position? Does the Senator think that a woman's hat costing over $15 is a necessity?

Mr. SIMMONS. I think a woman's hat is a necessity.

Mr. KENYON. So do I; but one costing over $15? The Senator is a married man and he must know that it is a good deal of a luxury.

Mr. SIMMONS. I do not know whether it is a luxury or not, but the Senator will permit me to develop my idea.

Mr. President, here are things that are taxed. I will not read them all. First, is a tax on carpets and rugs in excess of $5 per square yard; then follows a tax on picture frames in excess of $10 each; then we come to trunks in excess of $50, valises above $25, fans above $1, smoking coats or jackets above $7.50, men's and boys' suits or overcoats, not including uniforms, on the amount in excess of $50; women's and misses' suits, cloaks, and coats in excess of $50; women's and misses' dresses in excess of $40; women's and misses' hats, bonnets, and hoods in an amount in excess of $15; men's and boys' hats in an amount in excess of $5; men's and boys' caps in an amount in excess of $2. The rate in each case is 20 per cent.

Mr. President, I want to say that not only the rich but during these times of high prices—and these taxes are imposed in times of high prices—not only the rich buy hats costing in excess of $5 but the laboring men of this country, and the men of moderate means have very generally purchased hats costing in excess of $5, because——

Mr. McCUMBER. Mr. President——

Mr. SIMMONS. Because we must recognize the fact that a hat which can be bought in normal times at $3.50 can not now, as a rule, be bought for less than $5. So we are practically imposing a tax upon hats which in normal times would sell for not more than $3.50.

Mr. McCUMBER. I wished to ask the Senator if he thought it was possible to buy a woman's coat made out of wool for $40 to-day?

Mr. SIMMONS. I do not.

Mr. McCUMBER. I will tell the Senator that one was shown me only a couple of days ago, a very light woolen coat, that cost $74, and if it is a good woolen coat you can not touch it for less than $90, and even more than that. While to-day we are voting to take our war-working girls home because they have not money enough to return, you are wanting to put a tax upon a coat that they must buy in order to get home. On nearly every one of these articles the price is put over the demarkation between what might be called luxuries and what might be called a necessity, and they are below the lowest possible price at which you can buy them to-day. I do not care what the class may be.

Mr. KENYON. Will the Senator allow me?

Mr. SIMMONS. Let me go on and finish the list here.

Mr. KENYON. I wish simply to call attention to an advertisement here in the city of girls' cloaks——

Mr. McCUMBER. And when you come to look at the advertisement you will have a piece of shoddy that will not last until you get home with it if you put it on.

Mr. KENYON. How many of the girls earning $1,200 a year are buying $70 and $60 cloaks?

Mr. McCUMBER. It is because they can not get it for anything less if it is fit to wear. If they would buy it for $20 or $25 or $35, I say it would not last them for a week. Anyone who knows anything about clothing will justify me in that statement.

Mr. SIMMONS. Let me go on. I want the Senate to understand what these things are.

The next are men's, women's, misses', and boys' boots, shoes, pumps, and slippers in excess of $10, 20 per cent.

Mr. President, there are many war workers—these young girls who have come here to assist the Government in the great emergency from which we have very happily emerged—who came here from motives of patriotism, yet they would have been unable to come except for a salary. Thousands of these very girls have to buy shoes, and I will venture to say that while their everyday working shoes might not have cost $10, each one of them has a pair of shoes which cost over $10, for you can not buy a woman's good shoe for less than $10, and you can not buy a man's good shoe for less than $10 in these times. It is true you may buy shoes made of leather substitutes or you may buy shopworn shoes for less than that sum, but the shoe that you now buy for less than $10 is subject to the defects that I have described or it is made out of inferior material.

Mr. KENYON. Mr. President, there is no tax on shoes which do not cost $10 a pair.

Mr. SIMMONS. There is a tax on all shoes costing in excess of $10.

Mr. KENYON. Yes.

Mr. SIMMONS. The committee further reported to strike out:

(18) Men's and boys' neckties and neckwear, on the amount in excess of $2 each;

(19) Men's and boys' silk stockings or hose, on the amount in excess of $1 per pair;

(20) Women's and misses' silk stockings or hose, on the amount in excess of $2 per pair;

(21) Men's shirts, on the amount in excess of $3 each;

(22) Men's, women's, misses', and boys' pajamas, nightgowns, and underwear, on the amount in excess of $5 each; and

(23) Kimonos, petticoats, and waists, on the amount in excess of $15 each.

Mr. President, take these 23 classes as a group, and, except the first 9, they cover the clothing which the people of this country wear. It is now proposed, if a workingman is making good wages during these war times and is able to pay these higher prices, that he shall be taxed if his clothing shall cost him in excess of a modest sum. That is one reason why we did not feel that these were proper taxes to impose upon the people. We did not regard those as the luxury taxes which the political parties of this country are committed to impose. The taxation of luxuries is no more a principle of the Democratic Party than it is of the Republican Party; both parties of this country have committed themselves to the principle of taxing luxuries, but both parties, as represented upon the committee, agreed that these were not the kind of luxury taxes to which the principle in question has reference.

However, Mr. President, there is another objection to this which can readily be appreciated by Senators who will consider and reflect about the matter. All the stores of any considerable size in this country, if these taxes are imposed, will have to keep a separate account of each article, showing the amount for which it is sold in excess of a certain price.

As a result the business of the country would be put to great expense in keeping such accounts by reason of the time that would be lost by the salesmen and the number of bookkeepers that would be required in order to properly keep the necessary accounts, for the Government will not take the mere statement of a person that he has collected a certain gross amount under the luxury taxes imposed in this bill, but the Government has a right to require, and necessarily will require, that each merchant engaged in business selling any of these articles shall keep a set of books separate and apart from his other books showing each one of these sales and the correct amount of the tax received.

Mr. President, it was represented to your committee, and it is a fact, I think, that the actual expense to the business people of this country of keeping the necessary accounts and books will in many instances be even greater than the tax itself. Of course, this might not be so, as a rule; but, even as a rule, it can be seen by every Senator who will think about it that this is a tax which is imposed, not upon the merchant, but which is imposed upon the people though the merchant himself must bear an additional expense, for he has, of course, necessarily to pay the expense of keeping the books required by the Government. In many instances, I say, it will be found that this expense will average as much as the tax to be derived from this source by the Government.

Mr. President, I do not wish to elaborate this matter. So far as I am concerned, whatever the Senate decides to do I shall accept. I think it is an obnoxious tax; I think it is a burdensome tax; and I think it is not a luxury tax in any true sense of that word.

Mr. SMOOT obtained the floor.

Mr. GRONNA. If the Senator from Utah will permit me, I desire to ask a question of the chairman of the committee, merely for information.

Mr. SMOOT. I will yield for that purpose.

Mr. GRONNA. On page 193, in subdivision (1), under the title of "Excise taxes," section 900, I find this language:

(1) Automobiles, motorcycles, automobile trucks, automobile wagons, automobile trailers or tractors.

It is the latter part of the sentence as to which I should like to have either the chairman of the committee or the Senator

from Utah explain. Is it understood that all purchasers of farm tractors must pay a tax of 5 per cent?

Mr. SMOOT. Yes; if it is an automobile trailer or a tractor.

Mr. GRONNA. What I had special reference to was farm tractors.

Mr. SMOOT. I will answer the Senator from North Dakota that the tax is imposed upon the manufacturer or the importer, but, of course, in reality it will reach the farmer who purchases the tractor.

Mr. GRONNA. Yes; I wished to plainly understand it. We know that the smaller kind of tractors now cost about $1,500 or $1,600; that means that on every such tractor there will be at least an $80 tax. Many of these tractors cost $3,000. They are largely tractors that will pull about 6 plow bottoms; but a great many farmers buy the large tractors which will pull 10 plow bottoms, and which cost about $6,000. So that class of tractors will pay from $150 up to $300 tax on a common tractor. Is that the way that the committee understands it?

Mr. SMOOT. That is the way the committee understands it.

Mr. JOHNSON of South Dakota. Mr. President——

Mr. SMOOT. Mr. President, I desire to proceed. I merely want to explain to the Senate my position on section 905 and to also give some of the reasons for the action of the committee in striking out that section.

In the first place, I wish to say that I am opposed to all nagging and irritating taxes, and at some time in the future they are going to be wiped out of our revenue legislation, in my opinion, as all of the taxes imposed under the title in which section 905 is found ought to be eliminated from the bill, with few exceptions.

I wish to say to the Senator from Iowa [Mr. KENYON] that the House inserted section 905 primarily for the purpose of discouraging consumption. If the Senator will read the House hearings and the recommendations of the department, he will see that the action of the House was based upon the idea that the labor of this country should not be employed in the manufacture of luxuries which the people could do without. Based upon the recommendations of the department, the House of Representatives put the tax in the bill primarily for the purpose of limiting, as far as possible, the production of so-called luxuries. I do not think, however, it acted wisely in the selection of items called luxuries as found in section 905.

I wish to emphasize the fact that, after the bill came to the Finance Committee of the Senate, it was stated to the committee by the officials of the department that the administration of the proposed tax was going to be not only expensive, but in many cases next to impossible. For instance, take the item of silk hose, to which reference was made a little while ago. A man goes to a store and buys a pair of silk hose for a dollar and a quarter. There is an exemption from tax of a dollar, leaving 25 cents to be taxed upon that sale. Twenty per cent of 25 cents would be the tax on that sale and it would amount to 5 cents. An account of this 5 cents must be made upon the books of the company making the sale and report of it made to the Commissioner of Internal Revenue. It would cost the merchant many times 5 cents and the item would encumber the records of the department so long as the records are kept. Better would it be for the merchant, rather than to undertake to do this, to forego making the sale.

In referring, Mr. President, to the imposition of taxes upon so-called luxuries, an inference has been made that the committee had refused to impose luxury taxes but had proposed to secure the same amount of revenue from some other source, and inference was made that the business of the country was escaping just taxation under this bill. I am perfectly willing, Mr. President, to criticize this bill where it needs criticism, as all Senators are aware, and I know there are discriminations in the bill which can not be defended. Section 905, under consideration, does not impose taxes in a just way.

If Senators will note, they will find that out of the taxes to be raised under this bill, amounting to $5,974,466,000, as estimated, there will be raised $5,467,000,000 from the income tax, the war excess-profits tax, the inheritance tax, beverage taxes, cigar and tobacco taxes, and the floor tax on cigars, tobacco, and liquors. In other words, from the income tax there will be realized $2,207,000,000—and we must remember that there is an exemption upon the income of every citizen of the United States before any income taxes are imposed—from the war excess-profits tax, $2,400,000,000; from the inheritance tax, $100,000,000; from beverages, $450,000; from cigars and tobacco, $240,000,000; and from the floor tax on cigars, tobacco, and liquors, $70,000,000, or, as I have said, a total of $5,467,000,000. From these sources alone there is to be collected of the amount of taxes imposed under this bill 91½ per cent, or, in other words, all of the taxes imposed by this bill outside of the six sources which I have named only amount to 8½ per cent of the aggregate.

I voted to strike out this provision because I wanted to strike out every item under Title IX with the exception of about half a dozen. They would be expensive and difficult of administration on the part of the Government. They are nagging, irritating taxes, falling upon all of the people, and they ought to be eliminated. That is the reason I voted to strike out this section, and if I had the chance I would vote to have the others go out, as I said in my speech upon this bill.

Mr. WEEKS and Mr. GRONNA addressed the Chair.

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Does the Senator from Utah yield; and if so, to whom?

Mr. WEEKS. I merely wish to ask a question.

Mr. SMOOT. The Senator from Massachusetts rose first. I will yield to him, and then I will yield to the Senator from North Dakota.

Mr. WEEKS. I wish to ask the Senator from Utah if any estimate has been made of the cost of collecting the taxes provided for under this section?

Mr. SMOOT. None was given to the committee, but I will say that it was stated that hundreds, if not thousands, of employees of the Government would have to go from one end of the country to the other to check up the tax returns under this section, and nobody could tell what the cost of collecting it would be.

This is my position: If we want to impose a luxury tax, let us say what luxuries are, and impose a tax upon every cent of the sale price of such luxuries, and not over and above a certain price.

Mr. KENYON. Mr. President——

Mr. SMOOT. Under the House provision, if a suit of clothes sells for less than $50 it will pay no tax, but if it sells for $60 there will be a tax on the $10 over and above $50; and, if the Senator from Iowa will allow me just a moment, I wish to say to the Senator that a tax of that kind would simply mean this: If a suit of clothes made of wool sells for $60 to-day, and there were imposed a tax upon the $10 excess over $50, the first thing the merchant would do would be to buy a suit of clothes which, through the addition of shoddy, if in no other way, could be sold for $50, and thus escape the tax entirely.

Mr. McCUMBER. Will the Senator yield to me right there?

The PRESIDING OFFICER. To whom does the Senator from Utah yield?

Mr. McCUMBER. The suggestion I wish to make is in reference to the very point just brought out by the Senator from Utah. Would not that so reduce the quality of those goods that the actual wearing capacity of the article manufactured would not be half of what it would be if it were all wool, and would we not thereby compel the person who bought the cheaper suit in reality to buy two suits to equal the wearing value of the one all-wool suit?

Mr. SMOOT. Mr. President, the bad effects of the use of shoddy has never been demonstrated so thoroughly as during this war. You can take ladies' clothing manufactured to-day, costing more money than the same kind of article cost before the war, sometimes twice as much, and it is loaded with shoddy, and it does not wear half as long.

I called attention some time ago to the overcoating that was furnished our Government for our soldiers. I have seen soldiers' overcoats that could not possibly wear very long, 80 per cent of it being shoddy and only 20 per cent of it wool.

I now yield to the Senator from Iowa.

Mr. KENYON. Mr. President, I rose to ask a question of the Senator, not to make a speech. Would it be any more difficult, in the Senator's judgment, to collect these taxes than taxes on telephone messages and telegrams and transportation?

Mr. SMOOT. Yes, Mr. President.

Mr. KENYON. I do not see why.

Mr. SMOOT. I will tell the Senator why. On telephone messages all that is necessary is to keep track of the number of telephone messages sent. Under the pending section say there are a dozen sales made in the same day at a price over the limit provided in the section, a record must be kept and return made on each sale showing amount of sale and tax collected. If it is a $60 suit of clothes sold, a deduction is made of $50; then a tax of 20 per cent is imposed on the balance, and a separate record must be made of the sale and report made. The only proper way to impose a tax is to impose it upon all of the sales, not a part of them. That is why it is hard of administration; and it is going to be very costly to administer.

If the Senate will take the position that every item enumerated in the section is an article of luxury and wants to impose a tax of 20 per cent upon them, then there would be some sense

to a tax of that kind. Such a tax would be easy of administration. The House imposed this tax, as I said, not because these articles were luxuries per se, but because the House wanted to restrict the consumption of the articles enumerated, if possible. We all know that it takes the labor of the country to make these goods, and labor was wanted upon the farms, in the factories and machine shops. It was wanted in making munitions for the country and for our allies; and the provision was put in the bill more for the purpose of discouraging the production of such articles than it was for the imposition of the tax.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. SMOOT. I yield to the Senator from Tennessee.

Mr. McKELLAR. Would not the same difficulties of collection apply to hunting and shooting garments and riding habits, which, on page 196, are taxed at the rate of 10 per cent, that would apply to the articles here?

Mr. SMOOT. Oh, no. That is a straight 10 per cent tax upon the sale of the article.

Mr. McKELLAR. Well, this would be a 20 per cent tax upon sales above a certain price.

Mr. SMOOT. Yes; and that is just where the difficulty comes in, not only of keeping account of it by the merchant but of reporting it to the department, and showing just what the tax was on a certain percentage of the sale. In other words, the whole transaction must be reported and kept track of in detail, whereas the other sales can be made in bulk.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. SMOOT. I yield to the Senator from Wisconsin.

Mr. LENROOT. I call the Senator's attention to two or three paragraphs following that cited by the Senator from Tennessee, where pleasure boats and canoes, if sold for more than $15, are required to pay a tax.

Mr. SMOOT. Yes, Mr. President. I will say to the Senator the reason for that is that there are little boats that are used for personal use in going to and from their homes; and we did not want to tax the individual or the family that only used a boat for such a purpose as that, and had to use it every day.

Mr. LENROOT. But it does present the same difficulty?

Mr. SMOOT. It does, as far as that goes; but, as I understand, there are only a few of these boats in the United States, and we did not want to impose a tax upon them.

Mr. THOMAS obtained the floor.

Mr. JOHNSON of South Dakota. Mr. President, will the Senator yield?

Mr. THOMAS. I yield to the Senator.

Mr. JOHNSON of South Dakota. Touching the matter taken up by the Senator from North Dakota [Mr. GRONNA] with regard to the excise tax on automobile wagons, automobile trailers and tractors, I just want to say that a few days ago I introduced an amendment to strike that from the bill; and I shall take it up as soon as I can get the floor after the Senator from Colorado concludes.

Mr. THOMAS. The Senator will not be able to take it up until the committee amendments are all disposed of.

Mr. JOHNSON of South Dakota. It is a committee amendment.

Mr. THOMAS. An amendment to a committee amendment?

Mr. JOHNSON of South Dakota. Yes.

Mr. THOMAS. Mr. President, I voted in the committee for the excision of this line of taxes, first, because I thought they were too high in view of the sudden and happy close of hostilities, and for the additional reason that the application of the term "luxury" to the great bulk of these articles was a misnomer; I also believed, and I still believe, that if the House provision is retained in the bill it will serve to place a premium upon the manufacture and sale of shoddy and imitation goods.

For instance, take the subject of clothing. A suit of clothes costing in excess of $50 under the provision of the bill requires the payment of a tax of 20 per cent upon the excess over that sum. I wonder if there is a Senator in the Chamber wearing a suit of woolen clothes which cost less than $50 if purchased within the last 12 months? Such a thing may be possible, but I do not think it is at all probable.

I am wearing a suit of clothes which cost me nearly $100. It is the first new suit of clothes that I have indulged in since the war began, and for some time previous to that period. It was made to order, and perhaps for that reason it cost more than would have been the case if I had bought it ready made, but owing to the symmetry of my figure and the perfection of my form it is impossible for me to obtain any custom-made clothing that will pass muster in the eyes of my wife, and I am therefore compelled to resort to the other method. I do not consider that I indulged in a luxury when I secured this suit of clothes.

We must remember, Mr. President, that the price of raw material has advanced enormously since the war began. Wool has increased several hundred per cent since the war began, and unless I am mistaken the price of wool to-day in the market is in excess of 65 cents a pound. That is raw wool. When scoured it shrinks fully 70 per cent. Consequently the actual wool in the raw material that is fit for manufacture will cost three times 65 cents, or $1.95 a pound. With wool at that market price, to say nothing of the increased cost to manufacture the cloth and make the suit, who will contend that a $50 suit of clothes is a luxury?

In this excluded list is an item of 20 per cent upon all rugs and carpets costing in excess of $5 per square yard, except those which are imported. To-day the sum of $5 will not secure the wool that goes into a square yard of carpet, and a carpet is not a luxury in this latitude. This is one item.

Take that of shoes. The price of shoes has increased some 200 or 300 per cent—200 per cent, at least—and as a consequence the price of good shoes ranges all the way from $10 up, and particularly shoes which are made for women, which are much more expensive than those which are made for men. Is it possible that we are to impose a tax of 20 per cent upon the excess of the cost of shoes to the consumer over the sum of $10 per pair?

Silk, Mr. President, has ceased to be a luxury. There are luxurious silken goods, but silk has become as common and as necessary a fabric as cotton and wool in the ordinary consumption of the day. All silken garments and articles of wearing apparel—necktie, even—have increased in price enormously; yet we are levying a tax upon silken goods as luxuries, when they form a part and parcel of the necessities of everyday life.

Much opposition was made to the consumption tax proposed by the Senator from Utah [Mr. SMOOT] of 1 per cent upon retail sales, because it was a tax upon consumption; yet, under the pretense that we are placing a tax upon luxuries, we propose to penalize the consumers of the country to the extent of a 20 per cent tax upon articles which they must have, which are necessities, and which I think they will surely resent if, under the guise of luxuries, this enormous tax is placed upon them.

There may be here and there a number of items in this excluded list which are not absolute necessities. It may be that ladies' fans are luxuries. It will be pretty hard to convince a woman that they are, especially in the summer time; and I know of few women who would be satisfied with a dollar fan in these times, for fans also have increased in price. But if more than that amount is paid a direct tax of 20 per cent is immediately placed upon the excess. Now, as a matter of fact, the excess will be largely, I think, above the minimum price fixed for this line of goods. It may be, now that hostilities have ceased, that prices will show a tendency toward reduction. I have not yet observed it, and I do not believe that appreciable reductions will appear for some time to come, because of the enormous demand for the necessaries of life which will at once exhibit itself when normal conditions shall have returned and the interchange of commerce between the nations really begins. So, Mr. President, I cast my vote in the committee, as I shall cast it here, for the excision of these items.

Now, Mr. President, a word upon another subject.

I was much impressed with the brief but graphic address of the Senator from California [Mr. JOHNSON] a few moments ago with regard to the war-profits and excess-profits schedule or title of this bill. My position upon that subject is known, though perhaps not as well known as it would have been if I had been honored with a greater attendance in the Senate a few days ago when I discussed my proposed substitute for the entire title. I fully agree with the Senator in his attitude regarding a tax upon war profits. I think they should be made the basis of an immense amount of the revenue that we propose to raise by this bill. The difficulty with the bill, however, is that it not only confounds so-called excess profits, condemned by the Secretary of the Treasury and by the President, with war profits, but it extends both to profits which are not the result of profiteering, not the result of the war, thereby combining and confounding the just with the unjust, the good with the bad, by treating them all alike.

I believe, too, that the war-profits tax should be extended to partnerships and to individuals, for there be profiteers and profiteers; and the corporation is not the only sinner, neither is the capitalist. The man who sells raw material, the man laboring in that raw material, who takes advantage of war conditions and demands undue profit or compensation, is a profiteer. His unjust gain may be comparatively small, but it is a profiteering gain just the same. This bill does not reach these people. This bill, on the contrary, exempts and excludes

a very large class of individuals, and a comparatively large class of individuals associated together as partners, whose undue war profits we can reach only by a system of income-tax levies.

The Senator, of course, knows that Great Britain reaches this line of profiteers by a very heavy increase in its percentages of tax upon comparatively small incomes, but if we attempted to do that here we would at once awaken the same outcry against taxing the man of modest income, the poor man, that we have confronted under the provisions reported in the bill upon those subjects.

In the report of the House committee upon this bill, on page 8, is a table which illustrates what I am saying by a comparison of the income tax under the United Kingdom laws and under the laws of Canada and of France. It will be observed that where we get $30 on a given income of $2,500 Great Britain takes $210.94. If we go up to $5,000 the rate of levy under this bill is $180. The rate in the United Kingdom bill is $750. I will ask leave to print in my remarks page 8 of the House report upon the revenue bill of 1918, under which the enormous excess of percentages of income-tax rate upon small incomes in Great Britain as compared with ours is very graphically shown:

Income taxes upon specified incomes of married persons or heads of families with no dependents levied in the United States, United Kingdom, Canada, and France.

Income of married persons or heads of families.	United States tax under—				United Kingdom tax.				Canada.		France.	
	Existing law.		Proposed bill.		Amount.		Rate (per cent).		Amount.	Rate (per cent).	Amount.	Rate (per cent).
	Amount.	Rate (per cent).	Amount.	Rate (per cent).	Unearned.	Earned.	Unearned.	Earned.				
$2,500	$10	0.40	$30	1.20	$201.25	$210.94	11.25	8.44	$10.00	0.40	$31.25	1.25
3,000	20	.67	60	2.00	445.31	456.25	14.84	11.87	20.00	.67	50.00	1.67
3,500	30	.86	90	2.57	568.41	453.75	16.24	11.90	40.00	1.14	72.50	2.07
4,000	40	1.00	120	3.00	728.58	581.25	18.16	14.53	60.00	1.50	97.50	2.44
4,500	60	1.33	150	3.33	844.75	675.00	18.75	15.00	80.00	1.78	128.75	2.83
5,000	80	1.60	180	3.60	937.50	750.00	18.75	15.00	100.00	2.00	160.00	3.21
6,000	105	1.91	220	4.00	1,237.50	1,031.25	22.50	18.75	125.00	2.18	191.25	3.46
7,000	130	2.16	260	4.33	1,350.00	1,125.00	22.50	18.75	150.00	2.33	222.50	3.71
8,000	155	2.38	330	4.88	1,462.50	1,218.75	22.50	18.75	175.50	2.64	253.75	3.90
9,000	180	2.57	400	5.71	1,575.00	1,312.50	22.50	18.75	203.00	2.88	285.00	4.07
10,000	205	2.73	470	6.27	1,687.50	1,406.25	22.50	18.75	234.50	3.13	316.25	4.21
12,000	235	2.93	545	6.81	2,139.00	1,800.00	26.25	22.50	296.00	3.70	347.50	4.34
14,000	265	3.12	620	7.29	2,231.25	1,912.50	26.25	22.50	297.50	3.50	385.00	4.53
16,000	295	3.28	695	7.72	2,362.50	2,025.00	26.25	22.50	329.00	3.66	422.50	4.69
18,000	325	3.42	770	8.11	2,493.75	2,137.50	26.25	22.50	360.50	3.79	460.00	4.84
20,000	355	3.55	845	8.45	2,625.00	2,250.00	26.25	22.50	392.00	3.92	497.50	4.98
25,000	530	4.24	1,320	10.56	3,750.00	3,281.25	30.00	26.25	629.50	5.12	691.25	5.53
30,000	730	4.87	1,795	11.97	4,812.50	4,312.50	32.08	32.08	867.00	5.91	910.00	6.07
40,000	1,180	5.90	2,985	14.93	6,812.50	6,812.50	34.06	34.06	1,282.00	6.93	1,397.50	6.99
50,000	1,780	7.12	4,245	16.98	8,937.50	8,937.50	35.75	35.75	2,042.00	8.17	1,900.00	7.84
60,000	2,380	7.93	5,595	18.65	11,187.50	11,187.50	37.29	37.29	2,702.00	9.01	2,522.50	8.41
70,000	2,980	8.51	7,195	20.56	13,562.50	13,562.50	38.75	38.75	3,472.00	9.92	3,147.50	8.99
80,000	3,580	8.95	8,795	21.99	15,937.50	15,937.50	39.84	39.84	4,242.00	10.60	3,772.50	9.43
90,000	4,180	9.31	10,645	23.66	18,437.50	18,437.50	40.97	40.97	5,012.00	11.14	4,397.50	9.77
100,000	5,180	10.36	12,495	24.99	20,937.50	20,937.50	41.88	41.88	5,782.00	11.56	5,022.50	10.05
120,000	5,980	10.97	14,095	26.72	23,562.50	23,562.50	42.84	42.84	6,837.00	12.41	5,647.50	10.27
140,000	6,780	11.30	16,095	28.18	26,187.50	26,187.50	43.65	43.65	7,872.00	12.12	6,272.50	10.45
160,000	8,880	12.68	21,095	31.20	31,437.50	31,437.50	44.91	44.91	9,962.00	14.23	7,772.50	10.75
180,000	10,980	13.72	27,245	34.12	36,687.50	36,687.50	45.86	45.86	12,537.00	15.41	8,772.50	10.96
200,000	16,180	16.18	39,095	38.10	47,187.50	47,187.50	47.19	47.19	17,607.00	17.61	11,272.50	11.27
250,000	31,080	21.12	70,095	36.73	73,937.50	73,937.50	48.96	48.96	34,282.00	22.85	17,522.50	11.68
300,000	49,180	24.59	101,095	36.53	99,687.50	99,687.50	49.84	49.84	50,957.00	25.48	23,772.50	11.89
350,000	92,680	26.49	163,095	36.88	152,187.50	152,187.50	50.73	50.73	96,837.00	32.28	36,272.50	12.09
400,000	192,680	48.34	297,095	59.42	257,187.50	257,187.50	51.44	51.44	195,407.00	48.68	61,272.50	12.25
500,000	475,180	47.52	647,095	64.71	519,687.50	519,687.50	51.97	51.97	499,157.00	99.83	123,772.50	12.38
1,000,000	3,140,180	62.80	3,527,095	70.54	2,619,687.50	2,619,687.50	52.39	52.39	3,415,157.00	68.30	623,772.50	12.48

It is a method and perhaps the only method for reaching the small profiteers, yet I do not believe there is a man within the sound of my voice who would vote for such a raise on incomes to-day, simply because it reaches too many people, it takes in too many profiteers; it gets the small profiteer as well as the large one.

I confess I should not advocate it myself for the very good reason that I do not believe in placing such a heavy hand upon the man with a legitimate income for the purpose of reaching the profiteering income of the man whose returns are practically at the same rate. I mention that——

Mr. SMITH of Michigan. Mr. President——

Mr. THOMAS. Just a moment. I mention that for the purpose of emphasizing the difficulty which the committee studying this very important and complex question would be confronted with, all along the line from the man with a $2,500 income to the man with an income of $100,000. I yield to the Senator from Michigan.

Mr. SMITH of Michigan. I was somewhat struck with the statement of the Senator that the application of the British rule was so widespread it would find no sanction here.

Mr. THOMAS. Only as to small incomes.

Mr. SMITH of Michigan. As to small incomes. But does not the Senator think that the virtue of an income tax lies or should lie in the universality of it?

Mr. THOMAS. Certainly.

Mr. SMITH of Michigan. That ought to apply to all incomes.

Mr. THOMAS. Certainly, to all incomes in excess of six or seven hundred dollars.

Mr. SMITH of Michigan. Any attempt to relieve classes of citizens is fraught with danger and ought to be avoided. I am sorry the Senator believes that a rule so universal would have no special favor here.

Mr. THOMAS. The Senator misunderstands me. I believe that there is a very strong sentiment against placing high taxes upon small incomes. I do not believe there is a Senator here in favor of placing a large tax upon small incomes. The British tax upon small incomes is much more than twice as heavy as the American tax upon small incomes. I agree with the Senator that the exemptions from income tax should be very low, the lower the better.

Mr. SMITH of Michigan. Under the British system I believe the exemption is $640, but if this system is to be permanently successful it must be fair and just and apply to all people alike in proportion to their income. In that way invidious distinctions are avoided. I think there is no person so poor as that he would not be happy to contribute his mite toward the expenses of the Government if he had an opportunity to do so.

Mr. THOMAS. I do not think the Senator and I disagree. But to illustrate my contention let me call attention again to this table. Under the proposed law the amount collected from a $5,000 income would be $750 in Great Britain. The same income would pay $180 here. Take $7,500. Here the tax is $470. In Great Britain it is $1,687, or nearly four times as much. It would be impossible for us, if we would reach the small profiteer, to impose such enormous percentages of tax upon small incomes. The difficulty is one which can not be overcome by that means, and the small profiteer will escape that contribution which even under a 40 or 50 or 60 per cent war-profits tax the big profiteer must respond to.

Mr. President, before I take my seat I wish to refer to a little incident of this morning, and for which my genial and

very dear friend the Senator from Arizona [Mr. ASHURST] has taken me to task. During the remarks of the Senator from Iowa in support of this amendment I challenged his statement that Grover Cleveland was a Democrat. Let me assure my friend from Arizona, and the Senate as well, that I intended and I made no reflection whatever upon the character of the former President. Such was not my purpose. Of his honesty, of his integrity of purpose, I make no possible question. Of his courage no man can make any question. Indeed, his courage was, in my judgment, a defect rather than a merit in his official career, warped as it was in a wrong direction. An honest and courageous man in high position who goes wrong is more dangerous than one of weaker fiber. My remark was based upon the fact that Mr. Cleveland was elected by an overwhelming majority of the American people both in the popular vote and in the Electoral College upon a platform unmistakable in its meaning and voicing the sentiments of his supporters. He set his face against one of its principal features regardless of consequences. He found his party strong, supreme, and effective. He left his party ruined, broken into a thousand fragments, and doomed to an exile of many, many years. For this he was responsible more than any other man.

There can be no question, Mr. President, that the utter lack of harmony between the administration and the mass of the Democratic Party during the last two years of his last administration, due to his stubborn disregard of his party associates, doomed it to the calamity of political defeat. And everyone knows that Mr. Cleveland opposed his party in the campaign of 1896. It was for these reasons that I made protest to his democracy. I have made it frequently. I made it everywhere in 1896 and again in 1904, and so did many other Democrats far more prominent in its councils than I ever have been.

Mr. MARTIN of Virginia. Mr. President, I shall occupy a very few moments. I desire to say to the Senate, and I trust I will not be misunderstood in saying it, that there is a very general desire that the Senate shall be at recess the balance of the week after to-day. It has transpired that that conviction has permeated the Senate to such an extent that it is now practically certain that there will not be a quorum of the Senate in the city after to-day. As it is very important that this bill shall pass the Senate and go to the House before the recess commences, I feel that I am taking no unreasonable liberty when I bring it to the attention of Senators that the bill will have to be passed to-day or we will be without a quorum and the bill be unpassed.

My object is to appeal to Senators on both sides of the Chamber to unite in the purpose to conclude the bill to-day and let it go to conference, in order that we may not break up here, as we certainly will have to do to-day, when there will be no quorum of the Senate in the city after to-day. I am assured that reservations have been made sufficient to demonstrate the fact that the bill must pass to-day or it will not pass this week and will not go to conference until after the 2d day of January.

I appeal to Senators to cooperate to that end. In doing that I know, of course, Senators will understand that I have no wish to interfere with any Senator who desires to express his views about the bill, but I want him to do it with a full knowledge of the situation, so that he may, as far as he is inclined to give his views, do so, but that he may limit his remarks, so that we may be enabled to reach a final disposition of the bill to-day, for if it goes to conference before the recess it must be passed to-day.

I am sure Senators will appreciate the need as fully as I do. I simply desired to bring to their attention the conditions which confront us and appeal to Senators on both sides of the Chamber to unite and cooperate in completing the bill to-day.

Mr. THOMAS. Mr. President, I think the warning given by the Senator from Virginia is very timely and necessary. I think he has stated the absolute fact, but I want to say that it is a humiliation to me as a Senator to be required to stay here and attend to public business in face of the fact that so many seem to prefer a good holiday season at this critical period of American affairs to staying here and attending to the public business.

Mr. ASHURST. Mr. President, I had intended to speak for seven or eight minutes on this particular subject, but I appreciate the force of the suggestion and statement of the Senator from Virginia, and hence I will consume but three or four minutes.

There has been much doubt as to whether or not this was a mistake on the part of the committee. That doubt has been dispelled, and I am bound to say in seriousness that the speeches made by the chairman of the committee [Mr. SIMMONS], by the Senator from Utah [Mr. SMOOT], and the Senator from Colorado [Mr. THOMAS] have cleared up a good deal of misunderstanding as to what was the intent and purpose in striking from the bill this tax, which a great many Senators believe to be a tax on luxuries. I have no doubt the misapprehension arose from a statement that was given to the press by the distinguished Senator from Pennsylvania [Mr. PENROSE], who announced that all taxes on luxuries would be removed as soon as the committee could reach a report. I will read from the Toledo News-Bee, a newspaper printed in Toledo, Ohio, under date of November 23, 1918. The headline is:

War taxes to be lower soon, says Senator BOIES PENROSE.

The headlines continue as follows:

In the meantime be an optimist on America. Share prosperity. This is the view of Senate's tory leader.

That is the headline. Here is the editor's note:

One of the most powerful men in the Republican Party is Senator BOIES PENROSE, of Pennsylvania. He is also a silent man. Both in Republican national conventions and in the Senate he does his most effective work in committee rooms. He seldom makes speeches in the Senate, confining himself to keen-edged questions which are hard to answer on the spur of the moment. He is also very seldom interviewed. His views, as here set forth on the Nation's future and its finances, may be taken as the views of the dominant faction in the Republican Party, which expects to control the next Congress.

Then there is an article by Mr. Milton Brouner, a very celebrated writer, who says:

WASHINGTON, *November 23.*

On the immediate future of this country be a bull. In other words, be an American optimist. The country is in for prosperity which will be shared alike by the capitalist and the wage earner.

This is the view of Senator BOIES PENROSE, from the industrial State of Pennsylvania. PENROSE, as everybody knows, is the leader of the conservative, or tory, or reactionary forces in the Senate. He is the big boss of the Republican organization in Pennsylvania.

MAY BE A SENATE LEADER.

If the old leadership of the G. O. P. succeeds, he will be the chairman of the Finance Committee in the next Congress, and, therefore, will have a very large part in shaping the fiscal policy of the Nation.

Then follows the interview, and I am bound to say it is largely a very sane, statesmanlike paper; but the Senator from Pennsylvania, like Cyrano de Bergerac in the play, in his last line hit. I will read that paragraph. The Senator concludes his interview as follows:

It may be some consolation to know that those huge burdens of taxes will only be paid once. The annoying taxes of a smaller variety, taxes on transportation, sales, luxuries, and similar articles and transactions will be among the earliest to go.

To a wayfaring man, a Senator who is not on the Committee on Finance when a great bill is brought in of nearly 300 pages, the ranking member of the Republican minority announcing in advance that all taxes on luxuries would be removed, such Senators must be pardoned, when they see an appearance of taxes on luxuries having been removed, for believing that those appearances are justified, especially in view of the interview of the Senator from Pennsylvania, which announced that luxury taxes are to go.

Mr. SIMMONS. I think the Senator misunderstands the last declaration the Senator from Pennsylvania made, that transportation, sales, and luxury taxes must go. When he said that he was referring to some future time when we get rid of the war taxes. The transportation taxes are still in the bill. He could not have referred to their going out, because there never was any suggestion that they should go out. They have not been raised, however. They are the same as the present law. They have not been increased.

Mr. ASHURST. That is all I care to say, Mr. President.

Mr. McCUMBER. Mr. President, I realize the great difficulty in bringing any number of Senators to a consideration of a review of their own conclusions, conclusions that are very often formed upon a mere surface glance at a provision without study, without considering any of the reasons, and immediately expressing themselves and finding themselves in a position where they must either plead guilty of inconsistency or else stay by their first conclusions. The Senator from Arizona has stated that for years he had been making speeches to his constituents in which he had proclaimed that it was the duty of Congress to lay good and strong and heavy taxes upon luxuries, and he sees something in the bill which he deems does not conform to that view, and immediately announces that he is against it and hopes that his party will be against it. The Senator from Kansas [Mr. CURTIS] immediately declares that he hopes that every Republican will vote against the amendment that was adopted by the committee, because as he views it is not conforming to his idea.

Now, let me put that question straight to the Senator from Arizona, and I think I will be able to get his own views, and I believe when I get them upon a true statement of the facts we will not very materially differ.

Mr. CURTIS. May I interrupt the Senator before he goes into that?

Mr. McCUMBER. Certainly.

Mr. CURTIS. What I said to-day did not relate to domestic luxuries. I asked for a very high duty on imported luxuries.

Mr. McCUMBER. Yes; and I will agree with that part, not only that we should have a duty but a high duty. The Senator from Arizona has said to one of his confiding constituents that it is his purpose as a Senator to see that in a tariff bill luxury shall be taxed, and the Senator hopes for the retention of the provision of the House to carry his own statement into effect. Now, let us see what the result will be.

If the Senator says to this constituent, "I know that you can not buy a good woman's coat, all wool, for less than $60 or $70, but you can buy cheaper goods—that is, an article 15 or 20 per cent shoddy for $40—and thereby I have taxed the luxury, but I have not taxed you," and if that constituent is a lady who knows anything about the worth and value of an article which she is buying she will say to the Senator, "Wool is not a luxury. I am entitled to a woolen coat; it is not a luxury and has never been considered as a luxury. It is true that I can buy a shoddy coat for $40, but my $70 suit will last me two years, while the shoddy suit I could wear only six months. If I am going to wear coats, I shall have to buy two of those shoddy suits or three to get the same value that I would get out of one of the $70 suits, which is all wool." Will not the good lady, the constituent of the Senator, immediately call his attention to the fact that instead of relieving her from paying this excessive tax he has compelled her to buy two suits where she ought to have bought but one? The Senator knows as well as I do any anyone else who has bought a shoddy article to wear that one good woolen suit of clothes for man or woman will outlast three suits that have even 10 or 15 per cent of shoddy in the mixture.

As a matter of fact, I do not care what your advertisements are in your papers, you can not go into the city of Washington to-day and buy a good woolen coat of wool, a winter coat, for $40 or even $50. I have some reasons for knowing.

I want to say that there are some articles in this list that probably could stand that tax, and it would apply only to those who are able to buy what you call luxuries, but remember that the suit of clothes which cost you $40 before the war, and which was not a luxury then, costs you $70 or $80 to-day. Now, you are getting the same thing. It is no more a luxury to-day because you have got to pay twice as much for it than it was a luxury before, and yet you are going to put a heavy tax on everyone who is already taxed to death in order to be able to buy that woolen suit.

Now, I come to shoes. The Senator from North Carolina [Mr. SIMMONS] says you can not get a good pair of shoes short of $10. I believe that is true. He is correct when he buys women's shoes, and probably he could get men's shoes that would be first class short of $10. You can buy a $6 shoe to-day, but is it economy on the part of those who can afford even to buy a $10 shoe to pay $10 for a pair of shoes that will last them 18 months rather than to pay $6 for a pair of shoes that will last them 6 months? Are you doing a kindness to that purchaser when you say to him or her we will compel you to buy a cheaper grade?

You can draw your own conclusion without a great deal of study, that if on a man's suit of clothes or a woman's suit of clothes that costs $50 you put a tax of 20 per cent on all the excess everyone knows that you are taxing a thing that 99 per cent of the people of the United States buy every day in the year, and you are putting a very unjust tax upon it; and you know further, if you know anything about manufacturers, that they will attempt the moment you pass this bill to manufacture one class of suits that can keep them just below the taxing amount, and to do that they have got to shoddy it enormously. They will manufacture the other of good wool, which every American citizen is entitled to have, and you will have a tax of $10, $20, $30, and $40 to pay. I ask the Senator if he considers that that is just to his constituents who want to buy woolen goods. I know that a pair of shoes that costs $10 is worth more than the difference between a pair of shoes that costs $6 or $5 in its wearing quality.

Mr. ASHURST. The Senator has asked me a question, and I think I ought to answer it.

Mr. McCUMBER. Certainly; I would just as soon have the Senator answer it now.

Mr. ASHURST. What the Senator has said about clothing and shoes is in the domain of true controversy, and I am bound to say it is quite true when he limits it possibly to clothing and shoes. I am not going to dispute his suggestion that when you go to get a good suit of clothes you have to pay $50. There is no doubt about that fact.

Mr. McCUMBER. You can not get a woolen suit of clothes to-day that is made up rightly and good to last for $50.

Mr. ASHURST. I will grant that, and in inveighing against this particular section, which I have said is also a tax on luxuries, I am going to ask the distinguished Senator from North Dakota this question: The House bill laid a tax on picture frames where each picture frame cost over $10. Does the Senator think a picture frame that costs $10 is a luxury or not?

Mr. McCUMBER. I say you would not want one for $10 that you would have in your house.

Mr. ASHURST. I say a picture frame that costs over $10 when you are constantly appealed to to be economical is a luxury. I know that boys of the age of 15 and 25 frequently want to have their neckties and socks match in color and I respectfully assert that a necktie that costs over $2 is a luxury.

Mr. McCUMBER. Very well. The person who buys a $2 necktie has parted with $2; he has paid somebody a profit, and somebody who made that profit is going to be taxed. That is all.

Mr. ASHURST. So I could go on down the bill. I repeat, I am bound in fairness to say that the Senator from North Dakota makes a very strong point with reference to shoes and with reference to clothing, but there are in the bill items other than those relating to shoes and clothing.

Mr. THOMAS. Mr. President—

Mr. McCUMBER. I yield to the Senator from Colorado.

Mr. THOMAS. I desire to suggest that the purpose of the other House, as I understand, in fixing the tax upon picture frames costing in excess of $10 was not to tax a luxury, but to prohibit a certain line of commerce during the war.

Mr. McCUMBER. That was the purpose of all of these provisions.

Mr. THOMAS. It was the purpose of all of them.

Mr. McCUMBER. The purpose was not to collect anything out of them; but the operation of the tax and the natural effect of it, as a whole, would be enormously to tax people who are now paying extravagant prices for everything which they purchase.

I further yield to the Senator from Arizona now, if he has not finished.

Mr. ASHURST. The House bill, among other things, laid a tax on boys' pajamas where they cost over $5. I think that in these times, when we are urging contributions for the Red Cross and when we are all trying to buy liberty loan bonds, the ordinary American boy would be satisfied with a pair of $4.50 pajamas. I think a pair of pajamas costing over $5 may, in fairness, be considered a luxury. Indeed, there are very few of the sons of toil, those who produce the wealth, who, in my judgment, wear pajamas at all.

Mr. McCUMBER. I will say that I do not, and I do not know anything about pajamas. [Laughter.]

Mr. ASHURST. Neither do I; and that is the reason I think they are a luxury.

Mr. McCUMBER. I do not know what they cost; I have an idea, however, that if they are woolen they may not be purchased for $5.

Mr. ASHURST. That may be true.

Mr. McCUMBER. And I rather think that your mountaineers or your men out on the plains in the cold season in Arizona are entitled to woolen pajamas.

Mr. SIMMONS. This is also a tax on men's and women's pajamas as well as on boys' pajamas.

Mr. ASHURST. I do not care to say anything further. I am going to be fair enough to admit that a vast deal which has been said by the Senator from North Dakota is true, but I maintain my original ground that a vast number of these articles from which the tax has been excluded, in the domain of honest intellectual expression and by the standard of ordinary Americans, are luxuries.

Mr. McCUMBER. Well, it may be that we could pick out a few of those that one does not very often buy, where you might call the price above the price that is fixed as being somewhat luxurious; but there are very few of them to-day which I think would come under the category of luxuries.

However, let me ask the Senator from Arizona another question, and it is based upon an entirely different view of this whole subject. We purpose in this bill to tax incomes, and we propose to tax incomes all they will stand. If we have not done it, then we have not gone far enough on some of the incomes; that is all. Is it not a far better way to do to tax the income and then let a man spend his money, paying such prices as he sees fit for the clothing he buys or for the carpet he buys to put down on his floor? We may tax the dog woman of whom the Senator from Iowa [Mr. KENYON] was speaking, by taxing her income so greatly that she can not afford to keep the fluffy dog and the fluffy man to lead him around. Would that not be a far better way to meet that situation than it would be by placing a tax on collars, for instance, to put on dogs?

Mr. ASHURST. Mr. President, when the Senator from North Dakota begins to talk in favor of the income tax, his feet are on

rib rock; his position is impregnable; and with merely one amendment the income tax would be almost a perfect tax; that is, if we required the returns to be made a public record we should have, in my opinion, almost an ideal tax.

Mr. McCUMBER. That may be a subject as to which there might be considerable disagreement; but I am trying to speak to this provision and to see whether or not we really ought to impose a tax.

I desire to carry my thought a little further along that line; and that is as to the right of individuals when they have earned their money and when they have paid their proportion of tax out of that money to do as they have a mind to do with what they have left. One man may make a sum of money and think he wants to travel, and he uses his money in travel. He goes over to Europe, and he views the battle fields. That is what he does with what remnant of his salary or of his income that he has left. Another man would prefer to buy a little better carpet for his home. Why not let men spend their money in that way so long as the Government has taken its share out of that money?

I know people even in this city who, I do not think, have enough to eat; they skimp and economize in every way in order that they may go to the theater two or three times a week. They enjoy the theater more than they do a good meal. I might enjoy a good meal with my family better than I would enjoy going to the theater. Then why, in heaven's name, can you not let the other man and his family go to the theater and spend his money in that way and let me buy a little better carpet for my home and enjoy my fireside? Why should you make the distinction where it is not necessary to do so?

I do not object to a tax on luxuries; tax them all you have a mind to if they are real luxuries, but do not measure the price of an article in war times in order to determine whether or not it is a luxury. If we were to determine the standards of what is and what is not a luxury by the standard of the price to-day, I do not know a thing you can buy that would not be classed as a luxury. All articles cost from two to three times as much in price as they did before the beginning of this war, and they are still going up. I do not want to send the $60 coat up to $70, for I know the American people have got to buy. I do not want to send the $10 pair of shoes or the $12 pair of shoes, if they are the only pair of shoes one can get which are good, up to a price which will be three or four dollars more and which is still added to by making the tax a little higher.

An ordinary pair of boots for an officer now costs him $35, where before the war he could have bought as good a pair of boots for $8 or $9. Taking your standard of shoes at $10, at $20, or $25, he must pay 20 per cent tax on them.

The Senator says that some of these things could stand a luxury tax, and that is true; they could stand a luxury tax. In other words, people could buy something, maybe, a little cheaper which, in some instances, might last practically as long, but there is no need for the provisions under this title. That is one good reason against the whole of it. There is no occasion for it; we raise enough taxes without it. If we raise enough taxes without taxing everybody for practically everything that he buys, let us do it, for, God knows, what one buys now is heavy enough in its price.

Mr. LODGE. Mr. President, there are no luxury taxes imposed in this bill. This is a part of the title which is called "Excise taxes," and in section 900 there are a number of articles which are purely luxuries; that is, they are articles which are not in the least essential to life, but as to these particular ones which it is now proposed to strike out I think almost every article is a necessity. What the other House has done was to arbitrarily say that above a certain price these articles ought to be taxed.

In the first part of the bill, for instance, it is proposed to tax pianos and all mechanical musical talking devices. It is proposed to tax sporting goods, firearms, hunting knives, cigarette holders, liveries, livery boots and hats, hunting and shooting garments, articles made of fur, yachts and motor boats, toilet soaps, and toilet powders. Those are luxuries that are included there. These are additional taxes based solely on price. Hardly any of them may properly be described as luxuries in themselves. On trunks and valises, purses, portable lighting fixtures, umbrellas, men's and women's clothing, boots, shoes, and everything of that sort which make up the mass of these taxes, 20 per cent additional taxes are imposed.

We say arbitrarily that if a man pays more than $50 for a suit of clothes he ought to be taxed. It is not because it is a luxury, for he has got to have the suit of clothes. Though it is a necessity that he should have a $40 suit, it is assumed that it becomes a luxury if he buys a $51 suit. It is not a luxury in either case; it is an arbitrary determination that above a certain price we shall tax these suits, because the theory is that the people who are ready to pay more than that amount for a given article are able to pay the tax. From the practical side, the effect will undoubtedly be to make people buy the cheaper article, just under the line, and thus avoid the tax.

These taxes went out on the recommendation of the Treasury. They were put in the bill originally to meet the exigencies of war; they had been put in to furnish taxes very late in the war, when it was sought in every corner to obtain revenue. When it was found that we could reduce the amount of the bill, this was one of the taxes that the Treasury recommended should be eliminated, because it was said the cost and difficulty of its administration would be very great, and it would throw the retail business of the country on all these articles, which in themselves are necessities, into great confusion.

These taxes will not fall with any great weight upon that abominable class who are known as rich people; they will fall quite as much upon people of ordinary means who may like to have a good suit of clothes and save their money for that purpose. They will either have to buy an inferior article or pay the tax. The rich who will pay it will not feel it materially at all; but business will feel it, and people who have to look at the dollars they spend will feel it, and they will be the only people who will feel this tax.

I voted very cheerfully to strike it out in the committee, because it seems to me an annoying and troublesome tax, injurious to business, extremely difficult of collection, serving no good purpose, and only defensible at a time when we needed to exhaust every source of taxation.

The general policy, which I am not going to enter into now, has been adopted of avoiding, so far as possible, consumption taxes. Every one of these is a consumption tax, and therefore, when it came to striking out the provision, if I am not mistaken, the vote in the committee was unanimous to strike it out.

Mr. KENYON. Mr. President, is the Senator quite sure that the vote in the committee was unanimous? I have been told it was not unanimous.

Mr. LODGE. Possibly not. The majority, however, in favor of striking out the provision was certainly very large; but that is wholly immaterial as to the merits of the question. I thought that it was so nearly unanimous that the opposition was not noticeable.

Mr. President, I do not wish to take the time of the Senate, but I want to call attention to one or two articles to illustrate what I mean. I think we may say that a carpet is a necessity. There are people, of course, who live without carpets; life can be supported without carpets; but I think in our climate—or, as Mark Twain said: "We have no climate; we only have weather"—in our weather, I think, an umbrella may be described as a necessity. I have observed periods in Washington when I thought a fan might have been described as a necessity. I should say men's waistcoats; men's and boys' suits and overcoats; women's and misses' suits, cloaks, and coats; women's and misses' hats and bonnets; men's and boys' hats; men's and boys' caps; men's, women's, misses,' and boys' boots and shoes; men's and boys' neckties and neckwear—all are necessities. Silk stockings, I may say, are purely luxuries. Men's shirts—a man can go without a shirt; one is not absolutely necessary. Men's pajamas; kimonos, petticoats, and waists.

Now, I have read nearly all of the items, and they are of themselves necessities; yet it is proposed to say that above a certain price they shall be taxed. That does not make them luxuries; that is simply an arbitrary determination that when they cost above a certain amount we shall tax them.

Mr. ASHURST. Mr. President, the Senator is a very fair debater and is a very scholarly and able man. He has selected certain articles which I am bound to concede are necessities, but he can not in debate merely select one thing from the text and wrench it from its context and make it stand apart.

Mr. LODGE. I think I omitted all the things that can possibly be described as luxuries.

Mr. ASHURST. To attempt to sustain my position, I want the Senator to be frank, as I know he will be, as to the items that I am about to mention, as he has been as to the others. Take the top of page 200, where the House puts a tax on purses, pocketbooks, and hand bags that cost in excess of $7.50. Does not the Senator think in these times that a hand bag or a purse that costs in excess of $7.50 is a luxury?

Mr. LODGE. I did not mention those articles as necessities.

Mr. ASHURST. I know the Senator did not, but the Senator selected a number of articles which he said were necessities.

Mr. LODGE. I read them and stated that I read nearly all, and I did read nearly all. Purses may be called a luxury.

One can carry bills in an envelope and his change loose in his pocket; I know that.

Mr. ASHURST. That is not the point exactly.

Mr. LODGE. I am perfectly willing to assume that a portable lighting fixture is not a necessity.

Mr. ASHURST. Very true.

Mr. LODGE. One may use a candle.

Mr. ASHURST. Now, take the item on line 8—smoking jackets.

Mr. LODGE. I did not read that item; that is a luxury, I admit.

Mr. ASHURST. The distinguished Senator has been just as fair as I thought he would be. The only point I sought to make was that there were some articles in the list that were luxuries.

Mr. LODGE. There are a few.

Mr. ASHURST. That is all there is to the controversy.

Mr. LODGE. I omitted silk stockings, but I think most of the articles in the paragraph in themselves are necessities. All we do here is to say that above a certain price we will tax them. We do not say they are luxuries; it is a misnomer to call them luxuries; they have not been so mentioned in the bill at all; but we fix an arbitrary price and say we will tax them. Mr. President, when we come to argue what people need, I think there are some lines in Shakespeare that show the difficulty of defining such a thing, as, for instance, where King Lear is made to say:

> Oh, reason not the need; our basest beggars
> Are in the poorest things superfluous.
> Allow not nature more than nature needs;
> Man's life's as cheap as beast's.

I think we can not lay down any hard-and-fast line of that kind. As I have said, these taxes are defensible only on a war basis. We have reduced the taxes in this bill $2,000,000,000, and we propose to eliminate a few millions dollars by striking out a tax which the administration urges us to take out, a tax that would be difficult to collect and difficult of administration, extremely annoying, and the kind of tax which I think is much better out of the bill than in it.

Mr. SMITH of Michigan. Mr. President, if the Senator from Massachusetts will allow me, it was put in before the war closed, was it not?

Mr. LODGE. Certainly; it was put in by the House.

Mr. SMITH of Michigan. And it was put in for the purpose of discouraging investment in that kind of articles?

Mr. LODGE. Absolutely; that was its purpose.

Mr. SMITH of Michigan. And now the reason for it has passed.

Mr. SIMMONS. Mr. President, I simply wish to say that I know, as a matter of fact, that the Committee on Ways and Means put this provision in the bill because at the time it seemed to be necessary in order to get the amount of revenue required, and also for the reason the Senator from Michigan [Mr. SMITH] has just given. I know that many of the members of that committee would like to see these taxes go out of the bill.

Mr. President, I think that the Senate clearly understands this matter, and I hope we may have a vote upon it. If we are going to discuss every item that is likely to come up to-day as long as we have discussed this item, of course there will be no possibility of passing this bill by midnight to-night. I had hoped that it would not be necessary to keep the Senate here until midnight, but we can not pass it even by that time; we can not pass it in a week if we devote as much time to other provisions as we have devoted to this provision.

SEVERAL SENATORS. Vote!

Mr. KENYON. Mr. President, on this question I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. SIMMONS. Mr. President, I do not think the Senate understands what they are voting on.

The VICE PRESIDENT. The Chair thinks it should be understood by the Senate by this time.

Mr. SIMMONS. The question is on agreeing to the committee amendment.

The VICE PRESIDENT. Yes; and that strikes out the House text. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. BRANDEGEE (when his name was called). I am paired with the senior Senator from Tennessee [Mr. SHIELDS]. I transfer that pair to the junior Senator from New Jersey [Mr. BAIRD] and vote. I vote "yea."

Mr. JONES of Washington (when his name was called). I am paired for the time being with the senior Senator from Louisiana [Mr. RANSDELL]. I do not know how he would vote on this amendment, and therefore I withhold my vote. If at liberty to vote, I should vote "nay."

Mr. KENDRICK (when his name was called). I have a general pair with the senior Senator from New Mexico [Mr. FALL], which I transfer to the junior Senator from Montana [Mr. WALSH] and vote "nay."

Mr. NEW (when his name was called). I have a pair with the junior Senator from Louisiana [Mr. GAY]. Not knowing how he would vote, I withhold my vote. If permitted to vote, I should vote "yea."

Mr. SAULSBURY (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. COLT], which does not apply to votes hereafter to be taken on this bill nor to this one. If present, he would vote as I shall vote. Therefore I vote "yea."

Mr. SMITH of Michigan (when his name was called). I have a pair with the senior Senator from Missouri [Mr. REED]. As he is absent, I will transfer that pair to the senior Senator from New Jersey [Mr. FRELINGHUYSEN] and vote "yea."

Mr. STERLING (when his name was called). I have a general pair with the senior Senator from South Carolina [Mr. SMITH] and therefore withhold my vote. If at liberty to vote, I should vote "nay."

Mr. TOWNSEND (when his name was called). I have a general pair with the senior Senator from Arkansas [Mr. ROBINSON]. In his absence I withhold my vote. If at liberty to vote, I should vote "nay."

The roll call was concluded.

Mr. GERRY (after having voted in the affirmative). I inquire if the junior Senator from New York [Mr. CALDER] has voted?

The VICE PRESIDENT. He has not.

Mr. GERRY. I have a general pair with the junior Senator from New York, which I transfer to the Senator from Nevada [Mr. PITTMAN] and allow my vote to stand.

Mr. MYERS. I have a pair with the Senator from Connecticut [Mr. MCLEAN], who is absent. As I am unable to obtain a transfer, I withhold my vote.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Illinois [Mr. SHERMAN] with the Senator from Kansas [Mr. THOMPSON]; and

The Senator from New York [Mr. WADSWORTH] with the Senator from New Hampshire [Mr. HOLLIS].

The result was announced—yeas 32, nays 38, as follows:

YEAS—32.

Bankhead	Knox	Saulsbury	Sutherland
Brandegee	Lewis	Simmons	Swanson
Culberson	Lodge	Smith, Ariz.	Thomas
Dillingham	McCumber	Smith, Ga.	Underwood
Gerry	Martin, Va.	Smith, Md.	Warren
Gore	Moses	Smith, Mich.	Watson
Henderson	Page	Smoot	Williams
Jones, N. Mex.	Penrose	Spencer	Wolcott

NAYS—38.

Ashurst	Hale	La Follette	Poindexter
Beckham	Harding	Lenroot	Pollock
Borah	Hitchcock	McKellar	Pomerene
Chamberlain	Johnson, Cal.	McNary	Shafroth
Cummins	Johnson, S. Dak.	Martin, Ky.	Sheppard
Curtis	Kellogg	Nelson	Trammell
Fernald	Kendrick	Norris	Vardaman
Fletcher	Kenyon	Nugent	Weeks
France	King	Overman	
Gronna	Kirby	Phelan	

NOT VOTING—26.

Baird	Hardwick	Pittman	Sterling
Calder	Hollis	Ransdell	Thompson
Colt	Jones, Wash.	Reed	Townsend
Fall	McLean	Robinson	Wadsworth
Frelinghuysen	Myers	Sherman	Walsh
Gay	New	Shields	
Goff	Owen	Smith, S. C.	

So the amendment of the committee was rejected.

Mr. HITCHCOCK. Mr. President, I ask the Senator in charge of the bill to permit me to report from the Committee on Military Affairs an emergency bill.

Mr. SIMMONS. I shall yield for that purpose, because the Senator from Nebraska tells me that it will take only a few minutes to read the bill and that it will lead to no debate.

The VICE PRESIDENT. Without objection, the unfinished business will be temporarily laid aside.

INDEMNITY FOR DAMAGES IN FRANCE.

Mr. HITCHCOCK. From the Committee on Military Affairs, I report back favorably, without amendment, the bill (S. 5213) to amend the act approved April 18, 1918, to give indemnity for damages caused by American forces abroad, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the act approved April 18, 1918, entitled "An act to give indemnity for damages caused by American forces abroad," be amended by adding the following section:

"SEC. 5. That this act shall be held to include claims for damages or remuneration arising out of contracts, informal purchase orders, or other obligations for supplies for the American military forces in Europe given by authorized representatives of such forces prior to November 12, 1918, and later canceled, reduced, or discontinued."

Mr. HITCHCOCK. Mr. President, by way of explanation of this measure I will say that the Secretary of War forwards me a cablegram received from Gen. Pershing, in which he states that the armistice found some 2,000 contracts or informal orders that have been made for supplies that are not now needed, and he desires immediate authority to cancel them and settle them. He says that it can be done at once at a very much less cost than if it is allowed to delay, and damages accumulate; and this bill simply adds to the power of settlement of claims granted in a bill which was passed last summer.

Mr. BORAH. Mr. President, does this bill confer upon Gen. Pershing the unlimited power to settle them according to his discretion? I am very much opposed to this way of settling these matters.

Mr. HITCHCOCK. It permits the officers in charge of our purchases over there to cancel and settle claims for supplies ordered in good faith, in order that the contracts, instead of being carried out and resulting in the accumulation of large supplies, may be cut off now.

Mr. BORAH. I am perfectly willing to have the contracts canceled; but what I want to know more about is, who is to pass upon the amount of damage which is to be done by reason of the stoppage?

Mr. HITCHCOCK. The same officials who were allowed to pass upon the damages incurred by our troops over there in the bill that we passed last summer. Those damages are constantly arising, and we gave to the authorities under Gen. Pershing the power to cancel and settle them. The bill gives large powers, but the amount involved in this case is not very large. I will say to the Senator that the question is now pending as to how we can settle the contracts in this country. It has been proposed to give the War Department officials the power to settle them, but we think the amount involved is so huge that a commission should be appointed, and we shall probably report a bill for that purpose. We think, however, that in the case of these 2,000 contracts and informal orders in France, a great deal of money will be saved by giving Gen. Pershing the power to settle them at once. He states in this cablegram that the total amount of the settlement will not exceed $3,000,000, and he says:

> Delay in payment would naturally very much increase the amount. The contractors will be embarrassed, and many of them perhaps ruined if relief can not be given at once. They are willing to accept reasonable terms now, but if compelled to wait, their claims will be greatly augmented and heavy damages may have to be paid.

Mr. BORAH. It will be understood, I suppose, that this is no precedent for this kind of a settlement in this country?

Mr. HITCHCOCK. No; I am very much opposed to doing anything of that sort in this country. I believe there ought to be a commission for that purpose.

Mr. BORAH. Of course, one is at a great disadvantage in knowing whether or not it is a good precedent for any place, and is not in a position to object, perhaps, by reason of that fact; but it should not be considered for a moment the proper method of settling damages here.

Mr. HITCHCOCK. I agree with the Senator fully in that matter, and I will say that the committee agrees with him fully, but regards this as an absolute necessity.

Mr. SMITH of Michigan. Mr. President, let me ask the Senator if this bill does not carry with it the validation of very informal and not strictly legal contracts?

Mr. HITCHCOCK. It probably does.

Mr. SMITH of Michigan. And it is to give dignity to that kind of contracts and then allow them to be settled?

Mr. HITCHCOCK. On matters that have been ordered informally over there under the stress of war and which would have been paid in the normal course of events, which we want to settle promptly now.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

THE REVENUE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12863) to provide revenue, and for other purposes.

Mr. SIMMONS. Mr. President, I understand that the Senator from Utah [Mr. SMOOT] has an amendment which he desires to offer.

Mr. SMOOT. Mr. President, the Senator from Connecticut [Mr. MCLEAN] submitted an amendment to the committee some days ago and asked me to present it to the committee and then report it to the Senate. I now offer that amendment. It is as follows:

On page 132, line 14, insert:

Provided, however, That the amount of the tax shall be finally determined by the commissioner within five years after the decedent's death, unless the due date is extended by the commissioner, in which case such tax shall be finally determined by the commissioner within one year after the termination of the extended period.

Mr. SIMMONS. Mr. President, I accept that amendment. It has been presented to the committee.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 132, in the amendment of the committee, in section 410, at the end of line 14, after the word "paid," it is proposed to insert a colon and the following:

Provided, however, That the amount of the tax shall be finally determined by the commissioner within five years after the decedent's death, unless the due date is extended by the commissioner, in which case such tax shall be finally determined by the commissioner within one year after the termination of the extended period.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. MCCUMBER. Mr. President, I call the chairman's attention to page 226 of the bill.

Mr. SIMMONS. We are not through with the committee amendments yet.

Mr. MCCUMBER. This is on a committee amendment.

Mr. SIMMONS. Is it an amendment to a committee amendment?

Mr. MCCUMBER. Yes; on page 226.

Mr. SIMMONS. If the Senator will allow me to offer some committee amendments first——

Mr. MCCUMBER. This is an amendment which was really agreed to by the committee, as I understand, and which we failed to insert in the bill.

On page 226 the Senate struck out lines 15 to 20, relating to the Harrison Drug Act. Before the committee there was a proposition made compelling druggists who compounded any of these habit-forming drugs also to keep a list of the persons to whom they furnished them, a list of the goods, and so forth. I notice that it is not in the bill.

Mr. SIMMONS. The Senator is correct. I shall accept the amendment.

Mr. MCCUMBER. The experts have drawn it, and I ask that it be inserted. It is on page 226, line 15, section 1009.

> That section 6 of such act of December 17, 1914, is amended by striking out the period after the word "act" at the end of the proviso, and adding a colon and the following:
>
> "*Provided further*, That a record is kept by the manufacturer, producer, or compounder of such preparations, remedies, and specifics containing such drugs, or by the dealer who knowingly sells the same, giving the date, quantity, name, and address of persons to whom such remedies, preparations, or specifics are sold, distributed, given away, or dispensed."

I offer that amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Dakota.

The amendment was agreed to.

Mr. SIMMONS. Mr. President, I have some amendments which I wish to present.

On page 5, line 25, after the word "title," I move to insert in parentheses the words "excepting section 246."

The amendment was agreed to.

Mr. SIMMONS. On page 51, lines 18 and 19, I move to strike out the words "paragraphs (1) to (10), inclusive, of subdivision (a) of."

The VICE PRESIDENT. Without objection, the vote whereby the amendment at that point was agreed to will be reconsidered. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

Mr. SIMMONS. Mr. President, I send to the desk several committee amendments which I ask to have stated.

The VICE PRESIDENT. The amendments will be stated.

The SECRETARY. On page 23, line 19, it is proposed to amend section 213 by striking out the words "and including."

The amendment was agreed to.

The SECRETARY. Also, at the end of line 21, insert——

Mr. BRANDEGEE. Mr. President, before that is reached, in relation to the amendment just prior to that on line 19, does the Senator mean to strike out the words "and including"?

Mr. SIMMONS. Yes.

Mr. BRANDEGEE. Would that make sense, Mr. President? It does not seem to me that it would.

The VICE PRESIDENT. No; it would not, but that does not make any difference.

Mr. BRANDEGEE. I think one of the words should be left in. If the amendment as proposed by the Senator is adopted, it would read:

Or other interest-bearing obligations of residents, corporate or otherwise, dividends from resident corporations.

It does not seem to me to be intelligible.

Mr. SIMMONS. I was going to offer another amendment. It is not intelligible without the other amendment which I am going to offer right now.

Mr. BRANDEGEE. If there is something else that will make it intelligible, I have no objection, but with the amendments being offered one at a time in this way it is impossible to see what it is desired to accomplish.

Mr. SIMMONS. I am going to offer another amendment in that same connection.

Mr. BRANDEGEE. Very well; I have no objection.

Mr. SIMMONS. I ask to have the next amendment stated.

The SECRETARY. On line 19 strike out the words "and including," and at the end of line 19 add the words "and including all amounts received (although paid under a contract for the sale of goods or otherwise) representing profits on the manufacture and disposition of goods within the United States."

Mr. BRANDEGEE. Mr. President, before these amendments are agreed to I should like to have the amendment read as it will be if agreed to.

Mr. SIMMONS. Very well. I will send it up. It was due to inadvertence that I did not send it up.

The SECRETARY. It is proposed on page 23, line 19, to strike out the words "and including," which has been agreed to, and at the end of line 19, after the word "corporations," to insert "and including all amounts received (although paid under a contract for the sale of goods or otherwise) representing profits on the manufacture and disposition of goods within the United States," so that if amended the paragraph will read:

(c) In the case of nonresident alien individuals, gross income includes only the gross income from sources within the United States, including interest on bonds, notes, or other interest-bearing obligations of residents, corporate or otherwise, dividends from resident corporations, and including all amounts received (although paid under a contract for the sale of goods or otherwise) representing profits on the manufacture and disposition of goods within the United States.

Mr. BRANDEGEE. That is intelligible now.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SIMMONS. Mr. President, the same amendment has to appear at another place in the bill, on page 53. I send it to the desk and ask to have it stated.

The SECRETARY. On page 53, line 21, strike out the words "and including," the first two words in the line, and after "corporations," at the end of the line, insert the same words as before.

The amendment was agreed to.

Mr. SIMMONS. I send to the desk another amendment, which I ask to have stated.

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. On page 60, line 5, in the committee amendment, it is proposed to strike out the numerals "13" within brackets and insert "10."

The VICE PRESIDENT. Without objection, the vote whereby the committee amendment at that point was agreed to will be reconsidered.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. SIMMONS. I send another amendment to the desk and ask to have it stated.

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. On page 64, lines 7 and 8, it is proposed to strike out the words "not exempt under subdivisions (1) to (13) of section 231" and in lieu thereof to insert the words "subject to taxation under this title, and every personal-service corporation."

The amendment was agreed to.

Mr. SIMMONS. I send to the desk another amendment.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 225, lines 11 and 12, it is proposed to strike out the words "in personal attendance upon such patient."

The amendment was agreed to.

Mr. SIMMONS. I send to the desk a series of amendments, which simply provide for filling in dates where we struck out the dates as the bill passed the House, and left blanks, because the bill will not be passed as early as the House thought it would.

The VICE PRESIDENT. The amendments will be stated.

The SECRETARY. On page 137, line 3, after the matter stricken out, it is proposed to insert, in the blank, "April 1, 1919."

The amendment was agreed to.

The SECRETARY. On page 177, line 22, before the comma insert "May 1, 1919."

The amendment was agreed to.

The SECRETARY. On page 188, line 12, after the matter stricken out insert "April 1, 1919."

The amendment was agreed to.

The SECRETARY. On page 191, line 24, insert "April 1, 1919."

The amendment was agreed to.

The SECRETARY. On page 202, line 8, after the matter stricken out, insert "April 1, 1919."

The amendment was agreed to.

The SECRETARY. On page 204, line 4, insert in lieu of the blank the word "May."

The amendment was agreed to.

The SECRETARY. On page 205, line 3, after the matter stricken out, insert "May 1, 1919."

The amendment was agreed to.

The SECRETARY. On page 228, line 13, after the matter stricken out, insert "April 1, 1919."

The amendment was agreed to.

Mr. KENYON. Mr. President, I wish to ask the Senator from North Carolina a question. Was the amendment on page 202, line 20, providing for a reduction from 10 per cent to 5 per cent on jewelry, precious stones, and so forth, adopted?

Mr. SIMMONS. Yes; that has been adopted.

Mr. KENYON. I was anxious to have a vote on that amendment, but I suppose it will not do any good to have it reconsidered. I therefore think perhaps I will not ask for a vote, as it will do no good.

Mr. SIMMONS. We reduced one-half nearly all of those taxes that have been imposed by the House. Some of them we did not reduce, however.

Mr. KENYON. It occurs to me, in view of the fact that section 905 remains in the bill, providing for a 20 per cent tax above certain amounts, that these other reductions are not now in harmony with that section. I will content myself with expressing opposition to that reduction, however, and will not take up time in asking for another vote.

Mr. SIMMONS. Mr. President, I do not think the amendment on page 47, beginning at line 23, has been agreed to. I will ask the Chair if that is correct.

The VICE PRESIDENT. It has been agreed to.

The SECRETARY. The next amendment passed over is on page 137, in subdivision (a), where the committee proposes to strike out all of lines 12, 13, 14, and 15.

Mr. SIMMONS. Mr. President, just a moment. The Senator from Washington [Mr. JONES] desired to make some observations with reference to that amendment, but he is not in the Chamber. The Senator from Colorado [Mr. THOMAS] is present, and I should like to take up the title of "Inheritance tax."

Mr. THOMAS. Mr. President, on page 123, line 23, I have moved to strike out——

The VICE PRESIDENT. Is the vote to be reconsidered whereby that amendment was agreed to?

Mr. THOMAS. Why, Mr. President, it has not been agreed to. I reserved the right when the title was reached to make this motion. It is to strike out all after the word "decedent" on line 23 of page 123.

It will be observed, Mr. President, that the paragraph to which the motion relates requires an inheritance tax to be paid upon the receipt by a beneficiary of an amount of insurance in excess of $25,000 under policies taken out by the decedent upon his own life.

In effect, that means that if a man has a policy of insurance upon his life for anything in excess of $25,000 an inheritance tax is levied upon the excess.

Mr. SIMMONS. I think we will agree to the amendment.

Mr. THOMAS. I do not care to take up the time of the Senate if the chairman of the committee and the Senate are willing to accept the amendment. I may say, however, it will require the striking out of certain other portions of the title in order to make it harmonize.

Mr. SIMMONS. Yes; that can be done.

The VICE PRESIDENT. The vote whereby the amendment was agreed to is, without objection, reconsidered.

Mr. THOMAS. There has been no vote taken upon it at all; at least, I am so informed.

The VICE PRESIDENT. The Chair knows a few things, and the Chair knows that this amendment was agreed to.

Mr. THOMAS. I do not pretend to know anything; but I know, however, that when this page was reached I reserved the right to make this motion, and I was informed that the entire title would have to be suspended until that motion was disposed of.

The VICE PRESIDENT. The fact about the matter is that I suppose nobody knows.

Mr. THOMAS. I do not want to be put in a position of differing with the Chair.

Mr. SIMMONS. Let a motion be made to reconsider.

The VICE PRESIDENT. It is reconsidered, without objection.

Mr. THOMAS. Then the amendment is presented; and I understand the chairman of the committee will accept it.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 123, beginning at line 23, after "decedent," strike out: "and (3) the receipt by a beneficiary of an amount of insurance in excess of $25,000 under policies taken out by the decedent upon his own life."

The VICE PRESIDENT. The motion is to strike out that paragraph.

Mr. THOMAS. Yes; to strike out the paragraph.

The VICE PRESIDENT. Is there objection to striking it out? The Chair hears none, and the amendment is agreed to. Are there other amendments to the inheritance title?

Mr. LODGE. Some other amendments will be necessary now that that amendment has been made.

Mr. GERRY. I will offer the amendments. On page 131, line 9, there was an insertion and an amendment was agreed to.

The SECRETARY. An amendment offered by the Senator from Utah [Mr. SMOOT].

Mr. GERRY. That should be stricken out.

Mr. BRANDEGEE. What was the amendment agreed to?

The SECRETARY. To insert after the word "taxes," in line 9, page 131:

INHERITANCE TAXES.

Each beneficiary of an amount of insurance in excess of $25,000 under policies taken out by the decedent upon his own life shall within 20 days after coming into possession of such insurance give written notice thereof to the collector, and shall also at such time and in such manner as may be required by regulations made pursuant to law file with the collector a return under oath setting forth (a) the total insurance received, (b) such additional data as may be necessary to establish the correct tax, and (c) the tax paid or payable thereon. At the same time or upon his later appointment a duplicate of such return shall also be furnished the executor. The beneficiary shall pay the tax upon such insurance to the executor within 30 days after receipt of the amount, or, if the executor has not then been appointed, within 30 days after such appointment.

The VICE PRESIDENT. The question is on agreeing to the vote whereby the amendment was adopted. It is reconsidered, without objection. The question is on the amendment.

The amendment was rejected.

Mr. GERRY. On page 133, line 1, another amendment should be made. I ask the Secretary to state it.

The SECRETARY. After the word "decedent" in line 1 of the amendment offered by the Senator from Utah [Mr. SMOOT] was agreed to, which inserted a comma and the words "except payment of insurance upon the life of the decedent."

The VICE PRESIDENT. The vote whereby it was adopted will be reconsidered, without objection, and the amendment rejected.

Mr. GERRY. On page 133, line 19, after the word "transferee," there was inserted "except payment of insurance upon the life of the decedent."

The VICE PRESIDENT. The vote whereby the amendment was agreed to will be reconsidered, without objection, and the amendment will be rejected.

Mr. GERRY. On page 134, line 12, after the word "period," there were inserted the words "except where such annuities or limited estates are created in the proceeds of insurance taxable under this title."

The VICE PRESIDENT. Without objection, the vote whereby the amendment was agreed to will be reconsidered and, without objection, the amendment will be rejected.

Mr. GERRY. That covers all the amendments.

The VICE PRESIDENT. Is there further amendment to the so-called inheritance-tax title?

Mr. SIMMONS. There are two amendments on page 137, lines 12 to 15.

The VICE PRESIDENT. But this is another section. Are there further amendments to the inheritance-tax amendment?

Mr. SIMMONS. There are no other amendments.

The VICE PRESIDENT. Then it is agreed to as amended, without objection.

Mr. JONES of Washington. There are two committee amendments on page 137 that went over at my request. I understand that the chairman of the committee is willing to have those two amendments rejected.

Mr. SIMMONS. Yes.

Mr. JONES of Washington. Therefore I will not take the time of the Senate to refer to them.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 137, beginning at line 12, strike out the words "and a like tax on the amount paid for such transportation within the United States of property transported from a point without the United States to a point within the United States," so as to read:

TITLE V.—TAX ON TRANSPORTATION AND OTHER FACILITIES, AND ON INSURANCE.

SEC. 500. That from and after ——— there shall be levied, assessed, collected, and paid, in lieu of the taxes imposed by section 500 of the revenue act of 1917—

(a) A tax equivalent to 3 per cent of the amount paid for the transportation on or after such date, by rail or water or by any form of mechanical motor power when in competition with carriers by rail or water, of property by freight transported from one point in the United States to another.

The amendment was rejected.

The next amendment was, on page 137, after "another," to strike out the following words: "and a like tax on the amount paid for such transportation within the United States of property transported from a point without the United States to a point within the United States," so as to read:

(b) A tax of 1 cent for each 20 cents or fraction thereof of the amount paid to any person for the transportation on or after such date, by rail or water or by any form of mechanical motor power when in competition with express by rail or water, of any package, parcel, or shipment, by express, transported from one point in the United States to another.

The amendment was rejected.

Mr. TOWNSEND. Are the committee amendments disposed of?

Mr. SIMMONS. No.

The SECRETARY. An amendment passed over is on page 176, line 17, after the word "half," to insert "of one"; in line 19, after the word "to," to strike out "30" and insert "15"; in line 20, after the word "all," to strike out "unfermented grape juice"; in line 23, after the word "drinks," to insert "(except fruit or berry juice)"; at the beginning of line 26, to strike out "20" and insert "10"; on page 177, line 3, after the word "containers," to strike out "at over 10 cents per gallon"; and, at the beginning of line 4, to strike out "of 2 cents per gallon" and insert "equivalent to 5 per cent of the price for which so sold," so as to make the section read:

SEC. 628. That there shall be levied, assessed, collected, and paid in lieu of the taxes imposed by sections 313 and 315 of the revenue act of 1917—

(a) Upon all beverages derived wholly or in part from cereals or substitutes therefor, and containing less than one-half of 1 per cent of alcohol, sold by the manufacturer, producer, or importer, in bottles or other closed containers, a tax equivalent to 15 per cent of the price for which so sold; and upon all ginger ale, root beer, sarsaparilla, pop, artificial mineral waters (carbonated or not carbonated), other carbonated waters or beverages, and other soft drinks (except fruit or berry juice), sold by the manufacturer, producer, or importer, in bottles or other closed containers, a tax equivalent to 10 per cent of the price for which so sold; and

(b) Upon all natural mineral waters or table waters sold by the producer, bottler, or importer thereof, in bottles or other closed containers, a tax equivalent to 5 per cent of the price for which sold.

This was passed over at the request of the senior Senator from Wisconsin [Mr. LA FOLLETTE].

Mr. SIMMONS. I think we can act on the amendment now. The senior Senator from Wisconsin has presented a substitute for the bill.

The amendment was agreed to.

The SECRETARY. The next amendment passed over is on page 197, to insert lines 1 and 2, in the following words:

(18) Articles made out of any fur, or articles of which fur is the component material of chief value, 10 per cent.

The VICE PRESIDENT. That was passed over at the request of the Senator from Missouri [Mr. SPENCER].

Mr. LODGE. I suggest that that be passed over for a minute until the Senator from Missouri returns.

Mr. SIMMONS. It can be passed over.

The SECRETARY. The next amendment passed over was on page 251, at the request of the senior Senator from Utah [Mr. SMOOT], following line 3, to strike out "from lists of eligibles to be supplied by the Civil Service Commission, and in accordance with the civil-service law," and to insert "as provided by law."

Mr. SMOOT. I have been assured by the Civil Service Commission or the officials of the commission that the wording as

adopted would cover all that I intended to cover by the amendment that I proposed to submit. Therefore I shall not ask for a vote upon it but will let it be agreed to.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The VICE PRESIDENT. The Secretary informs the Chair that this completes all the committee amendments except the one passed over at the request of the Senator from Missouri [Mr. SPENCER].

Mr. SMOOT. The Senator from Missouri is not in, and I should like to call attention to section 905. I want to ask the Senator from Iowa if he desires that section to remain as it is. There were certain amendments that were offered in the committee.

Mr. SIMMONS. On what page?

Mr. SMOOT. Page 199. There were certain amendments to this section adopted by the committee. As to the first one, I want to ask the Senator from Iowa if he desires the bill to remain just as it passed the House? Before he answers I wish to tell him what effect it will have, and I think he will agree that the amendment that was agreed to by the Finance Committee ought to be adopted. The provision in the bill as it passed the House reads:

SEC. 905. (a) That on and after November 1, 1918, there shall be levied, assessed, collected, and paid a tax equivalent to 20 per cent of so much of the amount paid for any of the following articles as is in excess of the price hereinafter specified as to each such article, when such article is sold on or after such date for consumption or use.

That means that if the manufacturer sells it 20 per cent is imposed upon him; then on the jobber who buys it there will be 20 per cent imposed, and then on the wholesaler 20 per cent, and then the retailer 20 per cent. The amendment that was agreed to in the committee was, after the word "sold," to insert "by a dealer." Then it confines itself to the dealer who sells the article to the consumer. If that amendment is not made, we shall have at least four 20 per cent taxes imposed upon the articles enumerated.

Mr. THOMAS. I should like to ask right in that connection whether the tax is not excessive, in view of the changed conditions, and whether 10 per cent would not be more fair than the very large tax of 20 per cent?

Mr. SMOOT. I understand there is a proposition to strike out "20" and insert "10," but I want to get this fairly before the Senator from Iowa.

Mr. KENYON. I had no such intention as that.

Mr. LODGE. Is this a proposal that it shall not be collected from the purchaser?

Mr. SMOOT. No; the way it stands now is this: Twenty per cent upon all sales no matter who it is sold by, the manufacturer or jobber, and then 20 per cent from the wholesaler to the retailer.

Mr. LODGE. Collected four times?

Mr. SMOOT. Yes.

Mr. LODGE. That is now expressed at the end of the section—that we collect 20 per cent from the purchaser at the time of the sale.

Mr. SMOOT. The Committee on Finance inserted, after the word "sold," the words "by a dealer," so that it shall only apply to a dealer who sells to the consumer. I suggest an amendment after the word "sold" in the House provision.

Mr. KENYON. The Senator from Wisconsin suggests, in line 18, the words "for consumption" be used. Would not that obviate the difficulty the Senator raises?

Mr. SMOOT. It may be sold for consumption. If it is a piece of cloth and made into a garment, it is consumption as far as the manufacturer is concerned.

Mr. KENYON. I have no objection to it.

Mr. SMOOT. I think there would not be any doubt if that is put in.

Mr. KENYON. I think those words should be inserted to make it clear.

Mr. SMOOT. Then I move, on page 199, after the word "sold," in line 18, to insert "or by a dealer."

Mr. SIMMONS. I accept that amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. JONES of New Mexico. Mr. President, I am misinformed or my recollection is at fault if the committee amendment on page 20 has been agreed to. If it has been agreed to, the action of the Senate in agreeing to it was inadvertently overlooked by me, because I certainly intended to ask for some modification in that paragraph. It is on page 20, paragraph 4, the paragraph which relates to State and municipal bonds, the interest on those not being subject to tax.

If I am permitted to do so, I should like to modify the paragraph as amended by the committee, or, in other words, as the committee reports it.

The VICE PRESIDENT. Without objection, the vote whereby the amendment was agreed to is reconsidered and the paragraph is now subject to amendment.

Mr. JONES of New Mexico. On page 20, beginning in line 20, after the figure 4 in parentheses, I move to strike out all of the paragraphs down to the word "That" on page 21, line 6. The purpose of the amendment which I now propose is to exclude from gross income only the interest derived from the holding of $5,000 in the aggregate in State and municipal bonds. It is a question which I discussed at some length the other day, and it has been the subject of discussion in the Senate.

The senior Senator from Pennsylvania [Mr. PENROSE] expressed his views with regard to it when I was making my general presentation, and I understand that the junior Senator from Pennsylvania [Mr. KNOX] made rather an extended argument upholding the constitutionality of the tax upon interest derived from State and municipal bonds. I know there is a difference of opinion among Senators as to the constitutionality of such a tax; but for one I believe that it is constitutional, and if it is the tax ought to be levied.

There are now in this country about $6,000,000,000 or $7,000,000,000 of State and municipal securities, and the bill as amended would exempt from taxation any interest on all those bonds. It would likewise exempt from taxation the interest derived from future issues of such bonds. It would simply enable people to invest their holdings in such bonds and escape high surtaxes.

As I stated the other day, the market for these bonds is on the boom simply because of the attitude of the Senate committee in putting in this provision. I also called attention to the fact that in the issue of our own bonds we restricted the exemption of the interest on those bonds from taxation, because we did not want to withdraw that much of the wealth of the country from taxes which was needed to support the Government.

The first issue of bonds provided for a rate of interest of 3½ per cent. The interest derived from those bonds is exempt from all tax. The result is that those bonds are selling for about par to-day. We placed the interest on the next issue of bonds at 4 per cent, and then later at 4¼ per cent for the reason that we declined to exempt the interest upon any of those bonds from taxation. So we are paying 4¼ per cent upon bonds of the Government which are selling to-day at about 5 per cent discount for the reason that we were not willing to exempt the interest of those bonds from taxation. The result is that the Government to-day on its own financing is willing to pay about 22 per cent additional in interest for the present in order to preserve the right to tax the interest which may arise from such bonds. Now, shall we make a present to the States of that amount—of that advantage—and have no returns to the Government? The Senate has considered this as of vital importance and we are paying for it at the rate of 22 per cent to-day. We are paying for that privilege. We do not want to permit the capital of this country to bury itself in these bonds and escape any support of the Government.

So I say if we permit individuals to own as much as $5,000 of the bonds and hold the interest upon that amount free from tax it is quite sufficient; we are making a sufficient present to the States and to the municipalities. If anyone wants to make a small investment in bonds of his own State or municipality, the provision which I propose would exempt it to the extent of $5,000. Even of the 4¼ per cent bonds we have issued we exempt only $30,000 from surtaxes and that only for a period of two years after the war. We are paying for that privilege by levying surtaxes upon income from our own bonds. Shall we give the States and municipalities an advantage which we are willing to pay for ourselves? If we do this, it simply will result in making a donation to the holders of these bonds which will amount to at least 20 per cent of their holding.

There is opposition to this tax on the part of some Senators, because they think it is unconstitutional. That question has been argued. Those who believe that it is unconstitutional, of course, will not vote for taxation upon such bonds, but it is my judgment, as the junior Senator from Pennsylvania [Mr. KNOX] some time ago argued, that it is constitutional to levy the tax. Therefore, Mr. President, I propose that amendment.

Mr. THOMAS. Mr. President, I trust the amendment offered by the Senator from New Mexico will be rejected. I have the very highest opinion of the Senator's judgment as a lawyer and a legislator, but I am so profoundly convinced that this is a question beyond the power of the Congress of the United States

that I believe the only effect of it will be that the Supreme Court will set aside, as it always has set aside, legislation like this.

It is true that the junior Senator from Pennsylvania delivered a most profound argument some two or three months ago upon this subject, and that his argument was favorable to the imposition of such a tax, but it is significant that the Senator based his argument entirely upon the proposition that in the exercise of its war powers the tax could be imposed as a war tax. The Senator did not challenge or criticize the many decisions of the Supreme Court of the United States to the contrary, but the position which he took was one whose legal consequences necessarily involve the proposition that during the period of war the Government could impose any tax upon anything or anybody at any time, because of the supposed necessities and exigencies of a war condition.

The war is over for all practical purposes, and consequently the Senator's argument can not or should not prevail at present, even if it was sound in principle, which I do not think is the case.

At first blush, it may be said that income derived from interest upon certain municipal securities should not be exempt from Federal taxes, but at first blush it is equally true that income derived from Federal securities should not be exempt from the State taxation. Every argument which may be urged in support of the one necessarily requires the sustaining of the other. The fundamental difference is the same in each instance. The securities are issued upon, and they are payable by, sovereignties which are entirely distinct from each other as to that exercise of power. If therefore we concede the capacity of the Federal Government to levy this tax, we admit the capacity of the States to levy a similar tax upon Federal securities.

The Senator emphasizes the proposition that there are some $5,000,000,000 invested in State and municipal securities, the interest upon which will be exempt from taxation unless this amendment carries.

Mr. President, some thirty-five to forty billion dollars are invested in Federal securities, which the State can not tax because the State did not issue the bonds or the securities in which this capital is invested. If the Government can withdraw $40,000,000,000 from the taxing power of the State, then a fortiori can the State withdraw $5,000,000,000 from the taxing powers of the Federal Government?

Mr. President, this proposition to my mind is so plain, in view of the many decisions of the Supreme Court upon the subject, that I can not for the life of me understand what the possible basis can be for the argument that we can impose this tax, except as the exercise of the war power, which as I said no longer exists, because the war has virtually ended. We have voted to reduce the tax for 1920 by $2,000,000,000, because, although a treaty of peace has not been formally made and ratified and we are still theoretically in a state of war, the emergencies and the necessities arising from the state of war disappeared with the armistice, except in so far as the maintenance of the Army and Navy is concerned.

Mr. President, I occupied the greater part of the day sometime last September in presenting reasons and authorities in support of the proposition that these securities were not taxable by Congress. The junior Senator from Minnesota [Mr. KELLOGG], in one of the most able addresses ever delivered on this floor, in reply to the junior Senator from Pennsylvania, emphasized and more than emphasized the soundness of that great constitutional proposition.

I had intended, Mr. President, if occasion required, to address myself to the argument of the Senator from Pennsylvania [Mr. KNOX], but in view of changed conditions and of what I regard as a complete reply by the Senator from Minnesota [Mr. KELLOGG], it is not necessary for me to do so. In looking into the subject, however, some time ago I encountered an expression, regarding the lack of this constitutional power, by Mr. Webster upon the floor of the Senate on May 28, 1832. I quote from the Congressional Globe of that date:

> The question being on the amendment offered by Mr. MOORE of Alabama, promising, first, that the bank shall not establish or continue any office of discount or deposit or branch bank, in any State, without the consent and approbation of the State; second, that all such offices and branches shall be subject to taxation according to the amount of their loans and issues in like manner as other banks or other property shall be liable to taxation.
>
> Mr. Webster spoke as follows: "Now, sir, I doubt exceedingly our power to adopt this amendment, and I pray the deliberate consideration of the Senate in regard to this point."
>
> "In the first place let me ask what is the constitutional ground on which Congress created this corporation and on which we now propose to continue it? There is no express authority to create a bank or any other corporation given to us by the Constitution. The power is denied by implication. It has been exercised, and can be exercised only on the ground of a just necessity.
>
> It is to be maintained, if at all, on the allegation that the establishment of a national bank is a just and necessary means for carrying on the Government and executing the powers conferred on Congress by the Constitution. On this ground Congress has established this bank, and on this it is now proposed to be continued. It has already been judicially decided that Congress, having established a bank for these purposes, the Constitution prohibits the States from taxing it. Observe, sir, it is the Constitution, not the law, which lays this prohibition on the States. The charter of the bank does not declare that the States shall not tax it. It says not one word on that subject. The restraint is imposed not by Congress, but by a higher authority—the Constitution.
>
> Now, sir, I ask how we can relieve the States from this constitutional prohibition? It is true that this prohibition is not imposed in express terms, but it results from the general provisions of the Constitution and has been judicially decided to exist in full force. This is a protection, then, which the Constitution of the United States by its own force holds over this institution, which Congress has deemed necessary to be created in order to carry on the Government. So soon as Congress, exercising its own judgment, has chosen to create it can we throw off from this Government this constitutional protection? I think it clear we can not. We can not repeal the Constitution. We can not say that every power, every branch, every institution, and every law of this Government shall not have all the force, all the sanction, and all the protection which the Constitution gives it.

Mr. President, ever since this has been a subject of litigation the courts have recognized the reciprocal relations of the Federal Government and the States to each other with regard to the absence of power to levy taxes upon their respective securities. The very moment Congress has the power and is declared to have the power to tax the interest upon a municipal bond, that moment it is declared ex necessitate that the State may tax the securities of the Government of the United States. There is no escape from it. The two relations are inseparable; they are based upon the same reasons precisely; and no man can assail the exemption of State securities from the Federal power of taxation without assailing the exemption of Federal securities from the State power of taxation.

Mr. KING. The power of each to destroy the other.

Mr. THOMAS. The power of each to destroy the other is necessarily involved in the power of each to tax the agencies of the other. But for the purposes of my statement it is immaterial whether the thing to be taxed represents $5,000, $5,000,000,000, or $50,000,000,000; it is a principle which inheres in the very nature of our dual system of Government, in the very nature of the respective sovereignties of each, the Federal Government upon the one hand and the State governments upon the other. So believing, Mr. President, I trust that the action of the committee will be sustained by the Senate.

Mr. KELLOGG. Mr. President, I am not going to take the time at this late hour to again discuss the question of constitutional power, but I should like to call the attention of the Senate to what the amendment of the Senator from New Mexico [Mr. JONES] proposes to do. It proposes to tax the income on all State bonds heretofore issued, not only by the normal tax, but by the surtax.

The House provision simply taxed the income from State bonds hereafter to be issued, and it was no secret that the only object was to prevent the States from issuing bonds during the remainder of the war. No one pretended that with this tax any State would be able to issue and sell any bonds at a price for which the State would be willing to market its securities. Now, it is proposed to tax the incomes from all bonds which have been issued with the pledge of exemption from taxation.

What would the Senate think if it were proposed to tax the income from United States bonds that had been issued with that guarantee of exemption in them? We only apply the surtax to the income from liberty bonds which were issued with that condition placed in the bonds. It would be like the United States going back on its pledge in a bond issued 20 years ago that it should be exempt from taxation and that the income should be exempt, and repealing it and placing a tax upon the income of such bonds.

Mr. JONES of New Mexico. Mr. President, will the Senator from Minnesota yield to me?

Mr. KELLOGG. Yes; I yield.

Mr. JONES of New Mexico. I should like to inquire by what authority the bonds to which the Senator from Minnesota refers were exempted from taxation.

Mr. KELLOGG. The bonds were issued by the States under the conditions of the law placed in the bonds that they were exempt from taxation, and under a line of decisions of the Supreme Court of the United States from the earliest day to the present time, without any dissent, that State bonds could not be taxed by the Federal Government. That is the condition under which they were issued.

Mr. JONES of New Mexico. Does the Senator from Minnesota mean to leave the impression that the State, through its agreement that the bonds should not be subject to tax, would guarantee an exemption from Federal taxation?

Mr. KELLOGG. No, sir; I did not say anything of the kind. I said that when the bonds were issued it was the law of this country, as laid down by the Supreme Court of the United States, and it is so yet, that the Federal Government has no power to tax the securities. I said that those bonds, therefore, were issued under a pledge just as sacred as though it had been the pledge of the Federal Government.

Mr. JONES of New Mexico. May I ask the Senator if the Supreme Court has made any such decision since the adoption of the sixteenth amendment to the Constitution?

Mr. KELLOGG. It has; and it has construed the sixteenth amendment and decided what it meant, and has repeated and restated the proposition that State bonds could not be taxed. I wish to say further, that for a hundred years that has been the law of this country, and there is no decision of the Supreme Court to the contrary.

Mr. JONES of New Mexico. I should like to inquire——

Mr. THOMAS. If the Senator from New Mexico will pardon me for a moment, I desire to suggest that the Senator from Minnesota might have added that Mr. Justice Hughes, then a member of the Supreme Court, concurred in that opinion.

Mr. KELLOGG. He did.

Mr. THOMAS. Mr. Justice Hughes having been the man who, as governor of the State of New York, expressed some doubt as to whether or not this sixteenth amendment as drawn would not subject these identical securities to taxation.

Mr. KELLOGG. Mr. Justice Hughes had done so. He merely suggested to the Legislature of New York that the sixteenth amendment might authorize the taxation of State securities, but when the Legislature of the State of New York came to consider the speech of Senator BORAH, the opinion of Senator Root, and of many others, the Legislature of New York came to the conclusion that the sixteenth amendment was not adopted to authorize the Federal Government to tax State securities, and Justice Hughes became convinced that he was wrong in his suggestion, and he joined in the decision stating for what the sixteenth amendment was adopted and that State securities were so exempt.

Now, I hope that the war being over the Senate will not undertake to tax the States in the exercise of their borrowing power.

Mr. KNOX. Mr. President, this question is only an academic question to me now that the war is at an end. I take it that the war is at an end; I accept the statement of the President of the United States to that effect. The war is certainly at an end so far as any necessity exists for hunting up unusual sources of taxation for the prosecution of the war.

I have heard it stated on this floor frequently before to-day, I have read it from the pen of so distinguished a statesman as ex-President Taft, that this question had been settled practically in this country for the last 50 or 75 years. Mr. President, I venture to repeat the assertion that I made in the remarks which I submitted to the Senate some time ago upon this subject, that the question that I raised, namely, the right of the Federal Government to tax the income on State bonds in the hands of the holders during a defensive war, has never been decided by the Supreme Court of the United States, and has never been raised in that court. One writer has gone so far as to say of the House of Representatives and those of us in this body who thought that during the war we might tax incomes from State bonds in the hands of the holders that we were playing politics with a grave constitutional question. Abraham Lincoln signed a bill imposing such a tax during the Civil War; William McKinley signed a bill imposing such a tax, which was passed by both branches of Congress, during the Spanish-American War.

Mr. President, the nearest they can come to producing a case which they say rules that the Federal Government has no such power in time of war is the case of Collector against Day, and their argument there is predicated solely upon the fact that the law under which that tax was imposed was passed during the Civil War. Ergo, the Supreme Court having declared the law unconstitutional there was no right to impose the tax.

Now, let me call your attention to the facts in the case of Collector against Day. Day was a judge of probate in a county in Massachusetts. The tax was imposed by the act of 1864, and there is every probability, in fact, I think it is almost a certainty, as there was no litigation over the matter, that Day paid his tax in 1864 and in 1865 while the war was going on. The levy made in the Day case was for the tax of 1866-67, after the war had ceased to exist; and the Supreme Court of the United States held that that tax levied in 1866-67, during time of peace, was unconstitutional. I say again——

Mr. KING. Mr. President——

The PRESIDING OFFICER (Mr. ASHURST in the chair). Does the Senator from Pennsylvania yield to the Senator from Utah?

Mr. KNOX. I do.

Mr. KING. I dislike to interrupt the Senator in his splendid address, but the thought suggested itself, as the Senator was submitting his observations, what difference there would be in levying a tax during war times upon State securities for the purpose of meeting the current expenses of the war and levying a tax after the war was over for the purpose of meeting expenses that were contracted during the period of the war?

Mr. KNOX. Mr. President, if the Senator will do me the honor of reading the remarks I made, and which were carefully thought out at the time—I remember the Senator was not present, and I do not believe he has read them—he will find that I put my argument upon this ground—and it does seem a shame to take the time of the Senate to discuss this matter, because I think it is entirely academic; it is certainly so from my point of view, the war now having ceased—I put it upon the ground that the Constitution of the United States imposed upon the Federal Government all of the obligations to carry on war to defend the States and to preserve to them a republican form of government. It not only does that, but it denies those powers to the States themselves; so that during war there is imposed upon the Federal Government the duty to take care of the States, and the States themselves are excluded from the field. I say, while that situation lasts no wealth of the country is exempt from the power of Congress to reach out and tax it for the purpose of the common defense.

I have only just one word more to say, and that is in reply to the very positive statement made by the Senator from Colorado [Mr. THOMAS], that if the right of the Federal Government to tax the bonds of the States exists, the corresponding or reciprocal right of the States to tax the bonds of the Federal Government exists. There is no foundation for that claim. Under my contention the power only exists during time of war, because the Federal Government owes the obligation to the States during war to defend them; hence the power to tax; but the States owe no obligation to the Federal Government in respect to war, and therefore have no power to tax Federal securities, if the power to tax rests, as I contend, upon the existence of war and the necessities of defense.

Mr. THOMAS. Mr. President, it is true, as the Senator from Pennsylvania [Mr. KNOX] has stated, that the Supreme Court has not in terms ever decided that a tax such as is here under discussion, laid during times of war, could not be sustained as an exercise of a war power; but it is equally true that in every instance of which I am aware, where the question has been squarely presented to that court, it has denied to the Congress the constitutional power of such taxation. The case of Collector against Day arose under a provision of the law subjecting the salaries of State officers to Federal taxation, enacted during the period of the Civil War. The decision succeeded the war, but it was based upon the exercise of the taxing power in time of war. If it be true that in times of war constitutional restrictions upon our power of taxation are removed, it is surprising that the tax was not there defended upon that ground.

I have been unable to find a single authority, either in the reported cases or in the opinions of lawyers of eminence, in which the exercise of this power or the right to exercise it was recognized or approved, excepting, of course, where the doubt as to the probable effect of the sixteenth amendment, expressed by Gov. Hughes and the speech of the distinguished Senator from Pennsylvania a month or so ago, in which he contended that a tax of this sort was justified by war conditions, and which now, he says, is academic. I thought then, Mr. President—and I have not changed my opinion—that the Senator proved entirely too much, because if it be true that the Federal Government in times of war may levy an income tax upon sources of income which but for the war would be exempt from such tax, then it is equally true that in times of war Congress may levy taxes notwithstanding express limitations and restrictions of the Constitution.

No direct tax except an income tax can be levied unless upon the basis of population. There are many taxes other than income taxes, of course, which the Government can not lay because of constitutional prohibitions, but which it may lay, if the Senator be correct, in time of war, without any reference to these limitations. For example, it may levy a tax upon real estate, which would be a direct tax, not because the Constitution or the decisions permit it, but because the urgent needs of war conditions demand it.

Mr. President, I am willing to go as far as any man in recognizing the vast extent of the war powers of this Republic when the exigencies of war require it, but I am not willing to concede that the power of taxation extends so far as that during the war every limitation can be swept aside and taxes imposed as Congress may see fit. I fear that if this restriction is ever broken down the flood of taxation imposed by the States upon Federal securities may overwhelm them and may reach so far as to affect the integrity of the Nation itself.

Mr. BORAH. Mr. President, whatever there may be in the contention of the able Senator from Pennsylvania [Mr. KNOX] as to the power of the Government to levy this tax in time of war, a defensive war, as he says, as I understand, according to the contention of the Senator himself, that does not apply at this time; that principle would have no application under the conditions in which we are now seeking to legislate. As he has said, that proposition is academic. I do not desire to discuss it or express any opinion upon it in view of the fact that it has no application at this time. If I were compelled to pass upon it, I would be, as now advised, unable to accept his view. That being out of the discussion, I do not suppose that there is any question more thoroughly settled by the decisions of our Supreme Court than the proposition that the National Government can not levy a tax upon the agents or instrumentalities of the State governments. Unless the exception which the Senator from Pennsylvania mentions be well taken, there is no exception to the rule of which I know.

It was decided early in the history of the court; it has been repeated a number of times, and since the adoption of the sixteenth amendment it has been reiterated; it is a thoroughly well settled principle of the court as the decisions now stand, and I entertain no doubt at all that this tax if levied would be held unconstitutional by the Supreme Court.

There is a question involved, Mr. President, aside from that merely of raising taxes, a principle which goes deeper and reaches further than the mere question of raising a certain amount of revenue. It involves the structure of the Government, because, as Marshall said, the power to tax is the power to destroy, and if we may tax some instrumentalities and agencies of the State, we may tax them all, and the State becomes no longer a sovereign power, which it is necessary for it to remain if we are to be a Federal Union, but merely a geographical expression of the Government to be taxed at our will and our wish. I am opposed, therefore, to the proposition to tax State securities.

Mr. UNDERWOOD. Mr. President, I concur in what has been said in opposition to the levying of a tax on the instrumentalities of the States. I believe that the decisions of the court have clearly defined the line where the Congress of the United States must stop in the power to levy taxation, unless we intend to destroy the integrity of the State governments. But those questions have already been discussed, and I did not rise for the purpose of repeating what has already been said. I wish to say, however, that there is another reason, in my judgment, outside of the constitutional argument why this tax should not be levied.

When it was first proposed that a tax should be levied upon the bonds and securities of the States and municipalities, it came with the argument that it was necessary to levy a tax on these instrumentalities in order to secure a reservoir in which the liberty bonds could be sold, because if State securities were untaxed and the Federal Government's securities were taxed, to a certain extent it gave preference in the financial market to the State securities. Under those circumstances Congress still upheld the constitutional privilege of the States and refused to levy the tax.

Now the war is over. The Government securities are sold, except possibly one issue, which no one doubts the capacity of the country to absorb, and the result of a tax on State securities would not be to affect the Government of the United States; but if we levy such a tax now, the result of that tax would be to make a better market for industrial and railroad securities, which must bear the tax now. Idle money hunting investment at somewhere near the same rate of interest will naturally flow into the channels of State and municipal securities rather than into industrial and railroad securities.

It is not that we need the money, because the Senate has already agreed to reduce this bill $2,000,000,000 for 1920. It is not proposed to put a tax on State securities for the purpose of getting more money, because we have already found a verdict on that question, and said we do not need any more money. If we should conclude to tax these State securities, our action would have a tendency to bring the State securities down to the plane of the industrial and railroad securities and let them have equal competition in the money markets of the world.

So far as I am concerned, I believe that it is necessary, in order to maintain the integrity of the State government, that its securities should not be taxed by the National Government; but I also believe that it is the wise part of governmental action that we should continue to leave the State and county and municipal securities on the basis they are on to-day and give them a preference in the money markets of the world. The great industrial and railroad plants have their agents and their business connections to sell their securities throughout the money markets of the world. It is often difficult for a State or a municipality to accomplish that result at a reasonable price; and I think it is clearly in the interest of the people who live within the States and the counties and the municipalities of this country that their bonds should have the right of this preference in the market.

Outside of any constitutional question at all, I think it is a good public policy that the present status should be maintained, and for that reason I think the amendment should be defeated.

The PRESIDING OFFICER. The question is on the amendment to the amendment.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question now is on the amendment of the committee.

The amendment of the committee was agreed to.

Mr. BRANDEGEE. Mr. President, I send to the desk an amendment which I ask the Secretary to state.

The PRESIDING OFFICER. The amendment will be stated.

Mr. BRANDEGEE. I understand that all of the committee amendments have been acted upon.

Mr. SIMMONS. No; the committee amendments have not all been agreed to yet. The action of the Senate a few minutes ago makes certain formal amendments necessary.

Mr. BRANDEGEE. The Senator stated awhile ago that the amendments had all been acted upon. This one will take but a minute, and I may as well proceed with it, if the Senator will allow me.

The PRESIDING OFFICER. The Secretary will state the amendment of the Senator from Connecticut.

The SECRETARY. On page 197, line 3, it is proposed to strike out the semicolon after the words "motor boats" and insert the words "not used exclusively for trade, fishing, or national defense."

Mr. BRANDEGEE. Mr. President, I want to explain that amendment.

Mr. SIMMONS. I accept the amendment.

Mr. BRANDEGEE. If the Senator will accept it, very well.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Connecticut.

The amendment was agreed to.

Mr. SIMMONS. Mr. President, I will ask the Secretary if there are any other amendments.

The SECRETARY. The last amendment passed over was passed over at the request of the junior Senator from Missouri [Mr. SPENCER], on page 197, lines 1 and 2. The committee amendment reads as follows:

(18) Articles made out of any fur, or articles of which fur is the component material of chief value, 10 per cent.

The Senator from Missouri proposes to strike out the figures "10" and to substitute therefor the figure "5."

Mr. SPENCER. Mr. President, the purpose of this amendment is to correct what seems to be an inequality between the tax on jewelry, including pearls and precious stones, and the tax on furs. The Senate has agreed, in regard to jewelry, to a reduction of the tax from 10 to 5 per cent. The tax on furs remains 10 per cent. Jewelry has no wearing utility. It can not be used for apparel. It is difficult to understand why furs, which have a utility as clothing, should be taxed at a higher rate than jewelry, which has no such utility. The purpose of this change is to reduce the tax on furs from 10 per cent to 5 per cent, making it the same as the tax upon jewelry.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Missouri to the amendment of the committee. [Putting the question.] By the sound the ayes appear to have it.

Mr. THOMAS. I call for a division, Mr. President.

On a division, the amendment to the amendment was rejected.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment of the committee was agreed to.

Mr. SIMMONS. Mr. President, it is necessary, since the action of the Senate with respect to these 20 per cent taxes, to make a number of pro forma amendments in various sections of the bill. I send the amendments to the desk and ask to have them stated.

The PRESIDING OFFICER. The amendments will be stated.

The SECRETARY. On page 198, line 24, after the word "or," strike out "905" and insert "906."

The amendment was agreed to.

The SECRETARY. On page 199, line 13, strike out "905" and insert "904."

The amendment was agreed to.

The SECRETARY. On page 199, line 13, strike out "November 1, 1918," and insert "May 1, 1919."

The amendment was agreed to.

The SECRETARY. On page 201, line 19, after the word "apply," insert "(1)."

The amendment was agreed to.

The SECRETARY. On page 201, line 23, after the comma, insert "or (2) to any article made out of fur or of which fur is the component material of chief value," and a comma.

The amendment was agreed to.

The SECRETARY. On line 23, after the word "or," insert "(3)."

The amendment was agreed to.

The SECRETARY. On line 24, strike out "(20)" or "(21)" and insert "(16)" or "(17)."

The amendment was agreed to.

The SECRETARY. On page 202, line 8, strike out "904" and insert "905."

The amendment was agreed to.

The SECRETARY. On page 204, line 7, strike out "905" and insert "906."

The amendment was agreed to.

The SECRETARY. On page 205, line 3, strike out "906" and insert "907."

The amendment was agreed to.

Mr. LENROOT. Mr. President, when section 905 was under consideration, the question was upon the motion to strike out. I had intended then to offer an amendment reducing the rate from 20 to 10 per cent; but in order to expedite the passage of the bill I did not offer it at that time, because if the committee had been sustained the section would have gone out. Inasmuch as the committee has not been sustained, I now move to reconsider that vote, in order that this amendment may be proposed.

Mr. SIMMONS. I have no objection to that being done.

The PRESIDING OFFICER. Without objection, the motion to reconsider will be deemed carried.

Mr. LODGE. Mr. President, one moment. I will suggest to the Senator from Wisconsin that there is no use in reconsidering it, because now the tax provided in the House bill stands in the Senate bill.

Mr. LENROOT. But not in the committee amendment.

Mr. LODGE. No; not in the committee amendment. That is all right, then.

Mr. LENROOT. I ask to have the amendment stated.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. On page 199, line 15, it is proposed to strike out the numeral "20" and insert "10," so that it will read:

A tax equivalent to 10 per cent of so much of the amount,

And so forth.

Mr. LENROOT. Mr. President, I have just a word to say in support of that. Upon these other luxuries——

Mr. SIMMONS. Mr. President, I will accept that amendment.

Mr. LENROOT. Very well.

Mr. McCUMBER. Mr. President, I do not accept it. I want to say one word upon the amendment, and not allow it to go through by mere acceptance.

I have no objection to the tax being reduced from 20 to 10 per cent, or from 10 per cent to nothing; but I think there are three of these items that ought to be stricken out entirely, and I want an opportunity at least to offer to amend the amendment of the Senator from Wisconsin so as to strike out that which relates simply to clothing. I do not care for hats, or for any of these articles such as fans, umbrellas, purses, and so forth; but I do think that provisions 11, 12, and 13, which relate to men's and boys' suits or overcoats, and women's and misses' suits, cloaks, and coats, and women's and misses' dresses, ought to be stricken out entirely, leaving the others to stand.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. McCUMBER. Yes.

Mr. LENROOT. The adoption of this amendment will not in any way interfere with the Senator's proposed amendment.

Mr. McCUMBER. Mr. President, I am not certain whether or not it would be subject to further amendment in the Committee of the Whole if that amendment should be adopted. If the Chair rules that after the adoption of this amendment, reducing the tax from 20 to 10 per cent, we can still move to strike out those three sections, I will leave it in that way.

The PRESIDING OFFICER. The Senator from North Dakota would still have the right to offer any amendment he saw fit after this was adopted or rejected.

Mr. McCUMBER. Very well.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Wisconsin.

Mr. KIRBY. I call for the yeas and nays.

The yeas and nays were not ordered.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Wisconsin. [Putting the question.] By the sound, the noes appear to have it.

Mr. LENROOT. I call for a division.

Mr. SMOOT. Mr. President, I ask to have the amendment stated.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. On page 199, line 15, it is proposed to strike out "20" and insert "10," so that it will read:

SEC. 905. (a) That on and after November 1, 1918, there shall be levied, assessed, collected, and paid a tax equivalent to 10 per cent—

And so forth.

Mr. SMOOT. Mr. President, I ask for a division upon that.

On a division the amendment was agreed to.

Mr. LA FOLLETTE. Now, let us have the yeas and nays. Let us try for it once more.

The PRESIDING OFFICER. The Senator from Wisconsin asks for the yeas and nays. Is the call sustained?

The yeas and nays were not ordered.

Mr. GRONNA. Mr. President, may I ask, for information, how many were voting? I believe the call was sustained. May I have the tally?

The PRESIDING OFFICER. The call for the yeas and nays was seconded by eight Senators.

Mr. GRONNA. The rule provides for one-fifth of those present, Mr. President; and——

The PRESIDING OFFICER. The Chair has ruled, and there can not be anything further to it.

CAMPAIGN CONTRIBUTIONS.

Mr. THOMAS. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The Senator from Colorado offers an amendment, which will be stated.

The SECRETARY. At the end of Title II it is proposed to add a new section, as follows:

SEC. 261. That there shall be levied, assessed, collected, and paid in respect of the excess over the sum of $500 which any person, firm, or corporation shall give, advance, pay, expend, subscribe, or contribute in the aggregate during any taxable year for the purpose, directly or indirectly, of influencing the nomination or defeat of any candidate or candidates for nomination, or the election or defeat of any candidate or candidates for office, or the success or defeat of any proposition to be voted upon at any primary election or general or special election at which candidates for Members of the House of Representatives or for United States Senator or presidential electors are to be nominated or elected, a tax equal to 100 per cent of such excess; such expenditures or contributions to include all sums in any form contributed, subscribed, advanced, expended, paid, or given to or for such candidate or candidates or to or for party or other political committees or campaign funds, but not to include expenditures made by such candidates or regular political committees or out of such campaign funds of moneys lawfully contributed to them.

Every person required by this title to make a return shall state therein specifically each item and the date thereof of all gifts, advances, expenditures, subscriptions, payments, and contributions made, and to whom, for the purpose of influencing the result of such primary and general elections, and of all taxes due thereon under the provisions of this section. And the treasurer or chairman of all State or congressional committees and of all political committees as defined in the act of Congress approved June 25, 1910, entitled "An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected," and of all associations or committees organized to promote or prevent the nomination or election of any candidate for Member of the House of Representatives or of the Senate of the Congress of the United States or for presidential elector or electors, shall within 30 days after the passage of this act, and thereafter within 30 days after any election to be held therefore file with the collector for the district where the headquarters or other office where such committee or association is located a return stating specifically all sums of money received, from whom received, and the date thereof. Such return shall be verified by the chairman or treasurer of such committee or association.

Mr. THOMAS. Mr. President, I offered this amendment in the committee, and reserved the right to present it to the Senate at the time of its rejection, while the committee was in session.

The amendment proposes a tax of 100 per cent upon all contributions in excess of the sum of $500 to elections at which any Federal officer is to be elected or nominated, excepting, however, candidates who are permitted by Federal or State law to make greater contributions, and provides methods for ascertaining and assessing the amount of the tax.

Mr. President, my purpose in offering this amendment is not to raise revenue so much as it is an attempt to make our present corrupt-practices act effective. The States and the Nation have sought, by restrictive acts, to limit the expenditure of money at elections and primary elections to a decent and reasonable amount. These statutes, if my experience is any guide, have been honored far more in the breach than in the observance. There is no statute of the sort of which I am aware, through which coaches and fours have not been driven and about which there is any sort of regard or observance. The last election in some States of the Union was scandalized by the expenditure of enormous sums of money, my own State amoung the number, where the report filed under the State law by the Republican chairman shows an expenditure of $127,000, and the report of the Democratic committee an expenditure of $88,000, which means that perhaps two and a half to three or four times that amount of money was actually used for the purpose of influencing the election.

In the State of Michigan it is a matter of record that nearly $200,000 was expended in the interest of one candidate at the primary election in the interest of his nomination. The amounts of money which are said to have been expended in West Virginia in behalf of both the candidates are far in excess of the statutory limitation, and the probabilities are that these things will have been done with impunity.

Now, I have a belief, which may or may not be well founded, that a man who will violate the law for the purpose of securing his nomination and election to a public position will violate the law after he fills that position. This may be an extravagant view, but I can perceive no difference in principle between the violation of a restrictive statute before and the violation of some other statute after an election. Perhaps by requiring gentlemen who are so liberal with their money in campaigns to contribute to the Treasury of the United States an equivalent in the way of taxation over and above this allowance of $500, which is ample, we may or may not produce the desired result. It certainly will have the effect of obtaining sworn statements both from committees and from contributors, official in character, upon which we will be able to ascertain something about this very important subject.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Colorado. [Putting the question.] By the sound the "ayes" seem to have it.

Mr. PENROSE. I call for a division, Mr. President.

On a division, the amendment was agreed to.

Mr. LODGE. I ask for a roll call, Mr. President.

The PRESIDING OFFICER. The Senator from Massachusetts calls for the yeas and nays. Is the call sustained?

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FLETCHER (when his name was called). I have a general pair with the junior Senator from Massachusetts [Mr. WEEKS]. In his absence, I withhold my vote.

Mr. JONES of Washington (when his name was called). As announced before, I am paired with the senior Senator from Louisiana [Mr. RANSDELL]. If I were at liberty to vote, I should vote "yea."

Mr. NEW (when his name was called). I have a pair with the junior Senator from Louisiana [Mr. GAY]. I transfer that pair to the senior Senator from New Jersey [Mr. FRELINGHUYSEN] and vote "nay."

Mr. STERLING (when his name was called). Repeating the announcement of my pair with the senior Senator from South Carolina [Mr. SMITH], I withhold my vote.

Mr. TOWNSEND (when his name was called). I again announce my general pair with the senior Senator from Arkansas [Mr. ROBINSON] and withhold my vote.

Mr. WOLCOTT (when his name was called). I have a pair with the senior Senator from Indiana [Mr. WATSON]. In his absence, I am not at liberty to vote. I have tried to secure a transfer of my pair, and have been unable to do so. If at liberty to vote, I should vote "yea."

The roll call was concluded.

Mr. GERRY. I have a general pair with the junior Senator from New York [Mr. CALDER]. I transfer that pair to the senior Senator from Nevada [Mr. PITTMAN] and vote "nay."

Mr. KENDRICK. I transfer my pair with the Senator from New Mexico [Mr. FALL] to the Senator from Montana [Mr. WALSH] and vote "yea."

Mr. MYERS. I have a pair with the Senator from Connecticut [Mr. McLEAN], who is not present. In his absence, not knowing how he would vote if present, and being unable to obtain a transfer, I withhold my vote.

Mr. SAULSBURY. I transfer my general pair with the senior Senator from Rhode Island [Mr. COLT] to the senior Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. SMOOT. I desire to announce the unavoidable absence, on account of illness, of the junior Senator from Kansas [Mr. CURTIS]. He is paired with the junior Senator from Georgia [Mr. HARDWICK].

Mr. BRANDEGEE. I am paired with the senior Senator from Tennessee [Mr. SHIELDS]. I transfer that pair to the junior Senator from New Jersey [Mr. BAIRD] and vote "nay."

Mr. MYERS. I transfer my pair with the Senator from Connecticut [Mr. McLEAN] to the Senator from Arizona [Mr. SMITH] and vote "yea."

Mr. LODGE. I have been requested to announce the following pairs:

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Illinois [Mr. SHERMAN] with the Senator from Kansas [Mr. THOMPSON];

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED]; and

The Senator from New York [Mr. WADSWORTH] with the Senator from New Hampshire [Mr. HOLLIS].

The result was announced—yeas 34, nays 28, as follows:

YEAS—34.

Ashurst	Johnson, S. Dak.	McNary	Saulsbury
Beckham	Jones, N. Mex.	Myers	Shafroth
Borah	Kendrick	Nelson	Sheppard
Chamberlain	Kenyon	Norris	Thomas
Cummins	Kirby	Nugent	Trammell
Gronna	La Follette	Overman	Vardaman
Henderson	Lenroot	Phelan	Williams
Hitchcock	Lewis	Pollock	
Johnson, Cal.	McKellar	Pomerene	

NAYS—28.

Bankhead	Hale	Martin, Ky.	Smith, Ga.
Brandegee	Harding	Martin, Va.	Smith, Md.
Dillingham	Kellogg	Moses	Smoot
Fernald	King	New	Spencer
France	Knox	Penrose	Sutherland
Gerry	Lodge	Poindexter	Swanson
Gore	McCumber	Simmons	Warren

NOT VOTING—34.

Baird	Goff	Reed	Townsend
Calder	Hardwick	Robinson	Underwood
Colt	Hollis	Sherman	Wadsworth
Culberson	Jones, Wash.	Shields	Walsh
Curtis	McLean	Smith, Ariz.	Watson
Fall	Owen	Smith, Mich.	Weeks
Fletcher	Page	Smith, S. C.	Wolcott
Frelinghuysen	Pittman	Sterling	
Gay	Ransdell	Thompson	

So Mr. THOMAS's amendment was agreed to.

Mr. JOHNSON of South Dakota. Mr. President, I understand that the committee amendment on page 193 was passed during my absence from the Chamber. I now desire to offer an amendment to it. On page 193, line 18, I move to strike out "automobile wagons, automobile trailers, or tractors" and the comma.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from South Dakota.

Mr. JOHNSON of South Dakota. Mr. President, I had expected to discuss this at some length, but owing to our condition here and at the request of the Senator from Virginia [Mr. MARTIN], I shall take only a very few minutes.

I wish to call attention first to the importance of this machinery to agricultural communities. As no doubt all Senators know, the automobile tractor is a great plow. It prepares the ground for the crops. Without its use the farmer would not be able to prepare over one-half of the ground for crops that he can with the tractor. The automobile wagon is a wagon that the dairymen and farmers and all who produce carry the productions of the farm and the dairy to the towns. The automobile trailer is a small trailer that is hooked on behind the automobile, which enables the farmer to take a small load to or from town with his automobile.

Mr. President, I appreciate the great work that the committee has done. I know they have done their best, and they should have our commendation, but if there is one mistake that has been made in this whole bill it is this direct tax at production by taxing that which is necessary for production. A tractor will put in just about as much crop or prepare the ground for the crop as 12 horses can. The trailer and automobile wagon are equally potent for the purpose of moving these productions of the land to market.

I just want to say this, and then I will leave it for your consideration. There is only one thing in all this country that is actually a necessity of life, and that is bread. You might just as well tax the farmer's horses and his wagons, his harness, and his machinery and seed as to tax the instruments of procuring and furnishing his crop for market. This tax of all the taxes in the bill is the worst. It is an excise tax. It is nothing more nor less than a license. It says to the manufacturer of these products, you may sell the products, the necessities of which are apparent to the farmer, providing you will charge a certain price, and every farmer in the United States who has to buy a tractor will have to pay in the neighborhood

of $200 tax, in addition to all the other taxes, if this 5 per cent excess tax remains in the bill, and the automobiles, wagons, and trucks in the same proportion to cost.

This bill contains some peculiar legislation. There is one provision in the bill, as I see it, which does nothing but grant a subsidy to the Curtis Publishing Co. and concerns of like character of many millions of dollars. Then you turn right around and tax the real necessities of the country with this excise tax on things that help produce the bread of the country.

Mr. President, I do not intend to take up the time of this body. I only want to call the attention of Senators to the importance of eliminating these items from the bill in order that they may not stop a certain per cent of the production of the country all over the land.

Mr. TOWNSEND. Mr. President, I had intended to propose an amendment to this part of the bill, and I had hoped when the Senator from South Dakota rose that he would include all that ought to be included in his amendment. He can make no special plea for farmers on account of tractors under this section which does not apply to men engaged in other occupations. This class of taxes under the excise taxes is levied because they are supposed to be luxuries. You will notice in looking over the list that in it are included all sporting goods, bowie knives, cameras, firearms, shells, dirk knives—all things which are supposed to be luxuries—but I submit, Mr. President, that, in my judgment, no one will contend that automobiles and automobile trucks are luxuries. I submit no one will contend, it seems to me, that automobiles and automobile trucks are any more luxuries than automobile wagons or tractors. The automobile truck certainly has come to be an absolute necessity in this country.

The producers of them are taxed under the income-tax law in the excess-profits clause. Why, then, there should be a special tax levied because they are luxuries is more than I can understand.

I made this point before the committee, and said then inasmuch as we were striking out certain other taxes on automobiles if it were necessary for the Government to have the money, if we must have money as a war necessity, I would urge no further objection to it. But that time has passed. We have already written into the bill the amendment of the Senator from Iowa, a provision taxing alleged luxuries further on which will more than compensate any loss of revenue which might occur from leaving out this tax on actual necessities. I trust the Senator from South Dakota will agree with me that the subdivisions 1 and 3, on page 194, should go out of the bill. They are quite as much necessities as the item to which the Senator from South Dakota has called special attention. There would be no embarrassment to the Government revenue if they were stricken out. I believe all will agree that at this time when many of these concerns have been hard hit by the war, and they are now just readjusting themselves to the peace basis, those particular items should be eliminated from the special tax—the luxury tax, as some have seen fit to call it—because they are not luxuries. I ask the Senator if he will not be willing to modify his amendment so as to strike out, first, paragraph 1—the whole of it—and, second, paragraph No. 3, on page 194.

Mr. JOHNSON of South Dakota. Answering the Senator from Michigan in regard to luxuries, I do not see how he can get the idea that an automobile tractor or automobile wagon is a luxury. They can possibly be used for but one general purpose. However, if my amendment to the committee amendment which is printed there is included the automobile trucks would go out, too.

Mr. TOWNSEND. I was not contending that the tractor was a luxury. I say it is no more of a luxury, however, and no less so than the automobile truck, and most of the automobiles that are used in this country are quite as essential to the western farmer as possibly the tractor itself in many respects. I am asking simply that all these articles be eliminated from the bill.

Mr. JOHNSON of South Dakota. I will accept the amendment to the amendment as to automobile trucks, but I would not accept the amendment as to automobiles and motorcycles, because I figure that they are to some degree a luxury.

Mr. TOWNSEND. If the Senator will include automobile trucks we can vote on that, and I will offer the other amendment later.

Mr. SMITH of Georgia. Mr. President, as the bill came from the House there was a tax on gasoline. There was a tax per horsepower upon each user of an automobile. There was a tax provided by the two paragraphs on automobiles, automobile trucks, tractors, and so forth.

The provision on the next page covers the tax on inner tubes, parts, accessories, and so forth. We struck out the gasoline tax. We struck from the bill the tax on users of automobiles, so much per horsepower. We cut out two-thirds of the tax which the House provided with reference to automobiles and the gasoline required to operate automobiles, and we have reduced one-half the tax on accessories.

From the tax on automobiles, motorcycles, automobile trucks, and automobile wagons we expected to raise about $70,000,000. From the tax as levied on the next page referred to by the Senator from Michigan [Mr. TOWNSEND] we expected to raise about $15,000,000. So you have $85,000,000 in these two items which the Senator from Michigan desires to have stricken out. The tax on automobile trucks, automobile wagons, automobile trailers, and so forth, is expected to raise about $30,000,000.

Mr. JOHNSON of South Dakota. The information that I have—and I think it is authoritative—states that we would raise about $18,500,000 on those four items.

Mr. SMITH of Georgia. I give my figures from the tax experts who have cooperated with us in working upon the bill. They have just given me again their estimate as to this part of the bill, and I repeat it as they furnished it to me.

I am not anxious to levy a tax on anything. We went as far as we felt justified in going in reducing this branch of taxation, as provided in the bill as passed by the House, and it is for the Senate to say what it will do. The committee reached the conclusion that they had removed the burden incident to this tax at the place where it was best to remove it, and left it in connection with manufacturing production, reducing one-half even, as to manufacturing production, the accessories.

Mr. MYERS. Mr. President, I should like to call the attention of the Senator from Georgia, who has just been speaking, to lines 20 and 21, on page 193 of the bill, which read, "including tires, inner tubes, parts" of automobiles, and so forth. That was all stricken out by the committee, was it not?

Mr. SMITH of Georgia. Clause 2 was stricken out; the words "automobiles, motorcycles, automobile" were included in paragraph 2, and the tax was reduced from 10 to 5 per cent on automobiles, motorcycles, and so forth. We reduced one-half of the tax on that portion of those vehicles.

Mr. TOWNSEND. May I ask the Senator from South Dakota [Mr. JOHNSON] if he included in his amendment automobile trucks?

Mr. JOHNSON of South Dakota. No; I merely included automobile tractors, automobile trailers, and automobile wagons. That was my original amendment.

Mr. TOWNSEND. I understood the Senator from South Dakota to say that he would include automobile trucks in his amendment.

Mr. JOHNSON of South Dakota. I stated, or intended to state, that the Senator from Michigan could move to amend the amendment by inserting those words. I do not, however, know that I would have any objection to accepting that modification of my amendment.

Mr. SMITH of Georgia. I understood the Senator from South Dakota to say that he did include those, but would not include the balance. I understood him as did the Senator from Michigan [Mr. TOWNSEND].

Mr. TOWNSEND. I so understood the Senator.

Mr. SMITH of Georgia. Therefore I presented the figures as to the reduction of the tax on the class of vehicles which I understood the Senator from South Dakota desired to cover by his amendment.

Mr. JOHNSON of South Dakota. I will accept the amendment to include automobile trucks, but not the balance of the section. That is left in.

Mr. TOWNSEND. That is what I understood the Senator to say.

Mr. JOHNSON of South Dakota. I will agree to insert "automobile trucks, automobile wagons, trailers, and tractors."

Mr. SMOOT. Mr. President, I can not see why there should not be a tax upon automobile trucks. There is nothing destroys the roads of the country as do automobile trucks. There has got to be some change either in the building of roads or in the weight of trucks, or else the cost of the maintenance of the roads in this country will be so great that communities can not stand the expense. The committee decided that automobile trucks should at least pay a 5 per cent tax on the sale price of the truck, and I thought the committee had gone very far, indeed, if we are going to impose any tax upon the manufacture of any articles in the United States when they reduced the tax imposed upon automobiles and motorcycles from 10 per cent to 5 per cent.

We eliminated the tax upon gasoline for the motorcycle, the automobile, the automobile truck, and all tractors that must of necessity use gasoline. The House proposed to impose a tax of 2 cents per gallon upon gasoline; and that would have amounted to more than any tax which the Senate committee has proposed to impose under this provision. Not only that, but there was

imposed a tax for the use of automobiles, and the committee thought they would eliminate that tax entirely; so that all the tax that is proposed to be imposed by the Senate Committee on Finance is the tax of 5 per cent upon automobiles, motorcycles, automobile trucks, automobile wagons, automobile trailers, and tractors. If we are going to have any tax at all, it seems to me that we ought to adhere to the 5 per cent tax, and especially so when we take into consideration the elimination of the taxes which the House imposed upon this industry. I sincerely hope that the Senate will at least sustain the committee in the imposition of this tax.

Mr. TOWNSEND. Mr. President, I see now a new reason for taxing automobile trucks. The Senator from Utah [Mr. SMOOT] says that they destroy the roads, and therefore we should turn this money over to the Federal Government which will never reach the roads and which will not in any manner affect the roads nor maintain them. I did not suppose that this tax was proposed to be put on as a penalty. I supposed that the only reason that we put the tax on was because we regarded these vehicles as luxuries. There is no other reason that can be urged for putting a tax on this class of articles, except that they are luxuries.

Mr. POINDEXTER. A truck a luxury?

Mr. TOWNSEND. An automobile truck. That is clearly not true. Automobile trucks are not luxuries; they are just as much necessities as is the ordinary wagon, the ordinary buggy, or any other vehicle which the farmer, the business man, or the truckman on the streets of any city uses. So, although we may have proposed to reduce the tax on gasoline, that does not in the least affect the tax.

As I said to the committee, if the Government needs the money and you are proposing to tax things of this kind, I will vote for it. I am perfectly willing to put the tax on; but the Government does not need the money. You have already voted into this bill to-day items variously estimated at over $187,000,000 more than the bill provided for when it came here. That being true, it seems to me clear that we should eliminate from the bill the tax on these necessities. The senior Senator from Massachusetts [Mr. LODGE] says that in cutting the taxes we have reduced the luxury taxes, so called, to a loss of $90,000,000 of revenue; but that more than compensates for the loss that comes from these few items of actual necessity to the people of the United States.

The VICE PRESIDENT. Now, there is an involved parliamentary situation existing here. The Senate, as in Committee of the Whole, has already adopted an amendment to strike out the word "automobile" and to insert "automobiles, motorcycles, automobile." That amendment having been agreed to, it will have to be reconsidered and the amendment rejected. Then an amendment agreed to striking out the word "automobile" and inserting the words "automobile and motorcycles," and then striking out line 19. The Chair suggests that the vote be taken, and if the amendment carries the Secretary will make up the record accordingly.

Mr. JOHNSON of South Dakota. I ask for the yeas and nays on the amendment to the amendment.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. JONES of Washington (when his name was called). As heretofore announced, I am paired with the senior Senator from Louisiana [Mr. RANSDELL]. Therefore I withhold my vote.

Mr. KENDRICK (when his name was called). Making the same announcement as to my pair and its transfer as heretofore, I vote "yea."

Mr. NEW (when his name was called). Again announcing my pair with the junior Senator from Louisiana [Mr. GAY], in his absence I withhold my vote.

Mr. STERLING (when his name was called). Again announcing my pair with the Senator from South Carolina [Mr. SMITH], I withhold my vote. If at liberty to vote, I should vote "yea."

Mr. TOWNSEND (when his name was called). Again announcing my pair, unless I am able to secure a transfer I shall withhold my vote.

The roll call was concluded.

Mr. GERRY. I have a general pair with the junior Senator from New York [Mr. CALDER]. I transfer that pair to the Senator from Nevada [Mr. PITTMAN], and vote "nay."

Mr. SMOOT. I desire to announce the unavoidable absence, on account of illness, of the Senator from Kansas [Mr. CURTIS]. He is paired with the junior Senator from Georgia [Mr. HARDWICK]. I will let this announcement stand for the remainder of the day.

Mr. TOWNSEND. I find I can transfer my pair with the senior Senator from Arkansas [Mr. ROBINSON] to the senior Senator from New Jersey [Mr. FRELINGHUYSEN]. I therefore vote "yea."

Mr. BRANDEGEE. Making the same announcement as to my pair and its transfer as on the previous vote, I vote "nay."

Mr. MYERS. I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from Arizona [Mr. ASHURST], and vote "yea."

Mr. LODGE. I have been requested to announce the following pairs:

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Illinois [Mr. SHERMAN] with the Senator from Kansas [Mr. THOMPSON];

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED]; and

The Senator from New York [Mr. WADSWORTH] with the Senator from New Hampshire [Mr. HOLLIS].

The result was announced—yeas 33, nays 28, as follows:

YEAS—33.

Fernald	Kendrick	Myers	Sheppard
France	Kenyon	Nelson	Spencer
Gore	Knox	Norris	Thomas
Gronna	La Follette	Nugent	Townsend
Hale	Lenroot	Overman	Trammell
Henderson	McCumber	Phelan	Vardaman
Johnson, S. Dak.	McKellar	Poindexter	
Jones, N. Mex	McNary	Pollock	
Kellogg	Martin, Ky.	Shafroth	

NAYS—28.

Bankhead	Harding	Page	Smoot
Borah	King	Penrose	Sutherland
Brandegee	Kirby	Pomerene	Underwood
Chamberlain	Lewis	Simmons	Warren
Dillingham	Lodge	Smith, Ariz.	Watson
Fletcher	Martin, Va.	Smith, Ga.	Weeks
Gerry	Moses	Smith, Md.	Wolcott

NOT VOTING—35.

Ashurst	Frelinghuysen	New	Smith, Mich.
Baird	Gay	Owen	Smith, S. C.
Beckham	Goff	Pittman	Sterling
Calder	Hardwick	Ransdell	Swanson
Colt	Hitchcock	Reed	Thompson
Culberson	Hollis	Robinson	Wadsworth
Cummins	Johnson, Cal.	Saulsbury	Walsh
Curtis	Jones, Wash.	Sherman	Williams
Fall	McLean	Shields	

So the amendment of Mr. JOHNSON of South Dakota to the amendment of the committee was agreed to.

The VICE PRESIDENT. It is the understanding that the Secretary will correct the bill as has been indicated.

Mr. TRAMMELL and Mr. TOWNSEND addressed the Chair.

The VICE PRESIDENT. The Senator from Florida.

Mr. TRAMMELL. I desire to offer an amendment to the pending bill.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to add a new section to the bill, as follows:

SEC. 1407. That all officers and enlisted personnel of the Army, Navy, and Marine Corps serving the United States in the war against Germany who have been honorably discharged from the service since November 11, 1918, or who may hereafter be honorably discharged, shall be paid one month's salary in addition to the regular pay heretofore authorized.

Mr. TOWNSEND. I ask the Senator if he will not withhold his amendment until we finish the consideration of the section with which we have just been dealing? I had proposed an amendment. Then the Senator from South Dakota [Mr. JOHNSON] included part of it in his amendment; and now, if we could dispose of the remainder of it, we could have made all at once the correction the Chair has suggested.

Mr. TRAMMELL. Mr. President, I dislike very much not to accede to the request, but we are working on rush time today, and I do not think it will take very much time to dispose of the amendment I have offered.

Mr. TOWNSEND. I think we are going to have time enough to consider all amendments which may be offered.

Mr. TRAMMELL. I dislike very much not to accede to the request of the Senator.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Florida.

Mr. SIMMONS. Mr. President, I do not think that this amendment has any proper place in a revenue bill. I am so much in sympathy with the purpose of it that I do not feel disposed to make any resistance, but I can not see its pertinency to the pending measure. It ought to have been offered as a separate proposition.

Mr. TRAMMELL. Mr. President, I will take but a moment. I will say that some four weeks ago I introduced a bill embracing the subject covered by this amendment and granting

one month's additional pay to all officers and enlisted men in the Army, the Navy, and the Marine Corps. This policy was at least approved by Gen. March, in a public interview a short time after the introduction of my bill, and I believe that it will meet with the general approbation of the tax-bearing public of this country. I believe the American people feel that we should make this allowance as a contribution to our soldiers, who have met so faithfully, so bravely, and so heroically the duties devolving upon them. It will be a little pittance to assist them in going home and getting once more reestablished in civil life; and, in order that it may not be delayed longer, I very much hope that it will be adopted as an amendment to the pending bill.

Mr. SIMMONS. Mr. President, the Senator says that he introduced a bill upon this subject some time ago. I should like to ask him what reference was made of it?

Mr. TRAMMELL. It was referred to the Military Affairs Committee.

Mr. SIMMONS. Does the Senator know why that committee has not acted upon it?

Mr. NEW. Mr. President——

Mr. TRAMMELL. I can not say why the committee has not acted upon it. I see the chairman of the committee present, and if he has a statement to make I should be very glad to hear from him upon the subject.

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Indiana?

Mr. TRAMMELL. I do.

Mr. NEW. I did not see the chairman of the Military Affairs Committee present, and I was going to say something about the disposition that was made of that bill; but I observe now that he is here.

Mr. CHAMBERLAIN. Mr. President, in the multitude of bills that the Military Affairs Committee have had to consider, we have not been able to consider this particular measure. We have been constantly at work when we could get a quorum. Some of our members, as the Senator knows, are on the Finance Committee, and the Finance Committee have been in constant session, and they have kept the members of the Military Affairs Committee away and kept it from maintaining a quorum; but the bill will be considered in due course by the Military Affairs Committee, and action upon it by the committee will not be delayed.

Mr. SIMMONS. I simply want to say that if the Senator from Florida insists upon it, I can not myself resist the amendment.

Mr. SMITH of Georgia. Mr. President, we all agree that this is not the proper place for the amendment; but I think every Senator is in favor of the amendment, and the quick way to get it through is to let it be added to this bill now. So far as I am concerned, therefore, I shall be glad to have the chairman of the committee accept it.

Mr. SIMMONS. I would accept it if I had the power.

Mr. KNOX. Mr. President, I should like to inquire of the Senator from Florida why the date is limited to the 11th of November. What about a man who is discharged on the 10th or on the 1st for ill health, and who has gone back?

Mr. TRAMMELL. Mr. President, the object of specifying that date was that it should apply to those who had served until the conclusion of actual hostilities, and therefore it was made to apply from the date of the armistice on November 11.

Mr. KNOX. Does not the Senator from Florida think that the claims of a man who was discharged, say, on the 9th or the 10th, by reason of wounds or illness, are just as meritorious as those of one who was discharged on the 11th?

Mr. TRAMMELL. Mr. President, you have to draw a line somewhere, and I thought it was best to fix the date at the conclusion of actual hostilities. Those who were discharged prior to that time were discharged at their own request, unless they were discharged for disability; and this will apply to what took place after the demobilization began.

Mr. KING. Mr. President, may I ask the Senator a question? Will this cover cases where men were called quite recently and inducted into the service, some of whom served only, perhaps, 10, 15, or 20 days, some of them less than a month or two months? Do they get the same compensation as the men who have been in France?

Mr. TRAMMELL. It will apply to them just the same. Of course, there will be some few cases of that character.

Mr. KING. There will be thousands of them.

Mr. TRAMMELL. There has been no induction that I know anything of, however, since the armistice was signed.

Mr. CHAMBERLAIN. Mr. President, I want to make an additional suggestion to the Senate with regard to delay in acting by the Military Affairs Committee, and that is that there are various bills pending before the committee covering this subject, and covering uniforms and other gratuities to the soldiers. This particular bill was acted upon favorably by the committee, and not reported to the Senate because we took all of the bills covering these various subjects and sent them to the War Department, with the request that they reconcile them and report to us as to the propriety of reporting back the bills as they were, or making such changes as would unify the law and harmonize the different statutes.

Mr. WOLCOTT. Mr. President, will the Senator yield for a question?

Mr. CHAMBERLAIN. I yield.

Mr. WOLCOTT. Do I understand, then, that the Military Affairs Committee has reached the determination that the principle of this bill is worthy of acceptance?

Mr. CHAMBERLAIN. Yes.

Mr. WOLCOTT. And it is only a matter of how it should be framed in formal legislation?

Mr. CHAMBERLAIN. That is all.

Mr. LEWIS. Mr. President, having a bill similar to that referred to, as I have no doubt many other Senators have presented similar bills, may there not be an understanding that in voting for this amendment of the Senator from Florida we do not yield the other measures, nor is it regarded as a substitute for them? They will remain before the Military Affairs Committee for such action as it may give them.

Mr. ASHURST. Mr. President, I have received a very large number of letters in respect to the bill which I introduced some weeks ago to grant three months' pay to each discharged soldier and give him his uniform and overcoat and other articles of apparel as his own property. I appreciate the necessity for early action on the revenue bill, and therefore I will take but a moment.

The chairman of the Committee on Military Affairs has assured me that the bill (H. R. 13366) will undoubtedly pass the Senate at an early date, giving to each soldier, marine, and sailor, when honorably discharged, his uniform, his overcoat, and other articles of personal apparel as his own property. I ask leave at this time to include in the RECORD a few letters I have received on this subject. I have received over a thousand; but I have here only about half a dozen in favor of the passage of this bill, urging that the uniform be given to the soldiers, and three months' pay additional.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

SEATTLE, WASH., *December 13, 1918.*

Whereas a bill has been introduced in Congress to allow 90 days' pay and the uniform to all soldiers being discharged from the United States Army, and we, being in sympathy with this movement and knowing that it will be of great benefit to our brave defenders, heartily indorse said bill: Therefore be it

Resolved by Geo. H. Fortson Camp No. 2, of the Department of Washington and Alaska, United Spanish War Veterans, in regular session assembled on this 12th day of December, 1918, that we indorse the granting of said 90 days' pay and the presentation of the uniform to each of the men being discharged from our Army; and be it further

Resolved, That Senator ASHURST be notified and that copies of this resolution be forwarded to our Senators in Congress.

This resolution was proposed and adopted by the unanimous vote of all members present.

GEO. H. FORTSON CAMP NO. 2, U. S. W. V.,
E. A. VORIS, *Adjutant*.

FREEPORT, ILL., *December 12, 1918.*

Senator HENRY F. ASHURST,
Washington, D. C.

DEAR SIR: Permit me to congratulate you on the bill you presented to Congress with reference to soldiers' and sailors' uniforms and pay. If the bill does not go through, let me suggest that you offer a bill prohibiting eulogy, as 80 per cent of these men can not live on eulogy, and if they are not entitled to their old clothes and the ordinary pay that private individuals would give to a suddenly discharged chauffeur, I believe such a bill would be in order.

The American public assisted in furnishing amusement and extra comforts which the Government did not furnish, and as such an American citizen I am willing to pay for a uniform for any discharged soldier. I have had no near relatives in the service and am beyond the age myself, but God knows I owe to a discharged soldier a suit of clothes and a pair of shoes, in addition to such amusements as I have assisted in furnishing him. As I say, I will pay for one suit, and I hope Congress will see its way clear to pay for the balance. Let the boys know we mean what we say.

I will send a copy of this to our Senators—SHERMAN and LEWIS; also to our Congressman Mr. JOHN C. MCKENZIE.

Wishing you success and assuring you that I believe the American people, if their attention is called to it, approve of your bill, I remain,

Yours, very truly.

BREWTON, ALA., *December 11, 1918.*

Senator HENRY F. ASHURST,
Washington.

DEAR SIR: I have just read the newspaper report of your bill to give our discharged Army and Navy men their old uniforms and 90 days' extra pay. I heartily indorse the proposition and I think every loyal, soulful American citizen will do the same. Your statements in support of the plan are just and thoughtful and do you great honor.

We are going to have a great big debt to pay in the coming years and these boys will help us pay it. Some of them will return to well-to-do homes and good bank accounts, but 9 out of 10 of them will feel good with the hundred extra dollars in their pockets.

How glorious, that their courage and sacrifices have left us able to make this small demonstration of our appreciation of their honoring services to the Nation. Greeting cheers we will give them heartily, but these are cheap and evanescent. Your bill will furnish a tangible token of the Nation's gratitude.

This writer is 74 years old—reached his home June 27, 1865; buried his old gray jacket with the honors of war, and framed his Confederate $50 bill payable by the Confederate States of America—after treaty of peace with the United States—bless its old soul. I took its promise and will for the deed, but our boys are luckier than their fathers.

They tell us that our Nation is the richest in the world and sending billions to feed the hungry of Europe and Asia. If we order our boys to haul off their khaki for other soldiers and another war, might we not as well furl "Old Glory" that we may quickly forget the story of Chateau-Thierry, St. Mihiel, and Argonne Forest?

Yours, very truly.

SAGINAW, MICH.,
December 13, 1918.

Hon. JOSEPH W. FORDNEY,
Washington, D. C.

DEAR FRIEND: I see that a bill has been introduced in the Senate by Senator ASHURST, of Arizona, to permit the soldiers, sailors, and marines to keep and wear their uniforms and also to give them three months' pay.

I believe this is one of the very best bills that has ever been introduced in Congress to relieve and assist the young men who have been in the Army or Navy. I believe that the uniforms should belong to the young men who have bought them and that they be at liberty to wear them any time when they see fit. Surely no one but a soldier would want to wear these uniforms, and they would not have to sell to a person who is not a soldier.

Every person that I have talked with approves of this measure, and I hope that you will do all you possibly can to see that this bill becomes a law.

With kind regards, I remain,

Sincerely, yours,

E. L. BEACH.

MOUNT VERNON, N. Y.,
December 16, 1918.

Senator ASHURST.

SIR: I am pleased to note in Army and Navy Journal your bill S. 5050.

I trust you will make it apply to discharged officers as well as enlisted men.

The officers have made just as large sacrifices in proportion, many giving up established businesses, which it will take many months to reestablish. I speak from experience, as I am back to my business and find it is not easy under present uncertain conditions of business.

Officers have each paid $400 to $500 or more for uniforms, and it would be only fair to permit them to wear their uniforms three months and get some wearing value out of them. It would also seem only fair to allow the officers 50 per cent of the cost of their uniforms on discharge.

Appreciating your efforts in our behalf, I am,

Sincerely, yours,

Eighteen months' service in United States and in France.

BIRMINGHAM, ALA., *December 18, 1918.*

Senator HENRY F. ASHURST,
Washington, D. C.

DEAR SIR: I notice in the press that you have introduced a bill to pay soldiers and sailors three months' salary after the date of actually mustering out. As a citizen, I feel that this is so eminently just and proper that I take the liberty of writing you.

It is very important to the country that each soldier and sailor keep his uniform for use in after years, and not only for use but as one of the physical evidences of his devotion to his country and his association in this great world crisis, that is to mean so much to this country in years to come.

In addition to the numerous grounds assigned in the press that you have advanced in support of your bill, all of which are most excellent, I beg to suggest an additional reason why this is proper, to wit: I know from personal observation in not less than a half dozen of the large cantonments of the South that a large percentage of the men when they went to camp were compelled to wear their own clothing for quite a while, until they could be properly equipped with Government uniforms. They, therefore, furnished the Government their own equipment for a considerable time.

I am sure that it will require from two to three months' pay for the average soldier or sailor under present conditions to buy sufficient clothing, shoes, etc., to enable him to return to private life decently; and since, in most instances, he wore out one full suit in the service of the Government before he was fully equipped it does seem to me to be simple justice for the country to provide him the funds with which to reimburse himself. This seems to me a sufficient reason, and when coupled with the many reasons you have assigned, as brought out in the press, to impel the passage of some bill to give the relief along the lines as suggested.

Respectfully, yours,

PORTLAND, OREG., *December 2, 1918.*

SENATOR: Note your bill to give soldiers and sailors their uniforms and 90 days' pay.

God knows this is little enough, when they were willing to give their lives. They are not ashamed of the uniform, either, and why make them lay it aside after 60 or 90 days? Why not allow them to wear it as long as it lasts? Our fathers did so in 1812 and 1865. Why not the sons?

E. T. MORRIS.

CAMP LEWIS, VA., *November 30, 1918.*

Senator ASHURST, of Arizona.

GREETING: As a constituent of yours and a former newspaper publisher of Tucson, Ariz., I take this liberty to recognize your effort in behalf of the United States soldiers. Your idea of advancing 90 days' pay to the soldier upon his discharge from the Army has the unanimous approval of all the soldiers of Camp Lewis for the following reasons:

1. The average soldier has an allotment, war-risk insurance, and liberty bonds as an obligation.

2. His capacity for attaining the same amount of money as a civilian has been curtailed by his sacrifice in the present emergency.

3. The winter is at hand, and as it will be several months before conditions industrially will be normal again it would be a splendid idea to give him a nucleus for his new start in life, as they term it, and also to prevent any opportunity of social or industrial dissensions.

4. It is true that if the soldier is so remembered that the favor, plus the experience he has gained in economy with the Army, will make a basis for a brighter and better citizenship than before the war.

5. May it come about so as the soldier will receive it upon the day he is discharged and not 90 days after.

Hoping you will be able to interest all of the Senators in this essential idea, I remain.

Respectfully,

CAMP FUNSTON, KANS.,
December 18, 1918.

Hon. HENRY F. ASHURST,
United States Senate, Washington, D. C.

DEAR SIR: It was noted with a great deal of satisfaction by all the men in the Army that you had introduced a bill into the Senate to pay the men for three months at the rate of pay of their grade upon their discharge from the Army.

A great deal of interest has been manifested in the ultimate outcome of this bill since the time it was introduced, but up to the present time there has been nothing shown in the papers as to what disposition was made of it. As you know, immediately upon the discharge being granted from the Army it will be necessary for a vast majority of the men discharged to purchase complete outfits of civilian clothing. This as you know can not be done for less than the amount you have proposed to have paid the men.

The French Republic has agreed to the introduction of a similar bill into the Chamber of Deputies which proposes to indemnify discharged soldiers in the amount of 250 francs. Is France more able or more willing to give her men returning to civil life at least a chance for an even break than is our own, the richest and most prosperous nation on the earth?

I am writing this letter in my own behalf as well as that of the many other men who were taken away from their civil pursuits of happiness and profit to serve in the Army, and who without complaint have served to the best of their several abilities in such places as they were sent, and now that they are about to be discharged find that a hardship in being properly equipped to reenter civil life is about to be encountered; hence this appeal to you to urge this bill and show the men who have served just the attitude of the men whom they have helped to send to the Halls of Congress to represent them.

KANSAS CITY, MO., *December 9, 1918.*

DEAR SIR: Hope you get your bill through, as I have three nephews over in France and I know they would like to keep their uniforms as a relic. I herewith mail you two statements of Kansas City Star. There has been several like this and you may not see them. This to show what interest is being taken.

Respectfully,

JOHN MEREDITH.

GIVE DISCHARGED SOLDIERS AND SAILORS UNIFORMS AND 90 DAYS' PAY.

To the Star:

I read in to-day's paper Senator ASHURST, of Arizona, had proposed a bill giving soldiers and sailors the uniforms they wear at the time of their discharge and 90 days' pay.

I think that the best proposition made for our returning soldiers and sailors. With what pride they will look on those uniforms in days to come—just as we look at the relics used by our ancestors! It keeps in the heart real patriotism and love of country. It will not be a memory only, but something tangible.

What with the drilling, the embarkation, the arrival in foreign countries, the terrible battles they have been in, and the home-coming, it seems to me they will be dazed and hardly fit for work. What will they do? They must live. Some have no homes to come to. I am sure Uncle Sam is willing to let them rest without worry.

I hope the bill will be passed.

DAUGHTER OF AMERICAN REVOLUTION.

LYNCHBURG, VA., *December 10, 1918.*

Hon. HENRY F. ASHURST,
Washington, D. C.

DEAR SIR: I am writing you to say that I heartily agree with your bill to allow the retiring soldiers to retain their uniforms and to be given 90 days' extra pay, too.

The uniforms will be worth nothing to the Government, but will mean a great deal to the soldiers now, as well as in after years.

They will all be broke when they return, and certainly 90 days' extra pay is little enough compensation for the magnificent work they have done. I believe the people are with you practically unanimously on this proposition.

Yours, truly,

G. M. BRASFIELD.

BALTIMORE, MD., *December 11, 1918.*

United States Senator ASHURST.

SIR: In to-night's paper I read of the bill you have introduced to give each discharged soldier his uniform and three months' pay, and from experience I can say it is the most humane bill I have ever read. When I state "from experience," I was discharged in 1898—November 7—and being a newly married man with $28 finals, my uniform was a godsend. Some will spend it in a few days, but the majority will see it as I do. I also wish to state that I hope to be a resident of Arizona soon—where at, I do not know. My reason is that, being a sufferer

from tuberculosis, malarial poisoning, and pyorrhea, I am compelled to keep moving to keep able to support my family, and my wife's help. Now, I will tell you of a little incident. Being an ex-soldier, I have always endeavored to make my home pleasant for as many of the boys as I could financially entertain. So last June I saw, while working at my trade at Fort McHenry Base Hospital No. 2, an artilleryman from France. He looked as if he had gone through some hard times, and I accosted him and invited him to my home, as I had done to other boys. He told me he had not been paid for nine months. His record, or papers, could not catch him. And he had been operated on for appendicitis in mid-ocean, and since then in New York, and was due for one in Fort McHenry. Anyhow, I fixed him up financially, also with tobacco, and took him home. He picked up wonderfully since then. His last operation has been successful and I introduced him to a perfect young lady, and they get married Christmas, and when he gets his discharge we are all going to Arizona. We had decided to go before, and now since I have read your bill it confirms my idea of Arizona. I am no novice to the West, as I spent seven years in California. We intend to go as soon as we are able. He is a farmer and I am a practical bungalow builder (as they are built in California).

Hoping your bill will pass with no opposition, and when we become voters in Arizona you can rely on two, no matter which political party.

I am, most respectfully,

W. S. HARRIS,
136 James Street, Baltimore, Md.

P. S.—My penmanship comes from nervousness, which came from my own physical troubles. W. S. H.

ANNISTON, ALA., *November 20, 1918.*

Senator ASHURST,
United States Senate, Washington, D. C.

MY DEAR SIR: Notice of preparation of your bill was published in a local newspaper, the Anniston Star, Anniston, Ala. The same newspaper published statements of Quartermaster Department, and it said that millions of articles of clothing were on hand unissued.

It occurred to me that inasmuch as such equipment was on hand, and, too, inasmuch as all present issued clothing was "second hand" when issued, that some or all of the surplus new uniforms be given the boys, who would like to go home looking decent, but who are ashamed to wear the oversizes and patched trousers, etc., home. It is perfectly proper that we soldiers should sacrifice our pride and even substance and life if necessary, but as we go home after such as we have been through, "much or little," it is no more than right that we should have the $60 or three months' pay, and the clothes which are on hand now unissued.

Most men would be able to find employment, and maybe the $60 would be the means of them getting started over in some new or old occupation.

We boys admire you and appreciate such a man in the Senate.

Yours, respectfully,

Pvt. B. E. PROCTOR, JR.,
First Company, Ninety-eighth Division, Camp McClellan, Ala.

Mr. FLETCHER. Mr. President, I think I can say for the members of the Committee on Military Affairs that there is really no opposition in that committee to the bill offered by my colleague [Mr. TRAMMELL].

Mr. SMITH of Georgia. Mr. President, is it not true that that bill has been approved now by a majority of the members of the committee; that they have signed their approval to it, and it is ready to be reported and passed?

Mr. FLETCHER. I think so.

Mr. SMITH of Georgia. We could call it up this afternoon.

Mr. BORAH. Mr. President, do I understand that this amendment, in substance and effect, is approved by the Military Affairs Committee?

Mr. McKELLAR. That is true. It has been approved by the Military Affairs Committee and directed to be reported, subject only to the Secretary of War changing its verbiage.

The VICE PRESIDENT. The question is on the amendment of the Senator from Florida.

The amendment was agreed to.

Mr. TOWNSEND. Mr. President, I desire now to complete the amendments in relation to section 900, in completion of the work which was done by the Senator from South Dakota [Mr. JOHNSON] in his amendment.

By that amendment we have stricken from paragraph (1) everything except automobiles and motorcycles. Now, it has occurred to me that all of these items should be treated in exactly the same way; that there is no reason which may be urged in behalf of one which is not good in relation to the others. They are not luxuries. That has been determined, I think, by everyone who has given the matter consideration.

Then in section 3, on page 194, is the tax on tires, inner tubes, parts, or accessories for any of the articles enumerated in this other paragraph. In other words, I ask now to amend the bill further by striking from it the tax on automobiles, motorcycles, and the new parts which apply to these particular items.

This is all one subject. It is all treated, or should be treated, in exactly the same manner. These were luxury taxes. They are not such; and we having decided that in some cases, it seems to me that we ought to include the other matters.

I do not care to occupy the attention of the Senate on the subject, and I am perfectly willing to take the judgment of this body upon it. Therefore I move to have it treated the same as the other amendment, which was carried, and to strike from the bill subdivision "(1)" on page 193, and subdivision "(3)" at the top of page 194.

The VICE PRESIDENT. The Senator from Michigan proposes an amendment, which will be stated.

The SECRETARY. It is proposed to strike out all of lines 18 to 22 on page 193 and lines 1 to 5 on page 194.

Mr. SMITH of Georgia. Mr. President, we make no point at all upon the time when the motion is made, and agree with the statement of the Chair that it can be considered; but I think we ought to state again, from the committee to the Senate, just what you are doing.

The committee took the bulk of the burden off of the automobile business and the automobile operation. The House put a tax on gasoline. We struck that out. The House put a tax upon each owner and user of an automobile. We struck that out. The House put a tax of 10 per cent on automobiles and motorcycles. We reduced it to 5. The House put a tax of 10 per cent on accessories, tires, and things of that kind connected with automobiles. We reduced it one-half. Now, you are about to strike out the last $55,000,000 that we have left in this bill. It is estimated that the automobiles and motorcycles will pay $40,000,000, and that the accessories will pay $15,000,000. That is $55,000,000 more. You are about to strike that out, also, or the motion is to strike it out.

Speaking for the committee—I think I can speak for a large majority of them—we do not think this ought to be done. We do believe that this tax is reasonable on the manufacturers of automobiles and motorcycles and on these additional supplies for automobiles. It is reduced one-half from what the House had it, and the industry has been freed from the balance of the tax by taking it off of gasoline and taking it off of the operators of automobiles.

I do not believe it is possible to get this bill through without some of this tax being left. I believe it will either go back on gasoline, or it will go back on the operators of automobiles, or it will go back somewhere; and this is the best place to leave it—on the manufacturers of the automobiles and motorcycles. I think the action of the committee was at least wise in leaving this tax in the bill.

Mr. McCUMBER. Mr. President, the argument that was made in favor of striking the tax off of the tractors, and so forth, was an argument made seemingly for the benefit of the agricultural class, and for the benefit of no one else. I know enough about the agricultural class to know that there are $10 or perhaps $50 invested in automobiles by that class where there is $1 invested in these other articles which you wish to protect from the tax. A little Ford is no more of a luxury to the farmer than a horse and buggy were a few years ago. Nearly every farmer has one of that kind, or one similar to it. It is just as necessary for him to run to town in his automobile, especially in the Western country, where quite often he is 30 or 40 or 50 miles from a town of importance, as it was in the olden days to drive his horse and buggy that distance.

It does seem to me that none of these are really luxury taxes, and if they are not luxury taxes they ought to go out, all of them. I voted to take them all out, and I would vote again to take them out to-day, because I think it applies just as much to one class as to another; and, although I represent a purely agricultural State, I do not want to say to the man in that State: "You can have your article free, but the merchant in the little town must pay taxes on an article that is produced by the same manufacturer." I think they ought to be all treated alike.

Mr. BORAH. Mr. President, we are just adding about seventy-five or eighty millions——

Mr. NELSON. Oh, Mr. President, two hundred and fifty millions.

Mr. LODGE. The Senator is speaking of taxes, and not expenses.

Mr. NELSON. I mean the expenses. We have just added an amendment here increasing the expenses of the Government $250,000,000.

Mr. BORAH. Very well. The Senator knows more than I do about it, and I will accept his figures. It only accentuates the position that I am going to take.

I voted against the amendment that was offered a few moments ago, although it was supposed to be offered in behalf of the agricultural interests, and a large part of my State is dedicated to that vocation; but I have not heard any considerable protest on the part of the agriculturists or farmers in regard to this matter. The only protests, the only letters I have had, have come from the manufacturers of automobiles and the manufacturers of these articles with which we are now dealing; and I suspect that they are the ones who are most concerned about this matter. In view of the fact that

we are adding expenses here to the extent that we are, we ought not to undertake to reduce upon those matters which, whether they are necessaries or luxuries, can afford in this emergency to pay this tax.

Mr. SMOOT. Mr. President, just one word. A couple of hours ago the Senate voted to place a tax of 10 per cent upon clothing. Now we are going to vote whether we are going to impose a tax upon automobiles or not, after cutting it from 10 per cent to 5. I can not see the consistency in any such course of action.

Mr. MYERS. Mr. President, I ask for a division of the question. I ask that the motion to strike out subdivision "(1)" on page 193 be voted on as one question, and that the motion to strike out subdivision "(3)" on page 194 be voted on as another question.

The VICE PRESIDENT. The question is on the motion to strike out subdivision "(1)" on page 193, as amended.

The motion was rejected.

The VICE PRESIDENT. The question now is on the motion to strike out parngraph "(3)," on page 194.

The motion was rejected.

Mr. JONES of New Mexico. I desire to call up an amendment I offered some days ago on page 8, line 4, to insert a paragraph as follows:

(c) When parcels are sold from a tract of land as part of a plan of development and disposition, no gain shall be deemed to accrue to the owner from the sale of any parcel until enough shall have been sold to return to him the cost of the tract or its value on March 1, 1913, if it was acquired by him on or before that date.

The other day in discussing the bill I called attention to this very important situation which affects the irrigation industry. Under the present ruling of the department if a man has an irrigation enterprise, and sells any of it, the difference between the cost of the few acres which he sells and the rest is considered as income, although the cost of construction of the work has not yet been paid for. In cases of that kind where the project is being developed, the amendment provides that the person shall not be charged until after the cost has been determined. I certainly hope that the amendment will be accepted. I trust it will not be opposed by the committee.

Mr. SMOOT. Mr. President, just a word. I can not see why this amendment should be adopted after the provisions of relief have been given in the bill. It seems to me it is simply an amendment to relieve real estate agents in the sale of land.

Mr. JONES of New Mexico. Oh, not at all.

Mr. SMOOT. I can not construe it in any other way than that. Of course, I do not care to discuss it any further. I am perfectly willing to have a vote on the amendment.

Mr. SMITH of Georgia. Mr. President, I agree with the view taken by the Senator from Utah representing the chairman of the committee. We are told it is necessary, but I do not think there is any more reason to apply it to real estate than to a stock of goods or anything else.

Mr. JONES of New Mexico. Mr. President, I discussed the matter the other day, and among all those who understand enterprises of this sort it was thought that, without some amendment of this kind, you will not have any more irrigation projects developed through private capital. I sincerely trust that the amendment may be adopted. It would tend to relieve the situation where the man has made no gain and when he has to pay out every dollar which he received in discharging the mortgage he put on the land in order to construct irrigation work. I sincerely hope that there will be no objection to this amendment.

Mr. SHAFROTH. May I ask the Senator whether, when the amount which has been placed in the enterprise is paid, it is subject to assessment?

Mr. JONES of New Mexico. Every dollar that comes in is to be considered as gain, and is income taxable at that.

Mr. SHAFROTH. I heartily agree with the Senator that unless it is done we are not going to have the large irrigation enterprises where sales are made in the western country. It seems to me we ought to encourage that kind of development in the West.

Mr. SMOOT. Mr. President, I wish simply to say that the practice of the department to-day is not to impose a tax upon any proposition until there is real gain made.

Mr. JONES of New Mexico. I think I can give the Senator some information, at least, which I received directly from the department. In such a case as I have mentioned, when the first 80 acres is sold the difference between the actual cost of 80 acres and the sale price is figured as income, and if you sell enough so that the income will meet the running expenses for the year, it is considered gain, although there may be a mortgage on the property of $1,000,000.

Mr. SMOOT. Whatever interest is paid on the mortgage is allowed to be deducted.

Mr. JONES of New Mexico. No; it is only the interest on the mortgage which is permitted to be deducted.

Mr. SMOOT. That is exactly what I said—the interest on the mortgage is allowed to be deducted before any gain can possibly be shown. Not only that, these payments are made in perhaps 10 different yearly payments, and history shows that many of the payments made in the first year are turned back into the company by the purchaser of the project and represented by the payment of the purchase price. I can not see but that the ruling of the department and the practice of the department covers everything that ought to be covered in a case such as is referred to in the Senator's amendment.

I am deeply interested in the development of the western country as the Senator, and deeply interested in seeing the reclamation projects established, maintained, and made a success of, but really I think this is going entirely too far even in that case, hard as it was.

Therefore, Mr. President, I can not understand why the Senator asks for this particular legislation. I do not believe it is going to assist anything in any irrigation projects.

Mr. JONES of New Mexico. I ask for it for the reason that in any irrigation enterprise there is not a dollar of actual profit until you have sold enough land to pay the cost of building the work and the cost of the land. There is not and can not be a dollar of net profit in it, but after that is paid then the receipt becomes profit. It is simply a question of doing justice and not taxing a gain or profit until a thing becomes a gain or profit.

Mr. SMOOT. That same thing applies to a merchant who has a stock of goods. There is no profit made until the goods are sold. It applies to every farmer in the country. It applies to every person who pays a tax. I can not see why this particular case should be differentiated.

Mr. WOLCOTT. Mr. President——

Mr. JONES of New Mexico. I yield to the Senator.

Mr. WOLCOTT. Is the tax which the Senator speaks of to relieve this irrigation project a tax imposed upon net profits?

Mr. JONES of New Mexico. The provision which I offer is not to consider that as a gain until enough land has been sold to pay the cost of the project.

Mr. WOLCOTT. I wish to ask the Senator a question further. A moment ago he said that there is no gain until enough land is sold to repay for the land, and until that time has been reached it can not be considered as a taxable proposition. There is no profit until the cost has been fully repaid.

Mr. JONES of Washington. Unfortunately it is because of the ruling of the department that I have offered this amendment. I think the Senator's ideas should be carried out, but it is because of an adverse ruling of the department that I have offered the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment presented by the Senator from New Mexico.

The amendment was rejected.

Mr. SHEPPARD. I offer the following amendment:

The VICE PRESIDENT. It will be read.

The SECRETARY. Add a new section, to read as follows:

That the provisions of section 5 of the act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1918, and for other purposes," approved March 3, 1917, relating to intoxicating liquors in interstate commerce, as amended by section 1110 of an act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917, be, and the same are hereby, made applicable to the District of Columbia.

Mr. PHELAN. Mr. President, I understand that this is the same amendment which was proposed recently as a rider on a bridge bill, and to which the presiding officer called the attention of the Senate. I think it is equally obnoxious to the present proceedings when we are considering a bill providing for revenue. If it were in order, I would object on the ground that it is not germane, but I understand that objection would only lie in case of a general appropriation bill, so the only recourse I have is to appeal to the Senate by informing this body exactly what the amendment calls for.

It is to deny to the citizens and temporary sojourners in the Capital of the Nation the privilege of importing wine into the District, against which there is now no prohibition. There is a prohibition against the manufacture, sale, or the giving away of wine. There are no barrooms nor hotels nor clubs now enjoying the privilege of sale or of giving away wine. So there is the practical complete prohibition of the liquor traffic in the District, with the exception of the privilege which has this many months been accorded to residents to import wine for their own table use, and which is now proposed to be denied.

If this amendment is adopted there will be no means by which the citizens of this District can regale themselves except by seeking sanctuaries in the legations and the embassies. We are giving to the foreigners a privilege which we deny to our fellow citizens. I would urge that we move slowly, in view of the fact that there will be national prohibition not later than February, 1920. The New York Sun yesterday enumerated 38 States which would ratify by January next the Federal amendment, which by its own provision goes into effect one year later; so in February, 1920, there will be no liquor of any kind sold or manufactured in the United States, including the District of Columbia.

If this amendment prevails it cuts the privilege off in the District of Columbia prematurely, now enjoyed by States that are not now dry.

We are made an exception, and as the law-making body reside in the District of Columbia it is asking much of them to deny themselves this privilege which is enjoyed in so many States where prohibition laws do not now obtain.

Why anticipate February, 1920? It is but a year. It enables the Government to gradually cut down libations. Citizens will not be exposed to the danger of suffering from the shock, and I believe it is a good medical practice to wean a man away from the bottle slowly.

Mr. SMITH of Georgia. May I ask the Senator a question?

Mr. PHELAN. Certainly.

Mr. SMITH of Georgia. If this amendment should pass the Senate there would be a few days of delay before the conference agrees upon it and its approval. Why could not the gentlemen so situated lay in what they needed in the meantime?

Mr. PHELAN. Owing to congestion of traffic between Baltimore and Washington or New York and Washington, it would be practically impossible within that period to supply the demand.

It seems to me it is dealing in a very small way with the District of Columbia by denying it a privilege enjoyed elsewhere and rather taking advantage of a position which gentlemen enjoy by holding a majority to punish, even to torture, those citizens who are less favored than ourselves in strength and ability to resist this gentle temptation.

I will not discuss now the practice of wine drinking at meals, something demonstrated as wholesome by the countries of the Old World and approved by the Bible itself. "Drink no longer water, but take a little wine for the stomach's sake," is an injunction, I believe, coming from a pious and serious authority many years ago and still advised by the medical profession.

So it is not the drinking of wine at table that produces disease or vice or crime. It is a healthful and salubrious practice in moderation, and I believe the citizens of Washington are given to moderation.

I would call the Senator's attention to this thought: Notwithstanding the position which the citizens of this District now enjoy, the police have, without warrant of law, been arresting all manner of men coming into the District of Columbia carrying containers with liquor. There is no law at present where such importation is forbidden, and yet the municipal authorities are humiliating men by bringing them into the police court to there determine whether the wines are for their own personal use. They are prosecuting that practice so diligently that there is much indignation and editorial expression in this community in enforcing a so-called law which has, in fact, no place upon the statute books. I do not know that it has been abused here; whether it is abused or not, it is a privilege which the citizens of this community should enjoy until forbidden, and they should not be discriminated against by an act of Congress. This community has no means of expressing itself except through Congress. It is denied the privilege enjoyed by other communities of vote and representation, and being thus made helpless, it is the refinement of cruelty for Congress to pass a law of this kind. I will propose an amendment in good season.

Mr. SHEPPARD. Mr. President, the Senator from California has restated in his eloquent way some of the old but long-ago exploded antiprohibition arguments. I merely want to remind him that the bridge that presents itself now is a safer and securer one than the Tennessee River bridge, the bill which I attempted to amend a week or two ago by offering this bone-dry measure as a rider thereon.

I have here letters from the Commissioners of the District of Columbia and from the chief of police which show the immediate necessity of action of this kind. After receiving these letters I have deemed it my duty to present this measure as an amendment to this bill. I ask that the letters be read.

The VICE PRESIDENT. The Secretary will read.

The Secretary read as follows:

COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
METROPOLITAN POLICE DEPARTMENT,
Washington, D. C., December 18, 1918.

Hon. MORRIS SHEPPARD,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I am exceedingly glad to learn from you that the bill to apply the Reed bone-dry law to the District of Columbia has been placed on the Senate calendar.

It has been most unfortunate, of course, that during the year the District has been dry under the Sheppard bill the National Capital is the only place in the whole United States where prohibition is enforced that has not enjoyed the benefits of the Reed bone-dry law. If it were not for the fact that the military-zone law has been extended to apply in the District of Columbia, conditions in Washington during the period of demobilization and thereafter would surely become very bad. As long as persons are permitted by law to bring large quantities of liquor into the National Capital and are free from prosecution if they make a fairly good statement that it is for personal use, just so long will a certain class of men and women stop honest labor and attempt to get quick profits in the bootlegging business. For more than a year the courts have become congested with cases growing out of arrest of persons who have entered the bootlegging business rather than work. The application of the Reed amendment to the District of Columbia, the same as it applies to all other dry territory in the United States, would make such a situation in the courts impossible.

Very truly, yours,

R. W. PULLMAN,
Major and Superintendent.

WASHINGTON, *December 18, 1918.*

Hon. MORRIS SHEPPARD,
United States Senate, Washington, D. C.

MY DEAR SENATOR SHEPPARD: The Commissioners of the District of Columbia are informed that it is your purpose to urge the immediate passage of the bill applying the Reed bone-dry act to the District of Columbia. The commissioners have already reported favorably on this bill, but they take this opportunity to urge you to use every possible effort to bring about its immediate enactment into law.

The District of Columbia is the only prohibition territory in the country to which the Reed amendment does not apply. This fact is largely responsible for the large importations of liquor that are now being made. The police department has been diligent, the dockets of the courts have been congested with liquor cases, but the conditions have become almost intolerable.

If the proposed bill becomes law, then the authorities here will have the same opportunity to enforce the prohibition laws as is enjoyed by the authorities in other prohibition territories. Without this opportunity, there will undoubtedly be a continuance of the highly profitable bootlegging business to the detriment of all conditions affecting law and order in this jurisdiction.

The commissioners trust that the Senate will pass the bill, and believe that its enactment into law will be followed immediately by a marked improvement in conditions in the District of Columbia.

Very respectfully,

THE BOARD OF COMMISSIONERS OF THE
DISTRICT OF COLUMBIA,
By LOUIS BROWNLOW, *President.*

Mr. JONES of Washington. Mr. President, I simply want to say that the chief of police called on me yesterday and urged that Congress should take some action in this matter immediately. He said the Department of Justice and the War Department were cooperating with his force very diligently, but under the law as it now is they can do very little. He stated that four carloads of liquor came into this town yesterday by express and he expected a similar amount to-day. He called my attention to the particular class of people who seemed to be making it a business to bring liquor here from Baltimore. He also called my attention to particular instances that have happened in connection with attempting to enforce the law. One in particular illustrated, he said, the methods that are used. He stated that they use a particular term that is applicable to liquor and change that term from time to time; that he sent a part of his force down into the southwestern part of the city a few days ago; that a colored man got on the running board of the automobile and asked them if they wanted a certain thing, using a term which applies to liquor. The police force were in citizens' clothes and they said "yes," and he pulled out of his pocket a bottle, and they arrested him.

He began to cry, "Murder!" and the chief said that from 50 to 100 colored men came from different parts, that they were rushing up, and he had no doubt that they meant to attack the officer. The other men stepped out of the machine with Krag rifles in their hands, and the chief said that they had found that the colored men in the southwestern part of the city cared but very little for revolvers; that they seemed to estimate that only about one shot out of ten took effect; but that they did have very great respect for rifles. He therefore had his men armed with Krag rifles, and when the men carrying them got out of the machine the darkies faded away.

Mr. President, he states that it is taking nearly his entire force; that they must go in squads really to endeavor to enforce the law; that they have urged that Congress apply to this District the same law, at any rate, that we have applied to other territory where the legislative authority has prohibited the sale and manufacture of liquor; and he states that if we

will do that, it will assist them wonderfully in the enforcement of the law.

Mr. President, as the letter states, the Government has established a war zone in the District of Columbia, and yet these people on whose account an appeal is made here to continue this traffic, are doing everything in their power to debauch the men who have saved our country. It seems to me that Congress ought not to hesitate one minute to put the force of its authority behind the men who are trying to protect not only the soldiers but this community from the evil effect of this traffic.

SEVERAL SENATORS. Vote!

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Texas [Mr. SHEPPARD].

Mr. HITCHCOCK. Mr. President, a few days ago I made the statement here that the Post Office Department, and also the War Department, had largely broken down in the service of mail to the soldiers in France and in the service of mail from the soldiers in France to their families in America. I am now in receipt of a letter from the Postmaster General——

Mr. SHEPPARD. Will the Senator allow us to vote on this amendment?

Mr. HITCHCOCK. Not until I get through. I see no possible reason why, if the Senator can bring in his favorite hobby of prohibition here, I can not bring in anything I please.

Mr. SHEPPARD. I was under the impression that the Senator from Nebraska was bringing up another subject, thinking that this one had been disposed of.

Mr. HITCHCOCK. Not at all. I had not expected to interrupt the revenue bill, but if the Senator from Texas can interrupt the revenue bill with his particular hobby, I do not see any reason why the matter which I now present can not be discussed.

I am now in receipt of a letter from the Postmaster General, calling attention to the fact that since the 30th day of June, of this year, the Post Office Department has had nothing to do with the delivery or distribution of letters to the soldiers in France, but has simply delivered those letters to the War Department at a certain terminal in New York City; also, that it has had nothing to do with gathering the mail from the soldiers in France, but has simply received that mail at Bordeaux for transportation to the United States.

I shall ask to have the Postmaster General's letter published in the RECORD for the purpose of exonerating the Post Office Department for any failure since the 30th of June to see to the proper delivery of the mail. I will say, however, that prior to the 30th of June the Post Office Department was largely responsible for the failure to deliver mail promptly to the soldiers in France, and the breakdown was so complete that the War Department insisted on taking over the work. Since that time the War Department has made about as complete a failure as had the Post Office Department prior to that time. But in justice to the Postmaster General I send to the desk, and ask to have printed in the RECORD, a letter from Postmaster General Burleson.

The VICE PRESIDENT. In the absence of objection, permission to do so will be granted.

The letter referred to is as follows:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., December 21, 1918.

Hon. G. M. HITCHCOCK,
United State Senate.

MY DEAR SENATOR HITCHCOCK: I note on page 659 of the CONGRESSIONAL RECORD of December 19 that you stated in the course of debate:

"The only explanation for the failure to deliver the mail to the soldiers in France and for the failure to receive the letters of soldiers in France written to their families in this country is, in my opinion, rank incompetency; and I take this occasion to say that it is one of the most disgraceful breakdowns of the Post Office Department in the first place and of the War Department management in the second place, that the soldiers in France have been deprived of their home letters and the folks at home have been deprived of the letters from their soldiers."

By reference to Senate Document No. 260, hereto attached, it will be seen that the Senate was advised by me in July last that, since June 30 preceding, the Army has been conducting the transportation and delivery of the mail to the soldiers addressed for delivery in the United States. Under this arrangement the mails for the troops in France are distributed by this service at the Chelsea Terminal railway post office at New York, in accordance with schemes furnished by the military authorities, and handed over in sealed sacks appropriately labeled to said authorities at the port of embarkation, whereupon the responsibility of this department ceases and the military authorities undertake the transportation and delivery of said mails to the individual soldiers addressed. In order to keep a proper check on the course of the mails and to locate responsibility for delays a daily report is rendered jointly by an official of the Army and an official of the Railway Mail Service in charge of the distribution of these mails, said statement showing the amount of mail distributed and sealed ready for dispatch and the amount of mail undistributed in the Chelsea Terminal at 12 o'clock noon each day. A perusal of these daily reports shows that on no occasion has there been as much as 24 hours' accumulation of undistributed mail, and that most of the reports show that the letter mails were distributed as fast as received. It is noted that you state that "there is comparatively little second-class mail that goes to France," and in connection therewith I desire to point out that for the three months ending November 30 there was distributed in the Chelsea Terminal railway post office a total of 226,408 sacks, or 13,233,935 pieces of printed matter and parcel post, a weekly average of 17,416 sacks, or 1,017,995 pieces.

Under the above-mentioned transfer of jurisdiction the mails from the soldiers in France are collected by the military authorities and handed over to this service at a distributing terminal in Bordeaux, from which time the postal service assumes responsibility for the handling of the same. In connection with the responsibility of the Post Office Department in the handling of these mails, I beg to quote from a letter of the United States postal agent on the subject, as follows:

"The boys in the Bordeaux Terminal take a great deal of pride in the manner in which they are preparing the mail for the States and the promptness with which they get it out of the terminal on the day of shipment. With the last truck load which left the terminal (dispatch of September 14) for the docks, not a letter, paper, or parcel was left in the terminal."

Since the dispatch of September 14, just mentioned, there have been 18 dispatches of mail from the troops in France, and from the reports received there were only two occasions on which the Bordeaux Terminal was not entirely cleared of all mail on hand, such a circumstance being due to conditions over which the post office has no control, such as insufficient space on board the steamer scheduled to receive the mails.

The mails from France are thoroughly distributed between sailings, in the Bordeaux Terminal railway post office, to States, railway post-office lines in this country, and even to cities, thereby expediting their handling and delivery upon receipt in the United States.

This is the situation since June 30, when the Army assumed responsibility for the mails going to France, at the port of New York, and delivered the mails from the soldiers in France to the post-office authorities at the port of Bordeaux. Every report that reaches me from my own officials, as well as from the Army, indicates that there is no delay in the handling of the mails under the jurisdiction of the Post Office Department. If you have any information indicating the breakdown of the Post Office Department's work in connection with the mails to or from the soldiers in France, I shall be pleased to be advised of the particulars in order that prompt remedy may be applied.

I must make this statement in justice to the Post Office Department, and feel certain that after reading this letter, also the accompanying document, you will see that this department is in no wise responsible for the delays to mail to and from the soldiers, complained of by you, and I feel certain that in fairness to this branch of the Government you will take action to correct your statements charging a breakdown on the part of the Post Office Department.

Sincerely, yours,

A. S. BURLESON,
Postmaster General.

Mr. BORAH. Mr. President——

Mr. HITCHCOCK. I yield to the Senator from Idaho.

Mr. BORAH. By what authority does the Post Office Department avoid the responsibility, which rests upon it, of transmitting the mail and taking care of it?

Mr. HITCHCOCK. The Senator from Idaho has asked a question which I am not able exactly to answer, except that we are in war times, and I suppose that the jurisdiction of the Post Office Department in France would only be such a jurisdiction as the military authorities yielded to it.

Mr. NELSON. Mr. President, will the Senator from Nebraska yield to me a moment?

Mr. HITCHCOCK. I yield.

Mr. NELSON. I think the answer to the question of the Senator from Idaho (Mr. BORAH) is that up to a certain time the Post Office Department had charge of the distribution of mail over in France, and that after that time—I do not recall the exact date—the War Department took charge of its distribution. I know that of my own knowledge, for one of my former clerks is engaged in the work over there. The War Department has had charge of the distribution of mail since last June, I think, and perhaps earlier.

Mr. HITCHCOCK. The War Department has had charge of its distribution since the 30th of June. I had just stated that to the Senator from Idaho; but he now desires to know by what authority the Post Office Department abdicated its duty and turned it over to the War Department; and I say I do not know. I suppose the War Department had no right to distribute mail in France, and that the military authorities only got such authority by reason of the laws and customs of war.

Mr. BORAH. Well, Mr. President, it occurred to me that if I should write a letter to a friend in France I should not be exactly satisfied with my Government if the department which had charge of the matter should deliver the letter down here to the Treasury Department, for instance, or should deliver it at the suggestion of the Treasury Department somewhere. I was simply curious to know why and how it is done.

Mr. NELSON. Mr. President, if the Senator from Nebraska will allow me, I beg leave to say that during the Civil War our experience was this: The Post Office Department would send the mail to the different camps or to different organizations. After it reached there the mail would be distributed by the officers of the different corps or regiments. After the mail has reached France, manifestly, it seems to me, that the men connected with the Army were the proper ones to distribute it. Our Army was in motion; it was not like distributing mail here in the city of Washington, where every man's house is numbered. The Army was moving rapidly from place to place, from camp to camp. They were here one day and at another place another

day. Hence, from the necessities of the case it was proper for the War Department to distribute the mail after it got to France. That is exactly the method which was pursued during the Civil War.

Mr. BORAH. Mr. President, the Senator from Minnesota is discussing one state of facts, but unfortunately there is another state of facts which exists.

Mr. NELSON. No; the mail was shipped over under the authority of the Post Office Department. It was only after the mail reached France that the Army took charge of its distribution.

Mr. HITCHCOCK. Mr. President, at the beginning there was an arrangement made under the toleration of the War Department, by which the Post Office Department undertook to distribute the mail to the various division headquarters, as I understand, in France, or possibly even to the headquarters of smaller units. That continued from the time we entered the war until the 30th of June. Thereupon, complaints having grown very great that the mail was irregular and very much delayed in delivery, the War Department insisted on taking over its distribution after it reached Bordeaux. It was finally given control of the mail at New York, and actually carried it over in Army transports and distributed it throughout France. Mail coming from France, from the soldiers there, was delivered to the Post Office Department at a terminal in Bordeaux, and is so delivered at the present time. So from the 30th of June on the Post Office Department is not actually responsible for the failure to deliver mail, but prior to that time it was responsible. There were, however, disagreements between the departments as to which department was chiefly responsible even before that time. There can be no question now that the failure is due to the failure of the War Department.

Mr. SMITH of Michigan. Mr. President, I desire to ask the Senator from Nebraska who is responsible for the delivery of telegrams? I sent a telegram a few days ago from Harrisburg to my house in this city. I wrote it in the Harrisburg office at 2 o'clock in the afternoon—a straight message—and it was delivered to my house in this city on Sixteenth Street next morning after breakfast. That is a fair sample of the management of the telegraph service by the Post Office Department.

So far as I am concerned, there is not a branch of this Government that I would not willingly trust the mails to in preference to that branch which has had charge of it for the last four or five years.

Mr. HITCHCOCK. Mr. President, I think so far as this country is concerned, the Post Office Department during the war has done as well as has any other department. Depending largely on human effort, the Post Office Department, like other departments, has had to suffer from the fact that many of its old or active employees, able men, have been taken for war service.

Mr. SMITH of Michigan. Mr. President, let me ask the Senator a question. He is a sensible, level-headed business man. How can he account for the delay of which I spoke? The telegram was sent at Harrisburg at 2 o'clock in the afternoon and delivered at my house here the next morning after breakfast. Is there any theory upon which that kind of service can be reconciled with efficiency? And that is only a fair sample. I have known it to occur over and over again, not only in my own case, but in the case of others.

I tell you the Post Office Department has voluntarily overburdened itself with responsibilities, political and otherwise, and is utterly lacking in efficiency which should go with the management of that great department of public service. From the top down it is incompetent; and yet we are talking about giving that officer new and added responsibility. I wish there were some way to have a vote in connection with this bill on the proposal of the Postmaster General to buy the telegraph and the telephone systems and attach them to his bureau. I think Congress would turn that unwise experiment down without a moment's hesitation. The present administration of the Post Office Department has not been successful and is already overburdened. The country has little confidence in Mr. Burleson's plans or purposes. His retirement from office is fondly anticipated, and will be hailed with real satisfaction by his countrymen.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). Does the Senator from Nebraska yield to the Senator from North Carolina?

Mr. HITCHCOCK. I yield.

Mr. SIMMONS. I understood the Senator desired to put something in the RECORD, but I hope the Senator will let us go on with this bill just as soon as he can possibly do so. Of course I do not wish to ask the Senator to desist from any argument he proposes to make, but the Senator sees that the result of the injection of this matter is to get away from the bill.

Mr. HITCHCOCK. It is a very interesting subject.

Mr. SIMMONS. I understand it is an interesting subject, and I do not object to the Senator putting what he desires to put into the RECORD, but I hope we may conclude this discussion and get back to the bill as soon as possible; that is all I wish.

Mr. HITCHCOCK. Mr. President, I wish to say that I agree fully with the contention made by the Senator from Michigan [Mr. SMITH] that it is a serious mistake which the Postmaster General has made in reaching out at this time to control business activities that Congress did not intend to put into his hands. I think the seizure of the cables was an utterly unjustified proceeding. I go so far as to say that it smacks of bad faith. Congress consented to give certain war powers to the President. Among those war powers were, if there was a war necessity, that he could take the telegraphs and the telephones, and when he took, in the name of the Postmaster General, the telegraphs and telephones there was no general complaint, because we were in the midst of war, and there may have been a justification for the seizure; but when after the war had closed in fact, if not in law, the Postmaster General took possession of the cables, not only those crossing the Atlantic Ocean to countries with which we were associated in the war, but also across the Pacific Ocean, which had no possible relation to the case, I think it was a high-handed outrage, and am frank to say so.

Mr. SMITH of Michigan. The Senator is always frank.

Mr. HITCHCOCK. I think furthermore that it smacked of bad faith. Congress deliberately put the power into the hands of the administration for war purposes; but after the war is over it has been used to gratify the personal convictions, personal opinions, and personal wishes of the Postmaster General.

If he had desired to secure from Congress the right to take over the cables, he should have asked for it. I think there is no justification at all in any reason that has been stated or which can be stated for that seizure.

But I come back to the proposition that, so far as the administration of the post office in this country is concerned during the war, the Post Office Department has acquitted itself reasonably well. The delay in the delivery of the mail of the soldiers in France has, in my opinion, been a very serious breakdown. I have received a great many letters since I called attention to the failure the other day. My attention was called to one case which is only illustrative of many. A family here with a son in France received on the 20th day of December a letter which he had written on the 29th day of October. It was almost two months in getting to them. The times were critical, the war was raging at the time the letter was written; but from the 29th day of October to the 20th day of December the family did not even know whether the boy was alive or dead. That instance is only characteristic of hundreds of thousands of others. There is no excuse for such a business breakdown, because the letter mailed by that boy in France could have reached Bordeaux in two days, and when it reached Bordeaux it could have been transferred to this country in one of the regular dispatches, 18 of which have occurred since the 24th of September. The transportation of mail across the Atlantic has been regular and the boats have been leaving Bordeaux regularly for this country, but the gathering up of the mail in France among the Army there has been utterly neglected.

There may be some excuse for saying that it is difficult to deliver letters to the soldiers in the Army because they have been moved from place to place, but there can not be any excuse when an officer or a private soldier mails a letter in France for this country for that letter taking two months to reach the United States. The delay has been just about as bad and as aggravating in mail coming to this country as it has in that going to France.

Mr. TOWNSEND. Mr. President, before the Senator takes his seat, I should like to read a letter which has reference to what the Senator has said and is saying now, and describes a situation which I think we ought to condemn. If the Senator will permit me, I should like to read the letter.

Mr. HITCHCOCK. I yield to the Senator.

Mr. TOWNSEND. The letter is directed to me, and is as follows:

DETROIT, MICH., *December 29, 1918.*

Senator CHARLES E. TOWNSEND,
Senate Chamber, Washington, D. C.

DEAR SENATOR TOWNSEND: In a recent issue of the Christian Science Monitor, on the editorial page, appears an excerpt from a letter of Secretary of War Baker to Mr. Fosdick. In this letter the Secretary dwells upon the need of keeping up the varied activities for entertaining and amusing our boys abroad in order to preserve their morale. Especially does he urge frequent and cheerful letters from home.

This sounds well, and we all agree with the idea, but as an illustration of the manner in which the Government does its part in the work, I am taking the liberty of writing you of my own experience.

On September 23 my boy, with the Ninety-first Division in France, on the eve before going into action wrote us that he had that day received letters from his mother and sisters. These letters were dated in July and on August 1.

In the battle that followed the boy was wounded, and on October 1 he reached an evacuation hospital, the location of which he was not permitted to give us. While there, in addition to his wound, he had a slight attack of scarlet fever and was isolated for a time. We have had letters from him at intervals of about four weeks, but up to November 20, the date of his last letter, he had not received a single letter from home or this country since September 23; that is, the latest news he had had from us was August 1.

Naturally we have written frequently, especially since we learned that he was in the hospital—an average probably of three letters a week. Further we have sent him drafts on Paris at times, which up to November 20 had not reached him, and, worst of all, he had received no pay from the Government for more than four months. We ourselves have never had official word that he had been wounded.

I am aware that this is not an unusual case. There are hundreds of similar ones, and while the war was actually on we all loyally kept silence and suffered in secret. But now it seems to me that this deplorable situation should be remedied. I am pleased to see in this morning's Washington news that Senator HITCHCOCK is denouncing this incompetence in the Post Office Department. The facts surrounding my son's case are therefore given you as a matter of duty to his mother and myself and to other mothers and fathers who have endured like anxieties.

The mail is the closest connection between the men across seas and their loved ones at home. Feeling confident that your best efforts will be directed toward making this connection much closer than it now is, I am, with kind regards,

Yours, very truly,

F. A. PLATT.

I repeat that this is similar to hundreds of letters which are coming in daily to the Members of Congress. It does seem to me now that the people whose sons and loved ones are in beds in hospitals at least should be able to communicate with them through the mail, and that their mail should come back home.

I am very glad for myself that the Senator from Nebraska has taken up this matter, because it is a serious one. It was serious during the war; it is still serious; and something ought to be done to correct the situation.

Mr. PHELAN. Mr. President, I sympathize with the Senator from Washington, who described the conditions in the District of Columbia whereby negroes had resisted the execution of the law, as he contended, and brought spirits into the District. Of course, that is due to the fact that the negroes have been advised by their counsel, and indeed by the courts, that there is no law against importing liquor into the District, and therefore they were fighting, doubtless, for their immemorial right to live under "the reign of law." The police department is trying to enforce something which does not stand upon the statute books, and probably that is the cause of much of the trouble. If it were the law, I am quite sure these negroes would abide by it, or they could be very easily made to abide by it without the show of force.

It is distilled spirits which causes intoxication and leads to lawlessness and crime; and I am sure that there has been imported into this District a quantity of poor liquor that is highly detrimental to those who use it. I have always taken the position that there was no objection on the part of the wine-growing States to the prohibition of spirituous liquor. In view of the fact that wine itself if innocuous, and does not lead to intoxication, and is a table beverage, I move as an amendment to the amendment the insertion of these words:

Provided, That the prohibition contained in said act shall not apply to wine, beer, and ale.

Mr. JONES of Washington. Mr. President, I am glad to have the assurance of the Senator from California that if we do provide by law for preventing these matters, these good people will abide by the law. That is what we are trying to do. That is what we hope to do by the amendment of the Senator from Texas.

The PRESIDING OFFICER. The question is upon the amendment of the Senator from California [Mr. PHELAN] to the amendment offered by the Senator from Texas.

The amendment to the amendment was rejected.

Mr. PHELAN. Mr. President, I do not desire to delay the proceedings, but I have another amendment to suggest.

It may not be known to the Senate that by the provisions of the law as it now stands, as interpreted by the Senator from Texas, there is no power in the citizen of the District of Columbia to export wine which he may have on hand to another community, though it be "wet." I can not understand why such an interpretation should be given to the law, because it should be in the interest of prohibition to permit free exportation. Therefore I move—this certainly is a harmless amendment—to amend the amendment of the Senator from Texas by inserting the following:

Provided, That nothing in said act shall prohibit the exportation of liquors from the District of Columbia.

The object is to give those who have a supply of wines and liquor on hand the opportunity at least of sending it away.

Mr. JONES of Washington. Mr. President, the Senator from California takes a very peculiar position. At the opening of this matter he was very much afraid we would not have an ample supply in the District, and now he wants to get rid of all that may be in existence here.

The PRESIDING OFFICER. The question is on the amendment of the Senator from California to the amendment of the Senator from Texas.

On a division, the amendment to the amendment was rejected.

The PRESIDING OFFICER. The question now is on the amendment of the Senator from Texas [Mr. SHEPPARD].

Mr. HITCHCOCK. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Jones, Wash.	Moses	Smoot
Bankhead	Kellogg	Myers	Sutherland
Borah	Kendrick	Nelson	Swanson
Brandegee	Kenyon	New	Thomas
Fernald	Kirby	Norris	Townsend
Fletcher	Knox	Nugent	Trammell
Gerry	La Follette	Overman	Vardaman
Gronna	Lenroot	Penrose	Warren
Hale	Lewis	Phelan	Watson
Harding	Lodge	Pollock	Weeks
Henderson	McKellar	Pomerene	Williams
Hitchcock	McNary	Shafroth	Wolcott
Johnson, Cal.	Martin, Ky.	Sheppard	
Jonson, S. Dak.	Martin, Va.	Simmons	

During the roll call,

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). I announce the absence of the senior Senator from Tennessee [Mr. SHIELDS] on account of illness. I will let this announcement stand for the day.

After the conclusion of the roll call,

The PRESIDING OFFICER. Fifty-four Senators have answered to their names. A quorum is present. The question is on the amendment of the Senator from Texas [Mr. SHEPPARD]. [Putting the question.] By the sound the ayes seem to have it.

Mr. THOMAS. I call for a division.

Mr. JONES of Washington and Mr. KIRBY called for the yeas and nays, and they were ordered.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. BRANDEGEE (when his name was called). Making the same transfer as before, I vote "nay."

Mr. JONES of Washington (when his name was called). I have a pair with the Senator from Louisiana [Mr. RANSDELL]. I am satisfied from his votes in the past that he would vote on this question as I shall vote. Therefore I am going to take the liberty of voting. I vote "yea."

Mr. MYERS (when his name was called). I have a pair with the Senator from Connecticut [Mr. MCLEAN], who is not present. I transfer that pair to the Senator from Louisiana [Mr. RANSDELL] and vote "yea."

Mr. NEW (when his name was called). I have a pair with the junior Senator from Louisiana [Mr. GAY]. I transfer that pair to the senior Senator from New Jersey [Mr. FRELINGHUYSEN] and vote "nay."

Mr. SMITH of Michigan (when his name was called). I am paired with the senior Senator from Missouri [Mr. REED]. Being unable to secure a transfer, I withhold my vote. If at liberty to vote, I should vote "yea."

Mr. STERLING (when his name was called). Again announcing my pair with the senior Senator from South Carolina [Mr. SMITH], I withhold my vote. If at liberty to vote, I should vote "yea."

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER]. I transfer that pair to the senior Senator from Texas [Mr. CULBERSON] and vote "nay."

Mr. TOWNSEND (when his name was called). I have a pair with the senior Senator from Arkansas [Mr. ROBINSON], but I believe if he were present he would vote as I shall vote, and I therefore take the liberty of voting. I vote "yea."

The roll call was concluded.

Mr. GERRY (after having voted in the negative). I have a general pair with the junior Senator from New York [Mr. CALDER]. I understand that on this question he would vote as I would vote, and therefore I shall allow my vote to stand.

Mr. KENDRICK. I have a general pair with the Senator from New Mexico [Mr. FALL]. I transfer that pair to the Senator from Montana [Mr. WALSH] and vote "yea."

Mr. DILLINGHAM. I inquire if the senior Senator from Maryland [Mr. SMITH] has voted?

The PRESIDING OFFICER. He has not.

Mr. DILLINGHAM. I withhold my vote, having a general pair with that Senator.

Mr. SAULSBURY. I have a general pair with the senior Senator from Rhode Island [Mr. COLT]. Not knowing how he would vote on this question, I withhold my vote.

Mr. LODGE. I have been requested to announce the following pairs:

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Illinois [Mr. SHERMAN] with the Senator from Kansas [Mr. THOMPSON];

The Senator from New York [Mr. WADSWORTH] with the Senator from New Hampshire [Mr. HOLLIS]; and

The Senator from Kansas [Mr. CURTIS] with the Senator from Georgia [Mr. HARDWICK].

The result was announced—yeas 42, nays 18, as follows:

YEAS—42.

Ashurst	Jones, N. Mex.	Myers	Smith, Ga.
Beckham	Jones, Wash.	Nelson	Smoot
Borah	Kendrick	Norris	Sutherland
Chamberlain	Kenyon	Nugent	Swanson
Fernald	Kirby	Overman	Townsend
Fletcher	Lenroot	Poindexter	Trammell
France	McKellar	Pollock	Vardaman
Gronna	McNary	Pomerene	Warren
Hale	Martin, Ky.	Shafroth	Wolcott
Henderson	Martin, Va.	Sheppard	
Johnson, S. Dak.	Moses	Simmons	

NAYS—18.

Brandegee	Kellogg	New	Watson
Gerry	Knox	Penrose	Weeks
Harding	La Follette	Phelan	Williams
Hitchcock	Lewis	Thomas	
Johnson, Cal.	Lodge	Underwood	

NOT VOTING—36.

Baird	Frelinghuysen	Owen	Smith, Ariz.
Bankhead	Gay	Page	Smith, Md.
Calder	Goff	Pittman	Smith, Mich.
Colt	Gore	Ransdell	Smith, S. C.
Culberson	Hardwick	Reed	Spencer
Cummins	Hollis	Robinson	Sterling
Curtis	King	Saulsbury	Thompson
Dillingham	McCumber	Sherman	Wadsworth
Fall	McLean	Shields	Walsh

So Mr. SHEPPARD's amendment was agreed to.

Mr. WOLCOTT. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 26, line 12, it is proposed to strike out "on or after April 6, 1917."

Mr. WOLCOTT. Mr. President, I have offered this amendment, and I have given notice that I propose to offer another amendment which strikes out the same language, on page 56, in line 7. What I shall have to say is applicable to both of these amendments. I shall address my remarks, however, to the pending amendment.

The amendment in question has to do with the provision of the bill which undertakes to provide for a case in which there may be an amortization of plant in those industries which were constructed for, or which have to do with, the production of articles contributing to the prosecution of the present war. The language in the section is as follows:

(8) In the case of buildings, machinery, equipment, or other facilities, constructed, erected, installed, or acquired, on or after April 6, 1917, for the production of articles contributing to the prosecution of the present war, and in the case of vessels constructed or acquired on or after such date for the transportation of articles or men contributing to the prosecution of the present war, there shall be allowed a reasonable deduction for the amortization of such part of the cost of such facilities or vessels as has been borne by the taxpayer.

Mr. President, it is my complaint against the language of the bill as drawn by the committee that a distinction is drawn between plants which may be amortized—that is, between plants on the one hand constructed after that date of April 6, 1917, and those on the other constructed before. Those which were erected after that date can amortize the cost under rules prescribed by the Treasury. Those constructed before that date may not amortize.

What is meant by amortization is pretty well understood. Just what sort of plants are intended to be covered by this section I am not prepared to say. The language is very general. You will note that the plants are plants for the protection of articles contributing to the prosecution of the war.

The thought occurs to me that that will include about every sort of plant that has been doing business in this country since the war started. To that I make no complaint, for I rather think that the committee must have intended by that language to embrace a strictly called war plant, plants manufacturing articles directly contributing to the prosecution of the war, and that the Treasury will construe it accordingly. With respect to those plants this provision provides that they may amortize the cost if they were erected since the date of our entrance into the war. The bill, however, ought in the interest of accuracy to narrow the description of plants covered by the provision.

The fact, Mr. President, that a plant which is constructed for war purposes ought to be allowed to amortize it seems to me is a well-settled principle, and it certainly is accepted by the business man who undertakes to transact his business with any view at all to safety. Business practice recognizes it as a sound principle. The Congress itself has recognized it. It recognized the principle in the passage of the munitions tax law of 1916. That law provided substantially that the plant might amortize the cost of construction. The principle is recognized by the Secretary of the Treasury in his letter to the Finance Committee in connection with this bill. The principle is recognized by this bill itself in the section which I undertake to amend. The thing to be said, however, is this, that the committee recognized the principle only in part. It confines its application to plants constructed since this date.

I shall not pause to discuss the merits of the principle. If the principle is good in part it is good in whole. My complaint is, as I said, that an insidious distinction is drawn between plants constructed since we entered the war and those constructed before. If those constructed since are to be allowed to amortize those constructed before should, and if those constructed before are not to be allowed to amortize then none should.

Mr. President, I wish to submit a few views as to why the distinction made by the bill should not be made. Why is there drawn this distinction? A plant constructed since we entered the war, why should it be allowed to repay its extraordinary plant expenditures and a plant constructed before should not?

It seems to me, Mr. President, that if any distinction at all is to be drawn it ought to be drawn in favor of those constructed before this date, for the very plain reason that if it be said that those that were constructed before this date were engaged in a war business, this same further is to be said, namely, that they proposed to make their money out of foreign governments, whereas these plants constructed since that date attempted to make their money out of the United States Government after it became involved in the war. So if there is any disinction between them, if either is to be favored, I submit that the people who got busy before we entered into the war and who were making their profit, whatever it was, out of foreigners ought to be favored as against those who got into their business after we entered the war in order to make their money out of our Government.

It is said, I know, Mr. President, that concerns which expanded before we entered the war got high profits for their products. I refer to the ammunition plants. That is true with respect to some. It is a mistake, however, to assume that all concerns that entered into the war business before this date made money.

There are certain conspicuous exceptions to that of American concerns that made contracts with foreign governments in the expectation of making great profit, but their expectations were grievously disappointed.

In some of these instances they failed to make the expected profits, for the reason that the designs of the articles which they were trying to make or intended to make were changed from time to time by what I might call experimentation, and they suffered great losses and in the end made no money. But when we got into the war, those plants that had thus suffered a loss were in position to supply to our Government effective and efficient articles which had been perfected and on which they had lost their money in perfecting. Therefore, those plants and those concerns are entitled to equitable consideration at the hands of Congress.

But let me take the case of a concern that did make money out of the European war. I call your attention to the fact that it cost them a great deal of money to do it. I am mindful of this fact that if a concern which indulged in vast expenditure by way of expansion in order to meet the demands of European nations prior to our entering this war, it was laying out honest money upon ventures that would not and could not yield profits when the war ceased. Such concerns spent vast sums of money for purely temporary purposes. Before those concerns can be said to have made any money they must, before the war business ended, repay what they had thus spent on temporary plants. Therefore, out of these big profits which they charged they ought, as a matter of justice, be allowed to repay the capital expenditures they made in building the plants. Otherwise their capital at the end of the war would be depleted.

In order to make my point clear in this connection, I am going to take a concrete illustration. I can express it in concrete terms better than in abstract ones. Let me suppose the case of a concern which laid out $10,000,000 for war-plant construction, I will say, in 1916. That outlay had to be made from the capital on hand or from funds borrowed. I shall suppose further that the contract with the allies was such as gave them ample gross profits to pay back this $10,000,000, or that part of it as could properly be considered as its postwar depreciation.

Let me suppose that after the war this $10,000,000 plant would be worthless. This supposition simplifies my point. Of course the plant would not be entirely worthless; it will always be good for scrap or junk. But to illustrate my point, I am supposing the plant would be worthless. Of course it is not worthless, but worth something. Suppose, however, that the plant would be worthless. What I say on that supposition is applicable to a less degree, of course, in case the plant is not entirely useless, but of some value, at least as scrap.

Mr. SMOOT. Mr. President——

Mr. WOLCOTT. I yield.

Mr. SMOOT. I wish to call the Senator's attention to the fact that the bill provides for just such a case as that.

Mr. WOLCOTT. Where, I ask?

Mr. SMOOT. I will call the attention of the Senator and of the Senate to it at the same time. On page 101, in paragraph 4, this provision is found:

4. Proper recognition or allowance can not be made for amortization, obsolescence, or exceptional depletion due to the present war, or to the necessity in connection with the present war of providing plant which will not be wanted for the purpose of the trade or business after the termination of the war.

That provision will take care of the case which is cited by the Senator.

Mr. WOLCOTT. Of course the Senator recognizes the fact that a plant is never absolutely worthless. I am supposing the case of a worthless plant to emphasize my point of view.

Mr. SMOOT. I recognize that; but the same provision will take care of cases that occurred before the declaration of war by America on April 6, 1917. The amendment the Senator offers only applies under the deductions allowed in the first place.

Mr. WOLCOTT. The deductions from gross profits.

Mr. SMOOT. The deductions allowed from gross profits. Of course, the same thing applies to partnerships and individuals and corporations, as the Senator has already stated, but the relief provisions take care of such cases. I want to say to Senators now, in studying this bill they must go through it and find whether there are any relief provisions relating to the particular item or not. The bill is full of them, as I have already said.

Mr. WOLCOTT. The language of paragraph 4, to which the Senator refers, is as follows:

4. Proper recognition or allowance can not be made for amortization, obsolescence, or exceptional depletion due to the present war, or to the necessity in connection with the present war of providing plant which will not be wanted for the purpose of the trade or business after the termination of the war.

Mr. SMITH of Georgia. It goes back, however, to the previous paragraph, which authorizes a certain amount annually. The Senator has in mind cases where amortization can not be handled. We must go back to the first of the four paragraphs.

Mr. WOLCOTT. I should like to ask the two Senators who are on the Finance Committee if this provision will allow a plant constructed prior to April 6, 1917, to amortize why is it necessary on page 26 and page 56 to forbid the right to amortize. What is the objection to striking that out?

Mr. SMOOT. I will tell the Senator right now, if he desires me to do so. During the years 1914, 1915, and 1916, the contracts that were made between the manufacturers in foreign countries provided a price at which goods were furnished to foreign countries that would cover the cost of the plant, providing it furnished the goods at the price named, at least in some cases, but not in other cases. In other words, if the manufacturer made the contract and had built his plant entirely for the purpose of manufacturing the goods at the end of two years, in many cases the price paid by foreign countries for the goods he manufactured would entirely wipe out the cost of his plant, and whatever profit he made over and above that was his. That happened during those years before America entered the war. In our examination we did find that there were some manufacturers in the United States, and I could mention them, and I may say they could be counted upon the fingers of one hand almost, who did not charge the foreign countries prices that would give them sufficient profit to cover the extra cost of putting up the new plant for the manufacture of goods for the foreign country. This provision that I have cited is the one the committee adopted to meet those few cases.

Mr. WOLCOTT. That is the few who had not made enough to repay the plant constructed.

Mr. SMOOT. Yes; and that is left entirely with the department. The evidence from those concerned must be presented to the Commissioner of Internal Revenue, and it must convince the department that the contracts and prices at which the goods were sold would not produce sufficient profit to cover the expenditures of the amortization of the buildings. I am quite sure the bill as it is drawn and presented will cover all just cases.

Mr. WOLCOTT. The Senator from Utah from his explanation makes clear to me that I was right in my original understanding. The Senator states that a plant that lost money and never could reimburse itself from its contract with a foreign Government is taken care of by paragraph 4, page 101, whereas the concern that constructed the plant prior to this date, but did not lose money, on the other hand made money and made enough to repay the plant construction, can not be allowed now to amortize in full down to the point of very much of its construction, and that was my understanding of the provision.

Mr. LENROOT. Will the Senator yield?

Mr. WOLCOTT. I yield.

Mr. LENROOT. I wish to ask the Senator if his amendment is adopted will not amortization of every steel plant in the United States be valid, every powder plant, and practically every plant engaged in a manufacturing industry in the United States?

Mr. WOLCOTT. I do not know whether it will or not. I do think that the amortization of a portion of those plants will take place, and it ought to take place as a matter of justice. But that is entirely aside from this issue. My contention is that if one should be amortized all should. If any are not to be, none should.

Mr. President, coming to the case of a plant that was constructed, as I assume, in 1916, and made such prices as enabled it to repay itself, which case is covered by the bill, I want to give it some further thought.

It is true that many plants made such a contract with foreign governments as would yield them a profit that would enable them to pay back the cost of the plant. I think it is further true that in administering the law heretofore, the Treasury Department has allowed those plants to amortize a certain percentage of that cost, upon the theory that the war would last perhaps a certain length of time, and the loss would be distributed throughout a period of years. They have provided in their contracts for amortizing the debt. They got the money from foreign governments for that purpose. The Government has heretofore allowed them by way of amortization to repay a portion of their capital laid out in temporary plants, and I think they ought to be allowed to continue that repayment out of their profits.

This bill, however, interrupts the process of repayment. It says from now on they shall not be allowed to repay themselves that capital expenditure to the amount that remains yet to be amortized. That, I say, is not fair; it is not just.

I was supposing that the plant would be worthless after the war.

Now, on that supposition, the $10,000,000 expenditure would be a total loss of capital, unless during the war business the concern made gross profits of an amount sufficient to cover the same. My suppositious concern did make enough money to repay that expenditure and made it out of foreign countries. In that sense the foreigners built the plant. But in a real sense it is accurate to say that the foreigner merely repaid the $10,000,000 which American capital had laid out, and thus saved the American concern from suffering, to that extent, a loss due to the postwar uselessness of the plant it had spent its money on.

This amounts to saying that the American spent $10,000,000 for a plant; that the plant, now that peace is here, is worth less because its earning power ceases with the war; but that the American is no worse off in his capital assets than before because, while he finds a plant worth nothing on his hands, yet he has in his assets $10,000,000 of foreign-paid money to take the place of his original $10,000,000 of expended capital.

Now, Mr. President, that American business man is in a sound situation; he has made sure of the return of his money. His capital is not depleted. He recognized from the start that the expenditure for a war plant was a temporary business and that after the war that business would end and his plant junked. He therefore charged that plant expenditure to operating cost and set the price for his commodity to the foreigner at a figure to cover such cost. Thus he has recovered his $10,000,000 of capital.

Thus far he displayed sound sense and well-approved business judgment and practice.

But, sir, if this bill remains as written his prudence in thus safeguarding his capital will be frustrated by the United States Congress. For his plant having been constructed prior to April 6, 1917, he is told that he may not consider that $10,000,000 as a repayment of operating expense and expenditure. He is not allowed to deduct it from gross income. It therefore is to be treated as net income, and as such it is taxable. If he is in the last bracket class of this bill, the rate on him is nearly 70 per cent. That rate levied on this $10,000,000 makes him pay $7,000,000 to the United States.

Wherefore, we see that now his situation is that he has the valueless plant on his hands—a zero asset—but instead of also having the $10,000,000 of capital that the foreigners paid him for the purpose of replacing his own capital expenditures of that amount he has only $3,000,000, his country taking from him the other $7,000,000. His loss is therefore $7,000,000.

Suppose it be said that this concern made profits on top of the $10,000,000 to cover plant and that that circumstance must be regarded. Very well, sir; let us regard it. What of it? What does it amount to? Why, it amounts to no more than this, that he has made a profit over and above all operating costs; that is to say, he has made some net profit. That being the case, we then find him to be a manufacturer who belongs to the class that would pay taxes. And whatever the Congress determines he should pay on such net income of course he ought cheerfully to pay.

Now, Mr. President, in view of the consideration that I have attempted to thus advance I am forced to the conclusion that the concern which embarked upon war business before April 6, 1917, is not to be distinguished, in applying the amortization principle, from one that embarked on such business since that date, simply for the reason that in the one case the allies were made to cover the plant cost, and in the other the allies were not made to cover such cost.

Indeed, as I suggested a while ago, if there is any distinction to be drawn, the equities are against the concern that started up after April 6, 1917, which planned to look, and must of necessity look, to our own country to repay the plant expense.

Yet this bill as drawn allows the fellow who built his plant since we entered the war to deduct its cost before paying any tax, but disallows the same thing to the one who built before that date and who reimbursed himself from foreigners.

Is there any other reason why this date of April 6, 1917, should be allowed to remain in the bill, drawing a line of demarcation as it does between concerns that expanded to a war footing before that date and those that so expanded after that date? I know of none that can appeal to me, though I am aware of another reason that has been suggested, which seems to find favor in some quarters.

This reason is that plants which started since our entry into the war—that is, since April 6, 1917—did so to help this country in its great extremity, that they were therefore impelled by praiseworthy motives of patriotism, whereas those which got under way before that date were looking for profit, and profit alone.

Now, Mr. President, with respect to this argument I wish to first say that a revenue bill which is designed to raise moneys by way of taxation, and which in so doing undertakes to regard and apply the principles of sound business accounting, must not be regarded as a fitting and appropriate place in which to distribute bouquets and souvenirs for pretended patriotism. Yet if this argument is sound that is what the bill would do.

I employed the term "pretended patriotism." I did so advisedly, for I decline to accept the view that business which sought to work for us upon our entrance into the war sought to perform simply and solely the labors of devoted patriotism. Sir, making money was the motive of those who are taken care of by this date.

I do not say that the thought that they were rendering a service to their country supplied to them no satisfaction. I doubt not it did. But the fact remains that profit was the aim in view, and accumulated fortunes the goal.

No, Mr. President, those coming in after April 6, 1917, were no more patriotic than those who got under way before that date. Why, then, should there be so tender a regard for the late concerns? Why should this insidious distinction be drawn?

Why, sir, the late comers were the business laggards of the country. What were they doing throughout the 32 months of crowded events that preceded this date of April 6, 1917. Keen business men of this country who grasped the situation and sensed the future, who had vision, courage, capital, and the capacity to do things, lost no opportunity to mobolize that part of the forces of American industrial power and resources within their control. They embarked upon programs of unprecedented expansion. They laid out millions upon millions on temporary enterprises. Sir, when the shock of war came, in 1914, its paralyzing stroke was felt the world over. American commerce ceased and American business for the moment was palsied. Prices fell. Labor was out of work and calamity was impending. But this condition did not long prevail. These leaders of American enterprise soon revitalized American industry. They created demands in the commodity markets and gave to labor compensations far beyond the dreams of the most optimistic.

They set the house in order and made it possible for America to assume her present commanding financial place among the nations of the world. In a very true sense they not only brought the world's wealth here, but they saved European civilization from defeat. I say, sir, that in the field of their activities they brought as much glory to American industry as our magnificent armies brought honor to our flag.

And when we came into the war these plants were ready to supply our country. They did not have to be built. They were not in futuro; they were in esse. There was no necessity to wait upon them for 3, 6, or 12 months for munitions and equipment. They were mobilized and ready. These plants that were constructed before this date of April 6, 1917, were prepared to commence production for our country on April 7, 1917. Those that were built since that date were not ready and some not ready yet after the lapse of over one and a half years.

Yet, sir, the slothful ones, under this section, may amortize, while the alert ones may not. Verily the Scripture is being fulfilled, for the last are first and the first are last.

Why should punishment be inflicted on those who were ready to render instant service to the country in its time of need? Why so favorable a regard for those who had to commence to get ready?

I make no complaint against allowing the amortization principle to operate for the new plants. I do make complaint that it is not allowed to operate likewise in favor of the more meritorious ones. Let it apply to all alike or let it apply to none.

Mr. President, on Saturday the chairman of the Finance Committee called attention to the fact that mines, oil wells, gas wells, and lumber mills were allowed amortization to the full extent requested by them, and that plants constructed since April 6, 1917, were allowed to amortize. Every industry, it seems, is allowed to reimburse its temporary capital expenditures except those plants that were constructed by that portion of American business which was the only live part of business in this country prior to our entrance into the war; and it was the only part of business in the whole country that, upon our declaration of war, was able to render immediate present service to the country. I submit the distinction should not be made against them.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Delaware.

Mr. SMITH of Georgia. Mr. President, I wish to say to the Senator that these provisions of the bill and the suggested amendment of the Senator from Delaware received the most careful consideration from the Finance Committee, and, as I recall, every member of the committee approved what we finally determined to do and what the bill as finally presented to you contains.

We start from our entrance into the war and allow amortization to plants constructed to produce war supplies. There is a provision in the bill that allows in extraordinary cases therein described amortization in the case of plants created before we entered the war. As the Senator from Utah [Mr. SMOOT] says, you can count the extraordinary cases on the fingers of one hand.

Why the distinction? The plants built prior to our entrance into the war were built under contracts with England, France, Italy, and other countries to make certain supplies, and the prices under those contracts covered the cost of constructing the plant and a profit. That was shown as the result of our investigation as to a large number of these plants. Why extend to them an amortization when they had covered the cost of their plants in the profits on contracts?

Mr. WOLCOTT. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Delaware?

Mr. SMITH of Georgia. Yes; but only for a moment, because I wish to finish what I have to say.

Mr. WOLCOTT. I merely wish to make a suggestion to the Senator. Let us suppose that they did get from the allies a sufficient sum of money to enable them to amortize on their books

the cost of their plants. The point is now whether the United States Government will allow them to keep that sum which they have been allowed by way of amortization?

Mr. SMITH of Georgia. I answer that the time has passed and that money is no longer subject to taxation; they have already made it; they made it before this year.

Mr. WOLCOTT. Let me suggest further to the Senator——

Mr. SMITH of Georgia. I wish to get through, so that we may go on with the bill, but I yield to the Senator.

Mr. WOLCOTT. So do I; I do not want to protract the discussion. But I wish to suggest this to the Senator: It is true that they have been allowed an amortization, but not to the full extent that they are entitled to. They have only had two years. They ought to be allowed to continue to the extent allowed under the rules of the Treasury; but this provision intercepts that process.

Mr. SMITH of Georgia. The contracts which they made enabled them to provide for their amortization and to make a profit besides. There was no reason at all to grant amortization privilege to companies existing prior to our entry into the war who had their plants working for foreign countries and who made their contracts at prices which paid them for the entire construction of their plants and a fair profit. We allowed the exemption in a few cases where this was not done, but we guarded carefully the provision.

Now, as to the plants erected since we entered the war, they do not occupy that position. As a rule, their contracts, even with the Government, have contemplated work reaching beyond this year; but the work has been stopped, the Government has canceled the contracts in the case of a great many of them, and they occupy an entirely different position from plants that have completed contracts with foreign countries. If the amendment of the Senator from Delaware were accepted there would be an enormous loss of revenue; if it were accepted there would be more difficulties in administration. All these facts, all these circumstances, studied out in individual cases to reach what was right, were considered by the committee, and I believe the committee unanimously concluded that what we have presented to you was right.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Delaware.

The amendment was rejected.

Mr. McCUMBER. Mr. President, I do not feel that I would be justified in allowing this bill to pass until I had made an attempt, at least, to cut down the tax upon those things which are necessary, such as clothing. I therefore wish to offer an amendment, on page 200, by striking out lines 12 to 21, inclusive, covering these subjects:

(11) Men's and boys' suits or overcoats, not including uniforms of officers in the military or naval forces of the United States, on the amount in excess of $50 each;

(12) Women's and misses' suits, cloaks, and coats, on the amount in excess of $50 each, or, when made up by a tailor or seamstress, on the amount in excess of $50 in value each;

(13) Women's and misses' dresses, on the amount in excess of $40 each, or, when made up by a tailor or seamstress, on the amount in excess of $40 in value each;

Mr. President, those were the particular items that were taken into consideration by the committee in striking out all of the provision for the taxation of clothing. Those were the particular items a tax on which was thought to be a tax upon necessaries, and not a tax upon luxuries. For instance, Mr. President, there was no objection particularly to a tax on trunks on the amount of cost in excess of $50. You can get a fairly respectable trunk for perhaps much less than that, and when one pays $50 for a trunk he possibly can afford to pay a little tax on the amount over $50.

So also in the case of the next article, traveling bags, on which a tax is laid upon the amount paid in excess of $25. You can get a traveling bag for very much less than $25, even with the excessive prices of to-day, but while you can get a traveling bag for less than $25 you can not get a suit of woolen clothes for less than $50, I do not care where you go to get it and whether it is custom-made or otherwise.

Again, purses, pocketbooks, shopping bags, and handbags costing in excess of $7.50 each. You can buy some of them perhaps for $5, and they will answer the purpose, but you can not buy a woman's coat for $50 if it is a woolen coat. There is quite a difference between an article that is necessary and one which you can get along without.

Again, it is proposed to put a tax on fans on the amount in excess of $1. Well, I have an idea you can buy a palm leaf fan for less than $1, but I do not think you can buy any other kind for less than $1. You can get along with a palm-leaf fan, so far as fanning one's self is concerned, but you can not get along without woolen clothing during the winter months. So, Mr. President, with women's and misses' hats and bonnets. A woman can buy a bonnet or a hat that will answer the purpose of a hat to cover her head for less than $15, even though it may not be a very good one, but it will answer the purpose.

So, too, Mr. President, women can get along without silk stockings; they can probably wear lisle-thread stockings that are just exactly as good, and will be just as comfortable, but boys can not get along without suits and overcoats in the winter-time. Young ladies can not get along without misses' suits, and women can not get along very well without dresses of some kind, and woolen dresses in the winter months of the year.

Mr. President, I simply want to suggest that if we were to levy a tax of 20 per cent on wool everyone would object to it, and yet you are levying this 20 per cent tax on practically every article of woolen goods, because the amounts which you have fixed as the basis of your taxation are such that you will purchase nothing for less than those particular amounts, and therefore you subject everything that you purchase in the line of woolen clothing to a tax.

Again, Mr. President, if I believed that you could buy a good woolen suit for a man for less than $50, I would say, "Tax that which is above $50 at the rate of 10 per cent." If you could buy a woman's coat for less than $50, I would say, "All right; tax that above $50." But when you can not buy either of them for less than $50, why should we levy that heavy tax here?

Mr. SMITH of Georgia. Mr. President, will the Senator allow me to interrupt him?

Mr. McCUMBER. I yield to the Senator.

Mr. SMITH of Georgia. I am going to step out for a moment; and I want to say to the Senator that he understands, of course, that the committee was opposed to all of section 905 and struck it all out?

Mr. McCUMBER. Certainly.

Mr. SMITH of Georgia. So that so far as those of us who were with the Senator are concerned, we have not anything to do with it.

Mr. McCUMBER. Of course.

Mr. SMITH of Georgia. I suggest that the Senator direct his remarks to the Senator from Iowa [Mr. KENYON]. He led the fight to restore this entire section, and it is his fight now with the Senator from North Dakota.

Mr. McCUMBER. I know, but, Mr. President, I felt at least that Senators were influenced in voting against the committee amendment on account of many other things besides the mere item of woolen clothing. What I am trying to do in this amendment is to prevent an extra charge of 20 per cent on woolen clothing for which you have to pay $40 or $50, and you can not get it any cheaper.

The Senator from Wisconsin [Mr. LENROOT] moved to strike out "20 per cent" and make it "10 per cent." Why? If it is a luxury in any sense, of course we should tax it at the rate of 20 per cent, but I do not think the Senator thought it was a luxury, and therefore he moved, and very properly moved, to reduce the tax to 10 per cent instead of 20 per cent. I think we can go a step further upon the particular articles I have mentioned, which are absolute necessaries, and which now cost the American people twice as much as they ought to cost them, without putting a still heavier burden upon them.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. McCUMBER. I yield to the Senator from Wisconsin.

Mr. LENROOT. The Senator from Wisconsin offered that amendment primarily because even though these were luxuries in the preceding section, the Senate had already adopted an amendment taxing statuary, paintings, and so forth, which clearly are all luxuries, at only 5 per cent; and so long as that was true, the Senator from Wisconsin did not believe it was fair to tax these things 20 per cent.

Mr. McCUMBER. If you tax statuary and those things which are absolute luxuries only 5 per cent, then why, in Heaven's name, should you not let the American people buy the necessaries of life in their clothing without having to pay even 10 per cent in the way of a tax? If you can even purchase automobiles with a tax of only 5 per cent upon them, then give me some good reason why we should compel the American people to pay $10 or $15 extra for a suit of clothes when they can not get them any cheaper than the amount fixed here for the beginning of the tax.

The result of this, as I have stated before, will finally be to increase enormously the consumption of shoddy and shoddy goods, and just to that extent to decrease the use of wool in clothing. I want to encourage the farmer at this time, when he is getting a splendid price for his wool—I might almost say an exorbitant price—to increase the production of wool. I want to see wool used in goods and not shoddy used in them. I know that the result of this extra tax will be that more shoddy will be put in goods to bring them below the price named in the

provision, and you will make the ultimate consumer pay enormously more in the course of the year for the goods that he will buy than you would without this tax, because the cheaper goods will not wear like the good woolen goods; and I, at least, felt it my duty to do what I could to protect the overburdened American people from paying too much for woolen goods. Therefore, I limit my amendment to those three subdivisions.

Mr. KENYON. Mr. President, I only want to say a word, because I am disinclined to detain the Senate at this hour, and we have had this question argued pretty thoroughly here this afternoon.

The impression left by the Senator's speech would be that we are taxing the whole value of these articles. We must always keep in mind that it is only the excess above $50 that is taxed for women's suits or men's suits. Then comes the tax.

The Senator says that no proper clothing can be bought for those prices. I have here the Washington Star of to-night, and also of a few nights ago. Among the advertisements in the Star that I looked over a few minutes ago, here are $50 broadcloth and plush coats, now marked down to $25. Here are wool Shetland sweaters, $7.95, specially priced; sweaters in cardigan stitch, whatever that is, and fancy weaves, shown in all the new color combinations, such as "Wilson," with collar and cuffs of "Rome Green"; "Rome," with pastel stripe on collar and cuffs; "Wilson," combined with "Democracy"; "Rome," combined with "Glory." Also combinations of admiral blue, Pershing tan, Foch blue and freedom—only $7.95 for all that. Things surely are coming down.

It is just a question whether we are willing to tax these things that are sold at extravagant prices. I know, and everybody knows, that clothing is high, but it probably will not stay there.

Here are other advertisements—women's and misses' coats, $29.50; and in the Star to-night, women's pajamas, $7.50—I do not know what those are—and kimonas, and men's pajamas. All these things seem to be marked down now and appear to be getting down to somewhere near reasonable prices.

I am not going to argue this question. We have had the argument before.

Mr. McCUMBER. Mr. President, I want to ask the Senator, if he will allow me, will he guarantee that these are woolen goods?

Mr. KENYON. No; I do not know anything about any guaranty. I will not make any guaranty. That is an utterly foolish question.

Mr. McCUMBER. Of course you can buy almost any kind of shoddy thing for almost any kind of a price; but I am speaking of the woolen goods that the people of the United States are entitled to have.

Mr. KENYON. The ground of my opposition to the Senator's amendment is this: Take dresses that cost two and three hundred dollars, that can be bought only by the rich people of the country, and suits of clothes costing up in the eighties and around a hundred dollars. If people buy these things they are able to pay the tax without any special irritation, and I think they are perfectly willing to do it. The "poor working girl" argument has been paraded before us, but I do not think you will find many of them buying $10 silk hose and fancy dresses at large prices. There is a good deal of nonsense about that argument. All I am going to ask for is a yea-and-nay vote on this proposition. My desire is to see snobbery and ostentation taxed.

The PRESIDING OFFICER. The Senator from Iowa demands the yeas and nays. Is the request seconded?

The yeas and nays were not ordered.

Mr. KENYON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Jones, Wash.	Nelson	Smith, Md.
Brandegee	Kellogg	New	Smith, Mich.
Chamberlain	Kendrick	Norris	Smoot
Dillingham	Kenyon	Nugent	Spencer
Fletcher	Kirby	Overman	Sterling
France	Knox	Penrose	Sutherland
Gerry	La Follette	Phelan	Swanson
Gore	Lenroot	Poindexter	Thomas
Gronna	Lodge	Pollock	Townsend
Hale	McCumber	Saulsbury	Trammell
Harding	McKellar	Shafroth	Warren
Henderson	Martin, Ky.	Sheppard	Watson
Hitchcock	Martin, Va.	Simmons	Weeks
Johnson, S. Dak.	Moses	Smith, Ariz.	Williams
Jones, N. Mex.	Myers	Smith, Ga.	Wolcott

The PRESIDING OFFICER. Sixty Senators have answered to the roll call. There is a quorum present.

Mr. KENYON. I ask the Presiding Officer if he will not submit the request again to the Senate for a yea-and-nay vote.

The PRESIDING OFFICER. A yea-and-nay vote is requested. Is the demand seconded?

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. JONES of Washington (when his name was called). Again announcing my pair with the senior Senator from Louisiana [Mr. RANSDELL], I withhold my vote.

Mr. MYERS (when his name was called). I have a pair with the Senator from Connecticut [Mr. McLEAN], who is absent. In his absence I transfer that pair to the Senator from Arizona [Mr. ASHURST] and vote "nay."

Mr. NEW (when his name was called). Transferring my pair with the junior Senator from Louisiana [Mr. GAY] to the senior Senator from New Jersey [Mr. FRELINGHUYSEN], I vote "yea."

Mr. STERLING (when his name was called). Again announcing my pair with the Senator from South Carolina [Mr. SMITH], I withhold my vote.

The roll call was concluded.

Mr. GERRY (after having voted in the affirmative). I have a general pair with the junior Senator from New York [Mr. CALDER]. I transfer that pair to the Senator from Nevada [Mr. PITTMAN] and let my vote stand.

I wish also to announce that the Senator from Delaware [Mr. SAULSBURY] is necessarily absent on important public business and that he is paired with the Senator from Rhode Island [Mr. COLT].

Mr. KNOX (after having voted in the affirmative). I voted not noticing the absence of my pair, the Senator from Oregon [Mr. CHAMBERLAIN]. I transfer my pair to the Senator from Vermont [Mr. PAGE] and let my vote stand.

Mr. BRANDEGEE. Making the same transfer previously announced, I vote "yea."

Mr. HARDING. I transfer my pair with the Senator from Alabama [Mr. UNDERWOOD] to the Senator from Oregon [Mr. McNARY] and vote. I vote "nay."

Mr. KENDRICK (after having voted in the affirmative). I transfer my pair with the Senator from New Mexico [Mr. FALL] to the Senator from Montana [Mr. WALSH] and let my vote stand.

Mr. LODGE. I have been requested to announce the following pairs:

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY];

The Senator from Kansas [Mr. CURTIS] with the Senator from Georgia [Mr. HARDWICK];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Illinois [Mr. SHERMAN] with the Senator from Kansas [Mr. THOMPSON];

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED];

The Senator from Michigan [Mr. TOWNSEND] with the Senator from Arkansas [Mr. ROBINSON]; and

The Senator from New York [Mr. WADSWORTH] with the Senator from New Hampshire [Mr. HOLLIS].

The result was announced—yeas 35, nays 17, as follows:

YEAS—35.

Bankhead	Knox	New	Sutherland
Brandegee	Lenroot	Overman	Swanson
Dillingham	Lodge	Penrose	Thomas
France	McCumber	Phelan	Warren
Gerry	Martin, Ky.	Simmons	Watson
Gore	Martin, Va.	Smith, Ariz.	Weeks
Henderson	Moses	Smith, Ga.	Williams
Jones, N. Mex.	Myers	Smoot	Wolcott
Kendrick	Nelson	Spencer	

NAYS—17.

Fletcher	Kenyon	Nugent	Sheppard
Hale	Kirby	Poindexter	Trammell
Harding	La Follette	Pollock	
Johnson, S. Dak.	McKellar	Pomerene	
Kellogg	Norris	Shafroth	

NOT VOTING—44.

Ashurst	Fernald	Lewis	Shields
Baird	Frelinghuysen	McLean	Smith, Md.
Beckham	Gay	McNary	Smith, Mich.
Borah	Goff	Owen	Smith, S. C.
Calder	Gronna	Page	Sterling
Chamberlain	Hardwick	Pittman	Thompson
Colt	Hitchcock	Ransdell	Townsend
Culberson	Hollis	Reed	Underwood
Cummins	Johnson, Cal.	Robinson	Vardaman
Curtis	Jones, Wash.	Saulsbury	Wadsworth
Fall	King	Sherman	Walsh

So Mr. McCUMBER's amendment was agreed to.

Mr. HALE obtained the floor.

Mr. SMOOT. Will the Senator allow me just a moment?

Mr. HALE. Certainly.

Mr. SMOOT. I want to perfect this amendment. I call attention to the fact that there must be another amendment in

the House provision now that the amendment has been adopted. On page 262, beginning in line 4 with the last word "As," I move to strike out all down to and including the word "dresses," in line 7. It reads:

As used in this subdivision the term "vendor" includes a tailor or dressmaker making up women's or misses' suits, cloaks, coats, or dresses.

Now that those paragraphs have been eliminated, I move to strike out these words.

Mr. SIMMONS. I was going to say that necessarily those words should go out.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Utah.

The amendment was agreed to.

Mr. HENDERSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Nevada?

Mr. HALE. I yield.

ASSESSMENT WORK ON MINING CLAIMS.

Mr. HENDERSON. There is a very important joint resolution which has just passed the House of Representatives this afternoon and is now on the Presiding Officer's desk. I ask unanimous consent to have it laid before the Senate at this time and put on its passage.

The PRESIDING OFFICER laid before the Senate the joint resolution (H. J. Res. 372) to amend Senate joint resolution No. 78, approved October 5, 1917, entitled "Joint resolution to suspend requirements of the annual assessment work on mining claims during the years 1917 and 1918, which was read the first time by its title and the second time at length as follows:

Resolved, etc., That the provisions of Senate joint resolution, approved October 5, 1917, be amended so as to provide that the time for filing notices to hold said mining claims in the Territory of Alaska, under the said resolution, be, and the same is hereby, extended to the 1st day of April, 1919.

Mr. HENDERSON. I ask that the unfinished business be temporarily laid aside and I ask unanimous consent to consider this joint resolution. It will take only a moment. There will not be any debate on it and it is a very important matter.

Mr. SIMMONS. I shall not object, providing there is no debate.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

Mr. LENROOT. Before consent is given I would like to know what the measure is.

Mr. HENDERSON. It simply provides that under the joint resolution passed two years ago suspending assessment work on mining claims during the years 1917 and 1918 the time for filing a notice which expires January 1 shall be extended for the period of three months for Alaska on account of the influenza and the difficulty of getting the notices sent there.

Mr. SIMMONS. It has passed the House?

Mr. HENDERSON. It has passed the House, and came over this afternoon.

Mr. JONES of Washington. Mr. President, I hope the joint resolution will be passed, but I just want to express my regret that while we can get action promptly upon a matter of this kind concerning property rights we are unable to get action on a bill to extend aid to the people there who are dying.

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THE REVENUE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12863) to provide revenue, and for other purposes.

Mr. HALE. I offer an amendment to the bill to come in on page 197, line 4: Before the word "canoes," I move to insert the word "pleasure." The bill now provides——

Mr. SIMMONS. I will state to the Senator that we have considered that matter; I have conferred with other members of the committee, and we will accept the amendment.

The amendment was agreed to.

Mr. KIRBY. I desire to offer an amendment.

The PRESIDING OFFICER. It will be read.

The SECRETARY. After section 1407 insert:

SEC. 1408. That it shall hereafter be unlawful for the United States of America to make any loan of money, bonds, or credit to any other nation, government, power, or people, or the representative thereof or to purchase the securities, bonds, or credits of such nation, government, power, or people except as it may become necessary to do so in order to adjust, collect, and realize upon the loans already made to and bonds and securities acquired of such nation, power, or government unless and until the Secretary of the Treasury is first thereunto duly authorized by act of Congress.

Mr. KIRBY. Mr. President, this is an amendment of some moment, and it seems to me might well be put upon this bill raising revenue. The people of our country are heavily taxed. They have responded liberally to the loan of money to our Government, both in war stamps and in bonds. They are now taxed heavily and are going to continue to be taxed heavily, and it seems to me the time has come when we should quit lending the money of the United States of America to other Governments, powers, or peoples. We have loaned all the moneys that are necessary to carry all the Governments with whom we were associated in the war to a successful completion of it. The war is ended, and this is a time, in my opinion, when we should end lending the money of the people raised by taxation to other Governments of the earth.

This does not prevent lending money as may be necessary to realize upon the loans that have heretofore been made to these Governments, but it would prevent the lending of any money to any other Government for any purpose whatever until the purpose was first disclosed to Congress and the consent of Congress obtained to the particular loan desired. It seems to me the time has come when we ought to do something of this kind, and on that account I propose this amendment here to-day.

Mr. WEEKS. Mr. President——

Mr. KIRBY. I yield to the Senator.

Mr. WEEKS. I suggest to the Senator from Arkansas that the Government owns several million dollars worth of property in France. It is the purpose, I understand, to try to sell that property to European Governments. Would the Senator's amendment prohibit taking bonds for that property if it were sold?

Mr. KIRBY. Not at all, as I understand it. It is to lend the money in the Treasury here and take bonds or purchase securities out of the Treasury. I do not think that ought to be done, and I believe the time has come to stop it. If there exists any great necessity for any further lending of credit or of money by the Government, it ought to be brought to Congress and the consent of Congress first obtained to do it.

Mr. WEEKS. I think I am in agreement with the Senator about that, but I believe it would be unfortunate if we were prevented from receiving any payment for our property over there in the bonds of other countries.

Mr. KIRBY. This will not do that. It has no purpose of that kind, and its effect can not be such.

Mr. SIMMONS. Mr. President, I earnestly hope this amendment will not prevail. I think it would be a most embarrassing thing to do at this time. I am advised by the Secretary of the Treasury to-day that it would be most embarrassing and would prevent the Government from doing things absolutely necessary under present circumstances. The war has not closed yet, but when it has closed all authority of the Secretary of the Treasury to advance money to the allies will have passed. Congress is at this time considering legislation with reference to loans to certain of our allies after the war has closed.

The Secretary of the Treasury who has just relinquished his office—Secretary McAdoo—recommended to the House of Representatives legislation of that character. That body is considering that legislation in committee, I understand, right now. When the Secretary of the Treasury appeared before the Finance Committee he said that when the war closes it would be necessary, in his opinion, if we were unable ourselves to sell to some of our allies, especially to Belgium and France, materials which they would absolutely need and which they could not get elsewhere, in order to carry on the work of reconstruction, authority ought to be given to do that, because if it were not given it would be impossible for us to sell them the material and the supplies which they would need for these purposes. He presented to the committee a very strong statement. He showed the committee, and he showed them nothing more than what we would have known if we had thought about it, that the countries now needing or presently to need great quantities of supplies are not in a financial position to buy and pay for these things in cash, and when we loan them money for the purpose of buying those goods in this country we would simply enable the business people of this country to furnish them the supplies, and for the money that we advance them to pay our business people we would be advancing Government securities that were as good as could be found probably in the markets of the world.

Mr. President, if we do not permit the Government to loan at all after the war closes, our business people will not be able to supply these goods, and our allies will not be able to get them anywhere else.

No money is lost; no money is jeopardized. We simply enable our people, the producers of this country, to sell these goods, and we get abundant security for the money that we advance.

I do not think that anything could be more unwise than to suddenly cut off the splendid trade which the business people of this country have a right to expect and which they can get without losing or even jeopardizing a dollar of American money; and, as the Senator from Maryland [Mr. SMITH] suggests to me, it does not increase the tax, because the bonds which we get from them for the money which we advance go immediately into the hands of our own people. It will not be a burden to us so far as interest charges are concerned, because those will be met in due time by the governments from whom we get the bonds, and in the end our principal will be returned.

Mr. President, I do not wish to prolong the discussion, but I do sincerely trust that this amendment will not prevail.

Mr. LODGE. Mr. President, I do not mean to prolong the debate a moment. The Senator from North Carolina [Mr. SIMMONS] has covered the case. It seems to me it would be most unfortunate in every way at this time to pass a general law that we would not extend any further credit to the nations with whom we have been associated in the war against Germany. It is extending a credit, it is not giving them money. I think now, with peace negotiations just coming on, to adopt such an amendment as this would be most unfortunate.

Mr. GORE obtained the floor.

Mr. KIRBY. Mr. President——

Mr. GORE. I yield to the Senator from Arkansas.

Mr. KIRBY. Mr. President, we agreed to extend credit and to loan money to our allies during the emergency and because of the necessity for so doing. The necessity was great; it was urgent. We have loaned them money until the war has been brought to a successful conclusion. Now it is proposed to establish nations on the other side of the world. It is proposed to rehabilitate great Russia, that once mighty empire yonder, which is destroyed, dismembered, impotent, and is now being harassed and overrun by bandit hordes of Czecho-Slovaks swinging down through that country.

Is it our business and our policy here to lend the nations that are going to be cut out of other territory money with which to stand upon their feet, in the hope that they may pay it back hereafter? To tax our people to the last limit to get the money to lend to them?

Mr. JONES of New Mexico. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from New Mexico?

Mr. KIRBY. Yes.

Mr. JONES of New Mexico. I merely want to call the attention of the Senator from Arkansas to a little business arrangement which was reported to have been made recently. It is now well known that our disbursements in Europe are very large, and so there has been an exchange of credits. We have made an advance of a quarter of a billion dollars just in the last few days to our European allies, and, in turn, they have made advances to us over there for a similar amount. But the right to make advances must exist in order to carry out a transaction of that kind. I assume that there will be a number of just such transactions as that while our expenditures in Europe are so very large.

Mr. KIRBY. The purpose of my amendment is not to prevent that nor our collection of any loans or realizing upon any credits which we have found it necessary to make to our allies heretofore; it will have no effect to do that; but it is to prevent the loaning to these other Governments after the war has ended of money that must be collected by taxation from our people unless the necessity is so great that the Secretary of the Treasury can come here and say, "I desire to extend this much credit and I desire the permission of the Government to do it," and convince the Congress of the necessity therefor, it should stop. The time has come, in my judgment, when we should quit levying high taxes upon our people to lend the money to the other nations.

Mr. GORE. Mr. President, I wish to say that I am unable to agree with the Senator from Arkansas [Mr. KIRBY]. I rather agree with the Senator from Massachusetts [Mr. LODGE] and with the chairman of the Committee on Finance [Mr. SIMMONS]. In my judgment it is neither to our own advantage nor is it to the advantage of the peoples of Europe that they should live in a world of wreck and ruin and devastation. It is to their advantage, as it is to our advantage, that Europe should be rebuilded as rapidly as possible. We can facilitate the reconstruction of Europe by advances of credit. This will inure to their advantage, as it will to ours. If those countries and those peoples are obliged to rely upon the slow processes of accumulating capital in order to rebuild and to reconstruct their countries, it will postpone their prosperity, and it will inevitably lead to a long period of industrial depression both in Europe and in the United States.

The purchasing power of Europe has been seriously reduced; it has been almost destroyed during the course of this war. It is estimated, I believe, by Mr. Schwab, that Europe will require $6,000,000,000 worth of iron and steel for purposes of reconstruction. There is a vast market. To supply that market will be to our own interest; it will be even more to the interest of those countries which have been so seriously crippled. Half the world is to-day naked and hungry; half of Europe is but half clad and half fed. These elemental needs ought to be supplied. They ought to be largely supplied by the farmers of the United States. If they have purchasing power, and if we can sustain their purchasing power, it will constitute an effective demand for the farm products of the United States. That will insure prosperity to our farmers, which is a large guaranty of prosperity to every productive class and to every industry in the United States.

I should regard it as a serious mistake to withhold credit or purchasing power from those depressed people. It is not only to our advantage—waiving the question of duty, or rather of humanity—but it is a matter of the highest industrial and commercial concern to the people of the United States and to all of the peoples in Europe.

Mr. BRANDEGEE. Mr. President, before the question is taken on the amendment I desire to see if I understand the situation correctly. I understand that about $8,000,000,000 has been authorized by Congress to be loaned. Is that correct?

Mr. SIMMONS. The loan of about $10,000,000,000 has been authorized, about $8,000,000,000 of which have already been loaned.

Mr. BRANDEGEE. Then, there is something like a billion and three-quarters in money which could be loaned in the future without further legislative authority.

Mr. SIMMONS. Yes; but there will have to be further legislation to make any loans after the war.

Mr. BRANDEGEE. But the end of the war will be indicated, I assume, by the proclamation of the President that the war has ceased. The effect of the amendment of the Senator from Arkansas [Mr. KIRBY], then, would be to withdraw the authority already granted as to the loaning of the remainder of that money.

Mr. SIMMONS. Undoubtedly, that would be the effect of the amendment.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arkansas [Mr. KIRBY].

The amendment was rejected.

Mr. JONES of New Mexico and Mr. THOMAS addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. JONES of New Mexico. I call up an amendment which has heretofore been offered by me, and ask that it be stated by the Secretary.

The PRESIDING OFFICER. The amendment offered by the Senator from New Mexico will be stated.

The SECRETARY. On page 30, line 23, at the end of the line, it is proposed to strike out the semicolon and insert a colon and the following proviso:

Provided, however, That any taxpayer who is the head of a family shall be entitled to deduct from his gross income such sum or sums of money as he may have actually expended during the taxable year as rent for residence purposes for himself or family, but not in excess of a sum of $1,000.

Mr. JONES of New Mexico. Mr. President, the proposition presented by this amendment is very simple. If an individual, partnership, or corporation owns its place of business it is not charged up with the rental value of that property as income. If a partnership, individual, or corporation does not own its place of business it is entitled to deduct from its income the rent of the premises in which it does business, so as to put it on a parity with the business where the buildings and plant are owned by the operating interest. What this amendment does is this: Under the bill as it is now framed, if a man owns his home he occupies it without being charged anything for its rental value. If he does not own his home he is not permitted to deduct from the income the rent which he has got to pay to house his family. The amendment is for the purpose of putting individuals on an equality as to residence precisely in the same way as we put business on an equality as to place of business.

I shall not discuss the matter at length. In a good many jurisdictions where they have income taxes they do just the other thing; they charge the owner with the reasonable rental value of the property, the farmer with the reasonable rental value of the house on the farm, and so on. I do not think that ought to be done. I think the system which the committee has adopted with reference to business is the proper one, and I am simply seeking to extend that to the individuals who labor,

who live upon salaries, and who do not own their homes. I ask for a vote on the amendment.

Mr. SIMMONS. Mr. President, the present law and also the pending bill do not allow deductions for personal living or family expenses. If this deduction is allowed, then I do not see any reason why personal living and family expenses generally should not be also allowed.

Mr. JONES of New Mexico. Mr. President, I should merely like to state that I am simply proposing to allow as a deduction the item of rent alone, because as to other family expenses the man who owns a house has to pay them just the same as the man who does not own a house.

Mr. SIMMONS. The man who owns a house is not allowed to deduct interest upon the investment in the house.

Mr. SMOOT. Mr. President, this amendment, if adopted, means simply this, that it would be far better for a man never to own a home than to own one; or, in other words, the man who must rent a house has no investment whatever in it, pays no taxes on it, has no upkeep to provide for it, and pays no insurance upon it; but the man who owns a home is compelled to pay the expenses of all those items; and, besides that, he has got his money tied up and receives no income whatever from it. It seems to me the amendment is so foreign to what would be just and right that the Senate can not possibly agree to it.

Mr. JONES of New Mexico. Mr. President, I do not think that this question can be settled by a mere wave of the hand.

Mr. SMOOT. It can be by a vote.

Mr. JONES of New Mexico. According to the Senator from Utah, a man who owns a building in which he conducts his business has no advantage over the man who does not own the building in which he conducts his business, because he has to pay the upkeep of it, and he is also out of the use of the money invested in it; but in the case of business the man who does not own his building deducts the rent from his income. If there is no advantage in the one case, why have the provision exemption; rent in the other? I submit, Mr. President, that this is but a matter of simple justice. If a man did not have his money in his residence he would have it invested in something else, and would get an income from that something else, and he would be paying a tax upon that income.

Mr. SMOOT. The Senator has asked a question and I shall simply undertake to answer it. The man who owns his own building and does business in that building has paid for it; it is a part of his capital, and he is allowed an exemption upon it, and, of course, if a man does not own the building whatever he pays as rent he is allowed upon it; but the man who owns the building is allowed an exemption upon it before any tax ever applies. That is the difference between the two cases.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from New Mexico [Mr. JONES].

The amendment was rejected.

Mr. POLLOCK. Mr. President, I offer the amendment which I send to the desk and ask to have read.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. At the end of the bill it is proposed to add a new section as follows:

SEC. 1408. That the members of the various district and local boards who acted under the selective-service-draft act throughout the United States be, and are hereby, extended the thanks of Congress for their patriotic services to the country; and the Secretary of War is hereby directed to cause to be prepared and filed with the records of the War Department a complete and permanent record of the names of all those who so served, and that the Secretary of War is hereby directed to cause suitable bronze medals to be prepared and presented to all who so served.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Carolina. [Putting the question.] By the sound, the "noes" seem to have it.

Mr. POLLOCK. I ask for a division.

On a division, the amendment was rejected.

Mr. JONES of New Mexico. Mr. President, I have two other amendments here. I can explain the purpose of them very readily. I have previously pointed out some advantages in making returns as corporations. I also pointed out wherein individuals, under certain circumstances, have advantages over corporations in making their tax returns. I am sure that we ought to make all business of the same kind as nearly equal and competitive as we can, and if there is any advantage in an individual or a partnership making a return as a corporation he ought to have the privilege of doing it, because by so doing he only puts himself on an equality with his competitor. Likewise, if a corporation finds that it is more advantageous for the stockholders to make a return as a partnership, I do not see why that should not be done. I pointed out the other day very gross inequalities simply because one concern happened to be a partnership and the other happened to be a corporation. There is no administrative difficulty in the way, because this bill only affects the mere matter of returns, and in the bill now we provide that certain corporations may make returns as partnerships. I will ask merely to have one of the amendments read, and will abide by the result upon that amendment so far as the other is concerned.

Mr. SIMMONS. Mr. President, I do not desire to discuss this amendment, but simply to say that the purpose of the amendment is to allow any individual or corporation to select the most favorable way of being taxed.

The PRESIDING OFFICER. The Secretary will state the amendment offered by the Senator from New Mexico.

The SECRETARY. It is proposed to add to the bill a new section, as follows:

SEC. 229. That any individual or partnership carrying on a trade, business, or profession may in respect to the income derived from such trade, business, or profession, elect to be taxed as a corporation, and file return accordingly. In such case such individual or the members of the partnership shall not be subject, in respect to such income, to the taxes imposed by this title and Title III upon individuals and partnerships, but shall be subject to the taxes imposed by such titles upon corporations.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Mexico.

The amendment was rejected.

Mr. JONES of New Mexico. Mr. President, I have another amendment to offer, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. On page 95, at the end of line 12, it is proposed to strike out the period and to insert "and not including for the taxable years 1918 and 1919 any surplus or undivided profits earned since December 31, 1916."

Mr. JONES of New Mexico. Mr. President, I can explain this amendment in a very few words. Although it is a very important amendment, and will raise something over $100,000,000 of revenue, to my mind it is nothing but in a small way bringing about justice for a grave discrimination which exists under the present law.

For the taxable year 1917, individuals, partnerships, and corporations all paid the same excess-profits tax. Individuals and partners paid surtaxes on all of their profits, whether they were taken out of the business or not. Corporations paid no surtax; and only the profits of the corporation which were distributed in dividends have as yet become subject to any surtax. As a matter of dollars, the corporations in 1917 earned about $10,000,000,000. After paying their taxes and after distributing their dividends they retained as undistributed profits, taxed only by the tax of 6 per cent which was provided, $4,000,000,000, and that money has been left in their treasuries. That $4,000,000,000 has not only escaped any surtax but under this bill they add the $4,000,000,000 to their capital, and under this bill exempt the 8 or 10 per cent—whichever form of tax it comes under—on the $4,000,000,000. They have kept it from paying any surtax to begin with; they now add it to capital, and get it exempted under this bill, before they pay any excess or war profits taxes on it now; and this is only in a very small way making those dollars pay what the dollars of the individual or partnership have already paid. It will bring in about $100,000,000 of revenue for this year, and it will bring in about $100,000,000 of revenue for next year.

Mr. SIMMONS. Mr. President, I do not wish to discuss this amendment. I will simply say that under the definition of "invested capital" in the bill paid-in or earned surplus and undivided profits constitute a part of invested capital; and what this amendment provides is that while the invested, paid-in, and earned surplus of every other year shall constitute part of invested capital the surplus and undivided profits of 1917 shall not constitute a part of it.

The PRESIDING OFFICER. The question is on the amendment of the Senator from New Mexico.

The amendment was rejected.

Mr. GORE. Mr. President, I wish to say that I was absent when certain sections were considered and adopted by the Senate to which I desire to offer an amendment. I have conferred with the chairman of the committee and have decided to ask unanimous consent that I may offer the amendments now. It will obviate the necessity of offering them in the Senate.

The PRESIDING OFFICER. The Senator from Oklahoma asks unanimous consent to offer an amendment which will be stated by the Secretary. Is there objection? The Chair hears none, and the amendment will be stated.

The SECRETARY. The Senator from Oklahoma offers the following amendment to section 311, on page 80:

Strike out:

"(2) An amount equal to the average net income of the corporation for the prewar period, plus or minus, as the case may be, 10 per cent of the difference between the average invested capital for the prewar period and the invested capital for the taxable year."

And insert in lieu thereof:

"An amount equal to the average net income of the corporation for the prewar period, plus or minus, as the case may be, the same percentage of the difference between the average invested capital of the prewar period and the invested capital for the taxable year as the average net income of corporations engaged in a trade or business of the same general class as that conducted by the taxpayer for the prewar period was of average invested capital for the prewar period: *Provided*, That in no case shall such percentage exceed the percentage of the net income of the taxpayer for the prewar period of the average invested capital for the prewar period."

Mr. GORE. Mr. President, I appreciate and I fully sympathize with the desire of the Senate to pass this bill to-night. I also appreciate the difficulty, the impossibility, of the Senate understanding an intricate amendment of this character when read from the desk. I shall, however, abbreviate my explanation of it, because I wish to facilitate the passing of the bill.

Of course no taxation bill can realize ideal or poetic justice. All that we can do is approximate a crude sort of justice, avoiding intended or avoidable injustice or inequalities. It sometimes happens, however, that even low taxes, if they are unequal, are more oppressive than high taxes if equal. Low taxes that discriminate in favor of one competitor and against another may ruin the one and enrich the other, whereas high taxes that are equal will not inflict any such imposition or burden upon either. One of the paramount considerations in passing a measure of this sort is to avoid inequality of burdens as between competitors in the same industry.

If the Senate will indulge me for one moment, in imposing the tax upon war profits we have adopted as the prewar period the years 1911, 1912, and 1913. Corporations have been given as an exemption the average net profits during the prewar period. That is, of course, a matter of obvious justice; but for corporations organized since the prewar period an artificial basis must be adopted. The committee has recommended as exemption for corporations organized since the prewar period the average net profits of corporations engaged in a like or similar business. I think that is the fairest standard which could have been agreed upon.

The inequality arises, Mr. President, with respect to corporations that did business during the prewar period and which have added to their investment since the close of that period. The exemption allowed upon this capital newly invested is only 10 per cent.

Now, take a case. Take a corporation that was doing business during the prewar period, making an average profit of 20 per cent, and let us assume that the average profit for like industries is also 20 per cent. Now, a new corporation organized since the prewar period would be entitled to an exemption of 20 per cent, based on the average profits of like industries; but a concern, we will say, that was capitalized at $50,000, operating during the prewar period, and realizing a profit of 20 per cent, has added $450,000 of new capital to its business. Upon this $450,000 of capital newly invested it is entitled to an exemption of only 10 per cent, or $45,000. Take an entirely new concern which has been organized since the prewar period, capitalized at $500,000. It will be allowed an exemption of $100,000, because the average net earnings of like industries are 20 per cent. Now, there is a serious discrepancy between like industries.

They may be competitors; their plants may be just across the street from each other; and yet the one, simply because it existed during the prewar period, is penalized to the extent of $55,000, and the new concern is rewarded to the extent of $55,000.

Now, that is a disparity, a disproportion of burden, that ought not to be imposed upon competing concerns. It would have been much better for the old concern, instead of adding to its invested capital, to have organized a new corporation and capitalized it, using the new capital in that way, because upon this new concern it would have been entitled to a much more generous exemption.

I can see how this would work serious injury to an old concern simply for being old. The amendment which I have offered proposes to give the old concern which has added to its capital the same exemption upon its new capital that we give to a corporation which has been organized since the prewar period. In other words, it is to give to the old corporation an exemption upon its new capital equivalent to the average net profits of like businesses. That will place them on an equal footing.

I had introduced an amendment which gave old corporations, upon the newly invested capital, an exemption equivalent to their average earnings during the prewar period. There is an element of justice in that proposal; but there is also weight to the objection that a corporation having a small capital and high earnings which expands its capital can not or should not be expected to realize as high a percentage of return upon its expanded capital as upon its old limited capital. But it seems to me, Mr. President, that there can be no argument against this proposal to give an old corporation upon its newly invested capital an exemption exactly the same as is accorded to new corporations; in other words, that will allow the new corporation the average net profits of like concerns engaged in like business, and allow an old corporation upon its newly invested capital an exemption equivalent to the average profits of like concerns.

That places competitors on an equal footing, and does not discriminate between them. It does not subject the one to an unnecessary and to an unjust burden. It does not make a difference in the treatment of concerns where there is no real difference in fact to justify the different treatment. The amendment which I have offered accords like treatment to those who are substantially in like situations. This is the nearest approach to justice we can arrive at in the adoption of a complicated revenue measure of this sort.

Mr. SIMMONS. Mr. President, while the Senator from Oklahoma always illuminates every subject upon which he speaks, I do not think he expects this amendment to be adopted. I think the Senator knows perfectly well that if this amendment were adopted it would be necessary to re-form this bill in many of its essential features. I do not know how that could be done now without sending it back to the committee. The Senator also knows that this proposal was pretty thoroughly thrashed out in the committee, and after great deliberation there it was decided that it was impracticable.

I hope, therefore, the amendment will not be adopted.

Mr. SMOOT. Mr. President, just a moment. There may be such a case as that cited by the Senator from Oklahoma; but if so, I call his attention to the relief provision found in this bill. On page 99, under paragraph (d), line 20, there is this provision:

(d) Where, as compared with representative corporations engaged in a like or similar trade or business, the taxpayer would (under section 326)—

That is, the invested-capital section—

be placed in a position of substantial inequality, because of the time or manner of organization, or because the actual value of the assets—

And so forth.

So the Senator can see that if there were such a case as cited by him it would fall under this relief provision.

Mr. GORE. Mr. President, I think there is a great deal of virtue in this relief provision; but, of course, it is intended to meet exceptional cases—cases where the circumstances can not be standardized.

Mr. SMOOT. That is what that would be.

Mr. GORE. The amendments which I have offered apply uniformly and generally to all concerns which come within the same category, and I think it is better, as a rule, where you can classify, to have a uniform rule applicable to a class, rather than to rely upon making special exceptions to meet particular cases. I fully approve of the relief section, but to meet the case of those enterprises which can not be reduced to rule or to standard, I think this amendment ought to have been adopted. I hardly expect it to be adopted at this late hour, though, because, of course, the Senate has not had an opportunity to analyze it. I would not be surprised, however, to see this amendment come back in the conference report, if this section stays in the bill.

The PRESIDING OFFICER. The question is upon agreeing to the amendment of the Senator from Oklahoma.

The amendment was rejected.

Mr. GORE. Mr. President, there is one other amendment which I wish to offer.

The PRESIDING OFFICER. The Senator from Oklahoma offers a further amendment, which will be stated by the Secretary.

The SECRETARY. On page 83, it is proposed to strike out sections 300 and 301, as amended, and in lieu thereof to insert the following:

SEC. 300. That when used in this title the terms "taxable year," "fiscal year," "personal service corporation," "paid or accrued," and "dividends" shall have the same meaning as provided for the purposes of income tax in sections 200 and 201, and when used in section 301 of this title the term "taxable income" shall mean the net income in excess of the excess-profits credit determined under section 312, or the war-profits credit determined under section 311, as the case may be. The first taxable year for the purposes of this title shall be the same as the first taxable year for the purposes of the income tax under Title II.

PART II—IMPOSITION OF TAX.

SEC. 301. (a) That in lieu of the tax imposed by Title II of the revenue act of 1917, but in addition to the other taxes imposed by this act, there shall be levied, collected, and paid for the taxable year 1918 upon the taxable income of every corporation a tax equal to the sum of the following:

FIRST BRACKET.

Thirty per cent of the amount of the taxable income not in excess of 20 per cent of the invested capital.

SECOND BRACKET.

Sixty per cent of the amount of the taxable income in excess of 20 per cent of the invested capital.

THIRD BRACKET.

The sum, if any, by which 80 per cent of the amount of the taxable income exceeds the amount of the tax computed under the first and second brackets.

(b) For the taxable year 1919 and each taxable year thereafter there shall be levied, collected, and paid upon the taxable income of every corporation a tax equal to the sum of the following:

FIRST BRACKET.

Twenty per cent of the amount of the taxable income not in excess of 20 per cent of the invested capital.

SECOND BRACKET.

Forty per cent of the amount of the taxable income in excess of 20 per cent of the invested capital.

(c) For the purposes of the act approved March 21, 1918, entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," the tax imposed by this title shall be treated as levied by an act in amendment of Title II of the revenue act of 1917.

Mr. GORE. Mr. President, just a moment. There are two points in this amendment. One is to define what shall constitute taxable income. Under the existing law and under the pending bill the brackets are applied to the entire net profits of corporations. The ordinary taxpayer expects his net profits to be ascertained and expects his exemption recited in the bill, of $3,000 plus 8 per cent on the capital invested, to be subtracted from his net profits and then expects the bracket of 30 and 60 per cent to be applied to what is left.

That is not the case. The exemption of $3,000 plus 8 per cent on the capital invested is taken from the lowest bracket, and if the exemption is more than the net profit under the low bracket then the remainder of the exemption is taken out of the next bracket above that.

So it might happen but for another provision. The small concerns would pay their entire tax under the 60 per cent bracket. Take a concern—but for the provision—which I shall submit in a moment, capitalized at $25,000, with a net profit of $12,500. That concern would be entitled to an exemption of $5,000, $3,000 plus the 8 per cent on the capital stock, making an aggregate of $5,000.

The average taxpayer expects that $5,000 exemption to be taken from $12,500, the profit being $7,500, to which the bracket should be applied. Five thousands dollars of the $7,500 coming within the first, or 30 per cent, bracket, amounting to $1,500; under the second bracket, $2,500, bearing 60 per cent, amounting to $1,500, or aggregating under both brackets $3,000.

That is not the way it is computed. Twenty per cent of the capital stock, or $5,000, which is the first bracket, is offset against the exemption of $5,000, leaving $7,500 to bear the 60 per cent tax. I use this merely by way of illustration.

This is the way the computation would run, but for the provision that a corporation whose net profits do not exceed $20,000 shall pay at the rate of 30 per cent on its entire profits. The method, however, of deducting the exemption from the low bracket operates against small corporations. It is less burdensome to large corporations, but my proposal to deduct the exemption from the net profits and then apply the brackets to the remainder would be just alike to the small and to the large corporation and would avoid a burdensome discrimination.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Oklahoma.

The amendment was rejected.

Mr. JONES of Washington. I have an amendment that I want to propose to paragraph C, on page 138 of the bill. I think when I state just briefly the situation and what it is designed to meet, its merits will be perfectly clear.

Mr. SIMMONS. Clearly, the amendment should be adopted.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On line 10, page 138, add the following proviso:

Provided, That where such transportation lines are in competition with foreign lines the tax imposed under this paragraph shall not exceed the amount of transportation tax to which such foreign transportation company is subjected by its government corresponding to this tax.

Mr. JONES of Washington. Mr. President, I think I can state just in a moment, so that it will appear in the RECORD, what this amendment is designed to meet.

We have a transportation line from Seattle, for instance, to points in southeastern Alaska. The Canadian ships also go from Seattle to Vancouver and Victoria on the way to points in southeastern Alaska. They are in competition with our ships. I am reliably informed that their Government taxes them 1 per cent. If we put this tax of 8 per cent on our ships, it will give the Canadian line an advantage of 7 per cent. This amendment is designed to meet a situation just like that.

Mr. SMOOT. Let me call the attention of the Senator to the provision of the bill on page 138. I did not really understand it when the Senator presented the case to me a little while ago. It seems to me that if the Canadian ship started from a point in the United States it would be taxed under the provision of the bill as it stands.

Mr. JONES of Washington. But this is what they do: They sell a local ticket between Seattle and Vancouver, then a ticket from Vancouver on to a point in Alaska.

Mr. FLETCHER. May I ask the Senator if the Canadian Government does not tax more than 1 per cent?

Mr. JONES of Washington. All I know is what information I have, which is as reliable as I can get, and they claim that a tax corresponding to this is just 1 per cent. I thought if it went into conference the conferees could look into the situation a little more carefully than I have had an opportunity to do and take care of it.

Mr. FLETCHER. It may be possible that there is only one tax on that particular subject, but I do know that they place a pretty severe tax on the income.

Mr. JONES of Washington. That is probably true; but I referred to the corresponding tax.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Washington.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is in Committee of the Whole and open to amendment. If there be no further amendment——

Mr. LA FOLLETTE. Mr. President, I desire to offer an amendment in the nature of a substitute. I send to the Secretary's desk the amendment and ask to have it read.

The PRESIDING OFFICER. The Senator from Wisconsin submits an amendment by way of a substitute and requests that it be read.

Mr. LA FOLLETTE. To save the time of the Senate, as the amendment has been upon the desks of Senators and they have had an opportunity to examine it, I will not ask to have it read if it is printed in the RECORD. It would save some two hours or more of the time of the Senate and advance the consideration and conclusion of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LA FOLLETTE's amendment was to strike out all after the enacting clause of the bill and to insert:

TITLE I.—GENERAL DEFINITIONS.

SECTION 1. That when used in this act—

The term "person" includes partnerships, corporations, and associations, as well as individuals;

The term "corporation" includes associations, joint-stock companies, and insurance companies, as well as private corporations;

The term "domestic" when applied to a corporation or partnership means created or organized in the United States;

The term "foreign" when applied to a corporation or partnership means created or organized outside the United States;

The term "United States" when used in a geographical sense includes only the States, the Territories of Alaska and Hawaii, and the District of Columbia;

The term "Secretary" means the Secretary of the Treasury;

The term "commissioner" means the Commissioner of Internal Revenue;

The term "collector" means collector of internal revenue;

The term "revenue act of 1916" means the act entitled "An act to increase the revenue, and for other purposes," approved September 8, 1916;

The term "revenue act of 1917" means the act entitled "An act to provide revenue to defray war expenses, and for other purposes," approved October 3, 1917;

The term "taxpayer" includes any person, trust, or estate subject to a tax imposed by this act;

The term "Government contract" means (a) a contract made with the United States or with any department, bureau, officer, commission, board, or agency under the United States and acting in its behalf, or with any agency controlled by any of the above if the contract is for the benefit of the United States, or (b) a subcontract made with a contractor performing such a contract if the products or services to be furnished under the subcontract are for the benefit of the United States.

TITLE II.—INCOME TAX.

Part I.—General provisions.

DEFINITIONS.

SEC. 200. That when used in this title—

The term "taxable year" means the calendar year, or the fiscal year ending during such calendar year, upon the basis of which the net income is computed under section 212 or section 232. The term "fiscal year" means an accounting period of 12 months ending on the last day of any month other than December. The first taxable year, to be called the taxable year 1918, shall be the calendar year 1918 or any fiscal year ending during the calendar year 1918;

The term "fiduciary" means a guardian, trustee, executor, administrator, receiver, conservator, or any person acting in any fiduciary capacity for any person, trust, or estate.

The term "withholding agent" means any person required to deduct and withhold any tax under the provisions of section 221 or section 237.

The term "dividend" means any distribution made by a corporation out of its earnings or profits, accrued since February 28, 1913, and payable to its shareholders or members, whether in cash or in other property or in stock of the corporation. Any distribution shall be deemed to have been made from earnings or profits unless all earnings and profits have first been distributed. Any distribution made in the year 1918 or subsequent years shall be deemed to have been made from earnings or profits accrued since February 28, 1913; but any earnings or profits accrued prior to March 1, 1913, may be distributed in stock dividends or otherwise, exempt from the tax, after the earnings and profits accrued since February 28, 1913, have been distributed. If paid in stock of the corporation, a dividend shall be considered income to the amount of the earnings or profits distributed. Amounts distributed in the liquidation of a corporation shall be treated as payments in exchange for stock, and any gain or profit realized thereby shall be taxed to the distributee as other gains or profits.

BASIS FOR DETERMINING GAIN OR LOSS.

SEC. 201. That for the purpose of ascertaining the gain derived or loss sustained from the sale or other disposition of property, real, personal, or mixed, the basis shall be—

(a) In the case of property acquired before March 1, 1913, the fair market price or value of such property as of that date; and

(b) In the case of property acquired on or after that date, (1) the cost thereof; or (2) the inventory value, if the inventory is made in accordance with section 202.

INVENTORIES.

SEC. 202. That whenever in the opinion of the commissioner the use of inventories is necessary in order clearly to determine the income of any taxpayer, inventories shall be taken by such taxpayer upon such basis as the commissioner, with the approval of the Secretary, may approve or prescribe as most clearly reflecting the income of the taxpayer.

Part II.—Individuals.

NORMAL TAX.

SEC. 210. That in lieu of the taxes imposed by subdivision (a) of section 1 of the revenue act of 1916 and by section 1 of the revenue act of 1917 there shall be levied, collected, and paid for each taxable year upon the net income of every individual a normal tax of 2 per cent of the amount of the net income in excess of the credits provided in section 216.

SURTAX.

SEC. 211. That in lieu of the taxes imposed by subdivision (b) of section 1 of the revenue act of 1916 and by section 2 of the revenue act of 1917, but in addition to the normal tax imposed by section 210 of this act, there shall be levied, collected, and paid for each taxable year upon the net income of every individual a surtax equal to the sum of the following:

5 per cent of the amount by which the net income exceeds $5,000 and does not exceed $7,500.

8 per cent of the amount by which the net income exceeds $7,500 and does not exceed $10,000.

13 per cent of the amount by which the net income exceeds $10,000 and does not exceed $15,000.

20 per cent of the amount by which the net income exceeds $15,000 and does not exceed $20,000.

30 per cent of the amount by which the net income exceeds $20,000 and does not exceed $25,000.

45 per cent of the amount by which the net income exceeds $25,000 and does not exceed $50,000.

57 per cent of the amount by which the net income exceeds $50,000 and does not exceed $75,000.

70 per cent of the amount by which the net income exceeds $75,000 and does not exceed $100,000.

72 per cent of the amount by which the net income exceeds $100,000 and does not exceed $200,000.

76 per cent of the amount by which the net income exceeds $200,000 and does not exceed $300,000.

77 per cent of the amount by which the net income exceeds $300,000 and does not exceed $500,000.

78 per cent of the amount by which the net income exceeds $500,000.

NET INCOME DEFINED.

SEC. 212. (a) That in the case of an individual the term "net income" means the gross income as defined in section 213, less the deductions allowed by section 214.

(b) The net income shall be computed upon the basis of the taxpayer's annual accounting period (fiscal year or calendar year, as the case may be) in accordance with the method of accounting regularly employed in keeping the books of such taxpayer; but if no such method of accounting has been so employed, or if it does not clearly reflect the income, the computation shall be made upon such basis and in such manner as in the opinion of the commissioner does clearly reflect the income. If the taxpayer's annual accounting period is other than a fiscal year as defined in section 200, or if the taxpayer has no annual accounting period or does not keep books, the net income shall be computed on the basis of the calendar year.

If a taxpayer changes his accounting period from fiscal year to calendar year, from calendar year to fiscal year, or from one fiscal year to another, the net income shall, with the approval of the commissioner, be computed on the basis of such new accounting period, subject to the provisions of section 226.

GROSS INCOME DEFINED.

SEC. 213. That for the purposes of this title (except as otherwise provided in section 233) the term "gross income"—

(a) Includes gains, profits, and income derived from salaries, wages, or compensation for personal service (including in the case of the President of the United States, the judges of the Supreme and inferior courts of the United States, and all other officers and employees, whether elected or appointed, of the United States, or of any State, Alaska, Hawaii, or any political subdivision thereof, or the District of Columbia, the compensation received as such), of whatever kind and in whatever form paid, or from professions, vocations, trades, businesses, commerce, or sales, or dealings in property, whether real or personal, growing out of the ownership or use of or interest in such property; also from interest, rent, dividends, securities, or the transaction of any business carried on for gain or profit, or gains or profits derived from any source whatever. The amount of all such items shall be included in the gross income for the taxable year in which received by the taxpayer, unless, under methods of accounting permitted under subdivision (b) of section 212, any such amounts are to be properly accounted for as of a different period; but

(b) Does not include the following items, which shall be exempt from taxation under this title:

(1) The proceeds of life insurance policies paid upon the death of the insured;

(2) The amount received by the insured as a return of premium or premiums paid by him under life insurance, endowment, or annuity contracts, either during the term or at the maturity of the term mentioned in the contract or upon surrender of the contract;

(3) The value of property acquired by gift, bequest, devise, or descent (but the income from such property shall be included in gross income);

(4) Interest upon (a) the obligations of a State, Territory, or any political subdivision thereof, or the District of Columbia, issued on or prior to the date of the passage of this act, or (if authorized by law on or prior to the date of the passage of this act) issued within six months after the passage of this act and containing a statement of such authorization and its date, or (if issued after the passage of this act) containing a statement that they are issued for the purpose of funding or refunding any interest-bearing indebtedness outstanding on the date of the passage of this act or for the purpose of carrying out a contract entered into on or prior to the date of the passage of this act: *Provided*, That there shall be excluded from gross income in the case of any person owning obligations of States, Territories, political subdivisions thereof, or the District of Columbia (the interest upon which is included in gross income), the interest upon an amount of such obligations the principal of which does not exceed in the aggregate $5,000; or (b) securities issued under the provisions of the Federal farm-loan act of July 17, 1916; or (c) the obligations of the United States or its possessions. In the case of obligations of the United States issued after September 1, 1917, the interest shall be exempt only if and to the extent provided in the act authorizing the issue thereof as amended and supplemented, and shall be excluded from gross income only if and to the extent it is wholly exempt from taxation both under this title and under Title III;

(5) The income of foreign governments received from investments in the United States in stocks, bonds, or other domestic securities, owned by such foreign government, or from interest on deposits in banks in the United States of moneys belonging to such foreign governments, or from any other source within the United States;

(6) Amounts received, through accident or health insurance or under workmen's compensation acts, as compensation for personal injuries or sickness, plus the amount of any damages received whether by suit or agreement on account of such injuries or sickness;

(7) Income derived from any public utility or the exercise of any essential governmental function and accruing to any State, Territory, or the District of Columbia, or any political subdivision of a State or Territory, or income accruing to the government of any possession of the United States, or any political subdivision thereof.

Whenever any State, Territory, or the District of Columbia, or any political subdivision of a State or Territory, prior to September 8, 1916, entered in good faith into a contract with any person, the object and purpose of which is to acquire, construct, operate, or maintain a public utility, no tax shall be levied under the provisions of this title upon the income derived from the operation of such public utility, so far as the payment thereof will impose a loss or burden upon such State, Territory, District of Columbia, or political subdivision; but this provision is not intended to confer upon such person any financial gain or exemption or to relieve such person from the payment of a tax as provided for in this title upon the part or portion of such income to which such person is entitled under such contract;

(8) The amount received by a person in the military or naval forces of the United States as salary or compensation in any form from the United States for active services in such forces.

(c) In the case of nonresident alien individuals, gross income includes only the gross income from sources within the United States, including interest on bonds, notes, or other interest-bearing obligations of residents, corporate or otherwise, and including dividends from resident corporations.

DEDUCTIONS ALLOWED.

SEC. 214. (a) That in computing net income there shall be allowed as deductions—

(1) All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered, and including rentals or other payments required to be made as a condition to the continued use or possession of property, for purposes of the trade or business, of property to which the taxpayer has not taken or is not taking title or in which he has no equity;

(2) All interest paid or accrued within the taxable year on indebtedness, except on indebtedness incurred or continued to purchase or carry obligations or securities (other than obligations of the United States issued after September 24, 1917), the interest upon which is wholly exempt from taxation under this title as income to the taxpayer, or, in the case of a nonresident alien individual, the proportion of such interest which the amount of his gross income from sources within the United States bears to the amount of his gross income from all sources within and without the United States;

(3) Taxes paid or accrued within the taxable year imposed (a) by the authority of the United States, except income, war profits, and excess-profits taxes; or (b) by the authority of any of its possessions, except the amount of income, war profits, and excess-profits taxes allowed as a credit under section 222; or (c) by the authority of any State or Territory, or any county, school district, municipality, or other taxing subdivision of any State or Territory, not including those assessed against local benefits of a kind tending to increase the value of the property assessed; or (d) in the case of a citizen or resident of the United States, by the authority of any foreign country, except the amount of income, war-profits, and excess-profits taxes allowed as a credit under section 222; or (e) in the case of a nonresident alien individual, by the authority of any foreign country (except income, war-profits, and excess-profits taxes, and taxes assessed against local benefits of a kind tending to increase the value of the property assessed), upon property or business, to the extent that the income from such property or business is subject to taxation under this title;

(4) Losses sustained and charged off during the taxable year and not compensated for by insurance or otherwise, if incurred in trade or business;

(5) Losses sustained during the taxable year and not compensated for by insurance or otherwise, if incurred in any transaction entered into for profit, though not connected with the trade or business; but in the case of a nonresident alien individual only as to such transactions within the United States;

(6) Losses sustained during the taxable year of property not connected with the trade or business (but in the case of a nonresident alien individual only property within the United States) if arising from fires, storms, shipwreck, or other casualty, or from theft, and if not compensated for by insurance or otherwise;

(7) Debts ascertained to be worthless and charged off within the taxable year;

(8) A reasonable allowance for the exhaustion, wear and tear of property used in the trade or business, but in the case of a nonresident alien individual only as to property within the United States;

(9) In the case of buildings, machinery, equipment, or other facilities, constructed, erected, installed, or acquired, on or after April 6, 1917, for the production of articles contributing to the prosecution of the present war, there may be allowed a reasonable deduction for the amortization of such part of the cost of such facilities as has been borne by the taxpayer, but not again including amounts otherwise allowed under this title for depreciation, exhaustion, or wear and tear. At any time within three years after the termination of the present war with the Imperial German Government as declared by proclamation of the President, the commissioner may, and at the request of the taxpayer shall, reexamine the return, and if he then finds as a result of an appraisal or from other evidence that the deduction originally allowed was incorrect, the necessary adjustment of the taxes for the year or years affected shall be made and the amount of tax due upon such readjustment, if any, shall be paid upon notice and demand by the collector, or the amount of tax overpaid, if any, shall be credited or refunded to the taxpayer in accordance with the provisions of section 252. In the case of a nonresident alien individual this deduction shall be allowed only as to facilities within the United States. In no case shall the deduction allowed under this paragraph exceed 25 per cent of the taxpayer's net income as computed without the benefit of this paragraph or paragraph (11);

(10) (a) In the case of oil and gas wells a reasonable allowance for actual reduction in flow and production to be ascertained not by the flush flow, but by the settled production or regular flow; (b) in the case of mines a reasonable allowance for depletion; (c) in the case of mines, oil and gas wells, other natural deposits and timber, a reasonable allowance for depreciation of improvements, such reasonable allowance in all the above cases to be made according to the peculiar conditions in each case and under rules and regulations to be prescribed by the commissioner with the approval of the Secretary. In the case of leases the deductions allowed by this paragraph shall be equitably apportioned between the lessor and lessee. In the case of a nonresident alien individual deductions under this paragraph shall be allowed only as to property within the United States;

(11) Contributions or gifts made within the taxable year to corporations organized and operated exclusively for religious, charitable, scientific, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual, or to the special fund for vocational rehabilitation authorized by section 7 of the vocational rehabilitation act, to an amount not in excess of 15 per cent of the taxpayer's net income as computed without the benefit of this paragraph. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the commissioner, with the approval of the Secretary. In the case of a nonresident alien individual this deduction shall be allowed only as to contributions or gifts made to domestic corporations, or to such vocational rehabilitation fund.

(b) In the case of a nonresident alien individual the deductions allowed in paragraphs (1), (4), (7), (8), (9), and (10) of subdivision (a) shall be allowed only if and to the extent that they are connected with a trade or business carried on within the United States; and the proper apportionment and allocation of the deductions with respect to trade or business within and without the United States shall be determined under rules and regulations prescribed by the commissioner with the approval of the Secretary.

ITEMS NOT DEDUCTIBLE.

SEC. 215. That in computing net income no deduction shall in any case be allowed in respect of—

(a) Personal, living, or family expenses;

(b) Any amount paid out for new buildings or for permanent improvements or betterments made to increase the value of any property or estate;

(c) Any amount expended in restoring property or in making good the exhaustion thereof for which an allowance is or has been made; or

(d) Premiums paid on any life insurance policy covering the life of any officer or employee, or of any person financially interested in any trade or business carried on by the taxpayer, when the taxpayer or anyone financially interested in such trade or business is a beneficiary under such policy.

CREDITS ALLOWED.

SEC. 216. That for the purpose of the normal tax only there shall be allowed the following credits:

(a) The amount received as dividends from a corporation which is taxable under this title upon its net income;

(b) The amount received as interest upon obligations of the United States, any State, Territory, any political subdivision thereof, or the District of Columbia, which is included in gross income under section 213;

(c) In the case of a single person, a personal exemption of $1,000, or in the case of the head of a family or a married person living with husband or wife, a personal exemption of $2,000. A husband and wife living together shall receive but one personal exemption of $2,000 against their aggregate net income; and in case they make separate returns, the personal exemption of $2,000 may be taken by either or divided between them;

(d) Two hundred dollars for each person (other than husband or wife) dependent upon and receiving his chief support from the taxpayer, if such dependent person is under 18 years of age or is incapable of self-support because mentally or physically defective.

(e) In the case of a nonresident alien individual who is a citizen or subject of a country which imposes an income tax, the credits allowed in subdivisions (c) and (d) shall be allowed only if such country allows a similar credit to citizens of the United States not residing in such country.

NONRESIDENT ALIENS—ALLOWANCE OF DEDUCTIONS AND CREDITS.

SEC. 217. That a nonresident alien individual shall receive the benefit of the deductions and credits allowed in this title only by filing or causing to be filed with the collector a true and accurate return of his total income received from all sources corporate or otherwise in the United States, in the manner prescribed by this title, including therein all the information which the commissioner may deem necessary for the calculation of such deductions and credits: *Provided*, That the benefit of the credits allowed in subdivisions (c) and (d) of section 216 may, in the discretion of the commissioner, and except as otherwise provided in subdivision (e) of that section, be received by filing a claim therefor with the withholding agent. In case of failure to file a return, the collector shall collect the tax on such income, and all property belonging to such nonresident alien individual shall be liable to distraint for the tax.

PARTNERS.

SEC. 218. (a) That individuals carrying on business in partnership shall be liable for income tax only in their individual capacity. There shall be included in computing the net income of each partner his distributive share, whether distributed or not, of the net income of the partnership for the taxable year, or, if his net income for such taxable year is computed upon the basis of a period different from that upon the basis of which the net income of the partnership is computed, then his distributive share of the net income of the partnership for the last annual accounting period of the partnership prior to the close of the fiscal or calendar year upon the basis of which the partner's net income is computed.

The partner shall, for the purpose of the normal tax, be allowed as credits, in addition to the credits allowed to him under section 216, his proportionate share of such amounts specified in subdivisions (a) and (b) of section 216 as are received by the partnership.

(b) If a fiscal year of a partnership ends during a calendar year for which the rates of tax differ from those for the preceding calendar year, then (1) the rates for such preceding calendar year shall apply to an amount of each partner's share of such partnership net income equal to the proportion which the part of such fiscal year falling within such calendar year bears to the full fiscal year, and (2) the rates for the calendar year during which such fiscal year ends shall apply to the remainder.

(c) In the case of an individual member of a partnership which makes return for a fiscal year beginning in 1917 and ending in 1918, his proportionate share of any excess-profits tax imposed upon the partnership under the revenue act of 1917 with respect to that part of such fiscal year falling in 1917 shall, for the purpose of determining the tax imposed by this title, be credited against that portion of the net income embraced in his personal return for the taxable year 1918 to which the rates for 1917 apply.

(d) The net income of the partnership shall be computed in the same manner and on the same basis as provided in section 212, except that the deduction provided in paragraph (11) of subdivision (a) of section 214 shall not be allowed.

ESTATES AND TRUSTS.

SEC. 219. (a) That the tax imposed by sections 210 and 211 shall apply to the income of estates or of any kind of property held in trust, including—

(1) Income received by estates of deceased persons during the period of administration or settlement of the estate;

(2) Income accumulated in trust for the benefit of unborn or unascertained persons or persons with contingent interests;

(3) Income held for future distribution under the terms of the will or trust; and

(4) Income which is to be distributed to the beneficiaries periodically, whether or not at regular intervals.

(b) The fiduciary shall be responsible for making the return of income for the estate or trust for which he acts. The net income of the estate or trust shall be computed in the same manner and on the same basis as provided in section 212; and in cases under paragraph (4) of subdivision (a) of this section the fiduciary shall include in the return a statement of each beneficiary's distributive share of such net income, whether or not distributed before the close of the taxable year for which the return is made.

(c) In cases under paragraph (1), (2), or (3) of subdivision (a) the tax shall be imposed upon the net income of the estate or trust and shall be paid by the fiduciary. In such cases the estate or trust shall, for the purpose of the normal tax, be allowed the same credits as are allowed to single persons under section 216.

(d) In cases under paragraph (4) of subdivision (a) the tax shall not be paid by the fiduciary, but there shall be included in computing the net income of each beneficiary his distributive share, whether distributed or not, of the net income of the estate or trust for the taxable year, or, if his net income for such taxable year is computed upon the basis of a period different from that upon the basis of which the net income of the estate or trust is computed, then his distributive share of the net income of the estate or trust for the last annual accounting period of such estate or trust prior to the close of the fiscal or calendar year upon the basis of which such beneficiary's net income is computed. In such cases the beneficiary shall, for the purpose of the normal tax, be allowed as credits in addition to the credits allowed to him under section 216, his proportionate share of such amounts specified in subdivisions (a) and (b) of section 216 as are received by the estate or trust.

UNDISTRIBUTED PROFITS SUBJECT TO SURTAX.

SEC. 220. That for the purpose of the surtax, the net income of any individual includes the share to which he would be entitled of the gains and profits, if divided or distributed, whether divided or distributed or not, of all corporations, however created or organized, formed or fraudulently availed of for the purpose of preventing the imposition of such tax through the medium of permitting such gains and profits to accumulate instead of being divided or distributed; and the fact that any such corporation is a mere holding company, or that the gains and profits are permitted to accumulate beyond the reasonable needs of the business, shall be prima facie evidence of a fraudulent purpose to escape such tax; but the fact that the gains and profits are in any case permitted to accumulate and become surplus shall not be construed as evidence of a purpose to escape the tax in such case unless the Secretary certifies that in his opinion such accumulation is unreasonable for the purposes of the business. When requested by the commissioner, or any collector, every corporation shall forward to him a correct statement of such gains and profits and the names and addresses of the individuals or shareholders who would be entitled to the same if divided or distributed, and of the amounts that would be payable to each.

PAYMENT OF TAX AT SOURCE.

SEC. 221. (a) That all individuals, corporations, and partnerships, in whatever capacity acting, including lessees or mortgagors of real or personal property, fiduciaries, employers, and all officers and employees of the United States, having the control, receipt, custody, disposal, or payment, of interest, rent, salaries, wages, premiums, annuities, compensations, remunerations, emoluments, or other fixed or determinable annual or periodical gains, profits, and income, of any nonresident alien individual (other than income received as dividends from a corporation which is taxable under this title upon its net income) shall (except in the cases provided for in subdivision (b) and except as otherwise provided in regulations prescribed by the commissioner under section 217) deduct and withhold from such annual or periodical gains, profits, and income a tax equal to 12 per cent thereof.

(b) In any case where bonds, mortgages, or deeds of trust, or other similar obligations of a corporation contain a contract or provision by which the obligor agrees to pay any portion of the tax imposed by this title upon the obligee, or to reimburse the obligee for any portion of the tax, or to pay the interest without deduction for any tax which the obligor may be required or permitted to pay thereon or to retain therefrom under any law of the United States, the obligor shall deduct and withhold a tax equal to 2 per cent of the interest upon such bonds, mortgages, deeds of trust, or other obligations, whether such interest is payable annually or at shorter or longer periods and whether payable to a nonresident alien individual or to an individual citizen or resident of the United States. Such deduction and withholding shall not be required in the case of a citizen or resident entitled to receive such interest, if he files with the withholding agent on or before February 1 a signed notice in writing claiming the benefit of the credits provided in subdivisions (c) and (d) of section 216; nor in the case of a nonresident alien individual if so provided for in regulations prescribed by the commissioner under section 217.

(c) Every individual, corporation, or partnership required to deduct and withhold any tax under this section shall make return thereof on or before March 1 of each year and shall on or before June 15 pay the tax to the official of the United States Government authorized to receive it. Every such individual, corporation, or partnership is hereby made liable for such tax and is hereby indemnified against the claims and demands of any individual, corporation, or partnership for the amount of any payments made in accordance with the provisions of this section.

(d) Income upon which any tax is required to be withheld at the source under this section shall be included in the return of the recipient of such income, but any amount of tax so withheld shall be credited against the amount of income tax as computed in such return.

(e) If any tax required under this section to be deducted and withheld is paid by the recipient of the income, it shall not be re-collected from the withholding agent; nor in cases in which the tax is so paid shall any penalty be imposed or collected from the recipient of the income or the withholding agent for failure to return or pay the same, unless such failure was fraudulent and for the purpose of evading payment.

CREDIT FOR FOREIGN TAXES.

SEC. 222. (a) That in the case of a citizen of the United States, the tax computed under this title shall be credited with the amount of any income, war-profits and excess-profits taxes paid during the taxable year to any foreign country, Porto Rico, or the Philippine Islands, upon income derived from sources therein, including in the case of a member of a partnership or a beneficiary of an estate or trust his proportionate share of such taxes so paid during the taxable year by the partnership or by the estate or trust.

(b) In the case of an alien resident of the United States who is a citizen or subject of a country which imposes income, war-profits or excess-profits taxes, a like credit shall be allowed if such country allows a similar credit to citizens of the United States residing in such country.

(c) The credits allowed in subdivisions (a) and (b) shall be allowed only if the taxpayer furnishes evidence satisfactory to the commissioner showing the amount of income received from sources within such foreign country, Porto Rico, or the Philippine Islands, as the case may be, and all other information necessary for the computation of such credits.

INDIVIDUAL RETURNS.

SEC. 223. That every person having a net income for the taxable year of $1,000 or over if single or if married and not living with husband or wife, or of $2,000 or over if married and living with husband or wife, shall make under oath a return stating specifically the items of his gross income and the deductions and credits allowed by this title. If a husband and wife living together have an aggregate net income of $2,000 or over, each shall make such a return unless the income of each is included in a single joint return.

If the taxpayer is unable to make his own return, the return shall be made by a duly authorized agent or by the guardian or other person charged with the care of the person or property of such taxpayer.

PARTNERSHIP RETURNS.

SEC. 224. That every partnership shall make a return for each taxable year, stating specifically the items of its gross income and the deductions allowed by this title, and shall include in the return the names and addresses of the individuals who would be entitled to share in the income if distributed and the amount of the distributive share of each individual. The return shall be sworn to by any one of the partners.

FIDUCIARY RETURNS.

SEC. 225. That every fiduciary (except receivers appointed by authority of law in possession of part only of the property of an individual) shall make under oath a return for the individual, estate, or trust for which he acts (1) if the net income of such individual is $1,000 or over if single or if married and not living with husband or wife, or $2,000 or over if married and living with husband or wife, or (2) if the net income of such estate or trust is $1,000 or over or if any beneficiary of such estate or trust is a nonresident alien, stating specifically the items of the gross income and the deductions and credits allowed by this title. Under such regulations as the commissioner with the approval of the Secretary may prescribe, a return made by one of two or more joint fiduciaries and filed in the district where such fiduciary resides shall be a sufficient compliance with the above requirement. The fiduciary shall make oath that he has sufficient knowledge of the affairs of such individual, estate, or trust to enable him to make the return, and that the same is, to the best of his knowledge and belief, true and correct.

Fiduciaries required to make returns under this act shall be subject to all the provisions of this act which apply to individuals.

RETURNS WHEN ACCOUNTING PERIOD CHANGED.

SEC. 226. That if a taxpayer, with the approval of the commissioner, changes the basis of computing net income from fiscal year to calendar year a separate return shall be made for the period between the close of the last fiscal year for which return was made and the following December 31. If the change is from calendar year to fiscal year, a separate return shall be made for the period between the close of the last calendar year for which return was made and the date designated as the close of the fiscal year. If the change is from one fiscal year to another fiscal year, a separate return shall be made for the period between the close of the former fiscal year and the date designated as the close of the new fiscal year. If a taxpayer making his first return for income tax keeps his accounts on the basis of a fiscal year, he shall make a separate return for the period between the beginning of the calendar year in which such fiscal year ends and the end of such fiscal year.

In all of the above cases the net income shall be computed on the basis of such period for which separate return is made, and the tax shall be paid thereon at the rate for the calendar year in which such period is included; and the credits provided in subdivisions (c) and (d) of section 216 shall be reduced, respectively, to amounts which bear the same ratio to the full credits provided in such subdivisions as the number of months in such period bears to 12 months.

TIME AND PLACE FOR FILING RETURNS.

SEC. 227. (a) That returns shall be made on or before the 15th day of the third month following the close of the fiscal year; or, if the return is made on the basis of the calendar year, then the return shall be made on or before the 15th day of March. The commissioner may grant a reasonable extension of time for filing returns whenever, in his judgment, good cause exists, and shall keep a record of every such extension and the reason therefor. Except in the case of taxpayers who are abroad, no such extension shall be for more than two months.

(b) Returns shall be made to the collector for the district in which is located the legal residence or principal place of business of the person making the return; or, if he has no legal residence or principal place of business in the United States, then to the collector at Baltimore, Md.

UNDERSTATEMENT IN RETURNS.

SEC. 228. That if the collector or deputy collector has reason to believe that the amount of any income returned is understated, he shall give due notice to the taxpayer making the return to show cause why the amount of the return should not be increased, and upon proof of the amount understated, may increase the same accordingly. Such taxpayer may furnish sworn testimony to prove any relevant facts and if dissatisfied with the decision of the collector may appeal to the commissioner for his decision, under such rules of procedure as may be prescribed by the commissioner, with the approval of the Secretary.

Part III.—Corporations.

TAX ON CORPORATIONS.

SEC. 230. That, in lieu of the taxes imposed by section 10 of the revenue act of 1916, as amended by the revenue act of 1917, and by section 4 of the revenue act of 1917, there shall be levied, collected, and paid for each taxable year upon the net income of every corporation a tax, as follows:

(a) In the case of a domestic corporation 18 per cent of the amount of the net income in excess of the credits provided in section 236: *Provided*, That the rate shall be 12 per cent upon so much of this amount as does not exceed the sum of (1) the amount of dividends paid during the taxable year, plus (2) the amount paid during the taxable year out of earnings or profits in discharge of bonds and other interest-bearing obligations outstanding prior to the beginning of the taxable year, plus (3) the amount paid during the taxable year in the purchase of obligations of the United States issued after September 1, 1918; and

(b) In the case of a foreign corporation 18 per cent of the amount of the net income in excess of the credits provided in section 236: *Provided*, That the rate shall be 12 per cent upon so much of this amount as does not exceed the sum of (1) the amount of dividends paid during the taxable year to citizens or residents of the United States or to domestic corporations or partnerships, plus (2) the same proportion of the amount paid during the taxable year out of earnings or profits in discharge of bonds or other interest-bearing obligations outstanding at the beginning of the taxable year which the amount of gross income of the corporation from sources within the United States bears to the amount of its gross income from all sources within and without the United States, plus (3) the amount paid during the taxable year in the purchase of obligations of the United States issued after September 1, 1918.

CONDITIONAL AND OTHER EXEMPTIONS.

SEC. 231. That the following organizations shall be exempt from taxation under this title—

(1) Labor, agricultural, or horticultural organizations;

(2) Mutual savings banks not having a capital stock represented by shares;

(3) Fraternal beneficiary societies, orders, or associations, (a) operating under the lodge system or for the exclusive benefit of the members of a fraternity itself operating under the lodge system, and (b) providing for the payment of life, sick, accident, or other benefits to the members of such society, order, or association or their dependents;

(4) Domestic building and loan associations and cooperative banks without capital stock organized and operated for mutual purposes and without profit;

(5) Cemetery companies owned and operated exclusively for the benefit of their members;

(6) Corporations organized and operated exclusively for religious, charitable, scientific, or educational purposes, no part of the net earnings of which inures to the benefit of any private stockholder or individual;

(7) Business leagues, chambers of commerce, or boards of trade, not organized for profit and no part of the net earnings of which inures to the benefit of any private stockholder or individual;

(8) Civic leagues or organizations not organized for profit but operated exclusively for the promotion of social welfare;

(9) Clubs organized and operated exclusively for pleasure, recreation, and other nonprofitable purposes, no part of the net earnings of which inures to the benefit of any private stockholder or member;

(10) Farmers' or other mutual hail, cyclone, or fire insurance companies, mutual ditch or irrigation companies, mutual or cooperative telephone companies, or like organizations of a purely local character, the income of which consists solely of assessments, dues, and fees collected from members for the sole purpose of meeting expenses;

(11) Farmers', fruit growers', or like associations, organized and operated as sales agents for the purpose of marketing the products of members and turning back to them the proceeds of sales, less the necessary selling expenses, on the basis of the quantity of produce furnished by them;

(12) Corporations organized for the exclusive purpose of holding title to property, collecting income therefrom, and turning over the entire amount thereof, less expenses, to an organization which itself is exempt from the tax imposed by this title;

(13) Federal land banks and national farm-loan associations as provided in section 26 of the act approved July 17, 1916, entitled "An act to provide capital for agricultural development, to create standard forms of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to create Government depositaries and financial agents for the United States, and for other purposes";

(14) Joint-stock land banks as to income derived from bonds or debentures of other joint-stock land banks or any Federal land bank belonging to such joint-stock land bank.

NET INCOME DEFINED.

SEC. 232. That in the case of a corporation the term "net income" means the gross income as defined in section 233 less the deductions allowed by section 234, and the net income shall be computed on the same basis as is provided in subdivision (b) of section 212 or in section 226.

GROSS INCOME DEFINED.

SEC. 233. (a) That in the case of a corporation the term "gross income" means the gross income as defined in section 213, except that—

(1) In the case of life insurance companies there shall not be included in gross income such portion of any actual premium received from any individual policyholder within the taxable year as is paid back or credited to or treated as an abatement of premium of such policyholder within the taxable year.

(2) Mutual marine insurance companies shall include in gross income the gross premiums collected and received by them less amounts paid for reinsurance.

(b) In the case of a foreign corporation gross income includes only the gross income from sources within the United States, including the interest on bonds, notes, or other interest-bearing obligations of residents, corporate or otherwise, and including dividends from resident corporations.

DEDUCTIONS ALLOWED.

SEC. 234. (a) That in computing the net income of a corporation subject to the tax imposed by section 230, there shall be allowed as deductions:

(1) All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered, and including rentals or other payments required to be made as a condition to the continued use or possession of property to which the corporation has not taken or is not taking title, or in which it has no equity;

(2) All interest paid or accrued within the taxable year on its indebtedness, or, in the case of a foreign corporation, the proportion of such interest paid which the amount of its gross income from sources within the United States bears to the amount of its gross income from all sources within and without the United States;

(3) Taxes paid or accrued within the taxable year imposed (a) by the authority of the United States, except income, war-profits and excess-profits taxes; or (b) by the authority of any of its possessions, except the amount of income, war-profits and excess-profits taxes allowed as a credit under section 238; or (c) by the authority of any State or Territory, or any county, school district, municipality, or other taxing subdivision of any State or Territory, not including those assessed against local benefits; or (d) in the case of a domestic corporation, by the authority of any foreign country, except the amount of income, war-profits and excess-profits taxes allowed as a credit under section 238: *Provided*, That in the case of obligors specified in subdivision (b) of section 221 no deduction for the payment of the tax imposed by this title or any other tax paid pursuant to the contract or provision referred to in that subdivision shall be allowed;

(4) Losses sustained and charged off during the taxable year and not compensated for by insurance or otherwise;

(5) Debts ascertained to be worthless and charged off within the taxable year;

(6) Amounts received as dividends from a corporation which is taxable under this title upon its net income;

(7) A reasonable allowance for the exhaustion or wear and tear of property used in the trade or business, but in the case of a foreign corporation only as to property within the United States;

(8) In the case of buildings, machinery, equipment, or other facilities, constructed, erected, installed, or acquired, on or after April 6, 1917, for the production of articles contributing to the prosecution of the present war, there may be allowed a reasonable deduction for the amortization of such part of the cost of such facilities as has been borne by the taxpayer, but not again including amounts otherwise allowed under this title for depreciation, exhaustion, or wear and tear. At any time within three years after the termination of the present war with the Imperial German Government as declared by proclamation of the President, the commissioner may, and at the request of the taxpayer shall, reexamine the return, and if he then finds as a result of an appraisal or from other evidence that the deduction originally allowed was incorrect, the necessary adjustment of the taxes for the year or years affected shall be made and the amount of tax due upon such readjustment, if any, shall be paid upon notice and demand by the collector, or the amount of tax overpaid, if any, shall be credited or refunded to the taxpayer in accordance with the provisions of section 252. In the case of a nonresident alien individual this deduction shall be allowed only as to facilities within the United States. In no case shall the deduction allowed under this paragraph exceed 25 per cent of the taxpayer's net income as computed without the benefit of this paragraph;

(9) (a) In the case of oil and gas wells a reasonable allowance for actual reduction in flow and production to be ascertained not by the flush flow but by the settled production or regular flow; (b) in the case of mines a reasonable allowance for depletion; (c) in the case of mines, oil and gas wells, other natural deposits and timber, a reasonable allowance for depreciation of improvements; such reasonable allowance in all the above cases to be made according to the peculiar conditions in each case and under rules and regulations to be prescribed by the commissioner with the approval of the Secretary. In the case of leases the deductions allowed by this paragraph shall be equitably apportioned between the lessor and lessee. In the case of a foreign corporation the deductions under this paragraph shall be allowed only as to property within the United States;

(10) In the case of insurance companies, in addition to the above: (a) The net addition required by law to be made within the taxable year to reserve funds (including in the case of assessment insurance companies the actual deposit of sums with State or Territorial officers pursuant to law as additions to guarantee or reserve funds); and (b) the sums other than dividends paid within the taxable year on policy and annuity contracts;

(11) In the case of corporations issuing policies covering life, health, and accident insurance combined in one policy issued on the weekly premium payment plan continuing for life and not subject to cancellation, in addition to the above, such portion of the net addition (not required by law) made within the taxable year to reserve funds as the commissioner finds to be required for the protection of the holders of such policies only;

(12) In the case of mutual marine insurance companies, there shall be allowed, in addition to the deductions allowed in paragraphs (1) to (10), inclusive, amounts repaid to policyholders on account of premiums previously paid by them, and interest paid upon such amounts between the ascertainment and the payment thereof;

(13) In the case of mutual insurance companies (other than mutual life or mutual marine insurance companies) requiring their members to make premium deposits to provide for losses and expenses, there shall be allowed, in addition to the deductions allowed in paragraphs (1) to (10), inclusive, the amount of premium deposits returned to their policyholders and the amount of premium deposits retained for the payment of losses, expenses, and reinsurance reserves.

(b) In the case of a foreign corporation the deductions allowed in subdivision (d), except those allowed in paragraphs (2) and (3), shall be allowed only if and to the extent that they are connected with a trade or business carried on within the United States; and the proper apportionment and allocation of the deductions with respect to trade or business within and without the United States shall be determined under rules and regulations prescribed by the commissioner with the approval of the Secretary.

ITEMS NOT DEDUCTIBLE.

SEC. 235. That in computing net income no deduction shall in any case be allowed in respect of any of the items specified in section 215.

CREDITS ALLOWED.

SEC. 236. That there shall be allowed the following credits:

(a) The amount received as interest upon obligations of the United States, any State, Territory, any political subdivision thereof, or the District of Columbia, which is included in gross income under section 233;

(b) The amount of any war-profits or excess-profits taxes imposed by act of Congress for the same taxable year: *Provided*, That in the case of a corporation which makes return for a fiscal year beginning in 1917 and ending in 1918, the portion of the excess-profits tax specified in clause (1) of section 335 shall be credited against that portion of the net income specified in clause (1) of section 239, and the portion of the war-profits or excess-profits tax specified in clause (2) of section 335 shall be credited against that portion of the net income specified in clause (2) of section 239.

PAYMENT OF TAX AT SOURCE.

SEC. 237. That in the case of foreign corporations not engaged in trade or business within the United States and not having any office or place of business therein, there shall be deducted and withheld at the source in the same manner and upon the same items of income as is provided in section 221 a tax equal to 18 per cent thereof, and such tax shall be returned and paid in the same manner and subject to the same conditions as provided in that section: *Provided*, That in the case of income of the kind described in subdivision (b) of that section the deduction and withholding shall be at the rate of 2 per cent.

CREDIT FOR FOREIGN TAXES.

SEC. 238. That in the case of a domestic corporation the total income, war-profits, and excess-profits taxes imposed for the taxable year by act of Congress shall be credited with the amount of any income, war-profits, and excess-profits taxes paid during the taxable year to any foreign country, Porto Rico, or the Philippine Islands, upon income derived from sources therein.

This credit shall be allowed only if the taxpayer furnishes evidence satisfactory to the commissioner showing the amount of income received from sources within such foreign country, Porto Rico, or the Philippine Islands, as the case may be, and all other information necessary for the computation of such credit.

RATES FOR FISCAL YEAR 1917–18.

SEC. 239. That if a corporation makes return for a fiscal year beginning in 1917 and ending in 1918 the net income shall be divided into two parts, namely: (1) The portion which bears the same ratio to the total net income as the period between the beginning of such fiscal year and December 31, 1917, bears to the full fiscal year; and (2) the remaining portion of the net income.

The portion specified in clause (1) shall be subject to the rates prescribed by Title I of the revenue act of 1917 and by Title I of the revenue act of 1916 as amended by the revenue act of 1917; and the portion specified in clause (2) shall be subject to the rates prescribed by this title.

CORPORATION RETURNS.

SEC. 240. That every corporation not exempt under section 231 shall make a return, stating specifically the items of its gross income and the deductions and credits allowed by this title. The return shall be sworn to by the president, vice president, or other principal officer and by the treasurer or assistant treasurer. If any foreign corporation has no office or place of business in the United States, but has an agent in the United States, the return shall be made by the agent. In cases where receivers, trustees in bankruptcy, or assignees are operating the property or business of corporations, such receivers, trustees, or assignees shall make returns for such corporations in the same manner and form as corporations are required to make returns. Any tax due on the basis of such returns made by receivers, trustees, or assignees shall be collected in the same manner as if collected from the corporations of whose business or property they have custody and control.

Returns made under this section shall be subject to the provisions of sections 226 and 228.

TIME AND PLACE FOR FILING RETURNS.

SEC. 241. (a) That returns of corporations shall be made at the same time as is provided in subdivision (a) of section 227.

(b) Returns shall be made to the collector of the district in which is located the principal place of business or principal office or agency of the corporation, or, if it has no principal place of business or principal office or agency in the United States, then to the collector at Baltimore, Md.

Part IV.—Administrative provisions.

PAYMENT OF TAXES.

SEC. 250. That except as provided in sections 221 and 237 the tax shall be paid in installments, one-third of the amount of the tax shown in the return to be paid at the time fixed by law for filing the return, one-third on the 15th day of the second month thereafter, and the remaining one-third on the 15th day of the fourth month after the time fixed by law for filing the return; but where an extension of time for filing the return is granted, the first installment shall be due upon the expiration of the period of such extension, and the second and third installments shall be due as above stated, except that in the case of any taxpayer who is abroad the commissioner may extend the time for payment of the second and third installments not more than four months after the expiration of the period of any extension of time for filing this return. If any installment is not paid when due, the whole amount of the tax unpaid shall become due and payable upon notice and demand by the collector.

The tax may at the option of the taxpayer be paid in a single payment instead of in installments, in which case the total amount shall be paid on or before the time fixed by law for filing the return, or, where an extension of time for filing the return has been granted, on or before the expiration of the period of such extension.

As soon as practicable after the return is filed, the commissioner shall examine it. If it then appears that the correct amount of the tax is greater or less than that shown in the return, the installments shall be recomputed. If the amount already paid exceeds that which should have been paid on the basis of the installments as recomputed, the excess so paid shall be credited against the next installments falling due; and if the amount already paid exceeds the correct amount of the tax, the excess shall be credited or refunded to the taxpayer in accordance with the provisions of section 252.

If the amount already paid is less than that which should have been paid, the difference shall, to the extent not covered by any credits then due to the taxpayer under section 252, be paid upon notice and demand by the collector. In such case if the return is made in good faith and the understatement of the amount in the return is not due to any fault of the taxpayer, there shall be no penalty because of such understatement. If the understatement is due to negligence on the part of the taxpayer, but without intent to defraud, there shall be added as part of the tax 5 per cent of the total amount of the deficiency, plus interest at the rate of 1 per cent per month on the amount of the deficiency of each installment from the time the installment was due.

If the understatement is false or fraudulent with intent to evade the tax, then, in addition to other penalties provided by law for false or fraudulent returns, there shall be added as part of the tax 100 per cent of the amount of the deficiency.

If the return is made pursuant to section 3176 of the Revised Statutes as amended, the amount of tax determined to be due under such return shall be paid upon notice and demand by the collector.

Except in the case of false or fraudulent returns, the amount of tax due under any return shall be determined and assessed by the commissioner within five years after the return was due or was made, and no suit or proceeding for the collection of any tax shall be begun after the expiration of five years after the date when the return was due or was made. In the case of false or fraudulent returns, the amount of tax due may be determined at any time after the return is filed, and the tax may be collected at any time after it becomes due.

If any tax remains unpaid after the date when it is due, and for 10 days after notice and demand by the collector, then, except in the case of estates of insane, deceased, or insolvent persons, there shall be added as part of the tax the sum of 5 per cent of the amount due but unpaid, plus interest at the rate of 1 per cent per month upon such amount from the time it became due.

RECEIPTS FOR TAXES.

SEC. 251. That every collector to whom any payment of any tax is made under the provisions of this title shall give to the person making such payment a full written or printed receipt, stating the amount paid and the particular account for which such payment was made; and whenever any debtor pays taxes on account of payments made or to be made by him to separate creditors the collector shall, if requested by such debtor, give a separate receipt for the tax paid on account of each creditor in such form that the debtor can conveniently produce such receipts separately to his several creditors in satisfaction of their respective demands up to the amounts stated in the receipts; and such receipt shall be sufficient evidence in favor of such debtor to justify him in withholding from his next payment to his creditor the amount therein stated; but the creditor may, upon giving to his debtor a full written receipt acknowledging the payment to him of any sum actually paid and accepting the amount of tax paid as aforesaid (specifying the same) as a further satisfaction of the debt to that amount, require the surrender to him of such collector's receipt.

REFUNDS.

SEC. 252. That if, upon examination of any return of income made pursuant to this act, the act of August 5, 1909, entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," the act of October 3, 1913, entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," the revenue act of 1916, as amended, or the revenue act of 1917, it appears that an amount of income, war-profits or excess-profits tax has been paid in excess of that properly due, then, subject to the provisions of section 3228 of the Revised Statutes, the amount of the excess shall be credited against any income, war-profits or excess-profits taxes, or installment thereof, then due from the taxpayer under any other return, and any balance of such excess shall be immediately refunded to the taxpayer.

PENALTIES.

SEC. 253. That any individual, corporation, or partnership required under this title to pay or collect any tax, to make a return, or to supply information, who fails to pay or collect such tax, to make such return, or to supply such information at the time or times required under this title, shall be liable to a penalty of not more than $1,000. Any individual, corporation, or partnership, or any officer or employee of any corporation or member or employee of a partnership, who willfully refuses to pay or collect such tax, to make such return, or to supply such information at the time or times required under this title, or who willfully attempts in any manner to defeat or evade the tax imposed by this title, shall be guilty of a misdemeanor and shall be fined not more than $10,000 or imprisoned for not more than one year, or both, together with the costs of prosecution.

RETURNS OF PAYMENTS OF DIVIDENDS.

SEC. 254. That every corporation subject to the tax imposed by this title shall, when required by the commissioner, render a correct return duly verified under oath, of its payments of dividends, stating the name and address of each stockholder, the number of shares owned by him, and the amount of dividends paid to him.

RETURNS OF BROKERS.

SEC. 255. That every individual, corporation, or partnership doing business as a broker on any exchange or board of trade or other similar place of business shall, when required by the commissioner, render a correct return duly verified under oath, under such rules and regulations as the commissioner, with the approval of the Secretary, may prescribe, showing the names of customers for whom such individual, corporation, or partnership has transacted any business, with such details as to the profits, losses, or other information which the commissioner may require, as to each of such customers, as will enable the commissioner to determine whether all income tax due on profits or gains of such customers has been paid.

INFORMATION AT SOURCE.

SEC. 256. That all individuals, corporations, and partnerships, in whatever capacity acting, including lessees or mortgagors of real or personal property, fiduciaries, and employers, making payment to another individual, corporation, or partnership, of interest, rent, salaries, wages, premiums, annuities, compensations, remunerations, emoluments, or other fixed or determinable gains, profits, and income (other than payments described in sections 254 and 255), of $1,000 or more in any taxable year, or, in the case of such payments made by the United States, the officers or employees of the United States having information as to such payments and required to make returns in regard thereto by the regulations hereinafter provided for, shall render a true and accurate return to the commissioner, under such regulations and in such form and manner as may be prescribed by him with the approval of the Secretary, setting forth the amount of such gains, profits, and income, and the name and address of the recipient of such payment.

Such returns may be required, regardless of amounts, (1) in the case of payments of interest upon bonds, mortgages, deeds of trust, or other similar obligations of corporations, and (2) in the case of collections of items (not payable in the United States) of interest upon the bonds of foreign countries and interest upon the bonds of and dividends from foreign corporations by individuals, corporations, or partnerships, undertaking as a matter of business or for profit the collection of foreign payments of such interest or dividends by means of coupons, checks, or bills of exchange.

When necessary to make effective the provisions of this section the name and address of the recipient of income shall be furnished upon demand of the individual, corporation, or partnership paying the income.

The provisions of this section shall apply to the calendar year 1918 and each calendar year thereafter, but shall not apply to the payment of interest on obligations of the United States.

RETURNS TO BE PUBLIC RECORDS.

SEC. 257. That returns upon which the tax has been determined by the commissioner shall be filed in the office of the commissioner and shall constitute public records; but they shall be open to inspection only upon order of the President and under rules and regulations prescribed by the Secretary and approved by the President: *Provided*, That the proper officers of any State imposing an income tax to which corporations are subject may, upon the request of the governor thereof, have access to the returns of any corporation, or to an abstract thereof showing the name and income of the corporation, at such times and in such manner as the Secretary may prescribe.

The commissioner shall as soon as practicable in each year cause to be prepared and made available to public inspection in the office of each collector a list containing the names in alphabetical order and the post-office addresses of all individuals making income-tax returns in such district.

PUBLICATION OF STATISTICS.

SEC. 258. That the commissioner, with the approval of the Secretary, shall prepare and publish annually statistics reasonably available with respect to the operation of the income, war-profits, and excess-profits tax laws, including classifications of taxpayers and of income, the amounts allowed as deductions, exemptions, and credits, and any other facts deemed pertinent and valuable.

COLLECTION OF FOREIGN ITEMS.

SEC. 259. That all individuals, corporations, or partnerships undertaking as a matter of business or for profit the collection of foreign payments of interest or dividends by means of coupons, checks, or bills of exchange shall obtain a license from the commissioner and shall be subject to such regulations enabling the Government to obtain the information required under this title as the commissioner, with the approval of the Secretary, shall prescribe; and whoever knowingly undertakes to collect such payments without having obtained a license therefor, or without complying with such regulations, shall be guilty of a misdemeanor and shall be fined not more than $5,000, or imprisoned for not more than one year, or both.

PORTO RICO AND PHILIPPINE ISLANDS.

SEC. 260. That in Porto Rico and the Philippine Islands the income tax shall be levied, assessed, collected, and paid in accordance with the provisions of the revenue act of 1916, as amended by the revenue act of 1917: *Provided*, That the Porto Rican or Philippine Legislature shall have power by due enactment to amend, alter, modify, or repeal the income-tax laws in force in Porto Rico or the Philippine Islands, respectively.

TITLE III.—WAR EXCESS-PROFITS TAX.

Part I.—General definitions.

SEC. 300. That when used in this title the terms "taxable year," "fiscal year," and "dividends" shall have the same meaning as provided for the purposes of income tax in sections 200 and 201. The first taxable year for the purposes of this title shall be the same as the first taxable year for the purposes of the income tax under Title II.

Part II.—Imposition of tax.

SEC. 301. That in lieu of the tax imposed by Title II of the revenue act of 1917, but in addition to the other taxes imposed by this act, there shall be levied, collected, and paid for each taxable year upon

the net income of every corporation, a tax equal to 80 per cent of the amount of the net income in excess of the war-profits credit (determined under section 311).

SEC. 302. That the corporations enumerated in section 231 shall, to the extent that they are exempt from income tax under Title II, be exempt from taxation under this title.

Part III.—War excess-profits method.

SEC. 310. That as used in this title the term "prewar period" means the calendar years 1911, 1912, and 1913, or, if a corporation was not in existence during the whole of such period, then as many of such years during the whole of which the corporation was in existence.

SEC. 311. (a) That the war-profits credit shall be an amount equal to the average net income of the corporation for the prewar period, plus or minus as the case may be 10 per cent of the invested capital added or withdrawn since January 1, 1913; but if the tax is computed for a period of less than 12 months, such amount shall be reduced to the same proportion thereof as the number of months in the period is of 12 months.

(b) If the corporation was not in existence during the whole of any one calendar year in the prewar period or had no net income, the war-profits credit shall be an amount that shall be the same proportion of the net income of the corporation during the taxable year as the proportion which the war excess profits for the same calendar year of representative corporations engaged in a like or similar trade or business bears to the total net income of the trade or business received by such corporation. In the case of a foreign corporation, the net income received from sources within the United States during the taxable year shall be used as the basis of computation.

(c) In the case of a foreign corporation by deducting from the net income of the trade or business received from sources within the United States during the taxable year the average amount of the annual net income of the trade or business from sources within the United States during the prewar period.

Part V.—Net income.

SEC. 320. (a) That for the purpose of this title the net income of a corporation shall be ascertained and returned—

(1) For the calendar years 1911 and 1912 upon the same basis and in the same manner as provided in section 38 of the act entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," approved August 5, 1909, except that taxes imposed by such section and paid by the corporation within the year shall be included;

(2) For the calendar year 1913 upon the same basis and in the same manner as provided in Section II of the act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913, except that taxes imposed by section 38 of such act of August 5, 1909, and paid by the corporation within the year shall be included, and except that the amounts received by it as dividends upon the stock or from the net earnings of other corporations subject to the tax imposed by Section II of such act of October 3, 1913, shall be deducted; and

(3) For the taxable year upon the same basis and in the same manner as provided for income-tax purposes in Title II of this act, except that in the case of oil and gas wells there shall be deducted (in lieu of the deduction provided in clause (a) of paragraph (9) of subdivision (a) of section 234) a reasonable allowance for depletion (including in the case of producers or prospectors a reasonable allowance for hazard not to exceed 10 per cent of the value in the ground of the oil withdrawn during the taxable year), such deduction to be made under rules and regulations to be prescribed by the commissioner with the approval of the Secretary.

(b) The average net income for the prewar period shall be determined by dividing the number of years within that period during the whole of which the corporation was in existence into the sum of the net income for such years, even though there may have been no net income for one or more of such years.

Part VI.—Invested capital.

SEC. 325. (a) That as used in this title—

The term "intangible property" means patents, copyrights, secret processes and formulæ, good will, trade-marks, trade-brands, franchises, and other like property;

The term "tangible property" means stocks, bonds, notes, and other evidences of indebtedness, bills and accounts receivable, leaseholds, and other property other than intangible property;

The term "borrowed capital" means money or other property borrowed, whether represented by bonds, notes, open accounts, or otherwise;

The term "inadmissible assets" means stocks, bonds, and other obligations (other than obligations of the United States), the dividends or interest from which is not included in computing net income, but where the income derived from such assets consists in part of gain or profit derived from the sale or other disposition thereof, a corresponding part of the capital invested in such assets shall not be deemed to be inadmissible assets.

(b) For the purposes of this title the par value of stock or shares shall, in the case of stock or shares having no par value, be deemed to be the fair market value as of the date or dates of issue of such stock or shares.

SEC. 326. (a) That as used in this title the term "invested capital" means (except as provided in subdivisions (b) and (c) of this section):

(1) Actual cash bona fide paid in for stock or shares;

(2) Actual cash value of tangible property, other than cash, bona fide paid in for stock or shares, at the time of such payment, but in no case to exceed the par value of the original stock or shares specifically issued therefor;

(3) Paid in or earned surplus and undivided profits; not including surplus and undivided profits earned during the taxable year, and not including the increase in the value of any asset above the original cost until such increase is actually realized by sale;

(4) Intangible property bona fide paid in for stock or shares prior to March 3, 1917, in an amount not exceeding (a) the actual cash value of such property at the time paid in, (b) the par value of the stock or shares issued therefor, or (c) in the aggregate 20 per cent of the par value of the total stock or shares of the corporation outstanding on March 3, 1917, whichever is lowest;

(5) Patents and copyrights bona fide paid in for stock or shares on or after March 3, 1917, in an amount not exceeding (a) the actual cash value of such property at the time paid in, (b) the par value of the stock or shares issued therefor, or (c) in the aggregate 20 per cent of the par value of the total stock or shares of the corporation outstanding at the beginning of the taxable year, whichever is lowest; but

(b) As used in this title the term "invested capital" does not include:

(1) Borrowed capital; or

(2) Intangible property (other than patents and copyrights) paid in for stock or shares on or after March 3, 1917.

(c) There shall be deducted from invested capital as above defined an amount equal to the average amount of capital invested in inadmissible assets held by the corporation during the year: *Provided*, That at the option of the corporation the amount to be so deducted shall be reduced to the amount by which such average amount invested in inadmissible assets exceeds the average amount of borrowed capital of the corporation (other than indebtedness maturing within one year of its creation), all accounts payable and current liabilities, for such year, but in such case in computing the tax under this title there shall be included in the net income for such year the same proportion of the total amount of interest and dividends received during such year from such inadmissible assets as the amount of such capital invested in inadmissible assets not deducted from invested capital bears to the total amount of such inadmissible assets.

(d) In the case of a foreign corporation the term "invested capital" includes only its invested capital used or employed within the United States.

(e) The invested capital for any year shall be the average invested capital for such year, as above defined, but in the case of a corporation making a return for a fractional part of the year a corresponding reduction shall be made in the invested capital.

SEC. 327. (a) That in the following cases the invested capital shall be determined as provided in subdivision (b) of this section: (1) Where the commissioner is unable satisfactorily to determine the invested capital as provided in section 326; or (2) where a mixed aggregate of tangible property and intangible property has been paid in for stock or for stock and bonds and the commissioner is unable satisfactorily to determine the respective values of the several classes of property at the time of payment, or to distinguish the classes of property paid in for stock and for bonds, respectively; or (3) where capital is a material income-producing factor, but where, because of the fact that the capital employed is in large part borrowed, there is no invested capital. This section shall not apply in the case of a corporation 50 per cent or more of whose gross income (as defined in section 213 for income tax purposes) consists of gain, profits, or commissions derived from Government contracts, unless the commissioner is satisfied that such corporation is overcapitalized.

(b) In the cases specified in subdivision (a) the invested capital shall be the amount which bears the same ratio to the net income of the corporation for the taxable year as the average invested capital for the taxable year of representative corporations engaged in a like or similar trade or business bears to their average net income for such year.

SEC. 328. (a) That in cases where invested capital is to be determined in the manner provided in section 327, the commissioner shall compare the taxpayer only with representative corporations whose invested capital can be satisfactorily determined under section 326 and which are, as nearly as may be, similarly circumstanced with respect to gross income, net income, profits per unit of business transacted and capital employed, the amount and rate of war or excess profits, and all other relevant facts and circumstances.

(b) For the purposes of section 327 the ratios between the average invested capital and the average net income of representative corporations shall be determined for each calendar year by the commissioner in accordance with regulations prescribed by him with the approval of the Secretary.

In the case of a corporation making a return on the basis of a fiscal year the ratios determined for the calendar year ending during such fiscal year shall be used, except that in the case of a fiscal year ending during the calendar year 1918 the ratios based upon returns made under Title II of the revenue act of 1917 shall be used.

(c) The commissioner shall keep a record of all cases in which invested capital is determined in the manner prescribed in section 327, containing the name and address of each taxpayer, the business in which engaged, the amount of invested capital and net income shown by the return, and the amount of invested capital as determined under such section. The commissioner shall furnish a copy of such record and other detailed information with respect to such cases when required by resolution of either House of Congress, without regard to the restrictions contained in section 257.

Part VII.—Reorganizations.

SEC. 330. That in the case of the reorganization, consolidation, or change of ownership after January 1, 1911, of a trade or business now carried on by a corporation, the corporation shall for the purposes of this title be deemed to have been in existence prior to that date, and the net income and invested capital of such predecessor trade or business for all or any part of the prewar period prior to the organization of the corporation now carrying on such trade or business shall be deemed to have been the net income and invested capital of such corporation.

If such predecessor trade or business was carried on by a partnership or individual the net income for the prewar period shall be ascertained and returned upon the same basis and in the same manner as provided for income tax purposes in Title II, except that the credits provided in subdivisions (a) and (b) of section 216 shall be deducted.

SEC. 331. In the case of the reorganization, consolidation, or change of ownership of a trade or business after March 3, 1917, if an interest or control in such trade or business of 50 per cent or more remains in the same persons, or any of them, then no asset transferred or received from the predecessor trade or business shall, for the purpose of determining invested capital, be allowed a greater value than would have been allowed under this title in computing the invested capital of such prior trade or business if such asset had not been so transferred or received.

Part VIII.—Miscellaneous.

SEC. 335. That if a corporation makes return for a fiscal year beginning in 1917 and ending in 1918, the tax for the first taxable year under this title shall be the sum of: (1) a tax computed under Title II of the revenue act of 1917 for the portion of such fiscal year falling in 1917; and (2) a tax computed under this title for the portion of such fiscal year falling in 1918.

The tax under clause (1) shall be computed upon the same proportion of the net income (as determined under Title II of this act for income tax purposes) for such fiscal year as the portion of such fiscal year falling in 1917 is of the full fiscal year; and the tax under clause (2) shall be computed upon the remainder of such net income.

SEC. 336. That every corporation, not exempt under section 304, having a net income of $3,000 or over for the taxable year shall make a return for the purposes of this title. Such returns shall be made,

and the taxes imposed by this title shall be paid, at the same times and places, in the same manner, and subject to the same conditions as is provided in the case of returns and payment of income tax by corporations for the purposes of Title II, and all the provisions of that title not inapplicable, including penalties, are hereby made applicable to the taxes imposed by this title.

In no case shall the tax under this title or Title II be determined on the basis of a so-called consolidated return but shall in each case be determined upon the basis of the net income and invested capital of the corporation liable to the tax.

TITLE IV.—ESTATE TAX.

SEC. 400. That when used in this title—

The term "executor" means the executor or administrator of the decedent, or, if there is no executor or administrator, any person who takes possession of any property of the decedent; and

The term "collector" means the collector of internal revenue of the district in which was the domicile of the decedent at the time of his death, or, if there was no such domicile in the United States, then the collector of the district in which is situated the part of the gross estate of the decedent in the United States, or, if such part of the gross estate is situated in more than one district, then the collector of internal revenue of such district as may be designated by the commissioner.

SEC. 401. That (in lieu of the tax imposed by Title II of the revenue act of 1916, as amended, and in lieu of the tax imposed by Title IX of the revenue act of 1917) a tax equal to the sum of the following percentages of the value of the net estate (determined as provided in section 403) is hereby imposed upon the transfer of the net estate of every decedent dying after the passage of this act, whether a resident or nonresident of the United States:

Three per cent of the amount of the net estate not in excess of $50,000;

6 per cent of the amount by which the net estate exceeds $50,000 and does not exceed $150,000;

9 per cent of the amount by which the net estate exceeds $150,000 and does not exceed $250,000;

12 per cent of the amount by which the net estate exceeds $250,000 and does not exceed $450,000;

15 per cent of the amount by which the net estate exceeds $450,000 and does not exceed $1,000,000;

18 per cent of the amount by which the net estate exceeds $1,000,000 and does not exceed $2,000,000;

21 per cent of the amount by which the net estate exceeds $2,000,000 and does not exceed $3,000,000;

24 per cent of the amount by which the net estate exceeds $3,000,000 and does not exceed $4,000,000;

27 per cent of the amount by which the net estate exceeds $4,000,000 and does not exceed $5,000,000;

30 per cent of the amount by which the net estate exceeds $5,000,000 and does not exceed $8,000,000;

35 per cent of the amount by which the net estate exceeds $8,000,000 and does not exceed $10,000,000; and

40 per cent of the amount by which the net estate exceeds $10,000,000.

SEC. 402. That the value of the gross estate of the decedent shall be determined by including the value at the time of his death of all property, real or personal, tangible or intangible, wherever situated—

(a) To the extent of the interest therein of the decedent at the time of his death which after his death is subject to the payment of the charges against his estate and the expenses of its administration and is subject to distribution as part of his estate;

(b) To the extent of any interest therein of the surviving spouse, existing at the time of the decedent's death as dower, courtesy, or by virtue of a statute creating an estate in lieu of dower or courtesy;

(c) To the extent of any interest therein of which the decedent has at any time created a trust, in contemplation of or intended to take effect in possession or enjoyment at or after his death (whether such transfer or trust is made or created before or after the passage of this act), except in case of a bona fide sale for a fair consideration in money or money's worth. Any transfer of a material part of his property in the nature of a final disposition or distribution thereof, made by the decedent within three years prior to his death without such a consideration, shall, unless shown to the contrary, be deemed to have been made in contemplation of death within the meaning of this title;

(d) To the extent of the interest therein held jointly or as tenants in the entirety by the decedent and any other person, or deposited in banks or other institutions in their joint names and payable to either or the survivor, except such part thereof as may be shown to have originally belonged to such other person and never to have belonged to the decedent;

(e) To the extent of any property passing under a general power of appointment exercised by the decedent (1) by will, or (2) by deed executed in contemplation of, or intended to take effect in possession or enjoyment at or after, his death, except in case of a bona fide sale for a fair consideration in money or money's worth; and

(f) To the extent of the amount receivable by the executor as insurance under policies taken out by the decedent upon his own life; and to the extent of the excess over $40,000 of the amount receivable by all other beneficiaries as insurance under policies taken out by the decedent upon his own life.

SEC. 403. That for the purpose of the tax the value of the net estate shall be determined—

(a) In the case of a resident, by deducting from the value of the gross estate—

(1) Such amounts for funeral expenses, administration expenses, claims against the estate, unpaid mortgages, losses incurred during the settlement of the estate arising from fires, storms, shipwreck, or other casualty, or from theft, when such losses are not compensated for by insurance or otherwise, and such amounts reasonably required and actually expended for the support during the settlement of the estate of those dependent upon the decedent, as are allowed by the laws of the jurisdiction, whether within or without the United States, under which the estate is being administered, but not including any income taxes upon income received after the death of the decedent, or any estate, succession, legacy, or inheritance taxes;

(2) An amount equal to the value at the time of the decedent's death of any property, real, personal, or mixed, which can be identified as having been received by the decedent as a share in the estate of any person who died within five years prior to the death of the decedent, or which can be identified as having been acquired by the decedent in exchange for property so received, if an estate tax under the revenue act of 1917 or under this act was collected from such estate, and if such property is included in the decedent's gross estate; and

(3) An exemption of $50,000;

(b) In the case of a nonresident, by deducting from the value of that part of his gross estate which at the time of his death is situated in the United States—

(1) That proportion of the deductions specified in paragraph (1) of subdivision (a) of this section which the value of such part bears to the value of his entire gross estate, wherever situated, but in no case shall the amount so deducted exceed 10 per cent of the value of that part of his gross estate which at the time of his death is situated in the United States; and

(2) An amount equal to the value at the time of the decedent's death of any property, real, personal, or mixed, which can be identified as having been received by the decedent as a share in the estate of any person who died within five years prior to the death of the decedent, or which can be identified as having been acquired by the decedent in exchange for property so received, if an estate tax under the revenue act of 1917 or under this act was collected from such estate, and if such property is included in that part of the decedent's gross estate which at the time of his death is situated in the United States.

No deductions shall be allowed in the case of a nonresident unless the executor includes in the return required to be filed under section 404 of the value at the time of his death of that part of the gross estate of the nonresident not situated in the United States.

For the purpose of this title stock in a domestic corporation owned and held by a nonresident decedent, and the amount receivable as insurance upon the life of a nonresident decedent where the insurer is a domestic corporation, shall be deemed property within the United States, and any property of which the decedent has made a transfer or with respect to which he has created a trust, within the meaning of subdivision (c) of section 402, shall be deemed to be situated in the United States, if so situated either at the time of the transfer or the creation of the trust, or at the time of the decedent's death.

SEC. 404. That the executor, within 60 days after qualifying as such, or after coming into possession of any property of the decedent, whichever event first occurs, shall give written notice thereof to the collector. The executor shall also, at such times and in such manner as may be required by regulations made pursuant to law, file with the collector a return under oath in duplicate, setting forth (a) the value of the gross estate of the decedent at the time of his death, or, in case of a nonresident, of that part of his gross estate situated in the United States; (b) the deductions allowed under section 403; (c) the value of the net estate of the decedent as defined in section 403; and (d) the tax paid or payable thereon; or such part of such information as may at the time be ascertainable and such supplemental data as may be necessary to establish the correct tax.

Returns shall be made in all cases where the gross estate at the death of the decedent exceeds $50,000, and in the case of the estate of every nonresident any part of whose gross estate is situated in the United States. If the executor is unable to make a complete return as to any part of the gross estate of the decedent, he shall include in his return a description of such part and the name of every person holding a legal or beneficial interest therein, and upon notice from the collector such person shall in like manner make a return as to such part of the gross estate. The commissioner shall make all assessments of the tax under the authority of existing administrative, special and general provisions of law relating to the assessment and collection of taxes.

SEC. 405. That if no administration is granted upon the estate of a decedent, or if no return is filed as provided in section 404, or if a return contains a false or incorrect statement of a material fact, the collector or deputy collector shall make a return and the commissioner shall assess the tax thereon.

SEC. 406. That the tax shall be due one year after the decedent's death; but in any case where the commissioner finds that payment of the tax within one year after the decedent's death would impose undue hardship upon the estate, he may grant an extension of time for the payment of the tax for a period not to exceed five years from the due date. If the tax is not paid within 1 year and 180 days after the decedent's death, interest at the rate of 6 per cent per annum from the expiration of one year after the decedent's death shall be added as part of the tax.

SEC. 407. That the executor shall pay the tax to the collector or deputy collector. If the amount of the tax can not be determined, the payment of a sum of money sufficient, in the opinion of the collector, to discharge the tax shall be deemed payment in full of the tax, except as in this section otherwise provided. If the amount so paid exceeds the amount of the tax as finally determined, the commissioner shall refund such excess to the executor. If the amount of the tax as finally determined exceeds the amount so paid, the collector shall notify the executor of the amount of such excess and demand payment thereof. If such excess part of the tax is not paid within 10 days after such notification, interest shall be added thereto at the rate of 10 per cent per annum from the expiration of such 10 days' period until paid, and the amount of such excess shall be a lien upon the entire gross estate, except such part thereof as may have been sold to a bona fide purchaser for a fair consideration in money or money's worth.

The collector shall grant to the person paying the tax duplicate receipts, either of which shall be sufficient evidence of such payment, and shall entitle the executor to credit for the amount so paid upon the settlement of his accounts.

SEC. 408. That if the tax herein imposed is not paid within 180 days after it is due, the collector shall, unless there is reasonable cause for further delay, proceed to collect the tax under the provisions of general law, or commence appropriate proceedings in the court of the United States, in the name of the United States, to subject the property of the decedent to be sold under the judgment or decree of the court. From the proceeds of such sale the amount of the tax, together with the costs and expenses of every description to be allowed by the court, shall be first paid and the balance shall be deposited according to the order of the court, to be paid under its direction to the person entitled thereto.

If the tax or any part thereof is paid by, or collected out of that part of the estate passing to or in the possession of, any person other than the executor in his capacity as such, such person shall be entitled to reimbursement out of any part of the estate still undistributed or by a just and equitable contribution by the persons whose interest in the estate of the decedent would have been reduced if the tax had been paid before the distribution of the estate or whose interest is subject to equal or prior liability for the payment of taxes, debts, or other charges against the estate, it being the purpose and intent of this title that, so far as is practicable and unless otherwise directed by the will of the decedent, the tax shall be paid out of the estate before its distribution.

If any part of the gross estate consists of proceeds of policies of insurance upon the life of the decedent receivable by a beneficiary other than the executor, the executor shall be entitled to recover from each beneficiary such portion of the total tax paid as the proceeds, in excess of $40,000, of such policies bear to the net estate. If there is more than one such beneficiary, the executor shall be entitled to recover from such beneficiaries in the same ratio.

SEC. 409. That unless the tax is sooner paid in full, it shall be a lien for 10 years upon the gross estate of the decedent, except that such part of the gross estate as is used for the payment of charges against the estate and expenses of its administration, allowed by any court having jurisdiction thereof, shall be divested of such lien. If the commissioner is satisfied that the tax liability of an estate has been fully discharged, he may, under regulations prescribed by him, with the approval of the Secretary, issue his certificate releasing any or all property of such estate from the lien herein imposed.

If (a) the decedent makes a transfer of, or creates a trust with respect to, any property in contemplation of or intended to take effect in possession or enjoyment at or after his death (except in the case of a bona fide sale for a fair consideration in money or money's worth) or (b) if insurance passes under a contract executed by the decedent in favor of a specific beneficiary, and if in either case the tax in respect thereto is not paid when due, then the transferee, trustee, or beneficiary shall be personally liable for such tax; and such property, to the extent of the decedent's interest therein at the time of such transfer, or to the extent of such beneficiary's interest under such contract of insurance, shall be subject to a like lien equal to the amount of such tax. Any part of the property sold by such transferee or trustee to a bona fide purchaser for a fair consideration in money or money's worth shall be divested of the lien, and a like lien shall then attach to all the property of such transferee or trustee, except any part sold to a bona fide purchaser for a fair consideration in money or money's worth.

SEC. 410. That whoever knowingly makes any false statement in any notice or return required to be filed under this title shall be liable to a penalty of not exceeding $5,000, or imprisonment not exceeding one year, or both.

Whoever fails to comply with any duty imposed upon him by section 404, or, having in his possession or control any record, file, or paper containing or supposed to contain any information concerning the estate of the decedent, or having in his possession or control any property comprised in the gross estate of the decedent, fails to exhibit the same upon request to the commissioner or any collector or law officer of the United States, or his duly authorized deputy or agent, who desires to examine the same in the performance of his duties under this title, shall be liable to a penalty of not exceeding $500, to be recovered, with costs of suit, in a civil action in the name of the United States.

INSURANCE.

SEC. 503. That from and after November 1, 1918, there shall be levied, assessed, collected, and paid, in lieu of the taxes imposed by section 504 of the revenue act of 1917, the following taxes on the issuance of insurance policies, including, in the case of policies issued outside the United States, their delivery within the United States by any agent or broker, whether acting for the insurer or the insured; such taxes to be paid by the insurer or by such agent or broker:

(a) Life insurance: A tax equivalent to 8 cents on each $100 or fractional part thereof of the amount for which any life is insured under any policy of insurance or other instrument, by whatever name the same is called: *Provided*, That on all policies for life insurance only by which a life is insured not in excess of $500, issued on the industrial or weekly or monthly payment plan of insurance, the tax shall be 40 per cent of the amount of the first weekly premium or 20 per cent of the amount of the first monthly premium, as the case may be: *Provided further*, That on policies of group life insurance, covering groups of not less than 25 lives in the employ of the same person, for the benefit of persons other than the employer, the tax shall be equivalent to 4 cents on each $100 of the aggregate amount for which the group policy is issued and of any net increase in the amount of the insurance under such policy;

(b) Marine, inland, and fire insurance: A tax equivalent to 1 cent on each dollar or fractional part thereof of the premium charged under each policy of insurance or other instrument, by whatever name the same is called, whereby insurance is made or renewed upon property of any description (including rents or profits), whether against peril by sea or inland waters, or by fire or lightning, or other peril;

(c) Casualty insurance: A tax equivalent to 1 cent on each dollar or fractional part thereof of the premium charged under each policy of insurance or obligation of the nature of indemnity for loss, damage, or liability (except bonds and policies taxable under subdivision 2 of schedule A of title XI) issued or executed or renewed by any person transacting the business of employer's liability, workmen's compensation, accident, health, tornado, plate glass, steam boiler, elevator, burglary, automatic sprinkler, automobile, or other branch of insurance (except life insurance and insurance described and taxed in the preceding subdivision): *Provided*, That in case of policies of insurance issued on the industrial or weekly or monthly payment plan the tax shall be 40 per cent of the amount of the first weekly premium or 20 per cent of the amount of the first monthly premium, as the case may be;

(d) Policies issued by any corporation enumerated in section 231 and policies of reinsurance shall be exempt from the taxes imposed by this section.

SEC. 504. That every person issuing policies of insurance upon the issuance of which a tax is imposed by section 503 shall make monthly returns under oath, in duplicate, and pay such tax to the collector of the district in which the principal office or place of business of such person is located. Such returns shall contain such information and be made at such times and in such manner as the commissioner, with the approval of the Secretary, may by regulation prescribe.

TITLE VI.—TAX ON BEVERAGES.

SEC. 600. (a) That there shall be levied and collected on all distilled spirits now in bond or that have been or that may be hereafter produced in or imported into the United States, except such distilled spirits as are subject to the tax provided in section 604, in lieu of the internal-revenue taxes now imposed thereon by law, a tax of $2.20 (or, if withdrawn for beverage purposes or for use in the manufacture or production of any article used or intended for use as a beverage, a tax of $6.40) on each proof gallon, or wine gallon when below proof, and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon, to be paid by the distiller or importer when withdrawn, and collected under the provisions of existing law.

(b) That the tax imposed by subdivision (a) on distilled spirits intended for beverage purposes shall not be due or payable on such spirits while stored in any distillery, bonded warehouse, or special or general bonded warehouse, and which, pursuant to any act of Congress or proclamation of the President of the United States, can not be lawfully sold or removed from any such warehouse during the period of prohibition fixed by such act or proclamation; and all warehousing bonds or transportation and warehousing bonds conditioned for the payment of tax on any such spirits so stored on the date such prohibition takes effect shall as to all such spirits actually so stored be canceled and discharged, provided the distiller of such spirits shall in lieu of such bonds and prior to their cancellation execute a bond in a penal sum of not less than $10,000, with sureties satisfactory to the collector of the district, conditioned that the principal shall, during the period of such prohibition, safely keep or cause to be kept in good condition all such spirits and the warehouse in which the same are stored, and shall not remove or suffer to be removed from warehouse, contrary to law, any such spirits during the period of such prohibition; and the bond herein prescribed shall be in such further sum and shall contain such further conditions as the commissioner, with the approval of the Secretary, may by regulations require. The distiller may, subject to the provisions of this section, be permitted to retain in any such bonded warehouse distilled spirits on which, under the terms of any existing bond, the tax imposed thereon becomes due and payable thereto prior to the date such prohibition takes effect: *Provided*, That on the removal of such prohibition the distiller shall, as to all spirits as to which the bonded period fixed by law has not expired and which remain stored in warehouse, execute new and satisfactory bond in the form required by existing law, conditioned for the payment of the tax on all such spirits; and all provisions of existing law relating to such bonded warehouses, or the storage of spirits therein, or to the execution of new or additional bonds, so far as applicable, shall continue in force as to all distilled spirits rebonded under the provisions of this section.

Upon the withdrawal of distilled spirits from bonded warehouse, after the period of prohibition has ended, and under the conditions imposed by section 50 of an act entitled "An act to reduce taxation, to provide revenue for the support of the Government, and for other purposes," approved August 28, 1894, an allowance for loss by leakage or other unavoidable cause, not exceeding 1 proof gallon as to packages of a capacity of not less than 40 wine gallons, may be made in addition to that provided in said section 50, as amended; and in lieu of such additional allowance of 1 proof gallon as to each package withdrawn may be made for each period of four months, or fraction thereof, for such spirits as shall have remained in warehouse during the period of prohibition and after the expiration of the maximum leakage period fixed by that section.

Under regulations prescribed by the Secretary, any imported distilled spirits, wines, or other liquors which may be in any customs bonded warehouse under the customs laws on the date such prohibition takes effect shall be permitted to remain therein without payment of any taxes or duties thereon, beyond the three-year period provided in section 2971 of the Revised Statutes, during such period of prohibition; and may be exported at any time during such extended period. Any imported spirits, wines, or other liquors as to which the three-year bonded period may expire after the passage of this act and prior to the date such prohibition takes effect may at the option of the owner remain in bond during such period of prohibition.

(c) In lieu of the internal-revenue tax now imposed thereon by law there shall be levied and collected upon all perfumes hereafter imported into the United States containing distilled spirits a tax of $1.10 per wine gallon, and a proportionate tax at a like rate on all fractional parts of such wine gallon. Such tax shall be collected by the collector of customs and deposited as internal-revenue collections, under such rules and regulations as the commissioner, with the approval of the Secretary, may prescribe.

SEC. 601. That no distilled spirits produced after October 3, 1917, shall be imported into the United States from any foreign country, or from the Virgin Islands (unless produced from products the growth of such islands, and not then into any State or Territory or District of the United States in which the manufacture or sale of intoxicating liquor is prohibited), or from Porto Rico, or the Philippine Islands. Under such rules, regulations, and bonds as the Secretary shall prescribe, the provisions of this section shall not apply to distilled spirits imported for other than (1) beverage purposes or (2) use in the manufacture or production of any article used or intended for use as a beverage.

SEC. 602. That at registered distilleries producing alcohol, or other high-proof spirits, packages may be filled with such spirits reduced to not less than one hundred proof from the receiving cisterns and tax paid without being entered into bonded warehouse. Such spirits may be also transferred from the receiving cisterns at such distilleries, by means of pipe lines, direct to storage tanks in the bonded warehouse and may be warehoused in such storage tanks. Such spirits may be also transferred in tanks or tank cars to general bonded warehouses for storage therein, either in storage tanks in such warehouses or in the tanks in which they were transferred. Such spirits may also be transferred from receiving cisterns or warehouse storage tanks to barrels, drums, tanks, tank cars, or other approved containers, and may be transported in such containers for exportation or other lawful purposes. The Commissioner, with the approval of the Secretary, is hereby empowered to prescribe all necessary regulations relating to the drawing off, transferring, gauging, storing, and transporting of such spirits; the records to be kept and returns to be made; the size and kind of packages and tanks to be used; the marking, branding, numbering, and stamping of such packages and tanks; the kinds of stamps, if any, to be used; and the time and manner of paying the tax; the kind of bond and the penal sum of same. The tax prescribed by law must be paid before such spirits are removed from the distillery premises or from general bonded warehouse in the case of spirits transferred thereto, except as otherwise provided by law.

Under such regulations as the Commissioner, with the approval of the Secretary, may prescribe, distilled spirits may hereafter be drawn from receiving cisterns and deposited in distillery warehouses without having affixed to the packages containing the same, distillery warehouse stamps, and such packages, when so deposited in warehouse, may be withdrawn therefrom on the original gauge where the same have remained in such warehouse for a period of not exceeding 30 days from the date of deposit.

Under such regulations as the Commissioner, with the approval of the Secretary, may prescribe, the manufacture, warehousing, withdrawal, and shipment, under the provisions of existing law, of ethyl alcohol for other than (1) beverage purposes or (2) use in the manufacture or production of any article used or intended for use as a beverage, and denatured alcohol may be exempted from the provisions of section 3283 of the Revised Statutes.

The Commissioner, with the approval of the Secretary, may by regulations exempt distillers of ethyl alcohol for use in the production of munitions of war or for other nonbeverage purposes from so much of the provisions of sections 3264, 3285, or 3309 of the Revised Statutes, and acts amendatory thereof, respecting the survey of distilleries, the period of the filling and emptying of fermenting tubs, and assessments, as, in his judgment, may be expedient: *Provided*, That the bond prescribed in section 3299 of the Revised Statutes shall, in the cases herein provided, be in such sum and contain such further conditions as the Commissioner may require.

SEC. 606. That under such regulations as the Commissioner, with the approval of the Secretary, may prescribe, ethyl alcohol of not less than 180 degrees proof, produced at any central distilling and denaturing plant established under the provisions of subsection 2, paragraph N, of Section IV of the act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913, may be removed from such plant to any central denaturing bonded warehouse for denaturation, or may, before or after denaturation, be removed from such plant or from such denaturing bonded warehouse, free of tax for use of the United States or for shipment to any nation while engaged against the German Government in the present war, and the removal herein authorized may be made in such tank vessels, tank cars, drums, casks, or other containers as may be approved by the Commissioner. It shall be lawful under the regulations prescribed by the Commissioner with the approval of the Secretary, for an allowance to be made for leakage or loss by unavoidable accident and without fault or negligence of the distiller, owner, carrier, or his agents or employees, which may occur during the transportation of such spirits or while the same are lawfully stored on either of the premises herein prescribed.

SEC. 604. That upon all distilled spirits produced in or imported into the United States upon which the internal-revenue tax now imposed by law has been paid, and which, on the day after the passage of this act, are held by any person and intended for sale or for use in the manufacture or production of any article intended for sale, there shall be levied, assessed, collected, and paid a floor tax equal to the difference between the tax imposed by this act and the tax so paid.

SEC. 605. That in addition to the tax imposed by this act on distilled spirits and wines there shall be levied, assessed, collected, and paid, in lieu of the tax imposed by section 304 of the revenue act of 1917, a tax of 30 cents on each proof gallon and a proportionate tax at a like rate on all fractional parts of such proof gallon on all distilled spirits or wines hereafter rectified, purified, or refined in such manner, and on all mixtures hereafter produced in such manner, that the person so rectifying, purifying, refining, or mixing the same is a rectifier within the meaning of section 3244 of the Revised Statutes, as amended: *Provided*, That this tax shall not apply to gin produced by the redistillation of a pure spirit over juniper berries and other aromatics.

Upon all such articles heretofore produced, and which on the day after the passage of this act are held by any person and intended for sale, there shall be levied, assessed, collected, and paid a floor tax of 15 cents on each proof gallon, and a proportionate tax at a like rate on all fractional parts of each proof gallon; and all such distilled spirits so held and not contained in the distillers' original stamped packages, or in bottles or other containers bearing the distillers' original labels, shall for the purpose of this section be regarded as rectified spirits.

When the process of rectification is completed and the taxes prescribed by this section have been paid, it shall be unlawful for the rectifier or other dealer to reduce in proof or increase in volume such spirits or wine by the addition of water or other substance; nothing herein contained shall, however, prevent a rectifier from using again in the process of rectification spirits already rectified and upon which the taxes have theretofore been paid.

The taxes imposed by this section shall not attach to cordials or liqueurs on which a tax is imposed and paid under section 611 or 613, nor to the mixing and blending of wines where such blending is for the sole purpose of perfecting such wines according to commercial standards, nor to blends made exclusively of two or more pure straight whiskies aged in wood for a period not less than four years and without the addition of coloring or flavoring matter or any other substance than pure water and if not reduced below 90 proof: *Provided*, That such blended whiskies shall be exempt from tax under this section only when compounded under the immediate supervision of a revenue officer, in such tanks and under such conditions and supervision as the commissioner, with the approval of the Secretary, may prescribe.

All distilled spirits or wines taxable under this section shall be subject to uniform regulations concerning the use thereof in the manufacture, blending, compounding, mixing, marking, branding, and sale of whisky and rectified spirits, and no discrimination whatsoever shall be made by reason of a difference in the character of the material from which the same may have been produced.

The business of a rectifier of spirits shall be carried on and the tax on rectified spirits shall be paid, under such rules, regulations, and bonds as may be prescribed by the commissioner, with the approval of the Secretary.

Whoever violates any of the provisions of this section shall be deemed to be guilty of a misdemeanor and, upon conviction, shall be fined not more than $1,000 or imprisoned not more than two years, and shall, in addition, be liable to double the tax evaded, together with the tax, to be collected by assessment or on any bond given.

SEC. 606. That hereafter collectors shall not furnish wholesale liquor dealers stamps in lieu of and in exchange for stamps for rectified spirits unless the package covered by stamp for rectified spirits is to be broken into smaller packages.

The commissioner, with the approval of the Secretary, is authorized to discontinue the use of the following stamps whenever in his judgment the interests of the Government will be subserved thereby:

Distillery warehouse, special bonded warehouse, special bonded refiner's warehouse, general bonded warehouse, general bonded retransfer, transfer brandy, export tobacco, export cigars, export oleomargarine, and export fermented-liquor stamps.

SEC. 607. That the commissioner, with the approval of the Secretary, is hereby authorized to require at distilleries, breweries, rectifying houses, and wherever else in his judgment such action may be deemed advisable, the installation of meters, tanks, pipes, or any other apparatus for the purpose of protecting the revenue, and such meters, tanks, and pipes and all necessary labor incident thereto shall be at the expense of the person on whose premises the installation is required. Any such person refusing or neglecting to install such apparatus when so required by the commissioner shall not be permitted to conduct business on such premises.

SEC. 608. That there shall be levied and collected on all beer, lager beer, ale, porter, and other similar fermented liquor, containing one-half of 1 per cent, or more, of alcohol, brewed or manufactured and hereafter sold, or removed for consumption or sale, within the United States, by whatever name such liquors may be called, in lieu of the internal-revenue taxes now imposed thereon by law, a tax of $6 for every barrel containing not more than 31 gallons, and at a like rate for any other quantity or for the fractional parts of a barrel authorized and defined by law, to be collected under the provisions of existing law.

SEC. 609. That from and after the passage of this act taxable fermented liquors may be conveyed without payment of tax from the brewery premises where produced to a contiguous industrial distillery of either class established under the act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913, to be used as distilling material, and the residue from such distillation, containing less than one-half of 1 per cent of alcohol by volume, which is to be used in making beverages, may be manipulated by cooling, flavoring, carbonating, settling, and filtering on the distillery premises or elsewhere.

The removal of the taxable fermented liquor from the brewery to the distillery and the operation of the distillery and removal of the residue therefrom shall be under the supervision of such officer or officers as the Commissioner shall deem proper, and the Commissioner, with the approval of the Secretary, is hereby authorized to make such regulations from time to time as may be necessary to give force and effect to this section and to safeguard the revenue.

SEC. 610. That natural wine within the meaning of this act shall be deemed to be the product made from the normal alcoholic fermentation of the juice of sound, ripe grapes, without addition or abstraction, except such as may occur in the usual cellar treatment of clarifying and aging: *Provided, however*, That the product made from the juice of sound, ripe grapes by complete fermentation of the must under proper cellar treatment and corrected by the addition (under the supervision of a gauger or storekeeper-gauger in the capacity of gauger) of a solution of water and pure cane, beet, or dextrose sugar (containing, respectively, not less than 95 per cent of actual sugar, calculated on a dry basis) to the must or to the wine, to correct natural deficiencies, when such addition shall not increase the volume of the resultant product more than 35 per cent, and the resultant product does not contain less than five parts per thousand of acid before fermentation and not more than 13 per cent of alcohol after complete fermentation, shall be deemed to be wine within the meaning of this act, and may be labeled, transported, and sold as "wine," qualified by the name of the locality where produced, and may be further qualified by the name of its own particular type or variety: *And provided further*, That wine as defined in this section may be sweetened with cane sugar or beet sugar or pure condensed grape must and fortified under the provisions of this act, and wines so sweetened or fortified shall be considered sweet wine within the meaning of this act.

SEC. 611. That upon all still wines, including vermuth and all artificial or imitation wines or compounds sold as still wine, which are hereafter produced in or imported into the United States, or which on the day after the passage of this act are on any winery premises or other bonded premises or in transit thereto or at any customhouse, there shall be levied, collected, and paid, in lieu of the internal-revenue taxes now imposed thereon by law, taxes at rates as follows, when sold, or removed for consumption or sale:

On wines containing not more than 14 per cent of absolute alcohol, 16 cents per wine gallon, the per cent of alcohol taxable under this section to be reckoned by volume and not by weight.

On wines containing more than 14 per cent and not exceeding 21 per cent of absolute alcohol, 40 cents per wine gallon.

On wines containing more than 21 per cent and not exceeding 24 per cent of absolute alcohol, $1 per wine gallon.

All such wines containing more than 24 per cent of absolute alcohol by volume shall be classed as distilled spirits and shall pay tax accordingly.

SEC. 612. That under such regulations and official supervision and upon the giving of such notices, entries, bonds, and other security as the Commissioner, with the approval of the Secretary, may prescribe, any producer of wines defined under the provisions of this title may withdraw from any fruit distillery or special bonded warehouse grape brandy or wine spirits for the fortification of such wines on the premises where actually made: *Provided*, That there shall be levied and assessed against the producer of such wines a tax (in lieu of the internal-revenue tax now imposed thereon by law) of 10 cents per proof gallon of grape brandy or wine spirits whenever withdrawn and hereafter so used by him in the fortification of such wines during the preceding month, which assessment shall be paid by him within 10 months from the date of notice thereof: *Provided further*, That nothing contained in this section shall be construed as exempting any wines, cordials, liqueurs, or similar compounds from the payment of any tax provided for in this title.

SEC. 613. That upon the following articles which are hereafter produced in or imported into the United States, or which on the day after the passage of this act are on any winery premises or other bonded premises or in transit thereto or at any customhouse, there shall be levied, collected, and paid taxes at rates as follows, when sold, or removed for consumption or sale:

On each bottle or other container of champagne or sparkling wine, 12 cents on each one-half pint or fraction thereof.

On each bottle or other container of artificially carbonated wine, 6 cents on each one-half pint or fraction thereof.

On each bottle or other container of liqueurs, cordials, or similar compounds, by whatever name sold or offered for sale, containing sweet wine fortified with grape brandy, 6 cents on each one-half pint or fraction thereof.

The tax imposed by this section shall, in the case of any article upon which a corresponding internal-revenue tax is now imposed by law, be in lieu of such tax.

SEC. 614. That upon all articles specified in section 611 or 613 upon which the internal-revenue tax now imposed by law has been paid and which are on the day after the passage of this act held by any person and intended for sale, there shall be levied, collected, and paid a floor tax equal to the difference between the tax imposed by this act and the tax so paid.

SEC. 615. That upon all sweet wines held for sale by the producer thereof upon the day after the passage of this act there shall be levied, assessed, collected, and paid a floor tax equivalent to 30 cents per proof gallon upon the grape brandy or wine spirits used in the fortification of such wine.

SEC. 616. That the taxes imposed by section 611 or 613 shall be paid by stamp on removal of the wines from the customhouse, winery, or other bonded place of storage for consumption or sale, and every person hereafter producing, or having in his possession or under his control when this title takes effect, any wines subject to the tax imposed in

section 611 or 613 shall file such notice, describing the premises on which such wines are produced or stored; shall execute a bond in such form; shall make such inventories under oath; and shall, prior to sale or removal for consumption, affix to each cask or vessel containing such wine such marks, labels, or stamps as the Commissioner, with the approval of the Secretary, may from time to time prescribe; and the premises described in such notice shall, for the purpose of this act, be regarded as bonded premises. But the provisions of this section, except as to payment of tax and the affixing of the required stamps or labels, shall not apply to wines held by retail dealers, as defined in section 3244 of the Revised Statutes, nor, subject to regulations prescribed by the Commissioner, with the approval of the Secretary, shall the tax imposed by section 611 apply to wines produced for the family use of the duly registered producer thereof and not sold or otherwise removed from the place of manufacture and not exceeding in any case 200 gallons per year.

SEC. 617. That sections 42, 43, and 45 of the act entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," approved October 1, 1890, as amended by section 68 of the act entitled "An act to reduce taxation, to provide revenue for the Government, and for other purposes," approved August 27, 1894, are further amended to read as follows:

"SEC. 42. That any producer of pure sweet wines may use in the preparation of such sweet wines, under such regulations and after the filing of such notices and bonds, together with the keeping of such records and the rendition of such reports as to materials and products as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe, wine spirits produced by any duly authorized distiller, and the Commissioner of Internal Revenue, in determining the liability of any distiller of wine spirits to assessment under section 3369 of the Revised Statutes, is authorized to allow such distiller credit in his computations for the wine spirits withdrawn to be used in fortifying sweet wines under this act.

"SEC. 43. That the wine spirits mentioned in section 42 is the product resulting from the distillation of fermented grape juice, to which water may be added prior to, during, or after fermentation, for the sole purpose of facilitating the fermentation and economical distillation thereof and shall be held to include the product from grapes or their residues commonly known as grape brandy, and shall include commercial grape brandy which may have been colored with burnt sugar or caramel; but no wine may be fortified with wine spirits unless the wine spirits under the provisions of this act is fermented or partially fermented grape juice only, with the usual cellar treatment, and shall contain no other substance whatever introduced before, at the time of, or after fermentation, except as herein expressly provided: *Provided*, That the addition of pure boiled or condensed grape must or pure crystallized cane or beet sugar, or pure dextrose sugar containing, respectively, not less than 95 per cent of actual sugar, calculated on a dry basis, or water, or any or all of them, to the pure grape juice before fermentation, or to the fermented product of such grape juice, or to both, prior to the fortification herein provided for, either for the purpose of perfecting sweet wines according to commercial standards or for mechanical purposes, shall not be excluded by the definition of pure sweet wine aforesaid: *Provided, however*, That the cane or beet sugar, or pure dextrose sugar, added for sweetening purposes shall not be in excess of 11 per cent of the weight of the wine to be fortified: *And provided further*, That the addition of water herein authorized shall be under such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may from time to time prescribe: *Provided, however*, That records kept in accordance with such regulations as to the percentage of saccharine, acid, alcoholic, and added water content of the wine offered for fortification shall be open to inspection by any official of the Department of Agriculture thereto duly authorized by the Secretary of Agriculture; but in no case shall the quantity of wine to which such water has been added for fortification under the provisions of this act, where the same, after fermentation and before fortification, have an alcoholic strength of less than 5 per cent of their volume.

"SEC. 45. That under such regulations and official supervision, and upon the execution of such entries and the giving of such bonds, bills of lading, and other security as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe, any producer of pure sweet wines as defined by this act may withdraw wine spirits from any special bonded warehouse in original packages or from any registered distillery in any quantity not less than 80 wine gallons, and may use any such of the wine spirits so withdrawn as may be required by him under such regulations, and after the filing of such notices and bonds and the keeping of such records and the rendition of such reports as to materials and products and the disposition of the same as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe, in fortifying the pure sweet wines made by him, and for no other purpose, in accordance with the foregoing limitations and provisions; and the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, is authorized whenever he shall deem it to be necessary for the prevention of violations of this law to prescribe that wine spirits withdrawn under this section shall not be used to fortify wines except at a certain distance prescribed by him from any distillery, rectifying house, winery, or other establishment used for producing or storing distilled spirits, or for making or storing wines other than wines which are so fortified, and that in the building in which such fortification of wines is practiced no wines or spirits other than those permitted by this regulation shall be stored in any room or part of the building in which fortification of wines is practiced. The use of wine spirits for the fortification of sweet wines under this act shall be under the immediate supervision of an officer of internal revenue, who shall make returns describing the kinds and quantities of wine so fortified, and shall affix such stamps and seals to the packages containing such wines as may be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury; and the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall provide by regulations the time within which wines so fortified with the wine spirits so withdrawn may be subject to inspection, and for final accounting for the use of such wine spirits and for rewarehousing or for payment of the tax on any portion of such wine spirits which remain not used in fortifying pure sweet wines."

SEC. 618. (a) That under such regulations and upon the execution of such notices, entries, bonds, and other security as the commissioner, with the approval of the Secretary, may prescribe, domestic wines subject to the tax imposed by section 611 may be removed from the winery where produced, free of tax, for storage on other bonded premises or from such premises to other bonded premises (but not more than one such additional removal shall be allowed), or for exportation from the United States or for use as distilling material at any regularly registered distillery: *Provided, however*, That the distiller using any such wine as material shall, subject to the provisions of section 3309 of the Revised Statutes as amended, be held to pay the tax on the product of such wines as will include both the alcoholic strength therein produced by fermentation and that obtained from the brandy or wine spirits added to such wines at the time of fortification.

(b) Under regulations prescribed by the commissioner, with the approval of the Secretary, it shall be lawful to produce grape wines on bonded winery premises by the usual method of fermentation, and to transport and use the same, and like wines heretofore produced and now stored on bonded winery premises, as distilling material for the production of nonbeverage spirits in the production of nonalcoholic wines containing less than one-half of 1 per cent of alcohol by volume in any fruit brandy or industrial distillery: *Provided*, That all alcoholic spirits so obtained at any industrial distillery shall be denatured, and all spirits so obtained at any fruit distillery shall be removed and used only for nonbeverage purposes or for denaturation.

SEC. 619. That the collection of the tax on imported still wines, including vermuth, and sparkling wines, including champagne, and on imported liqueurs, cordials, and similar compounds, may be made within the discretion of the commissioner, with the approval of the Secretary, by assessment instead of by stamps.

SEC. 620. That whoever evades or attempts to evade any tax imposed by sections 611 to 615, both inclusive, or any requirement of sections 610 to 621, both inclusive, or regulation issued pursuant thereto, or whoever, otherwise than as provided in such sections, recovers or attempts to recover any spirits from domestic or imported wines, or whoever rectifies, mixes, or compounds with distilled spirits any domestic wines other than in the manufacture of liqueurs, cordials, or similar compounds, shall, on conviction, be punished for each such offense by a fine of not exceeding $5,000, or imprisonment for not more than five years, or both, and in addition thereto by a penalty of double the tax evaded, or attempted to be evaded, to be assessed and collected in the same manner as taxes are assessed and collected, and all wines, spirits, liqueurs, cordials, or similar compounds as to which such violation occurs shall be forfeited to the United States. But the provisions of this section and the provisions of section 3244 of the Revised Statutes as amended relating to rectification, or other internal-revenue laws of the United States, shall not be held to apply to or prohibit the mixing or blending of wines subject to tax under the provisions of sections 611 to 615, both inclusive, with each other or with other wines for the sole purpose of perfecting such wines according to commercial standards: *Provided*, That nothing herein contained shall be construed as prohibiting the use of tax-paid grain or other ethyl alcohol in the fortification of sweet wines as defined in section 610 of this act and section 43 of the act entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," approved October 1, 1890, as amended by this act.

SEC. 621. That the commissioner, by regulations to be approved by the Secretary, may require the use of each fruit distillery of such spirit meters, and such locks and seals to be affixed to fermenters, tanks, or other vessels and to such pipe connections as may in his judgment be necessary or expedient, and is hereby authorized to assign to any such distillery and to each winery where wines are to be fortified such number of gangers or storekeeper-gaugers in the capacity of gangers as may be necessary for the proper supervision of the manufacture of brandy or the making or fortifying of wines subject to tax imposed by this section; and the compensation of such officers shall not exceed $5 per diem while so assigned, together with their actual and necessary traveling expenses, and also a reasonable allowance for their board bills, to be fixed by the commissioner, with the approval of the Secretary, but not to exceed $2.50 per diem for such board bills.

SEC. 622. That the commissioner, with the approval of the Secretary, is hereby authorized to make such allowances for unavoidable loss of wines while on storage or during cellar treatment as in his judgment may be just and proper.

SEC. 623. That the second paragraph of section 3264 of the Revised Statutes, as amended by section 5 of the act of March 1, 1879, and as further amended by the act of June 22, 1910, be amended so as to read as follows:

"In all surveys 45 gallons of mash or beer brewed or fermented from grain shall represent not less than 1 bushel of grain, and 7 gallons of mash or beer brewed or fermented from molasses shall represent not less than 1 gallon of molasses, except in distilleries operated on the sour-mash principle, in which distilleries 60 gallons of beer brewed or fermented from grain shall represent not less than 1 bushel of grain, and except that in distilleries where the filtration-aeration process is used, with the approval of the Commissioner of Internal Revenue; that is, where the mash after it leaves the mash tub is passed through a filtering machine before it is run into the fermenting tub, and only the filtered liquor passes into the fermenting tub, there shall hereafter be no limitation upon the number of gallons of water which may be used in the process of mashing or filtration for fermentation; but the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, in order to protect the revenue, shall be authorized to prescribe by regulation, to be made by him, such character of survey as he may find suitable for distilleries using such filtration-aeration process. The provisions hereof relating to filtration-aeration process shall apply only to sweet-mash distilleries."

SEC. 624. That under such regulations as the commissioner, with the approval of the Secretary, may prescribe, alcohol or other distilled spirits of a proof strength of not less than 180 degrees intended for export free of tax may be drawn from receiving cisterns at any distillery, or from storage tanks in any distillery warehouse, for transfer to tanks or tank cars for export from the United States, and all provisions of existing law relating to the exportation of distilled spirits not inconsistent herewith shall apply to spirits removed for export under the provisions of this act.

SEC. 625. That section 3255 of the Revised Statutes as amended by the act of June 3, 1896, and as further amended by the act of March 2, 1911, be further amended so as to read as follows:

"SEC. 3255. The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may exempt distillers of brandy made exclusively from apples, peaches, grapes, pears, pineapples, oranges, apricots, berries, plums, pawpaws, persimmons, prunes, figs, or cherries from any provision of this title relating to the manufacture of spirits, except as to the tax thereon, when in his judgment it may seem expedient to do so: *Provided*, That where, in the manufacture of wine, artificial sweetening has been used the wine or the fruit pomace residium may be used in the distillation of brandy, and such use shall not prevent the Commissioner of Internal Revenue, with the approval

of the Secretary of the Treasury, from exempting such distiller from any provision of this title relating to the manufacture of spirits, except as to the tax thereon, when in his judgment it may seem expedient to do so: *And provided further*, That the distillers mentioned in this section may add to not less than 500 gallons (or 10 barrels) of grape cheese not more than 500 gallons of a sugar solution made from cane, beet, starch, or corn sugar, 95 per cent pure, such solution to have a saccharine strength of not to exceed 10 per cent, and may ferment the resultant mixture on a winery or distillery premises, and such fermented product shall be regarded as distilling material."

SEC. 626. That distilled spirits known commercially as gin of not less than 80 per cent proof may at any time within eight years after entry in bond at any distillery be bottled in bond at such distillery for export without the payment of tax, under such rules and regulations as the commissioner, with the approval of the Secretary, may prescribe.

SEC. 627. That section 3354 of the Revised Statutes as amended by the act approved June 18, 1890, be, and is hereby, amended to read as follows:

"SEC. 3354. Every person who withdraws any fermented liquor from any hogshead, barrel, keg, or other vessel upon which the proper stamp has not been affixed for the purpose of bottling the same, or who carries on or attempts to carry on the business of bottling fermented liquor in any brewery or other place in which fermented liquor is made or upon any premises having communication with such brewery, or any warehouse, shall be liable to a fine of $500, and the property used in such bottling or business shall be liable to forfeiture: *Provided, however*, That this section shall not be construed to prevent the withdrawal and transfer of unfermented, partially fermented, or fermented liquors from any of the vats in any brewery by way of a pipe line or other conduit to another building or place for the sole purpose of bottling the same, such pipe line or conduit to be constructed and operated in such manner and with such cisterns, vats, tanks, valves, cocks, faucets, and gauges, or other utensils or apparatus, either on the premises of the brewery or the bottling house, and with such changes of or additions thereto, and such locks, seals, or other fastenings, and under such rules and regulations as shall be from time to time prescribed by the Commissioner of Internal Revenue, subject to the approval of the Secretary of the Treasury, and all locks and seals prescribed shall be provided by the Commissioner of Internal Revenue at the expense of the United States: *Provided further*, That the tax imposed in section 3339 of the Revised Statutes shall be paid on all fermented liquor removed from a brewery to a bottling house by means of a pipe or conduit, at the time of such removal, by the cancellation and defacement, by the collector of the district or his deputy, in the presence of the brewer, of the number of stamps denoting the tax on the fermented liquor thus removed. The stamps thus canceled and defaced shall be disposed of and accounted for in the manner directed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury. And any violation of the rules and regulations hereafter prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, in pursuance of these provisions shall be subject to the penalties above provided by this section. Every owner, agent, or superintendent of any brewery or bottling house who shall connive at the removal of, any fermented liquor through a pipe line or conduit without payment of the tax thereon, or who attempts in any manner to defraud the revenue as above, shall forfeit all the liquors made by and for him, and all the vessels, utensils, and apparatus used in making the same."

SEC. 628. That there shall be levied, assessed, collected, and paid in lieu of the taxes imposed by sections 313 and 315 of the revenue act of 1917—

(a) Upon all beverages derived wholly or in part from cereals or substitutes therefor and containing less than one-half of 1 per cent of alcohol, sold by the manufacturer, producer, or importer, in bottles or other closed containers, a tax equivalent to 15 per cent of the price for which so sold; and upon all ginger ale, root beer, sarsaparilla, pop, artificial mineral waters (carbonated or not carbonated), other carbonated waters or beverages, and other soft drinks (except fruit or berry juice), sold by the manufacturer, producer, or importer, in bottles or other closed containers, a tax equivalent to 10 per cent of the price for which so sold; and

(b) Upon all natural mineral waters or table waters sold by the producer, bottler, or importer thereof, in bottles or other closed containers, a tax equivalent to 5 per cent of the price for which so sold.

SEC. 629. That each manufacturer, producer, bottler, or importer of any of the articles enumerated in section 628 shall make monthly returns under oath in duplicate and pay the taxes imposed in respect to such articles by such section to the collector for the district in which is located the principal place of business, containing such information necessary for the assessment of the tax, and at such times and in such manner as the commissioner, with the approval of the Secretary, may by regulation prescribe.

The tax shall, without assessment by the commissioner or notice from the collector, be due and payable to the collector at the time so fixed for filing the return. If the tax is not paid when due there shall be added as part of the tax a penalty of 5 per cent, together with interest at the rate of 1 per cent for each full month, from the time when the tax became due.

SEC. 630. That on and after ———, ——, there shall be levied, assessed, collected, and paid a tax of 1 cent for each 10 cents or fraction thereof of the amount paid to any person conducting a soda fountain, ice-cream parlor, or other similar place of business, for drinks commonly known as soft drinks, compounded or mixed at such place of business, or for ice cream, ice-cream sodas, sundaes, or other similar articles of food or drink, when any of the above are sold on or after such date for consumption in or in proximity to such place of business. Such tax shall be paid by the purchaser to the vendor at the time of the sale and shall be collected, returned, and paid to the United States by such vendor in the same manner as provided in section 502.

TITLE VII.—TAX ON CIGARS, TOBACCO, AND MANUFACTURES THEREOF.

SEC. 700. (a) That upon cigars and cigarettes manufactured in or imported into the United States, and hereafter sold by the manufacturer or importer, or removed for consumption or sale, there shall be levied, collected, and paid under the provisions of existing law, in lieu of the internal-revenue taxes now imposed thereon by law, the following taxes, to be paid by the manufacturer or importer thereof:

On cigars of all descriptions made of tobacco, or any substitute therefor, and weighing not more than 3 pounds per thousand, $1.50 per thousand;

On cigars made of tobacco, or any substitute therefor, and weighing more than 3 pounds per thousand, if manufactured or imported to retail at not more than 5 cents each, $4 per thousand;

If manufactured or imported to retail at more than 5 cents each and not more than 8 cents each, $5.40 per thousand;

If manufactured or imported to retail at more than 8 cents each and not more than 15 cents each, $9 per thousand;

If manufactured or imported to retail at more than 15 cents each and not more than 20 cents each, $12 per thousand;

If manufactured or imported to retail at more than 20 cents each, $15 per thousand;

On cigarettes made of tobacco, or any substitute therefor, and weighing not more than 3 pounds per thousand, $2.00 per thousand;

Weighing more than 3 pounds per thousand, $7.20 per thousand.

(b) Whenever in this section reference is made to cigars manufactured or imported to retail at not over a certain price each, then in determining the tax to be paid regard shall be had to the ordinary retail price of a single cigar.

(c) The commissioner may, by regulation, require the manufacturer or importer to affix to each box, package, or container a conspicuous label indicating the clause of this section under which the cigars therein contained have been tax-paid, which must correspond with the tax-paid stamp on such box or container.

(d) Every manufacturer of cigarettes (including small cigars weighing not more than 3 pounds per thousand) shall put up all the cigarettes and such small cigars that he manufactures or has manufactured for him, and sells or removes for consumption or sale, in packages or parcels containing 5, 8, 10, 12, 15, 16, 20, 24, 40, 50, 80, or 100 cigarettes each, and shall securely affix to each of such packages or parcels a suitable stamp denoting the tax thereon and shall properly cancel the same prior to such sale or removal for consumption or sale under such regulations as the commissioner, with the approval of the Secretary, shall prescribe; and all cigarettes imported from a foreign country shall be packed, stamped, and the stamps canceled in a like manner, in addition to the import stamp indicating inspection of the customhouse before they are withdrawn therefrom.

SEC. 701. (a) That upon all tobacco and snuff manufactured in or imported into the United States, and hereafter sold by the manufacturer or importer, or removed for consumption or sale, there shall be levied, collected, and paid, in lieu of the internal-revenue taxes now imposed thereon by law, a tax of 18 cents per pound, to be paid by the manufacturer or importer thereof.

(b) Section 3362 of the Revised Statutes, as amended, is hereby amended to read as follows:

"SEC. 3362. All manufactured tobacco shall be put up and prepared by the manufacturer for sale, or removal for sale or consumption, in packages of the following description and in no other manner:

"All smoking tobacco, snuff, fine-cut chewing tobacco, all cut and granulated tobacco, all shorts, the refuse of fine-cut chewing, which has passed through a riddle of 30 meshes to the square inch, and all refuse scraps, clippings, cuttings, and sweepings of tobacco, and all other kinds of tobacco not otherwise provided for, in packages containing one-eighth of an ounce, three-eighths of an ounce, and further packages with a difference between each package and the one next smaller of one-eighth of an ounce up to and including 2 ounces, and further packages with a difference between each package and the one next smaller of one-fourth of an ounce up to and including 4 ounces, and packages of 5 ounces, 6 ounces, 7 ounces, 8 ounces, 10 ounces, 12 ounces, 14 ounces, and 16 ounces: *Provided*, That snuff may, at the option of the manufacturer, be put up in bladders and in jars containing not exceeding 20 pounds.

"All cavendish, plug, and twist tobacco, in wooden packages not exceeding 200 pounds net weight.

"And every such wooden package shall have printed or marked thereon the manufacturer's name and place of manufacture, the registered number of the manufactory, and the gross weight, the tare, and the net weight of the tobacco in each package: *Provided*, That these limitations and descriptions of packages shall not apply to tobacco and snuff transported in bond for exportation and actually exported: *And provided further*, That perique tobacco, snuff flour, fine-cut shorts, the refuse of fine-cut chewing tobacco, refuse scraps, clippings, cuttings, and sweepings of tobacco, may be sold in bulk as material, and without the payment of tax, by one manufacturer directly to another manufacturer, or for export, under such restrictions, rules, and regulations as the Commissioner of Internal Revenue may prescribe: *And provided further*, That wood, metal, paper, or other materials may be used separately or in combination for packing tobacco, snuff, and cigars, under such regulations as the Commissioner of Internal Revenue may establish."

SEC. 702. That upon all the articles enumerated in section 700 or 701, which were manufactured or imported, and removed from factory or customhouse on or prior to the date of the passage of this act, and upon which the tax imposed by existing law has been paid, and which are, on the day after the passage of this act, held by any person and intended for sale, there shall be levied, assessed, collected, and paid a floor tax equal to the difference between (a) the tax imposed by this act upon such articles according to the class in which they are placed by this title, and (b) the tax imposed upon such articles by existing law other than section 403 of the revenue act of 1917.

In the case of any person making due return as required by the commissioner of the stock of all such articles on such date so held by him, the tax imposed by this section shall apply only to the excess of manufactured tobacco and snuff over 50 pounds, to the excess of cigars over 1,000, and to the excess of cigarettes over 3,000.

SEC. 703. That there shall be levied, collected, and paid, in lieu of the taxes imposed by section 404 of the revenue act of 1917, upon cigarette paper made up into packages, books, sets, or tubes, made up in or imported into the United States and hereafter sold by the manufacturer or importer to any person (other than to a manufacturer of cigarettes for use by him in the manufacture of cigarettes) the following taxes, to be paid by the manufacturer or importer: On each package, book, or set, containing more than 25 but not more than 50 papers, one-half cent; containing more than 50 but not more than 100 papers, 1 cent; containing more than 100 papers, one-half cent for each 50 papers or fractional part thereof; and upon tubes, 1 cent for each 50 tubes or fractional part thereof.

Every manufacturer of cigarettes purchasing any cigarette paper made up into tubes (a) shall give bond in an amount and with sureties satisfactory to the commissioner that he will use such tubes in the manufacture of cigarettes or pay thereon a tax equivalent to the tax imposed by this section, and (b) shall keep such records and render under oath such returns as the commissioner finds necessary to show

the disposition of all tubes purchased or imported by such manufacturer of cigarettes.

SEC. 704. That section 35 of the act of August 5, 1909, be, and is hereby, repealed, to take effect April 1, 1919.

That section 3360 of the Revised Statutes be, and is hereby, amended to read as follows:

"SEC. 3360. (a) Every dealer in leaf tobacco shall file with the collector of the district in which his business is carried on, a statement in duplicate, subscribed under oath, setting forth the place, and if in a city, the street and number of the street, where his business is to be carried on, and the exact location of each place where leaf tobacco is held by him on storage, and, whenever he adds to or discontinues any of his leaf tobacco storage places, he shall give immediate notice to the collector of the district in which he is registered.

"Every such dealer shall give a bond with surety, satisfactory to, and to be approved by, the collector of the district, in such penal sum as the collector may require, not less than $500; and a new bond may be required in the discretion of the collector or under instructions of the commissioner.

"Every such dealer shall be assigned a number by the collector of the district, which number shall appear in every inventory, invoice, and report rendered by the dealer, who shall also obtain certificates from the collector of the district setting forth the place where his business is carried on and the places designated by the dealer as the places of storage of his tobacco, which certificates shall be posted conspicuously within the dealer's registered place of business, and within each designated place of storage.

"(b) Every dealer in leaf tobacco shall make and deliver to the collector of the district a true inventory of the quantity of the different kinds of tobacco held or owned, and where stored by him, on the 1st day of January of each year, or at the time of commencing and at the time of concluding business, if before or after the 1st day of January, such inventory to be made under oath and rendered in such form as may be prescribed by the commissioner.

"Every dealer in leaf tobacco shall render such invoices and keep such records as shall be prescribed by the commissioner, and shall enter therein, day by day, and upon the same day on which the circumstance, thing, or act to be recorded is done or occurs, an accurate account of the number of hogsheads, tierces, cases, and bales, and quantity of leaf tobacco contained therein, purchased or received by him, on assignment, consignment, for storage, by transfer, or otherwise, and of whom purchased or received, and the number of hogsheads, tierces, cases, and bales, and the quantity of leaf tobacco contained therein, sold by him, with the name and residence in each instance of the person to whom sold, and if shipped, to whom shipped, and to what district; such records shall be kept at his place of business at all times and preserved for a period of two years, and the same shall be open at all hours for the inspection of any internal-revenue officer or agent.

"Every dealer in leaf tobacco on or before the 10th day of each month, shall furnish to the collector of the district a true and complete report of all purchases, receipts, sales, and shipments of leaf tobacco made by him during the month next preceding, which report shall be verified and rendered in such form as the commissioner, with the approval of the Secretary, shall prescribe.

"(c) Sales or shipments of leaf tobacco by a dealer in leaf tobacco shall be in quantities of not less than a hogshead, tierce, case, or bale, except loose leaf tobacco comprising the breaks on warehouse floors, and except to a duly registered manufacturer of cigars for use in his own manufactory exclusively.

"Dealers in leaf tobacco shall make shipments of leaf tobacco only to other dealers in leaf tobacco, to registered manufacturers of tobacco, snuff, cigars or cigarettes, or for export.

"(d) Upon all leaf tobacco sold, removed, or shipped by any dealer in leaf tobacco in violation of the provisions of subdivision (c), or in respect to which no report has been made by such dealer in substance as aforesaid, in subdivision (b), there shall be levied, assessed, collected, and paid a tax equal to the tax then in force upon manufactured tobacco, such tax to be assessed and collected in the same manner as the tax on manufactured tobacco.

"(e) Every dealer in leaf tobacco

"(1) who neglects or refuses to furnish the statement, to give bond, to keep books, to file inventory, or to render the invoices, returns, or reports required by the commissioner, or to notify the collector of the district of additions to his places of storage; or

"(2) who ships or delivers leaf tobacco, except as herein provided; or

"(3) who fraudulently omits to account for tobacco purchased, received, sold, or shipped;

shall be fined not less than $100 or more than $500, or imprisoned not more than one year, or both.

"(f) For the purposes of this section a farmer or grower of tobacco shall not be regarded as a dealer in leaf tobacco in respect to the leaf tobacco produced by him."

TITLE VIII.—TAX ON ADMISSIONS AND DUES.

SEC. 800. (a) That from and after ———, ——, there shall be levied, assessed, collected, and paid, in lieu of the taxes imposed by section 700 of the revenue act of 1917—

(1) A tax of 1 cent for each 10 cents or fraction thereof of the amount paid for admission to any place on or after such date, including admission by season ticket or subscription, to be paid by the person paying for such admission;

(2) In the case of persons (except bona fide employees, municipal officers on official business, persons in the military or naval forces of the United States when in uniform, and children under 12 years of age) admitted free or at a reduced rate to any place at a time when and under circumstances under which an admission charge is made to other persons, a tax of 1 cent for each 10 cents or fraction thereof of the price so charged to such other persons for the same or similar accommodations, to be paid by the person so admitted;

(3) Upon tickets or cards of admission to theaters, operas, and other places of amusement, sold at news stands, hotels, and places other than the ticket offices of such theaters, operas, or other places of amusement, at not to exceed 50 cents in excess of the sum of the established price therefor at such ticket offices plus the amount of any tax imposed under paragraph (1), a tax equivalent to 10 per cent of the amount of such excess; and if sold for more than 50 cents in excess of the sum of such established price plus the amount of any tax imposed under paragraph (1), a tax equivalent to 50 per cent of the whole amount of such excess, such taxes to be returned and paid, in the manner provided in section 903, by the person selling such tickets;

(4) A tax equivalent to 50 per cent of the amount for which the proprietors, managers, or employees of any opera house, theater, or other place of amusement sell or dispose of tickets or cards of admission in excess of the regular or established price or charge therefor, such tax to be returned and paid, in the manner provided in section 903, by the person selling such tickets;

(5) In the case of persons having the permanent use of boxes or seats in an opera house or any place of amusement or a lease for the use of such box or seat in such opera house or place of amusement (in lieu of the tax imposed by paragraph (1)), a tax equivalent to 10 per cent of the amount for which a similar box or seat is sold for each performance or exhibition at which the box or seat is used or reserved by or for the lessee or holder, such tax to be paid by the lessee or holder; and

(6) A tax of 1 cent for each 10 cents or fraction thereof of the amount paid for admission to any public performance for profit at any roof garden, cabaret, or other similar entertainment, to which the charge for admission is wholly or in part included in the price paid for refreshment, service, or merchandise; the amount paid for such admission to be deemed to be 20 per cent of the amount paid for refreshment, service, and merchandise; such tax to be paid by the person paying for such refreshment, service, or merchandise.

(b) No tax shall be levied under this title in respect to any admissions all the proceeds of which inure exclusively to the benefit of religious, educational, or charitable institutions, societies, or organizations, or organizations conducted for the sole purpose of maintaining symphony orchestras and receiving substantial support from voluntary contributions, or exclusively to the benefit of persons in the military or naval forces of the United States, or admissions to agricultural fairs none of the profits of which are distributed to stockholders or members of the association conducting the same.

(c) The term "admission" as used in this title includes seats and tables, reserved or otherwise, and other similar accommodations, and the charges made therefor.

(d) The price (exclusive of the tax to be paid by the person paying for admission) at which every admission ticket or card is sold shall be conspicuously and indelibly printed, stamped, or written on the face or back thereof, together with the name of the vendor if sold other than at the ticket office of the theater, opera, or other place of amusement. Whoever sells an admission ticket or card on which the name of the vendor and price is not so printed, stamped, or written, or at a price in excess of the price so printed, stamped, or written thereon, is guilty of a misdemeanor, and upon conviction thereof shall be fined not more than $100.

SEC. 801. That from and after ——— there shall be levied, assessed, collected, and paid, in lieu of the taxes imposed by section 701 of the revenue act of 1917, a tax equivalent to 10 per cent of any amount paid on or after such date, for any period after such date, (a) as dues or membership fees (where the dues or fees of an active resident annual member are in excess of $10 per year) to any social, athletic, or sporting club or organization, or (b) as initiation fees to such a club or organization, if such fees amount to more than $10, or if the dues or membership fees (not including initiation fees) of an active resident annual member are in excess of $10 per year; such taxes to be paid by the person paying such dues or fees: *Provided*, That there shall be exempted from the provisions of this section all amounts paid as dues or fees to a fraternal society, order, or association, operating under the lodge system, in the case of life memberships a life member shall pay annually, at the time for the payment of dues by active resident annual members, a tax equivalent to the tax upon the amount paid by such a member, but shall pay no tax upon the amount paid for life membership.

SEC. 802. That every person (a) receiving any payments for such admission, dues, or fees shall collect the amount of the tax imposed by section 800 or 801 from the person making such payments, or (b) admitting any person free to any place for admission to which a charge is made, shall collect the amount of the tax imposed by section 800 from the person so admitted. Every club or organization having life members shall collect from such members the amount of the tax imposed by section 801. In all the above cases returns and payments of the amount so collected shall be made at the same time and in the same manner as provided in section 502.

TITLE IX.—EXCISE TAXES.

SEC. 900. That there shall be levied, assessed, collected, and paid, upon the following articles sold or leased by the manufacturer, producer, or importer, a tax equivalent to the following percentages of the price for which so sold or leased—

(1) Automobiles, motorcycles, automobile trucks, automobile wagons, automobile trailers or tractors, 5 per cent;

(2) Pianos, player pianos, parts, or accessories, for any of the articles enumerated in subdivision (1), sold to any person other than a manufacturer or producer of any of the articles enumerated in subdivision (1), 5 per cent;

(3) Pianos, organs (other than pipe organs), piano players, graphophones, phonographs, talking machines, music boxes, and records used in connection with any musical instrument, piano player, graphophone, phonograph, or talking machine, 5 per cent;

(4) Tennis rackets, nets, racket covers and presses, skates, snowshoes, skis, toboggans, canoes, paddles and cushions, polo mallets, baseball bats, gloves, masks, protectors, shoes and uniforms, football helmets, harness, and goals, basket-ball goals and uniforms, golf bags and clubs, lacrosse sticks, balls of all kinds, including baseballs, footballs, tennis, golf, lacrosse, billiard and pool balls, fishing rods and reels, billiard and pool tables, chess and checker boards and pieces, dice, games and parts of games (except playing cards and children's toys and games), and all similar articles commonly or commercially known as sporting goods, 10 per cent;

(5) Chewing gum or substitutes therefor, 3 per cent;

(6) Cameras, 10 per cent;

(7) Photographic films and plates, other than moving-picture films, 5 per cent;

(8) Candy, 5 per cent;

(9) Firearms, shells, and cartridges, except those sold for the use of the United States, any State, Territory, or possession of the United States, any political subdivision thereof, the District of Columbia, or any foreign country while engaged against the German Government in the present war, 10 per cent;

(10) Hunting and bowie knives, 10 per cent;

(11) Dirk knives, daggers, sword canes, stilettos, and brass or metallic knuckles, 100 per cent;

(12) Portable electric fans, 5 per cent;

(13) Thermos and thermostatic bottles, carafes, jugs, or other thermostatic containers, 5 per cent;

(14) Cigar or cigarette holders and pipes, composed wholly or in part of meerschaum or amber, humidors, and smoking stands, 10 per cent;

(15) Automatic slot device weighing or vending machines, 5 per cent; if the manufacturer, producer, or importer of any such machine operates it for profit he shall pay a tax in respect to each such machine put into operation equivalent to 5 per cent of its fair market value;

(16) Liveries and livery boots and hats, 10 per cent;

(17) Hunting and shooting garments and riding habits, 10 per cent;

(18) Articles made out of any fur, or articles of which fur is the component material of chief value, 10 per cent;

(19) Yachts and motor boats; and pleasure boats and canoes if sold for more than $15, 10 per cent; and

(20) Toilet soaps and toilet-soap powders, 3 per cent.

If any manufacturer, producer, or importer of any of the articles enumerated in this section customarily sells such articles both at wholesale and at retail, the tax in the case of any article sold by him at retail shall be computed on the price for which like articles are sold by him at wholesale.

The taxes imposed by this section shall, in the case of any article in respect to which a corresponding tax is imposed by section 600 of the revenue act of 1916, be in lieu of such tax.

SEC. 901. That if any person manufactures, produces, or imports any article enumerated in section 900, or leases or licenses for exhibition any positive motion-picture film containing a picture ready for projection, and, whether through any agreement, arrangement, understanding, or otherwise, sells, leases, or licenses at less than the fair market price obtainable therefor, either (a) in such manner as directly or indirectly to benefit such person or any person directly or indirectly interested in the business of such person, or (b) with intent to cause such benefit, the amount for which such article is sold, leased, or licensed shall be taken to be the amount which would have been received from the sale, lease, or license of such article if sold, leased, or licensed at the fair market price.

SEC. 902. That there shall be levied, assessed, collected, and paid upon sculpture, paintings, statuary, art porcelains, and bronzes, sold by any person other than the artist, and upon antique furniture sold by any person, a tax equivalent to 5 per cent of the price for which so sold. This section shall not apply to the sale of any such article to an educational institution or art museum.

SEC. 903. That every person liable for any tax imposed by section 900, 902, or 905 shall make monthly returns under oath in duplicate and pay the taxes imposed by such sections to the collector for the district in which is located the principal place of business. Such returns shall contain such information and be made at such times and in such manner as the commissioner, with the approval of the Secretary, may by regulations prescribe.

The tax shall, without assessment by the commissioner or notice from the collector, be due and payable to the collector at the time so fixed for filing the return. If the tax is not paid when due there shall be added as part of the tax a penalty of 5 per cent, together with interest at the rate of 1 per cent for each full month, from the time when the tax became due.

SEC. 904. (a) That on and after November 1, 1918, there shall be levied, assessed, collected, and paid a tax equivalent to 20 per cent of so much of the amount paid for any of the following articles as is in excess of the price hereinafter specified as to each such article, when such article is sold on or after such date for consumption or use—

(1) Carpets and rugs, including fiber, except imported and American rugs made principally of wool, on the amount in excess of $5 per square yard;

(2) Picture frames, on the amount in excess of $10 each;

(3) Trunks, on the amount in excess of $50 each;

(4) Vallises, traveling bags, suit cases, hat boxes used by travelers, and fitted toilet cases, on the amount in excess of $25 each;

(5) Purses, pocketbooks, shopping and hand bags, on the amount in excess of $7.50 each;

(6) Portable lighting fixtures, including lamps of all kinds and lamp shades, on the amount in excess of $25 each;

(7) Umbrellas, parasols, and sun shades, on the amount in excess of $4 each;

(8) Fans, on the amount in excess of $1 each;

(9) House or smoking coats or jackets, and bath or lounging robes, on the amount in excess of $7.50 each;

(10) Men's waistcoats, sold separately from suits, on the amount in excess of $5 each;

(11) Men's and boys' suits or overcoats, not including uniforms of officers in the military or naval forces of the United States, on the amount in excess of $50 each;

(12) Women's and misses' suits, cloaks, and coats, on the amount in excess of $50 each, or, when made up by a tailor or seamstress, on the amount in excess of $50 in value each;

(13) Women's and misses' dresses, on the amount in excess of $40 each, or, when made up by a tailor or seamstress, on the amount in excess of $40 in value each;

(14) Women's and misses' hats, bonnets, and hoods, on the amount in excess of $15 each;

(15) Men's and boys' hats, on the amount in excess of $5 each;

(16) Men's and boys' caps, on the amount in excess of $2 each;

(17) Men's, women's, misses', and boys' boots, shoes, pumps, and slippers, not including shoes or appliances made to order for any person having a crippled or deformed foot or ankle, on the amount in excess of $10 per pair;

(18) Men's and boys' neckties and neckwear, on the amount in excess of $2 each;

(19) Men's and boys' silk stockings or hose, on the amount in excess of $1 per pair;

(20) Women's and misses' silk stockings or hose, on the amount in excess of $2 per pair;

(21) Men's shirts, on the amount in excess of $3 each;

(22) Men's, women's, misses', and boys' pajamas, nightgowns, and underwear, on the amount in excess of $5 each; and

(23) Kimonos, petticoats, and waists, on the amount in excess of $15 each.

(b) The tax imposed by this section shall not apply to any article enumerated in paragraphs (2) to (8), both inclusive, of subdivision (a), if such article is made of, or ornamented, mounted, or fitted with, precious metals or imitations thereof or ivory, or to any article enumerated in subdivision (20) or (21) of section 900.

(c) The taxes imposed by this section shall be paid by the purchaser to the vendor at the time of the sale and shall be collected, returned, and paid to the United States by such vendor in the same manner as provided in section 502. As used in this subdivision the term "vendor" includes a tailor or dressmaker making up women's or misses' suits, cloaks, coats, or dresses.

SEC. 905. That on and after ——, ——, there shall be levied, assessed, collected, and paid (in lieu of the tax imposed by subdivision (e) of section 600 of the revenue act of 1917) upon all articles commonly or commercially known as jewelry, whether real or imitation; pearls, precious and semiprecious stones, and imitations thereof; articles made of, or ornamented, mounted, or fitted with, precious metals or imitations thereof or ivory (not including surgical instruments); watches; clocks; opera glasses; lorgnettes; marine glasses; field glasses; and binoculars; upon any of the above when sold by a dealer for consumption or use, a tax equivalent to 5 per cent of the price for which so sold.

Every person selling any of the articles enumerated in this section shall make returns under oath in duplicate (monthly or quarterly, as the commissioner, with the approval of the Secretary, may prescribe) and pay the taxes imposed in respect to such articles by this section to the collector for the district in which is located the principal place of business. Such returns shall contain such information and be made at such times and in such manner as the commissioner, with the approval of the Secretary, may by regulations prescribe.

The tax shall, without assessment by the commissioner or notice from the collector, be due and payable to the collector at the time so fixed for filing the return. If the tax is not paid when due, there shall be added as part of the tax a penalty of 5 per cent, together with interest at the rate of 1 per cent for each full month from the time when the tax became due.

SEC. 906. That on and after ——, ——, there shall be levied, assessed, collected, and paid (in lieu of the tax imposed by subdivision (e) of section 600 of the revenue act of 1917) upon all articles commonly or commercially known as jewelry, whether real or imitation; pearls, precious and semiprecious stones, and imitations thereof; articles made of, or ornamented, mounted, or fitted with, precious metals or imitations thereof or ivory (not including surgical instruments); watches; clocks; opera glasses; lorgnettes; marine glasses; field glasses; and binoculars; upon any of the above when sold by a dealer for consumption or use, a tax equivalent to 5 per cent of the price for which so sold.

Every person selling any of the articles enumerated in this section shall make returns under oath in duplicate (monthly or quarterly, as the commissioner, with the approval of the Secretary, may prescribe) and pay the taxes imposed in respect to such articles by this section to the collector for the district in which is located the principal place of business. Such returns shall contain such information and be made at such times and in such manner as the commissioner, with the approval of the Secretary, may by regulations prescribe.

The tax shall, without assessment by the commissioner or notice from the collector, be due and payable to the collector at the time so fixed for filing the return. If the tax is not paid when due, there shall be added as part of the tax a penalty of 5 per cent, together with interest at the rate of 1 per cent for each full month from the time when the tax became due.

SEC. 907. That on and after the 1st day of ——, 1919, any person engaged in the business of leasing or licensing for exhibition positive motion-picture films containing pictures ready for projection shall pay monthly an excise tax in respect to carrying on such business equal to 5 per cent of the total rentals earned from each such lease or license during the preceding month. If a person owning such a film exhibits it for profit he shall pay a tax equivalent to 5 per cent of the fair rental or license value of such film at the time and place where and for the period during which exhibited. If any such person has, prior to December 6, 1918, made a bona fide contract with any person for the lease or licensing, after the tax imposed by this section takes effect, of such a film for exhibition for profit, and if such contract does not permit the adding of the whole of the tax imposed by this section to the amount to be paid under such contract, then the lessee or licensee shall, in lieu of the lessor or licensor, pay so much of such tax as is not so permitted to be added to the contract price. The tax imposed by this section shall be in lieu of the tax imposed by subdivisions (c) and (d) of section 600 of the revenue act of 1917.

SEC. 908. (a) That on and after ——, ——, there shall be levied, assessed, collected, and paid (in lieu of the taxes imposed by subdivisions (g) and (h) of section 600 of the revenue act of 1917) a tax of 1 cent for each 25 cents or fraction thereof of the amount paid for any of the following articles when sold by a dealer on or after such date for consumption or use:

(1) Perfumes, essences, extracts, toilet waters, cosmetics, petroleum jellies, hair oils, pomades, hair dressings, hair restoratives, hair dyes, tooth and mouth washes, dentifrices, tooth pastes, aromatic cachous, toilet powders (other than soap powders), or any similar substance, article, or preparation by whatsoever name known or distinguished, any of the above which are used or applied or intended to be used or applied for toilet purposes;

(2) Pills, tablets, powders, tinctures, troches or lozenges, sirups, medicinal cordials or bitters, anodynes, tonics, plasters, liniments, salves, ointments, pastes, drops, waters (except those taxed under section 628 of this act), essences, spirits, oils, and other medicinal preparations, compounds, or compositions (not including serums and antitoxins), upon the amount paid for any of the above as to which the manufacturer or producer claims to have any private formula, secret, or occult art for making or preparing the same, or has or claims to have any exclusive right or title to the making or preparing the same, or which are prepared, uttered, vended, or exposed for sale under any letters patent, or trade-mark, or which (if prepared by any formula, published or unpublished) are held out or recommended to the public by the makers, vendors, or proprietors thereof as proprietary medicines or medicinal proprietary articles or preparations, or as remedies or specifics for any disease, diseases, or affection whatever affecting the human or animal body: *Provided*, That the provisions of this section shall not apply to the sale of medicinal preparations which are not advertised to the general lay public.

(b) The taxes imposed by this section shall be collected by whichever of the following methods the commissioner may deem expedient: (1) by stamp affixed to such article by the vendor, the cost of which shall be reimbursed to the vendor by the purchaser; or (2) by payment to the vendor by the purchaser at the time of the sale, the taxes so collected being returned and paid to the United States by such vendor in the same manner as provided in section 502.

SEC. 909. That under such rules and regulations as the commissioner, with the approval of the Secretary, may prescribe, the tax imposed under the provisions of this title shall not apply in respect to articles sold or released for export and in due course so exported. Under such rules and regulations the amount of any internal-revenue tax erroneously or illegally collected in respect to exported articles may be refunded to the exporter of the article, instead of to the manufacturer, if the manufacturer waives any claim for the amount so to be refunded.

TITLE X.—SPECIAL TAXES.

SEC. 1000. (a) That on and after July 1, 1918, in lieu of the tax imposed by the first subdivision of section 407 of the revenue act of 1916—

(1) Every domestic corporation shall pay annually a special excise tax with respect to carrying on or doing business, equivalent to $1 for each $1,000 of the excess over $5,000 of the amount of its net assets shown by its books as of the close of the preceding annual period used by the corporation for purposes of making its income-tax return; but if the corporation made no such return then of the excess over $5,000 of the amount of its net assets shown by its books as of the 30th day of June preceding;

(2) Every foreign corporation shall pay annually a special excise tax with respect to carrying on or doing business in the United States, equivalent to $1 for each $1,000 of the average amount of capital employed in the transaction of its business in the United States during the preceding year ending June 30.

(b) The taxes imposed by this section shall not apply in any year to any corporation which was not engaged in business (or, in the case of a foreign corporation, not engaged in business in the United States) during the preceding year ending June 30, nor to any corporation enumerated in section 231.

(c) Section 257 shall apply to all returns filed with the commissioner for purposes of the tax imposed by this section.

SEC. 1001. That on and after January 1, 1919, there shall be levied, collected, and paid annually the following special taxes—

(1) Brokers shall pay $40. Every person whose business it is to negotiate purchases or sales of stocks, bonds, exchange, bullion, coined money, bank notes, promissory notes, other securities, produce or merchandise, for others, shall be regarded as a broker. If a broker is a member of a stock exchange, or if he is a member of any produce exchange, board of trade, or similar organization, where produce or merchandise is sold, he shall pay an additional amount as follows: If the average value, during the preceding year ending June 30, of a seat or membership in such exchange or organization was $2,000 or more but not more than $5,000, $100; if such value was more than $5,000, $150.

(2) Pawnbrokers shall pay $100. Every person whose business or occupation it is to take or receive, by way of pledge, pawn, or exchange, any goods, wares, or merchandise, or any kind of personal property whatever, as security for the repayment of money loaned thereon, shall be regarded as a pawnbroker. If the gross receipts of such pawnbroker for the preceding year ending June 30 were $2,000 or more but not more than $5,000, he shall pay $100 additional; if such gross receipts were more than $5,000 he shall pay $150 additional.

(3) Ship brokers shall pay $40. Every person whose business it is as a broker to negotiate freights and other business for the owners of vessels, or for the shippers or consignors or consignees of freight carried by vessels, shall be regarded as a ship broker.

(4) Customhouse brokers shall pay $40. Every person whose occupation it is, as the agent of others, to arrange entrise and other customhouse papers, or transact business at any port of entry relating to the importation of exportation of goods, wares, or merchandise, shall be regarded as a customhouse broker.

(5) Proprietors of theaters, museums, and concert halls, where a charge for admission is made, having a seating capacity of not more than 250, shall pay $50; having a seating capacity of more than 250 and not exceeding 500, shall pay $100; having a seating capacity exceeding 500 and not exceeding 800, shall pay $150; having a seating capacity of more than 800, shall pay $200. Every edifice used for the purpose of dramatic or operatic or other representations, plays, or performances, for admission to which entrance money is received, not including halls or armories rented or used occasionally for concerts or theatrical representations, and not including edifices owned by religious, educational or charitable institutions, societies or organizations where all the proceeds from admissions inure exclusively to the benefit of such institutions, societies, or organizations or exclusively to the benefit of persons in the military or naval forces of the United States, shall be regarded as a theater: *Provided*, That in cities, towns, or villages of 5,000 inhabitants or less the amount of such payment shall be one-half of that above stated: *Provided further*, That whenever any such edifice is under lease at the time the tax is due the tax shall be paid by the lessee, unless otherwise stipulated between the parties to the lease.

(6) The proprietor or proprietors of circuses shall pay $100. Every building, space, tent, or area where feats of horsemanship or acrobatic sports or theatrical performances not otherwise provided for in this section are exhibited shall be regarded as a circus: *Provided*, That no special tax paid in one State, Territory, or the District of Columbia shall exempt exhibitions from the tax in another State, Territory, or the District of Columbia, and but one special tax shall be imposed for exhibitions within any one State, Territory, or District.

(7) Proprietors or agents of all other public exhibitions or shows for money not enumerated in this section shall pay $15: *Provided*, That a special tax paid in one State, Territory, or the District of Columbia shall not exempt exhibitions from the tax in another State, Territory, or the District of Columbia, and but one special tax shall be required for exhibitions within any one State, Territory, or the District of Columbia: *Provided further*, That this paragraph shall not apply to Chautauquas, lecture bureaus, agricultural or industrial fairs, or exhibitions held under the auspices of religious or charitable associations: *Provided further*, That an aggregation of entertainments, known as a street fair, shall not pay a larger tax than $100 in any State, Territory, or in the District of Columbia.

(8) Proprietors of bowling alleys and billiard rooms shall pay $10 for each alley or table. Every building or place where bowls are thrown or where games of billiards or pool are played, except in private homes, shall be regarded as a bowling alley or a billiard room, respectively.

(9) Proprietors of shooting galleries shall pay $20. Every building, space, tent, or area where a charge is made for the discharge of firearms at any form of target shall be regarded as a shooting gallery.

(10) Proprietors of riding academies shall pay $100. Every building, space, tent, or area where a charge is made for instruction in horsemanship or for facilities for the practice of horsemanship shall be regarded as a riding academy.

(11) Persons carrying on the business of operating or renting passenger automobiles for hire shall pay $10 for each such automobile having a seating capacity of more than two and not more than seven and $20 for each such automobile having a seating capacity of more than seven.

The taxes imposed by this section shall, in the case of persons upon whom a corresponding tax is imposed by section 407 of the revenue act of 1916, be in lieu of such tax.

SEC. 1002. That on and after January 1, 1919, there shall be levied, collected, and paid annually, in lieu of the taxes imposed by section 408 of the revenue act of 1916, the following special taxes, the amount of such taxes to be computed on the basis of the sales for the preceding year ending June 30—

Manufacturers of tobacco whose annual sales do not exceed 50,000 pounds shall each pay $6;

Manufacturers of tobacco whose annual sales exceed 50,000 and do not exceed 100,000 pounds shall each pay $12;

Manufacturers of tobacco whose annual sales exceed 100,000 and do not exceed 200,000 pounds shall each pay $24;

Manufacturers of tobacco whose annual sales exceed 200,000 pounds shall each pay $24, and at the rate of 10 cents per thousand pounds, or fraction thereof, in respect to the excess over 200,000 pounds;

Manufacturers of cigars whose annual sales do not exceed 50,000 cigars shall each pay $4;

Manufacturers of cigars whose annual sales exceed 50,000 and do not exceed 100,000 cigars shall each pay $6;

Manufacturers of cigars whose annual sales exceed 100,000 and do not exceed 200,000 cigars shall each pay $12;

Manufacturers of cigars whose annual sales exceed 200,000 and do not exceed 400,000 cigars shall each pay $24;

Manufacturers of cigars whose annual sales exceed 400,000 cigars shall each pay $24, and at the rate of 10 cents per 1,000 cigars, or fraction thereof, in respect to the excess over 400,000 cigars.

Manufacturers of cigarettes, including small cigars weighing not more than 3 pounds per 1,000, shall each pay at the rate of 6 cents for every 10,000 cigarettes, or fraction thereof.

In arriving at the amount of special tax to be paid under this section, and in the levy and collection of such tax, each person engaged in the manufacture of more than one of the classes of articles specified in this section shall be considered and deemed a manufacturer of each class separately.

SEC. 1003. That 60 days after the passage of this act, and thereafter on July 1 in each year, and also at the time of the original purchase of a new boat by a user, if on any other day than July 1, there shall be levied, assessed, collected, and paid in lieu of the tax imposed by section 603 of the revenue act of 1917 upon the use of yachts, pleasure boats, power boats, and sailing boats, of over 5 gross tons, and motor boats with fixed engines, not used exclusively for trade, fishing, or national defense, or not built according to plans and specifications approved by the Navy Department, a special excise tax to be based on each yacht or boat, at rates as follows: Yachts, pleasure boats, power boats, motor boats with fixed engines, and sailing boats, of over 5 gross tons, length not over 50 feet, $1 for each foot, length over 50 feet and not over 400 feet, $2 for each foot; length over 100 feet, $4 for each foot; motor boats of not over 5 gross tons with fixed engines, $10.

In determining the length of such yachts, pleasure boats, power boats, motor boats with fixed engines, and sailing boats, the measurement of over-all length shall govern.

In the case of a tax imposed at the time of the original purchase of a new boat on any other date than July 1, and in the case of the tax taking effect 60 days after the passage of this act, the amount to be paid shall be the same number of twelfths of the amount of the tax as the number of calendar months (including the month of sale, or the month in which is included the 61st day after the passage of this act, as the case may be) remaining prior to the following July 1.

If the tax imposed by section 603 of the revenue act of 1917, for the fiscal year ending June 30, 1919, has been paid in respect to the use of any boat, the amount so paid shall under such regulations as the commissioner, with the approval of the Secretary, may prescribe, be credited upon the first tax due under this section in respect to the use of such boat, or be refunded to the person paying the first tax imposed by this section in respect to the use of such boat.

SEC. 1004. That if the tax imposed by section 407 or 408 of the revenue act of 1916, for the fiscal year ending June 30, 1919, has been paid by any person subject to the corresponding tax imposed by this title, collectors may issue a receipt in lieu of special tax stamp for the amount by which the tax under this title is in excess of that paid or payable and evidenced by stamp under the revenue act of 1916. Such receipt shall be posted as in the case of the special tax stamp, as provided by law, and with it, within the place of business of the taxpayer.

If the corresponding tax imposed by section 407 of the revenue act of 1916 was not payable by stamp, the amount paid under such section for any period for which a tax is also imposed by this title may be credited against the tax imposed by this title.

SEC. 1005. That any person who carries on any business or occupation for which a special tax is imposed by sections 1000, 1001, or 1002, without having paid the special tax therein provided, shall, besides being liable for the payment of such special tax, be subject to a penalty of not more than $1,000 or to imprisonment for not more than one year, or both.

SEC. 1006. That section 1 of the act of Congress approved December 17, 1914, is hereby amended to read as follows:

"SECTION 1. That on or before July 1 of each year every person who imports, manufactures, produces, compounds, sells, deals in, dispenses, or gives away opium or coca leaves, or any compound, manufacture, salt, derivative, or preparation thereof, shall register with the collector of internal revenue of the district his name or style, place of business and place or places where such business is to be carried on, and pay the special taxes hereinafter provided;

"Every person who on January 1, 1919, is engaged in any of the activities above enumerated, or who between such date and the passage of this act first engages in any of such activities, shall within 30 days after the passage of this act make like registration, and shall pay the proportionate part of the tax for the period ending June 30, 1919;

"Every person who first engages in any of such activities after the passage of this act shall immediately make like registration and pay the proportionate part of the tax for the period ending on the following June 30;

"Importers, manufacturers, producers, or compounders, $24 per annum; wholesale dealers, $12 per annum; retail dealers, $6 per annum; physicians, dentists, veterinary surgeons, and other practitioners lawfully entitled to distribute, dispense, give away, or administer any of the aforesaid drugs to patients upon whom they in the course of their professional practice are in attendance, shall pay $3 per annum.

"Every person who imports, manufactures, compounds, or otherwise produces for sale or distribution any of the aforesaid drugs shall be deemed to be an importer, manufacturer, or producer.

"Every person who sells or offers for sale any of said drugs in the original stamped packages, as hereinafter provided, shall be deemed a wholesale dealer.

"Every person who sells or dispenses from original stamped packages, as hereinafter provided, shall be deemed a retail dealer: *Provided*, That the office, or if none, the residence, of any person shall be considered for the purpose of this act his place of business; but no employee or any person who has registered and paid special tax as herein required, acting within the scope of his employment, shall be required to register and pay special tax provided by this section: *Provided further*, That officials of the United States, Territorial, District of Columbia, or insular possessions, State or municipal governments, who in the exercise of their official duties engage in any of the business herein described, shall not be required to register, nor pay special tax, nor stamp the aforesaid drugs as hereinafter prescribed, but their right to this exemption shall be evidenced in such manner as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may by regulations prescribe.

"It shall be unlawful for any person required to register under the provisions of this act to import, manufacture, produce, compound, sell, deal in, dispense, distribute, administer, or give away any of the aforesaid drugs without having registered and paid the special tax as imposed by this section.

"That the word 'person' as used in this act shall be construed to mean and include a partnership, association, company, or corporation, as well as a natural person; and all provisions of existing law relating to special taxes, as far as necessary, are hereby extended and made applicable to this section.

"That there shall be levied, assessed, collected, and paid upon opium, coca leaves, any compound, salt, derivative, or preparation thereof, produced in or imported into the United States, and sold, or removed for consumption or sale, an internal-revenue tax at the rate of 1 cent per ounce, and any fraction of an ounce in a package shall be taxed as an ounce, such tax to be paid by the importer, manufacturer, producer, or compounder thereof, and to be represented by appropriate stamps, to be provided by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury; and the stamps herein provided shall be so affixed to the bottle or other container as to securely seal the stopper, covering, or wrapper thereof.

"The tax imposed by this section shall be in addition to any import duty imposed on the aforesaid drugs.

"It shall be unlawful for any person to purchase, sell, dispense, or distribute any of the aforesaid drugs except in the original stamped package or from the original stamped package; and the absence of appropriate tax-paid stamps from any of the aforesaid drugs shall be prima facie evidence of a violation of this section by the person in whose possession same may be found; and the possession of any original stamped package containing any of the aforesaid drugs by any person who has not registered and paid special taxes as required by this section, shall be prima facie evidence of liability to such special tax: *Provided*, That the provisions of this paragraph shall not apply to any person having in his or her possession any of the aforesaid drugs which have been obtained from a registered dealer in pursuance of a prescription, written for legitimate medical uses, issued by a physician, dentist, veterinary surgeon, or other practitioner registered under this act; and where the bottle or other container in which such drug may be put up by the dealer upon said prescription bears the name and registry number of the druggist, serial number of prescription, name and address of the patient, and name, address, and registry number of the person writing said prescription; or to the dispensing, or administration, or giving away of any of the aforesaid drugs to a patient by a registered physician, dentist, veterinary surgeon, or other practitioner in the course of his professional practice in personal attendance upon such patient, and where said drugs are dispensed or administered to the patient for legitimate medical purposes, and the record kept as required by this act of the drugs so dispensed, administered, distributed, or given away.

"And all the provisions of existing laws relating to the engraving, issuance, sale, accountability, cancellation, and destruction of tax-paid stamps provided for in the internal-revenue laws are, in so far as necessary, hereby extended and made to apply to stamps provided by this section.

"That all unstamped packages of the aforesaid drugs found in the possession of any person, except as herein provided, shall be subject to seizure and forfeiture, and all the provisions of existing internal-revenue laws relating to searches, seisures, and forfeitures of unstamped articles are hereby extended to and made to apply to the articles taxed under this act and the persons upon whom these taxes are imposed.

"Importers, manufacturers, and wholesale dealers shall keep such books and records and render such monthly returns in relation to the transactions in the aforesaid drugs as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may by regulations require.

"The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall make all needful rules and regulations for carrying the provisions of this act into effect."

SEC. 1007. That all opium, its salts, derivatives, and compounds, and coca leaves, salts, derivatives, and compounds thereof, which may now be under seizure or which may hereafter be seized by the United States Government from any person or persons charged with any violation of the act of October 1, 1890, as amended by the acts of March 3, 1897, February 9, 1909, and January 17, 1914, or the act of December 17, 1914, shall upon conviction of the person or persons from whom seized be confiscated by and forfeited to the United States; and the Secretary is hereby authorized to deliver for medical or scientific purposes to any department, bureau, or other agency of the United States Government, upon proper application therefor under such regulation as may be prescribed by the commissioner with the approval of the Secretary, any of the drugs so seized, confiscated, and forfeited to the United States.

The provisions of this section shall also apply to any of the aforesaid drugs seized or coming into the possession of the United States in the enforcement of any of the above-mentioned acts where the owner or owners thereof are unknown. None of the aforesaid drugs coming into possession of the United States under the operation of said acts, or the provisions of this section, shall be destroyed without certification by a committee appointed by the commissioner, with the approval of the Secretary, that they are of no value for medical or scientific purposes.

SEC. 1008. That the act approved October 22, 1914, entitled "An act to increase the internal revenue, and for other purposes," and the joint resolution approved December 17, 1915, entitled "Joint resolution extending the provisions of the act entitled 'An act to increase the internal revenue, and for other purposes,' approved October 22, 1914, to December 31, 1916," are hereby repealed, except that the provisions of such act shall remain in force for the assessment and collection of all special taxes imposed by sections 3 and 4 thereof, or by such sections as extended by such joint resolution, for any year or part thereof ending prior to January 1, 1917, and of all other taxes imposed by such act, or by such act as so extended, accrued prior to September 8, 1916, and for the imposition and collection of all penalties or forfeitures which have accrued or may accrue in relation to any of such taxes.

TITLE XI.—STAMP TAXES.

SEC. 1100. That on and after —— there shall be levied, collected, and paid, for and in respect of the several bonds, debentures, or certificates of stock and of indebtedness, and other documents, instruments, matters, and things mentioned and described in Schedule A of title, or for or in respect of the vellum, parchment, or paper upon which such instruments, matters, or things, or any of them, are written or printed, by any person who makes, signs, issues, sells, removes, consigns, or ships the same, or for whose use or benefit the same are made, signed, issued, sold, removed, consigned, or shipped, the several taxes specified in such schedule. The taxes imposed by this section shall, in the case of any article upon which a corresponding stamp tax is now imposed by law, be in lieu of such tax.

SEC. 1101. That there shall not be taxed under this title any bond, note, or other instrument issued by the United States or by any foreign government, or by any State, Territory, or the District of Columbia, or local subdivision thereof, or municipal or other corporation exercising the taxing power; or any bond of indemnity required to be filed by any person to secure payment of any pension, allowance, allotment, relief, or insurance by the United States; or stocks and bonds issued by cooperative building and loan associations which are organized and operated exclusively for the benefit of their members and make loans only to their shareholders, or by mutual ditch or irrigating companies.

SEC. 1102. That whoever—

(a) Makes, signs, issues, or accepts, or causes to be made, signed, issued, or accepted, any instrument, document, or paper of any kind or description whatsoever without the full amount of tax thereon being duly paid;

(b) Consigns or ships, or causes to be consigned or shipped, by parcel post any parcel, package, or article without the full amount of tax being duly paid;

(c) Manufactures or imports and sells, or offers for sale, or causes to be manufactured or imported and sold, or offered for sale, any playing cards, package, or other article without the full amount of tax being duly paid;

(d) Makes use of any adhesive stamp to denote any tax imposed by this title without canceling or obliterating such stamp as prescribed in section 1104;

Is guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not more than $100 for each offense.

SEC. 1103. That whoever—

(a) Fraudulently cuts, tears, or removes from any vellum, parchment, paper, instrument, writing, package, or article, upon which any tax is imposed by this title, any adhesive stamp or the impression of any stamp, die, plate, or other article provided, made, or used in pursuance of this title;

(b) Fraudulently uses, joins, fixes, or places to, with, or upon any vellum, parchment, paper, instrument, writing, package, or article, upon which any tax is imposed by this title, (1) any adhesive stamp, or the impression of any stamp, die, plate, or other article, which has been cut, torn, or removed from any other vellum, parchment, paper, instrument, writing, package, or article, upon which any tax is imposed by this title; or (2) any adhesive stamp or the impression of any stamp, die, plate, or other article of insufficient value; or (3) any forged or counterfeit stamp, or the impression of any forged or counterfeited stamp, die, plate, or other article;

(c) Willfully removes, or alters the cancellation, or defacing marks of, or otherwise prepares, any adhesive stamp, with intent to use, or cause the same to be used, after it has been already used, or knowingly or willfully buys, sells, offers for sale, or gives away, any such washed or restored stamp to any person for use, or knowingly uses the same;

(d) Knowingly and without lawful excuse (the burden of proof of such excuse being on the accused) has in possession any washed, restored, or altered stamp, which has been removed from any vellum, parchment, paper, instrument, writing, package, or article;

Is guilty of a misdemeanor, and upon conviction shall be punished by a fine of not more than $1,000, or by imprisonment for not more than five years, or both, and any such reused, canceled, or counterfeit stamp and the vellum, parchment, document, paper, package, or article upon which it is placed or impressed shall be forfeited to the United States.

SEC. 1104. That whenever an adhesive stamp is used for denoting any tax imposed by this title, except as hereinafter provided, the person using or affixing the same shall write or stamp or cause to be written or stamped thereupon the initials of his or its name and the date upon which the same is attached or used, so that the same may not again be used: *Provided*, That the commissioner may prescribe such other method for the cancellation of such stamps as he may deem expedient.

SEC. 1105. (a) That the commissioner shall cause to be prepared and distributed for the payment of the taxes prescribed in this title suitable stamps denoting the tax on the document, articles, or thing to which the same may be affixed, and shall prescribe such method for the affixing of said stamps in substitution for or in addition to the method provided in this title, as he may deem expedient.

(b) The commissioner, with the approval of the Secretary, is authorized to procure any of the stamps provided for in this title by contract whenever such method can not be speedily prepared by the Bureau of Engraving and Printing; but this authority shall expire on January 1, 1920, except as to imprinted stamps furnished under contract, authorized by the commissioner.

(c) All internal-revenue laws relating to the assessment and collection of taxes are hereby extended to and made a part of this title, so far as applicable, for the purpose of collecting stamp taxes omitted through mistake or fraud from any instrument, document, paper, writing, parcel, package, or article named herein.

SEC. 1106. That the commissioner shall furnish to the Postmaster General without prepayment a suitable quantity of adhesive stamps to be distributed to and kept on sale by the various postmasters in the United States. The Postmaster General may require each such postmaster to give additional or increased bond as postmaster to secure the value of the stamps so furnished, and each such postmaster shall deposit the receipts from the sale of such stamps to the credit of and render account to the Postmaster General at such times and in such form as he may by regulations prescribe. The Postmaster General shall at least once monthly transfer all collections from this source to the Treasury as internal-revenue collections.

SEC. 1107. That the collectors of the several districts shall furnish without prepayment to any assistant treasurer or designated depositary of the United States located in their respective collection districts a suitable quantity of adhesive stamps for sale. In such cases the collector may require a bond, with sufficient sureties, to an amount equal to the value of the adhesive stamps so furnished, conditioned for the faithful return, whenever so required, of all quantities or amounts undisposed of, and for the payment monthly of all quantities or amounts sold or not remaining on hand. The Secretary may from time to time make such regulations as he may find necessary to insure the safe-keeping or prevent the illegal use of all such adhesive stamps.

SCHEDULE A.—STAMP TAXES.

1. Bonds of indebtedness: On all bonds, debentures, or certificates of indebtedness issued by any person, and all instruments, however termed, issued by any corporation with interest coupons or in registered form, known generally as corporate securities, on each $100 of face value or fraction thereof, 5 cents: *Provided*, That every renewal of the foregoing shall be taxed as a new issue: *Provided further*, That when a bond conditioned for the repayment or payment of money is given in a penal sum greater than the debt secured, the tax shall be based upon the amount secured.

2. Bonds, indemnity and surety: On all bonds executed for indemnifying any person who shall have become bound or engaged as surety, and on all bonds executed for the due execution or performance of any contract, obligation, or requirement, or the duties of any office or position, and to account for money received by virtue thereof, and on all other bonds of any description, made, issued, or executed, not otherwise provided for in this schedule, except fidelity and surety bonds taxable under subdivision (b) of section 503, and bonds required in legal proceedings, 50 cents.

3. Capital stock, issue: On each original issue, whether on organization or reorganization, of certificates of stock, or of profits, or of interest in property or accumulations, by any corporation, on each $100 of face value or fraction thereof, 5 cents: *Provided*, That where a certificate is issued without face value, the tax shall be 5 cents per share, unless the actual value is in excess of $100 per share, in which case the tax shall be 5 cents on each $100 of actual value or fraction thereof.

The stamps representing the tax imposed by this subdivision shall be attached to the stock book and not to the certificates issued.

4. Capital stock, sales or transfers: On all sales, or agreements to sell, or memoranda of sales or deliveries of, or transfers of legal title to shares or certificates of stock or of profits or of interest in property or accumulations in any corporation, or to rights to subscribe for or to receive such shares or certificates, whether made upon or shown by the books of the corporation, or by any assignment in blank, or by any delivery, or by any paper or agreement or memorandum or other evidence of transfer or sale, whether entitling the holder in any manner to the benefit of such stock, interest, or rights, or not, on each $100 of face value or fraction thereof, 2 cents, and where such shares are without par or face value, the tax shall be 2 cents on the transfer or sale or agreement to sell on each share, unless the actual value thereof is in excess of $100 per share, in which case the tax shall be 2 cents on each $100 of actual value or fraction thereof: *Provided*, That it is not intended by this title to impose a tax upon an agreement evidencing a deposit of certificates as collateral security for money loaned thereon, which certificates are not actually sold, nor upon the delivery or transfer for such purpose of certificates so deposited: *Provided further*, That the tax shall not be imposed upon delivery or transfer to a broker for sale, nor upon deliveries or transfers by a broker to a customer for whom and upon whose order he has purchased same, but such deliveries or transfers shall be accompanied by a certificate setting forth the facts: *Provided further*, That in case of sale where the evidence of transfer is shown only by the books of the corporation the stamp shall be placed upon such books; and where the change of ownership is by transfer of the certificate the stamp shall be placed upon the certificate; and in cases of an agreement to sell or where the transfer is by delivery of the certificate assigned in blank there shall be made and delivered by the seller to the buyer a bill or memorandum of such sale, to which the stamp shall be affixed; and every bill or memorandum of sale or agreement to sell before mentioned shall show the date thereof, the name of the seller, the amount of the sale, and the matter or thing to which it refers. Any person liable to pay the tax as herein provided, or anyone who acts in the matter as agent or broker for such person, who makes any such sale, or who in pursuance of any such sale delivers any certificate or evidence of the sale of any stock, interest or right, or bill or memorandum thereof, as herein required, without having the proper stamps affixed thereto with intent to evade the foregoing provisions, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not exceeding $1,000, or be imprisoned not more than six months, or both.

5. Produce, sales of, on exchange: Upon each sale, agreement of sale, or agreement to sell (not including so-called transferred or scratch sales), any products or merchandise at, or under the rules or usages of, any exchange, or board of trade, or other similar place, for future delivery, for each $100 in value of the merchandise covered by said sale or agreement of sale or agreement to sell, 2 cents, and for each additional $100 or fractional part thereof in excess of $100, 2 cents: *Provided*, That on every sale or agreement of sale or agreement to sell as aforesaid there shall be made and delivered by the seller to the buyer a bill, memorandum, agreement, or other evidence of such sale, agreement of sale, or agreement to sell, to which there shall be affixed the proper stamp or stamps in value equal to the amount of the tax on such sale: *Provided further*, That sellers of commodities described herein, having paid the tax provided by this subdivision, may transfer such contracts to a clearing-house corporation or association, and such transfer shall not be deemed to be a sale, or agreement of sale, or an agreement to sell within the provisions of this act, provided that such transfer shall not vest any beneficial interest in such clearing-house association but shall be made for the sole purpose of enabling such clearing-house association to adjust and balance the accounts of the members of such clearing-house association on their several contracts. Every such bill, memorandum, or other evidence of sale or agreement to sell shall show the date thereof, the name of the seller, the amount of the sale, and the matter or thing to which it refers; and any person liable to pay the tax as herein provided, or anyone who acts in the matter as agent or broker for such person, who makes any such sale or agreement of sale, or agreement to sell, or who, in pursuance of any such sale, agreement of sale, or agreement to sell, delivers any such products or merchandise without a bill, memorandum, or other evidence thereof as herein required, or who delivers such bill, memorandum, or other evidence of sale, or agreement to sell, without having the proper stamps affixed thereto, with intent to evade the foregoing provisions, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not exceeding $1,000, or be imprisoned not more than six months, or both.

No bill, memorandum, agreement, or other evidence of such sale, of agreement of sale, or agreement to sell, in case of cash sales or products or merchandise for immediate or prompt delivery which in good faith are actually intended to be delivered shall be subject to this tax.

6. Drafts or checks (payable otherwise than at sight or on demand) upon their acceptance or delivery within the United States, whichever is prior, promissory notes, except bank notes issued for circulation, and for each renewal of the same, for a sum not exceeding $100, 2 cents; and for each additional $100 or fractional part thereof, 2 cents.

This subdivision shall not apply to a promissory note secured by the pledge of bonds or obligations of the United States issued after April 24, 1917, or notes secured by the pledge of a promissory note which itself is secured by the pledge of such bonds or obligations: *Provided*, That in either case the par value of such bonds or obligations shall be not less than the amount of such note.

7. Conveyances: Deed, instrument, or writing whereby any lands, tenements, or other realty sold shall be granted, assigned, transferred, or otherwise conveyed to, or vested in, the purchaser or purchasers, or any other person or persons, by his, her, or their direction, when the consideration or value of the interest or property conveyed, exclusive of the value of any lien or encumbrance remaining thereon at the time of sale, exceeds $100 and does not exceed $500, 50 cents; and for each additional $500 or fractional part thereof, 50 cents. This subdivision shall not apply to any instrument or writing given to secure a debt.

8. Entry of any goods, wares, or merchandise at any customhouse, either for consumption or warehousing, not exceeding $100 in value, 25 cents; exceeding $100 and not exceeding $500 in value, 50 cents; exceeding $500 in value, $1.

9. Entry for the withdrawal of any goods or merchandise from customs bonded warehouse, 50 cents.

10. Passage ticket, one way or round trip, for each passenger, sold or issued in the United States for passage by any vessel to a port or place not in the United States, Canada, or Mexico, if costing not exceeding $30, $1; costing more than $30 and not exceeding $60, $3; costing more than $60, $5. This subdivision shall not apply to passage tickets costing $10 or less.

11. Proxy for voting at any election for officers, or meeting for the transaction of business, of any corporation, except religious, educational, charitable, fraternal, or literary societies, or public cemeteries, 10 cents.

12. Power of attorney granting authority to do or perform some act for or in behalf of the grantor, which authority is not otherwise vested in the grantee, 25 cents. This subdivision shall not apply to any papers necessary to be used for the collection of claims from the United States or from any State for pensions, back pay, bounty, or for property lost in the military or naval service, or to powers of attorney required in bankruptcy cases.

13. Playing cards: Upon every pack of playing cards containing not more than 54 cards, manufactured or imported, and sold, or removed for consumption or sale, a tax of 8 cents per pack.

14. Parcel-post packages: Upon every parcel or package transported from one point in the United States to another by parcel post on which the postage amounts to 25 cents or more, a tax of 1 cent for each 25 cents or fractional part thereof charged for such transportation, to be paid by the consignor.

No such parcel or package shall be transported until a stamp or stamps representing the tax due shall have been affixed thereto.

15. On each policy of insurance, or certificate, binder, cover note, memorandum, cablegram, letter, or other instrument by whatever name called whereby insurance is made or renewed upon property within the United States (including rents and profits) against peril by sea or on inland waters or in transit on land (including transshipments and storage at termini or way points) or by fire, lightning, tornado, windstorm, bombardment, invasion, insurrection, or riot, issued to or for or in the name of a domestic corporation or partnership or an individual resident of the United States by any foreign corporation or partnership or any individual not a resident of the United States, when such policy or other instrument is not signed or countersigned by an officer or agent of the insurer in a State, Territory, or district of the United States within which such insurer is authorized to do business, a tax of 5 cents on each dollar, or fractional part thereof of the premium charged: *Provided*, That policies of reinsurance shall be exempt from the tax imposed by this subdivision.

Any person to or for whom or in whose name any such policy or other instrument is issued, or any solicitor or broker acting for or on behalf of such person in the procurement of any such policy or other instrument, shall affix the proper stamps to such policy or other instrument, and for failure to affix such stamps with intent to evade the tax shall, in addition to other penalties provided therefor, pay a fine of double the amount of the tax.

TITLE XII.—TAX ON EMPLOYMENT OF CHILD LABOR.

SEC. 1200. That every person (other than a bona fide boys' or girls' canning club recognized by the Agricultural Department of a State and of the United States) operating (a) any mine or quarry situated in the United States in which children under the age of 16 years have been employed or permitted to work during any portion of the taxable year; or (b) any mill, cannery, workshop, factory, or manufacturing establishment situated in the United States in which children under the age of 14 years have been employed or permitted to work, or children between the ages of 14 and 16 have been employed or permitted to work more than eight hours in any day or more than six days in any week, or after the hour of 7 o'clock p. m. or before the hour of 6 o'clock a. m., during any portion of the taxable year, shall pay for each taxable year, in addition to all other taxes imposed by law, an excise tax equivalent to 10 per cent of the entire net profits received or accrued for such year from the sale or disposition of the product of such mine, quarry, mill, cannery, workshop, factory, or manufacturing establishment.

SEC. 1201. That in computing net profits under the provisions of this title, for the purpose of the tax there shall be allowed as deductions from the gross amount received or accrued for the taxable year from the sale or disposition of such products manufactured within the United States the following items:

(a) The cost of raw materials entering into the production;

(b) Running expenses, including rentals, cost of repairs, and maintenance, heat, power, insurance, management, and a reasonable allowance for salaries or other compensations for personal services actually rendered, and for depreciation;

(c) Interest paid within the taxable year on debts or loans contracted to meet the needs of the business, and the proceeds of which have been actually used to meet such needs;

(d) Taxes of all kinds paid during the taxable year with respect to the business or property relating to the production; and

(e) Losses actually sustained within the taxable year in connection with the business of producing such products, including losses from fire, flood, storm, or other casualties, and not compensated for by insurance or otherwise.

SEC. 1202. That if any such person during any taxable year or part thereof, whether under any agreement, arrangement, or understanding, or otherwise, sells or disposes of any product of such mine, quarry, mill, cannery, workshop, factory, or manufacturing establishment at less than the fair market price obtainable therefor either (a) in such manner as directly or indirectly to benefit such person or any person directly or indirectly interested in the business of such person, or (b) with intent to cause such benefit, the gross amount received or accrued for such year or part thereof from the sale or disposition of such product shall be taken to be the amount which would have been received or accrued from the sale or disposition of such product if sold at the fair market price.

SEC. 1203. (a) That no person subject to the provisions of this title shall be liable for the tax herein imposed if the only employment or permission to work, which but for this section would subject him to the tax, has been of a child as to whom such person has in good faith procured at the time of employing such child or permitting him to work, and has since in good faith relied upon and kept on file a cer-

tificate, issued in such form, under such conditions and by such persons as may be prescribed by a board consisting of the Secretary, the commissioner, and the Secretary of Labor, showing the child to be of such age as not to subject such person to the tax imposed by this title. Any person who knowingly makes a false statement or presents false evidence in or in relation to any such certificate or application therefor shall be punished by a fine of not less than $100 nor more than $1,000, or by imprisonment for not more than three months, or by both such fine and imprisonment, in the discretion of the court.

In any State designated by such board an employment certificate or other similar paper as to the age of the child issued under the laws of that State and not inconsistent with the provisions of this title shall have the same force and effect as a certificate herein provided for.

(b) The tax imposed by this title shall not be imposed in the case of any person who proves to the satisfaction of the Secretary that the only employment or permission to work which but for this section would subject him to the tax has been of a child employed or permitted to work under a mistake of fact as to the age of such child, and without intention to evade the tax.

SEC. 1294. That on or before the 1st day of the third month following the close of each taxable year a true and accurate return under oath shall be made by each person subject to the provisions of this title to the collector for the district in which such person has his principal office or place of business in such form as the commissioner, with the approval of the Secretary, shall prescribe, setting forth specifically the gross amount of income received or accrued during such year from the sale or disposition of the product of any mine, quarry, mill, cannery, workshop, factory, or manufacturing establishment in which children have been employed subjecting him to the tax imposed by this title and from the total thereof deducting the aggregate items of allowance authorized by this title, and such other particulars as to the gross receipts and items of allowance as the commissioner, with the approval of the Secretary, may require.

SEC. 1295. That all such returns shall be transmitted forthwith by the collector to the commissioner, who shall, as soon as practicable, assess the tax found due and notify the person making such return of the amount of tax for which such person is liable, and such person shall pay the tax to the collector on or before 30 days from the date of such notice.

SEC. 1296. That for the purposes of this act the commissioner, or any other person duly authorized by him, shall have authority to enter and inspect at any time any mine, quarry, mill, cannery, workshop, factory, or manufacturing establishment. The Secretary of Labor, or any person duly authorized by him, shall, for the purpose of complying with a request of the commissioner to make such an inspection, have like authority, and shall make report to the commissioner of inspections made under such authority in such form as may be prescribed by the commissioner, with the approval of the Secretary of the Treasury.

Any person who refuses or obstructs entry or inspection authorized by this section shall be punished by a fine of not more than $1,000, or by imprisonment for not more than one year, or both such fine and imprisonment.

SEC. 1297. That as used in this title the term "taxable year" shall have the same meaning as provided for the purposes of income tax in section 200. The first taxable year for the purposes of this title shall be the period between 60 days after the passage of this act and December 31, 1919, both inclusive, or such portion of such period as is included within the fiscal year (as defined in section 200) of the taxpayer.

TITLE XIII.—GENERAL ADMINISTRATIVE PROVISIONS.

SEC. 1300. That hereafter the salary of the commissioner shall be $10,000 a year. The difference between the amount appropriated under existing law and the salary herein established shall, for the period between the passage of this act and July 1, 1919, be paid out of the appropriations for collecting internal revenue.

SEC. 1301. (a) That hereafter there may be employed in the Bureau of Internal Revenue, in lieu of three deputy commissioners whose salaries are now fixed by law, five deputy commissioners and an assistant to the commissioner, who shall each receive a salary of $5,000 a year, payable monthly. The assistant to the commissioner may be authorized by the commissioner to perform any duties which the deputy commissioners may perform under existing law.

(b) The salaries of collectors may be readjusted and increased under such regulations as may be prescribed by the commissioner, subject to the approval of the Secretary, but no collector shall receive a salary in excess of $6,000 a year.

(c) There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1919, the sum of $7,500,000 for the expenses of assessing and collecting the internal-revenue taxes as provided in this act, including the employment of necessary officers, attorneys, experts, agents, inspectors, deputy collectors, clerks, janitors, and messengers, in the District of Columbia and the several collection districts, to be appointed as provided by law, telegraph and telephone service, rental and repair of quarters, postage, and the purchase of such supplies, equipment, furniture, mechanical devices, printing, stationery, law books and books of reference, not to exceed $500 for street car fares in the District of Columbia, and such other articles as may be necessary in the District of Columbia and the several collection districts: *Provided*, That not more than $2,750,000 of the total amount appropriated by this section may be expended in the Bureau of Internal Revenue, in the District of Columbia: *Provided further*, That not more than $60,000 of the total amount appropriated by this section may be expended for salaries and traveling expenses of members of an "advisory tax board" to be appointed by the commissioner, with the approval of the Secretary. Under rules and regulations prescribed by the commissioner, with the approval of the Secretary, the secretary of the commissioner may, and on the request of any taxpayer directly interested shall, submit to the board any question relating to the interpretation or administration of the internal-revenue laws. Such board shall have the power to summon witnesses, to take testimony, administer oaths, and require any person to produce books, papers, documents, or other papers relating to any matter under investigation by the board. Such board may be continued for two years.

SEC. 1302. That all internal-revenue agents and inspectors shall be granted leave of absence with pay, which shall not be cumulative, not to exceed 20 days in any calendar year, under such regulations as the commissioner, with the approval of the Secretary, may prescribe.

SEC. 1303. (a) That there is hereby created a legislative drafting service under the direction of two draftsmen, one of whom shall be appointed by the President of the Senate, and one by the Speaker of the House of Representatives, without reference to political affiliations and solely on the ground of fitness to perform the duties of the office. Each draftsman shall receive a salary of $5,000 a year, payable monthly. The draftsmen shall, subject to the approval of the President of the Senate and the Speaker of the House of Representatives, employ and fix the compensation of such assistant draftsmen, clerks, and other employees, and purchase such furniture, office equipment, books, stationery, and other supplies, as may be necessary for the proper performance of the duties of the service and as may be appropriated for by Congress.

(b) The drafting service shall aid in drafting public bills and resolutions or amendments thereto on the request of any committee of either House of Congress, but the Library Committee of the Senate and the Library Committee of the House of Representatives, respectively, may determine the preference, if any, to be given to such requests of the committees of either House, respectively. The draftsmen shall, from time to time, prescribe rules and regulations for the conduct of the work of the service for the committees of each House, subject to the approval of the Library Committee of each House, respectively.

(c) For the remainder of the current fiscal year there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $25,000, or so much thereof as may be necessary, for the purpose of defraying the expenses of the establishment and maintenance of the service, including the payment of salaries herein authorized. One-half of all appropriations for the service shall be disbursed by the Secretary of the Senate and one-half by the Clerk of the House of Representatives.

SEC. 1304. That there shall be levied, collected, and paid in the United States, upon articles coming into the United States from the Virgin Islands, a tax equal to the internal-revenue tax imposed in the United States upon like articles of domestic manufacture; such articles shipped from such islands to the United States shall be exempt from the payment of any tax imposed by the internal-revenue laws of such islands: *Provided*, That there shall be levied, collected, and paid in such islands, upon articles imported from the United States, a tax equal to the internal-revenue tax imposed in such islands upon like articles there manufactured; and such articles going into such islands from the United States shall be exempt from payment of any tax imposed by the internal-revenue laws of the United States.

SEC. 1305. That all administrative, special, or stamp provisions of law, including the law relating to the assessment of taxes, so far as applicable, are hereby extended to and made a part of this act, and every person liable to any tax imposed by this act, or for the collection thereof, shall keep such records and render, under oath, such statements and returns, and shall comply with such regulations as the commissioner, with the approval of the Secretary, may from time to time prescribe.

The commissioner, with the approval of the Secretary, may require any person, whether liable to tax or not, to file returns of income or such statements as may be deemed by him to be sufficient to show whether or not such person is so liable.

The commissioner, for the purpose of ascertaining the correctness of any return or for the purpose of making a return where none has been made, is hereby authorized, by any revenue agent or inspector designated by him for that purpose, to examine any books, papers, records, or memoranda bearing upon the matters required to be included in the return, and may require the attendance of the person rendering the return or of any officer or employee of such person, or the attendance of any other person having knowledge in the premises, and may take his testimony with reference to the matter required by law to be included in such return, with power to administer oaths to such person or persons.

SEC. 1306. That where floor taxes are imposed by this act in respect to articles or commodities, in respect to which the tax imposed by existing law has been paid, the person required by this act to pay the tax shall, within 30 days after its passage, make return under oath in such form and under such regulations as the commissioner, with the approval of the Secretary, shall prescribe. Payment of the tax shown to be due may be extended to a date not exceeding seven months from the passage of this act, upon the filing of a bond for payment in such form and amount, and with such sureties, as the commissioner, with the approval of the Secretary, may prescribe.

SEC. 1307. That in all cases where the method of collecting the tax imposed by this act is not specifically provided in this act, the tax shall be collected in such manner as the commissioner, with the approval of the Secretary, shall prescribe. All administrative provisions of Title XI of this act, in so far as applicable, shall apply to the collection of any tax which the commissioner determines or prescribes shall be paid by stamp.

SEC. 1308. (a) That any person required under Titles V, VI, VII, VIII, IX, X, or XII, to pay, or to collect, account for, and pay over any tax, or required by law or regulations made under authority thereof to make a return or supply any information for the purposes of the computation, assessment, or collection of any such tax, who fails to pay, collect, or truly account for and pay over any such tax, make any such return or supply any such information at the time or times required by law or regulation shall in addition to other penalties provided by law be subject to a penalty of not more than $1,000.

(b) Any person who willfully refuses to pay, collect, or truly account for and pay over any such tax, make such return or supply such information at the time or times required by law or regulation, or who willfully attempts in any manner to evade any such tax shall be guilty of a misdemeanor and in addition to other penalties provided by law shall be fined not more than $10,000 or imprisoned for not more than one year, or both, together with the costs of prosecution.

(c) Any person who willfully refuses to pay, collect, or truly account for and pay over any such tax in addition to other penalties provided by law be liable to a penalty of the amount of the tax evaded, or not paid, collected, or accounted for and paid over, to be assessed and collected in the same manner as taxes are assessed and collected: *Provided, however*, That no penalty shall be assessed under this subdivision for any offense for which a penalty may be assessed under authority of section 3176 of the Revised Statutes, as amended, or of section 608 or 620 of this act, or for any offense for which a penalty has been recovered under section 3256 of the Revised Statutes.

(d) The term "person" as used in this section includes an officer or employee of a corporation or a member or employee of a partnership, who as such officer, employee, or member is under a duty to perform the act in respect of which the violation occurs.

SEC. 1309. That the commissioner, with the approval of the secretary, is hereby authorized to make all needful rules and regulations for the enforcement of the provisions of this act.

The commissioner, with such approval, may by regulation provide that any return required by Titles V, VI, VII, VIII, IX, or X to be under oath may, if the amount of the tax covered thereby is not in excess of $10, be signed or acknowledged before two witnesses instead of under oath.

SEC. 1310. (a) That in the case of any overpayment or overcollection of any tax imposed by section 628 or 630 or by Title V, Title VIII, or Title IX, the person making such overpayment or overcollection may take credit therefor against taxes due upon any monthly return, and shall make refund of any excessive amount collected by him upon proper application by the person entitled thereto.

(b) Wherever in this act a tax is required to be paid by the purchaser then, under regulations prescribed by the commissioner, with the approval of the secretary, the tax may, at the option of the vendor, be returned and paid by him to the United States as if paid to him by the purchaser at the time of the sale, and in such case the vendor shall have a right of action in any court of competent jurisdiction against the purchaser for the amount of the tax so returned and paid to the United States.

SEC. 1311. That where the rate of tax imposed by this act, payable by stamps, is an increase over previously existing rates, stamps on hand in the collectors' offices and in the Bureau of Internal Revenue may continue to be used until the supply on hand is exhausted, but shall be sold and accounted for at the rates provided by this act, and assessment shall be made against manufacturers and other taxpayers having such stamps on hand on the day this act takes effect for the difference between the amount paid for such stamps and the tax due at the rates provided by this act.

SEC. 1312. (1) That (a) if any person has prior to May 9, 1917, made a bona fide contract with a dealer for the sale or lease, after the tax takes effect, of any article in respect to which a tax is imposed under Titles VI, VII, or IX, or under subdivision 13 of Schedule A of Title XI, or under this subdivision, and (b) if such contract does not permit the adding of the whole of such tax to the amount to be paid under such contract, then the vendee or lessee shall, in lieu of the vendor or lessor, pay so much of such tax as is not so permitted to be added to the contract price. If a contract of the character above described was made with any person other than a dealer, tax shall be the tax in force on May 9, 1917.

(2) If (a) any person has prior to September 3, 1918, made a bona fide contract with a dealer for the sale or lease, after the tax takes effect, of any article in respect to which a tax is imposed under Titles VI, VII, or IX, or under subdivision 13 of Schedule A of Title XI, or under this subdivision, and in respect to which no corresponding tax was imposed by the revenue act of 1917, and (b) such contract does not permit the adding, to the amount to be paid under such contract, of the whole of the tax imposed by this act, then the vendee or lessee shall, in lieu of the vendor or lessor, pay so much of the tax imposed by this act, as is not so permitted to be added to the contract price. If a contract of the character above described was made with any person other than a dealer, no tax shall be collected under this act.

(3) If (a) any person has prior to September 3, 1918, made a bona fide contract with a dealer for the sale or lease, after the tax takes effect, of any article in respect to which a tax is imposed under Titles VI, VII, or IX, or under subdivision 13 of Schedule A of Title XI, or under this subdivision, and in respect to which a corresponding tax was imposed by the revenue act of 1917, and (b) such contract does not permit the adding, to the amount to be paid under such contract, of the whole of the difference between such tax and corresponding tax imposed by the revenue act of 1917, then the vendee or lessee shall, in lieu of the vendor or lessor, pay so much of such difference as is not so permitted to be added to the contract price. If a contract of the character above described was made with any person other than a dealer, the tax collected under this act shall be the tax in force on September 3, 1918.

(4) The taxes payable by the vendee or lessee under this section shall be paid to the vendor or lessor at the time the sale or lease is consummated, and collected, returned, and paid to the United States by such vendor or lessor in the same manner as provided in section 502.

(5) The term "dealer" as used in this section includes a vendee who purchases any article with intent to use it in the manufacture or production of another article intended for sale.

SEC. 1313. That in the payment of any tax under this act not payable by stamp a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more, in which case it shall be increased to 1 cent.

SEC. 1314. That collectors may receive, at par with an adjustment for accrued interest, certificates of indebtedness issued by the United States and uncertified checks in payment of income, war-profits, and excess-profits taxes, and any other taxes payable other than by stamp, during such time and under such regulations as the commissioner, with the approval of the Secretary, shall prescribe; but if a check so received is not paid by the bank on which it is drawn the person by whom such check has been tendered shall remain liable for the payment of the tax and for all legal penalties and additions the same as if such check had not been tendered.

SEC. 1315. That section 3315 of the Revised Statutes, as amended, is hereby amended to read as follows:

"SEC. 3315. The Commissioner of Internal Revenue may, under regulations prescribed by him with the approval of the Secretary of the Treasury, issue stamps for restamping packages of distilled spirits, tobacco, cigars, snuff, cigarettes, fermented liquors, and wines which have been duly stamped but from which the stamps have been lost or destroyed by unavoidable accident."

SEC. 1316. (a) That section 3220 of the Revised Statutes is hereby amended to read as follows:

"SEC. 3220. The Commissioner of Internal Revenue, subject to regulations prescribed by the Secretary of the Treasury, is authorized to remit, refund, and pay back all taxes erroneously or illegally assessed or collected, all penalties collected without authority, and all taxes that appear to be unjustly assessed or excessive in amount, or in any manner wrongfully collected; also to repay to any collector or deputy collector the full amount of such sums of money as may be recovered against him in any court, for any internal revenue taxes collected by him, with the cost and expenses of suit; also all damages and costs recovered against any assessor, assistant assessor, collector, deputy collector, agent, or inspector, in any suit brought against him by reason of anything done in the due performance of his official duty, and shall make report to Congress at the beginning of each regular session of Congress of all transactions under this section."

(b) Section 3225 of the Revised Statutes of the United States is hereby amended to read as follows:

"SEC. 3225. When a second assessment is made in case of any list, statement, or return, which in the opinion of the collector or deputy collector was false or fraudulent, or contained any understatement or undervaluation, such assessment shall not be remitted, nor shall taxes collected under such assessment be refunded, or paid back, or recovered by any suit, unless it is proved that such list, statement, or return was not willfully false or fraudulent and did not contain any willful understatement or undervaluation."

(c) That the paragraph of section 3689 of the Revised Statutes, as amended, reading as follows:

"Refunding taxes illegally collected (internal revenue): To refund and pay back duties erroneously or illegally assessed or collected under the internal-revenue laws," is hereby amended to read as follows:

"To refund and pay back duties or taxes erroneously or illegally assessed or collected under the internal-revenue laws, and to pay judgments, including interest and costs, rendered for taxes or penalties erroneously or illegally assessed or collected under the internal-revenue laws, notwithstanding any limitations imposed by the act of June 20, 1874."

SEC. 1317. That sections 3164, 3165, 3167, 3172, 3173, and 3176 of the Revised Statutes as amended are hereby amended to read as follows:

"SEC. 3164. It shall be the duty of every collector of internal revenue having knowledge of any willful violation of any law of the United States relating to the revenue, within 30 days after coming into possession of such knowledge, to file with the district attorney of the district in which any fine, penalty, or forfeiture may be incurred, a statement of all the facts and circumstances of the case within his knowledge, together with the names of the witnesses, setting forth the provisions of law believed to be so violated on which reliance may be had for condemnation or conviction.

"SEC. 3165. Every collector, deputy collector, internal-revenue agent, and internal-revenue officer assigned to duty under an internal-revenue agent, is authorized to administer oaths and to take evidence touching any part of the administration of the internal-revenue laws with which he is charged, or where such oaths and evidence are authorized by law or regulation authorized by law to be taken.

"SEC. 3167. It shall be unlawful for any collector, deputy collector, agent, clerk, or other officer or employee of the United States to divulge or to make known in any manner whatever not provided by law to any person the operations, style of work, or apparatus of any manufacturer or producer visited by him in the discharge of his official duties, or the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth or disclosed in any income return, or to permit any income return or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person except as provided by law; and it shall be unlawful for any person to print or publish in any manner whatever not provided by law any income return, or any part thereof or source of income, profits, losses, or expenditures appearing in any income return; and any offense against the foregoing provision shall be a misdemeanor and be punished by a fine not exceeding $1,000 or by imprisonment not exceeding one year, or both, at the discretion of the court; and if the offender be an officer or employee of the United States he shall be dismissed from office or discharged from employment.

"SEC. 3172. Every collector shall, from time to time, cause his deputies to proceed through every part of his district and inquire after and inspect all persons therein who are liable to pay any internal-revenue tax, and all persons owning or having the care and management of any objects liable to pay any tax, and to make a list of such persons and enumerate said objects.

"SEC. 3173. It shall be the duty of any person, partnership, firm, association, or corporation, made liable to any duty, special tax, or other tax imposed by law, when not otherwise provided for, (1) in case of a special tax, on or before the 31st day of July in each year, and (2) in other cases before the day on which the taxes accrue, to make a list or return, verified by oath, to the collector or a deputy collector of the district where located, of the articles or objects, including the quantity of goods, wares, and merchandise, made or sold and charged with a tax, the several rates and aggregate amount, according to the forms and regulations to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, for which such person, partnership, firm, association, or corporation is liable: *Provided*, That if any person liable to pay any duty or tax, or owning, possessing, or having the care or management of property, goods, wares, and merchandise, article or objects liable to pay any duty, tax, or license, shall fail to make and exhibit a list or return required by law, but shall consent to disclose the particulars of any and all the property, goods, wares, and merchandise, articles, and objects liable to pay any duty or tax, or any business or occupation liable to pay any tax as aforesaid, then, and in that case, it shall be the duty of the collector or deputy collector to make such list or return, which, being distinctly read, consented to, and signed and verified by oath by the person so owning, possessing, or having the care and management as aforesaid, may be received as the list of such person: *Provided further*, That in case no annual list or return has been rendered by such person to the collector or deputy collector as required by law, and the person shall be absent from his or her residence or place of business at the time the collector or a deputy collector shall call for the annual list or return, it shall be the duty of such collector or deputy collector to leave at such place of residence or business, with some one of suitable age and discretion, if such be present, otherwise to deposit in the nearest post office, a note or memorandum addressed to such person, requiring him or her to render to such collector or deputy collector the list or return required by law within 10 days from the date of such note or memorandum, verified by oath. And if any person, on being notified or required as aforesaid, shall refuse or neglect to render such list or return within the time required as aforesaid, or whenever any person who is required to deliver a monthly or other return of objects subject to tax fails to do so at the time required, or delivers any return which, in the opinion of the collector, is erroneous, false, or fraudulent, or contains any undervaluation or understatement, or refuses to allow any regularly authorized Government officer to examine the books of such person, firm, or corporation, it shall be lawful for the collector to summon such person, or any other person having possession, custody, or care of books of account containing entries relating to the business of such person or any other person he may deem proper, to appear before him and produce such books at a time and place named in the summons, and to give testimony or answer interrogatories, under oath, respecting any objects or income liable to tax or the returns thereof. The collector may summon any person residing or found within the State or Territory in which his district lies; and when the person intended to be summoned does not reside and can not be found within such State or Territory, he may enter any collection district where such person may be found and there make the examination herein authorized. And to this end he may there exercise all the authority which he might law-

fully exercise in the district for which he was commissioned: *Provided*, That 'person,' as used in this section, shall be construed to include any corporation, joint-stock company or association, or insurance company when such construction is necessary to carry out its provisions.

SEC. 3176. If any person, corporation, company, or association fails to make and file a return or list at the time prescribed by law or by regulation made under authority of law, or makes, willfully or otherwise, a false or fraudulent return or list, the collector or deputy collector shall make the return or list from his own knowledge and from such information as he can obtain through testimony or otherwise. In any such case the commissioner may, from his own knowledge and from such information as he can obtain through testimony or otherwise, make a return or amend any return made by a collector or deputy collector. Any return or list so made and subscribed by the commissioner, or by a collector or deputy collector and approved by the commissioner, shall be prima facie good and sufficient for all legal purposes.

"If the failure to file a return or list is due to sickness or absence, the collector may allow such further time, not exceeding 30 days, for making and filing the return or list as he deems proper.

The Commissioner of Internal Revenue shall determine and assess all taxes, other than stamp taxes, as to which returns or lists are so made under the provisions of this section. In case of any failure to make and file a return or list within the time prescribed by law, or prescribed by the Commissioner of Internal Revenue or the collector in pursuance of law, the Commissioner of Internal Revenue shall add to the tax 25 per cent of its amount, except that when a return is filed after such time and it is shown that the failure to file it was due to a reasonable cause and not to willful neglect, no such addition shall be made to the tax. In case a false or fraudulent return or list is willfully made, the Commissioner of Internal Revenue shall add to the tax 50 per cent of its amount.

The amount so added to any tax shall be collected at the same time and in the same manner and as part of the tax unless the tax has been paid before the discovery of the neglect, falsity, or fraud, in which case the amount so added shall be collected in the same manner as the tax."

SEC. 1318. That if any person is summoned under this act to appear, to testify, or to produce books, papers, or other data, the district court of the United States for the district in which such person resides shall have jurisdiction by appropriate process to compel such attendance, testimony, or production of books, papers, or other data.

The district courts of the United States are hereby invested with such jurisdiction to make and issue, both in actions at law and suits in equity, writs and orders of injunction, and of ne exeat republica, orders appointing receivers, and such other orders and process, and to render such judgments and decrees, granting in proper cases both legal and equitable relief together, as may be necessary or appropriate for the enforcement of the provisions of this act. The remedies hereby provided are in addition to and not exclusive of any and all other remedies of the United States in such courts or otherwise to enforce such provisions.

SEC. 1319. That whoever in connection with the sale or lease, or offer for sale or lease, of any article, or for the purpose of making such sale or lease, makes any statement, written or oral, (1) intended or calculated to lead any person to believe that any part of the price at which such article is sold or leased, or offered for sale or lease, consists of a tax imposed under the authority of the United States, or (2) ascribing a particular part of such price to a tax imposed under the authority of the United States, knowing that such statement is false or that the tax is not so great as the portion of such price ascribed to such tax, shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than $1,000 or by imprisonment not exceeding one year, or both.

SEC. 1320. That wherever by the laws of the United States or regulations made pursuant thereto any person is required to furnish surety or sureties on any bond, such person may, in lieu of surety or sureties, and under regulations prescribed by the Secretary, deposit with the United States an amount of bonds of the United States issued after April 24, 1917, equal to the amount of such bond, together with an agreement authorizing the United States to sell such bonds in case of any default in payment of the bond. In the discretion of the official having authority to approve the bond, such bonds may be deposited with a Subtreasury, Government depository, Federal reserve bank or member bank, which shall issue its receipt therefor, describing the bonds deposited. As soon as the bond becomes void and of no effect such bonds shall be returned to the depositor.

TITLE XIV.—GENERAL PROVISIONS.

SEC. 1400. (a) That the following parts of acts are hereby repealed, subject to the limitations provided in subdivision (b):

(1) The following titles of the revenue act of 1916:

Title I (called "Income tax").

Title II (called "Estate tax").

Title III (called "Munitions manufacturers' tax"), as amended.

Title IV (called "Miscellaneous taxes").

(2) The following parts of the act entitled "An act to provide increased revenue to defray the expenses of the increased appropriations for the Army and Navy and the extensions of fortifications, and for other purposes," approved March 3, 1917:

Title III (called "Estate tax").

Section 402 (called "Returns of dividends").

(3) The following titles of the revenue act of 1917:

Title I (called "War income tax").

Title II (called "War excess-profits tax").

Title III (called "War Tax on Beverages");

Title IV (called "War Tax on Cigars, Tobacco, and Manufactures Thereof");

Title V (called "War Tax on Facilities Furnished by Public Utilities, and Insurance");

Title VI (called "War Excise Taxes");

Title VII (called "War Tax on Admissions and Dues");

Title VIII (called "War Stamp Taxes");

Title IX (called "War Estate Tax");

Title X (called "Administrative Provisions");

Title XII (called "Income-Tax Amendments").

(b) Such parts of acts shall remain in force for the assessment and collection of all taxes which have accrued thereunder, and for the imposition and collection of all penalties or forfeitures which have accrued and may accrue in relation to any such taxes, and except that the unexpended balance of any appropriation heretofore made and now available for the administration of any such part of an act shall be available for the administration of this act or the corresponding provision thereof: *Provided*, That, except as otherwise provided in this Act, no taxes shall be collected under Title I of the revenue act of 1916 as amended by the revenue act of 1917, or Title I or II of the revenue act of 1917, in respect to any period after December 31, 1917: *Provided further*, That the assessment and the collection of all estate taxes by the United States or by the collector from the executor of the decedent or out of the property of the decedent, and the imposition and collection of all penalties or forfeitures, which have accrued under Title II of the revenue act of 1916 as amended by the act entitled "An act to provide increased revenue to defray the expenses of the increased appropriations for the Army and Navy and the extensions of fortifications, and for other purposes," approved March 3, 1917, or Title IX of the revenue act of 1917, shall be according to the provisions of Title IV of this act.

In the case of any tax imposed by any part of an act herein repealed, if there is a tax imposed by this act in lieu thereof, the provision imposing such tax shall remain in force until the corresponding tax under this act takes effect under the provisions of this act.

Title I of the revenue act of 1916 as amended by the revenue act of 1917 shall remain in force for the assessment and collection of the income tax in Porto Rico and the Philippine Islands, except as may be otherwise provided by their respective legislatures.

SEC. 1401. That section 1100 of the revenue act of 1917 is hereby repealed, to take effect on July 1, 1919, and thereafter the rate of postage on all mail matter of the first class shall be the same as the rate in force on October 2, 1917: *Provided*, That letters written and mailed by soldiers, sailors, and marines assigned to duty in a foreign country engaged in the present war may be mailed free of postage, subject to such rules and regulations as may be prescribed by the Postmaster General.

Sections 1107 of such act is hereby repealed, to take effect July 11, 1919. Except as modified by this act, all of the provisions of Title XI of the revenue act of 1917 shall remain in force.

(c) This section shall take effect July 1, 1919.

SEC. 1403. That if any clause, sentence, paragraph, or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this act, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment has been rendered.

SEC. 1404. That the revenue act of 1916 is hereby amended by adding at the end thereof a section to read as follows:

"SEC. 903. That this act may be cited as the 'Revenue act of 1916.'"

SEC. 1405. That the revenue act of 1917 is hereby amended by adding at the end thereof a section to read as follows:

"SEC. 1303. That this act may be cited as the 'Revenue act of 1917.'"

SEC. 1406. That this act may be cited as the "Revenue act of 1918."

SEC. 1407. That unless otherwise herein specially provided this act shall take effect on the day following its passage.

Mr. LA FOLLETTE. Mr. President, there are two objections to the pending bill:

First. It does not raise enough revenue.

Second. It does not distribute the tax burden fairly.

I do not intend in the present discussion to repeat the argument which I submitted to the Senate in support of a wise and just policy of war finance when the last revenue bill was before this body in 1917. It is enough to say that substantially all economists agree that war should be financed solely by taxation, never by loans.

It is no answer to the soundness of their reasoning to assert that wars generally have been financed more largely by borrowing than by taxation. It is true, Mr. President, that wealth, which has had much to do with bringing on all wars, is potential enough to control the legislation that shall finance wars.

It has been well said, sir, by the great body of economists of the United States—representing practically every great university and college under our flag, in a petition signed by more than 300 of those leading economists, submitted to the Congress that—

> The policy of borrowing within the country itself does not shift any part of the Nation's burden of war expenditures from the present to the future. All it does is to make possible a different distribution of the burden among individuals and social classes, to permit repayment to certain persons who have contributed income during the war by other persons after the war.
>
> The policy of taxation for war expenditures is demanded by justice. Apart from the injustice arising from price inflation (resulting from large Government loans), the policy of paying for the war by bond issues gives property a preference over life; it deals unjustly as between citizen and citizens.
>
> The question of taxation versus bonds is not merely one of economics; it is one of morals, of right against wrong.

Wealth, which profits out of war, has had no time, sir, for the consideration of scientific government finance, which from Adam Smith down through all the great students of that great science to the leading men of our own time lays down as a sound, as a just, proposition to begin with, that all wars should be paid for as you go by taxing wealth, rather than by selling bonds and levying upon the labor of the future to pay the interest and the principal of the bonds; and, second, that the expenditures of war should be paid for as you go as a sound, business, financial proposition for the Government itself. And that, sir, is confirmed by all history.

Returning to the point from which I digressed, from this petition:

> The citizen who contributes even his entire income, beyond what is necessary to subsistence itself, does less than the citizen who contributes himself to the nation.

But, Mr. President, while I do not purpose to reargue that issue at this time I must here and now, and shall at all times, maintain that the cost of this war and the cost of all wars

should be paid wholly or in the larger part by taxation and that bond issues should be held down to the lowest possible minimum. This is required by the principles which should govern the just distribution of the burdens of war and is demanded as a wise and sound policy of Government finance in time of war.

EXCESSIVE BOND ISSUES BEAR HEAVILY ON PEOPLE.

I am not going to follow, Mr. President, now as I did when the tax bill of 1917 was pending before this body, step by step, the history of the financing of various wars in which the United States has been engaged. It was futile then so far as votes in the Senate were concerned, and I understand perfectly well that it would be futile now. I demonstrated then the peril of raising the money to finance the war by bond issues. You may get along with that policy all right at the time. But if you do succeed in conducting the war on the credit plan the trouble is sure to come later. As a result of pursuing the same policy that we are pursuing now in financing this war we narrowly escaped financial collapse in previous wars of this country, the War of 1812, the war of 1846, and the war of 1861, the expenditures of which were but a pittance compared with those with which we are dealing now.

I am not going to reargue that question. The Senate considered it at that time. I plead with you then to inaugurate the right kind of a plan of taxation at the beginning of this war, knowing full well, if we started out on a policy of taxing too little and borrowing too much, that it would be carried on throughout the war.

Anything that I said at that time did not prevail; anything that I say now I have no expectation will prevail with the Senate. But, sir, it has been the political and the public-service policy of my life to pursue principle, regardless of results; and when I put my hand to the plow I go straight through to the end of the furrow.

We tiptoe around this question of taxing incomes. I do not know as to the mail of other Senators at the present time, but I know that my own mail daily, many times a day, comes to the office loaded with appeals from the families of soldiers who are suffering because the allowances and the insurance have not been paid. Sir, when imposing these taxes upon incomes and war profits we ought to remember that the family that gives up the father and the sons at the call of the Government gives up absolutely all it has, gives up not only its income-producing power, but in giving up the father and the sons it gives up its capital as well as its income-producing power. And yet you balk at taking less in income taxes than is imposed upon incomes in Great Britain, except in the case of the incomes of the few very rich. These are not taxed as high in England, for the very rich made the income tax of Great Britain.

Commenting on the narrow escape from financial disaster which we experienced as a result of the mistaken policy pursued in financing the Civil War, Prof. Henry C. Adams, in his excellent work on Public Debt, says:

> An adequate policy for the management of war finances is a tax policy, assisted by credits, rather than a credit policy assisted by taxation.

When the revenue bill of 1917 was before the Senate I pointed out that the revenue act of that year was wholly insufficient to meet the requirements of the Government for the taxable year and that the only result of adopting the measure would be one bond sale after another by the Government, with all of the hardships resulting to the people from the vastly increased cost of living, as well as the danger in which it would ultimately involve our entire financial system. It is in no captious spirit that I refer to this matter. I make reference to it at all only to show that had the arguments been heeded which were then urged by the minority we would have laid the foundation for a just plan of taxation and one which would prove a protection and a safeguard to us in the great financial stress we are sure to encounter when the period of readjustment and depression incident to the waste and destruction of this war comes upon us finally.

LARGE EXPENDITURES SHOULD HAVE BEEN FORESEEN.

The inadequacy of the present revenue act is attempted to be excused at this time on the ground that unforeseen contingencies caused greater expenditures than were anticipated, and that, while the rates of taxation in the law of 1917 were justified by the then known facts, experience has shown that money enough was not raised.

I know of nothing which has occurred since the revenue act of last year was framed and passed which should not have been foreseen, and nothing whereby the expenses of the Government were increased over the amount which it should have been reasonably expected we would have to meet. We then stood pledged "to our last dollar and our last man" to win the war. We then expected a war longer by at least a year than it has proved to be. Our list of casualties and wounded is truly appalling, but that must have been expected when we entered upon the war. There was never any limit placed upon the number of men or the quantity of munitions we would send to Europe, and the amount of money we would loan to the allies was measured by necessity only. We were to loan the money necessary and send the men and munitions necessary to win the war. That was what every Senator looked forward to, and every Senator knows that by the unexpected breaking of the German war machine we have come out of the war at least a year earlier than we at that time had reason to expect, with the consequent saving of billions of dollars.

No, Mr. President; we can not excuse the now admitted inadequacies of the last revenue act on the ground that we have had to meet unexpected expenses. The fact is that the act of 1917 failed to properly tax war profits and excessive incomes, and subsequent events have only proven what we then knew or should have known.

At the time we framed the revenue bill of 1917 the facts were before us, or could have been obtained, by which the expenditures of the Government for the then taxable year could have at least been approximated with reasonable certainty and something at least approaching a proper rate of taxation could have been adopted.

It will be recalled, without my going into the figures in detail, that when in August of last year the revenue bill was reported to the Senate it was accompanied by a report from the Committee on Finance estimating the expenditures for the fiscal year 1918 at $5,693,000,000, and estimating receipts from various sources at amounts which left additional revenue necessary to be raised by taxation or a further bond issue at $1,943,458,000, and it was further estimated that the bill would produce something over $2,000,000,000.

In the minority report presented at that time these figures and estimates were controverted, and in that report it was said:

> At the very least our people must raise in excess of $13,000,000,000 to be expended in the present fiscal year, even if the war should stop then.

That statement is verified by the report of the Secretary of the Treasury for 1918. That report states that the expenditures on account of war for the fiscal year ending June 30, 1918, were $13,196,071,287.40. As I understand it, between four and five billion of this amount is represented in loans to the allies. But in the meantime another half year has passed, with expenses mounting at the rate of a billion or more a month, and we are now face to face with the difficulty involved in raising the money to finance the Government for another year.

How are we to meet this situation?

The Secretary of the Treasury informed us when before the Finance Committee that our people have already subscribed for bonds aggregating $17,968,340,000, as follows:

First loan	$2,000,000,000
Second loan	3,808,776,150
Third loan	4,176,516,850
Fourth loan	6,989,047,000

In addition, war savings stamps have been sold and issued amounting to $800,000,000, or a total of $18,768,340,000.

A vast amount of money, sir, has been drawn from the people by the Government loans already made. Many people under the pressure of the times borrowed to buy Government bonds. They must earn the money to pay their debts. A period of reaction is at hand. Hundreds of thousands of men in the change from war to peace will be out of employment. Tens of thousands of them are out of employment now. The streets of our great cities are thronged with men looking for employment. The conditions under which we have financed the war are on the threshold of a mighty change. It occurs to me that Senators would do well to take that into account.

PENDING BILL WILL NOT RAISE SUFFICIENT REVENUE.

Now, what does the present bill propose? It proposes to raise less than $6,000,000,000 by taxation to meet the expenses of the Government for the taxable year. The total disbursements for the fiscal year 1918 are given in the report of the Secretary of the Treasury for the year 1918 at $21,813,356,508.39. The former Secretary of the Treasury stated before the Finance Committee but a few days ago that we will expend for the year ending June 30, 1919, at least $18,000,000,000. Not a fact has ever been given by anyone which attempts to show that the expenditures of the Government for the fiscal year 1919 will be less than those of 1918. For at least a portion of the fiscal year 1919 we know they will be proportionately larger, and I here venture the opinion that they will be nearer $22,000,000,000 than $18,000,000,000. How is the Government going to float loans covering the next 12 months of from ten to twelve billion dollars of bonds, probably more, in addition to those already taken?

How is it going to do it, especially if it has not properly taxed wealth and war profits? We can, of course, pass this bill, wash our hands of the matter, and hope that in the next few months something will turn up, or that the people will continue to buy the bonds of the Government; but we must consider more than next year.

Beyond that is the next and the next and the next year, during which time all experience shows there will be comparatively little decrease in the disbursements of the Government. Gentlemen seem to be proceeding upon the theory that with the passing of the present or, at most, the next year our disbursements will shrink to something approaching normal conditions and that we may then enter upon the liquidation of our giant indebtedness without too great hardship.

But, sir, nothing is further from the truth than that assumption, as shown by the experience of this country in each one of its wars. For the purpose of illustrating our experience in other wars I have prepared a table showing the total disbursements of the Government for the year preceding the War of 1812, the Mexican War, and the Civil War, and also the total disbursements of the Government of each of the years of those wars and for a period of five years or more after peace was concluded.

ADMINISTRATION'S POLICY IS CONTRARY TO EXPERIENCE.

The War of 1812 began June 19, 1812, and ended with the treaty of Ghent on December 24, 1814. The treaty of peace was dated almost at the conclusion of the calendar year 1814.

Now, Senators, note the expenses year by year. In 1811 the normal or peace time expenses of this Government amounted to $14,110,525.59. In 1812 the expenses rose to $22,831,595.68. In 1813 the expenses were $37,825,932.08. In 1814 they were one million less. Now, mark you, in 1815, the first year of peace, they rose from $37,000,000 to $40,326,248.96.

Senators upon the other side of the Chamber who voted for a reduction of taxation in 1919 on the assumption that the cost of this war was to begin to diminish rapidly by that time did not take into account our experience in other wars.

The first year of peace following the War of 1812 the disbursements of the Government were $3,000,000 more than they were the last year of the war.

Let us go a step further. Let us look at the history of this country in the years succeeding other wars. I have just given you the amount of Government expenditures the first year of peace following the War of 1812. It jumped $3,000,000 above the last year of the war instead of falling below it. The policy of Mr. McAdoo and the other members of the administration in fixing the tax at $4,000,000,000 for the next year, instead of $6,000,000,000, is contrary to the history of the Mexican War. It can not be possible that you did not know that history, and that you were playing politics. It is unbelievable that you thought it would be clear political management to reduce the taxes for next year, just as you are about to lose control of Congress, and throw upon a Republican Congress the onus of increasing taxes or selling bonds to raise money in a time of peace.

In 1815, the first year of peace after the War with Great Britain, the disbursements were $3,000,000 more than they were the last year of the war. Now, let us see about the next year. In 1816, the second year after the war, they were $49,052,370.66, or $12,000,000 more than they were the last year of the war. You were planning in this bill for a tremendous shrinkage of expenditures and disbursements, and you are proposing in this bill and carrying it through the Senate by a party vote that there shall be levied next year only $4,000,000,000 of taxation. Is it possible that you are willing to go on record as being in favor of excessive bond issues, creating inflation, imposing on the people the increased costs in the living sure to result from the inflation attending large bond sales?

Mr. SMITH of Georgia. Will the Senator allow me?

Mr. LA FOLLETTE. Certainly.

Mr. SMITH of Georgia. I have been listening with a great deal of pleasure to the Senator. Whatever the figures may have been with reference to the other wars, I have not any doubt myself that the expenses will be less in 1920. I know the Army will be disbanded; and that expenditure will be gone. I know this enormous construction will decrease; I do not see how it is possible that the expenses in 1920 can be anything like what they will be this year if we manage our affairs well.

Mr. LA FOLLETTE. Yes, Mr. President; of course, I am sure that the Senator does not. I know he must have followed that line of reasoning or else he could not have voted as he did.

He probably did not have in mind the history of the expenditures following these other wars. There is not a single war to which our Government has been a party in which for the first year following the close of the war it did not cost nearly as much or more for the settlement of the debts of the war than the last year of the active military operation.

Mr. SMITH of Georgia. Will the Senator allow me further?

Mr. LA FOLLETTE. Certainly.

Mr. SMITH of Georgia. Without any regard to what took place after those other wars, from my own knowledge of what we have to pay next year and what we will not have to pay in 1920, I still believe the expenses in 1920 ought to be vastly less than those of 1919.

Mr. LA FOLLETTE. I thought the Senator believed it. If he did not so believe he would not have voted as he did.

Mr. SMITH of Georgia. I would not.

Mr. LA FOLLETTE. I am sure he would not.

Mr. SMITH of Georgia. So far as I know I was the first person to advocate the reduction of taxes for 1919 payable in 1920. I did it because I thought as a member of the Military Committee I knew what the expenses would be next year, and I knew that they ought not to be any more in 1920.

Mr. LA FOLLETTE. Let me say to the Senator that in every other war the armies were demobilized immediately after the war closed. You know that in this war we are not to demobilize a large part of our Army at all. We are told it is the plan to keep from one million to a million and a half men in Europe for an unknown period. There is a wide difference between the conclusion of this war and other wars. So I refer to these statistics and every one of those facts as being against the Senator's contention of a relatively large reduction of expenses.

Mr. SMITH of Georgia. The Senator does not mean that we are to keep them after 1919 in Europe?

Mr. LA FOLLETTE. We do not know. When the Secretary of War was before the Committee on Finance he said he did not know how long they were to be kept over there; that it depended upon the conditions abroad; that he was going to keep 32 divisions over there until the conditions changed.

Mr. SMITH of Georgia. Will it not require legislation by Congress to keep them more than four months after the war ends?

Mr. LA FOLLETTE. Oh, Mr. President, what has that to do with it? Does the Senator doubt that Congress will bend its knee whenever the administration calls upon it for a change in legislation and for appropriations to meet the change? Has Congress shown any independence in the matter of yielding to the administration when it asked it to appropriate for expenditures for the War Department or for any other department? If the administration without any action on the part of Congress should attempt to use the Army of the United States abroad in countries with which we have not declared war, I have not any doubt but that Congress would vote money to provide for those armies. It has been, Mr. President, of all the Congresses in the history of this Government the most subservient to the will of the administration.

So it is no answer to say that they must come back to Congress for what they wish to have appropriated. If Congress should have an awakening, if Congress should get a grip on itself, if Congress should really become an independent coordinate branch of this Government, as was intended under the Constitution, then the record it has been making since we declared war would have to be radically changed. Since that time Congress has been doing the behest of this administration without any independent judgment or mind upon anything.

Mr. KING. Will the Senator yield for just a moment?

Mr. LA FOLLETTE. Certainly.

Mr. KING. The Senator was administering rather a rebuke to this side of the Chamber because the tax for the current year was fixed at $4,000,000,000. The Senator thought that that was too low. I am inclined to think the Senator is right in that observation, but may I not suggest to my friend that his side of the Chamber has not proposed an amendment to the bill increasing it above the $4,000,000,000 mark. So, if we are to be criticized for not levying a tax in excess of $4,000,000,000, I think my friend, in justice, ought to criticize the other side of the Chamber because they have not proposed an amendment augmenting the amount.

Mr. LA FOLLETTE. I wish to be perfectly fair, as the Senator from Utah, I think, will believe. If the amendment to which he refers, against the adoption of which this side of the Chamber contended, had been stricken from the bill, the bill would have stood at $6,000,000,000 and no other amendment would have been necessary.

Mr. KING. As I understood the contention of the minority——.

Mr. LA FOLLETTE. I think I am right about that.

Mr. KING. I may be wrong; but my understanding of the contention of the minority was that we ought not to levy a tax at all for the fiscal year ending June 30, 1920, but that we ought to be convened in special session in March or April of the coming year and lay the taxes for the fiscal year ending in 1920.

Mr. LA FOLLETTE. That may have been the effect of the argument made before the Senate; but if the committee amendment had been rejected the tax levy for next year would have stood at $6,000,000,000.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER (Mr. NUGENT in the chair). Does the Senator from Wisconsin yield to the Senator from Nebraska?

Mr. LA FOLLETTE. I do.

Mr. NORRIS. I heard what the Senator from Wisconsin said, but I could not hear what the Senator from Utah said. I do not want to permit to go unchallenged the statement that the minority were not in favor of levying any taxes at all for the next year. The bill was in such a shape that if that amendment—that I presume the Senator was speaking about as I came into the Chamber—had not been put on the bill there would have been the same tax for the next year that we are levying for this year.

Mr. LA FOLLETTE. I submit that is the parliamentary situation.

Mr. NORRIS. That is the parliamentary situation in the Senate.

Mr. SMITH of Georgia. I do not think there is any doubt about that.

Mr. LA FOLLETTE. Of course, that would be the fact.

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Nebraska?

Mr. LA FOLLETTE. I do.

Mr. NORRIS. The tax carried by the bill would have remained on the statute books until changed.

Mr. SMITH of Georgia. If the Senator will yield to me, undoubtedly that is true, and that is what he insisted upon, that we were fixing a tax for 1919 and 1920 and indefinitely unless we modified it.

Mr. LA FOLLETTE. Exactly.

Mr. SMITH of Georgia. And as we did not need by $2,000,000,000 that sum for 1920, we ought in this bill to say so.

Mr. LA FOLLETTE. I understand that was the argument of Senators upon the other side.

Mr. SMITH of Georgia. The only objection from the other side that I have heard was that we did not continue $6,000,000,000 as a tax; and in the discussion heretofore on the floor of the Senate it was not suggested that you desired to maintain a $6,000,000,000 tax, but that the majority desired to say later on next year——

Mr. LA FOLLETTE. What the tax should be.

Mr. SMITH of Georgia. How the $2,000,000,000 should be taken care of, the objection being, and it was not merely the objection of the Senator from Wisconsin, that we left the excess-profits tax, and it ought to come off altogether. I do not mean that they were influenced by the Senator from Nebraska or the Senator from Wisconsin. I have no doubt there are several Senators on the other side who were not in any way influenced by that view, but that was the line of discussion that we met in opposition.

Mr. NORRIS. Mr. President, will the Senator from Wisconsin yield to me?

Mr. LA FOLLETTE. I yield to the Senator from Nebraska.

Mr. NORRIS. The situation is this: A bill came into the Senate, and then the Senate Committee on Finance proposed an amendment that would lower the tax after the bill should have been in operation for one year. To that I was opposed, and to that, I think, there was a solid vote in opposition on this side. It may be that some were moved by one theory and some by another, but the fact remains that, if that amendment had not been put on, and if nothing had been said about any succeeding year, the bill would have remained in force at the $6,000,000,000 amount indefinitely——

Mr. SMITH of Georgia. Undoubtedly.

Mr. NORRIS. Unless it had been changed by some subsequent act of legislation. So far as I am concerned, I should rather have increased the $6,000,000,000. We know that we shall not have money enough in either one of these years to pay the obligations of the Government, and it seems to me personally, although I did not take any part in the argument, that it is poor policy for the Government to lower the tax now for a year that is to come, when we know that during that year and during this year we are not going to raise money enough by taxes, but shall have to issue bonds.

Mr. LA FOLLETTE. Yes, Mr. President; if I might supplement what the Senator from Nebraska is now saying, and when we know that the sources from which we might take large revenues——

Mr. NORRIS. Are going to disappear.

Mr. LA FOLLETTE. That have made enormous profits out of the war are going to disappear in the next year or two.

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Georgia?

Mr. LA FOLLETTE. I yield.

Mr. SMITH of Georgia. I wish again to express my full agreement with the Senator from Nebraska [Mr. NORRIS] as to what would have been the effect of this bill if this modification had not been made. I only wish to repeat that that objection to the modification has been presented, so far as I have heard, to-night for the first time, and it was not the objection which I understood influenced the majority of those opposed to it. I am not surprised to know that that objection influenced the Senator from Nebraska, and I knew that it influenced the Senator from Wisconsin, for I understood their views on the subject of meeting the expenses of the Government more rapidly by heavier taxation.

Mr. LA FOLLETTE. Than by heavy bond issues.

Mr. STERLING. Mr. President, will the Senator from Wisconsin yield to me for a moment?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from South Dakota?

Mr. LA FOLLETTE. I yield to the Senator.

Mr. STERLING. As I understood the Senator from Georgia [Mr. SMITH], he said that the suggestion had not come from this side of the Chamber that the expenses of the Government for the year 1920 would exceed the amount provided for by the pending bill.

Mr. SMITH of Georgia. No; that is not exactly what I said. I said that I had not heard from that side of the Chamber that they were unwilling for the tax of $6,000,000,000 to be continued for 1919–20. They agreed that it should be reduced, but they desired it reduced when the new Congress came in.

Mr. STERLING. Mr. President, I should like to read a part of what the Senator from Utah [Mr. SMOOT] said as to the amount that would probably be needed in the fiscal year 1920. His statement was as follows. I read from page 492 of the RECORD:

> Mr. SMOOT. Under the pending bill the estimated receipts for the fiscal year ending June 30, 1919, are $5,987,406,000. That is to be collected on business for the year 1918 during the calendar year 1919. I am discussing the question as to the amount of taxes we shall raise on the business of 1919 to pay the expenditures of the Government beginning July 1, 1919, and ending June 30, 1920. They are two separate and distinct propositions, and I want Senators to know that they are distinct propositions. I want the people of the country to know the amount of money we shall have to raise in some way to meet the expenditures for the fiscal year ending June 30, 1920, will be at least $10,000,000,000.

I have read this, because while the Senator from Georgia says that he did not say exactly what I had thought, yet the impression was left, I think, that there had been no contention on this side that more than $4,000,000,000 would be needed.

Mr. LA FOLLETTE. Mr. President, I proceed to derive from the history of our previous wars such light as experience can furnish to guide the Senate at this time. The Senate will shut its eyes to the light. I know that perfectly well, but I am going to set it before Senators. I am going to put the lamp at their feet, and then let them go blindly on in the other direction if they choose to do so. However, here is what the history of all other wars tells us. Just how we are going to reduce expenditures more rapidly in this than we have in other wars I should be glad to be enlightened.

Mr. STERLING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from South Dakota?

Mr. LA FOLLETTE. I do.

Mr. STERLING. For information more than anything else, I should like to ask the Senator from Wisconsin a question or two along this line. How many enlisted men and officers does the Senator from Wisconsin believe will be demobilized and discharged from service within the next few months?

Mr. LA FOLLETTE. Well, Mr. President, I think perhaps I am not betraying any confidential communication, for I do not remember that the Secretary of War imposed any restrictions upon us when he was before the Committee on Finance, when he said that at the extreme limit we had over there 42 divisions of troops, and that it was the purpose of the Government to keep 32 divisions there; that just how long they would be kept there would depend entirely upon conditions; that was indefinite; and he could say nothing further about it; but that for the present it was the plan of the Government to bring back the difference between 42—I am stating my recollection

of the figures—and 32 divisions; that after the troops in the cantonments had been demobilized upon this side that it was the purpose to use these camps for the reception of troops brought back from overseas and for their demobilization as the business of the department would permit.

Mr. STERLING. I mention this, Mr. President, because I am somewhat startled at the statement of the Senator from Wisconsin to the effect that the expenses for the year after the war—and I take it that that means after demobilization also; I think it is fair to construe it in that light—will be greater than the expenses during the war.

I have figured on this basis, somewhat hurriedly, that there will be at least 1,500,000 men demobilized and discharged and out of the pay of the Government within that time, or very soon. Now, that number of men at $30 a month—and that is the minimum for the enlisted men, and does not include the officers—will be $45,000,000 for one month; for the year it will be $540,000,000. That is for pay alone.

Now, I take it that subsistence itself will cost as much as the monthly wages will amount to; and that would be $540,000,000, or a total of $1,080,000,000 in the year after the demobilization of 1,500,000 men. It is a little hard for me to understand where the rest of the extraordinary expenses come in after the demobilization.

Mr. LA FOLLETTE. Mr. President, I can understand the Senator's point of view. He is merely considering the saving from partial demobilization and nothing else connected with the cost of war; but if he knew that in the last year of the War of 1812 we had demobilized the troops and yet it was the most expensive year of that war, it might suggest to him that there were other things to take into account aside from the discharge of the men from the service.

Then if he knew, furthermore, our experience following our other wars proved the same thing as to the difficulties encountered in reducing the higher levels of war expenditure, perhaps he would conclude that there were quite a number of things outside of the demobilization of the troops to be taken into account.

Furthermore, with regard to the Civil War, if the Senator knew that the troops were almost entirely demobilized within two or three months after the war was over and that it appears that we are to keep at least a million and a half of our men in Europe for an unknown period, he might possibly think that his figures would stand revision.

Mr. STERLING. I am counting on that. I will say to the Senator from Wisconsin; but I still find what I have stated to be the result of the demobilization of that many men.

Mr. LA FOLLETTE. Mr. President, I now resume where I was interrupted.

I said a moment ago that I did not expect to be able to impress the Senate with the result of the history of previous wars; I do not; but I am going to put it into the RECORD. I think it may serve as a warning to the country of what is to follow after this war.

In 1815, the first year of peace following the War of 1812, the expenditures rose to $40,326,248.96, or $3,000,000 more than the last year of the war, the war having closed and peace having been declared in December, 1814, so that the year 1815 was the first full year of peace.

Mr. THOMAS. Mr. President, would it interrupt the Senator if I should interject a remark there?

Mr. LA FOLLETTE. Not at all.

Mr. THOMAS. I merely wish to say that I am satisfied with the correctness of the Senator's figures, because I investigated the subject somewhat myself and stated in the committee that the peak of expenditures occurred during the year after the war instead of during the war. I indulge the hope, however, that the second year after the war will not be quite so bad, especially if Congress will practice some of the economies which, as individuals, we are advocating.

Mr. LA FOLLETTE. Mr. President, I remember the position of the Senator from Colorado upon the subject when it was before the Committee on Finance. But we will do better than our predecessors have following other wars if we even approach the neighborhood of normal expenditures for several years to come, as I proceed to demonstrate:

In 1816, the second year after the war of 1812 was ended, the expenditures rose to $49,052,370.06 as against $37,825,932.08 in the last year of the war. In 1817, three years after the war, they were $41,794,774.90, or $4,000,000 more than they were the last year of the war; in 1818, after five entire years of peace, the expenses still stood at $36,136,674.58, or only $3,000,000 less than they were in any year of the war; and it was not until nine years after the war, or in 1823, that the expenses approached the peace-time status.

Now, Mr. President, I have here in my notes a table taken from the report of the Secretary of the Treasury giving the expenses for the year 1811 to 1823, which I ask to have incorporated in my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The table referred to is as follows:

WAR OF 1812.

Began June 19, 1812.
Ended December 24, 1814, by treaty of Ghent.

The following table shows the total disbursements, including public-debt transactions, of the Government for the year prior to the war and for the years during and subsequent to the war designated in the table:

Year:	Total of all disbursements.
1811	$14,110,525.59
1812	22,831,593.68
1813	39,825,932.08
1814	38,734,605.18
1815	40,326,248.96
1816	49,052,370.06
1817	41,794,774.90
1818	36,136,674.58
1819	25,118,232.32
1820	22,928,216.18
1821	20,268,098.97
1822	18,845,951.39
1823	16,472,948.49

Mr. LA FOLLETTE. Mr. President, you will observe the same thing with respect to the Mexican War. Starting with a peace-time expenditure of $34,000,000 prior to the war, it leaped to $64,500,383.84 during 1847, the second year of the war, while in 1848 the expenditures were $64,981,993.46, and the treaty of peace was signed in February, 1848, so that could hardly be reckoned as a war year. In 1849 the expenses still stood at over $60,000,000, and in 1853, five years after the war, they were over $59,000,000, or $20,000,000 more, substantially, than they were prior to the beginning of the war.

Mr. President, I ask to incorporate in my remarks at this point a table showing the expenditures of the years during and following the Mexican War.

The PRESIDING OFFICER. Without objection, it is so ordered.

The table referred to is as follows:

MEXICAN WAR.

Began April 24, 1846.
Ended February 2, 1848, by the treaty of Guadalupe.

The following table shows the total disbursements, including public-debt transactions, of the Government for the year prior to the war and for the years subsequent to the war designated in the table:

Year:	Total of all disbursements.
1845	$34,811,140.70
1846	31,708,319.81
1847	64,500,393.84
1848	64,981,993.46
1849	60,805,471.87
1850	49,817,671.69
1851	54,754,505.99
1852	53,821,058.87
1853	59,817,786.44

STATEMENT OF EXPENDITURES FOLLOWING THE CIVIL WAR.

Mr. LA FOLLETTE. Mr. President, the Civil War even more graphically illustrates the same principle. I will assume that the war started at the time Jefferson Davis was elected president of the Confederacy in February, 1861, and that it ended when Lee surrendered in April, 1865. Having these dates in mind, the table I present is peculiarly instructive. In 1860 the normal or peace-time expenditures were $85,373,193.05. Keep those figures in mind. In 1860 $85,000,000; in 1861, $93,000,000; in 1862, $573,000,000; in 1863, $908,000,000; in 1864, $1,265,000,000; in 1865 they were $1,916,829,660.

Now, mark you, Lee surrendered April 9, 1865, and the great demobilization of the Union troops took place in the city of Washington when the grand review was had along Pennsylvania Avenue here in May of that year. That wonderful army disappeared, went back to the vocations of peace, melted away, became no longer a subject of expense to the Government or the country, in the first three or four months of that year; and yet the year 1865 was the big year of expense of that war. It was not the year of greatest military activity. There were few operations of the great armies upon either side after January, 1865. They were at grips, it is true; there was a bulldog tenacity upon both sides. But so far as military expense due to activity in the field was concerned, there was probably the smallest expenditure during January, February, March, and April, 1865, than for any like period during the entire war. Nevertheless, disbursements for the year 1865 were the highest of any year of the war, and the war ended within the first 90 days of that year. In other words, 1865 was a year of peace for 9 out of the 12 months, but it was the costliest year of the whole war.

What justification have you, Senators, for assuming that there will be the enormous reduction in disbursements which

you propose in this bill for the first year of peace? All history and experience is against you. Your plan simply means lighter taxes on big incomes, and monster war profits, and more loans, and larger bond sales.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. LA FOLLETTE. I do.

Mr. SMOOT. I want to call the Senator's attention to one statement that was made by the Secretary of War that gives us some idea as to how the expenses of the War Department for the coming year were arrived at.

The Book of Estimates, as first prepared by the War Department—and, by the way, it is printed and any Senator can get a copy of it—showed that the estimates for the fiscal year ending June 30, 1920, or the coming fiscal year, would amount to $19,169,055,721.60. I asked the Secretary of War: "Well, how did you arrive, then, at the second estimate of the expenses of the War Department for that year?" and that amounted to $1,916,905,572.16. The answer was that his first estimates were based upon an army of 5,000,000 men, and that this estimate was based upon an army of 500,000 men, or one-tenth of the number of men, and therefore one-tenth of the amount of the first estimate. I called the attention of the Senate the other day to the fact that if there are more than 500,000 men in our Regular Army at any time during the year beginning June 30, 1919, and ending June 30, 1920, we shall have to pay more than these estimates call for.

Mr. LA FOLLETTE. But there was not a suggestion, as I remember the Secretary's statement, of returning to this country, within any definite period of time, more than a fourth of the great army we have abroad. We are going to keep over there for an indefinite period a million to a million and a half of men, unless there is a change in plans.

Mr. VARDAMAN. Mr. President, I suggest to the Senator that if we are to hold the hands of those toddling little principalities until they learn to walk alone, probably we will have to furnish the necessary money.

Mr. LA FOLLETTE. Yes. That is a still bigger question.

Mr. JONES of New Mexico. Mr. President——

Mr. LA FOLLETTE. Mr. President, let me go on, if the Senator will permit me, with the figures that I started to give. If I can not, I do not know that I will be able to finish to-night.

Mr. JONES of New Mexico. I think it will be well, however, to have this observation in mind: The Secretary of the Treasury had in mind the fact that, even though the expenditures might prove to be greater than the amount of his estimate, yet the sum of $4,000,000,000 would be as much as we ought to raise in the fiscal year by taxation, because the additional expenditure would be on account of the war, and through all this legislation we have been endeavoring to pay from a third to a half of the actual war expenses by taxation. That was the theory, as I understand, upon which the amount was arrived at.

Mr. LA FOLLETTE. That is true; and, of course, the Senator from New Mexico, not being in the Chamber when I made the earlier portions of my argument this evening, missed what I then said. I do not concede that to be sound war finance.

Mr. JONES of New Mexico. I knew, of course, Mr. President, that there was a difference of opinion on that point; but this estimate and the fixing of the amount to be raised by taxation is in keeping with the plan which we have generally kept in mind.

Mr. LA FOLLETTE. Yes; I think it is, Mr. President, and I think it is a bad plan. I think it is a plan that is, in a way, a crucifixion of the great mass of the people of this country. It is a rank injustice. It is a discrimination that can find no justification anywhere; and I believe that when the people come to understand that they will take it into account.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Washington?

Mr. LA FOLLETTE. I yield.

Mr. JONES of Washington. As I understand the suggestion of the Senator from New Mexico, it is that the Secretary of the Treasury practically admitted or assumed that we would issue bonds to take care of a part of the money that we would have to raise for the fiscal year 1920.

Mr. LA FOLLETTE. Oh, yes, Mr. President. I think that is true not only of the position of the Secretary of War but of the position of the Secretary of the Treasury. The Secretary of the Treasury starts off for this year with the assumption that we will need $18,000,000,000, and he assumes that all we ought to raise by taxation is $6,000,000,000; and he said again and again to the committee, "If you will provide for $6,000,000,000 by taxation, I will take care of the rest of it as Secretary of the Treasury," which meant that he would take care of two-thirds of that amount by loans. It could not mean anything else.

Now, Mr. President, I believe that to be an abominable doctrine. I believe it to be a doctrine that the people of this country ought to resent and that any administration which stands for fastening upon the people 66⅔ per cent of the expenses of the war by loans, interest-bearing obligations, ought to be forever turned out of power. That is my notion about it.

I do not know how much better the Republicans would do. I know it is the view of some Republicans that bond issues should be large and taxes should be small; but I do not care who advocates that view. I stand here to say for myself, as one Senator of the United States, that I am against it. I would be in favor of raising two-thirds or three-fourths of the money by taxation—as much as it is possible to raise without blocking the wheels of production. I do not think any other system is just or right.

I remember that the other day, when the distinguished Senator from New Mexico [Mr. JONES] was speaking—and he made a brilliant speech, and I was very much interested in it—he said that the amount of money that we had raised in this country by taxation was greater, he thought, than that raised heretofore by any country in the history of the world. That is not my recollection of history. In the Crimean War Great Britain paid 52 per cent of the expenses of the war by taxation; that in the Napoleonic wars she paid by taxation in excess of 47 per cent. I do not think, however, that 52 per cent is as much as should be raised by taxation for financing this war.

I say, Mr. President, it is difficult to tax wealth. You can provide for bond issues which, together with interest, the people out of their sweat and toil must pay through consumption taxes. That is the only way in which it can be paid in the end; but it is exceedingly difficult to make wealth step up to the captain's office and pay its proportion. I say "its proportion," for I assert that if you took all the income of wealth, every bit—aye, I will go further than that and say if you took the capital itself—you would not be taking more than we have taken from tens of thousands of families in this war.

Why do you not stand up to your duty here and take as much out of wealth as you take out of the blood and flesh of the people of this country?

The poor do not make anything out of war. Wealth does. Wherever money is invested in enterprises that have contributed in any way to war production there have been enormous profits; but tell me where the families of the poor who have given their fathers and their sons have profited by this war.

Senators, just stop a little and think about this business. Who ought to carry the burden of this war? Surely not the millions who were put into the ranks, who have been taken away from production, leaving their families destitute. The corporations of this country earned $10,000,000,000 in the last year. That is the report. Ten billion dollars in net profits, not gross but net, over all their expenses. For over three years before the war they earned an average of over $4,000,000,000 of net profits, and when it comes to taxing them roundly Congress hesitates. But you did not hesitate to take not only the income of the poor family but the capital that is producing the income—the father and the sons—and putting them into the service of the Government. All right, but by the God that is over us, if you want to do justice do the same thing by capital. Take the income, take every dollar of the income except enough to keep the family in comfort. I would leave that much, but I would take every dollar of profit that has been made out of war.

I come back now to the Civil War. I present a table which graphically shows the expenditures for the decade 1860 to 1870.

THE CIVIL WAR.

Jefferson Davis elected President February, 1861.
Lee surrendered April 9, 1865.

The following table shows the total disbursements, including public-debt transactions, of the Government for the year prior to the war and for the years during and subsequent to the war designated in the table:

Year:	Total of all disbursements.
1860	$85,373,193.05
1861	93,736,609.45
1862	573,067,384.64
1863	908,880,700.84
1864	1,265,418,320.10
1865	1,916,829,660.07
1866	1,063,746,933.16
1867	948,960,202.14
1868	997,081,972.34
1869	479,921,036.83
1870	470,236,423.53

It was not until 1881 that the total disbursements of the Government fell below $400,000,000.

You can not count on the expenditures of this war dropping, as Senators upon the other side have declared. They believe

that the expenses will fall. They are mistaken about it; that is all.

In 1867, nearly three years after the real fighting was over, the expenses were $1,948,000 more than they were in 1863, the hard-fought year of the war. In 1868, three years after the war, the expenses were $1,197,000,000, in round numbers, more by nearly $200,000,000 than they were in 1865.

EXPENDITURES WILL CONTINUE TO BE HIGH.

It is folly for us to figure upon the diminution of the expenses contemplated by this bill and by the plan of the Treasury Department. It simply means, Mr. President, that wealth is to escape its share of taxes and that bond issues are to make it up, and the people are to sweat and toil in the years to come to pay the interest on bonds, the principal of the bonds, and the higher cost of living. That is all it means. It is all blocked out here in the figures. I have given you the figures of all the wars we have ever been in, and they all read the same way.

It was not until 1869, five years after the real fighting of the Civil War was over, that the appropriations dropped back to what they were even the first year of the war. In 1869 they were $479,000,000; in 1862 it was $573,000,000; in 1870, $470,000,000, six times as much as before the war began.

You have not figured on anything of that kind in this bill nor anything like it. It is not the plan of the Secretary of the Treasury. It is not contemplated by any of those who are managing the finances of this war.

Mr. President, if I wanted to be mean, if I wanted to try to deduce something from the facts that imputes motives, if I wanted to be partisan, I could say that you wanted to stand in with wealth, that you wanted to curry favor with the big business institutions of the country, that you wanted to let up the taxes on the millionaires in order to finance the future campaigns; that you wanted to take it out of the great mass of the people who are not organized, and who have not any wealth nor any power to strike back with. I do not believe anything of the kind. I just think you are going blindly at this business. I will not ascribe any such motive as that to you.

The Secretary of the Treasury came before the Committee on Finance and said: "Cut down this tax." That is a pretty effective proposition; he goes to the country and says that the taxes are to be low; it makes everybody feel pleasant and good, and the committee follows the advice of the Secretary. I do not know whether my Republican brethren on the committee really resented that feature of it. Just how much they wanted to make the reduction I do not know. I know they do not agree with me about the method by which these taxes should be levied. I know they do not support my proposition here to raise more out of wealth by taxation. They did not when the last revenue bill was passed, and I suppose they will not now. That is, certain of them do not. But that is what happened.

All the foregoing figures are taken from the annual report of the Secretary of the Treasury for the year 1918, and they are reliable. The different disbursements for the European war, actual and estimated, are shown by the following table. We began the war April 6, we will say, and the following table shows the disbursements prior to our entering the war and during the war. I take every one of these figures from the recent report of the Secretary of the Treasury, brought in person to the Committee on Finance on the 4th day of December, two days after his letter submitting it to Congress.

In the fiscal year ending July 1, 1916, before we entered the war, the total disbursements were $1,040,261,082.73. In the fiscal year ending July 1, 1917, that would include some of the war expenses incurred from April 6, 1917, our total disbursements were $3,046,183,746.19; for the fiscal year ending July 1, 1918, the disbursements were $21,813,356,508.39; for the fiscal year ending July 1, 1919, it was suggested by the Secretary of the Treasury that our disbursements would be $18,000,000,000.

Now, I want to remind members of the Finance Committee that the Secretary of the Treasury did not submit a single figure in support of that statement. He was vague and indefinite about it.

Mr. JONES of New Mexico. Will the Senator yield?

Mr. LA FOLLETTE. Of course.

Mr. JONES of New Mexico. I am not acquainted with the figures that the Senator has just given for the fiscal years ending June 30, 1918, and June 30, 1917. Will the Senator please give them again?

Mr. LA FOLLETTE. Yes, I will; and I will refer the Senator to the report of the Secretary of the Treasury, where he will find them. I know they are different from the figures given by the Senator the other day when he made his speech on the floor. I noticed them at the time, and have looked them up since.

Mr. JONES of New Mexico. I will state to the Senator that they are different from the figures I gave.

Mr. LA FOLLETTE. I know that, and you can get both figures from the same report. I can refer you to the index where you will find the discrepancy.

Mr. JONES of New Mexico. I am inclined to think that the discrepancy arises between certain estimates and the actual expenditures. The Secretary of the Treasury certainly gave the actual expenditures for the fiscal year ending June 30, 1917, as a little over $2,000,000,000 and for June 30, 1918, at over $13,000,000,000.

Mr. LA FOLLETTE. I will refer the Senator to the report and the page where he can find the table which I have here reproduced. On page 490 of the report of the Secretary of the Treasury is a table recapitulating the disbursements by fiscal years, and the figures I quoted are taken from the table headed "Table of all disbursements," and I quoted the figures for the years 1916, 1917, and 1918 appearing there.

The Secretary of the Treasury merely suggests that the total disbursements of the Government for the fiscal year 1918 will be $18,000,000,000. The total disbursements may be much larger than that. However, if our expenditures of other wars mean anything it will be at least five years after the present war terminates before we can hope at least to even approximate a return to normal expenditures, and if the plans of the administration are carried to keep a standing Army of one million and a half men in Europe for perhaps years, which certainly would involve an expenditure of a billion at least, we can look for no substantial decrease in expenditures.

Now, sir, if previous experience means anything it must enable us to see that when the figures for the disbursements of this year of the present war and succeeding years are written out they will show that for at least five years yet to come our disbursements will average from twelve to fifteen billion dollars each year. That is what they will amount to if we rely upon our combined experience in these other wars.

DISBURSEMENTS TO BE PROPORTIONATELY HIGHER.

And the disbursements of the years succeeding the present war will be proportionately much greater because of the changed conditions following this war. The War of 1812, the Mexican War, and the Civil War were domestic wars. Our soldiers either did not leave their own country or progressed but a short way into adjoining enemy territory. They returned home and demobilization was a simple matter, accomplished with comparatively little expense and within a short space of time. There were no foreign lands for us to police after those wars were over. But to-day all this is changed. A vast army of two million or more men are thousands of miles away, scattered all over the continent of Europe, some of them I fear at this very moment in desperate straits in the midst of a Russian winter in Siberia and possibly elsewhere in that country. We have no information when it is the plan of the administration that these men should return to their homes, but we are advised by the War Department that about one million and a quarter men will be kept abroad for some time. We have reason to believe that a large army will be kept in Europe for months—or possibly years. But under the best and most fortunate conditions we know there is no likelihood of the soldiers all being returned to this country and demobilized for a year or more.

It is a very rash man, sir, in the light of these facts and in view of our experience in other wars, who expects our Government expenditures to drop below ten or twelve billion dollars annually at any time within at least the next five years. That means if we raise by taxation during each one of those years no more than this bill proposes to raise there will still be left twenty-five or thirty or more billions for us to borrow. This, Mr. President, is the truly appalling situation that we must face, and it is in the light of this knowledge we should work in framing this bill.

Instead of seeking where we can pare down a little here and there for the benefit of this corporation or that interest, or insert a cushion to take off the jar that comes to a special interest because its taxes are raised a little, we should be trying to see how we can raise the last dollar possible out of the wealth of this country and out of the profits of war in order to meet the expenses of the war.

Whatever may have been the forces which caused the present world war, one result of it must be apparent to every man of intelligence, and that is that the plain citizen has come to realize his power as never before, and consequently will assert his rights as never before. In order to raise the money to pay the expenses we have incurred, and are bound to incur, the Government must reach out and put a heavy hand, through its power of taxation, upon every citizen in the land, and if it be presently discovered that the hand of the Government bears heavily and

unjustly upon the masses and touches only lightly the rich—in proportion to their ability to pay—it will produce conditions of discontent and resentment not pleasant to contemplate. Any injustice that is done by us may be long endured, and in framing the legislation to raise these vast and almost inconceivable amounts of money we are directly affecting the lives and fortunes of every one of our people and we can not afford to enact this legislation unless it can be defended upon the ground that it is just as fair to the poor man as it is to the rich in proportion to the ability of each to carry the burden and sacrifice of war. I undertake to say that the Senate bill can not be, and has not been, defended upon that ground.

INDIVIDUAL INCOMES.

The first change of importance which the substitute bill makes in the Senate bill occurs in the tax on individual incomes. The net result of the change I propose is to increase the total amount of the tax collected from that source by $352,510,000.

To accomplish this I propose to amend section 210 by reducing the normal tax in the Senate bill from 12 per cent to 2 per cent and change the rates of taxation upon incomes as shown in the substitute bill. For purposes of clearness I have prepared and ask to have inserted in the RECORD the rate and per cent of the tax upon the incomes of heads of families as shown under the existing law, the committee bill, and the substitute bill.

The PRESIDING OFFICER. Without objection, it will be so ordered.

The matter referred to is as follows:

Comparison of income taxes upon specified incomes of married persons under the existing law, the Senate bill, and the proposed substitute bill.

Income.	Existing law.		Senate bill.		Substitute bill.	
	Amount.	Rate per cent of entire income.	Amount.	Rate per cent of entire income.	Amount.	Rate per cent of entire income.
$2,500	$10	0.40	$30	1.20	$10	0.40
$3,000	20	.67	60	2.00	20	.67
$3,500	30	.86	90	2.57	30	.86
$4,000	40	1.00	120	3.00	40	1.00
$4,500	60	1.33	120	3.33	50	1.11
$5,000	80	1.60	150	3.00	60	1.20
$5,500	105	1.91	215	3.19	95	1.73
$6,000	130	2.16	250	4.16	130	2.17
$6,500	155	2.38	320	4.92	165	2.54
$7,000	180	2.57	390	5.57	200	2.86
$7,500	205	2.73	460	6.13	235	3.13
$8,000	235	2.93	530	6.63	285	3.56
$8,500	265	3.12	605	7.12	335	3.94
$9,000	285	3.28	680	7.71	385	4.28
$9,500	325	3.42	755	7.95	435	4.58
$10,000	355	3.55	830	8.30	485	4.85
$12,500	530	4.24	1,235	9.88	880	6.88
$15,000	730	4.87	1,670	11.13	1,235	8.23
$20,000	1,180	5.90	2,630	13.15	2,335	11.67
$25,000	1,780	7.12	3,720	14.80	3,935	15.74
$30,000	2,380	7.93	4,930	16.43	6,285	20.95
$35,000	2,980	8.51	6,270	17.91	8,635	24.67
$40,000	3,580	8.95	7,730	19.33	10,985	27.46
$45,000	4,380	9.73	9,320	20.71	13,335	29.63
$50,000	5,180	10.36	11,030	22.06	15,685	31.37
$60,000	6,780	11.30	14,830	24.71	21,585	35.97
$70,000	8,880	12.69	19,130	27.33	27,485	39.26
$80,000	10,980	13.72	23,930	29.91	34,035	42.54
$100,000	16,180	16.18	35,030	35.03	46,435	46.44
$150,000	31,680	21.12	37,030	44.69	86,935	57.96
$200,000	49,180	24.59	101,030	50.52	125,435	62.72
$300,000	92,680	30.89	173,030	57.68	203,435	67.81
$500,000	192,680	38.54	325,030	64.90	361,435	72.29
$1,000,000	475,180	47.52	703,030	70.30	791,435	79.14
$5,000,000	3,140,180	62.80	3,733,030	75.66	3,961,435	79.23

Mr. LA FOLLETTE. Mr. President, the normal tax of the committee bill will raise $114,000,000, while under the substitute it is estimated to produce only $70,000,000. I have reduced the normal income tax in order to relieve the tax upon incomes of people of modest means. I have reduced the income tax proposed by the committee bill, but I make it up on the surtax on the rich. A large portion of this loss in revenue is made by the big decrease in the normal taxes upon the smaller incomes.

While it is true the man of large income under the terms of the substitute bill would pay the normal income tax at the same rate as the man of small incomes the substitute bill does not permit him to escape.

I also present and ask to have inserted in the RECORD a further table showing the surtax rates, and the revenues which will be produced from individual incomes at each step under the substitute bill.

It will be observed that the total revenues produced under the substitute bill from individual incomes is $1,714,510,000 as against $1,432,000,000 under the Senate bill.

I ask, Mr. President, to have incorporated in my remarks the table which I have here, without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The table referred to is as follows:

Net income.	Taxable income.	Rate.	Revenue.
		Per ct.	
$5,000 to $7,500	$675,000,000	5	$33,750,000
$7,500 to $10,000	340,000,000	8	27,200,000
$10,000 to $15,000	474,000,000	13	61,620,000
$15,000 to $20,000	315,000,000	20	63,000,000
$20,000 to $25,000	225,000,000	30	67,000,000
$25,000 to $50,000	615,000,000	45	276,750,000
$50,000 to $75,000	240,000,000	57	136,800,000
$75,000 to $100,000	220,000,000	70	154,000,000
$100,000 to $200,000	394,000,000	75	295,500,000
$200,000 to $300,000	185,000,000	76	140,600,000
$300,000 to $500,000	163,000,000	77	125,000,000
Over $500,000	426,000,000	78	332,280,000
Total	7,400,000,000		1,714,510,000
Normal Tax		2	70,000,000
			1,784,510,000
Return (estimated) under bill			1,432,000,000
Increase			352,510,000

Mr. LA FOLLETTE. The surtax of the Senate committee bill, according to the estimate of revenue, will yield in the one-year period $1,018,000,000.

The surtax of the substitute bill, it is estimated, will yield revenue in the same period to the amount of $1,644,510,000.

This is an increase in revenue under the surtax rates of $626,000,000.

Every dollar of this increase comes from incomes in excess of $5,000, and the great bulk of the increase is from incomes in excess of $25,000,000 per year. The rate of the tax on the incomes increases as the incomes increase.

While relieving the small taxpayer, the tax to be collected under both the normal and the surtax sections by the rates of the substitute will exceed the amount of the committee bill by $352,510,000.

Now I will briefly explain in detail the increases which my substitute makes in the tax on individual incomes. Senators will more readily follow what I shall now present if they refer to the first table printed on page 696 of the CONGRESSIONAL RECORD.

From a study of that table it will be observed that starting with incomes of $2,500 the tax under the Senate bill is $30; under the substitute $10; and that the substitute carries the same tax for this income as does the existing law. On incomes of $4,000 the tax in the substitute bill and the existing law are the same—$40—while the tax under the Senate bill is $120—three times the amount.

Incomes of $4,500 are taxed under existing law at $60, under the Senate bill at $120, and under the substitute bill at $50.

Incomes of $5,000 are taxed under existing law at $80, under the Senate bill at $150, and under the substitute at $60.

Incomes of $5,500 are taxed under existing law at $105, under the Senate bill at $215, and under the substitute at $95.

Incomes of $6,000 are taxed under existing law at $130, under the Senate bill at $250, and under the substitute at $130, the same as the existing law.

From this point on, however, the tax proposed in the substitute bill at every bracket is substantially greater than that under existing law.

At the bracket on incomes of $25,000 the tax under the substitute bill overtakes and passes the tax under the Senate bill. The tax under the Senate bill on incomes of $25,000 is $3,720, and under the substitute bill $3,935. From this point on the tax under the substitute bill rapidly draws away from that imposed by the Senate bill. At $100,000 the substitute bill imposes a tax of $48,435, and the Senate bill only imposes a tax of $35,030.

The justification for this change seems too plain for argument. Upon no class has this war borne more heavy than the man with a small income, with a family to support out of it. Before the war his income and living expenses were about even. His ambition and hope was to save a little by economy and frugal living, and put by something for his family as a protection against sickness, old age, or death. It is from this class that the war has taken a large toll in the way of actual military service, but even more serious than that is the hardship which it has brought to them in the greatly increased cost of living with no

corresponding increase in income. To a man in this position the difference between fifty and a hundred dollars in his income tax is a serious matter. It may well make the difference between actual privation and suffering and a reasonable degree of comfort.

On the other hand, a man with an income of $25,000 or more may be a little inconvenienced by an increase in his income tax, but neither he nor his family are going to suffer any real privation on account of it. Even if the tax should make it necessary for a man with a hundred thousand dollars of income to dispense with a few luxuries, it will not do him or the country any harm, and, as a matter of fact, a large portion of those fortunate individuals who are in the enjoyment of incomes of that character at the present time have in one way or another made a profit out of this war.

There is no war-profit tax for individuals, except as it may reach them under this greatly increased rate of taxation on the larger incomes such as I have provided for in the substitute bill. Under the Senate bill there can be no doubt that hundreds of millions of dollars made by individuals out of this war—middlemen, agents, contractors, and the like—escape all taxation upon profits made out of the war, except as taken as an income tax, and justifies its being levied at a high rate.

CORPORATION TAX—STRIKING OUT $2,000 SPECIFIC EXEMPTION.

I have explained, Mr. President, quite in detail the operation of the rates which are proposed in the income-tax section of the bill. I come now to the corporation tax.

In the tax upon corporations the substitute bill recurs to the rates and form of the bill as it passed the House. Upon the net income of corporations from which dividends are paid or to discharge bonded indebtedness or to buy obligations of the United States the rate is 12 per cent. This is the same rate which all the net income, including the portion used for these purposes, pays under the rates of the pending bill. Upon all the balance of the net income the substitute rate is 18 per cent. This is higher than the rate of the pending bill and would reach net income not distributed for the foregoing purposes.

The substitute strikes out that portion of section 236 that aims to specifically exempt from taxation $2,000 of the income of corporations.

I call the attention of the Senate to that, for I think that is a material consideration which you ought to have in mind in voting for or against the substitute which I propose.

This is the first appearance of such an exemption in a bill proposing to levy a tax upon the incomes of corporations. The first corporation income-tax statute was enacted to apply to corporations with a net income in excess of $5,000 per annum. But the act of 1913 and the acts of 1917 levied a tax upon all corporations and made no distinction or granted no exemption such as is carried in line 10, page 62, of the Senate bill, allowing this exemption of $2,000.

That line means a saving to the corporations and a loss in revenue to the Government of nearly $100,000,000.

In 1916, 341,253 corporations made returns of income to the Treasury. It is estimated that at the present time there are upward of 400,000 corporations in the United States. This provision means that each corporation shall not be required to pay tax upon $2,000 of its income. That means to each corporation a saving of $240. It is not a great amount in the case of any one company, but this "relief" to 400,000 corporations means a loss of $96,000,000 in revenue to the Government.

So far I have heard no sound reason advanced to justify this exemption. Because an exemption of $2,000 is granted to married persons under the individual income-tax provisions is not a reason to justify the granting of such an exemption to a corporation.

Individual exemptions are based upon a very different principle than are the exemptions of corporations. Recent years have emphasized the need of the State to encourage the family relation. The $2,000 individual income free from income tax is made free so there may be assured to the family enough to aid in meeting living expenses.

But when this exemption is granted the law at the same time provides as does this bill at line 24, page 30:

> That in computing the net income no deduction shall in any case be allowed in respect of—
> (a) Personal, living, or family expenses.

But the corporation is permitted to make deduction for its living expenses. In the ascertainment of its net income a corporation is permitted to deduct—

> All the ordinary and necessary expenses paid or incurred during the taxable year * * * including a reasonable allowance for salaries * * * for personal service * * * and including rentals, etc. (Sec. 224, p. 54.)

Rent and payments made for personal service form a large part of the expense of every family. If the individual in addition to his specific exemption were permitted to deduct from his gross income the amounts expended for these items or the expenses incurred to carry the family over the year as the corporation is permitted to deduct the expenses incurred in carrying on its trade or business, there would be little left of any ordinary family income of $3,000 to fall into the class of taxable income.

As the corporation in computing its net income is given these allowances denied to the individual in computing his taxable income, the corporation should not in addition be permitted to escape tax upon $2,000 of its net income.

This is a discrimination that should be wiped out of the bill. It is a trifling matter to even the very small corporations; it is of no consequence to the large companies, and it means a good slice of income to the Government, amounting, as I have said, to $96,000,000 in the aggregate.

WAR-PROFITS TAX.

The next fundamental change my substitute proposes to make in the pending bill relates to the war and excess profits tax. The provisions of the pending bill, commencing at page 83 and dealing with war excess-profits taxes of corporations, are, to say the least, very remarkable. On their face these provisions of the Senate bill seem to bear some relation to an 80 per cent tax on war profits made by corporations. As a matter of fact, however, they impose no such tax.

The chairman of the Finance Committee stated in the course of the debate on Saturday:

> Nobody ever supposed that even the war-profits tax of 80 per cent would in practical operation be more than 70 per cent upon war incomes.

Mr. President, that statement is true, and it is true because of the unreasonable deductions from the net income of corporations permitted before the war-profits tax is levied. Each corporation is permitted to deduct from its net income for the taxable year its war profits; that is, the average profit for the prewar period. If these average profits fall short of 10 per cent of the capital for the prewar period, then the actual prewar profits are increased to 10 per cent of the capital. To this sum is added $3,000 specific exemption.

So, then, the war-profits tax would be levied under the following formula:

Net income minus the average prewar income, but not less than 10 per cent of the invested capital minus $3,000, shall pay a war-profits tax of 80 per cent.

The theoretic maximum under the pending bill is a tax of 80 per cent on 90 per cent of the war profits, less $3,000, or about 70 per cent.

But the general public do not understand this, and when they read that there is a tax rate of 80 per cent on war profits they accept that to mean that after taking out of the net income an amount equal to the prewar profits the remainder is taxed at 80 per cent.

As a matter of fact, while the pending bill contains this rate, there is no 80 per cent tax on war profits.

It is true that under the pending bill the war excess-profits tax is the sum of the amounts levied under the rates of the three brackets. But if the exemption of $3,000 and the 10 per cent of invested capital were eliminated from the credits allowed under the third bracket, and the credit confined to the average of the actual prewar-period income, and the cushion provisions were eliminated, then as to all the corporations reached by this bracket it would be an 80 per cent war-profits tax.

Now, as to the estimate of $5,000,000,000 of war profits and that the tax under the war excess-profits bracket of the pending bill is only 48 per cent of that amount, the Senator from Utah said that the estimate which I made "includes all of the business of the country, some of which does not pay any excess war-profits taxes."

In arriving at that estimate I have taken all the taxes levied under the war excess-profits section of the pending bill—that is, all the taxes paid as excess-profits taxes and all taxes paid as war-profits taxes and credit all these taxes as war-profits taxes. Taking all these taxes together, the result is a tax equal to about 48 per cent of the amount of the war profits. I do not mean that the pending bill levies a war-profits tax of 48 per cent. Far from that. The total of the taxes under the two excess-profits brackets plus the amount of the war-profits bracket will equal 48 per cent of the war profits.

The first year that corporations made income-tax returns to the Federal Government was 1909. The following table shows the corporate net income from 1909 to date:

Corporate net income, 1909 to 1918.

Year:	Net income.
1909	$3,600,000,000
1910	3,761,000,000
1911	3,503,000,000
1912	4,151,000,000
1913	4,714,000,000
1914	3,940,000,000
1915	5,310,000,000
1916	8,765,000,000
1917 (estimated)	10,500,000,000
1918 (estimated)	10,000,000,000

The estimate of $10,500,000,000 corporate net income for 1917 and $10,000,000,000 for 1918 are made by the Treasury Department and can be safely relied on as not being too high. That the estimate of $5,000,000,000 war profits made by corporations during the taxable year is a reasonable estimate is asserted by the Treasury expert, and also appears from a comparison of the net income of corporations during the war with their prewar net income.

The total net income for the three years 1911, 1912, and 1913 adopted as the prewar years of all corporations was $12,368,000,000. The average annual net income for the three years was, therefore, $4,122,666,000. This, deducted from the $10,000,000,000 net income of corporations for 1918, leaves $5,877,334,000 in excess of the average of all the corporation profits for the three prewar years. Making allowance for the normal net income of new corporations—corporations that were not in existence during any of the prewar period—and for growth of existing corporations it is plain that the war profits must still account for at least $5,000,000,000 of the net income of $10,000,000,000 for 1918.

The suggestion is made that in making the estimate of $5,000,000,000 of war profits for 1918 allowance was not made for earnings of new corporations or new capital invested by old corporations. All adequate allowance was made for this purpose. The Treasury estimated the net income of corporations for the year 1918, and this is the basis of my estimate.

Corporation net income, 1918, Treasury estimate	$10,000,000,000
Average of corporate net income for years 1911, 1912, and 1913	4,122,666,000
Excess of 1918 over prewar income	5,877,334,000
Allowance for earnings upon new capital (estimated)	877,334,000
War profits	5,000,000,000

This allowance of $877,334,000 to cover the earnings of new capital exempted from war-profits taxation is, in my view, reasonable. Capitalized at 8 per cent, the rate allowed by the pending bill to corporations before levying the excess-profits tax under brackets Nos. 1 and 2, it would allow for a return on $10,966,675,000 of new capital.

Capitalized at 10 per cent, it allows for a return on $8,777,334,000 of new capital.

The Treasury expert has stated to me that the average net income return in the prewar period represents a return of about 10 per cent upon the capital. So, depending upon the rate per cent at which this allowance is capitalized, it takes care of an increase of the prewar capital of from 20 to 25 per cent. This, I take it, is ample to cover the growth of the war period.

It is to be remembered also that the above table takes no account of the vast sums made by individuals and partnerships out of the war.

HOW RATES OF PENDING BILL ARE APPLIED.

Now, it is only claimed for the pending bill and the report accompanying it submitted by the majority of the committee that the bill produces $2,400,000,000 in revenues from war excess profits. Obviously, therefore, the Senate bill does not impose an 80 per cent tax upon war profits, or anything approximating that.

An illustration of a typical corporation will show just how the provisions of the Senate bill work out when actually applied.

Upon a corporation having a capital of $100,000, prewar profits of $10,000 and profits for the taxable year of $150,000, the tax under paragraph 301 would be $109,600 and under paragraph 320, $4,608, making a total tax of $114,208, or 76.14 per cent. But when the "cushions" are applied, this tax is reduced and this corporation would pay a war excess-profits tax of only 45½ per cent and a total tax of 51.7 per cent.

Mr. President, I have here a table, in which I work out in detail the calculations under the provision which I am now considering. These I ask to print without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

Corporation:			
Capital			$100,000
Prewar profits			10,000
Taxable-year profits			150,000
Under bracket 1:			
Deduct 8 per cent of capital			$8,000
Specific deduction			3,000
Total deduction			11,000
Taxable profits under bracket 1:			
20 per cent of capital		$20,000	
Less deduction		11,000	
		9,000	
Tax on $9,000 at 30 per cent			2,700
Total tax under No. 1			2,700
Under bracket 2:			
Taxable profits		150,000	
Less profits included in bracket 1		20,000	
		130,000	
$130,000 at 60 per cent			78,000
Total under No. 1 and No. 2			80,700
Under bracket 3:			
Deduction 10 per cent of capital		10,000	
Specific deduction		3,000	
Total		13,000	
Profits	$150,000		
Less deduction	13,000		
Taxable	137,000		
Tax on $137,000 at 80 per cent		109,600	
Less tax under No. 1 and No. 2		80,700	
Total under No. 3			28,900
Total under 1, 2, and 3			109,600
Percentage of war excess profits		per cent	73.06
Corporation income tax:			
Profits			150,000
Deduction—			
Excess and war profits		$109,600	
Specific deduction		2,000	
			111,600
Taxable			38,400
$38,400 at 12 per cent			4,608
Total tax:			
Bracket 1			2,700
Bracket 2			78,000
Bracket 3			28,900
Corporation income tax			4,608
Total			114,208
Percentage			76.14

METHOD OF ASSESSING WAR EXCESS PROFITS ILLUSTRATED.

Mr. LA FOLLETTE. In other words, this is a corporation with $100,000 capital, a prewar average net income of $10,000, and for the taxable year a net income of $150,000.

Under the first bracket of paragraph 301 a tax of 30 per cent is levied upon the net income in excess of the excess-profits credits allowed under section 312. These credits are:

(1) Eight per cent of invested capital for the taxable year. In this instance $8,000; and

(2) A specific exemption of $3,000, making a total credit of $11,000.

This $11,000 is not taxable. There is taxable under bracket No. 1 excess profits in excess of this $11,000, and not in excess of 20 per cent of the invested capital. In other words, the capital is $100,000, and 20 per cent of that is $20,000. The difference between this and the credit of $11,000—$9,000—is the amount taxed under the first bracket. This is taxable at 30 per cent, so the revenue derived under this bracket would amount to $2,700.

Under the second bracket there is taxable all of the net income in excess of 20 per cent of the capital and in excess of the deduction—in this case the difference between $20,000 and $150,000—leaving $130,000 taxable at 60 per cent. The tax on this would be $78,000, and the total tax under brackets No. 1 and No. 2, $80,700.

Under bracket No. 3, which carries the 80 per cent clause, a different deduction is made. Under section 311 the war-profits credits allowed is a specific exemption of $3,000, and an amount equal to the prewar period income of the corporations, but in no instance less than 10 per cent of its invested capital. In this instance this deduction would be $10,000, the average prewar profits plus the specific deduction of $3,000 making the total of war credits to be deducted $13,000. Under the terms of bracket No. 3 the profits to be taxed are the total profits of the corporation less the deduction—$150,000 less $13,000, making $137,000 of taxable profits. At 80 per cent this would amount to $109,600. The bracket provides that there shall be levied under it the sum, if any, by which this 80 per cent exceeds the amount of the tax computed under the first and second brackets. The tax computed under the first and second brackets amounted to $80,700. This deducted from $109,600 leaves to be assessed under bracket No. 3 $28,900.

The total tax under brackets 1, 2, and 3 would amount to $109,600, which is the total excess and war profits tax levied upon the corporation.

But besides this war excess-profits tax the corporation is also subject to the corporation income tax under section 230. All of its net income for the year 1918 in excess of the credits provided in section 236 are to be taxed at 12 per cent. Section 236 provides that there shall be a credit allowed:

(1) For the amount of taxes imposed under title 3, which contains section 301, under which the war excess-profits tax is levied, so that while the total profits of the corporation amounted to $150,000, it is subject to the following deductions:

First, the taxes computed under section 301, amounting to $109,600; and, second, a specific deduction of $2,000 (section 236 (c)). In this instance the total deduction amounts to $111,600, which, subtracted from the $150,000 of profits, fixes the amount taxable under section 230, the corporation income-tax section, at $38,400. Taxed at 12 per cent, the revenue would be $4,608.

This added to the tax under the first, second, and third brackets of section 301 would bring the total tax of this corporation to $114,208, which is 76.138 per cent of the profits.

This would leave this corporation after all taxes are paid an income three and one-half times as great as its prewar income. It would give it a net income after deductions for taxes of $35,792 as against its prewar income of $10,000.

If this bill really taxes such a corporation 76 per cent of its profits, while it would still be short of the full measure of the contribution which such a war-profiteering concern should make to the Government, it would approach an 80 per cent war tax.

HOW THE "CUSHION" OPERATES.

However, the bill can not be correctly understood by merely applying these rates. There are other provisions which open the door wide for corporations to escape their just taxes. In the case of this corporation, it would claim exemption under paragraph (c) of section 327 and would be taxed under the provisions of section 328.

Paragraph (c), section 327, provides, where the invested capital is materially disproportionate to the net income of representative corporations engaged in like or similar trade or business, because—

(1) The capital employed, although a material factor, is very small or is in large part borrowed.

The tax is to be determined as provided in section 328 and shall be—

The amount which bears the same ratio to the net income of the taxpayer * * * for the taxable year as the average tax of representative corporations engaged in a like or similar trade or business bears to the average net income * * * for such year.

In this typical case the profits of $150,000 amount to 150 per cent of the capital, while it is assumed the net income of representative corporations engaged in a like or similar business is only 30 per cent.

Then this "cushion" provision would be applied as follows under section 328:

Corporations with a present and prewar capital of $100,000, prewar average annual net income $10,000; net income for the taxable year $150,000.

War excess-profits tax under section 301, $109,600, or 73⅓ per cent.

War excess-profits tax of corporations engaged in like or similar business as computed by the Treasury actuary, 45½ per cent.

This latter percentage would apply, so instead of paying a war excess-profits tax of 73⅓ per cent it would pay 45½ per cent. Instead of paying out of its profits of $150,000 $109,600 war excess-profits taxes it would pay $68,000 and would thus save $41,600, a saving of 41.6 per cent on the capital.

In addition, the corporation would pay taxes under section 230. If taxed on war excess profits under section 328, the taxes assessed under section 230 would be a different amount than if the war excess-profits tax was assessed under section 301. With war excess profits taxed under section 328 the tax under section 230 would be computed as follows:

Taxable profits $150,000 less the taxes assessed under section 328, $68,000, less specific exemption of paragraph (c) section 236, $2,000, a total deduction of $70,000, leaving $80,000 to be taxed at 12 per cent, which would yield revenue of $9,600.

So this corporation would pay under section 328, $68,000, and under section 230, $9,600, a total tax of $77,600.

The tax if levied under sections 301 and 230 would be $114,208.

With the "cushion" operating it would mean a saving on the total tax of $36,608, or 36.6 per cent of the capital.

Under these "cushion" provisions out of its $150,000 of profits this corporation would have left after paying its taxes $72,400, or in excess of seven times its peace-time profits.

The total tax assessed under sections 301 and 230 would be 76.14 per cent of the profits, but after applying the cushions under sections 328 and 230 would be only 51.7 per cent of the profits.

The basis of all income-tax laws of the United States has been to tax large incomes at a higher rate than smaller incomes. Also the basis of our excess-profits tax laws has been to tax large profits at a higher rate than small profits.

The relief provisions in this bill change this basis, and tax large incomes and enormous profits at the same rate as are taxed small incomes and small profits.

The relief provisions of this bill are intended to act so that every taxpayer will have an ample profit or income free from all taxation. No provision has been added to the bill, however, that will similarly take care of the Government's side as to revenue. Instead of the rates being increased they have actually been reduced. If increased, no harm could happen to the taxpayer because of the relief provisions.

Consequently, every relief provision not only protects the taxpayer against a heavy tax but also reduces the revenue to the Government, not only from the very small percentage of cases that the bill is intended to relieve, but it affects the very large percentage of taxpayers who, without these provisions, would pay only an adequate tax. If these relief measures were actually intended to relieve hardship only, the rates of tax would have been increased so as to take care of the revenue situation. But the rates have remained or have been reduced from the rates fixed in the bill as it passed the House.

I have illustrated the workings of one of these "relief" provisions. It is not my purpose to set out in detail all of these provisions, but I shall briefly outline the way in which some of the more important will operate to decrease the taxable profits or reduce the tax rate.

PERSONAL-SERVICE CORPORATIONS.

The first of these "cushion" provisions will be found on page 4 of the bill, lines 20 to 26, in the definition of the term "personal-service corporation." This is defined to mean a corporation the income of which is ascribed primarily to the activities of the principal owners or stockholders who are themselves regularly engaged in the active conduct of the affairs of the corporation, and in which capital is not a material income-producing factor.

That definition must be taken in connection with paragraph 8, page 34, and subdivision (14), page 52, which exempts personal-service corporations from taxation under the income-tax provisions, paragraph 8, page 34, and paragraph 304, page 88, which exempts such corporations from all profits tax. The provision with respect to the taxation of partnerships is made to apply in so far as practicable to such corporations and the stockholders thereof. The provision with respect to partnerships, section 218, is that partners shall be liable for income tax only in their individual capacity, and partnerships as such are not subject to war excess-profits taxes; so that personal-service corporations are thereby relieved from paying war-profits taxes. Many personal-service corporations have made enormous profits out of the war.

This is especially true of engineering corporations. Take, for example, an engineering corporation that has a capital of, say, $50,000 and for the three years prior to the war had an average net income of $100,000, and during this taxable year had an income of $1,000,000. This increased income was made possible for this corporation because it designed and superintended the construction of plants devoted to war production. In this instance the war profits of this concern would be $900,000 due entirely to the war, yet this $900,000 wholly escapes war excess-profits taxes.

EXCHANGE OF PROPERTY.

The second cushion to ease off the taxes will be found on page 7, paragraph (b), which reads as follows:

When property is exchanged for other property, the property received in exchange shall for the purpose of determining gain or loss be treated as the equivalent of cash to the amount of its fair market value, if any; but when in connection with the reorganization, merger, or consolidation of a corporation a person receives in place of stock or securities owned by him new stock or securities of no greater aggregate par or face value, or when a person or persons owning property receive in exchange for such property stock of a corporation formed to take over such property, no gain or loss shall be deemed to occur from the exchange, and the new stock or securities received shall be treated as taking the place of the stock, securities, or property exchanged.

Take, for example, two corporations each with an invested capital of $100,000, for which the stockholders paid in cash. Each of the corporations after some years had accumulated a surplus, so that their invested capital amounted to $200,000. The (a) corporation swallows the (b) corporation. The corporation is reorganized and there is exchanged the stock in the old corporation for stock in the new corporation, and for the purpose of determining loss and gain this old stock of corporation

(a) may be treated as the equivalent of cash to the amount of its fair market value. In other words, the fair market value of this property for which each stockholder paid $100 is now $200, and in this exchange of property each stockholder may receive not $100 worth of stock but $200 worth of stock, and this addition to his income—100 per cent—is not subject to taxation. Under the existing law and without this cushion in the bill this increased value when so distributed would be subject to taxation.

NET LOSSES.

On pages 8 and 9 of the bill will be found the sections covering the net loss cushion. This has been fully discussed on the floor, and permits a man who has made a mistake which resulted in a loss in his business during any taxable year ending after January 1, 1919, to recompute the taxes for the preceding year and then to recoup his loss by deducting the amount out of the taxes for that taxable year, and if his taxes for that taxable year be not sufficient to fully recompense him, then he may have a credit against his taxes for the succeeding year.

In case the loss was made during any taxable year beginning after December 31, 1916, and ending not later than December 31, 1918, such loss shall be allowed as a deduction in computing the net income of the taxpayer for the succeeding taxable year.

In other words, it is saddling onto the Government the mistakes and losses which may occur and which may not be deducted during the taxable year.

SALE OF MINES OR OIL AND GAS WELLS.

Page 18, line 3, reads as follows:

(b) In the case of a bona fide sale of mines, oil or gas wells, or any interest therein, where the principal value of the property has been demonstrated by prospecting or exploration and discovery work done by the taxpayer, the portion of the tax imposed by this section attributable to such sale shall not exceed 20 per centum of the selling price of such property or interest.

Applying this, let us assume that a prospector finds a mine or an oil or gas well, and in demonstrating the value of that property, allowing him full compensation for his time and for everything expended for this purpose, his total investment is $50,000.

Assume that he sells this property at $1,000,000. This leaves him a profit of $950,000. Under the terms of the income-tax section and without this cushion his tax would be about $700,000, but the above cushion comes into operation and it limits his tax by saying that the portion of the tax imposed by this section attributable to such sale shall not exceed 20 per cent or $190,000—a loss to the Government and a saving to the taxpayer of $510,000. This is how it operates on the big fellow.

But take the case of a little prospector, who spends $1,000 in discovering and proving a mine or oil or gas well, and assume that he sells his property for $31,000, leaving him a net profit of $30,000. Under the terms of the bill his tax would be $4,930. That being less than 20 per cent of the selling price of his property, this cushion does not operate for his benefit. In other words, this cushion operates to reduce the tax of the big operator from 70 per cent of the selling price to 20 per cent, while it leaves the tax on the little operator at 16.53 per cent.

This is not levying a tax in conformity with the rule that should maintain, that an income tax should be levied according to the ability of the person to pay. It aids the person who is so fortunate as to neither need nor deserve any aid, while the small man receives no benefit whatsoever from the cushion.

DEPLETION AND DEPRECIATION OF IMPROVEMENTS OF MINES, OIL AND GAS WELLS, AND TIMBER.

On pages 28 and 58 is the depletion paragraph, which provides in the case of a mine, oil or gas well, and other natural deposits and timber a reasonable allowance for depletion and for depreciation is made. If any individual or a corporation acquired a mine prior to March 1, 1913, in what is known as a proven tract—that is, where there were other mines developed in the same locality—and there was paid for this $100,000, but on March 1, 1913, the fair market value of the property was $1,000,000, then in computing the depreciation such fair market value and not what was actually paid for the property shall be the basis. If the mine or well was acquired after March 1, 1913, by the taxpayer, then not the cost of such acquirement but the fair market value at any time within 12 months after such acquirement shall be taken as the basis for depletion. So that while the purchase price might have been $100,000, after March 1, 1913, if the fair market value at any time within the succeeding year was $1,000,000, then the depreciation allowed would be based upon the latter figure.

Mines have a limited life. In the Joplin district the zinc mines last for from three to five years. Other properties—coal mines, gas or oil wells—have a longer life; but we will say, for example, that this property has a life of five years. Under this provision the taxpayer would be allowed a depreciation of $200,000 per annum. In other words, he would be allowed to deduct annually for five years from his income upon which the tax is computed twice as much as he paid for his property.

On page 29, line 19, and on page 60, line 5, is a paragraph which permits the taxpayer who has for the first time ascertained the amount of loss sustained during the preceding year and not deducted from the gross income for that year, or whose stock of goods is depreciated materially in value due to any shrinkage from the value of the inventory of the preceding year, to deduct such loss from the net income for such preceding taxable year and to have the taxes for that year redetermined, and any amount found to be due to the taxpayer on the basis of such redetermination is credited or refunded to him. The effect of this is that there may be a large stock of goods bought upon a high market, the market declined and the goods are still on the shelves. They are unsold. The tax for the preceding year can be redetermined and this loss recouped. It makes the Government the insurer of business judgment.

AMORTIZATION OF WAR PRODUCTION PLANTS.

(Page 26, subdivision (9), individuals.)
(Page 56, subdivision (8), corporations.)

Under the amortization section an individual or a corporation that constructed a building or acquired machinery or other equipment after April 6, 1917, for the purpose of manufacturing or of producing articles to contribute to the prosecution of the war, or who constructed or acquired vessels for the transportation of articles or men for that purpose, are permitted to annually amortize the cost of their plant without limit; that is, they are permitted to deduct from the income of this year any part or even the total cost of buildings, machinery, equipment, vessels—everything. The House limited the amount that might be deducted for any one year under this heading to 25 per cent of the taxpayer's net income, but the Senate committee struck this limitation from the bill and threw the door wide open.

Under the House bill the Secretary could say that there shall not be allowed any deduction under this heading to exceed 25 per cent, but under the Senate bill there is no limitation on the taxpayer, and he may claim a deduction of 25, 50, 75, or 100 per cent of his net income if the cost of the building or machinery equals that amount.

WIDENS THE EXEMPTION OF ASSOCIATIONS.

The existing law very properly provided for exemption from the corporation-tax section of farmers, fruit growers, and like associations organized and operated for the purpose of marketing their products, and which are operated without profit. These associations are mere selling agents for the individual farmers. In the pending bill, page 51, this very just exemption of the existing law is expanded and the door is thrown open and the opportunity given for the evasion of the corporation-tax law. The provision of the pending bill not only applies to such nonprofiteering associations, but it extends the exemption to include associations that act as selling agents not only for their own members and without profit, but which also sell for nonmembers. Where these associations make profit as the agent of a nonmember, such profit is taxable. But the viciousness of this provision is that membership in such organizations can be had for a mere nominal fee, and individuals who would not ordinarily find it advantageous to belong to such organization will under this provision find it a benefit to be a nominal member in such an association. It is problematic how much loss there may be to the Government in revenue, and there is no need of introducing this uncertainty when every legitimate association of this character is exempted under the existing law.

MAKING THE GOVERNMENT CARRY THE COST OF DEFERRED TAX PAYMENTS.

On pages 69 and 70 of the bill, section 250, there is extended the time for the payment of the income tax so that the last payment for the tax of 1918 need not be made until December 15, 1919.

The income which was taxed was of the year 1918. The tax should be due on the 31st day of December, 1918, and should be paid as soon thereafter as the books of the taxpayer can be closed and the return made. The existing law gives the taxpayer until June 15 in order to make certain that all of the taxes would be in the Treasury prior to the end of the fiscal year.

Anticipating a heavy war tax both on incomes and on profits for the year 1918, Treasury certificates were sold, so as to make it easy for the taxpayer. As the taxpayer accumulated his income during 1918, he laid aside a portion to meet the income taxes, and could invest it in Treasury certificates, such certificates bearing interest at from 2 to 4¼ per cent, but practically all at 4¼ per cent, so that the taxpayer, on the sum he had laid aside for payment of his taxes, could earn income up to the time that he would turn in the certificates, as the cer-

tificates are receivable for taxes. But this provision of extending these payments will put a loss of $20,000,000 onto the Government. Instead of collecting the money which these big corporations have laid aside during 1918 to pay their taxes for that year they will extend their payments until December, and the Government in the meantime will have to issue certificates of indebtedness in anticipation of these payments. On these certificates of indebtedness, the face of which will be about $2,000,000,000, the average interest will be at least 1 per cent, so that it will mean an interest, taking into account the time for which it will run, charge of $20,000,000, which will amount to a bonus to the taxpayer. The little taxpayer will pay his taxes in cash, without taking advantage of these extension provisions, and it is only the concerns with big amounts involved that will be benefited.

RELIEF FOR SMALL CORPORATIONS.

The House bill and the pending bill contain provisions excepting certain corporations from the rates of taxation provided under the brackets of the war excess-profits tax. In discussing some of the "cushion" provisions I called attention to a few of these, and I will not again cover that ground.

The House bill would tax a corporation with an invested capital of not more than $25,000, 35 per cent of its net income in excess of $3,000. This was the same rate it applied to other corporations by the first excess-profits bracket, but in the case of other corporations the rate is limited to apply to profits not in excess of 15 per cent of the capital plus that $3,000 exemption.

In the case of corporations with a capital of more than $25,000, but not more than $50,000, the rate of taxation as fixed by the House bill is 40 per cent of the net income, less a specific deduction of $3,000. Under the terms of the House bill, with a specific exemption of $3,000, plus 8 per cent earning allowed upon the capital, there seems to be no reason why corporations of this class should not take the same rates as other corporations.

The pending bill provides that the war excess-profits tax on corporations shall in no case be more than 30 per cent of the net income in excess of $20,000. This is a cushion unnecessary, unjustifiable, because it permits corporations to retain inordinately large profits, though made out of war, and it is stricken from the substitute bill.

The substitute bill restores the House section which limits the tax which may be levied on personal service corporations to 20 per cent of its net income, but makes an exception in that it shall not apply to a corporation with a capital of more than $100,000, 50 per cent of the gross income of which consists of gains or profits derived from purchase, sale, or commissions from Government contracts. In such case, under the provision of the House bill, these corporations would be taxed on their profits as are other corporations.

The pending bill strikes out the House limitation and would also write into law a rule dividing the income of a corporation partly derived from capital and partly derived from personal service, and the tax rate is computed on that portion of the income earned by capital provided 30 per cent of the income is derived from personal service. Then the rate based on a part is applied to the whole income. This is a cushion which will permit many contracting corporations that have made large profits out of Government contracts to escape payment of just war excess profits at the same rate as other corporations that have made such profits.

The substitute bill recurs to the language of the House bill with its specific limitation, as this will afford all the "relief" that any personal-service corporation should be entitled to, while at the same time it will protect the Government in the revenues which it should justly have out of war contracts. In connection with the consideration of this item it should be borne in mind that the Government was compelled to pay high prices on these contracts. It accepted these high prices because in the first place it desired the work to be done quickly and it did not have time to haggle as to prices, and in the second place because, as it was stated and as it appeared in the public press over and over again, the Government counted upon getting back a large share of these excessive prices through the means of a stiff and uncompromising war tax.

CHANGES MADE BY THE SUBSTITUTE BILL.

The substitute bill follows the general form of the House bill up to the tax on beverages. It restores the House rates on estate taxes and a striking out of the inheritance tax as it has been written in by the Senate committee.

The tax on transportation and other facilities, telephone and telegraph messages as contained in the House bill and in the pending bill, are not in the substitute bill.

The tax on insurance in the substitute bill follows the language and rates of the House bill.

The tax on beverages and on tobacco and cigars is the same in the substitute bill and in the pending bill.

The tax on admissions and dues follows the language and rates of the pending bill.

The excise taxes carried under Title IX of the pending bill are included in the substitute bill, but in addition thereto the substitute bill restores the tax upon luxuries as this tax passed the House.

The special taxes under Title X of the pending bill are retained in the substitute bill, as are also the stamp taxes of Title XI.

The tax on employment of child labor is included in the substitute bill, as are also the general administrative provisions of Title XIII.

The general provisions of Title XIV are included in the substitute bill, with the exception that there is stricken therefrom the amendment to section 1101, which would repeal the existing law with respect to fourth-class mail matter.

The foregoing is a brief summary of the differences between the pending bill and the substitute. The result of these changes is to take some of the burden off the men of small incomes and place it where it properly belongs—on the larger incomes.

The substitute bill increases materially the amount of revenue which will be collected under the war excess-profits tax. It is estimated that the rates of the pending bill will produce $2,400,000,000 of war excess-profits revenue, while by the substitute bill there will be raised under this heading at least $3,200,000,000, an increase of $800,000,000.

Every dollar of this revenue will be taken from concerns that have been piling up abnormally high profits, whether these profits are what may be strictly termed war profits or merely the excess profits, over a reasonable return on business.

The substitute bill, by restoring the House provisions with respect to estate taxes, will be capable of producing an estimated revenue of $110,000,000 under this head—an increase of $88,000,000.

The substitute bill, under the heading of special taxes, is estimated to produce $262,805,000, as against $77,805,000, than the rates of the Senate bill under this heading would produce. The reason of this is that there are restored to the bill all of the luxury taxes that were eliminated by the Senate committee. Since I dictated that paragraph I believe the Senate has incorporated the luxury tax in the bill.

Mr. THOMAS. And reduced the amount to 10 per cent.

Mr. LA FOLLETTE. Yes; and has cut the amount in two, the amount that would be secured under the House rates; but I have put it into this substitute at the full amount of 20 per cent. By placing these taxes back in the bill a gain in revenue will be made amounting to $185,000,000.

It is from these items alone, the income tax, war excess-profits tax, estate tax, and luxury taxes, that the substitute bill increases in revenue are derived.

By eliminating the tax upon freight bills, passenger tickets, express and parcel-post packages, telegraph and telephone messages, as will be done if the substitute bill is adopted, there would be a loss in revenue upon this one head of $219,000,000.

But when all the changes are made by the substitute—and every change it proposes is for the purpose of placing the tax where it belongs, on wealth and luxuries that can well afford to bear the tax, and by taking a little off the poor—the total increase in revenue under the substitute bill would be $1,234,510,000.

I submit and ask to have printed in the RECORD a table showing the estimated revenue for the 12-month period under the pending bill and the substitute. These estimates were prepared by the Treasury expert.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

Estimated revenues under the Senate bill and the La Follette substitute compared for 12-month period.

	Senate bill.	Substitute bill.
Income taxes:		
Normal	$414,000,000	$700,000,000
Surtax	1,018,000,000	1,714,510,000
Corporation tax	772,000,000	700,000,000
War excess-profit tax	2,400,000,000	3,200,000,000
Estate or inheritance taxes	22,000,000	110,000,000
Transportation facilities	219,000,000	
Insurance	17,000,000	17,000,000
Admissions and dues	54,000,000	54,000,000
Excise taxes	198,535,000	198,535,000
Beverages	75,000,000	75,000,000
Tobacco and cigars	240,000,000	240,000,000
Special (luxury taxes)	77,805,000	77,805,000
Stamp taxes	31,000,000	31,000,000
Floor taxes	70,000,000	70,000,000
Total	5,600,340,000	6,743,850,000

WAR EXCESS-PROFITS TAX OF SUBSTITUTE.

Mr. LA FOLLETTE. The computations presented have been submitted to the Treasury expert—in fact, the estimates were prepared by him. I am willing that these estimates should stand as the measure of the revenue-producing power of the substitute bill.

At the same time, in fairness to the Senate, I must express the belief that the revenue that would be derived under the war-profits bracket would be larger than the estimate.

My reasons for this belief are the following:

The estimated revenue under the war excess-profits tax as it passed the House was $3,200,000,000. The substitute bill has practically the House bill rates, but does not permit a corporation taxed under the war-profits method a specific exemption of $3,000, as does the House bill.

It appears to me that the striking out of this exemption must result in a large increase in the revenue that would be derived from war profits.

The 1916 statistics of income, the latest available, show there were 341,253 corporations that made returns of taxable income. This number has greatly increased since that time. It is estimated that this increase is almost 25 per cent, and that there are now about 400,000 corporations in the United States.

Assuming that of these 250,000, or little more than half, would pay a tax under the war-profits bracket, it would mean that 250,000 corporations would each receive under the substitute bill a deduction less by $3,000 than under the Senate or the House bill. In other words, the rates of the substitute bill would apply to $750,000,000 more profits than are taxed under the pending or the House bill.

Seven hundred and fifty million dollars of profits additional to the profits taxed under the war-profits bracket at the rate of 80 per cent would yield additional revenue of $600,000,000.

This $600,000,000 added to the estimated $3,200,000,000 would bring the total yield of revenue under the war excess-profits tax to $3,800,000,000.

That would amount to a war-profits tax of 76 per cent on the estimate of $5,000,000,000 of war profits, and would make the substitute bill produce revenue of $1,734,510,000 in excess of the revenue estimated to be derived under the pending bill.

As I said, I have only endeavored to indicate in a brief way how these relief provisions will operate. Their effect upon the revenues of the Government is clearly indicated by the estimate of the amount of war excess profits to be collected under the pending bill.

In the substitute bill, without making too many changes, I have endeavored to save, and the provisions of the substitute bill will save, to the Government revenue to an amount of from $800,000,000 to $1,400,000,000 out of the tax on war excess profits alone.

Mr. President, I have endeavored to present the more objectionable provisions of the pending bill as I view them and to remedy in some measure its more serious defects by the substitute bill which I have submitted to the consideration of the Senate.

EVERY DOLLAR OF WAR PROFITS SHOULD BE TAKEN.

I would not have it understood that I regard the substitute bill as the best measure that might be drawn to meet present requirements. Far from it. A just measure would allow no man or corporation to retain a dollar of profits made directly out of this war.

Thousands of letters are coming to us daily from the families of soldiers who are being supported by charity because the Government has failed to pay to these dependent ones the insurance and allotments to which they are entitled.

The suffering resulting is appalling. I make reference to it in this connection solely to remind Senators how near the limit of destitution and suffering a great mass of people in this country are actually living.

When a family so situated gives up the father and the sons to the service of the Government, they give everything. They give all their income when they give the power that produces that income. If the rich gave all of their income and loaned the Government all of their capital, they would give no more to support the war than the hundreds of thousands whose fathers and brothers were taken for this war service.

I would take every dollar of war profits, leaving business its enormous prewar profits and its capital untouched.

I would take all of the incomes over enough to enable the owner of the income to support his family in comfort.

But, sir, I know that such a bill would receive little support in this body.

I have therefore offered a substitute bill that is far short of the requirements that justice demands.

I desire a record vote whenever the Senate is ready to pass upon the adoption or rejection of my substitute.

Mr. President, in view of the unexpected progress made with the consideration of this bill since it was reported to the Senate it appeared that all committee amendments might be disposed of and that we might reach the parliamentary situation where I could present my substitute bill for argument and secure a vote upon it during Saturday's session. As I could avail myself of computations already made by the Treasury experts by adopting the form of the pending bill with respect to the tax upon excess and war profits, and thus expedite the preparation of my substitute bill, I prepared my substitute on that basis.

While not in conformity with my idea of a properly drafted war-revenue bill, I took that course under the circumstances and made such changes in the pending bill as would levy a higher rate of taxation upon excess profits and would bring under the war-profits bracket the actual war profits, without any deduction made with respect to a percentage of the capital or any specific deduction.

As the bill was not disposed of in its consideration before the Senate in Committee of the Whole Saturday night, I have had time to work out a substitute plan for a flat 80 per cent war-profits tax.

That is a variation from the printed substitute, and I am now calling attention to it.

As this flat tax on war profits takes no account of the so-called excess profits, I have recurred to the provision of the House bill taxing the net income of corporations. Under this provision such portion of the net income as is used to pay dividends, the discharge of bonds or other interest-bearing obligations, and any amount expended to purchase obligations of the United States will be taxed at 12 per cent, and all the net income in excess of amounts thus expended would be taxed at 18 per cent.

The result of these changes would be to bring a very substantial increase in the revenue that would be derived under the bill.

It is true that under this plan the profits of a great number of concerns that made exceptionally large earnings in the prewar period but had no increase in earnings during the taxable year would not be subject to quite as high a rate of taxation as would those same corporations if taxed under the provisions of the pending bill or the provisions of the House bill. This is because the substitute as framed makes no provision for the taxation of excess profits and is based wholly upon the idea that the profits that should bear the high rate of taxation for war purposes are the profits that are made out of war.

This conforms to the fundamental idea of a war-profits tax. It will bear equally upon the large and the small corporations. It will touch no corporation that did not make profits out of war. It is ascertained by subtracting the average net income of the corporation for the prewar period from the net income of the taxable year, and taxing the difference at the rate of 80 per cent. It is a tax easy to administer. It will take no toll except that which should be taken. It would do no harm if it was placed as high as 90 per cent or 100 per cent, because the corporation would be left an amount equal to its peace-time profit.

I will say, Mr. President, as my conception of fair taxation, that no dollar of profit should be permitted to accrue to any man or to any corporation out of this war.

As for corporations that did not exist in the prewar period, their war profits are to be determined by comparison with the war profits of representative corporations doing a like business. As to corporations that have added or withdrawn new capital, they are permitted a deduction plus or minus 10 per cent of the capital withdrawn or added. Under the determination with respect to the war profits of 1918 and levying an 80 per cent tax on same, this substitute would therefore yield 80 per cent of $5,000,000,000 of war profits, or $4,000,000,000 of revenue.

Under the excess and war profits bracket of the pending bill it is estimated that the revenue will amount to $2,400,000,000; with the change which I would make there would be an increase in revenue which will amount to $1,400,000,000.

Mr. KENYON. May I ask the Senator a question?

Mr. LA FOLLETTE. Certainly.

Mr. KENYON. I do not want to break into the Senator's line of thought, but he says that there should be no war profits, and he takes 80 per cent of war profits and there is then virtually 20 per cent left of the war profits.

Mr. LA FOLLETTE. In saying that there should be no war profits I am speaking my personal view. In presenting a bill which takes only 80 per cent, I am doing the best I can with the Senate.

Mr. KENYON. The Senator's substitute, then, does not take all the war profits?

Mr. LA FOLLETTE. No; it takes 80 per cent of the war profits, and takes it as a flat tax.

Mr. President, to effect the necessary changes I have had to make a few corrections in the print of the amendment in the form of a substitute which Senators have before them. If any Senator desires to mark the changes into his copy, I will submit them to the Senate and Senators will see just what changes I have made in the printed amendment which is upon their desks. The first of these changes occurs at the bottom of page 31. Instead of the language beginning with line 22, paragraph (a), I have recurred to the language in the House bill, which will be found on the copy of the pending bill beginning at line 23, page 47. I have restored the matter there stricken through down to and including line 8, on page 48.

I will read into the RECORD, Mr. President, the change made by the substitute bill. At page 31, after line 21, I have added the following:

In case of a domestic corporation, 18 per cent of the amount of the net income in excess of the credits provided in section 236: *Provided*, That the rate shall be 12 per cent upon so much of this amount as does not exceed the sum of (1) the amount of dividends paid during the taxable year plus (2) the amount paid during the taxable year out of earnings or profits in discharge of bonds; and other interest-bearing obligations outstanding prior to the beginning of the taxable year plus (3) the amount paid during the taxable year in the purchase of obligations of the United States issued after September 1, 1915.

In section 301, page 54 of the substitute bill, in lines 16 and 17, I have stricken out the matter which occurs in parentheses; in line 19, all after the words "equal to," and the balance of page 54 and page 55, down to and including the word "which," on line 9; also all after the parenthesis in line 11 down to and including line 19; on page 56, line 9, after the word "be," inserting the words "10 per cent"; on page 57 strike out lines 7, 8, 9, 10 and 11; on page 62, in line 21, strike out all after the word "capital" where it occurs in the center of the line; also lines 22 and 23 down to and including the words "trade or business," in line 24.

With these changes the language of the substitute bill as I introduced it on December 19, and as I offer it now, are identical, so that Senators may very easily follow these changes and will appreciate that, while I make a change in the corporation tax and in the war excess-profits tax, the body of the substitute bill remains as it was introduced.

The PRESIDING OFFICER [Mr. MCKELLAR in the chair]. The question is upon the adoption of the amendment offered as a substitute by the Senator from Wisconsin.

Mr. LA FOLLETTE. Upon that I ask for a record vote.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. JONES of Washington (when his name was called). I am paired with the senior Senator from Louisiana [Mr. RANSDELL] and therefore withhold my vote. If at liberty to vote, I should vote "yea."

Mr. KENDRICK (when his name was called). I transfer my pair with the Senator from New Mexico [Mr. FALL] to the Senator from Montana [Mr. WALSH] and vote "nay."

Mr. NEW (when his name was called). I have a pair with the junior Senator from Louisiana [Mr. GAY]. Transferring that pair to the senior Senator from New Jersey [Mr. FRELINGHUYSEN], I vote "nay."

Mr. SAULSBURY (when his name was called). My general pair with the senior Senator from Rhode Island [Mr. COLT] does not apply to this proposal. I therefore vote "nay."

Mr. TOWNSEND (when his name was called). I have a pair with the senior Senator from Arkansas [Mr. ROBINSON], who is absent. I therefore withhold my vote.

The roll call was concluded.

Mr. GERRY. I have a general pair with the junior Senator from New York [Mr. CALDER]. I transfer that pair to the senior Senator from Nevada [Mr. PITTMAN] and vote "nay."

Mr. MYERS. I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from Texas [Mr. CULBERSON] and vote "nay."

Mr. STERLING. Announcing my pair with the Senator from South Carolina [Mr. SMITH], and not knowing how he would vote on this question, I withhold my vote.

Mr. BRANDEGEE. I am paired with the senior Senator from Tennessee [Mr. SHIELDS]. I transfer that pair to the junior Senator from New Jersey [Mr. BAIRD] and vote "nay."

Mr. SMOOT. I desire to announce the unavoidable absence on account of illness of the Senator from Kansas [Mr. CURTIS]. He is paired with the Senator from Georgia [Mr. HARDWICK].

Mr. LODGE. I have been requested to announce the following pairs:

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Illinois [Mr. SHERMAN] with the Senator from Kansas [Mr. THOMPSON];

The Senator from New York [Mr. WADSWORTH] with the Senator from New Hampshire [Mr. HOLLIS]; and

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED].

The result was announced—yeas 6, nays 54, as follows:

YEAS—6.

Borah	La Follette	Nugent	Vardaman
Gronna	Norris		

NAYS—54.

Bankhead	Jones, N. Mex.	Nelson	Smoot
Beckham	Kellogg	New	Spencer
Brandegee	Kendrick	Penrose	Sutherland
Chamberlain	Kirby	Phelan	Swanson
Dillingham	Knox	Poindexter	Thomas
Fernald	Lenroot	Pollock	Trammell
Fletcher	Lewis	Pomerene	Underwood
France	Lodge	Saulsbury	Warren
Gerry	McCumber	Shafroth	Watson
Hale	McKellar	Sheppard	Weeks
Harding	Martin, Ky.	Simmons	Williams
Henderson	Martin, Va.	Smith, Ariz.	Wolcott
Hitchcock	Moses	Smith, Ga.	
Johnson, S. Dak.	Myers	Smith, Md.	

NOT VOTING—36.

Ashurst	Gay	McLean	Sherman
Baird	Goff	McNary	Shields
Calder	Gore	Overman	Smith, Mich.
Colt	Hardwick	Owen	Smith, S. C.
Culberson	Hollis	Page	Sterling
Cummins	Johnson, Cal.	Pittman	Thompson
Curtis	Jones, Wash.	Ransdell	Townsend
Fall	Kenyon	Reed	Wadsworth
Frelinghuysen	King	Robinson	Walsh

So Mr. LA FOLLETTE'S amendment, in the nature of a substitute, was rejected.

Mr. THOMAS. Mr. President, this morning a motion which I made to strike out three lines on page 123 was accepted by the committee. My attention has been called to the identical language on page 128, beginning on line 7 and ending with line 9. I ask that that may also be stricken out.

The PRESIDING OFFICER. The Senator from Colorado offers an amendment, which will be stated.

The SECRETARY. On page 128, line 7, it is proposed to strike out: "and to the extent of the excess over $25,000 of the amount receivable by any beneficiary as insurance under policies taken out by the decedent upon his own life."

Mr. SIMMONS. I accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado.

The amendment was agreed to.

Mr. KING. I send to the desk the following amendment. I have submitted it to the chairman of the committee and it has received some investigation. I think he will accept the amendment.

The SECRETARY. On page 278, after line 7, insert:

SEC. 1407. That it shall be the duty of every individual partnership, and corporation which, since the 6th day of April, 1917, has entered into any contract, undertaking, agreement, or transaction with the United States, or with any agency, officer, or commission of the United States, or with any other person, partnership, or corporation having contract relations with the United States, for the performance of any work or for the supplying of any materials or property for the use of or for the account of the United States to file with the Commissioner of Internal Revenue and with the Attorney General, within 60 days after the passage of this act, a true and correct copy of every such contract, undertaking, agreement, or transaction, together with a true, accurate, and complete statement of all work and labor performed and materials and property supplied, and an account of all moneys or other things of value received, expenses incurred, and profits made and realized from such contract, undertaking, agreement, or transaction.

SEC. 1408. That in cases where the work to be performed or the materials to be supplied shall not have been completed within 60 days after the passage of this act, a further and supplementary statement covering the same matters and to the same effect as hereinbefore prescribed shall be filed with the Commissioner of Internal Revenue and with the Attorney General within 60 days after the completion of such contract, undertaking, agreement, or transaction.

SEC. 1409. That during the pendency of the present state of war every individual, partnership, and corporation, which shall hereafter enter into any contract, undertaking, agreement, or transaction with the United States, or with any agency, officer, or commission of the United States, or with any other person, partnership, or corporation having contract relations with the United States, for the performance of any work and for the supplying of any materials or property for the use of or for the account of the United States, shall immediately file with the Commissioner of Internal Revenue and with the Attorney General a true, correct, and complete copy of every such contract, undertaking, agreement, or transaction, and shall within 60 days after the completion of such contract, undertaking, agreement, or transaction file with the Commissioner of Internal Revenue and with the Attorney General the statement of work, receipts, expenditures, and profits hereinbefore prescribed.

SEC. 1410. That if such contract, undertaking, agreement, or transaction requires the performance of work or the supplying of materials or property for a period extending beyond one year, then the statement hereinbefore prescribed shall be filed with the Commissioner of Internal Revenue and with the Attorney General on or before the 1st day of January in each and every year during the continuance of such contract, undertaking, agreement, or transaction, and upon the completion of such contract, undertaking, agreement, or transaction the statement

of work, receipts, expenditures, and profits, hereinbefore prescribed, shall likewise be filed with the Commissioner of Internal Revenue and the Attorney General.

SEC. 1411. That the statement hereinbefore prescribed to be filed with the Commissioner of Internal Revenue and the Attorney General shall in every case be duly verified by oath by the individual or on behalf of the partnership or corporation making the same, and in the case of a partnership said statement shall be verified by one of the members of such partnership, and in the case of a corporation by the president or the manager of such corporation.

SEC. 1412. That a failure to file the statement referred to in sections 1407 to 1411, inclusive, within the time herein provided shall constitute a misdemeanor, and every person so offending shall be punished by a fine not exceeding $5,000 or imprisonment not exceeding two years, or by both such fine and imprisonment.

SEC. 1413. That if any person or officer or agent of any corporation or partnership shall knowingly falsely set forth or state anything in said statement filed with said Commissioner of Internal Revenue and said Attorney General, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding $5,000 or punished by imprisonment not exceeding five years, or by both such fine and imprisonment.

SEC. 1414. That all persons employed in the civil, military, and naval establishments of the United States whose services are personal and whose duties, offices, and functions are prescribed by law shall be excluded from the operation of the provision of sections 1407 to 1413, inclusive.

Mr. SIMMONS. I have examined that amendment very closely, and members of the committee have also done likewise, and I will accept it.

Mr. BRANDEGEE. Mr. President, I simply want to suggest in relation to the amendment for the consideration of the conference committee, there are thousands of people, no doubt, who have had relations with the Government of a contractual nature since the war broke out, who will not know anything about the passage of the bill. The amendment is in a revenue act. It makes a penal offense for all people who neglect for a period of 60 days after the passage of the bill filing copies of their contracts with the internal-revenue collector. I suggest that if adopted—and I am not opposing it at all—the conference committee should provide that the parties having the contracts should in some way be notified by the Government that this is required of them.

Mr. SIMMONS. Does the Senator understand that the conferees would have authority to make changes in this provision?

Mr. BRANDEGEE. I hope so. At any rate if they can not do it they can not; but I suggest if it is possible they should do so, because there are many people who are not used to dealing with the Government and have made contracts of a small nature who will never know about this measure, and they may be the victims of blackmail and serious oppression unless they are notified, and they should be notified.

Mr. SIMMONS. The purpose of the amendment is undoubtedly good.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Utah.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is still in Committee of the Whole, and open to amendment. If there be no further amendment as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

The PRESIDING OFFICER. The question is on concurring in the amendments made as in Committee of the Whole.

Mr. POMERENE. I reserved the other day the right to have a separate vote in the Senate on the amendment relating to the zone system, to wit, section 1101 of the bill. I ask that that matter may be submitted to the Senate.

The PRESIDING OFFICER. Without objection, all the other amendments to the bill that have been agreed to in Committee of the Whole will be concurred in. They are concurrred in. The question now is on concurring in the amendment reserved by the Senator from Ohio, which the Secretary will state.

The SECRETARY. On page 277, insert section 1101 in the following words:

SEC. 1101. That on and after July 1, 1919, the rates of postage on publications entered as second-class matter (including sample copies to the extent of 10 per cent of the weight of copies mailed to subscribers during the calendar year) when sent by the publisher thereof from the post office of publication or other post office, or when sent by a news agent to actual subscribers thereto, or to other news agents for the purpose of sale, shall be 1 cent per pound or fraction thereof for delivery within the first and second zones applicable to fourth-class matter, and 1½ cents per pound or fraction thereof for delivery within any other zone.

(c) This section shall take effect July 1, 1919.

Mr. POMERENE. This is the amendment repealing the present zone system as applied to second-class mail. I think Senators are fully familiar with what is involved, and I do not care to occupy the time of the Senate to say anything further upon it. I ask for the yeas and nays upon concurring in the amendment.

Mr. SMOOT. Mr. President, I feel that I ought to make a correction in the statement that I made on the floor of the Senate the other day when we had the zone system under consideration. It will take me only a minute. The Senate was led to believe, and I was also led to believe and made the statement, that Mr. Penton was publisher of the Iron Age, a magazine published in New York, and I took it for granted when the statement was made that Mr. Penton was the publisher of that magazine. A letter was read in the Senate the other day when we had this question up by the Senator from Ohio [Mr. POMERENE] stating that he, of course, very much preferred to have an increase in the second-class postage rates rather than have the first-class postage raised from 1 cent to 3 cents. The magazine was pointed to as a horrible example of the cost of second-class mail matter to the Government of the United States.

My attention has been called to the fact that Mr. Penton is not the publisher of the magazine, has nothing whatever to do with it, but does publish a little magazine in Cleveland, Ohio, whose circulation is in the iron industry around Cleveland, and it hardly goes out of the first zone. Of course, under the proposition he would prefer very greatly to have the rate provided in the present law apply to his magazine rather than to have it apply to first-class mail matter.

I have a copy of the magazine before me. I notice there are 43 pages of reading matter with certain insertions in that reading matter and 189 pages of advertisements, and this is not the Christmas edition.

Mr. POMERENE. May I ask the Senator the name of that magazine?

Mr. SMOOT. I will state that the magazine is the Iron Trade Review, published at Cleveland, Ohio. This is the issue of December 19, 1918. I felt that I should make that correction.

Mr. POMERENE. It is true that a mistake was made in saying that he was connected with the Iron Age, but the Senate still has not investigated the subject sufficiently to have the facts. The Trade Review, to which the Senator referred, is one of the publications. Mr. Penton has either four or five publications. The statement that it is limited in its circulation to a few iron people in and about Cleveland is wholly gratuitous on the part of the Senator from Utah. It is not the fact. It has a very wide circulation throughout the country.

Mr. SMOOT. I make the statement I do, in relation to where it is circulated, from men who have sent to me the information; and if the Senator wants to know who they are I can tell him exactly who they are.

Mr. POMERENE. It is not necessary to tell me who they are. I know Mr. Penton, and I know he is one of the reliable men of this country, and he is not a Democrat, but he is a Republican who believes in paying his way without getting his hand in the public till.

The PRESIDING OFFICER. The question is on concurring in what is known as the zone postal amendment.

Mr. POMERENE. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HITCHCOCK. I should like to have the Chair state what the amendment is.

The SECRETARY. On page 276, line 22, insert section 1402.

The PRESIDING OFFICER. The Secretary will call the roll on concurring in the amendment made as in Committee of the Whole.

The Secretary proceeded to call the roll.

Mr. GERRY (when his name was called). Making the same announcement as on the last vote I vote "nay."

Mr. JONES of Washington (when his name was called). As heretofore announced I am paired with the senior Senator from Louisiana [Mr. RANSDELL] and withhold my vote.

Mr. MYERS (when his name was called). I make the same transfer of my pair that I announced on the last vote and vote "nay."

Mr. NEW (when his name was called). Announcing the same pair and transfer as on the previous vote of to-day I vote "yea."

Mr. TOWNSEND (when his name was called). Making the same announcement of the transfer of my pair I vote "yea."

The roll call was concluded.

Mr. GERRY (after having voted in the negative). I voted under a misapprehension. I change my vote from "nay" to "yea."

I am informed that the Senator from New York [Mr. CALDER], with whom I am paired, would vote as I do, and therefore I do not need to make a transfer.

Mr. STERLING. I announce my pair as on the previous vote, and I transfer that pair to the Senator from Oregon [Mr. MCNARY] and vote. I vote "yea."

Mr. BRANDEGEE (after having voted in the affirmative). I omitted to state that I made the same transfer of my pair on this vote that I did on the previous one.

Mr. SIMMONS (after having voted in the affirmative). I wish to inquire whether the Senator from Minnesota [Mr. KELLOGG] has voted.

The PRESIDING OFFICER. He has not voted.

Mr. SIMMONS. I have a pair with that Senator, which I transfer to the Senator from Nevada [Mr. PITTMAN] and let my vote stand.

The result was announced—yeas 41, nays 22, as follows:

YEAS—41.

Bankhead	Henderson	Nelson	Sterling
Borah	Hitchcock	New	Swanson
Brandegee	Johnson, Cal.	Penrose	Underwood
Chamberlain	Jones, N. Mex.	Phelan	Warren
Dillingham	Kendrick	Poindexter	Watson
Fernald	Knox	Saulsbury	Weeks
Fletcher	Lewis	Simmons	Williams
France	Lodge	Smith, Ga.	Wolcott
Gerry	McCumber	Smith, Md.	
Hale	Martin, Va.	Smoot	
Harding	Moses	Spencer	

NAYS—22.

Beckham	La Follette	Nugent	Sutherland
Gronna	Lenroot	Pollock	Thomas
Johnson, S. Dak.	McKellar	Pomerene	Trammell
Kenyon	Martin, Ky.	Shafroth	Vardaman
King	Myers	Sheppard	
Kirby	Norris	Smith, Ariz.	

NOT VOTING—33.

Ashurst	Gay	Overman	Smith, Mich.
Baird	Goff	Owen	Smith, S. C.
Calder	Gore	Page	Thompson
Colt	Hardwick	Pittman	Townsend
Culberson	Hollis	Ransdell	Wadsworth
Cummins	Jones, Wash.	Reed	Walsh
Curtis	Kellogg	Robinson	
Fall	McLean	Sherman	
Frelinghuysen	McNary	Shields	

So the amendment was concurred in.

Mr. SIMMONS. I ask unanimous consent that the Secretary be authorized to adjust the numbers of sections and subsections.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPENCER. I offer the following amendment to the bill in the Senate.

The PRESIDING OFFICER. It will be stated.

The SECRETARY. On page 197, line 2, strike out the figure "10" and substitute in lieu thereof the figure "5."

Mr. SIMMONS. I desire to inquire whether the Senator from Missouri reserved that amendment.

Mr. SPENCER. I did not.

Mr. SIMMONS. Very well. I will make no objection.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Missouri to the amendment of the committee.

Mr. SPENCER. Mr. President, nothing except a real sincere belief that there is an existing inequality could move me at this time to take a single moment. The Senate has agreed to the reduction of the tax upon jewelry from 10 per cent to 5 per cent. Every article of jewelry——

Mr. SIMMONS. Mr. President, at the request of a number of Senators on the committee I will accept the amendment.

Mr. THOMAS. I object. My objection is based upon the fact that representatives of the fur industry appeared before the committee and expressed themselves dissatisfied with the rate that the committee reported in the bill. If we are going to tax pantaloons and silk stockings, and so forth, 10 per cent as luxuries, we should also place a similar tax on furs as luxuries.

The PRESIDING OFFICER. Confusion has arisen by reason of the fact that all the Senate committee amendments made as in Committee of the Whole were concurred in, and in order to have this amendment adopted the Senator from Missouri will have to ask for a reconsideration of the vote. It grew out of inadvertence I know on his part.

Mr. SIMMONS. I ask that the amendment be reconsidered.

The PRESIDING OFFICER. Without objection it will be reconsidered. The question now is upon the amendment of the Senator from Missouri to the amendment of the committee.

Mr. GRONNA. I ask that the amendment may be read.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. On page 197, line 2, strike out the figure "10" and substitute in lieu thereof the figure "5," so as to read:

(18) Articles made out of any fur, or articles of which fur is the component material of chief value, 10 per cent.

The amendment to the amendment proposes to strike out "10" and insert "5," so as to read 5 per cent.

Mr. GRONNA. Mr. President, I do not know that I particularly care to discuss this amendment, but I have occupied no time in the discussion of this measure, and I simply wish to say that I agree with what the Senator from California [Mr. JOHNSON] well said to-day, that the action of the Committee on Finance is an indorsement of the 17 Members who fought for an increased rate on excess profits last year. I did take some time last year to explain my position as to the rates on excess war profits. I then stated that no man who was known to be a financier even in a small way would carry on his business in the manner that we were proposing to conduct the business of the Government. I restate now that no man who is worth a million dollars would borrow and mortgage his plant for two-thirds of that sum, as we are now proposing to do only on a vastly greater scale in the case of the Government. He would realize that that would reduce the value of his securities the same as a similar procedure would depreciate the value of the bonds of the Government.

Mr. President, those of us who stated last year that we believed that the rates then imposed were insufficient were characterized as disloyal and pro-German. The chairman of the committee acknowledged here on the floor in making his excellent speech the other day that unless this bill were passed before the end of this year the Government would lose $2,000,000,000 in revenue. The rates imposed in this bill are not any more excessive than the rates proposed by the minority of 17 Senators last year; and if we are to lose $2,000,000,000 in the event this new bill is not enacted during this year, then we have reason to suppose that we would have collected more than $2,000,000,000 if the amendment proposed by the Senator from California and supported by the other 16 Members of the Senate had been agreed to a year ago. So the Senator from North Carolina, the chairman of the Committee on Finance, has also indorsed the position which we took a year ago, although at that time he made the statement—I think I recollect it distinctly—that if the increased rates proposed by us then were incorporated in the bill it would disturb business. After the chairman made that statement the bill was recommitted to the Committee on Finance and the rates nearly doubled.

I simply wanted to say this much to make plain the fact that the Members of the Senate to whom I have referred—17 in number, I believe—who then said that from an economic standpoint it was necessary to increase these rates, have been indorsed by the Committee on Finance.

Mr. KELLOGG. Mr. President, do I understand that the chairman of the committee has accepted the amendment as proposed by the Senator from Missouri [Mr. SPENCER] to the committee amendment?

Mr. SIMMONS. I did accept the amendment.

Mr. SMITH of Georgia. Other members of the committee do not accept it.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Missouri to the amendment of the committee.

Mr. SPENCER. I ask for a division.

The question being put, on a division the amendment to the amendment was rejected.

The PRESIDING OFFICER. The question recurs on the amendment of the committee.

The amendment of the committee was agreed to.

The PRESIDING OFFICER. The bill is in the Senate and still open to amendment. If there be no further amendment, the question is, Shall the amendments be engrossed, and the bill be read a third time?

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The question is, Shall the bill pass?

The bill was passed.

Mr. SIMMONS. I move that the Senate request a conference with the House on the bill and amendments, and that the Chair appoint the conferees upon the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. SIMMONS, Mr. WILLIAMS, Mr. SMITH of Georgia, Mr. PENROSE, and Mr. LODGE conferees on the part of the Senate.

Mr. SIMMONS. I move that the bill be reprinted, with the Senate amendments numbered.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SMOOT. Mr. President, that motion would only carry about 1,682 copies, to be distributed all over the United States. I ask that an order be made for the printing of the bill as passed by the Senate, with the amendments numbered, the number of copies that can be printed under the law within the $500 limitation. I can not now figure as to the exact number, but, under the law, we are authorized to print $500 worth; and whatever number may be printed within that cost I move be printed.

The PRESIDING OFFICER. The question is on the motion of the Senator from Utah.

The order was reduced to writing and was agreed to, as follows:

Ordered, That there be printed for the use of the Senate as many copies of the revenue bill (H. R. 12863) as may be within the $500 limitation as is prescribed by law, as passed by the Senate, showing the amendments of the Senate numbered.

WOMAN SUFFRAGE.

Mr. JONES of Washington. Mr. President, I desire to submit a request for unanimous consent. During the last session, in October last, the Senate voted upon the woman-suffrage joint resolution. It failed by a very small vote, and on reconsideration, was placed on the calendar. There are several Senators who have entered the Senate since that time, so that there is now a full membership of the Senate, and it seems to me that the joint resolution could be disposed of without any particular discussion and without taking very much time. I ask unanimous consent that the Senate proceed to consider that joint resolution at 2 o'clock on January the 10th.

Mr. WILLIAMS. Mr. President, I feel compelled to object to that request, because we have very much more important business coming before us.

The PRESIDING OFFICER. Objection is made.

LEAGUE OF NATIONS FOR PEACE.

Mr. SIMMONS. I move that the Senate proceed to the consideration——

Mr. LEWIS. Mr. President, is the Senator from North Carolina about to move an adjournment?

Mr. SIMMONS. No; I was going to move an executive session.

Mr. LEWIS. Previous to that may I be permitted to make an announcement?

Mr. SIMMONS. I yield to the Senator.

Mr. LEWIS. I merely desire to give notice, then, that on the next legislative day of our assembly I shall address the Senate upon the peace terms proposed by the United States through the President, replying to the criticisms of the Senator from Pennsylvania [Mr. KNOX] and of the Senator from Massachusetts [Mr. LODGE].

EXECUTIVE SESSION.

Mr. SIMMONS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

ADJOURNMENT TO THURSDAY.

Mr. SIMMONS. I move that the Senate adjourn until Thursday next at 12 o'clock noon.

The motion was agreed to; and (at 10 o'clock and 45 minutes p. m.) the Senate adjourned until Thursday, December 26, 1918, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 23 (legislative day of December 15), 1918.

REGISTER OF LAND OFFICE.

Henry P. Andrews to be register of the land office at Sacramento, Cal.

POSTMASTERS.

PENNSYLVANIA.

Joseph A. Hanley, Erie.
George B. M. Ward, Laceyville.
Margaret C. Brown, Langeloth.
John A. Waltman, Mayport.
John J. Roll, Natrona.
Percy W. Shepard, New Albany.
Isaac Scarborough, New Hope.
Edward Ace, Nicholson.

SOUTH CAROLINA.

Marie V. Keel, Allendale.
Fred Mishoe, Greelyville.
William T. Reynolds, jr., Mount Pleasant.
Ines H. Whitlock, Ridgeway.
Arthur R. Garner, Timmonsville.

SOUTH DAKOTA.

Perry H. Clute, Bigstone City.
Israel R. Krause, Java.
Arnold Poulsen, Lennox.

WISCONSIN.

Douglas S. Knight, Bayfield.
Palmer G. Slauson, Evansville.
Gustav B. Husting, Mayville.
Edward A. Severson, Neenah.

HOUSE OF REPRESENTATIVES.

MONDAY, *December 23, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father in heaven, let Thy blessing, like the manna from heaven, fall into the hearts of all Thy children and bring them in harmony with Thee.

May the memories of the past, childhood, youth, with all their hallowed associations, fill our hearts with the spirit of the season, that the Christ life may be our life; who taught us that it is more blessed to give than to receive; that we may help the needy; strengthen the weak by giving of our substance; cheer the lonely by our presence; comfort the sorrowing by kind words and loving smiles.

God grant that the Christ spirit may reign over the earth now and evermore, that the good that is in man may drive out the evil and bring into the world that peace for which all true men pray. In His name, Amen.

The Journal of the proceedings of Saturday, December 21, 1918, was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 5102. An act to authorize the change of name of the steamer *Charlotte Gravcract Breitung* to *T. K. Maher.*

ENROLLED BILLS.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 12916. An act to provide for the temporary promotion of commissioned officers of the Marine Corps serving with the Army; and

H. R. 12945. An act providing for the purchase of uniforms, accouterments, and equipment by officers of the Navy, Marine Corps, and Coast Guard, and midshipmen at the Naval Academy from the Government at cost.

MINING CLAIMS IN ALASKA.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Illinois asks for the present consideration of the resolution which the Clerk will report.

The Clerk read as follows:

Joint resolution (H. J. Res. 372) to amend Senate joint resolution 78, approved October 5, 1917, entitled "Joint resolution to suspend requirements of the annual assessment work on mining claims during the years 1917 and 1918."

Be it resolved, etc., That the provisions of Senate joint resolution approved October 5, 1917, be amended so as to provide that the time for filing notices to hold said mining claims in the Territory of Alaska under the said resolution be, and the same is hereby, extended to the 1st day of April, 1919.

The SPEAKER. Is there objection?

Mr. MANN. I reserve the right to object.

Mr. FOSTER. Mr. Speaker, I will state that the word comes to me through the Delegate from Alaska [Mr. SULZER] that at this time there is, and for some time back there has been, a very great prevalence of influenza; that the mails have been stopped and that all travel practically has ceased in the Territory, at least in some parts of it; and that these people who were to file their claims by the 1st of January, 1919, do not now have the opportunity to do so. This resolution provides that these people may file their claims up to the 1st of April, 1919. It simply extends the time for filing these notices by three months.

Mr. MANN. What are the claims?

Mr. FOSTER. They are in Alaska. They apply only to Alaska.

Mr. MANN. What kind of claims are they?

Mr. FOSTER. Mining claims. Senate joint resolution 78 provided that the assessment work might be omitted for the years 1917 and 1918, but they must file a notice with the recorder where the mining claim is located in order to get the benefits of this law. This will expire on the 1st day of January, 1919.

Mr. MANN. If, as the gentleman says, this condition has existed for some time, why have they waited until this date and then come in without a bill having been introduced?

Mr. FOSTER. Well, I will state this: I do not know how long it has existed, but, as I understand, it has been some little time since this disease has existed; but I suppose that in the

hope that they might be able to file these claims and get them to the office in time they did not ask Congress to give this relief.

Mr. MANN. Of course they have not discovered the fact in the last 48 hours?

Mr. FOSTER. Oh, no; they have not discovered that. But I will state that Mr. O'Neill, the United States commissioner at Nome, has telegraphed to the Delegate that it is very urgent that this relief be granted to these people. I will state that there is no other relief granted to them except the right to file these notices until 90 days from now.

Mr. MANN. If this is not granted, what happens?

Mr. FOSTER. If they are unable to file their notices by the 1st day of January, somebody may come along and take their claims.

Mr. MANN. Has the gentleman from Illinois consulted with other members of the Committee on Mines and Mining?

Mr. FOSTER. I have not had the opportunity of consulting with them except in a general way, and only a few of them at that. I have not found any objection. So far as I know, there is no objection to granting these people this relief of 90 days for filing their notices.

Mr. MANN. I shall not take the responsibility of objecting, but it is very unusual to bring a matter of this kind up when nobody has been consulted on this side of the House, after almost everybody was given assurance that he might go home for the holidays. I know that my colleague is not going to try to take advantage of them.

Mr. FOSTER. I am not. I agree with my colleague on that point. But it has only come to my knowledge in the last few days. It is urgent; and if it is to be done, it ought to be done now.

Mr. MANN. It is negligence on the part of somebody.

Mr. FOSTER. The gentleman knows that some men leave things go until the last minute.

Mr. MANN. That is very unsafe in dealing with Congress.

Mr. FOSTER. Still, it is on account of sickness, and nobody can be hurt in this matter.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the House joint resolution.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FOSTER, a motion to reconsider the vote whereby the joint resolution was passed was laid on the table.

DEPORTATION OF ALIENS WHO WITHDREW THEIR FIRST PAPERS.

Mr. MILLER of Washington. Mr. Speaker, I ask unanimous consent to address the House for two minutes, and during that time to present a resolution adopted by the Elks Lodge of Seattle, of which 20 per cent went to the front. The resolution is on the question of the deportation of aliens who have withdrawn their first papers.

The SPEAKER. Is the gentleman offering a resolution or asking that it be read?

Mr. MILLER of Washington. I ask that it be read.

The SPEAKER. The gentleman from Washington asks unanimous consent to proceed for two minutes. The Clerk, without objection, will read this resolution as part of the gentleman's remarks.

There was no objection.

The Clerk read as follows:

Whereas there was a law passed by the Congress of these United States in July, 1918, known as an amendment to selective-service act, giving persons within the draft age who had taken out first papers for American citizenship the privilege of turning in said first papers to their local exemption board and thereby become exempt from service; and

Whereas thousands of men within draft age who had been in this country for many years and had signified their intention to become citizens took advantage of this law and thereby became exempted from military service, or were discharged from military service by reason thereof, and have taken lucrative positions in the mills, shipyards, and factories; and

Whereas in the great world war for democracy the rank and file of the best of our American manhood have suffered and sacrificed themselves in order to uphold the principles upon which this country was founded and for which they were willing to give up their life's blood if necessary to preserve; and

Whereas Seattle Lodge, No. 92, points with everlasting pride to the fact that over one-fifth of its membership left their positions, vocations, and business, exemplifying the true spirit of Americanism and of Elkdom, many of them shedding their life's blood for the common cause; and

Whereas these counterfeit, would-be Americans, who are, in our opinion, neither fish, flesh, nor fowl, would contaminate the 100 per cent true American soldiers and sailors who will shortly return to again engage in the gainful pursuits of life: Therefore be it

Resolved, That we, Seattle Lodge, No. 92, B. P. O. E., numbering 5,000 true, red-blooded Americans, do ask the Congress of these United States to immediately enact a law to send these aliens who withdrew their first papers back to the country from whence they came, for we want them not, neither do we need them; for the country which we live in and are willing to fight for is good enough for us, and the country which they lived in, prospered in, yet were unwilling to fight for is too good for them to remain in. Be it further

Resolved, That a copy of these resolutions be sent to Brother JOHN F. MILLER, to present before Congress, and a copy be printed in the Elkogram, our official paper.

Introduced by John J. Sullivan, sergeant, United States Army.

Indorsed by the war activities committee of Seattle Lodge, No. 92, B. P. O. E.

Presented to this lodge for action.

(Signed) JOHN J. SULLIVAN,
Sergeant, United States Army.

[Applause.]

AMERICAN COMMITTEE FOR RELIEF IN THE NEAR EAST.

Mr. MONTAGUE rose.

The SPEAKER. For what purpose does the gentleman from Virginia rise?

Mr. MONTAGUE. Mr. Speaker, I rise to ask unanimous consent for the present consideration of two motions—one to discharge the Committee on the Judiciary from further consideration of Senate bill 4785, and the other to take that bill, which is now upon the Speaker's table, and consider it in lieu of House bill 12635. The Senate bill is a bill to incorporate the American Committee for Relief in the Near East, the purposes of which I explained a few days since. I do not desire to take time now unless some gentleman wishes to ask me a question.

The SPEAKER. The gentleman from Virginia asks unanimous consent to discharge the Committee on the Judiciary from further consideration of Senate bill 4785 and for the present consideration of the same. Is there objection?

Mr. MANN. Reserving the right to object——

Mr. GARRETT of Tennessee. I reserve the right to object. Mr. Speaker——

Mr. MANN. Is the Senate bill identical with the House bill 12635, which is reported from the House Committee on the District of Columbia?

Mr. MONTAGUE. It is identical. It has the unanimous report of the House committee and it passed the Senate on the unanimous report of the Judiciary Committee of the Senate.

Mr. GARRETT of Tennessee. Did the gentleman who objected the other day withdraw his objection?

Mr. MONTAGUE. I have a letter from the gentleman from Ohio [Mr. GARD] withdrawing his objection to the bill. He had telegraphic correspondence with the chairman of the Committee on the Judiciary, Mr. WEAN, who is away in North Carolina. His objection has been withdrawn.

The SPEAKER. Is there objection?

Mr. SMALL. Reserving the right to object, may I inquire of the gentleman from Virginia as to the probable length of time to be occupied in the consideration of this bill?

Mr. MONTAGUE. If the gentlemen had not interrupted, I hoped it would be over by this time.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The Clerk read the bill, as follows:

A bill (H. R. 12635) to incorporate the American Committee for Relief in the Near East.

Be it enacted, etc., That the following persons, namely, James L. Barton, Samuel T. Dutton, Cleveland H. Dodge, Henry Morgenthau, Edwin M. Bulkley, Alexander J. Hemphill, Charles R. Crane, William Howard Taft, Charles Evans Hughes, Elihu Root, Harry Pratt Judson, Charles E. Beury, Arthur J. Brown, John B. Calvert, William I. Chamberlain, William T. Ellis, James Cardinal Gibbons, Jerome D. Greene, David H. Greer, Harold A. Hatch, William I. Haven, Myron T. Herrick, Hamilton Holt, Frank W. Jackson, Arthur Curtiss James, Frederick Lynch, Vance C. McCormick, Charles S. Macfarland, Henry B. F. Macfarland, William B. Millar, John R. Mott, Frank Mason North, George A. Plimpton, Philip Rhinelander, William Jay Schieffelin, George T. Scott, Albert Shaw, William Sloane, Edward Lincoln Smith, Robert Eliot Speer, James M. Speers, Oscar S. Straus, Charles V. Vickrey, Harry A. Wheeler, Stanley White, Ray Lyman Wilbur, Talcott Williams, and Stephen S. Wise, their associates and successors duly chosen, are hereby incorporated and declared to be a body corporate of the District of Columbia by the name of the American Committee for Relief in the Near East, and by that name shall be known and have perpetual succession, with the powers, limitations, and restrictions herein contained.

SEC. 2. That the object for which said corporation is incorporated shall be: To provide relief, and to assist in the repatriation, rehabilitation, and reestablishment of suffering and dependent people of the Near East and adjacent areas; to provide for the care of orphans and widows, and to conduct any industrial enterprises or operations of a philanthropic character which may, in the judgment of the corporation, be necessary to promote the social, economic, and industrial welfare of those who have been rendered destitute or dependent, directly or indirectly, by the vicissitudes of war, the cruelties of men, or other causes beyond their control.

SEC. 3. That the direction and management of the affairs of the corporation, and the control of its property and funds, shall be vested in a board of trustees, to be composed of the following individuals: James L. Barton, Samuel T. Dutton, Cleveland H. Dodge, Henry Morgenthau, Edwin M. Bulkley, Alexander J. Hemphill, Charles R. Crane, William Howard Taft, Charles Evans Hughes, Elihu Root, Harry Pratt Judson, Charles E. Beury, Arthur J. Brown, John B. Calvert, William I. Chamberlain, William T. Ellis, James Cardinal Gibbons, Jerome D.

Greene, David H. Greer, Harold A. Hatch, William I. Haven, Myron T. Herrick, Hamilton Holt, Frank W. Jackson, Arthur Curtiss James, Frederick Lynch, Vance C. McCormick, Charles S. Macfarland, Henry B. F. Macfarland, William B. Millar, John R. Mott, Frank Mason North, George A. Plimpton, Philip Rhinelander, William Jay Schieffelin, George T. Scott, Albert Shaw, William Sloane, Edward Lincoln Smith, Robert Eliot Speer, James M. Speers, Oscar S. Straus, Charles V. Vickrey, Harry A. Wheeler, Stanley White, Ray Lyman Wilbur, Talcott Williams, and Stephen S. Wise, who shall constitute the first board of trustees and constitute the members of the corporation. Vacancies occurring by death, resignation, or otherwise shall be filled by the remaining trustees in such manner as the by-laws shall prescribe, and the persons so elected shall thereupon become trustees and also members of the corporation.

SEC. 4. That the principal office of the corporation shall be located in the District of Columbia, but offices may be maintained and meetings of the corporation or of the trustees and committees may be held in other places, such as the by-laws may from time to time fix.

SEC. 5. That the said trustees shall be entitled to take, hold, and administer any securities, funds, or property which may be transferred to them for the purposes and objects hereinbefore enumerated by the existing and unincorporated American Committee for Armenian and Syrian Relief, and such other funds or property as may at any time be given, devised, or bequeathed to them, or to such corporation for the purposes of the trust; with full power from time to time to adopt a common seal, to appoint officers, whether members of the board of trustees or otherwise, and such employees as may be deemed necessary for carrying on the business of the corporation, and at such salaries or with such remuneration as they may think proper; and full power to adopt by-laws and such rules or regulations as may be necessary to secure the safe and convenient transaction of the business of the corporation.

SEC. 6. That as soon as may be possible after the passage of this act a meeting of the trustees hereinbefore named shall be called by Samuel T. Dutton, Cleveland H. Dodge, Henry Morgenthau, Edwin M. Bulkley, Alexander J. Hemphill, William B. Millar, George T. Scott, James L. Barton, and Charles V. Vickrey, or any six of them, at the Borough of Manhattan, in the city of New York, by notice served in person or by mail, addressed to each trustee at his place of residence; and the said trustees named herein, or a majority thereof, being assembled, shall organize and proceed to adopt by-laws, to elect officers, and generally to organize the said corporation.

SEC. 7. That Congress reserves the right to alter, amend, or repeal this act.

Mr. GARRETT of Tennessee. Will the gentleman from Virginia yield? The gentleman has the floor, I believe. I should like to have the gentleman explain the language in section 2, beginning in line 15—

to provide relief and to assist in the repatriation, rehabilitation, and reestablishment of suffering and dependent people of the Near East and adjacent areas.

Mr. MONTAGUE. That means exactly what it says. There are thousands of people there who are suffering for food and from disease. The starvation is most extensive; suffering and deaths have occurred and are now occurring in a manner perhaps unparalleled in the history of the world. The purpose is to give these people some assistance. They have been driven from one country into another, and it is necessary to secure means by which they can be transported back to their original homes.

Mr. GARRETT of Tennessee. I believe the gentleman explained to us when the matter was up the other day that the expression beginning in line 18 "and to conduct any industrial enterprises or operations of a philanthropic character" did not mean that this corporation was to conduct industrial enterprises in the United States.

Mr. MONTAGUE. No; the gentleman will see that the power to conduct industrial enterprises is qualified by the clause "such industrial enterprises as may be necessary to promote the social, economic, and industrial welfare of those who have been rendered destitute," and so forth.

I will say that this provision is to enable instruction to be given to many young people in the manual and mechanical trades. It is purposed to keep them self-sustaining economic units, to train them to work.

Mr. GARRETT of Tennessee. That is to be conducted, not in this country but in other countries?

Mr. MONTAGUE. I do not think the operations of the corporation relate to this country at all except the solicitation of funds and establishment of offices here.

Mr. GARRETT of Tennessee. Now, as to section 5—

that the said trustees shall be entitled to take, hold, and administer any securities, funds, or property which may be transferred to them for the purposes and objects hereinbefore enumerated.

Mr. MONTAGUE. Of course, the gentleman realizes that this authority is to enable the trustees to solicit funds and transfer securities into money; they must have that authority in order to administer the charity or philanthropy for which the corporation is endowed.

Mr. GARRETT of Tennessee. The gentleman would construe that provision in section 5 in the light of the language used in section 2?

Mr. MONTAGUE. Undoubtedly I would.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. MONTAGUE. Yes.

Mr. MOORE of Pennsylvania. There has been much opposition lately to national incorporations and a recent investigation in regard to one of them. I think Congress itself has become disposed to go slow with respect to these corporations, to work here, there, and everywhere. I want to ask the gentleman where the funds of this association are to be raised?

Mr. MONTAGUE. With most earnest apology to the gentleman from North Carolina [Mr. SMALL], I will answer to the gentleman from Pennsylvania for a moment.

Mr. MOORE of Pennsylvania. I am asking the question because we have a great deal of distress in the United States just now; a large amount of suffering in the families of soldiers in France, particularly as to parents, wives, and dependent children. These, as much as the foreign people referred to here, deserve our attention.

Mr. MONTAGUE. I am unable to answer all of the gentleman's last remark. As to why some gentlemen wish to give charity to one object instead of to another is a matter which pertains to the liberty of the citizen, and I do not think we can abridge it.

Mr. MOORE of Pennsylvania. This is a request for unanimous consent. May I ask the gentleman several questions before unanimous consent is granted.

Mr. MONTAGUE. We are considering the bill under unanimous consent. Unanimous consent has been granted.

Mr. MOORE of Pennsylvania. Then I ask the gentleman that I may be permitted to put some questions in his time.

Mr. CRAMTON. Will the gentleman yield?

Mr. MONTAGUE. Yes; perhaps I can answer the two gentlemen at the same time.

Mr. CRAMTON. In section 2, if I may call the gentleman's attention, the objects of the corporation seem to be of two kinds. First, the relief for dependent people in the Near East and adjacent areas, and, second, the balance of section 2, which does not relate to any place but seems to refer to relief to be given to those who are suffering from war anywhere. In other words, there is no power of the Red Cross, no power of any other philanthropic organization for the relief of destitution or dependency or misfortune that would not be within the scope of this organization. Was that the intention?

Mr. MONTAGUE. It was not the intention, but there can be no conflict in the charities. Two lights burning in the darkness do not interfere with each other.

Mr. CRAMTON. No; but when the gentleman joins with that wide power of philanthropic action, so broad it not only provides for operations of a philanthropic character for "those who have been rendered destitute or dependent, directly or indirectly, by the vicissitudes of war, the cruelties of men, or other causes beyond their control," but there is no place limited for these industrial operations.

Mr. MONTAGUE. Those industrial operations, as I said in response to the gentleman from Tennessee [Mr. GARRETT], must be necessarily of a philanthropic character. They must all tend to the consummation of the philanthropic purposes authorized by this bill.

Mr. CRAMTON. Oh, yes; if that be so; but I am not so positive that it is so.

Mr. MONTAGUE. May I say also to the gentleman that it is confined wholly to the Near East?

Mr. CRAMTON. Even if they be of a philanthropic character—a term which is very elastic—it is not necessary that they be confined to the Near East.

Mr. MONTAGUE. This bill confines its powers to Syria, Armenia, and adjacent territory. It is in that particular section of the country that has been under the Ottoman oppression, an oppression unparalleled in the history of the world.

Mr. GARRETT of Tennessee. But the terms of the bill do not so confine it.

Mr. MONTAGUE. I beg most diffidently to disagree with the gentleman. The terms of the bill must be taken with the purposes of the bill. They must be construed with respect to the end to which the power is directed and which is to be exercised.

Mr. ROBBINS. Would not the "Near East" cover Roumania, where there has been quite as much suffering as in Armenia or Asia Minor? There was an attempt on the part of Bulgaria to exterminate the Roumanian Nation.

Mr. MONTAGUE. I doubt whether that is the Near East as it is historically understood.

Mr. ROBBINS. Are these funds to be derived entirely from voluntary charitable contributions, or is this society to come here and ask Congress to help carry on this work?

Mr. MONTAGUE. Entirely from voluntary contributions. I have no idea that they will come to Congress, although there is no provision in the bill that prohibits citizens from coming to

Congress to ask what they choose. I imagine that of all the charities solicited in recent years in America none will be freer from a purpose to entangle Congress or the Government than this. This incorporation would never have been asked but for this reason: The temper of the eastern mind is such that in order to facilitate banking operations and communication with Government officials it is necessary that there be some impress of the Government on the undertaking itself. This Government itself is loaning millions and millions of dollars to other countries. Why not permit these philanthropic gentlemen, who are of every religious denomination and almost every creed in America, to have this technical impress of the Government, in order to administer with more facility and efficiency the funds that may be collected by voluntary subscription? There will be no overhead charges, and the work so far has been administered by agencies already in existence.

Mr. ROBBINS. That is true, and it is very commendable and entirely a competent reason for asking for this incorporation, but it is covering the same ground that the American Red Cross covers now. Not so long ago we incorporated a society known as the German-American Alliance, and when the war broke out and investigation was had it was found that that society was distributing by every means possible throughout this country German propaganda in direct contravention to the aims of our people and our Nation in the war. The charter was promptly revoked. I do not say that this society is to be incorporated for any such purpose, but here is a society that can perpetuate itself indefinitely under a charter that has no limitation as to time, without restrictions as to place, except that it refers to the "Near East." This corporation can organize industries and carry them on and can administer charity, or can come to Congress and ask for appropriations of money to prosecute its work. Does not the gentleman think there ought to be some limitation as to time or place of an incorporation that is going to duplicate the work of the Red Cross and other charitable organizations already incorporated and in existence? These are some of the provisions of this act that give me very great concern. I should like to understand this proposed corporation better before supporting this bill.

Mr. MONTAGUE. It is not duplicating the work of the Red Cross, because the Red Cross has been unable to do this work. It has no means adequate to meet it. It is not operating in this field; it is not covering the distress that is now crying aloud in that country, and it is only too eager for this committee to do this work in the Near East.

Mr. TOWNER. Mr. Chairman, will the gentleman yield to me for five minutes?

Mr. MONTAGUE. Yes.

Mr. TOWNER. I think perhaps gentlemen do not quite understand the purpose of this organization.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield for a moment at that point? I asked the gentleman from Virginia a question, and there were other questions that I had in mind. That question has not been answered. May I have time for discussion before the debate closes?

Mr. GARRETT of Tennessee. Mr. Speaker, this is a matter involving the highest use of sovereign power. I think the Members should hear it thoroughly and know exactly what we are doing. I therefore make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Tennessee makes the point of order that there is no quorum present. Evidently there is not.

Mr. KITCHIN. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The doors were closed.

The Clerk called the roll, and the following Members failed to answer to their names:

Alexander	Burroughs	Dallinger	Fairchild, Benj. L.
Anderson	Butler	Darrow	Fairchild, Geo. W.
Anthony	Candler, Miss.	Davey	Farr
Ashbrook	Caraway	Davis	Ferris
Aswell	Carew	Decker	Flynn
Bacharach	Carlin	Delaney	Fordney
Barnhart	Carter, Mass.	Dempsey	Francis
Benkes	Carter, Okla.	Dewalt	Freeman
Bell	Chandler, N. Y.	Dominick	Fuller, Mass.
Benson	Clark, Fla.	Donovan	Gallagher
Beshlin	Clark, Pa.	Dooling	Gallivan
Black	Cleary	Doughton	Gandy
Blackmon	Connally, Tex.	Drane	Gard
Bland, Ind.	Cooper, Ohio	Drukker	Garland
Bowers	Cooper, W. Va	Dunn	Garner
Brand	Copley	Dupré	Gillett
Britten	Costello	Dyer	Glynn
Brodbeck	Crago	Eagan	Godwin, N. C.
Browne	Crosser	Edmonds	Goodall
Browning	Currie, Mich.	Emerson	Goodwin, Ark.
Brumbaugh	Curry, Cal.	Essen	Graham, Ill.
Burnett	Dale, N. Y.	Estopinal	Graham, Pa.
Gray, N. J.	Langley	Pratt	Stephens, Miss.
Greene, Mass.	Larsen	Price	Sterling
Griest	Lazaro	Purnell	Stiness
Griffin	Lee, Ga.	Rainey, J. W.	Strong
Hamill	Lehlbach	Ramsey	Sullivan
Hamilton, N. Y.	Lesher	Ramseyer	Sweet
Haskell	Littlepage	Riordan	Swift
Haugen	London	Roberts	Switzer
Hayden	Lufkin	Robinson	Tague
Heaton	McAndrews	Rose	Temple
Heintz	McCulloch	Rowe	Templeton
Helm	McKinley	Rowland	Thomas
Hensley	McLaughlin, Pa.	Russell	Thompson
Hood	Magee	Sabath	Tilson
Houston	Maher	Sanders, La.	Tinkham
Howard	Martin	Sanders, N. Y.	Van Dyke
Humphreys	Mason	Sanford	Vare
Hunted	Mays	Saunders, Va.	Volgt
Hutchinson	Merritt	Scott, Iowa	Waldow
Ireland	Moon	Scott, Mich.	Walsh
James	Morin	Scott, Pa.	Wason
Johnson, S. Dak.	Mott	Scully	Watson, Pa.
Jones	Mudd	Sells	Watson, Va.
Juul	Neely	Shackleford	Webb
Kearns	Nelson, A. P.	Sherley	Welling
Kehoe	Nelson, J. M.	Shouse	Welty
Kelley, Mich.	Nichols, Mich.	Siegel	White, Ohio
Kelly, Pa.	Oliver, N. Y.	Sisson	Williams
Kennedy, R. I.	O'Shaunessy	Slemp	Wilson, Ill.
Key, Ohio	Overmyer	Smith, Mich.	Wise
Kiess, Pa.	Paige	Smith, Thos. F.	Wood, Ind.
Knutson	Park	Snyder	Woodyard
Krieder	Parker, N. J.	Stafford	Wright
LaGuardia	Parker, N. Y.	Steagall	Young, N. Dak.
Lampert	Porter	Steele	Zihlman

The SPEAKER. On this roll call 204 Members answered to their names.

Mr. KITCHIN. Not a quorum?

The SPEAKER. Not a quorum.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 58 minutes p. m.) the House adjourned until to-morrow, Tuesday, December 24, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. McKENZIE, from the Committee on Military Affairs, to which was referred the bill (H. R. 13470) for the relief of John Chick, reported the same without amendment, accompanied by a report (No. 880); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SNOOK: A bill (H. R. 13480) providing for the refund of taxes collected for stamp tax on certain policies under the emergency tax act of October 22, 1914, under the proviso to which act such policies were exempt; to the Committee on Claims.

By Mr. BLACK: A bill (H. R. 13481) to increase the cost of the public buildings at Paris, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. LONGWORTH: A bill (H. R. 13482) creating a commission for the maintenance, control, care, etc., of the Perry's victory memorial on Put-in-Bay Island, Lake Erie, Ohio, and for other purposes; to the Committee on the Library.

By Mr. ROGERS: A bill (H. R. 13483) authorizing the Secretary of War to donate to the town of Andover, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TAYLOR of Colorado: A bill (H. R. 13484) authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to designated cities; to the Committee on Military Affairs.

By Mr. CHARLES B. SMITH: A bill (H. R. 13485) granting the consent of Congress to Oliver Cabana, jr., Myron S. Hall, E. G. Connette, and William F. MacGlashan to construct a bridge across Niagara River within or near the city limits of Buffalo, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SULZER: Joint resolution (H. J. Res. 373) to create a joint committee from the Senate and House of Representatives to investigate Alaskan legislative requirements and report thereon; to the Committee on Rules.

By Mr. DILL: Joint resolution (H. J. Res. 374) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COX: A bill (H. R. 13486) granting a pension to Major Buley; to the Committee on Invalid Pensions.

By Mr. DIXON: A bill (H. R. 13487) granting an increase of pension to William G. Fremain; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13488) granting an increase of pension to Johnson White; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13489) granting an increase of pension to Roscoe W. Barker; to the Committee on Pensions.

Also, a bill (H. R. 13490) granting an increase of pension to Frank J. Brolley; to the Committee on Pensions.

Also, a bill (H. R. 13491) granting an increase of pension to Michael Langneck; to the Committee on Pensions.

Also, a bill (H. R. 13492) granting a pension to Earl Kelley; to the Committee on Invalid Pensions.

By Mr. GREENE of Vermont: A bill (H. R. 13493) granting a pension to Mary Jedowin; to the Committee on Invalid Pensions.

By Mr. McLAUGHLIN of Michigan: A bill (H. R. 13494) granting a pension to Irene M. Stanley; to the Committee on Invalid Pensions.

By Mr. PETERS: A bill (H. R. 13495) granting an increase of pension to Nelson C. Wallace; to the Committee on Invalid Pensions.

By Mr. WEAVER: A bill (H. R. 13496) for the relief of Stanley Mitchell; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ESCH: Resolutions by transportation bureau of the Denver Civic and Commercial Association, relating to Government ownership and control of public utilities; to the Committee on Interstate and Foreign Commerce.

Also, resolutions by the Wisconsin Dairymen's Association, in its forty-seventh annual convention, approving the purpose of the league to enforce peace; to the Committee on Foreign Affairs.

Also, resolutions by the Common Council of the City of Milwaukee, petitioning Congress to pass a law prohibiting the dumping of sewage and waste matters into the waters of the Great Lakes; to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER of Illinois: Petition of the Illinois Watchcase Co., protesting against an excise tax of 5 per cent on watchcases; to the Committee on Ways and Means.

By Mr. GALLIVAN: Resolutions by the County Galway Men's Benevolent Association of Greater Boston, relating to self-determination of Ireland; to the Committee on Foreign Affairs.

By Mr. HAMILTON of Michigan: Petition of citizens of Allegan, Mich., earnestly urging the support of Senate bill 4987 as a measure of welfare to this country; to the Committee on Education.

Also, petition of taxpayers and electors of vicinity of Lacota, county of Van Buren, State of Michigan, urging passage of Senate bill 4987; to the Committee on Education.

By Mr. HOLLINGSWORTH: Memorial of the W. H. Mullins Co., Salem, Ohio, protesting against 10 per cent tax on manufacture of motor boats; to the Committee on Ways and Means.

By Mr. OSBORNE: Petition of California Walnut Growers' Association, for the restoration of the railroads of the United States to their owners; to the Committee on Interstate and Foreign Commerce.

Also, petition of State Normal School, San Jose, Cal., in favor of the establishment of a department of education; to the Committee on Education.

By Mr. POLK: Resolutions of State Grange of Delaware, favoring stamping out of organizations inimical to best interest of country, or which advocate revolution, preach sedition, etc., and also against Government ownership; to the Committee on the Judiciary.

Also, resolutions of Central Labor Union of Wilmington, Del., favoring league of nations; to the Committee on Foreign Affairs.

By Mr. RAKER: Resolutions by the National Automobile Association, asking Congress for an additional appropriation to broaden the work of the Bureau of Foreign and Domestic Commerce of the Department of Commerce; to the Committee on Interstate and Foreign Commerce.

Also, resolution by the officers and members of Roosevelt Camp, No. 9, urging the passage of H. R. 13195, to prevent the display of disloyal flags; to the Committee on the Judiciary.

By Mr. ROBBINS: Resolution of Allied Irish-American Societies and friends, of Pittsburgh and vicinity, favoring the principle of self-determination for Ireland; to the Committee on Foreign Affairs.

Also, resolutions of trustees of Pennsylvania State Normal School, Indiana, Pa., in favor of Senate bill 4987; to the Committee on Education.

Also, resolutions of faculty of Pennsylvania State Normal School, Indiana, Pa., in favor of Senate bill 4987; to the Committee on Education.

By Mr. WARD: Petition from Harold I. Stecher, of Monticello, N. Y., and others, expressing opposition to H. R. 13159 without a full and free hearing; to the Committee on Merchant Marine and Fisheries.

HOUSE OF REPRESENTATIVES.

TUESDAY, *December 24, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, our Heavenly Father, pour out upon these, Thy servants, abundantly of Thy substance, to uphold, sustain, and guide them through the Congressional duties of this day; that they may be worthy in Thy sight of the trust reposed in them, by the people who have called them to do their work; and Thine be the praise through Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed without amendment, joint resolution of the following title:

Joint resolution (H. J. Res. 372) to amend Senate Joint Resolution No. 78, approved October 5, 1917, entitled Joint Resolution to suspend requirements of the annual assessment work on mining claims during the year 1917 and 1918.

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title, when the Speaker signed the same:

H. J. Res. 372. Joint resolution to amend Senate joint resolution numbered 78, approved October 5, 1917, entitled, "Joint resolution to suspend requirements of the annual assessment work on mining claims during the years 1917 and 1918."

The Speaker announced his signature to enrolled bills of the following titles:

S. 4924. An act to amend section 336 of the Revised Statutes of the United States relating to the annual report on the statistics of commerce and navigation of the United States with foreign countries.

S. 3299. An act authorizing the President to reappoint Maj. Chalmers G. Hall, retired, to the active list of the Army.

ORDER OF BUSINESS—ADJOURNMENTS OVER.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Friday, and that when it adjourns on Friday it adjourn to meet on Monday following, and that when we adjourn on that Monday we adjourn to meet Thursday, January 2.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet next Friday, and that when it adjourns on Friday it adjourn to meet Monday thereafter, and when it adjourns Monday it adjourn to meet on Thursday thereafter.

Mr. KITCHIN. Mr. Speaker, I want to add another item: With the understanding that no business shall be transacted except the filing of reports by committees of the House and sending the revenue bill to conference.

Mr. MADDEN. I object to the revenue bill going to conference until we have a definite understanding about what is in it and have an opportunity to read it. It may be that we may want an independent vote on some of the items.

Mr. MANN. The gentleman is not asking to have it sent to conference.

Mr. KITCHIN. I am not asking that now.

Mr. MANN. Reserving the right to object, Mr. Speaker, the gentleman, I suppose, means by filing reports that the Committee on Appropriations will have the opportunity to report bills.

Mr. KITCHIN. I mean these reports that will be required to be presented to the full House.

Mr. MANN. As to the revenue bill, does the gentleman know when that is likely to be over, whether it is likely to be over from the Senate to-day?

Mr. KITCHIN. No; it will not come over to-day. I have inquired about that.

Mr. MANN. The gentleman will expect it, then, probably, on Friday?

Mr. KITCHIN. Yes. My intention then is to ask unanimous consent to send the bill to conference on Friday.

Mr. MANN. I asked the gentleman that question so that Members may know on what day the gentleman will probably make his request.

Mr. SIMS. Before the revenue bill is sent to conference we will have to disagree to the Senate amendments. Suppose we want to concur in some of the Senate amendments?

Mr. MANN. The request, of course, will be by unanimous consent. An objection would carry it over until after New Year's Day.

Mr. SIMS. An objection would send it to the committee.

Mr. MANN. In any event it will be after New Year's. It could not be called up for action in the House under the request of the gentleman, but by unanimous consent on Thursday, after New Year's Day.

Mr. KITCHIN. It will only be done if there is a full House.

Mr. COOPER of Wisconsin. Mr. Speaker, I would like to ask the gentleman from North Carolina if there is a certainty when that conference report comes up that there will be an opportunity for the House to vote upon the child labor amendment?

Mr. KITCHIN. If there is a person in the House who demands it, of course I imagine that the gentleman could object to it going to conference unless I should agree that it would not be brought back to the House without giving the House an opportunity to have that right.

Mr. BARKLEY. What is the object of adjourning over from Monday to Thursday of next week? The Members will all be back, will they not?

Mr. KITCHIN. That is based on the idea that the Senate will not transact business until then and the appropriation bills will not be ready.

The SPEAKER. The gentleman from North Carolina makes an addendum to his unanimous consent request, that no business will be transacted pending these three-day recesses, except that committees will be permitted to file reports, such committees as make direct reports from the floor. Is there objection?

Mr. McFADDEN. Reserving the right to object, Mr. Speaker, I want to say to the gentleman that I want to ask unanimous consent for five minutes' time.

Mr. KITCHIN. My request is that when we adjourn to-day it shall be to meet on certain days, and that nothing will be transacted on those days. That does not shut off anybody this morning from asking unanimous consent for anything.

The SPEAKER. Is there objection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE.

Mr. McFADDEN. Mr. Speaker, I want to ask unanimous consent to proceed for five minutes.

Mr. OLIVER of Alabama. Mr. Speaker——

Mr. COOPER of Wisconsin. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COOPER of Wisconsin. I was not in the Chamber when the gentleman from North Carolina [Mr. KITCHIN] made his request. Was there included in the motion, or request, any reference to the conference report on the revenue bill?

The SPEAKER. There was some talk about it on the floor, but there was not any request made about it.

Mr. KITCHIN. The request was that no business should be transacted except the filing of reports of committees of the House and taking up the question of sending the revenue bill to conference.

Mr. MANN. And the right to ask unanimous consent to send it to conference.

Mr. KITCHIN. I will have to do that at the time, but no other unanimous consent request will be considered on those days except that and the filing of reports—the business connected with the filing of reports.

Mr. COOPER of Wisconsin. When that conference report comes up I hope an opportunity will be afforded to the House to vote upon the child-labor amendment.

The SPEAKER. That request has not come over yet. The Chair will see that the agreement is carried out.

Mr. McFADDEN. Mr. Speaker, if I have the floor——

Mr. OLIVER of Alabama. Mr. Speaker, will the gentleman permit an interruption for one moment?

Mr. WINGO. Reserving the right to object, Mr. Speaker, I would like to know upon what subject the gentleman from Pennsylvania desires to speak.

Mr. McFADDEN. On the subject of the proposed investigation of the Bureau of War-Risk Insurance.

Mr. WINGO. I think the gentleman had better wait, others wish to be heard—better wait until after Christmas, then——

The SPEAKER. Is there objection?

Mr. WINGO. I object, for the present.

Mr. McFADDEN. I make the point of no quorum.

Mr. BAER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

Mr. McFADDEN. Mr. Speaker, I understand the gentleman from Arkansas withdraws the point of no quorum.

Mr. BAER. I ask unanimous consent, Mr. Speaker, to extend my remarks in the RECORD.

Mr. MADDEN. I make the point of no quorum.

The SPEAKER. The gentleman from Illinois makes the point of no quorum. The Chair will count. [After counting.] One hundred and two Members present—not a quorum.

Mr. WINGO. Mr. Speaker, I ask unanimous consent to make a short statement.

Mr. MADDEN. I object.

Mr. SMALL. Mr. Speaker, I ask unanimous consent, if the gentleman from Illinois will withdraw his point of no quorum, that the gentleman from Pennsylvania [Mr. McFADDEN] have five minutes.

The SPEAKER. It is too late; it can not be done. There are 102 Members present—not a quorum.

Mr. KITCHIN. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll and the following Members failed to answer to their names:

Anthony	Dyer	Kettner	Rowland
Ashbrook	Eagan	Key, Ohio	Rucker
Ayres	Edmonds	Kiess, Pa.	Russell
Bacharach	Ellsworth	Knutson	Sabath
Bankhead	Emerson	Kraus	Sanders, La
Bell	Esch	Kreider	Sanders, N. Y.
Benson	Estopinal	LaGuardia	Sanford
Bezbin	Fairchild, B. L.	Lampert	Saunders, Va.
Black	Fairchild, G. W.	Langley	Scott, Iowa.
Blackmon	Farr	Larsen	Scott, Mich.
Bland, Ind.	Ferris	Lazaro	Scott, Pa.
Bowers	Fess	Lee, Ga.	Scully
Brand	Flood	Lehlbach	Sells
Britten	Flynn	Lesher	Shackleford
Brodbeck	Focht	Linthicum	Shouse
Browne	Fordney	Littlepage	Siegel
Browning	Francis	London	Sinnott
Burroughs	Freeman	Lonergan	Sisson
Butler	Fuller, Mass.	Longworth	Slayden
Byrnes, S. C.	Gallagher	Lufkin	Smith, Idaho
Caldwell	Gallivan	Lunn	Smith, Mich.
Campbell, Pa.	Gandy	McAndrews	Smith, Charles B.
Candler, Miss.	Gard	McClintic	Smith, Thomas F.
Caraway	Garland	McCulloch	Snyder
Carew	Garner	McKeown	Stafford
Carlin	Gillett	McKinley	Steagall
Carter, Mass.	Glynn	McLaughlin, Pa.	Steele
Carter, Okla.	Godwin, N. C.	Magee	Stephens, Miss.
Chandler, N. Y.	Good	Maher	Stephens, Nebr.
Church	Goodall	Martin	Sterling
Clark, Fla.	Goodwin, Ark.	Mason	Stiness
Clark, Pa.	Graham, Ill.	Mays	Strong
Cleary	Graham, Pa.	Merritt	Sullivan
Coady	Gray, N. J.	Miller, Minn.	Swift
Connally, Tex.	Greene, Mass.	Moon	Switzer
Cooper, Ohio	Gregg	Moore, Pa.	Tague
Cooper, W. Va.	Griest	Morin	Temple
Copley	Griffin	Mott	Templeton
Costello	Hamill	Mudd	Thomas
Cox	Hamilton, N. Y.	Neely	Tilson
Crago	Haskell	Nelson, A. P.	Tinkham
Crosser	Haugen	Nelson, J. M.	Van Dyke
Currie, Mich.	Hayes	Nicholls, S. C.	Vare
Curry, Cal.	Heaton	Nichols, Mich.	Vestal
Dale, N. Y.	Heflin	Norton	Volgt
Dale, Vt.	Heintz	Oliver, N. Y.	Waldon
Dallinger	Helm	O'Shaunessy	Walsh
Darrow	Hensley	Paige	Wason
Davey	Holland	Park	Watson, Pa.
Davis	Hood	Parker, N. J.	Watson, Va.
Decker	Houston	Parker, N. Y.	Welsh
Delaney	Humphreys	Porter	Welty
Dempsey	Husted	Pratt	White, Ohio
Dewalt	Hutchinson	Price	Williams
Dies	Ireland	Purnell	Wilson, Ill.
Dominick	Johnson, S. Dak.	Rainey, John W.	Wise
Donovan	Jones	Ramsey	Woods, Iowa
Dooling	Juul	Riordan	Woodyard
Doughton	Kearns	Roberts	Wright
Drane	Kehoe	Robinson	Young, N. Dak.
Drukker	Kelley, Mich.	Rose	Zihlman
Dunn	Kennedy, R. I.	Rowe	

Mr. SMALL. Mr. Speaker, pending the announcement of the call I ask unanimous consent to address the House for one minute.

The SPEAKER. The gentleman can not ask unanimous consent but he can go on and make his statement.

Mr. SMALL. I want to say that if this roll call shall develop that there is no quorum present I will move to go into Committee of the Whole House on the state of the Union on the river and harbor bill, on January 2, which I assume will be the earliest date that I can do that.

Mr. MANN. The gentleman knows that there will be no quorum present on that date.

Mr. SMALL. I will make the motion at that time and I do not think there will be any objection.

The SPEAKER. On this roll call 185 Members have answered to their names, not a quorum.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 38 minutes p. m.), the House, under its previous order, adjourned until Friday, December 27, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred to as follows:

1. A letter from the Secretary of the Treasury, transmitting a deficiency estimate of appropriation, submitted by the Assistant Secretary of the Treasury in charge of the customs service, for the payment of expenses of laborers at the port of New York engaged in guarding German and Austrian vessels from February to August, 1917, inclusive (H. Doc. No. 1614); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of Commerce, submitting a supplemental estimate of appropriation required by the Department of Commerce for the reclamation of waste materials, fiscal year 1920 (H. Doc. No. 1615); to the Committee on Appropriations and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. DENT: Resolution (H. Res. 484) providing a special rule for the consideration of H. R. 13274; to the Committee on Rules.

By Mr. OLDFIELD: A bill (H. R. 13497) to supplement an act of Congress approved October 5, 1918 (Public, No. 220), and to authorize the Secretary of the Interior, from the funds appropriated by said act, to determine, adjust, and pay losses sustained by investments preparatory to production of war minerals mentioned in said act; to the Committee on Mines and Mining.

By Mr. FOSTER: A bill (H. R. 13498) to supplement an act of Congress approved October 5, 1918 (Public, No. 220), and to authorize the Secretary of the Interior, from the funds appropriated by said act, to determine, adjust, and pay losses sustained by investments preparatory to production of war minerals mentioned in said act; to the Committee on Mines and Mining.

By Mr. DENT: A bill (H. R. 13499) making permanent the rank of general and lieutenant general in the Army and providing that when one of those officers vacate his commission the office shall lapse; to the Committee on Military Affairs.

By Mr. RODENBERG: A bill (H. R. 13500) to amend an act entitled "An Act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department" approved September 2, 1914, as amended by the act approved October 6, 1917; to the Committee on Interstate and Foreign Commerce.

By Mr. DENTON: A bill (H. R. 13501) to repeal so much of sections 7 and 14 of an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States, approved May 17, 1917, as impose restrictions upon enlistments in the Regular Army; to the Committee on Military Affairs.

By Mr. ROGERS: A bill (H. R. 13502) authorizing the Secretary of War to donate to the town of Stow, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, A bill (H. R. 13503) authorizing the Secretary of War to donate to the town of Tewksbury, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, A bill (H. R. 13504) authorizing the Secretary of War to donate to the town of Tyngsboro, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, A bill (H. R. 13505) authorizing the Secretary of War to donate to the town of Westford, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13506) authorizing the Secretary of War to donate to the town of Wilmington, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13507) authorizing the Secretary of War to donate to the town of Bolton, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13508) authorizing the Secretary of War to donate to the town of Harvard, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13509) authorizing the Secretary of War to donate to the town of Northboro, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also a bill (H. R. 13510) authorizing the Secretary of War to donate to the town of Groton, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also a bill (H. R. 13511) authorizing the Secretary of War to donate to the town of Dunstable, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also a bill (H. R. 13512) authorizing the Secretary of War to donate to the town of Carlisle, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also a bill (H. R. 13513) authorizing the Secretary of War to donate to the town of Chelmsford, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13514) authorizing the Secretary of War to donate to the town of Concord, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13515) authorizing the Secretary of War to donate to the town of Dracut, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13516) authorizing the Secretary of War to donate to the town of Boxboro, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13517) authorizing the Secretary of War to donate to the town of Burlington, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13518) authorizing the Secretary of War to donate to the town of Lincoln, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13519) authorizing the Secretary of War to donate to the town of Littleton, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13520) authorizing the Secretary of War to donate to the town of Maynard, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13521) authorizing the Secretary of War to donate to the town of Berlin, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13522) authorizing the Secretary of War to donate to the town of Reading, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13523) authorizing the Secretary of War to donate to the town of Shirley, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13524) authorizing the Secretary of War to donate to the town of Pepperell, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13525) authorizing the Secretary of War to donate to the city of Woburn, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also a bill (H. R.13526) authorizing the Secretary of War to donate to the city of Methuen, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also a bill (H. R. 13527) authorizing the Secretary of War to donate to the town of Bedford, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also a bill (H. R. 13528) authorizing the Secretary of War to donate to the town of Ayer, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also a bill (H. R. 13529) authorizing the Secretary of War to donate to the town of Acton, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13530) authorizing the Secretary of War to donate to the town of Billerica, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. COX: A bill (H. R. 13531) granting a pension to Charles Ingle; to the Committee on Pensions.

By Mr. DOOLITTLE: A bill (H. R. 13532) granting an increase of pension to Milton St. John; to the Committee on Invalid Pensions.

By Mr. FOSTER: A bill (H. R. 13333) granting a pension to Lurania Reynolds; to the Committee on Invalid Pensions.

By Mr. FULLER of Illinois: A bill (H. R. 13334) granting an increase of pension to Thomas F. Duffy; to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 13335) granting a pension to Mattie P. Jackson; to the Committee on Invalid Pensions.

By Mr. JACOWAY: A bill (H. R. 13336) authorizing the Postmaster General to cancel or readjust the screen-wagon contract of H. L. McFarlin at Little Rock, Ark.; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 13337) granting an increase of pension to Edward S. Banister; to the Committee on Pensions.

By Mr. LEA of California: A bill (H. R. 13338) granting an increase of pension to Charles E. Kingsley; to the Committee on Pensions.

By Mr. MANN: A bill (H. R. 13339) granting a pension to Joseph F. Feld; to the Committee on Pensions.

By Mr. RAMSEYER: A bill (H. R. 13340) for the relief of Mary J. McGlothlen; to the Committee on War Claims.

By Mr. RANDALL: A bill (H. R. 13341) granting an increase of pension to Orin H. Mathews; to the Committee on Invalid Pensions.

By Mr. RUBEY: A bill (H. R. 13342) granting an increase of pension to James H. Wendt; to the Committee on Invalid Pensions.

By Mr. RUSSELL of Missouri: A bill (H. R. 13343) granting a pension to Nancy C. Sloan; to the Committee on Invalid Pensions.

By Mr. WELTY: A bill (H. R. 13344) granting a pension to Mary C. Marshall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13345) granting a pension to Joseph A. Beckmeyer; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DALE: Petition of Joint Board, Furriers' Union of Greater New York, protesting against tax of 10 per cent on furs; to the Committee on Ways and Means.

Also, petition of Dubois Watch Case Co., of Brooklyn, N. Y., expressing emphatic objection to excise taxes on commodities; to the Committee on Ways and Means.

Also, petition of Ginnel Manufacturing Co., of Brooklyn, N. Y., objecting to proposed increase tax on commodities; to the Committee on Ways and Means.

Also, petition of Goldsmith, Stern & Co., of New York, protesting against excise tax on jewelry; to the Committee on Ways and Means.

By Mr. ESCH: Resolutions by citizens in Fox River Valley of Wisconsin, urging Congress to support measure for League of Nations; to the Committee on Foreign Affairs.

Also, resolutions by the president, secretary, and treasurer of the Omaha Railway Lodge, No. 239, asking retention of railroads under Government control; to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER of Illinois: Papers to accompany a bill, granting an increase of pension to Thomas F. Duffy; to the Committee on Invalid Pensions.

By Mr. GALLIVAN: Petition of citizens of Sudbury, Mass., favoring a League of Nations; to the Committee on Foreign Affairs.

SENATE.

THURSDAY, *December 26, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come before Thee in the name of the Prince of Peace. We come to worship Thee under the sense of our infinite debt of gratitude for Thine unspeakable gift. We bless Thee that at last the world has laid down its arms for the profound peace that for once in the centuries has wrapped the life of the world. We thank Thee that not only have men come to recognize the rights of men, but that there are supreme in the world to-day the ideals of Jesus, the Prince of Peace. We bless Thee that those who make peace are being guided by the spirit of Christ, and we pray that there shall not only be established a peace of righteousness and justice, but one of personal devotion to Him that lends the world to peace and to God.

Grant us Thy blessing to-day. Guide us in the discharge of the duties that are upon us, that with unity of purpose and with personal devotion to the Savior of men we may so perform our duties as that there may be established now and forever the reign of the Prince of Peace among men. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Sunday, December 15, 1918, when, on motion of Mr. SWANSON and by unanimous consent, the further reading was dispensed with and the Journal was approved.

ADJOURNMENT TO MONDAY.

Mr. SWANSON. I move that when the Senate adjourns to-day it adjourn to meet on Monday next.

The motion was agreed to.

PETITIONS AND MEMORIALS.

Mr. CURTIS presented resolutions adopted by the First District Appeal Board of the State of Kansas, favoring the issuing of brevet commissions to members of draft boards, which were referred to the Committee on Military Affairs.

Mr. KENYON presented resolutions adopted by the Retailers' Association of Fort Dodge, Iowa, favoring the boycotting of German-made goods, which were referred to the Committee on Finance.

Mr. TOWNSEND presented a petition of Valley City Lodge, No. 789, Brotherhood of Railway Carmen of America, of Grand Rapids, Mich., praying for the extension of five years of Government control of railroads, which was referred to the Committee on Interstate Commerce.

VOCATIONAL REHABILITATION.

Mr. SMITH of Georgia, from the Committee on Education and Labor, to which was referred the bill (S. 4922) to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment, reported it with amendments and submitted a report (No. 630) thereon.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHEPPARD:

A bill (S. 5235) to amend a joint resolution entitled "A joint resolution to authorize the President, in time of war, to supervise or take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems or any part thereof and to operate the same in such manner as may be needful or desirable for the duration of the war, and to provide just compensation therefor," approved July 16, 1918; to the Committee on Interstate Commerce.

By Mr. HITCHCOCK:

A bill (S. 5236) to amend sections 7, 10, and 11 of the Federal reserve act and section 5172, Revised Statutes of the United States; to the Committee on Banking and Currency.

By Mr. CURTIS:

A bill (S. 5237) donating captured cannon and cannon balls to the John Brown Memorial Park, Osawatomie, Kans.;

A bill (S. 5238) donating captured cannon and cannon balls to the Great Bend Memorial Association, Great Bend, Kans.; and

A bill (S. 5239) donating captured cannon and cannon balls to the Mount Auburn Cemetery Co., Topeka, Kans.; to the Committee on Military Affairs.

A bill (S. 5240) granting an increase of pension to Zephaniah Roberts (with accompanying papers); to the Committee on Pensions.

By Mr. TOWNSEND:

A bill (S. 5241) granting a pension to George Forker (with accompanying papers); and

A bill (S. 5242) granting a pension to Georgia M. Hodgsdon (with accompanying papers); to the Committee on Pensions.

By Mr. KENYON:

A bill (S. 5243) granting an increase of pension to Asa L. Bushnell (with accompanying papers);

A bill (S. 5244) granting an increase of pension to Perry Strayer (with accompanying papers); and

A bill (S. 5245) granting an increase of pension to John V. Kearns (with accompanying papers); to the Committee on Pensions.

By Mr. TRAMMELL (for Mr. WILLIAMS):

A bill (S. 5246) authorizing the appointment of an ambassador to the Republic of Peru; to the Committee on Foreign Relations.

By Mr. TRAMMELL (for Mr. WILLIAMS):

A joint resolution (S. J. Res. 202) requesting the Commission of Fine Arts to submit to the Congress certain suggestions (with accompanying paper); to the Committee on the Library.

FREEDOM OF IRELAND.

Mr. PHELAN. I introduce a joint resolution and ask that it be read and referred to the Committee on Foreign Relations.

The joint resolution (S. J. Res. 203) requesting the commissioners plenipotentiary of the United States of America to the International Peace Conference to present to the said conference the right of Ireland to freedom, independence, and self-determination was read twice by its title and referred to the Committee on Foreign Relations, as follows:

Resolved, etc., That the commissioners plenipotentiary of the United State of America representing the United States at the International Peace Conference soon to assemble at Versailles, be, and are hereby, requested to present to and to urge upon the said International Peace Conference the right to freedom, independence, and self-determination of Ireland, predicated upon the principle laid down by the President in his plea for an international league that "all governments derive their just powers from the consent of the governed."

AMENDMENTS TO APPROPRIATION BILLS.

Mr. KENYON submitted an amendment proposing to appropriate $15,000 for clinical examination, advice, care, and maintenance of children under 6 years of age, under a contract to be made with the Washington Diet Kitchen by the health officer of the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. CALDER submitted an amendment proposing to appropriate $65,000 to pay Frank H. Walker and Frank E. Smith for damages sustained by them in the construction of the foundation of the west wall or walls of the Government Printing Office, etc., intended to be proposed by him to the second deficiency appropriation bill for the fiscal year 1919, which was referred to the Committee on Appropriations and ordered to be printed.

INTERNATIONAL PEACE CONFERENCE.

Mr. THOMAS. Mr. President, I desire to give notice that on Friday of next week, the 3d of January, I shall address the Senate upon some of the problems which the peace congress will soon encounter.

RIGHTS OF SOLDIERS.

Mr. CHAMBERLAIN. Mr. President, in view of the fact that Congress will not be engaged in legislation until after the holidays, I will take occasion to make some observations so as not to interfere with legislative work next week. I give notice, therefore, that when the Senate convenes on Monday next, and with its permission, I shall make some remarks with reference to our returning soldiers and to those at home in the cantonments and other places, and also as to the treatment which they are entitled to receive at the hands of the Government.

HOUSING SITUATION AT SEATTLE, WASH.

Mr. JONES of Washington. Mr. President, I have here an address in the nature of a report from the chairman of the United States Fair Rentals Commission in Seattle, Wash., acting under the Emergency Fleet Corporation. This report or address gives some very interesting information as to the proceedings of the commission and the manner in which it carried on its work. There are, I think, some very valuable suggestions in it as to how we can best meet the housing and rental situation in our cities, especially if we should be confronted with a situation in the future such as we have had in the past. This commission deals only with the shipping employees and their relations with the landlords of Seattle. In a letter to me, of which I simply desire to read a paragraph, the writer says:

This rental court of ours is unique, in that the court is an investigator, a prosecutor, defender, and judge, also sheriff. It has original and appellate jurisdiction, and is the court of last resort. It has fixed rentals, turned on the gas, the heat, fixed leaky roofs and toilets, put extra covers on shivering tenants, repaired the front porch, listened to all kinds of domestic difficulties, as well as those of landlord and tenant, and indirectly passed upon the desirability of tenants. It has saved to the tenants thousands of dollars, and, of course, it has likewise deprived the grasping landlords of the same thousands.

Mr. President, I ask that this report or address be referred to the Committee on Printing for its consideration as to whether or not, in the judgment of the committee, it is of sufficient importance to be printed.

The VICE PRESIDENT. Without objection, that action will be taken.

AFFAIRS IN RUSSIA.

Mr. TOWNSEND. Mr. President, I desire to have inserted in the RECORD, without reading, a letter which is similar to others to which I have called the attention of the Senate relative to our soldiers in Russia.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter referred to is as follows:

DETROIT, MICH., *December 21, 1918.*

Hon. CHARLES E. TOWNSEND,
Washington, D. C.

DEAR SENATOR: I take the liberty of calling your attention to the way and in the manner the soldiers' mail is handled; also, secondly, why our boys are not returned from Russia, and beg of you to use all the power at hand as a United States Senator to force an investigation about these two points. I know a little myself about the rules and regulations of United States mail, having read the Postal Guide many times. I was postmaster at Columbia, Tuscola County, Mich., under Postmaster General Payne, when the office was discontinued on account of rural delivery from Unionville office. I have been clerk in the Colling post office, also mail carrier over eight years. I know the way our soldiers' mail is handled is strictly against the rules and regulations of the United States Post Office Department and is rotten. I can prove this to be the fact. I have two sons—Walter R., in Company D, One hundred and second Engineers, in France, and Arthur A., in machine-gun company, Three hundred and thirty-ninth Infantry, Eighty-fifth Division, in north Russia. I will only here mention about Arthur's mail, as that is the most rotten of all. He received his mail as long as he was at Camp Custer nearly as regular as could be expected under the circumstances. When he left Camp Custer for overseas they were at Camp Mills, Long Island, several days in July waiting for a ship. I addressed a letter to him at that place with my return on the envelope, but they left for overseas before the letter reached there. They sent the letter back to me, after holding it over 100 days, written across it in red ink "Deceased," instead of forwarding it to him to London. He wrote from London twice. I wrote to him at London. They returned that letter, after holding it over 100 days, without forwarding it to Russia, also writing across it "Deceased." He wrote a letter on the ship going from London to Russia and twice from Russia: the last letter is dated September 24. He had not received any mail from anyone up to that date since he left Camp Custer last July. I have written four times to him to Russia, also other relatives and many of his young friends. I kept both returned envelopes marked "Deceased."

I am, yours, very respectfully,

J. H. FRANK,
886 Milwaukee Avenue, East Detroit, Mich.

DISCHARGE OF AMERICAN SOLDIERS.

Mr. TOWNSEND. Mr. President, I read in this morning's Washington Post an article by Col. Roosevelt relative to the discharge of our soldiers which so accords with my own sentiments, and I think with the sentiments of the people of the United States generally, that I desire to have it inserted in the RECORD, in order that it may be given as wide a circulation, at least, as congressional work and the CONGRESSIONAL RECORD can give it. I do not care to have it read, for I understand that probably every Senator here has already read it.

Mr. THOMAS. Mr. President, I have no objection whatever to the insertion in the RECORD of the article referred to by the Senator from Michigan, but I am not prepared to concede that it represents the sentiments of the majority of the American people.

Mr. Roosevelt was inconsolable until our troops were sent to France, and he is now inconsolable because they are not immediately returned, nothwithstanding the fact that a state of war still exists.

The VICE PRESIDENT. Is there objection to the printing of the article referred to? The Chair hears none, and it is so ordered.

The article referred to is as follows:

THEODORE ROOSEVELT SAYS ARMY SHOULD NOT HOLD MEN IN PEACE—BRING SOLDIERS HOME WHEN JOB IS FINISHED, HE URGES—NO EXCUSE FOR OVER THREE DAYS' DELAY IN PAYING TROOPS, HE DECLARES.

KANSAS CITY, MO., *December 25.*

The current issue of the Kansas City Star prints the following:

"A SQUARE DEAL FOR THE MAN AT THE FRONT.

[By Theodore Roosevelt.]

"We should show our respect for the men at the front by more than mere adulation. They are the Americans who have done most and suffered most for this country. It was announced in the press that in many cases they and the families they have left behind have not for months received their full pay. This is an outrage. All civil officials are paid. The Secretary of War is paid, and he ought not to touch a dollar of his salary and no high official should touch a dollar of his salary until the enlisted men and junior officers are paid every cent that is owing to them. And this payment should be prompt. There is literally no excuse for even so much as three days' delay in the payment.

"HAVE MADE SACRIFICES.

"Moreover, these men, at great cost to themselves, in paying everything, including in 50,000 or 60,000 cases their lives, have gone to the front at a wage from one-half to one-fifth as great as that their companions who stayed behind have received during the same period. They enlisted to do a specific job. They made the sacrifice in order to do that job. We on our side should see that just as soon as the job is done the men are taken home, allowed to leave the Army, and begin earning their livelihood and take care of the wives and children that married ones among them have left behind.

"Recently in the public press there have appeared various articles and chatty statements from the State, War, and Navy Departments that our men might be kept in Europe to do general police work and might not be brought back here until the summer of 1920. There are three types of soldiers on the other side—there are the Regular Army men, who have entered the Regular Army as a profession and to whom it is a matter of indifference whether they stay in Europe, come back here, go to the Philippines, or do anything else.

"NO THOUGHT OF POLICE WORK.

"That is a small proportion of our forces on the other side; the bulk are divided between volunteers, who enlisted in the National Guard or sometimes in the Regular regiments to fight this war through, and the drafted men, who were put into the Army under a law designed to meet this war, and this war only. Not one in ten of the volunteers would have dreamed of volunteering to do police work in European squabbles. Not 10 Congressmen would have voted for the draft law if it was to force selective men to do police duty after the war was over. All these men went in to fight this war through to a finish and then to come home.

"It is not a square deal to follow any other course as regards them. The minute that peace comes every American soldier on the other side should be brought home as speedily as possible, save, of course, the Regulars, who make the Regular Army their life profession, and any other man who chose to volunteer to go over or who can with entire propriety be used for gathering up the loose ends.

"GIVE HIM SQUARE DEAL.

"The American fighting man at the front has given this country a square deal during the war. Now let the country give him a square deal by letting him get out of the Army and go to his home as soon as the war is finished. The Red Cross has done wonderful work in taking care of the dependents of these men pending settlement by the Government, but the Government should not be content to rely on any outside organization to make up its own shortcomings."

PRESIDENT'S ADDRESS TO SOLDIERS IN FRANCE.

Mr. SWANSON. Mr. President, I desire to have inserted in the RECORD the address of the President of the United States delivered to the soldiers in France, which is printed in the Washington Post of this morning.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

"Gen. Pershing and fellow comrades, I wish that I could give to each one of you the message that I know you are longing to receive from those at home who love you. I can not do that, but I can tell you how everyone has put his heart into it. So you have done your duty, and something more. You have done your duty, and you have done it with a spirit which gave it distinction and glory.

"And now we are to hail the fruits of everything. You conquered, when you came over, what you came over for, and you have done what it was appointed for you to do. I know what you expected of me. Some time ago a gentleman from one of the countries with which we are associated was discussing with me the moral aspects of this war, and I said that if we did not insist upon the high purpose which we have accomplished the end would not be justified.

HIGH PURPOSE ACCOMPLISHED.

"Everybody at home is proud of you and has followed every movement of this great Army with confidence and affection.

"The whole people of the United States are now waiting to welcome you home with an acclaim which probably has never greeted any other army, because our country is like this country, we have been so proud of the stand taken—of the purpose—for which this war was entered by the United States.

"You knew what we expected of you, and you did it. I know what you and the people at home expected of me, and I am happy to say, my fellow countrymen, that I did not find in the hearts of the great leaders with whom it is my privilege now to cooperate any difference of principles or of fundamental purpose.

"It happened that it was the privilege of America to present the chart for peace, and now the process of settlement has been rendered comparatively simple by the fact that all the nations concerned have accepted that chart, and the application of the principles laid down there will be their application.

READY TO MAKE GOOD.

"The world will now know that the nations that fought this war, as well as the soldiers who represented them, are ready to make good, make good not only in the assertion of their own interests, but make good in the establishment of peace upon the permanent foundation of right and of justice.

"Because this is not a war in which the soldiers of the free nations have obeyed masters. You have commanders, but you have no masters. Your very commanders represent you in representing the Nation, of which you constitute so distinguished a part.

"And everybody concerned in the settlement knows that it must be a people's peace, and that nothing must be done in the settlement of the issues of the war which is not as handsome as the great achievements of the armies of the United States and the allies.

ONLY ONE REGRET FELT.

"It is difficult, very difficult, men, in any normal speech like this to show you my real heart. You men probably do not realize with what anxious attention and care we have followed every step you have advanced, and how proud we are that every step was in advance, and not retreat; that every time you set your face any direction, you kept your face in that direction.

"A thrill has gone through my heart, and it has gone through the hearts of every American, with almost every gun that was fired and every stroke that was struck in the gallant fighting that you have done, and there has been only one regret in America, and that was the regret that every man there felt that he was not here in France, too.

HAVE DESERVED TRUST.

"It has been a hard thing to perform the tasks in the United States; it has been a hard thing to take part in directing what you did without coming over and helping you to do it. It has taken a lot of moral courage to stay at home. But we are proud to back you up everywhere that it was possible to back you up. And now I am happy to find what splendid names you have made for yourselves among the civilian population of France as well as among your comrades in the armies of the French, and it is a fine testimony to you men that these people like you and love you and trust you, and the finest part of it all is that you deserve their trust.

"I feel a comradeship with you to-day which is delightful as I look down upon these undisturbed fields and think of the terrible scenes through which you have gone and realize how the quiet of peace, the tranquillity of settled hopes has descended upon us. And while it is hard far away from home confidently to bid you a merry Christmas, I can, I think, confidently promise you a happy New Year, and I can from the bottom of my heart say 'God bless you.'"

FREEDOM OF IRELAND.

Mr. PHELAN. Mr. President, I ask to have inserted in the RECORD a petition for self-determination for Ireland and an address to the President of the United States from the people of Ireland.

There being no objection, the petition and address were ordered to be printed in the RECORD, as follows:

PETITION FOR SELF-DETERMINATION FOR IRELAND.

No people must be forced under a sovereignty under which it does not wish to live.—President Wilson.

To the President and Congress of the United States of America:

1. We, the undersigned citizens of the United States, differing in race, religion, and domestic politics, are one in the belief that "governments derive their just powers from the consent of the governed." This basic principle of American liberty is nobly championed by our great President. To win self-determination for all peoples this justice-loving Republic entered the world war.

2. The Irish nation is one of the oldest in Europe. Its contribution to civilization in the centuries of its independence is highly esteemed by all who read history.

Ireland never surrendered her national rights. The act of union, so called, was passed by a Parliament corrupted by England, in which less than one-fifth of the people of Ireland were represented. Two years before this "union," in 1798, and three years after it, under Robert Emmet, Ireland fought for her national independence, as she did in every century since the English invasion.

The net results of British domination in Ireland are destruction of industries, poverty, and depopulation.

In the last 70 years Ireland's population has been cut in half while England's has almost trebled.

3. Irishmen played a large part in freeing America from foreign rule and in the development of the Republic. In the present conflict over half a million Americans of Irish blood served in our Army and Navy. It is estimated that an equal number of men, born in Ireland (most of them exiled by bad economic conditions at home), enlisted throughout the world. From the Provost Marshal General's report it appears that a larger percentage of alien cobelligerents of Irish than of any other nationality waived exemption in the United States. For example: Ireland, 30.4; England, 22.5. When to these we add the combatants of Irish descent, recruited throughout the British Empire, we approximate a million and a half fighters of Irish blood. These men offered their lives for world freedom, confident that such a freedom would include the mother land of their race. No race now being freed has done more for world liberty in this war than the Irish race.

4. At the supreme moment, when the wrongs of centuries are being righted, a military despotism keeps the voice of Ireland from the ears of the free nations. Irish jails are filled with the best citizens. Many leaders of the people and elected representatives are deported to England and imprisoned without trial or even legal accusation.

5. In the face of these autocratic conditions a conference which met in the Mansion House, Dublin, and had delegates from 80 per cent of the elected representatives of Ireland, unanimously addressed President Wilson June 11, 1918, and urged self-determination for Ireland as "A sovereign principle between a nation that has never abandoned her independent rights and an adjacent nation that has persistently sought to strangle them."

Of the national councils of oppressed peoples that have appealed to our President, none was more clearly representative of the will of its nation than the Mansion House conference, appealing for the Irish nation. Our patriots could muster no such proportion for independence in 1776. Democracy is majority rule. In no nation is unanimity found, yet England maintains for her own purposes the will of 20 per cent as against the will of 80 per cent of the Irish people.

6. England, despite her professed acceptance of the President's principles, has (by Parliament vote Nov. 5, 1918) refused Ireland self-determination.

7. Deeming this an opportune time, as American arms are victorious, we confidently petition the President and Congress to exercise the unique power for justice of the United States to secure for Ireland, equally with Finland, Poland, Bohemia, and Belgium, that self-determination which President Wilson has demanded for all peoples, the form of government to be decided by adult suffrage of the people of Ireland, and representation at the peace conference and in the league of nations.

Let history record that America secured for Ireland that justice which the sons of both nations freely bled to win for all peoples.

Signed by numerous American citizens.

ADDRESS TO THE PRESIDENT OF THE UNITED STATES FROM THE PEOPLE OF IRELAND.

[It was John Mitchell who said that England won her greatest victory over Ireland when she got control of the ear of the world. She has control of the ear of the world still and, now as always, pours into it whatever poison she can against the Irish people, whom she evidently purposes to destroy. She is constantly ringing the changes upon

the atrocities committed against other small nations while very careful to cover up the worse atrocities committed by herself against the small nation that lies at her door. Whatever happens in Ireland will, if England can possibly help it, remain a sealed book, and unless the Irish people everywhere do their duty the real facts relating to Ireland will not be made known.

When it was sought to have a delegation representative of every phase of Irish life come to Washington to present the address adopted by the Mansion House conference to President Wilson England stepped in and prohibited the delegation from coming. The address then had to be presented through the American ambassador at London. The Associated Press and the United Press were careful not to publish this vitally important document, though they printed in full the appeal sent to President Wilson by Sir Edward Carson and his Orange confrères.

Referring to this address from the people of Ireland, the London Nation said: "No such bitter indictment of British policy has been framed for over a hundred years, and no British minister since Castlereagh has come nearer than Mr. George to deserving it. * * * The country which stands for an independent Bohemia governs Ireland by military law."

The address in full is as follows. You do your duty by giving it wide publicity]:

NOTE BY AMERICAN COMMITTEE.

"To the President of the United States:

"SIR: When a century and a half ago the American Colonies dared to assert the ancient principle that the subject should not be taxed without the consent of his representatives England strove to crush them. To-day England threatens to crush the people of Ireland if they do not accept a tax, not in money but in blood, against the protest of their representatives.

"During the American Revolution the champions of your liberties appealed to the Irish Parliament against British aggression and asked for a sympathetic judgment on their action. What the verdict was history records. To-day it is our turn to appeal to the people of America. We seek no more fitting prelude to that appeal than the terms in which your forefathers greeted ours:

"'We are desirous of possessing the good opinion of the virtuous and humane. We are peculiarly desirous of furnishing you with the true state of our motives and objects, the better to enable you to judge of our conduct with accuracy and determine the merits of the controversy with impartiality and precision.'

"If the Irish race had been conscriptable by England in the war against the United Colonies, is it certain that your Republic would to-day flourish in the enjoyment of its noble Constitution?

"Since then the Irish Parliament has been destroyed by methods described by the greatest of British statesmen as those of 'blackguardism and baseness.' Ireland deprived of its protection and overborne by more than six to one in the British lower house, and by more than a hundred to one in the upper house, is summoned by England to submit to a hitherto unheard of decree against her liberties.

"In the fourth year of a war, ostensibly begun for the defense of small nations, a law conscripting the manhood of Ireland has been passed in defiance of the wishes of our people. The British Parliament which enacted it had long outrun its course, being in the eighth year of an existence constitutionally limited to five. To warrant the coercive statute no recourse was had to the electorate of Britain, much less to that of Ireland. Yet the measure was forced through within a week, despite the votes of Irish representatives, and under a system of closure never applied to the debates which established conscription for Great Britain on a milder basis.

"CONSCRIPTION RAISES A SOVEREIGN PRINCIPLE.

"To repel the calumnies invented to beclout our action we venture to address the successors of the belligerents who once appealed to Ireland.

"The feelings which inspire America deeply concern our race; so, in the forefront of our remonstrance, we feel bound to set forth that this conscription act involves for Irishmen questions far larger than any affecting mere internal Irish politics. They raise a sovereign principle between a nation that has never abandoned her independent rights and an adjacent nation that has persistently sought to strangle them.

"Were Ireland to surrender that principle she must submit to usurped power, condone the fraudulent prostration of her parliament in 1800, and abandon all claim to distinct nationality. Deep-seated and far-reaching are the problems remorsely aroused by the unthinking and violent courses taken at Westminster.

"Thus the sudden and unlooked-for departure of British politicians from their past military procedure toward this island provokes acutely the fundamental issue of self-determination. That issue will decide whether our whole economic, social, and political life must lie at the uncontrolled disposition of another race whose title to legislate for us rests on force and fraud alone.

"IRELAND IS AN ANCIENT NATION.

"Ireland is a nation more ancient than England, and is one of the oldest in Christendom. Its geographical boundaries are clearly defined. It cherishes its own traditions, history, language, music, and culture. It throbs with a national consciousness sharpened not only by religious persecution but by the violation of its territorial, juristic, and legislative rights. The authority of which its invaders boasted rests solely on an alleged papal bull. The symbols of attempted conquest are roofless castles, ruined abbeys, and confiscated cathedrals.

"The title of King of Ireland was first conferred on the English monarch by a statute of the parliament held in Ireland in 1542, when only four of our counties lay under English sway. That title originated in no English enactment. Neither did the Irish parliament so originate. Every military aid granted by that parliament to English kings was purely voluntary.

"Even when the penal code denied representation to the majority of the Irish population military service was never enforced against them.

"For generations England claimed control over both legislative and judicial functions in Ireland, but in 1783 these pretensions were altogether renounced and the sovereignty of the Irish legislature was solemnly recognized. A memorable British statute declared it 'established and ascertained forever, and shall at no time hereafter be questioned or questionable.'

"For this the spirit evoked by the successful revolt of the United States of America is to be thanked, and Ireland won no mean return for the sympathy invited by your Congress. Yet scarcely had George III signed his royal assent to that 'scrap of paper' when his ministers began to debauch the Irish parliament. No Catholic had for over a century been allowed to sit within its walls, and only a handful of the population enjoyed the franchise. In 1800, by shameless bribery, a majority of corrupt colonists was procured to embrace the London subjugation and vote away the existence of their legislature for pensions, pelf, and titles.

"The authors of the act of union, however, sought to soften its shackles by limiting the future jurisdiction of the British Parliament. Imposed on 'a reluctant and protesting nation,' it was tempered by articles guaranteeing Ireland against the coarser and more obvious forms of injustice.

"To guard against undue taxation, 'exemptions and abatements' were stipulated for; but the 'predominant partner' has long since dishonored that part of the contract, and the weaker side has no power to enforce it. No military burdens were provided for, although Britain framed the terms of the treaty to her own liking. That an obligation to yield enforced service was thereby undertaken has never hitherto been asserted.

"We therefore can not neglect to support this protest by citing a main proviso of the treaty of union. Before the destruction of the Irish Parliament no standing army or navy was raised, nor was any contribution made, except by way of gift, to the British Army or Navy. No Irish law for the levying of drafts existed; and such a proposal was deemed unconstitutional. Hence the eighth article of the treaty provides that—

"'All laws in force at the time of the union shall remain as now by law established, subject only to such alterations and regulations from time to time as circumstances may appear to the Parliament of the United Kingdom to require.'

"Where there was no law establishing military service for Ireland, what 'alteration or regulation' respecting such a law can legally bind? Can an enactment such as conscription, affecting the legal and moral rights of an entire people, be described as an 'alteration' or 'regulation' springing from a preexisting law?

"Is the treaty to be construed as Britain pleases, and always to the prejudice of the weaker side?

"IRISHMEN DENIED THE RIGHT TO BEAR ARMS.

"British military statecraft has hitherto rigidly held by a separate tradition for Ireland. The territorial military system, created in 1907 for Great Britain, was not set up in Ireland. The Irish Militia was then actually disbanded, and the war office insisted that no territorial force to replace it should be embodied. Stranger still, the volunteer sets (naval and military) from 1804 to 1900 (some 20 in all) were never extended to Ireland. In 1860, when a conservative House of Commons agreed to tolerate volunteering, the measure was thrown out by the House of Lords on the plea that Irishmen must not be allowed to learn the use of arms.

"For, despite the Bill of Rights, the privilege of free citizens to bear arms in self-defense has been refused to us. The Constitution of America affirms that right as appertaining to the common people, but the men of Ireland are forbidden to bear arms in their own defense. Where, then, lies the basis of the claim that they can be forced to take them up for the defense of others?

"It will suffice to present such considerations in outline without disinterring the details of the past misgovernment of our country. Mr. Gladstone avowed that these were marked by 'every horror and every shame that could disgrace the relations between a strong country and a weak one.'

"After an orgie of martial law, the Scottish general, Abercromby, commander in chief in Ireland, wrote: 'Every crime, every cruelty that could be committed by Cossacks of Calmucks, has been transacted here. * * * The abuses of all kinds I found can scarcely be believed or enumerated.' Lord Holland records that many people 'were sold at so much a head to the Prussians.'

"We shall therefore pass by the story of the destruction of our manufactures, of artificial famines, of the fomentation of uprisings, of a hundred coercion acts, culminating in the perpetual act of repression, obtained by forgery, which graced Queen Victoria's jubilee year in 1887. In our island the suspension of the habeas corpus act, the repression of free speech, gibbetings, shootings, and bayonetings are commonplace events. The effects of forced emigration and famine American generosity has softened; and we do not seek a verdict on the general merits of a system which enjoys the commendation of no foreigner except Albert, prince consort, who declared that the Irish 'were no more worthy of sympathy than the Poles.'

"IRELAND'S APPALLING DECAY.

"It is known to you how our population shrank to its present fallen state. Grants of money for emigration, 'especially of families,' were provided even by the land act of 1881. Previous poor-law acts had stimulated this 'remedy.' So late as 1891 a 'congested district' board was empowered to 'aid emigration,' although millions of Irishmen had in the nineteenth century been evicted from their homes or driven abroad.

"Seventy years ago our population stood at 8,000,000, and, in the normal ratio of increase, it should to-day amount to 16,000,000. Instead it has dwindled to four and a half millions; and it is from this residuum that our manhood between the ages of 18 and 51 is to be delivered up in such measure as the strategists of the English war cabinet may demand.

"To-day, as in the days of George Washington, nearly half the American forces have been furnished from the descendants of our banished race. If England could not during your revolution regard that enrollment with satisfaction, might she not set something now to Ireland's credit from the racial composition of your Army and Navy? No other small nation has been so bereft by law of her children, but in vain for Ireland has the bread of exile been thrown upon the waters.

"Yet while self-determination is refused, we are required by law to bleed to 'make the world safe for democracy'—in every country except our own. Surely this can not be the meaning of America's message to mankind glowing from the pen of her illustrious President.

"In the 750 years during which a stranger sway has blighted Ireland her people have never had occasion to welcome an unselfish or generous deed at the hands of their rulers. Every so-called 'concession' was but the loosening of a fetter. Every benefit sprang from a manipulation of our own money by a foreign treasury, denying us an honest audit of accounts. None was yielded as an act of grace. All were the offspring of constraint, tumult, or political necessity. Reason and argument fell on deaf ears.

"To England the union has brought enhanced wealth, population, power, and importance; to Ireland increased taxation, stunted industries, swollen emigration, and callous officialism.

"Possessing in this land neither moral nor intellectual preeminence, nor any prestige derived from past merit or present esteem, the British Executive claims to restrain our liberties, control our fortunes, and exercise over our people the power of life and death.

"To obstruct the recent home-rule bill it allowed its favorites to defy its parliament without punishment, to import arms from suspect regions with impunity, to threaten 'to break every law' to effectuate their designs, to infect the army with mutiny, and set up a rival executive backed by military array to enforce the rule of a caste against the vast majority of the people. The highest offices of State became the guerdon of the organizers of rebellion, boastful of aid from Germany. To-day they are the pillars of the constitution and the chief instruments of law. The only laurels lacking to the leaders of the mutineers are those transplanted from the field of battle!

"Are we to fight to maintain a system so repugnant, and must Irishmen be content to remain slaves themselves after freedom for distant lands has been purchased by their blood?

"Heretofore in every clime, whenever the weak called for a defender, wherever the flag of liberty was unfurled, that blood freely flowed. Plotting by Irish sympathy with righteous causes, Britain, at the outbreak of the war, attracted to her armies tens of thousands of our youth ere even the Western Hemisphere had awakened to the wail of 'small nations.'

"Irishmen in their chivalrous eagerness laid themselves open to the reproach from some of their brethren of forgetting the woes of their own land, which had suffered from its rulers at one time or another almost every inhumanity for which Germany is impeached. It was hard to bear the taunt that the army they were joining was that which held Ireland in subjection; but fresh bitterness has been added to such reproaches by what has since taken place.

"IRELAND'S REWARD FOR HER SACRIFICE.

"Nevertheless, in the face of persistent discouragements, Irish chivalry remained ardent and aflame in the first years of the war. Tens of thousands of the children of the Gael have perished in the conflict. Their bones bleach upon the soil of Flanders or moulder beneath the waves of Suvla Bay. The slopes of Gallipoli, the sands of Egypt, Mesopotamia, and Judea afford them sepulture. Mons and Ypres provide their monuments. Wherever the battle line extends, from the English Channel to the Persian Gulf, their ghostly voices whisper a response to the roll call of the guardian spirits of liberty. What is their reward?

"The spot on earth they loved best, the land to which they owed their first duty and which they hoped their sacrifices might help to freedom lies unredeemed under an age-long thraldom. So, too, would it forever lie were every man and every youth within the shores of Ireland to immolate himself in England's service, unless the clamor of a dominant caste be rebuked and stilled.

"Yet proof after proof accumulates that British cabinets continue to be toward our country as conscienceless as ever. They deceive friendly nations throughout the world as to their Irish policy, while withholding from us even the act of home rule, which in 1914 was placed on the statute book. The recent 'convention' which they composed to initiate reform was brought to confusion by a letter from the prime minister diminishing his original engagements.

"Such insincere maneuvers have left an indelible sense of wrong rankling in the heart of Ireland.

"Capitulations are observed with French Canadians, with the Maltese, with Hindoos, with the Mohammedan Arabs of the African Boers, but never has the word of England in any capital case been kept toward the 'sister' island.

"The Parliaments of Australia and of South Africa, both of which (unlike our ancient legislature) were founded by British enactments, refused to adopt conscription. This was well known when the law against Ireland was resolved on. For opposing the application of that law to Irishmen, and while this appeal to you, sir, was being penned, members of our conference have been arrested and deported without trial. It was even sought to poison the wells of American sympathy by leveling against them and others an allegation which its authors have failed to submit to the investigation of any tribunal.

"To overlay malpractice by imputing to its victims perverse or criminal conduct is the stale but never failing device of tyranny.

"IRELAND'S FIGHT THE SAME AS AMERICA'S.

"A claim has also been put forward by the British foreign office to prevent you, Mr. President, as the head of the great allied Republic, from acquiring first-hand information of the reasons why Ireland has rejected and will resist conscription, except in so far as the military governor of Ireland, Field Marshal Lord French, may be pleased to allow you to peruse his version of our opinions.

"America's present conflict with Germany obstructs no argument that we advance. 'Liberty and ordered peace' we, too, strive for, and confidently do we look to you, sir, and to America—whose freedom Irishmen risked something to establish—to lend ear and weight to the prayer that another unprovoked wrong against the defenseless may not stain this sorry century.

"We know that America entered the war because her rights as a neutral, in respect of ocean navigation, were interfered with, and only then. Yet America in her strength had a guarantee that in victory she would not be cheated of that for which she joined in the struggle. Ireland, having no such strength, has no such guarantee, and experience has taught us that justice (much less gratitude) is not to be wrung from a hostile Government. What Ireland is to give a free Ireland must determine.

"We are sadly aware, from recent proclamations and deportations, of the efforts of British authorities to inflame prejudice against our country. We, therefore, crave allowance briefly to notice the insinuation that the Irish coasts, with native connivance, could be made a base for the destruction of American shipping. An official statement asserts that:

"'An important feature in every plan was the establishment of submarine bases in Ireland to menace the shipping of all nations.'

"On this it is enough to say that every creek, inlet, or estuary that indents our shores, and every harbor, mole, or jetty, is watchfully patrolled by British authority. Moreover, Irish vessels, with their crews, and passengers, have suffered in this war proportionately to those of Britain.

"Another State paper palliates the deportations by blazoning the descent of a solitary invader upon a remote island on April 12, heralded by mysterious warnings from the Admiralty to the Irish command. No discussion is permitted of the tryst of this British soldier with the local coast guards or his speedy bent toward a police barrack and his subsequent confidences with the London authorities.

"Only one instance exists in history of a project to profane our coasts by making them a base to launch attacks on international shipping. That plot was framed not by native wickedness, but by an English viceroy, and the proofs are piled up under his hand in British state papers. For huge bribes were proffered by Lord Falkland, lord lieutenant of Ireland, to both the royal secretary and the Prince of Wales to obtain consent for the use of Irish harbors to convenience Turkish and Algerine pirates in raiding seagoing commerce.

"The plot is old, but the plea of 'increasing his majesty's revenues' by which it was commended is everlasting. Nor will age lessen its significance for the citizens of that Republic which, amidst the tremors and greed of European diplomacy, extirpated the traffic of Algerine corsairs 90 years ago. British experts cherish Lord Falkland's fame as the sire of their most knightly cavalier, and in their eyes its luster shines undimmed, though His Excellency, foiled of marine booty, enriched himself by seizing the lands of his untried prisoners in Dublin Castle.

"ENGLAND'S SLANDERS.

"Moving are other retrospects evoked by the present outbreak of malignity against our nation. The slanders of the hour recall those let loose to cloak previous deportations in days of panic less ignoble. Then it was the primate of all Ireland, Archbishop Oliver Plunkett, who was dragged to London and arraigned for high treason. Poignant memories quicken at every incident which accompanied his degradation before the lord chief justice of England.

"A troop of witnesses was suborned to swear that his grace 'endeavored and compassed the King's death,' sought to 'levy war in Ireland and introduce a foreign power,' and conspired 'to take a view of all the several ports and places in Ireland where it would be convenient to land from France.' An open trial, indeed, was not denied him, but with hasty rites he was branded a base and false traitor and doomed to be hanged, drawn, and quartered at Tyburn. That desperate felon, after prolonged investigations by the Holy See, has lately been declared a martyr worthy of universal veneration.

"The fathers of the American Revolution were likewise pursued in turn by the venom of governments. Could they have been snatched from their homes and haled to London what fate would have befallen them? There your noblest patriots might also have perished amidst scenes of shame and their effigies would now bedeck a British chamber or horrors. Nor would death itself have shielded their reputations from the hatchments of dishonor. For the greatest of Englishmen reviled even the sacred name of Joan of Arc, the stainless maid of France, to belittle a fallen foe and spice a ribald stage play.

"It is hardly 30 years since every Irish leader was made the victim of a special statute of proscription and was cited to answer vague charges before London judges. During 1888 and 1889 a malignant and unprecedented inquisition was maintained to vilify them, backed by all the resources of British power. No war then raged to breed alarms, yet no weapon that perjury or forgery could fashion was left unemployed to destroy the characters of more than 80 national representatives, some of whom survive to join in this address. That plot came to an end amidst the confusion of their persecutors, but fresh accusations may as easily be contrived and buttressed by the enginery of state.

"HOPE IN PRESIDENT WILSON.

"In every generation the Irish Nation is challenged to plead to a new indictment, and to the present summons answer is made before no narrow forum, but to the tribunal of the world. So answering, we commit our cause, as did America, to 'the virtuous and humane,' and also more humbly to the providence of God.

"Well assured are we that you, Mr. President, whose exhortations have inspired the small nations of the world with fortitude to defend to the last their liberties against oppressors, will not be found among those who would condemn Ireland for a determination which is irrevocable, to continue steadfastly in the course mapped out for her, no matter what the odds, by an unexampled unity of national judgment and national right.

"Given at the Mansion House, Dublin, this 11th day of June, 1918.

"LAURENCE O'NEILL.

"Lord mayor of Dublin, chairman of a conference of representative Irishmen whose names stand hereunder:

"Joseph Devlin; John Dillon; Michael Egan; Thomas Johnson; William O'Brien (Labor); T. M. Healy; William O'Brien; Thomas Kelly, John MacNeill, acting in the place of E. De Valera; and A. Griffith, deported May 18, 1918, to separate prisons in England, without trial or accusation—communication with whom has been cut off."

LANDS IN MINNESOTA.

Mr. KELLOGG. Mr. President, I ask unanimous consent to have substituted for House bill 79 Senate bill 4554, and to have the House bill considered at once. Senate bill 4554 was reported from the Committee on Public Lands on May 23, and it passed the Senate without any objection. It is a bill to extend the provisions of section 2455 of the Revised Statutes of the United States as amended by the act of March 28, 1917, relating to the sale of isolated tracts of the public domain to the State of Minnesota, and to make it applicable to the land ceded by the Chippewa Indians. The Committee on Public Lands considered the bill, reported it to the Senate, and it was passed by the Senate.

In the other House a like bill was introduced and reported by the committee, and was passed on October 2. Instead of passing the Senate bill the House passed a separate bill for the same object. I ask to have the House bill substituted for the Senate bill, and then that the House bill may be considered and passed at this time.

Mr. GRONNA. Mr. President, may I ask the Senator if this bill has been before the Committee on Indian Affairs?

Mr. KELLOGG. I do not think it has been before the Committee on Indian Affairs, but the Secretary of the Interior considered the whole subject and asked both the Senate and the House to pass the bill, and his report is in the RECORD.

Mr. GRONNA. May I ask the Senator another question?

Mr. KELLOGG. Certainly.

Mr. GRONNA. As I understood the Senator, this bill has reference to some ceded Indian lands. Am I right about that?

Mr. KELLOGG. It has reference to the sale of certain ceded Chippewa Indian lands in the State of Minnesota. It simply makes applicable to those lands the provisions of the statute for the sale of isolated tracts of land, as recommended by the Secretary of the Interior, who has charge of Indian affairs.

Mr. GRONNA. I will say to the Senator that that has been a mooted question for some time, and I think it is of very great importance. While I do not wish to delay the matter, I should like to have an opportunity to look the bill over before it is called up for passage.

Mr. KELLOGG. I have no objection to that whatever. I think the Senator will find, however, that it has been approved by the Commissioner of Indian Affairs and that there is no objection to it.

Mr. GRONNA. Let me say to the Senator that there have been many measures approved by the commissioner which were not approved by the Indians.

Mr. KELLOGG. This bill does not provide for the sale of lands generally; it simply provides for the sale of certain isolated tracts of land, provision for the sale of the Chippewa lands having been made long ago.

Mr. GRONNA. Nevertheless, it does indirectly affect some of the old tracts of ceded Indian lands.

Mr. KELLOGG. Yes; it does.

Mr. SWANSON. Mr. President, I dislike to object to the request of the Senator from Minnesota, but there was an understanding on the part of most Senators, at least—I do not know whether the Senator from Minnesota understood it or not—amounting more or less to an agreement, that no legislative action of any kind should be taken until the 2d of January. I do not know what effect would be had by substituting the House bill for the Senate bill, but I was informed that such an agreement as that to which I have referred was made, and I told some Senators that I would be here to see that it was executed, unless there was a quorum present. I feel that I ought, therefore, to call the attention of the Senator from Minnesota to the understanding referred to, and I am sure he will not insist that action be taken upon the bill to-day.

Mr. KELLOGG. Certainly not. I was not, however, aware of the agreement referred to.

LEAGUE OF NATIONS FOR PEACE.

Mr. FLETCHER. Mr. President, I desire to ask to have inserted in the RECORD, without reading, a portion of an editorial appearing in the Christian Register of December 19, 1918, dealing with the subject of the league of nations.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

(3) To further in all ways we can the league of the nations—that is the duty supreme of this hour. Never before in history has there been such an opportunity to organize peace as this Christmas has brought. We have wished peace and dreamed it and carolled it and preached it and prophesied it for hundreds of years; to-day it is ours for the organizing. But the all-essential prerequisite of organized peace is the league of the nations—in some form or other, the league of the nations. Such peace never will come until the league comes, and when it comes it will be based on the league. There are but two alternatives possible—competitive armament looking to new war possibilities or cooperative disarmament predicated on a league of the nations. The former means return to the old prewar perils and anarchies; the latter means advance toward new world stabilities. The only way in which to collect full indemnity for the dire costs of the war is in terms of the juster, happier new-world life to be secured by an international league, and it will be our fault if we fail to collect it. The difficulties in forming the league may be immense; they can not be as great as the disaster of not forming it. Nor are they so immense as they seem if the three greatest powers, now in friendly alliance, with five or six smaller ones glad to accede, lay self aside and will to have it. That it will be at once a perfect instrument of peace, with "guns never more," we are not to expect. Is any good instrument perfected as yet? Is democracy? Yet those men who spend the four summer months of 1787 in Philadelphia framing the Constitution of the United States did something that, in spite of the danger-breeding "compromises" left in it, pushed the world onward a long way toward organized liberty. The men assembling in Paris to-day to organize the world peace are better equipped for their task than the fathers for theirs, know better what is needed than they did, and, if backed by public opinion at home, are at least as likely to achieve a success. "If backed by public opinion at home"—it is our part to form this public opinion and back their highest and bravest endeavor. If we solidly believe in the league, what probable need for compulsory military training in our schools? What need of the new three years' expansion of our Navy, for which Secretary Daniels is pressing? What need of Britannia's ruling the waves with old-time supremacy lest Britons should ever be slaves? The league's success will preclude the necessity of these things. Why not transfer all our wisdom and energy to making the league and wait a bit? It is said that some chambers of commerce are cold to the plan. If that be true, let them hear from the unchambered people in unmistakable words. Are there papers trying to thwart it? Confront them and shame them in conventions and mass meetings. Whoso is cold to the idea of the league loves not his race, nor his country, nor his own children who are to live on the earth after him, nor even himself. Whoso opposes the idea is either carelessly or deliberately voting "more guns."

WAR EXPENDITURES—THE MERCHANT MARINE.

Mr. FLETCHER. Taking up another matter, Mr. President, I wish also to have inserted in the RECORD a short editorial from the Tampa Morning Tribune of December 21, 1918, entitled "Where the Money Went." If that is done, I propose——

Mr. JOHNSON of California. What is the title of the article?

Mr. FLETCHER. "Where the Money Went."

Mr. JOHNSON of California. It relates to what subject matter?

Mr. FLETCHER. It relates to the claim or charge that has been made in some instances that there has been favoritism to the South shown by the Government in the matter of governmental activities; and this editorial, as it will appear, undertakes to show that, with reference to expenditures made by the Quartermaster's Department, only about 7 per cent of those expenditures have gone to that portion of the country commonly called "the South."

Mr. SMOOT. Mr. President, the Senator does not believe that that is correct, does he?

Mr. FLETCHER. I presume that that is correct. I have no information to the contrary.

Mr. SMOOT. I am quite sure that, if the Senator will take the figures of the various departments, he will find that the editorial is not correct.

Mr. FLETCHER. The editorial will speak for itself; and I think the figures given in the editorial are taken from the department reports; it only has reference to the Quartermaster's Department. I undertake to say that, if we would consider all the expenditures made by all of the departments, a much less per cent of those expenditures will be found to have been made in the South. For instance, as to the report of the Ordnance Department, which shows contracts to an amount approximating $10,000,000,000, I am quite sure that of those contracts not over 5 per cent went to the South; and I am also sure of another thing, and that is that one concern in the State of Pennsylvania has more Government contracts than have been awarded to all of the South for all purposes. I have before me now the report of the United States Shipping Board, recently submitted to Congress, which deals with the matter of housing projects, and according to that report, for illustration, the commitments are: Newport News, Va., $4,850,000; Sparrows Point, Md., $4,500,000; Jacksonville, Fla., $650,000; Savannah, Ga., $350,000; Quantico, Va., $30,000; making a total of $10,385,000 committed to expenditures on these housing projects in the South. From and including the State of Maryland, embracing the entire Atlantic coast south of Baltimore and also the Gulf coast, the total is $10,385,000.

The report further shows that these other commitments are as follows: Hog Island, Pa., $10,031,000; Chester, Pa., $6,560,000; Bristol, Pa., $5,210,000; Essington, Pa., $1,220,000; Cornwall Heights, Pa., $8,800.

Making a total for Pennsylvania alone of $23,029,800, or more than twice the amount of the appropriations covering the whole South, including the Atlantic coast from Baltimore to Key West and the entire Gulf coast combined, placed in the one State of Pennsylvania.

The other housing commitments under the appropriation of $75,000,000, of which commitments have been made amounting to $58,635,300, as shown by the report, are as follows: Camden, N. J. (New York Shipbuilding Co.), $10,870,000; Gloucester, N. J., $2,470,000.

A total in New Jersey of $13,340,000, or $3,000,000 more in the State of New Jersey than in all the States south of Delaware.

The others are as follows: Portsmouth, N. H., $1,900,000; Lorain, Ohio, $1,260,000; Bath, Me., $750,000; Wilmington, Del., $3,000,000; Port Jefferson, Long Island, $300,000; Vancouver, Wash., $850,000; Wyandotte, Mich., $385,000; Manitowoc, Wis., $500,000; Groton, Conn., $1,200,000; Newburgh, N. Y., $900,000; Clyde, Cal., $750,000.

The housing at Groton, N. Y., is to accommodate 336 men, at a cost of $1,380,000, whereas the housing at Jacksonville, Fla., for instance, is to accommodate 316 men, at a cost of $747,500—a little over one-half as much. The housing at Bristol, Pa., is to cost $5,991,500 and accommodates only 650 men.

Mr. KIRBY. Mr. President, I should like to ask the Senator a question.

Mr. FLETCHER. I yield to the Senator from Arkansas.

Mr. KIRBY. What did these 336 men do who had to be accommodated in New York by $1,380,000 worth of housing?

Mr. FLETCHER. They work in shipyards.

Mr. KIRBY. Three hundred and thirty-six men are all that are accommodated?

Mr. FLETCHER. Three hundred and thirty-six men working in shipyards.

Mr. KIRBY. Do they board them at the Waldorf-Astoria, or something like that?

Mr. FLETCHER. This appropriation of $75,000,000 was to provide houses to accommodate the workmen in the shipyards wherever needed, in order that the building of ships might go forward. In some places labor could be had, but there was no place to put the workers, and houses had to be built for them to live in.

Mr. THOMAS. Mr. President——

Mr. FLETCHER. I yield.

Mr. THOMAS. The number of men and the amount of money expended for houses seem to me to be altogether disproportionate. The cost per man must be ten or twelve thousand dollars.

Mr. FLETCHER. Of course it means that the houses are much more expensive at Bristol, Pa., for instance, than they are in Jacksonville, Fla.

Mr. THOMAS. Why do they need such palatial structures for the accommodation of these men at Government expense?

Mr. FLETCHER. That is a fair question.

Mr. THOMAS. They should be comfortably sheltered, of course; but it seems to me that that is an exhibition of luxurious extravagance which no conditions would justify, when it is considered that the cost comes from the public purse.

Mr. FLETCHER. Of course I am not now attempting to go into details with reference to these plans, purposes, and means. I am simply citing these figures by way of comparison, to show that the activities of the Government and these large expenditures for the Government are not going to the South.

Mr. KING. Mr. President, will the Senator permit an inquiry?

Mr. FLETCHER. I will.

Mr. KING. It is not quite germane to what the Senator is inviting attention to, but I was curious to know whether or not, in view of the changed conditions, there was any interruption in the building program or whether the Emergency Fleet Corporation was still expending these large sums for the purpose of carrying out these projects?

Mr. FLETCHER. I think they have discontinued the new projects. They are simply going on with the contracts to which they are already committed in these instances. I think perhaps they have reduced or limited construction in some of these cases; but out of the total appropriation of $75,000,000 their commitments amount to $58,635,300, as shown by the report.

Mr. KING. If the Senator will permit me, my information was that in the case of a number of those commitments only a very small amount had been expended—less than 25 per cent in some instances, and considerably less than 50 per cent, between that and 25 per cent, in other instances—and I was wondering whether, in those cases where the amount expended on the project was inconsiderable, the purpose was to continue and complete the project?

Mr. FLETCHER. I do not think the purpose is to continue where the amount expended is comparatively small; but in all the instances named in the report I think the projects are pretty well completed. For instance, the project at Bristol, Pa., is practically finished. That is to cost $5,991,500. This project will accommodate a little over twice as many men as the Jacksonville project, but will cost nine times as much. Out of the entire appropriation for this housing purpose not a dollar is expended on the entire Gulf coast, from Key West to the Rio Grande.

I simply mention that by way of further corroborating the statement in the editorial that it is wholly unwarranted to claim that the expenditures for governmental activities have been made in a discriminatory way in favor of the South; and for the present that is all I desire to say on that subject.

The VICE PRESIDENT. Is there objection to printing in the RECORD the editorial referred to by the Senator from Florida? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

[From the Tampa Morning Tribune, Dec. 21, 1918.]

WHERE THE MONEY WENT.

Now that the war is over and the need for camps gone, and they are being demolished, it is interesting to see just how the money spent for their building and maintenance was divided over the country.

We have heard so much from certain rabid Republican sources about the "little handful of Southern Congressmen and Senators" grabbing off all the good things in the way of war activities that we are pleased to find one southern paper which comes forth with a table showing "where the money went."

Under the above heading the Mobile Register tells us:

"Many of the training camps were located in the South for climatic reasons, but there were not wanting critics to complain that the South was unduly favored—'all that money being spent in the South!' The South, however, got but a taste of the money, as is shown by the reports of the Quartermaster Generals office. The purchases for the Government in the period July 26, 1918, to October 26, 1918, can be taken for illustration. For the eastern division, as far as and including Maryland, the total is $232,000,000; for the Western States, $201,000,000; for the Southern States, $335,000,000; and for the Mountain and Pacific States, $12,000,000. This gives the lion's share, or 47 per cent, to the East and 41 per cent to the West. The South's portion, a little over 7 per cent. This should dispose of the charge that the South has been unduly favored."

THE MERCHANT MARINE.

Mr. FLETCHER. Mr. President, I desire at this time to take up another subject; I ask to have printed in the RECORD a communication from the New York Board of Trade and Transportation, together with resolutions of that board, on the subject of suggested amendments to the navigation laws of the United States, and particularly with reference to certain amendments proposed to the seamen's act, and on that subject I desire to submit a few observations.

The VICE PRESIDENT. Without objection, the matter referred to will be printed in the RECORD.

The matter referred to is as follows:

NEW YORK BOARD OF TRADE AND TRANSPORTATION,
New York, December 17, 1918.

Senator DUNCAN U. FLETCHER,
Chairman Senate Committee on Commerce,
United States Senate, Washington, D. C.

DEAR SENATOR: I have the honor to transmit herewith attested copy of resolution and report relating to suggested amendments of the La Follette or so-called seamen's act, which resolution and report were unanimously adopted by the New York Board of Trade and Transportation at its meeting on Wednesday last.

This board hopes that the amendments suggested will have your approval and support, because under the existing provisions of the law the large expenditures of the Government for the building of merchant ships will not alone suffer to establish our merchant marine on the ocean in the foreign trade, but will prove futile and a serious loss to the Government as well if we fail to embrace the opportunity which now is offered to the United States to greatly enlarge our overseas commerce in American bottoms.

Very respectfully,

FRANK S. GARDNER,
Secretary.

THE NEW YORK BOARD OF TRADE AND TRANSPORTATION,
New York City.

At the monthly meeting of the New York Board of Trade and Transportation held this day, Wednesday, December 11, 1918, Hon. Frank C. Munson, chairman of the committee on maritime affairs, submitted and read the following preamble and resolution, which, with the report submitted November 13, 1918, and hereto attached, were unanimously adopted:

"Whereas there are certain objectionable features in the so-called seamen's law now in force, as set forth in the report hereto attached, which are detrimental to the development of the American merchant marine, and that so long as this law continues in force it will tend to handicap and prevent the proper development of the American merchant marine: Be it hereby

"*Resolved*, That the New York Board of Trade and Transportation recommends to the chairman of the Senate Committee on Commerce and the House Committee on Merchant Marine and Fisheries that the objectionable features in this old law be repealed at the earliest possible date in the interests of the great merchant marine which is now being built."

LA FOLLETTE SEAMEN'S ACT.

[Report by Hon. Frank C. Munson, chairman of the committee on maritime affairs. Submitted Nov. 13, 1918. Ordered printed and referred to the meeting of the board to be held Dec. 11, 1918, for consideration.]

To the NEW YORK BOARD OF TRADE AND TRANSPORTATION:

The following are clauses in the La Follette seamen's act which should be modified or repealed:

The clause stating that 75 per cent of the crew in each department shall understand any order the officers may give. This prevents American ships from carrying 75 per cent foreigners who do not understand the English language. It is intended to prevent the carrying of Chinese on American ships to meet the competition of the Japanese, but it gives them carte blanche to carry Japanese crews with Japanese officers, hence the reason that the Japanese to-day have full control of the commerce of the Pacific Ocean.

Another clause provides that 50 per cent of the crew, exclusive of officers and apprentices, shall be able seamen. This part of the law was so impossible and unreasonable, because they could not be obtained, that no notice has been taken of it during war time. With peace now, however, it will be enforced, thereby tying up part of our new merchant marine.

The collector of customs may, on his own motion, and shall upon the sworn information of any reputable citizen deny clearance and hold the ship until an investigation is made. So any water-front scrubhead can hold up any ship. This was so drastic and vicious that it also has not been enforced, but it is the law nevertheless.

The clause providing that the seamen can demand and receive half of the wages he has earned (note the word "earned," not due, as it should be) at every port the ship goes to, and every five days he can make another demand. The police records of various ports where American ships have gone bear ample proof of this bad law. The intention of this clause was to allow the men to draw their wages and desert, but it does not always work that way, although it causes serious delay to the ship at almost every port. Cases have arisen of boats running to Mexico and other foreign ports where parts of crews have been paid and deserted and impossible to get firemen crew, with the result that ships have had to wait in port for crew to be brought by some other ship. This should be repealed with least possible delay.

There is also a clause providing that the sailors shall be divided into two watches. On many ships a big crew is carried and enough men to navigate the ship are put on watch and watch. The balance of the crew sleep all night and work all day, the object being to get the day crew to keep up the ship in good condition. If this section was enforced, we would have to keep a smaller crew and let the keeping up of the ship go, as men can not do any work at night except what is necessary to navigate the ship.

One of the absurdities of the bill was that a cargo steamer 410 feet long, carrying a crew of about 36, had to have 12 sets of davits and 9 lifeboats. On inquiry of the Government if they intended to enforce it, they said no.

The clauses in the bill providing for greater safety of life at sea and having better accommodations for the crew should be retained. The American ships built recently have excellent accommodations and leave nothing more to be desired, and the food served to American crews is much better than those of any other nation; in fact, it is as good as we have in our homes.

FRANK C. MUNSON,
Chairman Committee on Maritime Affairs.

A true copy.

LEE KOHNS, *President.*

Attest:
[SEAL.]

FRANK S. GARDNER, *Secretary.*

Mr. FLETCHER. Mr. President, judging by letters which are coming in and resolutions by chambers of commerce and boards of trade and contributions by shipowners and other writers to periodicals and newspapers there seems to be a movement on foot the purpose of which is to accomplish the repeal of certain provisions of the seamen's act, or certain amendments to that act. The complaint is particularly emphasized with reference to section 13 of the seamen's law. I am quite sure that to a very considerable extent there is no sufficient ground for these criticisms of the act and no justification for many of the claims that are made that the act is burdensome to American shipping.

In the first place, the act was approved March 4, 1915. It never went into effect as to foreign shipping until August, 1916, and some of its provisions have never been put into operation at all. There were three cases involving the constitutionality of the act, or at least certain provisions of the act, which until last Monday rested in the Supreme Court of the United States. There were cases brought that raised questions as to the very provisions of the act about which complaint is made, and it is difficult to see how that act could deter private enterprise, private initiative, from building up an American mercantile marine before the act was ever put into operation. The Supreme Court of the United States on last Monday handed down decisions—I called to get a copy of the opinion, but it will not be printed until Friday or Saturday—the effect of which is to sustain the constitutionality of the law, so that now the law can be put into force and effect in all its material provisions; and I do not believe it will be found to do what the gentlemen who advocate its repeal or its amendment apprehend. It will be found to accomplish, as it has already accomplished in so far as it has been put in force, what the advocates of the measure originally claimed it would accomplish, and that is, the equalization of the cost of operation of American ships and foreign ships coming into our ports. This is especially true in so far as it affects the wages paid to officers and crews on the ships; and the effect will be to raise the standard of other countries to our standard, rather than, as has heretofore been the policy, to lower our standard of wages paid to officers and crews on American ships to the lowest standard of the ports to which those ships might go.

The essentials of sea power are quite important. It will be conceded, of course, that we should build up an American mercantile marine. It will be admitted that we ought now to establish our status on the seas. It will be conceded that we should not lose this great opportunity to take our place as a respectable sea power and maritime nation among all the nations of the world.

Sea power involves, of course, what is commonly referred to as naval power. We ordinarily employ those words when we have in mind a State having a considerable navy and an inconsequential army. In the same way, we use the term "military power" when we think of a State with a considerable army but only a relatively small navy.

I do not intend to discuss that phase of or factor in sea power which is defined as "naval power." I speak of that sea power which is commercial in character, but none the less vital to our well-being, and which in some respects may be regarded as auxiliary to the navy. I have particular reference to that part of our sea power which produces revenue, rather than to that part which consumes revenue.

Capt. Mahan, in his admirable work, describes sea power in its broad sense, as including "not only the military strength afloat that rules the sea, or any part of it, by force of arms, but also the peaceful commerce and shipping from which alone a military fleet naturally and healthfully springs, and on which it securely rests."

I do not care whether you consider it as the foundation or the consummation of naval strength, in its technical sense; it is this element of sea power in its broad sense, a merchant marine, to which I invite your attention.

Generally, let me say at the outset that the supremacy of no nation in the future will depend upon its military strength, its big army. Germany had that. Nor will it depend upon its naval strength, its big navy. England had that; but that alone did not save her. Rather will that supremacy rest largely upon commercial strength. This has been true in great degree heretofore, but it will be more wholly true hereafter. That commercial strength will depend largely upon command of transportation.

That nation which produces a surplus of the prime necessities of life which other nations must have is in a position approaching supreme power. Especially and more fully is that true if such a nation owns and operates the carriers whereby it may take that surplus at will to the markets of the world and bring back the raw materials or the useful commodities it may want. There is no nation on earth which is so favored by nature and by development in this regard as America. No other nation can approach her in these respects if she but put to fruitful use her resources and take advantage of her opportunities.

Fallacies: There are certain fallacies which must be discarded forever.

The first is that we could more profitably turn our attention to internal development than to enterprises involving the use of the seas, and could safely rely upon others to furnish our overseas carriers. Not only is it unsound in policy, but it was a mistake in fact to assume that it was cheaper for us to have our exports and imports transported in foreign bottoms than in the ships of our own citizens.

On account of certain conditions, which I will mention later, it cost somewhat less to operate vessels under foreign flags than under our own. Hence, the deep-rooted notion that we had better hire foreign vessels to carry our goods than to build and use our own.

Plainly shortsighted and unpatriotic, this idea was unsound from a practical, business standpoint. Who ever heard of one merchant relying upon a competitor in trade for the delivery of his goods?

We had all the raw material and facilities for building any kind of ship required. We had the ports, harbors, and terminals. We could more than offset the lower wages of the foreigners by the greater efficiency of Americans. We had the coal, oil, and every means of equipment.

In July, 1914, our people began to realize what some of us had been telling them would sooner or later strike them in the face, namely, their utter dependence upon foreign carriers. Our experiences when German ships were out of commission, British ships commandeered for war purposes, and French and Italian ships unavailable, when freight rates advanced 1,000 per cent, and every industry of the country was made to suffer, should be sufficient to convince any reasonable mind that we can not afford to rely upon foreign ships but must have ships of our own.

The next fallacy is that a direct subsidy is necessary to the building up of an American merchant marine. It is not true that all other maritime nations have been compelled to subsidize their merchant shipping. It is well known that during the past four years vast fortunes have been made by the operation of ships. Excessive rates, unprecedented exactions, made that possible; but in ordinary times and under normal conditions the business was most attractive and profitable without any subsidy. There is no occasion for any subsidy unless the Government undertakes to establish new routes, pioneer in new and expensive ventures which can only compensate for the outlay after the trade is built up, open up new lanes, or form the new connections, depending upon the future for returns. In such instances the Government would be obliged to make allowances—probably furnish ships without charge or something of that sort.

A third fallacy is that our navigation laws hamper and hinder the operation under American registry.

This is an old fiction, brought forth on every occasion to do service for some particular, selfish purpose. When challenged to point out the objectionable laws, the critics usually fall back upon the seamen's act of March 4, 1915.

To be sure, we had no mercantile marine of consequence for the past 50 years, and it is quite difficult to understand how this act has interfered. It would be more to the point to state some law that had been operating all these barren years. This act, it is claimed, is burdensome on the American shipowner because it will mean greater operating expenses than vessels under other flags will have to bear. Just the reverse is true. When enforced it will equalize the cost of operation of American vessels with the vessels of other countries using our ports.

I will refer to that in detail later.

Mr. KING. Mr. President, will the Senator yield?

Mr. FLETCHER. Certainly.

Mr. KING. Replying to the suggestion just made by the Senator, Mr. Dollar and other men engaged in shipping on the

Pacific coast have repeatedly stated, as I understand, that the seamen's act of March 4, 1915, resulted in driving from the Pacific coast practically all American shipping and compelled the sale to Japanese concerns of at least one, and perhaps more, of the shipping lines that were operated upon the Pacific. What does the Senator say with respect to those contentions?

Mr. FLETCHER. I am somewhat familiar with the position taken by Capt. Dollar. I know Capt. Dollar personally, and have a great deal of respect for him. He is very well advertised as one of the great shipowners of the country, and from the accounts published regarding Capt. Dollar in the magazines and newspapers, one would imagine he owned perhaps the greatest fleet flying the American flag. The fact is, according to my information, that Capt. Dollar owns seven boats, and that the total tonnage of the whole Dollar Line is about 23,000 tons—about one good-sized ship.

In answer to the contention suggested by the Senator, I must say that it is utterly absurd to claim that the seamen's act drove the American flag off of the Pacific, because the act has not been in force with respect to the matters that are objected to in it.

Mr. KING. If the Senator will pardon me further, the claim was made, as I remember, that in anticipation of the enforcement of the act many, or at least some, of the ships were sold and some lines went out of business entirely.

Mr. FLETCHER. I think the ships were sold because they brought extraordinarily high prices. It was good business to sell them at that time, and it was good business to get others back in their place as soon as possible afterwards, because of the high freight rates; but the claim can not be sustained that the seamen's act proved disastrous to American shipping either on the Pacific or on the Atlantic. The fact is that some of the ships that were sold on the Pacific at enormous prices and at tremendous profit to the owners came right around to the Atlantic and were operated on the Atlantic from this side across the Atlantic, because that was a more profitable field, under the same law precisely that they were operating under on the Pacific. So that is an absurd contention. The act, as I have said before, never went into effect under its very provisions as to foreign ships until July, 1916, and in the matters that are complained of the act has not been in operation at all. The constitutionality of those provisions has been in question, and not until last Monday was that matter settled by the decision of the Supreme Court of the United States.

Mr. CALDER. Will the Senator yield?

Mr. FLETCHER. I will.

Mr. CALDER. The Senator said that ships were brought around from the Pacific coast to be operated in the Atlantic sea service. Was not the condition on the Atlantic entirely different? There ships were in great demand to be used in the war zone.

Mr. FLETCHER. Precisely.

Mr. CALDER. While on the Pacific Ocean there was no risk of loss of ships, and there, of course, an entirely different situation prevailed. On the Atlantic coast ships sold for extraordinary prices, but were operated at a profit.

Mr. FLETCHER. They were brought to the Atlantic and engaged in the trans-Atlantic business in a dangerous zone, as the Senator has said, but because the rates were so high that business was more profitable. The ships were operated upon the Atlantic under precisely the same law under which they were operated on the Pacific. My point is, I insist, they were not taken off the Pacific by reason of the seamen's act.

Mr. CALDER. If the Senator will permit me further, I will say that is correct, of course; but during the past two years on the Atlantic coast it made no difference what it cost to operate vessels; they could be operated at a profit——

Mr. FLETCHER. Precisely.

Mr. CALDER. Regardless of the seamen's act, because the freight rates were so high. So that the seamen's act did not have any effect on the operation of ships during the continuance of the war.

Mr. FLETCHER. The Senator is correct about that. For that reason I say that the contention is absurd that the seamen's act has driven the ships off the Pacific. I will mention the seamen's act a little more extensively a little later on.

ESSENTIAL.

First. Of course, the first essential to a creditable sea power is ships flying our flag. I take it if we have learned anything from the war, now about over, it is the fact that we must have an American mercantile marine sufficient to carry at least a major per cent of our foreign commerce.

The reasons need not be discussed. There is no need for argument. I assume there is practically unanimity of thought to that effect. There may be a difference of opinion as to how this is to be accomplished. Some contend that private enterprise should both build and operate the ships. Others contend that the Government should build and operate along with and not in a way to discourage private enterprise. Still others insist the Government should build, own, and operate the ocean-going boats engaged in foreign trade, flying our flag, without regard to individual or private interests.

The situation is that for 50 years we waited for private enterprise, and it failed. In 1914 officials of the administration, in and out of Congress, considered that it would be folly to wait longer and caused to be introduced a bill creating a Shipping Board and appropriating $50,000,000 with which to begin the building of an American mercantile marine. This measure was opposed more vigorously than any other proposed, in the Senate at any rate, within a quarter of a century. It was fought with such determination and united forces by our Republican friends that a vote was prevented on it, although it was kept before the Senate almost to the day of final adjournment, March, 1915.

Early after the assembling of the next Congress a similar bill was introduced, and by that time the war had brought an awakening throughout the country, and it was perfectly plain that our commerce was being paralyzed, and we were in the humiliating position of having to beg for ships, and there were none to be had. Accordingly the bill passed Congress, was approved September 7, 1916, and without that legislation we could not have won this war when it was won.

We could not have moved our troops and supplies across the ocean. We could not have borne the freight rates charged against our products. We would have had no ships of any consequence now.

We are getting the ships—four or five cargo carriers each days—and we are operating ships procured and constructed in pursuance of that legislation. We will be able to bring our boys home. We are able to carry food to starving peoples throughout the world in our ships. We are taking our place as a maritime Nation and are in position to maintain a respectable status as such.

Mr. WEEKS. Mr. President——

The PRESIDING OFFICER (Mr. KIRBY in the chair). Does the Senator from Florida yield to the Senator from Massachusetts?

Mr. FLETCHER. I yield to the Senator.

Mr. WEEKS. The Senator has referred to the failure of Congress to act in 1914, and has stated that it did act in 1915. Of course the Senator recognizes that there was a very material difference between the bill submitted to the Senate in 1914 and 1915, and that the 1914 bill might have passed if the majority had been willing to accept an amendment that the German ships should not be purchased as a result of that legislation. As a matter of fact, we obtained the German ships somewhat later and at a lower price than it was the purpose to pay for them; so that there seems to have been ample reason on that ground alone to have opposed the bill of 1914.

Mr. FLETCHER. I remember perfectly the amendment offered to the bill of 1914 prohibiting the Shipping Board from acquiring German ships, and the point being made that that might bring us into antagonisms which would result possibly in serious trouble; but I feel quite sure that that amendment, if it had been adopted, would not have caused those who were opposed to the bill then to favor it. I think there would have been other amendments, and there were other grounds of opposition to the bill. The fact is that all the Senators on the other side of the Chamber, I think—my recollection is every one of them—voted against the bill of 1915, except possibly one or two.

Mr. WEEKS. Mr. President, of course, the Senator is quite right in saying that there were other grounds for opposing the bill. One of the objections was the Government ownership and operation of ships. Many Senators still oppose that policy; and as the Government is building a large fleet, perhaps the Senator from Florida can inform the Senate now what disposition is to be made of that fleet when it is constructed or as the ships are constructed. Are they to be chartered or sold or operated by the Government? What is to be done with them? We have a very large appropriation available for building ships; we are going on building them evidently without any let or hindrance, and I think it is of importance to know what our policy is to be so that we may determine whether it is desirable to cancel the authority which now exists to construct large additional tonnage.

Mr. FLETCHER. Mr. President, going back a little bit further, I had not quite finished my answer to the first question when the Senator interrupted again. With reference to the German ships I said at the time that discussion was in progress that we could not buy any German ships if we wanted to. I opposed the putting of such a restriction in the bill because I

did not feel that it was wise to limit the board in respect to purchasing at all; but I was thoroughly convinced from my own information that we could not have bought the German ships if we had wanted to, and that was fully established by the appearance here of the representative of the German ships before a special committee of the Senate, of which the Senator from Montana [Mr. WALSH] was the chairman, who came here and stated that they had been forbidden to enter into any negotiations looking to the sale of those ships. They could not have sold them; they would not have sold them; and we could not have bought them. So that was not a dangerous feature of the bill of 1914 at all.

Now, with reference to what is going to happen in the future, I would not venture at this time to offer any matured advice upon that question. It is largely a matter of development, it seems to me. We will have to get a little more information; we will have to get a little more data as to what we are able to do in this country, what we have done, what we have ahead of us, and what other countries are doing before we can determine upon a definite policy of a permanent nature for the future, it seems to me.

I have not myself, I will say to the Senator, made up my mind about what would be the wise course to pursue with reference to the operation of these ships or their handling. Of course, the Senator realizes that under the shipping act as it stands now the Shipping Board must dispose of all of the ships within a period of five years after the declaration of peace. That is the present law. Whether we will change or modify that law in the future, or whether we will stand by it, or what other law we will enact as bearing upon that question will be a matter upon which we will have to have more data before we can, I think, take a decided, positive stand.

Mr. WEEKS. Mr. President, will the Senator yield further?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Massachusetts?

Mr. FLETCHER. I do.

Mr. WEEKS. I think there is ample reason for criticism for failure to know what you are going to do before you begin to leap. No private enterprise would be undertaken which involved the expenditure of hundreds of millions of dollars without a pretty clear conception of what was going to be done with the product of that expenditure. I think the Government should have been for months, for years for that matter, considering what it was going to do after the war was over not only in connection with shipping and the ownership and construction of ships but with everything else that has relation to this war. While I am not going to discuss what should be done at this time, I did not know but possibly the chairman of the Committee on Commerce might have some definite ideas. I do think that we should know what is going to be done with the ships that are being constructed in this wholesale way.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Mississippi?

Mr. FLETCHER. I yield to the Senator.

Mr. VARDAMAN. If the Senator will permit me a suggestion at this point, I desire to make a statement in line with the suggestion which has been made by the Senator from Massachusetts [Mr. WEEKS] which, it seems to me, embodies an additional reason for knowing just what we are going to do with the ships that are now being constructed. We all understand that ships are being constructed at the enormous cost of from $180 to $225 and upward per ton. If those ships are going to be disposed of in the near future it does seem to me an unwarranted waste of money to construct ships now at that cost and then to sell them in the markets of the world at a price which will be fixed by the law of supply and demand, which, if we are to judge by the prices which England is paying now—about $140 per ton—will involve a great loss of public funds.

Mr. WEEKS. Mr. President, I am glad the Senator from Mississippi has made that suggestion. I made some inquiries not long ago of the Shipping Board as to what the average cost of wooden and steel ships had been. Of course, we know that it has been very high, and in some cases as high as the Senator from Mississippi has stated, and it is costing now in the neighborhood of $175 to $180 a ton for the construction of steel ships; and yet there is a corporation in this country which has recently offered to take a contract to build ships of the same character for the French Government at $115 a ton, and a very large tonnage at that. Now, of course, it goes without saying that we can not operate ships that cost $180 a ton——

Mr. VARDAMAN. Two hundred and twenty dollars a ton, I think, in the case of the Hog Island contract.

Mr. WEEKS. Well, I am speaking well within bounds when I say that we can not operate ships that cost $180 a ton, either by Government operation or by private operation, in competition with ships that cost $115 a ton, other things being equal; and we are going to have these hundreds of millions of dollars invested in ships at a very high cost, which we have either got to operate at a loss or we have got to charge off a couple of hundred millions of dollars when we commence their operation.

Mr. FLETCHER. Mr. President, of course I hope the Senator has his information in satisfactory shape, so that he can speak accurately with regard to this offer to build for the French Government at $115 a ton. It is a little extraordinary if that offer has been made, because I know it is costing the Emergency Fleet Corporation more than that. The lowest figure that I know of where they have let contracts—lump-sum contracts, as they call them—for 9,000-ton steel ships is about $100 a ton. I do not know that they have made any for less than that; and if now they can be built for $115 it is rather interesting, because it indicates that our prices are high; and yet I have not known of any yards that are willing to bid less than $160 a ton for those steel ships.

The Senator is quite right about the difficulties we will have to meet.

Mr. WEEKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield further to the Senator from Massachusetts?

Mr. FLETCHER. I yield.

Mr. WEEKS. May I just say that my information came from one of the important officers connected with the corporation that had made this offer; and he told me that they intended to build these ships on the Pacific coast, where the building under the direction of the Emergency Fleet Corporation had practically ceased, and there were 25,000 or 30,000 men out of employment, especially in the States of Oregon and Washington. Of course I would not have made that statement without having my authority from a very good source.

Mr. FLETCHER. I realize that; and I think there may be other features connected with that contract which somewhat offset some of the difficulties we are laboring under in connection with our own contracts. For instance, it may be that these people will have their own time in which to complete these ships. Of course, it is very different where ships are required to be built at once, built speedily, which was the situation that the Shipping Board had to meet from its very inception. The cry was "Ships, ships, ships, now!" We could not wait, and we were obliged to limit to the very lowest possible time the time in which these ships had to be built by every yard in the country.

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Georgia?

Mr. FLETCHER. In just one minute. We had to disregard any economic considerations. Speed was the prime factor in every one of these contracts. Of course if you undertake to build a house that you have six months to build you can build that house at quite a different figure than you would have to charge if you had only six weeks in which to build it; and that was the situation with reference to the Shipping Board. It had to have the ships immediately. The demand was for ships speedily and without regard to the ordinary elements that would enter into a business contract where, for instance, a man had an opportunity to extend that contract over a period of years instead of over a period of months.

I now yield to the Senator from Georgia.

Mr. SMITH of Georgia. I realize fully the force of what the Senator has said; but is it not true that many of these ships are but started and have not made substantial progress? Ought not these contracts now to be so modified that the requirement of great speed, producing excessive cost, should cease to apply to them, and that they should be built upon a practical business basis of cost that will enable them to compete with the vessels of the world without a great write-off by the Government?

Mr. WEEKS. Mr. President, if the Senator will yield to me for just a moment——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Massachusetts?

Mr. FLETCHER. I do.

Mr. WEEKS. Of course, I had not intended to criticize the Emergency Fleet Corporation for what has been done up to this time. I recognize, of course, that it was necessary to do things hastily and to pay the price. Perhaps they are to be criticized, but I do not know whether they are or not. I am talking about the future; and it does seem to me that we ought to have some definite idea of what the future is going to bring to us and how we are going to expend this money.

Mr. VARDAMAN. We ought to stop it.

Mr. FLETCHER. First, with reference to the suggestion of the Senator from Georgia, there are certain economies now

being put into effect by the Shipping Board; certain contracts are being canceled and certain contracts are being modified to meet new conditions. Among the things they have done is to discontinue the allowance for extra time, which was very expensive, and the allowance for Sunday work, which was very expensive. They have eliminated those features in their engagements with the workers in the yards. One builder, for instance, estimates that his additional cost for extra time amounted to $100,000 per hull. That has been eliminated by the Shipping Board, so that hereafter the work will go on in the ordinary way, without this rush and extra expense.

With regard to what the Senator suggests about our policy, of course we know what the law is. At present we are operating under the law. We will have to continue to operate under that law until we conclude to change it in some respects. In other words, we know that the Shipping Board is authorized to make the contracts that have been made. We know about what it has accomplished. In the report filed here, which I hold in my hand, on page 179, the condensed summary of results in ship production as of November 15, 1918, is given. The keels laid amount to a dead-weight tonnage of 7,942,463; the hulls launched amount in dead-weight tonnage to 4,198,211; ships delivered—that means ships that are fully outfitted with all machinery, passed upon by the classification societies, accepted, and actually put into service—amount to 2,828,781 dead-weight tons. That has been accomplished so far; and there are contracts already entered into reaching up, as I recall, to somewhere between eight and eleven million dead-weight tons, all told.

We must understand, of course, that even though it does cost a great deal now to build ships, even though it costs a great deal more now than it did before the war to build ships—and that is a fact which we are bound to recognize, for before the war these ships that are now costing us $160 and more a ton could have been built for $50 or $60 a ton—still the necessity is here. It is almost as acute from a commercial standpoint as it was acute both for commercial reasons and from a military standpoint a few months ago.

The total world tonnage in 1914 was about 48,000,000 tons. Of that the United Kingdom owned about 28,000,000 tons. The destruction of allied and neutral shipping during the war amounted to something like 21,000,000 tons altogether; so that we have got to supply this loss. Great Britain's greatest accomplishment in the line of shipbuilding during the war was, in the past year, when she built something like 1,700,000 tons. She expects or hopes to build 2,000,000 tons a year. That is about her calculation. France is doing her level best to summon all her resources and put herself in a position to contract for 3,000,000 tons a year. That is only 5,000,000 tons of shipbuilding by those great maritime powers. If we can build 6,000,000 tons a year, we will not for a year hence have more than half restored the tonnage sunk by the submarines; and there undoubtedly is need for the shipping now. There will be need for it until we restore the world tonnage as it existed before the war, and we will have to increase that tonnage very materially to meet the needs of commerce.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Mississippi?

Mr. FLETCHER. I yield.

Mr. VARDAMAN. I want to ask the Senator, if he will permit me, this question: I agree with him that tonnage is very much needed, and I commend the spirit of both England, France, and the United States in the effort that is being put forth to supply it. But may I ask the Senator the difference between the price which France and England are paying and the price which we are paying in the United States?

Mr. FLETCHER. I do not know exactly what they are paying. I think that will depend very largely on the time the contracts are to run.

Mr. VARDAMAN. Somebody testified before the Commerce Committee, if the Senator will pardon me, that England is paying about $145 a ton, while the United States, in some instances, is paying as high as $225 a ton.

Mr. FLETCHER. That, of course, is under present contracts. My information is ships are costing England about $175 per ton. Of course, we expect to get that price down. Those contracts were made, as I say, when we had to have the ships, and had to have them within a limited time, and concentrate upon ships, no matter what the cost was; but my understanding is that our yards in this country are seeking contracts and are willing to take contracts, and France and Italy and other countries are willing to make contracts at about what we are paying in this country for those ships.

Mr. PHELAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from California?

Mr. FLETCHER. I yield to the Senator.

Mr. PHELAN. Is the Senator in a position to tell us at this point what the condition of the agreement is between the United States and the International Mercantile Marine Corporation for the acquisition of that fleet?

Mr. FLETCHER. I can not say definitely what the situation is at present. I know that negotiations have been on, and I think they are still on; and so far as I am informed it is the purpose to acquire that fleet, if it can be accomplished. It is a very great fleet, a very important fleet, and would supply us with something over a million tons of first-class shipping at a cost much less than ships are costing us now.

Mr. PHELAN. I understand that the ships are really owned by Americans, inasmuch as they own the stock of the International Mercantile Marine Corporation.

Mr. FLETCHER. That is quite true, as I understand the situation. The International Mercantile Marine Corporation owns the stock of the corporations that have the title to the ships. Those are British corporations.

Mr. PHELAN. But the stock is actually owned by American citizens?

Mr. FLETCHER. By the International Mercantile Marine Corporation, which is an American corporation, incorporated under the laws of New Jersey.

Mr. PHELAN. Construction in the yards of this country for foreign account is now permitted, is it not, certainly in so far as wooden and concrete ships are concerned? But as to steel ships, must not they, if constructed for order other than that of the Government, be under the American flag and registered under that flag?

Mr. FLETCHER. I have heard of no change in that requirement. Certainly no contracts can be made to build for foreign account without the approval of the Shipping Board, under the law; and I do not know that they are permitting contracts for foreign account, except where they are not using the yards themselves and have no need for the particular ships that the yards are equipped to build, such as wooden and concrete ships.

Mr. PHELAN. I saw the statement made unofficially that steel ships could not be constructed for private account unless they sailed under the American flag.

Mr. FLETCHER. That has been the policy heretofore, and, so far as I know, it obtains yet. Certainly they can not be built for foreign account without the consent of the Shipping Board.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Washington?

Mr. FLETCHER. I yield to the Senator.

Mr. JONES of Washington. I will say, with reference to that matter, that a few days ago the Senate passed a resolution inquiring of the Shipping Board what its policy is in that respect. I understand that it has not yet removed the ban against the making of contracts for steel ships in this country for foreign account without the permit of the board. What I wanted to call the Senator's attention to, however, was this:

As I understood when the Senator was interrupted, he was calling attention to the attitude of those who opposed the ship-purchase bill in 1914, and also pointing out what wonderful things had been accomplished under the act of 1915 by the Shipping Board in the building of ships. I am not going to pay any attention to the matter with reference to the ship-purchase bill of 1914. I am perfectly satisfied with my record with reference to that measure, so far as that is concerned, and with what I did to prevent the passage of the bill. With reference to the act of 1915, I want to call the Senator's attention to the fact, as I understand it to be a fact, that the large tonnage of ships to which he has referred has not been constructed under that act at all. It has not been constructed by the Shipping Board. It has been constructed under the emergency act, passed after we got into the war, providing for an appropriation of millions and hundreds of millions of dollars, under which the Emergency Fleet Corporation was organized. The Emergency Fleet Corporation has built those ships and has let those contracts, and the Shipping Board, as a board, has had practically nothing to do with it. So that the act of 1915 has not resulted in the building up of any merchant marine.

Mr. FLETCHER. The Senator is mistaken in this respect: The act of 1915 provides for the formation of the Emergency Fleet Corporation. In the very body of the act it provides for that corporation an appropriation of $50,000,000.

Mr. JONES of Washington. Mr. President, I think the Senator will find himself mistaken about that. It provides for the

organization of a corporation, as he says, with a capital stock of $50,000,000.

Mr. FLETCHER. Yes.

Mr. JONES of Washington. But the Emergency Fleet Corporation was a separate corporation, organized by the designation of the President. We gave the President authority to determine the agencies that he should use in the expenditure of the tremendous sum of money, which was not $50,000,000, but, in the first instance, $750,000,000, and it was afterwards increased, I think, until it amounts now to over $3,000,000,000. Under that authority the Emergency Fleet Corporation was organized, and not the permanent corporation that was contemplated by the act of 1915.

Mr. FLETCHER. I have always understood—and I think it is true beyond any doubt—that the procedure was under the act known as the shipping act, the act of 1915, to form a corporation; it was the authority given in that act to form a corporation with a capital stock of $50,000,000 that was exercised when the Shipping Board created the Emergency Fleet Corporation. That is the corporation formed in pursuance of that act and contemplated by that act. The capital stock was $50,000,000 and the corporation is controlled precisely as that act points out. The members of the Shipping Board are trustees of the Emergency Fleet Corporation and operate the Fleet Corporation.

Mr. JONES of Washington. But even granting that, what would that board have accomplished with $50,000,000? It would not have accomplished anything.

Mr. FLETCHER. It was laying the foundation and making a beginning. Further appropriations were of course necessary.

Mr. JONES of Washington. The ships that have actually been built were constructed under the emergency appropriation made by Congress and not under the shipping act.

Mr. FLETCHER. Precisely. The appropriations have been made by various acts, amounting altogether to something like $3,000,000,000. That has been done in the appropriation acts; but the corporation which has built the ships is the corporation provided for in the shipping act, formed in pursuance of the shipping act, operated in pursuance of the shipping act, and having the powers expressed in the shipping act.

Of course, having started in this enterprise so late, we have been hurried and driven to sacrifice economy to speed. There have been some mistakes, numerous delays, unavoidable confusion, and the ships have cost us a great deal more than they would have cost under normal conditions. The call was for ships in the quickest possible time, out of any material that might serve the present need, without regard to strict business methods observed in ordinary times.

We have yards of all sizes, built and expanded, on the Atlantic, Gulf, Pacific, and Great Lakes—sufficient to build for all the nations of the earth. The Government has expended approximately a hundred million dollars on three yards, one of which has 50 ways, all equipped, on a water frontage of more than a mile, comprising 846 acres, the land costing $1,706,000 alone—the largest shipyard in the world—now in full operation. It will have a capacity of 600 ships annually, 4,500,000 dead-weight tons. There have been criticisms of Hog Island, but what has been accomplished there is little short of marvelous, the time taken to make the development considered. The contractors, the agents of the Government there, have trained men, organized their forces, strained every nerve to produce results, and in spite of difficulties which were discouraging they claim they are succeeding in admirable fashion. Wherever the yards have proven efficient, they will be kept busy. Our capacity now is more than twice that of England and as great as that of the rest of the world combined. We can put out each year 6,000,000 tons of shipping. With shipping must come classification and insurance and other financial operations.

We purpose to continue to build ships not only until the world shortage, brought about by submarine ravages and other causes, of more than 21,000,000 tons shall have been restored, but the prewar supply must be greatly increased.

The shipbuilding industry has become one of first importance in the United States. The farmers, manufacturers, merchants, bankers, and all others engaged in industries and trade and business have come to realize what it means to have our own ships and our proper place on the ocean.

They rightly will not countenance any policy that does not mean an increase and strengthening of America's sea power. Congress should make every appropriation required to complete the present shipbuilding program and enlarge it to our full capacity.

All our resources—men and materials—available under conditions when due and proper economies are practiced and when there is no occasion for the haste that makes waste should be utilized in the building of ships. Of course, a careful study should be made so as to determine the character of vessel which should be built in every case. If I had my way, I would spread out a map of the world and study carefully every port in every country and ascertain what products and commodities and business could be counted on to move, if given the facilities, to and from such ports, and to what extent the United States may be interested, and whenever possible I would send vessels flying our flag into those ports and connect them with the ports of this country.

I would utilize our consular agents, our commercial agents, and every other means for developing trade and establishing friendly relations. We are a great creditor Nation now, and it will be necessary to take the goods of other countries liberally in exchange for our own. We paid England before the war about $300,000,000 per annum as interest on what we owed her. England now pays us about $200,000,000 a year as interest on what she owes us. Our loans to foreign countries amount to more than $8,000,000,000. We should facilitate liquidation in commodities as far as possible.

Second. The next essential to "sea power" after acquiring the ships is to have the men to navigate them.

SEAMEN'S ACT.

It is this essential that I desire particularly to speak about. It was to secure this essential as well as to make reasonable provision for safety of life at sea that what is known as the seamen's act was passed and approved March 4, 1915. Its enforcement will practically equalize the cost of operation on all vessels using our ports, whether flying our own flag or any other, because equal wages, equal crews, and equal equipment will bring about equal cost. This act has been either greatly misunderstood or deliberately and grossly misrepresented. I can well understand how foreign shipowners do not think much of this act. American shipowners in the past were closely connected with European shipowners and they clamored for a subsidy. Instead of a subsidy we offer this law and under it America can have a merchant marine without paying any subsidy of any kind.

Let us be frank about it. The law requires the local inspectors to take into account the statutory requirements as to manning lifeboats and a certain per cent of the deck's crew must have the rating of able seamen, but there is no law fixing definitely the number of seamen that shall be carried on vessels of the United States. The Secretary of Commerce is authorized to prescribe rules and regulations respecting the number of ordinary seamen, boys for training, the rating and number of men in the engine room. No such general rule, however, has been promulgated.

Prior to the passage of this act the difference between the wages paid to seamen hired in ports of the United States and other ports were about as follows:

Seamen's wages in New York were about 20 per cent higher than wages paid at Liverpool; about 22.5 per cent higher than in North Sea or Atlantic ports on the Continent of Europe; about 30 per cent higher than the wages paid in the ports of the inner Mediterranean or Baltic; about 400 per cent higher than the wages paid in India or China; about 300 per cent higher than the wages paid in the ports of Japan.

Vessels capable of hiring their seamen in low-wage ports and compelling them to remain with the vessel in high-wage ports had, of course, a great advantage over any other vessels not so advantageously situated.

This was recognized by Congress when, on June 26, 1884, a law was enacted allowing American vessels to discharge their higher priced men in low-wage ports and to keep them by the vessel, by fear of imprisonment, in high-wage ports. The attempt failed, however, because the Americans quit the sea entirely and we could not get men even to become officers.

On March 4, 1915, Congress, disregarding the protests from foreign countries, enacted the so-called seamen's act. The purpose of this act was to equalize the wage cost that so far had resisted all efforts. The further purpose was to induce the American to again seek the sea.

It was contended and finally believed that if the seaman was made a free man, with the right to quit the vessel in any safe port and the further right to demand and receive part of his earned wages, the seaman would seek the higher wages by quitting the vessel paying the low wage and thereby compelling the low-wage vessel to pay the wages out of the port.

The law became operative as to foreign vessels in July, 1916, and in August, 1916, the equalization began. It has continued ever since in spite of the war and in spite of the fact that several provisions of the law have not been permitted to function. This is no longer open to question. The Shipping Board has the evidence, which is not only undisputed by foreign consuls, but

the act is claimed as the reason for a condition which they very much resent and against which they never cease to protest.

With his European competitor the American shipowner is on an equality for the first time in about 60 years. The equalization does not stop in American ports. Great Britain in February last made the wages of seamen out of British ports the same as the wages paid to seamen out of Atlantic American ports. This was done because it was cheaper to pay American wages from British ports and keep the men on board in American ports than to pay less, to lose the men, cause possible delay, and to pay the American wages and the crimp's fees in ports of the United States. Let the act stand. See that it is properly enforced on American vessels and the foreign vessels being placed on absolute equality with the American vessels will pay the same wages and will have no just grounds for complaint.

OTHER LAWS.

The general cost of operation of vessels in the same trade prior to the passage of the seamen's act was practically the same except as to the wage cost. All supplies were bought where they could be bought the cheapest. The American vessel paid higher wages to officers and seamen. While this difference in wages was really only a small per cent of operating expense, we bring about equalization, overcome the objection, always greatly magnified, by raising the wages of all maritime nations to the American standard instead of following the old policy of lowering wages to foreign standards and causing our men to abandon the sea.

When it comes to consider that great question, "the freedom of the seas," it will be well to keep these matters in mind. They are likely to be quite as important as questions of the extent of territorial waters, legitimate blockade, and other international outstanding conventions. I would not be understood as intimating that antagonisms may arise or that there is danger of selfish interests dominating in the council of nations. It is fair to state that England does not, so far as I am advised, dispute the principle of equal opportunity of all nations to navigate the seas fully and the equal right of all nations to extend their commerce into all parts of the world. It is quite true that England's policy has tended toward liberality in this regard. She allows vessels of foreign registry to compete with her own in her coastwise trade. Most nations, including our own, confine this privilege to vessels of their own registry, respectively.

Aside from certain provisions of the seamen's act on this point, our laws are substantially like those of England, Germany, Norway, and Japan.

It is a fact that our laws are not as strict as those laws nor are they as burdensome. For instance, England, Germany, Japan, and Norway have a load line; we have none. They can not carry deck loads at any time beyond a certain height, which in the winter is very much reduced. We have no such regulations. Those nations have their seamen included in their workmen's compensation laws. Our seamen are excluded. In those nations the vessels must pay for hospital for sick seamen. Here this is taken from the taxes paid by the general public, except there is a small amount paid by the vessel owners, which is taken from the deserting seamen; but that is not sufficient to support the hospital. In those countries the vessels or their owners have a very considerable liability to passengers or their heirs in cases of disaster. Our vessels and owners have none.

On November 16 last the Admiralty Board of Great Britain, thanking the mercantile marine and the fishing industry for their incomparable services during the war, said that "without the loyal cooperation of the former"—that is, the mercantile marine—"with the navy and its indomitable courage, the enemy's submarine must have entirely attained its object."

The board also said, as reported in the dispatches, that "aboard all ships, from the largest dreadnaughts to the smallest patrol boat, there were found officers and men of the mercantile navy combining with those of the Royal Navy in fighting the enemy and defeating his nefarious methods of warfare." "In the interest of the Empire," the statement concludes, "the close connection between the merchantmen and the Royal Navy must prove a lasting one."

The navy or naval reserves have nothing to do with the operation of the merchant vessels in Great Britain; on the contrary, the officers and crews of the merchant vessels came to the assistance of the Royal Navy.

It is to the building up of this competent and efficient force of American seamen, unsurpassed in any country, that we must bend our most earnest endeavors. Then, indeed, the hour for an adequate American mercantile marine will have struck.

We can never succeed in establishing a creditable mercantile marine under our flag unless we arrange to furnish the men to sail the ships.

We can do that readily when we assure the men fair treatment, wholesome and healthful surroundings, reasonable compensation for services, and certain advancement for faithful and efficient performance of duties.

The American boy for many years past has found nothing to invite, but everything to discourage, him when he looked toward the sea. He has been driven to other occupations, even when his taste and yearning urged him to "do business on the great waters."

The sea power of any nation depends mainly upon the number of trained seamen that nation can furnish. It is the part of wisdom to foster in every way the development of seamanship and make attractive to those who turn to it as a permanent occupation the life of a mariner.

Before the days of Solomon the merchants of Tyre were operating ships and extending the trade to the then known regions. Their supremacy on the seas passed, after supporting dynasties and building cities, by the use of ships, to Greece; then to Italy; then to Portugal; then to Spain; then to Holland; then to England; and finally to the United States in the days of the Baltimore clippers.

We threw away the proud title of "The Mistress of the Seas." We deliberately allowed this country to become a "beggar of ships," and, with our commerce paralyzed, a "fettered and embargoed trafficker," we changed the word "mistress" to "vassal." I do not think we will be guilty of such folly again. We adopted the policy of neglecting our seamen, finding crews wherever they could be had for the least money, taking the foreigner stranded on our shores, picking up the derelicts, treating them outrageously, until the word "sailor" became a by-word and a reproach. Until the act of December 21, 1898, seamen could be imprisoned for leaving an American vessel in an American port and held against their will to service. Until the seaman's act, which became effective as to foreign vessels in August, 1916, under treaties denounced by that act, seamen on foreign vessels could be arrested and imprisoned by our courts for leaving their vessel. It was not until that act went into full effect that all seamen were set free in this country.

By act of Congress approved June 26, 1884, American shipowners were permitted to discharge a crew hired in an American port, employ another crew in the port in which his competitor hired his, come to the United States and go back to a foreign port without reshipping in the United States and thus escape the American wage rate. The crimping system was in full play, and the seaman was robbed. The forecastle, where he lived with men of all races, speaking languages he could not understand, inadequate as to space and ventilation, was a foul, disease-breeding place.

The wages were based on the lowest paid in any port he touched, and left him nothing for his family.

There was no prospect in such a life. No wonder the American left the sea. We can well understand why more than 60 per cent of the officers and men in our merchant marine in 1915 were not citizens of the United States.

It was not until March 14, 1897, that Congress passed a law requiring that the forecastle must be improved. Every maritime nation had long since required the same thing.

The seaman's act of March 4, 1915, was the first emphatic declaration by Congress that the rights and interests of our seamen should have recognition and be maintained. The old policy drove Americans off the ocean. It knocked our sea legs from under us.

The new policy is to call our men back and say to them, "You shall be treated as decent citizens; you are invited not only to a legitimate but an absolutely essential occupation, where your rights must be respected; you shall be assured of good living conditions, space in the forecastle shall be increased from 72 cubic feet per man to 120 cubic feet, with further provisions for health, cleanliness, and comfort; the crimping system is abolished; advance wages and allotments, by which seamen suffered great wrongs are prohibited; you are free men and can have one-half of the wages earned and not paid in ports of call, thus enabling you to protect your liberty."

A new day has dawned for American shipping, and greater opportunities than ever before have come to American boys on the sea and those old "salts" who cling to the life will rejoice to see it brighten, and all must realize that the officers and men in the American merchant marine are rendering unsurpassed service to their country.

Human life and property are in the hands of these men. The prosperity and even the safety of this country rests with them. They must know what to do in case of storm and danger. There is no mercy in the angry elements. There must be discipline without cruelty, control without tyranny, coolness without indifference, courage without recklessness.

I recall that when the *Titanic* was sunk the wireless operator who survived testified that he remained at his station until the sea washed him away as the ship went down by the bow.

I asked him at the hearing why he did not get into a lifeboat or jump to some raft before then. He replied that the captain had told him to take his position by his apparatus and endeavor to send out distress calls as long as he could, and receiving no further orders he remained there until the ship went down. That is the kind of stuff the seafaring man, to succeed, must be made of.

We require officers, firemen, cooks, stewards, and other men, and at least 24,000 able seamen and 16,000 ordinary seamen, to man new vessels. We already have many of these. We have the material for all, and we are bound to have sea power to an extent never before enjoyed, and as a basis for that we must have trained and capable seamen from our own population.

American shipping has always heretofore been protected—absolutely protected—by prohibition. I understand "protection" means securing the home market. The importation of ships has been forbidden, and the use of foreign ships in the "home market" has been prohibited, and our coastwise trade has been reserved for home-built ships for nearly 100 years.

BOUNTIES.

In colonial times Virginia gave a subsidy of tobacco to induce her people to build ships, and they built one ship.

Massachusetts gave a bounty on Massachusetts oil—the fisheries were depressed, not helped.

Rhode Island paid a bounty on oil. Her sailors continued to favor the slave trade.

The effect of subsidies on the Collins Line was disastrous to shipping.

British shipping in the trade to the northern ports of America was not increased but restricted by the subsidy to the Cunard Co.

We tried subsidies after the Civil War—lines from New York to Rio, San Francisco to China, Japan, and Hawaii. It brought the beneficiaries into politics and helped not at all to build up a merchant marine.

In 1891 we passed a subsidy (mail) law. It brought in four ships, which never increased. The greatest commerce carrier is the tramp, which was never subsidized by any country.

The report of the Merchant Marine Commission says:

> The statistics of loss of ships at sea afford matter for reflection. They show * * * that out of every 100 American seagoing steamships over 100 tons, for the past 7 years, on the average 2.24 have been lost each year; that out of every 100 foreign seagoing steamers over 100 tons, for the same period, on the average 1.98 have been lost each year.

Mr. Spears, in his admirable work on "The Story of the American Merchant Marine," shows that "when American ships were supreme they were insured at a less rate than those of any other nation, and the insurance was placed, to a large extent, in England." That when "the American sailor of the sail was able to handle his ship better than any other he paid lower premiums to the underwriters. That the higher per cent of losses means higher cost of insurance, and the cause is since the steamer era our sailor is less efficient in his work than our old-time sailor and less efficient, too, than the foreign steamship sailor of to-day. The superior intrinsic efficiency of the American sailor gave supremacy to the American flag." We must have our nautical units (seamen) as efficient for this modern day as was our ship of the sail in the days long past. We can accomplish this by having efficient men to man our vessels. There is no difficulty in the way of building the ships.

Our day has come to make the "Starred Banner the talisman of a world commerce."

Mr. President, I had some correspondence with Mr. Tucker, of the Philadelphia Board of Trade, on this subject, in which he submitted a communication from Mr. Sproule of that board of trade, raising the same questions that are discussed in the resolution which I submitted at the beginning of my remarks. I wrote him recently, under date of the 18th instant; and inasmuch as that letter applies more specifically to some of the matters covered by the resolutions from the New York Chamber of Commerce, I ask that it be printed in connection with my remarks.

The PRESIDING OFFICER (Mr. KING in the chair). Without objection, it will be so ordered.

The matter referred to is as follows:

PHILADELPHIA BOARD OF TRADE,
Philadelphia, December 24, 1918.

Hon. DUNCAN U. FLETCHER,
United States Senate, Washington, D. C.

DEAR SIR: I take this occasion to acknowledge receipt of your letter of the 18th instant, and in compliance with the request therein I have had the Evening Public Ledger publish same, and I inclose you herewith a cutting from the paper of the 24th instant.

There are one or two points in your letter which I will take the liberty of answering at a little later date, but the holiday duties prevent my doing so at this time.

Wishing you the compliments of the season, I remain,

Yours, very truly,

W. R. TUCKER, *Secretary.*

FLETCHER ARGUES AGAINST SUBSIDY—FLORIDA SENATOR TAKES EXCEPTION TO SECRETARY SPROULE'S CHARGES—DEFENDS SHIPPING LAWS—COST OF OPERATING SHIPS UNDER AMERICAN REGISTRY NECESSARILY HIGH, HE SAYS.

Defending the shipping laws of the United States, Senator DUNCAN U. FLETCHER, of Florida, chairman of the Senate Commerce Committee, in a letter to William R. Tucker, secretary and assistant treasurer of the Philadelphia Board of Trade, takes exceptions to published statements of George F. Sproule and argues against subsidies for the American merchant marine.

Senator FLETCHER denies that the cost of operating ships under American registry must necessarily be abnormally high, and says that when subsidies have been tried in this country they failed to bring about the development expected. His letter follows:

"Your favor of December 6, inclosing article by George F. Sproule, should have been answered before, but I have been so terribly driven that I have not had a moment's time to give to it.

"In an endeavor to sustain his contention that our laws are such 'that no man can own and operate a ship profitably under the American flag,' Mr. Sproule asks, 'Have England, Germany, Norway, and Japan laws compelling the master of a ship to give to the seaman one-half his wages every five days while in port?' Neither has the United States. Section 4 of the seaman's act provides:

"'Every seaman on a vessel of the United States shall be entitled to receive on demand from the master of the vessel to which he belongs one-half part of the wages which he shall have then earned at every port where such vessel, after the voyage has been commenced, shall load or deliver cargo before the voyage is ended, and all stipulations in the contract to the contrary shall be void: *Provided*, That such a demand shall not be made before the expiration of, nor oftener than once in the five days.'

"Even if the law provided for paying seamen one-half their wages every five days while in port, I fail to see how that would increase the cost of operation or otherwise work to the disadvantage of American shipping.

AMERICAN SAILOR WELL FED.

"Mr. Sproule asks, 'Is the standard of food on the ships of any of these nations comparable with that on American ships?'

"I answer that, generally speaking, it is. My information is that American ships do not feed any better than the ships of other maritime nations. He does not suggest in what respect the American standard of food is too luxurious. My opinion is we get the best men and the best service out of them by feeding them well without regard to a fixed minimum standard on which we could get by.

"He asks, 'Do any of these countries compel the production of certificates of competency for able-bodied seamen; at least, other than service such as indicated by the "discharge book"?'

"My answer is: Where life and property so vitally depend on the competency of seamen no one should want incompetent men employed as able-bodied seamen. If the standards of other nations are as lax as claimed, should not the United States be its own judge of their competency? No one can justly charge that the United States local inspectors are unfair in the matter of issuing certificates of competency to men who are properly qualified.

"He asks, 'Do any of these countries require that 55 per cent of the deck department, exclusive of officers, shall be certified sailors?'

"I submit that there is nothing wrong in requiring that only a little more than half of the deck department shall be competent sailors.

"He then inquires, 'Do any of these nations, excepting perhaps Japan, require the carrying of so large a crew as American ships?'

"Our law does not fix the number of the crew, and besides I do not believe the United States should be behind Japan in the requirement of adequate crews to fully man her merchant ships.

RIGHT TO COMPENSATION LAW.

"I want to say further, in reference to other points raised by Mr. Sproule, that giving a seaman the right to sue for injuries is quite a different thing from including seamen under the provisions of the compensation law. I believe they should be so included, but the fact they are not is unquestionably a monetary advantage to American shipowners. The fact that American shipowners do not have to pay hospital dues for sick seamen is another advantage which is not counterbalanced by the retention of wages due to seamen who desert.

"I still insist that the increase in wages of American officers and crews constitute only a small percentage of the gross operating expenses of a vessel. For confirmation of this I would refer to the report of the special shipping committee of the New York Chamber of Commerce, which was presented to that body on January 7, 1915. This committee consisted of five men, three of whom were practical shipping men and the other two were men who have given much attention to shipping matters. They were Mr. Irving T. Bush, president of the Bush Terminals, chairman; George B. Dearborn, president of the American-Hawaiian Steamship Co.; and Commodore Jacob W. Miller, formerly of the New England Navigation Co., and more recently the active head of the Cape Cod Canal Co. The other two members were W. H. Douglas, who later acted as chairman of the shipping committee of the United States Chamber of Commerce, and J. T. Gwathmey. This committee reported that after careful investigation they had found that the total difference in the cost of operating American steamships as compared with foreign steamships in the same trade in normal times was 'even less than 50 per cent,' and that 'subsidies were unnecessary.' The report further stated, in substance, that the false claims of subsidists have destroyed the confidence of American investors in shipping investments, and the committee outlined a plan whereby that confidence might be restored by the Government guaranteeing bonds of steamship companies. They said, 'If credit machinery be created to enable steamship men to finance American shipping enterprises, a substantial tonnage of freight vessels would be assured without the aid of subsidy.'

STATUS OF "ADMIRAL"-BOATS.

"By the operation of the seamen's act the difference in wages between American and foreign ships will be greatly reduced, if not entirely wiped out, thereby cutting down to almost nothing the 'even less than 50 per cent' difference in cost of operation that the committee reported as against American ships.

"Regarding the instance cited by Mr. Sproule of the 'Admiral' boats, these vessels were chartered by the United Fruit Co., and not owned by them, as would be inferred from his statement. I believe he is in error that there was a difference of 50 per cent in the cost of operating these vessels as compared with the vessels that replaced them. These 'Admiral' boats were transferred to the Pacific coast, where they have been operated by the same interests that owned them when they were chartered to the United Fruit Co., and they have proven very profitable in the Pacific coast trade.

"The statement 'Your seafaring man does not mix sentiment with business. He looks at things from a dollar-and-cent angle,' would seem to be quite true, and applies to Americans who were ready to replace ships under their country's flag by British vessels even when the difference in cost of operation is 'less than 5 per cent.'

"Regarding the steamers *Shawmut* and *Tremont*, these vessels are now owned by the Panama Steamship Co. and are named the *Ancon* and the *Cristobal*. They have never gone from under the American flag, and I expect the only reason their original owners did not make a success of them was by reason of bad management. The original investors may have been victims of 'high finance,' because the Government paid a good price for them when it bought them.

"Regarding the cost of building ships in American shipyards, the record will show that at the outbreak of the war in 1914 cargo steamers were being built in Great Britain for $35 a dead-weight ton and in the United States for about $45 a dead-weight ton. This would give a difference of less than 30 per cent. It is evident that with an increase of shipbuilding in the United States and up-to-date facilities and equipment the difference of about 30 per cent in construction costs between that of Great Britain and that of the United States would or should be greatly reduced, if not entirely wiped out. This is admitted in the report of the New York Chamber of Commerce committee.

"It is in the testimony before the Commerce Committee that the New York Shipbuilding Corporation was building merchant ships in its yards for $60 to $78 a ton. The higher price was for tankers, which cost $15 to $20 a ton more than ordinary cargo steamers. These were the prices after the European war had been in progress three years, causing great increases in the cost of labor and material.

QUESTIONS FRENCH SUBSIDY.

"Mr. Sproule cites the French Government's subsidies to its shipping in support of his contention for American subsidies. He might have stated how much of a merchant marine France has as a result of her very liberal subsidies to French shipping. He does not undertake to say what subsidies Great Britain gives her shipping, excluding the special case of the subsidy that was granted to the Cunard Line in connection with the *Mauretania* and the *Lusitania*. The subsidy to the Cunard Line never increased British shipping one particle to and from our North Atlantic coast. Why has Great Britain by far the greatest merchant marine in the world, notwithstanding it costs more to operate British ships than it does ships of any other country in the world except the United States? British shipowners are enterprising and patriotic, and they are not inclined to swap their flag because of a slight saving of a small per cent of operating expense. They are perfectly willing to pay somewhat higher operating expenses under their flag and are quite content with the 20 to 100 per cent annual net profits, which the London Stock Exchange Yearbook for 1914 shows it was not unusual for steamship companies to earn before the war.

"If there have been instances of failure of American ships to operate profitably, I am quite sure it is due to other reasons than alleged disadvantages under which American ships are said to labor. The tramp is the ideal cargo carrier, and no country ever subsidized the tramp. We tried subsidies after the Civil War—lines from New York to Rio, from San Francisco to Japan and China and Hawaii. It brought the beneficiaries into politics and helped not at all to build up a merchant marine. In 1891 we passed a subvention or subsidy mail law, whereby we brought under our flag four ships. That number was never increased. The effect of subsidies on the Collins Lines was disastrous to shipping. We tried bounties in colonial times. Virginia gave a subsidy on tobacco to induce her people to build ships, and they built one ship. Massachusetts gave a bounty on Massachusetts oil. The fisheries were depressed—not helped. Rhode Island paid a bounty on oil. Her sailors continued to favor the slave trade.

"Yours, very truly, DUNCAN U. FLETCHER."

Mr. JONES of Washington. Mr. President, with many of the observations of the Senator from Florida I am in hearty accord. I am not going to discuss them, however, and I am not going to discuss at length the differences that appeared in this Chamber prior to the war. These differences were simply the reflection of the differences among the people throughout the country as to what would be the wise policy to pursue as to our shipping. Everybody desired a large American merchant marine. Everybody desires it now. We differed, I think, honestly and patriotically upon the policies that should be pursued. Those of us who opposed the ship-purchase act of 1914 did not believe that that act would accomplish what all of us wanted accomplished. We did not think it was the wise course to take. I still think we were right. That is true with reference to the act of 1915, to which the Senator has referred. But, Mr. President, the act under which our shipping has been built, the act under which the many contracts that are now made have been made, was an act that was passed by this body without any division whatever. It was an emergency act. It was to aid in the prosecution of the war, and was passed without any division. I have it in my hand; and I think it well, in connection with the Senator's remarks, to have it put in the RECORD.

This is the act approved June 15, 1917, "An act making appropriations to supply urgent deficiencies in appropriations for the Military and Naval Establishments on account of war expenses for the fiscal year ending June 30, 1917, and for other purposes."

On the first page there is a paragraph under the heading "Emergency shipping fund," and it reads in this way:

The President—

Not the Shipping Board, but the President—

is hereby authorized and empowered, within the limits of the amounts herein authorised—

(a) To place an order with any person for such ships or material as the necessities of the Government, to be determined by the President, may require during the period of the war, and which are of the nature, kind, and quantity usually produced or capable of being produced by such person.

(b) To modify—

That is, the President is authorized—

To modify, suspend, cancel, or requisition any existing or future contract for the building, production, or purchase of ships or material.

(c) To require—

That is, the President—not the Shipping Board, but the President—is empowered—

To require the owner or occupier of any plant in which ships or materials are built or produced to place at the disposal of the United States the whole or any part of the output of such plant, to deliver such output or part thereof in such quantities and at such times as may be specified in the order.

(d) To requisition—

That is, the President is empowered—not the Shipping Board, but the President is empowered—

To requisition and take over for use or operation by the United States any plant, or any part thereof, without taking possession of the entire plant, whether the United States has or has not any contract or agreement with the owner or occupier of such plant.

And, Mr. President, all shipping plants in this country that have been taken over during this war have been taken over under that provision and not under the general shipping act to which the Senator has referred.

(e) To purchase—

That is, the President is empowered and authorized to purchase—

requisition, or take over the title to, or the possession of, for use or operation by the United States, any ship now constructed or in the process of construction or hereafter constructed, or any part thereof, or charter of such ship.

Then there are other provisions here with reference to compliance with these matters; and, again:

The President may exercise the power and authority hereby vested in him, and expend the money herein and hereafter appropriated, through such agency or agencies as he shall determine from time to time.

He selected the Emergency Fleet Corporation, which the Senator is correct in saying was the corporation organized under the ship-purchase act; but the President could have taken any other agency. He could have taken an individual, and he could supplant that at any time; so that it was simply the agency that the President took under this act, and when it is discharging the duties imposed on it by the President it is discharging the duties given to the President and the powers of the President under this act, and not under the shipping act.

Then, listen:

All ships constructed, purchased, or requisitioned under authority herein, or heretofore or hereafter acquired by the United States, shall be managed, operated, and disposed of—

Not as the Shipping Board may direct; not under authority of the ship-purchase act, but—

as the President may direct.

So that everything that is being done in connection with the war emergency in securing ships to take care of the situation developed by the war is done under this act passed in 1917 and not under the ship-purchase act of 1915.

All authority granted to the President herein, or by him delegated, shall cease six months after a final treaty of peace is proclaimed between this Government and the German Empire.

Then, Mr. President, the Emergency Fleet Corporation will proceed to act under the act of 1915, and not before.

Under this act we authorize the expenditure of $500,000,000 for the construction of ships and appropriate $250,000,000 of that amount. We also authorize, for requisitioning ships and taking over plants, the expenditure of $250,000,000. Then these appropriations were supplemented, as has been stated heretofore by others in this discussion, until now they amount to over $3,000,000,000.

Now, just a word, Mr. President.

The Senator has referred to the seamen's act, and he has pointed out many things that that act takes care of; and with many of his suggestions in regard to that act I am in hearty accord. For many years prior to the passage of that act I was strongly in favor of legislation to free the seaman from practical slavery, and I welcomed that act for this purpose if for no other. There may be some things in that act that ought to be changed. I do not say that there are not; but I think the people who are interested in shipbuilding and in the future of shipping in this country should realize the fact that that act is not going to be repealed, at least until it is actually demonstrated that it is not only a detriment to the building up of an American merchant marine, but that it will absolutely prevent the building up of such an American merchant marine. In all of our plans for building up and maintaining a great American merchant marine that fact must be taken into account and must be a part of the basis for all legislation to accomplish what we all so much desire.

There are two great elements interested in this proposition. One is the great labor element of the country and the other is

the capital or business element of the country. I should like to see these two great interests get together, through representatives, face to face, and talk over the situation, each one trying to take into account the viewpoint and the interests of the other, both of them taking into account the higher interest of the United States in building up a great American merchant marine, and see if they can not unite upon a common ground and a common basis for maintaining and building up the American merchant marine.

If there are things in the seamen's act that will absolutely prevent the American flag from being upon the sea it ought not to be difficult for labor and capital to get together and remove such a detriment. If there are conditions that labor will insist upon and must have and that capital can concede, it ought not to be difficult for them to get together upon a common basis in that regard.

I hope something of this kind will be done. I do not believe we will ever get results until it is done. What I fear is that substantially the same controversies that prevented us before this war begun from enacting legislation under which the American flag would fly over ships upon the seas will, now that the war has ended, when peace is formally declared, prevent our giving the encouragement that I think must be given in order to keep our flag upon the seas.

We are going to come out of this war with a large tonnage. Is it going to fly the American flag or will it, under restrictions that our people can not bear, be driven off the sea or driven to other flags? I hope not.

I think this is one of the most important problems that confronts the American people to-day. We ought to have our own transportation upon the sea, or at least our great share of it. Ships ought to be sailing the seas flying the American flag, under conditions prescribed by American law, framed upon the principles of justice, liberty, and humanity, and I hope it will be done; but unless we do see to it that the conditions under which our ships sail are substantially the conditions of our competitors our ships will be driven off the sea. Their conditions must be brought up to ours or else we must provide in some way to take care of the difference.

Let us see if we can not do it. I hope we can bring their conditions up to ours, but I see the tremendous difficulties in the way of that. But if we can not do it, then I want to say that I am willing that we should take governmental action in some way to make up the difference, whatever it may be; and I hope we can consider this question free from politics, free from partisanship, looking only to the welfare and glory of our country. I hope that labor and capital will look upon it in that way; and if that is done, in my judgment we will pass whatever legislation is necessary not only to build up the American merchant marine—or, in other words, to keep upon the sea the American merchant marine that we will have when this war ends—but also to build it up to the point where it ought to be.

Mr. FLETCHER. Mr. President, may I inquire of the Senator if it does not seem reasonable to him that with our present facilities, with ample yards located on both coasts, the Gulf, and the Great Lakes, and with the raw material right here in our own country, we ought to be able to compete with any country in the building of ships?

It is true that our labor charge may be a little higher, but we have contended heretofore, and I think very reasonably, that the increased efficiency of American labor makes up for the added cost. Does it not seem reasonable that we ought to build ships just as cheaply in this country as they can be built anywhere? If that is true, then we eliminate any difference in the cost of construction.

Now, with reference to the matter of operating, if we can equalize the labor cost—and that of itself covers but a small difference in cost—if we do that, ought we not to be on practically an equality with other countries? If, for instance, the cost of operating under the British flag was higher than it was under the American flag, the shipowners of England might have operated under some other flag; but her people were patriotic enough to fly the British flag even though it did cost them a little more to operate British ships than they would have paid under some other flag.

I think we ought to appeal a little to the patriotism of our American shipowners. Even if the cost of operating is a little bit higher—it can not be very much higher—they ought to be willing, as a matter of patriotism, to keep their ships registered under the American flag.

Mr. JONES of Washington. Mr. President, the Senator has assumed a great many things that I might agree with him upon; but he has assumed some things that I do not admit to be true; but if his assumptions are correct we probably will not have very much difficulty. I do think that we have the great opportunity now to put ourselves upon the sea where we ought to be. I think we have now the very opportunity that was presented to England during the Civil War. She took advantage of it; and the question is, Will we take advantage of it now? We have the shipyards; we have the ship labor. Our people are looking to the sea. They are looking to shipbuilding. They will extend their activities along this line with anything like an equal chance.

This thing is certain to my mind, that England and France, especially, are going to do everything in their power not only to maintain the position they have upon the sea but to strengthen that position, and these Governments are going to give every assistance they possibly can and that they deem to be necessary not only to keep their ships upon the sea but to increase them. Now, assuming all other conditions to be equal, if they grant governmental aid and assistance to private enterprise we will have to do the same thing or else we will be driven off the sea. We will have to do it in some form or other. It is all very well to appeal to the patriotism of our laboring people; it is all very well to appeal to the patriotism of our capitalists; but business is not carried on in the commercial world very greatly upon the basis of patriotism. It is carried on upon business lines; it is carried on with the most intense competition.

Mr. SMITH of Georgia. And for profit.

Mr. JONES of Washington. And, as the Senator from Georgia suggests, it is carried on for profit, and that is the great incentive, and we can not get around it. If the profit ceases, the business will soon die.

I think that the American capitalist and laborer, with practically equal conditions, can compete with any people on the face of the earth. But if you find the great commercial countries of the world coordinating governmental power with individual initiative and effort, then, Mr. President, our individuals can not stand up before it unless they also have help in some form or other. I do not now suggest what form that shall be; but they can not stand up against it unless they have, in some form or other, the aid and assistance of this Government. Are we ready, are we willing, to give that aid rather than forego the ships that we so much need in peace and that are imperative in war. We hope for lasting peace, but war may come. It should not find us without ships, as this war did.

What I want to suggest is simply that when we get all the facts, when we get all the conditions and find out with what we are confronted, we meet the problem without partisanship, without striving for party advantage, but, working simply as patriotic citizens, do what we believe to be for the welfare and good of our country.

Mr. JONES of Washington subsequently said: Mr. President, in connection with my remarks a while ago I desire to ask permission to have printed as part thereof a couple of paragraphs with reference to the emergency shipping fund—that is, the portion of it that I have marked. It is not very long and will give most of the part of that act I have not already read relating to that subject in a concrete form.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

Compliance with all orders issued hereunder shall be obligatory on any person to whom such order is given, and such order shall take precedence over all other orders and contracts placed with such person. If any person owning any ship, charter, or material, or owning, leasing, or operating any plant equipped for the building or production of ships or material shall refuse or fail to comply therewith or to give to the United States such preference in the execution of such order, or shall refuse to build, supply, furnish, or manufacture the kind, quantities, or qualities of the ships or material so ordered, at such reasonable price as shall be determined by the President, the President may take immediate possession of any ship, charter, material, or plant of such person, or any part thereof without taking possession of the entire plant, and may use the same at such times and in such manner as he may consider necessary or expedient.

Whenever the United States shall cancel, modify, suspend, or requisition any contract, make use of, assume, occupy, requisition, acquire, or take over any plant or part thereof, or any ship, charter, or material in accordance with the provisions hereof, it shall make just compensation therefor, to be determined by the President; and if the amount thereof, so determined by the President, is unsatisfactory to the person entitled to receive the same, such person shall be paid 75 per cent of the amount so determined by the President and shall be entitled to sue the United States to recover such further sum as, added to said 75 per cent, will make up such amount as will be just compensation therefor, in the manner provided for by section 24, paragraph 20, and section 145 of the Judicial Code.

Mr. SMITH of Georgia. Mr. President, in his opening remarks the Senator from Florida [Mr. FLETCHER] called attention to certain newspaper publications recently going over the country which charged that large Government activities have taken place in the Southern States, and the claim has been made that these activities were due to the influence of representatives from that section.

These publications have been unkind and unjust. They have been utterly devoid of truth, both so far as they indicated the

extent of the activities and so far as they in any way suggested selections due to influence rather than desirability of location for the Government activities.

In point of fact, the activities in the Southern States have in no way measured up to the opportunities that the Government had, and the real blunder has been the failure to use opportunities in those sections and avail of the advantages which are there found. Really, the fear of such publications, and such publications themselves have, I think, intimidated representatives of the present administration and deterred them from using opportunities, to the injury of that section and to the loss of the Nation.

About three-fourths of our eastern water front stretches from the mouth of the Potomac to the Rio Grande. Nearly one-half of the entire water front of this Nation is found between these two places. For shipbuilding nothing north of it was comparable with that south of the Potomac. I had occasion to request a study of one of the harbors in the Southeast as a shipbuilding point. A new railroad stretches from it to the Birmingham coal and steel fields. At no point could steel and coal be laid down cheaper. Ample wood and lumber are to be had in that immediate section. There in 1857 our Government spent $150,000 to buy a thousand acres of land with 2 miles of water front, and it still owns this valuable tract.

Nearby an island was bought by our Government prior to that time for the lumber on it for shipbuilding purposes. This island, covered with timber, is still owned by the Government. A mile front was available upon which to begin shipbuilding, without a dollar of expense required for preparation of the water front. Yet it was simply impossible to interest the Shipping Board or the Emergency Fleet Corporation with that opportunity for ship construction where, for the year around, there was a perfect climate for outdoor work. If they had gone there instead of to places which were selected farther north, we should not have had the story of only one ship finished after an enormous expenditure of money preparing a water front. They could have finished and begun sailing vessels from that harbor in six months. I believe it was prejudice that prevented the use of this harbor, or the fear of publications along the line referred to by the Senator from Florida. Complaint is made that the "South is in the saddle," yet not a man from three-fourths of our eastern water front, from the Potomac to the Rio Grande, was given a place upon the Shipping Board or the Emergency Fleet Corporation, nor was a man from this entire section given a place of prominence with either.

An effort has been made to create the impression that many offices were given to the South by the present administration. My State fared in this respect better under President Taft than it has under President Wilson.

Mr. KING. The same claim is made by some other Democratic States.

Mr. SMITH of Georgia. A Supreme Court judge was selected by President Taft from Georgia, and also an Interstate Commerce Commissioner was selected by President Taft from Georgia. They died and their places went, I think, to Massachusetts. There has been nothing more inexcusable than the stories circulated throughout the country that the southeastern section was getting any advantage out of this administration. I desire to repeat that my State fared better under President Taft than it has under President Wilson so far as offices are concerned, and as to the location of enterprises the country has been the loser by neglect to use desirable locations in the Southeast.

Mr. KING. Mr. President, will the Senator from Georgia yield to me?

Mr. SMITH of Georgia. I will.

Mr. KING. If the Senator from Georgia visited a number of the departments of the Government during the war, which were engaged in providing ships, munitions, and so forth, he would have observed upon the walls maps of the United States and little red circles to indicate the places where the great manufacturing plants and other great governmental activities were being erected and carried on; and he would have seen, if he observed, that practically all, at least 90 per cent, of those governmental activities were within five or six States in the northeastern part of the United States.

Mr. SMITH of Georgia. And there was no excuse for not utilizing the splendid harbors of the south and southeast with their all-year season for outdoor work. It is true that the majority of the camps must necessarily have gone south of the Potomac, otherwise all-the-year training could not have been given unless they had gone upon the Pacific slope.

Mr. NEW. Mr. President——

Mr. SMITH of Georgia. I understand that it is possible on the coast of Oregon, Washington, and California to get all-year outdoor exercise.

Mr. FLETCHER. Mr. President, may I interrupt the Senator for one moment?

Mr. SMITH of Georgia. Certainly.

Mr. FLETCHER. I merely desire to observe the concentration of these activities at the few points which the Senator from Utah [Mr. KING] has mentioned resulted in terrific congestion; so that the report from the Department of Justice with reference to Hog Island shows that the railroads were loaded with cars which could not be moved, and that the cars were jammed all the way from Norfolk to Hog Island.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER (Mr. KENDRICK in the chair). Does the Senator from Georgia yield to the Senator from Washington?

Mr. SMITH of Georgia. Yes.

Mr. JONES of Washington. The Senator is correct in stating that in Washington, Oregon, and California on the Pacific coast labor can work all the year around without diminution. That is one of the great elements that led to the shipyards of Seattle, for instance, making a record not only in the construction of wooden ships but in the construction of steel ships, notwithstanding the fact that the steel had to come from the East.

Mr. SMITH of Georgia. Mr. President, in the city of Brunswick, to which I have referred, there is a great harbor. Years ago our Government bought there an island, with 2 miles of water front, with a view to development of a great naval plant. Within 25 miles of that place the Government owns a large island, bought avowedly at the time on account of the lumber upon it that could be used in shipbuilding. To this city there is a new railroad, which runs nearly in a straight line to the Birmingham coal and iron fields, a road not crowded with business, but with ample facilities for the transportation of steel and coal not through a congested territory but through an unoccupied territory, a railroad not used to anything like its full capacity on account of the fact that it has only recently been constructed, and the territory along it has not been developed. It was built with a view of transporting steel and coal from middle Alabama to the coast.

Mr. NEW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Indiana?

Mr. SMITH of Georgia. Yes.

Mr. NEW. Mr. President, before the Senator got fairly away from the question of the greater eligibility of the southern sites on account of climatic conditions, I wanted to ask him if he could give me any estimate of what the difference in temperature is between the north and south banks of the Ohio River between Indiana and Kentucky?

Mr. SMITH of Georgia. If the Senator is waiting for an answer, as he lives nearer to that section than I do, I would prefer that he answer his own question.

Mr. NEW. The Senator has answered it in his own mind, and I think that the people of the two States have also formed some sort of an estimate of it.

Mr. SMITH of Georgia. I was speaking of shipbuilding and the advantage of taking a location where the work could continue the year around.

Mr. NEW. I rose to make my inquiry at the point where the Senator had made reference to the greater eligibility of the Southern States for the location of cantonments.

Mr. SMITH of Georgia. I was not referring to Kentucky; I was referring more particularly to the States considerably farther south.

Mr. President, passing from that subject, I wish to call attention to an editorial in the Washington Post of this morning, entitled "The Nation Supreme"; and I desire to ask that it be printed in the RECORD. It is such an excellent discussion of the subject, and so full of suggestion, I think it ought to have wide circulation.

The PRESIDING OFFICER. Without objection, it is so ordered.

The editorial referred to is as follows:

THE NATION SUPREME.

Bolshevists who are honest in their belief are in favor of a world community or internationalism which shall be paramount to all nations. They do not specifically demand a superleague of nations, but they should favor such a league, as it is a step toward the universal proletarianism which they fondly believe would cure human ills. The Bolshevikl are against nations as at present constituted, and the advocates of a sovereign league of nations are also dissatisfied with nations as at present constituted. Both Bolsheviki and proleaguers are trying to find a method of forcing nations to obey a will higher than the sovereign will of each State.

Is that what Americans want?

Diligent inquiry has failed to disclose any action or utterance by the American people or upon their authority which would permit anyone to assume that Americans are dissatisfied with their Government and are trying to find a plan which will evolve a universal sovereign superior to the United States and capable of compelling the United States to obey its will within a certain sphere.

Inquiry fails to reveal any growth of Bolshevism in the United States which could be regarded as anything more than a neighborhood outburst of mingled folly and sedition. There is no national movement toward Bolshevism. On the contrary, wherever the people's will could be ascertained on a respectable scale, there has been manifested a readiness to attack and destroy Bolshevism and an equal impatience with any scheme which would impair the sovereignty and independence of the United States.

No "internationalism" is wanted by the American people, so far as their will can be ascertained, except the mutual and voluntary association of free nations temporarily acting together for the protection of liberty and civilization.

Whenever any proposal is made to create an international tribunal which would have jurisdiction over the Monroe doctrine, the American people kick and will not have it.

Whenever Socialists and Bolshevists propose to substitute an international system for the United States Government, the police are usually required to protect the utterers of such doctrines. It is noticeable that soldiers and sailors returned from the war zone are the first to attack the would-be destroyers of the Government.

Whenever the concrete suggestion is made that there should be a "world police force," with power to compel the United States to desist from any course which it might desire to take in defending its rights, its independence, or its honor, there is an immediate protest from Maine to California.

Efforts have been made to commit the United States to the principle of a league of nations empowered to enforce peace, and these efforts have failed. It is evident that the Senate will not approve of such a project, even in principle. The country will not agree to any project which requires the United States to surrender any of its sovereign will or freedom of action.

But, say the advocates of a league of nations, the States of this Union yielded certain sovereign powers for the sake of creating a strong general government, and they are all benefited by the arrangement. Why should not the nations combine in one union, as the States did?

The answer is that the people of the States were one homogeneous people, held together by common origin, language, experience, and danger. They were the antithesis of the heterogeneous peoples of the world's nations, who are separated by differences of race, color, origin, language, experience, and environment.

The Americans joined together because they had common interests. The nations can not join together in the United States of the World because they have conflicting and irreconcilable interests.

If the present war has not taught mankind that there are cleavages between certain peoples which never can be welded together, it has taught them nothing. Gloss the subject as you will, with all the eloquence and idealism that the mind can conceive, and the fact remains that the people of the United States are firmly resolved to hold their destiny in their own hands. They will not admit any other nation or people to a partnership in deciding the questions that affect the honor and existence of their country. The Nation, under the Almighty, is to them the ark of safety and the last resort in time of trouble.

Mr. SMITH of Georgia. Mr. President, I wish also to call attention to the fact that in the statement attributed to the President on last Sunday he declared that the force which the league of nations should use would be a moral force. If he is correctly quoted, it would seem that the character of a league of nations which he is advocating is one the moral force of which should be used to preserve peace. The President in an address on receiving a doctor's degree bestowed by the University of Paris said:

My conception of the league of nations is just this: That it shall operate as the organized moral force throughout the world, and that whenever or wherever wrong and aggression are planned or contemplated, this searching light of conscience will be turned upon them, and men everywhere will ask, What are the purposes you hold in your hearts against the fortunes of the world?

To that doctrine I think all of us may give the warmest of support; surely we may go that far, although we may not be willing to surrender any of the sovereignty of our country to a new constitutional government embracing the nations of the world that would have the right to dictate for us governmental policies. I can not believe for a moment that the President has advocated or would advocate any such extreme plan for a league of nations. I think his views are far more in line with those found in the Post editorial.

In presenting this editorial it is in no way meant as a criticism upon what is taking place in Paris and in England, but to commend there as well as everywhere else a rational view of cooperation by at least the nations who are now acting as allies, that they may plan to preserve universal peace through moral force, without undertaking to establish any international tribunal in the shape of a constitutional form of government, court, or police to interfere with the governmental power of the United States.

Mr. KING. Mr. President, the Senator from Florida [Mr. FLETCHER] has just submitted a most interesting address concerning our merchant marine. While all may not agree with his statements and conclusions, there can be no difference of opinion as to the importance of the subject which he has considered. I have not taken the floor for the purpose of submitting any extended observations upon this subject, but rather to express my regret that the Senator from Florida has not indicated what the Committee on Commerce, of which he is the chairman, intends to suggest with respect to the Emergency Fleet Corporation and the work in which it is now engaged. The practical close of the war compels, in my opinion, some immediate action upon the part of Congress with respect to the future operations of the Shipping Board and the Emergency Fleet Corporation. I feel sure that the American people will not be satisfied to permit these organizations to continue in peace times to carry out a program which was the product of war conditions. I think I express the views of many Senators when I say that a plan or program would be welcomed from the Commerce Committee which attempted to deal with the shipping interests of our country. It is not satisfactory to continue for an indefinite period in a laissez faire manner. The Senator from Florida has very clearly pointed out the necessity of a merchant marine. There can be no question but what our Nation has suffered for 50 years for a lack of shipping facilities. Prior to the Civil War 80 per cent or more of our foreign commerce was carried in American bottoms. Shortly before the outbreak of the present world war less than 20 per cent of American commerce was carried in American ships. The future prosperity of our country depends very largely upon our foreign commerce. The industry and genius of the people of this Republic will annually produce hundreds of millions of dollars of agricultural products and manufactured goods in excess of our domestic needs. To maintain suitable prices and to promote industrial peace and national prosperity we must secure adequate foreign markets for our surplus products. There is no more pressing problem for our consideration than that involved in the question of merchant marine. With the superior advantages which we possess by reason of the great quantity and variety of raw materials produced in the United States we can conquer the markets of the world. Our commercial interests must no longer be dependent upon foreign ships. An intolerable, as well as precarious, situation would result from such a condition. It is apparent, therefore, that we should address ourselves at the earliest possible moment to a question of such stupendous importance.

I express the hope that the Commerce Committee will submit a well-considered plan before this session is ended which will deal in a broad and rational manner with this entire question. There is much opposition now that peace has come to a continuation of the activities of the Emergency Fleet Corporation. There are many objections to a policy which commits the Government to the construction of a merchant marine and the operation of the ships after they have been built. While all concede the necessity of a merchant marine there is deep-seated opposition to the Government entering upon the task of building the ships and becoming a sea carrier of commerce. Of course, there are duties which the Government properly can perform connected directly or indirectly with our commercial prosperity; but in my opinion, the majority of the American people will not approve of the policy of placing the instrumentalities of transportation of commerce in the hands of the Government. I know there is a school of thought that is now clamoring vociferously for governmental ownership and control, not only of our means of transportation but of many of the industries and activities which have engaged and properly engaged the attention of individuals. The bureaucratic, paternalistic, and socialistic schools are strongly in evidence to-day. They are urging the extension of the activities and duties and labors of the Federal Government into the domain of private endeavor. There is no task or no work which—in the view of some persons belonging to one or more of these schools—the Government ought not to perform. War breeds paternalism and a voracious, tyrannous, oppressive bureaucracy.

It requires great effort to throw off this incubus when war ceases. I sincerely hope that the Committee on Commerce will soon indicate that it does not approve of a plan which places the merchant marine in the hands of the Government as the sole owner and proprietor. A program should be worked out which will result in the construction of ships, such as our country needs, by private persons and not by the Government. I believe that with the superior advantages which our country enjoys over any other country in the world we could can build ships as cheap here as they can be constructed in any other nation. This, of course, can not be done if they are built by the Government.

Judge Hughes in a recent address referred to the inefficiency of governmental service. An investigation of enterprises conducted by the Government during the war, as well as in times of peace, conclusively demonstrates that governmental control makes for inefficiency, extravagance, and inexcusable waste. There is no question but what ships can and will be constructed by private concerns at a very much less cost than if constructed by the Government.

The construction and operation of railroads by the Government will be very much more costly than if constructed and operated by individuals or corporations. It is axiomatic that inefficiency and extravagance follow the entrance of the Gov-

ernment into business, industrial, and commercial undertakings. If the Government should construct and operate ships for commercial purposes, it is as certain as that the stars shine that the cost would be very much greater than if the ships were constructed and operated by private interests. And, of course, if the agency selected by the Government to build and operate ships did not have the Public Treasury from which to draw, its operations in building and controlling a merchant marine would soon lead it into bankruptcy. Congress should at the earliest possible moment agree upon some clean-cut, rational, and American program with respect to the great question of transportation, not only transportation upon sea but transportation upon land. The uncertainty as to the future policy of the Government concerning the railroad and shipping interests of our country can not result other than in serious consequences to the business interests, as well as the interests and welfare of all classes in our land. The American people are entitled to know what the policy of our country will be. Of course, the transition from war conditions to peace conditions can not be effectuated in an hour; and a reasonable time must be allowed for the purpose of evolving just and rational plans to deal with the great questions which are of such vital importance.

Personally I hope the President will convene Congress in extraordinary session soon after the adjournment in March. An extra session, in my opinion, is necessary in order to deal with the question of transportation, as well as other questions of transcendent importance to the American people.

Mr. WATSON. Mr. President, will the Senator permit me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Indiana?

Mr. KING. I yield to my friend.

Mr. WATSON. Does the Senator know whether or not the leaders on his side of the Chamber have determined that there shall be no extra session?

Mr. KING. Answering the Senator, I will say that I have not heard the subject discussed. I think there are some Senators upon this side of the Chamber who believe an extra session of Congress is necessary. I am not one of those who believe that Senators upon the other side, if an extra session of Congress shall be convened, will approach the consideration of these questions in a purely partisan manner. I think that the Republicans are just as patriotic as we are, and are just as anxious to reach a just and proper solution of these pressing problems as are the Senators upon this side of the Chamber. These questions are too big, as was very properly said by the Senator from Washington [Mr. JONES] for partisan purposes; and I should be glad if we could meet together in special session and in a patriotic and genuinely American way work out the tremendous problems that are now pressing for solution.

Mr. WATSON. Mr. President, I only want to say that I fully concur in the sentiment expressed by the Senator from Utah; but it has been my understanding that there would be an effort made, at any rate, to prevent an extra session of Congress. I feel quite sure that the Republicans do not desire an extra session of Congress for partisan purposes; but, so far as there has been an expression of the Senate on this side, it has been that there should be an extra session for the express purpose stated by the Senator from Utah, to take up and consider the great overwhelming problems that confront us. It is almost impossible that we shall legislate on the railroad question, the telegraph and telephone question, the cable question, the shipping question, and all of the other momentous problems within the next two months, with all of the great appropriation and supply bills to pass. It is a physical impossibility, because these questions alone would occupy the attention of Congress for many, many months before it could correctly solve the great problems that of necessity confront and perplex us. Therefore it is very refreshing to me to hear the Senator from Utah proclaim that he is in favor of an extra session of Congress, and that many of his associates and colleagues on that side share in his opinion.

Mr. JONES of New Mexico. Mr. President, will the Senator yield for a question?

Mr. WATSON. I yield to the Senator from New Mexico.

Mr. JONES of New Mexico. While we are trying to get information upon this matter of an extra session, I should like to inquire of the Senator from Indiana if he has heard anything said on that side of the Chamber about preventing the passage of some of the principal appropriation bills so as to force an extra session of Congress?

Mr. WATSON. Mr. President, I presume my friend asks me that question in good faith.

Mr. JONES of New Mexico. I certainly do.

Mr. WATSON. And I shall answer it in the same way. I have heard no intimation from any Senator on this side relating to that or any kindred subject.

Mr. JONES of New Mexico. I am very glad to hear that report from the Senator from Indiana. I hope and trust that his information is general among the Members of the Senate on that side of the Chamber. I have heard some rumors to the contrary.

Mr. WATSON. I have heard nothing of the kind from this side—not even a rumor—and I do not believe that anybody has taken that sort of position.

INTERNATIONAL PEACE CONFERENCE.

Mr. McKELLAR. Mr. President, I desire to give notice that on Monday next, if possible, and if not on Monday then on Thursday next, I shall make some remarks on the approaching peace conference.

ADJOURNMENT.

Mr. KING. Mr. President, if no other Senator desires to occupy the floor, I move that the Senate adjourn.

The motion was agreed to; and (at 2 o'clock and 25 minutes p. m.) the Senate adjourned until Monday, December 30, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

FRIDAY, *December 27, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite Spirit, our Heavenly Father, we lift up our hearts in gratitude and praise to Thee, that the terrible war, which has brought desolation, sorrow, and grief to thousands of homes throughout the world, is comparatively over; that the work of reconstruction is in progress; and we pray that the great men of the world may lend their light, strength, and good purposes to establish a permanent peace that shall purify, sanctify, glorify mankind; that Thy kingdom may indeed come and Thy will be done in earth as in heaven, in the name of Him who lives and reigns in the hearts of all good men. Amen.

The Journal of the proceedings of Tuesday, December 24, 1918, was read and approved.

THE LATE REPRESENTATIVE DAVIDSON.

Mr. COOPER of Wisconsin. Mr. Speaker, I ask unanimous consent that Sunday, February 16, 1919, be set aside for addresses on the life, character, and public services of the Hon. JAMES H. DAVIDSON, late a Member of Congress from the State of Wisconsin.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that Sunday, February 16, 1919, be set aside for memorial services on the life, character, and public services of the late Representative JAMES H. DAVIDSON. Is there objection?

There was no objection.

RECESS.

Mr. KITCHIN. Mr. Speaker, I understand that it will be about 15 minutes before the Senate sends over the revenue bill. I therefore ask unanimous consent that the House stand in recess until 12 o'clock and 30 minutes p. m.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the House stand in recess until 12 o'clock and 30 minutes p. m. Is there objection?

There was no objection.

Accordingly, at 12 o'clock and 5 minutes p. m., the House stood in recess until 12 o'clock and 30 minutes p. m.

AFTER THE RECESS.

The recess having expired, at 12.30 o'clock p. m. the House resumed its session.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 5213. An act to amend the act approved April 18, 1918, to give indemnity for damages caused by American forces abroad; to the Committee on Military Affairs.

S. 5102. An act to authorize the change of name of the steamer *Charlotte Gravcraet Breitung* to *T. K. Maher;* to the Committee on the Merchant Marine and Fisheries.

MESSAGE FROM THE SENATE.

A message from the Senate by Mr. Waldorf, one of its clerks, announced that the Senate had passed the following resolution:

IN THE SENATE OF THE UNITED STATES,
December 15 (calendar day, December 23), 1918.

Resolved, That the Senate insist upon its amendments to the bill (H. R. 12863) to provide revenue, and for other purposes, and asks a conference with the House of Representatives on the said bill and amendments thereto.

Ordered, That Mr. SIMMONS, Mr. WILLIAMS, Mr. SMITH of Georgia, Mr. PENROSE, and Mr. LODGE be the conferees on the part of the Senate.

The message also announced that the Senate had passed the bill (S. 5213) to amend the act approved April 18, 1918, to give indemnity for damages caused by American forces abroad, in which the concurrence of the House was requested.

THE LATE SENATOR STONE AND THE LATE REPRESENTATIVE MEEKER.

Mr. RUCKER. Mr. Speaker, I ask unanimous consent that Sunday, February 2, 1919, be set aside for memorial addresses on the life, character, and public services of the late Senator WILLIAM JOEL STONE, of Missouri, and the late Representative JACOB EDWIN MEEKER, of Missouri.

The SPEAKER. The gentleman from Missouri asks unanimous consent that Sunday, February 2, 1919, be set aside for memorializing the late Senator STONE and the late Representative MEEKER, both from the State of Missouri. Is there objection?

There was no objection.

THE REVENUE.

Mr. KITCHIN. Mr. Speaker, I ask that the appropriate number of bills be printed of the revenue bill, H. R. 12863.

The SPEAKER. The Chair lays before the House the revenue bill, of which the Clerk will report the title.

The Clerk read as follows:

An act (H. R. 12863) to provide revenue, and for other purposes.

Mr. MANN. Mr. Speaker, I would like to have the Senate resolution also read.

The SPEAKER. The Clerk will report the Senate resolution.

The Clerk read as follows:

Resolved, That the Senate insist upon its amendments to the bill (H. R. 12863) to provide revenue, and for other purposes, and asks a conference with the House of Representatives on the said bill and amendments thereto.

Ordered, That Mr. SIMMONS, Mr. WILLIAMS, Mr. SMITH of Georgia, Mr. PENROSE, and Mr. LODGE be the conferees on the part of the Senate.

Mr. MANN. Mr. Speaker, reserving the right to object to the request of the gentleman from North Carolina—and I shall not object of course to the printing of the proper number of bills—it is usual where the Senate adds amendments to a House bill to ask concurrence of the House in the Senate amendments? I notice they do not do that in this instance.

Mr. CAMPBELL of Kansas. By this resolution will the Senate retain possession of the papers?

Mr. MANN. No; this is merely a Senate resolution. They have not asked the House to concur in the Senate amendments. I suppose that will not prevent our concurring in them if we desire.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman from North Carolina yield?

Mr. KITCHIN. Yes.

Mr. GARRETT of Tennessee. Peculiarly enough, upon revenue bills it has seemed to be the custom, beginning with the Dingley Act, for the Senate immediately to pass a resolution insisting upon its amendments and appointing its conferees first.

Mr. MANN. They have not done that in this instance, have they?

Mr. GARRETT of Tennessee. Mr. Speaker, I ask that the resolution be again reported.

The SPEAKER. Without objection, the Clerk will again report the Senate resolution.

There was no objection, and the Clerk again reported the Senate resolution.

Mr. GARRETT of Tennessee. The resolution does say that they insist upon their amendments.

Mr. MANN. Yes.

Mr. GARRETT of Tennessee. It is a rather strange practice, but it is the practice on revenue bills, though I do not like it.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 12863, the revenue bill, with Senate amendments thereto, disagree to all of the Senate amendments, and agree to the conference asked by the Senate.

Mr. MADDEN rose.

The SPEAKER. For what purpose does the gentleman from Illinois rise?

Mr. MADDEN. To ask the gentleman from North Carolina to postpone his request just made until next Monday, for the purpose of giving opportunity to those who have not yet read the bill as amended to examine it. A great many Members are anxious to read the bill before it goes to conference, and I am one of those Members.

Mr. KITCHIN. Mr. Speaker, I think that that is a fair request, and I shall postpone it until Monday next.

The SPEAKER. What about the printing request? The gentleman started in to make a request some time ago about printing.

Mr. KITCHIN. That is to have the bill printed with Senate amendments numbered.

The SPEAKER. How many copies?

Mr. KITCHIN. Just the usual number, about 600 I believe it is. I would say to the House that under the rules of the House the Committee on Ways and Means can print about a thousand, and under the rules of the House the House can print about 600. If the 600 are not sufficient for the Members, our committee will furnish the balance.

Mr. BARNHART. Will the gentleman permit?

Mr. KITCHIN. I will.

Mr. BARNHART. There is nothing in the rules of the House preventing it having $250 worth printed. The number of the documents would depend upon the size.

Mr. KITCHIN. I was under the impression it was 500.

Mr. BARNHART. You can have $250 worth printed.

Mr. PARKER of New Jersey. Will the gentleman yield?

Mr. KITCHIN. I will.

Mr. PARKER of New Jersey. As I read the last report of the Senate, I saw it had in it that Senator LA FOLLETTE had offered an amendment that incorporated all the other amendments as a substitute for the bill. Is that the way the bill comes over, or do the amendments come over separate?

Mr. MANN. There are 602 separate amendments.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the bill be printed with the Senate amendments numbered. Is there objection? [After a pause.] The Chair hears none.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 38 minutes p. m.) the House adjourned until Monday, December 30, 1918, at 12 o'clock noon

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting urgent estimate of appropriation required by the Office of the Treasurer of the United States for the fiscal year 1919 (H. Doc. No. 1616); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Department of Commerce, submitting estimate of appropriation required for certain light stations for the fiscal year ending June 30, 1920 (H. Doc. No. 1617); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate of appropriation required by the War Department for additional employees for the fiscal year 1920, being an increase over the amount asked in the Book of Estimates for 1920, page 88 (H. Doc. No. 1618); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting urgent estimate of appropriations required by the Treasury Department, office of chief clerk and superintendent, for the fiscal year ending June 30, 1919 (H. Doc. No. 1619); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of the Interior submitting supplemental estimate of appropriation for repairing damages to the lower Yellowstone reclamation project, Montana (H. Doc. No. 1620); to the Committee on Appropriations and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. WHITE of Maine: A bill (H. R. 13546) to amend an act entitled "An act to authorize the establishment of a Bureau

of War Risk Insurance in the Treasury Department," approved September 2, 1914; to the Committee on Interstate and Foreign Commerce.

By Mr. JAMES: A bill (H. R. 13547) granting a gratuity to members of the United States Army; to the Committee on Military Affairs.

By Mr. DENT: A bill (H. R. 13548) to authorize the resumption of voluntary enlistments in the Regular Army, and for other purposes; to the Committee on Military Affairs.

By Mr. JAMES: A bill (H. R. 13549) granting a gratuity to members of the United States Navy and Marine Corps; to the Committee on Naval Affairs.

By Mr. MONDELL: A bill (H. R. 13550) providing a rate of duty on wool sufficient to stabilize the prices of wool purchased or on which a price has been fixed by the United States; to the Committee on Ways and Means.

By Mr. KING: A bill (H. R. 13551) for the erection of a public building at Galva, Ill., and appropriating money therefor; to the Committee on Public Buildings and Grounds.

By Mr. STEENERSON: A bill (H. R. 13552) to open Minnesota ceded Indian lands to soldiers' and sailors' homesteads; to the Committee on Indian Affairs.

By Mr. CURRY of California: A bill (H. R. 13553) to provide honorable discharges to certain members of the Military Establishment of the United States; to the Committee on Military Affairs.

By Mr. CAMPBELL of Pennsylvania: A bill (H. R. 13556) to provide for suitable recognition by the United States Government of the service rendered by the members, examiners, clerks, and employees of the selective-service boards in the administration and enforcement of the selective-service act; to the Committee on Military Affairs.

Also, a bill (H. R. 13557) to provide for the erection of a public building at Duquesne, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 13558) to provide for the erection of a public building at Coraopolis, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 13559) to provide for the equitable distribution of captured war devices and trophies to the States and Territories of the United States and to the District of Columbia; to the Committee on Military Affairs.

By Mr. BRITTEN: Resolution (H. Res. 485) to declare the purpose and the desire of the people of the United States for the immediate creation by the peace conference at Versailles, France, of a league of nations to perpetuate the principles of peace and justice in the world; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DOWELL: A bill (H. R. 13554) granting an increase of pension to Robert R. C. Grantham; to the Committee on Invalid Pensions.

By Mr. McFADDEN: A bill (H. R. 13555) for the relief of David Leonard; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Petition of Wisconsin Dairymen's Association, urging the formation of a league to enforce peace; to the Committee on Foreign Affairs.

Also, petition of Industrial Controller Co., of Milwaukee, Wis., protesting against the war tax on letter postage; to the Committee on Ways and Means.

Also, petition of Manufacturing Jewelers' Association of Milwaukee, Wis., protesting against tax on jewelry; to the Committee on Ways and Means.

Also, resolution of H. P. Andrae, of Electrical Supplies Co., Milwaukee, Wis., protesting against the war tax on letter postage; to the Committee on Ways and Means.

By Mr. DALE of New York: Petition of Sterling Motor Truck Co., protesting against the new revenue bill; to the Committee on Ways and Means.

Also, resolution of president of American Federation of Labor, requesting support of Senate bill 4922; to the Committee on Education.

By Mr. FULLER of Illinois: Petition of the Chicago Jewelers' Association and Halsman & Co., of Chicago, protesting against the proposed tax on jewelry; to the Committee on Ways and Means.

By Mr. GALLIVAN: Resolution of New England Hardware Dealers' Association, of Boston, Mass., relating to the national war-service convention; to the Committee on Military Affairs.

By Mr. GRAHAM of Pennsylvania: Protest by the Philadelphia Produce Exchange against the appointment by the Department of Agriculture of inspector of butter and eggs; to the Committee on Agriculture.

By Mr. NOLAN: Petition of the San Francisco Labor Council, urging the passage of the McKellar-Keating retirement bill; to the Committee on Interstate and Foreign Commerce.

By Mr. RANDALL: Petition of various citizens of Pomona, Cal., against legislation restricting activities and study of amateur wireless telegraph operators; to the Committee on the Merchant Marine and Fisheries.

By Mr. STEENERSON: Petition of Dr. J. E. Engstad, Grand Forks, N. Dak., protesting against discharging men from the military service of the United States at distant demobilization camps; to the Committee on Military Affairs.

Also, petition of Otto N. Davis, chairman Minnesota Committee on Social Legislation, Old Capitol, St. Paul, Minn., requesting early and favorable action upon the so-called Smith-Bankhead bill; also petition of M. L. Jacobson, superintendent Moorhead public schools, Moorhead, Minn., in favor of Senate bill 4987; to the Committee on Education.

Also, petition of Ira Richardson, Thief River Falls, Minn., urging proper recognition by Congress of the local and district boards, by the issuance of brevet commissions and suitable medals; also petitions of the same import by local board for Kittson County, Minn.; by members of the local board for Pennington County, Minn.; and by members of the local board for Red Lake County, Minn.; to the Committee on Military Affairs.

By Mr. VARE: Resolutions of the Jewelers' Guild of Philadelphia, protesting against the contemplated taxation on jewelry under the new revenue bill; to the Committee on Ways and Means.

SENATE.

MONDAY, *December 30, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come to Thee at the close of another year of our Lord, a year whose sad and tragic history has been written in blood; a year expressed in sorrow and in tears, in the anguish of the hearts of millions, in the starvation of many, and yet a year whose closing hours show forth the triumph of righteousness and the unity of purpose in the world to secure the blessings of peace and the domination of the ideals of the Gospel of Thy Son.

We Thank Thee for these victories that have come; and now, as we address ourselves, at the beginning of a new year, to the yet more difficult tasks of peace and pursue those lines of action and life that are laid out by our Lord, we pray that we may be guided by the spirit of the Christ, that in the coming year peace may settle, with its gentle and blessed benediction, upon all mankind. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of Thursday last, when, on motion of Mr. SHEPPARD and by unanimous consent, the further reading was dispensed with and the Journal was approved.

SENATOR FROM TEXAS.

Mr. CULBERSON. Mr. President, I present the credentials of my colleague, Mr. SHEPPARD, and I ask that they be read and placed on file.

The VICE PRESIDENT. The Secretary will read the credentials.

The Secretary read as follows:

CERTIFICATE OF ELECTION—THE STATE OF TEXAS.

This is to certify that at a general election held in the State of Texas on the first Tuesday after the first Monday in November, A. D. 1918, being the 5th day of said month, MORRIS SHEPPARD having received the highest number of votes cast for any person at said election for the office hereinafter named, was duly elected as United States Senator for the State of Texas.

In testimony whereof I have hereunto subscribed my name and caused the seal of State to be affixed, at the city of Austin, on this the 23d day of December, A. D. 1918.

W. P. HOBBY,
Governor.

By the governor:
[SEAL.]

GEORGE P. HOWARD,
Secretary of State.

SENATOR FROM KENTUCKY.

Mr. MARTIN of Kentucky. I present the certificate of election of Hon. A. O. STANLEY, chosen by the qualified electors of the State of Kentucky a Senator to represent that State, which I ask may be read and placed on file.

The VICE PRESIDENT. The Secretary will read the credentials.

The Secretary read as follows:

TO the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 5th day of November, 1918, A. O. STANLEY was duly chosen by the qualified electors of the State of Kentucky a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1919.

Witness: His excellency, our governor, A. O. STANLEY, and our seal hereto affixed, at Frankfort, this 25th day of November, in the year of our Lord 1918.

A. O. STANLEY,
Governor.

By the governor:
[SEAL.]

JAMES P. LEWIS,
Secretary of State.

ADJOURNMENT TO THURSDAY.

Mr. MARTIN of Virginia. I move that when the Senate adjourns to-day it stand adjourned until 12 o'clock meridian on Thursday next, the 2d day of January, 1919.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the Vice President:

S. 3290. An act authorizing the President to reappoint Maj. Chalmers G. Hall, retired, to the active list of the Army;

S. 4924. An act to amend section 336 of the Revised Statutes of the United States, relating to the annual report on the statistics of commerce and navigation of the United States with foreign countries; and

H. J. Res. 372. Joint resolution to amend Senate joint resolution No. 78, approved October 5, 1917, entitled "Joint resolution to suspend requirements of the annual assessment work on mining claims during the years 1917 and 1918."

PETITIONS AND MEMORIALS.

Mr. TOWNSEND presented a petition of Local Union No. 319, International Molders' Union, of Flint, Mich., praying for the enactment of the so-called civil-service retirement bill, which was ordered to lie on the table.

He also presented resolutions adopted by Local Lodge No. 788, Brotherhood of Railroad Carmen of America, of Owosso, Mich., favoring the five-year extension of Government control of railroads, which were referred to the Committee on Interstate Commerce.

He also presented a petition of the Board of Education of Ann Arbor, Mich., and a petition of the Board of Education of Port Huron, Pigeon, Mich., praying for the creation of a Department of Education, which were referred to the Committee on Education and Labor.

Mr. LODGE presented a petition of the Society of Friends of Poland, of Boston, Mass., praying for the independence of Poland, which was referred to the Committee on Foreign Relations.

He also presented a petition of Local Division No. 5, Ancient Order of Hibernians, of Cambridge, Mass., praying for the freedom of Ireland, which was referred to the Committee on Foreign Relations.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CURTIS:

A bill (S. 5249) authorizing and directing the Secretary of War to grant an honorable discharge to drafted and enlisted men for certain reasons, and for other purposes; to the Committee on Military Affairs.

By Mr. SMOOT:

A bill (S. 5250) to donate a captured German gun to the cities of Salt Lake City, Ogden, Provo, Logan, and Manti, in the State of Utah; to the Committee on Military Affairs.

By Mr. McKELLAR:

A bill (S. 5251) tendering the thanks of Congress to Gen. John J. Pershing, United States Army, and the officers and men under his command; and to Maj. Gen. Enoch H. Crowder, Provost Marshal General, and the members of the local and district boards throughout the United States, Alaska, Hawaii, and Porto Rico; to the Committee on Military Affairs.

By Mr. LA FOLLETTE:

A bill (S. 5252) granting a pension to John Daley; to the Committee on Pensions.

By Mr. FERNALD:

A bill (S. 5253) granting an increase of pension to Milton W. Burnham (with accompanying papers); to the Committee on Pensions.

By Mr. NEW:

A bill (S. 5254) granting a pension to Nellie McPhearson (with accompanying papers); to the Committee on Pensions.

A joint resolution (S. J. Res. 205) permitting the loan of aircraft motors and aircraft material to educational institutions under certain conditions; to the Committee on Military Affairs.

MEAT-PACKING INDUSTRY.

Mr. KENYON. Mr. President, I introduce a bill which has reference to the packing houses, being similar to a bill which has been introduced in the House. I introduce the bill by request, because witnesses are to be here for the House hearings, and they desire also to have the opportunity, while here, of participating in the Senate hearings. I suppose the bill will have to be referred to the Committee on Interstate Commerce, although I shall ask later that it be referred to the Committee on Agriculture and Forestry.

The bill (S. 5248) to provide transportation, storage, and marketing facilities for, and to regulate commerce among the States in, live stock, meats, and other products derived from live stock or the slaughtering of live stock, was read twice by its title and referred to the Committee on Interstate Commerce.

TRADING WITH THE ENEMY.

Mr. BORAH. I introduce a bill for reference.

The bill (S. 5247) to repeal section 19 of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," passed and approved October 6, 1917, was read twice by its title and referred to the Committee on Commerce.

Mr. BORAH. Mr. President, I desire to call attention to a letter which is signed by what is called the American Honor Roll Co. I have before me the original letter and also the envelope in which this letter was addressed to the parties. The envelope is from The Adjutant General's office of the War Department sent under the franking privilege of that department. I do not assume, Mr. President, that The Adjutant General's office is responsible for this matter. I take it that some one has taken advantage of the situation and is using privileges which the War Department in all probability has no knowledge of. This letter advises the next of kin of a wounded soldier, after commenting on the great victory of our soldiers and the sacrifices they have made, that if they will send in a dollar they will place the wounded soldier's name upon the honor roll and send him a fine certificate. It looks on the face of it like a petty larceny scheme for getting a dollar out of somebody whose kin have been wounded in this war. I introduce it for the purpose of calling it to the attention of the War Department, and that others who may receive such letters may be advised. I desire that those in charge of this letter will keep the original letter and the original envelope in order that The Adjutant General's office may know precisely how this matter is being carried on.

THANKS OF CONGRESS.

Mr. HENDERSON. I introduce a joint resolution and ask that it be read and referred to the Committee on Military Affairs.

The joint resolution (S. J. Res. 204) extending to members of local and district boards, Government appeal agents, and members of medical and legal advisory boards the thanks of Congress for their services rendered in the administration of the selective-service law; also authorizing the President to appoint by brevet commissions the members of such local and district boards; also authorizing and directing the Secretary of War to cause to be struck and presented to each of such officials in the name of Congress an appropriate medal, was read the first time by its title, second time at length, and referred to the Committee on Military Affairs, as follows:

Resolved, etc., That the thanks of Congress be, and is hereby, extended to all the members of local and district boards, Government appeal agents, the members of medical and legal advisory boards, for their loyal and devoted services, rendered without military preferment or proportionate pecuniary reward, in the administration of the selective-service law; and as a further expression of appreciation and gratitude for the able and efficient manner in which such services were performed, and in recognition of their achievements, the greatest of our Government, in the raising of our Army, and of their invaluable contribution to the successful prosecution of the present war, the President of the United States of America be, and hereby is, authorized to appoint by brevet to the Army of the United States of America the members of all the local and district boards, who as such members of said boards performed services in connection with the administration of the selective-service law, issuing commissions of the rank of captain by brevet to the chairmen of all such boards and the rank of first lieutenant by brevet to all other members of such boards; and that the Secretary of War be, and hereby is, authorized and directed to cause to be struck and presented to each of such officials in the name of Congress an appro-

priate medal, with suitable emblematical devices and inscriptions to be determined by him; and that to enable the President and the Secretary of War to carry this resolution into effect a sufficient sum of money, not to exceed $500,000, is hereby appropriated out of any moneys in the Treasury not otherwise appropriated.

AMENDMENT TO DISTRICT APPROPRIATION BILL.

Mr. SAULSBURY submitted an amendment proposing to appropriate $150,000 for the purchase of parcel 81/8, fronting on Columbia Road, Lanier Place, and Harvard Street, for a playground site, intended to be proposed by him to the District of Columbia appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

SHIP CONSTRUCTION.

Mr. SMOOT. A few days ago the Senate ordered printed what is known as Senate Document No. 315, relative to contracts for ship construction, but there are certain illustrations in the report, and I ask for the adoption of an order providing for the printing of the illustrations.

There being no objection, the order was read and agreed to, as follows:

Ordered, That the illustrations accompanying the communication from the acting chairman of the United States Shipping Board, transmitting, in response to a Senate resolution of November 21, 1918, information relative to existing contracts for ship construction, the cost of such construction, in both private and Government shipyards, be printed as a part of Senate Document No. 315.

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS.

Mr. SMOOT. On December 3 the annual report of the National Advisory Committee for Aeronautics was submitted to the Senate, together with a number of illustrations, but the Senate failed to enter an order that these illustrations be printed as a part of the report. I ask that an order be made that these illustrations be printed with the report.

There being no objection, the order was read and agreed to, as follows:

Ordered, That the illustrations accompanying the annual report of the National Advisory Committee for Aeronautics, as submitted to the Senate December 3, 1918, be printed as a part of Senate Document No. 307.

AFFAIRS IN RUSSIA.

Mr. TOWNSEND. Mr. President, I have received very many letters and telegrams from people in Michigan in relation to the status of the American soldiers who are now in Russia. This subject has been presented to the Senate several times, but I wish to read one telegram which I received this morning and which will be a preface to what I desire to say. The telegram is directed to me, and it reads as follows:

Deplorable conditions among American troops in Russia have been brought to our attention by several wounded soldiers just returned. There are 1,000 Michigan soldiers of the 339th Infantry Regiment with allied forces near Archangel, and one soldier reports 100 died of influenza because of lack of treatment. Many wounded die because of privations. Boys fight on empty stomachs and sleep in swamps and snow, outnumbered 15 to 1, and are in danger of extermination unless reinforced. Get us information and advise us as to desirability and possibility of reinforcing them or withdrawing them at once. Immediate action necessary, as troops will be trapped by ice in less than two weeks.

This telegram is signed by the Michigan War Preparedness Board, Col. Roy C. Vandercook, secretary. It is similar to hundreds which I have received.

I have received letters from soldiers at Archangel, Russia, in which they have verified the statements which are made in this telegram. I have submitted the matter to the Secretary of War on several occasions for information, but thus far have got no satisfaction. This morning, however, I was able—I think from a reliable source—to learn something about the situation. The officer with whom I talked told me that these Michigan troops were sent to Russia, together with troops from Italy, France, and England, under charge of a British officer. They were sent there with the understanding that they were to protect Archangel against a then impending or threatened invasion by the German fleet. Of course, that danger has passed; and now this officer informs me that these men are to remain in Russia for an indefinite period; how long nobody seems to know. However, it seems that it will depend entirely upon the President, who, this officer tells me, has that matter in charge; and it can not be decided until after the peace conference terminates, which no doubt lies some distance in the future. It appears from the talk with my informant that the President believes he is authorized as a peace delegate to settle Russian affairs. I submit that was not the idea of Congress or of the people. Certainly not that of the American boys who were sent into Europe to fight Germany. The people should know what the President is going to authorize a British general to do with these soldiers after the war against Germany has ended.

This officer does not know of any way to grant relief, although he thinks that these troops are properly cared for, and that these stories have been exaggerated somewhat; that these men went there with winter clothing; that he can not speak for the food situation now, as that is entirely in control of Great Britain. The British commanding officer looks after that, and his word is law so far as these men are concerned.

The thing that interests me, and the thing that interests the people of Michigan and the people elsewhere throughout the United States, is why those soldiers are there and what is this indefinite speculative problem which has yet to be solved at the peace table by the President of the United States? This officer himself knows nothing about it. He realizes that it is a serious situation, but he is helpless at this stage of the proceedings to grant any relief or any comfort to the people at home.

The wounded soldiers who are returning from Russia corroborate all of these sad reports, and many letters have been received from them to that effect.

I make this statement, Mr. President, because I am receiving literally hundreds of telegrams and letters from the thousands of parents and friends in Michigan of these soldiers who feel that their loved ones are in that God-forsaken country and are practically lost so far as the United States is concerned. We know little, if anything, about it. I have urged as best I could that this matter be given special consideration and attention, and the only answer I receive is, "It is out of our hands." It now rests with the allied forces in Europe, and what the outcome will be will depend entirely upon the attitude of the President; and I think the country ought to know it. Some day the truth may be known. I trust it will not be too late to bring some comfort to the thousands of aching hearts which are agonizing over the doubt and uncertainty surrounding their loved ones who enlisted for a clear and definite purpose but are now being held for the President only knows what.

Mr. JOHNSON of California. Mr. President, may I add just a word to what has been said by the Senator from Michigan? Since I addressed the Senate recently upon our policy in Russia I have been overwhelmed with letters upon that subject. So many have come to me that I have had to respond with a form letter, for it has been utterly impossible for any one individual to go through the mass. Some of these letters have been put aside, and I shall read them to the Senate in a few days in order that it may be in possession of the heartaches and the anguish of many of the American people over this situation and over their lack of knowledge of their loved ones, who, without a declaration of war, are at present waging war in Russia.

I wish, however, to call to the attention of the Foreign Relations Committee, before which now is pending the resolution of inquiry—respectful inquiry only—that I introduced recently upon this matter, the fact that in response to an insistent popular inquiry in England, the foreign office in England through Lord Milner has told to the people of England what Britain is doing in this regard. I wish to call to their attention, too, that yesterday M. Pichon, the Minister of Foreign Affairs in France, told the French people what the French Government is doing. Now, it matters not whether the facts stated by either may be in accord with our views, it matters not whether the facts stated by either shall be in accord with what is actually transpiring or what has happened, at least England and France have replied to their people. The only Government on the face of the earth that does not take into its confidence its people is the present Government of the United States.

MAIL TO EXPEDITIONARY FORCES.

Mr. HITCHCOCK. Mr. President, I ask to have printed in the RECORD a letter from the Postmaster General on the subject of some remarks I made in the Senate the other day relative to the post-office service to the enlisted men in the field and to the service of mail from them to the United States.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., December 24, 1918.

Hon. G. M. HITCHCOCK,
United States Senate, Washington, D. C.

MY DEAR SENATOR HITCHCOCK: An examination of the RECORD of December 23 discloses that you inserted therein part of my communication to you of December 21, replying to criticisms of the postal establishment in connection with mail deliveries to our Expeditionary Forces in France. I note that complete acquittal is given the Post Office Department for any responsibility for failure of mail deliveries in France since June 30 last, for which I beg to make my acknowledgments.

In the course of the discussion the senior Senator from Idaho [Mr. BORAH], for whom I have great respect, asked a very pertinent question, to wit: "By what authority does the Post Office Department avoid the responsibility, which rests upon it, of transmitting the mail and taking care of it?"

The reply to this question called for that part of my communication which was not read to the Senate, which, in my opinion, discloses the exact reason why the Post Office Department insisted that the military authorities should at once [May] take over the delivery of the mails to our soldiers in France and conclusively shows that the responsibility for failure to make prompt mail deliveries did not rest with the Post Office Department officials or agents.

In the same connection the senior Senator from Minnesota [Mr. NELSON], who is always just and fair, made a brief statement, reciting conditions in connection with mail deliveries during the Civil War and put his finger on the crux of this controversy when he said: "Mr President, if the Senator from Nebraska will allow me, I beg leave to say that during the Civil War our experience was this: The Post Office Department would send the mail to the different camps or to different organizations. After it reached there the mail would be distributed by the officers of the different corps or regiments. After the mail has reached France, manifestly, it seems to me, that the men connected with the Army were the proper ones to distribute it. Our Army was in motion; it was not like distributing mail here in the city of Washington, where every man's house is numbered. The Army was moving rapidly from place to place, from camp to camp. They were here one day and at another place another day. Hence, from the necessities of the case, it was proper for the War Department to distribute the mail after it got to France. That is exactly the method which was pursued during the Civil War."

You very justly have said, "There can be no question now that the failure (since July 30) is due to the failure of the War Department," but you also said, "So from the 30th of June on the Post Office Department is not actually responsible for the failure to deliver mail, but prior to that time it was responsible."

Now, as to whether this opinion is founded upon fact, I will be content for each Senator to decide for himself if the other part of my former communication is brought to their attention, which I again submit as follows:

"Since January 1, 1918, the Post Office Department has delivered to the headquarters of the various military units in France a total of 30,167,698 letters and 11,622,282 newspapers and parcels, making a total of 41,789,980 pieces of mail in the first six months of this year. This is an average of nearly 7,000,000 pieces of mail per month. The Post Office Department completed the delivery of this mail to the military representatives in the field and in the cities of France on an average of better than 30 days' time from the average date of postmarking to the delivery to the mail orderlies. Any complaints here or abroad that mail deliveries to our soldiers in France and to their friends and relatives in this country 'are wretchedly inadequate' or that much of the mail fails to reach its destination are utterly without foundation so far as the Post Office Service is concerned.

"After the mail was delivered by the postal authorities to the mail orderlies, usually at division headquarters, it passed out of the jurisdiction of the Post Office Department, and the postal authorities had neither control nor knowledge as to its subsequent movements into the hands of the individual soldiers. This report, therefore, deals only with the movement of the mail from the time of its postmarking in the United States to the day of its delivery in bulk to the accredited representatives of the military forces in France.

"An investigation directed by the Post Office Department developed statements from 31 superintendents of postal stations and 50 officers of the United States Army who were directly or indirectly concerned in mail delivery, showing that 35 of these 81 officials gave an average of from 15 to 30 days for the passage of a letter from date of postmarking to its delivery to the Army mail authorities. Eleven reported an average of from 31 to 35 days. 12 reported an average of from 5 to 6 weeks, and 3 scattered reports range from 6 to 8 weeks.

"There was no delay in the movement of the mail from the points of origin to the port of embarkation, all mail being worked to companies and other units usually days before a passenger ship or transport was available for its movement to France. Irregularities of sailing of vessels occasionally held mail at the port from a few days to two weeks. Lack of railway facilities almost occasionally delayed mail at the ports in France, as well as in transit between the ports and the interior points of delivery. Inability to obtain Army trucks for moving the mail from the railheads to the postal stations at the front occasionally contributed to delay, and, again, the firm attitude taken by the highest American military authorities in France, that changes in location of troops could not be promptly furnished to a civilian postal organization, occasionally caused delays of from one to two weeks. Very frequently dispatches of mail from the United States would not meet any of the delays above cited; many dispatches would meet with a few minor delays; but occasionally there would be large consignments that would feel the cumulative effect of all or a greater portion of the delays which might befall mail in transit. But as an average the time from the date of postmarking to the delivery to the unit headquarters was considerably better than 30 days."

A large part of the complaints about the mail service to the troops since January 1 arose out of the unfortunate attempt on the part of the War Department to parallel the work of the Post Office Department in the handling of Christmas parcels for the soldiers, whereas the Christmas packages handled by the Post Office Department, being parcel post to the extent of 90 carloads delivered on or before the morning of the 25th of December, 1917, and 4 carloads from a transport belated by storm delivered on December 27, 1917; the Christmas boxes which the Army undertook to deliver through its lines of communication were not all delivered as late as the month of March, 1918. The blame for this state of affairs was laid by the senders and the recipients of these delayed articles at the door of the Post Office Department, whereas the sole responsibility for the delivery of same from the port of embarkation in this country to the man at the front lay with the Army.

Every complaint received about delivery of mail to a soldier in France, or from such a soldier, has been given individual attention. Each complaint was sent to the postal agent, who took it up immediately with the commanding officer of the company to which the soldier concerned belonged. In a majority of cases the soldier promptly replied, though in some instances no responses were obtained. As a result of this procedure, thousands of reports are on file in the Post Office Department, either from the soldier about whose mail complaint was made or from the military commander of his unit, showing that the service was satisfactory. These files are too voluminous to include in this report, but they are open to anyone interested in the mail service to the troops abroad as it was conducted by the Post Office Department.

The following typical communications are some of the very large number of replies received from the soldiers:

MAY 10, 1918.

Hon. OTTO PRAEGER,
Post Office Department, Washington:

I wish to thank you for your energy in facilitating the delivery of mail to soldiers and officers in France.

On March 20, 1918, my father, Mr. Edwin A. Munger, called on you in regard to this matter, and you forwarded his letter with request to the postal authorities in France to make a special effort.

On May 10 I received the letter. I wish to express my appreciation of the excellent work which the postal authorities are doing under the difficult conditions over there. We are here to fight a war and not to write letters and any mail at all is greatly appreciated.

Yours, very truly,

R. Y. MUNGER,
First Lieutenant, Three hundred and seventh Infantry.

—

Mr. JOHN CLARK,
Postal Agent, Paris, France.

DEAR SIR: Just a word, personally, about what you are doing. I can fully appreciate your position over here. Let me say also that your department here now is giving us excellent service.

Sincerely, yours,

FRED E. YOUNG,
Second Lieutenant, Cavalry, U. S. R., A. E. F.,
First Corps School, U. S. A., P. O. 702.

—

This complaint without merit. Papers are arriving promptly. They are annoying, and I wish they would not send them to me. Please notify Galveston office to not mail same.

E. J. STEVENS,
Three hundred and first Stevedore Regiment.

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C. O. COMPANY B, SECOND FIELD BATTALION,
SIGNAL CORPS, A. E. F.,
France, May 16, 1918.

To United States Postal Agent, Paris, France:

The delay in the delivery and transmission of this soldier's mail was due to his being transferred to several different organizations upon his arrival in France, thus causing his mail to be forwarded from one place to another until he was permanently located in some company. Since coming to this organization his mail has been arriving promptly and is delivered without delay.

W. T. CROOK,
Captain, Signal Corps, U. S. R., Commanding Company.

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To the United States Postal Agent, Paris, France:

My mail has been coming as regularly as possible under the circumstances. I have no complaint to make. Delivery of last first-class mail received within 20 days of posting in Appleton, Wis.

ALLEN B. ELLIS,
First Lieutenant, One hundred and fiftieth Machine Gun Battalion.

—

From: Sergt. Maj. Thomas O. Simmons, Four hundred and seventy-fifth, First Independent, Aero Squadron, American Expeditionary Forces.

To: Postal agent, Paris.

Mail has been coming more regularly recently; this complaint was made by my father without my knowledge before the squadron was located, hence the delay in delivery of mail at the beginning and at the time this complaint was made; neither did he understand the conditions under which you are working.

THOS. O. SIMMONS,
Four hundred and seventy-fifth Aero Squadron,
American Expeditionary Forces.

—

HEADQUARTERS SEVENTEENTH AERO SQUADRON,
SIGNAL CORPS, AMERICAN EXPEDITIONARY FORCES, *May 8, 1918.*

To: Postal agent, United States Army Postal Service, American Expeditionary Forces.

1. I am surprised to learn that there has been complaints of delay in regard to mail for this squadron. So far as I am aware, it has been received as regularly and promptly as war conditions permit. There has been delay in the cases of a very few of the enlisted men who have been taken to hospitals at some distance from their stations and whose mail was held awaiting their return, which was expected within such a short time that it was doubtful if they would receive the letters if forwarded—in most instances where there has been any considerable delay it has been due to the length of time required for the men to make the journey back to the squadron. This office has been holding mail for Pvt. William H. Reed, concerning whom a notification dated February 19, 1918, that he had embarked for France from England to rejoin the squadron, was received. He has not yet reported and it was only recently that word was received that he was at Air Service Replacement Concentration Barracks, American Expeditionary Forces, to which address his mail has been forwarded.

2. Of the 31 officers and cadets belonging to this squadron, upon its arrival in England in January, 27 were left there on detached service, but for some time their mail was received here, and had to be forwarded to them, occasioning a certain amount of delay.

3. The four flights of this squadron are attached to different units of the Royal Air Force, but the mail for the whole squadron had been received at these headquarters, where it has been sorted and forwarded as promptly as possible. This would cause delay of a few days or possibly longer under certain circumstances, but could not well be avoided, as it would be ridiculous to expect the postal authorities to distribute mail to members of the squadron according to the flights to which they belonged.

4. In the case of Pvt. Meek I am informed that his mail was forwarded to him at the hospital at which he was left in England and was returned with the information that he had left to rejoin the squadron. He reported on April 28 and his mail had been delivered to him.

HENRY MCC. BANGS,
First Lieutenant, A. S., S. C., U. S. R.

—

MAY 17, 1918.

From: C. O. Headquarters Company, One hundred and forty-ninth Machine Gun Battalion.

To: Postal agent, A. P. O. 702.

Subject: Delay in the delivery of mail.

1. The matter referred to in your letter stating that Pvt. Frank B. Stevens, of this company, had not received mail regularly was investigated personally by me. I find that the mail referred to was held back while passing through the organization from which he was transferred and that it was only at the time of his transfer that the delay occurred.

He is now receiving his mail in good time and as regularly as anyone else in the organization, and I feel sure that there will be no more trouble from that source.

R. A. YOUNG,
First Lieutenant and Adjutant.

STATISTICAL SECTION, DEPOT DIVISION,
FIRST CORPS, *May 23, 1918.*

To: United States Army Postal Service, office of postal agent, station 702.

Returned with the information that soldier has been questioned and states that his mail is coming regularly at the present time and the reason that he has not received his mail heretofore was due to the many changes in stations. Mail for men connected with this department has been received regularly.

GEORGE L. TAIT,
Captain, Infantry, N. G., Divisional Statistical Officer.

HEADQUARTERS COMPANY E, TENTH ENGINEERS (FORESTRY),
AMERICAN EXPEDITIONARY FORCES, *May 29, 1918.*

To: Postal agent, United States Army, Paris, France.

DEAR SIR: I am in receipt this morning of copy of letter from France, dated April 2, regarding looking up forwarding of mail to my boy, who has been changing around some.

He is now First Lieut. George F. A. Mulcahy, C. A. C., U. S. A., A. F. O. 710, American Expeditionary Forces, via New York, and I am delighted that he is making good for our own dear old Uncle Sam.

Notwithstanding the picayunish, pettifogging meddling of the powers that "would be," including ——— from my dear old Bay State, you all are doing wonderfully well, and I trust I am expressing the convictions of several million of us common people in thinking so.

Thanking you for your kind attention and regretting I have to trouble you, I am,

Very truly, yours,

GEO. J. MULCAHY,
Superintendent R. H. Macy & Co.,
6th Thirty-fifth Street, Brooklyn, N. Y.

In a letter addressed to me by Maj. Gen. Pershing on the mail service in France, the commanding general of the American forces writes:

"Mr. R. E. Maddox, United States Postal Service, inaugurated the United States Army postal service in France last June and has conducted it very satisfactorily ever since. I take pleasure in commending him to you accordingly."

Secretary Baker, on the occasion of his recent visit to the Army in France, wrote John Clark, United States postal agent in Paris, as follows:

"I have read with very great interest the papers which you left with me at Chaumont and now have a much better appreciation of the difficulties which you have been facing than I had gotten from any other source. Quite frankly, it seems to me that both you and the military have approached the problem in an admirable spirit, and while, of course, there have been difficulties and complaints, I think in justice both to the post office and Military Establishment it is fair to say that you have cooperated intelligently and harmoniously and that the difficulties have perhaps been inescapable during the early days of organization and movement."

This response to the Senate resolution deals with the mail service to June 30, 1918, since which date the Army is conducting the transportation and delivery of the mail to the soldiers. This became inevitable in the interest of safety to the Army. Those charged with responsibility for the conduct of the war in France contended that military necessity required keeping secret the movement and new location of troops; also that it is not advisable to permit this information to pass into the possession of a civilian organization, which is the status of our postal establishment in France. The delay to the delivery of mail to large military units caused thereby sometimes involved from one to five cartloads of letters, papers, and parcels, and ranged from several days to two weeks in time. All other obstacles to an expeditious delivery of mail to a large force of men under field conditions could be overcome by reasonable cooperation between the postal and military authorities, but this obstacle was fundamental. Under the circumstances the Post Office Department reluctantly asked the War Department either to change its point of view and furnish promptly to the postal authorities information as to the location of troops, so that the mail might more speedily follow the men as they moved, or to take over the entire movement and delivery of the mail in France. The military authorities adhered firmly to their original conclusion, that they could not with safety disclose to a civilian postal organization new locations or movement of troops. Although disagreeing with the military authorities as to the correctness of their position, the Post Office Department accepted their judgment on this purely military matter. After careful study of the subject, and as a result of conference with the military authorities, a satisfactory rearrangement of the service was reached. According to this agreement the Army assumes responsibility for the soldiers' mail from the time of its delivery to the military authorities at a port of embarkation in the United States until its final delivery into the hands of the individual soldier at the front, and the Post Office Department assumes responsibility for the mail from the time of its receipt by the postal authorities at the French seaport until its delivery into the hands of the addressees in the United States.

Mail for the American Expeditionary Forces is distributed to regiments and companies at two large Army postal stations, one in Chicago and one in New York. No congestion is permitted to occur at either station. All the mail for the soldiers is promptly separated and pouched for dispatch. At New York the mail is delivered in lead-sealed sacks to the military authorities, who, I am informed, dispatch it to the extent that space is available on every military vessel or commercial liner that will most expeditiously convey it direct to France. Upon its arrival at a port in France the mail is dispatched and delivered to the soldiers entirely by the military authorities.

Mail from the American Expeditionary Forces to the United States is delivered by the military authorities into the custody of the postal officials at two French seaports, where it is distributed direct to the cities between the sailing of the vessels for the United States. Arriving in New York, the residue, or unworked portion of the mail, is worked on the trains to its final distribution. In this manner the mail is being given the most expeditious treatment humanly possible with the ocean and railway facilities available under the stress of a world's war.

In conclusion, I desire to express the hope that under the new conditions and facilities, which the Army contended could not be extended to a civilian postal organization, the mail will be expedited to the soldiers, because I realize the importance of the prompt dispatch of mail matter to men in the field; but I will say frankly that my knowledge of postal affairs gives rise to grave doubts whether this new arrangement will result in complete satisfaction.

Having read this recitation of the facts based upon truth, how can any honest, unbiased mind reach the conclusion that postal officials were in any wise derelict or neglectful in the discharge of this important and responsible duty during the period of the war prior to June 30, as well as after that date?

In this connection I now desire to direct attention to another condition which is certain to prove a fruitful source of complaint and criticism, and that, too, in the near future. The failure to deliver mail to our troops in France before the various units are broken up for replacement with other units and before their return to this country necessarily will occasion great confusion. Already carloads of this undelivered mail are being turned back to the postal authorities for return to the senders. This situation, as I have said, will create widespread criticism, which the public, for lack of information as to the real facts, will direct against the postal authorities instead of placing the responsibility where it properly belongs. This in due time will, of course, be pressed on the attention of individual Members of Congress.

My attention has also been directed to certain observations submitted by you with reference to the taking over of the marine cables, wherein you said:

"I think the seizure of the cables was an utterly unjustified proceeding. I go so far as to say that it smacks of bad faith. Congress consented to give certain war powers to the President. Among those war powers were, if there was a war necessity, that he could take the telegraphs and the telephones, and when he took, in the name of the Postmaster General, the telegraphs and telephones there was no general complaint, because we were in the midst of war and there may have been a justification for the seizure; but when, after the war had closed in fact if not in law, the Postmaster General took possession of the cables, not only those crossing the Atlantic Ocean to countries with which we were associated in the war but also across the Pacific Ocean, which had no possible relation to the case, I think it was a high-handed outrage, and am frank to say so. * * * I think, furthermore, that it smacked of bad faith. Congress deliberately put the power into the hands of the administration for war purposes; but after the war is over it has been used to gratify the personal convictions, personal opinions, and personal wishes of the Postmaster General.

"If he had desired to secure from Congress the right to take over the cables, he should have asked for it. I think there is no justification at all in any reason that has been stated or which can be stated for that seizure."

Of course, my dear Senator, no one understands better than you that a public official is not called upon to notice the mouthings of irresponsible blatherskites who may criticize or misrepresent his official actions, but when a critical statement is made by a Senator of the United States, and especially by one for whom I have always entertained high regard and respect, it not only justifies but calls for response.

Of course it is not true that I have of my own will ruthlessly seized and taken possession of these cables. Of course it is not true that I have taken possession of them just to gratify my personal convictions, personal opinions, and personal wishes. Of course it is not true that I have reached out to control business activities the Congress did not intend to put into my hands. I feel that a reply to all such charges can be conclusively made by quotations from a motion to dismiss filed by the representative of the law department of the Government made by direction of the Attorney General of the United States to a silly suit recently instituted (for publicity purposes) in a court known to be without jurisdiction against the Postmaster General, in which these unfounded charges are set forth. I quote certain pertinent paragraphs from this motion:

"First. The possession taken through the Postmaster General and the defendant Carlton of the complainant's property on the allegations of the bill of complaint as amended has been taken by the President, in the exercise of his executive discretion, pursuant to a resolution passed by the Congress in the exercise of its discretion, as possession by the United States and not by the defendants as individuals, and the possession and rights involved are exclusively those of the United States and of the President in the exercise of his executive duties as such, and the District Court of the United States for the Southern District of New York has no jurisdiction to entertain this bill as amended, to which neither the United States nor the President is or can be a party."

"Fifth. The Congress has authorized the President to take over the complainant's cables, and the President in his discretion has exercised judgment that the taking over of such cables is necessary for the national security and defense, and this judgment is conclusive, and the proclamation of the President that it is deemed necessary for the national security and defense to take these cables is conclusive to negative the allegations of the bill of complaint to the contrary, and these allegations should be stricken out and dismissed from the bill as manifestly unfounded and impertinent."

"Eleventh. The allegation 'that the seizure of said cables on the ground that they were or are necessary for the national security and defense was and is a mere pretext without substance or basis of fact whatsoever' is an allegation of the complainant's opinion, immaterial in view of the judgment of the President and the action taken by him, and if intended as an allegation of bad faith on the part of the President is insufficient and should be stricken out and dismissed from the bill as insufficient, impertinent, and scandalous."

"Thirteenth. The allegation of the bill of complaint that the complainant is not provided with just compensation for the taking over complained of is manifestly unfounded in that Congress has in the resolution alleged expressly provided that the complainant shall receive just compensation and has provided for the executive and judicial determination thereof with recourse to the courts in the normal and reasonable manner for the ascertainment of compensation in the case of takings by the United States, and this court has judicial notice that Congress uniformly appropriates moneys for the payment of all judgments rendered by the Court of Claims, and the allegations that the right of application to that court is an illusory right and that there is no reasonable expectation of the timely payment of such a judgment are allegations that the United States and that the Congress will exercise bad faith, whereas this court has judicial notice that the United States and the Congress are incapable of bad faith, and the allegations of the bill of complaint to the contrary are manifestly unfounded and should be stricken out and dismissed from the bill as impertinent and scandalous."

"Third. The war existing on July 16, 1918, still continues and there has been no proclamation of the exchange of ratifications of the treaty of peace, and of these facts the court should take judicial notice to negative the allegation of the bill of complaint that the war ceased on November 11, 1918, and this allegation should be stricken out and dismissed from the bill as manifestly unfounded and impertinent."

"Fourth. The proclamation by and under which the possession alleged was taken was signed by the President on November 2, 1918, and the proclamation by the President that it was done on November 2, signed by the President and attested by the Secretary of State, is conclusive that it was done on that day, and this court should take judicial notice that it was signed on November 2, 1918, to negative the allegation of the bill or complaint that it was not signed until after November 11, 1918, and this allegation should be stricken out and dismissed from the bill as manifestly unfounded and impertinent."

"Eighteenth. The allegations concerning the findings of the complainant's cables on territories of foreign nations and the complications likely to arise from the action of the Government are insufficient to state any cause of action or any part of a cause of action and have no relation to the validity of the possession taken from the complainant, or to the relief sought in the bill of complaint, and said allegations should be stricken out and dismissed from the bill as insufficient and impertinent."

Every intelligent lawyer in America knows that these allegations are not only founded upon truth, but that they are supported by well-established principles of law which have been long recognized and are no longer questioned by lawyers or judges who make any pretensions of a knowledge of the law as it is. I believe you want to be fair and am sure you would not consciously do me or the postal establishment an injustice. It is in this spirit I am writing you and on your sense of justice I rely for bringing these facts just as they are to the attention of your fellow Senators.

Sincerely yours,

A. S. BURLESON.

Mr. HITCHCOCK. Mr. President, I made the request because the Postmaster General complains that I did not insert the full copy of what he sent me the other day, consisting of some printed matter, and, in order to be entirely just to him, I ask to have this letter printed in the RECORD. I will say that the additional matter consists of statistics showing the quantity of mail matter delivered in bulk to the military authorities during the time that the Post Office Department undertook to transport it across the ocean. It also consists of a number of certificates or statements from lieutenants and other officers in France complimenting the Post Office Department by the statement that the mail had been promptly delivered—as promptly delivered as the circumstances of war would permit. With relation to those, I wish to say that these few complimentary statements that the mail was promptly delivered remind me very much of the defense offered by the Irishman in court. After two witnesses had been introduced to testify that they saw him kill a certain individual he introduced five witnesses who testified that they did not see him kill the individual. [Laughter.]

I have no doubt some of the mail was promptly delivered in France; but the statement of a few officers to the effect that their particular units received the mail promptly is really no defense at all, in view of the widespread and universal complaint of the nondelivery of mail.

Mr. President, the Postmaster General concludes his letter by an attempt to reply to my criticism of the seizure of the cables after the war was over. His defense consists of a quotation from the brief of the Attorney General, which, however good it may be in law as to the jurisdiction of the court, is no answer whatever to the statement that these cables were seized on the pretense that they were taken over under the war power, when as a matter of fact the war had ceased; and I do not think any intelligent person will support the Postmaster General in his claim that because the order for the seizure of the cables purports to be signed, and probably was signed, on the 2d of November, such signing at that time, on the 2d of November, was a justification for taking over the cables.

Mr. KELLOGG. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Minnesota?

Mr. HITCHCOCK. I yield to the Senator.

Mr. KELLOGG. Of course, I did not see the order; but I am informed that while the order may have been signed by the President on the 2d of November, it was entirely incomplete. It was not countersigned by the Secretary of State. It was never published or exhibited to anyone until after the war had closed and the armistice had been signed. Even the date when it was exhibited to one of the telegraph companies was blank, and the order was never made before the signing of the armistice. The law authorized the President to take over the cables and telegraph lines as a war necessity, and not a Senator on this floor or anywhere else dreamed that we were giving the Postmaster General power to force on this country Government ownership whether the people wanted it or not.

Mr. HITCHCOCK. What the Senator says adds force to what I am seeking to show here, but it is absolutely not necessary. Even if the order had been signed on the 2d of November and had been fully completed and countersigned, and even if it had been announced at that time, it would not have been good faith with the Congress of the United States; but, as a matter of fact, it was not announced then. It was suppressed, and the country knew nothing of it until the armistice had been signed and had gone into effect. I believe I am correct in that.

Mr. KELLOGG. The Senator is absolutely correct.

Mr. HITCHCOCK. So I renew my statement, made here the other day, that when the Postmaster General took the very grave step of taking over these international cables under the pretense that it was necessary to take jurisdiction of them for war purposes he did something which was entirely outside of the authority the Congress intended to give; and many speeches made upon the floor of the Senate at the time that that great power was put in the hands of the Executive showed conclusively that it was only given under the great urgency and the tremendous necessity of fighting a war. To take those cables over after the fight has ceased and the war has come to an end is, in my opinion, very close to breaking faith with the Congress of the United States.

Mr. WATSON. Mr. President, will the Senator yield?

Mr. HITCHCOCK. I yield.

Mr. WATSON. I have made some investigation with reference to the taking over of the cables, having had the honor to address the Senate on that proposition; and to the best of my knowledge and belief at this time, when that order was made the date was first put down in pencil as the 14th, the armistice having been signed on the 11th. Afterwards that date was erased and the 2d inserted.

I have every reason to believe that that fact is susceptible of proof. The object of it is quite apparent, without comment.

Mr. HITCHCOCK. I merely desire to say that the quotation from the Attorney General's brief may show conclusively that the Postmaster General has the power legally to take over the cables, and it may show, as he says in his statement, that the bringing of the suit was a silly thing and that the court has not any jurisdiction; but, admitting all that, it does not vindicate the Postmaster General from the charge I made, that in taking over the cables he practically violated good faith with the Congress which had given him the power.

Mr. SHAFROTH. Mr. President, I am not a member of the Committee on Post Offices and Post Roads nor of the Military Affairs Committee, but, I must say, that when men are trying to do what they think is best and exercising their judgment I do not believe in the criticisms that are made against the executive officers of the Government.

The war is not over yet, as a matter of fact. There is no question but that the fact that a mere armistice exists does not conclude the war, and consequently the Postmaster General, no doubt, thought that the cables would be of great use, perhaps, in connection with the matters to be negotiated upon the signing of the peace treaty. It all is a part of the war matters.

At all events, I do not believe that men should be criticized here when they are doing what they think is best. There is nothing corrupt in this matter. There is nothing that in any manner would reflect upon a person's good intentions, and for that reason it does not seem to me that we ought to have criticisms continually of men connected with the Government with relation to these matters.

Now, Mr. President, the Senator has said something with relation to the letters that he has received, and illustrated it by the fact that one man said he had seen a shot fired, whereas five men said they had not seen the shot fired. The same logic can be used with relation to the number of letters in which complaints are made. I have not received 20 letters from people in my State with relation to this matter, and yet 30,000 of the men of Colorado have been enlisted in the Army of the United States. In the same manner a person could say that inasmuch as the 30,000 did not complain, therefore the mere 20 letters that I have received simply illustrate the case of one person out of probably a thousand or fifteen hundred people that are in the Army of the United States.

We can not look into these matters with fairness unless we know the circumstances attending each one. I know, as a matter of fact, that the sending of letters to the armies in France has been attended with the greatest difficulty, and it has been a wonder to me that many of them ever were received at all. When men move from one part of the line to another within perhaps two hours how is it possible to follow them up?

There is no question but that soldiers have been wounded and placed in hospitals, and there is no doubt but that there has been a lack of delivery of letters in those instances; but you must remember, as a matter of fact, that when that occurs it is almost impossible to find them. With a state of war existing everything is in such a condition that it is impossible to follow matters up. I have not any doubt but that there has been complaint, and I have been told that the English Government and the French Government both have had great difi-

culty in reaching their men, but perhaps not to the extent that has obtained with regard to ours, because our men were there only a short time, whereas the men of the English Army and the men of the French Army have been there for a long period of time and have had their points upon the firing line much more definitely settled and fixed than ours.

Mr. SWANSON. Mr. President, will the Senator yield?

Mr. SHAFROTH. I yield.

Mr. SWANSON. Regarding the letters, I want to ask the Senator from Nebraska if this is not true:

The Post Office Department has had this difficulty in delivering mail in Europe from the 30th of June of this year. I think justice ought to be done that department. The Army would not give the Post Office Department the location of the various units. They said that the civil department of the Government ought not to have the location of the units of the Army. Consequently, it was nearly impossible for the Post Office Department to deliver the mail, not knowing where the units of the Army were. As I understand, when that condition arose on the 30th of June, the understanding was that the mail should be delivered by the Post Office Department to the ports in France, and that the Army, which knew where the units were, should have the control of the mail after that time.

Mr. HITCHCOCK. That is substantially correct, except that since the 30th of June the Post Office Department has delivered the mail to a terminal in New York City, and has received the mail at a terminal in Bordeaux.

Mr. SWANSON. Now they deliver the mail in New York, and the Army gets the mail delivered in France and brings it here; but up to the 30th of June, as I understand, the Post Office Department complained that they had tried and had been unable to get the location of the units in France in order to deliver the mail. As I understand, the War Department said it would not be wise, it would not be proper, they would not like to trust to all these individuals the location of these units, since if that were done Germany might learn where the units were. Then the department, as I understood, said it was impossible for them to deliver the mail, not knowing where the units were, and on account of that condition after the 30th of June this arrangement was made. Now, that is the reason.

Mr. HITCHCOCK. That is true, as stated by the Postmaster General.

Mr. SWANSON. Now, in all justice and fairness, how could the Post Office Department deliver mail when they did not know where the units were, when they were being changed all of the time?

Mr. HITCHCOCK. The fact is that the service was very wretched prior to the 2d of June. The Post Office Department blamed the War Department, and the War Department said, "Let us take over the delivery of the mail." Since the 30th of June the Post Office Department can not be held responsible for the failure.

Mr. SWANSON. But up to that time—now, just be fair——

Mr. HITCHCOCK. But since that time the complaint has been just as great as prior to that time. There has been no change.

Mr. SWANSON. But there is no complaint——

Mr. HITCHCOCK. And in this communication of the Postmaster General, which I have not taken the time of the Senate to read, it is explained that much of the delay in the delivery of the mail has been due to the fact that men were taken to hospitals, and instead of sending their mail after them to the hospitals it was kept with their companies until they returned, so the poor devils lying on their beds in the hospitals sometimes for months at a time could not hear from their families at home. At the very time when the men should have had their mail they were deprived of it.

Mr. SWANSON. But in all fairness to the Post Office Department, when the Post Office Department did not know the location of the units, did not know whether they were in northern France or southern France or where they were, and the War Department, as I understand, would not tell them where the units were, I should like the Senator to explain how the Post Office Department could deliver the mail to people when they did not know where they were and they were being changed every day. As I understand, the Post Office Department was anxious to get the location of these units, so that the mail could be delivered promptly.

Mr. NEW. Mr. President——

Mr. SWANSON. With that condition I think the criticism of the Post Office Department is not called for, unless they could get the names of the units and where the men were.

Mr. HITCHCOCK. Well, whom would the Senator hold responsible?

Mr. SWANSON. If the War Department thought it was unwise to give the location of the units, I could not hold them responsible. A great deal of this condition was due to the fact that these men were changing every day, every week, and every month, and therefore it was impossible for their mail to follow them. It was considered unwise to let anybody in the civil establishment know the location of these units, because if that were done the Germans would know at once the number of men opposed to them. It was a war condition.

Mr. NEW. Mr. President, will the Senator yield?

Mr. SHAFROTH. I yield to the Senator from Indiana.

Mr. NEW. By way of an additional contribution to the little discussion, I will say that the explanation that the Senator from Virginia makes as to the delay certainly does not apply to cases of base hospitals, for instance, which were located shortly after the American troops went over there, and they have never been changed from that time to this; but their mail has been delivered with no more regularity, perhaps, than that of those units the location of which has been changed from time to time.

Mr. SWANSON. If the Senator will permit me, how could the Post Office Department know that a man was in a hospital wounded until the name was furnished them and the unit?

Mr. NEW. Mr. President, I am not referring at all to the men who were wounded and in hospitals. I am referring to the officers and the men who constituted the personnel of the base-hospital organization.

Mr. SWANSON. The Post Office Committee, of which I am a member, asked the representatives of the department about this matter and knew the difficulties of the situation. They realized that unless the Army could furnish the Post Office Department the location of the various units of the Army it was impossible to deliver the mail.

Mr. NEW. Exactly.

Mr. SWANSON. They tried to get it, and the War Department thought it was unwise to give it to them. I am not prepared to say whether it was wise or unwise, but they would not give it.

Mr. NEW. If the Senator will permit me, I do not think he gathers my point exactly. I mean this: As early as January, 1918, certain base hospitals were definitely located at points in France. That location has never been changed from that moment until the present day. The men who constituted their personnel originally are the same to-day as they were then, and yet their mail has been most irregularly and unsatisfactorily delivered on both sides—both the mail to them and the mail from them to the people on this side.

Mr. SWANSON. Does the Senator suggest that all the mail should be sent to these base hospitals?

Mr. NEW. The mail intended for them certainly should be.

Mr. SWANSON. How would they know at home that they were in the hospital when the mail was directed?

Mr. NEW. The Senator still fails to catch the point I make. For instance, you were detailed as commanding officer of a certain base hospital, having with you a certain number of other officers and men to the number of 100 or more. Your location was fixed at a certain definite point.

Mr. SWANSON. I can understand why that class of people ought to have gotten their mail promptly; but that is a very small class of people. The entire Army was not made up of that kind of units.

Mr. NEW. No.

Mr. SWANSON. They were a very small class, and I have not heard any complaint from people in base hospitals.

Mr. NEW. I make the point that the statement that units were moved from one point to another does not hold good in cases of that kind, certainly.

Mr. SHAFROTH. Mr. President, I rose simply to say that I do not think criticism should be made against officials relative to their acts when full information does not exist with relation to the surrounding circumstances. It is not fair to them, especially when we believe that every man connected with this Government has been anxious to give good service.

It is true complaints have been received that mail has not been promptly delivered to our soldiers; but how could it be to an army of two or three million men, the companies and regiments of which were continually being shifted from one post to another of a battle line extending over many miles?

As to the failure to receive allowances, upon investigation it was found in many instances that the parties had transferred the allowance to somebody else. All of these matters indicate that there ought not to be criticism of officers of the Government unless there are specific complaints and clear evidence of a willful neglect. Nobody is willfully neglecting anything in this Government.

Mr. President, we had a storm of indignation against the Secretary of the Navy at one time because, it was alleged, he was not doing things properly; but now I think everybody concedes that he has made the most wonderful record that has ever been made by any Secretary of the Navy since the establishment of the Government. The criticisms were improper; they were unfair; they were hasty and founded upon matters that did not take into consideration the viewpoint of the Secretary of the Navy.

Soon after that there was a storm of indignation against the Secretary of War, Mr. Baker, that he was not doing anything; that he was neglecting everything; that he was absolutely inefficient. Secretary Baker is one of the most methodical, accurate, and industrious men in the public service, and it is now conceded that the record which has been made by the War Department of the United States in this great conflict has never been equaled by that of any country in the history of the world.

The European nations have been amazed at the efficiency and skill with which we have prosecuted the war. While we are being so greatly admired by disinterested peoples——

Mr. POINDEXTER rose.

Mr. SHAFROTH. Is it possible that we are now to criticize our officers who have done such wonderful work, especially upon matters the full circumstances of which are not known. War upsets everything. You can not have the same regularity in war as where ordinary conditions exist. Because of that fact, it seems to me that instead of criticism we ought to commend men unless we know that they have been guilty of willful neglect or that it is probable that their intent has been to give poor service.

The statement which the Senator from Virginia [Mr. SWANSON] has made is illuminating upon this question. I have never before heard it, but I can readily see why the War Department would not want the employees of any other department to have the location of the various companies, regiments, and divisions of our troops on the firing line. I can readily see that the War Department did not believe that it was proper or wise to give to the employees of any other branch of the Government or any one not connected with the Army such information. It would be sure to leak out and reach the enemy and give to the Germans great military advantage. Of course, the Post Office Department could not deliver the mail to soldiers when their location was unknown to them. See how wrong it is to criticize officers when the surrounding circumstances are unknown.

Then, again, there was a crowding of tonnage on our ships. Everything was subservient to the getting to the place where the troops were located of munitions and other supplies as well as soldiers, which were deemed more important in the midst of conflict than even the letters of the soldiers. While letters are important in some respects, everyone must concede that they are not nearly so important as those things which were absolutely necessary in order to win the war.

Mr. President, I feel that when we have made such a wonderful success of the war, have gained such a great victory, a victory accomplished in less time than anybody expected, instead of criticism of the men who have been bending all their energies to do what is right, there should be praise and not criticism, unless the facts showing the justice of such criticism should be plainly established and show that the conduct of the officials amounts to willful neglect.

Mr. CHAMBERLAIN and Mr. POINDEXTER addressed the Chair.

The VICE PRESIDENT. The Senator from Oregon.

Mr. POINDEXTER. Will the Senator from Oregon yield to me for just a moment?

Mr. CHAMBERLAIN. I should like very much to proceed with and finish my remarks. I have yielded for three-quarters of an hour, but if the Senator from Washington is only going to take a moment, I will yield to him.

Mr. POINDEXTER. I will not interrupt the Senator at this time.

Mr. CHAMBERLAIN. Mr. President, I do wish that the distinguished Senator from Colorado [Mr. SHAFROTH] had reserved his castigation of those who dare criticize until after I had made the few observations which I have in mind to make. They will be in the nature of suggestions, rather than in the way of criticism, but in view of the fact that the Senator has spoken of criticisms of the War Department in the past, and I having been one of those who dared indulge in such criticisms, I am rather disposed to believe that the Senator had some reference to my humble self, and undertakes now to frighten me from the path which I have mapped out for myself, assuming, perhaps, that I intend to do now what I did in the past, and that is, to criticize those in charge of the Military Establishment. But, Mr. President, I shall not be deterred from the discharge of a duty as I see it, whether there be timid souls or not, or courageous spirits, if you will, who feel that it is not proper for anybody connected with one branch of the Government to criticize those connected with another branch, or to make such suggestions as one may see fit to assist in the proper conduct of the war or in the adjustment of the affairs of the Government after peace has been declared.

The rôle of a critic, Mr. President, is never a pleasant one; but, in my opinion, no one can contribute so much to the welfare of this country as can the man who dares sometimes to criticize when there is a just foundation for such criticism. There is nothing that so compels a man who has a duty to perform, if there is the least disposition upon his part to do it carelessly or do it wrongly, as to turn the light upon his pathway, so that the observant public may see that his feet pursue the proper path, and that the duties which devolve upon him are properly performed.

Mr. President, conditions to-day, after the armistice has been signed, are not very unlike those which existed when Congress convened in December, 1917. When I say that I mean that when Congress convened in 1917 the Members thereof were overwhelmed with letters of complaint, and particularly was that true as to Members of the Military Affairs Committee and the chairman of that committee—from men of practical affairs all over the United States, and from good mothers who had sons either in France or on the way to France, or from wives whose husbands had gone over, calling attention to the fact that the industrial life of this Republic, so far as preparation for war was concerned, was not doing its duty under the inefficient direction of the War Department, whose duty it was to see to it that industries were so marshaled, were so coordinated, were so arranged, that those things which were necessary to the safe conduct of the war should be done and performed effectively. Complaints are coming to us now, Mr. President, not with regard to industrial life, but now that the war has been won, and our sons and brothers and all are coming back to us, armless and legless and eyeless, that America is unprepared to take care of them now, just as America was unprepared for more than a year to so conduct the war as to conserve life, to conserve energy, and to conserve the health of this Republic, as far as it was possible to do.

God only knows, Mr. President, how many lives have been uselessly sacrificed by our unprepared condition, even up to the time the armistice was signed. Acting upon complaints that were made to the Military Affairs Committee and to its members prior to the assembling of Congress in December, 1917, the committee began to investigate conditions in the War Department. It investigated the situation with reference to ordnance, munitions, and arms of all kinds; it investigated the Quartermaster's Department; it investigated aircraft production; it investigated every branch of the Military Establishment which had some duty to perform in connection with the war. While there was no formal report signed and presented by the committee to the Senate, except with reference to aircraft, yet the deliberations of the committee induced it to report at first a bill creating a director of munitions, as indicating the views of the committee as to what was necessary to coordinate the Ordnance Department so that the best results might be attained, and, next, further carrying out the views of the committee, a bill creating a war cabinet, not to interfere with the functions of the Commander in Chief of the Army and Navy, but to still further centralize the power of this Government in some hands between the President of the United States and the fighting force, so that industrial life might be still further utilized and plans mapped out for the future conduct of the war.

The Commander in Chief of the Army and Navy on the 11th day of January, 1918, disapproved of the bill creating a director of munitions, and the unpleasant controversy which occurred at about that time between the President and myself is still remembered, I am sure, at least by the Members of the Senate. It got to be almost treason to dare to criticize anybody, except the Members of Congress, and it was looked upon generally as commendable to criticize them. It amounted almost to treason—aye, indeed, the suggestion of treason was leveled against some men, Members of Congress, too, who dared to criticize the conduct of those in public place. I myself, Mr. President, passed under the yoke for daring to express an opinion as to the War Department, but without a single regret; and if my criticism saved the life of one young man on the battle front of France I am willing, if need be, to yield my seat in the Senate of the United States to-day. But the bill creating a director of munitions was disapproved; it was bitterly resented that the charge had been made that the Military Establishment had fallen down; that it had almost quit functioning because of inefficiency in the departments of the Government.

But when the munitions director measure was disapproved by the President what happened? There was presented to the Senate as an administration measure a bill which in effect

confessed inefficiency in the War Department, and went further than confessing inefficiency in the War Department, in that it confessed inefficiency in every department, and placed it in the power of the President to reorganize every executive department of the Government. If there was no inefficiency in the War Department, why reorganize it? Why grant this great power? If there was not inefficiency in any other of the departments, why grant power to change any of them? It was true, then, and we realize as we glance back over the past year that it was true, Mr. President, that there was inefficiency in many of these departments. The Senator who had the bill in charge stated more than once on the floor of the Senate that the power was needed because there was inefficiency in all departments and bureaus. I voted for the measure which the President sent to Congress giving him this great power, because, as the greater included the less, so this measure which he sent to us included in the main the measures which the Military Affairs Committee had reported to the Senate. The measure of the President was broader than either of the bills which the Military Affairs Committee presented and was broad enough to cover both or all or any other form of coordination that he desired to bring about by reorganization, and I approved of it. In order that I may not seem to have overstated the effect of the so-called Overman bill, which was referred to the Judiciary Committee, and so the Military Affairs Committee ousted of its jurisdiction over legislation of the kind, I will ask the Secretary to read the first few sections of that act.

The PRESIDING OFFICER (Mr. HENDERSON in the chair). Without objection, the Secretary will read as requested.

The Secretary read as follows:

An act authorizing the President to coordinate or consolidate executive bureaus, agencies, and offices, and for other purposes, in the interest of economy and the more efficient concentration of the Government.

Be it enacted, etc., That for the national security and defense, for the successful prosecution of the war, for the support and maintenance of the Army and Navy, for the better utilization of resources and industries, and for the more effective exercise and more efficient administration by the President of his powers as Commander in Chief of the land and naval forces the President is hereby authorized to make such redistribution of functions among executive agencies as he may deem necessary, including any functions, duties, and powers hitherto by law conferred upon any executive department, commission, bureau, agency, office, or officer, in such manner as in his judgment shall seem best fitted to carry out the purposes of this act, and to this end is authorized to make such regulations and to issue such orders as he may deem necessary, which regulations and orders shall be in writing and shall be filed with the head of the department affected and constitute a public record: *Provided*, That this act shall remain in force during the continuance of the present war and for six months after the termination of the war by the proclamation of the treaty of peace, or at such earlier time as the President may designate: *Provided further*, That the termination of this act shall not affect any act done or any right or obligation accruing or accrued pursuant to this act and during the time that this act is in force: *Provided further*, That the authority by this act granted shall be exercised only in matters relating to the conduct of the present war.

SEC. 2. That in carrying out the purposes of this act the President is authorized to utilize, coordinate, or consolidate any executive or administrative commissions, bureaus, agencies, offices, or officers now existing by law, to transfer any duties or powers from one existing department, commission, bureau, agency, office, or officer to another, to transfer the personnel thereof or any part of it either by detail or assignment, together with the whole or any part of the records and public property belonging thereto.

SEC. 3. That the President is further authorized to establish an executive agency which may exercise such jurisdiction and control over the production of aeroplanes, aeroplane engines, and aircraft equipment as in his judgment may be advantageous; and, further, to transfer to such agency, for its use, all or any moneys heretofore appropriated for the production of aeroplanes, aeroplane engines, and aircraft equipment.

Mr. CHAMBERLAIN. Mr. President, the mere fact that that bill was requested to be enacted into law was a confession that every department of the Government was inefficient. Under it reorganization after reorganization has taken place in the War Department, and possibly in some of the other departments, although I have not paid much attention to them; but reorganization after reorganization has taken place under that act, and under it many of the things which were necessary to be performed, as found by the Military Affairs Committee, for the successful prosecution of the war have been performed.

It may be asked, "Why refer to this? It is ancient history." Mr. President, I am referring to it in order to draw from the past, with regard to the prosecution of the war, a lesson for our guidance in the future in the protection of those who have suffered as a result of that war. Criticism has been resented all the time. It will be resented now. It will be resented most by those who deserve it most.

Mr. GORE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Oklahoma?

Mr. CHAMBERLAIN. I yield for a question.

Mr. GORE. I want to make a little statement.

Mr. CHAMBERLAIN. I can not yield for that purpose. Does the Senator mean in reference to the pending matter?

Mr. GORE. Yes; in reference to the Senator's last remark.

Mr. CHAMBERLAIN. I have no objection, if it will take but a moment.

Mr. GORE. Only a moment.

I wish to say that Camp Doniphan is situated 4 miles from the town where I live in Oklahoma—Lawton, Okla. One of the most tragic incidents referred to by the Senator a year ago occurred at Camp Doniphan, and conditions there, I suppose, were typical of what prevailed in other cantonments. I was informed soon afterwards by one of the leading citizens of my town that within 24 hours after the Senator's speech of criticism conditions began to improve at Camp Doniphan; that the improvement was immediately noticeable, and that conditions had been good, in shipshape; I think that is the expression that he used. I say this not merely in vindication of the Senator's course of criticism but in vindication generally of the importance of constructive criticism as one of the leading incentives to human progress and to human improvement.

Mr. CHAMBERLAIN. I thank the Senator for calling attention to the conditions out there and the changes that took place for the better.

Mr. President, let us see what the Military Affairs Committee found to criticize in the Military Establishment, beginning with December, 1917; and I am not going into detail.

I merely called attention to the fact that there was a lack of ordnance matériel and great tardiness about furnishing small arms; that there was a lack in quartermaster's supplies, and not only that, but that the uniforms that were furnished to the soldiers were reduced in wool content so that they were almost absolutely unfitted for use in France, resulting in the purchase of such supplies on a very large scale in Great Britain by Gen. Pershing, and individuals in authority over there. A perfect vindication of that criticism is to be found in the fact that the wool content of the uniform was restored just as soon as Gen. Goethals took charge of the Quartermaster's Department. Instead of being shoddy, the uniform was made up in such a condition that an honest soldier fighting for his country could wear it with comfort and without shame, coming as he did from the richest country on the face of the globe; and that wool content has been maintained ever since the criticisms of the Military Affairs Committee, and God only knows what became of the junk that these men were formerly compelled to wear. The only good thing about it was that it would not last very long.

I called attention to the fact that there was great delay in aircraft production; that there was great waste of the people's money in useless experimenting; that although the war had been in progress then from April until December, 1917, and during January and February, 1918, while the committee was still investigating conditions, there were no airplanes overseas.

Those were the principal criticisms of the Military Affairs Committee. The details of these criticisms have been gone into before now, and I am not going to repeat them; and I want to say now, Mr. President, that I am saying nothing in malice, because personally I am very fond of the Secretary of War. I know nearly everybody here connected with the Military Establishment. Some of my warmest personal friends are there; but what I say is to assist in solving postwar problems with reference to those who are coming back to us.

As proof of the correctness of these charges, I call attention first to the fact that we passed the administration measure known as the Overman bill to give the power of reorganization and correction. Whatever was necessary to be done, Congress was willing and glad to give to the President and did give it to him. It gave him generously, promptly, and without criticism nearly everything he asked, as it ought to have done.

That is the first proof. The second is that just as soon as these matters had been brought to the attention of those in authority the inefficients went out. Usually they were promoted out from all the departments and bureaus in the Military Establishment into other fields of activity, whether for the benefit of the Government or not; but they were all placed in positions of innocuous desuetude, where they could not do any harm, if they could not do any good.

The third proof is that curative legislation was passed from time to time that would remedy defects that had been pointed out by the committee all down the line.

And the last proof, but not the least, is furnished by the man who above all others knows what conditions have been and were at the date of the signing of the armistice. We did not expect to get all the truth, or all the facts, if you please—to put it in a milder form—before the armistice was signed, but now that the lid has been lifted we are able to turn the light on and look into the dark places and get evidence from incontrovertible authorities, and we know for a fact that every charge that the Military Affairs Committee made was absolutely true.

How do we know it? Gen. Pershing, in his report to the Secretary of War on the 20th of November, 1918, says:

Our entry into the war found us with few of the auxiliaries necessary for its conduct in the modern sense. Among our most important deficiencies in material were artillery, aviation, and tanks. In order to meet our requirements as rapidly as possible we accepted the offer of the French Government to provide us with the necessary artillery equipment of seventy-fives, one-fifty-five millimeter howitzers, and one-fifty-five G. P. F. guns from their own factories for 30 divisions. The wisdom of this course is fully demonstrated by the fact that although we soon began the manufacture of these classes of guns at home, there were no guns of the calibers mentioned manufactured in America on our front at the date the armistice was signed. The only guns of these types produced at home thus far received in France are 109 seventy-five millimeter guns.

In aviation we were in the same situation, and here again the French Government came to our aid until our own aviation program should be under way. We obtained from the French the necessary planes for training our personnel, and they have provided us with a total of 2,676 pursuit, observation, and bombing planes. The first airplanes received from home arrived in May, and altogether we have received 1,379. The first American squadron completely equipped by American production, including airplanes, crossed the German lines on August 7, 1918. As to tanks, we were also compelled to rely upon the French. Here, however, we were less fortunate, for the reason that the French production could barely meet the requirements of their own armies.

It should be fully realized that the French Government has always taken a most liberal attitude and has been most anxious to give us every possible assistance in meeting our deficiencies in these as well as in other respects. Our dependence upon France for artillery, aviation, and tanks was, of course, due to the fact that our industries had not been exclusively devoted to military production. All credit is due our own manufacturers for their efforts to meet our requirements, as at the time the armistice was signed we were able to look forward to the early supply of practically all our necessities from our own factories.

A most generous suggestion upon the part of Gen. Pershing, after we had been in the war for 18 months, to be in such a position when the armistice was signed on the 11th of November, 1918, that we could look forward with some degree of pride and comfort to the prospect that we were likely to have "all our necessities from our own factories" in the near future!

The answer to all of this by those who resent criticism is: "But France was doing this for us." Why, Mr. President, the idea of America depending upon France for these things! The piece of ordnance that is looked upon the world over as the greatest piece of artillery in the world is the 75-millimeter gun, and here we found our Ordnance Department undertaking to improve the carriage and the gun itself and to make it better than France, when Germany had been trying for years to acquire the secret of the recoil mechanism of the French 75-millimeter gun, and no government on earth had ever gotten it except America. We finally abandoned our attempted improvement of the French 75-millimeter gun and went back to the French gun and began to get them in quantity; and when the armistice was signed, though none of American manufacture were at the front, there was some chance of our getting the 75-millimeter and these other guns that are mentioned in Gen. Pershing's report.

Now, notwithstanding the splendid generosity of Gen. Pershing in his report to the Secretary, once in a while something slips out in his report to show the condition in which our men found themselves. If there was one great battle in France where American boys made their names and their country immortal it was at St. Mihiel. Gen. Pershing, in his account of that battle, said this—and I am only going to read a paragraph from it:

The French—

Again, "the French." This was one of the first battles in which Gen. Pershing had gotten the American force together so as to have it purely and distinctively an American victory when it was won—

The French were generous—

Says Gen. Pershing—

In giving us assistance in corps and army artillery, with its personnel, and we were confident from the start of our superiority over the enemy in guns of all calibers. Our heavy guns were able to reach Metz and to interfere seriously with German rail movements.

Now, notice again:

The French Independent Air Force was placed under my command, which, together with the British bombing squadrons and our air forces, gave us the largest assembly of aviation that had ever been engaged in one operation on the western front.

In other words, these splendid divisions of ours, with all America and her wealth behind them, were dependent in this very great battle upon the French for the artillery and the personnel to man the artillery that went into this great fight! Splendid, heroic, patriotic France! And then, with the exaggerated stories by those in authority about sending over airplanes by the thousands and tens of thousands, we find that in that great battle, with America's "thousands and tens of thousands" of airplanes and Liberty motors, the independent French air service and the British bombing service were there to aid our own service in the observations which were absolutely necessary to conduct the artillery fire of our own troops and to watch the movements of the enemy.

Mr. LODGE. Mr. President, would it disturb the Senator if I should ask him a question?

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Massachusetts?

Mr. CHAMBERLAIN. I yield to the Senator.

Mr. LODGE. Can the Senator tell me how many of the planes of which Gen. Pershing spoke in the report that was read were pursuit planes and combat planes? How many of those did we have when the war closed?

Mr. CHAMBERLAIN. I am going to call attention to that in just a few minutes.

Mr. LODGE. I beg the Senator's pardon.

Mr. CHAMBERLAIN. Now I am going to call attention to some testimony obtained and reported by the representative of the President himself—Hon. Charles E. Hughes, who was appointed by the President to investigate the aircraft situation; and in offering that testimony I presume I can not be charged with unfairness or misrepresentation with reference to facts. But first we have Gen. Pershing's own statement in his report that within three months and a half before the armistice was signed—that is, on the 7th day of August, 1918—the first American squadron, completely equipped by American production, including appliances, crossed the German lines; and yet we had been led to believe by the statements of many of those in authority, given sometimes officially and sometimes in extraofficial statements, that as far back as February 20, 1918, we were sending those airplanes over by the thousands.

A squadron consists of 18 planes. The first squadron of 18 American-made planes, then, went over the German lines on the 7th of August. We were assisted by the French again in this service; but even France, Great Britain, and America all combined could not get enough airplanes over there to do the work that was necessary to be done. If America had gotten to work and had done the things that were necessary to be done, we would have had the air just simply swarming with airplanes, and would much sooner have determined the war, and would have saved thousands and tens of thousands of American lives.

Now, Mr. President, to show my authority for this statement, you will remember that the Military Affairs Committee investigated the aircraft situation. I do not know why the idea got abroad that that committee was partisan. There were a number of Republicans on it, but the majority were Democrats. The majority could have watched and found out at any time when Republican advantage was attempted to be taken of a situation; but, Mr. President, so long as I was serving on that committee, from the 4th of December up through all of that investigation, I never saw a Republican at any time indicate a desire to take partisan advantage of what was transpiring. Every man was animated by the same desire, and that desire was to assist those in authority in preparing our country to win this war. Criticisms by all or by any of us were made in the utmost good faith and in order to help, not to hurt. But there seemed to grow out of the situation that feeling.

I have had Democrats upbraid me for indulging in criticism. Why, Mr. President, if the time ever comes when I can not put my finger on a rascal in my own party and improve my party, and if the time ever comes when I must not use my judgment and must not criticize because it may hurt my party, though it may help my country, then I want to get out of public life; but I shall, so long as I serve the people of my State, point out the things in this Government which I think are detrimental to my State and to the Nation. If it destroys my party, I am willing to destroy it if by so doing it will help to save the country.

So the criticisms of that committee were leveled not against the individual, but against conditions. The criticisms were constructive or were intended to be constructive. If they hurt anybody or hurt in any direction, it was simply because it was inevitable under the conditions that then existed.

Now, let us turn to the report of Judge Hughes. I want to be careful, for I was once charged with an unjustifiable distortion of the truth, and no higher motive could be found for my criticism of conditions than that I was in opposition to the policies of the administration; yet I think I can say without egotism—and I think the Senate will bear me out in saying it—that I have had as much to do with legislation that the administration wanted, particularly with legislation bearing upon the war, as has any other one man in the Senate, acting, of course, only as the representative of the Military Affairs Committee. So I could not have been opposed to any policies. Ah, Mr. President, that committee wanted to help the situation, and not to hurt it.

Now, notice this in Mr. Hughes's report. Right here, Mr. President, in view of the fact that I have never seen a copy of the Hughes report anywhere except in the Official United States

Bulletin of November 6, 1918, and in view of the fact that that report goes fully into the whole question of expenditures under this aircraft legislation and production, I am going to ask to have it printed as an appendix to my observations.

The PRESIDING OFFICER. Without objection, it is so ordered.

The report referred to will be found as Appendix A to Mr. CHAMBERLAIN's speech.

Mr. CHAMBERLAIN. Mr. President, Judge Hughes says in one place in his report:

> In the face of the delays in production a series of misleading public statements were made with official authority. While these statements were authorized by the Secretary of War, he states that they were issued in reliance upon information furnished by the Chief Signal Officer, Gen. Squier, and by Col. Deeds, who were acquainted with the actual conditions. It is unnecessary to review the delusive predictions and exaggerations contained in these utterances.
>
> But particular attention should be directed to the official statement released for publication in the papers of February 21, 1918, which contained the following:
>
> Notice this, Senators—
>
> The first American-built battle planes are to-day en route to the front in France. This first shipment, though in itself not large, marks the final overcoming of many difficulties and in building up this new and intricate industry.

There was not any plane on the way to France at this time. Mr. Hughes continues:

> At the time this statement was issued (February 20) only one plane had been delivered for shipment to the American Expeditionary Forces, and while this had been shipped from the factory on February 5 it did not leave the United States until March 22. The only other service planes which had been delivered were five De-H-4s, which had been shipped for use at Gerstner Field, La. No additional shipments of airplanes for the use of our forces abroad were made until April 3. Actual production in quantity did not really begin until May.

It is but fair to say, in this connection, that Mr. Hughes finds that Mr. Baker made his statement on the strength of representations of Col. Deeds; and in view of the fact that I am asking to have the whole report printed as an appendix to my remarks, I shall not indulge in commenting on it any further than to say that the American people were led to believe that the sending of airplanes over to France was in quantities, when, as a matter of fact, if Gen. Pershing tells the truth, the first American squadron that went over the German front was on August 7, 1918.

The evidence before the Military Committee showed that these false statements did great harm in Europe. Our allies thought they could depend upon us for any number of planes, and so production fell off, while Germany, fearing the truth of these statements, stimulated production of planes. The result was inevitable at the battle front.

Now, with reference to training planes furnished by France. The Senator from Massachusetts [Mr. LODGE] asked me about that. I really do not know how many we had, but I do know that Gen. Squier, while he was chief signal officer and in charge of aviation as well, sent a great many American boys over to France to be trained. I do not know how many—2,000 it may be. Those boys, or a large part of them, did not have any training. Many of them had to come back. And we were commissioning American boys here on this side and sending them over to outrank boys who had volunteered several months or a year before.

Mr. NEW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Indiana?

Mr. CHAMBERLAIN. Yes.

Mr. NEW. In answer to the question put by the Senator from Massachusetts [Mr. LODGE], I will say that the only planes sent over by the United States Government were what are known as the D-H-4, which is not a pursuit plane. No planes which are known as pursuit planes were sent by the United States Government at any time.

Mr. CHAMBERLAIN. I am glad to have the information which has been furnished me by the Senator from Indiana. I do know, however, that many of those boys were sent back, and later some steps had to be taken to correct the inequality of commissions, so that those who had volunteered and gone over there to be trained as aces should at least rank on an equality with those who went over from America very much later, and who had had training here, while their colleagues in France had not been trained at all. The morale of these young men had been practically destroyed. And I am going to call the attention of the Senate to just one case, which is measurably personal in its nature, but it illustrates the situation that existed there almost under Gen. Pershing's nose.

A few days before the registration for the last draft two splendid young fellows came into my office. They were dressed in lieutenant's uniforms, and they told me that they had just come from France. I do not mind mentioning their names. I do not usually mention names, because, as a rule, it leads to dire consequences to the poor fellow whose name is mentioned; but I will mention them. One of them was Lieut. Paul Conihe and the other was Lieut. John K. Ney, of the same name as the famous French marshal. These boys went over there as volunteers; they enlisted May 3, 1917, left New York for overseas duty October 26, 1917, and they came back here to America just before the registration for the last draft, discharged from the Army and their commissions revoked. They told me a story that reached my heart. They had been over there all these months to be trained, not for display, but to fight; but they did not get any fighting; they did not even get any training; they got tired of doing camp and police duty and asked for a transfer to the Artillery—one of these young fellows was ambitious and got into a French artillery school—they asked to be transferred to the Artillery or to the Infantry or to any place where, as red-blooded, splendid, well-educated Americans, they could "do their bit" for their country.

Now, what do you suppose was the answer to their petition? They were sent to one of the points of debarkation in France and in a few days ordered back to America, with their commissions revoked, and they were relegated to private life. When they appealed to me they said: "We have no unit to which we can go; we can not appeal, because there is no record. There was never any board of inquiry; there was never anything; we were just simply sent home by the personnel officer." I took up those cases with the Chief of Military Aeronautics, but I did not get anywhere with them. I then took them up with The Adjutant General, but made no progress there. In the meantime I advised them to register for the draft, which they did; and in the meantime, on the day that the draft took place over in the Senate Office Building, it happened that Gen. March was there, and I asked him as a favor to me, when he left the office, to come into my private office, as I wanted to talk to him about a case that seemed to me extremely unjust to two fine American boys. He came in and I told him the case. He said he would like to see them, and I took them down to see him the next morning. I told him if there was anything wrong about their records I would cease my efforts in their behalf, but that on the surface of things it all looked wrong to me.

One of them was over 6 feet high, a graduate of the University of Washington and an athlete of that institution. The other was from Iowa. Gen. March looked them over, asked them a few questions, and promised to take their cases up personally, which he did; and inside of four days he telephoned me that he found nothing wrong in the records of these boys and ordered their commissions restored, but transferred them to the Tank Corps.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Colorado?

Mr. CHAMBERLAIN. Yes, sir.

Mr. THOMAS. May I ask the Senator whether the revocation of their commissions, to which he has just referred, was done by the order of the commander of the Expeditionary Forces or by the Chief of Staff here?

Mr. CHAMBERLAIN. I think it was done by their personnel officer.

That is just one instance, but must Senators be compelled to follow up each one of these cases in order to have justice done the young men? They would not have gotten anywhere, Senators, if it had not been that I was willing to take up their cases and help them out. And not only that, they had not been paid, and I loaned one of them money, which he promptly repaid, in order that he might send a telegram to his father.

The way to correct those things, Mr. President, is to get at the man who is guilty of the act of injustice; and in that case it was the personnel officer, who discharged these men without cause and without inquiry. There is an old French adage to the effect that whenever an individual gets into trouble, "Cherchez la femme." That might be transposed to "Search for the fellow who has been guilty of the injustice and punish him," and not put it up to Senators and Representatives in Congress or anybody else to take up the individual cases of young men. I might cite other cases, Mr. President——

Mr. LA FOLLETTE. Has the Senator given the name of the officer who is responsible?

Mr. CHAMBERLAIN. No; but the department knows it.

Mr. LA FOLLETTE. Why not put that in the RECORD?

Mr. CHAMBERLAIN. I only know it by hearsay, but I understand his name is Col. Bingham. I do not want to do an injustice; I simply give the name on hearsay. I did not pursue the inquiry as to him; I wanted to get these boys reinstated to the places they were entitled to hold, and they are in the service now, unless they have been recently discharged.

Mr. President, I will not discuss this matter that is behind us any further. I have done it because the good faith of members of the Military Affairs Committee has more than once been called in question—as splendid a body of men as I ever worked with, Republicans and Democrats. We differ sometimes, but you can only get good legislation by discussion and compromise. No man ever gets exactly what he wants. So that in these questions in the committee where there are differences of opinion you get the truth only because you discuss them.

Now, why all of this? To bring the attention of the Senate to the fact that the conditions which existed prior to December, 1917, so far as criticisms of the War Department are concerned, exist to-day, and for a little while I am going to address your attention to them.

There come over my desk every morning hundreds of letters from young men in the Army, from their mothers, from their wives, and from every class of people who are directly or indirectly connected with the Military Establishment. I know that you have to discount some individual complaints, and I do discount them, but there are exceptional cases which are proven beyond a peradventure of doubt. The exception usually proves the rule, and whenever you find one case where a great hardship has been worked against an individual in any particular place you can rest assured that the conditions are practically the same where the same opportunities are afforded for injustice.

I shall not indulge in harsh criticism of the department, but I want to prophesy that unless something is done to correct conditions now the men who are coming back from France are going to make themselves heard and are going to make themselves felt; and they ought to make themselves heard and felt. Let us see how many men we have had over there and how many men have been killed, wounded, and are missing. According to Gen. Pershing's report—

> There are in Europe altogether, including a regiment and some sanitary units with the Italian Army and the organizations at Murmansk, also including those en route from the States, approximately 2,053,347 men, less our losses. Of this total there are in France 1,538,169 combatant troops. Forty divisions have arrived, of which the Infantry personnel of 10 have been used as replacements, leaving 30 divisions now in France organized into three armies of three corps each.

Taking the number of combatant troops given by Gen. Pershing and the casualties—the dead, wounded, and missing—and we find that 17 per cent of the combatant troops have been killed or wounded or are missing.

According to Mr. Baker there were casualties reported to October 23, as follows: 53,160 deaths, 179,625 wounded, 1,160 missing, 2,163 prisoners, making a total of 236,108.

Now, Mr. President, the wounded men are coming back to the United States. They are on the way back now, and we are pursuing the same dilatory policies with reference to getting ready to take care of them that we pursued during the war with reference to getting ready to fight. That is one of the criticisms that probably my good friend from Colorado [Mr. SHAFROTH] will resent, but it is a criticism I make, and I charge it now. We are getting word from many hospitals and cantonments that the conditions for taking care of these young men are bad.

There are 179,000 of them, in round numbers. Where are the hospitals that they are going to put them in? Let me read into the RECORD on this subject a criticism of Representative JOHNSON of South Dakota, who has just returned. He was a lieutenant in the Army.

His statement was published in the St. Paul Pioneer Press of December 29, and is as follows:

REPRESENTATIVE JOHNSON SAYS WOUNDED WERE MISTREATED AT CAMP MERRITT.

WASHINGTON, *December 21.*

Investigation of the hospital service at Camp Merritt, N. J., was demanded of the War Department by Representative ROYAL C. JOHNSON, of South Dakota, formerly a first lieutenant in the Three hundred and thirteenth Infantry, immediately after he was discharged from the Army yesterday.

Representative JOHNSON said, on leaving to-day for his home at Aberdeen, that he will make formal complaint to the War Department when he returns from a short visit with his family.

NOTIFIED WOUNDED WERE COMING.

"Twenty or more of the officers and men who came over from France with me," Representative JOHNSON said, "were not fully recovered from their wounds. The captain of our ship, the *Maui*, notified the hospital authorities at Camp Merritt by wireless that these men would be sent there upon arrival in New York. They were put on a train at Jersey City on the day of our arrival and were given no nourishment until 10 p. m., although they reached Camp Merritt in a few hours.

"At Camp Merritt the sick men were placed in ordinary barracks. Those who were able to get about skirmished around for blankets and other bedclothing for themselves and the others.

"MEDICAL OFFICER AT FAULT.

"One of the medical officers was most at fault. He refused to credit the statement that some of the patients were officers and would not give orders for their proper care. These men were kept in barracks for two days before they were removed to the camp hospital. I have demanded an investigation and will file a formal complaint with the War Department upon my return from South Dakota."

Representative JOHNSON was wounded in battle himself, but had recovered and was not a victim of the mistreatment which he says was accorded some of the men.

Mr. President, of course, no Senator can vouch for these statements in the newspapers, but they are pretty accurate when quotation marks are used, and this statement of Representative JOHNSON purports to be a quotation.

The New York Times is a reputable paper, and I am going to ask to have read a little clipping from that paper printed on the 28th of December, having reference to the same subject.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Secretary read as follows:

THESE MEN SHOULD BE PAID.

> In the single week ending with December 20 there were landed at the several Atlantic ports, chiefly at or near New York, 7,000 sick or wounded soldiers. These men have had the best of medical care, as they so well deserve; but from a large number of them there are coming complaints, often bitter, that their pay is far in arrears. This is a cruel hardship for the soldiers whose convalescence is considerably progressed, for they find themselves penniless at a time when lack of money is particularly trying.
>
> The War Department has heard these complaints with a sympathetic ear, and it probably is doing what it can to remedy the evil. Its efforts, however, have not been very successful as yet, and the reasons it gives for the delay in paying these men, while fairly good explanations, are not adequate excuses. Of course, the task of keeping track of men frequently moved from hospital to hospital was great. Difficulties, however, are not insuperable because great, and it is not easy to believe that a pay system could not have been devised by which the money earned at such risks and sacrifices could not have been brought to those who needed it.
>
> Some of the wounded have remained unpaid for as long as 10 months, and a delay of 4 months is almost the common rule. The discontent thus created has harmful effects that extend far beyond the men directly affected.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Colorado?

Mr. CHAMBERLAIN. Yes.

Mr. THOMAS. In that connection I have a copy of a memorandum of date December 28, issued by Brig. Gen. H. M. Lord, entitled "Memorandum for Mr. D. H. Allen, office of the Secretary of War." Would the Senator object to having the memorandum inserted in the RECORD at this time? It is upon this identical subject.

Mr. CHAMBERLAIN. No; I am glad to have both sides of the question.

Mr. VARDAMAN. Mr. President——

Mr. CHAMBERLAIN. I should like to have it read.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

DECEMBER 28, 1918.

Memorandum for Mr. D. H. Allen, office of the Secretary of War.

> MY DEAR MR. ALLEN: I am returning herewith letter from Mason Olcott, dated December 24, 1918, at 322 West Seventy-fifth Street, New York City, with which he incloses a clipping from the Newport News Daily Press relative to the arrival of casuals from overseas who have not been paid for some months previous to their sailing for this country and arrive here without funds.
>
> Up to the present time the great majority of casuals wounded and sick coming from overseas arrive in this country without funds and without the papers which are necessary to enable payment here. The reasons for failure to pay men regularly in France and the causes which are responsible for their failure to be provided with service records and other papers which are necessary for pay purposes are many, and probably you do not require a discussion of these reasons and causes in this memorandum. However, all who have been in France and are familiar with conditions over there are unanimous in the statement that the resultant condition is a necessary outcome of actual conflict, where troops are fighting and advancing day and night and are necessarily separated from their records, and when wounded separated entirely from their commands, never again to get in touch with them.
>
> To meet this condition after arrival in this country several very revolutionary procedures have been installed. Steps have been taken so that these casuals on their arrival in this country are given something on account. This payment is made at the hospitals to which they are assigned temporarily before locating permanently in some other concentration hospital. The commanding officers of all these concentration hospitals have been instructed by the director of finance, with the approval of the Chief of Staff, to make out pay rolls on the affidavit of the soldier, so that he may give him his pay in full not only for the current month but for any prior months for which the soldier claims he has not received pay. There is absolutely no sanction of law for this procedure, and the officer who certifies to a roll under those conditions and the disbursing officer who pays a roll thus executed do so with the possibility, if not probability, that considerable amounts of money will be charged against them by the accounting officers of the Treasury. Congress has been asked by the Secretary of War to enact legislation that will sanction this procedure and protect the certifying officers and the paying officers who comply with the instructions issued by the Director of Finance.
>
> There is no reason why any casual from France who has not been discharged from the Army should be penniless at this time, for, as stated, on their arrival in this country they are given some payment on account, and after reaching the hospital they are in most cases given their pay in full. There may be cases, of course, where the

commanding officers of hospitals hesitate or possibly refuse to certify to pay rolls under these conditions for fear of the consequences, but I am led to believe that these cases are rare, and I think there are no cases where soldiers are not getting something on account.

In June last, on the initiative of this office, a pay card was instituted which would serve when a soldier was separated from his command as an identification card, and would contain enough of his military history to provide for his payment. These pay cards were sent to France with the intention that they would be put into use. It was thought over there, however, that a more durable document would be necessary, and a pay book which a soldier should carry with him was prepared, but this was not put into effect until November. Many of the casuals now arriving are provided with these pay books, and if this proves to be general the casuals from now on will have with them all the information required to properly and correctly pay them, so that the complaints which are being so commonly heard will be from now on lessened until they are finally eliminated, but I will repeat that under the procedure installed there should be no occasion for any casual from France who has not been discharged from the Army to be without necessary funds.

I am dictating a letter this date to the Newport News Daily Press, calling attention to these facts, with request that they correct the rather unwarranted editorial which was inclosed in your letter.

Very truly, yours,

H. M. LORD,
Brigadier General, Assistant to the Director of Purchase, Storage, and Traffic, Director of Finance.

Mr. CHAMBERLAIN. Mr. President, that letter may state the exact truth. I have no disposition to take issue with Gen. Lord. He is a good soldier and a good man; but for the present, at least, I prefer to take the word of the innumerable young fellows who are writing to me every day, and I doubt not to every Member of the Senate, complaining that they do not get their pay.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Mississippi?

Mr. CHAMBERLAIN. I yield to the Senator.

Mr. VARDAMAN. In line with what the Senator from Oregon has just said, I have a letter this morning from the uncle of a young soldier who joined the Army at the age of 18. He went to France, and soon after arriving there was sent to the front. He received four wounds, was sent back to the United States, and he writes that he has been transferred to three hospitals. His wounds have all healed, but he is, of course, crippled for life. He is now at his home in Mississippi, on furlough. He has asked to be released from the Army, because he can render no further service to his country as a soldier. He states that for six months he has not received one penny of pay, and that it is difficult to get answers to his letters; and they are appealing to me to intercede in his behalf. That is only one of hundreds that I have received since I came back to Washington in August.

Mr. CHAMBERLAIN. Mr. President, I am not going to give individual cases, although I have hundreds of them, which are not in line with the statement of Gen. Lord. I am not overlooking the fact that it is very difficult to handle this situation. What I am now stating is the same criticism I indulged in once before—of not having hospitals ready in advance of the return of the wounded. We knew when we assembled men in cantonments and camps more than a year ago that some of them were going to be sick; but there were no hospitals made ready for this contingency in advance. Therefore there were thousands of deaths that ought to have been avoided. We have not sufficient hospitals prepared now to accommodate all these wounded men who are coming back here, and therefore we are going to have a great deal of suffering. If the War Department would pay half as much attention to arranging to receive these boys as they do to getting legislation through that will protect contractors who have made contracts over the telephone and otherwise in violation of law, it would not take long to get something done. Pick up the paper any day—pick up the Washington Post of this morning—and I will venture to say that you will find that they are urging some piece of legislation that will protect some firm or corporation that made a contract over the telephone. If you do not pass such legislation, it is usually stated, there is going to be bankruptcy for such corporation or firm. If you do not protect these boys by constructing hospitals you are going to have deaths and suffering and untold agony, because there is not any form of suffering that will not have to be endured by reason of the terrible wounds that these young men have received.

Now, as a general proposition with reference to hospitals, I am going to take the liberty of reading into the RECORD, in view of Gen. Lord's statement, a letter under date of December 29, 1918, from Mrs. C. P. Farrell, of New York City, who is a responsible lady who knows whereof she speaks. I ask that the Secretary read the letter.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

117 EAST TWENTY-FIRST STREET,
Gramercy Park, New York City.

To the Hon. GEORGE E. CHAMBERLAIN.

DEAR SENATOR CHAMBERLAIN: May I have just a moment of your valuable time to say that my niece, Mrs. Walston Brown, and I are in daily touch with our returning soldiers and we have yet to see one who has received any pay for months—beginning as far back as February and the majority in April. They come to us and to Pershing House, next door, in large numbers every day from the Greenhut Hospital and from Ellis Island. Their spirit is wonderful—no complaints of any description—but their position is a very difficult one. The majority were severely wounded, having lost legs, arms, and eyes.

With great respect, I am,
Very sincerely,

SUE M. (Mrs. C. P.) FARRELL.

DECEMBER 29, 1918.

Mr. CHAMBERLAIN. I am not quite sure, Mr. President, but I think the lady whose name is mentioned in the letter is daughter of the late Robert G. Ingersoll.

Mr. LA FOLLETTE. Yes.

Mr. CHAMBERLAIN. So you see now here are letters coming from people who contradict people like Gen. Lord who are interested in making it appear that the soldiers are protected as they should be. The writers of such letters have no interest in the matter at all, except the interest that every good woman has; that every good mother has; that every good wife has; that every good sweetheart has; and that is, to see that these boys are in as good condition as possible when they arrive, and that they shall be put in even better condition when they get here.

Mr. President, I would not have had that letter read into the RECORD but for the fact that Gen. Lord's letter was read into the RECORD. I could have read into the RECORD a great many such letters to the same effect not only from ladies who are members of the Red Cross and other similar societies that tell about the conditions of these men but from the men themselves. It is all right to talk to me about furnishing these men money when everybody knows better. They have not been furnished with it, and they will not be until those who are responsible are criticized for not doing what it is their duty to do.

Mr. KING. Mr. President, will the Senator from Oregon yield to me?

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Utah?

Mr. CHAMBERLAIN. I do.

Mr. KING. It would seem that the situation to which the Senator from Oregon is just inviting attention calls for criticism of officials on the other side of the water rather than of officials here, for, as I understand the matter, full authority was given to Gen. Pershing—and, of course, that authority could be utilized by him, or could be conferred by him upon his subordinates—to pay all of the officers and soldiers who were there under his control. I have understood that there was a paymaster system there and that all they needed to do was to draw upon the Government and their requisitions would be honored. Can the Senator from Oregon tell why Gen. Pershing, or those who have charge of the matter overseas, have been so derelict in paying the men who were there?

Mr. CHAMBERLAIN. I can not say, Mr. President. I realize the very great difficulty of following these wounded men particularly from one hospital to another, but all things are humanly possible, and it ought to be made humanly possible; it ought to be done; and at least as to the poor boys who are coming back in the condition which has been described, and which is admitted in the letter of Gen. Lord, some system ought to be devised, either in France or here, to see that these men do not come back penniless. There is some default in the pay system somewhere. I am undertaking to call attention to the necessity of going ahead and doing things, for the War Department does not need any legislation to correct conditions. All they need is to get a move on and to do the necessary work.

They have had ever since the 6th of April, 1917, to arrange for these hospitals. Did they expect the men would come back here intact, just as they went over? Did they not know that this was the most deadly and destructive war that ever was waged, and that there was bound to be terrible destruction of limb, as well as of life, and that the limbless and the eyeless had to come back to the United States and here be cared for? Yet I have not heard anything of any hospital being provided for these boys; that is, I mean on a scale that is sufficient to take care of them.

I do not know anything about the row which is on in Chicago about a Speedway war hospital, which is said to be a permanent fireproof structure, and the wooden hospital buildings at Fort Sheridan, which are in course of construction. I do not

know anything about the merits of the controversy now waging with respect to them; but although the Surgeon General and nearly every department of the Government having to do with these things approve of the Speedway Hospital we find that somebody is going ahead with the construction of a wooden hospital at Fort Sheridan. If you see the Surgeon General to-day, he will tell you that that hospital ought to be constructed, but they are not doing it. What the reason is I do not know. So it is, Mr. President, all over the country. They are not arranging to receive these young men. That is what I am complaining of.

Mr. POINDEXTER. Mr. President, will the Senator from Oregon yield to me a moment?

Mr. CHAMBERLAIN. Yes.

Mr. POINDEXTER. Mr. President, I can aid the Senator from Oregon, I think, in following out the conclusion that he is looking for as to who is responsible.

Mr. CHAMBERLAIN. I should like to know, for I do not know.

Mr. POINDEXTER. The one man who is responsible for the executive departments of the Government is the President of the United States.

Mr. CHAMBERLAIN. Yes; that is true; but that begs the question, I will say to the Senator from Washington. The President is responsible for the execution of all these laws; but the Senator from Washington knows very well that the President could not give these matters his personal attention. I know the Senator from Washington wants to be fair; but that is hardly a fair way to put it.

Mr. POINDEXTER. I certainly do not want to be unfair; but I would like to ask the Senator from Oregon if he takes the position that the President of the United States, who is elected by the people and who has the appointment of the different Cabinet officers who have charge of the business of those departments, is not to be held responsible for any of the results of their administration?

Mr. CHAMBERLAIN. No; I do not claim that.

Mr. POINDEXTER. Then it follows, I suppose, that the President, is to be held responsible?

Mr. CHAMBERLAIN. Mr. President, in the last analysis, what the Senator from Washington says is correct; the President is responsible for the appointment of men upon whom devolves the discharge of these duties which are not performed, but I thought possibly the Senator's question would leave the impression that the President himself had put his hand on this particular thing and had tied it up.

Mr. POINDEXTER. My complaint is—if it may be denominated a complaint at all—just the opposite to that; not that the President has put his hand on it and made a mistake, but that he has not put his hand on it at all. In all the discussion during the morning as to whether the Post Office Department was responsible or whether the War Department was responsible for the failure of the aircraft, the failure of ordnance, and the neglect of wounded soldiers, no one seems to have assumed that there was any head to the Government superior to the different departments whose duty it is to coordinate them and demand efficiency in them all.

Mr. CHAMBERLAIN. The Senator is right theoretically, but the Senator knows that the President can not know—it is not humanly possible for him to know—all that is going on in the War Department, in the Interior Department, and in the other departments, because one man has not enough heads and enough hands to know and do these things, but he is responsible for the appointment of these men, and if I knew of a case where the President is directly responsible in any particular matter, you can rest assured I would point it out. I am not afraid to criticize the President or anyone else.

Mr. POINDEXTER. Mr. President, I know the Senator is not, and I honor him for it, and I think he is honored by the country for the fact that he is not afraid to criticize any officials. The higher the official is the more important it is that he should be subject to the operations of public opinion and to just criticism. But I should like to ask the Senator if he takes the position that in such a general failure as we has described, in the case of a number of the heads of great executive branches, for instance, the failure to pay the soldiers, the general fact that soldiers are not paid, as the Senator alleges, if the President of the United States ought not to be expected to know that, and to remedy that condition? One word from him would remedy it.

Mr. CHAMBERLAIN. And one word from the Secretary of War pretty nearly would remedy it. That is what I am trying to get—the one word.

Mr. POINDEXTER. But the Secretary of War is under the orders of the President. The people of this country do not know the Secretary of War; they did not elect the Secretary of War; they did not know that Mr. Baker was going to be Secretary of War when they chose the man responsible for the executive branch of the Government. They elected the President of the United States; and he is the man that they have a right to hold responsible for results.

Mr. CHAMBERLAIN. I think theoretically the Senator is correct.

Mr. POINDEXTER. Well, Mr. President, I do not concede that it is merely theoretical; it is intensely practical. The President of the United States is entitled to the credit for the success of his administration, and everyone wants to give him credit for any merit that may be found in the conduct of the executive branch of the Government, but by the same rule he ought to be held responsible for those things that go wrong.

Mr. CHAMBERLAIN. I do not know that there is anything further I can say to the Senator. I have held executive positions where great responsibilities rested upon my shoulders, and I know from experience how impossible it is for the Executive to know and do everything. My own State, for example, has millions of acres of school and public lands, and it was a physical impossibility for me when I was governor of that State to know just exactly the condition of all of those lands. Of course, I knew in a general way, but not in detail. Fraud was charged on every hand. We cleared the atmosphere; but I had to do that through agents; I could not do it myself. If I chanced to get an agent who was wrong, then I would have had to suffer just as the President suffers when he has an agent who is wrong. I think we ought to know whether or not a man under the President, who holds his position by virtue of a presidential appointment, is doing his duty, and, if he is not doing his duty, let the people know it.

Now, Mr. President, I am anxious to go ahead. What I have been discussing is the hospital situation generally. At this time I am not prepared to put my hand on any particular thing and say this is wrong or that is wrong or there is graft here or graft there. I do not make any such charge as that. What I am trying to do is to call attention to a fact which the country knows, and that is that a reception for these young men is not being properly prepared—not hastily enough prepared. Congress is doing all that it can to relieve the situation both here and abroad; Congress has never declined to do anything; it has gone ahead on its own initiative and given these young men their uniforms, given them extra pay, and things of that kind, but that does not reach the young fellows who are coming back here crippled.

So I suggest, as a word of warning, that the men who are responsible for this muddling along when conditions demand haste and action will be held accountable by the American people and by the boys who are directly interested. These matters not only affect the young fellow who is wounded, but his neighbor is going to be affected in the same way, and they will see to it that they are all treated fairly and justly in this matter. That is the beauty, if I may say so parenthetically, of the selective-draft law—every community in the land is represented and interested, and every time a community loses a boy and every time a boy is wounded the whole community stands with him. So the American people are going to hold delinquent officers responsible, whoever they may be.

Mr. VARDAMAN. Mr. President——

Mr. CHAMBERLAIN. I yield to the Senator.

Mr. VARDAMAN. It has been suggested to me that the reason the payments have not been made is because the soldier's record upon which the payment is based is not obtainable. It seems to me that a provident and prudent company commander, knowing that a soldier of his command was going to be separated from his company, would make a copy of the soldier's record and certify to it, so that the soldier might bring it back to the States and carry it to the hospital with him, and thus be enabled to receive his money. It seems to me a piece of carelessness that is inexcusable.

Mr. CHAMBERLAIN. Now, Mr. President, passing from the hospital situation, let me, if I may, offer one or two words of advice along other lines to the War Department. I do this because these things come to me just as the case of the young lieutenants who returned from France came to me, and I can not take up individual cases. I hope I am taking up thousands of cases in these observations. Take the pay of soldiers. That question has been discussed here to some extent. Mr. President, there is absolutely no excuse for not paying these men. There may be some difficulties in the way; there are difficulties in the way, because from the pay of a private soldier who gets $33 a month there have to be deducted forfeitures, for instance, imposed by courts-martial; there have to be deducted premiums for his war insurance; there has to be deducted the money that

is set apart for his dependents. All of these things take time, but they ought to be done; and if it takes 5 men where only 1 man is acting now, or if it takes 10 men where only 1 man is acting now to hasten the pay of these young men, let the department get the 10 men or the 5 men to do the work promptly and efficiently.

Why, Mr. President, I have innumerable letters giving instances where liberty bonds have been actually paid for as long ago as last July and have not yet been delivered. There are young men who have not been paid for 9 or 10 months. The department asks, "Why do you not send these complaints to us?" Why, Mr. President, I would have to have a clerical force almost as large as that of the War Department to take up these letters individually, so that I am just sending a message through the CONGRESSIONAL RECORD to cover them all. I have sent a good many letters to the department. Let me give you an instance of the case of a hospital record which I sent down for investigation. It was the case of a young constituent of mine at Fort Bayard, N. Mex., who had tuberculosis. He was in the Letterman Hospital in California for a while, and then was restored to duty; but later there was a return of his trouble and they sent him down to Fort Bayard; all of which was perfectly proper. I have known the father of that boy for 40 years, and the boy has known me ever since he was old enough to know anybody. He said he did not believe he could get well, there and made the usual application through military channels for discharge. He had a wife and a family dependent upon him. He volunteered, like many other young fellows. They turned down his application, and then he wrote me, and he wound up his letter by saying—I will quote the exact language, because I do not want to misquote it:

> There is an outstanding order against a soldier asking outside aid for a discharge, and a letter being written; but this letter would not necessarily have to be submitted to the Surgeon General's office. Have no complaint against treatment here at all. Best of everything is done for patients.

That was a harmless statement. Now, I usually observe these requests and do not send the letters to the department when requested not to do so; but through some inadvertence this letter slipped through my hands and got down to the department. You would think that the boy had a right to write to his Senator or his Representative; but just exactly what that boy feared happened. His letter was sent right back to the officer who was responsible.

Here is what happened: That poor boy, suffering with tuberculosis, was brought up before some sort of a board of inquiry. I am not going to take the time to read the record; but his pay was forfeited for 15 days, and he was punished for having had the temerity to write to his Senator! Now, that seemed such a palpable outrage to me that it was one of the individual cases that I went to see the Secretary of War about personally. I said, "If we have reached a point when a young man in a hospital or in the Army or anywhere else can not talk or write to his Senator the country wants to know it." The Secretary of War very kindly said, "I will take that up personally if you will send it to me," and he did take it up for me personally; and in due course, after having investigated the matter, he reported to me that the punishment had been inflicted and he could not relieve that, but that he had ordered the rule revoked under which the boy was court-martialed—the rule which forbade these young men writing to any outside person for aid. I immediately wrote him, and told him that in view of the fact that I had inadvertently gotten him into trouble, if he would let me know how much of his pay he had forfeited I would send him the money at once.

That, however, did not cure the situation. What they ought to have done was not to partially correct the wrong that had been done to this boy, but to get rid of the men who were responsible for adopting any such un-American rule as that.

Mr. SMOOT. Mr. President, will the Senator tell me the date of that letter, and, if possible, the date on which the rule was revoked?

Mr. CHAMBERLAIN. I sent the Secretary's letter to the young man. I will tell you in just a moment.

Mr. SMOOT. I will say to the Senator that I ask the question because recently I had brought to my attention the case of a constituent of mine. He not only was summoned before his commanding officer, but he happened to be a sergeant, and he was demoted at once and put back as a private, and was censured in the strongest terms for having written me a letter.

Mr. CHAMBERLAIN. I wrote to the young man on the 23d of December, 1918, inclosing him the Secretary's letter to me; and the Secretary's letter was dated just a few days before that.

Mr. SMOOT. That letter, then, is subsequent to the case I have referred to; and I sincerely hope the rule has been revoked.

Mr. CHAMBERLAIN. Mr. President, I am not going to discuss any further this question of soldiers' pay and insurance. I feel tempted to discuss the casualty lists, but I understand the Senator from Massachusetts [Mr. WEEKS] is going to discuss that matter. I think he gave notice of it a few days ago, and I am not going to discuss it, because there is no use in taking up the time of the Senate on it in view of this fact.

Mr. BORAH. Mr. President, do I understand the Senator to say that he is not going to discuss the casualty lists?

Mr. CHAMBERLAIN. Not just now, because I understand the Senator from Massachusetts [Mr. WEEKS] is going to discuss that subject.

Mr. BORAH. May I ask one question, not for the purpose of leading the Senator into a discussion of this matter if he does not wish to discuss it, but evidently he has given consideration to it: What is the explanation for this delay in the publication of the casualty lists?

Mr. CHAMBERLAIN. Well, it is a long story.

Mr. BORAH. Is it a just story?

Mr. CHAMBERLAIN. Yes and no. Take the Battle of the Argonne Forest, for instance. There many young men were killed, and under the intense fire there it was impossible even to go where they were, or to bury them, until later. The result was that it was quite difficult in many instances, because of wounds and natural decay, to identify many of them. There might have been, we will say, by way of illustration, 50 of them lost in that way and 50 others were temporarily missing from their command. They sought to identify those individuals—the killed and the temporarily missing—in order not to harass needlessly the fathers and mothers and friends of the boys at home. That is the purpose of it—not to give to the public the name of a soldier until they have had the casualty list verified.

Mr. BORAH. I can understand perfectly how that would be true at the time the conflict was being waged and for a considerable time thereafter, and I am not raising this point for the purpose of discussion; but I suppose every Senator has had numerous letters on the subject, and I never have been able to explain why it is that 11 weeks, going on two months, after the armistice was signed the casualty list is still coming out day by day. It does seem to me that within a short time after the armistice was signed and after the settlement of the difficulty an accurate statement of casualties could be made. It is the suspense, the agony of suspense, that is even worse than the knowledge.

Mr. CHAMBERLAIN. I am inclined to agree with the Senator.

Mr. BORAH. I simply wanted to know whether or not there was any reason that we could assign to the people who write us, "Why this delay?"

Mr. CHAMBERLAIN. I am frank to say that from the evidence taken before our committee there is no excuse for all of it. There is an excuse for some of it. The Red Cross had information on a lot of these boys before the War Department did. We had Mr. Castle, of the Red Cross, before our committee. We had Mr. Keppel, Assistant Secretary of War, who had the matter immediately in charge in the War Department, before us. Mr. Keppel went over to France to undertake to find out what the difficulties were and to try to correct them, so that we would get speedier returns, but for some reason the Red Cross was not permitted to give out the information it had until after the armistice was signed or very shortly before that time.

I never have been able to see any reason for that. I think they ought to have been permitted to give it all out, because here were Red Cross nurses that attended the hospitals in France where young men died, either from wounds or from disease. A young man would write a letter to his mother or to his sister or to somebody in this country and hand it to the Red Cross nurse, and those letters came over here to the Red Cross, and they were not permitted to give them to the people to whom they were addressed. That may have been all right, but it never has seemed all right to me, and I have not been satisfied with any explanation that has been attempted to be made. The reporting of casualties ought to have been improved. There are so many individual cases that appeal to the heart that one hardly knows where to start and where to stop in discussing the situation.

Take the case of an old classmate of mine, at Washington and Lee University, who had two sons in France, both lieutenants. One of them was a young staff officer, not over 22 years old. He was given a dangerous mission to perform, and he performed it like a man; and when he lay down, wounded, to die, he wrote a message to his commanding officer telling him why he had failed in his mission. That message was on the boy's body; and the first notice the father had of that boy's death was on the blackboard in the Sunday School of a church

that he attended! Now, here was an officer performing a dangerous errand, "carrying a message to Garcia," if you please, but under the most desperate circumstances. It seems that the War Department ought to have had official information about that officer; and the father came here to talk to me, and see if I could not get some official information about him.

That is only one case. There are hundreds of them. I presume every Senator gets letters about them. I could read into the RECORD here stories that would make the hearts of the American people bleed, due largely to inefficient methods. I am not charging anybody with doing wrong. I think we have accomplished wonders in this war, but we seem to have forgotten the little things that set the heartstrings in motion. We seem to have forgotten those who above all are entitled to our attention, now that the war is over.

Passing that, I come to another thing, Mr. President, not so much in the way of criticism, as by way of suggestion, in the hope that some remedy may be found for conditions that exist. It is with reference to inequalities in the administration of the law as it affects the soldiers. The administration of military justice during this war has developed many cases of life or long-term sentences by courts-martial which either would not have been imposed at all or would have been much more lenient if the rights of the enlisted man had been properly protected in the course of his trial before the court-martial. Mere boys, some of them wholly irresponsible mentally for their acts, have been adjudged guilty of serious civil or criminal offenses and sentenced for life or long terms in the penitentiary. Court-martial sentences found by the reviewing authority to be null and void for want of jurisdiction have been allowed to stand, thereby subjecting to illegal punishment a man sentenced without justification of law.

A soldier doing military police duty who entered a shop during the night, because, according to his own story, he heard a noise which he thought was made by a burglar, was found in the shop and himself accused of burglary. The court-martial which tried him found him not guilty. The commanding officer who had appointed the court disapproved the verdict and "recommended" that the court reconsider the case. The court did "reconsider" and found the man guilty and imposed a long term of imprisonment. The evidence was wholly circumstantial. On final review of the record in this case it was recommended that the verdict of guilty be set aside and the man discharged. The commanding officer, disapproving of this recommendation, has allowed the verdict to stand, and the man is now serving his sentence. This case, while not typical, illustrates the control which the military commander exercises over the administration of military justice.

A lot of those cases come to me. I have looked up many of them to verify them. I know of a case where a young lieutenant was on a court of inquiry in a certain cantonment—I will not mention where. His commanding officer said: "A. B. is charged with crime. He ought to be severely punished. He ought to be sent up for six months." The young officer, a lawyer, detailed for court-martial duty, looked into the case, and he and his colleagues sentenced this young fellow to five days in the guardhouse. His commanding officer called him up and said: "You know, that is the man whom I told you ought to be severely punished. I see you have only sentenced him for five days in the guardhouse." The lieutenant replied, "That is all that the evidence warranted. It was a very minor offense." "That is the way military law is administered here, is it?" and in a very short time the young officer was removed from that detail, simply because he had not carried out the orders of the commanding officer. What use of a court if a commanding officer is to practically control its actions?

Senators, I am not blaming the Secretary of War for this. I blame him only to this extent: That a word from him would stop such practices.

These individual cases give the human touch to conditions, and in order to impress it upon the attention of the War Department I am just going to call attention to two or three more as illustrative of what is in my mind. I am not going to give the names of the soldiers, either.

A green country boy, a private in the machine-gun company of the One hundred and fifty-sixth Infantry, was tried and convicted of the charge of absence without leave from Camp Beauregard from May 9 to May 15, 1918. That is six days. It was shown in evidence by the prosecution that he had been notified of his selection for overseas duty. The accused testified that he went home to see his mother, probably for the last time, as she was ill in a hospital. He was sentenced to a dishonorable discharge, total forfeitures, and confinement at hard labor for 25 years in a disciplinary barracks.

Now, Senators, I realize the necessity of maintaining discipline. There is not any question about that; but, in God's name, could not a boy like that have been punished a little less severely under the circumstances than 25 years in a prison, where his life in the very nature of things must be ruined?

A similar case is that of a private of Company D, One hundred and fifty-fifth Infantry, who was charged and convicted of absence without leave from May 9 to May 15, 1918—the same period of time—from Camp Beauregard—the same place—after notification of his selection for overseas duty. It was shown that the boy had gone home to his folks in Mississippi to tell them good-by. He was sentenced to dishonorable discharge, total forfeitures, and 15 years' confinement at hard labor in a disciplinary barracks.

You see, there is 10 years' difference between the punishment meted out to these two young men in the same place and for the same crime. There may be aggravated circumstances connected with them that I do not know anything about, but I can not conceive how it should have been found necessary to have inflicted such terribly severe punishment. I can understand that if it was on the battle front and a boy had left his post without leave his punishment should be severe, even to sentencing him to be shot.

Mr. LA FOLLETTE. He returned voluntarily, did he?

Mr. CHAMBERLAIN. So I understand.

Now, take another case: A private of Company M, Forty-ninth Infantry, was convicted of sleeping on his post at Camp Merritt, N. J., and was sentenced to a dishonorable discharge, total forfeitures, and 10 years' confinement at hard labor in a disciplinary barracks. You see, there is the same kind of a case, and yet there are 15 years' discrepancy between the punishment meted out to the first soldier, where both crimes committed were practically the same.

Mr. WATSON. Did these men come back of their own accord?

Mr. CHAMBERLAIN. I am so informed. If the Senator from Indiana wants, I will give him the names and record, and I will give them to the Secretary of War if he wants them; but I dislike to publish these cases in the RECORD, so that the young men may probably be discredited, because I hope that something will be done to relieve many of these sentences.

Take another case: A private of Company F, Forty-ninth Infantry, was convicted of sleeping on his post at the United States Engineers' Depot, New York City, and was sentenced to dishonorable discharge, total forfeitures, and 10 years' confinement in a disciplinary barracks. He was assigned to what was virtually a watchman's job; and he gets 10 years. I can not conceive why such severe punishment should be meted out to young soldiers for such small crimes. I believe in the strictest military discipline, but it can be accomplished without any such severity as that.

A case somewhat different from these in which the President showed mercy was that of a private of the Third Training Company, Casual Detachment, who was convicted of disobedience of orders to drill and of having seditious literature in his possession for distribution. He was sentenced to be shot. It appeared that he was a sincere conscientious objector and that he had not been offered noncombatant service, as provided in General Order No. 28, War Department, March 23, 1918. He had in his possession some literature in which certain passages had been condemned by the Department of Justice, but that department had ruled that such books might be retained by members of religious sects for private study, and there was no evidence that the accused attempted or intended to distribute these books. His death sentence was disapproved by the President, and the prisoner was discharged; and very properly so. I hope the President will exercise the same clemency and show the same mercy in many other cases; and I believe he will. But I call attention to these cases to show the inequality of sentences by court-martial in the country; and there is no reason for it.

The commanding officer's control over the court-martial is such that he may "suggest" the action which the court should take.

It is wholly repugnant to our ideas of the administration of criminal law that anyone should have the power to set aside a verdict of acquittal. Nevertheless, this is the power of the commanding officer over a court-martial trial. He may exercise this power not only in the case of military offenses but also in the case of ordinary civil offenses, as, for example, larceny committed by a soldier.

The cases which may be sent to court-martial are not definitely defined or limited. The commanding officer may de-

termine what offenses shall be tried by court-martial. He may, for example, subject to the disgrace of court-martial every soldier who, no matter what the justifying circumstances, has been absent from his post for five days. He may, without any investigation of the circumstances, order such a man tried by court-martial. In the French Army such cases are not sent to trial until an investigation has determined that the man ought to be tried. With us the commanding officer exercises at all stages a military disciplinary control of the administration of military justice. We do not administer military justice according to law; it is constantly under the control of a military commander, who is not obliged either to ask for legal advice or to follow it when he has asked for it and it has been given to him by the responsible law officers of the Army.

It is not surprising under the circumstances that there are too many trivial cases sent to trial by court-martial, too many unduly severe sentences and widely varying punishments imposed for like offenses. Terms for the same or similar offenses imposed by courts-martial during the present war range all the way from life imprisonment in the penitentiary to six months' confinement in a disciplinary barracks. Frequently the life term is imposed for an offense for which in other cases a few months' imprisonment is imposed.

In the case of the less serious offenses the punishment ranges from days or months of disciplinary confinement to a few years' imprisonment. There is no standard of punishment, and the changing personnel of courts-martial and their lack of familiarity with criminal law make anything like uniformity of punishment impossible. If we are to have a democratic Army, military justice ought to be administered as it is in other countries, by courts which are constituted, whose procedure is determined, and whose action is controlled by law. Courts-martial should be required to accept the interpretation of the law by a responsible law officer in the same manner that a jury in a civil criminal court accepts the interpretation of the law by the judge of the court. This is not to suggest that military discipline should be undermined, but that it should be supported by a fair and effective system of determining guilt and imposing punishments. There is no greater obstacle to discipline than the resentment which the soldier feels for unjust and arbitrary punishment.

The records of the courts-martial in this war show that we have no military law or system of administering military justice which is worthy of the name of law or justice. We have simply a method of giving effect to the more or less arbitrary discretion of the commanding officer.

All of that responsibility does not rest on the Secretary of War; much of it may rest on Congress. We ought to enact a code that would fix the boundaries of these courts, and which would define their jurisdiction and duties; but, as it is, with these inequalities of administration, it seems to me that a word from the Secretary of War to the commanding officers would bring them very quickly to a more uniform administration of the law. There is nothing in the world that will make the members of the Military Establishment do their duty in a proper way more surely than to discharge or reprimand an officer once in a while. There is a sort of free masonry amongst them, and whenever one of them is put on the tenter-hooks for anything that he has done irregularly, everyone in the Army who is of the same rank and grade has his ear to the ground and knows it, and governs himself accordingly.

Mr. SHAFROTH. Mr. President, will the Senator from Oregon yield to me for a moment?

The PRESIDING OFFICER (Mr. JOHNSON of California in the chair). Does the Senator from Oregon yield to the Senator from Colorado?

Mr. CHAMBERLAIN. Yes.

Mr. SHAFROTH. Has not the Senator from Oregon noticed the various determinations by courts of justice in the States, and noted how vastly different are the sentences which are imposed by such courts as the result of judicial proceedings?

Mr. CHAMBERLAIN. Oh, yes.

Mr. SHAFROTH. That is true in like cases of like offenses which are prosecuted. I have noticed such variations to have been from 1 year to 14 years. Such sentences often depend upon the judge and upon the character of his impression as to what would be the proper sentence. Some judges believe in severe sentences; others believe in light sentences; while still others believe in almost no sentences. The severity of the sentence oftentimes results from the make-up of the individual. So I do not see how in such cases anyone can be properly charged with any neglect or any wrong in permitting these judge advocates to remain in office. People both in times of war and in civil life invariably hold different views as to crime. Some will say, "This man should be set up as an example; I will show the people in this community that there has got to be respect for a certain law"; and such judges will impose severe sentences, while at the same time almost across the border in another judicial district there will be another judge who will impose a very light sentence. That is human nature; men are differently constituted; so it seems to me when these inequalities of sentences have occurred no one is to blame except the individual who imposes the sentence.

Mr. CHAMBERLAIN. I realize the force of the Senator's suggestion. I have had some of the same experiences the Senator has had, and, besides that, I was prosecuting officer in my State in a large district for four years, and I know the difficulty of meting out exact justice. The conditions in different communities or different counties in the same State will be entirely different; but there is the great equalizing power in the chief executive, and ninety-nine times out of one hundred he exercises it so as to equalize inequalities by the use of the pardoning power or in some other way. But here is a great central government with a Secretary of War entirely in charge of the military branch of it, and under whose jurisdiction all of these crimes come. He can very much relieve the situation if he will only attempt by proper order to do so. When he sees that two young men in the same cantonment, as at Camp Beauregard, are sentenced, one for 15 years and one for 25 years, for exactly the same offense, a simple word from him to the President of the United States would result in equalizing the sentences, if necessary, by the use of the pardoning power.

Mr. WILLIAMS. Does the Senator mean the same offense or the same charge?

Mr. CHAMBERLAIN. The same charge.

Mr. WILLIAMS. When two men are charged with the same offense and brought up for trial, the Senator must recognize, as I do, that the facts may appear entirely different in the two cases. The characters of the two culprits, or the alleged culprits, may appear entirely different. There is not an inequality of punishment for an offense, but an inequality of punishment on a charge. One man is found guilty of killing another, another man is found guilty of killing still another, and a third of killing still a third; one man is hung, one man is sent to the penitentiary for life, and one man is convicted of manslaughter. All the Senator knows about these cases is that the charges were identical.

Mr. CHAMBERLAIN. The suggestion of the Senator is more or less true. In the very great haste——

Mr. THOMAS. Mr. President, may I inquire of the Senator whether these individual cases to which he has referred have been appealed to the Judge Advocate General?

Mr. CHAMBERLAIN. I think all of them have been.

So much for that, Mr. President. Where there is a noticeable inequality on the face of the record, and there are those under the Military Establishment who know the facts, it seems to me they ought to be looked into, with the power of recommendation somewhere to relieve the situation; but the sure cure for it all is to have some sort of a tribunal, appellate or supervisory, that shall have the power to formulate rules and equalize these unjust sentences, under the direction, of course, of the Commander in Chief of the Army and Navy.

Mr. WILLIAMS. Mr. President, I should like to ask the Senator a question there, if he will yield.

Mr. CHAMBERLAIN. I yield.

Mr. WILLIAMS. Taken for granted that the Senator's suggestion is perfectly apropos and perfectly right, whose fault is it that there is no such tribunal? It can not be the fault of the Secretary of War.

Now, I should like to ask the Senator another question in that connection, and let him answer them both at once. Suppose he was Secretary of War or suppose that I was Secretary of War. Does the Senator imagine that either he or I could take personal cognizance of all the thousands of cases, examine them like a justice of the peace, and go into the testimony to see just how far each individual ought to be punished? In other words, if there is not a tribunal—and there would have to be about a thousand tribunals, by the way, for one could not attend to all the business—how do you expect a man of flesh and blood, like Baker or CHAMBERLAIN or WILLIAMS, to go into all these cases?

Mr. CHAMBERLAIN. Mr. President, I realize the force of what the Senator says, and I stated before the Senator came in and did me the honor of his presence that I am delivering this one message and placing it in the CONGRESSIONAL RECORD to call the attention of the Secretary of War to conditions. I can not take up the innumerable cases that have come to me, and do not expect the Secretary of War to do so; but the Secretary has

never been denied anything in the way of assistance that he has asked for in this war.

Mr. WILLIAMS. Now, if the Senator will pardon me just once more, and then I hope to let him alone——

Mr. CHAMBERLAIN. I hope so, because I wish to finish.

Mr. WILLIAMS. Not only the present Secretary of War, but various Secretaries of War, have communicated to us in times of peace and in times of war, during the Revolution, the Mexican War, the War between the States, the Spanish-American War, and this war, and so far the committee over which the Senator from Oregon presides—the Military Affairs Committee—has had charge of the question of courts-martial. The whole country has agreed to substitute in time of war for the ordinary courts operative in times of peace, for justices of the peace, circuit courts, appellate courts, and various courts, so-called courts-martial. They have tried to organize them so that approximate and quick justice could be dispensed in war times. It must be quick; we can not fool with it; we have got to keep up discipline in the Army; and being determined to do that we have organized the present courts-martial. The Senator will remember that while serving upon the committee of which he is chairman and of which I was once a member, I found at one time that one officer had been the accuser, the judge, and the chief witness against a man whose rank had been taken away from him. We remedied that, and why can not the committee remedy such other injustices as suggest themselves?

Mr. CHAMBERLAIN. I think the committee will attempt to do so where legislation is necessary, Mr. President, but the committee occupies this position: The committee is limited as to its clerical force. To attend to all these things is a physical impossibility for the committee with the clerical force that the committee has, while the Secretary of War is supplied not only with a great body of legal advisers, to whom he can refer any of these matters either for advice or to draft legislation, but with as much money as he needs for any legitimate military purpose. We have amended the Articles of War during this Congress two or three times at the request of the Secretary of War. He is having these difficulties pointed out to him, and I have not any doubt that if he asks for another amendment to the Articles of War we will amend them again.

Mr. McCUMBER. May I ask the Senator a question?

Mr. CHAMBERLAIN. Yes.

Mr. McCUMBER. I wish to ask the Senator if, from his observations, he has not long since arrived at the conclusion that all of the punishments imposed by courts-martial, taking them as a body, are immensely more severe than punishments which would be imposed by the ordinary courts and in most cases we might say unconscionably severe?

Mr. CHAMBERLAIN. I think that is true, but I will say to the Senator that in times of war I have no objection to the severity of sentences, as a rule, because discipline is absolutely necessary to be maintained. If a soldier is guilty of an offense and is only sentenced to five days there might be 5,000 men associated with him who would commit the same offense if they knew they would only get five days' punishment.

Mr. McCUMBER. But even in times of peace I find the punishments imposed by courts-martial immensely more severe than the punishments imposed by civil courts.

Mr. WILLIAMS. Mr. President, the Senator would not punish the Senator from North Dakota for going to sleep at all, would he?

Mr. CHAMBERLAIN. Not if he were in good company and with some one like the Senator from Mississippi.

Mr. WILLIAMS. But the Senator would punish a soldier for going to sleep when he was a sentinel, and he might have to shoot him for doing it, because it is a very serious offense.

Mr. CHAMBERLAIN. Yes, of course; there is no doubt about that in time of war.

Now, Mr. President, these remarks are just by way of suggestion with reference to the dispensing of military justice, and I do hope that the War Department will take some notice of them.

There is only one other matter that I am going to discuss, and that is the question of demobilization. That is a question we have had a good deal of trouble about, and one concerning which, I presume, every Senator has been getting a great many letters. I am not one of those who believe that we ought to hastily disorganize our Army. This war is not ended yet. I hope that those who are negotiating peace terms will reach a conclusion which will end it; but at this time we are not at peace. I think we ought to move with some degree of care in the demobilization of the Army; and yet whether we are moving quite as fast as we ought, I am not prepared to say. That is a military proposition. Now, what I object to and what I want to call the attention of the Secretary of War to is the fact that the American Army, both in France and here, do not know what to expect. They ought to know—not only the American Army, but the American people ought to know—just exactly what they are to expect in reference to demobilization. We do not know.

Mr. NEW. Mr. President——

The PRESIDING OFFICER (Mr. STERLING in the chair). Does the Senator from Oregon yield to the Senator from Indiana?

Mr. CHAMBERLAIN. Yes.

Mr. NEW. I hesitate to interrupt the Senator, and yet, with his permission, I should like to read a few lines from the law approved June 15, 1917, with reference to the duration of the period for which men were conscripted or for which enlistments were to last. It is as follows:

> Whenever said war shall cease by the conclusion of peace between the United States and its enemies in the present war, the President shall so declare by a public proclamation to that effect, and within four months after the date of said proclamation, or as soon thereafter as it may be practicable to transport the forces then serving without the United States to their home station, the provisions of said act, in so far as they authorize compulsory service by selected draft or otherwise, shall cease to be of force and effect.

In other words, Mr. President, we made an implied contract with every soldier we took into the service that his enlistment should end not longer than four months after the declaration of peace. It is true, to be sure, that the President has issued no proclamation and that until he does theoretically we are still at war, but it is quite as true that in point of fact hostilities have ceased and that we are no longer actually at war.

In common with every other Member of this body, I suppose, I am in daily receipt of letters from people from home and applications in person and in writing from soldiers on both sides of the Atlantic who are anxious to get out, and who feel that their obligation to the Government under this law has been amply discharged. I have been hoping that the Senator would come to a discussion of that question in the course of his remarks, and, in order that he may enlarge upon that somewhat, I have taken the liberty to interrupt and to call to his attention that feature of the law.

Mr. KING. Mr. President, if the Senator will pardon me——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Utah?

Mr. CHAMBERLAIN. I do.

Mr. KING. The Senator from Oregon very kindly consented to yield. The Senator's remarks would imply that he construed the act as meaning that the four-months' period to which he refers dated from the armistice. Obviously the Senator is wrong, because that four-months' period would not begin to run until the proclamation of peace was signed.

Mr. WILLIAMS. And promulgated.

Mr. KING. And promulgated.

Mr. NEW. No, Mr. President; I understood that full well. The law states that this shall date from the issuance of a proclamation by the President, and I, of course, understood that until that proclamation is issued we are theoretically at war. But practically and actually we are not at war; and what I seek to bring out is the fact that not only the soldiers themselves but the people at home are exceedingly anxious to reach some understanding as to when the period of this service may be reasonably expected to cease.

Mr. KING. The point I was trying to make was that I think it would be very unfortunate to have the country believe that the period of four months would begin to run from the time the armistice was signed; and it seems to me that it is purely speculative now to say when their services will not be required. We can not say that the war is over at all. There may be at any moment a recrudescence in some form or other in Europe, and we would be very foolish to withdraw our troops now.

Mr. WILLIAMS. Mr. President——

Mr. NEW. Mr. President, I am infringing a good deal upon the time of the Senator from Oregon, and I will reserve an answer to that question until I can make it in my own time.

Mr. WILLIAMS. Mr. President, if the Senator from Oregon will pardon me——

Mr. CHAMBERLAIN. I should like very much to conclude. Does the Senator wish to ask a question?

Mr. WILLIAMS. I can not say that it is a question, because it is pursuing the thought suggested by the Senator from Utah just a moment ago. There are somewhere between two and three million German soldiers still with their arms, armed now, and fighting one another, in Berlin and elsewhere, and under the admirable military machine system of the German Empire

they can be remobilized within 48 hours. If we are fools enough not to leave a "watch on the Rhine," we will have to remobilize all over the civilized world to lick Germany again.

The Senator from Oregon says, "What are we to expect?" and "somebody ought to tell us what to expect." I can tell him what we are to expect. Each boy in that army is expected to stay until he knows that this fight has been won and that Germany has been handicapped and hamstrung and rendered helpless as a part of the ultimate terms of peace, and not as part of the provisional terms of an armistice.

Mr. CHAMBERLAIN. Mr. President, in answer to the distinguished Senator from Mississippi, permit me to say that if he had listened to me he would have heard me say that I was not one of those who believed in the immediate or hasty demobilization of the whole Army.

Mr. WILLIAMS. I was not replying to the Senator from Oregon; I was replying to the Senator from Indiana.

Mr. CHAMBERLAIN. The Senator referred to the Senator from Oregon. Perhaps he meant somebody else. But now let me tell you what I meant when I requested information for the soldiers and for the people as to what they intend to do.

You can take the circular letter that has been sent to every Senator and to every Representative from the Adjutant General's Office telling what is necessary to be done in order to get young men discharged and what is the program of demobilization, and it is so loosely drawn that anything is possible to be done under it. There is no certainty about it. There are so many provisos to it that when it gets to a man in the ranks who thinks he has had a promise that he is going to be discharged he does not know what it means. What I am getting at is to have the department tell these young men what they and their people may expect. Now, here is what I mean by that:

The war has been ended now a month and a half—more than a month and a half.

Mr. THOMAS. That is, it is a month and a half since the armistice was signed.

Mr. CHAMBERLAIN. I mean, the armistice has been in force over a month and a half. On the 12th day of November, 1918, the next day after the armistice was signed, Great Britain commenced to plan for the demobilization of her army at home and in France. Great Britain was not afraid to take these steps because of Germany. Great Britain did what the Secretary of War ought to have done. It does not need any legislation to do it. He can not come back to Congress and say—

> Shake not thy gory locks at me.
> Thou cans't not say I did it.

No legislation is necessary. The Secretary of War has absolute power to act in the premises, under the Commander in Chief of the Army and Navy of course.

Now, let us see what Great Britain did.

Mr. WATSON. Mr. President, will the Senator yield?

Mr. CHAMBERLAIN. I yield to the Senator from Indiana.

Mr. WATSON. The act to which my colleague [Mr. NEW] has called attention seems to be dual in character. The first part of it recites:

> That the service of all persons selected by draft and all enlistments under the provisions of the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, shall be for the period of the war, unless sooner terminated by discharge or otherwise—

Having reference to the soldiers yet in the United States—

> Whenever said war shall cease by the conclusion of peace between the United States and its enemies in the present war, the President shall so declare by a public proclamation to that effect, and within four months after the date of said proclamation or as soon thereafter as it may be practicable to transport the forces then serving without the United States to their home station, the provisions of said act, in so far as they authorize compulsory service by selected draft or otherwise, shall cease to be of force and effect.

It seems to be dual in character, the first portion having reference to those in the United States, the second portion having reference to those without the United States; and as to those within the United States, they can begin demobilization at any time under the provision of that act.

Mr. CHAMBERLAIN. Mr. President, I do not care to enter into that discussion, because, whatever my personal views may be with reference to the disbandment of the Army, I am willing to leave that as at present advised to the military authorities, acting probably under the advice of or in conjunction with Gen. Pershing, to do what seems to be the best thing to do in this emergency. What I mean to suggest is that we ought to have followed in the footsteps of Great Britain. The next day after the armistice was signed we find that Mr. MacPherson, the undersecretary of state for war, discussed this question of demobilization in Parliament, and between the 12th day of November and the 23d of November they had adopted a policy, and they sent men out to lecture to the soldiers to tell them what they might expect. There is not a cantonment in the United States where the soldiers can tell you that they understand what to expect. All of them expect something different.

Mr. MacPherson says:

> I am fully aware of the importance of the diffusion amongst the troops serving abroad—

Serving abroad, mind you. These are the troops on the Continent—

> of information as to the Government plan for demobilization of forces. Arrangements have been made by which full information concerning the method of demobilization will be given to the troops when the situation is suitable. Lectures are already being given at the front dealing with the outlines of the procedure to be adopted.

If we had adopted some such policy as that, there would not exist the present discontent amongst the troops and the people.

There ought to have been some notice given to our soldiers and to the American people, first, that the married men would be excused; second, that the boys who were going back to a job would be next; third, that those who had dependents would be next or whatever order was determined upon. In other words, we ought to have organized the Army for demobilization along the lines that appealed to the economic condition of the country.

Continuing, Mr. MacPherson said:

> The claims of married men to early relief have been recognized, and it has been provided in the scheme of demobilization that, other conditions being equal, married men shall be selected in preference to single men for draft for disposal.

And again:

> In view of the present situation, as many additional miners—

Now, this is the coal miners—

> as many additional miners as possible who are serving at home will be released.

And I understand some British miners and others are being released in France. In other words, they considered the economic conditions of the country, and selected the men for discharge along the lines that were for the best interests not only of the men and their dependents but of the country.

What have we done? We have a War College. Has it studied out and given to the people the advantage of the knowledge that it had? Has any decree been issued for the demobilization of these men along lines that fitted into our life? We have not heard of any.

Mr. SHAFROTH. Mr. President, I saw a statement in the paper, I think it was yesterday, that 600,000 American troops had been demobilized within five weeks, and I saw another statement to the effect that 30,000 were to be transported every day from France or from the Continent to the United States.

Mr. CHAMBERLAIN. How many married men were in that number?

Mr. SHAFROTH. I do not know.

Mr. CHAMBERLAIN. How many miners were in it?

Mr. SHAFROTH. I do not know. Perhaps it was 30,000 that were going to be discharged.

Mr. CHAMBERLAIN. May I ask the Senator how many married men were in that number?

Mr. SHAFROTH. I do not know. No account was given of it. I did not suppose that men were demobilized except in regiments and companies. I supposed that was the manner of demobilization—I think it was the manner of demobilization in the Civil War—without regard to the question of whether they were married or whether they were not. At least it could take place more speedily. To inquire as to each person and as to the necessity of his being at home would require a great deal of time of itself. I supposed that demobilization took place in companies and in regiments.

Mr. CHAMBERLAIN. No; they have not done that, as the Senator will find if he will take the trouble to inquire. They are demobilizing individually now. What I am getting at is, On what basis are they demobilizing these men?

Mr. GORE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Oklahoma?

Mr. CHAMBERLAIN. I do.

Mr. GORE. I should like to say that I made application a few days ago to the War Department to discharge drillers in the oil fields. They are engaged in the production of a very important source of industrial power, standing pretty much on the same footing as coal, and I thought that the department would be justified in expediting the discharge of these men, because they are largely young men and have been largely taken by the draft. There is a sore need for labor of this sort which can not be easily supplied, or supplied in an impromptu way. The department advised me that it would not be practicable to do that.

Mr. CHAMBERLAIN. I am glad to have that statement from the Senator. If those men had been in Great Britain they would have been released, whether they were in the army in France or whether they were in the army in England.

With reference to the great number that are being discharged, as stated by the Senator from Colorado, we may be discharging them too fast. I am not prepared to say as to that. The proposition I am suggesting, and the criticism I have, is that we are not discharging them on any uniform basis, so far as I have been advised. There is no system about it.

Mr. HENDERSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Nevada?

Mr. CHAMBERLAIN. I yield to the Senator.

Mr. HENDERSON. I would call the Senator's attention to Circular No. 77, issued by the War Department, if the Senator has not yet examined it.

Mr. CHAMBERLAIN. I have read them all; and if the Senator will get the circular letter that goes out of The Adjutant General's Office covering the whole method he will find that it is like a Delphic oracle. You can construe it into anything you want.

Mr. WATSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Indiana?

Mr. CHAMBERLAIN. I yield.

Mr. WATSON. Is Circular No. 77 the one under which they permit each individual to make his own application or assign the particular reason for his discharge?

Mr. CHAMBERLAIN. That is the one; yes.

Mr. WATSON. Is it not a fact that that has been put in abeyance somewhat? That is to say, I am informed that at certain cantonments and certain training stations they will line up a company and men will go along and say to that man, "Step out," and to the other man, "Step in front," and so forth, and in that way they select 60 men from each company to be kept there, regardless of the business that the man left when he entered the service or the business that he could go back to when he goes home, regardless of his family relationships, regardless of the number of dependents upon him. In that way they leave men in the service who in reality ought to be discharged and they discharge men who ought to be left.

Mr. CHAMBERLAIN. That is true. That is just what I am criticizing, and that is what I am suggesting, and that is why I call attention to the British method, which is the same method, the adoption of a policy uniform in character and the instruction of the men as to just what they may expect.

We think we are quite progressive in America, but the British people not only outstrip us in this race of demobilization, but they have adopted a policy that is more liberal than our own policy, and I think probably our Congress will be still more liberal than they have been. Now, note. Mr. MacPherson says further:

> It may be well that I should state at once that on demobilization—

Now, notice this—

> Each man will receive at least 28 days of leave, with pay and allowances, and that he will be fully insured against unemployment for a period of not less than 20 weeks during the first year.

See how those people are taking care of the men who have been fighting for four long, weary years! Have we any policy in this regard? None at all, so far as I have been advised.

That is the criticism I have, Mr. President. I am not blaming the Secretary of War or anybody else because these men are not being discharged faster, for I do not know what the military necessities are now; but I am blaming the authorities because they have no policy, and they have not let the American people know what plans, if any, they have, so that they may know how to govern themselves; that is all. "If that be treason, make the most of it." Referring again to the proceedings in Parliament on the subject of demobilization of the army, I ask, Mr. President, to have the discussions printed in the RECORD as a part of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

DEMOBILIZATION IN GREAT BRITAIN—OFFICIAL STATEMENTS IN THE HOUSE OF COMMONS FROM THE SIGNING OF THE ARMISTICE TO THE PROROGATION OF PARLIAMENT, NOVEMBER 21, 1918.

Information for the army. November 12 (2469).

Mr. MACPHERSON (undersecretary of state for war). I am fully aware of the importance of the diffusion amongst the troops serving abroad of information as to the Government plans for the demobilization of the forces. Arrangements have been made by which full information of the method of demobilization will be given to the troops when the situation is suitable. Lectures are already being given at the front dealing with the outlines of the procedure to be adopted.

Married men (release). November 12 (2469).

Mr. MACPHERSON. The claims of married men to early release have been recognized, and it has been provided in the scheme of demobilization that, other conditions being equal, married men shall be selected in preference to single men for the drafts for disposal.

Coal supply (release of miners). November 12 (2470.)

Mr. MACPHERSON. In view of the present situation, as many additional miners as possible who are serving at home will be released, and I understand some are being released from France.

Leave with pay and unemployment benefits. November 12 (2581).

Dr. MACNAMARA (secretary to the Admiralty). It may be as well that I should state at once that on demobilization each man will receive at least 28 days' leave with pay and allowances, and that he will be fully insured against unemployment for a period of not less than 20 weeks during the first year.

Unemployment benefits. November 12 (2581).

Dr. ADDISON (minister of reconstruction). The rates for benefits for both ex-service and civil workers are as follows: Adults, 24s. per week for men and 20s. per week for women, with 6s. per week for the first dependent child under 15, and 3s. per week for each succeeding dependent child, so that a man with a wife and one child will get 30s. per week and 3s. for each additional dependent child. The donation will not be payable for the first three days of any continuous period of unemployment. The out-of-work donation payable to partially disabled men in receipt of pensions will be additional to their pensions, and no deductions will be made on account of such pensions.

Plan of demobilization. November 13 (2583–2588).

Dr. ADDISON. I propose to issue a pamphlet, which is in popular form, but I hope honorable members will not like it any the less for that. It is intended to be read by the general public. It will be posted to every member this evening. The pamphlet sets out the whole scheme of army demobilization, and it is reduced at the end to the form of question and answer. It deals with the navy, the air force, and the army. This matter was gone into at great length by a committee presided over by my honorable friend the secretary of state for India [Mr. Montagu], appointed by the previous government, and we have adopted the principle that demobilization must be governed by industrial requirements. It has been a most elaborate piece of work. We have had to have the army classified into trade groups, of which there are 42, and the department at the war office that deals with this side of the question fills me with admiration. Arrangements have been made to mark down first, what we call the demobilizers. They are the people required to start the demobilizing machinery. That has been done. The next group are what we call pivotal men, and here again I have issued a precise statement. You get in practically every work some men round whom the work revolves, and until they are there you can not get the work started. Therefore the ministry of labor have invited the different trades to specify their pivotal groups, and these are separately catalogued in the army.

The demobilization, whilst the man is with the colors, will be managed by the war office, but the order or priority of demobilization—the arrangement for picking out the pivotal men—is undertaken by the organization at the ministry of labor under Sir Stephenson Kent. The civil side is under that organization, and the army deals with the military side of it. Those are the two organizations which work in common, and which deal with the whole arrangements.

In discussing occupation we naturally have to have regard to those occupations the reestablishment of which causes the biggest amount of employment. We naturally put them very high in the scale. Therefore the priority grading of employment is based upon considerations of that kind. It must depend partly upon the time of the year, because grading is different now from what it would be in harvest time. At any rate, these pivotal men represent a group, and they, of course, will come back early. But within each group we have regard to the length of service the men have done during the war, whether a man is married, and other considerations of that kind. Another large group of the army which has been separately marked down, and which makes our problem very much easier, is that large group of men for whom there are jobs waiting for them when they come back. I am sure we all recognize that it is a national duty to secure these men the priority of reemployment when they return. I am glad to say, according to information I have received from the minister of labor, that more than 60 per cent of the men in the army are what are called "slip" men—that is to say, men who have jobs awaiting them. So that when a commanding officer receives an order to send back a certain number of men, he knows at once which men are the pivotal men and which men have a job awaiting them, and this eases our problem enormously with regard to employment at home. Those have been the governing considerations right through this very elaborate scheme.

The scheme deals with the whole of the army, whether at home or abroad. The committee considered very carefully the rate of demobilization. That necessarily must depend upon all kinds of military considerations, some of which are obvious, and the maximum rate of demobilization can clearly only be attained after some time, but the general scheme contemplates that the rate of demobilization from the forces at home will be the same compared with the rate of demobilization of the forces overseas. That at first, might look as if it gave some advantage to the men at home, but, as a matter of fact, the men at home, in the vast majority of cases, have seen foreign service; they have been abroad, therefore you can not distinguish in that way, and the scheme contemplates an equal demobilization of the two groups. The machinery by which they are to be demobilized is set out in detail in the pamphlet which I am circulating to honorable members, therefore I need not trouble the committee with it now. I may say that a man is sent primarily to a place that is called his dispersal station, which is near his home. There he receives a protection certificate, a railway warrant home, a cash payment of his war gratuity and an out-of-work donation policy, which lasts in the case of the soldiers 12 months and covers 26 weeks of unemployment, with benefit at the rate I have mentioned. He will receive the war gratuity. The precise method of the payment of that will be announced shortly. I believe it is likely that it will be paid in four weekly installments. The man will receive 28 days' furlough when he reaches his dispersal station, and will then receive pay and ration allowance during that time, and the separation allowance will also continue during that period.

There is another class of demoblized men, before I come to the officers, for whom we have to make special provision. A large number of men joined the army who had not completed their apprenticeship. It will be, I am sure, a waste of brains and energy if these men, after three or four years' service, have to go back to civil life and find that

they have lost their skill. They were practically unskilled workmen, and we must provide some incentive to their completing a short term of apprenticeship which will bring them up to a sufficient standard of skill. Therefore we have worked out this scheme for a system of completion of apprenticeship for men who have been serving in the forces. Again, I will circulate the full details, as it is a rather elaborate scheme. It is a rather elaborate scheme, but what it comes to is this—we discussed it with the employers and the workmen's representatives in great detail—the employer is to pay wages to the apprentice during the first 12 months representing not less than seven-twelfths of the current rate of wages, and the State makes them up to the man, so that he gets in the aggregate three-fourths of the wages to which he would have been entitled at that stage of his apprenticeship, and the next year it makes up to a bigger fraction still, namely, five-sixths. That is to say, what we really do, on the basis of the employer affording facilities for an intensive form of apprenticeship, is to make a contribution in view of the man's age being greater than it otherwise would have been, in order to bring up his wages practically to the standard of what they would have been at that stage of his career. The details are elaborate, therefore I do not give the committee anything but a bare statement.

Now I come to the question of officers. We have dealt with great care with the question of officers, and the committee, under Sir Reginald Blade, spent a great many months working on this business. I am sure the committee will recognize that in respect to a large number of young men of all branches of training who gave up their prospects, who have been in the army, and have become dislocated from their normal employment, we are under a very special heavy responsibility. The Government has accepted the general principle that from the beginning of demobilization and for a year afterwards permanent appointments in the civil service shall be reserved for ex-officers and ex-soldiers. As the rigid application of this rule, however, would exclude certain candidates with special qualification, it is intended that the rule should not apply (a) to the relatively small number of posts requiring special technical qualifications or involving special responsibility, and (b) that it should not apply to a limited number of cases in which men pronounced unfit on grounds of health for general service have been temporarily employed and are specially recommended by the heads of their departments. With those exceptions, by that means we open the civil service to ex-officers and ex-soldiers for 12 months after the war.

The next thing is that a great number of officers and men in various callings have had their professional training interrupted during the war, and it would be equally, as in the case of the skilled mechanic and the apprentice, very unfortunate if we were not to recognize that we have special responsibility with regard to enabling these men to complete their professional or other training. Therefore, it is recognized that the further training or education of young ex-officers in various callings, or men not officers, who have interrupted their training in those callings, is a matter in which we have special responsibility, and the war cabinet has agreed to the principles of a scheme whereby, where circumstances require, assistance with respect to fees and maintenance shall be given on the recommendation of the training committee to enable men in those classes to complete their training. The details of the scheme proposed will be announced very shortly.

With regard particularly to a special class of cases in which the one-man business figures very largely, we propose to make provision against that by continuing the civil liabilities department after the termination of the war, so that assistance subsequent to demobilization may be given in accordance with a scheme based upon the existing regulations of the department. That covers assistance with regard to officers and men who are unable, by reason of their undertaking military service, to meet their financial obligations after demobilization, and are thereby exposed to serious hardship, and the obligations in respect of which assistance may be granted are those arising in respect of rent, interest, and installments payable in respect of loans, including mortgages, installments payable under agreements for the purchase of business premises, a dwelling house, furniture, and the like, rates and taxes, insurance premiums, and school fees. We will continue the existing scheme for assisting those cases. There it will be within the discretion of the department which deals with the civil liabilities to make a grant, either in the form of a lump sum or by quarterly or other installments, and if in any particular case the department is of opinion that in lieu of assistance in respect of any of the specific obligations mentioned above it is desirable that assistance should be given for the purpose of enabling applicants to purchase stock, trade, or shop fittings, a grant may be given for this purpose.

In connection with reorganization, we have to consider another question which has been present to the mind of everyone, and that is the considerable and very right demand that in appropriate cases where they are capable of making good use of these facilities the men shall have some right of access to the land. A scheme has been worked out and examined in great detail by a cabinet committee, the details of which will be announced shortly, which will provide facilities for ex-service men of all branches of service, for settlement either on small holdings, allotments, or gardens.

Civil positions (priority of release). November 13 (2651).

Mr. MACPHERSON. Provision has been made in the demobilization scheme that those men whose civil positions have been kept open for them shall receive priority of release within their several industrial groups. Instructions will be issued in due course, but no application should be made by employers until public notification is given. While it is not proposed to differentiate between volunteers and conscripts as such, the object aimed at will be achieved by including in early drafts a certain proportion of those men who have served longest in a theater of active operations.

Information from employers. November 13 (2652).

Mr. ROBERTS (minister of labor). In order to assist the working of the scheme by which men with definite employment awaiting them can be released early, action in the direction indicated by the honorable and gallant member is being taken. Letters are being issued to employers suggesting that they should prepare particulars of men now with the forces whom they wish to engage immediately upon dispersal. The particulars required will be the men's names, the nature of the employment, and the rate of wages offered, and also, if possible, the unit, regimental number, and home address. It is not desired that these particulars should be supplied to the ministry of labor at present, but employers will be asked in due course to send the particulars to the employment exchanges on special cards which will be supplied.

Applications for release. November 14 (2869–2870).

Mr. ROBERTS. The civil demobilization and resettlement department of the ministry of labor will be responsible for dealing with applications for the release of men from the forces and for laying down the principles which, subject to the exigencies of the naval and military situation, will regulate the order of release. I propose to deal with both these points in a public announcement.

Police. November 14 (2876).

Mr. MACPHERSON. Provision has been made in the demobilization scheme for the early release of policemen serving with His Majesty's forces.

Procedure. November 18 (3201).

Mr. MACPHERSON. Men will be released from military service in accordance with a general scheme of industrial priority which is being prepared by the ministry of labor. When demobilization begins, dispersal drafts will be formed by officers commanding units strictly in accordance with instructions which have been laid down, wherein the principle of a priority on industrial grounds is combined with that of a limited priority on other grounds, such as marital condition, length of war service, etc.

Memento of service. November 19 (3310).

Mr. MACPHERSON. It is intended that on demobilization a soldier will retain his uniform (except greatcoat) and kit, and he will therefore keep his cap and badge.

Agricultural labor. November 19 (3310–11).

Mr. MACPHERSON. There are at present over 70,000 men in agricultural companies, and 5,000 plowmen who are in medical category "A" have just been sent out on two months' furlough. All men at home of any medical category, who are thrashers, are now being obtained from the army. During the harvest 20,000 soldiers were supplied, of whom about 3,000 are still engaged in potato lifting. Any men of low medical category who are experienced farm workers and are serving at home are being attached to agricultural companies and made available for agricultural work.

Professional men. November 19 (3318).

Dr. ADDISON. Arrangements have been made to earmark for early release when general demobilization begins soldiers who have definite offers of employment. The honorable member will appreciate the need for demobilizing first of all those men whose services are essential for the reestablishment of industries which will be able to absorb labor. In regulating the priority of release, due weight will be given to the industrial importance of surveyors and valuers.

Young soldiers (education). November 20 (3383–84).

Mr. MACPHERSON. It has been arranged that officers and men whose education has been interrupted by military service and who wish to resume their studies will be treated on the same basis as those men who have definite employment awaiting them, and they will be granted early release within the period of general dispersal. I am unable to make any statement as to when this release will take effect. * * * What I have tried to arrange is this: There are a great many brilliant young boys in officers' cadet battalions, and I am now most anxious that they should be allowed to attend their examinations at Oxford or Cambridge.

Building trade. November 20 (3419).

Mr. MACPHERSON. The urgent necessities of the building trade will not be lost sight of in the administration of the scheme of demobilization.

Business proprietors. November 20 (3419).

Mr. MACPHERSON. The general scheme of demobilization provides that proprietors of one-man businesses who will be able to recommence their business may be released from the army on the same basis as other men with employment awaiting them.

Pivotal men. November 21 (3522).

Mr. BRIDGEMAN (parliamentary secretary to the ministry of labor). Employers who wish to insure that men serving with the forces who desire to return to their employment are earmarked for early release should obtain from the nearest employment exchange a postcard (E. D. 406), enter on it each man's full name, unit, regimental number, and the theater of war or command where he is now serving, and return it to the exchange. These forms (E. D. 406) are also obtainable from employment exchanges throughout Scotland.

Mr. CHAMBERLAIN. Mr. President, if we shall have some system like that, suitable of course to our conditions, I shall be fully justified in my suggestions about the matter.

Mr. President, there are many other things that I might say, but I have already detained the Senate very much longer than I had intended.

Mr. WATSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Indiana?

Mr. CHAMBERLAIN. I yield.

Mr. WATSON. Before the Senator takes his seat, I should like the privilege of asking him one question as to one phase of the present situation, in order that I may have his views; that is, with reference to the order of the Secretary of War against further promotions in the Army after a fixed period of time. I understood that an order had been issued by the Secretary of War that there should be no promotions after the armistice. Is there any truth in that statement?

Mr. CHAMBERLAIN. I have not received any information on that subject.

Mr. THOMAS. Mr. President, if the Senator from Oregon will permit me, I will inform the Senator from Indiana that I took that subject up some time ago with the Secretary of War, and I can state that he is in great sympathy with the proposition that promotions which have hitherto been ordered, but upon which commissions have not been issued, should be

granted, and, when it is possible, also granted with the discharge. It may be, however, that some legislation is necessary in regard to that.

The Secretary of War also suggested that it would be pleasing to him if every officer who has served and served well and with credit were advanced one point in promotion at the time of discharge.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Utah?

Mr. CHAMBERLAIN. Yes.

Mr. SMOOT. In further answer to the inquiry of the Senator from Indiana, I will say that I, too, had a conference with the Secretary of War upon the same matter; and, as I understood, the promotion that was to be given to an officer who was honorably discharged from the service was that he should be advanced one point, provided he remained in the Reserve Army.

Mr. THOMAS. I do not want to be understood as saying that the Secretary of War would do what I have stated he favored; but that is what he would like to do, and we may be able to assist him in that effort by enacting legislation here.

Mr. SMOOT. I had noticed the Senator from Colorado had introduced a bill directing the Secretary of War to issue such commissions where they had been recommended on or before November 11, 1918.

Mr. THOMAS. Yes; I have introduced a bill to that effect.

Mr. SMOOT. I do not think that it is absolutely necessary to have legislation in the matter. All the Secretary of War has to do is to revoke the order which was issued by the War Department and to issue those commissions up to November 11; but the order was that no matter whether a commission had been recommended through the regular military channels or not, if it had not actually been perfected at the time of the signing of the armistice it should go no further and the promotion should not be granted. I hope the Senator from Colorado will use all of his endeavors to see that the bill which he introduced shall be reported to the Senate, for I know there is a feeling both in the House and in the Senate that legislation of that kind ought to be enacted, and enacted at an early date.

Mr. THOMAS. I intend to make the effort at the next meeting of the Committee on Military Affairs to have the bill favorably reported.

Mr. CHAMBERLAIN. Mr. President, I am going to request that there be printed as an appendix to my remarks the report of Gen. Pershing to the Secretary of War. That report will be found in the report of the Secretary of War for the year 1918.

The PRESIDING OFFICER. Without objection, permission to do so will be granted.

The report referred to will be found as Appendix B at the close of Mr. CHAMBERLAIN's speech.

Mr. CHAMBERLAIN. Mr. President, reading Gen. Pershing's report, brief as it is, it will be seen that the splendid courage and conduct of the American troops reflected credit not only upon them but upon America as well. The combat operations from the time they first entered the lists of combatants is told in a soldier's way and with an eloquence which only a soldier can command. I am not going to refer to that report except to call attention to and ask Senators to read the account of the battle of St. Mihiel, which Gen. Pershing said was the first great offensive of our troops, to the story of the Meuse-Argonne offensive in its first phases, in its later phases, and in its final consummation. I do not believe that any army in the world ever made such a splendid record in so short a time. In those particular operations the American soldiers constituted a separate and an independent command, and they very soon convinced the allies that America had an Army in the field on which they could rely, and one which soon taught Germany that it must be respected and feared.

One of the remarkable things about it is that from the time of the first movement forward until the Germans surrendered there was never a backward step of the American troops, except at one time, and that was under the order of a commanding French officer. Even then the American officer in command of our reluctantly and temporarily retreating forces served notice upon the world that American soldiers could not understand why there had been given to them the order to retreat and that he was about to make a counteroffensive, which he did. Mr. President, from that hour to this very holy moment there has not been a time when America has not given a proper account of herself through her splendid soldiery.

Those soldiers, as well as those here who wanted to go but who were prevented by war's sudden ending, are of the best blood and of the flower and chivalry of this country. There is represented in our Army at home and abroad every community of American life, the best of American life. The farmer's son, the laborer's son, the lawyer's son, the banker's son, the rich and poor alike, from every avenue of this splendid Republic of ours, all are there, and they have together been marching shoulder to shoulder to a victory which not only means France redeemed but means civilization protected and perpetuated for America as well as for those other countries. Glad we ought to be that our boys, those by whom government in America must in the last analysis be administered, have assisted in conquering across the seas 3,000 miles from the homeland an army brutal in its nature, unrelenting in its enmities and in its hates, no respecter of women or of children, of innocence or of age, an army which has followed and justified the advice given to it at one time by its Kaiser, "Make yourselves more frightful than the Huns under Attila. See that for a thousand years no enemy mentions the very name 'Germany' without shuddering"; an army whose subjection will for all time remove a constant menace and an obstruction to civilization.

"By the light of the stars in Old Glory's free flag
We tramp through the battle field's night;
By our side floats the sun-flag of faithful Japan
As we charge through the smoky daylight.

"Hurrah for the roar of the guns that we man
For Belgium oppressed; or perchance,
Hurrah for our allies who march as one man
For every man's country and France!

"The tricolor 'll float with our aid once again
Where the Hun trod the lilies of France!
May God mark the road from Archangel to Rome
As the line of our final advance!

"There's red in the blood of our veins as it flows,
There's red in the flags that we bear,
May peace join the shamrock, the maple, the rose,
With the lily of France, everywhere!

"So here's to the way, and here's to the day
When victory's banner's unfurled
O'er the Anzac, Italian, the Serb, and the bear,
O'er the Briton, the Yank, and the world!"

America has played her part. Our soldier boys are coming back with an enlarged vision; they are coming back to take part with those who have been compelled to remain at home in the administration of the affairs of Government; and do not fear, Mr. President, that those, whoever they may be, who are responsible for their mistreatment, must give an account of themselves at the opportune moment.

Let us receive them, then, not only with loud and glad acclaim, Mr. President, but let us receive them with the tenderness which is their due for the suffering they have endured in the cause of liberty and of civilization.

APPENDIX A.

JUDGE HUGHES'S REPORT AND RECOMMENDATIONS ON THE AIRCRAFT PRODUCTION INVESTIGATION TRANSMITTED TO ATTORNEY GENERAL GREGORY.

WASHINGTON, D. C., *October 25, 1918.*

The ATTORNEY GENERAL:

I have the honor to submit the following report of the aircraft inquiry:

The investigation has been concerned with aircraft production. Other activities relating to aviation, but not to production, have been touched only incidentally. Thus, upward of 30 training or flying fields with numerous structures have been provided, and to meet other aviation needs a great variety of construction has been required, here and abroad. These enterprises, being aside from aircraft production itself, have not been the subject of this inquiry, save as transactions relating to Wilbur Wright Field and McCook Field have invited scrutiny by reason of the aircraft enterprises centered at Dayton, Ohio, and the activities of Edward A. Deeds and his former business associates.

Another governmental activity which does relate to aircraft production, but is conducted separately from the orders for airplanes and engines, is known as the sales department. The Government itself purchases large quantities of lumber, fabric, chemicals, etc., which it resells. When these commodities are supplied by the Government to contractors, the sales department is credited and the items are transferred to the other appropriate accounts. The largest item of this sort is for spruce. The account of the sales department for the fiscal year ending June 30, 1918, shows that spruce orders amounted to $76,211,360.35, on which there had been deliveries and payments aggregating $6,357,853.83, leaving unfilled orders of $69,853,506.52; and of the spruce delivered the Government had resold to the extent of $5,679,155.95. It appears that the Government had also (to June 30, 1918) invested in its cut-up plant at Vancouver, Wash., the sum of $1,487,237.81. While to some extent testimony has been taken bearing on the spruce contracts, it became evident as the inquiry proceeded that it would be impossible to reach any satisfactory conclusion with respect to the transactions of the spruce production division without a special inquiry on the Pacific coast, which, in view of the extent and character of the activities involved, would probably take several months. It has not been practicable to undertake this as yet, in view of the magnitude of the work involved in other branches of the investigation, and accordingly it has been left to be undertaken hereafter by the Department of Justice as it may be advised. For this reason, a report on the operations of the

spruce production division or of the sales department will not now be attempted. Also, in view of the importance of the present inquiry in its special relation to airplanes and airplane engines, transactions of the balloon division have not been examined.

Aside from these limitations, the inquiry has taken a wide range. It has been prosecuted without pause since it was begun in the latter part of May last. About 280 witnesses have been examined and over 17,000 pages of testimony have been taken. The more important plants have been visited, and a large part of the testimony has been taken at these plants where books, records, employees, and Government representatives have been available. To compass all the activities involved in aircraft production, reaching into a great variety of contracts and operations involving numerous plants and the expenditure of many millions of dollars, would require the constant efforts of a force of investigators for a year or more longer and also the services of an army of accountants charged with the responsibility of checking and auditing the work of the hundreds of Government representatives now supervising the contractors' accounts. It is impossible, of course, to say what irregularities or offenses such a protracted inquiry would bring to light, but the investigation has been sufficiently comprehensive to give, it is believed, a survey of the field as a whole and to disclose the facts bearing upon the serious charges which have been made.

In addition, and as a result of information received through this inquiry, there have been special proceedings before grand juries. Thus, on information of violations of the sabotage act at the Hammondsport (N. Y.) plant of the Curtiss Aeroplane & Motor Corporation, the matter was examined by the grand jury and indictments were returned in the western district of New York, and there have also been indictments in the same district for violations of this act at the North Elmwood plant, Buffalo, of the same corporation. There also has been a special investigation by the grand jury at Sacramento, with respect to conditions at the Liberty Iron Works.

It is manifestly impracticable to state the details of even the more important evidence, but the salient and controlling facts which have been elicited will be set forth, so far as this is deemed to be compatible with military exigency.

Final. Appropriations and expenditures.

At the time of the declaration of a state of war with Germany, April 6, 1917, the appropriations available for aircraft production were those applicable to the fiscal year ending June 30, 1917. By the act of August 29, 1916, the sum of $14,281,766 was appropriated for the expenses of the Signal Service, with the proviso that not more than $13,281,766 should be used for the purchase, manufacture, maintenance, and operation of aircraft and of described vehicles necessary for the Aviation Section. It was further provided that not to exceed $50,000 should be used for the payment of all expenses in connection with the development of a suitable type of aviation motor and not more than $500 should be used for the cost of special technical instruction of officers of the Aviation Section. Of the total appropriation above mentioned the sum of $3,500,000 was later (act of May 12, 1917) made available for the establishment of aviation schools and experimental stations, and it was under this appropriation that Langley Field, Va., was acquired and developed.

The act of February 14, 1917, appropriated $3,000,000 for aircraft, buildings for equipment, and other accessories necessary in the Aviation Section, for use in connection with seacoast defenses.

The act of May 12, 1917, appropriated for the expenses of the Signal Service for the fiscal year ending June 30, 1918, the sum of $11,800,000, with the proviso that not more than $10,800,000 should be used for aircraft production, including experimentation, and for the buildings for equipment and personnel and necessary accessories. The sum of $33,450,000 was appropriated by the deficiency appropriation act of June 15, 1917, of which $31,846,067.16 became available, under the terms of the act, for the fiscal year 1917-18.

Provision for an adequate aircraft program for the Army was not made until the passage of the act of July 24, 1917, appropriating for aeronautical purposes the sum of $640,000,000.

STATEMENT FOR FISCAL YEAR JUNE 30, 1917, TO JUNE 30, 1918.

The aggregate of all aeronautical appropriations which were available for the Army for the fiscal year ending June 30, 1918, were as follows:

Act of July 24, 1917	$640,000,000.00
Other aeronautical appropriations	51,851,866.47
Total	691,851,866.47

The estimated obligations charged against these appropriations during the fiscal year amounted to $933,948,959.03. To the extent of $476,924,903.42 this excess represented obligations of the sales department already described, for which it was contemplated there would be reimbursement by resales. (Of this last-mentioned amount there were reported as disbursed in the sales department (to June 30, 1918) that is, for deliveries of materials, $25,966,739.95 [corrections on further accounting raised this amount to $26,557,708.87], the resales amounting to $19,008,150.26, and the balance representing assets on hand.) Exclusive of the obligations of the sales department, the estimated aeronautical obligations of the Government for the fiscal year 1917-18 amounted to $457,024,055.61. These obligations were calculated on estimated costs, and the excess over the total aeronautical appropriations (that is, over $691,851,866.47) will largely be offset by savings on the estimated costs and by cancellations of orders.

OBLIGATIONS OTHER THAN FOR AIRPLANES AND ENGINES.

The estimated obligations for the aviation equipment division covered not only airplanes and engines, but a variety of equipment and other essentials. Thus the estimated obligations, charged against the $640,000,000 appropriation, for transportation, including motor trucks, chassis, motorcycles, bicycles, etc., amounted to $42,938,830.73; for general equipment, including various sorts of apparatus and supplies, $34,979,741.52; for maintenance, including maintenance of supply depots, planting of castor beans, etc., $17,948,855.00; for special clothing for aviators, mechanics, etc., $2,520,512.03; for machine guns, ammunition, and bombs, $29,249,033.29; for acquisition of plants $2,505,599.83; and for miscellaneous equipment, including various incidental expenses of officers, stations, and schools, $7,748,617.75.

There were also charged against the $640,000,000 appropriation the estimated obligations of the construction division, embracing training fields and construction here and abroad, amounting to $62,232,054.55; of the balloon division (covering balloons and accessories), $16,910,894.20; of the schools division, $1,016,223.48; and of the finance division, including the pay of reserve corps and of civilian employees, and the reserve for foreign expenditures, $35,963,417.55. The various estimated obligations for similar purposes other than for airplanes and engines, which were charged against the other aeronautical appropriations for the fiscal year 1917-18, aggregated $28,000,000.02.

Thus out of the total estimated obligations ($757,024,055.61) for all aeronautical purposes, exclusive of the sales department, the estimated obligations for purposes other than airplanes and engines aggregated $282,113,349.06.

OBLIGATIONS FOR AIRPLANES AND ENGINES.

The amount of the estimated obligations for airplanes and engines, and spare parts of both (including experimental and development work), charged to June 30, 1918, against the aeronautical appropriations for the fiscal year 1917-18 was as follows:

Charged to the $640,000,000 appropriation	$457,379,122.15
Charged to other appropriations	17,531,584.40
Total	474,910,706.55

ACTUAL DISBURSEMENTS FOR ALL AERONAUTICAL PURPOSES.

It should be noted that the amounts above stated represent estimated obligations, not actual disbursements. Although obligations were incurred, payments were to be made only as payments were earned by performance of contracts. Payments prior to June 30, 1918, were made on vouchers for amounts represented as earned, but such payments were only a part of the estimated obligations, by reason of delays in production. Further payments should be made only as production goes forward and contracts are duly performed.

Thus, as against the total estimated obligations for aeronautical purposes, aggregating $933,948,959.03 (including the sales department), the disbursements reported down to June 30, 1918, amounted to the sum of $439,234,316.99. Out of the $640,000,000 appropriation, the total disbursements for the fiscal year for all aeronautical purposes (that is, embracing those apart from airplanes and engines, as well as for the latter) amounted to $366,518,014.87 (subject to correction by addition of $590,966.62 for sales department); and, according to the accounts of the Bureau of Aircraft Production, there remained of this appropriation in the Treasury of the United States on June 30, 1918, the sum of $276,181,985.13. According to the books of the Treasury Department, the unexpended balance of the $640,000,000 appropriation amounted on June 29, 1917, to $304,478,211.70. The difference of $28,296,226.57 is explained by the existence of unwithdrawn balances which had been allotted to the Quartermaster Corps and the Ordnance Department, and by various credits pertaining to the month of June which were not received in the Bureau of Aircraft Production until July.

ACTUAL DISBURSEMENTS FOR AIRPLANES AND ENGINES.

The actual payments for the fiscal year 1917-18 against the estimated obligations for airplanes and engines, and spare parts of both (including payments for experimental and development work), are reported by the finance division of the Bureau of Aircraft Production as amounting to $155,535,946.41, as follows:

Disbursed from the $640,000,000 appropriation	$142,908,398.95
Disbursed from other appropriations	12,627,547.46
Total	155,535,946.41

These disbursements included not only payments to contractors for articles delivered or on account of work and materials, but also advances in the nature of loans to contractors, upon security, made by the War Credits Board, and, in addition, the payments which had been made for the manufacture of planes and engines overseas.

The payments for manufacture overseas amounted to $23,605,074.51, as follows:

Cash remittances to overseas disbursing officers for payment on overseas contracts for airplanes and engines		$16,600,000.00
Paid on purchase of materials, supplies, etc., purchased by United States for shipment abroad to be used in overseas manufacture of airplanes and engines. (This includes the compensation of the purchasing agent, The J. G. White Engineering Corporation, amounting to 5 per cent of the purchases, or $262,662.02)		9,005,074.51
Total		25,605,074.51

The unpaid balances of advances to contractors (whose contracts are embraced in the obligations for airplanes and engines above described), these advances being repayable to the Government, amounted on June 30, 1918 (exclusive of interest), to $21,491,551.14. The principal contractors who have received these advances are specified below:

Contractor.	Advances authorized.	Advances made.	Balance unpaid June 30, 1918 (without interest).
Curtiss Aeroplane & Motor Corporation	$8,000,000	$8,000,000	$5,561,645.98
Dayton Wright Airplane Co.	2,500,000	2,000,000	1,405,222.57
Duesenberg Motors Corporation	1,650,000	1,650,000	1,632,417.97
Fisher Body Corporation	2,000,000	2,000,000	1,944,931.33
Lincoln Motor Co.	6,500,000	6,500,000	6,255,392.00
Nordyke & Marmon Co.	2,000,000	2,000,000	2,000,000.00
Packard Motor Car Co.	5,000,000	5,000,000	1,731,232.01
Trego Motors Corporation	315,000	285,000	281,695.20
Willys-Morrow Co.	2,500,000	2,500,000	451,861.25
Various other contractors			227,153.78
Total			21,491,551.14

The amounts paid, to June 30, 1918, on account of experimental and development work on airplanes and engines amounted to $1,697,830.19, of which the principal items are these:

Expenditures of experimental station, Mercook Field	$974,200.20
Director, Bureau of Standards	64,077.33
Department of Agriculture	34,540.82
Packard Motor Car Co.	249,159.10
Dayton Wright Airplane Co. (other vouchers allowed before June 30, 1918, but not paid until later, $89,636.52)	48,120.39
Dayton Metal Products Co.	66,697.14
Miscellaneous payments	261,535.21
Total	1,697,830.19

Deducting these advances and the payments of experimental and development work, the disbursements to the end of the fiscal year, June 30, 1918, for airplanes and engines and their parts manufactured or in process of manufacture in the United States amounted to $106,741,490.77, as follows:

Total disbursed for airplanes and engines		$155,535,946.41
Less—		
For overseas manufacture	$23,605,074.31	
For advances to contractors	21,491,551.14	
For experimental and development work	1,697,830.19	
		48,794,455.64
Disbursed on account of production in United States		106,741,490.77

Airplanes and engines delivered during fiscal year ending June 30, 1918.

The reported deliveries of airplanes and engines made prior to June 30, 1918, are as follows:

AIRPLANES.

Elementary training planes:		
JN4-D	2,972	
SJ-1	1,600	
		4,572
Advanced training planes:		
JN4-H		
Training	402	
Gunnery	321	
JN6-HB	100	
S4-B	100	
S4-C	73	
Penguin	50	
		1,046
Combat and bombing planes:		
DeH-4	529	
Bristol Fighter	24	
		553
Total planes		6,171

ENGINES.

Elementary training:		
OX-5	5,474	
A7a	2,188	
		7,662
Advanced training:		
Hispano, 150 horsepower	2,188	
Gnome, 100 horsepower	209	
LeRhone, 80 horsepower	68	
Lawrence, 28 horsepower	114	
		2,579
Combat and bombing:		
United States 12 cylinder (Army type)	1,615	
United States 12 cylinder (Navy type)	775	
Hispano, 300 horsepower	2	
		2,392
Total engines		12,633

For some of the units thus delivered payments had not yet been made at the close of the fiscal year. The payments to June 30, 1918, covered about 5,530 of the airplanes delivered and about 9,750 of the engines delivered. In addition, there had been deliveries of various planes and engine parts, and the greater part of these were also covered by the payments above mentioned. And there were also large payments to contractors under cost-plus contracts for labor, materials, and overhead charges in connection with work in process.

ALLOCATION OF PAYMENTS TO JUNE 30, 1918.

The payments for the production of airplanes and engines, and parts, were made under two classes of contracts, (1) fixed price, and (2) cost-plus contracts:

Payments under fixed-price contracts	$57,193,621.06
Payments under cost-plus contracts	49,547,869.71
Total	106,741,490.77

FIXED-PRICE CONTRACTS.

In the case of payments under fixed-price contracts the payments presupposed delivery to and acceptance by the Government of the articles contracted for. Most of the JN training planes, 150 of the Standard J-1 training planes, metal parts for Handley-Page planes, all the engines for the elementary training planes, and 1,500 of the Hispano-Suiza 150-horsepower engines are embraced in the orders placed on a fixed-price basis. Large numbers of parts of planes and engines were ordered on the same basis.

The payments under fixed-price contracts are shown to have been distributed as follows:

For engines and their parts	$23,216,930.28
For airplanes and their parts	33,976,690.78
Total	57,193,621.06

COST-PLUS CONTRACTS.

The cost-plus contracts for engines and parts related to the Liberty engines (United States twelves), most of the Hispano-Suiza, and the Le Rhone, Gnome, and Bugatti engines. Among airplanes 1,450 of the Standard J-1 elementary training planes, the De Haviland four, and Bristol service planes, and the Handley-Page wood parts were under cost-plus contracts. The following is the distribution of payments under cost-plus contracts to June 30, 1918:

For engines and their parts	$28,348,487.44
For airplanes and their parts	21,199,382.27
Total	49,547,869.71

These payments (being exclusive of advances in the nature of loans) embraced (1) cost of special tools and "increased facilities" owned by the Government, but located in contractors' plants, (2) fixed profits on completed units delivered, (3) royalties on completed units delivered, (4) cost of manufacture of completed units delivered, and (5) payments for work in process—that is, for materials, labor, and overhead expense applicable to units in course of production. The distribution of these payments to June 30, 1918, is:

Special tools and increased facilities owned by the Government	$6,840,971.70
Fixed profits on completed units delivered	3,279,028.18
Royalties on completed units delivered	374,986.40
Payments to June 30, 1918, under cost-plus contracts for labor, materials, and overhead charges applicable to delivered units and to work in process	39,052,883.43
Total	49,547,869.71

It is impossible at this time, by reason of the state of the accounts, to divide the last item covering cost of manufacture so as to give separately the manufacturing cost (exclusive of fixed profits and royalties) of the units which had been delivered and the cost of work in process at the close of the fiscal year.

Appropriations and obligations for fiscal year, June 30, 1918, to June 30, 1919.

CONTINUANCE OF PRIOR APPROPRIATIONS.

The act of July 9, 1918, making appropriations for the fiscal year 1918-19, continued the prior appropriation of $640,000,000, and other aeronautical appropriations, thus making them available for the present fiscal year and for the payment of obligations incurred prior to the passage of the act. Under this provision the production orders given in the last fiscal year, which remain uncanceled, will be continued and payments will be made in accordance with the terms of the existing contracts as production progresses.

NEW APPROPRIATIONS.

The act of July 9, 1918, also made a new appropriation for the Air Service of $884,304,758. This appropriation is available for the purchase, manufacture, maintenance, repair, and operation of airships, war balloons, and other aerial machines, with equipment, aviation stations, schools, and fields; for the expenses of officers, enlisted men, and civilian employees; and also for training, experimental work, creation, expansion, acquisition, and development of plants, etc. Of this amount there has been apportioned for Air Service productions the sum of $760,000,000, of which $200,000,000 was been set aside for airplanes, their spare parts, instruments, and accessories; $250,000,000 for engines, their repair parts, instruments, and accessories; and $200,000,000 for foreign expenditures. Various items for balloons, oils, gases and chemicals, transportation, plants, miscellaneous equipment and supplies, experimentation, and pay of Reserve Corps and civilians make up the remainder.

Against this new appropriation, thus apportioned, the obligations incurred to September 30, 1918 (exclusive of the sales department) amounted to $151,580,503.55, of which $21,603,470.90 is for airplanes, their spare parts, etc., and $102,746,372.91 is for engines, their repair parts, etc. The total payments against the new obligations amounted to September 30, 1918, to $3,670,707.66 (exclusive of foreign expenditures and transfers to other departments), leaving then unexpended of the new appropriation of $760,000,000 apportioned to Air Service production, the sum of $756,329,292.34.

PAYMENTS SINCE JUNE 30, 1918, AND TOTAL PAYMENTS TO DATE

The last financial reports available are of September 30, 1918. The disbursements to that date which were made after June 30, 1918, for all aeronautical purposes and were chargeable to the appropriations for the prior fiscal year (continued as above stated) are as follows:

Disbursed from the $640,000,000 appropriation (act of June 24, 1917)	$128,265,038.31
Disbursed from other aeronautical appropriations	7,250,015.36
Total disbursed since June 30, 1918, under prior appropriations for aeronautical purposes	135,515,053.67

The total disbursements for aeronautical purposes from June 30, 1918, to September 30, 1918, are, in the aggregate:

Under appropriations prior to June 30, 1918	$135,515,053.67
Under appropriations after that date, as above	3,670,707.66
Total	139,186,061.33

These disbursements for all aeronautical purposes can not at present be apportioned so as to show separately the amounts disbursed since June 30, 1918, for airplanes and engines and parts.

DELIVERIES TO OCTOBER 11, 1918.

The total deliveries of airplanes and engines (exclusive of spare parts) to October 11, 1918, appear, by the Government's reports, to be as follows:

TRAINING PLANES.

	Since June 30, 1918.	Total to Oct. 11, 1918.
JN-4D	615	3,587
SJ-1		1,600
JN-4H and JN-6H	609	1,432
S4-B		100
S4-C	225	298
Penguin	245	295
E-1	12	12
Total	1,706	7,324

ENGINES FOR TRAINING PLANES.

OX-5	2,532	8,000
A-7a (Hall-Scott)	62	2,250
Gnome 100 horsepower	69	278
Le Rhone 80 horsepower	179	747
Hispano, 150 horsepower	821	3,012
Lawrence	328	442
Total	4,491	14,735

SERVICE PLANES.

[illegible]	1,821	2,250
[illegible] 50 per cent complete	100	100
[illegible]	2	2
[illegible]	2	2
Total	1,924	2,357

ENGINES FOR SERVICE PLANES.

[illegible] U. S. 1 engines	7,599	10,689
[illegible] 150 horsepower	242	242
[illegible] 150 horsepower	3	3
[illegible]	1	1
Total	7,845	9,937

[illegible] also was prepared information has been received that to Oct. 18, 1918, [illegible] transportation and 19,386 Liberty (U. S. 1) engines have been delivered.

[illegible] sets of wooden parts and no metal parts delivered to June 30, 1918.

Payments for airplanes condemned.

STANDARD J-1 TRAINING PLANES.

This type of plane was condemned as dangerous in June, 1918, because of the unsuitability of the motor (Hall Scott, A7a) used with it. There were 1,100 of these SJ-1 planes ordered and delivered, and all delivered had been made prior to June 30, 1918. The entire amount disbursed for these planes and their spare parts to September 30, 1918, the date of the last financial statement, is $11,027,733.61, of which $8,593,576.11 was under cost plus contracts.

There were 2,250 A7a engines ordered for these planes, all of which, with parts, have been delivered. The amount disbursed for these engines and parts (exclusively under fixed price contracts) to September 30, 1918, amounted to $6,487,134.75.

The aggregate cost of the SJ 1 planes with the A7a engines with spare parts to September 30, 1918, amounted to $17,514,868.36.

There appears to have been no defect in the SJ-1 plane itself, and there is no expectation that it may be utilized by the installation of another engine. The cost of adapting these planes to such an installation may amount to $2,000 a plane.

What salvage may ultimately be gained in this way, or on the A7a engines, can not now be determined.

BRISTOL FIGHTERS.

The Bristol Fighter was condemned as unsafe in July, 1918. A contract for 2,000 of these planes and for 1,200 sets of spare parts had been placed with the Curtiss Aeroplane & Motor Corporation on a cost-plus basis, at an estimated cost of $19,100,100. Orders were also given to the Hayes Ionia Co. and to the Lewis Spring & Axle Co., each for 600 sets of spare parts, at the estimated cost of $1,800,000, or $3,740,000 in all. The estimated cost of the Bristol planes and spares was thus $22,840,100.

Only 27 had been delivered prior to cancellation, but there was a large amount of work in process. The amount shown by the accounts of the Bureau of Aircraft Production to have been paid on these contracts to September 30, 1918 (exclusive of "increased facilities" owned by the Government) is about $2,350,000. Taking the materials purchased for the Bristols, the labor and estimated overhead charges, it would appear that the total amount expended by the Curtiss Co. in the course of the production of the Bristols was about $3,000,000. This does not include any claim for damages for the cancellation of the contract. The finance division of the Bureau of Aircraft Production makes a general estimate (which includes unpaid vouchers and possible claims for damages growing out of the cancellation of contracts) that the aggregate cost of the Bristol will amount to about $6,500,000. What salvage there may be on the materials can not now be determined.

The Liberty engines intended to be used in the Bristols can be utilized in other planes.

On this estimate the cost to the Government of the SJ 1 planes (with engines), and on the Bristol planes, subject to reduction by whatever salvage there may be, amounts to $24,000,000. [Further information has been received that a contract is contemplated under which about $3,500,000 of Bristol parts may be used in a new type of plane, which, if successful, would reduce the estimated loss on the Bristols to $20,500,000 and the total loss on SJ-1s and Bristols, subject to salvage on the SJ-1s, to $20,500,000.]

Second. Responsible officers and advisory boards.

By the act of July 24, 1917, full authority was given to the President to provide through the War Department for the purchase, manufacture, maintenance, and operation of all types of aircraft, with all necessary equipment.

SIGNAL CORPS.

Under the Secretary of War the authority to establish the aircraft program and the control and administration of matters relating to air craft production for the Army were vested in the Chief Signal Officer, Brig. Gen. George O. Squier. It was under his direction that the organization of the Aviation Section of the Signal Corps, with its various departments of production, supply, inspection, and accounting was effected. The matter of aircraft production was intrusted to the equipment division, which was organized on August 2, 1917. Edward A. Deeds was made chief of this division, with Sydney D. Waldon as his assistant. At the same time Robert L. Montgomery was made chief of the finance and supply division. There was a reorganization on August 20, 1917, by which these two divisions were abolished and the functions of both were transferred to a new Equipment Division, with Edward A. Deeds in charge. Robert L. Montgomery was made the head of the finance department of the equipment division. Deeds, Montgomery, and Waldon had been members of the Aircraft Production Board, and in or about August, 1917, they were commissioned with the rank of colonel. Thus Col. Deeds, as the head of the Equipment Division, had direct charge under the Chief Signal Officer of all matters relating to aircraft production. On January 14, 1918, Col. Deeds became industrial executive in the Executive Division of the Signal Corps, and was succeeded by Col. Montgomery as head of the Equipment Division, but despite the change in technical relation it is apparent that Col. Deeds remained in practical charge, under the Chief Signal Officer, of production. In February, 1918, William C. Potter became the head of the Equipment Division, and remained in this position until the passage of the act of May 20, 1918.

BUREAU OF AIRCRAFT PRODUCTION.

By order of the President, dated May 20, 1918 (promulgated May 24, 1918), the Chief Signal Officer was put in charge of military signal duties not connected with the Aviation Section; Gen. W. L. Kenly was appointed Director of Military Aeronautics and charged with the duties which had formerly pertained to the Aviation Section, except so far as they related to aircraft production, and for the latter purpose the executive agency known as the Bureau of Aircraft Production was established. Mr. John D. Ryan was appointed head of this bureau and thus became Director of Aircraft Production, Mr. Potter taking the post of assistant director.

Advisory Bodies.

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS.

By the act of March 3, 1915, an Advisory Committee for Aeronautics was established, to consist of two members from the War Department, two from the Navy Department, a representative each of the Smithsonian Institution, of the United States Weather Bureau, and of the United States Bureau of Standards, together with not more than five additional persons qualified as experts. The prescribed duty of the committee was to supervise and direct the scientific study of the problems of flying with a view to their practical solution. This body has been continuously maintained; it has examined numerous inventions and has been engaged in scientific study. But it has had nothing to do with the formulation of the aircraft program or with decisions as to the types of planes or engines selected for production.

The committee was also active in securing the adjustment reflected in what is known as the cross-license agreement for the payment of royalties for the use of patented inventions pertaining to aircraft.

JOINT ARMY AND NAVY TECHNICAL AIRCRAFT BOARD.

This board was constituted in the early part of May, 1917. It was composed of officers of special qualifications by reason of scientific study and experience, who were designated by the Secretary of War and the Secretary of the Navy, respectively. The declared purpose was "to standardize, so far as possible, the designs and general specifications of aircraft except Zeppelins." The board has been in continuous existence and has note recommendations. These, however, have not been controlling and the board has had no authority to enforce its views.

AIRCRAFT PRODUCTION BOARD.

The Aircraft Production Board was created in May, 1917, pursuant to a resolution of the Council of National Defense. Its function was solely advisory. The initial steps in organization were taken under the authority of the Council of National Defense by Howard E. Coffin, who became chairman of the board and selected the civilian personnel, consisting of Edward A. Deeds, Sidney D. Waldon and Robert L. Montgomery. Mr. Coffin—vice president of the Hudson Motor Car Co.—was a member of the Advisory Commission of the Council of National Defense. Mr. Deeds had been engaged in manufacturing enterprises at Dayton; in April, 1917, he had been appointed a member of the munitions standards board and placed on the subcommittee on fuses and detonators. Mr. Waldon had formerly been a vice president of the Packard Motor Car Co. Mr. Montgomery was a member of the firm of Montgomery, Clothier & Tyler, bankers and brokers, of Philadelphia. In addition to the four civilian members, the chief signal officer and Rear Admiral D. W. Taylor, Chief of the Bureau of Construction, were appointed members of the board, representing the Army and Navy, respectively.

While the Aircraft Production Board had no authority to commit the Government, the board was continuously active in the formulation of programs and the adoption of resolutions of advice. Numerous contracts for airplanes and engines were placed upon its recommendation. When the Equipment Division of the Aviation Section of the Signal Corps was organized in August, 1917, the work of the board became of less actual importance, though it was still conspicuous in routine. Col. Deeds, Col. Waldon, and Col. Montgomery now had executive duties in the Equipment Division under the Chief Signal Officer, and for the most part the recommendations relating to the Army aircraft program naturally followed the views of the Army officers who were in actual control. Similarly, the recommendations relating to the Navy reflected Navy proposals. The board, however, afforded a valuable opportunity for the interchange of opinion and the unification of effort.

AIRCRAFT BOARD.

The Aircraft Board, superseding the former organization, was established by the act of October 1, 1917. This was composed of nine members, including the Chief Signal Officer (Maj. Gen. Squier) and two other representatives of the Army, and the Chief Constructor of the Navy (Rear Admiral Irwin) and two other naval officers. For the Army, the Secretary of War designated Col. Deeds and Col. Montgomery; and for the Navy, the Secretary of the Navy designated Capt. N. E. Irwin and Lieut. Commander A. W. Atkins. The civilian members, appointed by the President with the advice and consent of the Senate, were Mr. Coffin (chairman), Richard F. Howe (who had been connected with the International Harvester Co.), and Harry B. Thayer (president of the Western Electric Co.)—the last named being appointed in February, 1918.

The act creating the Aircraft Board empowered it under the direction and control of the Secretary of War and the Secretary of the Navy, "to supervise and direct, in accordance with the requirements prescribed or approved by the respective departments, the purchase, production, and manufacture of aircraft, engines, and all ordnance and instruments used in connection therewith, and accessories and materials therefor, including the purchase, lease, acquisition, or construction of plants for the manufacture of aircraft, engines, and accessories: *Provided*, That the board may make recommendations as to contracts and their distribution in connection with the foregoing, but every contract shall be made by the already constituted authorities of the respective departments."

It was also provided that "except upon the joint and concurrent approval of the Secretary of War and the Secretary of the Navy there shall not be established or maintained under the board any office or organization duplicating or replacing, in whole or in part, any office or organization now existing that can be properly established or maintained by appropriations made for or available for the military or naval service."

In February, 1918, Acting Judge Advocate Gen. S. T. Ansell gave an opinion to the effect that the provisions of the act should be construed to contemplate "only advisory or recommendatory functions." Thereupon, the Chief Signal Officer, in an order approved by the Secretary of War and the Secretary of the Navy, defined the duties of the Aircraft Board as follows:

"(a) To act as a clearing house between the General Staff and the Signal Corps for all matters pertaining to raw materials for foreign governments for the production of aircraft, the Equipment Division of the Signal Corps to act as purchasing agency.

"(b) To act as a clearing house between the General Staff and the Signal Corps for all information in relation to requirements of foreign governments for aircraft to be manufactured in the United States.

"(c) To act as a clearing house for all information as to requirements as between the Army and Navy for aircraft and raw materials.

"(d) To study the requirements of the Army and Navy as regards combat and training planes. To study types with the technical divisions of the Army and Navy to the end that recommendations be made that given types be placed with industrial plants best fitted to undertake their manufacture. The Aircraft Board shall have no direct communication with manufacturing plants, except through the medium of the procurement divisions.

"(e) As a result of above studies the Aircraft Board may recommend that preparations be made for production before actual contracts are made.

"(f) To recommend the placing of experimental contract.

"(g) All programs should be made up by the board from information which shall be furnished by the proper Army and Navy military and naval branches on the one hand and the equipment and production divisions of the Army and Navy on the other. All foreign cables respecting aircraft production should be cleared through the board.

"(h) The Aircraft Board should be the instrumentality through which contact is made on matters of large policy with other bodies, such as Shipping Board, allied representatives, etc."

Despite the broad language of the act of Congress as to the power which might be committed to the board under the direction of the Secretary of War and the Secretary of the Navy, it will be observed that this Executive order had the effect of greatly limiting the authority of the board and that it was denied even the right to hold "direct communication with manufacturing plants." It was further provided that all programs should be made up by the board "from information which shall be furnished by the proper Army and Navy military and naval branches on the one hand and the equipment and production divisions of the Army and Navy on the other." The manifest purpose was to leave no question that the actual control of aircraft production rested with the military and naval officers.

The Aircraft Board held frequent sessions and continuously made recommendations upon which action was taken and contracts placed, the service of the board being virtually that of a clearing house for proposals which generally emanated from the responsible authorities and in all cases were dependent upon the action of these authorities for their final approval and execution.

Third. Personal interests.

There are no common-law offenses against the United States, and a charge of crime under Federal law must rest exclusively upon the violation of a Federal criminal statute. (United States v. Eaton, 144 U. S. 677, 687; United States v. George, 228 U. S. 422.)

The applicable statutes of the United States dealing with the question of personal interests of officers and agents of the Government in Government contracts are the following:

(1) Section 41 of the Criminal Code of the United States, formerly section 1783 of the Revised Statutes, provides:

"SEC. 41. No officer or agent of any corporation, joint-stock company, or association, and no member or agent of any firm, corporation, or firm directly or indirectly interested in the pecuniary profits or contracts of such corporation, joint-stock company, association, or firm shall be employed or shall act as an officer or agent of the United States for the transaction of business with such corporation, joint-stock company, association, or firm. The violation of this section shall be fined not more than $2,000 and imprisoned not more than two years."

Under this statute it is not enough that an interested person merely recommends or advises transactions with the Government. To constitute a violation of the statute the interested person must "be employed or act as an officer or agent of the United States for the transaction of business with such corporation," and so forth.

(2) Section 3 of the act of August 10, 1917 (food and fuel control act), provides:

"SEC. 3. That no person acting either as a voluntary or paid agent or employee of the United States in any capacity, including an advisory capacity, shall solicit, induce, or attempt to induce any person or officer authorized to execute or to direct the execution of contracts on behalf of the United States to make any contract or give any order for the furnishing to the United States of work, labor, or services, or of materials, supplies, or other property of any kind or character if such agent or employee has any pecuniary interest in such contract or order, or if he or any firm of which he is a member, or corporation, joint-stock company, or association of which he is an officer or stockholder, or in the pecuniary profits of which he is directly or indirectly interested, shall be a party thereto. Nor shall any agent or employee make, or permit any committee or other body of which he is a member to make, or participate in making, any recommendation concerning such contract or order to any council, board, or commission of the United States, or any member or subordinate thereof, without making to the best of his knowledge and belief a full and complete disclosure in writing to such council, board, commission, or subordinate of any and every pecuniary interest which he may have in such contract or order and of his interest in any firm, corporation, company, or association being a party thereto. Nor shall he participate in the awarding of such contract or giving such order. Any willful violation of any of the provisions of this section shall be punishable by a fine of not more than $10,000 or by imprisonment of not more than five years, or both: *Provided*, That the provisions of this section shall not change, alter, or repeal section 41 of chapter 321, Thirty-fifth Statutes at Large."

This section covers those who act in an advisory capacity. It has no application to transactions occurring before its passage.

It is apparent that the section was guardedly drawn and its limitations should be noted. The first sentence of the section applies to interested persons only where they "solicit, induce, or attempt to induce" any person or officer, who is "authorized to execute, or to direct the execution of contracts," to make any contract or give any order for labor, services, materials, etc. The use of different expressions in the different clauses of the section suggests possible shades of meaning. The act of recommending does not come within the first sentence unless it is found to amount to "soliciting," "inducing," or "attempting to induce," nor does the first sentence cover solicitations addressed to others than the persons or officers duly authorized to make the contracts or give the orders.

The second sentence relates to "recommendations" by interested persons, but it is limited to recommendations made "to any council, board, or commission of the United States or any member or subordinate thereof" in the absence of the disclosure described. Apparently this sentence does not cover recommendations made to individual officers acting under the authority conferred upon them by law, who are not members or subordinates of a "council, board, or commission."

The third sentence provides that the interested person shall not "participate in the awarding of such contract or giving such order." This would seem to relate to those who take part in the actual awarding of the contract or giving of the order and not to those who act in an advisory capacity only.

The section concludes with the proviso that its provisions shall not alter or repeal section 41 of the Criminal Code above quoted.

To come within these statutes an interested person must either (1) act as an officer or agent of the Government for the transaction of business with the concern in which he is interested, or (2) solicit, induce, or attempt to induce the person or officer, who is authorized to execute or direct the execution of contracts, to make a contract with, or give an order to, the concern to which the interest relates, or (3) take part in a recommendation to a "council, board, or commission," or subordinate or members thereof, without the disclosure stated, or (4) participate in the award of the contract or giving of the order.

In connection with these statutes attention may be called to the following provision, which appears as a rider in the appropriation act of March 3, 1917, immediately following an appropriation for the distribution of documents (39 Stat., p. 1106):

"*Provided*, That on and after July 1, 1919, no Government official or employee shall receive any salary in connection with his services as such an official or employee from any source other than the Government of the United States, except as may be contributed out of the treasury of any State, county, or municipality, and no person, association, or corporation shall make any contribution to, or in any way supplement the salary of, any Government official or employee for the services performed by him for the Government of the United States. Any person violating any of the terms of this proviso shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than $1,000 or imprisonment for not less than six months, or by both such fine and imprisonment, as the court may determine."

It will be noted that this provision, enacted in March, 1917, is not to be operative until July 1, 1919. It may be contended with force that this constitutes a legislative declaration, by implication, that the action described by the provision—that is, the mere supplementing of the pay of Government officials by private contributions—should not be deemed contrary to law prior to the date fixed.

Individual relations of officials.

PRESENT BUREAU OF AIRCRAFT PRODUCTION.

(John D. Ryan—William C. Potter.)

There is no suggestion and no evidence that either Mr. Ryan or Mr. Potter has taken any part in Government transactions with any concern in which he has a personal interest.

MEMBERS OF THE AIRCRAFT BOARD.

The relations of the members of this board who received commissions in the Army are stated hereafter. As to Mr. Coffin and as to the naval officers who were members of this board, it should be said that there is no evidence that any one of them has taken any part in transactions or recommendations relating to any corporation, firm, or association in which he has an interest. Disclosures of interest in particular corporations have been made from time to time by Mr. Howe and Mr. Thayer, and with respect to such corporations it appears that they have abstained from participating in the recommendations made by the board, except that Mr. Howe in his disclosure of interest to the board on February 12, 1918, stated that he was interested in a corporation holding preferred stock of the Willys-Overland Co. and that he was present at the meetings of the board on December 7 and December 18, when resolutions involving a contract with that company were passed, but that he was not aware of such financial interest at those times. As the board acts in an advisory capacity simply, section 41 of the Criminal Code can not be regarded as applicable, and the limitations of section 3 of the act of August 10, 1917, with respect to mere recommendations, have already been pointed out.

OFFICERS OF THE SIGNAL CORPS FORMERLY IN CONTROL OF AIRCRAFT PRODUCTION.

(1) The Chief Signal Officer: It does not appear that Gen. Squier had any interest in any corporations or concerns transacting business with the Signal Corps. The defects in the organization, which was created under his direction for the purpose of aircraft production, are matters distinct from any question of personal interest and will be considered in another division of this report.

(2) Col. Edward A. Deeds: The charges pertaining to personal interest in Government contracts relate particularly to Col. Edward A. Deeds and grow out of the highly suggestive transactions with his former business associates at Dayton. These transactions have been subjected to careful scrutiny.

Col. Deeds was born near Granville, Ohio, on March 12, 1874. There is testimony that he once said that his name originally was "Dietz." No public record has been found to this effect. Col. Deeds denies making the remark attributed to him and states that his family has borne the name of Deeds for at least four generations—his great-grandfather of that name coming from Pennsylvania. For many years Col. Deeds was an officer of the National Cash Register Co. and was one of several connected with that organization who were indicted in the Federal District Court for the Southern District of Ohio, in 1912, for violation of the Sherman Antitrust Act. Upon the trial Deeds, with other defendants, was convicted, but this conviction was set aside by the circuit court of appeals (Patterson v. United States, 222 Fed., 599) and the prosecution went no further.

At the time of our entry into the war Mr. Deeds had large business interest at Dayton. His intimate business associates were Charles F. Kettering and H. E. Talbott. Mr. Deeds and Mr. Kettering (an inventor and engineer of ability) have been jointly associated in many enterprises with equal shares, it being their policy to organize corporations and to take their respective interests in stocks. Mr. Deeds has supplied the financial talent and Mr. Kettering, who is without any aptitude for business details, the engineering skill. They have had, and still have, a common agent of a highly confidential sort—George B. Smith, of Dayton—who holds the power of attorney of each, keeps their respective books, has charge of their bank accounts, signs their

checks, and generally looks after their financial affairs. They are still associated in various undertakings and their relations are of the most intimate character.

In 1904 Kettering was employed in the National Cash Register Co. as a designer in the engineering department, and later he became associated with Deeds in the development of what is known as the Delco ignition system for automobiles. In the course of this development Deeds and Kettering organized the Dayton Engineering Laboratories Co., known as the Delco Co. The enterprise was successful, and the common stock was sold by Deeds and Kettering in 1916 to the United Motors Corporation for several million dollars in cash and certain shares of stock. Deeds and Kettering each retained a few shares of preferred stock. Deeds continued as president of the corporation, with a salary of $60,000 a year, and Kettering as vice president, with a salary of $50,000.

In April, 1915, Deeds, Kettering, H. E. Talbott, sr., and his son, H. E. Talbott, jr., organized the Dayton Metal Products Co. with a capital stock of $200,000. The stock was held as follows: Talbott, sr., 999 shares; Deeds, 500 shares; Kettering, 499 shares, Talbott, jr., 99 shares; Charles H. Mead, 1 share; and George B. McCann, 1 share. Prior to our entry into the war this company had profitable fuse contracts with the British Government, and had accumulated a considerable surplus. It appears that in the spring of 1917 both Deeds and Talbott were appointed on the subcommittee on fuses and detonators of the Munitions Standards Board. In 1916 the company had a contract with the Navy Department for fuses, and it received other fuse contracts from the Navy and the Ordnance Department of the Army in 1917. As vice president of this company, Deeds had a salary of $25,000 a year. The relation of the Dayton Metal Products Co. to aircraft production is that this company, in the latter part of the year 1917, acquired all the stock (save four qualifying shares) of the Dayton Wright Airplane Co., and also had subcontracts for metal parts with contractors making airplanes and engines. The Dayton Metal Products Co. also subscribed and paid for 1,000 shares (par value, $100,000) of the stock of the Lincoln Motor Co., which was organized to build Liberty engines, and had a paid-up capital stock of $850,000.

In September, 1916, Deeds and Kettering organized the Domestic Building Co., of Dayton, for the purpose of erecting and financing plants for the use of various companies. The capital stock is now $1,000,000, of which all but four qualifying shares are held by Deeds and Kettering, in equal parts. This company owned the land and erected the building acquired by the Dayton Wright Airplane Co. for its principal airplane plant.

On April 9, 1917, the Dayton Wright Airplane Co. was incorporated with a capital stock of $500,000 by Deeds, Kettering, H. E. Talbott, and H. E. Talbott, jr., in conjunction with Orville Wright. They had taken over the former Wright organization and thus had started an airplane enterprise at Dayton in a small way in the summer of 1916. The larger enterprise of the Dayton Wright Airplane Co. was launched about the time of our entry into the war, manifestly with the expectation of obtaining Government contracts. While Deeds was one of the incorporators, he did not become a stockholder, the subscriptions for the first 5,000 shares being as follows: H. E. Talbott, 1,990 shares; C. F. Kettering, 2,000 shares; H. E. Talbott, jr., 990 shares; George H. Mead, 10 shares; and C. A. Craighead, 10 shares. In August, 1917, the capital stock was increased to $1,000,000 ($600,000 common and $400,000 preferred). The new common stock was taken by Messrs. Talbott and Kettering in the proportion of two-fifths, two-fifths, and one-fifth. There were early negotiations for a Government contract, and as early as June 12, 1917, a contract with the company was recommended by the Aircraft Production Board. The contract was executed on August 17, 1917 (under date of Aug. 1, 1917), and was for 400 Standard J-1 training planes, at the fixed price of $6,500 each. For this there was substituted the contract dated September 7, 1917, which was also recommended by the Aircraft Production Board and was approved by Gen. Squier. This contract was for 400 Standard J air planes, 2,000 Haviland nines, and 1,500 Martinsydes, with spare parts. By later modifications the Martinsydes and De Havilands were omitted and provision was made for 4,000 De Havilland fours. These contracts were on a cost-plus basis, the estimated amount involved being upward of $30,000,000. There was to be a fixed profit of $620 on each Standard J plane and $875 on each De Haviland, making a total fixed profit of about $3,750,000, exclusive of fixed profit on spare parts covered by the contract, thus expected to be earned, according to the contemplated deliveries, before the end of 1918. The contract also provided for additional profits to the extent of 25 per cent of the saving under the bogey or estimated cost of the planes ($7,000 on the De Havilands), and it is estimated that the additional profit on this basis would have amounted to over $2,000,000. When the bogey cost of $7,000 was fixed, letters were obtained from the Dayton Wright Airplane Co. and from the Fisher Body Corporation (which also had a contract for De Havilands) that after 250 machines had been produced there would be an equitable adjustment if the bogey cost was found to be "materially wrong."

Accordingly, it is now about to be signed reducing the bogey cost to $5,000 and the fixed profit to $625 per plane. Even at this rate the fixed profit on the 4,000 De Havilands will be $2,500,000, and it is believed that there will be an additional profit through saving under the bogey cost and on spare parts of not less than $1,000,000. In August and September, 1917, when the first Government contracts were awarded, the capital stock of the company ($1,000,000) had not been paid in. It was not paid in until December 1, 1917, when, in one transaction, the stock was paid for and all the shares, preferred and common, save five qualifying shares, were transferred to the Dayton Metal Products Co., which thus became, and still remains, the owner of the Dayton Wright Airplane Co. As the latter company practically received nothing on the issue of its capital stock save the fixed property represented by its plants, it was lacking in working capital, and this at the outset was supplied by various loans and advances of the interested parties. In December the Government agreed to advance the company $2,500,000, of which $1,500,000 was advanced at once.

The name of Orville Wright was used in this enterprise, but his chief activity has been as a consulting engineer in connection with experimental work. He has not been responsible for production. Mr. Kettering is an engineer of ability, but his work also has been that of experimental engineering; he is not a manufacturing or production expert. Much emphasis is placed by the parties concerned upon the fact that they were able to avail themselves of the old Wright organization, which has been continued as already stated. But this was a very slender basis for the prompt selection of this newly organized company, which had not even completed its financial arrangements, as one of the few companies immediately admitted to the advantages of large and highly profitable Government contracts. The promoters of this enterprise, not content with these profits which were to accrue to them either directly or through their ownership of the Dayton Metal Products Co., at once took advantage of the opportunity to increase their gains by salaries as executive officers of the Dayton Wright Airplane Co. Dating from August 1, 1917, the salaries thus allowed were as follows: H. E. Talbott, sr., $35,000; C. F. Kettering, $35,000; and H. E. Talbott, jr. (30 years old, who was made president of the company), $30,000. Talbott, sr., was at the time receiving, and continued to receive, $60,000 a year as president of the Dayton Metal Products Co., Kettering received a salary of $25,000 from the Dayton Metal Products Co. and $50,000 from the Delco Co., and Talbott, jr., was also receiving a salary of $18,000 from the Dayton Metal Products Co.

There would seem to be no question but that the members of the Aircraft Production Board in recommending contracts had confidence in the capacity of those undertaking the venture, and the previous success of this group, while Mr. Deeds had been associated with them, was well known. But the fact remains that practically at the inception of the Government's aviation activity in connection with the war, and within the sphere of Col. Deeds's important, if not commanding, influence, his former business associates were placed at once, through Government contracts, in a position where they had the assurance of very large profits upon a relatively small investment of their own money and in addition were able to secure generous salaries which they charged against the Government as part of the cost of manufacture.

That Deeds, Kettering, and Talbott continued to be on the most intimate and confidential footing in connection with the prosecution of the Government work by the Dayton Wright Airplane Co. is apparent from their correspondence, of which the following are excerpts:

Letter, Deeds to Kettering, June 13, 1917:

WASHINGTON, *June 13, 1917.*

Mr. C. F. KETTERING,
City National Bank Building, Dayton, Ohio.

MY DEAR C. F.: You will be interested to know that the standard training machine is going to be called the United States primary training and will not be called the Curtiss J. N. This was decided last week, and I forgot to tell you when in Dayton.

Provision will be made for either Mr. Coffin or myself to appear before the S. A. E. [Society of Automotive Engineers], and as I am one of the committee on arrangements will see that the plans of the Aircraft Production Board get properly before the association.

Relative to the design of planes, I do not care to write what is being done, but will discuss it with you when I get home, and you will see that we have already gone away down the pike in this matter. Everything is lining up now in pretty good shape.

Yours, very truly, E. A.

Telegram, Deeds to Talbott, July 3, 1917:

JULY 3, 1917.

Mr. H. E. TALBOTT,
Dayton, Ohio:

Gen. Squier went direct to Detroit. Will probably spend Fourth at his old home in Michigan. May be in Dayton Thursday or Friday, arriving there from Detroit or from Champaign, Ill. Harold, Kettering, and Wright can take care of Bim. He will be interested in the Dayton Wright factory and laboratory, Orville Wright laboratory, and especially Mr. Kettering's views on scientific subjects. In general, he is highly technical.

E. A. DEEDS.

Telegram, Kettering to Deeds, August 4, 1917:

DAYTON, OHIO, *August 4, 1917.*

E. A. DEEDS,
Room 587, Munsey Building, Washington, D. C.:

We believe all confidential telegrams should be sent to Mr. H. E. Talbott, sr., City National Bank Building, or George B. Smith, instead of the Dayton Wright Airplane Co.

C. F. KETTERING.

Telegram, Deeds to Kettering, August 4, 1917:

AUGUST 4, 1917.

Mr. C. F. KETTERING,
City National Bank Building, Dayton, Ohio:

Hereafter all confidential telegrams will be sent to H. E. Talbott, sr., instead of to the Dayton Wright Airplane Co.

E. A. DEEDS.

Telegram, Deeds to Talbott, September 16, 1917:

OLD POINT, VA., *September 16, 1917.*

Mr. H. E. TALBOTT,
Dayton, Ohio:

For your personal information as coming from your local attorney, Judge Advocate General has ruled it legal for Government to select one contractor one, and the two a third as appraisers of market value of plant at expiration of contract. If you care to raise the question, the above will be found to be the final ruling.

E. A. DEEDS.

When this last telegram, which puts in a strong light the relations of the parties, was sent, Deeds was an officer in the Army. This highly improper conduct, in holding communication in this matter with his former business associate in a transaction pending between the Dayton Wright Co. and the Government department in Col. Deeds's charge, demands the attention of the military authorities.

But evidence of favoritism, influence, or confidential communications of this sort, however otherwise reprehensible, do not make out criminal liability under the statutes above quoted, unless it appears that the representative of the Government has a pecuniary interest in the Government contract or order, or is an officer or stockholder of, or has a pecuniary interest in, a corporation, firm, or association which is a party to the Government contract or order. And the question is whether Col. Deeds had such an interest. His statement is that he had no such interest, but, on the contrary, had given up large salaries to devote himself to the Government service.

About the time he received his commission as colonel in the Army Mr. Deeds addressed the following communications to the Secretary of War and to the Aircraft Production Board, under date of August 28, 1917:

WASHINGTON, D. C., *August 28, 1917.*

Hon. NEWTON D. BAKER,
Secretary of War, Washington, D. C.

DEAR SIR: You have honored me by appointment temporarily as an officer in the Regular Army of the United States and as a member of the Aircraft Production Board connected with your department. It is possible that this board in the development of the airplane work may wish to recommend a contract with some of the corporations in which

I have had an interest. Following the advice of counsel, I have resigned my official relations with these corporations and made bona fide transfers of my stock therein to other parties.

For your protection as well as my own, I desire to file with your department a copy of a written disclosure of my relations, both past and present, to these corporations which I have this day filed with the Aircraft Production Board, and I inclose same herewith.

In serving in the positions to which you have appointed me I desire to comply with both the spirit and letter of the law, and to do no act which might invite criticism upon myself or your department.

I count it an honor and privilege to be thus called into the service of our country, and am pleased to make whatever sacrifice of time and money that service may demand.

I inclose a second copy of my statement to be filed with you as chairman of the Council of National Defense.

Yours, very respectfully,

(Signed) E. A. DEEDS.

WASHINGTON, D. C., *August 28, 1917.*

THE AIRCRAFT PRODUCTION BOARD,
Washington, D. C.

GENTLEMEN: As a member of your board and interested in the letting of contracts on the recommendation of that board on behalf of the Government, I desire at this time to make a full and complete disclosure of the interest I may have in any corporation which might be a party to any such contract or which might furnish supplies to the Government through the instrumentalities of your board.

We understand the acknowledgment and officer in the following, to wit:

(1) The United Motors Co. of New York, being a union of several companies manufacturing automobile parts.

(2) The Dayton Engineering Laboratories Co., of Dayton, Ohio, manufacturers of ignition and starting devices for automobiles.

(3) The Dayton Metal Products Co., of Dayton, Ohio, engaged, among other things, in the manufacture of munitions.

(4) The Domestic Building Co., of Dayton, Ohio, a corporation formed for the development of real estate and which now owns the land and buildings leased to the Dayton Wright Airplane Co.

In all of the foregoing corporations I have severed my official connection therewith by resignation and have made a bona fide transfer to other parties of all my stock therein.

In addition to the above corporations, I was an incorporator of the Dayton Wright Airplane Co., but never owned any stock therein. I am also the president of and a large stockholder in the Domestic Engineering Co., of Dayton, Ohio, makers of Delco light plants, and expect to retain my official connection therewith and my financial interest therein.

I also own the ground embraced in the Moraine Experimental Flying Field near Dayton, Ohio, used for aviation purposes, but out of which I receive no compensation.

I make this disclosure now so that your board, as the representative of the Government, may be fully informed as to my relations, past and present, with these corporations, and be thus enabled to act wisely on any order or contract involving any of these corporations, either directly or indirectly. I desire that this written disclosure be recorded in the minutes of your board for the mutual protection of all of us.

Yours, very respectfully,

(Signed) E. A. DEEDS.

The facts with respect to the disposition of Col. Deeds's interests (so far as pertinent to this inquiry) and the method of disposition are as follows:

UNITED MOTORS CORPORATION—DAYTON ENGINEERING LABORATORIES CO.

The significance of Col. Deeds's statement with respect to the disposition of his interests in these corporations is that the Delco ignition system is used in the airplane engine known as the Liberty motor. In the planes manufactured abroad the magneto ignition system had been used and, prior to its use on the Liberty motor, it appears that the Delco system had not been employed on an airplane engine. In the specifications for the Liberty motor the Delco system was required to be installed with the first 20,000 engines. As already stated, the Delco system is controlled by the Dayton Engineering Laboratories Co. (Delco Co.), and this company is owned by the United Motors Corporation.

On the sale of his Delco stock to the United Motors Corporation, Deeds had received, in addition to cash, 30,000 shares (no par value) of its stock. (The total issued stock amounted to 1,200,000 shares.) After certain distributions, he still held at the time in question 17,500 of these shares. He also had an interest in a pool of certain shares, on which 3,880 additional shares were received in November, 1917. In his letter (above quoted) to the Aircraft Production Board, Deeds stated that he had severed his official connection with the United Motors Corporation and had made a bona fide transfer of his shares. He had resigned as vice president and director on August 10, 1917. The only transfer made by him of any of his shares in that company was by gift to his wife. He indorsed for transfer the certificates for 17,500 shares on October 13, 1917, and they were transferred to Mrs. Deeds's name on October 17, 1917. Thereafter, it is testified, they were held by the confidential agent, George B. Smith, for her account. Entries of the transfer were made in Col. Deeds's books by Smith not earlier than October, 1917, and were dated back to August 28, 1917. In the statement of his assets on August 31, 1917, submitted to him by Smith, the shares appear as part of his property. Mrs. Deeds's name first appears (3,880) received on the dissolution of the pool, about November 22, 1917, were transferred from the pool manager directly to Mrs. Deeds, as Mr. Deeds's agent, and the shares were received by Smith on her behalf. Prior to the transfer of the stock in October and at the time of Col. Deeds's letter to the Aircraft Production Board he had simply told his wife that it was to be her stock, and it does not appear that there had been an effective gift of the shares. The actual value of the 21,380 shares was approximately $300,000.

In addition to these shares in the United Motors Corporation, Deeds also held 38 shares of Delco preferred stock, which he had retained at the time of the sale of his common stock. These preferred shares he transferred to Kettering. It appears that the transfer was first entered by Smith in Col. Deeds's private journal in December, 1917. The date of the entry was afterwards changed to August 28, 1917, to correspond to the date when Smith was notified that Col. Deeds had received his commission in the Army. The stock was transferred to Kettering on the books of the company on October 13, 1917. The payment was made by debits in Deeds's open account with Kettering.

If there were evidence that Col. Deeds had acted as officer or agent of the Government in the transactions with the Delco Co. or with the United Motors Corporation prior to October 13, 1917, there would be ground by reason of his interest for charging a violation of the statute, and it may be doubted whether there was then or thereafter such a transfer as would avail to take the case out of the statutory prohibition. But there is no evidence that Deeds acted for the Government in any transaction with either of these corporations. So far as appears the Government made no contracts for Delco ignition either with the Delco Co. or with the United Motors Corporation. The contracts for the Delco system were made by the contractors who were manufacturing the engines under contracts with the Government, and the dealings with the Delco Co. or with the United Motors Corporation in relation to the Delco system were had by these contractors. It must also be said that, despite the natural inference from former business association and interests, the proof is lacking that the selection of the Delco system was due to the solicitation of Deeds. It can hardly be questioned that the design of the Liberty motor contemplated the use of the Delco system and that the magneto system could be used only by a special adaptation. The Delco system, however, had been extensively used for automobiles, notably by the Cadillac and Packard companies, and was in high favor with those who were developing the Liberty motor. While there has been a question as to which system was preferable, and it has been understood that foreign representatives at first did not approve the departure from foreign practice, and many may still be found to disapprove it, there is considerable evidence that the use of Delco ignition has been growing in favor and there has been testimony in this investigation from impartial and competent sources commending its adoption.

Special attention has been given to the memorandum directing the use of the Delco system in the first 20,000 Liberty motors. In the first memorandum by Maj. Gray, chief of the specification section, under date of October 6, 1916, the accessories recommended were so placed that the Delco ignition came last on the list. This was then rearranged, apparently to attract less attention to Delco, in alphabetical order. The recommendation, Maj. Gray testifies, for the use of the Delco system and the other accessories specified came from Maj. Vincent, one of the designers of the Liberty motor and then executive officer of the airplane experimental department of the equipment division, who stated that he did not believe they would be justified "in specifying for quantity production any other accessories than those which had thus far been tested out satisfactorily." The situation was a delicate one, says Maj. Gray, as Maj. Gray himself had been president of the Hess Bright Co. (he had resigned his office and disposed of his holdings in June, 1917), whose ball bearings were required as one of the accessories, and Col. Deeds had developed the Delco system. Maj. Gray testifies that he brought the question to Col. Deeds's attention, who said, "I do not like really to have anything to say about it, because in that list is the Delco ignition, and if I authorize it, it will look as though I have an ax to grind." The sum of the matter is that there is no satisfactory evidence that Col. Deeds signed, prepared, or directed the order for the use of the Delco ignition, although it can not be doubted that he desired the system to be used. Nor is there evidence that any recommendation was made by Col. Deeds to the Aircraft Board or to any other council, board, or commission regarding the matter.

His statement to the Aircraft Production Board on August 28, 1917, that he had made a bona fide transfer of all his stock in the United Motors Corporation, when the stock had not in fact been transferred, and at most he contemplated a gift of the stock to his wife, was neither candid nor truthful, and is certainly not to be regarded as a "full and complete disclosure." But in the absence of proof of solicitation, inducement, or recommendation by him, or action on his part as an officer or agent of the Government in transactions with the United Motors Corporation or the Delco Co., there are no facts bringing the case within the statutory prohibition.

DOMESTIC BUILDING CO.

In his letter of August 28, 1917, to the Aircraft Production Board, Col. Deeds stated that he had made a bona fide transfer of his stock in this company. This was not true. It appears that on that date he resigned the office of president of the company, but he did not dispose of his stock. The stock of that company is still held in equal portions by Deeds and Kettering.

Col. Deeds was plainly led to make the statement in his letter by the fact that the Domestic Building Co. had acquired the land and had erected the building which was in course of completion, and was then occupied and intended to be used as the principal plant of the Dayton Wright Airplane Co. for the manufacture of airplanes. It is said that in anticipation of a lease of the property to the Dayton Wright Airpaine Co., it had been agreed prior to August 28, 1917, that Deeds's stock in the Domestic Building Co. should be sold to Kettering. But there is not sufficient evidence of a definite and binding agreement to that effect, or of anything more than a loose understanding between intimates, whose arrangements could at any time be adjusted to suit their mutual convenience. Certainly, there had been no transfer of the stock. It was not until November that there was an adjustment of accounts with this company, and then, instead of a sale of his stock by Deeds, he retained his stock in the Domestic Building Co., and the plant erected by that company was purchased by Talbott, sr., Kettering, and Talbott, jr., who at once transferred it to the Dayton Wright Airplane Co.

On February 4, 1918, the Domestic Building Co. made a direct conveyance to the Dayton Wright Airplane Co. of an additional tract of 8.34 acres, adjoining the first tract, at the price of $13,344, or $1,600 per acre.

However, there is no ground, so far as the retention of Deeds's stock interest in the Domestic Building Co. is concerned, for charging a violation of statute. It is not enough that the Dayton Wright Airplane Co. purchased these properties, or that certain advances by Deeds were taken into account in fixing the purchase price of the main plant, or that both parcels of land were sold at more than the amount they had cost the Domestic Building Co. The Government has never had any contracts with the Domestic Building Co. and it does not appear that Col. Deeds has acted as an officer or agent of the Government in any transactions between the Government and that company. The gratuitous statement contained in his letter to the Aircraft Production Board that he had made a transfer of all his stock in this company may be said to indicate a willingness to state, as an accomplished fact, a transaction which never took place but was merely in contemplation as a step to be taken if deemed to be necessary.

DAYTON WRIGHT AIRPLANE CO.

Col. Deeds's statement in his letter of August 28, 1917, that he had never been a stockholder in this company was true. The stock is owned by the Dayton Metal Products Co., and if Col. Deeds had or has any interest through stock ownership in the profits on his contracts with the Government, this interest must be derived from an interest in the stock of the Dayton Metal Products Co.

His relation to the organization of the Dayton Wright Airplane Co. is this: He was an incorporator, and while he did not subscribe for stock, and none was issued in his name, the payment of the stock of the company to the extent of upward of four-fifths of its par value was made, in substance, by the transfer to the company of the plant built by the Domestic Building Co owned by Deeds and Kettering, and this company received therefor unsecured notes of Talbott, sr., Kettering, and Talbott, jr., only a small part of which has been paid. Thus Deeds and Kettering through the Domestic Building Co. virtually furnished the main plant of the Dayton Wright Airplane Co. on a credit to the Talbotts and Kettering. The transaction was as follows:

The airplane factory was erected on a tract which the Domestic Building Co. had acquired from the Moraine Development Co. (a corporation in which Deeds and Kettering were largely interested) at a price a little more over $753 an acre. The building was intended for the use of the Domestic Engineering Co., another concern owned by Deeds and Kettering, which was engaged in the business of supplying Delco lights for general illuminating purposes. It was later decided that it should be used by the Dayton Wright Airplane Co., which entered into possession. Still later it was arranged that the syndicate composed of Talbott, sr., Kettering, and Talbott, jr., should purchase the plant from the Domestic Building Co. and convey it to the Dayton Wright Airplane Co.

In November, 1917 (while the building was still incomplete), Mr. Allan R. Smart, a public accountant (of Barrow, Wade, Guthrie & Co.), made an adjustment of the accounts of Deeds, Kettering, Talbott, sr., and Talbott, jr., for various advances, and a balance was struck of $683,732.16 as owing to the Domestic Building Co. In this adjustment the land (25.55 acres) was taken at $1,200 an acre and the building at the amount of the expenditures upon it, making the price of the plant (called the Moraine plant) $836,401.08. The balance of $683,732.16 was covered by three individual notes of Talbott, sr., Kettering, and Talbott, jr., in the proportion of two-fifths, two-fifths, and one-fifth, as follows: H. E. Talbott, $273,492.87; C. F. Kettering, $273,492.87; and H. E. Talbott, jr., $136,746.43. All of the notes were dated November 4, 1917, and were payable to the Domestic Building Co. one year after date, with 6 per cent interest. The notes are unsecured. The makers of the notes have paid interest quarterly, and, in addition, Talbott, sr., has paid $3,492.87 on the principal of his note, reducing it to $270,000; and Talbott, jr., has paid $26,746.43 on the principal of his note, reducing it to $110,000. It appears that Mr. Kettering has made payments of $6,000. This transaction left the Talbotts and Kettering as the owners of the Moraine plant, which the Dayton Wright Airplane Co. was operating, and the stock of the Dayton Wright Airplane Co., for which they had subscribed, had not been paid in.

The payment of the subscriptions for the stock of the Dayton Wright Airplane Co., the concurrent payment by that company for two plants (the Moraine plant, already mentioned, and another at Miamisburg), and the transfer of the stock, thus paid for, to the Dayton Metal Products Co. were effected by an exchange of checks on December 1, 1917. Shortly before the Miamisburg plant had been acquired by Talbott, sr. (for the syndicate), for the sum of $60,000 and was turned over to the Dayton Wright Airplane Co. at $127,202, the profit being divided between himself, Kettering, and Talbott, jr., according to their respective interests in the syndicate. To accomplish the desired result the following procedure was adopted:

The Dayton Wright Airplane Co. gave to the syndicate its check for the sum of $935,071.23, made up of the purchase price of the Moraine and Miamisburg plants ($836,401.08 less an item of interest ($8,531.83) for the Moraine, or main plant, and $127,202 for the Miamisburg plant). The Dayton Metal Products Co. gave its checks to the syndicate for $183,959.55, for various balances of accounts, and for $909,500, the purchase price of the Dayton Wright Airplane Co. (less 5 shares retained). The syndicate thus received checks to the aggregate amount of $2,138,030.80. The syndicate gave their check to the Dayton Wright Airplane Co. in payment of the capital stock of $1,000,000 and another check to the Dayton Metal Products Co. for $1,136,537.29 as the purchase price of certain securities which the Dayton Metal Products Co. sold to the syndicate, making the total of the syndicate's checks $2,136,537.20. The Dayton Wright Airplane Co. gave its check to the Dayton Metal Products Co. in repayment of advances for $44,928.75, the difference between the sum of $935,071.23 paid by the company for the plants and the sum of $1,000,000 received for its stock. The transaction was accomplished with a minimum use of cash (less than $1,500), and as a result the Dayton Metal Products Co. had all the stock (save 5 shares) of the Dayton Wright Airplane Co., the Dayton Wright Airplane Co. had the Moraine and the Miamisburg plants, Messrs. Talbotts and Kettering had the securities which they had purchased from the Dayton Metal Products Co., and the Domestic Building Co. (owned by Deeds and Kettering) continued to hold the notes which the Talbotts and Kettering had given to that company on the settlement in November.

On the transfer by the syndicate of the shares of the Dayton Wright Airplane Co. to the Dayton Metal Products Co. it was agreed that all dividends in excess of 7 per cent per annum on the transferred stock and in excess of 8 per cent per annum on the common stock should be paid to Talbott, sr., Kettering, and Talbott, jr., in the proportion of two-fifths, two-fifths, and one-fifth. Why they should have desired these profits to be divided in the syndicate proportions instead of taking the profits through their dividends in the proportions in which they held the stock of the Dayton Metal Products Co., the purchaser of the shares, has not been made clear. The Talbotts and Kettering also took an option from the Dayton Metal Products Co. to repurchase all the shares at any time within five years for the sum of $999,500.

DAYTON METAL PRODUCTS CO.

Col. Deeds originally held one-fourth of the stock of this company, or 5000 shares. It appears from the minutes of the board of directors that at a meeting of the board in Dayton on May 21, 1917, President Talbott stated that the company had been advised by the Ordnance Department of the Army "that, in all probability, the entire facilities of the company would be utilized for munition work, and in all probability contracts would be given to the company as soon as appropriations were made by the Government." It is further set forth "that Mr. E. A. Deeds explained that he had been called to Washington and requested to take place on some of the committees of the Council of National Defense; that he had been to Washington and that he had accepted the call; and he therefore desired it that he might act as an interested, directly or indirectly, in any manufacturing plant which was contemplating business with the Government, and that he desired to offer his resignation as vice president and as director of the company." The minutes show the acceptance of this resignation and that Mr. Kettering was elected vice president. The minutes of the meeting of May 21, 1917, conclude with the following statement:

"At this meeting Mr. Deeds offered for sale and discussed probable purchasers for his stock in the Dayton Metal Products Co., and Mr. Deeds offered to the directors his entire holdings of stock at its book value less 15 per cent to cover costs and probable losses in view of the possibility of no future Government contracts being secured and the business of the company would have to be readjusted into lines being developed by the experimental department."

Some time subsequently—in the early part of the year 1918—the accountant drew a line across the last-mentioned statement in the minutes. He explains that he did not consider it "a corporate record," but a matter between the stockholders.

The testimony of the parties concerned is that Talbott, sr., Kettering, and Talbott, jr., purchased all Deeds's shares in the Dayton Metal Products Co. at their book value as of May 1, 1917, less 15 per cent, and gave in settlement of the purchase price their notes as follows:

H. E. Talbott, 200 shares	$207,706
C. F. Kettering, 200 shares	207,706
H. E. Talbott, jr., 100 shares	103,853

The notes were dated May 22, 1917, were payable to Deeds's order one year after date, with interest at 4½ per cent, and were placed in the hands of George B. Smith, the confidential agent of Deeds and Kettering. The notes were wholly unsecured. According to the stock certificate book the old certificates were canceled and new certificates issued to the Talbotts and Kettering under date of May 22, 1917.

It is not only open to doubt whether the transaction described in the minute book took place on May 21, 1917, but on all the evidence it is reasonably clear that it did not take place on that date. The minutes are typewritten and pasted in the minute book. No one of the parties is willing to testify positively that the proceedings described in the minutes took place on that day. Mr. S. S. King, of the Dayton Lumber & Manufacturing Co., has testified that he and Deeds went to Washington on the same train on May 18, 1917, and that they were in communication every day in Washington, from May 19 to 23. Furthermore, it appears that on May 21, 1917, when Mr. Deeds is represented as making his statement at the meeting of directors in Dayton, he was making his first appearance, according to the minutes of the Aircraft Production Board, at a meeting held by that board on that day in Washington. He himself testifies that he was in Washington on that day. While Mr. Deeds is represented as resigning his office as vice president of the Dayton Metal Products Co. in May, 1917, he continued to draw his salary until the end of July, 1917. The notes were placed in the custody of the confidential agent, Smith, but he made no entry in Deeds's bills receivable book of these notes until September. It does not satisfactorily appear, in view of the nature of some of the items, that the adjustment of accounts in fixing the book value and the determination of the amounts of the notes could have been made before June 30, 1917. There are stock certificates bearing the date of May 22, 1917, and purporting to have been issued after the issue of the new certificates to the Talbotts and Kettering for the Deeds shares, but these certificates were issued to members of the Talbott family, dividing the shares he had formerly held.

Upon all the evidence it is not established that the stock was purchased as early as May 22, 1917, and there are many indications that the transaction was dated back to that date.

However, Col. Deeds's stock was actually transferred on the books of the company, and the notes dated May 22, 1917, were given, apparently, not later than September, 1917.

On December 31, 1917, interest was paid by the makers on their respective notes to that date, and interest was paid quarterly thereafter. On January 18, 1918, Talbott, sr., paid $7,706 on account of the principal, reducing his note to $200,000; in February, 1918, Talbott, jr., paid $3,853 on account of the principal, reducing his note to $100,000, and on September 11, 1918, Kettering paid, on account of his note, the sum of $10,000.

If the transaction was a bona fide sale of the stock, Col. Deeds thereby parted with all his stock interest in the Dayton Metal Products Co., and thus did not have, by virtue of an interest in that stock, an interest in the profits of the Dayton Wright Airplane Co. The parties all deny that there is any secret agreement or option or understanding of any sort for a retransfer of the shares to Col. Deeds or for a sharing of profits with him.

To conclude: The fact is that the transfer of the shares in the Dayton Metal Products Co., which owns the stock of the Dayton Wright Airplane Co., was made to Col. Deeds's intimate business associates on their unsecured notes, which are overdue and unpaid save to a small extent. But there is no proof upon which it can be charged that Col. Deeds retained an interest in the Dayton Metal Products Co. and thereby in the Dayton Wright Airplane Co.

OTHER AVIATION ACTIVITIES CENTERED AT DAYTON—THE WILBUR WRIGHT FIELD.

This is a tract of about 2,245 acres leased to the Government by the Miami conservancy district, of which Mr. Deeds was the head. It was a portion of the area selected by the Miami conservancy district for the impounding of waters in the event of a serious flood. The property was acquired by the Government for a flying field and was developed by the erection of hangars, barracks, a storehouse, and other structures. Upward of $3,000,000 has been expended by the Government in this development.

On April 30, 1917, Maj. (now Gen.) Foulois was directed to inspect land sites for aviation purposes at various places, including Dayton, and tracts at Dayton were examined by him and by Capt. (now Col.) Edgar on May 8. These officers were met at Dayton by Mr. Deeds, and both Deeds and Orville Wright accompanied them on their inspection of the tracts in the vicinity. As to these, on May 11, 1917, Maj. Foulois reported as follows:

"The largest tract of land inspected is about 10 miles from Dayton and contains about 4,000 acres. This tract of land is admirably suited for aviation purposes, is under the control of the conservancy directors, and any portion of it can be acquired by the Government at a very low cost. The purpose for which this land has been set aside by the State of Ohio makes it extremely desirable for aviation purposes, in that it will be always used for agricultural purposes only and no buildings or other obstacles will ever be erected within the area set aside. Options on this tract of land or any portion thereof will be mailed to this office within the next few days."

On May 15, 1917, Gen. Squier recommended that the approval of the Secretary of War be obtained for the rental of several aviation training sites, including the one at Dayton, which was thus described:

"Approximately 2,500 acres in the vicinity of Dayton, Ohio, at the rate of $17,500 per year, with the privilege of renewal for three years, and the option of purchase at $350,000, the cost of crop destruction being $75,000. This will provide a four-squadron training field."

Mr. Coffin, as chairman, indorsed the proposal, stating that it was "in the judgment of the committee a wise and necessary action," and the project was approved on behalf of the Secretary of War by the Acting Chief of Staff. On May 19, 1917, Gen. Squier authorized Capt. Edgar to lease this site and others, and to proceed with the contracting for the necessary buildings. The first lease was signed on May 22, 1917 (by Capt. Edgar for the Government and Mr. Deeds for the conservancy district), for 2,075 acres for the period ending June 30, 1917, at the rental of $2,000, the Government also agreeing to pay $73,000 to cover damages to crops. There was an option for renewal for the year beginning July 1, 1917, at the rental of $17,660, and for a further renewal for the year beginning July 1, 1918, for a tract containing 2,500 acres (including the 2,075 acres first mentioned) at a rental of $20,000, and for further annual periods ending July 1, 1922; and there was also an option to purchase the 2,500 acres for $350,000.

Of the proposed tract of 2,500 acres, 505.27 acres were found to be marshy and were withdrawn and 250.47 acres, said to be of equal value, were added. This left a tract of 2,245.20 acres, for which a new lease was executed on July 1, 1917, for the period ending June 30, 1918, at the rental of $18,404.59, with annual options of renewal at a rental of $20,000 until June 30, 1922, with the option to purchase at the same price. The rental for the first year is explained by the fact that there were 210.47 acres of which possession could not be taken until March 1, 1918. Soon after that date the commanding officer at the field stated that 34.94 acres were in the possession of the Government, but that the remaining acres were available for occupancy, but "were very low and swampy and in the present condition of no value to the Government." For the Miami conservancy district it was stated that it had settled with the tenants at considerable expense in order to get possession and it was unwilling to take back the land from the Government.

There is an adjoining tract of 32 acres (part of the original 2,500 acres) which with 8 acres additional were sold to the Government as a site for a warehouse.

It appears from the testimony of Ezra M. Kuhns, the secretary of the Miami conservancy district, that at the time of our entry into the war the district had been able to secure options on only about 300 acres of the tract in question, but when negotiations with the Government began there was swift action. Mr. Deeds had brought the matter to the attention of Mr. Waldon as early as April 24, 1917, and had sent to him one of the district's engineers with maps. The following telegrams show the activity of Deeds and Talbott:

Telegram Deeds to Kuhns, April 30, 1917:

WASHINGTON, D. C., *April 30, 1917.*

EZRA M. KUHNS,
Miami Conservancy District, Dayton, Ohio:

Subject of our trip yesterday moving very rapidly and very satisfactorily. There is no doubt in my mind but what we will be successful. Avoidance of publicity very essential. Inspection will be made end of this week or first of next. You and Morgan [Morgan was the engineer of the Miami conservancy district] must plan now as though it was decided.

E. A. DEEDS.

Telegram Deeds to Kuhns, April 30, 1917:

WASHINGTON, D. C., *April 30, 1917.*

EZRA M. KUHNS,
Miami Conservancy District, Dayton, Ohio:

Options should be rushed in the vicinity of Fairfield, raising the price if necessary.

E. A. DEEDS.

Telegram Deeds to Kuhns, April 30, 1917:

WASHINGTON, D. C., *April 30, 1917.*

EZRA M. KUHNS,
Miami Conservancy District, Dayton, Ohio:

Options should be rushed in the vicinity of Fairfield, raising the price if necessary. Ohio State University is ordered to-day to cooperate with the Dayton School and Magruder, Lord, and Knight instructed to report at Camp Borden, Canada, Monday to learn course of instruction. Publicity will follow these instructions, and no one outside of Signal Corps officers knows of our plan for the larger school, and so far as everyone is concerned Dayton School is the Wright Field civilian school. Think you should advise Wright, Morgan, Harold, Talbott, and Kettering so that they will not disclose anything inadvertently. The civilian school will continue regardless of what is done with the other plan, and Ohio State will give the preliminary instruction in military tactics and all class room work, while the Wright Field Co. will give the instruction in aviation. Harold Talbott should be the channel through which publicity is given out, and there is no objection using the last statement if called upon.

E. A. D.

Telegram Deeds to Talbott, May 11, 1917:

WASHINGTON, D. C., *May 11, 1917.*

H. E. TALBOTT, *Dayton, Ohio:*

Think your whole plan is ideal.

E. A. DEEDS.

Telegram Talbott to Deeds, May 11, 1917:

MAY 11, 1917.

E. A. DEEDS,
Care New Willard, Washington, D. C.:

Contracts remaining secured to cover 2,500 acres will be closed by tomorrow evening. Will start Monday on immediate possession of land, so the fields will be ready when buildings are finished. This applies to central 1,000 acres in front of new building. Builders may retain use of buildings and barns for a few months and in some cases until winter, but main fields must be prepared without delay if they are to be used this fall. Think best to give no reason for immediate possession and feel sure we can arrange it. We can arrange financial matters as suggested. Wire if you approve.

H. E. TALBOTT.

Telegram Deeds to Talbott, May 11, 1917:

WASHINGTON, D. C., *May 11, 1917.*

H. E. TALBOTT,
City National Bank Building, Dayton, Ohio:

With few exceptions owners can, if necessary, continue to live in their houses for a year, thus avoiding necessity of moving this summer. Their teams will be employed, giving revenue to them. District wants to try out flying on large scale and wants to try experiment at once. This is only a suggestion. You doubtless may have a better one. May be necessary to exercise option at once; and if so, I will gladly go on District's note for full amount.

E. A. DEEDS.

Telegram Deeds to Talbott, May 12, 1917:

WASHINGTON, D. C., *May 12, 1917.*

H. E. TALBOTT,
City National Bank Building, Dayton, Ohio:

Suggest Kuhns, Emmett, Grant, and Brown be here Monday morning for conference on conservancy, bringing description of entire 2,500. Tax value and tax rate of property under discussion. Will be helpful. Publicity can be delayed at this time without difficulty. Everything moving nicely.

E. A. DEEDS.

The partiality for this site does not appear to have been warranted by any advantages it can be said to possess. Indeed, no satisfactory reason appears for the securing of so large a tract, as apparently 1,400 or 1,500 acres would have answered the purpose.

Fields of about 650 acres were selected at Rantoul and Detroit for two-squadron fields, and the field at Dayton was for four squadrons. Both the leasehold interest and the option to purchase are subject to a flood easement. The evidence is that in case of a flood such as that of the year 1913, the impounded water (that is, after the completion of the dam, which it is understood will be completed in two or three years) would cover the lowland to a depth of about 40 feet; the lowest hangar would have 24 feet of water, that is, over the eaves, and the highest hangar would have 15 feet of water. The barracks and various buildings, which stand on higher ground, would not be seriously affected. The warehouse itself (a large structure) is in a dry place, and the suggestion that some of the property stored there during the past year has suffered from moisture is not supported. Aside from the consequences of flood in the Miama Valley and the use of the area as a detention basin, it should be added that a considerable part of the tract consists of swamp land, which is unsuitable for the use for which it was leased.

There is no evidence that Deeds himself had any interest in the land acquired. He was head of the Miami conservancy district, but this was a public enterprise not organized for profit. Apparently at an earlier period advances had been made by the Dayton Metal Products Co. (a portion of which had originally been charged to Deeds personally and later credited back to him and charged to the maintenance account of the company, which had been used for the purchase of options for the district. The result of this transaction was to leave the Dayton Metal Products Co. a creditor of the enterprise but without interest in the land. Mr. Deeds had been appointed on the Munitions Standards Board in March, 1917, and he accepted appointment on the Aircraft Production Board on May 11, 1917. At this time, however, he was acting only in an advisory capacity, and it was before the passage of the act of August 10, 1917. He testifies that his only interest in this project was as a citizen of Dayton.

THE CONTRACT FOR THE DEVELOPMENT OF THE WILBUR WRIGHT FIELD.

The next step was the placing of the contract for development. The contract was signed by Capt. Edgar, under the direction of the Chief Signal Officer, and its terms were not unreasonable. It was on a cost-plus basis with a sliding scale, which as applied to the amount actually expended gives the contractor a commission of 7 per cent, with a maximum limit of $140,000. The contractor, the Dayton Lumber & Manufacturing Co., was recommended by Deeds. This company had done nothing in an extensive way for several years, having been engaged since the year 1908 in selling material and in operating a planing mill and a lumberyard. Its capital stock was $75,000. Prior to April, 1917, one S. S. King had owned 117 of the 750 shares. King's holdings were then increased to 417 shares, and in acquiring these 300 shares King was backed by H. E. Talbott, who as president of the City National Bank of Dayton arranged for a loan of $60,000 for the purpose. King wrote to Talbott on April 25, 1917: "As to the ownership of the stock, if you see fit to back me up in it, this can be determined in any manner that you see fit." It was not long after the control of the Dayton Lumber & Manufacturing Co. was thus acquired that the arrangement was made for giving to this company the contract to develop Wilbur Wright Field. King's narrative of the circumstances in which this contract was obtained is very illuminating and affords a notable contrast to the difficulties of many who unavailingly sought contracts with the Government.

King was sent for by Talbott and informed that he (King) had been "recommended down at Washington to assume the responsibility of putting up some buildings for Wilbur Wright Field," and suggested that he immediately set about effecting an organization for the purpose. This was on Saturday, May 17, 1917, and on Sunday Talbott telephoned to King, asking him to leave immediately for Washington. Accordingly King went to Washington on Sunday afternoon, taking the same train with Deeds. It was arranged that King should call the next day at Deeds's office, which he was informed was on the same floor with that of the contracting officer, Capt. Edgar. Accordingly on the following day, May 19, Deeds introduced King to Capt. Edgar, and in two or three days, on May 23, the contract was signed. As Col. Edgar testifies: "King was brought down here by Col. Deeds and recommended to us as a proper contractor, the most available in Dayton for the work."

The following is a portion of the correspondence between Deeds and Talbott relating to this contract:

Telegram Deeds to Talbott, May 23, 1917:

WASHINGTON, D. C., *May 23, 1917.*

H. E. TALBOTT,
City National Bank Building, Dayton, Ohio:

King probably returns to Dayton this evening. He is undertaking something which he alone is unable to get through with. It will be important that you give him a vision of this job and some very definite suggestions how to hit it in a big way. This is the biggest undertaking that has ever been put across in Dayton.

E. A. DEEDS.

Telegram Deeds to Talbott, May 23, 1917:

WASHINGTON, D. C., *May 23, 1917.*

H. E. TALBOTT, *Dayton, Ohio:*

Suggest you personally direct publicity regarding contract to be given soon, so that it will avoid criticism and at the same time tell the story. This is particularly vital because of Capt. Waring to start work Friday and the visitors whom I am bringing, who may read the papers. Your good judgment is needed on this.

E. A. DEEDS.

Telegram Deeds to Talbott, May 24, 1917:

WASHINGTON, D. C., *May 24, 1917.*

H. E. TALBOTT,
City National Bank Building, Dayton, Ohio:

In arranging for contract do not overlook a local contractor and lumberman in Osborne. Ezra Kuhns knows his name. He has been friendly to us, and I promised him something to do on this job.

E. A. DEEDS.

Telegram Talbott to Deeds, May 28, 1917:

MAY 28, 1917.

E. A. DEEDS,
Care New Willard, Washington, D. C.:

Just to remind you, chartered accountants of Government selection, expense to be paid by contractor and charged to cost of work. Piecework for labor only on various unit sections in various classifications of work will do much toward speed and economy. Each individual transaction to have the approval of officer in charge before it is effected.

H. E. TALBOTT.

Telegram Deeds to Talbott, May 31, 1917:

MAY 31, 1917.

H. E. TALBOTT, Sr., *Dayton, Ohio.*

Wire what progress has been made on Dayton Field. This is for our report to the council. If foundations have been started, for instance, and how many men on the job. This only needs to be a rough estimate.

DEEDS,
Aircraft Production Board.

Telegram Talbott to Deeds, June 1, 1917:

JUNE 1, 1917.

DEEDS, *Aircraft Production Board,*
War Department, Washington, D. C.:

Steam shovel and large trench digging machine now in place. Three cutting gangs at work. Teams and tractors on ground. Carpenters finishing sheds and office for construction purposes. Foundation excavations in progress. Have plant and equipment for six concrete gangs which will be at work early in the week. Sidewalks progressing. Repairing highways to facilitate trucking operations from Dayton. Purchased five new Packard trucks to augment transportation over the existing available trucks. Next week will see everything booming along. All material, lumber, cement, planks, board roofing located and on the way. Wish you would think over method of authority which can be given me to rush transportation of railway cars. This looks like the main point of congestion. All departments of construction now organized with experienced and competent supervisors and foremen. All this in spite of the fact that it has rained every day since Waring has been here.

H. E. TALBOTT.

Despite the indications of these messages, and of his transactions with King, Mr. Talbott testifies positively that he had no interest in the enterprise, except as a citizen of Dayton and got nothing out of it beyond 6 per cent interest received by the Dayton Metal Products Co. on money loaned.

King had no capital available for the enterprise, nor had the Dayton Lumber & Manufacturing Co. King's testimony is:

"Q. Did you have the capital to swing that?—A. Not without assistance.

"Q. Where did you expect to get the assistance?—A. When I talked to Mr. Talbott he told me on the Saturday afternoon, I said, 'Well, this will take a good deal of money.' He said, 'Yes, but,' he said, 'you need not worry about that. We will work out some way for that.' He said, 'I do not know how we will work it out, but we will work out some way for that.'"

The financial assistance that King needed was obtained upon the credit of the Dayton Metal Products Co., supported by the personal guaranties of H. E. Talbott and C. F. Kettering. Notes of the Dayton Lumber & Manufacturing Co. to the extent of $400,000 were discounted by the Dayton Metal Products Co. with the American Exchange National Bank, of New York. It was originally contemplated that these notes should be indorsed by Deeds and Talbott, as is shown by the following extract of a letter to Mr. Talbott from W. H. Bennett, vice president of the American Exchange National Bank, under date of June 25, 1917:

"Referring to the conversation which the writer had with you on Thursday, I have conferred with Mr. Kenzel, assistant cashier of the Federal reserve bank, and upon your statement that the Dayton Lumber & Manufacturing Co. is under contract with the United States Government for the preparation of the aviation field at Dayton, and that said company is to receive payments on the 10th of each month on the presentation of receipted vouchers for work completed in the previous month; and that it is the intention of the Dayton Metal Products Co. to make advances to said Dayton Lumber & Manufacturing Co. of amounts necessary to carry on the work, he ruled that the paper executed by the Dayton Lumber & Manufacturing Co. and indorsed by the Dayton Metal Products Co to cover said funds so advanced will be eligible for rediscount with the Federal reserve bank.

"Therefore, we feel that it will probably be of mutual advantage to provide for the advance of $400,000 requested from us by a three months' note executed by the Dayton Lumber & Manufacturing Co., to the order of the Dayton Metal Products Co. and indorsed by Mr. H. E. Talbott and Mr. E. A. Deeds. If you so desire, the indorsement of the individuals can be secured by an assignment from the Dayton Metal Products Co. of certain securities now in safekeeping with us to the individuals referred to."

It was subsequently arranged that the indorsements should be those of Talbott and Kettering, who also gave their separate agreement of guaranty. The avails of discounted paper were passed by the American Exchange Bank to the credit of the Dayton Metal Products Co. It appears from the accounts between the Dayton Lumber & Manufacturing Co. and the Dayton Metal Products Co. that, while the latter company ultimately paid the notes, their proceeds were used in large part from time to time for the benefit of the Dayton Metal Products Co.

The credit to the Dayton Lumber & Manufacturing Co., thus extended to it upon its notes, was furnished without security, or, as Mr. Talbott put it, with "no further security except in the man (King). I trusted the man; I knew his contract." After the contract had been obtained, King increased his stockholdings in the Dayton Lumber & Manufacturing Co. by the purchase of 104 additional shares, borrowing for the purpose $20,000 from the Dayton National Bank.

It appears that the total amount paid by the Government under the contract with the Dayton Lumber & Manufacturing Co. to August 14, 1918, amounted to $3,115,161.04. This represents the amount paid for the cost of the work; that is, for lumber, materials, etc. The commission or profits of the contractor, which had been paid to that date, amounted to $102,436.04. There has been considerable trouble in connection with the contract, and the accounts are far from being in satisfactory shape. An audit of the books of the company was made by Harrow, Wade, Guthrie & Co. to November 30, 1917. They reported that they found "the pay rolls very incomplete, full of errors, corrections, and erasures," and that there was "abundant evidence that great laxity and carelessness has been exhibited by the employees of the company, especially those in the paymaster's department." These statements are amply confirmed by the evidence in this investigation, and the accounts are in course of being reaudited by Government accountants. The consideration of the various irregularities in the accounts and of the questions to which they give rise must await the result of this examination. It will be observed that the Government has withheld a large part of the compensation of the contractor until a satisfactory adjustment has been made. Of the profits received from the Government it would appear that the moneys have been retained in the business of the company, except to the extent of a dividend of $37,500, that is, 50 per cent on the capital stock. Of this dividend King was entitled on the 521 shares acquired in his name to $26,050, and of this amount it appears that he had received 70 per cent, or $18,235, to July 1, 1918. He had paid $11,000 on account of his loan ($21,000) to the Dayton National Bank. He had paid nothing on the $60,000 loan from the City National Bank. No agreement has been proved for a division of profits on this contract, and there is no proof that Col. Deeds has had an interest in the contract or in the Dayton Lumber & Manufacturing Co. Even if it appeared that the Dayton Metal Products Co. was interested in the contract (which would explain transactions otherwise difficult to understand), this fact would not affect Col. Deeds, unless he were found to be interested in that company. The question would thus come back to the transfer of his stock in the Dayton Metal Products Co., which has already been considered.

MCCOOK FIELD (FORMERLY KNOWN AS NORTH FIELD).

This is a field of approximately 200 acres in and adjacent to Dayton, which was leased by the Government from the Dayton Metal Products Co., and has been used for the purpose of making various tests. Lieut. Col. Vincent first suggested another field (South Field or Moraine Field) and brought the matter to the attention of Col. Deeds by whom that field was principally owned. On September 27, 1917, Col. Deeds sent the following telegram to Mr. Talbott:

WASHINGTON, D. C., *September 27, 1917.*

Mr. H. E. TALBOTT,
City National Bank Building, Dayton, Ohio.

Col. Clark takes letter regarding Moraine flying field with him to Dayton to-night. George McCann has another letter, for Mr. Kettering. Government will lease land, put up buildings, and operate experimental field. Lease will be for three years without privilege of purchase, as that is not necessary. Have complete description of property prepared, also statement of cost of buildings already erected and suggested monthly rent arrangement and have George McCann bring them to Washington to complete lease. Have him prepare deed for this property to Mr. Kettering, who in turn will lease it to the Government.

DEEDS, *Equipment Division.*

Talbott and Kettering refused to consent to this use of South or Moraine Field, as it was said to be needed for experimentation in connection with the Dayton Wright Airplane Co., and they suggested North Field, or what afterwards became known as McCook Field. The latter tract had originally been purchased by Deeds and Kettering, each of them bearing one-half of the cost, and they had made some improvements, such as leveling, removing trees, etc., and had erected one or two small buildings. The object of their purchase had been to develop a tract which Deeds had purchased for civilians, but this project could not be carried out. The suggestion was that this parcel, with approximately 82 acres of land adjoining, which was owned by the Dayton Metal Products Co., would be suitable for the Government's use as an experimental station. Deeds did not wish to be a party to the lease, and proposed to Kettering his undivided one-half interest in the parcel owned by them in common, and Kettering then conveyed that parcel to the Dayton Metal Products Co., which thereupon leased the entire tract to the Government.

The lease was dated October 4, 1917. Col. Deeds was present at the conference at which the terms were settled and sent the following telegram to Talbott on October 3:

WASHINGTON, D. C., *October 3, 1917.*

Mr. H. E. TALBOTT,
City National Bank Building, Dayton, Ohio.

Have worked out a lease for the North Dayton Field, $12,800 a year without cash payment. It is the best thing that can be done under the circumstances, and suggest its acceptance. Craighead will discuss it with you in detail when you see him.

DEEDS, *Equipment Division.*

Lieut. Col. Edgar, under the authority of the Chief Signal Officer and the approval of the Chief of Staff and of the Assistant Secretary of War, signed the lease on behalf of the Government. The rental is at the rate of $12,800 a year with an option of renewal from year to year, until June 30, 1921. There is no option to purchase; the lessor agrees that at the expiration of the lease the lessee may remove the structures and improvements erected by it upon the premises.

The contract for the development of the field was made with the Dayton Lumber & Manufacturing Co., notwithstanding the fact that the contractor had failed to give satisfaction in connection with the Wilbur Wright Field. This is explained by Col. Edgar as follows:

"We had an organization at the Wilbur Wright Field. We had practically reorganized King's force, and it was determined to take them over to McCook Field, which was brought to us by Col. Deeds as a rush job which must be done immediately. * * * He personally brought the proposition to me as a proposition that had to be put through immediately. They had no place to test the planes that were coming out. We did not pick out McCook Field; we had nothing to do with its location. A contract was made for the rental of the ground of the McCook Field, and we were importuned to take our organization over there with this contractor and finish this job up and it was done.

"Q. Importuned by whom? A. By Col. Deeds."

The total amount expended by the Government upon McCook Field to August 14, 1918, amounts to $949,085.35, and the contractor's compensation is 7 per cent of the cost with a maximum limit of $46,200. The amount paid to that date as contractor's profit was $26,067.65. The remaining portion of the total compensation has been withheld awaiting the audit of the contractor's accounts.

There is no proof that Col. Deeds has had an interest in the contract for the development of this field. Nor does it appear that he had an interest in the lease executed by the Dayton Metal Products Co. to the Government, or in the rent reserved. While Col. Deeds originally owned a part of the tract leased to the Government, he conveyed—by what purported to be an absolute sale—his interest to Kettering, and was not interested in the lease by Kettering's grantee, the Dayton Metal Products Co., unless he was interested in the stock of that company, a question already considered. It is understood that the amounts advanced by Deeds in connection with the development of that portion of the tract in which he had an undivided one-half interest were taken into account in the settlement that was made in November, 1917, when the amount to be paid (by notes) to the Domestic Building Co. for the plant acquired by the Dayton Wright Airplane Co. was determined; but this fact is not sufficient to establish an interest in the lease so as to bring the matter within the range of the Federal penal statute.

SOUTH FIELD OR MORAINE FIELD.

This is a tract of about 110 acres lying south of the city of Dayton and a short distance from the plant of the Dayton Wright Airplane Co. The greater portion of the land belongs to Col. Deeds. It has been improved by the erection of a number of hangars and other buildings. This land was leased about November 30, 1917, to the Dayton Wright Airplane Co. for a period of three years at a rental of $1 per year. It is used by that company as a place of experimentation. The expenditures for hangars and improvements upon South Field which had been made by Col. Deeds had been taken into account in the settlement made with the Domestic Building Co.

ACCEPTANCE FIELD.

This is a field lying close to the plant of the Dayton Wright Airplane Co., upon which the airplanes it manufactures for the Government are taken out for trial. The greater part of this field belongs to the Moraine Development Co., and it appears that Deeds is interested in this field as a stockholder in that company. Deeds and Kettering each hold 2,055 shares out of a total of 10,003 shares, the majority of the stock being held by Adam Schantz. This field is leased to the Dayton Wright Airplane Co. The transactions relating to South Field and Acceptance Field were with the Dayton Wright Airplane Co., and not with the Government.

(3) COL. SIDNEY D. WALDON.

During the period in question Col. Waldon was a stockholder in the Packard Motor Car Co. This interest he retained, but he disclosed it to the Aircraft Production Board at its meeting of August 27, 1917, and to the Secretary of War, and it does not appear that he took part at any time in any proceedings of the board or in any other transactions in relation to the Packard Co. No interest on his part in any other concern having dealings with the Government is shown.

(4) COL. ROBERT L. MONTGOMERY.

At the time Col. Montgomery entered the service of the Government he was one of the directors of the J. G. Brill Co., of Philadelphia, holding one share of common stock. Col. Montgomery states that he resigned from the board of directors and sold his share of stock on September 22, 1917, before any contract was made by that company with the Government and that he did not negotiate the contracts in which that company is interested. Col. Montgomery further states that at the time he entered the Government's service it was agreed with his partners that no member of the firm should have any interest in any concern connected with aircraft work. It appears that the wife of one of his partners held for some time 200 shares of the stock of the Curtiss Aeroplane & Motor Corporation, which she had purchased in her own right, and then sold it, and that subsequently she bought some 500 shares of the stock of the Wright-Martin Aircraft Corporation. With these transactions Col. Montgomery had no connection.

Col. Montgomery's firm (Montgomery, Clothier & Tyler) in August, 1917, took an interest of $250,000 in an underwriting syndicate through the National City Co. for the flotation of $5,000,000 6 per cent notes of the Electric Auto-Lite Corporation. Later, Montgomery, Clothier & Tyler issued a circular offering the notes for sale to the public. These notes of the Electric Auto-Lite Corporation were secured, in part, as the circular states, by a specific pledge of collateral, among which were shares, amounting to $12,500,000 in par value, of the common stock of the Willys-Overland Co. The Farmers' Loan & Trust Co., of New York, was made trustee to receive the pledge. The sale of all the notes was completed by September 12, 1917, $110,000 being sold through Montgomery, Clothier & Tyler, who received $8,500 in settlement of their interest in the underwriting. Col. Montgomery states that this transaction, with others, was undoubtedly mentioned to him by his partners at or about that time, but that he never saw the circular or had the transaction fully explained to him until May of this year. In August and September, 1917, at the time of this transaction, Col. Montgomery, on behalf of the Government, was negotiating contracts with the Willys-Overland Co. for the manufacture of engines for training planes. The Willys-Overland Co. not only made these contracts but also had a substantial interest in the Curtiss Aeroplane & Motor Corporation, which at the time had contracts with the Government for airplane engines. While the Electric Auto-Lite Corporation was affiliated with the Willys-Overland and Curtiss Cos., the transaction in question concerned the flotation merely of notes of the Electric Auto-Lite Corporation, and the interest of purchasers in these notes in the stock companies having dealings with the Government was only through the pledge of the Willys-Overland stock as collateral security. It appears that while Col. Montgomery's firm took part in the sale of the notes as members of the underwriting syndicate, none of the notes were actually purchased by his firm, either for firm account or for any individual partner, and in these circumstances it is believed that there would be no sufficient ground for holding the above-quoted statutes to be applicable.

Apart from the above matter, there is no evidence that Col. Montgomery has had an interest in any corporation, association, or firm with which he has dealt as an officer or agent of the Government.

Other officials.

LIEUT. COL. JESSE G. VINCENT.

In April, 1917, Mr. Vincent was vice president of the Packard Motor Car Co. in charge of engineering, with a salary of $25,000 a year. Under his contract with that company made in 1912 he was entitled to subscribe for certain shares of its stock. On August 15, 1917, having resigned his office, he made a settlement with the company, receiving his salary to that date and a bonus of $5,000 for the preceding year's work, and at the same time, through the exercise of his option, he acquired $15,000 of common stock at par, which, with the stock dividends previously declared thereon, gave him approximately 347 shares. He had purchased outside about $2 share, so that he became a stockholder in the Packard Motor Car Co. to the extent of 429 shares of the common stock of the par value of $42,900. This stock he has continued to hold since August, 1917; he has received dividends of 1½ per cent quarterly, with the exception of one quarter, for which a dividend was passed.

From about May 27, 1917, until August 15, 1917, Mr. Vincent, while paid by the Packard Co., was actually at work for the Government in the development of the Liberty motor. It is said that for this period he was "loaned" by his company to the Government. On September 3, 1917, he received a commission in the Army with the rank of major, and later he was raised to the rank of lieutenant colonel. About July 1, 1917, he was put in charge, as a civilian, of the engine design section of the Signal Corps, and he remained in this service after he was commissioned and until October 1, 1917. On the latter date the airplane experimental department of the Signal Corps was established in charge of Lieut. Col. Clark, with headquarters at McCook Field, Dayton, and Maj. Vincent was associated with this department as its executive officer with his office at the Lindsey Building, Dayton. On February 6, 1918, he was put in charge of the airplane engineering department at Dayton and in command of McCook Field. He is now in charge of the airplane engineering division of the Bureau of Aircraft Production.

Both before and after Maj. Vincent received his commission in the Army he had transactions with the Packard Motor Car Co. in which he acted on behalf of the Government. On June 6, 1917, the Aircraft Production Board adopted a resolution which provides, after recitals, as follows:

"*Therefore be it resolved*, That the board proceed immediately to secure space wherein to bring together sufficient draftsmen under a competent engineering organization to produce complete designs of 8 and 12 cylinder motors, to be known as the US-8A and US-12A, respectively; that the design for the 4 and 6 cylinder motors follow as soon as practicable, these motors to be known as the US-4A and US-6A, respectively. These designs and drawings to be made to include the designs and drawings for the special tools necessary to produce the parts of these motors. The board should undertake to have the parts made wherever in its judgment they can be most quickly and advantageously done and have them sent to Washington and assembled here in space to be secured, parts to be made for five (5) US-12A and five (5) US-8A.

"*And be it further resolved*, That the board recommend to the office of the Chief Signal Officer that the sum of $250,000 be immediately set aside to carry on this work and that a disbursing officer be assigned to handle this fund."

This allotment, or $249,159.10, was paid to the Packard Motor Car Co. for drawings, models, tests, etc., and for six US-8A's and five US-12A's, which were to serve as standardized engines. No written contract for this work or written order for this work setting forth unit prices or specifying the terms on which the work was to be performed is found in the files of the Signal Corps, and in this respect the proceeding was very irregular. Instead of there being an appropriate agreement or written order, it appears that verbal orders were given from time to time by Mr. Vincent, which, it is testified, were confirmed in conversations with Mr. Deeds.

The first voucher presented by the Packard Co. for this development work was for $194,500, which was paid on August 11, 1917, upon a certificate of Mr. Deeds, then a civilian, in charge of the equipment division. While Mr. Deeds was familiar in a general way with the work, it does not appear that he or any one else acting for the Government, except Mr. Vincent, had detailed information as to what had been done or as to actual cost. The exact amount of the outlays could not then be stated either by the company or by Mr. Vincent, and while definite amounts were placed opposite the particular services and engines described in the voucher, these amounts were mere estimates. The voucher did not so state, but the payments were actually payments on account. Included in this first voucher (paid August 11) were the salaries and traveling expenses, as estimated, of those in the engineering organization which Mr. Vincent had effected for this development work, including the salary of Mr. Vincent himself after he came to Washington as above stated.

"In other words, this item was intended to cover not only the making of drawings, but the moving of engineers here to date and also a lot of traveling expenses incident thereto * * * that was all lumped under original design work. * * * Q. Was there any itemization of that anywhere? A. There was not, because it was impossible to make any such itemization. I knew roughly what it would cost. * * * Q. How much of that amount of $37,000 included in that voucher—that is, the voucher for $194,500—was for salaries? A. I should say about one-third. Q. For what period were those salaries allowed. A. They were allowed for the period that the men were actually on the job.

* * * * * * *

"Q. Is your salary included in the $37,000? A. I think it is."

Another voucher in similar form for $73,194.72 was presented by the Packard Co. on November 20, 1917. It was accompanied by a letter from Maj. Vincent, representing the engine-design section of the Signal Corps, to Col. Deeds, which stated:

"I have personally supervised this work and hereby certify that all of the above material has been delivered to the Government and is now being used for Government purposes.

"The prices at which the engines are billed are only approximately correct and may be high or low, but this can not be determined until a final checkup is made when the job is completed. There are several engines yet to be delivered, and before we pay for the final ones, I will arrange to have a checkup made in order to insure that the total amount paid for the entire job is entirely fair to both the Government and the Packard Motor Car Co. I would ask that payment be made the Packard Motor Car Co. promptly in this connection, as they are going to a great deal of trouble to do this experimental work for us."

A third voucher for $60,000, for three engines, which was also a mere estimate, was paid on December 6, 1917, on Col. Deeds's certificate.

The fourth, and final, voucher was paid on January 19, 1918, for the two remaining engines, which were put down at $5,732.19 each so as to bring the total amount expended for the development work within the above-mentioned allotment of $250,000. The Packard Co. at this time submitted an itemized statement of its outlays which Maj. Vincent examined and approved. This statement purported to show the total cost of the entire work; that is the cost of material and labor, the direct expense (including traveling and other expenses of the organization which Mr. Vincent brought to Washington for the purpose of working

on the design of the Liberty motor) and the overhead charges. These items aggregate $221,474.75, to which a profit of 12½ per cent ($27,684.35) was added, making a total of $249,159.10. Maj. Vincent wrote the following letter to Col. Deeds in submitting the final voucher with his approval of the itemization of cost:

DAYTON, OHIO, *January 29, 1918.*

From: Maj. J. G. Vincent, airplane experimental engineering department, Lindsey Building, Dayton, Ohio.
To: Col. E. A. Deeds, Southern Railway Building, Washington, D. C.
Subject: Final payment on the Liberty engine development order.

1. I am inclosing herewith bills from the Packard Co. for the last, or No. 6, 8-cylinder engine, and the last, or No. 5, 12-cylinder engine. These bills have been held in abeyance until the Packard Co. could furnish us with a final accounting covering the cost of the job.

2. You will remember that the Joint Army and Navy technical committee set aside an appropriation of $250,000 to cover the cost of this job. At the time they set aside this amount and asked me to have 10 engines built I was afraid it could not be done within the appropriation, but am glad to be able to advise you that altogether we built 11 engines, as well as 2 wooden models and ran several tests under this order and still kept within the appropriation. You will note that the last two engines are built at $5,732.19 each, as this just balances out the net cost to the Packard Co. plus 12½ per cent profit.

3. As a matter of general information I want to point out that the Packard Co. cooperated with us to the limit on this job, and many of their executives gave a great deal of their time to this work for which they received no pay whatsoever. It is also a fact that this work was put ahead of a great deal of other work, causing losses which can never be computed. They did this cheerfully because their heart was in the job, and my only object in mentioning it is to in some degree give them credit for their attitude, as I know no one at Washington can possibly realize what this brand of cooperation costs.

4. I want to go on record as stating that I do not know of any other place in the world where this job could have been done at anything like this cost.

5. During the last two years that I was with the Packard Co. they spent approximately a half million dollars on aircraft development work. The spending of this money not only put me in position to know what should make an aircraft engine, but it also resulted in the development of an organization at the Packard plant which was ready and waiting to grab this Liberty job. I think you will find the brief résumé of costs entirely satisfactory, but I simply want to state that the Packard Co., of course, have a complete record of all the transactions, if they should ever be required. I think, however, that this job is so obviously reasonable that nothing else will be required. I want to urge that you have final payment made to the Packard Co. immediately, as they are carrying cost lot of development work for us and are, therefore, carrying considerable investment at all times.

(Signed) J. G. VINCENT,
Major, S. C., U. S. A.

The irregularity of proceeding in this manner without a contract or proper order in writing is apparent. No price had been fixed for the work or materials; if only outlays were to be reimbursed, it was necessary that outlays should be appropriately proved before payment was made, and this had not been done in the case of the first three payments. Nor does it appear that at the time the first voucher for $104,500 was passed, on or about August 11, 1917, Mr. Deeds had any authority in the absence of a written contract or a proper written order to give the certificate. The Chief Signal Officer testifies that he did not have such authority. Nor was his certificate itself accurate in its terms, as there was no agreement for a price, and if there was an agreement for the reimbursement of actual outlays, the voucher, being a mere estimate, was not in accordance therewith.

It should be said, however, that the evidence does not afford ground for the conclusion that the Government was defrauded or that there was any intent to defraud the Government on the part of any of the parties concerned. The work was development work, these first engines being made by hand in advance of tooling up for quantity production in order to standardize the design, and it does not appear that the services rendered were not worth the amount paid or that the estimates of the outlays were not fair estimates; that is, that the amounts as estimated were not actually expended as set forth in the final statement. Both Maj. Vincent and Mr. MacCauley, the president of the Packard Motor Car Co., testify that the amount paid under these vouchers as finally adjusted did not embrace any expenses incurred in the original work of the Packard Co. in developing an aircraft engine; that is, prior to the time when Mr. Vincent came to Washington on May 27, 1917. Viewed as an arrangement for services on a cost-plus basis, the allowance of profit does not seem to be excessive. While the vouchering was irregular, there is no sufficient basis for a charge under the statutes relating to false and fraudulent vouchers or the facilitating or obtaining of payments with intent to defraud the Government.

A distinct question, however, is presented as to Lieut. Col. Vincent. Section 41 of the Criminal Code explicitly prohibits any person who is directly or indirectly interested in the pecuniary profits or contracts of a corporation from acting as an officer or agent of the United States for the transaction of business with such corporation. It is manifest that Lieut. Col. Vincent acted as an officer and agent of the Government for the transaction of business with the Packard Motor Car Co., in which he was a stockholder, and that this was in violation of the statute.

LIEUT. COL. GEORGE W. MIXTER.

Lieut. Col. Mixter, formerly vice president of Deere & Co., of Moline, Ill., manufacturers of agricultural machinery, came to Washington in July, 1917, to undertake the organization of the inspection department of the aircraft engineering division of the Signal Corps. He was later chief of the inspection department of the equipment division of the Signal Corps. He was commissioned as an officer in the Signal Corps, with the rank of major, about August 15, 1917. The work of the inspection department covered the inspection or acceptance of material and manufactured articles furnished to the Signal Corps, including the inspection of airplanes and engines manufactured under contracts with the Government. As chief of the department, Maj. Mixter dealt with the matters of organization and personnel and exercised a general supervision over the department in matters of administrative policy. In May, 1918, Maj. Mixter was made production manager and on the reorganization which resulted in the establishment of the Bureau of Aircraft Production he continued to carry the title of production manager, being directly under Archer A. Landon, who is Director of the Production Division, which is broadly charged with the actual execution of the aircraft program after the receipt of engineering data.

Prior to his connection with the Government, Mr. Mixter held 25 shares (par value $2,500) of the preferred stock of the Curtiss Aeroplane & Motor Corporation. He has not disposed of this stock. He testifies that he had sold his common stock in the company about two years ago and that he had not given thought to the retention of the few preferred shares; that his personal accounts are kept at his office in Moline and are in charge of his secretary. The Curtiss Co. had important contracts with the Government for the production of aeroplanes, and Lieut. Col. Mixter was in charge of the organization of the inspection of materials and products at its plant as well as at other plants, and he visited the Curtiss plant from time to time in the exercise of his authority as head of the inspection department and as production manager, and as an officer of the Government he dealt with such questions at this plant as required attention.

The statutory phrase "transaction of business" is broad enough to embrace the activity of officers or agents of the United States who are heads of divisions having charge of the inspection of products under contracts requiring the action of Government inspectors in course of performance. It would be a narrow construction to hold that the statute (Crim. Code, sec. 41) is limited to the making of contracts or the placing of orders or transactions relating to payment or discharge. It would seem to be quite as important that the chief of a department of inspection, selecting the inspectors who act under his instructions at the plants of contractors, should be free from interest in the corporation whose work is inspected, as the inspectors themselves, and both the chief of an inspection department and the inspectors may properly be regarded as agents of the Government for the transaction of business with the corporation. The same would be true of the production manager having supervision of production under contracts with the Government. No ruling in the Federal courts with respect to the applicability of the statute to such an officer or agent of the Government has been found. In the view that the statute has the scope suggested, Lieut. Col. Mixter acted as an officer or agent of the United States, contrary to the prohibition, for the transaction of business with the Curtiss Aeroplane & Motor Corporation, in which he was a stockholder. His holdings were small, but it can not be said that for that reason the statute is inapplicable.

MAJ. HOWARD C. MARMON.

Maj. Marmon joined the Signal Corps about June, 1917, and almost immediately was sent to Europe with the Aeronautical Commission. On his return he was assigned to duty with the airplane experimental department at McCook Field, Dayton. Prior to his service with the Government he was vice president and engineer of the Nordyke & Marmon Co., of Indianapolis, which was engaged in manufacturing mill machinery and motor cars, and he held $15,000 in par value of the stock of that company, its book value being several times its par. On entering the Army, he gave to his brother a power of attorney to dispose of his shares, and they were transferred to his mother, Mrs. Elizabeth C. Marmon, and have since stood in her name. The transfer was a gift; Maj. Marmon testifies that he has no interest in the stock. His mother turns over to him the income of other property which is the equivalent of the salary he had previously received from the Nordyke & Marmon Co.

The Nordyke & Marmon Co. has a contract for 3,000 Liberty engines and spare parts, and previously had a contract, which was filled, for 1,000 Hall-Scott engines and spares. The evidence is that Maj. Marmon had no part in the negotiations relating to these contracts or with the supervision of inspection, production, or payments. He has been engaged in the airplane experimental department, or engineering department at McCook Field. It does not appear that he has had any transaction with the Nordyke & Marmon Co. save that he went to that company, with others, from McCook Field, the blue prints for the Liberty engine. It also appears that he signed a communication from McCook Field relating to a Marmon automobile which had been ordered by Lieut. Col. Vincent for that department. Taking all the facts into consideration, there is no sufficient ground for a charge of violation of the statute in his case.

SECOND LIEUT. SAMUEL B. VROOMAN, JR.

In a subsequent portion of this report reference is made to the Mahogany Manufacturers and Importers Association, a voluntary association of the leading mahogany manufacturers of the United States, which was formed last January in connection with negotiations for the purchase by the Government of mahogany for airplane propellers. One of the members of the association is the S. B. Vrooman Co., of Philadelphia. Second Lieut. Vrooman is the son of Samuel B. Vrooman, who was the head of this company until his death, a short time ago. Second Lieut. Vrooman is 31 years of age, and for upward of nine years was at work in his father's company handling lumber, inspecting, and selling. On his marriage, in June, 1917, his father gave him $10,000 in par value of the company's stock, which for some years has paid 20 per cent dividends annually. This stock he still holds. In addition to the dividends on his stock the S. B. Vrooman Co. has continued to pay him since he entered the service of the Government the sum of $50 a week, which is the equivalent of the compensation he previously received for his services to the company.

In December, 1917, S. B. Vrooman, jr., became identified with the Equipment Division of the Signal Corps as a civilian and was made an inspector of mahogany purchased by the Government. In February, 1918, he was put in charge of the inspection of all propeller lumber. He selected the district officers, who in turn selected the inspectors. Mr. Vrooman issued instructions to the district officers, visited the plants to see that the inspectors were doing their duty, and passed on disputed points. He has continued in this service, and in July, 1918, received a commission as second lieutenant. Among the plants subject to his jurisdiction as head of inspection of propeller lumber is that of the S. B. Vrooman Co., which has had contracts with the Government and is within the territory assigned to the district office at New York. S. B. Vrooman, jr., selected the head of this office, Mr. McChilough, who was responsible to him for the efficiency of the inspection and for the carrying out of his instructions, which related to the inspection at the Vrooman plant as well as others. The conclusion is not to be escaped that S. B. Vrooman, jr., was the agent of the Government directly responsible for the proper inspection of the mahogany delivered by the S. B. Vrooman Co. to the Government under its contracts, and that his acting as such agent for the transaction of business with the corporation in which he was a stockholder was in violation of the statute.

Fourth. The aircraft program.

At the time of our entry into the war we had no combat planes and only a few planes for training and scouting purposes. Approximately 100 airplanes had been delivered to the Army up to the year 1917. There were few flyers and still fewer who had any acquaintance with

aviation engineering. The airplane manufacturing industry was in its infancy in this country. But these difficulties were not concealed. The necessity of prompt endeavor to surmount them and of securing at once the full benefit of foreign experience was obvious.

On May 22, 1917, the Joint Army and Navy Technical Aircraft Board, consisting of officers of the Army and Navy especially qualified by reason of aeronautical experience, made a series of recommendations to the Secretary of War and the Secretary of the Navy, which were duly approved by each Secretary. It was recommended that there should be purchased by the Army (from the Curtiss Aeroplane & Motor Corporation) "700 Curtiss JN-4 advanced training planes, equipped with the Curtiss OX-5 engines, with 50 per cent extra engines and appropriate amount of engine and airplane spares." The purchase of 100 Gnome engines (40 for the Navy and 60 for the Army) from the General Vehicle Co., was also advised. It was recommended "that no action be taken on the suggestion by the Aircraft Production Board for the purchase of the Standard J airplanes, pending tests of this machine by Army flyers." Other recommendations were as follows:

"9. The board recommends that the Aircraft Production Board take immediate steps to obtain complete working drawings, complete machines for use as samples, and to arrange for the manufacture in this country of the following airplanes and engines:

"AIRPLANES.

"Sopwith, 1½ strutter.
"Spad, 1-place pursuit type.
"S. E. 5, 1-place pursuit type.
"Sopwith, 130-horsepower Clerget, 1-place pursuit type.
"D. H. 4, 2-place reconnoissance.
"B. E. 2 D, 2-place reconnoissance.
"White, Gnome pusher, seaplane.
"Two types of Fairey seaplanes; 130-horsepower Clerget type; and also a Campania type.
"Farman, with a 150-horsepower Hispano-Suiza engine, seaplane.

"ENGINES.

"Lorraine-Dietrick, 250 horsepower.
"Clerget, 130 horsepower.
"Hispano-Suiza, 200 horsepower.
"Rolls-Royce, 270 horsepower.
"B. H. P., 200 horsepower.
"Gnome Mono-soupape, 170 horsepower."

The same board on May 23, made further recommendations to the Secretary of War and Secretary of the Navy, which were also approved, as follows:

"3. It is estimated that the needs of the United States Army for heavier-than-air aircraft until July 1, 1918, will be as indicated hereinafter, and it is recommended that a building program to accomplish these needs be started at once.

Under the present conditions in order to meet the needs of the United States Army only:

TRAINING.

Type of airplane.	Number required.	Type of engine.	Number required.
JN-4	3,500	OX-5	7,000
DeH-4	1,750	RR or equivalent	3,500
SE-5	600	HS	1,200
SPAD	600	HS	1,200
Sopwith	600	Clerget 130	1,200
JN-4 (stop-gap order)	0	Hall-Scott A7a	1,000

In the event that the United States are called upon to train foreign fliers in addition to United States Army fliers:

TRAINING.

Type of airplane.	Number required.	Type of engine.	Number required.
JN-4	5,000	OX-5	10,000
DeH-4	2,500	RR or equivalent	5,000
SE-5	800	HS	1,600
SPAD	800	HS	1,600
Sopwith	800	Clerget 130	1,600

"6. It is recommended that the Aircraft Production Board of the Council of National Defense take steps immediately to advise concerning the formulation of the plans how best to obtain in this country the following airplanes and engines, with the designs of these airplanes and engines and the rights to manufacture them in this country.

AIRPLANES.

Type.	Number.	Type.	Number.
DeH-4	2	R-R	4
SE-5	2	H-S	4
SPAD	2	Do	4
Sopwith	2	Clerget 130	4
BE2C	2	RAF	4
Farman seaplane	2	H-S	4
Martinsyde	2	R-R-190	4
Sopwith 1½ strutter	2	Clerget 110	4
Handley-Page twin	4	R-R	16
Caproni	2	CUR 62 Rh 110	4
Savoyan	2	With engine	4
Do	2	Do	8

"7. In addition all such modern German airplanes complete with engines as it may be possible to obtain. These may be obtained either from the allies or from Holland.

"8. Additional engines desired:
"Four Lorraine-Dietrick, 250 horsepower.
"Three Clerget, 130 horsepower.
"Two Hispano Suiza, 200 horsepower.
"Three Rolls-Royce, 270 horsepower.
"Two B. H. P., 200 horsepower.
"Four Gnome Mono soupape, 170 horsepower."

REPORT OF AERONAUTICAL COMMISSION.

Two months after we had entered the war an aeronautical commission was sent to Europe. This commission, which sailed on June 17, 1917, in charge of Maj. (afterwards Col.) R. C. Bolling, was composed of Army and Navy experts and civilians. Capt. Virginius E. Clark and Capt. Edgar S. Gorrell represented the Army, and Navy Constructor G. C. Westervelt and Lieut. Warren G. Child represented the Navy.

Maj. Bolling's report was sent from Paris on August 15, 1917. The governing principle for the American production program was stated by Maj. Bolling to be:

"First. The United States must first provide itself with all airplanes and engines required for training purposes in America.

"Second. The United States must next provide the airplanes and engines necessary for use strictly in connection with the operation of American forces in the field. It is best known in Washington what will be the size and composition of the American forces in the field at any given dates in the future. You have the information as to the number of types of airplanes required in direct connection with military operations of these forces. We have learned nothing to change the views on that matter which were held by Maj. Foulois when we left Washington.

"Third. After these first two considerations comes the American program of putting into the field next year air forces in excess of the tactical requirements of its Army in France. It is greatly desired that the United States shall do this. Such air forces should consist of fighting airplanes and bombers." (Then follows a statement of the proportions deemed advisable.)

The conditions of European production were described, and the advisability of obtaining through foreign orders the supply of airplanes and engines required for use at the front and in training abroad for a period extending to July 1, 1918, was strongly emphasized, as is shown by the following extract from the report:

"In our opinion, these American needs may be divided into two periods: First period, from the present time to July 1, 1918. Second period, subsequent to July 1, 1918. With every confidence in the ultimate performance of the American production program, our investigations of production experience over here and of the sea tonnage situation have convinced us that airplanes and engines produced in America can not be actually delivered at the front in any great quantity prior to July 1, 1918. Subsequent to July 1, 1918, we believe that American production will not only take care of our needs but may become a large factor in sustaining the air forces of our allies. In considering the period between now and July 1, 1918, due weight must be given to the experience of all foreign countries and manufacturers in the delays in airplane and engine production which were not and could not be foreseen. Only at close hand can one appreciate how many and how great those delays have been. * * *

"After long and careful consideration of this subject, we and all others here have come to the very strong conviction that most of the airplanes and engines for American use at the front and for our training here between now and July 1, 1918, must be produced either in France or Italy, where effective and successful methods of production are already in full operation. Because we consider this imperative and absolutely essential to prevent failure of our air campaign next year, an arrangement has been made with the French Government under which they are to produce for us the airplanes and engines shown on the attached table, which also includes a schedule of guaranteed deliveries. * * *

"You will also find annexed a schedule of approximate prices of these airplanes and engines and a draft of the proposed agreement between the American and French Governments which is now in the final stages of execution, although the orders have been actually placed by the French Government with its manufacturers. This agreement has been prepared after conference with the Judge Advocate General and his staff here and considerations of the arrangements under which England is having engines built in France."

Foreign orders.

Accordingly Maj. Bolling reported that the following orders had been placed abroad:

In France.

TRAINING PLANES.

Seven hundred and twenty-five Nieuports, with Le Rhone engines, and 150 Spads, with Hispano engines. Deliveries to be in time to meet United States training program in France.

SERVICE AIRPLANES.

	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May.	June.
1,500 Breguet (Renault & Fiat)	60	60	460	460	460			
2,000 Spad (200 HP Hispano)				135	300	400	550	615
1,500 New Spad (150 Gnome)			50	100	200	300	350	500
or								
1,500 Nieuport (150 Gnome)			300	400	400	400		

SERVICE ENGINES.

	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May.	June.
1,500 Renault (300 HP)	60	60	460	460	460			
4,000 Hispano (200 HP)			135	375	565	755	945	1,225
3,000 Gnome (150 HP)			400	400	400	600	600	600

In Italy.

Five hundred S. I. A. 6 B (reconnaissance and day bombing airplane similar to the Breguet). Deliveries to begin October and be completed in December.

Two hundred to three hundred Caproni biplanes with the new Isotta-Fraschini engine. Deliveries prior to June 30, 1918.

A formal contract was made between Gen. Pershing and the French Government under date of August 30, 1917, for the 5,000 service planes and 8,500 engines above described. The French Government entered into this contract upon the express condition that the United States should furnish the machine tools and raw materials, which were fully listed. In order to perform this condition a contract was made under date of October 4, 1917, by the United States Government with the J. G. White Engineering Corporation, by which the latter was to act as an agent for the purchase of the required materials on the basis

of cost plus three per cent as compensation. It turned out that there was great difficulty in obtaining these materials, as the French specifications in important instances could not be met at the time by American manufacturers. While the contract with the French Government called for deliveries of materials for planes two and one-half months before delivery of the finished planes, and materials for engines three and one-half months before delivery of finished engines, and that all materials advanced by the French production service should be replaced not later than November 1, 1917, it appears that only 14 per cent of the required materials had been placed at points of embarkation in the United States by November 1 for shipment to France, 46 per cent by January 1, 1918, and 67 per cent by March 1, 1918; 91 per cent was delivered at points of embarkation by June 1, 1918, and 99 per cent before the end of August. From information recently received it appears that all materials shipped under the contract arrived safely in France, and that substantially all have been satisfactory as to quality. For the materials thus delivered during the fiscal year ending June 30, 1918, there had been paid to the J. G. White Engineering Corporation $9,365,074.33, of which $8,742,412.29 represents the purchase price and $622,662.02 the agreed compensation.

It is understood that in December, 1917, in view of the existing conditions and the serious need for airplanes on the part of the French, the original contract was modified by a new contract calling for about one-quarter of the deliveries within the period contemplated in the first contract. The exact terms of the second contract are not now available here. It is also understood that further orders were placed with the French Government from time to time.

The deliveries originally contemplated on the foreign orders were not made; most likely by reason of the delays on the part of the United States in furnishing the required materials and the increased pressure of the needs of the allies.

DELIVERIES ON FOREIGN ORDERS.

Up to February 1, 1918, it appears that only about 600 planes had been received under the orders placed with the French Government, of which only about 70 were fighters and bombers. The situation as it then existed is disclosed in the cable from Gen. Pershing under date of February 16, 1918:

P. 610, Paragraph 1 A

Dated FEBRUARY 16, 1918.

Conference to-day between Chief of Air Service, A. E. F., and French undersecretary of state for aeronautics develops fact that due to non-arrival in France of sufficient raw materials French production of aeroplanes and engines is insufficient to meet needs of French and American air service during the next three months. Nine American squadrons will be available for front-line service next month, and if military necessity requires that they be put into front-line service several of these squadrons must be equipped with inferior types of aeroplanes purchased from the French Government, a procedure which is strongly disapproved. Urgently important every effort be made to expedite remainder shipment of J. G. White & Co. materials destined for France—almost 14,000 tons—and also urgently request no delay in shipment of service aeroplanes from the United States.

PERSHING.

FLIGHT OF OUR CADETS ABROAD.

There may also be noted at this point the serious delays which occurred in securing adequate provision for the training of American cadets abroad. Hundreds of these cadets were held at concentration camps and other places for several months without suitable training. This was the more regrettable because these students embraced a large number who were exceptionally proficient, and who had gone abroad early on the assumption that they would have important and superior advantages in training. It is said that their numbers were larger than the capacity of the French and British schools which it was expected would receive them.

In his cable of March 13 Gen. Pershing speaks of the plight of these cadets as follows:

P. 726, paragraph 1.

MARCH 13, 1918.

For Chief Signal Officer. Approximately 700 cadets are now under flying training in Europe. These cadets had to wait an average time of three months before commencing flying training. Approximately 700 cadets in Europe awaiting flying training. These cadets have already waited from three to five months for training, and it is estimated that some of them will have to wait at least four months before their training can be commenced. All of these cadets would have been commissioned prior to this date if training facilities could have been provided. These conditions have produced profound discouragement among cadets. In order to remedy injustice and to relieve cadets in Europe on equitable basis of rank with cadets trained in the United States request approval of plan to immediately issue to all cadets now in Europe temporary or reserve commissions in Aviation Section, Signal Corps, subject to revocation in all cases where on completion of training cadets so commissioned are found not to have requisite qualifications for officers in the Air Service. If plan approved, will recommend cadets by groups according to seniority. Strongly recommend approval.

PERSHING.

The Secretary of War observed this condition during his visit to France in the spring and cabled that these cadets should at once receive their commissions, which were to be held subject to revocation if later they were not found to be qualified. Gen. Pershing stated in his cable of March 30, 1918, that this relieved the principal difficulty so far as training was concerned, and the situation as it then existed was "difficult because of lack of machines for front, and not because of lack of training facilities."

LACK OF INFORMATION HERE AS TO EXACT STATUS OF FOREIGN ORDERS.

Despite constant interchange of cables information was lacking here as to the exact status of the foreign orders. While cable inquiries had been made from time to time, it appears from a letter written by Lieut. Col. Horner for the Chief Signal Officer to Col. Bolling, as late as March 12, 1918, that the desired information had not been obtained. There had been apparently an utter lack of an adequate system of communication by which proper records could be kept here of the transactions abroad. Tables and charts of the foreign orders and deliveries were finally received here, but it seems that there still was considerable uncertainty as to the extent of the foreign obligations, and at the beginning of this investigation the extraordinary statement was made by Lieut. Col. S. E. Wolff, then head of the finance division, that notwithstanding repeated inquiries, extending over many weeks, he had been unable to ascertain within $100,000,000 what obligations had been incurred abroad.

AGREEMENT WITH FRENCH GOVERNMENT OF MAY 3, 1918.

On May 3, 1918, a new agreement was made with the French Government by which the contract of August 30, 1917, was canceled. Provision was then made by the French Government for the acceptance of orders of the American Government for aeronautical material and for the acceptance by the American Government of orders of the French Government for raw materials and other supplies. As these orders would be intended to meet, in the common interest, the military needs of each country presenting them, it was agreed that each Government should fill the orders so far as compatible with its own requirements and resources. It was further agreed that upon the arrival in France of the raw materials included in the contract of August 30, 1917, they should be delivered to the French Government on the assurance that they would be utilized in accordance with the conditions set forth in the new agreement; and also, that until the American Army should be able to meet its own requirements in aeronautical material, the French Government should place at the disposal of the American aviation units, and such instruction units as may be required, the same aviation material as used by the corresponding French units, both as to quality and quantity.

It would seem that by May 23, 1918, there had been delivered by foreign governments for our use abroad about 1,400 training planes and about 350 service planes. Since that time there have been additional deliveries, and according to a list obtained by Gen. Kenly the approximate number of airplanes received by our forces from European sources to July 31, 1918, were as follows:

School or training planes	1,617
Service or combat planes	1,512

Production in the United States.

RECOMMENDATIONS OF BOLLING COMMISSION.

While Maj. Bolling's commission, in anticipation of delays here, placed large orders abroad, it is evident that the speediest production in this country that was possible, of a variety of airplanes and engines, was contemplated. The Bolling commission recommended for production here:

"AIRPLANES.

"Advanced training Bristol Scout, with 80 Le Rhone.

"Division or Corps d'Armée Bristol Fighter, with 200 Hispano.

"Long-range reconnoissance and day bombing DH-4, with Rolls-Royce or some other equivalent engine to be later adopted. Fiat 300 has proved successful here.

"Fighting or pursuit (fixed engine) Spad, with 200-horsepower Hispano.

"Fighting or pursuit (rotary engine) new Spad, with 150 Gnome. (This airplane is now undergoing final tests.)

"Night-bombing Caproni triplane, with 3 Isotta Fraschini 270-horsepower engines, or other equivalent engine to be later adopted. For very long distance bombing with heavy loads the Italians are now arranging to use the Caproni biplane with three Isotta-Fraschini engines instead of the heavier Fiats now used. For distances of 400–500 miles (out and back included) the much greater consumption of gasoline and oil by the triplane gives it little greater bomb-carrying capacity than the biplane with Isotta-Fraschini engines, and the biplane can be produced much more quickly and in greater quantities. It is also much easier to house at the front. For bombing at shorter distances nothing gives such great bomb-carrying capacity as the triplane.

"ENGINES.

"Eighty Le Rhone for training purposes.

"Two hundred Hispano Suiza for fixed engine one-place fighters and division or corps d'armée airplanes.

"One hundred and fifty Gnome Monosoupape for rotary engine fighters.

"Rolls-Royce for United States production only under some special arrangement of a Rolls-Royce factory in the United States. This engine is not considered suitable for great quantity production. It also requires very skillful mechanics to keep it in commission at the front.

"While we have investigated many other excellent engines such as Renault, Fiat, Isotta-Fraschini, and S. P. A. all of them are too heavy per horsepower to be recommended as engines for great quantity future production in the United States. Renault, Fiat, and Isotta-Fraschini all have new designs now under test which may prove very desirable. The Bugatti engine appears perhaps to offer the most interesting future development for light weight per horsepower and ease of quantity production. The developments with our United States engine now under test are probably the most important consideration in this question of engine production in the United States. Of course, we are without any adequate information over here as to these developments."

RECOMMENDATIONS OF ARMY AND NAVY TECHICAL MEMBERS OF BOLLING AERONAUTICAL COMMISSION.

Capt. Clark, U. S. A. S. C.; Capt. Marmon, U. S. A. R. S. C.; Naval Constructor Westervelt, U. S. N.; and Lieut. Child, U. S. N., the Army and Navy technical members of the Bolling commission, on their return to the United States made a report to the Secretary of War and the Secretary of the Navy under date of September 4, 1917, which embraced the following recommendations:

"23. So far as land airplanes are concerned, the types at present indicated as necessary are the following:

"(A) Primary training—dual control—about 90 horsepower.

"(B) One or two types of machines for training toward the fast fighter—single seater—using for the present the 80-horsepower Le Rhone rotary engine.

"(C) Army observation—two seater—using probably between 225 and 250 horsepower.

"(D) Single-seater fighter—using a rotary engine of about 170 horsepower. (If a water-cooled engine can be built which will, at altitudes, give more power per total weight than the rotary, this type of aeroplane should be eliminated.)

"(E) Single-seater pursuit—should mount an engine which will give about 150 horsepower at 20,000 feet altitude.

"(F) Day bomber—should mount one engine which will give about 325 horsepower at 15,000 feet.

"(G) Night bomber—should mount two or three of the engines mentioned under (F).

"In order to minimize the number of types of engines, it might be desirable to use the same engine in the Army observation and in the single-seater pursuit. Such an engine should be given about 180 horsepower at 15,000 feet."

RECOMMENDATIONS OF CAPT. (AFTERWARDS LIEUT. COL.) CLARK.

Capt. Clark, who had a larger experience in aeronautics prior to our entry into the war than any other member of the commission, was the expert largely relied upon to make suggestions as to the planes which should be manufactured. He visited numerous factories in England, France, and Italy and also observed the types of planes in operation at the front. He testifies that his final recommendations on his return to this country in early September, 1917, after learning the situation with respect to engine production here, were for the production of the following types of planes:

Day bomber DeH-9, with the Liberty direct drive, 12-cylinder high-compression engine.

Army observation Bristol fighter, with the same engine.

Night bomber, a Caproni triplane with three Liberty low-compression geared engines (Handley-Page an acceptable substitute).

Two-seater fighter, a Bristol fighter with a Liberty 8-cylinder, or with that number of cylinders which should be developed.

Single-seater combat with a rotary engine, 150-horsepower Gnome.

Advanced training machine. Bristol Scout, with 80-horsepower Le Rhone.

Program as adopted.

ELEMENTARY TRAINING PLANES.

There were selected for production to be used as elementary training planes the Curtiss type known as the JN4-D, with the OX-5 engine, and the standard type, known as SJ-1, with the Hall-Scott or A-7a engine. The program called for 4,800 JN-4ds (later reduced to 3,700, and this number was somewhat increased after May, 1918), for 1,600 SJ-1s, for 7,950 OX-5 engines, and 2,750 Hall-Scott, or A-7a, engines (reduced to 2,250).

ADVANCED TRAINING PLANES.

For advanced training it appears that there were originally chosen the Bristol Scout, with the Le Rhone 80 horsepower engine, the Thomas Morse S-4, with Gnome 100 horsepower, and the United States Training, with the Hispano (150 horsepower). There were modifications which resulted in the adoption of the types known as S4-B (with Gnome 100 horsepower), the S4-C (with Le Rhone 80 horsepower), the JN4-H and JN6-H (with the Hispano 150 horsepower), and the Penguin (with the Lawrence 28 horsepower).

SERVICE OR COMBAT AND BOMBING PLANES.

The type first selected for production were the Spad (single-seater pursuit), with the 200-horsepower Hispano Suiza engine; the Spad, using the U. 8.–8 engine; the Spad Monocoque, using 150 horsepower Gnome engine; the Martinsyde; the De H-9; the Caproni and the Handley-Page, with the Liberty engine (U. 8.–12). Subsequently the Martinsyde and the Spads were rejected, the production of the De H-9 was first limited and then postponed, the Caproni and the Handley-Page was not treated as a part of the immediate program, and the plans for production were centered on the De H-4 and the Bristol Fighter, with the 12-cylinder Liberty engine (U. 8.–12).

The program charts which were prepared show extraordinary variations with stationary engine, and surprising expectations as to deliveries. Thus the program for De H-4s shows a total program on August 2, 1917, of 8,000; August 16, of 7,500; August 22, of 5,000; August 24, of 6,000; August 25, of 15,000; August 31, of 6,000; September 4, of 15,000; October 17, of 250; October 29, of 1,000, at which number it appears to have been continued until January 18, 1918, from which time it was increased until 4,500 appear in the program of February 11, 1918, and 8,000 in that of February 19 and thereafter.

According to this program or schedule it seems to have been anticipated on August 2, 1917, that 25 De H-4s would be delivered in October, 100 in November, 425 in December, 750 in January, and 1,000 in February, and more in each of the succeeding months. Even as late as September 4, 1917, the schedule shows expected deliveries of 62 in October, 1917; 250 in November; 1,063 in December; and in the program of November 5, 50 were scheduled for delivery in December, 100 for January, etc.

The program of September 5, 1917, for the De H-9s calls for 2,000 of this type; that of October 9, for 4,000; October 17, 6,750; October 25, 7,750; October 29, 9,000; at which it was continued until January 18, 1918, when it became 7,500, to be reduced on February 1 to 5,400, and on February 12 the De H-9 schedule was canceled.

On September 5, 1917, according to this schedule, deliveries of De H-9s were expected as follows: November, 1917, 50; December, 200; January, 250; and 300 in February, March, April, and June. On November 5, 1917, 50 seem to have been expected in January and 300 in February, 1,050 in March, 1,500 in April, 1,900 in May, and 2,200 in June. As late as January 18, 1918, 40 are scheduled for March and 500 for April.

The program for the Bristol Fighters started on August 2, 1917, with 1,000. It appears to have been raised to 3,000 on August 16, 1917, within one week it was dropped again to 1,000, and on November 26 the program was finally raised to 2,000. It seems that on August 2, 1917, deliveries of 25 were scheduled for October, 50 for November, 100 for December, 125 for January, etc. On November 5, 1917, the schedule calls for 50 in January, 150 in February, 200 in March, etc.

On August 9, 1917, the Caproni program called for 500; on August 16, for 9,000; on August 22, for 2,000; on August 24, for 500, and there were other variations until the program appears to have settled down after September 28, 1917, to 1,000. On February 19, 1918, the program was reduced to 50; it called for 250 on May 3, 1918, and was afterwards increased to 1,000.

On August 9, 1917, when the program for Capronis called for 500, monthly deliveries of 100 were scheduled to begin in February, 1918. A week later, on August 16, 1917, when the program was increased to 9,000, deliveries of 900 were scheduled for December, 1,350 for January and each month thereafter. When the schedule was dropped to 1,000 deliveries appear to have been expected of 100 in February, and in February deliveries of 100 seem to have been looked for in May.

The Handley-Page program shows on September 5, 1917, a total of 1,500, with anticipated deliveries of 100 in December, 300 in January, 400 in February, etc. As late as January 8, 1918, deliveries were scheduled for February of 110, 190 for March, 200 for April, etc. On March 18, 1918, the program had dropped to a total of 50.

These programs, with their variations and schedules of deliveries, appear to be grotesque in the light of the actual facts, but they bear the imprimatur of the planning department of the equipment division with the countersign (except in the case of the DeH-9s) of official approval.

SUSPENSION OF THE PROGRAM FOR SINGLE-SEATER PURSUIT PLANES.

On October 5, 1917, in reporting the failure of the Spad Monocoque, the cablegram from our representatives overseas also contained the following advice as to single-seater pursuit planes with rotary engines:

"Recommend you build no rotary engine single-seater pursuit airplanes to be sent to Europe; existing machines this type will be outclassed by changing time yours arrives; build only what you need for use in United States training purposes."

This, however, did not touch the Spad intended to be used with the fixed engine—that is, with the Hispano Suiza engine. That machine was not experimental. As early as July 15, 1917, there was official advice that "200 H. P. Hispano Suiza (is) now fighting on front in Spad aeroplanes." Col. Bolling reported in his cablegram of August 1, 1917, that the Spad with that engine is "the best-fixed engine fighter now in service." There is no reason why this fighting plane should not have been produced here in quantity many months ago. The failure to do so was not due to lack of facilities, but simply to a change of opinion at a critical time as to what was advisable.

Responding to repeated and urgent recommendations for production of Spads in this country, an order for 3,000 Spads was placed with the Curtiss Aeroplane & Motor Corporation under date of September 19, 1917. But this order had barely been placed when doubt was cast upon the enterprise, and after preparation for production was well under way the order was canceled on November 7, 1917. This is the date of the cancellation, as testified to by Mr. Morgan, then vice president of the Curtiss Co. It was nearly six months later that the production of a single-seater pursuit plane (the S. E. 5) was undertaken, and thus there was a serious loss of time through a reversal of judgment, which was in turn reversed.

It should be noted that virtually all the cables of advice sent by our military representatives abroad are signed "Pershing," but doubtless they most frequently come from subordinate officers and, with respect to the subject under consideration, from those in charge of the Air Service overseas. In a cablegram received here on October 5, 1917, the following appears:

"If USA 8 cylinder heavier than Hispano Suiza pounds per horsepower build no monoplace pursuit airplanes with USA 8 cylinder engines. Machine will be useless by time it arrives here. Increase number DH 4s or DH 9s by number monoplace pursuit airplanes. This is necessary provided USA 12 is success. Useful loads increasing so rapidly here that engines now in United States are not considered powerful enough meet requirements. Two-place pursuit airplanes considered most urgently needed airplanes next year."

The view thus set forth found support in influential quarters here. On October 27, 1917, Lieut. Col. Clark, in a memorandum sent to Mr. Coffin, expressed the opinion that "all fighting and bombing by day will be done in two-seaters flying in regular formation." And he added, "The single-seater will be eliminated." A few days later the following cablegram was received:

NOVEMBER 8, 1917.

No. 252 (8. D. 2709), paragraph 1:

"Your 359, paragraph 7, and other cables concerning American engine program. Situation here has changed much during three months since original recommendations and continues changing constantly. Following general principles appear clear to us: First. Single-seater fighter will probably become obsolete general use next year, although small numbers will always be used special purposes. Recommend you to produce number already actually under contract and started. Believe we can obtain here all this type required future above number actually under contract here and America. This applies both single-seater fighting airplanes and engines. Second. Two-seater fighter airplane with stationary engine will supersede single-seater. Four hundred horsepower probably sufficent next six months, after that 500 horsepower necessary. This summarizes cables already sent you."

It will be observed that while this message recommended against further production, it distinctly stated that the number, already under contract and started, should be produced. But this was not done.

On November 30, 1917, Col. Deeds cabled:

"Curtiss company have completed drawings and ordered material for Spad for 220 H. P. geared Hispanos. We have canceled that order. Tulasne suggests possibility of helping the French program by building Spad planes here to be equipped with 220 H. P. geared Hispano engines built in France. We could get production in February without materially affecting output of two-place fighters. We are not urging this because of the fact that we have ordered material which can be utilized in other machines, but if it would help your program here is a quick source for these machines."

To this there was a reply (from London) on December 14, 1917, as follows:

"* * * With reference to paragraph 1 your cablegram 461 do not recommend unionized production Spad airplanes for France. No such request received from French here. Believe they can produce all these airplanes they need. Think our only efforts should be applied airplanes and engines already on our program. United States should leave production single-place fighter to Europe."

The Spad contract having been canceled and preparations for the production of single-seaters in this country abandoned, in less than two months there was an urgent request from our military representatives abroad that Spads be produced here. As early as February 10, 1918, it was recommended that steps be taken to "put into production 1,000 Spads one-place with 220-horsepower Hispano Suiza engines for earliest possible delivery in France." It was said that "French delivery of one-place Spads very uncertain and can not be depended upon. Should have more definite information next two weeks as to whether your production Spad one-place fighter should be further increased." While this new proposal was evidently the result of the breakdown in the French deliveries, it seems that a closer inquiry into the progress of our deliveries of raw material abroad and the conditions of French manufacture would have revealed the serious importance of continuing the production of single-seaters in this country in accordance with the original program.

However, the authorities here were not then ready to follow the new recommendation, and two weeks later, on February 25, 1918, they cabled the following reply:

"Production of Spads with 220-horsepower Hispano Suiza engines does not fit well into our program because engines can not be put in production without material delay. Probably first deliveries in France in December. We could somewhat more easily produce the 300-horsepower Hispano Suiza engine. We are now producing large number of 150-horsepower engines for training planes, and could even increase production. We believe with this information you will probably decide not to request production of Spads here. Please give us your full advice."

It was not until March 9, 1918, that this cablegram was answered, with the statement that "question being considered. Will advise you soon." On April 6, 1918, Mr. Potter cabled that the British Air Board had advised that they could supply at once 200 SE-5 planes without engines. He added: "We can arrange production for 180-horsepower Hispano Suiza engines for same at rate of five per day within 30 to 60 days. Shall we arrange engine supply? If so, will you arrange contract for planes?" On the same day Col. Deeds cabled:

"We could within four weeks begin to supply 180-horsepower high-compression direct-drive Hispano Suiza engines to be shipped to England, to be installed in the planes by the plane manufacturer. Would this type of fighting machine be of value to you, and if so shall we proceed to provide them for you? We are advised that this type is in successful use by the British on the front."

On April 19, 1918, the following urgent message was received from our representatives abroad:

"The United States should make immediate preparations for the production of single-seater machines to supplement those we may receive from France and England."

But on April 21, 1918, there was a further cablegram (referring to Mr. Potter's cable of April 6, 1918), stating that the whole subject was still under consideration. This message was (in part) as follows:

"Will the production of 180-horsepower Hispano Suiza engines be interfered with by contracts placed by French or English? If not, we strongly recommend production of this motor for our needs this year on following basis." (Giving delivery dates.) * * * "The situation with reference to single-seater fighters for remainder of 1918 is as follows: Both France and England have a plane production in excess of their engine production, and as the 180-horsepower Hispano Suiza is already in production in the United States in small quantity, our only means of securing the necessary number of single-seater fighters will be for the production of this engine for overseas duty to be increased so as to provide the number indicated and for us to distribute these engines here month by month as conditions require. The entire question of the provision of single-seater aeroplanes for 1918 and 1919 is being thoroughly investigated, and a comprehensive report, with all data necessary, will be forwarded by an officer familiar with the entire situation."

On April 24, 1918, Mr. Potter cabled that contract could be made with the British Government for SE-5s at the rate of 30 per week beginning July 1; that 180-horsepower high-compression Hispano Suiza motors could be supplied from here for those planes at the same rate, and that the same machine could be put into production here and shipments begun in September. He asked quick advice if arrangements were desired which would permit of "quickest possible delivery of single-seater fighting planes on the front," and he added "SE-5 equipped with 180 Hispano is the only machine we can produce quickly."

To this an answer was received on May 4, 1918, disapproving the production of SE-5s, as follows:

"Production of SE-5 for 180 Hispano in America disapproved, since it appears that necessary planes for this engine can be obtained in Europe, either SE-5, Spad, or both."

This was followed on May 12, 1918, however, by a cablegram stating that the question was still open pending final report of board of air service officers and that final recommendation would be cabled in about 10 days.

On May 15, 1918, Mr. Potter cabled referring to the message from overseas of April 19, 1918, urging immediate preparation for production of single-seater fighters, and calling attention to the fact that the cablegram of May 4, 1918, was an exact reversal of the former recommendation. He said:

"We took immediate action on this recommendation, and have given orders for 1,000 SE-5s. Your 1052, paragraph 2-A, exactly reverses these recommendations. In view of this inconsistent information, and also due to requests for production of SE-5 from Air Division for training purposes, we have decided not to change our orders for production on these machines, and request that samples be sent promptly in accordance with our London 81, paragraph 3."

The final result is that there has been no renewed order for the production of Spads and that the order for SE-5s is being proceeded with, but that the American machine of this type is still in an experimental stage. It is understood that the machines are being tested, and that the questions which have arisen and have been brought to the attention of the authorities are receiving their consideration. We have not as yet sent from this country to the battle front a single pursuit or combat plane, as distinguished from the heavy observation or bombing planes, and, after giving due weight to all explanations, the fact remains that such pursuit planes could have been produced in large quantities many months ago and there been prompt decision and consistent purpose.

DELAYED PROGRAM FOR THE HANDLEY-PAGE AND CAPRONI BOMBING PLANES.

Although the Handley-Page and Caproni planes remained in the program, production was delayed. Both these types of bombing planes were included in the modified recommendations of the Joint Army and Navy Technical Board on November 21, 1917, and these recommendations were approved by the Secretary of War and the Secretary of the Navy.

HANDLEY-PAGE PLANES.

On January 25, 1918, a resolution recommending a contract for Handley-Page planes with the Standard Aero Corporation was tabled by the Aircraft Board, in view of the fact that such an order might interfere with work already undertaken by the company. On February 8 the board discussed the advisability of concentrating upon the manufacture of a single type of night bomber, and it was stated that, due to the lack of history as to the comparative performance of the Handley-Page and Caproni, the decision had been made to put both types into production in the United States. Arrangements had been made for the assembly in England of Handley-Page machines for the American service, and on February 19 the minutes of the Aircraft Board show that a cable had been received on February 14 by the British War Mission indicating that it would be serious to cancel these arrangements. The minutes add that in view of "a cable received February 18 from Gen. Foulois recommending the building of both the Handley-Page and Caproni types, because of the military needs for the immediate future, it was decided that at present both types should be constructed," and the Secretary was asked to keep before the board's attention the necessity of making a decision prior to July 1 concerning the concentration on the manufacture of one of these types for the year 1919.

On March 19 the Aircraft Board recommended that a contract be placed with the Standard Aircraft Corporation for the assembling of 500 Handley-Page planes and the furnishing of such parts (other than wood parts) as the Government might require, these planes to be assembled and taken down and disassembled and packed for export shipment to such extent as the engineering department should require, but not more than 10 per cent of these—that is, 50 planes—to be fully assembled for testing and flying in this country. Orders for 1,000 sets of wood parts and for various metal parts of the Handley-Page were placed. In a letter to Col. Bloomfield, Air Division, under date of March 20, 1918, M. W. Kellogg, director of production, thus summarizes what had been done up to that time:

"2. Some time ago miscellaneous orders were placed from time to time, either by letter or word of mouth, with people that our production department felt could facilitate this matter by having manufacturers start on the work. These manufacturers, as per list attached, have done more or less work. The ones that are further advanced are the W. R. Mullins Co., of Salem, Ohio, who are supplying approximately 75 per cent of the metal parts to be used, also the Grand Rapids Airplane Co., of Grand Rapids, Mich., on the wood parts, they having at this time received about 250,000 feet of spruce, and I understand that a large part of this has been in the kilns and they will start work in a short time, which we would judge to be approximately from a week to 10 days, manufacturing some of the parts. The other manufacturers are in a more indefinite condition. We are now trying to adjust the questions between them and the Signal Corps by giving them a formal contract, and at the same time ascertaining as far as possible the exact conditions of their detail part of the work. Some of these subcontractors have very small items. As an example, the two tire companies have only been instructed to develop and make the molds for the tires and have manufactured a very few tires each. Other companies have only made dies for a very small percentage of the stampings, etc.

"3. We gave a contract a week ago for the assembling of the machines that are going to be assembled, to wit, 50, and for the marking, listing, packing, etc., for export abroad for 450, to the Standard Aircraft Corporation who, in connection with our engineers, will use their best efforts to push the work.

"4. We are just starting at this time to line up our production department on an aggressive assembling of this material and a correlation of same with a view that if it develops that any of the manufacturers are in such a position that they would seriously delay the work, to put pressure upon them or to overcome such conditions.

"5. We are advising you of all these facts to as clearly as possible give you a picture of the situation so that you can use your own judgment and do as he sees fit in this connection.

"6. You will note that while we have ordered numerous parts for 1,000 planes, our assembling contract only covers 500. This was done with the distinct understanding that if the contractors did their work efficiently and well and in proper time, we would favor them with a further order of not less than 500 more machines."

The first Handley-Page plane assembled in this country was flown in the early part of July.

The Standard Aircraft Corporation, it appears, was able to produce the first Handley-Page machine within 90 days from the time they were given full authority for that purpose, and the testimony is that making allowance for whatever advantage existed by reason of the fact that previous contracts had been let for certain parts the first machine could have been produced, at the outset, within 120 days. Further time, of course, would have been required for quantity production, but for the long postponement of the program of the Handley-Page no satisfactory reason is shown.

CAPRONI PLANES.

In the minutes of the Aircraft Board, under date of February 12, 1918, it was recited that the Italian manufacturer Caproni had sent to this country samples of his triplane and biplane, with his production engineer, Capt. D'Annunzio, expert flyers, and 13 factory experts to assist the United States in placing Caproni into production. On February 7 the board had recommended that a contract be made with the Standard Aircraft Corporation for the manufacture of 50 Caproni planes. Mr. Coffin urged on February 20 that plans be laid for quantity production of Caproni, to be assembled in Italy, but it was the feeling of the board that the matter should be held in abeyance until the production of sets of Caproni parts for the Italian Government were under way.

On April 11, 1918, it appears to have been the sense of the Aircraft Board that the Caproni should be put into immediate production in view of (1) repeated cable advices to that effect; (2) the actual experience in Europe with the Caproni; (3) the fact that Capt. D'Annunzio had assured the Signal Corps that there would be no difficulty in the installation of the Liberty motor. On March 21, 1918, Mr. Potter advised the board that the Italian Government did not desire a contract for the manufacture of Caproni parts in this country, because of the remoteness of contemplated deliveries, and inquired the disposition of the board as to the manufacture of 50 complete Capronis, as recommended on February 7. On March 26, 1918, the question of manufacturing the Caproni was again raised in the board and after discussion was referred to the Chief Signal Officer for the consideration of Col. Waldon, with especial reference to the question of the establishment of an assembly plant in France. On April 2 a letter addressed by the Italian ambassador to the Chief Signal Officer was referred to the board, inquiring whether the American Government intended to build Caproni planes for its own use, and if so, how many. Discussion was had of the question, "in view of cables recently received urging such production and the expense already incurred by the Government in preparation therefor."

On April 23 Mr. Potter stated to the board that a verbal order had been given to the Fisher Body Corporation for 250 Caproni planes, and that preparations for production were under way. On May 9 it was further stated by Mr. Potter that arrangements had been made with the Fisher Body Corporation and Capt. D'Annunzio for the manufacture of 500 sets of Caproni parts by that company, contract for which would be let as soon as funds were available and that preparation for production was under way, which, however, was not promised before September. Contracts were made in June, 1918, with the Fisher Body Corporation and the Curtiss Aeroplane & Motor Corporation, each for 500 Capronis. There were arrangements several months ago, apparently of a tentative character, with the Standard Aircraft Corporation for four Capronis, of which one has been built.

There appears to be no adequate reason for this long delay in putting the Caproni planes into production. If it was due to congestion in plants selected for production, this could have been obviated by a better and wider distribution of work. This is, of course, so far as the matter of plane production is concerned. The immaturity of the Liberty motor doubtless, had its effect, but it would seem that orders for the motors sufficient to meet all appropriate demands should have been distributed in such a way that there could have been no occasion for delay in the building of planes because of the lack of orders for the engines to go with them.

POSTPONEMENT OF THE DE HAVILAND 9.

In his recommendation, on his return from Europe in September, 1917, the DeHaviland 9 was preferred by Capt. Clark, as the DeH-4 appeared to him to be obsolescent at the time the Bolling commission was in England, and the DeH-9 was designed along the same general lines as the DeH-4, but with its weaknesses, from a military standpoint, corrected. In other words, he regarded the DeH-9 as far better suited for bombing than the DeH-4. The principal distinction is that on the DeH-9 the rear man—the gun fighter—is moved back about 20 inches from his position on the DeH-4; the pilot is moved back so that he is placed immediately in front of the gun fighter; the fuel is moved forward so that it is near the engine, and between the fuel tank and the pilot is a bomb compartment.

The contracts with the Dayton Wright Airplane Co., the Fisher Body Co., and the Standard Aircraft Corporation, originally called for DeH-9s. When, on September 22, 1917, the program, as it then stood, was submitted to Col. Bolling on behalf of the Chief Signal Officer, it called for 2,000 DeH-9s, and the reply was that the number was not sufficient and should be doubled. It may also be noted that in the same cablegram (Sept. 22) from the office of the Chief of the Signal Officer it was stated that the first deliveries of the DeH-9 with the Liberty 12, and synchronized Marlin platon-type airplanne gun, would be made in November, 1917.

The sample machine, however, which was first received from England was the DeH-4. The DeH-9 had not yet been put into service at the front. Apparently there was no sample DeH-9 available here until at the end of February, 1918, and it seems to have been thought that progress had been made to such a degree in the developing of the design of the DeH-4 for production that it was advisable to concentrate upon the production of the DeH-4 to the virtual exclusion of the DeH-9. Consequently, in the substitution of contracts, the DeH-4 took the place of the DeH-9, and it appears that in February, 1918, directions were received from Col. Deeds and Col. Montgomery that orders for DeH-9s were to be canceled for the present, pending information from abroad.

It seems that with an adequate production program, this improved type, or its American equivalent, could have been produced here some time ago, but it has not yet been put into quantity production. It is said, however, that the DeH-9 is now "being put out of production abroad" because of the "coming in" of the DeH—9A, which is a further improvement.

RESULT.

For obvious reasons, it is not deemed advisable to make public the details of the present aircraft program. That can be stated by the military authorities when they think it wise to do so. For the present purpose it may be said that the abandonment of the program for the Spads left us, until recently, without any program for single-seater pursuit planes, and that also, until recently, so far as service planes were concerned, there remained a program for immediate production which was virtually limited to De Haviland 4s and Bristol Fighters.

The Bristol Fighter as redesigned to take the Liberty motor proved to be a failure and after a series of fatal accidents was discarded. The Bristol was so far removed from a machine that could carry an engine of that power that it has been admitted by high authority that it was "a very foolish thing to put the two together."

Thus, nothing is left of last fall's program for service planes save the De Havilland 4s. The course of production of these planes is hereafter stated. It appears that after the remedying of various defects, they are being successfully used as observation and bombing planes. There are certain limitations, which it is not necessary to describe, of their military effectiveness for this purpose, and machines of the later and improved types are to be provided. By reason of a lack of maneuverability the De Havilland 4s can not serve the purpose of a pursuit plane.

ENGINES FOR SERVICE AIRPLANES.

The Bolling commission's recommendations for the production of engines in the United States for service airplanes embraced the 200 H. P. Hispano-Suiza for fixed engine single-seater fighters, the 150 Gnome for rotary-engine fighters, and the Rolls-Royce for United States production only under some special arrangement for a Rolls-Royce factory in the United States. It was said that the Rolls-Royce engine was "not considered suitable for great quantity production. It also requires very skillful mechanics to keep it in commission at the front." It was added that the Renault, Fiat, Isotta-Fraschini, and S. P. A. were too heavy per horsepower to be recommended for great quantity production in the United States and that the first three mentioned had new designs under test which might prove very desirable. Special attention was directed to the development of the Bugatti engine. And this statement of the Bolling commission concluded with the observation that the developments in connection with the United States (Liberty) engine now under test "are probably the most important consideration in this question of engine production in the United States."

ROLLS-ROYCE AND SUNBEAM ENGINES—BRITISH EXPERIENCE.

There has been considerable testimony as to the feasibility of securing, in the year 1917, the early production of certain foreign engines, notably the Sunbeam and the Rolls-Royce. In order that there might be an authoritative statement of British experience, there was obtained, through the courtesy of the British ambassador, a memorandum under date of June 22, 1918, which has the authority of the British air ministry. From this it appears that when we entered the war, in April, 1917, the British had in use the following airplane engines: 160 H. P. Beardmore; 150 H. P. RAF4-A; 150 H. P. LeRhone; 150 H. P. Clerget; 190 H. P. Rolls-Royce; 120 H. P. Hispano-Suiza; 275 H. P. Rolls-Royce; 320 H. P Cossack Sunbeam; 230 H. P. RAF3-A. The following engines at that time (April, 1917) were "coming on": 150 H. P. BR-1; 180 H. P. Viper Hispano; 220 H. P. Geared Hispano; 200 H. P. Arab Sunbeam; 220 H. P. B. R. 2; 270 H. P. Falcon, Rolls-Royce; 140 H. P. Clerget; 375 H. P. Eagle Rolls-Royce; 260 H. P. Maori Sunbeam. With respect to these engines, the memorandum furnished by the British ambassador contains the following statement:

"Of those 'in use' in April, 1917, all were good reliable engines, but it was obvious that they could not remain in the front rank for very much longer.

"Of those 'coming on' the two Rolls-Royce engines and the 180 Viper Hispano were practically certain to be a success.

"The others were undeveloped and could not have been recommended at that time; so that in April, 1917, no Sunbeam engine could have been recommended for manufacture in America, and the general opinion in England was that the Rolls-Royce was quite unsuited to American methods of production."

A further communication from the British ambassador states that what is quoted above on the Rolls-Royce and Sunbeam may be taken to apply equally to July and August, 1917. It should be added that in 1917 Col. Bolling cabled advising against the production of the Sunbeam engine in the United States.

THE HISPANO-SUIZA ENGINE.

A different situation existed with respect to the Hispano-Suiza engine, which had been used extensively abroad. In the summer of 1917 the 150 H. P. Hispano-Suiza engine was in production at the plant of the Wright-Martin Aircraft Corporation at New Brunswick, N. J. That company had received an order from the French Government in February, 1916, for 450 of these motors. Although the contract was to be fully performed by the late summer of 1916, there was serious delay and deliveries did not begin until March, 1917. This delay was due in large part to the difficulty of putting into production an article of very fine workmanship and material which was entirely new to American shop practice. The greatest problem in this sort of work has been the procurement of materials of proper refinement and texture. The delay was also apparently due in considerable measure to conditions which could have been remedied, and a comparatively small force was engaged on the Hispano-Suiza motor work during the year 1916, the main effort of the company at that time being motor-car production. (Since the fall of 1917 virtually all the facilities at the New Brunswick plant of the Wright-Martin Corporation have been engaged in the manufacture of airplane engines.) By September 1, 1917, 202 engines had been delivered under the French contract, and by October, 1917, the difficulties had been surmounted; in that month 117 were produced and the French contract was completed in November, 1917.

The Signal Corps placed a number of contracts with this company, reflecting changing purposes. Under date of July 31, 1917, it placed a contract for 500 of the 150-horsepower Hispano (type A). In September, 1917, a further contract was made for 500 of the same type, and this was canceled on October 2, 1917. On the latter date the company received a contract for 4,000 of the 220-horsepower Hispanos (type E), which were the 150-horsepower engines geared to high speed. This contract was canceled on November 13, 1917, and was replaced by the contract of that date for 1,000 150-horsepower Hispanos (type A). On November 20, 1917, the company received a contract for 3,000 300-horsepower Hispanos (type H), which was modified by two contracts in the present year postponing the delivery dates, the second of which (May 11, 1918) provided for the manufacture of the 300-horsepower Hispanos in Long Island City and for a further postponement of deliveries. On February 2, 1918, another contract was awarded to the company for 1,000 150-horsepower Hispanos (type A). On February 25, 1918, a contract was made for 1,000 type E or I Hispanos, and on May 25, 1918, another contract for 1,000 type E or I Hispanos was placed with the same company. Type E is Type A modified as to connecting-rod construction, magneto-drive construction, and the piston design so as to make possible the carrying of a higher compression and thereby greater power—that is, 180 horsepower at normal speed. Type I is 150 horsepower and has all the improvements of type E except the high compression.

The 300-horsepower Hispano (type H) was in an experimental stage last November, and the first deliveries now due of type H are in October. Under the contract of July 31, 1917, for 500 150-horsepower Hispanos deliveries were to begin 90 days from date of contract and determination of final details. Subsequently October 25, 1917, was fixed as the date from which the 90 days were to be reckoned, and the deliveries were actually completed in February. Under the contract of November 13, 1917, for 1,000 150-horsepower Hispanos deliveries were to be completed in April, 1918, and, with the exception of one motor, they were completed in May, 1918. Under the contract of February 2, 1918, for 1,000 150-horsepower (type A) motors deliveries were to be completed in July, and by the end of July 988 had been delivered.

The type A, or the 150-horsepower Hispano, has been used for the advanced training plane known as the JN-4H. The 180-horsepower Hispano is adapted to single-seater pursuit planes, such as the Spad or the SE-5, and is now in course of delivery.

On July 25, 1917, the Wright-Martin Aircraft Corporation submitted to the Aircraft Production Board a schedule for proposed deliveries of the Hispano-Suiza motor "of either direct driven or geared specifications" amounting to approximately 7,000 over and above the deliveries then due on the French contract. The offer was on the condition that "orders are placed with us or some definite arrangement made for same at once, so that we have sufficient assurance to warrant us in making the necessary capital expenditures and providing further that arrangements can be made for the Government to furnish us with the necessary working capital in excess of our present resources."

There is ample basis for the conclusion that had there been a sustained effort to produce single-seater pursuit planes, and with this definite purpose adequate orders had promptly been given so as to justify the provision of additional facilities by this company and the speedy utilization of its highest capacity engines for these pursuit planes could have been delivered in quantity through the winter and spring and large numbers of these engines would have been available by July 1, 1918, in addition to the production needed for advanced training planes and without interfering with the development of the high-power Liberty motor. This is aside from what could have been accomplished through timely arrangements made for production by other companies.

ROTARY ENGINES.

In the cable of October 5, 1917, in Gen. Pershing's name, it was recommended that "no rotary engine single-seater pursuit aeroplane" should be built here to be sent to Europe. On November 8, 1917, Brig. Gen. Saltzman, Acting Chief Signal Officer, requested the opinion of the Joint Army and Navy Technical Board as to the extent to which rotary motors should be included in the building program for airplanes and engines in the future. In response the Joint Army and Navy Technical Board replied that as "the tendency in the design of fighting airplanes" appeared to point toward two-seater fighters of maximum power, it was believed that in the general building program for the coming year "rotary engines should be considered of secondary importance." It was added, however, that in order "to anticipate improvements in the art or changes in the military situation" it was desirable that the art of building rotary engines be retained in the United States, and that for this purpose "the organization skilled in rotary engine production be preserved." Referring to the schedule of production of rotary engines, the board expressed the opinion that the order for 2,500 80-horsepower Le Rhone engines was larger than was necessary to preserve the art, and that this order should be reduced to the minimum number that

would accomplish the purpose, and it was further recommended that steps be taken to preserve the possibilities of production of the 160-horsepower Gnome engine. The immediate occasion of this inquiry was the pending question whether the Government should purchase the plant of the General Vehicle Co., of Long Island City, which was manufacturing Gnome motors. This purchase was made, but the manufacture of Gnome motors was continued at this plant for a time. In May arrangement was made for the use of the plant by the Wright-Martin Aircraft Corporation in the building of 300-horsepower Hispano-Suiza. Additional orders have been placed for Le Rhone engines. The rotary engines have been used for advanced training planes.

THE LIBERTY ENGINE.

In the latter part of the year 1914 the Packard Motor Car Co. decided to go extensively into the development of air motors. It had received one of the Mercedes motors, used by the Germans in their airplanes, which had been imported in a racing chassis. Taking certain features from that motor and from other motors, an engine was designed in 1915, a duplicate of which was used in a racing car. This engine developed 140 horsepower at 3,000 revolutions per minute. Another model, with greater power, was completed in December, 1916, and was also used in a racing car; this was rated at 200 horsepower at 2,180 revolutions per minute. It was described in a pamphlet exhibited at the Aeronautical Show in New York in January, 1917, as "the Packard aircraft engine," exhibited "as a stipulant to the new aviation industry." The work of developing these motors had been under the direction of J. G. Vincent, then vice president of the Packard Motor Car Co., in charge of engineering. In the latter part of May, 1917, Mr. Vincent took his drawings to Washington for the purpose of laying before the Government the plan of the Packard Co. to manufacture these engines in large quantities through enlisting the aid of other automobile manufacturers who had experience in high-grade motor work. Mr. Vincent met Mr. Deeds, Mr. Waldon, and others. The design was not deemed to be adequate for the needs on the western front, and it was to increase the horsepower of the motor with lighter weight per horsepower. Mr. Vincent worked in Washington in conjunction with Mr. E. J. Hall, of the Hall Scott Co., making sketches for the purpose of improving the motor, and in a few days a new motor was designed, embodying to a considerable extent the engineering features which had been developed during the past two years of experimental work. The first efforts were directed to the development of an 8-cylinder motor, and in a few days Mr. Vincent returned to Detroit, taking the Washington sketches for the purpose of having a wooden model made by the Packard Co., and this was done. At the request of the authorities, Mr. Vincent was loaned by the Packard Co., in order that he might take charge of the engineering division of the Aviation Section of the Signal Corps. The Packard Co. made a full-sized operating model, which was sent to the Bureau of Standards on July 3.

Later, about August, 1917, the production of an 8-cylinder engine was postponed and the immediate production of a 12-cylinder engine of the same type was decided upon. In developing the design for the purpose of quantity production, various difficulties were encountered. Aside from minor changes found to be necessary in the course of production, the crank shafts, connecting rods, and bearings in the first 1,000 engines were too light, creating a dangerous condition. The crank shafts, connecting rods, and bearings had to be redesigned. It was also found to be advisable to change the system of lubrication, and again it was difficult to obtain a development of radiators that were suitable for a motor of this size. As late as June 25 of this year Gen. Pershing's cable described a series of defects in the motors which had been shipped abroad, and these, it is understood, were speedily remedied.

It now appears to be conclusively established that the Liberty engine is a great success for observation and bombing planes, and for this purpose it has found high favor with the allies. It is too heavy for the lighter pursuit planes. The following statement furnished by the British ambassador with respect to British opinion of the Liberty motor was received on June 22, 1918:

"No bench tests have been applied to the Liberty engine in England, but tests in the air similar to those applied to British engines have been carried out on a DH 9-A with satisfactory results. Bench tests in France were observed by members of the British technical department and were satisfactory. The tests carried out in France were the standard French tests, and do not differ very largely from the standard English tests, except that the power output was taken with a fan brake instead of a Froude water brake, as generally used in England. The results were excellent, except that the design of crank shaft and connecting rod was found to be faulty, but this was well known and had been modified in the United States. The carburation was also found to be unsatisfactory, but is now in course of being remedied.

"The official opinion of the Liberty engine is that it is an engine which, with a natural development in the perfecting of its details, will prove reliable and up to the power and consumption standards that have been claimed. It is eminently suited for bombing and reconnoissance aeroplanes, but not for fighting aeroplanes. The number of engines actually ordered for the British Government is 980, but 4,500 are required by the end of the year. The British Government would have prepared to place an order for 3,000 at once, but at the desire of the American Government the order was limited to 980, the number which was allocated for delivery up to the end of June. Up to date 205 engines have been delivered from the works.

"The following is the text of a telegram received from the air ministry on June 8:

"'The British technical authorities have reported to the air minister that the Liberty engines have now been subjected to sufficient air experiment in England to warrant confidence in this engine. Excellent results have so far been obtained which place the engine at once in first line of high-powered air engines. Naturally, service experiment in the field is still to be obtained, but the Liberty engine will be a most valuable contribution for the allied aviation program, and the United States should develop production with every confidence.'"

The following further statement was supplied by the British air ministry under date of September 27, 1918:

"No severe bench tests on the Liberty engine were carried out in England, owing to the extensive tests in America.

"The only bench test in England was one short test at nine-tenths power for data re oil and fuel consumption. The result was quite satisfactory.

"One engine was stripped after 100 hours' flying and was found to be in good condition.

"Tests in the air have been carried out in De Havland 9-A and De Havland 10 machines. In these the engines have performed uniformly satisfactorily.

"The performance of the Liberty engine is at least as good as that of the Rolls-Royce in identical machines. The information officially expressed four months ago, that the Liberty engine would prove satisfactory in service, is wholly confirmed."

The facts as to production will be given later.

Fifth. Selection of contractors and distribution of work.

SELECTION OF CONTRACTORS.

For engines to be used in training planes there were orders (to June 30, 1918) for 7,950 OX-5s distributed among the Curtiss Aeroplane & Motor Corporation, the Willys-Morrow, and Willys-Overland Cos. Orders for the Hall-Scott engines (2,250) were placed with the Nordyke & Marmon Co. and the Hall-Scott Motor Co. The General Vehicle Co. received an order for 111 Gnome engines (100 horsepower), and the unfilled portion of this order was taken over by the Aeronautical Engine Co., which also received certain additional orders for engines of the same type when the latter corporation was organized to conduct operations at the plant of the General Vehicle Co. after its purchase by the Government. The Union Switch & Signal Co. had orders for 2,500 Le Rhone engines (80 horsepower). The orders for the Hispano-Suiza engines placed with the Wright-Martin Aircraft Corporation have already been sufficiently detailed (ante, p. 96). In addition, orders for 450 of the Lawrence engines (28 horsepower) were placed with the Excelsior Motor Manufacturing Co. and an order for 2,000 Bugattis was given to the Duesenberg Motor Corporation.

In the summer and fall of 1917 contracts were entered into for the manufacture of 22,500 Liberty motors, as follows:

Aug. 31, 1917, Lincoln Motor Co.	6,000
Sept. 4, 1917, Packard Motor Car Co.	6,000
Sept. 7, 1917, Nordyke & Marmon Co.	3,000
Sept. 11, 1917, Trego Motors Corporation	500
Nov. 22, 1917, Ford Motor Co.	5,000
Dec. 11, 1917, General Motors Corporation	2,000
Total	22,500

The contract with the Trego Motor Corporation was subsequently canceled. [It is understood that it has been taken over by the Ordnance Department for tanks. It is canceled so far as its relation to aircraft is concerned.] Only one engine being delivered.

For the production of elementary training planes of the type known as the JN4-D reliance was placed chiefly upon the Curtiss Aeroplane & Motor Corporation, which had already made planes for the British Government. Substantial orders were also given to the Springfield Aircraft Co. and the Canadian Airplane Co. (Ltd.), of Toronto. A number of small orders were placed from time to time with various concerns. The total orders to June 30, 1918, were for 3,975 of the JN4-D type.

The orders for the Standard-J training planes were distributed among the Dayton Wright Airplane Co., the Fisher Body Corporation, and the Standard corporations (Standard Aero Corporation and Standard Aircraft Corporation). The total orders were for 1,600 of this type.

For advanced training planes there were orders given to the Curtiss Aeroplane & Motor Corporation (to June 30, 1918) for 919 JN-H and 479 JN6-H; to the Thomas Morse Aircraft Corporation (for 100 S4-B and 400 S4-C), and to the Breese Aircraft Corporation (for 300 Penguins).

With respect to both elementary and advanced training planes there were also various orders for spare parts.

In service planes the production of the De Haviland 4s was pivoted upon the work of the Dayton Wright Airplane Co. In connection with the designing of the plane for American production, as hereafter explained. There were contracts for 8,500 of the DH-4s, as follows:

Dayton Wright Airplane Co.	4,000
Fisher Body Corporation	4,000
Standard Aircraft Corporation	500
Total	8,500

The contract for the Bristol Fighters (2,000) was given to the Curtiss Aeroplane and Motor Corporation.

In view of the exigency, it was inevitable that the responsible officials of the Signal Corps intrusted with the duty of aircraft production should exercise their authority, virtually unhampered by restrictions, in the selection of contractors. The Aircraft Board, in which the responsible Army officers sat as members, afforded a useful opportunity for the comparison of views, but not a legal, and only to a limited extent a practical, check. There have been numerous complaints from individuals and corporations who sought contracts unsuccessfully. The extent to which activities were centered at Dayton, the profitable contract promptly given to Col. Deeds's former business associates, and the preference of a small group of manufacturers in the allotment of the large contracts created a feeling of distrust which finds frequent expressions in the record of this inquiry.

There could be no well-founded objection to a well-directed effort to standardize products for production in large quantities under conditions favoring the most economical and efficient work. So far as orders for production of planes in small quantities and various spare parts are concerned, to give an adequate statement of the facts with respect to the companies who received, or which asked and were refused, contracts would require a great variety of detail which it is impracticable to set forth. It does not appear that in the award of these contracts there was adherence to any clearly-defined principle. It is sufficient to say that in many instances the parties complaining have no ground for their complaints, save that others in no better situation obtained what the complainants were denied. For while offers or requests of some manufacturers went unheeded because of alleged lack of proper facilities or of assured financial ability, in other cases contracts were made with parties equally destitute of adequate resources. Among those whose facilities were apparently adequate, some were taken and others were left.

But aside from any question of discrimination between manufacturers, it is obvious that the exigency demanded that important and needed sources of supply should not be neglected, and in this connection, without attempting to make a comprehensive statement of other available resources, the case of the Singer Manufacturing Co. deserves special attention.

SINGER MANUFACTURING CO.

While this company had no experience in the building of airplanes, it had perhaps the largest plant in the country for cabinetwork and one of the largest veneer plants, and its facilities available for the

processes demanded in aircraft production were hardly excelled in the country. As Col. Waldon testifies, "There was every reason why they should be successful in airplane manufacture." The officers of the company were not seeking contracts, but they offered its facilities to the Government, and these were not utilized. As early as July 14, 1917, Mr. Waldon, of the Aircraft Production Board, requested an interview with the vice president of the Singer Sewing Machine Co., and this was had. Later representatives of the Singer Co. visited the plants of the Curtiss Co., the Dayton Wright Co., and the Canadian Airplanes (Ltd.), of Toronto, and an interview was then had with Mr. Deeds and Mr. Waldon, on August 14. Up to that time the manufacture by the Singer Co. of 3,000 training planes had been under consideration, but it was then suggested that it should build 1,000 service planes of the DeH-4 type. Before undertaking this work the representatives of the Singer Co. desired to examine the sample DeH-4 at the plant of the Dayton Wright Airplane Co. The letter of introduction to that company, however, revealed the fact that the whole proposition was still very indefinite. The letter (Aug. 15, 1917) stated:

"We are asking the Singer Sewing Machine Co. to conduct such investigations as is possible while we are making up our minds as to the part of our program they are to fulfill. When they were here yesterday we suggested that they should help in the DeH-4 production. This is not definitely settled, and they may be given some other part of the program, but we would like to have them given the privilege of an opportunity to study the details of the DeH-4, inasmuch as it represents the latest type of barge war machine from abroad."

On receiving this letter the vice president of the Singer Co. telegraphed Mr. Waldon that it was so indefinite that the trip would be postponed until it was decided whether it was desired that they should undertake the building of the DeH-4. To this Mr. Waldon replied, under date of August 16, as follows:

"We are promptly in receipt of your telegram about the indefiniteness of our letter of August 15. Since your visit we have received a cablegram which indicates that there will be a very important change in our program, in all probability causing us to change the type of machine you would build. This was the reason I stated in my answer that it was not definitely settled that you would build the DH-4. It will be in your hands, however, settling you to day be given some other part of the DH-4 as a sample of an up-to-date war machine. The one we have in mind now that we would ask your assistance upon would be quite a little larger than this."

On August 17 Mr. Waldon telegraphed "change in program will probably make it necessary to assign a type other than DH-4." On August 20 the Singer Co. informed Mr. Waldon that they had decided to postpone their trip to Dayton "until it is more definitely settled what you wish us to do for you." In a postscript to this letter it was stated that the Singer Co. had been requested by the British Government to duplicate their order from that Government for certain airplane parts (universal joints), and they asked whether there was any objection to their undertaking this additional work. An answer was received on August 23 that this was entirely satisfactory. This additional work for the British Government required the services of perhaps 100 persons and left the Singer Co. quite free to undertake the making of planes for the Government, but no further word was received and no order was given to the Singer Co. In the light of the correspondence no explanation has been given of the failure to enlist its important resources for the purpose of aircraft production.

ENGEL AIRCRAFT CO., OF NILES, OHIO.

In view of the former connection of Mr. Harry E. Baker, the brother of the Secretary of War, with the Engel Aircraft Co., the facts with respect to its organization and its contracts with the Government should be set forth.

The company was organized about August, 1917, under the laws of Ohio. Mr. Harry E. Baker testifies that it was originally intended to have a capital stock of $5,000,000 (preferred $1,000,000 and common $2,000,000), but this was subsequently reduced to $1,500,000 (preferred $500,000 and common $1,000,000). Mr. Harry E. Baker, of Cleveland, was president and general manager. His associates in the organization of the company, Mr. Van Dyke Engel, vice president and production manager, and Mr. E. Peterson, secretary and treasurer.

Mr. Baker had taken an option in the spring of 1917 for the plant at Niles, Ohio, formerly owned by the Engel Airplane & Motor Co., and this was taken over by the new company, which, in effect, issued its preferred stock therefor, at a cost of about $225,000. The remainder of the preferred stock was sold for cash. The preferred stock was entitled to 7 per cent cumulative dividends, and, as Mr. Baker states, was to be retired at par before the common stock participated in earnings. The common stock was issued to Mr. Baker and his associates for services in promotion. As a director of the company Mr. Baker received a salary at the rate of $7,000 a year.

On October 9, 1917, the Aircraft Board recommended that an order be placed with the Engel Aircraft Co. for spare parts for 100 JN4-D training planes, at the aggregate price of $80,827.80. At the meeting of the Aircraft Board on October 19, 1917, it was recited that the equipment division had recommended that a larger order be placed with the Engel Co., and the board thereupon rescinded its resolution of October 9 and recommended that an order be placed with the Engel Co. for spare parts for 700 JN4-D airplanes, at a total cost of $585,077.50. Following this contract for 700 sets, Mr. Baker stated that there were further orders from the Government during his connection with the company for 200 sets of spares for JN4-D's, 200 sets of spares for JN4-H's, and another order of 100 sets of spares for JN4-D's, the aggregate orders being for 1,200 sets of spares at a price of about $1,000,000. Mr. Baker testifies that he ceased his connection with the Engel Co. on January 21, 1918.

The Secretary of War testifies that either before or after our entry into the war his brother (Harry E. Baker) asked him whether there was any reason why he should not go into the manufacture of a certain flying boat for the Navy, in association with one Engel. The Secretary told him that he knew of no reason why he should not. Later his brother informed the Secretary casually that they were going to make airplanes, and asked if the Secretary objected. The Secretary replied that he had no right to object, but did not wish to be consulted about it; that he had nothing to do with it. Later the Secretary discovered that the Engel Aircraft Co., of which his brother was president, had a contract with the Government, which was not a competitive contract, but one which had been given upon an inspection of the facilities of the aircraft company. The Secretary sent for Gen. Squier and asked for the facts. The Secretary regarded the situation as intolerable and directed that the contract should be canceled. Thereupon it was immediately canceled by telegraph and arrangements were made, through Mr. Eugene Meyer, jr. (acting for the Secretary), for the separation of Mr. Harry E. Baker from the company. The Secretary thought it was just that his brother should be paid on the basis of the value of any services he had rendered, but that his complete separation from the company was necessary before a contract should be regarded as possible.

Mr. Harry E. Baker testifies that in January last he was informed by telephone that all of the contracts of the Engel Co. had been canceled; that he immediately went to Washington and had an interview with Assistant Secretary of War Crowell, who told him that his association with the aircraft business was embarrassing to the Secretary of War and that he should retire from it. He said that he had no desire to furnish cause for embarrassment, and accordingly, after an interview with Mr. Meyer, he turned back to the treasurer of the company all of the stock that he had in his name and resigned as president and general manager. Mr. Baker testifies that the company paid him nothing for his stock. In addition to the payments of salary which, according to his testimony, he had received for two months at the rate of $7,000 a year, Mr. Baker says that he was paid on his retirement the sum of $15,000 in consideration of the services that he had rendered.

Being assured that the separation of his brother from the company had been effected, the Secretary notified Gen. Squier that the capacity and merits of the company were the only matters to be considered. All the contracts were immediately reinstated on the same terms. Subsequently an additional order was given to the Engel Co. for 500 sets of spares for De Havland 4's, at an estimated cost of $2,275,000.

DISTRIBUTION OF WORK.

Quite as important as the selection of contractors and the development of adequate sources of supply, was the distribution of work so as to insure prompt and efficient production. Each type of plane requires special preparation and the demands of varied sorts of work may easily be mutually restrictive and demoralizing. A conspicuous instance of this is furnished in the case of the Standard Aircraft Corporation. This company, with its predecessor (the Standard Aero Corporation), had the unusual features of being a manufacturing corporation under the direction of two lawyers, Harry Bowers Mingle and Max J. Finklestein, of the firm of Mingle & Finklestein, of New York City. It is unnecessary to review the financial history of the two Standard corporations, with their plants at Elizabeth and Plainfield, N. J. It is sufficient for the present purpose to say that from the time of the organization of the Standard Aircraft Corporation in November, 1917, it has been the operating company, except that recently the Standard Aero Corporation has been availed of, and it has taken the plant at Plainfield for the purpose of handling fixed-price orders, the cost-plus contracts being in course of performance at the large plant at Elizabeth. Both these corporations are controlled by Mitsui & Co., a leading Japanese firm, which holds all the preferred stock and a majority of the common stock of each company. The orders which have been given by our Government to one or the other of these Standard companies exhibit an extraordinary range of types, embracing training planes of the Standard J type, 6 machines and spares of the JR-1B type for the Post Office, advanced training planes of the M Defense type, 4 Capronis, the assembly of Handley-Page planes, 500 De Havliand 4's, as well as flying boats for the Navy and various orders for small parts. The effect was to put in this plant almost every variety of airplane work, a proceeding which has no justification from a production standpoint. Mr. Charles H. Day, the chief engineer of the Standard companies, whose ability is generally recognized, frankly admits the serious disadvantage of this multiplicity of orders. He says:

"There is a natural amount of confusion in having a multiplicity of those parts. * * * The engineering personnel is limited by the number of different machines you have to produce, and the executive force is limited by the same amount. The physical layout of the factory itself is very seriously affected. * * * We have on the H8 boat job made entirely our own drawings. It was out of the question to work to the drawings which were supplied us and we therefore redrew the entire job. That occupied a great amount of time of the drafting room and the engineering departments of the Standard Aircraft. Then a great amount of drawing has been necessary on the De Havliand 4, it being impossible to get Van Dyke drawings from the Signal Corps, and we have attempted to draw up a great deal of that machine, and we have redrawn in its entirety the Handley-Page machine. That involves the engineering department and the drafting department and the bill of materials department, sometimes known as the specification department, which is one of the most important we have, inasmuch as under the present regulations we are not allowed to purchase material except we bill the material. The approvals officer will not approve the materials except on the basis of a bill of materials supplied, and making the bills of materials and completing the drawings on all these different machines has been extremely difficult.

"Q. Have you had in your drawing department the H8 boats for the Navy, that is the seaplane, the Handley-Page planes, and the De Havliand planes, all being worked out at the same time?—A. Yes, sir."

On the same point, Mr. Day again testified:

"The order for the De Havliand 4s is a very small order comparatively. * * * If we were to turn over our plant entirely into building the 500 De Havliand 4s and had a go-ahead on 500 De Havliand 4s, it would not last very long. We expected early in this year and were preparing to take over a large order for Capronis. That was before we had the De Havliand machines, and it was supposedly to be a thousand Capronis. That was a fair-sized order, and we expected we would have that alone and nothing else. But that was withdrawn, and the order for 700 sets of spare parts for the Bristol and 1,500 sets of spare parts for the De Havliand 9 was given us, and that was a pretty fair-sized order. That in itself would have been sufficient for some length of time, but both of those orders were recalled. The interference, so far as spare parts of machines is concerned, would have been less than the interference caused by two orders for complete machines. It has been impossible for us to obtain a large enough continued order to actually know what we were going to do and to prepare for doing it."

Criticisms upon the management of the corporation do not excuse such a state of affairs. If a manufacturing corporation is to be intrusted with work, it is manifest that it should be given the work it can handle efficiently; and if its efficiency is distributed, there is still less reason for embarrassing it with confusing orders. On the other hand, if it is deemed capable of successful production it should have a suitable opportunity to develop it. The effect of placing such an assortment of orders, coupled with the difficulties besetting production in this new industry, has not only interfered with production, but has promoted waste, made it exceedingly difficult to maintain proper cost accounts, and has confused responsibility for delays.

Other illustrations of a poor distribution of work might easily be given; the result of it is that one part of the Government's program has stood in the way of another.

Sixth. The course of production—Delays—Misleading public statements.

It is not deemed to be necessary to review in detail in this report such delays as occurred in the delivery of training planes and engines therefor. As early as February 16, 1918, 1,735 had been delivered of the JN4-D and 483 of the SJ-1 elementary training planes. As already stated, 2,972 of the JN4-D had been delivered by June 30 and the total order for the SJ-1 (1,660) was completed by May 11, 1918. By February 16, 1918, there had been delivered 1,438 of the OX-5 engines and 1,083 of the A-7a engines and deliveries continued from week to week.

The elementary training planes of the JN-4D type seem to have been satisfactory. In connection with this phase of the execution of the aircraft program it should be said that the general average of accidents in training for all the camps in the United States, is one accident for every 3,200 to 3,400 hours of actual flying. The worst school, in this respect, is one accident for every 1,900 hours of flying and the best school shows one accident for every 4,800 hours of flying. While it is somewhat difficult to obtain comparative statistics with respect to accidents in French and British training camps, it is believed from reports from our officers serving in the English and French schools that we have about twice as much flying per accident as either of the other nations.

The condemnation of the SJ-1 plane as dangerous, because of the Hall-Scott engine, has already been mentioned. It is to be noted that as early as February 12, 1918, the Joint Army and Navy Technical Aircraft Board passed a resolution reciting the opinion of the board "that the Standard airplane as completed with the Hall-Scott engine is not a satisfactory training machine" and recommending "that if it is necessary to make further purchases from the Standard Co. of types that have been developed by them, that such machines be of the type designed for the installation of the Hispano-Suiza engine and the 150 Hispano-Suiza engines be purchased for these machines." The Standard J training plane with the Hall-Scott engine continued to be used until it was condemned in June, 1918, on Gen. Kenly's return from overseas and after his careful examination of its operation. The order of Gen. Kenly, under date of June 6, 1918, is as follows:

"1. Due to the shortage of training-type airplanes in the past it was necessary to use a certain number of Standard J-1 airplanes for training as fillers in until there were sufficient JN-4 machines manufactured for all schools.

"2. At the present time there are sufficient JN-4 machines in storage to entirely replace all Standard machines in use. The director of military aeronautics therefore desires that no more Standard airplanes be used in flying training and that steps be taken at once to entirely replace the Standard J-1 machines now in use by JN-4 airplanes. The Standard machines can be utilized in mechanics' training schools, ground schools, and any other schools where it is not necessary that they be taken into the air."

With respect to advanced training planes, it may be said that by February 16, 1918, 60 had been received of the S-B and 105 of the JN4-H. The delivery of Penguins did not begin until the middle of April, and of S4-Cs until May. There had been delivered by February 16, 1918, 121 of the Gnome (100 horsepower) and 444 of the Hispano (150 horsepower) engines. Deliveries of the Lawrence (28 horsepower) began in March and of the LeRhone (80 horsepower) in May, 1918.

SERVICE PLANES.

As already stated, the program during the period under consideration and until recently has been practically limited to the De Havilland 4s and the Bristol Fighters.

THE DE HAVILANDS.

The contracts for these planes, after the substitution of De H-4s, for De H-9s, called for 8,000 De H-4s, viz., Dayton-Wright Airplane Co., 4,000; Fisher Body Corporation, 4,000; Standard Aircraft Corporation, 500.

Under the first contract with the Dayton-Wright Airplane Co. (dated Sept. 7, 1917), deliveries of the De H-9s then provided for were to begin in November, and the entire 2,000 were to be delivered by the end of June, 1918. Under the modified contract (Jan. 17, 1918), for 1,000 De H-4s and 3,000 De H-9s, deliveries were to begin in January and to be completed by the end of July, 1918. Under the final contract (Apr. 1, 1918), substituting 4,000 De H-4s, the latter were divided into two lots of 2,000 each, the first lot for immediate production to be delivered by August 1, 1918, and the remainder to be delivered as ordered.

The first De H-4 was shipped from the plant of the Dayton-Wright Airplane Co. on February 5, 1918. It was intended for the American Expeditionary Forces in France, but it was not completely equipped; it did not have any bomb gear that would work. On February 14, 1918, the following telegram was addressed by Mr. Talbott to Col. Deeds:

"Wire received reference Secretary Redfield and Dr. Stratton. Maj. Shepler advises first 100 De Havilands to remain in this country. If so, will you recall plane shipped for foreign shipment, allowing us to substitute plane completely equipped. Progress here encouraging."

However, the plane already shipped was not recalled. The transport containing it sailed on March 22, and, on account of engine trouble in the Azores, it did not reach Europe until May 4.

Nine additional De H-4s were shipped by the Dayton-Wright Airplane Co. in February for the use of various fields—two on the 15th, one on the 18th, and two on the 17th, intended for Gerstner Field in Louisiana; one on the 21st for McCook Field (which was sent to South Field); one on the 22d for the Fisher Body Corporation; one on the 23d for the Standard Aircraft Corporation; and one on the 25th for McCook Field. Four were shipped in March—two for Gerstner Field on the 9th and 12th, one for McCook Field on the 10th, and one on the 21st was delivered to the property officer at the Dayton-Wright Airplane Co.

There were no shipments for the American Expeditionary Forces between February 5 and April 3, 1918, when four were shipped; four more were shipped on April 14 and four on April 22, and there were no more shipped for use abroad until May 2, 1918. That is to say, up to May 2 there had been 13 De H-4s shipped for our forces abroad. It was in May, 1918, that what may properly be called quantity production of De H-4s began. By the end of that month 193 De H-4s and by the end of June 529 De H-4s had been delivered by the Dayton-Wright Airplane Co. Of these 529 it appears 331 had gone to ports of embarkation, 116 to the Navy, and 22 to various destinations in this country, including training fields.

On June 26 advices were received that there were serious defects in the planes which had been received abroad. At the meeting of the Aircraft Board on July 31 Col. Arnold stated that all planes shipped to Europe by the Army which were found on arrival to have weaknesses were rebuilt at the aircraft production centers. At the same meeting Mr. Potter stated that the De Havland planes for the Navy which had been shipped from the factory but were not yet floated should be sent back to the Dayton-Wright Co. to be rebuilt.

From June 30 to October 11, 1918, the Dayton-Wright Airplane Co. delivered 1,320 De H-4s, making 1,489 in all to the latter date.

In the contract with the Fisher Body Corporation (Nov. 6, 1917) provision was originally made for 2,000 De H-9s, the deliveries to be completed before July 1, 1918. For these there were subsequently substituted 4,000 De H-4s, of which 2,000 were to be delivered by September 1, 1918—afterwards extended to November 1, 1918—and 2,000 more at dates to be fixed. Up to June 30, 1918, no deliveries of De H-4s had been made by the Fisher Body Corporation. This company got into quantity production in August, and had delivered 452 up to October 11, 1918.

For the order of 500 De H-9s placed with the Standard Aircraft Corporation (Jan. 26, 1918), there were eventually substituted 500 De H-4s by the contract of March 28, 1918. No deliveries had been made up to June 30, 1918, and only 49 had been delivered up to October 11, 1918.

The total deliveries of De H-4s to October 11, 1918, amounted to 2,350. Of these, 1,617 had been floated, 388 were at ports or in transit, 177 had been shipped to camps and training fields, and 168 are described as being for "manufacturers and miscellaneous."

BRISTOL FIGHTERS.

The contract with the Curtiss Aeroplane & Motor Corporation called for 2,000 Bristols to be delivered by August 31, 1918.

There was no definite release for production until February, and then only to the extent of 25 machines. Four hundred were released for production in the latter part of March and 400 more on April 24. As already stated, only 27 were delivered in all, and the order was canceled in July.

LIBERTY ENGINES.

The deliveries were to be completed as follows:

	Lincoln Motor Co.	Packard Motor Car Co.	Nordyke & Marmon Co.	Ford Motor Co.	General Motors Co.
November	5	50	.....	.....	.....
December	80	200	.....	.....	.....
January	160	500	25	.....	.....
February	275	800	125	.....	.....
March	700	1,000	550	.....	.....
April	1,400	1,200	700	200	.....
May	1,900	1,200	800	800	25
June	1,480	1,050	800	1,000	125
July	.....	.....	.....	1,000	250
August	.....	.....	.....	1,000	300
September	.....	.....	.....	1,000	400
October	.....	.....	.....	.....	500
November	.....	.....	.....	.....	400

These were the actual deliveries: (There are slight discrepancies between the factory records and the Government reports, and the latter apparently based on actual receipts are used in this tabulation.)

	Lincoln Motor Co.	Packard Motor Car Co.	Nordyke & Marmon Co.	Ford Motor Co.	General Motors Co.	Total.
November	.....	1	.....	.....	.....	.....
December	.....	25	.....	.....	.....	.....
January	.....	43	.....	.....	.....	.....
February	7	99	.....	.....	.....	.....
March	24	153	.....	.....	.....	.....
April	134	314	.....	.....	.....	.....
May	106	439	.....	.....	.....	.....
June	309	556	.....	33	130	.....
July	484	724	16	197	244	.....
August	701	543	24	459	308	.....
September to Oct. 11	1,022	970	117	1,214	371	.....
Total	2,787	3,864	157	1,868	1,013	9,689

The total deliveries of Liberty motors (US-12s) to October 11, 1918, amounted to 9,689, of which 6,895 were for the Army and 2,794 for the Navy. Of those for the Army, 3,555 had been floated, 456 were at ports or in transit; and there had been delivered 990 to allied Governments, 260 to flying fields, 1,429 to manufacturers, etc., the remainder, or 205, being turned over to the Navy.

Contracts have recently been made for the production of the Liberty 8 (US-8), but no deliveries had been made to October 11, 1918.

MISLEADING PUBLIC STATEMENTS.

In the face of the delays in production a series of misleading public statements were made with official authority. While these statements were authorized by the Secretary of War, he states that they were issued in reliance upon information furnished by the Chief Signal Officer, Gen. Squier, and by Col. Deeds, who were acquainted with the actual conditions. It is unnecessary to review the delusive predictions and exaggerations contained in these utterances.

But particular attention should be directed to the official statement released for publication in the papers of February 21, 1918, which contained the following:

"The first American-built battle planes are to-day en route to the front in France. This first shipment, though in itself not large, marks the final overcoming of many difficulties met in building up this new and intricate industry."

This statement had its origin in a conversation between Col. Deeds and a representative of the Committee on Public Information a week or two before the completed statement was issued. A draft was first prepared and submitted to Col. Deeds, who examined it and made some corrections. The statement contained in the paragraph above quoted was not only left unchanged, but was the subject of special inquiry. Col. Deeds was asked what was meant by the "first shipment," and he replied, "They are on the water now, on the way to France." He was then asked, "How many?" and he answered, "I do not know, but I

do not think more than 10." His statement in its final form was then presented to the Secretary of War, who permitted it to be issued upon the understanding that it had been verified by Gen. Squier and Col. Deeds.

[At the time this statement was issued (February 20) only one plane had been delivered for shipment to the American Expeditionary Forces, and while this had been shipped from the factory on February 5, it did not leave the United States until March 22. The only other service planes which had been delivered were five DeH-4s, which had been shipped for use at Gerstner Field, La. No additional shipments of airplanes for the use of our forces abroad were made until April 3. Actual production in quantity did not really begin until May.]

Col. Deeds admits that this statement was brought to him before its publication, and that he went through it. He examined it minutely enough to correct with his own hand one of the paragraphs following that above quoted, which gave the number of men required on the ground for every plane in the air, his correction making it 40 instead of 45. Col. Deeds denies, however, that he said in response to the inquiry upon the point that the battle planes were "on the water now, on the way to France." That he did make this statement is testified to directly and unequivocally by John W. McConnaghy and Marlen E. Pew, representing the Committee on Public Information.

When Col. Deeds was examined as a witness before the Committee on Military Affairs of the Senate, on April 2, 1918, he was asked this question and gave this answer:

"Senator WADSWORTH. Did you see, or do you know whether any other responsible officers in your aviation section of the Signal Corps saw the statement given out by Secretary Baker on February 21 before it was published?

"Col. DEEDS. No, sir; I did not see it. I do not know of anybody seeing it."

Col. Deeds admits giving this testimony. He testified that he did not then recall the paper in question.

Col. Deeds further testifies, in explanation, that when the paper was before him his information was that "four planes were on the cars en route for France." He said it later developed that only one was sent and the others were diverted to Lake Charles—that is, to Gerstner Field—for tests on radiators. The shipments to Gerstner Field, however, had been made directly from the Dayton Wright Airplane Co. on February 15, 16, and 17, and these planes had not been shipped from the factory for the American Expeditionary Forces. There is evidence, also (ante, p. 113), that on February 14 Mr. Talbott had telegraphed to Col. Deeds that Maj. Shepler advised that first 100 De Havilands should remain in this country and asking on this assumption for the recall of the one plane "shipped for foreign shipment," so that another could be substituted "completely equipped."

There is no question but that this grossly misleading statement was published on the authority of Col. Deeds and that the Secretary of War relied upon the fact that it had Col. Deeds's approval in giving it his official sanction. While this conduct of Col. Deeds does not come within the scope of the Criminal Code, it deserves the prompt attention of the military authorities.

Gen. Squier testifies that he had nothing to do with the statement that was issued for publication on February 21 and that he did not know of it before it was published. He testifies that when it was brought to his attention, he did not regard it as a proper statement to have been sent out, but that he did not institute an inquiry to ascertain who was responsible for it. It is evident that the matter called for immediate investigation and for suitable disciplinary measures, but no steps were taken either for correction or punishment.

The Secretary of War states that the responsibility for the statement clearly rested with Gen. Squier and Col. Deeds, and that he did not learn of the inaccuracies of the statement until his return from Europe in the latter part of April.

There were earlier statements of a delusive character as to the progress of aircraft production, but the particular statement to which attention has been called was inaccurate in its specific statement of facts, and its misleading character was obvious to anyone having knowledge of the actual conditions.

Seventh. Causes of delay in production.

FIRST. LACK OF KNOWLEDGE AND EXPERIENCE.

This was a fundamental difficulty affecting production in all its stages. The industry was new, and there was a lack of engineers and skilled workmen. Novel problems were encountered at every step and lack of knowledge bred indecision and confusion. Experience in other manufacturing enterprise gave no assurance of facility in this untried field. In addition, it was necessary to develop new sources of supply of needed materials, and the difficulties of the main contractors had their counterparts in the plants of subcontractors by which various sorts of material or fabricated parts were supplied.

SECOND. DEFECTIVE ORGANIZATION IN THE SIGNAL CORPS.

The duty of providing an adequate organization for aircraft production was left to the Signal Corps. It is quite clear that this undertaking was beyond the competency of the Chief Signal Officer, who had neither training nor experience for such a large industrial enterprise, and those who were brought to the task in his department failed to produce an organization which was adapted to meet the exigency.

The contracts were for production, and presupposed that the manufacturers should have an established design. The contractors agreed to produce the described machines in accordance with drawings and specifications to be furnished by the Government. In order to secure production of types of planes unknown to our manufacturers, it was necessary that the Government should create an engineering department which should settle the design and furnish adequate and accurate drawings and specifications. But this essential condition of achievement was not met.

Undoubtedly, the lack of airplane engineers was a serious obstacle. Still, there were a few in the country who had devoted themselves sedulously for a considerable time to the study of aviation problems, and it does not appear that there was a suitable effort to draw to the Government's service such talent as was available. Whether or not much assistance could have been obtained in this way is a question which can not be answered in the absence of an appropriate test. It was, however, entirely obvious that the exigency called for the most efficient organization, and that to add to inexperience the lack of a suitable organization and the confusion of a divided responsibility would inevitably lead to serious delays and threaten the entire program.

There was an engine design section established about July 1, 1917, in charge of Mr. Vincent, who had been engineer of the Packard Motor Car Co., but had no experience in the designing of airplanes; and this department did not have anything to do with the designing of airplanes as distinguished from airplane engines.

Capt. (afterwards Lieut. Col.) Virginius E. Clark, who had had perhaps as much aeronautical experience as anyone in the Army, had been in charge of airplane designing, but he was absent in Europe with the Aeronautical Commission from June until about September 1, 1917. On his return he resumed the work of airplane designing, and the Airplane Experimental Department was organized about October 1, 1917, in charge of Lieut. Col. Clark, who was put in command at McCook Field, Dayton. This organization continued until February 6, 1918. Lieut. Col. Vincent testifies that he had been arguing for an "engineering department" with the idea that it would take entire charge of engineering as it pertained to engines and planes" and "definitely straighten out" what he thought to be "an unsettled condition." By this he meant that "an attempt was being made to put planes into production in this country without having complete drawings or a complete understanding as to just what equipment such planes were to carry." But for the purpose of settling designs of airplanes and furnishing drawings to the manufacturers the Airplane Experimental Department proved to be hopelessly inadequate, and the result was that it was largely left to the manufacturers themselves to work out the designs of service planes, an undertaking for which they were ill equipped.

When the Airplane Experimental Department failed to give satisfaction, instead of strengthening it and making it adequate to the engineering work which had to be done, an additional department was created (about Jan. 1, 1918) which was called the Production Engineering Department. This department was also located at Dayton, because the Dayton Wright Airplane Co. was at that place, and there the department remained until the middle of April. It was said to be its function to supply manufacturers with engineering information, drawings, specifications, etc., from which they could produce in quantity what they were to manufacture; to specify materials, to decide upon details of design, etc. It was not, however, established merely as an aid to the manufacturer in producing according to a settled design—that is, to enable the manufacturer to cope with the difficulties which were sure to arise in the course of production, but this department was largely placed in control of the airplane design itself, which the Airplane Experimental Department had failed to establish satisfactorily. The new department was never informed or equipped so that it could perform its function adequately. It was under the general supervision of the head of the production department of the equipment division, who was inexperienced in airplane engineering or in airplane production, and the creation of another inadequate department failed to solve the difficulty.

On February 6, 1918, the Airplane Engineering Department was established in charge of Lieut. Col. Vincent, who was put in command at McCook Field. Lieut. Col. Vincent at once began to direct the efforts of the new department toward getting some well-known machines ready for production, rather than doing the purely experimental or research work, and he obtained permission from Mr. Potter to take the De Havland 9 from the Dayton Wright Co. at South Field "and put it through McCook Field." But this new department did not have a definite function with respect to the types of service planes already under contract—that is, the De Havland 4 and the Bristol—and these were left apparently as before, subject to the inadequate direction of the Production Engineering Department.

The consequences are easy to trace. When the model DeH-4 was received in this country it was accompanied by the English drawings. It was necessary to redesign the plane to accommodate it to the Liberty motor. The model was sent to the Dayton Wright Airplane Co., and this company which, under its contract, was to produce in accordance with drawings and specifications furnished by the Government, appears to have undertaken the work of redesigning and making the new drawings. These were made and the DeH-4 as redesigned was flown on October 29, 1917. When, later, changes were required, the company expected drawings to be furnished by the Signal Corps; the Production Engineering Department apparently expected the drawing to be provided by the company. Rapid and successful production, which demanded clearly defined responsibility, could not be expected under such conditions. About February 15, 1918, the Production Engineering Department having been unable to secure production, the work on the DeH-4 was virtually taken out of its hands and placed in charge of Lieut. Col. E. J. Hall for the purpose of a swift effort to get results. Lieut. Col. Hall proceeded to get necessary information as to equipment, developed a little organization of his own, at one built three model planes (one for the Dayton Wright Airplane Co., one for the Fisher Body Corporation, and one for the Standard Aircraft Corporation) and sought to remove as rapidly as possible the various hindrances to production. In this way production in quantity was finally attained. But this was not the perfecting of the organization, but in substance, an desperate effort outside the regular instrumentalities of the Equipment Division, because those instrumentalities could not be relied upon.

With respect to the development of the Bristol, similar conditions existed. When Lieut. Col. Hall had made sufficient progress at the plant of the Dayton Wright Airplane Co. to warrant it, he turned his attention to the production of the Bristol, at the plant of the Curtiss Aeroplane & Motor Corporation. As he testifies, "They were worse than at a standstill." "It would have been easier," he says, "for me to have taken and designed the whole machine around the equipment if they had not had the material started." He found that "practically all they did was to get in a row, so that the condition when I went in there was that everybody was damning everybody else." This was about April 11, 1918.

It appears that Capt. Clark in the fall of 1917 began the work of redesigning in order to adapt the Bristol to the Liberty motor, and about the last of October the model Bristol, with a large number of drawings, was sent to the Curtiss Co. Mr. Mueller, who was the chief engineer of the Curtiss Co., states that they were unable to make the plane from the drawings, that "the dimensions would not check up," and that "it was impossible to get the machine together from the parts made from the details of the Signal Corps drawings." In January, 1918, the Production Engineering Department took over the work on the Bristol, but differences with the contractors speedily arose, and at the end of January, for the purpose of reconciling these differences, a conference was held between the representatives of the Signal Corps and of the company, respectively, and it was determined that engineering decisions should thereafter be left to the engineer of the Curtiss Co. This authority apparently was exercised for two or three weeks, but opposition developed and there was no real progress. Lieut. Col. Hall took the matter up in April and an effort was made to drive through to production. It is apparent, however, that this plane never got beyond an experimental stage, and yet 400 were released for production in March and 400 more in April. This was evidently in response to criticism of delays. But the plane as designed for the Liberty motor was doomed to failure. Had there been an adequate engineering department to settle the matter of design and make the necessary en-

gineering tests and decisions before production was entered upon, much time and money expended in fruitless effort would have been saved.

"Throughout this period the equipment division of the Signal Corps presented an organization with a host of sections and departments, with ill-defined functions, creating disorder and confusion rather than sustained, well-directed, and expert effort. There was a vast amount of lost motion. Manufacturers were brought into contact with various divisions with overlapping powers; earnest and able scientific men, who were brought into particular sections, found themselves lacking in authority or in conflict with other sections; and uncertainty, indecision, and vacillation enfeebled the entire undertaking. Military organization was another obstacle to the rapid prosecution of what was essentially an industrial enterprise. Whatever might be accomplished by such an organization in a thoroughly understood activity, it was certainly unsuited to an entirely new industrial endeavor of this sort. A mobile force in which men could readily be moved about, tested, elevated, and disposed without regard to military rank or precedent was absolutely required. The inherent difficulties of the situation were thus greatly increased by defective organization. No doubt, also, the swift creation of a large force of inspectors, without the qualification of experience in their line of work, not only opened the door to abuses but to an extent retarded production.

"The situation, as it appeared to Archer A. Landon (Mr. Coffin's assistant) more than six months after we had entered the war, is strikingly shown in his letter to Mr. Coffin, dated October 16, 1917, in the course of which Mr. Landon said:

"* * * The lack of organization and continuity of responsibility is so apparent that success will be a miracle. * * * If we are to be successful, there must be fixed, from the Secretary of War or the Secretary of the Navy down almost to the office boy, a direct line of responsibility that will make every individual assume the absolute responsibility for the work he is undertaking and under no circumstances should any conflict of authority or responsibility occur. Industrial men of known responsibility and capacity for the particular work undertaken must be selected. They should be peculiarly fitted for the positions they occupy and should be responsible for their work as in civil life. * * *

"We men who have come here in an effort to assist you find ourselves very seriously embarrassed, and justly so. We are started off to do what seems to be an important piece of work, only to find that this work has been delegated to somebody else in some other department and that we are treading on other people's toes. The result is that we do not get the information we want and we do not get anywhere. They do not throw us out, but they are all adept at pulling the latest 'Washington game of 'passing the buck,' or else frankly resenting our appearance in the matter.

"Take the spruce situation as an example of dilly-dallying through a lack of organization. The first I knew of the spruce situation was around the latter part of July or the 1st of August. At that time it was one of your great worries. The entire aircraft program was and is now endangered by the lack of ability to get spruce; and yet from that time until now, notwithstanding repeated conferences, there was nothing done on the spruce situation, either toward closing contracts or increasing production, until October 13, when Col. Disque was sent West on the situation; a loss of time of practically three months. If this had been your own business the men would have been on their way west the day after the matter was first brought up. The only reason that there was no action in July was because we do not possess an organization of direct responsibility, and on that account these inefficiencies are possible, and they will continue to occur until such time as somebody wakes up and thoroughly organizes the work."

After giving a further illustration, Mr. Landon continued:

"This is not intended as a criticism of Gen. Squier or the other officers, but it is intended to be a very vigorous criticism of methods of organization that make such a condition possible; and I submit to you, sir, that if this same condition exists in all departments and continues to exist, we might as well submit to the Germans now, because the one way you can beat efficiency is to match it with efficiency, and efficiency can only be obtained by a thorough organizing of our responsibilities and following them through to a definite conclusion, which contribution should be the winning of the war."

Mr. Landon, leaving the aircraft work in October, 1917, returned to it in June, 1918, then becoming chief of the production of aircraft in the Bureau of Aircraft Production. Up to that time the policy he had recommended had not been carried out. He testifies that he "could see practically no change in the organization in six months"; that is, prior to the new organization through the Bureau of Aircraft Production, which had just been instituted.

It should be understood, of course, that the complaint so emphatically voiced was not directed at the Aircraft Board, as this, as Mr. Landon stated in his letter, was "merely an executive advisory board." The responsibility lay with the officers intrusted with the duty of effecting an adequate organization for aircraft production.

THIRD. LACK OF INFORMATION AS TO THE EQUIPMENT REQUIRED FOR SERVICE PLANES.

The model De Haviland 4 was not received until about the beginning of August, 1917, and, as already stated, it was necessary to redesign it and make new drawings. But whatever delay was due to a failure to obtain a model earlier, or to the necessity of redesigning the plane, was greatly increased by the lack of needed information as to the equipment which was to be put on it. From the time the model machine, as redesigned, was completed and flown on October 29, 1917, several months elapsed before its equipment was finally determined upon. The engineer of the Dayton Wright Co. testifies that "the information which we were anxious to receive and which was necessary for production was not forthcoming until the middle of April."

There appear to have been several reasons for this. There was always the difficulty created by lack of experience in equipping airplanes for service in war, and there was considerable trouble in obtaining some portions of the equipment. But, in addition, it appears that there was a lack of exact and detailed information as to just what was required. The drawings and the specifications which accompanied the sample plane sent here were supposed to designate definitely the apparatus to be put upon the planes and its location. The testimony is that these drawings and specifications "did not check up with the actual plane," and there was resulting uncertainty as to what should be done. Communications with the other side were had frequently with regard to instruments, accessories, and various parts of equipment, but, despite this, the uncertainty seems to have continued for a long period, and there was apparently an inability to frame a definite bill of material which could be given to the manufacturer. The showing indicates either an extraordinary lack of decision on the part of those whose duty it was to decide, or an even more remarkable absence of administrative efficiency in seeking and obtaining necessary information.

About February 10, 1918, definite instructions were received from the other side as to the armament and instruments of the Dell-4, but these instructions involved serious changes in the plane. And, subsequently, there were further changes in equipment, as stated below, causing still further delay.

FOURTH. CHANGES IN DESIGN AND EQUIPMENT OF SERVICE PLANES.

The following statement, set forth in the testimony of Mr. Schoonmaker, the engineer of the Dayton Wright Airplane Co., which is substantially uncontroverted by the representatives of the Signal Corps, is an illuminating description of the delays in production incident to changes in design made necessary by changes in equipment so far as the Deliaviland 4 is concerned, and also indicates the waste thereby occasioned. It will be observed that changes were made necessary not only by new requirements as to equipment, but by inaccuracies in drawings and various defects. Mr. Schoonmaker testifies:

"The first sample Deliaviland machine was received on August 14, 1917. This was accompanied by an incomplete set of drawings, but with the machine as a sample and with what drawings we had at hand, we were able to complete the necessary lay-out from which to build one sample machine, which was flown on October 29, 1917. This plane was satisfactory in every detail as a machine and practically no changes have been made in the construction except where they were affected by the equipment which the machine was to carry.

"We were advised at that time, in answer to our request for information on guns, that the machine was to be equipped with the Vickers gun, and that the gun mounts would necessarily be the same as the English gun mounts. This information was requested by the Dayton Wright Co. during August, when the preliminary lay-outs of the machine were being made. At a late date we were advised that the Marlin gun would supplant the Vickers and that the Signal Corps would take care of the necessary design of gun mount, etc. The front gun-mount design was received on January 8; after a conference with Signal Corps men it was decided that this mount would not be satisfactory and, therefore, was discarded. The Dayton Wright Co. produced a design of gun mount and cartridge box which was built and installed and accepted by the Signal Corps after a firing test on January 26.

"Owing to the fact that the Marlin gun was not similar to the Vickers, a complete rearrangement of the cowling over what had already been designed was necessary. The first drawing of the Marlin gun which we received was delivered to us on February 12, but no bill of material on the complete gun equipment accompanied same. On February 26 we were requested to mount two stationary guns on the forward cowling. This necessitated a redesign of the gun mount already ordered into production, and this work was carried on by the Signal Corps. This also affected all cartridge boxes of which drawings had been made and which were released to production. A redesign of the cartridge boxes for the double gun mount was furnished by the Signal Corps on March 5. This design was not satisfactory, as the drawings were incorrect, and the pieces manufactured from them did not assemble in the machine. A new redesign was furnished by the Signal Corps on March 15; parts were made from these drawings and were released to production. On April 1 the Dayton Wright Co. was ordered by the Signal Corps to again redesign the cartridge boxes, changing certain dimensions; since that date few minor changes have been necessary, but nothing which directly interfered with the production of these parts.

"Changing the gun equipment as mentioned above necessarily changed the shell chute lay-out. The first drawing which we received from the Signal Corps for the left-hand gun chute came to us on March 5. Parts made from these drawings were not satisfactory, as they did not assemble in the machine. The Signal Corps corrected these drawings, and sample parts were made, and the Dayton Wright Co.'s drawings were released for production several days prior to the Signal Corps found, however, that these samples were not satisfactory, and they were rejected, as there had been an error in the drawings. The Dayton Wright Co. redesigned the chute for the left-hand gun on March 29. Samples were made from these drawings which were satisfactory to the Signal Corps, and released to production on April 9.

"The first right-hand shell chute was laid out by the Signal Corps on March 6. Samples manufactured from these drawings were not satisfactory and did not assemble properly in the machine. The Signal Corps proceeded on the correction of these drawings, and they were released for the production of sample. These drawings were very difficult to work to, and samples manufactured from them were not satisfactory and were rejected.

"The Dayton-Wright Co. produced a new design of this shell chute on March 29, which before samples could be made and tried out it was seen that a new design would be necessary, due to the change of location of the electric generator for the electrically heated clothing. A new design was started by the Dayton-Wright Co. on March 30.

"A design along entirely different lines had been started in the meantime by some Signal Corps men at South Field on March 29, and this type was approved on March 31 by the Signal Corps and drawings were made and released to production. This design was tested out on the evening of April 2 and proved unsatisfactory. Another new design was started by the Signal Corps on April 3, which, after a few modifications, was released to production on April 11.

"The same procedure of redesign and development as was required for the shell chutes applies also to the cartridge box and shell-chute covers.

"Our first request for information on the synchronizing device was in November, 1917, but up to February 14 no bill of material or complete set of drawings had been delivered to us. We received on January 23 a few parts which were intended for production; however, the assembly was incomplete and the parts made would not fit the engine. We received drawings of the hand pump on February 5. During January a sample hand pump was delivered to South Field; no drawing or instructions accompanied this to show mounting and this office was never advised as to its use. When assembled on the machine in January it was found that an interference was encountered with the gasoline shut-off cocks and strainer, necessitating a redesign of these parts and the transferring of them to the other side of the fuselage. This in turn caused an interference of the spark and throttle controls, necessitating scrappage of parts then on hand and redesign of this layout.

"The first synchronizing outfit which we received caused a considerable amount of trouble and upon examination of the trigger motors it was found that practically no two of them were alike and it was almost impossible to get a pair of guns on a machine which would function correctly. The first synchronizers were delivered directly to us instead

of the engine builder and they were not made so as to be directly interchangeable with the motor crank shaft, the result being that a considerable amount of hand work had to be done in the fitting up of these synchronizers.

"On April 2 it was found that the synchronizer generator did not have a satisfactory lubrication system and it was necessary to connect it to the motor oiling system. This necessitated the disembling of the synchronizer head and welding on a special boss for the attachment of this oil line. This has been done on all of the synchronizers to date.

"Information, drawings, and bill of material for the gun sights were requested on October 19, 1917. A list of different types of sights were received on January 4, but no bill of material or drawings. Drawings for wind-vane sights were received February 6. No drawings were ever furnished on any of the sight mounts; however, the sight locations were approved February 13.

"This will recall that it was advised that the old English De Havilandl be used for the mounting of guns and sights so that all of the difficulties which were likely to be encountered could be worked out on this job. Our engine cowling was held within the limit of the cowling used on the English job so that no interference would occur. On November 20 it was called to the attention of the Signal Corps that no use had been made of this machine to date, and early in the spring was shipped to Wilbur Wright Field.

"On April 6 the location of the Aldis sight was removed and changed to the left-hand side of the right gun, this necessitating a change of all the parts which had been made up for the old sight and which were already released to production.

"Our first instructions regarding the bomb-dropping gear were to equip the De Havilandl machine with two rails similar to the English machine. Information had continually been requested on bombing apparatus, but no drawings could be furnished. On January 18 we received our first information from the Ordnance Department on bomb gear. This was merely an unlocking device and we gave space in our drafting room to several Ordnance Department men to complete the drawings for application to the machine, they being turned over to me on February 1. On going over these drawings it was found that they were not complete, and about a week later more drawings were received which resisted in production of the first model gear. The delivery of this apparatus had been sadly deficient, it being necessary to ship a large number of planes without it, as some of this is built in the floor of the fuselage and must be put in during the various assembly operations. A further change on the operating mechanism of the bombing gear is coming through, which will be incorporated possibly on the five-hundredth machine.

"Information was requested during October, 1917, on the camera and camera mounts. We were advised at that time that the camera mount which the English De Havilandl was equipped with would also be used on the American-made machine. On January 19 we received from the Signal Corps a camera which would not fit the English mount. As the English mount was already built into a number of our fuselages, it was impossible for us to change this part on our early shipments. A new design of mount was made by the Signal Corps and installed in the sample machine in our shop. On February 25 this was rejected by the Signal Corps and a new design started and drawings furnished on same May 27.

"The focusing telescope retainers were designed at the direction of the Signal Corps for a 4-inch by 5-inch lens. The location of these was shifted several times, and the size of the lens was changed by the Signal Corps to 5-inch by 6-inch and the drawings for retainers were furnished on April 2.

"Up to February 14 we had no information on oxygen apparatus, except that it was to be part of the equipment. As late as April 6 we had no samples of the apparatus or drawings showing installation of same. Final approval of the oxygen installation was received June 10.

"Drawings for the radio equipment and first information regarding same came to us on January 25. These were recalled for changes and new set issued, which were illegible. These were returned, and on February 8 a new set of drawings were received for the bonding together of all metal parts on the machine; these drawings could not be followed on a production basis. The Dayton-Wright Co. then prepared a sample machine, and drawings were made from this and accepted by the Signal Corps March 25. Radio instruments were received February 20, and installation according to Signal Corps drawings was stopped February 25 and new installation directed. The Dayton-Wright Co. prepared drawings for this installation and wiring according to the sample which was prepared.

"On March 28 the generator mount on the side of the fuselage was abandoned. A new installation was furnished by the Signal Corps, but it was found that it interfered with the landing gear strut. On April 10 the new design from the Signal Corps showing the correct location of the generator was received.

"Considerable trouble was encountered with the installation of the Holt flare lamps, as there was a misunderstanding between the Dayton-Wright Co. and Signal Corps as to who was to furnish them. The first Holt flare lights were received on February 25.

"The first navigation light samples were received on March 20, and wiring instructions for same were delivered a few days later.

"The electric generator for lighting and heating was received on March 15. The Signal Corps drawings showed the location on the side of the fuselage. This was unsatisfactory, as the generator propeller interfered with the rear flying wires of the wing structure. The Signal Corps prepared new drawings for the relocating of this generator, but these were unsatisfactory, owing to the interference with the landing gear strut. On April 9 a new set of drawings were received showing the correct location of this generator.

"Radiator and water lines were approved by the airplane engineering department, Signal Corps, on November 21 after flying test. At this time, of course, there was practically no information at hand regarding the equipment of the De Havilandl plane, which necessarily added considerable weight, so that the radiators which we had ordered for production were considered unsatisfactory by the production engineering division. The radiators furnished by the Signal Corps were 1 inch deeper in the core, which necessitated redesign of the shutter assembly. At a late date it was decided to make a further change on radiator design, making it 4 inches longer. This affected the under cowling of the motor, the forward cowling, water lines, and numerous other details, entailing a large amount of scrappage and reoperation of parts.

"The Signal Corps advised that they would furnish us short radiators for our first 150 ships and long radiators for the next 100, after which we were to supply our own. A shortage of 50 radiators was encountered in the first agreement, which necessitated us going to the long radiator job 50 machines earlier, which caused a serious delay and complication in the shop.

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"Drawings were received from the Airplane Engineering Division, Signal Corps, November 21 on gas and air lines. From these drawings all parts were ordered into production. All gas and air-line connections were changed by the Signal Corps and final information received on this change April 5. This necessitated scrappage of all parts on hand, and a delay was occasioned in securing necessary new material."

The delays at the plant of the Dayton Wright Airplane Co. due to these changes in design also caused delay in the other plants, which were to produce De Havilandl 4s, for both the Fisher Body Corporation and the Standard Aircraft Corporation were awaiting a definite design and a determination of equipment and proper drawings before proceeding to production. The Dayton Wright Airplane Co. was in advance simply because it had the advantage of the possession of the model, and it was working out the necessary drawings.

It will be observed that these changes were required in the course of production. That is, instead of proceeding with production on the basis of a given equipment, where changes in equipment would cause serious delay, and introducing different equipment in the planes subsequently produced, virtually the entire production was held up to accommodate the new demands. As Lieut. Col. Horner testifies, "We would go on changing this way and that way and let that change go through production, when it could be done without interfering with production, and if we had done it we would have had a thousand more planes on the French front to-day than we now have without any question."

It is unnecessary to review the changes in the ill-fated Bristol. They were numerous and related to the structure of the plane itself. Production was, of course, impossible while these changes were in progress. The real effect of the changes, however, in view of the result, was not to retard the production of a useful plane, but to cause an unnecessary expenditure.

FIFTH. CONDITIONS IN MANUFACTURING PLANTS.

The conditions in certain plants engaged in the manufacture of airplanes were unfavorable to production, not only because of lack of experience and the absence of mechanics trained in that class of work, but because of defective organization and want of efficiency. The Dayton Wright Airplane Co. had the difficulties inherent in a new organization, but it was organized in the course of production. To what extent, if any, production was retarded by reason of the fact that the organization was a new one. The lack of competent organization at the North Elmwood plant (Buffalo) of the Curtiss Aeroplane & Motor Corporation is commented upon later (post, pp. 150, 136), but in view of the cancellation of the Bristol order it need not be considered here. Whatever delay there was was in the course of an attempt to make an impossible plane. At the plant of the Standard Aircraft Corporation conditions were also far from satisfactory, but for the same reason, so far as service planes are concerned, its capacity for production was not put to a proper test. It should be added that at this plant the first Hanriot was assembled and successfully flown within 90 days after the company had been given full charge of the matter.

There have not been lacking indications of sinister influences at various plants. The opportunities of workmen at aircraft plants to retard production or to injure material and product are quite obvious, and the necessity of keeping the plants free of enemy influences is emphasized in another part of this report. But so far as the delays in production of service planes are concerned, it is impossible in view of interrupted work and changing plans to attribute the delays in any definite measure to such a cause.

SIXTH. CHANGES IN THE LIBERTY ENGINE.

In any proper estimate of what should have been accomplished in carrying out the aircraft program it is necessary that regard should be had to the development of the Liberty motor. The airplane must have its motor, and it was inevitable that in the development of the high-power airplane engine, with the object of securing higher power with a lower weight per unit of power, that changes would be found necessary. Needed improvements were constantly suggested by experimentation, and the number of changes looms very large in the testimony of the experienced engineers who were striving to get into quantity production. It is unnecessary to attempt a review of these numerous changes, for whether time could have been saved by greater expertness is a matter of opinion, and in view of the time that has frequently been spent in the development of new types of motors, there is slight ground for criticism by reason of loss of time in perfecting the Liberty motor. The difficulties were inherent in the task and the task itself was worth while. As has been said, there was no reason why the development of the Liberty motor should have stood in the way of the production of other motors, such as the Hispano-Suiza for use in single-seater pursuit planes to which the Liberty engine was not adapted. But, so far as the heavier observation and bombing planes are concerned, the weight of opinion is that it would have taken about as long to put any other high-power motor into successful quantity production in this country, according to our methods of manufacture, as it has taken to develop the Liberty motor. The attempt to secure planes and motors through foreign production for service pending this development has already been reviewed. By pursuing different methods it is possible, as testified by Lieut. Col. Hall, that there might have been a small preliminary production of Liberty motors two or three months earlier, but, making due allowances for the inevitable course of experimentation, the Liberty motor could not have been put into large production much earlier than it was. What has been called the "immaturity" of the Liberty motor placed a time limitation upon the program for the planes that were made to take this motor, but it may be observed that by May 4, 1918, 778 Liberty motors (T. S. 125) had been made, of which 350 were taken by the Army, and only 36 De H-4s had at that time been delivered, and no other Army planes to take this motor were available. It can hardly be said that unnecessary delays in service-plane production, caused by bad organization and lack of a settled design, were excused by unforeseen difficulties in the development of the Liberty engine; and it should also be observed that if, in the light of general experience in motor building, delay in the development of the Liberty engine was to be feared, there was the greater reason for making sure, to the full extent of ability, of the immediate production of single-seater pursuit planes for which other engines could be provided.

Eighth. Contractors' profits.

Under the various fixed-price contracts it is probable that large profits have been gained, but definite information as to their extent would not be available without a survey in detail of manufacturing conditions and costs in a considerable number of plants—an undertaking which would have been wholly impracticable in this inquiry. The profits allowed by the cost-plus contracts present a distinct question.

The justification for cost-plus contracts was found in the fact that the undertakings were novel and that the manufacturers did not have accurate data upon which to make a satisfactory estimate of the cost of production. This was conspicuously true in the case of airplanes of types with which manufacturers in this country had been unacquainted previously. For production in large quantity either new plants or greatly enlarged facilities at existing plants, as well as special tools, would be required to meet an exigency of uncertain duration, and it would also be necessary to procure the requisite labor and materials for the new undertakings in a rising market and to provide working capital for long periods; and, while motors had been manufactured here upon a large scale, the newly-designed engines for the service airplanes required such a reduced weight per horsepower and such delicacy of construction that it was felt that the enterprise had many elements of uncertainty. In these circumstances it was not an unreasonable conclusion that if contracts for the new types of airplanes and for the new engine were offered solely on a fixed-price basis, either manufacturers would not undertake the work or would insist upon high prices as a safeguard against the chances of ultimate loss. It was deemed inexpedient for the Government to undertake the manufacture directly, and it was decided to adopt the alternative of an assumption by the Government of the cost of manufacture through contracts upon a cost-plus basis. This practice, however, could not properly outlast the reasons which may have justified it at the outset. Contracts of this sort lead to waste, foster abuses, and impose an almost intolerable burden of cost accounting, in itself a hindrance to rapid production. Early in this inquiry it was abundantly shown that it was highly important to establish reasonable fixed prices whenever experience afforded a fair basis for estimates.

The principal features of the cost-plus contracts for airplanes and engines may be said to be these:

(1) The payment by the Government of the contractor's outlays for labor and materials and for the overhead charges incident to the work;

(2) The payment by the Government for special tools and certain "increase facilities" located in the contractor's plant, but owned by the Government;

(3) Reimbursement by the Government for depreciation;

(4) A fixed profit to the contractor; and

(5) The fixing of an estimated cost, or "bogey," and a division of whatever saving was effected under this estimate so as to give 25 per cent of this saving to the contractor as additional profit.

It will be observed that by this method the contractor is assured not only the payment of the cost of labor and material used in the process of manufacture, but of administrative outlays for management and supervision, and an allowance for depreciation of plant. To the extent that these payments are made promptly and at short intervals, the working capital required would be reduced. Provision has also been made for the supply of needed assistance by means of advances through the War Credits Board where these are deemed to be justified. The contractor is guaranteed a certain profit regardless of cost. This is called the "fixed profit." And finally, the fixing of a "bogie" cost was designed to counteract the temptation to wastefulness by giving the contractor a substantial share in the fruits of economy. And it may here be noted that the popular impression that under this form of contract the contractors receive the same amount of profit, however wasteful they may be, and have no incentive to avoid unnecessary outlays, is without foundation. The bogey costs were in all cases placed so high that the contractor had every reason to expect that the actual cost would be much less and that through its share in this saving the contractor would be able to derive an increased profit from economical management. It is apparent, however, that with a large fixed profit guaranteed the incentive to economy is not as strong as when the entire venture is at the contractor's risk. And particularly when interruption of work and changes in design vex production managers, and it is difficult to maintain economical methods, there may easily be bred an indifference to an excessive cost where its burden falls upon the Government. At least this is to be inferred from conditions in certain plants, and the conclusion is unescapable that the cost-plus system of contracts for the manufacture of commodities, as distinguished from such contracts for mere service, is a vicious system and is to be tolerated only during such period as it is found to be absolutely necessary to secure immediate production.

The fact, however, that a cost-plus system is deemed advisable for a time does not justify an exorbitant fixed profit. It has already been pointed out in the case of the Dayton Wright Airplane Co. that the contract for De Havilland-4s originally called for a fixed profit of $875 per plane. This was arrived at on the basis of 12½ per cent of the bogey cost of $7,000. This, however, was not an actual cost and, as the event has shown, was very far above the actual cost. If it had been thought fair that there should be a profit of 12½ per cent per unit produced, it would have been a simple matter to have given this percentage of the actual cost, as the actual cost was to be ascertained in the course of the accounting, and provide for payments from time to time on account. There is no conceivable reason for giving a percentage of the bogey cost, if the object were merely to assure the contractor a profit equivalent to a given percentage of cost. The actual cost of the De Havilland-4s at the plant of the Dayton Wright Airplane Co. despite all the difficulties of production and the enhanced cost of the first lot of machines produced during a period of many changes in designs is understood to be under $4,400. A fixed profit of 12½ per cent on the actual cost of each machine would have been about $550, instead of the $875 which was fixed by making the calculation on the bogey cost.

Again, in a contract for manufacturing articles at the contractor's plant, the agreed profit upon a cost-plus basis should have a proper relation to the contractor's actual investment and risk. The contractor is not only reimbursed for his outlays for labor and material but for expenses of management included in overhead charge—including such reasonable salaries of officers, managers, etc., as may properly be allocated to the Government work. There is no sacred formula by which the Government is bound to pay a profit per unit of production regardless of the time in which capital is turned over. The extent to which the Government supplies the needed working capital, either by payments on account of work and materials supplied or through advances, should also be considered. A percentage of outlays, or of a bogey cost, although small in itself, may give an exorbitant profit as applied to each unit of a large production.

SERVICE AIRPLANE CONTRACTS.

In the case of the Dayton Wright Airplane Co. the paid-in capital was $1,000,000, invested in plant. Advances by the Government to the extent of $2,500,000 were authorized, and in December and January last advances of $1,000,000 were actually made. These were followed by additional advances, and the balance of total advances on June 30, 1918, was $1,405,222.57. Approximately $750,000 of the money thus borrowed from the Government at interest is represented by investment in fixed assets. The plant is exclusively devoted to Government work, and outlays for labor, materials, and overhead, as provided in the contract, are met by the Government.

The operations of this company relating to production may be said to have begun about August 1, 1917. The total fixed profit on the 400 Standard-J planes was $620 per plane, and the fixed profit on the 4,000 De Havilland 4s was $875 per plane, making a total of $3,748,000. With the saving as now estimated of approximately $2,600 under the original bogey cost of $7,000 the additional profit of 25 per cent of this saving would amount to $650 per plane, making the total profits on the De Havilland contract about $1,525 per plane. At the present rate of deliveries the contract for 4,000 De H-4s will be completed before March 1 next. The total profits on the 4,000 De H-4s would have amounted to upward of $6,100,000, and it is safe to say that, including the profit on the Standard J planes, the company would have earned a profit of more than $6,350,000 under the original contract. This does not include whatever profits would have been made on its experimental contract or on the spares for D H-4s. It should also be added that under its contract it was provided, in substance, that at the completion or cancellation of its contract the Government should pay the difference between the cost of its plant, including real estate, building, machinery, and appliances built or otherwise acquired for the performance of the contract, less what was found to be the fair market value at the time when the contract was completed or canceled, and that in determining (through a board of appraisers) this fair market value, the need or requirement of such a plant in the neighborhood, and the probability of securing a tenant promptly, or having an established business available, should be considered as one of the important factors.

In the case of the Fisher Body Corporation, which had the other large order for De Havilland 4s (4,000), as well as an order for 400 Standard-Js, the profits would certainly not have been less. Instead of establishing a new plant, as did the Dayton Wright Co., the Fisher Body Corporation had already effected a highly efficient organization and had an established plant which required, however, a considerable expansion of plant facilities and special equipment. The net investment in fixed assets, including building, land, and machinery, which was made by the Fisher Body Corporation for the Government work, amounted, to May 31, 1918, to $860,849.05. The corporation was aided by an advance through the War Credits Board of $2,000,000, made last December. Waiting for the necessary drawings, it got into production later than the Dayton Wright Co. and up to October 11, 1918, had only delivered 452 planes. But it should complete its production of the entire 4,000 within the next six months.

As already stated, in accordance with letters obtained at the time the contracts were made with the Dayton Wright Airplane Co. and the Fisher Body Corporation, which promised an equitable readjustment if it was found that the bogey cost was too high, it appears that contracts are now being negotiated for the reduction of the bogey cost of the De H-4s to $5,000 and the fixed profit to $625 per plane. The total profit per plane with the percentage of saving (exclusive of profit on spare parts) under the new contract would amount to about $775 per plane, or $3,100,000 in all, which, with the profit on spare parts, would make the total profit on the De Havilands not less than $3,500,000.

LIBERTY ENGINE CONTRACTS.

The bogey cost, as first fixed in the contracts for Liberty engines, was $6,087. This was approved by Mr. R. H. White, of Cleveland, and Mr. Henry May, of Buffalo, to whom the propriety of the estimate had been submitted by the Secretary of War. The fixed profit as originally stipulated was 15 per cent of this bogey cost, or $913.05 per engine. Lieut. Col. Hall (who had had large experience in engine manufacture) testifies that he made an estimate about the time that contracts were being let, and told Col. Deeds that $2,400 would cover the cost of labor and materials for the Liberty 6,000 engine, without overhead charges.

In December, 1917, the bogey or estimate cost was reduced to $5,000 and the fixed profit put at 12½ per cent of this sum, or $625 per engine. The contracts with the Packard, Lincoln, and Nordyke & Marmon companies were modified accordingly. This was in consideration of further allowances for depreciation and provision for advances by the Government. In last May the contract with the Ford Motor Co. was modified by the same reduction of the bogie cost and fixed profit. The contracts with the General Motors Co. were put upon the same basis.

Even at this reduced bogie and percentage the profits allowed were very large.

By September 6, 1918—that is, within a year from the date of the contract—the Packard Co. had delivered (according to the Government's reports) 3,100 Liberty 12s, and the agreed fixed profit on these amounted to $1,937,500. In the following month it produced 560, and its should complete its deliveries of the 6,000, first contracted for, not later than January, 1919, and on these 6,000 engines the agreed fixed profits would be $3,750,000. This profit it would earn within 17 months after it received the contract, and if it could have completed the deliveries as contemplated when the contract was made—that is, according to contract schedule—the profit would have been earned in 11 months. Only the fixed profit has been mentioned, all this was definitely guaranteed, but in addition to this the company was entitled to 25 per cent of its saving under the bogey of $5,000. The Government's estimate is that the actual cost of the first 600 Liberty engines produced at the Packard plant was $3,873 per engine, and that the average cost of the first 1,200 motors was thus $3,442 per engine. It would seem that the actual cost of the entire 6,000 is likely to be somewhat under $3,200 per engine. But on the basis of $3,200 there would be an additional profit, through the contractor's percentage of saving, of $450 an engine, which would make $2,700,000 additional profit, or, with the fixed profit of $3,750,000, a total profit of approximately $6,450,000 earned on the 6,000 engines, within a year and five months, despite delays in production. To this there should still be added a considerable amount for profits on spare parts on the 6,000 engines which may be estimated at upward of $1,500,000, and thus the aggregate profits on the Liberty engine (exclusive of the original development work) would reach about $8,000,000.

The Packard Co. estimated that on May 31, 1918, from the standpoint of plant values, the total investment exclusively for aircraft motor work was $11,808,494.47. This included, however, advances by the Government for working capital amounting to $2,145,568, and

inventory and other items which would be represented in the cost of labor and material ultimately defrayed by the Government. The proportion of its plant, less depreciation, employed on aircraft work was estimated by the company at $5,500,000. It should also be noted that in the contract reducing the bogey cost and fixed profit it was provided that on the termination of the contract the Government should pay for depreciation upon the heat-treating building and equipment erected by the contractor for the purpose of carrying out the contract, the difference between their cost and "the value thereof to the contractor for use in its business," as determined by a board of appraisers, and that in determining this value the appraisers should be guided by the use the contractor "shall have for said building and equipment at the termination of said contract, in the ordinary operation of its business of manufacturing motor cars and trucks, and shall not include the value, if any, which the same may have to the contractor in the manufacture of further aviation motors." The Government was also to pay the full cost of facilities for testing and inspecting the engines, including the building and equipment erected by the contractor therefor, and should also reimburse the contractor for the machine tools purchased, especially for the construction of aviation engines, to be used by the contractor without rental, but to remain the property of the Government.

The contract with the Ford Motor Co. was for 5,000 Liberty engines. The company did not begin its deliveries until the 14th of June. It was estimated by its officers that deliveries would reach 1,500 in October, and that the entire contract would be completed by the 1st of December. It is behind its schedule, but between September 6 and October 4 it delivered, according to the Government's records, 768, and it may be expected that it will complete its contract for 5,000 by the end of January, 1919. Under the original contract it would then be entitled to fixed profits on the 5,000 engines of $3,125,000 and the additional percentage of the saving under the bogey cost of $5,000. With its well-known efficiency and in view of the fact that by beginning later it did not have as much difficulty as the Packard Co. had experienced, it may be assumed that the actual cost of the 5,000 engines at the plant of the Ford Co. will be less than $3,200 per engine and at the rate of $450 an engine (that is, 25 per cent of the difference between $3,200 and $5,000) its additional profits would amount to $2,250,000, or its aggregate profits on the 5,000 engines would be $5,375,000, earned by January, 1919. The plant investment required for this production certainly can not be regarded as any greater than that of the Packard Co. The Ford Co. has not received advances from the Government. The Ford Co. also has a contract for 400,000 cylinder forgings for the Liberty engine on a fixed-price basis of $8.25 each; these are supplied to the other manufacturers. The contract with the Ford Co. for the Liberty engines provides that there shall be allowed for depreciation on the machinery and buildings especially acquired for the performance of the contract, in addition to the facilities already owned by the contractor, the difference between the fair cost and the fair market value as determined by appraisers at the time of the completion or cancellation of the contract.

The Lincoln Motor Co. has its special feature in that it was a new organization and established a new plant which is devoted exclusively to the manufacture of Liberty engines for the Government. It has a highly expert organization, with Mr. Henry M. Leland at the head. When the bogey or estimated cost was reduced from $6,087 per engine, with a fixed profit of 15 per cent, to $5,000 per engine, with a fixed profit of 12½ per cent, the Government made a special agreement with reference to depreciation, which is thus summarized in a resolution of the Aircraft Board:

"That the Government make an allowance for depreciation of the company's heat-treating plant equal to the difference between the cost thereof and the value to the company of the business at the termination of the contract; further, that the cost of the company's testing plant be allowed as a part of the production cost of the engines to be manufactured; further, that the machinery and equipment used by the company in the performance of the contract be depreciated 40 per cent over the term of the contract."

The Government made advances during the last fiscal year to the extent of $6,500,000; additional advances were made in July and August of $4,300,000, in order to discharge obligations and maintain a capacity of 1,500 engines a month, making the total sum advanced by the Government of $10,800,000.

The Lincoln Motor Co. had delivered, according to the Government's reports, only 580 motors by the end of June, but it had reached a production of over 600 per month by October 4, and doubtless will soon be at full capacity, so that the first 6,000 motors will probably be delivered before the end of January. For the first 600 motors the cost of production at the plant of the Lincoln Motor Co. was $3,583, which was nearly $300 per motor less than that of the Packard Motor Car Co., and it may be assumed that its average cost for the entire 6,000 will be not much, if any, more than $3,000. That is the figure which appears in the company's estimate of profit. But on the basis of an actual cost of $3,200 per motor the Lincoln Motor Co. would have earned by January, 1919 (through fixed profits and percentage of saving), on the delivery of the 6,000 motors about $6,450,000. There would also be profits on spare parts, which are estimated at upward of $1,500,000 more, making the aggregate profit of about $8,000,000. This would be exclusive of allowances by way of depreciation.

The investment in real estate, buildings, machinery, and equipment (exclusive of the special tools to be paid for by the Government, and the cost of testing and inspection facilities on which there is to be a depreciation allowance of 100 per cent) amounts to approximately $7,150,000, of which about $3,460,000 is the cost of machinery, tools, and equipment (to July 31, 1918), on which the Government is to pay a depreciation allowance of 40 per cent, in addition to profits. The entire paid-in capital of the company amounts to $850,000. At the outset the company obtained on the credit of its officers about $2,000,000, which served its purposes until it obtained the amounts needed for its plant, equipment, and working capital, through advances by the Government. It is pointed out very clearly that the company has provided an excellent plant for the manufacture of Liberty engines, and that ultimately its profit, after paying taxes, will represent only an equity in its plant, without any assured business, as it has been devoted exclusively to Government work. On the other hand, it may be said that there is a very liberal flat depreciation allowance on machinery, tools, and equipment; that the plant is a permanent one, admirably designed for commercial work, and not merely for a temporary exigency, and that there is every prospect that it can be successfully utilized. It should also be said that from the standpoint of the Government it was free to make arrangements with existing plants, and the amount of the profits it should allow should be determined accordingly.

It is unnecessary to review the original contracts with the Nordyke & Marmon Co., which is very far behind in its deliveries, and with the General Motors Co. (Cadillac and Buick plants). The profit allowed per engine was the same as in the other contracts, but the contracts were for fewer engines, 3,000 in the case of the Nordyke & Marmon Co. and 2,000 in that of the General Motors Co. The Nordyke & Marmon Co. received advances of $2,000,000. There were no advances to the General Motors Co.

The large percentage of the contractors' profits which will be taken by the Government in taxation is strongly emphasized, and, of course, what the Government takes back through taxation should fairly be taken into account. But the contemplated tax does not justify an extravagant scale of profits which, even after payment of taxes, would permit an excessive return upon the capital invested, in view of the greatly reduced risks of the contractor under the cost-plus contracts.

REVISED CONTRACTS FOR LIBERTY ENGINES.

What has been said above relates to the original contracts for Liberty engines. During a recent period the contracts with the Lincoln Motor Co., the Packard Motor Car Co., and the Nordyke & Marmon Co have been revised and put upon a fixed price basis of $4,000 an engine.

The revised contract with the Lincoln Motor Co. is dated July 31, 1918. The former contract for 6,000 engines is canceled and superseded and the new contract provides for 9,000 United States twelves and necessary spare parts, with an option to the Government to require the production of 8,000 additional engines and spare parts. The schedule of deliveries provided for in the new contract is as follows:

Previous to Aug. 1, 1918	1,000
August	750
September	1,000
October	1,500
November	1,500
December	1,500
January, 1919	1,500
February	250

The price is $4,000 an engine. The spare parts are to be delivered on a schedule basis corresponding to a total price of $4,000 for a completed engine. The contract provides for payments by the Government, by way of amortization, upon a basis of 100 per cent of the actual cost of all testing and inspecting facilities provided by the contractor with the approval of the Government; for payment by the Government, by way of amortization, upon a basis of 40 per cent of the actual cost of the heat-treating building and equipment erected by the contractor; and payment by the Government, by way of amortization, upon a basis of 40 per cent of the actual cost of machinery, tools, and other items furnished by the contractor. It is further agreed that in case the Government shall not order from the contractor the 8,000 additional engines for which it has an option, or the contractor is prevented by termination of the contract from manufacturing and delivering the 9,000 engines contracted for and the 8,000 additional engines, the Government shall pay to the contractor a sum equal to 40 per cent of the difference between the actual cost of its plant, including real estate, buildings, machinery, and equipment built or otherwise acquired by it for the purpose of performing the contract (exclusive of any allowance of interest) and any and all payments previously made by the Government on account of depreciation or amortization. While the new contract is on a fixed price basis, provision is made for payments by the Government within 10 days of the determination of the various items, on account of the cost of direct materials, supplies, and labor, and also for the payment monthly of amounts equal to proper ordinary depreciation, and other proper items of overhead expense not previously paid by the Government. It is also provided that in case the actual cost of manufacture shall be increased or decreased by reason of any changes in specifications or in the rates of labor, material, supplies, or equipment, varying from the rates in force at the date of the revised contract, upon satisfactory proof, the contractor shall be paid the total amount of such increases, in addition to the fixed price, or in case of a decrease the fixed price shall be reduced accordingly.

Up to October 4 the Lincoln Co. had delivered, according to the Government's report, 2,566 engines, instead of the 2,750 required by the schedule to October 1, and it is likely to be somewhat behind its schedule in the total deliveries, but its deliveries of 9,000 should be completed by March next. It may be assumed, as the company assumes in its own estimate, that the 9,000 motors can be produced on an average cost of $3,000 each, which would leave $1,000 profit per engine, exclusive of the spare parts, making a profit on the engines of $9,000,000 earned, it may be expected, by April 1; and assuming that the profit on spare parts will be 25 per cent of the profit on the motors, there would be an additional profit of $2,250,000. On this basis the entire profit earned by the company on the Liberty engine contract would be $11,250,000.

The new contract with the Nordyke & Marmon Co. was made under date of August 31, 1918. The former contract for 3,000 Liberty engines is canceled, and the substituted contract calls for 5,000 U.S.-12s and spare parts, with the option of the Government to order 2,000 additional. The schedule of deliveries is as follows:

1918.	
August	50
September	70
October	250
November	300
December	400
1919.	
January	400
February	475
March	500
April	500
May	500
June	500
July	500
August	500

The contract is on the basis of a fixed price of $4,000 per engine, with a provision for increase or decrease in case of a change in the actual cost of manufacture, similar to that contained in the revised contract with the Lincoln Co. The contract also contains a provision for special depreciation, which is somewhat involved and need not be set forth.

The revised contract with the Packard Motor Car Co. was made under date of September 2, 1918. It supersedes the original contract and provides for 12,000 U.S.-12s at a fixed price of $4,000 per engine, and spare parts on the basis of this price for a completed engine. It contains provision as to an increase or decrease of price in case of a

change of the cost of manufacture similar to that found in the other revised contracts above mentioned. The Packard Co. agrees to deliver the articles at the rate of 600 engines a month, beginning with September 2, 1918. As the Packard Co. has delivered 3,600 engines up to October 4, 1918, the entire 12,000 will be delivered approximately by December, 1919. It is likely that the cost, distributed over the 12,000 engines, will not be more than $3,000 an engine, and at this rate the profit on the 12,000 engines will amount to $12,000,000, with probably $3,000,000 more as the profit on spares, making about $15,000,000 in all.

Under the original cost-plus contracts for the Liberty engines—that is, with the bogey cost of $5,000, a fixed profit of 12½ per cent thereon, and an additional profit of 25 per cent of the savings under the bogey cost—the total profits per engine would amount to $1,075 on the basis of an actual average cost of $3,200 per engine, or to $1,125 on the basis of an actual average cost of $3,000 an engine. It will thus be seen that the change from the cost-plus contracts to the fixed-price contracts saves the Government from about $75 to $125 (or possibly a little more) per engine on the fixed-profit allowance, and also whatever expense may be saved by the reduced requirements of cost supervision and accounting and in connection with material. Upon the new fixed-price contracts the contractor's profits, though reduced, still remain very liberal.

It is understood that it has been arranged that similar revised contracts on a fixed-price basis will be made with the Ford Motor Co. and the General Motors Co., but these had not yet been executed according to the latest information received.

Ninth. Supervision of production—Waste.

Little need be said with respect to the supervision of the production of engines. Although the numerous changes in the Liberty engine and the remedying of the defects which were disclosed necessarily involved considerable outlays, the losses due to these causes can hardly be said to be greater than would naturally be expected in the development of a new high-powered motor for airplanes. It has already been pointed out that the actual cost of the first lot of 600 motors at the plant of the Packard Motor Car Co., which was earliest in production, was as high as $3,575 per engine, and that this cost was subsequently reduced so that the average cost of the first 1,200 motors was $3,442, and that it is expected that the cost per engine at this plant will fall below $3,200. Again, the actual cost of the first lot of 600 motors at the plant of the Lincoln Motor Co. was $3,583, and it is believed that motors can now be produced at this plant at a little, if any, over $3,000 per engine. The enhanced cost of the first lots of engines may be said to reflect in large measure the expenditures which could have been avoided had there been no changes in design, but these outlays fell within the range of reasonable experimentation and can not justly be regarded as showing a lack of careful supervision.

The chief losses, which may be properly characterized as waste, have been in connection with the production of airplanes. A statement has already been made (ante, p. 15) of the cost of the Standard J-1 training planes which were condemned as dangerous in June, 1918, because of the unsuitability of the type of engine. The expenditures on the Standard J-1 planes, including the engines, to September 30, 1918, amounted to about $17,500,000, and the amount which may ultimately be saved if these planes are utilized with another engine can not now be stated.

The changes in the De Haviland 4s which have been detailed (ante, pp. 126–131) caused great additional expense which could have been avoided had there been a more efficient organization and prompt decisions as to equipment. The most serious waste, however, in connection with service planes was in the work and materials thrown away on the Bristol Fighter, which was in course of production at the plant of the Curtiss Aeroplane & Motor Corporation and was finally condemned in July, 1918 (post, p. 157).

Under the cost-plus contracts it was of the utmost importance that there should be the most careful supervision of production and an adequate system of cost accounting so that useless expenditures should be avoided and actual costs carefully determined. This undertaking was difficult in itself, but it was rendered even more difficult by the demand for haste and the necessity of quickly providing a large force of inspectors and accountants in a novel undertaking. Manufacturers were in constant opposition to what they regarded as unnecessarily technical requirements by accountants, and the Government representatives themselves were admonished by their superior officers not to let strictness stand in the way of production. And it could hardly be expected that this large matter of industrial supervision and cost accounting could be adequately handled under the restrictions of military organization. Moreover, not only was efficiency hampered, but the door was open to abuses, and despite the fidelity of many who sought to protect the Government, wasteful conditions were permitted to exist which were wholly inexcusable. It should also be said that a large outlay has been caused by the fact that the Army and Navy each maintains a complete staff of accountants so that, for example, in the North Elmwood plant of the Curtiss Co., where both Army and Navy work is being done, there are two sets of Government employees at work in all branches of cost-plus accounting under the respective contracts.

LABOR.

Labor conditions generally were unsatisfactory. In the labor market the Government was largely competing with itself. At the plant of the Packard Co. the labor turnover is from 400 to 600 per cent a year, which would mean 40,000 to 60,000 men coming and going in order to maintain an organization of 10,000 to 11,000 men. The larger portion of this "floating," as it is called, occurs among probably 4,000 to 5,000 men, and the testimony is that in some departments there has been a complete change about 15 times a year. Women have largely been employed in many plants with satisfactory results. The plant of the Wright Martin Aircraft Corporation at New Brunswick, N. J., is a conspicuous exception, few, if any, women being employed in the shops. The testimony is that the local labor organization has taken a stand against the employment of women, and accordingly this has not been pushed by the management.

In the case of the Wright Martin Co. also it was apparent that a very large proportion of the employees were within the draft age as fixed by the selective service law of May 18, 1917. The records show that on August 15, 1918, 41.36 per cent, or 2,300 of the total number of employees (5,560) at the New Brunswick plant, were within the draft age, and of this number 15.83 per cent were in class 1. The report by the representatives of the Government at this plant states that the method used by the company for securing deferred classification and indefinite furloughs is as follows: When a man is employed who is in class 1 of the draft, he is given a week to "make good." If he then is found to be efficient, his foreman induces an application for deferred classification, and if this is refused by the district board and the employee is called to camp, a request is made by the company to the personnel department of the Bureau of Aircraft Production for his return on indefinite furlough. Prior to August, 1918, the operations of the draft department of the company were open to serious criticism and exhibited many irregularities. In one case a man, whose duties were such that anyone who could handle a screw driver could do his work, was drafted and immediate steps were taken to have him returned as a "motor builder." Previous to his employment by the company he had been employed as a stock clerk by a manufacturer of screws, and he had no previous mechanical experience. In another case a man who was considered a deserter by his local board was finally located at the plant of the Wright Martin Co., where he was arrested and inducted into the Army. Affidavits were immediately presented for his return from camp upon industrial grounds, and he was returned accordingly. One who had been a clerk of a carpet company, without mechanical experience, and who had a minor assembly job, was drafted and was returned on indefinite furlough as a necessary employee. A former proof reader, a former skating instructor, and a former coupon clerk who had obtained employment at the Wright Martin plant were drafted and similarly returned. In other cases men whose work was entirely clerical secured deferred classification on industrial grounds. Cases of this sort have now been brought to the attention of the Provost Marshal General. It is stated by the Government representative that at present the draft department of the Wright Martin Co. is in competent hands, and it appears that its work is being done with a better regard for the interests of the Government.

LABOR COST.

To establish the labor cost under cost-plus contracts it was necessary that there should be proper time records and suitable provision for the identification and check of employees as they entered and left the factory. The opportunities for irregular pay rolls through laxity or connivance are obvious. The conditions in this respect at the North Elmwood (Buffalo) plant of the Curtiss Aeroplane & Motor Corporation were especially bad. It was at this plant (completed last fall) that the cost-plus work was done on the Bristol fighter for the Army and the HS-1 seaplane for the Navy. [The Curtiss Aeroplane & Motor Corporation has seven distinct plants—a: Buffalo the Churchill Street group (including the Churchill Street plant, where training planes are made, and the plants at Niagara Street, Bradley Street, and South Elmwood, making parts for Churchill Street); the Austin Street plant, doing Navy work, including contracts for the British Government; and the North Elmwood Avenue plant. At Hammondsport, N. Y., motors are manufactured exclusively. The work, except at the North Elmwood plant, is on a flat-price basis.] There is abundant testimony, with picturesque detail, which can not be given here, to the effect that at the North Elmwood plant large numbers of employees were kept on the pay rolls when they were not needed; through an utter lack of a decent system men and women were paid when they did not work; employees were able to leave the factory without being detected and remain absent for hours while recorded as on duty; employees would ring one another's time cards; men who were without work enough to keep them busy during the day were employed overtime at increased rates; men were brought to the plant on Sundays when there was virtually nothing to do; and for many months there was such demoralization at this plant that it became the subject of contemptuous gossip among the employees and in the community. One of the inspectors for the Navy testifies that as late as July he, with others, went through the plant at night on a tour of inspection, and not only were they able to go from one end of the plant to another without being asked for their passes, but they found absurd conditions of idleness. In one room "the foreman and three men (were) sprawled out on the floor," and, as he put it, there were "slackers from one end of the plant to another."

It is urged in palliation that the cancellation of the Spad order and the difficulties encountered in the development of the Bristol created a state of confusion, and that the management was constantly expecting to be able to get into production and felt it necessary to maintain an adequate force for this purpose. That the force was increased heavily at the North Elmwood plant during the early period despite the fact that there were serious difficulties with the Bristol design and the company was not ready for large production is beyond question. In October, 1917, the average number of men working at the North Elmwood plant was 578. In December this was increased to 4,142; in January to 6,970; in February to 7,029; there was a decrease of a few hundred in March and April, and an increase in May to 7,557, and in June the average number at work was 9,788. To approximately 60 per cent of its capacity this plant was either idle or working only in connection with the Bristol. The employment of men on a large scale when there was not work enough for them had much to do with the virtual destruction of the morale at the plant. But whatever loss the Government has sustained in this way is not nearly as large as it might otherwise have been by reason of the fact that a careful resuudit is in progress, which should be strictly prosecuted, and final settlement of payments awaits a satisfactory determination of actual outlays.

EMPLOYMENT OF ALIEN ENEMIES.

Among the regulations established by proclamation of the President on April 6, 1917, was the following:

"An alien enemy shall not approach or be found within one-half of a mile of any Federal or State forest, camp, arsenal, aircraft station, Government or naval vessel, navy yard, factory, or workshop for the manufacture of munitions of war or of any products for the use of the Army or Navy."

Under the authority granted by the President to the Attorney General for the administration of the alien enemy regulations, the Department of Justice developed a permit system whereby alien enemies could obtain permits to be employed within a munitions factory, including one engaged in the manufacture of aircraft, within the half mile zone. The granting of such permits is intrusted to the United States marshal of the district, who is authorized to issue them if he is satisfied that such action will be in no respect dangerous to the community or the United States. He is required before issuing a permit to confer with the special agent of the Department of Justice in the locality, to make a thorough investigation, to get the approval of the United States attorney or assistant United States attorney of the district, and also to obtain from the employer a certificate in writing to the effect that he desires to employ the applicant, and that he is satisfied that such employment will not be to the injury of the community or the United States. Sponsors or bonds may be required, and all such permits are revocable.

It will be observed that while the precaution has been taken to require suitable investigation by agents of the Government, the cooperation of the employer, who has special opportunities for obtaining accurate information, is expected. It is manifest that unless the Government is in possession of facts showing the inadvisability of the employment, the certificate of the employer in compliance with the regulations is likely to be most persuasive.

There is considerable difference in the practice of the various companies engaged in the manufacture of aircraft as to the employment of enemy aliens under these regulations. The following illustrations will suffice:

The Fisher Body Corporation states: "We do not employ any German aliens in our aeroplane factory or in our aeroplane divisions." On May 22, 1918, Mr. Kepperley, the vice president and general manager of the Curtiss Co., gave instructions that under no circumstances should alien enemies be employed. Despite this instruction some alien enemies who had previously been employed on permits were retained in positions of importance. One of these, who began work for the Curtiss Co. last fall, was put in charge of the milling-machine department in the machine shop and became assistant general foreman of the machine shop at the North Elmwood plant. Another German subject (having a brother in the German Navy), who began to work in the Curtiss plant in February, 1917, became foreman in the welding department at the North Elmwood plant and has been at work on all the tubing work and tail units for the Bristol fighter as well as on the engine braces for the HS flying boats. Another, who had himself served one year in the German Navy and was discharged on account of wounds, was employed as toolmaker at the Curtiss plant until some time in June.

The Lincoln Motor Co. states: "It is our endeavor to employ none but American citizens or friendly aliens. We are careful and using every precaution to not employ enemy aliens." The Nordyke & Marmon Co. is equally careful. Their statement is: "At this date there are no alien enemies employed in the airplane engine division. A very few have been employed in this division from time to time, but for only short periods at a time, as it has been our settled policy from the beginning of the war to keep alien enemy employees out of our Government departments, notwithstanding the individual man might be perfectly harmless. As fast as these men have been discovered they have been discharged."

About 200 enemy aliens (including Austrians and Hungarians) are employed by the Packard Motor Car Co. About 200 enemy aliens (not Germans, but Austrians and Hungarians) are employed at the plants of the Wright-Martin Aircraft Corporation in New Brunswick and Newark. No enemy aliens are employed by that company at its Long Island City plant.

The Ford Motor Co. has about 250 German aliens who are employed in departments dealing with Government work. One hundred and forty-three of these are in departments in which from 20 to 60 per cent of the work done is Government work; 35 are at the blast furnace, and 61 are at the shipbuilding plant, which is doing Government work exclusively. These enemy aliens are working under special permit granted on the company's recommendation.

GERMAN SYMPATHIZERS.

The serious risk that is taken in permitting men of known pro-German sympathies, whatever their citizenship, to work in aircraft plants in any important capacity has generally been recognized. The opportunities are abundant for delays and interferences in production through the action or inaction of those controlling the progress of production. It is the assumed sympathy with his nation which makes the employment of the German subject dangerous, and the danger may be quite as great in the case of one who, although not an enemy alien, is more friendly to Germany than to the United States.

There have been persistent rumors of pro-German sympathies on the part of employees of the Curtiss Co., but it has been impossible to ascertain to what extent, if any, the demoralization that until recently has existed at the North Elmwood plant of that company was due to any influence of this hostile description. The conditions that existed naturally bred distrust which was reflected in common talk, but facts warranting a definite conclusion as to disloyalty on the part of employees in important positions are lacking.

In the case of the Ford Motor Co., one of the company's employees (who formerly had been in the educational department and had represented the American Protective League) testified as to his inquiry into cases of disloyalty. The reports obtained by him exhibit utterances of employees in antagonism to the Government, insulting references to the President, and praise of the Kaiser. In an extreme case, in which the employee reviled and even threatened the President, there was a prosecution and a plea of guilty. The man was fined $300, was released, and the testimony is that he resumed work in the Ford plant. The reports were numerous, and the employee who obtained them testified that there were about 200 employees whose loyalty was seriously open to question, but how many of these were employed in Government work he could not say. So far as the Liberty engine was concerned, his investigation related to half a dozen cases in the drafting department in the Ford Co. In this department there was a serious situation which engaged the attention of the management. Its importance was manifest from the fact that the drafting department embraces the tool design and drafting room in which the drafting work upon the Liberty engine is done, and it is possible for one in that department to bring about delays, the causes of which, in view of the multiplicity of drawings involved, it would be difficult satisfactorily to trace. This department was in charge of Carl Emde. There were repeated reports of pronounced pro-German utterances by Emde. A former employee, who had left the plant voluntarily and had later been found with plans and photographs of the plant, described Emde as a close friend of Emde's and had been employed in his department. This man, it is understood, has been interned. While nothing conclusive could be established against Emde in relation to his work, the advisability of removing him from a position of such strategic importance was clear to some of the most important men in the management. A conference was held on the subject at which Mr. Ford and the factory managers were present. According to the minutes of this conference reports were read "from various members of the drafting department who were in touch with the situation, and who felt that the department was practically a pro-German institution." Several conferees expressed the opinion that Emde should be removed, and one said that in his opinion "in the very nature of things Mr. Emde could not give us everything required to assist the Government of the United States." Mr. Ford, however, was opposed to that course and overruled his associates. Mr. Ford's position and his reasons are thus set forth in the minutes:

"Mr. Ford deliberated and stated that he had heard numerous rumors, but in speaking of all he had heard there had not been one thing shown him which would make him change the present head of the drafting department. He felt that it was a time of sacrifice—that in the next few years every man would be called upon to make some sort of sacrifice, and that possibly Mr. Emde, German born, was making his sacrifice now when making drawings for the Liberty motor to be used ultimately against Germany."

This statement of attitude is sufficiently expressive and requires no comment. The proposed removal did not take place. There has been a laxity at the Ford plant with respect to those of German sympathies which is not at all compatible with the interests of the Government. In deference to Mr. Ford's view, those in direct charge of production, who were alive to the situation, have had to pursue a policy of constant watchfulness and supervision instead of being free to take the precautions which the exigency demanded.

MATERIALS.

The leading causes of waste in material were engineering changes and faulty workmanship. As material was rendered useless it was scrapped, and there is no little evidence of a lack of care in securing salvage. For the losses due exclusively to changes in design after authorized production had begun, the manufacturers can not be regarded as responsible; and these losses, while they can not be accurately computed, are undoubtedly heavy. Their extent, of course, is proportioned to the stage of production reached when changes were directed; and with respect to the service planes the history of production at the Dayton-Wright Airplane Co., the Fisher Body Corporation, and the Standard Aircraft Corporation discloses the same conditions varying only in degree as to the delay and waste caused by repeated changes.

With respect to the intelligence and efficiency of the inspection and the extent to which rejections have been on sound grounds, there are naturally differences of opinion and complaints and countercomplaints, the basis for which can not be satisfactorily determined. It is to be noted that there is no little complaint that the rejection percentage reached a high percentage. Even at one of the best plants the Government representative puts the percentage as high as 60 per cent after allowing for salvage, and at other plants the percentage of rejections was probably higher.

A good industrial organization such as existed at the plants of the Standard Aircraft Corporation and the Curtiss Co. (North Elmwood plant) did not favor economical production, and in the case of the former company conditions were aggravated, as already pointed out, by the assignment to that company of a large number of small orders for varied work. At the North Elmwood plant of the Curtiss Co. the waste, which was incident to delay and changes, was vastly increased by irregular practices. Thus, in order to keep men busy who apparently had no proper work to do, there was excessive production of parts. A production order might be for 500 parts, but the actual production might run to 5,000 or even more of these parts until this unwarranted conduct was discovered and stopped. There is instance after instance of excessive production which served to increase the size of the scrap heap when a change made the parts useless.

Again at this plant, when a change would lead to an order stopping the production of parts, production often would continue despite the order. As an illustration, one witness testified that he had personally given a stop order on certain metal parts and found two weeks later, in going through the metal shop, that they were still making the parts, sending them through the various operations and working overtime on their production. During periods of idleness employees devoted their time to making clocks and toys out of the materials at their command in the factory. Excess material was scattered about the factory without a proper record being kept of it. And it appears that material would be sent to the scrap heap instead of being properly salvaged, in order to cover mistakes.

There was also a lack, at the Curtiss plant, of proper records of material. In the case of steel stores there was confusion between what had been supplied for the Army work, for the Navy work, and for the Curtiss fixed-price work, so that accurate accounting based on the ledger entries was wholly impossible. And in addition to other manifest delinquencies, there was an absence of proper plant protection. The situation of the company in view of its experience with both the Spad and Bristol orders was undoubtedly a difficult one, but the lack of competent industrial administration is too clear to admit of dispute and has freely been confessed.

There has been little evidence at the North Elmwood plant of the exercise of the broad powers of the Government to prevent these abuses, and the fact that conditions were permitted to continue reveals the failure of the representatives of the Signal Corps to take proper steps for the protection of the Government's interest. There was, however, such an absence of system on the part of the company in the keeping track of parts, and so many changes in the persons employed, that while there is abundance of general testimony it is practically impossible at this time to trace particular instances of dereliction to individuals in order, with suitable particularity, to support definite charges. The divided responsibility which resulted in giving the design of the Bristol so largely into the control of the representatives of the Curtiss Co. was also a source of embarrassment, and the extreme haste to make up for lost time added to the confusion. Conditions through the winter and early spring were chaotic, and the improvement that has been made since that time has been unnecessarily slow. It is fair to say, however, that recently there have been changes which promise a needed betterment in the industrial organization.

So far as the loss of the Government in connection with the Bristol is concerned, the payments already made to the Curtiss Co., according to the Government accounts, amounts to upward of $2,000,000, exclusive of advances, and, as already stated, the Government has estimated that the loss, including claims growing out of the cancellation, may reach $6,500,000 (ante, p. 10). The Government, however, has a margin of security by reason of deferred payments, and a resudit is in progress which must be completed before a final settlement is made for materials furnished. The loose methods employed by the company should be taken into consideration and a final settlement should be reached only upon satisfactory proof of proper outlays.

OVERHEAD CHARGES.

In the course of production payments have been made on account of overhead charges upon the basis of a general estimate—that is, by taking a percentage of other outlays, which seems to be justified in the experience of the plant, as representing the overhead expense. The overhead expense embraces general administrative outlays, including

executive salaries, and the theory of the cost-plus contract is that the Government pays the expense of superintendence as a part of the cost.

It is, of course, important that fair salaries should be allowed, and all exorbitant demands rejected. Reference has already been made to the salaries paid to the executive officers of the Dayton Wright Airplane Co., who were at the same time the stockholders in a close corporation and divided their time with other companies from which they received high salaries. There appears to be no justification for even the temporary allowances to the Talbotts and Kettering of annual salaries aggregating $100,000, and the explanation furnished that the "relations with the contractor were somewhat delicate at first, and, moreover, the company was in crying need of cash, and any withholding of amounts due was sure to create much friction," is not convincing; inasmuch as the individuals, and not the company, got the money, and it is difficult to see how "friction" in this matter could have injured the Government. It is also stated that when the salaries were allowed in the fall of 1917, dating from August 1, 1917, it was felt that it was a matter of considerable importance "that would have to be passed by Col. Deeds, who was in charge of the Equipment Division," but Col. Deeds testifies that he knew nothing of the salaries that were paid to these officers.

It should be said, however, that these allowances, under the terms of the contract, should be regarded as tentative, and that it is within the authority of the finance department in its final settlement to adjust the matter on a fair basis. And that is the position of that department.

Even more extraordinary was the salary paid by the Standard Co. to its president, Mr. Mingle, at the rate of $63,000 a year, which is sought to be charged as a part of the cost of operations. This, however, has not been allowed. The question what would be a proper allowance has been under consideration. Several vouchers have been passed which represent merely payments on account, or payments "subject to adjustment," and it is stated that the amount of Mr. Mingle's salary thus far actually allowed is at the rate of $15,000 a year.

The adjustments of overhead expense, as are the other payments on vouchers under the cost-plus contracts, are subject to a revision of accounts and it is within the power of the finance division in the ultimate adjustment of cost in accordance with the terms of the contract to protect the Government against any claims on the part of the contractors which may be found to be unjustified.

Tenth. Special matters.

1. PURCHASE OF THE PLANT OF THE GENERAL VEHICLE CO.

In November, 1917, the Government purchased the plant of the General Vehicle Co. at Long Island City, N. Y., for $1,527,565. The purchase embraced all the real estate, building, and machinery constituting the plant, and all other assets, except that patents (other than those relating to internal combustion rotary aircraft engines), franchises, good will, cash, bills, and accounts receivable, specified securities, and all inventory assets not acquired and used in connection with the manufacture of Gnome engines, were retained by the General Vehicle Co. The company also agreed to release for the use of the Government its administrative and manufacturing organization, so that the Government might take over the plant property and organization as an active manufacturing establishment in full readiness for production. Upon a physical valuation and inspection of the books of the company by Government appraisers and accountants, showing that the price was a fair one on the basis of prices previous to the war, and upon an opinion of the Judge Advocate General as to the legality of the purchase and as to the propriety of the form of contract, the purchase was recommended by the Aircraft Board.

The advisability of the purchase, however, was doubted at the time by officers of the Government. It appears that at the outset, in formulating the aircraft program, it was supposed that the Gnome rotary engine would be a factor of some importance, and a small order for Monosoupape motors was placed with the General Vehicle Co., but in view of doubts as to the planes to be built, with which such engines would be used, further orders were not placed. Later, on word from overseas that Gnome rotary engines should be put into production, there were negotiations with the General Motors Corporation looking to the acquisition of the General Vehicle plant and the manufacture of these engines in large quantities. Before the matter was closed the instructions from abroad were changed and the proposed transaction was abandoned. The considerations underlying the purchase are stated in the recitals of the Aircraft Board in the resolution adopted at its meeting of October 19, 1917. It was stated that advices from France indicated a doubt as to the future demand for rotary engines in aviation, but that nevertheless these engines would be used to a greater or less extent for a considerable period to come; that it was desirable that "the technique of manufacture of rotary engines should in any event be studied and developed in the United States in case of need"; that the General Vehicle Co. had "the only plant and organization of substantial size in the United States equipped and organized with the necessary facilities and experience for the manufacture of such engines"; and that the present and future demand for rotary engines was "not sufficient in amount or sufficiently continuous to justify a manufacturer in the maintenance of a plant and organization adequate for a prompt supply of such engines and for the proper study and development of the technique of that type of engine."

In a previous part of this report (ante, p. 98), reference has been made to the opinion of the Joint Army and Navy Technical Board given on November 16, 1917, that in the program for the coming year rotary engines should be considered of secondary importance, but that it was deemed desirable that the art of building rotary engines should be retained in the United States and that for this purpose the organization skilled in rotary-engine production should be preserved. While it was thought that an order which had been given to the Union Switch & Signal Co. for 2,500 80-horsepower LeRhones was larger than was necessary to preserve the art, it was further recommended that steps be taken to maintain the possibilities of production of the 160-horsepower Gnome engine. The resolution of the Joint Army and Navy Technical Board did not in terms approve the purchase of the General Vehicle Co.'s plant, nor did it express opposition in any definite way.

The actual necessity of the purchase of the General Vehicle Co.'s plant is not apparent. As soon as the Government made the purchase, a corporation called the Aeronautical Engine Co., with a nominal capital, was incorporated for the purpose of building Gnome engines at the plant and contracts were made for the manufacture of small quantities at cost without profit. This, however, did not continue long. It was found that the Union Switch & Signal Co. had mastered the art of making LeRhone engines, and although these were of a different type, it seemed that the necessity of keeping the organization in existence at the plant purchased from the General Vehicle Co. soon ceased or was very much minimized. In April last it was proposed that the plant at Long Island be leased to the Wright-Martin Co. for the manufacture of the 300-horsepower Hispano-Suiza engines, and an arrangement for this purpose was made soon thereafter, one of the reasons being stated to be "the practical abandonment of the manufacture of Gnome motors."

At the time of the purchase of this plant by the Government the General Vehicle Co. had outstanding notes amounting to $1,530,000, which were held by the Peerless Truck and Motor Corporation. The purchase price paid by the Government was substantially equivalent to the amount of these notes and thus provided for their retirement. The purchase, however, was made on the basis of the value of assets, and whatever difference of opinion there may be as to the advisability of the purchase there are no facts warranting the conclusion that it was not made in good faith or that the amount paid was in excess of the fair value of the property acquired.

2. MAHOGANY MANUFACTURERS AND IMPORTERS' ASSOCIATION.

True mahogany is a desirable wood (ranking, in the opinion of the Government's production engineers, next to black walnut) for the making of propellers for service, or combat, airplanes. To meet this demand contracts had been made for mahogany in the fall of 1917, but with only one responsible corporation; that is, Lewis Thompson & Co. A contract with one of the companies selected was canceled because it was apparently without financial resources and could not provide a bond, and in the case of another contractor no deliveries were made.

In the beginning of January, 1918, it appeared that there was a serious shortage in the Government's supply of wood for service-plane propellers and through the War Trade Board the leading mahogany manufacturers of the United States were invited to a conference in Washington. This conference was held on January 21, and at that time, or in the later conferences, the following corporations and firms were represented: Huddleston-Marsh Mahogany Co.; Ichabod T. Williams & Sons; George D. Emery Co. (said to be closely affiliated with I. T. Williams & Sons) and the Astoria Veneer Mills & Dock Co., of New York; Palmer, Parker & Co., of Boston; Lewis Thompson & Co. and S. B. Vrooman Co., of Philadelphia; Freiberg Lumber Co., of Cincinnati; C. C. Mengel & Bro. Co., of Louisville; Taige Mahogany Co., of Indianapolis; C. L. Willey Co., of Chicago; and the Otis Manufacturing Co., of New Orleans. At the first conference the manufacturers were notified of the Government requirements for propeller stock, their cooperation was sought, and they were asked to advise the Government of the quantity which each could furnish and the price.

The representatives of the War Trade Board suggested the advisability of an organization of the manufacturers to secure effective cooperation with the Government, and accordingly an association of the manufacturers was at once formed, which appointed a war committee composed of A. S. Williams, of the Astoria Veneer Mills & Dock Co.; C. H. Thompson, of Lewis Thompson & Co.; F. C. Leary, of Ichabod T. Williams & Sons; F. G. Otis, of the Otis Manufacturing Co.; and J. C. Wickliffe, of the C. C. Mengel & Bro. Co. The committee met at once and passed a resolution expressing the opinion that the best interests of the Government would be served by the purchase by the Government "of all Central American mahogany logs now under contract with the members of the association at a price to be agreed upon; the Government to arrange transportation of said logs; the manufacturing of the logs into lumber to be done by the mills represented by this association at a price to be agreed upon." At the same meeting the officers of the association were elected: Thomas Williams, of Ichabod T. Williams & Sons, president; R. S. Huddleston, of the Huddleston-Marsh Co., treasurer; and Charles H. Thompson, of Lewis Thompson & Co., secretary. This proposition was rejected by the representatives of the Signal Corps for reasons stated which were in substance that it was deemed inadvisable that the Government should arrange for the purchase of logs directly from the loggers in Central America and Mexico in view of the unfamiliarity of the Signal Corps with the logging business, or that the Government should take over existing contracts for purchases of logs in view of the complications that might arise, or that the Government should become directly involved in log purchases. Recognizing the difficulties in the disposal of a largely increased quantity of lumber, the representatives of the Signal Corps felt disposed to pay "a higher price than the current or existing prices for propeller stock," in order that the mahogany manufacturers might offset any loss due to the low market value of rejected material. It was then recommended by the Signal Corps that the manufacturers should make a proposition as to the price to be paid for propeller stock, and it was stated for the manufacturers that they could not quote prices on the basis of the existing Signal Corps specifications, as these were too restrictive as to the grade to be selected and permitted the Signal Corps to accept or reject the material based upon the judgment of the inspector.

It was finally suggested that the manufacturers should submit a proposition based on what are called "National Hardwood Inspection" rules (that is, the rules of the National Hardwood Lumber Association), quoting a separate price on "firsts and seconds, selects, and No. 1 common." Discussions continued between the war committee of the association and representatives of the Government, among the latter being Lieut. Ryerson, who was in charge of propeller parts in the plane production section, Joseph S. Otis, who, as the result of a disagreement, had recently severed his connection with the Otis Manufacturing Co. and had offered his services to the Government as a mahogany expert, and representatives of the lumber committee of the Council of National Defense. At the meeting on January 23, according to Lieut. Ryerson's report, the war committee of the association suggested prices for propeller mahogany according to "National Hardwood Inspection" rules as follows: Firsts and seconds $350 per M feet; selects, $320; No. 1 common, $270. After these figures were submitted a discussion of costs followed, in which Joseph C. Otis, representing the Government, and J. C. Wickliffe, representing C. C. Mengel & Bro. Co., gave their respective estimates of cost. Mr. Otis's estimate was considerably lower than the other and was contested by Mr. Wickliffe. The question of specifications was again discussed and the Signal Corps representatives stated that it would be impossible to place orders on the basis of "National Hardwood Inspection" rules, which permitted widths considerably less than those required for propeller stock. After further parley, Lieut. Ryerson stated that it would be preferable to negotiate with the various manufacturers and importers individually for the purchase of such mahogany as they were in a position to offer. It was considered that if negotiations could not be brought to a close on the basis of the prices quoted that it might be desirable for the Government to fix a price for the purchase of propeller stock and agree to provide in its contracts that after partial performance there should be an audit of costs and a readjustment of prices upon a fair basis.

After the negotiations had thus proceeded for several days the manufacturers submitted to the officials of the Signal Corps the opinion that Joseph S. Otis was not competent to advise the Signal Corps with respect to mahogany costs and suggested that action should be taken by which some one should be put in charge of the purchases of mahogany for the Government "who could develop the actual facts and be fair to the industry." Joseph S. Otis left the Signal Corps on January 29. On January 31 Henry Lockhart, jr., was placed in charge of the "Materials Department, Foreign and United States," which had the duty of procuring the materials necessary for the production of airplanes, with the exception of motors and instruments. About February 5 Henry K. S. Williams, who had formerly been in the lumber business as a member of the firm of Ichabod T. Williams & Sons (being a brother of Thomas Williams, of that firm), but had retired several years before, was put at the head of the hardwoods section, which was a subdivision of the Materials Department, and had charge of the orders for woods required for propeller stock. Shortly after, on February 25, J. C. Wickliffe, who had been for 10 years secretary of the C. C. Mengel & Bro. Co., of Louisville, and had been active as a member of the war committee of the Mahogany Manufacturers' and Importers' Association, entered the service of the Government as assistant to H. K. S. Williams in the hardwoods section. The suggestion that he should take this position was made about the middle of February in a conversation between H. K. S. Williams and Mr. Mengel, when the latter was asked if he could spare Mr. Wickliffe from his organization. On March 4, 1918, J. Edward McCullough, who had been superintendent at the mill of the George D. Emery Co., one of the members of the Mahogany Manufacturers' and Importers' Association, was made district inspector of mahogany, as well as other woods in the New York district, embracing Boston, New York, Philadelphia, and New Orleans. He was selected by S. B. Vrooman, jr., who, about February 10, was given general charge of the inspection of propeller lumber throughout the country. Prior to his connection with the Government (he started as an inspector in December, 1917) S. B. Vrooman, jr., had been in the service of the S. B. Vrooman Co., also one of the members of the Mahogany Manufacturers' and Importers' Association; he was, and has continued to be, during his service with the Government one of the stockholders of that corporation (ante, p. 68).

Mr. Wickliffe during his connection with the C. C. Mengel & Bro. Co. had owned five shares of its preferred stock, which he disposed of some years ago. His wife owned five shares of the common stock, which were sold when he entered the Government service. His salary as secretary of the Mengel Co. had been $500 a month. His compensation from the Government was at the rate of $4,000 a year. When it was suggested that he should become connected with the Government he said that he could not afford it, but he was informed that Mr. Mengel had offered to continue his salary "as a donation to the Government during the war." Mr. Wickliffe replied that he did not like the arrangement, would not accept it without Mr. Lockhart's approval, and in any event would not consent to be paid more than enough to defray the living expenses of himself and his family. Mr. Wickliffe was paid by the Mengel Co. in addition to his salary from the Government, $250 on March 25, $250 on March 29, and $250 on April 15, a total of $750. This was subsequently adjusted on the basis of $350 for the period to April 1, and $400 was returned by Mr. Wickliffe to the Mengel Co. This was explained in Mr. Wickliffe's letter to Mr. Mengel as follows:

"628 LEXINGTON PLACE,
"*Washington, April 13, 1918.*

"Mr. C. R. MENGEL,
"*President C. C. Mengel & Bro. Co., Louisville, Ky.*

"DEAR MR. MENGEL: The Signal Corps having fixed the salary I am to receive from them at the highest figure they can pay of $4,000 per annum, I want to let you know that I think it necessary now that you reduce the amount that you are remitting me monthly to $350 per month. As near as I can estimate the figure, I can get by on Washington living expenses and do such official entertaining as I shall have to do on the sum of these two amounts. If I find that I can not, I shall frankly let you know the condition. But I feel that living here and doing the necessary at my present job on this figure is about the equivalent of the salary I had when I was with you in Louisville. Therefore kindly give the necessary instructions to have the remittance cut down.

"Again thanking you and the company through you, I am,

"Very truly, yours,
"J. C. WICKLIFFE."

The arrangement with C. C. Mengel & Bro. Co. was approved by H. K. S. Williams in his letter of April 24, 1918, as follows:

"WASHINGTON, D. C., *April 24, 1918.*

"From: Office of the Chief Signal Officer.
"To: C. C. Mengel & Bro. Co., Louisville, Ky.
"Subject: Services.

"1. In line with the request of your president, Mr. C. R. Mengel, this section desires to give you this letter stating that at the time it asked you for the services of your former secretary, Mr. J. C. Wickliffe, it was fully understood by it that you or the mahogany industry would pay him an amount of money per month over and above the salary the Signal Corps was authorized to pay him, so that the sum of these two would be sufficient to cover his and his family's expenses during his service with the Signal Corps. This was done with the full knowledge of Mr. Henry Lockhart, jr., head of the materials department, because of the fact that the hardwood section needed his services, and in view of the further fact that your offer to do this was made with the distinct understanding that he should sever all connections with your company and with the mahogany industry and assume his new duties, of course, entirely as a member of the Signal Corps organization. This section would also set forth the fact that your offer was specifically asked by you to be considered in the light of a donation to the war.

"By direction of the Acting Chief Signal Officer.

"HENRY LOCKHART, Jr.,
"*Materials Department, Foreign and United States,*
"By H. K. S. WILLIAMS,
"*Hardwood Section.*"

The salary which S. B. Vrooman, jr., had received from the S. B. Vrooman Co. has been continued by that company, and when J. Edward McCullough entered the service of the Government the George D. Emery Co. paid, until the arrangement mentioned below, the difference between his Government pay and his former compensation from the company.

It was soon arranged that the Mahogany Manufacturers and Importers' Association should assume the payment of the additional compensation to Mr. Wickliffe and to Mr. McCullough. Accordingly, for the period beginning with April, this compensation was paid to both in checks from Mr. Huddleston, the treasurer of the association. The amounts were raised by voluntary contributions of various members of the association. The minutes of the association show the following action in the matter:

"The matter of the difference in compensation between the amount paid by the Government for services to J. C. Wickliffe and to Mr. McCullough and the amount of compensation previously received was discussed. The following resolution was then presented, duly seconded, and adopted by the affirmative vote of all present:

"*Resolved*, That such excess compensation be paid by the various members of the association in the form of an annual subscription, which is made up by various amounts subscribed by the mahogany firms, amounting in total to $5,700.

"The motion was duly made, seconded, and carried by the affirmative vote of all present that a copy of this resolution be sent to Mr. H. K. S. Williams."

Mr. Wickliffe testifies that this arrangement was made "because it was felt that it was not right for any one individual firm to pay it all." Mr. Huddleston testifies that it was "purely a question of cooperation with Mr. Mengel." Early in May there was correspondence between H. K. S. Williams and Mr. Huddleston, the treasurer of the Mahogany Association, in which a letter in the following form, addressed by Mr. Huddleston to Mr. Wickliffe, was first submitted to H. K. S. Williams and approved by him:

"347 MADISON AVENUE,
"*New York, N. Y., May 16, 1918.*

"Mr. J. C. WICKLIFFE,
"*Materials Department, Foreign and United States, Hardwood Section, Washington, D. C.*

"MY DEAR MR. WICKLIFFE: A few days ago, when the heads of the various mahogany importing and manufacturing concerns met for general discussion, attention was called to the fact that by virtue of your recent appointment as assistant to Mr. H. K. S. Williams your annual income had been cut something in excess of 50 per cent.

"After a general discussion, it was agreed that it would not be fair that you stand alone the burden imposed on you by your services to the Government in this particular department; therefore it was mutually agreed that the various mahogany firms, feeling as patriotic as you have demonstrated yourself to be, will make up the difference between your former income and what you are now receiving from the Government, provided such an act would meet with the approval of Mr. H. K. S. Williams, the head of your department.

"I am pleased to advise you that I am to-day in receipt of a letter from Mr. H. K. S. Williams, approving of this transaction; so, acting in the capacity of treasurer, I will mail you each month a check for $350, beginning the month of April, which, I am informed, will make up the difference in your salary."

A similar letter was written, with the approval of H. K. S. Williams, to Mr. McCullough. Mr. McCullough was paid by the association for April, May, June, and July, at the rate of $91.67 a month. He returned to his former employment early in August. In the case of Mr. Wickliffe the arrangement continued until it was officially disapproved on August 20, 1918, by Mr. J. Gilmore Fletcher, on behalf of the Bureau of Aircraft Production. In the following letter:

WAR DEPARTMENT,
BUREAU OF AIRCRAFT PRODUCTION,
Washington, August 20, 1918.

Mr. J. C. WICKLIFFE,
Hardwood Section, 19 D Street NE., Washington, D. C.

MY DEAR MR. WICKLIFFE: In view of the fact that the Government looks with disfavor upon your receiving from the Mahogany Manufacturers and Importers' Association your present monthly remittance, which I shall refer to here as a salary of $350 per month, I deem it best, and hereby request, that you immediately refuse to accept any further payments from that source, or any other source which comes in direct line with your duties in the Hardwood Section, the Raw Materials Department, Division of Aircraft Procurement, Bureau of Aircraft Production.

I shall at once take the proper steps to have the salary now paid you by the Government, namely, $4,000 per year, increased to $8,200 per year, and shall make every effort to expedite a decision on the point of allowing you this increase.

Yours, very truly,
J. GILMORE FLETCHER,
Chief of Aircraft Procurement.

Mr. Wickliffe immediately requested Mr. Huddleston to discontinue the payments, and accordingly there has been no payment of additional compensation since the payment for the month of July.

Early in February, 1918, arrangements were made with some of the manufacturers for the taking over of certain mahogany which had been under contract for delivery to British merchants, but the amount was relatively small. After H. K. S. Williams took charge of the hardwood section, and also after J. C. Wickliffe became his assistant, negotiations were continued with the manufacturers composing the Mahogany Manufacturers and Importers' Association for the purchase by the Government of mahogany in large quantity for propeller stock. On the appointment of H. K. S. Williams, his brother, Thomas Williams (of Ichabod T. Williams & Sons) had resigned as president of the association, and C. R. Mengel was elected in his stead. On February 14, 1918, new specifications had been adopted by the Signal Corps (No. 15028-A) modifying and liberalizing the prior specifications which had been adopted in the previous December. At about the same time (Feb. 13) the manufacturers had submitted two proposals, one under the Signal Corps specifications (No. 15028-A) at $400 per M feet for firsts, seconds, and selects, and $320 per M feet for lower grades, f. o. b. cars eastern mills (with corresponding prices for other points according to estimated freight rates), and another proposal under the national hardwood rules for specified sizes at $350 per M feet for firsts, seconds, and selects, and $280 per M feet for No. 1 common, f. o. b. cars eastern mills. These had been refused. The important difference was with respect to the inspection.

In this situation a conference was held on March 6 between the manufacturers and H. K. S. Williams, J. C. Wickliffe, and S. B. Vrooman, jr., representing the Government. The minutes of this conference show that H. K. S. Williams opened the meeting with the announcement that "it was the purpose of the Signal Corps to grant as liberal an inspection as could be given consistent, of course, with the principle that no lumber could be taken that would not make propeller blades." After a discussion of the matter of utilizing lumber which showed scattered pin-worm holes, and the opinion having been expressed by Mr. Vrooman that such stock could be used where it did not affect the strength of the board, Mr. Williams stated that he would endeavor to have the inspec-

tion department accept such lumber. This, as Mr. Wickliffe testifies, was accomplished. The minutes show that Mr. Williams "stated that Mr. Vrooman is going to be in charge of the inspection all over the country, that he will appoint various men to do the inspecting at the various mills, and shall show them what is to be done. Mr. Williams further stated that his object in having Mr. Vrooman at this conference was that "the interpretation of the Signal Corps specifications might be as easy an such interpretation could be made consistent with the principle of accepting only propeller material, but that the Government might get all such material that it could get." Mr. Williams then requested that each manufacturer advise him of the cost of its logs alongside steamer at Central American and Mexican loading points, and these estimates were given.

Another conference was held on the same day between the manufacturers and H. K. S. Williams and J. C. Wickliffe, representing the Government, at which, after considerable discussion, Mr. Williams stated that he would recommend the payment by the Government of the following scale of prices on Mexican and Central American mahogany propeller stock under Signal Corps specifications No. 15028-A, as follows: $350 per M feet for firsts, seconds, and selects, and $280 for lower grades, f. o. b. eastern and middle western points, and $330 and $265, respectively, at New Orleans; and the same schedule of prices was stated for African mahogany f. o. b. eastern and middle western points. At these conferences Mr. Wickliffe was in attendance as Mr. Williams's adviser. He reviewed the manufacturers' estimates, and made calculations for Mr. Williams as to costs, and in view of his extensive experience there can be no doubt that considerable reliance was placed upon his opinion and advice. The terms of the contracts were virtually settled, in accordance with Mr. Williams's proposal, at the second conference on March 6, and these terms were subsequently approved by Mr. Lockhart. The formal contracts were not made until some time later. On March 26 the Aircraft Board recommended the execution of the contracts on the above terms for the following quantities:

For African mahogany:

	Minimum.	Maximum.
	Feet.	*Feet.*
Astoria Veneer Mills Dock Co.	2,000,000	3,500,000
J. T. Williams & Sons	500,000	1,500,000
Palmer & Parker Co.	600,000	1,500,000
C. C. Mengel & Bro. Co.	2,800,000	2,800,000
Tonge Mahogany Co.	2,130,000	2,450,000

Amended to read 1,750,000 minimum.

For Central American and Mexican mahogany:

	Minimum.	Maximum.
	Feet.	*Feet.*
Hubbelton & Marsh Mahogany Co.	1,750,000	3,000,000
Astoria Veneer Mills & Dock Co.	1,500,000	2,500,000
Lewis Bonneman & Co.	1,500,000	2,000,000
Otis Manufacturing Co.	1,000,000	2,000,000
Frederick Leubler Co.	500,000	1,250,000
J. T. Williams & Sons	750,000	2,000,000
Palmer & Parker Co.	300,000	750,000
C. C. Mengel & Bro.	2,800,000	2,800,000

On April 16 the Aircraft Board recommended the making of a contract with the S. B. Vrooman Co. for Central American or Mexican mahogany 500,000 feet minimum and 1,500,000 maximum.

It is hardly necessary to say that it was a gross impropriety for corporations or firms, either individually or collectively, to pay additional compensation to an employee of the Government, and for the employee to receive such compensation, for services in relation to contracts and transactions in which the corporations or firms were directly and pecuniarily interested. It is not found, however, that there is any statute making this a criminal offense unless it is a case within the statute against bribery or proves to be part of a fraudulent scheme to take advantage of the Government or part of an endeavor to induce a violation of law.

The act of March 3, 1917 (ante, p. 25), making it a crime to pay additional compensation to an employee of the Government or for an employee to receive such additional compensation, only applies to such contributions after July 1, 1919. The occasion of this statute, it is understood, was criticism of payments of additional compensation made to experts in the employ of the Government where, however, the employee in the Government service was not acting in matters in which the person or corporation contributing had any pecuniary interest or motive of gain. Contributions for the support of those who have made sacrifices in undertaking war work for the Government are doubtless made in many instances, but there is no analogy between cases of this general description and payments of additional compensation to employees of the Government by those having direct pecuniary interest in the transactions in which the employee acts as the Government's agent. But under the statute against bribery (Criminal Code, secs. 39, 117) it must be proved that the payment was made or received with intent to influence the decision or action of the representative of the Government on a question which may be brought before him in his official capacity or in his place of trust or profit or to influence him to commit, aid, collude in or allow a fraud, or to make opportunity for the commission of a fraud on the United States, or to induce the employee to do or omit to do an act in violation of his lawful duty. Whether in the present case, in the circumstances disclosed, any charge of this sort could properly be made would largely depend upon the question whether the terms and prices secured by the mahogany manufacturers were fair and reasonable or could be deemed excessive and the result of improper influence.

In view of the intimate relation of the representatives of the Government, who took part in the negotiations, to the manufacturers, it is obviously appropriate that there should be a fair and impartial examination of the transactions by a body competent to make a survey and determination of questions of costs and profits. Testimony has been given in the present inquiry tending to show that the prices were high. Lower prices under other orders and offers are referred to. On the other hand, the manufacturers urge that in view of the peculiar conditions of the industry, the difficulties attending the procurement of logs, and the risks taken by reason of the small percentage of lumber suitable for propeller material, the prices and terms were in all respects fair; that Mr. Williams, Mr. Wickliffe, Mr. Vrooman, and Mr. McCullough took their positions simply because of the necessity of having men in their respective places who were qualified by experience, and that throughout the transactions all the persons concerned have been moved solely by the desire to serve the Government. It was manifestly impossible in the course of the present inquiry to make such a survey of the mahogany industry as to reach a satisfactory conclusion with respect to the cost of producing the required mahogany, and as to the fairness of prices and terms. This sort of investigation would require special facilities of the kind which are at the command of the Federal Trade Commission, and through its instrumentality it is believed that such a survey of the industry and a determination of fair costs and profits can be made. Upon its report as to the cost of producing the required mahogany, it can readily be decided whether there is ground for prosecution by reason of the transactions which have been disclosed in this inquiry.

AFRICAN MAHOGANY.

Attention should be called to the fact that the contracts with the mahogany manufacturers called for considerable quantities of African mahogany. It appears that prior to the war large importations of mahogany had been made from Africa. Thus, in 1914 out of total importations of mahogany logs of 70,914,000 feet, there were 31,177,000 feet of African mahogany. At the first conference with the Government representatives on January 21, 1918, as the minutes kept by these representatives show, Mr. Mengel had suggested the increased supply which could be obtained from Africa, and Mr. Leary, of Ichabod T. Williams & Sons, "described his efforts to induce the Signal Corps to use African mahogany." Offers of African mahogany were made in proposals by several of the mahogany manufacturers under date of March 6. Thus, in the proposal then sent to the Signal Corps by C. C. Mengel & Bro., Co., it was stated that his company had at Axim, Africa (on the gold coast) "awaiting steamers 3,000,000 feet of sound, fresh logs"; and also at Axim "now in streams tributary to it and available for the June rains 4,000,000 feet, and these logs, located as they are, and from the best information we have, pretty nearly sure to be delivered at Axim in the June rains, as they were put in pretty good, safe streams by our own men in our own employ and paid by us, and put in streams selected so that they would come out on light water."

The advisability of using African mahogany as propeller material, however, was far from clear. It was not regarded as within the original specifications, but the modified specifications adopted on February 14, 1918 (No. 15028-A), stated that "African mahogany (Khaya senegalensis mahogani) was approved by the Signal Corps. Despite this statement the question was not regarded as settled. On February 13, 1918, H. S. Betts, Acting Assistant Forester, in reply to a letter of Capt. Oniksel, of the Signal Corps, stated that it was "undoubtedly true that the term 'African mahogany' without further specifying as to kind of wood would include several species which are inferior in quality for propellers," but after referring to various tests quoted a report from the Forest Products Laboratory that the African mahogany was "practically the equal of the Central American species and could be substituted satisfactorily for the latter."

On February 26, H. K. S. Williams wrote to Maj. Gray, of the Production Engineering Department, that he was "anxiously awaiting information as to whether African mahogany has been approved for use for the manufacture of propellers for battle and bombing aeroplanes." He said that he had reported the matter a number of times to his superiors and had been told to communicate with Maj. Gray, and after referring to communications he had received on the subject, he asked for a reply by telegraph. On March 1 the Production Engineering Department telegraphed its answer to H. K. S. Williams, as follows:

"This department is not favorably disposed toward African mahogany for combat propellers and does not see why it should be shipped here and then back to Europe. Can not arrangements be made to have walnut for English diverted to our propeller manufacturers and to ship African mahogany to England? There is much poor African mahogany on American market. In any event for safe use African mahogany would have to be inspected at the source to make sure that we obtained the proper varieties and proper wood. We feel further that with provision for splicing which has been adopted there should be enough of other woods available to meet the propeller requirements."

Before this was received a telegram was sent on the same day to Maj. Gray, with the signature of the Materials Department, to the effect that they were "anxiously awaiting telegraphic reply to letter February 26;" and on March 2 the Production Engineering Department, notwithstanding the statements in its telegram of March 1, telegraphed to the Materials Department as follows:

"Regarding use of African mahogany for combat and bombing airplane propellers, advise that such wood is acceptable for use in these propellers."

And on March 16 the Airplane Engineering Department (by Mr. Caldwell, on behalf of Maj. Marmon) wrote to Maj. Gray, of the Production Engineering Department, referring to tests of propellers made of African mahogany at Langley Field and McCook Field, and stated the following order of preference for propeller woods: (1) Walnut; (2) Honduras mahogany; (3) cherry; (4) African mahogany; (5) quarter-sawed poplar; (6) quarter-sawed white oak. Mr. Caldwell stated further that the following species of African mahogany were acceptable: (1) Grand Bassan; (2) Lagos; (3) Benin; also that there was an African wood similar to mahogany known as "Iroko" which had been found acceptable in the English propeller construction. On March 21 Mr. Caldwell wrote to Lieut. Col. Horner, of the Equipment Division, stating that they had definitely ascertained that the wood they had tested came from Axim, and that "this wood would be acceptable at least to the extent of three or four million feet." Mr. Wickliffe, on behalf of Mr. Lockhart, of the Materials Department, sent the following memorandum to the contracts section on the same day (Mar. 21):

"It is only recently that the use of African mahogany has been authorized in the construction of propellers, and therefore the entrance of purchase request to cover the quantities of African mahogany shown in the attached proposals" (of the mahogany manufacturers) "has been withheld pending such authorization. Perusal has now been received for the use of this wood and purchase requests are being sent to the priority section to-day covering the quantity of African mahogany shown in the proposals of Astoria Veneer Mills & Dock Co., Palmer & Parker Co., Ichabod T. Williams & Sons, and C. C. Mengel & Bro. Co."

In view of the heavy demand for shipping facilities, a serious question arose with the Shipping Board as to the necessity of getting in the African mahogany. In a conference between Mr. Karl de Laittre, representing the Shipping Board, and Mr. Sibley and Mr. Wickliffe, of the Signal Corps, on May 4, Mr. Wickliffe's attention was called to the lack of shipping space, and he replied (according to the stenographer's minutes produced by Mr. de Laittre):

"Yes; but this is a matter of contract. We make our contracts in good faith on both sides. It is not permissible for the Government to break these contracts; it would break the people making them. * * * We can not let these people down on the African product."

At another point in the conference Mr. Wickliffe said:

"If the timber from Africa is not brought forward, coming in June, and is allowed to deteriorate, the first part that will be hit will be the outside of the log, out of which the aircraft material comes. If we do not get this African lumber, we have exhausted every resource in walnut and cherry and in Central American mahogany. We do not yet know as to the use of quarter-sawed oak. Then if we do not get this timber we can not get any African logs before June of the following year."

Meanwhile the subject had been taken up for investigation by representatives of the War Trade Board and of the Forestry Service. Its importance lay in the fact that there was an abundance of white oak available in this country, and it developed that there was opinion of considerable weight in favor of the use of oak on combat propellers.

On June 2 a conference was held between representatives of the production engineering department, the airplane engineering department, the propeller inspection department, the propeller purchase section, and the wood inspection section of the Signal Corps. Mr. Caldwell, who had written the letter of March 21, represented the airplane engineering department. Lieut. Ryerson's memorandum of this conference contains the following:

"The question of the advisability of, and necessity for, importing African mahogany was carefully considered and it was the unanimous opinion that it would be possible to meet our present and future propeller lumber requirements from domestic or South American supplies, and that because of the difficulty of inspecting African mahogany its further use in propellers should be discouraged."

On August 3, 1918, Lieut. Ryerson, of the propeller section, having been asked for a statement of the requirements of woods for propeller stock, requested the production engineering department for "an up-to-date formal statement" as to the kinds of lumber to be specified for combat propellers in their order of preference. This brought a reply under date of August 7 from the production engineering department, through Prof. J. S. MacGregor (head of the physical testing department, school of mines, Columbia University), as follows:

"Answering your memorandum of August 3, requesting information on kinds of wood for propellers, we advise you herewith that this department has authorized the use of the following woods for combat propellers. The list is given in the order of their preference:

"Black walnut.
"True mahogany (Honduras).
"Cherry.
"Quarter-sawed white oak.
"African mahogany."

The objection to African mahogany (aside from the shipping problem) was that it varied considerably in quality and that inspection of it so far from its source would make it difficult to be sure that the right species was received. Throughout the controversy Mr. Wickliffe has expressed his views with considerable emphasis and has thrown the weight of his influence in favor of contracts for African mahogany and of the provision of shipping facilities to bring it in. In support of his position he has produced a memorandum, under date of August 23, signed by Charles Day, as special assistant to the Secretary of War, to the effect that "while oak propellers are being used with satisfactory results in connection with our training planes, they have not been adopted for planes for active service overseas on account of unsatisfactory results obtained abroad when their use has been attempted for any considerable period."

Mr. Wickliffe has also presented a letter under date of July 19 from Lieut. Hollande, in charge of wood purchasing for the French Government, in which it is said that "we are buying a very great quantity of African mahogany in France direct from our colonies"; also a letter received from the office of the British War Mission giving information to the effect that "the home authorities proposed during 1919 to use British Honduras and West African mahogany exclusively for propeller construction, cutting out walnut completely," and that demands from factories in England for propeller lumber are met "indiscriminately by the supply of either British Honduras or West African mahogany, the latter being considered as equivalent to the former for all purposes."

On the other hand, a very recent cablegram (September 28) from the scientific attaché to the American Embassy in London, in answer to an inquiry of the Research Information Service here, states that "authorities, British opinion, and practice placing walnut and Kanduranian, Nicaraguan, Cuban mahogany ahead of African. British would not use African if sufficient quantities of above were available. African used only in combination with other woods." The statement to the contrary as to British practice is said to be incorrect, and it is added: "British have not tested oak, cherry, poplar sufficiently to make comparison. American Army wood experts now here state A. E. F. satisfied with oak and have advised Washington, D. C., accordingly. Poplar has also showed up well on tests. British unable to see any justification for United States using African mahogany in view of other furnishings available."

It is understood that ships for African mahogany were finally provided. Upon the evidence, it is apparent that the matter was the subject of discussion and presented grounds for differences of opinion. The interest, however, of some of the leading mahogany manufacturers in obtaining contracts for the delivery of African mahogany is apparent, and while the efforts to induce its purchase and transportation may have been based upon the belief that the wood was better than that available here, and that the supply was needed by the Government, the matter is one which should receive consideration in connection with the survey of the industry which has been suggested for the purpose of determining the fairness of the mahogany contracts and of the action taken under them.

3. SABOTAGE ACT—GRAND JURY PROCEEDINGS.

There have been occurrences in various plants indicating efforts to injure war material, and that the supply was needed by the Government, the or to make it defective, or to conceal defects, but on investigation it has generally been very difficult to find sufficient basis for criminal prosecution, either for lack of evidence as to the particular individual who had committed the act, or because on close examination it appeared that the condition of the material could be fairly attributed to carelessness, and evidence of criminal intent was wanting.

HAMMONDSPORT PLANT OF THE CURTISS CO.

In the course of this inquiry information was received that frequent attempts had been made to conceal defects in motors and their different parts which were in course of manufacture at the plant of the Curtiss Aeroplane & Motor Corporation at Hammondsport, N. Y. Evidence having been obtained as to specific instances of this practice, there was an investigation in July last before a grand jury in the western district of New York, John W. Ryan, Esq., of Buffalo, being appointed special counsel for the purpose, which resulted in the return of indictments against Lewis Longwell and Hector Bordeau, subforemen in the assembly room of the Hammondsport plant, under section 3 of the sabotage act of April 20, 1918. Demurrers to these indictments have been overruled and the cases are awaiting trial.

NORTH ELMWOOD PLANT.

In view of the conditions found at the North Elmwood plant of the Curtiss Aeroplane & Motor Corporation, there was a special investigation through special agents of the Department of Justice for the purpose of discovering violations of the sabotage act, with the result that evidence was brought before the grand jury in the western district of New York, John W. Ryan, Esq., acting as special counsel, and indictments were obtained in September, against Richard Eastman, foreman of the propeller department; Frank Truell, an assistant foreman; and David Rogovan, a workman, under the sabotage act. On October 9 these defendants pleaded guilty and were fined $500 each.

LIBERTY IRON WORKS.

Testimony given in this inquiry in relation to alleged irregularities at the Liberty Iron Works at Sacramento, Cal., led to a special investigation in charge of John W. Preston, Esq., special assistant to the Attorney General, before the grand jury at Sacramento in September last. Considerable testimony has been taken, but no indictments have been returned.

4. CROSS-LICENSE AGREEMENT AS TO RIGHTS UNDER AIRPLANE PATENTS.

In view of claims under alleged patent rights, and with the object of facilitating aircraft production by providing for manufacture on a definite basis, a corporation was formed under the laws of the State of New York known as the Manufacturers' Aircraft Association (Inc.). This corporation entered into an agreement with its "subscribers"—that is, its stockholders—called the cross-license agreement. The Government is not a party to the agreement, but it was recommended by the National Advisory Committee for Aeronautics, was indorsed by the Aircraft Board, and received the approval of the Secretary of War and the Secretary of the Navy.

By the cross-license agreement the subscribers grant to each other licenses under all airplane patents now or hereafter owned or controlled by them in the United States, its territories and dependencies (except foreign patents and certain specified patents); the corporation is designated as the agent of the subscribers to execute licenses accordingly; each subscriber agrees that it will not enter into any agreement or arrangements whereby its privileges under United States airplane patents or inventions will be diminished or surrendered so as to exclude or restrict the operation of the agreement, and that it will not grant licenses under any such patents for use in airplanes with reference to which it is receiving royalties under the agreement, to any other person, firm, or corporation on more favorable terms of royalty than those provided in the agreements, or which may become more favorable or lower during the term of the license. Under the agreement in its original form, in providing for the payments to be made by subscribers, it is stipulated that each subscriber shall pay to the corporation $200 for each airplane sold and delivered by the subscriber until the Wright-Martin Aircraft Corporation and the Curtiss Aeroplane & Motor Corporation (these corporations claiming to hold basic patents) had each been paid the sum of $2,000,000. A supplemental agreement has since been made modifying the provision for payments by substituting for the aggregate payments to both the Wright-Martin Corporation and the Curtiss Co. should be $2,000,000 instead of $4,000,000.

The agreement has been criticized upon the ground that its provisions constitute a hindrance to the progress of invention in the important airplane field and as being in restraint of trade. Whatever ground for criticism exists in this respect is to be found in the terms of the agreement itself, as these are quite definite and determine its operation and effect. I shall not deal with the question of the legality of the agreement, as the question was specifically submitted by the Secretary of War to the Attorney General whether the association and the agreement were in contravention of the antitrust statutes of the United States, and the opinion was expressed by the Attorney General that they were not. That disposed of the question, in the absence of a contrary decision by the courts so far as the action of the Executive department is concerned.

To the question whether the patents of the Wright-Martin Co. and of the Curtiss Co. are basic patents, and whether the payments for which the agreement provides constitute a proper compensation for the rights conferred, it would require an exhaustive examination of the patent situation to give a satisfactory answer, and this inquiry has furnished no opportunity for such examination. For this reason no opinion is expressed upon the point further than to say that, if the validity of the agreement be assumed, the amount of the payments was a matter of sound administrative discretion, and there is no ground for the conclusion that the amount as fixed in the supplemental agreement could not fairly be allowed. It is also asserted that the Government is left liable to other claimants, but this also requires an opinion upon the validity of certain patent claims which could not be dealt with in this inquiry.

GENERAL CONCLUSIONS AND RECOMMENDATIONS.

1. The controlling facts and the conclusions in relation to the matters reviewed have been stated under appropriate headings. It would be impossible to restate them in a brief summary. The defective organization of the work of aircraft production and the serious lack of competent direction of that work by the responsible officers of the Signal Corps, to which the delays and waste were chiefly due, were matters for administrative correction through application of effort under competent control. The provisions of the criminal statutes do not reach inefficiency.

It is not within the province of this report to make recommendations with respect to administrative policy, but it should be said that under the direction of Mr. Ryan and Mr. Potter there has been improvement in organization, and progress has been made in gratifying measure.

2. The evidence discloses conduct, which, although of a reprehensible character, can not be regarded as affording a sufficient basis for charges under existing statutes, but there are certain acts shown, not only highly improper in themselves but of especial significance, which should lead to disciplinary measures. The evidence with respect to Col. Edward A. Deeds should be presented to the Secretary of War to the end that Col. Deeds may be tried by court-martial under articles 95 and 96 of the Articles of War for his conduct (1) in acting as confidential adviser of his former business associate, H. E. Talbott, of the Dayton Wright Airplane Co., and in conveying information to Mr. Talbott in an improper manner, with respect to the transaction of business between that company and the division of the Signal Corps of which Col. Deeds was the head; and (2) in giving to the representatives of the Committee on Public Information a false and misleading statement with respect to the progress of aircraft production for the purpose of publication, with the authority of the Secretary of War.

3. The absence of proper appreciation of the obvious impropriety of transactions by Government officers and agents with firms or corporations in which they are interested compels the conclusion that public policy demands that the statutory provisions bearing upon this conduct should be strictly enforced. It is therefore recommended that the officers found to have had transactions on behalf of the Government with corporations in the pecuniary profits of which they had an interest should be prosecuted under section 41 of the Criminal Code.

4. The Federal Trade Commission should be requested to report upon the proper cost of mahogany for airplane propellers, to the end that upon the coming in of its report the question of the propriety of further action with respect to the transactions of the Mahogany Manufacturers and Importers' Association may be determined.

5. It is recommended that the representatives of the Department of Justice should keep in touch with the progress of the reaudit of accounts, so that it may be advised of the complete enforcement of the rights of the Government in final settlement of accounts and that the Government has been fully protected against unnecessary loss through waste and the absence of suitable factory supervision.

6. Permit me also to suggest that a special division or subdivision of the present Bureau of Investigation in the Department of Justice should be assigned to the consideration of suggested delinquencies in connection with aircraft production, so that the work already done may be appropriately followed up. In particular it is recommended that the activities in relation to spruce production, which, being largely centered on the Pacific coast, it was impracticable to embrace in the present inquiry, should be carefully scrutinized.

I have the honor to remain,
Respectfully, yours,

(Signed) CHARLES E. HUGHES.

APPENDIX B.

Report of Gen. Pershing.

NOVEMBER 20, 1918.

MY DEAR MR. SECRETARY: In response to your request, I have the honor to submit this brief summary of the organization and operation of the American Expeditionary Force from May 26, 1917, until the signing of the armistice November 11, 1918. Pursuant to your instructions, immediately upon receiving my orders I selected a small staff and proceeded to Europe in order to become familiar with conditions at the earliest possible moment.

The warm and cordial reception in England and France was only equaled by the readiness of the commanders in chief of the veteran armies of the allies and their staffs to place their experience at our disposal. In consultation with them, the most effective means of cooperation of effort was considered. With French and British Armies at their maximum strength, and all efforts to dispossess the enemy from his firmly intrenched positions in Belgium and France failed, it was necessary to plan for an American force adequate to turn the scale in favor of the allies. Taking account of the strength of the central powers at that time, the immensity of the problem which confronted us could hardly be overestimated. The first requisite being an organization that could give intelligent direction to effort, the formation of a General Staff occupied my early attention.

GENERAL STAFF.

A well-organized General Staff, through which the commander exercises his functions, is essential to a successful modern army. However capable our division, our battalion, and our companies as such, success would be impossible without thoroughly coordinated endeavor. A General Staff broadly organized and trained for war had not hitherto existed in our Army. Under the Commander in Chief, this staff must carry out the policy and direct the details of administration, supply, preparation, and operations of the Army as a whole, with all special branches and bureaus subject to its control. As models to aid us we had the veteran French General Staff and the experience of the British, who had similarly formed an organization to meet the demands of a great army. By selecting from each the features best adapted to our basic organization, and fortified by our own early experience in the war, the development of our great General Staff system was completed.

The General Staff is naturally divided into five groups, each with its chief, who is an assistant to the Chief of the General Staff. G. 1 is in charge of organization and equipment of troops, replacements, tonnage, priority of overseas shipment, the auxiliary welfare association, and cognate subjects; G. 2 has censorship, enemy intelligence, gathering and disseminating information, preparation of maps, and all similar subjects; G. 3 is charged with all strategic studies and plans, movement of troops, and the supervision of combat operations; G. 4 coordinates important questions of supply, construction, transport arrangements for combat, and of the operations of the service of supply, and of hospitalization and the evacuation of the sick and wounded; G. 5 supervises the various schools, and has general direction and coordination of education and training.

The first chief of staff was Col. (now Maj. Gen.) James G. Harbord, who was succeeded in May, 1918, by Maj. Gen. James W. McAndrew. To these officers, to the deputy chief of staff, and to the assistant chiefs of staff, who, as heads of section, aided them, great credit is due for the results obtained not only in perfecting the general staff organization but in applying correct principles to the multiplicity of problems that have arisen.

ORGANIZATION AND TRAINING.

After a thorough consideration of allied organizations it was decided that our combat division should consist of four regiments of Infantry of 3,000 men, with three battalions to regiment and four companies of 250 men each to a battalion, and of an Artillery brigade of three regiments, a machine-gun battalion, an Engineer regiment, a trench-mortar battery, a signal battalion, wagon trains, and the headquarters staff and military police. These, with medical and other units, made a total of over 28,000 men, or practically double the size of a French or German division. Each corps would normally consist of six divisions—four combat and one depot and one replacement division—and also two regiments of Cavalry, and each army of from three to five corps. With four divisions fully trained, a corps could take over an American sector with two divisions in line and two in reserve, with the depot and replacement divisions prepared to fill the gaps in the ranks.

Our purpose was to prepare an integral American force which should be able to take the offensive in every respect. Accordingly, the development of a self-reliant Infantry by thorough drill in the use of rifle and in the tactics of open warfare was always uppermost. The plan of training after arrival in France allowed a division one month for acclimatization and instruction in small units from battalions down, a second month in quiet trench sectors by battalion, and a third month after it came out of the trenches, when it should be trained as a complete division in war of movement.

Very early a system of schools was outline and started which should have the advantage of instruction by officers direct from the front. At the great school center at Langres, one of the first to be organized, was the staff school, where the principles of general staff work as laid down in our own organizations were taught to carefully selected officers. Men in the ranks who had shown qualities of leadership were sent to the school of candidates for commissions. A school of the line taught younger officers the principles of leadership, tactics, and the use of the different weapons. In the Artillery school at Saumer young officers were taught the fundamental principles of modern artillery, while at Issoudun an immense plant was built for training cadets in aviation. These and other schools, with their well-considered curriculums for training in every branch of our organization, were coordinated in a manner best to develop an efficient army out of willing and industrious young men, many of whom had not before known even the rudiments of military technique. Both Marshal Haig and Gen. Petain placed officers and men at our disposal for instructional purposes, and we are deeply indebted for the opportunities given to profit by their veteran experience.

AMERICAN ZONE.

The eventual place the American Army should take on the western front was to a large extent influenced by the vital questions of communication and supply. The northern ports of France were crowded by the British Armies' shipping and supplies, while the southern ports, though otherwise at our service, had not adequate port facilities for our purposes, and these we should have to build. The already overtaxed railway system behind the active front in northern France would not be available for us as lines of supply, and those leading from the southern ports of northeastern France would be unequal to our needs without much new construction. Practically all warehouses, supply depots, and regulating stations must be provided by fresh constructions. While France offered as such material as she had to spare after a drain of three years enormous quantities of material had to be brought across the Atlantic.

With such a problem any temporization or lack of definiteness in making plans might cause failure even with victory within our grasp. Moreover, broad plans commensurate with our national purpose and resources would bring conviction of our power to every soldier in the front line, to the nations associated with us in the war, and to the enemy. The tonnage for material for construction and for the supply of an army of three and perhaps four million men would require a mammoth program of shipbuilding at home, and miles of dock construction in France, with a corresponding large project for additional railways and for storage depots.

All these considerations led to the inevitable conclusion that if we were to handle and supply the great forces deemed essential to win the war we must utilize the southern ports of France—Bordeaux, La Pallice, St. Nazaire, and Brest—and the comparatively unused railway systems leading therefrom to the northeast. Generally speaking, then, this would contemplate the use of our forces against the enemy somewhere in that direction, but the great depots of supply must be centrally located, preferably in the area included by Tours, Bourges, and Chateauroux, so that our armies could be supplied with equal facility wherever they might be serving on the western front.

To build up such a system there were talented men in the Regular Army, but more experts were necessary than the Army could furnish. Thanks to the patriotic spirit of our people at home, there came from civil life men trained for every sort of work involved in building and managing the organization necessary to handle and transport such an army and keep it supplied. With such assistance the construction and general development of our plans have kept pace with the growth of the forces, and the Service of Supply is now able to discharge from ships and move 45,000 tons daily, besides transporting troops and material in the conduct of active operations.

As to organization, all the administrative and supply services, except The Adjutant General's, Inspector General's, and Judge Advocate General's Departments which remain at general headquarters, have been transferred to the headquarters of the services of supplies at Tours under a commanding general responsible to the commander in chief for supply of the armies. The Chief Quartermaster, Chief Surgeon, Chief Signal Officer, Chief of Ordnance, Chief of Air Service, Chief of Chemical Warfare, the general purchasing agent in all that pertains to questions of procurement and supply, the Provost Marshal General in the maintenance of order in general, the Director General of Transportation in all that affects such matters, and the Chief Engineer in all matters of administration and supply, are subordinate to the Commanding General of the Service of Supply, who, assisted by a staff especially organized for the purpose, is charged with the administrative coordination of all these services.

The transportation department under the Service of Supply directs the operation, maintenance, and construction of railways, the operation of terminals, the unloading of ships, and transportation of material to warehouses or to the front. Its functions make necessary the most intimate relationship between our organization and that of the French, with the practical result that our transportation department has been able to improve materially the operations of railways generally. Constantly laboring under a shortage of rolling stock, the transportation department has nevertheless been able by efficient management to meet every emergency.

The Engineer Corps is charged with all construction, including light railways and roads. It has planned and constructed the many projects required, the most important of which are the new wharves at Bordeau and Nantes, and the immense storage depots at La Pallice, Montoir, and Gievres, besides innumerable hospitals and barracks in various ports of France. These projects have all been carried on by phases keeping pace with our needs. The Forestry Service under the Engineer Corps has cut the greater part of the timber and railway ties required.

To meet the shortage of supplies from America, due to lack of shipping, the representatives of the different supply departments were constantly in search of available material and supplies in Europe. In order to coordinate these purchases and to prevent competition between our departments, a general purchasing agency was created early in our experience to coordinate our purchases and, if possible, induce our allies to apply the principle among the allied armies. While there was no authority for the general use of appropriations, this was met by grouping the purchasing representatives of the different departments under one control, charged with the duty of consolidating requisitions and purchases. Our efforts to extend the principle have been signally successful, and all purchases for the allied armies are now on an equitable and cooperative basis. Indeed, it may be said that the work of this bureau has been thoroughly efficient and businesslike.

ARTILLERY, AIRPLANES, AND TANKS.

Our entry into the war found us with few of the auxiliaries necessary for its conduct in the modern sense. Among our most important deficiencies in material were artillery, aviation, and tanks. In order to meet our requirements as rapidly as possible, we accepted the offer of the French Government to provide us with the necessary artillery equipment of 75s, one 55-millimeter howitzer, and one 55 G. P. F. gun from their own factories for 30 divisions. The wisdom of this course is fully demonstrated by the fact that, although we soon began the manufacture of these classes of guns at home, there were no guns of the calibers mentioned manufactured in America on our front at the date the armistice was signed. The only guns of these types produced at home thus far received in France are one hundred and nine 75-millimeter guns.

In aviation we were in the same situation, and here again the French Government came to our aid until our own aviation program should be under way. We obtained from the French the necessary planes for training our personnel, and they have provided us with a total of 2,676 pursuit, observation, and bombing planes. The first airplanes received from home arrived in May, and to date we have received 1,879. The first American squadron completely equipped by American production, including airplanes, crossed the German lines on August 7, 1918. As to tanks, we were also compelled to rely upon the French. Here, however, we were less fortunate, for the reason that the French production could barely meet the requirements of their own armies.

It should be fully realized that the French Government has always taken a most liberal attitude and has been most anxious to give us every possible assistance in meeting our deficiencies in these as well as in other respects. Our dependence upon France for artillery, aviation, and tanks was, of course, due to the fact that our industries had not been exclusively devoted to military production. All credit is due our own manufacturers for their efforts to meet our requirements, as at the time the armistice was signed we were able to look forward to the early supply of practically all our necessities from our own factories.

The welfare of the troops touches my responsibility as Commander in Chief to the mothers and fathers and kinsfolk of the men who came to France in the impressionable period of youth. They could not have the privilege accorded European soldiers during their periods of leave of visiting their families and renewing their home ties. Fully realizing that the standard of conduct that should be established for them must have a permanent influence in their lives and on the character of their future citizenship, the Red Cross, the Young Men's Christian Association, Knights of Columbus, the Salvation Army, and the Jewish Welfare Board, as auxiliaries in this work, were encouraged in every possible way. The fact that our soldiers, in a land of different customs and language, have borne themselves in a manner in keeping with the cause for which they fought, is due not only to the efforts in their behalf but much more to other high ideals, their discipline, and their innate sense of self-respect. It should be recorded, however, that the members of these welfare societies were unstinting in their desire to be of real service to our officers and men. The patriotic devotion of these representative men and women has given a new significance to the Golden Rule, and we owe to them a debt of gratitude that can never be repaid.

COMBAT OPERATIONS.

During our periods of training in the trenches some of our divisions had engaged the enemy in local combats, the most important of which was Seicheprey by the Twenty-sixth on April 20, in the Toul sector, but none had participated in action as a unit. The First Division, which had passed through the preliminary stages of training, had gone to the trenches for its first period of instruction at the end of October, and by March 21, when the German offensive in Picardy began, we had four divisions with experience in the trenches, all of which were equal to any demands of active action. The crisis which this offensive developed was such that our occupation of an American sector must be postponed.

On March 28 I placed at the disposal of Marshal Foch, who had been agreed upon as commander in chief of the allied armies, all of our forces to be used as he might decide. At his request the first division was transferred from the Toul sector to a position in reserve at Chaumont en Vexin. As German superiority in numbers required prompt action, an agreement was reached at the Abbeville conference of the allied premiers and commanders and myself on May 2 by which British shipping was to transport 10 American divisions to the British Army area, where they were to be trained and equipped, and additional British shipping was to be provided for as many divisions as possible for use elsewhere.

On April 26 the First Division had gone into the line in the Montdidier salient on the Picardy battle front. Tactics had been suddenly revolutionized to those of open warfare, and our men, confident of the results of their training, were eager for the test. On the morning of May 28 this division attacked the commanding German position in its front, taking with splendid dash the town of Cantigny and all other objectives, which were organized and held steadfastly against vicious counterattacks and galling artillery fire. Although local, this brilliant action had an electrical effect, as it demonstrated our fighting qualities under extreme battle conditions, and also that the enemy's troops were not altogether invincible.

The German's Aisne offensive, which began on May 27, had advanced rapidly toward the River Marne and Paris, and the allies faced a crisis equally as grave as that of the Picardy offensive in March. Again every available man was placed at Marshal Foch's disposal, and the Third Division, which had just come from its preliminary training in the trenches, was hurried to the Marne. Its motorized machine-gun battalion preceded the other units and successfully held the bridgehead at the Marne, opposite Chateau-Thierry. The Second Division, in reserve near Montdidier, was sent by motor trucks and other available transport to check the progress of the enemy toward Paris. The division attacked and retook the town and railroad station at Bouresches and sturdily held its ground against the enemy's best guard divisions. In the battle of Belleau Wood, which followed, our men proved their superiority and gained a strong tactical position, with far greater loss to the enemy than to ourselves. On July 1, before the Second was relieved, it captured the village of Vaux with most splendid precision.

Meanwhile our Second Corps, under Maj. Gen. George W. Read, had been organized for the command of our divisions with the British, which were held back in training areas or assigned to second-line defenses. Five of the ten divisions were withdrawn from the British area in June, three to relieve divisions in Lorraine and the Vosges and two to the Paris area to join the group of American divisions which stood between the city and any farther advance of the enemy in that direction.

The great June-July troop movement from the States was well under way, and, although these troops were to be given some preliminary training before being put into action, their very presence warranted the use of all the older divisions in the confidence that we did not lack reserves. Elements of the Forty-second Division were in the line east of Rheims against the German offensive of July 15, and held their ground unflinchingly. On the right flank of this offensive four companies of the Twenty-eighth Division were in position in face of the advancing waves of the German infantry. The Third Division was holding the bank of the Marne from the bend east of the mouth of the Surmelin to the west of Mézy, opposite Chateau-Thierry, where a large force of German infantry sought to force a passage under support of powerful artillery concentrations and under cover of smoke screens. A single regiment of the Third wrote one of the most brilliant pages in our military annals on this occasion. It prevented the crossing at certain points on its front while, on either flank the Germans, who had gained a footing, pressed forward. Our men, firing in three directions, met the German attacks with counterattacks at critical points and succeeded in throwing two German divisions into complete confusion, capturing 600 prisoners.

The great force of the German Chateau-Thierry offensive established the deep Marne salient, but the enemy was taking chances, and the vulnerability of this pocket to attack might be turned to his disadvantage. Seizing this opportunity to support my contention, every division with any sort of training was made available for use in a counteroffensive. The place of honor in the thrust toward Soissons on July 18 was given to our First and Second Divisions, in company with chosen French divisions. Without the usual brief warning of a preliminary bombardment, the massed French and American artillery, firing by the map, laid down its rolling barrage at dawn while the infantry began its charge. The tactical handling of our troops under these trying conditions was excellent throughout the action. The enemy brought up large numbers of reserves and made a stubborn defense both with machine guns and artillery, but through five days' fighting the First Division continued to advance until it had gained the heights above Soissons and captured the village of Berzy-le-sec. The Second Division took Beau Repaire farm and Vierzy in a very rapid advance and reached a position in front of Tigny at the end of its second day. These two divisions captured 7,000 prisoners and over 100 pieces of artillery.

The Twenty-sixth Division, which, with a French division, was under command of our First Corps, acted as a pivot of the movement toward Soissons. On the 18th it took the village of Torcy while the Third Division was crossing the Marne in pursuit of the retiring enemy. The Twenty-sixth attacked again on the 21st, and the enemy withdrew past the Chateau-Thierry-Soissons road. The Third Division, continuing its progress, took the heights of Mont St. Père and the villages of Charteves and Jaulgonne in the face of both machine-gun and artillery fire.

On the 24th, after the Germans had fallen back from Tigny and Epieds, our Forty-second Division, which had been brought over from the Champagne, relieved the Twenty-sixth, and, fighting its way through the Forêt de Fère, overwhelmed the nest of machine guns in its path. By the 27th it had reached the Ourcq, whence the Third and Fourth Divisions were already advancing, while the French divisions with which we were cooperating were moving forward at other points.

The Third Division had made its advance into Roncheres Wood on the 29th and was relieved for rest by a brigade of the Thirty-second. The Forty-second and Thirty-second undertook the task of conquering the heights beyond Cierges, the Forty-second capturing Sergy and the Thirty-second capturing Hill 230, both American divisions joining in the pursuit of the enemy to the Vesle, and thus the operation of reducing the salient was finished. Meanwhile the Forty-second was relieved by the Fourth at Chéry-Chartreuve and the Thirty-second by the Twenty-eighth, while the Seventy-seventh Division took up a position on the Vesle. The operations of these divisions on the Vesle were under the third Corps, Maj. Gen. Robert L. Bullard, commanding.

BATTLE OF ST. MIHIEL.

With the reduction of the Marne salient we could look forward to the concentration of our divisions in our own zone. In view of the forthcoming operation against the St. Mihiel salient, which had long been planned as our first offensive action on a large scale, the First Army was organized on August 10 under my personal command. While American units had held different divisional and corps sectors along the western front, there had not been up to this time, for obvious reasons, a distinct American sector; but, in view of the important parts the American forces were now to play, it was necessary to take over a permanent portion of the line. Accordingly on August 30 the line beginning at Port sur Seille, east of the Moselle and extending to the west through St. Mihiel, thence north to a point opposite Verdun, was placed under my command. The American sector was afterwards extended across the Meuse to the western edge of the Argonne Forest, and included the Second Colonial French, which held the point of the salient, and the Seventeenth French Corps, which occupied the heights above Verdun.

The preparation for a complicated operation against the formidable defenses in front of us included the assembling of divisions and of corps and army artillery, transport, aircraft, tanks, ambulances, the location of hospitals, and the molding together of all of the elements of a great modern army with its own railheads, supplied directly by our own service of supply. The concentration for this operation,

which was to be a surprise, involved the movement, mostly at night, of approximately 600,000 troops, and required for its success the most careful attention to every detail.

The French were generous in giving us assistance in corps and army artillery, with its personnel, and we were confident from the start of our superiority over the enemy in guns of all calibers. Our heavy guns were able to reach Metz and to interfere seriously with German rail movements. The French Independent Air Force was placed under my command, which, together with the British bombing squadrons and our air forces, gave us the largest assembly of aviation that had ever been engaged in one operation on the western front.

From Les Eparges around the nose of the salient at St. Mihiel to the Moselle River the line was roughly 40 miles long and situated on commanding ground greatly strengthened by artificial defenses. Our First Corps (Eighty-second, Ninetieth, Fifth, and Second Divisions), under command of Maj. Gen. Hunter Liggett, restrung its right on Pont a Mousson, with its left joining our Third Corps (the Eighty-ninth, Forty-second, and First Divisions), under Maj. Gen. Joseph T. Dickman, in line to Xivray, were to swing in toward Vigneulles on the pivot of the Moselle River for the initial assault. From Xivray to Mouilly the Second Colonial French Corps was in line in the center and our Fifth Corps, under command of Maj. Gen. George H. Cameron, with our Twenty-sixth Division and a French division at the western base of the salient, were to attack three difficult hills—Les Eparges, Combres, and Amaramthe. Our First Corps had in reserve the Seventy-eighth Division, our Fourth Corps the Third Division, and our First Army the Thirty-fifth and Ninety-first Divisions, with the Eightieth and Thirty-third available. It should be understood that our corps organizations are very elastic, and that we have at no time had permanent assignments of divisions to corps.

After four hours' artillery preparation the seven American divisions in the front line advanced at 5 a. m. on September 12, assisted by a limited number of tanks manned partly by Americans and partly by the French. These divisions, accompanied by groups of wire cutters and others armed with bangalore torpedoes, went through the successive bands of barbed wire that protected the enemy's front line and support trenches in irresistible waves on schedule time, breaking down all defense of an enemy demoralized by the great volume of our artillery fire and our sudden approach out of the fog.

Our First Corps advanced to Thiaucourt, while our Fourth Corps curved back to the southwest through Nonsard. The Second Colonial French Corps made the slight advance required of it on very difficult ground, and the Fifth Corps took its three ridges and repulsed a counter attack. A rapid march brought reserve regiments of a division of the Fifth Corps into Vigneulles in the early morning, where it linked up with patrols of our Fourth Corps, closing the salient and forming a new line west of Thiaucourt to Vigneulles and beyond Fresnes-en-Woevre. At the cost of only 7,000 casualties, mostly light, we had taken 16,000 prisoners and 443 guns, a great quantity of material, released the inhabitants of many villages from enemy domination, and established our lines in a position to threaten Metz. This signal success of the American First Army in its first offensive was of prime importance. The allies found they had a formidable army to aid them, and the enemy learned finally that he had one to reckon with.

MEUSE-ARGONNE OFFENSIVE, FIRST PHASE.

On the day after we had taken the St. Mihiel salient much of our corps and Army artillery, which had operated at St. Mihiel and our divisions in reserve at other points were already on the move toward the area back of the line between the Meuse River and the western edge of the forest of Argonne. With the exception of St. Mihiel, the old German front line from Switzerland to the east of Rheims was still intact. In the general attack all along the line the operation assigned the American Army as the hinge of this allied offensive was directed toward the important railroad communications of the German armies through Mezieres and Sedan. The enemy must hold fast to this part of his lines or the withdraw of his forces with four years' accumulation of plants and material would be dangerously imperiled.

The German Army had as yet shown no demoralization and, while the mass of its troops had suffered in morale, its first-class divisions, and notably its machine-gun defense, were exhibiting remarkable tactical efficiency as well as courage. The German general staff was fully aware of the consequences of a success on the Meuse-Argonne line. Certain that he would do everything in his power to oppose us, the action was planned with as much secrecy as possible, and was undertaken with the determination to use all our divisions in forcing decision. We expected to draw the best German divisions to our front and to consume them while the enemy was held under grave apprehension lest our attack should break his line, which it was our firm purpose to do.

Our right flank was protected by the Meuse, while our left embraced the Argonne Forest, whose ravines, hills, and elaborate defense screened by dense thickets had been generally considered impregnable. Our order of battle from right to left was the Third Corps, from the Meuse to Malancourt, with the Thirty-third, Eightieth, and Fourth Divisions in line, and to Third Division as corps reserve; the Fifth Corps, from Malancourt to Vauquois, with Seventy-ninth, Eighty-seventh, and Ninety-first Divisions in line, and the Thirty-second in corps reserve; and the First Corps, from Vauquois to Vienne le Chateau, with Thirty-fifth, Twenty-eighth, and Seventy-seventh Divisions in line, and the Ninety-second in corps reserve. The Army reserve consisted of the First, Twenty-ninth, and Eighty-second Divisions.

On the night of September 25 our troops quietly took the place of the French who thinly held the line in this sector which had long been inactive. In the attack which began on the 26th we drove through the barbed-wire entanglements and the sea of shell craters across No Man's Land, mastering all the first-line defenses. Continuing on the 27th and 28th against machine guns and artillery of an increasing number of enemy reserve divisions, we penetrated to a depth of from 3 to 7 miles, and took the village of Montfaucon and its commanding hill and Exermont, Gercourt, Cuisy, Septsarges, Malancourt, Ivoiry, Epinonville, Charpentry, Very, and other villages. East of the Meuse one of our divisions, which was with the Second Colonial French Corps, captured Marcheville and Rieville, giving further protection to the flank of our main body. We had taken 10,000 prisoners; we had gained our point of forcing the battle into the open and were prepared for the enemy's reaction, which was bound to come, as he had good roads and ample railroad facilities for bringing up his artillery and reserves.

In the chill rain of dark nights our engineers had to build new roads across spongy, shell torn areas, repair broken roads beyond No Man's Land, and build bridges. Our gunners, with no thought of sleep, put their shoulders to wheels and dragropes to bring their guns through the mire in support of the infantry, now under the increasing fire of the enemy's artillery. Our attack had taken the enemy by surprise, but, quickly recovering himself, he began to fire counter attacks in strong force, supported by heavy bombardments, with large quantities of gas. From September 29 until October 4 we maintained the offensive against patches of woods defended by snipers and continuous lines of machine guns, and pushed forward our guns and transport, seizing strategical points in preparation for further attacks.

OTHER UNITS WITH ALLIES.

Other divisions attached to the allied armies were doing their part. It was the fortune of our Second Corps, composed of the Twenty-seventh and Thirtieth Divisions, which had remained with the British, to have a place of honor in cooperation with the Australian Corps on September 29 and October 1 in the assault on the Hindenburg line where the St. Quentin Canal passes through a tunnel under a ridge. The Thirtieth Division speedily broke through the main line of defense for all its objectives, while the Twenty-seventh pushed on impetuously through the main line until some of its elements reached Gouy. In the midst of the maze of trenches and shell craters and under cross-fire from machine guns the other elements fought desperately against odds. In this and in later actions, from October 6 to October 19, our Second Corps captured over 6,000 prisoners and advanced over 13 miles. The spirit and aggressiveness of these divisions have been highly praised by the British Army commander under whom they served.

On October 2-9 our Second and Thirty-sixth Divisions were sent to assist the French in an important attack against the old German positions before Rheims. The Second conquered the complicated defense works on their front against a persistent defense worthy of the grimmest period of trench warfare and attacked the strongly held wooded hill of Blanc Mont, which they captured in a second assault, sweeping over it with consummate dash and skill. This division then repulsed strong counterattacks before the village and cemetery of Ste. Etienne and took the town, forcing the Germans to fall back from before Rheims and yield positions they had held since September, 1914. On October 9 the Thirty-sixth Division relieved the Second, and in its first experience under fire withstood very severe artillery bombardment and rapidly took up the pursuit of the enemy, now retiring behind the Aisne.

MEUSE-ARGONNE OFFENSIVE, SECOND PHASE.

The allied progress elsewhere cheered the efforts of our men in this crucial contest as the German command threw in more and more first-class troops to stop our advance. We made steady headway in the almost impenetrable Argonne Forest, held by picked troops. As our reinforcement it was our Army that was doing the driving. Our aircraft was increasing in skill and numbers and forcing the issue, and our Infantry and Artillery were improving rapidly with each new experience. The replacements fresh from home were put into exhausted divisions with little time for training, but they had the advantage of serving beside men who knew their business and who had almost become veterans overnight. The enemy had taken every advantage of the terrain, which especially favored the defense, by a prodigal use of machine guns manned by highly trained veterans and by using his artillery at short ranges. In the face of such strong frontal positions we should have been unable to accomplish any progress according to previously accepted standards, but I had every confidence in our aggressive tactics and the courage of our troops.

On October 4 the attack was renewed all along our front. The Third Corps tilting to the left followed the Brieulles-Cunel road; our Fifth Corps took Gesnes while the First Corps advanced for over 2 miles along the irregular valley of the Aire River and in the wooded hills of the Argonne that bordered the river, used by the enemy with all his art and weapons of defense. This sort of fighting continued against an enemy striving to hold every foot of ground and whose very strong counterattacks challenged us at every point. On the 7th the First Corps captured Chatel-Chehery and continued along the river to Cornay. On the east of Meuse sector one of the two divisions cooperating with the French captured Consenvoye and the Haumont Woods. On the 9th the Fifth Corps, in its progress up the Aire, took Fleville, and the Third Corps, which had continuous fighting against odds, was working its way through Brieulles and Cunel. On the 10th we had cleared the Argonne Forest of the enemy.

It was now necessary to constitute a second army, and on October 8 the immediate command of the First Army was turned over to Lieut. Gen. Hunter Liggett. The command of the Second Army, whose divisions occupied a sector in the Woevre, was given to Lieut. Gen. Robert L. Bullard, who had been commander of the First Division and then of the Third Corps. Maj. Gen. Dickman was transferred to the command of the First Corps, while the Fifth Corps was placed under Maj. Gen. Charles P. Summerall, who had recently commanded the First Division. Maj. Gen. John L. Hines, who had gone rapidly up from regimental to division commander, was assigned to the Third Corps. These four officers had been in France from the early days of the expedition and had learned their lessons in the school of practical warfare.

Our constant pressure against the enemy brought day by day more prisoners, mostly survivors from machine-gun nests captured in fighting at close quarters. On October 18 there was very fierce fighting in the Caures Woods east of the Meuse and in the Ormont Woods. On the 14th the First Corps took St. Juvin, and the Fifth Corps, in hand-to-hand encounters, entered the formidable Kriemhilde line, where the enemy had hoped to check us indefinitely. Later the Fifth Corps penetrated further the Kriemhilde line, and the First Corps took Champigneulles and the important town of Grandpre. Our dogged offensive was wearing down the enemy, who continued desperately to throw his best troops against us, thus weakening his line in front of our allies and making their advance less difficult.

DIVISIONS IN BELGIUM.

Meanwhile we were not only able to continue the battle, but our Thirty-seventh and Ninety-first Divisions were hastily withdrawn from our front and dispatched to help the French Army in Belgium. Detraining in the neighborhood of Ypres, these divisions advanced by rapid stages to the fighting line and were assigned to adjacent French corps. On October 31, in continuation of the Flanders offensive, they attacked and methodically broke down all enemy resistance. On November 3 the Thirty-seventh had completed its mission in dividing the enemy across the Escaut River and firmly established itself along the east bank included in the division zone of action. By a clever flanking movement troops of the Ninety-first Division captured Spitaals Bosschen, a difficult wood extending across the central part of the division sector, reached the Escaut, and penetrated into the town of Audenarde. These divisions received high commendation from their corps commanders for their dash and energy.

MEUSE ARGONNE—LAST PHASE.

On the 23d the Third and Fifth Corps pushed northward to the level of Bantheville. While we continued to press forward and throw back the enemy's violent counterattacks with great loss to him, a regroupment of our forces was under way for the final assault. Evidences of loss of morale by the enemy gave our men more confidence in attack and more fortitude in enduring the fatigue of incessant effort and the hardships of very inclement weather.

With comparatively well-rested divisions, the final advance in the Meuse-Argonne front was begun on November 1. Our increased artillery force acquitted itself magnificently in support of the advance, and the enemy broke before the determined infantry, which, by its persistent fighting of the past weeks and the dash of this attack, had overcome his will to resist. The Third Corps took Aincreville, Doulcon, and Andevanne, and the Fifth Corps took Landres et St. Georges and pressed through successive lines of resistance to Bayonville and Chennery. On the 2d the First Corps joined in the movement, which now became an impetuous onslaught that could not be stayed.

On the 3d advance troops surged forward in pursuit, some by motor trucks, while the artillery pressed along the country roads close behind. The First Corps reached Authe and Châtillon-Sur-Bar, the Fifth Corps, Fosse and Nouart, and the Third Corps Halles, penetrating the enemy's line to a depth of 12 miles. Our large caliber guns had advanced and were skillfully brought into position to fire upon the important lines at Montmedy, Longuyon, and Conflans. Our Third Corps crossed the Meuse on the 5th and the other corps, in the full confidence that the day was theirs, eagerly cleared the way of machine guns as they swept northward, maintaining complete coordination throughout. On the 6th a division of the First Corps reached a point on the Meuse opposite Sedan, 25 miles from our line of departure. The strategical goal which was our highest hope was gained. We had cut the enemy's main line of communications, and nothing but surrender or an armistice could save his army from complete disaster.

In all 40 enemy divisions had been used against us in the Meuse-Argonne battle. Between September 26 and November 6 we took 26,059 prisoners and 468 guns on this front. Our divisions engaged were the First, Second, Third, Fourth, Fifth, Twenty-sixth, Twenty-eight, Twenty-ninth, Thirty-second, Thirty-third, Thirty-fifth, Thirty-seventh, Forty-second, Seventy-second, Seventy-eighth, Seventy-ninth, Eightieth, Eighty-second, Eighty-ninth, Ninetieth, and Ninety-first. Many of our divisions remained in line for a length of time that required nerves of steel, while others were sent in again after only a few days of rest. The First, Fifth, Twenty-sixth, Forty-second, Seventy-second, Eightieth, Eighty-ninth, and Ninetieth were in the line twice. Although some of the divisions were fighting their first battle, they soon became equal to the best.

OPERATIONS EAST OF THE MEUSE.

On the three days preceding November 10, the Third, the Second Colonial, and the Seventeenth French Corps fought a difficult struggle through the Meuse Hills south of Stenay and forced the enemy into the plain. Meanwhile, my plans for further use of the American forces contemplated an advance between the Meuse and the Moselle in the direction of Longwy by the First Army, while, at the same time, the Second Army should assure the offensive toward the rich iron fields of Briey. These operations were to be followed by an offensive toward Chateau-Salins east of the Moselle, thus isolating Metz. Accordingly, attacks on the American front had been ordered, and that of the Second Army was in progress on the morning of November 11, when instructions were received that hostilities should cease at 11 o'clock a. m.

At this moment the line of the American sector, from right to left, began at Port-Sur-Seille, thence across the Moselle to Vandieres, and through the Woevre to Bezonvaux in the foothills of the Meuse, thence along to the foothills and through the northern edge of the Woevre forests to Moulainville, Monsray, thence along the Meuse connecting with the French under Sedan.

RELATIONS WITH THE ALLIES.

Cooperation among the allies has at all times been most cordial. A far greater effort has been put forth by the allied armies and staffs to assist us than could have been expected. The French Government and Army have always stood ready to furnish us with supplies, equipment, and transportation and to aid us in every way. In the towns and hamlets wherever our troops have been stationed or billeted the French people have everywhere received them more as relatives and intimate friends than as soldiers of a foreign army. For these things words are quite inadequate to express our gratitude. There can be no doubt that the relations growing out of our associations here assure a permanent friendship between the two peoples. Although we have not been so intimately associated with the people of Great Britain, yet their troops and ours when thrown together have always warmly fraternized. The reception of those of our forces who have passed through England and of those who have been stationed there has always been enthusiastic. Altogether it has been deeply impressed upon us that the ties of language and blood bring the British and ourselves together completely and inseparably.

STRENGTH.

There are in Europe altogether including a regiment and some sanitary units with the Italian Army and the organizations at Murmansk, also including those en route from the States, approximately 2,053,347 men, less our losses. Of this total there are in France 1,358,109 combatant troops. Forty divisions have arrived, of which the Infantry personnel of 10 have been used as replacements, leaving 30 divisions now in France organized into three armies of three corps each.

The losses of the Americans up to November 18 are: Killed and wounded, 36,145; died of disease, 14,811; deaths unclassified, 2,204; wounded, 179,625; prisoners, 2,163; missing, 1,160. We have captured about 44,000 prisoners and 1,400 guns, howitzers, and trench mortars.

COMMENDATION.

The duties of the General Staff, as well as those of the Army and corps staffs, have been very ably performed. Especially is this true when we consider the new and difficult problems with which they have been confronted. This body of officers, both as individuals and as an organization, have, I believe, no superiors in professional ability, in efficiency, or in loyalty.

Nothing that we have in France better reflects the efficiency and devotion to duty of Americans in general than the Service of Supply, whose personnel is thoroughly imbued with a patriotic desire to do its full duty. They have at all times fully appreciated their responsibility to the rest of the Army, and the results produced have been most gratifying.

Our Medical Corps is especially entitled to praise for the general effectiveness of its work both in hospital and at the front. Embracing men of high professional attainments, and splendid women devoted to their calling and untiring in their efforts, this department has made a new record for medical and sanitary proficiency.

The Quartermaster Department has had difficult and various tasks, but it has more than met all demands that have been made upon it. Its management and its personnel have been exceptionally efficient and deserve every possible commendation.

As to the more technical services, the able personnel of the Ordnance Department in France has splendidly fulfilled its functions, both in procurement and in forwarding the immense quantities of ordnance required. The officers and men and the young women of the Signal Corps have performed their duties with a large conception of the problem and with a devoted and patriotic spirit, to which the perfection of our communications daily testify. While the Engineer Corps has been referred to in another part of this report, it should be further stated that the work has required large vision and high professional skill, and great credit is due their personnel for the high proficiency that they have constantly maintained.

Our aviators have no equals in daring or in fighting ability and have left a record of courageous deeds that will ever remain a brilliant page in the annals of our Army. While the Tank Corps has had limited opportunities, its personnel has responded gallantly on every possible occasion and has shown courage of the highest order.

The Adjutant General's Department has been directed with a systematic thoroughness and excellence that surpassed any previous work of its kind. The Inspector General's Department has risen to the highest standards and throughout has ably assisted commanders in the enforcement of discipline. The able personnel of the Judge Advocate General's Department has solved with judgment and wisdom the multitude of difficult legal problems, many of them involving questions of great international importance.

It would be impossible in this brief preliminary report to do justice to the personnel of all the different branches of this organization which I shall cover in detail in a later report.

The Navy in European waters has at all times most cordially aided the Army, and it is most gratifying to report that there has never before been such perfect cooperation between these two branches of the service.

As to Americans in Europe not in the military services, it is the greatest pleasure to say that, both in official and in private life, they are intensely patriotic and loyal, and have been invariably sympathetic and helpful to the Army.

Finally, I pay the supreme tribute to our officers and soldiers of the line. When I think of their heroism, their patience under hardships, their unflinching spirit of offensive action, I am filled with emotion which I am unable to express. Their deeds are immortal, and they have earned the eternal gratitude of our country.

I am, Mr. Secretary, very respectfully,

JOHN J. PERSHING,
General, Commander in Chief
American Expeditionary Forces.

To the SECRETARY OF WAR.

LEAGUE OF NATIONS FOR PEACE.

Mr. McKELLAR. Mr. President, I had expected to begin a little earlier in the afternoon, but Senator CHAMBERLAIN's speech took longer than I expected and, therefore, I am going to ask Senators, if they will, to let me proceed without interruption until I have concluded the main argument and then I shall be delighted to answer any questions that any Senator may wish to ask. I am going to speak for a few moments in behalf of the policies and principles advocated by a distinguished American who is temporarily outside of the boundaries of the United States, as everybody in the world knows; an American citizen who has gone to Europe on a very important mission on behalf of the United States, of which he is the legal representative and spokesman. Attacks have been made upon him since he left, attacks from the rear, attacks that I think ought not to have been made, and certainly not during his absence on a perfectly lawful and entirely proper mission involving the best welfare of our Nation. To these attacks I wish to reply for a short time this afternoon.

Mr. President, on Wednesday, December 18, the junior Senator from Pennsylvania [Mr. KNOX], and on Saturday, December 21, the senior Senator from Massachusetts [Mr. LODGE], respectively, made speeches in this body in effect taking President Wilson severely to task for insisting upon the first four and the last of his celebrated 14 points, as stated by him on January 8, 1918, being taken up, considered, and agreed upon at the ensuing peace council at Versailles. Both gentlemen argued most ably and strenuously in favor of the peace conference postponing to a later date any consideration of the President's points involving secret diplomacy, freedom of the seas, economic barriers, or disarmament, or a league of nations to secure peace. Both substantially predicted failure of the President's peace proposals, and both, if we believe the reports of the newspapers, virtually served notice on the President that if the forthcoming peace treaty contained any provision on these five subjects the treaty would not be ratified by the Senate. I assume that these two distinguished Senators essayed to speak for the party that will be dominant in this body after March 4.

Mr. President, being a new Member of this body, I can not hope that anything I may say on this subject will be considered as a reply to the able speeches made by these distinguished gentlemen, and I realize that I am taking a risk of being called presumptuous in daring to oppose their conclusions; and yet,

differing from the views expressed by them, as I do, believing that their premises are totally unsound; believing that their fears are wholly unfounded; believing that their opinions can work nothing but disaster to American aims and American ideals in the forthcoming conference; believing that the announcement and publication of such views just in advance of the opening of the conference are calculated to mislead our allies as well as our former enemies and to work incalculable harm to our beloved country, I can not refrain from giving to the Senate and to the country the views that I have on this vital subject.

AMERICA MUST LEAD.

On August 23, 1918, in delivering a speech in this body, Senator LODGE, among other things, said:

> The United States occupies virtually a position in which she will be able to speak with a powerful voice. We seek no territory, no material gain for our country. We seek only the safety of civilization and freedom, and the assurance of our own absolute independence and our right to live our own lives and settle our own problems in our own way. There is no territory by which we could be bribed or influenced; no trade advantage by which we could be tempted. There is no personal profit which can turn us from our one great object.

These were the words of wisdom uttered by the distinguished senior Senator from Massachusetts as late as the latter part of last summer. He seems to have changed his mind since the war has been won, and especially since the November election.

Mr. President, it is conceded by all thoughtful persons that the ensuing peace conference will be the most important gathering, the most epochal council of men that ever assembled together in the world's history. The result of this conference will either mean a permanent and an enduring world peace or it will be but the prelude and the incitement to other wars. If calm, deliberate, and disinterested counsel prevails, the world will never see again such a horrible cataclysm of war as it has witnessed since August, 1914. On the other hand, if doubt, if distrust, if national or international jealousies, or national or international greed, or a spirit of national or international injustice prevails, then, whatever the result of the council, it will be but a short time before the unavoidable happens and the nations will be at war again.

Mr. President, America must take the lead in bringing about a just peace and a righteous settlement of all the controversies in this war or which have grown out of this war, for the reasons that were so splendidly stated by Senator LODGE in that part of his August speech quoted above. I say America must lead not solely because I believe America is better than any other nation, though I do believe that, but more particularly because America is so situated that she can best take the lead. As Senator LODGE in August so well pointed out, but which views he now seems to have forgotten, she is virtually asking for nothing in this war; she is asking for no territory; she is asking for no indemnity; she is asking for nothing except the right to work out her own destiny in her own way, and that every other nation, great or small, shall have precisely the same right. Her attitude throughout this world war has been altruistic in the extreme. She entered the war with the most exalted of purposes. She entered the war in defense of her own rights on the seas and to prevent all Christian civilization, including her own, from being obliterated from the earth. Under these favorable circumstances, therefore, America is in a peculiar position that no other of the great nations is in. Each and every one of the other belligerents has selfish interests at stake. They are making demands for indemnity. They are asking restitution of territory. They are seeking larger rights, and therefore they are not in a position as America is to fight for these principles and ideals which caused America to go into the war and which have brought about the successful prosecution of the war.

WAR FOUGHT ON WILSON'S 14 PRINCIPLES.

Mr. President, these principles and ideals were expressed by our President in his message to the Congress on April 2, 1917, as a result of which the Congress declared war on Germany immediately. They were again expressed by him in an address to the Congress on January 8, 1918. This was the address in which the celebrated 14 points were set forth by the President amid the plaudits of the world. Again these principles were announced and elaborated in an address at Mount Vernon on July 4, 1918. They were further elaborated in an address at New York City September 27, 1918. At the time these various messages and speeches of the President were delivered, setting forth the great principles for which we were fighting, the war was in full blast. Each and every one of these pronouncements was immediately after its publication approved by every leading statesman in this country and by every leading statesman in Europe whose government was cooperating with us in this war. It was approved by the press of the world. Not one word of criticism, except by our enemies. Not one word of dissent, except in Germany and in Austria. Every word was a word of praise. Many Senators on both sides of this Chamber gave out newspaper statements indorsing each and every one of the pronouncements of our President above referred to. I may say right here that several of the men who have been loudest in their criticisms of the President since the war has ended and since the election in November were before that time strongest in their indorsement of every word that he uttered on the subject. Representatives of the British Government, of the French Government, of the Italian Government, all applauded these speeches of President Wilson. They were so just, so fair, so well put, so timely, that intelligent men everywhere on this side of the water and on the other side of the water immediately indorsed them, and even Germany, Austria, and Turkey, our enemies in this war, later came along and indorsed these principles and asked that the war be settled in accordance with them.

FIRST DISSENT HEARD IN AMERICA AND IN ENGLAND.

The first word of dissent, the first word of criticism, the first word of question, came after the war was ended. As I recall, it first came from certain English newspapers, and immediately opponents of the President in this Chamber came along and reuttered what those English papers and those English statesmen were saying. At first these dissents and criticisms were not open, but lately the two distinguished Senators that I have mentioned, both able and vigorous men of long service, both men of distinguished rank in the Senate—one of them a former Attorney General, former Secretary of State, and for a long time a Senator in this body, and one of the great lawyers of the country, and the other a former Congressman and a Senator for a quarter of a century nearly, and a writer that is second to none in this country, a master of the English language—these two have come forward at this time, not to uphold the principles which they formerly applauded, not to uphold and defend the head of our Government in his fight for a righteous and enduring peace, not to uphold the high ideals which our Nation has so gloriously stood for in this war, but to tear down, to disrupt, to postpone, and apparently to prevent, if possible, as it seems to me, the fulfillment of the high aims and principles for which this country went into this war.

THE KNOX RESOLUTION.

Mr. President, I desire to discuss the resolution and the speech of the Senator from Pennsylvania first. The resolution of the Senator from Pennsylvania sets up, in substance, that we went to war "to vindicate the ancient rights of navigation as established under international law and in order to remove forever the German menace to our peace"; that we are now entitled only to "restitution, reparation, and guaranties against the German menace." Note in both cases the Senator limits our purposes and our rights in the ensuing treaty to a disposition of the "German menace." Mr. President, if that is all that we fought for, if that is all that we went into this war for, we need not have representatives at the peace table at all. The collapse of Germany and the consequent armistice have already taken care of these things. We have already vindicated the ancient rights of navigation, and surely Germany is no longer a menace to our peace. With her navy in the hands of ourselves and allies, with her merchant marine largely in our hands, with her government in the hands of the Bolshevists, and almost in bankruptcy, with her armies worn out and defeated, with her Emperor and his son abdicated and in exile and his family scattered to the four winds, with large portions of German territory in the hands of the allies, with her entire country hemmed in and guarded by her victorious enemies, surely Senator KNOX or no one else believes that America need go to a peace conference to protect herself from the German menace. The armistice already signed guarantees everything that the KNOX resolution demands except reparation, and it is well known that our Government will not ask for reparation, and even Senator KNOX argues against reparation. If we are to follow Senator KNOX's resolution, there is not only no necessity for America taking part in the conference, but she has no right to be there. She has done all that she proposed. It is true that he says we should set up new free States in "Mittel Europa" as guaranties against "a powerful nation such as Germany," and suggests that such new free States may need protection; but then again he immediately becomes hopeless of such a task and explains that we must "look for limits to the obligations which America could wisely share with Europe." How helpless and hopeless is America in her position at the peace table in the opinion of Senator KNOX.

SENATOR KNOX'S SPEECH.

The Senator, after setting forth his resolution and discussing our aims, then says:

> Can we not perceive emerging from these facts a new American doctrine? I will state this great new doctrine in these words: If a situation should arise in which any power or combination of powers should, directly or indirectly, menace the freedom and peace of Europe, the United States would regard such situation with grave concern as a menace to its own peace and freedom and would consult with other powers affected with a view to concerted action for the removal of such menace.

Further on in his speech he says:

> If this had been the avowed and understood policy of the United States from July, 1914, it is in my judgment very improbable that the war would have occurred.

Again, he says:

> Let us suppose, for example, that there should be proposed a permanent entente of the English-speaking peoples and of the French, Italians, and Japanese to enforce this peace; to consult together to maintain peace; to cooperate economically, each recognizing the other's leadership in its peculiar field, and to form a permanent committee for consultation on these subjects. The question could then arise as to whether the United States should for general purposes join in or remain outside such an entente. I think the day has gone by for the rejection on principle of our close association of this Government with governments of other countries. To dogmatize against any possible entente under any possible circumstances would be almost as unreasonable as to wish to rush headlong into some Utopian world league.

Mr. President, in these statements the learned Senator admits the necessity and the effectiveness of precisely what President Wilson is trying to do at the peace council, namely, to remove the cause of international disturbances and to prevent future wars. If the announcement of such a simple doctrine by the United States as that just stated by the Senator would have prevented the present war, the most destructive war in all history, how vastly more effective would be the same doctrine stated, ratified, and agreed upon with mutual covenants, not only by the United States alone but by all the great nations of the world. Apparently Senator KNOX not only believes in the efficacy of a world agreement to secure peace but he has a plan for it. He shows that he believes that the peace of the world can be maintained by a concert of the powers without the necessity of a world republic, which no one is advocating. The only difference between these statements and the statements believed in by the President seems to be that Mr. KNOX calls it an entente and the President calls it an association or league of nations.

SUPERREPUBLIC BUGABOO.

The Senator from Pennsylvania then sets up a superrepublic bugaboo, and by innuendo suggests that the President of the United States is negotiating for such a government to be called the league of nations, with a view to putting such a government over and above the United States of America. He points out several unconstitutional features of such a government.

Mr. President, of course we could not, under our Constitution, create such a government. Of course we could not devolve upon such other government the right that only the Congress has to declare war. Of course we could not impart to some other government the sovereignty that belongs to America, and everybody knows that the President and no one else in authority is attempting to provide such an unconstitutional league of nations. The Senator simply sets up a straw man and then proceeds to knock him down.

POSTPONEMENT PLEA.

After demolishing his straw man, after proving that we must not have an unconstitutional league of nations, which nobody is demanding, after showing that he believes in an entente of nations for the prevention of future wars, the real purpose and intention of his speech is set forth in its last paragraphs, which I here quote:

> 1. That the issues of the war were issues between the central powers and the allies and ourselves. The function of a peace treaty is to settle these issues.
>
> 2. The issues as to a league of nations and a revision of the laws of the seas are issues between the allies themselves and between them and each of them and all of the neutral powers.
>
> 3. I have shown conclusively that upon these latter issues there exists the widest diversity of opinion, and I have concluded that it is wise not to force upon a conference that must adjust the comparatively simple demands of the one the complexities and confusions of the other.

I am astounded at this logic of the Senator. I am one of his great admirers. I admire his mentality, his vigor, and his fairness on ordinary occasions. But it seems quite remarkable that the Senator is willing to say that the creation of a new Poland, or the establishment of a Czecho-Slav or a Jugo-Slav nation, or that the taking of territory from Germany and giving it to a neutral, or that the opening of private channels of commerce to all the world are "comparatively simple demands," while the revision of the laws of the seas or an agreement of nations to guard against wars in the future are so complicated that they ought not even to be considered. It is a strange logic, it is a strange contention, and, in my judgment, one wholly without merit. Before this peace conference is over it will be found that more time will be given, more diversity of opinion will arise about the creation of new States than can possibly arise from the consideration of any other question.

POSTPONEMENT IS WEAPON OF ENEMY DEFENSE.

Mr. President, the Senator from Pennsylvania is a great lawyer. He is familiar with every phase of legal pleading and practice. This war may be likened to a great lawsuit. The only difference is that in a lawsuit the parties apply to the arbitrament of the courts. In this war the parties have applied to the arbitrament of arms. This war is a military lawsuit between all the allied nations on the one side and the central powers on the other. It has been decided by the arbitrament of arms in favor of the allies. The pleadings are all in. The proof has all been taken. The decision has been reached. The case is ready for a decree. The only thing that is necessary in this great military lawsuit is for a final decree to be spread upon the minutes of the last court, which, in this case, is the ensuing peace conference. Can it be said that any one of these points pressed by the President is not within the pleadings of the evidence? Surely the distinguished Senator would not say that the freedom of the seas is not in issue in this war, when it was one of the basic reasons for America entering the war. Surely the Senator would not argue that the preservation of peace was not one of the basic grounds of our entering into the war and one of the leading issues in the pleadings. I do not believe that he would so contend for a moment, because not only these two points but every one of the points raised by President Wilson are not only within the pleadings as a matter of fact, but they were put there in so many words by the President himself in making up America's case, and then affirmed and confirmed not only by all the thoughtful men in this country but by all thoughtful men in all the civilized nations of the world. The pleadings were specific. The contentions were pronounced. The war has been won upon them. The whole world has had notice that these were the pleadings in the case, and to my mind the decree should be as full and complete as can be had under the terms of the pleadings, under the issues that have been made up, and under the proof that is now all in. But the Senator says:

> The object of my resolution is not to condemn in advance any league of nations (and least of all the existing entente, or a permanent understanding of all the English-speaking peoples) of a kind that might in time commend itself to the considered judgment of the American people. The object of my resolution is simply to postpone the larger and very disputable question of some comprehensive league of nations for that separate and very deliberate consideration that its nature demands and that an act of Congress has already sanctioned. After all, why such hurry? If a league of nations is a good thing, surely its merit will be the better appreciated after careful study.

WHY POSTPONE?

Mr. President, I do not understand this reasoning of the Senator. I do not understand this demand for a postponement of the decree. What is the motive behind it? What is the reason for it? We have won the judgment. The issues have all been decided in our favor. Why not enter the decree of record? Why should we receive a part of the fruits of victory now and postpone the remainder until some other time? I can understand always why the lawyer for a defendant desires to enter a partial decree, but I can not understand why the representative of the complainant is unwilling to take a full decree after he has obtained a decision in his favor. It can not be explained by the statement that the relief sought is too complicated. If America was strong enough, was able enough to win the fight, she has got men strong enough and able enough to secure in a decree the objects and purposes for which she fought, and it is immaterial whether the fruition of these objects and purposes is to be called an entente, as named by the Senator from Pennsylvania, or a league of nations, as named by the President of the United States.

ADDRESS OF SENATOR LODGE.

And then comes the learned Senator from Massachusetts and coincides with the position taken by Senator KNOX and elaborates upon it and says he is willing for a judgment to be entered upon nine of the President's issues, but that he positively objects to a judgment upon the five main issues at this time. The issues which the learned Senator from Massachusetts objects to a judgment upon now are the following demands of President Wilson:

> 1. Open covenants of peace, openly arrived at, after which there shall be no private international understandings of any kind, but diplomacy shall proceed always frankly and in the public view.
>
> 2. Absolute freedom of navigation upon the seas, outside territorial waters, alike in peace and in war, except as the seas may be closed in whole or in part by international action for the enforcement of international covenants.
>
> 3. The removal, so far as possible, of all economic barriers and the establishment of an equality of trade conditions among all the nations consenting to the peace and associating themselves for its maintenance.
>
> 4. Adequate guaranties given and taken that national armaments will be reduced to the lowest point consistent with domestic safety.

And then the fourteenth point, which is as follows:

A general association of nations must be formed under specific covenants for the purpose of affording mutual guaranties of political independence and territorial integrity to great and small States alike.

The learned Senator then proceeds to take these five points up and discuss them and declare that their consideration ought to be entirely postponed at this time.

By the way, I was very much amused this morning, as I suppose a number of you were who heard the distinguished Senator from Massachusetts, and as well the distinguished Senator from Pennsylvania. The burden of both their speeches was, "What do these points mean? We do not understand them; we can not understand them; why could they not have been given to us in plain everyday English?" But, lo and behold, no less a personage than ex-President Taft came out in an article, printed on the front page of the Washington Post this morning, trying to explain what the Senator from Massachusetts [Mr. LODGE] meant in his speech the other day. It looks as if somebody else is using language that needs explanation. According to ex-President Taft, Senator LODGE did not mean that he was opposed to a league of nations. His language surely intimated he was, but ex-President Taft construes the language and puts another interpretation on it. Somebody must have been hearing from over across the water lately. He did not mean what his language implied; he just meant a very gentle postponement of these important measures. What does a "gentle postponement" in this case mean? It means the defeat of these great principles for which our President has gone across the water. Everybody knows that in this case postponement means defeat. President Taft explaining what Senator LODGE means is indeed funny.

THE KIND OF PEACE SENATOR LODGE WANTS.

Ah, Mr. President, I wish now to quote Senator LODGE before the election as compared with the speech of Senator LODGE since the election. There is no man in this country, not even the President himself perhaps, as some of Senator LODGE's friends claimed at the time, who could have expressed the war aims of this country better than they were expressed by Senator LODGE on August 23 last. Here is what he said:

They include the restoration of Belgium, the return of Alsace-Lorraine to France, of the Italia Irredenta to Italy, the establishment of a Jugo-Slav State, and of an independent State formed by the Czecho-Slovaks. They include also the security of Greece, the settlement of Albania and Montenegro, the restoration of Roumania, the consolidation of all the Roumanian people under one government, as well as the neutralization of the straits, the putting of Constantinople under international protection, with Greece perhaps as the mandatory of the powers to administer the affairs of the city, the independence of Armenia, the return of those portions of Asia Minor where Greeks are predominant to Greece, the protection of Syria and Palestine from the Turks, a large, powerful, and independent Polish State, the independence of Russia's Baltic Provinces, the return of Danish Schleswig to the Danes, and the neutralization of the Kiel Canal.

A splendid statement of the war aims of this country. Then, Mr. President, he goes on to say:

These physical guaranties which I have thus far suggested have but one object, and that is to hem Germany in so she can not attempt conquest in Russia or in the East, and that the Slavic populations, which she has mercilessly used in her wars, can never be used by her again.

He then says:

There must be heavy indemnities paid by Germany for the ruin she has wrought in Belgium and northern France and in Italy, and for her destruction of vessels, both neutral and belligerent, through the use of submarines.

He then suggests what disposition of German colonies shall be determined, affirming we can not shirk the world Russian question; that the Empire of China must be dealt with for our protection. Senator LODGE has changed his views since he made that August speech.

SUCH A PEACE WORTHLESS TO EVERYBODY.

There are the questions that the Senator from Massachusetts admits must be determined by the ensuing peace council. What a strange position. We must do all these things; we must readjust the maps of Europe and of Asia and of Africa, but we must take no united step to guarantee that the decree will be carried out. For instance, we must set apart a new Poland, but make no international guaranty that the new Poland will remain as we have ordained. We must make a Jugo-Slav State, but we must make no agreement to see that the Jugo-Slav nation is permitted to live and work out its own destiny. We must make a Czecho-Slovak State, but we must take no allied precaution to see that the Czecho-Slovak State might be permitted to work out its own destiny. We must mark out new boundaries for Roumania, but we must make no lasting agreement that will be binding alike upon all the nations to uphold the boundaries that we have made. We must even make a new Russia, but make no international agreement to uphold the new Russia to which we give life, and so on all down the line.

It is true that Senator LODGE says:

We are as much bound, not merely by interest and every consideration for a safe future but by honor and self-respect, to see that the terms of peace are carried out as we were to fulfill our great determination that the armies of Germany should be defeated in the field. We can not halt or turn back now. We must do our share to carry out the peace as we have done our share to win the war, of which the peace is an integral part.

We can not leave the Jugo-Slavs, the Czecho-Slovaks, and the Poles, the Lithuanians, and the other States which we hope to see formed and marching upon the path of progress and development unaided and alone.

The distinguished Senator says that we, the United States, must protect all of these States, that we must uphold them in their territorial boundaries, that we must see that they work out their destinies in their own way, but we must have no international agreement for this purpose. The other nations must not help us, we must make no contract with them to help us. How can we help them, how can we uphold them, how can we maintain them unless we enter into a formal agreement with the nations of the world setting forth the terms and the obligations thereof? It would take a standing army of 2,000,000 men.

If we follow out the doctrine of these two distinguished Senators, we give to these new nations a paper decree that anybody may break at will, for America by herself can not protect them all. We will be doing for them just what these Senators know has been done to many others—to Bulgaria, to Turkey, to Greece, to Serbia and Montenegro, and other small nations.

Referring again to my simile of the lawsuit:

If we follow the advice of Senator KNOX, we win on the pleadings and the decree, but we lose on the judgment. If we follow the additional advice of Senator LODGE, we win on the judgment, but we lose on the execution. In either event, we lose what we have been fighting for. Ah, Mr. President, if this peace council has a right to take up the various subjects of controversy that are set out by the Senator from Massachusetts, and no one questions that right, then it must follow as night follows day that some international arrangement must be made to enforce the decrees that we make in reference to these various States and as to these various questions. It will be utterly useless to write the decree unless we have the international force and power behind it to enforce it. The United States can not and should not do it alone.

THE LEAGUE OF NATIONS.

Mr. President, in my humble judgment the great mistake that is being made by these distinguished Senators, and by those who follow their lead, is that they are giving to the term "league of nations" a meaning that they should not give to it, a meaning that the President of the United States has never given to it, a meaning that no other representative of a great nation has ever given to it. Apparently they assume that a league of nations is to be a supergovernment established for the world, and that the various nations of the earth are to be merely subject States to that government. Apparently they regard a league of nations as a government with the power to tax, a government with the only army and navy on earth, and a government with jurisdiction over the earth and sea and air and over all other governments now in existence.

Mr. President, if it was desired by anybody to form such a supergovernment, I for one would never agree to it. I for one would never be willing to give up American sovereignty. I should never, for instance, be willing to give up the Monroe doctrine. I should never be willing to give up the power of America to exclude from her borders any persons whom she saw fit to exclude. I would not be willing to violate any provision of the American Constitution. In other words, I would not be willing to give up any part of American sovereignty as a nation. I would not have the right to do so under the Constitution. I have been sworn to uphold and protect and defend the Constitution of the United States. I would never besmirch that instrument or do aught against the terms of that instrument directly or indirectly.

Mr. President, there is no such purpose, as I believe, upon the part of anyone believing in a league of nations to secure peace; but what is desired is that this peace conference about to convene at Versailles shall, for the purposes of enforcing the results of this war, of bringing about a lasting peace, of securing to the peoples of each nation, great and small, the right to work out its own destiny in its own way, of securing for all nations the right to trade freely with each other and unmolested upon the high seas, of cutting down armaments to save taxes upon the people, of providing for open and aboveboard international agreements—these are the objects which we ask to be secured by this great peace conference. The whole question has been argued from time immemorial. The Senator from Pennsylvania says that all such great movements have been argued for many years prior to their accomplishment, and that is true; and so I will

say to the Senator this great movement has been argued for many years and there never was such a time for its accomplishment as right now.

All nations at the table will be willing to give up something in return for that which each may want most. All want to have the right to live in peace. Surely with the great ability that will be found in this conference an international arrangement can be made by which the rights of nations shall be protected along the lines suggested by our own great President. Senators say there should be no league of nations. My reply is there is a league of nations now. Both Senators aver that, and I agree with them on this point. There is indeed no technical league existing between the United States and the other allies, but in reality and truth we find Great Britain, the United States, France, Italy, Belgium, Serbia, Roumania, Japan, and a number of the South American countries, portions of Africa, portions of Asia, all acting together for the purpose of putting an end to the autocratic, military, and inhumane power of Germany, and at the same time prohibit any nation to act like Germany has acted recently. They are all parties to the lawsuit; there is no reason why a final decree should not be made as to the rights and interests of every one of them. The league that we have already is the beginning of a splendid league. It is wholly immaterial whether we invite Germany to come in or not, or Austria to come in or not, or Turkey to come in or not, or whether Bulgaria comes in or not. None of them will have any great influence. No league of nations ought to be created out of the whole cloth, as it were. It should be simply an orderly development of the present league, which has already been created by this world war, and for the present without regard to Germany, save to destroy forever her autocratic and ambitious power. It is idle to talk about not being willing to create a league of nations when the war has already brought forth an inchoate association, and all that is necessary to be done now is to give this league, which has been cooperating without specific agreement, a definite, fixed international agreement in writing by which its future acts can be measured and enforced in behalf of the peace of the world and the freedom of all nations, great and small. The scope, powers, and duties of this league must necessarily be left to the combined wisdom of the peace council creating it. No league of nations must be created say these distinguished Senators. My answer is that it has already been created in fact by the war, and all the President asks and all that the American people ask is that the terms upon which the league has already in fact been founded, and the purposes which have already been in fact agreed to, shall be promptly ratified by the peace council, and so amplified as to make future wars impossible.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Mississippi?

Mr. McKELLAR. I yield.

Mr. WILLIAMS. In that connection and in further reinforcement of what the Senator has just said, I want to call his attention to the existence and the significance of a precedent. There is the British Empire, although it had better be called a confederacy of British Commonwealths. There is no word of written agreement binding together Canada, Australia, New Zealand, and South Africa to the home country of Great Britain, and yet when this war broke out Canada, Australia, New Zealand, and South Africa came very near outdoing the mother country herself in furnishing men, money, and munitions. That is an instance of putting moral force behind the effort to prevent war. The moral force of the British confederacy, Commonwealths—not one but five great English-speaking peoples—was behind the desire of the British Empire to enforce the rights of small nationalities and to fight the war for civilization, and they fought it.

Now, I wish to call the attention of the Senator to a further fact. We speak of the United States, but it is not "this United States" but "these United States," composed of 48 States. We had no word of alliance, we had no political connection, but the minute we found that the rights of humanity and of the peace-loving peoples everywhere were being outraged we went with the forces of the English-speaking race and, together with them, we won this war. There is no doubt about that, because if we had left it to the continent of Europe, Germany would have run over the entire continent.

I wish to call the Senator's attention to the language of Mr. Wilson the other day when he referred to organizing the moral force of the world for the prevention of war and for the keeping of peace. Then I wish to call attention to our own history. When we began our existence we had just a loose confederacy of States.

Mr. McKELLAR. I will say to the Senator that I expect to dwell on that a little later.

Mr. WILLIAMS. However weak it might have been to preserve peace amongst ourselves—and we confessed that it was too weak for that—it was strong enough to unite us in opposition to foreign aggression, and always was, even prior to the adoption of the present Constitution.

Mr. McKELLAR. Mr. President, I thank the Senator for the statement which he makes. It is certainly a strong presentation and in furtherance of the very idea that I am trying to suggest to the Senate and to the country.

SHOULD THE LEAGUE OF NATIONS BE POSTPONED?

It is claimed that we ought to postpone the plan for a league of nations. Senator KNOX's resolution, if passed, would so declare. Senator KNOX, in his speech, earnestly favors postponement. Senator LODGE says to attempt to form a league now would only be to embarrass the peace that we ought to make at once with Germany, and he thinks, too, that it ought to be postponed.

Mr. President, there never was a better time for America to get results than in this peace conference now about to convene. Every nation represented in that council will want something and want it badly. England will want indemnities. She will want all the colonies she can get. She will want all the warships she can get. She will want all the merchant vessels she can get. She will want all the territory that she can get. France will want indemnities. She will want restoration of territory. She will want as many colonies as she can get. She likewise will want ships, merchant and war.

Mr. KING. Mr. President, will the Senator yield?

Mr. McKELLAR. In just a moment I will yield. I desire to finish this idea. Italy will want indemnities, colonies, ships, and restoration of territory. Serbia and Montenegro will want territory and access to the high seas and should have it. Roumania will want indemnities, restoration of territory, and future protection from her enemies. Belgium will want restoration of property destroyed and taken, indemnities, protection, and guaranties that will not be scraps of paper. Spain will want commercial arrangements. Japan will want many things, and so will China, Australia, and other eastern countries; and Sweden, Norway, Denmark, Holland, Russia, Siberia, and Poland will also want many things and should have them; and Poland and Czecho-Slovakia and Jugo-Slavonia and perhaps other new States will want to be upheld and protected in their new dominions. On the other hand, the United States will stand alone in wanting no material advantage of any kind, nature, or description. She will stand alone as wanting only a square deal for all. Take the United States and her fight for freedom of the seas, for equal justice to all nations, great and small, for open diplomacy, for disarmament, for a guaranty of future peace; if you take all these out of this conference, the conference will degenerate into a second treaty of Vienna, which was simply a disgraceful fight over the spoils of the Napoleonic wars. Indeed, war actually broke out again before the treaty was published. There never was such a time, Mr. President, for America to get an enduring peace and all else that she has so justly asked for, as at this time when all the other nations have selfish demands they are putting forward and when America desires nothing but the right. Postpone her demands for peace and right and justice until after the other nations have divided the spoils of war, and I doubt if enough interest could be aroused in Europe as to the President's five contentions to get a peace meeting, much less accomplish anything. No one knows that better than those who are opposing the President in his aims, both on this side of the ocean and the other.

I now yield to the Senator from Utah.

Mr. KING. What I was about to say is not quite germane to the last utterance of the Senator, and perhaps is not very important; but I think, in the interest of historic accuracy, we ought to say that England has disclaimed any desire for the German colonies and has besought the United States to take the colonies or at least to devise some plan by which they can be administered, and has expressly stated that she did not want one single foot of territory as the result of this war.

Mr. McKELLAR. I am glad to hear the Senator make that statement. I have not seen that publication from any official source. It is probably correct. I am glad to know that it is so; and, by the way——

Mr. WILLIAMS. It is absolutely correct, with this limitation: South Africa has insisted upon her retaining Southwest Africa, which was conquered from the German Empire, just as the American colonies forced Great Britain to retain Canada when we had partially conquered it ourselves.

Mr. McKELLAR. I accept the statements that are made about the intentions of England in this controversy. I am glad

to know that she has that kind of view, and I hope she will maintain it in the peace conference; and since the President's timely visit to England I believe she is going to live up to what she agreed to while the war was going on.

SECRET DIPLOMACY.

Every well-informed man knows what secret diplomacy means. Senators refer to it as if it was vague and indefinite. They even sneer at this proposal. Everyone knows that in Europe there were treaties of peace between the various nations that were generally known, and that other secret understandings as to the balance of power and various other international subjects were entered into secretly between the great nations. As an illustration of this: In 1911, I believe it was, during the Balkan wars Serbia and Montenegro won the war and won a sea front and then there was a treaty of peace, and the peace conference was held in accordance with a secret understanding between Germany and Austria and Great Britain and Italy and the peace treaty restored the status quo. In other words, to use my judicial simile again, Serbia and Montenegro won the war on the evidence and in the field of arms, but they lost on the judgment, and they failed to get that which they had fought for and won, and they still have no seacoast. Why? It was because of the secret understanding between the great powers, and this was what the President aimed at, and the only thing he aimed at, as I believe. The secret agreements constitute one of the most prolific causes of war. The doctrine is absolutely good. It should be upheld in this peace conference, and there should be no private, secret understandings, and I do not believe there will be, and I hope there is not a Senator on this floor that would vote against the coming treaty of peace because it had a provision in it patterned along the lines of President Wilson's first point upon the subject of secret diplomacy, regardless of what may be said in this debate. With all due respect, the taunting criticisms of Senator LODGE: but the prevalence of secret diplomacy in this country under President Wilson's administration are wholly without foundation. No agreement has been made or even considered of which the American people and the world have not been fully advised.

The Senator from Massachusetts said, I believe, that the only secret agreements that he knew of were the secret agreements made by this administration. I am sure the Senator did not intend to suggest that secret diplomacy referred to the conduct of diplomacy in the United States. "Secret diplomacy," referred to by the President, does not mean any such thing as that; and besides Senator LODGE was in error as to the facts in this country, because under this administration there has been no secret agreement. There has been no agreement on the part of this Government that not only the American people but the people of all the world have not known; and I challenge the Senator to present a single concrete case where there has been a secret agreement made in this country.

Mr. WILLIAMS. Mr. President, I want to call the attention of the Senator from Tennessee to the fact that under American institutions and the American Constitution there can not be a secret agreement.

Mr. McKELLAR. Why, of course, there can not be, and there never has been.

Mr. WILLIAMS. Because every treaty and every agreement entered into by the United States must be discussed in the Senate of the United States and ratified by the Senate of the United States.

Mr. McKELLAR. Why, of course, and published to the world.

FREEDOM OF THE SEAS.

Senators LODGE and KNOX want no freedom of the seas now. It will be remembered, Senators, that Germany staked off a large portion of the seas in front of Europe and notified all nations, belligerents and neutrals, that if they sent their ships in these waters thus staked off that German submarines would sink them without warning. It was one of the very causes—indeed, the principal cause—for which America entered the war, namely, to protest against this unlawful use of the seas, and yet these distinguished Senators say that after having won the war we can not have a judgment and a guaranty that Germany shall not do so again and other nations shall not do in the future as Germany did in the past in this regard. If it was wrong for Germany to mark off these seas in defiance of neutral rights, it would be wrong for any other nation to mark off the seas in like manner. If we have a right in this decree to take charge of German U-boats and sink them, we have a right to say that no more U-boats shall be built in the future by any nation. If we have a right to say that Germany shall not stake off the seas in the future, then we have a right to say that no other nation shall hereafter stake off the seas, and we have a right to enforce that policy by this decree. It can only be done by common consent of the league which has already been inchoately formed and which needs only a constitution mutually agreed upon to keep it in effect for all time. But we must go further than that. Our own country is on the verge of becoming a great maritime nation. We should provide in this decree that not only shall the waters of the seas be free and that no other nation, great or small, shall have the right to interfere with our peaceful commerce, or the peaceful commerce of any other nation, wherever such commerce may go; that no nation shall have the right of search and seizure of neutral vessels on the high seas; that no nation shall have the right to require aught of our passenger and freight vessels as long as they are upon the high seas; and right here and now I believe that if President Wilson returns with a peace treaty providing for the freedom of the seas that there is not a Senator in this body that will vote against the treaty because of such provision.

ECONOMIC BARRIERS.

Now, Senators, it seems to me that such a provision on economic barriers in the peace terms as suggested by the President would come as a matter of course. Here are all the nations of the earth gathered together at the end of the greatest war in all history. The allies all agree. Their antagonists are all willing to agree. They can not keep from agreeing if they wanted to. It is a question of right and fair and square dealing between all of these nations that already have formed an informal league. Practically all of these nations have already associated themselves together to secure the peace of the world. We all know that in the past economic barriers have been the most prolific causes of war. There is no reason for this, and surely this great peace council, larger than ever gathered before, larger perhaps than will ever gather in the hereafter, will be the one of all councils to agree upon the removal, as far as possible, of all economic barriers to trade and commerce on the seas. This does not mean that a nation shall give up its right to place import duties or export duties. It does not interfere with the internal rights of any nation, but it merely means that an agreement shall be reached, in the words of the President, for "the removal, so far as possible, of all economic barriers and the establishment of an equality of trade conditions."

America is just beginning her career of a great maritime nation; she is just beginning to build the greatest merchant fleet that will probably ever exist in the history of the world. No other nation has more at stake; no other nation will profit more than she by the removal of economic barriers in the future. All nations should be treated exactly alike. When we send our ships on every sea, nothing will be more conducive to trade with us than for all economic barriers to be removed. I hope to live to see the day when America's trade on the ocean will be greater than that of any nation on the earth. We can only make it so by removing the trade barriers that have heretofore existed against us and take our chances with the rest of the world. What are we building this great merchant marine for if it is not to take advantage of the great opportunities that are to come to us to trade in the four corners of the earth? Surely no man who loves his country, who believes in its future, no man who votes to appropriate millions and even billions of our money to build up a merchant marine would dare to vote to put up economic barriers or permit other nations to put up economic barriers by which that trade can be done away with or even lessened.

DISARMAMENT.

Mr. President, the question of disarmament has been one that has troubled the world for years. The Czar of Russia, the Emperor of Germany, the King of England, the President of France, a Republican President of the United States, and many distinguished writers have from time to time submitted principles looking to international disarmament. It is a question that has been alive and been before the world public for a long time. The building of great navies by various nations, the maintenance of great navies by great nations, has been one of the things that has been looked upon with the greatest disfavor by thinkers of many ages. Thoughtful men of every country have desired to reduce these armaments and thereby reduce the taxes on the people of the various nations, because these armaments are expensive to a degree. The President, believing it was necessary to reduce the German armament which formerly existed and now to reduce all armaments for the benefit of the people, says that the people of all the nations should not be taxed in the future as in the past to maintain great navies, and therefore he puts this provision among the reasons why this country was at war. It was accepted then by all the nations, England as well as all the rest of them, but now this is one of the points that some people in England do not want to agree to. It is one of the points that certain Americans do not want to agree to, though Senator LODGE approved it only a short time ago.

Well, let us see, Mr. President, how it will work. Let us be fair and frank with one another. My forefathers on one side came from Scotland and the other from England. I have by inheritance not a drop of blood other than British blood in my veins. I am a great admirer of the British Nation and the British people. Blood of our blood, bone of our bone, flesh of our flesh. We all admire their genius for government, their love of right, their dogged tenacity of purpose, their lofty ideals, and their splendid ambitions. We admire the English for what they have done, for what they have accomplished in the world, for what they have stood for; and for these reasons it seems to me that at a time like this we should counsel fully and fairly one with the other. We should be frank. There is not the slightest doubt that whatever England and America agree upon will be done. Their agreement alone will furnish all the power necessary. We should have the manhood to speak our minds. The only nation, perhaps, that will object to disarmament is the English Nation. Why should she? She believes it will do her no good not to agree to disarm. It will be but natural for her to agree to a reasonable disarmament rather than to contend for the maintenance of an unreasonable armament. Why? The reason is simply this: That America is going to continue to build her Navy unless England reduces hers. It might as well be understood now as any other time. There is no use postponing that question. We would be unfair and unjust to our English friends and cousins and brethren if we did not tell them frankly and fairly what we propose to do. We propose to become their friendly rivals for trade wherever we can get it. We propose to protect that trade wherever it goes; and if England wishes to continue the burdensome taxation upon her people to keep up the great navy that she has, then America will be compelled to build her Navy larger to give her the protection she is entitled to. While the war was in progress her people and her press approved President Wilson's appeal for disarmament. They should stand by their admission made at that time. I believe they will do so. England is not the kind of a nation to go back on her agreement, expressed or implied. There is no conflict between the principle of disarmament and our Navy building at this time. We must take no chances.

On the subject of disarmament Senator LODGE is specifically estopped. On August 23, 1918, he said that the peace treaty ought to provide for disarmament. Why this change? A change of policy in four months is a pretty fast change.

IS A LEAGUE OF NATIONS POSSIBLE?

These gentlemen say that a league of nations is essentially impossible; that if such a league is formed and given the power to tax, the power to decide what nations shall be taken in, with an army and navy to enforce its decisions, then it will become either a world-dictating nation or it will be simply the more productive of wars. On the other hand, unless such a central authority is given full powers, it will be a meaningless organization like The Hague tribunal.

Mr. President I do not subscribe to this doctrine. I am one of those who believe that it is possible to form a league that will be effective and at the same time not put all other nations in a state of subserviency. I recognize its difficulties; I know that the task is great, but I have faith that this peace council, composed of the great statesmen from each nation of the world, will be able to accomplish it. There have always been wiseacres in the world, Mr. President, who have said that seemingly impossible things could not be done, and yet they have been done. In comparatively recent times it was thought that it was impossible ever to chain or use the lightning, and yet now it is one of the most perfect servants of man. Less than a hundred years ago it was thought impossible to send a message by lightning, and yet to-day the occurrence is so common that its difficulty is never even thought of. It was once thought to be impossible to hear out of hearing distance, and yet to-day, through the marvelous invention of the telephone, we can hear practically all over the world. Later on it was believed to be impossible for messages to be communicated without wires upon which to communicate them, and yet to-day we have not only wireless telegraph sending messages throughout the face of the earth, whether on land or sea, but we even have the wireless telephone by which we can communicate to airships thousands of feet in the air. It used to be thought that a heavier-than-air vehicle could never be invented. It was one of the impossible things, and yet to-day, through the ingenuity of man, men not only fly through the air, but they even fight in the air, and aircraft has become one of the greatest inventions of modern warfare. And so, Mr. President, I do not subscribe to the impossibility of a righteous league of peace being organized by which wars can be prevented in the future.

Let us change the illustration for just a moment. There were Tories in this country in the century before the last who said that we never could have an American Republic like the one that we have. Why, our forefathers along about 1770 first tried a Continental Congress, and it was wholly inefficacious. Later on they tried what was known as a Confederation, and that proved to be a rope of sand; and later on it took five years of bargain and compromise and arrangement and splendid ability to consummate the present Constitution that we have. Impossible? I say, look to your own Constitution, and you can see that nothing is impossible to men who have the ability and who believe and know that they stand for the right. So I say that when this peace conference assembles next month it will be found that it can work out a plan.

NO WILSON PLAN.

Great stress is laid by Senators LODGE and KNOX and the newspapers supporting them that the President has not disclosed his plans for a league of nations to preserve peace. Senator KNOX says:

> We must know what we are to agree to, and no one has yet thought it well to tell the people of the United States what they are to agree to when a league of nations is formed.

This is true, and it should be true. There should be no plan. Mr. Wilson's plan or no other single individual's plan should go through. No league of nations that is the plan of any single individual could possibly be of any worth to the world. What would have likely resulted had Washington attended the Constitutional Convention with a cut-and-dried plan? There would have probably been no Constitution. Washington was too wise for that. So is Wilson.

Mr. President, I am not the spokesman of the President. I am not even in his confidence on this subject. I have no knowledge whatsoever of his proposals save what is published in the papers. In these public statements all he asks is that the parties to this peace conference shall form a general association of nations under specific covenants and affording mutual guaranties that all nations, great and small, will have political independence and territorial integrity guaranteed to them. In his New York speech of September 27, 1918, he added:

> That indispensable instrumentality is a league of nations formed under covenants that will be efficacious.

He has asked for no supernation. He has asked for no republic of the world, which shall control all other republics and nations, nor will he do so, nor will any other sane man do so. All the President says is that one of the specific purposes of our entering the war was to secure an enduring peace. Every full-grown man in this country knows that this is so. The President does not want another war like this or any other war at all. He believes that civilized nations can covenant to prevent war. He knows that all the allied nations agreed to do this in advance when they accepted his proposals, and he is seeking to have them live up to that agreement. It seems to me it is fair to assume that he has offered no plan, because he wants to counsel with all on the most important question of all, namely, the saving of future destruction of life and property by reason of war. He has not yet reached a final conclusion on it and can not do so. Only the council itself can, by deliberation and debate and by yielding and compromise, bring about the much-desired arrangement by which this peace can be secured for all time. If the President had gone over to attend the council with a plan already mapped out, the first ones to have criticized him would have been those who are criticizing him now for not having any plans at all. They would have declared that it was indecent for a judge to have gone to the hearing of a case with an opinion on the case already prepared in his wallet. They would have called him a world dictator. They would have attributed to him ulterior and perhaps personally selfish motives. The allied nations, too, might well have misunderstood him had he done so. But now, when he presents no specific plan, but contents himself with the principles announced nearly a year ago and then approved and applauded by the whole civilized world and asking only that the peace conference shall itself counsel together and agree upon the specific covenants and agreements to carry out these plans already agreed upon, our friends his enemies over here, our friends with selfish interests on the other side, raise a great hue and cry about his failure to disclose plans which, perforce, because not disclosed, can only be deep, dark, and sinister. According to these gentlemen, he is damned if he does and damned if he does not. Be careful, gentlemen. Sometimes it is dangerous to damn Wilson too soon. He has a way of having a California secreted about his person that is sometimes disconcerting to his damners.

THREATEN TO DEFEAT TREATY.

Much has been said about the Senate's rights and obligations and duties in connection with the forthcoming treaty of peace. Some have thought that, inasmuch as the Senate has equal rights with the President in the making of treaties, the President ought to have selected one or more Senators as peace commissioners,

This could have been done, of course, but it was not essential. Indeed, in the history of this country of nearly 130 years no Senator has ever been appointed a peace commissioner except after the Spanish War of 1898, and when Senators were appointed President McKinley was charged with an ulterior purpose in appointing them. It was stated upon the floor of the Senate in executive session, as I am reliably informed, that President McKinley appointed these three Senators in order that he might get their votes and influence and thereby secure the ratification of the treaty that he was desirous of making. There is no doubt about the Senate's right to reject or amend a treaty. The Senate can reject or amend this treaty. But will it do so? My answer is that it will not. If President Wilson sends into this Senate a treaty embodying provisions covering the five points now objected to by Senators LODGE and KNOX, namely, secret diplomacy, disarmament of nations in whole or in part, no economic trade barriers, freedom of the seas, and a league of nations to enforce peace without violating American sovereignty, there is no more doubt that this Senate will confirm the treaty than there is about the existence of the United States itself.

Mr. President, when President Wilson last winter announced the policy for which he stood, known as the 14 points, 5 of which are now objected to by the two distinguished Senators, he was applauded by men ever where within the confines of civilization. He was applauded by the Senators in this body on both sides of the Chamber; he was applauded by Representatives in the House on both sides of the Chamber; he was applauded by the English, by the French, and by the Italians; he was applauded everywhere, save in Germany, for enunciating these very principles which it is now said we must postpone or reject; and if the newspapers are correct—I do not know whether they are correct or not—the speeches of Senator LODGE and Senator KNOX were a threat that whatever treaty of peace was made by the President in Europe, if it contained these principles, these five points, was going to be rejected by a Republican Senate when it came into being. I wish to say that I hope that that is not correct, and I want to give a word of warning, not only to our own people, but to the people across the seas: Do not pay too much attention, gentlemen, to this threat to reject the treaty before President Wilson negotiates it. I do not believe that Senators LODGE and KNOX have expressed the sentiments and wishes of even any considerable number of the plain people of this country.

KALEIDOSCOPIC CHANGE OF POSITIONS.

Mr. President, there have been some kaleidoscopic changes of views since America turned the scale and won this war and since the November election. The President made his speech containing the 14 points on January 8, 1918. The Evening Star, a Republican paper, in its issue of January 9, 1918, said:

> The President's address was approved by the leaders of both parties in Congress.

That is, the 14 points, including the 5 that the two Senators are against.

There were interviews from Senators LODGE, WADSWORTH, SUTHERLAND, and former Speaker CANNON, Mr. LONGWORTH, and J. HAMPTON MOORE, and many other distinguished Republicans—some ex-Presidents were in the number, as I recall—everyone applauding these five points that they say now ought to be postponed.

Senator LODGE said:

> It was a very able message and a very concrete proposition.

Senator WADSWORTH said:

> It was splendid.

These statements were published in the Star of January 8 and in other papers throughout the country.

The Star, after publishing these expressions, said in its editorial on that date:

> Clear in its terms and wise in its time of deliverance, the President's address to Congress to-day states the principles upon which peace, acceptable to the allied powers, may be secured.

The Washington Post then took a similar view, but now is strong for postponement. It now stands by the Senator from Massachusetts and the Senator from Pennsylvania in their advocacy of postponement and says that all these questions should be relegated to the rear. We must have only the issues of this war settled by the peace conference. But on July 5, 1918, that paper again voiced the sentiments of the Republicans upon the President's propositions as amplified in his Mount Vernon speech of July 4. In an editorial of the 5th, the Post said:

> Mr. Wilson spoke not only for America but for the allied nations and for every nation that seeks only its own and is willing to be fair to its neighbors. The robbers among nations, the powers that prey, and the rulers that secretly plot against others are the only ones that will disagree with the statement of humanity's cause and aspirations as expressed by President Wilson.

Less than six months ago this now great Republican paper was saying that the only ones that disagreed with these five points of President Wilson were the robbers among the nations, the powers that prey, and the rulers that plot secretly. But now the paper sings a wholly different tune:

> He condenses the allied aim in one sentence—the reign of law based on the consent of the governed and sustained by the organized opinion of mankind. In order to achieve these aims predatory nations and rulers seeking to injure their neighbors must be destroyed or made powerless; settlements of all questions must be made with the acceptance of the nations concerned; and the nations must agree upon a system of mutual protection.

On August 23, as shown by the CONGRESSIONAL RECORD, Senator LODGE thus expressed our aims:

> We are fighting, and our allies are fighting with us, for security, for independence, for the right of nations great and small to govern themselves in their own way, for organized races and peoples to have the opportunity to govern themselves in independent States, for the sanctity and observance of treaties—

He rejects it now; but listen to this statement made as late as August—

> for the general disarmament of nations. How are these things to be secured? The details are really far more important than the general propositions, in which we all agree. (CONGRESSIONAL RECORD, Aug. 23, p. 9393.)

He was for "the general disarmament of nations" then, but now he wants to postpone the general disarmament of nations to a more convenient season.

This sounds much like Wilson's language and like Wilson's policies. Further along in his speech the Senator from Massachusetts discusses Lord Lansdowne's statement, and here is what he said about it:

> Lord Lansdowne, and he not alone, appears to think that this war can be ended by a peace formulated by eminent representatives of the nations in the old way. He does not seem to have gone beyond the methods of 1815 and the Congress of Vienna. As this war is utterly different from any war that the world has ever known, so must the peace which concludes it be utterly different from any peace which the world has ever known. It can not be a peace of bargain, of give and take, and of arrangement. (CONGRESSIONAL RECORD, Aug. 23, p. 9394.)

Less than four months ago the distinguished Senator from Massachusetts was telling the country in language that only he can use that this must not be a peace like that flowing from the treaty of Vienna, a treaty in the old way, but that new conditions had arisen. Indeed, Mr. President, in August, after this speech of Senator LODGE was delivered, many of his admirers thought his statement as to America's aims was a more perfect literary production than the President's statement, and the viewpoint of each was alleged to be identical.

And even as late as October 7, as shown by the CONGRESSIONAL RECORD, page 11160, Senator LODGE says:

> *Nobody else wants more war, and the world does not mean to have more war.*

Mr. President, as long as the war was being fought, as long as America was in danger, as long as the allied cause was in danger, the distinguished Senator from Massachusetts never dissented from all of the 14 points as expressed by President Wilson. Our Republican friends generally upheld them. It was understood all the time that Senator LODGE upheld them, but when the war is over, when the war has been won under the leadership of the President, we find one of the first of those to criticize the 14 points is the distinguished Senator from Massachusetts. But not only did our Republican friends in this country uphold Mr. Wilson's 14 points and applaud them but all the civilized nations of the world applauded them. On January 8, 1918, the Evening Star had an article entitled, "Held Magna Charta of future peace—President Wilson's war aims hailed by press of Britain," and citing the Westminster Gazette, the Evening News, and the Pall Mall Gazette. It then quotes the Westminster Gazette as follows:

> In such a world as that to which the President looks forward, with an association of nations, affording a guaranty of the political independence of all States, with open covenants, disarmament by mutual consent, and freedom as far as possible from economic barriers, this aspiration could have no terrors for the British.

And so similar views were expressed in England by Viscount Bryce and David Lloyd George and Premier Borden, of Canada, and also other leading English statesmen. The French papers took the same position. The Petit Parisien said:

> It is the finest piece of political literature of our times. It lays down the basis upon which the world, after being rid of the perpetual menace of armed conflicts, may be reconstructed.

Mr. President, what has come over the spirit of their dreams since the armistice was declared? There can be but one answer. The opposition to these views of the President came from selfish interests in Britain and in France. I do not believe they represent the real thought and mind and heart of Great Britain. I know they do not represent the real thought and mind and heart of France any more than they represent the real thought and heart and mind of this great country.

COL. ROOSEVELT'S ASTOUNDING PROPOSITION.

Mr. President, there is one other matter that I desire to call attention to—one other distinguished Republican whose views I wish to discuss for just a moment. I desire to have a word to say about Col. Roosevelt's astounding proposition.

On December 4, 1918, I read in the Washington Post an interview with Col. Roosevelt, a part of which is as follows:

> "The British Empire imperatively needs the greatest navy in the world, and this we should instantly concede," said the colonel. "Our need for a great navy comes next to hers, and we should have the second navy in the world. * * * There must be no interpretation of the phrase that would prevent the English Navy, in the event of any future war, from repeating the tremendous service it has rendered in this war. * * * It is the British Navy and the French, British, and Italian Armies that have done the most to bring about the downfall of Germany, and therefore the safety of the United States. It is our business to stand by our allies."

In other words, as I interpret the statements of Col. Roosevelt, he means to say that we should concede to England the right to control the seas and agree in advance to any settlement of the war that she approves. He substantially gives to her the credit of winning the war and saving America, and some of us had been innocent enough to believe, until instructed otherwise by the colonel, that America had entered the war at the crucial moment and saved England and the other allies! And even England and France seem likewise to have so believed! What a poor opinion the colonel seems to have of the American soldiers in this war!

Mr. President, in concert with millions of Americans all over this land, I greatly admire and respect the distinguished ex-President, but, Mr. President, when he says that this great Nation of ours must take a subservient place in this world, and, in effect, look to the English Navy for aid and protection in any future war, he makes a statement to which I can never agree. It is an un-American statement; it is an unpatriotic statement; it is a statement of which he will ever be ashamed in the future, because no American, however great his former position, can assert that the American Nation should take a subservient place on land or sea to any nation on earth. The colonel is, I am afraid, allowing his hatred of the President to sour his nature and warp his judgment. Our English cousins give our soldiers the credit for winning the war. Our French friends say likewise. All the allies are generous enough to give the American soldiers the credit, but the colonel says it was the allies who saved America, and not America who saved the allies. This is a proposition which will be difficult for the colonel to prove. I say to you that American soldiers at Chateau-Thierry and at other subsequent great battles in France turned the tide and won the victory that the allies are now enjoying and which we are enjoying.

A PEOPLE'S WAR; A PEOPLE'S TREATY.

Much is being written in Europe and America just now about the rejection of the Wilson treaty before it is made. It is being argued by those who oppose Mr. Wilson that the speeches of Senators LODGE and KNOX foreshadow the defeat of the treaty in the Senate. I want to say a word of warning to our enemies about this. Do not lay too much store upon these stories. The Senate has not acted yet. The Knox resolution has not passed, and unless I am very greatly mistaken it will never pass. I doubt if the distinguished Senator from Pennsylvania ever intended it to pass. I doubt if he ever brings it up.

And then, too, there is another equation that has to be reckoned with. That equation is the American people. Under the Constitution Congress, indeed, has the right to declare war, and nominally it does it. But in reality it is only done by Congress when the American people unmistakably so decree. And so it will be with peace. The American people will pass upon it, and when they do so the Senate will register their will, speeches of opposing Senators to the contrary notwithstanding.

AMERICAN PEOPLE ARE WITH WILSON.

There is no doubt that the American people favor these five demands of President Wilson. They want no secret diplomacy. No public man in this country can stand for secret diplomatic agreements when the issue is raised and live politically. And the same is true about freedom of the seas. The people may not have studied the question, but they want no interference with their rights on the seas. They want their ships to carry passengers and goods wherever they please on the seas without let or hindrance in peace or in war. They want no repetition of the *Lusitania* catastrophe. They want no more marking off of a dead line on the seas, as Germany did, the crossing of which dead line means destruction of vessels and loss of innocent lives. They want no more murder by lying in wait by U-boats, and these are the things they believe Wilson means when he says that he is in favor of the freedom of the seas. They want no more trade barriers to their commerce. They have had too many trade barriers lately to suit them. They have had to ask for too many visés. They have had to submit to too many regulations. They have had to ask for too many permits. They expect to have a merchant marine of their own. They expect to use it to their own commercial advantage. They want trade with all the nations of the world on the terms of equal opportunity and equal justice to all. They may not understand fully the technical meaning of trade barriers, but they believe that their foreign trade will improve when a treaty is made removing such barriers whatever they are. And then they want disarmament. Big navies and big armies are expensive. They are likewise extremely dangerous. They are dangerous in principle and deadly in practice. The plain people of the country believe that there would have been no war if Germany had not built up in the past such a great army and such a great navy. They believe that if England or France or Italy or America keeps or maintains great armies and great navies that there will be other trouble to come that will cost other millions of lives and other billions of property and other billions of taxation for the present and future generations to pay. Finally, they believe that there should be an end of war. They believe that it can be prevented by a concert or agreement of the nations now, as has been suggested by President Wilson. They believe it ought to be done now, not at some undetermined future time, as Senators LODGE and KNOX want it done, if at all. They believe that this war was fought for the holy purpose of self-defense and out of a desire to prevent all wars in the future by mutual agreement. They gave their sons for this purpose. They gave generously of their wealth to secure it. They bought bonds without stint to guarantee it. They have toiled and endured and suffered to put an end to militarism and to autocracy and to murder by wholesale on land and on sea. If President Wilson, as the chief negotiator for America under our Constitution, shall secure these things in a peace treaty that treaty will be confirmed beyond the shadow of a doubt. The immortal spirits of 60,000 American dead, their lifeless bodies moldering on foreign soil, mute but glorious sacrifices to the lofty principles for which they fought and gave up their lives, demand that there should be an end to war. The voices of millions of American fathers rise in protest against any shackles being placed upon the President to secure a treaty by which future wars can not be waged. The mothers of these splendid sleeping heroes in France, the mothers of millions of others who have offered their lives in this war, are unanimously in favor of the President's proposals. The American people want no more wars, and they want the other nations to covenant and agree with them to that righteous end.

REPUBLICANS HAVE RAISED THE ISSUE.

Mr. President, in the speeches of Senators LODGE and KNOX, leaders of the Republicans in the Senate, that party has raised an issue for the next campaign from which it will be difficult for them to escape. To be consistent they must put in their platform in 1920 that they are not in favor, at this time, of any disarmament of nations; that they are not in favor of the freedom of the seas; that they are not in favor of eliminating economic trade barriers; that they are not in favor of open diplomacy; and that they are not in favor of any league of nations which will bring about a permanent and enduring peace of the world. They want all these questions postponed. However much they may squirm, however much they may talk, this is the inevitable logic of the position that they are taking here in this Senate to-day, and have taken heretofore. Upon these issues, Mr. President, the Democratic Party will meet them with confidence. Our party will welcome nothing more warmly than for our Republican opponents to put into their platform next year the demand for the postponement or defeat of these five great and righteous proposals of the best American President who ever adorned that office.

THE PRESIDENT'S VISIT TO EUROPE.

When the President announced his purpose of going across the ocean in person to negotiate this peace treaty he was criticized for so doing. There was no reason why he should not, under the Constitution. There was no law which prohibited him from going, and as it has turned out there was every reason why he should have gone. Indeed, Mr. President, it is perfectly apparent now that there was a little coterie of men in England not really representative of England and a coterie of men on this side not really representative of the American people that had made up their minds to prevent the enactment of these great measures into a permanent peace. The President saw it, and he has gone over and taken charge of it in person, and I believe he will make good. I believe that he will

have enacted into a treaty all these contentions—every one of them—and when he does he will have won a more lasting triumph than he has even won in his successful leadership of the greatest military undertaking that ever occurred in all history. Success could have only been obtained by his personal visit to Europe. In going over he may have disturbed a precedent, but he violated no law, and if he gets the peace that the American people want, as I believe he will, then he is to be commended for breaking another precedent.

PRE-ELECTION PROMISES.

Mr. President, the distinguished Senators from Pennsylvania and Massachusetts, and the distinguished ex-President, Col. Roosevelt, are justly conceded to be the leaders and the spokesmen for the Republican Party. Before the November election these leaders and the other leaders of that party throughout the land asserted on every stump and in every Republican newspaper that the Republican Party had been more steadfast in its devotion to the President, the Commander in Chief of the forces of the United States, in this war than had the Democrats. This was not true, but many people believed it. The Republicans promised the people that, if given power, they would not hamper or embarrass the President in his peace negotiations. They assured the country that they were going to uphold and stand by the President in his demands for a just and permanent settlement of the issues of the war, and yet, no sooner is the election over, than we hear in this Chamber, than we see in every Republican newspaper in the land, criticisms of the President and of his policy, which are in direct violation of the promises these gentlemen made to the American people when they were asking the people to give them power in the next Congress. Mr. President, this heckling of the President, this stabbing him in the back while he is away upon this peace mission, these attacks upon the acknowledged peace negotiator of our country while he is engaged in the country's most important business, show the insincerity of the Republican Party and show that it will merit the condemnation which that party must receive at the hands of the American people for the betrayal of the promises made by it prior to the election.

Mr. President, we challenge the Republican Party to go to the country upon the five peace proposals asked to be postponed by the two distinguished Senators, a postponement which, if secured, everybody knows will mean the defeat of those proposals.

Ah, Mr. President, the day of reckoning will come! The American people do not believe in any party violating its pledges. The Republican Party pledged itself to uphold the American Government in the peace conference and to maintain these things for which it had fought. Under the leadership of President Wilson we have won the war; and now, since we have won it, and the election is over, the Tories on this side of the water are plotting to work against America and prevent our country from getting that to which it is entitled.

Mr. President, I have already talked longer than I had intended. I have studied this question and have come to the conclusion that if we want to avoid war in the future we should stand as one man behind the President in securing for this country a league of nations, a concert of nations, of all nations, which will prevent wars in the days to come. Do not let us stab him in the back; do not let us harass him; do not let us hamper him. I appeal to all men, Democrats and Republicans, men and women all over the country, let us stand by the policies and ideals upon which we won the war. If they were good enough to win the war, they are good enough to stand by and uphold and maintain now that the war is over, so that a just and righteous and an enduring peace may come to all the world.

PROMOTIONS IN THE ARMY.

Mr. KING. Mr. President, I offer the following resolution, and ask its reference to the Committee on Military Affairs.

The PRESIDING OFFICER (Mr. STERLING in the chair). The resolution will be read.

The resolution (S. Res. 398) was read and referred to the Committee on Military Affairs, as follows:

Whereas prior to the signing of the armistice a large number of enlisted men in the Army had been recommended for commissions and many officers had been recommended for promotion, and such recommendations were pending in the War Department when said armistice was signed; and

Whereas an order was issued by the Secretary of War which resulted in no action being taken upon said recommendations, or either of them; and

Whereas officers and enlisted men who were so recommended are being discharged from the service without said recommendations being acted upon; and

Whereas no good and sufficient reason appears for failure to act upon said recommendations, and justice and good faith would seem to require affirmative action thereon: Therefore be it

Resolved, That the Secretary of War be directed to report to the Senate whether a modification or revocation of said order is contemplated, and, if not, what reasons exist for failing to act upon said recommendations.

THE ARMY.

Mr. KING. I submit a resolution, and ask that it be read and lie upon the table. I shall ask its consideration when there are more Senators present.

The PRESIDING OFFICER. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 400) as follows:

Whereas representatives of the United States and the allied governments will soon meet at Paris for the purpose of negotiating terms of peace between the said governments and the central powers; and

Whereas under the law providing for the present military forces of the United States, most of said forces within a short period after the terms of peace have been signed will automatically be released and discharged from military service; and

Whereas it may be necessary for the United States to maintain military forces in Europe for a considerable period after peace conditions have been agreed upon, not only for the purpose of procuring a fulfillment of the necessary guaranties exacted from the central powers, but for other proper, legitimate, and imperative reasons; and

Whereas the unsettled and confused conditions existing throughout the world require that provision be made for the safety and security of this Nation and its interests, and for such purpose in addition to the maintenance of a strong Navy an Army of sufficient strength and size should be organized: Therefore be it

Resolved, That in the opinion of the Senate legislation should be enacted authorizing the organization of an Army of 500,000 men.

Mr. PHELAN. Mr. President, may I ask the Senator a question? Do I understand that by the provisions of the draft law the period of four months is fixed within which there must be demobilization?

Mr. KING. My understanding of the draft law to which the Senator refers is that at the end of four months after the proclamation of the President shall have been issued proclaiming peace all of the soldiers, except those that enlisted regularly under the General Statutes, shall be demobilized.

Mr. PHELAN. Automatically?

Mr. KING. Automatically.

Mr. McKELLAR. Does the Senator know how many of those soldiers there are that have enlisted in the Regular Establishment?

Mr. KING. No; I do not.

Mr. McKELLAR. Does not the Senator think it would be wise to find out how many of those there are? Suppose there are 500,000?

Mr. KING. Mr. President, I have made some inquiries and understand that there will not be that number. I am not asking for the consideration of this resolution now. I ask that it lie on the table and I shall bring it up at a future time.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator yield?

Mr. KING. I yield, Mr. President.

Mr. SMOOT. I desire to state that the four-months' limitation applies only to the soldiers who are in a foreign country. The soldiers in the Army in continental America, I might say, or America, are to be demobilized immediately after peace is declared; and the four-months' period, as I state, has reference only to those who are serving in foreign lands.

Mr. KING. I understood that the inquiry of the Senator from California [Mr. PHELAN] was directed to those who were overseas.

Mr. PHELAN. It was clearly the intention of the legislature to provide for immediate demobilization, and the period of four months was given in which to transport them from overseas to continental America.

Mr. KING. That is the interpretation which I place upon the statute.

Mr. PHELAN. Then it is necessary, in the event of further trouble and a need for an army of occupation or policing, to pass new legislation?

Mr. KING. I think there is no question but that further legislation is required.

Mr. McKELLAR. May I interrupt to ask the Senator if he has considered the question, or has had it brought to his attention, concerning the National Guard of the various States?

Mr. KING. Yes.

Mr. McKELLAR. I do not recall just how many there are of the National Guard of the various States, but probably a number not far from what the Senator has mentioned.

Mr. KING. I think that is true; but, notwithstanding——

Mr. McKELLAR. Under a recent opinion of some subordinate officer of the Judge Advocate General's department—not by Gen. Crowder—an opinion has been delivered holding that the National Guard will be mustered out in exactly the same way that the National Army was, and that they would not be any longer members of the National Guard of their several States. I want to suggest to the Senator that I think that holding is absolutely without merit and will be overturned whenever presented to the proper authority, and that the matter of the National Guard should be considered in connection with

any legislation that may be brought up, whether the Senator's bill or some other bill.

Mr. KING. Mr. President, unquestionably there will be need for considerable legislation dealing with the entire subject of the military forces of the United States, and also dealing with the question of the National Guard of the various States, and the relation, if any, which they shall bear to the Government.

Mr. McKELLAR. Does the Senator think there is likely to be a proclamation of peace before the 1st of next September? Is there any reason why this matter can not go over to the next Congress?

Mr. KING. I am not asking, Mr. President, for immediate legislation. I do not think that could be had intelligently. I am merely expressing the opinion by this resolution that we ought to have and will soon require a standing Army of the proportions to which I have referred in the resolution.

CLAIMS AGAINST MEXICO.

Mr. KING. I ask that the following resolution be read and that it lie upon the table, and I will endeavor to call it up for consideration the next time the Senate shall convene.

The PRESIDING OFFICER. The Secretary will read the resolution.

The resolution (S. Res. 399) was read, as follows:

Whereas claims aggregating millions of dollars in compensation for damages to property and for personal outrages and destruction of life, suffered by American citizens in the Republic of Mexico, have been filed with the Department of State for presentation to the Government of Mexico; and

Whereas some years have already intervened between the commission of such damages and outrages and no progress is apparently being made toward the liquidation, settlement, and payment of such claims: Now therefore be it

Resolved, That the Secretary of State be, and he is hereby, directed to report to the Senate whether or not said claims have been presented to the Government of Mexico and what steps and measures are being taken to prosecute such claims and to liquidate and settle the same, and if said claims have not been presented, then to report to the Senate what steps and measures are contemplated to be taken with respect thereto and when the department will proceed with the same.

Mr. KING. Mr. President, I do not think there will be any objection whatever to the adoption of this resolution, but in view of the fact that there are so few Senators present I shall not ask for its consideration at this time.

The PRESIDING OFFICER. The resolution will lie on the table and be printed.

ADJOURNMENT.

Mr. MARTIN of Virginia. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 15 minutes p. m.) the Senate adjourned until Thursday, January 2, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *December 30, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

The grace of the Lord Jesus Christ be upon us, O God, our heavenly Father, that we may solve the problems thrust upon us, in accordance with Thy will and good purposes. Especially guide the entente powers in solving the world-wide problems, calculated to make the world a safer place for Thy children to dwell in; and thus may the light of heaven guide us to purity, liberty, justice for all mankind. In His name. Amen.

The Journal of the proceedings of Friday, December 27, 1918, was read and approved.

THE REVENUE.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table H. R. 12863, the revenue bill, and disagree to all the Senate amendments and agree to the conference asked by the Senate.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read the title of the bill (H. R. 12863) to provide revenue, and for other purposes.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to take from the Speaker's table the revenue bill, disagree to all the Senate amendments, and agree to the conference asked by the Senate. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, there are several amendments which, in the opinion of a great many Members, ought to be considered by the House, so that the House may have an opportunity to agree to the amendments, such as the child-labor amendment, the amendment providing that the so-called Reed provision shall be in effect in the District of Columbia, and possibly two or three other amendments. What arrangement is the gentleman from North Carolina going to make with the House relating to those amendments?

Mr. KITCHIN. The amendments as to which it has been suggested that the House conferees accept them, or that we have a vote upon them in the House, are the child-labor amendment, the tax on contributions for political purposes, and the bone-dry law for the District of Columbia. They are the three that have been suggested in the House and by Members to me.

Mr. FOSTER. And the soldiers' monthly pay.

Mr. KITCHIN. The War Department says that ought to be amended considerably.

Mr. MADDEN. I may add, if the gentleman from North Carolina will permit, that many of the Members would like to have a separate vote on the postal-zone amendment.

Mr. KITCHIN. I will say to the gentleman candidly that, so far as I am concerned, I will not agree to the postal-zone Senate amendment under any circumstances, unless the House instructs me to do it, and I doubt whether the House will instruct me to do it.

On the other propositions I feel that the overwhelming sentiment of the House is in favor of the child-labor amendment and of the bone-dry law substantially as they are in the bill.

As to the tax on political contributions, I think the overwhelming majority of the House are in favor of that, with some modifications of it. As it exists in the bill, it applies to contributions heretofore made, which would be manifestly unjust; and, in my judgment, if we are going to have such a tax, it ought to be a little broader, it ought to apply to more organizations than it does apply to it as it stands in the bill.

Now, I will say as to the child-labor amendment and the bone-dry law, as the overwhelming sentiment of the House is in favor of them, I think the House can trust the conferees to agree to those amendments.

Mr. MANN. The bone-dry amendment, or whatever it is called——

Mr. SIMS. The Reed amendment.

Mr. MANN. The Reed amendment is No. 600, and the child-labor amendment is 546.

Mr. MADDEN. If my colleague will permit, I think there is sufficient justification for discussion on the tax on political contributions to require it to be brought back to the House.

Mr. KITCHIN. I will say that in any event it would certainly require several modifications.

Mr. MADDEN. It ought to be brought back.

Mr. KITCHIN. I will agree to that.

Mr. MANN. As to the first two amendments that I spoke of, will the gentleman state to the House that he will bring those amendments back in disagreement if the House conferees do not agree to the Senate amendments?

Mr. KITCHIN. Will I do what? Will I bring them back to the House?

Mr. MANN. Will the gentleman agree to bring those two amendments back to the House in disagreement——

Mr. KITCHIN. If we do not agree to them.

Mr. MANN. If the House conferees do not agree to the Senate amendments?

Mr. KITCHIN. As to those two, I will.

Mr. FOSTER. And what about the campaign contributions?

Mr. KITCHIN. As to the campaign contributions amendment, yes; I will bring that back.

Mr. MADDEN. I think that ought to come back. I think that is an iniquitous proposition, to tax a man for a campaign contribution.

Mr. FOSTER. There is a difference of opinion about that.

Mr. KITCHIN. I do not think there is a gentleman in the House who would want to agree to the proposition as it is in the bill, no matter how much he believes in the justice of a tax on political contributions. There are several amendments that are required to that amendment. I understand that even the real author of that amendment does not want it to become a law in its present form.

Mr. MANN. Of course, under that amendment as it stands, if a Member of the House, such as my colleague from Illinois, has contributed to a campaign committee, where he is not required by law to do so, over $500, he would have to duplicate that payment to the Government.

Mr. KITCHIN. Under that amendment if he contributed a thousand dollars in the last campaign, under the amendment as it now stands he would have to pay the Government $500, because he had contributed $500 in excess of the $500 permitted, and he must pay the Government 100 per cent on the excess. I do not think the gentleman from Illinois would want us to agree to that.

Mr. FOSTER. Some modifications ought to be made of that, and the provision could be made much stronger and better than

it is, and I think we ought to have an opportunity to perfect that amendment so as to put it into law.

Mr. KITCHIN. I will agree to bring that back.

Mr. CANNON. Will the gentleman allow me?

Mr. KITCHIN. I yield to the gentleman from Illinois.

Mr. CANNON. Touching the prohibition amendment, I suppose this is the only chance that I may have to voice my objection to it. If I had the power, now or hereafter, it would be submitted to a vote of the people of the District of Columbia. That is all that I want to say about that. My understanding is, in regard to the contribution, that a member of Congress can contribute $5,000—that is the law as it now is. Frankly, I contributed $1,400, as I recollect, to my various county central committees. If this Senate amendment was agreed to, what would I have to pay?

Mr. KITCHIN. The gentleman, being a candidate himself, contributing for his campaign, would not pay anything under this amendment.

Mr. MANN. If he had made the contribution as one contribution, under the Senate bill, he would be taxed.

Mr. FOSTER. He contributes that money within the limit of the law.

Mr. KITCHIN. In my judgment the proper way to construe that in a case like this is, suppose I am a candidate for Congress and contribute to my campaign and expend $3,000 or $4,000. I would not be taxed at all under this amendment, although it is in excess of $500. But if the gentleman from Illinois contributes to my campaign $3,000 he would be taxed 100 per cent of the amount in excess of $500. Now, if you have any tax at all on political contributions you ought to include the amounts which candidates contribute in excess of the amount authorized by law. If I am authorized by law to contribute to my campaign expenses $5,000 and I contribute $6,000, I ought to pay a tax on the excess if anybody is going to pay taxes on excess contributions.

Mr. FOSTER. If the law limits him, he would not have a right to contribute beyond that.

Mr. KITCHIN. Under existing law there is no penalty attached to it.

Mr. RUCKER. Yes, there is.

Mr. FOSTER. A year in jail and $5,000 fine.

Mr. MANN. The penalty, however, is in the statute book, but not imposed in practice.

Mr. KITCHIN. A man may run it up to $100,000.

Mr. BARNHART. The State law in some cases fixes the maximum amount that a candidate may contribute different from that fixed by the Federal Government; then, if, like the gentleman from Illinois, he contributes the maximum amount under his State law, as I did, would he be taxed for the amount over $500?

Mr. KITCHIN. I think he would not.

Mr. BARNHART. There would be a complication in these matters between the State and the Federal Government that ought to be cleared up.

Mr. KITCHIN. This amendment does not cover the contributions of candidates. There has always been a conflict in the Federal State provisions limiting the amount that may be contributed. Some States allow more than the Federal statute and the Federal statute in some cases more than the States.

Mr. BARNHART. If an Indiana candidate for Congress should contribute the amount allowed in the Federal statutes he would be in jail the next morning after election because he would exceed the amount allowed by the State law.

Mr. PARKER of New Jersey. Will the gentleman yield?

Mr. KITCHIN. I yield to the gentleman from New Jersey.

Mr. PARKER of New Jersey. It is plain that a good many of these provisions are not for the purpose of raising money but are legislation under the guise of taxation. I wanted to ask the gentleman if it was not the sense of the committee that such a mode of legislating should not be permitted and that these amendments should be gotten rid of?

Mr. KITCHIN. If the gentleman wants my personal views, I say yes. I do not think we ought to hang on a revenue bill under the guise of taxation real affirmative legislation. If I had my way there would be a general rule in the House and Senate forbidding it. But since there is no rule forbidding it I will take the will of the House in the conference and act according to that. I am thankful that we did not get an amendment providing for Government ownership and woman suffrage.

Mr. PARKER of New Jersey. Does not the gentleman think it very dangerous to pass such legislation without the cure that comes from the consideration of legislation in committee?

Mr. KITCHIN. I think, while I am in favor of the bone-dry law, that it ought not to be hung on a revenue bill. They have here an appropriation for discharged soldiers; that ought not to be put on a revenue bill. Those propositions should come from the proper Appropriations Committee. The bone-dry law should come from the proper committee and be considered alone on its merits. The child-labor proposition should also come from the proper committee and be considered by that committee, but we have no rule prohibiting that, and since there is a sentiment in the House overwhelmingly in favor of some of these propositions I would not go contrary to the will of the House.

Mr. PARKER of New Jersey. I have always objected to such amendments and have not been afraid to object.

Mr. AUSTIN. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. AUSTIN. In view of the statement the gentleman has just made, would he oppose as a member of the conference committee amendment 590 providing for a month's extra pay for officers and sailors honorably discharged since November 11, 1918?

Mr. KITCHIN. I would not object to that, but it ought to be amended as the gentleman will see if he analyzes it thoroughly. He will see that it requires amendment. I received a letter this morning from the Secretary of War saying that it requires an amendment, as it is not in proper form.

Mr. RUCKER. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. RUCKER. I want to ask the gentleman with reference to the tax in excess of $500 for campaign contributions. Who pays that tax?

Mr. KITCHIN. The man who contributes; he must give it in in the tax returns.

Mr. RUCKER. I do not understand that that is so.

Mr. KITCHIN. If the gentleman will read further, he will see that it says that he must return it in the taxable return.

Mr. RUCKER. I think the plain sense of it is that the party receiving it should pay the tax.

Mr. KITCHIN. If the gentleman will look at the bottom half of page 87 of the bill, he will find that every person required by "this title" to make a return shall state therein specifically each item, and the date of all gifts, contributions, and so forth.

Mr. RUCKER. Is there anything in the title that fixes definitely that where a man contributes more than he may contribute under the amendment hereafter to be adopted——

Mr. KITCHIN. Yes; this man must make his tax return, and in the tax return this item must be included.

Mr. RUCKER. I hope the gentleman is right, but I do not believe he is.

Mr. KITCHIN. That is the intention.

Mr. RUCKER. I think the gentleman is mistaken. I think, as a matter of fact, that the individual receiving the excess ought to be the one to make the return and to pay the tax on it.

Mr. KITCHIN. Also a political organization or political committee must make a return.

Mr. RUCKER. That is in the existing law. I came in while this colloquy was in progress. Is the House to express itself to-day upon this amendment?

Mr. KITCHIN. No. I have agreed to bring the three amendments back if we do not agree to them.

Mr. RUCKER. May I ask the gentleman whether he will receive some proposed amendments that I have drafted?

Mr. KITCHIN. Yes; I shall be very glad to receive them. I think the political-contribution proposition should not have been a tax proposition, but should have come from the committee of which the gentleman is chairman.

Mr. RUCKER. I think the gentleman is right about that as a matter of ethics and procedure, but those of us who have been trying to get legislation of this kind are glad to have it come from any source, and we shall make no question about that. The gentleman in the course of the discussion has expressed his admiration for proper procedure in legislation and also expressed some gratification that woman suffrage and public ownership have not been ingrafted on this bill. In that connection he also said the whisky amendment ought not to have been ingrafted on a revenue bill. Let me remind the gentleman that, in all probability, we would have to-day two saloons in this Capitol, as we did have for many years, if it had not been that the law which drove the whisky out of the Capitol was not brought in on a separate bill but was ingrafted as legislation upon an immigration bill, and, as a matter of fact, was voted for in derision by a good many gentlemen.

Mr. KITCHIN. It was put on as a sort of joke.

Mr. RUCKER. But it has stood there, and it has had a mighty good effect, as I know the gentleman will admit.

Mr. KITCHIN. Yes.

Mr. CANNON. Mr. Speaker, will the gentleman yield for a suggestion right there?

Mr. KITCHIN. Yes.

Mr. CANNON. My observation is that while they do not sell liquor down in the restaurant it is quite as easy to get liquor of any kind in the Capitol as it ever was.

Mr. RUCKER. I will say to the gentleman from Illinois that some Members of Congress would be glad if he would give them information respecting that, privately, and I want to see the gentleman myself and have a talk with him. [Laughter.]

Mr. KAHN. Mr. Speaker, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. KAHN. Will the House have an opportunity to vote on the so-called bone-dry amendment?

Mr. KITCHIN. I just said to the gentleman from Illinois [Mr. MANN] that if the conferees on the part of the House disagreed or could not come to an agreement upon the bone-dry proposition, we would come back with it to the House.

Mr. KAHN. But suppose the conferees agree to the Senate amendments?

Mr. KITCHIN. Then there would not be any coming back.

Mr. KAHN. Will there be a possibility of getting a vote upon it before it goes to conference?

Mr. KITCHIN. Of course there is a possibility, because I am asking now for unanimous consent to go to conference without taking these votes.

Mr. KAHN. If the bill should go to conference and the conferees should agree to the Senate amendment, we would not be able to get a record vote upon it here?

Mr. KITCHIN. No.

Mr. KAHN. Then I shall object.

Mr. MANN. Will the gentleman from North Carolina agree to bring that amendment back to the House and give the House an opportunity to vote upon it separately?

Mr. KITCHIN. I will.

Mr. SIMS. Why not have a vote upon that before you go to conference?

Mr. MANN. Because we have made an agreement not to do any business to-day.

Mr. KITCHIN. And I would say further to the gentleman that the reason I do not want to vote upon it now is because we would have to wait until January 4 or 5 to get the membership here to vote upon the proposition.

Mr. SIMS. I do not object to that at all, but I want the gentleman to have the power to agree, not to go to a conference manacled and hog-tied.

Mr. MANN. But the gentleman from Tennessee would not give him the power to disagree to the amendment, would he?

Mr. SIMS. No; not with my vote.

Mr. LUNN. Mr. Speaker, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. LUNN. I want to ask the gentleman if he will make the same provision he has just made in regard to the bone-dry amendment also in respect to Senate amendment No. 594, respecting the zone system?

Mr. KITCHIN. I have already said to the gentleman from Illinois that I would not agree to that.

Mr. LUNN. Then the House could not get a vote upon that amendment?

Mr. KITCHIN. They could not get a vote upon the amendment if the Senate should recede.

Mr. LUNN. I think we ought to get a vote upon that, because the situation is decidedly changed from what it was when the vote was first taken. The amendment proposed is much more favorable than what many Members voted upon.

Mr. KITCHIN. Very few of the Members voted against the House proposition on the record vote, and I think three-fourths of the House are against the Senate proposition.

Mr. RANDALL. The next regular meeting of the House will be on January 2.

Mr. KITCHIN. Yes.

Mr. RANDALL. Only two days will intervene between now and then, and one of those will be a holiday.

Mr. KITCHIN. Yes.

Mr. RANDALL. Is it likely the conference committee will do very much work between now and the regular meeting of the House on Thursday next?

Mr. KITCHIN. We are going to meet on the 2d, but we could not get a quorum until the 4th or 5th.

Mr. RANDALL. In view of the situation, and to relieve the gentleman of the embarrassment of having a bone-dry amendment on a revenue bill, I shall object.

Mr. FOSTER. The gentleman from North Carolina has agreed to bring back that amendment.

Mr. RANDALL. When will the gentleman bring it back? After the committee on conference has used it as a football, probably, for a week or two?

Mr. KITCHIN. Well, the Senate is strong for it and——

Mr. RANDALL. Mr. Speaker, the gentleman has just stated that no meeting of the conference committee will be held until the 2d. This House will have an opportunity to act upon this amendment on the 2d, and for that reason I object.

The SPEAKER. Is there objection?

Mr. KITCHIN. The gentleman will not have to object, because I have no idea there will be a quorum here until the 4th or——

Mr. FOSTER. The gentleman will be safe.

Mr. COOPER of Wisconsin. Mr. Speaker, a parliamentary inquiry. I desire to know just what is the request of the gentleman from North Carolina?

The SPEAKER. The gentleman from North Carolina asks unanimous consent to take from the Speaker's table this revenue bill, to disagree to all Senate amendments, and agree to the conference asked by the Senate.

Mr. KITCHIN. Now, I will say to the gentleman that before he came in I have agreed that if the House conferees do not agree with the Senate amendment on the child-labor proposition, in which the gentleman is very much interested, I will bring it back, but there is going to be no doubt about the conferees agreeing to it. If they do not, I agreed with the gentleman from Illinois at his request that I will bring that back and give a vote on it, so the gentleman will be perfectly safe.

Mr. COOPER of Wisconsin. Let me get that clearly in mind.

Mr. KITCHIN. That if the House conferees do not agree with the Senate on this amendment on the child-labor proposition, the House conferees will bring it back here for a vote on it.

Mr. PARKER of New Jersey. But suppose they do agree?

Mr. KITCHIN. Then the gentleman is satisfied.

Mr. PARKER of New Jersey. I thought the gentleman stated he would agree to bring it back anyhow.

Mr. KITCHIN. No.

Mr. PARKER of New Jersey. The gentleman said so.

Mr. KITCHIN. No; the gentleman from Illinois asked that if the House conferees did not agree on the child-labor amendment would we bring it back, and I said yes; but I can assure the gentleman——

Mr. COOPER of Wisconsin. Do I understand the proposition to be that if the House conferees do not agree with the Senate conferees as to the amendment the gentleman will bring it back, or that if the House conferees do not agree to the child-labor amendment as it is in the bill it will be brought back?

Mr. KITCHIN. Yes.

Mr. COOPER of Wisconsin. The last is the one?

Mr. KITCHIN. Yes.

The SPEAKER. Is there objection?

Mr. KEATING. Mr. Speaker, reserving the right to object, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. KEATING. With reference to the child-labor amendment, do I understand the gentleman to have agreed that in case the House conferees do not accept the Senate amendment as proposed in the bill without modification he will bring it back?

Mr. KITCHIN. Yes.

Mr. RANDALL. Mr. Speaker, will the gentleman yield?

The SPEAKER. Nobody knows what the question was or heard the answer.

Mr. KEATING. Mr. Speaker, I heard the answer. Just to make the point clear the question I asked the gentleman was, Would he accept the Senate amendment without modification, and in the event he could not accept it without modification would he bring it back to the House? And he said he would.

Mr. CAMPBELL of Kansas. What Senate amendment?

Mr. KEATING. The child-labor amendment.

The SPEAKER. Is there objection?

Mr. RANDALL. Mr. Speaker, I desire to ask the gentleman the same question in reference to the bone-dry amendment which the gentleman from Colorado asked about child labor. Will the gentleman bring it back to the House if there is a disagreement of any kind or any change whatever?

Mr. KITCHIN. I have agreed with the gentleman from California [Mr. KAHN] to bring it back, so as to have a vote, unless Mr. KAHN withdraws——

Mr. KAHN. I certainly do not.

Mr. KITCHIN. I knew he would not.

Mr. LUNN. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. LUNN. I desire to ask the gentleman if he will make the same agreement in reference to the postal zone system? It seems to me it is fair to make the same agreement in reference to Senate amendment 594, which is a very different proposition from the original one.

Mr. KITCHIN. I think there is a great deal of difference in it, but the House has gone squarely on record on the question and the Senate went squarely on record on it. It is now a law in full operation. This is a provision affirmatively repealing that law, that was put on the statute books by an overwhelming majority in the Senate and the House, and I hope the gentleman will not ask us to bring that back.

Mr. LUNN. The Senate has changed it.

Mr. KITCHIN. Of course the Senate has changed it. The Senate has made more than 500 changes in the bill.

Mr. LUNN. It is only fair that the gentleman should make the same agreement with regard to that amendment as with regard to these other amendments, or I will have to object.

Mr. KITCHIN. I will say to the gentleman that I will not make that agreement.

Mr. LUNN. Then I object.

The SPEAKER. The gentleman from New York objects.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn. Of course, the adjournment will be until Thursday.

The motion was agreed to; accordingly (at 12 o'clock and 34 minutes p. m.) the House adjourned until Thursday, January 2, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Smithsonian Institution submitting a supplemental estimate of appropriation for the expenses of international exchanges during the fiscal year 1920, additional to the estimate for this object submitted in the Book of Estimates for 1920, page 673 (H. Doc. No. 1622); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting estimate of appropriation, with the request that the same be included in the deficiency appropriation bill now pending in Congress (H. Doc. No. 1623); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. TAYLOR of Colorado, from the Committee on the Public Lands, to which was referred the bill (S. 1847) to authorize the addition of certain lands to the Wyoming National Forest, reported the same without amendment, accompanied by a report (No. 881), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. PHELAN: A bill (H. R. 13560) to amend sections 7, 10, 11, and 25 of the Federal reserve act and section 5172 Revised Statutes of the United States; to the Committee on Banking and Currency.

By Mr. HERSEY: A bill (H. R. 13561) for the construction of a bridge across the St. John River between Medawaska, Me., and Edmunston, Province of New Brunswick, Canada; to the Committee on Interstate and Foreign Commerce.

By Mr. MOORE of Pennsylvania: A bill (H. R. 13562) to amend an act approved March 3, 1891, to incorporate the National Conservatory of Music of America; to the Committee on the Judiciary.

By Mr. KAHN: A bill (H. R. 13563) authorizing the President to appoint Henry S. Kiersted, late a captain in the Medical Corps of the United States Army, a major in the Medical Corps on the retired list; to the Committee on Military Affairs.

By Mr. WELLING: A bill (H. R. 13564) for the relief of occupants and claimants of unsurveyed public lands in township 8 north of range 2 west of Salt Lake Meridian, Utah; to the Committee on the Public Lands.

Also, a bill (H. R. 13565) to supplement an act of Congress approved October 5, 1918 (Public, No. 220), and to authorize the Secretary of the Interior, from the funds appropriated by said act, to determine, adjust, and pay losses sustained by investments preparatory to production of war minerals mentioned in said act; to the Committee on Mines and Mining.

By Mr. HOLLINGSWORTH: A bill (H. R. 13566) authorizing the Secretary of War to donate to the town of St. Clairsville, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13567) authorizing the Secretary of War to donate to the town of Carrollton, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13568) authorizing the Secretary of War to donate to the town of Lisbon, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13569) authorizing the Secretary of War to donate to the town of Cadiz, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13570) authorizing the Secretary of War to donate to the city of Steubenville, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DOOLITTLE: Resolution (H. Res. 486) expressing the will and desire of the House of Representatives that the allied armies shall occupy Berlin, to remain as long as the allied and United States military authorities shall deem proper; to the Committee on Foreign Affairs.

By Mr. POU: Resolution (H. Res. 487) for the consideration of House bill 13274; to the Committee on Rules.

By Mr. HOLLINGSWORTH: Joint resolution (H. J. Res. 375) requesting the Commission of Fine Arts to submit to the Congress certain suggestions; to the Committee on the Library.

By Mr. DENT: Joint resolution (H. J. Res. 376) extending the thanks of Congress and providing an appropriate medal to governors, adjutant generals, members of local and district boards, medical and legal advisory boards, and Government appeal agents, and for other purposes; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under rule 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOOHER: A bill (H. R. 13571) granting an increase of pension to Edward M. Hayhurst; to the Committee on Invalid Pensions.

By Mr. ELSTON: A bill (H. R. 13572) granting an increase of pension to Margrethe Nelson; to the Committee on Pensions.

Also, a bill (H. R. 13573) granting an increase of pension to Frederick B. Clapp; to the Committee on Pensions.

Also, a bill (H. R. 13574) granting a pension to Charles B. Hopkins; to the Committee on Invalid Pensions.

By Mr. KENNEDY of Rhode Island: A bill (H. R. 13575) granting a pension to Leonard A. Asquith; to the Committee on Pensions.

By Mr. McARTHUR: A bill (H. R. 13576) granting an increase of pension to June MacM. Ordway; to the Committee on Pensions.

By Mr. PURNELL: A bill (H. R. 13577) granting an increase of pension to Amanda C. Deal; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13578) granting an increase of pension to Reinhard Anschutz; to the Committee on Pensions.

Also, a bill (H. R. 13579) granting a pension to Alice Duncan; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Report of the grand jury of the District Court of the United States for the Southern District of Ohio, concerning violations of the espionage and sedition laws; to the Committee on the Judiciary.

By Mr. CARY: Resolutions by citizens in Fox River Valley, Wis., urging support of measure for league of nations; to the Committee on Foreign Affairs.

Also, resolutions by the retail division of the Milwaukee Association of Commerce, protesting against the inclusion of the proposed luxury clause in pending tax bill; to the Committee on Ways and Means.

Also, resolutions of Ed Schuster & Co., of Milwaukee, Wis., protesting against the passage of luxury taxes; to the Committee on Ways and Means.

Also, resolutions by Samuel Gompers, president of American Federation of Labor, requesting full support of Senate bill 4922; to the Committee on Education.

Also, resolution of county superintendents of Wisconsin, approving Senate bill 4987; to the Committee on Education.

Also, resolutions by the Common Council of the City of Milwaukee, urging legislation to effectively stop the dumping of sewage and trade waste into the Great Lakes; to the Committee on Rivers and Harbors.

By Mr. ESCH: Resolutions by Samuel Gompers, president of American Federation of Labor, requesting support of Senate bill 4922; to the Committee on Education.

By Mr. FULLER of Illinois: Resolutions of the Illinois Valley Manufacturers Club, of La Salle, Ill., concerning the merchant marine; to the Committee on the Merchant Marine and Fisheries.

By Mr. KETTNER: Resolutions from Leslie S. Everts, president of San Diego Rotary Club, indorsing November 11 as World's Liberty Day; to the Committee on the Library.

By Mr. LINTHICUM: Resolutions in behalf of self-determination for Ireland; to the Committee on Foreign Affairs.

By Mr. MOORE of Pennsylvania: Resolutions of Ancient Order of Hibernians, protesting against peace conference ignoring Ireland; to the Committee on Foreign Affairs.

Also, resolutions of the Philadelphia Chamber of Commerce, urging legislation to validate oral war contracts; to the Committee on Ways and Means.

By Mr. RAKER: Resolutions by the Ohio Commandery, indorsing the action of the Senate in passing Senate bill 130 and urging similar action by the House; to the Committee on Military Affairs.

By Mr. ROGERS: Resolutions by International mass meeting, Lowell, Mass., urging United States to withdraw armed forces from Russia and offer aid to the Soviet Government; to the Committee on Foreign Affairs.

By Mr. VARE: Resolutions of Jacob Reed's Sons (Inc.), of Philadelphia, Pa., in support of House bill 13274, relief for manufacturers; to the Committee on Military Affairs.

Also, resolutions of Henry F. Mitchell Co., of Philadelphia, Pa., regarding revision of postal rates; to the Committee on Ways and Means.

Also, resolutions of Quaker City Rubber Co., of Philadelphia, Pa., protesting against the adoption of the metric system in the United States; to the Committee on Coinage, Weights, and Measures.

Also, resolution of Alexander Bros., of Philadelphia, Pa., in support of House bill 13274, relief for manufacturers; to the Committee on Military Affairs.

SENATE.

THURSDAY, *January 2, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we stand reverently before Thee, and submit our thought and will to Thy will. We recognize Thy right to rule. Thou art our Sovereign, our King, our God. Thy power has gotten us the victory, and we turn to Thee for Thy grace, that as we pursue the great ideals, born out of the calamities of the present time, we may have the divine guidance and blessing upon us.

We pray that Thou wilt draw us together as a people and that Thou wilt draw the nations of the earth together that we may establish a right relationship between men, based upon the revelations of Thy will concerning us. Hear us in our prayer, and bless us in the discharge of the sacred duties of this hour. For Christ's sake. Amen.

HENRY F. HOLLIS, a Senator from the State of New Hampshire, appeared in his seat to-day.

The Secretary proceeded to read the Journal of the proceedings of Monday last, when, on motion of Mr. ASHURST and by unanimous consent, the further reading was dispensed with, and the Journal was approved.

SENATOR FROM MONTANA.

The VICE PRESIDENT. The Chair lays before the Senate the credentials of Hon. THOMAS J. WALSH, which will be read and placed on file.

The credentials were read and ordered to be filed, as follows:

To the PRESIDENT of the SENATE of the UNITED STATES:

This is to certify that on the 5th day of November, 1918, THOMAS J. WALSH was duly chosen by the qualified electors of the State of Montana a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1919.

Witness: His excellency our governor, S. V. Stewart, and our seal hereto affixed, at Helena, this the twenty-eighth day of December, in the year of our Lord one thousand nine hundred and eighteen.

S. V. STEWART,
Governor.

By the governor:
[SEAL.]

C. T. STEWART,
Secretary of State.

SENATOR FROM MAINE.

Mr. HALE. I present the certificate of election of my colleague, Hon. BERT M. FERNALD, which I ask to have read and placed on file.

The credentials were read and ordered to be filed, as follows:

STATE OF MAINE.

To all who shall see these presents, greeting:

Know ye, that BERT M. FERNALD, of Poland, in the County of Androscoggin, on the 9th day of September, in the year of our Lord 1918, was chosen by the electors of this State a United States Senator to represent the State of Maine in the United States Senate for the term of six years beginning on the 4th day of March, 1919.

In testimony whereof I have caused the seal of State to be hereunto affixed.

Given under my hand at Augusta, the 10th day of October, in the year of our Lord 1918 and in the one hundred and forty-third year of the independence of the United States of America.

CARL E. MILLIKEN,
Governor.

By the governor:
[SEAL.]

FRANK W. BALL,
Secretary of State.

PAYMENT TO INVALID SOLDIERS (H. DOC. NO. 1620).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War requesting the enactment of legislation to permit the War Department to make payment in full to enlisted men of the United States Army who are returning from overseas for treatment in the hospitals of the United States, which was referred to the Committee on Military Affairs and ordered to be printed.

TRAVEL OF EMPLOYEES IN WAR DEPARTMENT (H. DOC. NO. 1630).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, pursuant to law, a statement of travel of officers and employees on official business from Washington to points outside the District of Columbia during the fiscal year 1918, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

EMPLOYEES IN ALASKA (H. DOC. NO. 1625).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement showing for the first four months of the current fiscal year the average number of employees under the governor of Alaska receiving increased compensation at the rate of $120 per annum, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

EMPLOYEES IN POST OFFICE DEPARTMENT (S. DOC. NO. 317).

The VICE PRESIDENT laid before the Senate a communication from the Postmaster General, transmitting, in response to a resolution of December 15, 1918, a report of the number of civil employees in the Post Office Department at Washington, D. C., on January 1, 1919, and the number separated during the previous two weeks, which was ordered to lie on the table and be printed.

WAR FINANCE CORPORATION (S. DOC. NO. 318).

The VICE PRESIDENT laid before the Senate a communication from the Managing Director of the War Finance Corporation, stating, in response to a resolution of the Senate, that the War Finance Corporation is a lending institution and at this time has no expenses chargeable to the war, which was ordered to lie on the table and be printed.

AFFAIRS IN RUSSIA.

Mr. JOHNSON of California. Mr. President, for the information of the Foreign Relations Committee, I read very briefly from this morning's newspaper, as follows:

YANKS DRIVE ON REDS—GAIN 14 MILES IN NORTH RUSSIA, FIGHTING STUBBORNLY—UFA FALLS TO BOLSHEVIKI—LENINISTS TAKE CAPITAL WEST OF URALS; GAIN NEAR BALTIC—RIGA TERROR STRICKEN AS BOLSHEVIK ARMY APPROACHES—RED NAVY EXPECTED TO DASH TO SEA FROM KRONSTADT—SWISS LEGATION PILLAGED IN RETALIATION FOR EXPULSION OF RUSSIAN ENVOYS BY SWITZERLAND.

ARCHANGEL, *Monday, December 30.*

An allied force composed of Americans, Russians, and Poles yesterday advanced 14 miles southward along the road bordering the Onega River. They met with considerable resistance from the bolsheviki, but captured more than a dozen villages and did not halt until they had taken the village of Gogoli.

Starting from the village of Kalovangi early Saturday morning, American forces took the village of Prinki, where there is a large monastery. They continued the advance in hot fighting Sunday and had not yet been halted up to late Monday. Sleighs are being used to transport the allied soldiers.

RUSSIANS FIGHT WELL.

The advance, the first attempt of the winter, was carried out under semiarctic conditions and in the few hours of daylight which obtain in this region. The village of Gogoli is approximately 80 miles south of the town of Onega and about 40 miles west of the frozen swamp which forms the allied positions along the Vologda Railroad. The road along which the allies advanced leads in the general direction of Vologda and crosses the railway line at an important strategic center, from which the bolsheviki have been operating.

An important rôle in yesterday's fighting was taken by a Russian naval brigade, which had been trained by American and British naval officers. The Polish troops who participated distinguished themselves

in the early days of the fighting along the Dvina. The Poles and Russians are filled with hatred for the bolsheviki and neither ask nor give quarter in combat.

Subsequently another dispatch is as follows:

YANKS RETAKE KADISH.

ARCHANGEL, *Tuesday, December 31.*

American troops yesterday recaptured the village of Kadish, on the middle sector of the northern Russian front, and to-day pushed forward their lines a distance of 2 miles south of the village in the direction of Vologda.

This winter push, which was against strong resistance, was undertaken simultaneously with a movement southward by the allied troops along the Onega River. The Onega column rested to-day at the village of Gogoll.

The recapture of Kadish was marked by some heavy fighting, in which, however, the American casualties were light. This village, which is located about midway between the Vologda Railway and the Dvina River, was strongly defended, and the Bolsheviki there used the blockhouses built by the Americans and British when they occupied the town in November, prior to being driven out by large forces of Bolsheviki.

CLEAR BOLSHEVIK TRENCHES.

Beginning Monday morning with an artillery attack, the Americans advanced across the frozen Emtsa River, where their positions have for more than a month been located in icy dugouts on the bank of the stream, bordering the destroyed bridge at the crossing of the Petrograd Road. They crossed the stream and cleared the Bolshevik trenches and machine-gun emplacements on the opposite bank.

The Americans then pushed forward 2 miles to the village, fighting their way under the protection of Canadian artillery, which was able to place shells almost at will in Kadish. The far-clad American flanking parties in the frozen swamps bordering on the road contributed materially to the American success.

To-day the Americans, Russians, and Poles on this sector are confining their efforts to strengthening their positions.

Then follows more of a like sort. I call this to the attention of the Foreign Relations Committee that they may see how widely at variance are the facts with the Government's statements when our troops were sent to Russia. I also call to their attention for their edification as well the correspondence of the representative of the New York Times, recently published in that paper, concerning his view of the situation after traveling all over Siberia. The ultimate conclusion that he reached was, in substance, that the choice must be made in dealing with Russia—at the present moment at least—between the Bolsheviki on the one side and the Omsk government of Kolchak on the other, the one representing the terror, the other representing the old autocratic tyranny.

Mr. President, I do not care whether Members of this body favor the Bolsheviki or favor the old autocratic tyranny of Russia, whether it be one or the other; but I do say that for either to shed American blood is a crime.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 12863) to provide revenue, and for other purposes, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. KITCHIN, Mr. HENRY T. RAINEY, Mr. DIXON, Mr. FORDNEY, and Mr. MOORE of Pennsylvania managers at the conference on the part of the House.

SALARIES OF POSTAL EMPLOYEES.

Mr. FLETCHER presented a petition of sundry railway postal clerks in the State of Florida, praying for a change in the present methods of payment of their salaries, which was referred to the Committee on Post Offices and Post Roads.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. UNDERWOOD:

A bill (S. 5255) to provide for the appointment of examiners in the United States Court of Claims, to regulate their duties and compensation, and for other purposes; to the Committee on the Judiciary.

By Mr. SMITH of Arizona:

A bill (S. 5256) authorizing the Secretary of War, in his discretion, to deliver to the city of Douglas, in the State of Arizona, one cannon with carriage captured in the war with Germany, together with a suitable number of shells;

A bill (S. 5257) authorizing the Secretary of War, in his discretion, to deliver to the city of Nogales, in the State of Arizona, one cannon with carriage captured in the war with Germany, together with a suitable number of shells; and

A bill (S. 5258) authorizing the Secretary of War, in his discretion, to deliver to the city of Tucson, in the State of Arizona, one cannon with carriage captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

By Mr. OVERMAN:

A bill (S. 5259) to donate two cannon to the city of Henderson, N. C.; to the Committee on Military Affairs.

A bill (S. 5260) for the relief of Stanley Mitchell (with accompanying paper); to the Committee on Claims.

By Mr. HITCHCOCK:

A bill (S. 5261) to legalize informal or defective orders for war supplies and materials, to provide for the cancellation of orders and contracts, for the reimbursement of contractors and manufacturers, for the adjustment of claims on canceled or partially filled contracts and orders, and to provide relief for contractors pending final determination; to the Committee on Military Affairs.

By Mr. FLETCHER:

A bill (S. 5262) to promote Lieut. Col. Joseph Y. Porter, Medical Corps, United States Army, retired, now on active military duty, under the provisions of the national draft act approved June 3, 1916, to be a colonel in the Medical Corps of the Army on the retired list; to the Committee on Military Affairs.

By Mr. SHEPPARD:

A bill (S. 5263) donating captured cannon and cannon balls to the city of Beaumont, Tex.; and

A bill (S. 5264) donating captured cannon and cannon balls to the city of Tyler, Tex.; to the Committee on Military Affairs.

By Mr. KIRBY:

A bill (S. 5265) authorizing the Federal Trade Commission to accept and administer for the benefit of the public and the encouragement of industry, inventions, patents, and patent rights, and for other purposes; to the Committee on Patents.

By Mr. JONES of New Mexico:

A bill (S. 5266) for the payment of certain money to Albert H. Raynolds; to the Committee on Indian Affairs.

By Mr. DILLINGHAM:

A bill (S. 5267) to donate 25 cannon to the State of Vermont; to the Committee on Military Affairs.

A bill (S. 5268) granting a pension to Sarah C. Vaughan (with accompanying papers); to the Committee on Pensions.

By Mr. SHAFROTH:

A bill (S. 5269) granting an increase of pension to Joseph Cluens;

A bill (S. 5270) granting an increase of pension to John F. Farley;

A bill (S. 5271) granting an increase of pension to Emmett Fitzsimmons;

A bill (S. 5272) granting an increase of pension to James H. Johnston; and

A bill (S. 5273) granting an increase of pension to George A. White; to the Committee on Pensions.

By Mr. KENDRICK:

A bill (S. 5274) granting a pension to Nettie I. Moffatt (with accompanying papers); and

A bill (S. 5275) granting a pension to Thomas Fife; to the Committee on Pensions.

By Mr. NORRIS:

A bill (S. 5276) granting a pension to John F. Lichty; to the Committee on Pensions.

By Mr. ASHURST:

A bill (S. 5277) reappropriating and making immediately available the $42,500 appropriated for the construction of two bridges over the Little Colorado and Canyon Diablo Rivers, near the Leupp Agency, Ariz., by the act approved March 2, 1917; to the Committee on Indian Affairs.

CLAIMS AGAINST MEXICO.

Mr. ASHURST. I introduce a joint resolution, and ask that it be read and referred to the Committee on Military Affairs.

The joint resolution (S. J. Res. 206) directing the Secretary of War to investigate the claims of those citizens of the United States who since December 1, 1912, suffered damages to person or property by acts of violence committed by Mexican outlaw, revolutionary, insurgent, or Federal forces was read the first time by its title, the second time at length, and referred to the Committee on Military Affairs, as follows:

Resolved, etc., That the Secretary of War be, and he is hereby, authorized and directed to make, or cause to be made under his direction, a full and thorough investigation of each and all claims of citizens of the United States (which may be called to his attention by claimants or their attorneys, heirs or personal representatives) for reimbursement and damages for injuries inflicted by Mexican outlaw, revolutionary, insurgent, or Federal forces since December 1, 1912, upon the person or to the property of such claimants.

For the purpose of such investigation the Secretary of War is authorized to appoint a commission of three officers of the Army, one of whom shall be an inspector general. Such commission shall have authority to subpœna witnesses, administer oaths, and to take evidence on oath relating to any such claim, and to compel the attendance of witnesses and the production of books and papers in any such proceeding by application to the district court of the United States for the district within which any session of the commission is held, which court is hereby empowered and directed to make all orders and issue all processes necessary for that purpose, and said commission shall have all the

powers conferred by law upon inspectors general of the United States Army in the performance of their duties. Such commission shall report to Congress, through the Secretary of War, as soon as practicable, its findings of fact upon each and all the claims presented to it and its conclusions as to the justice and equity thereof and as to the proper amount of compensation or indemnity thereupon.

GOVERNMENT CONTRACTS.

Mr. FLETCHER submitted an amendment intended to be proposed by him to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, which was referred to the Committee on Military Affairs and ordered to be printed.

AMENDMENT TO POST OFFICE APPROPRIATION BILL.

Mr. McKELLAR submitted an amendment providing that hereafter when clerks and special clerks in first and second class post offices, railway mail clerks assigned to terminal railway post offices, and letter carriers in the City Delivery Service are required to work in excess of eight hours a day they shall be paid for such additional services at the rate of 50 per cent higher than their salaries as fixed by law, intended to be proposed by him to the Post Office appropriation bill, which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

MEMORIAL ADDRESSES ON THE LATE SENATOR JAMES.

Mr. BECKHAM. Mr. President, I ask unanimous consent that the Senate shall convene on Sunday, February 9, 1919, at 11 o'clock a. m., to consider resolutions in commemoration of the life, character, and public services of my late colleague, Hon. OLLIE M. JAMES.

The VICE PRESIDENT. Without objection, it is so ordered.

LEAGUE OF NATIONS FOR PEACE.

Mr. McCUMBER. Mr. President, following the usual course in this Chamber, I wish to give notice that on Saturday, immediately after the routine morning business, or the first legislative day thereafter, if we are not in session on that day, I shall ask permission to submit some remarks in support of a league of nations to enforce the peace of the world and a simple and practicable method of securing such end.

COST OF EAGLE BOATS.

Mr. LODGE. Mr. President, I ask to have printed in the RECORD two articles from the Daily Iron Trade, which is published at Cleveland, Ohio, in regard to Eagle boats, and that they be referred to the Committee on Naval Affairs.

There being no objection, the articles were referred to the Committee on Naval Affairs and ordered to be printed in the RECORD, as follows:

[From the Daily Iron Trade and Metal Market Report, Dec. 27, 1918.]

NAVY DEPARTMENT ADVANCED MORE THAN $3,000,000 FOR HENRY FORD'S EXPERIMENTAL EAGLE PLANT—FORD'S STATEMENT HE HAS TO ACCEPT PROFITS BECAUSE ACTUAL COST COULD NOT BE DETERMINED BEFOREHAND FAILS TO JIBE WITH CONTRACT—TAKES 116 DAYS TO TEST "EAGLE 1."

[This is the second of a series of articles on Henry Ford's Eagle boats, of which the Navy Department insists 60 shall be built, at a minimum cost of $33,000,000, although Navy officials themselves admit they are not needed "until the next war" and are too expensive, as regards operation and maintenance, for auxiliary or gunboat service. The profit for Ford on these 60 alone will be $1,200,000. The first article appeared yesterday.]

SPEAKING OF HENRY FORD'S EAGLES, DID YOU KNOW—

That whistles for the entire original lot of 100 were among the first pieces of equipment to be completed?

That in asking Congress last spring to create more rear admirals Secretary of the Navy Daniels explained two would be needed to take charge of fleets of Eagle boats? On the basis of the number now in the Atlantic or on the way there, each rear admiral would have exactly three and one-half Eagles to command.

That Congress heard so much concerning *Eagle-1* and so little of the original remaining 99 Congressmen began referring to it as "the one great Eagle"?

—

Though checked, the German submarines still presented a very real menace in the fall and early winter of 1917. Of all the schemes and ideas naval officers at Washington pored over and sifted down, the one that ultimately took shape in the Eagle-boat project found the most favor. "Take the best qualities of our destroyers and combine them with the superior advantages of the 110-foot submarine chasers"—this was the formula the Navy Department evolved. The upshot was that a steel, turbine-propelled craft, about 200 feet long, 500 tons burden, with a speed of 18.5 knots, or 20 miles, and mounting two 4-inch and one 3-inch gun—the latter also to be used against aircraft—was planned. Thus were the Eagles conceived.

BUILDER MOST IMPORTANT.

Second in point of importance, but almost first in importance, was the selection of the builder. Speed, obviously, was required above all else. With only quarter-inch plates, an exceptional capacity for skillful riveting also was demanded. In these deductions civilian advice not only concurred but led. In casting over the country's industries for one that most nearly satisfied those fundamental requirements the civilian advisers hit upon the Pullman Co. The riveting on Pullman cars approached closely to that demanded on the Eagles, and the Pullman Co.'s organization was of high repute. The Pullman Co., in fact, is said to have been in a receptive mood for the contract, owing to the peculiar situation in the passenger-car industry at that time. Civilian advice is said to have been practically unanimous in favor of the car interest.

ENTERS HENRY FORD.

Just about this time Henry Ford stepped into the picture at Washington. Despite the *Oscar II*, the boys still were in the trenches, and Ford had learned that the force demanded to end the war must be much more substantial than conversation. This, briefly, was said to have been the situation: On the one hand was the Navy, strong in the belief it had found the ideal antidote for U-boats, seeking a man who could build its Eagle boats, build them good, and build them swiftly. On the other hand was this man from the Middle West, with a world-wide reputation for doing great things, marred only by his peace-ship error of judgment, with an organization known far and wide for its efficiency and adaptability, and with its guiding genius eager to make a material contribution to allied arms. The combination proved irresistible. Preliminary details were settled, and construction of the Eagle plant, on the River Rouge, in close proximity to the Ford blast-furnace site, was got under way immediately.

IS IN COMPANY'S NAME.

The contract is dated March 1, 1918, and, contrary to the general belief, is between the Navy Department and the Ford Motor Co. and not an especially incorporated subsidiary. For the Navy Franklin D. Roosevelt, Acting Secretary, was signatory; the Ford Co.'s agent was F. J. Klingensmith, a vice president. Edsel B. Ford was a witness. One hundred Eagles was the number specified, although it was tacitly understood the Navy might ask for more if the emergency required. In addition, 12 were to be built for the Italian Government. The hulls were to be built at the River Rouge plant, while at Highland Park much of the machinery and auxiliary equipment was to be made. Some of the boilers, for example, have been built by outside interests at Detroit under subcontract. Plans for the Eagles were the Navy's solely, it is understood, though in the course of construction Ford engineers, naturally interested, played an active part in changes and corrections.

GOVERNMENT ADVANCED ALL.

For the construction of the River Rouge plant the Navy advanced every penny. According to Rear Admiral David W. Taylor, Chief of the Bureau of Construction and Repair of the Navy, the total expenditure authorized was $3,500,000, and the sums advanced approximate that amount. The site already was owned by Ford. Some dredging had to be done, but this was accomplished largely at the expense of the Army. "River" flatters the Rouge; "creek" is the more correct designation. For sentimental reasons the River Rouge lies close to the heart of Henry Ford. The district was the one in which he was born and reared. There Mrs. Ford also was born and reared, and the Ford home at Dearborn is on the banks of the Rouge.

PLANT COMMENDED.

The main building of the Eagle plant has been highly praised. It is 1,700 feet long by 350 feet wide, glass inclosed. The method of construction experimented upon by the Ford Co.—entirely at the Government's expense—differs radically from the accepted methods of shipbuilding. The keels of the Eagles are laid upon platforms mounted upon railroad tracks. As one operation is completed, the platform is rolled down to the next gang of workmen, in much the same manner as Ford cars are built. This method of construction necessitates a novel form of launching. Completed, the Eagles are rolled out upon what in effect is a hydraulic elevator. On this they are let down into the water. This plan was believed by Henry Ford to be a great advance over the methods of shipbuilding "professionals" and is said to have been his own. The Eagle contract completed, he planned to construct canal barges, for it is, or was, firmly imbedded in Henry Ford's mind that the United States makes too little use of its waterways, and the pioneer in opening them up will meet with unlimited possibilities.

THAT FIRST LAUNCHING.

Approximately four and one-half months elapsed before the first Eagle took to the water. To Henry Ford's way of thinking, a milepost in American ship construction was passed at 6.55 o'clock on the evening of July 11, 1918. What great store was set by this, the hatching of the first Eagle and the supposed beginning of the end of submarine piracy, can be glimpsed from the account of the launching in one of the Detroit newspapers:

"Whistles blew, the crowd of workmen and some half a hundred invited spectators gave vent to a lusty cheer, and not one of them but felt at the bottom of his heart that history was in the making. * * * There was no christening of the *Eagle-1* nor any ceremony whatever, but what the occasion lacked in frills it made up in efficiency and dispatch which was, after all, more becoming to the serious business at hand. For the Eagles of the United States Navy, it is calculated, are not going to observe any special ceremony about sending Kaiser Bill's U-boats to Davy Jones's locker once they get going good, and Henry Ford promises an Eagle a day when he gets into his stride.

AUTO MAKER TURNED SHIPBUILDER.

"The auto maker turned shipbuilder, with Mrs. Ford and their son Edsel, attending the launching. * * * They all express pride in the new achievement; albeit they took it rather as a matter of course. * * * From the moment an Eagle starts from the construction building until she is floating free in the river, a third of a mile away, there is not one-tenth of the noise nor one one-hundredth of the excitement that was created on Woodward Avenue the day Henry Ford drove his first automobile down that thoroughfare. But the launching of the first Eagle was just as epoch making as that first auto drive of about a score of years ago."

HULL SHOWS UP FAULTY.

The first flight of *Eagle-1* from her nest in the River Rouge is said to have been as enlightening as it was disappointing. Unconfirmed rumor says she "leaked like a sieve" and had to be hurried back to her dock to keep it from sinking in the Detroit River. To put the best possible construction upon the matter, *Eagle-1* leaked badly, and spot welding had to be resorted to. The veriest tyro of a shipbuilder knows that a ship is not a ship without a tight hull, and this was something with which Henry Ford's shipbuilders had failed to endow *Eagle-1*.

Nor was this all. It developed then or on later trial trips that *Eagle-1* was top-heavy, for from water line to top of pilot house was 28 feet, and the draft of 8 feet was attained only when the fuel-oil tanks contained their 100 per cent quota of 45,000 gallons. Great difficulty was encountered in steering, for while *Eagle-1* responded swiftly to her helm, the compass was abnormally slow because of the extremely large percentage of iron and steel in the vessel. The arrangement of the pilot

home was found to be faulty and inconvenient. There was some doubt, too, whether the required speed of 18.5 knots could be met, though this fear was largely dissipated later. Unusual difficulty also is said to have been encountered in tuning up *Eagle-1's* turbine.

The summer was one long vacation for *Eagle 1* on the Detroit and St. Clair Rivers and Lakes St. Clair and Huron, whereas under the Ford contract she should have been hounding down U-boats on the other side of the Atlantic. The boasted one-a-day program dwindled and shrank to about one a month. Ford workmen found shipbuilding a much more difficult art than "River" building. Most serious of all was their inability to rivet. Theory and practice proved to be most dissimilar, and as the summer wore on only six more Eagles were dropped into the River Rouge.

SIX ARE RUSHED AWAY.

With winter coming on and the St. Lawrence threatening to freeze up any day, Navy engineers on the ground at Detroit finally sent the first seven away. *Eagle 1* left the River Rouge just one week previous to the signing of the armistice. She should have been chasing submarines in the east Atlantic a minimum of three months, according to the contract. Only *Eagle 1* received anything like passable trial trips and consequent corrections; *Eagles 2* to 7 were dispatched with most of their faults as they were launched. Under his contract Henry Ford should have delivered the first by August 1, 10 in August, 20 in September, and 25 in October. His accomplishment instead was a paltry seven.

As a shipbuilder Henry Ford seems to be a fair engine and machinery maker. The latest official statement of the Navy Department on the progress of the hulls is as of November 1. On that date *Eagles 1* to 7 had been launched; *Eagles 8* to *12*, inclusive, were 75 per cent completed; while *Eagles 13* to *21*, inclusive, were from 40 to 60 per cent completed. As to *Eagles 22* to *102* it noted: "Keels not laid, but material fabricated for about 90 boats and machinery in hand for a considerable number." This, of course, was before the program had been reduced from 100 to 60.

Concerning the machinery for these Eagles the statement of Admiral Robert S. Griffin, chief of the Bureau of Steam Engineering of the Navy, as of November 22 is as follows:

TURBINES AHEAD OF HULLS.

"Turbines and gears were completed for seven boats. For 28 other boats the turbines and gears were 50 per cent completed. Material for the remaining 13 was on hand and 10 per cent fabricated.

"Boilers had been completed for 22 boats. For 20 other boats the boiler material was ready for assembly. Material was on hand for 60 other boats and about 35 per cent fabricated.

"Auxiliaries had been completed for 67 boats. Material for the remaining 45 was on hand and about 75 per cent fabricated."

Thus it becomes readily apparent that, ferreting out the cause of delay as it lay within the Ford organization, Detroit's most famous automobile builder was able to build turbines and boilers and auxiliaries much more expeditiously than hulls. And by far the most important single item in hull construction is riveting. Here, apparently, was one task before which the highly efficient and adaptable Ford organization bowed. As Admiral Griffin has aptly commented: "Mr. Ford found the job a little more difficult than he anticipated."

Men in the Great Lakes district acquainted with shipbuilding and its allied interests level considerable criticism at the Navy Department for pushing the entire 112 boats on paper before knowing actually how they performed in water. Here was a new design type of vessel, a new design of turbine, and the infrequent use of watertube boilers for marine purposes, while the organization that was to build them had never before tried its hand at shipbuilding. Yet the Navy ordered the cloth cut for the entire lot of 112 boats before the first one was "tried on" to see how it would fit. In the way these men view the situation. Whether the acuteness of the submarine warfare warranted this is a matter of opinion, they hold, but they refuse to close it as good practice. In a financial way the plan is proving extremely costly, for the decision to build 60 instead of 100 leaves a good many turbines, boilers, and auxiliaries and many tons of plates, all rolled to size and punched, useful for nothing but remelting as scrap.

WHAT A DOLLAR BUYS.

To compare the cost of an Eagle with any other type of Navy craft is manifestly unfair by reason of the particular benefit to be derived from each type, in view of the Navy's intention of going through with 60, or $33,000,000 worth of Eagles, it is interesting, nevertheless, to compare the value thus to be received. The ordinary Great Lakes bulk freighter, a somewhat rough but most useful and efficient type of carrier, before the war cost approximately $40 a dead-weight ton to build. To turn out such a freighter to-day would cost from $60 to $65 a ton. The trim 3,000 to 3,500-ton ocean-going freighters of canal size being built by Great Lakes shipbuilders are costing from $190 to $200 a ton. Both the Government and private builders are putting out destroyers at from $1,000 to $1,200 a ton. Eagles, which Navy officials frankly admit will not be needed until the next war and are entirely too expensive for auxiliary duty in peace time, are costing slightly more than $800 a ton. This is what the buyer of Liberty bonds and war-savings stamps is getting for his money in the way of Eagles.

For Henry Ford the whole Eagle proposition has been one in which he has had everything to gain and nothing to lose—except reputation. The contract dated March 1, 1918, between the Navy and the Ford Motor Co. in unvarnished language calls for actual cost plus $20,000 profit if the cost of each Eagle is $275,000 or more, while of any saving effected under $275,000 the company is to receive one-quarter.

THEORY AND PRACTICE.

Over his name, in the September, 1918, The World's Work, Henry Ford declared flatly

"I will not take a cent of war profit out of the war work I am doing. * * * Everything we are making for the Government will be made without profit; I will find some way to give those profits back to the Government, for I can not prevent the profits from accruing, since it is impossible to determine in advance just what the cost of everything will be, and the prices had to be fixed in advance."

Now, the Ford Motor Co.'s contract specifically says:

"The price to be paid for each vessel to be constructed and furnished in accordance with this contract, including authorized changes therein, shall be the actual cost plus a definite sum for profit. * * *"

And the contract in another section gives what shall be considered as items of cost, and goes fully into such charges as overhead, depreciation, elements capable of alternative treatment, royalty, allowances for scrap and waste, and the like. The actual cost of each vessel will be determined, for the money to be paid Henry Ford by the Navy, will be twofold and separate—actual cost and agreed profit.

Still another angle to the profit hurdles Henry Ford has been jumping is the statement of Admiral Griffin to members of the House Committee on Naval Affairs at Washington that Henry Ford himself waived all profit; that he at first actually did offer to build them at cost, but that directors of the Ford Motor Co. would not agree to this. The Ford Motor Co. is understood popularly to be Henry Ford first, last, and always, and that the directors of the company should prevail against Ford himself, especially in a matter on which he has been so bold and outspoken, is almost unheard of.

In spite of all of Henry Ford's writings and his disclaiming any desire for profit, he is assured $1,200,000 net on the 60 Eagles with which the Navy is going through and 10 per cent profit on the uncompleted portions of the remaining 40. Probably $1,500,000 will be the minimum profit that will accrue to him. Just how he will return this to the Treasury Department at Washington is something Detroit is most anxious to learn. In the past the Federal Government has distinctly refused all offers of monetary gifts to the Treasury. As a matter of fact, there seems to be only one door open to those who would reimburse the Federal Government, and that is a contribution to the conscience fund.

[From the Daily Iron Trade and Metal Market Report, Dec. 26, 1918.]

NAVY TO STAND BY FORD EAGLE PROGRAM, THOUGH COST IS $50,000,000 AND RETURN IS NOTHING—FAILURE OF HENRY FORD TO TURN SHIPBUILDER BEING COVERED OVER—BOATS ARE UGLY AND TOPHEAVY—FORD MOTOR CO. PROFIT OVER $1,500,000—EAGLE-A-DAY SCHEDULE PUZZLE.

MAIN DIMENSIONS OF EAGLES, AND FORD CONTRACT.

Length, 204 feet.
Beam, 27½ feet.
Draft, 8 feet when loaded.
Tonnage, 500, dead-weight.
Bulkers, 2 water tube, oil burning, 1,000 horsepower each.
Turbine, 1 steam, 2,000 horsepower, 4,700 revolutions per minute.
Screw, single, 3-bladed, 11 feet down.
Speed, 18½ knots.
Fuel capacity, 45,000 gallons of oil.
Crew, 7 officers and 68 men.
Armament, two 4-inch guns and one 3-inch, the latter also being used as an aerial gun.
Cost, originally placed at $275,000, or $550 a ton, without guns. Estimate now is $400,000, or $800 a ton. Ordnance comes at $112,000 a boat.
Contract agreement, Ford Motor Co. to be paid $20,000 over actual cost if cost of hull and machinery exceeds $275,000. Twenty-five per cent of saving under $275,000 to be paid Ford Co. in addition to $20,000.
Deliveries, "The contractor shall use every endeavor to deliver the first of said vessels within five months from the date of this contract (Mar. 1, 1918), 10 boats within one month thereafter, 20 boats within the next following month, and 25 boats a month thereafter."

HERE IS DEADLY PARALLEL IN FORD EAGLE CASE.

THEORY.	PRACTICE.
"I hate war. I am a pacifist * * * If there was no profit in war for anyone, there would be no war. It is because people can make money out of war that war occurs. I do not believe in killing men for money to get something that belongs to some one else, whether it is money or land or the right to live in liberty and peace. That is why I will not take a cent of profit out of the war work I am doing. Liberty motors, eagle boats, helmets, tractors, ambulances—the Navy's intention of going through with 60, or $33,000,000 worth of Eagles, it is interesting, nevertheless, to compare the value thus to be received. The ordinary Great Lakes bulk freighter, a somewhat rough but most useful and efficient type of carrier, before the war cost approximately $40 a dead-weight ton to build. To turn out such a freighter to-day would cost from $60 to $65 a ton. The trim 3,000 to 3,500-ton ocean-going freighters of canal size being built by Great Lakes shipbuilders are costing from $190 to $200 a ton. Both the Government and private builders are putting out destroyers at from $1,000 to $1,200 a ton. Eagles, which Navy officials frankly admit will not be needed until the next war and are entirely too expensive for auxiliary duty in peace time, are costing slightly more than $800 a ton. This is what the buyer of Liberty bonds and war-savings stamps is getting for his money in the way of Eagles.	"Should the actual cost of each vessel in the execution of the work reach or exceed the sum of $275,000, or such revised, estimated cost in lieu thereof as shall be determined on account of changes * * * the contractor shall be paid the fixed sum for profit of $20,000 for each vessel. Should the actual cost be less than the estimated cost revised as aforesaid for cost of changes, the contractor shall be paid as profit in addition to $20,000 for each vessel, one-fourth of the difference by which the such actual cost on each vessel falls short of the estimated cost revised as aforesaid. * * * Should the department desire to terminate the work under this contract before the completion of all vessels * * * it shall give 30 days' notice. * * * The contractor shall be paid for all work on vessels the completion of which shall be abandoned the actual cost thereof plus 10 per cent profit * * * collective liability of contractor for breach of guaranties and agreements as to material, workmanship, and performance shall be limited to $1,000 on each vessel." Ford Motor Co. contract with Navy.

Millions of dollars—fifty at the very least—is the price the Navy is going to pay for refusing to confess publicly the failure of Henry Ford's Eagle-boat program and abandon it.

With the signing of the armistice and the interning of the enemy's U boats in British and Italian harbors, the primary objective of these $550,000 200-foot steel craft being built by Ford has been attained.

For patrol and gunboat duty in peace time they are next to impossible by reason of their excessive maintenance and operating charges. In fact, high officials of the Navy Department themselves have admitted they will not be needed "until the next war."

But the only concession the Navy has made so far, and the only one it flatly declares it will make, has been to pare the program from 60 Eagles to 40. On the face of it this is a generous reduction of 40 per cent, but considering that the turbines, boilers, and auxiliaries for the entire 100 have been built and practically all of the plates rolled and punched, the apparent reduction of 40 per cent shrinks to a bare 10. And the $33,000,000 the Navy is to pay for submarine chasers in peace time is only the start.

NEVER HAD A CHANCE.

Whether the Eagles which Ford undertook to construct with great flourish and blare of trumpets as his chief contribution to the winning of the war, are good or poor boats from the standpoint of design is still a matter of opinion. It is fact—not opinion—that the highly-touted Ford organization crumpled when it attempted the boats, and never gave them a chance to show.

Had the late candidate for the Senate lived up to his contract, 93 Eagles would have been completed and in commission by December 15. As a matter of fact, exactly seven had been completed by that date—three being in New London, Conn., and four somewhere between Detroit and New London—and of these seven, six were rushed to the coast leaking and generally incomplete to get them out before the freeze.

Entirely responsible for this astounding delay, after giving due consideration to the handicaps under which a Navy contractor works, and blotting out whatever defects the money may have been in design, is the inability of Henry Ford's mechanics to turn themselves into successful shipbuilders. On one charge alone—that of riveting—they stand condemned. The first Eagle leaked badly, and not until she was electrically welded did she become water-tight. In turbines and auxiliaries Henry Ford showed some degree of skill, but in hulls none. And this at a time when the world's greatest need was for craft for combating the submarine menace!

IS WINNER EVERY WAY.

This failure, an outstanding one indeed, has not been at Henry Ford's expense. Not one penny has he lost, not one penny will he. No matter what the outcome of the Eagle-boat program, even be it wholly abandoned to-morrow, his profits stand to run up into the millions. On every Eagle that is completed the Navy is bound to pay him a minimum net profit of $20,000. In event any of the boats are not completed he is to receive actual cost plus 10 per cent. For the construction of the Eagle plant on the River Rouge, southwest of Detroit, on land owned by Ford, the Navy advanced every dollar—$3,500,000 in round numbers. And under his contract Ford ultimately will take over this magnificent $3,500,000 works at virtually his own figure for the construction of barges—provided his maritime ardor has not been sufficiently dampened—or possibly Fordson tractors. All this in the face of his voluntarily unequivocal declaration he would not accept one dollar in war profits!

All this, combined with the Navy's flat-footed refusal to cut short Eagle construction, looms up as the biggest industrial scandal of the war. Detroit's largest business and industrial interests firmly believe. Were the war still on and the Huns' submarine still polluting the seas, Ford's nonperformance would be accepted as one of the fortunes of war. But when the Navy insists upon adhering to a type of boat that is designed primarily for sweeping the seas of U boats—which now are no more—and that admittedly is too costly for auxiliary work, then and there objection arises to throwing $50,000,000 and more into a sink hole.

WHY? DETROIT ASKS.

As Detroit views it, the Navy can have only two reasons for continuing building Eagles now that they never will combat an enemy submarine. One is that they can be assigned to a peace-time service commensurate with their cost, type, and operating expense and the other, following the lead of other Government departments, to prevent the men employed on them from being thrown out of work and to ward off financial harm from the contractor. The former the Navy itself has disposed of; the latter Henry Ford's financial standing and his oft-expressed desire to resume full peace production of Fords and Fordson tractors render untenable.

That there will be a congressional investigation of the Ford Eagle matter, Detroit business and industrial interests are certain. Sustaining this belief is the cloak of mystery with which the Navy has shrouded the Ford Eagle plant on the River Rouge. So far as publicity is concerned, a veritable no-man's land has been set up around it. And when the Ford Motor Co. refuses to talk about what it has done or is planning, then here is proof positive of something wrong somewhere, says Detroit.

From the standpoint of construction, perhaps the most serious fault to be found in the Eagles is the wretched work done on the hulls. To cite one instance, *Eagle No. 1* was launched July 11, 1918, but could not cross the Atlantic for duty until December 4. Most of these intervening 116 days—roughly, four months—were spent remedying the poor riveting and other defects in the hull.

STAND 23 FEET HIGH.

From the standpoint of design, critics point first to the topheaviness of the craft. From keel to top of pilot house is 36 feet, and when an Eagle's fuel-oil tanks are entirely filled her maximum draft is only 8 feet. The forward deck, on which is mounted a 4-inch gun, is not much lower than the pilot house. The 4-inch gun on the midship house is mounted equally high.

Now, while criticism of the Eagles, especially their construction or rather their nonconstruction, is widespread, it is not entirely personal. One captain of industry of the Great Lakes region, who can talk as authoritatively on ships as on other things and who has followed the Eagle matter closely, succinctly sums up the situation thus:

"The miscarriage of the Eagle-boat program is just what was to be expected; the project was foredoomed to failure. The combination of a new design of boat, new power plant, new builder, and new method of construction was unbentable. In some ways the proposal of constructing the boats on tracks and launching them hydraulically was ideal, theoretically. In other ways, such as the attempt to do without a mold loft, it was absurd.

NO TIME TO EXPERIMENT.

"When the Eagles were proposed there was great need for an efficient means of combating the submarine. Obviously, with the peril so great the Navy should not have experimented with a new type, and above all with a new shipbuilder. The shipbuilding industry can not be revolutionized in one day or an efficient plant built, an organization created, and actual production attained in six months. In the period of the war the country was willing to stand for anything that gave even the slightest promise of being of help. But now that the U boats have been swept from the seas the only sound course the Navy can take is to stop all work on the Eagles, scrap the equipment already completed, and get out of the entire situation as quickly, financially, as it is possible. My chief concern, however, is for the men who will be ordered to sea in these Eagle boats."

Says the spokesman of another powerful Great Lakes interest:

"Henry Ford's Eagle plant will go down in shipbuilding history along with Hog Island, Bristol, and Newark Bay. Not one of these yards turned out a ship that carried one soldier or one pound of supplies to Europe while the war lasted. Ford's yard failed to turn out an Eagle that worried one submarine. All four yards were experiments, hastily conceived and illy carried out. The sooner the Eagle program is abandoned and the unused material sold the less the country's financial loss. We are willing to buy liberty bonds for the prosecution of the war, but not for such a venture as Henry Ford's Eagles."

NOTHING BUT MILLIONS.

Millions is the only financial term into which the Eagle boats can be translated. Originally estimated to cost only $275,000, or thereabouts, this figure now has been increased to $400,000. On top of this comes $112,000 each for armament and $20,000 for Henry Ford's profit. Thus the items of profit, cost of hull and machinery, and the outlay for ordnance mount up to $532,000. The changes that will have to be made on the Atlantic coast before the boats are really ready for service will easily bring the total up to $550,000 each, it is estimated. The 60 thus will stand the Navy Department $33,000,000. Bound to pay the Ford Motor Co. actual cost plus 10 per cent on all material and equipment already worked up and completed for the 40 canceled Eagles, the Navy faces another item that will run up into $10,000,000 or $15,000,000 it is believed. Maintenance of machinery alone will stand the Navy $9,000 a year an Eagle. In addition is the pay roll of the crews of 7 officers and 68 men. And the testimony of reputable Navy Department officials is that the Eagles are not needed "until the next war," and will make pretty expensive patrol boats!

AND HENRY WAS GOING TO SHOW UP THE PROFESSIONALS.

Mr. Ford has promised to roll an Eagle boat a day into the River Rouge; to the man who can make 3,000 automobiles a day this is easy.

Merely to catalogue Mr. Ford's activities in war enterprises makes an impressive showing. He is building new Eagle boats—has built an enormous plant and devised methods of turning out warcraft as fast almost as "Rivers" and by identically the same methods.

It is a far cry from the *Ocean II* to the Eagle boat.

He was an amateur when he started to build his first car; it was as an amateur that he tackled the problem of building warships at the rate of one a day—the Eagle boats. Professional statesmen and economists have failed to put an end to the war. Mr. Ford thinks it is time for the amateurs to step in and see what they can do.

When Mr. Ford took a contract from the Navy Department to build 200 two hundred-foot Eagle boats and get them all into the water in a year he tackled another job that all the professionals in that line said couldn't be done. * * * The whole scheme and method of construction, the plant and its equipment are exactly what some imaginative amateur striving for perfection of detail and efficiency might dream of, but which most business men would hesitate to undertake.—From Henry Ford, Amateur, by Frank Parker Stockbridge, in September, 1918, The World's Work.

THE POTASH INDUSTRY.

Mr. HITCHCOCK. Mr. President, I ask to have read from the desk a telegram regarding the condition of the potash industry.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read the telegram, as follows:

OMAHA, NEBR., *December 31, 1918.*

Hon. G. M. HITCHCOCK,
United States Senator, Washington, D. C.:

The Omaha papers this morning carry an Associated Press dispatch from Paris saying that Hurley, of the United States Shipping Board, intends to load all returning United States ships with Alsace potash. This violates the understanding had with the War Trade Board, that no enemy potash would be imported until peace is declared. Hurley's plan would paralyze the Nebraska potash industry and mean the loss of millions of dollars invested here. We understand the Department of the Interior is preparing a bill to protect the American potash industry. Please do everything within your power immediately to shut off the foreign importation of potash as Hurley plans until the potash problem can be worked out along equitable and just lines. If the Hurley plan is given publicity in the South it means that no Nebraska potash can be sold, because the South will expect foreign importations. I expect to be in Washington within 10 days and to confer upon a program of action with you. Until then do everything within your power to see that no foreign potash comes in. Every Nebraska company is vitally interested in this matter. I appreciate what you have done, but desire to impress upon you the very great danger to Nebraska potash of the plan now suggested by Hurley.

GEORGE A. LEE.

Mr. HITCHCOCK. Mr. President, I desire to state, in order to clear up the matter somewhat, that there has been some misunderstanding; that Mr. Hurley evidently, when he made that statement to the Associated Press, was not aware of the fact that the War Trade Board had issued an order that no potash should be imported into this country from enemy territory until the peace treaty has been signed.

I presume that technically Alsace-Lorraine still comes within that category. Later on no doubt we shall import potash from Alsace-Lorraine. For the present, however, it is the intention of the War Trade Board not to allow the importation of potash until the peace treaty is signed, for the reason that the potash industry has been encouraged by Government agents during the war to go to an extraordinary expense in the development and production of potash, and a large supply of potash is now on hand. The fertilizer companies are refusing to buy this potash in the hope of being able to import potash from Europe to put into fertilizers during the present season. This is utterly impossible. During this season it is holding out a false hope to the agriculturists who are depending on fertilizers; potash can not be imported for months yet to come. The order of the War Trade Board still stands, and the War Trade Board has taken occasion to send to Mr. Hurley information that that order still

holds good. It would be, in effect, a breach of faith on the part of the Government, after encouraging the potash industry as a war measure to produce the potash at this time and at great expense, now to make it impossible for the companies to market their product. I think that the fertilizer companies which are depending upon securing potash from Europe at this season for their fertilizers will find that they are anticipating something that is impossible.

I wish to say in this connection, Mr. President, that I have introduced, and there is still upon the table of the Senate, a resolution which I may ask later to have considered, directing the Federal Trade Commission to inquire whether the fertilizer companies of this country have entered into a combination to refuse to buy this potash, whether those fertilizer companies have large interests in European potash mines, and whether or not European potash companies, notably those of Germany, have interests in the American fertilizer companies. I think that this is susceptible of some proof. There seems to be a combination at the present time of fertilizer companies to refuse to buy the American potash that has been produced at the urgent request and under the stimulation of the Government urging.

I merely make this statement at this time in connection with this telegram, because I think it should be known that the delay in the purchase of this potash and the delay of the fertilizer companies in putting it into their fertilizers is based on a false hope. The fertilizer companies may omit potash from their fertilizers and may attempt to substitute some other ingredient like phosphate. If they do so, they will injure the agricultural interests. They can not get European potash in time for this season. They can if they will buy American potash, which is now stored up in large quantities.

ARTICLE BY PROF. EDWIN M. BORCHARD.

Mr. FLETCHER. Mr. President, I have a very able article by Edwin M. Borchard, professor of law of Harvard University, on the subject of the declaratory judgment—a needed procedural reform. I ask that it be referred to the Committee on Printing with a view to having it printed as a public document.

The VICE PRESIDENT. Is there objection? The Chair hears none.

LANDS IN CALIFORNIA AND MEXICO.

Mr. ASHURST. I offer a resolution which I desire to have read.

The VICE PRESIDENT. The Secretary will read the resolution.

The resolution (S. Res. 402) was read, as follows:

Resolved, That the President of the United States is hereby respectfully requested to open negotiations with the Republic of Mexico for the purchase of the peninsula of Lower California and for the purchase of that tract of land in the State of Sonora, Republic of Mexico, approximating in area 10,000 square miles and lying north of the parallel of 31° 20′ north latitude.

Mr. ASHURST. Mr. President, I simply wish to say that I should like to have the resolution lie upon the table for the present, and I give notice that I shall address the Senate upon the subject of the resolution as soon as I may be able to obtain the floor, either on Friday or on Saturday.

Mr. BORAH. Mr. President, may I ask the Senator a question?

Mr. ASHURST. Certainly.

Mr. BORAH. I simply suggest that, in all probability, if the Senator will defer his motion until the league of nations is organized, they may distribute that territory to the United States.

Mr. ASHURST. Oh, Mr. President, I am fearful that it may be given to Japan.

GOVERNMENT CONTROL OF CABLES.

Mr. KELLOGG. I offer the resolution which I send to the desk, and ask to have it read.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read the resolution (S. Res. 401), as follows:

Resolved, That the Committee on Interstate Commerce be, and it is hereby, authorized and directed to investigate the subjects listed hereafter, and report to the Senate of the United States its findings and conclusions thereon, at the same time recommending such legislation as it may deem necessary or advisable:

1. Assumption by the Government of the supervision, possession, control, or operation of any or all of the telegraph, telephone, marine-cable, and radio systems.
2. The future ownership, supervision, possession, control, or operation of any or all of said systems by the Government.
3. The conditions under and the extent to which any or all of said systems should be permitted to consolidate and authority therefor.
4. Effect of the so-called Sherman Antitrust Act upon the consolidation of marine-cable systems extending to foreign countries and the advisability of modifying said act.
5. Necessity for the extension of marine-cable systems to foreign countries and effect thereof upon the commerce of the United States.
6. The sufficiency of the telegraph, telephone, marine-cable, and radio systems to meet the business requirements of the United States.
7. All other subjects pertinent to the general question of Government ownership, supervision, possession, control, and operation of any or all telegraph, telephone, marine-cable, and radio systems.

Said committee is authorized to subpœna witnesses and documents, administer oaths, and to do all acts and things necessary to the carrying out of the purposes of this resolution.

Mr. KELLOGG. Mr. President, I ask unanimous consent to submit a few remarks in explanation of the resolution I have offered and its object. I do not think I will take more than five minutes.

The VICE PRESIDENT. Is there any objection?

AMERICAN FORCES AT BREST, FRANCE.

Mr. NEW. Mr. President, will the Senator yield to me that I may submit a resolution?

Mr. KELLOGG. I yield.

Mr. NEW. I offer the resolution which I send to the desk, and ask that it be read.

The VICE PRESIDENT. The Secretary will read the resolution.

The resolution (S. Res. 403) was read, as follows:

Whereas reports having reached the United States and having been given currency by publication in the columns of the newspapers to the effect that unwholesome, insanitary, and unnecessarily discomforting conditions exist in the camp occupied by the American Expeditionary Forces at Brest, France: Therefore be it

Resolved, That the Senate Committee on Military Affairs be authorized and directed to investigate the same and to report its conclusions to the Senate, together with such recommendations as it may see fit to make concerning the condition reported.

Mr. NEW. I ask unanimous consent for the immediate consideration of the resolution.

Mr. KELLOGG. Mr. President, I decline to yield, if I am entitled to the floor. I wish to ask unanimous consent to make a few remarks.

The VICE PRESIDENT. Then the resolution goes over under the rule. The Senator from Minnesota will proceed.

GOVERNMENT CONTROL OF CABLES.

Mr. KELLOGG. Mr. President, in explaining this resolution, I shall not take the time of the Senate for any extended remarks. I think the time has come for some real constructive legislation upon the question of our transportation facilities by rail, by water, as well as telephone and telegraph.

I have several times discussed the taking over of the telegraph, telephones, and cables. My object in introducing this resolution is purely to have the Congress informed as to what is necessary for the extension, development, and best operation of these facilities. I am not particularly interested in why these lines were taken over or when they were taken over. They have been taken over, and we should approach the subject of the future ownership, control, and operation in a broad-minded, business way. Nor am I going to discuss the relative advantages of Government ownership or control of telegraph and telephone land lines. It is a question, I suppose, which Congress must meet, and it should do so intelligently and act for the best interest of all of the people of the country. But one thing is sure, no one will pretend that the cable lines can be owned and operated by the Government.

Mr. Burleson will not insist on this as a permanent policy. He is too intelligent, in my opinion, and too well informed to make any such plans. Of course, I do not speak for Mr. Burleson, but that is my opinion. And there is a question of the most vital importance to the American people and to the development of our foreign commerce, and that is the extension of the cable lines. At some future time I shall present my views upon this question. For the present it is sufficient to say that those lines should be extended to Norway, Sweden, Denmark, Russia, Italy, and, most important of all, to Brazil and Argentina, in South America.

I suppose the Senate understands that the only lines we have extend through Mexico, down the western coast, connecting with other lines to Argentina and to Brazil. The British Government has lines directly to Argentina and to Brazil, and that Government is pushing its commerce and its cable business to these South American countries, and an extension of our cable facilities at the earliest possible moment is of surpassing importance to the development of our commerce and relations with these Republics to the south. Then there is a question of the manufacture of cables, which should be undertaken in this country. At present we are entirely dependent upon Great Britain for the same.

I have asked the Interstate Commerce Committee to make this investigation, because it is already investigating transportation by railway, and they run more or less along parallel

lines. Furthermore, it was the Interstate Commerce Committee which passed upon the resolution to authorize the taking over of the cable, telephone, and telegraph systems. It is a phase of interstate commerce of the most surpassing importance, and that seems to me to be the committee entitled to investigate it.

I may introduce a bill embodying my ideas upon this cable situation; but I think the most important thing at present is for the Congress to be fully informed of the situation and the necessities of the development and growth of this means of transportation.

There is another very important question, and that is to what extent the Government should permit the consolidation of telephones, telegraph, and cable systems. I am not going to discuss this at length, but manifestly some consolidation under Government control and supervision will be of advantage to the people. At least, it is a question which should be considered and settled. It is a serious question whether the duplication of telephone lines especially is wise, and there are questions of the consolidation of the cable lines, which I hope the committee will develop and which I shall take occasion to discuss at some future date.

What the Congress should do now is to consider this whole subject. It is of the greatest importance of any domestic question now pending for solution. It should be approached in a broad-minded, liberal manner, and a policy worked out which shall be for the best interests and meet the demands of this fast-developing country.

Mr. WATSON. Mr. President——

The VICE PRESIDENT. The Senator from Indiana.

Mr. KELLOGG. I ask unanimous consent for the consideration of the resolution at this time.

Mr. UNDERWOOD. Mr. President, I desire to reserve the right to object until I can get the floor.

Mr. WATSON. I believe I have been recognized to ask the Senator a question.

Mr. KELLOGG. I yield to the Senator from Indiana.

Mr. WATSON. I have a resolution along the same lines, with the same purport, asking that this whole question be investigated; but I intended to ask that the resolution should be referred to the Post Office Committee. It occurs to me that that committee is the proper committee to investigate the question for these reasons:

First, the Interstate Commerce Committee has before it the railroad question, which it will begin to investigate to-morrow, and which, in all human probability, will take the remainder of this session, unless we speed up much more rapidly than committees generally do. A question that is so vast and complex as this railroad question must of necessity require great time for its consideration.

In the second place, the Postmaster General has assumed jurisdiction of the telegraph, telephone, and cable systems, now has them under his charge, and is to supervise them as their sole manager. Therefore it occurs to me that under all the conditions surrounding this particular case the Post Office Committee is the proper committee to investigate this question. I do not believe we could reach it before the Interstate Commerce Committee if the Senator's resolution were to be sent there.

That is my judgment about the matter, and I want the Senator's opinion.

Mr. KELLOGG. Mr. President, in reply to the Senator from Indiana, I wish to say this:

When the resolution came before the Senate to authorize the taking over of the telephone and telegraph and cable lines, it went to the Committee on Interstate Commerce, as a matter of course. That was the proper place for it to go; and that committee reported the resolution after declining an investigation. Now, the cables and telephones and telegraphs are not in the Post Office Department. The President was authorized to appoint some person to take charge, and he appointed Mr. Burleson. He did not appoint the Postmaster General, and they are not in the Post Office Department at all. They are still being operated by the companies, subject to the direction of Mr. Burleson.

Mr. UNDERWOOD. Mr. President——

Mr. KELLOGG. Now, Mr. President, these lines and the cables affect intimately the interstate commerce and the foreign commerce of this country. That foreign commerce is dependent to a great extent upon the extension of our cable systems is an indisputable fact, and nothing is more important, and it certainly falls within the province of the Interstate Commerce Committee.

As to the matter of time, the investigations of the questions pending before the Railroad Committee—Government ownership, Government operation, permanent or temporary, and many other questions—run parallel and are intimately connected with the control of the telegraph, the telephone, and the cable systems. It seems to me the resolution should go to the Committee on Interstate Commerce, and that that committee should be authorized to make the investigation.

Mr. UNDERWOOD. Mr. President, will the Senator yield to me for a question?

Mr. KELLOGG. Yes.

Mr. UNDERWOOD. I recognize what the Senator says with reference to the jurisdiction of this resolution. I think if there is any power in the Government to control this matter, it must be under the commerce clause of the Constitution, and therefore the Interstate Commerce Committee would have jurisdiction of it if we are going to investigate it at all; but the reason I wanted to ask the Senator to let the matter go by this morning is this:

In the first place, the Interstate Commerce Committee—as the Senator knows, being a member of the committee himself—will take up to-morrow the investigation of the railroad question. There are a hundred angles from which that question will be discussed before the committee. There probably will be several hundred witnesses who will desire to appear. It is going to take weeks, if not months, to conclude that investigation. The 4th of March, with the conclusion of this session of Congress, is only 50 days off. Probably when the 4th of March is past, before the assembling of Congress again, the treaty of peace will have been signed or nearing its final conclusion. When the treaty of peace is signed, so far as these telegraph and telephone lines are concerned, the question settles itself. They will go back permanently into private ownership.

I am rather inclined to believe that we will be able to face these questions and study them out, and especially the telegraph and telephone lines and cable systems, better from the standpoint of allowing them to go back to private ownership, and then consider what regulations are needed, than we will by attempting to solve the questions pending their going back.

Mr. WATSON. Mr. President, will the Senator yield to me?

Mr. KELLOGG. I will.

Mr. WATSON. Is not the Senator aware of the fact that the Postmaster General is so mixing up the interests and the business of the two telegraph systems of the United States and all their other interests that it will be almost impossible to unscramble them unless it be speedily done? Now, it may be a year before the treaty of peace is finally signed. Nobody knows.

Mr. UNDERWOOD. I will state that I am more optimistic. I think the treaty of peace will be signed in a few months.

Mr. WATSON. Nevertheless, at the present rate at which the business of these two enterprises is being intermingled it will be an almost impossible thing to do.

Mr. UNDERWOOD. What I was trying to point out is the impossibility of the Interstate Commerce Committee of the Senate considering this question and finding a verdict between now and the 4th of March.

Mr. WATSON. Precisely.

Mr. UNDERWOOD. There is no possibility of its accomplishment.

Mr. WATSON. There is no doubt about that at all. I think the Senator is entirely right.

Mr. UNDERWOOD. The railroad question is going to occupy the entire time of that committee; but as the question of investigation is of so much importance and the chairman of the committee is temporarily out of town and expects to be back to-morrow, I wanted to ask the Senator from Minnesota if he would not allow the resolution to go over until to-morrow?

Mr. KELLOGG. Of course, an objection, as I understand, will send the resolution over.

Mr. UNDERWOOD. I did not want to object.

Mr. KELLOGG. I have no objection to the Senator objecting. I am willing that the resolution should go over until to-morrow. I wish to say one word, however, if the Senate will permit me, about this particular investigation.

I do not think this investigation will take much time. I am not so much interested in investigating the past. I believe if Mr. Burleson and a few officers of the systems mentioned and people who are familiar with this subject would come before the committee and explain their views, the committee could readily come to a conclusion as to what it may be necessary to do.

I do not believe anybody in this Government for a moment considers that the Government should own and operate the cables, or that it can do it, or that it can ever get the consent of foreign Governments, or that it would be politic to try; but I do believe that something should be done at once to extend the cable lines, and I do not think it should wait for six months or a year.

So far as the telegraph and telephone lines are concerned, quite likely when they are returned the problem will somewhat

solve itself, although I do think the Interstate Commerce Commission's jurisdiction over telephone, telegraph, and cable systems should be extended to naming the conditions under which capital should be issued, stock and bonds, and the fixing of rates of cable lines, as well as the telephone and telegraph systems. Those subjects are going to be investigated, so far as the railways are concerned, by the Interstate Commerce Committee; and many of the questions are exactly the same, as they apply to the telephone, telegraph, and cable companies. But as the objection has been made, I ask that the resolution may go over until to-morrow.

Mr. WATSON. I wish to ask the Senator a question.

Mr. KELLOGG. I yield.

Mr. WATSON. Along the line of his last remark, does not the Senator recognize there are vast differences presented by the question? The railroads, for instance, we all know will not go back to private ownership as they were before they were taken over by the Government; but, on the other hand, cables and telegraphs and telephone systems require no legislation to be handed back and in all human probability ought to be given back just as they were before they were taken over. The two questions present entirely different angles for the consideration not only of the committee but of the Senate. I am on both committees, so far as that is concerned, and I do not particularly care. I believe that if the resolution goes to the Committee on Interstate Commerce it will not be acted upon, and I believe also that if it goes before the Post Office Committee it will be acted upon, and what I desire is action, because I think these lines should be turned back to private ownership at the earliest possible date.

Mr. KELLOGG. I ask that the resolution go over.

The VICE PRESIDENT. The resolution will lie over and be printed.

AMERICAN FORCES AT BREST, FRANCE.

Mr. NEW. Mr. President, I am going to indulge the hope that the Senator from Minnesota [Mr. KELLOGG] will withdraw his objection to the immediate consideration of the resolution which I offered a few minutes ago, as I would like to make a little statement about it

Mr. KELLOGG. I withdraw the objection. I did not understand that I was objecting to the Senator's resolution. I objected to yielding the floor, and I certainly will withdraw the objection.

Mr. NEW. If the objection be withdrawn——

Mr. KING. Mr. President, I reserve the right to object, if that may be done under the rule, until I hear the explanation of the Senator from Indiana [Mr. NEW]. It seems to me there is no necessity for this resolution until we hear the report which will be submitted by the Secretary of War.

Mr. NEW. Mr. President, I have no knowledge concerning the truth of certain statements made in the newspapers concerning conditions existing in the camp occupied by the American troops at Brest, but they have been made on the personal responsibility of at least one correspondent of recognized standing and character, and it seems to me that they call for some investigation on the part of this body. If that condition is as reported, it affects the comfort and the health of every American soldier who occupies that camp. I am making no charges or insinuations or anything of the kind. I am simply offering this resolution in order that the Committee on Military Affairs may make an investigation of the conditions, and make such recommendations looking to the amelioration of these conditions as the investigation may seem to warrant. I think the Senator, understanding that, will have no objection at all to the resolution.

Mr. FLETCHER. May I interrupt the Senator?

Mr. NEW. I think the matter calls for immediate consideration.

Mr. FLETCHER. Has the Senator noted the comment of the Secretary of War appearing in this morning's Washington Post, showing that he has instigated by cable an inquiry into the facts there, and reciting the conditions as he saw them and as the Assistant Secretary of War saw them in this camp?

Mr. NEW. I did notice that; yes.

Mr. FLETCHER. I can not see any occasion for rushing an investigation by a committee 3,000 miles away when the information is being cabled for and will no doubt be here very shortly.

Mr. NEW. Mr. President, I confess that I can not see why objection should be offered to the consideration of this resolution and to an investigation being made by a committee of the Senate. It may be true that an investigation will be made also by other authorities. I can not see why the Senate should forego not only its right, but its duty, to investigate charges of that kind simply because some one else is going to do the same thing.

Mr. JONES of Washington. Mr. President, I have understood that the Committee on Military Affairs already has authority to make an investigation of this kind under a resolution heretofore adopted by the Senate. The Senator from Indiana is a member of that committee and will know better about it than I do. This war has not officially ceased, and that committee has been investigating, from a military standpoint, many different matters in connection with the conduct of the war. It seems to me that under the resolution under which it has been acting heretofore it could also act in this matter.

Mr. NEW. Mr. President, it is true that the Committee on Military Affairs has a sort of blanket authority which may cover this case. However, I do not know positively that it does cover it, and for fear it does not I think it well to have a specific resolution covering this question. For that reason I have offered the resolution.

The VICE PRESIDENT. There being objection, the resolution goes over under the rule.

WAR EXPENDITURES.

Mr. JONES of New Mexico. Mr. President, on the night of December 23, I believe it was, when the discussion was being concluded upon the revenue bill, the senior Senator from Wisconsin [Mr. LA FOLLETTE] delivered a very able and instructive address. During the delivery of the address a colloquy was entered into between the distinguished Senator and myself, and it developed that there was not a full understanding between us regarding certain expenditures of the Government. The figures as given to the RECORD at that time were so at variance and, to my mind, of such importance that I think it advisable some explanation should be made at this time.

The Senator from Wisconsin was discussing the expenditures of the past with respect to what would probably be the expenditures henceforth, and I know that I was greatly impressed with the figures he gave for the reason that they indicated that the expenditures would not materially decrease for some time to come, and that those expenditures were much larger than I had been led to believe they were. The Senator said—I quote from near the bottom of page 824 of the CONGRESSIONAL RECORD:

> In the fiscal year ending July 1, 1916, before we entered the war, the total disbursements were $1,040,261,082.73. In the fiscal year ending July 1, 1917, that would include some of the war expenses incurred from April 6, 1917, our total disbursements were $3,046,183,746.19; for the fiscal year ending July 1, 1918, the disbursements were $21,813,356,508.39.

Afterwards the Senator yielded to me, and I made the statement that I was not acquainted with the figures which the Senator had given, and he referred to the report of the Secretary of the Treasury as authority for the figures which he had given.

I stated at the time that the Secretary of the Treasury gave the actual expenditures for the fiscal year ending June 30, 1917, as a little over $2,000,000,000, and for June 30, 1918, as a little over $13,000,000,000. At the moment I was not able to recall anything in the report which might give rise to this discrepancy, but since that time I have thought it important to look the matter up, and on page 400 of the report of the Secretary of the Treasury I find that the figures given by the Senator from Wisconsin are correct, if emphasis be put upon the word "all"—"all disbursements of the Treasury Department." But the distinguished Senator failed to take into consideration the large expenditures concerning the public debt. We all know that the Treasury Department has been issuing from time to time certificates of indebtedness, short-term certificates, which in turn are being taken up and being paid off out of the Treasury. Of course, the receipts from that source, as well as the disbursements, will appear in the report at the page cited by the Senator from Wisconsin.

A rather complete explanation of this situation is given by the Secretary of the Treasury in his report, which appears in the same volume on page 4. Before making the statement the Secretary of the Treasury gave the receipts and the disbursements for those fiscal years, and the totals were those given by the Senator from Wisconsin; but in explanation of that statement the Secretary of the Treasury, on page 4 of his report, says:

> An analysis of the above table for the fiscal year 1917 shows that, exclusive of public-debt transactions, the receipts for the year amounted to $1,124,324,795.02 and expenditures for the year $2,026,678,446.74, including $885,000,000 on account of the purchase of obligations of foreign Governments. From this it will be noted that, exclusive of public-debt transactions, 55 per cent of the expenditures of the year were paid from revenue receipts. If the purchase of obligations of foreign Governments is deducted from the total ordinary and special expenditures—that is, expenditures exclusive of transactions in the public debt—the result is $1,141,678,446.74, and the above figures show that over 98.5 per cent of this amount was paid for from revenue receipts.

Mr. WEEKS. Mr. President——

The VICE PRESIDENT. Does the Senator from New Mexico yield?

Mr. JONES of New Mexico. I yield to the Senator.

Mr. WEEKS. I want to make inquiry about what subject we are now on.

The VICE PRESIDENT. We are on general resolutions now.

Mr. JONES of New Mexico. I will say to the Senator that I am going to conclude in just a minute.

Mr. WEEKS. If the Senator is going to bring up the entire discussion——

Mr. JONES of New Mexico. Oh, no; not at all. I simply want to get the RECORD straightened so far as it pertains to references to expenditures as made on the night of the previous discussion. I shall not require more than a minute or two longer.

Mr. WEEKS. Very well.

Mr. JONES of New Mexico. The statement of the Secretary of the Treasury continues:

> A similar analysis of the table of revised receipts and expenditures for the fiscal year 1918 shows that, exclusive of transactions in the public debt, the receipts of the year were $4,180,425,155.99 and expenditures for the year $13,196,071,287.40.

That discloses the reason which brought about the discrepancy in the figures which the Senator from Wisconsin and I had in mind. I think it is wise at this juncture to call attention to the same state of affairs which will be disclosed upon an examination of those statistics with reference to the experience following the other wars referred to by the Senator from Wisconsin. The Senator gives exactly the total disbursements of the Treasury Department for those years, but he does not make any reference to the amount of disbursements which were made on account of debt transactions, and while, of course, the Senator was perfectly right, as I believe, in insisting that the war expenses did not all cease with the signing of the peace treaty, yet I am inclined to believe that sufficient emphasis was not given to the question of public-debt transactions.

I notice in these statistics—I did not read the figures—that following the Civil War, in 1866, about one-half of those total expenditures were on account of public-debt transactions; and so I think the real situation can not be understood without an analysis of the figures with reference to the public-debt transactions.

Mr. LA FOLLETTE. Mr. President, if I may be permitted, I desire to say just a word, interrupting the morning business only for a moment.

I shall be glad to take the criticism of the Senator from New Mexico of my figures and to make some further investigation, and when opportunity offers for a somewhat more extended reply than I could make at this time without interrupting the morning business I shall avail myself of such opportunity to make it.

Mr. JONES of New Mexico. Mr. President, I merely desire to remark that I have not made these statements for the purpose of criticizing the Senator from Wisconsin, for we all know that in our labors in the committees and here in the Chamber we can not keep everything in mind. The Senator, I think, was perfectly justified in taking the total of all disbursements in the way in which he did; but it seems to me that, by doing so, perhaps a wrong impression would be obtained. The Senator, of course, knows that I would not in a spirit of criticism refer to his address. I know that he is one of the most diligent, energetic, and able Senators we have in this body.

PROPOSED PURCHASE OF CANTONMENTS.

Mr. BORAH. Mr. President, I understand that the Senator from Massachusetts [Mr. WEEKS] and the Senator from Illinois [Mr. LEWIS] desire to address the Senate in a few minutes, and I shall detain the Senate but a moment.

I see by the public press that the able Secretary of War is disposed to purchase all of the cantonments, to enlarge the sites, and to extend the military program and maintain it, as it were, at the war standard. I do not desire to discuss that matter at this time, but I should like to ask the able chairman of the Committee on Appropriations, the Senator from Virginia [Mr. MARTIN], whether or not there are now any funds available to the Secretary of War out of which the purchase of these cantonments can be made, or will legislation be necessary before such funds can be provided?

Mr. MARTIN of Virginia. Mr. President, I feel very sure that legislation will be necessary before that can be done. I know positively that no legislation has been reported from the Committee on Appropriations making available any such fund.

Mr. SMOOT. Mr. President, I desire to call the attention of the Senator from Virginia to the fact that in an appropriation bill appropriating money for the War Department there was an authorization to use it for other purposes than for which it was appropriated, or, in other words, it was made transferable. There are some $7,000,000,000 appropriated more than will be used by that department for the present fiscal year, and the department could, if transferable, use a part of the money to purchase the cantonments.

Mr. MARTIN of Virginia. My contention is that such authorization would not go to that extent. I know it was not the intention of the committee to confer any such power as that, and I do not think a close reading of the act will disclose any such authority.

Mr. SMOOT. I was of the same opinion as is the Senator from Virginia, but when the question of appropriating came up before the Finance Committee as to the amount of contracts which could be annulled the Secretary of War, as well as Gen. Lord, made the statement that there was a provision in an appropriation bill authorizing the War Department to use the money that was appropriated for a specific purpose, if not expended for that purpose, to be transferred to the credit of another account within the department.

Mr. MARTIN of Virginia. But those were for war purposes; the war has ended, and it would be the grossest violation of good faith if the Secretary of War should take those moneys and expend them to the extent of $500,000,000 to buy these cantonments. I can not conceive it to be possible. I know nothing of the sort was intended, and I do not believe it could be legitimately done under any provision of law which has been reported from the Committee on Appropriations.

Mr. SMOOT. I hope the Senator's contention is correct, but I simply made the statement I did to the Senator from Idaho, because of what occurred in the Finance Committee and the statement that was there made in relation to any specific appropriation which had been made for the use of the War Department.

Mr. BORAH. Mr. President, I infer from the statement of the Secretary of War that he himself understands that legislation may be necessary, although that is simply an inference; it is not a statement clearly made on the part of the Secretary.

I am very glad, indeed, to have the vigorous and incisive statement of the Senator from Virginia [Mr. MARTIN] that no such authority, in his opinion, exists. I desire to say that if by any latitudinous construction such authority should be conferred, I trust the Secretary of War will permit Congress to pass upon that program before it is initiated. It is a matter of lasting and vital moment, and if any such authority has been given it has been given under the supposition that it would be used during the war and not after the war has ended. I hope Congress will be permitted to pass upon the program before its adoption.

Mr. KING. Mr. President, will the Senator from Idaho yield to me?

Mr. BORAH. Yes.

Mr. KING. Does the Senator from Idaho know whether or not all of these cantonments have been erected upon private land? I was under the impression that most of the cantonments, if not all, had been erected upon land the title to which had been secured by the Government. It seems to me that if all these cantonments have been erected upon private land it was a very unwise and a very imprudent thing to do.

Mr. BORAH. I am unable to answer the question of the Senator from Utah.

Mr. JONES of Washington. Mr. President, I think I can answer the question of the Senator from Utah [Mr. KING]. My understanding is that there is only one cantonment which is located upon land which is owned by the Government, and that is at Camp Lewis, where the land was donated to the Government by Pierce County, in my State.

Mr. KIRBY. Mr. President, the Senator from Washington is certainly misinformed in regard to that proposition, for Camp Pike, in Arkansas, consisting of 3,000 acres of land, was donated to the Government for the location of a camp by the people of Arkansas, at a cost of $350,000.

So far as the other matter is concerned, I desire to say that I know as to some of the appropriations that have been made, and I do not think it is the purpose of the War Department to purchase $500,000,000 worth of cantonments without submitting the matter to Congress and without giving us a view of what the program is from now on as to what is and what shall be, and taking the judgment of Congress and getting authority to do the things that must necessarily be done.

The VICE PRESIDENT. If there be no further concurrent or other resolutions, the morning business is closed.

WAR CASUALTY LISTS.

Mr. WEEKS. Mr. President, the distinguished Senator from Illinois [Mr. LEWIS] had announced that he would address the

Senate after the close of morning business to-day, but he has courteously yielded to me to discuss briefly the casualty lists, or an investigation which was made of them by the Committee on Military Affairs. I wish to say to those who have come particularly to hear the Senator from Illinois discuss the great questions which he contemplates doing that my remarks will be brief and there will soon be an opportunity to hear him.

Mr. President, for several months there has been an increasing volume of complaints of the delay in publishing casualty lists. Not only the War Department but Senators and Representatives have been communicated with and appealed to in a great number of individual cases, many of which were of a most distressing character, and these complaints became so numerous that it seemed to be the duty of the Military Affairs Committee of the Senate to give the subject consideration. There is some difference of opinion as to the advisability of considering such matters at a time when practically very little practical result can accrue. It takes the nature of a post-mortem and requires the attention and time of Senators, who undoubtedly are fully occupied in other matters; and yet my own belief is that all such matters should be fully investigated not only to determine the justification for the complaints which have been made, but to demonstrate what should not be done in dealing with such problems in the event the country ever becomes engaged in another war.

The Committee on Military Affairs finally decided to take up this question, and held its first hearing on the 3d of December. There appeared before the committee the Secretary of War; the Chief of Staff; Hon. Frederick P. Keppel, Third Assistant Secretary of War; The Adjutant General, accompanied by Maj. Lemle; and Mr. W. R. Castle, jr., the director of the bureau of communication of the American Red Cross.

During the past summer and fall the members of the Military Affairs Committee of the Senate have been holding conferences with certain officers of the War Department Saturday mornings to discuss the various activities of the department, to be furnished with up-to-date information, and offer suggestions relative to the improvement of the service based on information which might come to them during the week. At several of these meetings inquiry was made by Senators in reference to the casualty-list situation, and we always received the same general reply; that is, that while the service was not satisfactory, every effort was being made to improve it; that delays were largely incident to the fact that our men were fighting with allied units, and frequently American wounded were taken to British or French hospitals; and that it was always desirable that accuracy should accompany the reports. Although these explanations seemed to be reasonable, they were not sufficient to excuse the frequent long delays which occurred in publishing American casualties. I think the officers of the War Department were thoroughly in accord with the conclusions of the Military Affairs Committee that better service should be obtained.

Of course, it is now too late to change the system which had been followed in reporting casualties, but the system has been so cumbersome and has led to such general delay in all cases, and most unreasonable delays in some, that I think it may be worth while to call to the attention of the Senate the methods used in handling the casualty situation. This general résumé of the system employed is taken from the testimony of Mr. Secretary Keppel, who went to Europe in the month of October to investigate this service and determine the causes for the unusual delays in reporting casualties.

In a word, the purpose of the system established on the other side was to keep a complete statistical record of every individual in the American Expeditionary Force. This necessarily developed a complex and involved condition. It was, in effect, a system of master cards plus finding lists, using the regiment as a unit. While the system did not completely break down during the summer months, after the 18th of July, when the casualties became heavy, it was unable to handle the situation with efficiency or expedition. However, it seemed to be too late to attempt to modify it, and that was the general plan followed in reporting casualties up to the signing of the armistice.

In answer to an inquiry, Mr. Keppel gave the following facts relative to the time required in reporting and forwarding casualties to this country: In the case of a man who died on the field of battle, it took an average of 9.68 days to start the report on its way to the central records office, located in Paris. These 9.68 days were consumed in making the company report and in investigating the correctness of that report. From the regimental headquarters the list would be started on its way to Paris; but on account of the difficulties in telegraphing American names over French lines the courier system was adopted for this purpose, and it required an average of 4.36 days for the lists to reach the central records office in Paris. There then took place another checking up of records, as a result of which the average time the name remained in the central records office was 7 days, or a total of 22 days from the time the casualty occurred to the time the name was put on the cable and sent to the United States.

In the case of wounded men, this time was materially reduced, because the man was immediately taken to a hospital and the time required to investigate his case was shortened; so that the average time required for transmitting all reports of casualties to the central office and their examination there—this including those killed on the field of battle, those who died in hospitals, and the injured in hospitals—aggregated 18¼ days before the name was cabled to the United States.

It seems to follow without argument that if there had not been delay in completing returns, by either the company or regimental officers taking time to check up every case that occurred during a battle, much greater expedition would have resulted. The natural course followed at the end of each day was for the company commander to at once report the number of casualties in his company, so that the divisional commander would know just how many men he needed as replacements for the following day. This report was immediately followed by the names of those killed and wounded. In most cases these reports could have been made in a very short time if delay had not occurred in trying to check up every individual doubtful case.

Mr. OVERMAN. Mr. President——

The PRESIDING OFFICER (Mr. KIRBY in the chair). Does the Senator from Massachusetts yield to the Senator from North Carolina?

Mr. WEEKS. I yield.

Mr. OVERMAN. Does the Senator know the cause of the delay here in the office in Washington?

Mr. WEEKS. I am going on to describe that.

Mr. OVERMAN. I will cite the Senator to a case that I learned of this morning in my office. The father of a soldier had not heard from the boy since the 1st of October and made inquiry concerning the boy. The soldier's brother in France also made inquiry and ascertained that the boy had died of pneumonia in a hospital after coming out of a battle. In addition to that, he wrote immediately to his father that his brother had died, and then his father wrote me the letter which I received this morning. I telephoned to the department, and the reply was that the boy died on the 25th of October, and yet his father had not heard a word since the 1st of October from his boy. It seems to me there is some unnecessary delay in the office here.

Mr. WEEKS. I will say to the Senator from North Carolina that there are literally thousands of cases similar to the one which he has described. I thought it best to describe first the situation on the other side; but I am going to take up the situation in the department in Washington.

The testimony on this subject was furnished by Mr. Keppel and was largely corroborated by Mr. Castle, who brought to the attention of the committee the fact that while he thought the system was much more cumbersome than it should have been, it had another distinct weakness in that the work was done by men who had never had any experience in card-index systems; that, generally speaking, they had had no clerical experience, and that much of the delay was due to this fact. He stated further that recently the system has been temporarily operated by English women known as the Waacs, and that this change has expedited the reports very materially.

It is pretty difficult without having direct testimony to make a comparison between the time consumed in reporting the names of American casualties to the central office in Paris and that required by other allied nations. The French Government has not published lists of casualties. The British Government has done so. The testimony submitted by Secretary Keppel, who examined the British system while he was in Europe, was to the effect that while the system seemed more cumbersome than ours, it was, on the whole, simpler. The best evidence he could obtain indicated that the British lists were published in practically one-half the time it required us to transmit our lists to the central office in Paris.

The British Red Cross has from the beginning of the war been furnishing reports to the families of British killed and wounded.

I should like to ask Senators to note that the British Red Cross was furnishing information direct, because I am going to explain why our Red Cross did not follow the same course. While the time required to get an official notice to a family of

a casualty was not far from two weeks, the unofficial notice from the British Red Cross reached the family in a much shorter time.

As a further indication that there have been unreasonable delays in the machinery organized to get lists to the central office in Paris, Mr. Castle, of the American Red Cross, testified that whenever a man was reported missing the Red Cross immediately took up the matter through the International Red Cross Service in Switzerland and obtained from Germany a prisoners' list; that from the time a man was taken prisoner until a substantiated report was in the hands of the Red Cross in Washington averaged about a month, and that recently the Red Cross in Washington had been furnishing the War Department lists of American prisoners in Germany almost invariably before the men carried on the lists had been reported by the War Department as missing.

The work of the Red Cross has had a very direct bearing on this whole casualty question. It was not the original purpose of the Red Cross to take any action in the case of well men, and it was assumed that whatever action it took, except in the case of prisoners, would be supplementary to the work of the War Department. Gradually, however, the Red Cross extended its activities, and it might have been extremely helpful to the War Department if there had been proper cooperation.

When Mr. Castle returned from a trip to Europe in September, 1918, he found several hundred letters in the hands of the Red Cross written by boys confined in hospitals in France to their parents. Under a ruling of the War Department the Red Cross was not permitted to forward these letters to those to whom they were addressed until the department had made an official report of the casualty. This condition had existed earlier in the summer; indeed, as soon as the casualties commenced to come in, but it did not become acute in its effect until after the fighting at Chateau Thierry and the engagements which followed. On his return from Europe Mr. Castle again brought to the attention of the War Department—he having done so before he went to the other side—this condition, and finally, after the 27th of September, by permission of the War Department, these letters were promptly forwarded.

It was a natural impulse which led wounded boys confined in hospitals to send communications to those nearest them through the Red Cross, feeling, of course, that they would be promptly and certainly forwarded to their destination. It will be seen, however, that from early in May of 1917 until the 27th of September, 1918, there were at all times more or less letters in the hands of the Red Cross containing information about wounded or sick men, written by themselves or their nurses, which could not be forwarded to the persons to whom addressed because of this rule of the War Department, and in many cases these letters were held up for a very considerable time, as is completely demonstrated by the delays in publishing the names in individual cases.

The theory on which the order was issued, if I understand the testimony correctly, was that the department wished absolute accuracy, which, of course, was desirable; but it does not follow that such information passing through official channels, there being several different offices through which it must pass, would be any more accurate or as accurate as information obtained by the Red Cross through its individual representatives. This organization not only had representatives at American and British hospitals in France, but also traveling representatives, who were constantly visiting French hospitals. It was not practicable to have representatives at all French hospitals, there being some 5,000 of them, but the hospitals were thoroughly covered and prompt reports made to the Red Cross in this country. I shall wish to show later on how frequently its sources of information might have been used by the War Department in expediting individual reports if advantage had been taken of the Red Cross facilities.

Moreover, in such criticism as I may make of the office of The Adjutant General under the present head of that department, I do not think it can be charged that he was responsible for this failure to allow the Red Cross to send information to the parents of wounded soldiers until the official lists were published, because that order was put in operation by his predecessor and presumably with the official sanction of the department.

The fact is that the War Department's information has been frequently wrong, and as a result has caused much suffering. I shall give some specific instances later, but one example will indicate to what extent this condition has been true. During the month of August the Red Cross had in its possession the cases of over 200 men who had been reported by the War Department as missing and who had been found by the Red Cross in hospitals in France. They never had been missing and the reports to that effect were all errors. It is almost incomprehensible that this could be true when it is presumed that a complete weekly list of the inmates of all hospitals in France is furnished The Adjutant General's office, and that this has been done for many months. One of the most glaring errors shown in the lack of coordination between the War Department and the Red Cross service is found in the fact that these hospital lists were not until the latter part of November, 1918, although in the possession of the War Department, furnished to the Red Cross.

The day after I dictated what I am now communicating to the Senate I read cases which illustrate this lack of correctness of the War Department's reports in three different papers—one from New Bedford, Mass.—and these cases simply illustrate the general situation which I am trying to describe:

MARTIN GETS TELEGRAM TELLING HIM HE IS DEAD—AS MATTER OF FACT, NEW BEDFORD MAN NEVER GOT AS FAR AS FRANCE.

NEW BEDFORD, *December 29.*

When a telegram from the War Department was delivered at the home of Lieut. Robert Martin, 232 Arnold Street, recently, announcing his death in action in France, the telegram was received by Lieut. Martin himself.

Lieut. Martin, as a drafted man, went to Camp Devens, then to an officers' training camp in Virginia, and received his commission just before the armistice was signed; so he didn't go to France. How the War Department made the mistake has not been explained.

In the Washington Star, of the same date, I see this:

READS HE IS "WOUNDED"—MAJ. W. D. ALEXANDER, HERE MONTHS, FINDS NAME ON CASUALTY LIST.

Five months after receiving wounds in France, Maj. William D. Alexander, the son of Maj. Gen. Robert Alexander, commanding the Seventy-seventh Division, and Mrs. Robert Alexander, of Willard Courts, read in Thursday's casualty list that he had been "wounded, degree undetermined."

This is dated December 23:

Maj. Alexander was wounded on the western battle front on July 26. At that time he was a captain. In August he was ordered to return to the United States, and has been on duty in Washington since September 17.

Here is one of the same date from a far-away town in northern New Hampshire:

Pvt. Walter Sturtevant, of Colebrook, was also reported on Sunday as "severely wounded." Pvt. Sturtevant is the son of Mr. and Mrs. Melrose Sturtevant. He was wounded in the left arm during the summer and has been in a base hospital in this country for several months. He passed a Thanksgiving furlough with his parents. A part of a bone was removed from his leg and grafted onto an injured bone in the arm.

And yet he was reported wounded on December 19.

Another example will serve to show conclusively how inaccurate has been the work of the War Department in this particular. During the week ending December 14, 1918, the Red Cross received an average of 20 letters a day from parents who had been advised by the War Department that their sons had been killed on a specific date. In every one of those cases the parents wrote that they had received communications from their boys subsequent to the date given by the War Department. It seems almost miraculous that so many errors could have occurred in cases of this kind.

One of the very palpable reasons for cooperation between the two services is found in the suggestion made by Mr. Keppel that the American Army officers had no right of entry to French or British hospitals, but this right under international law is accorded the Red Cross. That is a fact well known, and it should have been at once assumed that the Red Cross would in such cases have evidence which would be of value to the War Department, and it should have been a sufficient reason for the closest cooperation between the two services.

Moreover, it should be noted that the War Department has not made a practice of reporting in the following cases: First, cases of gassing; second, cases of serious illness; third, cases of accident, unless the man is killed; fourth, cases of slightly wounded men. Many of these were brought to the attention of the Red Cross, because in such cases the men were in all probability confined—temporarily at least—in hospitals, and in many cases confined for a considerable length of time. In correspondence home his fellow soldiers report that he is wounded; no report has been furnished the family of his being wounded, and they naturally become greatly alarmed, and it has been so difficult to obtain information that this alarm frequently has continued for as many as 30 days, creating great distress and frequently disgust, which would seem to have been entirely unwarranted if the Red Cross had been permitted to have furnished this information to the families of men gassed or injured.

It should also be noted that The Adjutant General of the Army in Europe had no information of the order of the War Department prohibiting the furnishing of such information to families by the Red Cross before the official announcement of the casu-

nity until June of this year. At that time the adjutant general of the American Expeditionary Forces stated to Mr. Castle that it was supposed on the other side that all information which came to the Red Cross would be at once communicated to the families or it would not have been allowed to be sent over to the Red Cross, as all such reports were censored at the headquarters in Paris; so it follows that the wishes of the Army officials in Europe in this respect were not carried out on this side, but overruled by the order to which I have referred.

It is also worth noting that the War Department in sending reports of casualties to families simply state that the individual is killed or wounded without further explanation, and the department here, as far as I know, has no other information on that subject. That work has very properly been taken up by the Red Cross, and it is testified that in the neighborhood of 10,000 letters a week have been sent to the families of those killed or injured, giving the facts relating to the death or the condition of the injured man.

Another reason for delays in reporting casualties—and I nearly overlooked it—was the demand for technical accuracy which the War Department required. An example of this kind is the case of Hugh H. Blair, Company A, One hundred and fifty-sixth Regiment, who was reported missing. This name did not appear on the rolls, so it was sent back to France by the War Department for correction, necessarily requiring about a month, and this was done notwithstanding the fact that there was a "Hugh H. Blair, Company A, One hundred and fifty-sixth Regiment," who had not been reported missing, and who was the only man in that company whose name compared in any respect with that of "Blair."

According to the evidence before the committee—and it has been made public—there have been 264,000 casualties up to the time this hearing was given, December 4. There had been reported by the Adjutant General about 120,000, or—at the time this testimony was taken—total deaths of 50,928 and total wounded 69,841, showing a discrepancy with the Pershing cable reports of 7,550 deaths and 120,114 wounded.

I should like to call attention to the fact that this morning we learn that, according to the official statement made on the 26th of November by Gen. Pershing, there are yet 50,000 casualties of some kind which have not been reported to the public.

It has been repeatedly stated in the testimony given by the Secretary of War, Gen. March, and others that the names were given to the public as soon as they were received, and yet hospital lists, which must contain substantially all of the wounded, are sent to this country every week. Before the armistice was signed, November 11, the names were sent over by cable in code; that is, deaths and missing were sent in code, and it was necessary to take time enough to decipher them, but since that time they have been sent by their true names, and there has been no delay. If Gen. Pershing could report the total number of deaths on November 26, 1918, and the cables were free to send the names direct, it seems incomprehensible that now, on the 26 of January, there is contained in the newspapers every morning lists of a very considerable number of deaths. The death lists, except those which occurred as a result of wounds or disease since that time, should have reached this country as early as December 1, and should have been published within a day or two of that date. Moreover, the statement that all lists are published as soon as they are received in this country can not be accurate for the reasons I have stated, namely, that hospital lists, including wounded and sick men, are received every week, and that these lists are sent from Europe by courier.

One of the excuses made by The Adjutant General in referring to the giving out of these lists was that his force was much too small when he took charge of the bureau, there being but 100 persons in that office. That force has now been increased to 1,500 employees, and, while I may not understand the requirements in checking up lists, it will be noted that on no day has more than 1,500 names been published, which would necessarily mean that these 1,500 employees only examine and are ready to report our a maximum of five names each a day and on most days up to this time not more than two or three. One would think that 1,500 persons examining a list as it existed December 4 of about 130,000 names would have been able to have cleared up the entire roll as early as the 10th of December, or within a week's time. That would have only meant the checking up in every way necessary of about 88 names apiece a week, and I can not fail in this respect to call attention to the indirectness and the lack of what seems to be positive information on the part of The Adjutant General in giving his testimony. It should be said of course in his behalf that he was detailed to this very important and difficult position at a time when the office was overwhelmed with work, and it would necessarily require him a considerable time to become familiar with the details; yet presumably this work was organized, so that the system was in operation at the time, and it would only have been necessary for him to have changed those things which were not working satisfactorily. I can not believe, however, after hearing Gen. Harris's testimony, which was noticeable for its seeming failure to comprehend either in detail or in general what should be done to improve this service, that the change in that office during the activities of war was a businesslike or desirable step to have taken. It would seem that the former Adjutant General, who had in most respects performed his work satisfactorily, should have been continued in this important place.

Another criticism which will justly rest against the Office of The Adjutant General is the failure to answer correspondence in casualty cases promptly and frequently the failure to reply to it at all. In a great many of the individual cases I have been asked to investigate it has been stated that one or two or more telegrams or communications have been sent to The Adjutant General requesting information, and no reply has been received, and that is the testimony of other Senators.

While it is known to everyone that our local mail service has sadly deteriorated under its present management, although it has not yet sunk to the wretchedly inefficient condition of the mail service between this country and the American Expeditionary Force, it would not be possible to charge it with the responsibility for the great delays brought to the attention of the committee during the recent hearings by Senator NEW. He stated that it required about 12 days for a Senator to get a reply to a communication written The Adjutant General's Office, and to corroborate that statement he put in the RECORD these cases. He did it at the suggestion of the Secretary of War, who rather questioned the correctness of Senator NEW's statement:

A letter written by Senator NEW on November 18 in the case of Glenn L. Marshall was answered by The Adjutant General on November 30.

In the case of a letter written November 25 he received a reply dated December 2.

In the case of one written November 18 relating to one Basil Richardson he received a reply November 30.

In the case of Leroy Elson he wrote November 18 and the date of the reply was November 29.

In another case he wrote November 6 and received a reply dated November 25; and it is significant in this last case that The Adjutant General stated in his reply that "Pvt. Mark E. Dufenslach, Company I, Eighteenth Infantry, is officially reported dead July 19 from wounds received in action." I call particular attention to that, because it was necessary for the relatives of this man to appeal to their Senator in November to learn about a soldier who had died on July 19. It required 19 days to get a reply from The Adjutant General. These instances, furnished the committee by Senator NEW, were not unusual, but indicative of a condition which has consistently prevailed.

There seems to have been a failure on the part of the War Department officials to discriminate between cable reports and courier reports, and in all of the questions asked, as, for example, of the Chief of Staff, the reply has been that names were published as soon as received and checked up on this side. Undoubtedly that is true of cable reports, but it is very far from being correct as applied to reports received by courier, as is evidenced by the testimony of Gen. Harris. He states in reply to an inquiry:

The courier reports of death come under reports on changes and casualties. All changes that occur as to the status of an officer or enlisted man are reported in these daily reports, and until you examine each report you can not tell how many casualties there are.

He went on to state that his office was not very far behind with the courier reports, and when pressed as to how far behind the office was, he said:

I should say, to-day, less than a month.

The following colloquy took place:

Q. I do not grasp just what that means. You said less than a month. Do you mean you are a month behind in courier reports that have been sent to your office?—A. In some of the courier reports we have not verified all the names.

Q. How many names, in your opinion, have you in your office from any source which have not been reported?—A. That is impossible to answer.

Q. Have you 10,000 or 20,000 or 50,000?—A. As I stated before, the reports come in what is known as the reports of changes and casualties, and they come in by the thousands every day, and it is necessary to count each one of those to state how many are casualties and how many are ordinary changes of duty.

Q. Have you not the slightest idea of the number of names of deaths or casualties you have in your office that have not been given to the public or to the families?—A. I could make an estimate by giving the number Gen. Pershing has announced.

Q. Has he sent over all that have been killed or wounded?—A. How he reaches his totals of killed and wounded he has not told us, whether by special reports from the organizations or whether he counted the names on the daily reports and change of status; I do not know. I think he may probably get them from special reports.

Q. He has reported 265,000 casualties. Have you that entire number in your office?—A. I have not.

Q. Have you anywhere seen the total number?—A. We get every few days a large package of these courier reports. Gen. Pershing is now reporting all casualties.

If the answers given to these inquiries enlightens anyone they will serve a purpose they failed to do in the case of the committee. Evidently bunches of courier reports are coming in every few days, and yet, with 1,500 clerks, it is impossible so to check these up that The Adjutant General could guess whether there were ten or fifty thousand of those names not reported; but that there are a great many is quite clear from a statement made by Mr. Castle.

Mr. Castle stated in a letter to me that "Hospital reports dated from September 15 to October 12 were given me on November 26. I did not know whether it would be worth while to have the names carded, but, as an experiment, set some girls to work. In the first 1,660 names carded I found only 60 which had been officially reported. Naturally I did not take all the names on the list, but only those who had been wounded or were very seriously ill. The rest were not worth carding at all. Of the 60 reported, 43 were reported as dead, never having been reported as wounded at all." In other words, there were a large number of hospital reports, all dated between the middle of September and the middle of October, and evidently received within two weeks of that time, because the courier would require that time to bring them over, and only 4 per cent of them had been given to the public or to the families of those interested before November 26.

It is not practicable to include in the RECORD many of the hundreds of instances which have come to the attention of Senators relating to this maladministration, but I want to give a few as an indication that they really exist. There was published in the Boston Transcript of December 8 the case of Pvt. Frank W. Coppinger, who was wounded on July 18 and who had been at a base hospital in France. His family heard from him direct about the middle of November, although the information was not sent from the War Department until a day or two before the 8th of December. When asked about this case, Gen. Harris replied:

I suppose the report in that particular case was either misplaced or lost. That is the only explanation I could give.

Another case was instanced at the hearing of a man who died at a base hospital at Liverpool, England. Reports were received by the parents of the man's death direct from a member of his command about November 1, the information evidently going through two hands on the way, which caused some delay, and a Senator was asked to corroborate the information. He requested the facts from the War Department 10 days before our hearing commenced—December 3—but had received no reply from the department on that date. In other words, a man had died in a well-known hospital, certainly as early as the 1st of November, and in the early part of December the War Department was unable to furnish information relative to the case to an inquiring Senator within 10 days.

On December 8 the Washington Post published this case—and I am taking these cases out of a large number which have been furnished me—of Charles N. Fant, a resident of this city and a member of the One hundred and twenty-first Machine Gun Battalion. He had been reported missing in action since October 4, and it required more than two months to get that information to the family of the missing man. Literally hundreds of cases of that kind might be instanced.

December 12 I received an inquiry from Cicero, Ill., made by Mrs. Elizabeth Melchert, which I will not read—it is much too long for that—but which requested information about Sergt. Fred A. Dockendorf, Company K, Fifty-eighth Infantry, Fourth Division. She stated that he was wounded August 6, degree undetermined. Since that information was furnished the family nothing had been heard from the Government, although members of the family had written constantly making inquiries. I asked the Red Cross for information in this case and received the following reply:

Here is the history of the Dockendorf case, so far as I know it: On September 20 we received a letter from Mrs. Dockendorf saying that on August 31 she had received a telegram from the War Department that her husband had been wounded on August 6 and asked us to get details. We answered on September 21 that we would inquire in Paris, and wrote again on September 27 that as no further news had been received it was probable that Dockendorf was getting on all right. In October we received in our Paris mail a list of graves, and among them was that of Frederick Aloysius Dockendorf. We did not write his wife, because we had no other facts and because, in any case, we were not allowed to do so. We did inform The Adjutant General of those names that had not been officially reported and asked him to make the notices official. He did nothing about it. We had more correspondence with other members of the Dockendorf family, particularly the sister, Mrs. Melchert. She also wrote a pathetic letter to Mrs. Wilson, who had The Adjutant General telegraph. The answer came in the course of time, but was not given Mrs. Wilson until she asked to have another cable sent. As a matter of fact, an answer to this cable was returned to the War Department, and it had been lying there for 15 days when the request was made for further information.

The War Department then found the answer to the first cable, which said that Dockendorf was wounded on August 6. Mrs. Wilson's secretary then telephoned to me asking me to cable, and I told her that we had a record of the man's grave. We had already cabled, asking to have the death verified, but had received no answer to the cable. Mrs. Wilson's secretary said that I ought to write to Mrs. Melchert, rules or no rules, and I did so on November 21. I did not write the wife, as I thought the sister could tell her more kindly. For some reason the sister did not tell Mrs. Dockendorf, who wrote me again on December 3, and I then wrote her all the facts I had. My office in Paris has since confirmed the location of the grave, which is registered with the Graves Registration Bureau, and is endeavoring to get some details of death. The case is a characteristic one.

One of the saddest cases brought to my attention is that of a man in Pennsylvania, who telephoned me on the 1st day of December that his brother was wounded on the 8th of October and taken to a hospital in Paris—he named the hospital—and that he had died on the 11th of that month. This information came to him through a letter written by the man's nurse to his mother, the letter being written on the 14th of October and received November 11. My informant then wired The Adjutant General three times for information, but received no reply to any one of his three telegrams. He then asked his Congressman to make inquiries, which the latter did, and was informed by The Adjutant General's Office that it would take three weeks to get a reply. This statement was made notwithstanding the fact that in many instances the War Department has cabled for information for others and obtained an answer within a week's time. In this case, it will be noted that the man was wounded on the 8th of October, taken to a well-known hospital in Paris, where he died on the 11th of October, and yet his family could obtain no information from the War Department as late as the 6th of December. On the 16th of December I received a communication from this gentleman, who had called me on the telephone in reference to his brother, to say that his brother-in-law had not been heard from for nearly two months and that there had been great anxiety in the family over his case, and the young wife of this soldier was so tremendously upset by the failure to get information about her husband that on the day previous she had committed suicide. The following day, or the day this letter was written to me, information was received that this man had been killed in action two months before.

It may be claimed that the real duty of the War Department and of our Army was to win the war, and no one can successfully gainsay that statement. Moreover, our troops have conducted themselves in this first requirement in a manner quite equal to our fondest expectations; but, in addition to this requirement, it was the duty of the War Department to keep stimulated not only the morale of the Army but the morale of the people at home, especially of the families of those serving on the other side, and to prevent as far as possible unnecessary distress and apprehension. You can not read the papers, or the numerous letters, or the testimony given at the hearing of the Senate Committee on Military Affairs on this subject without coming to the conclusion that there has been a failure on the part of the War Department to meet this requirement. Every Senator will undoubtedly corroborate the correctness of this conclusion. I do not say this from a desire to be critical, but I do believe that, having made an examination of the conditions surrounding this activity, it is the duty of some one to put on record the result of that investigation and to call attention to the reasons for the failure of this branch of our military service, a failure which has caused unnecessary mental suffering and anxiety on the part of many of our people.

Mr. LEWIS. Mr. President——

The PRESIDING OFFICER (Mr. KENDRICK in the chair). The Senator from Illinois.

Mr. CHAMBERLAIN. Mr. President——

Mr. LEWIS. I yield to the Senator from Oregon.

Mr. CHAMBERLAIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead.	Johnson, Cal.	McLean.	Smith, Ariz.
Beckham.	Johnson, S. Dak.	McNary.	Smith, Md.
Borah.	Jones, N. Mex.	Martin, Ky.	Spencer.
Calder.	Jones, Wash.	New.	Sterling.
Chamberlain.	Kellogg.	Norris.	Sutherland.
Culberson.	Kendrick.	Nugent.	Thomas.
Cummins.	Kenyon.	Overman.	Trammell.
Dillingham.	King.	Phelan.	Underwood.
Fletcher.	La Follette.	Poindexter.	Vardaman.
Frelinghuysen.	Lenroot.	Pomerene.	Watson.
Hale.	Lewis.	Ransdell.	Weeks.
Henderson.	Lodge.	Saulsbury.	
Hitchcock.	McCumber.	Shafroth.	
Hollis.	McKellar.	Sheppard.	

Mr. McKELLAR. I announce the absence of my colleague [Mr. SHIELDS] on account of illness.

Mr. SUTHERLAND. I announce the absence of my colleague [Mr. GOFF] on account of illness.

The PRESIDING OFFICER. Fifty-three Senators having answered to their names, there is a quorum present.

LEAGUE OF NATIONS.

Mr. LEWIS addressed the Senate. After having spoken for about two hours, he said:

Mr. President, at this point, unless there is some reason that Senators have to the contrary, I should like to yield to the suggestion made to me by a Senator that there shall be an adjournment of the body. I should like to yield to such a suggestion, unless it conflicts with some other arrangement, and continue my presentation to-morrow.

Mr. THOMAS. Mr. President, I gave notice last week that I would address the Senate upon this subject to-morrow, assuming that the Senator from Illinois would finish to-day.

Mr. LEWIS. It will hardly take me 30 minutes to-morrow.

Mr. THOMAS. I am, however, willing to accede to the request of the Senator, with the understanding that my notice stands.

Mr. LEWIS. Mr. President, I want to say to the Senator that it is for the accommodation of other Senators that I yielded, knowing that the Senator would do likewise. The time I shall occupy to-morrow I think will be quite limited. I appreciate the courtesy of Senators.

ADJOURNMENT.

Mr. MARTIN of Virginia. I move that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Friday, January 3, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January 2, 1919.*

The House met at 12 o'clock noon.

The Rev. John Murray Atwood, D. D., dean of the Theological Department, St. Lawrence University, Canton, N. Y., offered the following prayer:

God of our fathers, Father of us and of all men, Thou who hast wondrously in the year that has just passed unified the diverse people of this great Nation with a new, finer, more intelligent spirit of loyalty, devotion, and generous service, who hast armed our armies with the might of conscious right to vanquish the tyrant oppressor in his power and pride, who hast enabled our soldier boys by their unconscious heroism, our citizens by their generous service, to enrich our national life with the new and yet ever old standards of patriotism and public spirit, with grateful hearts we would lift ourselves to that height, that Heaven, where Thou art always found, and make Thy strength and Thy spirit our own. In this year upon which we are entering, presenting grave problems, involving momentous issues, in which our every act as public servants is fraught with deep significance to the Nation and the world, may we remember that always upon these uplands of noble sentiment and high resolve there is power, Thy power, O God, available and free to all, not known upon the lower levels, so that none of us need be weak or play but other than a worthy part.

And as we take up our daily task may we rely upon Thy strength, may we take counsel by means of unselfish aid and large conception of public duty of Thy spirit, and so both faithfully and humbly do Thy will, to enable this great Nation to fulfill its mission both to its own people and to all mankind. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

The following leave of absence was granted by unanimous consent:

To Mr. CANDLER of Mississippi, until Monday, on account of important business.

To Mr. COOPER of West Virginia, for one week, beginning Thursday, January 2, on account of important business.

To Mr. BEAND, for five days, on account of illness.

To Mr. QUIN, indefinitely, on account of sickness in his family.

To Mr. BLACK, for five days, on account of illness.

To Mr. DOUGHTON, for three days, on account of important business.

THE REVENUE.

Mr. GARRETT of Tennessee. Mr. Speaker, I present the following privileged report (No. 882) from the Committee on Rules.

The Clerk read as follows:

House resolution 488.

Resolved, That the bill (H. R. 12863) entitled "An act to provide revenue, and for other purposes," be, and hereby is, taken from the Speaker's table with the Senate amendments thereto, to the end that the said amendments be, and hereby are, disagreed to, and the conference requested by the Senate on the disagreeing votes on said amendments be, and hereby is, agreed to, and the Speaker shall immediately appoint the conferees.

Mr. GARRETT of Tennessee. Mr. Speaker, the purpose of this rule is to take from the Speaker's table the revenue bill and send it to conference. I think that all gentlemen appreciate the necessity of this bill entering upon this stage of its consideration at the earliest possible moment. The people of the country who are to pay the taxes that are to be raised by this bill are entitled to know at the very earliest moment precisely what they are to pay, and how they are to pay it. We all realize that this bill must eventually go to conference, and in justice to the taxpayers of this country it seems desirable that it should go to conference at the earliest possible moment. Therefore the Committee on Rules has unanimously agreed on the resolution which I have just presented.

Mr. MANN. Will the gentleman yield?

Mr. GARRETT of Tennessee. For a question.

Mr. MANN. On Monday last the gentleman from North Carolina [Mr. KITCHIN], asked unanimous consent to send this bill to conference, and he gave to the House certain assurances with reference to the child-labor amendment, No. 546; the prohibition amendment, No. 600; and the campaign-contribution amendment, No. 222. I respectfully ask the gentleman from Tennessee to yield to the gentleman from North Carolina to state whether the statement which he made on Monday last concerning the bill, if it goes to conference, as to these amendments, still holds good.

Mr. GARRETT of Tennessee. If the gentleman from North Carolina desires me to yield I will do so.

Mr. KITCHIN. I would like to say that I will make the same assurances. I discussed it on Monday with several gentlemen after we adjourned, and they said that if I made the same assurances they would be glad to support this rule.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. GARRETT of Tennessee. For a question.

Mr. CAMPBELL of Kansas. Does the gentleman intend to give time for the discussion of this rule?

Mr. GARRETT of Tennessee. I thought I had really said all that was necessary to be said on the subject, in connection with the remarks made by the gentleman from North Carolina; in other words, I thought I had exhausted the whole subject. [Laughter.] Still I will yield to the gentleman for a further question.

Mr. CAMPBELL of Kansas. I have a demand for time to discuss the rule.

Mr. MADDEN. Will the gentleman yield, and permit me to ask the gentleman from North Carolina a question?

Mr. GARRETT of Tennessee. Does the gentleman from North Carolina desire me to yield?

Mr. KITCHIN. I would not care if the gentleman from Tennessee refused because I do not know what the question of the gentleman from Illinois is.

Mr. MADDEN. The question I am going to ask the gentleman will not embarrass the situation.

Mr. GARRETT of Tennessee. I yield for a question, but not for debate.

Mr. MADDEN. I want to ask the gentleman from North Carolina if he has any views with respect to the attitude of the House conferees on the amendment of the Senate which strikes out the House provision imposing a tax on clothing, articles of utility, and household articles, where the price of the article is over $20.

Mr. KITCHIN. I do not know how the House conferees feel about it, but if I was going to make a guess I should think it would be very easy to convince the House conferees that that probably is a wise amendment.

Mr. MADDEN. That the Senate amendment is wise?

Mr. KITCHIN. Yes; but I could not give the gentleman any assurance of that.

Mr. RANDALL. Will the gentleman from Tennessee yield to the gentleman from North Carolina that I may ask him a question?

Mr. GARRETT of Tennessee. Does the gentleman from North Carolina desire me to yield?

Mr. KITCHIN. Yes; but I hope this will be the last one.

Mr. RANDALL. In view of the statement of the gentleman from North Carolina, notwithstanding the adoption of the rule, the conferees will not understand that it is the desire of the House for them to nonconcur in amendment 600?

Mr. KITCHIN. Oh, no.

Mr. GARRETT of Tennessee. Mr. Speaker, I move the previous question.

The question was taken, and the previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

The Chair announced the following conferees: Mr. KITCHIN, Mr. HENRY T. RAINEY, Mr. DIXON, Mr. FORDNEY, and Mr. MOORE of Pennsylvania.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. SMALL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes. Pending that motion I ask the attention of the gentleman from Iowa [Mr. KENNEDY] to see if we can not have some agreement with respect to time of general debate.

Mr. KENNEDY of Iowa. Mr. Speaker, what does the gentleman suggest?

Mr. SMALL. On this side there are requests for an aggregate of only two hours. I do not know that that time will all be consumed. How would four hours do?

Mr. KENNEDY of Iowa. I have requests totaling 2 hours and 40 minutes.

Mr. MADDEN. Mr. Speaker, I will say to the gentleman from North Carolina, if I may inject myself into this matter, that I shall object to anything less than about eight hours. A lot of people here desire to talk about some matters, and I am going to insist that they have the opportunity.

Mr. SMALL. May I suggest to the gentleman from Illinois that if on this side we have requests for only 2 hours and on the other for 2 hours and 40 minutes, that we ought to be able to agree on a time not exceeding 4 hours and 40 minutes.

Mr. MADDEN. That would not do at all, as I understand it. I want some time on the bill, and the gentleman from Iowa [Mr. KENNEDY] has already committed himself to the disposition of all of the time that he has.

Mr. SMALL. How much time does the gentleman from Illinois desire?

Mr. MADDEN. Thirty minutes.

Mr. KENNEDY of Iowa. Mr. Speaker, permit me to suggest to the gentleman from North Carolina that we run along during the day with general debate, and that then we can probably come to some agreement in respect to closing it this evening.

Mr. SMALL. If we could agree upon it now, it would be much better. I would suggest not exceeding five hours.

Mr. KENNEDY of Iowa. That is satisfactory.

Mr. MADDEN. May I have 30 minutes of that?

Mr. SMALL. Yes.

The SPEAKER. The question is on the motion of the gentleman from North Carolina, that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 13462, and pending that the gentleman asks unanimous consent that debate be confined to five hours.

Mr. SMALL. Unless general debate should be concluded earlier.

The SPEAKER. Unless general debate should be concluded earlier than that.

Mr. SMALL. The time to be equally divided between the gentleman from Iowa and myself.

The SPEAKER. The time to be equally divided.

Mr. COOPER of Wisconsin. Mr. Speaker, I desire to ask the gentleman a question, perhaps not germane, but important, nevertheless. Does the gentleman from North Carolina know whether the Committee on Rules has given up the idea of presenting a rule upon this matter of certain contracts made by the War Department?

Mr. SMALL. I am informed that, in any event, it will not be presented to-day.

Mr. COOPER of Wisconsin. Will the gentleman permit me to ask the chairman of the Committee on Rules a question?

Mr. SMALL. Certainly; the gentleman stands beside him.

Mr. COOPER of Wisconsin. This is a matter of exceeding importance to some constituents of mine. A very great wrong has been done them, and I am exceedingly interested in that rule in having a hearing before the House, so that these people can get some recompense for the wrong that has been done them.

Mr. POU. Mr. Speaker, I will state to the gentleman that there was a hearing had before the Committee on Rules which just came from the printer yesterday, which has been distributed very generally among the Members of the House. It was at first the intention of the Committee on Rules to present the rule to-day, but it was suggested that inasmuch as there were gentlemen who wanted to read the hearings and also probably the hearings before the Committee on Military Affairs it would be better to defer presenting the matter to the House until to-morrow.

Mr. COOPER of Wisconsin. Will the matter be presented to-morrow?

Mr. POU. I think so.

Mr. COOPER of Wisconsin. The gentleman is chairman of the Committee on Rules, and the committee has taken definite action on the rule. Is there no understanding as to when the rule will be presented?

Mr. POU. I had a talk with the gentleman from Kansas [Mr. CAMPBELL], who is the ranking Republican member of the Committee on Rules, and in so far as he and I can have any say in the matter the rule will be presented to the House to-morrow.

Mr. COOPER of Wisconsin. Mr. Speaker, I would say just one word more to the gentleman from North Carolina. Constituents of mine have had their land taken from them, land on which they did not even give an option, some of them. They were turned adrift and they went and made contracts for the purchase of other land. They have not received a cent for the land which was taken from them by the Government, and they have no way to meet their contract obligations. An exceedingly great wrong has been done them.

Mr. POU. The Committee on Rules certainly has no purpose to attempt to delay the matter, but it was thought by the gentleman from Kansas and myself that probably it would be better, in the interest of time, to give the Members an opportunity to read the hearings.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. MANN. Did the gentleman's request provide for the control of the time?

Mr. SMALL. Yes. The time to be equally divided between the gentleman from Iowa [Mr. KENNEDY] and myself.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the motion that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the river and harbor appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the river and harbor appropriation bill, with Mr. BYRNS of Tennessee in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. SMALL. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none. Under the order of the House the Chair understands that general debate has been limited to five hours, one half of the time to be controlled by the gentleman from North Carolina [Mr. SMALL] and one half by the gentleman from Iowa [Mr. KENNEDY]——

Mr. SMALL. Unless general debate shall have been concluded prior to that time.

The CHAIRMAN. Unless general debate shall have been concluded prior to that time. The gentleman from North Carolina.

[Mr. SMALL addressed the committee. See Appendix.]

Mr. KENNEDY of Iowa. Mr. Chairman, I yield one hour to the gentleman from Wisconsin [Mr. FREAR].

Mr. FREAR. Mr. Chairman, I desire to digress for a moment from the bill under consideration, in order to correct an erroneous statement taken from the New York Herald's account of the Security League probe.

Recently I addressed the House on the league's charges of disloyalty lodged against 300 Members of Congress, and then made certain specific countercharges against the officers of the league. A resolution of investigation of the league, then offered, was unanimously reported by the Rules Committee and immediately passed the House by unanimous vote. A com-

mittee was appointed and the probe was started before the holiday recess.

In the Herald article I read, "Representative FREAR charged the league spent more than $1,000,000 to defeat Members of Congress, which charge was denied by Col. Lydecker."

A brief reply is all I care to offer. I have never charged the league with spending any specific amount to defeat Congressmen, nor are the league books of much value in determining amounts so used, because large expenditures to defeat Representatives, instigated by the league, were made by other associated organizations throughout the country. I did charge, and again repeat, that "Security" League pamphlets contained a claim that the league's annual expenses reached $1,200,000. This fact has been put in evidence by the committee. Lydecker now says that his books show only about one-quarter million dollars expenses in 1918. That indicates league pamphlets sought to deceive the public as to the league's importance by grossly misrepresenting its proposed expenditure. This characteristic exaggeration reaches from 75 to 100 per cent falsehood as to estimated league finances, disloyalty charges against Congressmen, and many other subjects, even down to the borrowed title of its make-believe "colonel."

One important charge made against the league has been confirmed at the outset. According to the Herald article of December 20, Lydecker stated to the probe committee that $200,000 of admitted league subscriptions came from the Carnegie Corporation and from Rockefeller. The gift of $150,000 by Carnegie recalls the old armor-plate contracts made with this Government, that were a fitting prelude to the recent Hog Island contracts, and is a further reminder that United States Steel, a source of league supply, has profited hundreds of millions of dollars from this war. John D. Rockefeller's contribution to Lydecker's league of only $50,000 looks niggardly and probably represents less than one-quarter of 1 per cent of war profits wrung from the American people through boosting the price of gasoline alone. Guggenheim, Du Pont, Morgan, and 100 other Wall Street magnates have been disclosed to be financing this junker league. That is the source of poisoned gas and easy money, used to defeat blacklisted Congressmen in 1918.

No equal bunch of colossal egotists in or out of New York can be found anywhere compared with these corporation lip patriots, who assault people indiscriminately, announce their proposed changes to the Federal Constitution, who parade their promised changes in rules of Congress affecting committee chairmanships, who pompously promise to urge "just and careful" peace terms at Versailles, who denounce 300 Representatives and numerous Senators as disloyal, and in time of war widely published their undertaking to elect a "loyal" Congress in place of those on their blacklist.

Any irresponsible fool can set fire to a powder magazine and destroy all within reach. It has been demonstrated already that during inflammable times of war when the pointing of the finger of suspicion warranted conviction in some minds, this libelous league, though a mixture of culpable legislative ignorance, falsehood, colossal egotism, and love of notoriety, and under a hypocritical cover of patriotism, published to the world false libels that were used by political opponents to besmirch Representatives generally.

Now that the war is over and the influence of hysterical pronouncements has passed, this bunch of irresponsibles with its program affecting the peace of the world and "steadying the Nation by propaganda" is only ridiculous and no longer dangerous. The probe has made reasonably certain a prediction that within six months this New York corporation will be as dead as a mackerel, except on paper. Carnegie, Rockefeller, Root, and Parker are not likely to continue in active partnership with Lydecker, Orth, and McElroy much longer. Menken, the real brains, has been kicked out. Lydecker needs no further description; Orth's relations to the Mexican sisal trust is sufficient to show whence and why our questionnaires exist; and McNutt McElroy's $10,000 salary will dwindle 99.99 per cent, to use league mathematics, as soon as this educator who "deliberately insulted" the students of Wisconsin reaches his true value. Like Huns who ruthlessly destroyed the homes of Belgians, these maligners of men and destroyers of reputations in time of war can gloat over injuries inflicted on patriotic Representatives with honored names, more treasured than gold or worldly goods, names which have been dragged in the mire by these character assassins. My own election by over 15,000 majority shows such cowardly attacks were measured at their true value.

One further suggestion regarding the Herald article that says the "probe" fails to disclose anything to besmirch the patriotism" of the Lydecker Security League. No organized German propaganda during the war gave more comfort and aid to the enemy than the so-called Security League's effort to create discord at home by besmirching our people generally or to encourage the foe abroad by charging the American Congress with disloyalty. This junker corporation outrivaling anything in Prussia is the last word in un-Americanism and has been everlastingly tarred with its own disloyalty stick.

Returning to the river and harbor bill under discussion, a further statement is due in addition to the brief minority report filed for opposing the bill.

Of the river and harbor bills presented during the past five years, I have supported only one, that of 1917, carrying about $20,000,000, which contained items requested in times of war by Secretary Baker for war purposes and could not be opposed. All other bills and the omnibus public-building bill have been opposed for reasons that apply to this bill. Some of them have been defeated, others have been greatly reduced, with a total saving to the Federal Treasury of over $100,000,000, and some of the worst features have been eliminated from recent bills, but as long as omnibus bills and committee members are selected with a purpose in view of securing liberal appropriations for certain home projects bills will be objectionable and deserve defeat.

The cure repeatedly urged lies in a high-class, constructive, nonpolitical board of public works, like the Interstate Commerce Commission, with powers similar to those possessed by boards and officials in certain European countries, where local contribution is enforced against the community especially benefited by the waterway and where governmental aid carries control of rail and water rates and reciprocal duties. That alone makes possible the use of such waterways, whereas in our country, apart from ship channels, not one inland waterway out of a hundred improved by the Government is or apparently ever will be a success or a reasonable businesslike investment for the Government.

The cost to the Government for furnishing a waterway for river commerce, per ton, is not definitely settled as to method of computation, and only approximate results can be reached because the amount properly chargeable to investment is variously estimated, although annual maintenance is sure and certain. Excluding ferriage, floatable timber, and sand hauled short distances, not affected by river "improvements," the following estimates, in 1916, on the several rivers and canals named are noted in former minority views:

	Per ton.
Ohio River (excluding coal $40 per ton)	$3.00
Ouachita	8.00
Warrior and Tombigbee	12.00
Upper Mississippi	12.00
Lower Mississippi	35.00
Arkansas	20.00
Hennepin	36.75
Missouri	40.00
Muscle Shoals, Tenn	40.00
Brazos	80.00
Red	100.00
Big Sandy, Ky	350.00

SEVENTY NEW PROJECTS TO BE STARTED NOW.

The pending river and harbor bill of practically $27,000,000 contains 125 old projects, cared for under the omnibus bill, and in order to revive the spirits of insistent communities this bill adds 70 new projects, generously scattered throughout the country, a few of which are immaterial, several of which are good, and many of which are disclosed by the engineers' reports to be neither necessary nor of value to navigation. So many wasteful new projects and big appropriations for useless old projects have been inserted that the bill ought to be defeated under ordinary conditions and is indefensible in the present state of the Treasury.

On the day before this bill was reported by the River and Harbor Committee the press contained a statement that the Public Building Committee by a tie vote of seven to seven "opposed an omnibus building bill, that they declared was purely pork," and a proposed public building bill was defeated in committee. If I declared the bill before us is a "pork barrel," indignant committee members, who never opposed an item or a bill in their lives and who support anything and everything offered, would bitterly resent as a personal affront such charge, so I will not make it. I do say in a modest Christian spirit that this bill could never pass Congress but for the fact that it contained over a hundred old projects and 70 new projects, with additional surveys scattered from Maine to Mexico and to the Pacific coast, all of which bring votes to the bill. Not one item out of three, presumably, would get through if presented to the House singly, but in an omnibus bill everything goes. How far would the bankrupt Chesapeake & Delaware 13-mile item of $3,000,000 in a $25,000,000 future project get without an omnibus bill? How far would nearly a half million dollars' appropriation in the bill for the indefensible Upper Cumberland canalization $4,500,000 scheme get without an omnibus bill to pull it through? After spending $7,000,000 on the Cumberland

its real commerce is not one-quarter what it was before one dollar was expended by the Government in "improvements."

How far would a round million dollars for two hopeless, insignificant North Carolina canals or waterways get without this omnibus bill to save it for such favored localities? How far would a $400,000 item get on the lower Missouri, which is used to protect private lands along the river, where commerce last year cost the Government over $50 a ton? How far would items get which cover a score of rivulets and streams that should first be insured against fire if the popular omnibus bill is abandoned?

WHAT WE PAY FOR THROUGH LIBERTY BOND SALES AND WAR TAXES.

When an existing national indebtedness, that has jumped seventeen times its prewar size within two years, with Congress about to impose a heavy direct $6,000,000,000 tax burden on the country, with a new liberty bond issue of $5,000,000,000 soon to be demanded of the American people on the plea of patriotism, while liberty bonds are selling on the New York stock market at 94 cents on the dollar, with this unprecedented financial problem confronting us the American people are asked to subscribe for more liberty bonds, with which we expect to pay $3,000,000 for a bankrupt canal, $1,000,000 for two insignificant North Carolina waterways, $340,000 for the hopeless Cumberland River project, $200,000 for the doubtful Mississippi sound project, $580,000 to divert silt from Los Angeles, $400,000 to revet private lands along the Missouri River, and through other bills several million dollars to protect private lands along the lower Mississippi, with many other projects in this bill of no greater value to real navigation.

When communities back home pound their Representatives on the back for local appropriations it is hard to resist the pounding, and when active lobbies camp in and around Washington determined to get local plums for their communities, Representatives who expect to come back to Congress are sometimes unable to act independently. This effort to get something for the locality reaches a high state of perfection when one State, that is nameless, secured a $100,000,000 nitrate plant to be built by the Government at Muscle Shoals, on the Tennessee River, and also about $12,000,000 of Government money for canalization of the Black Warrior River, which after that large expenditure is deserted and practically bare of commerce. Several million dollars more of Government funds are to be expended in buying Government boats for this deserted river. Limitless Government appropriations are also in prospect for local highways in this same State.

Such is the disposition of those who have secured enormous local Government appropriations in the past. I am using the illustration for such purpose alone. Other States and communities may be equally insistent, if not equally successful. Present legislative standards exalt those who aggressively demand Federal money for localities, until it becomes a standard for other communities, which demand generous helpings from the Federal Treasury as the price of continued public service by their Representatives.

All these weaknesses in our legislative system are encouraged by a loose Governmental financial policy. Both political parties have demanded a budget system in an effort to curtail waste, but Congress repudiates that pledge found in both party platforms. Every country of importance in the world excepting our own has adopted the budget system, yet we continue to invite enormous waste and extravagance through numerous appropriation committees that act independently, and may present omnibus bills for passage containing good, bad, and indifferent items, carrying in the aggregate all the Treasury and taxpayers will bear.

I do not care to discuss this recognized weakness in our legislative methods beyond a simple statement of fact, which is known to every Member. The war Congress has thus far placed four liberty loans with the people, aggregating $17,852,000,000. That money was secured after tremendous effort put forth by every known agency in the country, with the plea of patriotic duty, and nearly $18,000,000,000 was subscribed by the American people for war purposes.

The Secretary of the Treasury now advises us that another and fifth liberty loan is necessary to obtain $5,000,000,000 more to carry on our expenditures, while the rapidly growing revenue-tax bill must provide direct taxes of $6,000,000,000, covered by the pending revenue bill for the next fiscal year, which is in addition to the prospective loan. Our appropriations due to war in the Sixty-fifth Congress, second session, reached $36,119,536,082, and appropriations for the present fiscal year are estimated at $18,000,000,000. Such figures do not carry much significance to the average mind, and a few million dollars more or less in the pending river and harbor bill may seem of small importance.

The foregoing amounts include $8,223,540,702 loaned to foreign Governments, a considerable portion of which may be charged up to profit and loss. Hundreds of millions and presumably billions of dollars have been lost or wasted through mismanagement, inefficiency, or unnecessary expenditures from the moneys appropriated for war purposes, like the Hog Island and airmachine waste, but the American people recognize this as one of the accompaniments of war.

TIME TO RETRENCH.

Now that the war is over, a vigorous policy of retrenchment is necessary not alone as to amounts of expenditures but also as to their character. Why does the River and Harbor Committee break away from this policy of retrenchment? On July 1, 1918, the Engineer's office reported unexpended balances for waterway improvement amounting to about $55,000,000 in round numbers. By January 1, 1919, it was estimated the balance on hand would be reduced to about $45,000,000. In other words, only $10,000,000 will have been expended in the six months, with a balance in the hands of the Army Engineers of $45,000,000 at the time this bill comes before Congress. The Engineer's office presented an estimate to the committee prior to the signing of the armistice with which to make up the bill we are now considering. In these estimates $2,973,000 were for maintenance of all waterway projects during the coming fiscal year and $7,647,500 for improvements on old projects, reaching a total of $10,650,000, which, with the balance on hand and a lump sum for emergencies, cover all that the Engineers require for necessary waterway work at this time.

The Engineer's office asked for a $5,000,000 lump sum with which to meet emergencies and $250,000 covering surveys. Gen. Taylor, of that department, however, stated to the committee that the Engineer's office could safely get along with a lump sum of $1,000,000 instead of $5,000,000 contained in the Army Engineer's recommendation, which reduced that estimate $4,000,000, and also that $150,000 would be sufficient to cover surveys, which made an additional reduction of $100,000. In other words, the river and harbor bill on a war basis with these reductions would have reached only $11,770,500, an amount that would appeal to the taxpayers and those who are called upon to buy more liberty bonds at this time.

The bill before us demands $26,936,344, and, in my judgment, no possible justification can be offered under existing conditions of the Treasury for this enormous increase over the amount asked for by the Engineer's Department, and that department has always made generous requests not governed by business considerations. Under the pressure of local communities which force their Representatives to demand increased appropriations, and new projects not urged by the Engineers for war purposes, we are confronted with a bill that includes vigorous boosts in amount of old projects, some of which are of doubtful value; and about 70 new projects have been added, a few of which may be worthy and important, but which, without exception, could wait until we have adjusted our Government affairs to better meet the tremendous war obligations placed upon us. With Treasury burdens, which never before dimly approached present demands, and with $45,000,000 on hand for use in the hands of the Engineers for present construction, the committee, over protests, has adopted 70 new projects carrying $8,768,844 in initial expenditures and an aggregate of between $25,000,000 and $50,000,000 in eventual new obligations. Some of these new projects, in my humble judgment, are indefensible now or at any time in the future, and while it may be hopeless to protest against their insertion in the bill I can not remain silent at this time.

QUESTIONS TO BE ASKED OF AND BY CONSTITUENTS.

Needed projects are included in this bill, but under a reduced lump-sum appropriation Army Engineers will be responsible for expenditures, and 70 new projects may well await a careful separation of the good from the worthless.

Which one of you, my colleagues, will say to his constituents a continued tax on passenger, freight, express, and a hundred other necessities is to be used to help pay for another new $200,000 project on the deserted Government $12,000,000 Black Warrior "improvement" down in Alabama? Which one of my colleagues will go to the people of his State asking for a continuance of 3 cents postage on letters to help pay $400,000 in this bill for the deserted $20,000,000 Missouri River project, or $580,000 for Los Angeles's silt disposal? Will any of my colleagues ask his friends to support the needy Federal Treasury by investing in war stamps in order to dig out Deep Creek, or Scuppernong Creek, or Fishing, Swift, or Smiths North Carolina creeks, Murderskill, Mispillion, Raccoon, or Broad Creeks, or scores of other useless narrow creeks? Who among my colleagues, I now ask, will plead with his constituents to buy liberty bonds in order to give $1,000,000, contained in this bill, to North

Carolina's hopeless inland waterways, or $3,000,000, contained in this bill, for the bankrupt Chesapeake & Delaware 13-mile canal, which the Government first helped to build originally?

Who will dare tell their constituents that this bill saddles 70 new projects on to the Treasury pay roll, many of them indefensible expenditures that will reach from $25,000,000 to $50,000,000 before completion, and all to be paid by war taxes or liberty bonds? Who will say to their people back home we defeated the public-building pork barrel in committee this year by a tie vote, but with $45,000,000 on hand we surrendered to a $27,000,000 time-honored wasteful river and harbor bill when the Treasury was worse than empty? Every man must answer these questions to his constituents and to himself when voting for this bill.

We have appropriated for rivers and harbors in the past nearly a billion dollars, and the waste is notorious. Some estimates have reached over one-half of the total amount expended. Harbor improvements are generally of value, but contributions rarely are had from favored communities as in other countries. River expenditures, as a rule, have brought no commerce to deserted streams, which were covered with boats long before a dollar had been expended by the Government. We close our eyes to millions of dollars sunk in the rivers and harbors of the country, frequently for strictly local benefits, for land reclamation, for water powers, for private contractors who are primarily benefited, for drainage and silt-protection purposes, and sometimes just for money to spend under the plea that it keeps labor employed. All this is done under the pretense that general waterway commerce will be benefited.

REHABILITATING THE RAILROADS THAT HAVE DESTROYED INLAND WATERWAY COMMERCE.

We silently watch millions of Government dollars go to rehabilitate run-down railway systems, golden streams of money taken from the pockets of taxpayers under the plea of war measures to build up rolling stock, terminals, and other necessary adjuncts of private railways; we silently accept unprecedented jumps in freight and passenger rates to unheard-of proportions, which have been imposed on the ground that more money must be squeezed out of the public to improve transportation needs in time of war.

We confront the fact that railways under private ownership have driven waterway commerce from all our inland streams and canals and that the unconscionable railway methods pursued have crushed out individual enterprise and ruined certain communities in order to build up others. But when the question of taking over railways by the Government is mooted, men in public life generally drop the subject like a red-hot poker. Our distinguished Commander in Chief, who commandeered all the railways and their employees with a brief sweep of the pen, now says he does not know what to say on the subject of Government ownership of railways—the first utterance of that kind which has emanated from that high source on any subject during the past six years of national affairs. Not to be outdone regarding the railways, the Director General of Railways, who took them over at one fell swoop, has now resigned, and in like manner leaves us stranded as to his own judgment in the matter, excepting to urge their retention for five years as a "test."

Men, in Congress and out, who first declared we will never let go of the railways, and are now urging their return, look askance at those who are not equally acrobatic in judgment. Meanwhile private railway interests are on the job 24 hours daily. They have employed the ablest counsel that could be furnished in or out of New York Security League's corporation lawyers, while the harmonious chorus of approvals through the press regarding private railway demands indicates that a propaganda for railway return to private control is becoming thoroughly organized. I am not assuming to discuss the merits of a question that presumably will be warmly debated in Congress before many months are past, nor do I assume to pass judgment in any way upon this large problem, which must be solved, but I do call attention to a phase of the subject that demands thoughtful consideration from us as legislators.

PRIVATE RAILWAY CONTROL HAS DESTROYED INLAND-WATERWAY TRAFFIC.

After long and bitter struggles with the old familiar railroad lobbyists, Congress and the States have taken from railway officials the right to impose secret rebates, or the watering of stocks, or power to ruin or reward individuals or communities, or to issue free passes or other special favors, or power to charge all the public will pay, with other familiar results of autocratic control. No longer do we stand in open-mouthed awe while locomotives whisk the private car of the fourth deputy assistant purchasing agent along the line, nor do we longer wait in the regular passenger car while the prima donna's special train is given the right of way. Safety appliances, larger wage, better equipment, and improved management have become general through strong State control; but competition, lower rates, or luxurious appointments not warranted by revenue is a thing of the past.

Whether any of these conditions will be bettered under Government ownership is not material to this discussion, but it is important to know what bearing the railway problem has on waterway transportation. No student of the subject can close his eyes to the bald fact that apart from ship channels the railways have driven commerce from our rivers by cut-throat rates, and no intelligible effort has been made up to the present time to remedy such conditions. On the contrary, the Government has placed hundreds of millions of dollars in our rivers and inland waterways with full knowledge that such waterways would not be utilized without important changes in our transportation problems. While the Government has been expending these hundreds of millions of dollars in digging channels and in canalizing useless rivers, creeks, and rivulets the railways simply wait until real competition is threatened, when the boat line is taken over by interested parties or driven out of business by cut-throat rates.

Every effort to compel railways to accept minimum rates is thwarted by the different communities that enjoy favored freight rates through a fictitious waterway competition that never exists. Every way to promote or preserve substantial waterway traffic has been throttled by private railway interests. Conceding that congestion has resulted on the railways and asserting that no fear is had of waterway competition, which is damned with faint praise, the railways have made sure that such competition would be destroyed. Confronted by this remarkable situation, our Government, under the advice of its Army Engineers and supported by a vigorous home local lobby, continually gives down a golden stream of coin to improve the Mississippi, Missouri, Ohio, Tennessee, Cumberland, Trinity, Arkansas, and a hundred other rivers, creeks, and rivulets that have little substantial commerce, present or prospective, and no traffic proportionate to the enormous expenditures we have made upon these waterways. Antiquated canals have been taken over by the Government long after bankruptcy has ensued, and the lock tender's dreams from one month's end to the other are not undisturbed excepting through the arrival of the monthly governmental check, which awakens him from sound slumbers.

Commerce can not be found on these streams outside of official Army engineers' reports, which in the past have been camouflaged with sand and gravel, used for river improvement, hauled short distances, whereby the average tonnage appears to be maintained, while millions of tons of logs floated long distances helps to maintain the length of haul. Due to repeated exposures in recent years this practice is being changed, but bankrupt canals and communities along the rivers and dry rivulets of the country are as hungry for Government gold and as insistent as ever before.

WASTED GOVERNMENT BOAT BUILDING AND RIVER IMPROVEMENTS.

Another remarkable fact appears when the Government, through its war bureaus, acting with little or no scrutiny or restriction, has bought boats and barges for the use of the Democratic State chairman—Goltra, of Missouri—at a cost of $3,000,000 practically for his exclusive use on the upper Mississippi, and also has built other boats for the lower Mississippi, Black Warrior, and other waterways to be rented out to Tom, Dick, and Harry at whatever terms can be had. No private capital would invest in boats for these deserted waterways nor could they profitably run if so, but a generous Government Treasury, with $18,000,000,000 in outstanding bonds, is used to finance the dreams and speculations of waterway associations and private interests, until Secretary McAdoo, on December 15, served public notice through the press that contracts executed by him for building such boats would probably be a dead loss to the Government unless Congress extends the period of Government control of railways for five years in which to test out the experiment.

All the millions spent for the improvement of these waterways and for the construction by the Government of boats for private use will be wasted, according to the Railroad Director General's opinion, unless a fair test of Government control can be had. Yet Congress and war boards, and even other Cabinet officers, in the face of this unbusinesslike proceeding, blindly continue the indefensible waste.

PRIVATE OR GOVERNMENT OWNERSHIP OF RAILWAYS AND WATERWAYS.

Our Government is the only Nation of importance that refuses to accept a businesslike financial budget, and in equally mysterious fashion it is practically the only Government in the world that tenaciously clings to private ownership of railways, notwithstanding that policy has resulted in the destruction of our inland waterway transportation. All important railway lines

are State owned in Germany, Austria, Hungary, Russia, Italy, Switzerland, Belgium, Holland, Denmark, Norway, Japan, South Africa, Australia, and other countries. Over one-half of the lines operated under the English flag, according to statistics, or about 53,400 miles against 33,292 miles, are State owned, and the remainder are rapidly being taken over by the Government. In France the Government operates only a limited number of its railways, but by operation of law all are to come into the possession of the Government in the course of time. This principle also is invoked by the South American and Central American Governments according to authorities that have compiled statistics on the subject. Irrespective of merits or demerits of the railway problem, Congress continually is asked to give down liberally for impossible waterways without contributions from localities, giving to the community having the longest or most powerful reach, irrespective of comparative commercial necessity or possible utility, and we are continually asked to look to Germany and other foreign Governments for justification of such course. Every student of the subject knows that local contributions are generally imposed in Europe with waterway improvements, and wherever appreciable waterway traffic exists in European countries it is generally due to exceptional conditions affecting coal or other low-grade freight that are easily distinguished from our own conditions and to a control of railway rates that is exercised abroad in favor of cheap traffic for the waterways.

INDEFENSIBLE OMNIBUS APPROPRIATION SYSTEM.

Yet we cling to antiquated omnibus appropriations where the strong pull is not ignored and where no intelligible system of public work or improvement is exercised now or is in prospect. Anyone who protests against present blind methods of giving money from the Public Treasury under the lack of system now employed is taken to task by waterway organizations that live in fanciful dreams and have their annual delightful outings and, more important than all else under the present system, are potent factors in influencing the complexion of our river and harbor bills. Puck's philosophical reflections of "what fools we mortals be" may have been inspired by a brief study of our waterway program as disclosed by river and harbor bills passed by Congress. In addition to this remarkable situation, we are now confronted by the fact that generally every dollar poured into these inland waterways is primarily for the benefit of local interests and is taken from the pockets of taxpayers through war-revenue bills or liberty loans.

Those who represent local committees are sure to feel that their project is an exception to the rule and ought to be made a charge upon the Public Treasury. But I submit that under present conditions, where no immediate necessity can be shown, it is a reckless and unjustified policy for Congress to put 70 new projects into the pending bill and thereby add nearly $9,000,000 in amount to the total, with a future burden which comes by their adoption, reaching $25,000,000 to possibly double that amount, depending on underestimates and eventual depths to be demanded.

This much I have said in a general way to call attention to the system or lack of system which is more reckless to-day than it was five years ago, when these wasteful measures were first opposed in Congress, because the Treasury burden is immeasurably greater. No Member cares to incur the ill will of his brother Member or to attack items which may have political bearing upon the Member's home constituency, and I have no purpose in criticism further than to demonstrate the weakness and wastefulness of a system or lack of system which is unlike that of any other nation on the face of the globe. The bill before us has earmarks that show to what extent our lack of waterway or public improvements will carry us. It is true that Army engineers are high-class men who have approved these projects, but a brief glance at impossible waterway projects approved in the past by Army engineers scattered all over the country illustrates their poor judgment or lack of independence when confronted or surrounded with influences that have been potent with them ever since the young cadet first received his appointment to West Point many years before. Nor is it fair or just to expect such officers, however independent or conscientious—and I do not question their high standards—to stand between hungry local communities represented by Congressmen and influential Senators on the one hand and by an unappreciative and often misguided public on the other.

The lack of a financial Government budget is sure to be a source of never-ending trouble until we get rid of a system that permits gathering together of scores of local appropriations in omnibus river and harbor and public-building bills. It is the system that is primarily at fault, and until that system is changed the only possible cure presented is by making small lump-sum appropriations, to be placed in the hands of Army engineers to meet present maintenance and pressing emergencies. With $45,000,000 in the hands of such engineers, it is submitted that the bill before us has no justification and should be defeated.

I will not discuss the items in detail, but will refer to several that to my mind call for the defeat of the proposed bill. And let me say in passing that while I do not intend to take up much of the time of the committee, I hope when some of the items are presented to discuss them in an effort to show that the Army engineers themselves do not claim they are important or necessary at this time.

Large harbor interests at New York and elsewhere can be protected by the engineers through a suitable lump-sum appropriation; and while it is not a satisfactory way of lessening the waste, it is far better than to place increased unjust burdens upon the backs of people who alone do not yet appreciate the weight of burdens already assumed.

A LUMP-SUM APPROPRIATION WILL REDUCE WASTEFUL EXPENDITURES.

I have offered a minority report which proposes a lump sum of from $12,000,000 to $15,000,000 to take care of any necessary existing waterway project for the next fiscal year, and is in addition to the $55,000,000 in the hands of the Army engineers on July 1, 1918, only $10,000,000 of which has since been expended, according to their statement. I confess feeling that we are between the devil and the deep sea in placing lump sums entirely in the hands of the Army engineers, because their recommendations are often indefensible, but at least it will have the merit of reducing expenditures far below the amount named in this bill by the committee.

Take two or three projects named by the committee as a sample of the judgment displayed by Army engineers, whose recommendations appear in the pending bill. Four hundred thousand dollars is asked for in this bill by the engineers for the Missouri River from Kansas City to the mouth, a distance of 400 miles. This sum is in addition to a balance of $1,207,750 for this stretch of river which was on hand available at the beginning of the last fiscal year. On page 2820, Engineers' Report for 1918, appears the statement that $16,194,249 has been spent on this 400-mile reach of the river. Estimated at 4 per cent annual interest, this makes an annual interest charge on the Government Treasury of about $650,000, apart from annual maintenance, that in turn becomes an interest charge. On page 2919 the commerce for 1917, after deducting sand and gravel hauled about 1 mile by owners, reached just 11,743 tons, or about 39 tons a day, much of which was hauled short distances, and at an average interest cost to the Government, after furnishing the waterway, of over $50 a ton. Ninety-five per cent of the $400,000 is used for diking and revetment along the river banks, which protects private lands back of the river, although these lands make no contribution toward the cost. No boat line exists on the river and none is in prospect. A miserable waste of millions of dollars, recommended by Army engineers, after being rejected by Col. Townsend, head of the Mississippi Committee, is now a standing monument of waterway waste which these officers seek to justify by fanciful dreams of interested localities.

Again, on page 2329, the engineers report $272,870 total expenditure in past years for a small waterway from Norfolk to sounds of North Carolina, with questionable commerce, excepting one item labeled "Miscellaneous." That comprises two-thirds of all carried on the waterway and may have been hauled from 1 to 10 miles, so far as facts indicated. Such statistics are valueless in character. After the present bill was reported to the committee from the Engineers' Department a new appropriation of $250,000 was added in the pending bill, or nearly as much as has been expended during all the years that this waterway has been used. No possible justification in these times of heavy taxation can warrant such extravagance. Again, the old familiar hopeless inland waterway from Norfolk to Beaufort, on which $3,744,400 has been wasted, with a balance on hand available for the fiscal year ending June 30, 1919, of $649,725, receives in addition $750,000 after it was submitted by the Engineers' office to the committee. The insignificant commerce on this waterway, about one-half of which is piling and logs, also indicates a further loss of nearly one-half, or 50 per cent, during the last four years, and a startling fact from the taxpayer's viewpoint is that the cost of dredging along this so-called waterway has increased 100 per cent on portions of the project within the past three years, yet the clang of the engineer's iron scoop rings merrily on as long as the scoop reaches the Federal Treasury.

Other old projects that have been continually opposed give testimony to the extravagant methods pursued under the exist-

ing system. It is impossible to remedy or curtail such expenditures materially so long as the omnibus method of appropriations continues.

EXTRAVAGANT NEW PROJECTS TO BE PAID BY LIBERTY BOND SALES.

To the burden placed upon the Treasury by large additions to old projects the committee in the pending bill has added about 70 new projects, including $3,000,000 for the bankrupt Chesapeake and Delaware 13-mile canal, that, like the Norfolk-Beaufort $5,000,000 canal, is used to take the seasickness out of the sea. This in addition to several million dollars in this bill appropriated for the Delaware and Schuylkill in the near neighborhood that have actual commerce and yearly make generous demands upon the Federal Treasury. A few hundred thousand dollars more is inserted in the bill to begin work on the hopeless canalization project on the upper Cumberland that will wipe out over $4,500,000 more from the Federal Treasury before completion, in addition to over $7,000,000 already spent upon this river with an insignificant commerce, present or prospective.

The ubiquitous Ouachita project of 300 miles of deserted river on which we have spent $3,350,150, with constantly increasing estimates of several millions, again confronts us in this bill. Three hundred thousand dollars is added for more locks under Document No. 7, Sixty-fifth Congress. Last year's report on this hopeless project shows 2,667 snags were pulled out of the stream, 428 stumps and branches were jarred from their moorings, and 1,141 other obstructions were rescued by all the engineers' force that could be spared from the European battle front. After deducting logs and timber rafted and barged, and sand and gravel, the "commerce" reached 23,689 tons, of which over 8,000 tons was marked "Miscellaneous." What further need of expert testimony is necessary to show the public the value of this project than the appearance of local legislators from both ends of the Capitol before the committee who urged its adoption? By way of commerce comparison, one joint harbor in Wisconsin and Minnesota that has had about double the expenditure given this river, alone showed over 50,000,000 tons commerce in 1917 or over 2,000 times as much.

Many similar illustrations could be furnished showing the hopeless canalization waste that is now going on all over the country through the recommendations of engineers and easy acquiescence of Congress.

The Black Warrior River, which has been ostensibly completed at a cost of over $10,000,000, with the picturesque Tombigbee gets a new $200,000 project in this bill in addition to over $200,000 annual expenditure already imposed for many locks, repairs, and salaries. But why go over the same list of old and new hopeless projects that will eternally bob up as long as omnibus river and harbor bills lead to the doors of the Federal Treasury? Among the smaller items the Mispillion Creek cut-offs on the short, "tortuous" stream are again inserted. The new appropriation carries an amount equal to all that has been spent on this stream during past years, and this is another evidence of unretrenched expenditures included in the bill. Then there is Deep Creek, that is noted for its shallow waters; New Begum Creek, which turns up again in the pending bill; Seppernong Creek; Jones Creek; Pagan Creek; Mattaponi Creek; Raccoon Creek; Wicomico Creek; the familiar Oklawaha Creek, and shallow waters with pretentious names too numerous to mention, all of which find resting place in the pending bill and carry a total obligation reaching $25,482,534, which will presumably be doubled within the near future through increased depth of the various projects that invariably follow.

THE OMNIBUS BILL STANDS OR FALLS WITHOUT AMENDMENT.

A brief statement of the situation is offered without further argument, for I do not believe it is incumbent upon any Member to make continued protests and strenuous contests against such bills, when such opposition is resented by many different Members of the House who are interested in some particular project contained in the bill. All items will presumably remain, because it is impossible to strike out one without the collapse of all. It may be equally useless to try to defeat the bill on its merits where so many interested localities demand its passage, and it is significant that this bill with 70 new projects is being urged through the short session by our political friends who expect to surrender the legislative reins in the near future. It may be that with a short lease of political life the majority party cares little for the record made here at this time, and that record could not be made without acquiescence of others outside of the majority party, but I am content to register such opposition as may seem necessary in giving what I believe to be a brief exposition of a few indefensible items in the bill. It contains many such items, in my judgment, based on statistics furnished us by the engineers, and such items could only pass Congress through the omnibus system.

Let me conclude by saying that with $45,000,000 now in the hands of the Army engineers on January, 1919, it is a reckless legislative act to put through during this short session an appropriation bill for rivers and harbors that carries more than double the amount reported by liberal engineers as absolutely necessary.

The public-buildings bill committee, according to the public press, again refused to recommend a public building pork barrel at this session, and it was defeated in the committee by a tie vote. I will not refer to the pending river and harbor bill as a "pork-barrel" measure. I will not wound the tender sensibilities of my colleagues on the committee by using terms which seem popular in other committees and other legislative bodies, but I do say that without the omnibus feature, which permits the inclusion of many wasteful waterway projects from Maine to Mexico and on many deserted rivers and rivulets, it would be impossible to put through many of the items that are found in the pending bill. It is part of wisdom and public duty to defeat the bill and pass a substitute containing a small lump sum for present needs. For the reasons given in the minority report, at the proper time I expect to offer for passage a substitute lump-sum appropriation of $12,000,000 to $15,000,000 in place of the wasteful bill before us, which can be defeated only by such legislative action.

There is nothing further I care to say to the committee at this time, except at the proper time I desire, when projects are presented, to make some brief statements regarding a few of the projects which ought to be defeated, in my judgment, and I shall be content with that program. Heretofore, at times, I have taken a great deal of the time of the committee, and sometimes, possibly, unsuccessfully, but I have endeavored to disclose the views which I had of such bills without regard to the locality or whether they struck my own community. Let me say that the committee will bear me out in the statement that when a $2,000,000 appropriation for a project which flows past my district 150 miles I asked to cut it in two in the committee, and it was cut down to $1,200,000, and on the floor of the House I asked to have it reduced $600,000. This year this bill carries only $250,000 for 700 miles of the greatest river on the continent, and yet the waterway project on the North Carolina coast, a hopeless inland waterway, carries $1,000,000, and the Missouri River carries $400,000 at this time.

Mr. BOOHER. Will the gentleman yield?

Mr. FREAR. I yield to the gentleman from Missouri.

Mr. BOOHER. In stating what had been appropriated for the Missouri River the gentleman says that the Engineer's report showed $16,973,440.24.

Mr. FREAR. For this 200-mile section of the river.

Mr. BOOHER. For this project——

Mr. FREAR. I meant to say that after we have appropriated all that money, before and since this project was adopted, we have only secured 11,700 tons of actual commerce last year.

Mr. BOOHER. Would it not be fair to state in this connection that before the project that is now being carried on to improve the Missouri River there was no deepening of the channel, or snagging and dredging; that it was just simply keeping up and revetting the banks?

Mr. FREAR. The gentleman wants my judgment and that of men whom I have talked to who are familiar with the Missouri River, who have navigated that river in boats, and they say that all of this money that is being appropriated at this time is valueless for navigation purposes and will only help to serve for the revetment and redyking for private lands about 500,000 acres of land along the river. The best evidence of that fact, if the gentleman will permit, is this: After all these years during which we have spent this money, to-day not a single boat line is upon the river, and we have the best navigable facilities there we have ever had; and yet once that river was dotted with boats. On both sides of the river run railways, and you will never have a boat line until you compel the railways to permit it to live.

Mr. BOOHER. The gentleman ought to be fair enough in discussing the boat line to tell why the boat line has left the river from Kansas City to St. Louis.

Mr. FREAR. I will suggest one boat line was built there, and I understand they had hard work to exist, notwithstanding the stock of that boat line is owned by the men who get the benefit of it by shipping their own goods.

Mr. BOOHER. Now, the fact is those boats were commandeered by the Government and taken off the Missouri River at the beginning of the war and taken south on the Mississippi?

Mr. FREAR. Presumably true.

Mr. BOOHER. But was not a guaranty made between the War Department and the owners of the Kansas City line that the Kansas City line should be put back just as soon as possible at the close of the war?

Mr. FREAR. No; pardon me, if the gentleman will permit, I want to ask him a question there. Is it not a fact that when the question was put to that boat company—Mr. Dickey and others—that he refused to guarantee the boat line would be put back, and that point was raised in our committee, and that no boat line is in prospect?

Mr. BOOHER. The gentleman now tells what took place before the committee. Mr. Dickey, when before the committee, said he did not know what would be done; that he had been in the city of Washington on a war board since the declaration of war, and that he had not been back and did not know what the directors had done.

Mr. FREAR. There has been no effort by the gentleman who is now talking, or anyone else, to give the committee or give the House of Representatives a guaranty that the Missouri River boat line would be reestablished there, and $400,000 is in this bill without any hope of use of the waterway.

Mr. BOOHER. Does not the gentleman remember Mr. Dickey was before the committee, and when he was asked by the chairman of the committee what arrangement was made between the Government and the boat line he replied that the boat line——

Mr. FREAR. Oh, I accept just what the committee stated. I do not want to yield any further along this line. I want to be entirely courteous to the gentleman, because he is one of the most courteous members of the committee and has been very kind to me, but I do say this that if Kansas City was sincere in the idea of putting on a boat line they would have come with a guaranty. They have had all this time since the question was raised and they have not offered it. There has not been a single bushel of grain carried from Kansas City to St. Louis on this river, and that was the proposition originally for which the project was urged. All the traffic has come from St. Louis to help out Kansas City business men, who own the stock of the boat line, and yet they will not guarantee they will put that boat line back.

Mr. BOOHER. Does not the gentleman remember that the hearings show that the chairman of the committee, when Mr. Dickey was before it, asked him the question if it was not a fact that when the Government took over this boat line the Kansas City company guaranteed that they would put the boat line back on the river before the Secretary of War would permit the boats to be taken off?

Mr. FREAR. I can not say as to that. I know this, that there is no guaranty; that is, any offer that is tangible.

Mr. BOOHER. I do not know what the directors of the boat line have ever done toward restoring the boats.

Mr. FREAR. They have had notice of this situation right along.

Mr. BOOHER. Do you think they could build a line of boats since the armistice was signed?

Mr. FREAR. But they could bring back that line of boats. And what is more, the boats there are unsuitable for navigation. Notwithstanding the stockholders and the men who get the benefit of the transportation freights, they could not make it profitable.

Mr. BOOHER. But all the people get the benefit?

Mr. FREAR. But they were the ones most interested in furnishing commerce because the line carried their own goods.

Mr. BOOHER. They were the business men of Kansas City.

Mr. FREAR. Yes. I do not question their enterprise, but I do question the judgment they have exercised.

Mr. BOOHER. Would the gentleman be willing, if the directors of this boat-line company went to work now toward getting their boats built and put them on the river, to not oppose the passage of the bill?

Mr. FREAR. I would say, Mr. Chairman, unless Kansas City, or unless the State of Missouri, after we have expended $16,000,000 on this 400-mile strip of river, is willing to do something toward contributing, unless the money is not spent entirely for the reclamation of land and for revetment of this 500,000 acres, we ought to stop immediately except to maintain the channel.

Mr. BOOHER. Then, why keep the channel open?

Mr. FREAR. Providing any man is willing to take the chance of putting boats on there as they existed before a dollar was spent by the Government. And I would still keep the channel open and in better condition than it ever was before.

Mr. BOOHER. The gentleman knows the reason why there are no boats on the river now?

Mr. FREAR. Certainly. I think I can agree with the gentleman very largely.

Mr. BOOHER. When they had boats on the river there was no railroad up and down on either side.

Mr. FREAR. Yes, sir.

Mr. BOOHER. To carry out the idea presented by the chairman of the committee on his presentation this morning, the very reason they have been driven off is because there has been no freight rate between the river and the railroad.

Mr. FREAR. The gentleman will pardon me. I can not agree to that. The reason it has been driven off the Missouri, off of the Mississippi, off of the Arkansas, off the Cumberland, and off the Tennessee, and practically every river is that the railroads put down a rate that was not profitable to the railroads but drove the boats out of business.

Mr. BOOHER. Then the railroads are to blame?

Mr. FREAR. Certainly, largely. That is so, according to the judgment of the Army engineers and others who have studied the cause of waterway disuse.

Mr. BOOHER. Then the gentleman, or no other man that has opposed the rivers appropriation, has ever done anything to compel the railroads not to do those very things.

Mr. FREAR. How are you going to do it when the communities object to minimum rates? We will have that tested out when the bill comes up for the ownership of railroads. Then we will see who believes that the railroads ought to be returned to private hands, provided we want to maintain your water transportation.

Mr. BOOHER. And then the gentleman would not be opposed to the improvement of this river up to a standard, provided we had some railroad legislation?

Mr. FREAR. I would like to say that—as they do in Europe—I would want to have a waterway or public works committee carefully selected, of men who have a positive program to develop, and then I would want them to make a recommendation, and not have it come from gentlemen of this community or that community as it is to-day, asking that money be given to their community. That ought not to be the test. There ought to be an opportunity to pass upon this question without reference to the different communities affected, the utility and actual commercial use of the waterway.

Mr. BOOHER. Does the gentleman believe in water transportation, anyhow?

Mr. FREAR. I do not believe there can be any question of that. I have never opposed a reasonable appropriation for any harbor or anything that carries real water transportation. Here is $16,000,000 for this one project, and no traffic there. Does not the gentleman think the Government has done its full share and that it is time for the individuals or the State to take care of the situation?

Mr. BOOHER. Does not the gentleman know that there has been less than $7,000,000 appropriated on this project?

Mr. FREAR. I do not care about that particular project. I am speaking about a river that formerly had a fleet of boats on it before one dollar was spent and has none now.

Mr. BOOHER. You are speaking of a navigable river. In the last 20 years this river has been nonnavigable, and is full of sand bars and snags, and we are trying to confine it within its banks and keep it there.

Mr. FREAR. And incidentally reclaiming 500,000 acres of land that do not give one dollar to that work, according to the report of the engineers.

Mr. BOOHER. Does not the gentleman know that the men who live in the Missouri River bottom do their own levee work?

Mr. FREAR. But you are going to charge the people in the Mississippi River bottom lands one-third of the cost. Why not charge the people of the Missouri River bottom lands one-third where they get the same comparative benefit?

Mr. BOOHER. Why does not the gentleman introduce a provision of that kind?

Mr. FREAR. There would be no use. Would the gentleman vote for it? Would the gentleman vote to compel his constituents to pay one-third, as is done in the lower Mississippi?

Mr. BOOHER. We can not do it under our statute.

Mr. FREAR. Will you introduce a resolution in your legislature to have it done?

Mr. BOOHER. I am not a member of the legislature.

Mr. FREAR. Oh, I can not follow the gentleman in his changing positions. I think the evidence of good faith is shown right there.

Mr. BOOHER. The people of the South do not appropriate money for the improvement of the river. They are appropriating money for levee work.

Mr. FREAR. That is all that the Missouri River money is spent for. Over 95 per cent of the money spent last year, according to the engineer's report, was for revetment and diking, and not a dollar of that was for the dredging of the river.

Mr. BOOHER. That was absolutely necessary for the preservation of the banks of the river and to keep the river within the banks.

Mr. FREAR. Why do you insist that they shall contribute one-half in the expense on western harbors? Why not say to the State of Missouri, "You must pay an equal amount, an amount equal to what the people elsewhere pay for such improvements"?

Mr. BOOHER. We appropriate money to take care of the river and harbor.

I think the people of the West have been liberal in that regard, and I think the people of the South have been very liberal. Before the adoption of this project the people always contributed to the revetment, and in most cases one-half the cost.

Mr. FREAR. Yes. The gentleman will pardon me. He is taking up my time. He can have his own time.

Mr. BOOHER. The people of the South have been very liberal in their contributions.

Mr. FREAR. The gentleman is taking my time.

Mr. MADDEN. It is all right. It is very interesting.

Mr. BOOHER. The money raised by the people of the South is used for levee purposes.

Mr. FREAR. I know.

Mr. BOOHER. The Government does not levee.

Mr. FREAR. I agree to that. I have agreed to it twice.

Mr. BOOHER. Now, the Missouri River people have to do their own leveeing, and all they ask the Government to do is to keep the river cleared out after they have got the levees built.

Mr. FREAR. Mr. Chairman, I have only time to say that there are a number of projects in the bill that ought to be inquired into by the House, but from what appears to be the disposition of the House as to the items I do not hope that we can break into the bill. That can not be done in this body; but, nevertheless, I shall try to perform my duty as I see it, and I shall try to do that by giving a fair discussion to some of the items in the bill. I realize that this is an unpleasant duty. The members of the committee have been very generous to me in their treatment. They have been considerate and kind, and that is saying a good deal, because sometimes they have important projects involving a great deal at stake. But I do not see how a member of the committee can do his duty when put on a committee unless he expresses his convictions fairly and frankly.

Mr. MADDEN. I got the idea from the gentleman's remarks that it was a very pleasant duty that he is performing. At least it is a very valuable duty.

Mr. FREAR. I thank the gentleman.

Mr. SMALL. Mr. Chairman, I regret that I feel constrained to make a few comments at this moment which come to my mind after listening to the gentleman from Wisconsin [Mr. FREAR]. These comments will be critical of the gentleman. Every legislative body and every committee and every organization of any kind serving the public interests is benefited and helped by honest criticism. Criticism is valuable. All of us are human; we are all prone to err. None are infallible, and an honest mind, seeking the truth upon any public question, ought always to be willing to listen to criticism prompted by an honest mind with a desire to learn the truth. The Committee on Rivers and Harbors is nonpartisan in its activities. Since I have been a member of the committee I have never heard the question of politics raised. For eight years since I have been a member of the committee I have never heard sectionalism suggested in any way, pro or con, regarding any items in the bill. The gentleman from Wisconsin for several years has chosen to oppose river and harbor bills, and it has been his privilege and his right to do so. But, Mr. Chairman, a man who criticizes another, who criticizes the legislation or public acts of others, ought to be sure that he deals only with the truth, and that he criticizes honestly and fairly and justly. The criticism of the gentleman from Wisconsin—and I hesitate to say so, and I say so in no spirit of personal unfriendliness—did not confine itself to the truth. Mr. Chairman, the most dangerous falsehood is a half truth. You can take any legislative conclusion about a public proposition which is based upon various reports or sources of information, and you can cull from these detached statements and facts and then parade them as representing the consensus of truth about the matter, and yet the criticism may present a dangerous and wicked falsehood.

The gentleman from Wisconsin or any other Member can criticize items in this bill and do it as a man, do it truthfully and fairly and honestly and justly, and he owes it to himself and to the House to do so. But he ought to be very sure that he predicates his criticism on the eternal foundations of truth and fairness.

This bill is not infallible. No appropriation bill which is presented to this House is beyond the pale of criticism. It is not within the limits of a democracy to be perfect in its legislation.

The gentleman from Wisconsin refers to the activities of Members for the improvement of waterways and harbors in their States and districts and imputes selfish and sectional motives to them.

Mr. FREAR. Mr. Chairman, will the gentleman yield?

Mr. SMALL. I can not be interrupted now.

The CHAIRMAN. Does the gentleman yield?

Mr. SMALL. I refuse to be interrupted.

The CHAIRMAN. The gentleman declines to yield.

Mr. SMALL. I will give you an opportunity later. The gentleman has made an indictment against the membership of the committee and the membership of this House; against the membership of the committee because he says they have brought in a bill containing appropriations for projects and improvements not in the public interest, which are wasteful, and can not be justified as an activity of the House of Representatives. He says this "wicked" bill is going to pass the House, carrying with it the indictment that the membership of this House will support a bill not in the public interest, involving a waste of the public money. It is an unfair, unjust, unjustifiable criticism of the committee and of the House. I make this expression immediately after the gentleman has concluded. I do not make it unkindly; but the gentleman has not made a criticism of this river and harbor bill creditable to a man seeking only the truth and desirous of doing only justice and fairness. I do not impute the slightest moral turpitude to the gentleman from Wisconsin. I have studied the gentleman from Wisconsin, trying to ascertain something about his mental methods. The only way I can account for them—because I do not impute the slightest lack of moral conception to his make-up—is that for some reason or other on river and harbor legislation the gentleman has great difficulty in being intellectually honest. In all truth and fairness I commend that criticism to the gentleman, with the hope that in good time he will reform.

Mr. FREAR. Will the gentleman yield now?

Mr. SMALL. In just a moment. During the Christmas holidays I went home to my district and took a ride out in the country. I came by the home of a reputable colored man. He is quite a huntsman, and I stopped and spoke to him and his family. I noticed a dog in the yard. I complimented the dog, and I said, "He must be a good coon dog." "Oh," he said, "that dog is worthless." I said, "How about possum?" "No good at all." I said, "How about rabbit?" "Why," he said, "It takes him 10 minutes to run a mile. He never can catch a rabbit." I said, "What is he good for?" He said, "He is a great barker. He used to frighten the folks in this neighborhood by barking all the time, but now nobody is afeared of him, and, d—n him, I am going to kill him." [Laughter.]

Mr. FREAR. Now will the gentleman yield?

Mr. SMALL. I will.

Mr. FREAR. That is the proper place to yield. I will ask the gentleman if he remembers, in 1916, how strenuously he supported that year's river and harbor bill, how he declared it was in every respect good, and could stand any criticism, and how at the same time he criticized me very severely, and yet how 133 Members of the House voted against the bill and 20 pairs were recorded against the bill, and when it went over to the Senate men, who like myself were, possibly from the gentleman's standpoint, intellectually dishonest, took the same position that I did and as they have for several years? Is it not true that the gentleman himself, due to these long years of training, believing that the idea is primarily to get something for the community, forgets that there is another viewpoint, that of the men all over the country who pay the taxes and who object to giving $1,000,000 in this bill to waterways in North Carolina, the Scuppernong, and Beaufort, and other projects down there unless they can see some traffic to justify them and some necessity for them? Is that intellectual dishonesty? Is that barkling? If so, let me say to the gentleman from North Carolina, who so willingly criticizes me——

Mr. SMALL. What is the gentleman's question?

Mr. FREAR. That the gentleman at the same time is likely to make mistakes, is he not?

Mr. SMALL. What is the gentleman's question?

Mr. FREAR. The question is, Is not the gentleman liable to make some mistakes of judgment in this particular case?

Mr. SMALL. Undoubtedly.

Mr. FREAR. The other was simply a prelude to the question.

Mr. SMALL. But the gentleman is wrong as usual in his citation. It was not the 1916 bill of which the present chairman of the Committee on Rivers and Harbors challenged criticism. It was the bill which was approved August 8, 1917, and I recall to the membership of the House that there was not one Member of the House who succeeded in effectually assailing or criticizing an item in the 1917 bill.

Mr. FREAR. That was the last bill?

Mr. SMALL. Oh, no; the last bill was passed in June, 1918.

Mr. FREAR. That was the bill that I supported. Every other bill has been attacked, and the votes will show it. Does the gentleman say that the bill before the last one did not have more than 130 votes against it?

Mr. SMALL. I forget the number.

Mr. FREAR. I can cite the gentleman to the vote. Does the gentleman claim that those Members who voted against that bill were intellectually dishonest?

Mr. SMALL. I have never said that. The gentleman misquotes me.

Mr. FREAR. The gentleman attacks me and accuses me of being intellectually dishonest because I advocated the defeat of that bill.

Mr. SMALL. Is not the gentleman trying to get in good company without being able to qualify?

Mr. FREAR. The gentleman is in as good company as the chairman of the committee, but unfortunately does not see things the same as I do, and that, of course, is his privilege as a Member of Congress.

Mr. SMALL. So it is the gentleman's privilege. That is all I wish to say.

Mr. KENNEDY of Iowa. I yield 30 minutes to the gentleman from Illinois [Mr. MANN].

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] is recognized for 30 minutes. [Applause.]

Mr. MANN. Mr. Chairman, if I may divert the attention of the House for a few moments from the subject which has been under discussion, I desire to call attention to the War Risk Insurance Bureau, and if I can get through with that quickly enough I desire then to call attention to a matter in connection with discharges from the Army.

I have received almost innumerable letters from all the country complaining about the payments of allotments by the War Risk Insurance Bureau and the payment of allotments made by soldiers out of their monthly pay. Here, for instance, is one letter written by the chairman of the local board for the county of Minnehaha, S. Dak.:

[War Department, local board for the county of Minnehaha, State of South Dakota.]

SIOUX FALLS, S. DAK., *December 7, 1918.*

Congressman MANN, of Illinois,
Washington, D. C.

DEAR SIR: The following are a few instances of nearly a hundred cases of similar kind that have come to the knowledge of the board. It appears to this board that the way these allotments have been handled is a disgrace to the American Nation, the memory of which will remain with the returned soldier as long as he lives.

A lady came into the board office carrying two children, ages 2 and 4 years. She asked the board to obtain her allotments and allowance for her, stating that her husband had been in the Army six months and she had received one check only from the War Risk Insurance Bureau. She had a few hens, and had traded a dozen eggs that day for a bottle of milk and a loaf of bread, and that was all they had to eat. Her children were both sick; one of the children had spasm the night before. She thought it would die, but did not have enough money to notify a physician.

The board, out of their own pockets, furnished her with some money to buy food and medicine, and sent her to a physician who prescribed free of charge. Her case was then referred to the Red Cross, and afterwards she was taken care of.

Another woman appeared before the board with four small children. Her husband had felt it his duty to enlist in the Army. He had been gone since last May. In July she had received one allotment, and had received no more up to the present time. Her husband had made arrangements so that with her allotment and with the money he left her, she would be able to support herself without any assistance.

Owing to the fact that her allotments did not come she had reached the point where she could not furnish food for her children or fuel to keep them warm, so she asked the board if we could not hasten her allotment. Her case was then turned over to the Red Cross and they furnished her support.

Another instance: A mother has three sons in the service and two small children. Each of her boys is making an allotment to her. She received one allotment of $25 several months ago and has never received another one. When she reported she was without coal, her children were suffering from the cold, both from lack of fuel and the lack of proper winter clothing. The Red Cross has furnished her with the necessities of life, awaiting the action of the War-Risk Insurance Bureau.

In another case the woman came to us, telling us that her husband had been in the war for months; that they had been able to accumulate sufficient furniture to make a home; that she had been obliged to go to a hospital for an operation. Due to this she was unable to work. Due to the operation at the hospital she would have to wear a cast for a year or more; so she had been obliged to eat up her furniture, until she had eaten up all except the bed, a small oil stove, and a few cheap dishes. When she reached the point where she had no more furniture she applied to the local board to see if they could not get her allotment for her.

These are a few cases which are typical of about one hundred cases which we have had brought to our attention in this county.

Yours, truly,

D. L. MCKINNEY,
Chairman Local Board, Minnehaha County.

You know there are local boards all over the Union. The chairman of this local board cites three or four cases out of nearly a hundred cases in that one county under that one local board.

Here is another letter:

2605 FOURTEENTH STREET NW.,
Washington, D. C., December 19, 1918.

Congressman MANN.

MY DEAR SIR: I note the talk in Congress of soldiers' pay and allotments.

Here is a case in our own family: Pvt. William A. Mason, Company E, Three hundred and eighth United States Infantry, American Expeditionary Forces, has been abroad nearly a year. He made an allotment to his mother-in-law, a poor woman, to take care of his baby not yet a year old. His wife died at its birth. This mother has never received a cent of the allotment, and we have been helping to take care of her and the baby, as she is very poor. I have another similar case, but have mislaid his name and address. Something should be done about this case. I know of several others.

Very sincerely,

MRS. JEWEL KENNEY.

That letter is from the mother of the widow of former Representative Brown, of West Virginia.

Here is another case:

DECEMBER 14, 1918.

Congressman MANN.

MY DEAR SIR: The inclosed is a copy of a postal card I received in August. My son had made a "home allowance" and was on his way to France when this came. How could he then attend to it? The Red Cross rooms here are full of people daily who want information about money due them which they don't get.

Yours, truly,

F. A. M. BURRELL.

This is the notice:

TREASURY DEPARTMENT, WASHINGTON,
BUREAU OF WAR RISK INSURANCE.

You will no longer receive checks from this bureau for the voluntary allotment which the bureau has previously sent you; but if the enlisted man, who has already been notified of this discontinuance, desires to continue this allotment, he will do so through the "Quartermaster General's Office, Washington, D. C.," if he is enlisted in the Army; the "Navy Allotment Office, Washington, D. C.," if he is enlisted in the Navy; the "Paymaster, United States Marine Corps Headquarters, Washington, D. C.," if he is enlisted in the Marine Corps, or the "Captain Commandant, Washington, D. C.," if he is enlisted in the Coast Guard.

If you correspond further in regard to this matter you should write to the enlisted man or to the office mentioned above, according to the service in which he is enlisted.

Do not write the Bureau of War Risk Insurance, as it no longer has charge of this particular case.

C. F. NESBIT, *Commissioner.*

It was a very natural inquiry to make where a soldier had signed his allotment, then after he had been sent to France and his parents notified that they could not receive the allotment unless the soldier signed a new allotment, with the mail in the condition it was going to the soldier! An appreciative Government is exemplified by these two departments.

Here is another case:

Hon. J. R. MANN,
Member of Congress, Second District of Illinois,
Washington, D. C.

DEAR MR. MANN: On the evening of March 12, 1918, my son Lawrence Jencks, in company with 500 other soldiers, left Chicago, Ill., on a special train for Kelly Field, South San Antonio, Tex. His address while there was Lawrence Jencks, First Training Brigade, Line 367, Section G, Kelly Field No. 1, South San Antonio, Tex. While there I received a letter from him stating that on April 5, 1918, he had applied for an allowance of $15 per month to be deducted from his monthly earnings and paid to me.

He was sent "overseas," arriving in France the first part of July, 1918. His address now is Pvt. Lawrence Jencks, 115 Field Hospital, One hundred and fourth Sanitary Training, Twenty-ninth Division, American Expeditionary Forces, American Post Office 705. He informs me that $15 has been deducted from his monthly pay since April 1, 1918, and I have not received one cent of this voluntary allowance made by him. This money has been held up somewhere. He informed me by letter that September 10, 1918, the paper was again prepared in France and sent to Washington, D. C., stating that the first paper was either improperly filled out or it was claimed to be lost. His number is 1148514.

He has been over nine months in the service, of which time he has been in France over five months and part of the time in actual service on the firing line. The world's war has been fought and (thank God) won by the allies. Old empires have been torn asunder. New kingdoms have been formed, the Kaiser's crown is now waiting for the melting pot, great ships have been built and launched, billions of dollars have been spent, great enterprises have transacted enormous amounts of business, yet the War Risk Insurance Bureau fails to give me an accounting of where this soldier's dearly earned $15 each month deduction is and why it is not sent to me as requested by the one who cares it.

They claim the soldier failed to make any allowance to me nor any other person. If that is true, then why do they deduct $15 each month and not give an accounting of it to him?

I remain, very truly, yours,

JOHN W. JENCKS.

They knew enough about it to deduct the amount from his pay, but not enough about it to pay it to his mother.

Here is another one:

Hon. JAMES R. MANN,
Republican Leader of the House,
Washington, D. C.

DEAR SIR: My son made me an allotment in September, 1917. I received one month only, which I was obliged to send back to the soldier because he was not getting any salary.

My son was discharged June 5, 1918, and sent home sick, after serving nine months at Camp Logan, Tex.

September 5 he was commanded to send back the uniform he had worn home (which was in rags and not worth 50 cents) under penalty of having kept Government property. Of course I returned it at once.

Soon after he returned, and I fully understood military rules and regulations, I was instructed to apply at the War Risk Insurance Bureau, operating at 1307 Stock Exchange Building, Chicago, and was informed by Mr. McGuire I would receive a check from Washington in a very few days for the amount of allotment.

That was last June, nine months after he enlisted, which makes over a year and three months, and still nothing; their latest instructions are that the case is closed so far as that office is concerned, and now I must apply to his commanding officer or the Paymaster General of the United States Army. I have written the Paymaster General at Washington, but no reply. What do you think of such treatment, and how many more who are worse off than we, no doubt, are receiving the same treatment? This may cause trouble when the boys are all demobilized. What would you advise further in my case?

Thanking you in advance for any interest you may take in our behalf,

Very respectfully, yours,

Mrs. NELLIE HENNESSEY,
3847 Osgood Street, Chicago, Ill. (first apartment).

Very enterprising in requiring him to return a worn-out uniform, a request that was promptly complied with, but not very enterprising when it came to paying the mother of the boy returned home sick the compensation which Congress had provided she should receive.

Here is another letter which came to me. I do not guarantee the truthfulness of the statements which are made in it, although I have received information outside of the letter from what I may say were responsible parties, making similar statements:

WASHINGTON, D. C., *December 16, 1918.*

REPUBLICAN FLOOR LEADER MANN: You were correct in your statement on the floor of the House relative to the War Risk Bureau. If you wish to uncover a scandal, would suggest that an inquiry be made regarding the present method of "investigating" compensation, allotment, and allowance cases. The investigation has now been placed in the hands of the Hopper-Holmes (Inc.), New York City, who have agents throughout the United States. These agents receive a fee of $1 for each case "investigated," and their investigation leaves the family of the soldier helpless, for if in their report they suggest a cut-off the family is cut off from all allowance. This is a money-making scheme. The investigation has gradually been taken from the hands of prominent citizens in the different localities and preference is given to these agents. In some cities the Hopper-Holmes Co. make from $400 to $500 per week. It is most interesting to note that John King, vice president of the Hopper-Holmes Co., has been appointed Deputy Commissioner of the War Risk Bureau. He can retire a millionaire. It is also interesting to note that the compensation cases are also to be placed in the hands of these agents. It will be months before the soldiers will receive one cent for injuries received. The clique who expect to get rich from the investigation end of the bureau are King; his man Friday, Lifner, "efficiency director"; and Jones, superintendent of agencies.

Thousands and thousands of soldiers' families would have starved were it not for the Red Cross—ask the Red Cross regarding this. The Red Cross knows, as well as the employees of the Investigating Bureau of the War Risk, the deplorable conditions now existing. The War Risk Bureau started out right, but has ended wrong. Mr. Eugene T. Lies, superintendent of the United Charities, Chicago, well versed in family needs, secured a competent corps of social investigators, but they were never appointed, as political debts had to be paid, and political hacks secured appointments as field investigators. Mr. Lies resigned in disgust. He was recommended by the Red Cross. The scheme was later concocted to place the work into the hands of the Hopper-Holmes Co., and thousands and thousands of cases were shelved awaiting an elaborate scheme of mail investigations by the Hopper-Holmes agents. As a consequence thousands of families are in need, allotments have been cut off unjustly, and there are nearly 600,000 compensation cases awaiting investigation by the Hopper-Holmes Co. while the sleeve heads haggle over the wording of the inquiry blanks. Had competent field investigators been appointed months ago—a large force, irrespective of political pull—and sent out throughout the country the suffering would have been alleviated. An elaborate system of mail investigation by the Hopper-Holmes Co. and a few local men in the rural sections is now in the hands of the above "heads" and it will be months before the soldiers will receive a penny. In the meantime they are cut off of the $30 pay and discharged on the community to become beggars.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. MANN. Yes.

Mr. GARRETT of Tennessee. Do I understand that there is a reference in that letter to official organizations as formed under the law?

Mr. MANN. It is about the War Risk Insurance Bureau.

Mr. GARRETT of Tennessee. Is there any person connected with the War Insurance Bureau, any agent or person mentioned in the letter?

Mr. MANN. It is so stated here. The statement is made here, I have not verified it—"John King, vice president of the Hopper-Holmes Co., has been appointed deputy commissioner of the War Risk Bureau." That statement was made to me the other day by a Member of the House, who said that he knew it.

Mr. ELSTON. If the gentleman will yield I would like to corroborate his statement. On my recent visit to California I received in my law office there a postal card from what I believe to be the War Risk Insurance Bureau—I am not so sure about that—in which the name of some applicant for allotment was noted and a request to investigate it was made, and an offer of $1 for investigation. It was returned by me with the statement that I could not undertake it. Later on two or three more postal cards arrived in the office, and I gave instructions to return them. I mention that to show that investigation of that kind was going on through some agency and not through official sources.

Mr. MANN. I thank the gentleman. I have another letter here.

UNITED STATES GENERAL HOSPITAL NO. 30,
Plattsburg, N. Y., December 11, 1918.

Representative MANN, *of Illinois:*

We soldiers who have been invalided home from France certainly do appreciate your earnest efforts to produce for us our long overdue back pay. This is the fifth month since I have received any pay but $20 casual, and many of the boys are a great deal worse off than I am, for some of them have from 8 to 10 months' pay coming to them. Have been on this side since October 24th, and that time intervening seems to me plenty to straighten out records and pay the what is due.

This is from a Chicago soldier.

Mr. SIEGEL. I want to say to the gentleman that I had a case last week where the soldier had received nothing for 11 months.

Mr. MANN. Every Member of the House has many of these cases. I am mentioning these, for I want to put them in the RECORD.

Here is a letter where the allowance had been made by the Government and the party was notified that it was taken away:

CHICAGO, ILL., *December 28, 1918.*

Mr. JAMES R. MANN,
Member of Congress, Second District of Illinois.

DEAR SIR: I beg a few moments of your most valuable time to explain a situation which has arisen which I deem is more than unfair and am in great hopes that you may be able to adjust this matter for me.

My son, Clarence Raymond Ballard, Seventy sixth Field Artillery, Battery B, at present in the base hospital at Vichy, France, joined the colors as a volunteer in April, 1917, and in due course landed in France and fought in all the prominent battles in which our boys so gallantly gave their all for Old Glory, finally being gassed severely.

Now, I am a hard-working man, and my petty weekly income of $25 supports myself and ailing wife, who is continually under a physician's care and to which I can prove.

Being 54 years of age, and while we have about $500 in bank, which is all we have left of $1,000 which my wife received from an accident, you can easily see how it keeps me striving to pay doctor bills and live.

The point of my subject is this: I can't pay back this money that we are requested to do; I don't think it is at all right. We are in need. And, again, my boy (in a letter received to-day) says he hasn't been paid in six months. And then if his lungs are affected we want to help him; we must.

On the original papers we signed for this allotment the papers said the allotment to us was O. K. Now, about four weeks ago, along comes another paper asking how much we had in bank, and I did have about $700 then. It also asked if our boy was the sole support. I answered, "No; but he helped us wonderfully."

Can you picture my situation, Mr. MANN, with an invalid wife, me making $25 a week, our allotment stopped, and a wounded hero about to return, with Uncle Sam owing him six months' pay and threatening not to pay him unless we return this blood money?

I don't think this is justice to me or my boy. Do you?

I trust I am not boring you with my trouble, but my daughter suggested me to write to you, as you was a great admirer of her deceased husband, Mr. William Van Bergen, who used to live in Parkside.

Hoping you may enlighten me with fair news, I remain,

Yours, very truly,

MARK BALLARD,
5137 Lake Park Avenue, Chicago, Ill.

This is the notice inclosed:

TREASURY DEPARTMENT,
BUREAU OF WAR RISK INSURANCE,
Washington, December 16, 1918.

Mr. MARK BALLARD,
5137 Lake Park Avenue, Chicago, Ill.

SIR: You are advised that the award of $17.50 per month—$7.50 allotment, $10 allowance—effective December 1, 1917, granted you on the application of the above-named enlisted man, has been revised, giving you $7.50 per month, $7.50 allotment, $—— allowance, effective the same date.

Checks totaling $192.50 for the period December 1, 1917, to October 31, 1918, were issued to you under the original award. This resulted in an overpayment of $110 on October 31. After deducting $7.50, the amount due you for November, your account shows a balance of $102.50 due the United States on November 30.

This amount should be refunded by money order or draft drawn to the order of the Treasurer of the United States and mailed to the office of receipts and disbursements, Bureau of War Risk Insurance, Washington, D. C., with this letter or a copy thereof.

The regular remittance of $7.50 per month will then begin with the December payment, a check for which will be issued in January, 1919.

Respectfully,

BUREAU OF WAR RISK INSURANCE,
DEPUTY COMMISSIONER—ACCOUNTS,
By H. S. A.

In this case the man was asked, I suppose properly, whether he had any money in bank, and he replied that he had $700. His wife had recently met with an accident for which some one was responsible, and she had been paid $1,000 in settlement of the claim on account of the accident, but she was required to be under the care of a physician, and because he had the $700 in bank, which was rapidly going out for physician's fees, the allowance which had been made to him was taken away. As his son is soon expected home, in the hope of getting his health back, it does seem rather hard not only to take the allowance away from him, but then hold up the allotment of the soldier's pay until the allowance has been paid back.

Here is another letter, which is written at Camp Grant, dated December 22, 1918:

Hon. JAMES R. MANN.

SIR: I am taking the liberty of addressing you a letter, knowing that you have interested yourself in the soldier and his welfare. I was blown up by a high-explosive shell at Fismes, on the Vesle River, at the battle of the Marne, August 12. I brought with me from Orleans, France, a supplementary service record, showing that I had been paid July 2 to this day the sum of $20. I have been discharged from the hospital, returned to duty, and shipped to this camp without any records or papers. Men who have not been out of the country are being discharged by the hundreds daily.

Personally I have my position in the Cook County Board of Review waiting for me and would like to get out and at it. We are laying here doing nothing but eating and laying around, and there is no reason why we should not get a supplementary discharge until our papers are located and saved the trouble of laying here for possibly months, and I appeal to you, in behalf of my comrades and myself, to see what you can do in our behalf.

Mr. GARRETT of Tennessee. What does he mean by a "supplementary discharge"?

Mr. MANN. He means that the Government lost his papers while he was in the hospital, and because the Government lost his papers while he was in the hospital they now propose to hold him up until the Government finds the papers, and he means that they might give him supplementary papers enough to discharge him. Good God! He is there in the Army an enlisted man, and the stupid men up here in charge of the War Department who lost his papers propose to keep him idle and useless at Camp Grant until, through some long-winded process, they find where the papers are. Nothing could be more silly. Here they refuse to pay these men or fail to pay them the money that is due to them while they are in France or in the Army here. Our Government refuses or neglects to pay the allotments to the dependent parents. They lose the records of the men and then refuse to let them go back to their private work, where they have positions waiting for them, because the stupidity or carelessness of somebody connected with the Government service somewhere has caused the mislaying of some papers.

Here is another case dated December 11, 1918, a letter addressed to me at Washington:

I desire to ask whether it will be possible for you to do me the great favor of obtaining the immediate release by furlough or honorable discharge of Pvt. Hugo M. Goodman, Sixtieth Infantry, Headquarters Company, Signal Platoon, American Expeditionary Forces. If this is to be done at once, it must be done by cable at once. I would will pay for the cabling and other expenses attached to same.

The boy's mother is gradually passing away from cancer, and the boy is her only son, and she is constantly craving for him. Please advise by wire at my expense if any other method can be quickly pursued to expedite immediate release.

Thanking you in advance, I am,

Yours, truly,

D. HIRSCH (the soldier's uncle).

P. S.—If necessary, I will also pay his voyage expense.

Mr. Chairman, although I knew the War Department had no heart, and they had issued notice that they would consider no applications, personal, for discharge, I asked the War Department if they could not, in view of the fact that the war was over and the boy had done his service, and that his mother was dying from cancer and wanted to see her boy again—if the Government could not have the heart to let him out. And here is the cold-blooded answer I get from Gen. Harris, The Adjutant General:

Hon. JAMES R. MANN,
House of Representatives.

DEAR SIR: In response to your communication of December 21, 1918, relative to the discharge from the Army of Pvt. Hugo M. Goodman, Sixtieth Infantry, Headquarters Company, Signal Platoon, American Expeditionary Forces, I beg to advise you as follows:

With respect to soldiers now overseas no definite policy with regard to their return to their home station has been formulated. When a state of order has been restored overseas and the military situation has improved to such an extent as to justify the withdrawal of American troops, the War Department will adopt the most effective and speedy means to hasten the return of all soldiers to the United States at the earliest practicable date, and the policy to be adopted in connection therewith will be published for the benefit of all concerned. Until then it will be impracticable to entertain requests for the discharge or return to the United States of individual soldiers.

Regretting that I am unable to advise you more favorably, I remain,

Very respectfully,

P. C. HARRIS,
The Adjutant General.

Mr. GARNER. What is the date of that letter?

Mr. MANN. December 27, 1918.

Mr. GORDON rose.

Mr. MANN. If the gentleman will pardon me, I have only a minute left. What is the matter? First, the War Department neglects to pay the soldiers, it neglects to pay the allotments, it loses the papers of the soldier, and then, when asked if it could not possibly, under the most distressing circumstances, let a man out of the Army who is no longer needed, we have the reply that they have not got the time to think about it—to go to the dickens! It is the most impertinent method and assumption that I know of in the Government service. They deserve a lashing, and every Member here ought to give it to them. Something is the matter. I do not know whether it is the Regular Army or some one connected with the Secretary's office, but I do know that these men, who risk their lives abroad, and their families want at home, who are willing to remain on the fighting line as long as may be necessary, ought to be treated with some sort of common decency. [Applause.]

If they would spend more time up there at the War Department doing things, instead of telling people that they could not do them, they would accomplish a great deal more than is being accomplished now. About half of these departments are putting in their time finding reasons for not doing something. Give me the man in any branch of the Government who finds a way to do something, instead of occupying his time in finding a way not to do it. Secretary Baker ought to take some of these men up there and wring their necks until they find out how to work. [Applause.]

Mr. SMALL. Mr. Chairman, I yield 30 minutes to the gentleman from Alabama [Mr. HUDDLESTON].

Mr. HUDDLESTON. Mr. Chairman, I address myself to the two propositions pending before Congress having for their purpose doing something to alleviate the condition of discharged soldiers. I regard those measures as being wholly inadequate, outrageously inadequate, and I feel that the attention of the House and the country ought to be called to them. One of the measures has already been reported favorably to the House by the Committee on Military Affairs and is now awaiting action. The other is found in a Senate amendment to the revenue bill. The substance of each of them is to give to the men who are discharged a niggardly one month's pay as a gratuity, as a reward for the services which they have performed.

The war is over. We must now turn our attention from the problems of war to those of peace and reconstruction. The problem of war was simple; it was merely how to exert the greatest possible force. The problems of peace and reconstruction are complex and so difficult that they challenge the highest statesmanship.

It is now upon us to consider how we may restore our country and make good its awful losses in spiritual and economic values, in human life and suffering, and in lowered standards of liberty, freedom of speech, and action.

The first and most pressing need is to take care of our discharged soldiers, to restore them to civilian employment, and to make good, in some small way, the financial injury which they have sustained. It is now nearly 60 days since the armistice was signed; 4,000,000 men are to be returned to civil life; already over 500,000 have been discharged; yet no adequate plans to care for them have been brought forward. Statesmanship seems indifferent. Amazing as it may seem, these discharged soldiers are being sent to their homes penniless and with no provision for their future welfare. Something must be done at once.

Such measures as have been proposed are pitifully inadequate. The War Department seems content with a proposal to give each discharged soldier a month's pay. This proposal comes first to the House in a Senate rider amendment to the revenue bill, as follows:

That all officers and enlisted personnel of the Army, Navy, and Marine Corps serving the United States in the war against Germany who have been honorably discharged from the service since November 11, 1918, or who may hereafter be honorably discharged, shall be paid one month's salary in addition to the regular pay heretofore authorized.

The revenue bill including that amendment has been submitted to the committee of conference between the two bodies, and I venture the prediction that it will not become a law inside of 30 days, perhaps for 60 days, and there are Members who have regretfully come to the conclusion it may not become a law at all. While it is being considered by the conference committee, unless in the meantime the House shall pass some measure for the relief of the soldiers, they will be sent back home with nothing in their pockets except their little final pay, not enough to buy a second-hand suit of civilian clothes—back home to the old folks jobless, having made a great sacrifice for their country. In spite of this situation, this danger that the American people may show

themselves unappreciative in such an emergency, to this time we, the Representatives of the people in Congress, have done nothing and will do nothing unless we act on this bill.

The subject also comes up in the House in H. R. 13247, a bill favorably reported by the Committee on Military Affairs, in which it is proposed—

That every officer, Army field clerk, member of the Army Nurse Corps, and enlisted man who was serving in the Army of the United States on November 11, 1918, shall be paid a gratuity equal to one month's pay at the rate which his grade and length of service on that date entitled him. Payment of this gratuity shall be made to officers, field clerks, members of the Army Nurse Corps, and enlisted men of the Regular Army as soon after the approval of this act as practicable, and to all others entitled to it upon their honorable discharge.

Mr. LAZARO. Does not the gentleman believe the trouble is we are trying to legislate to-day by riders?

Mr. HUDDLESTON. I think that is a serious trouble. But I will say this—that by rider or otherwise immediate action should be taken; and if it can only be had by the rider, let us have the rider.

Mr. LAZARO. Does not the gentleman think we will gain time by considering these different propositions on their merits and should put the revenue bill through on its merits?

Mr. HUDDLESTON. I do not know, but it is better to do it by a rider than not at all.

The committee's report shows that this bill was sent down from the War Department. Presumably it came from the General Staff, for true to precedent it is liberal toward the officer class and niggardly toward the enlisted man. It gives to each officer and soldier a gratuity of one month's pay, which runs down the scale from the general, who would receive $833, to the humble private in the ranks, who will receive only $30. That ornament to Washington society, the swivel-chair major, will get $250, while the worn private who bared his breast in the Argonne will not get enough out of the bill to buy him a suit of civilian clothes. Among officers there is not only discrimination on account of rank but on the basis of "grade and length of service." There is discrimination among enlisted men based upon each petty stripe and step in the service. Officers and men who were overseas when the armistice was signed, although they never saw the battle line, are preferred over their equally worthy fellow soldiers at home. Even field clerks, who are civilians, will get $100, while the fighting private will get only $30. In short, the bill is a mass of arbitrary and unjust discriminations.

I can not imagine what principle is back of this discriminatory bill unless it be that its authors are trying to follow the text, "For he that hath to him shall be given, and to him that hath not, from him shall be taken even that which he hath." The bill is an insult to the private soldiers who have served their country. [Applause.] It were better to give them nothing at all than to discriminate against them in favor of their officers. A private soldier would be justified in casting back into the face of Congress the beggarly pittance offered him, as an affront to his pride and sense of justice. Congress will not win gratitude by such a measure. To the contrary, it will be received with contempt and in disgust.

A REPUDIATED PRINCIPLE.

Another measure of similarly discriminatory nature came before the House in the compensation—pension—bill in October, 1917. It was then proposed to compensate disabled officers and soldiers and the families of those who might lose their lives, upon the basis of the rate of pay they received. This vicious principle was repudiated by the House by a vote of 139 to 3. I had hoped that such a vote would show so clearly the sentiment of the House that no bill carrying this vicious principle would again be presented. But at the first opportunity up comes this bill. It seems that armies are built on lines of caste and inequality, and those in authority can not be made to comprehend that the American Army as now constituted is an army of equals and must be dealt with according to principles of justice and democracy. The General Staff must get out of its mind the conception of the soldier as a professional and comprehend once for all that ours is an Army of American citizens who have left civil pursuits not from choice but of necessity to give their services in defense of our country. The caste system is out of place in such an army. The social gulf between officer and man has no real existence. The idea that the *pay* that officers and men receive while in service is the fair measure of the Republic's debt of gratitude is false to its roots and must not be countenanced nor respected. The highest officer has made no greater sacrifice than the humblest soldier. He has no greater claim upon the Nation's gratitude. If a gratuity is to be given, it must be equal and given to all alike, else it would be an insult to our principles.

The amount which would be required to carry out the provisions of this bill is estimated at about $154,000,000, of which the officers will receive $38,500,000 and the enlisted men will receive about $113,000,000. This includes not only noncommissioned officers, who receive from $36 to $75, but the vast mass of privates, who will get only the flat sum of $30. If the same appropriation was equally divided among officers and men each would get about $47 as his share. This would be a mere trifle, but at least could be defended on the ground that an equal amount was given to all.

NO BASIS FOR DISCRIMINATION.

Upon what theory this bill proposes to discriminate in favor of officers and against enlisted men I can not understand. The officer has had the best of it all along the line, the best clothing and food, the most leisure, the greater opportunity to distinguish himself, more chance to get his name mentioned in the dispatches, and for promotions, social pleasure, and all that goes with military rank. The sweating and the digging, the night vigils, the cold, the exposure—this has been the lot of the private. The hardships of actual battle, of course, are fairly equal, and I would not to a hair's weight take away the credit that is due our officers for their splendid service, but in camp life—and always nine-tenths of service must be in camp—the officer has a fairly acceptable time of it. But the private bears the drudgery, monotony, and hardship—even when off duty he is not at ease, but must salute, and salute, and salute every little officer that he chances on. From the standpoint of a former soldier I want to say that the hardest thing of a soldier's life to endure is the sense of his social inferiority. I would rather be a major general on a private's pay than a private on a major general's pay.

The bill can not be defended on the theory that the earning capacity of the officer class and enlisted men was different in civil life. A multitude of officers were little better than boys when they went to the training schools. Many were just out of college and had no earning capacity. Many had never earned a dollar in their lives. The enlisted men, as a rule, are more mature. Many were taken from good jobs and paying positions. Many were skilled workmen or good farmers. So that in the vast majority of cases the enlisted man before entering the service had a greater earning capacity than the boy who became a second lieutenant and perhaps has now been advanced to captain.

Again, this bill gives the preference to the least needy class—the officers. They as a rule belong to the professions or are men of education and training, who will have the least trouble making a living after they are discharged. Many of them have relatives and friends of wealth and influence who will help them into paying positions. Many of them have technical training and their jobs are being held for them. On the other hand, a multitude of privates are unskilled or are mechanics, whose jobs at home have long since been filled and who have no rich or influential fathers to hold them up while they hunt work. They will be compelled to get jobs at once upon being discharged. They will have to take whatever kind of work they can get and be self-supporting from the start. They especially need help so as to relieve them of having to plead for work or to scramble for the job of some other worker. Officers, especially of higher rank, receive good pay. Their necessary expenses are not large, and many have been able to lay aside tidy sums out of their pay. The private has saved nothing—he has no reserves.

THE PROBLEM OF THE HOUR.

The discharged soldier needs help, and needs it now. It is the most pressing problem of the hour, and calls for immediate attention. Already 30,000 a day are being released, and soon the number will greatly increase. Realizing the urgency of the situation, on December 5, 1918, I introduced the following bill:

A bill (H. R. 13255) for the relief of discharged soldiers and sailors.

Be it enacted, etc., That there shall be paid to each honorably discharged enlisted man and officer of the Army and Navy who may have served not less than 60 days between April 6, 1917, and January 1, 1919, the sum of $180 in six equal monthly payments as a gratuity, the first of such payments to be made at the time of his discharge or within 30 days after the approval of this act where such enlisted man or officer has been heretofore discharged, payments to discharged soldiers to be made under the direction of the Secretary of War and to discharged men or officers of the Navy under the direction of the Secretary of the Navy: *Provided*, That a total of not exceeding $180 shall be paid to any discharged soldier or sailor irrespective of the number of times discharged.

SEC. 2. That all and such sums as shall be necessary to make the said payments be, and the same are hereby, appropriated out of any funds in the Treasury not otherwise appropriated.

This bill is now before the Committee on Military Affairs. I could hardly expect them to report my bill in preference to the bill which has been sent down to them from the General Staff.

The initiative of Congress is not yet sufficiently restored to admit of that, I think.

Mr. McKENZIE. I have listened to the gentleman's speech with a great deal of sympathy, and I think the gentleman has a pretty good idea about it, but I would like to ask how he comes to determine upon $180; by what process of reasoning did the gentleman arrive at the fact that he thinks we ought to pay $180?

Mr. HUDDLESTON. I do not stick to $180. I made it as much as I thought Congress would agree to, and as little as I thought it would be decent to give. I would give more. I fixed it at $30 a month for six months, which is the pay that a private soldier gets, intending to give discharged soldiers six months in which to hunt jobs. The idea was to give them an amount which would pay for some sort of board for six months; that is what I had in my mind.

Mr. GORDON. I was just going to ask this in reference to what the gentleman stated. As I understand, my colleague bases it upon six months' pay for a private soldier, making them all of equal amount?

Mr. HUDDLESTON. Putting all upon an equality.

Mr. BLANTON. Does the gentleman know how much that will amount to?

Mr. HUDDLESTON. Yes; it will amount to less than $600,000,000.

Mr. BLANTON. Does it make any difference what it amounts to if it is the right thing to do?

Mr. HUDDLESTON. It might make some difference to the taxpayers; but I will say to the gentleman from Texas that if we are to waste any money raised for the running of this war let us waste it on these boys who have gone into the war. [Applause.]

My bill would treat officers and men alike, and give to each $30 a month for six months after discharge. This, of course, is inadequate, but at least it is fair to all and will hold the soldier up until he is able to become self-supporting.

The necessity for relief for the discharged soldiers is universally recognized. Measures for that purpose are being adopted by many of the important countries of the world. Great Britain gives each discharged soldier one month's pay and rations, family allowances for one month, and one year's insurance against unemployment. I am informed that Italy gives a gratuity of from one to six months' pay, depending on length of service. France has appropriated a billion and a half francs to be divided among her discharged soldiers. Canada proposes to teach her discharged soldiers farming where they desire it and to place them on farms and to give them a start with a loan up to $2,500. Australia has appropriated $200,000,000 and, as I am informed, proposes to lend as much as $2,000 to start a soldier off as a farmer. In the United States vague plans for utilizing waste lands for soldiers have been mentioned, but nothing definite or adequate has been proposed. The proposal of the department's bill to give a gratuity of only one month's pay is the least adequate that has been offered by any country. In great America, richest and strongest of them all, it is proposed to do the least of all. It would be a shame to be so niggardly.

The subject of giving help to discharged soldiers has two sides—its sentimental side and the side of justice and sound common sense. As a mere testimonial of the Nation's gratitude to those who have defended American honor in the war a liberal gift to each discharged man would be proper. Every American is thrilled with pride by the splendid quality of our troops, by their patriotism, courage, and self-sacrifice. Nothing is too good for them. No soldier should be discharged with the fear that his sacrifices are not appreciated. The great warm heart of the Nation should be opened to him. He should be made to know that we value his nobility and will ever cherish and remember his heroism.

IMMEDIATE ACTION NECESSARY.

But, on the other hand, the side of this matter that most appeals to me is the stern necessity that something must be done. Few enlisted men save any money. Nearly all of them have made allotments and taken insurance. They have saved nothing, and will be discharged penniless. We will see them hunting work. Many of them will not find it at once. They will gather in the cities, and after a little while it may be that at the street corner some hero—a real hero of Chateau-Thierry or Belleau Woods—may stand in his ragged uniform and beg the passer-by for a meal. Such an instance would be a shame to America, and if it could be charged to Congress would be a disgrace to the legislative branch. Much suffering and destitution among women and children will inevitably occur unless our soldiers are given some money on discharge, for many of them have dependent families who have been living off their monthly allotments.

It is nothing but justice to give the soldier a substantial gratuity. Many of those who stayed at home have enjoyed great prosperity. Some have made immense fortunes. Wages as a rule were greatly increased. The soldier has lost the job he had before he went into service. He may have a hard time to get as good a one. There will be delay, and he will be idle until he finds work. We should do something to compensate him for his lost position and for the idleness which will follow on his discharge.

A SERIOUS LABOR SITUATION.

One of the most serious sides of the discharged-soldier problem is its effect upon labor conditions. With the 4,000,000 men now in service thrown on the labor market demoralization will follow. Unless the situation is carefully handled, a labor panic will result. There will follow great industrial and social unrest, with possibilities of disaster. We must bear in mind that several millions of men and women heretofore engaged in the production of war supplies and other war work are losing their positions. They will have to seek new work, and many are now unemployed. When the war work is finally stopped, as it must be during the next few weeks, there will be a surplus of labor even without the discharged soldiers. With all these added to the labor supply the condition will be most serious, perhaps critical.

Even without taking the discharged soldiers into account, a statement issued by the United States Employment Service on December 14 shows that the demand for labor is declining fast, and already a surplus is found in many places. The only thing that can prevent a disruption of labor conditions is the fact that our workers have accumulated some reserves and can wait a few weeks for employment without suffering. By their savings they are enabled to protect themselves from being forced to take whatever job they can get at any price that may be offered them. But the discharged soldier has no reserves. He will be thrown at once on the labor market. He will have to have work immediately. Turned loose penniless, many will soon be starving and will be compelled to take anybody's job that they can. A starving man can not demand fair wages and conditions. He is compelled to yield to the pressing necessity of the moment. The labor organizations of the country have not sufficient resources to enable them to hold up millions of discharged soldiers for longer than a few weeks. As I see it, if we are to prevent a complete disruption of the labor situation, attended with the greatest hardship and peril, Congress must make provision for the maintenance of soldiers for a reasonable time after their discharge. It thus becomes not a matter of sentiment, generosity, or gratitude but of stern economic necessity that we make provision for these men.

A REMEDY FOR DISCONTENT.

The whole world is warworn and exhausted. Europe is prostrate to a degree that few in America comprehend. Anarchy threatens nearly every nation of Europe. Our captains of industry understand this and they have fears for themselves. They are carrying on a vigorous propaganda against "bolshevism," as they call it. They seek to cry it down by mere words and to restrain it by the strong arm of the law. I think I can see a better way to deal with discontent than by preaching at it or calling a policeman. Bolshevism has causes—hunger and despair. We must remedy the causes instead of trying merely to suppress the delirious cries of those sick with the disease. It will test the stoutest patriotism of the soldier to be discharged penniless after having offered his life for his country, to find himself jobless and starving in spite of his best efforts to get work, and to look around and observe that while he was far away in the battle trench profiteers, war contractors, and captains of industry have heaped up their millions out of the opportunities that the war gave. The best remedy for the discontent that it is feared that a discharged soldier may feel is to help him back into a job and to care for him while he honestly looks for work—to restore, to make him whole economically, to make him understand the lively and lasting gratitude of his country. This purpose can not be achieved by turning the soldier loose penniless, nor even by giving him the pittance of a mere month's pay. He must have something substantial. He must be maintained for several months, so as to give him a fair opportunity to find his proper place in the labor world.

Work is yet being done on war contracts; it is said that they have not been stopped because of a desire not to do injury to contractors and to the labor employed. Many millions are being spent in this way. It is said also that soldiers will be held in service so as to keep them from flooding the labor

supply. Millions will be spent in their maintenance, equipment, and pay.

I am told it costs over $50 a month to keep a soldier going; that is, the upkeep and maintenance of all kinds. Why should we keep him in service, at a cost of $50 a month, when we might turn him loose and let him get at some useful work and identify himself with society?

Why not apply the millions that are being spent in these ways to the direct benefit of the soldiers? Why not discharge them now and give them their pay after discharge, just as though they were in service? It would be a fairer and more economical use of the money.

The American soldier has shown himself a hero. We come out of this war with a new confidence in our ability as a people to defend ourselves. Our citizen soldier has shown himself the full equal of the professional European soldier. Untrained boys from the farms and shops have mastered the famed Prussian Guard, and the luster of American arms will shine far into the future. We have made war on war, and we are the victors. Every humanitarian and patriot hopes there may never be another war. But as we indulge this hope, let us not forget the duties of the present hour, one of the first of which is to see that our discharged soldiers and sailors are properly cared for. [Applause.]

Mr. McKENZIE. This is not a very pertinent question and you may not want the answer to go into your speech. I am prompted to ask it from what you have said about the labor conditions following the war. What do you think of the wisdom of the recommendation of the Secretary of the Navy to employ those men in the construction of an enormous Navy, which will employ several hundred thousand men after we get the ships built to run it, and also the recommendation of the Secretary of War, as reported in the newspapers, that he favors the completion of all these Army cantonments, which would require the employment of thousands of men annually to keep up? Do you think that would be a wise thing?

Mr. HUDDLESTON. I want to try to give an answer that will be respectful to the Secretaries of the Navy and War. The gentleman may perhaps have observed me long enough in the House to realize what I mean when I say that I think the proposition for an enormous Navy is an "enormity." Statesmanship is bankrupt when it can plan no better use for men than putting them to doing something absolutely useless in order to keep them busy. The great problem of the world now is to produce food—food and clothing and the common necessaries of life sufficient for the suffering millions of mankind. It is a poor thing to do to take a man away from producing the necessaries of life in order to have him produce anything else. There is plenty of useful work that needs to be done; the great problem of the world for the next two years is to get food and clothing and the common necessaries of life. Every man who can work ought to be put to doing something useful in the production of these common necessaries of life. If I had control of the matter, instead of building fleets which will be "enormities" when built, instead of consuming valuable materials and the toil of men's hands in the construction of useless cantonments, I would put men to providing things that the people of the world are crying for, that would relieve hunger and suffering. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. GREEN of Iowa. Mr. Chairman, the Secretary of War recently stated before the Senate Military Affairs Committee that it was intended to keep 32 divisions, or over a million and a quarter of men in Europe notwithstanding the war is ended. The Chief of Staff also has recently made a statement to the effect that preparations had been made by the War Department for the discharge of only 824,000 men of the Army on this side. To say that the people at large were surprised and even astonished at these statements is putting it mildly. The country had been expecting that all not enlisted for a definite term would be discharged as soon as possible after peace became an established fact, even though it had not been officially proclaimed. It seems, however, that what might be called a joker crept into the selective-service bill, whereby instead of being enlisted for the duration of the war the soldiers were taken during the period of the "existing emergency." The "emergency" then "existing" is over, but the language permits the President to put any construction he desires upon it. Under it the men can be kept not only during the war but for an indefinite period after peace has been proclaimed, and apparently it is the intention of the officers in command to retain in the service some of the organizations which have been longest called. The effect has been not only to fill with gloom the hearts of thousands of patriotic citizens who were the first to offer their services by volunteering or being in the National Guard, but to plunge into despondency thousands of others who thought that peace would bring the return of their loved ones and relief from the burdens of war.

I know it is claimed that a fair and reasonable construction of the words "existing emergency" would make them apply only to the duration of the war. Such I feel sure was the intent of Congress and under no fair construction could the words possibly be construed to cover a period beyond the declaration of peace. Whatever emergency may arise after that event, or has recently come into existence, it is not the one which existed at the time the selective-service act was passed. Clear and plain as this is, it is equally clear and plain that the War Department has no intention of so construing it. Every move now made shows that it is the intention to keep a great army in Europe for an indefinite period.

Mr. Chairman, this is simply conscription in time of peace, and I am utterly opposed to it in so far as any such army is made up of the drafted men. The War Department has the power, but it has no right to detain indefinitely these men. They were not drafted for the purpose of maintaining an army in Europe after peace has been declared, or even after it has been settled. Nor is the situation much less burdensome and oppressive on this side of the ocean. Many men are being held simply for ordinary work, although the administration refused to draft men for what is known as our war industries. The War Department is now using the drafted men in all sorts of occupations, from that of a common laborer and mechanic to that of a clerk, with no restrictions whatever upon the hours of labor, and paying the men not one-quarter what they would receive in the Government shipyards. The greatest complaint, however, arises from the detention of those who have nothing to do.

Mr. Chairman, for what purpose is this great Army to be kept in Europe? For any benefit to this Nation? No! We have over and over again disclaimed any intention of exacting either indemnity or territory. Is it to establish some position as a world power without any benefit? The name is not worth the price. Is it to gratify the personal ambition of some one who wishes to direct the world's affairs? Heaven forbid. Is it to enforce upon Germany the terms of peace? Germany lies helpless and prostrate. If its army has not surrendered it has passed under the yoke; given up its artillery, its aeroplanes, its machine guns; surrendered the iron ring of fortresses which protected the frontier; abandoned the greater part of its organization, except what is necessary to maintain order, if indeed it can maintain order. Its boasted navy came out of port only to raise the white flag and now lies idle under guard of our Navy and its associates. Its great organization, once a model of efficiency, has been shattered so that it can not be restored in a decade. Instead of having one united purpose its people would turn what arms they have left upon each other, and machine guns have begun their deadly rattle in Berlin itself. If Germany should attempt to resist, in a short time, without firing a shot, the blockade would starve her into whatever humiliating and abject submission the allies chose to demand.

It must be then that it is intended that the Army which is to be kept in Europe will be used for reconstruction and policing purposes, and some even say that it is the intention to police Russia. Mr. Chairman, to my mind no more dangerous folly could be attempted than to undertake to police a country which is 7,000 miles in extent from Petrograd to Vladivostok and 2,000 miles in extent from north to south. All the hosts of the allies could not do it. Every nationality resents foreign dictation. The best remedy for Bolshevikism is to let the people endure for a while the pangs of its poison. Nothing else will cure them. It may be that we owe something to our allies in the way of helping them to obtain the indemnity that is due from Germany. I have no objection to our furnishing a small force for that purpose, but I do object to our soldiers being used for reconstruction work in Europe. What would this mean? It would mean that our soldiers would be used in rebuilding roads, in restoring towns, in manual labor which could be better done by Chinese at $10 a month, whose subsistence would not cost half what is required for our Army. I protest as vigorously and firmly as I can against our farmers, our mechanics, our railroad men, our clerks, being used to wield the pick and shovel, or wheel a barrow, when this work can be done much cheaper by others, and if I mistake not will be sought by thousands from the famine-stricken regions of Europe. Is it men they want? They can get them in any number from all parts of a starving continent.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield for a short question?

Mr. GREEN of Iowa. Yes; I will yield to the gentleman for a short question.

Mr. McKENZIE. Has the gentleman from Iowa studied and looked into the powers under the Constitution of the United States that would enable the Commander in Chief or any other

authority in this country to conscript men into the Army and then send them into a country at peace with us?

Mr. GREEN of Iowa. That is a very important question, which I wish I had time to discuss. It merits a great deal of attention, which I regret to say I am unable to give to it in the time that has been allotted to me.

What is the situation on this side of the ocean? Every Member of this House has received many pitiful appeals from dependents who are suffering by reason of a soldier's absence. There are thousands of soldiers whose only hope of redeeming the business which they were compelled to leave on entering the Army is in an early discharge. There are hundreds of thousands idle and useless in the camps on this side for whom jobs are waiting at home. Some of these jobs must be filled at once, some can not be, but failure to fill them will cause far more loss than the amount of salary attached. Active, energetic, vigorous young men are burning their hearts out as they see their dependents suffering, their business ruined, their occupations gone, while they are merely handling a pick or a shovel for an hour or so a day or aiding in supplying food to others as idle as themselves, if indeed they do anything at all. It is not surprising that deserters are numerous. On the other hand, there are many who do not know what to do with themselves when discharged, and a large number that would be glad to continue in the Army service if they knew they were to be sent to Europe.

It is true that the War Department has issued orders that in cases where the soldier has dependents in distress and in some other special cases the soldier may be discharged upon application made through his superior officer; but in practice so many difficulties have been interposed that months will intervene before any action is taken and in many cases meritorious applications are curtly refused. Some lieutenant, even some sergeant, holds up the whole proceeding. It lies in some pigeonhole for months and nothing whatever is done.

Mr. FAIRFIELD. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. FAIRFIELD. I have had some difficulty of the kind the gentleman is suggesting. I would like to know what objection there can be to making it mandatory upon the subordinate officer, instead of giving him simply permission to discharge the man? I have had many cases of soldiers in which jobs are waiting; farms are going to rack and ruin, and yet I can not get the men discharged. What objection could there be to that?

Mr. GREEN of Iowa. None. I am going to advocate that in what I have to say further. It should be mandatory; but, instead, my understanding is that the order has gone forth not to discharge any man where he is of any use.

In the face of this situation we are informed, so far as we can get information from the War Department, that about a million men on this side and more than a million on the other side of the ocean are to be retained for an indefinite period, the duration of which, short or long, has apparently not been considered. In other words, of nearly 4,000,000 men that were in the Army at the close of the war, less than one-half are to be discharged. Much has been said with reference to the problems of reconstruction and the difficulties likely to be met in attempting to solve them. Elaborate plans have been offered with a view of determining what course should be taken in anticipation of conditions that it is believed will or may arise. I would not underrate the importance of these subjects or deny the necessity of their consideration, but the most vital question before Congress, and the one most pressing, most in need of immediate consideration, is the question of the discharge of our soldiers. You can not reconstruct until you get the soldiers back home.

The economic waste involved by the present situation is staggering. It cost the Government a thousand dollars per annum for every enlisted man before the war; since then his wages have been more than doubled; the cost of his subsistence and equipment must also be nearly double what it was in 1913. Capt. Daly, testifying before the Military Committee, said that while the war was going on the total cost of the Military Establishment was $6,000 per man annually. I think it is safe to say that the annual cost for soldiers, not commissioned, is now not less in this country than $2,000 per annum, and probably more. In Europe, I should judge it was nearer $3,000 per annum than $2,000. In my judgment, preparations ought to be made for the discharge of at least a million and a half more men than is now planned. I say preparations, because it requires time to perfect the system, and, as I shall undertake to show, the present system is utterly wrong. If we should still hold 2,000,000 men, the rate of expense will be little, if any, less than $5,000,000,000 a year. Gentlemen will say that this number of men will not be kept for a year. I answer that they will unless preparations are made at once for the discharge of those not needed. Bear in mind also that the loss of billions to the Government is probably equal, if not exceeded, by the loss to the men themselves, whose business or property is going to waste, or who might be producers instead of consumers.

Mr. FESS. Mr. Chairman, will the gentleman allow a question?

Mr. GREEN of Iowa. Yes.

Mr. FESS. Reverting to the idea that it might congest the labor situation, we have all heard that suggested, and therefore it is contended soldiers should not be discharged until after that matter was assured. Does my colleague think that the soldier who is in France, chosen as he was, and considering the rank that he occupied at home, would have any difficulty in being placed back in his own position without any interruption whatever to the labor situation?

Mr. GREEN of Iowa. I do not think so. I am sure it would not be the case in my district, and I do not think it would be in the gentleman's district.

Mr. FESS. It would not. And when you refer to those who are here, who have not gone over, those who came under the second man-power bill, which went down in age to 18, would not a large proportion of those be of school age, who would continue to go to school if they could secure their discharge so as to enter upon their schooling?

Mr. GREEN of Iowa. Yes; thousands are wanting to return to school.

Mr. FESS. That is one of the most distressing features of the situation, so far as my district is concerned. Those boys want to get out and return to school.

Mr. DOWELL. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. With pleasure.

Mr. DOWELL. Is there not a general order also that prohibits the presentation of an application because of a desire to finish school work?

Mr. GREEN of Iowa. I could not say as to that. In the Navy that is not the rule. In the Army I believe it is, but can not speak positively.

Mr. DOWELL. In the Navy they are discharged for the purpose of attending school, but does not the reverse hold with respect to the Army?

Mr. GREEN of Iowa. Yes. I am informed that the Army adopts a different rule.

Mr. PLATT. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. With pleasure.

Mr. PLATT. The Army orders do not include discharge for purpose of education. That is one thing that, it seems to me, we ought to advocate.

Mr. GREEN of Iowa. Yes; and consequently they do not get discharged. The rule should be otherwise. I trust it will be changed.

Mr. HUDDLESTON. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. HUDDLESTON. With reference to the question raised by the gentleman from Ohio [Mr. FESS], I will say to the gentleman that I have had recently reports from the United States Employment Service which show that there is already a surplus of labor in many parts of the country and that that surplus is gaining rapidly since the armistice was declared.

Mr. FESS. Mr. Chairman, will the gentleman yield again? Would the fact of a congested labor situation be a justification of keeping our soldiers in Europe away from their own jobs in order to keep men at home employed at abnormal wages?

Mr. GREEN of Iowa. I do not think it would produce such a situation, but, in any event, it would not justify keeping in Europe our soldiers, who have been doing the fighting, in order to employ some one at home. Our first consideration is for the men who have borne the brunt of battle and the burden of service.

Mr. MANN. Will the gentleman yield? I do not want to take the gentleman's time.

Mr. GREEN of Iowa. I might have it extended.

Mr. MANN. I do not think the gentleman's time can be extended.

Mr. GREEN of Iowa. I would like to yield to the gentleman, but I want to get to the solution of this question.

Many imagine that the wealth of the country has been increased by the reason of the inflation of the currency and consequent rise in prices, but the real wealth of the country can only be increased by the production of articles and commodities of value. The most of these men here, if discharged, could be now producers; as it is they are forced to be parasites on the country, and the economic loss runs up into millions every day.

It is said that the War Department is now discharging men as fast as possible. This may be true as to those it intends to discharge, but both method and practice are at fault. The system is wrong, and while it relieves conditions in some places, in others it is of no benefit, and in some cases it is positively damaging. Thousands are released who are perfectly willing to serve, thousands held who are nearly driven insane by a desire to get back to their families, their work, or their business. We know everywhere of enlisted men recently taken into the draft who have a great desire to go to Europe. The story is published, I know not how truly, that some of those who have been discharged in this city are still here, having carelessly spent their allowance for return to their homes, and that some of them have even solicited aid. While this is going on we know of others who have aged and dependent parents, sick and needy wives, opportunities that will soon be lost for entering business, and incomplete school years to be finished now, if finished at all, and other cases of the greatest hardship, which were willingly undergone as long as the Government needed the service of these men, but which now naturally raise a rebellious feeling in the minds of those who are unnecessarily and needlessly detained. The present system is nothing less than an outrage.

Unless action is taken at this session a million and a quarter men will be held across the ocean for an unknown period, extending, in all probability, through the year, according to the plans of the War Department. I grant that there must be an army of the allies to hold the principal German forts and towns until the indemnity is settled and other provisions of the treaty of peace complied with. This army necessarily must remain in Germany several years. I assume that this country will be expected to furnish, and will furnish, a portion of it. I shall not now discuss at length the number which we should provide, but I am opposed to our furnishing any great army for that purpose and believe the force should be made up largely of the Regular Army. If we kept even 500,000 men in Europe, it would cost over a billion annually. Of course, the armistice provided, and the peace treaty will probably provide, for the cost of the army of occupation being paid by the German Government, but the bills against Germany are mounting to ten times what it could pay if it had its peace organization, and while that country is disorganized, its workers demoralized and rebellious, and its business at a standstill the money or property can not be obtained from it for payment. Moreover, Belgium and France have a prior claim for tens of billions.

Mr. STEVENSON. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. I regret I can not.

Mr. STEVENSON. I just want to ask one question. I never interrupt you lengthily.

Mr. GREEN of Iowa. Very well, I will yield.

Mr. STEVENSON. My question is this: Is not the expense of occupation a preferred claim, and will not that be paid before they begin to pay the claims of the different Governments?

Mr. GREEN of Iowa. If the gentleman has kept track of the amount paid—one installment has already been paid—he will understand that it will not cover one-twentieth part of what the expense will be. The payment will be only for that small part of our forces which is actually in Germany.

Serious as is the financial burden which the present plans impose, a more serious and important matter is involved—that of justice to the soldier. The injustice done by the present haphazard method of discharge is so gross as to amount to actual oppression; yet the remedy is easy. A new army for operations abroad should be formed, called the "Army of Occupation." This army should be made up by voluntary enlistments from the Army as now constituted (except the Regular Army), or outside if others desired to volunteer. Instead of sending home those who want to stay in Europe or wish to go there from this side, a new army should be made up, which, in my judgment, should not exceed 500,000 men, with such of the Regulars as are available. This matter should not be permitted to drift along. If action was commenced now, it would be a month or more before a bill could be passed, and several months before it could be put in operation. I have, for the purpose of forming a basis of discussion, introduced a bill embodying the principles which I have set forth. I do not claim that it is perfect in its details. Doubtless the Committee on Military Affairs and the War Department aided by their superior experience would find details, and possibly essentials, that should be modified or defined. But what I seek, what all of us should seek, is action, and we should not sit idly here while unnecessary hardships are inflicted upon those who have done so much for their country.

We need, too, more systematic action at once on the part of the War Department for expediting the discharge of men who are specially needed at home. As the situation is now, all sorts of difficulties are liable to meet the private who desires to present his application. Orders should be posted in each camp, so that inferior officers will not prevent their making application or delay the submission of applications made. If such orders are not issued, Congress should take action at once.

There can be no defense of conscription in times of peace, but the keeping of men in Europe or on this side against their will at this time can be classed as nothing else. There is neither excuse nor necessity for it. It will not meet with the approval of the people, and any party that favors such a proposition is certain to hear of it again in the future. Why should there be any delay when each day means so much to the soldier and the country?

I know there are some that will say that the plan can not be carried out, that it will involve reorganization of the Army. It will not involve the reorganization of the Regulars or the Marines, which ought to constitute the great bulk of the force to remain in Europe. As to the remainder of the Army, it ought to be, and if any attention is paid to the desires of the people, it will be reorganized. I have no patience with that spirit which says that this work can not be done. It was done at the end of the War with Spain, when an Army of Occupation was organized to remain in the Philippines. Of course the number of soldiers retained was small compared to the number which may be kept now, but the number of officers and the means of doing the work were correspondingly small at that time. What is needed is action and resolution on the part of Congress. If we sit here waiting for plans to be prepared by the War Department, no one knows how long it will be before action is taken. The present burdensome, unnecessary, and grievous conditions will not be borne by the public. They ought to be and must be remedied by Congress, which should resume its proper functions and take the initiative in dealing with this great problem.

Mr. Chairman, it seems to me that after a war that has cost the world a total of $400,000,000,000, as generally estimated, and I know not how many millions of lives, because they are not all yet numbered—if that the end of this war, after a sacrifice of money and property that would have made a perfect paradise of the world; after the sacrifice of the best blood and lives of so many patriotic citizens, both of this country and of Europe; if at this time the end of it all is that we are to keep an army ten times, or twenty times, as large as we ever thought of before this war, then it is the greatest failure that ever occurred in the history of the world, notwithstanding the glories of our victories. The world has been horror-struck by the calamities, bloodshed, torments, and suffering of this dreadful war. I can not believe that any nation that has felt its full destructive power has any thought of ever entering into another such a one. Such a proposal at this time would produce a revolution that would hurl from power those who suggested it. And yet we seem to be proceeding as if the war was likely to commence over again within the next year.

I believe some blessings will come from this dreadful conflict. The greatest blessing that we would receive from it would be that the world might be delivered forever, as Lloyd George has advocated, from conscription in time of peace, from great armies, from the great burdens connected with them, and that hereafter the energy and the spirit of all nations might be devoted to restoring and upbuilding the world and promoting the happiness and comfort of mankind instead of to the instruments of death and destruction. [Applause.]

APPENDIX.

A bill (H. R. 13443) to provide for the organization of an army to be used abroad, known as the Army of Occupation, and the discharge of enlisted men in the military service not included in the Regular Army. (Introduced Dec. 19, 1918.)

Be it enacted, etc., That in view of the necessity growing out of the war with Germany of maintaining an armed force in Europe, that the President be, and he is hereby, authorized to raise and maintain by voluntary enlistment and to organize and equip a force of not exceeding 10 divisions and to officer such force in the manner provided in the third paragraph of section 1 of the selective-service act approved August 31, 1918, the organization thereof to be the same as that of a corresponding organization in the Regular Army, and that such force shall be known as the Army of Occupation.

SEC. 2. That enlistments in the army of occupation may be made by any enlisted man now in the military service of the United States, except those in the Regular Army, and when such enlistments are made the soldier so enlisting shall be discharged from the service for which he had theretofore been enlisted.

SEC. 3. That the period of enlistment shall be during the period of occupation by the armed forces of the United States of European territory, not exceeding three years, and only such men shall be enlisted as are eligible for enlistment in the Regular Army.

SEC. 4. That the army of occupation when organized shall be used for the purpose of occupying or holding such territory in Europe as the President may direct, and as soon as practicable after the ratification of a treaty of peace between the United States and the Government of Germany all other enlisted men not serving in the Regular Army shall be discharged, after having, in the case of those not in the United States, been first returned to this country.

Mr. SMALL. I yield 20 minutes to the gentleman from New York [Mr. LONDON].

Mr. LONDON. Mr. Chairman, I have but 20 minutes, and in those 20 minutes I would like to cover the world.

The gentleman from Alabama [Mr. HUDDLESTON], who has addressed the House this afternoon, is one of the ablest and bravest men in the House. In his remarks he suggested that the Government pay to each discharged soldier six months' salary. His remarks have impelled me to direct what I have to say to the same subject, although I intended originally, when I asked for time, to speak of the international situation.

The gentleman from Alabama [Mr. HUDDLESTON] has made reference to Bolshevism, just as the distinguished gentleman from Iowa [Mr. GREEN], who mentioned Bolshevism. It seems that it is impossible to deliver an address now on any public question without using two words, "Bolshevism" and "reconstruction." Any fool proposition goes under reconstruction and any new idea is opposed as Bolshevism. The hypocrite, the sycophant, the coward, the man who follows the mob, the defender of selfish and unclean interests who would preserve everything that is vile in the present society, all of them dread every new thought and every new idea. They speak of Bolshevism as if they knew what it was, as if it represented the very incarnation of all that is evil, as if it was hell let loose; and whenever any new thought is advanced, whenever a suggestion is made urging that we learn something from the sacrifices of the last four years, immediately we are met with the retort, "Oh, you are advocating Bolshevism." When the President of the United States in one of his letters used the sententious phrase that the returning soldier will not tolerate industrial serfdom, one of the New York newspapers inquired editorially, "Where did the President get that Bolshevik phrase?" When the recently elected Democratic governor of New York, in a long and rather interesting message to the legislature of that State, suggested in somewhat vague terms a number of things that ought to be done in the direction of social legislation, a political opponent, as a sort of a reply to the message of the governor, said, "We should not cater to any Bolshevistic tendencies." He saw in the modest suggestion of the governor for minimum-wage legislation for women and children and health insurance the coming of the dreaded Bolshevism.

I have no time to take up the subject. I wish I had. It is a new word. It is a new bugaboo. It is something new to threaten people with; and since socialism has been recognized as a legitimate theory, and since the socialist movement has compelled statesmen and politicians to borrow its raiment, to borrow some of its thought, and some of its philosophy, those that are interested in combating the advance of socialist thought have conjured up a new horror—that of Bolshevism.

Now, to come down to the proposition to give each returning soldier $180, I would vote for it if nothing better could be had, but it would not satisfy me. It is not what we want. You can not acquit yourselves to this generation; you can not perform your full duty to the millions of men who have fought in Europe, notwithstanding the fact that Roosevelt says that the most of them did not understand anything at all about the 14 points of President Wilson—you can not acquit yourselves to these men by offering them a tip at the conclusion of their service, by giving them a gratuity, by giving them a couple of dollars. It will not do them any good; it will not do society as a whole any good. The war is supposed to have been fought that the world be made free; that nations may be made free democracies. There can be no such thing as a free nation or a free people or a great people or a great nation unless the individual man and the individual woman who compose the community are free to live a full life, are free to develop intellectually, physically, spiritually, unless the social structure of society gives them that opportunity. Every other form of democracy is a fraud. Every other form of government which does not give to the great majority of the people an opportunity to develop individually is not a democracy, no matter by what name you may call it. The great sacrifices that have been made by the world will be of no avail unless we realize this fundamental truth. The democratic elements of Europe are awakening to certain hopes. They have suffered more and they have learned more than we.

Let us not deceive ourselves. Although the war is over the fight for genuine democracy is by no means over. Even the feudal system is not yet dead.

But the hope is growing that as a result of this war the individual will be placed in a position where he will have a share in the control of the means essential to sustain the life of a civilized man. To give to the discharged soldier a few dollars as a donation, as a tip, as a gift, does not mean to make an effort in the direction of improving his economic condition or of securing him an opportunity to earn a livelihood. It certainly does not tend to make him more dependent upon himself or less dependent upon others. It does not help to make him more free. Long before we entered into the world war and ever since we have entered it I have insisted that we take up the problem of unemployment. Again and again have I asked that a study be made of the subject of social insurance.

I have been insistent in urging it; you have been insistent in disregarding it. There will be discontent. Do not make any mistake about it; you can not shout it down; you can not suppress it. A fool order against the red flag will not allay restlessness. Calling everything "Bolshevism" will not stop it. You may suppress the emblem but you can not suppress the discontent. You can not stifle the craving for a change, you can not suppress the desire on the part of those who have faced danger to get some genuine reward, not in the form of a humiliating gift but a reward in seeing the world around them get to be a better world.

You must take up the problem of the returning soldier as part of the problem to improve the economic condition of the masses. You must think not only of the soldier but of the now employed whose jobs the returning soldiers will take. Assume that all employers will be patriotic—I question their patriotism, for I know that every time the Washington profiteer doubled his rent he doubled the size of his flag—assume that every time a soldier will ask for his former job he will get it, what about the man or woman whose job the soldier will take? We could not trust the great magnates of industry in the time of war, when the call for sacrifice should have appealed to all, but the Government had to take hold of them, curb them, and control them. If we could not trust them in times of war, when the patriotic appeal is so strong, how can you trust them in time of peace? How can you permit them to go unchecked and unregulated by the public conscience?

The problem, then, is how to provide employment for all, how to use the governmental agencies which we used during the war for the purpose of promoting war industries, how to use the very same governmental agencies at least during the period of transition until society becomes normal again, if it ever will become normal, to prevent general unemployment. At least during this period of transformation, during this life of transition, let the governmental agencies, which exercised a curbing influence on capital in time of war, continue, so that we may provide unemployment insurance to the soldier and impose upon him the duty of getting employment, and if he can not get it from a private employer have the Government run various public works and even industries, if necessary, so that he may obtain employment. Let there be no giving of gifts, let there be no idleness and compensation for idleness, let the principle be embodied in life that he who does not work has no right to live. Unfortunately that principle does not apply on top of society to-day. Establish the system of unemployment insurance, provide for Government works, provide, if necessary, that the Government should run some of the industries now in private hands. Let the people learn how to run industries. I know that the Government running of industries to-day is not the most economic or efficient way of doing things, but the people must begin, the people must learn to control and own industries. See the failure of the policy of the Democratic Party to curb the trusts and to destroy the trusts. That has failed. You know that, and the Democrats were themselves compelled, at least so far as foreign exports are concerned, to permit the trustification of the foreign export branch of industry and commerce. You can not destroy a trust, you can not destroy a monopoly, because concentration and efficiency are laws of industry. Instead of breaking up large industries, which are in their nature monopolies, which are, in their very nature, of national scope, instead of breaking them up and destroying them and stimulating artificial competition, which can not exist, it is the duty of statesmen to teach the people to utilize every advantage of modern efficiency, to utilize every advantage of concentration, to utilize those advantages for the great masses of the people. Let the Government take up one industry after another, taking up first the most suitable industries, so that the worker will know that he owes a duty to society to work and to be useful, and that in return society owes him the duty of a wage which will enable him to live a man's life.

If we can not learn this in spite of the great sacrifices, I do not know whether we will ever learn anything. We have been fed with phrases, phrases, phrases—fighting for democracy, making the world safe for democracy, and what not—no indemnities, but reparation, self-determination of nations, but with the provision always that the little nations will not be permitted to determine their own life but that the big fellows will tell them how they shall exercise this right of self-determination,

how they shall be cramped in. Then we have been told that of course this is the last war; but we find that in order to make sure that it is the last war we are going to increase our fleet, also to make sure that all armaments have been done away with. [Laughter.] We are in sympathy with the democratic instincts of the great masses of Russia, we are told, but we are also told that we will keep an army there, Constitution or no Constitution, declaration of war or no declaration of war, and when the soldier gets back, then our Secretary of the Interior, we learn, will appoint a commission to investigate the problem of recovering swamp lands. The soldier will be taken directly from a French trench to a swamp in Arkansas. [Applause and laughter.]

Mr. SMALL. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. SHERWOOD].

Mr. SHERWOOD. Mr. Chairman, of course you have observed that the Ohio wets have employed a very able-bodied lawyer, who has instituted legal action to test the constitutionality of the prohibition amendment to our Federal Constitution, based upon the recognized fact that the joint resolution submitting the prohibition amendment to the States was not adopted by two-thirds of the entire membership of Congress. The prohibition amendment was adopted by two-thirds of the Members voting, or two-thirds of a quorum. This is a matter of deep interest to all the people of all the States, especially Pennsylvania.

The language of the Constitution on this question is as follows: "The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution," and so forth.—Article V.

Article II of the Constitution provides in case of the ratification of a treaty-making power of the President as follows:

"He shall have power, by and with the advice and consent of the Senate, provided two-thirds of the Senators present concur," and so forth.

In case of the election of a Speaker of the House, section 3 of the Constitution provides, "That a majority of a quorum can do the business of the House of Representatives." Under this section it was decided in 1808 and again in 1879 that the Speaker can be elected by a majority of a quorum.

The fact that the Federal Constitution contains one provision for doing the legislative business of Congress, and another provision applying only to the Senate for the ratification of a treaty, and still another provision for submitting a constitutional amendment indicates that the framers of the Constitution regarded these specified functions of Congress as vitally different. And students of the Constitution are now claiming with some show of reason that the framers of the Constitution regarded the submission of a constitutional amendment as the most important of all the functions of Congress. Hence it is provided that two-thirds of both Houses of Congress shall be required to submit an amendment to the States for ratification. This question, however, has never been decided by the Supreme Court. It is reported that the Supreme Court of Minnesota has decided that an amendment to the State constitution of that State was not legally adopted because it was submitted to the people by two-thirds of a quorum of the legislature and not by two-thirds of all members elected. And the language in the State constitution of Minnesota is of the same purport as in our Federal Constitution. It will be conceded that there is no function of Congress of more importance or moment than an amendment to the fundamental law. And the fact that the framers of the Constitution, after a full debate, made three distinct differences in language touching the jurisdiction and powers of Congress will be used by lawyers more or less critical and wise that when the Constitution provides that both Houses must have a two-thirds vote to submit an amendment to the Constitution it does not mean two-thirds of those present nor two-thirds of a quorum, but two-thirds of the whole membership elected by a majority vote of the whole American people. If two-thirds of a quorum could submit a constitutional amendment, let us see what might happen. The present House of Representatives contains 435 Members; a quorum is 218, and two-thirds of 218 is 146. This is 72 less than a majority of Members. Evidently the framers of the Federal Constitution never intended to frame a provision in the organic law that would allow 146 Congressmen, or 72 less than a majority of Members, to submit an amendment. It is a reasonable claim that this great body of the wisest and most experienced statesmen and scholars of that epoch framed a provision in the Constitution intended to include all the representatives of all the people of all the States.

THE SUPREME COURT CAN DECIDE EITHER WAY.

As all the people of the States are interested in this constitutional amendment, it will attract universal interest when this case goes to the Supreme Court for final judgment. While it was not intended by the framers of the Federal Constitution that there should be any power in the United States greater than the Constitution, experience has demonstrated that supreme power is lodged in the Supreme Court—jurists appointed for life. The power with final jurisdiction to either nullify or approve a law of Congress or a constitutional provision is greater than the Constitution.

The Constitution provides that all tariffs shall be universal throughout the United States, But we have now one tariff for the States, another for Porto Rico, and still another for the Philippine Islands, and the Supreme Court has decided these tariff laws as constitutional. Hence the conclusion is inevitable that this is a case where the Supreme Court may decide either way.

Mr. KENNEDY of Iowa. Mr. Chairman, I yield 30 minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman and gentlemen, the American people were greatly delighted when the wires flashed the news throughout the world that the war was over, that the armistice was signed. I happened to be in Chicago on that day, and witnessed a scene such as I never saw before, and such as probably no one will ever see again. There everyone in the city assembled within the space of a mile square, and they hugged and kissed each other, they blew horns, they climbed on top of street cars, the girls directed the cab drivers to go where they wanted to, they did not pay any fares, they entered the stores and took all of the noise-making instruments they could find, and everyone was full of joy because the war was over. Since that time everyone has been wondering why it is that we do not get our soldiers back home, and thousands of letters are received every day by Members of Congress, asking them to assist in bringing these boys back to the homes where they can help to provide for those who have deprived themselves of every necessity of life in order that they might prove their patriotism to the country in its hour of need. Every appeal that is made to the Army commanders, represented by the Secretary of War, or to the Navy commanders, represented by the Secretary of the Navy, for the release of the men tells that every obstacle with which it is possible to surround an application for discharge must be overcome, that every hurdle must be jumped, before the man can obtain his release. The first order purported to authorize the commanders in the camps to release the men upon their own applications. Then the order was modified to require three affidavits from prominent citizens in the neighborhood to certify to the need of the release either for industrial or for family reasons. Then comes the further edict that if this application, verified by these affidavits, is not considered favorably by the commander an appeal can be taken to the headquarters in Washington, and when Members of Congress appeal to the authorities and call their attention to the necessity and importance of releasing these men, they are told that Members of Congress need not apply, that they have no standing at court, that their word is of no avail.

I had a case this morning in the Navy in connection with which I applied for information caused by a letter coming from the mother of six children, five of them too young to work, she herself a widow, sick, unable to work herself, with a boy in the Navy, in connection with whose services an allotment was made nearly nine months ago, not one dollar of which has been paid to the widow whose five children at home are unable to assist in helping to maintain the family. The answer I received after giving all these facts in the case was that the man must apply to his commander and the commander himself would investigate the necessity and importance of letting the man out of the Navy. I requested to know whether or not the facts as stated by me, because they were stated by me, would be any prejudice in connection with the man's discharge, and the man to whom I talked said it would have no influence toward getting him discharged. I submit that this is an indignity that no Government official has the right to impose upon any family a member of which has volunteered to defend the flag. [Applause.] While all this is going on and our men are suffering as they are at Brest, France, waiting for transportation home, sleeping in the slimy gutter, eating in the slime of the slime, as reported by responsible newspaper men who have been there and seen the case, we are told that they have no rights, while officers of the Army are riding around in Government-owned automobiles everywhere throughout Washington, driven by men in uniform, paid by the American people whose sons are still sleeping in the slime of the sluiceways of France, otherwise known as detention camps or rest camps. It is an outrage upon justice, and these men ought to be called to account. I stood on the corner of California Street and Columbia Road this morning for 15 minutes waiting for a street car, directly opposite the Wyoming Apartment Building, and there lined up in front of the Wyoming Apartment Building at 10 o'clock, mind you, were five Government-owned automobiles with five drivers in Army uniform waiting, I suppose, for the second lieutenants who are living at the Wyoming in order that they might take them to the important business which they have to transact in the department, but which was not sufficiently important to take them out of their nests before 10 o'clock in the morning. [Laughter.] And this is going on everywhere throughout this city, and I suppose throughout the Nation wherever we have Army officers. Why should the Government of the United States transport these men around in state while the other men who have given everything they have to the Government in its hour of need are compelled still to continue to serve and sleep in the gutter when they ought to be discharged? This is a shame; it is a disgrace; it is a crime for these men to be permitted to use Government property under such circumstances. We have spent $25,000,000,000, as I understand it, so far, actual expenditures. We have appropriated over $36,000,000,000.

How much of it has been appropriated for automobiles in order that these men may ride around in luxury I do not know, but there ought to be an investigation of it. The time has come when the American people are not going to sit idly by and permit it. The mere fact that a man is a commissioned officer in the Army gives him no more right than the ordinary man, and the ordinary man who pays the taxes when he understands the facts will not submit to that kind of iniquity. Oh, but the use of these automobiles is not confined to Army officers, for I have seen automobiles owned by the Government taking the wives of Army officers and their sisters, perhaps, maybe their mothers, out on calling trips. I saw one yesterday going to three different places picking up three different women, taking them around to call on their neighbors, and how many more were engaged in this kind of business I do not know, and each one of the automobiles that you find doing this sort of business is being driven by a soldier. Why do not these soldiers get their discharge? They want to be discharged. They have other occupations at home which they would like to fill, but of course it would not be as convenient for the officers whom these men drive around if the men were permitted to retire to private life, because they would be compelled to drive their own machines, and that would be an arduous job for an officer in the Army to perform, especially those officers in the Army who hold these swivel-chair jobs in Washington.

Is there a time coming when the American people through the Congress of the United States will dare to speak? That is what I want to know. If I have my way there will be a time, and this matter will be investigated with all other such methods; for I do not believe it was ever the intention of the Congress of the United States to appropriate money indefinitely, in lump sums, to be used for any such purpose or in any such way.

And then we have, for example, the Bureau of War Risk Insurance, which is a stench in the nostrils of every man that has anything to do with it. We have a new man recently appointed to the job. He starts out right. He wrote a letter to every Member of Congress, in which he said that he was going to do the best he could to clean it up and that he wants the cooperation of the Congress. God speed him on his way. I want to help him. [Applause.] I want to help any man who wishes to do the right thing.

I wrote him a letter and told him he was assuming a great task, a responsible job, and that he was taking something that had taint on it, but that I hoped he would be able to remove the taint. And the best way, I said to him in my reply, to remove the taint was to remove a lot of the people who were standing in each other's way down there and make room in the offices of the War Risk Bureau for those who were there to do work. There is no room for them in which to work now. That is the reason we do not get results.

Why, I have cases which I could enumerate if I wanted to go into details that would make your hair stand on end, cases where the families of soldiers who had been wounded, some with one leg off, some with both legs off, some with both arms off, some with both eyes out, who have not been able to get a dollar for 11 months, notwithstanding the fact that allotments have been made.

And the men themselves have not been paid. They have been wounded. They have been taken to the hospitals. They have been treated, and God knows how, in some cases. We whose families have given their blood to the Nation are going to insist upon decent treatment for those who yet remain. We can not afford to ignore the situation.

Why, a trainload of wounded soldiers came into Chicago the other night. There was no one there to meet them. They had to find their way to ambulances or conveyances of one kind and another the best they could in order to get to hospitals. The President of the United States said in a speech a short while ago at Chaumont, France, to the American soldiers, that the American people were waiting for an opportunity to acclaim the returning soldiers, whereas all the returning soldiers that have ever come have been obliged to do so unheralded and unacclaimed and transferred around every place where an opportunity might be had for the American people to see them and acclaim them to some camp somewhere, unseen and unheard—no acclaim, no plaudits, no encouragement. And of these men I talk about as landing in Chicago a week ago—five of whom, at least, I know—one was transferred to Camp Dodge, in Iowa; another was sent to French Lick Springs, in Indiana; another sent out to Fort Sheridan, Ill.; and another one sent somewhere in Kentucky, and so on, and each one of these five men was transferred six times in a week to different places in the country, though they were unfit to travel. They were men wounded almost to death, and still they were transferred from place to place and from pillar to post, with no consideration shown them anywhere.

Mr. LONDON. On what theory was that done?

Mr. MADDEN. I can not tell. But that is why it costs so much for transportation for the Army, why it costs so much to demobilize.

I saw a case of application for $12,000,000 made to the Naval Committee, and now being considered by it, for demobilizing men to be discharged from the Navy. They said it would take all the $12,000,000, perhaps more; because, they said, when they discharged men from the Navy they paid their way to the nearest station or to the station from which they were enlisted. But my experience is best illustrated by the case of a young chap named Conway, who enlisted in the Navy from Chicago. He enlisted to-day, say. He was sent to the Great Lakes Training Station. He sent me a telegram, and I sent him one in reply. Before my telegram reached him he was down at Newport. And by the time I got a telegram to him at Newport he was at some other place. He was at Pensacola, Fla., if there is a station down there, or to some other place there; and I could not send telegrams fast enough over the wire to reach him, because he was transferred so often and to places so far apart. And that is what they do with the money you give them. I got a telegram this morning from Chicago which was sent to me on the 31st day of December. To-day is the 2d of January. That was the 31st of December, one at about 9.30 in the morning and the other at 12.30 afternoon, and I got them this morning just before 11 o'clock. So I think we had best commence to send our telegrams by mail. [Laughter.]

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Surely.

Mr. SLOAN. Does the gentleman engage to say that the Burleson telegraph can not catch up with the McAdoo railroads? [Laughter.]

Mr. MADDEN. I can not tell how they manage it, but somehow or other since the Government took control of the telegraph lines it takes me on an average of three days to get a telegram from Chicago.

But I was speaking about the rate at which we move these young men from place to place. The next thing that happened was that the young man was sent over to Italy. I was informed that he was on his way to Italy. Now, you can not get much naval knowledge into the head of any man, no matter how smart he may be, if you are moving him around on trains day and night and taking the money out of the Treasury of the United States to pay his expenses.

When I called up to-day for somebody to see what could be done about getting a young chap out of the Navy who has all the responsibility of a great family on his hands when he is free to act, they said, "There is no chance on earth to get anybody out of the Navy. We are only letting the men out that we want to let out. We have decided to let 10 per cent of the men out; 70 per cent of them are asking to get out."

But we fought for "democracy," and now we have got it. [Laughter.] We fought for efficiency, and we have got the worst inefficiency that I ever saw. We fought in order that the world might be free, and yet we are trammeled as we never have been before; we are bucked and gagged. We can not get a reply from anybody in power anywhere.

I called up the Navy this morning. They shunted me off to eight different telephones before they could find a man who could speak to me about the thing I wanted to talk about. It took me two hours, and then they said he was not the man I wanted at all; it was the first man that I had got hold of. [Laughter.] How are you going to get efficiency out of such conditions? I hope the time will come when we are at peace. They say we are still at war. The Chief of Staff says he is not going to demobilize the Army in the American camps; that we are bound to keep 10 divisions of combat men in the American

camps; and when I ask them why, they say, "We do not know what is going to happen."

We have over on the other side about 1,900,000 men who have not been sent away. We have here still about 1,200,000 in the camps, and they say they are going to keep 450,000 of these men permanently, as far as we know. What right have they got to do that? Who authorizes it? Are we going to stand here and permit it? Are the American people going to be satisfied with that sort of thing? Are we forever to continue to heap loads of taxation on the backs of the American people to conduct this inefficient method of government?

That is what I ask. Does anyone reply? No one replies, not even those up at the other end of the Avenue. When I tell them that the American soldier is sleeping in the slime-filled camp at Brest, France, the Secretary of War says, "I will wire over and find out about it." When you want information here you can not get it. The papers are full of the social activities in Europe in which the President of the United States is engaged, but when I tried to get a cable about a man who had lost both legs over there I could not get the cable, and when we finally did get the cable message over there we could not get a reply. In God's name, is it more important to use the American cable to exploit the social activities of the people of Europe and the President of the United States than it is to find out the condition of men who have been crippled for life while fighting for freedom and so-called "democracy"? [Applause.]

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. I yield to my colleague.

Mr. MANN. My colleague made a reference to the policy of the War Department about discharging soldiers, which is so very pat and interesting that I wish he would tell us a little bit more about that, if he can, and the great delay about getting men out who have jobs waiting for them.

Mr. MADDEN. What I did this morning was to call up the Chief of Staff, in response to several inquiries that I had. The Chief of Staff was busy in consultation with the Secretary of War and I did not get an opportunity to speak to him. Maj. Swing, the son-in-law of the Chief of Staff, his private aide, was put on the wire, and I asked him to give me the latest order that had been issued by the War Department connected with the discharge of soldiers. I said that I did not want him to act as he did before on an occasion when I went up there, when he said he would send the desired information down in two hours and did not send it down at all. [Laughter.] I waited for three weeks, and at the end of that time I went up and told him what I thought about him, and I said that if this had been an important military order it might have lost the war; but as it was, being a matter pertaining to an ordinary Member of Congress, it did not amount to much; but he must understand that he was a military man, obeying orders and filling requisitions, and that he must do it promptly. He said the determination of the department was not to discharge troops in America, but keep the men in the camps. I asked him how many divisions, and he said, "Ten divisions." That means 450,000 men. But they say they are discharging men at the rate of 30,000 a day. I do not know whom they are discharging, for everybody that I have applied for a discharge for has been turned down, and nobody in my neighborhood or anywhere in my district, so far as I have been able to discover, has been discharged. I do not know where they are discharged from or where they are to go after they have been discharged.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. LONGWORTH. Do I understand there is a naval regulation recently issued providing for the discharge of not to exceed 10 per cent?

Mr. MADDEN. That is so.

Mr. LONGWORTH. Can the gentleman state when that was issued?

Mr. MADDEN. I got this from the hearings of the Naval Committee only a few days ago. When the commander of the Bureau of Operations was before the committee they asked him the question, "Why are these men not discharged?" He said, "We need 350,000 men in the Navy. We have 500,000 men there now. Applications have been made by 70 per cent of the men for discharge. We have adopted the rule that not more than 10 per cent of the men can be discharged." If a man is in the radio service or some such thing as that, he can not be discharged at all.

Mr. BARKLEY. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. BARKLEY. I know the gentleman wants to be fair.

Mr. MADDEN. Certainly. I want to tell the truth.

Mr. BARKLEY. The Navy has issued a regulation permitting commanding officers to discharge 20 per cent of those who enlisted for the war and 10 per cent of those who enlisted for four years, although their terms of enlistment have not expired.

Mr. MADDEN. I am only telling what I read in the hearings before the Naval Committee.

Mr. BARKLEY. The orders have been issued and copies of them have been sent broadcast. I suppose the gentleman received a copy. I know I did.

Mr. MADDEN. Twenty per cent of the men who volunteered for the period of the war?

Mr. BARKLEY. Yes. And their term of enlistment, when they volunteered, was for the period of the war and six months thereafter.

Mr. MADDEN. The testimony given by the commander of the Bureau of Operations before the Naval Committee will disclose that the men were rather led to believe, without having been told so, that they were only enlisted for the period of the war, but as a matter of fact they were enlisted for four years; and while the officer said they did not intend to convey to the men that they would be released at the end of the war, the men themselves understood that they would be released. That is what they said.

Mr. BARKLEY. And I am advised by the department that in all such cases they are being treated as if they had enlisted for the period of the war and are not being held.

Mr. MADDEN. Ten per cent of them.

Mr. BARKLEY. Twenty per cent.

Mr. MADDEN. No; I beg the gentleman's pardon.

Mr. BARKLEY. Does the gentleman think all these 70 per cent who have applied for discharge ought to be discharged?

Mr. MADDEN. I do not know how many ought to be discharged. I do not want to denude the Navy of the men it needs, but I think where a good case is made out the men ought to be discharged.

Mr. BARKLEY. I agree with the statement, but the Navy Department has left the decision of these cases to the commanding officers, who are in touch with the men.

Mr. MADDEN. Yes; I know they have, and at the same time have given them rigid orders not to permit more than a certain small percentage of the men to get out of the service.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. MADDEN. I yield to the gentleman from Iowa.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. I should like to have about two minutes more.

Mr. SMALL. If the gentleman from Iowa [Mr. KENNEDY] has no more time, I have some left. How much does the gentleman want?

Mr. MADDEN. About three minutes.

Mr. SMALL. I yield to the gentleman three minutes.

The CHAIRMAN. The gentleman from Illinois is recognized for three minutes.

Mr. MADDEN. I just want to add to what I have already said, that while we have been fighting for democracy, and while we are all happy that we won, and happy over the things that we hope democracy will obtain, I was wondering, when I read the story of the banquet given by King George to the President of the United States, with $13,000,000 worth of gold plate upon the table, with all the guests walking backward and waving their wands and kotowing to Mrs. Wilson and the President of the United States, whether that was the character of democracy for which we fought. [Applause.] I wish for the President of the United States the greatest possible success in his endeavor to accomplish the object for which he has gone to Europe, for, God knows, America wants peace. We are a peace-loving people, but I hope that while he is fighting for the simplicity of life, in which we know he believes, that he will not lead the American people to understand that he is likely to be led away with all the gold plate, while the eyeless, legless, armless men who have given everything they have in the world that we might be free and live the simple life that we have lived from the foundation of the Government, that he will not allow the false gods in European nations to tear the ideals away from that simplicity, and that we will continue to live under a democracy that means equality to every man whether high or low, rich or poor, powerful or humble. We won the fight for democracy; let us live democracy and not enter into the sacred precincts of any institution where they who surround us must pay obeisance and wave the magic wand in order to please our fancy before they leave the room. [Applause.]

Mr. SMALL. Mr. Chairman, I understood the gentleman from Iowa to say that he either had exhausted his time or that there were no further requests.

The CHAIRMAN. The gentleman from Iowa has used all his time.

Mr. SMALL. I have no further requests on this side, and I ask that the Clerk commence reading the bill.

The CHAIRMAN. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That the following sums of money be, and are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be immediately available, and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, for the construction, completion, repair, and preservation of the public works hereinafter named:

Mr. SMALL. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. BYRNS of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 13462, the river and harbor bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. WELTY for three days on account of illness.

To Mr. IRELAND, at the request of Mr. MADDEN, leave of absence to the 15th of January, on account of important business.

EXTENSION OF REMARKS.

Mr. ROBBINS. I ask unanimous consent to insert in the RECORD a speech made by the Hon. WILLIAM S. VARE, a Member of the House, before the City Business Club of Philadelphia on the 9th of December, on business and political conditions.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

RIVER AND HARBOR BILL.

Mr. SMALL. Mr. Speaker, I have had a number of inquiries in regard to the matter of proceeding with the river and harbor bill to-morrow. We are ready and anxious to proceed, but I understood that notice has been given of a contested-election case being taken up.

Mr. MANN. The Committee on Elections gave notice before the holidays that it would call up the contested-election case to-morrow. While I have not talked with any member of the committee to-day, I know it is the expectation of the people interested that the case would come up to-morrow.

Mr. SMALL. The gentleman from Illinois says he has information that it will be called up to-morrow.

Mr. MANN. No; I have not information that it will, but I have information that gentlemen interested in it expect it to be called up. The Delegate from Alaska expects it to be called up to-morrow.

Mr. SMALL. I am informed that if called up it would interrupt the river and harbor bill.

The SPEAKER. It would. It is of the highest privilege.

Mr. SMALL. If it is not called up, Mr. Speaker, we will proceed with the river and harbor bill. I move that the House do now adjourn.

ADJOURNMENT.

The motion was agreed to; accordingly (at 5 o'clock and 16 minutes p. m.) the House adjourned until to-morrow, Friday, January 3, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury transmitting the annual report of the operations of the Federal Farm Loan Board for the fiscal year ended November 30, 1918 (H. Doc. No. 1624); to the Committee on Banking and Currency and ordered to be printed.

2. A letter from the Secretary of the Interior transmitting the average number of employees under the governor of Alaska receiving increased compensation at the rate of $120 per annum (H. Doc. No. 1625); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Assistant Secretary of War transmitting annual report of typewriters, adding machines, and similar labor-saving devices exchanged during the fiscal year 1918 by the Quartermaster Corps (H. Doc. No. 1626); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of War transmitting a proposed bill authorizing the retirement of members of the Army Nurse Corps (female) (H. Doc. No. 1627); to the Committee on Military Affairs and ordered to be printed.

5. A letter from the chairman of the Committee on Public Information transmitting schedule of disbursements for the fiscal year 1919 (H. Doc. No. 1628); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Secretary of War transmitting item of proposed legislation authorizing the War Department to make payment in full to enlisted men returning from overseas for treatment in United States hospitals (H. Doc. No. 1629); to the Committee on Military Affairs and ordered to be printed.

7. A letter from the Secretary of War, transmitting a statement showing in detail what officers or employees who have traveled on official business from Washington to points outside of the District of Columbia during the fiscal year ended June 30, 1918 (H. Doc. No. 1630); to the Committee on Expenditures in the War Department and ordered to be printed.

8. A letter from the Secretary of War, transmitting report of expenditures on account of appropriation, "Contingencies of the Army," during the fiscal year ended June 30, 1918 (H. Doc. No. 1631); to the Committee on Expenditures in the War Department and ordered to be printed.

9. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Houston Ship Channel, Tex., with a view to securing such increased depth as may be advisable by using the two dredges provided for this project or otherwise (H. Doc. No. 1632); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

10. A letter from the Assistant Secretary of War, transmitting report of a board appointed to ascertain and determine the amounts due on claims for damage to and loss of private property occasioned by the explosion and fire at the plant of the T. A. Gillespie Loading Co. at Morgan, N. J. (H. Doc. No. 1633); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SINNOTT, from the Committee on the Public Lands, to which was referred the bill (H. R. 12770) to reserve as part of the Oregon and Siuslaw National Forests in Oregon certain lands that were revested in the United States pursuant to the decisions of the Supreme Court of the United States, reported the same with amendment, accompanied by a report (No. 883), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (H. R. 13019) to authorize the purchase by the city of Myrtle Point, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916, reported the same with amendment, accompanied by a report (No. 884), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DILLON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13004) extending the time for commencing construction of bridge and for maintenance of pontoon and pile bridge by the Chicago, Milwaukee & St. Paul Railway Co. across the Missouri River at or near Chamberlain, S. Dak., and providing additional requirements for bridge to be constructed, reported the same with amendment, accompanied by a report (No. 885), which said bill and report were referred to the House Calendar.

Mr. SINNOTT, from the Committee on the Public Lands, to which was referred the bill (S. 2784) to authorize the purchase by the city of McMinnville, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916, reported the same with amendment, accompanied by a report (No. 886), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. STEPHENS of Nebraska, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13393) to extend the time for constructing a bridge across the Missouri River between the States of Nebraska and Iowa, reported the same with amendment, accompanied by a report (No. 887), which said bill and report were referred to the House Calendar.

Mr. WINSLOW, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13369) granting the consent of Congress to the board of county commissioners of the county of Hampden, in the Commonwealth of

Massachusetts, to reconstruct a bridge across the Connecticut River between Springfield and West Springfield in said county and Commonwealth, reported the same with amendment, accompanied by a report (No. 888), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FRENCH: A bill (H. R. 13580) to pension the survivors of certain wars from January 1, 1858, to January 1, 1888, inclusive, and for other purposes; to the Committee on Pensions.

By Mr. BARKLEY: A bill (H. R. 13581) to provide for the enforcement of war prohibition; to the Committee on the Judiciary.

By Mr. FULLER of Illinois: A bill (H. R. 13582) to provide additional compensation to men who have served in the Army, Navy, or Marine Corps during the European war and who have been or may be honorably discharged from such service; to the Committee on Military Affairs.

By Mr. BANKHEAD: A bill (H. R. 13583) authorizing and directing the Secretary of War to grant an honorable discharge to drafted and enlisted men upon certain grounds, and for other purposes; to the Committee on Military Affairs.

By Mr. KING: A bill (H. R. 13584) providing for the extension of the post office at Galesburg, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. HAMILTON of New York: A bill (H. R. 13585) to reimburse surviving Civil War prisoners; to the Committee on War Claims.

By Mr. KIESS of Pennsylvania: A bill (H. R. 13586) authorizing the Secretary of War to donate two captured cannon to the town of Renovo, Pa.; to the Committee on Military Affairs.

By Mr. MADDEN: A bill (H. R. 13587) to create a war-sales commission, to define its powers and duties, and for other purposes; to the Committee on the Judiciary.

By Mr. LINTHICUM: A bill (H. R. 13588) for the relief of the Baltimore Dry Docks & Shipbuilding Co., owner of a dry dock at Baltimore, Md.; to the Committee on Claims.

By Mr. KINKAID: A bill (H. R. 13589) to provide for the construction of a dam and reservoir in the North Platte River, near Guernsey, Wyo.; to the Committee on Appropriations.

Also, a bill (H. R. 13590) to provide for a canal and reservoirs in the counties of Dawson and Lincoln, in the State of Nebraska, for the purpose of diverting flood waters from the Platte River, conserving and utilizing the same for irrigation and other beneficial uses; to the Committee on Irrigation of Arid Lands.

Also, a bill (H. R. 13591) requiring that wife join with husband in relinquishment to homestead entry to make same effective; to the Committee on the Public Lands.

By Mr. LUNDEEN: A bill (H. R. 13592) to amend an act entitled "An act to create a department of labor" by providing for a bureau of the unemployed; to the Committee on Labor.

By Mr. LAZARO: Resolution (H. Res. 489) authorizing the Committee on Enrolled Bills to designate an assistant clerk during the third session of the Sixty-fifth Congress; to the Committee on Accounts.

By Mr. GARD: Joint resolution (H. J. Res. 377) extending the thanks of Congress to all members of the American Protective League for services rendered the Government during the war; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 378) extending to members of local and district boards, Government appeal agents, and members of medical and legal advisory boards the thanks of Congress for their services rendered in the administration of the selective-service law; also, authorizing the President to appoint by brevet commissions the members of such local and district boards; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOOHER: A bill (H. R. 13593) granting an increase of pension to George M. Jacobs; to the Committee on Invalid Pensions.

By Mr. BRUKKER: A bill (H. R. 13594) granting a pension to William Anderson; to the Committee on Pensions.

By Mr. BOWELL: A bill (H. R. 13595) granting an increase of pension to Soren V. Kalesem; to the Committee on Invalid Pensions.

By Mr. FIELDS: A bill (H. R. 13596) granting an increase of pension to Henry J. Kegley; to the Committee on Pensions.

By Mr. GARD: A bill (H. R. 13597) granting a pension to Herbert L. Ellsworth; to the Committee on Pensions.

Also, a bill (H. R. 13598) granting an increase of pension to Charles S. Allen; to the Committee on Pensions.

By Mr. HULL of Iowa: A bill (H. R. 13599) granting an increase of pension to Seth Brooks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13600) granting an increase of pension to Daniel H. Woodruff; to the Committee on Invalid Pensions.

By Mr. KETTNER: A bill (H. R. 13601) granting a pension to Harriet E. Schwyhart; to the Committee on Invalid Pensions.

By Mr. MANN: A bill (H. R. 13602) granting an increase of pension to George P. Clayton; to the Committee on Invalid Pensions.

By Mr. McCULLOCH: A bill (H. R. 13603) granting an increase of pension to James Rowland; to the Committee on Invalid Pensions.

By Mr. McKINLEY: A bill (H. R. 13604) granting a pension to Porter G. Holleman; to the Committee on Pensions.

By Mr. TAYLOR of Arkansas: A bill (H. R. 13605) granting a pension to Thomas Samuel Garen; to the Committee on Pensions.

By Mr. WALDOW: A bill (H. R. 13606) granting an increase of pension to Herbert C. Purdy; to the Committee on Pensions.

By Mr. WINGO: A bill (H. R. 13607) granting an increase of pension to Eliza H. East; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of pupils of public schools of Porto Rico, humbly petitioning President and Congress of United States to honor the island of Porto Rico by bestowing its name upon one of the battleships of the Nation; to the Committee on Foreign Affairs.

Also, petition of members of Greek colony of Milwaukee, relating to rights of Greece; to the Committee on Foreign Affairs.

By Mr. CAREW: Resolutions of mass meeting of Boston citizens, pledging unqualified support of policy toward Russia announced by President of United States in address before Congress January 8, 1918, and adopted by the interallied conference at Versailles in November; to the Committee on Foreign Affairs.

By Mr. CLAYPOOL: Resolutions to initiate steps necessary to open opportunities for employment to all workers in the United States who face enforced idleness; to the Committee on Labor.

By Mr. COOPER of Wisconsin: Resolutions adopted by the common council of Milwaukee, Wis., petitioning Congress to pass legislation to prohibit the dumping of sewage, etc., in the Great Lakes; to the Committee on Rivers and Harbors.

Also, petition of residents of the Fox River Valley, Wis., urging Congress to do what it can to bring about the formation of a league of nations; to the Committee on Foreign Affairs.

Also, resolutions adopted at the forty-seventh annual meeting of the Wisconsin Dairymen's Association, held at Fort Atkinson, approving the purpose of the league to enforce peace; to the Committee on Foreign Affairs.

By Mr. DALE of New York: Resolutions adopted by members of the parish of the Blessed Sacrament, Brooklyn, N. Y., urging a permanent peace; to the Committee on Foreign Affairs.

Also, petition of United Waist League of America urging that Senate bill 5205 and House bill 13419 become law; to the Committee on the Judiciary.

Also, petition of H. R. Lathrop & Co. (Inc.), of New York, urging extention of American commerce and protection of American business; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: Petition of Koreans for self-determination; to the Committee on Foreign Affairs.

Also, resolutions by Iron Molders' Local Union No. 125, requesting indorsement of Senate bill 4637 and House bill 12352; to the Committee on Interstate and Foreign Commerce.

By Mr. LINTHICUM: Resolutions adopted by members of the parish of the Blessed Sacrament urging President to declare for self-determination of Ireland at peace conference; to the Committee on Foreign Affairs.

By Mr. LUNDEEN: Petition of Minneapolis and St. Louis Federated Trades of Machinists, Machinist Helpers, Boiler Makers and Helpers, Blacksmiths and Helpers, Electricians and Car Men, and Sheet Metal Workers and Helpers, N. E. Theis, president, C. N. Sandstrom, secretary and treasurer, favoring extending of Government control of railways for a period of five years and declaring private ownership a proved failure in peace as well as war; to the Committee on Interstate and Foreign Commerce.

Also, petition of Boiler Makers of the Minneapolis & St. Louis and Chicago, Milwaukee & St. Paul Railroad Co., Flour City Lodge No. 11 of Minneapolis, Minn., protesting against the action taken by Senator KELLOGG in regard to Government ownership of railroads and favoring Mr. McAdoo's five-year Government control; to the Committee on Interstate and Foreign Commerce.

Also, petition of Mr. William Chisholm, of Minneapolis, Minn., requesting the continuance of Government control and favoring Government ownership of railways; to the Committee on Interstate and Foreign Commerce.

Also, petition of Minnehaha Lodge, No. 827, J. F. Fritz, recording secretary; A. M. Hansan, financial secretary, of Minneapolis, Minn., protesting against the order of Hon. William McAdoo forbidding railroad employees aspiring to public office; to the Committee on Interstate and Foreign Commerce.

Also, petition of Custom Tailors' Union, Local No. 89, of Minneapolis, Minn., requesting modification of proposed luxury tax on clothing; to the Committee on Ways and Means.

Also, petition of theater owners of Minnesota, by John C. Sweet, attorney, protesting against increase of 10 per cent amusement tax; to the Committee on Ways and Means.

Also, petition of League of Minnesota Municipalities, protesting against the proposed direct and indirect tax on municipal bonds; to the Committee on Ways and Means.

Also, petition of carmen of the Chicago, Milwaukee & St. Paul Railroad at Minneapolis, consisting of 1,000 members, protesting unanimously against private ownership of railways, and asking Government ownership of all railroads for the good of the public service; to the Committee on Interstate and Foreign Commerce.

By Mr. NOLAN: Resolution by the San Francisco Labor Council, favoring public ownership of telegraph and telephone systems of the United States; to the Committee on the Post Office and Post Roads.

Also, resolution by the San Francisco Labor Council, favoring Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. OSBORNE: Memorial of Hon. Lean F. Moss, of Los Angeles, Cal., to the Members of the Congress of the United States in the matter of Government owned, controlled, and maintained paved highways; to the Committee on Roads.

By Mr. RAKER: Resolution by Albany (Oreg.) Commercial Club, indorsing the Poindexter-Raker military highway bill; to the Committee on Roads.

Also, petition of Central Labor Council of Vallejo, Cal., expressing disapproval of the admission of Chinese and Mexican laborers into California; to the Committee on Labor.

Also, resolutions by the Vallejo (Cal.) Trades and Labor Council, protesting against the return to private ownership of the railway systems of the United States; to the Committee on Interstate and Foreign Commerce.

Also, resolution by the city teachers of Sacramento, Cal., indorsing Senate bill 4987; to the Committee on Education.

By Mr. RANDALL: Petition of Central Labor Council of Los Angeles, Cal., favoring five years' extension of Government operation of the railroads; to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Friday Morning Club, of Los Angeles, Cal., favoring the McKellar-Keating civil-service bill and opposing the Pomerene amendment thereto; to the Committee on Reform in the Civil Service.

By Mr. TINKHAM: Resolutions by the County Galway Men's Benevolent Association of Greater Boston, relating to self-determination for Ireland; to the Committee on Foreign Affairs.

By Mr. VARE: Resolutions of the Philadelphia Chamber of Commerce, urging legislation to validate oral war contracts; to the Committee on Military Affairs.

Also, resolutions by Wanamaker & Brown, Philadelphia, relating to legalization of War Department contracts given verbally by officials of that department; to the Committee on Military Affairs.

Also, resolutions relating to the development and operation of the American merchant marine, adopted by the Philadelphia Maritime Exchange; to the Committee on the Merchant Marine and Fisheries.

By Mr. WARD: Petition of Rev. M. Freinberg and citizens of Hudson, N. Y., praying for international guaranties against any repetition of anti-Semitic outrages, and that Jews be given the rights of life, liberty, and pursuit of happiness; to the Committee on Foreign Affairs.

SENATE.

FRIDAY, *January 3, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we seek the light of Thy divine truth upon the problems that confront us this day. We have found from all our experiences that human wisdom is not sufficient for human life. Thou hast given to Thy children the revelation of Thyself. We pray that Thou, who didst command the light to shine out of the darkness, wilt manifest forth Thyself upon the path of human progress and lead us to accomplish the divine will. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

EMPLOYEES IN THE DEPARTMENT OF JUSTICE (S. DOC. NO. 319).

The VICE PRESIDENT laid before the Senate a communication from the Attorney General, transmitting, in response to a resolution of December 23, 1918, a list showing the number of civil employees in the department January 1, 1919, and the number discharged during the previous two weeks, which was ordered to lie on the table and be printed.

COST OF THE WAR (S. DOC. NO. 320).

The VICE PRESIDENT laid before the Senate a communication from the Attorney General, transmitting, in response to a resolution of December 23, 1918, certain information relative to the cost of the war, which was ordered to lie on the table and be printed.

MAINTENANCE OF ROADS (S. DOC. NO. 321).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, the annual report of expenditures for the fiscal year 1918, out of the funds appropriated for the survey, construction, and maintenance of roads and trails within or only partly within the national forests, which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

CABLE SERVICE.

Mr. SHERMAN. Mr. President, I desire to have printed in the RECORD, but not read, certain reports showing the cablegrams from abroad used by the news service, and I ask unanimous consent for about from three to five minutes' time to address the Senate.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. SHERMAN. Mr. President, I have those cablegrams, and will send them to the Secretary's desk. I have indicated by pencil the limited parts of them which I desire to have printed in the RECORD.

The VICE PRESIDENT. In the absence of objection, permission to do so will be granted. The Chair hears none.

The matter referred to is as follows:

[From the Washington Times.]

PRESIDENT TO STOP AT QUIRINAL PALACE.

ROME, *December 2, 1918.*

President Wilson will reside in the Quirinal Palace on his visit here, occupying the royal reception suite, it was announced to-day.

[From the Washington Times.]

MRS. WILSON WILL GET PARIS GOWNS.

NEW YORK, *December 1, 1918.*

Without departing from her "made in America" principles, Mrs. Woodrow Wilson is to have several new Paris gowns, it became known here to-day.

A Fifth Avenue dressmaker sailed for France on the steamer *Rochambeau*, taking with him trunks containing materials from which Mrs. Wilson's gown will be made.

[From the Washington Times.]

BIG PALACE OF PRINCE MURAT IS MADE READY FOR PRESIDENT—A CLOSET FOR 50 SUITS OF CLOTHES—BATHROOM 30 FEET SQUARE—DINING TABLE TO SEAT 35 PEOPLE—DINNER SERVICE OF PURE GOLD—TELEPHONES IN EVERY ROOM—FRENCH TROOPS TO STAND GUARD.

(By Henry G. Wales, I. N. S. staff correspondent.)

PARIS, *December 12.*

Final details of making the residence of Prince Murat ready for the occupancy of President and Mrs. Wilson were completed to-day. Telephones have been installed throughout the mansions, even in the dressing rooms and bathrooms, and the electric lighting system has been improved.

President and Mrs. Wilson will dine at an inlaid mahogany table large enough to accommodate 35 guests. The princess left behind the celebrated gold dinner service for the use of the presidential party.

A beautiful gondola-shape bed was set aside for the President.

Mrs. Wilson will sleep in a canopied bed of pink brocade with pink tapestries. Mrs. Wilson will have the services of Georgette, the personal maid to Princess Murat.

CAPACIOUS CLOSETS.

The dressing rooms in the President's suite have closets big enough to hold 50 suits of clothes and 100 pairs of shoes, not to mention the space for hats.

The commodious closets in Mrs. Wilson's dressing quarters will accommodate 100 gowns, 200 pairs of shoes and slippers, 50 parasols, 50 fans, and other accessories of the feminine toilet.

The carpets on the floors are nearly an inch thick. Especial care was taken with the lighting system. The lights do not shine direct from the bulbs, but are shaded with globes of soft tones.

In the parlors are great candelabras with myriads of crystals dangling from them.

LARGE BATHROOMS.

The bathrooms are 30 feet square, containing movable tubs.

There are more than 3,000 glasses in the pantries with which to serve upward of 60 different kinds of beverages.

Cooks and waiters for the presidential party were provided by the French ministry of foreign affairs.

The grounds around the mansion—a couple of acres in extent—will be heavily guarded by French troops. An electric lighting system has been established so that the guards can signal to each other. Sentries will patrol the vast lawns all the time.

All the wonderful paintings and priceless tapestries which were removed during the bombardment of Paris have now been restored. When the first lady of the land becomes the temporary chatelaine she will be surrounded by magnificent surroundings of the days of the Louis—with the added attractions of open plumbing.

PRIVATE APARTMENTS.

The private apartments of President and Mrs. Wilson are on the second floor. They are reached by an impressive white marble staircase from a white marble entrance hall. The walls along the stairway are of variegated marble, except the top landing, which is a vast sheet of mirror.

Opening off the central hall comes, first, a small private study. It contains a charming inlaid desk, where the President may continue his work facing a wonderful painting of Cupid and Psyche, almost filling the entire wall above the bookcases.

Next comes a large library, decorated in crimson damask. In it are many paintings and busts of Napoleon.

Adjoining the library is the President's sleeping apartment, which is also filled with innumerable relics, engravings, and paintings of the famous Emperor. The most striking feature of this room is a wonderful empire bed. All the furniture consists of exquisite examples of the empire period, though the charm necessarily is broken by the anachronism of a typical American desk telephone on the empire stand near the bed.

Scarcely perceptible panels in the walls of sage-green brocade at both ends of the bed lead with the old alluring secrecy and charm characteristic of all well-regulated French palaces into Mrs. Wilson's apartments where Mme. La Presidente will make herself at home in the midst of soft, French gray walls, gray satin hangings, brocaded cupids, and garlands of golden hue.

GOLD AND GRAY.

The colorings throughout are of gold and gray. The bed with its graceful gilt canopy, draped with gray and yellow brocade, has a panel of fairylike filet lace as a background to the canopy at the head.

Easy chairs and a chaise lounge of brocade invite relaxation from social strain. A perfectly appointed writing table stands between two long windows which overlook the rear of the beautiful park that surrounds the house to the extent of a city block. This is in the heart of Paris.

Off the presidential bedchambers are large dressing rooms and bathrooms. The President's is done in ivory, his wife's in French gray. These, happily, are all in the 1918 period of comfort, luxuriousness, and sanitation.

There are unique collections of porcelains, ivory, prints, and paintings in the charming boudoir.

Small family salons and a dining room are on the same floor. The general color scheme is crimson. The walls are of brocade and the carpets are velvet.

On the ground floor the formal apartments are ornate with crystal chandeliers, mirrors, tapestries, and paintings, among which are many Greuze heads. The ballroom, grand salon, huge state dining room, and kitchens are all of regal proportions.

The third floor is reserved for other members of the family suite. Besides bedchambers, it contains offices and various workrooms.

[From the Washington Post, Dec. 2, 1918.]

ALLIES REGRET WILSON COMES TO PARIS AS A DELEGATE.

It is impossible to deny that the unfavorable impression created by the action of the President in appointing himself to be one of the actual delegates of the United States to the peace conference at Versailles which has been created among his fellow countrymen, even among those who have been his warm admirers, is generally shared abroad, especially among those foreign friends of the United States who have shown the greatest enthusiasm about his visit to Europe.

That he should come to Europe as the President of the United States and as the Chief Magistrate of the American Nation; that he should accord to the people of France and of Great Britain the opportunity of paying signal honor to the people of the United States in the person of their elected ruler; that he should be enabled to see with his own eyes the scenes of hideous German devastation and outrage in France and in Belgium; that President Poincare, King George, King Albert, and King Victor Emmanuel, as well as their premiers and foreign ministers, should have the advantage of meeting him in person and of discussing all pending issues privately with him was one thing. But that he should attend the conference at Versailles as one of the mere delegates seems to them to be a derogation of the dignity and of the prestige of his lofty office.

EMBARRASSING TO ALLIES.

None of the three Kings just enumerated nor yet the President of the French Republic will be seated at the council table of the conference at Versailles, although they are to be in Paris throughout the duration of the congress. They will be represented at its board by their premiers, by their foreign ministers, and by their plenipotentiaries, and will not, therefore, be exposed to contradictions and even recriminations at the sessions of the congress, which could only prove injurious to their prestige and to the respect due to their illustrious office.

For President Wilson to insist upon a seat at the council table as a self-appointed delegate of the United States is extremely embarrassing to the Governments of France and Great Britain, whose one thought has been to accord to him sovereign honors, and in that way to honor the Nation which he represents and of which he is the chief. They foresee all sorts of contretemps, not the least among them the one that if he attempts to impose upon the congress at those of its sessions at which he is present some of the ideas and views upon which he is known to have set his head he is certain to meet with opposition so strenuous that sight may be lost of the fact that he is the President of the United States instead of its mere delegate to the congress.

FEAR DISPUTE MAY MAR VISIT.

Even the President's closest friends and adherents admit that he does not relish opposition to his projects and that he does not brook easily contradiction; is, in fact, disposed to resent it. It is therefore feared that all the efforts on the part of the entente governments and nations to render his visit a success and to overwhelm him with enthusiasm, with hospitality, and with honors will be frustrated by the acute differences which are likely to develop at the council table of the congress.

There is yet another matter. In all former international congresses of this kind the presiding officer has been the premier of the country in which the conference took place. Prince Bismarck was the president of the international congresses of Berlin in 1878 and 1884. Prince Clement Metternich was the president of the congress of Vienna in 1814–15. Premier Beernaert was the president of the international congress of Brussels, and at the international congress of Algeciras some 10 years ago, where former Ambassador Henry White represented the United States, the chair was taken by the then prime minister of Spain.

WILL HE YIELD CHAIRMANSHIP?

According to all precedent, therefore, the presidency of the peace conference at Versailles belongs to old Premier Clemenceau, since it is France on whose soil the congress is taking place and who is playing the rôle of hostess to the other nations of the entente in the matter. But how can Woodrow Wilson, who, in addition to being the principal delegate of the American Nation, is also the President of the United States, be content to yield the "pas," to accord the first place, and to submit to the rulings of one who is not, like himself, the ruler of a great nation, but only its prime minister?

[From the Washington Post, Dec. 14, 1918.]

EUROPE WILL EXPECT WILSON TO BE FREE WITH GRATUITIES.

President Wilson while abroad will be required to spend a considerable sum of money in gratuities.

In the first place, he will be expected to leave with the president of the municipal council of Paris, with the lord mayor or with the chairman of the county council of London, with Prince Colonna, the mayor of Rome, and, if he goes to Belgium, with the heroic Mayor Max, of Brussels, sums amounting to at least $10,000 each for the poor of their respective capitals.

The tips to the servants and to the people of that class at the Elysee Palace and at the Maison Murat in Paris, at Buckingham Palace in London, and at the Quirinal in Rome will also total up a pretty large sum.

The custom of the various Presidents of the French Republic when paying state visits to foreign rulers and of monarchs when returning these visits has been to intrust a lump sum to one of the principal dignitaries of the palace for the purpose. The sums vary, according to the importance and means of the ruler, and whereas Emperors of Russia have given as much as $20,000 and even $30,000 for a few days' stay, other monarchs have been content to donate $10,000 for the purpose.

If my memory serves me aright, President Poincare left with Gen. Count Frederics, the minister of the imperial household at Petrograd, a sum of $20,000 for distribution among the domestic servants on the occasion of his last visit to the court of Czar Nicholas II in the summer of 1914.

PRESENTS FOR DIGNITARIES.

Nor is this all. There are the dignitaries of the court in London and Rome and the officials of President Poincare's household and the Government officers more especially concerned with the visit of the Chief Magistrate of the United States to be remembered. These, in the case of the interchange of visits between European rulers, are usually satisfied by means of orders and decorations, of which there is always a great distribution on such occasions. But since President Wilson has nothing of the kind at his disposal for such purposes, he will be expected to give gold and silver cigar boxes, cigar cases, cigarette cases, pieces of jewelry in the shape of scarfpins, etc., and handsomely framed and autographed portraits of himself.

Until the last decade of her reign Queen Victoria would not permit the officials of her court to accept any foreign orders of knighthood, and the result was that continental rulers entertained by her at Buckingham Palace, Windsor, or Osborne were restricted to distributing gifts of jewelry among the court dignitaries or else pieces of statuary. The former were more highly prized, since they could be converted into cash.

KAISER GAVE BUSTS OF SELF.

The former Kaiser was wont when he went off on state visits to fellow monarchs to carry along with him huge cases of marble busts of himself, varying in size. He would distribute as many as two or three dozen of them on any one occasion of this kind, and to-day they must be a drug in the market by reason of their quality, their lack of artistic merit, and the execration in which the personage whose features they portray is everywhere held.

The United States is regarded abroad as the richest country in the world. Every American is supposed to be rolling in wealth, and assuredly the loans to the various foreign governments and the amounts subscribed on this side of the Atlantic to the many funds for the relief of suffering in Europe in connection with the war have gone far to strengthen this impression. Much will therefore be expected of President Wilson in what are, after all, nothing more nor less than tips.

[From the Washington Post, Jan. 1, 1919.]

70,000 YANKS AT BREST LIVE IN MUD SWAMPS WHILE AWAITING SHIPS—INADEQUATELY SHELTERED AND INSUFFICIENTLY NOURISHED—DISGRACE TO AMERICA—"PONTANEZEN," WITH PLACE OF CONCENTRATION, IS CALLED A CRIME—MEN NEAR TO REBELLION—THEY PLEAD FOR RIDDERS—CAMP A SEA OF MUD THIGH HIGH—RATIONS FROM GARBAGE CANS AND COFFEE FROM ASH RECEPTACLES—FOOD IMPOSSIBLE AND YET NOT ENOUGH TO GO AROUND—RESPONSIBILITY NOT WITH A. E. F., BUT MAY BE TRACED TO WASHINGTON—NOT VISITED BY PRESIDENT WILSON.

George Rothwell Brown, of the Washington Post staff, arrived in the United States on the *Mauretania* last Monday, after four months spent on the battle fronts and in the capitals of the allied nations. He has obtained, at first hand, a vast fund of information concerning the war,

which will be given to readers of the Post in a series of articles, the first of which, dealing with the condition of American soldiers in Camp Pontanezen, at Brest, appears below:

"WORST PLACE ON EARTH," GEN. BUTLER CALLS CAMP AT BREST HE COMMANDS.

An officer: "You ought to go out to Pontanezen—it's a crime."

A surgeon says: "Anything may break out in this camp; anything."

Brig. Gen. Butler, United States Marine Corps, commander of the camp: "It's the worst place I have ever seen anywhere on earth, and I have traveled all over the world."

(By George Rothwell Brown.)

Seventy thousand American soldiers are awaiting transportation home at Brest under living conditions of such intolerable wretchedness and misery that one marvels at the patience and discipline that keep them from breaking into open rebellion.

Insufficiently nourished and inadequately sheltered from the elements of a Breton winter, they are enduring with dumb fortitude a state of affairs that is a disgrace to the Government. Seventy thousand helpless sons of the Republic which they went across the seas to save are mutely pleading for redress of the great wrongs to which they are being subjected and under which their officers, who are suffering with them, are helpless in the face of a system that has broken down.

PERFORM HEAVY MANUAL LABOR.

Seventy thousand men, many of them concentrated near the seaport at this place, fresh from the battle fields, and the great majority of them the undeveloped youth of the Nation, are oblized to perform heavy manual labor beyond their strength at a time when a grateful people should be extending to them not merely cheers and laudations but the more substantial rewards of valor, comfort, and rest, and recreation.

The concentration camp where these splendid American boys are kept like wild beasts is 3 miles from Brest, over one of the bleakest roads in Brittany. It covers an area of about 1 square mile—between 600 and 700 acres of swamp. Some of the men are living in rude barracks buildings of wood, but by far the greater part are under canvas. Most of the tents are old and thin and poor in quality and leak continually under the pouring rain which falls steadily in Brittany at this season of the year. Out of 120 of the tents which I visited, less than 30 had board floors, and in those that did the boards were right on the ground and water soaked.

NOT A DRY SPOT IN CAMP.

None of these tents is ditched, and the splendid men whose exploits the people at home are complacently applauding are obliged to put their bedding rolls down in the mire on the bare ground that is continually flooded. There is not a dry spot in this camp—not one.

I have seen mud in the front-line trenches and thought I knew what mud was, but I realized that I had never known what mud was until I visited this miserable place of suffering. The mud in many parts of this camp is not merely knee high, it is thigh high. Every company street is a river of mud, which flows over into the tents, covering the men and the rude bed rolls in which they sleep with greasy black slime. The officers wear rubber boots that reach to the hips, and so do all the men who can obtain them.

TASK TOO HARD FOR MEN.

Walking through the company streets of the camp is in itself an arduous labor, for one becomes continually mired, and has to exert all his strength to pull a foot out of the ooze and set it down in another place. There are practically no "duckboards" in the camp, owing to the scarcity of lumber, and where there are "duckboards" they are out of sight, for the resistless mud has overflowed and covered them.

In an effort to bring some order out of the existing chaos the soldiers have been put to work like common laborers. It is a heart-breaking sight to see them struggling under tasks too hard for them to perform, carrying heavy timbers on their backs, patiently, as yet, but with the fires of a consuming wrath smoldering in their breasts, which burn with indignation and resentment.

RATIONS FROM GARBAGE CANS.

The men are fed in a number of rough cook sheds, marching in single file, each man carrying his own mess kit, into which the cooks ladle out portions of the rations from large sine garbage cans. Each man carries his mess kit with him all the time, and must keep it clean himself. The floors of the cook sheds are slippery with mud that flows in from the outside and is tracked in by countless feet. There are enlightened States in this Union whose sanitary laws compel farmers to keep their hogs better than the United States Government is keeping its patriotic soldiers here.

With grim humor the Army calls this place a "rest camp." God save the mark! Its name is "Camp Pontanezen." That is a name that is going to be heard frequently in the future, for these men now suffering there are coming home some day, and mighty will be their wrath and loud their cry for justice upon the heads of those incompetents who are responsible for what they have endured.

RESPONSIBILITY NOT ON A. E. F.

I do not know who is to blame, but I think that the responsibility should not fairly be placed upon the "A. E. F." Some day I expect to see it traced straight back to Washington.

These 70,000 men—there will soon be 100,000 unless the thing is stopped—are the victims of incompetency and blunders. They were concentrated at Brest before any adequate plan for their reception had been worked out. There are German prison camps in France, that I have inspected, that are models of sanitation and cleanliness. There isn't a German prisoner in France who has been subjected to the conditions your own sons and brothers are here forced to endure.

To make this camp habitable 16,000,000 feet of lumber are needed immediately. It is not there. Nobody knows whether it ever will be there. Down at St. Nazaire are 6,000,000 feet, but though heaven and earth have been moved, the lumber hasn't.

HEALTH OF CAMP GOOD.

The health of the camp at present is good, for the men have come there from the front, or from other camps, where they have been toughened and hardened by a fine outdoor life. I spoke to one of the surgeons about this. He shook his head.

"The health of the men is good now," he said, "but I dread to think what may happen within a month."

"Do you mean an epidemic?" I asked.

"Anything may break out in this camp," he replied; "anything."

As I was going into this camp I stopped an officer. "What do you call this place?" I asked him.

CALLS THE PLACE A CRIME.

"I call it a crime," he answered, and passed on down the road.

An officer said to me at luncheon at the little Café Marine in Brest: "You ought to go out to Pontanezen. It's a crime."

A soldier on the boat in which I crossed stopped me on deck and ask me if I had been to Pontanezen. I told him I had. "Isn't it a crime?" he asked, and I agreed with him. That is precisely what it is—a crime—and the men responsible for it should be dismissed from the service of the Government. If I had a brother who was responsible for Pontanezen I would disown him.

I spent a day at this place and am writing from first-hand information. Nobody told me—I saw. I ate there—or tried to. With two officers I took a mess kit and stood in line and marched through the slimy kitchen and obtained my portion of the "chow."

FED AS CATTLE MIGHT BE.

I received in my plate a piece of corned beef a little larger than my fist, some rice, some thick gravy, and a spoonful of boiled cabbage. As we passed out in a constantly moving line, the men being fed as cattle might be, I seized a piece of bread—white bread of good quality, but dry and without butter. Outside, in the open air, under the pouring rain, in a narrow alley between two kitchens, I stood knee-deep in the mud while my cup was filled with coffee from a large sine ash can.

Provided then with food, the officers and I passed into the officers' mess room, a long room lined with rows of rough board tables. The soldiers eat their meals outdoors in the rain, standing up. We sat down on benches and began to eat. There was no table cloth on the table, no butter, no salt, nothing but the bare boards.

COULD NOT EAT THE MEAT.

I found that of my piece of corned beef a piece about the size of three fingers was fit to eat. The balance was unpalatable fat. I could not eat it, and I was hungry, too, for I had gone without my breakfast to visit this camp. Neither could the officers eat their meat. They said that the cabbage was an innovation, a real treat, the first green vegetable of any kind that had been served for a week. We tried the cabbage and found it almost raw, but managed to eat most of it.

The rice was only half cooked, and we passed it up. I then tried the coffee and found it so nauseating that I could not drink it. Now, I have frequently eaten soldiers' rations at the front, where our men have been well fed. I can eat rough fare and enjoy it. But I could not eat the stuff they serve the men at Pontanezen and that they call "food."

NOT ENOUGH FOOD AT THAT.

After dinner, which was served in the middle of the day, each of us washed his own mess kit in a large can of water. By the time 50 men had washed their greasy pans in that can of water—well, they had to wash them there, that's all!

Not only is the food at Pontanezen poor in quality and badly cooked, but frequently there is not enough of it. One night, just before I left Brest, there was a sizable revolt at camp for this reason. The commanding officer was summoned, heard the complaints of the men, and ordered the cooks to prepare another meal—the evening meal—to be ready at 8.30 o'clock. This the hungry men ate in the rain, in the dark.

NOT VISITED BY WILSON.

Now, in order to have a chance to file past the cooks and receive their portion of this mess of food three times a day, the men, these same boys of ours who have been fighting our battles for us 3,000 miles away from home, and their officers, who are sticking by them, are obliged to stand knee-deep in mud, in the pouring rain that falls every day, for an hour or two hours and a half. No wonder they call it a crime.

There was never any plan for this concentration camp. They did not tackle the job in time. President Wilson did not visit this camp, and, so far as I know, did not learn of the plight our men are in. He was too busy with receptions when he was in Brest.

YANK'S BEST CHRISTMAS.

After four months in France, my second visit there this year, I sailed from Brest on the *Mauretania* on Christmas eve. The next morning on deck I sat down beside a wounded soldier. With a grin he wished me a "Merry Christmas," and I felt ashamed of myself, for I had forgotten what day it was.

"I'll tell you," he said, "this big old boat that is taking me home is the best Christmas present I have ever had, and this is the happiest Christmas I have known in all my life."

I glanced down from the golden wound stripe on his arm and saw that his right leg had been amputated above the knee, but the joy of a supreme happiness was shining in his eyes which sparkled like the sea.

"MAURETANIA" A CHEERFUL BOAT

This ship was full of wounded, the badly wounded, the armless and legless, and there were boys in the wards downstairs with limbs intact who will never walk again, for they had been shot through the spine. But the *Mauretania* was a most cheerful place. There was never a word of complaint from the wounded boys who hobbled about the decks on their crutches, and in the wards below I never heard a moan or a sigh. They were homeward bound! They gamely accepted their fate as patriots and philosophers.

That is the kind of manhood we have sent to France to fight for us and our liberties. Are boys like these entitled to something better than this cesspool at Pontanezen, that the Government calls a "rest camp"? I'll say they are. And are the American people, who have poured out their billions with such generous hearts, entitled to more than this for the treasure they so lavishly spent? I'll say they are.

"WORST PLACE ON EARTH."

This camp at Pontanezen is commanded now by Brig. Gen. Butler, United States Marine Corps, a fighting soldier who in previous wars won two congressional medals of honor. He should have been with the fighting marines on the front in this war, where doubtless he would have won more honors, but that is another story—a Marine Corps story. He is a splendid type of efficient soldier, who recently took command of the camp and is working night and day to try to solve the problem that confronts him. I said to him:

"General, this camp at Pontanezen is the worst place I have seen anywhere in France."

"Mr. Brown," he replied, snapping his jaws, "it's the worst place I have seen anywhere on earth, and I have traveled all over the world."

[From the New York Times, Dec 28, 1918.]

GORGEOUS SCENE AT BANQUET—ALL ROYAL FORMALITIES OBSERVED AT KING'S DINNER TO WILSONS—LAVISH DISPLAY OF PLATE—GOLD SERVICES WORTH $15,000,000 ARE BROUGHT FROM PALACE VAULTS FOR OCCASION—WORLD PEACE A KEYNOTE—KING EXPRESSES HOPE OF AVERTING MORE WARS—PRESIDENT POINTS TO DUTY OF NATIONS

LONDON, *December 27.*

No more regal setting had ever been arranged in Buckingham Palace than that which greeted President Wilson and Mrs. Wilson when they were escorted into the banquet hall to-night for the state dinner.

Every royal formality which has attended epochal occasions at the palace for two or three hundred years was carried out before and during the banquet. President Wilson with Queen Mary led the procession into the dining hall, preceded by officials of the palace, splendidly costumed, bearing wands and walking backward and make obeisance to the guests.

Immediately behind the President and the Queen came King George and Mrs. Wilson. They were followed by members of the royal family.

At the head of the table 12 persons were seated, with King George in the middle. President Wilson sat at the King's right and Mrs. Wilson at his left. To the right of President Wilson was Queen Mary, and then the French ambassador, Princess Christian, the Spanish ambassador, and Princess Patricia, daughter of the Duke of Connaught. At Mrs. Wilson's left sat Princess Mary, the Italian ambassador, Princess Beatrice, and the Japanese ambassador, in the order named. The American ambassador, John W. Davis, had the first place at a side rectangular table on President Wilson's right.

Prior to the dinner President and Mrs. Wilson were escorted from their apartments to the great white drawing room, where the royal family had gathered with their other guests. These guests were presented to President and Mrs. Wilson, and the dinner party immediately proceeded to the dining hall.

BANQUET HALL A SCENE OF SPLENDOR.

The scene as the guests proceeded to the hall was one of splendor. In the dining salon was a great collection of solid gold plate and huge gold ornaments valued at $15,000,000. These had been brought from the vaults for the occasion. One of three buffets contained pieces of plate too large or otherwise too cumbersome for use. These included one piece of great size taken from the wreck of the Spanish Armada.

In color the gold-laden table blended with the decorations in the hall, which are white and gold, with crimson carpet and upholstering to match. The crimson effect was further carried out by the exclusive use of poinsettias as floral decorations. In the balcony at the end of the room was a military orchestra. It was not hidden from view by floral or other decorations. The attendants were in full state dress, which was heavy with gold lace.

The banquet hall, which is 200 feet long by 75 feet wide, was approached by the guests through a state hallway approximately a block long, richly furnished and decorated with paintings and porcelain. The banquet hall occasionally is used for banquets and other purposes and has a throne at one end.

The main table was arranged so that the backs of President Wilson and King George were toward the throne.

The permanent decorations seemed strikingly simple when compared with the regal table. The only art on the walls was one Cobelin tapestry. On each side six cut-glass chandeliers hung from the extremely high ceiling, but for the banquet to-night 128 candles in gold candelabra, each surmounted by a pink silk shade, were used. Other light was obtained from fancy wall fixtures.

HALBERDIERS IN ATTENDANCE.

The general body of the guests preceded the royal family and the presidential and ambassadorial guests into the banquet hall. They rose and remained standing while the main guests and the hosts entered in procession. Heading the procession was the lord chamberlain and the lord steward and other officials in state regalia. Yeomen of the guard in red Elizabethan costumes and with halberds were in attendance.

Queen Mary wore a cream-colored gown of silk with a long train and a tiara of diamonds and many other jewels. Mrs. Wilson's dress was black, with spangles, and was made at the White House. She wore very few jewels.

The military and naval officers were in service uniforms and wore their swords. The ambassadors were in full ambassadorial uniform. President Wilson and Ambassador Davis wore the usual formal American evening clothes. The British civilian guests wore court dress and the insignia of many orders.

In his address of welcome to the President and Mrs. Wilson, King George expressed the hope that some plan might be devised by which the risk of future wars might be averted.

The President in his reply said that he had consulted the spokesmen of the British Government and those of France and Italy and that he was glad to say that he had found them to be in accord with his views as to the duty of the nations.

Those at the banquet were:

King George.
Queen Mary.
President Wilson.
Mrs. Wilson.
Princess Mary.
Prince Henry.
Prince George.
Duke of Connaught.
Princess Christian.
Princess Beatrice.
Princess Patricia of Connaught.
Admiral Grayson.
Maj. Gen. Bibbie.
Brig. Gen. Harts.
Lord Herschell.
Sir Charles Cust.
Paul Cambon, French ambassador.
Marquis Imperiali, Italian ambassador.
Marchioness Imperiali.
Alfonso Merry del Val, Spanish ambassador.
Viscount Chinda, Japanese ambassador.
Viscountess Chinda.
John W. Davis, American ambassador.
Mrs. Davis.
Vice Admiral Sims.
J. Butler Wright, counselor of the American Embassy.
Edward Bell, secretary American Embassy.
F. M. Gunther, secretary American Embassy.
R. E. Pennoyer, second secretary American Embassy.
E. C. Shoecraft, second secretary American Embassy.
David R. Francis, American ambassador to Russia.
R. B. Stevens, American Shipping Board.
Col. Endicott, American Red Cross.
Gordon Auchincloss.
Miss Benham, secretary to Mrs. Wilson.
Col. S. L. H. Slocum, military attaché of the American Embassy.
The Archbishop of Canterbury.
The Archbishop of York.
Lord Chancellor Finlay.
Premier Lloyd-George.
Earl Curzon.
The Marquis of Crewe.
The Earl of Reading, British ambassador to the United States.
The Earl of Crawford.
The Maharaja of Bikaner.
Viscount Milner.
Lord Haldane.
Viscount Bryce.
Field Marshal Viscount French.
Viscount Northcliffe.
Viscount Jellicoe.
Viscount Cave.
Lord Robert Cecil.
The Bishop of London.
Lord Rayleigh.
Lord Burnham.
Lord Harding.
Lord Weir.
Speaker Lowther.
A. J. Balfour.
Walter Hume Long.
H. H. Asquith.
Winston Spencer Churchill.
J. Austen Chamberlain.
Louis Botha, premier of the Union of South Africa.
Andrew Bonar Law.
Robert Borden, Premier of Canada.
George Nicoll Barnes, labor member of Parliament.
William Morris Hughes, premier of Australia.
Sir Joseph Paton Maclay, shipping controller.
Herbert A. L. Fisher, president of the board of education.
Lieut. Gen. Jan Christian Smuts.
Sir Eric Campbell Geddes, First Lord of the Admiralty.
Premier Lloyd of Newfoundland.
The Lord Mayor of London.
Sir Eric Drummond.
Field Marshal Sir Douglas Haig, commander in chief of the British Armies.
Vice Admiral Sir David Beatty, commander of the Grand Fleet.
Vice Admiral Sir Rosslyn Wemyss, First Sea Lord.
Gen. Sir William R. Robertson.
Gen. Sir Henry Wilson.
Gen. Sir Richard Turner.
Gen. John Monash.
Sir Satyendra Sinha.
Sir Joseph Thompson.
Gen. Geoffrey Fielding.
Gen. Frederick Sykes.
Sir William Wiseman.
Sir Maurice Hankey.
Prof. Gilbert Murray.
Montague James.
Dr. Norman Moore.
The Rev. J. H. Jowett.
John S. Sargent.
Rudyard Kipling.
J. A. Spender.
Sir Malcolm Murray.
Viscount Farquhar, lord in waiting to the King.
Viscount Sandhurst, the lord chamberlain.
The Earl of Chesterfield, master of the horse.
Lord Stanmore, lord in waiting.
Sir Frederick Ponsonby, keeper of the privy purse.
Lord Stamfordham, private secretary to the King.
Sir Derek Keppel, master of the household.
Sir Douglas Dawson, the controller.
Sir William Charles Fitzwilliam, the Crown equerry.
Sir Arthur Walsh, master of the ceremonies.
Sir Harry Verney.
Lieut. Col. Clyde Wigram.
Maj. Reginald Seymour.
Henry J. Stonor.
The Duchess of Sutherland.
The Dowager Countess of Airlie.
The Earl of Shaftesbury, lord chamberlain to the Queen.
Col. Frank Dugdale, the Queen's equerry.

[From the New York Times, Dec. 15, 1918.]

TWO MILLION CHEER WILSON—ENTHUSIASM FOR PRESIDENT THE EXPRESSION OF GRATITUDE TO AMERICA—ACCLAMATION IS HEARTFELT—INTENSITY OF POPULAR DEMONSTRATIONS SURPASSES EVEN THOSE OF "ARMISTICE NIGHT"—FLOWERS STREW HIS PATH—RAIN OF ROSES AND VIOLETS UPON HIS CARRIAGE—ENTERTAINED AT A STATE LUNCHEON.

(By Charles A. Selden.)

PARIS, *December 14, 1918.*

President Wilson arrived in Paris this morning, and the inhabitants of the city, with hosts from outside, made the most of their long-awaited opportunity to give expression to their feelings of gratitude to and admiration for the first citizen of the United States.

There were no "ifs," "buts," or "ands" about the tumultuous and joyous reception accorded by the populace.

For a week the tone of the Paris press has been, "We are glad you are coming, Mr. President, but hope that you won't insist on our doing what we don't want to do at the peace conference."

There was none of that attitude in the public demonstration, no reservation whatever. On the contrary, Paris was madly enthusiastic in its greeting to the first President of the United States who ever came to Europe. They did not care for a moment what the peace ideas were in

the uncovered gray head which bowed its way through the famous thoroughfares of Paris, lined with tens of thousands of French troops holding back hundreds of thousands of French people.

To these Parisians the man whom they cheered and threw flowers at was simply the man who had sent the American troops which had saved this same Paris from capture by the Germans no longer ago than last July. So the reception was one of gratitude and affection, without a shade of political thought or significance.

There were neither Socialists nor Royalists in that crowd, only grateful Frenchmen and Frenchwomen, happy to see the one man on whom they could concentrate their devotion and thanks for what America had done since April, 1917. It was the same with the soldiers as with the civilians. Except for the guns and uniforms of the more than 50,000 police who lined the 5-mile route there was no difference between the fighters in the front and the men and women banked up behind them from the sidewalk level to the housetops and the tree tops.

French Army discipline is elastic enough to let the soldier express his human emotions even on duty, so these soldiers joined with the rest in cheering the Commander in Chief of the soldiers who fought at Chateau-Thierry and in the Argonne.

Everything was in the President's favor. Even the weather is worth mentioning, for the quality of it was almost rare for Paris at this time of year as is the visits of an American President. Not only did it not rain, but small patches of the sky were actually blue. Previously the only blues in Paris this winter have been horizon blue of the French uniform and the blues of the Americans who want to go home.

The presidential train reached the Bois de Boulogne station at exactly 10 o'clock. One could get the first emotional thrill out of the very slowness with which the locomotive, draped with an American flag, moved into the station to bring the door of the Wilson car to an exact halt at the red-carpeted platform, where President Poincare and Mrs. Poincare and Premier Clemenceau stood to greet the nation's guest.

The President was the first man out of the car, looking remarkably well and happy. The platform greetings were very brief and informal. Five minutes later the Presidents of the French and American Republics, sitting together in an open carriage drawn by two horses, began their drive, which will remain always as an historic and moving episode to the city of episodes and pageants.

Following them in the second carriage were Mrs. Wilson, Miss Wilson, Mme. Poincare, and Mme. Jusserand. And after that were not more than a dozen other carriages, containing civil and military dignitaries of France and America. Ambassador Sharpe rode with Premier Clemenceau. Gen. Bliss was in a carriage ahead of Gen. Pershing. Secretary Lansing rode side with M. Pichon, the French minister of foreign affairs.

At the station a young woman in the peasant costume of Alsace got through the lines, and carried a big bunch of roses to the President's carriage. A group of schoolboys did the same thing, and loaded Mrs. Wilson's carriage with violets.

Violets were the flowers of the day. The Champ Elysées was covered with bunches which were thrown at the Wilson carriage, but fell on the pavement.

The only break in the miles of French troops was a two-block stretch of sidewalk on Avenue de Bois de Boulogne, which was filled by wounded American soldiers from a near-by military hospital. Chairs and boxes had been placed for them.

These were the first men wearing American uniforms whom Wilson saw in Paris. Of course, no American troops were under arms or participated in any way in the reception.

But every American soldier off duty and every American civilian in Paris was somewhere in the line to cheer the chief of his or her own country. We knew how the British felt the other day when King George rode down the same avenue.

A detour was made from the Champ Elysées to cross the Seine over the Alexander III Bridge, which recalled another historic pageant when Paris outdid itself to honor an absolute ruler in the person of the Czar. Then the party came back across the river through the Place de la Concorde by the Church of the Madeleine, and on to the palace of Prince Murat, who was there standing at the entrance to welcome the President to what is to be his home during his stay in Paris.

Paris simply can not and will not work on such occasions as these. It was so the other day for King George, and a little later for the King and Queen of the Belgians.

To-day and to-morrow have been officially declared fête days for the capital, and, without making comparisons, it is safe to assume that the city will break all its wonderful records in a tumult of hospitality.

Paris is more or less accustomed to kings and czars. The people of little more than middle age recall when France had an Emperor of her own, but this is the first time, of course, that Paris ever entertained an American President, and Paris loves a novelty as well as to greet the head of a friendly State.

[From the New York Times, Dec. 15, 1918.]

VICTORIES WOULD BE VAIN, POINCARE TELLS WILSON, IF GERMAN ATROCITIES WERE TO REMAIN UNPUNISHED.

PARIS, *December 14, 1918.*

Speaking at the luncheon to President Wilson given at the Elysée Palace to-day, President Poincare said:

"Mr. President, Paris and France awaited you with impatience. They were eager to acclaim in you the illustrious democrat whose words and deeds were inspired by exalted thought, the philosopher delighting in the solution of universal laws from particular events, the eminent statesman who had found a way to express the highest political and moral truths in formulas which bear the stamp of immortality.

"They had also a passionate desire to offer thanks, in your person, to the great Republic of which you are the chief for the invaluable assistance which had been given spontaneously, during this war, to the defenders of right and liberty.

"Even before America had resolved to intervene in the struggle she had shown to the wounded and to the orphans of France a solicitude and a generosity the memory of which will always be enshrined in our hearts. The liberality of your Red Cross, the countless gifts of your fellow citizens, the inspiring initiative of American women, anticipated your military and naval action, and showed the world to which side your sympathies inclined. And on the day when you flung yourselves into the battle, with what determination your great people and yourself prepared."

[From the Washington Bureau of the Evening Bulletin.]

LAW TO BAR PRESIDENT FROM PEACE CONFERENCE DISCOVERED.

WASHINGTON, *December 4, 1918.*

Widespread interest has been aroused at the Capital, especially in the two Houses of Congress, by the discovery or, rather, the resuscitation of a law on the statute books which reads as follows:

"Hereafter the Executive shall not extend or accept any invitation to participate in any international congress, conference, or like event without first having specific authority of law to do so."

This law was enacted March 4, 1913, and is certain to be invoked by those who are forming an indictment against President Wilson for having abandoned Washington and his constitutional duties while Congress is in session, to go as a self-appointed delegate to an international conference to which he was not formally invited and without the sanction or, indeed, the approval of Congress.

Mr. SHERMAN. Mr. President, the Senator from Massachusetts [Mr. WEEKS] yesterday referred to the very great difficulty of obtaining information from those in the military service. Hundreds of telegrams and letters come to me asking for tidings of members of the family in the military service. The Navy Department is the only place I have found human sympathy and prompt action, and I gladly testify to it. My communications with the Navy Department authorities have been satisfactory, so far as I have had any occasion to invoke their services. They have readily cabled and used every facility at their command to locate the members of the naval service who have been abroad, and have done so to the very limit of their ability.

It has been impossible to obtain the information of casualties or a word from long absent, unheard-of soldiers in the foreign service. Sleepless mothers pray for relief from their anxiety, and the careworn faces of despairing fathers haunt the days. Whether their sons are in the hospital sick or wounded or dead in a foreign grave, it is the highest duty of Government to end their suspense. Parents do not dread the death or wounds which they know are inevitable in war, but the delay by inefficiency and bureaucratic martinets is silently killing the mothers of the country. I am constantly told the cables are overworked with accumulated messages, and we must wait. So we do, but while we wait these parents, as well as Senators, read from 6 to 15 columns of cabled news minutely describing the President's reception in the various capitals of Europe. The cables inform us in great detail of the gowns and headgear of queens, princesses, and Mrs. President. The latest dress design known to Paris is worthy of a cable. Even it is noted that Mrs. Wilson wears an nigrette among other ornaments of the hat.

My recollection is that in the safety-to-birds act the one growing this desirable aigrette token is protected in our country by an act of Congress.

I have no objection to this news, but I do want first the mothers who are awake nights informed of whether their sons are dead or in a hospital with wounds or well, and then I am willing for the cables to be used for all news purposes afterwards.

The cable likewise describes the palace of Prince Murat. We are told in detail of closets for 50 suits of clothes, 30-foot square bathroom, a 35-seat dining-room table, dinner service of pure gold, telephones in every room, inlaid mahogany table, gondola-shaped bed, canopied with pink brocade and pink tapestries, the services of Georgette, the personal maid of Princess Murat, the ladies' closets large enough for 100 gowns, 200 pairs of shoes and slippers, 50 parasols, 50 fans, and other feminine accessories, delight the American people and give to anxious parents information so desired. More than 3,000 glasses, we are further informed, load the pantries of this palace, serving more than 60 different kinds of beverages.

I am reading this at the risk of being accused by my distinguished colleague [Mr. LEWIS] of doing it for political purposes. I wish the information for my next door neighbor's wife, whose three sons have not been heard of for months, before the cables groan with such messages.

The interior finish of the private apartment is cabled in full. I forbear to quote it all. The splendor is stunning to an unsophisticated American. The President's private study occupied in this palace contains a charming inlaid desk where the President may work facing a wonderful painting of Cupid and Psyche, filling almost the entire wall above the bookcases. The library is decorated in crimson damask. It contains many paintings and busts of Napoleon, with numerous relics of that deceased gentleman. An empire bed is described, tapestries, brocaded Cupids and panels of fairylike fillet lace, with unique collections of porcelains, ivory, with carpets on the floor nearly an inch thick. The servants' staff, with a guard of French soldiers, is described. So much for Paris.

In London the overloaded cables convey to us, while sorrowing anxious mothers wait, the regal splendor of the honors done the President. We are informed, with great particularity, December 27, 1918:

Every royal formality which has attended epochal occasions at the palace for two or three hundred years was carried out during the banquet. President Wilson with Queen Mary led the procession into the dining hall, preceded by officials of the palace, splendidly costumed, bearing wands and walking backward and making obeisance to the guests.

I want less obeisance and more information about the absent soldiers in the hospitals or in the field.

January 1, 1919, at Brest, France, an eyewitness says 70,000 American soldiers are awaiting transportation home under living conditions of such intolerable wretchedness and misery that one marvels at the patience and discipline that keep them from breaking into open rebellion. Insufficiently nourished and inadequately sheltered from the elements of a Breton winter, they are enduring with dumb fortitude a state of affairs that is a disgrace to the Government. Seventy thousand helpless sons of the Republic which they went across the seas to save are mutely pleading for redress of the great wrong to which they are being subjected and under which they and their officers are helpless in the face of a system that has broken down.

That is why the Senator from Oregon [Mr. CHAMBERLAIN], in his timely remarks a few days ago, indulged in a very needed criticism.

Correspondent Brown in the article quoted states that the mud in many parts of this camp is not merely knee high, it is thigh high. The men are fed from food ladled out of large zinc garbage cans. While no doubt they are clean, the mental suggestion connected with them is far from appetizing. The food is badly cooked and unpalatable. The sanitary conditions are threatening. A surgeon at the camp says, "Anything may break out in this camp."

The place is called a crime.

I wish to compare the zinc garbage cans, out of which the American soldier is fed, with the $15,000,000 solid-gold plate service and the inlaid mahogany table from which the President and Rear Admiral Grayson are feasting in London.

It was to prevent such scenes as this that Congress required the Executive's duties to be exercised at the seat of government by the act of 1790. By the act of March 4, 1913, it was further provided that the President should not extend or accept any invitation to participate in any international conference without first having specific authority of law to do so. Both of these essential acts have been violated in letter and spirit.

I am willing to hear explanations of Senators at any time, whether the President is absent as Commander in Chief of the Army and Navy or as the civil Chief Magistrate of this Republic, in which capacity, or both, he is now absent, in flat defiance of an act of Congress approved March 4, 1913, as well as the older act of 1790. Martial law has not been declared upon any of the soil of this Republic, the civil laws are still in force; no reason exists for suspending the laws of the land. Martial law can not be declared unless the facts justify it. One of such facts would be an invasion by a public enemy.

Mr. HITCHCOCK. Mr. President, what is the date of the act of Congress referred to by the Senator?

Mr. SHERMAN. The 4th of March, 1913. It is found in the legislative, executive, and judicial appropriation act approved on that date. Both of these essential acts have been violated in both letter and spirit.

The cables have been burdened with useless news. Sleepless mothers have been crowded off the wires in this foolish and cruel display of un-American adulation abroad.

We are further informed that the tips expected to be paid by the President at the several palaces where he is lodged and entertained in Paris, London, Rome, and Brussels will run from $10,000 to $20,000 each for the parasites who walk backward making obeisance to guests and other useless appendages of European pomp and circumstance. These tips would pay many cable messages to anxious mothers and be of some real service when drawn from the Public Treasury supplied by taxes.

Mr. THOMAS. Mr. President, before the Senator takes his seat I should like to inquire of him whether the information which has been published under the guise of cable dispatches describing the reception of the President, the character of the house which he occupies, and so forth, was really sent during the period of time that the President was there, or whether these dispatches are not written by correspondents, sent in advance, and then released under the guise of cable dispatches.

Mr. SHERMAN. They are reported as cable dispatches.

Mr. THOMAS. I know they are.

Mr. SHERMAN. I have no way of penetrating the secrets of the editorial room.

Mr. THOMAS. In the case of many papers, matter appearing as dispatches is composed in their editorial sanctums.

Mr. SHERMAN. The Associated Press is a reputable news-gathering organization; I have always found it to be reliable; and it reports these matters as cablegrams.

Mr. THOMAS. Yes; I do not dispute the fact; I am simply inquiring as to whether or not the Senator had verified the facts. Of course, the Associated Press is a reputable concern; but I am informed upon very good authority that a great deal of the stuff that we read in the newspapers as cable dispatches consists of communications of correspondents previously made and released upon the occasion.

Mr. SHERMAN. I know the date lines are those of Paris and London and the matter purports to be cabled. The Senator can, by communicating with the Associated Press or the International News Service, the Hearst Agency, find out whether these are bona fide cables or whether they are fabricated in the offices of the several newspapers. I think they are bona fide.

Mr. THOMAS. Oh, yes; of course, I can do that; but my purpose was to ascertain whether the Senator had done it.

Mr. SHERMAN. I have not investigated it in that particular. I have investigated in other particulars, Mr. President, matters in which I have been personally interested, especially in connection with information I have been trying to get as to wounded soldiers and sailors through proper avenues in the department, and at other times, at my own expense, paying for the cablegrams myself. I find ordinarily that the cables are reported accurately going to newspaper offices or these news-gathering agencies like the Associated Press. When I have failed in other particulars, I have found truthful reports in press agencies. This is corroborative evidence and ordinarily, in dealing with any established agency where they have told me the truth in other particulars, I take the date line and the subject matter and like matters of news gathering as being truthful. I take it that these reports, Mr. President, are worthy of credence, at least until they have been controverted and proven not to be so.

LORD BRYCE'S VIEWS OF A PEACE LEAGUE.

Mr. LODGE. Mr. President, I ask to have printed a brief extract, which I am going to take the liberty of reading, as it bears upon our debate. I hold in my hand the volume of Essays and Addresses in War Time, by Lord Bryce, as everyone knows, one of the most eminent statesmen, historians, and publicists now living. The last essay in the book is concerning a peace league, of which he is a very strong advocate, but he realizes that, while everyone desires the peace of the world, there are differences of methods. The whole essay is well worth reading, and I should be glad to have it all printed in the RECORD, but I do not want to interfere with the copyright. So I am going to ask leave to read his summing up, and I think that it gives a very good idea of what those who have thought about the league of nations mean and what they understand by it.

Lord Bryce says:

"It may be convenient to sum up in a few propositions the reasons for creating a peace league and the essential features which it ought to possess:

"1. The prevention of future wars will be, after this war has ended, one of the supreme needs of the world.

"2. War can be prevented only by substituting for it methods of arbitration and conciliation as the means of settling international disputes.

"3. Arbitration and conciliation can not succeed unless there is compulsive force behind them.

"4. Compulsive force can be secured only by the cooperation and combination of peace-loving nations, i. e., by a league to enforce peace.

"5. Every member of such a league must undertake to accept arbitration or conciliation in any controversy it may have with another member.

"6. The league shall undertake to defend any one of its members who may be attacked by any other State which has refused to accept arbitration or conciliation.

"7. The league will require four organs for its action: (a) A tribunal to arbitrate on justiciable controversies; (b) a council of conciliation to inquire into and apply mediation in non-justiciable controversies; (c) a representative conference or congress to amend, develop, and codify international law; and (d) an executive authority to decide on the time and methods of applying (and to supervise the application of) measures for compelling disputant States to submit to arbitration and to allow time for conciliation before resorting to hostilities.

"8. The methods of enforcement may be either the use of economic pressure or the use of armed force, or both, as the executive authority may determine.

"9. The league shall adopt any measures it finds to be practicable for bringing about a general reduction of military and naval armaments.

"These may be taken as the chief points on which most of those who have been advocating the project in Britain and America are agreed. Other points of importance, but on which some difference of opinion exists, are the following:"

These are the points of importance which those who favor the league are not agreed upon:

"(a) What shall be the principle regulating the admission of States to a peace league?

"(b) Shall all the members of the league (great and small) have equal powers and responsibilities, or, if not, how shall these be distributed?

"(c) How shall the persons to serve on the tribunal of arbitration and on the council of conciliation be chosen?

"(d) Shall the executive authority of the league consist of persons representing the governments of the States who are its members, or how otherwise?

"(e) Shall the council of conciliation have power to act when it sees dangers which threaten peace looming up, without being invoked by a disputant State?

"(f) Shall the league have a standing army and navy, or shall it obtain its necessary forces by summoning the contingents of the States (or of the greater States) when the need for military action arises?

"(g) Shall a decision to apply compulsion (economic or military) require the concurrence of all the States who are members of the league, or, if not, what majority shall be required?

"(h) Shall force (economic or military) be applied only to compel the acceptance by disputant States of arbitration or of conciliation (as the case may be), or also to compel such States to obey the judgment of the tribunal of arbitration, or the recommendations of the council of conciliation, as the case may be?

"(i) What methods are to be resorted to for securing a reduction of military and naval armaments?

"(j) To what extent may the diplomacy of the States composing the league continue to be conducted secretly?

"(k) Are the States composing the league to be at liberty to make separate treaties with one another?

"(l) Are tariff duties on imports and the fiscal relations generally of the States composing the league to fall to any; and if so, to what extent within the scope of the league's action? In particular, are preferential duties on imports to be deemed incompatible with the successful working of the league?

"Such a list as this, incomplete as it is, of problems to be solved in setting up some machinery for averting war shows how immensely difficult is the task."

And yet Lord Bryce has omitted one important point. There is one nation already that has said that one thing to be settled in the league must be that there shall be no race exclusion.

I merely desire to print these extracts, for I think, coming from such a source, they deserve the attention and examination of the Senate.

Mr. President, I also ask leave to have printed, without reading, two extracts which I have made from a book by Mr. H. G. Wells, the well-known and brilliant novelist, called "In the Fourth Year." The book is written in support of the league of nations, of which he is a very ardent advocate; and he is a man widely read and who always writes most interestingly. I will read only a single paragraph from it, because I think it is well for the Senate to consider some of these directions in which the league of nations goes, according to its supporters, when they logically carry it out.

Mr. Wells says:

"How far may the supreme court of the world attend to grievances between subject and sovereign?

"Such cases are highly probable, and no large, vague propositions about the 'self-determination' of peoples can meet all the cases. In Macedonia, for instance, there is a jumble of Albanian, Serbian, Bulgarian, Greek, and Roumanian villages always jostling one another and maintaining an intense irritation between the kindred nations close at hand. And quite a large number of areas and cities in the world, it has to be remembered, are not homogeneous at all. Will the great nations of the world have the self-abnegation to permit a scattered subject population to appeal against the treatment of its ruling power to the supreme court? This is a much more serious interference with sovereignty than intervention in an external quarrel. Could a Greek village in Bulgarian Macedonia plead in the supreme court? Could the Armenians in Constantinople, or the Jews in Roumania, or the Poles in West Prussia, or the negroes in Georgia, or the Indians in the Transvaal make such an appeal?

He goes on to argue in behalf of it, and I ask that those extracts may be printed. I think they deserve attention.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

"IN THE FOURTH YEAR."

(By H. G. Wells.)

[Page 6, et seq.]

"That council of the league of nations will be a tie as strong, we hope—but certainly not so close and multiplex—as the early tie of the States at Washington. It will begin by having certain delegated powers and no others. It will be an "ad hoc" body. Later its powers may grow as mankind becomes accustomed to it. But at first it will have, directly or mediately, all the powers that seem necessary to restrain the world from war, and unless I know nothing of patriotic jealousies it will have not a scrap of power more. The danger is much more that its powers will be insufficient than that they will be excessive. Of that later. What I want to discuss here now is the constitution of this delegated body. I want to discuss that first in order to set aside out of the discussion certain fantastic notions that will otherwise get very seriously in our way. Fantastic as they are, they have played a large part in reducing The Hague tribunal to an ineffective squeak amidst the thunders of this war.

"A number of gentlemen scheming out world unity in studies have begun their proposals with the simple suggestion that each sovereign power should send one member to the projected parliament of mankind. This has a pleasant democratic air—one sovereign State, one vote. Now, let us run over a list of sovereign States and see to what this leads us. We find our list includes the British Empire, with a population of 400,000,000, of which probably half can read and write some language or other; Bogota, with a population of a million, mostly poets; Haiti, with a population of a million and a third, almost entirely illiterate and liable at any time to further political disruption; Andorra, with a population of four or five thousand souls. The mere suggestion of equal representation between such "powers" is enough to make the British Empire burst into a thousand (voting) fragments. A certain concession to population, one must admit, was made by the theorists. A State of over 3,000,000 got, if I remember rightly, two delegates, and if over twenty, three, and some of the small States were given a kind of intermittent appearance. They only came every other time, or something of that sort; but at The Hague things still remained in such a posture that three or four minute and backward States could outvote the British Empire or the United States. Therein lies the clue to the insignificance of The Hague. Such projects as these are idle projects, and we must put them out of our heads; they are against nature; the great nations will not suffer them for a moment.

"But when we dismiss this idea of representation by States, we are left with the problem of the proportion of representation and of relative weight in the council of the league on our hands. It is the sort of problem that appeals terribly to the ingenious. We can not solve it by making population a basis, because that will give a monstrous importance to the illiterate millions of India and China. Ingenious statistical schemes have been framed in which the number of university graduates and the steel output come in as multipliers, but for my own part I am not greatly impressed by statistical schemes. At the risk of seeming something of a Prussian, I would like to insist upon certain brute facts. The business of the league of nations is to keep the peace of the world and nothing else. No power will ever dare to break the peace of the world if the powers that are capable of making war under modern conditions say "No." And there are only four powers certainly capable at the present time of producing the men and materials needed for a modern war in sufficient abundance to go on fighting: Britain, France, Germany, and the United States. There are three others which are very doubtfully capable: Italy, Japan, and Austria. Russia I will mark—it is all that one can do with Russia just now—with a note of interrogation. Some day China may be war capable—I hope never, but it is a possibility. Personally, I do not think that any other power on earth would have a ghost of a chance to resist the will—if it could be an honestly united will—of the first-named four. All the rest fight by the sanction of and by association with these leaders. They can only fight because of the split will of the war-complete powers. Some are forced to fight by that very division."

[Page 28, et seq.]

"And now let us consider what are the powers that must be delegated to this proposed council of a league of free nations if that is really effectually to prevent war and to organize and establish and make peace permanent in the world.

"Firstly, then, it must be able to adjudicate upon all international disputes whatever. Its first function must clearly be that. Before a war can break out there must be the possibility of a world decision upon its rights and wrongs. The league, therefore, will have as its primary function to maintain a supreme court, whose decisions will be final, before which every sovereign power may appear as plaintiff against any other sovereign power or group of powers. The plea, I take it, will always be in the form that the defendant power or powers is engaged in the proceedings 'calculated to lead to a breach

of the peace, and calling upon the league for an injunction against such proceedings. I suppose the proceedings that can be brought into court in this way fall under such headings as these that follow: Restraint of trade by injurious tariffs or such like differentiations, or by interference with through traffic, improper treatment of the subjects or their property (here I put a query) of the plaintiff nation in the defendant State, aggressive military or naval preparation, disorder spreading over the frontier, trespass (as, for instance, by airships), propaganda of disorder, espionage, permitting the organization of injurious activities, such as raids or piracy. Clearly all such actions must come within the purview of any world supreme court organized to prevent war. But in addition there is a more doubtful and delicate class of cases, arising out of the discontent of patches of one race or religion in the dominions of another. How far may the supreme court of the world attend to grievances between subject and sovereign?

"Such cases are highly probable, and no large, vague propositions about the 'self-determination' of peoples can meet all the cases. In Macedonia, for instance, there is a jumble of Albanian, Serbian, Bulgarian, Greek, and Roumanian villages always jostling one another and maintaining an intense irritation between the kindred nations close at hand. And quite a large number of areas and cities in the world, it has to be remembered, are not homogeneous at all. Will the great nations of the world have the self-abnegation to permit a scattered subject population to appeal against the treatment of its ruling power to the supreme court? This is a much more serious interference with sovereignty than intervention in an external quarrel. Could a Greek village in Bulgarian Macedonia plead in the supreme court? Could the Armenians in Constantinople, or the Jews in Roumania, or the Poles in West Prussia, or the negroes in Georgia, or the Indians in the Transvaal, make such an appeal? Could any Indian population in India appeal? Personally I should like to see the power of the supreme court extend as far as this. I do not see how we can possibly prevent a kindred nation pleading for the scattered people of its own race and culture, or any nation presenting a case on behalf of some otherwise unrepresented people—the United States, for example, presenting a case on behalf of the Armenians. But I doubt if many people have made up their minds yet to see the powers of the supreme court of the league of nations go so far as this. I doubt if, to beg a with, it will be possible to provide for these cases. I would like to see it done, but I doubt if the majority of the sovereign peoples concerned will reconcile their national pride with the idea, at least so far as their own subject populations go.

"Here, you see, I do no more than ask a question. It is a difficult one, and it has to be answered before we can clear the way to the league of free nations."

Mr. LODGE. Mr. President, I wish to say a single word, if the Senate will permit me, before I take my seat.

I have introduced these extracts—the one from Lord Bryce's book deserves especial attention—because I wanted to call the attention of the Senate to the enormous difficulties involved in a league of nations. It is very easy to say "a league of nations," "a league to keep the peace of the world"; but what is that league to be? Nobody in authority has told us yet. They have been content to use the words "league of nations"; but if anyone will take the trouble to look over the passage I have read he will see what vast questions are opened up by the league of nations.

My friend from Illinois [Mr. LEWIS] and my friend from Tennessee [Mr. MCKELLAR] have found fault with the Senator from Pennsylvania [Mr. KNOX] and myself and said that we were engaged in making an attack on the President, in preventing unity, and in trying to make party capital. Incredible as it may seem, there is nothing of that kind in what I, for one, am trying to do, nor, I am sure, in what the other Senators are trying to do who are discussing this question.

Mr. President, the ambitions or the fate of Presidents or presidential candidates, the fate of political parties, are infinitely small compared to what is before the Senate as part of the treaty-making power. We are concerned here, not with the fate of men or parties; we are concerned here with the settlement of questions which involve the peace of the world. We ought to approach it in the most careful spirit, in the most solemn attitude of mind, for a mistake may lead to greater evils than those we seek to cure. My own belief is—and it is the one point I feel strongly about now—that these questions of the league of nations, or the freedom of the seas, or future international law, all of the utmost importance, should follow and not precede the peace with Germany.

The days are going by and nothing is done to make peace with Germany. No man can tell what will happen from day to day. The situation is perilous in the highest degree. I am no alarmist; but the fact is, the war is not over, and it will not be over until peace is made. Every day makes it more difficult to make such a peace as we ought to make with Germany in order to prevent her breaking out again upon the world. I feel that our first duty is to act in the living present, to bring peace to the world in the year 1919, before we undertake to make a peaceful world in the year 2000. That is the duty that seems to me imminent now, and the one that we ought to attend to first.

But, Mr. President, these questions are of such magnitude, of such importance to the whole of the world and to civilization, that I think we may well lay aside all talk of the trivial matters of personal ambitions or party fate. It makes very little difference who is President or what party wins in this country, compared with the fact that we have to deal to-day with a question that affects millions of human beings and in which the peace of the world is at stake.

Mr. LEWIS. Mr. President, will the Senator allow me to interrupt him?

Mr. LODGE. Certainly.

Mr. LEWIS. At this point I want to call the Senator's attention to the fact that the Senator now says that his whole contention was that we should have peace at once, and that in his presentation for postponement he merely meant to say, or I assume he meant to say, that these other questions which would occupy time should be postponed. I ask the Senator if, in the speech he made but a few days past, on December 21, 1918—the speech he now would vindicate against the assaults made upon it—the eminent Senator did not then say, referring to the peace that we are now trying to adjust—

> Physical guaranties which when taken would make signatures to treaties negligible can alone assure a durable peace with Germany. I do not need to rehearse what those physical guaranties should be, for I have stated my views upon them more than once to the Senate, and I think there is general agreement upon them not only in the Senate but among the American people.

And then did not the Senator say that this peace should involve the following:

> The restoration of Belgium, the return of Alsace-Lorraine to France, of the Italia Irredenta to Italy, the establishment of a Jugo-Slav State, and of an independent State formed by the Czecho-Slovaks. They include also the security of Greece, the settlement of Albania and Montenegro, the restoration of Roumania, the consolidation of all the Roumanian people under one government, as well as the neutralization of the straits, the putting of Constantinople under international protection, with Greece perhaps as the mandatory of the powers to administer the affairs of the city, the independence of Armenia, the return of those portions of Asia Minor where Greeks are predominant to Greece.

I ask the Senator if he feels that these matters which he presents, together with our entering into Russia, and giving it some consolation, if not sympathy—does the Senator assume that these matters that he urges should be entered upon now in this peace would take less time in their disposition, in view of the past conflict of 40 years over them, than the mere agreement among the people for a league to establish some form of peace?

Mr. LODGE. Mr. President, I have no desire to vindicate my speech. I did not know it had been assaulted, and I care very little whether it has been or not. That is exactly what I said. I pointed out the question that must be settled as part of this war in order to get peace and prevent Germany from breaking out again on the world. I said that those questions were enough, to begin with, to take all the ability and all the courage and all the strength that all the nations could bring to bear; that those were the questions that we must settle first; and that we ought not to take up questions not essential to the peace with Germany until we have made the peace with Germany.

I think the proposition is clear.

Mr. LEWIS. I merely wish to suggest to the able Senator, if he felt as he does this morning—that we should have immediate peace, or we know not what would break out, he has such apprehensions—that these suggestions that he presented then, as I respectfully contend, as a duty of the United States, would have involved a length of time so extending as to make impossible that immediateness which he feels now is so essential to prevent the breaking out of that which he says we know not. The Senator must see that, apparently, the length of time that would be taken in his proposition far exceeds that that could be possibly involved in the mere peace with Germany.

Mr. LODGE. That amounts to saying that we must not have a peace with Germany at all. The point I made was that there should be a peace made with Germany, and those are the points that will have to be dealt with in order to make peace with Germany, whether they take a short time or a long time. If you throw those points away, you make no peace with Germany.

The VICE PRESIDENT. Petitions and memorials are in order.

PETITIONS AND MEMORIALS.

Mr. LODGE. I present a petition from members of the faculty of Clark College, of Worcester, Mass., praying for the establishment of a league of nations. I move that the petition be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. LODGE. I also present resolutions of the Worcester Branch of the League to Enforce Peace, of Massachusetts, signed by many of the leading men of that city, who are well known to me, favoring the entrance of the United States into a league of nations. I move that the resolutions be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. LODGE. I also present a petition signed by Hon. Andrew J. Peters, mayor of Boston, Right Rev. William Lawrence, bishop of Massachusetts, and other citizens of Massachusetts, praying for the inclusion of the severed Provinces of Poland in a free and independent Polish state. I move that the petition be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. LODGE. I present a telegram, including resolutions from citizens of the United States of Lithuanian origin, in regard to affairs in Lithuania, which I ask may be printed in the RECORD without reading and referred to the Committee on Foreign Relations.

There being no objection, the telegram was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

[Telegram.]

BOSTON, MASS., *January 3, 1919.*

Senator HENRY CABOT LODGE,
United States Senate, Washington, D. C.:

A protest resolution voted upon by the Lithuanians at a mass meeting, all parties being represented, held January 2, 1919, in Lithuanian Hall, on E Street, South Boston, Mass., we, the Lithuanians of South Boston and vicinity, hearing that the Polish Army threatens to take Vilna, the capital of Lithuania, met in Lithuanian Hall January 2, 1919, and decided that whereas Lithuania since prehistoric times embraces the Baltic coast as a separate country and nation, whose language and customs have nothing in common with those of Poland; whereas Lithuania having been for a long time an independent nationality and since 1772, when Russia and Germany enslaved her, Lithuanians have not ceased to fight for their rights; and whereas this war was waged for the freeing of enslaved nations, therefore a great wrong would be done to the people of Lithuania if some other foreign nation would be permitted to thrust itself into Lithuania. Protesting against the imperialistic steps of the Poles, we beseech the United States to use its influence so that this attempt of Lithuania's adversary be checked and the Lithuanians be permitted to have their own government. We further ask the United States Government, which so generously aids other war-suffering nations, to lend a hand in behalf of the starving people of Lithuania.

MIKUS PETRAUSKUS, *Chairman.*

Mr. LODGE. I also present a telegram embodying a resolution from the American Association of the Greek Community of Chicago, Ill., in regard to the admission of Greece to the congress of nations and the consideration of those things that interest Greece and the rights of small nations, which I ask may be printed in the RECORD without reading and referred to the Committee on Foreign Relations.

There being no objection, the telegram was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

[Telegram.]

CHICAGO, ILL., *January 2, 1919.*

Senator HENRY CABOT LODGE,
Washington, D. C.:

The following resolution was adopted by the American Association of the Greek Community of Chicago, composed of American citizens of Greek origin or descent, in mass meeting assembled the 27th day of December, 1918:

Whereas the rights of small nations are to be given consideration by the congress of nations; and

Whereas no nation has suffered more in the past than has Greece, in that many of her people have long suffered under the Turkish, Bulgarian, and Albanian rule and tyranny; and

Whereas portions of former undisputed Greek territory now under said Turkish, Bulgarian, and Albanian rule should be part of Greece for historical, racial, social, and ethnological reasons; and

Whereas the return of these unredeemed parts of Greece to her will forever settle one of the disturbing elements in the Balkans: Therefore be it

Resolved, That the Members of the House of Representatives and Senate be requested to do all in their power to bring the matter before the congress of nations, so that the ancient wrongs suffered by Greece may be righted.

AMERICAN ASSOCIATION OF THE GREEK COMMUNITY OF CHICAGO,
By PAUL DEMOS, *President, 105 West Monroe Street.*

Mr. TOWNSEND presented a petition of the Trades and Labor Council of Grand Rapids, Mich., praying that action be deferred on the prohibition amendment until after April 7, 1919, which was ordered to lie on the table.

He also presented a petition of Local Union No. 321, International Molders' Union, of Saginaw, Mich., and a petition of Local Union No. 244, International Molders' Union, of Detroit, Mich., praying for the passage of the so-called civil-service retirement bill, which were ordered to lie on the table.

He also presented petitions of the Rotary Club of Muskegon, of the Woman's Club of Mount Pleasant, of sundry citizens of White Pigeon, and of sundry teachers of the public schools of River Rouge, all in the State of Michigan, praying for the establishment of a department of education, which were referred to the Committee on Education and Labor.

He also presented petitions of Local Union No. 999, Brotherhood of Railway Carmen of America, of Ionia, of Custer Lodge, No. 958, Brotherhood of Railway Carmen of America, of Jackson, and of the Michigan State Grange, all in the State of Michigan, praying for the five-year extension of Government control of railroads, which were referred to the Committee on Interstate Commerce.

He also presented a petition of the Lumbermen's Association of Grand Rapids, Mich., praying for the return of the railroads to private ownership, which was referred to the Committee on Interstate Commerce.

Mr. CALDER. I present a resolution from the City Council of Buffalo, N. Y., which I ask to have printed in the RECORD and referred to the Committee on Post Offices and Post Roads.

There being no objection, the resolution was referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, as follows:

CITY CLERK'S OFFICE,
CITY AND COUNTY HALL,
Buffalo, December 11, 1918.

To whom it may concern:

I hereby certify that at a session of the council of the city of Buffalo, held in the city and county hall on the 11th day of December, 1918, a resolution was adopted, of which the following is a true copy:

FROM THE MAYOR.

No. 1. BUFFALO, *December 11, 1918.*

I am in receipt of a communication from the Aerial League of America in regard to plans now working out by the United States Post Office Department for the extension in the immediate future of the aerial mail service throughout the country. It is pointed out in this connection that six months of daily aerial mail service between New York and Washington have shown that aerial mail can be carried on schedule time, regardless of weather conditions, even with small, single-motored planes. It is further stated that when planes of two or more motors are used aerial mail lines can be operated day and night under any conditions.

It is desirable, of course, that Buffalo be included in any new system of aerial postal routes which may be put in operation by the Government, and in order that there may be no delay in making known the city's wishes I recommend that the city clerk be directed to communicate at once with Senators WADSWORTH and CALDER and Congressmen DEMPSEY, SMITH, and WALDOW, setting forth Buffalo's desires and the manifest advantages of including this city in the new service.

Received, filed, and recommendation adopted.

Ayes, Bagley, Buck, Heald, Kreinheder, Malene—5.

Noes, none.

And I further certify that said resolution was signed by his honor, the mayor of said city of Buffalo, on the 14th day of December, 1918.

Attest:

[SEAL.] D. J. SWEENEY, *City Clerk.*

WOMAN SUFFRAGE.

Mr. SHAFROTH. Mr. President, I desire to call the attention of the Senate to an article in the Washington Post of this morning which is significant:

[From the Washington Post, Jan. 3, 1919.]

SWEDEN EXTENDS SUFFRAGE—ALL MEN AND WOMEN GET BALLOT—PLURAL VOTING ABOLISHED.

Sweeping electoral reforms effected in Sweden, providing the "most extended universal suffrage for both men and women, irrespective of taxability," are described in a cable dispatch received yesterday by Swedish Minister Ekengren from the foreign minister at Stockholm.

The reforms are expected by legation officials to have far-reaching effect on the political complexion of the Swedish Diet, making probable a democratic majority of Videlicet liberals and labor-party members in both houses. It may also be effective, it is explained, in forestalling any tendency toward bolshevism.

Since 1909, in the lower house of the Diet, such a majority has existed, but in the upper house there has been a constant conservative majority. The majority in the lower house always has been almost entirely proally. Whatever pro-German tendencies that have existed in Sweden, it is said, have been confined largely to the conservatives.

The lower house has been based on direct and personal manhood suffrage, but the upper house was elected indirectly by provincial assemblies elected by communal suffrage, with plural voting by companies and associations.

The chief change now abolishes plural voting, the right to vote being purely personal.

Mr. President, I want to call the attention of the Senate to the fact that 12 countries have admitted women to suffrage during the year 1918.

The VICE PRESIDENT. This is not the regular order, which has been called for.

Mr. THOMAS. I should like to ask the Senator if they have any watch fires burning at the capital of Stockholm?

Mr. SHAFROTH. I do not think they have. I think that is a very poor policy; but, notwithstanding that fact, people

ought not to be deprived of their rights, ought not to be deprived of a proper exercise of what the Declaration of Independence says is the right of all mankind by reason of the fact that a few people do not adopt methods that are suitable or conducive to the passage of the measure.

Mr. KING. Will the Senator yield for a question?

Mr. THOMAS. Mr. President, I must insist on the regular order.

Mr. SHAFROTH. I do not think it is exactly fair that Senators should get up here and talk on matters contained in a petition and at the same time deprive others of a like opportunity.

The VICE PRESIDENT. The regular order is called for. Reports of committees are in order.

REPORTS OF COMMITTEES.

Mr. CHAMBERLAIN, from the Committee on Military Affairs, to which were referred the following bills, reported them each without amendment:

H. R. 13035. An act to amend section 4 of chapter 5 of an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1919," approved July 9, 1918, and to make said amendment retroactive; and

H. R. 13363. An act permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment, and to wear the same under certain conditions.

Mr. BECKHAM, from the Committee on Military Affairs, to which was referred the bill (S. 4773) for the relief of D. C. Darroch, reported it without amendment and submitted a report (No. 632) thereon.

He also, from the same committee, to which was referred the bill (S. 2418) for the relief of James Russell, reported adversely thereon, and the bill was postponed indefinitely.

Mr. WILLIAMS, from the Committee on the Library, to which was referred the joint resolution (S. J. Res. 202) requesting the Commission of Fine Arts to submit to the Congress certain suggestions, reported it without amendment.

Mr. NEW, from the Committee on Military Affairs, to which was referred the joint resolution (S. J. Res. 205) permitting the loan of aircraft motors and aircraft material to educational institutions under certain conditions, reported it with an amendment and submitted a report (No. 631) thereon.

STANLEY MITCHELL.

Mr. OVERMAN. On yesterday I introduced the bill (S. 5260) for the relief of Stanley Mitchell, and inadvertantly it was referred to the Committee on Claims. I move that the Committee on Claims be discharged from the further consideration of the bill and that it be referred to the Committee on Naval Affairs.

The motion was agreed to.

GOVERNMENT CONTRACTS.

Mr. HITCHCOCK. I am directed by the Committee on Military Affairs, to which was referred the bill (S. 5261) to legalize informal or defective orders for war supplies and materials, to provide for the cancellation of orders and contracts, for the reimbursement of contractors and manufacturers, for the adjustment of claims on canceled or partially filled contracts and orders, and to provide relief for contractors pending final determination, to report it with amendments.

Verbally, I should like to report that this bill differs materially from the bill which has already been reported in the House and raises an important issue which I shall at an early date bring before the Senate. The bill provides for the creation of a commission to hear and to determine, promptly and informally, claims of contractors and manufacturers for war supplies whose contracts have been or may be canceled by the Government. This commission is to be appointed by the President, and is to consist of one representative of the War Department, one representative of the Department of Justice, and one representative of the business interests of the country, who shall have no interest direct or indirect in war contracts. This commission is to promptly hear and consider claims based on these contracts and make awards as rapidly as possible, under rules which it shall provide. It is to be allowed to appoint regional boards of inquiry, which are also to be composed of three individuals, one representing the local business interests, one representing the Department of Justice, and one representing the War Department. When the commission, which is to sit in Washington, has passed upon a claim and has made an award, if it is accepted by the contractor, that is to be the final settlement of the case, and the money is then to be paid over. If the contractor declines to accept that award, he is to be privileged to withdraw 75 per cent of the amount of award, and then, within a limited time, prosecute his claim for the balance in the Court of Claims.

The object of this legislation is to settle as rapidly as possible the claims for damages which have arisen out of the making of several thousand contracts, which, unfortunately, in many cases have been made in violation of law, mere verbal orders in some cases, and in others written orders by officials not authorized to act. This legislation provides for the validation of all such contracts where they are made within the scope of the authority given by Congress, where they are made in good faith, and provides for the reimbursement of manufacturers who have gone to expense in changing the machinery in their factories in preparing to undertake Government work, even where Government work has actually not been delivered. I present this report and ask—

Mr. WEEKS. Mr. President——

Mr. HITCHCOCK. I yield to the Senator.

Mr. WEEKS. This bill is of vital importance, as has been stated by the Senator from Nebraska. A bill providing for a similar purpose but differing from this bill has passed the House. It will necessarily have to go to conference. The Senator from Nebraska has explained the purposes of the bill so clearly, which comes by unanimous report from the Committee on Military Affairs, that it occurred to me he might ask for the immediate consideration of the bill.

Mr. HITCHCOCK. I think, in view of what is on the program to-day, it might be a mistake to ask for the immediate consideration of the bill, but at an early day next week, after it has been printed, I shall ask for its consideration.

Mr. LODGE. Is it the Senator's intention to substitute this for the House bill?

Mr. HITCHCOCK. I was not aware the House had already passed a bill. I think that is a mistake. I think it has merely been favorably reported.

Mr. WEEKS. I was informed that the House has acted on the bill, though that may be a mistake.

Mr. HITCHCOCK. No; I think it has not.

Mr. LODGE. I think the House has acted favorably on the bill. I believe the matter is of great importance, and I hope that the Senator will press the bill at the earliest moment.

Mr. HITCHCOCK. I shall do so, but I think it ought to be printed first for the information of the Senate. I desire that the bill as reported by me now verbally be printed in the RECORD.

Mr. SHERMAN. Does the Senator expect to follow that up by early action?

Mr. HITCHCOCK. I shall, at the very earliest possible moment.

Mr. SHERMAN. Very many contractors are in the condition described by the Senator, and I earnestly hope the bill will be acted upon promptly and favorably. Many people in Chicago and elsewhere are in precisely the position described by the Senator. They have furnished merchandise and have carried out their contracts; but find through some informality or lack of authority upon the part of the officers of the Government they are unable to legally collect in the absence of some legislation.

The VICE PRESIDENT. If there is no objection, the bill could be passed in a few minutes.

Mr. HITCHCOCK. I am willing to make a request for the immediate consideration of the bill. I think, however, that it is important that it first be printed, and I shall ask for its consideration either to-morrow or early next week. I renew my request that the bill as reported by me be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The bill as reported is as follows:

A bill (S. 5261) to legalize informal or defective orders for war supplies and materials, to provide for the cancellation of orders and contracts, for the reimbursement of contractors and manufacturers, for the adjustment of claims on canceled or partially filled contracts and orders, and to provide relief for contractors pending final determination.

Be it enacted, etc., That where during the present war and prior to November 12, 1918, officers or agents acting under authority of the Secretary of War have placed orders or made contracts with manufacturers or contractors for war materials or supplies, the procurement of which has heretofore been authorized by Congress, and any of said orders or contracts has been partly or wholly performed, or expense has been incurred by the manufacturer or contractor prior to the 12th day of November, 1918, in preparation or partial execution of said contract or order, the fact that any such contract or order or agreement has not been made in the form or signed in the manner required by law shall not invalidate the same if it was entered into in good faith and lacked only the sanction of a contract in legal form. Nothing herein provided, however, shall be held to validate any contract, order, or agreement given or made by an officer or agent of the War Department not legally qualified or authorized to give a formal legal contract, nor to permit an officer to make such contract with any company, corporation, or firm in which he has, or had at the time, directly or indirectly, any interest.

SEC. 2. That in all cases as above included it shall be lawful to make payments under the terms of the agreements or orders so made or given to the extent that performance thereof has been made or supplies thereunder have heretofore been received and accepted by the United States, provided that payment in such cases shall not exceed the fair value of the supplies or materials delivered to and accepted by the United States.

SEC. 3. That in case of the cancellation, suspension, or annulment of any contract or agreement by the Secretary of War, or officers or agents acting by his authority, and in cases where no property or supplies have been delivered to and accepted by the United States, or where only partial delivery and acceptance has been made, contractors shall file with the Secretary of War within 60 days after the passage of this act any claim for remuneration arising out of the discontinuance, cancellation, or suspension of such contract, agreement, or order, property itemized and set forth. Said claims shall thereupon, together with such notations and information as the Secretary of War may cause to be attached to them, be promptly filed with the commission to be hereinafter created.

SEC. 4. That for the adjustment of all claims arising out of the cancellation of contracts, orders, and agreements for supplies or materials of war, as described in the foregoing paragraphs of this act, there is hereby created an adjustment commission to be composed of three members, to be appointed by the President and confirmed by the Senate, one representing the War Department, one representing the Department of Justice, and one representing the business interests of the country, none of whom shall be interested in any contracts with the Government or [having] *have* an interest in any firm or corporation having war contracts, who shall hold their offices for one year and receive as compensation a salary of $10,000 each. It shall be the duty of said commission [to] promptly *to* examine and pass upon all claims for compensation and reimbursement arising out of cases as set forth in this act for supplies furnished, expenses *necessarily* incurred, or materials purchased under faith of contracts in legal form or orders received from officers and agents of the Secretary of War as heretofore set forth.

SEC. 5. That in each case, as soon as the commission has made an award, the contractor shall be entitled to receive the same upon giving receipt in full of all demands against the United States arising out of the transaction, or if the contractor is not satisfied with the amount so awarded he shall be entitled to receive, and shall receive at once, 75 per cent of the amount that has been awarded him, and he shall thereupon be entitled to appeal the case to the Court of Claims, which is hereby given jurisdiction to hear the case and render final judgment in such sum as may be [necessary] *required* to reimburse the contractor for expenses *necessarily* incurred in good faith in the partial performance of the contract or order above referred to or in preparing for the same.

SEC. 6. That in no case, however, shall any award either by the commission or the Court of Claims include prospective or possible profits on any part of the contract beyond the goods and supplies received and actually delivered to the United States, and a remuneration for expenses *necessarily* incurred in preparing to perform said contract or order so canceled.

SEC. 7. That the purpose of this act being to secure prompt settlement of claims, the commission is authorized to make its own rules and regulations and to hear and determine the issues informally and promptly upon presentation of the case. The commission is authorized to appoint, under such rules and regulations as it shall prescribe, one or more regional boards of examiners to serve in such districts throughout the country as the commission shall fix and determine, to investigate and determine the facts concerning claims, legal or equitable, that may be presented as herein prescribed. The members of such board shall be *composed of one representative of the War Department, one representative of the Department of Justice, and one from the business interests of the region, none of whom shall have any interest in the contract, directly or indirectly, and* receive no compensation, save and except such per diem compensation as shall be fixed by the commission. Whenever the commission shall refer to any such regional board of examiners any claim, they shall proceed informally to hear the parties, take the proofs, and return the same promptly to the commission with their recommendation thereon.

SEC. 8. That the sum of $50,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the reasonable expenses of said commission, to be paid out upon the warrant of the chairman, who shall be chosen by the commission from among their own members, and approved by the secretary, who may be selected by the commission, and who shall receive a salary of not exceeding $5,000 for the period of one year, or so much thereof as may be necessary, to be determined by the commission.

Amend the title so as to read: "A bill to legalize informal or defective orders for war supplies and materials; to provide for the cancellation of orders and contracts, for the reimbursement of contractors and manufacturers, for the adjustment of claims on canceled contracts or orders, to provide for the partial payment of awards pending final determination, and for the creation of an adjustment commission.

IMPROVEMENT OF HIGHWAYS.

Mr. BANKHEAD. From the Committee on Post Offices and Post Roads I report back favorably, without amendment, the joint resolution (S. J. Res. 200) authorizing the Secretary of War to transfer to the Secretary of Agriculture certain war material suitable for improvement of highways, to be distributed among the several States, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. CHAMBERLAIN. Mr. President, I approve generally of the purposes of the joint resolution, but it seems to me that until a treaty of peace has been signed it would not be well to disturb the properties now in the custody of the War Department and which were essential to the proper prosecution of the war. In view of that, I think I shall have to object at this time.

Mr. BANKHEAD. I would like to state to the Senator that this resolution applies to certain materials delivered for road purposes, not now needed by the War Department, such as spades, picks, shovels, and other articles, for which the War Department can have no possible use; but I understand it is the purpose of the department to offer the material for sale, in which case, as everybody knows, it will be sacrificed. So I thought it would be the best possible disposition to transfer them to the Agricultural Department, where they might be used for the purposes of road construction. That is all the joint resolution provides for.

Mr. LODGE. Mr. President, it seems to me, with the proposition we have of spending $500,000,000 on cantonments and three great training fields, which, I understand, we have, of 125,000 acres each, that if we are going on with these things it is rather early to give away our road-making material.

Mr. BANKHEAD. Very well, then, if there is objection the joint resolution can go to the calendar.

Mr. LODGE. I do not object to the purpose of the joint resolution, but I think that we ought to have some knowledge about it.

The VICE PRESIDENT. The joint resolution will be placed on the calendar.

Mr. BANKHEAD. I want to ask unanimous consent in this connection to have printed in the RECORD a short statement which I have in support of this joint resolution, and also a short statement prepared by Gen. Coleman Dupont, who is one of the leading road engineers of this country.

The VICE PRESIDENT. Without objection, it is so ordered.

The statements referred to are as follows:

PLEA FOR ROADS AT HOME.

The war showed what the national strength could accomplish in the swift construction of rapid-transit highways and the use thereon of rapid-transit vehicles.

The Nation trained its Engineer Corps and sent them to Europe equipped for the quick construction of roads. The part which the United States took in the decisive campaign was rendered possible by the use of automobiles and motor trucks over rapid-transit highways.

Now that the war is over the question arises, Are not highways as vitally important for the conduct of peace as they were for the conduct of war? With half the world going to bed hungry every night and millions doomed to starvation, is not the swift construction of the highway to the acre that produces as urgent a necessity as were the roads in the battle zone? And if the need is as urgent should the Nation slacken its effort or permit its road-building equipment to be sold or dissipated? Should it not rather increase its efforts in this direction and proceed with the construction of highways at home on a scale commensurate with the importance and urgency of the need?

It is for the Congress of the United States to answer these questions. Measures are pending designed to meet the situation, three of which are as follows:

1. Joint resolution 200, authorizing the transfer from the War Department to the Department of Agriculture of all available dispensable and suitable war material for distribution to the highway departments of the several States for use on the highways.

2. Senate bill 5088 increasing the present unexpended appropriation of about $60,000,000 for road purposes by the addition of $125,000,000 for expenditures to June, 1920, and $100,000,000 a year thereafter for four years. It is also proposed to increase the appropriation for national-forest roads of $1,000,000 a year on the present 10-year road-building program by a sum sufficient to construct 17,000 miles of forest roads, which the Government has already planned and which are necessary in order to utilize the vast resources of the national forests. The estimated cost of these roads is $50,000,000. Amendments to the present road act freeing it from undesirable limitations are also planned, one of which will enable the Government to construct at its own cost links in important highways which could not otherwise be constructed.

3. House bill 15308 carries an appropriation of $1,000,000 for an extension of the motor-truck Parcel Post Service. This is an increase from the $300,000 provided in the last Post Office appropriation bill, which also authorized the War Department to transfer to the Post Office Department motor trucks for which it had no further use. Under last year's appropriation 27 motor-truck routes were established, all but one of which were operated east of the Mississippi River. The results, even in the initial stage, are such as to warrant an increase in the number of routes and their extension to the trans-Mississippi region, where rail and water facilities of transportation are altogether inadequate. The proposed transfer of 10,000 motor trucks from the War Department to the Post Office Department renders it possible to make a great extension of this service at a minimum cost. It is proposed to increase the appropriation for this service to $10,000,000. To store these trucks would cost $600,000 a year. To dump them on the market would be disastrous. To turn them loose to aid agriculture in the movement of farm products to the consumer would be statesmanship. To adopt such a policy would be but to follow historic precedent.

Why not turn loose every available bit of material no longer needed for war purposes at this critical moment to aid the swift construction of roads and the speedy movement of farm products? There must be a vast amount of such material, for the Engineer Corps were sent abroad fully equipped and the war stopped so suddenly with the national effort at a maximum that much material must have been awaiting shipment in this country. There must be surveying instruments, tents, cots, blankets, mess outfits, dynamite, road machinery, horses, harness, wagons, autos, and fleets of trucks. Is it good business to sell these for a song when the Government is about to enter upon a greatly enlarged road-building program at home and must otherwise go into the market and purchase new equipment?

Senate bill 5088 has the approval of President Wilson and Secretaries Houston and Baker. The proposition not to lessen the national endeavor in road construction now that peace has come, but merely to transfer the scene of action from Europe to the homeland is but the response to a universal demand. The public rejoices to see the trophies of war now being brought back from Europe. Equally popular will be the sight of the machines that built the United States road to the Rhine at work building connecting highways from Canada to the southern boundary and from the Atlantic to the Pacific through every State in the Union.

[From Motor Life, June, 1918.]

THE HIGHWAY PROBLEM—CENTRALIZED AUTHORITY NECESSARY TO THE DEVELOPMENT OF NATIONAL HIGHWAYS.

[By Gen. Coleman Du Pont, chairman board of national councillors, National Highways Association; member State Highway Commission of Delaware.]

A nation is rich and successful and prosperous not in proportion to its natural resources, the timber in its forests, the agricultural land which can be cultivated, the minerals or oils in its mines or wells but in proportion to the amount of these resources which have been or can be developed.

Few countries are more blessed with natural resources than Mexico, yet Mexico is anything but prosperous.

The United States is often heralded as the richest country in the world. Had we developed all our natural resources to their fullest extent, we should be richer than all the other nations of the world combined.

The one underlying factor which affects all development of natural resources, which is at the bottom of all business, the foundation of credit, the pedestal of commerce, the rock on which prosperity stands, is transportation.

This country was hardly a nation until its East and West, its North and South were connected with railroads. It was the railroad which made southern reconstruction possible and which, 60 years after a war which left the South prostrate, has developed the Southland to its present prosperity.

The United States has run the gamut of encouraging, fostering, helping, neglecting, and hindering the railroads, and now, for a time, is owning and coddling them. But farseeing men are beginning to believe, as enthusiasts and dreamers have believed for years, that the future of transportation does not rest entirely with the road of steel, though it is important, but largely with the road of stone. The past decade has developed a new factor in transportation which has as yet received scant consideration from the Government. That factor is the motor truck, and it has taken a world war to make Uncle Sam, as an entity, recognize a need which hundreds and thousands of his citizens have been screaming at him for years.

That need is roads.

The United States has never had, and has not now, a road policy. It has dallied with the road question, thrown sops to road enthusiasts, played with the highway problem, and now, for the first time, is beginning to think seriously that it has other angles than local ones, other governmental uses than the provision of one more means of gaining votes. True, the United States maintains as a part of the Department of Agriculture an Office of Public Roads, which has done excellent work. There is also a Federal aid law in existence by which the National Government proposes to aid the various States build certain roads. Many States have been more farsighted than the parent Government, and have provided their citizens with good roads, well laid out, properly maintained, which have added greatly to the prosperity of their citizens.

But as a nation the United States has no road policy, recognizes no road question as such, and pays only desultory attention to constructing and maintaining its land highways, while devoting millions to waterways, and, in the past, millions to railways.

That this state of affairs must eventually come to an end is obvious to any who will follow to their logical conclusion the causes which have produced the small road mileage which the Nation possesses. The road question was first agitated when the bicycle came into popularity. But the bicycle was not a commercial factor of sufficient power to make any headway against the fact that a Nation-wide system of good roads would cost not millions but billions of dollars. The automobile came, small, weak, inefficient, and unable to negotiate rough roads, either with comfort to the owner or profit to the merchant, and the local roads demand began to make itself heard. Then the motor truck was developed, and the demand for roads over which it can travel economically and efficiently is becoming louder and more insistent, with the result that many States have given heed, and such road systems as those of Massachusetts, Rhode Island, Connecticut, Maryland, and Ohio have resulted.

The Nation, as a Nation, has done nothing. Had the development of railroads been left to the individual States to foster, should we have a transcontinental line? It seems improbable. Had the States in this time of stress been left to work their legal will upon the carriers, had the railroads been left to continue competition as the primary moving force of their commercial life, would this country have solved its transportation problem of war materials and men?

If the Nation can grasp and solve one angle of its transportation problem, for the sake of war efficiency, is there any reason why it can not grasp and solve that other and equally vital question of roads and trucks?

From a military standpoint roads are sharply divided into two classes. First, the road which serves the Nation as an aid, a feeder, of its railroads, which takes the burden of the short haul from the steam train, which saves time and money and roundabout routes for the shipper. Second, the road which serves as a distinct military factor for the transportation of men, munitions, and supplies, primarily for mobilization, and possibly for actual combat in the—to-be-hoped unlikely—event of invasion of these shores.

At the present time the United States is concerned only with the first angle. Yet an invasion is always a possibility, though not a probability now. Three, even two, years ago it was a possibility, but not a probability that we should be drawn into the world war. We elected a President who had kept us out of war and barely six months later racked him to the utmost when he said we were at war. As roads can not be built in a day, and as mistakes in road planning are tremendously expensive to make, it is certain that, simply because the need of highways for defense purposes is not a present need, it would be foolish to ignore this possibility in any competent, well laid-out scheme of national road building.

Neglecting for the moment the creation of roads, or the improvement of existing roads, for purely defensive purposes, the pressing need of good roads for full utilization of motor trucks for war purposes is vital. The passenger car can negotiate bad roads if it must. The motor truck can not do so, with any degree of efficiency or profit. We have steel rails for cars simply to get a smooth passage for the wheels of freight and passenger vehicles. It is as impossible for a heavy motor truck to operate economically or efficiently over rough and bumpy roads as for a railroad to carry much freight over a poor roadbed.

We have borrowed heavily from England and France in war experience. It took England years to come to conscription—we did it in months. England and France developed their air resources slowly as the war progressed—we began a gigantic air program with the war less than three months old. We have taken our allies' experience in troop training, in officer making, in trench fighting, in ordnance and field equipment—but what have we done to equal their road and truck development?

Trucks—yes, in quantity. But trucks for French roads, trucks for foreign service. We even proposed to put our trucks on freight cars to carry them from the factories to the ships, because—well, because the roads of this country are such apologies for real highways that, in prewar days, no one thought of trying to deliver a motor vehicle over the roads on which it must be run.

The fact that we had not cars and engines enough and that every line of steel rails to the coast was almost hopelessly congested changed this. Our trucks are running over roads from factory to coast and, so far from being hurt by it, our drivers, at least, are gaining valuable experience. But, though the war trucks are standard and able to bear the most severe usage, they can not carry the load or make the speed here which they can do and will do upon the roads of France.

Years ago England and France solved the highway problem by the creation of national road systems. These roads were built by the nation and maintained by the nation for the use of the nation. Not all roads, by any means, but a comprehensive system of roads running through all important centers, gridironing the country with ready means of communication. To these main roads local communities and the smaller political units built feeders, exactly as in this country, in the "good-road States," counties and towns appropriate money and build feeder roads to connect their localities with the State system.

Had it not been for her system of roads France would have been at a great disadvantage in her war work. Possessing a solid foundation of many good roads at the beginning, France keeps them up and repairs them as they are damaged. The motor truck is the link behind the lines to the French as the wonderful system of railroads to the German frontier—a system developed by military brains of keen and clever vision long before the motor truck came into existence—is to the Germans.

So far we have done absolutely nothing. Those who point to the fact that we have a highways transport committee of the Council of National Defense do so without any real knowledge of what that committee is or does. It has done all and more than it was expected to do. It has worked faithfully and well and produced results, but its function has never been a road-building function—it is not concerned with the laying out of a system of roads, nor the building of a single foot of highway.

It has developed plans and put into operation agencies, looking to the utilization of roads which already exist. It has routed the war trucks and encouraged State councils of defense to work for motor-truck development. It has educated chambers of commerce and boards of trade to the need for a load-clearance bureau in commercial centers that no motor truck moves "light" over the roads. But what can one small committee, no matter how able, of an organization which is purely advisory in character, such as the council of defense, do toward solving the road problem? As well say we need not have a Quartermaster Department to supply soldiers with clothes because women are knitting socks.

The road problem of this country, from any angle—commercial, economic, social, military, defense, political, agricultural—is not a local issue. It can not be solved by the States. If every State in the Union should have as good a State road system as Massachusetts, national roads would still be a problem. When a man builds a path in his garden he builds it to go where he wants to walk, not where his neighbors wish to walk. When a town builds a road it builds it where the town wants it, not where the next town is best served. When a county builds a road it runs from one end to the county seat, not to serve the next county. When a State builds a road system it connects its important cities and makes it easy for its own denizens, without much thought for the man across the State line. When the United States builds roads, as a Nation, it must solve its difficulties by building a system which considers the country as a whole, not as a collection of political units with voters who must be placated.

It is customary to consider the road question from a viewpoint from which one man can see the horizon. Most road propaganda begins and ends with one road. We hear much of the Lincoln or the National Old Trails Road or the National Defense Highway of California. Every one is a worthy road, a road which ought to be what it is not. But the road question as a road question is infinitely bigger than any State, any single road, any single association of people banded together to "get" a certain highway.

The motor truck is to do for commerce what rural free delivery did for the mail. It will make it possible for the farmer and the merchant readily to exchange their respective commodities. The motor truck is to do, in the coming half century, what the railroad did in the last half century. The steam train took a thousand isolated communities, loosely knit under one government, and made them one in fact. The motor truck is to take a million farms and bring them into close touch with the city; it is to take a million merchants and bring them customers which they never knew before. It is to cut down the high cost of food, by cutting the greatest item of that cost—transportation.

Just before the war it cost more to ship a ton of wheat from farm to railroad than to ship the same ton from New York to Liverpool. It cost more to deliver freight from station to farm than to ship it from factory to station. And roads or the lack of them was responsible.

The road question, the truck question, is a national question. It has two great subdivisions—(1) where, and (2) what kind?

Neither question can be answered in a hurry. But both can be answered and must be answered soon. If we are not to see the greatest boon which science and invention have given to transportation restricted and made of small account by a penny-wise, pound-foolish policy, a narrow-gauged, peanut-politic viewpoint which wants to spend public money only where local benefits will bring local applause.

"Where?" is not difficult to answer. Everywhere eventually, but in the beginning a national road system must consist first of one, then two, then three or more great transcontinental roads from east to west—then half a dozen north and south lines. Later must come connections and additions and interstate roads, until we have perhaps 50, perhaps 100,000 miles of first-class, high-grade roads running from State to State, not merely, as with our present 100,000 miles of good roads, in circles within States.

"What kind?" The road builder has answered in a dozen ways in years gone by and is still changing his conclusions. MacAdam was years ahead of his age and years behind this one. The builders of the Appian Way knew more about building a road for a motor truck than MacAdam, strange as it may appear. It is the general opinion among road builders—an opinion greatly quickened and altered by the war—that the light stone road, be it surfaced or oil treated in what way you will,

is not the road to build in the face of the avalanche of motor trucks that is coming in the next few years. The motor car brought oil to the road as a necessity. The water bound, which worked so well with iron tires and iron-shod hoofs, is useless against the suction of the pneumatic tire. But the oiled stone road that holds the 3,000-pound car with ease will not carry the 5-ton truck and last.

There is to be a great revolution in road-building methods. The railroad has found that for heavy traffic it pays to use the heaviest steel rails and finest wood for ties, the best of broken stone, and plenty of it, for ballast. No railroad stops at the price per mile nowadays. Once built and well maintained the road will earn dividends.

We still look upon a highway which costs $5,000 a mile as an expensive road, and $10,000 a mile as a boulevard for cities. Yet the road of the future, the road which the motor truck will use without hurting it, the roads which the National Government must build as a national system, will cost twenty, thirty, perhaps fifty thousand dollars a mile. If the latter, and a national highway system of 50,000 miles is contemplated in a 20-year building program, then the total cost reaches $2,500,000,000.

The cost of such a road program would be distributed over at least 20 years (all the engineers in the country could not build such a system in less time) and the roads would pay dividends as fast as built.

It is difficult to consider the subject and not drop to local angles.

If you see the problem as a national question, if your experience or your knowledge leads you to view the motor truck as the ultimate transportation means for all except long hauls, if you see in it a coming commercial revolution, then you, too, must enlist in the national road army. You must become one of those who believe that Uncle Sam can not afford for his own sake, as well as for the sake of us, his children, much longer to delay in taking up and solving, as only he can solve, the road question—the question which is greater than the railroads, infinitely greater than the Panama Canal, and which, the war disposed of, must be the most pressing economic problem which this country has to face.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CHAMBERLAIN:

A bill (S. 5279) to authorize the resumption of voluntary enlistments in the Regular Army, and for other purposes; and

A bill (S. 5280) authorizing retirement of members of the Army Nurse Corps (female); to the Committee on Military Affairs.

By Mr. OVERMAN:

A bill (S. 5281) to donate one German gun to the city of Morganton, N. C.; to the Committee on Military Affairs.

By Mr. CALDER:

A bill (S. 5282) to amend subdivision 8 of the act to amend the naturalization law approved May 9, 1918; to the Committee on Immigration.

A joint resolution (S. J. Res. 207) admitting into the United States 35 puncheons of Gordon's sloe gin, ordered by E. La Montagne's Sons, of New York, before the passage of the food-control act prohibiting the importation of distilled spirits, the delivery of which was delayed on account of war conditions until after that act went into effect; to the Committee on Finance.

PROMOTIONS IN THE ARMY.

Mr. CHAMBERLAIN. Mr. President, I desire to introduce a bill which comes to me from the War Department to appoint any officer who now holds, or during the existing emergency has held, the grade of general or lieutenant general for the period of the emergency only to the same grade in the Army without such limitation of tenure, and I ask that it be referred to the Committee on Military Affairs.

The bill (S. 5278) to appoint any officer who now holds, or during the existing emergency has held, the grade of general or lieutenant general for the period of the emergency only to the same grade in the Army without such limitation of tenure was read twice by its title and referred to the Committee on Military Affairs.

Mr. CHAMBERLAIN. In connection with the presentation of the bill I desire to have printed in the RECORD a letter from the Secretary of War, as I am introducing the bill at his request.

The VICE PRESIDENT. Without objection, that action will be taken.

The letter referred to is as follows:

WAR DEPARTMENT,
Washington, December 21, 1918.

MY DEAR SENATOR: Under the provisions of section 3 of the act of Congress approved October 6, 1917, the President has appointed, by and with the advice and consent of the Senate, certain officers of the Army to the grades of general and lieutenant general. These officers, in order of rank, are:

Gen. Peyton C. March, Chief of Staff of the Army.

Gen. John J. Pershing, commander of the American Expeditionary Force, France.

Gen. Tasker H. Bliss (retired), former Chief of Staff, now military representative of the United States at Versailles and a member of the Peace Commission; has the brevet rank of general.

Lieut. Gen. Hunter Liggett, commanding First Army, American Expeditionary Force.

Lieut. Gen. Robert L. Bullard, commanding Second Army, American Expeditionary Force.

These officers have performed tremendous tasks involving the greatest responsibility in a manner which reflects credit upon themselves and upon the country and entitles them to permanent recognition. I believe that the sentiment of the country is strongly in favor of such recognition. At present the commissions of these officers as general and lieutenant general, while in the Regular Army, are for the period of the emergency only. I recommend that their commissions be made permanent, with the proviso that when any one of these officers vacates his commission the office shall lapse. The Judge Advocate General has prepared a draft of a bill which will accomplish this purpose, and which I inclose for the consideration of your committee.

Sincerely, yours,
NEWTON D. BAKER,
Secretary of War.

Senator GEORGE E. CHAMBERLAIN,
Chairman Senate Military Committee,
United States Senate.

COST OF EAGLE BOATS.

Mr. LODGE submitted the following resolution (S. Res. 404), which was read and referred to the Committee on Naval Affairs:

Resolved, That the Committee on Naval Affairs be, and is hereby, directed to make an investigation of the so-called Eagle boats, of the contracts made for said boats with the Ford Motor Co., and of the character and construction of said boats.

COMMITTEE ON MANUFACTURES.

Mr. VARDAMAN submitted the following resolution (S. Res. 405), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That Senate resolution 374, instructing the Committee on Manufactures to make inquiry into the coal situation, its production, transportation, and consumption, to require the attendance of necessary witnesses, the production of books, documents, papers, etc., be, and it hereby is, amended so as to authorize the employment of counsel to assist in the inquiry aforesaid.

ALLOTMENTS TO SOLDIERS' DEPENDENTS.

Mr. SPENCER. I offer a resolution requesting certain information, and, if there is no objection, I ask for its adoption at this time.

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 406), as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby, requested, if not inconsistent with public service, to inform the Senate as to whether allotments made by soldiers in accordance with the regulations for those dependent upon them and payable in the months of August, September, October, and November last, have been paid, and if not, how many remain unpaid, and how soon the amounts due in the month of December may be expected to be paid.

Mr. THOMAS. Let me ask the Senator who introduced the resolution whether it refers to allotments made from salaries of soldiers to their dependents or to the salaries of the soldiers themselves?

Mr. SPENCER. The resolution refers to allotments which have been made by soldiers out of their salaries for their dependents.

Mr. THOMAS. Then, I would suggest that the request should be made to the Secretary of the Treasury. I understand that the War Risk Bureau is under the jurisdiction of the Secretary of the Treasury.

Mr. LODGE. It is under the Treasury Department.

Mr. SPENCER. My information is that the War Risk Bureau is under the War Department.

Mr. THOMAS. No; the Senator is mistaken.

Mr. SPENCER. I may be wrong. I will amend the resolution in the way the Senator suggests.

Mr. THOMAS. I do not object to the consideration of the resolution, but I suggest that it be amended by inserting the words "Secretary of the Treasury" instead of "Secretary of War."

Mr. SPENCER. I accept the amendment.

The amendment was agreed to.

The resolution as amended was agreed to.

THE PRESIDENT'S GUILDHALL SPEECH.

Mr. WILLIAMS. Mr. President, I wish to call the attention of the Senator from Massachusetts [Mr. LODGE] to some remarks lately made by the President of the United States at the Guildhall in London, which I consider a complete and very noble answer to all that has been said by the Senator from Massachusetts on that subject. I ask unanimous consent to have this speech printed in the RECORD.

The VICE PRESIDENT. Is there objection to the request of the Senator from Mississippi? The Chair hears none. The matter referred to is as follows:

WILSON SAYS TASK OF NATIONS IS NOT YET COMPLETED; ANXIOUS FOR PEACE WORK TO BE STARTED—IN SPEECH AT GUILDHALL PRESIDENT WARNS THAT SOLDIERS FOUGHT TO END OLD ORDER—MUST MAKE VICTORY'S RESULTS PERMANENT.

LONDON, *December 28.*

The text of President Wilson's speech at the Guildhall this afternoon follows:

"Mr. Lord Mayor, we have come upon times when ceremonies like this have a new significance which most impresses me as I stand here. The address which I have just heard is most generously and graciously conceived, and the delightful accent of sincerity in it seems like a part of that voice of counsel which is now everywhere to be heard. I feel that a distinguished honor has been conferred upon me by this reception, and I beg to assure you, sir, and your associates of my very profound appreciation, but I know that I am only part of what I may call a great body of circumstances.

"I do not believe that it was fancy on my part that I heard in the voice of welcome uttered in the streets of this great city and in the streets of Paris something more than a personal welcome. It seemed to me that I heard the voice of one people speaking to another people, and it was a voice in which one could distinguish a singular combination of emotions.

TASK NOT YET FINISHED.

"There was surely there the deep gratefulness that the fighting was over. There was the pride that the fighting had had such a culmination. There was that sort of gratitude that the nations engaged had produced such men as the soldiers of Great Britain and of the United States and of France and of Italy—men whose prowess and achievements they had witnessed with rising admiration as they moved from culmination to culmination.

"But there was something more in it, the consciousness that the business is not yet done, the consciousness that it now rests upon others to see that those lives were not lost in vain.

"I have not yet been to the actual battle field, but I have been with many of the men who have fought the battles, and the other day I had the pleasure of being present at a session of the French Academy when they admitted Marshal Joffre to their membership.

MARSHAL JOFFRE'S WORDS.

"That sturdy, serene soldier stood and uttered not the words of triumph but the simple words of affection for his soldiers and the conviction which he summed up in a sentence which I will not try accurately to quote but reproduce in its spirit. It was that France must always remember that the small and the weak could never live free in the world unless the strong and the great always put their power and their strength in the service of right.

"That is the afterthought—the thought that something must be done now; not only to make the just settlements—that, of course—but to see that the settlements remained and were observed and that honor and justice prevails in the world. And as I have conversed with the soldiers I have been more and more aware that they fought for something that not all of them had defined, but which all of them recognized the moment you stated it to them.

FOUGHT AGAINST OLD ORDER.

"They fought to do away with an old order and to establish a new one, and the center and characteristic of the old order was that unstable thing which we used to call the 'balance of power,' a thing in which the balance was determined by the sword, which was thrown in on the one side or the other, a balance which was determined by the unstable equilibrium of competitive interests, a balance which was maintained by jealous watchfulness and an antagonism of interests which, though it was generally latent, was always deep-seated.

"The men who have fought in this war have been the men from the free nations, who are determined that that sort of thing should end now and forever. It is very interesting to me to observe how from every quarter, from every sort of mind, from every concert of counsel there comes the suggestion that there must now be not a balance of power, not one powerful group of nations set up against another, but a single overwhelming, powerful group of nations, who shall be the trustees of the peace of the world.

MUST MAINTAIN PEACE.

"It has been delightful in my conferences with the leaders of your Government to find how our minds moved along exactly the same line, and how our thought was always that the key to the peace was the guaranty of the peace, not the items of it; that the items would be worthless unless there stood back of them a permanent concert of power for their maintenance. That is the most reassuring thing that has ever happened in the world.

"When this war began the thought of a league of nations was indulgently considered as the interesting thought of closeted students. It was thought as one of those things that it was right to characterize by a name which, as a university man, I have always resented. It was said to be academic, as if that in itself were a condemnation—something that men could think about but never get. Now we find the practical leading minds of the world determined to get it.

EAGER TO GET TO WORK.

"No such sudden and potent union of purpose has ever been witnessed in the world before. Do you wonder, therefore, gentlemen, that in common with those who represent you I am eager to get at the business and write the sentences down? And that I am particularly happy that the ground is cleared and the foundations laid—for we have already accepted the same body of principles. Those principles are clearly and definitely enough stated to make their application a matter which should afford no fundamental difficulty.

"And back of us is that imperative yearning of the world to have all disturbing questions quieted, to have all threats against peace silenced, to have just men everywhere come together for a common object. The peoples of the world want peace, and they want it now, not merely by conquest of arms but by agreement of mind.

FORCED TO BREAK PRECEDENT.

"It was this incomparably great object that brought me overseas. It has never before been deemed excusable for a President of the United States to leave the territory of the United States; but I know that I have the support of the judgment of my colleagues in the Government of the United States in saying that it was my paramount duty to turn away even from the imperative tasks at home to lend such counsel and aid as I could to this great—may I not say final—enterprise of humanity."

AMERICAN FORCES AT BREST, FRANCE.

Mr. NEW. I ask for the consideration of the resolution which I offered on yesterday.

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution (S. Res. 403), as follows:

Whereas reports having reached the United States and having been given currency by publication in the columns of the newspapers to the effect that unwholesome, insanitary, and unnecessarily discomforting conditions exist in the camp occupied by the American Expeditionary Forces at Brest, France: Therefore be it

Resolved, That the Senate Committee on Military Affairs be authorized and directed to investigate the same and to report its conclusions to the Senate, together with such recommendations as it may see fit to make concerning the condition reported.

Mr. THOMAS. Mr. President, I understand that the War Department is about to furnish some information with regard to the subject matter of the resolution of the Senator from Indiana. I think therefore that we can make time by postponing the consideration of the resolution until that information can be received. For that reason, and for that reason only, I object to the consideration of the resolution at this time.

The VICE PRESIDENT. The resolution is entitled to consideration. That is the present difficulty.

Mr. THOMAS. Then, Mr. President, I move that the resolution be referred to the Committee on Military Affairs.

The VICE PRESIDENT. The question is on the motion of the Senator from Colorado, that the resolution be referred to the Committee on Military Affairs.

Mr. THOMAS. On that motion I ask for a division, Mr. President.

The question being put, on a division the motion of Mr. THOMAS was agreed to; and the resolution was referred to the Committee on Military Affairs.

The VICE PRESIDENT. Is there further morning business? If not, morning business is closed.

LEAGUE OF NATIONS FOR PEACE.

Mr. LEWIS. Mr. President, some days ago I announced in the Senate that on the first legislative day convenient I would submit some remarks replying to certain criticisms of the eminent Senator from Pennsylvania [Mr. KNOX], and particularly from the eminent Senator from Massachusetts [Mr. LODGE]. Had I been present when the Senators made the observations to which I shall address myself now, I would have made such reply as I felt they justified at that time. I was ill when one spoke, and happened to be at my home in Chicago when the other addressed the Senate.

Mr. President, these announcements that one Senator will reply to another Senator are merely given, as I understand, that the Senator to whom the reply is addressed may have notice, be present if he chooses, and pay heed by any form of opposition or contradiction he desires to indulge as against the views of the opposing speaker. It is oftentimes, I believe, regarded, however, something of a courtesy to the Senate that those interested in the particular subject to which that Senator shall address himself may be present if they so incline. Out of respect to that courtesy Senators have invariably yielded to those who have made the announcements. For this concession to me, I express my appreciation to those who do so in my behalf.

Of course, views expressed by Senators upon questions that are now prevailing are not generally, sir, in the direct and complete line of reply to all of the matter urged by any other Senator, such as applies to legal argument, or in the general discussions of economic subjects in forums or lyceums, or, indeed, upon the general hustings. There are always, apart from the general discussion, some few things to which men have addressed their soul's conviction. Wherever these are assailed, or even opposed, those who advocate them come to the defense for two purposes. One is that the subject itself may be clarified and understood from all the points that can be addressed to it. The other is that the advocate may vindicate his convictions by disclosing such matters as justify his previous expression, or that negative and dispose of the assaults made upon it. That, sir, is the particular office, so far as I assume at all, that I enter upon now.

Sir, it may be recalled that I addressed this body some weeks ago at some length when I opened the discussion—opened it in the sense that I merely preceded other Senators—covering the doctrine of a league of nations as an agency to establish peace in the world. I there, Mr. President, set forth—as you will recall, sir, having honored me at that time with your presence as Presiding Officer, as you are honoring me now—past history, as it came to my mind and as I had gleaned from industry, touching organizations of that nature as far back in point of time as I felt appropriate. I there went into the whole field of the proposal as I understood it. I set forth the plan as I felt it could be now devised and executed.

I anticipated certain objections which were then urged to the system, and some I replied to, particularly those which had been expressed by eminent Senators on the floor. This opposition being led on the Democratic side—led in the form of chief spokesman up to the present time—by the capable Senator from Missouri [Mr. REED] and led on the Republican side by the able Senator from Idaho [Mr. BORAH].

Mr. President, at this particular occasion I wish to make refutation, possibly not entertaining in the manner of their presentation because partaking of a legal phase, to the positions which have been taken by Senators on the floor by questioning the feasibility of the President's undertaking, the other charging it to be one in violation of the ethical duty the President owes the Senate, and accusing it as being undertaken by him in direct contravention of what the eminent Senators have said was a privilege which the Senate enjoyed, first, to have these matters submitted to it for advice and consent.

Then, sir, I wish to allude to the position taken by these eminent Senators, and to demonstrate what I here most respectfully insist that the very argument they offer as opposition, instead of disproving the practicability of the design assumed, demonstrate its feasibility and its necessity.

Mr. President, at the outset let this be understood: That I am not aware of any particular plan of conceit devised in the mind of the President or of his supporters to be presented in a proposal and executed in completeness, separate from some other one's views, in furtherance of the object. It is not methods specifically upon which the President, I fancy, has any pride of opinion; it is not specific systems of administration in arriving at a conclusion in which there is tenacity of intention that will not brook amendment from any friendly source that would tender it.

Then, sir, the object in view is the obtaining of some form of consent between nations who will contribute their service, their time, and their purpose to the principal object of procuring some kind of an agreement among these people upon which there can be based the assurance of peace among the civilized nations of the world, upon which there may be constructed some form of an arrangement or organization through which all disputes arising between intelligent men and Christian peoples might be heard and disposed of without being rudely submitted to the bloody arbitrament of war with its desolating results. Sir, for want of better description of the design it is designated as a league of nations to effect peace.

Then, sir, to achieve the object announced is the sole purpose of the President. To prevent the repetition of these unspeakable calamities, these indescribable horrors, these unnamable atrocities, to which civilization has at last descended, and in the name of Christianity perpetrates and endures, is alone the purpose to which the President bends his energies, and which, as I sincerely believe, the heart of his country indorses. Yet, sir, there arises opposition from this floor, as from other places, stimulated, as I am compelled to charge, by no motive of aiding the President, with no purpose of tendering some scheme or policy as a substitute to achieve the same end in view, but with the single object, as everyone must behold who views the transition of late, of serving petty political partisan purposes. These, to my judgment, sir, are too rude to have been intruded upon a discussion touching so solemn a subject as the universal peace of mankind. From Senators, such as the Senator from Missouri [Mr. REED] and the Senator from Idaho [Mr. BORAH], who constitutionally feel that the success of the enterprise, however far it may go, transcends a fundamental theory of government, which will work, as they insist, a greater evil to the country in its final results than the benefits to be enjoyed—there we can understand a basis of opposition. But for myself I can not understand, far less adopt as excusable, a basis which in itself has the sole purpose of confusing the undertaking that it might fail and embarrassing the purpose in order that it may be defeated, discrediting the President that he may stand humiliated before the world—all in order to capitalize the wreck of the project for political advantage in party contests; but, sir, I can no longer conceal to myself, nor could I be true to my emotions, if I did not express that such seems the intended object from every source disclosed. Sir, if I am correct in this conclusion, I denounce the purpose as unworthy of its authors as it is cruel to the project.

Sir, then, do we marvel that we find in the foreign papers touching, for instance, the speeches of the Senator from Pennsylvania [Mr. KNOX] and the Senator from Massachusetts [Mr. LODGE], something as follows:

The Paris newspapers have published summaries of Mr. KNOX's remarks, and much oral comment has been made on the obvious difference between President Wilson and his fellow commissioners on the one hand and leading American Senators on the other.

* * * * * * *

It is pointed out by those aware of the condition of mind of the American delegates that it is perhaps not appreciated in America what great stress is laid by European statesmen on differences of this character. By some the situation is regarded as placing the President in the light of not having the support of his own countrymen.

The President is encouraged in his attitude by the knowledge that Lloyd George and other members of the British ministry heartily favor the league of nations as a method of preventing future wars.

* * * * * * *

In face of this, however, the fear exists that the course outlined by Mr. KNOX, which is construed as that of the Republican Party in the Senate, will encourage the opponents of the league.

Then, sir, in another able paper from abroad, we read this, referring to the speeches of the Senators to whom I have alluded:

The manner in which this and similar news dispatches from America are "played up" by certain papers here is indicative of how closely French opinion is watching for the slightest sign of lack of support for President Wilson in his own country.

It is impossible to overemphasize the fact that the President's delicate course in the next few weeks may be imperiled, if not actually wrecked, by unconsidered opposition along partisan lines or loose discussion of the alternatives of his outlines on world peace.

Mr. President, I do respectfully contend that the concurring assaults by certain leaders of the Republican side upon everything that President Wilson has attempted in Europe, and in refusing to approve anything undertaken, discloses a conspiracy to discredit him and to defeat any design he enters upon by giving the European negotiators to understand that the Senate is opposed to the President. That it objects to his measures and that it is speaking with the power to revise, reverse, and repudiate him. The object is to prevent the President from accomplishing anything. The purpose of this is that when these assailants have dishonored his errand and defeated his objects they may then cry to the American public: "The President is a failure—his mission is a failure—his failure has made America ridiculous, has lost for the United States all the fruits of the war, and made a mockery of the sacrifices of blood and lives of its children."

This would make the presidential issue, and this, I charge, is the political purpose of certain eminent leaders who assail with constancy of time and method everything the President is doing to secure peace and to bring forth full results from the victory obtained by the United States in her participation with the allies. Mr. President, I do not object to the Senator from Massachusetts [Mr. LODGE]—or Mr. KNOX, of Pennsylvania—qualifying for the

support of Col. Roosevelt and his following for the nomination for President by first catching the expression of opposition of the colonel, and then echoing "so say we all of us," but I do object to the country being deceived as to the design, and the President of the United States dishonored by false patriotic pretenses to accomplish the purpose.

Sir, I offer proof of this charge by calling to the attention of the American public that not one of these gentlemen who have criticized each course of the President and condemned each action and the omission of any action has ever approved any one thing the President has undertaken or expressed since he began his mission in Europe. Nothing he has said has received their indorsement. Not even a wish for a successful journey through which his life might be preserved from the perils of the sea has been voiced, nor speech or line of his addresses in praise of his own country, her history, or her noble sons, has ever received indorsement; nor one expression of gladness or pleasure for the welcome, the cheer, and the reception given him in behalf of America. Nothing he has attempted but is condemned; nothing he has spoken or entered upon has been praised or indorsed. Surely the American public will not be deceived as to the meaning of this remarkable spectacle. Surely they will recall that in no venture heretofore in the whole history of America, where our President has dealt with foreign representatives, whether upon foreign soil, in our own continent, or by negotiations, but what there has been some expression of encouragement and approval of something that particular President had undertaken in behalf of this country. The American public must reflect upon the reason of this remarkable exception that is presented in the record and conduct, actions and speeches of admitted leaders of the party called Republican in their attitude to this particular President and to the great and responsible undertaking he has assumed.

Mr. President, I now charge that the views of the distinguished Senators who made the assault upon the policies of the President, opposing what he is doing, and demanding him to do other things that he is not doing, are in direct opposition to the views that these same Senators have expressed upon similar subjects upon previous occasions. I now charge that the assault is for the purpose of convincing the European negotiators that if they accept the position presented by the President, the Senate will overthrow it. By this it is presumed that the European negotiators will take license to defeat the President in what he proposes, and can put their reasons for doing it on the ground that they are serving interests of the American people represented by the Senate which are opposed, as they will say—as shown by the views of the Senate—to what the President proposes—"mark the devious track of error's way."

Mr. President, this brings me, then, directly to the point of the first accusation. The Senator from Massachusetts [Mr. LODGE] by his criticism would have the country believe that the President of the United States had violated some established law that was a part of the organization and institutions of the Republic in not submitting to the Senate the different movements he was taking with a view of bringing about a league and the doctrines he was presenting. The Senator would have the country assume that the President was now violating acknowledged precedents and committing an offense against the dignity of this body and its rights. The Senator would have the Nation believe, and from his honored and experienced place he would instruct it to believe, that the failure of the President first to seek advice in consultation with the Senate in the entry upon the subject matters he has gone upon was an indication of a despotic nature, an indifference to the rights of the body compatible only with a dictator or a tyrant.

Mr. President, it is here, sir, that I wish to assert that no one knew better than the distinguished Senator from Massachusetts—and I trust he may conclude his lunch early, which he is taking in the room below, and do me the compliment of hearing some views that I shall address to his utterance, of which the learned Senator, I believe, has notice. Of course I am not complaining that my eminent friend cares to take that which is more stable than that which I could "feed out"—I was about to say—and let me follow consecutively—that none knew better than the able Senator that the position he took would mislead the people of his country and guide them to the belief that the President of the United States is violating his duty, and incite them to believe that the President was ignoring the people's representatives in a matter in which the law imposed on him a contrary obligation. No one knew more than the distinguished Senator that the effect of his charge was to invite Europe and the peace commissioners to believe that such was the course of the President and that for such in this body he was looked upon as visiting contumely upon the Senate.

No one knew more than the astute Senator that that would at once induce to the minds of the commissioners abroad to reflect that, with an attitude of mind on the part of the Senate produced by such conduct of the President, an opposition to whatever he attempted to do in the Senate was so certain as to assure its defeat. The whole policy of the distinguished opponents, barring a few, is to have the purpose, as I view it, of infusing into the minds of the negotiators in Europe the belief that whatever the President shall undertake will be defeated here; that he is discredited in his own country, and that his proposals if adopted will be repudiated by the Senate. Therefore, cui bono—what good—why do anything? But it did more, and its purpose went further. It was in its effect to license his opponents in every part of the world in any kind of opposition they would brood and authorize them to any form of contention it would be to their profit to present.

Then, sir, to this object or to this effect the Senator from Massachusetts in his speech proceeds to make the assertion that the President has violated some duty due to his Government in not bringing the Senate at once into consultation in connection with these diplomatic affairs he has initiated, and at every step and every utterance demanded communication with the Senate before he reaches a conclusion or presents one. The Senator in his speech proceeding to make this assertion as to the right of the Senate and the wrong of the President when interrupted by the alert Senator from Wisconsin [Mr. LA FOLLETTE], seeking information, and the following transpired:

Mr. LODGE. I yield to the Senator from Wisconsin if what he has is different.

Said the Senator from Massachusetts in his speech of December 21. Then the Senator from Wisconsin read a quotation that was then in his hand from the work on Constitutional Government in the United States by the President, as follows:

> One of the greatest of the President's powers I have not yet spoken of at all—his control, which is very absolute, of the foreign relations of a nation. The initiative in foreign affairs, which the President possesses without any restriction whatever, is virtually the power to control them absolutely. The President can not conclude a treaty with a foreign power without the consent of the Senate, but he may guide every step of diplomacy; and to guide diplomacy is to determine what treaties must be made if the faith and prestige of the Government are to be maintained. He need disclose no step of negotiation until it is complete, and when in any critical matter it is completed the Government is virtually committed. Whatever its disinclination, the Senate may feel itself committed also.

Then it was that the Senator from Massachusetts, replying to the mere quotation which the Senator from Wisconsin read, said, in subtle satire—

> Let timid souls then take courage and be cheerful.

Now, no one better knew than the Senator from Massachusetts—I except the Senator from Wisconsin, who has been very busy upon the committee to which the Senator from New Mexico [Mr. JONES] referred a moment ago, which must have occupied every minute of his time—no one, I say, knew better than the Senator from Massachusetts who insinuated the suggestion that there was something radically wrong and presumptuous in that assertion by the President in his earlier work as historian before he was President in describing the power of the President in international affairs—that the writer Wilson was absolutely correct. There is no better scholar to be found in government anywhere than my distinguished friend, the senior Senator from Massachusetts. No one could have known better than he that the part of that extract quoted was not Mr. Wilson's invention, but was a part of a quotation from John Marshall, uttered before he was Chief Justice of the Supreme Court of the United States. It is the centralized doctrines of government stated by Marshall, I must insist, that has ever been the key to the political progress of the distinguished senior Senator from Massachusetts [Mr. LODGE].

Sir, I regret that the senior Senator from Massachusetts remains absent from the floor. I should be glad if some one would call him from his solitary isolation behind the cloak-room doors and again let him know I would welcome him to hear me from the inside of the Chamber, rather than as a "peek a-boo" from the side room.

Mr. President, I now, sir, wish to say that I not only oppose the views of these eminent Senators, as voiced by the Senator from Massachusetts, but here I assert another doctrine, sir, omitted by them, but which I do not feel they will contest when it is mentioned. It is that as to matters upon which the President of the United States is now engaged the Senate has nothing whatever to do. The President is neither called on to communicate them nor to take their advice, to be guided by their judgment, or to be deterred by their threats of repudiation. The President of the United States as he is now situated still stands as the Commander in Chief of the Army. Until peace is absolutely declared, the protocol agreed upon, and an understanding for the withdrawal of the Army is reached, he remains as Commander in Chief arranging the protocol of peace. In this he is neither subject to this body in the beginning of his arrangement nor at the end. It is not, sir, until he has made an agreement that reaches the dignity of a treaty and which puts obligations upon the United States in some form that he is called upon to submit his action or its result to this body at all. While he, sir, is negotiating as Commander in Chief he is serving in his sole province, and performs an office which he by law conducts according to his judgment and discretion as the circumstances of each case justify and call for.

Mr. President, referring for the moment, then, sir, to this quotation from the President, which is taken exception to by the distinguished Senator from Massachusetts—

Mr. KING. Mr. President——

The PRESIDING OFFICER (Mr. KENDRICK in the chair). Does the Senator from Illinois yield to the Senator from Utah?

Mr. LEWIS. I should like to yield a little later if the Senator wishes to interpolate me on this point, when I reach the end of the citations in support of it.

Mr. KING. It was as to the point that the Senator had just discussed, and, if he has concluded it, I wish to ask a question, but if the Senator prefers, I will not do so.

Mr. LEWIS. I will yield to the Senator in a moment at a point where I think he can address his interrogatory without interfering with the consecutive order of the citations, and then from those probably there will be the light thrown upon the matter concerning which he expects to ask.

The Senator from Massachusetts, in his speech of condemnation of the President's course, proceeded to say, Mr. President:

> In the present unparalleled situation the right of the Senate to advise as to a treaty becomes a solemn, an imperative duty.

The Senator refers to and then itemizes many treaties which have come before the Senate which the Senator says the Senate has refused to ratify, and has held without action. Many others have been vitally amended, he says.

> The allies should not be kept in the dark as to the views of the Senate, nor should the Senate keep silent as to its own opinions or as to the wishes and demands of the American people.

Says the Senator:

> I repeat that I should be glad if those debates could be supplemented by some definite resolutions expressing the views of the Senate tersely and simply on some of the most important points. Whether the Senate will take such action—although I know that we have very definite opinions—I can not tell, because there seems to be a feeling among some Senators that it is an act of intolerable audacity for the Senate even to suggest to the Executive that it has opinions which ought to be considered. Personally I do not share that view. It appears to me more becoming to an autocratic government or to a dictator than to the constitutionally representative democracy which has thus far made the Government of the United States so successful and which has raised the country to the peak of greatness to which it has attained. But if the Senate is not ready to take action as a body, which I earnestly hope they may determine to do, I desire at least to express my own views of the situation.

Mr. President, it is at this point that I wish likewise to express the view of the Senator from Massachusetts of the situation when this exact question as to whether Congress had the right to give its view to the President to be followed in diplomatic matters was before this body in January, 1917, upon a resolution presented by the Senator from Nebraska [Mr. HITCHCOCK]. The Senator from Massachusetts then opposed the position he now assumes. The resolution, sir, was to approve the President for his message, and to tender the President the advice and approval of the Senate upon it. The peace message, presented in many forms, many doctrines—now urged by the President—among which was the suggestion of a league, the establishment of small nations aspiring to individual existence, and the general theory of a democracy as it should apply to those lands when resuscitated from war.

The Senator from Massachusetts opposed that resolution, and in his opposition the Senator said that which the President of the United States had quoted in his book—part of it—from John Marshall. Here is what the Senator from Massachusetts then said, when the resolution was presented by a Democratic Senator on this side to approve Wilson, and to give him instructions preparatory to the confirmation of whatever might happen in that peace arrangement for which we had tendered our good offices. The Senator from Massachusetts—I read from page 833 of volume 54 of the CONGRESSIONAL RECORD of January 4, 1917—says:

> My objection to this resolution, Mr. President, is that there is no occasion whatever for it. The President is intrusted with the care of our foreign relations. Negotiations are in his hands. He is conducting them. When he needs our cooperation and assistance he should lay before us all the facts which have guided him.

Well, sir, who should better know when he needs it than the President himself? Who, sir, is the one to feel that need but the President himself? And to whom, sir, shall it be left to say when that need arises but the President himself?

Then says the Senator from Massachusetts:

> But until that time comes the Congress of the United States ought not to project itself into the field of negotiations and thrust itself forward into the dangerous field of European politics.

Mr. President, when that time comes; yes. Therefore we must assume that when that time comes—that is, when the President needs the counsel of the Congress or when in his judgment it is necessary; when it is appropriate—he will submit his request; but, as the Senator from Massachusetts so wisely then said, until that time comes the Congress should not project itself upon his foreign negotiations. Yet the able Senator from Massachusetts will now have the country understand that because the President of the United States, in January, 1919, in Europe, is following his advice given in January, 1917, at Washington, he commits a great offense to the decencies of the situation, to the amenities of this body, and to the rights of the country. Mr. President, I do not demand of men that they be consistent with their expressions; I only demand they be consistent with their sincerity.

Mr. President, the Senator from Massachusetts is well sustained in his view as in 1917 he expressed it. In support of my doctrine I may be pardoned for imposing upon the Senate a few citations. I call attention to Crandall's Compilation upon Treaties, referring to John Marshall's speech in the House of Representatives March 7, 1800:

> To the President is intrusted the exclusive power of communication with foreign States. "The President"—

Mark the words, sir—the President's expression in his book, which the distinguished Senator from Massachusetts would have assumed to have regarded as wholly original as an assumption of Wilson—

> The President is the sole organ of the Nation in its external relations, and its sole representative with foreign nations.

Mr. President, then, sir, I call attention to the following:

> "Agreements involving the military power of the President": The executive power is by the Constitution vested in the President. He is also the Commander in Chief of the Army and Navy of the United States. As incident and necessary to the exercise of these powers, as also of the power of negotiation, temporary arrangements and administrative agreements are frequently made by the President with foreign governments, which are not submitted to the Senate for its approval

Then quoting John C. Spooner, a former eminent and learned Senator of this body:

> It—
>
> The conduct of foreign relations—
>
> involves intercourse, oral and written, conferences, administrative agreements and understandings, not included in the generic word "treaty," as used in the Constitution. All treaties are agreements, but all international agreements and understandings are not "treaties."

Now, Mr. President, we turn for a second, sir, to Willoughby upon the Constitution, volume 1, reading a short passage from section 198 upon the distinction that I present to the body:

> This power, then, of the President to enter into international arrangements free from the necessity of obtaining the subsequent approval of the Senate may be treated under the following heads:
>
> 1. His power inherent in him as the Chief Executive and Commander in Chief of the Army and Navy.
>
> * * * * * * *
>
> The term "protocol," as used in international law, has ascribed to it several meanings. * * *
>
> 1. As describing the records of the meetings of commissioners for the negotiation of a treaty. These records, though, of course, not parts of the treaty finally entered into, are often of value. * * *
>
> 2. As describing an agreement reached between the foreign offices of two countries, which has been reduced to definite written statement. * * *
>
> The most common use to which protocols in this sense are put is in fixing the general terms in which a final treaty—especially a treaty of peace—is to be negotiated. A recent example of this is the protocol of 1898 providing for the appointment of a commission to negotiate the treaty of peace with Spain.
>
> The constitutional authority of the President without consulting the Senate to enter into protocols of agreement as the basis for treaties to be negotiated is beyond question and has repeatedly been exercised without demur from the Senate.

Mr. President, it is this point to which I now wish to call attention:

The able Senator from Massachusetts alluded to an article he himself had written—and if I recall that article, as I think I do, it was in September, 1902—contributing, as he often does, the fecundity of his pen, if we may so speak, to Scribner's Magazine. The article was to designate the articles or treaty upon which the Senate of the United States had a right to be heard and had been consulted upon. The able Senator included this article in his address the other morning, and presented it as a record of the conduct and doings of the Senate of the United States, and would, if it were left alone, have presented to the country that there were no exceptions to that which the Senator from Massachusetts presented. It would have left the

country to deduce from the document printed and to be further printed, because the junior Senator from Minnesota [Mr. KELLOGG], I see from the RECORD, moved the privilege of having more copies of the document printed for the use of the Senate—that the rule there set forth was universal and uniform, without exception, and that anything to the contrary—conduct of any President dealing in international matters—was a violation of the fundamental law of our land.

What were they? They were the references to different treaties that have been negotiated from time to time and submitted to the Senate ultimately for its confirmation. But, Mr. President, the notable exceptions, applicable specifically to the case in hand, were omitted by the distinguished Senator in his discussion here on the floor. It is these, sir, which I respectfully bring to the attention of the Senate, that their application may now, sir, be understood.

Mr. President, I ask now to impose upon the Senate the specific instances occurring in our Government exactly parallel to the one in hand. I mean as literal precedents established for the guidance of Presidents—under our laws and Constitution—and by which President Wilson is guided, and under which he acts and is vindicated.

Mr. McLEAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Connecticut?

Mr. McLEAN. While the Senator is on that subject, may I interrupt him for a moment?

Mr. LEWIS. Yes; I yield. I owe it to the Senator from Utah [Mr. KING] to yield to him, but I yield to the Senator from Connecticut.

Mr. McLEAN. May I interrupt the Senator long enough to call his attention to the fact that the President of the United States has expressed himself very freely upon this subject. He has anticipated precisely the situation which now seems to trouble the Senator from Illinois and his colleagues.

Mr. LEWIS. Nothing troubles the Senator from Illinois as to this matter, I may add.

Mr. McLEAN. And he has prescribed a method by which the Senate may defend itself against the encroachments of a too self-sufficient Executive.

I call the Senator's attention to Mr. Wilson's work on Congressional Government, not Constitutional Government, and I read from page 232:

> The greatest consultative privilege of the Senate—the greatest in dignity, at least, if not in effect upon the interests of the country—is its right to a ruling voice in the ratification of treaties with foreign powers.

And on page 233 he continues and says:

> His only power—
>
> That is, the only power of the President—
>
> of compelling compliance on the part of the Senate lies in his initiative in negotiations, which affords him a chance—
>
> And I should like the Senator from Illinois to mark this language—
>
> affords him a chance to get the country into such scrapes, so pledged in the view of the world to certain courses of action, that the Senate hesitates to bring about the appearance of dishonor which would follow its refusal to ratify the rash promises or to support the indiscreet threats of the Department of State.
>
> And again,
>
> The Secretary of State may confer with its chairman—
>
> That is, the chairman of the Committee on Foreign Relations—
>
> Or with its more influential members. But such a mode of conference is manifestly much less than a voice in the deliberations of the Senate itself, much less than meeting that body face to face in free consultation and equal debate.

And here we have the remedy prescribed by the President himself:

> There seems to have been at one time a tendency toward a better practice—
>
> That is the practice which I have quoted and which has been condemned by the President.
>
> In 1913 the Senate sought to revive the early custom, in accordance with which the President delivered his messages in person, by requesting the attendance of the President to consult upon foreign affairs.

I think, Mr. President, we may safely assume that the President will adhere to this view, this advice which he gave when his intellectual processes, I may say, were unencumbered with millenial visions or world-wide political aspirations, and that all in due time he will indicate that an invitation from the Committee on Foreign Relations to appear before that committee and disclose his purposes and intentions before he commits this country will certainly be most agreeable to him and that he will not think of speaking for this country or committing it to any terms of peace or league of nations until he has at least given the Senate an opportunity to review his position.

Mr. LEWIS. Mr. President, I trust that other Senators may indulge the same confidence in the President of the United States being both sensible and consistent as does the Senator from Connecticut. I would only hope, sir, that with the belief in such a view some of them would have avoided the exhibitions of other attitudes that so debase, as I see it, sir, the patriotism of men.

Mr. WATSON. Mr. President, in that connection will the Senator yield?

Mr. LEWIS. I yield to the Senator from Indiana.

Mr. WATSON. Of course, we all understand that by the provisions of the Constitution the President has the power, by and with the advice and consent of the Senate, to make treaties. I should like, in order to get the Senator's views, to have him state to the Senate when the right of advice on the part of the Senate begins. That is to say, is the treaty to be completely formulated without the Senate having any right to advise with the President with regard to it?

Mr. LEWIS. I say here to the Senator, the right of the Senate to advise is a privilege. I have no doubt that any President would be glad to have it. But the meaning of the Constitution is that when a treaty has actually been made by the President in the discharge of his privilege in the control of our foreign relations, then, and only then, is he obligated by law to submit it to this body, for the reason, as the Senator must readily realize, that the Constitution invests in this body the privilege to advise and consent to a finished thing—the treaty.

If it were called on to advise and consent as to each given moving particle, we never would reach a conclusion of anything, because the different steps would be intercepted without the knowledge of the other thing that may be in the mind of those participating, and which, when done, might have removed the very objection which the Senate might have urged against that part that alone was presented for its consideration.

If the Senator will endure with me for a while, I will quote himself as evidence fortifying this position I take.

But I now ask the Senator's attention to the history, sir, which, as I said, the able Senator from Massachusetts had omitted; that as Commander in Chief the distinction is, in the negotiation of peace from that which applies as President of the United States in the ordinary treaty, in the civil undertakings of our country.

> On January 20, 1905, there was signed at Santo Domingo City, by Commander A. C. Dillingham, United States Navy, and Mr. Dawson, the American minister, on the one part, and by the Dominican minister of foreign affairs on the other, a protocol under which the United States was to guarantee the integrity of the Dominican territory, undertake the adjustment of foreign claims, administer the finances on certain lines, and assist in maintaining order. As it was stipulated that the arrangement should take effect February 1, the inference was widely drawn that there existed an intention to treat the protocol as a perfected international agreement without submitting it to the Senate. Such an intention was soon afterwards disclaimed by the administration; but the incident resulted in the raising of the broad question as to the power of the President to enter into international agreements of any kind without the advice and consent of the Senate; and the discussion was soon found to involve the second article of the arbitration treaties. By this article, as we have seen, it was provided that the President should in each individual case, before appealing to the permanent court of arbitration, conclude a "special agreement," defining the matter in dispute and the scope of the arbitrators' powers and fixing the periods for the formation of the arbitral tribunal and the several stages of the procedure. As announced in the press, the position was taken by Senators that the "special agreement" required in each case must be in the form of a treaty, duly submitted to the Senate for its advice and consent.
>
> The President, on the other hand, took the ground that the arbitration treaties, if approved by the Senate and afterwards ratified, would in themselves constitute complete legislative acts, which it would be within his powers as Executive to carry into effect as occasion might arise; and that, if a new treaty were required in each particular case, the general treaties would fail to accomplish their primary purpose and would in reality constitute a step backward rather than a step forward in the development of the practice of international arbitration by the United States. These views the President embodied in a letter to Senator Cullom, which was in the nature of a protest against the position which Senators were understood to have taken. On receiving this letter, the Senate, with only seven dissenting votes, immediately amended the treaties by striking out of the second article the word "agreement" and substituting for it the word "treaty," so that it would be necessary in each individual case before proceeding to arbitration to conclude a special "treaty," defining the matter in dispute and the scope of the arbitrators' powers, as well as fixing the periods for the formation of the tribunal and the several stages of the procedure. When the treaties as thus amended were returned to the President it was announced that he would not submit them in their amended form to the other governments concerned, but would consider the action of the Senate as constituting in principle a disapproval of them.
>
> As the record stands, issue was thus joined on the broad question whether it is within the power of the President to conclude any "agreement" or, at any rate, any arbitral agreement, with a foreign power without the advice and consent of the Senate. As regards this question, the President appears upon the affirmative side and the Senate apparently upon the negative. No doubt, if the subject had been further discussed, the issue might have been brought within narrower limits. It will not be pretended by anyone that the President can make any and every kind of an international agreement without the cooperation of the Senate, for the Constitution expressly requires that "treaties" shall be made by him "by and with the advice and consent" of that body, signified by the approving vote of two-thirds of the Senators present. On the other hand, it can easily be demonstrated that the word "treaties," as used in the constitutional law of the United States, does not embrace any and every kind of international agreement.

Now, for a moment I wish to bring the illustration to hand. I invite the attention of the Senate to the instance of the agreement of 1817 for the limitation of naval armaments on the Great Lakes. I ask the privilege of incorporating in my address, sir, the full description of that agreement and its related companion instances.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

> The agreement of 1817, for the limitation of naval armaments on the Great Lakes, was made and carried into effect by the Executive, though it was afterwards submitted to the Senate. By a protocol signed at London December 9, 1850, by Abbott Lawrence, American minister, on the part of the United States, and by Viscount Palmerston, on the part of Great Britain, it was agreed that the British Crown should cede to the United States Horseshoe Reef, in Lake Erie, and that the United States should accept it, on the conditions of erecting a lighthouse there and maintaining no fortifications. On receipt of the protocol Mr. Webster, as Secretary of State, on January 7, 1851, instructed Mr. Lawrence to acquaint the British Government that the arrangement was "approved" by the Government of the United States. This Mr. Lawrence did on the 17th of the succeeding month. Congress made appropriations for the erection of the lighthouse, which was built in 1856. The validity of the title thus gained will hardly be disputed. The cession, which the Executive had arranged, having been adopted by Congress, the territory came completely within the jurisdiction and control of the United States without any "treaty." We hold the Hawaiian Islands by no better tenure. Two successive attempts to annex them by treaty having failed, they were acquired under a joint resolution of Congress. Texas also was annexed by a joint resolution, but as it was at the same time admitted as a State, it stands in a legal category distinguishable from that of Hawaii.
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> In 1882 an arrangement was effected between the United States and Mexico, by means of an exchange of notes, for the reciprocal passage of troops of the two countries across the border when in pursuit of hostile Indians. On June 25, 1890, an agreement, in the form of a protocol, was entered into on the same subject, and this agreement was from time to time renewed with amendments. The Federal troops of the two countries were permitted to cross the international boundary in pursuit of certain hostile Indians in the uninhabited and desert part of the line, which were defined as "all points that are at least 10 kilometers distant from any encampment or town of either country." It was expressly stipulated that no such crossing should take place between two certain specified points. There were various other provisions requiring notice of crossing to be given, if possible, and permitting the chastisement of other hostiles whom the troops might chance to meet.

Mr. LEWIS. Mr. President, I now ask the Senate's attention as approving the position of the President and as justifying his course in precedent. My recital of late history—political, military, and diplomatic—exactly fitting in parallel the circumstances now applying to the President's action now proceeding in Europe.

> One of the most important agreements ever made by the Executive without submission to the Senate was the peace protocol with Spain of August 12, 1898. By this protocol provision was made for a general armistice between the two countries. This stipulation was no doubt within the powers of the President as Commander in Chief of the Army in time of war, but there were other provisions of a different nature and of far-reaching importance. Not only did the protocol dispute that Spain should relinquish all claim of sovereignty over the title to Cuba, and should cede to the United States Porto Rico and other islands under Spanish sovereignty in the West Indies, and an island in the Ladrones to be selected by the United States, but it also provided that Spain should "immediately evacuate" Cuba, Porto Rico, and other Spanish islands in the West Indies, and to this end within 10 days should appoint commissioners, who within 30 days were to meet commissioners of the United States at Havana, in Cuba, and San Juan, in Porto Rico, respectively, for the purpose of arranging and carrying out the details of the evacuation of Cuba and the adjacent islands. Commissioners to negotiate the definitive peace were to meet at Paris not later than October 1, 1898. They met accordingly, and, pending the negotiations which resulted in the signature of the treaty of peace on December 10, 1898, Porto Rico was evacuated and the preparations for the evacuation of Cuba were proceeding. It may be said that the evacuation of Cuba was clearly within the scope of the joint resolution under which the President was directed to intervene in Cuba, but this could not be said with regard to the anticipatory evacuation of Porto Rico and other Spanish islands in the West Indies, which was clearly an incident of the cession.
>
> Mr. President, another remarkable exercise by the President alone of the power to make agreements with foreign countries is found in the protocol concluded at Peking on September 7, 1901, between China and the allied powers who had cooperated in the march to Peking for the relief of the foreign legations. This protocol was signed on the part of the United States by Mr. W. W. Rockhill, now minister to China, who was then acting as a special commissioner to China by Executive appointment alone. It embraced numerous topics, including reparation by China for the murder of the German minister at Peking, the infliction of punishment of the principal authors of the outrages and crimes committed against foreign governments and their nationals, the prohibition by China of the importation of arms and ammunition as well as of the materials exclusively used for their manufacture, the payment to the allies of an indemnity of 450,000,000 taels, the constitution of an extraterritorial quarter for the use of the foreign legations in Peking, the temporary occupation by the powers of certain points in order to keep open the communication between the capital and the sea, and undertakings on the part of China to negotiate amendments to her existing treaties, to improve the navigability of the Peiho River, and to transform her office of foreign affairs into a ministry of foreign affairs, which was to take precedence over the six ministries of state.

Mr. President, I invite attention to the fact, sir, that neither of those was referred to by the eminent Senator from Massachusetts in his impeachment of the course of the President. Not one of those was alluded to by the Senator in the arraignment that he presented in his late speech nor in the catalogue and schedule that he gave the Senate of the instances in this Government wherein the President consulted the Senate. These, the only instances which paralleled the exact conditions now, sir, as Commander in Chief, were omitted completely. Surely the distinguished Senator from Massachusetts was not ignorant of these. He was a Member of the body when they transpired, and he raised not a voice then against these distinguished Executives executing the project and carrying out the design as Commander in Chief, because his eminent ability submitted to his own judgment that they were right, wholly within their province, and justified by precedent and the law of their country. He could not bring himself to give the President the benefit of their weight, though he was too honest with history to dispute the existence of the acknowledged authority.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Iowa?

Mr. LEWIS. I yield to the Senator from Iowa.

Mr. CUMMINS. I am not approaching the subject in a disputatious or argumentative spirit at all; but one view expressed by the Senator from Illinois very greatly interests me, and I should like him to elaborate it a little further. The question is this:

On the 6th day of April, 1917, Congress declared that a state of war existed between the United States and the Imperial Government of Germany. Could the President the following day have declared the war at an end without consultation with Congress, or any action upon the part of either the Senate or both Houses of Congress?

Mr. LEWIS. I answer the Senator, yes; the President as Commander in Chief could have declared the war at an end, and then he could have submitted to the body, if he cared—as he should—whatever conclusion he arrived at upon the facts before him. The body could have repudiated his conclusions. There, sir, I say, answering the able Senator, the power of the Senate would begin after the President had announced his conclusion.

Now, Mr. President, the learned Senator from Massachusetts recognized this exact situation when, in a speech on January 3, 1917, the Senator referred to the course of President Roosevelt in seeking to bring together the nations of Japan and Russia for the purpose of peace. The Senator from Indiana [Mr. WATSON] then rose and interpellated the Senator from Massachusetts, and asked if there was any resolution introduced in this body concerning the conduct of President Roosevelt, and the Senator from Massachusetts, so anxious to have it understood that under no circumstances had the body any right to intrude itself with its advice, much less to hope that the proposal would be sent to it for confirmation, said:

> Mr. WATSON. May I ask the Senator a question?
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> Mr. LODGE. Certainly.
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> Mr. WATSON. I ask the Senator if, in the case of President Roosevelt's note, any resolution was introduced into the Senate for a confirmation of his proposal?
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> Mr. LODGE. I do not remember that any resolution was passed by either House of Congress indorsing and approving the action of the President. The President was acting wholly within his right as Chief Executive, as the present Executive is acting, and it was not sought by him certainly to project the Congress of the United States into the negotiations, if you choose to call them so, or with the good offices he had offered in hopes of bringing the belligerents together.

And, Mr. President, I can answer the direct question of the Senator from Indiana, made to me a few moments ago, by quoting the Senator from Massachusetts in his reply to the Senator. It is this I meant when I said, in reply to the Senator from Indiana, I would quote him in reply to his query to me. The Senator from Massachusetts continued then to say:

> The Senate, in my judgment, has no right—and I have thought so for a long time—to try to force itself into the conduct of a diplomatic negotiation, and when it asks for diplomatic papers its request is always accompanied with the statement that the papers be sent "if not incompatible with the public interest"; in other words, it is recognized that the whole conduct of the negotiation is in the President's hands. Now, if the President has in his possession the terms proposed by the central powers, it is entirely within his discretion to deal with them; but if we are summoned to indorse in the dark everything that he is doing, then before action we are entitled to know the grounds of the action; in other words, when our cooperation is invited we are entitled to have the same information as that which the President has.

It must be very apparent then, Senators, that the viewpoint of the able Senator from Massachusetts in his last address here in this body is in opposition to that which he uttered here in January, 1917, on the same subject. It is equally obvious the change of position has an object. If then, in 1917, he sought to deprive the Democratic side of the credit of offering its cooperation and instruction to the President in his effort to attain peace, upon the ground that we had no right to offer our advice or consultation until the President had demanded it, may I not ask, What right has the eminent Senator now to say the President commits a wrong in not waiting for that advice of the Senate before he acts and before he demands it? Why should the able Senator for that charge him with committing an infraction of the constitutional law of the land and of the fundamental doctrines of the Government? No one knew better than the senior Senator from Massachusetts that he had fully presented the very opposite view and had maintained it. There can be but one construction to this conflict of conclusion on the same state of facts—politics.

It is the one I deplore. It is one that follows the conditions outlined—the desire to obtain the political advantage to be had by holding out to the people of America, who generally do not understand the course of these questions, that the President was assuming, in a despotic manner, as a dictator, as an imperial potentate, to ignore the people by refusing to do that which under the law was his duty, as the able Senator would have the country understand; and that the President was violating the fundamental doctrines of our whole theory of government—and only because it was his privilege to do so—by ignoring this body and showing contempt for its prerogative.

Mr. President, of course you have seen, all of you, newspaper items over the country teeming with burning utterances accusing the President of this great offense to the Senate, of the violation of his obligation to the people, by in no wise conferring with their representatives, the Senate; and these put their accusing judgment on the speech of the Senator from Massachusetts. It was this purpose, I assert, the Senator from Massachusetts artfully had; and here upon the record, as is evident to all mankind, a more unjustified accusation on the part of the able Senator was never made by man of high position, in high place, against the Executive of his own country.

Mr. President, I insist that the object is clear; the Senator hears my voice. It is to make the negotiators in Europe believe that the President has violated the laws of his land and is a fugitive from the justice of the Senate, taking refuge in their midst; that while he is being entertained by them he is as one discredited by his correlative body, the Senate, and that his conduct has been such that he only awaits the repudiation of his American mankind.

And why, sir, is all this? It is that these who unjustly accuse may defeat the very purpose for which the man has gone abroad as the representative of his Nation, and that when defeated they can cry out to America, "Behold what a failure this man was; see how he has brought upon the land this regrettable spectacle of disgrace," showing the world how all the pouring out of blood and sacrifice of life has been of no avail, as they will charge; how, as they will cry out, he was accompanied abroad by Mr. Creel and his retinue; and how he presented himself to the kings and potentates, feasted from golden plates in Buckingham Palace, and came home with a zero to the credit of his office and a disdain of his countrymen to his name and fame.

These condemning Senators hope that their whole design, acutely executed, audaciously conceived, shall accomplish that result. Then they will go before the country and say: "There is but one thing to do; defeat this detestable Democracy, that has brought upon you so contemptible a result. Summon your Republican forces at once and demand a special session of Congress, that you shall on March 4 have a Republican Senate called to right your wrongs." Then, sir, that new Congress, summoned under the call of patriotism, under the guidance of that same leadership, will proceed to turn the railroads back to their masters' possession, without regard to the rights of our people. Then we will have another orgy, where certain railroad manipulators polluted every legislature possible, purchased judges to violate the law, and debauched the Government whenever private profit could follow their crime. Then, too, will follow the telegraph and cable lines to be restored to their private owners to continue their monopoly and outrage upon the people, yet both to be the flowing fount of corrupt political campaign funds.

The distinguished Senator from Massachusetts [Mr. WEEKS] may now know something of the truth of the matter he referred to this morning, that with all efforts of this Government to get the reports about our dead boys on the fields of France, to be communicated home, the cables were so choked by messages that paid from 60 cents a word up to $6 that it was impossible to get a message over here to a weeping mother or waiting father with all the power of the Federal Government. The Senator's criticism was just, that these delays seemed to be inhuman, that they must awaken a revolt in the heart of anyone who has to suffer the experience.

Mr. WEEKS. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from Massachusetts?

Mr. LEWIS. Yes.

Mr. WEEKS. I do not like to interrupt the Senator, but he should remember the casualty lists came from Europe at a time when the cables were under private control, every week bringing to the War Department the hospital lists—at least it was so reported to the Committee on Military Affairs—so that the choking of the cables could not have interfered in any way with disseminating the information for the lack of which I have criticized the department this morning.

Mr. LEWIS. I must advise the able Senator, since he has alluded to that, so careful was this Government to make an arrangement by which it took no money from the cables and left the officials and operators in charge of the cable companies' affairs, continued its managers and superintendents, that when the opportunity came for one of these lines to profit financially upon the distress of a Nation in the way to which I have alluded, they not only did not fail to accept it, but rushed to do so, and thought that they did so in secrecy. The eminent Senator is right in assuming the Government was in control of the war messages, so far as their contents were supervised at that time, but upon the facts being disclosed he will discover the real reason of the delay in getting reports from Europe as to sickness, casualties, and deaths of soldiers.

For many other reasons the Government has been compelled to lay its strong hand upon these agencies that this continuation of wrong and this unnamable infliction upon the mothers of this country shall not longer continue by private enterprise that is now being championed in this Chamber and elsewhere as "legitimate private business."

Mr. WEEKS. Mr. President——

Mr. LEWIS. I yield to the Senator from Massachusetts.

Mr. WEEKS. I beg the Senator's pardon for interrupting his line of thought. I had no intention of doing so, but I wished to inject this comment, in view of what he has just said, that there has been no complaint on the part of the War Department or by any official of it that there was delay on the part of the cables in sending the names of the casualties from the other side.

Mr. LEWIS. It may be the Senator, Mr. President, has not had the War Department use that excuse. I pray the War Department and no other department of this Government will attempt to shove off, as it were, from its own responsibility by attempting to put the blame upon any other source. Nevertheless, I inform the Senator that at a little later time, in an official report which is now on its way to this body, he will have such different information of the real reason that neither he nor the country need go astray. At a later time I will enter upon that subject more in detail, when not altogether foreign to my discussion.

Then, sir, to proceed, these views I have described of the President's critics go out, flashed at once abroad, and the impression, so unjust of our land and our people, in relation to the President and his country finally succeeds. Then we have the commissioners representing the European countries misled, misguided, and deceived. We have every land abroad advised each morning that the man whom they have received in their halls of hospitality is unwelcome in his own country. Upon those false premises this form of indictment is presented to the world. What do you say, Mr. President of the Senate? What will you say, Senators to my left and you to my right, of the situation I am presenting to you, that here is a citizen from America—I care nothing about his political cognomen—who is President of the United States? With the dignity of this country in his keeping he goes abroad to serve humanity. He is welcomed by every land as the apostle of liberty, received by every country as the distributor of justice, homage paid to him from the doors of the humblest homes, millions of the poor trooping to the highways to see him, that they may see what represents democracy in a humble, simple human being of America.

All over the world every ear is turned to hearken to his least utterance, the earth gives audience to his every declaration. Everywhere benighted civilization and oppressed mankind confide to his justice and trust his promise. These everywhere pray to be delivered by him and are content that he will but

remember them. Sir, only here in his own land, only in the Congress of the United States, of all the world, is he reviled and misrepresented, to such low plane of political uses have some patriots of our land fallen. America, we may not ask, Is this your land—are such as these your sons?

Mr. HITCHCOCK. Prophets.

Mr. LEWIS. The Senator from Nebraska [Mr. HITCHCOCK] interpolates "prophets." Prophets! These eminent leaders—I am pleased that I can never bring the charge, fitting to some, against their party or its patriotic followers, for they can not be indicted—but those who wrap themselves in a cloak and brand it "Republican," besmirch the garment and stain the character of a noble party name by their ignoble conduct.

Prophets! So far as I am concerned, I will say to the Senator from Nebraska they shall hereafter be known as "the soviets of the Senate."

Mr. President, since we have seen the object of the thing I oppose, I have but this to say—and then I conclude this branch of the discussion—that when men with motives such as I charge, eminent leaders though they may be, shall have censed their defamation of this man; when they have ended their misrepresentation, finished their false drama, and have gone into the obloquy which awaits them, and in the calm reflection of a just American public, shall have been driven from public place by that contempt which ever follows deliberate injustice on the part of any man—the President of the United States of America, this man Woodrow Wilson, will rise as a figure illumined on the pages of history, reflecting glory upon this Republic for generations yet unborn. And mankind recalling his labors for good and his sacrifices for man, will ever recall him as one spoken of by Cato in "Pharsalia";

> Clarum et venerabile nomen
> Gentibus, et multum nostrae quod proderat urbi.

(A man illustrious and revered by nations and rich in blessings for our country's good.)

I come now to analysis of the compliance to the demand that the President take advice of the Senators as to the peace treaty. I ask your attention, Senators, who do me the compliment of listening to me, to this thought: The Senator from Massachusetts and other Senators say the President will not take the consultation of the Senate. As a mere matter of les amusant pour le moment—"amusement for the moment"—as the French would have it, in Victor Hugo's The Man Who Laughs, may I submit to you this thought? I now bring in the President; I summon him and say, "The distinguished Senators say you should consult them and take their advice." We imagine him, in his usual genial accommodation, replying, "I shall be happy to do so. I want the Senate's advice." But I as Senator now ask, What advice will the President take? Will he take the advice of the distinguished Republican Senator from Idaho [Mr. BORAH], and that of the distinguished Democratic Senator from Missouri [Mr. REED], who oppose our entering into any form of alliance upon the ground that it violates the traditional principles of our Government and runs counter to the direction of George Washington? Will he follow that advice and keep off altogether, or will he take the advice of the Senator from Pennsylvania [Mr. KNOX], who says, "Yes; we should enter into ententes and alliances in Europe or anywhere, but with a limited number of countries only and with defined responsibilities"; or will he take the advice of the Senator from Massachusetts [Mr. LODGE] and enter into a general understanding with all European little factions by which he pledges our land behind all these foreign divisions to establish any purpose or policy which any of them desires, however much force it may take?

Which advice shall the President follow? Shall he follow the suggestion of the eminent Senator from Massachusetts in saying "This war was a war for civilization," or that of the Senator from Pennsylvania, who says it was one to establish ancient rights on the sea, and we should not enter into the affairs generally of Europe or Asia, but, after stating peace terms, obtain the main principles and get out of the affairs of the world? Or, pardon me for again asking on another phase, Will the President follow the advice of the humane Senator from California [Mr. JOHNSON] and withdraw all the troops we now have in Russia at once, though we have them there as a necessary protection of American interests? Or shall he follow the advice of the kindly souled and industrious Senator from Michigan [Mr. TOWNSEND], and, instead of withdrawing them, obey his demand and at once put more soldiers in there? Finally, Mr. President, as between the protesting voices of the Senators from Pennsylvania and Massachusetts, shall the President take the proposition of the Senator from Massachusetts and sit at the peace table, demanding that all of these nations be divided up into different political divisions, to be established in government and entrenched in power and held there by American force, or the advice of the Senator from Pennsylvania, who says we shall lay down such propositions of general policy for which we fought this war, and "then come home" and have nothing to do with these internal policies of any of the warring lands or their factions?

What advice shall the President take of the Senate? Surely, poor man, in such event—when he comes to get that advice and to follow it—he would have to quote in his soul the passage from Milton's Paradise Lost, where the individual, beholding himself surrounded by such confusion of counsels, persecuting him with insistence that he worship in every direction, cries out, "Wretched me, whither shall I fly? If to one, consumed by the gods; if to the other, destroyed by the demons."—Pluto, "rather to thy bosom be my refuge."

Sirs, I mention all this that the country may see how utterly impossible is the attitude of the eminent Senators who make this opposition, and I present it that the country may see, upon reflection, how impossible it would be for the President ever to take his consultation from the viewpoint as expressed by the eminent Senators, however in their sincerity, because of the lack of any concrete judgment on the part of the opposition or any concrete and established policy on the part of any six—or indeed of any two of those opposing this policy—or of any two or more proposing any other policy of any kind or of any nature for the purpose of avoiding war, the devastation of lands, the murder of children, the destruction of civilization.

The Senators may say, as they do, that they will not vote to ratify a treaty or to confirm an agreement made in the manner that they indicate, as drawn from the reports in the public press. Mr. President, I would have no Senator vote for any policy that did not meet his conscience; I would have no Senator give his approval to that which he felt was not for the welfare of this country; but I have this to say:

Now, sir, I am brought to the demands of the Senator that Wilson postpone his ordered work. Says the Senator, "There should be postponement of the freedom of the seas." What postponement? Postponement of an expression of our rights on the sea. Pay tribute to the forceful deliverance of the Senator from Tennessee [Mr. MCKELLAR] on this point and envy its convincing arraignment as an expression of my own. Where is my friend, the senior Senator from Massachusetts? Will he hear me from the recesses of his self-effacement in the lobby? Where is the man sitting here that did not hear that distinguished Senator time and time again inveigh against us because we would resign to Germany the freedom of the seas? Where is the speech of my eminent friend which he made in Massachusetts in the political campaign of 1916 and his eloquent and able address made on this floor in condemnation of the President because he would resign, as the Senator set forth, our rights in the matter of the freedom of the seas? Nor, as he charged, ever prescribe and assert it. Now, it is to be postponed. Why? What is his reason, sir, that it should be postponed now? Now, that the battles have been fought and victory won, the representatives are around the peace table for what? They are assembled there that they may incorporate a definition of the results.

What are the results for which we fought? Among others, the freedom of the seas. Postpone it? Postpone the recognition of it? Postpone the statement of it? Postpone the assertion of it? Postpone the demand for it? Then, the only thought I have to reply is, Why did we fight and for what did this Nation go to war? If Germany had not violated our rights on the seas, shattered our ships into splinters, submerged our cargoes, murdered our fellow citizens, defenseless, and without cause, we would have been following to-day the advice of such eminent Senators as these to whom I am referring by "keeping our hands out of European politics." Avoiding every conflict, we would to-day not have one soldier boy lying stretched upon the plains of France bathed in the dew of his own blood, while his mother waits at home for but a sign of where her angel boy sleeps. There are those who were driven to this necessity of sacrifice of our children because of the denial to our country of the freedom of the seas. And this distinguished Senator contributed to this body a discussion that can be used, indeed, as a model anywhere of our right to the seas and the necessity for claiming it, aye, through war. Then, indeed, sir, shall we hastily and without preparation postpone it? Why is it asked? What for? Hear me; I will tell you.

There is no abler historian in this body than the senior Senator from Massachusetts. He can tell you how in 1812 and 1814, when we had concluded war with England, made for our rights, known as the rights of the sea, and then in peace negotiated a treaty, we permitted ourselves to be juggled into omitting any definition of our rights on the sea. It was left out and postponed; all assertion of our rights to the sea abandoned.

We withdrew it completely that we might not have a further discussion or embarrassment upon the subject. Yet, sir, when Henry Clay, as commissioner, came home and made this confession to the American people they defeated him for the Presidency. All over America, even in our weak years, went the echo: Why the war, why the death, why the desolation, if for all that for which we suffered we get not even a word establishing our rights? The eminent Senator from Massachusetts is not blind in his astuteness to the fact that if you can but duplicate that history, you can in 1920 go all over America and cry, "Behold the Nation, with twenty billions of its money gone, with its homes desolated of children, with a cloud of misery on every threshold and in every home, and yet for all this, what? Nothing!"

Should the demand of the Senator and his allies prevail, then to-morrow, if Germany is rehabilitated, she is just as she was yesterday, without a warning by America of any right of ours whatever on the seas. Britain, France, Italy, Japan, and Austria, indeed every nation at the peace table, has not a line from us insisting on our rights, nor is there recorded in any compact a single demand for the security of America on the seas for the to-morrows. Ah, then, the distinguished Senator and his colleagues will cry: "Out with those who did such cowardly, out with them, send them into outer darkness, where there shall be weeping and gnashing of teeth, postpone!" Postpone?

Mr. President, I regret my learned friend from Pennsylvania [Mr. KNOX] is not here. I wish to speak of that able Senator's position. In his speech the Senator from Pennsylvania tendered a resolution. Behold, sir, it reads in its preamble:

> Whereas the United States of America entered the war with Germany and Austria-Hungary in order to vindicate the ancient rights of navigation as established under international law:—

The Senator from Pennsylvania says we entered the war to vindicate our ancient rights, and the Senator from Massachusetts says, "We shall postpone the vindication." If we entered the war to vindicate them, then why postpone it? What is the purpose of the eminent Senator from Massachusetts?

Mr. President, here we will recall that likewise the Senator from Pennsylvania demands that we postpone the league of nations. I pray you watch this little game. Political ping-pong was never played with more astuteness nor more amusingly. First, the Senator from Massachusetts demands that we shall postpone the freedom of the seas; he makes his declaration and declamation with all the anathema of accusation and condemnation. Then arises the eminent ex-Secretary of State, the Senator from Pennsylvania, for whom all have an affection, and demands postponement of the establishment of a league of nations. Now, in the language of the Gilbert and Sullivan opera, "there's a howdy-do." Postponement! Why? Did we not go to war for complete vindication of all we were fighting for? Are we now to forego any of these necessary guaranties? Might I not put a query here to the Senator from Massachusetts and to the Senator from Pennsylvania?

I read from a report of 1898. When the peace arrangements were being proposed between this country and Spain and the proposition was made that we take the Philippine Islands, yonder in New England there arose a great protest of those who called themselves "anti-imperialists" against the taking of the Philippine Islands. There arose also from these and elsewhere a demand to abandon that question then and there. Senators who do me the honor to hear me remember the cry was, you will recall, "Let us have immediate peace that we may stop the fighting in the Philippines," which at that time was going on, as you recall, between Aguinaldo and the United States. It was these distinguished Senators, if I err not and call upon them to bring forth facts to the contrary, if I am in error or my report in error, who, in their wisdom, protested against the postponement of any of the terms necessary to a complete peace. To use the words of one of them, "It would be a piecemeal peace," and the country would not know for what they had fought or what they had obtained.

This was sensible. It was what America demanded!

Why ask us now to postpone? What is the theory of saying to us, "Let us postpone," when they realize postponement means a wrong to the Nation and a wrong to the purpose for which we fought and for which our Nation's children died? We know what postponement means. We are not all in the dark as to what is in mind by demanding postponement. The distinguished Senator from Massachusetts will have us postpone freedom of the seas. The eminent Senator from Pennsylvania will have us postpone the league of nations. In other words, "Mr. Wilson, please postpone yourself and postpone the Democratic Party and postpone any achievement and postpone any result, as we desire to postpone you politically perpetually." [Laughter.]

Mr. President, if the distinguished Senators had advanced a reason founded in any of the past history of our land or in the suggestions of accommodation to any claim of justice for these propositions and these demands, they would receive at my hands a dignified and considerate treatment. But, sir, as I will point out, and trust I have, there is not one suggestion of conduct made by the eminent Senators but directly contradicts that which they have made before under similar circumstances during other administrations. It is but evident that the purpose is to serve partisan opportunity that might be born of confusion of a people and a misconception of the duties of the President and misrepresentation of his constitutional rights. It is to be deplored that for the consolation of each Senator that each could not have known how to anticipate the antithesis of policies they bear to each other and harmonize on one sure principle of obstruction. That result might promise some hope of advantage.

But we who love them both and wish them well can for the consolation of their hearts dismiss all consciousness of inconsistency of theme, action, or time of performance and cry forth, "Ye gods, annihilate but space and time and make two lovers happy."

Mr. President, we come now, sir, seriously to the situation which the Senator from Massachusetts and the Senator from Pennsylvania would leave us in. I am not without consciousness of the seriousness of an observation I make here. I have stated before—in agreement with what the Senator from Alabama [Mr. UNDERWOOD] this morning said—that this treaty will be before us in some form before this short session closes. All the more ought I to be careful of any utterance I make here touching any viewpoint I have. Mr. President, I say to the country that if the influence of distinguished Senators in this body or of any others anywhere else shall succeed in postponing any arrangement whatever for the creation of some tribunal to which disputes of small nationalities and contentions of European peoples shall be submitted, there will be war resumed, and to this country there will be no exemption. This feared war will break in Europe exactly and for the same apparent beginnings as this great world war broke before. Hear me in my reasoning, sir. We now behold Italy contending for territory a part of which the Jugo-Slavs insist is theirs; again is Italy contending for a territory part of which Greece demands. Greece demands that which Bulgaria claims. We see that as to one of these, as to Greece, her leader, Venizelos says, touching Bulgaria and the claims of Italy—announces—I read from the foreign journal quoting Venizelos:

> Bulgaria sets up territorial claims in the Near East, which, Mr. Venizelos says, will lay the foundation for another war in the immediate future if Mr. Wilson allows himself to be misled.

Sir, we recur then to note another expression, far away geographically. Italy is making certain claims to certain territory, and the Jugo-Slavs, on the other hand, are making counter claims to the same territory. Now, it is said by the leader of the Jugo-Slavs. I read:

> It is impossible in the terms of this armistice to avoid seeing again the effect of the Baron Sonnino's reactionary policy.
>
> If this policy is allowed to prosper unchecked, if its attempt to lay hands on as many pawns as possible, is not frustrated, there is a definite danger of permanent armed conflict between the two shores of the Adriatic, and such a conflict would have the immediate effect of weakening the Agram Government, and most likely of opening the floodgates of bolshevism.

Mr. President, is this all we need fear? No. Let us pause and contemplate. There is Japan. Japan says, "I claim as the fruit of war the islands heretofore held by Germany in China." She contends that the Provinces which have been wrested by her from Germany, Kiaochow, shall be hers. China replies that these were hers—ever hers—and that they should be returned to her, because first taken by Germany by force from her.

In the meantime, as to the Manchurian border, a part of which was once Russian and a part China's, China is asking to have that returned to her from Russia, while Japan is asking to have Manchuria placed in her hands, as she has been administering it after capturing it from Russia, who had taken it from China.

Do you not realize that each of these will begin their contention—force their claims against each other—if we have not a tribunal such as President Wilson is seeking to create? These conflicts can find but one court of arbitration. This will be where the advocate is the sword, where the judges are cannon, and where the decrees are writ in blood. Let no man beguile himself. They have nowhere else to go. When we have refused after we have promised, or when we have defaulted after we have undertaken, and when their hopes have been dissipated, and only disappointment and despair is their inheritance,

what else, they will argue, can they do but fight? It is all they were taught by the Old World, and fight they will. So all of the losses which the world now endures and all the sufferings which mankind has borne as the result of the breaking out of the fires in the Balkans will be again renewed in all their horror and desolation. It will be the United States bringing—

> Cæsar's spirit, ranging for revenge,
> With Ate by his side come hot from hell,
> Shall in these confines with a monarch's voice
> Cry "Havoc," and let slip the dogs of war.

Sir, once the flames light again, with armies resting on arms, no man can picture the universal devastation, nor how the new anarchy and war aroused in the Orient and Russia will rush like leaping flames to our possessions in the Pacific, and approaching us from the Pacific Ocean envelop our west coast in its fires and descend with riot and civil anarchy on us in every center of America. I warn you of the day you bring on yourself.

[Mr. LEWIS yielded the floor at 4 o'clock Thursday.]

Friday, January 3, 1919.

Mr. LEWIS. Mr. President, I would not resume the floor this morning had I not laid down specific propositions and stated that I would amplify them by proofs from the RECORD. I appreciate the generosity the Senate has extended me, and I certainly shall not abuse it. The Senator from Colorado [Mr. THOMAS], the Senator from Idaho [Mr. BORAH], and the Senator from Iowa [Mr. CUMMINS] desire to address the Senate after 2 o'clock on the pending question. I certainly anticipate that nothing I may continue to say will stand in the way of that program.

Mr. President, the Senator from Massachusetts [Mr. LODGE] this morning had read into the RECORD some views of Viscount Bryce as to the difficulties that would attend the formation of this league of nations, and the eminent Senator would have us understand that, because of those projected difficulties, the embarrassment is regarded by some as insuperable, and for that reason we should not enter upon the undertaking.

Mr. President, no one could have heard those views read without recalling how literally they were the forms of objections which were urged to the confederation of States in the United States of America. They were almost in form literally the things that were constantly said as to how that confederation could never be successful and the Union never permanent. Of course, Mr. President, there are objections to be urged from many viewpoints, there are difficulties apparent; but if we are to shrink from an undertaking merely because we are confronted with a difficulty we shall never enter upon any solution of any question. The mere fact that there are these indications as to difficulties that might arise only serves to warn what things are to solve, what difficulties are to meet, and what obstructions to overcome. Thus I do not regard the mere suggestions of Lord Bryce, or from any other source indeed, pointing out difficulties as obstacles insurmountable to the purpose in view, nor do I recognize them as excuses for failing to enter upon the principal design that is in contemplation. As to the contributions tendered by the Senator from Wells, the novelist, I had adverted to those in the speech of weeks past, and the Senator from Montana [Mr. WALSH] read the extracts in the RECORD. They point nothing new of objection and give much of hope from new quarter. They were offered by the Senator to dispel the impression he fancied I had awakened, that he alone had presented objections to the plan as proposed and to the project as designed. Alas, for both of us, in all thoughts we can not claim originality.

But when I closed yesterday afternoon, Mr. President, I had reached a point where I was about to enter upon the analysis of the counter propositions suggested by the two Senators—the able Senator from Pennsylvania [Mr. KNOX] and the equally able Senator from Massachusetts [Mr. LODGE]. I had stated that the propositions presented by those Senators as counter propositions carried with them the very same suggestion of difficulty that they themselves conjured as against the proposition for the league of nations, and that every one of the burdens which they said would fall upon the nations in the event of attempting a league of nations, would, I charge, inevitably grow out of either plan suggested by either of these two able Senators in the view which they proposed. If this be true such clearly conducts to the mind the conclusion that the league of nations as proposed has less evils in its prospect than the propositions presented by the Senators as their counter propositions have in their inheritance. Let me prove that.

The Senator from Pennsylvania tenders the proposition that we postpone the suggestion of a league of nations, and in its place—and I will quote the Senator's speech literally from the RECORD—he proposes an entente of nations. The Senator would have the larger nations—he named Italy, Japan, France, and the United States, to illustrate—have an understanding that in the event there is anything that looks like the prospect of a conflict, those nations then are to get together and say to the particular nation that threatens that they will use their combined strength to avoid the conflict by whatever means is at their hands or to defeat it.

Now, I ask the question, How could such an entente ever be created to execute these purposes without an understanding between them that they were to use their army and navy? If there be no understanding to use any army and navy, then their mere assertion of a request would be as idle as a whisper. If the purpose be, as the Senator says, and clearly discloses, that where the nation that threatens shall not abjure and desist, then we shall use the combined forces of these, the entente. There, Mr. President, have we not then that force of army and navy invoked by combination of the entente, and have we not the exact situation which Senators conjure up as the evil that they fear to follow and the consequence which they claim make disastrous the adoption of a league of nations?

And, Mr. President, the distinction between the proposition of the Senator from Pennsylvania and that of the league of nations is this: In the proposition of the Senator from Pennsylvania you would have a few select nations banding themselves together because they are large and assuming to say to all those whom they have kept out, "You shall obey the theories of life as we prescribe them; you shall be under the jurisdiction of ourselves, as we have combined; you shall have no voice in the understanding; you shall have no representative in the agreement, but what we determine you shall obey." Fancy how long, Mr. President, that would be successful.

And, Mr. President, how would it be executed? Let us pause a minute. Do you assume that under that agreement—may I ask the Senator from Pennsylvania when he has time to consider the matter—Italy, with so many thousands of her nationals in Argentina, would agree to abide by whatever agreement these other three or four nations might make as against South America in any design that might arise there? or let us imagine some grievance that they might have from there. Certainly not. Could you imagine, sir, that France, with the interests that she would have in Argentina, could you imagine that Spain would stand silent when Chile was being made the subject of some assault? Could you assume that Britain, with her interests in nitrates in that country, would be content to sit silent and allow other nations anywhere to dispose of Chile? You can readily see, Mr. President, that the suggestion by the eminent Senator is a mere escape from the bigger question. From less than the Senator we would characterize it as a subterfuge. It is filled with every conceivable objection; there is no virtue from it compared to the virtues in an agreement of all nations that can be tendered as an offset, much less as a counterproposition, to that of a league of nations.

Mr. President, what is it, therefore, the Senator contends for it? Here we are interested in this thought: The able Senator from Pennsylvania would have this entente of nations and have an agreement on their part to carry out the design of frustrating any nation that attempted to make war if it did not settle according to the terms of these four. Then the Senator is wholly at variance with the objection urged by the Senator from Missouri [Mr. REED] and the Senator from Idaho [Mr. BORAH]. They contend that it would be against the policy of George Washington that we should have any alliance with any foreign countries of any nature that might involve us in any complications of the sort which the Senator from Pennsylvania would prevent. The Senator from Pennsylvania presents St. Paul's theory, as expressed to the Corinthians, "all the old things are changed and only the new have come upon us," when the Senator says that George Washington referred to our isolated state, to our separate and distant condition, and, says the Senator from Pennsylvania, "I will not concur and I do not adopt the theory that there should not be some entente arrangement with foreign nations to accomplish purposes of this kind." Then, Mr. President, we see at once that in this opposition to the President we have such a variance between these leaders of the opposition that there is no concrete form which they present that could possibly be executed as either a party policy on the one hand or a unanimous one from the opponents of, as nonpartisan, on the other.

Let us see, sir. There is a thought to be brought to our attention: The eminent Senator from Pennsylvania would have the country understand that, as he says, had we been wise enough to have adopted a suggestion of this kind in 1914 there would have been no war, and I have never a doubt that the distinguished Senator will present before the country how this splen-

did plan, had it been conceived and executed, would have avoided war. Why, Senators, the eminent Senator is possibly for the moment unconscious of the fact that had the proposition been available, had it been practical at that time—Germany was at peace—we had no reason to suspect, we had no proof at that time that she was establishing a conspiracy. So she would have been one of the nations brought in by him, and then, within the counsels of this select entente in its privilege of monopoly, Germany, with all of her secreted power of 40 years, would have been the dominant figure with the secrets of the power of the other nations in the big entente.

Mr. WILLIAMS. Just as she was at The Hague tribunal.

Mr. LEWIS. The Senator from Mississippi injects appropriately, as Germany was at The Hague tribunal.

I bring to your attention this to demonstrate how impracticable, and may I say, sir, how thoughtless, are these suggestions, grandiose in their sound, presented by these eminent Senators that the country may see, as they would have the country believe, that they are not indifferent to some form of league; that they have one quite complete in itself and concrete sufficiently to accomplish the purpose as a reply when they have defeated the one that is now before us for consideration.

Mr. McKELLAR. Mr. President——

Mr. LEWIS. I yield to the Senator from Tennessee.

Mr. McKELLAR. If a simple announcement of that doctrine by America in 1914 would have prevented the late disastrous war, the most disastrous of all wars, how much stronger and how much more effective would be the announcement by all of the nations instead of by the United States alone. And does not the argument of the Senator from Pennsylvania show beyond controversy that, if it be a good doctrine if applied by the United States, it would be a far better doctrine if applied by all of the nations instead of just one of the nations?

Mr. LEWIS. Mr. President, I must concur in the statement of the Senator from Tennessee, for, as usual, he contributes a potent thought and one effective in its suggestion.

Mr. President, it is interesting, however, at this point to recognize what view is held of the position of these eminent Senators by those outside, and more interesting, when we contemplate the Senator from Pennsylvania, to note that from his own home city of Pittsburgh, from the Pittsburgh Press, there comes comment. That is evidently not a party paper that can be called Democratic; it can not be said to be distinctively favorable to Woodrow Wilson; it attempts to give the credit for a league of nations to ex-President Taft, from whom we wish to take no just credit. But, sir, the editorial, referring to this league of nations, says:

> It is properly no party matter. The league of nations is favored by Republicans as much as by Democrats. * * * To attempt by Senate or national committee action to discredit the idea for which the league stands would be not only to misrepresent and outrage the convictions of the vast majority of Republican voters but would be to commit a colossal political blunder.
>
> It is to be hoped that Mr. Taft will fight to a finish against the folly of the handful of blind though powerful Republican reactionaries who are working to give the Democratic Party the immense benefit of a Republican miscue on this tremendously important issue.

Mr. President, it must be plain that the attitude of these Senators, as I have pointed it out, is not only inconsistent with practical execution, but is merely tendered for its smoothing effect. Sir, Edmund Burke had occasion to observe that deceit and sometimes hidden design ever delight to speculate in grand presentation. As it has no intention of going any further, says he, than to speculate, it can do so grandly.

Therefore, sir, we see when we examine the position of the Senator from Pennsylvania that it presents no counterproposition, except one that would involve the country in every conceivable form of difficulty, which they conjure up as against the league, with none of the league's compensations.

Now, I take the last suggestion that the Senator presents. The Senator concludes his able speech by saying that he would never consent nor vote to ratify any treaty that would enable our country to be called into action by any foreign power. Why, Senators, how would the distinguished Senator, with this wonderful entente that is sent over the world, flattering these particular nations that, could this policy of Wilson be beaten, they would alone be brought into the secret consultation chamber of the favored, as an inducement to them to do what they can to frustrate the plan now put forth, that they might be favored in the ultimate design presented—how, sir, could they succeed in the realization of the theory of the eminent Senator, except, sir, that it would involve our Navy and our Army, invoke it whenever necessary to carry out the plan of that particular entente against any others outside of it and obstructing or antagonizing it?

And when they did do that, sir, would not that be calling in our Nation by the foreign power, either one of them, two of them, three of them, or the four? Can not the able Senator see to what a reductio ad absurdam the conclusion of his view ultimately leads; will he not see how absolutely it refutes the policy suggested by them as the foundation of their objection—that our Nation could be called into action by foreign powers under the league? Yet the Senator's plan confesses thereby that only a few foreign powers, and those the favored ones, shall have the right to do so.

Mr. President, it seems to me the attempted distinction is so small, and rests on so small a basis, that the object for tendering it is the one I have charged; and, notwithstanding the somewhat indignant and warm, if not impulsive, refutation on the part of the Senator from Massachusetts this morning, saying that he did not know the speeches attacking the league were assailed, and if they were, he was not trying to vindicate them—it must be quite apparent, sir, and there are those in this body who are conscious now, upon examination and reflection, that these attacks can not escape the conclusion that the purpose they had was to frustrate the designs of the President, that he might be discredited and dishonored abroad, and the country defeated at home.

You remember, Mr. President, that one of Hamlet's observations was:

> Rightly to be great
> Is not to stir without great argument,
> But greatly to find quarrel in a straw
> When honor's at the stake. How stand I then?

Now, Mr. President, we come to the last subject, the matter that I referred to this morning in discussion with the Senator from Massachusetts. We see now the counterproposition of the Senator from Massachusetts for but a moment.

The Senator from Massachusetts tells the country that he opposes the league for two reasons. He offers those which the Senator from Pennsylvania [Mr. KNOX] offers, only in a different way—in a different expression, I might say, sir. Says the Senator from Massachusetts, he will oppose any league that has among its possibilities the country being called to put its Army and Navy at the disposal of a foreign nation; and, second, he will oppose it upon the ground, among other things, that we enter into the affairs of Europe by our alliance. At the same time the Senator from Massachusetts rises on this floor and, as he says this morning, declares that to which I turn in order that I may verify his speech; and I commend now to the country's serious consideration the fact that the coming leader of foreign affairs tells the Nation that he now insists—as he will in his position as chairman of the Foreign Relations Committee, what?

As the counterproposition, that we abandon the consideration of the league of nations now; that we proceed with the peace table; and, to use the language of the esteemed Senator, he says:

> I think there is general agreement upon them not only in the Senate but among the American people.

For what?

> The restoration of Belgium—

As to that humane design, we all know too well how much blood was shed for it.

> The return of Alsace-Lorraine to France, of the Italia Irredenta to Italy.

Surely the Senator does not mean the latter in entirety. The Italia Irredenta, Mr. President, if I am not wrong in my recollection of history, was an arrangement made in 1878 by a party in Italy called the Irredentista. Their theory was to have returned to Italy all the country of the Italian-speaking tongue; and Italia Irredenta then and now in itself includes Nice to be taken from France and Malta to be taken from Britain.

Does the Senator want to flatter the Italians who are in America, when they shall read this, into the belief that the Senator from Massachusetts demanded of the United States and her people that they pledge themselves to give to Italy the Italia Irredenta? Every humble little Italian, remembering the days of 1878, knows that that included Nice from France; that it likewise included Malta from Britain. Does the Senator assume here now to state that that was his purpose? Will he say, from his place on the floor, that it is his intention to demand that the American people shall take Nice from France? Will he say that he will demand that the American people shall take Malta from Britain? And yet that is the Italia Irredenta. Does the Senator wish to have the Italians all over this country, and particularly in Massachusetts, where their number is large and at the ballot box most potent, assume that this was his offer, to tender the American people as an indorser and guarantor of that?

Of course, the Senator here will insist that what he meant was merely the Trentino and Dalmatia, that land along the border; but that, Mr. President, is also under discussion, and just

now serious dissension, Greece claiming a part, but the Jugo-Slavs a greater part.

Yet the Senator will have us not only guarantee to Italy that which we would love to do, even with the blood of our children—that she shall have all her boundaries as prescribed by nature—but the Senator practically says on the floor by his statement he would have the American people agree with the allies to enter and put her in position to hold these people there, if we correctly construe his speech. He does not mean it, of course; but he will have the Italians understand there and in America from their Italian papers that that is his promise. He would have these worthy people flatter their soul with the consolation that with himself and his political party in power that will be done. It is artfully urged, of course, but not altogether blurred in the vision of those who reflect, that the purpose of the Senator was to give the Italians to understand that the Wilson administration ought to police their Government and assure the possession of all disputed boundaries by American Army and Navy. Yet the Senator will not say he would do it.

Then says the Senator:

> The establishment of a Jugo-Slav State—

How shall we establish a State, and where shall we establish it? We love to recognize the Jugo-Slav people as a people for independent nationality; but shall we take the American people and make them guarantee the establishment of a State? And how shall we do it, if we could do it at all, when objected to by Italy, which claims the border, unless we take from Italy what the Senator says she should have? Then we would have to do either by the only force in the world that we have to do it—the Army and Navy. And yet, says the Senator, he is opposed to any league or arrangement that would involve our Army and Navy to execute any design!

Ah, but we have merely entered upon this suggestion of glorious promise on the part of the Senator. Says he, also, that we shall guarantee "the security of Greece, the settlement of Albania."

Albania? The security of Greece? Greece is contending for Albania. Turkey is contending for Albania. How can we give security to Greece and also give Albania to Greece, and a portion of Albania to Albania? Yet it is very suggestive, of course, to the Greeks.

Mr. WILLIAMS. And Albania is contending for herself.

Mr. LEWIS. And Albania, as the Senator from Mississippi correctly says, is contending for a separate government. Indeed, we removed the minister to Greece—if a suggestion for his resignation can be regarded as removal—Mr. George Fred Williams, appointed from the Senator's own State of Massachusetts. He was invited to resign because he left his post in Greece in order to advocate the cause of Albania among the Greeks, as the Senator must recognize, on the ground not that we did not respect Albania's rights but that a minister sent to Greece should not interfere with its local affairs any more than an ambassador sent here by Greece should interfere with our local affairs.

Mr. President, I merely call attention to these positions of the Senator that reflection can disclose how impossible is his plan. Then, says he, there should be brought about—

> the consolidation of all the Roumanian people under one government, as well as the neutralization of the Straits, the putting of Constantinople under international protection, with Greece, perhaps, as the mandatory of the powers to administer the affairs of the city.

Mr. President, what will Britain do if there is an attempt on the part of the United States to put Greece in control of the Dardanelles and Constantinople? Why, she fought the Crimean War to prevent that, even when Turkey offered to Greece to govern Constantinople as a combination between the two. And yet the Senator will have the people of the United States put behind the proposition of guaranteeing to Greece that she shall have Constantinople.

What will France do? What will all of these nations do that are interested in the problem of Christianity? The Senator well knows the proposition is impossible; that however much we would love to have Constantinople free, and the Christian religion dominant, you never could get the American people to agree that they shall enter into the purely municipal or State affairs, the purely political affairs of Europe, to establish that city under the control of any one separate country, and to do that in the only way we could, sir, by force, by the Army and by the Navy.

Mr. President, one other reference to this matter, and that will conclude me on this basis as the tests of the Senator's practicability or sincerity of counterproposition.

Says the Senator:

> Such in outline are the necessary steps demanded by exact justice, upon which, I think, the United States and the allies are substantially agreed in order to make a lasting peace with Germany.

Mr. President, here I pause to call to your attention an important phase.

When the Senator from Nebraska [Mr. HITCHCOCK], in January, 1917, tendered a resolution on this floor to support the message known as the peace message of the President, it brought into consideration at that time, sir, what was the peace message. Mr. President, we turn for a moment to consider that the Senator from Massachusetts opposed the resolution of the Senator from Nebraska upon the ground, among other things, that it approved that feature of the President's peace message that, as he said, guaranteed to the particular lands, to which I have just referred, their protection. Remember, sir, the full extent to which the President's peace message went was merely to offer the cooperation of the spirit of our country to secure them recognition as nationalities. In no wise, sir, to enter into their country and administer it by the only force that could administer it, the Army and Navy. Then the Senator from New Hampshire [Mr. GALLINGER] tenders, sir, the New York Sun's criticism of the President's message, as follows:

> In this passage, as the World justly remarks, "the President pledges the cooperation of the United States in the enforcement of future guaranties of the peace of the world and the integrity of the small and weak nations of Europe. It can not be made too clear that whether this is or is not a desirable departure from past policy, it is a departure involving not only our participation in the control of the destinies of Belgium and Serbia and Roumania, but also participation of Great Britain and Germany and Russia and France and Italy in the control of the destinies of Mexico, of the Central American States, of Venezuela; why not even of Cuba?"

Then the Senator from Massachusetts, after that had been read, says:

> Now we come to the second request, and that is the measures to be taken for the preservation of the future peace of the world after the war has concluded.

The Senator says, quoting the President's note:

> In the measures to be taken to secure the future peace of the world the people and Government of the United States are as vitally and as directly interested as the Governments now at war. Their interest, moreover, in the means to be adopted to relieve the smaller and weaker peoples of the world of the peril of wrong and violence is as quick and ardent as that of any other people or government. They stand ready, and even eager, to cooperate in the accomplishment of these ends when the war is over with every influence and resource at their command.

Hear the Senator from Massachusetts—how the distinguished Senator denounced this!

Mr. President, we were then not at war, but tendering our services as a neutral; and as one intervening for peace it was our privilege, by every doctrine of humanity and international law, to tender any suggestion that could mollify or harmonize. Now that we have gone into the war, the limit is this: We are limited, so far as our demands are concerned, in the nature of things, to the purposes which we gave the world as those for which we entered the war as a belligerent. But, sir, when we were not in the war, with none of the obligations that are imposed upon us as a result of having been a belligerent and merely tendering our good offices to the extent that a national soul of cooperation could be justified, hear the Senator from Massachusetts raise his voice in denunciation against even that by saying:

> Mr. President, I present these articles simply as showing what outside judges who have given attention to this point regard as involved in this committal by this note of the administration, and of the United States by implication, to the doctrine of general cooperation with the powers of Europe. I do not wish to enter into further details, which might be extended indefinitely, because I think it must be apparent to every one that when we abandon our traditional policy of separation from the politics and affairs of Europe we take a very momentous step, and one which should not be taken without the most thorough knowledge of what is intended and of the distance to which we are to be invited to go. An approval of the note in this general form carries approval, of course, and without limitation, of the principle of general cooperation with European powers in the affairs not only of Europe but of America.

Yet, Mr. President, the able Senator now tenders a program going further, indeed, in its effect than was ever contemplated by the President's message, and in effect urges that the American people shall now become the guarantors of the politics of Europe—first, it shall establish States; next, it shall take possession of cities; third, it shall guarantee the administration of them—when, sir, the very policy presented by the Senator, which he would have the country understand he sponsors—that it might flatter the hopes of the subjects of these different countries in this land who vote at the coming election—he had denounced as a thing outside of our province, and one which, if we dare enter upon, no one could see the end of in its bewilderment and destruction for our institutions.

I mention this to show you, sir, that when the eminent Senator from Massachusetts presents his counter proposition it is not one that he believed in; it is not one to execute; it is not one that he will dare offer at any time his country to execute or ever command his countrymen to follow—that we, the Ameri-

can people, should put our Army and Navy behind the undertakings of politics by choosing one faction, one division, and, sponsoring them, place all the power of our Government behind them to bring about success for them in their prospect, their project, their hope of racial divisions and political contests.

Mr. President, why did the Senator make that proposition? No one knew better than the Senator that it was an impossible design; but, Mr. President, it was read all over America. It was read by these nations yonder in Europe. There is not one of them that has not a great hope tendered by the Senator from Massachusetts, the future chairman of the Committee on Foreign Relations, that he is for giving them, and that particular branch of them, the full control that they ask of anything they hope and of their former subjects here a great voting consideration.

Mr. President, we see from the press that one of the highest European authorities now in attendance upon this conference in France is asked the question, What significance lay in the unofficial Belgian announcement that Emile Vandervelde, the Belgian Socialist leader, will be one of the peace delegates? He said:

None. When the conference begins, it will concern only nations—not parties within the nations. There must be no appearance of party politics in so grave an undertaking.

Mr. President, then you must see clearly two things: First, if the policy of the Senator from Massachusetts were invoked, it calls for the participation of America in every form of European politics, in every country of Europe, in every division of that country, in every faction of that land, and in, sir, the affairs of every people of dialects, as well as those of languages. It surely fulfilled the greatest material hope held out anywhere in scripture. It gave all things to all men, and everything to everyone.

But if the Senator will put the United States behind the aspiration of every faction and division of every nationality and land he names, why omit Ireland? Why should she be forsaken, not even mentioned in the distribution of liberties and self-government? She was first among the first asking our offices of support and the world's recognition of a free land for a free people. Am I cruel to suggest that the fact that most Irishmen in the United States are presumed to be Democrats is responsible for my friend dropping them as unworthy of consideration?

When the eminent Senator would have it understood that he guarantees from his own viewpoint that it is the thing to do for the United States to enter into this design, does he not present to the world the clear interrogation, how can these men be put into possession of these countries by us but through force? How shall we administer this separate government if we have not entered into their politics? Only by force. How shall we keep them there continuously in power against those internally opposing them? Only by force. What force have we? The Army and Navy. Then how can the eminent Senator contend he is opposed to the league because it may involve all nations and at the same time the Army and Navy of the United States, when the proposition he tenders can only be executed in any way whatever by occupation by the Army or the Navy, or both—a perennial army of occupation—and the constant attendance of our flotillas in the waters surrounding those lands, showing very clearly that the eminent Senator in presenting his objection to the league does not found it upon the thing that he really has as his objection, because he tenders that same thing as a necessary corollary to the only proposition that he presents.

Let us have an understanding. We do not mind the position that these Senators take, but we would like to know their purpose. The Senator now says he will oppose a navy the size of Britain's; that he will oppose the policy of a large navy for us. He follows Col. Roosevelt in that. Hear me, then, sir: He will have no league of nations that shall preserve the peace. That is the position of the Senator and his supporters; and yet he will have no navy to preserve the peace after we have refused to have a league that could preserve it by harmony; he will have no peaceful peace by peaceful arrangement, and will make no preparation for a war to maintain peace by force for his country.

An interesting dilemma, it must be confessed, upon the part of a statesman whose views are supposed to be leading and to be honored.

Mr. President, the Homeric god cried out: "Ye may slay us; but, if ye do, let it be in the light."

The eminent Senator constantly quoted the Senator from Idaho [Mr. BORAH] in his observations in reply to the Senator from Mississippi [Mr. WILLIAMS], when the Senator from Idaho remarked, "Let us be candid with the American people; let the administration be candid; and let those who advocate the league be candid." Thus says the Senator from Massachusetts. That is what I say—be candid. I say to the Senator from Massachusetts, as he sits in the cloak room catching the sound of my voice through the crack of the door: "Physician, heal thyself." I would have the eminent leader candid. What is the subterranean design if we are to have no league to preserve peace by peaceful and Christian methods, and then we are to have no Navy large enough to enforce it by military methods, if necessary? What is the plan of protection or policy of action the Senator and his followers secretly husband to put on the law? Surely he will not "leave us naked to our enemies."

Where are we? What is involved in this hidden mystery? I will give it to you, sir, if I may be so bold as to tender a key to solve this apparent riddle. When we have in this short session, with a majority favorable to the administration, failed in the naval bill and failed in the league, then will come the command from the eminent leaders on the other side to the country to let this new Congress, called Republican, remedy this "unspeakable wrong," this "cowardly betrayal" on the part of this Democratic administration! What is the meaning suggested, sir? That Britain should have a navy so large as she may desire, but that we shall not have a Navy equal to it. Shall it be that the eminent Senator from Massachusetts will join with the distinguished ex-President in making the United States a dependency of Britain?

We are glad to have friendships, and we trust nothing shall ever dissolve them, not only with Britain, but with every other nation. But what shall be said if the time shall come when we shall exact from Britain the use of her navy for our defense anywhere; that Britain will not have the right then, under the form of reciprocity, to the use of our Army and Navy in her behalf everywhere? Then the Senator has the league again, only we say the league should be universal with all nations, while he would have us put in a position that only Britain could exact, by the doctrine of reciprocity, the contribution of our Army and Navy in her conflicts in return for giving us the protection of her navy.

Surely we can not understand this mystery. We only see that it exists, and strangely so; and we are compelled but to one conclusion, that the eminent Senators present no counter proposition which by test or analysis in anywise controverts the policy upon which a league of nations is presented or of the just and humane doctrines which the President of the United States urges in its behalf, and to the preservation of the peace of the world.

Senators say they will not vote to ratify the treaty if made by Wilson as now proposed. I would have no Senator vote against his conscience or against the interests of his constituents, but I now promise to you—and pledge the future to the fact—that when Woodrow Wilson, President of the United States, returns to this land and tells the American people of the reception his policy was given; how the Government of Britain, under Lloyd George, approved his doctrine and gave it the hearty support of a Christian and generous people; how France, in her magnanimity and sad grandeur, gave it her indorsement and put behind it the noble spirit that has been so often vindicated in many, many conflicts on the field of battle, in letters and in science—but above all in the soul of her liberty. When he shall tell how Italy received him as one who brought her preservation, secured her liberties; and then shall speak to his people further of how there was not a nation in the world whose representatives sat about him that was not glad that he opened the era of a peace that could be had through Christianity of men and justice of nations, and then tell our people how our great America, for the first time in all her history as the first of the nations of the world, was the first voice in civilization on earth crying make way along the path prescribed by the great Master, for "peace on earth and good will to men," think you, then, what these distinguished Senators will do?

I answer they will hear from the great American people, their masters; and, as Wilson has ever gone to the people with every prospect and every project and has ever received upon his measures ever and ever their approval, the distinguished Senators will be found doing what they have ever done—yielding their amiable indorsement and unanimously being behind him, suddenly finding out that to be otherwise is to be self-destroying. Then we will have another repetition of their action growing out of their condemnation of his Mexican policy, the only other instance to parallel the present threat. When Wilson went to the people with his policy the only States in America that bordered on Mexico and knew the truth decided that they would reverse their party political policy of 20 years to stand

behind Wilson, and after that election never a creak from those Senators who were to destroy us in the Senate the Wilson policy as to peace in Mexico.

Senators, we will have a repetition of the same policy of abnegation, surrender, and submission as to this forthcoming world treaty of peace, because it will be the voice of America which will speak to them and bid them obey.

Mr. President, there arises to my mind a picture which I leave the Senate to contemplate. We who have traveled in Pompeii remember that there is to be seen a monument of encrusted lava. It resembles a human being. As we nearer approach it, it takes on the form and visage of a man.

The stranger, asking what it means, is informed that in the eruption of Vesuvius, when the lava poured upon the earth and the flames consumed mankind, when the fiery smoke stifled children to death and women fell fainting, when it seemed hopeless that a human being could escape, one man, the keeper of the gate, rushing through the burning lava, contending against the whirling sparks, blistering his face, and the burning smoke that choked him breathless, reached the outer gate, unbarred it, opened it wide that the children could find fresh air and live, that the fainting women could be rescued and survive, that mankind, such as were left, could look up in hope to God and breathe the fresh air of rescue and preservation. For this is preserved his monument—yet at the gates. In this hour am I too bold to say that when the flames of war are still burning and civilization is still encrusted with the lava that belched from the mouth of the cannon, and children are yet writhing in suffering and agony to which they were exposed and driven in this conflict, when civilization is choking and crying for escape, the one courier of all of the world who rushes through the lanes of fire to open the gate to give to mankind and future humanity peace and life is America, through her faithful watchman, Woodrow Wilson. What hand shall be lifted now to stay, to block his way.

So I appeal to both Senators, to all Senators, as I do to their aids and their supporters—is there not a patriotism which serves country and that rises higher than politics which serve party? At this time is it not the policy that politics stop at the water's edge? That while the President is on foreign soil contesting for the supremacy of the United States he receive the unanimous cooperation of the United States Senate. That they hold high his hands, encourage and inspire his heart, and by their cooperation and indorsement impress upon the minds of every negotiator who shall confront the President that the principal thing which he seeks is the thing which this Nation demands. That in his every voice, his every contention, his every plea, his every demand there is the response and echo from the Congress of the United States to the world, saying, "We are with him—America is behind him—he is our President and as against foreign competitors, and in foreign fields of conflict for the supremacy and dignity of the United States, we have one prayer—God speed him—one purpose—victory to his every undertaking!"

Mr. THOMAS obtained the floor.

Mr. SHAFROTH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HENDERSON in the chair). The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	King	Overman	Spencer
Culberson	La Follette	Phelan	Sterling
Curtis	Lenroot	Poindexter	Sutherland
Dillingham	Lewis	Pomerene	Swanson
Hale	McCumber	Saulsbury	Thomas
Henderson	McKellar	Shafroth	Townsend
Hollis	McNary	Sheppard	Underwood
Johnson, Cal.	Martin, Ky.	Sherman	Vardaman
Johnson, S. Dak.	Martin, Va.	Smith, Ariz.	Weeks
Jones, N. Mex.	New	Smith, Md.	Williams
Jones, Wash.	Norris	Smith, S. C.	
Kendrick	Nugent	Smoot	

Mr. MCKELLAR. The senior Senator from Tennessee [Mr. SHIELDS] is detained from the Senate by illness.

Mr. SUTHERLAND. My colleague, the senior Senator from West Virginia [Mr. GOFF], is absent on account of illness.

The PRESIDING OFFICER. Forty-six Senators have answered to their names. There is not a quorum present. The Secretary will call the names of absentees.

The Secretary called the names of the absent Senators, and Mr. MYERS responded to his name when called.

Mr. BORAH, Mr. REED, Mr. KENYON, Mr. HITCHCOCK, Mr. RANSDELL, Mr. CHAMBERLAIN, Mr. CALDER, Mr. TRAMMELL, Mr. FERNALD, and Mr. GRONNA entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-seven Senators have answered to their names. There is a quorum present.

Mr. THOMAS obtained the floor.

Mr. POMERENE. Will the Senator from Colorado yield to me for just a moment?

Mr. THOMAS. Certainly.

RATES ON SECOND-CLASS MAIL MATTER.

Mr. POMERENE. Mr. President, if I may have the attention of the Senator from Utah [Mr. SMOOT] for just a moment, I desire to say that the other day, while we were discussing the proposed second-class mail matter legislation, the Senator from Utah made certain statements with regard to Mr. John A. Penton, of the Penton Publishing Co., and his publication. The information which the Senator from Utah had in regard to that matter was not accurate; it wholly misrepresented Mr. Penton's position and the size and the character of his publication. I have before me a letter written by Mr. Penton, in answer to the suggestions of the Senator from Utah, bearing date December 31, 1918. There are two sentences in the letter which are of the same character as some of the utterances by the Senator from Utah with regard to Mr. Penton, but I am going to eliminate them, and I have inclosed them in brackets. I do not desire to trespass upon the time of the Senator from Colorado, but I ask that the letter may be printed in the RECORD for the information of Senators.

The PRESIDING OFFICER. Is there objection.

Mr. SMOOT. Mr. President, of course I have no knowledge of what is contained in the letter of Mr. Penton, but I do say that the Senator from Utah has not referred disrespectfully in any way to Mr. Penton. My statement regarding him is in the RECORD, and anyone who is desirous of looking at it may see it. I did say that the information relative to the magazine published by him I received from a gentleman in whom I had absolute confidence. I had his publication here in the Senate at the time I made the statement. He does not publish the Iron Age, as stated by the Senator from Ohio and also by the Senator from Georgia. He is not the publisher of the Iron Age. His paper is published in Cleveland, Ohio, in the center of the iron district, as I stated the other day. Of course, the circulation being largely in the iron district, it comes within the first or second zones, while the Iron Age is published in New York, and in order to reach the center of the iron district must pay an additional rate by the zone system. I am perfectly willing that the letter shall go into the RECORD, even without my knowing what is in it, and the Senator need not eliminate any part of it, as far as I am concerned.

I do not know Mr. Penton; I have never met him in my life; I never have cast any reflection on his honesty or his integrity, and I do not do so now. I do not care what he states to the contrary in his letter.

Mr. POMERENE. Mr. President, if the Senator from Colorado will pardon me for just one word further, I desire to say that the statement which the Senator from Utah has just made is inaccurate when he indicates that the circulation was merely about Cleveland.

Mr. THOMAS. Mr. President, I do not want to yield for the purposes of a controversy here.

Mr. POMERENE. I am very sorry that I brought this matter up at this time, because I do not care to trespass upon the time of the Senator from Colorado.

I may say, however, that the circulation of a number of these publications is given in this letter and the number of copies which has circulated in each of the several zones. If the Senator from Utah had known the facts he would not have said that the circulation was limited to the first and second zones.

Mr. SMOOT. I did not say that the circulation was limited to the first and second zones, Mr. President. I said that most of the circulation was in the first and second zones.

Mr. POMERENE. But, Mr. President, that statement is not correct, if the statements which are contained in this letter are correct.

Mr. SMOOT. Well, I received my information from a man who is a very close observer and whose business it is to know the circulation of nearly every magazine in the United States.

Mr. POMERENE. I do not care what the source of the information is; suffice it to say that the man who gave the information is one of the men who is being benefited by low-class rates on second-class postal matter.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Ohio that the letter be printed in the RECORD? The Chair hears none, and it is so ordered.

The letter referred to is as follows:

THE PENTON PUBLISHING CO.,
Cleveland, December 31, 1918.

Hon. ATLEE POMERENE,
Senate Office Building, Washington, D. C.

MY DEAR SIR: The writer has had brought to his attention a statement appearing in the CONGRESSIONAL RECORD of December 23, on page 8373, in which Senator SMOOT, while discussing pending legislation in connection with the rate to be charged on second-class matter, has made the following statement:

Referring to me he says, "Mr. Penton does publish a little magazine in Cleveland, Ohio, whose circulation is in the iron industry around Cleveland, and it hardly goes out of the first zone. Of course, under the proposition he would prefer very greatly to have the rate provided in the present law apply to his magazine rather than to have it apply to first-class mail matter." This and several other statements made by Senator SMOOT certainly would not have been made by a gentleman of his standing and position were he at all familiar with the facts, and it is to be regretted that he has depended for his information in all probability on those who know much better but who have willfully misrepresented the facts to him and by thus doing have placed him in a rather embarrassing position.

The statement as made by Senator SMOOT, of course, is absolutely false in every respect. Re attempt to belittle the Iron Trade Review and cast a serious reflection on what is probably the leading iron and steel publication in this country, we cheerfully refer him to anyone engaged in the industry for confirmation of that statement.

Of the current issue of the Iron Trade Review 9,671 copies were distributed on regular list, namely, paid-in-advance subscribers, and this circulation is distributed among the various zones as follows:

	Per cent.
First and second zones	27.82
Third zone	20.54
Fourth zone	37.53
Fifth zone	8.56
Sixth zone	1.30
Seventh zone	.44
Eighth zone	3.81

We would call your attention to the fact that over one-third of this circulation is in the fourth zone, which covers a territory from 300 to 600 miles from this office.

We have another very large and important publication, the only one of its kind in the world, with a circulation of 10,000, namely, the Foundry, whose distribution, according to zones, is as follows:

	Per cent.
First and second zones	19.75
Third zone	20.99
Fourth zone	46.48
Fifth zone	4.99
Sixth zone	2.50
Seventh zone	.64
Eighth zone	4.65

We would call your attention to the fact that nearly half of this circulation is in the fourth zone, from 300 to 600 miles from this office.

We have another publication of very large circulation, namely, Power Boating, whose distribution is as follows:

	Per cent.
First and second zones	16.94
Third zone	11.31
Fourth zone	59.83
Fifth zone	7.87
Sixth zone	1.06
Seventh zone	.23
Eighth zone	2.73

This shows that more than half of the entire circulation is in the fourth zone.

We have another very important paper known as the Marine Review with a very large circulation, whose distribution is as per the following schedule:

	Per cent.
First and second zones	31.48
Third zone	15.05
Fourth zone	36.88
Fifth zone	6.50
Sixth zone	1.94
Seventh zone	1.05
Eighth zone	8.10

We also include the distribution of the Daily Iron Trade and Metal Market Report, which is the only paper of its kind in this country. You will see likewise that one-fourth of the circulation is in the fourth zone:

	Per cent.
First and second zones	31.42
Third zone	26.45
Fourth zone	34.63
Fifth zone	5.79
Sixth zone	1.26
Seventh zone	.20
Eighth zone	2.04

We sincerely trust you may be able to draw Senator SMOOT's attention to the erroneous character of his statement, because as the matter stands it reflects as little credit upon him as it does upon anybody else.

We may say that these statements are the figures on which we pay postage at the Cleveland post office.

Yours, most sincerely,
JOHN PENTON,
President.

LEAGUE OF NATIONS.

Mr. THOMAS. Mr. President, every war must pass through two phases of armed conflict and peace negotiation. If the first is the more exciting and spectacular, the last is equally serious and may prove the more important. Especially may this be so when, as in this great war, the combat is not that of one nation against another but between groups of nations and world embracing in its character. For the triumphant allies must not only determine the conditions of the peace to be imposed upon their vanquished antagonists but solve grave problems affecting themselves and the new nations now springing from the ashes of Teutonic conflagrations, and finally settle their relations and duties with and toward each other.

The task is virtually without a precedent. Its nearest approach was the congress of Vienna, in which France was treated as an ally and an equal, whose objects were the readjustment of boundaries and the final suppression of democracy, and the congress of Berlin, whose final terms of peace carried the seeds which ripened into the war just ending. In the congress about to assemble the four defeated nations have no voice. The victors' chief concern is to deal with them and also with each other to the end that wars may if possible be avoided altogether.

The task of the allies is immediate and insistent. They must crystallize into concrete form the interests which compelled their entry into the war and endeavor to translate the purposes underlying their action into a permanent code of international law.

The task is threefold in character. It involves the imposition of peace terms upon Germany and her satellites, the recognition and delimitation of the newborn peoples in Europe and Asia, and the establishment if possible of safeguards against the recurrence of international warfare. Having entered the war to vindicate her rights and rid the world of militarism, America's part in this great conference must be a prominent, possibly a controlling, one.

Until then we had carefully observed the counsels of Washington. By inclination also we had held ourselves aloof from Old-World complications. President Monroe fortified our attitude in 1823 by the announcement of his famous doctrine, which instantly commanded, as it has since received, the undivided indorsement of our people. Until in an evil hour in 1900 we acquired the Philippines, our adherence to this doctrine was steadfast and unbroken. We accepted the determinations of The Hague convention, expressly reserving our right to remain free from trans-Atlantic differences.

It was therefore inevitable that we would take part in the war only when the murder of our citizens, the destruction of our vessels, and the persistent violation of our fundamental rights as a neutral nation in disregard of our solemn and repeated warnings made such action unavoidable.

Our justification for war, announced to the world with our declaration of it, was very appropriately followed in due season by an outline of terms for a just and lasting peace. Great Britain had done this, and France as well. The President on January 8, 1918, clearly and felicitously announced the American view to the listening nations. He prefaced his terms by declaring that "What we demand in this war, therefore, is nothing peculiar to ourselves. It is that the world be fit and safe to live in, and particularly that it be made safe for every peace-loving nation which, like our own, wishes to live its own life, determine its own institutions, be assured of justice and fair dealing by the other peoples of the world as against force and selfish aggression. All the peoples of the world are in effect partners in this interest, and for our own part, we see very clearly that unless justice be done to others it will not be done to us. The program of the world's peace is therefore our program."

He then announced the celebrated 14 propositions, not as a national but as a world program for peace. Doubtless before doing this he had conferred and therefore spoke with the sanction of our allies. At home his pronouncement was indorsed and welcomed with singular unanimity. No protest was voiced against it. Even former President Roosevelt for the time punctuated his rôle of chronic opposition to every Executive utterance by keeping the peace. Only from the enemy in arms came dissent and criticism. To this there was one exception.

The third point, relating to the removal of all possible economic barriers to trade conditions, aroused the apprehensions of some of those who regard trade barriers as trade blessings and tariff wars as trade developments. But these were neither vociferous nor widespread.

When the distinguished Senator from Massachusetts was invested with the leadership of his party in August last he signalized the occasion by announcing a peace program, differing principally from that of the President in its proposed treatment of Turkey and her subject peoples, the independence of Poland and the Slavic peoples, the repudiation of the Russian and Roumanian treaties, and the restoration of the Russian Provinces. And the President's reply to the Austrian plea for peace in September carried an abandonment of his announcements regarding the dual and Turkish monarchies. For in the interval

Turkey had collapsed and Austria was in the throes of impending dissolution.

When the Senator from Massachusetts delivered that address the beginning of the end of the war was above the horizon. Very naturally and appropriately, therefore, post-bellum conditions were of immediate importance, and the Senator's illuminating discussion of peace terms attracted and merited national consideration.

Even at that late day but little emphasis was laid upon presidential propositions relating to trade conditions, open diplomacy, freedom of the seas, and a league of nations, now so seemingly important as to dominate all the others. Opposition to them appears to have been quickened into life since the acceptance of the program by enemy nations and the execution of the armistice upon the 11th of last November. Whether this was cause or coincidence is perhaps immaterial, since if the objections to these or any features of the program be sound they should be respected. I think, nevertheless, that much difficulty and misunderstanding might have been obviated by their earlier criticism or disapproval here, since other nations were justified under the circumstances in concluding that the President's announcement of a world program for a permanent peace had behind it the approval of his own countrymen. The belated assurance to the contrary can not be otherwise than disturbing, and may, but I trust will not, impair the prestige or detract from America's influence in the congress of nations.

I speak not wholly as a Pharisee, because I have long entertained serious misgivings regarding the application of the terms "freedom of the seas" and "league of nations" to a concrete international understanding. I have sought enlightenment from more experienced and intelligent sources of information for some time past, both as to their definition and the method of their application to a world's affairs. If they are indispensable to permanent peace, they must be accepted; and, to be accepted, they must be understood. To understand and apply them, if that can be done, is in my humble judgment far more insistent and important than discussions about the power of the Senate to participate in the making of treaties or the duty of the President to seek senatorial counsel in advance of treaty negotiation.

But since this subject has become a burning one, as it always does when an important international situation arises, I shall burden the Senate with my views concerning it, promising at the outset to present nothing either startling or original for your consideration. Every phase of it has been argued by the ablest intellects of the country, and all one has to do at this late day is to accept those conclusions of former statesmen which appeal most strongly to one's judgment and reflection.

In harmony with this suggestion, my opinion is that, being executive in its character, the Senate may exercise the treaty-making power only as expressly authorized by the Constitution to do so. It can neither initiate nor negotiate a treaty. Its advice may be proffered to the Executive, who may or may not regard it. Its advice may be asked by the Executive, who may or may not be governed by it. The Senate may amend or strike out parts of a treaty after its receipt from the Executive. Its ratification is essential to a treaty, but the President may, after such ratification, decline, as he sometimes has, to accept or enforce it, notwithstanding such ratification. The power of the Senate over treaties is remotely analogous to the veto power of the President. The President originates; the Senate accepts, changes, or rejects it. The President is the author; the Senate the reviewer. The President erects the structure; the Senate takes it over with the power to alter the plan as it may desire or throw it into the discard if preferred. With the utmost respect for opposing opinions, I affirm that dissent from this view springs from an undue regard for senatorial authority or a reluctance to clothe the Executive with unlimited control over foreign affairs.

It will be noticed that the treaty-making power is grouped in the Constitution among executive, not legislative, powers. Article II declares that the executive power shall be vested in the President. This is restricted only by the express restriction immediately succeeding and embodied in the words: "He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers, and consuls." His power here is limited only by the consent of the Senate to his treaties, for that consent is the ultimate act and depends not at all upon the element of advice, since the latter may not be asked and since the Senate can consent whether its advice is accepted or ignored.

President Washington's proclamation of neutrality in 1793 was extremely distasteful to certain French sympathizers in America, who attacked it as an exercise of unauthorized power. Mr. Hamilton came to the defense of the President in a series of letters to the Gazette of the United States, in which he considered this entire subject with his usual exhaustive ability. In the first of them he demonstrated that the executive power is vested in the President, subject only to expressed exceptions and qualifications which, being in derogation of such authority, must be strictly construed. I quote briefly from it:

> The legislative department is not the organ of intercourse between the United States and foreign nations. It is charged neither with making nor interpreting treaties.

Again:

> It is to be remarked that as the participation of the Senate in the making of treaties and the power of the legislature to declare war are exceptions out of the general "executive power" vested in the President, they are to be construed strictly, and ought to be extended no further than is essential to their execution.

Mr. Jefferson, although he incited Mr. Madison to reply to Mr. Hamilton's contentions, wrote, at the President's request, an "Opinion on the powers of the Senate," in which he said:

> The transaction of business with foreign nations is executive altogether. It belongs, then, to the head of that department, except to such portions of it as are especially submitted to the Senate. Exceptions are to be construed strictly.

The Senate considers the draft of a treaty submitted to it as it considers a bill upon its calendar. It does not confer with the representatives of the nation with which the treaty is proposed. It neither bargains nor contends with the adversary party. It may not retain the document should the President determine, as he sometimes does, to withdraw it for change or abandonment altogether.

The Senator from Massachusetts has cited many instances in which the Executive has invoked the counsel of the Senate regarding proposed treaties in advance of their negotiation and of covenants or clauses under consideration between this Government and another. This is entirely proper—perhaps highly desirable in all cases—since opportunity is thus given the Senate to commit itself to or against the President's view, thus encouraging or dissuading him in advance of final Executive action. But no number of such instances can establish a right in the Senate to be thus consulted nor estop the President from ignoring the practice at his discretion. That method of procedure commends itself to me as highly desirable at all times, since it would largely expedite ratifications and tend to create a more cordial relation between Senate and Executive and smooth the way for their more speedy cooperation. Senators, like humbler men, are human, and therefore appreciate due recognition by the Executive of their official attributes.

Due to Mr. Roosevelt's cheerful assertion that "it was not only his right but his duty to do anything that the needs of the Nation demanded unless such action was forbidden by the Constitution and the laws," and the shaping of his official conduct to that standard by intervening in Panama and Santo Domingo, the criticism of Congress was aroused on more than one occasion. Very naturally the treaty-making power of the Senate became involved in the President's activities.

This culminated in 1906 in a spirited debate upon the subject between Senators Spooner and Bacon, wherein the Wisconsin Senator in his trenchant fashion asserted and successfully maintained the right of the Executive to control and direct all our foreign relations. This debate possesses an added interest at this time because the Senator from Massachusetts took occasion to say that he did not think it was possible for anybody to make any addition to the masterly statement of the Senator from Wisconsin in regard to the powers of the President in treaty making. The debate will be found in the RECORD of the Fifty-ninth Congress, pages 1417–1421 and pages 2125–2148, and can be read with profit by every Member of this body.

In the course of his discussion Senator Spooner said:

> The Senate has nothing whatever to do with the negotiation of treaties or the conduct of our foreign intercourse and relations, save the exercise of the one constitutional function of advice and consent, which the Constitution requires as a precedent condition to the making of a treaty. Except as to the participation in the treaty-making power, the Senate, under the Constitution, has obviously neither responsibilities nor power. From the foundation of the Government it has been conceded in practice and in theory that the Constitution vests the power of negotiation and the various phases—and they are multifarious—of the conduct of our foreign relations exclusively with the President. And he does not exercise that constitutional power, nor can he be made to do it under the tutelage or guardianship of the Senate or of the House or of the Senate and the House combined. The words "advice and consent of the Senate" are used in the Constitution with reference to the Senate's participation in the making of a treaty, and are well translated by the word "ratification," popularly used in this connection. The President negotiates the treaty to begin with. He may employ such agencies as he chooses to negotiate the proposed treaty. He may employ the ambassador, if there be one, or a minister, or a chargé d'affaires, or he may use a person in private life whom he thinks by his skill or knowledge of the language or people of the country with which he is about to deal is best fitted to negotiate the treaty. He may issue to the agent chosen by him—and

neither Congress nor the Senate has any concern as to whom he chooses, such instructions as seem to him wise. That is his concern. The Senate has no right to demand that he shall unfold to the world or to it, even in executive session, his instructions or the prospect or progress of the negotiation. I said "right." I use that word advisedly in order to illustrate what all men who have studied the subject are willing to concede—that under the Constitution the absolute power of negotiation is in the President and the means of negotiation subject wholly to his will and his judgment.

When he shall have negotiated and sent his proposed treaty to the Senate the jurisdiction of this body attaches and its power begins. It may advise and consent or it may refuse. And in the exercise of this function it is as independent of the Executive as he is independent of it in the matter of negotiation. I do not deny the power of the Senate, either in legislative session or in executive session—that is a question of propriety—to pass a resolution expressive of its opinion as to matters of foreign policy. But if it is passed by the Senate or by the House or by both Houses it is beyond any possible question purely advisory and not in the slightest degree binding in law or in conscience upon the President. The President is no superior under the Constitution in the matter of treaties, excluding only the Senate's ratification, that he may negotiate a treaty, he may send it to the Senate, it may receive by way of "advice and consent" the unanimous judgment of the Senate that it is in the highest degree for the public interest, and yet the President is as free, when it is sent back to the White House with resolution of ratification attached, to put it in his desk never again to see the light of day as he was free to determine in the first instance whether he would or would not negotiate it. That power is not expressly given to the President by the Constitution, but it inheres in the executive power which inheres in him as the sole organ under the Constitution through whom our foreign relations and diplomatic intercourse are conducted. Out of public necessity the President should be permitted to pocket a treaty no matter if every Member of the Senate thought he ought to exchange the ratification. Why? Because the President, through the ambassadors, ministers, consuls, and all the agencies of the Government, explores sources of information everywhere; it is his business to know whether anything has occurred since the Senate acted upon the treaty which would render it for the public interest that the ratification be not exchanged. The President may negotiate and sign a proposed treaty and not send it to the Senate. In such case what would be thought of a resolution asking him to inform the Senate whether he had negotiated such a proposed treaty and why he had not sent it to the Senate?

Mr. Wilson has been condemned for not selecting peace commissioners from the Members of the Senate, as did President McKinley in 1898. Such a commission would be a most competent one if composed of the senior members of the Foreign Relations Committee. But Senators so selected would not represent the Senate upon the commission nor discharge a Senator's duties while serving in that capacity. They would represent and become a component part of the executive department as completely as other members of the commission. The duties of the commission having been discharged, they might, as Senators, feel bound to ratify the treaty they had helped to negotiate as commissioners, yet they would be entirely free as Senators to vote for its rejection. Although foreign to the discussion, I might observe that the President by commissioning Senators to negotiate treaties would doubtless expedite their ratification. The practice might be highly desirable for that practical reason. Delays in ratification by the Senate are the rule and not the exception. Mr. Henry Adams, in his delightful autobiography, quotes Mr. Hay upon this feature of senatorial treaty making:

> A treaty of peace in any normal state of things ought to be ratified with unanimity in 24 hours. They wasted six weeks in wrangling over this one and ratified it with one vote to spare. We have five or six matters now demanding settlement. I can settle them all honorably and advantageously on our side, and I am assured by leading men in the Senate that not one of these treaties, if negotiated, will pass the Senate. I should have a majority in every case, but a malcontent third would certainly dish every one of them. To such monstrous shape has the original mistake of the Constitution grown in the evolution of our politics. You must understand it is not merely my solution the Senate will reject. They will reject, for instance, any treaty whatever, on any subject, with England. I doubt if they would accept any treaty of consequence with Russia or Germany. The recalcitrant third would be differently composed, but it would be on hand. So that the real duties of a Secretary of State seem to be three—to fight claims made upon us by other States; to press more or less fraudulent claims of our own citizens upon other countries; to find offices for the friends of Senators when there are none. Is it worth while—for me—to keep up this useless labor?

Mr. Adams adds to this very just reproach of a very capable minister that he had seen a dozen acquaintances struggling with the same enemies; that he had said all there was to say about it in volumes relating to the politics of a hundred years; that the interference of the German and Russian legations and of the Clan-na-Gael with the press and the Senate was innocently disguised; and that the three forces acting with the regular opposition and the natural obstructionists could always stop action in the Senate.

All this, if true—and it is true—condemns the wisdom of the fathers in clothing the Senate with any voice in the ratification of treaties. Its power conjointly with the House to enact legislation in abrogation of treaties would have been and is an ample check upon undue or improper Executive treaty action. Senator Sumner's animosity toward President Johnson prevented our acquisition of the Virgin Islands in 1867 for five or six millions of dollars. This enabled Germany to intrigue against their acquisition for half a century, although their importance as a safeguard to the Panama Canal is obvious to everyone. Similar situations are apt to arise again, if, indeed, they do not directly confront us. Division of Executive authority is never desirable. It frequently proves dangerous. It must prove embarrassing when it is to be shared between one man and a collective body of men of whom two-thirds must agree if it is to be made effective. Such a disposition of power is indefensible. We may defend it here, but we have by our conduct condemned it as intolerable elsewhere. In 1903 the Colombian Senate rejected the canal treaty. Its right to do so was beyond question, but the American Government expressed its disapprobation by conniving at an insurrection in one of the Colombian States, prevented its suppression by the Colombian Government, recognized the insurgent committee within 48 hours of its creation, accepted the telegraphic appointment of a minister plenipotentiary, and summarily negotiated a previously prepared treaty with him, which the American Senate ratified, thus recording its official disapprobation of a system its membership so stoutly champions upon its own account.

It is far from my purpose to criticize or condemn Senators who differ from me regarding this important subject and who have felt impelled by a sense of public duty to record their disagreement with the Executive's outline of peace conditions in advance of their submission to the Congress. I regret that they have done so, but I recognize that their action is in accord with their convictions of senatorial responsibility. Having done so, however, it is incumbent upon those of us who believe otherwise to make public expression of our views, lest it be gathered from our silence that announcements hitherto recorded embody the common sentiment of the American Senate. I shall therefore burden the RECORD with a brief outline of my own opinions regarding some features of a treaty of peace.

I am heartily in favor of open covenants of peace if that expression means that the treaty must contain the whole agreement between the treaty-making powers. There must be no more secret understandings between nations, as there never was with our own. Upon this proposition there can be no room for discussion. But I do not agree that all negotiations for these covenants should be open to the public. In peace congresses and in treaty making nations deal with each other as individuals. They must do so in the very nature of things, for treaties are merely national agreements. Nations are but aggregates of individuals; they must conduct their conferences by contact and interchange of views. Unlimited publicity would breed wholesale dissension, provoke controversy, embarrass official delegations, invoke protest, and confound understanding.

Moreover, it is practically impossible. The self-interest of some, if not all, of the participating countries impels in large degree the withholding from public knowledge of their ultimate objectives. This places the candid country at a disadvantage. Suspicion of sincerity is inevitable, and suspicion breeds dissension. A county convention of a political party, harmoniously chosen and harmoniously conducted, may nominate a ticket with unanimity, but behind the scenes and under the surface are many doubts and differences, perhaps dissatisfaction, born of defeated ambitions or thwarted plans. Every politician urging harmony knows this or he would not urge it. And every such gathering carefully safeguards its plans from the adversary, however worthy and altruistic their external structure may appear to be. What is a peace congress but a political convention of the nations or an international legislative body composed of delegates from sovereign powers, each depending upon its own representatives to promote and protect its own peculiar interests? This may be very material and barren of idealism, but it is everlastingly true. An open congress, as to all subjects, is therefore impossible; and being impossible, it would be most improvident to proclaim it as such, for the reaction would come with the grim realization of its Utopian character. Let the proposed treaty be complete and unequivocal, but do not strive to make it so by a process that is foredoomed to failure. The congress will do well, therefore, to conduct its proceedings so that it may reach ultimate conclusions, deliberating publicly only where it can be done with impunity and success.

I am reluctant to speak of economic barriers and trade relations, for in the last analysis that is the real obstacle to an all-embracing entente. Ours is an industrial and commercial age. Every manufacturing nation is prone to safeguard its own markets while invading others. Extension of foreign commerce, the securing of new markets, and the control of raw materials arouse competition, inspire jealousies, create dissensions, and provoke retaliations. The germs of war infest every foreign-trade propaganda. Restrictions and discrimi-

nations collide with each other. The friction always engenders heat, sometimes flaming into conflagration. The great conflict just ended was in large measure a trade war. Germany was fast conquering the markets of the world; she designed by military aggression to secure French and Belgian Channel ports, French and British colonies and dependencies, control of raw materials, world-wide commercial supremacy, and freedom from international competition. The allies and ourselves, so cordial and harmonious, are now watching each other askance, and commercially united chiefly in the common determination to permit no serious German trade competition. Already the air is charged with rumors of British trade ambitions, of French, Italian, and Japanese advantages, of America's need for a new tariff, a high tariff, a Chinese-wall tariff, scalable from within outward, but externally impenetrable. In the lexicon of international commerce equality of trade means only the right to sell without restriction. To my mind the only possible alternative to this entirely human but trouble-breeding situation is the removal of all economic barriers. But that is beyond human power while selfishness constitutes the mainspring of man's policies and progress. I cordially indorse the President's demand for "the removal as far as possible of economic barriers," but I am not overconfident of the possibilities involved in the equation. I agree that this is a bad old world, but I am also conscious that it is a tough old world, bent upon pursuing its lines of least resistance and exemplifying most of the weaknesses while paying tribute to all the virtues of its discordant populations. If it were possible to obliterate economic barriers and establish a true equality of trade relations, this and all other peace programs would reach a speedy solution. Their objects would for the most part establish themselves automatically, and the peace of the world would be disturbed only by domestic wars and internecine conflicts. I shall willingly give my support to any policy regarding this preponderant subject which the peace congress may be able to recommend, however skeptical I may remain regarding the probability of its practical operation.

Freedom of the seas is a vague and indefinable term. Like the peace of God it passeth understanding. It may have as many meanings as differing shades of national or local interests may assert. It is noticeable that the President does not use the term. He declares for "absolute freedom of navigation upon the seas outside territorial waters, alike in peace and in war." This phrase is none too specific, yet perhaps as much so as the subject permits. I understand him to mean that the right of navigation of the high seas, admittedly free in times of peace, shall be equally so in times of war, except as it may be restricted by international action for the enforcement of international covenants; that is to say, of international law. This condition does not apply to territorial waters where the warring nations are supreme and within whose boundaries international action can not become operative.

It may be that effectiveness can not be given to such a proposal without materially transforming the rights and liabilities of neutrals, but since the advent of the submarine these must be changed or the submarine suppressed. But the submarine, as a weapon of naval warfare, has come to stay, and international regulation for its use is imperative. Hence the unavoidable necessity for securing freedom of navigation in times of war under laws which belligerents must be made to respect. This seems to me entirely feasible without placing limitations on Britain's sea power and without at all affecting prevalent rights of navigation. The territorial boundary of waters should for obvious reasons be extended. The 3-mile limit was imposed when it was assumed to be the extreme range of distance for artillery. Hence, it represented the margin of safety from naval projectiles. Measured by the modern standard, this distance should be extended to 30 miles, a margin justified also by the need for protective measures against other modern methods of marine offensive warfare. A new code of international law adaptable to twentieth century conditions, made essential by the experiences of the past four years and designed for the protection of neutral rights, is not only demanded by every consideration of justice but is entirely compatible with any reasonable conception of freedom of the seas.

The naval power of Great Britain has never disturbed the peace of the world. Her supremacy of the sea has been attended by the most liberal commercial policies. All nations have had the same access to foreign ports everywhere, the same freedom of trade, the same markets which her own people enjoyed. Indeed, when we consider German purpose and ambition as disclosed by the events of the war, it may be truly said that the British navy has for years guaranteed the freedom of the seas to all the nations. For us it has been a bulwark for the Monroe doctrine, as it was a warning to Admiral Diederichs at Manila. Without it Germany would have devastated the seven seas after August, 1914, if, indeed, she had not destroyed the commerce of the world. Potentially, British sea power may menace the common enjoyment of ocean traffic; actually, England is too wise and too conscious of the inevitable reaction of the nations to convert her navy into an instrument of injustice in times of peace. Moreover, all navies are in process of evolution. The development of the submarine, the small and swift torpedo craft, and the hydroplane are even now correcting undue preponderance in battle fleets and affording to each of the great powers a fair start on other and better lines. I am far more concerned with supremacy in the air than with surface control of the sea. There is the new and boundless field for the agencies of war, of commerce, and of navigation. There America may compete in generous rivalry with all lands, there her victories will benefit herself not alone but all peoples everywhere. Then "absolute freedom of navigation" can be secured and made effective by force, if need be, albeit the peace congress should adjourn with its task unaccomplished or but partly performed.

The President's conception of "a general association of nations to be formed under special covenants to afford mutual guaranties of political independence and territorial integrity" was recently described by him as a league "that shall operate as the organized moral force of men throughout the world, and that whenever or wherever wrong or aggression are planned or contemplated this searching light of conscience will be turned upon them and men everywhere will ask: What are your purposes that you hold in your heart against the fortunes of the world?"

At the same time, Viscount Grey said that "it is not necessary for the peace conference to create a league of nations. The conference will itself be a vital beginning of such a league. All that is absolutely necessary is that it should not commit suicide but keep itself alive by adjourning and leaving a permanent organization instead of dissolving itself and destroying its machinery. This is not all that is desirable but all that is essential. A beginning that has in it vitality and power of growth is better than a more complete and more attractive creation that has no life. One is a living thing, while the other is a piece of furniture."

If an organized moral force be what is meant by a league of nations, its formation can not be very difficult, since all men are one in the longing for an effective and enduring peace. But moral forces are not apt to be persuasive with a great nation determined upon war, unless it be sustained by the sanction of actual force. Public opinion rightly directed is organized moral force. Public opinion is the offspring of democracy. A league of democratic nations might therefore generate a moral force sufficiently strong in itself to dissuade belligerents from breaches of the peace.

But moral forces seldom move all the masses in the same direction. Before America's entry into the war our people were divided as to the end toward which our duties pointed. Many good people opposed, while others equally good advocated, our intervention. The application of German force was required for a decision. And the moral viewpoint of a nation is more likely to be influenced by its interest than by any other consideration. There are times, too, when it is very properly aroused for war, when it regards peace as humiliating and disastrous.

Morality is a static element in human affairs, which neither grows nor diminishes. The observance of its essentials may be more active in one age or country than in another, but its quality is essentially unchangeable. Buckle demonstrated that man's progress in civilization was achieved through the development of science and the industries, through the investigation of nature's mysteries and the conversion of her infinite resources to the welfare of mankind. Throughout this marvelous era of expansion morals, like the law of gravitation, have remained the same. During the Middle Ages when the world stood still, while man contemplated this life merely as a state of preparation for a better and a higher one, morals were confounded with religion. They were exalted, but they were not transformed.

If it be true, and I think it is, that man advances and his social condition improves with his extending grasp and domination of material things, and that his happiness and comfort are the outgrowth of the same forces which breed strife and conflict, then it must be true that their peaceful adjustment can not depend with safety upon the possible concentration of static elements upon them. For man is a fighting animal, and life even in the most orderly communities is a continuing contest. We speak of our ambitions, our difficulties, our accomplishments, and our affections in terms of conflict. We practice self-restraint with indifferent success and transfer our battles wherever possible from the field to the forum. This does not change the nature of man, but only his methods of waging

wars. Morality is an invaluable ally of peace and of war when its precepts are duly observed by all. But if depended upon as a controlling influence in international affairs, it is apt, like a poorly tempered sword, to break in the hands at the moment of its greatest need.

The career of The Hague conventions affords some proof of this. They are easily the greatest advance of the nations toward harmony of understanding, for the mitigation of human strife. But their sanction was a moral one. Their structure, carefully and earnestly builded, collapsed like a house of cards with the first breath of the tempest. Their simple and attractive proportions had no rugged strength within and around them. The outline remains and may become the model for a wiser and sudder generation. But the world needs something more heroic, if nations are to be restrained within bounds and compelled to keep the peace.

Enthusiasts like William Ladd have dreamed for years of leagues for peace and formulated basic plans for their creation. Practically all of them recognized the need for a sanction behind them sufficiently adequate to make their decrees effective. The judgments of every court in Christendom, however peaceful and law-abiding the people, depend upon the power of the judges to summon if need be the armed strength of the Government for their vindication. All men respect the visible presence of actual power; many men in every country have no respect for anything else, and it is because of them that power must rest behind governments, whatever their character. "Liberty," said Robert Toombs, "is the blood of the brave. No people can long preserve it who are not ready at all times to die for it."

Confucius preached morality to China 500 years before the birth of Christ. He has since been its patron saint. Her defenseless and chaotic masses follow his precepts and respect his example. No man can question the beauty and worth of his philosophy, nor doubt the unwisdom of relying upon it as a sustaining force in political affairs. Indeed, it may be affirmed that if organized moral force can preserve the peace of the world, the hour of the millennium has struck, and man has reached the zenith of his material and intellectual advancement. I wish I could believe it possible.

I am much more impressed with Viscount Grey's suggestion. Let the victorious league now in force be continued. It is amply competent to keep the peace of the world and adjust all differences between its members. It is welded by a common sacrifice and consecrated to greater service by the achievement of a triumph to which they all contributed. Such an alliance commands respect by the strength it enjoys and inspires confidence by the cause it espoused and vindicated. It may admit other nations to its association as time and experience shall determine. The same sure guides will unfold the needs and suggest the methods for its policies and their enforcement, discover obstacles and difficulties with the way to overcome or avoid them. Indeed, Mr. President, I devoutly believe that an entente between the two great English-speaking nations, whose unhappy differences have, I trust, forever disappeared in the presence of a common danger, and whose friendship has been forged in the fires and sanctified upon the altars of a victory attained by a common sacrifice of blood and treasure, would be the harbinger of an era of peace for all the nations. Their hegemony in world affairs would lead away from strife, promote the administration of justice, respect the rights, the religion, and the aspirations of other and smaller peoples, encourage education, the development of art, science, and all the peaceful pursuits of man. The magnitude of their vast responsibilities and the majesty of their strength would guarantee their continued association, and the influence of their example would be compelling with every people.

Because an alliance actually exists, there is groundwork for its growth into a league. And I think in the nature of things a league must be a growth. It can only find its rudiments in conventions. The difficulties to be considered and reconciled are many. The Senators from Massachusetts, Missouri, and Pennsylvania have emphasized some of them. Others are as readily foreseen. I need only mention the financial burden and its method of distribution, its inclusion of the vanquished nations, of Bolshevist Russia, and the Vatican. For every advocate of the plan assumes the necessity of comprehending all nations within its confines. We can not include Germany until her repentance and reformation have transformed her. We can not include Russia until the hideous nightmare of her Bolshevist delirium shall have passed away. And Italy confronts the Vatican.

Shall the league be an indissoluble one? Should a dissatisfied nation determine to secede, are the batteries of the league to be turned upon it? If so, must it not by the union surrender an important element of its sovereignty? If not, may it not be dissolved at the pleasure of one or more of its constituents? And if it is permanent, indissoluble, and sovereign will it be a league or the successor of all nations? Questions like these can not be avoided nor is their solution easily attainable.

I do not say these difficulties are insuperable, but I feel sure that only time and experience can surmount them. They will tax the patience and the wisdom of the entente, whose immediate and compelling work is the dictation of peace to Germany and the organization of the nations now springing from the ashes of Turkey and Austria.

With this task the neutral nations are not directly concerned. It is exclusively that of our allies and of ourselves. Germany has but the semblance of a government with which the allies can deal. The nation is in flux and may at any time turn to quicksilver in their grasp. Peace conditions can not be imposed upon a people without a government to accept and obey them. We are now safeguarding the Rhineland border; we may soon be compelled to police Berlin and the confines of Poland. Indemnities are of no avail if there be no authority to collect and deliver them. The winning of a war is fruitless if the enemy melts away under the dissolving agencies of disaster. Let us therefore deal with Germany as summarily as justice will permit. We are not yet at peace. The world is still in revolt, and the burden of the war has not been taken from its shoulders. Until it shall have ended, it can not again settle down and adjust itself to the ancient ways, and it can not end until Germany knows what her sentence is to be. We must have peace before we can enforce it. The treaty must precede everything else, the league included.

Mr. President, I trust that events will justify those who believe in the possibility of securing permanent peace through the establishment of a world's tribunal. And I fervently hope that this great war may mark the close of strife among men. But I apprehend that until human nature shall have profoundly altered, until selfishness and greed, until the passions, the ambitions, and the emotions of men shall have been tempered by the altruism of a brotherhood we have never yet attained, the world will be troubled by wars and rumors of war. A French antiquarian recently announced that he had unearthed more than 3,000 treaties of peace since organized society began, all of them expressly designed to establish permanent peace on earth. The Congress of Vienna wrought to that end and rashly proclaimed its consummation, yet its every signatory was at war within half a century afterwards. The terrific cost and the terrible weapons of modern warfare will be greater deterrents to war than all the programs for its prevention which man's genius can evolve or his industry construct.

"The fate of nations," said Gov. Black, "is still decided by their wars. You may talk of orderly tribunals and learned referees; you may sing in your schools the gentle phrases of the quiet life; you may strike from your books the last note of every martial anthem, and yet out in the smoke and thunder will always be the tramp of horses and the silent, rigid, upturned face. Men may prophesy and women pray, but peace will come here to abide forever on this earth only when the dreams of childhood are accepted charts to guide the destinies of men. Events are numberless and mighty, and no man can tell which wire runs around the world. The nation basking to-day in the quiet of contentment and repose may still be in the deadly circuit and to-morrow writhing in the toils of war."

Mr. President, I am not apprehensive of any great international war until the horrors and desolation of this one shall have been forgotten in the excitements of some great upheaval. But I am concerned with the prospect of internal strife arising from the social, economic, and political unrest everywhere observable. I need go into no detail regarding Russia. But the chaos there prevalent seems infectious. The seeds of the bloody disorder blown westward by the winds of heaven are lodging and taking root in other soils. It can not be that we have overthrown autocracy only to prepare the world for Bolshevism. If that be so, we have made it worse than it ever was. A recent writer has described autocracy as organized hell and Bolshevism as hell broke loose. It is a despotism of murder, arson, and robbery enthroned, more deadly than Romanoff absolutism, more destructive than Teutonic warfare. It surpasses the barbarism of the savage. It must be stamped out as a nest of vipers, or its consuming fires may envelop the world in universal conflagration.

Mr. President, the glowing tributes to the heroic virtues and to the sentimental elements of human nature now so prevalent are timely and attractive. But I am unable to perceive that these qualities have been stimulated into universal activity. They are not apparent in the recent pronouncements of labor, in the aspirations of capital. The nations are girding their loins for the approaching economic struggle. Tariffs, protective and

punitive, combinations to restrain and promote trade, the struggle for existence seem quite as aggressive as in the ante-bellum period. The advocate of the torch and the bomb, as the drastic but essential remedies for every social disorder, is plying his trade as though it had not been interrupted. The golden rule still yields to the rule of gold and men applaud the announcement of doctrines whose precepts, though beautiful, give no promise of material return.

Some of the peoples just freed from Teutonic oppression are signalizing their deliverance by the slaughter of aliens within their midst. Class appeals to violence in some of the allied countries mingle their voices in the general acclaim of victory. In free America the I. W. W. preach and practice the gospel of destruction; anarchy disseminates its poison among the discontented; wealth has not fully learned its lesson from the experiences of the recent past; strike breakers are dynamited and negroes lynched as they were in our era of peace and prosperity. The foremost advocates of a league for peace clamor for armies far outnumbering the establishments of the old order that has passed and for navies that shall overspread the seven seas. These conditions can not endure forever. They are not within the purview of leagues for peace. What shall it profit the nations if in securing peace between themselves they shall be torn to pieces by their own embittered populations? These are the dangers just ahead. Let us not overlook them by looking to the sky line beyond them. Let us see to it that they are avoided.

Mr. President, I entertain very decided opinions upon armaments and the economic policies of the great powers toward each other and the lesser peoples. But I shall not express them now. When the Navy bill reaches the Senate I shall probably do so. For the present I need only add that I recognize the Executive as the depositary of the treaty-making power. He should be free to exercise it as to him seems best for the country. His is the immediate responsibility. I have every confidence in the loftiness of his purposes, the integrity of his aims, and the measure of his ability at this crisis in our diplomatic history. Reserving my judgment upon the finished work of the commission when it comes to the Senate for approval, I confidently predict that President Wilson will acquit himself well before the nations and to the ultimate satisfaction of his countrymen.

Mr. BORAH. Mr. President, before the Senator takes his seat I desire to ask a question. The Senator, speaking of the first principle of the 14 points, with reference to secret diplomacy, was of the opinion that negotiations should be in secret, as I understood him.

Mr. THOMAS. Except where the negotiations may be public without in any wise affecting or being dangerous to the ultimate purpose of the conference.

Mr. BORAH. The thought that occurred to me—leaving out for the present the general principle of secret or open diplomacy—is what reason can there be for maintaining any secrecy at all with reference to a treaty which is to be imposed upon or submitted to the conquered nations? They are not present, and publicity could not arouse any feelings such as the Senator speaks of. We are simply meeting there as friends and allies to impose upon the conquered nations certain conditions. What reason can there be for having secrecy about anything of that kind?

Mr. THOMAS. It is impossible, Mr. President, for me to forecast the situation as it is bound to unfold itself in that conference from day to day. On the other hand, it is impossible for me to conceive of a conference whose purposes are so numerous and so mighty as that which is about to assemble, without assuming the presence of questions which, to be settled peaceably, must be settled among themselves, and which, if given world-wide immediate publicity, will tend to destroy rather than to promote the purposes of the conference.

Mr. BORAH. Mr. President, the Senator leaves out of the conference, it seems to me, a body which ought to be taken into consideration, and that is the great mass of the people who really fought and won the war and who are to be bound by the treaty. Why should not they be informed as to what these conditions are prior to the time they are bound by them?

Mr. THOMAS. If those who fought the war, the armies, are to be informed of everything preceding the treaty, then they should make it and not their accredited delegates. I have not said, at least I am not conscious of having said, that the framework of the treaty and the basis of it should not be submitted to everybody before its ratification. If I have created that sort of an impression, I have been unfortunate in my use of language.

Mr. BORAH. The Senator is never unfortunate in that respect.

Mr. THOMAS. I do not mean that the treaty should be completed by the conference in the sense that it is not to be submitted to the people of the various nations concerned after it has been virtually ratified.

Mr. BORAH. The Senator would not be in favor, for instance, of a completed instrument which should be brought here and ratified in secret session before the people were informed of its details?

Mr. THOMAS. Oh, no; not at all. I would be perfectly willing, in considering a treaty of this kind, to cast my vote, unless I change my mind, for open sessions for its consideration by the Senate, but then we have to act upon it as it has been framed and submitted to us for our consideration.

Mr. BORAH. Does not the Senator think that any substantial terms of the treaty, any substantial provisions, ought to be made public before the treaty is finally agreed upon?

Mr. THOMAS. Absolutely. It is the negotiations leading up to that conclusion, which may not be permanent, which in the public interests, in my judgment, in nine cases out of ten should be discussed privately.

THE MEAT-PACKING INDUSTRY.

Mr. HITCHCOCK obtained the floor.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER (Mr. HOLLIS in the chair). Does the Senator from Nebraska yield to the Senator from Iowa?

Mr. HITCHCOCK. I yield.

Mr. KENYON. Mr. President, I wish, if the Senator will permit me, to ask unanimous consent to have the Committee on Interstate Commerce discharged from the further consideration of a bill introduced by me, being Senate bill 5248, and have the bill referred to the Committee on Agriculture. I will say, if the Senator will pardon me, that I introduced this bill by request, being the same bill that is now in the House, with reference to the control of packing houses. I felt that it should go to the Committee on Interstate Commerce. The purpose of introducing the bill, however, was to have hearings in the Senate at the same time that they are being conducted in the House. That can not be done if the bill stays with the Interstate Commerce Committee of the Senate. I have consulted the chairman of that committee, the Senator from South Carolina [Mr. SMITH], and the ranking minority member of the committee, the Senator from Iowa [Mr. CUMMINS], and both are agreed that these hearings could not take place before that committee for a month. It can just as well be done by the Agricultural Committee. Witnesses are to be here from some 1,500 miles who would otherwise have to be brought back. That is my reason for making this request.

The PRESIDING OFFICER. Is there objection?

Mr. SMOOT. I should like to ask the Senator from Iowa if he will not withdraw that request for the present and bring it up to-morrow when there is a fuller attendance of the Senate?

Mr. KENYON. Yes; if there is any objection to it to-day.

Mr. SMOOT. I ask that it go over until to-morrow.

Mr. KENYON. I will withdraw the request at this time and renew it to-morrow.

CLAIMS AGAINST MEXICO.

The PRESIDING OFFICER. The Senator from Nebraska [Mr. HITCHCOCK] has the floor.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Utah?

Mr. HITCHCOCK. I yield.

Mr. KING. Mr. President, I submitted a day or two ago Senate resolution No. 399, which is now upon the table. I move that it be taken from the table, and that the Senate proceed to its consideration.

The PRESIDING OFFICER. The question is on the motion of the Senator from Utah, that the Senate proceed to the consideration of Senate resolution 399.

Mr. THOMAS. Let the resolution be read.

The PRESIDING OFFICER. The Secretary will read the resolution.

The Secretary read the resolution, as follows:

Whereas claims aggregating millions of dollars in compensation for damages to property and for personal outrages and destruction of life, suffered by American citizens in the Republic of Mexico, have been filed with the Department of State for presentation to the Government of Mexico; and

Whereas some years have already intervened between the commission of such damages and outrages and no progress is apparently being made toward the liquidation, settlement, and payment of such claims: Now, therefore, be it

Resolved, That the Secretary of State be, and he is hereby, directed to report to the Senate whether or not said claims have been presented to the Government of Mexico, and what steps and measures are being taken to prosecute such claims and to liquidate and settle the same, and if said claims have not been presented, then to report to the Senate what steps and measures are contemplated to be taken with respect thereto and when the department will proceed with the same.

Mr. HITCHCOCK. I suggest that is a matter which properly should go to the Committee on Foreign Relations for action.

Mr. KING. Mr. President, I believe the time has come when this Government can, with propriety and, indeed, with justice, request the Republic of Mexico to make just compensation for the injuries inflicted upon American citizens who were rightfully in Mexico, as well as for damages to property which American citizens owned within the territorial limits of Mexico. This resolution challenges attention to this matter and may be regarded as preliminary to a pressing of claims which, under international law, the Republic of Mexico should meet. Not only millions and tens of millions of dollars in value of American property have been confiscated and destroyed by Mexicans, and in many instances by the military forces of the Government of Mexico, but many Americans have been subjected to physical violence and indignities at the hands of Mexican citizens, and a considerable number have been killed. American citizens who have been the victims of wrongs and injustices in Mexico have filed with the State Department in this city claims against the Government of Mexico amounting to several hundred millions of dollars. As the resolution recites, years have intervened between the commission of the wrongs and outrages which offer the basis for claims for damages, and no progress has been made toward the liquidation, settlement, or payment of the same. In my opinion, the United States has been generous in her treatment of the Mexican Republic. Our Government has exhibited the utmost patience and forbearance in her dealings with our neighbor Republic and the Mexican people. President Wilson has been the true friend of Mexico. He desired the welfare of the Republic and the happiness and the prosperity and liberty of the Mexican people. In every possible way he sought to prove the disinterested friendship that this Republic had for the Mexican people. Evidences are not wanting that the patience and friendship exhibited by President Wilson and by the American people have not brought forth a response from Mexico and her people that would be indicative of a reciprocal feeling upon the part of the latter. In the great world conflict through which we have just passed, Mexico evinced no friendship for the allied cause and no appreciation for the great work which was performed by this Nation. Indeed, I think the evidences are manifest that Carranza and his Government were pro-German rather than proally or neutral.

One would have thought that in view of the great principles for which the allies were fighting, and in view of the sincere regard which this Republic, particularly under Mr. Wilson's administration, had exhibited in behalf of Mexico and her people, that in the hour when the lines were drawn between the forces of liberty and freedom and those of autocracy our sister Republic and her people would have enthusiastically raised their voices in support of the forces contending against the central empires. Not only would this course have been just and humane but it would have been some compensation for the kindness and favors and friendship bestowed by the United States upon Mexico. During the war, and particularly after the United States entered the conflict, the present Government of Mexico not only failed to show sympathy with the allies and their aims but opposition was clearly manifested, and to our Government there was, I was about to say, open hostility—indeed, I shall not change the word—shown toward our Government.

How different was the course of Brazil and other Republics in South and Central America. The people of the United States will ever remember with deep appreciation and gratitude the fact that Cuba, Brazil, and other Republics to the south of us showed their abhorrence to the practices, policies, and contentions of the central powers and their approval of the aims and purposes of the allied nations. They became, as it were, partners with those nations that were carrying the standard of civilization and seeking to uphold the cause of freedom in all the world. Mexico chose a different course. She sought an inglorious and unenviable isolation.

Mr. President, the time has come when Mexico must meet the just demands of American citizens. The injuries and damages which they have sustained at the hands of Mexico and her people must be paid for. The hand of death is claiming many of those who have thus suffered. As time goes by the proof of the damages sustained becomes more difficult to secure. Compensation should be made to those who have suffered before the payment would be too late to be of advantage to them. International law and treaties have been violated and American rights have been trampled upon. This resolution should be promptly passed, and when the State Department has furnished the information sought, if it appears that further steps should be taken in order to enforce the rights of the American people, then I feel sure there would be no hesitation in proceeding along the lines of justice with vigor and promptitude.

Mr. HITCHCOCK. I hope the Senator will not press this matter this afternoon. I rose to move an executive session. I am very sure he would not be able to get his resolution through this afternoon. I will say if he will have it referred to the Committee on Foreign Relations, I will secure for it consideration next week, at the next session of that committee, and I believe it will be expedited. It is a little better to consult the Secretary of State before asking him to reveal here the relations that may be in existence between the State Department and the Mexican Government.

Mr. KING. I appreciate that certain formalities are sometimes required and indulged in with respect to resolutions calling for information from or action on the part of some governmental department, and particularly that department which has to do with our foreign relations; but I can not conceive of any objection to the passage of this resolution. I am frank to confess, however, that I know what the information will be. I have had a number of conferences with officials of the State Department. I will not disclose, of course, the information conveyed or the matters under discussion. I shall be equally frank in stating that I shall attempt to secure some action which it is quite likely this resolution will not secure in order to compel the Mexican Government to meet the just claims of American citizens. I am perfectly willing, however, to follow the suggestions of the chairman of the Committee on Foreign Relations and will, therefore, not object to the resolution being referred with the understanding that the committee act upon the same at the earliest possible moment.

Mr. SMITH of Arizona. Mr. President, I am extremely anxious to see the resolution, which has just been read, passed as early as possible. I was hoping that the Senator would let it lie on the table for the present and that by our efforts we might get it up to-morrow or at some very early date. The committee meets next Wednesday, as I am informed by the chairman. Inasmuch as the reference of the resolution seems to have been consented to I shall not take the time of the Senate now to give a little history of our relations with Mexico since these outrages first occurred.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Utah? The Chair hears none, and the resolution is referred to the Committee on Foreign Relations.

PROMOTIONS IN THE ARMY.

Mr. KING. Mr. President, a day or two ago I submitted Senate resolution No. 398 and asked its reference to the Committee on Military Affairs. I have spoken to the chairman of that committee and he has no objection to the committee being discharged from the further consideration of the resolution and having it adopted by the Senate. Therefore, I move that the Committee on Military Affairs be discharged from the further consideration of the resolution and that the Senate proceed to its consideration. It will only take a minute.

Mr. SMOOT. Will not my colleague divide that motion and first have the committee discharged from the further consideration of the resolution?

Mr. KING. Yes. I move, first, that the Committee on Military Affairs be discharged from further consideration of the resolution.

The PRESIDING OFFICER. The question is on the motion of the Senator from Utah that the Committee on Military Affairs be discharged from further consideration of Senate resolution No. 398.

Mr. JONES of Washington. Mr. President, let the resolution be read.

Mr. NEW. I should like to have the resolution read.

The PRESIDING OFFICER. The Secretary will read the resolution.

The Secretary read the resolution, as follows:

Whereas prior to the signing of the armistice a large number of enlisted men in the Army had been recommended for commissions and many officers had been recommended for promotion, and such recommendations were pending in the War Department when said armistice was signed; and

Whereas an order was issued by the Secretary of War which resulted in no action being taken upon said recommendations, or either of them; and

Whereas officers and enlisted men who were so recommended are being discharged from the service without said recommendations being acted upon; and

Whereas no good and sufficient reason appears for failure to act upon said recommendations, and justice and good faith would seem to require affirmative action thereon: Therefore be it

Resolved, That the Secretary of War be directed to report to the Senate whether a modification or revocation of said order is contemplated, and if not, what reasons exist for failing to act upon said recommendations.

Mr. HITCHCOCK. Mr. President, I see no objection to the adoption of this resolution, but I will say to the Senator, for his information, that the Committee on Military Affairs had

up this morning the question involved, and sent to the department for consideration and report several bills and resolutions having the same purpose. We expect to have the information in the committee from the War Department within a few days as to the number of men involved and other facts connected with the matter. However, there is no objection to the adoption of this resolution, if the Senator desires to press it.

Mr. PHELAN. As a matter of information, the Secretary of War is reported as having said the men recommended for promotion after they have been disenrolled are still eligible to the promotion recommended in the reserves. Is the Senator informed on that subject?

Mr. HITCHCOCK. That is a somewhat different question. The committee desired to get information as to how many men had been recommended for promotion and by whom the recommendations were made. The captain of a company may recommend a man for promotion, but the colonel of the regiment may not approve it; and that would hardly be such a recommendation as would be entitled to full consideration. The committee is seeking to get from the War Department full information on that matter.

Mr. PHELAN. My information was that Gen. Pershing had made many recommendations which were cut off by the signing of the armistice.

Mr. HITCHCOCK. That is undoubtedly true.

Mr. PHELAN. But that he did not exercise that privilege in the matter of the Medical Corps; that the Secretary when abroad instructed him to include the Medical Corps; and in answer to an interrogatory the Secretary said that such officers would receive their promotion in the reserves after their disenrollment.

Mr. SMOOT. The statement made by the Senator is correct; but many of the men who had been recommended for promotion in the Army before November 11 have no desire whatever to remain in the Reserve Corps. They have earned their promotion, but the order issued by the Secretary of War prevents the promotion being granted. There is no question that the statement made by the Senator is correct; but the subject we are discussing now relates to the men who have earned their promotions and were recommended before November 11.

Mr. PHELAN. Mr. President, I am strongly in favor of the adoption of the resolution, because I think the recognition should be granted, and it will involve no expense to the Government.

Mr. KING. Mr. President, a large number of men have risen from the ranks to the position where by their valiant service they have been recommended for promotion and were about to be promoted when this blanket order of November 11 prohibited further action. Many officers who likewise have rendered excellent service have been recommended for promotion, and they, too, by the operation of this order were prohibited from receiving their promotions. It seems to me that a blanket order of that character is rather unfortunate. This resolution inquires into the purpose of it, whether there is a probability of its revocation, and asks for general information upon the subject. I think there can be no objection to the passage of the resolution.

Mr. JONES of Washington. Mr. President, may I ask the Senator whether or not he would have any objection to having included in the resolution an inquiry of the Secretary of War as to how many men would be affected? I understand that the committee has made inquiry about that.

Mr. THOMAS. The Committee on Military Affairs expects to have that information in a very few days.

The PRESIDING OFFICER. The Chair will state that the matter of amending the resolution will come up after the main motion has been disposed of.

Mr. JONES of Washington. I understand that; but I wanted to know from the Senator whether he would have any objection to having included in the resolution an inquiry as to the number of men who would be affected by it?

Mr. KING. I have no objection to that.

Mr. LENROOT. Mr. President, will the Senator yield to me?

Mr. KING. I yield to the Senator.

Mr. LENROOT. I should like to ask the Senator his view as to whether the language of this resolution would include those men who had entered officers' training camps, but had not received commissions prior to the signing of the armistice?

Mr. HITCHCOCK. They are not involved.

Mr. LENROOT. But are they not?

Mr. HITCHCOCK. No; they will get their commissions when they have earned them.

Mr. KING. That is my information.

Mr. SMOOT. I will say to the Senator that if they complete their course they get their commissions; there is no doubt about that at all.

Mr. HITCHCOCK. It is up to them.

Mr. SMOOT. But it is up to them as to whether they want to get their commissions. If they desire commissions, they must complete their course; but if they leave before completing the course, then they do not get commissions.

Mr. LENROOT. I will say that what prompted me to make the inquiry was this: I have only this morning had one letter from an enlisted man who had entered a training school in France. He has been recommended for a commission.

Mr. THOMAS. If he has been recommended, then the bill which I introduced would cover his case.

The PRESIDING OFFICER. The question is on the motion of the Senator from Utah that the Committee on Military Affairs be discharged from the further consideration of Senate resolution No. 398.

The motion was agreed to.

Mr. KING. I move that the Senate proceed to the consideration of the resolution.

The PRESIDING OFFICER. The question is on the motion of the Senator from Utah.

The motion was agreed to, and the Senate proceeded to consider the resolution.

Mr. JONES of Washington. As I understand from the Senator from Nebraska, the Committee on Military Affairs has inquired of the Secretary of War for information as to how many men will be affected by the order referred to in the resolution.

Mr. HITCHCOCK. I so understand.

Mr. JONES of Washington. Then I will not ask to have the resolution amended.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

EXECUTIVE SESSION.

Mr. HITCHCOCK. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session, the doors were reopened.

ADJOURNMENT TO MONDAY.

Mr. HITCHCOCK. I move that when the Senate adjourns today, it adjourn to meet on Monday next at 12 o'clock noon.

The motion was agreed to.

ADJOURNMENT.

Mr. HITCHCOCK. I move that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 40 minutes p. m.) the Senate adjourned until Monday, January 6, 1919, at 12 o'clock meridian.

NOMINATIONS.

Executive nomination received by the Senate January 3, 1919.

UNITED STATES DISTRICT JUDGE.

R. L. Williams, of Durant, Okla., to be United States district judge, eastern district of Oklahoma, vice R. E. Campbell, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 3, 1919.

BOARD OF GENERAL APPRAISERS.

George E. Weller to be a member of the Board of General Appraisers of Merchandise at New York.

POSTMASTERS.

NORTH DAKOTA.

Arthur L. Young, Bowman.
Pearl C. Forslof, Warwick.

HOUSE OF REPRESENTATIVES.

FRIDAY, *January 3, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, our Heavenly Father, out of the issues of whose great loving heart come all the rich and varied blessings of life, temporal and spiritual, which, if assimilated and made dominant in the soul of man would transform the world into a veritable paradise, help us, we beseech Thee, to overcome the evils which doth so easily beset us—selfishness, greed, covetousness, envy, jealousy, hatred, revenge, egotism, and all that makes for evil—that we may be strong, pure, noble, holy. In the Spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. FARR, temporarily, on account of illness in his family.

To Mr. FAIRFIELD (at the request of Mr. WOOD of Indiana), for one week on account of illness.

THE LATE REPRESENTATIVE J. FREDERICK C. TALBOTT.

Mr. LINTHICUM. Mr. Speaker, I ask unanimous consent that Sunday, February 9, 1919, be set aside for addresses on the life, character, and public services of the Hon. J. FREDERICK C. TALBOTT, late a Representative from the State of Maryland.

The SPEAKER. The gentleman from Maryland asks unanimous consent that Sunday, February 9, 1919, be set aside to memorialize the late Representative TALBOTT. Is there objection?

There was no objection.

CONTESTED ELECTION CASE—WICKERSHAM AGAINST SULZER.

Mr. WILSON of Louisiana. Mr. Speaker, I call up the contested election case of Wickersham against Sulzer, and ask that the Clerk report the resolutions.

The SPEAKER. The Clerk will report the resolutions.

The Clerk read as follows:

House resolution 492.

Contested-election case—Wickersham v. Sulzer.

Resolved,

1. That Charles A. Sulzer was not elected a Delegate to the House of Representatives from the Territory of Alaska in this Congress and is not entitled to retain a seat herein.

2. That James Wickersham was duly elected a Delegate to the House of Representatives from the Territory of Alaska in this Congress and is entitled to a seat therein.

Mr. WILSON of Louisiana. Mr. Speaker, my understanding of the rule is that if we proceed without fixing a time for debate we proceed under the rules of the House, and that any Member who secures recognition will be entitled to have an hour.

The SPEAKER. That is correct.

Mr. MANN. Mr. Speaker, will the gentleman from Louisiana yield?

Mr. WILSON of Louisiana. Yes.

Mr. MANN. Would it not be better, if practicable, to fix the time for debate in this case?

Mr. WILSON of Louisiana. I do not know. I do not imagine that it will take up any more time to proceed under the rules of the House.

Mr. GARRETT of Tennessee. Is this a unanimous report? There is no minority report filed.

Mr. WILSON of Louisiana. Yes; it is a unanimous decision of the committee.

Mr. MANN. I understand that the Delegate from Alaska [Mr. SULZER] and possibly others desire to be heard in opposition to the report of the committee.

Mr. WILSON of Louisiana. That is true.

Mr. MANN. It would be a matter of great convenience to the House if they could tell something about when the vote would be had upon the resolution.

Mr. WILSON of Louisiana. It would be the intention to have the vote some time to-day. I do not think there is any doubt about that. It is hard to tell how much time will be necessary.

The SPEAKER. Has the gentleman from Louisiana any time limit to suggest?

Mr. POU. Mr. Speaker, will not the gentleman prefer a request for unanimous consent to fix the time? There is no minority report filed in this case, and, as the gentleman is well aware, there is another matter of very great importance that is desired by a great many Members to have disposed of to-day, if possible. I suggest to the gentleman the advisability of making a request and fixing the time.

Mr. WILSON of Louisiana. I would not like to make a request that would shut anybody off who desires to be heard. I am not advised as to how much time is desired.

Mr. WALSH. Mr. Speaker, this is a matter of great importance, and we ought not to undertake the consideration of it with a handful of Members here. I make a point of order that there is no quorum present.

The SPEAKER. The gentleman from Massachusetts makes the point of order that there is no quorum present. The Chair will count. [After counting.] Ninety-six Members present, not a quorum.

Mr. WILSON of Louisiana. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The doors were closed.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Eagan	Igoe	Rogers
Ashbrook	Emerson	Kahn	Rowland
Benson	Essen	Kearns	Russell
Black	Estopinal	Kennedy, R. I.	Sabath
Blackmon	Fairchild, B. L.	Key, Ohio	Sanders, La.
Borland	Fairchild, G. W.	Kless, Pa.	Sanders, N. Y.
Brand	Fairfield	Kitchin	Sanford
Brodbeck	Farr	Kreider	Saunders, Va.
Brumbaugh	Ferris	Lampert	Scott, Iowa
Burroughs	Fields	Langley	Scott, Pa.
Byrnes, S. C.	Flynn	Lehlbach	Scully
Caldwell	Focht	Linn	Sells
Candler, Miss.	Francis	McClintic	Shackleford
Carew	Fuller, Mass.	McCulloch	Shallenberger
Carter, Mass.	Gallagher	McFadden	Sherley
Carter, Okla.	Gallivan	McKenzie	Shouse
Cary	Garland	McKinley	Slemp
Church	Goodall	McLaughlin, Pa.	Smith, Mich.
Clark, Fla.	Graham, Ill.	Maher	Smith, C. B.
Clark, Pa.	Graham, Pa.	Martin	Snell
Connally, Tex.	Gray, N. J.	Mason	Snyder
Cooper, Ohio	Greene, Vt.	Miller, Minn	Stafford
Cooper, W. Va.	Gregg	Moon	Sterling
Copley	Gresser	Morin	Sullivan
Costello	Griffin	Mott	Summers
Crago	Hamill	Mudd	Swift
Currie, Mich.	Hamilton, N. Y.	Nelson, A. P.	Switzer
Curry, Cal.	Harrison, Va.	Nelson, J. M.	Tague
Dale, Vt.	Hayes	Nichols, Mich	Temple
Davis	Heaton	Norton	Templeton
Decker	Hedin	Oliver, N. Y.	Thomas
Delaney	Heintz	Olney	Tilson
Dent	Helm	O'Shaunessy	Tinkham
Dewalt	Helvering	Park	Van Dyke
Dominick	Hood	Parker, N. Y.	Waldow
Donovan	Houston	Pratt	Welty
Dooling	Hull, Iowa	Price	Whaley
Doughton	Humphreys	Purnell	Williams
Drane	Husted	Quin	Wilson, Ill.
Drukker	Hutchinson	Ragsdale	Winslow
Dunn	Ireland	Rainey, J. W.	Wise
Dupré	Jacoway	Riordan	Wright
Dyer	Johnson, S. Dak.	Robbins	Young, N. Dak.

The SPEAKER. On this vote 200 Members answered to their names, a quorum.

Mr. WILSON of Louisiana. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will unlock the doors.

CHANGE OF REFERENCE.

Mr. GARD. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. GARD. Mr. Speaker, I ask for a change of reference of House joint resolution 377, introduced by me on yesterday and referred to the Committee on Military Affairs. I ask to have it referred to the Committee on the Judiciary.

The SPEAKER. What is it about?

Mr. GARD. The joint resolution has for its purpose the extending of the thanks of Congress to members of the American Protective League, an organization auxiliary to the Department of Justice.

The SPEAKER. Without objection, the bill will be so referred.

There was no objection.

Mr. TAYLOR of Colorado. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Colorado rise?

Mr. TAYLOR of Colorado. I want to call attention to the reference of another bill, which, I think, has been wrongly referred. It is in the RECORD of December 30, page 930. It is Senate bill 1847, referred to the House Calendar, and it should have been referred to the Union Calendar.

The SPEAKER. What is it about?

Mr. TAYLOR of Colorado. It is granting a large quantity of land to one of the forest reserves in the State of Wyoming. It pertains to the public domain, and really ought to be on the Union Calendar. I think it has been inadvertently referred, for such bills heretofore have gone to the Union Calendar.

The SPEAKER. The Chair does not fix the calendar.

Mr. TAYLOR of Colorado. I do not know how to get at it, but I think it ought to be referred from the House Calendar to the Union Calendar.

The SPEAKER. What is the number of it?

Mr. TAYLOR of Colorado. Senate bill 1847.

The SPEAKER. The gentleman from Colorado asks that Senate bill 1847 be referred to the Committee on Public Lands——

Mr. TAYLOR of Colorado. No; to the Union Calendar of the House. It is now on the House Calendar.

The SPEAKER. Be referred from the House Calendar to the Union Calendar. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object—I do not think I shall object to referring any bill to the House calendar, but I would like to know what the bill is.

Mr. TAYLOR of Colorado. It is a bill incorporating quite a large territory in the State of Wyoming into one of the national forest reserves. It has the approval of both the Interior Department and the Agricultural Department. I reported the bill from the Committee on Public Lands, and the bill belongs to the Wyoming Senator and Representative.

Mr. MANN. It is a matter of change of reference for the Speaker whether unanimous consent is given or not; but I think nobody has any objection.

The SPEAKER. Well, let it go, then. The gentleman from Louisiana.

CONTESTED-ELECTION CASE—WICKERSHAM AGAINST SULZER.

Mr. WILSON of Louisiana. Mr. Speaker and gentlemen of the House, I am very glad for an opportunity to transfer the responsibility of this complicated contested-election case to the House. The committee have given rather unusual consideration to this case. We felt the responsibility of deciding the case according to the law and the evidence and of making a correct report to the House of Representatives for what action it might deem necessary or fit to take in the premises. This contest arose in Alaska out of the election of November 7, 1916. When the returns were all in and canvassed there was a majority in favor of the contestant, Wickersham, of 31 votes. The matter of canvassing the election in Alaska is different from that of any State or any other country so far as I know. The act of Congress providing for the election of a Delegate from Alaska created a canvassing board consisting of the governor, the collector of customs, and the surveyor general. To this board was to be sent the complete returns from the various precincts of the Territory. To this canvassing board, under the act of Congress providing for the election of a Delegate from Alaska, was to be sent from the various precincts the election returns. This board, in my opinion, has rather unusual powers, because the law directing that it meet and canvass these returns does not fix any time limit upon how long this canvass may continue. In fact, the canvass in this case appeared to extend over several months, due to the fact that the election returns were very much delayed and reported very slowly. The law further provides that the board after canvassing the returns in the various precincts shall issue a certificate of election to the candidate having the greater number of the votes. Well, upon the completion of this canvass of this election some time about the 1st of March, 1917, the board was prepared to issue certificate to Mr. Wickersham, as the returns showed that he had a majority of 31 votes. Then a proceeding was taken in the United States district court by Mr. Sulzer, asking that a writ of mandamus be directed to this canvassing board commanding them to reject the returns at seven precincts and to issue a certificate of election to the contestee, Mr. Sulzer. To this writ the members of the board answered, and their answer is set out fully in the report of the committee, and upon this answer some time—I think about the 23d of March—the judge of the district court for the first division—I think it was—of Alaska issued a writ of mandamus directed to the canvassing board commanding them—of course the preliminary writ had that command—but ordering them to make a return. Then the writ was made peremptory, directing the canvassing board in the canvass and tabulation of the vote to reject the returns of six precincts and not count them and issue a certificate of election to the contestee, Mr. Sulzer. That was done and upon that order of the court the certificate was issued, and Mr. Sulzer was sworn in as a Member of Congress as a Delegate from Alaska.

Then the contest began in which the proceedings before the court were involved, and a number of other questions which are discussed in the report. Now, the question that was before the court there chiefly was what construction should be placed upon the election laws of Alaska. Before the committee there were a number of questions raised by Mr. Wickersham which the committee thought not necessary to pass upon. In the first place, he complained that this case was decided, that this certificate which the election board was about to issue to him was withheld and issued to Mr. Sulzer, without his being made a party to the proceedings. The committee found it unnecessary to pass upon that question on account of the peculiar jurisdiction that Congress has in these cases. In construing an election case, Congress sits not only as a court of appeal, but with power to try a case either de novo or on appeal. If you take the view that Congress is sitting as a court, that we are sitting as judges and trying the rights to an office, which in a sense we are, then we are a court of very peculiar jurisdiction, because we can try a case either on appeal or de novo, or both at the same time. For that reason the committee found it unnecessary to pass upon the question of whether Mr. Wickersham should have been made a party to the proceedings in Alaska. He made another contention, that quite a portion of the record is devoted to, that the Territorial legislature had exceeded its authority in passing the election statute which changed the form of ballot prescribed by the act of Congress in 1912. The committee found it unnecessary to pass upon that, because it raised a constitutional question. The act of Congress incorporating Alaska and providing for the election of a Delegate is held, I suppose, to be the constitution of Alaska. That act provided for the election, and that the electors might use either a printed or written ballot. And so the contention was that in changing that to the Australian ballot the legislature had exceeded its authority. We found it unnecessary to enter into a discussion of the question, because Congress has never undertaken in passing upon election cases to decide constitutional questions arising in a State. Of course, my opinion is that the legislature had authority to pass that law.

Now, the chief question there, I say, was the correct construction of the Alaska election law. This law provided for an official ballot under the Australian ballot system, or practically as we have it in the States. On account of conditions prevailing in Alaska—that is, the extent of the Territory and the uncertainty of communication—it was deemed advisable for the legislature to write an exception in the law to the use of official ballots.

No doubt, and it is conceded in the hearings, that this grew out of past experiences there; that it was probable that in many portions of the Territory the official ballots could not be delivered in time, so that if the voters everywhere throughout the Territory were given an opportunity to have a voice in their elections and to vote there should be some proviso to this Australian ballot system authorizing the voters to use other ballots than those that were official. So in order to meet that the legislature wrote into this election law a proviso which is known as section 21, and which reads as follows:

> That in any precinct where the election has been legally called and no official ballots have been received the voters are permitted to write or print their ballots—

Now, that is just what the congressional act says, and that these ballots might be prepared by the voters—

> but the judges of election shall in this event certify to the facts which prevented the use of the official ballots, which certificate must accompany and be made a part of the election returns.

Now, it so happened that at a number of precincts, so far as they became involved in the case, as it appeared before the committee—some eight of them, I think—in some outlying sections of the Territory the official ballots were not delivered. In some of these precincts there was a certificate, or maybe just a line, by the election officers, stating that no official ballots had been received. With other precincts—three, I believe, in number, maybe four—in sending in the returns there was no certificate attached to the returns making any explanation on account of the absence of these official ballots.

Now, when the matter came before the court, of course there was no hearing except as to the matter set forth in the pleadings, and the court held that this proviso in the statute was absolutely mandatory, and ordered the canvassing board to reject the votes at those precincts and in another precinct for reasons that I will take up later. This established a majority of 19 in favor of Mr. Sulzer, and the court authorized a certificate of election to be issued to him.

The question came up in the main sense as to the mandatory or directory character of this clause in the statute. There does not seem to be any dispute anywhere about the reasons or moving causes which induced the legislature to write that provision in there. It was written in there in the interest of and for the protection of the voters in the outlying, isolated, and remote sections of Alaska, where, in all probability, it was not practical to deliver the ballots or the election supplies.

Now, in order to get at the construction of mandatory and directory statutes as applied to elections, as I understand it and as the courts hold, it is necessary to understand this: That in holding an election and applying the law as to whether or not certain provisions of a statute or certain portions of a statute are mandatory or directory, you divide the question of holding the election, you might say, into two divisions. One of those divisions is composed of those things that are done, acts performed, up to the time that the poll is complete, and the other division relates to those things done and acts performed after the poll is closed, and relate to the canvass, tabulation, and return of the vote.

Now, all the courts and all the authorities, so far as I am able to find, make that distinction. And the reason for it is this, that there are certain things pertaining to the election with which the voter is charged, a knowledge of certain things in connection with which he acts upon his own responsibility and assumes the risk of not comply with the law. For instance, the statutes say

that the election must be on a certain day. Every voter knows that, the officers know it; the officers and voters are charged with knowledge alike. And the statute says that a voter must vote in the precinct of which he is a resident.

Now, in a number of cases the House of Representatives, as well as the courts, has held that that provision of the statute is mandatory, because the voter knows where he lives; he is charged with knowledge of the law, and he must vote in the precinct of his residence, the precinct of which he is an inhabitant. If he does not do that, he assumes the risk of having his vote rejected. It says that the voting shall be by ballot. The voter is charged with a knowledge of that law. It says, for instance, that the votes must go into the ballot box. The voter is charged with a knowledge of that, and those statutes relating to the qualification of voters in many States provide that before a man can vote he must be registered a certain number of days before the election. The voter is charged with a knowledge of that, or that he shall pay a poll tax. So that all those things that relate to the election up to the time the poll is closed and the verdict is made up are construed to be mandatory by the courts, because there the voter is charged with the knowledge of those things, and he assumes the responsibility in not so acting as the law provides.

But when the vote is complete there comes the second division, where all the courts and all the authorities make the distinction and construe the provisions of the statute as directory, especially as to the voter, because when the poll is closed and he has cast his ballot the courts have universally placed around him protection, and they protect him in the security of his right to have his vote counted as cast, and have refused in all cases, I might say, to permit negligence on the part of the officers making up and returning that vote to deprive the citizen of his right to have his vote counted as cast.

Now, in this case this certificate related entirely to the return of the vote. There is absolutely in this whole record no proof of fraud against any precinct thrown out, in the judgment of the court. The proviso in the statute says that the voter, in the event the official ballots are not received, is permitted to write or print his ballot. Now, the voter, when he writes or prints that ballot in the absence of an official ballot furnished to him, does exactly what the law permits him to do and what the law stated he might do under those conditions, and then it imposes upon the judges of election a duty. That is the first part of it. It authorizes the voter in those sections of the Territory where the ballot was not received to write or print his ballot. Then it imposes upon the judges of election the duty of making an explanation about the absence of this official ballot. That relates absolutely to the return of the vote as it is cast. It relates absolutely and solely to the duty imposed upon the officers, and under the construction of those statutes, as they have been construed time and time again by this House and the courts, that provision is directory, because it is after the closing of the polls, after the voter's ballot is in the ballot box, and he is no longer protected against the willful conduct or the negligence of those officers, unless it be by placing that kind of construction on the statute, and that is the underlying reason for all of it.

That is the main point relative to the decision of the court as to holding that provision of the statute is mandatory and ordering these votes not counted and ordering the certificate to be issued to Mr. Sulzer on account of the fact that it changed the result of the vote there. And it goes further than that, as I understand it. Of course, that opinion, if you will read it, might be construed to mean a great many things, but it goes so far as to hold that this provision of the statute is mandatory to the extent that it vitiates this return, that it nullifies the return, and that the man who is entitled to the office that would be secured by that vote would have no power to go into a court and have the evidence adduced to show whether or not these ballots might be there and have them counted. Of course, I say that is the effect of it.

Now, we were unable to agree with that construction of that statute, especially without any line or word of proof of any fraud.

Mr. RAKER. Mr. Speaker, will the gentleman yield for a question right there?

Mr. WILSON of Louisiana. Yes.

Mr. RAKER. Supposing under the election laws of Congress applicable to Alaska and this Australian ballot law, passed by the Territorial Legislature of Alaska, a voter appeared at the election booth, went into the booth, and then came up and delivered to the officers of election a ballot that was not official. Would he be guilty of any offense by offering or attempting to cast that vote?

Mr. WILSON of Louisiana. Of course, to answer that I will have to state a little more about the law.

Mr. RAKER. Assuming, now, that all the election returns and the ballots are at the polls.

Mr. WILSON of Louisiana. I will answer that in this way: Under this statute it is made the duty of the judges of election to receive the official ballots. It is made the duty of the judges of election to have those at the polls and deliver them to each voter as he appears to vote. Then, under that condition, if the official ballot is there and the voter declined to use it and used a nonofficial ballot, of course he would be acting entirely outside the law and would assume all the responsibility of having his vote not counted or of being prosecuted.

Mr. RAKER. I want to get the attitude of the voter. Suppose he goes to the election booth and gets a ballot and then comes out and hands to the judge of election a ballot that is not official, assuming, now, that all the paraphernalia—the ballots and tally sheets of election—were there. Would that voter be guilty of any offense?

Mr. WILSON of Louisiana. If the official ballots were there in the manner that the law contemplates and were supplied to the voter?

Mr. RAKER. Yes.

Mr. WILSON of Louisiana. I think he would be outside of the law and would violate the law to cast that vote.

Mr. RAKER. Now, one other question. Suppose the judges of election, with all the paraphernalia—ballots, and otherwise—at the election booth should receive a ballot that is not an official ballot under the Alaskan statute. Would they be guilty of any offense by receiving it—the judges of election themselves?

Mr. WILSON of Louisiana. If they had the official ballots?

Mr. RAKER. Yes.

Mr. WILSON of Louisiana. There would not be any question about that at all. If the official ballots were there and in the possession of the judges, the law imposes upon them the duty of supplying the voters with them, and if they fail to do that they have not complied with the law.

Mr. RAKER. I know; but the judges of election, if they opened that ballot to see whether it was official or not, would be guilty of a felony, would they not, under the Alaskan statute?

Mr. WILSON of Louisiana. I have never known of any Australian ballot which, when it was folded, did not notify the judges of election that it was an official ballot, so that it would not be necessary to open it.

Mr. RAKER. Then the point is that in this particular law the official ballot is designated by printing to show that it is an official ballot.

Mr. WILSON of Louisiana. Yes. I am sure that is true.

Now, I want to get back to a discussion of this legal proposition.

On the question of when you can construe election statutes as directory and when you must construe them as mandatory there are a number of cases cited in this report of the committee. The general citation which I have quoted is from McCrary on Elections. Then, there is a case cited from Missouri (Horsefall r. School District, 143 Mo., 542) which upholds exactly what the committee found in this case. It says this:

The decisions of the supreme court in this State have not been altogether harmonious as to the effect of irregularities upon the result of an election, and we shall not attempt to review these cases, but we think that it may now be said to be the established rule in this State, as it is generally in other jurisdictions, that when a statute expressly declares any particular act to be essential to the validity of an election, then the act must be performed in the manner provided or the election will be void.

Now, you will notice this exception in the Alaska statute. It does not say that the want of this certificate shall void the vote. The legislature did not place any penalty upon the voter there at all. Practically all of the statutes relative to the Australian ballot prescribe that a ballot not in a certain form shall not be received and shall not be counted. Now, the courts have usually construed that portion of the statute to be mandatory. This decision continues:

Also, if the statute provides specifically that a ballot not in prescribed form shall not be counted, then the provision is mandatory and the courts will enforce it; but if the statute merely provides that certain things shall be done and does not prescribe what results shall follow if these things are not done, then the provision is directory merely—

That fits in exactly with the Alaska situation—

and the final test as to the legality of either the election or the ballot is whether or not the voters have been given an opportunity to express, and have fairly expressed, their will. If they have, the election will be upheld or the ballot counted, as the case may be.

Now, there is a very interesting case on that doctrine, and the law of this case, found in Sixty-eighth Texas, page 30, Fowler against The State, which involves questions very much like the one involved in this case. The complaint there was

relative to making up a faulty return. For instance, it was charged that no tally sheets or poll lists were kept and returned as required by law. The statute required that the tally sheets and poll lists be kept and made a part of the return.

It was also charged that the ballot box was sent to the county judge by mail instead of by the officer designated by law, and that the returns were not made in triplicate, as required by law.

Now, Chief Justice Willie, of the State of Texas, a judge whose decisions, I understand, are held in very high regard by the Texas bar, discusses and states this situation more clearly than almost any other decision I have seen. He says:

Without separately considering each of the objections raised to the manner of holding the election at precinct No. 3 and of returning its result, all such objections, including those we have already passed upon, may be disposed of on the ground that the requirements of the election law not obeyed by the managers were not mandatory but directory. The statute does not say that a failure to pursue the course pointed out by it in these respects shall vitiate the election, nor is there anything in the nature of these provisions which requires us to give them that effect. The object of every popular election for officers is to ascertain the will of the people as to what persons shall serve them as such in the various positions to be filled. A free, fair, and full expression of the public will is sought, and certain means are prescribed by law as the most certain to bring about the desired result. Some of these, from their very nature, or from the manner in which they are prescribed, are deemed absolutely essential to the accomplishment of the desired result. Among these may be named the requirement that the voting shall be by ballot; that it shall take place on a certain day and within certain precincts, etc. These are prescribed to insure perfect freedom of choice to the citizen, to serve his convenience in getting to the polls, and to bring out a full vote at the election.

Then there are other requirements, such as those which have been neglected in this case, that are merely formal in their character. The law deems that it is proper that they should be pursued in order to prevent frauds in the election and tampering with the votes and returns. If strictly followed, they furnish the best evidence that the election has been fairly conducted, and the burden of proof to show that it was not, either wholly or in part, rests upon the party attacking the returns. But these requirements are always treated as directory unless the law, either expressly or in effect, makes them essential to the validity of the election. Electors must not be deprived of their votes on account of any technical objection to the manner in which the election has been held, or for any misconduct on the part of its presiding officers, if these have not affected the true result of the election. (Cooley's Constitutional Limitations, 617, 618; Prince r. Skillin, 71 Maine, 361.) This would be to deprive the citizen of a great constitutional privilege for a mere informality; to place it within the power of a few persons to defeat the right of suffrage altogether. The very means provided to insure a fair and proper election might become an instrument of fraud and dishonesty.

Mr. McKEOWN. Will the gentleman yield?

Mr. WILSON of Louisiana. Yes.

Mr. McKEOWN. What are the requirements of the Alaska law in reference to the returns to be made to the canvassing board? In other words, is anything more required than the usual return, and this certificate that you state is required to be made, as to their not having received the official ballots? What other things, if any, are required?

Mr. WILSON of Louisiana. The only other thing except the usual return is that when the polls close the judges of election are to make up the certificates and return one set to the clerk of the United States district court for that division and another set, with the ballots, to the canvassing board.

Mr. McKEOWN. Will the gentleman yield further?

Mr. WILSON of Louisiana. Yes.

Mr. McKEOWN. I want to know if, for the precincts where those certificates were not received, there were ballots received?

Mr. WILSON of Louisiana. Yes.

Mr. McKEOWN. Does the law of Alaska provide for receiving the ballots in addition to the returns?

Mr. WILSON of Louisiana. Yes. Here is what it says. I will read section 402.

Mr. BURNETT. I understand that the judges must make an official statement that the official ballots were not there, and that that was the reason why the official ballots were not used and other ballots were used.

Mr. WILSON of Louisiana. The law says that the judges shall make a certificate showing why the official ballots were not used and make that a part of the return, yes.

In answer to the gentleman from Oklahoma, here is what the statute provides:

The election board at each polling place as soon as the polls are closed shall immediately publicly proceed to open the ballot box and count and canvass the votes cast, and they shall thereupon, under their hands and seals, make out in duplicate a certificate of the result of said election, specifying the number of votes, in words and figures, cast for each candidate, and they shall then immediately carefully and securely seal up in one envelope one of said duplicate certificates and one of the registers of voters, all the ballots cast, and all affidavits made, and mail such envelope, with said papers inclosed, at the nearest post office by registered mail, if possible, duly addressed to the governor of Alaska at his place of residence, with the postage prepaid thereon.

The other duplicate certificate and register of voters, with the oaths of the judges of election, the judges of election shall at once seal up in an envelope addressed to the clerk of the district court for the division in which the precinct is situate, at his place of residence, with the postage thereon prepaid, and deposit the same in the nearest post office by registered mail, if possible. And the said clerk shall, as soon as he receives the said duplicate certificate, at once make out and duly mail to the governor of Alaska a certified copy of such certificate.

Mr. McKEOWN. Will the gentleman yield?

Mr. WILSON of Louisiana. I will.

Mr. McKEOWN. Whether or not these returns contain anything except the ballots?

Mr. WILSON of Louisiana. Yes; the register and poll book were there.

Mr. McKEOWN. Had they been received by the election officials?

Mr. WILSON of Louisiana. I think so.

Mr. McKEOWN. Was there any testimony as to why they were received and the ballots not received?

Mr. WILSON of Louisiana. No. In reference to the duty of the canvassing board, the act further says:

The said canvassing board shall commence the performance of its duties at the office of the governor within 10 days after the third Tuesday of October of each year in which an election is held under and by virtue of this act, and shall continue with such work from day to day until the same is completed, and said canvass shall be publicly made.

As to why the votes should be sent the statute is silent.

Upholding the doctrine I have stated there will be found a case in the Forty-fourth of Alabama, Montgomery against Henry, which upholds the same doctrine as laid down by the Texas court and the Missouri court. Also in the Thirty-fourth of Nebraska will be found a very interesting case on that question, and which adopts the dissenting opinion of Justice Peckham in the famous New York case, which has been quoted very largely in the briefs in this case.

Mr. RAKER. Will the gentleman yield?

Mr. WILSON of Louisiana. Yes.

Mr. RAKER. Having to vote on this matter, I would like the benefit of the chairman's views. Speaking of the question of the mandatory provision of the act and whether or not it is directory and that only those provisions which really relate to the returns of the election officers are directory, is there anything in the Alaskan statute which requires the voter to know whether or not there are legal ballots at the election precincts before he votes?

Mr. WILSON of Louisiana. The law provides that it is the duty of the officers, judges of election—and I think that would be true not only in Alaska but in every other place—the law makes it the duty of the clerk of the district court to prepare the ballots and send them to the various commissioners in the district, and they distribute them to the various precincts and election officers. So under the statute it is the duty of the judges of election to receive the ballots and have them at the precincts and supply the voters with the ballots as they appear to vote. So I would take it that if the voter appeared and he was unable to secure an official ballot from the judges of the election, or if they did not furnish him with it, he would come within the statute and have the right to prepare his own ballot.

Mr. RAKER. The gentleman says whether or not the ballots were there. Suppose the ballots had been delivered to the election officers, but were not actually furnished to the voter, could he then use a ballot made by himself?

Mr. WILSON of Louisiana. I do not think that would be a case that the Territorial legislature had in mind in writing this provision, because that would be a case of fraud on the part of the officers. The object of the legislature in enacting this provision of the statute was to secure to the people the right to vote in that portion of the Territory where no ballots could be delivered. They knew from past experience that that would be true. It is possible to imagine a case where the officers join in a fraud in order to withhold the ballots, but what the object would be I do not know. I do not think the legislature had in mind any such case.

Mr. RAKER. Suppose a case of this kind: Ballots had been received by the election officers and the election was conducted on a nonofficial ballot, would that election be legal in that precinct under the gentleman's view of the Australian ballot law?

Mr. WILSON of Louisiana. It is possible to imagine that case. I do not think it would. When you are construing a proviso it is construed in the sense that you are not to include any cases not contemplated by the legislature. A proviso is a limitation on the enactment. I think that it is certain that the legislature in enacting that clause to give these people the right to vote did not have in contemplation an imaginary case such as the gentleman from California has stated, where the officers would form a conspiracy to commit fraud and then fail to include the certificate.

Mr. RAKER. May I ask the gentleman another question?

Mr. WILSON of Louisiana. Certainly.

Mr. BAKER. If the voter applies to the judges for his ballot, is it the gentleman's view that they then advise him whether or not the official ballots are there and whether others can be used?

Mr. WILSON of Louisiana. It is presumed that the officers will perform the duties imposed on them by the plain terms of the statute. Of course, if the official ballots were there, there would be no advice necessary; but if they are not there it is the duty of the presiding officer of the election to so advise the man when he appears to vote. The gentleman has stated an imaginary case where the officers form a conspiracy to withhold the ballots, and I suppose he assumes, in order to protect themselves, that they would withhold or decline to make a certificate. But I think that is stretching the imagination to quite a long limit, because I think the gentleman from California knows that when officers go out to violate the law about the first thing they do is to look up the law and come as near as possible to complying with the letter of it.

Mr. BAKER. If the gentleman will pardon me, I am only seeking information. In this contest, while the record is voluminous, I doubt whether any Members have had the opportunity to read it. Did any of the election officers in those precincts and contests testify, or were their affidavits taken, relative to the presence or nonpresence of the official ballots at election?

Mr. WILSON of Louisiana. No. I shall come to the discussion of that part a little later. We have been cited to a number of cases, to which I understand Members of the House have been cited, as being contrary to the conclusion reached by the committee in construing this statute as directory. The main case in that respect is in the One hundred and thirty-eighth Northwestern Reporter. That is a South Dakota case, but I have read that case very carefully, and if the Members feel sufficiently interested I think they will find it exactly upholds the contentions of the committee in this case. There was no clause in the statute saying that certain kinds of ballots should not be counted, but the statute required that in voting upon the liquor question ballots should be separate from all other ballots, and it made the duty of the county auditor to prepare these ballots and display them in his office three days before the election, and there where the voters had used ballots in cases where city ordinances and other things were submitted at the same time the court rejected them. There is nothing in that contrary to the findings of the committee. The voter was charged with the knowledge of the law as to what kind of ballot he should use. That is true under the Australian ballot in general, and if that ballot is not counted he has no complaint to make. So that case does not interfere. I submit this proposition. I do not believe a case can be cited in the books or in the decisions and proceedings of this House where, under a statute relating to the making of a return in an election case, after the ballot has passed without the hands of the voter, and he has no means of protecting himself and is not charged with any knowledge, that he is held to have cast an illegal ballot on account of some act of the officers. I submit that there is not a case that would sustain a proposition holding that statute directory and throwing those ballots out.

The New York case is probably the strongest that can be found upon that proposition, but in that statute it is directly stated that a ballot with a distinguishing mark of any kind upon it shall not be counted, and, because the ballots in a certain number of precincts were the ballots that were numbered for another precinct, it was held that was a distinguishing mark. In other words, ballots for precinct No. 10 could not be voted in precinct No. 5, because of the prohibitory words of the statute, but Chief Justice Peckham dissented in that case, and I think you will find that the dissenting opinion, right in the face of the statute, has been cited more in controlling election cases than the majority opinion of the court.

Mr. BURNETT. Mr. Speaker, will the gentleman yield?

Mr. WILSON of Louisiana. Yes.

Mr. BURNETT. Did the committee have proof aliunde of the authenticity of these ballots which the committee thought should be counted?

Mr. WILSON of Louisiana. Yes; that is discussed in the report.

Mr. BURNETT. I have not read the report. It is a fact that the committee had that proof?

Mr. WILSON of Louisiana. Yes. I shall get to that directly.

Mr. BURNETT. I thought it germane to that question as to the certification by the judges.

Mr. WILSON of Louisiana. Yes.

Mr. McKEOWN. Mr. Speaker, will the gentleman yield?

Mr. WILSON of Louisiana. Yes.

Mr. McKEOWN. Is there any provision in the law of Alaska that the canvassing board may go behind the returns as they come in to them?

Mr. WILSON of Louisiana. There is nothing in the statute on that subject, in my judgment. This Alaska board has very peculiar powers. Of course, you know there are two different views about going behind returns of the election by the canvassing board.

Mr. McKEOWN. Usually they can not.

Mr. WILSON of Louisiana. They can not, except for one purpose. They are authorized to do it to complete the returns for the purpose of supplying deficiencies in returns, for the purpose of giving effect to the returns.

Mr. McKEOWN. I wanted to know if there is any provision of that kind why they did not go back and get certificates.

Mr. WILSON of Louisiana. If the gentleman would read the hearings——

Mr. McKEOWN. I have read the hearings and the testimony.

Mr. WILSON of Louisiana. The question came up, and according to the contentions made to the committee under the decisions of the court it did not make any difference whether they went back and got them.

Mr. McKEOWN. That was the decision of the court?

Mr. WILSON of Louisiana. Yes; and though the proof might be ever so conclusive, still that vote was nullified and vitiated by the fact that they were not made immediately and then closed with the returns.

Mr. McKEOWN. That decision of the court was before they would have had time to go back and get them?

Mr. WILSON of Louisiana. I would not like to make a statement on that, because it is hard to tell when you would ever go back and get returns from certain portions of Alaska.

Mr. BAKER. Mr. Speaker, before the gentleman leaves the legal feature would he submit to a question?

Mr. WILSON of Louisiana. Yes. In my view it was the duty of this election board, composed of the governor and these other officials, sitting there with unlimited time, returns then having been coming in for several months, to complete those returns if they could and ascertain the will of the people, but under the decisions of this court and the contentions made to this committee it did not make any difference. You might show there were no ballots within 500 miles of the precinct, and yet you would not be permitted to make that proof and establish your case in court, and that is the main part that the committee could not attempt to do.

Mr. HOWARD. Mr. Speaker, will the gentleman yield?

Mr. WILSON of Louisiana. I promised to first yield to the gentleman from California [Mr. BAKER].

Mr. BAKER. I will gladly yield to the gentleman from Georgia.

Mr. HOWARD. As I understand it, this is a unanimous report of the committee.

Mr. WILSON of Louisiana. Yes; but I would say that I do not think Mr. POLK ever agreed to our construction of the law as to the directory character of the statute.

Mr. HOWARD. It occurs to me that this is a very serious situation. The sitting Member has drawn $4,500 of mileage, and the committee brings in here, just a few days before the adjournment of the regular session of Congress, a report unseating this sitting Member and seating another Member for just a few days. As I understand it, the courts of Alaska passed upon the legality of this election and decided in favor of the sitting Member. Is that true?

Mr. WILSON of Louisiana. No. I would not say that they passed on the legality of this election.

Mr. HOWARD. In other words, it was adjudicated by the judicial machinery of Alaska.

Mr. WILSON of Louisiana. Not the merits of the case.

Mr. HOWARD. How could the court determine that the sitting Member was entitled to his seat unless they had some facts before it on which to act?

Mr. WILSON of Louisiana. Well, now, if the gentleman had read the proceedings there he would have that information.

Mr. HOWARD. But——

Mr. WILSON of Louisiana. Or had he heard my preliminary statement about it.

Mr. HOWARD. Now, there are some other questions I want to ask. As I understand it, since this contest has been filed, which was filed with the committee—when?

Mr. SULZER. This contest was placed before the committee in March.

Mr. HOWARD. Of what year, this year or last year?

Mr. WILSON of Louisiana. Last year. The gentleman knows it takes a year to count the votes.

Mr. HOWARD. Of course the gentleman means March, 1917.

Mr. WILSON of Louisiana. No; I mean March, 1918.

Mr. HOWARD. I meant 1918. Now, why is it the committee has taken nearly a year to act on this case? What was the trouble?

Mr. WILSON of Louisiana. I wish to say to the gentleman from Georgia I am not going to make any apology for the action of the committee on this case——

Mr. HOWARD. I understand, and I am not making any criticism; I am trying to get the facts.

Mr. WILSON of Louisiana. Any more than were made for cases of like character. Of course, I think the gentleman is entitled to an explanation, and that is what he is asking for, I understand.

Mr. HOWARD. Yes, sir.

Mr. WILSON of Louisiana. Of course, that is not an uncommon occurrence here in contested-election cases.

Mr. HOWARD. I know it.

Mr. WILSON of Louisiana. The committee has given very unusual consideration to this case. We have had other election cases to pass on, and I suppose the gentleman knows enough about the duties of a Congressman to know that he can not spend all his time investigating and going into these records. As a further explanation I would say that after the committee had once reached a conclusion about this case upon the application of Mr. Sulzer's attorney we reopened the case and reconsidered it.

Mr. HOWARD. Now, they have held another election in Alaska since this contest has been pending when the sitting Member, Sulzer, has been elected again by just about the majority he was elected to the Sixty-fifth Congress, and another contest is on as between the two parties, Wickersham and Sulzer; is not that true?

Mr. WILSON of Louisiana. I do not know anything about that.

Mr. HOWARD. Now, the committee propose in this report to unseat Sulzer and seat Wickersham for 40 days before the expiration of the last session of this Congress to which he was elected, and then the Government—the taxpayers—pay Sulzer $19,500, as the sitting Member, and they turn around and pay Wickersham $19,500, making it cost the taxpayers on the committee's action practically $40,000.

Mr. WILSON of Louisiana. I wish to say to the gentleman I would be ashamed to be a Member of this House if I thought it took into consideration the question of dollars and cents in passing upon a judicial question. [Applause on the Republican side.]

Mr. HOWARD. There is more in that than this—I understand some gentlemen on the other side—but there is more in this than dollars and cents, and this thing can be carried on in Alaska——

Mr. WILSON of Louisiana. I have not any interest in that.

Mr. HOWARD. Indefinitely, and I look upon it with great suspicion, and I will give my reasons when I get a little time directly.

Mr. COOPER of Wisconsin. Will the gentleman permit a question?

Mr. WILSON of Louisiana. I want to make a statement with respect to what was said by the gentleman from Georgia, and that is that the committee has not taken into consideration anything except to reach a correct conclusion on this case. It has taken its time to consider the case and to make an investigation of the case, and to make a correct report to this House, and I think it would be an act of reflection upon a committee of Congress or a court to inquire if it took into consideration the question of dollars and cents in reaching a correct conclusion in any lawsuit. So I have no apology to make for the action of the committee in this case. The facts are in the record and the report sets them out, I think, correctly.

Mr. HOWARD. Just one other question I would like to go in the record in this connection, if the gentleman will yield. A man named Strong was appointed governor of Alaska?

Mr. WILSON of Louisiana. I would rather the gentleman——

Mr. HOWARD. He took the side of Wickersham, the contestant in this election case, and the administration, after putting into operation all of its machinery and making a most thorough and sifting investigation, unseated Strong as governor of Alaska, giving as the reason his connection with this case. Is not that true?

Mr. WILSON of Louisiana. I understand the governor of Alaska is appointed by the President. [Applause.]

Mr. HOWARD. I understand that is not true, that there is some form of election.

Mr. WILSON of Louisiana. That is not in any way connected with this case.

Mr. HOWARD. I was informed here by some Republican Member.

Mr. WILSON of Louisiana. I now yield to the gentleman from Wisconsin.

Mr. COOPER of Wisconsin. I would like to ask the gentleman from Louisiana if the people of Alaska elect their governor?

Mr. WILSON of Louisiana. No; I just stated it.

Mr. HOWARD. I was informed by one of my Republican friends that such a thing was true.

Mr. COOPER of Wisconsin. I do not know where he got that information.

Mr. HOWARD. I viewed it with a great deal of suspicion, but I thought I would put it in.

Mr. COOPER of Wisconsin. Was there any charge made by the contestee or by anybody for him that in those precincts named on page 2 of the committee's report, the votes are not given correctly? For example, Wickersham 25, Sulzer 3; in another, Wickersham 10, Sulzer 6; in another, Wickersham 7, Sulzer 3; in another, Wickersham 10, Sulzer 3; in another, Wickersham 13, Sulzer 4; in another, Wickersham 3, Sulzer 1; in another, Wickersham 8, Sulzer 2.

Mr. WILSON of Louisiana. No.

Mr. COOPER of Wisconsin. So, then, it is true, as claimed by the contestant and admitted by the contestee, that the voters in those districts cast a majority, as herein indicated, for Wickersham?

Mr. WILSON of Louisiana. There has been no question raised as to whether the votes were cast or not.

Mr. COOPER of Wisconsin. Then, as the House has the sole authority under the Constitution to determine who shall be Members of this body, the question before us is whether we shall disfranchise these voters who admittedly cast a majority of their votes for Wickersham because some of the election officers in that Territory failed to do their sworn duty. That is the question before us, is it not?

Mr. WILSON of Louisiana. The gentleman may construe it that way. It is largely true.

Mr. WINGO. Will the gentleman yield?

Mr. WILSON of Louisiana. Yes.

Mr. WINGO. I have read the report. Am I correct in this conclusion from that report, that the decision in this case turns on a legal proposition?

Mr. WILSON of Louisiana. Not entirely; no. Relative to these votes at these particular precincts we have been discussing, it does.

Mr. WINGO. There are two batches of votes. One is in these precincts where there is irregularity on account of either the ballots used or the certificates. The other is the soldier vote. Are there any other cases of voters?

Mr. WILSON of Louisiana. There is a question as to Indian votes.

Mr. WINGO. Those are the three?

Mr. WILSON of Louisiana. But this is the question before the court——

Mr. WINGO. I gather from the gentleman's report, which I have read, that the question the House is going to have to determine is a legal question. There is not a question of fraud; there is not a question of how the voters voted, but a question of whether or not we will permit certain votes to be counted and will determine that by the determination of a legal question?

Mr. WILSON of Louisiana. That is largely true.

Mr. WINGO. Is this legal question involved—I could not gather it from the report—the question is whether or not the act of Congress will control out there or whether the act of the Legislature of the Territory of Alaska?

Mr. WILSON of Louisiana. No. The question was raised, but the committee decided it was not necessary to pass upon it.

Mr. WINGO. I see in the hearings in the Senate committee, in the impeachment charges concerning the Federal judge, that the grounds of that impeachment, or the principal ground, was that he undertook to base his decision upon an act of the Territory of Alaska instead of upon an act of Congress.

Mr. WILSON of Louisiana. That was not considered by the committee at all, because it raised a constitutional question, and a committee in Congress in passing upon these questions never deals with constitutional questions.

Mr. WINGO. In passing upon this legal question, does the gentleman base his conclusion upon the act of Congress controlling the election out there or the act of the legislature?

Mr. WILSON of Louisiana. On the act of the territorial legislature.

Mr. WINGO. Does the gentleman base his conclusion upon the acts of the Territorial legislature out there?

Mr. WILSON of Louisiana. Yes.

Mr. WINGO. Does the Territorial legislative act determine the legal question that is involved here?

Mr. WILSON of Louisiana. It arises on account of certain provisions in this Territorial act; yes.

Mr. WINGO. Those provisions do not seem to be as strange as the committee's report indicates. There are provisions in different States as to the certificate, the character of ballots used, and what the voter may do. Now, what have the courts of the different States decided on the question of whether you should throw out a box in its entirety? Or will you purge it and undertake to poll each of the voters and ascertain how each one voted? Has the gentleman set out the decisions of the States on that question?

Mr. WILSON of Louisiana. That question is not involved here at all.

Mr. WINGO. I take it from the gentleman's own statement that it is involved. It may not be involved if the gentleman decides the single legal proposition, but the House may differ with him on one legal proposition and agree on another. Has the committee furnished the House a decision on this question: If you find the ballots have not been cast in accordance with the law and you want to arrive at the true intent of the voters, have you undertaken to take up and determine whether or not all these ballots were legally cast or that some were and some were not?

Mr. WILSON of Louisiana. That is not a question at issue in the case.

Mr. WINGO. From the gentleman's statement in the report I think it is.

The SPEAKER. The time of the gentleman from Louisiana has expired.

Mr. FOSTER. How much time does the gentleman desire?

Mr. WILSON of Louisiana. I would like to complete my statement.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended 30 minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the time of the gentleman from Louisiana be extended 30 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. WILSON of Louisiana. That is not an issue in the case.

Mr. WINGO. It is to my mind, from the fact that the committee has so reported. The committee has not undertaken to furnish the House the decisions of the court on that feature. Here is the point: Say that the direction with reference to using official ballots is purely directory. All right. Is there no question at all but that each and every one of these ballots was clear and unequivocal?

Mr. WILSON of Louisiana. No. That is not involved.

Mr. WINGO. And that the only technicality that is involved was the question of whether or not the ballots had been furnished by the proper authority? Is that the only question?

Mr. WILSON of Louisiana. That is the only question. The question hinges upon the decision relative to these precincts, the decision of the judge ordering them to be thrown out for failure of that certificate to be placed in there by the judges of election. Now, nobody offered any proof to show that the votes were not cast or that there was not any error in the action of the judge, and the committee did not undertake to consider that question.

Mr. WINGO. It was not considered an issue in the case?

Mr. WILSON of Louisiana. No; it was not an issue in the case.

Mr. DENISON. Mr. Speaker, will the gentleman yield?

Mr. WILSON of Louisiana. Certainly.

Mr. DENISON. The committee does not take up any question that the parties themselves did not raise?

Mr. WILSON of Louisiana. No. That is the point.

Mr. WINGO. But the House sitting as a court can take up a question, even though neither of the parties does. We are here determining not so much the merits of this single case, but a principle, a ruled action as a basis to determine not only this case, but others of similar character. We want to reach a correct conclusion on the principles involved, regardless of the fact that this is from Alaska or anywhere else.

Mr. WILSON of Louisiana. I hope everybody takes that view.

Mr. WINGO. The gentleman has a unanimous report from the committee?

Mr. WILSON of Louisiana. Yes.

Mr. WINGO. How many Members were present at the meeting of the committee at the time the committee made that report?

Mr. WILSON of Louisiana. It was under consideration twice. This report has been submitted to every member of the committee.

Mr. WINGO. How many Members were present at the time you acted on it?

Mr. WILSON of Louisiana. I do not recollect; but there was a quorum, and those who were not there at the first meeting were present at the subsequent meeting of the committee.

Mr. WINGO. Were there more than six there?

Mr. WILSON of Louisiana. I say we never acted without a quorum.

Mr. WINGO. Does the gentleman say that all members of the committee approve this?

Mr. MOORES of Indiana. There were seven.

Mr. WINGO. I say, does the gentleman say all the members of the committee approve this report?

Mr. WILSON of Louisiana. That is my understanding.

Mr. WINGO. I have been informed otherwise by a member of the committee.

Mr. GARD. Mr. Speaker, will the gentleman yield for a question?

Mr. WILSON of Louisiana. Yes.

Mr. GARD. I want to ask the gentleman a question in regard to this court that made the finding upon which the claim of Delegate Sulzer is based. Is that a court of final jurisdiction?

Mr. WILSON of Louisiana. It is the United States District Court of Alaska, and then there is a court of appeals.

Mr. GARD. Was the case ever appealed to a higher court?

Mr. WILSON of Louisiana. No. The case came to the House of Representatives after the decision was given to Mr. SULZER.

Mr. GARD. By the district court, without appeal to any other court?

Mr. WILSON of Louisiana. Yes.

Mr. MOORES of Indiana. Mr. Speaker, will the gentleman yield?

Mr. WILSON of Louisiana. Yes.

Mr. MOORES of Indiana. Was Mr. Wickersham a party to that suit?

Mr. WILSON of Louisiana. No. I have stated that.

Mr. BURNETT. May I ask the gentleman a question?

Mr. WILSON of Louisiana. Yes.

Mr. BURNETT. As I understood the answer that the gentleman gave to the gentleman from Arkansas [Mr. WINGO], after you had passed upon that question of the certificate being directory or mandatory, then you did not go further and inquire into the legality of the ballots that were claimed to be cast?

Mr. WILSON of Louisiana. No.

Mr. BURNETT. Would not the burden be upon the contestant, who wanted the ballots cast in his favor, to show that these were legal ballots that had been cast by somebody, and did you take into consideration any such evidence as that?

Mr. WILSON of Louisiana. No. Judge Jennings, the court, held that if the statute were directory the certificate should be issued to Mr. Wickersham, and that would have shifted the burden of proof.

Mr. BURNETT. You wanted proof as to who was elected. You wanted a basis upon which to decide who was elected. How can you do that when you have not taken any testimony to show the validity of these very ballots on which it appears to hinge?

Mr. WILSON of Louisiana. If the official ballots were not there, there is no question about it.

Mr. BURNETT. Does not the contestant make the question himself, and is not the burden of proof on him to show that these ballots were cast, and cast for him?

Mr. WILSON of Louisiana. In canvassing the returns made to this board it was the duty of this board to issue the certificate of election under that law to the man having a majority of those votes. Then the board would have thrown on the man contesting the burden of showing a majority under that return. But there is no question like that involved here.

Mr. HAMILTON of Michigan. Mr. Speaker, I think the gentleman ought to be permitted to proceed, so that we can get some idea of this case.

Mr. WINGO. With all due respect to the gentleman from Michigan, that was the object of my question.

Mr. HAMILTON of Michigan. The questions which the gentleman asked were very interesting.

Mr. WINGO. I may be wrong in the conclusion that I have in mind, but I want to ask the gentleman this question: Was that canvassing board acting in a ministerial capacity?

Mr. WILSON of Louisiana. You would have to get that from a reading of the statute. It says that the canvassing board——

Mr. WINGO. I have not looked it up lately, but what have the courts decided on that? Is that a ministerial act?

Mr. WILSON of Louisiana. Purely ministerial.

Mr. WINGO. In other words, they have to take what comes to them?

Mr. WILSON of Louisiana. That was the position taken. The law says that they shall canvass the return certificate and issue the certificate to the one having the majority of votes; and they were attempting to do that, and they would have done that but for the order of the court to withhold the certificate from Mr. Wickersham and issue it to Mr. Sulzer.

Mr. WINGO. But it hinges upon the question as to whether the statute was mandatory or not, so that the legal question——

Mr. WILSON of Louisiana. We discussed other questions, but that is the only thing involved here.

Mr. WINGO. The gentleman is sure that the canvassing boards have acted purely in a ministerial capacity?

Mr. WILSON of Louisiana. That was the construction.

Mr. ROSE. Mr. Speaker, will the gentleman yield?

Mr. WILSON of Louisiana. Yes.

Mr. ROSE. Does the gentleman mean that the canvassing board itself took that position, that it was acting in a purely ministerial capacity and not as a judicial body?

Mr. WINGO. The only body that has undertaken to pass upon the judicial question was the Federal judge. The canvassing board construed that they were a ministerial body?

Mr. WILSON of Louisiana. Yes.

There was one other precinct that was ordered thrown out where the official ballots were used. I want to call the attention of the House to that. The position has been taken here that it would be wrong for the Congress or a committee of Congress to overrule the decision of the judge in ordering these ballots to be cast out.

Another precinct was known as Vault. At this precinct the official ballots were used. The register and certificate of election that came from the judges of election were not signed. The law provides that a duplicate certificate shall be made, that that duplicate certificate shall be sent to the clerk of the United States court, and that a copy shall be made and sent to the governor of Alaska for the use of this board. In that precinct the certified copy made by the clerk of the district court showed that the certificate was properly signed. This was a return provided for in the law, made by the officer who was the legal custodian of the document. Yet the court ordered that precinct thrown out. Now, I respectfully submit that it is impossible to follow the decision of the judge in a matter like that. I do not believe there is a lawyer in this House or a man in this House who can sanction the action of the judge in throwing out the ballots of a precinct where the statute specifically provides that the certificate shall be made in duplicate, that it shall go to the clerk of the district court, and that he shall immediately make a copy and send it to the canvassing board. That return was made, and it showed that the duplicate sent to the clerk was properly signed. Yet that precinct was ordered thrown out.

Mr. STEVENSON. What was the ground on which the judge ordered it thrown out? Did he assign any reason for it?

Mr. WILSON of Louisiana. On the ground that it was their duty to consider the certificate coming from the judges of election, and that that one was defective. Yet, in order to provide against that very thing, the statute provided that the clerk of the court should make a copy and send it to the canvassing board, and that copy showed the proper signatures.

Mr. GARD. Why was it that no appeal was taken from the decision of the court?

Mr. WILSON of Louisiana. Of course, I can not answer that question, because as soon as Mr. Sulzer was sworn in the matter was shifted to the House, and a contest started here.

Mr. GARD. There is no evidence to show why an appeal was not taken?

Mr. WILSON of Louisiana. No. Mr. Wickersham was not a party to the suit, and I suppose when a man has a choice of tribunals he has a right to choose the tribunal to try his case. Just what reasons actuated him I do not know.

Now, the committee found itself absolutely unable to agree with the court, and I do not believe that any man could read that decision and agree with the action of the court in throwing out the ballots in the Vault precinct.

The question comes up as to whether or not the official ballots were at the various precincts involved in this election. A portion of these precincts were out on Bristol Bay, some 500 or 600 miles from Valdez. The three precincts involved there are Choggiung, Nushagak, and Bonafield. The record plainly showed that there was not a single official ballot received in that section of the Territory, on Bristol Bay. At Naknek, another precinct in that district, they had the official register and tally book. I want you to follow this to see why the committee reached the conclusion that it was not necessary to take any more evidence to find that the official ballots were not there. At Naknek they had the official register and tally book, and they used what are known as party workers' ballots, on which the name of Mr. Sulzer was printed. At that precinct the vote was 9 for Sulzer and none for Wickersham. With the return from that precinct there is a certificate stating that they did not receive the official ballots.

Now, over at Nushagak, in that same district on Bristol Bay, the same election supplies were used. The tickets had Mr. Sulzer's name on them, and opposite that there was a blank, and the voters there wrote the name of Mr. Wickersham in the blank, and at that precinct there were 10 ballots for Mr. Wickersham and 3 for Mr. Sulzer. In that particular precinct the certificate as to the absence of the official ballots was not inclosed; but at the other precinct of Naknek, where they cast the 9 votes solidly for Mr. Sulzer, they used this very same ballot and had this same portion of the election supplies. There in this same division, out on this bay, they had exactly the same election supplies as at the other precinct. At Choggiung, the other precinct on Bristol Bay, they used the same register and tally book, and there the voters made their ballots with a typewriter. At the remaining precinct of Koggiung on Bristol Bay, there was no election held. There was a notice that the voters would appear and vote at one of the other precincts.

Now, the committee found, from an examination of those returns and those ballots, that in this section of the Territory, in the Bristol Bay district, there was not a single official ballot used. It was the duty of the judges of election to supply the voters with the official ballots if they had them, and I do not think it is reasonable or possible that in all this section of the Territory every voter would have been permitted to use nonofficial ballots if they had had the official ballots. The same conditions existed at the precincts where they voted for Sulzer as where they voted for Wickersham, and I consider that the facts established by those returns and those circumstances are really just as strong proof of the fact that there were no official ballots there as though some one had inclosed a certificate.

Now, the other two precincts involved are Utica and Deering. While the canvassing board were in session the clerk of the district court notified the canvassing board that he had received a certificate signed by the judges of election, and that the certificate was on its way to the canvassing board. That certificate showed that the form of the ballot used at those two precincts, Utica and Deering, had been telephoned from another precinct where they did have the official ballots. The judge did not wait for this certificate, and the canvassing board did not have it; but upon examining the returns for those two precincts it was seen that at one precinct the ballot was made exactly in the form of the official ballot, containing exactly the same information as that on the official ballot, and it was quite lengthy. Over at Utica the ballots were made with a typewriter, and contained exactly the same information. This telegram stated that they had the information phoned to them, and the certificate was made long before the contest was started. There was no controversy at that time, and when the returns were examined they exactly dovetailed in with the facts set forth in the certificate. So the information in the record was absolutely convincing to the committee that this was a case that the Territorial legislature had in mind when the statute was enacted to give the people at the outlying precincts a right to vote in case the official ballot did not arrive.

It is contended here that it would be a great calamity if Congress should find itself in opposition and overruling the findings of Judge Jennings. I think Judge Jennings contemplated that Congress might do that. I want to read a portion of the opinion of Judge Jennings. He was directing his opinion to the canvassing board, and this will answer a number of questions asked by the gentleman from Alabama. This is a quotation from his opinion:

> Again, the action of the canvassing board neither enfranchises nor disfranchises any voter. It acts merely to determine to whom to issue a certificate of election. This certificate of election is not final. The House of Representatives is the tribunal before which the contest of election comes. In its wisdom it may say, if it chooses, "It is true that the certificate of the judges of election does not state that no official ballots were received at Choggiung, but it is possible—probable, even—that none were received, and that that is the reason the judges allowed these otherwise prohibited ballots to be cast, and by inadvertence or neglect they omitted to say that was the reason; at any rate, we will investigate the matter; we will hear oral testimony; we will consider affidavits or get at the very truth of the matter in some other way."

The judge, I think, anticipated that Congress would investigate to get at the truth of the matter and give a correct decision, because he did no claim to be passing on the merits of the case.

Now, of course, gentlemen, there are other matters in this case upon which, I presume, I can be heard later. I do not want to tire the House, but, as I stated before, the question as to the legality of votes at any precinct is not involved in this case. No such contention was made before the committee,

The question as to these votes in these precincts is whether or not you are going to construe the provisions of the statute to be mandatory or directory.

Mr. BURNETT. Will the gentleman yield?

Mr. WILSON of Louisiana. Yes.

Mr. BURNETT. Does not the contestant claim in his notice of contest that he was elected by a legal vote, and does not that raise the question?

Mr. WILSON of Louisiana. Yes; he claims these are legal votes and that they should be counted.

Mr. BURNETT. But no proof was offered to the committee.

Mr. WILSON of Louisiana. I stated that it was entirely satisfactory to the committee that the ballots were not there. I do not think the gentleman from Alabama or anyone else will agree to the action of the court in throwing out the Vault precinct, because, as I have stated, the certificate made by the clerk of the court was there, and the statute says that the certificate may be considered for that purpose. So, if the decision of the committee is correct and the other questions involved in the report are correct at Vault, you may adopt the decision of the judge in throwing out the other precincts and still Mr. Wickersham has a majority. You may eliminate the question of the want of a certificate, but adopt the views of the committee as to the Vault precinct, where the official ballots were used and correct as to their contention, and the case then would be in favor of Wickersham and he would have a majority.

Mr. GARD. Of how much?

Mr. WILSON of Louisiana. Three. We went into that question because I do not believe the House should go on record as penalizing the voters in any locality in Alaska, or anywhere else, where they have furnished the ballots authorized by statute, on account of the willful neglect or even the fraudulent action of officers in making the returns. Congress has never done it and the courts have never done it. I can not give my consent even in this case, much as I regret to do so, and hold in face of the law, what I conceive to be the law and what the committee conceives to be the law, that any such rule ought to be adopted.

Then, if you adopt the decisions of the court at these precincts and the decision of the committee as to the Vault precinct and the other matters in the case, Mr. Wickersham would still have a majority of votes.

Mr. STEVENSON. Will the gentleman yield?

Mr. WILSON of Louisiana. Yes.

Mr. STEVENSON. I want to get it clear about the Vault precinct. I understand the managers made a certificate of election which was sent to the board of canvassers by the governor and which was signed by them. Is that the fact?

Mr. WILSON of Louisiana. Yes; but they did not sign it.

Mr. STEVENSON. But there was a duplicate filled out by the clerk of court.

Mr. WILSON of Louisiana. Yes.

Mr. STEVENSON. And the law provides that they can use the certified copy in case the other was not there?

Mr. WILSON of Louisiana. Yes; the statute provides for the clerk to make and send a copy.

Mr. STEVENSON. So the committee considered it as though they got none direct from the board of canvassers, but they had got one from the clerk of court upon which they could act.

Mr. WILSON of Louisiana. Yes.

Mr. SULZER. Will the gentleman yield?

Mr. WILSON of Louisiana. Yes.

Mr. SULZER. I do not know what information the committee had about the Vault precinct, but the information before the court was a telegram to the effect that the clerk of the district court at Fairbanks had received a certificate from the clerk of the election at the Vault precinct bearing the names of the election judges. Now, that statement does not say "signed by the election judges"; it simply says "bearing the names." It is possible that the clerk of that election board made up that statement on his own initiative and sent it in to the clerk of the court at Fairbanks.

Mr. WILSON of Louisiana. I think the gentleman is mistaken. Here are the pleadings filed in the court. It is the answer of the canvassing board to the court:

In the case of the Vault voting precinct, the election judges did not sign the certificate of result form in the back of the election register and tally book, but the canvassing board received from the clerk of the United States District Court for the Fourth Judicial Division, in which said precinct is located, the "certificate of the clerk of election returns," bearing the names of the election judges for said voting precinct, and duly certified by the clerk of the court as a full, true, and correct copy of the original on file in his office.

Mr. SULZER. The statement says, "bearing the names of the judges of election." It does not say that the judges of election signed the certificate.

Mr. WILSON of Louisiana. Of course, a man might go off on an imaginary case.

Mr. SULZER. There is nothing imaginary about that. If the judges did not sign it and send it to the canvassing board, is it to be presumed they signed something sent to the clerk of the court at Fairbanks?

Mr. WILSON of Louisiana. This is the certificate the law provided for.

Mr. BURNETT. Did you have the certificate before the committee?

Mr. WILSON of Louisiana. I think it is printed in the record.

Mr. BURNETT. Was it introduced before the committee?

Mr. WILSON of Louisiana. It is in a printed record, yes; and it was before the canvassing board, so the canvassing board certified to the governor.

Probably some other members of the committee desire to discuss this matter, and I do not care to take up any further time. [Applause.]

Mr. ROSE. Mr. Speaker, the matter now under consideration was given a full and fair hearing by the committee to which it was assigned. The principals themselves made their respective statements to the committee, and one of them was represented by counsel.

Every phase of the matter was fully and ably presented to the committee. It is well to say at the outstart that both sides to the controversy admitted, of record, that no charge of fraud or mistake upon the part of the voters at any of the precincts had or would be made, which will appear by reference to the testimony given before the committee.

In my opinion, this admission greatly reduced the labors of the committee so that the contest was narrowed down to the action and conduct of various court officials, election officers, the decisions of the canvassing board, the law governing elections in Alaska, and the decision of the court upon petition for mandamus.

One of the outstanding features in the hearings before the committee was the total absence of partisanship, and I am pleased to say that the findings of your committee were based upon their conception of the facts and the law, without regard to party affiliations, a course that I hope may be followed hereafter in all contested cases.

The entire proceedings are fully and forcefully presented by the able chairman of the committee in the report which he has filed for your consideration, and I might say that the recommendations offered have the support of the entire committee and therefore there is but little more to be said in support of the reasons and law assigned in support of the conclusions announced by the chairman.

I fully agree with his interpretation of the law governing the case and desire to add that the findings of the committee follow the well-established precedents of the House in cases involving like questions.

However, I want to add a few observations which are very interesting to me and may throw a few sidelights which, in a small measure, may be helpful.

The canvassing board for the Territory of Alaska consisted of the governor, the surveyor general, and the collector of customs. The duty of this board was to canvass the votes as returned for the election held in the Territory of Alaska on November 7, 1916, and we find on page 56 of the report with reference to the voting precinct of Utica, inter alia, the following:

GOVERNOR. We received no certificate. However, I have here a telegram from the clerk of the court from the second judicial division under date of December 18, 1916, reading: "Utica made returns without certificate. Returns to you may have certificate. For reasons unknown, election blanks and ballots failed to reach Utica and Deering. Utica election no doubt legal, but returns probably defective."

Then, on January 11, I received this telegram from the clerk of the court: "Second set election returns Utica precinct, including certificate, register of oaths of judges, and pay roll received this office to-day. All in due form and properly signed."

It will be noticed that the clerk of the court above mentioned makes known the fact that he has the certificate required in his possession.

Quoting further from the record, page 70, wherein it is shown that the canvassing board had concluded to issue the certificate to those having the greater number of votes, before the motion was put, Mr. Grigsby, attorney general, makes the following suggestion:

Mr. GRIGSBY. Before you put the motion, Mr. Chairman, I would like the privilege of notifying those who are acting for Mr. Sulzer that they may take such action as is necessary before a certificate is issued. I would like to ask if the character of this motion, if carried, would be final before proceedings could be taken. There might be proceedings for injunction, enjoining the count of what I consider illegal ballots, and if I could have it intimated to me what the intended act of the board is, I could very shortly notify the board.

The time for the issuing of the certificates to the successful candidates was then fixed at 10 o'clock on the morning of March 2, 1917.

The board met pursuant to adjournment, when the announcement was made that it had been served with an alternative writ of mandamus upon the relation of Charles A. Sulzer.

I merely call your attention to the above part of the record—and ask that you read the entire record of the various meetings of the canvassing board—not to impute inside knowledge to any official, but to show that partisan feeling ran high throughout the contest. It may not be at all strange that bright and early the next morning the following announcement was made by the governor:

The board has been served with an alternative writ of mandamus in the case of the Territory of Alaska on the relation of Charles A. Sulzer.

One of the board made answer thereto, admitting all of the allegations in the petition filed to support the rule, which was issued as a matter of course.

The remaining members of the canvassing board made answer to the rule, claiming, inter alia, that the board was ministerial and without judicial power and that nothing knowingly had been done contrary to the provisions of any law governing elections in Alaska and making known the fact that they are ready at all times to follow the ruling of the court.

Setting aside the fact that it is claimed that other districts than those attacked did not use official ballots and that no certificates accompanied the returns, as required by section 21 of the law governing elections in Alaska, the court very properly considered only those districts directly attacked, concluding that section 21 of the law is mandatory, and absolutely disqualified the voters in the districts named and thus brought about the defeat of the expressed will of the voters. The section referred to is as follows:

That in any precinct where the election has been legally called and no official ballots have been received the voters are permitted to write or print their ballots, but the judges of election shall in this event certify to the facts which prevented the use of the official ballots, which certificate must accompany and be made a part of the election returns.

The whole question must rest upon whether or not the section quoted is mandatory or directory. If mandatory, the decision of the court should be sustained; if directory, it must be set aside.

The jurisdiction of the court was attacked in a supplemental brief filed by John Rustgard, Esq., amicus curiæ, but the reasons were set aside by the court.

It might be well to say that John Rustgard, Esq., appeared at the suggestion of the court, and there is no part of the record that shows he appeared in the interest of Mr. Wickersham, the contestant, but he presented a brief to the court, claiming that the court was without jurisdiction in the premises, and the reasons and decisions supporting his contention are fully set forth.

From Pepper and Lewis Digest of Decisions of Pennsylvania Law, volume 11, column 19488, I quote the following:

Where a person or body is clothed with judicial, deliberative, or discretionary powers, and has exercised those powers according to the discretion, mandamus will not lie to compel a revision or modification of the resulting decision, though in fact it may have been wrong. The court can not control the discretion where it has been exercised in good faith and has not been abused. The party may be ordered by mandamus to proceed to do his duty by deciding and acting according to the best of his judgment, but the court will not direct him in what manner to decide, in case of his refusal to act at all; it may compel him to act or to enter on the duty, but can not compel him to adopt the judgment of the court in preference to his own.

In Black on Interpretations of Laws, page 338, is found the following:

There is no absolute formal test for determining whether a statutory provision is to be considered mandatory or directory. The meaning and intention of the legislature must govern and these are to be ascertained, not only from the phraseology of the provision, but also by considering its nature, its design, and the consequences which would follow from construing it in the one way or the other.

To construe section 21, as above set forth, as mandatory would do injustice to innocent persons, nor would such construction enable those guilty of neglect to gain any advantage, and it is unthinkable that such purpose should be attributed to the Legislature of Alaska or the legislature of any State in the Union. The Supreme Court of the United States has well said:

There are undoubtedly many statutory requisitions intended for the guidance of officers in the conduct of business devolved upon them, which do not limit their power or render its exercise in disregard of the requisitions ineffectual, and by a disregard of which the rights of parties interested can not be injuriously affected.

Provisions of this character are not usually regarded as mandatory unless accompanied by negative words importing that the acts required shall not be done in any other manner or time than that designated.

The citations given by the chairman in his able report show a practical uniformity in the decisions of the courts and the House of Representatives, and I only need to add that in my judgment they are sound in every particular.

It is well settled in Pennsylvania that "may" in a statute is equivalent to "shall" or "must," when the public interests or rights are concerned; but in the case at hand the public is interested only in seeing equal and exact justice done, and are not injured in any sense by the failure or refusal of election officers to add a certificate showing the reason why a certain kind of ballot was not used at an election.

The section of the statute under which the court declared the ballots invalid carried with it no penalties of any kind, and the very last thing that should be done under the circumstances is to make the voters responsible for the misconduct of election officers who are presumed to perform their respective duties under the law.

Owing to the peculiar conditions obtaining in Alaska, its enormous area, its meager transportation facilities, the Legislature of Alaska was not, nor would not be, willing to deprive the voters of their sacred right of voting and having the same officially counted in the returns, and then open wide the door for fraud, and through which misconduct upon the part of the election officials might so easily and would so surely enter.

Under all the conditions governing the election in the Territory of Alaska, in November, 1916, and fully covered by the proceedings in the present case before your committee, I have no hesitation in making the statement that James Wickersham received the greater number of legal ballots cast at said election and is therefore entitled to a seat in the present Congress.

I would like to have the Members of the House, if they find the time, examine the voluminous record furnished to us in this case. I have read the opinion of the court and I have read the proceedings before the canvassing board, and have been struck by a number of sentences in that long opinion of the court. I think it is well to say just here that there was no question raised anywhere that the returns of the canvassing board were not precisely those that were presented to the court. No objection was made before the committee at any time by either contestant or contestee that the number of votes returned from precincts attacked were not exactly as is shown in the record returned here, and this committee, as I understand its province, was not required at any time to make an investigation of the election held in Alaska in 1916. I would say now from my limited knowledge of the powers of the committee, and in the absence of misconduct upon the part of voters, that I would never agree that the people of the United States should be required to expend the enormous amount of money that would be necessary to make an investigation of the election in Alaska in 1916. In my judgment it was the duty of the men who were vitally, personally interested to satisfy this committee whether or not the votes returned were fraudulent. But it is the fact that at no time during the proceedings, either before the court or before this committee, has any person at any time in any manner, directly or indirectly, made any allegations that there was any fraud or misconduct on the part of the voters, and I do not believe the legislature in any State or Territory of the Union would agree to allow election officers to disfranchise men who were admitted to be citizens, who admittedly paid their taxes, and had a perfect right to vote. In this report you will find that there was a number of soldiers who voted. The committee took up that question, and I doubt very much if any attorney in this House would care to say that any soldier by moving his domicile or residence or habitation from one State to another while in the Army of the United States can transfer his residence from one State to another, from Pennsylvania to Ohio or to New York, while in the Army or Navy of the United States. I am glad to know that the law seems to be clear upon that subject, and that no voter is a resident of any State to which he may be forced to go. I can change my residence, of course. I can live in any State in the United States, but if I should be drafted into the Army and be obliged to go from one State to another, I surely can not make my residence in that State, even providing I live there for one year or more, as the case may be. I am sure all of us will recall that nearly every State in the Union provided for the taking of the soldier votes during the present war. It cost the State of Pennsylvania a pretty penny to take the soldier votes during the last election, and I think the statistics will show the cost was exceedingly high; but every soldier, as well as every civilian, has a right to vote at all elections when legally qualified, and I approve of the action of the Commonwealth of Pennsylvania in making it possible for our brave soldiers to vote. This committee considered everything that was brought before it. It has been intimated here, possibly not as fully as I may have conceived from the language used, that the members of the committee were not in

attendance upon all the meetings of the committee. I was present at every meeting of that committee to which my attention was directed, with one exception, and at that time I was absent owing to the death of a relative.

With one exception there was a rather full attendance of the committee at every meeting called and which I attended. My understanding is that one member of the committee is not convinced that section 21, which I have heretofore quoted, is directory, but I am satisfied that, with one exception, the committee has concluded unanimously that the section is not mandatory, at least where it makes no reference to the conduct of the voter and there being no charge of fraud or misconduct upon the part of the voter.

It is clear after the many decisions stated in the report of the chairman that section 21 of the election law of Alaska is directory and not mandatory.

To my way of thinking, section 21 of the Alaska election law is the most remarkable section in any election law of any Territory or State of the Union; it is in a class by itself. It will be noticed that it provides no penalty for its neglect upon the part of election officers, nor does it make any provision concerning the conduct of voters with respect to a certificate, and I am unable to see why the voters may not be disfranchised for any misconduct whatever upon the part of election officers for the same reason.

Surely no law would attempt to punish those who are innocent, who have nothing whatever to do with the failure of election officers to do their sworn duty, and I can not bring myself to believe that the Legislature of Alaska ever intended an act to disfranchise voters because of misconduct of election officers.

For the above reasons, and many others which will be apparent by the examination of the record, I am firmly convinced, without regard to politics in any sense, that the greater number of legal votes in the election held in Alaska in November, 1916, for a Delegate to Congress were cast for James Wickersham, and therefore I have voted to sustain the report. [Applause.]

Mr. SULZER. Mr. Speaker, I should like to be recognized.

The SPEAKER. The gentleman from Alaska.

Mr. SULZER. Mr. Speaker and gentlemen of the House——

Mr. FIELDS. Mr. Speaker, will the gentleman yield?

Mr. SULZER. I do.

Mr. FIELDS. Mr. Speaker, in view of the fact that a full attendance heard the presentation of the committee report, I feel that it is only fair that a full attendance should hear the presentation of the case of the gentleman from Alaska, and therefore I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Kentucky makes the point of order that there is no quorum present, and evidently there is not.

Mr. CRISP. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anderson	Dominick	Heflin	Mason
Anthony	Donovan	Heintz	Mondell
Ashbrook	Dooling	Helm	Moon
Black	Doughton	Helvering	Morin
Bland, Ind.	Drane	Hood	Mott
Borland	Drukker	Houston	Mudd
Brand	Dunn	Humphreys	Neely
Brodbeck	Dyer	Husted	Nelson, A. P.
Brumbaugh	Emerson	Hutchinson	Nelson, John M.
Burroughs	Essen	Igoe	Nichols, Mich.
Byrnes, S. C.	Estopinal	Jacoway	Norton
Caldwell	Fairchild, Geo. W.	Johnson, S. Dak.	Oliver, N. Y.
Candler, Miss.	Fairfield	Juul	O'Shaunessy
Cantrill	Farr	Kearns	Park
Carew	Ferris	Kennedy, R. I.	Parker, N. Y.
Carter, Mass.	Flood	Kiess, Pa.	Pratt
Carter, Okla.	Flynn	Kincheloe	Price
Cary	Francis	King	Purnell
Church	Fuller, Mass.	Kitchin	Quin
Clark, Fla.	Gallivan	Kreider	Ragsdale
Clark, Pa.	Gandy	Lampert	Rainey, H. T.
Connally, Tex.	Garland	Langley	Rainey, J. W.
Cooper, Ohio	Garrett, Tex.	Lazaro	Riordan
Cooper, W. Va.	Goodall	Lee, Ga.	Robbins
Copley	Graham, Ill.	Lehlbach	Roberts
Costello	Graham, Pa.	Lesher	Rogers
Crago	Gray, N. J.	Lever	Rouse
Cramton	Greene, Vt.	Lunn	Rowland
Currie, Mich.	Gregg	McClintic	Russell
Dale, N. Y.	Griest	McCulloch	Sabath
Dale, Vt.	Hamill	McFadden	Sanders, La.
Decker	Hamilton, N. Y.	McKinley	Sanders, N. Y.
Delaney	Harrison, Va.	McLaughlin, Mich.	Saunders, Va.
Dent	Haugen	McLaughlin, Pa.	Scott, Iowa
Dewalt	Hayes	Maher	Scott, Pa.
Dies	Heaton	Martin	Scully
Sears	Snell	Thomas	Williams
Sells	Snyder	Thompson	Wilson, Ill.
Shackleford	Stafford	Tilson	Winslow
Sherley	Sterling	Tinkham	Wise
Sherwood	Sullivan	Van Dyke	Woods, Iowa
Shouse	Swift	Venable	Wright
Sinnott	Switzer	Waldow	Young, N. Dak.
Slemp	Tague	Wason	
Smith, Mich.	Temple	Welty	
Smith, Chas. B.	Templeton	Whaley	

The SPEAKER. On this roll call 251 Members answered to their names.

Mr. FIELDS. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will unlock the doors.

EULOGIES ON THE LATE REPRESENTATIVE WILLIAM A. JONES.

Mr. MONTAGUE. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Virginia rise?

Mr. MONTAGUE. Mr. Speaker, I rise to ask unanimous consent that Sunday, the 16th of February, be set aside for memorial exercises on the life, character, and public services of the late Representative WILLIAM A. JONES.

The SPEAKER. The gentleman from Virginia [Mr. MONTAGUE] asks unanimous consent that Sunday, February 16, be set aside for memorial services for the late Representative JONES. Is there objection? [After a pause.] The Chair hears none.

LEAVE OF ABSENCE.

By unanimous consent, on the request of Mr. RODENBERG, leave of absence was granted indefinitely to the Hon. J. K. KALANIANAOLE, on account of illness.

CONTESTED-ELECTION CASE—WICKERSHAM AGAINST SULZER.

The SPEAKER. The gentleman from Alaska.

Mr. SULZER. Mr. Speaker and gentlemen of the House, I fully realize that the House very rarely declines to accept a report of one of its committees, especially when the committee makes a unanimous report, as some Members have understood, but I think that is somewhat of a mistake. It is my understanding that when this contest was originally taken up it was referred to a subcommittee of three and that one member of that subcommittee did not agree with the finding of the committee as to the law and the facts in this case. When the report was voted upon there were only six members of the committee present and of that number five voted for the report and one did not. Now, I think that the Members of the House will fully realize that the conditions have been very unusual during the past two years. Members have been extremely busy with war matters. This is a very voluminous and complicated record, especially to those who are not familiar with conditions in Alaska, and it can easily be presumed that members of the committee have not had an opportunity or had time to go fully into the case. I think that the conditions pertaining in Alaska are so unusual, so different from what they are in most parts of the United States that there is reason for going more fully into this case and discussing it. There are some very important matters involved in this case. If it were but a question as to the personal fortunes of two men, if it were only a question as to whether the contestant or myself should be seated as a Member of this House, I would not be very much disposed to discuss this case so fully and oppose a committee report of this kind, but, Mr. Speaker and gentlemen of the House, there are very much more important matters involved than that. The sanctity of the Australian ballot is at stake in this decision; the question of whether we are going to have a secret ballot in Alaska or whether we are going to have a ballot that is fraudulent is at stake in this question, and therefore I feel that the Members of the House ought to give the matter careful consideration. I have no criticism to make of the committee. I believe that they have conscientiously performed their duty as they saw it, but nevertheless after carefully reading their report a number of times I am more convinced than ever that I was the legally elected Delegate from Alaska to this Congress. I believe that the committee have overlooked many important points, important facts in this case.

I believe that the committee, those of them who have read the record and have paid particular attention to the case, and particularly the distinguished gentleman from Louisiana [Mr. WILSON], the chairman of the committee, have been misled, that they have been confused by this record. And that is true because the contestant in this case, although he was a lawyer and a man who has sat upon the Federal bench, has filled this record with immaterial, incompetent, and irrelevant testimony. I say that the contestant in this case, although he was a lawyer and knew what the legal procedure was, has thrown the ethics of the law

to the four winds and has violated the methods of legal procedure in the way that he took the testimony and introduced it in this case. The contestant had 40 days' time to take his evidence in chief, and then I had 40 days' time to take my evidence. Then the contestant had 10 days' time to take evidence in rebuttal. Now, I am not a lawyer; I am a plain business man; but it is my understanding that evidence in rebuttal should be evidence to refute the evidence that I took in this case. But instead of the contestant taking any evidence, or practically any evidence, to refute the evidence which I had put into the record, he consumed practically all of his 10-day period in taking rebuttal testimony by placing in the record evidence in chief, evidence that he should have taken during his time, his proper time, for taking evidence in chief. Now, what is the result? Mr. Speaker and gentlemen of this House, I have had no opportunity to introduce any evidence into this record to refute the evidence that the contestant took during his rebuttal period. What opportunity has been granted me? There was no way by which I could get into the record. My time had closed, and therefore I say the contestant has taken undue advantage; that he knowingly took undue advantage, because he was a lawyer, and he was a Member of this House for eight years and knew thoroughly what the procedure was in these matters.

The contestant has made every conceivable sort of a charge against me and against my friends, against the officials of the United States Government in Alaska, against the entire press of Alaska, against the officers of the Army, and he has introduced no evidence whatever to substantiate any of his charges. He had every opportunity in the world to take legal evidence, to place officials upon the witness stand, to interrogate them, to take their depositions, but he failed to do it, and he simply placed a lot of ex parte material in the record and his own bald, bare statements of these things at a time and in such a manner as precluded absolutely any refutation of them on my part.

Now, I say that this is the situation, which I feel justifies me and justifies the Members of this House in looking into this case to consider the evidence, and by evidence I mean sworn testimony. I do not mean letters written by political henchmen or political friends. I do not mean telegrams. I mean sworn depositions, where the opposing side has an opportunity to interrogate the witnesses and to bring out the facts. And that is the part of the record that I wish to confine myself to and to explain to the membership of this House.

And before proceeding with these details, anticipating that possibly this may be the last day that I will have the honor to sit as a Member of this Congress, and fearing that possibly before I conclude I may overlook it, I wish to take this opportunity to extend my thanks to the membership for the courtesies that have been extended to me during the period that I have been here. I wish to extend my thanks and appreciation to the Members of this Congress for the kindly interest that they have taken and displayed and manifested in the Territory of Alaska. We are a great, large empire, and we need the assistance of Congress; and it has been very gratifying to me that there has been so much interest displayed in Alaska even though during a time when we were involved in the great war. I hope and anticipate that I may have the pleasure of serving in this House at the following Congress.

Now, Mr. Speaker and gentlemen of the House, one of the principal issues involved in this case is the sanctity of the Australian ballot, the secrecy of the ballot. And in order to arrive at the particular conditions in Alaska, in order to arrive at a proper conclusion as to how this Australian ballot law of ours should be interpreted, I wish to call attention to another very important part of this record, in my judgment possibly the most important part of it, a part that the committee have quite ignored, and that is the question of Indians voting in the Territory. The committee say that the record is indefinite, confusing, and unsatisfactory in regard to the Indian vote, and therefore they take no cognizance of it, or practically none, and make no decision in regard to it. Now, what is the result of that opinion? The result is simply this, that in the Territory of Alaska to-day we have a population of 28,000 Indians, according to the Bureau of Education. We have in that Territory, according to the estimate of the governor, less than 20,000 white people. Now, the committee say this, in practically so many words, that every Indian in Alaska, man or woman—because we have woman suffrage there—is entitled to cast a vote at every election that we hold there. He or she is entitled to cast a vote whether or not he or she is living in tribal relationship, whether or not he or she know anything about the English language, whether they know any candidate who is running or not, and whether they have the slightest conception or not of what the election is for. The committee report says in black and white, in so many words, "All you Indians in Alaska, regardless of your qualifications, regardless of what you may know, regardless of whether you have severed your tribal relationship or not, as required by the United States statutes, can go into the election booth, and you can void a ballot that is cast by the governor of Alaska or any of its most intelligent citizens."

What is the result if that is the law? What are we going to do in our future elections in Alaska? Are we going to have to submit to political henchmen who fraudulently vote these Indians by wholesale, regardless of what the facts may be, and disfranchise practically all the white people of Alaska? The chairman of the committee and the committee, in its report, have been very solicitous about disfranchising voters. That has been the principal bone of contention in their consideration of this case. That is the reason why they have hesitated to declare our Australian ballot law as mandatory. Why? Because they said that that would disfranchise some voters. I propose to show you, gentlemen, just the kind of voter it was that the committee claimed the court of Alaska, which knows the conditions there, disfranchised. And I want to do it by quoting from the record. I do not want to make a single statement that is not here in legal evidence, taken in a legal manner, and properly and under the regular procedure, because I took no evidence except in that way. I make this charge, that in the precincts of Afognak and Seldovia, which I locate right here in this southwestern portion of Alaska [pointing to map], very close to these Bristol Bay precincts, which the chairman has discussed quite fully—I make this charge, that practically nine-tenths of the voters in those precincts were Indians, living in tribal relationship; that they were living there at the time of this election the same as they had lived there 50 years or more ago; that they knew absolutely nothing about what they were doing; and that as a matter of fact they did not vote themselves, but that they were voted by the political henchmen of the contestant, and they were voted for him. In those two precincts the contestant received 100 votes and I received 28. In those two precincts the record shows that there were not to exceed 28 white people.

Now, I say that those Indians were not qualified. They were not qualified because they were living in tribal relationships.

Mr. SHERWOOD. Mr. Speaker, will the gentleman yield?

Mr. SULZER. Yes.

Mr. SHERWOOD. You say there were 20,000 white people in Alaska and 25,000 Indians?

Mr. SULZER. Twenty-eight thousand Indians.

Mr. SHERWOOD. How many tribes are there, and do they speak the English language?

Mr. SULZER. Well, there are a great many different tribes, a different tribe in almost every locality, and they have their tribal languages.

Mr. SHERWOOD. Do you mean to say there are only 20,000 white people in the whole Territory of Alaska?

Mr. SULZER. That is all we have there at the present time, according to the very best estimates.

Mr. SHERWOOD. Then there are more Indian voters than there are white voters?

Mr. SULZER. I do not think so, because I think that the vast majority of these Indians are not legal voters. But the report of the committee practically makes them voters, and I think that that is a very important matter to be considered.

These Indians are living in tribal relationship and under the United States laws. Under United States statutes, because we have no Territorial law upon the subject, any Indian, in order to become a citizen of the United States, must sever his tribal relationship and adopt the habits of civilized life. Manifestly, if they have not done that, they are not citizens. The committee agree that that is the law, and I do not think that that proposition will be seriously doubted.

Now, let us see if these people are living in tribal relationships or not. We knew or we believed they were, and so we took testimony in these precincts. We placed the chief of the tribe on the witness stand. I want to read to you his testimony. This occurred at Afognak:

TESTIMONY BY GREGORI YAKANAK.

Cecil R. King, first duly sworn as interpreter, and the witnesses were thereupon interrogated through said interpreter.

Direct examination by Mr. DONOHOE:

Q. State your name.—A. Gregori Yakanak.
Q. Where do you live?—A. At Afognak.
Q. What part of town do you live in?—A. In the Aleut village.
Q. Are you the chief of the Aleut village of Afognak?—A. Yes, sir; I am.
Q. Did you vote at the election held at Afognak on the 7th day of November, 1916, at which there was a Delegate to Congress voted for?—A. Yes, sir.
Q. Can you read or write the English language?—A. No.
Q. Can you read or write the Russian language?—A. No.
Q. Can you speak the Russian language?—A. No.

Q. Can you speak the English language?—A. No.

Q. The only language you do speak and understand is the Aleut language, is it not?—A. That is all.

Now, the Aleut language is like nearly all the tribal languages of Alaska. It is not a recorded language; it is not a written language. There is no way in which you can write it. It is a guttural language, and it is very nearly impossible for anyone who has arrived at maturity to learn a language of that sort. It must be learned from childhood. That is the only language that this man knew anything about. It was the only language that he could speak or understand. I read:

Q. Whom did you vote for—

Mr. SHERWOOD. Mr. Speaker, I would like to ask the gentleman a question.

Mr. SULZER. Very well.

Mr. SHERWOOD. You have a Territorial legislature?

Mr. SULZER. Yes.

Mr. SHERWOOD. How many Indians have you in that Territorial legislature?

Mr. SULZER. Absolutely none. I read:

Q. Whom did you vote for on the 7th day of November, 1916, at which a Delegate to Congress was elected?—A. I don't know; I have forgotten.

Q. What did you do when you came to the place where they were holding the election?—A. I had somebody to write it for me and I then put it in the box.

Q. Did you tell any person who wrote it for you who you wanted to vote for for Delegate to Congress?—A. I have forgotten.

Q. Did John Taushwak write your ballot for you?—A. I have forgotten.

Q. Did you tell the person who wrote on your ballot who you wanted to vote for for Delegate?—A. I have forgotten whose name I told him to put on the ballot.

Q. Who told you to come up to the place where they were holding the election and vote?—A. No one. Everybody came up, and I came along.

Q. Did Mr. Petelin fix your ballot for you which you put in the box?—A. I don't know, but I think not.

Q. Do you know any person that you voted for at that election?—A. I do not.

Now, there were a great many other candidates running for offices at this election besides the candidates for Delegate to Congress. There was an attorney general to be elected. There were members of the senate and members of the house of the Territorial legislature. There were road commissioners. There was the question whether the Territory of Alaska should be wet or dry to be voted on. There was the question of whether the Territory of Alaska should have an eight-hour law or otherwise, and various other matters. I read:

Q. Do you know any person you voted for at that election?—A. I do not.

Q. For whom did you vote for attorney general?—A. The interpreter says he can not interpret this in the Aleut language.

Observe that the interpreter says that he can not interpret this in the Aleut language. I read further:

Q. For whom did you vote for senator?—A. The interpreter says he can not interpret this in the Aleut language.

Now, these are the kind of people that the committee are so solicitous about disfranchising. These are the kind of people that men who wish to indulge in election frauds do not want to have to use an official ballot that is numbered in duplicate and that must be used according to law in a specified manner, that must be obtained from the election judges, when one number is taken off and the voter directed to go immediately to the booth and prepare his ballot and bring it back and hand it to the election judges.

Mr. SHERWOOD. Does the ballot law passed by your legislature require any educational qualifications for an elector?

Mr. SULZER. Only the educational qualifications which will enable him intelligently to use the ballot. That is all. Now, when he gets into that booth he must go in there alone. He must mark that ballot. How can a man do it if it is impossible even to interpret the words describing the title of the candidate into his language, the only language he knows anything about? How is it possible for that man to cast a legal vote? When we pass a law in order that we may have a secret ballot and clean and pure elections, is it any crime if incidentally we disfranchise a man of that kind? Is he of more importance than all the other intelligent voters of the Territory of Alaska?

Mr. CHANDLER of New York. Will the gentleman yield?

Mr. SULZER. Yes.

Mr. CHANDLER of New York. Is it your claim that all the illiterate voters voted for the contestant and all the others for the contestee?

Mr. SULZER. I will say to the gentleman from New York that in this record it appears that everyone who was placed upon the witness stand, where it was determined how he voted, swore that he voted for the contestant. The total vote of these two precincts shows that the voters voted largely for the contestant.

Mr. CHANDLER of New York. Did the gentleman, in making his canvass for the position of Delegate from Alaska, solicit the votes of these illiterates?

Mr. SULZER. I did not. [Applause.]

Mr. CARAWAY. They naturally voted for the other party, did they not? [Laughter.]

Mr. SULZER. Now, Mr. Speaker and gentlemen, I want to tell you a few things that happened in these precincts at some previous elections. I want to show why it became necessary for us to do something to purify our elections in Alaska. I want to show you why we adopted the Australian ballot system. In the election at Afognak some years previous to the election that we are considering, the election judges voted scores of Indians who were not within miles of the precinct at all on election day. The election judges were convicted of that offense, and it is in the record. They voted them without their being present at all. It was not a question of using official ballots, but they voted people who were miles away from that precinct on that election day.

What happened at the precinct of Seldovia in the election of 1914, when the contestant in this case received every single vote in that precinct and his opponent received not one vote? There were something like 100 votes cast in that precinct at that election. What happened there? Why, this is what happened. During the dinner hour, when two of the judges went to dinner, the third judge opened the ballot box, took out all the ballots that were cast for the opponent of the contestant, and replaced them with ballots for the contestant; and when the election judges counted the votes of that precinct every one was for the contestant. It was unanimous. [Laughter.] Now, those are the kind of elections that we have been having in Alaska. That is the sort of thing that those who are in favor of decent, clean elections have been trying to overcome. That is the reason why we passed this Australian ballot law. I was a member of the legislature that passed that law. I was a member of the senate, and I went there knowing that my constituency and the constituency of practically every other member of that legislature insisted that something be done to stop these fraudulent practices which were going on almost wholesale in these out-of-the-way precincts.

Mr. GOODWIN of Arkansas. Is what the gentleman is now stating a matter of public record?

Mr. SULZER. The matter that occurred in Afognak is a matter of official record, in this record.

Mr. GOODWIN of Arkansas. I do not question the gentleman's statement at all, but will he incorporate that in his speech?

Mr. SULZER. The statement as to what happened at Afognak is found in the testimony of the watcher of the contestant, Mr. Ernest Stricker, who testifies at considerable length in this record.

Mr. GOODWIN of Arkansas. There is no controversy about the truthfulness of that statement, is there?

Mr. SULZER. I do not think so. In regard to what happened at Seldovia, I will say that that is not in the record, and there is no official record of it, but it is a matter of common knowledge in Alaska. The gentleman who performed this feat boasted about it at various times in the Territory, and it is a matter of common knowledge in that section.

Mr. Speaker and gentlemen of the House, you can readily understand that where there is no official ballot, where any kind of a ballot can be used, where you can write a ballot on a shingle or on a deerskin, outside of the polls, and make it legal, all sorts of frauds can be perpetrated. There is no question about that. I think it will be readily admitted that that is the reason why the Australian ballot law has been universally adopted. It can be readily understood that in these remote precincts in Alaska, where there are possibly one or two white men running a little store, or doing something else, and the balance are helpless, illiterate natives, any sort of an illegal, fraudulent practice can be pursued unless there are some safeguards thrown around the election and unless there is an election law that will give some protection to the legitimate, legal voters of the Territory. That is exactly the reason why we passed this law, and that is precisely the reason why I am so sincerely and intensely interested and concerned in upholding it. I am very much more concerned about that, gentlemen of the House, than I am about serving here for two months longer.

Mr. KINCHELOE. Will the gentleman yield?

Mr. SULZER. I will.

Mr. KINCHELOE. Under the law of your territory, are Indians living in tribal relations entitled to vote?

Mr. SULZER. No, sir.

Mr. KINCHELOE. Was there any evidence introduced by the contestant undertaking to show who were the beneficiaries of any of these votes?

Mr. SULZER. No, sir.

Mr. MOORES of Indiana. Will the gentleman yield?

Mr. SULZER. Yes.

Mr. MOORES of Indiana. How about the 28 Indians residing on the Hydaburg Reservation who voted at Sulzer?

Mr. SULZER. I will say that there was not an Indian voted at Sulzer. I will say to the gentleman that the contestant has not introduced a single bit of evidence to show that an Indian voted at Sulzer. He made a lot of allegations and introduced some evidence.

Mr. MOORES of Indiana. Does the gentleman know the voters at Sulzer?

Mr. SULZER. I do know them all. I will say that that is the very thing I endeavored to explain at the beginning of my remarks—that instead of the contestant taking any evidence at Afognak or Seldovia during his period of rebuttal, instead of putting evidence into the record to refute the statement that the Indians were living in tribal relations and not qualified, what does he do? He takes the time for rebuttal and makes allegations and introduces one witness about voting at Sulzer, and has not proven a single thing by it. He did it under an illegal procedure, because he gave me no opportunity whatever to introduce any evidence showing that there was not an Indian that voted at Sulzer. I could have done it; I could go to the United States Bureau of Education in the city of Washington; I could go to the Department of Commerce in the city of Washington and put the officials of those departments on the witness stand and prove that every one of those people who voted at Sulzer was a citizen of the United States and not an Indian, because the law of the United States says what an Indian is in Alaska. It says that a citizen is one who has severed his tribal relations and adopted the habits of civilized life.

That is the case of every man who voted at Sulzer. I could have proved it conclusively if the contestant had given me any opportunity to do so, but he gave me no opportunity to introduce any evidence to prove it. He subpenaed five witnesses in the city of Juneau, and the first one was the Rev. David Waggoner, and when he put him on the stand the testimony that he elicited from the Rev. David Waggoner was so unsatisfactory to him that he did not interrogate another one of those five witnesses that had been subpenaed. That is the record, and I will prove it before I get through with this case if I have the time.

I want to say that the contestant made a trip from Seattle to Craig, Alaska, where I had given notice that I was going to take testimony. On that trip he passed through the town of Sulzer. On that trip he was entertained at the home of the contestee in this case. He spent several days at that place. He was taken in the launch of the contestee in this case a distance of 60 miles to Craig and return, and he passed the village of Hydaburg on both occasions. He learned all the ins and outs of the conditions existing in that section of Alaska.

Now, why did he not take some testimony? Why did he not put some witnesses on the stand to prove that any Indians who had not severed tribal relations voted at Sulzer, if there was a possibility or chance to do it. No; he absolutely ignored the whole thing, and then had one of his attorneys in Juneau call some witnesses, endeavoring to prove it during his rebuttal time.

Mr. MOORES of Indiana. Will the gentleman yield?

Mr. SULZER. Yes.

Mr. MOORES of Indiana. How did the Indians vote at St. Michael No. 1?

Mr. SULZER. I do not know that there are any Indians there.

Mr. MOORES of Indiana. How far is St. Michael No. 1 from St. Michael No. 2?

Mr. SULZER. About 60 miles.

Mr. MOORES of Indiana. Does the gentleman know that part of the country?

Mr. SULZER. Yes; I spent three weeks at St. Michael in my campaign, because I could not get a boat up the river.

Mr. MOORES of Indiana. The gentleman does not know that there are any Indians in St. Michael No. 1?

Mr. SULZER. No, sir. Now, the contestant endeavored to befuddle and confuse this committee. I took testimony to show that Indians voted in St. Michael No. 2, and he has attempted to befuddle and confuse the committee by making a charge that Indians voted in St. Michael No. 1. He has endeavored to leave the impression that St. Michael No. 1 and St. Michael No. 2 were precincts of the same town, as anyone ordinarily would presume who did not know the facts and did not know the difference. But there is a wide difference. He took an unfair advantage of the members of the committee when he did that. There is no connection between St. Michael No. 1 and St. Michael No. 2. St. Michael No. 1 is the town of St. Michael, near the mouth of the Yukon River, the headquarters of vessels operating on the Yukon River.

Mr. MOORES of Indiana. Is it not a long ways from the mouth of the Yukon?

Mr. SULZER. I will show you gentlemen on the map. Vessels have to come out a little way from the mouth and pass through Norton Sound.

Mr. MOORES of Indiana. How far from the Yukon River is it—100 miles?

Mr. SULZER. No; I do not think so.

Mr. MOORES of Indiana. Eighty miles?

Mr. SULZER. No; about 60 miles. St. Michael is an old-established point in Alaska. It is the headquarters for commercial companies operating on the Yukon River.

It has large stores, and all of the vessels that ply on that river start from St. Michael, and they go around Norton Sound, it is true, and enter the river, because it is impossible to build a town at the mouth of the river—that is all. I do not know that there are any Indians at St. Michael. Certainly I do not know that any voted there. What is the truth about St. Michael No. 2? St. Michael No. 2 is the Indian village of Unalakleet. It is not St. Michael at all. It has no relation with St. Michael. Here is St. Michael on the map and here is Unalakleet—about 50 miles farther up the bay from it. There are scarcely any but Indians at Unalakleet, and because the commissioner happened to designate Unalakleet precinct as St. Michael No. 2 the contestant endeavors to have the committee understand that the same conditions exist in St. Michael No. 1 as exist in St. Michael No. 2, and he simply made charges in his brief against St. Michael No. 1 because he wanted to take some unfair advantage. That is exactly what the situation is.

Mr. Speaker, let me read a little more of this record. I only read you the testimony of Chief Gregori Yakanak, chief of the Aleuts. I think that fact in itself proves that these Indians were living in tribal relations, because if they were not they would not have a chief, and when we put the chief on the stand and he swears that he is the chief, that proves it conclusively. But let me read a little more. I want to read from the testimony of John Taushwak, on page 272. John Taushwak was one of these Indians who has progressed a little beyond the others and who had a little more intelligence than they had. He was the acting henchman of the contestant in this particular election to round up the Indians and vote them. This is the testimony found on page 272 of the official record:

TESTIMONY OF JOHN TAUSHWAK.

Q. State your name.—A. John Taushwak.

Q. Where do you live?—A. Afognak.

Q. Whereabouts in Afognak?—A. In the Aleut village.

Q. Did you vote at the election held November 7, 1916, at which said election a Delegate to Congress was voted for?—A. I did.

Q. For whom did you vote for Delegate to Congress?—A. I voted for Wickersham.

Q. You helped seven or eight?—A. Yes; they could not read.

Now, John Taushwak was not a judge of election at Afognak. He was not an official of any kind, he swears that he voted for Mr. Wickersham, and the record abundantly shows that he was the man who was looking after the contestant's interests among these helpless Indians. He swears on the witness stand that he helped seven or eight of these Indians to vote. I say that beyond the fact that these Indians were living in tribal relationship, and therefore not entitled to vote, that they were voted fraudulently, because others went into the election booths and prepared their ballots, and they did not do it at all, and those ballots are absolutely fraudulent. Still the committee say there has been no charges of fraud in this case.

Mr. DILLON. Mr. Speaker, will the gentleman yield?

Mr. SULZER. Yes.

Mr. DILLON. The gentleman says that they were fraudulent votes. Does the gentleman make any specific charge in his answer as to wherein they are fraudulent?

Mr. SULZER. Yes.

Mr. DILLON. What part of the answer?

Mr. SULZER. It is in the answer.

Mr. RUCKER. Let him read the answer.

Mr. SULZER. Yes; the gentleman will have to read the answer; I could not place my hand on that at this moment. But there is no question about that. The committee say there have been no charges of fraud in this election. The committee say that there has not been any evidence of fraud produced. Mr. Speaker and Members of this House, we certainly made allegations of fraud in these precincts. That was our particular answer. We certainly took testimony—sworn testi-

mony, depositions. There are 133 pages, one-third of this record, which consist of depositions of Indians—bright as day, no contradiction about it at all—that show conclusively there was fraud practiced in these precincts.

Mr. RAKER. Mr. Speaker, will the gentleman yield?

Mr. SULZER. Yes.

Mr. RAKER. What are the names of the two precincts that the gentleman last referred to, where there were one hundred and some odd Indian votes and 28 white votes?

Mr. SULZER. Afognak and Seldovia.

Mr. RAKER. Does the gentleman recollect the number of votes cast in those two precincts?

Mr. SULZER. One hundred votes cast for the contestant and 28 votes for the contestee.

Mr. RAKER. How many white men voted at that election? They say you took depositions.

Mr. SULZER. It is impossible for me to say. All I can say is that the sworn testimony shows that there were not to exceed 15 white people on Afognak Island at the time of this election—the contestant's own watcher at the polls—and he swears that he was appointed as a watcher for the contestant and swears that there were not to exceed 15 white people on this whole island.

Mr. RAKER. Is it the gentleman's contention that the Indian voters there voted, or that the people who voted as Indians belonged to the Indian tribe and were still under tribal relations?

Mr. SULZER. Absolutely.

Mr. RAKER. And had not been released and were not living as white people?

Mr. SULZER. They had not.

Mr. RAKER. Does the record show approximately the number of Indians thus situated that voted at those two election precincts?

Mr. SULZER. I think it does. I think the record shows it quite clearly.

Mr. RAKER. And about what is the estimate of Indians thus situated who voted as compared with the white people who voted?

Mr. SULZER. I think it is about 100 to 28.

Mr. RAKER. One other question and then I am through. What was the final disposition of the committee as to those two precincts?

Mr. SULZER. The committee said that while there undoubtedly had been some illegal votes cast, still the evidence was so indefinite, so confusing, and so unsatisfactory that they could arrive at no conclusion about it, and simply ignored it.

Mr. RAKER. What does that ignoring mean?

Mr. SULZER. That they came to no decision about it at all, and they let those votes stand, and I interpret that to mean that they think those votes were all right.

Mr. RAKER. They must have acted affirmatively or negatively. They accepted the vote in those precincts?

Mr. SULZER. They accepted it, certainly. I will read from the report of the committee to show the gentleman. On page 15 of the committee's report, about the fourth line from the top, this is what they say:

> The evidence fails to disclose any intention or attempt to commit fraud at either of the precincts in question and where the Indians voted.

That is what the committee say, that the evidence fails to disclose any intention to commit fraud. I want to show, by reading some of this record, there was a very decided intention. I think the testimony of John Taushwak shows that he voted seven or eight Indians instead of their voting for themselves, and is manifestly fraud on its face, yet the committee say they can not find any evidence of attempt to commit fraud. The committee further says:

> The election officers have particular knowledge of the conditions and the people in the localities surrounding precincts where they reside, and it is their duty to know that each voter is duly qualified before permitting him to deposit a ballot. These officers are presumed to have performed this duty.

In other words, the committee ignored absolutely the sworn depositions which we placed in the record at great trouble, difficulty, and expense, and they simply base their action on the assumption that election officers would not fail to perform their duty.

Mr. RAKER. Both parties appeared at those two election precincts named with witnesses before a notary when the depositions were taken?

Mr. SULZER. Yes, sir.

Mr. RAKER. Now, approximately how many witnesses testified in those two precincts when the testimony was taken before a notary?

Mr. SULZER. I think there were about 20. There are 133 pages of the record. I did not count them so as to know how many witnesses there were, but I think there were about 20 persons placed upon the witness stand whose depositions were taken very fully, some of the depositions consisting of four or five pages of the record.

Mr. RAKER. That is set out in the record; but, in the gentleman's recollection, what is the epitome of the testimony of those witnesses as to whether or not those Indians were living in tribal relations and therefore not qualified to vote, or had abandoned their tribal relations and were living a civilized life?

Mr. SULZER. The testimony is absolutely conclusive that they were living in tribal relationship.

Mr. DALLINGER. Will the gentleman yield?

Mr. SULZER. I will.

Mr. DALLINGER. I would like to ask the Delegate from Alaska who appoints election officers at those precincts of which he speaks.

Mr. SULZER. Oh, I know the contestant has made all sorts of charges against me; that I was in control of all the election machinery in Alaska, that I control the court, and that the election officials were all against him, and all sorts of rubbish of that kind. I know he has filled the record with that sort of stuff. I know he has told you that the canvassing board consisted of three Democrats who were appointed by the President, that the judges were all appointed by the President, and they in turn appointed all the commissioners; that they in turn appointed the election judges, and so forth. He has endeavored to convince you that he was not given a fair deal in the selection. He has not put any evidence whatever in the record to prove anything. He had the opportunity to take the testimony of every official in Alaska that he wanted to take, and he did not take any, and he did not make any attempt to put any evidence or depositions in the record, but simply endeavored to make his proof by a bald statement. What is the truth about the matter? The truth about the matter is this, that as far as the canvassing board was concerned they were ostensibly Democrats. They were appointed by the President of the United States, but they were not friendly to me. Two of them were not, one of them was, or so held, the other two were antagonistic, unfriendly, and opposed to me, and they were friendly to the contestant. And, moreover, the chairman of that canvassing board—the man whom the contestant says endeavored to give him the certificate—was an illegal voter himself in this very election. He cast an illegal vote and then he sat as chairman of this canvassing board to decide on illegal votes and decide on our election laws and say whether those votes coming before him were legal or not, and he himself was an illegal voter, and he knew he was an illegal voter. Why was he an illegal voter? Why, because he was not a citizen of the United States. That is the sort of a man who was at the head of this canvassing board holding the high office of governor of the Territory of Alaska for nearly five years when all the time he knew it was totally illegal, that he was not a citizen——

Mr. DALLINGER. May I ask who it was who appointed this man?

Mr. SULZER. I said that the President appointed him. I will say further that the Democrats of Alaska recommended him and he obtained his appointment upon their recommendation, but that does not prove anything. [Laughter on the Republican side.] The Democrats can make mistakes as well as anybody else and they made a bad mistake in that instance. They acted in perfectly good faith but they did not know the sort of man he was and nobody else did until the facts were later developed on investigation by the Interior Department. But that sort of man was passing judgment on whether I should have a certificate to this House or not. Now, when you come to the election judges there is an entirely different condition existing there from what the contestant has endeavored to make the committee believe existed. In the first place in all incorporated municipalities of Alaska the commissioners have absolutely nothing to do with elections——

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WILSON of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from Alaska be permitted to proceed until he concludes his statement.

The SPEAKER pro tempore. The gentleman from Louisiana asks unanimous consent that the gentleman from Alaska be permitted to conclude his statement. Is there objection? [After a pause.] The Chair hears none.

Mr. SULZER. Now, the election judges——

Mr. NORTON. Mr. Speaker, was that request granted? I was going to suggest if it would not be well to limit the time

and not have it unlimited. But, however, give the gentleman reasonable time.

Mr. SULZER. I will conclude as quickly as I can, I will say to the gentleman.

The election judges in these municipalities are appointed by the town councils, and they are not partisan at all, and the commissioners have absolutely nothing to do with it.

I would like to have the attention of the gentleman from Massachusetts [Mr. DALLINGER]. He interrupted me and wanted this explanation, and I am endeavoring to give him the facts. As far as the commissioners outside of the municipalities are concerned, they are very seldom changed. Many of them have been there for years. They are the only persons available in many of these small places, and the only persons equipped to act and serve as commissioners; and it is not a partisan question at all. The record abundantly shows in a great many instances the officials were the friends of the contestant rather than friends of mine.

Now, let me read a little further from this interesting record. I want to read you from the testimony of Mr. Mafrey Agick, on page 273 of the record. Cecil R. King was first duly sworn as an interpreter, and the witness was thereupon interrogated through said interpreter.

The testimony reads:

> Q. State your name.—A. Mafrey Agick.
> Q. Where do you live?—A. Afognak.
> Q. Do you live in the Aleut village of Afognak?—A. I do.
> Q. Did you vote in Afognak at the election held there on the 7th day of November, 1916?—A. Yes.
> Q. Whom did you vote for for Delegate to Congress from Alaska?
>
> And the answer is.
>
> He voted for the new man.

Now, I want to call your attention to another little deception which the contestant has practiced in this case. In his printed brief he set forth how these Indians voted and he showed that most of them voted for him. Some of them said they did not know, but the record shows that those who did not know did not vote; that someone else voted for them; and the record shows conclusively who those people voted for. But he says one of these Indians voted for me, and that it was this Mafrey Agick. He endeavors to have the committee believe that one of these Indians in Afognak voted for me, and he so states it in his brief. I want to show you just how truthful he is about that. Here is the testimony of Mafrey Agick:

> Q. Who did you vote for for Delegate to Congress from Alaska?—A. He voted for the new man.

The contestant put that in his brief. He says "new man" and follows it with "Sulzer," so the impression is that the evidence shows that this man voted for me. Let us read a little further in the record:

> Q. Who took him to the polls?—A. He says everybody went to the polls alone.
> Q. Who marked your ballot?—A. My relative, John Taushwak.
>
> He says "my relative, John Taushwak," marked his ballot.

Now, John Taushwak, as we have seen on the opposite page, voted for Wickersham, and the record abundantly proves he was Wickersham's henchman there and was getting all these Indians to vote for him.

> Q. Who marked your ballot?—A. My relative, John Taushwak.

Do you believe this relative, this worker for Wickersham, John Taushwak, was so good as to vote for me? No; he did not.

What is the next question? It is:

> Q. How do you know you voted for the new man?—A. The people said so.

That is how he knew. The people said so.

> Q. As a matter of fact, don't you know you don't know for whom you voted?

Now, here is the answer:

> A. I don't know for whom I voted.

Of course he did not know for whom he voted. None of them knew for whom they voted, outside of John Taushwak. He is the only one that knew anything at all about the election there.

Mr. HASTINGS. Will the gentleman yield?

Mr. SULZER. I will.

Mr. HASTINGS. Are the Indians in Alaska under the supervision of the Department of the Interior?

Mr. SULZER. No, sir.

Mr. HASTINGS. It has nothing to do with them?

Mr. SULZER. Except the Department of the Interior maintains some schools for them.

Mr. HASTINGS. I want to say that in the United States proper the decisions of all the courts are to the effect that the question of tribal relations is a political question and only for the department to determine. That is the reason I asked the question. If they were under the Interior Department there it was a question of their tribal relations being recognized or not recognized by the Interior Department. You say they are not under the Interior Department?

Mr. SULZER. The Indians there have been treated somewhat differently than the Indians in the States. They are not wards of the Government, and the only thing the Government has done for them is to maintain schools in some of these places and endeavor to give the children an education. It has on other occasions extended relief in cases of sickness and distress, and to prevent or control epidemics and things of that sort, but beyond that the United States Government has never done anything for the Indians in Alaska.

Now, the test as to whether they are citizens or not comes under the interpretation of the law as to whether they have severed their tribal relationship. If they have not, then they are not citizens.

Mr. WILSON of Louisiana. Will the gentleman yield? I wanted to ask a question.

Mr. SULZER. I yield to the chairman of the committee.

Mr. WILSON of Louisiana. I have read every word of this testimony about the Indians, and do I understand the gentleman to state that John Taushwak stated that he voted the ticket that his people referred to in his testimony?

Mr. SULZER. Yes.

Mr. WILSON of Louisiana. Now, his testimony, if you read the cross-examination, stated that each one of those men fixed his own ticket. Now, I read this testimony very carefully to find out about these Indians, because I was very much impressed with the charges against places where Indians voted in the Territory. I think it would have been best if none of them had voted.

If I had the authority or the opportunity to make a choice, I think it would be best to take the opinion of the one who voted. But I was unable to find, in reading the testimony, where they did not mark their tickets. Many of them, I think, had been pasted on the outside. They got their tickets from the commissioners. John Taushwak states that he did not fix these tickets. He states that in his cross-examination. I wanted to say that in the interest of correctly informing the House.

Mr. ALEXANDER. If the witness himself says he had it fixed for him, why not take his word for it?

Mr. MONTAGUE. If they could not read or write, how could they fix their tickets?

Mr. WILSON of Louisiana. They could not. I have read this testimony carefully to find what kind of a system they used, and I do not think it is in the testimony of this man that he marked the tickets.

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. SULZER. Yes.

Mr. HARDY. It seems to me that the gentleman read from the testimony of this man who voted for the new man, and that man said John Taushwak made out his ticket for him.

Mr. WILSON of Louisiana. No. My question was whether Taushwak marked the ticket for him.

Mr. HARDY. No. He said this other witness said John Taushwak made out the tickets for them.

Mr. SULZER. Mr. Speaker, I would say to the gentleman from Louisiana that in the direct testimony of John Taushwak he swears that he helped seven or eight. Take the testimony of Mafrey Agick. He does not know whom he voted for, but he swears that Taushwak marked his ballot. I know that the contestant had a very astute lawyer at the hearing, and this lawyer endeavored to try out these rather helpless witnesses in the attempt to disprove the testimony that we had taken.

But those are mere technicalities. The record is clear and conclusive and abundantly shows that all of these Indians are living in tribal relationship. And that is the test. They are not qualified voters, and those who used them knew they were not qualified. Moreover, I think the record shows conclusively that they were fraudulently voted, and I think that if any fair-minded person will thoroughly consider this record, he will say that these two precincts were fraudulent and that they should be thrown out.

Mr. HASTINGS. Mr. Speaker, will the gentleman yield?

Mr. SULZER. Yes.

Mr. HASTINGS. At how many precincts did the Indians vote? At more than the two precints named?

Mr. SULZER. As far as the record discloses, there are only three that we have in the record.

Mr. HASTINGS. About how many Indians voted at the three precincts?

Mr. SULZER. Well, there were somewhere around 175, I should think. Oh, I beg the gentleman's pardon; I will have to stand corrected on that, because the record shows conclu-

sively that in these precincts where these official ballots were not used, where they were thrown out by the court, they were largely Indians of this same type and character.

I am going to show that in a little while. That is the reason why I am elaborating somewhat on this Indian vote, in order to show the Members of this House that the conditions existing in Afognak and Seldovia were practically the same conditions that existed in these other precincts, where they not only went into the booths and marked the ballot, where they used the official ballot, but where they went still further, because they were a little more isolated and they thought they could get away with it, and undoubtedly they threw away the official ballots altogether, because they were a nuisance to them.

Mr. HASTINGS. Do the Indians understand the English language?

Mr. SULZER. Some of them understand a little about it.

Mr. HASTINGS. What percentage of those who voted speak or understand the English language?

Mr. SULZER. I think very few of them. I will develop that by reading a little more of the record.

Mr. WILSON of Texas. Mr. Speaker, will the gentleman yield?

Mr. SULZER. Yes.

Mr. WILSON of Texas. I want to understand if this board first denied you the election certificate, and then the court, upon passing on the matter, taking the testimony and going into it fully, awarded a certificate favorable to you?

Mr. SULZER. Yes; that is substantially correct.

Mr. WILSON of Texas. What court was it?

Mr. SULZER. The United States district court. I will explain it fully to the gentleman. What happened was precisely this: The canvassing board, consisting of the governor, the surveyor general, and the collector of customs of Alaska, met and considered these facts. They had a great many questions coming up in regard to the legality and illegality of various votes. As a final proposition, they eventually submitted all these questions to the attorney general of Alaska, and they asked his written legal opinion on 22 different questions.

The attorney general considered those questions in two separate opinions. In the first opinion he answered 19 questions regarding various irregularities in the returns, and said that in all these cases the ballots should be counted. In the other opinion he considered the other three questions, which were in regard to this official Australian ballot, and he stated that five precincts must be rejected, because the official ballots were dispensed with without any explanation, and because the law in this regard was mandatory.

The chairman of the committee in his report has conveyed just the opposite impression. He quotes a conversation that was had between the canvassing board and the attorney general on the 20th day of January, 1917. The canvassing board did not meet until the 19th of January. This conversation took place on the next day, and it was a mere conversation. They were just talking over the matter in general terms, and the attorney general was asked whether these ballots should be counted or not, and he did not give a decisive opinion about it. He was asked whether the fact that the official ballots were not used was not prima facie evidence that they were not there, and he said, "Well, the chances are that that might be so." The chairman of the committee has thus conveyed the impression that the attorney general advised the canvassing board that these precincts should be counted, but the facts are that subsequently, nearly a month later, after a consideration of this case for weeks, the attorney general wrote an opinion—a very able one, in my opinion—and it is in accordance with the law, stating conclusively that this law is mandatory.

Now, after the canvassing board had received that opinion from the attorney general—and he was the legal adviser of the board—and after they had followed his advice in every other instance, they refused to follow him in this instance. Why? Because if they followed him the certificate would issue to me, and if they did not follow him the certificate would issue to the contestant. When that happened, my friends said, "Sulzer, you are being taken advantage of. Moreover, the Australian ballot act that you did so much to get through the legislature will be practically destroyed, and we say you ought to fight this case and you ought to go to court with it." I did so, and the court considered the matter for weeks, and finally rendered an opinion upholding the opinion of the attorney general and instructing the canvassing board to issue the certificate to me. Then the certificate was issued to me, and the extra session of Congress had been called and I hurried to Washington as soon as I could and I was sworn in here on the 3d day of April, 1917.

Mr. McKEOWN. Will the gentleman yield?

Mr. SULZER. I yield to the gentleman from Oklahoma.

Mr. McKEOWN. I want to ask the gentleman about the Eskimos. Do they vote in Alaska?

Mr. SULZER. They did in this precinct of Unalakleet.

Mr. McKEOWN. Are they classed as Indians?

Mr. SULZER. Yes; they are all classed as Indians, and the committee agreed to that.

Mr. McKEOWN. Do they live in tribal relations or not?

Mr. SULZER. I think so. We were unable to go to Unalakleet; at least those who were handling the matter in that particular section did not go there. They took a lot of testimony in Nome, and while it shows conclusively that practically the same conditions existed in Unalakleet as existed in Afognak and Seldovia, still the record is not so conclusive in that particular precinct, and I am not making very much contention about Unalakleet, because the record is not nearly so conclusive as it is concerning Afognak and Seldovia. And if this House thoroughly considers this one question and determines that these two precincts conducted a fraudulent election and that those votes are fraudulent and that the vote of Gregori Yakanak should not be permitted to destroy my vote or to destroy the vote of an intelligent white person in Alaska—if you determine that, then you will vote to seat me in this House, and the other questions will not be at all pertinent, because they will not be controlling in any event.

Mr. GORDON. Will the gentleman yield for a question?

Mr. SULZER. I yield to the gentleman from Ohio.

Mr. GORDON. What evidence of fraud is there in the record?

Mr. SULZER. I have just been reading some of it, and I will continue to read some more.

Mr. GORDON. I mean, what evidence is there as to a fraudulent election, aside from the fact that the judges failed to comply with the statute and certify the reasons for permitting the use of unofficial ballots? Have you any evidence of fraud in the record aside from that?

Mr. SULZER. I have just been discussing it for an hour and showing that these Indians have been fraudulently voted. I have been showing you that these Indians were not citizens, that they were living in tribal relations, that they and everybody else admits—not only the Indians but the white people there admit it—that they are living in tribal relations. We put the chief himself on the stand, and he admitted that he was the chief of the tribe.

Mr. MONTAGUE. Will the gentleman yield?

Mr. SULZER. I yield to the gentleman from Virginia.

Mr. MONTAGUE. Assuming the gentleman's contention to be correct, those votes do not appear to me to be fraudulent, but rather illegal. Does the gentleman draw a distinction between a fraudulent vote and an illegal vote?

Mr. SULZER. Oh, yes. As far as these Indians living in tribal relations and not being qualified voters by reason of the fact that they are not citizens, I will say that they cast illegal votes; but when the record shows that men like John Taushwak went into the polling booth after obtaining ballots from the judges, went in with the Indians and marked their ballots for them, they were practicing a fraud, and the judges of election knew that they were practicing a fraud when they permitted it.

I will read from the record where the judges of election were placed on the stand and admitted that they did that, admitted that they permitted it—admitted that others marked the ballots for these Indians—and that there was no certification on the ballot that such a thing was done. Now, the law on the subject is this, that no one can mark a ballot for a voter except the judges of election. If the voter is illiterate, if he is unable to prepare the ballot himself, he must ask the judges of election to mark the ballot as he directs, and the judges of election must mark it there in public—that is, before the three of them—and they must certify on the back of that ballot that the ballot was so marked by the judges of election. They did not do that. There is no certification on these ballots that they were marked by the judges of election and no certification that they were marked by John Taushwak and these other people. Therefore I say that the whole thing was a fraud from start to finish, and there is no question about it.

Mr. RAKER. Will the gentleman yield there?

Mr. SULZER. I yield to the gentleman from California.

Mr. RAKER. What does the record show as to how these ballots in these two precincts were marked for the voters?

Mr. SULZER. I have not seen the ballots. I can not answer that for the gentleman. I do not know.

Mr. RAKER. I think the gentleman does not understand my question. What does the record before the committee show as to who marked the ballots? Did the judges of election do it or did some outsider do it?

Mr. SULZER. I have just read here that John Taushwak admits that he marked eight ballots, and Mafrey Agik says that his relative, John Taushwak, marked his ballot.

Mr. RAKER. Now, is that disputed by John Taushwak and the election board?

Mr. SULZER. No; it is not, except as the chairman of the committee disputed it.

Mr. RAKER. What page is that on? I want to ask another question, but I want to be specific.

Mr. SULZER. This is on pages 272 and 273.

Mr. RAKER. If John Taushwak did enter the booth and mark the ballots of the Indian voters, was he guilty of a felony?

Mr. SULZER. I think so; I think the judges of election would be guilty of a felony in permitting him to do it.

Mr. RAKER. Under the statutes the judges of election would be guilty of a felony.

Mr. SULZER. Yes. Now I will read a little from the testimony of Ivan Alhoon, on page 266 of the record. He testified through the same interpreter:

TESTIMONY OF IVAN ALHOON.

Cecil R. King, duly and regularly sworn as interpreter.
Q. What is your name?—A. Ivan Alhoon.
Q. Where do you live?—A. In Afognak, Alaska.
Q. Do you live in that part of town known as Aleut town?—A. Yes, sir.
Q. Did you live there on the 7th day of November, 1916?—A. I guess so.
Q. Do you speak the English language?—A. No.
Q. Can you write the English language?—A. No; I can't write.
Q. You do not know for whom you voted for Delegate to Congress?—A. The fellow I asked to write for me; I don't know whose name he voted for.

Now, that is a sworn deposition. This is legal evidence that the committee says is indefinite and unsatisfactory. Why, I could show conclusively, if I had the time to thoroughly discuss this case, that this evidence is all infinitely more definite and conclusive than a lot of other evidence that the committee has considered and presumed was correct which was not in my favor. Alhoon says, "The fellow I asked to write for me; I don't know whose name he voted for." Is not that conclusive?

Now, let me read from page 284 the testimony of Anton Dolchak:

TESTIMONY OF ANTON DOLCHAK.

Q. How came you to go to Shorty Stoffer's cabin on the morning of election?—A. The fellows told me to go down there and he would show me how to vote for Wickersham.
Q. You, then, were down at Shorty Stoffer's cabin?—A. Yes.
Q. What did Shorty do?—A. He showed me how to vote for Wickersham.
Q. Did he give you anything at the time—I mean any coffee and cake?—A. Yes; he gave me coffee and cake.
Q. Where did you go after you left the polls?—A. I went back to Shorty Stoffer's cabin and had some more coffee and cake.
Q. Did Shorty tell you to come back?—A. Yes.
Q. And you went up and voted for Wickersham?—A. Yes.

Now, that is very interesting. This is what happened at Seldovia. Shorty was an astute white man who lived in Seldovia. He, acting through this man Anton Dolchak, a sort of leader of these Indians, rounded up all the Indians on election day, marched them down to Shorty Stoffer's cabin and fed them up on cake and coffee. The record shows that they had never been there before, that they never had been given any coffee and cake before, and I want to say to the gentlemen of the House that on an occasion of that kind coffee and cake to the helpless Indians in that country is exactly the same as dollars and cents would be in your congressional district. Oh, yes; they were marched down to Shorty Stoffer's cabin and fed on coffee and cake and were instructed how to vote for Wickersham, and then they were marched up to the polls and voted.

Let me read the testimony of Gregory Foxy, on page 287. This is a sworn deposition. The gentleman has a very illuminating name. He gives his testimony through an interpreter, Mrs. Annie Christianson:

TESTIMONY OF GREGORY FOXY.

Mrs. Annie Christianson, first duly sworn as interpreter, and the witness was thereupon interpreted through said interpreter.
Q. What did Mike Dolchok tell you about who to vote for?.—A. He told me to put in ballot like he marked.
Q. Did he tell you to vote for Wickersham?—A. Yes.
Q. Did you vote that day?—A. Yes.
Q. Did Mike Dolchok go with you to the polls where they were voting?—A. Yes; Mike went with me over there.
Q. Did Mike mark your ballot?—A. Mike showed me where to vote.
Q. Did you vote for James Wickersham for Delegate to Congress?—A. Yes.
Q. Shorty Stoffer is not a native, is he?—A. No; he is a white man.
Q. You never had visited Shorty Stoffer's house before election day, had you?—A. No.
Q. Did you on the morning of the election of the 7th day of November, 1916, go to Shorty Stoffer's cabin?—A. Yes.
Q. Who told you to go up there?—A. Mike Dolchok.
Q. What did Mike Dolchok tell you to do?—A. He told me I must come up here to the election and vote.
Q. Are you a native?—A. Yes.
Q. What did you do on the morning of election when you reached Shorty Stoffer's cabin?—A. I didn't do anything.
Q. Did you have coffee and cake at Shorty Stoffer's cabin?—A. Yes.
Q. What did Shorty Stoffer say to you about voting?—A. He told me to have some coffee.
Q. Did he show you how to vote and who to vote for?—A. No; Mike Dolchok showed me.
Q. What did Mike Dolchok tell you about who to vote for?—A. He told me to put in ballot like he marked.
Q. Did he tell you to vote for Wickersham?—A. Yes.
Q. Did you vote that day?—A. Yes.
Q. Did Mike Dolchok go with you to the polls, where they were voting?—A. Yes; Mike went with me over there.
Q. Did Mike mark your ballot?—A. Mike showed me where to vote.
Q. I again repeat, did you vote for James Wickersham for Delegate to Congress?—A. Yes.

These people knew nothing about elections, they knew nothing about candidates, it was simply a fraudulent affair rounding these people up and voting for the contestant. I maintain that where a close election is held in the Territory of Alaska it should not be decided by votes of this character. If that is going to be the case then you are never going to have a decent, clean, and pure election in the Territory of Alaska, because if the politicians who will stoop to that sort of work know that they can pursue those practices with impunity, and that if the laws are not mandatory that they do not have to comply with them, that they can do as they please, they are going to do it. They are going to round up these helpless people, vote them in mass, and our elections will be absolutely a farce and disgrace, very much as they were before we had any Australian ballot system in Alaska.

Now let me read a few lines from the testimony of Sam Mercuroff:

Q. Did you vote at the election held November 7, 1916?—A. I did.
Q. Did Mike Dolchok come to you on the morning of election and tell you to go down to Shorty Stoffer's cabin?—A. Yes, sir.
Q. Did you see Shorty Stoffer when you got down to the cabin?—A. He was home.
Q. Did Shorty Stoffer give you some coffee and cake before you went up to vote?—A. I had two little cookies and a cup of coffee.
Q. Did Mike Dolchok or Shorty Stoffer tell you who to vote for for Delegate to Congress?
Mr. RIVEDGARD. I make the same objection as I did at the beginning of Mr. Doyle's testimony.
A. Shorty Stoffer never said anything to me.
Q. Did Mike Dolchok tell you how to vote?—A. Yes.
Q. Who did he tell you to vote for?—A. Mike Dolchok gave me a piece of paper and told me to vote it the way it was marked.
Q. Did Mike go with you to the polls?—A. No; I went alone.
Q. Did you vote for James Wickersham for Delegate to Congress?—A. When I came down to the voting precinct they gave me a white piece of paper and it was marked like the yellow one.
Q. You don't know, then, who you voted for?—A. No; I couldn't read the paper.
Q. You don't know the name of anyone whom you voted for on that ticket?—A. No.
Q. Mike gave you a yellow piece of paper down at Shorty Stoffer's cabin and told you to mark the ticket you got from the judges in the same way?—A. Yes.
Q. And you didn't know at the time whom you voted for?—A. No.
Q. You mean you don't know the name of a single person you voted for?—A. No.
Q. Do you read or write the English language?—A. No.
Q. Do you read or write the Russian language?—A. No.
Q. Do you read or write any language?—A. No.
Q. Do you speak the English language?—A. No; I don't.

Now, gentlemen, do you want any more conclusive evidence or proof than that? He was given a white ballot, and swore it was marked the same as the ballot Shorty Stoffer had given him, and when he was asked if he knew whom he voted for he said no; he did not, because he could not read the paper, could not read the ballot.

Mr. TILLMAN. Mr. Speaker, will the gentleman yield?

Mr. SULZER. Yes.

Mr. TILLMAN. Was that vote counted by the committee?

Mr. SULZER. Every one of these votes was counted by the committee, and yet the committee say there were no charges of fraud. When I had my opportunity to appear before the committee in this case—and I was only given 40 minutes' time, for that was all that I could get—I told the committee all of these facts. I made the same argument very much then that I am making now.

Mr. FIELDS. Does the gentleman say to this House that the committee gave him only 40 minutes—he, the contestee—in which to present his case?

Mr. SULZER. The committee decided each side should have two hours' time. I had an attorney who took an hour and twenty minutes, I believe, and I had only 40 minutes at my own disposal.

Mr. WILSON of Louisiana. Mr. Speaker, I wish to say that under the rules of the committee each side was allowed one hour and a half. It was agreed to give them such time as they chose to take, and they agreed on two hours on a side. So that it was by consent of the parties appearing before the committee. The committee would have been glad to give them six hours or

eight hours. So that is a very unfair statement for the gentleman to make.

Mr. SULZER. In that connection I want to appeal to the Members of this House to hear this case and to look into and consider it. I do not want to make a single criticism of the committee. I cast no reflection on the committee at all. I said at the beginning of my remarks that I believe the committee has been misled; that is all. But I say this: That from the time that the contestant started to put in all of this irrelevant testimony of his as rebuttal testimony I have had absolutely no opportunity to present my case until this moment, except these 40 minutes I had before the committee, and a great deal of those 40 minutes, I will say to the gentleman, was taken up by questions asked by members of the committee.

Mr. RAKER. Mr. Speaker, will the gentleman yield?

Mr. SULZER. Yes.

Mr. RAKER. The gentleman has made a very strong statement, and, for one, before I vote on the matter I would like to know wherein the truth lies. The gentleman stated that he had only 40 minutes before the committee, he had no time to present his evidence after the contestant had concluded in the 10 days of the introduction of rebuttal testimony, and that entirely new matter was introduced on rebuttal. Does the gentleman state to the House that he made an application before the committee to have further time in which to introduce testimony before the committee, or did he let it go by default?

Mr. SULZER. I do not recall making any request of the committee for further time. I will say to the gentleman that I was guided very much in this case by the advice of my attorney, and he conducted the case. I was very busy attending to the affairs and wants of my constituents, and did the very best I could for them and have done so since I came here. I thought this case was so conclusive that there was no necessity for me to devote any attention to it; that the facts were so clear, that the decisions of the Attorney General and the courts were so overwhelmingly in my favor, that there was no possibility of the committee holding against me, and what things were done, what action taken, were done by my attorney; but I will say to the gentleman that I do not think there was any opportunity presented under the rules of the House and under the law whereby I could get in any further additional evidence. I certainly told my attorney that I wanted to do that, and I collected a good deal of evidence from the departments of the Government here in Washington, but I could not find any way at all to get it in.

Mr. RAKER. While it may not be material, while it may not be really proper to consider, yet the gentleman has made that statement a couple of times, and for one I want to know the situation. Does the gentleman tell the House that he has gathered material evidence that he understands will rebut the evidence that was placed in the record by the contestant upon the close of his testimony, which evidence was not introduced before the committee at any time?

Mr. SULZER. Oh, yes.

Mr. RAKER. Would it affect the question of the result in this election contest if that evidence were presented to the House?

Mr. SULZER. I think it would, absolutely.

Mr. RAKER. On what particular issue; just in a general way?

Mr. SULZER. Well, there is a considerable amount on this very question of Indians being permitted to vote.

Mr. RAKER. To what extent and to what purport?

Mr. SULZER. The principal evidence that I have in mind right now is evidence along the lines of the answer which I gave to the gentleman from Indiana [Mr. MOORES], who is a member of the committee, in regard to the charge that the contestant made that Indians voted for me at some other precincts in the Territory of Alaska, and that, therefore, it was an even break, that because these Indians voted for him in Afognak and Seldovia, likewise there were Indians who voted for me in other precincts, and that therefore I should not get any benefit from that. He put that all in as rebuttal testimony. I had no opportunity to overcome it. If I had, I would have and could have proved conclusively that his contentions are absolutely erroneous, because there were no Indians who voted for me at these other precincts. They were not Indians.

Mr. RAKER. What as to the status of these Indians that voted at the two precincts named? Had you put in all your case originally?

Mr. SULZER. Yes; we had put it all in. I have just been reading that now.

Mr. RAKER. Is that the only thing that the gentleman was not permitted to present to the committee because of the time limitation?

Mr. SULZER. Oh, no; practically all——

Mr. RAKER. Mr. Wickersham had completed the rebuttal testimony?

Mr. SULZER. Oh, no; practically all the evidence that they took at the city of Seattle during his rebuttal testimony was all evidence in chief and it all reflected upon my character and reputation; it all reflected upon the officials of Alaska. Why, he stated at that time that a campaign fund of $10,000 was raised by the Democratic Party in Alaska and that all the press was subsidized, was purchased and bought to support me and to defeat him, but he never took a word of evidence in regard to that. He could have put the owners, the editors of those newspapers, on the stand if there was anything he could prove about that, but he could not do it. Why, it was all a malicious lie. That's what it was. Every word he said about there being any fraudulent practices in my election was a lie. Every word that he said about my having any advantage from a campaign fund raised by the corporations or that the press was subsidized was a lie. If he had any evidence he should have taken it and put it in the record. That is the sort of stuff that he got in, and he got page after page of it in, and I submit this record is very confusing and nobody can read the record without becoming confused.

Now, I say these things advisedly. And why? Simply because of this fact, that one of the members of this committee told me this. He said, "I did not give any attention to the decision of the court; I did not pay any attention to it; I did not think it should be given any consideration." I said, "Why, I thought it was a very able decision, a decision of the highest court we have in Alaska; why should it not have consideration?" "Well," he said, "because I thought and believed that it was prejudiced." I said, "Why do you think it was prejudiced?" "Simply because," he said, "no man can sit upon the bench as a judge of the court in Alaska who is your brother-in-law and who is deciding your case who will not be influenced in his decision." I said, "What do you mean?" He said, "The judge is your brother-in-law, is he not?" I said, "No; he is not my brother-in-law; he is absolutely no relation to me." I had never had any dealings with him of any kind, had never been in his court until this case was taken there, and in fact had never been in any court, and I hope I will never get in any more. But that gentleman had read this record rather hurriedly. He had read all this rubbish, these incompetent, irrelevant, and immaterial charges that the contestant had made in wholesale, and he gained the wholly erroneous and false impression by it that this judge who decided this case was my brother-in-law.

Mr. WILSON of Louisiana. Before passing, because I am a little bit particular about the proceedings of the committee, I want to make a statement to the gentleman from California [Mr. RAKER], and that is that there was no application made to the committee for offering additional testimony. Mr. SULZER has reference, I think, to the rules of the House with regard to the time for taking rebuttal testimony, which was taken in Alaska before the case was submitted to the committee, but no application was ever made to the committee, and the time limit for rebuttal testimony has no reference——

Mr. RAKER. Was not discussed at all.

Mr. WILSON of Louisiana. Was not discussed at all. As to the procedure under the rules of the House, the testimony was taken in Alaska long before the case came to Washington at all, and if an application had been submitted to the committee, and I think Mr. SULZER will concede the committee has been exceedingly indulgent in granting time for the consideration of his case, I have no doubt it would have been granted.

Mr. GORDON. If the gentleman will yield. Was there any objection made to these matters which were given in rebuttal which were not contained in the contestee's testimony in chief—was there any objection made to the testimony upon that ground before the committee?

Mr. WILSON of Louisiana. No; that was not taken before the committee. The gentleman understands that when a contest comes before Congress——

Mr. GORDON. I understand that, but in the argument of counsel was it contended that any testimony ought not to be considered because it was not strictly rebuttal testimony?

Mr. WILSON of Louisiana. Yes; there was complaint of some testimony, that in relation to some matters. It was not considered.

Mr. GORDON. The committee did not consider it?

Mr. WILSON of Louisiana. Yes. Probably I will take that up later. I merely rose to the question of setting the committee straight on the question of rebuttal testimony and request for time.

Mr. MOORES of Indiana. Will the gentleman yield?

Mr. SULZER. I will yield for a question.

Mr. MOORES of Indiana. Does the gentleman from Alaska know whether or not his counsel, Mr. Lloyd, filed two briefs, quite extensive ones, with the committee since our decision was announced, and one long after the argument, and before it was announced?

Mr. SULZER. Why, as I understand that question, I will say that after the oral arguments were made the attorneys were given permission to submit a brief citing the authorities on that one particular point as to whether this Alaskan law was mandatory or directory.

Mr. MOORES of Indiana. Do not those three briefs, that were filed since the argument, discuss the whole record?

Mr. SULZER. Not at all. They do not discuss anything but that one point of the mandatory and directory provisions of this Australian law.

Mr. MOORES of Indiana. Has the gentleman read the brief?

Mr. SULZER. Absolutely. I have read everything in the case.

Mr. FOCHT. I understood the gentleman to state that you have in Alaska an official ballot prescribed by the law, and that the election boards there accept any sort of a ballot, with a name written on a shingle, or on a piece of bark, or on a piece of paper. Is that the fact?

Mr. SULZER. They did in five of these precincts.

Mr. FOCHT. I was wondering whether that generally prevailed in Alaska and whether that was the sort of government they have up there under the supervision of the United States. I will say that you are progressing too rapidly if that is the case.

Mr. SULZER. I said that condition did exist until they provided for the Australian ballot law. Since the time of the passage of the Australian ballot law things have been very much better, and the contestant has found it has been very much more difficult to get elected to Congress.

Now, I have read quite extensively from the record in regard to these Indians. I want to read you the testimony of a few of the white people who were put upon the stand in these places. I think that the Indians testified very clearly; but let us see what the white people there say. I will read just a few lines from the testimony of Ernest Strickler, found on page 243, as follows:

Q. Were you a watchman for Judge Wickersham in that election?—A. I was.

Now, this gentleman is the watcher—the watchman—at the polls for the contestant. Manifestly, he is not friendly to me. In fact, there was hardly anyone in that section that was friendly to my cause. These witnesses, you must remember and consider, were nearly all hostile witnesses. They did not want to divulge anything more about these conditions than they absolutely had to divulge. They wanted to make it appear as reasonable as possible. They were endeavoring to defend the case of the contestant. Now, here is the watchman of the contestant testifying:

Q. Did you see anybody mark any of the ballots of these Aleuts other than the members of the election board?

Now, remember the watchman of this contestant in this precinct, the Afognak, is now testifying under oath on the witness stand. He is asked:

Q. Did you see anybody mark any of the ballots of these Aleuts other than the members of the election board?—A. I think John Taushwak marked some.

Q. Did he go into the booths and mark these ballots for a number that could not read or write?—A. Yes; three or four.

He was the watchman there in the polls. He saw this man John Taushwak go into the booth and mark these ballots for these helpless Indians. Is there any doubt in the mind of any Member of this House that that election in that precinct was fraudulent, and that I received the worst of it? Now——

Mr. HARDY. Will the gentleman state how many votes he received in that precinct and how many the contestant received?

Mr. SULZER. Yes, sir; I can state that. I received 15 votes in Afognak and the contestant received 45. I received 13 votes in Seldovia and the contestant received 55.

Now:

Q. Did he go into the booths and mark these ballots for a number that could not read or write?—A. Yes; three or four.

Q. He was not a member of the election board?—A. No.

Now, that is very conclusive. On page 247 the same witness continues:

Q. Who is the chief of the Aleuts?—A. Gregori Yakanak.

Here is the contestant's watchman, who swears that the Aleuts have a chief and that the chief is Gregori Yakanak. He confirms the chief's own testimony on the witness stand. Can there be any doubt in the mind of any Member of this House that these Indians were living in tribal relationship? And is there any question but that if they are in tribal relationship they are not citizens, and therefore they can not vote, and that these men knew that that was the case and fraudulently voted them?

Q. Out of a population of about 400 people living on Afognak Island and in the town of Afognak on the date of the last election there were about a dozen of them white people, then?—A. Yes; between a dozen and fifteen.

That is all the white people there were on that island according to the sworn statement of the watchman of the contestant.

Now, let me read just a few lines from the testimony of Father N. P. Kashevarof, found on page 248 of the hearing.

Now, this is a gentleman who has been a priest of the Greek Church in that section of the Territory practically all his life. He has been there since 1878. He knows these people thoroughly. He understands all the conditions, and he is placed upon the witness stand, and this is his testimony. First, he goes on to identify these various voters as Aleut Indians. I will not enumerate them all, but his testimony is found on page 248. Then his evidence proceeds:

Q. Do you know whether the Aleuts residing in the Aleut village of Afognak have a chief?—A. They do.

Q. What is the name of their chief?—A. Gregori Yakanak.

Q. Do they live there in tribal relations—that is, does the chief have control of them?—A. The chief acts as their representative in any needs that they may have for him, especially when they are in need or destitute. When the fur laws have been passed, they look to him to advise them when they can hunt and when the season is opened and when it is closed.

Q. Now, do all the members of the tribe of Aleuts obey their chief?—A. Yes, sir.

Q. That has been the case for many years gone by, has it not?—A. It has.

Q. They are living now in the same tribal relations as they did 25 years ago?—A. Yes; only a good deal better now.

Q. So far as their obeying the chief it is the same now as then and always has been?—A. Yes, sir.

Q. You know that most of these parties whose names have been testified to by you as being Aleuts voted at the election held last November 7, 1916?—A. Yes, sir.

Q. Aside from your church records you know that they are Aleuts?—A. Yes, sir.

Now, I would like to read just a few lines from the testimony of Martin Larsen, which is found on page 257 of the record. I read:

Q. Do you know whether John Taushwak, at the election held on November 7, 1917, induced any of the natives to go up and vote?—A. I don't remember.

Q. Did you see him bring any of the Aleuts to the polls?—A. No.

Q. Did you see him write out a ticket for some of the voters?—A. Yes.

Q. Were those tickets for the Aleuts?—A. Yes.

Q. What did he write on those tickets?—A. I don't know.

Q. Did he go into the booths with them?—A. I don't know.

Q. You saw him fix up the tickets?—A. Yes, sir.

Q. He wasn't a judge of election, was he?—A. No.

Q. Now, this John Taushwak is the man that you saw preparing ballots last fall on election day?—A. Yes.

Q. He is the Aleut, then, that can read and write?—A. Yes, sir.

Q. He is the man you saw preparing the ballots at the election?—A. Yes, sir.

Q. You know all of these Aleuts personally yourself?—A. Yes.

Q. And you have known them for years?—A. Yes.

That is very conclusive evidence when testified by white people who are placed upon the witness stand and make their sworn depositions. Now let us read from page 261, from the testimony of E. Petellen:

Q. How long have you resided in Afognak?—A. Since the fall of 1907.

Q. You were one of the judges of election at the election held the 7th day of November, 1916, at Afognak, Alaska?—A. I was.

Q. As one of the judges of election do you recall keeping a registration book of the voters at that election?—A. Yes.

Q. I now hand you the registration book for the November 7, 1916, election at which a Delegate to the United States Congress was voted for, and ask you if this is the registration book that was kept at that election at Afognak?—A. I believe it is.

Q. I will ask you to state what is meant by the "crosses" in ink on the right-hand side of the various names which appear in that registration book?—A. Well, as near as I remember, these crosses were put in for the people who were unable to write and who asked the judges to assist them.

Q. Wherever there is crosses in ink on the right-hand side of the names it is to indicate that the parties were unable to write their own names, then?—A. No; not unnecessary to write his own name, but as near as I can remember some might not be able to write their own names, but as to number I can not state positively.

Q. Is not every name that appears upon this registry book which has a cross at the right-hand side of it written in your own handwriting?—A. I believe they are.

Q. Out of 62 voters who cast their ballots at the Afognak precinct at the election held on the 7th day of November, 1916, there were 21 for whom you made these crosses that were unable to write their own names?—A. They might not be able to write them in English.

Q. Did anybody other than the judges of election at the election held on the 7th day of November, 1916, for the election of a Delegate to Congress assist the illiterate voters in preparing their ballots?—A. Yes; I believe there was.

Q. State who that was.—A. As near as I can remember, believe it was John Taushwak.

Q. How many ballots did John Taushwak prepare for illiterate voters?—A. That I don't remember.

Q. John Taushwak is an Aleut, is he not?—A. Well, he is a native of this country.

Q. He lives in the Aleut village, does he not?—A. Yes.

Q. Mr. Beddin, previous to the last election you were working for Wickersham, were you not? I mean by that you were a strong partisan of Mr. Wickersham's and were advocating his election?—A. You mean the election previous to this one?

Q. No; I mean previous to the election last fall, during the latter summer months, and right up until election day.—A. I might have said a few words in his behalf. I always believe people have a right to vote for whom they please. I didn't want to mix up in politics at all.

Q. Where did John Taushwak prepare these ballots?—A. He prepared them in the voting place.

These people absolutely disregarded the law. On page 265 the same witness proceeds:

Q. John Taushwak was not a judge of the election, was he?—A. No.

Q. Did he sign his name on the back of any of the ballots which he prepared for some of those who could not read or write?—A. I don't remember.

Q. Were you the judge of election that prepared all the ballots for the voters who could not read or write?—A. That I can't remember positively.

Q. Do you recall at this time of any of the other two judges preparing any ballots for the voters who could not read or write?—A. I meant to say that the three judges assisted those who requested it.

Q. Did all three judges sign on the back of the ballot the fact that those particular ballots had been prepared for these voters who could not read or write?—A. As near as I can remember.

Q. None of the judges signed the ballots that John Taushwak had?—A. Not that I know of.

Q. Did you in your election returns to the governor of the Territory of Alaska make any note of the fact that John Taushwak prepared any of the ballots for the voters who could not read or write?—A. I don't remember.

Q. You would remember if such a report had been made?—A. I don't remember such a report being made.

I read further from the testimony of the same witness:

Q. Is it not a fact that on the 7th day of November, 1916, the Aleut village had their own chief and the Creole village had its own chief?—A. I think they did have.

Q. Then you say even the Aleuts had a chief last fall at election day, and the Creoles also had a chief; is that correct?—A. I think it is.

Q. You know it, do you not?—A. Yes.

Now, I do not think there is any question, gentlemen of this House, that these two precincts of Afognak and Seldovia conducted an illegal and fraudulent election. I do not think that the committee is justified in permitting those votes to be counted. I think that these two precincts should have been rejected in their entirety, because the evidence shows conclusively on its face that the votes there were illegal and fraudulent, and even though the committee did not see fit to throw out the votes of these precincts entirely, why did they not reject the votes that the evidence shows conclusively were illegal? Why did they not reject a certain number of these votes? Why, they say in their report that there was no way to determine whom these Indians voted for and no way to segregate their vote from the white folks. Well, the record shows conclusively how 21 of these Indians voted. It shows absolutely that they voted for Wickersham, and it shows that they were all frauds. There is not a single word to show that one of them voted for me. Why could not those 21 be rejected?

Now, in regard to the balance, why is it that the committee in this Indian proposition could not follow the same rule that they followed in two precincts where some soldiers voted? They say the soldiers cast illegal ballots, and it was not determined how these soldiers voted or how most of them voted. It was only determined how eight of them voted, and the committee deducted the balance pro rata from both of the candidates. They did that under a rule of law found in McCready on Elections. It was perfectly easy for them to do it in the case of certain soldiers who voted in certain precincts in Alaska. Why could it not be done in these precincts when the votes were absolutely more illegal in every sense of the word than where these soldiers voted? Because the soldiers were certainly citizens of the United States, and they were intelligent people, and knew how to cast an intelligent vote, and the only question there was a technical question as to whether they were legally residents of Alaska. But here is absolutely a different proposition, a question of tribal Indians living in tribal relations; Indians who knew absolutely nothing about the election, and who can not by any manner of means, under any circumstances, cast a legal ballot. And yet the committee say there is no way in which they can take any action in that case.

Mr. BURNETT. May I ask the gentleman how many Indians voted at that place?

Mr. SULZER. Well, Ernest Strickler, who was a watchman for the contestant, and who was very fully interrogated on the witness stand, identifies 19 of them as Aleu Indians.

Mr. BURNETT. And it could not be ascertained for whom any of them voted?

Mr. SULZER. Oh, yes; 21 of them were identified.

Mr. BURNETT. Not out of the 19?

Mr. SULZER. No; 21 out of the entire number who voted there. I was just starting to give the gentleman a statement of how many had been identified. Strickler identifies 19; Father Kashevarof identifies 15; Cecil R. King identifies 17; Martin Larsen identifies 14. They are nearly all identified as Indians, but there were only 21 whom we could get on the witness stand to prove how they voted.

Mr. BURNETT. How many in all voted?

Mr. SULZER. There were 72 Indians in these two precincts.

Mr. BURNETT. How many votes did the contestee get?

Mr. SULZER. He got 28 votes.

Mr. LONDON. Out of the 72?

Mr. SULZER. No; out of the 100.

Mr. DILLON. Will the gentleman yield?

Mr. SULZER. I yield to the gentleman from South Dakota.

Mr. DILLON. I understand the gentleman to say that there were 21 of these Indian voters who went on the witness stand.

Mr. SULZER. Yes; they either went on the witness stand and swore that they voted for Wickersham, or they swore that John Taushwak, or somebody whom the record thoroughly identifies as voting for Wickersham, voted for them, so that the record conclusively proves that 21 of these Indians voted for contestant.

Mr. DILLON. Assuming that that is true, and that those 21 votes should be taken away from the Wickersham total, Mr. Wickersham would still be ahead 25 votes, would he not, according to the findings of this committee?

Mr. SULZER. Oh, yes; he would, but I do not agree with the findings of the committee in other respects, and I am going to discuss that phase of it.

Mr. DILLON. Therefore that in itself would be immaterial, because it would not change the result.

Mr. SULZER. It would if the findings of the committee are not upheld in other respects.

Mr. DILLON. Does the gentleman maintain that all the votes in these precincts where the Indians voted ought to be thrown out and not counted at all?

Mr. SULZER. I do.

Mr. DILLON. The gentleman does not think it is the duty of this committee to separate the good votes from the bad votes?

Mr. SULZER. I do not think so, for the simple reason that the record shows that the whole election was fraudulent, and the election judges knew it was fraudulent, and they winked at the fraud. It certainly would not be any injury to those who voted for me to throw out the entire vote of those precincts. No one who cast a vote there for me would have any objection to the committee rejecting the entire vote of those precincts, because I received so few votes that it would not affect my result at all.

Now, let us see what happened in another precinct, the precinct of Craig. The record shows conclusively that the followers of the contestant voted these helpless Indians fraudulently at these two precincts of Afognak and Seldovia, and it shows very much the same in regard to the Unalakleet precinct. On the other hand, at the precinct of Craig, in southeastern Alaska, a thousand miles from these other precincts, where the conditions are entirely different, where the Bureau of Education of the United States Government has been laboring for years to elevate and educate those natives, where the various church organizations of the country have been operating for years in an endeavor to elevate these people, where the conditions are as different from the conditions at Seldovia and Afognak as the poles are wide apart, at that place there were 30 intelligent men and women who had severed all tribal relationships years before, who had been living the same as all the rest of us, who had been recognized by the United States Government as citizens, in that they had been made masters of documented vessels and were owners of documented vessels of the United States, who had been in the Army and Navy of the United States and had served their country, who had been educated in various large institutions of the United States—there, in that precinct, the followers of the contestant in this case prevented those 30 people from voting, prevented them absolutely and forcibly, against all law, drove them away from the polls, and prevented them from voting because they were going to vote for me, and the followers of the contestant knew it.

Mr. BURNETT. Does the record show that?

Mr. SULZER. The record shows it very clearly. I will read from the testimony of Mr. C. E. Hibbs, found on page 334 of the record:

Q. Have they severed tribal relations?—A. Yes; they have. Since I have been in the village of Klawock there has been no semblance of any tribal relationship in a village of 300.

Klawock is about 10 miles from Craig, and they travel by boat altogether.

Q. Are they living a civilized life, same as white people?—A. They are.

Q. Were those people here at last election, November 7, 1916?—A. We all came up on the same boat.

Q. Did they vote at that election here at Craig?—A. They did not.

Q. Why didn't they vote?—A. They were told by the judge that they would not be allowed to vote.

Q. Did they offer themselves to vote?—A. Not all of them. There were three or four that went into the polls to vote, and they were told that they could not vote, so the others did not go in.

Q. What reasons were they given that they could not vote?—A. Because they were Indians.

Mr. MOORES of Indiana. Will the gentleman yield for a question?

Mr. SULZER. Yes.

Mr. MOORES of Indiana. Were not two men who offered to vote at that election, who were Indians living on the reservation at Craig and who were told that they could not vote, were not their votes counted by this committee, one of them the son of an Austrian beach comber and the other a full-blooded Indian? Were not their votes counted by the committee and given to you, and was there anyone else at all who offered to vote in that precinct who was rejected?

Mr. SULZER. I know these people very well. I have known them for years, and they are very intelligent people.

Mr. MOORES of Indiana. Were not the two men, one George Demmert and the other a half-breed son of a beach comber, whose father was not an American citizen, and were not those two votes counted?

Mr. SULZER. Yes; the committee allowed 2 votes and disallowed 28.

Mr. MOORES of Indiana. Were not they the only ones who offered to vote?

Mr. SULZER. No; they were all there and would have voted.

Mr. MOORES of Indiana. Does not the record show that they were the only ones who offered to vote?

Mr. SULZER. I think not; but I am going to read the record and show all about that:

What reasons were given that they could not vote?—A. Because they were Indians.

Now, they were not Indians, because they had severed their tribal relations. There is no question about that?

Mr. MOORES of Indiana. Did they not live on the reservation?

Mr. SULZER. No; they did not. The gentleman has been misled; there are no Indian reservations in Alaska—absolutely none. They were not living on the reservation any more than I was. Practically everybody in Alaska lives on ground reserved for some purpose or other. The whole southeastern part of Alaska is a forest reservation. I am living on it and all other white people are living on it, and most of the southwestern part of Alaska is in a forest reserve. You can hardly find a spot in Alaska inhabited by anybody that is not reserved for some purpose or other. That has nothing to do with citizenship. They are not Indian reservations in the sense that Indian reservations have been created in the States.

Mr. MOORES of Indiana. I want to ask the gentleman if the order of President Wilson, April 21, 1914, does not set aside this Indian place in the village of Klawock for natives indigenous to Alaska who may there reside, and was it not specifically set aside and described by President Wilson as an Indian reservation? Was not that done under Executive order of April 21, 1914? I want also to ask the gentleman if Hydaburg is not by Executive order of President Taft, which was never rescinded, set apart for the same purpose under an order of June 19, 1912, as an Indian reservation?

Mr. SULZER. I will say to the gentleman from Indiana that strips of land have been set aside by the President of the United States for the use and benefit of the Bureau of Education of the United States Government, which is doing all it can to elevate the people, and has been doing it for years, and it has made good citizens of them. They are not Indian reservations at all. Indians are not put on these lands with the injunction that they must stay there and do as they are told or ordered to do.

They are free agents absolutely, and they are not placed upon any reservation in the sense that a soldier is placed on a military reservation or an Indian on an Indian reservation in the States, where he is not a free agent. They can go and come as they please, and they do so. They are not on any reservation whatever. The simple truth of the matter is that a certain amount of land has been set aside for the benefit and purposes of the Bureau of Education. The contestant has endeavored to confuse the committee in that respect. He has misrepresented the facts, and he knows it. As I told the gentleman and told the Members of the House before, he put this all in in rebuttal. If I had had any opportunity in the world to introduce any evidence to the contrary, I would have disproved it absolutely.

I will read from the hearings of this election case, and what do we find? Dr. Claxton, the head of the Bureau of Education, was asked in regard to this question, and he should be a pretty good authority, an authority that the Members of this House ought to be willing to accept. What does he say? On page 62 he says this:

The natives of Hydaburg and Klawock are not living in any tribal relationship. As said before, they are free and independent individuals.

They are not wards of the Government. There is not an Indian in Alaska that is a ward of the Government or that ever has been. There never have been any Indian reservations created there. They have never been treated as wards, and the gentleman ought to know that. To read further from what Dr. Claxton says:

4. The Hydabs are, most decidedly, living a civilized life. This is demonstrated by the success of the Hydaburg colony. In 1911 the villages of Klinquan and Howkan migrated to the site, hitherto unoccupied, selected on account of its advantages with regard to hunting and fishing, where they founded a village named Hydaburg. Under the supervision of the teacher of the United States public school a cooperative company of the natives was organized to transact the mercantile business of the settlement and to operate a sawmill, the machinery for which was sent them by the Bureau of Education at a cost of $2,200. The Hydaburg people have turned a dense forest into a thriving town with a busy wharf, a sawmill that turns out good lumber for them at a cost of $10 a thousand, neat, single-family homes, instead of the communal houses of their old villages, a long, boarded street, of which they are proud as the finest in Alaska, and a cooperative store, which the first year made a clear profit of 125 per cent, paying a cash dividend of 50 per cent and adding 75 per cent to the capital stock. The cooperative company was started with a capital of about $2,000, and within four years it has distributed $12,727.53 in dividends. The Hydaburg people have been able to keep their money in the village, which is prosperous and independent. The cooperative company has repaid to the Government $2,200, the cost of the machinery in the sawmill, which has been covered into the United States Treasury.

The natives inhabiting the village of Klawock are also civilized and prosperous. In his report for 1916 the teacher of the United States public school, who supervises the commercial undertakings of the natives, makes the following statement regarding the cooperative store owned and operated by them:

"During the year we increased our stock of goods more than $3,000, which almost doubled it. We have done some improving on the building and increased our fixtures. When our books were balanced in January they showed a net gain of almost 29 per cent."

5. There is at hand in this office no authoritative information regarding the origin of the Hydabs. The earliest official reference to the Hydabs that we have been able to find is the statement in the census report, 1880, that the Hydah Tribe existed in Alaska in 1839, when the Hudson Bay Co. leased what is now southeastern Alaska from Russia.

Cordially, yours,

P. P. CLAXTON, *Commissioner.*

Mr. RANDALL. Those are the Indians that were denied the privilege of voting?

Mr. SULZER. Yes. Let me continue the testimony of Mr. Hibbs, who is the Government school-teacher at this point, and who is thoroughly familiar with all of the facts in this case, and who knows these people.

Q. What reasons were given that they could not vote?—A. Because they were Indians.

Q. Do you know whether they ever voted before?—A. I think all of them have. Two years ago practically all those who were able to read and write in the village came up with me and voted.

Q. What kind of business are these people engaged in?—A. Do you want me to give the business of each one individually or generally?

Q. Where you can, you can group the business.—A. C. W. Demmert is a former merchant, at present in the fishing industry, having bought the buildings and old cannery equipment at Kulm Islands. Emma (his wife), Spencer Williams, Jack Perotovich, James Perotovich, William Jones, John Darrow, George Roberts, George Fields, Peter Wilson, Roy Williams, Richard Dullands, Sam Gunyah, Arthur James, William Gunyah, Albert Thomas, James Rowen, Peter Scott, Jimmy Jackson, Donald Kathlean are all fishermen. George Demmert is clerk and manager of the Klawock Commercial Co. R. J. Perotovich, proprietor of general store and moving-picture establishment. J. S. Johnson, boat builder. Henry Roberts, gas-boat engineer. J. K. Williams, carpenter. John Skan, seine maker. Andrew Thomas, boat builder and a minister. Maxfield Daklin, proprietor of a pool hall. P. Lee Anneskit, gas-boat engineer. Fred Williams has just received an honorable discharge from the United States Navy and at present is fishing.

Those are the kind of people that the contestant conspires to deprive of their citizenship and to prevent fraudulently from casting their votes. Those names sound very different from the names in those other precincts, and their occupations are very different. I know them all. I have known them for years, because I spent 16 years in the precinct of Sulzer. I have been United States commissioner for many years at that precinct. I have become intimately acquainted with these people. I have been deputy collector of customs at the town of Sulzer, the precinct of Sulzer, and I know that most of these people enumerated there are recognized as citizens of the United States, because I have myself signed the documents of their vessels, stating on their face that so and so, "a citizen of the United States," is "the owner and master of this vessel." There is no question about that, absolutely none, and the contestant could not introduce any evidence to refute it. He could not introduce

a single bit of evidence to prove that any of these people were not citizens, and when they are citizens of the United States they are not Indians. They cease to be Indians in a legal sense; from a legal point of view they are not Indians, they are Americans, they are citizens, recognized as citizens by the United States, and they were fraudulently prevented from exercising their franchises.

Now, that is the sort of work that has been going on up in Alaska. The committee have been solicitous about disfranchising the voter, and no one is more solicitous about disfranchising a voter than I am, and I certainly do not want to see any voter disfranchised. That is the last thing in the world I want to do; but, my friends, we have got to have decent elections, we have got to have a clean ballot, we have got to maintain the secrecy of the ballot, and we have got to be fair in our elections. It is very much more important that an intelligent majority be considered, that the interests of six thousand five hundred and odd legal voters who voted for me should have some consideration rather than a few illegal voters should be given the great consideration of having their votes counted when they were absolutely disregarding the law in every respect. Let me read a little further from Mr. Hibbs's testimony:

Q. If you know, state how they intended to vote on the Delegate question.—A. Not all of them have discussed or talked to me, but all who have were favorable to Mr. Sulzer.

Q. Can you take this list and say how many, without naming them, would vote for Mr. Sulzer?—A. I am positive that more than 20 would have voted for Mr. Sulzer.

On page 328 the witness is being cross-examined by the contestant when he gave this testimony. The contestant was there and attended this hearing and cross-examined this witness and is cross-examining him now. This is found on page 328 of the record:

Q. You mention that six or eight of these named by you are half-breeds. Do you know whether their fathers were citizens or not?—A. Personally I know that one of them was. The father of C. W. Demmert, who offered to vote, was a veteran of the Civil War. He just died in the State of Washington in a veteran's home, and the papers were sent up and are now in an attorney's hands giving his property and the pension due to C. W. Demmert.

Now, gentlemen of this House, here is a picture of Charles W. Demmert and his family. Here is a man whose father was a veteran of the Civil War. Here is a man whom the contestant's henchman fraudulently prevented from voting and said he was not a citizen of the United States and drove him out of the polling place, when they did everything in their power to have scores upon scores of absolutely helpless Indians vote in the Afognak and Seldovia precincts because they knew they could vote them for contestant. Now, why should C. W. Demmert be prevented from voting? Why is it fair to count all of these Indian votes in one precinct and reject the vote of this citizen of the United States in another precinct?

Mr. MOORES of Indiana. Did not the committee count that vote; does not the testimony show that Mr. Demmert's vote and the other Indian were counted?

Mr. SULZER. No; it does not. It shows the vote of George Demmert, who is an entirely different person, was allowed and counted by the committee, but it does not show a thing about C. W. Demmert, who is a different man altogether. That is the trouble with this whole case. The gentlemen of the committee, or some of them, have become confused and have gotten the facts and the evidence of the case mixed, and they do not understand the principal points involved. It is not surprising that it should be confusing. It is not surprising that the number of cases and conditions I have mentioned are rather complicated and confusing, and it is necessary to go to the bottom of these things. Here are several other pictures. Here are two pictures of the organizations of these people, one a ladies' organization and the other a men's organization. This shows the kind and type of those people. You can study those pictures and see that those are intelligent men and women. Now, if you do not draw some distinction between those people, if you do not say that the man or the woman in Alaska who has received the benefit of the Bureau of Education's work, of the various beneficent and benevolent organizations that have been working to uplift them for many years, is not in a different class from those other helpless and illiterate people out in this far remote country, why what is all the work of the Bureau of Education going to amount to? What encouragement is there for these people to develop and progress and to become citizens of the United States if you say indiscriminately, "You are all upon the same basis; you can all vote."

Here were the most helpless people in the world, who could not vote intelligently at all, who knew nothing about what they were doing, and they were permitted to vote, and did vote, and their votes were counted for the contestant. Here are some eminently civilized people, in every respect qualified citizens, people who are developed in every sense of the word, people who know what they are doing, who can cast an intelligent ballot, who can go in the booths themselves and know their own minds, who are interested in the country, who have large investments there, yet they were fraudulently prevented from voting at all. Why? Simply because they were going to vote for me.

Let me read a little more:

Q. Who challenged Demmert's vote on November 7 last?—A. Mr. Hal Gould, I think, was the one that told him that he could not vote. Mr. Fred Butler and J. P. Smith were the ones who did the arguing.

Now, Mr. Fred Butler and Mr. J. P. Smith are known intimately and well to me. I have known them for years and they are absolutely political opponents of mine. They were the friends and party workers of the contestant, and they conspired—and I say the word advisedly—they conspired to bulldoze and browbeat that election board and those people who came from Klawock to vote and who had voted in previous elections, and they drove them out of the polls because they were going to vote for me. And the record shows conclusively that they would have voted for me.

I say, Is that right? Is it fair? Is it fair that I should be deprived of these 30 votes in the precinct of Craig when the contestant can not produce a single bit of evidence to prove they were not legal voters in every sense of the word or were not citizens of the United States, and then have the votes of these other people counted in the other precincts, where they were absolutely fraudulent? I do not think the House, if it wants to be fair, will say it is a fair proposition.

Mr. Hibbs, on page 329, is asked this question. He is the teacher of the Government school at that place, which is operated by the Bureau of Education, and Mr. Hibbs knows each one of these people intimately and well. He is working as hard and as assiduously as he can to help to benefit them and has been doing it for years. He is a splendid gentleman in all respects, notwithstanding he has been denounced by the contestant. He is asked by the contestant:

Q. Do you know of any of the witnesses named by you who would have voted for me?—A. I do not.

Now, the testimony of Mrs. C. E. Hibbs; the Rev. E. E. Bromley, who was the minister of the Presbyterian Church at Klawock; the testimony of C. D. Calhoun, who was the United States marshal at that point; the testimony of R. J. Peratovich; the testimony of George Demmert, is all set forth very fully in the record, and it all corroborates and proves everything that I have said. And there is no evidence of any kind given to refute it. I have not the time to read all of that. But I think I have read sufficient to prove just what happened in that particular precinct.

Now, the contestant has made a great point that all the election officials were in my control. Here is a little evidence, and the record is full of evidence all the way through, that that is not the case, and in regard to the statement made a little while ago to the gentleman from Indiana [Mr. MOORES] I will read a few lines from the testimony of C. D. Calhoun, on page 337:

Q. Is Charles Fox, commissioner of this precinct, also a Democrat?—A. He is; but had absolutely nothing to do with the election.

Q. Well, but what I want to know is, if the matter of the appointment of the election officers in Craig at that election was not under the control of the Democrats?—A. It was not.

Q. And that commissioner supported Mr. Sulzer, did he not?—A. He did not, if I have been rightly informed.

Q. I would like to ask, Mr. Calhoun, if Judge Stackpole was not a Republican, and that he appointed this election board without the influence of Judge Jennings?—A. There was no influence brought to bear to my knowledge, and Judge Stackpole is a Republican.

Now, the contestant has made a number of statements in the record which are not correct. Not all the commissioners in Alaska appoint election judges. In fact, the great majority of them have nothing whatever to do with elections. The election judges in precincts outside of incorporated towns and municipalities can only be appointed by the commissioners who are recorders, and there are not a great number who are recorders. Now, Mr. Fox, who was the commissioner at Craig, was a Democrat. He was not a recorder, and he had absolutely nothing to do with appointing the officials there; had absolutely nothing to do with the election. The judges of election at Craig were appointed by the United States commissioner at Ketchikan.

Mr. MANN. Will the gentleman yield?

Mr. SULZER. I will yield to the gentleman.

Mr. MANN. Who generally appoints the election officials in Alaska?

Mr. SULZER. The election officials in the incorporated towns and municipalities are appointed by the city councils. The election officials outside of incorporated towns and municipalities are appointed by the United States commissioners who are recorders of that particular district.

Mr. MANN. And who appoints the United States commissioners?

Mr. SULZER. The United States commissioners are appointed by the judges of the district courts.

Mr. MANN. And who are those judges appointed by?

Mr. SULZER. Well, the judges at this particular time are all appointed by President Wilson.

Mr. MANN. It could not very well be charged that there was a Republican conspiracy on the part of election officials, as the gentleman seems to intimate, when it takes the President and the judges and the commissioners into the conspiracy.

Mr. SULZER. I would not think for a moment of making any such charge. In fact, the record shows conclusively that the contestant was not running in Alaska as a Republican.

Mr. MANN. I do not see what that has to do with it. The intimation that the gentleman is making, as I gathered it—and I listened to the gentleman carefully—was that the election officials were conspiring to deprive the gentleman of votes. Certainly it was not a Republican conspiracy, although the gentleman just said with great emphasis that some election official or somebody connected with it was a Republican, charging fraud at that place.

Mr. SULZER. Oh, no. I did not have any purpose of making any such intimation.

Mr. MANN. That was the intimation, as I gathered it.

Mr. SULZER. I certainly did not intend to convey any such intimation. I intended to convey this impression, that the contention of the contestant that all the election machinery and the officials in the Territory of Alaska were in my control was not the truth.

Mr. MANN. I do not have any idea that the gentleman had full control over the President or anybody of that sort, or that anybody else has control over all this machinery; but the gentleman was a Democratic candidate?

Mr. SULZER. Yes, sir.

Mr. MANN. He certainly ought to give proof, instead of making mere charges, that election officials appointed by Democrats, whatever their politics may have been, were in a conspiracy to prevent a Democrat from receiving votes.

Mr. HAMLIN. Mr. Speaker, if I understood the gentleman from Alaska aright in regard to the conspiracy, he charged that certain partisans of the contestant at Craig had entered into a conspiracy to prevent these people who came up on the boat from voting. That is the conspiracy he referred to and spoke about.

Mr. MANN. He charged that certain men were not permitted to vote, and the only ones who could keep them from voting were election officers.

Mr. HAMLIN. And he said he charged conspiracy against a man named——

Mr. SULZER. Butler and Smith.

Mr. HAMLIN. Yes; that Butler and Smith had conspired to influence and bulldoze the officers there so as to prevent these people from voting. That was the statement he made, as I understood him.

Mr. SULZER. That was the statement I made, or the statement I intended to make.

Mr. MANN. This will be a very interesting statement to our southern friends.

Mr. MOORES of Indiana. Mr. Speaker, will the gentleman yield?

Mr. SULZER. Yes; I yield for a question.

Mr. MOORES of Indiana. You said that outside of the incorporated cities and towns the election officers were all appointed by the United States commissioners, who are in turn appointed by the Federal judges. How many incorporated cities and towns have you in Alaska—as many as six?

Mr. SULZER. Oh, yes; a great many more.

Mr. MOORES of Indiana. There are really five?

Mr. SULZER. Five?

Mr. MOORES of Indiana. Yes.

Mr. SULZER. Oh, no; there are dozens.

Mr. MOORES of Indiana. Is there any voting place over which there is any dispute in this election case in an incorporated city or town?

Mr. SULZER. Yes; I think so.

Mr. MOORES of Indiana. What voting place?

Mr. SULZER. I think that Fairbanks is an incorporated town.

Mr. MOORES of Indiana. There is no dispute in the Fairbanks vote at all.

Mr. SULZER. I think the gentleman is mistaken about that. I do not know about Gibbon being an incorporated town, but I am under the impression that it is.

Mr. MOORES of Indiana. There is no contest over the Fairbanks vote.

Mr. SULZER. I think there is. I think I will be able to show that later, if the gentleman will permit.

Mr. MOORES of Indiana. There is nothing in the record about it.

Mr. SULZER. I think the town of Gibbon is incorporated, but I would not be sure about that.

However, that is not the matter at issue. I am simply saying that the great majority of votes cast were in the incorporated towns and municipalities, and there the officials were elected by the common councils.

Now, I would like to read a few lines from the testimony of the Rev. David Waggoner, which is found on page 226 of the record; and the Members of the House should remember that this testimony was taken in rebuttal. Manifestly it was to rebut something that I had put in the record, and the testimony is about the Sulzer precinct. I put in absolutely nothing in the record about the Sulzer precinct, and I took no testimony about it, so that this should not be considered at all. The committee should not consider any votes that were cast at Sulzer, because there is nothing in the record as evidence in chief that there were any illegal votes cast there, and the committee should not consider this evidence that was put in in rebuttal, because I had no opportunity to put in any evidence to refute it.

Now, on page 226 it is shown that the contestant subpœnaed these witnesses: Charles W. Hawksworth, David Waggoner, Mabel Le Roy, Esther Gibson, and J. W. Bell, before H. R. Le Fevre, a notary public, at his office in the Seward Building, in the town of Juneau, Alaska. He subpœnaed those five witnesses, and only interrogated one, David Waggoner; and I think that any Member who will read the record will see that Mr. Waggoner's testimony is so disappointing to the contestant that he did not think it was advisable for him to place any other witnesses on the stand. On page 228 Mr. Waggoner makes this statement:

The men are the residents of Hydaburg, because they have definitely severed their relations with the old customs of the Hydas at the old villages. That was the reason for the founding of the Hydaburg village.

Now, that is the truth. The very fact that these people are living at Hydaburg is proof conclusive that they are not living in tribal relationships, because that was one of the objects of founding this village. That was one of the rules that they had to agree to among themselves before they went there, that they had severed all tribal relationships and that they had adopted the habits of civilized life, and that village was founded years ago. There is not a word of claim that these people were not citizens. Now, this testimony continues:

Q. Is it not a fact, Mr. Waggoner, that the inhabitants at Hydaburg and Klawock are intelligent fishermen and mechanics?—A. Yes, sir.

Q. And carry on their vocation in the same manner that white men do under similar circumstances?—A. Yes, sir.

Q. Is it not a fact that some of these men are highly skilled mechanics?—A. Yes, sir.

Q. On gas boats as well as otherwise?—A. Yes; and some are boat builders.

Q. Carpenters?—A. Yes.

Q. Machinists?—A. Yes; some to a degree—the result of their training.

Q. They received their training that you mention in the Indian schools?—A. Yes.

Mr. FIELDS. Will the gentleman yield?

Mr. SULZER. Yes.

Mr. FIELDS. In view of the lateness of the hour, I desire to inquire of the gentleman if it would be agreeable to him to conclude his remarks to-morrow morning and let the House adjourn now?

Mr. SULZER. That would be satisfactory to me, if I may have the time then.

Mr. FIELDS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FIELDS. If the House should adjourn now, would the gentleman from Alaska be entitled to the floor when the matter is taken up again?

The SPEAKER. Yes.

Mr. WALSH. Will the gentleman yield?

Mr. SULZER. I yield to the gentleman from Massachusetts.

Mr. WALSH. How much longer does the gentleman anticipate he will need in order to conclude his remarks?

Mr. SULZER. I am about to conclude as far as this Indian question is concerned, but I should like very much to debate the Australian ballot law and the soldiers' voting.

Mr. WALSH. How long does the gentleman think it will take?

Mr. SULZER. I have not any idea. It is impossible to say. It depends on how many questions are asked me and what different lines of argument develop, and how far away I am drawn from the argument I have in mind.

Mr. WALSH. Could not the gentleman conclude his remarks this evening in the course of 30 or 40 minutes?

Mr. SULZER. I could not be certain about that.

Mr. GARNER. The gentleman must realize that we have got to get through with this business some time.

Mr. WILSON of Louisiana. Mr. Speaker, if the House should adjourn now, it is understood that Mr. SULZER can conclude his statement in the morning?

The SPEAKER. Yes.

Mr. WILSON of Louisiana. That would be the order of business, then, would it not?

The SPEAKER. Yes.

Mr. CANNON. When will we have to come back to vote?

Mr. WALSH. Will the gentleman yield for a parliamentary inquiry?

Mr. SULZER. I yield to the gentleman.

Mr. WALSH. Will the Chair state how much time the gentleman will be entitled to occupy to-morrow?

The SPEAKER. It happens that the Speaker was not in the chair when the time of the gentleman was extended. If it turns out that it was extended indefinitely, and I am informed that it was, then the gentleman will be entitled to all the time he wants.

Mr. WILSON of Louisiana. I asked unanimous consent that the gentleman from Alaska be permitted to continue until he concluded his statement, and that consent was given.

The SPEAKER. Then, after the small business on the Speaker's table is disposed of to-morrow the gentleman will be entitled to the floor until he gets through.

Mr. GARNER. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARNER. If the House concludes to remain in session until the gentleman from Alaska concludes his remarks, then he will not have unlimited time to-morrow?

The SPEAKER. Of course not.

Mr. GARNER. But if he did start in to-morrow after the business on the Speaker's table was disposed of, he might hold the floor until 6 o'clock to-morrow evening.

The SPEAKER. That is absolutely true, and he might hold it the next day also.

Mr. GARNER. I think this thing ought to come to a conclusion.

Mr. CROSSER. And the gentleman from Alaska ought to have an opportunity to make his statement, too.

The SPEAKER. The question of the right of a Member to his seat is the very highest privilege known to the House.

Mr. SULZER. I will say to the gentleman from Texas that it will all depend as to the interest displayed by the Members of the House as to how much time I will take. If the Members of the House do not show much interest and do not want to get at the merits of the case, I am willing to conclude at a much earlier time.

Mr. GARNER. May I ask the gentleman a question?

Mr. SULZER. Certainly.

Mr. GARNER. Can the gentleman assure the House that he can get through in an hour and a half longer?

Mr. SULZER. It is impossible to say, because I do not know what the membership of the House is going to do when I resume. It will all depend on the membership of the House.

Mr. CANNON. The Committee on Rules could report a rule as a matter of privilege that to-morrow at 6 o'clock the House will take a vote.

Mr. GARNER. I was trying to get at the matter so that we could arrive at a conclusion in this case to-morrow.

Mr. MOORE of Pennsylvania. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. MOORE of Pennsylvania. I would like to know whether the war contract bill has the right of way immediately after this contested-election case?

The SPEAKER. The Chair understands that the Committee on Rules has a rule making that bill in order.

Mr. MOORE of Pennsylvania. Will the gentleman from Alaska yield?

Mr. SULZER. Yes.

Mr. MOORE of Pennsylvania. A number of gentlemen are interested in the bill which is to follow—the war contract bill—and the question is whether they shall remain here to-morrow afternoon. If the war contract bill followed the contested-election case they may not be required to remain. I am endeavoring to ascertain how much longer the gentleman will retain the floor so that they may make some estimate as to whether they will have to stay here over to-morrow.

Mr. SULZER. I will say to the gentleman from Pennsylvania that I appreciate thoroughly the courtesy extended me by the House and I have no disposition whatever to delay or take up the time. My sole object is to take a sufficient amount of time to explain this case to the membership of the House as they may wish to have it explained. I do not think it is going to take much longer, but I can not tell just how long or how many questions will develop. I have no disposition to delay any matter, and I am willing to make any arrangement which will expedite the business of the House.

Mr. MOORE of Pennsylvania. I have no desire to curtail the gentleman's statement. I think he is entitled to make a full and free statement of his position; but the Speaker having stated that the war contract bill under the rule would have the right of way following the contested-election case, it is a fair assumption that the river and harbor bill will not be taken up to-morrow.

Mr. MANN. Let me say that I understand there are three or four other speeches in this contested-election case.

Mr. MOORE of Pennsylvania. Then it is a fair assumption that the river and harbor bill will not be taken up to-morrow.

Mr. WILSON of Louisiana. Mr. Speaker, I suggest that the gentleman from Alaska have time to conclude his statement. I do not think it is possible to conclude to-night, and, with the understanding that the gentleman is to resume to-morrow, I move that the House adjourn.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. If the gentleman from Louisiana will withhold his motion——

Mr. WILSON of Louisiana. I withhold it.

Mr. MANN. The gentleman from Alaska having been given the right to conclude his remarks, and having taken the floor for an hour's time under the rules of the House, can he now yield the floor to the gentleman from Louisiana to make a motion to adjourn, that gentleman not being able to make the motion unless the gentleman from Alaska yields the floor?

The SPEAKER. The gentleman from Alaska yields the floor by compulsion.

Mr. MANN. He is only speaking by grace of the House to an unlimited extent. Has not the House the right to assume when the request is made that the gentleman must occupy the floor until he concludes his remarks and not be able to yield to some other Member to move to adjourn or to ask unanimous consent, or perhaps for the consideration of a bill? Is it not his duty under the unanimous-consent agreement given him to conclude his remarks but not yield the floor?

The SPEAKER. The Chair does not think so.

Mr. MANN. I am perfectly willing that the gentleman from Alaska should have more time.

ADJOURNMENT.

The SPEAKER. The gentleman from Louisiana moves that the House adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 43 minutes p. m.) the House adjourned until to-morrow, Saturday, January 4, 1919, at 12 o'clock noon.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 12862) granting a pension to Nancy Robinson, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MOORE of Pennsylvania: A bill (H. R. 13608) providing for the honorable discharge of officers or soldiers of the United States in certain cases; to the Committee on Military Affairs.

By Mr. GOULD: A bill (H. R. 13609) authorizing the Secretary of War to donate to the village of Port Byron, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13610) authorizing the Secretary of War to donate to the village of Sodus, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13611) authorizing the Secretary of War to donate to the city of Geneva, N. Y., two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. ESCH: A bill (H. R. 13612) authorizing the Secretary of War to donate to the city of Sparta, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GOULD: A bill (H. R. 13613) authorizing the Secretary of War to donate to the town of Aurora, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13614) authorizing the Secretary of War to donate to the town of Newark, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ESCH: A bill (H. R. 13615) authorizing the Secretary of War to donate to the city of Tomah, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13616) authorizing the Secretary of War to donate to the city of Black River Falls, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13617) authorizing the Secretary of War to donate to the city of Mauston, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13618) authorizing the Secretary of War to donate to the city of Neillsville, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13619) authorizing the Secretary of War to donate to the city of Viroqua, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13620) authorizing the Secretary of War to donate to the city of Reedsburg, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13621) authorizing the Secretary of War to donate to the city of Baraboo, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13622) authorizing the Secretary of War to donate to the city of Elroy, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13623) authorizing the Secretary of War to donate to the city of La Crosse, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ROBBINS: A bill (H. R. 13624) to provide for the erection of a public building at Jeannette, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 13625) to provide for the erection of a public building at New Kensington, Pa.; to the Committee on Public Building and Grounds.

Also, a bill (H. R. 13626) to provide for the erection of a public building at Latrobe, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. SCULLY: A bill (H. R. 13627) granting a gratuity to members of the United States Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 13628) granting a gratuity to members of the United States Army; to the Committee on Military Affairs.

By Mr. SUMNERS: A bill (H. R. 13629) to provide for the appointment of an additional district judge in and for the northern judicial district of the State of Texas; to the Committee on the Judiciary.

By Mr. HAYES: A bill (H. R. 13630) for the relief of the estate of Christian Hoffman; to the Committee on the Public Lands.

By Mr. Gould: A resolution (H. Res. 490) as to creation of Committee on Aeronautics; to the Committee on Rules.

By Mr. JOHNSON of Kentucky (by request): A resolution (H. Res. 491) authorizing the Clerk of the House to pay to Mary C. Carpenter, mother of John M. Carpenter, late an employee of the House of Representatives, six months' salary; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 13631) granting a pension to Daisy Manore; to the Committee on Invalid Pensions.

By Mr. ANTHONY: A bill (H. R. 13632) granting an increase of pension to Emelia Branner; to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 13633) granting an increase of pension to William O. Fraser; to the Committee on Invalid Pensions.

By Mr. FOSTER: A bill (H. R. 13634) granting a pension to Frank E. Crum; to the Committee on Pensions.

Also, a bill (H. R. 13635) granting an increase of pension to Jacob M. Conner; to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 13636) for the relief of Kentuck Corbett; to the Committee on Claims.

By Mr. HADLEY: A bill (H. R. 13637) granting a pension to Caroline Deibert; to the Committee on Invalid Pensions.

By Mr. RANDALL: A bill (H. R. 13638) granting an increase of pension to Matthew M. Eshelman; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A bill (H. R. 13639) granting a pension to Anna E. Cooke; to the Committee on Invalid Pensions.

By Mr. CHARLES B. SMITH: A bill (H. R. 13640) granting a pension to George C. Foose; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13641) granting a pension to Stephen Harder; to the Committee on Pensions.

By Mr. THOMAS F. SMITH: A bill (H. R. 13642) to authorize the President of the United States to restore Milo O. Frank and William H. Fort first lieutenants in the National Army; to the Committee on Military Affairs.

By Mr. WALTON: A bill (H. R. 13643) granting an increase of pension to Daniel C. Bruce; to the Committee on Pensions.

By Mr. WELTY: A bill (H. R. 13644) granting an increase of pension to Jane Shumaker; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Petition of members of Local Board No. 1, of Milwaukee, asking recognition of services rendered by local board members in the execution of selective-service law; to the Committee on Military Affairs.

Also, petition of J. J. Blumenfeld, president Espenhelm Dry Goods Co., Milwaukee, Wis., protesting against luxury tax bill; to the Committee on Ways and Means.

Also, resolutions by Iron Molders' Local Union, No. 125, indorsing Senate bill 4637 and House bill 12352; to the Committee on Interstate and Foreign Commerce.

By Mr. CURRY of California: Resolutions of board of supervisors of San Joaquin County, Cal., in favor of Senate bill 4637, providing for retirement of classified civil-service employees; to the Committee on Interstate and Foreign Commerce.

By Mr. DALE of New York: Petition of International Molders' Union of North America, requesting the favoring of the original McKellar-Keating retirement bill (S. 4637 and H. R. 12352) and opposing the Pomerene amendment; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: Petition of pupils of public schools of Porto Rico petitioning the President and Congress to honor the island of Porto Rico by bestowing its name upon one of the battleships of the Nation; to the Committee on Naval Affairs.

Also, petition of people of Porto Rico, praying the Congress of the United States for aid for the victims of the earthquakes; to the Committee on Insular Affairs.

By Mr. GALLIVAN: Petition of Leon F. Moss, relating to the matter of Government owned, controlled, and maintained paved highways; to the Committee on Roads.

By Mr. KAHN: Petition of electrical class, Polytechnic High School, San Francisco, Cal., asking that provision be made for amateur radio operators in legislation affecting radiotelegraph stations; to the Committee on Education.

Also, resolutions of the Rotary Club of San Francisco, calling for the deportation of persons found guilty of utterances and treasonable acts against the United States during the war; to the Committee on Military Affairs.

By Mr. KETTNER: Petition of George C. Cousin, S. H. Burton, and Charles W. Howard, of local board for division No. 2, Riverside, for recognition of services to all members of several district and local boards created under selective-service law; to the Committee on Military Affairs.

Also, resolutions of the City Teachers' Club of San Bernardino, Cal., indorsing the movement for November 11 being made a day of thanksgiving, and a suitable monument being erected at Chateau-Thierry, France; to the Committee on the Library.

By Mr. KINKAID: Petition of citizens of the city of North Platte, Nebr., requesting that the school of chiropractic be placed on an equal footing with medical schools; to the Committee on Military Affairs.

Also, petition of citizens of the city of Broken Bow, Nebr., requesting that the school of chiropractic be placed on an equal footing with medical schools; to the Committee on Military Affairs.

By Mr. RAKER: Petition of school children of Porto Rico, asking that the name of the nation be bestowed on one of the battleships of the United States; to the Committee on Naval Affairs.

By Mr. VARE: Petition of furriers of the city of Philadelphia, protesting against the retention of the excise tax on furs in the proposed revenue bill; to the Committee on Ways and Means.

Also, resolutions of the fur industry of the United States, relative to revenue derived from taxation of furs; to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES.

SATURDAY, *January 4, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou, who openest Thine hand and satisfiest the desire of every living thing, we recognize in Thee the source of every noble impulse, every high and holy aspiration. Be Thou our strength in the duties of this day, purify our hearts, direct our thoughts, encourage every good endeavor, that Thy kingdom may come and Thy will be done in all our hearts, through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

CONTESTED-ELECTION CASE—WICKERSHAM AGAINST SULZER.

The SPEAKER. When the House adjourned yesterday the gentleman from Alaska [Mr. SULZER] had the floor in his own right.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman from Alaska yield to me for a moment?

Mr. SULZER. I yield to the gentleman.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent that the resolutions in the Sulzer against Wickersham contested-election case be rereferred to the Committee on Elections No. 1.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the resolutions in the case of Wickersham against Sulzer be recommitted to the Committee on Elections No. 1. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, of course that would be the ending of the case for this Congress. There is a unanimous report from the committee, which, I assume, and have no doubt the assumption is correct, was made after very careful consideration and investigation by the committee. I served on the Elections Committee No. 1 for 12 years, and I know that they do good work. It does not seem to me that the House ought, offhand, to dispose of an election contest in this way. The gentleman knows that if this was recommitted to the Elections Committee No. 1 it would not be considered very promptly by the House, and in all probability not be considered by the House again during the present session of Congress, because the last days of the Congress will be very fully occupied during the day and even at night. What is the reason for casting this reflection upon the Committee on Elections No. 1?

Mr. GARRETT of Tennessee. Mr. Speaker, the gentleman from Alaska [Mr. SULZER], in his remarks yesterday, suggested certain matters that he could have proved if he had had the opportunity of proving them. Whether that is correct or not, and I do not undertake to say anything about it or pass upon it, it does seem that the Committee on Elections No. 1 might again convene and give to him an opportunity which he says he was denied.

Mr. MANN. Mr. Speaker, the gentleman from Tennessee will readily admit that if either the contestant or the contestee, or the committee itself by direction of the House, proposes to take additional testimony, that means that the case certainly will not even be reported, much less considered by the House, at this session of Congress. Of course, that would be true beyond peradventure if the testimony were to be taken in Alaska. My observation and experience on the Committee on Elections No. 1 for 12 years lead me to believe that everyone, contestant or contestee, who did not win his case before the committee always claimed that he could put in something else if he had the opportunity which would win it. I think that is true of my experience as a lawyer, while I was a lawyer practicing law, in respect to both my own clients when they were defeated and the clients on the other side when they were defeated. They always claimed that if they had had an opportunity to put in new testimony they would win. The gentleman from Alaska yesterday kept introducing testimony of his own which is not in the record. He was represented by very able counsel. I read carefully the brief of Mr. Lloyd, his counsel. Mr. Lloyd is a very able lawyer and he knows something about election cases. Now, upon a mere idle statement, the gentleman from Tennessee [Mr. GARRETT] proposes to cast a serious reflection upon both the committee and the counsel of the contestee.

Mr. BARNHART. Mr. Speaker, will the gentleman from Illinois yield?

Mr. MANN. I think the gentleman from Tennessee has the floor.

Mr. GARRETT of Tennessee. Mr. Speaker, I yield for a question.

Mr. BARNHART. Mr. Speaker, I wish to make a suggestion to the gentleman from Illinois, not as a lawyer, which he knows I am not, but I have paid particular attention to this election-contest case and I heard all of the presentation yesterday. I heard my colleague from Indiana [Mr. MOORES], a very able lawyer and conscientious man, interrogate the gentleman from Alaska repeatedly, and in each instance, with all due respect to my colleague, he showed to the House that he did not have the understanding of the case as the gentleman from Alaska showed it and seemed to prove it. For instance, in reference to the two precincts which he, the gentleman from Indiana, evidently thought were adjoining it was shown that they are really 60 miles apart.

Mr. MANN. And still adjoining.

Mr. BARNHART. And in another instance he was referring to a man in the controversy that he was considering whom the gentleman from Alaska clearly demonstrated was not that man at all.

Mr. MANN. He asserted it.

Mr. BARNHART. He showed it by a photograph; he proved it that far, at least.

Mr. MANN. Oh, no; he did not show it by a photograph. He exhibited a photograph, which was not in the record, by the way.

Mr. MOORES of Indiana. And then read——

The SPEAKER. The gentleman from Tennessee has the floor.

Mr. GARRETT of Tennessee. I am asking unanimous consent, and the gentleman from Illinois [Mr. MANN] has reserved the right to object. If I have the floor, I yield.

Mr. MOORES of Indiana. Mr. Speaker, reserving the right to object, I will state that there was but one Demmert who voted at this election. He was George Demmert. The contestee in his speech later on read from the deposition of George Demmert, as to whom the committee decided he had a right to vote and counted his vote. The photograph was marked "C. W. Demmert," but it was undoubtedly the photograph of George Demmert, 23 years old, described in the depositions.

Mr. GARRETT of Tennessee. Mr. Speaker, if we are going to get into an argument about the facts that have been gone into, I think we would better have the suggestion made.

Mr. TOWNER. Mr. Speaker, will the gentleman yield for a question?

Mr. GARRETT of Tennessee. Yes.

Mr. TOWNER. As I understand it, the contestant was allowed 40 days for filing his testimony and the contestee 40 days to file his opposing testimony. Then 10 days were granted the contestant for filing additional testimony. In his statement all the way through, as I understand it, the contestee has claimed that this evidence introduced during the last 10 days was new evidence, which he had not right to meet.

Mr. GARRETT of Tennessee. I thought the gentleman was going to ask me a question.

Mr. TOWNER. Well, it is a question. Was the contestee claiming all the time that this new evidence was introduced by the contestant during those last 10 days? Is not that the understanding of the gentleman from Tennessee?

Mr. GARRETT of Tennessee. I do not know.

Mr. TOWNER. That is my understanding and, of course, that occurs in every contested-election case. It is not a new proposition by any means, as the gentleman from Tennessee seems to believe.

Mr. MANN. Mr. Speaker, after all, here is an unusual case where a committee, composed of a majority of Democrats in the House, two-thirds majority in the committee, has reported unanimously against a sitting Democrat. A contest arises in the House. I have wondered all the time whether the Democratic Members of the House would be politically honest enough to stand by the report of their committee. Now, here is an effort—I will not say the gentleman from Tennessee has resorted to a subterfuge, because I do not think he ever does that—but the result of it will be to deprive the House of any opportunity to vote upon the contest, a direct reflection upon the committee which was honest enough to disregard political considerations and make an honest report to the House. It remains to see whether the House will be politically honest enough to disregard politics, and I object. [Applause on the Republican side.]

The SPEAKER. The gentleman objects, and that is the end of it.

Mr. GARRETT of Tennessee. Mr. Speaker, I want to make a motion, but I would like to make a statement in advance.

Mr. MANN. The gentleman can not make a motion while the gentleman from Alaska has the floor.

Mr. GARRETT of Tennessee. Mr. Speaker, I move——

Mr. MANN. I make the point of order, Mr. Speaker, that the gentleman from Alaska has the floor unless he yields the floor.

Mr. GARRETT of Tennessee. He did when he yielded to me.

Mr. MANN. He can not yield to the gentleman to make a motion to recommit the case unless he yields the floor.

The SPEAKER. The gentleman's last contention is right, that after he takes the floor if he yields to somebody to make a motion, unless the House be very charitable about it he loses the floor.

Mr. WILSON of Louisiana. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. WILSON of Louisiana. I just desire a minute to make a statement.

The SPEAKER. The gentleman asks unanimous consent to proceed for a minute. Is there objection? [After a pause.] The Chair hears none.

Mr. WILSON of Louisiana. Mr. Speaker, the motion from the gentleman from Tennessee arises out of statements which were made by the Delegate from Alaska in his speech on yesterday relative to the fact that he was denied the opportunity to produce important evidence. Now, the statements of the gentleman from Alaska, of course, were surprising to the members of the committee. The committee heard every request that was made of the committee, and a statement was made yesterday which was probably misleading to the House. As far as taking the testimony is concerned and the time given for taking rebuttal testimony, the committee has nothing to do with it. The House of Representatives might extend that or give opportunity to take and consider additional testimony if it felt it ought to do that. But it was also stated that in the argument the time was shut off. Of course, that was very unfair to the committee, because the gentlemen appearing before the committee arranged the time for themselves, and the Delegate from Alaska in his statement stated that if he had an opportunity, of course, he had collected important information or testimony, which was in the city of Washington, that would throw a great deal of light on many phases of this case, but, of course, the committee know nothing about that. I simply feel just this way about it: With the evidence before the committee, we have considered it and reached a conclusion, but if the House of Representatives feel that on account of anything that occurred in any statement that has been made that there is available testimony, that it wants to hear that testimony or secure that testimony, why I simply submit that matter to the House to proceed with according to its own judgment.

The SPEAKER. The gentleman from Alaska.

Mr. SULZER. Mr. Speaker and gentlemen of the House, yesterday I discussed quite fully the Indian portion of this testimony, and it is not my purpose further to delay the House on that particular subject, but I wish to say that this testimony in regard to these Indians has developed two important points. First, that in the two precincts of Afognak and Seldovia the elections were fraudulent on their face, and the committee have taken no action in regard to them. I feel that those two precincts should be rejected by the House. The other point is that the testimony in regard to these Indians clearly indicates that like conditions prevailed in those precincts which were rejected by the court, and in that connection I want to call the attention of the House to the register of the voters from the precinct of Koggiung, on page 392 of the record. Now, Koggiung was one of the precincts that was rejected by the court. Koggiung cast 28 votes. Twenty-five of those votes were for the contestant and three of those votes were for the contestee. Let me read to you a few of the names on this official register of voters from the Koggiung precinct:

Ivan (his × mark) Ungak.
Balauka (his × mark) Larson.
Ballasora (his × mark) Gland.
Ivan (his × mark) Cheronkok.
Brokojsl (his × mark) Iwkak.
Simion (his × mark) Anmuksok.
Wassilli (his × mark) Cooktune.
Simion (his × mark) Tretiakoff.
Wassilli (his × mark) Vetok.

Now, those are the sort of people who voted in this precinct of Choggiung, where the official ballots were not used and where the committee is so solicitous that some one has been disfranchised. That record shows conclusively on its face, gentlemen of this House, that the same conditions existed in these Bristol Bay precincts that existed at Afognak and Seldovia. The chairman in his report inquires:

Should these ballots be rejected, what reason could there be for the judges of election and the people of those precincts not to use official ballots?

Why, the reason is seemingly that these people could not use official ballots. Apparently it was impossible for them to use them, just as it was impossible at Afognak, where another had to vote for the Indians, and therefore they wanted to use the ballot that was prepared by themselves, made up on the outside of the election polling place.

The contestant, in his briefs and in his argument before the committee, has made the assertion that these people are Russians and that they were guaranteed citizenship by the treaty of cession whereby Alaska was acquired by the United States. This is so much rubbish, dwelt upon at length by the contestant to confuse and mislead the committee. Such contentions are mere subterfuges. The treaty with Russia made in 1867 provided that the inhabitants of Alaska reserving their natural allegiance might return to Russia within three years, but if they elected to remain in Alaska they, with the exception of the native tribes, should be admitted to the rights of citizenship. These tribes of Aleuts never made allegiance to Russia. When the treaty provided for the return of the Russians to Russia it did not include native Aleut tribes who had never seen Russia and did not know such a country was in existence. The treaty provided that the native tribes should be subject to such laws as the United States might adopt in regard to the aboriginal tribes. Now, what is the statute of the United States defining what an Indian is in Alaska? It is this (sec. 2022, ch. 8, Compiled Laws of Alaska):

That the term "Indian" in this act shall be construed to include the aboriginal races inhabiting Alaska when annexed to the United States, and their descendants of the whole or half blood, who have not become citizens of the United States.

These people that the record describes were voted at Afognak have not become citizens, because they are still living in tribal relationship, and the statute says an Indian to become a citizen must "sever all tribal relationship and adopt the habits of a civilized life."

Again, the contestant pretends that because they are enrolled in a church that therefore they are citizens. If that were true, then every Indian in Alaska is a citizen, because they are all enrolled in a church of one denomination or another.

Again, it is not only a question of noncitizenship but a very serious question of fraud, because the record shows conclusively that even granting these Aleuts were citizens, they nevertheless cast illegal ballots, because they did not prepare their ballots, but some one not an official of the election prepared the ballots in violation of law for these Indians who knew not what they were doing. The election officials connived at and permitted this sort of thing that is absolutely contrary to the statute, and, therefore, I say the whole thing was a fraud on its face. Why did not the contestant place some witnesses on the stand to disprove the astounding evidence of fraud at Afognak and Seldovia that I placed in the record? He made no effort whatever to do so, but contents himself during his time for taking rebuttal evidence in attacking another precinct where no issue has been raised and then can produce no evidence to substantiate his charges. The same condition is true throughout the record, contestant relying entirely on private letters, telegrams, and ex parte affidavit and his own adroit and clever statements.

Mr. HARDY. Will the gentleman yield right there?

Mr. SULZER. I will yield to the gentleman from Texas.

Mr. HARDY. Was there any evidence before the committee as to why the official ballots were not used at these eight precincts?

Mr. SULZER. I do not quite understand the question.

Mr. HARDY. Was there any evidence before the Elections Committee as to why the official ballots were not used?

Mr. SULZER. No.

Mr. HARDY. Then there was no evidence to take the place of the legally required certificate as to why they should not be used?

Mr. SULZER. No, sir; there was no evidence. The contestant put in the record a letter purporting to be from some of his friends as to one precinct and an ex parte affidavit dated three months after election as to what happened in another precinct, but no witnesses were examined.

In the precinct of Afognak we placed Gregory Yakanak, chief of the Aleuts, upon the witness stand, and we proved conclusively by his own deposition and by the deposition of everyone placed on the stand that he was the chief. And Gregory Yakanak took his ballot and mechanically put it in the box. And when he did that he voided the ballot which I put in the ballot box. He disfranchised me, because his vote destroyed my vote. Any man who is a mechanical genius could readily make a tin man that would wind up with a steel spring and go and mechanically drop a piece of paper in a box, as Gregory Yakanak did. And that is all he knew about it.

These names that I have read here from the record of the voters in the precinct of Choggiung, disfranchised an equal number of the leading business men and professional men of the capital city of Juneau. That is what the House should consider as far as the disfranchisement argument is concerned.

Mr. RAKER. Will the gentleman yield?

Mr. SULZER. I yield to the gentleman from California.

Mr. RAKER. In looking over the record, on page 119, referring to the Bonafield precinct, is there any evidence in the record of the register of voters that voted at that precinct?

Mr. SULZER. I do not think so. I have not seen the list of the Bonafield precinct.

Mr. RAKER. Was that one of the precincts wherein there were unofficial ballots used?

Mr. SULZER. Yes, sir.

Mr. RAKER. How many officers of election are there?

Mr. SULZER. How many officers?

Mr. RAKER. Yes. In Alaska.

Mr. SULZER. I do not quite get the gentleman's question.

Mr. RAKER. How many officers of election should there be at each precinct?

Mr. SULZER. There are three judges of election, and there is the clerk of the election board. I do not know of any others.

Mr. RAKER. A clerk or two clerks? Are there not two clerks?

Mr. SULZER. I think there are.

Mr. RAKER. Does not the statute provide for the appointment by the commissioner of three judges of election?

Mr. SULZER. I am sure about that.

Mr. RAKER. The three judges of election, upon the calling of the election in the precinct that day, appoint and swear in two clerks?

Mr. SULZER. Yes, sir.

Mr. RAKER. Was there any evidence in the record showing whether or not the official ballots were received at this Bonafield precinct?

Mr. SULZER. There is evidence in the record that the clerk of the court forwarded the official ballots. There is evidence in the record that the clerks of the three courts in the three divisions where these precincts were located all forwarded the official ballots.

Mr. RAKER. I have not got down to the crux of my inquiry yet. The question now is, Is there any evidence in the record that the official ballots were not received by the judges of election in that Bonafield precinct?

Mr. SULZER. No; there is no evidence that they were not received; absolutely none.

Mr. RAKER. But there were unofficial ballots cast in that precinct?

Mr. SULZER. Yes, sir.

Mr. RAKER. Now, what strikes me peculiarly is that there were only 4 votes cast, and if there were only 4 votes cast, and the law requires five election officers, I wonder what became of the official ballots if they were received or were not received, or what became of the question of the certificate under section 21.

Mr. SULZER. There is no evidence in the record about it.

Mr. RAKER. Well, would it be your theory that the voters at the election would or would not know whether or not the ballots were received in that precinct, if there were only 4 votes cast and it required five officers to hold the election?

Mr. SULZER. I do not know what the gentleman intends to convey by that.

Mr. RAKER. I will leave the others to follow.

Mr. SULZER. Mr. Speaker and gentlemen of the House, to show that the committee have not grasped the points in this case, I want to call attention to a few statements that they have made. I want to particularly call the attention of the chairman of the Elections Committee to this. On page 9 of his report he states:

Three of the precincts from which the vote was rejected in the court decree are Kogglung, Nushagak, and Bonafield. These are out on Bristol Bay, some five or six hundred miles from Valdez.

The committee has not learned where these points are in Alaska. Bonafield is not on Bristol Bay at all. Bonafield is hundreds of miles from Bristol Bay. It is here [pointing to map]. It is not in the same division that Nushagak and Kogglung are in. It is in an entirely different division—division No. 4—where the court is at Fairbanks. Kogglung and Nushagak are in the third division, where the court is located at Valdez, Alaska. There is no connection between the two; and yet the chairman of the committee uses Bonafield as an illustration of the fact that no official ballots arrived in the Bristol Bay section. The record shows where Bonafield is, and the statement of the clerk of the court of that judicial division states that the official ballots were sent to Bonafield. Then, on the next page, the chairman gives as an illustration the case of Kogglung, manifestly having the idea that no election was held at Kogglung, because there were no official ballots or election supplies there.

What does the record say about Kogglung? You will find it on page 64 of the record, giving the official proceedings of the canvassing board:

KOGGIUNG.

At the time of appointing judges of election there was only one man recorded, and he is not a resident, consequently there was no election held.

That is the reason why there was no election held in Kogglung. Note the distinction between Kogglung and Choggiung. One starts with a "K" and the other with "Ch." They were two different precincts. But the reason why there was no election held at Kogglung was because there was no one there to appoint as judges, and consequently the commissioner appointed no one, and no supplies were sent there, and no election was held. That should not be used as evidence to prove that because nothing arrived at Kogglung, therefore nothing arrived at Choggiung and Nushagak.

Mr. WILSON of Louisiana. Mr. Speaker, will the gentleman yield?

Mr. SULZER. Yes.

Mr. WILSON of Louisiana. Does the report show that that is the reason why no election was held? It says simply, "No election was held."

Mr. SULZER. I read from the record:

At the time of appointing judges of election there was only one man recorded, and he is not a resident, consequently there was no election held.

That is signed "Wm. Nielson, United States commissioner."

Mr. WILSON of Louisiana. I was asking about the report of the committee.

Mr. SULZER. The report states, on page 10, that at Kogglung no election was held.

Mr. WILSON of Louisiana. That is a fact, is it not?

Mr. SULZER. It is a fact.

Mr. WILSON of Louisiana. It does not state, as the gentleman has told the House, that the reason it was not held was that there were no official ballots?

Mr. SULZER. It says, on page 9:

These are out on Bristol Bay, some five or six hundred miles from Valdez. There are also in this locality two other precincts—Kogglung and Naknek—while not involved in the court proceedings are discussed in the printed record and are important in reaching a conclusion as to whether or not there were any official ballots at the other three precincts.

The chairman must have considered that in deciding this case. The fact that there was not any election held at Kogglung must have had an influence on his mind when he makes a statement of that kind, and he must have concluded just as I have stated.

Now, what is the truth about Bonafield? We find it on page 63 of the record. The chairman of the committee has assumed that Bonafield was in the Bristol Bay section. Here are the official records of the canvassing board, on page 63, "Bonafield":

At Bonafield sample ballots were used, but there were no affidavits from the judges as to why they were used, but a letter from the clerk of the court says that they sent official ballots, but sample ballots were used instead.

Now, that is clear and conclusive. The canvassing board——

Mr. MOORES of Indiana. Mr. Speaker, will the gentleman yield?

Mr. SULZER. I will yield for a question.

Mr. MOORES of Indiana. The statement is that they sent official ballots. Is there any evidence in the record that official ballots were ever received in that precinct?

Mr. SULZER. No; there is not.

Mr. MOORES of Indiana. Or in any other precinct from which these ballots were returned?

Mr. SULZER. There is not. But this is what the report of the committee says.

Mr. HARDY. Mr. Speaker, will the gentleman yield right there?

Mr. SULZER. Yes.

Mr. HARDY. Was there any evidence that they were not received?

Mr. SULZER. None whatever. We took the position from the very start that the fact that the judges of election failed to make any certificate that they were not there was presumptive evidence that they were there; otherwise they would have made a certificate in accordance with the law.

Mr. McKEOWN. Mr. Speaker, will the gentleman yield there?

Mr. SULZER. I yield.

Mr. McKEOWN. I will ask the gentleman if they did not receive or acknowledge receipt of the other necessary papers in the election?

Mr. SULZER. Yes; they did. I will come to that in a moment. I want to call the attention of the gentleman from Indiana to the report of the committee on page 10, where it says there is no testimony in the record that such ballots were sent to or received at these precincts.

He says there is no testimony in the record that official ballots were sent to any of these precincts. I have just read

to you the record in regard to the fact that the clerk of the court says he sent the official ballots to Bonafield. Now, what is true regarding Choggiung and Nushagak? Let us read from the testimony of the clerk of the court at Valdez, on page 238. This is very important. On page 238 Mr. Arthur Laug, the clerk of that court—and the clerk of the District Court of Alaska is a very important position—is asked this question:

Did you, as said clerk of the district court, cause to be prepared necessary election supplies to be furnished to judges of election in the various precincts throughout the third judicial division, Territory of Alaska, for the election to be held on the 7th day of November, 1916?—A. I did.

I want to particularly call the attention of the gentleman from Indiana [Mr. MOORES] to this testimony. I read further:

Q. What did these election supplies consist of?—A. Two election register and tally books and one registration book; instructions to judges of election; pay rolls; two official envelopes with registry stamp on each, one of which envelopes was addressed to the clerk of the court, Valdez, Alaska, and the other to the governor, Juneau, Alaska; a copy of the wet and dry law for or against the sale of intoxicating liquor in the Territory of Alaska after December 31, 1917; and the official ballots.

Those were the supplies that the clerk of the court prepared and sealed up for each precinct in his division and sent out.

Mr. MOORES of Indiana. Where does it say he sent them out?

Mr. SULZER. I will read it to you. It is on page 239. The gentleman has read the record, and the chairman of the committee has read the record, but they have overlooked the main point altogether in this connection.

Now here it is, on page 239, a little below the center of the page:

Q. Were these election supplies, as testified to by you, sent to the various precincts throughout your division to be used at the election to be held on the 7th day of November, 1916?—A. They were.

Is not that evidence? The chairman of the committee says there is no evidence that these ballots were sent. There it is in the record. Now, I am not quoting anything outside of the record. I am not making any charges about anything that is not there, in legal evidence. I showed you that the clerk of the court at Fairbanks says he sent the official ballots to Bonafield, and I show you here now clearly that the clerk of the court at Valdez swears on oath, on the witness stand, that he sent the official ballots to Choggiung and Nushagak.

Now let us read a little further:

Q How were they sent to the election precincts?—A. The supplies were put up one for each election precinct throughout the division and forwarded to the United States commissioners of each district, who placed them in the hands of the judges of election.

Now, why were they sent in that manner? Because the clerks of the court under the law were instructed to send twice as many official ballots as there were votes cast in the previous election, and the clerk is bound by law to send all these supplies for each precinct, and he sends them to the commissioners because he does not know who the election judges are. The commissioners appoint these election judges. But the clerks of the court know how many precincts there are. They know what supplies they have got to send out, and they prepare them all and put them in these envelopes as I have described and seal them up and send them to the commissioners, and the commissioners send them to the election judges. Now, that is perfectly clear.

What does Mr. Lang state further?

Q. Do you know that the judges of election in the precincts of Choggiung and Nushagak, in the Bristol Bay recording district, third division, Territory of Alaska, received the election register and tally book which had inclosed in it the instructions to judges of election, a copy of which is marked "Contestee's Exhibit No. 1," and made a part of this deposition?—A. I do.

Q. How do you know?—A. Because they went out with the supplies. I received the election register and tally book back in this office again after the election.

He knows it.

Q. How do you know?—A. Because they went out with the supplies. I received the election register and tally book back in this office again after the election.

Mr. SHERWOOD. Did these go out by mail or by special messenger?

Mr. SULZER. Presumably they went by mail where there is a mail service. Otherwise, I presume they would go by messenger. I presume they were sent by mail in these cases, because there is mail service to all these places.

Now, these supplies went out together. We know they got all the supplies except the official ballots, because the record proves it. What became of the official ballots?

Mr. MOORES of Indiana. Are ballots named in the list of supplies that were sent out?

Mr. SULZER. I have just read it to the gentleman, and if the gentleman knows this record, as he says he knows it, he ought to know that.

Mr. MOORES of Indiana. What the gentleman has just read does not say anything about the official ballots.

Mr. SULZER. Let the Clerk read it and see if it is there. I have read it once.

The Clerk read as follows:

Q. Did you, as said clerk of said district court, cause to be prepared necessary election supplies to be furnished the judges of election in the various precincts throughout the third judicial division, Territory of Alaska, for the election to be held on the 7th day of November, 1916?—A. I did.

Q. What did those election supplies consist of?—A. Two election register and tally books and one registration book; instructions to judges of election; pay rolls; two official envelopes with registry stamp on each, one of which envelopes was addressed to the clerk of the court, Valdez, Alaska, and the other to the governor, Juneau, Alaska; a copy of the wet and dry law for or against the sale of intoxicating liquor in the Territory of Alaska after December 31, 1917; and the official ballots.

[Applause.]

Mr. HOWARD. That shows how ignorant they are of their own case.

Mr. RUCKER. Let them go on, and maybe they will learn.

Mr. SULZER. Now, gentlemen of this House, I submit that it is not fair for members of this committee to throw me out of this House when they do not know what this record is. [Applause.] I submit that I ought to have an opportunity to show them what is in the record, because I think I have proved to you conclusively that they do not know what is in that record.

Mr. LINTHICUM. Does not the gentleman think they ought to have a new trial?

Mr. SULZER. I certainly do.

Mr. RUCKER. Would it not be satisfactory to have the committee make a new report, now that they have been informed as to what the record contains?

Mr. SULZER. I certainly think so.

Now, my time is going, and I agreed that I would not take up any more time than is absolutely necessary, and I hope gentlemen will not interrupt me any more than is necessary.

Mr. Adams, the clerk of the court at Nome, shows, on page 56 of the record, that the official ballots were sent to Utica and Deering, the other two precincts involved. It is not quite as direct testimony, but it is indirect testimony, because he states as follows:

For reasons unknown, ballots failed to reach Utica and Deering.

He says "for reasons unknown." He is the clerk of the court. He prepared these supplies—prepared these ballots. He does not know of any reason why they did not get there; consequently he must know that he sent them, and they were sent to every one of these precincts, as the record conclusively proves. If they were not sent there, I say to the gentlemen of this House, why did not the contestant put these clerks of the court and these officials in Alaska on the witness stand and prove that they did not perform their duty? He had every opportunity in the world to take legal evidence. He had every chance to put these clerks on the witness stand. Why did he not do it? He never took a word of evidence about it. Is not that presumtive proof that he knew that the evidence that he might take in that matter would be against him, and he did not avail himself of the opportunity? Is not that clear? If the contestant believed that the decision of this United States district court in Alaska was wrong, and if he believed that these official ballots were never sent or received at these precincts, would not the very first thing he would do, after he filed a contest to unseat me here, be this, to call the officials who knew something about these facts and place them on the witness stand and take their depositions and prove his contention?

No; he does not do a thing; and what did the committee do? The committee placed all the burden on me, and said I should have taken all this evidence. Why, I had no reason to take evidence on this particular subject. I was perfectly satisfied with the situation. I accepted the decree of the courts. I was seated in the House of Representatives. I had no complaint. It was the contestant who was complaining. Why did he not produce some evidence, then, to show that these facts which are in the record are not true? The committee have simply taken part of Mr. Lang's testimony, and they do not see the purport or the meaning of it. They simply take the part at the bottom of page 239, which states that Mr. Lang knows that the official tally book and register were received at this place; and why? Because he received them back again after the election! Why was that put in the record? It was put in the record to prove that if these supplies got there, then the conclusion must be reached that the official ballots got there also. Further, that particular part of the testimony was put in there to show that the election judges of these precincts were officially instructed and informed about what to do and what the law was. I have

a copy here of the election law and the instructions to judges. These instructions were printed in the registers and the tally books, and in addition they were sent to be posted, and they show exactly what the judges are required to do. It is all conclusively proven in the record. What does the committee report say? It says, on page 10, and I call the attention of the chairman to it particularly, and of the gentleman from Indiana [Mr. MOORES]:

If the testimony clearly indicated that all the election supplies, among which are the register and tally books and official ballots, had been sent to these precincts, and a portion returned after the election, ordinarily the inference would be that all such supplies were received at those precincts.

Just think of that, gentlemen. Just consider it. They say that if the testimony clearly indicated such was the case, the inference would be that the official ballots were there, while the record absolutely not only clearly indicates it, but it absolutely and positively proves by sworn deposition, which I have just read to you, and I would like to ask the gentleman from Louisiana, the chairman of the committee, if he has thoroughly grasped that particular point?

Mr. WILSON of Louisiana. Mr. Speaker, I will state to the gentleman that I think I have. Of course, I do not care to take the time of the gentleman to make a speech now, but that statement follows in the report, and I do not care to take the gentleman's time to explain it.

Mr. SULZER. And you go on in this report to say:

He does not testify definitely that he sent the ballots.

Does the gentleman think that is a correct statement?

Mr. WILSON of Louisiana. That is a correct statement; that he did not state that he sent the ballots to the precincts, because it is not part of his duty to do that under the law. The ballots are not distributed to the precincts under the Alaska statutes by the clerk of the court.

Mr. SULZER. I think it is very clear and conclusive. The gentleman from Louisiana in his report says he does not testify definitely he sent the ballots. I think he does testify definitely, and the gentleman from Indiana [Mr. MOORES] said I could not prove it in the record, and the clerk read from the record that the official ballots were part of the supplies.

Mr. WILSON of Louisiana. I do not think that there is any question that the gentleman is correct as to the testimony about sending them to the commissioners, but the committee was discussing the question of sending them to the precincts.

Mr. SULZER. Does the gentleman think that the commissioners tore open these official envelopes and stole the ballots?

Mr. WILSON of Louisiana. I do not think anything of the kind. The gentleman asked me a question, and his argument is misleading, for the reason that he said that the clerk of the court sent the ballots to the precincts, when that is not the duty of the clerk at all under the law.

Mr. HOWARD. He sent them the same way that he sent all the other supplies?

Mr. SULZER. Certainly. Mr. Speaker, we now arrive at the proposition whether this law of ours in Alaska is mandatory or directory. That has been one of the principal issues in this case, and I am going to take up a very short time to discuss it. I do not think there is any question that it is mandatory, for this reason: If it is not mandatory, if it is construed to be not mandatory, then we have no law at all, because if the judges of election or the voters in any precincts in Alaska can disregard the use of the official ballot with impunity, without making any explanation of any kind as to why they do it, then we have no official ballot, we have no Australian ballot, and I think gentlemen can readily see that. That is the true test of the law. The true test of an election law as to whether it is mandatory or not is this, that if it were construed to be not mandatory, it would then have the force of destroying the act, destroying the purpose that the legislature had in creating the act; then it must be construed to be mandatory. If you say the use of these official ballots, these Australian ballots, is not mandatory, then you destroy the very purpose of the legislature in enacting that law.

I want to read just a few short extracts from the opinion of the attorney general of Alaska on this proposition. The report of the committee conveys the impression that the attorney general of Alaska ruled against me in this matter, but that is not so, and I shall show by quoting from his opinion. He states on page 81:

All authorities are agreed that the controlling purpose of the Australian ballot law is to secure a secret ballot, to the end that the voter may fully and freely vote for his choice of candidates unintimidated by threats or intimidation, and that the corruption of his vote may be prevented.

The attorney general goes on to quote the Horsefall case, which the committee used as an illustration as to why this law is directory, and he sets out the opinion of the Horsefall case in full, but I shall not take the time to read that. I read further now from the opinion of the attorney general:

The foregoing rule has been applied in many cases where the ballots provided by those whose duty it was to prepare them did not strictly conform to the statutory provisions. In some of the cases the ballots were only slightly irregular, and there is a hopeless confusion of authorities as to what departures from the statutory requirements are and what are not fatal to the validity of the ballots.

I have been unable to find any case, however, holding the votes legal where the use of official ballots was entirely dispensed with.

That is the truth, and no gentleman can find anywhere in the books any decision that holds that a law is not mandatory, where an entire absence of the official ballot occurs, where they dispensed with them absolutely.

Mr. Speaker, what does the committee do? They start out in their report at the very beginning of it and apparently cite as their strongest case an authority found in McCrary on Elections, and say this:

This doctrine was approved by the House in the case of Arnold against Lee, Twenty-first Congress.

Now, those are the authorities that the chairman of the committee has been stating, decisions which were made in the Twenty-first Congress. The Twenty-first Congress, gentlemen of this House, was held 42 years after the foundation of this Government. There was no Australian ballot known or dreamed of at that time. How could a decision made in the Twenty-first Congress have any force or effect whatsoever upon an Australian ballot law? They did not know what an Australian ballot law was. It is a development of very recent years, and it is not fair, it is not just, it is not reasonable or sensible, to unseat me from this House, to destroy the official secret ballot of Alaska and our Australian ballot law, on some decision that was rendered by the House of Representatives in the Twenty-first Congress. Election laws have progressed since that time; election laws and elections have been hedged about by all sorts of safeguards that were not in force 42 years after the foundation of this Government, and yet the committee overlooks that entirely and endeavors to decide my case on something that happened 60 years or more ago probably——

Mr. ROMJUE. One hundred years.

Mr. SULZER. One hundred years ago. Now, that is not a fair proposition. What does the attorney general say further? He says:

The effect of applying the rule announced in Horsefall against School District to the case before this board, where no official ballots were used at all, would be to establish a precedent encouraging an absolute disregard by both voters and officials of the provisions of the law as to the form of the ballot.

That is exactly what it would do; it would encourage absolute disregard of this law, especially in those precincts where there are these helpless Indians who can not intelligently vote an official ballot, so that a few people there who want to indulge in corrupt election practices can have already prepared for the voters, before they go near the voting booth, ballots marked so all they have to do is to go into the election booth and put it in the box. That is the whole thing in a nutshell.

Mr. BLANTON. Will the gentleman yield?

Mr. SULZER. I will.

Mr. BLANTON. If the gentleman were given the legal presumption that these ballots were sent to each precinct where there was no evidence to the contrary, just how many precincts would that leave involved—that is, if the gentleman were given the benefit of the legal presumption?

Mr. SULZER. That would be upholding the court's decision.

Mr. BLANTON. Would there be any precinct involved where there was evidence directly showing that the ballots had not been sent?

Mr. SULZER. Absolutely none. Now, what does the attorney general say further:

The Horsefall case, however, is not supported by the best authorities. Considering the purpose of the Australian ballot law, it is claimed that its object would be defeated if the directions as to the preparation and form of the ballot were not regarded as mandatory. The employment of express words is not always necessary to give a law a mandatory character.

Now, he quotes the decisions to back up his opinion, and these are the decisions he quotes, some of them. I have not time to read them all, but here is the Supreme Court of Appeals of Virginia in the case of Pearson v. Brunswick County (91 Va., 322; 21 S. E., 483). What do they say about it? This is what they say:

Thus it is seen that the general scheme of the system is to secure the independence of the voter by requiring him to cast his vote in secret.

That is the system, "secrecy."

Secrecy is the fundamental underlying primary essential of the system, and is the one element and condition which, paramount to all others, can not be destroyed without destroying the reform intended and reestablishing the evils it was designed to correct.

Now, that is the proposition exactly.

Statutes which make, even incidentally, for its preservation and inviolability are seldom directory, and without exception, where the language will admit of it, are held to be mandatory.

Without exception where the language will admit they are held to be mandatory, and what does our section 21 of the Alaska statute say? It says that the judges of election must make out a certificate and that certificate must accompany the returns. Will not that language admit a mandatory construction? Will not that language convince anybody that this law is mandatory? I think so. I do not think there is any question about that. Now, the attorney general quotes the case of Tuntland v. Noble (138 N. W., 292), and in that case the court disapproved the opinion in the Horsefall case, and condenses what seems to be the weight of authority, as follows:

What seems to us to be the true rule is laid down in the following from the opinion of the court in the case of Perty v. Hackney (50 N. W., 485). The statute under consideration is, then, not in terms mandatory——

Our statute is not in terms mandatory, but it does not have to be mandatory in its terms, in the express terms; if it is mandatory by implication it is just as mandatory as though it expressly said so, and that is what the court says in this opinion:

The statute under consideration is, then, not in terms mandatory, but it is well settled that the employment of express words is not always necessary to give it that character. Where the aim and purpose of the lawmaking power would be plainly defeated if the command to do the thing in a particular manner did not imply an inhibition to do it in any other, no doubt can be maintained as to the mandatory character of the statute.

Now, is not that perfectly clear and plain? Let me read that again:

Where the aim and purpose of the lawmaking power would be plainly defeated if the command to do the thing in a particular manner did not imply an inhibition to do it in any other, no doubt can be maintained as to the mandatory character of the statute.

"The aim and purpose of the lawmaking power." Now, what was the aim and purpose of the lawmaking power? I know what it was. I was elected to that legislature that made the law. I was a member of the senate, and I know exactly what the sentiments of the legislature were, and I know exactly what happened there. We went to that legislature determined to improve our election system. We went there determined to pass an act that would purify our elections, and we spent a lot of our time preparing and enacting this law. What did we do? We enacted an Australian ballot law, the heart and core of which, the essence of which, was the official ballot. Now, does any gentleman of this House think for one moment that we would sit there for nearly two months, using the money of the people, to pass an act for pure elections, to pass an act which the committee admit is mandatory as far as the official ballot is concerned—do you think we would do that and then that we would deliberately turn around and put a proviso in that law, that we would deliberately put in section 21, that would have the force and effect of destroying the very purpose of the law, of nullifying everything that we had done if it were interpreted in any way but mandatory? Could it be possible? It seems to me the contention is ridiculous, absolutely ridiculous, that we would go there and enact a law of this kind for the purpose we had in view, and then deliberately nullify it by putting in a proviso which would make it merely directory. It can not possibly be so. And there is no more question than that I am standing here that this law is absolutely mandatory, and the attorney general of Alaska and the United States district court of Alaska are absolutely correct in their interpretation of the law.

What does Judge Jennings in his decision say about this law? I will read on page 102. He quotes from Thirty-sixth Cyclopedia, page 1157, and the cyclopedia says this:

Whether a particular statute is mandatory or directory does not depend upon its form, but upon the intention of the legislature, to be ascertained from a consideration of the entire act, its nature, its object, and the consequences that would result from construing it one way or the other.

Now, what are the consequences that are going to result if this committee report stands and this law is construed as only directory? I say, what are the consequences? I say that they are simply this, that in any election precinct in Alaska at any subsequent election anybody can do what they please with the official ballots. They can throw them in the fire. They can use any sort of ballot they want; they can write it on a deerskin, and they need make no explanation as to what they do. They need certify in no manner anything at all about it. They need not prove that there were no official ballots at hand. They can simply do as they please, and make our law as sounding brass and a tinkling cymbal.

Now, are you going to do that after we struggled for years to get this law in the statute books, after we have gotten to the point where we have some safeguards around our elections? Are you going to say, "Gentlemen of Alaska, we are going to wipe this thing all out and put you right back where you were before you enacted this law?"

Now, this decision further says:

When a fair interpretation of a statute which directs acts or proceedings to be done in a certain way shows that the legislature intended a compliance with such provision to be essential to the validity of the act or proceeding, * * * then the statute must be regarded as mandatory.

Now, it is absolutely essential. This goes to the essence of the law, and when it does there is no question that the statute must be regarded as mandatory.

What do we find in the case of Hope against Hengate (41 N. W., 1002); Apollo against Clepper (44 Pa. Sup. Ct., 396)? The court says this:

Where the provision of a statute is of the very essence of the thing to be done it is mandatory.

Is not that clear?

What does the court say in the case of Offield against Davis (41 S. E., 919)? It says:

When the terms of a statute are such that they can not be made effective to the extent of giving each and all of them some reasonable operation without interpreting the statute as mandatory, then such interpretation should be given to it.

Is not that the case exactly? Can any reasonable effect be given to this act unless it is construed as mandatory? Why, no. The act would be void. It would be no act at all.

Mr. HOWARD. Will the gentleman yield?

Mr. SULZER. I will.

Mr. HOWARD. Would the gentleman mind putting in the RECORD the very clear-cut opinion of the judge here on page 104, as to the Australian ballot statute, and his opinion construing the act down at the bottom of page 104?

Mr. SULZER. Does the gentleman wish me to read all that?

Mr. HOWARD. No. I just ask you to put it in the RECORD in connection with that statement.

Mr. SULZER. Mr. Speaker, I ask unanimous consent to incorporate the matter referred to in the RECORD.

The SPEAKER. The gentleman asks unanimous consent to incorporate certain matter in the RECORD, to which he has referred.

Mr. WALSH. What is that?

Mr. SULZER. Two paragraphs.

Mr. WALSH. Is not the judge's opinion already put in the RECORD?

Mr. HOWARD. It is just the interpretation that the courts have put on the mandatory part of the law.

Mr. WALSH. As part of the remarks he is now making?

Mr. HOWARD. Yes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The part of Judge Jennings's decision referred to follows:

ALASKA'S AUSTRALIAN BALLOT STATUTE.

Now, the same considerations which have led to the adoption elsewhere of the Australian system prevailed in Alaska and led the legislature of 1915 to pass the act of that year. There was beginning to work here the sinister influences which led to the downfall of the old system there. Owing to the fact that many men in remote localities in Alaska were markedly in the power of single influences, there was abundant opportunity for the stifling of a free expression of the opinion of the electorate. And, too, the political manipulator was already abroad in the land; the employer exerted pressure; men had been sent to jail by courts for election frauds; "the poison of the serpent was just entering the Garden of Eden." The legislature saw those evils, and to its credit determined to remedy them. That legislature was the second legislature to convene after Alaska had been given the small measure of home rule which it now enjoys, and the very fact that an Australian ballot was provided at so early a period is evidence of the enormity of the evil, of the imperativeness of a change, and of the efficacy of the Australian official ballot to effect that change. Accordingly the legislature enacted the law (session laws, 1915, ch. 25), and it received the approval of the governor. How is it to be construed?

OUR ACT, HOW CONSTRUED.

Now, having in mind the former evil, the desirability of extirpating that evil and the means adopted to extirpate it, let us examine that statute in detail with a view of ascertaining the legislative intent.

By its first section a complete change is to be wrought in a thing which is of the very essence. Prior to the enactment every person voting prepared, or had some private person prepare for him, the ballot which he was to use at the election. Now the change. Says the statute:

"After the passage of this act, for all elections in the Territory of Alaska * * * the clerk of the district court * * * shall prepare ballots for use in their respective divisions * * *."

Prepare ballots for use; not prepare them as playthings to look at, but prepare them "for use." I can not see that that can have any other meaning than this: "No other person shall prepare ballots" for use at the election. It seems to me that this construction is required not only by a consideration of the former evil but also by the context, to which allusion will be made later on in this opinion.

Section 2 provides that the ballot which the clerk is to prepare for use at all elections shall be printed upon white paper; that it shall contain the names of all candidates nominated and blank spaces to write in other names. We shall see later on that no one can write in any such names, however, except the voter himself or some of the officers for him in case of his disability.

Mr. SULZER. Now, here is the strongest case of them all, in my judgment. It is in 36 Cyclopedia, supra, and it says this. The court says it is mandatory—

If from a consideration of the entire act, its nature and its object, the consequences which would result from not construing it as mandatory would defeat the very objects of the legislature.

Then it must be considered as mandatory. That is perfectly clear. If from a consideration of the entire act, its nature and the consequences which would follow if it were not construed as mandatory it would defeat the very object of the legislation, then it must be considered mandatory, and that is exactly what this case does. If this law is not held to be mandatory, then the very object of the legislation is defeated, and must be defeated, because the very object of the legislation is the official secret ballot, and when you say that that can be dispensed with with impunity, then you have defeated absolutely the very object of the legislation, and that legislature which enacted it sat in vain and spent its time for nothing, and we have no guaranty of decency in our elections in the future. Now, what does the judge say on page 110 of his decision? I read:

If the canvassing board can indulge in any presumption at all, it would seem that it must be the presumption that no such facts existed, else the certificate would have stated them.

That is what the judge says. But the committee say just the opposite. They take the presumption that because the judges did not certify as to the facts, as the law provided and directed them to do, therefore the official ballots were not there. That is an absolutely wrong presumption. The presumption should be just the opposite. If the committee are going to determine the law and the facts in this case upon presumption—and they seem to have done so almost from start to finish—I say, if they are going to do that, they ought to adopt a reasonable presumption, and the reasonable presumption is this, that they could not make that certificate conscientiously, because they would be telling an untruth, they would be perjuring themselves, they would be subjecting themselves to liability to punishment for felony, because the official ballots being there, it was impossible for them to certify that they were not there.

Now, what becomes of that presumption? Why is it not good evidence in this case? What becomes of this fact, that if the contestant really believed that the official ballots had not been received in these precincts why did he not make some effort to prove it?

I recognize, gentlemen of the House, that the House is not required to decide this case upon a point of law, or to decide it upon any other matter than they may wish to do. They may seat whomsoever they please or see fit to seat. But I say this, that if the contestant would not make any effort to take any testimony to show the facts in the case, then the presumption must be that he was not satisfied that any facts he might develop would be favorable to him. And I say this, that if the contestant had proved by any evidence in the record that these elections in these disputed precincts were fair and fairly conducted and that there was not any wrong practice, then the House might be justified in overruling the opinion of the attorney general of Alaska and the United States courts of Alaska. The House might be justified in seating him if the House really could learn from legal evidence that these elections were absolutely fair. But the contestant has not made any effort to prove that they were fair. He has left it all in the air. Is not the presumption, then, that he could not make such proof? Because if he could that is the first thing he would have done.

What does the court say in 15 Cyclopedia? This is the case of Oglesby v. Segann, 58 Miss., 502, cited in People v. Board, 14 L. R. A., 630 (N. Y.). I read:

Elections are a contrivance of government which prescribes who are electors and how they may express their will, and it is a legitimate exercise of power to prescribe the description of the ballot which shall be used.

It does not say that everybody may be an elector. "Elections are a contrivance of government which prescribes who are electors." Election laws are made in the interest of the common good and the vast majority, and it throws every possible safeguard around the secrecy and the sanctity of the ballot, and it is not a question at all of disfranchising anybody. There is not any such question, in my judgment, involved in this case at all. Reading further:

We would still be obliged to hold that it would be far better that their votes should be deemed ineffectual than that the fundamental purpose of an important public statute should be subverted.

We are not disfranchising anybody, we are not taking citizenship away from anybody, we are saying that these illegal votes shall be ineffectual. Why? Because—

It would be far better that their votes should be deemed ineffectual than that the fundamental purpose of important public statutes should be subverted, and, in the struggle to save those votes by judicial construction, the door should be thrown open for evasions of the statute which might revive evils far more dangerous to the public welfare than can possibly follow the exclusion of a few hundred votes in a single county.

That is the law. I wish I had time, gentlemen of the House, to go fully into the details regarding each one of these precincts, but I have not the time. I must hurry along. I may say, merely in passing, that in the precincts of Deering and Utica the same thing happened. There was no reason why they should not have received the official ballots, and these precincts involved here are not the most remote precincts at all. The mail must go there before Candle gets its mail, and yet the statement is made that they obtained by telephone news from Candle as to what the ballot was. Official ballots were used in precincts that were infinitely more remote than Deering and Utica. Why should they not have received them at Deering and Utica?

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. SULZER. I yield to the gentleman from Massachusetts.

Mr. WALSH. I understand that the gentleman makes the contention that the Alaskan elections are provided with the Australian ballot system of voting?

Mr. SULZER. Yes, sir.

Mr. WALSH. Is there any law in Alaska to compel a voter to divulge for whom he voted?

Mr. SULZER. None that I know of.

Mr. WALSH. Yet there is testimony taken before some official as to how certain of these Indians voted.

Mr. SULZER. Yes; and as to how certain soldiers voted.

Mr. WALSH. Were they compelled to divulge for whom they voted?

Mr. SULZER. I do not think so.

Mr. WALSH. Were they notified or advised at the time of the proceeding that they need not disclose for whom they voted if they did not care to do so?

Mr. SULZER. I am not advised as to that. I can not state.

Mr. WALSH. One further question: Does the gentleman make any distinction between a situation which might arise and lead to the conclusion that the party who received the certificate of election was the wrong party and a case in which, from the circumstances in connection with the election proceedings, it might appear that neither party should be seated?

Mr. SULZER. I do not believe I grasp the point the gentleman is making.

Mr. WALSH. Does the gentleman think the law is the same in a case where, as you contend, you have been rightfully seated in the House and have properly received your certificate—does the gentleman think the same treatment should be accorded that sort of a contest as would be accorded in a case where from the circumstances and happenings it might appear that neither party should be seated?

Mr. SULZER. I would not think so.

Mr. WALSH. Does the gentleman contend that in this case the only question is to decide whether or not he was rightfully seated as a Member of the House?

Mr. SULZER. I think so.

Mr. WALSH. And that none of the irregular acts connected with the election are of sufficient irregularity or invalidity to avoid the entire election and compel a new election to be held?

Mr. SULZER. I would hardly like to state anything in regard to that. It is a question to which I have never given any thought.

Mr. WALSH. I wanted the gentleman's opinion on it. Of course, if he has not considered it, it would be unfair to press the question.

Mr. SULZER. Mr. Speaker and gentlemen of the House, there is other evidence in this record to show that everything was not just as it should be in this election. There is in the record the case of Louis Klopsch, who voted in the Sour Dough precinct. And the committee have given me credit for that. This man was shown to have voted for Wickersham, and his vote has not been allowed, because he was not a resident of that division in which he voted. But I call attention to this fact, that every voter in that precinct voted for Wickersham. Louis Klopsch was the editor and proprietor of a newspaper in Fairbanks, which had gone defunct during the campaign. He was well known in all that country. Everyone in Sour Dough precinct knew him, and when he came along and voted in a precinct that was not in his division, those election officers knew he was not entitled to vote. They knew he was not a resident of that precinct or of that division, and yet they permitted him to vote. That was fraudulent. And there are other cases in the record of the same sort.

Mr. WILSON of Louisiana. The gentleman states that the committee rejected the vote of that man who voted out of his precinct.

Mr. SULZER. I have stated that the committee rejected the vote of that man. I am not complaining about that at all. I am simply citing that case to show that they violate the rules of elections in Alaska and that it is necessary for us to surround our elections and our election laws with every safeguard that we can.

Now, there was another vote rejected by the committee—that of a man named Julius Forsman, in the precinct of Afognak—that I have discussed pretty fully here. His vote was rejected because he was not a citizen of the United States. Yet he went and voted. The election judges undoubtedly knew of the fact, yet they permitted him to vote.

Now, the same thing happened in Cordova, but the committee have given no attention to it. The record shows that a man who was not a citizen voted at Cordova. The facts about that are stated on page 240 of the record, yet the committee have taken no cognizance of it, and Cordova cast a majority for the contestant. If the committee had taken any action on the matter, I would have received the benefit of it. It might have been only a fraction, but it would have been of some benefit to me. I simply call attention to it to show that the committee have overlooked certain things in the record.

The contestant has complained in his briefs because he was not made a party to the court proceedings. The facts are set out fully in the statement made by the court, found on page 99 of the record:

STATEMENT BY JUDGE JENNINGS OF THE UNITED STATES DISTRICT COURT OF ALASKA.

All the defendants appeared without counsel. Mr. Davidson, besides filing his joint answer aforesaid, appeared in person.

The plaintiff moved for judgment on the pleadings, but the court refused to consider the matter on such motion, deeming it better to take it up on demurrer to the answers; whereupon plaintiff demurred ore tenus to the answers. The court advised the canvassing board to secure counsel, whereupon Mr. Davidson made the following statement:

"Your honor, we have no interest in it any more than we would like the law point decided, and we have made our answer the best we could, and we have no other interest any more than to obey the orders of the court, whatever they may be."

The court thereupon inquired if Judge Wickersham was represented at this hearing and being answered in the negative stated that it would hear the oral argument of plaintiff in favor of the demurrer and would be glad to consider any argument that any friend of Judge Wickersham might wish to make or any brief he might choose to file at that time or at a later date.

It is to be regretted that Judge Wickersham has not intervened herein. He is a proper party, but probably not a necessary party. At present, as the court is informed, he is absent from the Territory, and the date of his return thereto is problematical. Owing to the near approach of the extra session of Congress a situation is presented necessitating action by the court without too long delay. I believe, however, that his interests have been looked after by Mr. Rustgrad, who has filed a brief herein in which, although the author expressly disclaims any authority from Judge Wickersham, the points against the demurrer are presented with great force and clearness; and I can not see how Judge Wickersham's interests could be any better presented were he a formal party and here protesting against the sustaining of the demurrer.

When the argument was made before the committee, I made the following statement:

Mr. Chairman, just to briefly refer to the argument of Mr. Wickersham in regard to the matters before the canvassing board, the contestant complains that he was not made a party to the suit. He was not a necessary party to the suit, but I think I was well within my rights as a candidate before the board to appeal this matter to the courts. The contestant claims that he was not advised in the matter; that he was here in Washington at the time; and that he was the Delegate from Alaska sitting in Congress.

The Legislature of Alaska was about to convene, and the leading men of the Territory, who were most familiar with political conditions, many of them the most intimate friends of Mr. Wickersham—were there in Juneau. They kept him thoroughly advised. He was thoroughly advised of every move. He sent telegrams to the governor of Alaska before the board convened and during its sessions, advising the governor what to do and how the canvass should be conducted. Some of those telegrams are in the record. He was advised of every possible move made and was in thorough touch with the situation at all times. He had many legal friends in Juneau who could have represented him at every stage of the proceedings if he had so desired. When the matter was first brought before the court, the judge of that court asked if Mr. Wickersham was represented, and when no one replied—and the court room was crowded with the leading citizens of Juneau and the Territory of Alaska—he stated openly (which is also in the records) that anyone, any lawyer, or anyone there present, might have the opportunity to represent Judge Wickersham and that he would be very pleased if that were done. Mr. Davidson, a member of the canvassing board, was present at that time, although Judge Wickersham states he was not. He was present, and the record will show it; and the question was directed to him by the court if the canvassing board had any further answer to make, and Mr. Davidson said they had not; that, so far as they were concerned, they were finished with the case.

Another thing that might be considered in this connection: Several months after the court decision of this case the contestant viciously attacked the confirmation of Judge Jennings before the Senate Judiciary Committee in May, 1917, basing his objections entirely on this contest decision, and alleging the action of the court was improper and incorrect, but the Senate committee overruled every objection he made and determined the action of Judge Jennings was entirely proper and correct, and his renomination was duly confirmed by the Senate.

Mr. LONGWORTH. Will the gentleman yield?

Mr. SULZER. I yield to the gentleman from Ohio.

Mr. LONGWORTH. I was somewhat struck by a remark I understood the gentleman to make yesterday, and I have refreshed my recollection of it by reading the gentleman's remarks in the RECORD. The gentleman stated that the contestant was not running as a Republican in Alaska. Will the gentleman state just what he meant by that?

Mr. SULZER. I will call the attention of the gentleman and of the House to the record on page 49. This is the deposition of the contestant, taken in the city of Washington before Capt. Mull in the House Office Building. At the bottom of page 49 we find the following:

Mr. LLOYD. You do not charge that the election judges who would pass upon these matters were not divided as the law directs?

Mr. WICKERSHAM. No; I think they were. But you must remember that I was not nominated as a Republican from Alaska at all. I never have been. The Republican organization up there, headed by Mr. Shackleford, always opposed me, and they did this time. They supported Mr. Sulzer.

Mr. BUTLER. Under what designation did he run?

Mr. SULZER. He ran——

Mr. BUTLER. As Wickersham?

Mr. RUCKER. As an Indian?

Mr. SULZER. By different designations in different sections of the Territory. [Laughter.]

Mr. LONGWORTH. What was the difference between the form of the contestant's nomination and that of the contestee?

Mr. SULZER. I was nominated by the regular Democratic convention, called at the city of Juneau, and very largely attended by delegates from all sections of the Territory. I was unanimously nominated, without any opposition, and ran as the Democratic candidate. [Applause.] I never have been anything but a Democratic. While I have received many Republican votes in the Territory of Alaska, I have never pretended to be anything except a Democrat.

Now, I spent five months in that campaign, and campaigned the Territory of Alaska thoroughly. I know everything that occurred and happened there, and I know that my opponent was running in one division in Alaska as a Republican. He was running in a second division of Alaska as a Democrat. He was running in a third division of Alaska as a Progressive Democrat. He was running in a fourth division of Alaska as an independent.

Mr. FIELDS. Is that all?

Mr. SULZER. That is all as far as the politics of it is concerned in these districts. It is a question of who was legally elected.

Mr. BUTLER. Mr. Speaker, I have not had the advantage of hearing the gentleman's speech; I have been busy in committee. Will the gentleman tell me what sort of a ballot they have up there; how was it designated? Do they have separate ballots, or does each election district print its own ballots?

Mr. SULZER. No; the clerk of the court prints the ballots.

Mr. BUTLER. Is it not necessary for a man to designate the party to which he belongs?

Mr. SULZER. No; I have an official ballot here for the third judicial district of Alaska. It is certified on the back as an official ballot. It says there that the election judges can help the voter, but they must sign on the back of every ballot that they assist. That was not done in the precincts of Afognak and Seldovia, where outsiders who were workers for the contestant went in the booths and marked the ballots for the Indians.

Mr. BUTLER. The gentleman himself is not designated on this ballot as a Democrat?

Mr. SULZER. No; but I did not hide my light under a bushel; I spread it broadcast. [Laughter.]

Mr. BUTLER. But the gentleman did not bring the candle down here with him. [Laughter.]

Mr. SULZER. Mr. Speaker and gentlemen of the House, I will conclude as quickly as possible. There is one other question involved in the case that I wish to refer to, and that is that some soldiers voted in the Territory of Alaska. The committee report says that 36 soldiers voted in the precincts of Gibbon and Eagle. The committee report says that 7 of these soldiers voted for me and 1 voted for Wickersham, and that is correct. The committee rejects them all and deducts from each of us the pro rata in accordance with the total vote.

Let me tell you a few things which the committee overlooked in disposing of the soldier vote. I do not dispute the law as laid down by the committee. I think that is correct; I have no contention to make about the law on the subject. The committee say the law is that no soldier in the military service can change his domicile; that his domicile remains where it was at the time he entered the military service. I think that is correct. They say that he does not necessarily lose his citizenship or his vote because he is in the military service, but he can not change it from the original domicile at the time he entered the service.

Now, here is one point I want to call to the attention of the gentleman from Louisiana [Mr. WILSON], as to the testimony of Orville Jones, found on page 192 of the record. He declares that he did not vote for me. Each one of the soldiers was asked

this question: "Did you vote for Charles A. Sulzer for Delegate to Congress?" They did not ask them who they voted for, but they asked if they voted for me. Jones declares that he did not vote for me. Now, shall I suffer because this man declares he did not vote for me and therefore I receive no benefit from it? I say, should I suffer? I have suffered by the report of the committee, for it makes no allowance for that vote. The man did not vote for me. Another point: Why should I have deduction made from my total on the ground that the contestant and myself were the only candidates running for Delegate? There was a third candidate running for Delegate. There were three candidates. How does the chairman of the committee, or how does the committee, know but what some of these votes that were indefinite were not cast for the third candidate? Why should I suffer for votes cast for the third candidate?

Now, as far as the soldiers are concerned, I have no contention with the law as defined and laid down by the committee, but I say there is nothing in the record, no evidence in the case, to prove that most of these soldiers did not have their legal domicile in Alaska at the time they entered into the military service. Because a man enlists in the United States Army in Seattle does not prove that he is not a resident of Alaska. I have had some of them come to my office since I have been here that I know are of that character.

It is very reasonable to assume that a man might go to Alaska, spend years prospecting, hunting for gold and not finding all that he hoped to find, come back to the States to visit his old home or his folks or to see the new developments, and becoming short of funds or for other innumerable reasons decide to enter the Army. He goes to the recruiting office in Seattle and says, "I want to join the Army." They ask him where he has been, and he says in Alaska, that he understands the country thoroughly, knows its conditions, and how to take care of himself under the peculiar difficulties confronting a soldier on duty in Alaska. "Very well," they say, "you are just the man we want. We have telegraph and cable systems there, and we want men of your type up there. You know how to take care of yourself and handle yourself in that country, and we will send you to Alaska." He says, "All right; I want to get back there as quick as I can." He is sent up there in the United States Army, and he is assigned to the Signal Corps or the Medical Corps or the Quartermaster Corps. The record shows that most of these soldiers there were in the Signal Corps, the Medical Corps, or the Quartermaster Corps. The only soldiers going on the witness stand swore under oath that they were legal voters. Are we justified in saying that they are perjurers and not telling the truth? Why did not the contestant show where the legal domiciles of these men are? He shows that they enlisted in the States, all except one.

The committee reports that all of them enlisted in the States. That is not true. The committee has not followed the record. I call attention to the case of Ralph O. Wilson, on page 176. He swears that he enlisted at Fairbanks, Alaska, on October 20, 1913, and he swears that he has been a civilian there since 1911. What right have the committee to throw that man's vote out? How does the committee know that man was not a legal resident of Alaska and entitled to vote under their own interpretation of the law? I call the attention of the committee to the case of William E. Wood, one of these soldiers. His deposition is found on page 186 of the record. Mr. Wood swears on the witness stand that he enlisted at Seattle, Wash., July 1, 1914.

Mr. WILSON of Louisiana. Mr. Speaker, will the gentleman yield?

Mr. SULZER. Yes.

Mr. WILSON of Louisiana. I will say to the gentleman, if it will save any time, that William E. Wood's name was not considered among the soldiers who were held to be not residents of the district in which they voted.

Mr. SULZER. I have gone through the record and checked up every soldier, and every one is accounted for. I can not see how the committee could have allowed the vote of Mr. Wood and still reach their deductions.

Mr. WILSON of Louisiana. I will state to the gentleman that the list that was made up by the committee has been gone over a number of times, and it was made from the soldiers who were shown by the records of The Adjutant General's office to have enlisted in the States and whose testimony showed they had gone to Alaska as soldiers, and that that has been their occupation since they have been in Alaska, and that that was their occupation before. Mr. Wood was eliminated because he enlisted in Alaska.

Mr. SULZER. I have had no opportunity to examine as a witness anyone from the War Department, and when that statement was made up we were involved in a great war and the War Department was very much upset. There were possibilities of discrepancies occurring in a report of that kind, and besides it is not legal evidence.

Mr. WILSON of Louisiana. I will state to the gentleman that the courts have held that a certificate from the office of The Adjutant General, the legal custodian of documents of enlistment, has been held to be legal and all the evidence required.

Mr. SULZER. I will ask the gentleman this: Did the gentleman follow explicitly the statement and the report of the War Department?

Mr. WILSON of Louisiana. Yes; as to the place of enlistment, the time of enlistment of the men that were brought in there. Of course, there were a number of soldiers, some 45 or 48, and a number were eliminated.

Mr. FIELDS. Does the report of the War Department show the place of enlistment or the place of residence?

Mr. WILSON of Louisiana. It shows the place of enlistment, but the law as held by The Adjutant General's office, and upheld by the courts, is that the soldier's home remains at the place of enlistment.

Mr. FIELDS. Oh, no. That is not so.

Mr. RAKER. That could not be.

Mr. FIELDS. Many soldiers from my district enlisted in Cincinnati.

Mr. WILSON of Louisiana. Probably I did not state that correctly.

Mr. FIELDS. And many of those soldiers who enlisted in Cincinnati voted by mail in Kentucky at their respective precincts.

Mr. WILSON of Louisiana. Yes; that might be true.

Mr. FIELDS. So that the place of enlistment does not determine the place of residence.

Mr. WILSON of Louisiana. No; I did not intend to say that it did; but, of course, I shall not take up the time of the gentleman to discuss that situation, but will discuss it when I come to it.

Mr. SULZER. Does the gentleman recollect that at the bottom of the statement from the War Department it is stated that they have no records as to Clarence Hefron?

Mr. WILSON of Louisiana. Yes.

Mr. SULZER. Showing that he has been enlisted in the United States Army, and they have searched the records for the past eight years.

Mr. WILSON of Louisiana. Yes; I recollect that.

Mr. HEFLIN. Did the committee make any deduction for Mr. Hefron?

Mr. WILSON of Louisiana. Yes.

Mr. SULZER. How does the committee arrive at the total of 36 votes?

Mr. WILSON of Louisiana. I would have to go through all of the evidence, of course. I do not care to take that much of the gentleman's time.

Mr. SULZER. The gentleman admits that there were the votes of 36 soldiers in controversy?

Mr. WILSON of Louisiana. Yes.

Mr. SULZER. The gentleman admits that 36 have been deducted, does he not?

Mr. WILSON of Louisiana. Yes.

Mr. SULZER. How does he eliminate those two—Mr. Wood and Mr. Hefron.

Mr. WILSON of Louisiana. Because there were more than 36 involved in the controversy over the soldiers.

Mr. SULZER. I do not agree with that. I just asked the gentleman if the total was 36.

Mr. WILSON of Louisiana. Thirty-six were involved in the deductions, but not involved in the entire controversy about soldiers.

Mr. SULZER. Does the gentleman get that from the statement of the War Department?

Mr. WILSON of Louisiana. Yes; and the record in this case.

Mr. SULZER. I would like to count that up.

Mr. WILSON of Louisiana. I have been through it several times.

Mr. RAKER. Mr. Speaker, will the gentleman yield?

Mr. SULZER. Yes.

Mr. RAKER. I understand that there was a contest and the committee excluded 36 votes?

Mr. SULZER. Yes.

Mr. RAKER. How many of those were taken from the contestant's total?

Mr. SULZER. I suffered a net loss of 20.

Mr. RAKER. Where does Lena Morrow Lewis come in, who received 1,346 votes in Alaska? How many of those 36 voted for Lena?

Mr. SULZER. Well, the committee just assumed that the soldiers were so gallant none of them would vote for a lady. [Laughter.]

Mr. WILSON of Louisiana. The calculation is made on the basis of the votes polled there as actually polled, because that is what the law provided.

Mr. RAKER. The question struck me as being important, if the gentleman will allow me to answer.

Mr. SULZER. Yes; I yield.

Mr. RAKER. In general, the record shows that Lena Morrow Lewis received 1,346 votes in Alaska. Now, I wondered how you could take all the votes from Mr. Wickersham and Mr. Sulzer, the contestant and contestee, and leave Miss Lewis without any votes. Who knows but what every one of those 36 soldiers voted for Miss Lewis? Yet at the same time you deduct them from Mr. Wickersham, who loses them and he ought not to, and Mr. Sulzer, who loses them, possibly when he ought not to, when, as a matter of fact, they should be deducted from Miss Lewis.

Mr. WILSON of Louisiana. I do not agree with the gentleman. It was based upon the vote each got there, on the percentage; that is what the statute, the law, requires containing that provision; you have either got to do that or you have got to cast out the precinct.

Mr. SULZER. I call the attention of the gentleman from Louisiana to the record on pages 150 and 151, which contain a statement of the War Department. I have counted up the soldiers which they enumerate, and they make 33.

Mr. WILSON of Louisiana. Well, there is another certificate.

Mr. MOORES of Indiana. There are four in the other precinct.

Mr. WILSON of Louisiana. They give 34; that would necessitate counting in Hefron.

Mr. SULZER. The four at Eagle are included in the War Department statement.

Mr. MOORES of Indiana. Thirty-three at Fort Gibbon precinct and 4 at Eagle precinct.

Mr. SULZER. Then you have a total of 37. You do not seem to agree with the chairman of the committee. [Laughter.]

Mr. MOORES of Indiana. Because Ralph Wilson was a civilian who enlisted in Alaska, the only one of the bunch who did.

Mr. SULZER. The gentleman deducts Wilson, the chairman deducts Wood and Hefron, and I am sure I can not arrive at any conclusion as to what was actually done; but as far as the records prove there were 32 of those soldiers whose depositions were taken in Fort Gibbon and there were 4 that the contestant claims voted in Eagle. There is no evidence that they did. There were no depositions taken in Eagle. There is nothing at all about Eagle precinct in the record, but nevertheless the committee deducted those 4, and that makes 36, and I can not see how they arrived at it in any other manner; that is, the committee deducted the votes of all the soldiers shown to have voted at Gibbon and 4 that contestant claims voted at Eagle.

Now, William E. Wood swears that he resided in Alaska for six years previous to enlistment in the Army. I know William E. Wood. I know he was a deputy marshal up there in the early days. He is an Alaskan. He is what we call a "sour dough." He knows the country thoroughly. Now, what happened to William E. Wood? He went to Seattle for a trip. After he had been in Alaska for years, after he had established that as his legal domicile, he went to Seattle. When he got tired of Seattle he said, "I am going to join the Army," and he did join the Army, and the Army sent him back to Alaska. That man is a legal voter, and why should not the contestant be made to prove conclusively that every one of these soldiers was not of that character and type? Take the next, John O. Sherlock, page 196 of the record, where it shows that he enlisted at Fort Sam Houston, Tex., on July 19, 1914, and yet he on the stand said that he voted in Alaska in 1908 and 1912. Now, is the committee going to decide on mere presumption that that man was not a legal resident of Alaska simply because he was in the military service and wore the uniform of the United States Army, when he said on the witness stand that he voted in 1908 and 1912 and when the record of the War Department shows that he enlisted at Fort Sam Houston, Tex., on July 19, 1914?

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. SULZER. I will.

Mr. GOODWIN of Arkansas. Was there any proof to the contrary that he was not a resident of Alaska?

Mr. SULZER. No; there was no proof.

Mr. GOODWIN of Arkansas. Is his name deducted from the number of votes cast?

Mr. SULZER. Absolutely.

Mr. RAKER. In regard to the statement about which the question was asked a moment ago I was not prepared to answer, and I would like to ask the Delegate a question. On page 162 of the record I find that at Eagle precinct Lena Morrow Lewis received 5 votes, at Fairbanks she received 48 votes, and at Fort Gibbon 3 votes. That makes 56 votes in all, and there were only 36 soldier votes. Now, who knows but what every one of those soldiers voted for Lena?

Mr. SULZER. Well, I do not know. I will come to that in a moment. Mr. Speaker and gentlemen of the House, as I have said several times, the committee, in my judgment, instead of picking out these facts from the record—and I admit it is rather difficult to do it, because it is made as complicated and confused as possible by the contestant—but instead of picking out these various facts from the record they have evidently been largely following the briefs of the contestant, and that is what the report seems to indicate. Now, how does the committee know positively or definitely that these soldiers were not legal residents of Alaska? There were several hundred soldiers at Fort Gibbon alone on the day of election. No one will seriously dispute the fact that they were all citizens of the United States, and they had been in Alaska for some time. Why did not they all vote? Why did only 32 at Fort Gibbon vote after they had gone very thoroughly into all the legal phases of the question, after the matter had been taken up by the commanding officer of the Department of the West at San Francisco, after these soldiers had consulted numerous lawyers in Gibbon that I know of and learned what their true status and rights were?

All the soldiers whose depositions were taken were categorically asked a list of questions, and they answered "Yes" or "No," and the true facts were not developed. They were asked this question, "Did you come to Alaska in the service as a soldier?" and most of them answered, "Yes." But that is not a conclusive answer under the circumstances of their questioning. Most probably they understood this question to mean that after enlisting in the States they were sent to Alaska in the Army service. This is shown by the deposition of Wood, who at first answers, "Yes," but subsequently states he had been in Alaska years before entering the military service.

Why should the committee presume that only 32 out of these more than several hundred were not legal residents of Alaska—that they would go and cast an illegal ballot, and that they would swear they were legal residents when they were not? I say, why should they be presumed to be of that type?

And when you come to these Indians the committee says just the opposite. When the evidence is clear, concise, and conclusive, beyond all peradventure of a doubt, why should the committee refuse to reject any Indian votes? Why? Because they say that the evidence is indefinite and it is unsatisfactory, and that there is no way by which they can figure how they can make any deduction of these Indian votes when the record does not disclose for whom they voted. They do not have any trouble deducting the soldiers under the same circumstances.

Mr. BLANTON. Will the gentleman yield for a question?

Mr. SULZER. I yield to the gentleman from Texas.

Mr. BLANTON. There is a legal presumption recognized by the jurisprudence of every State in this Union that when the law requires a certain thing to be done, or requires an official to act in a particular way, the thing is done according to law and the official acts according to law, until the contrary is shown; and the burden is upon anyone contending the law was not complied with to show that it was not complied with. If that legal presumption is given to the gentleman, his case is won. Is not that true?

Mr. SULZER. I think so.

Mr. BLANTON. He has been denied that legal presumption by the committee all the way through in passing upon the case. Is that your contention?

Mr. SULZER. I think the gentleman is correct.

Now, a few words further in regard to these soldier votes, and I ask the particular attention of the gentlemen of the committee, and particularly the gentleman from Indiana [Mr. MOORES]—and I hope he is not going out for the moment—to the fact that the committee have deducted 36 soldiers' votes from the precinct of Fort Gibbon and from the precinct of Eagle. There is no evidence in the record at all as to any soldier voting in Eagle; but, notwithstanding, they make the deduction; and Fort Gibbon and Eagle cast large majorities in my favor. Therefore, by the rule and action of the committee, I have suffered considerable loss, because I received 70 votes in those two precincts and the contestant received only 22.

Now, I want to ask the chairman of the committee this: When the record shows conclusively that 10 soldiers voted in the city of Fairbanks, Alaska, and when the record shows that I received 368 votes in Fairbanks, and the contestant received 529, why did not the committee take into consideration the Fairbanks precinct along with these other two precincts and make a deduction from all three? If they had done that, I would have suffered no loss.

Mr. WILSON of Louisiana. I will explain to the gentleman that Fairbanks was not an issue in the case, and that when the testimony was attempted to be taken at Fairbanks, as found on page 169, the attorneys for the contestee, Mr. Sulzer, objected to the taking of any testimony at that place, that being one of the grounds of the objection. And the witnesses were not sworn, and there was no testimony taken on account of the objection of the contestee himself. Particularly on page 170 you find that to be true; and the witnesses refused to testify under that objection.

Mr. SULZER. I think the chairman of the committee is totally wrong in his premises. In the first place, the chairman says there was no testimony taken in regard to the soldiers at Fairbanks. The chairman will admit there was no testimony taken in regard to the soldiers at Eagle?

Mr. WILSON of Louisiana. I do not admit it.

Mr. SULZER. Where is the testimony?

Mr. WILSON of Louisiana. There is some testimony on that. But I will not take up your time.

Mr. SULZER. I want you to take up my time, because I want you to point out any place in the record where there was any deposition taken at Eagle. I have read the record through a great many times, and I know it almost by heart, and I do not remember reading anything of that kind.

Mr. WILSON of Louisiana. I think if the gentleman will read his pleading in the brief, and his argument, he will find that is conceded.

Mr. SULZER. I never conceded anything of that kind. How could I do that? Does the gentleman think there is any deposition or evidence in the record about any soldier voting at Eagle?

Mr. WILSON of Louisiana. Yes.

Mr. SULZER. Can the gentleman refer to it?

Mr. WILSON of Louisiana. I will take that up when I get to my argument.

Mr. SULZER. Is it in the index?

Mr. WILSON of Louisiana. I stated that the vote of the soldiers at Eagle is conceded in the brief, in the pleading. That is not in dispute. And I think I am correct relative to the testimony at Fairbanks, because here is the objection on page 170, made by the attorney.

Mr. SULZER. The gentleman will concede that the attorneys on one side or the other objected to every blessed thing that was done in this contest.

Mr. WILSON of Louisiana. This objection was made.

Mr. SULZER. The committee, then, has simply upheld the objection made at one particular precinct and disregarded that one, but let all the objections stand as to every other precinct, because I got the worst of it. Is that the contention of the gentleman?

Mr. WILSON of Louisiana. There was no testimony taken.

Mr. SULZER. I call the gentleman's attention to the testimony of Robert Loghry, on page 166. The gentleman has the record there.

Mr. WILSON of Louisiana. I know about that.

Mr. SULZER. I will read it:

Robert Loghry, being first duly sworn, testified as follows:

Q. State your name and age.—A. Robert Loghry, age 40 years.

Q. What was your business, occupation, or profession on November 7, 1916?—A. Master signal electrician at Fairbanks, Alaska.

Q. Give the place of your last enlistment in the United States Army prior to that date.—A. Fort Leavenworth, Kans.

Q. Did you come to Alaska in the service as a soldier?—A. I did.

Q. Has that been your occupation since coming to Alaska?—A. It has.

Q. Did you, on November 7, 1916, vote in Fairbanks precinct, Alaska, at an election then and there held for Delegate to Congress from Alaska?—A. I did.

They took no account of the Fairbanks precinct at all. That is what I contend with the chairman. He contends that there is no testimony on that in the record. I am reading from the record at page 166. Does the gentleman wish me to read further? I read:

Q. Did you then and there vote for Charles A. Sulzer for Delegate to Congress from Alaska?—A. I refuse to etc.

Q. What reason do you give for your refusal?—A. I don't know as I have to give any reason. I do not think the notary has proper authority to take my testimony.

That is signed Robert Loghry, sworn to and subscribed before Henry T. Ray, notary public in and for Alaska. That is followed by the testimony of James G. Coleman, another soldier who voted at Fairbanks.

Mr. RAKER. Mr. Chairman, will the gentleman yield there?

Mr. SULZER. Yes; I yield.

Mr. RAKER. Was there any pleading involved in this contest which raised the question of the soldier vote at Eagle, Fairbanks, and Gibbon?

Mr. SULZER. Well, there was at all three of them.

Mr. WILSON of Louisiana. I think the gentleman is mistaken as to Fairbanks. Objection was made by his counsel, and I consider the objection as absolutely good.

Mr. SULZER. I call the gentleman's attention to the record on page 36, where it is alleged in contestant's petition that illegal votes were cast at the precinct of Fairbanks. That is on page 36 of the record. I will call attention to the record there, where the contestant gave notice of taking depositions at Fairbanks. I have just called attention to page 166, where it is shown that depositions were taken. Now the gentleman ignores and does not consider Fairbanks, simply because some one who happened to act as my attorney there objected to taking testimony. Is the gentleman deciding this case on legal technicalities of that sort?

Mr. WILSON of Louisiana. No; because that precinct is not in issue.

Mr. SULZER. Has the gentleman any doubt that soldiers voted in Fairbanks?

Mr. WILSON of Louisiana. Fairbanks was not an issue in the record. That was done at the instance of the gentleman's counsel. It is true that in rebuttal Mr. Wickersham made an objection.

Mr. SULZER. Was it not in the pleading?

Mr. WILSON of Louisiana. It may have been in the pleading. That may be so.

Mr. SULZER. I call attention to page 36, that there were illegal votes cast in Fairbanks. That is his reply to the answer.

Mr. WILSON of Louisiana. That was not in his original petition. That is what I said. The objection made was in the final reply to the contest—the answer to the contest—and it was good.

Mr. SULZER. I do not understand the legal points involved, but it was not my understanding that that particular issue had to be raised in the original pleading. I think it could come in in the reply.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. SULZER. Yes.

Mr. BLANTON. I would like to ask the chairman of the committee, as a lawyer, if these pleadings of the contestant did not raise the question of illegal votes cast at Fairbanks, and whether the deposition of a witness was not taken there who showed himself to be a soldier who enlisted at Fort Leavenworth, Kans., and went to Alaska, and remained in the service of the United States Government, thus proving, according to the committee's contention, that his vote should not be counted as being illegal. Did not that raise an issue before the committee which they should have considered?

Mr. WILSON of Louisiana. I do not think so.

Mr. BLANTON. Then there is nothing in the pleading or evidence that would raise an issue?

Mr. WILSON of Louisiana. Oh, yes. This question was not raised in the main issue, and the objection was made on behalf of Mr. Sulzer against taking depositions.

Mr. RAKER. Mr. Speaker, will the gentleman yield right there?

Mr. SULZER. In a moment. If I understand the contention of the gentleman from Louisiana, it is simply this: That if I had attorneys at every place where there was any testimony taken in this case and those attorneys objected to the taking of the testimony, then there would be no testimony in the case at all. I am anxious to know about that, because I might be involved in some future contest at a future time. [Laughter.]

Mr. WILSON of Louisiana. If the testimony was not taken, of course it is not in evidence.

Mr. SULZER. It is here in the record. I have read it. The gentleman did not consider it because my attorney objected to it. Well, my attorney objected to taking the testimony of soldiers at Gibbon—see the record, page 172—but Gibbon precinct has not been disregarded by the committee. If the gentleman will follow my attorneys in this case, then he will sent me and his report is not right. [Laughter.]

The gentleman says in this Indian proposition that my attorneys made the statement that all the Indians ought either to be counted or all thrown out, and therefore he followed the advice of my attorney. That is a surprising statement, because if the gentleman followed the advice of my attorneys I can not understand how in the world he brought in this report. [Laughter.] Because my attorneys certainly never advised my being unseated. [Laughter.] If I am going to lose this case on such technicalities, I might as well stop right here, and there is no use in arguing it further.

Now I yield to the gentleman from California.

Mr. RAKER. In turning to page 166 of the record, as to Fairbanks, I notice a number of witnesses were subpœnaed to testify before the notary, and that the attorneys for the parties were present at that place, and that two depositions were taken, and on page 167 I find the following:

Witnesses Griffin and Myerson, upon satisfactory showing that they had not voted at the election on November 7, 1917, were excused from further attendance.

Then this follows:

At this time the notary adjourned the hearing until June 15, 1917, at 1 o'clock p. m., and excused all witnesses until that time.

Mr. Clegg, of counsel for Mr. Sulzer, entered objection to adjournment on the ground that "all the witnesses are now present, and that the officer, Henry T. Ray, as notary public, has now no authority under the statute to postpone or continue the proceeding until to-morrow at the time set."

Now, what I want to know is whether or not these alleged soldiers who were subpœnaed, alleged to have voted at Fairbanks, were put on the witness stand, and whether the notary continued the hearing without hearing their testimony, against the protest of the counsel for the contestee.

Mr. SULZER. Yes. That is what happened. Two were put on the stand, and the notary adjourned the hearing, and he adjourned from day to day until they got tired, and he did not take any more testimony. Everybody knows what the facts are at Fairbanks. It is not such a very large city. There are only a few, thousand people there. Mr. Ray, the attorney for the contestant, and every attorney in Fairbanks knows every soldier that was there; knows every man in the Signal Corps at Fairbanks. There is no doubt but that these men were soldiers and voted; and yet the committee entirely ignored it, and did not take it into consideration at all, whereas if they had followed the same rule that they followed at Eagle and Gibbon and made the deductions pro rata, made deductions from all the precincts instead of only two, then I would not have suffered any loss at all.

Now, Mr. Speaker and gentlemen of the House, in conclusion I wish to say that I feel that this House should reject the returns from Afognak and Seldovia.

I think they are wholly illegal and should be rejected. That would give me an advantage of 72 votes, and no matter what other considerations are taken it would insure my election. In addition to that the court's decision should be upheld; our law is absolutely mandatory, and the House should so rule. In addition to that the 28 votes that were fraudulently denied me at Craig ought to be allowed. In addition to that the soldier vote ought not to be taken into consideration at all, because the committee have overlooked very many important points in connection with it. They have deducted votes which should not be deducted under any circumstances. Beyond that there is no conclusive proof that most of these soldiers were not legal residents of Alaska at the time they voted. Beyond that the committee only picked out two precincts in all Alaska where the soldiers voted, and they refused to take Fairbanks into consideration. If the House will consider these matters from the evidence and the record, you will find that I was elected by a considerable majority of the legal votes cast in Alaska at the election November 7, 1916. [Applause.]

Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. The gentleman asks to revise and extend his remarks. Is there objection?

There was no objection.

Mr. SULZER. Mr. Speaker, under the leave granted me to extend my remarks I desire to call attention to the deposition of contestant, James Wickersham, found on page 210 of the record in this contested-election case of Wickersham versus Sulzer. This deposition was taken at Seattle, Wash., during the 10 days' time allowed contestant for taking testimony in rebuttal. He introduced no evidence to rebut any testimony I had placed in the record, but he placed page after page in the record of the most slanderous charges that reflect upon my character and reputation and the character and reputation of honest and reputable men who are among the leading citizens of Alaska. He has charged the press of Alaska with crimes that are serious, and he has accused the officials of Alaska with all sorts of wrongdoing. While he had every opportunity to take depositions to support his wild and vicious charges, he contented himself with filling the record, which is a public document, with unsupported charges that reflect on some of the best people.

I quote from the record, page 210:

Mr. WICKERSHAM. Some time not long previous to the time when this letter was written I had a conversation with Thompson at Fairbanks, in which he told me that he was then receiving from the White Pass & Yukon Railway a regular salary of $150 per month for the control of his paper, and I also knew at that time from him and from other official record sources that the Northern Commercial Co. and the Northern Navigation Co., united or one for the other, had an interest in his paper, in the ownership, or by an advance of money to him for its use, and a mortgage in return. Thompson and McGowan collected, I am informed, $10,000 on this trip outside for the purpose of supporting Mr. Sulzer and defeating me at the election, and this money was expended very largely in controlling the press in the Territory. The Ketchikan Progressive Miner editor had just previously made an application to me for money, which I declined to give him, whereupon he was employed by Thompson and paid $350, and he did everything he could thereafter to support Mr. Sulzer and oppose me. The Juneau Daily Empire, of which John W. Troy is the editor, was also paid a consideration in that connection, although the paper was supporting Mr. Sulzer without the payment of this money, but it was very useful in that work. Eleven newspapers in the Territory of Alaska out of, I think, 16 were paid portions of this bribe fund put up by these corporations, and every one of the 11 that stayed bought fought me to a finish and supported Mr. Sulzer. Many of these newspapers previously supported me, and undoubtedly would have continued to do so if they had not been bribed by Thompson and McGowan for the big corporations.

There is not a word of truth in these malicious charges, and the owners of the papers mentioned by the contestant resent the unjust and unwarranted attacks that have been made upon them by the contestant in his efforts to deprive me of my rightful seat in the House of Representatives. The record, on page 217, discloses the following interesting statements made by the contestant:

Mr. JONES. Upon the answer of the witness, I move that his testimony given on this subject in direct examination be stricken as hearsay and as incompetent, irrelevant, immaterial, and not within the issues.

Q. Do you know that this Ketchikan editor, whom it was testified was paid $250 by Mr. Thompson, actually received that money?—A. It was $350.

Q. Do you know that of your own knowledge?—A. I didn't see it paid, but I accused him of it in public meeting and he didn't deny it. He admitted that he got it, but said that it was for advertising.

Q. How do you know, Mr. Wickersham, that Thompson and McGowan collected $10,000?—A. I don't know, except from what Thompson says in his letter and the information that I got from Lathrop and the other people who subscribed to the fund.

Q. By Thompson's letter you refer to your Exhibit A?—A. Yes.

Q. That is the source of your knowledge?—A. That and, as I say, other sources.

Q. Common gossip?—A. Oh, no. Not at all. Not at all. Common history.

The editor of the Ketchikan Progressive Miner has always been a Republican and has always published a Republican paper. He supported me because he believed I was the best man, and because I had lived and worked in the Ketchikan district for 15 years.

This editor, Mr. Rivard, sent me the following affidavit when the contestant's charges were brought to his attention:

UNITED STATES OF AMERICA,
Territory of Alaska, ss:

J. E. Rivard, being first duly sworn, upon his oath deposes and says:

I am the editor, owner, and publisher of the Daily Progressive Miner, a daily newspaper published at Ketchikan, Alaska.

On September 9, 1916, James Wickersham, then Delegate to Congress from Alaska, made a political speech at Ketchikan, Alaska, in the course of which he said that a corruption fund had been raised by the corporations doing business in Alaska, to be used for the purpose of bringing about his defeat for reelection; and he further said, in substance, that the newspapers of Alaska had sold out to the corporation committee handling this corruption fund, and that said committee had paid to the Daily Progressive Miner the sum of $300 to further the candidacy of his opponent, Charles A. Sulzer.

Said statement was false. And affiant believes and alleges that Mr. Wickersham made that statement, knowing it to be untrue, and that it was made and asserted maliciously and with intent to deliberately deceive the voters of Alaska.

Affiant further says that in the issue of said Daily Progressive Miner of September 11, 1916, he wrote an editorial which appeared in the issue of said date, wherein he denies said statement as false and herewith refers to said issue of the Daily Progressive Miner, of Ketchikan, Alaska, of said September 11, 1916. J. E. RIVARD.

Subscribed and sworn to before me this 15th day of November, 1917.
[SEAL.] CHAS. H. COSGROVE,
Notary Public for Alaska.

[Extract from an editorial in the Daily Progressive Miner, Ketchikan, Alaska, Sept. 11, 1916.]

* * * * * * *

Leaving the infamous Alexander bill, he proceeded to abuse Shackleford, Irving, Faulkner, Murane, and others, who he said wanted to do the bossing in Alaska, to which he is much opposed, for the good reason that he wants to do that himself. He has tried to boss now for 15 years. He naturally hates like sixty to quit. Moving along in his usual tirade of abuses, he finally landed on the newspapers, which he said had sold out for $300, and he repeated, "for $300—just think." He further said that there was a newspaper man in the audience who had sold out in this campaign. That's Wickersham every time. He is always ready to accuse others. * * * But if he had reference to the Progressive Miner, all we can say is that he is a liar, and as such is a defamer of character. * * *

We have always tried to be fair with the Delegate. We have always given him credit when in our opinion we thought credit was due him, but our opposition to his coming election dates back from the time he said, "Not in 40 years will I help you in this matter." If the Delegate thought that he could throw dirt and we would stand that he might rub it in, he was mistaken. We could say a great deal about the Delegate that would not be to his credit, either. However, and so far as we are personally concerned, we feel that we have answered his charge, if the charge was intended for us. In conclusion, it would probably be well for the Delegate to remember Lincoln's old saying, which applied here would read thus: The Delegate may have fooled all the Alaskans some time, and he may be able to fool some all the time, but he can not fool them all all the time.

Moore, Shackleford, Irving, Faulkner, and Murane were the leaders of the Republican Party in Alaska.

Mr. John W. Troy is one of Alaska's most honored citizens and a man of the highest integrity. When he learned of the accusations of the contestant against him he gave me the following affidavit, showing conclusively that all these charges of contestant are just so much rubbish:

[Statement by John W. Troy, of Juneau, Alaska.]

UNITED STATES,
District of Columbia, ss:

John W. Troy, being duly sworn, deposes and says: That he is a citizen of the United States, of the age of 21 years; that he is the editor and publisher of the Alaska Daily Empire, printed and published at Juneau, Alaska, and has been such editor and publisher for more than four years last past; that he was editor of said paper for one year previous to his acquisition of ownership of it; that during all of said five years he had been a resident of Juneau, Alaska, and is familiar with conditions in that Territory; that he was a resident of Skagway, Alaska, for 10 years, between 1897 and 1907 before he became a resident of Juneau; that he has read the testimony of James Wickersham in the contested-election case of Wickersham *v.* Sulzer, appearing at pages 208 to 218 of the printed record, and referring particularly to that portion of said testimony which appears at pages 210 and 211 and the reference thereto. On cross-examination, deponent says that neither T. A. McGowan nor W. F. Thompson, acting together or separately, raised $10,000, or any other sum, for the purpose of electing Charles A. Sulzer Delegate to Congress or of defeating James Wickersham for that office in the summer of 1916 or any other time; that neither T. A. McGowan nor W. F. Thompson were in the States during the summer of 1916 at all; that both of them were at Fairbanks, Alaska, long before the nomination of Charles A. Sulzer for Delegate to Congress and before it was known whether or not Mr. Sulzer would be a candidate for the nomination for Delegate to Congress before the Democratic convention, which convened at Juneau May 24, 1916, and before the announcement of the candidacy of James Wickersham for reelection to said office.

That when Mr. Wickersham testified that, "I had a conversation with Thompson at Fairbanks not long previous to the time when this letter was written," he was in error, because he was not in Fairbanks in 1916 nor had he been there for a long time before that date mentioned nor at any time during the period of the campaign of Mr. Sulzer for Delegate to Congress nor for a long time before said campaign was started; that such part of the testimony of Mr. Wickersham which refers to the Alaska Daily Empire and the deponent, wherein it is said that "the Juneau Daily Empire, of which Mr. John W. Troy is the editor, was also paid a consideration in that connection," is absolutely false and without a shred of fact for foundation; that the Alaska Daily Empire since it was acquired by said John W. Troy, or while said John W. Troy has been connected with it, never received a single cent from Thompson, McGowan, any corporation, or any agent of a corporation or any person for supporting Mr. Sulzer for Delegate to Congress or for any other office, or for supporting anyone else for any office, or for supporting any proposition of nature or kind whatsoever, or for opposing Mr. Wickersham for Delegate to Congress or for any other office, or for opposing any person for any office, or for opposing any proposition of nature or kind whatsoever, directly or indirectly; that the Alaska Daily Empire has never received one cent for any purpose except for the sale of papers, for legitimate advertising, and in the general course of the legitimate newspaper business; that the Alaska Daily Empire donated, without charge to anyone whatever, the advertising that it carried in the interest of the campaign of Mr. Sulzer and the other candidates on the Democratic ticket, and it donated without charge hundreds of copies of the paper containing such advertising and other matter relating to the campaign of 1916 because of its conviction that the welfare of Alaska depended largely upon the election of Mr. Sulzer and the elimination of Wickersham; that deponent is familiar with the details of the campaign that was waged by the Democratic organization against Mr. Wickersham in the first division of Alaska in 1916 and in favor of the election of Mr. Sulzer for Delegate to Congress, and of his own knowledge no such sum as $15,000, or any other sum, was sent from Seattle to Juneau to be expended in the interest of Mr. Sulzer or against Mr. Wickersham. There was any such sum sent to the first division from any other place, outside of the said first division, nor any sum whatever for use in the Sulzer campaign; that there were only seven newspapers in the Territory of Alaska which supported Mr. Sulzer in the last campaign, to wit, the Ketchikan Progressive Miner; the Alaska Daily Empire, of Juneau; the Douglas Island News; the Valdez Prospector; the Fairbanks Daily News-Miner; the Fairbanks Daily Citizen; and the Iditarod Pioneer; and seven newspapers in the Territory supported Mr. Wickersham, to wit, the Petersburg Report, the Juneau Daily Dispatch, the Seward Daily Times, the Anchorage Daily Times, the Fairbanks Daily Times, the Ketchikan Daily Post, and the Skagway Daily Alaska; two papers, the Nome Industrial Worker and the Anchorage Labor News, supported Mrs. Lena Morrow Lewis, the Socialist nominee for Delegate; and five newspapers, the Wrangell Sentinel, the Seward Daily Gateway, the Ruby Record-Citizen, the Nome Nugget, and the McCarthy Avalanche, were neutral.

Only one of the newspapers that supported Mr. Sulzer in the campaign of 1916 supported Judge Wickersham in the campaign of 1914, to wit, the Ketchikan Progressive Miner; that the letter referred to in Mr. Wickersham's testimony as "Exhibit A" clearly refers to contracts that Mr. Thompson had secured from the newspapers for advertising space for the use of the National Liquor Dealers' Association, which contracts were secured long before the nomination of Mr. Sulzer by the Democrats, before the meeting of the Republican convention which failed to nominate a candidate for Delegate to Congress, and before the announcement of the candidacy of Mr. Wickersham; that Mr. Thompson made a trip throughout the coast towns of Alaska in the month of February, 1916, and possibly in early March of that year; that it was reported to the editor and publisher of the Alaska Daily Empire by his advertising manager that said Thompson was offering newspapers contracts to print certain articles to be prepared by said Thompson which would be in opposition to prohibition, the same to be run as advertising, but said Thompson did not offer said contract to the deponent, publisher of the Alaska Daily Empire; that a little later, but long before the meeting of the Democratic convention which nominated Mr. Sulzer for Delegate to Congress, and before it was known whether or not Mr. Sulzer would be a candidate, and long before the announcement of the candidacy for Delegate by Mr. Wickersham, Mr. Thomas A. McGowan made a trip along the coast of Alaska in the interest of the National Liquor Dealers' Association, and called upon the publisher of the Alaska Daily Empire at Juneau, informing the latter that he was representing the National Liquor Dealers' Association, and asked if he would accept advertising from the association and print the same in the Empire; that the publisher of the Empire informed him that he would accept such a contract, provided, of course, there was nothing objectionable in the matter submitted for publication in the advertising space; that McGowan then submitted a blank form of contract to the deponent, remarking as he did so, "Thompson was afraid to offer you a contract." When asked, "Why?" he replied, "Because he was afraid you would not sign it"; that upon investigating the deponent discovered that the blank contract presented to him provided for the payment of a certain sum for advertising, with a proviso that the amount to be paid would be 50 per cent greater in the event of the defeat of prohibition; that thereupon deponent told Mr. McGowan that he could not accept advertising for the Alaska Empire on that basis, that it was against the policy of the Empire to be financially interested in the result of an election, and that, furthermore, such a contract was in violation of the postal laws of the United States;

That deponent then told Mr. McGowan that he would be pleased to contract with the National Liquor Dealers' Association for space at the regular rates for advertising, but that was as far as he could go to do business with said association; that thereupon he signed a contract with the National Liquor Dealers' Association for $300 worth of space at the regular advertising rates of the Alaska Daily Empire, Mr. McGowan signing the same as agent for the said association; that Mr. McGowan thereupon said, in substance, "you are more conscientious than your contemporary," and selecting a carbon copy of a contract from among a bunch of others he exhibited to deponent the same, and it was signed by the publisher of another newspaper for that paper and by W. F. Thompson, as agent for the National Liquor Dealers' Association, and it was on the same blank form as that described, with a provision for an additional payment in case of the defeat of prohibition; subsequently that newspaper supported Mr. Wickersham for election as Delegate to Congress and he was one of Mr. Wickersham's managers in both the campaign of 1916 and that of 1914 in the first division; that there was nothing in the contract referred to as signed by the deponent that referred directly or indirectly to any other subject than the prohibition question and the space purchased; nothing was said in the contract concerning the attitude of the Empire on the question of prohibition or on anything else, the contract being simply for so much advertising space at the regular rates of the Empire; the space purchased was not great nor was the advertising contract regarded as an important transaction at all; the monthly earnings of the Empire have averaged for the last three years from $3,000 to more than $4,500 a month, and this contract, extending over several months, was for $300 only; later the advertising copy for the Empire was furnished by Mr. Thompson and printed in the paper in the advertising columns and as advertising in advertising type, and was paid for as contracted; that this contract was made long before the nomination of Mr. Sulzer or the announcement of the candidacy of Mr. Wickersham and before it was known whether or not that Mr. Sulzer would be a candidate; that there was nothing said during the negotiations for the advertising space concerning the election for Delegate or as to the attitude of the Empire on that matter or any other matter; that later the Alaska Daily Empire accepted advertising from the dry forces in favor of prohibition and printed it in the manner as it printed the matter from the National Liquor Dealers' Association, with this exception that the dry forces were only charged half rates for the advertising while the National Liquor Dealers' Association paid the full rate, but not more; that Mr. McGowan and Mr. Thompson had completed their canvass of Alaska newspapers before the convention which nominated Mr. Sulzer had convened;

That Mr. McGowan and Mr. Thompson did not visit the coast again before the termination of the campaign; in fact, Mr. Thompson has not returned to the coast since he left there for the interior of Alaska in February, 1916, and Mr. McGowan did not return to the coast until the spring of 1917; that there was absolutely no connection between the campaign and candidacy of Mr. Sulzer and that for and against prohibition, though one of the campaign documents used by the Wickersham forces against Mr. Sulzer was a photograph of a letter written by Mr. Sulzer, in which he favored prohibition; that a further indication of the alignment of the voting population of Alaska is disclosed in the fact that the only precinct on Gastineau Channel, Alaska, including the municipalities of Juneau and Douglas, carried by Mr. Wickersham was the precinct in which 18 of Juneau's 19 saloons were located, while the precinct in which every one of Juneau's churches are located was carried by Mr. Sulzer by a large majority, the vote being, Sulzer 435, Wickersham 247; that Mr. Sulzer carried the only two towns in Alaska where saloons had been voted out of business by the people under local-option law then obtaining in Alaska, to wit, Skagway and Sitka; that there was no connection between Mr. Sulzer's campaign and the Guggenheim corporations is further disclosed by the fact that Mr. Wickersham got a plurality of the votes cast in the communities where the Guggenheim interests are located, including Cordova, notwithstanding that the members of union labor in all those towns, as elsewhere along the Alaska coast, generally supported Mr. Sulzer; that no corporation, local or foreign, contributed one cent to the Sulzer or Democratic campaign in the first division in the year 1916; that the whole campaign fund used for Mr. Sulzer and the other nominees on the Democratic ticket was small, not exceeding the total sum of $1,600 for the Territorial and legislative and divisional tickets, the committee being hard pressed at all times for funds to meet legitimate expenses for printing, for halls, music, etc.

JOHN W. TROY.

Subscribed and sworn to before me this 1st day of February, 1918.

D. B. MCCL.
Notary Public in and for the District of Columbia.

My commission expires May 1, 1919.

Mr. Speaker, I have not had any opportunity to place these facts before the committee, and I have not placed them before the House because I felt it might be assumed that I was trying to influence Members in my behalf. The case is now practically disposed of and this may be my last opportunity to place the matter in the public record, and the slander against honorable and upright men should not be permitted to stand in the official records of Congress without a true statement of the facts being put in the RECORD.

These things illustrate the methods the contestant has resorted to in order to deprive me of my seat. Along the same

line he has placed in the record private letters and telegrams, purporting to come from his political friends, in an attempt to prove his contentions regarding the failure of the use of official ballots. What do such letters amount to? They are not evidence, and he has taken no depositions nor produced any evidence.

A soldier came into my office the other day and gave me the following affidavit, and it shows how dangerous it is to make presumptions regarding a few soldiers voting in Alaska:

[Before the House of Representatives, 65th Cong., 2d sess. James Wickersham, contestant, *v.* Charles A. Sulzer, contestee. Affidavit.]

UNITED STATES OF AMERICA,
District of Columbia, ss:

J. Perrin Willis being first duly sworn on oath deposes and says:

I. I have resided in and been a resident of the Fort Gibbon precinct, Territory of Alaska, since June, 1912.

II. That I have been actively engaged in the practice of law in the Fort Gibbon precinct, Territory of Alaska, since June, 1913.

III. That I was engaged in the practice of my profession in the Fort Gibbon precinct on the 7th day of November, 1916. That on that date and prior thereto I was frequently consulted by soldiers living at Fort Gibbon, Alaska, as to their rights of suffrage.

IV. That I advised such soldiers that they could not exercise the rights of suffrage unless they had acquired a residence within the Territory of Alaska before entering the military service.

V. That several soldiers upon my advice made no attempt to exercise their rights of suffrage at the above election.

VI. That as many as three soldiers voted at the aforesaid election who were personally known by me to have been residents of the Fort Gibbon precinct, Territory of Alaska, prior to their enlisting in the said United States Army, and others stated to me prior to said election that they had resided in Alaska prior to their enlistment in the Army; in fact, I know of none who voted at said election who were not qualified.

VII. That I personally saw a wire signed by Mr. James Wickersham and delivered to George F. Bemis as his local political manager prior to the 7th day of November, 1916, saying, in part, "Soldiers can vote."

VIII. That I have been and now am a supporter of Charles A. Sulzer and am thoroughly acquainted with all the facts and conditions prior to and including the date of said election of November 7, 1916, and am at present in the military service of the United States.

J. PERRIN WILLIS.

Subscribed and sworn to before me this 6th day of December, A. D. 1918, at the city of Washington, D. C.

[SEAL.] W. W. PICKERING,
Notary Public in and for the District of Columbia.

My commission expires September 19, 1919.

Mr. Speaker, regarding the people at Klawock and Hydaburg, whom the contestant has asserted are tribal Indians and not citizens, I desire to place in the RECORD the following statements that have been sent to me. The contestant made no charges against the Hydaburg citizens until he put them in during rebuttal, and I have therefore had no chance to introduce evidence to refute his unsupported statements regarding these worthy people. The men named in the following letters were voters at Sulzer whom the contestant alleges are illegal, and some were of those who were forcibly deprived of their rights at Craig. I have affidavits proving each individual case, but I have had no opportunity to get same in the RECORD or before the committee.

DEPARTMENT OF COMMERCE,
BUREAU OF NAVIGATION,
Washington, January 21, 1918.

Hon. CHARLES A. SULZER,
Delegate from Alaska,
House of Representatives.

DEAR SIR: Referring to your inquiry to-day, I have to state that, according to the records of this bureau, Mike George took the oath and was accepted by the customs officers of Alaska as an American citizen and as master of the gasoline boat *Bertha*, 10 net and gross tons, built in 1913 in Alaska. The date of the oath was May 19, 1913.

Lake Frank took the oath and was accepted by the customs officers of Alaska as an American citizen and as master of the gasoline boat *Tidings*, 9 gross and 8 net, built in 1908 in Alaska. The date of the oath was January 3, 1914.

Thomas Scowcl took the oath and was accepted by the customs officers of Alaska as an American citizen and as master of the gasoline boat *Enterprise*, 9 gross, 7 net, built in 1908 in Alaska. The date of the oath was January 12, 1914.

John S. Brown took the oath and was accepted by the customs officers of Alaska as an American citizen and as master of the gasoline boat *Martha Logan*, 9 gross, 6 net, built in 1908 in Alaska. The date of the oath was April 20, 1914.

George Haldane took the oath and was accepted by the customs officers of Alaska as an American citizen and as master of the gasoline boat *Nancy*, 14 gross, 9 net, built in 1912 in Alaska. The date of the oath was April 29, 1914.

Walter Frank took the oath and was accepted by the customs officers of Alaska as an American citizen and as master of the gasoline boat *Pride*, 11 gross, 8 net, built in 1911 in Alaska. The date of the oath was March 20, 1916.

Richard Nix took the oath and was accepted by the customs officers of Alaska as an American citizen and as master of the gasoline boat *Valdez*, 15 gross, 10 net, built in Tacoma, Wash., in 1910. The date of the oath was March 20, 1916.

Edwin Scott took the oath and was accepted by the customs officers of Alaska as an American citizen and as master of the gasoline boat *Marion*, 9 gross, 6 net, built in 1916 in Alaska. The date of the oath was July 6, 1916.

Alex Yeliatzio took the oath and was accepted by the customs officers of Alaska as an American citizen and as master of the gasoline boat *Venus*, 13 gross, 12 net, built in Alaska in 1911. The date of the oath was March 25, 1914.

John Wallace took the oath and was accepted by the customs officers of Alaska as an American citizen and as master of the gasoline boat *Alfonzo XIII* on October 13, 1914. This vessel is 11 gross, 5 net, was built at San Francisco in 1897.

John Skultka took the oath and was accepted by the customs officers of Alaska as an American citizen and as master of the gasoline boat *Reliance*, 9 gross, 8 net, built in Alaska in 1910. The date of the oath was January 3, 1917.

I attach hereto a blank form which is always used in taking the oath as master. Under our law vessels to operate under the American flag must at the time of these documents have been American owned and the master must have been an American citizen to comply with the law.

E. T. CHAMBERLAIN, *Commissioner.*

Cat. No. 1311.

OATH OR AFFIRMATION OF NEW MASTER OF VESSEL.

[Art. 44, Customs Regulations of 1915.]

Department of Commerce,
Bureau of Navigation.

DISTRICT OF ——— ———,
PORT OF ——— ———.

I, ——— ———, Master of the vessel called the ——— of ——— tons, do * ——— that I am a citizen of the United States, having been † ———, ‡ and that such vessel shall not, while her license continues in force, be employed in any manner whereby the revenue of the United States may be defrauded: So help me God.

———,
———,
———.

PORT OF ———.

Sworn to before me this ——— day of ———, 19—.

———,
———,
Collector.

* Insert "swear" or "affirm."

† Insert "born within the limits thereof" or "naturalized in the State of ———, on the — day of ———, 19—, by ——— ———," stating the act or order of naturalization, and by what court or board.

‡ Strike out words, "and that such vessel shall not, while her license continues in force, be employed in any manner whereby the revenue of the United States may be defrauded," for a registered vessel.

DEPARTMENT OF COMMERCE,
BUREAU OF NAVIGATION,
Washington, February 7, 1918.

Hon. CHARLES A. SULZER,
Delegate from Alaska,
House of Representatives.

DEAR SIR: Referring to your inquiry to-day I have to state that the records of this bureau disclose the following information:

John Annisket, of Klawock, Alaska, took the oath and was accepted as an American citizen by the customs officers of Alaska, as owner and master of the motor boat *Peter A.*, 9 gross tons and 8 net, built in 1913 in Alaska. The date of the oath was November 12, 1917.

Alex Peel, of Hydaburg, Alaska, took the oath as owner, and William Peel took the oath as master, and they were accepted as American citizens by the customs officers of Alaska in connection with documenting the motor boat *Lawrence P.*, 20 gross tons and 13 net, built in 1917 in Alaska. The date of the oath was September 7, 1917.

George Demment, of Saakan, Alaska, took the oath and was accepted as an American citizen by the customs officers of Alaska, and as owner and master of the motor boat *Winifred D.*, 28 gross tons and 26 net, built in 1913 in Alaska. The date of the oath was November 19, 1913.

Mike George took the oath and was accepted as an American citizen by the customs officers of Alaska, and as owner and master of the motor boat *Bertha*, 10 gross tons and 10 net, built in 1913 in Alaska. The date of the oath was May 19, 1913.

Edwin Scott, of Hydaburg, Alaska, took the oath and was accepted as an American citizen by the customs officers of Alaska, and as owner and master of the motor boat *Marion*, 9 gross tons and 6 net, built in 1916 in Alaska. The date of the oath was July 6, 1916.

C. A. Demment, of Saakan, Alaska, took the oath and was accepted as an American citizen by the customs officers of Alaska, and as owner and master of the motor boat *W. A. Kelly*, 14 gross tons and 9 net, built in 1910 in Alaska. The date of the oath was April 8, 1915.

Sam Douglas, of Hydaburg, Alaska, took the oath and was accepted as an American citizen by the customs officers of Alaska, and as owner and master of the motor boat *Elsie D.*, 12 gross tons and 8 net, built in 1917 in Alaska. The date of the oath was October 5, 1917.

Peter Roberts, of Klawock, Alaska, took the oath and was accepted as an American citizen by the customs officers of Alaska and as owner and master of the motor boat *Isabelle R.*, 20 gross tons and 13 net, built in 1914 in Alaska. The date of the oath was April 8, 1915.

Andrew Thomas, of Ketchikan, Alaska, took the oath and was accepted as an American citizen by the customs officers of Alaska and as owner and master of the motor boat *Ruby*, 10 gross tons and 7 net, built in 1913 in Alaska. The date of the oath was May 14, 1915.

Walter Frank, of Kasaan, Alaska, took the oath and was accepted as an American citizen by the customs officers of Alaska and as owner and master of the motor boat *Pride*, 11 gross tons and 8 net, built in 1911 in Alaska. The date of the oath was January 13, 1916.

Respectfully,

E. T. CHAMBERLAIN, *Commissioner.*

UNITED STATES OF AMERICA,
Territory of Alaska, ss:

Charles W. Hawkesworth, being first duly sworn, upon oath deposes and says: That he is district superintendent of schools for the southeastern district of Alaska, and that the said schools are conducted under the United States Bureau of Education; that during the period from 1911 to 1916, inclusive, he was the teacher of the school under the said bureau at the town of Hydaburg, Alaska; that during his said connection with the said school he became well acquainted with the people and the conditions at said town of Hydaburg, and that the history of the said town is substantially as follows:

The young people of Howkan and Klinquan, from about 1900, had desired to move away from the two above-mentioned towns, where tribal customs were in vogue, and establish a new town where such customs would have no influence over them. They consulted with

various superintendents of schools under the Bureau of Education to see if the bureau would establish a school at a site which they would choose.

This was agreed upon, and in 1911 the town of Hydaburg was started, all of the people of Klinquan moving themselves there, and Thanksgiving Day, 1911, is the day celebrated as Founders' Day in the town. The people of Howkan came later, and also several from Kasaan.

The people immediately organized a cooperative store and a sawmill, stock selling at $10 a share, and without exception every family in town owned shares in both companies. A town council was organized, and all of the affairs of the town were taken care of by this elected council, as the records in the town now show.

In order to have a uniform civic action, it was understood by all the members of this community that only those who were born on American soil could enjoy the right of franchise; affiant states that he was at Sulzer, Alaska, when the election of 1914 took place and knows that only such natives as had been born on American soil, abandoned tribal customs, and adopted the habits of civilized life presented themselves at the polls and voted at that election; with reference to the general election of 1916, affiant states that he is personally acquainted with the natives who voted at Sulzer, Alaska, at such election, including the following persons: Alex Peele, George Haldane, Peter Nathlan, Benson Skulthka, J. S. Brown, Paul D. Morrison, Fred Grant, Charlie Scott, Mason Frank, Powell Charles, Thaddeus Isaacs, Matthew Scott, Jack George, David Nathlan, Boyd Natathla, Albert Natthkang, Sam Douglas, Mike George, Luke Frank, Fred Wallace, Alex Yealthtatze, Robert Edenshaw, Hugh Rogo, James George, David Jason, Willie Skulthka, Edwin Scott, and Alex Spoon; and that all of said persons were born on American soil, had abandoned tribal customs, and adopted the habits of civilized life, and were in all respects qualified to vote at such election.

According to the property returns of the town there are some 34 gas boats owned by the people of Hydaburg. These boats are powered with heavy-duty engines, ranging from 15 to 40 horsepower capacity, all of which are licensed in the customhouse at either Ketchikan or Sulzer.

The people have built their own sidewalks, by cooperative public work, and have also built two wharves, as well as the town hall. The only outside assistance of any sort they have received has been assistance from the Bureau of Education in establishing the school and in the purchase of the sawmill equipment, the purchase price of which was paid back in 1913. Last year, at a church meeting, the question was up for discussion as to whether the town should receive funds from the Presbyterian Board of Home Missions for building a church or should they furnish everything themselves and thus own their own building. After considerable debate it was decided that they would ask for no assistance from anyone outside the town, but would erect a building by themselves. This was done, and the cornerstone laid, with the records of the town placed therein.

The town council deliberations are all conducted in regular parliamentary manner and in the English language. The elected magistrate decides cases as they are presented to him in much the same way that cases are handled in the courts of the Territory.

Affiant states that from his work with the people of Hydaburg from 1911 to 1916, he can confidently say that these people are actually citizens of the United States, because of having abandoned tribal relations and taken up the life and habits of civilized men and women as white people in similar circumstances elsewhere in Alaska.

CHAS. W. HAWKESWORTH.

Subscribed and sworn to before me this 5th day of December, 1917.

[SEAL.] JNO. R. WINN,
Notary Public for Alaska.

My commission expires October 21, 1919.

Mr. MOORES of Indiana. Mr. Speaker, I ask unanimous consent that one hour's time be granted to the contestant [Mr. Wickersham].

The SPEAKER. The gentleman from Indiana [Mr. MOORES], a member of the committee, asks unanimous consent that the contestant, Judge Wickersham, be granted one hour. Is there objection?

There was no objection.

Mr. WICKERSHAM. Mr. Speaker and gentlemen of the House, some question has been made here as to my politics and as to how I received the nomination for Delegate from Alaska two years ago. As to my politics, permit me to say that I was appointed United States district judge in Alaska by William McKinley and four years after that I was reappointed by Theodore Roosevelt. I have always been a Republican. Now, as to my nomination two years ago for Delegate from Alaska, permit me to say that the Territorial Legislature of Alaska has provided by law for nomination by petition. It is the only way in which one can get on the official ballot; it is the way that my opponent's name got on the official ballot; and it is the way mine got on the official ballot two years ago; and it is the way mine got on the official ballot this time, although last year we had a primary election in the Territory of Alaska and I was nominated as a Republican in the primary election, and my name came on the ticket in that way. I do not see the gentleman from Ohio [Mr. LONGWORTH] here. He asked some question about my politics, and I want to say to him that among the most pleasant things I have ever received in a political way have been the telegrams received from Theodore Roosevelt congratulating me upon my election as the Republican Delegate from the Territory of Alaska. So I hope there will be no question about that. I do not want to appear before these Democratic jurors under any other than my true colors. I do not understand that that has anything to do with this case, however, but since the question was raised by the gentleman from Ohio, I think it is perfectly fair to put the facts before the House.

In the two days that I have listened to my distinguished opponent I have been very much interested to note how skillfully he has talked about two of the precincts in this Territory without mentioning the point at issue. I say skillfully, for I compliment him upon the skill with which he has gone around the real true situation in Afognak and Seldovia precincts. I never was in Afognak precinct in my life, and all I know about it is what I have gathered from the standard histories of the Territory of Alaska. I have been in Seldovia. I was there this fall and became acquainted with 150 or more strong, vigorous American fishermen who inhabit that vincinity and precinct, and who gave me a large majority of their votes. They are strong, vigorous, good Americans. There are no better people in the Territory of Alaska than the men who live in Seldovia precinct, who voted for me two years ago and who voted for me this fall. I have not been in Afognak and know few of the people there. My acquaintance with them has resulted almost wholly from communications from them to me with respect to official business, but I do know their history and I do know their legal status before the law. My opponent has stood here hour after hour talking to you about "the Indians" who live in Seldovia and Afognak precincts. He has pointed the finger of scorn at them because some of them are unable to read and write. He has called them "Indians," and has mentioned the "chief of the tribe," and has declared that there is no excuse for permitting them to vote because they are Indians.

But my opponent is not ignorant of the true situation. There is in southwestern Alaska a population composed of people who have lived there, many of them, they and their ancestors for more than a hundred years. More than 100 years ago the Russians came into that region, settled there, intermarried with the Aleuts, and the half-breed Aleut-Russians inhabit Unalaska and Unga and Kodiak and Afognak, and some of them live at Seldovia. They are a mild, quiet, gentle people. The record before this House is full of evidence with respect to them. Father Kashevarof, their priest, was on the witness stand. He is their parochial priest, their guide; he gives their names and their birth, marriage, and death records. He states that they belong to his church, he gives their relationship to him and to his church. They are all his church members. They all belong to the Russian Orthodox Greek Church. They are substantial, quiet citizens. They lived in the Territory of Alaska long before Mr. Sulzer or I came there. Their church is there, their homes are there, their families are there; most of them engaged in fishing. They are a quiet, gentle sort of people. All of these people whom he has been talking about and calling "Indians" are by descent Russian half-breeds. He read you their names and pointed the finger of scorn at them because they had foreign names. Granted that they have, they are honest names.

Mr. GOODWIN of Arkansas. Are they still tribal Indians?

Mr. WICKERSHAM. No. Now I want to call your attention to that situation for a moment. These people have rights.

Mr. ELSTON. Do these so-called Indians wear the old-time Indian costumes and have they European customs and European habits?

Mr. WICKERSHAM. They have European habits and wear European costumes.

Mr. ELSTON. And they are not in any sense garbed up like the Indians of the West?

Mr. WICKERSHAM. No, sir; in no way, shape, or manner.

Now I want to call your attention to their civil status and to the people themselves. I get the testimony with respect to them from the fact that I have been with them and know them. While I was never at Afognak, I have been at Seldovia, Kodiak, and Unalaska. I have been at all these places, except Afognak. I know these people and have been acquainted with them for 20 years. I know their ministers, and a better class of people does not live anywhere in Alaska than these Russian-Aleut people. They are each and all citizens of the United States, made so by the solemn treaty contract between the United States and Russia. They have the right to vote, and merely because some were unable to read and write, merely because some of them said "no," and passed over the questions easily and got out of the situation without giving any particular information, does not show that they are not entitled to vote. It merely shows that they are a quiet, inoffensive people. Nine-tenths of them can read and write. Nine-tenths of them read and write either English or Russian. Churches were established among these people more than a century ago. Schools were established about the same time in Seldovia, Afognak, and Unalaska. They have been educated in their local schools and, as a class, they are well educated, as good a class of people as you will find in any agricultural population throughout the United States. It is true that you can pick out one here and there who is illiterate, and a sharp and shrewd lawyer getting them on the witness stand and finding that the witness is deficient in some way, asking questions and permitting him to say "no" to everything, can get evidence against him which, it applied to

the whole community, would make a very bad showing and specious argument, as the gentleman from Alaska did. But when you take them as a whole, they are an educated, civilized body, quiet, law-abiding, and almost without exception members of the Russian Greek Orthodox Church.

Mr. SHERWOOD. Will the gentleman yield?

Mr. WICKERSHAM. Yes.

Mr. SHERWOOD. It is claimed by the sitting Member that he did not have an opportunity to reply in rebuttal to your testimony. How is that?

Mr. WICKERSHAM. My opponent made application to the committee on two occasions for leave to put something before the committee, either to introduce new testimony or to prepare and introduce new briefs. I think he had that opportunity on two occasions granted to him, and on one occasion when I knew nothing about it, but I did not object.

The taking of testimony in his case was begun in May, 1917. I took my testimony in the city of Washington in May, 1917, almost two years ago. The gentleman from Georgia [Mr. HOWARD] made some statements yesterday that appealed to me very strongly, and I thank him for making them. Then in July, 1917, following, we took additional testimony, and the taking of testimony was closed on the 9th day of August, 1917. The case was at issue practically at that time, upon the pleadings and all the evidence. This is January, 1919, and the committee has not refused anything that my opponent has asked of them. They have given him every opportunity to introduce testimony, to introduce briefs, and to appear before them in any and every way he has desired. Now, after almost two years has gone by, he comes in and says he has had no opportunity to be heard.

I want to go back and talk about these people in Afognak and Seldovia. I have gone over the record very carefully, and I find that there are 17 persons pointed out in the testimony in Afognak and Seldovia about whose voting there is some evidence in the record. Eight of these persons admitted that they voted for me. One said he voted for the "new man," which meant my opponent. The other seven said they did not know who they voted for.

If you knew these people—the quiet, inoffensive, gentle Aleuts—you would understand why they say they do not know. They just let it go at that. A cunning attorney encouraged them to do that, so as to make the record as bad against them as possible.

The Russian-Aleut voters, 17 in number, which have been shown to have voted at Afognak and Seldovia, who were examined, said that 8 voted for me, 1 for my opponent, and 7 said they did not know. That is all there is to it. My opponent gave notice that he would take the testimony of a large number, but they did not examine all of them. They had the records in their possession and knew their names, and they could interrogate them all, but they did not. That is the record with respect to these people.

Afognak was settled by the Russians in 1780, nearly 140 years ago, and ever since it has been inhabited by the Russians and their children. Afognak and Kodiak were called the garden spots of Alaska. Kodiak was the first capital of Alaska, made the capital about 1770, about the time of the beginning of the Revolutionary War. Churches and schools were built there soon after that, and these people have been living quietly and peaceably from that time to this.

In Bancroft's History of Alaska, 1890, which is the standard history with respect to Alaska, it is said about these localities:

> The islands of Kodiak and Afognak, "the garden spots of Alaska," as they are termed, enjoy more sunshine and fair weather than any portion of the Territory, with the exception, perhaps, of some favored spots of Cooks Inlet.
>
> The village of St. Paul, or Kodiak, contained in 1880 about 400 inhabitants, a large population of whom were Creoles.

A Creole is half Aleut and half Russian, or quarter blood, as the case may be. He is a mixture of Russian and Aleut. The Aleuts live along that coast from the mouth of the Copper River to the westward, out to the end of the Aleutian Islands.

Bancroft further says:

> The village of Afognak, on the island of the same name, separated by a narrow channel from the northern shore of Kodiak Island, is one of the most thriving settlements in Alaska. Though mountainous, and in some parts thickly wooded, the cutting of timber and firewood being one of its chief industries, it contains many spots suitable for pasture and agriculture. Boat building is also a profitable occupation. Many of the inhabitants, who now muster about 350, live in substantial frame houses, this being one of the few places in the Territory where any considerable number of dwellings other than log huts are to be found.

That was the description of Afognak and her people in 1890, about 30 years ago, as contained in the standard history of the Territory of Alaska. I could go on and give you more historical information about them, but it is all in this record. The record in this case is very full with respect to their being church members, with respect to Father Kashevarof and parochial schools and the parochial residence there, and the fact that they all belong to his church. All of them were asked if they belonged to his church, and all of them answered in the affirmative. With that admission, and it is an admission because it is not denied anywhere, I want to call your attention to their civil status.

In 1867 we purchased Alaska. At that time there were probably three or four thousand Creoles living along that coast from the mouth of the Copper River westward to Unalaska. They were Creoles, mind you. They were half-breeds, they were quarter-breeds, three-quarter breeds, and one of them became the governor of Alaska. One of these quarter-breed Aleuts became the governor of Alaska and another one engraved the great coast and geodetic charts of Alaska. He was a cartographer, skillful in the use of the pen, and made wonderful maps of Alaska, and you will find them all in Tebenkof's atlas of Alaska, consisting of 39 great charts, made in 1854. They were an educated people, a fishing and fur-producing population. Some arrangements had to be made by the Russian minister who signed the treaty with the United States for the purchase of Alaska about the protection of these people and their rights, and the treaty does make that provision, and it is a naturalization law. It is a law which naturalizes everyone of those residents of Afognak and Seldovia who are named in the evidence—in the record—as witnesses and voters. They have no need to be naturalized by any other laws of the United States, because they are naturalized by the treaty of 1867, in the third section, which reads as follows:

> ARTICLE III.
>
> The inhabitants of the ceded territory, according to their choice, reserving their natural allegiance, may return to Russia within three years, but if they should prefer to remain in the ceded territory they, with the exception of the uncivilized native tribes, shall be admitted to all the rights, advantages, and immunities of citizens of the United States, and shall be maintained and protected in the free enjoyment of their liberty, property, and religion. The uncivilized tribes will be subject to such laws and regulations as the United States may from time to time adopt in regard to aboriginal tribes of that country.

You will notice that this provision not only protects them in their property rights and their religion, but it makes citizens of the United States out of all those who shall remain in Alaska after three years. The provision used here to naturalize are the words which naturalized the inhabitants of the Floridas in the treaty by which we acquired the Florida cession from Spain in 1818, and they are almost the identical words, the substantial words, of the treaty by which we obtained the Louisiana Purchase at an earlier date. Those words have been before the courts on many occasions, and the United States Supreme Court and the lesser courts have held that those words naturalize the inhabitants of the ceded territory. So that when these Russian half-breeds remained in Alaska Territory for three years after 1867 they became by virtue of that provision of the treaty, ipso facto, citizens of the United States, with a right to cast their ballot without any naturalization law being passed by the Congress. Congress approved that treaty, and some of these questions were raised at the time the treaty was approved in Congress by Senator Cullom, from Illinois, who was then a Representative from that State. The treaty was approved with the distinct understanding that it had that effect. It has so been held by the courts from that day to this, and every one of these natives that my friend called Indians—and the evidence is perfectly clear that they are half-breed Russians, all down the line, all belonging to the Russian Greek Church—are American citizens, and it is not necessary that they should read or write to be entitled to cast a legal vote. We have no literacy qualification in Alaska. If you are 21 years of age, and have lived in the Territory one year and in the precinct 30 days, you are entitled to vote in Alaska, if you are a citizen of the United States as these people are.

Mr. SHERWOOD. Does that apply to soldiers in Alaska doing garrison duty?

Mr. WICKERSHAM. It does not, but it applies to all of these people at Afognak and Seldovia, who were born there, the data of whose births Father Kashevarof gave in his testimony, all of which appears in this record in detail.

Mr. BARNHART. Mr. Speaker, will the gentleman give us his idea of the meaning of the word "Tribes"?

Mr. WICKERSHAM. Yes; although it may be very indefinite, and I doubt if it will be satisfactory to me when I see it in print in the morning. But so far as it relates to Indians, it has relation to an aggregation of Indians who are recognized at least by the Government of the United States within her territories as having probably one language, living in the same community, being guided and controlled within that community by the same general cultural standards.

Mr. COOPER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. WICKERSHAM. Yes.

Mr. COOPER of Wisconsin. Do they own property in severalty up there?

Mr. WICKERSHAM. All of them do; yes.

Mr. COOPER of Wisconsin. They do not own it as a tribe usually owns it—under the control of the chief?

Mr. WICKERSHAM. No; there is no tribal property.

Mr. COOPER of Wisconsin. Each man owns his own property?

Mr. WICKERSHAM. Yes; and the record is perfectly clear about that, and when the committee had this matter before them I argued it before the committee, as did my opponent. We argued it freely and fully to the committee, and the committee was advised about all of these various matters. I believe the committee was earnest and honest. They certainly had time enough to decide the case right, and they did decide it according to the law and the evidence.

Mr. ELSTON. Will the gentleman permit a question?

Mr. WICKERSHAM. I yield.

Mr. ELSTON. Do they act through a trustee?

Mr. WICKERSHAM. Under no condition.

Mr. ELSTON. None whatever?

Mr. WICKERSHAM. None whatever.

Mr. ELSTON. Their tribal relationship is merely a traditional affair?

Mr. WICKERSHAM. It is not only traditional but has not had any force among them for a hundred years.

Mr. ELSTON. Their recognition of the chief is merely traditional, too, without any authority, or has he any authority over them by law or custom?

Mr. WICKERSHAM. None whatever.

Mr. ELSTON. They merely look upon it as being an honor to him, and so forth?

Mr. WICKERSHAM. Not only that, but if my opponent will read the record and would make a fair statement to this House, he would say to this House there was proof from the evidence of some of these men who are best qualified to speak that their local organization is a sort of town-meeting organization somewhat after the Russian type—a sort of town-meeting organization, as we in America understand it.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. WICKERSHAM. And it is that sort of an organization that these Russian Aleuts have maintained in southwestern Alaska, and nothing more. I yield to the gentleman.

Mr. CAMPBELL of Kansas. There are citizens, yes, there are United States Senators and Members of Congress, who are known as members of certain tribes of Indians in Oklahoma to-day?

Mr. WICKERSHAM. Yes; some in the House.

Mr. CAMPBELL of Kansas. Those tribes have chiefs?

Mr. WICKERSHAM. Yes; as fairly as those mentioned in this record.

Mr. CAMPBELL of Kansas. Though they own their land in severalty and they are citizens for all purposes?

Mr. WICKERSHAM. Yes; just as the Russian Aleuts do.

Mr. CAMPBELL of Kansas. They do recognize tribes of Indians——

Mr. HARRISON of Mississippi. Will the gentleman yield?

Mr. WICKERSHAM. I have but a short time.

Mr. HARRISON of Mississippi. I wanted to ask the gentleman if these Indians were modeled after the present Russian type or after the old Russian type?

Mr. WICKERSHAM. After the old Russian type. I thank the gentleman for asking the question, because there is no Bolshevikism among them; they are mild, gentle, church-going, God-fearing people. These facts appear as a part of the history of our country, and this House and the courts of this land will take judicial notice of a fact of that kind. But it may occur to some one to ask when the question of the citizenship of these people in the Seldovia and Afognak precincts was raised why I did not make an allegation that the people at Kodiak and Unalaska and various other places inhabited by them were of the same type and therefore not citizens? Now, Mr. Sulzer got majorities in other precincts, as the record shows, while I had a majority in two—Afognak and Seldovia. Mr. Sulzer had majorities in four others. He brought a contest against the two precincts where I had majorities, alleging their want of citizenship, when as a matter of fact the same character exists in the other four precincts where he got greater majorities than I did in those two. You may say, "Why should you not make the same allegation and throw those precincts out?" Unfortunately for me, I was district judge in Alaska for eight years, and during that period it became my duty at one time to consider this matter and to write a very elaborate and very learned opinion upon the status of these people. I am sure it was elaborate and I am willing to admit it was learned. [Laughter and applause.] In that opinion, delivered, I think, in 1902 or 1903, which will be found in Second Alaskan Reports, page 200, I had occasion to go over the entire status and history of these people, and I held they were all American citizens and had all the rights of such citizens. So when this contest came up I could not go back on my former decision in the case and stultify myself by declaring the people in these precincts were not citizens of the United States and were not authorized to vote for Mr. Sulzer and whose votes ought to be thrown out. I could not do that, because if I did somebody would refer to this decision, and I would be barred by it; and for that reason I could not do it. My judgment then was and my judgment now is that they were all citizens of the United States and had the right to vote for Mr. Sulzer or for me. You will find the opinion mentioned in the case of In re Minook, Second Alaska, page 200.

When we purchased Alaska in 1867 we found a local system of government there. We found this system of government in the Territory of Alaska at that time, and it had existed there since 1799. In 1799 the Czar granted the first great charter to the Russian-American Co. in Russian America, now Alaska. He granted a subsequent charter in 1841, and in 1867, when we took over the Territory, the laws under those charters were in force there.

It is interesting to read those charters, to discover how broad and liberal they were. I am going to read you that portion of the charter of 1841 and of the rules and regulations promulgated thereunder by the Czar, having the force of law in the Territory in 1867, and which fixed the status of these Russian-Aleuts at the time we purchased the Territory. Article III of that charter provided:

ARTICLE III.

OF THE CREOLES.

SEC. 236. Children born of a European or Siberian father and a native American mother, or if a native American father and a European or Siberian mother, shall be regarded as Creoles equally with the children of these latter, of whom a special record is preserved.

SEC. 237. The Creoles are Russian subjects, and as such shall have a right to the lawful protection of the Government, equally with all other subjects belonging to the rank of commoners, even should they not, by merit and for special cause, acquire the rights extended to people belonging to a different station.

Now, that was the status of these people when we took over this country in 1867. They were commoners; they were subjects of the Russian Empire, and had all of the rights in Russian America, now the Territory of Alaska, that any other Russian subject had at that time, including the right to remain there for three years and become American citizens, under Article III of the treaty of cession. And these people did remain at Afognak and Seldovia, members of Father Kashevarof's church, as the record shows. Their grandfathers and grandmothers and their fathers and mothers were there at the time, and all became citizens of the United States under the treaty provisions, because they were citizens of Russia in Alaska at that time, and their previous status was fixed in Russian America by the law of Russia applicable to the country at that time.

I am technically correct in saying that Afognak and Seldovia were Russian communities and that those people had all the rights as Russian subjects at the time of the purchase.

Article IV of the imperial ukase of 1841, which was in force when we purchased Alaska in 1867, provides also:

ARTICLE IV.

OF THE SETTLED TRIBES.

SEC. 247. The settled tribes in the colonies include the inhabitants of the Kurile Islands, the Aleutian Islands, Kadiak and the adjacent islands, and the Alaska Peninsula, as also the natives living on the shores of America, such as the Kenai natives, the Chugach, etc.

Now, that covers Seldovia and Afognak, Kadiak, and Unalaska. That covered every Russian settlement from the mouth of the Copper River westward to Unalaska and all the Russian settlements of those people in that territory except that at Sitka, which is not included.

SEC. 248. The settled tribes professing the Christian belief are not designated by any special name; those professing the native faith shall be styled, for the purpose of discrimination, "settled tribes of other religions."

SEC. 249. These people are recognized by the Government—equally with all the others—as Russian subjects. So long as they remain in the colonies they shall constitute a distinct rank of people, and shall not be entitled, by meritorious service or for any other cause, to pass into another condition.

Of course, without consent of the Russian Government

SEC. 250. As Russian subjects, they shall conform to the common laws of the Government and shall enjoy the protection thereof.

Now, we have another class of natives in Alaska, dependent upon the colonial authorities, living in the colonial possessions, and they are provided for in this treaty as uncivilized native tribes, living outside of the jurisdiction of the Russian-American Co. but trading with them.

ARTICLE V.

TRIBES NOT WHOLLY DEPENDENT ON THE COLONIAL AUTHORITY BUT LIVING IN THE COLONIAL POSSESSIONS.

SEC. 280. The tribes dwelling within the boundaries of the Russian colonies, but not wholly dependent, shall enjoy the protection of the colonial administration only on making request therefor, and when such request is deemed worthy of consideration.

SEC. 285. The relations of the colonial administration with the independent tribes shall be limited to the exchange, by mutual consent, of European wares for furs and native products.

Now, I have gone thus far into this matter, because so much stress has been laid upon the character of the voters of Seldovia and Afognak by the gentleman on the other side. He has called them "Indians," and has never once been fair with you jurors by mentioning that they were Russian half-breeds, Russian creoles, and are specifically made citizens by the laws, first of Russia, and then of the United States.

Oh, but he says one of them could not read or write. Well, there are a great many voters in this country who can not read and write. Theoretically, all the negroes in the United States can vote, but as a matter of fact there are a great many of them who can neither read nor write. There are a great many white people who go to the polls and vote in New York City who can neither read nor write the English language. There is probably not a gentleman upon the floor who has not more people in his district who can neither read nor write than are to be found in the Russian villages from the Copper River westward to Unalaska. The people there do read and write, but many of them only read and write the Russian language.

As to those who are said to have voted for me and whom Mr. Sulzer desires to have stricken from the record because they can not read or write, Ivan Derenoff comes first. And you find from page 267 of the record that he reads and writes Russian; probably not English. John Taushwak, about whom so much was said, who is a Russian-Aleut creole, reads and writes English. John Taushwak is an educated man and an influential one in that community; a good citizen born in Alaska.

Anton Dolchak reads and writes English. Savarian Jakaloff speaks English, and so does Gregory Foxy. Mike Dolchok, who was mentioned, reads and writes English, as you will find on page 296 of this record. One man, Zakar Chonkun, can not read or write; and Steve E. Sorokovikoff, page 297 of the record, reads and writes English.

The first schools in that northern country were established at Kodiak. Before there was a school in California or Oregon or the State of Washington there were schools in Kodiak, and churches, and these challenged voters are the sons and daughters of Russian people who lived there for more than a century and have had the advantages of this schooling and the advantages of religious instruction from Father Kashevarof and other good men of that kind. They are not Indians, and I could not claim that in making my contest against my opponent, because I knew better. And he dare not set the truth up and challenge Kodiak and Unalaska, where exactly the same population lives that resides at Seldovia and at Afognak, because there he had the vote; there he had the majority; and to challenge that vote would rob him of his majority, and if I should do it it would stultify me, because I knew they were American citizens.

The same situation exists at St. Michael. St. Michael was not settled until about 1838, but from that time to this it has been a civilized community, inhabited by Russians and their descendants, who are the voters now there. The old Russian church stands there yet alongside of the old Russian blockhouse, and the old Russian minister is there. There are old Russians and young Russians, and a Russian half-breed population there; and they voted a majority for my opponent, and I have not challenged their right to vote. They are the cousins of the people who live at Unalakleet, of the same class and kind.

My opponent has challenged Unalakleet because there I had a majority, whereas at St. Michael he had the majority. St. Michael is called "St. Michael No. 1." Unalakleet is called "St. Michael No. 2." It is just across the bay, some little distance away. There is no difference in the character of the population. They are the same class of people. The records of our case are full and complete, the Census Bureau and all the Government publications are full and complete upon the character and the status of the people at Unalakleet, St. Michael, and from Unalaska to the mouth of the Copper River, and as to the St. Michael district there is plenty of evidence in the record, too. The evidence taken about Unalakleet shows, just as it does in Afognak and Seldovia, that the so-called Indians are members of the Greek Church and have lived there all of their lives. But either the attorney for the contestee or my attorney forgot it, and nobody asked the voters in Unalakleet for whom they voted, so that the record with respect to Unalakleet does not show who the challenged elector voted for. The evidence shows a lot of discussion between a couple of lawyers up at Nome, who took the evidence, about matters of law that have nothing to do with this case; but it does not show who these people voted for. The evidence about Afognak and Seldovia shows that 17 of them were interrogated as to whom they voted for, and 8 said they voted for me and 7 of them said they did not know whom they voted for. The cunning lawyer on the other side let them do it and did not get any information out of them, because that was exactly what he wanted.

We have another class of native people in Alaska, and that class is also referred to by the treaty of 1867. Those people are referred to as "uncivilized native tribes," and as to them the treaty provides:

The uncivilized tribes will be subject to such laws and regulations as the United States may from time to time adopt in regard to aboriginal tribes of that country.

They are to be controlled by laws applicable generally to the Indians in the United States. That distinction is made in the treaty of 1867, showing that their treaty rights are strictly preserved, and the distinction is made between Indians on the one hand and these inhabitants or subjects of Russia on the other hand; their rights are separate and distinct and are preserved separately one from the other in the treaty.

Now, my opponent told you that at the Hyda Indian Reservation those people were highly educated and intelligent; that they were qualified voters; and he expatiated upon their qualifications as good citizens at great length and declared that they did not live on an Indian reservation. The testimony shows that they do all live on an Indian reservation. We took the testimony of witnesses there at Craig upon notice given by my opponent. He gave me notice to take that testimony, declaring that a number of them offered to vote at Craig and were denied, though entitled to vote. I had a moment of leisure, and I went there and assisted in taking that testimony. Only two Indians appeared who claimed to have been denied their right to vote—R. J. Peratovitch and George Demmert. My opponent had a beautiful picture of C. W. Demmert, which he exhibited here yesterday, but the record, page 338, shows, without any doubt, it was George Demmert and not C. W. who thus appeared.

Mr. SHERWOOD. Mr. Speaker, will the gentleman yield?

Mr. WICKERSHAM. Yes.

Mr. SHERWOOD. It is said by the sitting Member that there are no Indian reservations in Alaska.

Mr. WICKERSHAM. Yes. The sitting Member said that, and repeated it many times.

Mr. SHERWOOD. I would like to know about it.

Mr. WICKERSHAM. I think that statement of the sitting Member is fairly representative of the wild, exaggerated statements that he has been making to this House for two days; he said that there are no Indian reservations in Alaska. He looked you men in the eye and said: "There are no Indian reservations in Alaska." Every one of those natives who is said to have come to Craig to vote was an Indian from an Indian reservation. There were only two of them who came and testified, Peratovitch and Demmert. Peratovitch testified that his father was an Austrian who had run away from an Austrian ship and had gone up there, and that he was the son of that Austrian. I asked him whether his father had ever been naturalized. He said he did not know whether he had been or not. He thought he had seen his first intention papers. There is no proof that he ever was naturalized, and the proof is perfectly clear that he never was. So here is the son of an Austrian, a foreigner, who claimed the right to vote at that precinct. He took the legal status of his father as an Austrian, and if there was no other objection to him that was a good one, and he ought not to have been allowed to vote because he was an Austrian. But he lived on an Indian reservation and claimed to be an Indian, and that, under the law, disqualifies him.

Now, Gen. SHERWOOD asks here if there is an Indian reservation up there. I filed with the committee, and the committee has it in evidence——

Mr. CROSSER. Mr. Speaker, will the gentleman yield there?

Mr. WICKERSHAM. Yes.

Mr. CROSSER. Do I understand the gentleman to say that this Austrian was born in Alaska?

Mr. WICKERSHAM. Yes.

Mr. CROSSER. Would not that make him a citizen of the United States?

Mr. WICKERSHAM. Possibly it would, if he was not otherwise disqualified. I will state the fact to you fairly. I filed with the committee a copy, an official copy, of the Executive order creating the Hydah Indian Reservation. I will insert it in full, but I am going now to read all of it except that part which relates to the description. It is an Executive order, made by the President of the United States. I read:

EXECUTIVE ORDER.

It is hereby ordered that the following land and water surfaces within the Tongass National Forest, surrounding the village of Hydaburg, in Alaska, be, and the same are hereby, reserved, subject to any vested rights, for use of the Hydah Tribe of Indians and such of the natives of Alaska as may settle within the limits of the reservation, viz:

Beginning at a large rock situated at the line of high tide and a few feet north of the sawmill in the village of Hydaburg, on the west coast of Prince of Wales Island, at approximately 55° 12' N. latitude and 132° 48' W. longitude, and at a cross chiseled on said rock, and running thence east 140 chains to a point for the middle of the east boundary of the reservation; thence north 140 chains to a point for a N. E. — corner; thence west 279.60 chains on land and the water of Sukkwan Strait to a point for the N. W. corner; thence south 280 chains on said strait and on land to a point for the S. W. corner; thence east 280 chains on said strait and on land to a point for the S. E. corner; thence north on the east boundary 140 chains to a point east of the place of beginning, including a tract 12.24 square miles (7,833.6 acres) with all islands and parts of islands within said boundary, as represented upon a diagram accompanying this order and made a part hereof.

WM. H. TAFT.

THE WHITE HOUSE, *June 19, 1912.*

The accompanying map attached to the Executive order is entitled as follows:

Reservation for the use of Hydah Tribe of Indians and other natives of Alaska as may settle thereon in Alaska. Total area 12.24 square miles, or 7,833.6 acres. Department of the Interior, Bureau of Education, P. P. Claxton, Commissioner.

That order established the Hydah Indian Reservation for "the use of the Hydah Tribe of Indians," but that is not the Klawak Reservation, where Peratovitch and Demmert lived. Here is the one that relates to them. It is an Executive order, issued by Woodrow Wilson. I read:

EXECUTIVE ORDER.

It is hereby ordered that the tract of land in Alaska, described as follows in and surrounding the native village of Klawak and within the Tongass National Forest, be, and the same is hereby, reserved, subject to any vested rights existing, for the use of the United States Bureau of Education and of the natives of indigenous Alaskan race who may there reside, viz:

DESCRIPTION.

Beginning at a point on the shore of the salt bay or mouth of Klawak Stream, 114 links south of a post marked "U. S. I. R. 1," which is a witness to said point on shore and stands about 40 chains eastward from Klawak village; thence northerly by a marked line 58° 49' chains to a point on the shore of Klawak Harbor which is 30 links north of a witness post marked "U. S. I. R. 2"; thence westerly along the shore, and then around the peninsula at the mean high-tide mark to point for corner No. 1, the place of beginning; situated approximately in latitude 55° 33' north, longitude 133° 06' west, and estimated to contain 230 acres, as represented upon a diagram accompanying this order and made a part thereof.

WOODROW WILSON.

THE WHITE HOUSE, *21 April, 1914.*

Then follows the description, which I do not read. This is dated the White House, April 21, 1914. To that is attached a map which is marked "Klawak Reservation, for the use of Klawak Indians, Alaska, embracing a tract of land in the Tongas National Forest, approximately 230 acres, Department of the Interior." It is under the Department of the Interior. Both these are made Indian reservations by Executive order of the President of the United States, which still stands. It establishes these reservations for the use of these particular Indian tribes and so designates them officially.

Mr. RUCKER. How much land is there?

Mr. WICKERSHAM. In the Klawak Indian Reservation there are 230 acres, and in the other reservation 12.24 square miles.

Mr. RANDALL. Are these reservations under the jurisdiction of the Commissioner of Indian Affairs, or under the Commissioner of Education?

Mr. WICKERSHAM. They are under the Department of the Interior, but they are conducted by the Commissioner of Education, and the officers of that bureau are there in charge of them. Mr. Hibbs, who testified here, was one of the officers in charge of the Klawak, and another officer from the Interior Department is in charge of the Hydaburg Reservation. They are both reservations in every sense that any other Indian reservation created by Executive order of the President of the United States is an Indian reservation.

Mr. FIELDS. Are the people who reside on these reservations entitled to vote, or are they deprived of the right?

Mr. WICKERSHAM. They have no right to vote, because they are classed as reservation Indians by the Executive order of the President establishing them reservations.

Mr. DILLON. Will the gentleman yield to me for one question there?

Mr. WICKERSHAM. Yes.

Mr. DILLON. Is there any evidence showing that these Indians have any lands in severalty?

Mr. WICKERSHAM. No; the evidence is all the other way. They all testified that they lived on the reservation. The Indian severalty law of 1887 provides—

And every Indian born within the limits of the United States who has voluntarily taken up within said limits his residence separate and apart from any tribe of Indians is hereby declared to be a citizen of the United States, and is entitled to all the rights, privileges, and immunities—

And so forth. In other words, before an Indian can acquire any right as a citizen, and therefore the right to vote, he must take up his residence separate and apart from any tribe of Indians and adopt the habits of civilized life. Now, he may adopt all the habits of civilized life that he desires when living on the reservation and he can not become a citizen or entitled to vote. As long as he continues in the status of a reservation Indian he can not vote. That has been decided too many times in Alaska to be in any doubt at all. It has been decided by the courts of the country many times as respects the status of these natives under the Indian severalty law of 1887. Every lawyer who has had occasion to look into matters of that kind knows what the law is and what it means, and it means that Demmert and Peratovich, who came from the Klawak Indian Reservation to Craig to vote, were not allowed to vote by the election officers there because they were challenged, for the reason that they were Indians and resided on an Indian reservation. My opponent grew very eloquent and talked loudly about a conspiracy in challenging their votes. That is all there was to the conspiracy. He testified very fully about everything that he thought was important to his case here, but he gave you no evidence upon that, except what I have repeated, and in line with it.

Now, I challenged the 28 Hydah Indian votes cast for him at Sulzer. He lived at Sulzer, in Sulzer precinct, and the Hydaburg Reservation is in that precinct. Twenty-eight of the people from that reservation, as the record shows very fully and completely, came over to Sulzer and voted, and they voted for him. How do I know? Well, I can tell you how I know. There were 72 votes cast in the precinct, and I got only 2, and I learned who cast those 2. That was testified to in the record, and that left him the 28 Indians. They came over to Sulzer and voted for him two years ago. They came from an Indian reservation, where they resided as Indians. Oh, but he says, they can, some of them, read and write; and Demmert and Peratovich are put on the witness stand here as exhibits. Well, one of them does run a little store and the other, I think, runs a boat or something of that kind. They are pretty good men. I have known them as long as my opponent has. Some years ago, when I had occasion to make a speech up there, I gave that bunch of fellows a great big American flag, and they have it yet, and they are very proud of it. I know them very well, and a good many of them are bright Indians. You all know how the boys who go to Indian schools turn out. Many of them are bright young men, and many of these young men on these reservations, if they had the status of voters, would make good voters. I make no complaint against the men themselves—that is, Demmert and Peratovich—but, of course, there are a lot of old Indians there who can neither read nor write, who can not speak a word of English, who can speak only a little Chinook jargon, or the Klawak or Hydah Indian tongues. Those two men—Demmert and Peratovich—can read and write and are fairly intelligent men. If they did not live on this Indian reservation and resided separate and apart therefrom, they would be legal voters.

If they would abandon the Indian reservation, under the Indian severalty law of 1887, and take up their residence separate and apart from any tribe of Indians, they might be entitled to vote. Oh, well, you may say that is not very liberal, but it is the law. The finest mind in France or England or any foreign country might come to America and stay here his whole lifetime and not be entitled to vote. He might be a philosopher, a great financier, a Christian nobleman, but that would not entitle him to vote. The Supreme Court of the United States has passed on that question in the Elk case long ago. (Elk v. Wilkins, 112 U. S., 94.) It said in that case that while it may be that these accomplishments would justify Congress in making him a citizen, it does not of itself make him one. It requires naturalization, and Congress has passed a naturalization law with respect to these Indians in Alaska—the Indian severalty act of 1887—and they must comply with its terms before they can vote. Those who live on the Hydah and Klawak Indian Reservations are not entitled to vote under the act of Congress because they have not taken up their residence separate and apart from the tribe and adopted the habits of civilized life. They are no more entitled to vote than a Frenchman or Englishman or any other foreigner who first comes into this country, however well he may otherwise be qualified.

There is a great deal more about this matter that my opponent has talked about that I will not have time to discuss. He read to you the testimony of Mr. Hibbs, the agent in charge of the Klawak Reservation, and other people showing the qualifications of these men, showing that some of them are educated, which I admit, showing that some can read and write, which I admit, showing that one runs a store on the

reservation at the Indian camp, which I admit. He also quoted from the testimony of the deputy marshal, who was on the witness stand as his witness, in support of their cleverness, but when I got a chance to cross-examine him this is his testimony:

Q. Mr. Calhoun, if you saw a saloon keeper sell one of these Indians or half-breeds intoxicating liquors, would you have him arrested for it?—A. I would.

Q. You know they are Indians, don't you?—A. Yes.

Q. You know they reside on an Indian reservation, on an island set apart for their use by an order of the President, don't you?—A. I do.

Q. You know that the Government teacher, employed by the United States Bureau of Education, is there in charge of their schools and business, don't you?—A. I do.

Q. You know the white children do not go to the school on that reservation, don't you?—A. I do.

Q. You know that white men are not allowed to settle on that reservation, don't you?—A. Unless they were there prior to the time it was set aside.

Q. There are about 300 Indians residing on that reservation, are there not?—A. Yes.

Q. How many white men and women and children reside there, and what do they do?—A. Nine, to my knowledge; missionaries, school teachers, fishermen.

Q. How many missionaries, including children?—A. Four.

Q. Mr. Bromley and his wife and two children?—A. Yes, sir.

Q. How many in Mr. Hibb's family?—A. Two. And during schooltime they have another teacher living there.

Q. What other white men or persons live there?—A. George Nelson, Jack Brady, Mose Morrsion; there may be others, but that is all I can think of now.

Q. Are they married to Indian women?—A. Brady is not.

Q. How does it come that he is allowed to remain there?—A. He has a settler's right, as I understand it.

Q. Secured prior to the withdrawal of the land for Indian purposes?—A. I think so.

This is the testimony of the United States marshal, Mr. Calhoun, who stays there in front of this Klawak Reservation to keep people from selling liquor to the Indians. If they were citizens of the United States they would have a right to buy liquor, but they are not; they are reservation Indians.

The SPEAKER. The time of the gentleman from Alaska has expired.

Mr. MOORES of Indiana. Mr. Speaker, I ask unanimous consent that the time of the gentleman be extended 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. WICKERSHAM. Now, with respect to the soldier vote at Fort Gibbon I want to talk to my Democratic brethren, for I suppose I may be allowed to call them brothers at least. These enlisted men at Fort Gibbon were stationed on a military reservation. I went to the War Department and got a certified copy of the record showing that each one of the 33 at Fort Gibbon had enlisted in some State—New York, California, or some other State—and had been transferred to Alaska by orders of a superior officer. That was filed with the committee. There were eight of these men at Fairbanks, and I got such certified copies with respect to them, and of the four at Eagle. Those certified copies of the record of these soldiers were obtained from the War Department under a legal and proper rule and filed, without any exception; and it established the fact that as to these men, every one of them had been enlisted in a State of the United States and sent to Alaska by orders of the superior officer. They voted on election day; they were challenged and they swore in the votes and cast them. Of course I knew from outside evidence that they voted against me and for my opponent. I challenged their right to vote and presented the objection fully to the committee.

Mr. SHERWOOD. How long had these men been in Alaska?

Mr. WICKERSHAM. Some had been there more than a year, perhaps all of them.

Now, the evidence shows that on election day there was posted at Fort Gibbons the following notice:

[Memorandum.]

HEADQUARTERS FORT GIBBON, ALASKA,
November 6, 1916.

Under date of October 17, 1916, the United States attorney of the fourth judicial district of Alaska, has expressed the opinion that enlisted men are entitled to vote at the coming election, provided they are citizens of the United States and have been residents of Alaska for one year and have resided within the district for 30 days immediately preceding the date of election.

The attention of all is invited to the fact that only actual and legal residents of Alaska are entitled to vote; that a declaration of legal residence in Alaska forfeits the legal residence of the voter in his permanent domicile, as no citizen can have legal residence in more than one State.

Enlisted men desiring to vote will see the commanding officer in his office before doing so.

S. B. MCINTYRE,
Captain, Fourteenth Infantry, Commanding.

And under these orders from headquarters 30 enlisted men belonging to that command, residing in military post at Fort Gibbon, on a military reservation, were marched to the polls at the congressional election and voted for Mr. Sulzer.

Now, here is what happened. The minute I served notice on my opponent that I was going to take testimony, he sent a telegram to the district judge in Alaska, saying this:

Wickersham will take testimony 33 soldiers, Tanana, June 6; Fairbanks, June 12, before Henry Ray. Wickersham states soldiers challenged, but made oath they were qualified. Soldiers in Alaska one year prior election entitled vote if he intends residence after discharge. Have me represented by reliable person. Answer fully, collect.

And then he wrote to another person:

I think the judge will look after this particular point.

He did; and when we were there to take their testimony they had these soldiers posted so that they would not answer. Some of them broke over and did answer that they voted for Sulzer, but the most of them simply said that they refused to answer. Well, what are you going to do about it? The record is full of all that. It shows that the attorney of my opponent had these soldiers fixed so that they would not answer as to how they voted. They did not answer, the most of them.

Mr. LARSEN. Will the gentleman yield?

Mr. WICKERSHAM. Yes.

Mr. LARSEN. Does the record show what your opponent did to keep these parties from answering?

Mr. WICKERSHAM. The attorney who represented him made objection to their answering, and the district attorney wrote a letter, in which he advised them that they did not have to answer unless they wished to.

Mr. LARSEN. The gentleman stated that his opponent did so and so to prevent them.

Mr. WICKERSHAM. I referred to the telegram he sent. It is all in the record; the committee had all this before them.

Mr. GOODWIN of Arkansas. Mr. Speaker, the gentleman said a while ago that the record was full of facts showing that these soldiers were instructed or "fixed" before they went there, that they were instructed by the gentleman's opponent not to answer. I want the gentleman to refer to the record of that.

Mr. WICKERSHAM. What I said was that I read his telegram, and that his attorneys out there gave this sort of instruction to these people, and that they did not answer. Their objection will be found at page 169 of the record, and the attorneys' names on 170 and 171 of the record.

Mr. GOODWIN of Arkansas. The gentleman said that they were fixed by him.

Mr. WICKERSHAM. Yes; through his attorneys. See pages 169 to 171 of the record. Oh, he was not there personally. His attorneys were, however. Here, for instance, is the first man, Robert Loghry. Let me read his testimony:

Q. State your name and age.—A. Robert Loghry, age 40 years.

Q. What was your business, occupation, or profession on November 7, 1916?—A. Master signal electrician at Fairbanks, Alaska.

Q. Give the place of your last enlistment in the United States Army prior to that date.—A. Fort Leavenworth, Kans.

Q. Did you come to Alaska in the service as a soldier?—A. I did.

Q. Has that been your occupation since coming to Alaska?—A. It has.

Q. Did you on November 7, 1916, vote in Fairbanks precinct, Alaska, at an election then and there held for Delegate to Congress from Alaska?—A. I did.

Q. Did you then and there vote for Charles A. Sulzer for Delegate to Congress from Alaska?—A. I refuse to state.

Q. What reason do you give for your refusal?—A. I don't know as I have to give any reason. I do not think the notary has proper authority to take my testimony.

(The notary public here read to the witness sec. 116, chap. 8, Rev. Stat. U. S., 1878, providing penalty for failure to attend and testify, and upon further demand to the witness to answer the question the witness refused so to do.)

By Mr. Clegg, counsel for Mr. Sulzer:

Q. You are a citizen of the United States?—A. I am.

Q. Prior to November 7, 1916, how long had you resided in Alaska?—A. Since June 10, 1915.

Q. You are a married man, are you not?—A. I am.

Q. State whether or not your family has resided here with you during that time.—A. Yes.

ROBERT LOGHRY.

Subscribed and sworn to before me this 14th day of June, 1917.

HENRY T. RAY,
[SEAL.] *Notary Public in and for Alaska.*

My commission expires June 7, 1920.

And so it went all along the line. All of these soldiers refused to state, and the instructions of the district attorney and the objections of his attorneys—Mr. Sulzer's attorneys—are in the record, instructing them not to answer, at pages 169–171.

Mr. LARSEN. Mr. Speaker, does the gentleman contend that Mr. Sulzer instructed him to refuse to answer the questions?

Mr. WICKERSHAM. I have answered that. I contend that Mr. Sulzer sent his attorney instructions to represent him there and that his attorneys and these other people did prevent this testimony from being taken.

Mr. LARSEN. What evidence has the gentleman that Mr. Sulzer so instructed his attorney?

Mr. WICKERSHAM. The fact that his attorney did these things.

Mr. LARSEN. But where is the gentleman's authority for doing that?

Mr. WICKERSHAM. It is in this record, at pages 169–171.

Mr. LARSEN. Will the gentleman read that part of it?

Mr. WICKERSHAM. No; I will not, because I have only 30 minutes. If the gentleman wants it he can look it up. The committee has read it all through.

Mr. LARSEN. So far as getting time is concerned, I am perfectly willing that the gentleman have more time; but I am asking him in a courteous way whether he has anything in the record that shows that?

Mr. WICKERSHAM. Yes; at pages 169–171, record.

Mr. COOPER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. WICKERSHAM. Yes.

Mr. COOPER of Wisconsin. I think the gentleman who has just questioned Judge Wickersham is mistaken as to what the judge said. I understood Judge Wickersham to say that Mr. Sulzer instructed his attorney to go there to represent him and that his attorney made the suggestions and objections.

Mr. WICKERSHAM. Yes; at pages 169–171, record.

Mr. COOPER of Wisconsin. He did not say that Mr. Sulzer instructed his attorneys to do such and such a thing.

Mr. LARSEN. That is the point of difference between the gentleman from Wisconsin and myself. My understanding is that he said that the contestee did so instruct.

Mr. WICKERSHAM. No, I did not say that; and if I did, I did not mean to say it, because the contestee was not there. He was here, and he sent the telegram which I read.

Mr. LARSEN. That is the point that I want information on.

Mr. WICKERSHAM. No; the contestee sent the telegram that I have read, and that telegram gave this sort of information with respect to these witnesses, and then the attorneys for the contestee there made the objections. Now, I think we have cleared that up and the record is perfectly clear and full on that.

Mr. HAMLIN. Is it not a fact, however, that those soldiers were within their rights under the law when they declined to answer?

Mr. WICKERSHAM. No; it is a crime, and in violation of the statute provided for taking testimony in contested-election cases.

Mr. HAMLIN. A crime not to tell for whom they voted?

Mr. WICKERSHAM. Yes; when they are not legal voters.

Mr. HAMLIN. Can they be made to divulge for whom they voted?

Mr. WICKERSHAM. Yes; when they were not legal voters.

Mr. HAMLIN. Then what do you do with the Indians who said they did not know for whom they voted?

Mr. WICKERSHAM. They are in the same category.

Mr. HAMLIN. But they were counted?

Mr. WICKERSHAM. Oh, no. You are asking about their civil status, under the law.

Mr. HAMLIN. I am asking about the question put to them, for whom they voted.

Mr. WICKERSHAM. The soldiers?

Mr. HAMLIN. Oh, they declined to answer; and would not they be within their rights when they declined?

Mr. WICKERSHAM. The gentleman can draw his own conclusion from the facts. I have stated the facts. Let me state why they declined to answer. The gentleman is a good Missouri Democrat and I am sure that he will appreciate this.

Mr. HAMLIN. I understood the gentleman to complain because the district attorney instructed them that they did not have to answer that kind of a question. Is not that true, as a matter of law?

Mr. WICKERSHAM. I do not think it is.

Mr. HAMLIN. I think it is.

Mr. WICKERSHAM. Very well. Here is why they declined to answer.

Mr. HAMLIN. I do not know why they declined to answer, but I think they were within their rights.

Mr. WICKERSHAM. The record shows on page 164.

Mr. RAKER. Mr. Speaker, will the gentleman yield?

Mr. WICKERSHAM. No. This man Robert Loghry on page 166 says that he declined to answer. On page 164 of the record it is shown that Robert Loghry was called and asked to be sworn and testify as a witness:

Mr. Loghry refused to be sworn and refused to testify as requested, stating that he had been directed by his superior officer, First Lieut. M. H. Faust, stationed at Valdez, Alaska, not to be sworn or to give testimony in this proceeding unless the officer before whom the depositions were to be taken showed proper authority so to do under chapter 8, Revised Statutes, United States, 1878.

That is why he did not answer; and at page 165 we also find the following:

Now, at 1 o'clock p. m., Cecil H. Clegg, Esq., being present, appeared James G. Coleman, Durwood M. Hocker, William A. Kirby, James E. Pegues, Austin L. Foster, Thomas G. Griffin, Harry Shutts, Raphael Myerson, Frank R. Moore, and Charles Agnetti, witnesses subpœnaed herein, and each being requested by me to be sworn and testify, each and all refused so to do, stating as grounds for refusal that they were acting under orders from their superior officer, said First Lieut. M. H. Faust aforesaid.

That is why they refused to answer, among others. Not only is that true with respect to these, but that is true with respect to all of them. These soldiers were marched down there and voted in violation of law, and then they were too cowardly to testify, and took refuge behind the fact that their superior officer had instructed them not to testify.

Mr. SHERWOOD. Mr. Speaker, will the gentleman yield?

Mr. WICKERSHAM. Yes.

Mr. SHERWOOD. The gentleman read an order from an officer inviting the privates to see him before they voted.

Mr. WICKERSHAM. Yes.

Mr. SHERWOOD. Was this officer put on the stand to testify as to whether he was going to inquire as to their qualifications or to tell them how to vote?

Mr. WICKERSHAM. No; that testimony was taken by my opponent, and I do not think he was.

Mr. RAKER. Mr. Speaker, will the gentleman yield?

Mr. WICKERSHAM. Yes.

Mr. RAKER. The gentleman referred to the deposition of the witness he just read. What was the page of that?

Mr. WICKERSHAM. Pages 164–165.

Mr. RAKER. Under the gentleman's contention and his reasoning that the witness was disqualified, I want to ask, then, if it is not true that the witness may not refuse to answer under the Australian ballot law? Is not that true? A man qualified can refuse to testify, but a man who is disqualified—in other words, who is not a legal voter—you place him upon the witness stand, he has not the rights of the man who is qualified, and he can not refuse to testify for whom he voted?

Mr. WICKERSHAM. That is right.

Mr. RAKER. Was there any effort to make these men testify for whom they voted?

Mr. WICKERSHAM. Yes.

Mr. RAKER. They were not cited for contempt?

Mr. WICKERSHAM. No; it was too far away; it is way up in the interior of Alaska; and in 40 days or 50 days you can not do very much in respect to these matters at that distance.

Now, something was said by my opponent about a man voting for me in Sour Dough precinct by the name of Louis Klopsch. This is a very simple matter. He was from Fairbanks, lived there for many years, ran a newspaper there, and he was coming over the trail, and got to this road house on election day, and he voted. Now, I conceded that his vote was illegal, but there is an excuse for it, because the law of Alaska provides that—

SEC. 23. Any person who can qualify as a legal voter in the division in which he or she attempts or offers to vote may qualify and vote in any election precinct in such division by subscribing to the qualifications required for registration in this section—

And so forth.

So if he was qualified to vote in a division, he probably thought he was qualified by the law of the Territory of Alaska to vote in any precinct in the division.

Mr. RAKER. That is the same law Oregon had for many years.

Mr. WICKERSHAM. Unfortunately, in this case he voted over the line—he was in the wrong division. I do not know whether he knew that or not; but I did, when the question was put to me, and very promptly conceded in my brief that he was not entitled to vote in that precinct; also a man by the name of Forsman, whom my opponent spoke about, who admitted he voted for me before he had become naturalized. Now, there is a reason for that, and one consistent with honesty. Congress had passed a law which is in regard to organizing towns in Alaska. In section 625, in Compiled Laws of Alaska, 1913, which is before me, it is provided:

SEC. 625. Every male person 21 years of age who is a citizen of the United States or has declared his intention to become such, and who has resided continuously one year next preceding the election in the district of Alaska and six months next preceding the election within the limits of the proposed corporation shall be qualified to vote at said or any subsequent municipal election.

It seems that Forsman had been voting in a municipality for municipal officers, and that was the reason he voted—by mistake of law—thinking that the act of Congress covered all elections.

Mr. HARDY. Will the gentleman yield?

Mr. WICKERSHAM. And I conceded he was not qualified to vote for Delegate, and that vote was stricken out. I yield to the gentleman.

Mr. HARDY. I would like to ask the gentleman if he can explain why it is within the precincts where the challenge occurred, eight of them I believe, the nonofficial ballot was used and what was the reason for not using the official ballot? Was

there any evidence of that, and if so, what was the reason for not using the official ballot?

Mr. WICKERSHAM. In those precincts thrown out, you mean?

Mr. HARDY. As I understand there are eight precincts where it was said the nonofficial ballots were used and for which in returning them they did not give any reason. Now, does the evidence show any reason why they used a nonofficial ballot?

Mr. WICKERSHAM. It is shown very clearly.

Mr. HARDY. I would like to hear it.

Mr. WICKERSHAM. Now let me talk to the gentleman for a minute. The gentleman is a lawyer and a good one, and I am a lawyer at least and I try to decide cases according to the law and evidence and I am sure the gentleman does.

Mr. HARDY. That is the very reason I am calling the gentleman's attention to the question which I put.

Mr. WICKERSHAM. When the gentleman submits a case to a jury and as good a jury as this committee has been, as faithful and long pursuing the truth as they have been, and they have given it the greatest attention with respect to the law and the facts, I think their judgment is entitled to a great deal of consideration, and it does seem to me that when this committee, headed by the gentleman from Louisiana [Mr. WILSON], with six Democrats on the committee and three Republicans, have unitedly gone into these laws and facts carefully day after day, studying all of them in the greatest detail, have given Mr. Sulzer time after time opportunity to put in additional evidence and briefs as they did, and when they studied these facts out and reached a conclusion, it does seem to me it is entitled to some credit and that a big lot of noise on this floor ought not to destroy that verdict. That is true in court.

Mr. HARDY. Does the gentleman catch my question?

Mr. WICKERSHAM. I do.

Mr. HARDY. What reason has ever been given for not using the official ballots in those eight precincts?

Mr. WICKERSHAM. I am going to answer now. The ballots did not reach the men who had charge of the election. Now, let me call this to your attention: The ballots and the paraphernalia for the election are not sent to the election officers; they are sent to the commissioner in the precinct. We have two precincts to consider in elections in Alaska. We have a recording precinct, which is an area of country sometimes 20 miles square, sometimes 100 miles square, and all the ballots for all elections in that large recording precinct are sent to the commissioner, for instance, at Nushagak or wherever he may happen to live. Now, it is the duty of the commissioner, 60 days before election, to divide his precinct into election precincts, and he has to make an order dividing that precinct into election precincts. He determines the number of precincts necessary in the larger precincts where all of the election paraphernalia is sent to him, and he distributes it around to the officers at the various polling places. Now, Mr. Lang's testimony—and the committee called attention to that very frankly and very fully—Mr. Lang's testimony is that he sent these election blanks, including the tickets, all to this commissioner.

If you will look at the record, you will find a very strong statement by Mr. Praeger, the Assistant Postmaster General, saying that for three months before that election no mails had gone out to that country. But the papers, some of them, did get there, because some of them came back. But they went to the commissioner of the recording precinct, in compliance with the law. The commissioner did not get them into the hands of the election officers in the various precincts within his precinct. Why it was, I do not know.

Mr. HARDY. Have you any way of accounting for the fact that the other papers got to these election officers and not the official ballots?

Mr. WICKERSHAM. I have not, except when they got to the recording commissioner they may have been in different packages, and one package may not have reached him, or he did not distribute them to the election officers. Now, we do not know why, but we do know from every source of evidence in the record that they did not get there.

Mr. HARDY. Have you any of the testimony of any of the judges of elections saying that they did not get them?

Mr. WICKERSHAM. Yes, sir; I have. I will read that to you.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. WICKERSHAM. Wait until I read this. Here is the statement, dated Dillingham, Alaska, May 5, 1917, which says:

We, the electors of this precinct, hereby express our strong disapproval of this action, as we cast our votes in good faith, honestly, and fairly, thereby expressing our wishes relative to the result of such election.

Mr. HARDY. What is that you are reading from?

Mr. WICKERSHAM. From a certificate signed by the judges of election.

It says further:

It was not the fault of either the election judges or the voters of this precinct that the proper ballots were not at our disposal.

We have held two elections here during former years, and at such elections we have made our own ballots, as we did in this instance.

As we were not furnished the proper ballots at the election November last, and as we were not informed as to any changes in the election laws, we feel that we have lost our votes unjustly.

The necessary registration books, tally books, etc., were furnished by the clerk of the district court, but there were no ballots with them.

It seems to us that if these votes were thrown out on account of the fact that the official ballot was not used, that the fault lies with the authorities who are supposed to furnish these supplies for election purposes, and therefore feel that we are and were deprived of our right as American citizens to cast our ballots for the persons we desired to represent us in our Government.

And that is signed by Adolf Osterhaus, judge of election; Louis Hansen, judge of election; and it is also signed by Otto A. Larson, postmaster; and Preston H. Nash, Government teacher.

Mr. SHERWOOD. Does the law of Alaska provide where the official ballots do not arrive that other ballots can be used?

Mr. WICKERSHAM. Yes; it does specifically. The law of Alaska is perfectly plain and particular on that point. The law provides that.

Mr. LARSEN. Is there any testimony there as to what the commissioners did with them, or whether they received them or not?

Mr. WICKERSHAM. No. I can only say this, that under the congressional act we have had the right to make our own ballots; that we had them printed and sent out through the country; but the Territorial legislature in 1915 passed a law called an Australian ballot system, and in that it provided for the form of ballot to be prepared by the clerk of the court, and to be sent out by the clerks, but it provided that if the official ballot should not reach the precinct they might make and vote their own ballot, as the act of Congress also provides. I think Mr. Sulzer has a good deal of merit in saying that the law is mandatory, and, if it is mandatory, then they had a right to make their ballots.

Mr. RUCKER. But what about the certificate accompanying the returns?

Mr. WICKERSHAM. I think the law has been so well stated by the committee that there is no question about it. I say their right to vote this ballot is mandatory.

Mr. RUCKER. Would the gentleman claim that one part of it was mandatory and the other was not; that the part that they could make their own ballots was mandatory and that part that they shall accompany it with a certificate is not mandatory?

Mr. WICKERSHAM. I think one part may be mandatory and the other part directory.

Mr. RUCKER. In the same section?

Mr. WICKERSHAM. Yes, sir; in the same section. I think all the decisions are in a line on that point.

Mr. HARDY. Was this certificate that you read from a document furnished to the committee, or was there any evidence by any witnesses who testified to the facts stated?

Mr. WICKERSHAM. I furnished that myself, because it came to me.

Mr. HARDY. It came to you; but was there any witness who testified to these facts, or simply a certificate from these men who signed as judges of the election?

Mr. WICKERSHAM. That is all; and that is all the law of Alaska requires, and the congressional act does not require even that.

Mr. HARDY. I was talking about the testimony before the committee. You had no witness?

Mr. WICKERSHAM. No; that is all the law requires—just their certificate.

Mr. STEAGALL. Will the gentleman yield for a question?

Mr. WICKERSHAM. I will.

Mr. STEAGALL. Did the gentleman take any part in the discussion or in the contest, if there was any, that led to the enactment of the Australian ballot law in the Territory?

Mr. WICKERSHAM. I did not. I was not there.

Mr. STEAGALL. You have taken no position on that law as it affects the question here?

Mr. WICKERSHAM. I have not committed myself in any way. I am in favor of the Australian ballot system.

Mr. STEAGALL. Are you in favor of it as adopted in the Territory?

Mr. WICKERSHAM. I never favored it or disfavored it. I think it is a dreadful botch. As a matter of fact, that law was prepared by a Democrat from Fairbanks, who introduced it in the legislature and sought to secure its passage. When it went to the senate, where my opponent was a member, it was loaded up with amendments in order to kill it, but when it came back the lower house took it with all of the amendments, in order that they might have something.

Mr. BUCHANAN. Will the gentleman tell me whether the nonofficial ballot used in the eight boxes had his opponent's name on them, as well as his own?

Mr. WICKERSHAM. There was no official ballot used there, you understand; by that I mean the one prepared by the clerk. What was used there was a worker's ballot, in yellow, prepared by my opponent and sent out there as sample ballots. He had sent them out there in the summer time, when the mails were running, and when the election time came on they voted his ballots and scratched his name off and put mine on. [Laughter.]

Mr. BURNETT. Mr. Speaker, will the gentleman yield?

Mr. WICKERSHAM. Yes.

Mr. BURNETT. Does the record show that?

Mr. WICKERSHAM. Yes; it shows that.

Mr. BURNETT. Does it show that he sent out those particular ballots?

Mr. WICKERSHAM. It shows that they voted those Democratic ballots.

Mr. BURNETT. Who testifies that he sent them?

Mr. WICKERSHAM. I would not say that he sent them, but they were there.

Mr. BURNETT. Who testifies to it? Refer us to the record.

The SPEAKER. The time of the gentleman from Alaska has expired.

Mr. WICKERSHAM. I wish the House would give me a few minutes more.

The SPEAKER. How much?

Mr. WICKERSHAM. Oh, say, 15 minutes.

Mr. RAKER. I ask unanimous consent, Mr. Speaker, that the gentleman be allowed 20 minutes in which to complete his remarks.

The SPEAKER. The gentleman from California asks unanimous consent that the gentleman from Alaska be permitted to proceed for 20 minutes. Is there objection?

There was no objection.

Mr. MOORES of Indiana. Mr. Speaker, will the gentleman yield to a question?

Mr. WICKERSHAM. Yes; in a moment.

Mr. REAVIS. Mr. Speaker, will the gentleman yield to me?

Mr. WICKERSHAM. Yes; but I have already yielded to two gentlemen now, and the gentleman can wait a few minutes.

Mr. HARDY. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield; and if so, to whom?

Mr. WICKERSHAM. I yield to Judge RAKER.

Mr. RAKER. It was not I who asked the gentleman to yield. It was Judge HARDY.

Mr. REAVIS. My question is in line with Judge HARDY's suggestion.

Mr. WICKERSHAM. I yield to the gentleman.

Mr. REAVIS. Does the record show that the ballots voted in that precinct were the ballots that had your opponent's name on, and were scratched off and your own name put on?

Mr. WICKERSHAM. Yes.

Mr. REAVIS. The presumption would be that you did not prepare them.

Mr. WICKERSHAM. No; I did not prepare any. They were all Democratic sample ballots, sent out there either by my opponent or by his representatives. But there is nothing wrong about it. I am not making any charge of anything wrong in the matter, because he had the right to send those sample ballots out. I am merely calling the attention of the House to the fact that those were the ballots that were voted. If I am making a mistake about that, the chairman of the committee is here, and he can correct me.

Mr. MOORES of Indiana. Will the gentleman yield?

Mr. WICKERSHAM. Yes; I yield to the gentleman.

Mr. MOORES of Indiana. Did not the gentleman from Alaska see these ballots in the possession of the committee—the ballot bags and the ballots themselves?

Mr. WICKERSHAM. Yes; and all these ballots are in the possession of the House, in charge of the Committee on Elections No. 1. If you gentlemen want to look at them, you can send for them.

Mr. MOORES of Indiana. They are in the possession of the committee, and the statement of the gentleman from Alaska [Mr. Wickersham] is absolutely true.

Mr. WICKERSHAM. Yes; and they are yellow. [Laughter.]

Mr. SULZER. Mr. Speaker, will the gentleman yield?

Mr. WICKERSHAM. Yes; I yield for a question. The gentleman has been talking for two days, but I yield to him now for a question.

Mr. SULZER. The gentleman has stated that these ballots were all Democratic workers' ballots, and the gentleman from Indiana [Mr. MOORES], although he has heard this discussion for two days and has read the record, makes the same statement. I therefore call the attention of the gentleman to page 10 of the report of the committee, Choggiung being the place of particular contention, where it is shown that—

At Choggiung the judges of election had the official register and tally book just as they had at Naknek and Nushagak. The ballots were made with typewriter.

Now, the chairman of the committee said the same thing on the floor of the House. Why does the gentleman endeavor to create an erroneous impression in the minds of the gentlemen of the House?

Mr. WICKERSHAM. I do not. The ballots are here in the committee's possession. The House or any Representative can see them. They were yellow ballots, and they were sent out by you or by somebody from the Democratic headquarters. I do not know who sent them.

Mr. WILSON of Louisiana. Mr. Speaker, will the gentleman yield?

Mr. WICKERSHAM. Yes.

Mr. WILSON of Louisiana. I would like to say, for the information of the House, that at Choggiung and Nushagak the ballots were made on a typewriter.

Mr. SULZER. And at one other precinct they were made out by the party workers.

Mr. WILSON of Louisiana. There is nothing in the record about party-worker ballots. The record shows that they were used in two precincts.

Mr. COOPER of Wisconsin. Mr. Speaker, will the gentleman let me read a line?

Mr. WICKERSHAM. I yield to the gentleman.

Mr. COOPER of Wisconsin. On page 11 of this report I find, under paragraph 3, this language:

What reason could be given, for instance, for those who desired to vote for Mr. Wickersham declining to use ballots upon which his name was printed and taking ballots upon which the name of Mr. Sulzer was printed and going to the trouble to write Mr. Wickersham's name thereon in order to vote for him?

What does that mean?

Mr. SULZER. It simply means that they were not official ballots, but such as could be prepared on the outside of the polling place.

Mr. COOPER of Wisconsin. These were printed.

Mr. SULZER. They dispensed with the official ballot. That was the reason.

Mr. WICKERSHAM. Yes. They dispensed with the official ballot, but they used the ballot prepared by either you or the Democratic committee. But I am not quarreling about that.

There is nothing wrong about it; only those were the ballots that happened to be there, and they were voted, and they are in the possession of this committee. That answers the inquiry of the gentleman from Texas as to whether these other ballots got there. They did not get there. All the evidence in this record shows that they did not get there.

Mr. SULZER. What became of them. Where are they?

Mr. WICKERSHAM. You and your friends had the entire control of politics and the machinery of elections up there at that time, and if you do not know, nobody knows. [Laughter and applause.]

Now, something was said about my having had some friends at court at these elections. It is not true. We have had a difference of opinion in Alaska with respect to Republican politics, and I have been an independent Republican at times, because I would not yield my rights as an American citizen to the political boss up there, and when these election officers were selected and it became necessary to put on Republicans they always put on my political enemies, and, if anything, they were worse than the Democrats. [Laughter.]

Mr. SULZER. Will the gentleman yield for a question?

Mr. WICKERSHAM. Yes.

Mr. SULZER. Does the gentleman think that election officials who were friendly to me would do away with official ballots and use nonofficial ballots so that in a precinct like Choggiung, which cast 28 votes, I would receive only 3 of them and the contestant would receive 25?

Mr. WICKERSHAM. No, I do not think that. I think the official ballots did not get to those outer precincts, that the election officials there did not receive them. The record is perfectly clear on that question. Now, the official ballots did not get to Utica and to Deering precinct up at Nome, and the returns from those precincts were sent in without the certificates, but subsequently the certificates came along, and when this proceeding began in this House those certificates were here, and they are all in the record. They are all perfectly clear and in accord with the law. There is a perfectly straight record with respect to those certificates before the House. The committee has examined all those matters and has been frank and honest, and it seems to me it would be a shame to throw out the election in Alaska and refuse to give me the right to which I am entitled under the law, after this committee has given the matter such careful attention as it has. The committee has been more than fair. If the committee has injured anybody it has injured me. It has made me wait here almost two years now for the right which the law gives me. I am not criticizing the committee, either. Mr. Sulzer has had the benefit of all that, and I do not think this House will take any such stand as that with respect to the matter.

Mr. ROBBINS. Is there any qualification in Alaska requiring a registration of the voters, such as we have in the United States?

Mr. WICKERSHAM. No; there is a registration there, but it takes place at the time the voter comes up to vote.

Mr. ROBBINS. And not prior to that time?

Mr. WICKERSHAM. No; not prior to that time.

Mr. HARRISON of Mississippi. In this last campaign—last November—was the proposition discussed as to whether you were elected or Mr. Sulzer was elected?

Mr. WICKERSHAM. It was discussed a little; yes.

Mr. HARRISON of Mississippi. Well, who was elected in the last election, or has not that been decided?

Mr. WICKERSHAM. We do not know yet. The answer will depend on whom you ask. If you ask me, I say that I am elected, and I have no doubt that if you ask Mr. Sulzer he will say that he is; but I am perfectly willing to say that it is so close that nobody can honestly tell you, and that neither you nor we will know until the official count is had.

Mr. HARRISON of Mississippi. And there will probably be a contest over that?

Mr. WICKERSHAM. Not if I lose here, because I have had enough of it. [Laughter.]

Mr. PARKER of New Jersey. Will the gentleman permit a question?

Mr. WICKERSHAM. Yes.

Mr. PARKER of New Jersey. In reference to this matter of unofficial ballots, I find at the top of page 10 of the report the following:

At Naknek there were no official ballots, the voters using what are termed in that section "Party workers' ballots," on which the name of Mr. Sulzer was printed. At this precinct there were 9 votes for Sulzer and none for Wickersham. The election judges attached to the returns a statement that no official ballots had been received. They had the official register and tally book, which is a part of the official election supplies.

Mr. WICKERSHAM. Yes; that is correct.

Mr. PARKER of New Jersey. The report further says:

At Nushagak they had exactly the same election supplies and used exactly the same ballot as at Naknek. Here the vote was 10 for Wickersham and 3 for Sulzer.

Mr. WICKERSHAM. Yes; the record is fairly full and clear on that.

Mr. PARKER of New Jersey. I only call attention to that statement in the report.

Mr. WICKERSHAM. That is in the record, and my opponent sent those tickets out; I did not send out any.

Now, gentlemen, our elections in Alaska are fair elections. We have about 15,000 voters up there, and there is very little trouble amongst our people. The difficulty usually begins when we get down here to Washington. [Laughter.] As a matter of fact our elections are quiet and honest generally. There have been times when we have had some crooked transactions at our elections.

My friend Sulzer talks about the purity of elections, and how earnestly he is in favor of the purity of elections. He puts his hand on his heart and talks about the purity of his purposes, and so forth, as if nobody else, except somebody by the name of Sulzer, had any such pure purposes. I try to obey the law myself, and the people of Alaska are in favor of pure elections; we are in favor of a square deal and a fair count at our elections; and when the election is finally had and a man is elected by a majority of 31 votes, we object to anybody else taking the certificate. My opponent went before the court almost two years ago, when I was in Washington City, and brought the suit which has been mentioned by him. I was not made a party to that suit. No service was made on me in that case. Mr. Sulzer brought a suit against the canvassing board, consisting of the governor, the secretary, and the collector of customs. He did not give me any notice or serve any papers on me. The court tried the title to the office and issued a mandamus to the canvassing board, compelling them to throw out those six precincts and give Mr. Sulzer the certificate of election, without any notice of any kind to me, something that has never been done before in any court in America, and I hope never will be done again.

Mr. DENISON. Who is this judge?

Mr. WICKERSHAM. His name is Robert Jennings. He ran against me four years before for Delegate, and was defeated by every other candidate for Delegate on the ticket, and he has been unfriendly toward me ever since. He is a good lawyer, too. I want to say that on the floor of the House, so that it will go into the RECORD.

Mr. REAVIS. Does the gentleman say that a good lawyer would enter a decree in a case in which the issue was the title to an office and deprive a man of that office without giving him any notice or making him a party to the suit?

Mr. WICKERSHAM. He is a good lawyer in this, that he knows where to get cases and quotations to make a plausible opinion in a bad case.

Mr. REAVIS. The gentleman is either reflecting on this judge's ability as a lawyer or on his honesty as a man.

Mr. WICKERSHAM. Well, those are the facts. You can draw your own conclusions. I was not made a party to the suit, and the record shows that. The record also shows that the governor and secretary of the Territory and collector of customs, who were the canvassing board, declined to employ any lawyer to defend the suit. It shows that the whole case was an agreed case without defense. They presented the matter to the court without any suggestion on my part, because the canvassing board made no defense, did not employ counsel; they prepared and filed an answer but said they had no money to hire a lawyer, and they simply filed the paper and let it go. In their answer they alleged:

5. These defendants further respectfully state that they have made no further answer to the allegations contained in the petition filed herein, for the reason that the canvassing board has no funds with which to employ legal counsel, and the members thereof do not conceive it to be their duty to employ such counsel and pay for his services from their private means.

Wherefore, having answered the writ herein, these defendants respectfully ask that they be discharged therefrom and that the proceedings herein be dismissed.

J. F. A. STRONG,
CHARLES E. DAVIDSON,
Canvassing Board.

Mr. MONTAGUE. Will the gentleman yield?

Mr. WICKERSHAM. Certainly.

Mr. MONTAGUE. The decision to which the gentleman alluded is the one holding that the statute which requires the certification by the judges of election in the absence of the ballot was mandatory?

Mr. WICKERSHAM. Yes.

Mr. MONTAGUE. And the gentleman contends that it is directory?

Mr. WICKERSHAM. Yes.

Mr. MONTAGUE. There is a difference of opinion about it?

Mr. WICKERSHAM. I do not think so.

Mr. MONTAGUE. If it were not mandatory, what law do you have to govern the election?

Mr. WICKERSHAM. We have a law governing elections. It requires that all voters shall have been one year a resident of Alaska, and a resident of the precinct for 30 days. Congress passed that law, and in relation to qualifications it says that they may in the absence of official ballots use written or printed ballots. That is the law passed by Congress. Then it says that the Territorial legislature shall not have the power to modify, amend, or repeal the congressional law. That is substantially what it says.

Mr. MONTAGUE. Let me see if I understand the gentleman.

Mr. WICKERSHAM. The Territorial legislature had no authority to pass any law which would modify, repeal, or change the election law passed by Congress as to the holding of these Delegate elections. That is what this clause attempts to do.

Mr. MONTAGUE. The gentleman thinks that the legislative enactment is not valid because it is contradictory to the congressional legislation?

Mr. WICKERSHAM. I do, but the committee did not hold that with me.

Mr. RAKER. Will the gentleman yield?

Mr. WICKERSHAM. I will.

Mr. RAKER. Speaking of the mandamus case of Sulzer against the canvassing board, the judge rendered the final decision in that case after sustaining the demurrer. Was not that judgment appealable?

Mr. WICKERSHAM. But I was not a party.

Mr. RAKER. That is not the question. Did not the commissioners have the right to appeal?

Mr. WICKERSHAM. Yes; but in their answer they stated that they had no money and declined to do anything.

Mr. RAKER. The mere fact that the governor and the secretary of state, who had an official duty to perform, lay down and said that they would not perform it indicates that something must have been wrong.

Mr. WICKERSHAM. Something was wrong. [Laughter.]

Mr. RAKER. Were there also injunction proceedings commenced and served on the same official?

Mr. WICKERSHAM. Yes; there was an injunction in the original order.

Mr. BAKER. Any appeal taken from that?

Mr. WICKERSHAM. No.

Mr. BAKER. It became final?

Mr. WICKERSHAM. Yes.

Mr. BAKER. Is there any provision in the laws of Alaska that the contestee in any such mandamus proceeding is a proper party?

Mr. WICKERSHAM. I do not think there is any doubt about that in the world.

Mr. BAKER. I want to say that in ninety-nine cases out of one hundred he is not a proper party and could not be made a party.

Mr. WICKERSHAM. Let me ask the gentleman a question: Does the gentleman think that Mr. Sulzer ought to have brought suit against the canvassing board in the court, try my right and title to that office, grant a mandamus against the canvassing board compelling them to throw the precincts out, and issue a certificate to Mr. Sulzer without any notice to me?

Mr. BAKER. Clearly from the record notice was given.

Mr. WICKERSHAM. To me?

Mr. BAKER. I do not know.

Mr. WICKERSHAM. There is no such claim as that made.

Mr. BAKER. Ordinarily notice is to be given, but under the statutes of the various States it is an exceptional case where the party in interest is permitted to be made a party to the mandamus proceedings against the officers.

Mr. WICKERSHAM. That arises where the mandamus is to compel the officers to move, but never in a case to try the title to the office. Mandamus in such cases issues only to compel the officers to move along within the law. It does not go to the right of another party or to compel the board to do or not to do a certain thing. That is the correct rule in mandamus, and that the judge did not do. He issued a mandamus to compel the canvassing board to throw out the precincts and grant a certificate to my opponent, and I was not not made a party.

Mr. GARRETT of Texas. Will the gentleman yield?

Mr. WICKERSHAM. Yes.

Mr. GARRETT of Texas. In the suit which the gentleman refers to, by the contestee against the canvassing board for a mandamus, did the gentleman have knowledge of that suit? I do not mean notice, but did he have knowledge of it?

Mr. WICKERSHAM. I knew afterwards that the suit had been begun.

Mr. GARRETT of Texas. Did not the gentleman have a right under the law of Congress and of Alaska to intervene in the suit?

Mr. WICKERSHAM. Possibly.

Mr. GARRETT of Texas. Did the gentleman intervene?

Mr. WICKERSHAM. I did not; I was in the city of Washington here in attendance on Congress. I was then the Delegate. I was attending to my duties; but I saw by the papers from Alaska two or three weeks afterwards that the suit had been begun.

Mr. GARRETT of Texas. And you received no word?

Mr. WICKERSHAM. None whatever, and no notice of any kind except in that way.

Mr. GARRETT of Texas. How long was this suit pending?

Mr. WICKERSHAM. Probably three weeks.

Mr. GARRETT of Texas. Could you not have secured an attorney there to represent you if you had wanted to?

Mr. WICKERSHAM. I might, but I was not made a party.

Mr. SULZER. Mr. Speaker, will the gentleman yield?

Mr. WICKERSHAM. Yes.

Mr. SULZER. The gentleman knows that John Rustgard is one of the ablest attorneys in Alaska.

Mr. WICKERSHAM. I admit that.

Mr. SULZER. And he knows that John Rustgard was his campaign manager in this particular campaign.

Mr. WICKERSHAM. I deny that.

Mr. SULZER. The gentleman knows that John Rustgard was the attorney that acted for him when this testimony was taken.

Mr. WICKERSHAM. That is not true.

Mr. SULZER. He acted for the gentleman at Afognak and Seldovia in this case.

Mr. WICKERSHAM. Oh, he did that; yes.

Mr. SULZER. John Rustgard is an intimate friend of the gentleman, is he not?

Mr. WICKERSHAM. He is at least an acquaintance.

Mr. SULZER. John Rustgard acted as amicus curiæ, and practically though not technically represented the contestant in this particular proceeding.

Mr. WICKERSHAM. He did not.

Mr. SULZER. He represented him as well as he could.

Mr. WICKERSHAM. Mr. Speaker, I object to the gentleman interrupting me any longer. I will tell the story. When this case was called, Judge Jennings, who is a good lawyer, as I said before, notwithstanding the objections of my friend over here, knew that it was going to look bad not to have some one there to represent me, and he invited John Rustgard as amicus curiæ to make a showing.

The SPEAKER pro tempore (Mr. CLAYPOOL). The time of the gentleman has expired.

Mr. KNUTSON. Mr. Speaker, the gentleman has been interrupted so often, I ask that he be allowed to conclude his remarks.

Mr. WICKERSHAM. Oh, give me 10 minutes.

Mr. KNUTSON. I ask unanimous consent that he be given 10 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. GARRETT of Texas. What was the date of the filing of this suit?

Mr. WICKERSHAM. Some time in March—March 2, 1917.

Mr. GARRETT of Texas. I mean of the proceedings in Alaska against the returning board.

Mr. WICKERSHAM. It was some time in February or March. It is all in the record.

Mr. GARRETT of Texas. If it was in the month of March, then the gentleman's time had expired.

Mr. WICKERSHAM. But I was not at home, and it takes me some time to get home. I want to say this with respect to this amicus curiæ proceeding. When this case came up, Judge Jennings realized that it was going to look bad if he should try this case and render his judgment against me in my absence. He went to a member of the bar, Mr. John Rustgard, personally, as he says here in his opinion, and asked him to appear as amicus curiæ, although Mr. Sulzer was represented in the case by an array of attorneys and by the attorney general of Alaska as well. Judge Jennings did that so that he might have something between himself and criticism if he decided the case without giving me any notice. I never employed Mr. Rustgard in the matter, never was consulted about it, and in his appearance Mr. Rustgard says that he does not appear for me at all, that he appears at the request of the judge as amicus curiæ. Here is what he said:

In the district court for the district of Alaska, division No. 1, at Juneau. The Territory of Alaska, on the relation of Charles A. Sulzer, and Charles A. Sulzer, relator and plaintiff, *v.* The Canvassing Board for the Territory of Alaska, consisting of J. F. A. Strong, Charles E. Davidson, and John F. Pugh, defendants. No. 1593-A.

Comes now John Rustgard, in response to the court's invitation to appear as amicus curiæ, and respectfully submits the following considerations as bearing upon the question before the court, with the distinct understanding, however, that he does not have any authority, desire, or intention to appear for or on behalf of James Wickersham.

Mr. GARRETT of Texas. Did he file any pleadings on your behalf?

Mr. WICKERSHAM. No; he only filed a brief. He did not file any pleadings. This case was tried before Judge Jennings, and this judgment and opinion which you gentlemen heard read here and have heard so much about was prepared substantially in a case where there was only one party in court. It took away my rights, took away the certificate from me, because the governor of the Territory of Alaska and the secretary of the Territory of Alaska and the collector of customs of the Territory of Alaska, three officials appointed by President Wilson and confirmed by the United States Senate, sitting as a returning board, had declared me elected. This Democratic canvassing board on the last day had declared that I was elected and had notified the attorney general that they were going to sign my certificate, and he asked to have it put over until the next morning, and before the next morning they were served with an injunction, and the matter then was brought on for hearing before the court, and the peremptory writ was issued on March 23, 1917, just three weeks from the filing of the writ. Those are the facts.

Mr. LARSEN. Conceding all votes to be legal votes—both Indian and soldiers—who received a majority?

Mr. WICKERSHAM. I did on the face of the returns. I received 31 majority over Mr. Sulzer, according to the findings of the canvassing board. The Democratic canvassing board declared me to be elected—a Democratic canvassing board—and a Democratic committee of this House has declared that I was honestly elected. Now, what are you going to do about it? [Applause.]

Mr. DALLINGER. Mr. Speaker, I understand that it is the intention of the gentleman from Alabama to move to have this matter recommitted to the Committee on Elections. I hope that motion will not prevail, but that the report of the committee will be accepted by the House and that the resolutions recommended in that report will be adopted.

It seems to me that what has gone on here during the last two days has been a very extraordinary proceeding. Eighty

per cent of the membership of this House are members of the legal profession, and I suppose that is true relatively of the Democratic side of the House as it is with the Republican side. If it were possible to suppose such a case, no member of the legal profession would think of being influenced in regard to the law or the facts in an action at law by listening to one of the parties, plaintiff or defendant, speaking at great length in his own behalf and reading particular portions of the evidence that might seem to favor his side after that case had been exhaustively tried before a jury and after all law and all of the evidence had been considered and every opportunity had been given to all of the parties to put in all their evidence, to make all their argument, and that jury had unanimously decided against the party in question. To any member of the legal profession such an idea is preposterous; but that is what you have had here for the last two days.

This Committee on Elections No. 1, I am proud to say, as the Committee on Elections No. 3 in another case in the present Congress, has not been actuated by partisanship. In the case of Beakes against Bacon a committee composed of members of both political parties unanimously decided in favor of the Democratic contestant, because on the law and the evidence they were satisfied that the Democratic contestant was entitled to his seat. This Committee on Elections No. 1 has had another case in the present Congress which has been acted upon by the House, namely, the case of Scott against Steele, where a Democratic contestant sought to unseat a Republican Member who had received a certificate, and, although that committee was composed of six Democrats and three Republicans, after an exhaustive study of the case it unanimously decided to allow the Republican Member to retain his seat.

In the case now before the House, Committee on Elections No. 1, composed of six Democrats and three Republicans, after a full and complete hearing, has unanimously decided in favor of unseating the Democratic Delegate from Alaska and seating his Republican opponent. And it is a remarkable fact that this Democratic Delegate from Alaska could not get one of the six Democratic members of the Committee on Elections, members of his own party, to file a minority report in his favor upon the law and the facts in this case.

Mr. Speaker, I have been surprised to see that some of the leaders on that side of the House have apparently thought so lightly of the judgment of the Committee on Elections No. 1, a committee controlled by members of their own party and with their able colleague from Louisiana as chairman. In my opinion, there never was a man at the head of a Committee on Elections of this House who was more conscientious, more painstaking, and more thoroughly conversant with the laws governing elections than the honorable gentleman from Louisiana, Judge WILSON, chairman of this committee. [Applause.] Does any Member of this House seriously think that Judge WILSON would deliberately do anything that would refuse a full and fair hearing or a square deal to a sitting member of his own party in this House? And yet that is what the contestee in this case has deliberately charged him with in his speech of yesterday.

On the contrary, he has carefully considered and studied every decision and citation that the counsel for the sitting Delegate has presented to the committee. The parties in this case came before us and fixed their own time. Mr. Sulzer was given every opportunity to file additional briefs after the case was closed; and even after the committee report had been made and agreed upon, the chairman reopened the matter, and we had another meeting of the committee in order that the committee might consider these decisions filed in this extra and extraordinary brief.

Now, to show how much credence should be given to this defendant, who has been allowed full opportunity and unlimited time to present his case to the membership of this House who have not been familiar with the proceedings before the committee, I desire to call your attention to just one incorrect statement out of many which he made in the course of his remarks. You heard him state yesterday in answer to a question that there was no evidence in the record that these official Australian ballots had not reached the eight precincts, the returns from which were arbitrarily thrown out by the judge on mandamus proceedings. He told you without the blinking of an eye that there was no evidence, and yet the record is full of it. On page 154 there is the sworn affidavit of two of the three judges of election in the Deering precinct, and on the same page the sworn affidavit of all three judges of election in the Utica precinct. I have here a memorandum of what the record shows in every one of these precincts, but I know the House is weary, and I do not intend to go into the matter in detail. Suffice it to say that there is plenty of evidence in the record upon which the committee made its findings, and yet because this interested party, who has had a unanimous verdict returned against him by a court controlled by his friends, gets up and tells you that there is no evidence on a particular point when the record shows that there is, it is seriously proposed to disregard the findings of an impartial committee and recommit the report, which means that the contestee will continue to keep the office and draw the salary to which he is not entitled.

Mr. Speaker, I do not blame the Delegate from Alaska for speaking in his own behalf, but I do protest, as a Member of the American Congress, against this treatment of a committee of the House of Representatives.

You Members on that side would never think of treating any of your other committees that way. It is almost impossible to get an amendment on an appropriation bill that has not the approval of the committee, and yet you propose to-day to try to overthrow the work of one of your committees, composed of a 2 to 1 majority of members of your own party, after months of careful and exhaustive study.

Now, Mr. Speaker, it has already been pointed out here that the election machinery of the Territory of Alaska has been in the control, and was in the control at the time of this contested election, of the party to which Mr. Sulzer, the sitting Delegate, belonged. The canvassing board was a Democratic canvassing board. The board canvassed the returns and found that Mr. Wickersham was elected Delegate from the Territory of Alaska, and was about to issue a certificate to him, when there took place one of the most remarkable things that has ever taken place in the history of elections in this country. A petition for a writ of mandamus was brought before the judge of the United States court, the contestant not being made a party to the proceedings, and that judge issued a writ of mandamus ordering the canvassing board to throw out the returns of eight precincts. On what ground? On the ground that a certain provision in the law passed by the Territorial Legislature of Alaska was mandatory and not directory. Now, your committee did not go into the question raised by the contestant—Wickersham—that the Legislature of Alaska had no right to pass an Australian ballot law. I am one of those who believe that the legislature did not have that right, and that the act of Congress prescribing a form of government for the Territory of Alaska was to all intents and purposes the constitution of the Territory of Alaska; but we did not go into that question and did not consider it, because we did not consider it necessary, for the reason that the law in reference to the question of directory and mandatory provisions of election statutes is pretty well established. The provision of the Alaska statute, upon the strength of which the returns from eight precincts were arbitrarily thrown out, was enacted owing to the peculiar conditions in that Territory. It provided that where, owing to poor communication, the official Australian ballots did not reach a certain precinct, then the voters in that precinct should have the privilege, which they had always had previous to the passage of the Australian ballot-law statute, of preparing their own ballots. That was the situation all over the country before the Australian ballot law was passed. The different political parties used to print the ballots for their voters. There was no fraud about having ballots printed by the candidates or by their friends or by the political parties for the use of the voters.

Now, in the case of these eight precincts, there is evidence in the record that the ballots did not get there; but the judges of election, belonging to the majority party, belonging to the party of Mr. Sulzer, failed to send along with the returns from those eight precincts a certificate stating that the official ballots were not used for the reason that they did not get there in time. If there ever was a directory provision in the statute, it was that.

Now, I desire to call your attention to the decision that has already been referred to—and that is quoted in the committee's report—of the Supreme Court of Missouri in a recent case. Mr. Sulzer picks out one of the authorities cited by the committee, in the Twenty-first Congress, and tries to give you the impression that the Committee on Elections No. 1 was relying solely upon old and outgrown decisions. But this case of Norsefall against School District, reported in One hundred and forty-third Missouri, page 542, is a comparatively recent case, and it is the law in this country to-day. I ask you to listen and see if you do not agree that this is sound law and also sound common sense:

> Electors must not be deprived of their votes on account of any technical objection to the manner in which the election has been held or for any misconduct on the part of its presiding officers, if these have not affected the true result of the election. (Cooley's Constitutional Limitations, 617, 618; Prince *v.* Skillen, 71 Maine, 361.) This would be to deprive the citizen of a great constitutional privilege for a mere informality; to place it within the power of a few persons to defeat the right of suffrage altogether. The very means provided to insure a fair and proper election might become an instrument of fraud and dishonesty.

Now, I want the House to consider the importance of this precedent which, if Mr. Sulzer is allowed to retain his seat, will become established by the House of Representatives. It means that where, as in most parts of the country, the election boards are partisan, either composed entirely of members of one party or two of the majority party and one of the minority party, it is possible for these election officials, by neglecting or refusing to comply with some formality of the statute, to throw out the entire vote of precincts which have given the opposite party a majority. It is a most dangerous precedent. And I do not believe this House is going to establish any such precedent in this or any other case. So much for that.

Now, the contention of the contestee that Indians were illegally permitted to vote for the contestant has been disposed of most exhaustively by Mr. Wickersham himself. The committee found on the evidence that all of these so-called Indian votes complained of were votes of American citizens who were not Indians living in tribal relations at all, and who are protected in their civil and political rights by the treaty of 1867. If the Territorial Legislature of Alaska wants to pass an act providing for an educational qualification and providing that every person, in order to vote, must be able to read and write in the English language, it has that privilege, assuming, for the sake of argument, that it has the right to pass any election law modifying the act of Congress to which I have previously referred. But manifestly until it does pass such a statute the fact that a person can not read or write is no reason whatever why he or she can not vote in the Territory of Alaska, and no question to the contrary has ever been raised except by the contestee in his address to the Members of this House.

Now, I want to say a word in regard to the soldier vote. That is another question of establishing a precedent of the most vital importance to this Republic. As I said a minute ago, I do not believe that this House is going to override the well-established law in regard to directory and mandatory provisions of election statutes and establish the unfortunate precedent of permitting technical informalities to disfranchise whole precincts of voters. Neither do I believe that this House is going to establish a precedent by which soldiers of the American Army can be voted by an administration of any party in any part of the United States, regardless of their former domiciles. The law upon this question to-day is absolutely certain and there can be no real controversy in regard to it. The law is that a soldier of the United States can not gain a legal voting residence in any State of the Union during the time that he is in the military service; that when he enlists he has a certain domicile, and that domicile continues as long as he is in the military service of the United States Government. If any of these soldiers now in Alaska after their discharge from the Army wish to settle in that Territory and live there the year required by law, then they may become citizens of Alaska and entitled to vote. But until they do they can not vote. Just stop and think a minute what the establishment of any other precedent would mean, with the large standing Army that we are liable to have in the future or with the immense Army that we have at the present moment. It would be possible, Mr. Speaker, for a Republican administration at Washington to send northern troops coming from Republican localities to different camps and cantonments in the Southern States and absolutely dominate the politics of those States not only in national but in State and local elections. And, vice versa, it would be possible for a Democratic administration at Washington to send troops from the South, Democratic in their affiliation, into the close States and congressional districts of the North and determine the elections there. I believe that the law as it is now is sound, wise, and vitally necessary for the protection of free institutions, and I trust that this House will not override that law and establish any such dangerous precedent.

Mr. Speaker, I have touched briefly upon the chief points upon which this case was decided. Your committee has given the matter long and exhaustive study, and we have made a unanimous report to this House. Recommitting it to the committee will not change the result, because we have gone over all the facts and we have considered all the law and have exhaustively studied the question at issue from every possible angle. We believe that we ought to live up to the reputation that the Committees on Elections have made in this House, and that now and in the future these cases should be decided, as this case has been decided, upon their merits, upon the law and the facts in each particular case, without regard to personal or political consideration. I trust that this House will not adopt the motion to recommit, but will adopt the resolutions recommended by the committee in its report.

I thank you for your kind attention. [Applause.]

Mr. RAKER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. RAKER. I desire to say a few words.

The SPEAKER. The gentleman is recognized for an hour.

[Mr. RAKER addressed the House. See Appendix.]

Mr. BURNETT. Mr. Speaker, I intend to offer the following resolution, which I send to the Clerk's desk, and desire to discuss it only for a few minutes.

The SPEAKER. Is the gentleman offering it now or asking that it be read in his time?

Mr. BURNETT. I ask that it be read now, in my time, and give notice I shall offer it.

The SPEAKER. Without objection, the Clerk will report the resolution.

There was no objection.

The Clerk read as follows:

Mr. BURNETT moves to refer the contested election case of James Wickersham, contestant, against Charles A. Sulzer to Committee on Elections No. 1, and said committee shall report on said case by or before February 10, 1919.

Mr. MANN. Will the gentleman yield for a question?

Mr. BURNETT. Certainly.

Mr. MANN. Of course the committee is entitled to close debate under ordinary circumstances, but what I want to get at is for the convenience of the House and ascertain how long does the gentleman think it will take to conclude debate?

Mr. BURNETT. Well, I do not care, as far as my part is concerned, to consume more than 20 minutes. I presume the question is addressed to the chairman of the committee having the matter in charge.

Mr. WILSON of Louisiana. I shall not use more than 20 minutes.

Mr. MANN. At the end of that time is it the intention of the gentleman from Louisiana to move the previous question?

Mr. WILSON of Louisiana. Yes; on the resolution. Of course I do not know anybody else who wants to speak.

Mr. MANN. Well, I am not so anxious whether anybody else wants to speak or not. I have listened to two days' debate on this, and I think I have listened to enough; but I think the House would like to know when we are going to get through.

Mr. WILSON of Louisiana. It is the intention of the chairman of the committee to have a vote upon this resolution as soon as the gentleman from Alabama makes a statement and I make a short statement.

Mr. MANN. Then the gentleman will move the previous question?

Mr. WILSON of Louisiana. The previous question; yes.

Mr. BURNETT. Mr. Speaker, it was my purpose, without design to shut off the gentleman, to move the previous question and then ask unanimous consent for the gentleman to proceed for such time as he might desire; but I do not care; it is immaterial to me in regard to that.

The SPEAKER. The gentleman from Alabama.

Mr. BURNETT. Mr. Speaker, I want to say at the outset of this discussion that I would be the last man who would reflect on any member of the committee that reported this case. And the gentleman [Mr. DALLINGER] who spoke awhile ago urging that the report should be adopted because of the special sanctity that he thought was around the report of the committee can not say anything more favorable to the members of the committee, and especially to the chairman of the committee, with whom I have been associated at the same committee table for the last two years, than I can say.

Mr. Speaker, I would be the last man in this House to undertake to inject partisan politics into the question of seating or unseating a Member of Congress. I am the last man that ought to do that. I remember that 18 years ago I went through the same mill when there was a Republican House, with 30 or 40 majority, and when they had the power to pitch me out of the window without any ceremony.

I want to say further that, although I had made many a race inside of my party and against the common enemy, no contest that I ever had for the election scared me like that contest of my election before a Republican House. There were on that committee at that time men who were strong, able, fearless, honest, and fair. The present distinguished leader of the Republican Party himself was the ranking Republican on the committee. I haunted the committee room many and many a day, not for the purpose of buttonholing a Democrat or a Republican member of the committee, because I did not do that, but for the purpose of listening to contests and reading and trying to understand the precedents that had been established in contested-election cases. After the decision of that committee, I concluded that, so far as that Committee on Elections was concerned, there was not a member of it that would let partisan bias influence him for one moment.

And, Mr. Speaker, since that time I have followed, I believe, exactly that kind of policy in election cases. No man can throw it at me that I am inspired or moved by reason of the

fact that Mr. Sulzer is a Democrat or Mr. Wickersham is a Republican. In the contested-election case in this House a few years ago against Mr. DYER, of St. Louis, Mo., I differed from the report of a majority Democratic committee, and from a majority of Democrats in this House, and voted against unseating that gentleman, because I believed that he had been honestly elected.

Mr. Speaker, my position is not a reflection upon this committee. Why, the gentleman from Massachusetts [Mr. DALLINGER] himself has not regarded the sanctity of unanimous reports of committees heretofore. I remember that but a few weeks ago when a unanimous report of a committee of which I was a member came in, and where the members of the committee of his party unanimously concurred in the report, he himself joined in defeating that report.

Mr. Speaker, as chairman of a committee and a member of committees, many times have I brought in reports that I felt a special interest in, which by the time the House of Representatives was through with them I did not know as our own offspring. So all that kind of argument, it seems to me, is for the purpose of throwing dust in the eyes of somebody.

The chairman of the committee has sat with me in too many important matters pending before the Committee on Immigration and Naturalization to believe that for one moment I would doubt either his sincerity, his ability, or his industry. As a lawyer and as a man he investigates carefully and honestly questions coming before him.

Mr. Speaker, an election contest is one of the most important questions that can be considered under the rules of this House, and one of the very highest privilege. It involves not only the question of a seat of a man in Congress but the representation of the constituents whose commission he holds. And I think I can approach it without any desire whatever to be the partisan of either.

I know the distinguished ex-Delegate from Alaska better than I do the sitting Member. I have never had occasion to entertain anything but the kindest feeling for him, and the only motive that I have is to try to see justice done everybody, and I approach the discussion with diffidence because of the great respect and high opinion that I have for the ability, as well as the fairness and industry, of the chairman of this committee and its membership. Any other motive can not be charged against me.

Mr. Speaker, there are two questions that I want to discuss briefly. In the first place, I concur with the views of my able friend from California [Mr. RAKER], that this statute of Alaska is mandatory and is not directory. I want to read from one or two authorities on that very question. Here is a case in Ninetieth Northwestern, 485:

The statute under consideration is, then, not in terms mandatory, but it is well settled that the employment of express words is not always necessary to give it that character. Where the aim and purpose of the lawmaking power would be plainly defeated if the command to do the thing in a particular manner did not imply an inhibition to do it in any other, no doubt can be maintained as to the mandatory character of the statute.

What evil was sought to be corrected by the Alaska law requiring Australian ballots to be used? It was to prevent fraud, to protect the voter in the secrecy of the ballot which he was to cast, and, above all, to secure and maintain the honesty and sanctity of the ballot. If the statute had provided for an Australian ballot alone, no one would argue for a moment that any other kind could be used. But the legislature, realizing that on account of geographical and other conditions in Alaska the official ballots might not reach the voting places, provided for the use of unofficial ballots under certain regulations, to which I shall advert later on.

Why, my able friend from Wisconsin [Mr. COOPER] called attention to the hardship of the case; that election managers might defeat the will of electors by some error or mistake of their own. Yes; and such a condition might arise if the statute in terms declared the ballot void if the judges of the election failed to properly certify the same. The judge might fail to certify properly, even if the statute declared in so many words that it was mandatory, and then the innocent voter would lose his vote. It would be void, and the innocent voter would suffer just the same from the misconduct of the judges of the election. I have never seen a statute, Mr. Speaker, exactly in the form of this statute, and it seems to me the principle that is laid down in the decision I have just quoted, and other decisions along the same line, will bear me out in the view that I have that this statute is a mandatory one.

The first statute provided for the Australian ballot. If it had stopped there, the committee in its report admits that no other form could be used. Suppose that no Australian ballot had then been used. Would anyone claim that if this provision for the use of another ballot had not been provided that it would be a legal election? Let us see what the provision is that validates their nonofficial ballot. It is this:

That in any precinct where the election has been legally called and no official ballots have been received the voters are permitted to write or print their ballots.

Now, Mr. Speaker, if it had stopped there then the general certificate of the managers, I think, would be sufficient. But it does not stop there. It enters into the very essence of the legality of the ballot that something else shall be done, so jealously was the Legislature of Alaska trying to secure a fair election; and that is why the Australian ballot system has been so universally inaugurated all over the country, in order that there may be secrecy in the ballot, in order that the voter may be protected, in order that there may be no intermeddling, and that there may be no direct or indirect fraud perpetrated upon the voter or upon the candidate. If it had stopped there, I say, in my opinion the general affidavit certifying the returns by the judges of election would have been sufficient.

But it does not stop there, and there was a purpose in it. The purpose was to allow, in cases of a failure on the part of those sending the ballots to perform their duty, or failure on the part of the judges to receive them, something to be substituted for them, but they did not want the conditions to prevail that would prevail perhaps in the absence of these ballots, and therefore the judges are required to certify a reason. That is where it goes further and provides that—

the judges of elections shall in this event certify to the facts which prevented the use of the official ballot, which certificate must accompany and be made a part of the election returns.

Now, it seems to me, Mr. Speaker, that both in law and logic the conclusion is irresistible that that is a mandatory provision, because, as I have said, if it had stopped at the end of the other clause, then the authorities which gentlemen have cited would be in point and would be conclusive. But this certificate is a part of the essence of the ballot itself. The ballot is not legalized by the man voting it, but it is legalized only when the judges of elections "shall in this event certify to the facts which prevented the use of the official ballot, which certificate must accompany and be made a part of the official returns." It is to prevent those very things which the Australian ballot law was intended and designed to prevent that this statute was passed by the Legislature of Alaska, and it seems to me that the judge who so held and who has been so harshly criticized by gentlemen here was within the law when he made that decision. If that be true, there was nothing else for this committee to do except to throw out those precincts.

Now, Mr. Speaker, I could cite a number of other authorities along the same line; but if it goes to the very merits of the election it is not necessary that the law must in terms state that it is void, and that is the principle that is laid down in the authorities. It certainly does go to the merits of election, and certainly the legislature intended that it should go to the merits of election when they so wrote it. Ita lex scripta est that it must be so certified by the judges of the election before it can be validated. In Thirty-sixth Cyclopedia it is said to be mandatory, "If from a consideration of the entire act, its nature, and its object, the consequences which would result from not construing it as mandatory would defeat the very objects of the legislation."

Now, Mr. Speaker, it seems to me that upon that question these gentlemen on the committee have erred—honestly so, no doubt. But, Mr. Speaker, we will pass beyond that. It seems from the report of the committee that when they had gotten by that question their idea was that that was about all that was left for them to do. They seem to have decided that when they overruled the learned judge who held the statute to be mandatory that that about settled the case.

Now I will call attention to the statement in the report of the committee in which it said, right on the first page:

The final conclusion of the committee is that the merits of the case are confined to matters involved in—

First. Certain proceedings had before the judge of the United States District Court of Alaska, first division.

Second. The legality of the votes cast by native Indians in certain sections of the Territory.

Third. The legality of the votes of soldiers of the United States Army stationed at Fort Gibbon and who voted there, and the votes of other soldiers in the Army who voted at Eagle precinct.

I have not gone into the record in regard to the Indian and soldier votes, for I understand that if the votes from the six precincts where the certificate of the judges is illegal are thrown out, then the contestee, Mr. Sulzer, will be entitled to retain his seat. Hence I have confined and will confine my argument to these six precincts.

Now, when they overruled the decision of the judge, it seems to me, Mr. Speaker, that the committee should have gone further in regard to these six contested precincts, and taken testimony; and upon that proposition I want to read you an authority that the committee themselves have cited. If these ballots

had been legally certified, then they would have been prima facie evidence of their correctness. In the opinion of the court which the gentleman cites, on page 7 of the report, he says:

If strictly followed—

That is, these rules in regard to certification and matters of that kind—

they furnish the best evidence that the election has been fairly conducted, and the burden of proof to show that it was not, either wholly or in part, rests upon the party attacking the returns.

Now, if there had been a correct certification, that would have been true. But suppose that I am incorrect in the assumption that this was a mandatory requirement and admit the contention of the gentleman that it was merely directory. Then, upon the very authority that the chairman cites, this was not even prima facie evidence of the correctness or genuineness of the votes, and they had no right to take the general certification of the judges to the correctness of that election, but they should have arrived at that conclusion by taking testimony aliunde, and that has not been done. The contestant brings his case into Congress, and the burden is upon him. He asserts, I believe in the fifteenth section of his notice, which is his declaration or pleading, that he was legally elected. Now, if I am wrong in my contention that the statute was mandatory, if I admit that it was only directory, then the burden was upon him to show that those votes were cast, and were cast for him at that place.

Mr. NORTON. How many votes were involved in that?

Mr. BURNETT. I have the calculation. I think it involves enough to change the result. I will say to my able and distinguished friend that that is the reason why I feel we are not ready to vote upon this most important question.

Mr. NORTON. The committee have had this matter under consideration now for nearly two years?

Mr. BURNETT. Yes.

Mr. NORTON. Do I understand the gentleman's motion to be to postpone this until February 10, 1919, or 1920?

Mr. BURNETT. I am not wedded to that particular date, but I will say to my friend that I merely make it because I think that would give them ample time to take the testimony that should have been taken. I would vote for a shorter time, but I believe it is fair to this House and to the people in this case that the depositions of the judges of election, by direct and cross examination, should be taken, for the purpose of showing that these were fair ballots, that they were voted by these people, and for whom they were voted.

Mr. NORTON. The gentleman does not understand my question. The gentleman's motion is not to postpone this case until 1920, is it?

Mr. BURNETT. Oh, no; February 10, 1919. This is no trick or scheme on my part to try to keep a man in Congress unjustly. It is a mere effort upon my part, if possible, to have it so that this House, when it votes, may decide the question who has been elected; and although I feel strongly that I am well grounded in the proposition that this was a mandatory requirement, I am willing to pretermit that. I am willing to yield that view, and to say that if the proper evidence, when taken, of the votes cast, shows that the contestant is entitled to this seat, no man will vote more cheerfully to give it to him than I will. But, gentlemen, I believe that matter has not been sufficiently gone into.

I remember years ago in my contest to which I referred a short while ago one of my friends was the returning officer of an election, and he wanted a watcher at the precinct that was largely Republican in a county that was overwhelmingly Republican; and when the election judges refused to allow him a watcher to watch the count, when the ballots were put in the ballot box he took the box and all and carried it to the county seat and turned it over to the sheriff. The contention was made by gentlemen representing the contestant in that case that by reason of that action the votes that I received should be rejected, while only the votes cast for my opponents should be counted. I conceded that in that precinct he got 92 votes and I got only 26, but I wanted what I did get, and the contestant's counsel contended that on account of that action on the part of my friend my votes should be thrown out and his counted in their entirety.

I remember that the distinguished gentleman from Illinois [Mr. MANN] called the lawyer who argued that proposition down and said, "Do you believe that the 26 men who voted for BURNETT ought to be disfranchised on account of some fellow running off with the ballot box?" We went to the county seat, opened the box, and counted the votes, and took the testimony of the voters themselves, and, gentlemen, you will be better satisfied, I will be better satisfied, these litigants ought to be better satisfied, if it is shown here to a reasonable certainty who were the real beneficiaries of these ballots. I am not going to charge fraud on the judges; I know nothing about that; but it is a strange thing that the election supplies all reached them, that the ballots did not reach them, and knowing that the supplies did reach them—there is testimony to that effect—we know that they returned the other supplies to the proper officers, but these official ballots never got there. The contestant, the beneficiary of those ballots, ought to explain this by proof. I do not care who furnished them, I do not care whether they were ballots sent by the contestant or the contestee, but you see how easy it would have been to secure a violation of the spirit and purpose of the Australian-ballot law by other substitutes for these ballots.

I am not going to ask the House to go as far as the facts warrant me in arguing. I simply ask that this committee may have this matter again before them, and that testimony may again be taken. Let the contestant, on whom the burden rests, clear up this strange proceeding by proper proof.

Let me tell you another thing. If we were confined to the strict letter of the law, the contestant ought to lose these ballots because it was upon him to have shown the correctness of the whole transaction. Gentlemen may argue that the contestee had an equal access to the ballots. Possibly that may be true, but, gentlemen, the man who brings his case into court is the man who assumes the burden, and he must carry it as he goes, and especially when he was the beneficiary of the mistake. He was the beneficiary of the failure on the part of the election judges, and he should have shown that these were ballots fairly cast for him. But he does not do it. You find some affidavits. He was out there during the taking of the testimony. He complains that he was away when the judge acted upon the mandatory injunction.

Well, the contestee was here discharging his duties while the testimony was being taken, and the contestant could have been there whether he was or not. I do not know whether he was keeping a room in the office building all that time or not, but he could have been right there looking into the honesty of these ballots that were cast at these places where they were not properly certified. Not having done so, the conclusion seems reasonable and just that there was something wrong in these ballots and that he ought to be charged with the wrong.

But I am not asking you to go to that extent. I am not asking you to visit anything he has done or anything he has left undone upon him. I am asking you—it is near the end of the session, it is true, but gentlemen have talked upon this case being here two years. I do not know but that the committee felt justified in taking all that time. My good friend the chairman of the committee has just told me that the committee has not had the case over six months. But if it has been two years the contestant in this case had all that time to go out there and have voter after voter and the election managers to have testified, and to have had an inspection made of the ballots, and reached the conclusion and furnished testimony to the committee upon the vital question of whether he was honestly elected or not. Gentlemen, that is what we want.

That is what my colleagues on this side and what you gentlemen want. I do not say that there is a Republican here who wants to treat a man unjustly. Now, what can be fairer than to allow this question to again be submitted to this committee in order that this matter may be cleared up?

Mr. HARDY. Will the gentleman yield?

Mr. BURNETT. Yes.

Mr. HARDY. Ought not the officers who held the election where the official ballots were not used be called as witnesses where they could be cross-examined and be heard?

Mr. BURNETT. Yes; nothing could be fairer. The ex parte affidavit that came afterwards is not a fair way to try a case. It would never do to turn a man out of Congress upon testimony that you would not admit in a little case on a promissory note in a country court.

Mr. MOORES of Indiana. Will the gentleman yield?

Mr. BURNETT. Yes.

Mr. MOORES of Indiana. The gentleman is aware that the committee was ready to report on this case in September, but at the request of the contestee the report was held up until late in December. The gentleman knows that, does he not?

Mr. BURNETT. I did not know it; but that does not change it. It is what is due to us, gentlemen—what is due to the House and what we owe to ourselves. It is not a question of Mr. Sulzer; it is not a question of Mr. Wickersham. We do not lose a vote on this side by it and the other side does not gain a vote, as a Delegate can not vote in this House.

Mr. COOPER of Wisconsin. Will the gentleman permit an interruption?

Mr. BURNETT. Yes.

Mr. COOPER of Wisconsin. I understand the gentleman to say that these affidavits of the commissioners or the judges of election that the official ballots were not received is not sufficient evidence of that fact?

Mr. BURNETT. I do. If the certificates had come in the proper manner and at the proper time under the existing statute, they would have been evidence. That is the distinction I draw between things that are mandatory and directory.

Mr. COOPER of Wisconsin. Will the gentleman permit another question?

Mr. BURNETT. Certainly.

Mr. COOPER of Wisconsin. If these same officers had made an election return, not under oath, but simply a certificate, that the majority of these votes had been cast for Mr. Wickersham, as the contestee admits, that would have sufficed to have the votes counted.

Mr. BURNETT. It would have sufficed if the certificate had been in proper form, because thus saith the law.

Mr. COOPER of Wisconsin. Now, if the unverified, unsworn certificate of these men would have been sufficient to elect Mr. Wickersham, does not the gentleman think their affidavits, no allegation of which is denied anywhere by the contestee, should be sufficient?

Mr. BURNETT. Does not the gentleman know that kind of evidence, no matter how honest you may believe men to be, after the matter has passed beyond the jurisdiction of these men, becomes ex parte? They had the right, because the statute gave them the right, to make that certificate at the right time, and that validated those ballots, but after that the powers of these judges became functus officio, and their affidavits were no more sacred than the affidavit of anyone else, and they then had only the right to give their evidence, subject to the cross-examination of those who were interested. The gentleman knows that that is the law.

Mr. COOPER of Wisconsin. Does the gentleman say that these officers had a right after they had sent the ballots away to have sent in another certificate?

Mr. BURNETT. I will again call the gentleman's attention to the law.

Mr. COOPER of Wisconsin. One moment. I asked that question because the United States district judge in Alaska held that the election officers, not having sent in a certificate with the ballots, could not subsequently furnish such certificate. Is not that so, I will ask the gentleman from Louisiana [Mr. WILSON]?

Mr. WILSON of Louisiana. That was the effect of the holding, as I understood it.

Mr. COOPER of Wisconsin. And therefore the judge in that particular case was so extremely technical that he would not permit the filing of another certificate by the same men. And now the gentleman from Alabama will not accept their affidavits. In other words, by an overtechnical construction he would disfranchise the men who voted for Judge Wickersham, as the contestee admits.

Mr. BURNETT. Oh, the gentleman misapprehends my contention.

Mr. COOPER of Wisconsin. That is the fact.

Mr. BURNETT. The law says that it must accompany the returns, and if it does not accompany the returns, then it becomes a nullity, so far as the sanctity of the certificate is concerned, and their testimony should then be taken. It should not be ex parte affidavits.

Mr. GOOD. Mr. Speaker, as I understand, the committee had decided this case in September and the report was held up until December at the request of the sitting Member. If that be the case, and in view of the fact that the country believes that these contests ought to be decided quickly and not postponed until the end of the term, does not the gentleman think that the sitting Member early in September should have raised the very question that the gentleman raises now and that this House should not be asked to send back this case in order that he may fill out a full term in Congress?

Mr. SULZER rose.

Mr. BURNETT. Oh, no; I shall answer that. If the sitting Member's interests were only at stake, then the laches of the sitting Member might well be visited upon him; but, Mr. Speaker, it is not the title of the sitting Member that is at stake, but it is the integrity of the House of Representatives and the honesty of the vote that we are asked to cast in this case. That is what it is.

Mr. GOOD. The gentleman will recognize the fact that the committee that heard this testimony are men with full appreciation of the fact that they are discharging a very grave and solemn duty. They can be trusted to look after the dignity of the House, can they not, in matters of that kind? I think that is a very serious indictment of the members of the committee who have heard the evidence of the case to say that they have violated their oaths practically and have not looked after the integrity of the House of Representatives.

Mr. BURNETT. If the committee decided this question, then the statement of the gentleman would have some force, but when the committee makes this report on its oath, and they have no doubt done that conscientiously and honestly, then the responsibility shifted to the gentleman and myself and the Members of this House under our oath to discharge our duty in this matter. That is my answer to the gentleman. Let us discharge it, gentlemen, not as partisans—I have pointed out in my record where I allowed no partisanship to control or influence me in seating a man I thought was elected; but this House owes it to itself—no; it is not an indictment of these gentlemen. If it is an indictment, why is it not an indictment if you gentlemen probably at the next session shall come in and vote to seat somebody that we thought ought not to be seated, and vice versa? Is it an indictment of any committee to dissent from their views? If so, gentlemen, then legislation ought to stop at the door of the committees, and we have no further right or power. We become mere automatons to jump at the command of committees.

Mr. COOPER of Wisconsin. Will the gentleman yield for one more question, and then I will not again interrupt him?

Mr. BURNETT. I yield to the gentleman.

Mr. COOPER of Wisconsin. The New York Court of Appeals, in the case of People ex rel. Hirsh v. Wood (New York Report, 143), stated the law on this question as follows, and I ask the particular attention of the gentleman from Alabama, who is a good lawyer, to this language. This is the unanimous opinion of the supreme court, the highest court of the State of New York:

We can conceive of no principle which permits the disfranchisement of innocent voters for the mistake or even willful misconduct of election officers in performing the duty cast upon them. The object of elections is to ascertain the popular will and not to thwart it.

Now, the contestee admits that in these seven precincts Judge Wickersham had a majority, and yet, upon a mere technicality, the failure of these election officers to send in certificates, which under their oath they were bound to forward, these voters are to be disfranchised. But the Court of Appeals of New York, in a unanimous opinion, say:

We can conceive of no principle which permits the disfranchisement of innocent voters for the mistake or even willful misconduct of election officers in performing the duty cast upon them.

Mr. BURNETT. The contestee does not admit any such thing. Mr. Speaker, carrying that kind of an argument to its legitimate conclusion, if there had been a statute which said that unless the managers did do this thing the election was void, then the gentleman would say the man still ought to be elected because the man himself was honest.

Mr. COOPER of Wisconsin. Will the gentleman permit me to answer right there?

Mr. BURNETT. Yes.

Mr. COOPER of Wisconsin. Not at all, because any such construction of such a law as that which the gentleman from Alabama has just made would permit the grossest kind of fraud. But in the case now before us the contestant alleges, and the contestee admits, that there was no fraud——

SEVERAL MEMBERS. No!

Mr. COOPER of Wisconsin (continuing). That there was no fraud in those precincts; that a majority of these were cast for Judge Wickersham in those seven precincts, just as set forth in the report; and in the absence of any allegation or evidence of fraud the court of appeals said:

We can conceive of no principle which permits the disfranchisement of innocent voters for the mistake or even willful misconduct of election officers in performing the duty cast upon them.

In the pending case the intent of the voters and the act of the voters are admitted. And yet after they have cast a majority of their votes for Judge Wickersham we are asked to disfranchise them because of a failure of the election board to do its sworn duty. But, as I have said, the Court of Appeals of the State of New York unanimously declared that—

We can conceive of no principle which permits the disfranchisement of innocent voters for the mistake or even willful misconduct of election officers in performing the duty cast upon them.

Mr. BURNETT. The gentleman certainly was not present when Mr. Sulzer called attention to place after place in the record that he contended showed that fraud had been committed.

Mr. COOPER of Wisconsin. Not in those seven precincts.

Mr. BURNETT. I always try to be fair to the gentleman——

Mr. COOPER of Wisconsin. But no such statement was made by Mr. Sulzer.

Mr. BURNETT. The House will remember, gentlemen. And not only that; if, as the gentleman contends, a man is an innocent voter, if the managers of the election fraudulently refuse or fraudulently violate the law, is that man to be allowed his

vote? He is an innocent voter, and according to the argument of the gentleman there would be no case in which the innocent voter could be disfranchised, and yet in this very law, in these very decisions, the courts called attention to the fact that it may work a hardship sometimes on individuals, and yet it is fair to have laws that will prevent fraud in a general way, even where it might work an injustice in some particular case.

Now, let me just read this one thing, and this is the general proposition, Mr. Speaker. It is a proposition of law and of logic. Here is the law:

Where the aim and purpose of the lawmaking power would be plainly defeated if the command to do the thing in a particular manner did not imply an inhibition to do it in any other, no doubt can be maintained as to the mandatory character of the statute.

Now, here is an inhibition against the casting and counting of these ballots and the validity of these ballots unless certified to. But I have gone past that. I say in the interest of absolute fairness I am willing to say that that question should not come in, but the other proposition is a correct and just one. You must not allow men a month afterwards to come in on ex parte statements, whether it be an affidavit or not. Their powers have ceased. The law says it was to accompany the returns, and, admitting it is all directory, then, Mr. Speaker, the burden is upon the man who is the beneficiary of that mistake in the law to furnish the testimony of the fact that he got these votes. That is what we are contending for.

Mr. SISSON. Will the gentleman yield?

Mr. BURNETT. I will.

Mr. SISSON. I want to call the gentleman's attention to the peculiar affidavits and statements here. Now, on page 127 of the record you will find a list of voting precincts at which the contest was made. Now, as to all the places, except Deering and Utica, there is nothing but a letter written by some one to Mr. Wickersham, the contestant. There is only one certificate as to one man as to Utica and an affidavit of two officers of election as to Deering testifying that there were were no ballots there. The balance of this testimony is absolutely a blank, except as to certain letters written to Mr. Wickersham by certain individuals. So I believe the motion of the gentleman from Alabama should be sustained for the purpose of ascertaining whether or not these men really voted as has been returned here, because there is no testimony to show there was any effort to comply with the law at all, except these ex parte letters to Mr. Wickersham. Yes; and the very fact that the contestant only attempts to furnish ex parte statements as to two of the precincts raises a very violent presumption that the other precincts are tainted with fraud and that he can not clear it up. If he got these statements as to two of the precincts, why does he not produce them as to the other four? Let him answer that by producing the proof when this case is re-referred to the committee.

Mr. BUTLER. Will the gentleman yield?

Mr. SISSON. The gentleman from Alabama has the floor.

Mr. BURNETT. I will yield to the gentleman.

Mr. BUTLER. Will not the gentleman's anxiety be relieved a good deal after the 4th of March?

Mr. SISSON. I will say to my friend that it is not an anxiety about either of these gentlemen. But every man ought to have some caution about setting a precedent in this House for all these contested election cases.

Mr. BURNETT. The remark of the gentleman from Pennsylvania [Mr. BUTLER] is unworthy of the gentleman. The gentleman seeks to inject some partisanship into this fight, when no one else has tried to do so.

Mr. Speaker, having presented this case fairly, I hope—and I believe justly—I will say that I believe the chairman of the committee desires to reply and will move the previous question on the resolution, and therefore I will not do so.

The SPEAKER. The gentleman from Louisiana [Mr. WILSON] is recognized.

Mr. WILSON of Louisiana. Mr. Speaker, I just wish to consume a few minutes and give notice that when I conclude I shall move the previous question, both upon the motion of the gentleman from Alabama and the resolution of the committee, if that will be in order from a parliamentary standpoint.

Mr. BURNETT. The motion is pending.

Mr. MANN. It has not been offered yet.

Mr. WILSON of Louisiana. I desire to offer it formally. I do not want to be shut off on a technicality. I believe the first vote will be on the motion to recommit.

The SPEAKER. Of course it will; but the gentleman ought to close the argument, and then before he moves the previous question the gentleman from Alabama can offer his motion, and then the gentleman can move the previous question on the whole thing.

Mr. BURNETT. If it is in order, I will offer it now.

The SPEAKER. No.

Mr. WILSON of Louisiana. Will it be in order for me to move the previous question after he offers it?

The SPEAKER. Yes; after the final conclusion of the whole matter.

Mr. WILSON of Louisiana. Mr. Speaker and gentlemen of the House, I feel that after all that has been said in this case it would be improper for me to make any continued or extended remarks. I appreciate very much the things that have been said by the gentlemen in reference to the committee, and I wish to say that the conclusions reached by the committee, and especially myself, in this case have been reached after mature deliberation. I am fully convinced of the correctness of the conclusion reached, and I hope that the time will never come when I should be influenced by the fear that in reaching a conclusion in any judicial matter I might not meet the approval of my friends in this House or in any other place, and I should feel disappointed if my friends should not act upon their own judgment and upon their own conscience in the same matter without any fear that they might offend me or any committee of this House.

This, gentlemen, is a judicial question. It is a legislative function, but it is a judicial performance. After all the extended debate on this case, we are back to the same proposition where we first started, and that is as to the proper construction of the Alaskan election law.

There is no doubt but that the House on yesterday, when it heard the statement of the gentleman from Alaska [Mr. Sulzer], was impressed. He is a business man, according to his own statement, and if he is not successful he is in the wrong calling, because he would make a wonderful lawyer. The House was impressed by his statement relative to Indians in various parts of Alaska. No doubt he felt that the committee had not properly considered that question; but after hearing the statement of Mr. Wickersham relative to the law and the conditions prevailing as to the citizenship of Indians in the southwestern portion of Alaska, where it is claimed that 21 voted for him, and as to the conditions existing where 28 Indians in other portions of Alaska, coming from a reservation, voted for Mr. Sulzer, I feel sure that the Members of this House will be of opinion that the committee has done no injury, at least to the contestee, in adopting the course it has pursued in relation to counting those Indian votes and adding to the number cast for him.

That is a complicated question in Alaska, and if we should go into all the details of it, as shown in this record, we might spend a week on this case. I do not think, although it was referred to in a critical way, that the proposition stated to the committee by the attorney for the contestee, that we should either count the Indian vote as an entirety or throw it out as an entirety, was without merit in the statement of this record, because it was impossible, Mr. Speaker and gentlemen, to go through this record and feel that you could act with certainty on that subject; but nevertheless the statement of the committee, I am sure, is a correct statement.

Now, relative to the vote of the soldiers in Alaska, I do not believe there is any dispute about the law in respect to that matter. There was practically none before the committee. And while different Members might reach different additions in running through the record—I have been over it a number of times, and I went over it again last night and made it 37, because there are quite a number more soldiers involved in this matter—those shown in this report and held to be not qualified electors are those who the records of The Adjutant General's Office show had enlisted in States outside of Alaska, as follows: Ten from Missouri, 8 from California, 1 from Kansas, 1 from North Dakota, 4 from Washington, 3 from Ohio, 4 from Colorado, 2 from Texas, 1 from Louisiana, 1 from Minnesota, and 1 from New York. Now, it is possible to imagine that those soldiers lived in Alaska and wandered down into the States and then went into the Army and went back to Alaska and already had citizenship there. But that is an imaginary matter. But more than that, every one of these men mentioned in this report testified that he came to Alaska in the service of the Government as a soldier and that that had been his occupation ever since he came to Alaska and was such on the day he voted; and that brings them all directly within the law, and the whole mistake occurred there, if you wish to read the report; not because these soldiers wanted to commit perjury or to commit any wrong, but because they were advised legally that if they had been in Alaska for one year and 30 days they could vote there, provided they intended to make Alaska their residence. But, as the report states, this assumes that a man in the military service, because he testifies that he went there as a soldier and that that had been his occupation since he went there, and the

official papers show that his enlistment was in the States, can, while in the service and subject to the orders of his superiors, form the necessary and requisite intention to acquire a new domicile, a proposition which is absolutely contrary to the law and which, of course, ought to be.

I think it would be most unfortunate if you should adopt a doctrine that would notify the soldier that Congress was placing a construction upon the laws of this country by which he might find when he had returned home that while absent in the service of his country he had forfeited his citizenship. And it would be very unjust to the various communities of this country if you should adopt a construction of the law that would make it possible to involve in local politics the various organizations in the Military Establishment in the different States of this Union at this time or in the future.

Gentlemen, these are the facts. I am sure it is useless to pursue that matter in an argument before the Members of this House.

So we come back to the question as to the proper construction of the Alaska election law. We come back clearly to the condition as it obtained before the courts in Alaska in this case. Of course, I do not believe now that the gentlemen who have spoken in this connection, including my able and dear friend, Judge BURNETT, of Alabama, agree with the court up there, because the proposition is that the statute is mandatory to the extent of rejecting the returns which were made to the canvassing board, but not to the extent of precluding the man from going into court and making proof as to what occurred at the precinct.

I do not think it is necessary to read any additional law in that connection. I have stated that according to my conception of the law, in just as plain terms as possible, and I can not make up my mind that under a statute relating to an election, after the poll is complete, the voter can be made to suffer for the action of the election officers without any proof of fraud. I think it was most correct action upon the part of this House, if it was the action of the House, that decided that that sheriff down in Judge BURNETT's district, by going out and violating the law and taking a ballot box and going away with it to the courthouse, had not disfranchised those 25 voters.

So after all that has been said, I am still firm in the belief that this section of the Alaskan election law is directory. I think Judge Jennings is correct in a great deal of his opinion. Now, if this is directory, it would make quite a difference as to the burden of proof, because Judge Jennings says that if the statute is mandatory the demurrer should be sustained and if it is directory the demurrer should be dismissed. There the lawsuit would have ended if the statute is directory, and Mr. Wickersham would have had the certificate, and the contest, of course, would have come the other way.

Now, it is easy to read statutes about the Australian ballot law, and to talk about the sacredness of the Australian ballot law in Alaska; but I do not think it is any compliment to the people of Alaska to assume that if this statute is held to be directory, they are just lying in wait up there to commit general fraud in that Territory. This is the first election ever held under this statute in that Territory, and I think it is very remarkable that there were only five precincts in which these certificates were missing.

I would not attempt at this time to quote any further law than has been recited in this report; but I am perfectly willing to concede and admit that everything said relative to the necessity of an official ballot being used under the Australian ballot law is absolutely correct. But in Alaska they have a provision in their statute by which you may use nonofficial ballots, and you can not apply the general law in relation to official ballots to that provision in that statute of Alaska. As I have said, it was written in there for the sole purpose of protecting the citizens in the various portions of that Territory in the right to cast their votes, and the duty was placed upon the various election officers to supply the voters with these ballots as they appeared to vote, and to receive nothing back except the official ballots after they had been marked by the voters; but, so far as I am concerned, I go back to the original statement of yesterday, that the circumstances in this case are just as convincing, or more convincing, to my mind, as any testimony that you will be able to take up there. But I do not wish the Members of the House to accept that until they agree with the reasons for it. Here, as I stated, is a whole section of the Territory where no official ballots have been used. Official ballots were present and nonofficial ballots were used, and if nonofficial ballots were used you would get mixed ballots in some boxes in some sections of the Territory. But here every officer, every voter, used and was permitted to use these ballots, and, as I stated before, they are all of the same character, whether the majority was solidly for Sulzer or where it was mixed or where it was for Wickersham, and the only fact is that the certificates are missing from a few precincts.

As to the precincts of Utica and Deering, the evidence is more convincing, because, whether it came with the returns or not, here is the certificate made long before the lawsuit came up stating the official form of ballot had been received at one precinct and the form sent by phone to the other two precincts. That is, they phoned the form of ballot from one precinct to the other precincts. There could have been no design in making the statement, and a year and a half afterwards, when the returns were examined, here were the ballots from Utica absolutely in official form except made by the typewriter, and here came other ballots from Deering made by pencil in the same form. Do you think it is possible to get circumstances like that all fixed up ahead of time and have them dovetail in at the end?

But I am not going to talk about that. If the House feels that it is not satisfied about the evidence which is brought to the House, I expect each Member to use his own judgment.

I want to say, gentlemen of the House, that in spite of all that has been said, if you wish to pursue the subject and go through this record I believe you will be convinced, as far as facts are concerned, that the committee has advised the House as correctly as is possible in a long and complicated matter like this. [Applause.] I feel that I owe that to the House, and I feel that the House owes it to the country and to its conscience upon the record as submitted here, and not vote as partisans, not to vote as friends, but to vote as your conscience and your judgment shall dictate. I shall be very much disappointed to know that any friend wavered in the discharge of that duty. I would rather have the approval of my own conscience and my own judgment in a matter of this kind than all of the applause and praise of this House. [Applause.]

Mr. HARDY. Will the gentleman permit a question? Was there any witness before your committee who testified in these precincts that no official ballot had been received, or was it ex parte affidavit?

Mr. WILSON of Louisiana. No witness appeared before the committee. I went through that in the report, and I have gone through it in my statement.

Mr. HARDY. No depositions?

Mr. WILSON of Louisiana. No. I have stated the evidence upon which that is based.

The SPEAKER. The Clerk will report the motion of the gentleman from Alabama.

The Clerk read as follows:

Mr. BURNETT moves to refer the contested-election case of James Wickersham, contestant, against Charles A. Sulzer to the Committee on Elections No. 1, and said committee shall report on said case by or before February 10, 1919.

Mr. WILSON of Louisiana. And on that, Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman from Louisiana moves the previous question on the resolution and also on the motion of the gentleman from Alabama.

The previous question was ordered.

Mr. MANN. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. MANN. The previous question having been agreed to, if the House should now adjourn, would this matter come up for final disposition when the House meets again?

The SPEAKER. Yes; on Monday, immediately after the disposition of matters on the Speaker's table.

LEAVE OF ABSENCE.

By unanimous consent Mr. BRUMBAUGH was given indefinite leave of absence.

ADJOURNMENT.

Mr. WILSON of Louisiana. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 8 minutes p. m.) the House adjourned until Monday, January 6, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior submitting an estimate of appropriation required by the Bureau of Mines for the service of the fiscal year 1920 to carry on the investigation for utilization of lignite coal as fuel (H. Doc. No. 1635); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior sub-

mitting a substitute estimate of appropriation for regulation of explosives by the Bureau of Mines (H. Doc. No. 1638); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Navy, transmitting a statement showing the average number of employees at the various navy yards and naval stations paid increased compensation during the first four months of the present fiscal year (H. Doc. No. 1637); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of Agriculture, transmitting annual report of expenditures out of the funds appropriated for the survey of roads and trails within the national forests (S. Doc. No. 321); to the Committee on Expenditures in the Department of Agriculture and ordered to the printed.

5. A letter from the Secretary of the Treasury, transmitting information relative to needs of remodeling and repairing present post-office building at El Paso, Tex. (H. Doc. No. 1638); to the Committee on Public Buildings and Grounds and ordered to be printed.

6. A letter from the chief clerk of the United States Court of Claims, transmitting list of claims dismissed November 4, 1918, on motion of claimants' attorney (H. Doc. No. 1639); to the Committee on Claims and ordered to be printed.

7. A letter from the Secretary of the Treasury, transmitting a cablegram from the President of the United States and the tentative draft of a bill appropriating $100,000,000 for the relief of European peoples outside of Germany (H. Doc. No. 1640); to the Committee on Appropriations and ordered to be printed.

8. A letter from the Secretary of the Navy, transmitting an analysis by ranks and ratings of the pay and allowances of the personnel of the Navy (H. Doc. No. 1641); to the Committee on Expenditures in the Navy Department and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. JOHNSON of Kentucky, from the Committee on the District of Columbia, to which was referred the bill (S. 2653) to revive with amendments an act entitled "An act to incorporate the Medical Society of the District of Columbia," reported the same without amendment, accompanied by a report (No. 889), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (S. 4000) to authorize corporations organized in the District of Columbia to change their names, reported the same without amendment, accompanied by a report (No. 890), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. JOHNSON of Washington: A bill (H. R. 13645) providing for the payment of mileage to certain officers of the Army; to the Committee on Military Affairs.

By Mr. KINKAID: A bill (H. R. 13646) providing for the disinterment and removal of the remains of the infant child, Norman Lee Molzahn, from the temporary burial site in the District of Columbia to a permanent burial place; to the Committee on the District of Columbia.

By Mr. POINDEXTER: A bill (H. R. 13647) granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 13648) granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River, at or near Millvale Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 13649) granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River, at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania; to the Committee on Interstate and Foreign Commerce.

By Mr. CARY: A bill (H. R. 13650) to increase the compensation of bookbinders in the Government Printing Office; to the Committee on Printing.

By Mr. BYRNES of South Carolina: A bill (H. R. 13651) making an appropriation for the reclamation of swamp lands; to the Committee on Appropriations.

By Mr. DENT: A bill (H. R. 13652) to authorize the President to sell real or personal property, purchased or acquired by the United States in connection with or incidental to the prosecution of the existing war; to the Committee on Military Affairs.

By Mr. JONES: A bill (H. R. 13653) for the division of the State of Texas into five judicial districts; to the Committee on the Judiciary.

By Mr. LUNDEEN: Concurrent resolution (H. Con. Res. 64) instructing the President to withdraw at once all American troops now on Russian soil; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND of Indiana: A bill (H. R. 13654) granting an increase of pension to Schuyler C. Pool; to the Committee on Pensions.

Also, a bill (H. R. 13655) granting a pension to Nancy Cochran; to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 13656) granting a pension to Barney Flensburg; to the Committee on Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 13657) granting a pension to Annie J. Page; to the Committee on Pensions.

By Mr. GRIFFIN: A bill (H. R. 13658) granting a pension to Henry A. McGuire; to the Committee on Pensions.

By Mr. IGOE: A bill (H. R. 13659) granting a pension to Marion P. Barnett; to the Committee on Pensions.

By Mr. MORGAN: A bill (H. R. 13660) granting an increase of pension to Francis M. Fisk; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13661) granting an increase of pension to Albert E. Watrous; to the Committee on Invalid Pensions.

By Mr. PRATT: A bill (H. R. 13662) granting a pension to Emily A. Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13663) granting an increase of pension to Thurlow J. Sutherland; to the Committee on Pensions.

By Mr. SANDERS of Indiana: A bill (H. R. 13664) granting a pension to Melissa J. Winburn; to the Committee on Invalid Pensions.

By Mr. SCULLY: A bill (H. R. 13665) granting an increase of pension to George Walton; to the Committee on Invalid Pensions.

By Mr. SNOOK: A bill (H. R. 13666) granting an increase of pension to Gilbert Smith; to the Committee on Invalid Pensions.

By Mr. STEPHENS of Mississippi: A bill (H. R. 13667) for the relief of Ross Hazeltine, consul at Port Antonio, Jamaica; to the Committee on Claims.

By Mr. WELLING: A bill (H. R. 13668) granting a pension to James Grantham; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BESHLIN: Resolutions adopted at mass meeting of advocates of the freedom of Ireland, held in Thomas Theater, Sharon, Pa., December 2, 1918; to the Committee on Foreign Affairs.

By Mr. GALLIVAN: Resolutions by Ancient Order of Hibernians, of Philadelphia, denouncing effort to induce peace conference to ignore Ireland; to the Committee on Foreign Affairs.

By Mr. HAMILTON of Michigan: Resolutions by Owasso Lodge, No. 788, of the Brotherhood of Railroad Carmen of America, relating to the Government control of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. KETTNER: Letters pertaining to revenue bill from jewelers, watchmakers, and engravers, of Beaumont, Cal., and J. Jessop & Son and the Ernsting Co., of San Diego, Cal.; to the Committee on Ways and Means.

Also, resolutions by San Diego Chamber of Commerce, recommending amendment to section 202 of proposed war-revenue bill; to the Committee on Ways and Means.

By Mr. LINTHICUM: Resolutions by conference board of the United Building Trades, urging defeat of resolutions now before Congress to close all "housing propositions not 75 per cent completed"; to the Committee on Ways and Means.

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CONTAINING

THE PROCEEDINGS AND DEBATES

OF THE

THIRD SESSION

OF THE

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SENATE.

MONDAY, *January 6, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, as we meet to-day to represent this mighty Nation the shadow of a great loss falls upon us. One of the men of might, a leader of men, a patriot and scholar has passed from us. He was honored by his countrymen in being called to preside, as Vice President, over this body, and then called to be our Chief Executive. His name has added luster to the history of our country, and his achievements have increased our influence in the life of the world.

Throughout the Nation there goes a sense of sorrow that this strong man, so brave and chivalrous and true, has come to the end of his great career. We pray Thy blessing upon his devoted wife and children as they mourn his loss. We pray Thy blessing upon the country he loved so well, that in this hour of great responsibility we may measure up to the dignity and importance of our task. Still raise up among us men who in mind and spirit will embody our highest ideals and perpetuate the institutions that have been erected for us by our national heroes.

In our communion of sorrow to-day may we learn that unity of action and ideal that will make us more and more an evangel of good will to men. For Christ's sake. Amen.

The Journal of the proceedings of Friday last was read and approved.

SENATOR FROM RHODE ISLAND.

The VICE PRESIDENT. The Chair lays before the Senate the credentials of Hon. LEBARON BRADFORD COLT, which will be read and placed on the file.

The credentials were read and ordered to be filed, as follows:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 5th day of November, 1918, LEBARON BRADFORD COLT was duly chosen by the qualified electors of the State of Rhode Island and Providence Plantations a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1919.

Witness: His Excellency our governor, R. Livingston Beeekman, and our seal hereto affixed at Providence, this 28th day of December, in the year of our Lord 1918.

R. LIVINGSTON BEECKMAN, *Governor.*

By the Governor:
[SEAL.] J. FRED PARKER, *Secretary of State.*

STIMULATION OF AGRICULTURE (H. DOC. NO. 1642).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a detailed report of expenditures of all moneys appropriated under the act providing for the national security and defense for stimulating agriculture and facilitating the distribution of agricultural products during the period from August 10, 1917, to June 30, 1918, which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

EVASION OF MILITARY SERVICE (S. DOC. NO. 322).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of December 6, 1918, certain information furnished by the Bureau of Naturalization, Department of Labor, relative to the number of affidavit forms received by the bureau and executed under the provisions of the selective-draft act, which was ordered to lie on the table and be printed.

EMPLOYEES IN DEPARTMENT OF STATE (S. DOC. NO. 326).

The VICE PRESIDENT laid before the Senate a communication from the Acting Secretary of State, transmitting, in response to a resolution of December 23, 1918, a list showing the number of civil employees in the department January 1, 1919, and the number discharged during the previous two weeks, which was ordered to lie on the table and be printed.

EMPLOYEES IN DEPARTMENT OF AGRICULTURE (S. DOC. NO. 324).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, in response to a resolution of December 23, 1918, a list showing the number of civil employees in the department January 1, 1919, and the number discharged during the previous two weeks, which was ordered to lie on the table and be printed.

EMPLOYEES IN DEPARTMENT OF COMMERCE (S. DOC. NO. 325).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Commerce, transmitting, in response to a resolution of December 23, 1918, a list showing the number of civil employees in the department January 1, 1919, and the number discharged during the previous two weeks, which was ordered to lie on the table and be printed.

EMPLOYEES OF FUEL ADMINISTRATION (S. DOC. NO. 323).

The VICE PRESIDENT laid before the Senate a communication from the United States Fuel Administrator, transmitting, in response to a resolution of December 23, 1918, a list showing the number of civil employees in the Fuel Administration January 1, 1919, and the number discharged during the previous two weeks, which was ordered to lie on the table and be printed.

SENATOR FROM MICHIGAN.

The VICE PRESIDENT. The Chair lays before the Senate the petition of Henry Ford, of Dearborn, Mich., asking that the Senate shall take steps to preserve and recount the ballots cast at the senatorial election recently held in that State. The petition will be referred to the Committee on Privileges and Elections.

Mr. POMERENE. I ask that the petition be printed in the RECORD for the information of the Senate.

There being no objection, the petition was referred to the Committee on Privileges and Elections and ordered to be printed in the RECORD, as follows:

PETITION OF HENRY FORD AND NOTICE OF CONTEST.

To the Senate of the United States of America:

I, Henry Ford, of Dearborn, Mich., the petitioner, do hereby give notice of my intention to contest, and do hereby enter and file a contest of the election of Mr. Truman H. Newberry as Senator from Michigan to succeed the Hon. WILLIAM ALDEN SMITH; and I request and petition for a recount of the ballots cast at the election held in Michigan November 5, 1918, and an investigation of the unlawful uses by said Truman H. Newberry and, in his behalf, by his agents and representatives of large sums of money to influence the primary and election, and also of cases of undue influence and intimidation of voters at the election.

I beg to represent to your honorable body:

(1) That an election was held by the voters of Michigan on the 5th day of November, 1918, to elect a United States Senator from Michigan for the term beginning March 4, 1919. That Truman H. Newberry was the candidate on the Republican ticket, Henry Ford on the Democratic ticket, Edward O. Foss on the Socialist ticket, and William J. Faull on the Prohibition ticket.

(2) That the official canvass made by the State canvassing board showed 220,054 votes cast for said Newberry, 212,487 votes cast for said Henry Ford, 4,763 votes cast for said Foss, and 1,133 votes cast for said Faull, and that in pursuance of such canvass said board announced the result of the election to be that the above-mentioned number of votes were cast for each of the said candidates as stated above.

(3) That a certificate of election as such Senator has heretofore been issued to said Truman H. Newberry, and he claims to have been duly elected such Senator, and he has heretofore caused his credentials as such to be offered to the United States Senate, namely, on or about the 14th day of December, 1918.

(4) That the primary election to select candidates by the respective parties for such United States Senator was held on

August 27, 1918; that in the primaries Mr. Truman H. Newberry was a candidate for the Republican nomination; your petitioner was candidate for the Republican nomination, also for the Democratic nomination, and he was nominated on the Democratic ticket and said Truman H. Newberry was nominated on the Republican ticket; that large sums of money were unlawfully used and expended by and on behalf of said Newberry at said primary election and previous thereto to effect such election and to bring about his nomination and to purchase and procure the support and efforts of divers large numbers of persons and newspapers and periodicals. It was admitted by the committee, composed of a large number of men who acted in behalf of the nomination of Mr. Newberry, that said committee expended $176,568.08, and a sworn report to that effect was made under the State law by Mr. Frank W. Blair, the treasurer of said committee, and said report was filed with the county clerk of Wayne County, Mich., where said Blair resided. And petitioner states upon information and belief that it can and will be proved that said Truman H. Newberry procured the appointment and selection of said committee and its members and was directly responsible for all its acts, and that he was in constant communication with said committee and its members and knew of and approved its large expenditures of moneys and participated in its work. Upon information and belief petitioner says that large sums of money, aggregating many thousands of dollars, were expended by or on behalf of said Newberry's nomination, entirely outside of said $176,568.08 above mentioned, as having been admitted in the hiring of workers and other illegitimate expenses, and contrary to the laws of the United States and of the State of Michigan in that behalf. That a memorial with respect to the above matters was filed with the Senate Committee on Privileges and Elections in the month of November last by Mr. Elbert H. Fowler, a lawyer and reputable citizens of the city of Detroit, Mich., who had acted as secretary of the Nonpartisan Ford-for-Senator Club in connection with the election, a copy of which memorial or statement is hereto attached and made a part hereof, and upon information and belief petitioner avers the statements thereof to be true.

(5) He further shows that the large sums of money expended by and in behalf of the nomination of Mr. Truman H. Newberry as hereinbefore stated unlawfully enlisted the aid and support of large numbers of persons, papers, and periodicals throughout the State, and the results and influence of which extended down to and affected the election materially in favor of the said Truman H. Newberry and that said great sums of money were expended in violation of the statutes of the United States and of the State of Michigan in such cases provided.

(6) The petitioner shows on information and belief that said Truman H. Newberry was not truly or lawfully elected to said office of United States Senator and is not entitled to said office and that your petitioner was elected and is entitled to said seat, and he specifies:

(a) That there are about 2,200 election precincts or districts in Michigan and that nearly all of the election boards were composed wholly of Republicans and great numbers of them were wholly composed of intense partisans of Mr. Newberry, and that only in a comparatively few of them were there at the said election any challengers or others acting in behalf of the Democratic candidates and that every opportunity existed for election officials who were so inclined to miscount the ballots in favor of Mr. Newberry.

(b) That a large number of ballots were unlawfully counted for said Newberry, which, in fact and in truth, were cast for Henry Ford, namely, at least 10,000.

(c) That large numbers of ballots lawfully cast for petitioner were not counted for him, but were unlawfully rejected by the various precinct election boards when making the counts, and they were not returned for petitioner as in truth they ought to have been, namely, at least 10,000.

(d) That in many election precincts or districts the count by the election officers and boards was illegal, in favor of Newberry, false and fraudulent, and in violation of the election laws governing the count.

(e) Many of the ballots marked and cast for petitioner were counted and returned for the said Truman H. Newberry.

(f) In many precincts, particularly in the Upper Peninsula of Michigan, the provisions of law enacted to protect the sanctity and secrecy of the ballots and to promote a true and honest vote and count were flagrantly violated and many important and vital irregularities and departures from such provision occurred, thus vitiating under the law the vote of such precincts. As, for instance, the marking of ballots for voters by authorized third person, the exposure of ballots by the voters, the overseeing of the voting by mine bosses and superintendents, and the like: all of which were conducted in the interests of said Truman H. Newberry, and the votes of such precincts should be rejected and thrown out.

(g) That many ballots in many precincts duly marked and cast for petitioner were rejected by the respective election boards and not counted at all.

(h) That many ballots bearing unlawful distinguishing marks were illegally and unlawfully counted for the said Truman H. Newberry.

(i) Many ballots duly marked and cast for your petitioner were wholly rejected and thrown out by many election boards on the unlawful and fraudulent pretext that they were not duly and properly marked for the petitioner, whereas, in fact, they were so marked and cast.

(j) Many ballots duly and properly marked and cast for the petitioner were rejected and thrown out by many election boards on the unlawful and fraudulent pretext that they bore distinguishing marks, whereas, in fact, they did not bear any unlawful distinguishing marks and ought to have been counted for your petitioner.

(k) Many ballots duly and lawfully marked and cast for petitioner were erroneously thrown out and not counted for petitioner by many of the said election boards under erroneous interpretations of their duties.

(l) Many ballots for said Truman H. Newberry were corruptly and unlawfully procured to be cast and counted for him by the unlawful use of money in his behalf.

(m) Large sums of money were unlawfully expended by and in behalf of said Truman H. Newberry to influence said election and cause votes to be cast for him that otherwise would not have been so cast.

(n) Large numbers of lawful voters were intimidated and prevented from voting at the said election by partisans and supporters of said Newberry who otherwise would have voted at the election and cast their votes for the petitioner, to wit, 5,000 of such voters.

(o) Large numbers of lawful voters, employees of certain large corporations, were intimidated and unlawfully coerced by employers and their representatives into voting for said Newberry against their wills and preferences who otherwise would have cast their ballots for the petitioner.

(p) In a number of the counties the respective boards of county canvassers made and reported their canvasses without having or examining the poll books and tally sheets nor in any way verifying the number of original votes as cast or the numbers of voters voting at the respective precincts.

(q) That careful investigation by petitioner's directions have been made by reliable men since the election to ascertain as far as may be the detailed facts pertaining to the above statements and as to the conduct of counting in said election, and from such investigations and from other information reaching the petitioner and his representatives, he avers the foregoing statements to be true, and he particularly specifies the following counties and election districts as the counties and districts where such irregularities, miscounting, and frauds were more flagrantly committed, namely: Kent, Bay, Kalamazoo, Wayne, Saginaw, Allegan, Antrim, Baraga, Barry, Benzie, Berrien, Calhoun, Cass, Charlevoix, Chippewa, Clare, Dickinson, Eaton, Emmet, Genesee, Gladwin, Gogebic, Gratiot, Hillsdale, Houghton, Huron, Ingham, Ionia, Iosco, Iron, Isabella, Jackson, Kalkaska, Keweenaw, Lapeer, Lenawee, Macomb, Marquette, Mason, Mecosta, Midland, Monroe, Montcalm, Montmorency, Muskegon, Newaygo, Oakland, Oceana, Osceola, Ottawa, Sanilac, St. Clair, St. Joseph, Tuscola, Van Buren, Washtenaw, Wexford; and that such irregularities and miscounts occurred in a more modified degree in nearly all the other counties of the State, and that mistakes unfavorable to petitioner and in favor of the said Truman H. Newberry occurred in all of the counties.

(r) That upon a fair and lawful recount of the ballots cast at said election, your petitioner would be decided to be duly and lawfully elected Senator from Michigan.

(s) That upon such a fair and lawful recount and due allowances being made for such frauds, intimidations, and prevention of votes, petitioner would be decided and declared by your honorable body to have been duly and lawfully elected Senator from Michigan.

(7) Your petitioner shows that the ballots cast at said election were under the laws of Michigan replaced in the several ballot boxes which were then locked and sealed and the ballot boxes delivered to the respective officers under the laws of Michigan, and they are now in the custody of the said several officers, as provided by law.

(8) That the law carefully specifies and directs that said ballots shall be preserved and guarded, as stated, but does not specify the length of time they shall be thus preserved, and

petitioner shows that under the uniform practice prevailing in Michigan for many years past such ballots will be preserved only until the next election, when they will be removed from the ballot boxes and destroyed or lost; that the next general election will be held in Michigan on the first Monday in April, 1919, and that the primaries therefor will be held in large numbers of the various precincts at various dates during the month of March, and that at such times following said customs the said ballot boxes will be opened and the ballots removed therefrom and either wholly destroyed or lost.

(9) Petitioner further shows that following the debate in your honorable body on December 14, 1918, as to receiving the credentials of Mr. Truman H. Newberry and referring the same to the Committee on Privileges and Elections, in which it was affirmed, on the one hand, that the ballots would be destroyed before the April election, and, on the other hand, that they would not be destroyed, a very significant and suggestive article appeared in the Detroit Free Press, namely, on December 20, 1918; that the Detroit Free Press is a daily newspaper of large circulation throughout the State of Michigan and has been a violent advocate of the election of Mr. Newberry; that it had editorially and in news articles repeatedly attempted to justify the vast expenditures of money for and on behalf of Mr. Newberry, and has viciously and continuously assailed any and all attempts to investigate the same, and has constantly attacked the motives of all officials who have attempted to investigate or bring to justice those concerned with violations of the laws; and, in fact, said Free Press is known generally as the organ in said primaries and election campaigns of the said Newberry and his committee and advocates aforesaid. That said suggestive article so published on December 20, 1918, was as follows:

[From the Detroit Free Press, Friday, Dec. 20, 1918.]

MIGHT DESTROY FORD BALLOTS—DISTRICT CLERKS TO BE ASKED TO KEEP SENATORIAL VOTES—RECOUNT MAY BE HAMPERED BY LACK IN MICHIGAN STATUTE.

Discovery of a striking omission in the Michigan election laws is the result of speculation over the possibilities of a recount or inspection of ballots in the Newberry-Ford case, now regarded as certain to come up in the United States Senate after March 4.

It appears that nowhere in the Michigan law is there provision for the preservation of ballots after the legal time for recounts has passed, and it also develops that there is no occasion for saving them except in case of presidential, United States Representative, or United States senatorial elections.

MIGHT DESTROY BALLOTS.

Therefore the present situation is such that if the United States Senate should decide to recount the Ford-Newberry ballots, county and city clerks anywhere in Michigan may have destroyed them long before the new Senate, which convenes March 4, 1919, could decide upon a recount. Moreover, the April election follows closely after that date, and it would be altogether probable that a recount would not be under way much before the next spring election.

Efforts will be made to remedy the situation at once. The legislature will meet January 1, and a bill amending the election law, or constituting a new statute, to cover the case will be ready for presentation on that date. If the bill is passed without delay and is given immediate effect it would be law before the April elections.

WILL ASK DELAY.

A request from interested persons to county clerks to refrain from destroying the ballots will be forwarded within a few days, in the hope that if a recount eventually comes about there will be no question of missing ballots. As the law stands now the ballots may be destroyed, as the legal time for recounts on State offices has passed and there is nothing before any court to operate to hold up the usual course of events.

Petitioner submits this article, coming from such source, was manifestly designed and intended to convey to the custodians of the ballots that it was not unlawful and that it was perfectly safe to destroy or lose the ballots, and such was the very general interpretation placed upon the article.

Accordingly, in order to preserve, if possible, the ballots until your honorable body should take some action to preserve and recount the ballots, petitioner caused to be filed bills in equity in the eastern and western districts of Michigan. On the filing of said bills a temporary restraining order for 10 days was granted ex parte, and an order to show cause why temporary injunction should not be granted. Said 10 days in the western district will expire January 7, 1919, and in the eastern district on January 9, 1919.

(10) And the petitioner further shows that he is advised that under the laws of Michigan there is no body or tribunal which has control of a recount except the United States Senate, and that his only adequate relief to preserve and recount the ballots lies in suitable action to that end by your honorable body.

(11) That petitioner has caused notice of his intention to contest the alleged election of said Truman H. Newberry to the United States Senate to be duly served upon the said Truman H. Newberry, viz, on the 2d day of January, 1919.

(12) The petitioner hereby prays and requests the Senate to entertain his said contest; to provide for a recount of the said ballots and the due preservation of said ballots for the purpose of the recount and of evidence in the contest, and for a prompt investigation of said election and primary and of the matters hereinbefore set forth; and that said Truman H. Newberry be declared not elected, and also disqualified and not entitled to a seat, because of the aforesaid violations of law, and that petitioner may be declared elected and entitled to said seat, and that he may have such further action of the Senate and its duly appointed committees and agents and such other relief as shall be conformable to justice and as the premises shall warrant; and he will ever petition, etc.

HENRY FORD.

STATE OF MICHIGAN,
County of Wayne, ss:

Henry Ford, being duly sworn, deposes and says that he has read the foregoing petition and notice, and that the same is true to the best of his knowledge, information, and belief.

HENRY FORD.

Subscribed and sworn to before me this 2d day of January, A. D. 1919.

[SEAL.] ERNEST KANZLER,
Notary Public, Wayne County, Mich.

My commission expires October 12, 1919.

STATE OF MICHIGAN,
County of Wayne, ss:

Robert B. Walter being duly sworn deposes and says that he is a citizen of Michigan and a resident of the county of Wayne, Mich.; that he has read the foregoing petition and notice of contest and knows the contents thereof; and that paragraphs 1, 2, 3, 5, 7, 8, and 10 are true; and deponent further says that he was a member of the Legislature of Michigan, viz, a senator, for three successive terms, namely, from 1911 to 1917; and that he was one of a committee of three members of the legislature who conducted a recount of the votes cast in the twenty-second senatorial district, comprising the whole of the county of Saginaw (which is one of the three or four largest counties in Michigan) in the year 1913. He further says that since the election of November 5, 1918, he has devoted nearly all his time to the investigation of the said election in the various parts of the State, and that he has traveled, personally, to various parts of the State in that work and has received reports from a considerable number of other careful and reliable men who have devoted their time to the said work of investigation, and that every precaution has been taken to make such investigation thorough, reliable, and strictly according to the truth. And he further says that from such experiences above described and from his said investigations and the said reports he states that he has good reasons to believe, and does believe, that the allegations of the fourth, sixth, and ninth paragraphs of said petition and notice of contest are true. And he further says that the representatives of Mr. Ford have now a great abundance of evidence to establish Mr. Truman H. Newberry's personal connection with his said campaign committee, described in the foregoing petition and notice, and with the activities of said committee in his behalf, and that said campaign was conducted with his full knowledge, consent, and active cooperation. And he further says that said Ford's representatives have reliable proofs of large numbers of unlawful expenditures of moneys in said Truman H. Newberry's campaign, involving large amounts in a great many portions of the State not set out or included in said report of Frank W. Blair, treasurer of said committee; and the said contestant's representatives are ready to produce such proofs and the witnesses to sustain the charges in the petition, but deponent deems it advisable and safest not to give the names of said additional witnesses for very obvious reasons.

He further says that contestant's representatives have reliable evidence of great activities on the part of the supporters of Mr. Newberry and his committee to suppress the evidence of said unlawful expenditures and of attempts to prevent disclosure by those having knowledge of the facts, and these proofs contestant's representatives are prepared to present to any committee authorized by the Senate to investigate the election.

That the ballot boxes used at elections in Michigan are very generally of a very solid, well-made construction, and of a permanent character.

ROBERT E. WALTER.

Subscribed and sworn to before me this 1st day of January, 1919.

ALICE C. CLINE,
Notary Public, Wayne County, Mich.

My commission expires November 27, 1921.

STATE OF MICHIGAN,
County of Mecosta, ss:

The undersigned, Woodbridge N. Ferris, being duly sworn, upon his oath says that he is now and has been for more than 34 years last passed a resident of Big Rapids, in the county and State aforesaid, where he conducts the Ferris Institute, and that during the years 1913 to 1916, inclusive, he was governor of the State of Michigan.

Affiant further says that for approximately 34 years last passed he has been acquainted with the universal and prevailing custom with reference to the preservation of ballots in his own and neighboring counties in the State of Michigan.

Affiant says that said prevailing custom and practice as uniformly observed in his section of Michigan will result in the ballots cast at the general election held in Michigan November 5, 1918, being taken from the ballot boxes and destroyed at the time of the next general election to be held in said State on April 7, 1919, and in some localities where local elections are held prior thereto said ballots will be destroyed at the time of said local elections.

Affiant is informed and believes that this custom has uniformly prevailed for years throughout the State of Michigan.

WOODBRIDGE N. FERRIS.

Subscribed and sworn to before me at Big Rapids, in the county and State aforesaid, this 24th day of December, 1918.

[SEAL.] BERT S. TRAVIS,
Notary Public in and for Mecosta County.

My commission expires April 13, 1919.

STATE OF MICHIGAN,
County of Calhoun, ss:

The undersigned, John W. Bailey, being duly sworn, upon his oath says that he is now and has been for more than 50 years last passed a resident of Battle Creek, in the county and State aforesaid.

Affiant states that he has been mayor of Battle Creek and that at the last general election in Michigan he was a candidate for governor on the Democratic ticket.

Affiant says further that he has for approximately 28 years been acquainted with the custom with reference to the preservation of ballots in his own and neighboring counties.

Affiant says that said prevailing custom and practice as uniformly observed in his section of the State would result in the ballots cast at the last general election held in Michigan on November 5, 1918, being taken from said ballot boxes and destroyed at the time of the next general election to be held in the State of Michigan on April 7, 1919, if they had not been removed and destroyed because of some local election or elections held prior thereto.

Affiant is informed and believes that this custom has uniformly prevailed for years throughout the State of Michigan.

JOHN W. BAILEY.

Subscribed and sworn to before me this 20th day of December, 1918.
[SEAL.] ALTINA MCKEE,
Notary Public, Calhoun County, Mich.

My commission expires September 27, 1919.

STATE OF MICHIGAN,
County of Kent, ss:

The undersigned, Peter J. Danhof, being duly sworn, says that he is now and has been for more than 30 years last past a resident of Ottawa and Kent Counties, in said State, and that he is engaged in the practice of law.

Affiant further states that he is familiar with the provisions of law of this State relative to the preservation of ballots cast in elections in said State and the disposition of said ballots.

Affiant further says that in accordance with said provisions of law he verily believes that the ballots cast at the general election held in said counties of Ottawa and Kent on November 5, 1918, will be taken and removed from said ballot boxes and destroyed before or at the time of the next general election, to be held in this State on April 7, 1919, and in some localities where local elections are held prior thereto, he believes the said ballots will be removed from the ballot boxes and destroyed before or at the time of said local elections.

Affiant further says that he is informed and verily believes the same to be true that the said practice of removing the ballots from the ballot boxes and destroying the same has become a uniform custom which prevailed for years throughout the State of Michigan.

PETER J. DANHOF.

Subscribed and sworn to before me this 21st day of December, 1918.
[SEAL.] CHAS. H. WINCHESTER,
Notary Public, Kent County, Mich

My commission expires September 6, 1919.

STATE OF MICHIGAN,
County of Wayne, ss:

The undersigned, Patrick H. O'Brien, being duly sworn, upon his oath says that he is now and has been for more than four years last past a resident of Houghton, in the county of Houghton and State aforesaid, and that for the last seven years he has been judge of the twelfth judicial district of Michigan.

Affiant says that he has for approximately 19 years last past been acquainted with the universal and prevailing custom with reference to the preservation of ballots in the following counties in the State of Michigan, to wit: Houghton, Ontonagon, Keweenaw, Iron, Gogebic, and Baraga.

Affiant says that said prevailing custom and practice as uniformly observed in his section of Michigan will result in the ballots cast at the general election held in Michigan on November 5, 1918, being taken from the ballot boxes and destroyed at the time of the next general election to be held in the State of Michigan on April 7, 1919, and in some localities where local elections are held prior thereto said ballots will be destroyed at the time of said local elections.

Affiant is informed and believes that this custom has uniformly prevailed for years throughout the State of Michigan.

PATRICK H. O'BRIEN.

Subscribed and sworn to before me this 21st day of December, 1918, at Detroit, Mich.

ROBERT E. WALTER,
Notary Public in and for Wayne County, Mich.

My commission expires January 28, 1922.

STATE OF MICHIGAN,
County of Genessee, ss:

The undersigned, Frank D. Baker, being duly sworn, upon his oath says that he is now and has been for more than 60 years last passed a resident of Genesee County, State of Michigan, and that his occupation is postmaster.

Affiant says that he has for approximately 30 years last past been acquainted with the universal and prevailing custom with reference to the preservation of ballots in the following counties in the State of Michigan, to wit: Genessee, Ingham, Livingston, and Oakland.

Affiant says that said prevailing custom and practice as uniformly observed in said part of Michigan the ballots cast at the general election held in Michigan on November 5, 1918, will be taken from said ballot boxes and destroyed at the time of the next general election to be held in the State of Michigan, on April 7, 1919; and in some localities where local elections are held prior thereto, said ballots will be destroyed at the time of said local elections.

Affiant is informed and believes that this custom has uniformly prevailed for years throughout the State of Michigan.

FRANK D. BAKER.

Subscribed and sworn to before me this 20th day of December, 1918, at Flint, Mich.
[SEAL.] BERT M. GARNER,
Notary Public.

My commission expires April 17, 1921.

STATE OF MICHIGAN,
County of St. Clair, ss:

The undersigned, Albert E. Stevenson, being duly sworn, upon his oath says that he is now and has been for more than 20 years last passed a resident of St. Clair County, State of Michigan, and that his occupation is inspector of explosives and vice president of United States Savings Bank.

Affiant says that he has for approximately 20 years last passed been acquainted with the universal and prevailing custom with reference to the preservation of ballots in the following county in the State of Michigan, to wit, St. Clair County.

Affiant says that said prevailing custom and practice as uniformly observed in said part of Michigan the ballots cast at the general election held in Michigan on November 5, 1918, will be taken from said ballot boxes and destroyed at the time of the next general election to be held in Michigan, on April 7, 1919; and in some localities where local elections are held prior thereto, said ballots will be destroyed at the time of said local elections.

Affiant is informed and believes that this custom has uniformly prevailed for years throughout the State of Michigan.

ALBERT E. STEVENSON.

Subscribed and sworn to before me this 20th day of December, 1918.
[SEAL.] FRANK J. WITTLIFF,
Notary Public, St. Clair County, Mich.

My commission expires May 1, 1920.

NOVEMBER 15, 1918.

Hon. ATLEE POMERENE,
Chairman Senate Committee on Privileges and Elections,
Washington, D. C.

HONORABLE SIR: I am a Republican who was inclined to support Mr. Truman Newberry for Senator in the Michigan primary election until I personally saw evidence of the extravagant use of large sums of money, in what I felt to be unlawful amounts, to advance his candidacy. I then decided I could not support him in the primaries. Some weeks after the primaries I joined the Nonpartisan Ford-for-Senator Club, an organization composed largely of prominent Republicans, who looked with disfavor upon the method used by Mr. Newberry and his committee to obtain the Republican nomination. I acted as secretary of this organization. Our membership was over 20,000 before the election of November 5.

As secretary of this organization I was in constant communication with prominent Republicans throughout the State of Michigan who saw the lavish expenditure of the Newberry committee and protested against them. From them and in other ways I have collected a large amount of information and reports, sufficient, I think, to convince your committee that an investigation of the campaign is necessary, and ample, I hope, to form the basis for a complete investigation of the campaign.

It would seem that an investigation is absolutely necessary. In the words of Senator KENYON (CONGRESSIONAL RECORD, 1918, p. 10395), "If this enormous expenditure of money in senatorial campaigns is to go on without any challenge by Congress, then the poor man has no chance ever to secure a seat in this body and simply the rich can purchase a seat here."

There should be no objection to an investigation at this time. I feel that Senator TOWNSEND expressed the sentiment admirably when he said (CONGRESSIONAL RECORD, 1918, p. 10393): "I would be glad to have a full and complete investigation, and if Mr. Newberry shall receive a certificate of election in November, and charges are preferred against his title, I will not only vote to investigate, but I will vote to unseat him if corruption which secured his nomination is proven."

The information to form the basis of an investigation is sent you under separate cover.

Yours, very truly,

ELBERT H. FOWLER.

In the matter of Michigan primary senatorial election of 1918, Detroit, Mich.

To the COMMITTEE ON PRIVILEGES AND ELECTIONS,
United States Senate, Washington, D. C.

HONORABLE SIRS: The following statement of evidence pertaining to the Newberry senatorial compaign is sent you in compliance with my telegram of November 14 and letter of November 15, 1918, and it is hoped that it will be of assistance to you as a basis for the proposed investigation:

The United States statute governing the matter is contained in First United States Compiled Statutes of 1916, pages 65 to 72, section 198, page 72, providing:

"Every person willfully violating any of the foregoing provisions shall upon conviction be fined not more than $1,000 or imprisonment not more than one year, or both."

Section 195 defines who shall be considered a candidate, which clearly includes a candidate for the nomination or election to the office of United States Senator. Subdivision 3 of section 195, which is printed on page 169, states that the candidate shall file with the Secretary of the Senate "a full, correct, and itemized statement of all moneys and things of value received by him or by anyone for him with his knowledge and consent from any source in aid or support of his candidacy, together with the names of all those who have furnished the same in whole or in part, and such statement shall contain a true and itemized account of all moneys and things of value given, contributed, expended, used, or promised by such candidate or by his agent, representative, or other person for and in his behalf with his knowledge and consent, together with the names of all those to whom money and all such gifts, contributions, payments, or promises were made for the purpose of procuring his nomination or election."

Subdivision 4 also contains the requirement for a similar statement to be filed within 15 days after the primary. Subdivision 7, printed on pages 70 and 71, provides:

"No candidate for Senator shall give, contribute, expend, use, or promise, or cause to be given, contributed, expended, used, or promised, in procuring his nomination and election any sum in the aggregate in excess of the amount which he may lawfully give, contribute, expend, or promise under the laws of the State in which he resides: *Provided*, That no candidate for Senator of the United States shall give, contribute, expend, use, or promise any sum in the aggregate exceeding $10,000 in any campaign for his nomination and election," etc.

The Michigan State statute is act No. 109 of the Laws of 1913, on pages 189 et seq., entitled "An act to regulate and limit nomination expenses." Section 1 provides:

"No sums of money shall be paid and no expenses authorized or incurred by or on behalf of any candidate to be paid by him in order to secure or aid in securing his nomination to any public office in excess of 25 per cent of one year's compensation of the office."

Further down in the same section it provides that no sum for election shall be expended beyond 25 per cent of one year's salary, etc. Section 2 provides that "every political committee should appoint a treasurer, and that no money shall be expended except through him." Section 3 defines what are lawful expenditures. Section 4 provides that every candidate and every treasurer shall file full and complete statements within 10 days after primary or election. Section 11 provides that no person shall pay any expenses or make any payments except to a candidate or a political committee, and section 12 provides that there shall be no receipts except in the true name of the donor. Section 13 provides that no moneys shall be expended from any anonymous source. Section 18 provides for fine and imprisonment for any willful violation of the act.

From the various advertisements appearing in the Detroit and Michigan newspapers generally, and from other sources, it appears that a committee known as the Newberry-for-Senator committee ostensibly had charge of the management and conduct of Mr. Newberry's campaign. This committee for a period of several months, commencing in March of 1918 and continuing until after the primaries in August, maintained elaborate offices at rooms 308–310 Ford Building, Detroit.

M. A. A. Templeton, president of the Detroit Seamless Steel Tubes Co., acted as general chairman; Mr. Newberry is a stockholder of this company, having originally financed Templeton in its organization; Mr. Paul H. King, an attorney and former receiver of the Pere Marquette Railroad, acted as executive chairman; Mr. Frank W. Blair, president of the Union Trust Co. of Detroit, as treasurer; Charles A. Floyd, as secretary; F. F. Emery, Harry O. Turner, James R. Davis, Tony T. Corliss, James F. McGregor, A. K. Moore, E. V. Chilson, James B. Haskins, B. F. Reed, assistant secretaries; director of publicity, H. A. Hopkins; publicity representatives, Thomas Phillips, B. C. Wilson, H. W. Rose, A. G. MacEachron, E. E. Smith, and E. O. McLean; attorney, Paul R. Dailey.

The report just mentioned was filed by the committee in the office of Milton Oakman, county clerk of Wayne County, where Mr. Newberry resides, on September 6, 1918, in compliance with act 109 of the Michigan public acts of 1913. It is signed and verified by Mr. Frank W. Blair, treasurer, and appears set forth in full in the CONGRESSIONAL RECORD, issue of September 17, 1918, on page 10387 and following. Mr. Newberry did not personally make any report under this act. Instead there appears in the miscellaneous files of the county clerk's office, attached to the committee report, a letter from Mr. Fred P. Smith, on the stationery of the executors of the Newberry estate, wherein the writer advises the county clerk that Mr. Truman H. Newberry states that he did not receive or disburse any money in connection with his campaign, and that the writer, Mr. Smith, therefore assumes that no personal report is required of Mr. Newberry. In this letter it is also said that should Mr. Oakman, the county clerk, place a different interpretation on the fact, upon information accorded to the writer, Mr. Newberry will report the facts as theretofore reported to the Secretary of the United States Senate.

I am informed that Mr. Newberry, in compliance with the Federal act, made personal reports of his campaign expenditures both before and after the primary. The prior statement is contained on one of the regular blank forms prepared for the purpose by the Secretary of the Senate. On page 2 thereof Mr. Newberry states: "The campaign for my nomination for United States Senator has been voluntarily conducted by friends in Michigan. I have taken no part in it whatever, and no contributions or expenditures have been made with my knowledge or consent." On the third page he states "no promise or pledge has been made by me or by anyone on my behalf with my knowledge or consent relative to the appointment of any person to a position of trust, honor, or profit either in the county, State, or Nation, or in any political subdivision thereof, or in any private or corporate employment for the purpose of procuring the support of such person or of any person in my candidacy." Mr. Newberry signs the statement "Truman H. Newberry, 123 Lake Shore Road, Grosse Pointe Farms, Mich." It was sworn to in the State of New York, county of New York, before Charles C. Schneider, notary public, August 14, 1918.

The primary was held on the 27th day of August. After the primaries Mr. Newberry filed another statement with the Secretary of the Senate, sworn to on the 29th day of August, 1918, in New York before Louis B. Wolf, notary, etc. This was on the regular blank furnished by the Secretary of the Senate for statements to be made after the primary. In the blank space on the second page relative to contributions there is written in ink the following: "None with my knowledge and consent." With reference to expenditures, in the blank space therefor, is written the following: "None with my knowledge and consent. I have read a general public statement of Paul H. King concerning expenditures made by a voluntary committee of my friends, but these were made without my knowledge or consent."

The first public outcry against the unlawful use of money, as stated, in Mr. Newberry's campaign, was made by the Hon. Lauren D. Dickinson, a prominent candidate for governor, reelected lieutenant governor of Michigan on the Republican ticket in the recent election. His public protest was published in all the prominent newspapers in Michigan on or about August 22, 1918, and is as follows:

[Detroit News, Aug. 22, 1918.]

Lieut. Gov. Dickinson's letter:

"Hon. TRUMAN H. NEWBERRY,
"Brooklyn Navy Yard, N. Y.

"DEAR SIR: Men of all walks of life who have the best interest of our State at heart believe the men who are conducting your campaign for United States Senator are conducting one that will bring one of the greatest scandals on our State that Michigan politics ever saw, and have asked me to take the lead in attempting to rid our State of this blight.

"I note by your statement that you say you do not know of these things.

"In giving you the information I will give you the terms that I hear everywhere in the 62 counties in which I have been recently. I have always had the highest regard for you and must believe you will relieve the Republican Party and the State of a campaign that is now being likened to the notorious Lorimer campaign of Illinois a few years ago. The terms 'boodle' and 'rotten' seem to be general terms that I hear.

"Every section of the State shows evidence of an expensive newspaper campaign, costing thousands and thousands of dollars. Thousands of men are liberally paid for work at many more thousands of dollars, an expensive suite of offices with a large force sending out hundreds of thousands of letters to influential voters at more thousands of dollars, thousands of autos already engaged for use on primary day at many more thousands; that practically every opponent of the primary system is backing your campaign, and that hundreds of the experts who have figured in or conducted for money the wet campaigns of the past are among the most active of your supporters.

"Conservative estimates say everywhere from $250,000 to $500,000 is being used. The good people of the State are apparently powerless to give the voters these matters on short notice. In case you get the most votes you must expect to have the placing of your name on the election ballot contested. If by technical reasons you succeed, then you must expect every church and moral organization to work until election night to keep our fair State from the baneful influence that success following such methods would leave for years to come.

"Should you be successful at the polls, you must expect a legislative investigation that would be demanded by an indignant populace. And if by technicalities you could overcome this, you will probably have to face a Democratic Senate, which will unseat you, as it justly unseated William Lorimer, jr., because of flagrant disregard in your behalf of Michigan's primary laws. The effect on the Republican Party, with the people demanding cleaner things, can not be estimated. Already we hear the Democrats will make the corrupting use of money in your campaign one of their great campaign arguments.

"I can not believe you understand the situation, and if you did you would come to the rescue. I am therefore asking you, in behalf of the old Republican Party, clean politics, preservation of the primaries, social and business interest, to withdraw from this campaign and save the everlasting disgrace to the party and the State from a pollution that would stay for years. Hoping you may act favorably and retain the high esteem in which you have been held in the State, I am,

"Sincerely, yours,

"L. D. DICKINSON,
"Lieutenant Governor of Michigan."

The other candidates on the Republican ticket in the late primary for the office of United States Senator from Michigan were: Hon. Chase S. Osborn, of Sault Ste. Marie, who had been twice governor of Michigan; Mr. Henry Ford; and Mr. William G. Simpson.

Representative Merlin Wiley, of Sault Ste. Marie, a member of the State Legislature of Michigan and Mr. Osborn's manager in the senatorial campaign, also made a public protest on the subject, which was published in the Detroit News on August 22, 1918, and probably in several other newspapers. It reads as follows:

[Detroit News, Aug. 22, 1918.]

LETTER OF REPRESENTATIVE MERLIN WILEY, OF SAULT STE. MARIE.

To the EDITOR: The campaign conducted on behalf of Mr. Newberry's candidacy for the United States Senate is a disgrace to the State of Michigan. Some one or some persons are incurring bills of tremendous size. They are incurred in behalf of Mr. Newberry's candidacy, and they must be paid by some one. Facts that can not be denied, because the knowledge of them is common property, attest the following:

First. A large and pretentious headquarters has been conducted for months in the Ford Building in Detroit, with a clerical force of from 30 to 40. Office rent and competent clerks cost money in Detroit.

Second. A force of Newberry workers of the class who seldom work without pay have been scouring the State for months doing organization work for Mr. Newberry's candidacy. They cost money.

Third. Banquets in county after county have been held, sometimes under the guise of patriotic meetings and sometimes plainly and boldly for Newberry organization work, as was the case of the banquet at Lansing, when the local Newberry organization was perfected, and the banquet of the Newberry workers of St. Clair at Marine City last Friday night. These things cost money, and these are war times and not time for political banquets.

Fourth. A superexpensive advertising campaign is being carried on, handled by a Detroit advertising company and carrying almost continuous advertising in nearly every one of the 700 papers in the State, both secular and religious. This costs money, and lots of it.

Fifth. It has been stated that a letter inclosing a return postal card, together with printed matter, has been sent to every voter in the State. This costs more money.

Sixth. It is stated that the Newberry organization plans to have autos in every voting precinct to bring out the Newberry vote on election day. This will cost still more money.

Seventh. The old-time politicians, the opponents of the primary system, and the "wets" are almost to a man supporting Mr. Newberry.

Eighth. Not a word, not a statement, not a single announcement of what he stands for has Mr. Newberry made. Even his campaign expense statement states that his campaign is being conducted by his friends without his knowledge or participation, and that no expenses have been incurred with his consent or authority.

These items cost money, more money than has ever been spent in a Michigan campaign, certainly in this generation. They are, in the amount expended, in plain and open violation of the letter and spirit of both the State and Federal laws. If Mr. Newberry should be elected, Michigan will have an election scandal worse than the Lorimer scandal in Illinois or the Stephenson scandal in Wisconsin. If this is to be the policy permitted in Michigan, then none but millionaires or men with millionaire friends who will pay the bills need apply for the office of governor or United States Senator, for only they can pay the price.

It is variously estimated that the entire cost of the Newberry organization and the conduct of Mr. Newberry's candidacy will have cost from $100,000 to $500,000. Certainly, it will cost enough to down the fair name of Michigan for a generation to come. And if Mr. Newberry should be nominated, he can never hope to take his seat. A United States Senate that, as Republican, would not permit William Lorimer to retain his seat and would seriously challenge the right of Senator Stephenson to a seat therein, will never, when Democratic, permit Mr. Newberry, if elected, to be seated after such campaign expenditures.

It is time for Michigan to wake up and shield her honor by administering a defeat that will forever make impossible the repetition of such methods.

MERLIN WILEY.

LANSING, MICH., *August 20, 1918.*

Mr. Simpson, one of the Republican candidates for Senator, mentioned above, likewise made public charges directed against the expenditures of the Newberry committee. One of his statements published October 6, 1918, is as follows:

[From the Detroit News, October 6, 1918.]

MR. SIMPSON ON THE SITUATION.

"To the EDITOR:

"Now that the Michigan Republican and Democratic conventions have been held, the stage seems to be all set for November, when the people can come forth and select their public servants (?).

"The army of 50,000 Republican joperatics in Michigan will be on the job as usual to do the bidding of the leaders who employ them, as will also as many of the Democrats who are equally fortunate in holding a political job.

"And the plain citizen voter—the man with whom lies the balance of power for good or evil, the man who is interested in politics only as a means of self-government—what will he do?

"The main contests, of course, will be the senatorship and the governorship.

"At present mud is flying in all directions, without, apparently, any desire for sensible reasoning, and the situation takes the phase of being grotesquely funny were it not a serious menace to our form of government.

"Ford says he is obeying the commands of the President.

"Newberry swears that he didn't know—that not even his wife told him that she spent $25,000 of his money to nominate him.

"Osborne charges Newberry with being an ass, but says that he will support him to show he's a good sport, even though he lost and Newberry flagrantly violated the law.

"Paul King—a lawyer, mind you—says he did it all for nothing, just as if he expected people to believe him.

"Gov. Sleeper—and his name seems quite appropriate in view of the facts—says he is neutral.

"The governor is doing the State a real service without cost by removing himself from office in the coming election. The people will do the rest.

"And Atty. Gen. Groesbeck—

"On the 24th of June I saw Mr. Groesbeck in his office, where I had called to protest the large expenditure of money by the Newberry people.

"'You are familiar with the corrupt practices act, are you not?' I asked.

"'Well,' replied Mr. Groesbeck, 'I ought to, I am the attorney general of the State.'

"'I am well aware of that fact, Mr. Groesbeck,' I replied. 'As this effort is for a Federal office, I'm quite sure that if you won't act, Mr. Kinnane will.'

"He replied: 'Oh, you get me the facts, Simpson, and I'll act.'

"Mr. Groesbeck has had the facts for some time in the admission of Paul King, but has he acted?

"On July 20 I wrote regarding the matter to Mr. Kinnane and Secretary Lansing, at Washington.

"Did they act? Not yet.

"After the primary and on September 7, I again wrote to the governor and Secretary of State Vaughan, asking them to withhold Newberry's nomination certificate. Did they do so? The substance of the law which Newberry violated has been repeated so frequently in these columns it is unnecessary to do so again.

"I think that every voter who has any conscience at all will admit that Newberry has violated the law in spirit, if not in fact, though it pleases the interests with which he is connected to provide all manner of excuses, among which they say it was to save the country from Ford.

"The facts will show that they laid their expensive plans to deliberately violate the law long before Ford announced his candidacy, and there is no doubt in my mind but what they intended with premeditation to violate the law.

"Only a few days ago the State board of canvassers met to determine the ballot, and said, as reported, that I should have gone to Prosecutor Jasnowski.

"Always 'passing the buck' to others. This seems to be the feature of loperalle's job when he is called upon to earn his salary—at least in Michigan.

"Anyone who knows conditions, and who has gone to see Jasnowski on matters of this kind, knows what a fat chance I'd stand of having him do anything against the 'combine,' even if I could find the prosecutor.

"Here is a letter from Will Hays, which contains nothing that he could object to having printed:

"'MY DEAR MR. SIMPSON: Returning to-day after an absence, etc.

"'The unlawful use of money in an election can not be too strongly condemned. There is no penalty too severe or excoriation too vigorous for anyone guilty of such practices.

"'However, I am quite sure that there must be some mistake in the information which you have received regarding the unlawful use of money by Mr. Newberry. While I have known Mr. Newberry only a short time, I have known him by reputation a great many years, and while, as I understand, he is quite "well to do," as you say, I am very sure he would not under any circumstances indulge nor condone nor permit the unlawful use of money in connection with his candidacy for the nomination or election to any office.

"'I am glad, etc.,

"'Sincerely, yours, "'WILL H. HAYS.'

"As to Mr. Hays's complacent belief in the virtue of others, I have nothing to say.

"How satisfying out of this mess of recriminations, senseless explanations, and excuses stand forth, like living words of fire, that every youth in Michigan would do well to remember, these words of our lieutenant governor, the man who knew, felt in his heart his duty, and dared:

"'I did what my conscience dictated. I have made enemies, but if I have opened the way for the correction of one of our greatest evils I am abundantly repaid.'

"Personally I refuse to believe other than in the old-fashioned goodness and honesty of the common people of Michigan.

"If the evils of which Newberry and his friends are charged are allowed to continue it means that we, the common people, must submit to rule by a class, and that class the rich class. We therefore lose our much-vaunted democracy.

"We read every day of current political differences, where matters of the war are brought into the argument, which are not appeals to reason but appeals to prejudice and self-interest.

"This line of argument gets us nowhere. Prominent business men are interviewed regarding Newberry and their replies printed. The major part of them, being of his class of self and social interest, say, in effect, 'To hell with the law; we want Newberry elected.' Those too cowardly to voice an opinion say nothing.

"The attitude of Tourday's convention shows that the reactionary element of the Republican Party is still in the saddle.

"After two sad presidential defeats under their rule they have yet to learn their lesson, and the idea does not seem to percolate through their thick craniums that the voting Republican citizens will not have that type of politics.

"It is not a question of loyalty between parties. It is a question of common honesty, decency, and principles among men.

"If we can look ahead to the sure defeat of Newberry we can see the just release of impending dishonor to the State, a dishonor invited by the leaders in power, and, as much as I would like to support Republican national principles, I can't vote a member of that party into an important office who has 'hit below the belt' to get there.

"Nor can I assist by my vote in the humiliation of the State which I love. If Newberry is selected this will surely be forced upon us by the body of men whose privilege it is to refuse to accept questionable associates.

"I hope to see every cowardly official connected with this disgraceful affair defeated at the coming election, and I shall vote for Bailey for governor, Dickinson for lieutenant governor, Masselink for secretary of state, and Baker for attorney general, and I know a few thousand others who will do the same.

"As for the senatorship, I won't vote for Newberry and I can't vote for Ford. I opine, however, that Ford will be elected by at least 20,000 majority.

"I'd rather be a prophet with a good vision than a forgetful historian that I might, perhaps, instill a ray of hope in the minds and hearts of the common people of Michigan.

"WM. C. SIMPSON."

I am informed that Mr. Simpson, as he states in his communication, did in fact file specific charges as to the unlawful use of money by Mr. Newberry, both with the attorney general of Michigan and the United States attorney for the eastern district of Michigan.

After the primaries at which Mr. Newberry received the Republican nomination, Mr. Newberry wrote Mr. Osborn in answer to a telegram as follows:

NEWBERRY'S LETTER.

"NEW YORK CITY,
"*Sunday, September 1, 1918.*

"MY DEAR GOVERNOR: Your cordial telegram assuring me of your earnest support is all that was needed to insure the defeat of Ford in November. I fully realize that my personality is submerged in the issues that confront our party in our State. Many times in the past few months I have envied your ability and privilege to talk, and when your voice rang clear and strong throughout State and Nation on the menace of Ford I wanted to wire you Godspeed in your patriotic work.

"Your deeply appreciated telegram of support helps me to visualize the statesman, the sportsman (hunter), and gentleman that I have always known you to be.

"Cordially, yours, TRUMAN H. NEWBERRY."

In reply to this Mr. Osborn wrote him an open letter, which was published generally throughout Michigan, and which reads as follows:

"SEPTEMBER 17, 1918.

"MY DEAR COMMANDER: I have read your letter. Thank you for your sentiments. I shall support you. Already I have straightened out entanglements that would have been hurtful to your success. I am not interested in you personally a particle. The entire matter is so far beyond personal consideration and transcends individual proportions to an extent that only public welfare may be thought of. You can be elected; no doubt you will be. My idea is that the thing for you to do is to honestly confess you broke the law and that you knew all about the campaign but that you did not realize the enormity of your offense. In such a position you would be intrenched in honesty, I fully believe. And an indulgent people would forgive you, and fight for you, because of the past services they think you have given and what they have been told you are giving now. In addition this action would make for your name an honorable place in the history of Michigan. Otherwise the future will curse you.

"The plea can not be honestly made that you spent money in excess because you were fighting Ford, because you had begun your reckless campaign long before Ford was mentioned and had already transgressed the law. Nor can you plead 'you did not know' that would prove you to be both an ass and a liar, which I choose to think you are not. I am for you only to save the Nation and the State from the curse of Fordism. A vote for Ford is a vote for the Kaiser right now, as I view the case.

"Yours, truly, CHASE S. OSBORN."

Coming now to the facts as to Mr. Newberry's connection with the work of the committee, I am informed and believe that he was personally active in organizing his own campaign and that he conducted the same through the Newberry committee. This connection is shown by many facts and witnesses, as I am informed and believe, and, among other evidence of witnesses, as follows:

Chief manager and intimate friend of Mr. Newberry was Mr. Fred Cody, who has an office in the downtown section of New York, and who ostensibly is an insurance man, but who is principally a lobbyist for the American Telegraph & Telephone Co., the American Book Co., Standard Oil Co., and other large and important Wall Street interests.

Mr. Cody was active, as I am informed and believe, from before the beginning of the organizing until after the election, and was constantly in communication with and in the office of the committee, and in and out the apartment and office of Mr. Newberry, conferring and giving directions with respect to the campaign.

Mr. Cody, at the outset of the campaign, went to Washington and at the direction of Mr. Newberry tendered the appointment of manager of the campaign to Mr. Jay G. Hayden, Washington correspondent of the Detroit News. Mr. Cody took Mr. Hayden to New York to see Mr. Newberry, where the appointment was tendered to Mr. Hayden by Mr. Newberry personally. The whole subject was gone into at great length between Mr. Newberry, Mr. Hayden, and Mr. Cody, with prospect of his making a success of the campaign. Mr. Hayden finally declined the position.

Subsequently in February of 1918, Mr. Cody, as I am informed and believe, arranged an interview between Mr. Milton Oakman, Mr. Robert Oakman, and others, of Detroit, with Mr. Newberry at the Biltmore. The parties all met there and discussed fully the prospects for a successful campaign of Mr. Newberry, the amounts of money that would be required, and the place of manager was tendered to Mr. Milton Oakman, as I am informed and believe.

Mr. Milton Oakman acted as manager for a time, as I am informed, but subsequently a more elaborate organization was organized and conducted under Mr. Templeton and Mr. Paul King. Mr. Milton Oakman continued to act for Mr. Newberry in Wayne County (Detroit) until after the primary election. Mr. Oakman had been sheriff of Wayne County twice and also then and is still clerk of Wayne County, and the leader of the dominant Republican faction in Wayne County. Very scandalous stories have been in circulation as to the large amounts of money expended by Mr. Oakman on behalf of Mr. Newberry. If such were expended they are not set forth in the accounts of the committee.

Mrs. Louisa Delamater, a stenographer, now employed at 316 Moffat Block, Detroit, Mich., states she was employed in the Newberry campaign headquarters at the Ford Building from about the 5th of March until April 20, 1918. That during her employment therein Mr. Newberry at least twice to her personal knowledge was in the Detroit campaign office, and that on the first visit she saw Mr. Emery show Mr. Newberry through the entire suite of about eight offices, pointing out to him things of interest as Mr. Newberry was shown through. She also says that she knows that railroad reservations to New York and hotel accommodations were made for persons in the Detroit office, who went to New York for the purpose of consulting Newberry about campaign methods.

Mrs. Delamater also states that Miss Margaret Nevin was the private secretary at campaign headquarters for Paul King, and that she must also have seen Newberry in that office. After Mrs. Delamater ceased working for the campaign committee a Miss Chappell was employed there. When Mrs. Delamater was there Mr. Emery was the office manager. She believes he had something to do with one of the Detroit draft boards. Another of the stenographers who was there while Mrs. Delamater was employed is Ruth Goldstein, of 111 Edmund Street, Detroit, Mich., also Florence Shepiro.

According to Mrs. Delamater, Miss Nevin wrote letters on Mr. Newberry's private stationery, which she sent by parcel post to New York for Mr. Newberry's signature. Mrs. Delamater herself wrote letters to railroads to make reservations to New York for Mr. Templeton and Mr. King; also letters to New York making appointments for Mr. King with Mr. Newberry.

I am informed that Thomas C. Smythe, of Detroit, Mich., before the primaries, saw Mr. Newberry in the offices of the committee from a window in the Moffatt Block, which is directly opposite the offices of the committee in the Ford Building, and not over 30 feet therefrom.

I am also informed and believe that Mr. Thomas Phillips, who was formerly employed on the staff of the Detroit News, was induced to take a position with the Newberry committee at a salary that is nearly twice the sum that he received from the Detroit News; that he went to New York and consulted with Mr. Newberry with reference to the preparation of advertisements to appear in Michigan newspapers; that he was in constant communication with Mr. Newberry while writing these intimate advertisements, and that Mr. Newberry cooperated with him in their preparation.

Mr. Clarence L. Sibbens, 1224 Ford Building, Detroit, Mich., was Paul King's personal secretary during the campaign; he traveled all over the State with King before the primaries, and also went with him to New York at different times. He is a stenographer and is now employed in the office of Mr. Fred P. Smith, in charge of the offices of the executors of the Newberry estate. Sibbens has probably been taken into the regular employ of the Newberry family. These offices were used for private dictation of King, Emery, and others of the committee, I am informed and believe.

It can be shown without question that Mr. Newberry was in constant touch with the committee almost daily by telephone, telegraph, and written communications, receiving practically continuous reports of the work of the committee and communicating with its various members, both in Detroit and at New York, entertaining them at the Biltmore in New York, and communicating with them verbally, by writing and by telegraph, and also through Mr. Frederick Cody. This can be shown by examination of the following witnesses, as I am informed and believe, Templeton, King, Blair, and the various assistant secretaries above mentioned.

I have been appraised through the press that a Federal grand jury investigation on this subject was held in New York City preceding the Michigan primary. In this connection it was stated in the dispatches that the following persons most closely and directly associated with Mr. Newberry in the campaign refused to testify, and were thereafter ordered to testify by two different Federal judges. That they persisted in their refusal and were then committed to the Tombs for such refusal, namely: A. A. Templeton, general chairman; Frank W. Blair, treasurer; and Thomas P. Phillips, publicity agent. It was also stated in the newspapers that the following persons, called as witnesses before the same grand jury, indicated that they would likewise refuse to testify, following the course of the three witnesses mentioned. These others who were not committed include the following: John S. Newberry, a brother of the candidate, who furnished upward of $99,000 of the committee moneys; Paul H. King, the Michigan manager of the campaign; Milton Oakman, campaign manager for Wayne County; and H. A. Hopkins, director of publicity.

Besides the upward of $175,000 expended and admitted by the committee to have been expended, I have been informed through a number of persons throughout Michigan that other large amounts of money were expended, which moneys are not shown or accounted for by the committee, and I am informed and believe that these facts can be substantiated by a large number of witnesses, among whom are the following:

William Moore, of Wayne, Mich.; Mr. Jameson, attorney, Wayne, Mich.; Mr. Harrison (whose full name can be obtained), Wayne, Mich.; Frank Schumaker, Ann Arbor, Mich.; Frank Newton (late candidate for Congress from the second district), Ypsilanti, Mich.; Mr. Owen, ex-postmaster, Ypsilanti, Mich.; Thomas M. Ward, 1202 Houseman Building, Grand Rapids, Mich.; George Welsh, C. A. Terrie (Daniels), George Rodgers, James Quinlan, Oscar Kilstron (of the Bolo Club), William J. Mickele, Robert G. Bell (county clerk), George Reed (clerk of police court), Dan Kennedy, William Grove, and James Healy, all of Grand Rapids, Mich.; Neal McMillan, of Rockford, Kent County, Mich.; Charles H. Bender, Grand Rapids, Mich.; S. F. Bernard, Battle Creek, Mich.; Charles Biggers, Marshall, Mich.; John La Rue, of Lakeview, Montcalm County, Mich.; Mr. Kennedy, postmaster at Lakeview, Mich.; F. M. Lothrop, probably of Lakeview but whose exact address can be obtained; E. J. Bowman, Greenville, Mich.; J. W. Hoskins, of Howard City, Mich.; William T. Hosner, of Romeo, Mich.; Judge James G. Tucker, of Mount Clemens; Thomas Barkworth and John Miner, both of Jackson, Mich.; C. J. De Land, Jackson, Mich.; Emery Mills, Monroe, Mich.; Lee Wilbur, Ypsilanti, Mich.; Mr. Hawthorn, Wayne, Mich.; Ira Wilson, Plymouth, Mich.; Phillip Cottrell, Jackson, Mich.; Ivan George English, publisher of Daily Mirror, Escanaba, Mich.; Albert J. Young, Escanaba, Mich.; Judd Yelland, Escanaba, Mich.; Sherman Olmstead, Midland, Mich.; Rogers Andrews, Menominee, Mich.; Mr. Rice, attorney, Battle Creek, Mich.; Ike Bloom, Kalamazoo, Mich.; Bill Yearnh, Cadillac, Mich.

Many other names of men can be obtained if an investigation finds it necessary.

I have reason to believe that witnesses may be obtained in nearly every county of the State showing that large sums of money were expended in them before the primaries which are not set forth or included in the committee report.

I am forwarding to the committee a copy of the Saginaw Valley Farmer, a prominent farm newspaper, for August, 1918. In it you will see a sample of the lavish expenditures of money on behalf of Mr. Newberry. You will find advertisements and reading articles on 10 pages of this issue, which contains only 24 pages in all.

Newberry's campaign was advertised in practically all of the newspapers of the State of Michigan in the most lavish manner.

I am also informed and believe that several speakers were engaged for the primary campaign whose names do not appear in the committee report under their list of expenditures. One of these speakers, whom I have been informed was engaged to travel in the western part of the State of Michigan, was Mr. Horatio Earle, of Detroit. I have been unable to find his name in the committee report.

A great deal of evidence in addition to the suggestions above made could be obtained by a more thorough investigation.

Respectfully submitted.

ELBERT H. FOWLER.

The following is taken from the inaugural address of Lieut. Gov. Dickinson, of Michigan, which was delivered in the Senate of Michigan on Wednesday, January 1, 1919. The Senate of Michigan is composed entirely of Republicans, and Lieut. Gov. Dickinson is himself a Republican, who announced in the public press just before the election that he would vote for Mr. Newberry. The following clipping contains all that Lieut. Gov. Dickinson said in his inaugural upon the subject:

Lieut. Gov. Dickinson in his inaugural covers a number of subjects with a few words each. With reference to the Newberry campaign, he said:

PRIMARY CHANGES ASKED.

"Primary elections will call for action on your part. From what has occurred during the past political campaign it would afford me relief if I could pass by this question, but experience teaches that the disagreeable acts of an office are the ones the people demand the most strenuously. More communications on this line asking for legislative action have come to me by far than all others combined and almost without exception, Republicans not only from all parts of Michigan but from other States.

"This, you know, is the outgrowth of a candidacy that doubtless cost more money than ever before was paid for a nomination for office in all the world's history.

CLAIMS G. O. P. NEAR DEFEAT.

"You also know this candidacy from one of the best-known families of the State, of a man of high standing, unquestioned integrity, and acknowledged ability, in the face of an abnormally large party majority, came near an ignominious defeat through the resentment from nearly every voting precinct in the State, of the farmer, the laborer, the business and professional voter, because of the enormous amount of money acknowledged to have been used in his behalf and generally believed to have been used contrary to laws, several sections of which were enacted for the stipulated purpose of restricting the use of large sums of money in campaigns.

"The case is now agitating Congress, the Federal and Michigan courts, with a strong suspicion by many that for political purposes it will be there suspended as long as possible before the country at large as an unsavory act of the Republican primary in Michigan, hoping by such course to produce an effect that will deprive the party of the majority secured at the November elections.

SHOULD AMEND PRIMARY ACT.

"If the courts had given a decision as to who is to blame for this undesirable condition it would have cleared the way for your action. If, however, there is any question as to violation of the primary statute, it should be so amended that the interpretation relative to restrictions in the use of money and who to blame for violation shall be made plain and simple.

"In legislative action I believe the utmost caution should be used to eliminate the name of any candidate and avoid all appearance of politics in considering this subject. The individual, or even party, interests are of but little note when the sanctity of the ballot and safety of democracy are at stake.

REPORTS MANY COMPLAINTS.

"From almost every part of the State have come to me pleas that this legislature make it impossible in the future to witness the sale of a public office on the auction block, but rather that the laborer, the farmer, the business or professional voter, however humble, but able and respectable, may have a chance with the man of millions.

"The war's end has been termed a victory for safe democracy. No democracy is safe with a polluted primary or election, made so by money or otherwise. And no great amount of money will be used except for the purpose of making votes, and to make votes by the use of money is polluting, corrupting, and the user should be treated as a baser criminal that the laborer who steals a sack of flour for his family.

MUST PROTECT WOMEN VOTERS.

"It has been said that these things have been done by all parties in the past. If this be true, article 3, section 8, of the State constitution, as well as the new epoch, demands better things, and in accord with organized society's action already taken we are obligated, as far as legislation can do, to clean up on this line.

"It must be done if we are to preserve our party from political filth and do our part in making democracy safe, and it should be done before our women have experience at primary or election that they may never know by observation these things that have influenced past elections."

DAVID LUBIN—INTERNATIONAL INSTITUTE OF AGRICULTURE.

Mr. FLETCHER. Mr. President, on the 14th of December Mr. David Lubin, the American delegate to the International Institute of Agriculture, at Rome, wrote a letter, in which he inclosed an article just prepared by him and published in pamphlet form on the subject of "Our Foreign Trade After the War."

Mr. Lubin originated the idea of and founded the International Institute of Agriculture. Through the material assistance and encouragement of the King of Italy, whom Mr. Lubin was able to interest in the enterprise, the institute was successfully established at Rome. Mr. Lubin was the American delegate continuously from the beginning. He was an extraordinary man—philanthropic, public-spirited, patriotic, great-hearted, and gifted with rare vision, real energy, and marked ability in constructive efforts to serve the highest good of his fellow men. He was intensely devoted to the interests of those who till the soil and produce the food for the people of the world. He gave much thought and time to a consideration of the problems affecting agriculture, especially production and distribution, the two great problems involved in establishing a sound agriculture.

I ask that this article by Mr. Lubin, his last thought on the subject of "Our Foreign Trade After the War," which is comparatively brief, be printed in the RECORD.

The VICE PRESIDENT. Is there objection?

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

OUR FOREIGN TRADE AFTER THE WAR—A NEW OBJECTIVE—A PROPOSAL FOR EXPANSION.

(By David Lubin, Delegate of the United States, International Institute of Agriculture, Rome.)

"THE POTENTIAL POSSIBILITIES.

"In viewing the prospects for national progress it is all a question of getting the right focus, the right perspective. Before the war a billion dollars was considered a very large sum. Now, thanks to the liberty bonds and the war costs, we have become accustomed to calculating in terms as high as five billions, and presently our calculations may with continued progress be in terms of ten billions, and in time they may even reach the $20,000,000,000 mark. And it is open to us reach these high objectives if we but develop the potential possibilities for enlarging our foreign trade.

"Please observe: It needs no elaborate argument to show the economic advantage of steam and electric power and machinery over hand labor; how vastly these multiply production, how effective they displace handmade goods. And yet, by far the greater part of the world is still producing its goods by hand labor. And right here is our opportunity. We should do all in our power to displace these handmade goods by machine made. By so doing we should build up a very large foreign trade, a foreign trade which would rapidly enable us to jump from the billion-dollar mark to the five-billion mark, and from that to the ten billion, yes, and to the twenty-billion-dollar mark, and so on higher and ever higher.

"But how displace? Shall it be by pushing our goods through the means of commercial travelers with their sample trunks? We have tried that, and so have the Germans. We made but little progress; the Germans, however, managed to rake in about all the foreign trade that could be had that way; indeed, it was the profit on this trade which enabled them to build up their vast military establishment.

"THE OBSTACLES IN THE WAY.

"As I pointed out in a former paper on this subject—Atlantic Monthly, December, 1918—the greater part of the world is still of the nonprogressive, static order; hence the reluctance to take kindly to things it is not accustomed to. Then there is the diversity of the tastes and styles of the various ethnic groups composing the nations of the Old World which renders trade from standard patterns exceedingly difficult. It therefore requires much patience and no little ingenuity to build up a market in those fields.

"From time to time the American or the British commercial traveler appears on the scene, exhibits his samples, and in the usual businesslike way calls for orders. The German trader on the ground is not disconcerted a bit, for he knows by experience that these travelers will receive no orders. The American commercial traveler's rush for orders is much like a skirmish; the German makes of it a siege. The American runs in and runs out of a given territory, quite often without any orders; the German stays, holds on, and squeezes out all the business to be had. It thus comes to pass that the German is master of the situation. He knows how to curry favor, how to knuckle down, how to cave in. In fact, he is protean and eel-like in his suavity, master of the art of ingratiating himself with a customer. And for all these reasons the German merchant is able to build up and substantially hold the said markets all to himself.

"There is, besides, another point for consideration. We have been repeatedly told that in Germany the fostering of foreign trade was broadly given the right of way. That is to say, if an industry was started which the Government thought desirable to push forward, all obstacles in its way were brushed aside. If an item required it, it was given special subsidies and privileges, special transportation rates, special fiscal advantages, special diplomatic and consular services; and if an existing law stood in the way that law was, in that instance, set aside.

"Now, would we be willing to do all these things? Could we do them even if we wanted to? Do we not see that only under an autocracy is it permissible to do what Germany has done to foster foreign trade? Do we not see that such things are not permissible under a stable, constitutional democracy?

"ANOTHER APPROACH.

"But even with it all, the German just about managed to skim the surface, for the high possibilities in foreign trade are to be reached by another approach.

"The following, then, is a brief outline of that approach. It is submitted with some diffidence, for I fear that at first reading it may be set aside without further ado, as, on the face of it, it may seem paradoxical. Usually business seeks to avoid competition, whereas this proposal seems, at first glance, to go out of its way just to promote such competition. But due consideration will, I believe, win for it assent.

"Briefly, then, the approach is through the upbuilding of manufacturing centers with their factories in the countries where it would be an economic advantage to replace handmade by machine-made goods. Such factories should be under local ownership and direction. Local ownership and direction would soon overcome the prejudice against change from handmade to machine-made goods, and would likewise overcome the obstacles due to diversity in tastes and styles. Then, again, the employment at a higher wage rate of local labor in the factories would soon overcome the economic hostility to which imports of manufactured goods would tend to give rise. And finally, while the importation of manufactures is usually hindered by clamors for high tariff, no such hindrance is placed in the way of the importation of raw materials required for home industries.

"But how could such manufacturing centers, with their factories, be built up? Would local initiative suffice? No; it would not; the potentialities may be there, but they will have to be awakened, supplemented by American cooperation, by American capital, by American genius, by American skill, and trained under American expert guidance. And right here is our opportunity. We should make it our business to take a hand in building up such factories and in directing and supervising them until local labor, local direction, and local management become sufficiently competent and expert to run them.

"A MUCH LARGER NET RETURN.

"And right here the question arises, Why should the American people go out of its way to engage in the task of helping to build up industries in foreign countries? Should we not be building up competitors who would not only be likely to spike the guns of our foreign trade but who might in time even throttle us on our home markets?

"At first glance this would seem to be the case, but some reflection will show that there is little to fear from the legitimate competitor. For instance, the most forceful competitor of the United States is Great Britain, and the most forceful competitor of Great Britain is the United States; yet, notwithstanding, the United States is Great Britain's biggest customer and Great Britain is the biggest customer of the United States.

"In countries where we now have but an insignificant volume of foreign trade the proposed plan would undoubtedly create a steady demand for our money, our carriage, our raw material, our 'findings,' our semimanufactured articles, our machinery, etc. All this, taken in the aggregate, would insure a very much larger volume of foreign trade and would yield a very much larger net return than is possible through the sale of manufactured goods under the sample-trunk system.

"Of course, the proposed network of factories could not be expected to spring up of a sudden, like Minerva, fully armed, from the head of Jupiter, complete and efficient. It would, on the contrary, be of slow growth. The proposal could be started on a very modest scale. Say a factory is started as a sample test in a given field; if it met with success, it would lead to the upbuilding of other factories in the same field. In this way many locations would in time be built up and developed.

"FOREIGN-TRADE ZONES.

"In substance, under the proposed plan, the foreign-trade markets of the world would be divided into zones, each with one or more manufacturing centers, each of which may be designated as an industrial and distributing base for the zone.

Take, for instance, the Mediterranean Basin as one of these zones. Draw a line from Gibraltar to Syria and let the countries north, south, and east of that line form that zone, with Italy as its base. Similar zones could be formed in other parts of the world, as, for instance, in the Scandinavian countries, in Central America, in South America, in Russia, etc.

"Let each base in a zone be placed on an up-to-date industrial footing; let the factories be provided with the most effective modern machinery; let each industry be placed on a sound financial basis, and, above all, let it be placed under skilled, expert direction.

"Should the proposal here suggested be proceeded with, it is, of course, to be expected that England, too, would take a hand in the effort. As Sir Samuel Hoare says, 'The idea could be extended so as to include Great Britain.' Sir Charles Macara, founder of the International Federation of Master Cotton Spinners, writes me that he highly approves of the proposal and is placing it before the leading papers of England for the consideration of the British public. In the opinion of Sir Thomas Elliott, 'the proposal is a sound one.' And Lord Bryce in commenting on it says, 'There can be no doubt that there will be a great field for the development of the Mediterranean countries by British and American capital,' and he points out that this is equally true of Russia and of Siberia.

"ITALY AS A BASE.

"This proposal is not put forth as a doctrinaire thesis; it is a practical work now under way in Italy. It has been under discussion for some time past by a number of leading Italians, including members of the Italian ministry. It met with general favor, and a hearing was requested of Ambassador Page, which was granted on June 5. The Duke Colonna di Cesarò then handed in the following (which I quote from my article on this subject in the December issue of the Atlantic Monthly):

"Italy is too young a country and too short of capital to exploit by herself all her resources and to develop industries and commerce on rational and organic lines.

"This is the reason why she turned to German capital, which, however, gradually and subtly drew into its meshes all the country's economic life, cramped her industries and her trade where they opposed German interests, introduced everywhere German technical men, who proved to be all German agents, and bound political groups and men so that Italy was practically deprived of her free agency and her life was stifled and paralyzed.

"Before the war and even now during the war events have shown the international force which animates all currents tied to German interests.

"The ambassador seemed favorably impressed with the proposal. As a result of this hearing it was decided to go ahead with it, and an important step in this direction has been taken. On October 16 a meeting was called in Rome by Signor Ciuffelli, Italian minister of commerce, at his ministry, at which leading Italians were present. The plan we are here considering was approved, and it was decided that an effort be made to have Italy become a base for the industrial and commercial development of the Mediterranean Basin on modern lines, and to ask the aid of the American people toward bringing this about.

"A committee was appointed, with Ernesto Nathan, former mayor of Rome, as chairman, to take this matter in hand. In response to requests for adherence this committee has already received favorable replies from bodies representing leading industries, among them the metallurgical, the engineering, the silk, and the cotton-spinning industries. A meeting will shortly be called to effect a permanent organization for the purpose of proceeding on with the work in Italy, when an endeavor will be made to interest the American people in the proposal.

"ROME, *November 5, 1918.*"

Mr. FLETCHER. Following this, I ask also to have printed an announcement of the death of Mr. Lubin and something of a sketch of his life as it appeared in the Washington Post of January 2.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

DAVID LUBIN DIES IN ROME AT 77—SAN FRANCISCAN FOUNDED INTERNATIONAL INSTITUTE OF AGRICULTURE.

ROME, *Wednesday, January 1.*

David Lubin, of San Francisco, founder of the International Institute of Agriculture and the American representative on its permanent board, died here to-day of pneumonia. His fatal illness followed an attack of grippe.

—

David Lubin, formerly a merchant in Sacramento, conceived the idea of the International Institute of Agriculture, and it was through his efforts that the institute was founded. The institute issues reports and other data on world crops and imports and exports.

The treaty providing for the institute was ratified by 53 nations, and the institute has an annual income of $60,000 from the Italian Government. On the occasion of the general assembly of the International Institute of Agriculture in Rome in 1913 Mr. Lubin was presented with a silver cup in appreciation of his efforts in originating the institute.

Since 1913 he spent most of his time in Rome in connection with the institute. One of his last public utterances, on October 21, was to urge the allies to organize to meet a German industrial war after the war. Mr. Lubin was born in 1841.

DEATH OF EX-PRESIDENT THEODORE ROOSEVELT.

Mr. MARTIN of Virginia. Mr. President, the entire country was startled to-day by the announcement of the death of ex-President Roosevelt at his home on Long Island at an early hour this morning.

This is not a fit time, Mr. President, for me to undertake to eulogize the memory and achievements of ex-President Roosevelt, but before I submit a motion to adjourn out of respect to his memory, which I shall present in a few moments, I will say just a very few words.

The life of ex-President Roosevelt was full of activity and of achievement. In such a life, of course, he made antagonisms, but I do not believe there is a man in the broad limits of the United States who to-day, in the presence of this solemn announcement, would question the ability of ex-President Roosevelt, his patriotism, his courage, his devotion to duty as he saw it. He met all the responsibilities of citizenship in the most courageous manner. That he made mistakes was inevitable, for it is human to err; but certainly it may be said without fear of contradiction that his errors were made in what he believed to be the best service of his country, for he was devoted to his country, and he hesitated at no sacrifice which he could make to promote its honor, its prosperity, and its welfare.

I will say, furthermore, Mr. President, that a characteristic of his life was his unqualified courage. He never had a conviction that he did not have the courage to follow. He was a man of unlimited courage, of limitless resources, and of unbounded patriotism.

As I said, Mr. President, fruitful as the subject may be, I shall not be drawn into any extended eulogy on the life and achievements of this truly great American, for I look upon him as one of the great men produced on this continent since the discovery of America.

Mr. President, I send to the desk resolutions which I ask may be adopted.

The VICE PRESIDENT. The Secretary will read the resolutions.

The Secretary read the resolutions (S. Res. 407), as follows:

Resolved, That the Senate has heard with profound sorrow and regret the announcement of the death of Hon. Theodore Roosevelt, late a President of the United States.

Resolved, That a committee of 15 Senators be appointed by the Vice President, to join such committee as may be appointed on the part of the House of Representatives, to attend the funeral of the deceased.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives.

Mr. LODGE. Mr. President, I rise simply to second the resolutions offered by the Senator from Virginia. Mr. Roosevelt served his country in war; he was President of the United States; and as Vice President he presided over this body. He was a great patriot, a great American, a great man. He was devoted throughout his life to his country. He tried always to be a servant of humanity. At this moment, Mr. President, the thoughts and memories that crowd upon me make it impossible for me to say more.

Mr. CALDER. Mr. President, as a Senator from the State in which Col. Roosevelt lived and as one who believed in him and followed him in his leadership in the affairs of his State and the Nation, I am sure it will not be considered inopportune for me to say a word or two on this occasion.

At the time of his death Mr. Roosevelt was the foremost private citizen in the world. Of all those before the public at the time of his greatest activity, he made by far the deepest impress upon our national life.

As a citizen Mr. Roosevelt approached the ideal. His occupation was America. His relaxation was study. His pleasure was friendship. His family relations, too sacred to be lightly intruded upon, were those to which good men everywhere aspire and good women best understand and appreciate.

Dead in his sixty-first year, Mr. Roosevelt will number his real mourners by the million. Time and history will write his true epitaph. But we to-day can record the death of a great American, of whom it can truly be said that while he lived millions followed him because they believed in him as a force for righteousness, justice, peace, and progress, and when he died a whole people mourned him.

The VICE PRESIDENT. The question is on the adoption of the resolutions submitted by the Senator from Virginia.

The resolutions were unanimously agreed to, and the Vice President appointed as the committee under the second resolution Mr. LODGE, Mr. MARTIN of Virginia, Mr. SIMMONS, Mr. CHAMBERLAIN, Mr. POINDEXTER, Mr. REED, Mr. SAULSBURY, Mr.

CURTIS, Mr. HARDING, Mr. UNDERWOOD, Mr. WADSWORTH, Mr. CALDER, Mr. JOHNSON of California, Mr. KELLOGG, and Mr. KNOX.

Mr. MARTIN of Virginia. Mr. President, I send to the desk another resolution, which I ask may be read and appropriately referred.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 408) was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the Secretary of the Senate be, and is hereby, authorized and directed to pay, out of the appropriations for miscellaneous items of the contingent fund of the Senate, the actual and necessary expenses of the Senate committee appointed to attend the funeral obsequies of Hon. Theodore Roosevelt, late a President of the United States, on voucher or vouchers properly allowed by the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. SMOOT, from the Committee to Audit and Control the Contingent Expenses of the Senate, reported favorably the foregoing resolution and it was considered by unanimous consent and agreed to.

Mr. MARTIN of Virginia. Mr. President, as a further mark of respect to the memory of ex-President Roosevelt, I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 12 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 7, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *January 6, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, our hearts are saddened by the news which has gone forth of the death of a great man. A statesman, a writer, a patriot, an ex-President of the United States has passed from the scenes of this earth to the realms beyond. He was great in thought, great in deeds, kindly in his ways, but keen in his conceptions of right. He was a despiser of all things that tend to lessen the good in life. His soul was wrapped up in the life and character of his Nation. He was bold, fearless, and always told what he believed to be the truth. We pray that his like may come again and awaken larger, nobler interests in the world and in life. He was brave, he was fearless, a strength wherever he went. Be with the family, who have suffered much in this war, through the loss of a son and two other sons wounded. Be with them and comfort them in this hour of sorrow and help them and us forward with the hope that that life still lives in the realms beyond, and guide us all by right and truth and justice. In Christ's name. Amen.

The Journal of the proceedings of Saturday, January 4, 1919, was read and approved.

ORDER OF BUSINESS.

Mr. HENRY T. RAINEY. Mr. Speaker, in compliance with precedents I am about to make a motion to adjourn; but before doing so, I ask unanimous consent that business in order to-day be in order to-morrow.

The SPEAKER. The gentleman from Illinois asks unanimous consent that business in order to-day be in order to-morrow. Is there objection?

There was no objection.

THE LATE THEODORE ROOSEVELT.

Mr. HENRY T. RAINEY. Mr. Speaker, the country has heard with profound regret of the death of Theodore Roosevelt. Those who could not agree with him politically found in him a ready foeman, splendidly equipped to defend the positions he took. He was a man of tremendous energy, a perfect engine of force, and has rendered his country splendid service in the Army, as governor of our greatest State, as Vice President, and as President of the United States. He loved his country, and his long public career as well as his career since his retirement from public life was characterized by intense practical patriotism.

He won for himself an enduring place in literature, and if he had done nothing else than this he would have achieved a distinction which has come to but few men in his generation. His indomitable energy led him into the field of geographic exploration, and if his achievements were limited to that field alone he would have perpetuated his name to future generations. As commanding officer of the Rough Riders in Cuba he demonstrated that he was possessed of the courage and the ability out of which great soldiers are made. His military service, including his fearless demands for a redress of the grievances of the men in the ranks, alone would have won him a place in history. In addition, however, he served with distinction in the naval organization of the United States, and his career as Vice President and President has left an impress upon the history of his country which will endure.

His sturdy Americanism, his intense patriotism in peace and in war, in public office and as a private citizen, will always command the respect and the admiration of this and of future generations.

I send to the Clerk's desk the following resolutions and ask unanimous consent for their immediate consideration.

The SPEAKER. The Clerk will report the resolutions.

The Clerk read as follows:

House resolution 494.

The House having learned with profound sensibility and sorrow of the death of Theodore Roosevelt, former President of the United States:

Resolved, That as a token of honor to the many virtues, public and private, of the illustrious statesman, and as a mark of respect to one who has held such eminent public station, the Speaker of this House shall appoint a committee to attend the funeral of Col. Roosevelt on behalf of the House.

Resolved, That such committee may join such committee as may be appointed on the part of the Senate to consider and report by what further token of respect and affection it may be proper for the Congress of the United States to express the deep sensibility of the Nation.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy of the same to the afflicted family of the illustrious dead.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

The SPEAKER. Is there objection to present consideration of the resolutions?

There was no objection.

The SPEAKER. The question is on agreeing to the resolutions.

Mr. HICKS. Mr. Speaker, before the question is taken, will the gentleman from Illinois yield to me for a moment?

Mr. HENRY T. RAINEY. Certainly.

Mr. HICKS. Mr. Speaker, it is with profound sadness and with deepest sorrow, not alone of the district of which he was a resident or of the State of which he was a citizen, but of the Nation of which he was a part, that I second the motion of the distinguished gentleman from Illinois. The life that has just closed was the fullest expression of Theodore Roosevelt's conception of what life should be. He himself said:

The life of duty, not the life of mere ease or of mere pleasure; that is the kind of life which makes great men, just as it makes a great nation.

His life was a fulfillment of the noble sentiment—

God give us men—
Men whom the spoils of office can not buy,
Men whom the lust of power will not kill,
Men who are honest men, who will not lie.

Men who can stand before a demagogue
And damn his treacherous flattery without wincing
Tall men, sun crowned, who live above the fog
In public duty and in private thinking.

The SPEAKER. The question is on agreeing to the resolutions.

The resolutions were agreed to.

The SPEAKER. The Clerk will report the remaining resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect this House do now adjourn.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to; accordingly (at 12 o'clock and 12 minutes p. m.) the House adjourned until to-morrow, Tuesday, January 7, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of Agriculture, transmitting a detailed report of the expenditures of all moneys appropriated under the act of August 10, 1917, from August 10 to June 30, 1918, inclusive (H. Doc. No. 1642); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

2. A letter from the Secretary of the Treasury, submitting estimates of appropriation, with the recommendation that they be given favorable consideration for inclusion in the sundry civil appropriation bill for the fiscal year 1920 (H. Doc. No. 1643); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. DENT, from the Committee on Military Affairs, to which was referred the bill (H. R. 13548) to authorize the resumption of voluntary enlistments in the Regular Army, and for other purposes, reported the same without amendment, accompanied by a report (No. 891), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BURNETT: A bill (H. R. 13669) to prohibit immigration for a period of four years, and to restrict immigration thereafter; to the Committee on Immigration and Naturalization.

By Mr. FULLER of Illinois: A bill (H. R. 13670) to amend the war-risk insurance act by providing for the transfer of jurisdiction of, and all claims for, compensation for death or disability from the Bureau of War-Risk Insurance to the Bureau of Pensions, and for other purposes; to the Committee on Interstate and Foreign Commerce.

Also, a resolution (H. Res. 493) amending paragraphs 25 and 26 of Rule XI; to the Committee on Rules.

PETITIONS, ETC.

Under clause 1 of Rule XXII,

Mr. PARKER of New York laid on the Speaker's desk a petition of electors of district and State of New York relating to Senate bill 5306 and House bill 13159, which was referred to the Committee on the Merchant Marine and Fisheries.

SENATE.

TUESDAY, *January 7, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we worship Thee. Thou hast sent forth the spirit of Thy Son to the hearts of men crying "Abba Father." We are Thy children, and we are heirs of God. We would feel not only the sacred obligation but the high inspiration of the call of God to places of leadership and power. We pray that we may discharge our duties as the sons of God to extend Thy kingdom and the spirit of Thy peace among men. We ask it for Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

FUNERAL OF THE LATE EX-PRESIDENT THEODORE ROOSEVELT.

The VICE PRESIDENT. The Chair has not been informed officially with reference to the funeral services over the body of the late President of the United States in any other way than by the newspapers. The newspaper announcement is that it is to be a private funeral. The Senate, however, having taken steps to send a committee, the Chair wishes to announce that if any Senators desirous of going will communicate with the Sergeant at Arms, arrangements will be made for their transportation and comfort.

Mr. LODGE. Mr. President, it has been ascertained that some of the Senators appointed yesterday as members of the committee to attend the funeral of the late ex-President Theodore Roosevelt are either out of town or are unable to accompany the congressional committees to-day. I ask, therefore, that five additional names be added to the Senate committee.

The VICE PRESIDENT. Without objection, it is so ordered. The Chair appoints the Senator from Utah [Mr. SMOOT], the Senator from California [Mr. PHELAN], the Senator from Nevada [Mr. HENDERSON], the Senator from New Jersey [Mr. FRELINGHUYSEN], and the Senator from Maine [Mr. HALE] as additional members of the committee.

SENATOR FROM NEVADA.

Mr. KING. Mr. President, I send to the desk and ask to have read the certificate of election of Hon. CHARLES B. HENDERSON, Senator elect from the State of Nevada to fill the vacancy caused by the death of Hon. Francis G. Newlands.

The VICE PRESIDENT. The credentials will be read.

The credentials were read and ordered to be placed on file, as follows:

STATE OF NEVADA,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 5th day of November, 1918, CHARLES B. HENDERSON was duly chosen by the qualified electors of the State of Nevada a Senator from said State to represent said State in the Senate of the United States and to fill the vacancy therein caused by the death of Francis G. Newlands, and that said vacancy was filled by the election of CHARLES B. HENDERSON as aforesaid, according to law.

Witness, his excellency our governor, Emmet D. Boyle, and our seal hereto affixed at Carson City, this 30th day of December, in the year of our Lord 1918.

EMMET D. BOYLE, *Governor.*

By the governor:
[SEAL.] GEORGE BRODIGAN, *Secretary of State.*

Mr. KING. Senator HENDERSON is in the Chamber, and I ask that the oath may be administered to him.

The VICE PRESIDENT. Is there objection to the credentials? If not, the Senator elect will present himself at the desk for the purpose of taking the oath of office.

Mr. HENDERSON was escorted to the Vice President's desk by Mr. KING, and the oath prescribed by law having been administered to him, he took his seat in the Senate.

SENATOR FROM KANSAS.

Mr. CURTIS. Mr. President, I present the certificate of election of ARTHUR CAPPER, Senator elect from the State of Kansas. I ask that the credentials may be read and filed. They are in the regular form.

The credentials were read and ordered to be placed on file, as follows:

State of Kansas, certificate of election—United States Senator from Kansas.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 5th day of November, 1918, ARTHUR CAPPER was duly chosen by the qualified electors of the State of Kansas a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1919.

Witness, his excellency our governor, ARTHUR CAPPER, and our seal hereto affixed at the State capitol in the city of Topeka, this 2d day of December, in the year of our Lord 1918.

ARTHUR CAPPER, *Governor.*

By the governor:
[SEAL.] J. T. BOTKIN, *Secretary of State.*

CAPITAL ISSUES COMMITTEE (S. DOC. NO. 328).

The VICE PRESIDENT laid before the Senate a communication from the Capital Issues Committee, transmitting, in response to a resolution of December 15, 1918, a statement showing the total expenses of the Capital Issues Committee to December 31, 1918, which, with the accompanying paper, was ordered to lie on the table and be printed.

TREASURY DEPARTMENT EMPLOYEES (S. DOC. NO. 327).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of December 23, 1918, a list showing the number of civil employees in the department January 1, 1919, and the number discharged during the previous two weeks, which was ordered to lie on the table and be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, transmitted to the Senate resolutions on the death of Hon. Theodore Roosevelt, former President of the United States.

PETITIONS AND MEMORIALS.

Mr. LODGE presented resolutions adopted by the National Association of Woolen and Worsted Overseers in convention assembled at Worcester, Mass., favoring a protective tariff, which were referred to the Committee on Finance.

He also presented resolutions adopted at a mass meeting of sundry citizens of Worcester, Mass., favoring the freedom of Ireland, which were referred to the Committee on Foreign Relations.

Mr. NELSON presented a resolution adopted by the Western Fruit Jobbers' Association, submitted by E. P. Stacy & Sons, of Minneapolis, Minn., relative to the disposition of Federal controlled utilities, which was referred to the Committee on Interstate Commerce.

Mr. CALDER. I present resolutions unanimously adopted at a meeting of the members of the parish of the Blessed Sacrament Church, in Brooklyn, N. Y., held under the auspices of the Parish Forum on Thursday, December 19, 1918, favoring self-determination for Ireland. I ask that the resolutions be printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the resolutions were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

[Resolutions adopted unanimously at a meeting of the members of the parish of the Blessed Sacrament, held under the auspices of the Parish Forum on Thursday evening, Dec. 19, 1918, favoring self-determination for Ireland.]

Whereas recent articles in the metropolitan press, including some well-displayed utterances of certain of our public men, seem to be inspired by forces who desire to discredit the efforts of our great President toward the establishment of a just basis for a permanent peace; and

Whereas in such an emergency it is incumbent upon all loyal citizens who believe in the justice of the principles enunciated by our President to make their voices heard in opposition to the efforts of those evil or misguided men;

Therefore the members of the Parish of the Blessed Sacrament and their friends, in public meeting assembled on this 19th day of December, 1918, declare:

That we rejoice with our fellow citizens at the victorious conclusion of the war and the triumph of the ideals for which America entered the war.

That we take justifiable pride in the record for bravery and patriotic fervor made by the men of the Irish race in the Army and Navy and the important part they played in the decisive battles for the democratic freedom of the world.

That we appland the determination of our President to be present at and participate in the proceedings of the peace congress, to the end that full effect be given to the principles enunciated by him in his addresses to Congress, his state papers, and his speeches, which have been accepted by the American people as the true reason and purpose of America's participation in the war.

That the most important of those principles—that of self-determination as to the form of government by the consent of the people who are to be governed—should be applied to the people of Ireland in conformity with America's declaration.

That the Irish people are by race, language, and tradition a distinct and separate people; that their country is a nation within well-defined geographical boundaries; that they have exercised sovereign rights for a thousand years and have been deprived of them by force; that they have never surrendered or compromised those rights; that they have not ceased to struggle, morally and physically, to recover those rights; that they are withheld from them by force; and that the only rule which prevails in their country to-day is the rule of force against the will of the people.

That on every battle field, from the earliest in the Revolution to the latest in France, where American ideals were fought for and American institutions and interests defended, the Irish race in America have freely given their blood and lives and linked themselves with everything so essentially American that with truth and confidence they may now say to their country in this supreme hour, "Stand for the people whose sons have stood for you and show grateful recognition as well as vindicate right and justice."

Therefore we respectfully but earnestly urge that our President declare at the peace congress that the people of Ireland should, as matter of right and justice, be governed only in accordance with their consent, and that the will of the majority—ascertained by a plebiscite of the adult population—be accepted as the sovereign will of the people instead of the present foreign rule by force.

JOHN J. FOSTER, *Chairman.*

Mr. CALDER. I present also a petition of citizens of the Borough of Richmond, city of New York, favoring self-determination for Ireland, which I ask be printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the petition was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Whereas President Wilson has repeatedly declared that one of America's objects in entering the war was to secure for all small nations the right to determine for themselves the form of government under which they desired to live; and

Whereas on the strength of the President's declarations the American people sent their sons into the Army and Navy, poured out their blood and treasure lavishly, and Irish citizens performed their full share in the fighting and other sacrifices; and

Whereas Ireland is one of the small nations and has the same right to freedom as the others and, in addition, has struggled for freedom for centuries and her people are now more united in the determination to secure it than at any time in the last 700 years; and

Whereas it would be a travesty of justice to hold that men of Irish blood sacrificed themselves in this war to bring freedom to the Czechs, Serbs, Poles, Jugo-Slavs, and others, but not to the people of Ireland: Therefore be it

Resolved, That we, citizens of the Borough of Richmond, city of New York, in mass meeting assembled at St. Peter's Hall, New Brighton, this 15th day of December, declare:

1. Our unqualified approval of the 14 terms of peace laid down by our President.

2. We heartily indorse his decision to participate in the peace conference in person.

3. We respectfully submit as our firm conviction that Ireland should be included among the small nations entitled to the right of self-determination by a vote of her adult population. Be it further

Resolved, That copies of these resolutions be forwarded to our Representatives in Congress, with the request that they expedite, as far as in their power, the speedy adoption by Congress of one of the many resolutions now before that body relating to self-determination for Ireland.

Mr. STERLING. Mr. President, I send to the desk and ask to have read a telegram from the Deadwood Business Club, of South Dakota, relative to the disposition of railroads, telegraph, telephone, and cable lines, and express companies.

The VICE PRESIDENT. Without objection, the Secretary will read.

The Secretary read as follows:

DEADWOOD, S. DAK., *December 10.*

Hon. THOMAS STERLING,
Washington, D. C.:

Resolved, That it is the sentiment of the Deadwood Business Club that railroads, express companies, telegraph, telephone, and cable lines, which were taken over for operation by the Government as a war measure, should be returned to their respective owners for operation with least possible delay, that the country be restored to an industrial peace basis as soon as possible.

DEADWOOD BUSINESS CLUB.

Mr. STERLING. I also send to the desk a letter and a resolution from the Farmers' Grain Dealers Association of South Dakota, relating to the disposition of railroads, which I ask may be read by the Secretary.

The VICE PRESIDENT. The Secretary will read.

The Secretary read as follows:

SIOUX FALLS, S. DAK., *December 28, 1918.*

Hon. THOMAS STERLING,
Senator, Washington, D. C.

DEAR SIR: We realize that it will be some time before Congress will come to any conclusion as to the final disposition of the railroad question. Sentiment in South Dakota is very strong to have all public utilities turned back to private ownership in the shortest possible time, as all are convinced that Government control or ownership, with the menace of politics and inefficiency attached, are not the things that they want after a year of experience. In the meantime, and until this question is finally disposed of, our association, which is so vitally interested in all freight rates and all matters concerning transportation, requests that all rate making, investigating, and suspension powers be restored, absolutely as existing before the war, to the Interstate Commerce Commission, State railway commissions, and the courts, restoring to us our constitutional right of appeal. The Farmers' Grain Dealers Association of South Dakota, in convention assembled, therefore has adopted the following resolution by unanimous vote:

"In order to give fair and just representation to all shippers in all States and to guarantee against sudden unnecessary or unreasonable advances in freight rates, we demand that the rights be restored immediately to the State railway commission and to the Interstate Commission to suspend and initiate rates and to adjudicate all rates before same shall become effective, as authorized in the Cummins amendment or some similar act. Our secretary is hereby instructed to communicate these resolutions to our national Congressmen and Senators and to the South Dakota Railway Commission and the department of history of South Dakota.

"We ask you as our Representatives in Congress to support legislation to bring this about."

Very truly, yours,
FARMERS' GRAIN DEALERS ASSOCIATION OF SOUTH DAKOTA.
CHAS. H. EYLER, *Secretary.*

THE RAILROAD PROBLEM.

Mr. STERLING. I send to the desk an editorial taken from the New York Times of Sunday last relating to the same subject. I ask that it may be printed in the RECORD without reading.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE RAILROAD PROBLEM.

Private ownership and operation of the railroads, with Federal regulation, competition in service and facilities, but not in rates, and the delivery of the roads from the endless confusion of conflicting State regulations—that is the solution of the railroad problem favored by Judge Robert S. Lovett, one of the ablest and most experienced railroad executives of the country. Competition in rates, in his opinion, inevitably leads to rebates, secret rates, and other kindred evils; competition in facilities and in service produces better accommodation for the public and encourages initiative, enterprise, and the employment in railroad service of the best brains. It is notorious that public ownership everywhere exerts a deadening influence upon the development of the art and industry involved.

Under Federal ownership of the railroad systems of the country the public-buildings scandal would become vastly more flagrant. Just as Congressmen purchase the favor of their constituents at public cost by securing extravagant appropriations for post offices and customhouses, so wide-awake communities with an eye to their own interest would demand, and secure, fine new railroad stations and increased facilities which would not pay their costs. These are matters to be considered when Mr. McAdoo holds up to our view his picture of the benefits of Federal control. For one thing, first-class ability would disappear from railroad management; the compensation offered by the Government would not attract the kind of men that have built up and operated our great railroad systems; there would be no Vanderbilts, no James J. Hills, no Scotts, no Harrimans, no Lovetts, no Lorees, or Ripleys engaged in railroading.

The outstanding capitalization of all the railroads in the country amounted two years ago to $20,679,350,501—in stock, $8,958,815,811; in bonds, $11,720,534,690. The standard return upon the lines which Judge Lovett describes as class 1 roads, now under Federal control, amounts to upward of $900,000,000. Capitalized at 5 per cent, this would represent a little more than $18,000,000,000 of value. If the Government should acquire the roads, it would become obligated for this gigantic sum. The Treasury has sold $17,000,000,000 of liberty bonds; it must sell billions more. If we should add to the war debt thus created a railroad debt approaching $20,000,000,000, the Government would be loaded down with a burden of obligation never dreamed of before we entered upon this era of big figures.

It is all very well for Mr. McAdoo to argue, as he is doing before the Interstate Commerce Committee of the Senate, that an extension to five years of the period of Federal control is necessary to carry out improvements he has in mind. Although he disclaims any such purpose, the public is unable to see any difference between his argument for a five-year period and an argument for permanent Federal control, which would mean, of course, Federal ownership. That brings into

view at once not only the very grave objections immediately related to railroad operation, objections which are luridly presented by Judge Lovett, but it compels consideration of the fathomless sea of political evils into which we should be plunged by the enormous increase in the number of Government employees. Already organizations of railroad employees are petitioning for Government ownership. That was inevitable, it was foreseen, for Mr. McAdoo tells us that under his directorship wages have been advanced during the last year to an amount exceeding $600,000,000. An autocracy is the only form of government which would be proof against the tremendous political pressure arising out of Government ownership and operation of $20,000,000,000 worth of railroads. In a democracy no party, though it boasted of adamantine virtue, could resist it.

THE MERCHANT MARINE.

Mr. JONES of Washington. Mr. President, I have a short memorandum prepared by Hon. A. R. Smith, editor of the Marine News and former commissioner of navigation, in reference to the policy of discriminating import duties and tonnage dues for building up the merchant marine. It is a very clear and concise statement, and I ask that it be printed in the RECORD.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

[Memorandum regarding the policy of discriminating import duties and tonnage dues for building up and maintaining American shipping in foreign carrying.]

1. This policy was a part of the first tariff act, signed by President Washington on July 4, 1789.

2. At first it provided a 10 per cent discount of the duty on imports in American vessels; but this was too severe a drain on the National Treasury, so it was changed to an extra, higher duty on imports in foreign vessels, which added money to the National Treasury if it failed to help our ships. Tonnage dues were 50 cents a ton on foreign vessels each time they entered American ports, and only 6 cents a ton on American ships.

3. This policy was in full force from 1789 until 1815; thereafter it was in partial force until 1826, its provisions between times having been gradually suspended; but the original act has been upon our statutes since 1789, its operation merely suspended by other acts of Congress, as well as trade treaties, conventions, and agreements.

4. During the period the policy was in full force American ships averaged nearly 90 per cent of our entire foreign carrying.

5. As a result of over 60 consecutive years of full or partial operation its effects carried our shipping along fairly well until 1861, for 11 years after the suspension of the discriminatory laws became general.

6. During the first 72 years of our national existence under the present Constitution—1789 until 1861—an average of 80 per cent of our imports and exports were carried in American ships.

7. When this policy was in force the denial of American registry to foreign-built vessels gave protection to American-built vessels; but when the policy was suspended the denial of our registry to foreign-built ships ceased to constitute a protection. Foreign ships then enjoyed every right in our ports in foreign carrying that American ships enjoyed.

8. Retaliatory measures were resorted to by other nations, chiefly England, to offset the preference for American ships in American carrying established by this policy, but they failed; always they failed, the best proof of which is the proportion of our own carrying our own ships did while it was in force.

9. It was said that we could not abrogate in a wholesale way some 22 trade treaties in force between this country and other countries, by which we pledged ourselves not to resort to that policy; but other nations at different times have abrogated at least 15 such treaties, and everyone of them was affected and had to be altered when the seamen's act went into full effect.

10. Twice of recent years efforts have been made to revive this policy in the Dingley tariff of 1897 and in the Underwood tariff of 1913—and the details of how the purposes of Congress were thwarted are most interesting.

11. It is the only specific affirmative policy for building up our shipping in foreign trade that the Republican Party ever declared for (in 1896 national platform), at which time the presidential candidate (Maj. McKinley) warmly indorsed it in his letter of acceptance of the presidential nomination.

12. This policy takes nothing out of the National Treasury, but rather adds money to it, and it protects our ships by the same instrument (the tariff) that every other American product subject to foreign competition is protected.

INTERSTATE COMMERCE COMMISSION.

Mr. JONES of Washington. I present resolutions adopted by the West Coast Lumbermen's Association in reference to a bill to restore to the Interstate Commerce Commission the powers it exercised before the war. I move that the resolution be referred to the Committee on Interstate Commerce.

The motion was agreed to.

THE AMERICAN SHIRE HORSE ASSOCIATION.

Mr. SHERMAN. Mr. President, I present a communication from J. G. Truman, president of the American Shire Horse Association. It is one of probably a hundred letters, and I ask that it be printed in the RECORD. I do not ask that it be read. I selected it from the number. It is an objection to the return of the horses that are in the American Expeditionary Forces. It sets forth the dangers of communicating various diseases that are prevalent in horses abroad. The danger of communicating them here is very great.

There being no objection, the communication was ordered to be printed in the RECORD, as follows:

THE AMERICAN SHIRE HORSE ASSOCIATION,
BUSHNELL, ILL., *December 13, 1918.*

Senator L. Y. SHERMAN,
Washington, D. C.

DEAR SENATOR: I have been advised and it seemed to be common talk among horsemen at the International Live Stock Exposition last week that the Quartermaster General of the United States Army has decided to return to this country some of the horses and mules which have been shipped to Europe for military purposes.

Now, Senator, this will certainly be a very serious mistake if they bring even one of the horses that have been exposed to the diseases that exist especially among the Army horses on the other side. I would not for a moment, if I were you, allow the return of one Army horse. There really is no reason why they should be returned to this country on account of the fact that commercial horses in Europe are very scarce and high. The same horses that the Government has over there would bring practically twice the money that they would bring if brought back here, and in addition there would be the high cost of transportation.

In other words, if those horses were shipped back here they would not bring any more than enough to pay their transportation charges. It would certainly be a terrible disaster to have an epidemic imported to this country by European army horses along the same line that we are having with the Spanish influenza.

I trust that you will use your best efforts with the Quartermaster General of the Army and also Dr. J. R. Mohler, Chief of the Bureau of Animal Industry, Washington, D. C., both of whom we are writing.

I may say that in writing you I am representing no less than 1,073 of the leading draft-horse breeders of the United States.

Yours, very truly,

J. G. TRUMAN, *President.*

WOMAN SUFFRAGE.

Mr. SHERMAN. I also present from a number of communications of a like kind on universal suffrage a resolution of the Illinois Woman's Legislative Congress, which I ask may be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

The Illinois Woman's Legislative Congress, a delegate body representing the following organizations from all parts of the State, in convention assembled, December 27 and 28, 1918, at the Congress Hotel, Chicago, Ill., does hereby urge the United States Senate to take speedy and favorable action on the Federal suffrage amendment.

Auburn Park Woman's Club; Austin North End Woman's Club; Altrul Club; Aurora Woman's Club; Arion Aid and Benevolent Society; Cynthia Westover Alden Sunshine Society; Chicago Woman's Club; Chrysolite Club; Chicago Literary Score; Community Club of Englewood; Chicago Heights Woman's Club; Chicago Woman's Patriotic Association; Catholic Woman's League; Chicago South Side Club; Champaign Social Science Club; Current Topic Club of Blue Island; Chicago Federation Colored Women's Clubs; Council of Jewish Women; Chicago Political Equality League; Catholic Woman's League of Rogers Park; Chicago Association of Collegiate Alumnæ; Committee on Public Affairs; Civic Federation, Peoria; Child Welfare League, Peoria; Carbondale Civic and Suffrage League; Chicago Law Club; Church Federation; Chicago Equality League of Rogers Park; City Club State Council; Downers Grove Woman's Club; De Kalb Woman's Club; Des Plaines Woman's Club; Daughters of the American Revolution, Peoria; Englewood Woman's Club; Every Wednesday Club; Englewood Woman's Christian Temperance Union; Every Wednesday Literary Score; Eighteenth District Federation of Women's Clubs; Evanstonian Educational Society; First District Illinois Federation of Women's Clubs; Friends in Council; Fifth Ward Civic League; Federation of Woman's High School Teachers; Fellowship Club; Glen Ellyn Woman's Club; Galesburg Woman's Club; Grant Park Woman's Club; Good Will Workers; Hollywood Woman's Club; Hadassah, Chicago Chapter; Hyde Park Housewives' Committee; Hull House Woman's Club; Hyde Park Travel Club; Illinois Sunflower Club; Illinois Colony Club; Improvement Association for Blind People; Illinois League for Nursery Education; Independent German-American Woman's Club; Irving Park Woman's Club; Isaiah Woman's Club; Illinois Federation of Women's Clubs, Third District; Illinois Congress and Parent Teachers' Association; Illinois Woman's Christian Temperance Union; Illinois Equal Suffrage Association; Kenrose Woman's Club; Kilo Association; Kane County Federation of Women's Clubs; Kankakee Woman's Club; Kenmore Club; Lady Montclare Lodge No. 12; Lombard Woman's Club; La Grange Woman's Club; Lotus County Woman's Club; Lake View Woman's Club; Lincoln Lodge; Martha Washington Club; Moss Mart Club; Mothers' Aid, Chicago Lying-In Hospital and Dispensary; Maywood Catholic Woman's Club; Mayfair Woman's Club; Maywood Twentieth Century Club; Mount Carroll Woman's Club; Neighborhood House Woman's Club; Neighborhood Club of Forest Park; National Ship of State; Neighborhood Civic Club of Oak Park; Norwegian Woman's Club; Nineteenth Century Club; Neighborhood House Club; Ottawa Woman's Club; Osteopathic Woman's Club; Outlook Club, Peoria; Parkside Woman's Club; Phyllis Wheatley Woman's Club; Mrs. Ella Park, delegate at large; Portage Park Woman's Club; Peoria Woman's Club; Park Manor Woman's Club; Park Ridge Woman's Club; Ravenswood Woman's Club; Roseland Woman's Club; Rest Haven, Sarah Greenbaum Lodge, No. 16; Rochelle Civic Council; Riverside Woman's Club; River Forest Woman's Club; Rock River Falls Woman's Club; Rodgers Park Woman's Club; Social Service League of Jewish Women; Scanlan School Parent Teachers' Association; Sixth Ward Civic League; Sanitary District, Public Affairs Committee; Social Workers, Women and Children in Industry Club; Seventh Ward Auxiliary, Illinois Equal Suffrage Association; Seventh Ward District, Federation Women's Clubs; Sycamore Woman's Club; Second District Illinois Federation Women's Clubs; the Elgin Woman's Club; the Woman's Club of Austin; Tuscola Woman's Club; Twenty-fourth Ward League; the Arche Club; the Woman's Club of Berwyn; the Mothers' Relief Association of Chicago; Twenty-sixth Ward Civic League; the Tuesday Club; Temple Judea Woman's Club; Teachers' Club, Peoria; Chicago Teachers' Federation; Tenth Congressional District Woman's Trade Union; United Railway Auxiliary Club; University of Chicago Settlement Workers; Universalist Church Woman's Club; Virden Woman's Club; Woman's Association of Commerce; Woman's Club of Harvey; Wicker Park Woman's Club; Windsor Park Woman's Club; Woodlawn Woman's Christian Temperance Union; West Side Woman's Christian Temperance Union; Woman's Club of Libertyville; Woman's Club of the Allied Drug Trade; Woman's Club of Clyde;

Winnetka Woman's Club; Woman's Culture Club; Woman's Protective Association; Woman's Church Federation of Oak Park; Woman's Club of Joliet; Woodstock Woman's Club; Woman's Committee State Council of Defense; Woman's Club of Wilmette; Woman's Club of Rock Island; Mary Gaynor Wilson, delegate at large; Woman's Suburban Church Federation; Woman's Medical Club; Woman's Church Federation; West End Catholic League; Woman's Catholic League; Woman's City Club; Woman's Trade Union League; Woman's College Club; Woodlawn Study Club; Young Woman's Auxiliary of the Jewish Relief Society; Woman's Club of Moline; Woman's Department Club of Wheaton; Woman's Club of Hinsdale; Western Springs Woman's Club; Woman's Christian Temperance Union of Cook County; Woodlawn Woman's Club.

Mr. SHERMAN. I also present and do not ask to have printed resolutions adopted by the Chicago Equal Suffrage Association, of the State of Illinois, on the subject of woman suffrage.

The VICE PRESIDENT. The resolutions will lie on the table.

FARM PRODUCTS.

Mr. GORE. I present a series of resolutions and letters sent to me by a committee representing various farmers' organizations, destring to have an investigation of the cost of producing farm products in general and sugar beets in particular. I move that the resolutions and letters be referred to the Committee on Agriculture and Forestry.

The motion was agreed to.

COST OF EAGLE BOATS.

Mr. LODGE. I present newspaper articles continuing those printed in the RECORD in regard to the Eagle boats. I ask that they be printed in the RECORD and referred to the Committee on Naval Affairs.

There being no objection, the matter referred to was referred to the Committee on Naval Affairs and ordered to be printed in the RECORD, as follows:

[From the Daily Iron Trade and Metal Market Report, Cleveland, Ohio, Dec. 30, 1918.]

FORD MAY GET NEW $3,500,000 RIVER ROUGE EAGLE PLANT FROM NAVY AT BARGAIN PRICE—CONTRACT SHOWS THAT FORD, WHILE DECRYING ALL WAR PROFITS, UNDER CONTRACT GETS HIS EARLY—NAVY IS SADDLING BIG EXPENSE ON COUNTRY—NAVAL OFFICERS CONDEMN STAND.

[This is the third article on Henry Ford's Eagle boats. These are 204-foot, single-screw, steel, 500-ton submarine chasers, costing about $550,000 each, of which the Navy intends to build 60, at a total cost of $33,000,000, although all need for them ceased with the signing of the armistice. The first article appeared last Thursday and the second last Friday.]

NAVY'S CREDIT RATING NOT HIGH WITH HENRY FORD.

"The fixed sum for profit shall be payable as follows: Ten thousand dollars shall be payable on each vessel in and when such vessel is half completed as certified by the inspectors; $9,000 shall be payable when such vessel is preliminarily accepted; and the remaining $1,000 to complete the $20,000 fixed profit payable on each vessel shall be held to constitute the special reserve. Such profits for profit shall be payable on the monthly bills of actual costs when and as accrued."—Ford Motor Co. Eagle contract.

"I will not take a cent of profit out of the war work I am doing. * * * It is impossible to determine in advance just what the cost of everything will be."—By Henry Ford.

MOST OF THOSE EAGLES, TOO, HAVE BEEN ETHEREAL.

The biggest thing Detroit is doing in a shipbuilding way is the Ford destroyers, officially know as the Eagle boats. Nothing like these boats has ever been built; I doubt if anything approaching the plant erected for their manufacture exists elsewhere. As I drove toward the glass-inclosed, gigantic structure, that somehow gives the impression of ethereal lightness and grace for all its straight lines and uncompromising angles, I could think of nothing but Evarts's—

"Charmed magic casements opening on the foam
Of perilous seas in fairy lands forlorn."

True, the River Rouge is anything but "perilous seas." They had all but picked it up bodily and laid it aside, the day I was there, to give room for the dredges and pile drivers excavating the launching basin and building the permanent launching ways. There was the irresistible suggestion of magic, however, in the very thought that only a few months before these fields had indeed been "lands forlorn." Now thousands and before long tens of thousands of workers will be turning out Eagle boats a ship a day.—Frank Parker Stockbridge in September, 1918, the World's Work.

Henry Ford's profit on his Eagle-boat contract with the Government may not be limited to $1,200,000 on 60 completed Eagles—submarine chasers that will never part water above an enemy submarine—and $300,000 to $400,000, possibly more, on 40 more or less completed Eagles that the Navy will take off his hands. Detroit believes his possible ultimate acquisition of the big, new Eagle plant on the River Rouge, southwest of Detroit, may tower above all other phases of the entire Eagle-boat situation.

When Ford last winter undertook to build the Eagles, and incidentally revolutionize shipbuilding practice, the Navy agreed to advance funds for the construction of the plant. And it has done so, for the testimony of high naval officers before congressional committees is to the effect that Henry Ford has not put one penny of his own money into that 14-acre plant, while the Navy has put about $3,500,000. It was quite obvious that with the termination of the Eagle contract the plant would be of no use whatsoever to the Navy. The site, owned by Ford, would be of no use to him with a Government-owned building on it, and vice versa. So provision for the future status of this $3,500,000 plant was made in the Ford Motor Co.'s contract with the Navy. Clause 20 reads:

DETAILS OF APPRAISALS.

"Upon the completion of all the work under this contract, the compensation board shall appraise the then value to the contractor of the building, building slips, plant, and other facilities, the property of the United States and located in or upon the contractor's works. Such appraisals shall be made in two separate parts, the first including all buildings, building slips, and appurtenances not susceptible of removal without destruction; the second including plant and other facilities which are readily removable. In its appraisals the compensation board shall take account of the original costs as shown by the inventories herein provided for, and the costs in a normal material and labor market, and all the circumstances, such as the use made of the buildings, building slips, and nonremovable parts, and of the plant and other facilities during the life of the contract, the condition of business generally, the desirability to the contractor of the additional property and plant, the amount of depreciation due to wear and tear, and the replacement value at market prices at the time of appraisal. The department will furnish the contractor with copies of the appraisals upon completion. If the contractor shall accept such appraisals, or either of them, it shall repay to the United States such appraisal value under such terms and conditions as shall be prescribed by the Secretary of the Navy; but if the contractor shall refuse to pay the amount of the appraisals, or either of them, the department shall have the right to enter upon the contractor's works and remove such parts as shall not have been accepted as are readily removable and to work such parts as are not susceptible of removal for their salvage value."

MAY GET EXCELLENT PLANT.

All of which means, Detroit believes, that when Henry Ford ceases building Eagles he will come into possession of a fine, large manufacturing plant, only one year or so old, 350 by 1,700 feet, covering about 14 acres, in close proximity to his proposed blast furnace and steel works development, at his own price. It is obvious, it is pointed out, that Ford will not take over the Eagle plant unless the price is "right," and the Navy is likely to be willing to accept even a fraction of a percentage of its cost or value rather than sustain an actual loss in wrecking it and removing the material. Ford has publicly stated: "As soon as we get through building Eagle boats for the Navy, I contemplate building a lot of canal barges." This is evidence that he does look forward to acquiring the Navy-built Eagle plant. Practically every adverse condition that would have a bearing upon the appraised price is met in this clause of the contract, it is believed, and Ford's advent as a canal-barge or tractor builder on the banks of the River Rouge may be just as propitious as his disposition in regard to the price of the plant dictates.

As regards payment for completed Eagles, the Ford Motor Co. contract is believed equally favorable to the contractor. Clause 11 of the contract reads:

"On completion of the trials above mentioned and when each vessel is substantially completed, except minor items of work that may, in the discretion of the Secretary of the Navy, be left unfinished, the vessel shall be delivered, and shall thereupon be conditionally accepted, and the department shall take possession of the vessel and shall be responsible for the safety thereof, and payment of all money due under this contract shall be made, subject, however, to a special reserve therefrom of $1,000, as provided for hereinafter."

ONLY $1,000 HELD BACK.

This sum of $1,000, the contract stipulates, shall be held for six months. Further along in the clause the contract states: "The fixed sum for profit shall be payable as follows: Ten thousand dollars shall be payable on each vessel as and when such vessel is half completed as certified by the inspectors, $9,000 shall be payable when such vessel is preliminarily accepted, and the remaining $1,000 to complete the $20,000 profit payable on each vessel shall be held to constitute the special reserve provided for under the eleventh clause of this contract. Such payments for profit shall be payable on the monthly bills of actual cost when and as accrued."

Such is the financial arrangement under which the Ford Motor Co., of which Henry Ford is founder, president, and principal owner, undertook to build submarine-chasing Eagles for the United States Government. As German submarines were seeking to attack American troop ships, Henry Ford was declaring, in a signed magazine article, "Everything we are making for the Government will be made without profit." And under the contract which one of his vice presidents negotiated with the Navy, his company does not even have to wait until it turns over its product to the Government. It gets half of its $20,000 profit when the Eagles are only half completed and $9,000 more when the boats are turned over to the Navy. When an Eagle steams away from the River Rouge, accepted by the Navy, Henry Ford has $19,000 of his $20,000 profit in the bank, and the Government has $1,000 to fall back on in case a structural defect crops out on a vessel that cost approximately $400,000, so far as the Ford Motor Co.'s efforts are concerned. Henry Ford's self-styled war-work philanthropy does not prevent his company from compelling the Government to be a cash customer; his terms are cash in advance.

LIABILITY IS ONLY $1,000.

Elsewhere in the contract it is stated that the contractor's collective liability "for breach of guarantees and agreements as to material, workmanship, and performance contained anywhere in this contract shall be limited to $1,000 on each vessel, and the deductions therefor shall not, in the aggregate exceed this amount." Thus the Ford Motor Co.'s liability on a $400,000 boat is placed at $1,000—one-fourth of 1 per cent of its hull and machinery cost.

In his contract with the Navy Henry Ford agreed to "use every endeavor to deliver the first of said vessels within five months of the date of this contract, 10 boats within one month thereafter, 20 boats within the next following month, and 25 boats a month thereafter." With the contract dated March 1, 1918, this called for the first vessel by August 1, 10 by September 1, 20 in September, and 25 a month, or 1 a day, each month thereafter. Actually, 7 Eagles had been completed by the first week of November, and of these 7 which were dispatched to the Atlantic before the St. Lawrence froze up, 6 were turned over in a far from complete condition. This is actual performance contrasted with contract, and, Detroit believes, stamps the Ford Motor Co. as the only big automotive interest of the great number there to fall down seriously in its war work.

Without the advance of one dollar from the Government, John F. and Horace E. Dodge erected a huge steel and concrete factory, 600 by 800 feet, costing approximately $10,000,000, in which they manufactured the intricate recoil mechanisms for the 155-millimeter French howitzers and the 155-millimeter Filloux rifles at a rate never before approximated in the United States.

BUILT LIBERTY MOTORS.

The Lelands, Henry M. and his son, founded the great Lincoln Motor Co., which built Liberty motors. Fisher Body and Packard both did notable aircraft work. Henry Ford's Highland Park plant did commendable work on Liberty motors, ambulances, and tractors, but when his engineers attempted 204-foot ships, tiny in size as Navy craft go, they laid the fatal last straw upon the back of the organization that boasts it can develop films in rain water, can design a hospital far superior to the most expert physicians and surgeons, and proclaims it is the seventh heaven of all industrial efficiency and adaptability.

Detroit, his home city, looks upon whatever errors Henry Ford may be charged with as errors of omission. Despite the apparent wide gap between theory and practice as applied to his profits, Detroit believes he acted in good faith when he undertook to build the Eagles. The fact that he failed to turn out the boats as speedily as he planned is laid at the door of a lack of appreciation of the original magnitude of his task, the normal difficulties encountered in shipbuilding, and inability of his organization to adapt itself. The one big error of the entire matter, as Detroit sees it, is the one of commission on the part of the Navy in continuing the life of the contract for even the limited number of 60 Eagles.

The Eagles were designed solely for antisubmarine work, something the signing of the armistice disposed of. That such boats as the Eagles are of doubtful value as auxiliary craft, especially from cost of operation and maintenance, the Navy Department itself concedes. Whether such a craft, with a maximum draft of 8 feet and mounting two 4-inch and one 3-inch gun at a height of 20 feet and more above the water line, is really seaworthy has not yet been determined. The specially designed, Ford-built turbines have not been put to a real test as yet. All around, the Eagle type is of doubtful value, and as Rear Admiral Ralph Earle, Chief of Ordnance, for one, has stated publicly, the Navy in peace time would not consider building such craft. Henry Ford's finances are supposed to be sufficiently deep to cushion whatever shock would come from canceling the contract forthwith, a contingency provided for.

USES LABOR AND STEEL.

And still the Navy insists upon adhering to a project that will ultimately cost it more than $50,000,000, with no adequate return in sight, and insists upon using valuable steel and labor on 100 per cent war work long after the war has ended—where England reduced war work to a minimum the day the armistice was signed. It insists on depleting the Treasury at the very time the country faces its most serious financial crisis and requires the saving of every cent possible. For ships, guns, anything that would aid in the prosecution of the war Great Lakes business interests stand willing to be taxed to the last dollar. But for the Navy to continue the construction of war-designed Eagle boats in peace time, especially in the light of the $6,000,000,000 revenue bill pending, is beyond all understanding, these interests declare.

By way of "keeping books" on the Eagles, had the Navy Department done as Great Lakes industrial interests believe it should have done and ordered work stopped on the Eagles November 12, as it could have done, the Navy would have had to pay:

For 7 completed Eagle boats, including hull and machinery, ordnance, profit, and alterations, approximately $550,000 each, or a total of $3,850,000;

For 24 Eagles, ranging from 40 to 75 per cent completed, actual cost plus 10 per cent profit; and

For material already worked up and equipment built or building for 69 Eagles, actual cost plus 10 per cent profit.

WHAT NAVY CONTEMPLATES.

But by continuing work on 60 Eagles and dropping only 40 the Navy faces this outlay:

For 60 completed Eagles, including hull and machinery, ordnance, and profit, approximately $550,000 each, or a total of $33,000,000; and

For material already worked up and equipment built or building for 40 Eagles, actual cost plus 10 per cent profit.

Just what the Navy could have saved for income-tax payers, bond and war stamp buyers by abandoning the Eagle program, paying Henry Ford his cost plus 10 per cent on all boats and equipment partially built and machinery completed or in process of manufacture, is next to impossible to determine. Probably the nearest approach to an estimate would be the difference between 7 complete Eagles and 60, or $20,000,000, roughly.

Suffice it to say that the $33,000,000 the Navy will pay for the 60 Eagles complete is but the first cost. The cost plus 10 per cent on the remaining 40 undoubtedly will run up to $10,000,000 to $15,000,000. At $9,000 a year, an Eagle, for maintenance of machinery, as estimated by Rear Admiral Robert S. Griffin, Chief of the Bureau of Steam Engineering, this one item alone would mount up to $540,000 a year for the 60. In addition would be the cost of operation, the pay roll for 60 crews of 7 officers and 68 men each, and other expenses incidental to operation.

Fifty million dollars and more, then, including a round million and a half for their profit-decrying builder, is what Secretary Daniels purposes to pay for 60 fledgling and 40 still-hatched Eagles.

In scanning appropriations for the Navy Department, and more especially its proposed building program, the House Committee on Naval Affairs and its Subcommittee on Appropriations recently scratched the surface of the Ford Eagle case. By their own statements high officials of the department condemn the department's stand in insisting on the construction of 60 Eagles, or $33,000,000 worth.

No room is left for hiding behind words in the testimony of Rear Admiral Ralph Earle, Chief of Ordnance, before the committee. Quizzed by members of the committee, he said, according to the official record:

Mr. KELLEY. Admiral, if these boats had not been started and if no contract had been given, would you make a new contract now for 100 boats of this type?

Admiral EARLE. You mean with no war on, sir?

Mr. KELLEY. Yes; with the war over.

Admiral EARLE. No, sir.

Mr. KELLEY. You would not make it?

Admiral EARLE. No, sir.

Much the same stand was taken by Rear Admiral David W. Taylor, Chief of the Bureau of Construction and Repair. Eagle boats are approximately the same size as the old, small type of destroyers, and the department now would not consider building such vessels, he pointed out. His testimony before the subcommittee was as follows:

Mr. BUTLER. Will you please tell me the purpose for which we will use these boats when the war is over—100 of these small boats?

Admiral TAYLOR. They are not such small boats. They are 500 tons, or practically 500 tons, displacement.

Mr. BUTLER. The size of the small destroyers which were put out?

Admiral TAYLOR. About the size of the older destroyers.

Mr. BUTLER. We do not build any more of them?

Admiral TAYLOR. No; we are building larger destroyers, but we have been using the small ones right along.

Mr. BUTLER. But, Admiral Taylor, we would not propose for any more small destroyers, would we?

Admiral TAYLOR. Hardly.

What is even more startling is that Navy officials frankly say they don't know why the department wants Eagle boats now that their submarine enemies are safely interned. Rear Admiral Robert S. Griffin, Chief of the Bureau of Steam Engineering, stated before the committee:

Mr. BROWNING. What do you want with the Eagle boats?

Admiral GRIFFIN. They are built for service against the submarines.

Mr. BROWNING. I understand; but what do you want with the balance?

Admiral GRIFFIN. I do not know.

Indicative of the feeling among Congressmen that the Eagle boat program should have been cut short with the ending of the war and millions of dollars saved is the following statement from the committee's official record:

Mr. KELLEY. I can well understand how the Government might feel under obligation to save contractors from any harm, but if this is a type of boat that we would not ordinarily order, it would almost seem as though we ought to settle with Mr. Ford and not build them.

This at once precipitated queries as to the financial burden thrust upon Ford:

Mr. BROWNING. What expense did Mr. Ford go to in changing his plant to build these boats?

Admiral EARLE. Mr. Ford had no expense whatever in connection with them.

Mr. BROWNING. Do you mean there was no expense in changing the factory at all?

Admiral EARLE. No, sir; not to him.

Mr. BROWNING. Did the Government incur the expense?

Admiral EARLE. The Government did it all.

Mr. BROWNING. What did it cost?

Admiral EARLE. I have never seen that figure. The only reason, Mr. Butler, I knew that we were going to finish these boats was that in making up my revised estimates to submit to you I had to find out whether these boats were going to be finished or not, in order to keep that money in the ordnance estimates.

Mr. KELLEY. My question was simply asked to find out the admiral's personal opinion about the desirability of finishing 100 boats of this type.

Mr. BUTLER. And the admiral said to you that if he had it to do over again in peace time he would not order these boats.

Admiral EARLE. The destroyer is better and in every way more economical, I believe, for the Government to build.

That the Eagle boats are quite slow in comparison with other craft of a like nature the Navy now is building is shown by the following statement by Admiral Griffin:

Mr. KELLEY. What is the difference between these boats in construction and gunboats?

Admiral GRIFFIN. They are much lighter and carry a lighter battery.

Mr. KELLEY. These are lighter?

Admiral GRIFFIN. Yes, sir; and their speed is more like that of a torpedo boat.

Mr. KELLEY. What is the speed?

Admiral GRIFFIN. About 18.5 knots.

Mr. KELLEY. What is the speed of the oldest destroyers?

Admiral GRIFFIN. I think they were intended for 28 knots.

Mr. KELLEY. These are very slow boats?

Admiral GRIFFIN. Yes, sir; compared with those we are now building.

So far as the Government is concerned the $3,500,000 and more it has put into the Ford Eagle plant on the River Rouge is a total loss. This Admiral Griffin made clear, as follows:

Mr. BUTLER. Can you recall what disposition is to be made of this factory after the war is over?

Admiral GRIFFIN. I do not remember that. Most of the contracts that we have made—I think nearly all of them—are subject to an appraisal, after the completion of the contract, to be taken over by the contractor. I do not know whether that is in this one or not.

Mr. BUTLER. This plant will not be of a dollar's use to the Government after the boats are built, unless we build others?

Admiral GRIFFIN. I suppose not.

Mr. BUTLER. And we will lose everything?

Admiral GRIFFIN. We had to get somebody to build the boats. These boats were considered necessary to carry on the war, and the facilities for building them did not exist, and, as in a number of other cases, we had to build a plant for them.

Orders for 40 of the first 100 Eagles finally were canceled, but the machinery for the 40 built or building is good only for scrap. This is light on the contention of some Great Lakes shipbuilders that the Eagles should have been built as a unit for each boat instead of en bloc. In this connection Admiral Griffin has stated:

Mr. KELLEY. These engines which are being constructed for the Ford boats, will they be of value for other craft?

Admiral GRIFFIN. No. We would have to build the craft for them. That would be rather expensive.

Mr. KELLEY. You could not use the engines for any other boats?

Admiral GRIFFIN. No, sir.

Mr. BROWNING. And you could not use them for the tugs that you were speaking of—the mine sweepers?

Admiral GRIFFIN. No, sir.

On this subject Admiral Taylor also has added his opinion:

Admiral TAYLOR. * * * Hull material has been delivered practically entirely for all of the 112 boats, although there are a few items still remaining to be delivered on the last 12. So that the fabrication is practically three-quarters done.

Mr. BUTLER. What do you mean by "fabrication"?

Admiral TAYLOR. The working up of the material for the hulls in the ships, getting the plates, etc., ready to be assembled.

Mr. BUTLER. Could you use that material for any other purpose?

Admiral TAYLOR. It could be sold for scrap, but it has very little value for anything else. The plates come cut to shape and size, and when they are fabricated they have the holes punched in them, which practically destroys their value for any other purpose.

Mr. BUTLER. How about the engines for the boats?

Admiral TAYLOR. They might be put in——

Mr. BUTLER (interposing). Could anybody else use them for any purpose?

Admiral TAYLOR. Hardly, as they stand. These engines are specially built for these boats. They are geared down to the desired revolutions of the propeller of the boat.

To climax Congress's knowledge of the Eagle boats is the outright assertion of Admiral Griffin, in charge of the important Bureau of Steam Engineering, that it would be much cheaper to end construction immediately and pay Henry Ford his actual cost and 10 per cent profit on the completed boats than it will be to go through even with 60 Eagles and pay watchmen to stand guard over them. Not until the next war will the Eagles be needed, declared the admiral when quizzed by the committee:

Mr. BUTLER. If not kept in commission, they will rot out?

Admiral GRIFFIN. They will go to waste quickly.

Mr. BUTLER. And it will cost us money to keep them in commission?

Admiral GRIFFIN. Yes, sir.

Mr. BUTLER. Is it not cheaper for us to let them go?

Admiral GRIFFIN. I doubt that. The state of completion is such that I doubt very much if we would save much by cutting off the contract.

Mr. BROWNING. The state of the Eagle boats?

Admiral GRIFFIN. Yes, sir. All of that material is on hand, practically fabricated; the boilers are well along, and the machinery generally is ahead of the hulls.

Mr. BUTLER. Is it not cheaper to stop and pay what we owe than it is to go ahead and complete these boats and tie them up somewhere and pay men to watch them?

Admiral GRIFFIN. I suppose it is.

Mr. BUTLER. We will not have any charge upon the Treasury hereafter if we stop these boats and pay the bill; we are through?

Admiral GRIFFIN. There will be no further expenditure.

Mr. BUTLER. If we are to have peace, we do not need the 112 Eagle boats?

Admiral GRIFFIN. I suppose not.

Mr. BUTLER. We will not need them until the next war?

Admiral GRIFFIN. No, sir.

WHAT OFFICIALS THINK OF EAGLES.

Asked if the $3,500,000 Ford Eagle plant will be of not a dollar's use to the Government after the boats are built, Rear Admiral Griffin, Chief of the Bureau of Steam Engineering, answered, "I suppose not."

To the question, "If these boats had not been started and no contract given, would you make a new contract for 100 boats of this type?" Rear Admiral Earle, Chief of Ordnance, replied, "No, sir."

Questioned whether Henry Ford went to any expense to build the Eagle boats, Admiral Earle said, "The Government did it all."

Said Congressman KELLEY, of the House Committee on Naval Affairs: "It would almost seem as though we ought to settle with Mr. Ford and not build them."

NAVY KEPT CONVICTS OFF EAGLES.

Henry Ford's trust in ex-convicts, pardoned criminals, workhouse and stone-pile labor, and the like evidently is not shared by the Navy Department. The Ford Motor Co.'s contract with the Navy Department specifically says:

"In the performance of this contract no person shall be employed that is under sentence of imprisonment at hard labor."

Prison stripes were not meant to be the camouflage design of Eagle boats:

[From the Daily Iron Trade and Metal Market Report, Cleveland, Ohio, Dec. 31, 1918.]

EAGLE CONTRACT CALLED FAULTY—HENRY FORD'S PROFIT ASSURED, WITH PRACTICALLY NO SAFEGUARD FOR GOVERNMENT AGAINST EXCESSIVE CONSTRUCTION COSTS—IS HELD TO BE WASTEFUL—NAVAL OFFICERS ADMIT "BOGEY" COST OF $275,000 WAS NEVER EXPECTED TO BE MET—WHAT OFFICERS THINK OF FORD MOTOR CO.—ELEMENTS OF COST GIVEN—SCHEDULE SHOWS WHAT FORD WAS TO BILL NAVY AS ACTUAL EXPENSES INCURRED AT $3,500,000 RIVER ROUGE PLANT.

[This is the fourth and last of a series of articles on the Eagle boats—steel, 204-foot submarine chasers Henry Ford undertook last March to build for the Navy. Though he proclaimed he would build them at the rate of one a day, Ford completed only seven in time to get them to the Atlantic Ocean before the St. Lawrence froze this month. The Navy is insisting on going through with 60 of these $550,000 vessels, though all need for them ceased when hostilities came to an end Nov. 11.]

Government contracts such as the Navy Department negotiated with the Ford Motor Co. for the construction of the Eagle boats do not properly conserve the public interest, because their fixed-profit provisions fail to penalize for excessive costs.

This is the opinion of a lawyer, known equally well in Washington, New York, and Cleveland, who is regarded as a most astute man. Years of experience in contracting have convinced him of the folly of entering into such pacts.

"Henry Ford's Eagle contract assures him a profit of $20,000 a boat utterly regardless of what the boats cost," declares this man. "Further, it is stipulated that in case the actual cost of an Eagle falls below $275,000 Ford is to share 25 per cent of the saving.

NO CHECK ON EXTRAVAGANCE.

"On the face of it such a contract is not mutual. The contractor is guaranteed a premium for economy, but the Government is not protected if the contractor exceeds the estimate. Consider this in the light that at all times it was not believed the Eagles could be built for as little as $275,000.

"Such contracts are wasteful of the Government's money. Not alone in the Ford Eagle case, but in a great many others the facts have been that the Government put up or paid for the plant, is paying the contractor a guaranteed profit regardless of the cost, at the end the contractor will take over the plant dirt cheap and what is as probably most valuable, he will have acquired invaluable experience in a new line of work."

WHAT TAYLOR SAID.

Applying this directly in the case of Henry Ford's Eagles, statements by Rear Admiral David W. Taylor, Chief of the Bureau of Construction and Repair, are most enlightening. This question was put to the admiral:

"In regard to these Eagle boats, you said that Mr. Ford had estimated that he could build them for $275,000 apiece, and you think, as I take it, that they will probably cost $400,000. There is a difference of $125,000. What, in your opinion, caused that serious mistake of judgment?"

To this Admiral Taylor replied:

"I do not think the Ford people who made this figure had had sufficient experience to estimate the cost. They had no experience in shipbuilding. The 'bogey' cost of $275,000 inserted in the contract was not a binding estimate in any way."

Admiral Taylor has further stated that "I think if the cost of the hull and machinery comes below $400,000 it will be a very creditable performance."

ESTIMATE WAY LOW.

What is held up as a spur to Henry Ford to build the Eagles as cheaply as possible on the face of it is not worth the paper it is written on apparently, for the very testimony of a high naval officer is that to build them for $125,000 more than the "bogey" cost would be a "very creditable performance."

And the Ford Motor Co., a company that "had no experience in shipbuilding," one that did not have "sufficient experience to estimate the cost" was the Navy's choice of a builder for 112 Eagles costing $550,000 complete, or $61,600,000 worth of boats. At the Navy's request this company is continuing to build 60 Eagles, at a cost of $33,000,000, although they have never been actually tried out, in the face of the admission of the Navy Department itself that the Eagles will not be needed "until the next war."

SCHEDULE SHOWS COSTS.

Attached to the body of the Ford Motor Co.'s contract with the Navy Department is the following schedule of the elements of actual cost for which Henry Ford is to be paid. It is noted that "the following schedule shall be considered as an amplification of the definitions of cost contained in this contract, but shall not be construed as an exhaustive enumeration of the elements of actual cost."

A. OVERHEAD.

The elements defined below shall be included under overhead:

1. Indirect material: This shall include such materials as are used in the process of manufacture, but either do not enter into the product or else enter it in such manner as not to be conveniently chargeable to any particular produce.

2. Packing and packing supplies: This shall include boxes, lumber, nails, containers, strapping, and miscellaneous packing supplies, and the labor used in connection with the work of packing.

3. Indirect labor: This shall include labor not expended directly on the product, but which is nevertheless required to be performed in connection with the manufacture of the product. Labor of packing shall be included hereunder. Examples: Repairing, handling, trucking, sweeping, etc.

4. Experimental work: Only experimental work directly necessary in connection with the contract and not otherwise expressly paid for shall be includable, except small residual expenses for general experimentation which it is impracticable to allocate distinctly.

5. Repairs: Includable here are costs for such repairs only as are currently made to provide for ordinary regular upkeep of plant, which costs are a usual and fairly consistent annual charge.

6. Administrative expenses: Only that portion of general administrative expense which is applicable to Government work may be included hereunder. Such applicability, rather than the character of the service received for these expenses, shall constitute the test of inclusion hereunder.

7. Employees' welfare: Includable under this element are the following items:

(a) Wages paid employees while absent on account of sickness.

(b) Vacation allowances to wage earners.

(c) Net cost of operation and maintaining plant hospitals, expenditures for hospitals and other organizations to cover definite benefits to employees, and expenses for medicines and supplies for aid to the injured.

(d) Payments according to a definite pension plan to disabled and veteran employees or their families not covered by liability insurance or other items herein mentioned.

(e) Net cost of operating the contractor's restaurants.

(f) Expenses in connection with other general forms of employees' welfare work.

8. Taxes: Tax accruals during the period of the contract shall be included in overhead, except that Federal income, Federal excess or war profits taxes, and Federal taxes of the same economic character shall not be included in cost.

9. Insurance: Accrued insurance premiums on the contractor's property, on his interest in others' property used in connection with the contract, and for liability insurance (whether payable to insurance companies, State compensation boards, or under independent insurance plans not materially exceeding in cost the first two methods mentioned) shall be includable hereunder. Insurance on the vessels shall be charged to the vessels.

10. Rent: Rental payments made by the contractor shall be analyzed between (a) interest on investment and (b) repairs, depreciation, insurance, taxes, maintenance, and service expense. Only that portion covering items includable under (b) shall be allowed in actual cost.

11. House service and power plant: Includable hereunder are the proper proportions of the expense of keeping the buildings of the contractor, used in connection with the contract, cleaned, heated, lighted, supplied with elevator and other services necessary to render the same a fit place to work in, and also the proper proportion of the power plant operating expenses.

12. Excluded elements: Interest, advertising, collection expense, credit losses, and financing costs shall not be included in overhead or elsewhere.

B. DEPRECIATION.

1. Repairs and alterations of a general nature which are necessary only at intervals of more than a year, or replacements and unusual repairs which would involve a significant increase in expenses shall not be considered as expense, but shall apply against the reserve established for depreciation.

2. Jigs, etc.: Small tools, jigs, dies, patterns, machine-tool fixtures, and other appliances of the same general nature, when exclusively provided and adapted for making the work herein contracted for, shall be depreciated 100 per cent or charged to the cost of the vessels.

C. ELEMENTS CAPABLE OF ALTERNATIVE TREATMENT.

1. Freight, cartage, and express (inward), etc.: Where the inclusion of the above in direct material costs is impracticable they may be included in overhead. Same principle shall apply in case of duties and import expenses.

2. Wastage and corrective labor: In addition to normal wastage, scrap, and collective labor under usual manufacturing conditions, all excessive wastage, scrap, and corrective labor incident to work under existing abnormal conditions which could not have been avoided by the exercise of reasonable care and good faith shall be included in actual cost, either with direct material or direct labor or under overhead.

3. Discounts: Trade discounts and discounts for prompt payment, unless the contractor, though exercising reasonable care and business skill shall have been unable to take the same, shall not be included in the amounts to which the contractor is entitled to be reimbursed and shall either be deducted from material costs or eliminated in such manner as the compensation board may direct.

D. ROYALTY.

Any royalty or payment that the contractor may be obliged to assume or pay for the use of any patent rights in connection with the production of articles contracted for shall be included in actual cost.

E. MISCELLANEOUS CREDITS TO COST.

Miscellaneous items of revenue accruing to the contractor in connection with the present contract shall be credited to actual cost.

F. RULES AND PRINCIPLES FOR COMPUTING AMOUNTS ALLOWABLE FOR COST ELEMENTS.

1. Salaries and wages: Neither excessive salaries nor excessive compensation of any kind shall be allowed.

2. Scrap and waste credits: The salvage value of scrap and waste shall be deducted, either from material cost or from overhead.

3. Direct material costs: In determining direct material costs, actual prices paid shall be used; where this is impracticable, use fair average prices. In case the material used shall be from contractor's stores purchased prior to contract apply the same principles.

4. Depreciation: The rate and amount of depreciation allowed shall be arrived at by a consideration of the following factors:

(a) Nature, construction, and condition of buildings and equipment.

(b) Deterioration of plant and machinery due to wear and tear.

(c) Amount spent for maintenance in the way of repairs and renewals.

(d) The invention of new methods or new machines which may or may not entirely replace the old ones.

(e) Permanency of business and likelihood of increase or decrease in the same.

(f) Amounts previously written off for depreciation.

(g) Other factors, such as peculiar and excessive uses of machines, rate of production, idleness of plant.

ARTICLE BY ERVING WINSLOW.

Mr. WILLIAMS. Mr. President, I ask unanimous consent to have inserted in the RECORD a very short note of Mr. Erving Winslow, of the city of Boston, State of Massachusetts, together with a one-page article written by him to one of the papers of that State, entitled "Anarchy." I ask it because it is, in part, an answer to certain matter which has been inserted in the RECORD by the Senator from California [Mr. JOHNSON].

The VICE PRESIDENT. Without objection, permission is granted.

The matter referred to is as follows:

THE ANTI-IMPERIALIST LEAGUE,
New Haven, Conn., January 4, 1919.

The Hon. J. S. WILLIAMS.

DEAR SENATOR WILLIAMS: Loyal to the President in my humble way, as you are in your great office, I want to ask you to have this condensed epitome printed in the RECORD, as your California colleague has caused to be done with Russian matter which interests him. If you can not, please put your frank upon envelope for return, as I have no other copy.

Wishing you health and peace for the New Year,
I am, faithfully, yours,

ERVING WINSLOW.

[From the New Haven Journal-Courier, Jan. 4.]

ANARCHY.

NEW HAVEN, *January 2, 1919.*

There is certainly ground for much apprehension of "old-fashioned," selfishly inspired adjustments dictated by the big nations on top to weaker ones at their mercy. But while hydra-headed Scylla may sweep down from above and hinder the wayfarer's progress to his goal, the whirlpool of Charybdis yawns below, to engulph its victims in the maelstrom from which the high gods can not rescue them.

Anarchy is the most serious menace of the day, though so little mentioned. It may be an instinctive feeling that its mention is going to encourage it which induces as a measure of safety such an "ostrich policy." But the "internationale" has its own propaganda, wireless and underground, and, smoldering, spreads like a forest fire. We are told that the use of force to suppress it is only going to fan it into a hot flame. There is one obvious weapon against it which is in the hands of America to-day. It is the relief of that suffering for necessities which supplies now the fuel. While this would win away that peasantry who have found that their present leaders have failed to fulfill their promises, it would enable the representatives of an "orderly democracy" to impress its example on the proletariat. It is among the people of the great country which was such a heroic sufferer in the war against a common enemy that this double mission should be undertaken, challenging not nor recognizing any "government." The peasantry themselves would soon furnish a bulwark against any interference, which might be avoided at first by a small protective force. If the former subjects of the German Emperor seek to evade their responsibility by taking up the "Soviet" principles, they can not share in such consideration due the misled Russian people. On the contrary, the forces of the United States may have to be employed against those who, under whatever name, must remain a conquered enemy, held to solidarity as such, for the repayments and restitutions demanded. Our action as outlined to Russia would also prove to the anarchistic, restless spirit among ourselves and in the allied countries that democracy means brotherhood, cooperation, opportunity.

The equality of the powers of the great States is important, but the paramount issue to be declared at the council is the "Wilsonian" issue—the establishment of our democracy, which is that of the British Empire, containing as it does a regenerative power—and the denunciation of the heresy of the terror as it exists and threatens to expand, and of the hierarchs among the civilized nations who would foment it in class warfare.

ERVING WINSLOW.

SALARIES OF JUDGES.

Mr. SMITH of Georgia, from the Committee on the Judiciary, to which was referred the bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, reported it with amendments, and submitted a report (No. 635) thereon.

SITES FOR MILITARY HOSPITALS.

Mr. HARDWICK. From the Committee on Public Buildings and Grounds I report back favorably without amendment Senate resolution 386, submitted by the Senator from Arkansas [Mr. ROBINSON] on December 14, 1918, and I ask unanimous consent for its present consideration.

The resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Public Buildings and Grounds be, and is hereby, authorized and directed to investigate the selection and acquisition of sites for military hospitals, and contracts and expenditures for the repair, acquisition, and construction of such hospitals; also what additional hospital facilities are required and what existing public buildings, if any, are available for use as hospitals.

ALMA HARRIS.

Mr. JONES of New Mexico. Mr. President, from the Committee on Public Lands I report back favorably without amendment the bill (H. R. 4240) for the relief of Alma Harris, and I submit a report (No. 634) thereon. I ask for the immediate consideration of the bill.

I can state to the Senate just what the report is. There was an entrywoman in southern New Mexico who made an entry upon public land and was prevented from residing upon the land by reason of the unlawful incursions of the people from old Mexico. This matter was favorably recommended by the Department of the Interior and was incorporated in an omnibus bill which has already passed the Senate, but a bill has passed the House giving relief in this special case, and I ask the passage of the bill by the Senate so as to consummate the relief which has been asked for and recommended by the Department of the Interior.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. BORAH. Mr. President, there was so much confusion in the Chamber at the time the Senator made the statement in regard to this bill that I was unable to hear the facts; but I am constitutionally opposed to authorization to issue patents for lands without compliance with the law, and I should like to ask the Senator upon what grounds this request is being made.

Mr. JONES of New Mexico. The facts in the case are stated fully in a letter from the Secretary of the Interior to the chairman of the Committee on Public Lands of the House. This entrywoman was driven from the land by people from old Mexico during the rebellion down there, and it was only because of the rebellion in Mexico that this entrywoman was prevented from actually residing upon the land during the period required by the law. There is no question about the facts in the matter. She went upon the land and did everything to comply with the law until she was driven off—actually driven out of her home by bandits from old Mexico. The Secretary of the Interior so reports, and recommends the passage of this bill. I will state to the Senator that this relief was embodied in an omnibus bill which has already passed the Senate and is now in the House; but the House passed a bill giving specific relief in this case, and I am simply asking the Senate to do in this form what it has already done in another bill.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to issue patent to Alma Harris for the southeast quarter section 12, township 29 south, range 7 west, New Mexico principal meridian, in the Las Cruces land district, New Mexico, upon payment of the lawful purchase price of said land, without further proof of compliance with law.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROCK RIVER BRIDGE, WIS.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably, without amendment, the bill (S. 5192) for the construction of a bridge across Rock River at or near Jackson Street, in the city of Janesville, Wis., and I submit a report

(No. 633) thereon. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. LENROOT. Mr. President, I should like to offer just a formal amendment to the bill, to correct a description of the location of the bridge.

The VICE PRESIDENT. The Senator from Wisconsin offers an amendment which will be stated.

The SECRETARY. On line 7, before the word "Jackson," insert the word "South," and in the same line, after the word "Janesville," strike out the words "crosses the" and insert "connects with."

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RELIEF OF SUFFERERS IN ALASKA.

Mr. SMOOT. By the Committee on Appropriations I am directed to report back favorably with an amendment the joint resolution (S. J. Res. 199) for relief in Alaska. As this is an emergency matter, I ask for the immediate consideration of the joint resolution.

The VICE PRESIDENT. The Secretary will read the joint resolution.

The SECRETARY. The committee proposes to strike out all after the resolving clause and to insert:

That to enable the Secretary of the Interior, in his discretion and under his direction, with the advice and cooperation of the Public Health Service, to combat the influenza in Alaska and to afford relief to the indigent natives thereof, including expenses already incurred for this purpose, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $100,000, to be immediately available.

Mr. BORAH. Mr. President, before the joint resolution is taken up for consideration I should like to know something about how it is expected to reach the situation and how much of this $100,000 will ever get to its destination by reason of the conditions which surround the situation. I should like to know how we are to get into the different parts of Alaska at this time and what are the details of the methods by which this scheme is to be effected.

Mr. SMOOT. Mr. President, I will say to the Senator from Idaho that the governor of Alaska was before the committee on yesterday, when he outlined the serious situation existing in Alaska not only among the white people but among the Indians as well, on account of the prevalence of the influenza, which has been raging there for some time. In some places, it was testified to by the governor, that as high as 50 per cent of the Indians have died from the effects of the influenza.

The revenues of Alaska are very limited, indeed, and the governor feels that the only way that this dread disease can be successfully coped with is by assistance from the Federal Government. The governor asked for $200,000.

Mr. BORAH. I know generally the situation which prevails in Alaska and its seriousness, but I want to know something about the method by which it is proposed to deal with the matter. How is it proposed to take hold of it, and who is going to administer this fund? It is easy to appropriate, but I should like to know something of its use.

Mr. SMOOT. The fund is to be administered by the Secretary of the Interior with the assistance of the Public Health Service. They will, of course, direct physicians who are now in Alaska to go to different parts of Alaska and to do everything possible to overcome this dread disease.

I desire to say to the Senator from Idaho that a great deal of this money will be used for help particularly in the way of food, clothing, medical assistance, and medicine for the Indians.

I desire to say also that in one district of Alaska there are now 90 motherless and fatherless children, made orphans through the death of their parents from influenza. Those orphans have been provided for, the governor of the Territory having made a contract that they shall be taken care of at $10 per month per capita. The governor has already authorized expenditures to the amount of $107,000. He also testified that even to carry on the work which had been undertaken it will take another $50,000, or at least $43,000 more, to provide funds for that purpose until the time of the meeting of the Territorial legislature.

It is for this reason, Mr. President, that the committee voted that the joint resolution should be favorably reported, reduced, however, to the amount of $100,000.

Mr. BORAH. Mr. President, I understand perfectly the necessity of doing this work; but Congress is in the habit of voting large sums of money here without any check or any knowledge of the plan by which that money is to be expended. The result is that we get very little effect from our efforts to accomplish anything along this line.

As an illustration, Mr. President, while I am on my feet, I desire to say that the President sent a message here a few days ago asking us to appropriate $100,000,000 with which to feed the people of Europe. If there is no more information as to where that money is going and how it is going to be expended than is incorporated in the President's message, I for one shall not vote for any such appropriation. We are entitled to know to whom that appropriation is going, what particular people in Europe are to be fed, and, particularly, the plans and methods by which it is proposed to take care of the situation. I shall not myself vote to simply turn over $100,000,000 to be administered by the food department as it has administered food affairs in this country. I want it, therefore, to be understood that when the Appropriations Committee brings in legislation for the appropriation of this $100,000,000 that it must bring in detailed facts as to how the money is to be expended and where it is going. I want security for its repayment, and I want to know if our associates, England and France, are going to cooperate. I want, also, some one made responsible, who will account in detail as to how the money is expended. If we are going to feed Europe, which I do not admit, we must do it in a business way, for the American taxpayer has about reached his limit.

Mr. SMOOT. Mr. President, in answer to the Senator from Idaho, I desire to say that I am positive that the Appropriations Committee of the Senate is not going to report in favor of the appropriation of $100,000,000 for the feeding of the starving people of Europe unless they do have more information than they have in their possession to-day. I will assure the Senator from Idaho of that fact.

Mr. BORAH. There is a vast amount of comfort in that assurance.

Mr. SMOOT. I desire to say in relation to the $100,000 that is proposed to be appropriated for Alaska that the governor of Alaska gave a description of how the $107,000 heretofore expended had been apportioned. In the Nome district, I think, there was apportioned about $20,000; in the smaller districts in Alaska there had been apportioned in some $2,000, in others $3,000, and in others $5,000. The $107,000 covered the amount of the expenditures up to the time that the governor had received the last report.

Mr. SWANSON. I should like to ask the Senator from Utah a question. The sum of $1,000,000 has heretofore been appropriated for the suppression of the influenza. Has the Senator from Utah any statement as to what disposition was made of that money and whether any of that sum remains available for expenditure in Alaska?

Mr. SMOOT. The $1,000,000 which was appropriated by Congress for the purpose to which the Senator from Virginia alludes has been expended with the exception of about $135,000. It is true that a part of that $1,000,000 went to Alaska.

Mr. SWANSON. How much of it went to Alaska?

Mr. SMOOT. Gen. Blue, of the Public Health Service, stated to the committee that he did not know just exactly the amount that had been sent to Alaska, but the amount sent there had been used for the purpose of paying physicians who had been sent into different parts of Alaska. He stated that he had not received the last report, and therefore could not say just what amount had been sent to Alaska.

Mr. SWANSON. About how much was it?

Mr. SMOOT. It was a very small percentage of the $865,000 already expended.

Mr. SWANSON. For what is it proposed to use this $100,000—to send physicians to Alaska?

Mr. SMOOT. It is to be used to furnish the necessaries of life, I will say to the Senator from Virginia, to Indians in certain parts of Alaska, and also to send medicine and physicians into affected districts and see what can be done to control the epidemic.

Mr. SWANSON. Has the Territorial government of Alaska any funds which can be used for this purpose?

Mr. SMOOT. No funds have been appropriated for the purpose. I want the Senate to understand the full conditions. The Territory of Alaska has about $900,000 in its treasury, or it had about that amount or a little more than that amount a year

ago, and about the same amount to-day. The governor of Alaska stated that that $600,000 had been collected by taxation and is held in the treasury for the purpose of building roads and making improvements in different parts of Alaska, which are absolutely necessary.

Mr. SWANSON. Now, I should like to ask the Senator this question: If Congress should authorize the expenditure of $100,000 out of that fund in the treasury of Alaska for this purpose, could the money be made immediately available?

Mr. SMOOT. No; Congress could not do that, and the money could not be taken out of the treasury of Alaska until after the Territorial legislature meets in Alaska.

I will say to the Senator from Virginia that the $107,000 that has already been apportioned in Alaska has been so apportioned upon the responsibility of the governor. He has no authority by law to take such action, but we, of course, all know that the legislature, when it meets, will see that the governor is held harmless so far as any loss is concerned.

Mr. SWANSON. As I understand, the Legislature of Alaska, without any authorization from Congress, could appropriate out of this $600,000 ample funds with which to take care of the situation?

Mr. SMOOT. The Legislature of Alaska can do that, Mr. President.

Mr. SWANSON. The only question, then, is as to whether the sum shall be appropriated by the Federal Government or by the Territorial government of Alaska?

Mr. SMOOT. That is the only question which is involved.

Mr. SWANSON. Is this money to be reimbursed under this joint resolution?

Mr. SMOOT. No, this is not reimbursable; it is a direct appropriation to Alaska.

Mr. SWANSON. Does the Senator from Utah object to having it made reimbursable?

Mr. SMOOT. Mr. President, I desire to state why I am in favor of this direct appropriation of $100,000. We all know the situation in Alaska. Nearly all of the public lands in Alaska have been withdrawn, and the principal source of taxation is the imposition of a tax upon the business interests of Alaska. In other words, of the million dollars collected by taxation in Alaska, half of it comes from the salmon packers alone. No taxes can be collected from the public land, and over 99 per cent of the lands of Alaska are public lands, and a great proportion of these lands are withdrawn from entry. Therefore Alaska is restricted in her power to collect taxes. That being the case, it seemed, at least to a majority of the committee, that in the face of such an epidemic as is now raging in Alaska—and the second outbreak is already on—it is about as little as could possibly be done to give Alaska $100,000 to assist in overcoming the epidemic.

Mr. SHAFROTH. Mr. President, let me suggest to the Senator at that point that only one-fiftieth of 1 per cent of the territory of Alaska is in private ownership and subject to taxation.

Mr. SMOOT. I think that is absolutely true, Mr. President. Indeed, I hardly thought the amount in private ownership was that much.

Mr. KING. Mr. President, will the Senator yield to me?

Mr. SMOOT. I yield to my colleague.

Mr. KING. I did not hear all that the senior Senator from Utah said, but I wish to inquire whether or not this epidemic is raging among the Indians who are in tribal relations, who have a right to look to the Government for protection and whose interests the Government ought to care for? If any of them are Indians in tribal relations, there is some sort of obligation upon the Government to care for them.

Mr. SMOOT. Mr. President, the governor of Alaska stated that 90 per cent of the cases of influenza were among the Indians. I wish to say to the Senator that I was surprised to learn that there are no Indians in Alaska who have had citizenship conferred upon them. They are not even as well off in that respect as many of the Indians within the continental boundaries of the United States, and it seems to me that $100,000—as I have heretofore said, $200,000 was asked for—ought to be expended by the Government to combat this dread disease. It is true that we appropriated a million dollars, as has already been stated, to combat the influenza epidemic generally, but very little of that million dollars found its way to Alaska.

Mr. VARDAMAN. Mr. President, will the Senator from Utah tell me the number of Indians in Alaska?

Mr. SMOOT. There are 27,000 Indians in Alaska, and there are only 20,000 white people there; in other words, there are only 47,000 souls in Alaska to-day. Six years ago there were 50,000 white people in Alaska, but within six years the white population of Alaska has decreased from 50,000 to 20,000.

Mr. SHAFROTH. This is due, Mr. President, to our policy started about 12 years ago with relation to reserving the lands and natural resources of Alaska.

Mr. BORAH. Not wholly, Mr. President; that is a very bad feature of it; but it will transpire in due time that that is not the sole reason for the depopulation of Alaska.

Mr. SMOOT. Mr. President, I was going to make the same statement the Senator from Idaho has just made.

Mr. President, I do not know that there is anything more to say in regard to this matter. I think I have covered the situation pretty thoroughly.

Mr. JONES of Washington. Mr. President, I merely wish to say a word. I am not going to try to amend the joint resolution. I think, however, that the provision it makes, upon the part of Congress, is very niggardly, in view of the situation in Alaska. There ought to be appropriated at least $150,000 to take care of the situation, but the committee has decided that $100,000 was all that it would recommend.

The conditions are simply deplorable. A large part of this money will go to taking care of homeless and orphaned children, made orphans by this dread disease. There may not so much of it go to actually combating the disease itself; but at one place, as the Senator from Utah [Mr. SMOOT] has stated, one-half of the natives have died. That leaves many orphaned children, who will simply starve unless they are taken care of. The white people of that Territory ought not to have the burden imposed upon them of taking care of these Indians, who are really wards of the Government, any more than the people of a State should have the burden of taking care of the Indians within that State imposed upon them. This is not done in the case of the States. The Government takes care of Indians within their boundaries; we recognize them as wards of the National Government, as they are, and the Indians, the Aleuts, and other natives in Alaska are in the same way wards of the Government.

Of course it is very much more expensive to afford relief in that Territory than within the borders of the United States proper, and, as I have said, I think the amount provided is very niggardly. I am not, however, going to try to amend the joint resolution in the hope that we can put it through promptly and possibly get more somewhere else.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The joint resolution was reported as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NELSON:

A bill (S. 5283) granting a pension to Edwin W. Gordon; to the Committee on Pensions.

By Mr. CUMMINS:

A bill (S. 5284) to amend section 10 of an act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918; to the Committee on Interstate Commerce.

By Mr. CALDER:

A bill (S. 5285) to amend the act entitled "An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea," approved March 4, 1915; to the Committee on Commerce.

A bill (S. 5286) directing the payment of certain sums to fourth-class postmasters for rent, light, and fuel; to the Committee on Post Offices and Post Roads.

By Mr. KELLOGG:

A bill (S. 5287) to provide for the control, supervision, and operation of telegraph, telephone, marine cable, and radio systems; to the Committee on Interstate Commerce.

By Mr. SMITH of South Carolina:

A bill (S. 5288) to provide transportation, storage, and marketing facilities for, and to regulate the commerce among the

States in, live stock, meats, and other products derived from live stock or the slaughtering of live stock; to the Committee on Interstate Commerce.

A bill (S. 5289) to amend paragraph 5 of section 5 of the United States cotton-futures act, approved August 11, 1916, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. GORE:

A bill (S. 5290) for the investigation and extermination of the European corn borer; to the Committee on Agriculture and Forestry.

By Mr. SMITH of Georgia:

A bill (S. 5291) to repeal section 7 of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917; to the Committee on the Judiciary.

By Mr. JONES of Washington:

A bill (S. 5292) making it unnecessary to secure permits from the United States Shipping Board for the construction of ships in American shipyards for foreign account; to the Committee on Commerce.

A bill (S. 5293) granting an increase of pension to Ephriam D. Edwards (with accompanying papers); and

A bill (S. 5294) granting an increase of pension to Joseph A. Trueblade (with accompanying papers); to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 5295) donating captured cannon and cannon balls to the city of Orange, Tex.; to the Committee on Military Affairs.

By Mr. MYERS:

A bill (S. 5296) for the suitable recognition of war workers who have during the existing war donated or virtually donated their services to the United States Government; to the Committee on Military Affairs.

A bill (S. 5297) for the naming of the city of Washington, in the District of Columbia; to the Committee on the Judiciary.

By Mr. HOLLIS:

A bill (S. 5298) granting a pension to Della J. Nash; to the Committee on Pensions.

By Mr. SHERMAN:

A bill (S. 5299) granting a pension to Jacob A. Bosher; to the Committee on Pensions.

By Mr. KING:

A bill (S. 5300) providing for a reclamation project on the Strawberry River, Duchesne County, Utah, to be known as the Castle Peak reclamation project; to the Committee on Irrigation and Reclamation of Arid Lands.

A bill (S. 5301) to extend the franking privilege to the State Council of Defense of Utah; to the Committee on Post Offices and Post Roads.

By Mr. PENROSE:

A bill (S. 5302) granting a pension to Ella B. Kean (with accompanying papers); to the Committee on Pensions.

By Mr. CALDER:

A bill (S. 5303) to permit joining the United States of America as a party defendant in an action in Federal and State courts in certain actions affecting title to real property; to the Committee on the Judiciary.

By Mr. FLETCHER:

A bill (S. 5304) to authorize the Federal courts of the United States to render declaratory judgments; to the Committee on the Judiciary.

By Mr. KENDRICK:

A bill (S. 5305) to stimulate the production, sale, and distribution of live stock and live-stock products, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. GORE:

A joint resolution (S. J. Res. 208) providing that one term of the United States District Court for the Eastern Judicial District of Oklahoma shall be held annually at Hugo, Okla.; to the Committee on the Judiciary.

INTERSTATE TRANSPORTATION.

Mr. CUMMINS. Mr. President, I introduce a bill for reading and reference to the Interstate Commerce Committee. In that connection I desire to say that it is in substance a bill which I introduced about a month ago. It contains some modifications, however, and I thought this was the best way in which to make them. I ask for its reference to the Committee on Interstate Commerce.

The bill (S. 5284) to amend section 10 of an act "to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, was read twice by its title and referred to the Committee on Interstate Commerce.

CABLE SERVICE.

Mr. KELLOGG. Mr. President, I introduce a bill and ask that it be referred to the Committee on Interstate Commerce. I think, in fairness to myself, I ought to have an opportunity for about five minutes to explain the nature of the bill and why it has been introduced. I ask unanimous consent that I may be permitted to do so.

The VICE PRESIDENT. Is there any objection? The Chair hears none.

Mr. KELLOGG. Mr. President, I shall not take the time of the Senate to read this bill. It is a bill to provide for the control, supervision, and operation of telegraph, telephone, marine cable, and radio systems.

The bill has not received by myself that consideration which I should wish to give to such a bill if it were to be reported for passage. In fact, I am not willing to say that I would give my support to all of the provisions of the bill. I should wish to hear from the Postmaster General and the various experts of the systems to be affected and representatives of the public before I could make up my mind definitely; but I thought, as the subject was before the Senate, it was well to introduce the bill so that it might receive the careful consideration of the Committee on Interstate Commerce.

Some provisions of the bill I have introduced by request, one of them which I should like to mention later.

The bill, in a general way, places all of the telegraph, telephone, cable, and radio systems under the control of the Interstate Commerce Commission. I might say that they are already under the control of the commission; but this bill seeks to extend that control, so as to give the Interstate Commerce Commission the power to fix not only maximum but minimum rates, to control service, and to compel interchange of business and use of facilities. In other words, it extends the power of the commission over the service as well as the rates. It also gives the commission the power to control the issue of all stocks, bonds, and securities of these companies engaged in interstate commerce.

It is not necessary to stop to discuss that; but the necessity for some Federal control of the issuance of stock and securities, I think, has developed to the satisfaction of all thinking men on this subject, not only as to railroads, but as to the other great public utilities of the country. It will avoid "wildcat" or reckless financiering, and it will make such securities better investments for the people and a safer basis on which to regulate or fix public charges. It will, in a general way, prohibit the issue of stock without its being fully paid, and it authorizes the commission to fix the conditions under which other securities may be issued and regulates the commissions and discounts, and so forth.

The second and a most important section authorizes the commission to permit consolidations to any extent the commission may think wise for the public interests. In other words, if any companies wish to consolidate their lines or companies where they were competing, which would be in violation of the Sherman Act, they must present to the Interstate Commerce Commission a petition showing the public convenience, necessity, and public interest; and the commission, after a public hearing, may permit such consolidation, in part or in whole, and on such terms or conditions as it may see fit.

I realize that this is an exceedingly important provision, and to some extent it reverses a policy which has been in existence heretofore in this country. I am not standing here now as an advocate of it. I simply suggest it, because it is one of the things we must consider.

I shall not stop to discuss the pros and cons of this question, but I think it is evident to everyone that of the 8,000 or 10,000 telephone companies scattered over this country many of them could be consolidated with advantage to the public, and their service made interchangeable. I do not believe anybody claims that there is any such thing as competition in the telephone business. Only one telephone can be used at a time; and in those communities where two or three telephone companies are operating there is two or three times the usual expense and annoyance to the patrons; but if that is done, of course the commission must have power over service in order to protect the public.

I shall not go further than simply suggest this. To a certain extent the same thing occurs in the telegraph and in the cable systems; but there are many very important questions there which I think the committee should consider, as to whether the competition now existing is of sufficient importance that Congress should prohibit any consolidation. I think that is a question that should be looked into very carefully.

I am not going to discuss this bill at length. The last section of the bill I introduce by request. I think it is fair to state that I am not yet prepared to say that I would be in favor of it. I think it is a question that the committee and the Congress should look into carefully. I am told that certain of our cable systems should be extended at once, in order to connect with valuable territory, especially in Brazil, and protect the commerce and trade of this country in South America; that it is necessary that the cable go in advance of the steamship and the merchant; and that, owing to the fact that the Government occupies the entire field of investment at present, the companies have been unable to procure capital. It is therefore recommended that the Government authorize a temporary loan on security in order to encourage cable extensions, but upon condition that the cable be manufactured in this country.

I am not prepared to say whether that is advisable or necessary. One of the companies reaching South America—the Central & South American Telegraph Co., I think its name is—claims that it has sufficient capital to go ahead with extensions.

One other company claims temporarily it can not get the capital. I do not think any Government aid is needed for any great length of time, and I am not sure that it is needed at all; but it is a question which I think should be carefully considered, because there is no doubt that the demands of the Government and the business interests of this country require the extension of cable systems.

Mr. TOWNSEND. Mr. President——

Mr. KELLOGG. I yield to the Senator from Michigan.

Mr. TOWNSEND. I was delayed and came in late. Do I understand that the Senator is now discussing the resolution which he introduced the other day?

Mr. KELLOGG. No; I am not asking to take up that resolution, and I would like to have it lie on the table at least for the present.

I only wish to say one more word.

I may be overenthusiastic about the subject, but with a foreign commerce which last year amounted to over $9,000,000,000—the largest foreign commerce, by several billions, that any country ever had in any period of history—with a balance of trade in our favor of over $3,000,000,000—in other words, our exports exceeded our imports by over $3,000,000,000—with the war ended, and being confronted with the increasing competition of other nations, I think it is due the business interests and the people of this country that every effort be made to extend and protect our foreign commerce in South America and, in fact, in all other countries. The telegraph and the cable must precede the steamship; the steamship must accompany the merchant; the banking system must combine with both; and those are the great facilities which our business men need in the development and holding of this foreign commerce.

I have introduced this bill hoping that the Interstate Commerce Committee would, as soon as possible, bring before it the men who have more knowledge upon that subject than I have, that we might consider this most important question.

The bill (S. 5287) to provide for the control, supervision, and operation of telegraph, telephone, marine cable, and radio systems was read twice by its title and referred to the Committee on Interstate Commerce.

MEAT-PACKING INDUSTRY.

Mr. KENYON. Mr. President, I ask the attention of the chairman of the Interstate Commerce Committee.

Some days ago I introduced, by request, a bill relative to the packing houses. The bill had been introduced in the House by Mr. SIMS, of Tennessee; and I was requested by representatives of the Farmers' Alliance to introduce it in the Senate, because there is to be held here this week a national convention of farmers from all over the country, and they desire to be heard before some committee on this bill. These representatives would have to come many hundreds of miles if the hearings should not take place about the same time in the House and in the Senate. The bill went to the Interstate Commerce Committee in the House. Knowing that to be the fact, I did not feel like asking that it should go to the Agricultural Committee of the Senate, at least in the absence of the chairman of the Interstate Commerce Committee, so it went to the Interstate Commerce Committee.

A few days ago I asked unanimous consent that that committee be discharged from the consideration of this bill and that it go to the Agricultural Committee. I was requested by the Senator from Utah to postpone that request, and I make the request now. I want to say that I talked with the chairman of the Interstate Commerce Committee at that time, and he seemed to have no objection to it, nor did the ranking member of the minority. That committee is burdened with hearings on the railroad question and can not hear witnesses and can not give consideration to this bill for a long while. The Agricultural Committee has been considering the question of some bill with reference to the packers, and has had some hearings upon the question; so that it would be entirely appropriate that this bill should go to the Agricultural Committee and let it take care of the whole situation.

I ask the chairman of the committee now if he has any objection to that course.

Mr. SMITH of South Carolina. Mr. President, in reply to what the Senator from Iowa has said, I will state that at the time he spoke to me about this bill I had not given it the consideration that I have subsequently given it. I received a communication from the President in reference to this bill and should have given it earlier consideration, but on account of the press of other business it was impossible for me to do so.

The bill as introduced in the House was sent to me with a request that our committee take it up and consider it at our convenience. The situation as it now develops is that we possibly will be through within two weeks—three weeks at the most—with the hearings on the railroad situation. This matter is of such importance and lies so largely along the line of the work of the Interstate Commerce Committee, in that it proposes to take over the rolling stock, the refrigerator cars, and is so intimately related to the transportation system of this country that, in accordance with the request, I feel it to be my duty to insist that the bill shall remain in the hands of our committee, because before this session is over we will have ample time to give it the consideration to which it is entitled.

Mr. KENYON. May I ask the Senator a question? Do I understand the Senator to say that the President of the United States requests that the bill go to the Committee on Interstate Commerce?

Mr. SMITH of South Carolina. His communication in reference to the bill was addressed to me as chairman of the Interstate Commerce Committee.

Mr. KENYON. Let me ask the Senator, then, if there is any chance for that committee to hear the representatives of the farming interests of the country who will be here this week?

Mr. SMITH of South Carolina. It may be possible for us to hear them, because we have set aside certain morning hours to have hearings on the railroad bill, and I think perhaps the committee might meet and hear what those representatives have to say, and they might lay before us whatever they desire to present.

Mr. KENYON. If the Senator objects, I am not in a position to urge the matter, because it has more or less elements which should be considered by the Committee on Interstate Commerce, but I felt that it would be impossible for that committee to consider it for another month, and consequently nothing would be done at this session. I rather think that will be the situation. I withdraw my motion.

NAMING OF THE CITY OF WASHINGTON.

Mr. MYERS. I introduce a bill which I ask may be read and referred to the Committee on the Judiciary. After it is read I should like to say a very few words about it.

The VICE PRESIDENT. Does the Senator mean read in full?

Mr. MYERS. Read in full. It is short.

The bill (S. 5297) for the naming of the city of Washington, in the District of Columbia, was read the first time by its title and the second time at length, as follows:

Be it enacted, etc., That that city and community and all thereof situate and now being within the District of Columbia is, and shall be, known and designated as the city of Washington, and the boundaries of the District of Columbia, now and heretofore established by law, are, and shall be, the boundaries thereof; and said city shall be and is the Capital and permanent seat of government of the United States.

SEC. 2. That nothing herein shall repeal, alter, or affect any existing provision of law for the government of the District of Columbia, all of which are continued in full force and effect.

Mr. MYERS. Mr. President, I desire to say just a few words as to my reasons for giving attention at this time to what may appear to some to be a relatively small matter. Those who are authority in law claim that there is no city of Washington; that it has no existence whatever; that the supposed city of Washington is wholly a myth. From time immemorial, at least from the time of the location of the permanent seat of government of the United States in the District of Columbia, all executive documents, all proclamations and messages of the President, have had appended thereto the words, "Done at the city of Washington" on a certain date, until a few months ago, when some one in official life, who claims to be authority on the subject, informed President Wilson, I understand, that there was no city of Washington. Since then the President has been appending to

his official documents the words, "Done in the District of Columbia" on a certain date.

It seems that those of us who are here are simply living or stopping in the District of Columbia. The place in which we do business is the District of Columbia, not the city of Washington or a city of any other name or identity. Massachusetts Avenue, which is near the spot in which we now are, is simply Massachusetts Avenue in the District of Columbia.

Every nation in the world other than the United States, so far as I know, has a capital city, and I think the United States should have a capital city. It does not seem to me very dignified for the District of Columbia, merely encompassing so many square miles in extent, to be the Capital and the seat of government of the United States. Jefferson City is the capital of the State of Missouri, and executive documents there are issued as having been "Done at the city of Jefferson" and not as done in Cole County. The city of Springfield is the capital of Illinois, and executive documents issued there are issued as being "Done at the city of Springfield" and not in Sangamon County. It seems to me that the people of the United States ought to take sufficient pride in their Capital to have it located in a city and for the city to have a name, but it can only be given a name through congressional action. It has none at present. There is a post office here called "Washington," just as a cross-roads country post office named "Smithville" may be located in the midst of a township of prairie country in Minnesota or North Dakota, but the fact that the post office here has a name does not give a name to the city or community around it. The newspapers which are published here bear the name of the city of Washington, while there is no such city. The Washington Post, the Washington Herald, the Washington Times, and the Washington Star are really misnamed. To be properly named, they should be named the District of Columbia Post, the Herald, Times, and Star.

Mr. SHAFROTH. Mr. President, may I ask the Senator a question? Does the bill propose to make the limits of the city of Washington coextensive with those of the District of Columbia?

Mr. MYERS. It does.

Mr. SHAFROTH. Will that require city taxation to be imposed upon farms that are within the District of Columbia?

Mr. MYERS. Oh, no; it does not affect taxation or any law whatever in regard to the government of the District of Columbia. The second section of the bill says: "Nothing herein shall repeal, modify, alter, or amend any law regarding the government of the District of Columbia, all of which are continued in full force and effect." The bill is merely a matter of sentiment. It is simply a matter of nomenclature; a bill to give this city a name. Just as Paris is the capital of France, I think our country ought to have a capital located in a city which has a name, not in a nameless city. It is simply a matter of giving a legal name to a place. It was always supposed until a few months ago that the Capital of the United States, the permanent seat of government, was located at the city of Washington, but it is not so. It was simply located in the District of Columbia. It is just as if the city of Jefferson, the capital of Missouri, did not exist; the permanent seat of the government, in that event, would be in Cole County, Mo. This bill would not affect any existing legislation relating to the government of the District of Columbia. It leaves everything of that kind as it is. It gives the city no government, it only gives it a name; that is all.

Mr. SHAFROTH. If the bill relates solely and purely to the naming of the place where the Capital of the United States is to be located I have no objection to it, but it does seem to me that it ought to be looked into closely.

Mr. MYERS. I have asked that it be referred to the Committee on the Judiciary for that purpose.

Mr. SHAFROTH. It seems to me that if you are going to make the limits of the city of Washington coextensive with those of the District of Columbia you are going to take in vast stretches of territory that are nothing but farm lands and that ought not to be subject to city taxation, and for that reason the bill ought to be examined very closely as to whether or not it will affect the taxation of property in the District of Columbia outside the city limits.

Mr. MYERS. I want it examined closely by the Committee on the Judiciary. It is simply a matter of nomenclature and arises from a sense of pride. There was a good deal of discussion about it in the newspapers of the city some three or four months ago and some expert on law discovered that there was no city of Washington. It rather offended my pride that my country had no capital city, and I have had it in mind since to undertake to give it one and have introduced this bill for that purpose.

Mr. KIRBY. I would like to ask the Senator a question.

Mr. MYERS. I shall be glad to answer it.

Mr. KIRBY. I am curious to know what the expert on law considered and how he reached the conclusion that there is no city of Washington?

Mr. MYERS. I do not know what he considered. I only read the newspaper accounts of it. I think, however, he was right. I know of no law creating any city of Washington. There is a law creating the District of Columbia, but there is no law, of which I know, creating the city of Washington; at least, that is what the newspaper reports stated, and I believe it. There is a city popularly known as Washington City. That is the name, the designation given to it by common consent. The city in which Congress sits is called Washington City, but there is, I understand, no authority in law or fact for it. It might as well be called by any other name. I would give it a legal name and status.

The VICE PRESIDENT. The bill will be referred to the Committee on the Judiciary.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. JONES of Washington submitted an amendment providing that hereafter the Superintendent of the Naval Observatory shall be a retired line officer of the Navy, with rank not below that of rear admiral, etc., intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

Mr. CALDER submitted an amendment proposing that for the fiscal year ending June 30, 1920, each fourth-class postmaster in the United States shall be paid a sum not less than 20 per cent of his or her compensation under existing law and not more than 25 per cent thereof as allowance for rent, light, and fuel, etc., intended to be proposed by him to the Post Office appropriation bill, which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

GOVERNMENT CONTRACTS.

Mr. CALDER submitted four amendments intended to be proposed by him to the bill (S. 5261) to legalize informal or defective orders for war supplies and materials, to provide for the cancellation of orders and contracts, for the reimbursement of contractors and manufacturers, for the adjustment of claims or canceled or partially filled contracts and orders, and to provide relief for contractors pending final determination, which were ordered to lie on the table and be printed.

COMMISSION OF FINE ARTS.

Mr. WILLIAMS. I ask unanimous consent to take from the calendar for present consideration Senate joint resolution 202, being a joint resolution requesting the Commission of Fine Arts to submit to Congress certain suggestions concerning memorials and monuments.

The VICE PRESIDENT. Is there objection?

Mr. GORE. I should like to ask the Senator from Mississippi if he expects the joint resolution to lead to any discussion.

Mr. WILLIAMS. I do not.

Mr. McCUMBER. I object to anything but morning business at the present time.

The VICE PRESIDENT. There is objection until the morning business is concluded.

FARM LABOR.

Mr. GORE. I submit a Senate resolution and I ask that it may be read and lie on the table subject to call.

The VICE PRESIDENT. It will be read.

The Secretary read the resolution (S. Res. 409), as follows:

Whereas the planting season for the year 1919 is near at hand; and
Whereas the loss of four months at this season is equivalent to the loss of the year; and
Whereas farm labor is both scarce and dear; and
Whereas an abundant harvest is of the greatest concern, not only to producers of this country, but to consumers both at home and abroad: Therefore be it

Resolved, That it is the sense of the Senate that the drafted men and volunteers in the military forces of the United States should be mustered out of the service as rapidly as the public interest will permit, and that it is the further sense of the Senate that every effort should be made to muster out at once actual farmers and farm laborers who were engaged in farming at the time of entering the military service and who declare their intention to engage in farming during the current calendar year.

The VICE PRESIDENT. The resolution will go over under the rule and be printed.

SOLDIERS' ROLL.

Mr. POMERENE submitted the following resolution (S. Res. 410), which was referred to the Committee on Rules:

Resolved, That the Secretary of the Senate and the Sergeant at Arms of the Senate are hereby directed to retain in the employ of the Senate those persons who served in the Union Army during the late Civil War, the Spanish-American War, and the War with Germany, and whose service in the Senate is necessary and satisfactory, who are not otherwise provided for, and to continue such persons in their positions until cause for their removal shall have been reported to and approved of by the Senate and their removal directed.

LEAGUE OF NATIONS FOR PEACE.

Mr. MYERS. Mr. President, I wish to announce that to-morrow, at the close of the morning business, or as soon thereafter as possible, if I may be permitted, I intend to make some remarks on the proposition of a world league of nations and some questions incident thereto, including the approaching peace conference between the warring nations of the world.

MEMORIAL ADDRESSES ON THE LATE SENATOR BRADY.

Mr. BORAH. Mr. President, the 19th of January has been set apart as the day to hear addresses upon the life and services of the late Senator GALLINGER. I desire to give notice that at the same time addresses will be made upon the life and services of the late Senator BRADY.

COMMISSION OF FINE ARTS.

Mr. McCUMBER obtained the floor.

Mr. WILLIAMS. I ask my friend, the Senator from North Dakota, before he proceeds, to yield to me just for a moment to renew the request which I made for unanimous consent for the present consideration of Senate joint resolution 202. If it leads to any talk or discussion I shall withdraw it.

Mr. McCUMBER. Very well; I yield for that purpose.

The VICE PRESIDENT. Without objection, the joint resolution will be read.

The Secretary read the joint resolution (S. J. Res. 202) requesting the Commission of Fine Arts to submit to Congress certain suggestions, as follows:

Resolved, etc., That the Commission of Fine Arts be, and they are hereby, requested to report to Joint Committee on the Library for its consideration and submission to Congress suggestions for monuments and other memorials to commemorate the heroes and events of the great war, and the best methods of obtaining artists to execute the same with the view of securing artistic excellence in such memorials.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LEAGUE OF NATIONS.

Mr. McCUMBER. Mr. President, even before the peace delegates have assembled the question of a league of nations has assumed a dominant position in the eyes of the world. It has been given more space in the press of this country, Great Britain, and France than any other problem which will come before the peace commission. It is the subject of discourse wherever men assemble. Its supreme importance has been recognized by the introduction in this body of a resolution advising and cautioning our delegates against precipitate or premature action; and its dangers have been expounded by able Senators.

But, Mr. President, notwithstanding this caution, the world looks with hopeful and expectant eyes to this Peace Commission for some international arrangement that will make impossible another such war. We have seen the thunderbolt of war shot from serenest skies of peace. We have seen nations basking in the sun of tranquillity suddenly swept by the hurricane of a life and death struggle. We have seen more than four years of the most devastating and sanguinary, the most savage and brutal battles that have ever blackened the earth. And as we reach its close, even the shouts of the victors are drowned by the lamentations of mothers, by the weeping of fatherless children, by the anguished sobs of millions upon millions of poor bereaved mortals. And as we look upon all this devastation and misery, and contemplate the many, many millions of brave boys to whom life was sweet and fair, who have gone down to death to save the world from this bloody monster of military autocracy, their lofty hopes and ambitions entombed with their crushed and mangled bodies, and when we realize that many, many millions of young girls, whom God had created to reign queen of heart and home, must live their lives unwed, robbed of their God-given right of motherhood, and doomed to walk down life's path alone, in a land laid waste by devastation's flaming hand—robbed of the stronger arm of man to support and guide, or the gentle hand of child to caress when the wearied night of age comes on, we may well ask ourselves, Is it impossible for civilization to free itself from the ever-impending dangers of such a scourge? Is it impossible to hold nations to the same moral code in their international relations that each imposes upon its citizens in their personal relations? Must history repeat itself over and over again? Must our children's children suffer and die as their fathers have suffered and died to propitiate the God of War?

Mr. President, the great Teutonic empires answered these questions in the negative. They declared that the nation could never be held to any code of Christian morals; that the power to conquer carried with it the duty to crush and destroy whenever such action could inure to the benefit of the most powerful.

Against that monstrous doctrine, with all it meant to the future of the world, the unprepared entente powers of Europe, with the final assistance of our own country, fought, and fought to the death, the great military central powers.

Are we now to be told that those nations which so fought and conquered, and the blood of whose sons encarmined the land and the seas for the principle of world justice, are now unable to devise any means to perpetuate those principles? If so, how vain have been our sacrifices, and what a mockery is our pretended civilization!

Mr. President, a suffering and agonized world will never accept the verdict that the god of military prowess, now floored and manacled, shall now be liberated without tether or chain.

I am optimistic enough to believe that great world wars can be prevented, and that the time to present and adopt the restrictive or preventive measures is now and not some indefinite time in the future—is to-day, when the awful horrors and consequences of war are apparent to every heart—and not when those horrors are forgotten and only the military glamor and glory remain to influence the sentiments of humanity.

To-day is the opportune time for the crystallization of the peace sentiment of the world into effective, international compact and guaranty. To-day, at the close of one of the most unprovoked, one of the most inexcusable, and the most bloody wars of all the ages is the auspicious moment for action and final settlement. In Versailles, in view of that battle field where was once a paradise, but now a devastated and desolate hell of ruins, is the place to write and promulgate a new code of international relations and conduct.

Most of those who have expressed themselves on the floor of the Senate and elsewhere against a league of nations predicate their conclusions on the ideas presented by extremists rather than on the views of a far greater though perhaps less voluble number of supporters of a treaty of nations to insure the peace of the world.

In pointing out the dangers of a league of nations they presuppose a league which in effect would constitute a new United States of the world, a confederacy of all the nations of the world, with an international legislature, an international court, an international president, and an international control of the armies and navies of the component powers. They presuppose a confederacy by which each nation surrenders its individual sovereignty to an extent similar to that surrendered by each State entering into the American Union. Were all nations equal or nearly equal in intelligence, in national character, in stability of temperament, were there no superior and inferior nations and races of the world, no color lines and no race prejudices, the world might be better because of such a league. But we must accept the world situation as it really is. And while we should accord to each nation, notwithstanding its intellectual inferiority, its just and inalienable rights, the right to live and work out its own destiny, we could not assimilate all these inferior races without lowering our own national character and national standard. And therefore, Mr. President, such a league of nations would not only be impracticable but it would, in my humble opinion, be a wrong to the great intellectual nations of the world. Most of the argument of the Senator from Missouri, and some at least of the arguments of other Senators, were based on the hypothesis of such a league of nations. Mr. President, there can not be and there will not be constructed such a league of all nations of the world. With the fall of the premise must fall the deduction.

It may well be asked, then, what kind of a league of nations could with propriety and safety be recognized and adopted by this peace conference?

Mr. President, in replying to this query I shall present the conservative side of the problem. I shall take the world as it actually exists with its real, human, and national propensities, and shall not attempt to write an equal and perfect law for an unequal and imperfect world people. Nor shall I be so presumptuous as to even suggest that a code based upon present world conditions would be applicable a few centuries hence or for all time. There may come a time when because of density of population the law of the survival of the fittest may justify the conquest of sections of the earth held by peoples less fitted to enjoy its domains, just as the Indians of the Western Continent were doomed, that a wiser, a more enlightened and a more noble race might found a higher and a better civilization. It may be that nations now marching in the van of civilization may become so degenerate that they will be but stumbling blocks to the advancing world of intellectuality and progress.

But, Mr. President, so far as we can look into the future, and we can look forward at least a few centuries, we can predicate our action with a reasonable degree of certainty and feel assured that the course of international justice which we shall now prescribe will be applicable to those future conditions.

So let us invoke only those fundamental principles upon which we can all agree; and having thus agreed upon them, let us then pause and question ourselves as to whether it is either wise or necessary to project our international agreements further into the realms of complexities, uncertainties, or interferences.

Mr. President, I shall, therefore, assume in this argument that the edicts, "Thou shalt not steal" and "Thou shalt not murder," written by the hand of Deity and imprinted on every human heart, are laws which should govern not only individuals in their relations to each other but are also laws which should govern nations, which are but collections of individuals, in their international relations. I shall, of course, not attempt to convince anyone who will deny the applicability of these rules to nations. All I can say to him is that the German ruling and military caste denied the rule, and the balance of the world affirmed it, and that the victory of the allied cause against the central powers has established by the arbitrament of war the doctrine that nations shall not be exempt in their international relations from the moral code which each enforces upon its own people. That principle being thus settled, there is, therefore, left only the question as to how that moral code shall be established and maintained between nations.

Well, Mr. President, the first thing to do, and the most natural thing to do, is that these nations, each and every one, which have banded together and fought together to establish this moral code as an international rule of conduct, shall agree to and with each other that they will abide by that principle in all their dealings with each other and with every other nation that shall join them in that compact. That they will rob no other nation of its territory or sovereignty; that they will not murder its people for territorial aggrandizement. That is a sufficient beginning, for if all the great nations agree to and do abide by this rule there will be no difficulty in compelling the little nations to conform to it.

The very first clause of the very first article of this agreement should, therefore, declare that each independent nation of the world, as it shall exist at the time this compact shall be executed, has the right to live and work out its own destiny free from any impending danger of any mighty military neighbor.

If you ask why we adopt this particular time as the basis of agreement, I answer: World nations have just been shattered and destroyed by this mighty earthquake, and the broken fragments can not be replaced in their old positions. New nations must and will be created, not only to satisfy the natural aspirations of peoples but also to encircle the nation whose madness precipitated all this slaughter and misery, lest with returning peace there might develop again the old malady; and, further, the impossibility of readjusting the boundaries of Europe to conform to ancient sovereignties. To do that we should be compelled to return France to ancient Gaul, Gaul to Rome, and Rome to the immortal gods.

We should then write into this compact that no nation should make a war of conquest on any other nation; that no nation should forcibly seize or annex any portion of the territory of any other nation or claim or exercise a control or suzerainty over it or in any way limit its complete sovereign rights and independence.

We should provide in that compact for an international court. It matters little whether you call it a court of arbitration or an advisory international commission or The Hague tribunal. Each of the contracting nations should then agree that in case of international disputes it would submit its controversy, whatever that controversy might be, to this court, to the end that the claims of both parties might have fair hearing and publicity not only in both countries but in every other country, and that this court or commission should make its findings of fact and suggest a course of action to bring about a settlement or a reference of the question at issue to arbitration. This compact should then provide that no one of the contracting nations should go to war against another until it had thus submitted its grievances to this court or board; or, still being aggrieved at these findings, that it would withhold any physical force until its grievance and the dereliction of its adversary had been submitted to its coentractors, the other great nations of the world, and an opportunity given them to use their good offices to secure reparation and justice for any wrong and a final reconciliation.

With such a solemn compact of nations, executed by all the great nations of the world to and with each other, the danger of any great war, any world war, would be pressed far, very far, into the realm of impossibility.

Does anyone believe that had such a great international agreement been in existence prior to 1914, even Germany with her autocratic and irresponsible government would have dared break her compact with each and every one of the other great nations of the world? Does anyone believe that with such a solemn compact with every other nation Austria-Hungary would have defied the world and pounced upon little Serbia and thus have lighted this flame of war?

And, Mr. President, if these nations could not have faced the whole world with such a broken pledge, under their autocratic forms of government, how much less would be the danger under truly representative forms of government which have come into the world to stay?

With such an agreement we should need no great centralized world government, no international army and navy, no international police to enforce an international court's decrees. Both honor and self-interest would unite to compel adherence to this international compact.

There is an ever-growing sense of international honor and integrity in the world, and the very fact that Germany broke her pledged faith with France and Great Britain to respect the territorial and political sovereignty of Belgium, and by that breach sought to crush France at a single blow, has intensified and strengthened this sense of international integrity and created a deeper world sense of abhorrence against international bad faith. And the fact that Great Britain declared that she would uphold her treaty with Belgium, even though there was no bond compelling her to fight on the side of France, though her act thereby put her very life in jeopardy, has given to international obligations a sacredness never before attained in the history of the world.

Mr. President, I want the bond and I want Germany's signature to that bond. She has been the only country that has threatened the peace of the whole world for the last 45 years, and to meet her threat every other nation has had to keep itself armed to the teeth and weighted to the verge of poverty to maintain mighty armaments. No matter how bad or unreliable a man may be, I would rather have his signature evidencing his obligation to me than to be without this written proof and the moral influence that goes with it. When one places his signature to an instrument, he must give good reason why he repudiates it; without his signature he may be under no obligation to explain.

And, so, after the terms of peace have been determined by the victors in this war and the new nations created shall take their places in the world, then I want the joint bond of the central powers to assure international justice. I want the signature of Germany, not only as an evidence that she forever formally repudiates the brutal doctrines of her old rulers and military castes that "Might makes right," but I also want it because I know the industrious, conservative, and frugal German people, rising from the ashes of their calamities, will reconstruct a great nation. And as deeply as I hate Kaiserism and the abominable doctrines of military Germany I believe we should extend the hand of brotherhood and friendship to democratic Germany when its people have repudiated both these stigmas on real German character and have steered their country clear of the worse malady, Bolshevism.

A word now in reference to the stock criticisms against a league of nations.

Mr. President, no matter how much we may legislate, how many resolutions we may introduce and pass, three things are certain: The first, already accomplished, is that acting within his constitutional authority the President has appointed delegates to sit with delegates from other allied nations to agree upon terms of peace; second, that these delegates will proceed to dictate and agree upon such terms of peace; and third, that they will not rise from their deliberations or attach their signatures to any instrument of peace that shall leave untouched or unsettled the question of the prevention of another such war. If they should do so their action would meet the condemnation of the people of all the countries who have endured the horrors and privations of this war. It will not do to say in one breath that war is wrong and in the next breath that such wrong can not be checked.

Now, there seems to be a fear, which I believe to be unfounded, that these delegates will not take up and dispose of these questions in their logical order; that they will take up the question of prevention of future wars before they close this war, or that they will somehow work in the project of a league of all nations before they settle the question immediately involved among the warring nations. To my mind these apprehensions are unwarranted. Remember this peace commission, Mr. President, represents only those countries whose armies have joined to overthrow the central powers. It does not at present include even the delegates from the enemy countries. Therefore, the

very first question that will absorb the attention of the peace commission must necessarily be the terms that will be imposed upon the several enemy countries as conditions of peace. Upon this the only voice that can possibly be heard will be the voice of the victors. A league of world nations can not be consummated until such world nations are subsequently brought into conference. What, then, are the immediate terms which this particular commission will deal with? The Senator from Massachusetts [Mr. LODGE] very tersely and very properly says they are restitution, reparation, and guaranty. But, Mr. President, there could be no guaranty without guarantors, and in this instance it means not only a guaranty on the part of the vanquished to conform to the peace conditions imposed, but on the part of the victors to enforce and maintain every condition that may be necessary to assure the performance of those conditions.

You, therefore, find yourselves engaged in forming a league of the greater nations of the world, the victors and the vanquished, as the most important and immediate factor of this peace treaty, and all there is left for discussion or contention is the general form of this league and the extent to which other powers shall be invited into it.

We are asked by the resolution of the Senator from Pennsylvania [Mr. KNOX] to advise our delegates not to enter into the discussion of any general league for the prevention of future wars until after they have completed their task of entering into terms of peace conditions. That, Mr. President, it seems to me, they will and must do. But in the speech of the Senator in support of his resolution he suggests that the question of an international alliance for peace might better be considered not only at some future time but by a wholly independent and differently constituted body. With that contention I can not agree. I have already stated in general terms, and shall before I close point out in particular, why I think that course would be a mistake. We all, of course, understand how far-reaching and how complex must be the questions that will arise in the discussion of a general league for peace. But the Senator has pointed out no line of demarcation between what must be disposed of to make the peace treaties effective and enduring and what should be left for further deliberation to which other countries may be invited to participate. On the contrary, both his resolution and his address contemplate that to a certain extent this present peace commission shall provide against the dangers of a recurrence of such a catastrophe as the world has just passed through, the very thing and the only thing a league could accomplish.

The second paragraph of his resolution reads:

> That for the safeguarding of those aims the first essential is a definite understanding that the same necessity arising in the future, there shall be the same complete accord and cooperation with our chief cobelligerents for the defense of civilization.

And in support of this the Senator declares:

> It is clear, then, that our attention should now be directed to the enforcement of the remainder of our war aims, now best expressed as restitution, reparation, and guaranties; and to the purpose to complete, to perfect, and to guarantee those aims as we pass to the state of formal peace.

And again:

> The definite problem of formally ending the war is: By what measures as to restitution, reparation, and guaranties shall we assume that the war now won shall stay won, that the menace now removed shall stay forever removed? Germane in a broad sense is the question of what measure of safeguarding we may make the recurrence of any similar menace in the future most improbable.

The Senator, therefore, agrees that this present peace commission, not some future commission, must provide for restitution, must provide for reparation, and must provide for guaranties that the menace "now removed shall stay forever removed." Well, Mr. President, if the peace commission does all that, there is nothing left for a league of nations to do, but it can only do that by entering into a league of at least the principal nations of the world. It means, no matter how distasteful the term may be to any Senator, a league of the nations making the guaranty.

And that brings us right up to what shall constitute the limit of this guaranty as fixed by this commission, a limit that no one has pointed out, and, with the thousands of questions which will enter into this peace negotiation, no man on earth can now possibly determine.

The difficulty of predetermining the scope of action of this commission will become more apparent as we investigate some of the main features that will necessarily have to be determined by this peace commission as terms of peace. Let us see what they are. First, there is the question of restitution. What does that mean? We are all agreed that the first thing to be restored are the Provinces of Alsace and Lorraine. Those are Provinces with well-defined borders. Their restitution is the simplest of all the questions involved. This peace commission may find it necessary in order to assist in securing the future peace of the world to carry this principle of restitution farther along Germany's western boundary, and to return to Belgium all the territory wrested from her in 1839. The allies may deem this necessary to place Germany in a position where the wicked teachings of her military and political rulers which brought on this war can not in the future influence any great section of Europe and thus reendanger its peace and safety. They may extend the borders of Belgium and press Germany back within her old borders east of the Rhine, a boundary which at once becomes not only natural, but would better enable Belgium to defend herself against another attack. I think the average American would agree that those sections of Germany lying west of the Rhine, including Luxemburg, formerly a part of Belgium, might well be apportioned to Belgium to partially compensate her for the awful ravages committed against her territory and people.

I would not depend alone on the league of nations to maintain peace, but to make assurance doubly sure I would close up wherever possible every avenue of danger, just as I would lock up a madman with murderous propensities until he had been unquestionably cured of his dangerous hallucinations.

Nor is that all.

The Senator agrees that there should be a cordon of countries surrounding the Teutonic powers on the east and south that would forever disillusion them of their dream of mitteleuropa, which would dominate first Europe and then the world. In that I think he agrees with the President, for one of the President's fourteen principles of enduring peace provides for the reconstruction of ancient Poland. When the armies of Poland were annihilated, her once vast territory was divided among Russia, Germany, and Austria. Now, one of the duties imposed upon this peace conference will be to reconstruct this Empire from territory of the three great countries which robbed her of her national heritage. This will be another case of restitution.

Again, we have already recognized the Czecho-Slavs as a nation, and the Jugo-Slavs demand from the allies proper recognition. We are morally pledged to destroy the suzerainty of Turkey over European States, and to make independent countries over which she formerly held sway. These will be most perplexing duties, but they must be performed and by this commission. If not so performed, then within 25 years mitteleuropa will be an accomplished fact and the fruits of all our victories blasted.

And again, each time we create a new country we reduce the size, the population, wealth, and ability of our great enemies, Germany and Austria-Hungary. Bulgaria, and Turkey, to compensate for war losses. Serious questions will then arise as to the apportionment of war indemnities among the nations which were in arms against the United States and her allies. You will sever from Germany Alsace and Lorraine, which have furnished many thousands of soldiers in the battles against France. Naturally this portion of new France can pay nothing toward this indemnity. You also take from Austria-Hungary a large portion of its territory, and with Russian territory you constitute new Slav Provinces—a Jugo-Slav country, a Czecho-Slav country, a new Poland. Although portions of these new countries were battling against us, you will find it extremely difficult to say that the part taken from Austria-Hungary shall bear its proportion of taxes to make amends for international transgressions. In the enforced payment of these demands, however apportioned, the nations now banded against Germany must agree to stand united until the last dollar has been paid. And there, Mr. President, we have a league of nations, a treaty for offensive warfare, if necessary, and certainly a treaty which binds them for united offense may very properly bind them into an agreement to maintain a condition which would prevent a military nation like Germany, through intrigue or force, from ever attempting to nullify an agreement for compensation entered into with her or to destroy this cordon of nations, whose viselike grip assists in holding her to her agreement. There are so many, even hundreds, of these collateral questions which will need to be considered that I believe it unwise for this Senate at this time to limit or define the subjects which may or may not be debated and acted upon by our delegates.

I do not consider that we are bound to greatly respect any claim on the part of Russia. Her action in this war has been worse than the action of an enemy. She betrayed her bleeding and suffering allies at a time when her assistance was most needed. She surrendered to German intrigue, and her leaders were bought by German gold. The atrocities committed by the present Bolsheviki government of Russia, or rather the usurpers of Russian Government, forfeit for her the respect

and confidence of every nation of the civilized world, and relieve her allies from any debt which might otherwise have been her due.

Our next step, then, Mr. President, is to put these new governments on the map of Europe. That means, first, that we must solve the most delicate and difficult problem of boundaries. Then, having established these nations and fixed their boundaries, are we to dissolve our peace commission and return our soldiers to their homes, leaving the weak and newly created nations to their own fate, with no written understanding or guaranty for their protection? Observing, as we have already observed in the last four years of history, the wonderful diplomatic machinery of the German Government, and remembering her ability to bribe and thereby secure the defeat of gigantic Russia and subject her to her control, how long would these nations, discordant by nature and weak from centuries of bondage, last before they would fall to the wiles and become mere puppets in the hands of the Teutonic powers?

Is it not, therefore, absolutely essential that we insert in the peace agreement that we shall now make with Germany and Austria that no nation shall seek either through diplomacy or through war to destroy the territorial or political sovereignty and independence of any one of these new nations, and not leave that question for Germany and Austria to assent to or not at some future time. Now is the time to bind them, and we can not logically or justly bind them without binding ourselves. If we fail to do that, we shall have left open the gateway for another worse war than that which we have just passed through. This, then, means that these particular nations must enter into a league, if you see fit to call it a league. I prefer to call it a treaty. And they must enter into it now. They must make a treaty now whereby each one binds itself not to do those things which the treaty says shall not be done.

We have, therefore, Mr. President, before we have gotten half way through with our peace agreement, found ourselves in league with Great Britain, France, Italy, Belgium, Roumania, Serbia, and Greece, and such new nations as shall be created. We have agreed that neither one of us shall ever attempt to destroy any one of these nations; that these nations shall live in the world free from the danger of destruction and absorption by some powerful military neighbor; and we must necessarily compel our enemies to join us in those assurances, and that is a league of nations to defend the existence and rights of other nations.

But, Mr. President, to accomplish this we do not need to conform the agreement or treaty to any Utopian dream of a United States of the world. We applaud the action of Great Britain in coming to the defense of France and Belgium to maintain the integrity of her Belgian treaty. Great Britain kept her word; France kept her word; and if we enter into an agreement we will keep our word, and that coalition will hold other nations to their word. We do not need to surrender our several sovereignties in order to maintain an agreement founded upon justice to all nations. It is sufficient that we rest its maintenance upon the honor of the great nations entering into the compact.

The Senator from Pennsylvania admits, nay, he strongly asserts, that under present world conditions we have an interest in Europe; that as in the days of Monroe we foresaw a great danger to us in any European nation extending and developing its power in South America, so to-day we recognize that any single power which could dominate the whole of Europe would be a menace to the welfare of the United States; and the logic of his argument is that we may properly say to European power, you shall not absorb, because of your numbers and military strength, the smaller nations of Europe, and thereby threaten the peace of the world, and with it the peace and safety of the United States. Therefore, Mr. President, we acknowledge our right from a sense of responsibility to ourselves and the world to make this treaty, to establish these new nations, and to guarantee their existence for at least such a time as will enable them to stand on their own feet. There would be nothing in this proposal to prevent smaller nations from uniting for any just economic reason if their people so desired, or greater nations from subdividing if any section became dissatisfied and was able to accomplish its severance.

There has been much said concerning a great standing army that would be required to guarantee the existence of these nations. Mr. President, it would not be necessary to have any great army or a unit of any great army to guarantee it. Once establish these new nations, this cordon of nations surrounding Germany and Austria-Hungary, sustain them until they become really nationalized, supplement that with this world agreement that no nation shall wage a war of conquest against another, and no one country or even several countries will ever dare to break its contract with all the other nations, including the United States.

But you say Germany broke her treaty relations with Belgium; and why will she not break any other treaty? First, because Germany was not then restrained by a compact with all the nations of the world. Second, because Germany was then the Kaiser, with his military autocracy. The Germany of the future will not be the Germany of the past. Third, she will not dare attempt to break it. But notwithstanding the fact that she has heretofore disdained treaty obligations, there is a sense of obligation not only on the part of the countries entering into these new treaty relations, but the moral sense of every civilized nation is that its government is in honor bound to make good its treaty promises. Its only excuse for not doing so would be when the conditions, through change of circumstances, have made its continuance a danger to the vital interests of the country, and even under such conditions it should only be broken upon due and proper notice.

We now know, whether we knew it at the beginning of the war or not, that the whole purpose of Germany was to add to her territorial domains at the expense of her neighbors—a case of robbery pure and simple. If Germany had known in the beginning that the United States and all the other great powers would enter the war in the defense of Belgium and in the defense of France, she never would have dared to inaugurate a war in violation of such a contract.

Now, I want this peace conference to establish a league of that kind. I do not care whether it goes one step further. I hope it will not attempt to go too far. Such an agreement standing alone, without any provision for armies and navies, would be a league of nations, and it would be league enough to maintain the peace of the world. I certainly should not be satisfied, and I do not believe that in the end the Senator from Pennsylvania would be satisfied, with a mere agreement that, "the same necessity arising in the future, there shall be the same complete accord and cooperation with our chief cobelligerents for the defense of civilization." Such an agreement, in my opinion, is altogether too vague and uncertain as a basis for insuring joint action. Who is to determine whether the necessity is the same? Suppose one or more of the contracting nations thinks it is not the same. What becomes of your accord?

But if all of these nations agree that neither Great Britain, the United States, Germany, nor any other country will make war against any of these nations without first submitting its grievances in the manner I have suggested, then every nation knows exactly what its duty is and what its action should be as against the offending nation.

Leaving aside the difficulty of determining at any moment what may be the hidden purpose of any threatened war against another nation, we would still be left to surmise as to whether the necessities were at all similar. They never, of course, could be exactly the same. On the other hand, if we all agree that the same moral law which governs relations between individuals shall govern the relations of nations to each other, it is then very easy for us to codify a few general principles embodying the fundamental rights of nations. If the principle "Thou shalt not steal" is just as applicable to a collection of a hundred million people constituting a nation as it is to each individual of that nation—if we agree that every civilized nation has a right to enjoy full and complete independence and every right claimed by the most powerful nations, then why can we not embody those declarations in a new international code and agree jointly and severally to abide by them?

Having once declared them, having once declared by a solemn compact of all the signatory nations that we should uphold them, we can safely leave to the nations signing the agreement the question of entering a war against any one nation that should threaten to break the compact. Of course, such an agreement would not make a war absolutely impossible, any more than our civil laws make murder absolutely impossible. But it would make war by any great nation for an unlawful purpose so improbable that it would be almost the equivalent to an impossibility. It is not necessary that we invite Afghanistan or Paraguay. It is not necessary that we invite every quarrelsome little country of Central America or Europe to join in this compact. Their quarrels are but itching spots on the physical world. They are never serious except as lending an excuse for their greedy neighbors to absorb them. And once you declare and agree that they shall not be subject to absorption by any power, you have eliminated the cause of war by eliminating the advantages of war.

But there is another, and to my mind a far greater, reason for enunciating in the peace instrument itself the real obligations of the contracting parties, rather than an agreement that "the same necessity arising in the future, there shall be the

same complete accord and cooperation." First, I do not believe it would be possible to ever again secure the same cooperation, even though similar cause might be imaginable. If we will pause to consider how long this war continued before Italy threw her force with the entente powers, and how much longer before the United States saw fit to enter the contest, even though we knew from the beginning the real purposes of Germany, we can easily comprehend the difficulties of reuniting all of the same powers, even under similar conditions. Without a written compact, are we sure that even our own country would enter a similar war were we not provoked into it as we were provoked into this war?

The defense of our international rights on the seas, the murder of our citizens, were the immediate acts which wrenched us from our old moorings of noninterference in European wars. And while we all agree now and say that we were fighting this war for the safety of civilization we all know very well that we would not have entered the war except for the relentless U-boat campaign of Germany. Had Germany said to this country, We will immediately cease our ruthless submarine warfare; we will sink no merchant ships without first giving such ships an opportunity to surrender and care for the safety of passengers and crew, and had Germany kept her faith in such a promise, we would never have been in this war.

Now, I want to put this Nation in a position in which, should another such a world cause arise, it is bound in honor to uphold these principles, submarine or no submarine, violation of our commerce or no violation. And I want this Government's written bond to that effect, setting its seal and apprising the world of its policy. Mr. President, we are no more justified in asserting that we would go into some future war for the safety of civilization than we would be justified in saying that we would have gone into this war even though there had been no violation of our commercial rights.

I sincerely hope that one effect of this war will be to bring into closer unity the divers populations which make up our American citizenship, and that we shall all become American only in sentiment, free from sympathies for one foreign country and hostility toward another. But up to the beginning of this war that was not true in this country, and it is not wholly true to-day, much as we would wish it to be otherwise, and we must deal with facts as they exist. The success of Germany was not looked upon by the great mass of German-Americans as endangering civilization. A great many, of course, fully comprehended just what Teutonic success would mean to the world, but a far greater number of that race did not fully comprehend it or accept the general world conclusion. Suppose in the near future Italy or Russia should ascend to such military power as would threaten the subjugation of all Europe. The Italian-American or the Russian-American, as the case might be, would most naturally be slow to regard that supremacy as dangerous to the civilization of the world. On the other hand, the Sinn Fein element of our American citizenship would look upon the aggrandizement of any nation which threatened the destruction of Great Britain as a most propitious advance toward a higher world civilization.

Why, Mr. President, we have so many little European nations in this country to-day that presidents of new European republics are elected in New York. I know of no better way to crystallize the divers sentiments of all these divers nationalities into one great dominating American sentiment than a single declaration on the part of America that she stands for the maintenance of the life and liberty and independence of all the civilized nations of the world, hating none and sympathetic with all. Then, and then only, will we be safe in the expectation that we will guide ourselves into a just war without respect to what nations we shall ally ourselves with or what nations we shall make war against.

Mr. President, I find everywhere in the debates on this subject in the Senate the prevailing idea that a league of nations means interference with the internal affairs of each component nation. I do not believe there is any possible danger of any intelligent commission ever inserting such an obligation in a treaty of peace. If they should so forget national sentiment, neither France, Great Britain, nor the United States would ever ratify such a treaty or league of nations compact. With the internal affairs of Russia, after this war is once settled, we shall not interfere. She may divide herself into two nations or into two hundred nations if her people see fit; she may be conservative and peaceful or by her Bolshevika course her people may kill each other. That is their affair. All this league could say is that she shall not attempt to undo the work we have done to assure the peace of the world; that she shall not attempt to crush Poland or the Jugo-Slavs, under whatever name may be given their country. When we declared the Monroe doctrine, which was in effect and to all purposes a league, even though pronounced only by one nation, the United States guaranteed the territorial and political integrity of every South and Central American State. This country has, however, never claimed or assumed by reason of that doctrine the right to dictate any of the internal affairs of such States, at least without first obtaining the request of the government itself to assist in maintaining order.

Again, it has been argued that if we claim the right to interfere with the internal affairs of the European nations, we must expect to accord to those same nations the right to interfere with the internal affairs of the new world. But, Mr. President, there is nothing in any league proposal I have ever heard of which authorizes such an interference with domestic or internal affairs.

Then, again, is brought to the front the Japanese question of race exclusion. Mr. President, this question can not arise in any league of nations which preserves the sovereign independence of each nation. The question of race exclusion or inclusion is a domestic question only. The right to preserve its racial character, its customs, ideals, institutions, and a form of government that conforms to that character, is the most sacred, as well as the most vital, right of every real nation.

And, Mr. President, if nations would assert that right upon the necessity of maintaining racial purity alone, and not upon the offensive and in many respects unfounded claim of superiority, there could and would be no cause of just complaint against exclusion laws. If Japan afforded such opportunities for exploitation of resources as should invite the immigration into her domains of many millions of the Caucasian race, she would be justified in saying to the Caucasian countries, "We do not question the equality of your people, but if you come in such numbers there must result either assimilation or two distinct races living in one territory. If we assimilate we lose the best of our Nippon character without gaining the best of yours. If we do not assimilate we destroy the solidarity of our nation, the oneness of its ideals, and thereby dim its glory and limit its future achievements and possibilities. We will accord to you all the rights, honor, and respect accorded other great nations, but for these important reasons your people can not marry or live with our people."

So, Mr. President, this country must sacredly preserve the right to say to every other country, not that we are your superiors, but that we must build our national structure on the foundation of Caucasian character and cement it with the purest of Caucasian blood. And on the assertion of such a policy no nation could possibly take offense.

And, Mr. President, even weak nations have the same right to protect their people from stronger or more dominant races of men. I was in Panama a few years ago when its legislature was discussing a proposed exclusion bill. There were a goodly number of negroes in that legislative assembly very active and earnest in support of that exclusion measure. I asked an interpreter to explain whom they proposed to exclude and why. He informed me that the bill excluded Japanese, Chinese, Hindoos, and North Africans; that is, Egyptians, Moroccans, and so forth. It did not exclude the blacks from the jungles of South Africa. These colored representatives were frank and open in expressing their reasons. They said the Japanese and Chinese are very industrious, while our people are not, and in a few years their industry would manifest itself in accumulations. They said that the Hindoos were very frugal and lived much more economically than the natives and that the North African people were sharp traders and peddlers; and so they proposed to protect themselves against peoples who were more industrious, more frugal, and superior traders or merchants. Satisfied with their mode of life and desiring to avoid becoming a mere subservient people, they had a perfect right to protect themselves in this way against peoples whose superiority in these special respects threatened their destruction.

This, however, is a little outside the general argument, but I mention it to show that the right of exclusion, being a purely domestic right, can not and will not be endangered by such a treaty as I have suggested to maintain the peace of the world.

Again, it is claimed that our Monroe doctrine will be endangered. So far from endangering that doctrine we would strengthen it. To-day that doctrine rests entirely on the policy and on the power of the United States to maintain the territorial and political integrity of each one of these American States as against any European power. The league of nations which adopts as its guiding principle the independence of every nation of the world, which guarantees its territorial and political life and integrity, certainly can not be said to endanger our Monroe doctrine, which guarantees the independence of the nations of the western world only.

Again, this league of nations is attacked on the ground that it is an entangling alliance with European powers; that the traditional policy of this Nation, advised by Washington and

strengthened by precedent, has been to avoid entangling ourselves in European quarrels. It is true, Mr. President, that the Father of his Country advised against entangling alliances with any foreign nations. But is an agreement with all nations on some practical scheme to maintain and enforce peace and justice an alliance in the sense used by Washington? It is no more an alliance, Mr. President, than any treaty made with any nation or set of nations to follow a definite course. When we entered into a treaty with Great Britain in 1850 to the effect that any canal cut across the Isthmus of Panama should be free to the vessels of all nations of the world on equal terms, both these nations were bound in honor to maintain that principle against any nation that would attempt to disregard it. Was that an entangling alliance with an European power?

Again, very shortly after the inauguration of this Government, while the Farewell Address of our first President was still ringing in the ears of his countrymen, we declared the Monroe doctrine, by which we guaranteed the territorial integrity of every nation of the Western Hemisphere against the conquest of any nation of the world. We never regarded this as an entangling alliance. And yet to-day Belgium and France are next-door neighbors compared with Argentina and other South American States, while our trade relations with Europe are ten times greater than those with South America.

Again, but a few years ago we entered into an agreement with Great Britain, Japan, and Russia to conserve and protect the lives of the seals of the Pribilof Islands, to protect them not only against the citizens of the contracting parties, but against the citizens of any other country. Is it possible that we can without a breath of criticism enter into a treaty with these nations of Europe and Asia to protect the lives of a few thousand seals and yet we shall not be permitted to enter into treaty relations with all the great nations of the world to save the lives of millions upon millions of our fellow beings?

Mr. President, we have reached a position in commerce and civilization where every nation has a vital interest in the peace and welfare of every other nation of the world, an interest of far greater moment than Alaskan seal, Newfoundland fisheries, or even isthmian canals.

If you still insist that this would be an alliance, let me ask you a most direct and pertinent question: Do you believe that the United States, as well as the world, is far better off to-day than either would have been had the central powers been victorious in this war? I know your answer will be yes. I do not attempt to argue with those who would answer no, because they so fail to grasp the seriousness of the issue that argument would be futile. Then you are glad that we went into this war and entered into this alliance because of the big thing that was at stake—the safety of civilization and the happiness of the world—and not because of the comparatively little thing—the violation of our commercial rights.

Then, Mr. President, if you justify our alliance with France, Great Britain, and Italy in this war to protect the safety and civilization of the world, then how in Heaven's name can you condemn an alliance with the same and other countries to prevent another assault upon the safety and civilization of the world? How can you in one breath approve the alliance to make war to save the world and in the next breath condemn an alliance to save the world by the prevention of any savage and brutal war which might threaten it?

Mr. President, epitomizing into terms of definite declaration a practical agreement to assure world peace and justice, this peace commission should agree upon a new international code or constitution declaring these fundamental principles:

First. That each and every independent nation of the world has a right to live, and in perfect security enjoy its territorial and political sovereignty, and to work out its own national destiny free from any impending danger from any more powerful neighbor.

Second. That no nation entering into this compact shall make war of conquest against any other nation.

Third. That no such nation shall forcibly annex any portion of the territory of any other nation, or claim or exercise a control or suzerainty over it, or in any way limit its sovereign rights or independence.

Fourth. That there shall be maintained an international court of arbitration or conciliation.

Fifth. That each nation joining in this compact shall, in case of international dispute between any of them, submit its controversy to this court to the end that the claims of both parties may have fair hearing and publicity not only in each of the contending countries but in every other country entering into this compact.

Sixth. That this court shall make and publish in all the countries joining in this compact its finding of fact and its suggestions of the acts to be done or course to be pursued to bring about an amicable settlement of the controversy.

Seventh. That if either country is dissatisfied with the findings and suggestions of this court, it shall nevertheless withhold the use of any physical force until its grievance and the claimed dereliction of its adversary have been submitted to the other contracting nations and an opportunity given them to exercise their good offices to secure a reconciliation—offices which each nation shall pledge itself to exercise.

Mr. President, to deny the efficacy of such an international pledge is to assert that there is no such thing as national honor or national sense of justice in the world. The repudiation of that false assertion has been written in the blood of millions of the bravest and truest sons of the bravest and truest nations on the face of the earth.

With such an instrument written upon the sacred altar of eternal right, dedicated to humanity and pledging the sacred honor of every mighty power, we may with justifiable reliance begin the reconstruction of a new world forever freed from the phantom of fear or the ominous clouds of a destructive war.

PURCHASE OF LOWER CALIFORNIA.

Mr. ASHURST. Mr. President, on the 2d instant I introduced a Senate resolution, which I send to the desk and ask that the Secretary read.

The PRESIDING OFFICER (Mr. HOLLIS in the chair). The Secretary will read as requested.

The Secretary read as follows:

Resolved, That the President of the United States is hereby respectfully requested to open negotiations with the Republic of Mexico for the purchase of the peninsula of Lower California and for the purchase of that tract of land in the State of Sonora, Republic of Mexico, approximating in area 10,000 square miles, and lying north of the parallel of 31° 20' N.

Mr. ASHURST. Mr. President, my first duty is to assure the Senate that this resolution is not without precedent, for I assume that upon such a serious and vital matter the Senate would not without precedent adopt such resolution. During the present session there has taken place in the Senate a most illuminating debate in which many Senators have participated, and it has been clearly pointed out that upon a number of occasions the United States Senate has passed resolutions requesting the President of the United States to negotiate treaties of various kinds. It will be recalled that on the 3d of March, 1835, the Senate passed a resolution which I now send to the desk and ask that the Secretary read.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

The following motion, submitted by Mr. Clayton, was considered and agreed to on March 3, 1835:

"*Resolved*, That the President of the United States be respectfully requested to consider the expediency of opening negotiations with the Governments of other nations, and particularly with the Governments of Central America and New Grenada, for the purpose of effectually protecting, by suitable treaty stipulations with them, such individuals or companies as may undertake to open a communication between the Atlantic and Pacific Oceans by the construction of a ship canal across the Isthmus which connects North and South America, and of securing forever, by such stipulations, the free and equal right of navigating such canal to all such nations on the payment of such reasonable tolls as may be established to compensate the capitalists who may engage in such undertaking and complete the work.

"*Ordered*, That the Secretary lay this resolution before the President of the United States."

Mr. ASHURST. Mr. President, that resolution was adopted by the Senate during the administration of President Jackson. I now send to the desk a copy of a resolution which was agreed to by the Senate on March 1, 1888, during the administration of President Cleveland. I ask that the resolution be read by the Secretary.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

Resolved by the Senate of the United States, That, in view of the difficulties and embarrassments that have attended the regulation of the immigration of Chinese laborers to the United States under the limitations of our treaties with China, the President of the United States be requested to negotiate a treaty with the Emperor of China containing a provision that no Chinese laborer shall enter the United States.

Mr. ASHURST. Mr. President, history informs us that of all the Presidents who were jealous of the Executive power and authority, Presidents Jackson and Cleveland were the most. In view of the fact that the Senate did not hesitate to adopt these resolutions, during the administrations of those two Presidents, calling upon the Executive to conclude treaties, I feel that this resolution is fully justified by precedent; but if not justified by precedent it is justified by the Constitution, for the Constitution confers upon the Senate and lays upon the Senate the right and duty not only to reject treaties, to amend treaties, and to change them, but undoubtedly also the inherent right to

suggest—respectfully, of course—to the Chief Executive what sort, nature, or kind of a treaty the Senate would be pleased to consider.

The peninsula of Lower California is a tongue of land which extends downwardly from the United States. It is nearly 800 miles in length, its greatest width is 150 miles, while its narrowest width is about 40 miles.

Numerous small islands and jutting rocks embroider both its Gulf coast and its Pacific coast. It is the vermiform appendix to Mexico, and by reason of its inaccessible interior, sparse settlements, and the numerous hiding places on its Pacific coast, which may upon uncomfortable occasion become points of infection and danger, it is to Mexico an appendage of doubtful value or utility.

Lower California is so isolated from the Mexican mainland and is so slimly attached to and so inaccessible to Mexico that the Mexican Government has had but little and within the past decade has had substantially no authority or jurisdiction over the peninsula. The Mexican Republic has little or no interest in the peninsula and makes no appropriations to sustain or govern the same. The Republic derives but little, indeed no revenue from this domain, which is to Mexico terra incognita. The neglect and abandonment of the peninsula by Mexico is caused by the fact that although within our own yard, the peninsula is a land of mystery, and there is a remarkable paucity of data concerning this romantic stretch of land. Its isolation from Mexico is more real and complete than the American people generally believe. To reach the peninsula from the mainland the Mexican authorities must either cross the Gulf of California, which has an average width of 200 miles, and Mexico has no ships on the Pacific side or in the Gulf, except a few fishing boats, or the Mexican expedition must journey northwesterly through the State of Sonora on the mainland and toward the mouth of the Colorado River, a distance of many hundreds of miles traversing a real desert—a desert where the raw and scorching sun comes down as a pitiless flail; where the white sand reflects the heat and glare and blinds the traveler; where no dew nor moisture is deposited during the night, and where a wind, hot as a furnace blast, usually blows from the south; where there are no roads, no trails, and no water. I am speaking of the northwestern part of the State of Sonora and not of the peninsula.

A journey over this stretch of country is dangerous and is fraught with extreme discomfort. Day after day the eye rests upon the same illimitable expanse of hot sand, with now and then a cactus lifting its arms and thorns into the brazen gloom. The loneliness and helplessness of the traveler there seem to sever him from human things and to remove him an infinite distance from the world with its interests and its occupations.

Mexico is not equipped either in wealth or progressive ideals or enterprise to penetrate and reclaim this vast and forbidding tract of country—northwestern Sonora—some of which [indicating Sonora on the map] has not been moistened by rainfall for scores of years. So we perceive that Lower California is really isolated from the Mexican Republic.

The peninsula, I repeat, is a vermiform appendix to Mexico. It is the heel—the Achilles heel—to the United States.

The Mexican Republic is both unwilling and unable to police the domain, and is unable to resist aggressions from or settlements on the peninsula by oriental powers, hence a base of supplies or of military and naval operations with comparative ease and secrecy could be established among the numerous islands on its Pacific coast.

The enforcement of law and order on the peninsula is left wholly to the governor who represented the Diaz régime, and who was and still is independent of both Gen. Carranza and Villa. The governor's moderation and prudence have given, at least, a tolerable existence to the people in Lower California. The forces at the command of the governor could present but short and feeble resistance to any effort on the part of a hostile force from the Orient, and the governor could expect and could receive no aid from the Government on the Mexican mainland.

But American industry, American money, and the American pioneer would soon turn the Colorado River upon these blistering sands; and lo! the orange tree would soon give forth its golden fruit; the lemon, the fig, and the date would flourish; and the long-staple cotton would soon spread a snow-white banner over what was once a furnace that desiccated all life, both animal and vegetable, for the American pioneer, who, although he has been silent in his wondrous achievements, has with indomitable courage transformed into smiling fields and farms every desert he has encountered.

Referring now to the Senate resolution which I have introduced, it will be observed that the Chief Executive is called upon to negotiate a treaty with Mexico for the purchase of this peninsula [indicating on a map] and for that strip of land [indicating] lying north of parallel 31° and 20', which means that the southern boundary line of the State of Arizona would become, if the purchase were negotiated, a horizontal line from the one hundred and eleventh meridian of longitude west from Greenwich to the Gulf coast, so that the southern Arizona boundary line would be a straight line, and would proceed along the parallel of 31° and 20' north latitude, whereas it now deflects at the one hundred and eleventh meridian and runs to the northwest to the Colorado River.

Mr. WATSON. Mr. President, may I ask the Senator from Arizona a question?

Mr. ASHURST. Yes; I yield for a question.

Mr. WATSON. Do I understand the Senator's resolution is for the purchase by this Government of Lower California?

Mr. ASHURST. Yes.

Mr. WATSON. Is there a responsible Government in Mexico which has the right to make such a sale?

Mr. ASHURST. Mr. President, we have an ambassador in Mexico, and that Government has an ambassador here; and in international law, as the Senator from Indiana well knows, when two countries have thus received ambassadors and their credentials have been passed upon and accepted we have a right to assume, at least, that a government which can receive money is in existence. It would be a very poor and feeble government that was so feeble and so poor that it could not receive money.

Mr. WATSON. Especially Mexico.

Mr. ASHURST. Quite so.

Mr. WATSON. But while what the Senator from Arizona states is theoretically correct, the practical question is, Does the Carranza Government control Mexico at this time? Is it not a fact that that portion of Mexico is in the hands of two or three others who are at this time in a state of rebellion against it?

Mr. ASHURST. I am sure the Senator from Indiana has been out of the Chamber temporarily, because I have covered that point, but I will repeat what I have already said. For more than 10 years the Mexican Government has practically abandoned Lower California. The Federal or so-called de facto Government of Mexico receives no revenue whatever from the peninsula; it makes no appropriations whatever to govern it; it sends no ships, no troops, no soldiers, no supplies to that territory, and it receives no troops, no soldiers, and no supplies from the peninsula. The present governor of the peninsula was appointed during the Diaz régime, and his moderation and prudence have given a tolerable existence to the people there. I think that statement answers the Senator's question.

Mr. WATSON. Unfortunately, we have not very accurate information about the status of affairs in Mexico, but I have understood——

Mr. ASHURST. I am going to deal with that at a later period, if the Senator will withhold his question.

Mr. WATSON. At a later period in this speech?

Mr. ASHURST. Yes; at a later period in this speech.

Mr. WATSON. Very well.

Mr. CUMMINS. Mr. President, may I ask a question of the Senator?

Mr. ASHURST. I yield to the Senator from Iowa, of course.

Mr. CUMMINS. Will it require an amendment of the constitution of the Republic of Mexico to bring about a sale of that portion of its territory to the United States?

Mr. ASHURST. For many years I was under the misapprehension or at least I believed that an amendment to the Mexican constitution would be necessary in order to enable Mexico to sell a portion of her land, but I have read within recent months the Mexican constitution. That instrument does not require an amendment to the constitution under such circumstances, but, inasmuch as the constitution is amendable by the Mexican Congress, it would not be a serious thing to amend the Mexican constitution.

Mr. CUMMINS. But the sale of their territory would require an amendment to their constitution?

Mr. ASHURST. No; because the constitution that I read was silent on that point.

Mr. SMITH of Arizona. Mr. President, will my colleague permit me to interrupt him for a moment?

Mr. ASHURST. I yield to my colleague.

Mr. SMITH of Arizona. I have looked with some care within the last week into the constitution of Mexico of 1857 and the various amendments to that constitution up to this hour. I had been under the impression that there was a provision in the constitution that particularly inhibited the disposition of

any Mexican territory, under very severe penalties and pains to him who proposed or accepted such disposition. I find in the last constitution, adopted within one or two years, that there is a provision giving the power to the Congress of the Republic to pass laws and to affix such penalties as they please in the interest of the States of the Republic of Mexico. I think that the misapprehension as to their power to dispose of their lands rests probably on some statute that may have been passed under that provision of the constitution, and I doubt not that we have been laboring under a misapprehension for many years about the limitation on the right of the Republic to dispose of its land. I can find nothing in the constitution either of 1857 or the one lately adopted to justify that impression.

Mr. CUMMINS. That means, then, from the Senator's standpoint, that if the Congress of the Republic of Mexico should authorize the sale of this portion of their territory the transfer would be a valid one.

Mr. ASHURST. That is my view of the situation. It is possible, therefore, that the Mexican Government would consider the sale of Lower California to the United States in exchange for the moneys so urgently needed by it for the rehabilitation of Mexico.

The United States would be well advised did it add to its long list of fortunate purchases this easily-to-be-made-fertile pendant of contiguous territory, and thus foreclose possible untoward eventualities.

Our diplomatic duties of the moment demand of us the most skillful employment of the opportunities which lie open to our hand, in order that we may insure ourselves and our neighbors an enduring peace.

Mr. WATSON. Mr. President, will the Senator from Arizona yield to me further, if it is not an undue interruption?

Mr. ASHURST. I yield to the Senator.

Mr. WATSON. Is it not a fact that this matter was once proposed to Carranza and was by him rejected?

Mr. ASHURST. As to that I do not know. It may have been, but the chances are that the terms were not satisfactory.

Mr. CUMMINS. But who proposed it? Who had the authority to propose anything of that kind?

Mr. WATSON. I do not think it was proposed by anybody in authority; but my understanding is that Carranza was approached for the purpose of ascertaining whether he would be willing to dispose of Lower California, and he made the statement that it was utterly impossible to do so and could not be thought of.

Mr. ASHURST. Mr. President, before I proceed to a description of the climate, the resources, the bays, and gulfs of the peninsula I wish to say generally that the United States would be well advised did it add this to its long list of fortunate Territorial purchases. It is to us easy to be made a fertile land, and every honorable attempt should be made to foreclose untoward possibilities and eventualities with respect to oriental populations that may settle and colonize Lower California.

Mr. President, American statesmen for at least three-quarters of a century have had this in mind; but one untoward event after another, one superimposed on the other, has prevented consideration of the question.

On the 5th of August, 1863, Gen. Edward Fitzgerald Beale, a very remarkable man, a great sailor on the sea and with "ships of the desert," a diplomat, and explorer, wrote a letter to the Secretary of the Treasury, Salmon P. Chase, respecting the subject, as follows:

> I am quite sure I have not exaggerated the great value to our country of that long mountain ridge which abounds in good harbors on both the Gulf coast and the Pacific and is filled with mineral wealth of every description. I beg you will give this subject a few hours' consideration. Valuable and abundantly occupied as your time is, I assure you this matter is worthy of your attention. I desire most particularly to call your attention to the fact that we have it in our power at this time by purchase of Lower California and a very small portion of the opposite coast—

He referred to the part of Sonora to which I have referred—

> to possess the mouth of the Colorado, destined to be as important to us on the Pacific as is the Mississippi to the Eastern States. If the line of the Gadsden Purchase be straightened, instead of being deflected at 111 degrees of longitude, and touched the Gulf at the coast, and we should possess ourselves of Lower California, we should then control entirely the navigation of the Colorado, which the future will prove of the utmost importance to the welfare of the Pacific Coast States.

President Lincoln directed Secretary of the Treasury Chase to say to Gen. Beale that Secretary Seward would give attention to this important subject at the earliest opportunity.

The distance from Yuma to the mouth of the Colorado River as measured along the main river channel is about 105 miles. The Colorado River below Yuma changes its channel so often that its present position is quite uncertain. The distance given should therefore be considered as approximate only.

The New International Encyclopedia gives for the area of the territory of Lower California 58,328 square miles. Let me say parenthetically that I am sure from the investigations I have made for the past six years that the area is much larger than that. Its population in 1900 was about 22,572, La Paz, in the southern district, having a population of 5,536, and Ensenada, in the northern district, a population of 2,170.

Mining has undoubtedly been the principal industry of Lower California, as it has yielded some rich returns. The silver mines near La Paz are said to have been worked as early as 1700. The Boleo district at Santa Rosalia, on the east coast, is a copper camp worked by a French company (Compagnie du Boleo), and was in 1917–18 the third largest producer of copper in Mexico. Santa Rosalia is reported to have a population of 9,500. There is a large undeveloped deposit of iron ore at San Vicente, near San Quentin, on the west coast. A small shipment of manganese was made from a deposit at Mulege, on the west coast south of Santa Rosalia. Some magnesite is shipped from the west coast.

Cattle and horses are raised in the valleys, where there is water, and the southern part, which receives more rainfall and consequently is more tropical in character, has more agricultural lands than the rest. Most of the country is very arid, with practically no running water and few permanent springs. The climate in the northern and central parts is equable and healthful, resembling that of the coast region of southern California, though slightly warmer and somewhat drier than California. The country is the axis of a mountain system with peaks of 10,000 feet and elevated plateaus.

I have here some copious data which I have secured from responsible authorities within the past two days. That data I have just stated were supplied by the Geological Survey.

LOWER CALIFORNIA.

Mr. President, the Territory of Lower California is divided into two parts, the southern district, extending from the twenty-eighth parrallel to the southern end of the peninsula, and the northern district, lying between the American border and the twenty-eighth parallel. The twenty-eighth parallel divides the peninsula into two practically equal sections. The two districts are extremely different in almost every particular. The northern district bears strong resemblance to the southern part of the State of California as it was 50 years ago before the days of large irrigation projects and intensive cultivation. It has practically the same climate, the same large areas of tillable land only awaiting irrigation, timberlands in the mountains, large grazing tracts, and the same mineralogy. Toward the lower end of the district, however, the mountains become more rugged, streams disappear, the mesas and rolling lands become deserts covered with many and wonderful varieties of cacti, and human habitations are found only in the few small valleys having a constant water supply from the Sierras.

So commences the southern district, and in general the character of all that district is the same, although the mountains become smaller and its monotonous aridity is relieved by a few beautiful, fertile valleys which are veritable garden spots. These valleys or cultivated areas are the places where are found the old missions established by the Jesuit fathers in the eighteenth century and continued by the Dominicans in the early part of the nineteenth century. Indeed, it is a corollary that wherever an old mission is located water will be found hard by. The principal cultivated areas of the southern district are La Paz, the capital, San Jose del Cabo, at the extreme southern end of the peninsula, and the valleys of Hulege, Comondu, Purisima, and San Ignacio. These localities are much more thickly settled and more intensively cultivated than the developed areas of the northern district, and the southern district, as a whole, has approximately three times the population of the northern.

POPULATION OF LOWER CALIFORNIA—INDUSTRIES—PRESENT CONDITION.

There are no actual figures as to the present population of the peninsula, but from all available data it can not be more than 25,000—7,500 for the northern district and 17,500 for the southern. The only vital statistics available show 80 births and 132 deaths in the northern district during the past year. This, taken with the fact that many people have left Lower California on account of the revolution, shows conclusively that the total population is decreasing.

Mr. BORAH. Mr. President, of what is that population made up?

Mr. ASHURST. I have not that data here, but I can inform the Senator that it is nearly all made up of Mexicans, with some aborigines, and probably 6 to 7 per cent Americans.

In the south the principal industries are mining, pearl fishing, and the cultivation of tropical fruits; in the north the cultivation

of wheat, cattle ranching, and mining are the most important activities.

AGRICULTURAL PRODUCTS—WHEAT, COTTON, FRUITS.

Wheat is the principal agricultural crop grown in the northern district. It is cultivated in the valleys and on the mesas of the Pacific littoral, between latitude 31° and the American border, and in the Mexican portion of the Imperial Valley. The yield of wheat on the Pacific littoral for 1914 is shown by the following figures: Receipts by local flour mill, 47,508 bushels; exported to United States, 2,958 bushels; seed, about 6,000 bushels; on hand, about 8,000 bushels; total yield, 64,466 bushels. The wheat in the Imperial Valley was grown with barley and the yield was about 88,000 bushels (mixed), all of a very poor quality.

Practically all the flour that is used for the people there is shipped in. Sometimes, in their aboriginal way, they grind wheat, but there is hardly a flour mill in the peninsula—at least there was not two years ago.

Mr. SMITH of South Carolina. How many bushels of wheat did the Senator say were raised there?

Mr. ASHURST. The figures I have indicate 88,000 bushels in the Imperial Valley.

Other agricultural products of the northern district are hay and beans, but no large yield of either is obtained.

Mr. VARDAMAN. Are there any railroads there?

Mr. ASHURST. There are practically no railroads. There is a line a few miles south of the boundary line between Lower California and upper California. There is a small line there that runs for a few miles into the peninsula.

Mr. SMITH of Arizona. That is nothing but the short line going down to a little place called Tia Juana.

Mr. ASHURST. In the Imperial Valley—the Imperial Valley lies partly in the peninsula—cotton has become very important in the last three years. In 1914 between 30,000 and 35,000 acres were planted in that section and a yield of between 25,000 and 30,000 bales of 500 pounds each obtained, with seed estimated at 1,000 pounds per bale. The cotton was picked by Chinese labor, at 75 cents gold per 100 pounds for the first and 85 cents for the second picking. It is expected that about the same acreage will be put in this year, though the failure of the cotton market has been disastrous to some of the growers.

Grain crops are not grown in the southern district of the peninsula. The agriculture of that section consists of tropical and semitropical fruits and cane. The fruits grown are grapes, figs, Arabian dates, oranges, lemons, limes, tangerines, olives, and pomegranates. Small quantites of these fruits, especially dates, are exported to the west coast of Mexico, but the greater part is consumed in the district. So far as can be learned, the yield for last year was normal, but there are no figures available as to the quantities grown.

LIVE STOCK IN NORTHERN HALF OF PENINSULA.

Cattle are raised in both the northern and southern districts of Lower California, but the industry is more important in the northern half. Here are large grazing tracts in the hills, and several American cattlemen have established profitable ranches. At times there have been between 40,000 and 50,000 head of cattle in the district, but the end of 1914 saw not more than 12,000 left, for, on account of the revolution and the prohibitive export tax imposed on cattle, the ranchers hastened to drive all the stock they could to the United States. At present this industry is as dormant as others in Lower California.

MINING THE MOST IMPORTANT INDUSTRY IN NORMAL TIMES.

In normal times the most important industry of Lower California is mining, gold, silver, and copper existing in the mountains throughout the peninsula.

FISHERIES—RESOURCES NOT ADEQUATELY EXPLOITED.

One of the most valuable resources of Lower California is the unfailing food supply in the coastal waters, but this is unexploited as far as the local population is concerned. At Magdalena Bay there is a turtle-meat and oyster cannery operated by Japanese, whose product, when the industry is developed, is destined for American and Japanese markets; and a Mexican concession for fishing along the west coast has been operated during 1914 by an American company in San Diego under a lease. The fish and lobsters—really crawfish—obtained by this company have all gone to western United States markets. Besides these two industries no attempt has been made to exploit the waters along this coast, although they abound in fish of all kinds.

UNDEVELOPED RESOURCES OF LOWER CALIFORNIA.

The peninsula of Lower California has always been to the average American an unknown land. To the popular imagination it is a barren country noted chiefly for its deserts and cactus growths. In a sense this is true as applied to the central southern section, but the northern district is a world apart and has resources which, if lying in the United States, would be worth millions. The world knows about the orange and lemon groves of California, but few realize that immediately to the south of that garden spot lies a country just as fertile, but out of the frost belt, with thousands of barren acres only waiting water to grow in abundance almost any known crop.

OPPORTUNITY AND NECESSITY FOR IRRIGATION—PROJECT BY BRITISH CAPITALISTS.

The problem of Lower California is to bring the water to the land. In the valleys and on the mesas between the mountains and the Pacific Ocean there are 450,000 acres of potentially rich and uncultivated land. Scattered about this same section are 15,000 acres of cultivated land, only 500 acres of which are irrigated. These 500 acres are on a ranch near Ensenada, and the irrigated area is devoted to Lima beans, with an excellent annual yield.

Most of the best irrigable land referred to lies to the east and to the northeast of San Quentin. A project involving the expenditure of millions by British capitalists was being considered as late as 1913, but the unsettled conditions in Mexico have prevented any action being taken. This project contemplated a dam across the Santo Domingo River, on the western slope of the San Pedro Martir Range, and it is believed to have been a perfectly feasible undertaking. There are other opportunities for the conservation and distribution of water in the district, and it is on the future materialization of these that the hope of all agricultural development lies. It should be remembered that while the average rainfall along the coast is between 9 and 10 inches, the fall in the mountains is between 20 and 30 inches, not to mention the winter snows that cover the higher mountains. Yet nearly all of this water is lost, either flooding the rivers in the rainy season and running out to sea or sinking into the ground and disappearing before it gets down to the arable land.

MINING NOT PROPERLY DEVELOPED—TIMBER THAT IS STILL UNTOUCHED.

In mining, the resources of the district have been barely scratched. Alamo, a great mining camp of the early nineties, is deserted and yet it was never really developed. Several millions of dollars were taken out of Alamo and still the shafts did not go below the 350-foot level, and the mother lode—which all mining men knowing the place agree must exist—was never found. The San Fernando copper deposits have never been exhausted. There is copper there to-day in quantities to pay well for its exploitation. Besides these there are many places where gold, silver, copper, iron, sulphur, and semiprecious stones have been found in paying quantities, and there are to-day many embryo mines that some day must and will be developed. In addition to that, Mr. President, the timber resources in the high mountain ranges are very considerable.

Mr. VARDAMAN. Can the Senator tell us the character of the timber?

Mr. ASHURST. Yes. There is pine timber on the slopes of San Pedro Martir and on the mountains north of Alamo that must some day be taken to market. The following statement is an excerpt from a report made by Col. D. K. Allen in 1887 to the old International Co.—owning large land concessions—on the timber region of San Pedro Martir:

> Large trees per acre, 25; small trees per acre, 10; average number of logs per tree, 3; average diameter of each, 2 feet 9 inches; length of logs, 12 feet.
>
> Number of Norway pine per acre, 17; number of white pine per acre, 4; number of fir trees per acre, 3; number of red cedar per acre, 1; total, 25.
>
> Number of dead trees per acre, 3; number of trees down per acre, 2.
>
> Total number of Norway pine trees, 8,500,000; total number of white pine trees, 2,000,000; total number of fir trees, 1,500,000; total number of red cedar trees, 500,000; total number of trees on San Pedro, 12,500,000.
>
> Total number of logs on San Pedro, 37,500,000; total number of feet of lumber, 18,750,000,000; total cords of wood (4 feet), 200,000,000; total number of small trees, 5,000,000.
>
> Average fall of snow, 4 to 8 feet; average time it lies on ground, 4 to 20 weeks.

That is, of course, in the mountains in the southern part of the peninsula. The average rainfall in the summer is 20 to 30 inches. While I am speaking of rainfall, let me say that in the part of Sonora embraced within my resolution there is probably less rainfall than in any other part of North America. In the part of Sonora which I have indicated here—the northwestern part—the rainfall is about 2 inches per year, and, in fact, there are vast tracts where rain has not fallen for scores of years.

Adverting to the head of the Gulf of California at Puerto Isabel, which is two and a half miles above the mouth of the Santa Clara, there is a good landing place. About 2 miles above this point is a place called Shipyard. It is not shown on any map. There are a few frame buildings there. The Santa Clara

River is in the vicinity of the mouth of the Colorado, and is at the northern part of the Gulf of California. South of Puerto Isabel there is a good landing place at Puerto Resugio, where there are two fine harbors, with good anchorage, sheltered from all winds. These harbors would both be within the United States should the Chief Executive conclude a treaty with Mexico for the purchase of this tract of land, about 30,000 square miles in area, lying to the southwest of Arizona.

Mr. PHELAN. Mr. President, may I interrupt the Senator?

Mr. ASHURST. I yield to the Senator.

Mr. PHELAN. Do I understand that the Senator by resolution seeks to begin negotiations with Mexico for the acquisition by purchase, and with the approval of the residents, of that country?

Mr. ASHURST. Yes, Mr. President. My resolution is a very simple one. It is a Senate resolution calling upon the President "to open negotiations with the Republic of Mexico for the purchase of the peninsula of Lower California, and for the purchase of that tract of land" in the northwestern part of Sonora, Mexico. Yes, Mr. President; the resolution simply, solely, and only calls upon the President to bring into requisition the literary and diplomatic resources of the State Department and peacefully and honorably to purchase from Mexico this vast tract of land. There is no thought of aggression, no suggestion of seizure or the grabbing of land, but the purchase of land just as the United States has for a century or more honorably purchased lands as it felt it needed them, and as other countries felt they wished to dispose of them.

Mr. PHELAN. Do I understand, then, that it would be purely voluntary on the part of Mexico, and that the territory is of no value to Mexico?

Mr. ASHURST. The territory, by reason of a series of circumstances, which I will set out later, is of no value to Mexico. Mexico has not our enterprise. It is sluggish, and the tract of land there is of no value to Mexico. If it remains in Mexican possession, it will be the same 100 years from to-day as it is to-day, a dreary, barren waste; whereas American money, American spirit, American enterprise, can make it into gardens and farms, and a blessing to civilization.

Mr. PHELAN. I do not know that the Senator intends to bring out the strategic value of Lower California. I have in mind the fact that when California was acquired from Mexico, several foreign powers—notably Great Britain and France—had plotted to acquire the territory, which would have cut us off in our continental expansion from the Pacific. The policy of the United States then was not to take the territory, although she had the power to take it, but to prevent any other power from taking it. After the declaration of war with Mexico there was, indeed, a contest between the United States and Great Britain, resulting in a race between the American ship *Savannah* and the British ship *Collingwood*, to see which should first reach the capital of California, at Monterey, to raise the flag; so by a mere accident we are in possession of that territory. The United States could not suffer foreign powers to occupy the Pacific coast. I recall, and I wish simply to direct the attention of the Senator to the fact, that not long ago the Japanese, by negotiation—because there has been a great deal of intrigue between the Island Empire and the Mexicans—were endeavoring to get a foothold in Lower California, and it was only stopped by the Lodge resolution, passed by this body, declaring that this Government would regard the colonization by any foreign Government directly or indirectly by its citizens as an unfriendly act to the United States. Now, there is always the danger of colonization by other nations and of acquisition by secret treaties or otherwise, inspired by Zimmermann letters or otherwise. Hence, it is a matter of great strategic importance; but I would not think, unless by the free act of Mexico, that the United States should conspire to take that territory.

Mr. THOMAS. Mr. President——

Mr. ASHURST. I yield to the Senator from Colorado.

Mr. THOMAS. The Senator from California has made a very serious statement regarding Japan. I should like to ask him if he speaks by the record; if he is positive of the fact that these negotiations, or attempted negotiations, were pending or entered into by Japan?

My reason for doing this is that, if my recollection serves me aright, the Japanese Government at the time denied that fact, and did it officially; and if, as a matter of fact, that denial was not a sincere one, then the Senator's statement might become of the utmost diplomatic importance.

Mr. PHELAN. There is always a hesitancy in this body, I know, to discuss international relations in open session, but it seems that this is the period of open diplomacy. I would ask that there be spread upon the records the Lodge resolution, which speaks for itself. In a previous discussion in this body I raised the point that the Lodge resolution was directed against the threatened aggression by Japanese colonists in this very same matter, affecting Lower California. The Senator from Massachusetts [Mr. LODGE] said that Japan was not mentioned in his resolution; and then I directly interrogated him, and said, "Had you not Japan in your mind when you introduced the resolution and when the Senate passed it?" and he said yes. Japan was the only country spoken of at that time. That is an open secret.

I do not say, nor did he say, that the Japanese Government itself had made this aggressive step, but that Japanese merchants and colonizers had sought the acquisition of a large tract of land around Magdalena Bay, which is a highly desirable acquisition for our naval operations—that is another open secret—and that therefore the Japanese, through their merchants or through their colonizers, must be held responsible. It is not by any involvement of the Japanese Government that this matter has come to the surface; but American citizens might in some other country have made an attempt to acquire land contrary to the proprietary rights or the peace and contentment of a foreign country, and protests might be made to this Government against the acts of its citizens; and this Government could, I think, by the exercise of its authority, prevent its citizens, against such a protest, from acquiring or seeking to acquire such territory. In a much greater degree the Japanese Government has control over its nationals, and I do not know that the Japanese Government took any action after the passage of the Lodge resolution. All I know is that their merchants or colonizers desisted from the attempt.

I do not wish at this time to bring up any matter which would in any way mar the entente cordiale which exists between the nations seeking a settlement of greater questions in other parts of the world; nor do I desire to say that the State of California is interested in this matter at all. All I know of it is what has come from the speech of the Senator from Arizona, who introduced the resolution, and I do not know that it is timely at this moment to discuss the proposition; but since it is before the Senate it is well that the circumstances surrounding the Lodge resolution should be known, if not authenticated. I am sorry that the Senator from Massachusetts is not here.

Mr. PHELAN subsequently said: Mr. President, on December 12, 1916, during the discussion of the immigration bill, the following colloquy occurred:

Mr. LODGE. Mr. President, the Senator from California [Mr. PHELAN] said that the Magdalena Bay resolution which bore my name mentioned the Japanese by name. I knew it did not, but I thought it was just as well to read it into the RECORD:

"*Resolved*, That when any harbor or other place in the American Continents is so situated that the occupation thereof for naval or military purposes might threaten the communications or the safety of the United States the Government of the United States could not see without grave concern the possession of such harbor or other place by any corporation or association which has such a relation to another government not American as to give that government practical power of control for national purposes."

No name is mentioned.

Mr. PHELAN. Mr. President, whereas no name has been mentioned, of course the Senator will not deny that he intended to refer to the Japanese.

Mr. LODGE. I have not referred to any Government. Of course the Japanese Government was the one that had been mentioned in that connection. Other governments had also been mentioned.

Mr. THOMAS. Mr. President——

Mr. ASHURST. I yield to the Senator from Colorado.

Mr. THOMAS. I certainly do not want to interrupt the Senator from Arizona, who is making a most interesting speech. I merely wish to say that I have no desire to shrink from a public discussion of our diplomatic relations with any country. I simply called attention to the fact that my recollection was that the Japanese Government had officially contradicted the rumors and statements which were made, and some of which were quite current immediately preceding the introduction and passage of the Lodge resolution.

So far as the general proposition is concerned, there is no difference between us. I do not think the United States ought to permit any country—Japan or some smaller or weaker nationality—to obtain any foothold whatever upon the littorals of the Pacific Ocean, or indeed upon the shores of any ocean bounding the Western Hemisphere. That can be said to be almost the universal opinion, I think, of Americans everywhere.

I am much obliged to the Senator for permitting this interruption.

Mr. ASHURST. Mr. President, I ask unanimous consent to insert in the RECORD at this point as part of my remarks a statement from the Department of Agriculture concerning the rainfall in certain portions of the country under discussion.

The PRESIDING OFFICER (Mr. POLLOCK in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

Average monthly and annual rainfall (inches).

Stations.	Jan.	Feb.	Mar.	Apr.	May	June.
La Paz, Lower California	0.17	0.04				0.18
Santa Rosalia, Lower California	.67	.93	0.22	0.06		
San Diego, Cal.[1]	2.00	1.98	1.70	.74	0.01	.03
Yuma, Ariz.[2]	.43	.60	.35	.10	.03	

Stations.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	Annual.
La Paz, Lower California	1.19	2.05	3.98	0.98	0.19	0.76	6.49
Santa Rosalia, Lower California	.61	.17	.27	.87		.11	6.28
San Diego, Cal.[1]			.06	.46	.83	1.52	10.31
Yuma, Ariz.[2]	.12	.35	.16	.19	.32	.45	3.13

[1] San Diego near northwestern border of Lower California.
[2] Yuma at northeastern boundary of Lower California.

Mr. WEEKS. Mr. President, as the Senator has been interrupted, I should like to ask how many inhabitants there are in this territory which he proposes to purchase?

Mr. ASHURST. Let me answer the Senator's question as follows:

In that part of the State of Sonora comprehended in this resolution, the northwestern part, it is very difficult to determine how many, or perhaps I should say how few, persons there are; probably 500. My judgment is that there are not that many; but in the peninsula, which is nearly 800 miles long and has an average width of 100 miles, there are in the northern district about 7,500 persons and in the southern district about 17,500, or 25,000 in all—not as many as there were 25 years ago; not as many, in fact, as there were 10 years ago.

Mr. WEEKS. I should like to ask the Senator if he contemplates that in carrying out this action, if it is done, the policy of self-determination would be invoked?

Mr. ASHURST. Personally, Mr. President, I am very strongly of the opinion that the views, wishes, and desires of those persons inhabiting the country proposed to be purchased should be taken into consideration; and it must be assumed—indeed, I am sure that every Senator here would assume—I never would have introduced the resolution had I not been quite certain, from my study of the question for six years past, that the sentiment is practically unanimous for admission and annexation to the United States. Strange as it may seem, since I introduced the resolution, which was only on the second of this month, I have received nearly 1,200 letters on this project, and I know of but one that is opposed to it. I will ask leave to have read now part of a letter I have received from one of the most prominent men in the United States.

Mr. THOMAS. Mr. President, does the Senator mean that he has received that number of letters from the inhabitants of the country?

Mr. ASHURST. No; but from inhabitants of the United States who are familiar with the sentiments and familiar with the views of the people in the territory sought to be acquired. I will ask the Secretary to read this excerpt, because it is characteristic of a large number of letters I have received from people who are familiar with that district.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

I note your introduction of a resolution requesting the President to begin negotiations with the Mexican Republic for the purchase of the Lower California Peninsula and all that portion of the Mexican State of Sonora lying north of the parallel 31° 20' north latitude, and, as a citizen, wish to express my cordial approval of your proposal.

I am somewhat familiar, by personal observation, with the great possibilities of the Lower California Peninsula in the development of its mineral wealth, its fisheries, and, to a limited extent, agriculture. The importance of the magnificent harbor of Magdalena Bay has been so often emphasized that it is usually the first argument advanced for the acquisition of the peninsula by the United States, but its natural resources, its practically complete isolation geographically from the remainder of the Mexican Republic, and the sparseness of its population at present, all make your proposal most advantageous and feasible for the United States and no particular loss to Mexico. In fact, I am led to believe that the majority of the inhabitants of the peninsula would welcome annexation to the United States. United States currency is the principal medium of exchange in circulation in that territory at the present time.

Mr. ASHURST. Mr. President, a very able Senator has just remarked sotto voce—and he is thoughtful in it—that if I am not careful I will make out this tract of country so valuable that Mexico will not part with it. Now, that is only an apparent danger. Mexico is almost a derelict. It is not offensive to a sister nation to say that, because it is a fact. It has about the same chance of floating into a harbor as the ordinary derelict out on the physical ocean has, and Mexico needs help. She needs not only good advice but credits as well. But howsoever valuable this district—this peninsula—may be, it is not valuable to Mexico. It is only a vermiform appendix to Mexico—a source of danger. She can not appreciate its value. Mexico has not that stimulus of the progressive ideals that the American pioneer has. It may be valuable to us, but not to Mexico. When the first European set his foot on these shores, the mines were just as rich as they are to-day; the forests and the fields and the noble and placid harbors and rivers were there, but the dominating, pulsating spirit of civilization had to enter to make it valuable. It is valuable, yes, in natural resources, but it will never be valuable to Mexico.

Mr. WEEKS. Mr. President, I am wondering if the Senator thinks we will have as much success in colonizing and developing Lower California as we have had in the case of Alaska, which we have owned for more than 50 years; and yet it was stated yesterday, before a committee of which I am a member, that there were less than half the number of inhabitants there to-day that there were two years ago.

Mr. SMITH of Arizona. How about Texas?

Mr. THOMAS. If the Senator will permit me, I should like to add to the Senator's statement that the great bulk of Alaska has been withdrawn from public settlement.

Mr. WEEKS. I know the reason for it, of course.

Mr. THOMAS. It is being held for posterity.

Mr. SMITH of Arizona. It is being conserved for eternity.

Mr. ASHURST. But is there a Senator, is there a Member of the House, who would vote to return Alaska? No. Secretary Seward—a man of great vision and large grasp of public affairs—at midnight learned that he could conclude a treaty for the purchase of Alaska, and before the sun gilded the eastern sky the next morning he and the Russian minister concluded the treaty. At that time distinguished men opposed the project in the strongest possible terms. I will read some of their statements.

Mr. Orange Ferriss, of New York, said:

The people of this country do not want these Russian possessions. If submitted to them they would reject the treaty by a majority of millions. Alaska, with the Aleutian Islands, is an inhospitable, wretched, and God-forsaken region, worth nothing, but a positive injury and encumbrance as a colony of the United States.

Mr. Washburne, of Wisconsin, said:

The country is absolutely without value. * * * I tell gentlemen who go for Alaska that Greenland today is a better purchase than Alaska. * * *

Mr. Hiram Price, of Iowa, said:

Now that we have got it and can not give it away or lose it, I hope we will keep it under military rule and get along with as little expense as possible. It is a dead loss to us anyway, and the more expense we incur the worse it is for the country and the people.

Mr. B. F. Butler, of Massachusetts, July 7, 1868, said:

If we are to pay for her (Russia's) friendship this amount, I desire to give her the $7,200,000 and let her keep Alaska. * * * I have no doubt that any time within the last 20 years we could have had Alaska for the asking. I have heard it was so stated in the Cabinets of two Presidents, provided we would have taken it as a gift. But no man, except one insane enough to buy the earthquakes in St. Thomas and the ice fields in Greenland, could be found to agree to any other terms for its acquisition to the country.

Mr. Benjamin F. Loan, of Missouri, said:

The acquisition of this inhospitable and barren waste would never add one dollar to the wealth of our country or furnish homes to our people. To suppose that anyone would willingly leave the mild climate and fruitful soil of the United States, with its newspapers and churches, its railroads and commerce, its civilization and refinement, to seek a home among the Aleuts * * * is simply to suppose such person insane.

Mr. Williams, of Pennsylvania, said:

Have the people desired it? (The purchase of Alaska.) Not a sensible man among them had ever suggested it. The whole country exclaimed at once, when it was made known to it, against the ineffable folly, if not the wanton prodigacy, of the whole transaction. There is no man here, I think, who would have advised it. I doubt whether there are 20 in this House who would be willing to vote for it now, but for the single reason that the contract has been made.

Mr. Washburne, of Illinois, January 13, 1869—after the Territory had been purchased, speaking on the bill to provide a government for the same—said:

The accounts which we receive from that Territory of the sickness and suffering of the people who are sent there show conclusively that it will never be inhabited to any considerable extent by white men.

Mr. Ferriss, of New York, speaking on the same bill, moved to strike out all after the enacting clause and insert the following:

That the President be authorized to bind the United States by treaty to pay the sum of $7,200,000 to any respectable European, Asiatic, or African power which will accept a cession of the Territory of Alaska.

One statesman after another inveighed against the purchase of Alaska, and yet it has been a most remarkably fortunate purchase. Instead of "Seward's folly" and "Seward's ice

lox," no greater domain than Alaska was ever acquired by honorable statesmanship.

Mr. THOMAS. Mr. President——

Mr. ASHURST. I yield to the Senator.

Mr. THOMAS. If the Senator will permit me, I want to add there, also, that a good deal of the objection to the purchase of Alaska was due to unfamiliarity with its value. The Senator of course remembers that Mr. Webster, one of America's greatest statesmen, declared upon the floor of this Chamber that the Rocky Mountains were a barrier that had been created by the Almighty for the protection of Anglo-Saxon civilization; that the country lying to the west of the Rocky Mountain range consisted of icebergs and sand banks, barren mountains and plains and deserts, inhospitable to a population of any kind, and that there was not a decent harbor upon the Pacific coast; and I think he added that he would not give a dollar for the whole of Oregon. Certainly an eminent statesman like Mr. Webster making assertions of that kind rather excuses the repetition of similar statements in regard to other sections of the continent. We all know better now.

Mr. WEEKS. Mr. President, I do not wish the Senator from Arizona to think from my inquiry that I am hostile to what he is proposing, but I did intend to reflect on the vision and on the legislation of Congress which has been enacted in connection with the development of Alaska. I think it is a serious reflection on the American Congress that that great country, with its great values, is so tied up that it can not be successfully developed.

Mr. THOMAS. I agree with the Senator on that. We are not in disagreement at all on that point.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Washington?

Mr. ASHURST. I yield to the Senator.

Mr. POINDEXTER. I do not want to interrupt the Senator to the extent of discussing the matter that has just been mentioned by the Senator from Massachusetts. I merely wish to remark, however, that there are very large areas of rich land in Alaska which have been surveyed by the General Land Office and are open for homestead, and there are some advantages in connection with it in comparison with homesteads in the continental United States. In Alaska a man can take 320 acres as a homestead. There is something else wrong with the situation in Alaska besides the question of locking up the land or the resources. A great number of settlers went upon the rich lands that I have referred to and took up homesteads. A few of them are there yet, but a large number of them have come out. It is not because the lands are locked up, but for other reasons, the discussion of which I shall reserve for some future occasion.

Mr. ASHURST. Whatever be the reason, the purchase of Alaska was an honorable purchase, and at that time it was generally believed that Russia had the best of the bargain. But the world knows that the timber, gold, coal, oil, and I will say furs, in Alaska are practically inexhaustible; and no doubt, under improved methods and intensive farming, Alaska will yet be a great agricultural country and an apple country.

Mr. CUMMINS. Will the Senator yield for a suggestion?

Mr. ASHURST. Certainly; I yield.

Mr. CUMMINS. When we bought Alaska it was practically all public domain. Can the Senator from Arizona inform the Senate with regard to Lower California, how much of the territory is public domain; or, in other words, how much of it has passed into private ownership?

Mr. ASHURST. I have not a map here showing the grants. Let me answer the Senator by saying that when the treaty of Guadelupe Hidalgo was concluded with Mexico there was a provision that valid grants which had previously been made, whether the grantees deraigned title from Spain or from Mexico, should be recognized. All over California there were vast grants of land the titles to which have been held inviolate in the grantee and his heirs and successors. The Spanish Government and the Mexican Government made grants. There were some grants in my own State.

There are some grants that have been made to vast tracts in Lower California. I am speaking now without accurate information, but I would judge that the grants that have been made do not embrace and cover over 15 per cent of the area of the peninsula, and there are no grants except two very small ones here [indicating Sonora on the map] covering that part of Sonora.

Mr. CUMMINS. I gave some study to the subject a short while ago, and I think the Senator from Arizona is rather underestimating the area of the lands which have been granted either by Spain or by some government of Mexico to private persons or corporations. But I am not suggesting this because I am opposed to the resolution. In fact, I have long been of the opinion that we ought to try hard to buy it, and if we could not buy it we ought to take it; but that would not be in accord with the universal brotherhood of man and the reign of justice which is now supposed to prevail throughout the world.

I was reminded of the fact that a large part of the valuable territory of Lower California was in private ownership by the suggestion of the Senator from California [Mr. PHELAN]. The truth is that after the Senator from Massachusetts [Mr. LODGE] introduced his resolution which related to Magdalena Bay it developed in the course of the debate that the land around Magdalena Bay and which it was feared might fall into the hands of Japanese subjects was actually owned by American citizens, and the fear was that American citizens owning the vast concessions might part with them to Japanese citizens or subjects. That makes it all the more necessary that if possible we should control Lower California.

Mr. ASHURST. I thank the Senator for his interruption. When we come to consider the land grants made by Mexico it is quite a serious task to examine the titles. There is a man in my town who spoke about a "Mexican airplane propeller," and he said that we ought to have it, as the propeller made 10,000 revolutions a minute. They have a great many revolutions in Mexico. Possibly the de facto government to-day will make a grant and another government to-morrow will revoke it and make another grant, but when you come to valid, substantive grants that eminent lawyers, such as the Senator from Iowa [Mr. CUMMINS] and other Senators, would go into their law offices, study, and then say were valid and legal grants, I should say but 15 or 20 per cent of the area of Lower California is included in such grants.

Mr. WATSON. Will the Senator yield?

Mr. ASHURST. I yield to the Senator.

Mr. WATSON. Something of that kind I had in mind awhile ago when I suggested to the Senator if we would buy Lower California we might buy trouble. My understanding is that Mexico to-day is probably in as serious an internal condition as she has ever been; that there is seething revolution in 14 of her 27 States; that Carranza controls only a limited portion of Mexico, and that other generals are in control of other portions of Mexico. If some rebel general in arms against the Carranza Government is in control of the part of Mexico that lies next to Lower California, and we were to take over Lower California, would we not be taking over a fight?

Mr. ASHURST. Mr. President, the Senator's question has arisen, but I am assuming, and I think I have a right to assume, that when our State Department brings its diplomatic, literary, and historical resources to work on this question, the department would take pains to conclude a treaty that would preclude all reasonable fear of trouble with Mexico. Doubtless there would be some junta in Mexico that might be considerable in number that would oppose the treaty. If they could make themselves felt in the Mexican Congress they could defeat the ratification of the treaty, but I do not believe it would be a concern of ours if we made an honest purchase with clean hands and paid a fair, substantial sum of money to the appropriate persons who were the de facto and acting authority.

Mr. WATSON. But this is the question, to further pursue it: It is not that we could not make a treaty with Carranza, inasmuch as we have a representative there and his Government has a representative here, both duly accredited. Therefore, we could make a binding, valid treaty. It is not that, but Carranza himself is unable to take possession, I understand, of Lower California. There are roving bands of guerrillas and brigands, or there are generals in command of these roving armies. Villa is down there on that coast somewhere, and Felix Dias is down there somewhere, and half a dozen other fellows at the head of those bands. If Carranza, at this time President of Mexico, is unable to control that portion of the country, how could he give us a warranty deed for it and then defend it as against those people?

Mr. ASHURST. The Federal Government of Mexico for more than 10 years has not pretended to have any authority or jurisdiction over it.

Mr. SMITH of Arizona. The Mexican Government owns it.

Mr. ASHURST. The Mexican Government, as my colleague says, however, owns it.

Mr. WATSON. Precisely; that is all there is in it.

Mr. ASHURST. That to me is an objection so hazy and so nebulous that I hardly consider it as an objection. I believe as Andrew Jackson believed, that we can deal with de facto governments. They may have a new government every day, but that is not our concern. I would deal with the de facto government if I knew it would change to-morrow. We have a right under the law of nations to deal with the de facto government, although it may be supplanted to-morrow.

Mr. WATSON. In other words, here is what I want to find out from the Senator. He would make a treaty with Mexico, if he could make a satisfactory treaty, to take over the territory and then go and take it regardless of consequences.

Mr. ASHURST. Certainly, so long as the will of Mexico were not overthrown and no injustice practiced, and there was no deception. Does the Senator think that because a few cutthroats and outlaws who neither know nor respect the law of Mexico nor the law of the United States objected that our Federal Government should withhold any action simply because a few bandits object to civilization and law and order?

Mr. WATSON. No, Mr. President, the Senator believes just as I do, except that I have been trying to get him to say it.

Mr. ASHURST. I have just said it.

Mr. WATSON. Precisely. I would long ago have protected American property and American life and American interests in Mexico.

Mr. ASHURST. I said here long ago if I had charge of affairs Mexican outlaws there would get grapeshot instead of grape juice. I said that long ago, but I am not in charge of the State Department.

Mr. MYERS. May I ask the Senator a question?

Mr. ASHURST. I yield.

Mr. MYERS. Does it not seem to the Senator that it would be well for us to pay the Republic of Colombia for what we took from her before we go to buying other territory?

Mr. ASHURST. I am in thorough accord with the distinguished Senator from Montana [Mr. MYERS] and with the eminent Senator from Pennsylvania [Mr. KNOX] in their views that we ought to pay Colombia for the territory we took. I am not a believer in the idea that because we are great, powerful, and opulent we ought to take territory by the strong arm. We ought to buy what we wish to acquire.

Mr. CUMMINS. Will the Senator permit a question?

Mr. ASHURST. Yes, sir; I will.

Mr. CUMMINS. What are we buying from Mexico? If a very large part of that valuable territory is in the ownership of private persons, what do we buy from the Republic of Mexico?

Mr. ASHURST. We buy the sovereignty.

Mr. CUMMINS. We can not buy the sovereignty. How can we pay for sovereignty? Sovereignty, of course, is power, for it depends upon the will of the persons who are in power.

Mr. ASHURST. The Senator is a statesman whose just fame is known in every portion of this land. The Senator knows we bought Florida, we acquired Louisiana by purchase, we annexed Texas, we made the Gadsden Purchase, and in each there were large private interests involved. In the case of California, a large part of that State was in private ownership in the shape of land grants.

Mr. CUMMINS. There was a time in the development of the world in civilization in which sovereignty was bought, and I am not particularly critical about that, because it was in harmony with the thought at that time, but nowadays we do not look upon the purchase of mere sovereignty as a very appropriate thing. In all the other purchases mentioned by the Senator from Arizona while there were private interests there was very large public property as well. Take the Louisiana Purchase. There comparatively few people were on a great public domain. I was wondering whether the Senator from Arizona had in his mind to pay Mexico for the full value of all the property in Lower California.

Mr. ASHURST. Well, of course, I am asking the Senate to pass the resolution requesting the President to negotiate a treaty. If I were Secretary of State, I might negotiate one sort of a treaty and somebody else might negotiate another sort of a treaty, but the question of the right of purchase of domain by the United States is well settled. It was settled in the Louisiana Purchase that the United States has a right to purchase territory and to erect that territory into States later on. We purchased the Danish West Indies only a year or two ago. These purchases afford an abundant precedent and example and authority for the purchase of this domain.

Before I leave this question, let me say, in reply to the question by the Senator from Indiana [Mr. WATSON], that I do not wish to be understood as inferring that there is a vast deal of lawlessness and disorder in the peninsula. On the contrary, under a rather moderate, beneficent, and prudent administration of the present governor there, considering the people that he has to deal with do not always understand law and order, there is remarkable tranquillity, considering that it is a part of Mexico, because Mexico implies the very reverse of tranquillity.

Mr. WATSON. I do not think there is any question about that part of it; but the point I was making is that Carranza is in a very precarious condition now, with all these revolutions surging about him, and the probabilities are that he would not be willing to make a treaty, and if he did it would occasion another insurrection and another revolution and more trouble.

Mr. ASHURST. What are a few insurrections, more or less, in Mexico?

Mr. WATSON. Not of the slightest importance on earth; but the point I am considering is that if we start then we shall have to finish the job.

Mr. ASHURST. Would that be difficult?

Mr. WATSON. No; it would be entirely agreeable to me; and I am trying to get the Senator from Arizona to make a bold declaration of it.

Mr. SMITH of Arizona. To go into denunciation of Mexico?

Mr. WATSON. No; not a denunciation of Mexico; but in the way of protecting American interests and American life and property in Mexico we have not done what we ought to have done.

Mr. SMITH of Arizona. If you proceed along that line and go into that discussion at this particular time, I claim to know something about that border down there.

Mr. WATSON. I have no doubt the Senator does.

Mr. SMITH of Arizona. I really know something of the relations of Mexico to our people down there. If you are in an effort to beat the resolution by raising a denunciation on this floor, an adverse criticism against men who think they are responding to a very unjust action on our part, you may succeed in raising such a spirit there that the end which we are trying to accomplish may be dissipated in the very start.

Mr. WATSON. I want to say to the Senator that I am not attempting to defeat the resolution at all. I am simply trying to follow to its logical conclusion the argument of the Senator's colleague who is advancing this proposition. We are having constant trouble in Mexico. The Senator knows about that. How many soldiers are there to-day on guard along the border of Mexico?

Mr. ASHURST. If you had 40,000 you might not have too many. What is the use to get off into a discussion of another question? I am willing to admit, and no candid man will deny, that neither life nor property has been safe in Mexico for many years. Is not that a bold declaration?

Mr. WATSON. That is satisfactory.

Mr. ASHURST. Will the Senator now be bold enough, I know he is honest enough, to admit there is a de facto government in Mexico with which the United States could deal under international law?

Mr. WATSON. Certainly.

Mr. ASHURST. There is a de facto government in Mexico with which all nations may honorably deal. I am asking the Senate to adopt a resolution looking to an honest and fair purchase from the de facto government of a tract of land that we need and that is valuable to us and that is not worth anything to Mexico. I hope now the underbrush is all cleared away in this debate. Why is the peninsula valuable to us? I have spoken of its magnificent harbor, Magdalena Bay, on the Pacific coast, and of the Bay of La Paz on its Gulf coast. It has numerous islands on the Pacific and the Gulf coast where an oriental enemy could colonize and set up a naval base or a military base. Mexico is unable, unwilling to resist.

Magdalena Bay is valuable to us. The Panama Canal, built by American enterprise, will become, when reconstruction shall have been over, the stream of great currents of trade with the Orient. Is it not timely and proper that American statesmen, American Senators, should give consideration to a proposition which puts American possession 800 miles nearer the Panama Canal? The Panama Canal is the very pentralia of our peace and security. Just so it is unthinkable that American Senators would permit such a valuable—I might say invaluable—asset as the Panama Canal to be inadequately secured against seizure and against destruction.

The canal is open to the world upon the same terms, but the duty is on us nevertheless to guard and control the canal.

The Pacific Ocean is a theater of activity that the most remote excursion of the imagination can not describe—a theater of commerce, perhaps a theater of war. Who dares to say what it will not be in the future? It should be our part and our duty as American citizens to guard the Pacific in every way. When the fleet went around the world in 1908 it stopped at Magdalena Bay to test its guns by target practice in that magnificent harbor. Mexico does not want Magdalena Bay, can not use it, does not appreciate it. The Mexicans have not the stimulus that Americans have and never will appreciate it. Are we, therefore, to sit here year in and year out because we have hesitancy about dealing with a de facto government? I am not afraid, I will say to the Senator, to deal with a de facto authority. Their acts are valid. I am afraid, however, to do an

injustice or a wrong. I am afraid to take it; not but what we could get it; they could offer but a feeble resistance, but a fair man is afraid to do wrong.

Now, there is another vital point in this question. It is seldom appreciated. It is very little investigated. It involves the control of the great Colorado River, the Nile of the West. The Colorado sends down each year 17,000,000 acre-feet of water. What do I mean by that? I mean it sends down enough water each year to cover 17,000,000 acres with water 1 foot deep. During the period from 1903 to 1914, 215,000,000 acre-feet of water in the Colorado River passed Hardyville, Ariz. The Colorado River is called the Nile of the West. The Nile has 68,000,000 acre-feet of water coming down each year. The Colorado has 17,000,000 acre-feet of water coming down each year. The Nile, therefore, has four times more water than has the Colorado. The Nile basin has three times the area the Colorado basin has, but the Colorado River is doing only one-fifteenth the irrigation that the Nile is doing. There is the Nile, with only four times more water, with only three times more irrigable land—the land is about the same in character—doing fifteen times more irrigating than the Colorado. To obtain the same amount of irrigation per acre-foot as the Nile the Colorado should irrigate eight times what it is now irrigating—eight times 300,000, or 2,400,000 acres.

So, Mr. President, if a treaty can be concluded for the purchase of this tract of land on the northwestern coast of Sonora and the peninsula of Lower California, 2,000,000 acres more of land so rich that no industrious man needs over 40 acres of it to become opulent may be irrigated. The Deglet Noor dates, worth $2 a pound, and the long-staple cotton, which my distinguished friend from South Carolina [Mr. SMITH] has seen and will say measures up and staples with the best cotton in the world, the orange, the lemon, the lime—all the fruits and flowers could be grown there; whereas if Mexico retains it it will be a howling desert, a cactus-infested land.

Mr. THOMAS. Mr. President——

Mr. ASHURST. Just let me finish the sentence.

Therefore, is it surprising that I urge the President to conclude a treaty for the honest purchase of this land? We speak of our soldiers coming home, and of providing land for the soldiers, a very worthy movement. The lands must be obtained somewhere. If the Colorado River, with its 10,000,000 acre-feet of water now running to waste each year, can have its waters turned out on this fertile land can you imagine anything more romantic and yet more practical than the making of this desert to bloom with flowers and fruit and with the environments of a refined civilization? I yield to the Senator from Colorado.

Mr. THOMAS. The Senator has perhaps done so, but if not I hope he will emphasize the fact that the utilization of this water to the extent he has described necessitates the construction of improvements upon Mexican soil. I think that is the point of divergence.

Mr. ASHURST. That is the very point.

Mr. THOMAS. The Imperial Valley, therefore, is very largely dependent upon Mexican good will, or cooperation, if you please, or both, for its continued prosperity, its water coming from the Colorado River.

Mr. ASHURST. The Senator has stated it so succinctly that I need not refer to it further, except to say that he is absolutely correct. Some parts of Imperial Valley, where the agricultural crop is worth more than $100,000,000 annually, lie in the extreme northern part of the peninsula.

Irrigationists in the peninsula are dependent upon the moderation of the governor, whom I have just described three times as being a prudent man. I will not say that he desires or will be glad to see the annexation of the peninsula to the United States, because I have no authority to say that, but I believe it just the same.

Mr. President, passing on from the point I tried to make, of the necessity of controlling the territory of the Colorado River, it is a snow-fed river, as is the Nile; it rises in June and July; it would be necessary to have storage dams some 200 miles up the river to gather in and conserve and hold this vast quantity of water that rushes and wastes itself in the gulf. This affords another reason why we should pass the resolution. It affords another reason why the executive branch of the Government should conclude a treaty with Mexico looking toward the acquisition of this land. This is not a new subject. It has been a subject of frequent discussion, of diplomatic negotiations and otherwise.

Mr. FLETCHER. Perhaps the Senator has stated it, but I would be glad if he would state again about the length of the peninsula.

Mr. ASHURST. The length of the peninsula is about 800 miles. Its greatest width is 150 miles; its narrowest point is 40 miles, and its average width is about 100 miles.

Mr. FLETCHER. There are harbors on the Pacific side?

Mr. ASHURST. On the Pacific side there are several harbors, and there is the very famous Magdalena Bay Harbor. On the gulf side there is a remarkably fine harbor in the southern portion of the peninsula, La Paz.

Mr. FLETCHER. What is the depth of the water at Magdalena Bay?

Mr. ASHURST. I have never been there, but I am informed that any sort of ships now built may dock in Magdalena Harbor.

Mr. SMITH of Arizona. I understand there are over 45 feet of water there.

Mr. ASHURST. Now, Mr. President, one other question. We stand before the world with all nations seeking our favor because of what we may call our magnanimity and our patriotism. We have stridently asserted—I think the word is correct—that we are the friends of Mexico. All right. Let us see whether or not we are at heart. Mexico—torn, distracted, almost a shipwreck among the nations, overrun by bandits and cutthroats, with only a small percentage of population understanding the blessings of freedom, misled in large part by German propaganda—is a nation that should excite our sympathy as much as it ought to incur our just displeasure.

We are the friends of Mexico, we say. What does Mexico need most of all? She has all the law that can be imagined. Name a law that Mexico has not. Laws alone do not make a nation. Ideals, justice, moderation, frugality, sobriety, order, and industry make a nation. The stimulus of gold and enterprise makes a nation. Mexico needs money. She needs money to pay the interest on her bonded indebtedness. She has an enormous floating indebtedness. I do not pretend to assert how many millions of dollars Mexico owes the United States for lives and property of persons destroyed in the United States by Mexicans. I will not even venture upon the still larger question of trying to determine how much money Mexico owes citizens of the United States for the destruction of life and property in Mexico; but with the stimulus of the money that she will receive from this purchase she can pay the interest on her national debt, discharge or liquidate at least a part of the obligations she owes to our citizens. She may then rebuild her railroad bridges, build boats, and set herself aright before the great family of nations, and to discharge one's obligations is the most substantial way of setting one's self right. Mexico needs the stimulus which American enterprise and American money honestly paid to her can give her.

Mr. PAGE. Mr. President——

Mr. ASHURST. I yield to the Senator from Vermont.

Mr. PAGE. I simply want to ask whether, in the opinion of the Senator from Arizona, the pride—proper pride, perhaps—in which Mexico indulges to-day will not be so great that they will wipe aside all of these incentives to sell and refuse to sell, for the present, at least?

Mr. ASHURST. Well, the Mexicans are a very proud people, and I for one am inclined to respect their punctilious pride; but I am convinced that it is within the diplomatic and the literary resources not only of the present Secretary of State, but the Secretaries of State whom we have had, and those who are to come afterwards, to negotiate, in time, a treaty with Mexico looking toward that end. It will not be an easy task; undoubtedly it will be a difficult task; it is not impossible of accomplishment, and we should never stop; but with all proper insistence, and upon every proper occasion, we should try to assist our State Department in making this purchase.

Mr. PAGE. And the Senator believes that it is possible to make the purchase within the next few years?

Mr. ASHURST. I think it is entirely possible to make this purchase within the next 10 years.

Now, Mr. President, before I go to another subject——

Mr. SHAFROTH. Mr. President, I should like to ask the Senator from Arizona a question. Has the Senator any estimate as to what it would cost the United States Government to purchase this peninsula?

Mr. ASHURST. I have no such estimate. I have had conversations with eminent people who are supposed to understand the matter and to speak for some Mexican authorities, but I am unable to answer the Senator.

Let me say this: The Gadsden Purchase, which embraced the southern part of Arizona and a little part of New Mexico, was concluded in 1853, and it was proposed to pay $15,000,000 for that purchase. The Senate, however, rejected the treaty, because they said the sum was too large. However, a reconsideration was had, and a treaty was adopted paying Mexico $10,000,000 for that purchase. I have no idea that the land in question in this case could be acquired for any such small sum.

Mr. SHAFROTH. But the Senator's idea is that negotiation could reduce the price to a reasonable sum?

Mr. ASHURST. I think negotiations could reduce the price to a reasonable sum, but we need not hope to acquire this tract of land for such a comparatively small sum as was paid for the Gadsden Purchase. Now, before I leave that particular subject, I desire to discuss one other question.

Mr. GORE. Mr. President——

Mr. ASHURST. I yield to the Senator from Oklahoma.

Mr. GORE. Before the Senator from Arizona leaves that subject, referring to the question of the Senator from Vermont [Mr. PAGE], in reference to the pride of Mexico, I desire to say that it seems to me, however delicate the pride of the Mexicans might be, or whatever might be their sensitiveness, this transaction could be carried on in perfect harmony with their pride and national spirit. It has been only a few months since we have acquired from Denmark the Virgin Islands.

Mr. ASHURST. I was going to refer to that, but I am glad the Senator from Oklahoma has done so.

Mr. GORE. Denmark is a very proud and sensitive nation and commands the respect of the world. It is not long since Russia, at that time one of the most powerful nations on the globe, sold Alaska to the United States. Spain at one time obtained Louisiana from France, but subsequently ceded it back to France, and France ceded it to the United States. Great Britain for 20 years—from 1762 to 1783—owned the Floridas, but she subsequently ceded them back to Spain. Such cession is not an unusual transaction, and is perfectly compatible with national pride.

Mr. ASHURST. I thank the Senator.

Now, Mr. President, on this large map [indicating]—I doubt if Senators can see it—I have marked on the little strip of Sonora, in the northwestern part of the State of Sonora, the words "potash, sodium, sulphates." There is a rainless portion of our western world. On the Pacific side of the peninsula there are numerous small islands bearing sea-bird guano and carrying an important percentage of potassium nitrate.

Where did I get that information? I have never been there, though I have been here [indicating Sonora on the map], but I have never been upon the peninsula. I repeat, where did I get that information? From Germany; from German reservists. The United States Government did not know it; but the German reservists, spying out of this country, looking for a place of refuge, discovered the guano, the potash, and sodium, and the information was sent to Germany. A citizen of Arizona, whose name I am not at liberty to mention, obtained the information—which our State Department did not have—that this land was rich in the same kind of nitrates that are found in Chile, and that these numerous islands were covered, and have been covered in the centuries gone by, with great deposits of bird guano, carrying an important percentage of nitrate of potassium. This unknown land has been a refuge, a hiding place for our enemies; and Mexico, even had she been willing to do so, would have been unable to resist the agression of our enemies in the late war. That is all the more reason why American statesmanship, care, and provision for the future should be turned to the acquisition of that tract of land, which, I repeat for nearly the twentieth time, is and always will be of no real substantial value to civilization while it is controlled by Mexico.

I was just about to reach a point regarding the purchase of the Virgin Islands when my friend the Senator from Oklahoma [Mr. GORE] interrupted me. It has been said that the agitation of this question—indeed, I read it in a newspaper yesterday—was untimely while peace negotiations were going on. Untimely! It is the very model of prudence, magnanimity, and fair dealing. It sets an example to the other nations of the world. When Germany, with her mailed fist and spiked helmet, was overrunning Belgium, destroying Poland, and starving Serbia, the United States Government, the most opulent, the most puissant nation the world ever saw, was honorably buying the Virgin Islands from a small but a noble power. The United States Government, while the war was on, placed herself into juxtaposition with Germany—Germany, with her spiked helmet and poison gas, *taking*, and the United States Government honorably *buying* what she wished, thereby setting a noble example to the other nations of the earth.

What better news could be sent to the peace conference at Versailles than that the United States is contemplating the honorable purchase—not the forcible seizure—of some land which it needs and which its neighbor does not need?

Now, as to this so-called sentiment that nations never wish to change their frontier line, let me say that all national frontiers are subject to constant fluctuations and will forever be shrinking and expanding. National frontiers can no more remain delimited and static than can the coast lines of oceans, for they are those indefinable shores where break and beat the restless and turbulent seas of life.

The frontiers of any country are the boundaries that separate it from its neighbors. Sometimes the frontier lines are great natural topographical features, such as mountain chains or rivers; sometimes they are arbitrary lines shifted from time to time by the caprice of rulers or the aggressions of the more powerful; but the frontier lines of our Nation in continental United States have never been shifted at the caprice of any ruler. Justice, fair play, and honest purchases alone have characterized our acquisitions of territory. Our frontier line, like the receding shadow line of the sundial which marks the hourly passage of time, has receded toward the west under the influence of the advancing sun of civilization until after a long journey it has reached the shores of the great Pacific. The recession of our frontier is the most important and most interesting fact of our national history, embracing a series of events as brilliant in statesmanship as they are unstained by wrong or injustice.

The first settlements were made on our eastern coast 300 years ago, and these 300 years of progressive development have a history as brilliant as it is varied in its coloring—like a gorgeous piece of tapestry, some of its threads are golden, some are silver, and some are crimson with the lifeblood of the pioneer freely shed in his contest with savage beasts and savage men; but they are interwoven into one picture of civil and religious freedom such as mankind has never in all the ages looked upon before. So this acquisition of Lower California by the United States and the obtaining of the control of the Colorado River by the United States must likewise, as I know it will, be accomplished without wrong or injustice toward our weaker neighbor, who is at this time debilitated, torn, and distracted.

Mexico needs gold; it needs that stimulus to its enterprises which gold alone can give. Gold will assist Mexico to rehabilitate herself. With ample credits she would be able to pay her floating obligations and interest on her bonded debts, bring about some semblance of law and order and give security to life and property. If we are really a friend of Mexico, as we have so stridently proclaimed, here is an opportunity to show our friendship with something more substantial than words. Let us show our friendship by concluding a fair bargain in accepting from Mexico this vast tract of land which she does not need, can not police, and which, if she retains, would be for the next hundred years the same desert waste it has been during all the past.

The public man who omits to grasp an opportunity which may in the future be of benefit or safety to those who live under our stainless flag is recreant to his trust.

Our duty is plain. In these troublous times we in charge of the Nation's destiny, holding the most sacred deposit ever confided to human hands, should not shirk nor shrink. If we perform these duties, glory will be our portion; if we fail, it will be to our shame. There is no remorse so deep, so poignant, so inveterate, as that which comes from the consciousness that we have failed at a supreme crisis to avail ourselves of an opportunity to perform a real and needful public service to our country, and there is no happiness more sustaining, more enduring, or more unselfish than the consciousness that we have met in a worthy manner the responsibilities upon us.

Fortune, success, and opportunity soar aloft on high and rapid wing. They must be seized as they pass by. It is a difficult task to overtake them once they have left us behind or found us asleep or afraid.

All success, whether of a nation, a political party, a business firm, or an individual, comes only from exacting toil and diligent labor, coupled with the ability to recognize an opportunity, however vagrant and disguised it may present itself. The individual, the party, the State that succeeds is the posthaster, not the postponer. Pass this resolution and the Senate will have the sympathy and support of all honest, reasonable, and patriotic people.

The PRESIDING OFFICER. What disposition does the Senator from Arizona desire made of his resolution?

Mr. SMITH of Arizona. Mr. President, I wish to address myself for not over 10 minutes to the resolution.

Mr. ASHURST. At the conclusion of the remarks of my colleague, if no Senator desires to address himself to the resolution, I shall ask that it be referred to the Committee on Foreign Relations.

Mr. SMITH of Arizona. Mr. President, the question that has entertained the Senate this afternoon is one as old as our War with Mexico. Time and again in my career since I have been in public life I have made, and I have attempted to cause others to make, efforts in the line of the resolution now introduced and ably advocated by my colleague. In order to arrive at any sort of contractual relations with Mexico, in view of the extreme pride of that extremely proud people, a pride that survives even amidst the most abject poverty that can be imposed upon it, we must approach the question not with denunciation, but in this body and everywhere else by making excuses, without calling to the attention of the world the frailties of our neighbor. We know we have the power to do what we please

with her; but let us see if we can not get this resolution reported and passed through the Senate, and in every step of these proceedings draw closer and closer to those who must ultimately govern that Republic for good or for evil. By that means, and by that means alone, can we hope to accomplish anything under the resolution; and I rose more for the purpose of cautioning the Senate in our deliberations concerning nations to preserve that urbanity which is supposed to exist among gentlemen.

Senators, Mexico is indebted to the United States in enormous sums of money. There is a resolution now before the Committee on Foreign Relations, which will probably be acted upon tomorrow, pressing Mexico for an adjustment of what, in round numbers, I should guess to be something like $300,000,000 on account of damages sustained by American citizens. France and England have likewise great claims against Mexico, for which we are in a sense sponsor or guardian, in that we would not permit any aggression by any foreign power on the shores of Mexico for the purpose of seizing territory in any event for the settlement of debts. The consideration of these matters is going to cause trouble in connection with this resolution. The only way, as I have stated, by which we can ever hope to make one step forward is to commence this day in all public speeches, in all our addresses on the subject of our relations with Mexico, to pity the condition into which the ignorance of many of her people has caused her to be thrown.

Think of the German propaganda that from a time preceding this war up to this very minute has been poisoning the minds of the poor Mexicans against our Nation, and not altogether without some basis in fact. We have not treated Mexico right on the frontier, although we have done the best we could. I am not complaining of that; but I am offering it as a reason why we should act with temperance in our dealings with the Mexican people and place ourselves, if we can, in their shoes.

Think of how the Mexicans have been raised; think of the conditions under which they have attempted their self-development. The Englishman and the Frenchman were not altogether averse 10 years ago, when I was much more familiar with Mexico than I am to-day, to keeping Mexico scared to death as to the time when the great northern cloud should oversweep even her mountain tops and the strength of American find its expression in the grabbing of the Republic of Mexico. That was done for commercial and trade purposes, but it has left its impress on the heart and soul of those who would love to be friends of ours. Yet we have done nothing on earth to set aside the impression made by such propaganda. We have not had the opportunity to do so, it is true, in the last three or four years, for we have been too busy; but I do adjure Congress to take this resolution, deal with it in sympathy, and in pity where it is needed, because it has to do with a proud people, a people as brave as we are, and who hold their honor as sacred as we possibly can hold ours. Let us deal with them on the terms of perfect equality, which should exist between two contracting parties. This being carried out, I have great hope that within the next four or five or six years we may find no trouble in the world in securing that peninsula, which is absolutely invaluable to us; make that great gulf an American sea, if you please; open the Colorado River absolutely to American control, fructifying the lands that lie on the northern coast of Sonora and on the peninsula of Lower California, which will never be done, as has been so forcefully and so often said by my colleague, in the next hundred years if left under present conditions.

I have nothing more to say, Mr. President, at this time.

Mr. ASHURST. I ask that the resolution be referred to the Committee on Foreign Relations.

The PRESIDING OFFICER. In the absence of objection the resolution will be referred to the Committee on Foreign Relations, in accordance with the request of the Senator from Arizona.

THE CENSUS.

Mr. SHEPPARD. Mr. President, it is very essential that the bill authorizing the next census be passed by the Senate at the earliest possible opportunity, and in order that it may become the unfinished business, I move to proceed to the consideration of the bill (H. R. 11984) to provide for the fourteenth and subsequent decennial censuses. The fourteenth decennial census will be taken early next year. It will be an enormous task, necessitating painstaking and comprehensive preparation. I therefore make the motion in order that the bill may be before the Senate at its next meeting.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 11984) to provide for the fourteenth and subsequent decennial censuses, which had been reported from the Committee on the Census with amendments.

Mr. SHEPPARD. In order that the Senate may have the bill before it when we next meet, I ask that the bill as reported to the Senate be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill referred to is as follows:

An act (H. R. 11984) to provide for the fourteenth and subsequent decennial censuses.

Be it enacted, etc., That a census of the population, agriculture, manufactures, *forestry and forest products* and mines and quarries of the United States shall be taken by the Director of the Census in the year 1920 and every 10 years thereafter. The census herein provided for shall include each State, the District of Columbia, Alaska, Hawaii, and Porto Rico. A census of Guam and Samoa shall be taken in the same year by the respective governors of said islands and a census of the Panama Canal Zone by the governor of the Canal Zone in accordance with plans prescribed or approved by the Director of the Census.

SEC. 2. That the period of three years beginning the 1st day of July next preceding the census provided for in section 1 of this act shall be known as the decennial census period, and the reports upon the inquiries provided for in said section shall be completed and published within such period.

SEC. 3. That during the decennial census period, and no longer, there may be employed in the Census Office, in addition to the force provided for by the legislative, executive, and judicial appropriation act for the fiscal year immediately preceding the decennial census period, an assistant director, who shall be an experienced practical statistician; a chief statistician, who shall be a person of known and tried experience in statistical work; a disbursing clerk; an appointment clerk; a private secretary to the director; 4 stenographers; 8 expert chiefs of division; and 15 statistical experts. The assistant director shall be appointed by the President, by and with the advice and consent of the Senate. The chief statistician, the disbursing clerk, the appointment clerk, the chiefs of division, and the private secretary to the director shall be appointed without examination by the Secretary of Commerce upon the recommendation of the Director of the Census. The statistical experts and the stenographers shall be appointed in conformity with the civil-service act and rules: *Provided*, That no man appointed or employed or who shall hereafter be appointed or employed under this act shall on account of such employment be certified by any official or authority for deferred classification under act No. 12, Sixty-fifth Congress, entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, or under any act amendatory thereof that has been or shall hereafter be enacted: *Provided further*, That whenever practicable women and honorably discharged soldiers and sailors shall be employed in the positions herein provided for.

SEC. 4. That the assistant director shall perform such duties as may be prescribed by the Director of the Census. In the absence of the director, the assistant director shall serve as director, and in the absence of the director and the assistant director, the chief clerk shall serve as director.

The appointment clerk shall perform the duties assigned him by the Director of the Census. The disbursing clerk of the Census Office shall, at the beginning of the decennial census period, give bond to the Secretary of the Treasury in the sum of $100,000, surety to be approved by the Solicitor of the Treasury, which bond shall be conditioned that the said officer shall render, quarter yearly, a true and faithful account to the proper accounting officers of the Treasury of all moneys and properties which shall be received by him by virtue of his office during the said decennial census period. Such bond shall be filed in the office of the Secretary of the Treasury, to be by him put in suit upon any breach of the conditions thereof.

SEC. 5. That during the decennial census period the annual compensation of the officials of the Census Office shall be as follows: The Director of the Census, [$7,000] $7,500; the assistant director, [$4,500; three chief statisticians and the chief clerk, $3,000 each; two] $2,880; *the chief clerk and three chief statisticians, $2,880 each*; two other chief statisticians [$3,000] and the geographer, [$2,750] $2,880 *each*; the disbursing clerk, $3,000; the appointment clerk, $2,750; the chiefs of division, $2,250 each; the private secretary to the director, $2,250; the statistical experts, $2,000 each; and the stenographers provided for in section three of this act, $1,800 each.

SEC. 6. That in addition to the force hereinbefore provided for and to that authorized by the legislative, executive, and judicial appropriation act for the fiscal year immediately preceding the decennial census period, there may be employed in the Census Office during the decennial census period and no longer, as many clerks [of classes four, three, two, and one;] *with salaries at the rates of $1,800, $1,680, $1,560, $1,440, $1,320, $1,200, $1,080, $1,020, $960 and $900; one engineer at $1,200; and two photostat operators, at $1,200 each*; as many skilled laborers, with salaries at the rate of not less than $720 nor more than $1,000 per annum; and as many messengers, assistant messengers, messenger boys, watchmen, unskilled laborers, and charwomen as may be found necessary for the proper and prompt performance of the duties herein required; these additional clerks, and employees to be appointed by the Director of the Census: *Provided*, That the total number of such additional clerks [of classes two, three, and four] *with salaries at the rate of $1,440 or more per annum* shall at no time exceed one hundred and fifty: *Provided further*, That employees engaged in the compilation or tabulation of statistics by the use of mechanical devices may be compensated on a piece-price basis to be fixed by the director: *Provided*, That whenever possible women and honorably discharged soldiers and sailors shall be employed in the positions herein provided for.

SEC. 7. That the additional clerks and other employees provided for by section six shall be subject to such special test examinations as the Director of the Census may prescribe, [the said] *subject to the approval of the United States Civil Service Commission, these* examinations to be conducted by the United States Civil Service Commission, to be open to all applicants without regard to political party affiliations, and to be held at such places in each State as may be designated by the Civil Service Commission. Certifications shall be made by the Civil Service Commission upon request of the Director of the Census from the eligible registers so established, in conformity with the law of apportionment as now provided for the classified service, *and selections therefrom shall be made by the Director of the Census*, in the order of rating: *Provided*, That the requirement as to conformity with the law of apportionment

shall not apply to messenger boys, unskilled laborers, and charwomen: *Provided further*, That hereafter all examinations of applicants for positions in the [Census Office] *Government service*, from any State or Territory, shall be had in the State or Territory in which such applicant resides, and no person shall be eligible for such examination or appointment unless he or she shall have been actually domiciled in such State or Territory for at least one year previous to such examination: *Provided further*, That the Civil Service Commission [may] *shall* hold examination [for positions in such service] of applicants temporarily absent from the [place] *places* of their legal residence or domicile in the District of Columbia and elsewhere in the United States where examinations are usually held upon proof satisfactory to the commission that such [applicant is a] *applicants are* bona fide [resident] *residents* of the [State or Territory] *State or Territories* in which such [applicant claims to have a] *applicants claim to have* legal residence or domicile: *Provided further*, That nothing herein shall be so construed as to abridge the existing law [or] of apportionment or change the requirements of existing law as to legal residence or domicile of such applicants: *And provided further*, That no person afflicted with tuberculosis shall be appointed and that each applicant for appointment shall accompany his or her application with a certificate of health from some reputable physician [: *And provided further*, That in no instance shall more than one person be appointed from the same family]: *And provided further*, That when the exigencies of the service require, the director may appoint for temporary employment not exceeding six months' duration from the aforesaid list of eligibles those who, by reason of residence or other conditions, are immediately available; and may also appoint for not exceeding six months' duration persons having had previous experience in operating mechanical appliances in census work whose efficiency records in operating such appliances are satisfactory to him, and may accept such records in lieu of the civil-service examination: *And provided further*, That employees in other branches of the departmental classified service who have had previous experience in census work may be transferred without examination to the Census Office to serve during the whole or a part of the decennial census period, and at the end of such service the employees so transferred shall be eligible to appointment to positions in any department held by them at date of transfer to the Census Office without examination; but no employee so transferred shall within one year after such transfer receive higher salary than he is receiving at the time of the transfer: *And provided further*, That during the decennial census period and no longer the Director of the Census may fill vacancies in the permanent force of the Census Office by the promotion or transfer of clerks or other employees employed on the temporary force authorized by section six of this act: *And provided further*, That at the expiration of the decennial census period the term of service of all employees so transferred and of all other temporary officers and employees appointed under the provisions of this act shall terminate, and such officers and employees shall not be eligible to appointment or transfer into the classified service of the Government by virtue of their examination or appointment under this act.

SEC. 8. That the Fourteenth Census shall be restricted to inquiries relating to population, to agriculture, to manufactures, to forestry and forest products, and to mines and quarries. The schedules relating to population shall include for each inhabitant the name, place of abode, relationship to head of family, color, sex, age, conjugal condition, place of birth, place of birth of parents, nationality, or mother tongue of all persons born in foreign countries, nationality or mother tongue of parents of foreign birth, number of years in the United States, citizenship, occupation, whether or not employer or employee, whether or not engaged in agriculture, school attendance, literacy, and tenure of home, *whether or not a survivor of any war in which the United States has been engaged, and, if so, of what war*, and the name and address of each blind or deaf and dumb person.

The schedules relating to agriculture shall include name, color, sex, and country of birth of occupant of each farm, tenure, acreage of farm, acreage of woodland, value of farm and improvements, and the encumbrance thereon, number of farm implements, number of live stock on farms, ranges, and elsewhere, and the acreage of crops and the quantities of crops and other farm products for the year ending December 31 next preceding the enumeration. Inquiries shall be made as to the quantity of land reclaimed by irrigation and drainage and the crops produced; also as to the location and character of irrigation and drainage enterprises, and the capital invested in such enterprises.

The schedules of inquiries relating to manufactures, *to forestry and forest products*, and to mines and quarries shall include the name and location of each establishment; character of organization, whether individual, corporate, or other form; character of business or kind of goods manufactured; amount of capital actually invested; number of proprietors, firm members, copartners and officers, and the amount of their salaries; number of employees and the amount of their wages; quantity and cost of materials used in manufactures; principal miscellaneous expenses; quantity and value of products; time in operation during the year; character and quantity of power used; and character and number of machines employed.

The census of manufactures, *of forestry and forest products*, and of mines and quarries shall relate to the year ending December 31 next preceding the enumeration of population, and shall be confined to manufacturing establishments and mines and quarries which were in active operation during all or a portion of that year. The census of manufactures shall furthermore be confined to manufacturing establishments conducted under what is known as the factory system, exclusive of the so-called neighborhood, household, and hand industries.

Whenever he shall deem it expedient, the Director of the Census may charge the collection of these statistics upon special agents or upon detailed employees, to be employed without respect to locality.

[The form and subdivision of inquiries necessary to obtain the information under the foregoing topics shall be] *The number, form, and subdivision of inquiries provided for in section 8 shall be* determined by the Director of the Census.

SEC. 9. That the Director of the Census shall, at least six months prior to the date fixed for commencing the enumeration at the Fourteenth and each succeeding decennial census, designate the number, whether one or more, of supervisors of census for each State, the District of Columbia, Alaska, Hawaii, and Porto Rico, and shall define the districts within which they are to act; except that the Director of the Census, in his discretion, need not designate supervisors for Alaska, Hawaii, and Porto Rico, but in lieu thereof may employ special agents as hereinafter provided. The supervisors shall be appointed by the [Secretary of Commerce upon the recommendation of the Director of the Census] *President, by and with the advice and consent of the Senate*: *Provided*, That the whole number of supervisors shall not exceed 400: *Provided further*, That so far as practicable and desirable the boundaries of the supervisors' districts shall conform to the boundaries of the congressional districts: *And provided further*, That if in any supervisor's district the supervisor has not been appointed and qualified 90 days preceding the date fixed for the commencement of the enumeration, or if any vacancy shall occur thereafter, either through death, removal, or resignation of a supervisor, or from any other cause, the Director of the Census may appoint a temporary supervisor or detail an employee of the Census Office to act as supervisor for that district.

SEC. 10. That each supervisor of census shall be charged with the performance within his own district of the following duties: To consult with the Director of Census in regard to the division of his district into subdivisions most convenient for the purpose of the enumeration, which subdivisions or enumeration districts shall be defined and the boundaries thereof fixed by the Director of the Census; to designate to the director suitable persons and with his consent to employ such persons as enumerators, one or more for each subdivision; to communicate to enumerators the necessary instructions and directions relating to their duties; to examine and scrutinize the returns of the enumerators, and in the event of discrepancies or deficiencies appearing in any of the said returns, to use all diligence in causing the same to be corrected or supplied; to forward the completed returns of the enumerators to the director at such time and in such manner as shall be prescribed, and to make up and forward to the director the accounts of each enumerator in his district for service rendered, which accounts shall be duly certified to by the enumerator, and the same shall be certified as true and correct if so found by the supervisor, and said accounts so certified shall be accepted and paid by the director. The duties imposed upon the supervisor by this act shall be performed in any and all particulars in accordance with the orders and instructions of the Director of the Census.

SEC. 11. That each supervisor of the census shall, upon the completion of his duties to the satisfaction of the Director of the Census, receive the sum of $1,500, and in addition thereto $1 for each thousand or major fraction of a thousand of population enumerated in his district, such sums to be in full compensation for all services rendered and expenses incurred by him: *Provided*, That of the above-named compensation a sum not to exceed $600, in the discretion of the Director of the Census, may be paid to any supervisor prior to the completion of his duties in one or more payments, as the Director of the Census may determine: *Provided further*, That in emergencies arising in connection with the work of preparation for or during the progress of the enumeration in his district, or in connection with the reenumeration of any subdivision, a supervisor may, in the discretion of the Director of the Census, be allowed actual and necessary traveling expenses and an allowance in lieu of subsistence not exceeding $4 per day during his necessary absence from his usual place of residence: *And provided further*, That an appropriate allowance to supervisors for clerk hire may be made when deemed necessary by the Director of the Census.

SEC. 12. That each enumerator shall be charged with the collection in his subdivision of the facts and statistics required by the population and agricultural schedules and such other schedules as the Director of the Census may determine shall be used by him in connection with the census, as provided in section eight of this act. It shall be the duty of each enumerator to visit personally each dwelling house in his subdivision, and each family therein, and each individual living out of a family in any place of abode, and by inquiry made of the head of each family, or of the member thereof deemed most competent and trustworthy, or of such individual living out of a family, to obtain each and every item of information and all particulars required by this act, as of date January first of the year in which the enumeration shall be made; and in case no person shall be found at the usual place of abode of such family, or individual living out of a family, competent to answer the inquiries made in compliance with the requirements of this act, then it shall be lawful for the enumerator to obtain the required information as nearly as may be practicable from the family or families or person or persons living nearest to such place of abode who may be competent to answer such inquiries. It shall be the duty also of each enumerator to forward the original schedules, properly filled out and duly certified, to the supervisor of his district as his returns under the provision of this act; and in the event of discrepancies or deficiencies being discovered in these schedules he shall use all diligence in correcting or supplying the same. In case an enumeration district embraces all or any part of any incorporated borough, village, town, or city, and also other territory not included within the limits of such incorporated borough, village, town, or city, it shall be the duty of the enumerator to clearly and plainly distinguish and separate, upon the population schedules, the inhabitants of such borough, village, town, or city from the inhabitants of the territory not included therein. No enumerator shall be deemed qualified to enter upon his duties until he has received from the supervisor of the district to which he belongs a commission, signed by the supervisor, authorizing him to perform the duties of enumerator, and setting forth the boundaries of the subdivision within which such duties are to be performed.

SEC. 13. That the territory assigned to each supervisor shall be divided into as many enumeration districts as may be necessary to carry out the purposes of this act, and, in the discretion of the Director of the Census, two or more enumeration districts may be given to one enumerator, and the boundaries of all the enumeration districts shall be clearly described by civil divisions, rivers, roads, public surveys, or other easily distinguishable lines: *Provided*, That enumerators may be assigned for the special enumeration of institutions when desirable, without reference to the number of inmates.

SEC. 14. That any supervisor of census may, with the approval of the Director of the Census, remove any enumerator in his district and fill the vacancy thus caused or otherwise occurring. Whenever it shall appear that any portion of the census provided for in this act has been negligently or improperly taken, and is by reason thereof incomplete or erroneous, the Director of the Census may cause such incomplete and unsatisfactory enumeration or census to be amended or made anew.

SEC. 15. That the Director of the Census may authorize and direct supervisors of census to employ interpreters to assist the enumerators of their respective districts in the enumeration of persons not speaking the English language, but no authorization shall be given for such employment in any district until due and proper effort has been made to employ an enumerator who can speak the language or languages for which the services of an interpreter would otherwise be required. It shall be the duty of such interpreters to accompany the enumerator and faithfully translate the latter's inquiries and the replies thereto, but in no case shall any such interpreter perform the duties of enumerator unless commissioned as such by the Director of the Census. The compensation of such interpreters shall be fixed by the Director of the Census in advance, and shall not exceed $5 per day for each day actually and necessarily employed.

SEC. 16. That the compensation of enumerators shall be determined by the Director of the Census as follows: In subdivisions where he shall deem such remuneration sufficient, an allowance of not less than 2 nor more than 4 cents for each inhabitant, not less than 20 nor more than 30 cents for each establishment of productive industry reported; not less than 20 nor more than 30 cents for each farm reported; not less than 20 nor more than 50 cents for each irrigation or drainage enterprise reported, and 10 cents for each barn and inclosure containing live stock not on farms. In other subdivisions the Director of the Census may fix a mixed rate of not less than $1 nor more than $2 per day and, in addition, an allowance of not less than 1 nor more than 2 cents for each inhabitant enumerated, and not less than 15 nor more than 20 cents for each farm and each establishment or productive industry reported. In other subdivisions per diem rates shall be fixed by the director according to the difficulty of enumeration, having special reference to the regions to be canvassed and the sparsity of settlement or other consideration pertinent thereto. The compensation allowed to an enumerator in any such district shall not be less than $3 nor more than $6 per day of eight hours' actual field work, and no payment shall be made for time in excess of eight hours for any one day. The subdivisions or enumeration districts to which the several rates of compensation shall apply shall be designated by the Director of the Census at least two weeks in advance of the enumeration. No claim for mileage or traveling expenses shall be allowed any enumerator in other class of subdivisions, except in extreme cases, and then only when authority has been previously granted by the Director of the Census; and the decision of the director as to the amount due any enumerator shall be final: *Provided*, That within the limits of continental United States each supervisor to be appointed or selected under this act shall be an actual resident of the district, and each enumerator to be appointed or selected under this [act,] act shall, *so far as practicable*, be an actual resident of the subdivision within which his duties are to be performed; but an enumerator may be appointed if he be an actual resident of the city, *township, or other civil division* of which the subdivision in which his duties are to be performed is a part.

SEC. 17. That in the event of the death of any supervisor or enumerator after his appointment and entrance on his duties, the Director of the Census is authorized to pay to the widow or legal representative of such supervisor or enumerator such sum as he may deem just and fair for the services rendered by such supervisor or enumerator.

SEC. 18. That special agents may be appointed by the Director of the Census to carry out the provisions of this act and of the act to provide for a permanent Census Office, approved March 6, 1902, and acts amendatory thereof or supplemental thereto; and such special agents shall perform such duties in connection with the enforcement of said acts as may be required of them by the Director of the Census. The special agents thus appointed shall receive compensation at rates to be fixed by the Director of the Census, such compensation, however, not to exceed $6 per diem except as hereinafter provided: *Provided*, That during the decennial census period the Director of the Census may fix the compensation of not to exceed 25 special agents, who shall be persons of known and tried experience in statistical work, at an amount not to exceed $10 per diem: *Provided further*, That the Director of the Census may, in his discretion, fix the compensation of special agents on a piece-price basis without limitation as to the amount earned per diem: *And provided further*, That the special agents appointed under this section shall be entitled to necessary traveling expenses and an allowance in lieu of subsistence not to exceed $4 per diem during necessary absence from their usual places of residence; but no pay or allowance in lieu of subsistence shall be allowed special agents when employed in the Census Office on other than the special work committed to them, and no appointments of special agents shall be made for clerical work: *And provided further*, That the Director of the Census shall have power, and is hereby authorized, to appoint special agents to assist the supervisors whenever he may deem it proper, in connection with the work of preparation for, or during the progress of, the enumeration or in connection with the reenumeration of any district or a part thereof; or he may, in his discretion, employ for this purpose any of the permanent or temporary employees of the Census Office; and the special agents and employees of the Census Office so appointed or employed shall perform such duties in connection with the enforcement of this act as may be required of them by the Director of the Census or by the supervisors of the districts to which they are assigned, and when engaged in the work of enumeration or reenumeration shall have like authority with and perform the same duties as the enumerators in respect to the subjects committed to them under this act.

SEC. 19. That every supervisor, supervisor's clerk, enumerator, interpreter, special agent, or other employee shall take and subscribe to an oath or affirmation to be prescribed by the Director of the Census. All appointees and employees provided for in this act shall be appointed or employed and examined, if examination is required by this act, solely with reference to their fitness to perform the duties required of them by the provisions of this act and without reference to their political party affiliations.

SEC. 20. That the enumeration of the population required by section 1 of this act shall be taken as of the 1st day of January, and it shall be the duty of each enumerator to commence the enumeration of his district on the day following, unless the Director of the Census, in his discretion, shall defer the enumeration in said district by reason of climatic or other conditions which would materially interfere with the proper conduct of the work; but in any event it shall be the duty of each enumerator to prepare the returns hereinbefore required to be made and to forward the same to the supervisor of his district within 30 days from the commencement of the enumeration of his district: *Provided*, That in any city having [5,000] 2,500 inhabitants or more under the preceding census the enumeration of the population shall be completed within two weeks from the commencement thereof.

SEC. 21. That if any person shall receive or secure to himself any fee, reward, or compensation as a consideration for the appointment or employment of any person as supervisor, enumerator, or clerk, or other employee, or shall in any way receive or secure to himself any part of the compensation paid to any supervisor, enumerator, or clerk, or other employee, he shall be deemed guilty of a felony, and upon conviction thereof shall be fined not more than $3,000 and be imprisoned not more than five years.

SEC. 22. That any supervisor, supervisor's clerk, enumerator, interpreter, special agent, or other employee who, having taken and subscribed the oath of office required by this act, shall, without justifiable cause, neglect or refuse to perform the duties enjoined on him by this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not exceeding $500; or if he shall, without the authority of the Director of the Census, publish or communicate any information coming into his possession by reason of his employment under the provisions of this act, or the act to provide for a permanent Census Office or acts amendatory thereof or supplemental thereto, he shall be guilty of a felony and shall upon conviction thereof be fined not to exceed $1,000 or be imprisoned not to exceed two years, or both so fined and imprisoned, in the discretion of the court; or if he shall willfully and knowingly swear or affirm falsely as to the truth of any statement required to be made or subscribed by him under oath by or under authority of this act or of the act to provide for a permanent Census Office or acts amendatory thereof or supplemental thereto, he shall be deemed guilty of perjury, and upon conviction thereof shall be fined not exceeding $2,000 or imprisoned not exceeding five years, or both; or if he shall willfully and knowingly make a false certificate or a fictitious return he shall be guilty of a felony, and upon conviction of either of the last-named offenses he shall be fined not exceeding $2,000 or be imprisoned not exceeding five years, or both; or if any person who is or has been an enumerator shall knowingly or willfully furnish or cause to be furnished, directly or indirectly, to the Director of the Census or to any supervisor of the census any false statement or false information with reference to any inquiry for which he was authorized and required to collect information he shall be guilty of a felony, and upon conviction thereof shall be fined not exceeding $2,000 or be imprisoned not exceeding five years, or both.

SEC. 23. That it shall be the duty of all persons over 18 years of age when requested by the Director of the Census, or by any supervisor, enumerator, or special agent, or other employee of the Census Office, acting under the instructions of the said director, to answer correctly, to the best of their knowledge, all questions on the census schedules applying to themselves and to the families to which they belong or are related, and to the farm or farms of which they or their families are the occupants; and any person over 18 years of age who, under the conditions hereinbefore stated, shall refuse or willfully neglect to answer any of these questions, or shall willfully give answers that are false, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding $100.

And it is hereby made unlawful for any individual, committee, or other organization of any kind whatsoever to offer or render to any supervisor, supervisor's clerk, enumerator, interpreter, special agent, or other officer or employee of the Census Office engaged in making an enumeration of population, either directly or indirectly, any suggestion, advice, or assistance of any kind, with the intent or purpose of causing an inaccurate enumeration of population to be made, either as to the number of persons resident in any district or community, or in any other respect; and any individual, or any officer or member of any committee or other organization of any kind whatsoever, who directly or indirectly offers or renders any such suggestion, advice, information, or assistance, with such unlawful intent or purpose, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding $5,000.

And it shall be the duty of every owner, proprietor, manager, superintendent, or agent of a hotel, apartment house, boarding or lodging house, tenement, or other building, when requested by the Director of the Census, or by any supervisor, enumerator, special agent, or other employee of the census office, acting under the instructions of the said director to furnish the names of the occupants of said hotel, apartment house, boarding or lodging house, tenement, or other building, and to give thereto free ingress and egress to any duly accredited representative of the census office, or to permit of the collection of statistics for census purposes, including the proper and correct enumeration of all persons having their usual place of abode in said hotel, apartment house, boarding or lodging house, tenement, or other building; and any owner, proprietor, manager, superintendent, or agent of a hotel, apartment house, boarding or lodging house, tenement, or other building who shall refuse or willfully neglect to give such information or assistance under the conditions hereinbefore stated shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding $500.

SEC. 24. That it shall be the duty of every owner, official, agent, person in charge, or assistant to the person in charge, of any company, business, institution, establishment, religious body, or organization of any nature whatsoever, to answer completely and correctly to the best of his knowledge all questions relating to his respective company, business, institution, establishment, religious body, or other organization, or to records or statistics in his official custody, contained on any census schedule prepared by the Director of the Census under the authority of this act, or of the act to provide for a permanent census office, approved March 6, 1902, or of acts amendatory thereof or supplemental thereto; and any person violating the provisions of this section by refusing or willfully neglecting to answer any of said questions, or by willfully giving answers that are false, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding $10,000, or imprisoned for a period not exceeding one year, or both so fined and imprisoned.

The provisions of this section shall also apply to the collection of the information required and authorized by the act entitled "An act to provide for a permanent census office," and by acts amendatory thereof or supplemental thereto.

SEC. 25. That the information furnished under the provisions of the next preceding section shall be used only for the statistical purposes for which it is supplied. No publication shall be made by the census office whereby the data furnished by any particular establishment can be identified, nor shall the Director of the Census permit anyone other than the sworn employees of the census office to examine the individual reports.

SEC. 26. That all fines and penalties imposed by this act may be enforced by indictment or information in any court of competent jurisdiction.

SEC. 27. That the Director of the Census may authorize the expenditure of necessary sums for the actual and necessary traveling expenses of the officers and employees of the census office, including an allowance in lieu of subsistence not exceeding $4 per day during their necessary absence from the census office, or, *instead of such an allowance, their actual subsistence expenses, not to exceed $5 per day*; and he may authorize the incidental, miscellaneous, and contingent expenses necessary for the carrying out of this act, as herein provided, and not otherwise, including advertising in newspapers, the purchase of manuscripts, books of reference, and periodicals, the rental of sufficient quarters in the District of Columbia and elsewhere and the furnishing thereof, and expenditures necessary for compiling, printing, publishing, and distributing the results of the census, the purchase of necessary paper and other supplies, the purchase, rental, exchange, construction, and repair of mechanical appliances, the compensation of such permanent and temporary clerks as may be employed under the provisions of this act and the act establishing the permanent census office and acts amendatory thereof or supplemental thereto, and all other expenses incurred under authority conveyed in this act.

SEC. 28. That the Director of the Census is hereby authorized to make requisition upon the Public Printer for such printing as may be necessary to carry out the provisions of this act, to wit: Blanks, schedules, circulars, pamphlets, envelopes, work sheets, and other items

of miscellaneous printing; that he is further authorized to have printed by the Public Printer, in such editions as the director may deem necessary, preliminary and other census bulletins, and final reports of the results of the several investigations authorized by this act or by the act to establish a permanent Census Office and acts amendatory thereof or supplemental thereto, and to publish and distribute said bulletins and reports.

SEC. 29. That all mail matter, of whatever class or weight, relating to the census and addressed to the Census Office, or to any official thereof, and indorsed "Official business, Census Office," shall be transmitted free of postage, and by registered mail if necessary, and so marked: *Provided*, That if any person shall make use of such indorsement to avoid the payment of postage or registry fee on his or her private letter, package, or other matter in the mail, the person so offending shall be guilty of a misdemeanor and subject to a fine of $300, to be prosecuted in any court of competent jurisdiction.

SEC. 30. That the Secretary of Commerce, whenever he may deem it advisable, on request of the Director of the Census, is hereby authorized to call upon any other department or office of the Government for information pertinent to the work herein provided for.

SEC. 31. That there shall be in the year 1925, and once every 10 years thereafter, a census of agriculture and live stock, which shall show the acreage of farm land, the acreage of the principal crops, and the number and value of the domestic animals on the farms and ranges of the country. The schedule employed in this census shall be prepared by the Director of the Census. Such census shall be taken as of the 1st day of January and shall relate to the preceding calendar year. The Director of the Census may appoint enumerators or special agents for the purpose of this census in accordance with the provisions of the permanent census act.

SEC. 32. That the Director of the Census be, and he is hereby, authorized and directed to collect and publish, for the years, 1921, 1923, 1925, and 1927, and for every tenth year after each of said years, statistics of the products of manufacturing industries; and the director is hereby authorized to prepare such schedules as in his judgment may be necessary.

SEC. 33. That the Director of the Census be, and he is hereby, authorized, at his discretion, upon the written request of the governor of any State or Territory or of a court of record, to furnish such governor or court of record with certified copies of so much of the population or agricultural returns as may be requested, upon the payment of the actual cost of making such copies and $1 additional for certification; and that the Director of the Census is further authorized, in his discretion, to furnish to individuals such data from the population schedules as may be desired for genealogical or other proper purposes, upon payment of the actual cost of searching the records and $1 for supplying a certificate; *and that the Director of the Census is authorized to furnish transcripts of tables and other records and to prepare special statistical compilations for State or local officials, private concerns, or individuals upon the payment of the actual cost of such work: Provided, however, That in no case shall information furnished under the authority of this act be used to the detriment of the person or persons to whom such information relates.* All moneys hereafter received by the Bureau of the Census in payment for labor and materials used in furnishing transcripts of census records or special statistical compilations from such records shall be deposited to the credit of the appropriation for collecting statistics.

SEC. 34. That the act establishing the permanent Census Office, approved March 6, 1902, and acts amendatory thereof and supplemental thereto, except as are herein amended, shall remain in full force. That the act entitled "An act to provide for the thirteenth and subsequent decennial censuses," approved July 2, 1909, and acts amendatory thereof, and all other laws and parts of laws inconsistent with the provisions of this act, are hereby repealed.

Mr. SHEPPARD. I ask that the unfinished business be temporarily laid aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AFFAIRS IN RUSSIA.

Mr. LA FOLLETTE. Mr. President, the armed forces of the United States landed in Russia some months ago under the orders of the Commander in Chief are—if the press dispatches can be relied upon at all—engaged at the present time in making war upon Russia.

Some of the troops employed in the military operations there are from my own State, and I ask to be officially informed as to the presence of our troops in Russia, and I think the Congress and the country ought to know why we are making war upon the Russian people.

On the 2d of this month there appeared in the New York Times a dispatch stating that soldiers from Wisconsin and from an adjoining State were at the time engaged in desperate military operations in Russia and against Russian troops. The item, which is in the form of a "delayed dispatch," I send to the Secretary's desk and ask to have read down to the point I have indicated.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

[From the New York Times, Jan. 2, 1919.]

ALLIES IN RUSSIA DRIVE BACK REDS—AMERICANS TAKE BRILLIANT PART IN ATTACK ON FRONT SOUTH OF ARCHANGEL—IN CAMOUFLAGE FRANK FOE—WINTER QUARTERS WON BY ADVANCE—ALLIES GAIN ON THE ONEGA AND DVINA.

AMERICAN HEADQUARTERS IN NORTHERN RUSSIA, *December 29.* (*Delayed.*)

Fighting their way through the untracked forest and deep snow, American soldiers of the 339th Regiment, with the Polish Legion, Russian volunteers, and their French allies, have advanced 15 miles up the Omega River on the extreme west of the Archangel sector, driving the Bolshevikl before them. A score of tiny native log-but villages have fallen, and to-night, with a snowstorm raging, the men are held up by overwhelming numbers of Bolsheviki.

Some 75 miles east of this Onega fighting the American troops, supported by Canadian artillery, have captured the town of Kadish, and established lines one-half mile south.

These two victories comprise a tremendous improvement of the allied outpost positions, which, stretching like ribs, run over a 400-mile front, with Archangel as a hub.

It is impossible to conceive of a stranger, more picturesque, or more romantic bit of action than these two advances. No sun shines these winter days, and it is only light for four or five hours at the most. On all sides stretch the endless, dreary, depressing forests of fir, cut only by a few trails and frozen rivers. Little native villages dot these river banks, and in the log huts the simple, peaceful peasants hibernate during the long winter months.

To-night on this Onega River, 40 miles west of the Vologda-Archangel Railroad, 20 of these villages are in the hands of the allies. With this gain and prize there will probably be no more advances attempted for some time.

The heavy, gray Russian dawn had just broken at 9 o'clock when the artillery began the preliminary bombardment against the Bolshevikl position. Only with the greatest difficulty had the guns been dragged across the snows, but it had been done, and this morning the French artillery opened what may be the last advance in which American troops will ever take part.

After a few minutes of heavy shelling the allies left the blockhouses and advanced up the river roads straight at the enemy positions. Already flanking parties, drawing hand sleds loaded with ammunition and rations, had made their way through the forest and were attacking the rear. Every man was clothed in a heavy Arctic outfit and wore a white canvas robe with a cowl that in the faint light even of midday made him indistinguishable at a few hundred yards.

At 4 o'clock in the morning these gallant flanking parties had cut into the woods on the great adventure. In snow knee deep, with the temperature at zero, they were starting for unknown parts, across uncharted woods, on a desperate charge. It was really romantic.

Stunned by the surprise attack from the front, the Bolsheviki fell back from their advance positions. Immediately their rear was endangered by the flanking parties, so they were forced to withdraw several miles. Here in a log-but village they made a determined stand, utilizing the strongly built native houses with small windows and heavy doors as blockhouses. There was heavy fighting here, and again and again the Americans and their allies charged these improvised blockhouses. Steadily the Bolsheviki were forced back, fighting desperately in each little village as they took up retreating positions.

Finally late in the afternoon, when the twilight had settled down, they stiffened their defense, and 15 miles from the old positions they stopped the sweeping advance of the allies. The Bolsheviki suffered considerable casualties and some prisoners. Our losses were comparatively small.

Seventy-five miles east, on the other side of the railroad, the American soldiers with Canadian artillery fought to-day another gallant battle. Some 10 weeks ago the allies had been forced back by superior numbers from the little village of Kadish, and had taken up a position on the Emtsa River, 2 miles to the north. Here in the forest they built tiny blockhouses, lean-tos, and shelters, and camped in the ice and snow. To reach them there was a two-day sled trip from the railroad, and the only road from there on to the next allied position eastward was a tedious, dangerous, roundabout trail.

In Kadish village there were warm log houses, and running at right angles from the town was a straight road leading direct to the next allied outpost. To-night this village, with its comfortable billets and valuable road, is in the hands of the Americans, while our forward positions are a mile and a half beyond.

Mr. LA FOLLETTE. Mr. President, I shall not take the time of the Senate to comment at length upon the disclosures made in that dispatch. It is said further:

Five hundred Wisconsin and Michigan men, struggling gamely through the heavy snow, carrying rifles, ammunition, machine guns, and extra rations, did the job of flanking the Bolsheviki and surprising them much the same as their British pals did the trick 75 miles to the west.

I do not know how other Senators may feel, but I should be false to my conception of duty to my State and to her people if I did not exhaust every means in my power to find out by what right hundreds of young men of Wisconsin are engaged in conducting a war on Russia.

Mr. KENYON. Mr. President, may I ask the Senator a question?

Mr. LA FOLLETTE. Certainly.

Mr. KENYON. I should like to ask the Senator if he knows what has become of the resolution proposed by the Senator from California [Mr. JOHNSON] to find out why our troops are in Russia?

Mr. LA FOLLETTE. I understood that it was referred to the Committee on Foreign Relations. Not being a member of that committee, I do not know what consideration it is receiving at the hands of the committee.

Mr. SWANSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Virginia?

Mr. LA FOLLETTE. I do. The Senator from Virginia is a member of the committee.

Mr. SWANSON. The Senator from Nebraska [Mr. HITCHCOCK] expected to have made a speech or a statement to-day in reference to the Russian situation. To-morrow the committee anticipated taking up that matter for consideration, and expected to hear the Acting Secretary of State, Mr. Polk, regarding the Russian situation. On account of some Senators who are members of that committee attending the funeral of Col. Roosevelt, the meeting of the committee, as I understand, has been deferred. There is no disposition in the committee to shirk any

information that it is proper to give nor to shirk giving the resolution consideration.

As the Senator from Wisconsin has asked why our soldiers are at Archangel, I think possibly I can give him the information.

As soon as the North Sea was mined, and also the English Channel, it was nearly impossible for German submarines to get out into the ocean. When there was a collapse in Russia—and it was quite a collapse—and the Russian forces had surrendered to the Germans, and the Government there was thought to be more or less in alliance with the German Government, the next place where Germany sought to have a submarine base was at Archangel. It was possibly the only place available for a submarine base, from which submarines could go out and prey upon the commerce of the allies and also their ships. There was quite a discussion as to what should be done to take care of Archangel and the large supplies the allies had there. The Germans were endeavoring to get through Finland, the existing Government of which was friendly; and there is an impression, which I think is justified, that the Bolshevik Government was friendly to Germany. If the Germans had been able to take Archangel, had been able to establish a submarine base there, and could have operated their submarines from there, it would have been a greater menace than was possible anywhere else for the use of the submarines as an efficient naval arm.

In order to prevent this, and to take care of the vast supplies that were already landed there that the Germans were trying to get, as I understand—not speaking authoritatively but from information that I have in a more or less general way—the allies reached a conclusion as to what they should do to prevent this menace; and I think the United States sent about 2,500 men to unite with the allies to hold Archangel. That was, first, to take care of the vast supplies there; second, to prevent the great menace of a submarine base there, which would have been very disastrous to the allies if Archangel had been captured and used for that purpose.

I think the allies have from fifteen to twenty thousand men there, with about twenty-five hundred United States troops. I am not speaking authoritatively, but simply from general information. There was no intention, as I understand, to go farther than to hold Archangel and the country surrounding there, so as to make it safe for the allies, and so that the German menace could not be continued by capturing that as a submarine base.

Archangel was thus held, and the surrounding country out far enough to make it safe. In occupying this place we acquired obligations to many citizens of Russia who united with and aided us. To leave immediately, and to give up Archangel until some terms of peace have been made, would be to let these Russian friends of ours be massacred, murdered. It would be cowardly desertion. In addition to that, we would lose the supplies.

That, as I understand, is the present situation at Archangel. I know, as the chairman of the Naval Affairs Committee, that there was great apprehension that Archangel would be captured and used as a base for submarines by Germany.

As to what is the ultimate purpose, when these troops should be withdrawn, I am not prepared to say. I am not prepared to say what the conditions are or to what extent the government in Russia might be in alliance with Germany, or what the future conditions might be. All I can say is that if war should arise in the future, if Archangel should be in the hands of anybody adverse to this country or the allies, it would be a very serious situation.

Mr. LA FOLLETTE. Mr. President, I have listened to the explanation made by the Senator from Virginia, who is a member of the Committee on Foreign Relations; and while it does "explain" the sending of the troops to Russia, it does not set forth what I think at the time was commonly understood to be the reason why they were sent in. Mr. President, with regard to the observation of the Senator, that it was supposed that the revolutionary—the soviet—government of Russia was friendly to, supporting, and in sympathy with Germany, I wish to say that the information which has come to me, and of the reliability of which I have no doubt, because I know personally some of the people who have been in and who brought the information out of Russia, is contrary to the view expressed by the Senator. I think, before anyone assumes to arrive at a conclusion upon that subject, all the information obtainable in this country should be carefully considered.

A mass of information came out of Russia last May. Some Senators had an opportunity to see and examine it, or at least to hear a statement with regard to it. At that time, Mr. President, it was my privilege to see original documents by which the reliability of that evidence was attested, not only by the representatives of our Government in Russia, but by the representatives in Russia of other Governments with whom we were cooperating. I think, sir, that the proof is overwhelming that the soviet government from the beginning exerted itself in every possible way to enlist the sympathy and support of the Government of the United States, to the end that it might be strong enough to resist the German Government.

Mr. President, I did not expect to go into that matter at all, or to touch upon this question in any way, excepting to present my inquiry.

Mr. SWANSON. Mr. President, if the Senator will permit me——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield further?

Mr. LA FOLLETTE. Pardon me just one moment. Let me say this, further:

Whatever comes to the American people through the censored channels of the press regarding the soviet government of Russia ought to be subjected to pretty careful scrutiny before it is accepted as stating the whole truth. The great organized wealth of all the established governments of the world at this time fears above all things on earth the principles attempted to be established by the soviet government of Russia. So long as the news channels are censored it is not to be expected that there shall be permitted to reach the ears of the masses of the people of the world anything approaching the truth with respect to that government or what is taking place in Russia at this time.

I think the Senate was fortunate this afternoon in having presented to it the able address of the junior Senator from Arizona [Mr. ASHURST] with reference to the purchase of Lower California. It was not my privilege to hear all of that address, but I inquired about one feature of it from another Senator, because I did not wish to interrupt unnecessarily touching any matter upon which the Senator had spoken. I understand that he started with the proposition that before negotiations should be opened whereby this Government should reach out and acquire Lower California the people who live there were to be consulted, and their wishes were to be controlling in the matter; that peoples are not to be bought and sold because governments have power; that little nations ought to have their rights respected; that any government in the world that suits the people of a country, whether it suits the people of neighboring nations or not, ought to be as much the care of the powerful nations of the world as their own interests. And so I say of this soviet government, of which we know so little, if it is the sort of government that one hundred and thirty or one hundred and forty million people of Russia want, that is their business and not ours, nor the business of any other government on earth, and, whatever the pretext, no government should intrude itself into their affairs.

Disorder and bloodshed have accompanied every revolution of history. We ourselves passed through a period that one of the great historians has devoted a chapter to, entitled "Anarchy." From the day of the fall of the Bastille, France was drenched in blood. The bloodier a revolution the stronger the evidence that there has preceded it oppression unspeakable. The law of action and reaction is the same, not only in physics but in the affairs of men.

Although at the time I was in possession of what I believe to be reliable facts in the critical juncture to which the Senator from Virginia has referred, I would not, when the war was on, raise any question here or elsewhere concerning the presence of troops in Russia; and yet, under the recognized rules of international law the question might well have been raised. Russia at that time had withdrawn from the war. Other nations at war, for their own advantage, under international law, had no right to take possession of Russian territory, occupy it, and make it a base of operations; but everybody, in the presence of the awful catastrophe which had come upon the world, felt that at that stage matters should take their course.

But, Mr. President, the war is ended. There can be no pretext that the troops of the United States on Russian soil to-day are fighting anybody but the Russian people. Under what rules of international law, tell me, can the military forces of the United States engage in killing in Russia without our Government being held to indemnify the Government of Russia and the people of Russia? This nation and our troops are protected there by no declaration of war. There have been no grounds presented to this Congress, and I venture to say that no grounds can be presented, upon which a declaration of war could be predicated against the Russian people and the de facto Russian Government. But battles are fought, American blood is shed, Russians are killed on Russian soil. Evidently, from the dispatch which I have presented to the Senate, and a later one, which appeared in the morning papers yesterday, desperate fighting is going on there continually. If we have any more lawful right to maintain an army for aggressive warfare—for such is the character of the operation shown by these dispatches—in Russia than we have in China or Japan or any other country, I am most anxious to hear our right in that respect stated and defined, not in general terms, not in phrases that relate to something that occurred or is supposed to have occurred many months ago, when we were at war with Germany, and about which there never has been a syllable of proof furnished excepting the "Sisson papers," over which the slime of chicane and falsification and fraud and forgery is plainly manifest.

When my constituents appeal to me, as they do daily, to explain why their boys, having entered the service of their country to fight the declared enemy of their country, are retained in remote parts of the earth to wage a war not against the common enemy, but against a people with whom we are at peace, I have no answer.

But, sir, those citizens of Wisconsin and of every other State who are asking that question have made the supremest sacrifice for their country, and they are entitled to an answer. I am aware, Mr. President, that these are troublous times. We should proceed with caution and with no more precipitation than the terrible exigencies of the situation require, but in my judgment the time has come when an explanation is due from the administration concerning its purpose in keeping our soldiers in Russia. It is due that we should know by what right they are there and for what purpose they are engaged in prosecuting war.

It is necessary also that the explanation should be couched in plain and direct language so we can understand what it means. If this dispatch which I have read is true, and a number like it have appeared in the press recently, we are to-day making war upon Russia. Are we going to continue to make war upon her or are we not? The people are entitled to have that question answered and have it answered now.

It is no answer to say that the Government of Russia at the present time is unstable or that it is corrupt or that it is unjust. That we do not like the government of a country is no reason for making war upon it. There is no reason at this time for us either to support or oppose the present soviet government of Russia. It may be as bad as its enemies claim or as idealistic as its friends declare. That has nothing to do with the question.

Why should we either condemn or defend the Russian form of government? In the first place we know next to nothing about it, and we are not likely to know much about it while the present censorship continues. We do know, however, from our knowledge of the Russian people gained long before the present war that they are a great, idealistic, hard-working, and liberty-loving people who struggled for many years against one of the worst and most tyrannous governments that ever cursed any country. Yet, sir, these are the people that, so far as we can judge, have organized and are upholding by a great majority the present soviet government. These facts respecting the Russian people should make anyone hesitate to believe the fantastic tales respecting the present Government of Russia.

But aside from all that, whether the Russian Government is good or bad according to our standards it is not for us to attempt to overthrow it. We have enough to do at present right here in the United States and are likely to have for some time to come in making living conditions more tolerable and in restoring peace and prosperity and self-government to our own people. The first step in that process is to withdraw our soldiers from Russia or explain their presence there to the satisfaction of the people of this country.

Mr. SWANSON. Mr. President, I do not purpose to make any address regarding the Russian Government, but I wish to call the attention of the Senate to this fact:

If the Russian Government had been friendly to the allies, as has been suggested by the Senator from Wisconsin, I am at a loss to understand why they were unwilling for the allies to have troops at Archangel to prevent that place from being a base for German submarines. The very fact that they antagonized the allies occupying Archangel to prevent it from being held as a base for German submarines to prey upon American commerce, to destroy and sink American transports carrying American boys to fight for liberty in Europe, is conclusive proof that they were unfriendly to the allies.

The Senator implies that they were unable to protect themselves from Germany. Concede that that is true, that they were powerless to protect themselves from German inroads, German invasion, and German power; the allies went to Archangel and put troops there which made it impossible for Germany to occupy and take that place as a base for German submarines. It was known at that time that the German Army was trying to get through Finland. Its fleet was in the Baltic. It had supremacy in the Baltic. Its effort was to break through and get to Archangel, and use it as a base for German submarines. The North Sea had been mined. It became almost impossible to get submarines through there. The English Channel was mined. There was only one place where they could operate against American ships, American transports, American commerce, and destroy the allies as far as submarine warfare could do it, and that was at Archangel.

If the suggestion of the Senator is right, it was the duty of the allies then to wait, to be indifferent, to allow Germany to take charge of Archangel, to make twice as efficient and effective this warfare with the submarines. Why, America would have been recreant to its duty, the President would have been recreant to his duty as Commander in Chief of the Army and Navy, if he had sat silent and not united with the allies to prevent this great advantage coming to Germany.

That made submarine warfare almost impossible when it was impossible for Germany to get through to Archangel. Unless a person is desirous of letting the allies be powerless in preventing submarine warfare, he should not antagonize the allies taking advantage of the situation and possessing themselves of Archangel.

It would have been a serious mistake; there is no telling what the effect on the submarine warfare during this entire time would have been if Germany could have possessed this base for submarine warfare purposes. There is no telling how many transports carrying American troops would have been sunk by German submarines. No one could tell what was occurring or what would occur in Russia.

Mr. KENYON. That danger is all past now, is it not; and why do we not take the boys out of Russia?

Mr. SWANSON. That brings up the second proposition. As I understand, the troops of the allies which they have in Russia are not sufficient in number to make any offense, except as I understand the offensive has been for their own protection. I might be mistaken about that. I have not looked into it thoroughly, but the general impression I have had is that they only occupied territory around Archangel to a sufficient extent to make it safe and to hold it as such, and that the offensive has been on the part of the Bolsheviki government.

Mr. NORRIS. May I ask the Senator why do we want to hold Archangel?

Mr. SWANSON. The war is not over.

Mr. THOMAS. If the Senator will permit me, I want to suggest that there are enormous stores of ammunition and supplies belonging to the allies at Archangel, if my information is correct, and the transportation needed for its removal is not available. They must either protect this property or lose it. They can not very well afford to lose it. I think the fact of the existence of these supplies—and they are there in enormous quantities—is one of the best reasons for remaining there until the property of the allies can be transferred.

Mr. NORRIS. May I ask the Senator a question?

Mr. SWANSON. Yes.

Mr. NORRIS. Has the Senator any information as to how long we expect to hold that as a base of supplies? Why do we want to keep supplies there now?

Mr. SWANSON. As the Senator from Colorado has said, and as I said in response to the Senator from Wisconsin, we went there for two purposes; to prevent it from being used as a submarine base and because there were large supplies there. We are there, the war is not over; nobody can tell what the conditions in Russia for the future are; there has been no effort, except so far as the Bolsheviki has compelled it, to have offensive warfare, I think. As I understand, the Bolsheviki have been the offensive people. They have been the people that have been trying to drive the American and allied troops from Archangel. I am satisfied that if they would be quiet the allies would be quiet there. I have no authority for saying so, but that is the general impression that I have. The forces there are not sufficiently large for offensive warfare in Russia. The port of Vladivostock and this port of Archangel are the two most important ports and were in considerable danger at the time of the Russian collapse. Germany was trying to get both. We would have been recreant to our duty, recreant to our obligations, if we permitted these vast supplies at these two ports to fall into the hands of Germany, and in addition to that to permit this port of Archangel to be used as a submarine base. It has only been since the 11th of November that the armistice has been signed. Peace has not been made. No one knows now what is the attitude of the Russian Government toward the United States. I notice that a Russian representative or minister to Berlin made

a speech the other night, if the reports in the newspapers are true, in which he stated that the Bolsheviki government of Russia should unite with a similar government of Germany to wage warfare against the Anglo-Saxon allies. If that is the purpose, common sense and common patriotism demand that Archangel should be held until we ascertain whether that is true or not. Then, as the Senator so well said, do the Senators here advocate that the troops shall be withdrawn at once and that all these supplies should be surrendered? Are these troops to be brought out sooner than any other troops when it is just as urgent a necessity that they shall be there as elsewhere?

I am satisfied from the number of troops there and from the number of troops in Siberia that it is a matter of defensive and not of offensive warfare against the Russian Government. We sent, I think, about seven or nine thousand troops to Siberia. Twenty-five hundred, I think, is the number of troops furnished at Archangel. I understand Japanese troops are now being withdrawn from Siberia, which is proof that there is no intention of offensive warfare, certainly at the present.

I can remember that Senators and other people in this country were criticizing President Wilson because he did not send a great army to Russia, because he did not send millions of men there to create an eastern line. I remember the criticism was severe, but in this, as in other matters, President Wilson has justified his statesmanship and justified his wisdom. He took the position that the right place to wage the war was on the western line, and not to try to create an eastern line by marching through Russia; that the efforts would be more effective if spent on the western line. That policy has been vindicated, although the subject of criticism at the time. The position he took was to hold these two places, and it seems to me they should be held until this war is settled. If the Bolsheviki government tries to get these supplies, tries to massacre American troops sent over for that purpose, our troops have the right to exercise the privilege of self-defense. I think the Government was right in sending these troops there.

As to what the future purposes are, I am not authorized to speak authoritatively. The Acting Secretary of State, Mr. Polk, will be before the committee. What I mean is that I am satisfied that the American Government having pledged itself to the 14 points raised by President Wilson, which give self-determination to nations, justice and right to all, for which he is battling now and has battled, that this constitutes an assurance that the American troops will be kept nowhere except to carry out the purposes of justice and defend ourselves in the war that I voted for and believe was just. Indeed it was just because civilization was involved, just because American rights were jeopardized, just because American honor was assaulted on the high seas. The very high principles that President Wilson promulgated in Europe ought to be sufficient guaranty to these critics that American troops are sent nowhere except to act for justice, to carry out what he says in his great messages and in his great addresses should be the basis upon which peace should be made in the world.

Mr. KIRBY. Mr. President, I do not rise to criticize the Government in its attitude or policy in connection with this matter. I am not making any contention about any right of any Russian government. I do not question the purpose of this Government in maintaining an army in Russia at this time. But there is one thing I do want to say. The fighting has stopped in France, the fighting has stopped in Germany, but the fighting is in full force in Russia, and the American troops are engaged. We have found it necessary to send these troops there. They are Americans, and they are hopelessly outnumbered, dragging themselves through the snow yonder and fighting a foe overwhelming in numbers. If we have found it necessary to send American troops to Russia, and if our purposes require that they shall be maintained there, then we must support them with an army sufficient to take care of itself in Russia or anywhere else. When I read yesterday morning the account in the papers of American troops being so hopelessly outnumbered and how they were crawling on their hands through the snow and staining it with good American blood, I thought our Government ought to support them and ought to do it now and ought to do it with a force that is sufficient to take care of itself there or anywhere else.

If it is necessary to maintain an army in Russia, we owe it to the army already on the ground to send others there who will maintain this army and protect them and our rights, or we should withdraw the little handful that is there before they are absolutely destroyed.

Mr. KENYON. Mr. President, I think every Senator has received many letters on the Russian situation. I am not rising especially for the purpose of criticism, but I am rising rather to read into the RECORD extracts from a letter of one of the mothers of these boys in Russia. I thoroughly agree with the Senator from Arkansas [Mr. KIRBY]. We have a little force in Russia that will be wiped out by the murderous Bolsheviki. Let us bring them back, or if we are going to do the things that the Senator from Virginia [Mr. SWANSON] says, and if these things are necessary, let us put an army there and do it, and not allow our men to be wiped out by these murderous people. I see no reason why these men should remain in Russia. If they must, let us support them properly; that is the point I want to emphasize.

Mr. SWANSON. If the Senator will permit me, I understand while we have only 2,500 men the allies have about 15,000, and these were thought sufficient at that time, and are thought so now, for defensive purposes and the holding of Archangel. I do not know and can not state authoritatively that they are outnumbered.

Mr. KENYON. The people of the country are going to get information as to why our troops are in Russia, and the Senate is not going to permit any burial in any committee of a resolution asking for that information.

Mr. LA FOLLETTE. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from Wisconsin?

Mr. KENYON. I do.

Mr. LA FOLLETTE. I should like to ask the Senator a question, which I was tempted to ask the Senator from Arkansas when he was speaking, both of them taking the view that we should at once send a large army into Russia.

Mr. KENYON. Or withdraw the troops we have there.

Mr. LA FOLLETTE. Does it not occur to the Senator from Iowa that it would be a pretty wise thing for us to make a declaration of war before we go any further with this business?

Mr. KENYON. Yes; that is true; but the Senator does not get my viewpoint. I do not say a large army. I say we should do one of two things—withdraw these men, or, if they are to be kept there for any purpose, put a sufficient Army there to keep them from slaughter. That is the point I make. I say, however, withdraw them. We are not at war with Russia. Now that peace is in sight, are we to begin all over again with a new war? I say no.

The mothers of the boys who are in Russia are going to be heard. While the letter which I have is rather sarcastic in some places, it is from a woman in my State who has done wonderful work in the Red Cross, who is chairman of the county organization of the Red Cross in her county, who has one boy wounded on the battle fields of France and now in a hospital there, and this other boy of hers, her only remaining boy, is fighting through the snows of Russia, without any authority to put him there that anybody knows of. I have tried to get information from the War Department about this boy. I can not get a word. The cables are so burdened with other important matters just now, even to descriptions of gowns and hats worn at some of the ostentatious displays going on across the sea, that these mothers can not find out about their boys. They have some right to be heard in the Senate, and they are going to be heard in the country. I will not read all of this letter, but here is part of it:

> I trust you will pardon my troubling you again so soon, but I, at least, had the great pleasure of a response, which so far has been denied me by Secretary of War Baker. Perhaps he thinks he has something bigger than mothers' letters to think of, and, no doubt, he is a busy man; but if it were not for we mothers of men he might be under German rule to-day, and we resent silence when all is at stake for us. I wrote Secretary of War and sent him the picture of this dear boy that we are now so concerned about some days before I wrote you. But not one word from Baker. I did not ask anything unreasonable, only what protection did that little handful of men have against those millions, as every paper we pick up some one is protesting that our Army is left there under such dangerous conditions to eat black, sour bread. If it is wise to leave them, why not give them such care as United States gives to our soldiers? My son has not made one complaint of anything, and he does not know I am writing or so worried. Baker tells us to write cheerful letters to our boys. This boy was three months before he heard from home, and we have been that long trying to get a cable through. I gave my boys gladly, and I would not have them out of it one hour too soon, but I feel it is not just for us to be kept in ignorance when we know conditions to be the worst.
>
> England will not send their men—

That, of course, is a mistake, for wherever there has been the call in any part of the world Britain has responded with her men—

> Why should ours be left there to be slaughtered? I'd like to send Mr. Baker or his boys (if he has any), perhaps then he would begin to think something better be done. And while he is waiting to decide, what of our boys?
>
> * * * * * * *
>
> I thought there was only one place worse, and I have never been for one moment reconciled, for I felt it was murder, not war. We are not at war with Russia, and those they try to help don't know if they want them or not. My oldest boy was severely wounded in the last days—26th of October. Adjutant General notified me of this, but, fortunately, I had had four letters from him. He lies in a hospital at Breme, France. It may seem strange when I tell you I can stand this bravely. I'm proud of my boy, who stayed by his gun to the last (Field Artillery, Battery A, Forty-second Division), but when he was wounded he was among white, whole-hearted people, who are caring for him. He asks me not to worry. He's being given the best of care—a good bed, plenty to eat. If it's the Lord's will that he be not returned, I should grieve for him, but there would be no bitterness in my heart, and he died for his country, while with this boy the most bitter resentment would fill my life. But don't misunderstand me; my boy is no better than another mother's boy, if he was the good, noble boy this one is, and if they are protecting them. We know they are not feeding them, but why?
>
> I appeal to you to find out, if you can, if these few men are to be left there to starve or be murdered. Everything may be all right, but it looks bad to me, and I feel I have a right to know. I do not seek his release, as many are, only his care and protection.
>
> I answered her letter——

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Ohio?

Mr. KENYON. Certainly.

Mr. POMERENE. I am concerned, as well as other Senators, in getting exact information from Russia. In view of the letter which has just been read, perhaps it would not be out of place for me to say that no later than last night we had as our guest a young man who told us that he had heard from his brother, who was at Archangel and was one of the American troops. The letter was written not later than the latter part of November; he gave the date, but I do not now have it in mind. The gentleman stated that his brother spoke in most complimentary terms of the comfort and accommodations they have there. I simply speak of that for what it is worth.

Mr. KENYON. I am very glad to know that, and that may be some comfort to this poor mother who can get no word from the War Department.

The second letter reads as follows:

> I have stood up under the stress of this Red Cross and all that goes with it most wonderfully, but this Russian terror and suspense of waiting and wondering why has taken my heart out of the work, or, rather, made me unfit for my position. I am sending you a letter from the Carroll County paper which tells of conditions that are most discouraging. This lieutenant has the same base, but not the company, with my son. I would never know from this son if he was starving. That's one reason why some one else should find out. Trust you will regard me as an anxious, loving mother and not a nuisance to you.

The last letter—and I think as to a portion of what the mother says in this letter the mantle of charity might be thrown over it if anybody has any criticism of it, because it is from a mother's breaking heart who has heard nothing of this boy of hers in months—personally I admire the spunk of the writer:

> I read with much interest the demand of Senator TOWNSEND for the Michigan people concerning the Three hundred and thirty-ninth Infantry. It is true most of these men are from Detroit. The captain of this company made a special request—which is not considered allowable—that my son be transferred to his company, which, of course, was very agreeable to him. I notice Secretary of War Baker says he has never heard complaint. Well, perhaps they went where my letter went—to the wastebasket. At least I received no reply. And had he read it he could not have truthfully said what he did. Then he disclaimed knowing of influenza. If such be true, I think it time he began to find out. I think I sent you the letter received from my son, when he said 62 of their men—some of their best—died in four days after landing at Archangel. He also told of their second lieutenant being taken from the barge as they were going up the river and died three days later. I don't believe one of these deaths has been reported. I say again, we feel, and have a just cause to do so, these men were carted off up there without much thought as to what they were going for and forgotten, and some one will be asked, and demand, that we know why. And with all due respect to our President, I think no time should be lost to cable a demand that he pause in his receptions long enough to do something for our boys at once there. We visited Camp Custer a short time before they left for over. A more splendid body of men President Wilson will not meet in all his travel. The whole of Russia would not pay for one of their lives, as it is to-day or ever will be.

Then she speaks of other things and of an attack that her boy had written about long before it was to be made.

Mr. President, I feel that I am simply performing a duty to this mother of one of these boys and to the people of my State who have boys in Russia. They are not asking that any of their sons be relieved from performing any of the real duties of this war. They feel that this war is practically over or at least that the fighting is over, and they do not want these boys of theirs left up amid those snows and the terrors of Russia to meet the terror of bolshevism when it may not be necessary. If it is necessary, all that she asks and that they ask is that those boys have proper care and proper support, and the mothers of this Nation have a right to ask for that. We may well be careful that as this war closes we do not become forgetful of the boys who have made it possible for civilization. I agree with the words expressed here a few moments ago that we have nothing to do with the kind of government the people of Russia have. It is about time to be paying some attention to the United States of America and its people.

EXECUTIVE SESSION.

Mr. THOMAS. I move that the Senate proceed to the consideration of executive business.

Mr. SHEPPARD. Before that motion is put, I wish to ask that the unfinished business be laid before the Senate.

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). In answer to the suggestion of the Senator from Texas, the Chair is informed that the bill is before the Senate and that the request of the Senator is not necessary. The question is on the motion of the Senator from Colorado that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

ADJOURNMENT TO THURSDAY.

Mr. MARTIN of Virginia. I move that when the Senate adjourns to-day it adjourn to meet on Thursday next at 12 o'clock noon.

The motion was agreed to.

ADJOURNMENT.

Mr. MARTIN of Virginia. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 25 minutes p. m.) the Senate adjourned until Thursday, January 9, 1919, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 7, 1919.

FEDERAL TRADE COMMISSION.

Huston Thompson to be a member of the Federal Trade Commission.

UNITED STATES DISTRICT JUDGE.

R. L. Williams to be United States district judge, eastern district of Oklahoma.

HOUSE OF REPRESENTATIVES.

TUESDAY, *January 7, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Come, Thou Almighty, with all Thy holy influence and make us one with Thee in thought and purpose in this epoch-making period in the history of the world.

Intense problems loom large before us and before all the civilized nations. Give us courage, patience, wisdom, strength, that we may uphold right and truth and justice; and guide, we beseech Thee, the great men who have been selected to form a peace pact, that it may unite the men of all nations into brotherly love; that the scenes which we have and are passing through may never disgrace mankind again. In His name. Amen.

The Journal of the proceedings of yesterday was read and approved.

COMMITTEE TO ATTEND FUNERAL OF EX-PRESIDENT ROOSEVELT.

The SPEAKER announced as the committee to attend the funeral of the late Theodore Roosevelt, Mr. KITCHIN, Mr. SHERLEY, Mr. WEBB, Mr. FLOOD, Mr. DENT, Mr. PADGETT, Mr. SHERWOOD, Mr. STEDMAN, Mr. ESTOPINAL, Mr. RIORDAN, Mr. McANDREWS, Mr. GALLIVAN, Mr. THOMAS F. SMITH, Mr. MANN, Mr. FORDNEY, Mr. GILLETT, Mr. VOLSTEAD, Mr. COOPER of Wisconsin, Mr. KAHN, Mr. BUTLER, Mr. MOTT, Mr. HICKS, Mr. CHANDLER of New York, Mr. CANNON, Mr. RODENBERG, and Mr. BOWERS.

EXTENSION OF REMARKS.

Mr. CAMPBELL of Kansas. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. CAMPBELL of Kansas. Mr. Speaker, there appeared this morning in a Washington paper a tribute from ex-President Taft upon the late Col. Roosevelt. The tribute is so worthy of the writer and of Col. Roosevelt that I ask unanimous consent to extend my remarks in the RECORD by inserting it.

The SPEAKER. The gentleman from Kansas asks unanimous consent to extend his remarks in the CONGRESSIONAL RECORD by inserting an article by ex-President Taft on Col. Roosevelt. Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed the following resolutions:

Resolved, That the Senate has heard with profound sorrow and regret the announcement of the death of Hon. Theodore Roosevelt, late a President of the United States.

Resolved, That a committee of 15 Senators be appointed by the Vice President to join such committee as may be appointed on the part of the House of Representatives to attend the funeral of the deceased.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives.

Resolved, That as a further mark of respect to the memory of ex-President Roosevelt the Senate do now adjourn.

And that in compliance with the second resolution the Vice President had appointed Mr. LODGE, Mr. MARTIN of Virginia, Mr. SIMMONS, Mr. CHAMBERLAIN, Mr. POINDEXTER, Mr. REED, Mr. SAULSBURY, Mr. CURTIS, Mr. HARDING, Mr. UNDERWOOD, Mr. WADSWORTH, Mr. CALDER, Mr. JOHNSON of California, Mr. KELLOGG, and Mr. KNOX as said committee.

LEAVE OF ABSENCE.

By unanimous consent, Mr. DRANE, of Florida, was granted leave of absence indefinitely on account of illness.

RESIGNATION.

The SPEAKER. The Chair lays before the House the following communication.

The Clerk read as follows:

BROOKLYN, N. Y., *January 6, 1919.*

Hon. CHAMP CLARK,
Speaker House of Representatives.

MY DEAR MR. SPEAKER: This is to notify you that I have tendered my resignation as a Representative from the fourth district of the State of New York to the governor of the State. The resignation is to take effect immediately.

Sincerely, yours,
HARRY HOWARD DALE

The SPEAKER. Ordered filed among the archives of the House.

CONTESTED-ELECTION CASE—WICKERSHAM AGAINST SULZER.

Mr. WILSON of Louisiana. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. WILSON at Louisiana. To ask unanimous consent to extend my remarks in the RECORD on the pending election contest.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to extend his remarks in the RECORD on the Alaska contest case. Is there objection? [After a pause.] The Chair hears none. When the House adjourned Saturday the previous question was ordered on these resolutions and also on the motion to recommit. Of course the motion to recommit is voted on first and the Clerk will report the motion.

Mr. CAMPBELL of Kansas. Mr. Speaker, I make the point of order there is no quorum present. However, Mr. Speaker, I prefer the point should be raised on the vote.

The SPEAKER. That is the easiest way. The Clerk will report the Burnett motion.

The Clerk read as follows:

Mr. BURNETT moves to refer the contested-election case of James Wickersham, contestant, against Charles A. Sulzer to the Committee on Elections No. 1 and said committee shall report on said case by or before February 10, 1919.

The question was taken, and the Speaker announced the noes seemed to have it.

Mr. WILSON of Louisiana. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Louisiana makes the point of order that there is no quorum present, and evidently there is not. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 131, nays 187, answered "present" 1, not voting 112, as follows:

YEAS—131.

Alexander	Crisp	Hensley	Overstreet
Almon	Crosser	Holland	Padgett
Aswell	Curry, Cal.	Huddleston	Phelan
Ayres	Davey	Hull, Tenn.	Polk
Bankhead	Dent	Igoe	Rainey, H. T.
Barkley	Denton	Jones	Rainey, J. W.
Barnhart	Dill	Kehoe	Raker
Bell	Dixon	Kincheloe	Randall
Benson	Doolittle	Larsen	Rayburn
Blackmon	Doughton	Lazaro	Romjue
Bland, Va.	Ragan	Lea, Cal.	Rouse
Blanton	Eagle	Lee, Ga.	Rucker
Bowers	Evans	Lever	Sandera, La.
Brodbeck	Fields	Linthicum	Saunders, Va.
Buchanan	Fisher	Littlepage	Shallenberger
Burnett	Flood	Lobeck	Shouse
Byrnes, S. C.	Foster	Lonergan	Sims
Byrns, Tenn.	Gallagher	Lundeen	Sisson
Caldwell	Gallivan	Lunn	Smith, T. F.
Candler, Miss.	Gandy	McAndrews	Snook
Cantrill	Gard	McKeown	Steagall
Caraway	Garner	McLemore	Stedman
Carlin	Garrett, Tex.	Mays	Stephens, Miss.
Church	Godwin, N. C.	Miller, Wash.	Sterling
Clark, Fla.	Goodwin, Ark.	Montague	Stevenson
Claypool	Gray, Ala.	Neely	Sumners
Cleary	Hamlin	Oldfield	Taylor, Ark.
Coady	Hardy	Oliver, Ala.	Thomas
Collier	Harrison, Miss.	O'Shaunessy	Tillman
Cox	Heflin	Overmyer	Vinson

Walton	Weaver	White, Ohio	Wright
Watkins	Webb	Wilson, Tex.	Young, Tex.
Watson, Va.	Welling	Wingo	

NAYS—187.

Anderson	Fess	Lampert	Sanford
Anthony	Focht	Langley	Schall
Austin	Fordney	Lehlbach	Scott, Mich.
Baer	Foss	Lesher	Sears
Beakes	Frear	London	Sells
Beshlin	Freeman	Lufkin	Sherwood
Birch	French	McCulloch	Siegel
Bland, Ind.	Fuller, Ill.	McFadden	Sinnott
Booher	Garrett, Tenn.	McKenzie	Small
Britten	Gillett	McKinley	Smith, Idaho
Browne	Glynn	McLaughlin, Mich	Snell
Browning	Good	Magee	Snyder
Butler	Gordon	Mann	Stafford
Campbell, Kans.	Gould	Mapes	Steele
Cannon	Graham, Ill.	Martin	Steenerson
Cary	Green, Iowa	Mason	Stiness
Chandler, N. Y.	Greene, Mass.	Merritt	Strong
Chandler, Okla.	Greene, Vt.	Moore, Pa.	Sweet
Clark, Pa.	Griest	Moores, Ind.	Taylor, Colo.
Classon	Hadley	Morgan	Temple
Connally, Tex.	Hamilton, Mich.	Nelson, A. P.	Thompson
Cooper, Ohio	Haskell	Nelson, J. M.	Tilson
Cooper, Wis.	Hastings	Nicholls, S. C.	Timberlake
Copley	Haugen	Nolan	Towner
Crago	Hawley	Norton	Treadway
Cramton	Hayden	Osborne	Vare
Dale	Hayes	Paige	Vestal
Dallinger	Hersey	Parker, N. J.	Voigt
Darrow	Hicks	Parker, N. Y.	Volstead
Davis	Hilliard	Peters	Walker
Dempsey	Hollingsworth	Platt	Walsh
Denison	Houston	Porter	Ward
Dewalt	Hull, Iowa	Pou	Wason
Dickinson	Humphreys	Powers	Watson, Pa.
Dies	James	Purnell	Welty
Dillon	Johnson, Wash	Ramsey	Whaley
Dominick	Juul	Ramseyer	Wheeler
Doremus	Kahn	Rankin	White, Me.
Dowell	Kelley, Mich.	Reavis	Williams
Dupré	Kelly, Pa.	Reed	Wilson, Ill.
Edmonds	Kennedy, Iowa	Rodenberg	Wilson, La.
Elliott	King	Rogers	Winslow
Ellsworth	Kinkaid	Rose	Wood, Ind.
Esch	Knutson	Rowe	Woods, Iowa
Fairchild, B. L.	Kraus	Ruhey	Woodyard
Fairfield	La Follette	Sanders, Ind.	Zihlman
Farr	LaGuardia	Sanders, N. Y.	

ANSWERED "PRESENT"—1.

Slayden

NOT VOTING—112.

Ashbrook	Ferris	Kettner	Riordan
Bacharach	Flynn	Key, Ohio	Robbins
Black	Francis	Kiess, Pa.	Roberts
Borland	Fuller, Mass.	Kitchin	Robinson
Brand	Garland	Kreider	Rowland
Brumbaugh	Goodall	Little	Russell
Burroughs	Graham, Pa.	Longworth	Sabath
Campbell, Pa.	Gray, N. J.	McArthur	Scott, Iowa
Carew	Gregg	McClintic	Scott, Pa.
Carter, Mass.	Griffin	McCormick	Scully
Carter, Okla.	Hamill	McLaughlin, Pa.	Shackleford
Connelly, Kans.	Hamilton, N. Y.	Madden	Sherley
Cooper, W. Va.	Harrison, Va.	Maher	Slemp
Costello	Heaton	Mansfield	Sloan
Currie, Mich.	Heintz	Miller, Minn.	Smith, Mich.
Decker	Helm	Mondell	Smith, C. B.
Delaney	Helvering	Moon	Stephens, Nebr.
Donovan	Hood	Morin	Sullivan
Dooling	Howard	Mott	Swift
Drane	Husted	Mudd	Switzer
Drukker	Hutchinson	Nichols, Mich.	Tague
Dunn	Ireland	Oliver, N. Y.	Templeton
Dyer	Jacoway	Olney	Tinkham
Elston	Johnson, Ky.	Park	Van Dyke
Emerson	Johnson, S. Dak.	Pratt	Venable
Essen	Kearns	Price	Waldow
Estopinal	Keating	Quin	Wise
Fairchild, G. W.	Kennedy, R. I.	Ragsdale	Young, N. Dak.

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. SLAYDEN (for motion to recommit) with Mr. MILLER of Minnesota (against).

Until further notice:

Mr. BRUMBAUGH with Mr. COSTELLO.

Mr. KEATING with Mr. HUSTED.

Mr. FERRIS with Mr. BACHARACH.

Mr. HELM with Mr. KIESS of Pennsylvania.

Mr. SULLIVAN with Mr. GOODALL.

Mr. HAMILL with Mr. ROBBINS.

Mr. PRICE with Mr. KEARNS.

Mr. SCULLY with Mr. GARLAND.

Mr. RAGSDALE with Mr. BURROUGHS.

Mr. ASHBROOK with Mr. COOPER of West Virginia.

Mr. BLACK with Mr. DRUKKER.

Mr. CARTER of Oklahoma with Mr. DUNN.

Mr. DONOVAN with Mr. ELSTON.

Mr. DOOLING with Mr. EMERSON.

Mr. ESTOPINAL with Mr. GEORGE W. FAIRCHILD.

Mr. HARRISON of Virginia with Mr. GRAHAM of Pennsylvania.

Mr. HELVERING with Mr. HAMILTON of New York.

Mr. JACOWAY with Mr. HUTCHINSON.

Mr. KETTNER with Mr. IRELAND.

Mr. MCCLINTIC with Mr. KENNEDY of Rhode Island.

Mr. MOON with Mr. LONGWORTH.

Mr. MAHER with Mr. MOTT.

Mr. OLIVER of New York with Mr. MUDD.

Mr. OLNEY with Mr. SWIFT.

Mr. PARK with Mr. TINKHAM.

Mr. RIORDAN with Mr. WALDOW.

Mr. TAGUE with Mr. MCARTHUR.

The SPEAKER. On this vote the yeas are 131, nays 187, present 1. A quorum is present. The Doorkeeper will open the doors.

Mr. POU. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. POU. I rise to make a unanimous-consent request.

Mr. MANN. There is a question pending.

The SPEAKER. The Clerk will report the resolutions.

The Clerk read as follows:

Resolved,

1. That Charles A. Sulzer was not elected a Delegate to the House of Representatives from the Territory of Alaska in this Congress and is not entitled to retain a seat herein.

2. That James Wickersham was duly elected a Delegate to the House of Representatives from the Territory of Alaska in this Congress and is entitled to a seat herein.

The SPEAKER. The question is on agreeing to the resolutions.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. RUCKER. Mr. Speaker, I demand the yeas and nays.

Mr. HARRISON of Mississippi. Mr. Speaker, is it too late to ask for a separation of those two questions?

The SPEAKER. Yes.

The question is on demanding the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 229, nays 64, answered "present" 13, not voting 125, as follows:

YEAS—229.

Anderson	Fisher	Lea, Cal	Sanders, N. Y.
Anthony	Focht	Lehlbach	Saunders, Va.
Aswell	Fordney	Lever	Schall
Austin	Foss	Little	Scott, Mich
Baer	Frear	Lobeck	Sells
Beakes	Freeman	Lonergan	Shallenberger
Beshlin	French	Lufkin	Sherwood
Birch	Fuller, Ill.	McAndrews	Shouse
Bland, Ind	Gallagher	McCulloch	Siegel
Bland, Va.	Gallivan	McKenzie	Sinnott
Booher	Gandy	McKeown	Small
Britten	Garner	McKinley	Smith, Idaho
Browne	Garrett, Tenn.	McLaughlin, Mich.	Smith, T. F
Browning	Gillett	Magee	Snell
Buchanan	Glynn	Mann	Snook
Butler	Good	Mapes	Snyder
Byrnes, S. C.	Goodwin, Ark.	Martin	Stafford
Campbell, Kans.	Gordon	Mason	Steele
Cannon	Gould	Merritt	Steenerson
Cary	Graham, Ill	Miller, Wash.	Stephens, Miss.
Chandler, N. Y.	Green, Iowa	Mondell	Sterling
Chandler, Okla.	Greene, Mass.	Montague	Stiness
Clark, Pa.	Greene, Vt.	Moore, Pa.	Strong
Classon	Griest	Moores, Ind.	Sumners
Cleary	Hadley	Morgan	Sweet
Connally, Tex.	Hamilton, Mich.	Neely	Taylor, Ark.
Cooper, Ohio	Haskell	Nelson, A. P.	Taylor, Colo.
Cooper, Wis	Hastings	Nelson, J. M.	Temple
Copley	Haugen	Nicholls, S. C.	Thompson
Crago	Hawley	Nolan	Tilson
Cramton	Hayden	Norton	Timberlake
Crosser	Hayes	Olney	Towner
Dale	Hensley	Osborne	Treadway
Dallinger	Hersey	O'Shaunessy	Vare
Darrow	Hicks	Paige	Vestal
Davis	Hilliard	Parker, N. J.	Voigt
Dempsey	Hollingsworth	Parker, N. Y.	Volstead
Denison	Houston	Peters	Walker
Denton	Hull, Iowa	Phelan	Walsh
Dewalt	Hull, Tenn.	Platt	Walton
Dickinson	Humphreys	Porter	Ward
Dies	Igoe	Pou	Wason
Dillon	James	Powers	Watson, Pa.
Dixon	Johnson, Wash.	Purnell	Welty
Dominick	Juul	Ramey, J. W.	Whaley
Dowell	Kehoe	Ramsey	Wheeler
Dunn	Kelley, Mich.	Ramseyer	White, Me.
Dupré	Kelly, Pa.	Randall	Williams
Eagan	Kennedy, Iowa	Rankin	Wilson, Ill.
Eagle	King	Rayburn	Wilson, La.
Edmonds	Kinkaid	Reavis	Winslow
Elliott	Knutson	Reed	Wood, Ind.
Ellsworth	Kraus	Rodenberg	Woods, Iowa
Esch	La Follette	Rogers	Woodyard
Fairchild, B. L.	LaGuardia	Rose	Young, Tex.
Fairfield	Lampert	Rowe	
Farr	Langley	Ruhey	
Fess	Lazaro	Sanders, Ind.	

NAYS—64.

Alexander	Claypool	Heflin	Overstreet
Almon	Coady	Huddleston	Raker
Bankhead	Collier	Jacoway	Romjue
Barkley	Cox	Jones	Rouse
Bell	Curry, Cal.	Key, Ohio	Rucker
Benson	Davey	Kincheloe	Sanders, La.
Blackmon	Dent	Larsen	Sisson
Blanton	Dill	Lee, Ga.	Steagall
Bowers	Evans	Lesher	Stevenson
Brodbeck	Fields	Linthicum	Tillman
Burnett	Gard	Littlepage	Vinson
Caldwell	Garrett, Tex.	Lundeen	Watkins
Candler, Miss.	Gray, Ala.	Lunn	Welling
Cantrill	Hamlin	Mays	Wilson, Tex.
Caraway	Hardy	Moon	Wingo
Church	Harrison, Miss.	Oldfield	Wright

ANSWERED "PRESENT"—13.

Barnhart	Crisp	Polk	White, Ohio
Byrns, Tenn.	Flood	Rainey, H. T.	
Carlin	Foster	Watson, Va.	
Clark, Fla.	Holland	Weaver	

NOT VOTING—125.

Ashbrook	Flynn	London	Sanford
Ayres	Francis	Longworth	Scott, Iowa
Bacharach	Fuller, Mass.	McArthur	Scott, Pa.
Black	Garland	McClintic	Scully
Borland	Godwin, N. C.	McCormick	Sears
Brand	Goodall	McFadden	Shackleford
Brumbaugh	Graham, Pa.	McLaughlin, Pa.	Sherley
Burroughs	Gray, N. J.	McLemore	Sims
Campbell, Pa.	Gregg	Madden	Slayden
Carew	Griffin	Maher	Slemp
Carter, Mass.	Hamill	Mansfield	Sloan
Carter, Okla.	Hamilton, N. Y.	Miller, Minn.	Smith, Mich.
Connelly, Kans.	Harrison, Va.	Morin	Smith, C. B.
Cooper, W. Va.	Heaton	Mott	Stedman
Costello	Heintz	Mudd	Stephens, Nebr.
Currie, Mich.	Helm	Nichols, Mich.	Sullivan
Decker	Helvering	Oliver, Ala.	Swift
Delaney	Hood	Oliver, N. Y.	Switzer
Donovan	Howard	Overmyer	Tague
Dooling	Husted	Padgett	Templeton
Doolittle	Hutchinson	Park	Thomas
Doremus	Ireland	Pratt	Tinkham
Doughton	Johnson, Ky.	Price	Van Dyke
Drane	Johnson, S. Dak.	Quin	Venable
Drukker	Kahn	Ragsdale	Waldow
Dyer	Kearns	Riordan	Webb
Elston	Keating	Robbins	Wise
Emerson	Kennedy, R. I.	Roberts	Young, N. Dak.
Essen	Kettner	Robinson	Zihlman
Estopinal	Kiess, Pa.	Rowland	
Fairchild, G. W	Kitchin	Russell	
Ferris	Kreider	Sabath	

So the resolutions were agreed to.

The Clerk announced the following additional pairs:

On the vote:

Mr. MILLER of Minnesota (for) with Mr. SLAYDEN (against).

Until further notice:

Mr. SIMS with Mr. LONGWORTH.

The result of the vote was announced as above recorded.

On motion of Mr. MANN, a motion to reconsider the vote whereby the resolutions were agreed to was laid on the table.

COMMITTEE TO ATTEND THE FUNERAL OF EX-PRESIDENT ROOSEVELT.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent that the Speaker of the House may be made a member of the committee to attend the funeral of the late President of the United States, Mr. Roosevelt.

Mr. MANN. Mr. Speaker, I am very glad that the gentleman makes that request.

The SPEAKER pro tempore (Mr. POU). The gentleman from Tennessee asks unanimous consent that the name of the Speaker of the House be added to the committee which, by the direction of the House, will attend the funeral of ex-President Roosevelt. Is there objection?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent that the business in order to-morrow may be dispensed with.

The SPEAKER pro tempore. The gentleman from Tennessee asks unanimous consent that the business in order to-morrow may be dispensed with. Is there objection?

There was no objection.

RELIEF IN EUROPE.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk to be read.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

A bill (H. R. 13708) providing for the relief of such populations in Europe, outside of Germany, as may be determined upon by the President as necessary.

Be it enacted, etc., That for the participation by the Government of the United States in the furnishing of foodstuffs and other urgent supplies, and for the transportation, distribution, and administration

thereof to such populations in Europe, outside of Germany, as may be determined upon by the President from time to time as necessary, and for each and every purpose connected therewith, in the discretion of the President, $100,000,000, which may be used as a revolving fund until June 30, 1919, and which shall be audited where practicable in the same manner as other expenditures of the Government are audited: *Provided*, That expenditures hereunder shall be reimbursed so far as possible by the Governments or subdivisions thereof or the peoples to whom relief is furnished: *Provided further*, That a report of the receipts and expenditures under this appropriation shall be submitted to Congress not later than the first day of the next regular session.

Mr. MANN. Mr. Speaker, I did not catch the gentleman's request.

Mr. SHERLEY. It was for unanimous consent for consideration. I was about to make a statement to the House.

Mr. MANN. I reserve the right to object.

Mr. SHERLEY. Mr. Speaker, if unanimous consent should be granted, it was my intention, having consulted with the gentleman from Massachusetts [Mr. GILLETT], the ranking Member of the Committee on Appropriations, to ask that two hours and a half be given for consideration, and that at the end of that time the previous question should be considered as ordered and a vote had upon the passage of the bill. The gentleman from Massachusetts will state, I think, that the time is satisfactory to him.

Mr. LITTLE. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman one question. I notice this relief is confined entirely to Europe. There are sever l million Armenian Christians on the borders of Europe. How does it happen that they are not included in this measure?

Mr. SHERLEY. The request that came by virtue of the cable from the President to the Secretary of the Treasury, and which was transmitted to the House, and which is found in House Document 1640, confined it to Europe, as the bill does, and in the absence of a specific request for funds to be expended outside of Europe the committee would not feel warranted in going beyond the request.

Mr. LITTLE. Would not the chairman of the Committee on Appropriations accept and agree to an amendment including Armenia?

Mr. SHERLEY. I would not feel warranted at this time to announce that I would accept such an amendment.

Mr. LITTLE. The people of this country are being asked for many millions for that purpose, and I think that that neighborhood is more needy than any other.

Mr. LANGLEY. Mr. Speaker, will the gentleman yield for a question?

Mr. SHERLEY. Certainly.

Mr. LANGLEY. Does the gentleman's request propose to exclude the opportunity of offering amendments? I did not quite catch it.

Mr. SHERLEY. As submitted, it would simply bring the matter up for a direct vote as proposed. I do not know that I have any special desire to curtail opportunity to offer amendments. It is desired, if possible, to complete the consideration of this bill in time to enable several of us to leave for New York. But, of course, that, while it is a personal reason, is not a sufficient reason for any particular rule.

Mr. LITTLE. I would like to finish my inquiry. In view of the fact that Armenia is a Christian people, as much distressed and more distressed than any that will be involved in this measure in Europe, and in view of the fact that more efforts are being made to secure from the people of America by free gifts and contributions aid for Armenia than for any other country, I shall have to withhold my consent unless some arrangement is made to include Armenia in this bill or opportunity to put it in.

Mr. SHERLEY. The gentleman will appreciate that I am not in a position to undertake to get unanimous consent by terms such as he proposes. I might be in entire sympathy with the gentleman's proposal, and yet in the absence of more information touching the matter I would not feel warranted, on behalf of the committee, in saying that I would agree to an amendment of that kind.

Mr. LITTLE. I understood the gentleman's request was that this bill should be passed without any opportunity for amendment.

Mr. SHERLEY. I simply offered a proposal of that kind. If the House does not desire to do that, why the matter can be thrown open to amendment. I realize both the importance of the matter and the very proper desire of the House to consider it fully. I have no wish to interfere with that desire in any way.

Mr. LITTLE. If the gentleman from Kentucky will modify his request so as to afford opportunity for amendment, I will not object; but if he will not, I shall object.

Mr. SHERLEY. My request, which is pending, is for consideration, and does not involve the question of amendments at all.

Mr. STAFFORD. I understood the gentleman to say that at the end of the debate the previous question would be ordered.

Mr. SHERLEY. I said I should like to request that. I suggest that the gentleman from Massachusetts [Mr. GILLETT] state his position touching the matter.

Mr. GILLETT. I have been trying to get an opportunity to do that, Mr. Speaker.

The SPEAKER. The gentleman from Massachusetts is recognized.

Mr. MOORE of Pennsylvania. Mr. Speaker, I understand this is a request for unanimous consent?

The SPEAKER. Yes.

Mr. GILLETT. Mr. Speaker, I wish to say that, for one, I am opposed to this resolution, and I suggested to the gentleman from Kentucky—with which suggestion he entirely agreed—that this is a matter of such momentous importance that the House ought to have opportunity for full consideration and debate. Now, I say this in all fairness to the House, so that if there are any Members who wish time against the resolution they may be forewarned: This request has just been presented, and already enough gentlemen have spoken to me to consume the entire 1 hour and 15 minutes which would be allotted to me in opposition; so that if there are other Members, as very likely there may be, who wish time on either side of the House in opposition to the resolution—for in the committee the opposition was not partisan—I shall be unable to give it to them. Therefore, if there are other gentlemen, the time for debate ought to be extended.

Mr. GORDON. I should like 10 or 15 minutes against this proposition.

Mr. LANGLEY. I should like to have some time.

Mr. MOORE of Pennsylvania. In view of the fact that this is a request for unanimous consent, and that it involves a tax of $1 per capita on every man, woman, and child in the United States, for purposes not fully explained, I object. We have a great deal of distress and suffering in the United States.

Mr. SHERLEY. If the gentleman will reserve his objection for a moment——

Mr. SEARS. Regular order!

The SPEAKER. The gentleman from Pennsylvania objects.

Mr. SHERLEY. If the gentleman will withhold his objection——

Mr. MOORE of Pennsylvania. I will not withhold my objection to unanimous consent to take $100,000,000 and give it to people in unknown lands for unknown purposes. The time has come to put a stop to this universal altruism, which takes money out of our Treasury.

Mr. SHERLEY. If the gentleman will permit, I am not asking him to support the bill. I am asking him to withhold his objection in order to allow me to make a statement to the House.

Mr. MOORE of Pennsylvania. Certainly, I will do that.

Mr. SHERLEY. I will try not to delay the House unduly.

The SPEAKER. How much time does the gentleman desire?

Mr. SHERLEY. I shall not take over five minutes.

The SPEAKER. The gentleman asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. SHERLEY. Mr. Speaker, it is perfectly apparent that, irrespective of whether individual Members may favor or oppose this proposition, it is of sufficient magnitude and importance to America and to the world to deserve the consideration of the House of Representatives. Now, there are two methods by which that consideration can be secured. It can either be taken up by unanimous consent or it can be made in order under a rule. We are in a short session of the Congress, in which, with our very best efforts to accommodate the various views of Members on different subjects, we will have difficulty in disposing of the most important business. Being personally responsible for the presentation of a considerable part of that business to the House, I should like to save unnecessary work in connection with the consideration of matters that will have to be considered. I think it is easily within the strong probabilities that in the absence of unanimous consent for the present consideration of the resolution, its consideration can and will be made in order by the machinery of a rule. It seems to me that as practical men there is nothing to be gained by forcing the aid of that machinery in order to consider this proposal. I do not want it considered by the House in any way except fully and fairly, and in such manner as to reflect the judgment of the House, and all I desired this morning was to get it up for consideration, and then I would try to adjust the matter of terms to the desires of the House. May I suggest this: Would it meet the views of the gentleman if consent was given to take up the matter immediately after the reading of the Journal upon Thursday? I am willing to agree to any proper

debate, and, under the five-minute rule, it would be subject to any germane amendment.

Mr. GILLETT. I suggest to the gentleman that he give the day of Thursday to it. That is not unreasonable in a matter of this importance.

Mr. SHERLEY. My only hesitancy about it is that we are getting well along into January, this Congress will die on the 4th of March, and there are a great many bills of importance to be considered. The Committee on Military Affairs have a number of bills to present, and important supply bills are yet to be considered. I want to accommodate the House. I submit, gentlemen, in all fairness, with a sober appreciation of the responsibility that rests upon us as individuals, that we must all forego somewhat of our natural desire for debate in the consideration of matters if we are to begin to do the business that presses before Congress.

Mr. McKENZIE. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. McKENZIE. In regard to the request of the gentleman from Kentucky fixing Thursday for the consideration of this matter, I want to ask him whether or not he would consent that it should be taken up after the disposition of the bill now pending for the settlement of contracts in which a great many American citizens are deeply interested.

The SPEAKER. If the gentleman will excuse the Chair, the Chair will state that the arrangement is that to-morrow, having dispensed with calendar Wednesday, the gentleman from North Carolina [Mr. POU] will be recognized to bring in a rule in regard to the bill the gentleman from Illinois refers to.

Mr. McKENZIE. Mr. Speaker, we have had that understanding for a number of days, but one thing and another has intervened, and we have got no action. For one I shall object to the consideration of a bill of this character when our own people are so deeply interested in the contract bill.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. MOORE of Pennsylvania. Will not the gentleman concede that since there is great distress prevailing among families of the soldiers and sailors of the United States who have offered their lives in the service abroad, there is ample business for the President and the Congress to do in the United States without taxing the people another hundred million of dollars to involve us further in foreign affairs?

Mr. SHERLEY. I do not desire to take the time of the House now to discuss the merits of the proposal. Sufficient to say that in my judgment this proposal, aside from the humanitarian aspect, which is such that it necessarily appeals to all humane men, has in it to my mind more of value in helping to bring about actual peace in the world and thereby relieve the United States of the burden of war than any proposal likely to come before Congress now or in the future. [Applause.]

Mr. MOORE of Pennsylvania. Is it the judgment of the gentleman from Kentucky that the United States should of itself donate this $100,000,000 and to continue to donate other sums for the relief of all the people of all the earth for all time?

Mr. SHERLEY. I suggest to the gentleman that we ought not to enter into a discussion of the merits of the bill at this time.

Mr. MOORE of Pennsylvania. The gentleman from Kentucky has stated the sympathetic side, and I am stating that this money comes out of the bone and sinew of the people of the United States.

Mr. GILLETT. Mr. Speaker, I wish to suggest to the gentleman that I agree with him entirely that there is pressing business before Congress, and that we all ought to suppress our love for debate as much as we can. On the other hand, I think the gentleman will admit that no more far-reaching and important proposition probably will come before us than this proposition of the United States entering into and becoming the great almoner of the poor of Europe. It seems to me that one day for its consideration will not be too much.

Mr. SHERLEY. I will agree to do this if it meets with the approval of the House: If the bill from the Military Affairs Committee, the contract bill, shall not have been concluded before Thursday, that immediately after its conclusion this bill shall be taken up, with two hours of debate on a side, and that it shall then be read under the five-minute rule for amendment.

Mr. GILLETT. I think that is reasonable.

Mr. SHERLEY. Then, Mr. Speaker, I ask unanimous consent that on Thursday, after the consideration of the military contract bill, if that bill should be pending, and if not, immediately after the reading of the Journal, the bill which I have just had read at the Clerk's desk be taken up for consideration; that there shall be two hours' debate on a side, one half to be controlled by the gentleman from Massachusetts [Mr. GILLETT] and one half by myself; that after the conclusion of the general debate the bill shall be considered for amendment and final passage, and that general debate be limited to the bill.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that next Thursday, at the conclusion of the military contract bill, if that bill is still pending, or if that is out of the way, as soon as the Journal is read and matters on the Speaker's table are disposed of, this $100,000,000 charity proposition be taken up; that there shall be two hours' debate on each side, one half to be controlled by the gentleman from Massachusetts [Mr. GILLETT] and one half by himself; and that then the bill be taken up for amendment. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Speaker, this proposition involves an increase of taxation on our already heavily taxed people, and I think they ought to have time to reflect upon it. I object.

Mr. SHERLEY. Then, Mr. Speaker, I desire to serve notice that I shall ask the Committee on Rules for a rule for the consideration of the bill, and I trust that it will be presented to the House on Thursday.

SWEARING IN OF A DELEGATE.

Mr. MANN. Mr. Speaker, I present the gentleman from Alaska [Mr. WICKERSHAM], who has just been seated by a vote of the House.

Mr. WICKERSHAM appeared at the bar of the House and took the oath of office prescribed by law.

LEAVE OF ABSENCE.

Mr. GREGG (at the request of Mr. SLAYDEN) was given leave of absence indefinitely on account of illness.

SPEAKER PRO TEMPORE FOR TO-MORROW.

The SPEAKER. The Chair appoints the gentleman from Tennessee, Mr. GARRETT, to preside as Speaker pro tempore to-morrow.

PAYMENT OF ALLOTMENTS OF ENLISTED MEN.

Mr. SAUNDERS of Virginia. Mr. Speaker, I move to suspend the rules and take up out of its order the bill (H. R. 13306) to authorize the payment of allotments out of the pay of enlisted men in certain cases in which these payments have been discontinued, and put the same on its passage, with the amendments of the committee. The bill has been unanimously reported from the Committee on Interstate Commerce.

The Clerk read the bill, as follows:

A bill (H. R. 13306) to authorize the payment of allotments out of the pay of enlisted men in certain cases in which these payments have been discontinued.

Whereas in the act known as the act to authorize the establishment of the Bureau of War Risk Insurance in the Treasury Department provision was made for the payment of allotments to the beneficiaries indicated in a proper authority of allotment by the men enlisted in the military service of the United States; and

Whereas under this provision many enlisted men filed the proper papers authorizing such payments with the Bureau of War Risk Insurance; and

Whereas in these cases and pursuant to this authority payments were regularly made to the beneficiaries up to July 1, 1918, by this bureau; and

Whereas as of that date the payments of allotments not carrying allowances was ordered to be discontinued pursuant to the recommendation of the War Department pending the receipt of a new authority of allotment from the enlisted man; and

Whereas many of these new authorities have never been received by the War Department, owing to the inability of the parties in interest to communicate with the soldiers; and

Whereas the discontinuance of the payment of these duly authorized allotments has operated to the very great detriment and suffering, in many cases, of the allottees: Now, therefore

Be it enacted, etc., That in all of those cases in which an authority of allotment by an enlisted man directing the payment of an indicated amount to a designated beneficiary is on file in the Bureau of War Risk Insurance, and payments pursuant to this authority had been made by said bureau prior to July 1, 1918, but which payments were discontinued as of that date, the War Department is directed to resume the payments of allotments in these cases, pursuant to the authority on file as aforesaid, pending the receipt of a new authority, or of a written rescission of the old authority, from the enlisted man. In those cases in which, pending the receipt of the new authority, the military authorities, beginning with July 1, 1918, have reserved from month to month out of the soldier's monthly accruing pay the amount directed to be paid by the original authority of allotment, the War Department, upon resuming the payment of allotments in such cases, under the authority of this act, shall pay all arrearages out of these respective reservations.

The SPEAKER. Is a second demanded?

Mr. MANN. Mr. Speaker, I am not opposed to the bill, but so that we may have a hearing I demand a second.

Mr. SAUNDERS of Virginia. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Virginia [Mr. SAUNDERS] is entitled to 20 minutes and the gentleman from Illinois [Mr. MANN] 20 minutes.

Mr. SAUNDERS of Virginia. Mr. Speaker, I wish to make a brief statement in connection with this bill, one which I hope

will make it abundantly clear why it was necessary that the bill should be introduced, and why it should be passed. Since the introduction of this bill, which was primarily intended to meet the situation arising in my own district out of the action of the War Department, I have received letters from many portions of the United States, showing the suffering of large numbers of allottees arising out of this ill-advised discontinuance of the payment of soldiers' allotments not carrying allowances. There are very many thousands of these cases. Members of this House are doubtless aware that in the act creating the Bureau of War Risk Insurance, the soldiers were authorized to make allotments out of their pay to such persons as under the regulations might be designated by them as allottees and that a further provision was made that in case of certain dependents, the Government would supplement this allotment with an allowance. I wish to say in this connection that my bill does not deal with those allotments that carry allowances, but is concerned exclusively with allotments without allowances. It was provided in the act to which I refer, that the payments of these allotments should be made under regulations agreed upon and promulgated by the Secretary of the Navy, and the Secretary of War. These regulations were promulgated, and conformably thereto the payment of allotments was begun in the Bureau of War Risk Insurance and continued therein for some time. Prior to July 1, last, the War Department for reasons best known to itself, decided to recommend the discontinuance of the payment of all allotments that did not carry allowances, and to require a new authority of allotment from the soldier. The result of that action has been, as doubtless has been made clear to Members of the House by hundreds of letters from their constituents, that payment of very many of these allotments which was in progress of payment as of July 1 last, was not only discontinued as of that date, but has never been resumed.

Mr. SMITH of Idaho. Can the gentleman give any reason why the War Department discontinued the payment?

Mr. SAUNDERS of Virginia. The War Department has never afforded any reason for its recommendation of discontinuance which was satisfactory either to the Members of Congress, or to the Committee on Interstate and Foreign Commerce which considered this bill. This department gave out a reason to the following effect, that the discontinuance and taking over of the payment of these allotments by the War Department, was rendered necessary by virtue of some supposed amendment to the Bureau of War Risk Insurance Act passed by this body. I undertake to say in this connection that no such amendment was ever passed, and that this House at no time, either consciously, or unconsciously, has done anything which made this action necessary on the part of the War Department.

Mr. CANDLER of Mississippi. This bill provides for the payment of these claims which were discontinued in the War Risk Insurance Bureau and authorized to be transferred to the Quartermaster General of the Army?

Mr. SAUNDERS of Virginia. The War Department had the right to take over the payment of these allotments. This jurisdiction originally belonged to the War Department, and there would not have been the slightest objection to its taking over the payment of the allotments if, after taking over that jurisdiction, or resuming it on their part, it had continued to make payment in those cases in which payment had begun, and for which sufficient authority was on file in the Bureau of War Risk Insurance. This bill relates only to those cases in which actual payments under the authority of regulations promulgated by the War and Navy Departments, were in progress in the Bureau of War Risk Insurance.

Mr. CANDLER of Mississippi. The delay was caused by the discontinuance in the War Risk Bureau, directing them to be paid by the Quartermaster General.

Mr. SAUNDERS of Virginia. In part by the discontinuance of payment in the Bureau of War Risk Insurance, and in further part by the failure of the War Department to continue the payment of the discontinued allotments. No payments have been made since July 1, except in cases where a new authority has been afforded.

Mr. CANDLER of Mississippi. And they have been unable to get that new authority.

Mr. SAUNDERS of Virginia. In many instances, they have been unable to do so. Some of the soldiers sought to be reached were in prison, some of them were missing, and some of them were dead. I wish to say that it is a fair estimate to assume that to-day there are from one to five million dollars in the hands of the War Department which have accrued in consequence of this discontinuance of payment. This will give some idea of the extent of this mischief.

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. CANNON. I have many cases of this kind: A private soldier allotted to his mother, dependent upon him, $15, with the statement that he had contributed that amount. They paid his mother not only that $15 but $15 more, as I recollect the case. The mother was asked subsequently, after 6 or 8 or 10 months, what he had contributed theretofore, and the answer came that he had contributed $25 a month. Now, then, they have stopped paying her and demand that she shall refund the money and are taking his allotment of $15 month by month to reduce that amount that had been advanced to the mother. Does this bill apply to such cases?

Mr. SAUNDERS of Virginia. I will say to the gentleman from Illinois, that while I am familiar with cases of the character cited, because I imagine every Member of this body has cases of that sort, this bill does not apply to that situation, for the reason that payments in those cases are still being made in the Bureau of War Risk Insurance. This bill applies only to the payment of allotments not carrying allowances, the jurisdiction of which has been assumed by the War Department. I will say to the gentleman that the situation to which he refers is doubtless met by a bill that is now before, if it has not been reported, the Committee on Interstate and Foreign Commerce, and which was introduced by the gentleman from Massachusetts [Mr. TREADWAY]. This bill does not deal with that situation.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. STAFFORD. Under the phraseology of the measure, would it permit payment of allotments in those cases where since July 1, 1918, the allotments have not been reserved by the War Department?

Mr. SAUNDERS of Virginia. Yes.

Mr. STAFFORD. Why in that particular should the Government pay money in cases where the money has not been reserved by the Government from the soldier's pay?

Mr. SAUNDERS of Virginia. I am very glad the gentleman has asked that question, for the reason that it affords the opportunity in this connection to show that the difficulty raised by the gentleman from Wisconsin, is not a real difficulty. If the gentleman will read the bill he will find that the bill relates to two situations of fact. First, to those cases in which the allotment payments were in progress as of July 1 last, and in which the War Department from that time forward, has reserved out of the soldier's pay the amounts necessary to pay the allotments.

Mr. STAFFORD. There can be no objection to that phase of the question.

Mr. SAUNDERS of Virginia. Permit me to conclude. There are many cases of that sort. I have in my pocket now numerous letters written to me by mothers, and other allottees in regard to discontinued allotments, to the effect that their sons have written to them to inquire whether their allotments were being regularly paid, and stating further that the amount necessary for the payment of same was being taken out of their monthly pay. In these cases the gentleman will see that the bill provides that upon the resumption of payment of allotments under the old authority which is now on file in the Bureau of War Risk Insurance, and which is available to the War Department, it shall pay all arrearages. This is entirely proper, because the money for that purpose is in the hands of the War Department. Now take those cases in which the War Department has not reserved out of the soldier's pay the amount fixed in the original authority of allotment. The bill prescribes that upon resumption of payment, the War Department in these cases shall pay from that time forward, and pay only the amount carried by the authority of allotment. This statement answers I think the query of the gentleman from Wisconsin.

Mr. STAFFORD. Where is that phraseology? I have read the bill very carefully. I notice in the report the gentleman commented on that phase:

> Since the discontinuance of the payment of allotments on July last, in many if not all of these cases, the necessary amount to meet the designated allotment has been reserved out of the soldier's pay.

Where in the bill does it provide for the protection of the Treasury in the way indicated by the gentleman?

Mr. SAUNDERS of Virginia. In this way: The bill provides that—

> in all those cases in which an authority of allotment by an enlisted man directing the payment of an indicated amount to a designated beneficiary is on file in the Bureau of War Risk Insurance, and payment pursuant to this authority has been made by said bureau prior to July 1, 1918, but which payments were discontinued as of that date, the War and Navy Departments are directed to resume the payment of allotments in those cases, pursuant to the authority on file as aforesaid.

That is to say, under that authority the department upon the resumption of payments, would pay the monthly allotments only from that time forward. In order to make it abundantly clear

that in those cases the department will not pay arrearages, you will notice the following language in the next sentence:

> Pending the receipt of a new authority, or of a written rescission of the old authority from the enlisted man. In those cases in which pending the receipt of the new authority, the military authorities, beginning with July 1, 1918, have reserved from month to month out of the soldier's monthly accruing pay, the amount directed to be paid by the original authority of allotment, the War and Navy Departments, upon resuming the payment of allotments in such cases, under the authority of this act, shall pay all arrearages out of these respective reservations.

The two paragraphs taken in connection make it very clear that arrearages are to be paid only in those cases in which the War Department has reserved the amounts necessary to meet them.

Mr. STAFFORD. But under the phraseology of this bill payment may be made to allottees where the allotment is no longer being reserved by the Government?

Mr. SAUNDERS of Virginia. I do not think so at all.

Mr. STAFFORD. The report says it may be payable in such cases. Where is the language to prevent it?

Mr. SAUNDERS of Virginia. I have pointed out that the War Department is to resume payment under and by virtue of existing authorizations which fact, in itself, would carry the idea that the payments would be from that time forward, but in order to make it further clear that arrearages shall not be paid in those cases in which the soldier has been paid his monthly pay in full, the bill directs that arrearages shall be paid in those cases only in which reservations have been made. Any bureau head, or other official who would undertake to pay arrearages under this bill in those cases in which arrearages have not been reserved out of the soldier's pay, ought to be promptly separated from the service of the Government.

Mr. HAMILTON of Michigan. Will the gentleman yield for a question?

Mr. SAUNDERS of Virginia. I yield to the gentleman from Michigan.

Mr. HAMILTON of Michigan. Will the gentleman tell the House of the inadequate method employed in informing soldiers that they were required to make a new allotment?

Mr. SAUNDERS of Virginia. Yes; I will say to the gentleman that under the authority of the original act, hundreds of thousands of soldiers all over the United States filed the proper authorizations with the Bureau of War Risk Insurance, directing allotments to be paid out of their pay. Payment of these allotments had begun in many, many of these cases prior to July 1, last. Then when the War Department took over this jurisdiction, which I admit belonged to the War Department, it discontinued payment of every soldier's allotment not carrying an allowance, without regard to what had been in progress before that time. The department took up these cases with the organization commanders at home, and in France, and directed them to call the attention of the soldiers to the fact that a new authority of allotment was necessary. Having in mind the uncertainty of the mails, and the difficulty of reaching the soldiers abroad, and the further fact that many of these organization commanders were carrying very acute responsibilities in connection with the actual conduct of operations in the field, the House will be very well able to understand that there are to-day thousands of soldiers who have not only never filed a new authority of allotment, but who have not been made aware of the fact that it was necessary to file any such authority.

Mr. DOWELL. Will the gentleman yield?

Mr. SAUNDERS of Virginia. I will.

Mr. DOWELL. I am heartily in favor of this proposition, but it occurs to me it might be limited by the language of this bill. I notice in the bill this language:

> And payments pursuant to this authority which had been made by said bureau prior to July 1, 1918.

Mr. SAUNDERS of Virginia. Yes.

Mr. DOWELL. Now, assuming that the allotment was properly filed originally and that no payments had been made prior to July 1, the application in such a case will not receive attention under the bill?

Mr. SAUNDERS of Virginia. That is true, and these cases were intentionally omitted because I did not wish to complicate the bill by including any matter with respect to which the War Department might raise difficulties. I have limited the bill to the cases which have been adjudicated, and with respect to which payments were actually in progress on July 1 last.

Mr. DOWELL. Will it not be for cases that have not been paid?

Mr. SAUNDERS of Virginia. It will not affect them at all. All those cases are now in the War Department. With respect to these cases the soldiers will have to proceed by securing a new authority.

Mr. DOWELL. Should not the bill provide, or should not there be an amendment to the bill providing, that these applications that have been filed should be considered by the department as though filed since that time, and should not those applications, which I know take in a great number, and which will be deprived of having the consideration of the department, have the same consideration by the department?

Mr. SAUNDERS of Virginia. I do not think that you should complicate this bill by adding a situation with respect to which there is likely to be controversy. By adding such a situation an excuse for delay will be afforded. If you desire to reach those cases you can do so by another bill. I am not prepared to say with respect to the suggestion made by the gentleman that it ought to be agreed to in this offhand way. The situation outlined in this bill calls for no investigation, because there is no controversy as to the facts.

Mr. DOWELL. There is no question but this bill should pass, but I wanted to include the others.

Mr. SAUNDERS of Virginia. I desire to say further that I had a hearing on this bill before the Committee on Interstate and Foreign Commerce, and Gen. Lord was there. An effort has been made to fix the responsibility for this discontinuance upon Congress. Doubtless every Member has received letters from the War Department or letters from that department have been forwarded by our constituents, in which it was stated that this discontinuance was due to some act, or amendment on our part. I desire to repeat the statement that I heretofore made, that there is not a line in any bill passed by Congress that made necessary the discontinuance of these payments.

Mr. BLANTON. Will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. BLANTON. Did the War Department in the hearing attempt to give the reason why these allotments had been stopped and the payments to the soldiers in some cases discontinued and kept out of the pay of the soldier and in others were paid to the soldier?

Mr. SAUNDERS of Virginia. That particular feature was not developed, and I wish to say that I have the letter of the Secretary of War that was sent to the Committee on Interstate and Foreign Commerce. In this letter he undertakes to discuss this entire situation and to furnish reasons for the action of the War Department. The amendment that we are supposed to have passed was in June, 1918, and this letter of the Secretary of War relates solely to the legislation of 1917. The act of 1918, as I have stated, could not possibly have made necessary the discontinuance of payments of allotments not carrying allowances, and the claim is not even made in the letter of the Secretary.

Mr. GARD. Will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. GARD. Does the gentleman intend to read the letter?

Mr. SAUNDERS of Virginia. I do not care to do so. If anyone desires to read it, I will hand it to him. It is a three-page letter. It may be put in the RECORD if anyone wishes that action to be taken.

Mr. ESCH. Will the gentleman yield?

Mr. SAUNDERS of Virginia. I will.

Mr. ESCH. Had the War and Navy Departments accepted certified copies of the allotments that had been filed with the War Risk Insurance Bureau, would there have been this difficulty?

Mr. SAUNDERS of Virginia. I will say in response to that question, that in every one of the cases covered by this bill there is on file a sufficient authority of allotment in the Bureau of War Risk Insurance. All the War Department needed for the purpose of continuing to make payments with respect to any one of these cases, was to secure a copy of the appropriate authorization from the Bureau of War Risk Insurance.

The SPEAKER. The time of the gentleman from Virginia has expired.

Mr. SAUNDERS of Virginia. If there are any further questions to be asked, I would like five additional minutes.

Mr. KNUTSON. Mr. Speaker, I ask that the gentleman be allowed to conclude his remarks.

Mr. MANN. Mr. Speaker, I yield to the gentleman five minutes.

Mr. SAUNDERS of Virginia. I will be very glad to answer any additional questions.

Mr. LAGUARDIA. Will the gentleman incorporate the letter from the War Department in the RECORD?

Mr. SAUNDERS of Virginia. Yes. I ask, Mr. Speaker, that the letter to which I referred be made a part of my remarks in this connection.

The SPEAKER. The gentleman from Virginia asks unanimous consent that the letter from the War Department be incorporated in his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. FAIRFIELD. Will the gentleman yield?

Mr. SAUNDERS of Virginia. I will.

Mr. FAIRFIELD. I find that not all of those who write to me are in that particular difficulty. By what principle do they determine who should be turned over to the War Department and who should yet be retained in the War Risk Insurance Bureau?

Mr. SAUNDERS of Virginia. That was determined in this way. The allotments that carried allowances were paid in part out of the Treasury of the United States. Hence the appropriate jurisdiction in those cases belonged to the Treasury Department, as the Bureau of War Risk Insurance is a branch of that department; but where the allotment is paid entirely out of the pay of the soldier, the jurisdiction in regard to that case appropriately belongs to the War Department.

Mr. FAIRFIELD. Why did they not take over all the allotments paid, then, rather than a part of it?

Mr. SAUNDERS of Virginia. As I have stated, the War Department took over the cases which belonged to its jurisdiction, and they were the cases of allotments which did not carry allowances. It could not take over the payment of allotments carrying allowances, for the reason that such cases were within the jurisdiction of the Treasury Department.

Mr. FIELDS. Mr. Speaker, will the gentleman yield?

Mr. SAUNDERS of Virginia. Certainly.

Mr. FIELDS. There were a great many cases that were not adjudicated at the time that this transfer was made, although the soldier had been inducted into the service and had filed his application for the allotment. Does the bill under consideration in any way direct the War Department to accept those applications filed with the Bureau of War Risk Insurance?

Mr. SAUNDERS of Virginia. It does not deal with unadjudicated or possibly controverted cases. It deals exclusively with those cases with respect to which there can be no controversy.

Mr. FIELDS. Would it not expedite the matter to add an amendment to the bill directing the War Department to accept this as proper authority for the consideration of the claims?

Mr. SAUNDERS of Virginia. I think that such action would complicate the matter.

Mr. FIELDS. I do not see how that can complicate the matter. What is the difference between an application filed somewhere in France and forwarded here and an application filed with the commanding officer of the soldier at the time he enlisted, which went to the Bureau of War Risk Insurance? Either one is a proper authority for investigation as to whether or not the beneficiary is entitled to an allotment, and if the soldier is earning the pay and allots $15 of it a month to his mother or some other dependent or relative, there is not very much controversy about it, and that would result in the settlement of these cases, whereas as the matter now stands, they will probably never be settled.

Mr. SAUNDERS of Virginia. If the War Department desires to settle such cases it can do so by its own action. I have estimated that of these discontinued cases there must be at least 50 in each congressional district. Many of the Members of the House have told me that this is far too low an estimate.

Mr. FIELDS. I wish there were only 50 in my district.

Mr. SAUNDERS of Virginia. I understand that in many districts the number is believed to be many more than 50, but I have put it at 50. If there are only 50 to a district, averaging the country through, that would make about 20,000 of these discontinued allotments. If we estimate that the average allotment in these cases would be $10, that would make an aggregate discontinuance of $200,000 a month, and inasmuch as six months have elapsed since this order began to operate, there must necessarily be in the hands of the War Department something like $1,200,000 which ought to have been paid over long since to the allottees of the soldiers. If there are a greater number of these cases in the districts than my estimate assumes, and there are no authentic figures on the subject, the amount due the deferred allottees will be proportionately increased.

The SPEAKER. The time of the gentleman from Virginia has expired.

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent that the gentleman may be given an additional minute. I want to ask him a question.

The SPEAKER. The time of the gentleman has expired.

Mr. SAUNDERS of Virginia. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. The gentleman from Virginia asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. TREADWAY].

The SPEAKER. The gentleman from Massachusetts is recognized for five minutes.

Mr. TREADWAY. Mr. Speaker, I am heartily in accord with the statement of the gentleman from Virginia. I was present at the hearings before the Committee on Interstate and Foreign Commerce, waiting to be heard on a bill of mine, also an amendment to the War Risk Insurance act, and I now would ask that the gentleman from Virginia [Mr. SAUNDERS] accept the proposition as contained in my bill as an amendment to his bill if it is brought up at the present time for consideration.

The point of my bill, Mr. Speaker, is this: There have been innumerable cases where the War Risk Insurance Bureau or the War Department have asked for a refund from the relatives of the soldier. That refund they have asked under clause 210 of the War Risk Insurance act, which provides for reexamination by questionnaires, or otherwise, as the bureau may direct. Now, those refunds could come about in three different ways: First, by the payment of cash by the people who received the benefit of the allotment and allowance; second, by deducting the amount from the allowances that may in the future be paid or may not up to that time have been paid; and third, by charging it against the soldier's allotment. All three of these methods seem unfair to the soldier, but the third course is the one to which I most particularly object. An allotment from the soldier is nothing more nor less than the soldier's request that his pay be transferred to his relatives through the War Risk Insurance Bureau or through the War Department or Navy Department. It is his absolute pay, and he could have it paid to him direct, rather than paid by the departments if he so desired. Now, then——

Mr. BANKHEAD. Mr. Speaker, will the gentleman yield there?

Mr. TREADWAY. In just one moment, if I may proceed. The War Department or the War Risk Insurance Bureau, if the case preceded last July, has notified people that they would receive no more allowances, and in addition to that say, "Unless you pay back this money in cash, we will charge it against the soldier's allotment." That is what I object to; that the soldier's own pay should be taken for a revision of the allowances already made by the department.

Now, I yield to the gentleman.

Mr. BANKHEAD. I want to inquire as to the number of the gentleman's bill and whether it has been reported?

Mr. TREADWAY. My bill is H. R. 13273. I would like to ask the gentleman from Virginia [Mr. SAUNDERS] if he would be willing to accept, as an addition to his bill, my bill as an amendment thereto; that is, to incorporate my bill with his?

Mr. SAUNDERS of Virginia. Has your bill been reported?

Mr. TREADWAY. It has not been reported by the committee, and the reason why it has not been acted upon by the Committee on Interstate and Foreign Commerce is that they some time ago, at the time of our hearing, asked the War Department for its views on the measure, which have never been submitted. They again asked yesterday for the views of the department. I have had a communication with Mr. Nesbit in reference to the proposition contained in the bill, and I would be glad to submit extracts from a letter I have received from him.

Mr. DENISON. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. In a moment. For instance, I read this:

> The discontinuance of the family allowance in cases of this character works a great hardship and causes a great deal of complaint. The bureau, however, has no discretion in the matter because the allowance under the law as it stands does not exist, and therefore can not be paid.

The bureau takes the attitude that it is acting within the law in charging back these amounts against the men paid. I have talked with Assistant Secretary Love, who has had charge of the War Risk Bureau, and he said it was up to the department to execute the law as interpreted by the bureau, but it was up to Congress, if it desired, to change the law. And that is what we should do. The bureau originally made these allowances and allotments and the people accepted the payments in good faith. If future examination on the part of the bureau or the department shows that the allowance should not have been paid, then start your slate from the time of the reexamination. Begin your bookkeeping when they change their ruling, and not charge back over a period of a year or more against the man's pay or allowance which the dependents of the soldier have already expended.

The SPEAKER. The time of the gentleman has expired.

Mr. TREADWAY. May I have two minutes more?

Mr. MANN. I am sorry, but I have promised all my time. I yield five minutes to the gentleman from Kentucky [Mr. BARKLEY].

Mr. BARKLEY. Mr. Speaker, I am very much in favor of the passage of this bill. I think it might be well to explain to the House the reasons which were given by the War Department and by the Bureau of War Risk Insurance for this transfer. The reasons did not appear to me to be sufficient, and it does not seem to me that the department ought to have ordered the transfer; yet I think the House is entitled to a statement of those reasons, for whatever they may be worth.

You will recall that the war-risk act itself did not confer upon the War or Navy Department the power to retain allotments, nor it did not confer upon soldiers the power to make allotments. That power already existed in the War and Navy Departments. There have been for some years provisions of the law authorizing men in the Army and the Navy to make allotments through the War and Navy Departments, so that the War and Navy Departments already had authority to make allotments to relatives wherever they were designated by the soldier or sailor. The war-risk insurance act did not take that authority from the War Department, but conferred it in addition upon the War Risk Insurance Bureau, so that in the execution of the law the Bureau of War Risk Insurance found itself authorized to deduct these allotments and pay them, and the War Department itself had the same authority. They began to confer one with the other, and by the 1st of July they had arrived at the conclusion that in all cases where the allotment carried no allowance the War Department ought to resume the jurisdiction which it already had independent of the war-risk insurance act, and all of the allotments which were in that situation were turned over to the War Department. The mistake that the Bureau of War Risk Insurance made, and that the War Department made, was in not accepting the allotments made by the soldier originally, and having either a certified copy of that allotment sent from the Bureau of War Risk Insurance to the Quartermaster General's office, or having the original papers sent from the Bureau of War Risk Insurance to the Quartermaster General's office; and when the question was asked Gen. Love as to why that was not done, he said the Auditor for the War Department took the position that the War Department had no authority to pay an allotment unless it came through the War Department.

Mr. McFADDEN. Will the gentleman yield for a question?

Mr. BARKLEY. I yield to the gentleman.

Mr. McFADDEN. How many claims are pending affected by this bill?

Mr. BARKLEY. My recollection is that the estimate of Gen. Love, who had charge of this matter, was that there were something over 200,000 claims of this sort that were affected, but that the increase in the number of allotments that came through the War Department following the issue of this order amounted to something like 200,000; and they were only able to account for this additional 200,000 by assuming that they were reallotments, made by the soldiers who had been able to receive the notices which they sent out; but it is very probable that there are 20,000 to 25,000, or perhaps more, who are affected by this bill, where the men in France or in Russia or in Belgium or Italy or in hospitals or German prison camps were never able to receive the notices and are still under the impression that their relatives are receiving the allotments, whereas they are not receiving them.

Mr. McFADDEN. So that there are probably a quarter of a million dependents who are not receiving the allotments which have been made to them by soldiers?

Mr. BARKLEY. No; there are not a quarter of a million, because probably 200,000 have made new allotments, and that would leave perhaps twenty-five to thirty thousand soldiers whose allotments are not being received by their relatives.

Mr. IGOE. Will the gentleman yield for a question?

Mr. BARKLEY. I yield to the gentleman from Missouri.

Mr. IGOE. Did the Quartermaster General on July 1 allow this $15 to go back on the man's pay, or did he continue to hold it out in all cases?

Mr. BARKLEY. They held it for a reasonable time, as they estimated it, to give the soldier a chance to make a new allotment, and where they did not receive the new allotment they began after a while to pay him the full pay.

Mr. IGOE. What did they do with the pay that they had held up? Did they pay it to him?

Mr. BARKLEY. They paid it to him after the 1st of July. There was no back pay prior to that date.

Mr. IGOE. That which they had held up?

Mr. BARKLEY. If they held up the July pay and the August pay, then, in September and October, if they did not receive a new allotment, they assumed that the man did not intend to make a new allotment and paid him the back pay. Perhaps in some cases, where they have not been able to reach the man, they have not paid it, but the War Department takes the position that in all these cases where they have been able to reach the man and no new allotment has been made it is not his intention to make a new allotment, and they have paid him the entire amount of his pay.

Mr. STAFFORD. Is it the intention to pay the beneficiary or allottee money that has not been reserved?

Mr. BARKLEY. No.

Mr. STAFFORD. That would seem to be so from the phraseology of the bill.

Mr. BARKLEY. That is not the intention, and I think there should be added these words, page 2, after the word "cases." In line 11, "from the passage of this act," or some words like that, so as to indicate that it was not retroactive as to allotments not held in reserve.

Mr. STAFFORD. There should be some such amendment in order that there shall be no double pay.

Mr. DENISON. Will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. DENISON. Has the gentleman seen a letter from the War Department saying that the action was due to some kind of amendment to the war-risk act passed by Congress?

Mr. BARKLEY. No; I have not seen it; but I have received word from several Members who have received some such letter. I do not know who sent such a letter. There was no amendment to the War Risk Bureau act that would warrant that. It was an administrative matter worked out by the War Risk Insurance Bureau and the War Department.

Mr. DENISON. I have received a number of such letters.

Mr. MANN. Mr. Speaker, I do not undertake to say just where the blame lies, but it has been a gross and burning outrage that under such legislation as was enacted, under the administration efforts of various departments, men who were enlisted in the Army, either by voluntary enlistment or under the selective-draft law, were told that they could allot a part of their pay to help sustain dependents upon them while the soldiers were away from home, either in camp training in this country or on the other side in the fighting line or in training there, and having been told that and having made the allotment and having had the amount of their allotment deducted from their own pay, after fighting over there, coming home, such as have come home, and others who want to come home, find out that this great and good Government of ours lied to them, has not kept faith with them, has not kept the promises which were made to them—that having deducted the amount from their own pay failed to make the payment to the mother or the father or the brother or the sister or the children, as it might be, who were dependent upon them for support. These people at home, or some of them, have suffered for food; many have suffered for raiment; many have suffered for heat; and many have been taken care of as a matter of charity by their neighbors or the Red Cross.

During a long experience in this House I have discovered that a great duty of the executive branch of the Government is not to do a thing but to give excuses why it does not do it. Here the War Risk Bureau was making the payments, theoretically, and if they made them regularly they did better than they are doing now, and somebody transferred the making of the payments to the Quartermaster General's office of the Army, and while the Quartermaster General's office of the Army knows enough about it to deduct the amount of the allotment from the soldier's pay, it does not know enough about it to warrant it to pay the amount deducted to the dependent parents. Nothing more ridiculous could be imagined. Somebody ought to be blamed for it. This bill seeks to cure it as a legislative proposition. I do not know, but I assume that probably it does not require legislation. It is proper to have legislation because that is a direction. We ought to go further. I appreciate the great trouble of developing a wonderful, complete organization in a short time. No doubt the War Department had a tremendous responsibility in developing this organization. The War Risk Insurance Bureau had a great responsibility in developing its organization. Both of them have miserably failed, so far as the payment of soldiers' allotments to their dependents is concerned. It is a disgrace to a civilized community that we are about to consider a bill to appropriate $100,000,000 for the benefit of the poor in Europe—I think we ought to pass that bill—while at the same time we have not developed the machinery to pay the money to the poor people at home who under the law are entitled to it as a part of the pay which the Government has provided for its men in the military service. [Applause.]

Mr. BARKLEY. Mr. Speaker, I desire to offer an amendment.

The SPEAKER. The gentleman can not do that under a motion to suspend the rules.

Mr. BARKLEY. Then, Mr. Speaker, I ask unanimous consent to insert in the bill as it now stands the words on page 2,

line 11, after the word "cases," the words "from and after the passage of this act."

Mr. STAFFORD. Would it not be as well to insert the provision that only where the allotment has been withheld?

The SPEAKER. The gentleman from Kentucky asks unanimous consent to make the language he has just stated a part of the bill.

Mr. SAUNDERS of Virginia. Reserving the right to object, what is the gentleman's amendment?

Mr. BARKLEY. Page 2, line 11, after the word "cases," insert the words "from and after the passage of this act."

Mr. SAUNDERS of Virginia. I do not think that would add anything to it and I object.

Mr. STAFFORD. Would it not be as well to have it apply only in cases where the allotment has been reserved or withheld? It is not intended to pay double, it is only intended to pay where the money has been withheld out of the soldier's pay, and yet here is a direction on the part of Congress to pay in cases where the money has been paid back to the soldier.

Mr. BARKLEY. That might carry the implication that the War Department would pay back only that which has been withheld and the intent is to resume these payments from month to month in the future.

The SPEAKER. Is there objection?

Mr. SAUNDERS of Virginia. Mr. Speaker, I do not think that would add anything and I therefore object.

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to offer the amendment which I send to the Clerk's desk and ask to have read.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to make the proposition that the Clerk will read a part of the bill.

The Clerk read as follows:

Add as a new section the following:

"*Provided, however*, That whenever the commissioner shall by further investigation or reinvestigation modify the existing award, no reimbursement from the person receiving an allowance shall be required for allotments and allowances already paid nor shall any deductions be made from allotments and allowances to be paid in the future for any change in award made in previous allotments and allowances."

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to inquire whether under the phraseology of the amendment just offered it would not legalize the payments made under fraudulent representations. There have been called to the attention of the Committee on Appropriations by the Bureau of War Risk Insurance numerous instances where persons have perpetrated fraud on the Government in receiving these allowances. By this phraseology you would prevent the Government from obtaining money back which has been unlawfully paid, and for that reason I object.

Mr. TREADWAY. Mr. Speaker, will the gentleman withhold it for a moment?

Mr. STAFFORD. Yes.

Mr. DOREMUS. Mr. Speaker, I object.

Mr. DEMPSEY. Mr. Speaker, I ask unanimous consent to offer the following amendment:

In line 14, page 2, after the word "cases," insert the word "only."

I understand the gentleman from Virginia is willing to accept that amendment.

The SPEAKER. Is there objection to having the word "only" inserted?

Mr. MANN. Let it be reported.

The Clerk read as follows:

Mr. DEMPSEY offers the following amendment: Page 2, line 14, after the word "cases," insert the word "only."

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I will ask the gentleman to tell us what that means. I am not always able to catch what the insertion of a negative means at first blush.

Mr. DEMPSEY. Mr. Speaker, the gentleman from Wisconsin has raised an objection that under this bill there might possibly be payments made of arrearages where the arrearages had not been deducted from the soldier's pay. To make it clear that the payment of arrearages shall be made only where they have been actually deducted, I put in the word "only," which, it seems to me, more clearly confines it to the cases contemplated, which are those where the arrearages have been actually deducted.

Mr. MANN. But the bill apparently only authorizes payment where the amount has been reserved.

Mr. DEMPSEY. I think myself that the bill is plain without the insertion.

Mr. MANN. The most dangerous thing I know of where you have a matter that is fairly clear is to insert a negative. I do not myself deem that it is necessary. There is a constant query about the meaning of double negatives. Most people who use them do not mean an affirmative, yet they say that it constitutes an affirmative.

Mr. DEMPSEY. I agree with the gentleman. I think the language is plain without the amendment.

Mr. MANN. Then I shall object.

The SPEAKER. The gentleman from Illinois objects. The question is on the motion of the gentleman from Virginia to suspend the rules and pass the bill as amended.

Mr. STAFFORD. Mr. Speaker, would the gentleman have any objection to modifying his motion so as to strike out the whereases?

Mr. SAUNDERS of Virginia. Mr. Speaker, the whereases in this case recite a state of facts which makes it abundantly clear to anyone why the bill is necessary.

Mr. STAFFORD. The whereases should be a part of the report, but not a part of the permanent statutes of the country.

The SPEAKER. The question is on suspending the rules and passing the bill, the amendments being a part of it.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

INVESTIGATION OF LIGNITE COAL.

Mr. WINGO. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3220) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat to determine the practicability of their utilization as a fuel and in producing commercial products, as amended by the Committee on Mines and Mining of the House.

The SPEAKER pro tempore (Mr. CRISP). The gentleman from Arkansas moves to suspend the rules and pass the bill which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to make experiments and investigations, through the Bureau of Mines, of lignite coals to determine the commercial and economic practicability of their utilization in producing fuel oil, gasoline substitutes, ammonia, tar, solid fuels, gas for power, and other purposes; and there is hereby appropriated, out of the funds in the Treasury not otherwise appropriated, the sum of $100,000, or so much thereof as may be needed, to conduct such experiments and investigations, including personal services in the District of Columbia and elsewhere, and including supplies, equipment, expenses of traveling and subsistence, and for every other expense incident to this work.

SEC. 2. The Secretary of the Interior is authorized and directed to sell or otherwise dispose of any property, plant, or machinery purchased or acquired under the provisions of this act, as soon as the experiments and investigations hereby authorized have been concluded, and report the results of such experiments and investigations to Congress.

The SPEAKER pro tempore. Is a second demanded?

Mr. STAFFORD. Mr. Speaker, I demand a second.

Mr. WINGO. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The gentleman from Arkansas is entitled to 20 minutes and the gentleman from Wisconsin 20 minutes.

Mr. WINGO. Mr. Speaker, the House will recall that this proposition was discussed very fully on another bill a few weeks or a couple of months ago, when a similar item was included in a bill which passed the Senate and which subsequently was abandoned in the Senate—one of the war bills. The bill as it passed the Senate included peat, and one of the House amendments is to cut out peat. The bill as it passed the Senate provided $150,000 as a fund. The House amendment cut the fund down to $100,000. In addition to that, the House committee proposed an amendment as a new section, section 2:

SEC. 2. The Secretary of the Interior is authorized and directed to sell or otherwise dispose of any property, plant, or machinery purchased or acquired under the provisions of this act as soon as the experiments and investigations hereby authorized have been concluded, and report the results of such experiments and investigations to Congress.

Now, broadly speaking, the object of the bill is simply to do this: To enable the Department of the Interior to conduct certain experiments, or, rather, to demonstrate by the establishment of plants that which laboratory experiments have already demonstrated, the feasibility of developing the lignite coal deposits of this country which constitute one-third of the coal deposits of the United States. There are something like 7,000,000,000 tons estimated in Alaska alone of lignite. There is a great deal more of these lignite deposits upon Government land that still remains as part of the public domain. Now, as I said, the laboratory experiments which have been conducted have all demonstrated the feasibility of the use of these lignites not only as fuel but in the carbonizing of lignite to develop oils and other matters contained in them which have a high commercial value. Now, some objection was offered once before on this proposition on the ground that it was a paternalistic proposition, but it

is just the contrary. The object of this bill is to demonstrate the commercial practicability so that private enterprise will be induced, as it is in other countries, to take up the lignite deposits of our country. Now, the question may be asked why, if other countries have developed the commercial operations by which their lignite deposits are utilized in a practical commercial way, we can not benefit by their experiments and use the processes which they have developed. The reason for it is this: The lignite deposits of this country are in a different state of development from those in Germany, in Canada, and in other countries where they have developed practical processes. And you understand lignite is just a condition of development of coal from the original state; it has not yet reached the highly developed state which produces bituminous or anthracite coal. Now, in Germany their lignite had proceeded to a natural development to an extent that is different from the lignite of the United States. They found by laboratory experiment that it was a commercial and practical proposition, and the Government expended money to demonstrate it to the commercial interests of Germany, and the result was to make the status of the lignite of that country for fuel; and the development of the gases and the oils of the lignite deposits of Germany constitute the base of the German monopoly for dyestuffs up to the time the war opened. Now, those of you who have read the report will find on page 5 of the report listed under six different subheads the uses and the qualities which are contained in lignite and which we wish to develop to commercial use.

Mr. TOWNER. Will the gentleman yield before going from that?

Mr. WINGO. I will.

Mr. TOWNER. I notice what seems to me rather a singular omission in the language of the bill. It nowhere states where these investigations are to be carried on. They are not limited to the United States and they do not include the Territories, and it seems as if this is left open for the investigation to be carried on anywhere in the world. Of course, I suppose there is no intention or purpose but that under the terms of this bill these operations shall be carried on anywhere except in the United States and its Territories?

Mr. WINGO. The hearings before the committee and the information I have lead me to the conclusion, perhaps, that they will establish one plant in one of the Dakotas—North Dakota. Now, the question raised had not occurred to me before, and I will frankly state I do not think there is any intention to go outside of the United States, unless it is necessary for the investigators for the purpose of comparison to go into Canada, the Saskatchewan district, where they conduct similar work.

Mr. TOWNER. Of course, I suppose the principal lignite deposits that are likely to be beneficial are in Alaska?

Mr. WINGO. No; the gentleman is mistaken there. I should think——

Mr. TOWNER. The Matanuska fields or the lignite fields south of Fairbanks are——

Mr. WINGO. There are great deposits in Alaska.

Mr. TOWNER. The largest lignite fields in the world?

Mr. WINGO. They are the largest individual deposits. Take the deposits of the West and Southwest together, I think possibly they outrank in volume any known deposits of Alaska, although Alaska has the largest single deposit of lignite in the world.

Mr. TOWNER. I want to ask the gentleman another question. Of course, there is a very great deal of difference with regard to the different lignite coals. It does not mean an absolute uniform and valuable fuel producer. There are various degrees of lignite just as there are of bituminous coal and of varying value. Is it the purpose of this bill to allow investigation to be made of various fields and reports to be made regarding their comparative value?

Mr. WINGO. No; I will state to the gentleman, if the gentleman will pardon my interrupting, I have only a few minutes, I promised to yield some of my time—and I would like to be notified when I have used 10 minutes—I will say this to the gentleman. The object we are seeking to do is this, because we have practically located these different lignite fields.

But the object of this is to follow up the laboratory experiments and by putting in a small plant demonstrate from a commercial standpoint the feasibility and the practicability as a profit-making proposition of the utilization of these lignite deposits. That is the object, and the sole object.

Mr. TOWNER. Does not the gentleman think that the amount, $100,000, for that purpose is somewhat large?

Mr. WINGO. No; I think not.

Mr. TOWNER. If it is merely the object by chemical experiment to determine the value of lignite for the purpose of using it, it seems to me that is a large amount.

Mr. WINGO. I do not think you could test out the plants for $100,000. I think that amount is too small. I think it should be $150,000.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman has used nine minutes.

Mr. STAFFORD. Mr. Speaker, so that we may have further information concerning this bill, I yield to the gentleman from North Dakota before I speak in opposition to it.

Mr. NORTON. Mr. Speaker, this is a bill proposing an appropriation of a hundred thousand dollars to be used for experiments and investigations to be carried on by the Bureau of Mines for the purpose of determining and demonstrating the feasibility and commercial practicability of carbonizing and briquetting lignite coal. This Senate bill as amended by the Committee on Mines and Mining is substantially the same as the bill H. R. 12192, which I introduced in the House on this subject and on which bill hearings were held before a subcommittee of the Committee on Mines and Mining on June 7 of this year. During the past 15 years there have been carried on in the Northwest, and in the State of North Dakota particularly, a series of experiments and investigations to determine the commercial and economic practicability of using lignite coal and its by-products. During that time there has been a great deal of private capital put into different plants constructed for briquetting lignite coal on a commercial basis. In practically every case so far the investments in these briquetting plants have been commercial failures. For the most part the men who ventured in this work of the briquetting of lignite coal and the manufacture of by-products from the briquetting process did not have either sufficient capital or information on the subject of briquetting lignite to carry on the work to a final and commercial success.

The Bureau of Mines now represents that it can with this appropriation demonstrate to the commercial world that the briquetting of lignite coal and the use at the same time of the by-products of this coal are practical and feasible from a commercial point of view. The bureau intends to use this money in cooperation with some private plant that has already been established either in North Dakota, Colorado, or Texas.

Let me again call your attention, gentlemen of the House, to the immediate and tremendous importance of developing this great natural resource of our country—lignite coal. It is estimated that in the United States there is more than a trillion tons of lignite coal; more than one-third of all the coal in the United States and Alaska is lignite coal. Let me particularly mention just one feature of the possibilities in the development of this low-grade coal. Investigations that have already been made show that as a by-product from a ton of lignite coal there can be secured about 4 gallons of light oils that can be used in internal-combustion engines. This means that the light oils from lignite coal, and that can be secured from it in briquetting processes, are sufficient to meet the needs of the United States for 150 years, whereas the known or estimated amount of gasoline that can be secured from the petroleum fields of the country will only meet the demands of the United States for about the next 25 years. That is one important feature of this work that will be more fully presented to the country by the experiments and investigation to be carried on under this proposed appropriation.

Another great feature is the transportation problem. To-day there is being shipped from Ohio and from other distant fields more than 7,000,000 tons of bituminous coal to the State of Minnesota.

If this lignite coal industry is developed, if the way is pointed out by the United States for private enterprise to engage in this industry, as I believe it should be, instead of transporting coal 1,500 or 2,000 miles into Minnesota it will be brought down there from the great coal fields of North Dakota, which are distant only a few hundred miles. That alone will mean a great economic saving in transportation. It will also allow of needed conservation of coal in Indiana, Ohio, and Pennsylvania, where the coal fields are being rapidly exhausted. To-day throughout North Dakota there can be seen fields of this coal varying in depths from 20 to 40 feet. One of the principal items in any after-war program for progressive development in this country should be the development and expansion of the use of lignite coal and its by-products. Up in Canada they have recently appropriated $400,000 to develop the use of lignite coal there. Have we not every reason to do more to develop the use of this product in the United States.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. NORTON. Certainly.

The SPEAKER pro tempore. The time of the gentleman from North Dakota has expired.

Mr. NORTON. I want to add that I believe that as a conservation measure that this is one——

Mr. STAFFORD. I yield to the gentleman from North Dakota two minutes.

Mr. NORTON. That this is one of the most important measures that have come before this great Congress, which has had so many great measures before it.

Mr. GRAHAM of Illinois. Will the gentleman yield now?

Mr. NORTON. I shall be pleased to yield to the gentleman.

Mr. GRAHAM of Illinois. What I am trying to get at is, Is there machinery at present under the Bureau of Mines by which this investigation can be made?

Mr. NORTON. The bureau has practically all the machinery that is needed. It can secure machinery for this purpose, or nearly all it will need, I know, in my State.

Mr. GRAHAM of Illinois. Have they made any of these tests? Has any bureau of the Government made any of these tests so that information is available?

Mr. NORTON. Yes; test experiments and investigation have been made in the laboratory and field work for a number of years.

Mr. GRAHAM of Illinois. Why is it necessary to make this large expenditure at this time for this investigation? Perhaps I did not notice your argument closely enough, but in a few words I would like to have you explain why it is necessary to appropriate this sum now?

Mr. NORTON. The bureau estimates that it will need this amount to establish a briquetting plant for the manufacture of lignite briquettes and by-products. Through the establishment of such a plant and its successful operation the bureau promises that it will demonstrate to the commercial world that it is practical to put upon the market at a profit these briquettes and the by-products of lignite coal given off in the manufacture of the briquettes, these by-products being light oils, tars, and gas.

Mr. GRAHAM of Illinois. Does the gentleman have any idea of where the department expects to locate this plant?

Mr. NORTON. I have no definite idea. I think they will locate the plant, although they have not so stated, either at Hebron, N. Dak., in connection with the Bureau of Mines station of the State of North Dakota, or at Minot, N. Dak., where there is a private briquetting plant at the present time, in which a large amount of money has been invested.

Mr. LOBECK. The lignite fields extend into Wyoming.

Mr. NORTON. They extend from Canada down through the Dakotas and into Colorado and into Texas. There are some very large fields in Texas.

Mr. LOBECK. I have seen 30 or 40 foot veins in Wyoming.

Mr. NORTON. Along the Missouri River one can see for miles many coal seams or veins having a thickness of 20 to 40 feet. It would be very unwise statesmanship to fail at this time to have the Federal Government take action such as proposed in this bill for the development and use of these great coal fields.

The SPEAKER pro tempore. The time of the gentleman has expired.

The gentleman from Wisconsin [Mr. STAFFORD] is recognized. The gentleman from Wisconsin has 13 minutes.

Mr. STAFFORD. Mr. Speaker, here we have an example of the Government going wild in Government ownership. I contend that with the authority the Bureau of Mines now possesses, similar to the authority possessed by the Bureau of Standards, of making laboratory tests to determine the practicability of these various by-products of lignite coals, it is unwise as now proposed by this bill that the Government should go into the business of establishing a commercial plant. Originally they sought $150,000, and now $100,000 is sought by this ambitious Bureau of Mines. If it were for the purpose of merely laboratory work, I would not rise here to oppose it, but when the Government for the first time in its history is attempting to establish a commercial plant to demonstrate to the country at large whether it is economical, practical, and profitable to sell these by-products, I say in these piping times of peace we should call a halt. Perhaps to the gentlemen who compose the Bureau of Mines $100,000 is not much, but hundreds of thousands of dollars run into millions. They admit that investigations that have been made show that lignite can be made into briquettes; investigations show that oil can be extracted from lignite. Yet the report admits that the one purpose of this appropriation is for the Government to establish a commercial plant to determine whether it is commercially feasible. Section 2 embodies that idea of the purpose and provides that as soon as the plant is established and it is shown that the commercial project is a failure then authority is granted to them to dispose of the plant.

Mr. NORTON. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Not just at this time. In the estimate—and, of course, I know, because I, too, have had experience of some time in this House with bureau chiefs and know that they are inclined to expand their activities—in this estimate of $100,000 they want $10,000 for a building for a commercial laboratory. Of course $10,000, when we are going to appropriate $100,000, is not much. Then they want $10,000 additional for a tar still, tar being a by-product of lignite. Then they want $19,000 for salaries of experts, and all manner of estimates are provided for, including carbonizing ovens, a by-product, $25,000.

It is not necessary for the Government by experiment to spend $25,000 for the establishment of carbonizing ovens. They can go to any industrial center of the country where they are extracting by-products from soft coal and manufacturing coke, and they will see there the processes of extraction without the Government wasting $25,000 in that particular.

Mr. WINGO. Is the gentleman talking about carbonizing lignites now? What has the coke proposition to do with it?

Mr. STAFFORD. It is akin. This process, as the gentleman himself has admitted, has been demonstrated to be practical in Germany, and I am informed also in France. Yet you want the Government now, in these times when we need money so badly, to establish a plant out in North Dakota and Alaska or somewhere else.

Mr. WINGO. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. WINGO. I am interested in the discussion of the coke activities of the Bureau of Mines.

Mr. STAFFORD. I did not say anything about the coke activities of the Bureau of Mines at all. I said anybody acquainted with the commercial and industrial activity in the manufacture of coke would know that it is not necessary for the Government to establish carbonizing ovens to obtain a knowledge of that product.

Mr. WINGO. That may be true, but the items that the gentleman is reading will come up for appropriation in Pennsylvania and Illinois and possibly Arkansas. But none of it has to do with lignites.

Mr. STAFFORD. The gentleman seems to be all wise about this subject when he says it has not anything to do with lignite. I will read the estimate. It says, "Lignite investigations, Bureau of Mines, $100,000."

Mr. WINGO. The gentleman read about the coke ovens.

Mr. STAFFORD. I decline to yield further, because I can not afford to have all the time taken up by the gentleman in attempting to give information that he does not have. The report of the Secretary of the Treasury says that this is for lignite investigations of the Bureau of Mines, "for investigations of lignites, to determine the commercial and economic practicability of their utilization in producing smokeless fuels for household and industrial uses, gas for domestic and power purposes, nitrogen products for refrigerating or fertilizing purposes, fuel oils for furnaces and internal-combustion engines, and so forth, creosoting oils, benzene, toluene, and other materials required in the manufacture of dyestuffs and explosives and related chemical products, including personal services in the District of Columbia and in the field, but not exceeding 20 per cent to be expended for such services in the District of Columbia, $100,000."

In specifying the expenditure of that $100,000 the Secretary of the Treasury has enumerated how that money is to be expended, and we find in the way of equipment, carbonizing ovens, a by-product, $25,000 is estimated; and yet the gentleman from Arkansas [Mr. WINGO] has the temerity to rise here when he reports the bill, in a report covering many pages—10 pages—and say this $25,000 is not for the purpose of experimentation, so far as lignites are concerned. I know there are lignite deposits down in Arkansas, and I know there are lignite deposits up in North Dakota, and I know that there are some in Alaska and in Texas, and I am not surprised that the Representatives of those States are coming here and trying to reach their hands into the Treasury to get $100,000 for the beginning of an industrial and commercial establishment. I say we should enter a protest here and now at this time against this extravagant policy of going into the business of establishing private plants to determine whether it is commercially and industrially advantageous to extract these various by-products from lignite coal.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman reserves four minutes and a half.

Mr. WINGO. Mr. Speaker, I yield to the gentleman from Illinois [Mr. DENISON] three minutes.

The SPEAKER pro tempore. The gentleman from Illinois is recognized for three minutes.

Mr. DENISON. Gentlemen of the House, I do not think the fears of the gentleman from Wisconsin [Mr. STAFFORD] are well founded. Section 2 was placed in the bill by the House committee in order to meet the situation he suggested. The purpose of this act is not to establish a commercial plant, but to demonstrate to the commercial world that this lignite can be utilized. If the lignite that is now known to be available in this country can be briquetted and made into a commercial fuel, the fuel supply of the country will be increased by a third. It can not be successfully briquetted unless the valuable by-products are reclaimed and utilized. The by-products themselves are very valuable and very much needed. Now, the purpose of this bill is to authorize the Bureau of Mines to conduct experiments for the purpose of demonstrating that by saving and utilizing the by-products lignite can be made into a cheap but valuable fuel coal.

Mr. STAFFORD. Has the gentleman read the report?

Mr. DENISON. Oh, I am a member of the committee, and was present during the consideration of the bill, and know all about it.

Mr. STAFFORD. It was stated that that was the purpose, to establish a commercial plant.

Mr. DENISON. It is only for the purpose of establishing a plant to develop the by-products, in order to demonstrate to the business interests of the country that this lignite can be utilized commercially. Now, the Committee on Mines and Mining, I think at my own suggestion, put this section 2 into the bill in order to anticipate and avoid the suggestion that the gentleman from Wisconsin has made, that this is a Government ownership experiment. This second section of the bill makes it mandatory upon the Bureau of Mines, after they have gone ahead and made their experiments and developed the lignite as far as they can under the appropriation, to dispose of any plant or other property that they may acquire in making the demonstration and make a report of their experiments and demonstrations to the Congress. So that this money will be taken by the Bureau of Mines and used to demonstrate to private individuals and to the business interests of the country whether or not lignite can be developed and made a merchantable product. In order to do that you have got to develop the by-products. The Bureau of Mines has not now the necessary machinery or funds to do that. They told the committee that when lignite is properly briquetted it becomes a clean fuel, with the same heat value as anthracite coal.

Mr. STAFFORD. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. STAFFORD. Can the gentleman cite any instance where the Government has undertaken a similar work in the development of any other natural resource?

Mr. DENISON. I am not able to do so, because I am not familiar with all the activities of the Government. Inasmuch as there is an immense quantity of this lignite in this country, which is being used in Germany and other countries, the committee thought it was at least worth the attention of the Government, and that this amount of money might well be used to demonstrate whether or not this product can be used commercially in this country. That is the reason why we approved of the bill. I think section 2 protects the Government and the people against any effort on the part of the Bureau of Mines, or anyone connected with the bureau, to try to put the Government into the business, because after the bureau has made the experiment and demonstration the bill compels the bureau to dispose of the plant and go out of the business. If the Government can demonstrate to the business interests of the country that lignite can be economically made into a good commercial fuel, we will have made a valuable investment in expending the amount authorized in this bill.

The SPEAKER pro tempore. The time of the gentleman has expired. The gentleman from Arkansas has nine minutes and the gentleman from Wisconsin four and a half minutes.

Mr. WINGO. I suggest to the gentleman that he use his time now.

Mr. STAFFORD. There will be only one speech. Will there be only one on the other side?

Mr. WINGO. I yield five minutes to the gentleman from Missouri [Mr. HAMLIN].

Mr. HAMLIN. Mr. Speaker and gentlemen of the House, I want to say only just a word or two in explanation of this bill. I think perhaps I ought to say that in all my experience here I have never approached the study of a proposition with as little preconceived opinion or anything that might influence or prejudice me for or against a proposition as I have the study of this bill. When the matter came up I hardly knew that there was such a thing as lignite. I knew absolutely nothing about it. There is none of it anywhere in my section of the country that I know of, and therefore I was prepared to study the question with an open mind. I have tried to give this matter pretty careful investigation and study. I believe that it is a question possessing a great deal of merit from many standpoints. Unquestionably there is nothing in the apprehension voiced by the gentleman from Wisconsin [Mr. STAFFORD]. There was no idea or intention on the part of the Committee on Mines and Mining to have the Government go into anything that would savor of Government ownership.

Briefly this state of facts exists: North Dakota, through her university, has been making some experiments in the treatment of the lignites and has equipped a kind of plant for carrying on that work. Now, as I understand, the Government is proposing to join with them in this work of demonstrating the feasibility and practicability of the treatment of lignite in a commercial way. Now, the proposition as I understand it is, if this small appropriation is made, for the Government to join with the authorities of North Dakota and perhaps some other places in the country and erect a plant, putting in the necessary ovens and machinery to demonstrate physically the feasibility of treating these lignites in such a way as to induce private capital to take up the work on a large and commercial scale.

The Bureau of Mines believes that the by-products can be made to pay more than the expense of the treatment of coals. After separating the by-products it is the intention to briquette the carbon. Then you will have a fuel that is about equivalent to anthracite in heating units. It was testified before the committee that the experiments conducted so far have convinced the experts that after you have extracted the by-products, the oils, the tars, gases, and so forth, all of which are valuable and are badly needed in this country, the fuel part, the carbon, can be briquetted and placed on board the cars at $4.50 a ton, and having a heating capacity equivalent to that of anthracite. If that can be done, that thing alone will be worth many millions of dollars to the people throughout the United States.

But aside from that, we all recall that in the beginning of this war we were told that we could not buy clothing of as good quality as we bought before, because of our inability to manufacture the dyes that would hold their color, and so forth, and that because these things had come from Germany heretofore and we were to be deprived of them, we were forced to use inferior stuff in the way of clothing. I believe that great benefits will come from this horrible war just closing, and I believe that one of those benefits arises from the fact that it has been necessary for us to develop the resources of our own country. This is one step in that progress. If the experiment which the Government is now proposing by this bill will have the effect, as we believe that it will, of demonstrating that we have in this country the materials for the much-needed dyes used in manufacturing, that alone will compensate for the little money herein authorized and for all the time and energy expended in the experiment. Then add to that the tons of first-class fuel which can be added, at low prices we hope, to the fuel supply of the country, and the benefit will be almost incalculable.

Mr. MANN. Mr. Speaker, will the gentleman yield for a question?

Mr. HAMLIN. For a question; yes.

Mr. MANN. I see there is nothing in this bill that says anything about briquetting. Is it the intention or is there any authorization for the Bureau of Mines, if it conducts these experiments, to sell any of the products of the experiments?

Mr. HAMLIN. I think not. That will not be the prime purpose of the Bureau of Mines. They will not go into it for the primary purpose of selling the products.

Mr. MANN. What will they do with them?

Mr. HAMLIN. I was going to say, if this becomes a law, they will put in a plant, as I understand, in conjunction with one partially erected.

Mr. MANN. They have sent in an estimate for a plant but not in conjunction with any other.

Mr. NORTON. If the gentleman will allow me, I will say that it is the intention of the bureau to sell the briquettes that they manufacture.

Mr. HAMLIN. I was going to further answer the gentleman that in the conduct of these experiments, not for the purpose of selling anything to make money, but in conducting these experiments, they will make some briquettes and will likely sell the briquettes that they make. But it is not the purpose of the bill to have the Government manufacture briquettes for sale. The purpose is to demonstrate to the business interests of the country the practicability and the feasibility of private capital going into the business on a large commercial scale.

Mr. MANN. I understand that from the gentleman's statement, and I would not interrupt him until he had passed that point. The bill authorizes the Secretary of the Interior to sell or otherwise dispose of any property, plant, or machinery purchased or acquired under the provisions of the act as soon as the experiment and investigation have been concluded. Would not that apparently forbid them to sell any of these products?

Mr. HAMLIN. It is perhaps possible that section 2 ought to have gone further and provided for the sale of any products that they have on hand when they cease investigation.

Mr. DENISON. I will suggest that the Government has ample use for all briquettes that are manufactured.

Mr. STAFFORD. May I ask the gentleman from Arkansas if there will be only one speech in conclusion on that side?

Mr. WINGO. I do not know——

Mr. STAFFORD. It is customary to have the opposition close when only one speech is to be made on the other side.

Mr. WINGO. Is the gentleman addressing his remarks to me? I know what is customary, and if the gentleman had understood me he would understand the situation.

Mr. STAFFORD. I thought the gentleman from Arkansas would be courteous enough to comply with the usual custom.

Mr. WINGO. I do not require any instructions from the gentleman from Milwaukee as to courtesy.

The SPEAKER pro tempore (Mr. CRISP). Gentlemen are out of order.

Mr. WINGO. I call the gentleman to order, and want to say that I require no lesson in courtesy from the gentleman from Milwaukee.

Mr. STAFFORD. I do not appreciate the courteous remarks of the gentleman from Arkansas. Mr. Speaker, this bill is the launching of a Government plant into the manufacture of by-products of lignite, and there is no escape from that conclusion in reading the bill. It is not limited in its expenditure to $100,000, but when once the bill is passed authorizations for unlimited amounts can be presented to the Appropriations Committee. No one need to delude himself that they are going to conclude these investigations in a short time. That is not what the Bureau of Mines does. They want to have a plant established and go into the business of making the by-products of lignite. They wish to establish this plant somewhere and then come to Congress for increased appropriations. This is purely a Government-ownership proposition. I am not surprised that it emanated from North Dakota, and I am not surprised that North Dakota is launching into the project, because North Dakota has the reputation for that character of experiment and investigation. If North Dakota wants to do it, let it take the responsibility. The Congress of the United States ought not at the present time to undertake this character of work. It is purely a proposition of Government ownership. There is no limit to the amount of money that may be expended. It is true that only $100,000 is appropriated, but, as the gentleman from Illinois has explained, there is no authority for the disposition of the products. There is authority to dispose of them after the investigation has been concluded. But when will the experiment be concluded? If the Bureau of Mines did not have the authority to investigate this subject, I would not rise in opposition to a laboratory investigation. This is something more. It is the first time in the history of the Government that a bureau has called upon the National Government to go into the manufacturing business. Where will the limit be to that character of governmental activity?

Mr. STEENERSON. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. STEENERSON. I notice in line 5 the bill provides for the investigations of coal and peat.

Mr. STAFFORD. If the gentleman had been here he would know that the bill now is limited to lignite, under the amendment of the committee. If we go into the investigation of lignite coal why not have the Government go into every character of mineral deposit and determine whether it is advisable to commercially manufacture its by-products? If you are in favor of Government ownership, if you are in favor of something that is chimerical, if you are in favor of something that has not been established successfully, this is a good way to show the abuses and waste that follow from Government ownership.

Again I wish to emphasize that this is no time to enter upon such an investigation. I have no doubt that the Bureau of Mines can expend the money, but at the end the plant will be junked and sold for a mere pittance, without any resulting gain to the industrial and commercial activity of the country.

Mr. WINGO. Mr. Speaker, I used to be one of those men who saw ghosts every time anything was presented to me that I did not know anything about. As a matter of fact, there is no Government ownership in this matter. By any far-fetched imagination there could not be; but, in anticipation of some such objection that might be offered by those who do not know anything about it, the gentleman from Illinois [Mr. DENISON] offered an amendment, which the committee accepted, which is section No. 2, that absolutely precludes any possibility of the Government going into business. This bill is simple in its terms. The wayfaring man, though a fool, need not err therein. It is simply a bill to establish a plant that will demonstrate from a commercial standpoint the feasibility of developing and utilizing this great natural resource of the United States. There is not a bit of Government ownership in it. If we wanted to bring in a Government-ownership bill we would bring in a bill that would authorize the establishment of briquetting plants and other activities on the public domain, because there are millions of tons of this lignite in the public lands; but the committee which reported this is composed of men who are opposed to Government activities of this kind, except where it is absolutely necessary to conserve or develop our natural resources and build up the industrial and economic strength of the Nation, and for that reason we come in here and ask for a miserable pittance of $100,000 to undertake to develop one of the great natural resources of the United States, so as to demonstrate to the satisfaction of the commercial interests of the country that it would be a feasible proposition for them to come in and do like the commercial interests of other countries have done, namely, utilize the great product that is worth so much to our country.

Mr. GILLETT. Mr. Speaker, will the gentleman yield?

Mr. WINGO. I regret I can not yield; I have only four minutes. The gentleman from Wisconsin [Mr. STAFFORD] undertakes to say and did say boldly that this is a selfish proposition by a few Members to get a few thousand dollars spent in Arkansas, Texas, and Dakota. If the gentleman had known anything about the bill, he would have known that there is not a ton of lignite in my district; he would have known that not a dollar of this will be expended in my district nor in the district of any member of the committee; and he would have known where it is to be expended. If the gentleman had information about the matter, he would know that I have large coal fields in my district, and that if I were as selfish and as narrow in voting on legislation of this kind as the gentleman indicates that he is, I would oppose this, because the selfish interests of my district might be against the development of this great natural resource. Develop the lignite of Texas and they will not use as much coal from my district. Develop the lignites of North Dakota and of the West and they will not use so much coal from the gentlemen's districts, members of the committee, as they might otherwise use; but the members of this committee had no idea of selfishness but were moved solely by a desire to develop this great resource and thereby increase the economic strength of the Nation. The members of the committee found this great natural product in this country, one-third of the coal, and found that not only would its development add to the fuel and power of the country but that there is a possibility of breaking the monopoly of Germany in dyestuffs by developing and utilizing the oil that is found in these deposits. One hundred thousand dollars?

Oh, yes; "in these piping times of peace," as the gentleman says, we ought not to expend money for such purposes. Yet the gentleman has time and again voted for bills that expended millions on Government activities not worth one-half as much to the economic strength of the Nation, and he will do so again. You spend millions to build railroads in Alaska and millions to take care of private contractors, millions for irrigation, millions for public buildings, millions in increasing salaries, millions for useless positions, but, forsooth, when a committee comes in here with no selfish interests to serve, with none of them having a selfish interest in that the money is to be expended in their districts, and asks you to spend $100,000 to develop and utilize one-third of the coal deposits of the United States by putting the use of lignite on a paying commercial basis, like it is in other countries, the gentleman, with an assumed air of superiority, and as the self-appointed mentor of the House, raises the bugaboo of Government ownership. Such a contention is absurd, and readily appears so by even a cursory reading of the bill.

I have no interest in the bill other than the interest all have who have vision and intelligence sufficient to see the wisdom of developing the natural resources of the country. Of course, those who are lacking in constructive thought, and who limit their activities to objecting to everything not proposed by themselves, or does not give a direct benefit to their districts, can be expected to oppose measures of this kind. The committee believed this expenditure wise and that it would bring a great return to the country, and directed me to report it, which I have done. I repeat, I have no special interest in the bill, nor has my district, but I support it because I believe it is a wise piece of constructive legislation that will promote the public welfare. It will, I think, ultimately mean a saving of $15,000,000 annually to the State of Texas alone, and many more millions to the other Western States.

The SPEAKER pro tempore. The time of the gentleman from Arkansas has expired. All time has expired. The question is

on the motion of the gentleman from Arkansas to suspend the rules and pass the bill as read with the committee amendments.

The question was taken, and on a division, at the suggestion of the Chair, there were—ayes 38, noes 20.

Mr. WINGO. Mr. Speaker, on this I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Arkansas makes the point of order that there is no quorum present. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll; and there were—yeas 182, nays 85, answered "present" 4, not voting 160, as follows:

YEAS—182.

Alexander	Eagan	Jones	Ramseyer
Anderson	Eagle	Kelher	Randall
Bacr	Edmonds	Kelly, Pa.	Rankin
Barkley	Elston	King	Rayburn
Barnhart	Esch	Kinkaid	Romjue
Beakes	Evans	Knutson	Rubey
Bell	Fess	La Follette	Rucker
Benson	Fields	LaGuardia	Sanders, La.
Boshlin	Fisher	Lampert	Schall
Bland, Va.	Flood	Larsen	Scott, Mich
Blanton	Focht	Lea, Cal.	Shallenberger
Bocher	Fordney	Lesher	Siegel
Brodbeck	Foss	Linthicum	Sims
Buchanan	Foster	Little	Sinnott
Burnett	French	Littlepage	Sloan
Byrnes, S. C.	Gallagher	Lobeck	Small
Byrns, Tenn.	Gandy	Lonergan	Smith, Idaho
Caldwell	Gard	Lundeen	Smith, T. F.
Candler, Miss.	Garner	McAndrews	Steagall
Cantrill	Garrett, Tenn	McCulloch	Steenerson
Carlin	Glynn	McKinley	Stephens, Miss.
Cary	Godwin, N. C.	Magee	Stephens, Nebr.
Cleary	Good	Mann	Stevenson
Coady	Goodwin, Ark.	Mansfield	Summers
Collier	Gordon	Mapes	Taylor, Ark.
Connally, Tex	Gray, Ala.	Martin	Taylor, Colo.
Copley	Griest	Mason	Tillman
Crago	Hadley	Mays	Timberlake
Cramton	Hamlin	Miller, Wash.	Voigt
Crisp	Hardy	Mondell	Walton
Crosser	Harrison, Va	Morgan	Watson, Va.
Curry, Cal.	Hastings	Nelson, A. P.	Weaver
Darrow	Hawley	Nolan	Welling
Davis	Hayden	Norton	Welty
Dempsey	Heflin	Oldfield	Whaley
Denison	Hensley	Oliver, Ala.	Wheeler
Dent	Hilliard	Olney	White, Ohio
Denton	Holland	Osborne	Williams
Dickinson	Houston	Overstreet	Wilson, La.
Dill	Huddleston	Phelan	Wilson, Tex.
Dillon	Hull, Iowa	Platt	Wingo
Dixon	Hull, Tenn.	Polk	Wise
Dominick	Humphreys	Porter	Wright
Doolittle	Igoe	Pou	Young, Tex.
Doremus	Jacoway	Rainey, J. W.	
Doughton	James	Raker	

NAYS—85.

Almon	Fuller, Ill.	McKenzie	Snell
Anthony	Gillett	McKeown	Snook
Aswell	Gould	Merritt	Snyder
Ayres	Graham, Ill.	Montague	Stafford
Bacharach	Green, Iowa	Moon	Strong
Bankhead	Greene, Mass.	Moore, Pa.	Sweet
Birch	Greene, Vt.	Moores, Ind.	Temple
Blackmon	Hamilton, Mich.	Mott	Thompson
Bland, Ind.	Haskell	Paige	Tilson
Burroughs	Hersey	Parker, N. J.	Treadway
Campbell, Kans.	Hicks	Peters	Vare
Cannon	Hollingsworth	Powers	Vestal
Clark, Pa.	Johnson, Wash.	Purnell	Ward
Classon	Juul	Ramsey	Wason
Dale	Kearns	Rogers	Watson, Pa.
Dallinger	Kennedy, Iowa	Rose	White, Me.
Dies	Kincheloe	Rouse	Winslow
Dowell	Kraus	Rowe	Woodyard
Drukker	Langley	Sanders, Ind.	Zihlman
Elliott	London	Sanford	
Ellsworth	Lufkin	Sells	
Fairl	McFadden	Shouse	

ANSWERED "PRESENT"—4.

Browning	Chandler, Okla.	Claypool	Walsh

NOT VOTING—160.

Ashbrook	Cooper, W. Va.	Fairfield	Heaton
Austin	Cooper, Wis.	Ferris	Heintz
Black	Costello	Flynn	Helm
Borland	Cox	Francis	Helvering
Bowers	Currie, Mich.	Frear	Hood
Brand	Davey	Freeman	Howard
Britten	Decker	Fuller, Mass.	Husted
Browne	Delaney	Gallivan	Hutchinson
Brumbaugh	Dewalt	Garland	Ireland
Butler	Donovan	Garrett, Tex.	Johnson, Ky.
Campbell, Pa	Dooling	Goodall	Johnson, S. Dak.
Caraway	Drane	Graham, Pa.	Kahn
Carew	Dunn	Gray, N.J.	Keating
Carter, Mass.	Dupré	Gregg	Kelley, Mich.
Carter, Okla.	Dyer	Griffin	Kennedy, R. I.
Chandler, N. Y.	Emerson	Hamill	Kettner
Church	Essen	Hamilton, N. Y.	Key, Ohio
Clark, Fla.	Estopinal	Harrison, Miss.	Kless, Pa
Connelly, Kans.	Fairchild, B. L.	Haugen	Kitchin
Cooper, Ohio	Fairchild, G. W.	Hayes	Kreider
Lazaro	Nichols, Mich	Russell	Sullivan
Lee, Ga.	Oliver, N. Y.	Sabath	Swift
Lehlbach	O'Shaunessy	Sanders, N. Y.	Switzer
Lever	Overmyer	Saunders, Va	Tague
Longworth	Padgett	Scott, Iowa	Templeton
Lunn	Park	Scott, Pa.	Thomas
McArthur	Parker, N. Y	Scully	Tinkham
McClintic	Pratt	Sears	Towner
McCormick	Price	Shackleford	Van Dyke
McLaughlin, Mich	Quin	Sherley	Venable
McLaughlin, Pa.	Ragsdale	Sherwood	Vinson
McLemore	Rainey, H. T	Sisson	Volstead
Madden	Reavis	Slayden	Walsh
Maher	Reed	Slemp	Walker
Miller, Minn	Riordan	Smith, Mich	Watkins
Morin	Robbins	Smith, C. B	Webb
Mudd	Roberts	Steidman	Wilson, Ill.
Neely	Robinson	Steele	Wood, Ind
Nelson, J. M.	Rodenberg	Sterling	Woods, Iowa
Nicholls, S. C.	Rowland	Stiness	Young, N. Dak.

So, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

The Clerk announced the following additional pairs:

Until further notice:

Mr. CARAWAY with Mr. BROWNE.

Mr. SLAYDEN with Mr. MILLER of Minnesota.

Mr. HARRISON with Mr. REAVIS.

Mr. SAUNDERS of Virginia with Mr. WALSH.

Mr. PADGETT with Mr. BROWNING.

Mr. WATKINS with Mr. REED.

Mr. FERRIS with Mr. BOWERS.

Mr. CARTER of Oklahoma with Mr. BRITTEN.

Mr. STEELE with Mr. BUTLER.

Mr. DUPRÉ with Mr. GRAHAM of Pennsylvania.

Mr. GALLIVAN with Mr. COOPER of Ohio.

Mr. KEY of Ohio with Mr. LONGWORTH.

Mr. ROBINSON with Mr. SANDERS of New York.

Mr. SEARS with Mr. STINESS.

Mr. THOMAS with Mr. WOOD of Indiana.

Mr. WEBB with Mr. TOWNER.

Mr. VAN DYKE with Mr. WILSON of Illinois.

Mr. BROWNING. Mr. Speaker, I wish to be recorded present. I have a pair with my colleague, the gentleman from Tennessee, Mr. PADGETT. If I were allowed to vote, I should vote "no."

Mr. WALSH. Mr. Speaker, I am paired with the gentleman from Virginia, Mr. SAUNDERS. I voted "aye." I desire to withdraw my vote and answer "present."

The name of Mr. WALSH was called, and he answered "Present."

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. A quorum is present, the Doorkeeper will unlock the doors.

EXTENSION OF REMARKS.

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to revise my remarks.

The SPEAKER pro tempore. The gentleman from Massachusetts asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. SMITH of Idaho. Mr. Speaker, I ask unanimous consent to print in the RECORD the tribute of ex-President Taft to the late Col. Roosevelt.

The SPEAKER pro tempore. The Chair is advised that has already been done to-day. The present occupant of the chair was not here then, but the clerks at the desk advise him that that order has been granted. This is suspension day, and the Speaker directed after the last motion that the Unanimous Consent Calendar be called.

Mr. STAFFORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. STAFFORD. The rule provides that immediately after the reading of the Journal on days when it is in order to suspend the rules the Speaker is directed to have the Unanimous Consent Calendar called. Business having intervened since the reading of the Journal, is it now in order to call the Unanimous Consent Calendar? Does it require unanimous consent to consider that calendar? I direct the present occupant of the chair to the rule:

> On days when it shall be in order to move to suspend the rules the Speaker shall, immediately after the approval of the Journal, direct the Clerk to call the bills which have been for three days upon the Calendar for Unanimous Consent. Should objection be made to the consideration of any bill so called, it shall immediately be stricken from such calendar; but such bill may be restored to the calendar at the instance of the Member, and if again objected to it shall be immediately stricken from such calendar and shall not thereafter be placed thereon: *Provided*, That the same bill shall not be called twice on the same legislative day.

It has been the policy, as the present occupant of the chair well knows, that the Unanimous Consent Calendar has been first called, and then the Speaker would recognize certain Members

to move to suspend the rules. The rule specifically provides that immediately after the reading of the Journal it shall be in order and the Speaker is directed to have the Unanimous Consent Calendar called. Of course he has authority to suspend the rules and recognize Members for that purpose. Now, having done so, is it not too late to call the Unanimous Consent Calendar?

Mr. MANN. Mr. Speaker, this is suspension day. Under the rules the first and third Mondays of each month are suspension days, when it is in order to move a suspension of the rules, and by the unanimous-consent agreement it is Monday, as far as the order of business is concerned. A motion to suspend the rules is in order at any time on those two Mondays of the month—at any time a motion to suspend the rules is in order. Now, the rule provides that on suspension days the Unanimous Consent Calendar shall be called. It says:

Shall, immediately after the approval of the Journal, direct the Clerk to call the bills, etc.

No one will contend that that would prevent the Speaker recognizing some one to ask unanimous consent, as was done this morning, nor is it within the power of the Speaker to abrogate the rule by recognizing some one after the reading of the Journal to ask unanimous consent to do something else, and then say that because he has recognized some one to ask unanimous consent he can not physically direct the Clerk to call the Unanimous Consent Calendar after the reading of the Journal because he has done something else. The Speaker can not suspend a rule of the House in that way. It is the duty of the Speaker to have the Unanimous Consent Calendar called to-day under the rule. It is the privilege of the Speaker to recognize some one to ask unanimous consent to do something, and it is within the power of the Speaker to recognize any Member of the House to-day to move to suspend the rules, but meanwhile, when those things are out of the way, then the Unanimous Consent Calendar automatically is called for under the rule.

The SPEAKER pro tempore (Mr. CRISP). Answering the parliamentary inquiry of the gentleman from Wisconsin [Mr. STAFFORD], the Chair will state that the gentleman from Illinois [Mr. MANN] correctly answered the inquiry. The Chair was going to answer the gentleman's inquiry before the gentleman from Illinois indicated his desire to express his views to the effect that this being the first Monday it was in order to call the Unanimous Consent Calendar, and the fact that there had been some motions to suspend the rules entertained previously in no wise vitiated the right that the Unanimous Consent Calendar should be called if the House should remain in session. The Clerk will report the first bill.

RESTORATION TO ENTRY OF 80-ROD STRIP RESERVATIONS IN ALASKA.

The first bill in order on the Calendar for Unanimous Consent was the bill (H. R. 12210) to amend the act of May 14, 1898, as amended by the act of March 3, 1903, entitled "An act to extend the homestead laws and to regulate the sale and entry of public lands along the shore of navigable waters in Alaska."

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, the gentleman who reported this bill has to-day been ceremoniously deprived of his seat. I do not know whether the present Delegate from Alaska is acquainted with the present measure and I ask unanimous consent that the bill——

Mr. MANN. Mr. Speaker, reserving the right to object, this bill is so plainly a proper measure and is so much needed by a few people that it ought not to be delayed.

Mr. STAFFORD. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. STAFFORD. In the last line of the bill there is a reservation that these reserved spaces shall not apply so far as harborage uses are concerned. I would like to inquire if that should not also include wharfage as well as harborage?

Mr. MANN. I do not think it is necessary.

Mr. GARRETT of Tennessee. Do you want to pass it without prejudice?

Mr. MANN. It ought to pass the House. The legislation ought to be enacted. Under the law relating to Alaska when a man has taken a homestead claim there must be 80 rods intervening between two homesteads, which is entirely unnecessary, and makes them a long way apart. Then they are restricted as to the area in width, and so forth, when the fact is that these homesteaders who take homesteads for agricultural purposes have to run along a stream to a very large extent. They want length and not width. Now, strange to say, contrary to the belief which I have entertained for many years, they are really developing some agriculture up there. I have learned recently by some reports and from talks, partly with Mr. SULZER, that they are supplying most of the small agricultural products up there by raising them at home. And this bill will permit these people to obtain homesteads which otherwise will be absolutely impossible and impracticable owing to the nature and location of the land up there suitable for the purpose.

Mr. STAFFORD. The only doubt I had in my mind was as to whether it was feasible to grant to any homesteader more than 160 rods along any navigable stream.

Mr. MANN. But that is the very thing. Now, we reserved rights up there so as to reserve the navigation. But here comes a man wanting to homestead along a stream. He can only get now 160 rods. He can not go very far away from the stream—a narrow valley. He can utilize that ground in raising products. He can not afford to devote his entire time in raising products on a strip 160 rods long and which is only a few rods wide. There is no reason why he should not be permitted to get sufficient arable land in length to make him a homestead and then let somebody else get the land that is next to him. In other words, it was a desire on the part of Congress in the first place, and it was a proper desire, to prevent the monopolization of the lands along all navigable streams. In the main, that has been done, practically, and the Government has selected nearly everything they wanted up there, especially along the shore lines. We did not desire, and the gentleman will remember there were a number of contests in the House, to make it possible for some great monopoly to take the homesteads along the shore line and acquire the harborage rights on the harbors of Alaska. I think that is fully protected.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 12210) to amend the act of May 14, 1898, as amended by the act of March 3, 1903, entitled "An act to extend the homestead laws and to regulate the sale and entry of public lands along the shore of navigable waters in Alaska."

Be it enacted, etc., That the provisions of the act of May 14, 1898 (30 Stats. L., p. 409), extending the homestead laws to Alaska, and of the act of March 3, 1903 (32 Stats. L., p. 1028), amendatory thereof, in so far as they reserve from sale and entry a space of at least 80 rods in width between tracts sold or entered under the provisions thereof along the shore of any navigable water, and to provide that no entry shall be allowed extending more than 160 rods along the shore of any navigable water, shall not apply to lands classified and listed by the Secretary of Agriculture for entry under the act of June 11, 1906 (34 Stats., p. 233), and that the Secretary of the Interior may, in his discretion, restore to entry and disposition such reserved spaces as he shall determine are not necessary for harborage uses and purposes.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. RAKER, a motion to reconsider the vote by which the bill was passed was laid on the table.

GRANT OF LANDS TO THE CITY OF SAN DIEGO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10587) granting to the city of San Diego certain lands in the Cleveland National Forest and the Capitan Grande Indian Reservation for dam and reservoir purposes for the conservation of water, and for other purposes.

The SPEAKER pro tempore. Is there objection?

Mr. FOSTER. Mr. Speaker, this bill, I understand, is not wanted to be considered now and ought to go to the foot of the calendar.

Mr. RAKER. It will not take but a moment.

Mr. FOSTER. Oh, yes; it will.

Mr. RAKER. We do not want to put it at the foot of the calendar.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that this bill be passed to the foot of the calendar. Is there objection? [After a pause.] The Chair hears none.

INCREASE OF PENSIONS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 6421) to increase the pensions of those who have lost limbs or who have been totally disabled in the military or naval service of the United States.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Let the bill be considered, Mr. Speaker, on the reservation of objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 6421) to increase the pensions of those who have lost limbs or have been totally disabled in the same in the military or naval service of the United States.

Be it enacted, etc., That from and after the passage of this act all persons on the pension roll, and all persons hereafter granted a pension, who, while in the military or naval service of the United States, and in the line of duty, shall have lost one hand or one foot, or have been totally disabled in the same, shall receive a pension at the rate of $65 per month; and that all persons who in like manner shall have lost an arm at or above the elbow, or a leg at or above the knee, or have been totally disabled in the same, or where there has been an excision or resection of any part of the bones of the arm or leg, or of the elbow or knee joints, or where there is an ankylosis of either of said joints, shall receive a pension at the rate of $70 per month; and that all persons who in like manner shall have lost an arm at the shoulder, or a leg at the hip joint, or so near the shoulder or hip joint, or where the same is in such a condition as to prevent the use of an artificial limb, or have been totally disabled in the same, or where there has been an excision or resection of any part of the humerus or femur or of the shoulder or hip joint, or where there is ankylosis of either of said joints shall receive a pension at the rate of $75 per month; and that all persons who in like manner shall have lost one hand and one foot, or have been totally disabled in the same, or where there has been an excision or resection of any part of the arm or leg, or where there is an ankylosis of any of the joints of said arm or leg, shall receive a pension at the rate of $100 per month; and that all persons who in like manner shall have lost both hands or both feet, or have been totally disabled in the same, or where there has been an excision or resection of any part of the bones or joints of either of said arms or legs, or where there is an ankylosis of any of the joints of said arms or legs, shall receive a pension at the rate of $100 per month; and that all persons who in like manner shall have lost both arms and both legs, or have been totally disabled in the same, or where there has been an excision or resection of any part of the bones or of the joints of either of said arms or legs, shall receive a pension at the rate of $150 per month: *Provided, however*, That this act shall not be so construed as to reduce any pension under any act, public or private.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill just read?

Mr. GARRETT of Tennessee. I object.

The SPEAKER pro tempore. The bill will be stricken from the calendar. The Clerk will report the next bill.

Mr. LANGLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on that bill. I want to make an explanation.

The SPEAKER pro tempore. The gentleman from Kentucky asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

INCREASING PENSIONS OF ARMY NURSES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 7738) to increase the rate of pension allowed to Army nurses.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, under a reservation of an objection, I ask that this bill be read for information.

The SPEAKER pro tempore. The bill will be read.

The Clerk read as follows:

Be it enacted, etc., That from and after the passage of this act the rate of pension allowed to Army nurses of the Civil War, whose names have been or shall hereafter be properly placed upon the pension roll under the provisions of existing laws, and otherwise entitled to receive a less rate than herein provided, shall be $25 per month.

SEC. 2. That this act shall not be construed to repeal or modify the provisions of section 4720, Revised Statutes, United States, as to rates of pension fixed by special act of Congress.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill just read?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I wish to inquire of the gentleman who introduced the bill and reported it as to the number of nurses that this bill will apply to.

Mr. LANGLEY. My information, obtained from the Commissioner of Pensions or the Pension Office, is that there are now only about 145 Army nurses to whom this increase would apply. There were when this bill was introduced something over 200. Nearly all of these Army nurses have battle-field records. A majority of them, I am informed, are in indigent circumstances, and I really think that it was an oversight that they were not included in the Ashbrook bill and the Smoot bill, increasing the pensions of widows. Everybody, I think, will agree that these Army nurses with this record should have been included.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. LANGLEY. I will.

Mr. GARD. Will the gentleman advise the House what these Army nurses now get?

Mr. LANGLEY. They get $12 now. This bill is to increase their pension to $25 per month.

The SPEAKER pro tempore. Is there objection?

Mr. GARRETT of Tennessee. I object.

The SPEAKER pro tempore. The gentleman from Tennessee objects, and the Clerk will report the next bill.

Mr. LANGLEY. Will the Speaker recognize me at this moment to make a motion to suspend the rules?

The SPEAKER pro tempore. The Chair would state that he is now temporarily occupying the chair, and, carrying out the instructions of the Speaker, he could not entertain a motion now by anybody to suspend the rules. The Clerk will report the next bill.

LANDS OF THE SOUTHERN OREGON CO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 8625) to accept from the Southern Oregon Co., a corporation organized under the laws of the State of Oregon, a deed satisfactory to the Attorney General of the United States, reconveying to the United States all the right, title, and interests of the said Southern Oregon Co. in and to the lands situated in the counties of Coos and Douglas, in the State of Oregon, and embraced within the limits of the grant made by the United States to the State of Oregon by the act of March 3, 1869, entitled "An act granting lands to the State of Oregon to aid in the construction of a military wagon road from the navigable waters of Coos Bay to Roseburg, in said State," commonly known as the Coos Bay Wagon Road grant, and now involved in litigation pending in the Supreme Court of the United States under the style and title "The Southern Oregon Co. *v.* The United States," the said lands shall again become a part of the public domain, and the United States shall pay to the Southern Oregon Co. the sum of $232,463.07. The execution and delivery of the aforesaid deed within 30 days from and after the approval of this act shall constitute the acceptance of this act by the said Southern Oregon Co.; and upon the approval of such deed by the Attorney General of the United States the aforesaid suit shall be dismissed and all matters of difference, controversy, and litigation between the United States and the said Southern Oregon Co. arising out of said land grant shall be deemed fully settled, adjusted, and terminated.

SEC. 2. That the taxes accrued and unpaid on the said lands on the date of the delivery of the deed provided for in the preceding section shall be paid by the Treasurer of the United States upon the order of the Secretary of the Interior as soon as may be after this act becomes effective, and a sum sufficient to make such payment and also to provide for the payment of the said sum of $232,463.07, as provided for in section 1 of this act, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

SEC. 3. That the said lands shall be classified and disposed of in the manner provided by the act of June 9, 1916 (39 Stat. L., 218), for the classification and disposition of the Oregon and California railroad grant lands: *Provided*, That such persons who, being citizens of the United States, have continuously leased from the said Southern Oregon Co. for a period of not less than 10 years any of said lands classified as agricultural, not exceeding 160 acres to each person, shall be allowed a preference right of six months in which to purchase such lands from the United States by paying therefor the sum of $2.50 per acre: *Provided further*, That where any of such leased lands have been resided upon, to the same extent and in the same manner as is required under the homestead laws, since the 1st day of December, 1915, by any person duly qualified to enter such lands claiming adversely to such lessee, and who has improved the land and devoted some portion thereof to agricultural use, and who shall have maintained his residence to the date of his application, the claim of such settler and resident shall be superior to that of the lessee, and he shall be allowed the preference right of entry afforded actual settlers by section 5 of the act of June 9, 1916, aforesaid.

SEC. 4. That the title to all money arising out of said lands and now on deposit to await the final outcome of said suit now pending in the Supreme Court, as aforesaid, is hereby vested in the United States, and the United States is subrogated to all the rights and remedies of the obligee or obligees, and especially of Harry E. Laughlin as commissioner, under any contract for the purchase of timber on said lands.

SEC. 5. That all moneys received from or on account of said lands and timber and the timber thereon under the provisions of this act shall be deposited in the Treasury of the United States in a separate fund to be designated "The Coos Bay Wagon Road grant fund," which fund shall be disposed of in the following manner: A separate account shall be kept in the General Land Office of the sales of said lands and timber within each of the two counties of Coos and Douglas, and after the proceeds from such sales amount to a sum equal to that applied to pay the accrued taxes in that county and a sum equal to $2.50 per acre for each acre of such land thereon title to which is revested in the United States pursuant to the provisions of this act, 25 per cent of all other moneys received from said lands shall be paid to the State treasurer of the State of Oregon, to be and become a part of the irreducible school fund of the State; 25 per cent shall be paid to the treasurer of the county in which the lands sold are situated for common schools, roads, highways, bridges, and port districts, to be apportioned by the county courts for the several purposes above mentioned; 40 per cent shall be paid into, reserved, and appropriated as a part of the fund created by the act of June 17, 1902, known as the reclamation act; and the remainder shall become a part of the general fund in the Treasury of the United States. The payments herein authorized shall be made by the Treasurer of the United States upon the order of the Secretary of the Interior, as the fund accumulates in the Treasury: *Provided*, That none of the payments to the State and counties and to the reclamation fund provided for in this section shall be made until the Treasury has been reimbursed in the amount paid to the Southern Oregon Co. and also for all taxes paid pursuant to the provisions of section 2 of this act.

SEC. 6. That the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this act into full force and effect; and any person, applicant, purchaser, entryman, or witness who shall swear falsely in any affidavit or proceeding required hereunder or under the regulations issued by the Secretary of the Interior shall be guilty of perjury and liable to the penalties prescribed therefor.

SEC. 7. That the sum of $50,000 be, and the same is hereby, appropriated, out of any moneys in the Treasury not otherwise appropriated, to enable the Secretary of the Interior, in cooperation with the Secretary of Agriculture, or otherwise, to complete the classification of the lands as herein provided, which amount shall be immediately available and shall remain available until such classification shall have been completed.

SEC. 8. That this act shall become effective upon its acceptance by the Southern Oregon Co., in the manner provided by the first section hereof.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill just read?

Mr. GARRETT of Tennessee. I object.

The SPEAKER pro tempore. The gentleman from Tennessee objects, and the Clerk will report the next bill.

Mr. SINNOTT. Mr. Speaker, will the gentleman from Tennessee reserve his objection for a moment?

Mr. GARRETT of Tennessee. I will.

Mr. SINNOTT. If this bill is deferred in its passage until February or March, an additional amount of taxes will accrue to the extent of $40,000 or $60,000. This matter has been in the courts for some time. The Attorney General's Office has effected a compromise with the wagon-road company, by which the wagon-road company offers to settle the litigation, receiving just exactly what the courts have held that the wagon-road company is entitled to, and no more. If this bill is further delayed until the next tax-paying time comes around, something like $40,000 or $60,000 more of taxes will have to be paid in March, and it is to the interest of the Government that this litigation be settled at once. I hope the gentleman from Tennessee [Mr. GARRETT] will not insist on his objection.

Mr. GARRETT of Tennessee. Mr. Speaker, may the bill be again reported?

The SPEAKER pro tempore. Without objection, the bill will again be read.

The bill was again read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SINNOTT. I wish to further state, Mr. Speaker, that this is really a bill retaking something like 93,000 acres of land and vesting in the United States Government the title of a wagon-road grant. The bill was drafted by the Attorney General's office and introduced by myself, and the committee modified the bill and changed the allowance to the State from 50 per cent to 25 per cent.

Mr. GARRETT of Tennessee. The copy of the bill that I have before me does not show that it has been reported from the committee.

Mr. SINNOTT. It has been reported from the Committee on Public Lands. The gentleman must have the wrong copy.

Mr. MANN. It was reported on June 24, 1918, by the gentleman from Arkansas [Mr. TILLMAN].

Mr. GARRETT of Tennessee. Just a moment, if you please. Is there a unanimous report?

Mr. SINNOTT. Yes. There is a unanimous report.

Mr. STAFFORD. If the gentleman will permit, just prior to the close of the last session I asked unanimous consent that this bill be passed over so that further information could be obtained, and later on my former colleague, Senator LENROOT, called upon me and stated that he had given very full consideration to this measure and that it was in line with the bill that had been passed concerning the Oregon and California railroad land grants.

Mr. SINNOTT. Except the allowance to the State is cut in two.

Mr. GARRETT of Tennessee. The bill ought to be on the Union Calendar.

Mr. SINNOTT. It is.

Mr. MAYS. Mr. Speaker, for the benefit of the gentleman from Tennessee I might say that I was a member of the subcommittee, consisting of Mr. TILLMAN as chairman and somebody else, and that we reported this bill unanimously to the whole committee. The report was unanimous from the Committee on the Public Lands in favor of this bill.

It occurred to the committee from the evidence that the matter was urgent, and that the Government stood to gain in the transaction; that 93,000 acres of good timber land—most of it good timber land—was granted back to the Government, and altogether the United States was to be the gainer in the passage of the bill. I think, therefore, that there should not be any objection made.

Mr. MANN. I will say to the gentleman from Tennessee that the bill is on the Union Calendar. While my friend says it was on the House Calendar, it is now on the Union Calendar.

The SPEAKER pro tempore. Is there objection?

Mr. GARRETT of Tennessee. I withdraw the objection, Mr. Speaker.

The SPEAKER pro tempore. This bill is on the Union Calendar.

Mr. SINNOTT. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Oregon asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The bill was again read.

The SPEAKER pro tempore. The Clerk will report the first committee amendment.

The Clerk read as follows:

Page 2, line 25, after the word "terminated" add the following: "*Provided*, That nothing herein shall be construed to prevent the United States from instituting and maintaining such suits or actions as may be necessary to recover the value of timber or other material heretofore cut or removed from any of said lands without the consent of the Southern Oregon Co."

The amendment was agreed to.

The SPEAKER pro tempore. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 3, line 6, after the word "accrued" strike out the word "and," and after the word "unpaid" insert the words "and now delinquent."

Mr. SINNOTT. Mr. Speaker, I wish to call the attention of the House to a clerical mistake. In line 6 the insertion of the word "now" in the amendment is improper, because it obscures the sense and is really not good grammar. On page 3, line 6, the word "now" should be stricken out of the committee amendment.

The SPEAKER pro tempore. The gentleman offers to amend the committee amendment by striking out the word "now"?

Mr. SINNOTT. By striking out the word "now."

Mr. STAFFORD. Will the gentleman yield?

Mr. SINNOTT. I yield to the gentleman.

Mr. STAFFORD. The Attorney General, in his letter to the chairman of the committee, suggested that it should be made clear whether the Government is to pay only the principal of the taxes or both the principal and the penalties and interest. As I read this amendment, the Government will be obligated to pay the penalties and the interest.

Mr. SINNOTT. That is the way they did upon the Oregon-California railroad grant. The taxes, including penalties and interest, are a valid lien, and I think they should be paid.

Mr. STAFFORD. Of course, we are helping the county by paying this large sum, running into $400,000.

Mr. SINNOTT. Well, at the same time you are removing the property from the tax roll.

Mr. STAFFORD. What is the amount of the penalties and interest accumulated on the taxes now due on this property?

Mr. SINNOTT. It is stated in the report of the Attorney General, on page 5, that the taxes in Coos County, without penalty and interest, for the years 1909 to 1916 amount to $233,636.45, while with the penalty and interest these taxes amount to $366,693.95. The net tax claimed by Douglas County, where the smaller portion of the grant is situated, amounts to $32,463.55, while the penalty and interest in this county are $9,699.11, making a total for Douglas County of $42,162.66.

Mr. STAFFORD. Making a total altogether of $408,846.61?

Mr. SINNOTT. Yes.

Mr. STAFFORD. And making a grand total of $641,309.68?

Mr. SINNOTT. Yes. That will require a total payment, of the taxes and the amount to the wagon-road company, aggregating $641,309.68, while the minimum valuation put upon the revested land is $2,000,000, and the estimates run from $2,000,000 up to $4,000,000. The Government will get 75 per cent of that difference. The taxes are ultimately going to be paid out of the sale of the land and timber.

Mr. STAFFORD. As I read the report, the $641,309.68 is the total amount for taxes, penalties, and interest.

Mr. SINNOTT. The total cost to the Government.

Mr. STAFFORD. For taxes alone?

Mr. SINNOTT. No; for taxes and the payment of $2.50 an acre to the wagon-road company.

Mr. STAFFORD. That is not the way I read that paragraph. Let us read it again:

It will thus be seen that if Congress assumes the obligation of paying all the accrued taxes, with penalty and interest, the total cost to the Government will amount to $641,309.68.

Mr. SINNOTT. If you add together the $232,463.07 and the $408,846.61, it amounts to $641,309.68.

Mr. STAFFORD. The gentleman is correct and I am in error.

Mr. SINNOTT. That is the total payment.

Mr. MANN. Will the gentleman yield?

Mr. SINNOTT. Yes.

Mr. MANN. Is there any question in the gentleman's mind that the term "taxes unpaid and delinquent" includes penalties and interest?

Mr. SINNOTT. There is some question.

Mr. MANN. I should think so.

Mr. SINNOTT. And in the Oregon land-grant case the Attorney's General's office finally resolved it in favor of paying the penalties and the interest, and I tried to impress upon the committee the importance of clearing that up, but the committee thought otherwise. I wanted to insert the phrase "including penalties and interest," although I think that the Attorney General's office will probably advise the payment of the penalties and the interest. I think, as the gentleman from Illinois does, that the matter should be cleared up now, but I do not feel at liberty to offer the amendment.

Mr. MANN. It is also important in connection with section 5, where it provides for the repayment, that—

after the proceeds from such sales amount to a sum equal to that applied to pay the accrued taxes in that county and a sum equal to $2.50 per acre for each acre of such land therein title to which is revested in the United States pursuant to the provisions of this act—

certain disposition shall be made of the money. I take it, however, that that is sure to mean whatever taxes are paid.

Mr. SINNOTT. Yes.

Mr. MANN. Whether it includes penalties and interest or not?

Mr. SINNOTT. I think the bill should be amended to insert the phrase "including penalties and interest," but I do not feel at liberty to offer the amendment.

Mr. MANN. I have no doubt that before it becomes a law it will be so amended.

Mr. GARD. I ask the gentleman to yield for the purpose of asking a question of the chairman of the committee. Will the chairman of the committee advise me whether or not it was the intention of the committee to include this matter of penalties and interest?

Mr. TAYLOR of Colorado. That is my recollection, that it was.

Mr. SINNOTT. I think the committee thought that language included it, but I wanted to make it clear.

Mr. GARD. Another member of the committee advises me that such is not the fact.

Mr. MANN. Are not the penalties and interest a lien on the land, and do they not have to be paid?

Mr. SINNOTT. Yes.

Mr. MANN. The Government has no right to assume to seize this land without paying the taxes that are due upon it, has it? I do not know.

Mr. GARD. I do not know. The matter is one of arrangement between the Government and this corporation as to what shall be paid by the Government.

Mr. MANN. There is a contest between the parties, but the title is in the corporation.

Mr. GARD. The title is in the corporation.

Mr. MANN. And the taxes are assessed against the land.

Mr. GARD. In the transfer of the title there may be a provision as to the amount of taxes to be paid.

Mr. MANN. Here is a case where the taxes are assessed by a municipality. The Government makes an arrangement in the contest by which the Government takes the title back from the private corporation. Meanwhile the taxes have accrued. I doubt very much whether the Government, in compromising with that party, can oust the municipality or county of its right of taxation against this land. Very likely the money has been spent, and it may be bills issued to be paid out of the receipts when collected on this property. I do not know how that is.

Mr. SINNOTT. Mr. Speaker, I would like to offer an amendment to clear that matter up.

The SPEAKER pro tempore. The committee amendments will be first disposed of and then the Chair will recognize the gentleman to offer an amendment. The Clerk will first report the amendment to the committee amendment offered by the gentleman from Oregon.

The Clerk read as follows:

Page 3, line 6, strike out the word "now," at the end of the line.

The SPEAKER pro tempore. The question is on the amendment to the committee amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER pro tempore. The question now is on the committee amendment as amended.

The question was taken, and the committee amendment as amended was agreed to.

The SPEAKER pro tempore. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 3, line 24, after the word "years," insert "or who under lease from said company have cultivated and placed valuable improvements upon."

Mr. STAFFORD. Mr. Speaker, I would like to inquire of the gentleman if this is intended to include persons who may have put on inexpensive improvements and give them a preferential right to the property at $2.50 an acre?

Mr. SINNOTT. That committee amendment was put in at the suggestion of the Attorney General's office. The gentleman who went out there to investigate the land and the grant reports upon page 16 what he found upon the ground. A great many settlers went upon this land thinking they could compel the Wagon Road Co. to execute a deed to them, for the reason that the granting act contained the language that the grant should be "upon condition that the lands shall be sold to any person only in quantities not greater than a one-quarter section and for a price not exceeding $2.50 an acre."

Parties went on the land, cultivated it, and plowed and improved it. The court held that no settler could compel the Wagon Road Co. to make a grant to him. So the settlers, in order to protect their rights, entered into leases and agreements with the Wagon Road Co. that they should occupy the land, and in some cases also took options of sale. That committee amendment is for the purpose of taking care of these settlers and those who placed improvements thereupon.

Mr. STAFFORD. The bill as reported takes care of those who have continuously leased from the Wagon Road Co. for not less than 10 years. This will provide for subsequent squatters who happen to go on the land and make improvements.

Mr. SINNOTT. Who leased from the Wagon Road Co. and have cultivated the land and placed improvements thereon. In addition to paying $2.50 an acre these parties mentioned in the committee amendment would have to pay the taxes accrued against the land. They have that additional burden added to that of the ordinary purchaser.

Mr. MANN. Do they have to pay for the timber?

Mr. SINNOTT. They could not get the timber. If the timber runs over a million two hundred thousand to 160 acres, the land will be classified the same as it is under the Oregon and California land grants.

Mr. MANN. Is there any necessity of having both these provisions in the bill—the one in the bill and now the committee amendment. Are there any of these lessees who have continually leased the land for 10 years who have not made any valuable improvement upon it?

Mr. SINNOTT. That was the information of the Attorney General's office.

Mr. MANN. The information of the Attorney General's office was that people who had leased the land for 10 years continuously and made valuable improvements ought to have priority of right, but are there any of those who have leased continuously for 10 years and made no improvements on the land? I ask out of curiosity.

Mr. HAWLEY. I can not answer it from very specific knowledge, but I understand from information that there are persons who leased under 10-year provisions and who have built houses, barns, fenced the land, and cultivated and made their homes there and who have been paying taxes.

Mr. MANN. There is no occasion for the original provision remaining in the bill.

Mr. STAFFORD. Let me ask the gentleman if this is intended to take care of those who are mentioned on page 16—mere squatters on the land, who entered into it without any arrangement with the Wagon Road Co.?

Mr. HAWLEY. No; the amendment provides that they must have a lease from the Wagon Road Co.

Mr. STAFFORD. But the lease may be made at any time, and it was the original intention to grant this right to those who had a lease for 10 years.

Mr. HAWLEY. Yes.

Mr. STAFFORD. The Attorney General's office points out that there are a few persons who entered on the land without any contractual relations with the Wagon Road Co. and lived there a little while and made some scattering improvements.

Mr. SINNOTT. They are not embraced in this provision.

Mr. STAFFORD. Yes; they are if they subsequently got a lease.

Mr. SINNOTT. They must have had a lease and they must have had it for the last five or six years.

Mr. MANN. Oh, no; they could get a lease after this bill passes.

Mr. SINNOTT. The court has enjoined the Wagon Road Co. from making any disposition of the land. That injunction has been in force, I think, since 1914 or 1915.

Mr. MANN. Does that prevent the making of a lease of the ground?

Mr. SINNOTT. Any disposition at all until Congress shall have had an opportunity to pass on it.

Mr. MANN. Are they forbidden to make a lease of the ground?

Mr. SINNOTT. Yes.

Mr. MANN. The gentleman is sure of that?

Mr. SINNOTT. I am.

Mr. MANN. Unless they violate the injunction, there would be no leases granted after this bill passes.

Mr. SINNOTT. No.

Mr. HAWLEY. The lease would be invalid if granted?

Mr. SINNOTT. Yes.

Mr. MANN. I do not know that the lease would be invalid. They might send the man to jail for contempt of court.

Mr. HAWLEY. In answer to the gentleman from Wisconsin, my information is that the persons to be taken care of in the amendment of the committee have built good improvements on the land, intending to make it their home; they have built fences and barns and houses and other improvements.

Mr. STAFFORD. They went there without any arrangement with the Wagon Road Co.

Mr. HAWLEY. If any such people are included in this amendment, I do not know of them. I am speaking of those who have not resided on the land for 10 years, but who have resided there for 4 or 5 years and have made good improvements.

Mr. STAFFORD. They are pure squatters, and this is to take care of those people.

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The Clerk will report the other committee amendments.

The Clerk read as follows:

Page 4, line 4, after the word "acre," insert the words "and reimbursing the United States for the taxes paid on such land: *Provided further*."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

Page 5, lines 15, 16, and 17, after the word "paid," in line 15, strike out the words "to the State treasurer of the State of Oregon, to be and become a part of the irreducible school fund of the State, 25 per cent shall be paid."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

Page 5, lines 21, 22, 23 and 24, after the word "mentioned," in line 21, strike out the words "40 per cent shall be paid into, reserved, and appropriated as a part of the fund created by the act of June 17, 1902, known as the reclamation act."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

Page 6, line 6, after the word "the," strike out the words "State and," and after the word "counties," in line 6, strike out the words "and to the reclamation fund."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

Page 6, line 20, strike out "$50,000" and insert "$12,000."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill as amended.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SINNOTT, a motion to reconsider the vote by which the bill was passed was laid on the table.

SALARY OF UNITED STATES DISTRICT ATTORNEY—CONNECTICUT.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 4246) to increase the salary of the United States district attorney for the district of Connecticut.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. LONERGAN. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That from and after the passage of this act the salary of the United States district attorney for the district of Connecticut shall be at the rate of $5,000 a year.

The committee amendment was read as follows:

Page 1, line 5, strike out "$5,000" and insert "$4,500."

Mr. MANN. Mr. Speaker, I appreciate the fact that this bill is one that has been pending in different shapes here for a number of years. I think the first report was to increase the salary from $2,500 for the district attorney to $3,500.

Mr. STAFFORD. The gentleman may possibly be referring to the bill to increase the salary in Rhode Island.

Mr. MANN. Well, it may have been Rhode Island. I do not differentiate between the two—they are both alike; both equally meritorious. Next it was reported to increase the salary from $2,500 to $4,000. Now I see the bill is reported to increase the salary from $2,500 to $4,500. Does not the gentleman from Connecticut believe it would be a good idea for some one to object so the next Congress may put it to $5,000; probably the district attorney for so important a district ought to get $5,000 a year.

Mr. LONERGAN. Mr. Speaker, I will say to the gentleman that in the Sixty-third Congress a bill passed the Senate fixing the salary at $4,000, and the committee which had the matter in charge in the House decided not to deal with questions of this character because it was following the outbreak of the European war, when no such appropriation bills were being considered.

Mr. MANN. Oh, we have had a bill reported from that committee every Congress, I think, for a number of Congresses for this very Rhode Island, increasing the salary from $2,500 to some amount, as I have stated before.

Mr. LONERGAN. Well, the Sixty-third Congress and this Congress are the only two I know of that considered a bill for Connecticut, and the committee has acted favorably on the pending bill. I will say to the gentleman that the district attorney in Connecticut is obliged to devote all of his time to the performance of the duties of his office. The Attorney General approves of an increase.

The United States district judge wrote a letter stating that the attorney was fully occupied in the performance of his duties and the population of the State of Connecticut has increased between 600,000 and 700,000 since the salary was fixed at $2,500 something like 50 years ago. We have the largest alien population industrially in the United States.

Mr. MANN. What has that got to do with the district attorney?

Mr. LONERGAN. I was just leading up to it. The war work in the industries has been very great, and we did not have in the State of Connecticut any cases of property destruction or loss of life, because under the jurisdiction of the United States district attorney's office there was a large number of men employed doing detective work, investigation work, and reporting back to the United States district attorney. The office has been efficiently conducted, and I think if the gentleman from Illinois will make inquiry at the office of the Attorney General he will find that they have had as much of the watching of property as any office in the United States of like character.

Mr. MANN. I have not said anything against the district attorney. I doubt very much whether the district attorney has very much to do with watching over the natives or alien population during the war, and, if so, that is past in the main. There may be other reasons, but I rose mainly to suggest to my distinguished friend from Connecticut that this bill is for one district of the United States. It has to go through, if it passes here, and pass the scrutiny of another body of very distinguished people. I trust it will not be weighted down when it comes back with amendments fixing the salary in a lot of the other districts, because if it does it may pass here; I do not know.

The question was taken, and the committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. LONERGAN, a motion to reconsider the vote by which the bill was passed was laid on the table.

PUBLIC BUILDING AT ELDORADO, KANS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12881) to increase the cost of the public building at Eldorado, Kans.

The SPEAKER pro tempore. Is there objection to the consideration of the bill just reported? [After a pause.] The Chair hears none. The bill is on the Union Calendar.

Mr. AYRES. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Kansas asks unanimous consent that the bill be considered in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 12881) to increase the cost of the public building at Eldorado, Kans.

Be it enacted, etc., That section 4 of the act of Congress approved March 4, 1913, authorizing and directing the Secretary of the Treasury to contract for the acquisition, by purchase or otherwise, of a site and to contract for the erection and completion thereon of a suitable building, including fireproof vaults, heating and ventilating apparatus, and approaches, complete, for the use and accommodation of the United States post office and other Government offices at Eldorado, Kans., be, and the same is hereby, amended so as to increase the limit of cost for said building from $60,000 to $95,000.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. AYRES, a motion to reconsider the vote by which the bill was passed was laid on the table.

UNLAWFUL ORGANIZATIONS.

The next business on the Calendar for Unanimous Consent was the bill (S. 4471) to declare unlawful associations purposing by physical force, violence, or injury to bring about any governmental, social, industrial, or economic change in the United States, and prescribing punishment for persons engaged in the activities of such associations, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LONDON. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from New York objects, and the bill is stricken from the calendar. The Clerk will report the next bill.

ADDITIONAL JUDGE FOR DISTRICT OF ARIZONA.

The next business on the Calendar for Unanimous Consent was the bill (S. 714) providing for an additional judge for the district of Arizona.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. MOORES of Indiana. Mr. Speaker, I object.

Mr. WATSON of Pennsylvania. I object, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Pennsylvania and the gentleman from Indiana object, and the bill is stricken from the calendar.

TIMBER PRIVILEGES TO CERTAIN CITIZENS IN OREGON.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12579) to grant citizens of Malheur County, Oreg., the right to cut timber in the State of Idaho for agricultural, mining, or other domestic purposes, and to remove such timber to Malheur County, Oreg.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill just read?

Mr. MANN. Mr. Speaker, reserving the right to object, let us have the bill reported.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That section 8 of an act entitled "An act to repeal the timber-culture laws, and for other purposes," approved March 3, 1891, be, and the same is hereby, amended by adding thereto the following:

"That it shall be lawful for the Secretary of the Interior to grant permits, under the provisions of the eighth section of the act of March 3, 1891, to citizens of Malheur County, Oreg., to cut timber in the State of Idaho for agricultural, mining, or other domestic purposes, and to remove the timber so cut to Malheur County, State of Oregon."

Also the following committee amendment was read:

Page 1, line 5, after the word "ninety-one," insert the following: "chapter 561, as amended by an act approved March 3, 1891, chapter 559, page 1093, volume 26, United States Statutes at Large."

The SPEAKER pro tempore. Is there objection to the consideration of the bill just read?

Mr. GARD. Reserving the right to object, I would like to ask the gentleman who has introduced the bill to inform the House of the necessity for a bill which grants the cutting of timber in one State to be carried to another State without any apparent limitation as to its use.

Mr. SINNOTT. The present law and regulations permit the cutting of timber not to exceed the value of $50 in any one year, to be used for the purposes set forth in the act, but that law precludes the use of that timber so cut in any other State than the State in which it is cut, except that the act has been twice amended permitting timber to be taken from Wyoming to Idaho and from Montana to Wyoming. Now, in the section of Oregon seeking relief by this bill there is no timber; there is particularly no timber in the Jordan Valley, on the Oregon side. The Jordan Valley is half in Oregon, in Malheur County, and half in Idaho. Over on the Idaho side there is considerable juniper timber, which may be cut and used for fence posts and for other domestic purposes. Over on the Oregon side they have recently voted a bond issue of some $900,000 to irrigate lands under a Carey Act project, and unless they can get this timber over on the Idaho side they are going to be very much handicapped and embarrassed in the development of this section of the country.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The bill is on the Union Calendar.

Mr. SINNOTT. Mr. Speaker, I ask unanimous consent to have the bill considered in the House as in the Committee of the Whole.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The bill was again reported.

Mr. MANN. Mr. Speaker, I suppose it is perfectly natural that the gentleman who drafted the bill should draft it in the form that he did, but it makes a rather, I was going to say, ludicrous condition of the statutes, because this is a provision to add to the eighth section of a certain law an amendment which says the provision of the eighth section, and so forth, shall not apply. That is the section to which this amendment is added, so that when this law shall be compiled it will read as section so-and-so, and at the end of that section it will refer to itself in a very formal manner, by referring to itself as the eighth section of a certain statute of the United States as amended. It would have been simpler, I would suggest to the gentleman, to amend the section by adding the new language to the provision of this section, and so forth, because this becomes a part of section 8.

Mr. SINNOTT. I probably followed the precedents too slavishly. I merely copied the other old amendments.

Mr. MANN. I am not endeavoring to criticize the gentleman at all. What was done was very natural, but it does make it read rather awkwardly.

Mr. STAFFORD. Does the gentleman advise the House why he made the reference to the law he seeks to amend so specific, by not only citing it by chapter but also by the date on which it was passed? It is not customary to be so specific, to mention the chapter and then add the date of the approval of the act.

Mr. SINNOTT. I will say to the gentleman that there were two acts passed about the same time, and the date was included so as to distinguish between the two.

Mr. STAFFORD. Yes; but the two acts did not bear the same title. It says:

That section 8 of an act entitled "An act to repeal the timber-culture laws, and for other purposes," approved March 3, 1891, chapter 561, as amended by an act approved March 3, 1891, chapter 559, page 1093, volume 26, United States Statutes at Large.

I do not think the gentleman could find anything else in the statute whereby he could describe the act which he intends to amend more specifically.

Mr. SINNOTT. There has always been a matter of uncertainty——

Mr. MANN. No; it has not been a matter of uncertainty. It is a fact that the Land Office and the Department of the Interior have recommended this sort of thing for years, and I have almost reached the conclusion that it is a good thing.

If there is one difficult thing to find it is something in the Statutes at Large where you refer to the date of the statute and the date of the approval, because the dear compilers of the Statutes at Large will not print on each page of the Statutes at Large the date of the approval of the act, but they simply put in the chapter, and if you know the date of the approval of the act you can look and find it. In the case of appropriation bills you have to look at the end or the beginning in order to find the date. Now, these people have recommended an amendment which permits anyone at a moment's notice to turn to the page of the statute where the matter is to be found, and to know exactly how to find it, and where to find it, and find it quickly.

Mr. STAFFORD. The reference to the page is surplusage.

Mr. MANN. It is all surplusage. I can find it by reference to the title.

Mr. STAFFORD. But it is not necessary to put it in.

Mr. MANN. I say it is not necessary to put any of it in, but I am getting around to the conclusion, that it is a good thing to put in the chapter and page, so as to find it quickly in the Statutes at Large. Our statutes of the United States are now so jumbled up that the famed "Philadelphia lawyer" can not find what he is hunting one time in two.

Mr. JOHNSON of Washington. Mr. Speaker, I move to strike out the last word.

The SPEAKER pro tempore. The gentleman from Washington moves to strike out the last word.

Mr. JOHNSON of Washington. Mr. Speaker, I do not want to delay the passage of this bill or take up the time of the House more than a moment, but I want to congratulate the Committee on Public Lands on their energy and capacity for getting out their own bills. There are quite a number on this calendar from that committee, and they are making progress and passing bills. I hope they will soon have their bills all wound up, so that they can pay some attention to the bills of other Members who are not on the committee.

Mr. TAYLOR of Colorado. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Washington. I will.

Mr. TAYLOR of Colorado. I will say to the gentleman that from the commencement of this session of Congress in December the chairman of that committee [Mr. FERRIS] has been unavoidably away on account of sickness.

Mr. JOHNSON of Washington. I suppose he was overworked in the handling of a national campaign. I have no doubt of that.

Mr. TAYLOR of Colorado. No; both he and his wife have been quite ill with the "flu." Politics has nothing to do with his absence. But he will not be here next week. I have been acting as chairman of the Public Lands Committee thus far this session and I have tried to give every man who has a bill pending before the committee an opportunity to come before the committee, and we have heard everybody who has come. You have not appeared before the committee this session. We have had several meetings and hearings have been given to everyone who asked recognition, I think. We have endeavored to finish up as nearly as we can all the important business and not at all confine our actions to bills in which the membership of the committee are interested. In fact, we put in practically all this morning listening to Senators and Senate bills. There has been no thought whatever of selfishly reporting out only our own bills. But it is perfectly natural that the members of that committee from the public-land States should have more of those bills than other Members do. However, any Member who has a bill that ought to pass can very easily get a hearing.

Mr. JOHNSON of Washington. I congratulate the gentleman. I have had a bill pending there for a long time, and I have been promised several times that I shall have a hearing.

Mr. TAYLOR of Colorado. Has the gentleman ever asked for a hearing?

Mr. JOHNSON of Washington. Yes; I have asked for a hearing many times.

Mr. TAYLOR of Colorado. If I am acting chairman, as I probably will be, I assure the gentleman he will be accorded a hearing if he appears before the committee next Saturday morning at 10 o'clock.

Mr. JOHNSON of Washington. I have asked for a hearing many times, as the chairman of the committee and the secretary will testify.

Mr. SMITH of Idaho. Mr. Speaker, I will say to the gentleman, for his satisfaction, that the committee ordered favorably reported four of the gentleman's bills this morning.

Mr. JOHNSON of Washington. I am very glad to hear it; and on the strength of that statement I will withdraw my pro forma amendment. [Laughter.]

The SPEAKER pro tempore. The pro forma amendment is withdrawn. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SINNOTT, a motion to reconsider the vote whereby the bill was passed was laid on the table.

EULOGIES ON THE LATE SENATOR BRADY, OF IDAHO.

Mr. SMITH of Idaho. Mr. Speaker, I ask unanimous consent that Sunday, January 26, be set aside for addresses on the life, character, and services of the late Senator BRADY, of Idaho.

The SPEAKER pro tempore. The gentleman from Idaho asks unanimous consent that Sunday, January 26, be set aside for addresses on the life, character, and services of the late Senator BRADY, of Idaho.

There was no objection.

WATER SUPPLY FOR OLATHE, COLO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 5989) to grant certain lands to the town of Olathe, Colo., for the protection of its water supply.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Colorado asks unanimous consent that this bill be considered in the House as in Committee of the Whole. Is there objection?

Mr. MANN. Reserving the right to object, these seem to be public-land bills. I will ask the gentleman if he intends to have the House adjourn as soon as this bill passes?

Mr. TAYLOR of Colorado. No; I was hoping that we could let it run through this whole page. Here are nine public-land bills, all of which are meritorious measures.

Mr. MANN. I have no doubt of that.

Mr. TAYLOR of Colorado. Let me say to the gentleman from Illinois and to the House that the only way under the sun that the western Members of this House can ever get an opportunity to have these necessary bills passed is by their consideration on the Unanimous Consent Calendar.

Mr. MANN. The gentleman does not need to spend any time in telling me that. I know that.

Mr. TAYLOR of Colorado. I hope there will be no objection.

Mr. MANN. I did not take up the time of the House.

Mr. TAYLOR of Colorado. I know the gentleman has not. He has been treating us very nicely.

Mr. MANN. It was the gentleman's side of the House that wasted time to-day.

Mr. TAYLOR of Colorado. No; we have not wasted any time.

Mr. MANN. Why, surely.

Mr. TAYLOR of Colorado. I do not think either side has wasted any time.

Mr. MANN. First, you wasted time in two roll calls on a contested-election case. Then you wasted time on some other matters. The delay did not come from this side of the House. It does not lie in the mouth of any gentleman on that side of the House to lecture this side of the House about wasting time.

Mr. TAYLOR of Colorado. I have not been lecturing anybody.

Mr. MANN. Especially in view of what has taken place since the first Monday in December.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado to consider this bill in the House as in Committee of the Whole?

There was no objection.

The bill was read as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to convey to the town of Olathe, county of Montrose, and State of Colorado, the southeast quarter of section 24, township 48 north, range 12, and the south half of section 19, and the southwest quarter of section 20, both in township 48 north, range 11 west, of the New Mexico principal meridian, in said county and State, containing 640 acres, more or less, to have and to hold said lands for the purpose of the protection of the reservoirs and water-supply pipe lines and waterworks system of said town: *Provided*, That the said town of Olathe shall, within two years from the passage of this act, pay for said lands, or such portions thereof as may be necessary for said purposes, at the rate of $1.25 per acre: *Provided further*, That the grant hereby made is, and the patent issued thereunder shall be, subject to all legal rights heretofore acquired by any person or persons in or to the above-described premises, or any part thereof, and now existing under and by virtue of the laws of the United States: *And provided further*, That there shall be reserved to the United States all oil, coal, and other mineral deposits that may be found in the lands so granted, and all necessary use of the lands for extracting the same.

The SPEAKER pro tempore. The Clerk will report the first committee amendment.

The Clerk read as follows:

Page 2, line 14, after the word "same" insert the following:

"*And provided further*, That title to the land shall revert to the United States should the same or any part thereof be sold or cease to be used for the purposes herein provided."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

On motion of Mr. TAYLOR of Colorado, a motion to reconsider the vote by which the bill was passed was laid on the table.

TELEGRAPHS AND TELEPHONES.

Mr. MOON. Mr. Speaker, I ask unanimous consent to insert in the RECORD a letter discussing the telegraph and telephone systems and the wisdom of the union of the two and the Government ownership of the same. This letter is written by Mr. Theodore N. Vail, president of one of these companies.

The SPEAKER pro tempore. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD as indicated. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I understand that Mr. Vail is now associated with the Government in the operation and direction of the telephone and telegraph systems of the country.

Mr. MOON. I do not know whether he is or not.

Mr. STAFFORD. If he is not, I shall be constrained to object. I understand that he occupies some official capacity with the Government.

Mr. MOON. He may. I do not know whether he does or does not.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, until I can get the information——

Mr. STEENERSON. I have seen the statement in the newspapers that he is the official adviser of the Postmaster General on telegraphs and telephones.

Mr. STAFFORD. If he occupies some official capacity with the Government, I have no objection to the matter being inserted in the RECORD. Otherwise, I shall object.

Mr. MOON. I do not know, but I accept the statement of the gentleman from Minnesota.

The SPEAKER pro tempore. Is there objection?

There was no objection.

COAL LANDS IN ALASKA.

The next business on the Calendar for Unanimous Consent was the bill (S. 35) to provide for agricultural entries on coal lands in Alaska.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I wish to inquire whether this bill extends to others than qualified homestead entrymen?

Mr. TAYLOR of Colorado. I do not think so. I have not the general law before me, but it is to allow agricultural entries on lands reserved for coal lands.

Mr. STAFFORD. I wish to direct the attention of the gentleman to the designation that it applies to "actual settlers." That does not mean qualified entrymen. It would apply to any person who happened to locate upon Government land.

Mr. TAYLOR of Colorado. I do not think there was any intentional point in that matter. It was to make the law extend to the Territory of Alaska. We have a law allowing agricultural entries on the surface of coal lands.

Mr. STAFFORD. Is it the purpose to grant them the privilege of entering upon unsurveyed public lands?

Mr. TAYLOR of Colorado. I think so. My recollection is that there are great quantities of land in Alaska not surveyed and perhaps will not be for 50 years.

Mr. STAFFORD. Do we authorize entries in the States on unsurveyed public lands?

Mr. TAYLOR of Colorado. Yes, forest reserves; and survey it out by metes and bounds.

Mr. MANN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. The gentleman from Illinois asks unanimous consent that this bill be passed over without prejudice. Is there objection?

There was no objection.

EXTENSION OF TIME FOR RECLAMATION OF LANDS IN OREGON.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13042) providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Let us have the bill read.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized, within his discretion, to extend for a period of not exceeding 10 years the time of segregation in the Oregon Carey Act segregation list No. 13, comprising approximately 27,000 acres of land, same being situated in Deschutes County, Oreg., provided the Secretary of the Interior is further authorized to grant to the State of Oregon a similar extension of 10 years for the reclamation of said lands in addition to the time allotted under existing rules, regulations, contracts, and laws.

With the following committee amendments:

Strike out all after the enacting clause and insert:

That the Secretary of the Interior is hereby authorized, within his discretion, to continue to not beyond January 12, 1929, the segregation of the lands embraced in approved Oregon segregation list No. 13, under the Carey Act.

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, may I ask the gentleman if it is customary to use in the law the expression "Carey Act"?

Mr. SINNOTT. Yes; it is referred to in those words in various statutes. This amendment came from the department and was recommended by the department.

Mr. GARRETT of Tennessee. The Carey Act has a well-defined meaning to our minds, but has it a well-defined meaning in the courts?

Mr. SINNOTT. I think it has a well-defined meaning in the courts. Everyone understands it as well as they do the "reclamation law."

Mr. GARRETT of Tennessee. It is referred to in the courts as the Carey Act.

Mr. SINNOTT. Yes. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The bill was again read for amendment.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SINNOTT, a motion to reconsider the vote whereby the bill was passed was laid on the table.

AMENDMENT TO THE ESPIONAGE ACT.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 9094) to amend section 1 of Title VIII of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917.

The SPEAKER pro tempore. Is there objection to the immediate consideration of the bill?

Mr. HUDDLESTON. Reserving the right to object, Mr. Speaker, this is an important bill, and it is too late to give it the consideration that it ought to have. I suggest to the gentleman from Ohio that it go over.

Mr. MANN. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Illinois makes a point of no quorum. Evidently there is no quorum present.

Mr. GARRETT of Tennessee. Mr. Speaker, would it be in order for me to move that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow?

The SPEAKER pro tempore. The Chair does not think that anything is in order after the fact is ascertained that no quorum is present.

LEAVE OF ABSENCE.

By unanimous consent, the following leave of absence was granted:

To Mr. TAGUE, leave of absence indefinitely, on account of illness.

To Mr. BRAND, for five days, on account of illness.

WITHDRAWAL OF PAPERS.

Mr. ZIHLMAN, by unanimous consent, was given leave to withdraw from the files of the House papers, without leaving copies, in the case of John T. Wheeler, Company I, Seventeenth West Virginia Volunteers, Sixty-fifth Congress, no adverse report being made thereon.

ADJOURNMENT.

Mr. GARRETT of Tennessee. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 11 minutes p. m.) the House adjourned until to-morrow, Wednesday, January 8, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting estimate of appropriation, with the recommendation that it be given favorable consideration for inclusion in the sundry civil appropriation bill for the fiscal year 1920 (H. Doc. No. 1644); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Commissioners of the District of Columbia, submitting a supplemental estimate of appropriation required by the health department of the District of Columbia for preventing the spread of contagious diseases, fiscal year 1919 (H. Doc. No. 1645); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior, submitting a paragraph of legislation extending during the fiscal year 1920 the appropriation and authorization made by the act of July 1, 1918 (H. Doc. No. 1646); to the Committee on Appropriations and ordered to be printed.

4. A letter from the secretary of the Federal Trade Commission, transmitting a statement of the number of men in the service of the commission exempted from military duty or placed in deferred classification on request of the commission (H. Doc. No. 1647); to the Committee on Military Affairs and ordered to be printed.

5. A letter from the secretary of the United States Shipping Board, transmitting a statement of employees of the United States Shipping Board and Emergency Fleet Corporation who have been exempted from military duty or given deferred classification (H. Doc. No. 1648); to the Committee on Military Affairs and ordered to be printed.

6. A letter from the Secretary of War, transmitting a list showing the number of men in the service of the War Department at Washington for whom requests for exemption from military duty or deferred classification were asked and allowed (H. Doc. No. 1649); to the Committee on Military Affairs and ordered to be printed.

7. A letter from the Secretary of the United States Shipping Board, transmitting a statement showing all the employees of the Emergency Fleet Corporation who have been given deferred classification (H. Doc. No. 1650); to the Committee on Military Affairs and ordered to be printed.

8. A letter from the Attorney General of the United States, transmitting lists of employees of the Department of Justice for whom requests for exemption from military duty or deferred classification were asked and allowed (H. Doc. No. 1651); to the Committee on Military Affairs and ordered to be printed.

9. A letter from the Assistant Secretary of Labor, transmitting a list of employees of the Department of Labor for whom requests for deferred classification were asked and allowed (H. Doc. No. 1652); to the Committee on Military Affairs and ordered to be printed.

10. A letter from the Acting Secretary of the Treasury, transmitting a list of employees for whom requests for exemption from military duty or deferred classification have been asked and allowed (H. Doc. No. 1653); to the Committee on Military Affairs and ordered to be printed.

11. A letter from the Secretary of Commerce, transmitting a list of employees of the Department of Commerce for whom exemption from military duty or deferred classification have been asked and allowed (H. Doc. No. 1654); to the Committee on Military Affairs and ordered to be printed.

12. A letter from the Acting Secretary of War, transmitting names of men in the active or reserve forces of the Military Establishment, commissioned or enlisted, who have been assigned to clerical work and placed in deferred classification by reason of such assignment (H. Doc. No. 1655); to the Committee on Military Affairs and ordered to be printed.

13. A letter from the Secretary of the Interior, transmitting a statement showing the number of employees of the Department of the Interior for whom exemption from military duty or deferred classification has been asked and allowed (H. Doc. No. 1656); to the Committee on Military Affairs and ordered to be printed.

14. A letter from the President of the United States, transmitting, with a letter from the Secretary of State, the number of men in the service of the State Department for whom exemption from military duty or deferred classification has been asked and allowed (H. Doc. No. 1657); to the Committee on Military Affairs and ordered to be printed.

15. A letter from the President of the United States, transmitting the number of men in the service of the Food Administrator, Fuel Administrator, and all boards and commissions appointed by Executive order since April 6, 1917, for whom exemption from military duty or deferred classification has been asked and allowed (H. Doc. No. 1658); to the Committee on Military Affairs and ordered to be printed.

16. A letter from the Acting Secretary of the Treasury, transmitting reports from accounting officers of the Treasury Department, showing what officers of the Government were delinquent in rendering their accounts for the fiscal year ended June 30, 1918, with a list of such officers, who, upon final settlement of their accounts, were found indebted to the Government, and who at the date of the report had failed to pay the same into the Treasury of the United States (H. Doc. No. 1659); to the Committee on Expenditures in Treasury Department and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SHERLEY, from the Committee on Appropriations, to which was referred the bill (H. R. 13708) providing for the relief of such populations in Europe, outside of Germany, as may be determined upon by the President as necessary, reported the same without amendment, accompanied by a report (No. 892), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DILLON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 5058) to authorize the counties of Morton and Burleigh, in the State of North Dakota, to construct a bridge across the Missouri River near Bismarck, N. Dak., reported the same without amendment, accompanied by a report (No. 893), which said bill and report were referred to the House Calendar.

Mr. SANDERS of Louisiana, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 4966) to extend the time for the construction by the Gulf Ports Terminal Railway Co., a corporation existing under the laws of the State of Florida, of a bridge or bridges over and across the headwaters of Mobile Bay and such navigable channels as are between the east side of the bay and Blakeley Island, in Baldwin and Mobile Counties, Ala., reported the same without amendment, accompanied by a report (No. 894), which said bill and report were referred to the House Calendar.

Mr. DEWALT, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13446) granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Sixteenth Street, in the city of Pittsburgh, Pa., reported the same without amendment, accompanied by a report (No. 895), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 13427) granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Monongahela River at or near the borough of Wilson, in the county of Allegheny, Pa., reported the same without amendment, accompanied by a report (No. 896), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 13429) granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, Pa., reported the same without amendment, accompanied by a report (No. 897), which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 12513) granting an increase of pension to Henry Robert; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 12978) granting a pension to Hodges W. Drayton; Committee on Invalid Pensions discharged; and referred to the Committee on Pensions.

A bill (H. R. 12839) granting a pension to Bronislawa Wypiewski; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 12938) granting an increase of pension to Joe Loudermilk, jr.; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GOULD: A bill (H. R. 13671) to amend the act entitled "An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion, and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea," approved March 4, 1915; to the Committee on the Merchant Marine and Fisheries.

By Mr. HUDDLESTON: A bill (H. R. 13672) for the relief of soldiers who have not had service overseas; to the Committee on Military Affairs.

By Mr. STEELE: A bill (H. R. 13673) authorizing the Secretary of War to donate to the city of Easton, Pa., four German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13674) authorizing the Secretary of War to donate to the city of Bethlehem, Pa., three German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. MAHER: A bill (H. R. 13675) to increase the compensation of pressmen in the Government Printing Office; to the Committee on Printing.

By Mr. BIRCH: A bill (H. R. 13676) authorizing the Secretary of War to donate to the city of Boonton, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13677) authorizing the Secretary of War to donate to the city of Dover, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13678) authorizing the Secretary of War to donate to the city of Madison, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13679) authorizing the Secretary of War to donate to the city of Morristown, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13680) authorizing the Secretary of War to donate to the city of Elizabeth, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13681) authorizing the Secretary of War to donate to the city of Rahway, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13682) authorizing the Secretary of War to donate to the city of Summit, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13683) authorizing the Secretary of War to donate to the city of Plainfield, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13684) authorizing the Secretary of War to donate to the city of Westfield, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BACHARACH: A bill (H. R. 13685) authorizing the Secretary of War to donate to the city of Cape May, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13686) authorizing the Secretary of War to donate to the city of Wildwood, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13687) authorizing the Secretary of War to donate to the city of Ocean City, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13688) authorizing the Secretary of War to donate to the city of Burlington, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13689) authorizing the Secretary of War to donate to the city of Mount Holly, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13690) authorizing the Secretary of War to donate to the city of Moorestown, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13691) authorizing the Secretary of War to donate to the city of Bridgeton, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13692) authorizing the Secretary of War to donate to the city of Millville, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13693) authorizing the Secretary of War to donate to the city of Vineland, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13694) authorizing the Secretary of War to donate to the city of Pleasantville, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13695) authorizing the Secretary of War to donate to the city of Mays Landing, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13696) authorizing the Secretary of War to donate to the city of Hammonton, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13697) authorizing the Secretary of War to donate to the city of Atlantic City, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13698) authorizing the Secretary of War to donate to the city of Cape May Court House, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KALANIANAOLE: A bill (H. R. 13699) to authorize the governor of the Territory of Hawaii to acquire privately owned lands and rights of way within the boundaries of the Hawaii National Park; to the Committee on the Territories.

By Mr. RAYBURN: A bill (H. R. 13700) donating captured cannon and cannon balls to the city of Bonham, Tex.; to the Committee on Military Affairs.

By Mr. SANFORD: A bill (H. R. 13701) to provide a commission to secure plans and designs for an arch to be erected in the city of Washington, D. C., to be known as the Arch of Victory, to commemorate the heroes and events of the great war; to the Committee on the Library.

By Mr. SNELL: A bill (H. R. 13702) authorizing the Secretary of War to donate to the town of Gouverneur, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DEWALT: A bill (H. R. 13703) authorizing the Secretary of War to donate to the borough of Catasauqua, Pa., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13704) authorizing the Secretary of War to donate to the city of Reading, Pa., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13705) authorizing the Secretary of War to donate to the city of Allentown, Pa., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. SIMS: A bill (H. R. 13706) to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 13707) to amend an act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918; to the Committee on Interstate and Foreign Commerce.

By Mr. SHERLEY: A bill (H. R. 13708) providing for the relief of such populations in Europe, outside of Germany, as may be determined upon by the President as necessary; to the Committee on Appropriations.

By Mr. BAER: A bill (H. R. 13709) to create a department of education and human welfare and to arrange for the cooperation between the Federal Government and the States in the encouragement and support of education, and for other purposes; to the Committee on Education.

By Mr. HENRY T. RAINEY: A bill (H. R. 13710) authorizing the Secretary of War to donate to the town of Roodhouse, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13711) authorizing the Secretary of War to donate to the town of Carrollton, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13712) authorizing the Secretary of War to donate to the town of Mount Sterling, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13713) authorizing the Secretary of War to donate to the town of Winchester, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13714) authorizing the Secretary of War to donate to the town of White Hall, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KINCHELOE: A bill (H. R. 13715) authorizing the Secretary of War to donate to the Jefferson Davis Home Association one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HARRISON of Mississippi: A bill (H. R. 13716) authorizing the Secretary of War to donate to the Woman's College, Hattiesburg, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13717) authorizing the Secretary of War to donate to the Mississippi State Normal College, Hattiesburg, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13718) authorizing the Secretary of War to donate to the Gulf Coast Military Academy, Gulfport, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13719) authorizing the Secretary of War to donate to the St. Stanislaus College, Bay St. Louis, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13720) authorizing the Secretary of War to donate to the county of Covington, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13721) authorizing the Secretary of War to donate to the county of Stone, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13722) authorizing the Secretary of War to donate to the county of Simpson, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13723) authorizing the Secretary of War to donate to the county of Perry, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13724) authorizing the Secretary of War to donate to the county of Pearl River, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13725) authorizing the Secretary of War to donate to the county of Lamar, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13726) authorizing the Secretary of War to donate to the county of Marion, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13727) authorizing the Secretary of War to donate to the county of Lawrence, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13728) authorizing the Secretary of War to donate to the county of Jones, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13729) authorizing the Secretary of War to donate to the county of Wayne, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13730) authorizing the Secretary of War to donate to the county of Forrest, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13731) authorizing the Secretary of War to donate to the county of George, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13732) authorizing the Secretary of War to donate to the county of Greene, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13733) authorizing the Secretary of War to donate to the county of Hancock, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13734) authorizing the Secretary of War to donate to the county of Harrison, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13735) authorizing the Secretary of War to donate to the county of Jackson, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13736) authorizing the Secretary of War to donate to the county of Jefferson Davis, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. JONES: A bill (H. R. 13737) authorizing the Secretary of War to donate to the town of Amarillo, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13738) authorizing the Secretary of War to donate to the town of Childress, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13739) authorizing the Secretary of War to donate to the town of Memphis, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13740) authorizing the Secretary of War to donate to the town of Quanah, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13741) authorizing the Secretary of War to donate to the town of Clarendon, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13742) authorizing the Secretary of War to donate to the town of Lubbock, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13743) authorizing the Secretary of War to donate to the town of Snyder, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13744) authorizing the Secretary of War to donate to the town of Plainview, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13745) authorizing the Secretary of War to donate to the town of Canadian, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13746) for the erection of a public building in the city of Lubbock, the county seat of Lubbock County, State of Texas, and appropriating money therefor; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 13747) for the erection of a public building in the city of Plainview, the county seat of Hale County, State of Texas, and appropriating money therefor; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 13748) for the erection of a public building in the city of Canadian, the county seat of Hemphill County, State of Texas, and appropriating money therefor; to the Committee on Public Buildings and Grounds.

By Mr. DALLINGER: A bill (H. R. 13749) authorizing the Secretary of War to donate to the city of Medford, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13750) authorizing the Secretary of War to donate to the city of Cambridge, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WINSLOW: A bill (H. R. 13751) authorizing the Secretary of War to donate to the town of Hopkinton, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13752) authorizing the Secretary of War to donate to the city of Worcester, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13753) authorizing the Secretary of War to donate to the town of Blackstone, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13754) authorizing the Secretary of War to donate to the town of Uxbridge, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13755) authorizing the Secretary of War to donate to the town of Northbridge, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13756) authorizing the Secretary of War to donate to the town of Milford, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13757) authorizing the Secretary of War to donate to the town of Westboro, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DALLINGER: A bill (H. R. 13758) authorizing the Secretary of War to donate to the city of Melrose, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GREENE of Massachusetts: A bill (H. R. 13759) authorizing the Secretary of War to donate to the city of Fall River, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CANTRILL: A bill (H. R. 13760) authorizing the Secretary of War to donate to the city of Paris, Ky., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. CRISP: A bill (H. R. 13761) authorizing the Secretary of War to donate to each of the cities of Americus, Cordele, and Fitzgerald, Ga., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PAIGE: A bill (H. R. 13762) authorizing the Secretary of War to donate to the town of Gardner, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13763) authorizing the Secretary of War to donate to the town of Princetown, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13764) authorizing the Secretary of War to donate to the town of Palmer, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13765) authorizing the Secretary of War to donate to the town of Marre, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13766) authorizing the Secretary of War to donate to the town of Orange, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13767) authorizing the Secretary of War to donate to the town of Monson, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13768) authorizing the Secretary of War to donate to the town of Athol, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13769) authorizing the Secretary of War to donate to the town of Webster, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13770) authorizing the Secretary of War to donate to the town of Holden, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13771) authorizing the Secretary of War to donate to the town of Lancaster, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13772) authorizing the Secretary of War to donate to the town of Brookfield, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13773) authorizing the Secretary of War to donate to the town of Spencer, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13774) authorizing the Secretary of War to donate to the city of Leominster, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13775) authorizing the Secretary of War to donate to the town of Warren, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13776) authorizing the Secretary of War to donate to the town of Ashby, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13777) authorizing the Secretary of War to donate to the town of Ashburnham, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13778) authorizing the Secretary of War to donate to the town of Dudley, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13779) authorizing the Secretary of War to donate to the town of Oxford, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13780) authorizing the Secretary of War to donate to the town of Southbridge, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13781) authorizing the Secretary of War to donate to the town of Clinton, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13782) authorizing the Secretary of War to donate to the city of Fitchburg, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13783) authorizing the Secretary of War to donate to the town of Winchendon, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13784) authorizing the Secretary of War to donate to the town of Templeton, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13785) authorizing the Secretary of War to donate to the town of Sturbridge, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13786) authorizing the Secretary of War to donate to the town of Sterling, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. STEENERSON: A bill (H. R. 13787) authorizing the Secretary of War to donate to the city of Breckenridge, Wilkin County, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13788) authorizing the Secretary of War to donate to the city of Roseau, Roseau County, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13789) authorizing the Secretary of War to donate to the city of Red Lake Falls, Red Lake County, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13790) authorizing the Secretary of War to donate to the city of Crookston, Polk County, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13791) authorizing the Secretary of War to donate to the city of Detroit, Becker County, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13792) authorizing the Secretary of War to donate to the city of Thief River Falls, Pennington County, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13793) authorizing the Secretary of War to donate to the city of Warren, Marshall County, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13794) authorizing the Secretary of War to donate to the city of Hallock, Kittson County, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13795) authorizing the Secretary of War to donate to the city of Moorhead, Clay County, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13796) authorizing the Secretary of War to donate to the city of Ada, Norman County, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13797) authorizing the Secretary of War to donate to the city of Fergus Falls, Ottertail County, Minn., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13798) authorizing the Secretary of War to donate to the city of Mahnomen, Mahnomen County, Minn., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13799) authorizing the Secretary of War to donate to the city of Bagley, Clearwater County, Minn., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ELSTON: Resolution (H. Res. 495) requesting the President of the United States to open negotiations with the Republic of Mexico for the purchase of the peninsula of Lower California and contiguous territory; to the Committee on Foreign Affairs.

By Mr. SHERLEY: Resolution (H. Res. 496) for the consideration of House bill 13708; to the Committee on Rules.

By Mr. HAYDEN: Resolution (H. Res. 497) providing for the consideration of Senate bill 714; to the Committee on Rules.

By Mr. LaGUARDIA: Joint resolution (H. J. Res. 379) authorizing the War Department to employ civilians to perform clerical and manual work in order to insure the immediate discharge of soldiers now performing such duties; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CARAWAY: A bill (H. R. 13800) for the relief of claimants of certain unsurveyed lands in Mississippi County, Ark.; to the Committee on the Public Lands.

By Mr. CRAMTON: A bill (H. R. 13801) granting an increase of pension to Horace E. Hand; to the Committee on Invalid Pensions.

By Mr. DILL: A bill (H. R. 13802) authorizing the Secretary of War to grant to John D. Sherwood, of Spokane, Wash., the right to overflow certain lands on the Fort George Wright Military Reservation, at Spokane, Wash., and to accept the conveyance to the United States of other lands to be designated by the Secretary of War and suitable for a rifle range in exchange for the land so overflowed; to the Committee on Military Affairs.

By Mr. ELLIOTT: A bill (H. R. 13803) granting an increase of pension to Catherine McQuade; to the Committee on Invalid Pensions.

By Mr. ELSTON: A bill (H. R. 13804) granting a pension to William Unfug; to the Committee on Pensions.

By Mr. FAIRFIELD: A bill (H. R. 13805) granting an increase of pension to John W. Paulus; to the Committee on Pensions.

By Mr. HOLLAND: A bill (H. R. 13806) for the relief of the Eastern Transportation Co.; to the Committee on Claims.

By Mr. JACOWAY: A bill (H. R. 13807) authorizing the Postmaster General to cancel or readjust the screen-wagon contract of H. L. McFarlin, of Little Rock, Ark.; to the Committee on the Post Office and Post Roads.

By Mr. LANGLEY: A bill (H. R. 13808) granting a pension to Annie K. Squier; to the Committee on Pensions.

By Mr. MERRITT: A bill (H. R. 13809) granting a pension to Bridget Finan; to the Committee on Pensions.

By Mr. SELLS: A bill (H. R. 13810) granting an increase of pension to Joseph R. Wilson; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 13811) granting an increase of pension to Walter R. D. Vaughan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13812) granting a pension to Phillip Lockwood; to the Committee on Pensions.

By Mr. SHERWOOD: A bill (H. R. 13813) granting a pension to Sarah Jane Vanpelt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13814) striking from the pension roll the name of Sylvester Lane; to the Committee on Invalid Pensions.

By Mr. SNYDER: A bill (13815) granting a pension to George J. Cole; to the Committee on Pensions.

By Mr. TINKHAM: A bill (H. R. 13816) granting a pension to Eliza K. Leman; to the Committee on Invalid Pensions.

By Mr. WALSH: A bill (H. R. 13817) for the relief of Jose Lopezy Castelo; to the Committee on War Claims.

By Mr. WHITE of Maine: A bill (H. R. 13818) granting an increase of pension to Henry R. Huntley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13819) granting an increase of pension to R. Franklin Chase; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13820) granting an increase of pension to William L. Pratt; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Resolutions by Charles Schloeg, of Milwaukee, Wis., relating to the price of wheat; to the Committee on Agriculture.

By Mr. COOPER of Wisconsin: Resolutions adopted at a meeting of county superintendents of schools of Wisconsin, urging enactment of legislation to provide for a department of education; to the Committee on Education.

Also, resolutions adopted by the Senate of Porto Rico, praying the Congress of the United States to aid victims of earthquakes in Porto Rico; to the Committee on Insular Affairs.

By Mr. FULLER of Illinois: Petition of Lumberman's Exchange, of St. Louis, favoring placing the railroads under the control of the Interstate Commerce Commission; to the Committee on Interstate and Foreign Commerce.

Also, petition of Federal Labor Union, No. 15034, American Federation of Labor, of Streator, Ill., favoring a league of nations; to the Committee on Foreign Affairs.

By Mr. HAMILTON of Michigan: Resolutions by representative business men of the town of White Pigeon, Mich., praying support of Senate bill 4987; to the Committee on Education.

By Mr. LONERGAN: Resolutions by the common council of the city of New Britain, Conn., relating to the independence of Ireland and other countries; to the Committee on Foreign Affairs.

By Mr. RAKER: Resolution by the Portland (Oreg.) Traffic and Transportation Association, to restore to the Interstate Commerce Commission the powers taken away by the Federal control act of March 21, 1918; to the Committee on Interstate and Foreign Commerce.

Also, resolutions by the Vallejo (Cal.) Employees' Union, No. 76, recommending Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

Also, resolutions by the Western Pine Manufacturing Association, petitioning the restoration to the Interstate Commerce Commission of the powers taken from it under the Federal-control act of March 21, 1918; to the Committee on Interstate and Foreign Commerce.

Also, petition of West Coast Lumberman's Association to restore to the Interstate Commerce Commission the rights taken from it by the act of March 21, 1918; to the Committee on Interstate and Foreign Commerce.

By Mr. STEENERSON: Petition of F. H. Staub, of Fergus Falls, Minn., relating to taxes on jewelry; to the Committee on Ways and Means.

Also, petition of Oscar M. Sullivan, chairman Commission on Rehabilitation of Industrial Cripples, St. Paul, Minn., urging early and favorable action upon Senate bill 4922 and House bill 12880; to the Committee on Education.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *January 8, 1919.*

The House was called to order by the Speaker pro tempore, Mr. GARRETT of Tennessee.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, we stand before Thee with bowed heads and sorrowing hearts as a great leader, among the leaders of the Nation, is being laid to his final rest. Peace be to his ashes and rest to his soul.

A Nation is in tears. Many distinguished men, who loved and admired him for his sterling qualities, his energy, skill, and undaunted courage, will give their presence to the last rites that mortals can bestow upon the dead. Their tears will mingle with the tears of the bereaved wife and children.

Comfort them, we beseech Thee, with the promise handed down to us out of the ages.

There is no death? What seems so is transition;
This life of mortal breath
Is but a suburb of the life elysian,
Whose portal we call Death.

Thus comfort the Nation and the world and inspire the living with an earnest desire to follow his illustrious example; and Thine be the glory through Christ the Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed a bill and joint resolutions of the following titles, in which the concurrence of the House of Representatives was requested:

S. 5192. An act for the construction of a bridge across Rock River at or near Jackson Street, in the city of Janesville, Wis.;

S. J. Res. 199. Joint resolution for relief in Alaska; and

S. J. Res. 202. Joint resolution requesting the Commission of Fine Arts to submit to the Congress certain suggestions.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 4240. An act for the relief of Alma Harris.

SENATE BILL AND JOINT RESOLUTIONS REFERRED.

Under clause 2, Rule XXIV, Senate bill and joint resolutions of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 5192. An act for the construction of a bridge across Rock River at or near Jackson Street, in the city of Janesville, Wis.; to the Committee on Interstate and Foreign Commerce.

S. J. Res. 199. Joint resolution for relief in Alaska; to the Committee on Appropriations.

S. J. Res. 202. Joint resolution requesting the Commission of Fine Arts to submit to Congress certain suggestions; to the Committee on the Library

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BRAND, for 10 days, on account of illness; and

To Mr. MAYS, at the request of Mr. WELLING, indefinitely, on account of serious illness in his family.

RESIGNATION OF A MEMBER.

The SPEAKER pro tempore laid before the House the following communications, which were read:

HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
WASHINGTON, D. C., *January 6, 1919.*

Hon. CHAMP CLARK,
Speaker House of Representatives, Washington, D. C.

SIR: I hereby resign my office as Representative in the Congress of the United States from the at-large district of Pennsylvania.

Very sincerely,

JOHN R. K. SCOTT.

PHILADELPHIA, PA., *January 7, 1919.*

SECRETARY to Hon. CHAMP CLARK,
Speaker House of Representatives, Washington, D. C.:

My resignation to take effect January 5, 1919

JOHN R. K. SCOTT.

RECESS.

Mr. KITCHIN. Mr. Speaker, as a further mark of respect to the distinguished ex-President of the United States, Mr. Theodore Roosevelt, whose funeral will presently take place, I ask unanimous consent that the House stand in recess until 2 o'clock p. m.

The SPEAKER pro tempore. The gentleman from North Carolina asks unanimous consent that the House stand in recess until 2 o'clock p. m. as a mark of respect to the memory of the late Theodore Roosevelt. Is there objection?

There was no objection.

Accordingly (at 12 o'clock and 14 minutes p. m.) the House stood in recess until 2 o'clock p. m.

AFTER THE RECESS.

The recess having expired, the House was called to order by the Speaker pro tempore.

Mr. BLANTON. Mr. Speaker, I request unanimous consent to proceed for five minutes.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent to proceed for five minutes. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to inquire on what subject the gentleman intends to address the House?

Mr. BLANTON. Mr. Speaker, I want to present to the House through a letter received from a sailor boy what I consider a very grave hardship which is being suffered by many sailors whose applications for discharge have been already approved.

Mr. STAFFORD. I have no objection.

Mr. FOSTER. Has the gentleman taken it up with the Navy Department?

Mr. POU. If the gentleman will refrain from making that request I will yield him five minutes on the discussion on the rule I now present.

Mr. BLANTON. I will be glad to do so.

MARY C. CARPENTER.

Mr. SANFORD. Mr. Speaker, I present the following privileged resolution from the Committee on Accounts.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 491 (H. Rept. No. 899).

Resolved, That the Clerk of the House be, and he is hereby, authorized to pay to Mary C. Carpenter, mother of John M. Carpenter, late an employee on the rolls of the House of Representatives, a sum equivalent to six months' salary, at the rate he was drawing at the time of his death, and an additional sum, not exceeding $250, to defray funeral expenses.

The question was taken, and the resolution was agreed to.

RELIEF FOR INFORMAL CONTRACTS.

Mr. POU. Mr. Speaker, by direction of the Committee on Rules I submit a privileged report (No. 902), which I send to the Clerk's desk.

The SPEAKER pro tempore. The Clerk will report it.

The Clerk read as follows:

House resolution 487.

Resolved, That immediately upon the adoption of this resolution the House shall resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 13274; that the amendment reported by the committee shall be read and considered in lieu of the original bill; that there shall be not exceeding three hours of general debate, to be equally divided between those supporting and those opposing the bill, which debate shall be confined to said bill, at the end of which time the bill shall be read for amendment under the five-minute rule, and at the conclusion of such reading the committee shall rise and report the bill to the House, together with the amendments, if any, whereupon the previous question shall be considered as ordered upon the bill and all amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. POU. Mr. Speaker, I ask unanimous consent that debate on the rule——

Mr. LITTLE. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. LITTLE. Mr. Speaker, I make the point of order that this bill was erroneously referred to the Committee on Military Affairs, which had no jurisdiction over it, and that the Committee on Rules had no jurisdiction to report upon it at this stage and it is improperly before the House, and I would like to be heard on it.

The SPEAKER pro tempore. The Chair will hear the gentleman. Let the Chair get exactly the point of order that is made by the gentleman from Kansas.

Mr. LITTLE. Mr. Speaker, the point I make is that this bill was improperly referred to the Committee on Military Affairs, which never acquired any jurisdiction of it, and that by the method of procedure employed as yet the Committee on Rules has acquired no jurisdiction of it and has no authority to present it here, and it can not be considered by the House as yet.

The SPEAKER pro tempore. Well, now, the Chair will state to the gentleman that the point of order on which he would like to hear from the gentleman from Kansas is as to the question of jurisdiction of the Committee on Rules. The other question can be determined later.

Mr. LITTLE. Mr. Speaker, that is the point to which I was expecting to address myself. Section 4 of Rule XXI provides that no bill for the payment or adjudication of any private claim against the Government shall be sent to any committee other than four or five named there. The Committee on Military Affairs is not one of those committees. It is specifically omitted.

For that reason the Military Affairs Committee never acquired any jurisdiction of this bill. That committee could not report it to the House. It could not go to the Committee on Rules and that committee could not do anything about it. The only connection it could have with it would be to send it back to the Speaker's table and request that it be referred to the proper committee, which would be the Committee on Claims, the chairman of which agrees with me in the position I am taking here. Upon that question I assume there is no discussion.

It has been stated heretofore that this point is too late a point on which to raise this point of order. As a matter of fact, this is the first time this bill has come before the House and the first time anybody has had an opportunity to call attention to the fact that it is not in order and is not brought up at the proper time.

Mr. POU. Mr. Speaker——

The SPEAKER pro tempore. Does the gentleman yield?

Mr. LITTLE. I prefer not to be interrupted; the gentleman will have ample opportunity to reply.

Mr. POU. All right.

Mr. LITTLE. Now, as to that point, that has been ruled on some time ago. I raised a similar point on the woman suffrage amendment, which was in a committee that was not entitled to jurisdiction, and the Chair held against me. The Chair evidently had not read 15 or 20 precedents the other way, to which my attention has now been directed. Hinds, section 4382, says:

The erroneous reference of a private bill to a committee not entitled to jurisdiction does not confer it, and the point of order is good when the bill comes up either in the House or in the Committee of the Whole.

The SPEAKER pro tempore. Will the gentleman permit the Chair for a moment? The Chair is not now called upon to deal with the proper reference of House bill 13274. That which is before the House at this time is the resolution reported from the Committee on Rules, House resolution 487.

Mr. LITTLE. I am quite as familiar with that as the Chair is. I am reasonably well informed on it. That is the point. I say you had no business to bring it in here, and I am taking the first step on the stairs, and when I get to the top of the stairs I hope the Speaker will be with me; if not, very well, I will then have a decision on it. First, I have now established that the Committee on Military Affairs had no jurisdiction of it, and they are the people who brought it to you, and I have now established the fact that the point of order that they had no jurisdiction is in order at this time. Mr. Speaker Crisp ruled on that and said:

Mr. Joseph D. Sayers, of Texas, made the point of order that the bill was improperly referred to the Committee on Public Lands, and that under the rules that committee had no authority to report the bill, it being for the payment of a claim against the Government.

The Speaker sustained the point of order, holding in part as follows:

Therefore the Chair thinks that a private bill referred under clause 1 of Rule XXII to any other committee than one of those named in clause 4 of Rule XXI can not be considered or reported by such committee.

It does not make any difference what the Rules Committee would do with it. It can not be reported, under this ruling, by the Military Affairs Committee anyway, and they could not have taken it to them. But to continue:

And it seems to the Chair that the only time when the question can be raised is when the bill is called up for consideration, because these bills are reported just as they are introduced, through the box, and they do not come to the attention of the Chair at all until they are called up for consideration. The Chair never sees them or knows anything of them, because they are not presented as are reports or public bills in the open House, but they come in through the box.

The Speaker also stated that when a point of order shall be made that a private bill on the calendar had been reported by a committee not authorized to report the same, the Chair would, if the point be made before the consideration of the bill had been entered upon, direct that such bill be recommitted to the committee improperly reporting it for appropriate action under the rules.

The SPEAKER pro tempore. Can the gentleman give the citation of that?

Mr. LITTLE. This is section 4382 of Hinds' Precedents. I thought I stated that when I began reading.

On March 4, 1898, the House was in Committee of the Whole House considering the Private Calendar. They had passed from the House into the Committee of the Whole. Mr. Dalzell made the point of order that the bill was not properly within the jurisdiction of the Committee on War Claims, which had reported it, and the Chair held that it was not and that if the point was raised in the Committee of the Whole the Chair would have to rule that it had no place there. If this Committee on Rules should secure this rule and we should go into the Committee of the Whole, I would still be at liberty to raise the point of order that the Committee of the Whole had no business to take this up, because nobody with any jurisdiction had gotten to it yet. And it is perfectly plain that I am in proper time with this point of order. I have established, as I think, the fact that the Committee on Military Affairs had no jurisdiction and that I can raise the point now or in the Committee of the Whole, where it will have to go, I presume. Furthermore, the Committee on Rules had no jurisdiction of it, the Committee on Military Affairs had no jurisdiction of it, and had no authority to take it to the Committee on Rules. It should have gone to the Committee on Claims in the first place. If that committee had presented it to the Committee on Rules and the Committee on Rules had reported this rule, there would be no objection to it.

There is another theory that has been advanced to the effect that this is not a private bill. That matter has also been disposed of by this House. If you will turn to section 4265 of Hinds' Precedents, it says:

Appropriations for payment of French spoliation claims being included in a private bill reported by the Committee on War Claims, the Chairman of the Committee of the Whole House ordered them stricken out as belonging to the jurisdiction of the Committee on Claims.

That point was raised by the very learned, and probably the most learned, parliamentarian of the House, the gentleman from Illinois [Mr. MANN]. It says:

After the bill had been read, Mr. JAMES R. MANN, of Illinois, made a point of order, saying:

"I wish to make a point of order on this bill, or so much of it as relates to the French spoliation claims, on the ground that the Committee on War Claims has no jurisdiction to report a bill of this sort, it being a private bill, subject to a point of order at this time."

The Chair held with him. The French spoliation claims were a class, just as the claims involved here are a class. If the bill taking up the French spoliation claims as a class was a private claims bill, so is a bill taking up these bills as a class, and the pertinency makes a parallel, as I think will be conceded by any fair-minded man. If so, that matter is disposed of. This is a private claim. Nor is that all. If you return to 4381, you will find that Hinds says:

A bill to provide a commission to settle claims against the Government does not fall within the rule requiring private claims to be referred only to certain specified committees.

On July 18, 1884, Mr. Joseph H. Outhwaite, of Ohio, presented for consideration the bill (H. R. 5939) to appoint a commission to report and determine upon certain damages done to citizens of Lauderdale County, Ala., by the building of the Muscle Shoals Canal.

Mr. Joseph D. Sayers, of Texas, made the point of order that the bill having been erroneously referred to the Committee on Military Affairs, that committee had no jurisdiction to consider and report it, and that it should be committed to the proper committee.

After debate the Speaker overruled the point, holding that inasmuch as the bill did not provide for the payment or adjudication of a claim against the Government, it did not come within the purview of clause 4 of Rule XXI, and that unanimous consent was not required to refer the same to the Committee on Military Affairs.

If this were a bill to establish a commission to report to the House upon these claims—which would be a very proper bill, and I would be glad to support it—then my point of order could not be raised, but this is a bill authorizing the War Department to adjudicate and pay these claims, and, clearly, after this ruling, by implication would be involved in the error I have suggested.

And, furthermore, that was a general bill, like this, covering a whole series of claims. Nobody objected to that, Mr. Speaker, or suggested then that it was not a private claim. That was conceded. It was just such a bill as this in purpose, to omnibus certain transactions and bring them together in one fell swoop. If such a bill is not a private-claim bill, and there is a precedent for that, why should anybody suggest this is not? They were perfectly competent parliamentarians there. If they did not consider it proper, they would have raised the point. I would be sorry to see anybody suggest it was not. John Jones can bring in a bill, and it is a private claim, and John Smith can do so. If they are put together, they say it is not a private-claim bill, and if that is not true of two how can it be of the 6,669 that we have here, as the record shows? It does not make any difference, Mr. Speaker, how many thousands of claims are placed together, they still remain private claims, and if you argue the principle and not the precedent, although the precedent is with me, you must concede that this is an omnibus bill and covers a series of private claims. That is all it is in principle.

Now, I wish to say a word about the principles upon which are based the rules which I have suggested, and the reason why. To overrule this point of order would be in effect a destruction of all rules and orderly methods of procedure in the House. These rules are made, of course, as you all know, for the purpose of protecting and safeguarding the Treasury of the United States when such bills as this come forward.

This Committee on Claims, Mr. Speaker, is the oldest committee in the House, and this committee is fenced about by certain privileges. Why do the rules say it shall go there? So that it shall be investigated by a committee that is accustomed to this character of investigation. If you yank this bill out of their hands and throw it over to the Committee on Military Affairs and the Committee on Rules without any investigation whatever, if they have not time or opportunity to pass upon one single, solitary item here, and they did not, you destroy all the rules which the House has made; and if you are going to go whistling by every station that warns of danger and which recent rules have established, you might as well have no rules. These rules are put there, Mr. Speaker, so that that can not be done. They say, "Here is a station; stop here; leave it to the Committee on Claims and have them investigate it."

The Committee on Claims can report or go to the Committee on Rules and say to them, "We would like to have this bill hurried." But here is the Committee on Military Affairs, which has made in effect no investigation. Its report does not show the veracity of one item out of six thousand six hundred and sixty-nine, involving several billions of dollars. The Comptroller of the Treasury has decided that these claims are not legal, and yet they come in here and in three hours' time want to authorize somebody who has no jurisdiction to act like a court and pass upon these claims in violation of the Constitution of the United States, which fixes jurisdiction in courts only. There are plenty of people in this war, Mr. Speaker, that need help quickly, but there is no more hurry about these people than there is about plenty more.

Now, to review this particular bill and show how pertinent to it my point is, it develops from the hearings on this bill that early in the great Civil War it was ascertained that great contractors, supply men, and factories were in the habit of getting their friends into these departments and surreptitiously securing improper contracts. The statute was passed in 1862, and it went through the Civil War successfully, providing that everything should be done in writing, and requiring that the man who on the part of the Government made the contract should say under oath that he was not concerned in it. That rule prevailed in the Civil War. What happens in connection with this report? They have violated that statute. They have laid themselves open to criminal prosecution.

We know that many men came here as "experts" who were from some of those great factories. What implication is natural? These people come here and say, "Now, we have violated the law; we did not make a written contract." That was easy to do—to make a blank affidavit. "We did not make an affidavit. We want an amnesty proclamation; that is not all. We want authority to pass upon the contracts we did not make, and to pay out $4,000,000,000 and more concerning which there is no contract whatever." The bill speaks of "informal contracts." There is no contract in any of these claims. On the contrary, every one represents a violation of the law.

I doubt not, Mr. Speaker, that some of them are just claims for unliquidated damages and can be presented like other just claims, and should be, and that some method should be taken to meet them. But it is inevitable, when you allow a department that has thus violated the law to pay out billions of dollars, as this will, in 30 days, as they expect to, according to their own suggestion, that a large number of mistakes are bound to be made. Money is hard to get, Mr. Speaker, and the American people have paid taxes enough, "sight and unseen." I do not think this House should ever pay out billions of dollars any more without knowing what they are for. It is our duty to interpret the rules of this House, not loosely but strictly now, in defense of the taxpayers.

I want to leave that thought, including this suggestion in regard to this matter, and to show just briefly in review that I think this thing, more than any bill that has been before the House for years, should be proceeded with in a careful and orderly manner before we authorize somebody who has already violated the law to throw out billions of dollars. We have rules such as I have outlined and should use them. I ask that this bill be declared out of order and referred to the Committee on Claims for orderly procedure.

Mr. McKENZIE. Mr. Speaker, I am not going to take the time of the House to undertake to make a parliamentary argument. That is not my forte, and the question of the wisdom or the folly of enacting the proposed legislation is not involved in the point of order raised by the gentleman from Kansas [Mr. LITTLE]. In my humble judgment, this bill was properly referred to the Committee on Military Affairs, because it is not a claim bill. It is simply a bill which proposes to give additional jurisdiction to the War Department. And if we are going to add to the jurisdiction of the War Department or pass any legislation having to do with the War Department, or to create a tribunal where these claims may be settled—and the bill provides that that tribunal shall be in the War Department—surely no man can say that the bill was not properly referred to the Committee on Military Affairs.

Mr. STAFFORD. Mr. Speaker, may I present two or three citations to show that this is a public bill and not a private bill?

The SPEAKER pro tempore. The Chair will be very glad to hear from the gentleman on that proposition, but the Chair will state to the gentleman from Wisconsin that he does not think that that question is necessary to be determined by the present occupant of the chair.

Mr. STAFFORD. I agree with the Chair completely that it is not necessary in the ruling of the Chair. But as the gentleman from Kansas [Mr. LITTLE] has bottomed his whole argument on the fact that this is a private bill I merely wanted to call to the attention of the Chair two or three citations which show positively that it is not a private bill but a public bill. And if it is a public bill, the fact that it has been erroneously referred, after it is reported it is too late to raise the question of jurisdiction.

I wish to direct the attention of the Chair to the third volume of Hinds' Precedents, section 2614:

A bill which applies to a class and not to individuals as such is a public bill.

I shall not stop to read the decision of the occupant of the chair on that point. That is confirmed in volume 4 of Hinds' Precedents, section 3285, which reads as follows:

A private bill is a bill for the relief of one or several specified persons, corporations, institutions, etc., and is distinguished from a public bill, which relates to public matters and deals with individuals only by classes.

The Statutes of the United States provide:

The term "private bill" shall be construed to mean all bills for the relief of private parties, bills granting pensions, and bills removing political disabilities.

Mr. LITTLE. Mr. Speaker, will the gentleman yield for a question?

Mr. STAFFORD. I will be glad to.

Mr. LITTLE. Does that include the French spoliations, which the Chair has ruled are private claims, and has so held?

Mr. STAFFORD. In the case just referred to by the gentleman from Kansas, the French spoliation claims were claims payable to individuals per se and not to classes.

Mr. LITTLE. Every one of these claims is payable only to an individual.

Mr. STAFFORD. The framework of the bill itself shows that it is for the purpose of providing payment for classes and not to individuals; that it is for establishing the agency whereby the claims of the Government may be paid to certain classes. Under the statutes of the United States describing what a private bill is, and under the invariable precedents that have been made construing and distinguishing what are private bills and what are public bills, the bill that is now before the House is a public bill. It being a public bill, I do not intend to argue whether it should have been referred to the Committee on Claims or the Committee on Military Affairs, because the precedents are all on one side, that if a public bill is erroneously referred to a committee of the House, it is too late to raise that question after it is reported back to the House.

And then, going beyond that, the Committee on Rules have a right to make an order as to any character of legislation that they see fit, and that is the purpose of the rule now before the House. It makes in order a certain bill and states specifically that an amendment reported by the committee shall be considered in lieu of the bill. The mere fact that a committee may not have had jurisdiction to report a bill may be the very reason why the Committee on Rules should bring in a rule to make the bill in order to be considered. The Committee on Rules are supreme in determining what shall be considered. They can present a report making in order anything they see fit. They can make in order a private bill if they see fit. They can make in order a private and a public bill or they can link together and make in order a private and a public bill and say that that shall be the business in order before the House.

I merely rose to cite these precedents, which seem to be clear that this is a public bill and not a private bill.

The SPEAKER pro tempore (Mr. GARRETT of Tennessee). The Chair is prepared to rule. The immediate matter before the House is House resolution 487, presented by the gentleman from North Carolina [Mr. POU] as a report from the Committee on Rules. That resolution provides for the consideration of H. R. 13274. The gentleman from Kansas [Mr. LITTLE] makes the point of order that the bill, when originally introduced, was improperly referred, and further that because of the improper reference the Committee on Rules has no authority to bring in a resolution for its consideration.

Upon the question whether it was improperly referred the Chair does not feel that it is now necessary to pass. That point would involve the question of whether it is a public bill or a private bill. The Chair has a very clearly defined idea about the character of the bill, but so far as the immediate question before the Chair is concerned, it seems that the question is whether the Committee on Rules has the authority to report the resolution that has been presented by the gentleman from North Carolina [Mr. POU].

Paragraph 47 of Rule XI, touching the question of reference of resolutions, provides as follows:

All proposed action touching the rules, joint rules, and order of business shall be referred to the Committee on Rules.

Then paragraph 56 of Rule XI provides:

It shall always be in order to call up for consideration a report from the Committee on Rules, and pending the consideration thereof the Speaker may entertain one motion that the House adjourn; but after the result is announced, he shall not entertain any other dilatory motion until the said report shall have been fully disposed of.

Mr. LITTLE. I do not mean to interrupt the Chair, but may I ask a question? Suppose a Member should introduce a bill and mark it "Referred to the Committee on Rules," and it should go to that committee, would the Committee on Rules acquire jurisdiction of it by that and have the right to bring in a rule about it?

The SPEAKER pro tempore. The Committee on Rules is not a legislative committee. It is merely a procedure committee. This bill did not go to the Committee on Rules. That which the Committee on Rules has reported is a mere resolution providing for procedure.

Mr. LITTLE. That does not answer my question.

The SPEAKER pro tempore. The only limitation laid upon the Committee on Rules by the general rules of the House is that which I now read:

The Committee on Rules shall not report any rule or order which shall provide that business under paragraph 7 of Rule XXIV shall be set aside by a vote of less than two-thirds of the Members present—

That refers to the Calendar Wednesday rule—

nor shall it report any rule or order which shall operate to prevent the motion to recommit being made as provided in paragraph 4 of Rule XVI.

Those two propositions are the only limitations placed by the general rules of the House upon the Committee on Rules in reporting orders of procedure. The Committee on Rules can report a resolution discharging any committee of the House from further consideration of any bill that has been referred to it and providing that the bill shall be placed upon its passage. It always rests with the House whether it will adopt the rule reported by the Committee on Rules. The limitations upon the power of the Committee on Rules to report are the two that the Chair just read.

This is a resolution of procedure. The Chair overrules the point of order.

Mr. POU. Mr. Speaker, I ask unanimous consent that the debate on the rule be limited to 80 minutes, 40 minutes to be controlled by myself and 40 minutes by the gentleman from Kansas [Mr. CAMPBELL], at the end of which time the previous question shall be considered as ordered.

The SPEAKER pro tempore. The gentleman from North Carolina asks unanimous consent that the debate on the rule may proceed for not exceeding 80 minutes, one-half to be controlled by him and one-half by the gentleman from Kansas [Mr. CAMPBELL], at the end of which time the previous question upon the rule shall be considered as ordered. Is there objection?

Mr. MANN. Reserving the right to object, may I ask the gentleman from North Carolina or some one else whether it is expected that the consideration of this bill will be concluded to-day? In other words, whether we shall have a night session?

Mr. POU. I will say to the gentleman from Illinois that I can not answer that question. If I may express my individual opinion, it is that we will not be able to conclude this bill to-day.

Mr. MANN. That would be my opinion, but I did not know.

Mr. DENT. I should be very glad to stay here and finish this bill to-night, but I would not like to impose on the House.

Mr. MANN. There is no intention of doing that.

Mr. DENT. No present intention.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

Mr. MONTAGUE. Reserving the right to object, will the debate be upon the bill?

Mr. POU. The gentleman knows how debate is usually conducted here. The time that I am asking for is for debate upon the resolution now pending.

Mr. MONTAGUE. The resolution itself prescribes that the debate shall be upon the subject matter of the bill.

Mr. POU. That will be after we go into Committee of the Whole.

Mr. MONTAGUE. I simply threw out the suggestion to see whether the House desired to economize time.

Mr. MANN. Anybody can make a point of order in the debate on the rule.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina? [After a pause.] The Chair hears none, and the gentleman from North Carolina is recognized for 40 minutes.

Mr. POU. Mr. Speaker, this rule provides for the consideration of one of the most important bills that this House has been called on to consider during this Congress. The bill comes, as I am informed, with almost the unanimous report from the Committee on Military Affairs. The action of the Committee on Rules, if I am not mistaken, was unanimous. The question as to the wisdom of the provisions of this bill would hardly be proper for discussion at this time. I understand that there have been two proposals; one is to give the Secretary of War the authority to adjust these claims, if you are pleased to call them so, and the other is that a commission shall be appointed to consider such claims.

I respectfully submit that the Secretary of War is the proper person to deal with this matter. He is the man that has been the central figure in making these contracts, and he is the man who is best fitted of all men to settle all differences to which the Government is a party. In any event, there ought to be action by this Congress, and action speedily, because there are men whose financial solvency depends on a speedy payment of whatever amounts they are to receive.

When America entered the war there were patriotic citizens who offered their all, who said to the Government, "Here is my business; take it." It was not an uncommon thing for a man with a large business to voluntarily surrender that business to the Government.

Suddenly the armistice was agreed to. Now it is of the supremest importance to these men that they be put back on a peace basis. I am informed that there are a number who can not be put back until after the settlement with the Government. We have got to trust some one in the adjustment of these matters. There is always a danger that there may be a mistake in the settlement of claims of this kind. I submit that the record of the War Department justifies this Congress in putting the settlement of these matters into the hands of the Secretary of War.

Mistakes may have been made. There may have been a waste of funds, always more or less unavoidable during war, but so far as I know, up to this good hour, there has been no finger of suspicion pointed at the distinguished gentleman who heads the War Department. He has gotten results far beyond the expectation of anyone, and his entire conduct has been above reproach.

As was so tersely stated by the gentleman from Kentucky [Mr. SHERLEY] in the hearing the other day, if this measure is postponed the Government will have to pay compound interest. If adjustment is postponed six months the claims get larger; if 12 months larger still; indeed the longer the postponement the larger the amount the Government will pay. Any gentleman who has had experience in dealing with claims against the Government knows that every day and every month matters of this kind are put off the Government is the sufferer.

Mr. DENISON. Will the gentleman yield?

Mr. POU. For a question.

Mr. DENISON. Will the gentleman explain upon what theory the claims could get larger?

Mr. POU. Well, men's memories are very elastic. Men forget about conditions. The gentleman from Illinois is a lawyer and knows how claims can grow. Witnesses who know about the transactions die. And that suggests to my mind the fact that men who know about these transactions are, a great many of them, at the present time at the call of the Government. A large number of witnesses who can give information with respect to these claims are at the call of the Government, but they are being rapidly demobilized. The persons are accessible, but every month that the settlements are put off men become scattered more and more, and as time goes by some at least will not be available to give the Government the information that it can get now.

Mr. DENISON. If the gentleman's statement is true that claims will increase as time goes on, is not that based on the theory that there is going to be dishonesty in connection with them?

Mr. POU. No; I would not charge that. The gentleman knows how after a lapse of time the Government is the sufferer. I do not believe the gentleman himself will controvert that proposition.

Mr. DENISON. I think that is true.

Mr. GREENE of Vermont. Will the gentleman yield for a suggestion?

Mr. POU. I will.

Mr. GREENE of Vermont. There is an element of increase in claims that does not pertain to honesty or dishonesty. It is a matter of interest charges as time runs on. Many a small contractor had to borrow money to finance his little plant or shop while the larger contractor was financed by the Government. These people who had to borrow money must pay interest, and as time goes on their claim for reimbursement must be larger.

Mr. HILLON. Will the gentleman yield?

Mr. POU. Yes.

Mr. HILLON. These claims are presumptively illegal. How can damages be increased on an illegal claim?

Mr. POU. The very fact that they are illegal opens the door for the very suggestion that I have thrown out. The reason the Government is going to pay them is because the Government realizes that they are equitable claims. The gentleman served in the Committee on Claims, and I do not believe that he can refute the proposition that the longer you put off matters of this kind the larger the amounts demanded become.

Mr. HILLON. They will only grow by the consent of Congress; being illegal claims they will remain illegal claims.

Mr. POU. Now, Mr. Speaker, I am going to conclude with this observation. We are now paying the penalty of this war. This is one of the many penalties that we are to pay. Others will come. The penalty in the loss of life is so great that the conscience of the whole world is shocked. I venture to express the hope that in the end some agreement will be arrived at among the great nations of the earth, that they will rise to the requirements of the hour, that they will satisfy the aspirations of the world, and in the end an arrangement will be made that such a tragedy will not be possible in the future. [Applause.] Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman has occupied nine minutes.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. SNELL].

Mr. LITTLE. May I ask a question? Has any time been reserved for the opponents of the rule?

The SPEAKER pro tempore. The Chair can not answer that question. The time is in control of the gentleman from North Carolina [Mr. POU] and the gentleman from Kansas [Mr. CAMPBELL].

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. SNELL].

Mr. SNELL. Mr. Speaker, I am very much interested in the adoption of this rule which makes it possible to consider the legislation known as the Army contract bill. I listened very carefully to the statements made by Secretary Baker and his Assistant Secretaries before the Committee on Rules the other day. I have been over that testimony very carefully since and have tried to get as much information as possible from other sources, until I am thoroughly convinced that the needs of the Government, the needs of the individual contractor, and the needs of business at large demand some legislation along this line. By the signing of the armistice we find ourselves confronted with this situation: We have two kinds of contracts in the War Department, one which is recognized as a formal contract—that is, a contract that has been officially signed by the authorized representative of the Government and also by the individual contractor or corporation—and another which is known as an informal contract. And the only difference is, one has been all through all the red tape of the War Department, signed, sealed, and delivered, while the other has only been started on this long routine journey. The agreement has been made, quantity and price agreed upon, and in nearly all instances the contractors have begun on the work, and if the armistice had held off a few days longer the contracts that the Comptroller of the Treasury now rules as informal would have been completely signed and just the same as the others. The obligation and good faith of both contracting parties are exactly the same, only by cutting some of the red tape of the War Department and starting people working on these contracts before they were signed the department was able to expedite production of articles that were urgently needed by the Army.

There is absolutely nothing illegal about them. They are exactly the same in every way as the Government has used in the expenditure of billions of dollars, and all the department is asking for is the right to go along and close them up in a businesslike manner, which would have been done before now if it had not been for the ruling of the Comptroller of the Treasury. The comptroller has ruled that as long as these war supplies are no longer needed, it is not possible for the department to make contracts for them. Therefore, they come before us asking for an enabling act, which is nothing more nor less than authority to go along and justly, quickly, and economically meet their honest obligations that have been created in our strenuous and rapid accumulation of supplies.

Mr. LITTLE. Mr. Speaker, may I ask the gentleman a question?

Mr. SNELL. In just a moment and I will yield. The whole world, especially our own people, demanded that the War Department get material needed for the Army quickly, and in order to do that it was absolutely necessary for them to call in various contractors throughout the country and make arrangements with them to go forward at once producing certain kinds of supplies and material, with the understanding that in a short time or as quickly as possible a legal or formal contract would be forwarded to them, and that they in turn would sign the same and return it to the Government. As far as these formal contracts are concerned, they do not need any new legislation. The War Department is allowed to go on and settle up those contracts with as little loss as possible to the Government and every single thing that is asked at the present time, under the bill to be considered, is for authority to settle these informal contracts on the same basis that they are allowed by law at the present time to settle the formal contracts.

Mr. LITTLE rose.

Mr. SNELL. Not now; if I have time later I will be pleased to yield. As far as the informality of these contracts is concerned they are just as legally binding on this Government, and this Government is just as much under obligation to pay for

the material contracted for of the various individuals throughout the country on account of these contracts as it is on account of a contract which has been fully signed and executed. Our moral and legal obligation is just exactly the same, but on account of certain red tape that we all complain about in the War Department they have not been formally executed, and as I look at it the only thing they want to do is to be allowed to settle them up and that I believe is the sensible and businesslike thing to do.

We need this legislation specially to take care of the foreign situation, as we have millions of dollars of contracts over there, and the large majority of them, according to the comptroller's ruling, are informal ones.

For instance, we have in Great Britain three kinds of contracts: First, a contract direct with the British Government for artillery, which can only be purchased from the Government; second, contracts which were placed for us by the British with their manufacturers; they were simply our agents, and of these there are a very great number; third, contracts of more recent date, which have been placed with British commercial houses by the British Government for us, but made on their own responsibility, with the understanding that we would stand back of them. Now, all these English contracts have termination clauses, which the British Government are taking advantage of, and they will settle ours in the same way if we will only give the War Department power to go ahead and settle. They at the present time are settling their contracts with the individual contractors by paying them about 10 or 12½ per cent. If they had a contract with a man or a corporation for $100,000 worth of aeroplane supplies, none of these supplies having been delivered, but the contracting party having entered upon the manufacture of the same, they would go to the company and say, "Here, we will pay you $10,000 or $12,000; you keep all your raw material; and we to be free from any further obligations in regard to the contract." We can settle all of our contracts on practically the same basis if you will give the War Department authority to act, and act now. And I am frank to say that if we can get out of these foreign contracts on that basis, that is as cheap a settlement as you will ever be able to make, and one that should be entirely satisfactory to our Government. On the other hand, if we do not accept this at once, they are going right along and will manufacture and be ready to deliver to us hundreds of millions of dollars' worth of supplies and equipment of various kinds that we have absolutely no use for whatever and will be practically a dead loss to this Government.

Mr. GORDON. Mr. Speaker, the gentleman does not claim anybody would deliver any supplies under the contracts covered by this bill, because they are not contracts at all?

Mr. SNELL. That is exactly what I mean. The gentleman may have his time later. Let me make my statement in my own time. These contracts were entered into in good faith by the British Government, and they are just as morally and legally binding on the American people as they would be if they had all the seals of the War Department of Washington on them, and you will find they are so considered by the British Government.

In France, Italy, Spain, and Switzerland we also have similar contracts that must be settled, and there is no possible way of settling them except by some special legislation, and I maintain it is economy on the part of this Government to act at once and get out from under these foreign contracts as quickly as possible; that it is better to pay a few hundred thousand to settle than to continue hundreds of millions of dollars' worth of contracts for supplies in a foreign land that we have no use for. And I am entirely convinced that we can settle every one of our contract obligations now cheaper than we can at a later date, and the longer they go the more it will cost the Government.

Furthermore, the business conditions of our own country rightly demand to know what the immediate policy of the Government is toward its contractors. The larger part of our manufacturing power has been devoted to Government work. Thousands of small manufacturers have their entire capital tied up or obligated on these Government contracts, and they can not adjust themselves to peace-time industry or start their normal activities until they get their pay from the Government, and unless they know that they are going to get their pay from the Government and contracts satisfactorily adjusted at an early date a large number will be forced to suspend activity for the present.

Suspension of activity by any of our industries at the present time would be one of the greatest calamities that could possibly befall us. The question of surplus labor and what to do with the discharged soldiers and the thousands of men let out by munition, shipping, and various war manufacturers is most serious at the present time, and I know of no one thing that will go further toward solving the labor problem than the enacting of some enabling legislation whereby the War Department can immediately settle up its war contracts and give the various contractors throughout the country their money so they can at once begin to employ this surplus labor in the channels of legitimate peace industries.

Therefore I maintain by passing this enabling act you will not only save money for the Government but you will do something that will prove a positive advantage to the labor situation during the reconstruction period.

I am willing to join with you in placing all the safeguards possible around it, and no man can successfully contend but that this legislation is needed, and if there is any fault anywhere, it will be in the administration of the act rather than in the enabling principle contained in the act itself and for which I am contending at this time. [Applause.]

Mr. LANGLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the life of Col. Roosevelt.

The SPEAKER pro tempore. The gentleman from Kentucky asks unanimous consent to extend his remarks in the RECORD upon the life of Col. Roosevelt. Is there objection?

There was no objection.

Mr. FOSTER. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Speaker, I have asked for this time in order to call the attention of Members of the House to two matters which I deem of importance. One is a hardship which some men in our Navy now seem to be undergoing after having their application for discharges acted upon favorably, by reason of the fact that they are indebted to the Navy in a small sum and are kept in the service until they settle the account owing to the Government, illustrated by the following letter, which I have received from a young Concho County, Tex., constituent:

RECEIVING SHIP,
Mare Island, Cal., December 31, 1918.

Hon. THOMAS L. BLANTON,
Washington, D. C.

MY DEAR CONGRESSMAN: I desire to call your attention to a rule in the Navy that is working quite an injustice with many who have had their applications for discharges approved by the proper authorities.

It is this: Many drawing only $35 or $40 per month bought liberty-loan bonds, despite the fact that they had allotments and insurance. In quite a few cases (in their patriotic enthusiasm) they bought too heavily, and they will only draw one, two, or three dollars each month above the insurance, allotment, and liberty-bond payment. Many overdrew their clothing allowance and were a little overpaid by the Government.

Although they are now needed to farm or to return to some essential industrial occupation, and their applications for discharge are already approved, if they are a little in debt to the Government they can pay the debt only by serving it out. Since their salary is all taken up except a few dollars it may take quite a while in some cases to pay this amount to the Government.

Why couldn't he be trusted with this small sum, when it would mean so much to the men who bought more bonds than they were really able to pay for?

I call this to your attention, believing that it is your wish to aid these men in the service who have given their time and all to aid democracy.

Thanking you in advance, I am,
Most sincerely, your friend,
EMSY H. SWAIN.

The question is simply this: These young sailors have made an allotment out of their salaries to their parents. They have purchased liberty bonds. They have taken out insurance, and it all leaves them with only two or three dollars each month for their own use. They have overdrawn their clothing allowance; their application for discharge has been granted, and yet because they owe some seven or eight or nine dollars to the Government are held in the service, so this young man claims, until that is paid from this one or two or three dollars a month which they are entitled to receive, left out of their salaries. If this is the case, it is an outrage and a disgrace upon our Government. A young man who has given his all in the service, after he is entitled to a discharge and his discharge is granted, is held in the service because he owes two or three or four or five dollars.

Mr. LAZARO. Mr. Speaker, has the gentleman taken this matter up with the Navy Department and gotten any reply?

Mr. BLANTON. I have not; but that leads me to another matter. Several months ago I received a telegram from one of my constituents in Ovalo, Tex., asking for a report on a young soldier, Clyde Enoch Shaw, giving his company number, and so on. I called on The Adjutant General's Department for a report. It reported to me from the casualty branch that no casualty has occurred to this soldier. I so wired my constituents that no accident or casualty had happened to the soldier, and in a few days received by mail from my constituent in Ovalo, Tex., the following telegram, dated October 2, 1918, from The Adjutant General's office advising that the soldier had been

seriously wounded in France on September 17, 1918, sent by the department several weeks previous to their report to me of no casualty:

WASHINGTON, D. C., *October 2, 1918.*

Mr. REUBEN S. SHAW,
Route 1, Ocalo, Tex.:

Deeply regret to inform you that it is officially reported that Pvt. Clyde Enoch Shaw, Infantry, was severely wounded in action September 17. Department has no further information.

HARRIS,
Acting The Adjutant General.

I then by telephone called upon the department time and again for them to ascertain and report to me what had become of this soldier, who was severely wounded September 17, 1918, but could not get any information whatever. Finally I wrote The Adjutant General on December 19, 1918, the following letter:

DECEMBER 19, 1918.

Hon. P. C. HARRIS,
The Adjutant General, Washington, D. C.

MY DEAR GEN. HARRIS: I herewith inclose a letter from one of my constituents, Miss Neeta Shaw, of Ovalo, Tex., requesting information concerning her brother, about whom I have had several conversations with your office over the telephone during the past four weeks.

Full data is given in this letter identifying this soldier, and as his family is very uneasy about him, and inasmuch as several incorrect reports were given me by the casualty division of your office, increasing their suspense, I will ask you to kindly give me a definite, correct report as to his present condition.

If it is possible for you to do so, I would like for you to cable for definite information, if same is necessary.

Kindly give this case prompt attention, and oblige.

Very sincerely, yours,

THOMAS L. BLANTON.

Not getting a reply, I continued to telephone the casualty branch of The Adjutant General's Department, but the only information I could get was that Clyde E. Shaw was severely wounded September 17, 1918. Finally, on January 3, 1919, I received the following letter from The Adjutant General advising that all the information he could give was that Clyde E. Shaw was severely wounded on September 17, 1918, and he referred me to the Red Cross here in Washington for further information:

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
Washington, January 3, 1919.

Hon. THOMAS L. BLANTON,
House of Representatives.

MY DEAR MR. BLANTON: I have the honor to acknowledge your letter of December 19, 1918, and regret to advise that this office has received no further information concerning Pvt. Clyde E. Shaw, Company M, Three hundred and fifty-ninth Infantry, than that he was wounded severely in action September 17, 1918.

For more information concerning his condition his sister should write to Bureau of Communication, American Red Cross, Washington, D. C.

I have referred your letter to the Surgeon General for information concerning him, and you will be advised his report when received.

Respectfully,

P. C. HARRIS,
The Adjutant General.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BLANTON. I ask unanimous consent for two additional minutes.

The SPEAKER pro tempore. The time is in control of the gentleman from Kansas and the gentleman from South Carolina.

Mr. FOSTER. I yield two minutes to the gentleman.

Mr. BLANTON. I am referred to the Red Cross here in Washington, D. C., for a report concerning a soldier severely wounded in France on September 17, 112 days ago. On January 4, the day I received this letter from The Adjutant General, I wrote him another letter, giving him the facts in full and sending it by special delivery, stating that the man had been wounded 112 days ago in France—wounded severely; that I had called upon the department numerous times for information and asked for a definite report concerning his condition, which letter I insert:

[Personal.]

JANUARY 4, 1919.

Brig. Gen. P. C. HARRIS,
The Adjutant General, Washington, D. C.

MY DEAR GEN. HARRIS: For two months, by numerous requests over the telephone and in other ways, I have been trying to get some definite information concerning the condition of one of my constituents, Clyde E. Shaw, of Company M, Three hundred and fifty-ninth Infantry, American Expeditionary Forces, reported severely wounded in action on September 17, 1918.

I have just received your letter of January 3, 1919, answering a letter I sent you December 19, 1918, wherein you advise me that the only information you can furnish me is that this soldier was severely wounded in action September 17, 1918, and you advise me to call on the Red Cross here in Washington for further information.

It has now been 109 days since this soldier was severely wounded in France, during all of which time his family has been kept in suspense, notwithstanding the fact that they have called on your department numerous times, and my office has called on your department many times for information concerning him. Am I to understand that your office makes no effort whatever to furnish information of this character to a Representative, and that my only means of ascertaining what became of a soldier constituent, severely wounded 109 days ago, is to call on the Red Cross here in Washington?

If this is the last recourse, then in my judgment there is something radically wrong with the efficiency of such a system.

If this was the only case where upon urgent instatence I have been unable to get definite information from your department, I might not complain. But in numerous instances the casualty branch of your department has reported to my office by telephone that it had no casualty report upon soldiers when I would later find that several weeks previous to such a report your office had sent a telegram to the relatives of such soldier that he had either been severely wounded or killed.

I will thank you for a prompt answer.

Very sincerely, yours,

THOMAS L. BLANTON.

Up to this good day I have not received a reply. Since their notification October 2 that Clyde Shaw had been seriously wounded in France on September 17 the family of this soldier have suffered the tortures of the damned, waiting for news, yet I can get them no information.

Mr. REED. I want to ask the gentleman about the Red Cross. Do they say they are permitted to use the cables to inquire about wounded soldiers?

Mr. BLANTON. I do not know; but, as I say, this is in the hands of the War Department, and we ought certainly to be able to get information concerning a man who has been wounded since September 17, 1918, and I am getting tired of making the demand for information that the mother and the father of the soldier are entitled to receive and having my letter sidetracked and pigeonholed for a month and a half and not getting any reply. [Applause.]

Mr. JUUL. Will the gentleman yield for a brief question?

Mr. BLANTON. I do.

Mr. JUUL. Does not the gentleman know the cables have been pretty busy reporting the festivities abroad?

Mr. BLANTON. I can not help that, but I think we ought to be able to get this information from the War Department and ought not to be referred to the Red Cross for it.

Mr. McCULLOCH. Will the gentleman yield?

Mr. BLANTON. I do.

Mr. McCULLOCH. The gentleman's experience is no different, I apprehend, from the experience of every other Member. Does the gentleman expect to introduce a resolution so as to get some results about it or is he merely attempting to give the fact publicity? I believe some action should be taken.

Mr. BLANTON. I want some action to be taken. I want my constituents, the mother and father, in my district to be able to get information concerning the welfare of their son who was reported seriously wounded September 17 last year and concerning whom they have heard nothing for months and months.

Mr. LITTLE. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. LITTLE. Does the gentleman think a department that can not keep track of the people who were killed is a competent department to pass upon four billions of claims in 30 days?

Mr. BLANTON. I think he can pass upon it, because if he had the right to make the contract in the first place he has the right to adjudicate it now.

Mr. LITTLE. I am glad to get the gentleman's view.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. FOSTER. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. EAGLE].

Mr. EAGLE. Mr. Speaker, if there are any constituents in my district who have any claims to adjust coming within this category I do not know it, and therefore I hope I will be acquitted in advance of any motive other than the presentation of the views which seem to me to be correct as applicable everywhere throughout the country. I understand there are, in round numbers, 6,700 such claims, aggregating, in round numbers, $1,600,000,000, involved in this measure. I think one of the most inspiring things that in all my life I ever witnessed was the unanimity with which the business men, small and great, throughout America and in every section and precinct of America responded to the call upon their ingenuity, their plants, their enterprises, and their capital when this war came. If they had not done it we would not have won this war by this time. If they had not done it ultimately we never would have won this war.

They came here by the thousands and the tens of thousands in person and through their accredited representatives in obedience to the printed invitation of those whom you had clothed with authority to make contracts for the supplies requisite to the mighty enterprise, in haste and in confusion, but nevertheless in the finest spirit of Americanism men can ever observe in this world, and they entered in good faith into these arrangements without employing counsel and wiring for their lawyers to come here to see whether technically the contracts were written down as by statute provided. They entered into the contracts with the War Department, as I say, in haste and confusion. They

made enormous investments of their own, enormous investments through capital or credit, going to their bank and bankers, and these funds they employed in the enlargement of plants and the acquisition of raw material, the hiring of labor at enormous figures, until the mighty wheels of industry of this country were set on foot as never before, and made this Nation hum with industry as never before on the face of this earth in all recorded time. They made this war machine so powerful and irresistible that we conquered the forces which were opposed to modern Christian civilization. Now, when the armistice comes because we have broken down the mighty plant of German autocracy and the military machine which had been built up for 60 long years, and the excitement passes away and men become economical and critical, it is found in 6,700 instances that an "i" was not dotted and a "t" was not crossed, and therefore the Comptroller of the Treasury rules, and properly so, that those sums of money which ought to be paid for this vast material which made up this mighty war machine can not be paid because the exact wording of the statute has not been followed—the technical requirements provided by statute as to the proper officers to execute the contracts, or only memoranda instead of complete executed contracts, and so forth, notwithstanding the Government got full value and appropriated their products as contemplated.

It is honest to pay it. We, a Nation of 100,000,000 people, with $300,000,000,000 of wealth, owe this money to these American business men. They paid it out for raw material and kept every raw material industry in this Nation going with prosperity; they paid out the money to the workingmen of the Nation at high wages and enabled them to keep pace with the high cost of living; but they can not now collect the money due them because of a technicality. What will you do about it? I hope this rule will be adopted and that this measure, with perhaps some amendments, will pass, in order that the very gentlemen who, with intelligence and patriotism and good sense and perfect honor, made these contracts may themselves settle those contracts and not compel the American business man to be hailed before a commission made up of five or six or seven people acting as a court of claims, and at the end of 18 months, finding a certain amount due, and then have a special bill brought in, many of the parties going bankrupt in the meantime, with their debts and interest falling on them and their resources so extended that they can not borrow again. It is simply common honesty to pay these men inasmuch as you invited them to furnish their money, plants, ingenuity, resources, and experience, all of which were mobilized in this mighty American cause. Just as we invited them to do that, so now we ought promptly to settle their just accounts so that they can run their businesses. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield 10 minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Speaker, I did not oppose the report on the rule, but I did ask for time enough to examine into the claims of the proponents of the bill in order that I might vote intelligently on the measure. I frankly say that when the suggestion first came up I had some prejudice against the curative legislation proposed. I have gone into the matter carefully by examining the hearings, conversing with some of the parties asking for this measure, and I have no doubt now as to what we ought to do, because these contracts or agreements that have been technically spoken of as illegal are not illegal in the sense that they are without just grounds for fulfillment and are therefore unjustifiable or unlawful, except that the terms of the contract were not written and fully set out, but are supplemental through additional authority, sometimes given over the phone, and at other times by personal instruction without a formal contract, as required by law, and at other times by letter which might alter or modify a former understanding which could not well have been ignored. There is no doubt in my mind about our justification in making these informal agreements legal in a technical way what now are illegal because of the lack of the things I have mentioned. I have noticed there are two elements here which should be considered in our decision as to our duty. If a contractor should have said to the Government, "I can not do what you ask unless I have the formal contract," and should have made that protection a condition of his agreement to respond to the Government's needs, he would have been placed under suspicion at once. In such case the War Department told him to go ahead and the formal contract will follow—should the contractor still refuse until he got the contract, when time was the essence of the completion of it—I am of the opinion that the contractor would have been subject to a charge that he was not loyal. He would have been charged with pro-German sympathies because he was not willing to cooperate with the Government to supply quickly what was necessary for the prosecution of the war. Quite naturally under that condition he would proceed with what he was asked to do, although the order may have gone over the telephone, with no written evidence of the supplemental authority, and no one would argue that he should suffer because he responded to the request. For if he would refuse to do it under those circumstances we all know the contractor would have been subject to adverse criticism.

Then, on the other hand, this contract or agreement made by the War Department is quite different from the usual agreement in that it sometimes took the form of an approach to commandeering. At least it was of the mandatory character. For example, I happen to know of one case, and it is but one of very many others, where an order was given by the War Department and the party said that he could not do it because he had not the necessary equipment, when the War Department requested him to get the equipment. It was found the contractor could supplement his inability by improving the plant just slightly. Such an order in time of war meant really if he did not do it the Government might be called upon to do it, using the equipment after making the necessary changes. The general effect of such a situation was mandatory on the part of the contractor to put the equipment in, which necessitated an additional expense of no permanent value to the plant.

Mr. JUUL. Will the gentleman yield for a question?

Mr. FESS. In a moment.

And if the contractor would refuse to respond, he would again be subject to adverse criticism on the basis that he was not cooperating to supply the needs of the Government. I am trying to see the situation of the contractor as well as the Government. And so there were two elements of contract which must be considered in this discussion—the willingness of a contractor to accept a favorable instruction in lieu of a written contract on the explanation that the written contract would follow after the order had been given. That was one of the elements upon which he operated, and notwithstanding the fact he must have known the effect such supplemental advices would work, yet I rather think he can not be condemned for doing it. If there is any condemnation, it would be on the War Department in not having the necessary comprehension of the needs of the Government so as to make the terms at once plain and ample. The War Department not having this comprehension but in a mandatory way the power to say, "I want you to do it; go to the necessary expense to put your plant in position to do it," the contractor who responded to the mandatory requirement should not be allowed to suffer. These facts fully explained remove the suspicion I had, and I am therefore in favor of this proposed curative legislation. The error, if error there is, should be placed where it belongs. If there is anything wrong, it is the short-sightedness of the War Department and not the contractor. I am not now assuming to say that the War Department could have under the circumstances prevented all this confusion. I am convinced, however, that with the progress of the preparation for our defense the grossest inefficiency and wasteful practices known to government were too apparent for comment.

Now I yield to my friend from Illinois.

Mr. JUUL. Now, in the case described by the gentleman from Ohio there would be a written memorandum on one side, at least, and probably on both sides?

Mr. FESS. Yes; quite likely that would be true.

Mr. JUUL. And if the Government made a proposition and that was accepted by a contractor there was a complete meeting of minds and a contract such as any honest man would respect. Is not that correct?

Mr. FESS. Assuming your premise is correct——

Mr. JUUL. I am basing my question on your statement. In the case stated by the gentleman from Ohio there was an actual offer made by the Government and it was accepted by the contractor, and I would suggest in such case no honest legislator would want to not pay the bill.

Mr. FESS. I do not think anyone would refuse to pay a bill based upon such a contract, and it seems to me we ought not to hesitate in our duty, even though there is a lack of business sense or a looseness in the method of procedure on the part of the Government, and we ought not to cause some one who had no choice in the matter to suffer because of that looseness. The Government's duty in the fulfillment of its obligations is clear even though there appear irregularities on the part of the Government. These irregularities whether caused by hopeless incompetency, which is too apparent throughout this administration, as attested in numberless cases, or whether due to a business too stupendous to be comprehended, should not be ground for discrimination against one who in good faith responded to the Government's needs.

Mr. JUUL. If he acted in good faith?

Mr. FESS. Yes; if he acted in good faith.

Now, I yield to my friend from Nebraska [Mr. SLOAN].

Mr. SLOAN. Has the gentleman received any evidence or does he know of any statement showing authoritatively what proportion of these informal contracts were entered into in the last five days preceding the 12th of November?

Mr. FESS. I do not have the information as to the proportion.

Mr. SLOAN. It would be an important fact, would it not, to know, and we ought to have it?

Mr. FESS. I am of the opinion that that would not change the duty on the part of the Government to fulfill its obligation, to pay the obligation that the contractor had undertaken, especially if the contractor had no choice in his contract, as was often the case.

Mr. SLOAN. It should probably prompt a special investigation, however, relative to it.

Mr. FESS. I reply to my friend that I am talking on why we submitted this rule and not on the merits of the bill. I am, however, of the opinion that there should be some amendments made to this bill.

Mr. LAZARO. Mr. Speaker, will the gentleman yield?

Mr. FESS. I yield to my friend.

Mr. LAZARO. Is it not a fact that any individual, any good business man, who would have a contract, as the Government did, under pressure, would want to settle these claims as soon as possible while his memory was fresh?

Mr. FESS. I am of the opinion that it would be rather unwise to allow any cumulative claims that might come with the lapse of time. We are all well aware of the ease with which claims against the Government are filed; and I would also frankly state, although I did not intend to say it at this time, that the question of submitting these points to commissions might delay the adjustment, and it might, since with the lapse of time of settlement claims multiply, increase the expense to the Government. However, with these considerations before us, I am not wholly satisfied in my own mind that it would be wiser for the Secretary of War to undertake all of these adjustments himself, for many reasons, among which I mention one: Not longer ago than this noon I was told that out of the 4,000 officers housed here in Washington under the War Department in our temporary quarters on the Mall, from 40 to 50 of the men are about to be detached, to be attached to the Judge Advocate General's office, in order to be ready and properly located in different sections of the country to make the adjustment of these claims before the proposed commission. I am also told that if that adjustment is not satisfactory to the parties in interest, they propose to appeal them to the Court of Claims. I do not like that suggestion at all. However, that is somewhat extraneous and is a mere mention of the reported expectation of some of our many officers stranded here in Washington on Uncle Sam's pay roll.

Mr. GORDON. In response to the last observation that the gentleman has made, I would say to him that under this bill there can not be any appeal from the Court of Claims because the decision of the Court of Claims is final, so that the gentleman may rest assured as to that.

Mr. FESS. I think that is a good point, and evidently has not been detected by the parties quoted.

Mr. GORDON. I would like, since the gentleman has investigated this question so closely and is an authority on constitutional law——

Mr. FESS. Oh, leave that out——

Mr. GORDON. To know what the gentleman has to say as to the propriety, from the standpoint of the public, of having these claims submitted to judicial scrutiny?

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

Mr. GORDON. Will not some gentleman yield to my colleague some more time?

Mr. FOSTER. I will yield to the gentleman two minutes.

The SPEAKER pro tempore. The gentleman from Ohio [Mr. FESS] is recognized for two minutes more.

Mr. FESS. My colleague desires not to embarrass me, evidently, although that prefatory remark of his would indicate that he has some mischief in his make-up. [Laughter.]

Mr. GORDON. No; it is in good faith, I will say to the gentleman.

Mr. FESS. The adjustment of any point of dispute, I think, ought to entail the privilege of a judicial settlement.

Mr. GORDON. This does not, however.

Mr. FESS. And for that reason it seems to me that anything we can do in the way of expedition so as not to bankrupt innocent men who have gone into this business in good faith ought to be resorted to immediately.

Mr. GORDON. But the gentleman forgets that the whole argument for this bill is that if you subject these claims to judicial scrutiny you are going to bankrupt the contractor.

Mr. FESS. Yes. That danger comes through delay of adjustment. The reason I looked with suspicion originally upon this curative legislation was that in the stress of war we so readily do things which, if it were not war, we would not do at all, and we justify ourselves, and quite justifiably, on the grounds that we have no choice. This sense of compulsion excuses the most palpable and inexcusable wastefulness. We pass over what ordinarily would shock the Nation. I have in mind such cases as the Hog Island situation, for example, where $21,000,000 was the original contract, afterwards increased to $27,000,000, and now we find that it has reached $61,000,000, or 300 per cent above the original agreement. When we urge that there ought to be economy exercised we are told officially, "To hell with your economy; we intend to win the war." That was a very popular thing to do and say. It was an expression of the determined will of the Nation to win at all cost. No one will find fault with the determination, but it can not be the shield of rank inefficiency and a wastefulness that is simply appalling, as is evidenced in every activity of the War Department, not only while the war was on, but even to-day. We must put on the brakes to this wastefulness, and I know it will be done in time, but it must not work an injustice to men who are carrying out agreements because of some technicality caused by the Government. We have got to adjudicate these differences with the best facility possible, and with the least expense to the Government on the basis that it is a bad situation in which we have found ourselves, out of which we must emerge in the best way possible, and with the least injury to innocent parties.

The SPEAKER pro tempore. The time of the gentleman from Ohio has again expired.

Mr. FOSTER. Mr. Speaker, I yield five minutes to the gentleman from Mississippi [Mr. HUMPHREYS].

The SPEAKER pro tempore. The gentleman from Mississippi is recognized for five minutes.

Mr. HUMPHREYS. Mr. Speaker, I just wanted to ask some questions of somebody who is able to give me the information desired about this procedure. I gather that certain contracts were in process of negotiation when the armistice came. Now, suppose this armistice had not been signed for 30 or 60 days longer and these informal agreements had been entered into as they were. Following the procedure which the department had adopted heretofore, would they then have been properly signed by the department and thereby validated?

Mr. DENT. I suppose perhaps I may be able to answer that, in view of the fact that I heard the testimony before the Committee on Military Affairs and before the Committee on Rules. Of course, it was the purpose that these contracts should be executed in due form.

Mr. HUMPHREYS. And signed by the proper authorities?

Mr. DENT. Yes.

Mr. HUMPHREYS. What put a stop to that right?

Mr. DENT. The Comptroller of the Treasury has ruled that the representatives of the Government, the officers of the Government, have no authority to ratify any agreement not formally executed at the time it was made.

Mr. HUMPHREYS. I understand that; but do the contracts end with the armistice?

Mr. DENT. Oh, no; no, indeed; the contracts do not end with the armistice.

Mr. HUMPHREYS. The right to contract, as I understand it, extends through the period of the war?

Mr. DENT. Undoubtedly.

Mr. HUMPHREYS. Well, is the war over? Is the war ended?

Mr. DENT. No; the war has not ended.

Mr. HUMPHREYS. Then, why can not the official who would be authorized to sign it if the armistice had not been made—why can he not sign it now?

Mr. DENT. Because the Comptroller of the Treasury says he will not recognize any such contract.

Mr. HUMPHREYS. Is that because of the signing of the armistice?

Mr. DENT. No; because further production and delivery has been stopped.

Mr. GORDON. Let me give you an additional answer.

Mr. HUMPHREYS. I yield to the gentleman from Ohio.

Mr. GORDON. I will say to the gentleman from Mississippi that that precise question was put up to the Comptroller of the Treasury as to why these contracts could not be ratified by some officer down there after the signing of the armistice, and I am advised that his reply was that if they did, somebody would go to the penitentiary, under a statute which makes it a felony to buy goods that the Government does not need, or something of that sort. I have not examined into the question.

Mr. LITTLE. That is a simple explanation.

Mr. HUMPHREYS. My understanding is that there is a statute, passed many years ago, perhaps during the Civil War——

Mr. LITTLE. In 1862.

Mr. HUMPHREYS. In 1862. I am advised, requiring the Army officer who is authorized to make contracts not only to sign the contract but also to sign an affidavit——

Mr. LITTLE. That is the trouble. That explains the whole thing.

Mr. HUMPHREYS. Now, if these contracts could have been signed during the war why can not they be signed now? I should like to know if for all purposes the war is over?

Mr. DENT. Will the gentleman let me answer that?

Mr. HUMPHREYS. I will. I am asking purely for information.

Mr. DENT. As far as I know that suggestion was made in almost that identical language by a member of the Military Committee when we were considering that proposition, and Mr. Warwick, the Comptroller of the Treasury, who was before the committee, said it could not be done, that the Comptroller only recognized contracts which were coexistent with the trade itself.

Mr. CALDWELL. Will the gentleman yield?

Mr. HUMPHREYS. Not now. I will in a moment. Then I am to understand that the officer could not sign the contract and validate it if the armistice had not been signed?

Mr. DENT. That is true, as I understand——

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HUMPHREYS. May I have five minutes more?

Mr. FOSTER. I can give the gentleman two minutes.

Mr. CALDWELL. Will the gentleman yield just for a moment? I think I can straighten this thing out. I have been practicing law some years——

Mr. HUMPHREYS. I want to make this statement.

Mr. CALDWELL. There is no use——

Mr. HUMPHREYS. I think there is. I think it is very necessary that I should make this statement. [Laughter.] The gentleman from Alabama says I have suggested nothing new. That is no surprise at all to me. I did not think I was bringing up any new proposition, and I hoped that as the question has been asked frequently and as the gentleman is familiar with it, he would be able to give some reply that would be satisfactory.

Mr. TILSON. Will the gentleman yield?

Mr. HUMPHREYS. Not now. I have but two minutes. As I understand, these contractors are in no worse situation because of the armistice than they would have been if there had been no armistice; that there never would have come a time when these contracts could have been signed. Now, that being true, I want to ask the gentleman this question—and I am going to vote for the rule, too—I ask this purely for information: Why would it not cure the whole trouble if you passed an act here to authorize the man, whoever he may be, who during the continuance of the war would have the right to make the contract and sign it to sign it now and let these contractors have whatever rights they would have had if they had legal contracts complying with all the requirements of the statute?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. FOSTER. Mr. Speaker, I yield two minutes to the gentleman from New York [Mr. CALDWELL].

Mr. CALDWELL. Mr. Speaker, the gentleman from Mississippi [Mr. HUMPHREYS], wanted to know why it was necessary to have this bill in the form of the one presented. As I understand it, the trouble arose when they attempted to adjust the informal contracts. The Secretary of War assumed that certain sections of the Revised Statutes did not apply when we were in actual hostilities and made informal contracts to supply material to the Government without the formality of a written contract protected as required by the act of 1862 or 1863. When they came to cancel the informal contracts and adjust them they found there was no power by which they could adjust and pay out the money upon that kind of a contract, and it was necessary to authorize an adjustment of these contracts before the men who had in good faith supplied material to the Government could be paid for it. That is the reason why this act was asked of us. Unless you do this these men can not get pay for what they have actually done and for money laid out. It will amount to more than $2,000,000,000. The business of this country can not stand the loss of $2,000,000,000 at this time nor can they stand its being tied up for any considerable period. It is necessary that something should be done here, and at once, in order that the wheels of commerce may continue to turn without interruption.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. CALDWELL. Yes.

Mr. LAGUARDIA. What percentage of the $2,000,000,000 is due abroad and what in the United States?

Mr. CALDWELL. The $2,000,000,000 I refer to is due here.

Mr. FOSTER. Mr. Speaker, I yield four minutes to the gentleman from Ohio, Mr. GORDON.

Mr. GORDON. Mr. Speaker, it is a pretty good-sized rule and bill to discuss in four minutes. There is some misapprehension on the part of some gentlemen who have spoken here as to the rights of the Government and the rights of individuals. I take it that where a man has furnished and delivered supplies to the Government, without any contract at all, he is entitled to recover the value of the goods. In fact, he could sue in the Court of Claims for them, and any proper department of the Government has the right to allow and pay for the goods so delivered. This legislation is not invoked for any such purpose as that. It is intended to authorize the reimbursement to contractors for the equitable rights arising under contracts which were in fact and in law invalid contracts. They were no contracts at all.

It is an exceedingly difficult question which has confronted the committee. I think the bill should have gone to the Committee on the Judiciary or the Committee on Claims; but it came to us, and we did the best we could with it. We adopted 10 provisos to protect the public interest. The difficulty is that it attempts to confer judicial power on an executive department of the Government. The Constitution provides that all judicial power, in law and equity, shall be conferred on the courts. But we were confronted with the statement that if we undertook to take the time necessary to subject to judicial scrutiny the six thousand and more claims that the loss of time entailed in conducting that investigation would bankrupt some of these men. Personally, I do not think that is a sufficient answer. But none of the other members of the committee agreed with me, and therefore I did not feel justified in bringing in a minority report. The truth about it is that you are conferring upon an executive department of the Government power to adjudicate equitable rights, and that is an authority that ought to be conferred only on some court.

Mr. LONDON. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. LONDON. Do the formally executed contracts contain a method of settling disputes?

Mr. GORDON. Yes; our Supreme Court held in the 91st United States that a formal legal contract partially completed, executed in a time of war, might still be adjusted by the payment of a lump sum. Such a settlement as that was made; but that is in apparent conflict with the general rule of law that no executive department of the Government may settle and adjust any claim for unliquidated damages arising out of contracts or tort. That is a broad statement, but it is absolutely the law.

Mr. SANFORD. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. SANFORD. Under the authority that the gentleman has just cited, which holds that the settlement is not the exercise of judicial power, this bill does not confer any judicial functions.

Mr. GORDON. Yes; it does. There the contract was still in force and it was executed in part and was a valid existing contract. Here there is no contract, and you can not properly create equitable rights—I say you can not—Congress can pay the claim without any investigation at all.

Mr. BARKLEY. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. BARKLEY. Does the gentleman hold that if the Government agent and the contractor get together and agree on the price that that is a judicial proceeding?

Mr. GORDON. Oh, no; not in all cases. We were told in the public press that upon the signing of the armistice the War Department terminated these contracts, and if it did, that creates a claim for unliquidated damages which no executive department of the Government has any legal right to adjudicate.

Mr. CAMPBELL of Kansas. Mr. Speaker, if this bill validating informal or incompleted contracts had come to the Congress as a result of an armistice 30 days after the declaration of war some apologies might be made for the War Department because of its inability or inefficiency in the conduct of affairs relating to the war and providing for war materials; but in this case the War Department asks for the validation of certain contracts more than a year and a half after the declaration of war and now some 60 days after the signing of the armistice. There is no excuse that can be made for the War Department. Its incompetency to conduct the affairs of the Government in such great matters as providing munitions of war is so manifest that it seems to me men should hesitate before giving this same

department a new authorization to settle for the Government with more than 6,000 contractors on invalid contracts amounting to nearly a billion and three-quarters of dollars. The Navy Department is in no such dilemma. The conduct of that department has not been upon the same footing of incompetency as the War Department. They do not come here asking the Congress to validate unlawful, illegal, or incomplete contracts. Their contracts terminated with the signing of the armistice, as the contracts made by the War Department for munitions of war should have provided by their own terms for their termination. But no; "the most efficient public servant the President ever knew" has been so inefficient that he has made a mess of providing munitions of war that his conduct of war contracts will be a scandal in this country for the next quarter of a century.

Mr. LONDON. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL of Kansas. For a very brief question.

Mr. LONDON. Do not the formal contracts have some method of cancellation in the event of an armistice?

Mr. CAMPBELL of Kansas. Undoubtedly that is provided for. Of course, it should be. The War Department through its incompetency has gotten this Government into this mess. What did the War Department do? For months and months after the declaration of war contractors besieged the War Department for contracts. The hotels of Washington were filled with manufacturers seeking contracts. Nothing was done. May, June, July, August, September passed. Nothing was done. Few contracts were let, and God only knows why. We were in a great war. We needed munitions of war. Gen. Pershing said when the war terminated he had practically no munitions of war furnished by American contractors. Gen. Pershing was forced, so he says in his report, to go to French contractors for guns, for munitions, aeroplanes, artillery, tanks, everything that was essential in prosecuting the war.

Mr. BARKLEY. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL of Kansas. No. The inefficiency of the War Department in failing to provide munitions of war through American contractors is a reflection upon the War Department rather than upon American business men and American laborers.

Mr. SUMNERS. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL of Kansas. I would rather proceed. American business men were furnishing arms and ammunition to the belligerents in Europe before we entered the war. There is no excuse, therefore, for the condition in which our War Department found itself during the progress of the war and at the signing of the armistice.

I have no doubt there are many claims that should be adjusted. I have no doubt that many contractors have expended much money and material in preparing to supply the Government with the necessary munitions of war, for which they should be paid, but I doubt seriously that the War Department should make that adjustment. The War Department has not shown itself possessed of the business ability and the judgment necessary to the conduct of large business.

But it is through the War Department that this bill proposes to adjust a billion and three-quarters of dollars' worth of claims for the sincere, hardworking, conscientious body of the American people. Now, observe the attitude of the War Department in its enthusiasm and haste to validate informal or unlawful contracts so that it may be authorized to pay out a billion and three-quarters of dollars to contractors who have furnished so little of munitions of war, who have received from the American people, through the War Department, more money than was ever dispensed by any nation in time of war. We have received less units of arms, of ammunition, and of war materials than were ever received by any people at any time in the history of mankind for the money expended. Now, contrast the attitude of the War Department in its enthusiasm and haste to validate these informal or unlawful contracts with its attitude of inaction during the first months of the war. The War Department shows much zeal in its effort to see what contractors may have their money at the earliest date possible, while millions of men are held in the Army after the war is over, who have sacrificed their positions in civil life, many of them receiving salaries ranging from $1,000 to $5,000 or $10,000 a year, abandoning their business, merchandising, manufacturing, farming, every variety of industry, sacrificing their all to serve for $30 a month. They made allotments to their wives, their mothers, their sisters, their dependents. The soldiers are not paid promptly; the war is over—they are not discharged. The allotments are not being paid. The War Department shows no anxiety; it does not rush here urging that Congress do something to enable it to do what it already has the authority to do and should be doing. Oh, no. It is not even paying the men the $30 a month that is due the soldier. Men are wounded in every hospital along the coast who have been for months without pay, many of their families having been for months without information concerning them. There is much anxiety to pay the contractors who have furnished so little in munitions of war, but no anxiety to make good with the men who gave their limbs, who offered their lives in war, and the statement of the fact is a more serious reflection upon the War Department than I could make. The fact that stands out preeminent against the War Department is the colossal sums that have been expended by the War Department in so short a time, for which so little has been furnished to the men on the fighting front with which to carry on the war.

The fact is, on the other hand, that men from the beginning have suffered for want of hospital facilities and for want of nurses, for want of medical attention, are suffering to-day for want of pay, for want of the ordinary attention they should have. The War Department is conspicuous for its inability to conduct business upon a large scale. Of course, something must be done to have an early an adjustment as possible of these matters. The adjustment should not be made, as it provides in this bill, through the men who have failed even to make valid contracts and who now ask Congress to validate the contracts so they can make adjustments upon them.

I know how difficult it is to terminate the life of a commission. I know how long it takes to secure the completion of a large number of contracts before the committees of Congress. These are matters that should have been foreseen and probably were taken into account by the contractors when they entered into negotiations with the War Department. It is a serious mess we are in, and you can not gloss it over; you can not make excuses that are sufficient. It is a mess that the War Department has gotten the country into, and now seeks to get Congress to help it out of that mess.

Mr. BARKLEY. Will the gentleman yield?

Mr. CAMPBELL of Kansas. I will.

Mr. BARKLEY. Does the gentleman think that this mess, upon which the gentleman has been deginitinating for some length of time, would have been made less by waiting for an interminable length of time in order to have new contracts made to get supplies?

Mr. CAMPBELL of Kansas. No; but these contracts should have been made according to law, as the Navy Department made its contracts.

Mr. BARKLEY. The contracts for the Navy were not one one-hundredth part as large as the contracts for the War Department, and the gentleman knows that.

Mr. CAMPBELL of Kansas. And the Navy Department did not have half the number of men making the contracts.

Mr. LITTLE. Just as they did in the Civil War.

Mr. CAMPBELL of Kansas. The truth of the matter is that the Secretary of War has failed to measure up to the standard by which the President measured him as "the most efficient public servant the President had ever known." Either the President is wrong in his judgment of efficiency or the Secretary of War has not given the Government the benefit of his great business ability.

Mr. SLOAN. Will the gentleman yield there?

Mr. CAMPBELL of Kansas. For a question.

Mr. SLOAN. The President stated that as a piece of humor, did he not, not seriously when he was speaking of the Secretary of War?

Mr. CAMPBELL of Kansas. Well, I do not know whether the President was joking or not; he may have been.

Mr. SNYDER. Everybody else thought he was.

Mr. CAMPBELL of Kansas. This bill should be very materially amended.

Mr. BLANTON. Will the gentleman yield for a question right there?

Mr. CAMPBELL of Kansas. No. This bill should be amended by the House in the Committee of the Whole and some method arrived at similar to that adopted by the Senate, or the amendment suggested by Mr. MOORE of Pennsylvania. Although I do not believe in the creation of commissions, yet somebody besides the War Department should adjust these claims against the Government upon these contracts that were not made according to law. And the War Department does not need further authority to discharge soldiers, and should show more consideration for the men who did the fighting than it has shown. It also should show more consideration for the dependents they left at home than it has been showing them by paying promptly the allotments that are due them.

Mr. ELSTON. Will the gentleman yield?

Mr. CAMPBELL of Kansas. I will.

Mr. ELSTON. The gentleman just referred to the action of the Senate or the Senate committee. Do I understand the Senate committee has provided a different method for adjustment than was provided in the bill?

Mr. CAMPBELL of Kansas. I understand the Senate Committee on Military Affairs provided for the appointment of a commission.

Mr. ELSTON. I understand the Senate committee yesterday reversed that——

The SPEAKER pro tempore. The time of the gentleman has expired. All time has expired. The question is on the adoption of the resolution.

The question was taken and the resolution was agreed to.

Accordingly the House automatically resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, with Mr. CRISP in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the consideration of the bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to adjust, pay, or discharge any agreement, express or implied, upon the basis of reasonable value but in no case greater than the agreed price that has been entered into, in good faith during the present emergency and prior to November 12, 1918, by any officer or agent acting under his authority, direction, or instruction, with any person, firm, or corporation for the acquisition of lands, or the use thereof, or for any supplies, material, or equipment to be used in the prosecution of the war, when such agreement has been executed in whole or in part, or expenditures have been made or obligations incurred upon the faith of the same by any such person, firm, or corporation prior to November 12, 1918, and such agreement has not been executed in the manner prescribed by law: *Provided*, That payment under such agreement shall not exceed the fair value of the property transferred or delivered and accepted by the United States, as determined by the Secretary of War, and where no property has been transferred, delivered, or accepted payment shall not be in excess of the actual cost incurred in preparation for performance, as such cost is determined by said Secretary: *Provided further*, That this act shall not authorize payment to be made of any claim under such agreements after June 30, 1919: *And provided further*, That the Secretary of War shall report to Congress at the beginning of its next session following June 30, 1919, a detailed statement showing the nature, terms, and conditions of every such agreement and the payment or adjustment thereof: *And provided further*, That nothing in this act shall be construed to confer jurisdiction upon any court to entertain a suit against the United States upon any agreement of the character herein provided for: *And provided further*, That no settlement of any claim arising under any such agreement shall bar the United States Government through any of its duly authorized agencies, or any committee of Congress hereafter duly appointed, from the right of review of such settlement, nor the right of recovery of any money paid by the Government to any party under any settlement entered into, or payment made under the provisions of this act, if the Government has been defrauded, and the right of recovery in all such cases shall extend to the executors, administrators, heirs, and assigns, or any party or parties: *And provided further*, That nothing in this act shall be construed to relieve any officer or agent of the United States from criminal prosecution under the provisions of any statutes of the United States for any fraud or criminal conduct: *And provided further*, That this act shall in no way relieve or excuse any officer or his agent from such criminal prosecution because of any irregularity or illegality in the manner of the execution of such agreement: *And provided further*, That the names of such contractors and the amounts of such partial or final settlements shall be filed with the Clerk of the House for the information of Congress and printed in the CONGRESSIONAL RECORD, or in the Official Bulletin, or as a public document, 10 days before confirmation and payment is authorized upon such contracts.

During the reading of the bill, the following colloquy occurred:

Mr. LITTLE. Mr. Chairman, I make the point of order that this bill was improperly referred to the Committee on Military Affairs and is not properly before that committee, and should be before the Claims Committee. I argued the point a few moments ago, and I do not care to do so further now.

The CHAIRMAN. The Chair will state to the gentleman from Kansas that he was in the Hall when the gentleman made his point of order, while the Speaker pro tempore was presiding, and the present occupant of the Chair listened to the argument of the gentleman from Kansas. In the opinion of the Chair the gentleman from Tennessee [Mr. GARRETT], the Speaker pro tempore, correctly ruled upon the point of order, which I think is binding on the present occupant of the Chair as chairman of the Committee of the Whole on the state of the Union. The Committee on Rules brought in a rule providing for the consideration of this bill by number. Under the rules of the House, the Committee on Rules can bring in a special order changing and abrogating any rule of the House, with only two limitations, relative to Calendar Wednesday and a motion to recommit. It is in order for the Committee on Rules to bring in a rule providing that a bill that had never been before any committee at all, whether public or private, should be considered, and if the House adopts the special order it changes or abrogates any rules of the House conflicting with the special order.

Mr. LITTLE. How would the Committee on Rules get such a bill?

The CHAIRMAN. The Committee on Rules is not a legislative committee. The Committee on Rules is not now considering any legislation. The Committee on Rules can bring in a special order for the consideration of legislation and could provide that any Member of the House or any committee could offer a resolution or a bill for immediate consideration that had never been before any committee at all. In the opinion of the Chair, the House having adopted this special order providing that this bill should be considered, and determining how it should be considered, it is not proper for the occupant of the Chair as committee chairman to rule that the bill is not properly before the Committee of the Whole for consideration. The Committee of the Whole is simply a creature of the House. The House has provided that this bill shall be considered. Therefore the Chair overrules the point of order.

Mr. LITTLE. May I make one suggestion there?

The CHAIRMAN. Yes, sir.

Mr. LITTLE. Have not chairmen ruled, and I think properly, it could be done in Committee of the Whole?

The CHAIRMAN. I do not think the Chair held that. I think the Chair stated it was not for him to pass upon it. But that question was not up then for consideration. The present occupant of the chair has distinct ideas on the point of order, and while I do not think it necessary to rule on the point, the Chair will do so. In the opinion of the Chair, the bill before the House is a public bill, and it is too late to raise a question of jurisdiction. The question of estoppel would apply. If the bill—a public one—had been improperly referred, any time before it was reported to the House by the committee a motion would have been in order to correct the reference. Not having been made, it is now too late to make it.

Mr. LITTLE. How can the Chair dispose of the numerous rulings that the point can be made when we are in Committee of the Whole, as in section 4380 and the other sections to which I referred, I think by your distinguished father, where it is repeatedly ruled that after you go into the Committee of the Whole, if the point is made, it can be properly referred. The Rules Committee must certainly be subject to some orderly method of receiving jurisdiction of any bill.

The CHAIRMAN. None of those was considered under a special rule of the House directing that a special bill be considered. The Chair has not examined the precedents cited, but feels sure that if the gentleman will investigate it he will not find any of those bills were ordered considered under a special rule of the House providing for their consideration. The Chair believes that an investigation will show that in the cases cited the House was in the Committee of the Whole House considering the Private Calendar. That the bills were called up in regular order when reached on the calendar and the points of order then made. Under such circumstances it is undoubtedly in order to make a point of order as to jurisdiction of committee. Such a case is very different from the one at bar.

Mr. DENT. Mr. Chairman, I ask that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

Mr. STAFFORD. Mr. Chairman, this is a small bill, and I think it should be read in order to show what is to be considered.

The Clerk concluded the reading of the bill.

The CHAIRMAN. The gentleman from Alabama [Mr. DENT] is recognized.

Mr. DENT. Mr. Chairman, if possible, I would like to arrange as to who will have control of the time.

Mr. DENISON. Mr. Chairman——

The CHAIRMAN. The gentleman from Alabama has the floor.

Mr. DENISON. I would like to know what arrangement has been made about controlling the time.

The CHAIRMAN. No arrangement has been made, and the Chair was expecting to hear from the gentleman from Alabama as to that.

Mr. DENT. The rule provides for three hours of general debate. There is no arrangement about division of time. I should like to have an understanding that the time that is to be controlled by those who are in favor of the bill shall be equally divided between the gentleman from California [Mr. KAHN] and myself, or some other member of the Military Committee representing the gentleman from California. I see present the gentleman from Kansas [Mr. ANTHONY].

Mr. ANTHONY. What was it? I did not hear the gentleman.

Mr. DENT. I was suggesting that an hour and a half be consumed by those in favor of the bill, the time to be controlled one-half by myself and one-half by the gentleman from Kansas, as representing the other side of the House, and the other hour and a half I do not know who wishes to control.

Mr. ANTHONY. I will state to the gentleman that I am not entirely in favor of the bill as it stands, but I am in favor of its amendment.

Mr. GREEN of Iowa. May I make a suggestion to the gentleman from Alabama?

Mr. ANTHONY. I do not think there will be any difficulty about the control of the one hour and a half on this side.

Mr. DENT. Then I suggest that an hour and a half be controlled by myself, to be dispensed among those who are in favor of the bill, and the other hour and a half I do not know what gentleman want to control. I do not know of any member of the committee who wants to oppose the bill. The committee reported the bill out unanimously.

Mr. GORDON. Mr. Chairman, if the gentleman will yield to me, he may have discovered from my few observations with respect to this bill that I am not entirely clear as to the attitude I should take about it. I feel strongly that these claims should be adjusted, but I believe the Government should be protected, and I do not believe it is sufficiently protected by the bill as it now stands. I want to act in good faith with the committee.

Mr. DENT. This statement surprises me, because the motion was made by the gentleman from California [Mr. KAHN] that the bill be reported out with several amendments, one of which was submitted by the gentleman from Ohio [Mr. GORDON], and there was no objection when the bill was reported out. I made the statement deliberately—and I thought I had the right to make it—that it was reported out by the unanimous report of the committee. I make this statement informally.

Mr. GORDON. If that statement was intended to apply to me, I would like to be heard in regard to it.

Mr. MANN. As I understand it, under the rule three hours' debate was provided for on the bill?

Mr. DENT. That is the case.

Mr. MANN. What will be the procedure as to recognition? Will the Chair recognize a gentleman for an hour, the time to be controlled by the gentleman recognized, and then a gentleman in opposition will occupy an hour, the time to be controlled by the gentleman recognized, or will the time be limited unless some arrangement is entered into?

The CHAIRMAN. Unless some arrangement is entered into, the Chair will recognize the gentleman from Alabama [Mr. DENT] for an hour, and if anyone opposed to the bill seeks recognition the Chair will recognize him for an hour. If the gentleman from Kansas [Mr. LITTLE], who led the opposition to the bill, wants recognition, the Chair would recognize him for an hour. Then the Chair would recognize some Member in favor of the bill for 30 minutes and some one opposed to it for 30 minutes, on the ground that the rule changes the general rule governing the disposition of time, giving each Member recognized an hour.

Mr. ANTHONY. I suggest that the time be divided in the regular way and that the gentleman from Alabama [Mr. DENT] control an hour and a half and that this side of the House control an hour and a half. A number of Members have spoken to members of the Committee on Military Affairs on this side of the House and the time has been promised to them regardless of whether they are for or against the bill.

Mr. DENT. I think that is reasonable.

Mr. POU. Will not the gentleman from Kansas and the gentleman from Alabama agree to divide the time as equitably as possible between gentlemen favoring and gentlemen opposed to the bill? If so, I think the membership are willing to trust the fairness of both gentlemen.

Mr. LITTLE. Mr. Chairman, I have no desire to dispose of the time, but I would be satisfied if the time were divided between both sides of the House, providing that those who are opposed to the bill shall have half of the time, if they want it, and that I have a reasonable time myself. If I have that assurance I shall be glad to accede to the suggestion of the gentleman from Kansas. If not, I think the time should be divided equally between those who favor and those who oppose the bill.

Mr. ANTHONY. How much time does the gentleman from Kansas desire?

Mr. LITTLE. About 20 minutes.

Mr. ANTHONY. I do not believe that 20 minutes can be yielded. I can yield 10 minutes to the gentleman. About a dozen gentlemen desire time. I shall be glad to give the gentleman as much as anybody else.

Mr. DENT. How much time does the gentleman from Kansas desire?

Mr. LITTLE. I would like to have about 20 minutes.

Mr. DENT. I will give the gentleman 10 minutes of the time allotted to this side.

Mr. Chairman. I ask that the time be equally divided, to be controlled equally by the gentleman from Kansas [Mr. ANTHONY] and myself.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that the time be equally divided, to be controlled by the gentleman from Kansas [Mr. ANTHONY] and himself. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Alabama is recognized.

Mr. ANTHONY. Mr. Chairman, I would like to have the attention of the gentleman from Alabama.

The CHAIRMAN. Does the gentleman from Alabama yield to the gentleman from Kansas?

Mr. DENT. I yield.

Mr. ANTHONY. Would the gentleman from Alabama indicate about how far he intends to go in the debate this afternoon before adjournment?

Mr. DENT. My idea is that we will run for about an hour. I thought that would be long enough. That would take us to half past 5. Then I would move to rise. As I understand it, this is a continuing order and the bill would be in order tomorrow morning under the rule.

The CHAIRMAN. The present occupant of the chair could not undertake to rule on that.

Mr. DENT. Mr. Chairman, the Committee on Military Affairs has given full and elaborate consideration, I may say, to the proposition involved in this proposed bill. We have had full and complete hearings. We did not adopt the bill as it was prepared in the War Department and sent to the committee. The committee itself worked out a solution, as it thought, of the problem.

I think there has been a great deal of misunderstanding, which can be easily cleared up, on the subject matter of this legislation. Under the provisions of sections 3445 and 3446 of the Revised Statutes it is provided that no Government contract shall be recognized as valid and binding unless it is in writing and signed at the end thereof by the contracting officer and the contractor and an affidavit is made by the contracting officer in the form and manner prescribed by those sections.

The testimony before the Committee on Military Affairs demonstrates that there were some 6,700 contracts, involving about $1,600,000,000, that were not executed with the ceremony and the formalities required by those two sections of the Revised Statutes. The object and purpose of this bill, as the Committee on Military Affairs understands it, is simply to do this, nothing more and nothing less—to authorize the Secretary of War to settle, adjust, and discharge the obligations of these contracts which were not executed with the formalities prescribed by law in the same manner and in the same way that the War Department will settle contracts that were duly and legally executed.

Now, to save my life I can not understand why it is that gentlemen will strain at a gnat and swallow a camel over a proposition of this kind.

I can not understand why we should undertake to have a commission to settle claims on contracts that were not formally executed, although the parties performed every obligation that was demanded of them, and yet allow the Government to proceed with the settlement of claims involving perhaps five or ten times more on contracts that were properly executed. If you are not willing to trust the War Department, if you are not willing to trust the authorities that made the contracts to settle the contracts, then you ought to bring in a bill and provide that the commission should not allow the War Department to settle those contracts that were legally executed and duly and ceremoniously signed, because they involve many more billions of dollars than are involved under the contracts that this bill undertakes to take care of.

Mr. DENISON. Will the gentleman yield?

Mr. DENT. I wish the gentleman would let me complete my statement, and then I will be glad to yield. When this bill was under consideration by the committee there was considerable opposition to it to begin with, but I thought the committee finally agreed to report it unanimously; certainly no one reserved the right to make any minority report and there was no objection to the bill being reported. As I stated to a member of the committee who seemed disposed to oppose this bill, let us take this concrete case: Suppose that on the 15th day of October, if that was a week day, the Quartermaster's Department wired some manufacturer to supply the Government with certain war materials needed in the prosecution of the war, and that manufacturer immediately proceeded to comply with the telegraphic

order, and the representative of the Quartermaster's Department immediately followed the telegram with a duly executed contract, which was signed by the contractor and the proper officer in the Quartermaster's Department. The goods were delivered and every requirement of the contract was complied with. Suppose on the same day a representative of the Ordnance Department sent a telegraphic order to some contractor or manufacturer to supply the Government with so many rifles or so much ammunition, but the contracting officer failed to follow his telegraphic order with a formal, written contract. In both instances the manufacturer complied with the telegraphic order, the Government received the goods, the Government got the benefit. I would like to ask if any honest man would discriminate between those two cases? Now, that is what this bill undertakes to correct.

Mr. HUMPHREYS. Will the gentleman yield now or would he prefer not to?

Mr. DENT. I would like to finish my statement first.

Mr. HUMPHREYS. All right.

Mr. DENT. In other words, this bill simply declares that the Secretary of War shall be authorized to discharge obligations which were entered into in good faith, where the contract was executed either in whole or in part or where the contracting party made expenditures or incurred obligations on the faith of it, although it was not signed and executed in the manner prescribed by law. Now, that is all that this bill does. I will state the proposition in other terms. I state without fear of successful contradiction that this bill does not do anything more than to authorize the War Department to discharge obligations which, had they been entered into between private parties under similar circumstances, would be enforced by any court of justice in the land.

Now, coming to the proposition that gentlemen are afraid that they are validating frauds, that they are perhaps putting their approval upon corruption, let me call attention to these facts: As I stated a few moments ago, the informal contracts, as they have been called, amount in number to some 6,679, I believe, and involve a little over $1,600,000,000. Now, let us see what we have done since the declaration of war, even during the last year. In the annual Army appropriation bill which became a law on the 9th day of last July Congress appropriated over $12,000,000,000 for the support of the Military Establishment. The Appropriations Committee, which handles appropriations for fortifications and heavy artillery, added $2,800,000,000 to that sum. In October of last year the Appropriations Committee were called on for a deficiency bill of over $6,000,000,000, which Congress passed, most of it applying to the Army. So that within the last seven or eight months we have appropriated over $21,000,000,000 in order to carry on the Military Establishment during the war. And now, because we come before Congress and ask that the Secretary of War be permitted to settle and discharge obligations involving $1,600,000,000, it is said to be a horrible and a terrible proposition that is presented to Congress.

Mr. DENISON. Will the gentleman yield?

Mr. DENT. I yield to the gentleman from Illinois.

Mr. DENISON. Of course when we appropriated all those vast amounts of money, we assumed that it would be expended legally and under legal contract. That was assumed, was it not?

Mr. DENT. Why, of course.

Mr. DENISON. Does the gentleman make a distinction between the settlement of legal contracts and the settlement of illegal contracts?

Mr. DENT. I do not make any distinction, and that is the very purpose of the bill. It says there ought not to be any distinction where the contracts are entered into in good faith and the Government got the benefit of it and the other party furnished the supplies.

Mr. DENISON. If all the contracts were entered into in good faith, the gentleman says, but how does he know that when the law was not complied with?

Mr. DENT. I know it as well in the contracts that were not signed as I do in those that are properly signed.

Mr. DENISON. But those that were legally signed have been accompanied with the affidavit that there was no interest on the part of the contractor and all competing bids were filed with the department. Now, that protects the people and protects the Government. But in these other contracts the affidavit of disinterestedness was not filed and the competing bids were not filed; can the gentleman make a distinction between the two classes of cases?

Mr. DENT. I do not think there ought to be any distinction between them. I get the gentleman's point, and although it puts me out of my line of argument I will say that if this bill is adopted I challenge any man, any lawyer of the House, to dispute the proposition that if it is discovered hereafter that the contract was made and that the usual affidavit was not filed because the contracting officer wanted to avoid responsibility that he would be guilty of conspiracy to defraud the Government.

Mr. DENISON. How are you going to find that out?

Mr. DENT. The same way that we find out fraud and conspiracy on a contract that was legally executed.

Mr. TILSON. Will the gentleman permit a single suggestion?

Mr. DENT. Yes.

Mr. TILSON. If there were any contractors who desired to practice a fraud, would not they see to it that their contracts were executed with the greatest minutia of detail?

Mr. DENT. Undoubtedly.

Mr. TILSON. And the honest contractors are the very ones that would enter into contracts with less formality.

Mr. DENT. I thank the gentleman for the suggestion. I think the man who went to work and supplied material under orders given by the War Department without hiring some lawyer to see that the law was complied with is entitled to more consideration than the one who hired a lawyer to see that the contracts were properly executed.

Mr. MANN. Will the gentleman yield?

Mr. DENT. I will.

Mr. MANN. Is it claimed by the War Department or the comptroller that because of the armistice the War Department could not go ahead and execute these contracts and then cancel them?

Mr. DENT. No; it is not claimed that they could not do it on account of the armistice.

Mr. MANN. If the war had continued could they have gone ahead and executed the contracts?

Mr. DENT. I can not answer that, but the comptroller holds, as I interpret his statement before the Military Committee of the House, that when the War Department issued orders on the 12th day of November to stop the delivery under the various contracts that had been made, that subsequent to that time a contract could not be formally executed because there was nothing to execute a contract upon, that it must be coexistent with the contract itself.

Mr. MANN. If that is the only reason, the War Department could revoke its order long enough to sign the contract and then order the delivery stopped.

Mr. ANTHONY. Will the gentleman yield?

Mr. DENT. I will.

Mr. ANTHONY. Did not the comptroller make a ruling to the effect that when the armistice was signed the emergency was passed, and that Congress having provided an appropriation to be expended during the emergency, after the armistice they could not be legally paid?

Mr. DENT. I do not so understand the comptroller's ruling. Perhaps I have not made myself clear. My understanding is this: Suppose the contract was made and the order was given by telegram or telephone, or by a memorandum on the 1st of October; the contractor had made partial delivery but had not delivered the whole, and no formally executed contract was made; that on the 12th of November the department notified the contractor not to make any further deliveries in the performance of the contract. The comptroller holds that subsequent to that time the officer representing the Government could not now sign a contract. In other words, a legally executed contract must take place at or about the time of the transaction.

Mr. MANN. That is based on the order of the War Department stopping deliveries?

Mr. DENT. Yes.

Mr. MAGEE. Will the gentleman yield?

Mr. DENT. Yes.

Mr. MAGEE. As I read this bill you would designate the formal contract as one executed in pursuance of law under the formalities of the Federal statute?

Mr. DENT. Yes.

Mr. MAGEE. And an informal contract as designated is one made by telegram or perhaps a memoranda, but not with the formalities required by statute? Does this bill do anything more, as a matter of fact and law, than place such an informal contract entered into in good faith upon the same basis as a formal contract?

Mr. DENT. That is exactly what the bill does, and I so stated, I thought.

Mr. MAGEE. And there is no question that the Secretary of War would have had ample authority to enter into a formal contract in any one of these instances in which you attempt to give relief?

Mr. DENT. Undoubtedly; and had he done it there would be no necessity for this legislation.

Mr. McCULLOCH. Has there been any question raised by anyone as to whether or not the Government should settle these contracts? Has anyone contended that the Government should not settle the contracts?

Mr. DENT. I have not heard of anyone that was contending it should not.

Mr. McCULLOCH. There have been, then, irregularities that this bill seeks to correct.

Mr. DENT. That is true.

Mr. McCULLOCH. So that the only question is who shall determine the irregularities, whether it shall be the Secretary of War or a commission?

Mr. DENT. Yes.

Mr. McCULLOCH. Mr. Chairman, will the gentleman tell the House why he believes the men who are responsible for the irregularities should settle the question or why it should not be settled by some one who is disinterested and impartial and who is not responsible for the error?

Mr. DENT. I expected to come to that point when I had an opportunity. I had not yet arrived at it.

Mr. McCULLOCH. Will the gentleman answer the question?

Mr. DENT. I expect to come to it in due order, but the gentleman will let me state it in my own way.

Mr. LITTLE. Is it not a fact that every one of these alleged informal contracts is a performance in violation of the law of 1862 and renders the men engaged in it all liable to go to penitentiary—every one of them?

Mr. DENT. I do not think there is any question but that a contract that was signed contrary to the act of 1862, passed during the Civil War, would make the officer liable. I do not remember what the punishment is.

Mr. CALDWELL. But, if the gentleman will yield, the question is whether it was done willfully or with an intent to defraud.

Mr. LITTLE. Is it the purpose of this to make an amnesty for these men?

Mr. DENT. Not at all. If the gentleman has read the bill, he will recall the clause in it that nothing in this act shall estop the Congress of the United States from reviewing it or the Government from recovering for fraud, nor shall it justify the failure of any officer to sign the contract which is prescribed by law.

Mr. LITTLE. May I ask why we should return to these gentlemen who are all sitting there with a rope around their necks the authority to execute and complete these performances by which they rendered themselves liable to punishment?

Mr. GREENE of Vermont. Mr. Chairman, may I ask a question in order to reply to the question of the gentleman from Kansas?

Mr. DENT. Yes.

Mr. GREENE of Vermont. How can we punish these men sitting around with ropes around their necks by denying money to honest men who have no ropes around their necks?

Mr. LITTLE. Everyone who got such a contract is liable to the same punishment as an accessory.

Mr. GREENE of Vermont. Then, when a fire breaks out, the village hose company must go to the place to find out where the fire is and then come back to the hose house to consult the statutes before they put out the fire.

Mr. LITTLE. Oh, there is nobody hollering fire except the fellows who started the fire.

Mr. JUUL. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. JUUL. I would like to ask the gentleman from Alabama whether, if the House votes the authority sought by this bill, all of the safeguards that the department failed to use when the contracts were let informally will be used before the money is paid? Will the affidavits and the formal protections called for by law be made use of before the money is paid?

Mr. DENT. I can not state to the gentleman that they will require an affidavit in order to do that, but I can state this to the gentleman, that the representatives of the War Department in the hearing before the Committee on Military Affairs of the House and before the Committee on Rules stated—I think they did before the Committee on Rules, and I know they did before the Committee on Military Affairs—that the War Department had a representative, an inspector, at each plant scattered throughout the country, or in different regional sections of the country, that they had a local board representing the Government there, that the contractor, together with the inspector and this local board, would get together upon a settlement of the contracts. This settlement is submitted to a board of review in that particular branch of the War Department and finally may be reviewed by a board acting directly under the Secretary of War. That is the way they settle the valid contracts, and they propose to settle these informal contracts the same way.

Mr. JUUL. If the gentleman will forgive me for just one more question. Is it the intention under this bill to attempt to draft some sort of a legal contract, a contract which they failed to draw up, before settlement is effected?

Mr. DENT. Not at all.

Mr. JUUL. They do not intend to legalize the illegal contracts?

Mr. DENT. On the contrary, there is a proviso in this bill expressly declaring that the settlement made under authority of this resolution shall not give any contracting party the right to sue the Government in any court in the land.

Mr. DILLON. Will the gentleman yield to me?

Mr. DENT. Yes.

Mr. DILLON. I want to propound a question to the gentleman relative to real estate. Suppose an officer should make a loose contract for a piece of real estate and some Army officer should enter into possession of that real estate. Does the gentleman think that a contract of that kind should be legalized and the Government compelled to take the land?

Mr. DENT. Well, I really did not catch the first part of the gentleman's question.

Mr. DILLON. The question is, Suppose an officer should make a loose contract with a landowner that the Government would buy his land for a certain purpose and should enter into possession of it and occupy it for a few days. Does the gentleman think that that contract should be legalized and compel the Government to take that land?

Mr. DENT. No; the contract would not be legalized. The gentleman does not catch the point. There is no legality, there is no validity, given to any of these contracts. It is simply intended to surmount the ruling of the Comptroller of the Treasury, so that the War Department can proceed to a settlement and an adjustment which will be recognized by the Comptroller but without recognizing the validity of the contract or giving the contractor the right to sue.

Mr. DILLON. Then would the gentleman say the Government should pay for the land under the circumstances I mentioned?

Mr. DENT. I do not know what the gentleman means by "loose" contract.

Mr. DILLON. Suppose he made a verbal contract.

Mr. DENT. If the Government did not get any benefit from it——

Mr. DILLON. But say the Government did.

Mr. DENT (continuing). And the contracting party did not suffer any liability or damages, then it would not be——

Mr. DILLON. But assuming the Government did enter into possession of it. Should not the damages be confined to the rentals rather than taking of the property?

Mr. DENT. Well, it would be confined to actual loss under this bill.

Mr. DILLON. I do not think so. Now, another question. I would like the gentleman to tell us what portion of contracts in Europe have been made by the English Government——

Mr. DENT. I can not tell.

Mr. DILLON. Acting for our Government and what the gentleman proposes to do with those governmental contracts?

Mr. DENT. The gentleman means the contracts made between this Government and the English Government?

Mr. DILLON. Where the English Government were acting for us through the English Government.

Mr. GORDON. If the gentleman will permit, I will state that it was testified before the committee that 90 per cent of the contracts this Government made with English manufacturers were made through the English Government, and if they were they would be subject to the English statute of fraud, which requires every such contract to be in writing and signed by the party to be charged.

Mr. DILLON. Suppose the English Government had a building in France for certain purposes and they should turn it over to the American Government. What would your bill do with that if they should prove an overcharge?

Mr. DENT. Well, of course, that is a matter of detail in the execution of it. If gentlemen are not willing to trust somebody to settle these things, of course we can not pass any legislation. Somebody must be trusted. You have to trust Gen. Pershing and his organization in France to carry out the obligations of the Government. You have got to trust the War Department to carry out the obligations which were made on this side, and if gentlemen are not willing to trust anybody, then let us not pass any legislation. So far as I am concerned, I

think if we can safely trust a department to handle $15,000,000,000 which we have given them we can safely trust them to handle a billion and a half more.

And that is what is involved in this proposition. I was coming to that when I was interrupted. Here is a letter which I received from the Assistant Secretary of War, Mr. Crowell, and I will ask that the Clerk read it at the desk, in order to show what the facts and figures are.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

JANUARY 8, 1919.

Hon. S. HUBERT DENT, Jr.,
Chairman of the Committee on Military Affairs,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: In response to your request for certain information as to the obligations of the War Department incurred on formal and informal contracts, I beg to state that the total obligations and disbursements of the War Department during the war and up to December 1, 1918, in the United States were $15,381,125,058.59. This includes sums transferred to the American Expeditionary Forces, but does not include expenditures and obligations of the American Expeditionary Forces. Of this sum of disbursements and obligations of the War Department in the United States the sum of $9,757,228,468.46 was disbursed up to October 31, 1918. There remains the sum of $5,624,900,590.13 obligated on contracts formal and informal in this country, less November disbursements on the same. As of December 28 suspension in whole or in part had been directed on outstanding obligations in the United States in the sum of $5,678,259,724.39. A recent cable states that the outstanding obligations of the American Expeditionary Forces on November 11, 1918, amounted to $1,183,130,000; that $73,640,000 had been paid on account of these obligations up to December 10, 1918, and that notification of cancellation had at that time been given as to $350,663,000. The cable further states that there are certain classes of obligations that this statement does not cover.

The number of contracts as to which no question of validity has been raised has not yet been computed. The number of informal contracts in the United States is approximately 6,250. The amount of the uncompleted portion of these contracts is approximately $1,600,000,000. There are in addition a considerable number of outstanding contracts in certain of the bureaus not signed by the person named therein as contracting officer. These are now being computed. Practically none of the contracts entered into by the American Expeditionary Forces comply with the statutory requirements. The number of such contracts outstanding has been roughly estimated at 8,000.

Very truly, yours,

BENEDICT CROWELL,
Assistant Secretary of War,
Director of Munitions.

Mr. DENT. Now, Mr. Chairman, I call attention——

Mr. LAGUARDIA. Will the gentleman yield?

Mr. DENT. I yield to the gentleman from New York.

Mr. LAGUARDIA. From what the gentleman has said, I take it the claims can be separated into two classes, one class where the goods have been actually delivered and accepted by the Government and the other where no goods have been delivered and there is a claim for loss. Does not the gentleman believe that the wording of the bill, where he uses the words "expressed or implied," would permit a big class of people who manufacture goods on speculation, if you please, by conversations with officers, to construe by implication that if the war continued these goods would be bought? I have told manufacturers that "If they could get those motors out that we would buy them." Suppose a claim of that kind is presented. We have an implied contract there. We have an implication that we would purchase these goods. Would the gentleman consent to strike out the word "implied" in the bill?

Mr. DENT. I do not think that would make very much difference. But I do not agree to the gentleman's suggestion, as a legal proposition, that because some Army officers told a man, "If you will go and do something, something will happen," that that is an implied contract. An implied contract would arise where the terms had not been thoroughly agreed upon, but something had been done under it, although the exact terms had not been fixed.

Mr. LAGUARDIA. The gentleman would expect that he would require as much as to make the contract valid under the common law, under the statute of fraud? Would the gentleman so word his bill?

Mr. DENT. I think the bill is so worded now. As between private parties there can be a recovery under the same circumstances, and we are simply authorizing the Government to fulfill its obligations under such circumstances.

Mr. LAGUARDIA. I think there should be no doubt about it, and I think the bill should be made clear.

Mr. DENT. I am perfectly willing to accept any amendment that will make it any clearer.

Now, I want to call attention to the fact disclosed by the letter of the Assistant Secretary, Mr. Crowell, to show that under existing conditions and under a condition that existed prior to the armistice, and when war was going on, the Government had disbursed through the War Department $15,000,000,000 in order to carry on the war. Now, you propose, you gentlemen who are in favor of a commission, who are in favor of the so-called Senate bill, to make a distinction between the men who have $14,000,000,000 worth of contracts and will allow the War Department to proceed with their settlement, and you have allowed them to proceed with their settlement, but put a burden on the honest contractor who did not hire a lawyer and have a contract duly executed, and will force him to go through the process of hiring a lawyer and appearing before a commission.

Mr. LITTLE. May I ask the gentleman a question?

Mr. DENT. Certainly.

Mr. LITTLE. Is it not a fact that many of these did hire lawyers and the lawyers advised that they had better not have the affidavits made?

Mr. DENT. I have no information about inside facts. I believe, as a Member of Congress, that it is just as much our duty to see that Uncle Sam acts fairly and squarely as it is to see that he is not defrauded. [Applause.]

Mr. McCULLOCH. Will the gentleman yield?

Mr. DENT. Yes.

Mr. McCULLOCH. Does the gentleman contend that an impartial judge would fail to do that?

Mr. DENT. Certainly I do not contend that.

Mr. McCULLOCH. Why does not the gentleman answer the question, then, as to why he objects to an impartial judge settling this, but desires to put it in the hands of the men who admit the irregularity?

Mr. DENT. The gentleman has got the notion in his head which has been in the heads of some others, and which I can not understand to save my life. It is true that I may be very obtuse on the subject, but I can not, to save my life, see that if you and I have an agreement and we get together and settle it, that that is a judicial question—that that is conferring judicial authority. I never have been able to get that proposition in my head, that it is a judicial question and conferring additional authority for us to settle a matter between ourselves.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield; and if so, to whom?

Mr. DENT. I will yield to the gentleman from Ohio.

Mr. McCULLOCH. I never contended that that was a judicial question; but there has been a question raised of irregularity. It is admitted by the War Department; and there have been other questions raised here, questions not only of irregularity, but questions of criminal action. That question has been raised here; and in view of the fact that it has been raised, as a Member of Congress I am called upon to say who is going to settle it. I would rather have somebody settle it who has not been under charges and against whom there is no implication made. That is my attitude; and as a Representative of my constituents and the taxpayers it is my duty to act upon it, and I will act upon it.

Mr. DENT. Of course, that is all right for the gentleman.

Mr. McCULLOCH. I am asking the chairman of the committee his opinion.

Mr. DENT. I have been trying to give my reasons for objecting to the commission. One reason I have just stated.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. GREENE of Vermont. I think the gentleman from Alabama is fully able to take care of himself, and I wish simply, as a comrade on the committee, to attempt to supplement his observation made to the gentleman from Ohio [Mr. McCULLOCH]. There seems to be a curious misapprehension to the effect that all obligations, express and implied, up to the armistice were all right, but that the last ones, that were not finished and were not put into formal contracts, are tainted with fraud and therefore must now go to a commission.

Mr. DENT. That is so. That seems to be the distinction.

Mr. GREENE of Vermont. If a few days more had elapsed these very same contracts would have been completed to a formal state, and they would have been paid, and you would not have heard anything about them.

Mr. DENT. That is so.

Mr. LITTLE. Why does the gentleman say they had disposed of all these claims that accrued at the beginning of the war?

Mr. GREENE of Vermont. There are some technicalities there that do not involve questions of good faith at all, such as the simple formal irregularity of a signature; and the substitution of another man's signature would completely validate them.

Mr. LITTLE. Not the affidavit. If anybody will make the affidavit, I will do the rest myself. [Laughter.]

Mr. GREENE of Vermont. Of course, the Government was originally divided into three parts. I did not know which one of them the gentleman had got. [Laughter.]

Mr. WATSON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. WATSON of Pennsylvania. I recall that at the time of the declaration of war the newspapers had their columns filled with statements to the effect that the soldiers had no shoes and no clothing.

Mr. DENT. I do not want to yield for the gentleman to make a speech in my time.

Mr. WATSON of Pennsylvania. I do not want to make a speech. I want to ask the gentleman if it was not physically impossible for the Secretary of War to sign all agreements, and therefore he was compelled to sign some agreements by telegraph? I am in favor of the gentleman's bill. In one instance in Philadelphia a firm received a telegram asking for 100,000 yards of cloth for the boys, just before the armistice was concluded. Does not the gentleman think that contract should be paid?

Mr. DENT. Yes. As the gentleman stated, it would have been a matter of physical impossibility for the contracting officer, the chief of the bureau, in the big program that we have here, to have personally signed every contract and made the affidavit. It would perhaps have been a physical impossibility.

Mr. PLATT. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. PLATT. As a matter of fact, were not the contracts nearly always quite a way behind the orders for the goods?

Mr. DENT. Yes; that is true.

Mr. PLATT. And the manufacturers very often had to come down here to Washington and dig up the contracts?

Mr. DENT. Yes. And in that connection I want to call the attention of the committee to section 120 of the national-defense act, which in time of war or during imminence thereof gives the President the authority to make orders for war supplies, and requires the contractor to fill those orders, and makes it obligatory on him to give precedence to those orders over any other contracts he may have had before, and then gives the party the right to recover a fair and just value of the property that he delivered to the Government on the strength of that order. That is in the law passed in 1916, before we went into the war.

Mr. GORDON. That is still the law.

Mr. DENT. Yes; that is still the law; and the trouble about that is that there is no method provided by which the party who complied with the order can get his settlement made without going into the Court of Claims.

Mr. FAIRFIELD. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. FAIRFIELD. Will the gentleman inform the House as to whether any considerable number of these orders date back two or three or four or five or six or eight months? Are they not comparatively recent?

Mr. LITTLE. Are they not practically all after the 1st of July? A member of the committee told me so.

Mr. DENT. My recollection is that most of them did not run back beyond six months.

Mr. LITTLE. A member of the committee told me that they date mostly from the 1st of July.

Mr. GREENE of Vermont. Apropos to what the gentleman from Kansas says, it appears that the Engineer Corps during the war followed the practice that obtained in the Engineer Corps as to production before the war, and it went ahead in good faith and piled up a lot of contracts which were found subsequently to differ technically from the form of contracts by which the War Department generally was governed under the statutes. Therefore they were informal contracts, although they had been made in good faith and the memorandum of agreement had been written and was intended to be complied with.

Mr. DENT. I believe that is true, that they were following the rule of the Engineer Department.

Mr. LITTLE. I do not want to weary the chairman of the committee, but I have great confidence in him, and I want to get some information if I can. Is it not a fact that practically all of these claims are for what in the civil courts would be called unliquidated damages?

Mr. DENT. Oh, I do not agree to that at all.

Mr. LITTLE. I notice Mr. Warwick says that the agreements were not carried out.

Mr. DENT. I hope the gentleman will not take up my time.

Mr. LITTLE. Mr. Warwick intimates that it does not cover anything delivered.

Mr. DENT. I have stated already, as well as I could, what I thought it covered, and I would not like to repeat it, because I want to proceed further with the discussion of this question as to whether this should be done or we should relegate this to a commission or to the Court of Claims.

Mr. HUMPHREYS. I want to ask the gentleman this question about this affidavit: Under the general law, if an Army officer should be personally interested in one of these contracts he would be liable to criminal prosecution just the same, would he not, whether he had signed the affidavit or not?

Mr. DENT. I do not think there can be any question about that.

Mr. HUMPHREYS. The failure to sign the affidavit would not relieve him from criminal responsibility.

Mr. DENT. Not at all. The bill expressly says that it shall not relieve him.

Mr. HUMPHREYS. I know it is so in the event that that is the law.

Mr. DENT. I do not think there is any question in the world about it. If the gentleman will recall the conspiracy statute, covering conspiracies to defraud, it is about as broad a statute, I think, as I ever read in my life; and I am sure it would certainly cover a case where an Army officer and his subordinate deliberately entered into a scheme not to sign a contract in order to keep from making the oath. I do not think there would be any question in the world but what they would be guilty of a conspiracy to defraud the Government.

Mr. HUMPHREYS. Will the gentleman allow me to ask him one more question along that line? He said the officer would be guilty under the conspiracy act. Suppose it should develop that the officer was really personally and financially interested in a contract without entering into any conspiracy, the contractor not knowing it and nobody else knowing it. Is there any statute that would cover that case and render the officer liable to criminal prosecution and punishment?

Mr. DENT. I am not able to put my finger on such a statute, but I am sure that such a statute as that exists. I am sure there must be a statute covering a case of that kind.

I have been asked the question why it is that we should allow the War Department to proceed to settle these matters as they have been allowed to settle the $15,000,000,000 worth of other contracts.

Mr. GORDON. Will the gentleman yield right on that point? Does the gentleman think as a lawyer that where the War Department has terminated a contract it has a right to settle the unliquidated damages arising to the contractor out of that contract as a result of that termination?

Mr. DENT. Where the party——

Mr. GORDON. Where the Government has terminated a contract, just cut it off, as was done with thousands of contracts after the signing of the armistice. That, of course, would give rise to a claim for unliquidated damages, would it not?

Mr. DENT. It might.

Mr. GORDON. Is not the settlement of a claim for unliquidated damages the exercise of judicial power?

Mr. DENT. I do not think so.

Mr. GORDON. Then you and I do not agree about the law.

Mr. DENT. The gentleman from Ohio has had that notion in his mind all the way through. He is a good lawyer, but to save my life I can not see why parties can not agree together to settle their differences, and why that is a delegation of judicial authority.

Mr. ROBBINS. Would not the same power exist between private parties?

Mr. DENT. Yes.

Mr. GORDON. Private parties can do that, but the Government can not.

Mr. ROBBINS. Because this technical statute requires it to be in writing, you want to shut these people off.

Mr. GORDON. No; you do not understand the question at all. [Laughter.]

Mr. REED. Will the gentleman yield?

Mr. DENT. Yes.

Mr. REED. A farmer from my State came to me three days ago in great trouble. He said the Government had taken some of his land, had fixed the price, and had told him: "Unless you take this price we will take it anyhow and condemn it." They entered upon the land, plowed it up, dug the surface away, put in great concrete foundations; and then came the armistice, and everything was called off. He came to me and said they would not recognize the agreement to purchase the land, and would not recognize any claim for damages. Does this bill reach that?

Mr. DENT. This bill would cover that kind of a case. It authorizes the Secretary of War to settle a case of that kind.

Now, I am opposed to the proposition authorizing a commission, because I believe that you ought not to make a discrimination between the honest contractor who did not get the regular legally executed contract and the man that did get one. That

is the first thing. I think the War Department ought to be allowed to settle his contract just the same as the man who had a duly executed contract.

In the second place, I am opposed to it because I think it is straining at a gnat and swallowing a camel when gentlemen urge that there be a commission to settle claims amounting to $1,000,000,000, when the War Department has been allowed to settle fifteen billions of contracts. I think it is absurd. In the next place, the history of every commission that has ever been created in this country is that it is interminable, and you do not know when there will be a final disposition on the part of the commission. These are the three reasons why I am opposed to the commission idea.

Mr. McCULLOCH. Will the gentleman yield?

Mr. DENT. Yes.

Mr. McCULLOCH. Take the other end of it, take the case mentioned by the gentleman from West Virginia [Mr. REED], where his constituent had had his ground plowed up and went to the War Department and asked for justice, and they would not listen to him, would not do anything for him. If he has a just claim, if this bill passes he must go before that very officer who refused to do him justice. But if we had a commission he could submit his claim to the commission, and therefore he would have a better chance for justice being done.

Mr. DENT. The officer refused because he could not do anything. He could not do it unless this legislation passes. If it does pass, he has a right to go back to the officer, and he will see that justice is done. These are the reasons why I am in favor of this bill instead of a bill creating a commission.

Now, in conclusion—and I am going to reserve the balance of my time—I wish to call the attention of the committee to the fact that this same proposition came up during the Civil War, and it is an interesting fact to know that during the Civil War, and in the midst of that war, charges were made against the Government, and language was used by the investigating committee by Members of the House against the War Department that would make the record now appear as praise.

I would like to call the attention to some of it, although I am not going into it at length. This is some of the language used in the report of the committee of Congress investigating war contracts in 1863:

> The mania for stealing seems to have run through all the relations of the Government—almost from the general to the drummer boy; from those nearest the throne of power to the nearest tidewaiter; nearly every man who deals with the Government seems to feel the desire that it would not long survive, and each had a common right to plunder while it lived.
>
> Colonels intrusted with the power of raising regiments colluding with contractors. * * * While it is no justification the example has been set in the very departments of the Government. As a general thing none but favorites gain access there.

That is the kind of language used during the Civil War about contracts made by the departments until a number of Members of Congress, including Mr. Conkling, called attention to the fact that these charges were absolutely hindering the Government in the prosecution of the war, and finally Congress adopted a bill which has just been called to my attention and is so much like this that had we seen it beforehand we might have been charged with having copied it.

I quote from Bolles's Financial History, page 240:

> Many claims, however, were irregular, and these rapidly multiplied during the war. The Court of Claims investigated and reported on a large number; Congress adjusted others; many were referred back by Congress to the departments with special authority for their adjustment. Thus in 1863 Congress authorized the Secretary of the Navy to adjust and settle the claims of contractors for those naval supplies which had been furnished during the preceding year that exceeded by more than 100 per cent the quantities specified in their contracts and without their default.

Mr. ROBBINS. That is, authorized the Secretary himself to settle it?

Mr. DENT. Yes; just like this does.

Mr. DEMPSEY. The Senate bill provides, as I understand it, for the payment for all supplies. It only refers to a commission in the case of unliquidated damages. It does not deal at all with any goods that have been delivered.

Mr. DENT. I do not so understand it.

Mr. DEMPSEY. That is my understanding.

Mr. DENT. To continue:

> The chief of any bureau with which any contract of the kind was made could associate with himself the chief of any other bureau to hear the evidence relating to it, but an appeal lay from his decision to the Secretary. The law also provided that no contractor should be allowed, except on the excess furnished by him, and on this "not more than sufficient to make the price thereon equal to the fair market value of the supplies at the time and place of delivery." Nothing, however, was to be allowed any contractor unless there had been an actual loss to him on the whole contract. He was, moreover, required to present his claim within six months from the enactment of the law or be forever barred from "any equitable claim" against the Government.

That was adopted on March 3, 1863, and by permission of the committee I insert at this point a copy of that bill, passed, as I say, in 1863, showing that we have a precedent for doing exactly what we have done:

[Mar. 3, 1863. No. 32.]

Joint resolution authorizing the Secretary of the Navy to adjust the equitable claims of contractors for naval supplies and regulating contracts with the Navy Department.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to adjust and settle the claims of the contractors for naval supplies who during the last fiscal year ending June 30, 1862, have furnished to the department more than 100 per cent above the quantities specified in their contracts and without default therein; and for the purpose of hearing said claims may associate with the chief of the bureau with which the contract was made the chief of any other bureau, subject to an appeal to said Secretary from their decision: *Provided*, That no contractor shall be allowed, except upon the excess over the stipulated quantity and 100 per cent in addition thereto, and upon such excess not more than sufficient to make the price thereon equal to the fair market value of the supplies at the time and place of delivery; nor shall any contractor be allowed any amount under this section unless there has been an actual loss to the contractor upon the whole contract: *And provided further*, That all claimants under any such contracts shall present their claims to the department within six months after the passage of this joint resolution or be forever barred from any equitable claim on account of said contract.

SEC. 2. *And be it further resolved*, That the chief of any bureau of the Navy Department in contracting for naval supplies shall be at liberty to reject the offer of any person who, as principal or surety, has been a defaulter in any previous contract with the Navy Department; nor shall parties who have failed as principals or sureties in any former contract be received as sureties on other contracts; nor shall the copartners of any firm be received as sureties for such firm or for each other; nor, in contracts with the same bureau, shall one contractor be received as surety for another; and every contract shall require the delivery of a specified quantity, and no bids having nominal or fictitious prices shall be considered. That if more than one bid be offered by any one party, by or in the name of his or their clerk, partner, or other person, all such bids may be rejected; and no person shall be received as a contractor who is not a manufacturer of or regular dealer in the articles which he offers to supply, who has not a license as such manufacturer or dealer. And all persons offering bids shall have the right to be present when the bids are opened and inspect the same.

SEC. 3. *And be it further resolved*, That the Secretary of the Navy be, and he is hereby, authorized to release and discharge the penalties, or the provisions in the nature of penalties, in certain cases of unfulfilled contracts with the Bureau of Construction, and of provisions and clothing of the Navy Department, made by Nathaniel W. Coffin, William Lang, Henry Newton, Baxter & Summer, and Tilton, Wheelwright & Co., for the fiscal year ending the 30th of June, 1862, made prior to the proclamation of the President establishing blockades of the southern ports, or to the several acts of Congress passed subsequent thereto, imposing additional duties upon domestic and foreign products, wherein, by reason of said acts and failure of the Government to pay according to the prescribed terms, parties have been obstructed and prevented from a proper fulfillment of the same, to the end that these accounts may be settled and adjusted on terms of equity and justice; and in the settlement of such accounts there shall be associated with the chief of the bureau in which the contract was made the chief of some other bureau of the Navy Department, and their decision shall be passed upon, modified, abridged, rejected, or approved by the Secretary of the Navy as, in his judgment, the law and justice shall require.

Approved March 3, 1863.

Mr. JUUL. Will the gentleman kindly state the volume from which he quotes?

Mr. DENT. I have been quoting from Bolles's Financial History of the United States. Mr. Chairman, I reserve the balance of my time.

By unanimous consent Mr. DENT was granted leave to extend his remarks in the RECORD.

The CHAIRMAN. The gentleman from Alabama has consumed one hour. He has 30 minutes remaining, which time he has reserved.

By unanimous consent, leave was granted to Mr. SNELL, to Mr. FESS, to Mr. LITTLE, and to Mr. FOSTER to extend their remarks in the RECORD.

The CHAIRMAN. The Chair would ask the indulgence of the House to permit him to revise and extend his ruling, if he sees fit to do so. The Chair will state to the gentleman from Kansas [Mr. LITTLE] that his only purpose is to answer the suggestion of the gentleman, which the Chair did not do, relative to the point of order being made in committee. The Chair can state now that, in his opinion, in the cases cited the House was in Committee of the Whole considering the Private Calendar, and when those bills were called up then the point of order was made, and it was the proper time to make it. The Chair simply wanted to put that reason in his ruling.

Mr. LITTLE. The gentleman from Kansas is always glad to see any opinion of the Chair upon a parliamentary question inserted into the RECORD.

Mr. GREENE of Vermont. Mr. Chairman, in the absence of the senior member of the committee on this side, I yield five minutes to the gentleman from Pennsylvania [Mr. MOORE.]

Mr. MOORE of Pennsylvania. Mr. Chairman, I am emphatically in favor of the payment of all just claims that have arisen during this war emergency, but I do not believe we should pass an omnibus bill validating more than 6,600 verbal contracts, if to provide for some good contracts we are to cover up loose

contracts that ought to have the scrutiny of the representatives of the people. At the proper time I shall offer an amendment to this bill proposing that the Secretary of War shall be joined in the oversight of these contract settlements by a congressional committee made up of two Senators and four Representatives—members of both parties.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. I can not yield in five minutes.

Mr. GORDON. I would like to make a suggestion which, I think, would be of value.

Mr. MOORE of Pennsylvania. That amendment will bring assurance not only to the Congress, which has been ignored in many things up to date during this war, but to the country that the Congress does exercise some oversight over the expenditure of public money; and in this instance the preliminary expenditure is to aggregate $1,000,000,000, or twice as much as is necessary to conduct the Government under normal conditions for two years.

Those who have awarded these contracts should not object to an audit by those who desire to be satisfied about the validity of them; but this bill as presented proposes to keep with those who made the awards the exclusive right to audit and settle. There is danger in that proposition, as I shall endeavor to show in the few minutes at my command.

This Congress without a dissenting vote passed an appropriation for $640,000,000 to build aircraft and put the country in position to assert itself in the war on the other side of the water. There was delay in completing the work, and, charges having been made that it had fallen down, the Senate appointed a committee to investigate. The committee presented a report to Congress, in which it said that as a result of the expenditure of this $640,000,000—

(b) We have not a single American-made chasse (or plane of attack) upon the battle front.

(c) We have not a single American made heavy bombing plane upon the battle front.

Six hundred and forty million dollars gone, and a senatorial committee made the bald statement that we had not a single battle plane abroad to show for that vast expenditure! How was that tremendous sum of money spent? Who audited the accounts? Evidently the very officials who made the contracts. The War Department was assailed for our failure in aircraft, and charges were made to the President. In his own time the President started an investigation. He appointed former Supreme Court Justice Charles E. Hughes to make an inquiry. I have the Hughes report before me. It goes into the matter of culpability at some length, and has this to say concerning one Col. Edward A. Deeds:

2. The evidence discloses conduct which, although of a reprehensible character, can not be regarded as affording a sufficient basis for charges under existing statutes but there are certain acts shown, not only highly improper in themselves but of especial significance, which should lead to disciplinary measures. The evidence with respect to Col. Edward A. Deeds should be presented to the Secretary of War to the end that Col. Deeds may be tried by court-martial under articles 95 and 96 of the Articles of War for his conduct (1) in acting as confidential adviser of his former business associate, H. E. Talbott, of the Dayton Wright Airplane Co., and in conveying information to Mr. Talbott in an improper manner, with respect to the transaction of business between that company and the division of the Signal Corps of which Col. Deeds was the head; and (2) in giving to the representatives of the Committee on Public Information a false and misleading statement with respect to the progress of aircraft production for the purpose of publication with the authority of the Secretary of War.

3. The absence of proper appreciation of the obvious impropriety of transactions by the Government officers and agents with firms or corporations in which they are interested compels the conclusion that public policy demands that the statutory provisions bearing upon this conduct should be strictly enforced. It is therefore recommended that the officers found to have had transactions on behalf of the Government with corporations in the pecuniary profits of which they had an interest should be prosecuted under section 41 of the Criminal Code.

That report was made to the President of the United States, who is now abroad, October 25 last. Supporting that report of the Hughes investigation was a report by the Attorney General of the United States confirming it and suggesting that the War Department should proceed to court-martial Col. Deeds in accordance with the recommendation of Justice Hughes.

I quote from the Attorney General's report:

Of all the members of the aircraft boards, the one most severely criticized and against whom most charges have been brought has been Col. E. A. Deeds. The evidence does not disclose any violation by Col. Deeds of the criminal laws. In the early part of 1918 public statements were issued with official authority purporting to set out the progress which had then been made in the production of engines and planes and the prospects of the immediate future. These publications were not only misleading, but they contained false statements and were issued in reliance upon information principally furnished by Col. Deeds, who was acquainted with the actual facts. While the conduct of Col. Deeds in this matter was not criminal and can not be said to have affected actual production, it was inexcusable and reprehensible.

I also find that Col. Deeds was guilty of censurable conduct in acting as confidential adviser of H. E. Talbott and in conveying information to the latter with respect to transaction of business between the Dayton Wright Airplane Co. and the division of the Signal Corps of which Col. Deeds was the head.

Whether or not Col. Deeds should be subjected to disciplinary measures for the acts referred to is a matter to be determined by the War Department. I acquiesce in the recommendation of Judge Hughes that the facts be submitted to the Secretary of War.

President Wilson's Attorney General agreed with Justice Hughes that Col. Deeds should be court-martialed, and put the matter up to the War Department, the department that spent our $640,000,000 and did not give us a single fighting plane in France. And what did the War Department do? Court-martial Col. Deeds? Not yet. The War Department permitted Col. Deeds to spend a large part of that $640,000,000, and evidently it did not care to discredit the colonel's work. There is reason to believe it held the colonel in high esteem, notwithstanding the President's inquiry, the report of Justice Hughes, and the recommendation of the Attorney General. We obtain an inkling of the department's attitude in a report of a dinner given to Col. Deeds and reported in the Washington Star of December 21. All the official reports were in, but Col. Deeds had not yet been court-martialed. On the contrary, he was being dined and his praises were being sung by War Department officials, including the Assistant Secretary of War, Mr. Crowell, who is strongly advocating this bill to validate 6,000 oral contracts, and Gen. Squier, who is quoted as saying that the "irregular" things done by Col. Deeds were of considerable service in winning the war.

This "vote of confidence" on the part of those who might possibly be called upon to sit in judgment upon the colonel's alleged "irregularities," as reported by Justice Hughes, the President's investigator, and the Attorney General of the United States, induced him, according to the newspaper report, to rise and "address his associates," whereupon "he was applauded for several minutes." The $640,000,000 was no longer a matter of concern, for as the colonel stood waiting to speak "the assembly broke into song, declaring lustily that he was 'a jolly good fellow.'" It was at last the colonel's turn, and as placidly as though the Hughes report and that of the Attorney General had never been written, he proceeded to deal with what we might call "the tie that binds." In order that the newspaper report of the colonel's delicate dashes of sentiment may not be distorted, I quote it literally:

Col. Deeds said he hoped his friends, when they returned to private life, would show the unselfish devotion to humanity which characterized their conduct at Washington.

"But let us not in any way commercialize our experience here," said Col. Deeds. "It is quite enough that we have been able to be of some service to our country without advertising that fact. I hope that we will never read in a trade journal or any other newspaper any advertisement by any man who has worked here calling attention to what they did during the crisis through which we have just passed.

"It is too sacred a cause to be tainted by commercialism. Let us not forget that there is still work to do. We are going through a period of reconstruction when qualities which you have shown during the war will be in as great demand.

SPIRITUAL VALUE OF WAR.

"I am a little afraid that we will not get out of the war what France is getting out of it, what England is getting out of it, and what other nations allied with us are getting out of it. We, I fear, will not see and apply the spiritual value of the war."

Assistant Secretary Crowell, of the War Department; Admiral Taylor, representatives of the Italian and French missions, Lieut. Col. Horner, and Lieut. Col. Waldron, testified to the good qualities of Col. Deeds.

So it is seen that Col. Deeds, who was recommended for court-martial by rank outsiders, like Justice Hughes and the Attorney General, commends "his associates" for their splendid services. He was not court-martialed by them—or has not been so far, as we know—the expenditure of $640,000,000 for aircraft production to the contrary notwithstanding, and despite the fact that the Senate committee reported not a single American fighting plane in France.

Under such circumstances, Mr. Chairman, is it not wise to aid the Secretary of War with a little congressional oversight in relation to these 6,000 oral contracts, for more than $1,000,000,000, which we are asked to validate?

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania (continuing). Unless we do cooperate with him, I fear we "will not see and apply the spiritual value of the war."

I wanted attention called to this matter, Mr. Chairman, so that in discussing the proposition to-morrow we may determine whether we shall have an amendment for some congressional supervision of these expenditures. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. DENT. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. GARRETT of Tennessee having resumed the chair as Speaker pro tempore, Mr. CRISP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 13274, had come to no resolution thereon.

EXTENSION OF REMARKS.

Mr. EMERSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a resolution adopted by some Jewish citizens of Cleveland on the Poland situation.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD by printing some resolutions adopted by some citizens of Cleveland on the Poland situation. Is there objection?

Mr. STAFFORD. I object.

Mr. LONDON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by incorporating remarks delivered during the last session of Congress, and which I failed to incorporate in the RECORD then.

Mr. STAFFORD. The gentleman's own remarks?

Mr. LONDON. My own remarks.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD by incorporating his own remarks therein. Is there objection? [After a pause.] The Chair hears none.

Mr. SIEGEL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the life of Col. Roosevelt.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD on the life of Col. Roosevelt. Is there objection? [After a pause.] The Chair hears none.

ORDER OF BUSINESS.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER pro tempore. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to say that the membership of the House is giving close consideration to the measure under consideration, and if we meet at 11 o'clock with only a handful of Members it might provoke the point of no quorum, and we would not get very far. There is a large number of committees now meeting. I do not think we would get very far by the House meeting at 11 o'clock. Therefore I object.

Mr. KITCHIN. I want to state to the House and to the chairman of the Committee on Military Affairs, the gentleman from Alabama [Mr. DENT] will try his best to finish his bill to-morrow, even if we have to stay here until 8 or 9 o'clock.

Mr. STAFFORD. There are but two hours left for general debate.

Mr. KITCHIN. I am not going to insist on the request, but I am going to give notice that we will try to finish the bill to-morrow, even if we stay until 9 o'clock. It is getting so late in the session now that we must use considerable time. We can not rise at 5 or half past 5 each night, but most of the time we will have to stay until 8 o'clock in order to get the appropriation bills to the Senate in time for action there.

Mr. STAFFORD. Will the gentleman yield in order to permit me to direct an inquiry to the gentleman from Alabama?

The SPEAKER pro tempore. Did the gentleman from Wisconsin [Mr. STAFFORD] object?

Mr. STAFFORD. I did object.

The SPEAKER pro tempore. That is the end of it.

Mr. KITCHIN. Mr. Speaker, I ask for two minutes.

The SPEAKER pro tempore. Without objection, the gentleman may proceed for two minutes.

Mr. CRISP. Mr. Speaker, I want to suggest to the gentleman from North Carolina that I am in thorough accord with what he says about expediting matters. It is absolutely sure that if we do not pass the appropriation bills an extra session of Congress will be forced. And it seems to me the condition of the calendar would warrant the Committee on Rules bringing in a rule changing the regular meeting hour of this House from 12 oclock noon until 11 a. m.

Mr. STAFFORD. Then the membership of the House would have notice of the meeting, whereas under the present exigency we would have only a corporal's guard here to-morrow at 11 o'clock, and some Member might make the point of no quorum.

Mr. CRISP. I am not making any criticism of the gentleman's course.

Mr. KITCHIN. I want to see that the chairmen of the committees hereafter pursue the policy, and I think the Members on both sides will agree, of getting through with the bills and finishing them, if it takes until 8, 9, or even 11 o'clock, because we must get these appropriation bills over to the Senate by at least the 15th of February, in order to give the Senate time to consider them. And they can not do this unless we take the extra time here. Members are in the habit of getting up and saying that it is time to rise, and that they will make the point of no quorum unless we will do so. But we will stay here if we have to stay until 11 o'clock, so that the House can pass the bills.

Mr. ROBBINS. Are there any bills now ready to report?

Mr. KITCHIN. Oh, yes; bills are ready. The diplomatic bill is ready and the Indian Affairs will be ready in a few days.

ADJOURNMENT.

Mr. KITCHIN. I will not insist on the request. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 40 minutes p. m.) the House adjourned until to-morrow, Thursday, January 9, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of Agriculture, transmitting a statement showing the names of employees of the Department of Agriculture for whom requests for exemption or deferred classification have been asked and allowed (H. Doc. No. 1061); to the Committee on Military Affairs and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior, submitting a supplemental estimate of appropriation required by the Department for protecting timber on the Oregon & California Railroad lands and Coos Bay wagon-road lands from fire, for the fiscal years 1919 (H. Doc. No. 1062); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of State relative to housing American diplomatic representatives abroad (H. Doc. No. 1063); to the Committee on Foreign Affairs and ordered to be printed.

4. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Chattahoochee River, Ga. and Ala. (H. Doc. No. 1064); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

5. A letter from the vice president of the Georgetown Barge, Dock, Elevator & Railway Co., transmitting annual report for the year 1918 (H. Doc. No. 1065); to the Committee on the District of Columbia and ordered to be printed.

6. A letter from the Secretary of the Treasury, transmitting schedules of papers not needed in the transaction of business and of no permanent value or historical interest (H. Doc. No. 1066); to the Committee on Disposition of Useless Executive Papers and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SINNOTT, from the Committee on Public Lands, to which was referred the bill (H. R. 10394) to add certain lands to the Minam National Forest, Oreg., reported the same without amendment, accompanied by a report (No. 898), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Miss RANKIN, from the Committee on Public Lands, to which was referred the bill (S. 940) to provide for the payment for certain lands within the former Flathead Indian Reservation, in the State of Montana, reported the same with amendment, accompanied by a report (No. 900), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

She also, from the same committee, to which was referred the bill (S. 932) to provide for stock-watering privileges on certain unallotted lands on the Flathead Indian Reservation, Mont., reported the same without amendment, accompanied by a report (No. 901), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BLAND of Virginia: A bill (H. R. 13821) authorizing the Secretary of War to donate to the city of Phoebus, Va., one

German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13822) authorizing the Secretary of War to donate to the city of Hampton, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13823) authorizing the Secretary of War to donate to the city of Fredericksburg, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13824) authorizing the Secretary of War to donate to the city of Newport News, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13825) authorizing the Secretary of War to donate to the town of Parksley, county of Accomac, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13826) authorizing the Secretary of War to donate to the town of Onancock, county of Accomac, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13827) authorizing the Secretary of War to donate to the town of Cape Charles, county of Northampton, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13828) authorizing the Secretary of War to donate to the town of Chincoteague, county of Accomac, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13829) authorizing the Secretary of War to donate to the town of Yorktown, county of York, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13830) authorizing the Secretary of War to donate to the county of Essex, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13831) authorizing the Secretary of War to donate to the county of Warwick, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13832) authorizing the Secretary of War to donate to the county of Westmoreland, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13833) authorizing the Secretary of War to donate to the county of Mathews, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13834) authorizing the Secretary of War to donate to the county of King and Queen, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13835) authorizing the Secretary of War to donate to the county of Middlesex, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13836) authorizing the Secretary of War to donate to the county of Caroline, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13837) authorizing the Secretary of War to donate to the county of Northampton, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13838) authorizing the Secretary of War to donate to the county of Northumberland, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13839) authorizing the Secretary of War to donate to the county of Richmond, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13840) authorizing the Secretary of War to donate to the county of Lancaster, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13841) authorizing the Secretary of War to donate to the county of Gloucester, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13842) authorizing the Secretary of War to donate to the county of Accomac, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13843) authorizing the Secretary of War to donate to the county of Spotsylvania, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KETTNER: A bill (H. R. 13844) authorizing the Secretary of War to donate to the town of Anaheim, Cal., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13845) authorizing the Secretary of War to donate to the town of Elsinore, Cal., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13846) authorizing the Secretary of War to donate to the town of El Centro, Cal., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13847) authorizing the Secretary of War to donate to the city of Redlands, Cal., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13848) authorizing the Secretary of War to donate to the town of San Diego, Cal., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. JOHN W. RAINEY: A bill (H. R. 13849) authorizing the Secretary of War to donate to the city of Chicago, Ill., 10 German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. FULLER of Illinois: A bill (H. R. 13850) authorizing the Secretary of War to donate to the city of Belvidere, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. RIORDAN: A bill (H. R. 13851) authorizing the Secretary of War to donate to the city of New York Borough of Richmond, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SHACKLEFORD: A bill (H. R. 13852) authorizing the Secretary of War to donate to the city of Jefferson, Mo., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13853) authorizing the Secretary of War to donate to the city of Boonville, Mo., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13854) authorizing the Secretary of War to donate to the city of Columbia, Mo., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13855) authorizing the Secretary of War to donate to the city of Versailles, Mo., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SNELL: A bill (H. R. 13856) authorizing the Secretary of War to deliver to the city of Plattsburg, in the State of New York, one cannon or fieldpiece with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 13857) authorizing the Secretary of War to deliver to the city of Ogdensburg, in the State of New York, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

By Mr. PETERS: A bill (H. R. 13858) authorizing the Secretary of War to donate to the third congressional district in Maine 25 cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. CALDWELL: A bill (H. R. 13859) authorizing the Secretary of War to donate to the St. Albans Improvement Association one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LAGUARDIA: A bill (H. R. 13860) providing for the appointment in civil-service positions in the case of honorably discharged soldiers and sailors; to the Committee on Reform in the Civil Service.

By Mr. PARKER of New Jersey: A bill (H. R. 13861) to authorize the recovery of the value of unlawful rebates and discriminations and penalty therefor; to the Committee on Interstate and Foreign Commerce.

By Mr. EAGLE: A bill (H. R. 13862) authorizing the Secretary of War to donate to the city of Richmond, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13863) authorizing the Secretary of War to donate to the city of Hempstead, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13864) authorizing the Secretary of War to donate to the city of Houston, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13865) authorizing the Secretary of War to donate to the city of Navasota, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KELLY of Pennsylvania: A bill (H. R. 13866) authorizing the Secretary of War to donate to the borough of Wilkensburg, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13867) authorizing the Secretary of War to donate to the borough of Braddock, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13868) authorizing the Secretary of War to donate to the borough of Pitcairn, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13869) authorizing the Secretary of War to donate to the city of McKeesport, Pa., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. DALLINGER: A bill (H. R. 13870) authorizing the Secretary of War to donate to the town of Arlington, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13871) authorizing the Secretary of War to donate to the town of Belmont, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13872) authorizing the Secretary of War to donate to the town of Watertown, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13873) authorizing the Secretary of War to donate to the town of Winchester, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13874) authorizing the Secretary of War to donate to the town of Stoneham, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13875) authorizing the Secretary of War to donate to the town of Lexington, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13876) authorizing the Secretary of war to donate to the town of Wakefield, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CARLIN: Resolution (H. Res. 498) to pay R. T. Cook for extra services rendered in the folding room of the House; to the Committee on Accounts.

By Mr. WICKERSHAM: Joint resolution (H. J. Res. 380) to suspend the doing of assessment work on mining claims in Alaska for the years 1917, 1918, 1919, and 1920, and extending to that Territory the provisions of Public Resolution No. 10, Sixty-fifth Congress, approved July 17, 1917, and Public Resolution No. 12, Sixty-fifth Congress, approved October 5, 1917, and for other purposes; to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DICKINSON: A bill (H. R. 13877) granting an increase of pension to W. W. Green; to the Committee on Invalid Pensions.

By Mr. GALLIVAN: A bill (H. R. 13878) granting a franking privilege to Edith Carow Roosevelt; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 13879) granting a pension to Edith Carow Roosevelt; to the Committee on Pensions.

By Mr. QUIN: A bill (H. R. 13880) granting a pension to Robert H. Neyland; to the Committee on Invalid Pensions.

By Mr. SHOUSE: A bill (H. R. 13881) granting an increase of pension to William Row; to the Committee on Invalid Pensions.

By Mr. WEAVER: A bill (H. R. 13882) granting a pension to John F. Ritter; to the Committee on Invalid Pensions.

By Mr. WOODYARD: A bill (H. R. 13883) granting an increase of pension to Joshua Westbrook; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DALE: Petition of conservation department of the Vermont State Federation of Women's Clubs, favoring proposed appropriation for the reclamation of waste lands; to the Committee on Appropriations.

By Mr. EMERSON: Resolutions adopted at a meeting of Jewish citizens of Cleveland, Ohio, protesting against atrocities in Poland; to the Committee on Foreign Affairs.

By Mr. KETTNER: Letter from William A. Manson, pertaining to revenue bill affecting jewelers; to the Committee on Ways and Means.

By Mr. OSBORNE: Memorial of Hon. Leon F. Moss, of Los Angeles, Cal., in the matter of Federal paved highways; to the Committee on Roads.

SENATE.

THURSDAY, *January 9, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come before Thee to worship Thee and seek Thy blessing and Thy guidance. Thou hast dealt with us very graciously. Thou hast led us by the hand. Thou hast manifested Thyself to us in plans, purposes, ideals, and achievements that are wonderful to contemplate. We put ourselves in Thy hands to follow the divine guidance, working out all Thy great plans for us. We pray that we may be willing and obedient servants of Thine own majesty. For Christ's sake. Amen.

JAMES W. WADSWORTH, Jr., a Senator from the State of New York, appeared in his seat to-day.

The Secretary proceeded to read the Journal of the proceedings of Tuesday last, when, on request of Mr. SHEPPARD and by unanimous consent, the further reading was dispensed with and the Journal was approved.

DISPOSITION OF USELESS PAPERS.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, schedules and lists of papers, forms, and so forth, not needed and of no historical value, and asking for action looking to their disposition. The communication and accompanying papers will be referred to the Committee on Disposition of Useless Papers in the Executive Departments, and the Chair appoints the Senator from Massachusetts [Mr. WEEKS] and the Senator from New Hampshire [Mr. HOLLIS] as the committee on the part of the Senate. The Secretary will notify the House of Representatives thereof.

COST OF THE WAR (S. DOC. NO. 329).

The VICE PRESIDENT laid before the Senate a communication from the United States Fuel Administrator, transmitting, in response to a resolution of December 23, 1918, certain information relative to expenditures in the United States Fuel Administration to December 31, 1918, on account of the war with Germany and Austria, which was ordered to lie on the table and be printed.

EMPLOYEES OF THE WAR DEPARTMENT (S. DOC. NO. 331).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of December 23, 1918, a list showing the number of civil employees in the department January 1, 1919, and the number discharged during the previous two weeks, which was ordered to lie on the table and be printed.

EMPLOYEES IN INTERIOR DEPARTMENT (S. DOC. NO. 330).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of December 23, 1918, a list showing the number of civil employees in the department January 1, 1919, and the number discharged during the previous two weeks, which was ordered to lie on the table and be printed.

EMPLOYEES OF SHIPPING BOARD (S. DOC. NO. 333).

The VICE PRESIDENT laid before the Senate a communication from the chairman of the United States Shipping Board, transmitting, in response to a resolution of December 23, 1918, a list showing the number of civil employees of the board January 1, 1919, and the number discharged during the previous two weeks, which was ordered to lie on the table and be printed.

EMPLOYEES OF FOOD ADMINISTRATION (S. DOC. NO. 332).

The VICE PRESIDENT laid before the Senate a communication from the United States Food Administrator, transmitting, in response to a resolution of December 23, 1918, a list showing the number of civil employees in the Food Administration January 1, 1919, and the number discharged during the previous two weeks, which was ordered to lie on the table and be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the bill (S. 3220) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat, to determine the practicability of their utilization as a fuel and in producing commercial products, with amendments; in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 4246. An act to increase the salary of the United States district attorney for the district of Connecticut;

H. R. 5989. An act to grant certain lands to the town of Olathe, Colo., for the protection of its water supply;

H. R. 8625. An act to accept from the Southern Oregon Co., a corporation organized under the laws of the State of Oregon, a reconveyance of the lands granted to the State of Oregon by the act approved March 3, 1869, entitled "An act granting lands to the State of Oregon to aid in the construction of a military wagon road from the navigable waters of Coos Bay to Roseburg, in said State," commonly known as the Coos Bay wagon-road grant, to provide for the dispositon of said lands, and for other purposes;

H. R. 12210. An act to amend the act of May 14, 1898, as amended by the act of March 3, 1903, entitled "An act to ex-

tend the homestead laws and to regulate the sale and entry of public lands along the shore of navigable waters in Alaska";

H. R. 12579. An act to grant to citizens of Malheur County, Oreg., the right to cut timber in the State of Idaho for agricultural, mining, or other domestic purposes, and to remove such timber to Malheur County, Oreg.;

H. R. 12881. An act to increase the cost of the public building at Eldorado, Kans.;

H. R. 13042. An act providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act; and

H. R. 13306. An act to authorize the payment of allotments out of the pay of enlisted men in certain cases in which these payments have been discontinued.

PETITIONS AND MEMORIALS.

Mr. MOSES presented a resolution adopted by the Central Labor Union of Portsmouth, N. H., favoring the extension of Federal control of railroads, express companies, and telephone and telegraph lines, which was referred to the Committee on Interstate Commerce.

He also presented a petition of Council No. 195, United Commercial Travelers of America, of Manchester, N. H., praying for the return to private ownership of the railroads of the country, which was referred to the Committee on Interstate Commerce.

Mr. FERNALD. I send to the desk a resolution adopted by Local Council No. 103, United Commercial Travelers of America, at a meeting held at Portland, Me. I ask that it may be printed in the RECORD and referred to the Committee on Interstate Commerce.

There being no objection, the resolution was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

PORTLAND COUNCIL, No. 103,
UNITED COMMERCIAL TRAVELERS OF AMERICA,
Portland, Me., January 6, 1919.

Hon. B. M. FERNALD,
United States Senate, Washington, D. C.

DEAR SIR: At the regular meeting of Portland Council of the United Commercial Travelers of America, held Saturday night, January 4, the following resolution was adopted:

"Whereas the emergency that existed making it necessary for the United States Government to take over the railroads of this country has ceased, and believing from our judgment founded on years of travel as commercial men that the people and business interests can be best served by private ownership, we ask that you, as our representative in Congress, use your best efforts to have the roads returned to their original owners under such restrictions as will be liberal and fair to them and just to the people whom they serve and whose servants they are."

A. M. MENISH, *Secretary.*

Mr. FERNALD. I also present a resolution adopted by Lithuanians at a mass meeting in Lewiston, Me., which I ask be placed in the RECORD without reading and referred to the Committee on Foreign Relations.

There being no objection, the resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

LEWISTON, ME.

Senator BERT M. FERNALD,
Senate Office Building, Washington, D. C.:

A protest resolution voted upon by the Lithuanians at a mass meeting, all parties being represented, held January 5, 1919, in Lithuanian Hall, No. 133 Lisbon Street, Lewiston, Me.

We, the Lithuanians of Lewiston and vicinity, hearing that the Polish Army threatens to take Vilna, the capital of Lithuania, met in Lithuanian Hall, January 5, 1919, and decided that:

Whereas Lithuania, since prehistoric times, embraces the Baltic coast as a separate country and nation, whose language and customs have nothing in common with those of Poland;

Whereas Lithuania having been for a long time an independent nationality and since 1772, when Russia and Germany enslaved her, Lithuanians have not ceased to fight for their rights;

And whereas this war was waged for the freeing of all nations;

Therefore a great wrong would be done to the people of Lithuania if some other foreign nation would be permitted to thrust itself into Lithuania.

Protesting against the imperialistic steps of the Poles, we beseech the United States to use its influence so that this attempt of Lithuania's adversary be checked, and the Lithuanians be permitted to have their own government. We further ask the United States Government, which so generously aids other war-suffering nations, to lend a hand in behalf of the starving people of Lithuania.

LOUIS BANIULIS,
Chairman of the Committee on Resolutions.

Mr. KNOX presented resolutions adopted by the Philadelphia Bourse of Pennsylvania and resolutions adopted by the Maritime Exchange, of Philadelphia, Pa., favoring the enactment of legislation for the development of the American merchant marine, which were referred to the Committee on Commerce.

He also presented a petition of sundry citizens of Harrisburg, Pa., and a petition of the Home Missionary Society of Nanticoke, Pa., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which were referred to the Committee on the Judiciary.

He also presented a resolution adopted by the allied Irish-American Societies of Pittsburgh, Pa., and a resolution adopted at a mass meeting of sundry citizens of Sharon, Pa., in favor of freedom for Ireland, which were referred to the Committee on Foreign Relations.

He also presented a petition of Beaver Valley Lodge No. 607, Brotherhood of Railway Clerks, of Rochester, Pa., praying for the extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

Mr. HALE presented a petition of sundry Lithuanian citizens of Lewiston, Me., praying for the independence of Lithuania, which was referred to the Committee on Foreign Relations.

He also presented a petition of Local Council No. 103, United Commercial Travelers of America, of Portland, Me., praying for the return to private ownership of the railroads of the country, which was referred to the Committee on Interstate Commerce.

REPORTS OF COMMITTEES.

Mr. MYERS, from the Committee on Public Lands, to which was referred the bill (S. 5191) for the relief of private owners of lands within or near the Bitter Root, Lolo, or Missoula National Forests, Mont., reported it with amendments and submitted a report (No. 639) thereon.

Mr. CHAMBERLAIN. From the Committee on Military Affairs I report certain amendments intended to be proposed to the bill (S. 5261) to legalize informal or defective orders for war supplies and materials, to provide for the cancellation of orders and contracts, for the reimbursement of contractors or manufacturers, for the adjustment of claims on canceled or partially filled contracts and orders, and to provide relief for contractors pending final determination, which I ask may lie on the table and be printed.

The VICE PRESIDENT. Without objection, it is so ordered.

MEDALS FOR THE NAVY.

Mr. SWANSON. From the Committee on Naval Affairs I report back favorably without amendment the bill (H. R. 12194) to provide for the award of medals of honor, distinguished-service medals, and Navy crosses, and for other purposes, and I submit a report (No. 638) thereon. This is a bill providing for the award of medals of honor and distinguished-service medals for those in the Navy. A bill similar to this providing for medals for the Army was passed last July, but no bill of this character has been passed for the Navy. It is very urgent that it should be passed as early as possible, as a great many of the officers and men of the Navy are being demobilized, and these honors may be properly conferred now, when it can be done more efficiently. I ask unanimous consent for the immediate consideration of the bill.

Mr. SMOOT. I should like to have the bill read.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to present, in the name of Congress, a medal of honor to any person who, while in the naval service of the United States, shall, in action involving actual conflict with the enemy, distinguish himself conspicuously by gallantry and intrepidity at the risk of his life above and beyond the call of duty and without detriment to the mission of his command or the command to which attached.

SEC. 2. That the President be, and he hereby is, further authorized to present, but not in the name of Congress, a distinguished-service medal of appropriate design and a ribbon, together with a rosette or other device to be worn in lieu thereof, to any person who, while in the naval service of the United States, since the 6th day of April, 1917, has distinguished, or who hereafter shall distinguish himself by exceptionally meritorious service to the Government in a duty of great responsibility.

SEC. 3. That the President be, and he hereby is, further authorized to present, but not in the name of Congress, a Navy cross of appropriate design and a ribbon, together with a rosette or other device to be worn in lieu thereof, to any person who, while in the naval service of the United States, since the 6th day of April, 1917, has distinguished, or who shall hereafter distinguish, himself by extraordinary heroism or distinguished service in the line of his profession, such heroism or service not being sufficient to justify the award of a medal of honor or a distinguished-service medal.

SEC. 4. That each enlisted or enrolled person of the naval service to whom is awarded a medal of honor, distinguished-service medal, or a Navy cross shall, for each such award, be entitled to additional pay at the rate of $2 per month from the date of the distinguished act or service on which the award is based, and each bar or other suitable emblem or insignia in lieu of a medal of honor, distinguished-service medal, or Navy cross, as hereinafter provided for, shall entitle him to further additional pay at the rate of $2 per month from the date of the distinguished act or service for which the bar is awarded, and such additional pay shall continue throughout his active service, whether such service shall or shall not be continuous.

SEC. 5. That no more than one medal of honor or one distinguished-service medal or one Navy cross shall be issued to any one person; but for each succeeding deed or service sufficient to justify the award of a medal of honor or a distinguished-service medal or Navy cross, respectively, the President may award a suitable bar or other suitable emblem or insignia to be worn with the decoration and the corresponding rosette or other device.

SEC. 6. That the Secretary of the Navy is hereby authorized to expend from the appropriation "Pay of the Navy" of the Navy Department so much as may be necessary to defray the cost of the medals of

honor, distinguished service medals, and Navy crosses, and bars, emblems, or insignia herein provided for, and so much as may be necessary to replace any medals, crosses, bars, emblems, or insignia as are herein or may heretofore have been provided for: *Provided*, That such replacement shall be made only in those cases where the medal of honor, distinguished service medal, or Navy cross, or bar, emblem, or insignia presented under the provisions of this or any other act shall have been lost, destroyed, or rendered unfit for use without fault or neglect on the part of the person to whom it was awarded, and shall be made without charge therefor.

SEC. 7. That, except as otherwise prescribed herein, no medal of honor, distinguished service medal, Navy cross, or bar or other suitable emblem or insignia in lieu of either of said medals or of said cross shall be issued to any person after more than five years from the date of the act or service justifying the award thereof, nor unless a specific statement or report distinctly setting forth the act or distinguished service and suggesting or recommending official recognition thereof shall have been made by his naval superior through official channels at the time of the act or service or within three years thereafter.

SEC. 8. That in case an individual who shall distinguish himself dies before the making of the award to which he may be entitled the award may nevertheless be made and the medal or cross or the bar or other emblem or insignia presented within five years from the date of the act or service justifying the award thereof to such representative of the deceased as the President may designate: *Provided*, That no medal or cross or no bar or other emblem or insignia shall be awarded or presented to any individual or to the representative of any individual whose entire service subsequent to the time he distinguished himself shall not have been honorable: *Provided further*, That in cases of persons now in the naval service for whom the award of the medal of honor has been recommended in full compliance with then existing regulations, but on account of services which, though insufficient fully to justify the award of the medal of honor, appear to have been such as to justify the award of the distinguished-service medal or Navy cross hereinbefore provided for, such cases may be considered and acted upon under the provisions of this act authorizing the award of the distinguished-service medal and Navy cross, notwithstanding that said services may have been rendered more than five years before said cases shall have been considered as authorized by this proviso, but all consideration or any action upon any of said cases shall be based exclusively upon official records now on file in the Navy Department.

SEC. 9. That the President be, and he hereby is, authorized to delegate, under such conditions, regulations, and limitations as he shall prescribe, to flag officers who are commanders in chief or commanding on important independent duty the power conferred upon him by this act to award the Navy cross; and he is further authorized to make from time to time any and all rules, regulations, and orders which he shall deem necessary to carry into effect the provisions of this act and to execute the full purpose and intention thereof.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. JONES of Washington. I wish to ask the chairman of the committee a question. I notice that the bill provides for some increase of pay. Was there a corresponding provision in the military act?

Mr. SWANSON. I understand there is practically the same provision in both the military and naval bills for the increase of pay of enlisted men who receive the medals.

Mr. JONES of Washington. I do not remember that there was any increased pay provided for those in the Army.

Mr. SWANSON. I inquired at the Navy Department, and they assured me that it is true.

Mr. JONES of Washington. If this corresponds with the military bill, I do not object.

Mr. SWANSON. I understand it does. I did not look up the matter specifically myself, but I made inquiry at the Bureau of Navigation, that had charge of the preparation of the bill, and they stated that there was practically the same increase allowed in the Army.

Mr. JONES of Washington. The Senator says "practically the same." Is it the same or is there a difference?

Mr. SWANSON. There is a little difference in pay between the Army and Navy.

Mr. JONES of Washington. What I have in mind is that this bill provides for the payment of $2 a month additional.

Mr. SWANSON. Two dollars, and I understand in the Army the enlisted men get $2.

Mr. JONES of Washington. That is what I wanted to know. I have no objection then to the bill.

There being no objection, the bill was considered as in Committee of the Whole.

Mr. SUTHERLAND. I should like to ask the chairman of the Committee on Naval Affairs why the first section of the bill is different in language from the following section in that it provides for men in future and not those who have already distinguished themselves in action.

Mr. SWANSON. The other sections of the bill provide that these medals shall be bestowed upon anyone who has done service that justify the awarding of the medal since the 6th of April, 1916, since the declaration of war was made. Outside of the congressional medals I understand that there is a law authorizing the awarding of medals and crosses. The other section of the bill as passed by the House authorizes these medals to be awarded in the future to anyone in actual service subsequent to the 6th of April, 1916.

Mr. KIRBY. I did not hear the bill read and I do not know anything about it. Does it only provide for the awarding of medals. Is that the purpose of the bill?

Mr. SWANSON. That is the purpose of it.

Mr. KIRBY. It does not increase the rank of anyone?

Mr. SWANSON. It does not increase the rank of anyone.

Mr. KIRBY. Nor the pay of anyone in the Navy?

Mr. SWANSON. No; except that the enlisted men who get these medals awarded have an increase of $2 a month in their pay.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

COURTS IN OKLAHOMA.

Mr. SMITH of Georgia. From the Committee on the Judiciary I report back favorably without amendment the joint resolution (S. J. Res. 208) providing that one term of the United States district court for the eastern judicial district of Oklahoma shall be held annually at Hugo, Okla. I ask the attention of the Senator from Oklahoma [Mr. GORE] to the joint resolution.

Mr. GORE. I ask unanimous consent for the present consideration of the joint resolution. It is purely a local matter.

There being no objection, the joint resolution was considered as in Committee of the Whole, and it was read, as follows:

Resolved, etc., That one term of the United States district court for the eastern district of Oklahoma shall be held each year on the second Monday in May at Hugo, in said State and district, and all acts and parts of acts not in accordance herewith are hereby modified in accordance with the provisions of this act.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LANDS IN MINNESOTA.

Mr. KELLOGG. Mr. President, referring to the bill (H. R. 79) for the sale of isolated tracts of the public domain in Minnesota, which I explained to the Senate the other day, I desire to say that the Senator from North Dakota [Mr. GRONNA] then desired time to look into the bill. I understand he has stated that he has now no objection to the bill. A bill similar to this once passed the Senate, and the bill for which I now ask consideration has passed the House. I ask unanimous consent that the bill be brought before the Senate for consideration and passage at this time.

Mr. GRONNA. Mr. President, I will say to the Senator from Minnesota that I have examined the bill, and, as it only affects a few isolated tracts of land in the State of Minnesota, I have no objection to its consideration and passage at this time.

The VICE PRESIDENT. The Chair will state to the Senator from Minnesota that the bill has not been reported to the Senate.

Mr. KELLOGG. I introduced such a bill the other day.

The VICE PRESIDENT. Yes; but the bill is at present in the hands of the Committee on Public Lands.

Mr. KELLOGG. Then I shall have to secure a report from that committee.

The VICE PRESIDENT. The Senator from Minnesota can move to discharge the Committee on Public Lands from the further consideration of the bill.

Mr. KELLOGG. I move that the Committee on Public Lands be discharged from the further consideration of the bill, and that it may now be considered by the Senate.

The VICE PRESIDENT. The Senator from Minnesota moves that the Committee on Public Lands be discharged from the further consideration of the bill the title of which will be stated.

The SECRETARY. A bill (H. R. 79) for the sale of isolated tracts of the public domain in Minnesota.

Mr. SMOOT. Mr. President, will the Senator from Minnesota state what reason there is why the Committee on Public Lands should be discharged from the consideration of the bill?

Mr. KELLOGG. The Committee on Public Lands has considered a bill exactly like this one and has reported it favorably. That bill passed the Senate; but instead of the other House taking up the particular bill which passed the Senate, it took up the House bill, passed it, and sent it over here. The two bills are identical, and I simply ask that this bill be taken up and passed.

Mr. MYERS. Mr. President, there has been so much noise in the Chamber that I could not hear the statement of the Senator from Minnesota. I will ask the Senator to again state his request.

Mr. KELLOGG. I desire to state, in reply to the inquiry of the Senator from Montana, that the Committee on Public Lands once considered a bill similar to the one for which I now ask consideration, and recommended its passage. The bill simply provides for the application of the general statute providing for the sale of isolated tracts of an Indian reservation of the Chippewas in the State of Minnesota, the sale of such lands having been heretofore provided for by other laws.

Mr. MYERS. I thank the Senator for his explanation.

Mr. KELLOGG. As I have stated, the Senate has passed a similar bill.

The VICE PRESIDENT. Without objection, the Committee on Public Lands is discharged from the further consideration of the bill and the question is, on the request of the Senator from Minnesota [Mr. KELLOGG], for unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read as follows:

Be it enacted, etc., That the provisions of section 2455 of the Revised Statutes of the United States as amended by the act of March 28, 1912 (37 Stat. L., 77), relating to the sale of isolated tracts of the public domain, be, and the same are hereby, extended and made applicable to ceded Chippewa Indian lands in the State of Minnesota: *Provided*, That the provisions of this act shall not apply to lands which are not subject to homestead entry: *Provided further*, That purchasers of land under this act must pay for the lands not less than the price fixed in the law opening the lands to homestead entry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LANDS IN MISSOULA COUNTY, MONT.

Mr. MYERS. I report from the Committee on Public Lands favorably and without amendment the bill (H. R. 9865) to authorize the sale of certain lands to school district No. 28 of Missoula County, Mont., and I submit a report (No. 637) thereon.

I desire to say a few words in explanation of the bill. The bill has passed the House and has come over to the Senate and is now favorably reported by the Senate Committee on Public Lands. The act opening the Flathead Reservation in Montana provided for the sale of a 10-acre tract of land to the town of Ronan, Mont., for school purposes, at not less than the appraised value, the funds to go to the Flathead Indians. The town of Ronan, however, is not the proper entity to which to convey the land. The conveyance should be to school district No. 28, of Missoula County, Mont., which should be the holder of title to the land. Under the laws of the State of Montana, the conveyance should be made to the school district. It is the district in which the town of Ronan is situate, but towns do not own land for school purposes in my State. This bill is merely to correct that error and to substitute school district No. 28, of Missoula County, Mont., for the town of Ronan. It will enable the 10-acre tract of land to be sold by the Secretary of the Interior, at not less than the appraised value, to school district No. 28, of Missoula County, Mont. The Interior Department urges that it be done. As I have already stated, the money is to go to the Indians, and Indian children are permitted to attend the school. So there is no objection whatever to the legislation. The Interior Department urges that the legislation be enacted promptly. In fact, a school building has already been erected on the land, on the supposition that the title to it would be made all right. I therefore report the bill and ask for its immediate consideration.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to sell and convey to school district No. 28, of Missoula County, Mont., the southwest quarter of the southwest quarter of the southeast quarter of section 36, township 21 north, range 20 west, on the Flathead Indian Reservation, in Montana, or so much thereof as may be required, for public-school purposes, under such terms and regulations as he may prescribe, at not less than its appraised value; and the net proceeds from the sale of said land shall be deposited in the Treasury of the United States to the credit of the Flathead Indians, to draw interest at the rate now provided by law, and to be used for the benefit of the Indians on the Flathead Indian Reservation: *Provided*, That the patent therefor shall contain the condition that Indian children residing in the said school district No. 28 shall at all times be admitted to the privilege of attendance and instruction on equality with white children.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AMENDMENT OF FEDERAL RESERVE ACT.

Mr. HITCHCOCK. Mr. President, I report favorably, with amendments, from the Committee on Banking and Currency the bill (S. 5236) to amend sections 7, 10, and 11 of the Federal reserve act, and section 5172, Revised Statutes of the United States, and I submit a report (No. 636) thereon.

I ask for the immediate consideration of the bill, the passage of which is urgently requested by the Federal Reserve Board. The committee has stricken from the bill some of the provisions which were asked for, so that the bill now only contains provisions which cover the following purposes:

First, to permit the Federal reserve banks to use their earnings and to increase their surplus until the surplus amounts to 100 per cent. The present law limits the surplus to 40 per cent, and that amount has almost been already reached.

The reason for desiring that the surplus may be increased is that the deposits of these banks have grown very largely, and also the note issues of the banks have grown, on account of the war very much beyond what had been anticipated, so that at the present time the Federal reserve banks of the United States have capital and surplus amounting only to 2 per cent of their total liabilities. This condition places them in an awkward position, particularly so far as any foreign relations are concerned. For instance, the Federal Reserve Bank of New York City has a capital of only $20,000,000. I do not remember exactly what its surplus amounts to, but it may amount to four million or five million dollars. It has, however, a capital of only twenty million. It has obligations greater than has the Bank of England, and yet the Bank of England has four times the capital of the Federal Reserve Bank of New York City. Therefore the Federal Reserve Board desires that these banks may be allowed to use surplus earnings year by year, including the year 1918 just passed—and that is the urgency of it—until the surplus aggregates 100 per cent.

I wish to say further that under the present law the surplus earnings, after the payment of 6 per cent dividends, are divided into two parts—one-half goes to creating additional surplus, which, however, is limited to 40 per cent, and the other part goes into the Treasury of the United States as a franchise tax, where it is used as a special fund either for the purchase of bonds or as a redemption fund for notes. It is an unimportant and unnecessary disposition of the money for that purpose, but if we are to have the Federal Reserve Banking System strong and to compare with the other great reserve banks of the world we certainly want a capital and surplus greater than 2 per cent.

Mr. GRONNA. Mr. President——

Mr. HITCHCOCK. I yield to the Senator.

Mr. GRONNA. I think it was understood that the third provision had relation to the engraving of signatures on notes.

Mr. HITCHCOCK. I am coming to that presently, if the Senator will wait.

Mr. GRONNA. Very well; but while I am on my feet, I wish to ask the Senator, who is acting chairman of the committee, if he is quite sure that the only change that this provision makes in existing law relates simply to the engraving of signatures on the notes? There was some question in regard to that.

Mr. HITCHCOCK. I can take that matter up now. The committee in ordering the report of the bill qualified it by saying that, as acting chairman of the committee, I must first assure myself that the third provision, which I have not read yet, related only to authorizing the use of engraved signatures and did not include anything else. That section is a reenactment of existing law, but the committee was not able to follow it out to the full extent. I telephoned to Gov. Harding, of the Federal Reserve Board, and asked him for a written statement on that point. I received his reply this morning—my colleague from Nebraska [Mr. NORRIS], who raised the point, has the letter—a reading of which convinces me that the provision changes the law in no respect except authorizing the engraving of the signatures on the notes instead of the names being signed, and it omits the authorization for $3 notes from the law, that provision being a dead letter. The Senator can see that letter if he so desires.

The other provision, which the committee reports favorably, provides for enlarging the amount of notes of any one customer that a Federal reserve bank can discount for a member bank. As the law is now a Federal reserve bank can only discount for a member bank notes of an individual customer of the member bank to the extent of 10 per cent of its capital and surplus; that is, if John Smith goes to a member bank, say a State bank, and discounts notes or borrows money to the extent of 20 per cent of the capital and surplus of the bank, that bank can only use one-half of those notes at the Federal reserve bank. This provision authorizes the Federal Reserve Board from time to time, by a general ruling covering all the districts, to permit the Federal reserve banks to discount for any member bank notes to the extent of 20 per cent of their capital and surplus for any one customer, provided United States bonds, in addition to the other securities, are deposited with the notes and bills so discounted.

The purpose of this is double—to facilitate the discount of notes and to afford an additional use for United States securities. The committee, on the motion, I think, of my colleague from Nebraska, struck out the provision which limited those securities to United States bonds issued during the recent war and provided that any United States bonds might be used as such security.

Mr. BORAH. Mr. President——

Mr. HITCHCOCK. I yield to the Senator from Idaho.

Mr. BORAH. This seems to be another step in the program of inflation.

Mr. HITCHCOCK. Well, Mr. President, I doubt that. I think it gives additional value to United States bonds. Where men have purchased in the stress of the war more bonds than they really were able to buy, it enables them to borrow money at their own banks, and it permits home banks to use those bonds as security if they wish to discount notes at the Federal reserve banks. It can only be done, however, in those cases where the Federal reserve bank authorizes it for all of the districts of the country.

I will say to the Senator from Idaho that I have stood strenuously in the committee against the repeated attempts that have been made to remove that limitation on borrowing. I believe that the banks ought not to be allowed to increase the amount of money they can loan to any one customer; but we have taken into the system a great many State banks, and under the State laws those banks are authorized in many cases to loan 20 per cent of their capital and surplus to a single customer on certain classes of security. So I yielded my judgment on this provision, and think no harm can come from it. It is in the direction of extending the credit of the Government; it is in the direction of maintaining the value of the liberty bonds that the people have in many cases been forced to buy.

Mr. SMOOT. Mr. President, will the Senator from Nebraska yield to me?

Mr. HITCHCOCK. I yield to the Senator from Utah.

Mr. SMOOT. Mr. President, there may be a few States in the Union that authorize the loaning of 20 per cent of the capital and surplus of a bank to one individual, but I can not recall a State that authorizes it. Generally the limit is 10 per cent, although in many cases it is 15 per cent, but 15 per cent is always considered rather extravagant.

Under this provision we authorize 20 per cent of the capital and surplus of a bank to be loaned to a single individual and the Federal Reserve Board to issue notes on the full face value, provided there are United States bonds back of them. States requiring by law that no larger amount than 10 per cent of capital and surplus shall be loaned to an individual can receive no benefit under this provision, if it should pass. It seems to me that it will simply give to a State that has authorized a loan amounting to 20 per cent of the capital and surplus to one individual an advantage over the State which has been conservative in the past in holding down extremely large loans to single individuals. On the face of it, Mr. President, I do not like it. There may be some special reason for it about which I am not informed, but I wish to say to the Senator now that from a casual reading of the bill I think it is very poor banking policy.

Mr. PAGE. Mr. President——

Mr. HITCHCOCK. I yield to the Senator from Vermont.

Mr. PAGE. Mr. President, referring to the amount which the banks may loan upon the security of Government bonds, my understanding is that in all the debates and discussions we have had in the last few months in regard to this matter we have stated that we wished to uphold and strengthen the position of the liberty bonds. Now, whether that is so or not may be a matter of debate. I am willing, however, to vote to allow banks in the Federal Reserve System to loan 20 per cent of their capital and surplus on liberty bonds. We must understand that to-day 2 per cent bonds, under the advantages given them, sell at 98 cents on the dollar, almost par, while poor people who have been urged to buy liberty bonds are compelled to accept 94, 96, and 98 cents on the dollar. I sincerely believe that we ought not to increase the amount which may be loaned on bonds by the amendment on lines 16, 17, 18, and 19 on page 3. I should like to have the Senator give me some information on that point.

Mr. HITCHCOCK. Mr. President, of course my request now is only for unanimous consent to consider the bill. When consent is given, it will be for the Senate to decide whether it will strike out that portion which is recommended by the committee giving preference to liberty bonds.

Mr. SMOOT. Mr. President, the statement made by the Senator from Vermont, I am afraid, will be misunderstood. This provision is not to enable loans to be made upon liberty bonds, but to enable loans to be made upon the paper of an individual who may borrow from the banks with an amount of liberty bonds to the face of the loan as security. That is what this provision is for. It is not a loan upon liberty bonds at all.

What I object to is this: I believe it is unwise and unsafe banking to allow banks in the United States to loan 20 per cent of their capital and surplus to any one individual or any one corporation. I make that as a broad statement, and I believe it is unsound to establish that principle. I think 10 per cent is safe, and in certain cases I am perfectly willing to say that it might be 15 per cent, just as many of the State laws have provided; but when it comes to saying that 20 per cent, one-fifth of all the capital and all the surplus of a bank, can be loaned to one individual, I say it is a poor business policy.

Mr. PAGE. Mr. President——

Mr. HITCHCOCK. I yield to the Senator from Vermont.

Mr. PAGE. I should like to have the Senator leave us clear about this matter. He says that under this provision 20 per cent of a bank's capital and surplus can be loaned to one individual.

Mr. SMOOT. Yes.

Mr. PAGE. I do not understand that this percentage may be loaned to anyone except on security of Government bonds.

Mr. SMOOT. Back of the loan that is made by the bank there are to be these liberty bonds, or under the provisions of this bill any other United States bonds can be held by the Federal Reserve Board as security for the payment of the loan. That is all this bill provides.

Mr. PAGE. But it really means that we are loaning on Government bonds, does it not?

Mr. SMOOT. Oh, no, Mr. President; we are virtually loaning to the bank. The transaction has to originate in the bank, and then the bank must have a similar amount in liberty bonds as additional security. That is all there is to it. It is authorizing the bonds to be deposited as security for the loan.

Mr. PAGE. But it is really an inhibition against loaning money to anybody up to the amount of 20 per cent unless there are Government bonds behind the transaction.

Mr. SMOOT. Of course, I think the Federal Reserve Board will see to that. I am not objecting to that. I think these bonds are the very best security. There could not be better security. What I am objecting to is the unsound business policy of allowing a bank to loan one-fifth of its capital and surplus to one individual.

Mr. SWANSON. Mr. President, I should like to ask the Senator by whom this legislation is recommended. Is it recommended by the Federal Reserve Board?

Mr. HITCHCOCK. It is recommended by the Federal Reserve Board, and it is rather an urgent matter, not only because they want to have it apply to the surplus which has been accumulated during the year 1918 but because they want to give relief to those people who, under stress of great agitation, have gone to their banks and borrowed money to purchase United States liberty bonds. They do not want those people compelled to throw those bonds upon the market and sell them. They want to permit them, under regulations of the board, to use them as security for maintaining their loans.

Mr. SWANSON. Is any limit contained in the bill as to the time in which this can be done? Is any limited number of years prescribed?

Mr. HITCHCOCK. No; but it is provided that upon the affirmative vote of not less than five of its members the Federal Reserve Board shall have power from time to time, by general ruling covering all districts alike, "to permit Federal reserve banks to discount for any member bank," and so forth. It is a temporary matter, to be used when it is necessary to relieve the country on account of the purchase of these bonds.

Mr. SMOOT. I want to say this further to the Senator: This would never affect an individual who had not bought more bonds than one-fifth of the capital and surplus of the bank upon which the loan could be made; and, Mr. President, the policy has always been for a bank to accommodate not merely one person in the community in which it is located, but to accommodate all of the people in that community, and therefore the law has justly held that it was unwise to allow a bank to loan more than 10 per cent of its capital and surplus to any one person. As I said, however, in some instances the limit has reached as high as 15 per cent. That is the principle involved in this proposition that I do not like.

Mr. SWANSON. Mr. President, I should like to make this suggestion to the Senator——

Mr. HITCHCOCK. What the Senator from Virginia says is very true. It is only intended as a temporary expedient from time to time, when by the affirmative vote of five members of the board it is deemed desirable to do it. It will only be a temporary matter.

Mr. SWANSON. At the present time, when people all over the country have bought bonds with the understanding that their loans would be renewed by the banks two or three times before payment would be required—and, of course, they made the purchases largely on borrowed money, and a great many of these notes were discounted by the Federal reserve banks—I can see where there is necessity for legislation to prevent peo-

ple who thus bought bonds from having to sacrifice them; but it does seem to me to be inconsistent with the principles of sane banking to allow for a long time to come—for years to come—big borrowers to get 20 per cent of all the capital and surplus of a bank; to allow, for years and years to come, big borrowers to absorb all the money in the market and let the small manufacturers and merchants and people conducting other enterprises be debarred from borrowing. That is legislation that I think ought to be avoided.

It seems to me that if we should limit this to a certain length of time, so as to get rid of the present conditions in connection with the sale of liberty bonds, it would be wise; but to have a law passed under which for all time five or six big borrowers in any community can take the resources of a bank and absorb them and small borrowers will have no opportunity to go there and get their notes discounted would be unwise legislation. It seems to me that the committee ought to limit this to meet the present emergency.

One of the great advantages of the Federal Reserve System to the entire country was the fact that it limited loans to 10 per cent. Nobody could get in excess of 10 per cent of the capital and surplus of a bank; so the money was in the bank, and small manufacturers and merchants and the masses of the people, this fund being unabsorbed by large borrowers, were able to get bank accommodations. I can see that the Senator is right in saying that something ought to be done to relieve this emergency; but I should like to see the legislation limited to a certain number of years during which this privilege can be extended.

Mr. HITCHCOCK. Personally I am disposed to agree with that view of the case. I will say to the Senator that I have made, not once but repeatedly, fights in the committee to oppose the modification of the law limiting individual loans to 10 per cent; and personally I should be glad to support the proposition of a three-year limit.

Mr. SMOOT. I will say to the Senator that this provision is going to apply to only a very few people in the United States. If a bank's capital and surplus is a million dollars, 20 per cent of that is $200,000. Fifteen per cent, under the laws of the States now, is $150,000; and there are very few people in the United States who have bought $150,000 worth of liberty bonds and borrowed money to carry them.

Mr. SWANSON. Mr. President, this emergency has arisen: A manufacturer or a merchant needs so much money to conduct his business. Heretofore he has been doing it under the 10 per cent limitation of the Federal reserve act. But these manufacturers and merchants and people who have bought these bonds not only have to take care of their business now, but they have to take care of the bonds until they can be paid for. Consequently under those circumstances they might need 20 per cent now to take care of their business and to prevent the sale of these bonds. It seems to me that if we should limit this provision to two years or three years we would get rid of this emergency, and we would not have a law here that could be used for the next 20 years to give the entire resources of a bank into the hands of a few of these big borrowers.

Mr. SMOOT. Mr. President, I am going to ask the Senator if he will not allow this bill to go over. If it is absolutely necessary to have legislation of this kind I am not going to object; but I really believe it would be better for the United States, in the few cases that will be affected by this bill, to compel the borrowers, if necessary, to sell their bonds upon the market rather than to have put upon the statute books here a provision stating that 20 per cent of the capital and surplus of a bank can be loaned to one individual.

Mr. POMERENE. Mr. President—

Mr. HITCHCOCK. I yield to the Senator from Ohio.

Mr. POMERENE. I am not going to oppose the consideration of this bill at the present time, but I want to make my position clear to the Senate.

I am in favor of the first section of the bill, which provides for the increase of the capital of the reserve banks, because I realize that one of the criticisms of this system was that probably we did not provide a sufficient capital for the Federal reserve banks at the time the legislation was enacted, and I think that appeals with a very great deal of force to foreign banking interests; but I am unalterably opposed to the second section of the bill. I do not think this country is interested in having some one get off of the Federal Reserve Board and immediately get into one of these member banks, and I am opposed to it.

As to the third proposition, the effect of it is going to be this: It is going to encourage the loaning of all the deposits of member banks to five borrowers. That is what it means; and I will never give my consent to that provision.

It is true that some reference is made here to the bond market, to the effect that we want to increase the use of these bonds. Of course, I am in harmony with that; but if one of these member banks has a large number of Government bonds it is not necessary for that bank to go to a regional reserve bank in order to use those bonds. It can either go out in the market and sell them, or it can go to other banks and get accommodations there with that security. I can never give my consent to a proposition which means that any bank can invite deposits from all of the community, and then loan out all of these deposits to five men. It is vicious banking; and while I have the profoundest respect for the Federal Reserve Board, I never can give my consent to a modification of the law which will permit that method of banking.

Mr. HITCHCOCK. Mr. President, the Senator is mistaken in saying that it is proposed to allow any bank to loan out all of its deposits to five men.

Mr. POMERENE. No, Mr. President; I simply said that it encourages that proposition. That was my statement.

Mr. HITCHCOCK. It may have only $100,000 capital and it may have $1,000,000 of deposits. If it loans $20,000 to each of five men, it has only loaned $100,000, and it still has $900,000 to loan, or at least it has several hundred thousand dollars.

Mr. POMERENE. I do think that to that extent my statement should be corrected.

Mr. HITCHCOCK. But at the present time all I am asking for is the immediate consideration of the bill; and if the Senate wants to adopt only the first provision I am willing to submit to that by a simple vote, without any discussion, so far as that is concerned.

Mr. SMOOT. Mr. President, I do not want to go that far; but I do want the Senator to let the bill go over, and then I want a little time to study it more than I have in the casual reading of it to-day. So far as the Senator from Nebraska is concerned, he can bring it up to-morrow.

Mr. HITCHCOCK. Unfortunately, the Senator from Nebraska can not do that. He is leaving town to-night; and the board is very urgent about this, because the surplus earnings of 1918 are the ones as to which Congress has got to say now, or very soon, what shall be done with them.

Mr. SMOOT. I am perfectly willing to vote for the enactment of that provision, because it tends toward safety. Nobody will object to that. If the balance of the bill is stricken out, as far as I am concerned, it can pass right now—I mean with only that one provision in it.

The VICE PRESIDENT. Have the Senators agreed on what shall pass?

Mr. HITCHCOCK. I do not know that that can be done very well by unanimous consent.

Mr. SMOOT. The safest way is to let the bill go over. I object to the consideration of the bill.

The VICE PRESIDENT. The bill will be placed on the calendar.

THE COAL SITUATION.

Mr. SMOOT. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably without amendment Senate resolution 405, submitted by the Senator from Mississippi [Mr. VARDAMAN] on the 31 instant, and I ask for its immediate consideration. I will say that it will not lead to any discussion.

The resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That S. Res. 374, instructing the Committee on Manufactures to make inquiry into the coal situation, its production, transportation, and consumption, to require the attendance of necessary witnesses, the production of books, documents, and papers, etc., be, and it hereby is, amended so as to authorize the employment of counsel to assist in the inquiry aforesaid.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and, referred as follows:

By Mr. JONES of Washington:

A bill (S. 5306) to recognize the patriotic services of members of the district and local draft boards of the United States; to the Committee on Military Affairs.

By Mr. NELSON:

A bill (S. 5307) for the relief of the Red Wing Brewing Co.; to the Committee on Claims.

By Mr. SWANSON:

A bill (S. 5308) for the relief of the Eastern Transportation Co.; to the Committee on Claims.

By Mr. NORRIS:

A bill (S. 5309) granting a pension to Erastus A. Buck; to the Committee on Pensions.

By Mr. LA FOLLETTE:

A bill (S. 5310) granting an increase of pension to Charles F. Hahn (with accompanying papers); and

A bill (S. 5311) granting an increase of pension to Henry L. Barnow; to the Committee on Pensions.

By Mr. KNOX:

A bill (S. 5312) to donate a piece of field artillery to Girard College, of Philadelphia, Pa.; to the Committee on Military Affairs.

By Mr. SPENCER:

A bill (S. 5313) authorizing the Secretary of War to acquire and maintain a cemetery in France in the name of the United States for the reception and interment of the bodies of American officers and men who lost their lives in connection with the European war, and to appropriate $500,000 therefor, and for other purposes; to the Committe on Foreign Relations.

By Mr. FLETCHER:

A bill (S. 5315) authorizing the Secretary of War to deliver one cannon to the city of Orlando, in the State of Florida; to the Committee on Military Affairs.

By Mr. JONES of Washington:

A bill (S. 5316) granting the consent of Congress to Wenatchee-Beebe Orchard Co. to construct a bridge across the Columbia River at or within 4 miles northerly from the town of Chelan Falls, in the State of Washington; to the Committee on Commerce.

REPEAL OF ESPIONAGE ACT.

Mr. FRANCE. I introduce a bill and give notice that at the close of the morning business to-day I shall ask to submit some brief observations upon it.

The bill (S. 5314) to repeal "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," and the act amendatory thereof, was read twice by its title.

THE GREEK SITUATION.

Mr. GRONNA. I present resolutions from a Greek association. They are brief, and I ask that they may be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

AN IMMEDIATE APPEAL TO AMERICA BY THE PEOPLE OF GREECE.

To whom it may concern:

In view of President Wilson's principle of "self-determination," as enunciated by him in his desire to see justice established in a free world, the people of Greece, as well as the 3,000,000 unredeemed Greeks now under Turkish and Bulgarian rule, feel that the people of America will take a special interest in the danger which threatens the just cause of Hellenism through the continued German and Bulgarian influence, which is still being exerted and always will be, in some form or another, unless the present favorable opportunity is seized of checking once and for all this evil tendency.

Up to the present time, owing to the lack of communications, very little information has apparently reached this country with regard to the heroic part played by the Greek Army in the military operations which led to the complete defeat of the Bulgarian forces on the Balkan front. And yet, it should be borne in mind that it was the mobilization and actual presence on the front of the Greek Army which rendered the general offensive on the Balkan front possible, while, on the other hand, the excellent conduct of the Greek soldiers, their bravery and discipline, their surprising rapidity in attack and pursuit, and, generally, their first-rate military qualities, have repeatedly been the object of unstinted praise and admiration on the part of the commanding French and British generals, who did not hesitate to assign to the Greek Army an important share in the final victory.

Of the hardships and sufferings endured by the Greeks under Bulgarian rule, and for centuries under Turkish tyranny, there is, of course, much to be said. Their history is but one long reign of terror, a good idea of which can be gained from Mr. Ward Price's dispatch to the New York Times, which has thrown a flood of vivid light on what has hitherto been willfully shrouded in darkness, and has revealed to the world at large the truth about the inhuman savagery of the Bulgarians. As the Times editorial of November 20 aptly says: "It is a horrible story, but Americans may read it with profit." Certainly, when the whole truth becomes known, the American people will realize that the fate of the inhabitants of Belgium and northern France during these last four years of German occupation has in no way been more terrible than that of the Greeks under Bulgarian and Turkish rule.

Abandoned by indifferent Europe in 1453, in the face of overwhelming Turkish hordes, the enslaved Greeks of the Ottoman Empire, in whose native language the gospels and epistles of St. Paul were written, still remain to-day the sole bulwark of the Christian faith in the East, while their achievements, under the most adverse conditions, in commerce, science, and all intellectual spheres, are such as to warrant unlimited faith in their rapid development, when the shackles of tyranny are lifted. To quote from a letter written by President Wilson to Mr. Frank W. Jackson, chairman of the relief committee for the Greeks of Asia Minor: "Their steadfast allegiance to their Christian faith in the face of every inducement and threat to abandon it, commends them most strongly to all who believe in the principles of religious freedom, and their adherence to the ideals of constitutional government should make them peculiarly the object of the cordial sympathy of the American people, the foundation stones of whose political structure are freedom and liberty."

Now, that the supreme moment is at hand, when, at the peace table, the fate of Hellenism will be decided, enemy influences are being exerted to mislead the American people and to circumvent the rules laid down by President Wilson, whereby all people should be free to determine for themselves their own existence. Therefore we say, let the American people be on their guard and, with wise discrimination, pluck forth this poisonous weed and in its place sow the seeds of everlasting love and gratitude, that will unite forever the people whose ancestors more than 2,000 years ago first established and used this Greek word "democracy," and the great free Nation of the New World, which has carried the old idea to its present perfection.

All we ask for is justice, the return to their motherland of the following unredeemed Greek regions:

1. Epirus, including Himara, Koryza, Kastoria.
2. Macedonia, including the purely Greek towns of Nauthi and Dedeagatch.
3. Thrace, including Constantinople and the country surrounding the sea of Marmara.
4. Asia Minor, Smyrna, and the contiguous territories, inhabited by nearly 2,000,000 Greeks.
5. The islands of the Dodecanese, which are inhabited only by Greeks, with the exception of 11,000 Turks in Rhodes and Cos and 4,000 Jews in Rhodes.

In thus pointing to the injustice so long endured by Greece we appeal to the American people to make use of every constitutional means at their disposal in order that the glorious deed of restitution should be accomplished; we appeal to them to make their wishes known to their Representatives in Congress, both by letter and telegram, so that the principles upheld by their President should be vindicated the whole world over and become an article of faith for regenerated mankind when the Prince of Peace shall have come into His own.

JOHN N. METAXA,
Former Governor of Salonika, Greece.

REPUBLIC OF COSTA RICA.

Mr. MOSES. I present an address presented to the President of the United States by the President of the Senate of Costa Rica, and I ask that it may be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SECRETARY OF THE CONGRESS,
SAN JOSE OF COSTA RICA, *21 November, 1918.*

His Excellency PRESIDENT OF THE UNITED STATES OF AMERICA,
Washington:

In fulfillment of the resolution that was unanimously, by acclamation, adopted by the Senate and Chamber of Deputies of this Republic, at the session of the 19th instant, and as an interpretation and manifest spirit of that resolution, we have the honor to address the following communication to your excellency, by wireless telegraphy, whilst a formal transcription thereof is proceeding by mail:

"Upon the proclamation, through the illustrious medium of your excellency, of the very beautiful program of ideals for men, for nations, and for humanity, the United States of America entered upon the gigantic conflict of the world war, originally provoked in defense of the rights of small nationalities.

"Adopting those beautiful ideals, and acting through a lofty sentiment of continental solidarity, the little Republic of Costa Rica, through the medium of its constitutionally organized powers, declared a state of war to exist between it and the German Empire, in order thus to profess its profound sympathy and unconditional support of the doctrines proclaimed by the allied nations—this being the extent to which, because of its size and the meagerness of its sinews of war, Costa Rica could aid.

"Costa Rica to-day celebrates with the greatest enthusiasm the favorable outcome of the war and, with the most sincere rejoicing, the triumph of the doctrines proclaimed by your excellency and by the American armies gloriously established upon the fields of battle.

"Your idea of the league of nations is firmly grounded on mature considered as a social factor and is altogether an indispensable complement to the establishment of the loyal and enduring peace throughout the world.

"Such a peace you have admirably planned to found upon three immovable bases; the right of peoples to freely govern themselves; the right of nations to freely control their destinies; and the right of humanity to freely pursue the course of its perfection.

"Your conception works for redemption and for this reason, chiefly, Costa Rica, fully aware of the consequences, did not hesitate to align itself by the side of her great sister whose destiny so brilliantly directed in this awful conflict, must be the betterment of humanity.

"In these memorable moments in which your excellency raises on high the standard of humanity this small country ventures to acclaim the fact of its devotion to that standard, because the fundamental principles which you have written upon that banner have been at all times adhered to by the Republic of Costa Rica; its people now and always have freely chosen its governors; as a nation it has always been able to maintain its sovereignty with dignity and prestige; as an integral part of the world it has never placed obstacles in the way of others, but, on the contrary, it has contributed, within the small means at its disposal, to the progressive march of humanity.

"Costa Rica, through the medium of its legally constituted representatives, expresses the hope that your excellency will accord to our Government the place in the family of sovereign nations to which it is entitled, for Costa Rica has always respected the rights of peoples, of nations, and of humanity.

"To this end the Senate and Chamber of Deputies has authorized us, under the circumstances, to respectfully inform Your Excellency and the Congress of the United States of North America that the Government of Senor don Federico A. Tinoco, as well as all powers instituted thereunder, are constituted by the suffrage of the Costa Rican people, convoked in free election, extended to all the peoples by which said Government, as well as all constituted authorities, exercise their functions; that the Government of Senor Tinoco, as well as the legislative and judicial powers of this Republic, are not only founded upon incontestable legality but legally exercise their functions and for that reason are justly entitled to look for recognition by other States.

"The investiture of President Tinoco and other members of the legislative and judicial powers with their respective authority is based upon the suffrage and the fundamental law.

"Such, then, is the correct aspect in which the political situation of the Republic should be viewed, and it is respectfully brought to Your Excellency's attention in order to realize the aspiration of the Costa Rican people which the Congress has embodied in the resolution. It justly claims the honor and the benefit of recognition on the part of nations that so far have not deigned to favor this country with official

relations, and for that reason the legislative bodies hope that such decisions will be favorably considered by Your Excellency, who is the apostle of equality and liberty of nations, and who has made his apostolicy felt in a form that will be preserved ever after in history."

We are Your Excellency's most respectful servants,

DR. RAFAEL CALDERÓN MUÑOZ,
President of the Senate.
LIC. FRANCISCO FARRON,
President of the Chamber of Deputies.
RICARDO COTO FERNANDEZ,
DR. FRANCISCO A. SEGREDA,
Secretaries of the Senate.
JULIO ESQUIVEL,
FRANKLIN JIMÉNEZ,
Secretaries of the Chamber of Deputies.

INTERNATIONAL RELATIONS.

Mr. CHONNA. I present a sort of a brief entitled "Reciprocal Representation in the World's Assembly and International Bonding Remedies against Recurrence of War," by Emil G. Beck, M. D., of Chicago, Ill. It contains, I think, some very useful suggestions, and while I do not want to say that I either approve it or disapprove it, I ask that it may be printed in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

RECIPROCAL REPRESENTATION IN A WORLD'S ASSEMBLY AND INTERNATIONAL BONDING REMEDIES AGAINST RECURRENCE OF WAR.

[By Emil G. Beck, M. D., Chicago, Ill.]

The essential points:

A. An international legislative body, with judicial powers, chosen by reciprocal method: Each nation to send at least seven representatives, but instead of choosing all members from its own citizens each nation to select two from its own country and one from each of five foreign countries. This reciprocal method of choosing representatives will form an extraordinary assemblage of statesmen who will form a very impartial world's parliament and not likely to form cliques.

B. All nations to enter into a universal alliance treaty (bond) which contains the provisions against hostilities between nations and which is secured by heavy bonds of the cosigners—bonds not their own issue.

C. A suggestion for the formation and economical upkeep of an international army (reciprocal) which in peace times serves as a national police and serves part time in foreign countries.

In his epoch making address of January 22, 1917, President Wilson said:

"In every discussion of the peace that must end this war it is taken for granted that the peace must be given by some definite concert of power which will make it virtually impossible that any such catastrophe should ever overwhelm us again. Every lover of mankind, every sane and thoughtful man, must take that for granted."

This lofty declaration of our President, no doubt, voices the most intense desire and sentiment of every well-meaning person. The only excuse for a repetition of this terrible catastrophe would be the failure of the nations to devise a plan by which future wars would be made impossible.

The world's greatest statesmen and political economists are now at work devising plans by which a fraternity among all nations may be maintained, of which the league of nations stands foremost. In the upheaval and chaos which exist at present the task is most difficult, but they have already defined the principles on the bases of which the problem will be worked out.

The main obstacle to a lasting peace is the fact that it is almost impossible to secure a court of arbitration which would be regarded by all nations as absolutely impartial. It lacks in one essential, namely: It does not provide against the possible danger of combinations by the representatives from the different countries who, in deciding matters of vital interest, might cast the weight of their votes to that country to which they owe allegiance. A nation is not willing to submit its case for arbitration to a body of judges unless they are convinced that in the hands of these judges its interests would be safeguarded to at least the same degree as they were before being placed before these judges.

A world's court, composed of delegates chosen by each country from its own citizens, when put to a test is likely to fail in its mission. Men with the highest ideals and regard for the rights of others, with the best intentions to be impartial, will, when the fate of their own country is in the balance, sway to the side of their native land. A Frenchman will remain a Frenchman, a German will remain a German, and a citizen of the United States will always remain a true American when his own country is in danger. Men who can divest themselves of the love for their native land in order to become international citizens are yet to be found; in times of peace, possibly, but when the country which gave them birth and education and protection is endangered their instinct will paralyze their impartiality and they will cling to their mother country. Quoting Prof. Adler: "The judges you secure may be upright men, but the bias in the blood will tell. We had this exemplified amongst ourselves in the case of the Hayes-Tilden Commission. The country was on the verge of civil war. It was finally decided to pass the matter in dispute over to 15 jurists, the best in the country. No one doubted their uprightness nor their disposition to be fair. But every time they voted on a material question the commission stood eight to seven—eight Republicans to seven Democrats. And the impartial historian says that it was the bias of party which in this crucial instance, though they were not conscious if it, gave direction to the legal mind."

Since it is the duty of every thoughtful citizen to be helpful in solving this intricate problem, I hope it will not seem presumptuous for a man of the medical profession to contribute his small part in its solution.

The plan herein submitted does not come into competition with or overthrow any of the plans proposed by others; it simply adds several new ideas. It is based upon two fundamental principles:

First. That reciprocity is a most potent factor in retaining the friendship of your neighbor.

Second. That a bond is stronger than a mere promise.

Both these principles are embodied in the plan—one in the formation of an impartial international legislative and judical assembly, choosing its members reciprocally, and the other suggesting an international alliance treaty secured by heavy bonding.

INTERNATIONAL LEGISLATIVE BODY WITH JUDICIAL POWER (RECIPROCAL).

This assembly shall, as far as possible, consist of representatives from all countries. But instead of each nation electing its representatives from its country alone each should choose two from its own and five additional representatives from other nations, but no more than one from any one foreign country. Thus all nations would have an opportunity in time of peace of choosing men well known to them, in whose integrity and honesty they have the fullest confidence and to whom they would unhesitatingly submit matters of international dispute and by whose decision they would abide.

By this system of choosing representatives the danger of partiality to one's own country would materially diminish. Each representative would then consider it a point of honor to deal fairly with the country which placed implicit confidence in him. As a matter of self-interest he would act squarely and impartially, because his own country is in turn dependent upon the honesty and fairness of the foreign representatives his own country selected. Such interlocking representation would thus blend the interests of all nations, and the personal contact of the representatives would inevitably result in a very friendly relationship among nations. Reciprocity of delegates would thus create the strongest link possible between the powers, each realising that it is to their mutual interest to treat one another with fairness and justice.

A very valuable suggestion was offered to me by one of the United States Senators to whom I submitted this problem, namely, that this assembly would necessarily have legislative power as well as judicial, since they could not decide international disputes unless they had international laws and rules as a basis for their discussions. He states:

"It is apparent, therefore, that the first step is a great international legislature rather than an international court, a legislature that shall determine and agree upon fundamental international rights which in themselves will include fundamental international duties of the countries toward each other. Having determined just what these rights are, having by the very instrument itself pledged all to protect the rights of each, then, and then only, can we provide for a great international court which must be guided by those fundamental rights and corresponding duties. Nations are free. Nations must agree together just to what extent the freedom of each may be curtailed. Having entered into that agreement there will be little difficulty in providing for an international court to decide all of the minor questions of differences under the guidance of this supreme international law."

Since the assembly would be composed of the ablest and most high-minded men in the world, the legislative duties could also be intrusted to them so that it would not only dispose of cases of international litigation but would also pass new international laws and work out other problems relating to the welfare of the whole human race.

Furthermore the nations joining this international brotherhood would no more surrender any part of their sovereignty than the original thirteen Colonies gave up their State rights when they formed the United States.

The members of this international assembly might select from their midst a smaller number, say 15, to form an international supreme court of appeals, to whose final decision any dispute might be appealed should it fail to obtain satisfactory settlement by the international court of justice.

This legislative and judicial assembly, once established, would systematize international administration similar to that of a democratic government.

INTERNATIONAL ALLIANCE TREATY.

When the belligerents meet to adjust their differences one question will stand out most prominently, namely, What measures shall be taken to compel all nations to live up to their treaties? New treaties will have to be entered into, and here the difficulties will arise. At present, treaties are not regarded with the same sacredness, confidence, and respect by all the powers as they were before this war. Striking examples have given us sufficient proof of this fact. Nations will now be reluctant in signing new treaties unless they receive the absolute assurance that some power even greater than the sword will compel the cosigners to live up to their agreements. They will demand a positive guarantee that the papers they sign are not mere formalities, which might again be thrown into the wastebasket when at any time the terms of the treaty do not suit one or the party to the contract.

What satisfactory guarantee could be given to induce the powers to sign treaties and abide by them? To this question I desire to make the following suggestion:

Let the nations enter into a treaty which shall be so carefully worked out as to cover all the essential points necessary to maintain peace and secure its fulfillment by demanding the cosigning nations to put up a bond. The terms of such a treaty must necessarily cover many points embodying a code of international laws to be drafted by the international assembly.

Certain basic and essential principles must be included, some of which I mention herein:

First. All international disputes shall be submitted to the international assembly described above.

Second. In case the verdict of the international assembly be rejected by one of the contestants, it shall be submitted to the international court of appeals, whose decision shall be final.

Third. To prevent the violation of this international alliance treaty, each country shall deposit a most substantial interest-bearing bond.

Fourth. Gradual disarmament of all nations to such a degree as to leave an army and navy for protection against internal violence and international police only.

Fifth. All countries shall be prohibited from manufacturing armament and munitions to any greater extent than agreed upon by the international assembly.

A serious violation by a nation of the international alliance treaty shall constitute sufficient cause for the forfeiture of its bond. As to what should be done with the forfeited bonds is a question which could easily be decided by those elaborating on the treaty. It could either be used for current expenses of the international assembly or in paying indemnities to any nation which has been unjustly attacked or injured, or for other purposes.

Special treaties between individual nations need not be secured by any additional bonds, because all questions of dispute would be settled by an international assembly and its decision made binding.

The bonds shall be placed in the hands of an international board of trustees, chosen by all the countries which enter into this international agreement.

The objection that a nation might repudiate its bond should a real emergency arise is met by the provision that the bonds furnished should not be paper of its own issue but securities issued and purchased from other countries, thus making their repudiation practically impossible.

To illustrate the latter proposition: Germany, for instance, would deposit securities purchased from other countries. The amounts purchased from each country to be so proportioned as to furnish a variety of securities of as many countries as possible—for instance, 10 per cent of French bonds, 10 per cent of English bonds, 10 per cent of United States bonds, 5 per cent of Swiss bonds, 5 per cent of Argentine bonds, 60 per cent of all other countries, government or industrial.

England, Russia, the United States, and all other countries entering the alliance to do likewise. The aggregate value of deposit by each nation must be so large as to make it prohibitive for that nation to forfeit it.

Judging from the opinions of statesmen and professors of international law to whom a previous copy of this paper has been submitted, I am confident that an international assembly chosen by the reciprocal method and a joint treaty of all nations diplomatically constructed (with the additional safeguard of a heavy bond against its violation) would be a sure step toward the realization of a lasting peace.

AN INTERNATIONAL RECIPROCITY ARMY.

We must, however, bear in mind that in the present turmoil it would be inexpedient to make a very radical reduction in the naval or military strength of the world. Radical changes must not be made suddenly; improvement must take place by a slow process. For this reason it will be necessary, for the present, for each country to maintain a certain military and naval force until there is a readjustment of present international affairs. Time will change conditions; the relations among nations will again become fraternal, but until such time we must retain a weapon aside from these agreements. A more potent restraint must be kept as a safeguard in order to check an ambitious belligerent who might suddenly break all rules and promises should he become involved in a controversy which he believes is not adjudicable.

If, then, for the present, it is absolutely necessary to retain a certain amount of force as a safeguard, could we suggest some practical and economical upkeep of an international army?

If the nations were assured that they could count upon each other for their combined but small forces against an aggressor, it would be entirely superfluous for each of them to maintain a large military organization. On the other hand, if each nation must individually protect its own rights and interests, each would be obliged to maintain an army so large that at any time it might be pitted against a combination of other powers who are equally prepared. This stupendous competition for preparedness is absorbing the greater part of the energy and the savings of the human race. They are now kept busy devising plans to kill human beings and destroy property, instead of being employed in the wholesome pursuits of life and in the development of the races. A small force allotted to each nation in its proper proportion would be just as effective in deciding the so-called "nonadjudicable" questions as a large force on each side, and it would be vastly more economical. I would, therefore, suggest a plan which would be most economical and at the same time sufficiently effective to check any attempt on the part of any nation to create war.

A. Each nation to have a standing army of well-trained, well-paid soldiers, not larger than is actually necessary to protect itself against internal disturbances.

B. The size of this army should be in proportion to the population.

C. The armies of all countries should have a combined general staff, so that the armies may be trained on the same principles of warfare and should be so organized that on the shortest notice a call would bring together a force large enough to check an unjust aggression.

D. Finally, a number of regiments of the army of one country should be stationed in different sections of foreign countries for a stated period. For illustration, an American soldier would serve one year at home, six months in France, and six months in Germany, and the French or German soldier would have a like experience. This would give all armies an equal chance to perfect themselves in military training and become acquainted with the military tactics of allied countries. At the same time, the military force of all countries would become familiar with the terrain of the various countries, which, in case of a sudden outbreak of war, would be of great advantage to the combined powers in checking the aggressor.

Such military education might create a friendly spirit among the different armies. It could work out in a manner similar to that of the reciprocal representation of jurists of all countries. Aside from policing the country in peace times, the armies could be of service in many ways as teaching citizenship to immigrants and maintaining a merchant marine.

I realize that this plan is not worked out in detail, and there are, no doubt, many points not covered. But if I have succeeded in convincing those who are now studying this question, that reciprocity is fundamental for international harmony, and that bonds will be an added safeguard against the recurrence of war, I will be satisfied that I have helped in bringing this problem nearer its solution.

EMIL G. BECK, M. D., F. A. C. S.,
802 Lake View Avenue.

LIGNITE COAL.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 3220) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat to determine the practicability of their utilization as a fuel and in producing commercial products.

Mr. HENDERSON. I move that the Senate disagree to the amendments of the House and request a conference with the House on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to, and the Vice President appointed Mr. HENDERSON, Mr. WALSH, and Mr. POINDEXTER conferees on the part of the Senate.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Public Lands:

H. R. 5989. An act to grant certain lands to the town of Olathe, Colo., for the protection of its water supply;

H. R. 8625. An act to accept from the Southern Oregon Co., a corporation organized under the laws of the State of Oregon, a reconveyance of the lands granted to the State of Oregon by the act approved March 3, 1869, entitled "An act granting lands to the State of Oregon to aid in the construction of a military wagon road from the navigable waters of Coos Bay to Roseburg, in said State," commonly known as the Coos Bay Wagon Road grant, to provide for the disposition of said lands, and for other purposes;

H. R. 12210. An act to amend the act of May 14, 1898, as amended by the act of March 3, 1903, entitled "An act to extend the homestead laws and to regulate the sale and entry of public lands along the shore of navigable waters in Alaska";

H. R. 12579. An act to grant to citizens of Malheur County, Oreg., the right to cut timber in the State of Idaho for agricultural, mining, or other domestic purposes, and to remove such timber to Malheur County, Oreg; and

H. R. 13042. An act providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act.

H. R. 4246. An act to increase the salary of the United States district attorney for the district of Connecticut was read twice by its title and referred to the Committee on the Judiciary.

H. R. 12881. An act to increase the cost of the public building at Eldorado, Kans., was read twice by its title and referred to the Committee on Public Buildings and Grounds.

H. R. 13306. An act to authorize the payment of allotments out of the pay of enlisted men in certain cases in which these payments have been discontinued was read twice by its title and referred to the Committee on Military Affairs.

LEAGUE OF NATIONS FOR PEACE.

Mr. MYERS. Mr. President, day before yesterday I gave notice that it was my intention to submit some remarks to-day on the proposition of a world league of nations and on the coming peace conference and connected subjects. However, I forgot and left at home this morning a book from which I want to read some extracts when I submit my remarks, and I will not be able to make to-day the remarks that I intended to make. I hope to-morrow at the close of the morning business, if I may be permitted to do so, to submit the remarks that I had intended to make to-day on a league of nations, the coming peace conference, and some incidents connected therewith.

Mr. STERLING. Mr. President, I desire to give notice that on Saturday, at the close of the morning business, I shall ask permission to address the Senate on the subject of a league of nations.

AFFAIRS IN RUSSIA.

Mr. HITCHCOCK. Mr. President, I ask the consent of the Senate to make a short statement in reply to a number of addresses that have been made here upon the subject of affairs in Russia.

The VICE PRESIDENT. Is there further morning business? There is none. Is there any objection to the Senator from Nebraska proceeding? The Chair hears none.

Mr. HITCHCOCK. Mr. President, recently the administration has been criticized from two standpoints on the Russian situation. First, it has been criticized to some extent because it did not yield to the urgent desire of Great Britain and France and enter Russia with a large force for the purpose of establishing or reestablishing an eastern front against Germany. More recently it has been criticized on the floor of the Senate by a number of Senators because it has sent soldiers into Russia. On these two criticisms it seems to me proper to make a short statement, which can not in the nature of the case be authoritative, because I only speak from what knowledge I have been able to gain, which is, perhaps, not much better than that any other Senator has secured. These two attacks, however, come from directly opposite directions, and they indicate the embarrassment that confronted President Wilson in deciding what policy to adopt.

Geographically, of course, there is a Russia. Politically there has not been a Russia for probably a year. When we entered the war we entered it side by side with Russia, as well as with the other nations that were allied with Russia to fight Germany. When the Russian revolution first developed and Kerensky came to the head of the Russian Government, it still retained a semblance at least of a national shape and form. We recognized that Government of Russia. We sent a commission over there, as will be remembered, headed by ex-Senator Root. That Russian Government along about the month of October or November, 1917, was overthrown, and since that time it is not too much to say that there has been no government, as civilization understands government, in Russia, except a series of local governments throughout the vast expanse of that Empire.

The Lenine-Trotsky government has been far more prominent than any other in Russia, because it held Petrograd, the capital, and Moscow, the ancient city of Russia, and some of

the other industrial centers. It was prominent because it was recognized by Germany. Germany had been the only nation which recognized it as a national government.

The statement has been made that the Lenine-Trotsky government was not pro-German. I am unable to see how that statement can be believed by anyone who has read the history of the last year. In the first place, Lenine and Trotsky got into Russia by the grace of Germany. There is very substantial reason for believing and considerable evidence to prove that Lenine and Trotsky operated with German credit. Certainly in everything that they have done they have carried out the will of Germany. They signed with Germany a treaty which practically gave Germany everything she asked for, including a large sum of money, which they had already begun to send to Germany when the belligerent nations fighting Germany put a stop to it. They established in Petrograd, near by, a German ambassador, and Russian and other travelers who have come to this country from Russia have told me that he rules virtually as a king in Petrograd.

Not only that, but the Lenine-Trotsky government has driven out of Russia every representative of every civilized country on the face of the earth, including our own, and to-day, except for the German representative in Petrograd, there is not a single representative of any nation in the world except, perhaps, of Switzerland, and he is in jail.

To say under those circumstances that there is either a national government in Russia or that it is not pro-German seems to me to be going entirely too far. Whatever Germany asked for she got from Russia. German officers and German soldiers who were captured and prisoners held in camp have been released and permitted to organize forces which undertook, in connection with the Bolsheviki, to crush the little Czecho-Slovak Army in Russia.

I have in my hand a photograph, which I procured from the State Department, showing Russian soldiers gathered in a large group and among them German officers in uniform. The statement attached to this photograph reads as follows:

The attached photograph was obtained from an official Bolsheviki photographer through a dependable intermediary; it was taken shortly after the capture of Yaroslavl northeast of Moscow by the Bolsheviki forces in the latter part of July, 1918. The photograph was sent to the department as confirming information previously obtained from independent sources that the Bolsheviki forces were enabled to drive their opponents from Yaroslavl by reason of direct German military aid, reference apparently being had to the German uniforms to be noted.

Mr. President, I have in my hand here among other things a statement made by Capt. Vladimir S. Hurban, of the Czecho-Slovak army in Russia, when he came to the United States to visit Prof. T. G. Masaryk, then in this country and now the duly elected President of the new Czecho-Slovak Government. He described in this statement how the Czecho-Slovak Army, 50,000 or 60,000 strong, as I recall it, was formed in Russia at the time Russia was fighting Germany. Those Czecho-Slovaks had been originally in the Austrian Army and refused to fight their Russian brothers, and had gone over and surrendered in a great body to the Russians, and by the Russians at the time Russia was fighting Germany, before the days of the Lenine-Trotsky revolution, the Czecho-Slovaks were organized into a force fighting Germany among the Russians.

After Trotsky-Lenine surrendered to the Germans this sturdy band of Czecho-Slovaks resolved neither to surrender to the Germans nor to accept the clemency offered by the Emperor of Austria. They could not fight all Germany alone. They resolved, if possible, to go through Russia and reach Vladivostok, to cross the Pacific, to cross North America, and then to go to the western front in France in order to continue the war for liberty upon which they had entered. Capt. Hurban says:

Our army in Russia was organized from Czech and Slovak prisoners of war under almost insurmountable difficulties. We were cooperating with the Russian Army, and since 1917 we were practically the only army on the Russian front capable of any military action in the proper sense of the word. In July, 1917, during the first revolutionary offensive under Kerensky, it was only our army that really attacked and advanced.

When the Bolsheviki Soviet government signed the peace treaty at the beginning of March, our army of about 50,000 men was in Ukraine, near Kiev.

Then he goes on to describe what they did, and says:

The Germans advanced against us in overwhelming numbers, and there was danger that we would be surrounded on all sides, on the right and left flank; our rear was not covered, and the Germans were liable to attack us from the rear. We had no lines of communication behind us, no stores of materials, and no reserves; everywhere there was disorganization and anarchy, and the Bolsheviki red guards seized the locomotives and were fleeing east in panic.

Under these circumstances Emperor Charles sent us a special envoy with the promise that if we disarm we will be "amnestied" and our lands will receive "autonomy." We answered that we will not negotiate with the Austrian Emperor.

As we could not hold a front, we began a retreat to the east. Already then in agreement with the allies (our army had been proclaimed a part of the Czecho-Slovak Army on the western front, and thus allied with the French Army), it was decided to transport our army over Siberia and America to France. We began the difficult retreat from Kiev. The Germans in an overwhelming force were trying to prevent our escape. About a hundred miles behind us they seized the important railroad junction at Bachmac, which we were obliged to pass in our trains on our retreat to the east.

Then he goes on to describe the contests not only with the German Army but with released German prisoners in Russia, released on orders of the Bolsheviki for the purpose of attacking and annihilating this Czecho-Slovak Army.

The story is too long for me to read, and I shall not encumber the RECORD with it, but I only cite it to show that we have an authoritative statement here to the effect that these Czecho-Slovak armies stood at that time in Russia as the one organized body to fight Germany as we were fighting Germany. This not only shows the pro-German character of the Trotzky-Lenine government, but it shows that Russia, which had ceased to be a nation, and over which anarchy and civil war were spreading, was the battle ground upon which Germany must be fought, and here were fifty or sixty thousand men trying to wage that war.

Under those circumstances Great Britain and France were very urgent that America should do her part in entering by way of Vladivostok on the Pacific Ocean and making safe this long line of communication, 5,000 miles, to the Ural Mountains in Russia. What was to be done? Was the President to ignore that body of Czecho-Slovaks? Was he to refuse entirely the request of the nations that we were cooperating with? Was he to permit the Germans absolutely to get control of Russia and use it as an instrument in the war? It seems to me he could do nothing less than he did. He finally consented that a small force of Americans, 10,200, should be landed at Vladivostok in connection with the Japanese, British, and French forces there, and not only take possession of the great stores of munitions, which had come from America, but also to undertake to perfect in connection with the other forces this long line of communication so that the Czecho-Slovaks could either get out and get to France, or if they remained there to fight to have supplies brought to them.

We landed 10,000 men. The Japanese landed a much larger force, which they have since been reducing. The effect of that landing was to put a stop to the organization of German prisoners, of whom there were 58,000 in that part of Siberia. It made it impossible for them to capture Vladivostok, as was intended. The effect of that landing was to restore to a more or less perfect extent that long line of communication, and to-day for over 5,000 miles from Vladivostok to the neighborhood of the Ural Mountains that line of communication is in more or less constant operation.

It is idle to say under those circumstances that the 2,000 men we sent in and the small body of Japanese and British sent in could have subjugated that whole country. The fact is that they were received with open arms. They went in as allies and friends of all that part of Russia. They did not go in as conquerors, and they do not leave there as conquerors to-day. There is a local government functioning at Vladivostok in entire harmony with the allied troops that are there. There is local government at Omsk functioning in entire harmony. Of course, it is a dictatorship at the present time, under Kolchak. For a while it was five men, and now it is practically one man, who has perhaps 200,000 under his control. He is maintaining a front there against the Soviet powers, supported by German officers and German men. There is a government at Vladivostok; there is a large force operating down in south Russia near the line of the Caucasus; and there is the government which has been organized at Archangel and down the Murman coast, also recognizing the Kolchak government and a Russian Army outside of the Lenine-Trotzky government.

Now, can it be said that we have gone in to fight the Government of Russia when over this whole region of 5,000 miles we are received with satisfaction and applause and cooperation? Can it be said that when we went in to fight Germany on ground chosen by Germany against agents chosen by Germany we went in illegally to fight the Russian Government and the Russian people? No, Mr. President; I think there was every justification for going in.

I have spoken of landing at Vladivostok with 10,200 men. We also made a landing at Archangel. Archangel has been the port at which vast supplies of war munitions and coal have been landed from Great Britain. Our army of occupation went in there to save those supplies, for one thing. It went in there also on the Murman coast, just across the White Sea, for the purpose of preventing Germany from carrying out the purpose which she evidently had at that time to secure a port and a base for her submarine vessels.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER (Mr. HENDERSON in the chair). Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. HITCHCOCK. I yield.

Mr. BORAH. Assuming that there was sufficient justification for sending an armed force into Russia at the time it was sent, when we were fighting Germany before the armistice was signed, and that there was a German force there, do I understand from the Senator that we are still contending against the same enemy with whom we were contending prior to the signing of the armistice?

Mr. HITCHCOCK. I shall come to that a little later. I am trying to develop this in some order.

Mr. TOWNSEND. May I interrupt the Senator for a moment?

Mr. HITCHCOCK. Certainly.

Mr. TOWNSEND. I understood the Senator to state that our troops at Archangel and Vladivostok were there in harmony with the people of those communities. The information comes to me directly that we are fighting there.

Mr. HITCHCOCK. I will take that up. At Vladivostok there has been no fighting. It is entirely peaceable, and the normal course of business has been resumed. It is one of the most orderly places in all Russia at the present time. There has been some fighting at Archangel and some fighting on the Murman coast, very close to that. We have, as a matter of fact, only 5,000 men between Archangel and the Murman coast combined. France and Great Britain have larger bodies of troops; I do not know exactly how many; perhaps 15,000. We seized those ports because they had great supplies there which had to be protected, which had been made with American and British and French labor and paid for by American, British, and French money when we thought we were sending them to a nation allied with us. We not only took those ports because we had a right to protect those supplies, but because we wanted to head off Germany, that then had 30,000 men crossing Finland for the purpose of seizing the Murman coast and establishing there a port for her submarines.

There is another reason. We know how anxious we were in this country concerning our diplomatic representatives in Petrograd, who finally were compelled to move to Vologda, which is in the direction of Archangel. By seizing Archangel we made means by which they could get out of Russia, and they might have had none other. We know that several murders and assassinations had occurred there; that there were most disgraceful, barbaric assaults upon the British Embassy there in which a fine British officer—I think a naval attaché—was shot down in cold blood. Before our ambassador left a sentry had been placed in front of his door and he had been practically notified that he would be under military surveillance and control unless he came back to Petrograd.

With such barbaric treatment of diplomatic representatives, it was a very wise thing to have possession of some ports, in order that there might be, if necessary, a means of getting out. The idea that a government exists under the administration of Lenine and Trotzky to-day in the sense that civilized people could call it a government is absolutely preposterous. There is not any government there; it is the most absolute tyranny; and if we were against the idea of the old autocratic form of government, we certainly must condemn, as we have refused to recognize, the form of an absolute tyranny of the most brutal character, which recognizes no law whatever.

I was talking the other day to one of the secretaries of our embassy, who has recently returned from Russia, and who has now already left this country for another post. He told me of sitting in the office of a commissaire, I think, and it was in Vologda, and talking to him and endeavoring to get a permit or some better treatment for the embassy, when a clerk brought in a number of documents and placed them on his desk, and he took up his pen and signed them, one after another, without even reading them. They were so near to him that this gentleman was able to see what they were, and each one of them was a sentence of death, which that man signed just as though it had been a formal letter.

That is what is going on in Russia, and when this man undertook to leave Vologda, practically under compulsion, as it was unsafe longer to stay there, he went to the railroad station to buy his ticket an hour before leaving. He was told that there was no place on the train. He protested that that could not be so; that he must be able to buy a ticket. A commissaire was standing near, and he stepped up to him and said, "I have a friend who has a ticket which I can get for you." "What will he charge extra—anything?" "Yes; he wants"—I think he said—"50 rubles." The ticket only cost 50 rubles; but he said, "He wants to get 50 rubles extra for it if he sells it to you." So this American representative agreed that he would pay 50 rubles extra in order to get this ticket. The commissaire said, "You have got to pay me something for finding him for you"; and finally the official was compelled to pay this man 25 rubles for the privilege of paying 50 rubles extra for the ticket! Then the commissaire went around in the room and got the ticket from the man who had just refused to sell it to the American.

This American got aboard the train, which started. After the train had passed over the first division and into the second division it came to a stop. The passengers waited half an hour, then an hour, and finally they had a committee go to inquire what was the trouble, why the train did not go on. The reply was that the train crew was striking, and that they were not going on until the passengers raised a hundred rubles per car. The passengers went to work and they raised a hundred rubles per car. The train then proceeded. When it got to the next division of the road it stopped again, and they made more prompt inquiry this time to find out what the trouble was. They were told that the men in the roundhouse would not let the engine out to draw the train unless they raised a hundred rubles per car. They had to raise another hundred rubles per car. So it took them 40 hours to make a 10-hour trip. I merely cite that to show the absolute economic and industrial demoralization there. To say that that is a country with a government is absolutely absurd. There is no government in Russia.

Mr. BORAH. Mr. President, I do not want to interrupt the Senator from Nebraska in the logical presentation of his view, but I hope before he closes that he will make it plain whether, all this being true, it is any justification for our being in Russia.

Mr. HITCHCOCK. Mr. President, I will take that up immediately. We went in there, I say, as a war measure; we went in there last June, when the war was at its height. So far as Vladivostok was concerned we saved those supplies; we saved a long line of communications; we saved the Czecho-Slovak Army; we defeated the purpose of the Germans to destroy that army and to get possession of the country. We went into the Murman coast and prevented the Germans from getting a warm-water harbor there for their submarines as a base. We got Archangel, and kept that port with its supplies and the means of escape of our ambassador, who was still at that time in Russia. We accomplished what we went there for, but we went in by an agreement with Great Britain and Japan. We went in with them, and, as I have said, at the height of the war. We have not yet come to the end of the war, although we have an armistice. We could not instantly leave the minute the signing of the armistice had come. We could not abandon the stores there; we could not open the door and invite Germany now to make an offensive in that direction. We could not violate the agreement we have with those with whom we went in. We are under some obligations to them.

Mr. JOHNSON of California. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from California?

Mr. HITCHCOCK. I yield to the Senator.

Mr. JOHNSON of California. Will the Senator from Nebraska state the agreement which we have?

Mr. HITCHCOCK. I do not know it.

Mr. JOHNSON of California. That is what we seek to know. That is why I have been listening so intently to the Senator as the chairman of the Foreign Relations Committee, in the hope that we might learn some of the details. I take it that his speech is wholly authoritative, or the chairman of the Foreign Relations Committee would not make it.

Mr. HITCHCOCK. Mr. President, I hope the Senator from California will not assume that there was a written agreement that we would do certain things. The entrance into those ports was undertaken on the recommendation, if not by the demand, of the supreme war council in Paris as a war measure and when the war was at its height. I suppose that we have no more an agreement in writing to do that than we had with France and Great Britain when we joined the French and British in France. We went there, though, for the purpose of cooperating with them, and we are remaining to cooperate with them. We are on the Murman coast to cooperate with them, we are in Archangel to cooperate with them, and we are in Vladivostok to cooperate with them. We can not throw them down and abandon them in the twinkling of an eye while Germany is still threatening possibly to undertake war measures.

Mr. JOHNSON of California. If the Senator will yield, I simply repeated the very language that he used in respect to an "agreement" that we have with these various powers, and, repeating that language, I ask him what the agreement was? I do not mean that it was a written agreement. I do not know but it is a secret treaty. I do not know what it is.

Mr. HITCHCOCK. I think I should withdraw the word "agreement." I think I should say in cooperation with those powers we went in there.

Mr. JOHNSON of California. While I am on my feet, so that I may not again interrupt the Senator—and I shall not do so, because I shall take the opportunity, with the permission of the Senate, at some time in the future to respond—but if the Senator will permit me one further question, How far inland are American troops now? Can the Senator tell me?

Mr. HITCHCOCK. The American troops are at Vladivostok, on the Pacific coast.

Mr. JOHNSON of California. I do not mean there; I mean on the Murmansk coast—from Archangel?

Mr. HITCHCOCK. I will make this statement complete. The American troops are at Vladivostok and in the immediate neighborhood, as I understand, on the Pacific coast. The Japanese troops are largely at Lake Baikal, which is perhaps a couple of thousand miles inland. Another body of French and British are cooperating with the Czecho-Slovaks perhaps 4,500 miles inland. The American troops are at Archangel and at Murman with the French and British. Their outposts have proceeded as far inland, possibly, as 80 or 100 miles in some cases, merely for the purpose of protecting those bases. We did not want to let the opposing forces under German leadership come right up to the ports. They have thrown these outposts out and they are merely holding them against attack.

Mr. JOHNSON of California. Can the Senator from Nebraska tell how far Kadish is from Archangel?

Mr. HITCHCOCK. I can not. I only have general information. It is somewhere in the neighborhood.

Mr. JOHNSON of California. Is the Senator able to say how many towns and cities and villages the American troops have taken?

Mr. HITCHCOCK. No.

Mr. JOHNSON of California. Does the Senator say that he does not know?

Mr. HITCHCOCK. I do not know.

Mr. JOHNSON of California. Is the Senator able to say how great an area of square miles the American troops are operating in?

Mr. HITCHCOCK. No; I have not any knowledge of that sort; that is military knowledge which I have not.

Mr. JOHNSON of California. Is the Senator aware that there are various towns that have been taken by American troops advancing into Russia and that they have been taken in each instance against troops stationed in those various towns?

Mr. HITCHCOCK. I have not any doubt that not only the American troops, but that the British and the French troops, have advanced far enough inland to protect those bases, and that they are now acting on the defensive. The Senator from Virginia [Mr. SWANSON] stated yesterday they are making no further advance, and that they only went far enough to protect their bases and to carry out the purposes for which they went there.

Mr. JOHNSON of California. Mr. President, will the Senator say when the advance was discontinued?

Mr. HITCHCOCK. No; I have not that date, and I do not consider it of any importance.

Mr. JOHNSON of California. They have, I believe, taken town after town as they have gone forward, have they not, and only ceased to advance because winter has made it essential that they cease?

Mr. HITCHCOCK. I think the Senator is entirely mistaken. My information is that they merely advanced far enough to set up the usual posts that are required to protect their bases, the base being in one case Archangel and in the other Murmansk; that the fighting that has occurred since then has been defensive; and that the Americans were expelled from one town by the Russian Bolsheviki, with their German assistants, but have recovered it. That is the only advance that I have heard of in recent months.

Mr. JOHNSON of California. May we take it, then, as authoritatively announced by the State Department that no other advance is to be made?

Mr. HITCHCOCK. I should not like to speak for what may happen in the future.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. HITCHCOCK. I yield.

Mr. BORAH. May we assume, from the Senator's argument, that if it were not for the presence of the German influence in that country there would be no occasion for our remaining in Russia?

Mr. HITCHCOCK. That is my judgment. The German danger is the real cause of our presence there.

Mr. BORAH. Then I assume we are there under and by authority of Gen. Foch.

Mr. HITCHCOCK. Undoubtedly. He insists, I understand, on maintaining the status there; in fact, he is anxious to have more done.

Mr. BORAH. Now, Mr. President, we are arriving at a point from which we may reason as to our duty. The complaint which may be justly lodged against the situation, it seems to me, is that we have been in utter darkness as to why we are there, what the object to be attained is, or under whose authority we were there. Now, does the Senator say that we are there under the authority of Gen. Foch?

Mr. HITCHCOCK. We are there under the authority of the United States in cooperation with the other forces of which Foch is the generalissimo. We went in there to fight the Germans, as I have stated, at the time when the war was at its height and bid fair to continue for years, and at a time when Russia had been largely brought under German control, not only military control, but commercial and banking control, to the extent that the national-bank notes of Russia were being printed in Germany.

Mr. BORAH. To my mind there can be only one justification for our being in Russia, and that is because of the situation superinduced by German activities. If I may be permitted to express my view, it is none of our business so far as military intervention is concerned as to what is going on in Russia. Unless it is part and parcel of the conflict in which we have been engaged, which is the defeat of Germany, we can not justify remaining there any longer than it will take to get out.

Mr. HITCHCOCK. I agree with the Senator.

Mr. BORAH. It ought to be made so plain that there could be no possible mistake about it that we are there by reason of that fact; that we have remained there by reason of that fact; and what it is that we are to accomplish before we leave there.

Mr. JOHNSON of California. Mr. President, will the Senator permit me to interrupt him further?

The PRESIDING OFFICER. Does the Senator from Nebraska yield further to the Senator from California?

Mr. HITCHCOCK. I yield to the Senator.

Mr. JOHNSON of California. If the facts are as just stated, to which a ready acquiescence is yielded by the Senator from Nebraska, I ask what possible objection can there be to the Government of the United States saying why it is over there, what it intends to do, and what it expects to accomplish? The Senator rises as the chairman of the Foreign Relations Committee and says he does not speak authoritatively or for the Government. I observe by the RECORD that when I was absent day before yesterday the chairman of the Naval Affairs Committee [Mr. SWANSON] expressly disclaimed that he spoke authoritatively or for the Government. Why is it that our Government can not tell us why we are there, what we intend to do, and what our ultimate purposes are? If that were done, then, with some degree of intelligence, we might debate at least what the Government says to us.

Mr. HITCHCOCK. Mr. President, of course I realize that our form of government is not like the form of government they have in Great Britain, where the representative of the administration sitting in the legislative hall answers questions and makes authoritative statements, but I have endeavored to meet the Senator's request for information, and I think I have gone to a legitimate extent concerning the facts as they actually exist. I do not see how anyone can have any doubt in reviewing those facts that we went in there to fight Germany when the war was at its height; that the Germans were there ahead of us; that the Bolsheviki had thousands and perhaps hundreds of thousands of men on the ground who were being released from prison under German influence; that those men were getting arms; that they were going to seize Vladivostok; that they were going to seize other harbors in Russia; and that they were going to use Russia as a military base. We were justified in connection with the other countries with which we are cooperating in going in there.

There will be a time when we will have to come out. We evidently did not go in there as conquerors of Russia. I have endeavored to set forth that the result of our presence there has been that over a distance of 5,000 miles, a whole empire, our people have been received in a friendly manner and are acting in cooperation with the Russian local government.

Mr. CALDER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from New York?

Mr. HITCHCOCK. I yield.

Mr. CALDER. I listened to the Senator's statement a moment ago relative to the number of British and French troops operating in the neighborhood of Archangel. My information is—and this information was as of November 10, given to me by a naval officer who had returned from Archangel—that on that date we had something in the neighborhood of 2,000 troops there, and that France and England each had less troops than we had in that country.

Mr. HITCHCOCK. I have no warrant for speaking as to the French and the British, but I have warrant for saying that we have 10,200 troops at Vladivostok, and that we landed about 5,000 troops at Archangel for use there and on the Murman coast.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. HITCHCOCK. I yield to the Senator.

Mr. BORAH. I do not know whether the Senator has the information or not, and I do not know whether he would feel authorized to give it if he had it, but an interesting situation is presented by reason of the fact that Japan is withdrawing her troops. Can the Senator tell why it is that Japan, with whom we entered Russia, feels that the situation is such that she may properly withdraw her troops?

Mr. HITCHCOCK. I have some knowledge that I do not know that I am justified in giving. Japan landed a much larger body of troops than we had expected would be landed, a body of troops larger than we thought was necessary to be landed. I say "we," I mean the administration. I do not know what influences are now inducing Japan to reduce those numbers so that they will conform more nearly with the number of men that we landed; but that is the fact the number is being reduced; and the very fact that it is being reduced shows that there is no great danger there from the Russian people; that they are in a friendly country, and feel safe with a much smaller body of troops than they went in with.

Mr. BORAH. In view of the fact, Mr. President, that it is pretty generally understood, as nearly as we can understand anything in regard to the situation, that the small number of American troops in Russia are pretty hard pressed and are in great danger not only from weather and disease, but from being so surrounded as that they may never get out at all, I hardly suppose that our Government requested that the forces there, from whatever source they were supplied, should be reduced.

Mr. HITCHCOCK. The men at Archangel are not hard pressed. The fighting has ceased there, and has ceased for months. There is order there. There is merely an army of occupation. The only fighting that is going on now is along the Murman coast and above Archangel, on the river; and the fighting there has evidently been grossly exaggerated in the newspaper reports, because we have, under date of January 4, a report by cable from that point that the total number of men killed in battle since we landed there is only 126; so the mortality indicates that the fighting is not of a very desperate character.

Mr. BORAH. Are there no Japanese troops in the near vicinity of the place where the fighting has been going on?

Mr. NELSON. No; there are none there. They are all on the Siberian Railroad.

Mr. BORAH. How long would it take them to get from the point where the fighting has not been to the point where the fighting is going on?

Mr. HITCHCOCK. The Japanese are not near the scene of the fighting. They are only an army of occupation and support. They are keeping open the trans-Siberian line. They entered by way of Vladivostok, and, of course, they are not on the Murman coast, nor near Archangel. They are 800 miles from that point.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Minnesota?

Mr. HITCHCOCK. I yield to the Senator.

Mr. NELSON. The farthest west that the Japanese have gotten is a point near Irkutsk, and from there over to where our troops are, south of Archangel, is probably from 500 to 700 miles. You have to go west on the Siberian Railroad, beyond Perm, in the Ural Mountains, and then west of that—I do not remember the name of the station—is a station where the railroad runs up to Archangel. The Japanese have not been within, I think it can safely be said, five or six thousand miles of our forces in Archangel.

Mr. BORAH. I understand there are no Japanese, then, at points where the fighting has been going on?

Mr. HITCHCOCK. That is my impression. That is, there was some fighting immediately upon their landing at Vladivostok. That fighting was largely with German-officered Bolsheviki—Germans who had been released from camps in Siberia near Vladivostok, some 50,000 in number—and the fighting occurred there months ago and has not been repeated for months.

Mr. NELSON. Mr. President, will the Senator allow me a minute there?

Mr. HITCHCOCK. Certainly.

Mr. NELSON. The situation is this: Our troops are in and about Vladivostok on the east. The Japanese have gotten as far west as Irkutsk, the capital of trans-Baikalia, near Lake Baikal. The Czecho-Slovaks, with the aid of Russians and a naval officer whose name I can not pronounce, have advanced along the Siberian Railroad as far as Omsk, the capital of western Siberia; and their latest report is that they have advanced as far as Perm, the principal point in eastern European Russia west of the Ural Mountains. They are advancing in that direction, and there has been no particular fighting. The only fighting that the American troops have had anything to do with is in the country south of Archangel; and if Senators will study the geography of the country they will find that that country to the south from the Murman coast and the Kola Peninsula and from Archangel, at the south of the White Sea, is a swampy, timbered country, thinly and sparsely settled, and there are no great towns and no great villages in that country. As the Senator from Nebraska has well said, the troops have just advanced along that line, which runs at right angles to the Siberian line, far enough south to protect their base and the country they have gone into. There may be a few scattered villages; but close to that country in northern Russia, south of the Kola Peninsula and south of the White Sea, is a wilderness of swamps and timber and all kinds of country, very sparsely settled. It does not include what may be called the agricultural or civilized, developed portions of Russia.

Mr. JOHNSON of California. Mr. President——

Mr. KING. Mr. President, will the Senator permit a suggestion there? My information is that during the summer of 1917 allied troops, including American troops and some Russians, anti-Bolshevists, advanced a short distance south of Archangel for the purpose of establishing, if it became necessary, winter quarters, and they erected some structures. The Bolshevists later on made an advance and captured some of the buildings which had been erected. As I understand, there has been some fighting between the allies and American forces in their efforts to regain and hold against the Bolshevists these buildings and outposts, constituting in part their winter quarters.

Mr. NELSON. Mr. President, I want to say to the Senator that I am taking the time of the Senator from Nebraska.

Mr. JOHNSON of California. Mr. President, I want to propound one more interrogatory to the Senator from Nebraska, if I may, and then I will cease.

Day before yesterday, or day before that, I observed a press dispatch—I am entirely skeptical of press dispatches about Russia—but, nevertheless, this one said that England had determined to withdraw her troops from Russia. The Senator may have observed it as well. I ask whether or not he can enlighten us on that subject, whether it is a fact or whether it is not a fact?

Mr. HITCHCOCK. I have no knowledge as to what the intentions of the British Government are in this respect.

Mr. JOHNSON of California. The Senator probably observed the press dispatch.

Mr. HITCHCOCK. I noticed something to that effect. I presume that all the troops are coming out of Russia. It is merely a matter of time when that will be done.

Mr. KING. Mr. President, if the Senator will permit me just one minute——

Mr. SWANSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield, and, if so, to whom?

Mr. HITCHCOCK. I yield to the Senator from Utah.

Mr. KING. In reply to the Senator from California, I should like to state that Lord Milner, who has been looking after the Russian military situation for Great Britain, gave out a statement in which quite the contrary appears, although he states in conclusion——

Mr. JOHNSON of California. That was some weeks ago, though, if the Senator will observe.

Mr. KING. No; December 18.

Mr. JOHNSON of California. Yes; but this dispatch was within the last three days, I will say to the Senator.

Mr. KING. I saw that dispatch, but I have also seen it contradicted.

Mr. SWANSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Virginia?

Mr. HITCHCOCK. I yield to the Senator.

Mr. SWANSON. I should like to suggest to the Senator from Nebraska, since inquiries have been made regarding the purpose of the President in Russia, that the President, in the sixth of his 14 points which have been agreed to for the making of peace, has a specific declaration in reference to Russia, which I should like at this time to read. First:

The evacuation of all Russian territory

That has been agreed to, and that is one of the conditions of peace.

Mr. KING. It has been agreed to by Germany.

Mr. SWANSON. The evacuation of all Russian territory by the peoples who have agreed to it; I mean, ultimately, when the time comes for peace, when peace is made.

Second—

Such a settlement of all questions affecting Russia as will secure the best and freest cooperation of the nations of the world in obtaining for her an unhampered and unembarrassed opportunity for the independent determination of her own political development and national policy, and assure her of a sincere welcome into the society of free nations under institutions of her own choosing;

Mr. JOHNSON of California. Mr. President, may I call to the Senator's attention the fact that the sixth term of peace that he reads is the sixth term of peace with Germany, not with Russia?

Mr. SWANSON. If the Senator will remember, this is a condition upon which the allies, including France and England, agreed to make peace with Germany and Austria and among themselves; and, as I understand, this is intended as a settlement of this great world war.

Further permit me to say the sixth of the 14 items continues:

And, more than a welcome, assistance also of every kind that she may need and may herself desire.

But it goes farther than that to warn other nations that they have no right to despoil Russia, and that the test of their fairness will be their treatment of Russia. On that point the President says:

The treatment accorded Russia by her sister nations in the months to come will be the acid test of their good will, of their comprehension of her needs as distinguished from their own interests, and of their intelligent and unselfish sympathy.

It seems to me that the sixth of the conditions upon which peace will be made with Germany assures to Russia no spoliation of her territory.

Mr. BORAH. That does not throw any light at all upon what our troops are at the present time doing in Russia. Do we understand that they are to remain until the 14 points are established?

Mr. SWANSON. It throws this light on it absolutely: That they went there for correct purposes; that they are not there for any improper purpose, as has been intimated. It shows clearly that the President, when these troops were sent there, sent them there under that condition, as far as he had power to pledge this country.

Mr. BORAH. Mr. President, at the time the President delivered that address covering the 14 points the President had a policy with reference to Russia which, in my humble judgment, was a very correct policy. The President, however, through the persuasions of others, modified that policy afterwards. I have reason to believe that he modified it with a great deal of reluctance, and it is with the modification now that we are dealing and not with the policy which the President originally outlined and which, in my judgment, had he been permitted to do so, he would have followed.

Mr. SWANSON. Mr. President, if I may be permitted to reply to the Senator, I will say that I understand that there has been no modification of the ultimate policy with reference to Russia. Conditions arose, after the collapse of Russia, in which it was necessary to hold these two places for warlike purposes.

Mr. BORAH. Mr. President, at the time the President made that address he had nothing in view in the way of sending troops into Russia, and it was some time before he consented to it.

Mr. SWANSON. But—if the Senator will permit me, and then I will not interrupt further—in his address to Germany and to the allies transmitting the communications of Germany, this treatment of Russia is reiterated as one of the 14 articles of the basis upon which peace is to be made. This is what he has pledged as a basis of peace, as one of the 14 points upon which the world shall make peace.

Mr. BORAH. And with which I thoroughly agree so far as Russia is concerned. But we are not in Russia to establish the 14 points, I suspect.

Mr. HITCHCOCK. Mr. President, I think there is another answer to the point made by the Senator from Idaho, and that is that an authoritative statement was given out by the State Department at the time our troops were sent to Russia, and that statement was given wide publicity at the time, and with the consent of the Senator I will read a paragraph of it:

As the Government of the United States sees the present circumstances, therefore, military action is admissible in Russia now only to render such protection and help as is possible to the Czecho-Slovaks against the armed Austrian and German prisoners who are attacking them and to steady any efforts at self-government or self-defense in which the Russians themselves may be willing to accept assistance. Whether from Vladivostok or from Murmansk and Archangel, the only present object for which American troops will be employed will be to guard military stores which may subsequently be needed by Russian forces and to render such aid as may be acceptable to the Russians in the organization of their own self-defense.

I have already recited how eminently welcome these American troops have been. They are cooperating with the local governments of the people, the soviets, not only in Vladivostok but from Vladivostok to the Ural Mountains—5,000 miles. It can not be said under those circumstances that we have sent in those troops to fight Russia, when they are welcomed by these soviets and are cooperating with the forces that up to very recently were fighting Germany.

Mr. KING. Mr. President, will the Senator from Idaho permit a question?

Mr. BORAH. Yes.

Mr. KING. Does the Senator think that when the Government of the United States and the allies learned that there were 300,000 or more German and Austrian prisoners between a point perhaps four hundred or a thousand miles west of Lake Baikal and Vladivostok, many of whom were in the vicinity of Vladivostok, that they were being released and armed by the Bolsheviks, so far as the Bolsheviks could arm them, for the purpose of utilizing them to fight not only Japan but the United States and the allied Governments, and keeping in mind the further fact that there were 50,000 Czecho-Slovaks fighting battles for the same cause that the allies were fighting for, there was no obligation resting upon the allied Governments and the United States to try to protect the Czecho-Slovaks and at the same time to prevent the 300,000 liberated prisoners being molded into an instrumentality for use against the allied forces?

Mr. BORAH. I take it that the Senator from Utah is stating his own view, because the Senator from Idaho has made no suggestion from which such a suggestion could be drawn. I have not criticized the sending of troops into Russia in the first instance. I assumed that when it was done it was done in order to carry out the view of Gen. Foch with reference to taking care of the military situation, and I, therefore, was naturally not disposed to question it; and I do not now question the wisdom of having them sent there at that time. I simply say that at the present time I am unable to understand why the fighting should be continued under present conditions. That has nothing to do with the original sending of the men over there. That was, we will assume, the proper thing to do; but they are there now, and they have apparently engaged in conflict and are marching to some destination—the particular destination is unknown—having in view some object or purpose, which object or purpose we do not know.

Now, if it is distinctly understood here to-day that the American troops are in Russia at the present time performing no duties other than those of protecting those stores and those provisions which they went there to protect, so far as I am concerned I have no criticism to offer; but if the facts which are published coming from Russia be true, it is a most peculiar and extraordinary way which they have of protecting those stores. They are apparently marching inland, or fighting their way inland, for a reason which is not made plain even by the very able statement of the Senator from Nebraska.

If, however, the Senator from Nebraska states and the Senator from Utah states that the sole and only purpose or object which those troops have there at the present time is to protect those stores in an intelligent way, then, so far as I am concerned, I have no criticism to offer.

Mr. KING. Mr. President, will the Senator yield?

Mr. BORAH. Yes.

Mr. KING. I can assure the Senator, so far as I have obtained information—and I have inquired of the State Department and various sources where information can be obtained—that there is no present purpose upon the part of the allied governments to make any further advancement southerly from the Murman coast or from Archangel than was made for the protection of the supplies and their base of operations. There were, as I suggested to the Senator from Minnesota [Mr. NELSON] a few moments ago, some outposts or winter quarters provided in anticipation that the troops might have to remain in northern Russia during the winter months and at some distance south of Archangel, but only at such points as were necessary for the protection of their base of operations. Some of the Bolsheviks invaded the winter quarters some time ago;

and it is merely for the purpose, as I am advised, of maintaining their position and rendering their base of operations secure that a slight advance was made, with a view to recapturing the outposts taken by the Bolsheviks. This constitutes the attacks, as they are called, to which the press refers. The American troops, as well as the allied forces, are acting merely defensively and not offensively.

But, speaking for myself, I regret that the allied Governments—and I include the United States in the words "allied Governments"—have not taken in the past stronger measures for the purpose of protecting Russia as well as themselves, and in order that they might wall in the Bolshevik murderers and madmen, so that the fires which they are lighting in Europe might not spread into Germany and other European lands and undo much that has been accomplished by the allied Governments. I believe that if the allied Governments had sent into Russia in June and July of last year fifty or one hundred thousand troops and given heart to the Russians and to the Czecho-Slovaks the Bolsheviki would have been overcome before this time, and the Russian people would have had an opportunity to organize a government that would have afforded them protection and been an agency under which they could have worked out their destiny and salvation.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 11984) to provide for the fourteenth and subsequent decennial censuses.

Mr. THOMAS. The Senator from Idaho has the floor.

Mr. BORAH. I have not yielded the floor. Does the Senator desire to ask me a question?

Mr. THOMAS. I wish to ask the Senator from Utah a question.

The PRESIDING OFFICER. Does the Senator from Idaho yield for that purpose?

Mr. BORAH. I yield.

Mr. THOMAS. From what the Senator from Utah stated just before taking his seat, I am led to the conclusion—I hope he will correct me if I am wrong—that the policy to be pursued in Russia from now on is so purely defensive that the Czecho-Slovaks will be abandoned to their fate. Is that the situation?

Mr. KING. I am afraid that is the situation, although I would not want to state that definitely. With respect to the northern part of Russia that is my information; that is, that a defensive course only will be pursued. I sincerely hope the allied governments will not abandon the Czecho-Slovaks. I think it would be an act of cowardice. I can not find a strong enough term to characterize an act of such infamy and cowardice.

Mr. THOMAS. I agree with the Senator.

Mr. BORAH. Mr. President, I have no desire to be considered as advocating the abandonment of any nation, great or small, that could have been considered as an allied power in this conflict. The only thing that has confused me with reference to this situation was how we were going to accomplish anything other than the physical fact of the protection of stores by our military forces in Russia.

I do not agree with the Senator from Utah [Mr. KING] that you can deal with the Bolsheviki situation in a military way. It is one of those things that, in my judgment, can not be controlled by outside military force. In the first place, I should think it would be very confusing for a man in Russia to be able to distinguish upon all occasions a Bolshevik from a Russian. It is easy enough here in the Senate to speak of the Russians and the Bolsheviki, but if I were going out to kill a Bolshevik, in all probability I would kill just as many Russians as Bolsheviks. I would not be able to distinguish the Russians which were Bolsheviks and those which were not.

We are dealing with a situation in which nothing can be achieved from a military standpoint. On the other hand, no one knows to what extent what is called the Bolshevik government is accepted by the Russian people.

The trouble is, Mr. President, that we can not get the real facts. The people who come from Russia, who have seen, and have recorded in their own way the facts with reference to that country are not permitted to tell the story. Men have come back from Russia who have spent months in that country, who have a feeling that we do not understand the situation; that all the facts with reference to the soviet government have not been given; that the Russian people very largely support the soviet government; but they are not permitted to state the facts to the American people. Therefore it is almost impossible to deal with the situation here. We do not know to what extent the soviet government represents the Russian people. I take the position that the Russian people have the same right to establish a socialistic state as we have to establish a Republic.

Mr. KING. Will the Senator yield for a question?

Mr. BORAH. Certainly.

Mr. KING. I hope the Senator will not call the soviet government or the Bolshevik government a socialistic government. While I have no sympathy with socialism, socialism, as I understand the term, is as far above Bolshevism as the heavens are above the earth. Bolshevism is madness and destruction, it is murder and assassination. It is a negation of everything. Socialism does speak for order. I am speaking of purified socialism, such as——

Mr. BORAH. You are giving your kind of socialism?

Mr. KING. No; I am speaking of what might be denominated orthodox or true socialism, the creed of Marx, and what has been called the purified socialism of Schaffle. I do not have in mind the teachings of Berger or those who under the guise of socialism have attempted to destroy government, and who have been traitors to our country in its war against Germany. Genuine, orthodox socialism does have some merit; but Bolshevism stands out condemned by God, and man, and even by hell itself.

Mr. BORAH. The Senator from Idaho is not familiar with that region. He has no communication with it.

Mr. KING. If the Senator knows anything about Bolshevism, he has.

Mr. BORAH. Mr. President, I know how earnestly the Senator from Utah feels about the matter. If he will confine his idea of Bolshevism to Lenine and Trotsky I will agree with him. I think they are disloyal to every one on earth except themselves. I have no doubt they went into that country through the influence and protection and as corrupt representatives of the German Government. But I disassociate those two men and the few men who surround and support them from the great body and mass of Russian people. Even though those people be supporting them in a measure at this time, even though they recognize them as leaders at this time, I believe you can not bring an indictment against the whole people. There is a vast amount of good in the Russian people which may be properly organized and brought into order, and a sane and stable government be established. I am not willing to place, in other words, the standard which Lenine and Trotsky have raised as the standard which represents the intelligence or the capacity of the Russian people. I have great faith that they are yet to prove that they are the worthy and estimable people we have always believed them to be.

Mr. KIRBY. Mr. President——

Mr. BORAH. I yield to the Senator.

Mr. KIRBY. Is it the Senator's theory that we should reorganize the Russian Government and establish a government there according to our ideas?

Mr. BORAH. No, sir. I do not want this Government to go into Europe to set up governments.

Mr. KIRBY. Should we overthrow the Government that they are recognizing as authoritative? That is what I want to get at.

Mr. BORAH. If the Senator desires to know my exact position, I want to get out of Russia and let Russia settle her own affairs, so far as military intervention is concerned, just as soon as we can do so, with due deference to the military situation which has been superinduced by this war. If we ever go into Russia to set up a government by force we will leave millions of our boys in nameless graves, bankrupt our Treasury, and in the end come out something as Napoleon did.

Mr. SMITH of Arizona. Does the Senator know how many hundreds of thousands of Germans are still left in what was formerly Russia, and how many there are in Russia to-day through whose influence was probably brought about the condition that exists and has been made possible?

Mr. BORAH. I do not know how many are there. I have no doubt a number are there, and they are doing the same thing in Russia that they are now doing in Germany. They are superinducing and bringing on chaos. I have no doubt about that.

Mr. SMITH of Arizona. I will thank the Senator to permit me to make just one other suggestion. It was one of the 14 principles, as I conceive it, that the Germans should leave Russia and all other invaded territory under the terms of the armistice, and can we shift all the responsibility by saying that she can turn loose half a million Germans in Russia for the purpose of running amuck in the world as bad as she did when she started the war?

Mr. BORAH. That brings up another proposition. If that is the reason for our being there, if we believe that Germany has such a hold upon Russia that we must deal with Germany through the Russian territory, does anybody expect to whip Germany in Russia with 5,000 or 10,000 troops? That is the difficulty of the whole situation. If we have a task there to

perform, we have no one with whom to perform it; but the poor fellows who are there are suffering and dying without any particular object in view and without any hope of accomplishing anything.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Washington?

Mr. BORAH. I yield.

Mr. POINDEXTER. I should like to ask the Senator if he has formed any conclusion from his investigation of this matter as to who is responsible for this situation, particularly as to whether this action in Russia on the one hand and inaction on the other, this indecisive course of proceeding, is due to any law of Congress, and if not, to what is it due? Who directed it and who is responsible to the American people for it?

Mr. BORAH. As I said a few moments ago, I understood from the Senator from Nebraska [Mr. HITCHCOCK] that they were sent over to protect certain stores and certain bases, under the direction and order of Gen. Foch, and with that I have no fault to find. It was a part of the military strategy of the war.

They desired to organize an eastern front and to bring about a condition which would compel the Germans to divide their forces. Certainly I would be far from criticizing that course. That has nothing to do with the present situation, however, because we have ceased fighting in Germany. We are at peace with Germany. The treaty has not been signed, but we are no longer fighting, although we are killing these people in Russia. That is confusing to a man who has no more information to-day than I have.

Mr. POINDEXTER. Mr. President——

Mr. BORAH. I yield.

Mr. POINDEXTER. I notice that the press dispatches, with apparent reliability, state that the British and French Governments have been endeavoring to secure from the United States some declaration of policy in regard to what the United States is going to do in Russia, and stating that their view is that we apparently have no policy at all.

Mr. BORAH. And they have not, either.

Mr. POINDEXTER. Oh, but they have. According to these dispatches they have a policy in regard to Russia and have been endeavoring to cooperate with the United States. I am only basing my statement upon public press dispatches, but I noticed, following upon the statement that they were unable to get any declaration of policy from the United States, a statement from the Government of Great Britain, made to the soldiers of their returning armies who desired to be demobilized and who are opposed to the beginning of what they term a new war, that the British Government will not send any additional troops to Russia, which, of course, means that as soon as possible they are going to bring out of Russia those they have already sent there. They seem to have a definite policy, but the dispatches coming from those Governments are to the effect that they have been unable to ascertain from the United States what we propose to do.

Mr. BORAH. The dispatches of which the Senator speaks did not seem to me to outline any policy upon the part of our allies; but here is where the difficulty arises: There is now being considered this policy or this program as to whether or not we will go into Russia and undertake to restore order and establish a stable government by force or whether we will simply confine our activities to the protection of the stores and to the stabilizing of the situation so as to protect whatever property we have there. The former proposition of going into Russia and establishing a sane and stable government, of interfering in the internal affairs of Russia, is one thing to which I would not, if I were consulted, give my consent.

The reason why, in my judgment, the able Senator from California [Mr. JOHNSON] and others are so much interested in this subject is because we are of the opinion that there is no disposition to limit these activities to the mere question of protecting the military situation which is brought on by reason of the war, but there is a disposition to go there and, as a very distinguished ex-President still living said, "shoot Bolshevism out of Russia."

In 1791 Mr. Pitt, of England, thought that they could shoot the revolutionary spirit out of France, and Edmund Burke figured that they could strangle it. Both of those distinguished statesmen were in favor of dealing with it purely from the military standpoint. They denounced it in terms scarcely less graphic or less pointed than the able Senator from Utah [Mr. KING] uses in his denunciation of Bolshevism. They said it was spreading the world over and would destroy all the stable governments. But they could not put it down by force. In their own fearful way the French people finally settled the matter among themselves and established through long years a Republic. It is worth all it cost. It has stood for four bloody years between civilization and barbarism. Robespierre and Marat were vicious and brutal, but the French people were a noble people. Whatever we think of Lenine and Trotsky, the Russian people are a noble people, and I venture to hope that even in travail and anguish they, too, will work out their salvation. If we are going to help the Russian people, let us not delude ourselves that we can help them by force of arms. Have we caught the Prussian disease, that we can think of nothing but force?

Mr. VARDAMAN. Mr. President, I wish to suggest to the Senator from Idaho that I read an interesting article a day or two ago in one of the newspapers—I can not now recall what paper it was—which suggested that one of the main reasons now for entering with our military forces into Russia was the appointment of a receiver for that Government in order that Great Britain, the United States, and France might collect about $10,000,000,000 of claims held against the Russian Government and the Russian people.

Mr. NELSON obtained the floor.

Mr. WADSWORTH. Mr. President——

The PRESIDING OFFICER (Mr. KIRBY in the chair). Does the Senator from Minnesota yield to the Senator from New York?

Mr. NELSON. I yield to the Senator from New York.

MEMORIAL EXERCISES FOR THE LATE EX-PRESIDENT ROOSEVELT.

Mr. WADSWORTH. Out of order, I ask unanimous consent to submit a concurrent resolution and that it be read and properly referred.

The PRESIDING OFFICER. The Chair hears no objection, and the resolution will be read.

The concurrent resolution (S. Con. Res. 28) was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved by the Senate (the House of Representatives concurring), That Sunday, the 9th day of February, 1919, be set aside as the day upon which there shall be held a joint session of the Senate and the House of Representatives for appropriate exercises in commemoration of the life, character, and public service of the late Theodore Roosevelt, former President of the United States, Vice President of the United States, and President of the Senate.

That a joint committee, to consist of five Senators and seven Members of the House of Representatives, to be appointed by the Vice President and the Speaker of the House of Representatives, respectively, shall be named, with full power to make all arrangements and publish a suitable program for the joint session of Congress herein authorized, and to issue the invitations hereinafter mentioned.

That invitations shall be extended to the President of the United States, the members of the Cabinet, the Chief Justice and Associate Justices of the Supreme Court of the United States, and such other invitations shall be issued as to the said committee shall seem best.

That all expenses incurred by the committee in the execution of the provisions of this resolution shall be paid, one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives.

Mr. SMOOT. Will the Senator from Minnesota yield to me for just a moment?

Mr. NELSON. I yield.

Mr. SMOOT. I have already polled the Committee to Audit and Control the Contingent Expenses of the Senate upon the concurrent resolution, and I am authorized to report it favorably and to ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

The concurrent resolution was considered by unanimous consent and agreed to.

Mr. SHEPPARD. I ask that the unfinished business be laid before the Senate.

Mr. NELSON. The unfinished business has already been laid before the Senate.

The PRESIDING OFFICER. The unfinished business was formally laid before the Senate at 2 o'clock.

AFFAIRS IN RUSSIA.

Mr. NELSON. Mr. President, I propose briefly to discuss the Russian situation from an impersonal point of view. In order that we may understand exactly what it is, I shall go back and partially trace the history of the war and of the two revolutions that have occurred in Russia.

The question is asked, Why have we not helped Russia, and why do we not help her now with military forces, in conjunction with the allies, to establish law and order and a stable government?

To answer this question properly it is necessary to point out in what condition the war with Germany left Russia, to point out her present condition and what has already been done for her relief, and to briefly outline how and in what manner regeneration must come to her.

Russia entered the great war in August, 1914, apparently with a whole heart and united purpose, both on the part of the Government and the people. During the continuance of the war she scored great successes and sad failures, and it was apparent that the failures came, in the main, not from any lack of fighting ability on the part of the officers and men of her armies but from the neglect of those in high authority, who had the power, but not the will, to furnish the armies with the necessary supplies of food, ammunition, and equipment.

Germany carried on a double system of warfare against Russia—one by her trained armies in the field, the other by an army of spies and emissaries of bribery and corruption. She found an ample field for these spies and emissaries among the radical socialists and the remnants of the old nihilists; but beyond this, and fully as dangerous, was the disguised treachery that prevailed in the purlieus and environment of the court, and among some of the higher officials of German origin, and whose sympathies were with Germany.

The Czar was a weakling, the Czarina was a German, and both came under the sinister influence of the Monk Rasputin, who was evidently a tool of Germany, and aided in carrying on the German propaganda for the termination of the war and a separate peace.

One of the methods pursued by the plotters was to tighten the strings of autocracy so that they might the more easily break. At the direct instance of Prime Minister Goremykin, the Czar was induced to prorogue the Duma—the Russian Congress—at a time when this body was loyally supporting the war and was only asking for a responsible ministry and an amnesty for political offenders.

Proroguing the Duma led to the resignation of Goremykin, but he was succeeded by Boris Sturmer, a man of German blood and sympathy and a friend and associate of Rasputin. Sturmer soon began operations secretly and by roundabout methods to secure separate peace with Germany, and with this in view he brought about the removal of Sazonov, the minister of foreign affairs, a thorough friend of the allies, and he continued to still further tighten the strings of autocracy and to pursue his peace propaganda by securing the appointment of Protopopoff as minister of the interior. Shortly after this Sturmer, on account of corruption in office, was forced to resign, and he in turn was succeeded by Trepov, who was a weak man and never cut much of a figure.

The controlling spirit in the ministry after Sturmer was the minister of the interior, Protopopoff, who began an insidious campaign by drastic means to foment trouble and disturbance and to bring on a revolution for the purpose of furthering his sinister peace program. The Czarina and Rasputin were in league with him and held the poor Czar in their toils.

In the meantime the baleful influence of Rasputin had become so pronounced and acute that it was deemed necessary, by those who were really friendly to the Czar and hostile to the German influence and propaganda, to do away with him once for all, and he was accordingly lured to the house of a member of the royal family and there killed at the instance of a group of men who had assembled there for that purpose. His body was put under the ice in the River Neva, but was afterwards recovered. All this proved a great shock to the Czarina, Protopopoff, and the other members of the court who were friendly to Germany, and the remains of Rasputin were in fact given a quasi royal funeral.

It was hoped that the German influence with the court and Government would subside with the death of Rasputin, but the German intrigues continued, and Protopopoff seemed to step into the shoes of Rasputin, and proceeded to remove from the Government all those who were not friendly to Germany. Through his secret agents he fomented strikes and then proceeded to arrest the labor leaders, who were preaching and working against strikes. Then he halted and retarded the trains that were bringing food supplies to Petrograd to such an extent that not only the workmen but the troops suffered for want of food. He wanted dire distress to prevail in order to make it easier to come to terms with Germany to end the war and to secure peace; but his methods and his work brought on the upheaval and revolution of March, 1917, which led to the abdication of the Czar and the establishment of the Kerensky Government.

Up to this time the war against Germany had proceeded with varied successes and failures, but I will not weary you with any details of this. It is sufficient to say that aside from the bad generalship of the Tannenberg campaign, the Russians were, in the main, successful when they were provided with ample supplies of food, ammunition, and equipment. It was only where these failed that the Russians were forced to retreat, with empty guns and cannon, coupled with a lack of food. This failure to supply the army with food and ammunition was a part of the baleful and sinister German propaganda, participated in and promoted by high officials of the Russian Government.

The Russian officers and soldiers were brave men, and their heart was in the war, but they could not stem the tide of invasion with empty stomachs and empty rifles. Their heroic retreat, under these conditions, can not but meet with our sympathy and admiration for their valor and endurance.

One of the first acts of the Kerensky government was to pardon all political offenders at home and abroad. This brought Lenine from Siberia and Trotzky from the United States, to whom I shall refer later.

The Kerensky government proceeded to carry on the war, and at first was partly successful, but soon found itself handicapped by a spirit of the most radical socialism, which not only possessed the workmen and peasants but had also entered the ranks of the army to such an extent that the rank and file insisted on the right to remove and appoint their officers, high and low. This, of course, would inevitably lead to the disintegration of the army.

Nikolai Lenine, whose real name is Vladimir Utulyanov, had returned from Siberia by way of Switzerland and Germany in April, 1917, and at once proceeded to denounce the provisional government of Kerensky and the allies and to advocate a separate and immediate peace. He was through and through of the most radical order of socialists, and he no doubt obtained his cue in Germany on his way from Switzerland. He had an aggressive helper and coadjutor in Leon Trotzky, whose real name is Leber Braumstein and who had returned from America, where he had resided for some time and was known as a most radical and extreme socialist. The agitation of these two and that of their associates so affected the army that the Russian soldiers began to fraternize with the enemy soldiers, to desert, and to leave for home, and even in time of battle refuse to fight and go over to the enemy. This brought on a collapse of the war.

In the meantime Germany and Austria continued to vigorously prosecute the war and to press the Russian Army farther and farther back—back to a line running from Riga by way of Smorgon, Pinsk, Lutsk, Tarnopal, Czernowitz to Galatz, near the mouth of the Danube.

While the Russian armies were being pressed farther and farther back for lack of leaders and of a warlike spirit, Lenine and Trotzky and their associates and followers, who had assumed or acquired the name of "Bolsheviki," vigorously pursued their peace propaganda, and with that end in view sought to undermine and destroy the Kerensky government. In this they were soon successful, and in November, 1917, the Kerensky government was overthrown and was succeeded by a Bolsheviki Government under the lead of Lenine and Trotzky, who announced their program, through Trotzky to a representative of the Associated Press, to be, among other matters, an offer of an immediate armistice on all fronts for the conclusion of a democratic peace, transfer of all lands to the peasants, State control of industries, and delivery of all authority to local soldiers and workingmen's deputies. Lenine further announced that he and his government were for immediate peace without annexation and without indemnities.

Trotsky in the meantime sought to get the allies to join him in his armistice and peace propaganda. In this he, of course, failed.

During these maneuvers on the part of Lenine and Trotzky there had been a 10 days' suspension of hostilities. This was succeeded by an armistice to extend from December 17, 1917, until January 14, 1918. In the meantime sinister negotiations continued between the Bolsheviki government and the representatives of Germany and Austria, but I will not weary you with the details of these. It is sufficient to state that they all culminated in the treaty of Brest-Litovsk.

Before calling your attention to some of the provisions of this treaty, I will bring your attention to some other important matters which serve to explain some of the provisions of this treaty.

During this period of revolutions and the collapse of the war, Germany had embarked on a plan of establishing a kingdom of Finland, with a German prince as king, and she had also been instrumental in bringing forth and nursing a so-called Ukraine republic, to be independent of Russia. This last-mentioned scheme was the most sinister, and would prove the most destructive to the future welfare of Russia.

The proposed Ukraine nation or republic was to include 17 Provinces of Russia lying north of the Black Sea and the Sea of Azov, and watered by the Rivers Dncister, Dnciper, Don, and their tributaries. It embraces an area of over 300,000 square

miles and constitutes the best agricultural portion of European Russia, the famous black belt. It is also the home and the heart of the great Slavic race. To deprive Russia of this vast and rich domain would be to wrench her very vitals from her, and render impotent and abortive her future rehabilitation.

In addition to these matters, Germany was also nursing a scheme to cut off the Baltic Provinces of Russia, namely, Courland, Livonia, Esthonia, and Lithuania, with a view of establishing some kind of independent governments for them or perhaps, which is more probable, of ultimately absorbing them into the German Empire.

Peace negotiations were opened at Brest-Litovsk, between the Bolshevikl government of Lenine and Trotzky on the one part and Germany, Austria, Bulgaria, and Turkey on the other part in December, 1917, but were postponed and continued on various grounds until March 3, 1918, when the final treaty was signed, which was afterwards accepted by the so-called Pan Soviet Congress at Moscow on March 14, 1918. By this treaty Russia was divested of Finland, Esthonia, Livonia, Courland, Lithuania, Poland, Ukraine, and Russian Armenia. In short, her northern, southern, southeastern, and western borders were all stripped. She was cut off from the Black Sea, with a mere look-in at the easternmost end of the Gulf of Finland, and remitted for sea outlets to Vladivostok, Archangel, and the Kola Peninsula. The greater and most serious of these territorial losses, the Ukraine, seems to have been cheerfully acquiesced in by the Bolsheviki representatives.

When Chairman Kuhlman at the peace conference inquired of Trotzky whether he and his associates desired to represent diplomatically Russia as a whole, Trotzky replied:

> Being informed of the note of the general secretary of the Ukrainian people's Republic, which has been communicated by the Ukrainian delegation, the Russia delegation, for its part, declares that, acting in full recognition of the principles of the right of self-definition for every nation, it finds no objection to the participation of the Ukrainian delegation in the peace negotiations, even if this should involve the complete secession of the latter from Russia.

Mr. KING. Mr. President——

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). Does the Senator from Minnesota yield to the Senator from Utah?

Mr. NELSON. Certainly.

Mr. KING. I understood the Senator's preceding sentence to indicate that the Bolshevists cheerfully consented to a dismemberment of Ukraine from Russia and the setting up under self-determination of an independent government. Is it not a fact, however, that later the Bolshevists attempted, and are now attempting, to destroy all forms of government and of order in the Ukraine, the same as they are trying to destroy it in Esthonia, in Courland, or in Finland, and indicate that they are going to invade the entire world and destroy government wherever it does exist?

Mr. NELSON. I have not any doubt about that.

In the light of and inspired by this suggestion, which I have just quoted of Trotzky, a separate treaty was made with the Ukraine representatives who were in attendance at the peace treaty. I need not go into other details of the Russian treaty of Brest-Litovsk than to say that it bears the clear earmarks of the fact that Trotzky and Lenine and the other leaders of the Bolsheviki government were wholly oblivious to the welfare and best interests of Russia and were evidently the conscious tools of Germany. In any event the most charitable view that can be taken of their conduct is that they were so eager to establish a most radical and thorough socialistic state that they were willing to sacrifice all other vital essentials and interests for that purpose. If they were not financially corrupt, they were certainly morally and mentally corrupt, and poor Russia was the main sufferer and chief victim.

The peace propaganda of Germany in Russia has proved more fatal than her war propaganda. The germ of Bolshevikism was imported and, in the first instance, insidiously nursed and spread by Germany. The strife on the battle field has long since ceased, but the strife engendered by the invasion of spies and emissaries of treachery, fraud, and corruption is still rampant and a festering sore.

Conditions are still chaotic and mob rule seems still rampant. Russia has had and still needs relief and help, and the allies have already done much to help her. First and foremost of all they have vanquished and brought to her knees the enemy of Russia, and that common enemy of the civilized world—Germany—and through that has relieved Russia from the burden of the treaty of Brest-Litovsk, which is now a dead letter; and the large quantity of gold money taken by Germany from Russia has been recovered by the allies, and is held by them in trust for the Russian people. They have opened to her the ports of the Black Sea and given her an outlet to the Mediterranean and have recovered for her from the enemy her fleet in that sea.

With Odessa and Sevastopol and the shores of the Black Sea in control of the allies, the people of the Ukraine will soon see the folly of separating from the rest of Russia, and the Ukraine Republic, breathed into life by Germany, will soon be a mere saga.

The ports on the Baltic and the Gulf of Finland, namely, Riga, Pernau, Reval, Kronstadt, Helsingfors, and the Aland Islands, are fast being cleared of the enemy, and the interned Russian fleet in those waters will soon be recovered, and the German fleet will no longer be a menace. The port of Vladivostok, on the Pacific; the port of Arkangel, on the White Sea; and the port of Alexandria, on the Murman coast; and the Kola Peninsula, with all the shipping supplies and ammunition in these ports, have been saved and conserved for the benefit of the Russian people.

On the west—as a shield against Germany—a new Poland is fast rising from the turmoils and afflictions of the past, to regain the place she once held among the nations of the Old World, with a port at Danzig or Konigsberg giving her an outlet to the sea.

All these matters which I have thus briefly enumerated have been and will be of great help for the restoration and regeneration of Russia; but regeneration must come from within and not through the sword of an outsider, however friendly he may be.

Already the anti-Bolshiviki elements have obtained control of nearly all of Siberia and the Siberian railroads as far west as Omsk in western Siberia, and by the very latest accounts as far west as Perm, across the Ural Mountains in the eastern part of European Russia.

In the Ukraine, the Bolsheviki are fast losing their grip, and I think from there and from Siberia will come the elements and forces that will ultimately vanquish the Bolsheviki government and bring order out of chaos.

The Bolsheviki government can no longer lean upon Germany or receive material support from there, and all the civilized world is opposed to the system and methods of this government. It will be an Ishmaelite among the enlightened nations of the world, and soon the mass of the Russian people will become weary and sigh and labor for something better.

I have great faith in the recuperative vitality of the Russian people. They have always, in the past, succeeded in recovering themselves from what seemed hopeless adversity and chaos. I have acquired this faith from scanning the past history of the race.

The origin of the Slav race is somewhat obscure. When first known to history, the Russian Slavs, consisting of several tribes, occupied the territory extending from the region of the lower Danube, thence northward along the Rivers Dniester and Dnieper to Lake Ladoga on the north.

There was much strife among the various tribes, and finally in the ninth century some of the leading northern tribes invited Ruric, a Scandinavian chief, who with his followers had previously invaded the country from the north by way of the Neva and Lake Ladoga, to come to rule and lead them. He came, and under him and his successors the several tribes gradually coalesced and expanded their possessions in a northerly, easterly, and southeasterly direction and assumed the form of a nation and a homogeneous people.

Novgorod, on the River Volkhov, north of Lake Ilmen, was the first capital. From there Ruric and his successors proceeded southward to Smolensk and Kiev, and the latter place became for a while the capital of the embryo State, but Moscow ultimately became the seat of the Empire.

Christianity as well as culture came to them from the Greeks of the Byzantine Empire at Constantinople.

Many vicissitudes and many drawbacks were encountered by the new State, which, however, were gradually overcome; but the greatest calamity which befell the country was the great Mongol or Tartar invasion which began near the close of the thirteenth century and continued intermittently for upward of 200 years. During the confusion which ensued the chief band of cohesion was the church, which remained uncontaminated and was the chief rallying ground. The metropolitan had in the meantime transferred his see and seat to Moscow.

By the latter part of the fifteenth century the Tartar invasion had been stopped and ceased, and internal dissensions which had prevailed were suppressed and terminated, and Ivan the Third assumed the title of autocrat of all Russia and proceeded to consolidate and expand the Empire.

The Slav race had overcome the invasions, the vicissitudes, and the confusion of centuries and had emerged as a strong nation imbued with the spirit of expansion and growth.

Vassil the Third succeeded his father, Ivan the Third, and was succeeded by his son, Ivan the Fourth, known to history as Ivan the Terrible, who assumed the title of Tsar, and who, in many respects, was the greatest prince of the line of Ruric, and who further consolidated and enlarged the empire, extending it to the Ural Mountains and Caspian Sea. In his latter years the spirit of cruelty got the better of him and in a rage he killed his oldest son. He died in 1584, after a long reign, in which he had greatly enlarged, expanded, and consolidated his empire.

Three years before Ivan died the noted Yermak, at the head of his Cossacks, had entered upon the conquest of Siberia, which was pursued with such vigor by his successors that within 50 years thereafter the Russians had reached the shores of the Pacific at Kamchatka and Bering Strait and had, in the meantime, crossed three mighty rivers—the Ob, the Yenisei, the Lena, and their chief tributaries.

The death of Ivan brought on a collapse of the Government and the end of the rule of the line of Ruric. A period of disintegration, confusion, and chaos set in. Several pretenders appeared in the meantime and had many followers. The situation was more chaotic and more hopeless than it is to-day. For a time there was not even the semblance of a government of any kind, but finally, after the lapse of some 28 years of turmoil and confusion, the Russian people recovered themselves, and by the aid of the church placed Michael Romanoff on the throne, who succeeded, by the aid of the church and the better elements of the Russian people, in restoring law and order and in establishing a stable Government.

Under him and his successors the Russian Empire has continued to grow and expand into a mighty nation, although handicapped by its oriental origin and its lack of the general diffusion of knowledge. Serfdom, which had become established by custom and had retarded the progress of the Russian peasants, was finally abolished in the latter half of the nineteenth century, and Siberia and the shores of the Pacific were in the early part of this century united to European Russia by the great Siberian Railroad.

The descendants of Michael Romanoff continued at the head of the Russian Government until the revolution of 1917, to which I have already brought your attention.

I have thus briefly called your attention to and dwelt upon these two noted events in Russian history, namely, the Tartar invasion and the chaotic chasm which intervened between the extinction of the house of Ruric and the advent of the house of Romanoff, for the purpose of bringing your attention to the recuperative vitality of the Russian people.

A people who under such adverse conditions and drawbacks as then prevailed could thus recover themselves and expand and grow into a mighty empire have certainly the innate force, vigor, and vitality to restore order and to again establish a stable government.

The Bolsheviki government of Lenine and Trotsky without the aid of Germany, which it had when it was first launched, and without help or recognition from any outside source, and cut off from access to the sea at all points, can not long survive. It is based on false economic principles and is in the hands of treacherous, unscrupulous, and corrupt leaders. It is a moral excrescence which will inevitably slough off. The Russian people will soon by their own efforts come to their own. It will not be the old-time autocracy—they are scarcely fit for a republic—but a limited monarchy, with a legislature elected by manhood suffrage and a responsible ministry, after the pattern of England or the Scandinavian countries, would furnish them a stable government, suitable for their condition and their intelligence; and such a government, by the aid and encouragement of the allies, I believe they will establish in the near future, without the aid of outside military forces.

REPEAL OF ESPIONAGE ACT.

Mr. FRANCE. Mr. President, this morning I introduced a bill to repeal the so-called espionage act and the act amendatory thereof, and I desire to submit a few observations upon that subject.

On the 3d day of last December the Senator from Idaho [Mr. BORAH], one of the ablest and stanchest champions in the Senate of free speech, of a free press, and of full publicity in connection with the business of the Government, introduced a bill to repeal that portion of the espionage act which empowers the Postmaster General to exercise his discretion as to publications which should be admitted to the United States mail. I find myself in entire sympathy with the measure offered by the Senator from Idaho; indeed, I had for some time contemplated introducing a bill to repeal this whole act. The enactment of the espionage law was, in my judgment, unnecessary, unjustifiable, unconstitutional, and a usurpation of power by the Congress under the direction of an executive department of the Government. The enactment of this legislation seemed to me at the time to be a direct affront to the people of this Republic.

Mr. KING. Mr. President, will the Senator yield?

Mr. FRANCE. I yield.

Mr. KING. The Senator will recall that upon a number of occasions Congress has committed to the Postmaster General the discretion to exclude from the mails obscene matter, matter criminal in character, lottery matter, and so forth. Does the Senator think that committing to the Postmaster General the discretion to refuse the use of the mails to literature of that kind was unconstitutional?

Mr. FRANCE. Mr. President, I have a great regard for the Senator from Utah, as he knows. I only desire to speak very briefly, but I shall endeavor in the remarks which I intend to present to make my opinion perfectly clear to everybody.

Mr. KING. Does the Senator think that the answer just made is a full and fair reply to the question which I have propounded, and is it the only reply the Senator cares to make?

Mr. FRANCE. I think that the language of the Constitution is very clear, and I think it is beyond dispute that the States, in language as plain and definite as could be written, reserved to themselves the right to legislate with reference to the freedom of the press and the freedom of speech.

Mr. President, I do not hesitate to say that when the enactment of such legislation as this is no longer resented by the American people, and when such a serious invasion of their inalienable rights shall not be summarily punished at a subsequent election by the repudiation of the party in power responsible for it, then, indeed, will the end of this great enterprise and experiment in free government upon this continent be not far distant.

The people of the United States bore this invasion of their rights with patience. It was not because of but in spite of such legislation as this that more than 20,000,000 of our people brought their savings, many of them taking upon themselves unaccustomed debts and obligations in order that they might buy the bonds, without which the preservation of our liberty would have been impossible. It was not because of but in spite of such legislation that there could scarcely be found within the confines of this great Republic a humble cottage or a stately mansion in which there did not hang a food-conservation card, a liberty bond emblem, a cross of red, or a black or golden star of unselfish service and of supreme sacrifice. I feel confident that there were many Members of the Congress who supported this legislation because under the extraordinary conditions they deemed it to be their duty, for the sake of harmony of action, to waive their own better judgment, even at the cost of following for a time a blind and reactionary leadership; but I fear that there were also those who voted for this legislation because they had lost faith in the Republic and in the love of the millions of our people for our country and their loyalty under all circumstances to her free institutions.

I was one of a small minority of Senators who voted against the passage of this espionage act. Minorities are generally mistaken. Surely, in view of the clear constitutional provision and of the extraordinary conditions which then prevailed, there was ample room for a legitimate difference of opinion. A large minority, made up chiefly of those on this side of the Chamber, contended for an amendment which would have assured the American people that, even after the enactment of this drastic law, they would be protected in their right to speak or publish "what is true, from good motives and for justifiable ends." But even this amendment, after it had been adopted once by the Senate, was stricken out upon what amounted to a peremptory order from an official in an executive department. But whatever room there might have been at the time this legislation was enacted for legitimate differences of opinion, I personally can not see how there should now be any difference between us as to the wisdom and, indeed, the necessity for its prompt repeal.

Now, as never before in our history, as we face momentous questions, and as we are approaching the time when we must consider treaties which may fix the obligations of our country to other nations for generations to come, are the absolute freedom of the press and fearlessness and freedom of speech and discussion indispensable.

I shall not now enter upon a prolonged discussion of this subject of a free press and of free speech. Yesterday a Nation stricken and bereaved mourned at the bier of him who had the courage of his convictions, whose heroic deeds made realities of his high ideals; and last night by many a hearthstone strong men and weeping women knelt down to pray that since Theodore Roosevelt's mighty spirit has been summoned to a higher sphere there may be raised up new champions to plead with his fearlessness and power for the restoration of the people's rights

as against this tyrannical executive oligarchy which we, with the best of motives, have permitted to usurp them.

If there be any timorous one, I would commend to him the immortal words of the Areopagitica of Milton:

> Though all the winds of doctrin were let loose to play upon the earth, so truth be in the field we do injuriously by Licencing and prohibiting to misdoubt her strength. Let her and falsehood grapple; whoever knew truth put to the worse in a free and open encounter? What a collusion is this, when as we are exhorted by the wise Man to use diligence, to seek for wisdom as for hidden treasures, early and late, that another order shall enjoin us to know nothing but by statute.

I would that such a trembling one might become imbued with the spirit of Jefferson and with his faith in the Republic as revealed in his inaugural address, March 4, 1801, when he said:

> If there be any among us who wish to dissolve this Union or to change its republican form, let them stand undisturbed as monuments of the safety with which error of opinion may be tolerated, where reason is left free to combat it.

He was, of course, referring only to errors of opinion, and not to disloyalty and criminality of action, which, of course, can and should be punished under statutes which did before exist and which will remain in force after the espionage act has been repealed.

For myself, I shall contend here for an absolute freedom of speech and of the press, for full publicity in connection with the business of the Government, for a diplomacy absolutely open at every stage to the public view, for an immediate release from the clutch of a reactionary administration of the cables, the telegraph and telephone systems, the myriad swinging wires of which, like the tenuous web of association fibers within the brain of man, make possible that communication, association, and comparison of thought and ideas which compose the common public mind, the all but infallible conclusions of which, when its processes are undisturbed, are wise beyond the wisdom of any man and are the nearest approach in this sphere of many limitations to the absolute reason and wisdom of the Diety.

Referring to this question of free speech and of a free press, to the question of secret diplomacy, to which this administration seems, contrary to its many professions, to be committed, to the questions of the consideration of treaties behind closed doors, and of that rather suspicious secretiveness on the part of those who are dealing, it seems to me destructively rather than constructively, with the complex problem of our relations with Russia, I would call your attention to the words spoken by Lord Northcliffe at Paris recently:

> Nothing can be worse for the prospects of the coming conference than an atmosphere of secrecy and half truths.

And we have been hearing some half truths to-day, Mr. President, from the State Department.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Utah?

Mr. FRANCE. I yield, with pleasure.

Mr. KING. Does the Senator think that the statement he has just made is entirely fair? The Senator will take into account the fact that we have been, and still are, at war with the greatest military government of all times. The Senator knows that one of the first obligations resting upon a country at war is, so far as it may be done, to prevent the enemy from obtaining information as to the plans of his opponents. Does the Senator think——

Mr. FRANCE. Ah, Mr. President, I have heard that argument before.

Mr. KING. May I complete my sentence? If the Senator objects, I shall be glad to take my seat.

Mr. FRANCE. I do not object, of course.

Mr. KING. Does the Senator think that there was anything improper in Gen. Foch and the military staff failing to disclose to Germany or to the Bolsheviks their plan in sending troops to Russia? Does not the Senator think, in other words, that it was a proper and prudent thing to do not to disclose their military plans in sending troops not only to Siberia but to the White Sea?

Mr. FRANCE. Of course, the able Senator from Utah opens up a large subject, and it is difficult to know where to attack it, but I will attack it right here.

I listened with profound interest to the remarks—I believe the authoritative remarks—of the Senator from Nebraska [Mr. HITCHCOCK] this afternoon. I did not care to interrupt him, but if I had done so I would have asked him this question, which I now ask the Senator from Utah, who is an able lawyer: Was not Russia legally, when we invaded her territory, a neutral country? And if we invaded that neutral country in order to fight the Germans, as the Senator from Nebraska very clearly said to-day, what grievance can we justly urge against Germany because she had invaded helpless Belgium to fight the French and English? I think both of these invasions were inexcusable, and I also believe that there was no authority existing to send American troops to invade Russia until that authority was given by the Congress of the United States, into whose hands the fathers very wisely committed the decision of the momentous questions as to whether we should enter upon war; and it was largely because that very function of declaring war had not been securely lodged in the representative chambers of Germany that we called Germany an autocracy. Now, either the Senator must contend that Russia was not neutral territory, that we did not invade her to fight Germany, that it is no war to march troops for belligerent purposes onto a foreign soil, or he must see the impropriety of the whole procedure.

Mr. KING. Mr. President, I do not know whether the Senator intended me to reply to the interrogation which culminated in a speech which was just submitted. If so, I shall be very happy to submit in a few words at least an attempt to reply to the question.

Mr. FRANCE. I shall be very glad to have the Senator do so, although I know that the Senator from New York [Mr. CALDER] has some very important observations to submit upon a most important subject, and I had assured him that I would not take over 15 minutes. In fact, I thought the remarks which I had intended to make would scarcely consume more than 10 minutes. If the Senator from New York does not object, I think it would be only fair to allow the Senator from Utah to answer some of those questions, and I hope he does so upon the authority of the administration.

Mr. KING. I do not want to intrude upon the Senator from Maryland, nor upon my good friend the Senator from New York. I shall be very happy, however, to reply to the questions of the Senator from Maryland.

Mr. FRANCE. I hope the Senator from Utah will explain this to me most unexplainable and inexcusable action at some future time, because I think it will require even his great ability as a lawyer—for which I have the highest admiration—to defend such an act and the men responsible for it. I do not hesitate to say, right here, that I hope the Senator has had some experience in criminal law, if he undertakes to defend that action.

Mr. KING. I would only need a knowledge of equity to defend that.

Mr. FRANCE. I will resume my quotation from Lord Northcliffe; and this is a question also which I should like the Senator from Utah to answer when he speaks in defense of this administration—the administrations, rather, because there are several of them in Europe which seem to be committed to a secret negotiation of these treaties of peace:

> Shall the destinies of millions of people in all quarters of the globe be left to the tender mercies of a comparative handful of delegates, against whose enactments there is no public appeal? Such would be mockery of that principle of self-determination of free nations which has been fought for and won in this war.

And, again, in this connection, I would call your attention to the words of grand old Samuel Adams, who in his great defense of American independence, delivered on August 1, 1776, said:

> Truth loves an appeal to the common sense of mankind. Your unperverted understandings can best determine on subjects of a practical nature. The positions and plans which are said to be above the comprehension of the multitude may always be suspected to be visionary and fruitless. He who made all men hath made the truths necessary to human happiness obvious to all.

And I want to say that I know Maryland farmers, not acquainted with political life, who are more competent to pass upon some of these mysterious problems now being considered by the Department of State than some of the men who are in that department drawing large salaries, which these same farmers help to pay.

So spoke Adams and the other fathers. May we never lose their faith, either in times of peace or in periods of stress and war. In these principles which they enunciated, the great fundamental principles upon which are laid the everlasting foundations of this Republic.

I desire to give notice that I shall press, with whatever resources are at my command, the enactment of this repealing legislation. I trust that the Judiciary Committee may find an opportunity to report this bill favorably at a very early date, but I feel it to be my duty, whatever the action of the committee may be, to secure an early vote, in order that the attitude of the Senate upon this question may be determined.

In speaking as I have I have spoken for myself alone, and not for the Members upon this side of the Chamber. I have no doubt, however, that when this question shall come to a vote, a very large number of those upon this side of the Chamber will vote for the repeal of this espionage act. For if they did not do so, it seems to me that they would be violating the best traditions of our party, the party which has always been the great progressive, constructive, liberal party of the Republic.

Our party does not believe in democracy disorganized and disorderly. We have faith in the Republic so constituted that, if its public officers observe and obey that constitution, liberty is

insured to each citizen, and all are secured against every form of tyranny, even the tyranny of majorities over minorities.

The PRESIDING OFFICER. The bill introduced by the Senator from Maryland [Mr. FRANCE] will be referred to the Committee on the Judiciary.

SHIP CONSTRUCTION.

Mr. CALDER. Mr. President, the urgent deficiencies act of June 15, 1917, authorizes the President during the period of the war to requisition any existing or future contracts for the building, construction, or purchase of ships or material, and further authorizes him to confer upon the Shipping Board and the Emergency Fleet Corporation powers to carry out his orders in connection with the purchase, construction, and operation of all merchant vessels.

This act also provides that all authority granted to the President herein or by him delegated shall cease six months after the final treaty of peace is proclaimed between this Government and the German Empire. Under the terms of this and subsequent bills the Shipping Board and the Emergency Fleet Corporation have been authorized to expend nearly $4,000,000,000. By the powers given them they have requisitioned ships under construction and have made contracts for the construction of steel, wooden, and concrete vessels of every sort. The fact that six months after peace is declared much of the power of the Emergency Fleet Corporation will cease has prompted me to address myself to the subject and to offer to the Senate some suggestions regarding this problem.

In considering the work of the Emergency Fleet Corporation up to the time of the signing of the armistice on November 11 last, it is necessary to take into consideration certain facts at the time work was started.

First. There were under construction or contracted for by private owners in American shipyards, some of these being British and Norwegian, over 400 steel ships of approximately 2,900,000 dead-weight tons. A very large proportion of these contracts were in yards on the Pacific coast. These ships were requisitioned by the Fleet Corporation and the deliveries made have been included in the total tonnage reports. They constitute two-thirds of the total delivered since the Fleet Corporation began operation. These ships would have been constructed without reference to the activities of the Fleet Corporation, but it is possible that their delivery has been hastened to some extent by the payment of bonuses for overtime and allowances for increases in wages paid.

Second. In addition to the well-developed shipyards on the Pacific coast, there were in operation a dozen or more yards on the Great Lakes. All of these yards were well organized and had regular forces of skilled ship workers. It was necessary only to expand and enlarge these yards for the increased output made necessary by the war. Approximately 96 per cent of the steel ships actually built and delivered under contracts made by the Fleet Corporation up to November 11 last have come from the Pacific coast and Great Lakes yards.

Third. Practically all of the established shipyards on the Atlantic seaboard were filled to capacity with Navy Department work or with a part of the private work contracted before the war.

Fourth. In order to put into construction the immense tonnage of new ships demanded by the war situation it was necessary to contract for the building of many new yards and to make contracts for ships with new and entirely inexperienced organizations, whose yards were still to be constructed.

Fifth. Facilities had in many cases to be provided or enlarged for the manufacture of machinery and special equipment required for the ships.

Sixth. Shipbuilding has not been one of the really great American industries. This meant that the supply of men for all branches of the work—mechanical, designing, and administrative—was very limited and that a large share of the contracts must be made with untrained organizations. Even this supply was cut down to a certain extent by the operation of the draft law.

With these facts in mind, an examination of the accompanying tabulations will give a clear understanding of the good and bad points of the work performed.

Several things are evident:

(1) The established yards, working on both requisitioned and contract steel ships, rendered excellent service and have practically fulfilled their delivery promises.

(2) The new yards which have been constructed for the building of steel ships have not been able to produce ships either rapidly or economically. In fact, their contribution in finished ships has been practically nothing and their costs of production exceedingly high. There have been a few exceptions to this where the builders were men of wide shipbuilding experience and utilized part of their trained organization to operate new yards.

(3) Entirely too much dependence was placed in wooden ships. The only possible justification for an extensive wood-ship program in these times was the belief in certain quarters that the ships, hundreds of them, could be built and put into operation in a few months after the signing of contracts. Contracts were made without proper investigation as to the responsibility of the contractors, their knowledge of the work, or the probable source of their supply of materials.

It was evident to any well-informed observer at the end of a few months that the wood-ship program must be a great disappointment. Nevertheless, contracts for more wood ships continued to be let. In the month of October, 1918, contracts were placed for 47 wood cargo ships of 197,500 dead-weight tonnage; a total of 731 wood cargo ships were contracted for, and so unsatisfactory were they that immediately upon the signing of the armistice contracts for 160 were canceled.

Experienced shipping men of the country from the very beginning insisted that the wooden-ship program could not hope to be of real value, and already the Shipping Board has offered these vessels for sale. They were never fit for overseas traffic. In fact, very early in the war, Mr. Homer Ferguson, president of the Newport News Shipbuilding Co. and reputed to be the best-informed shipbuilder in the country, stated before the Commerce Committee of the Senate that they could never be utilized permanently for overseas traffic.

Of the 92 that were accepted by the Government up to the time of the signing of the armistice, 2—the *Blackford* and the *Coos Bay*—have already sunk, and 10 others were compelled to lay up for repairs after a voyage of less than 1,000 miles. These wooden ships, unless disposed of by our Government, may be utilized for coastwise trade, but have little value outside of that. If the Government could sell them at 50 per cent of their cost, it would be an excellent bargain.

The contracts entered into by the Fleet Corporation were of several kinds, including lump-sum contracts for ships, cost-plus-fee contracts for ships, cost-plus-fee contracts for both yards and ships, and those which provided allowances of various kinds for plant extensions or other items of expense.

In practically all instances the contractors are protected against advances in wages and cost of material, both items being to a large extent controlled by the various governmental war boards.

This means that the actual cost of the ships under contract can not be determined in advance and will in nearly every case very largely exceed the estimates.

The very high prices paid for materials, the large wage increases allowed, the exceedingly small output of work per man, the cost of the many and varied social and industrial service activities fostered by the Fleet Corporation, and the necessity for charging off a very large part of the plant investment in these contracts have resulted in a total cost for these ships approximately three times that of similar ships in a normal prewar period and nearly five times the cost in British yards. In addition to these costs, there must be charged the expense of the Fleet Corporation's own activities and much of the money expended for housing and transportation facilities.

Contracts for approximately 35 per cent of the total tonnage of new steel ships were let on some form of cost-plus contract to five shipbuilding concerns, only one of which had previous experience in the work. These were as follows:

	Ships.	Dead-weight tons.
American International, Hog Island, Pa	180	1,395,000
Merchant Shipbuilding Corporation, Bristol, Pa	60	360,000
Submarine Boat Corporation, Newark, N. J	150	785,400
Bethlehem Shipbuilding Corporation, five yards	111	780,600
Carolina Shipbuilding Corporation, Wilmington, N. C	12	115,200
Total	513	3,600,000

The total estimated cost of these ships, including cost of yard construction where that was a part of the contract, was approximately $745,000,000.

The probable cost of these ships will be nearer $1,000,000,000. This makes an average cost per dead-weight ton of approximately $275, without the cost of supervision and control by the Fleet Corporation.

Of these 513 ships, only 4 had been delivered up to November 11, 1918, out of 103 promised by that date.

An analysis of the results obtained under the contracts with the American International Shipbuilding Corporation, the Merchant Shipbuilding Corporation, and the Submarine Boat Corporation is given in tables and notes attached hereto.

The Carolina Shipbuilding Corporation laid its first keel on November 2, and its work has not reached a point where analysis is possible.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Utah?

Mr. CALDER. I yield.

Mr. KING. I wish to inquire of the Senator whether the International Shipbuilding Co. is the one which was operating at Hog Island?

Mr. CALDER. Yes.

Mr. KING. Does the cost which the Senator gave of $275 per ton, dead-weight, include the fifty or sixty million dollars which the Hog Island plant cost, or is it exclusive of that?

Mr. CALDER. In my statement I averaged the cost of all the ships being constructed in the agency yards, and I include the cost of the yards. The ships being built at Hog Island will cost more than those being built at the other agency yards. Some of the ships being built there will cost over $300 a ton. I will get to that in a moment, if the Senator will permit me. I have some figures dealing in detail with the costs at the Hog Island yard.

Mr. KING. Will the Senator give any information, in the course of his remarks, with reference to the comparative cost between ships built at Hog Island and other shipyards on the Atlantic coast and ships constructed on the Pacific coast?

Mr. CALDER. I have not in my remarks any such information, but I will say that the average price per dead-weight ton of steel ships throughout the country runs about $180 a ton.

Mr. KING. Does the Senator mean exclusive of the cost of supervision of the yards by the Government?

Mr. CALDER. About $185 is the cost on the Pacific coast.

Mr. FLETCHER. May I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Florida?

Mr. CALDER. I do.

Mr. FLETCHER. I should like to direct attention to the fact that it is quite impossible now to tell what the cost of the ships will be when there have been only two or three ships out of a total number of 120, for instance, contracted for. I think the Senator must be aware of the fact that we have not proceeded far enough yet to ascertain fully the cost per dead-weight ton of the ships that are under construction. It may be that a person can make a sort of an estimate about what one ship would cost, but as to the cost of a number of ships or the cost of all the ships under construction it is quite impossible to say what it will be.

I think the Senator can not produce sufficient data to show what the cost has been in the different yards, because all the evidence before the committee, I believe the Senator will agree, is based upon the estimated cost. The contract price is based upon the estimated cost, but the cost of completing a ship can not be said to be greater at Hog Island than at any of the other yards, because we have not up to this time the data upon which to base that calculation. For instance, they have only delivered three ships at Hog Island. There are 58 under construction, all told; that is to say, 8 or 10 have been launched and new ones are taking the place of those on the ways, and the other ways are occupied by ships in various stages of construction, some of which are nearly 75 per cent completed.

How can it be said we are in a position to tell the cost of constructing these ships? It seems to me it is quite a guess. The estimate at Hog Island was about the same as the estimate on the Pacific coast. I doubt very much, when the facts are all given, if it can be established that the cost of the construction of ships on the Pacific coast is less than it is at Hog Island or on the Atlantic coast. By taking one ship and estimating the total amount of the investment and the fact that only one ship has been turned out you will have one figure, but if you distribute the cost of the yard over the whole number of ships under construction, you will get an entirely different figure and, it seems to me, the only fair figure.

Mr. CALDER. Mr. President, I know that it is impossible at this time to say definitely just what these ships will cost, particularly in the agency yards, but we have had an experience in these yards, where we estimated that the construction of the yards would cost a certain amount, and then we find that in nearly every case the cost of equipping the yards has been 100 per cent more than was estimated. Then, too, Mr. President, I have collected here some tables that I know the distinguished Senator from Florida will examine, and that I have no doubt the Fleet Corporation will examine, and I will venture to place my estimate of the cost of these ships in their completed program against what they may say is the maximum. I have gone out of my way to obtain estimates from men in the shipping line who have given me their best judgment, and I base my estimate upon my own knowledge of the situation upon the Fleet Corporation reports and other information I have been able to obtain. I feel reasonably certain, when we have the full report after these ships are completed, they will be found to have cost fully as much as I am estimating their cost to be.

A short résumé of the cost-plus contracts with the Bethlehem Shipbuilding Corporation follows:

Number.	Kind.	Dead-weight tons.	Estimated cost.	Estimated cost per dead-weight ton.	Probable cost per dead-weight ton.
40	Tankers	382,000	$86,993,000	$228	$270
29	Cargo	251,400	49,582,800	197	240
12	Transports	150,000	53,713,200	358	460
30	Tugs		10,014,000	[1]333,700	[1]400,000
111			200,302,000		

[1] Each tug.

Mr. VARDAMAN. May I inquire of the Senator if those are the companies owned and controlled by Mr. Schwab?

Mr. CALDER. I am under the impression that Mr. Schwab is interested in the Bethlehem Shipbuilding Corporation, although I do not know positively.

There remain the three great "fabricated" yards at Hog Island, Pa.; Bristol, Pa.; and Newark, N. J.

The work in these yards was arranged for under what are known as agency contracts. The Fleet Corporation furnishes all the funds required for the construction of the yards and the building of the ships, placing these funds at the disposal of the contractors, who act as agents of the Fleet Corporation in its expenditure. All expenditures incident to the operation, including salaries of executives and all overhead, are considered a part of the cost and are paid directly from the funds provided by the Fleet Corporation.

The contractors receive a fee of approximately 5 per cent on the estimated cost of the ships, with no fee on the cost of yard construction. This fee may be raised or lowered to the extent of about 25 per cent through the operation of bonus and penalty clauses in the contracts. In the case of the Submarine Boat Corporation, the effect of the change from the agency contract to a lump-sum contract is to give the contractor a price in which is included an estimated profit equal to the maximum profit which could have been earned under the original contract. So that this company, if it makes good on its revised estimates of cost, profits largely by the increased cost of the ships while the American International and Merchants suffer a very considerable loss of profit through the same causes.

The cost of the ships built in these yards, including the cost of yard construction, will be approximately as follows:

	Per dead-weight tons.
Hog Island, transports	$340
Hog Island, cargo ships	267
Bristol, cargo ships	240
Newark, cargo ships	206

The attached tabulations show in detail the results obtained in these three yards and the present rate of progress in construction work.

The sallent points brought out by the tables are the following:

Complete failure to deliver ships in time to be of actual use in the war program. Ninety-three were promised, none were delivered.

Failure to the extent of 87 per cent in the number of ships launched. One hundred and sixty-four were promised, 22 were launched.

Failure to the extent of 57 per cent in the number of ships placed in construction. Two hundred and forty-nine were promised, 107 were laid down.

Failure to the extent of 66 per cent in the amount of steel erected and of 74 per cent in the number of rivets driven.

The supply of steel from the mills was nearly up to scheduled requirements and much in excess of the quantity actually used in construction.

The supply of fabricated steel was 35 per cent short of estimated requirements, but exceeded actual erection requirements by many thousands of tons.

The construction progress being made in the month from October 15 to November 15 shows the following:

The number of ships launched and in process of outfitting is 69 per cent below normal for scheduled speed. This fact will seriously limit deliveries of finished ships for some months.

There are a full number of ships under construction on the ways, so that the limiting factor in launching from now on will be labor and its turnout.

The actual construction work, I am informed, is progressing at approximately 40 per cent of scheduled speed.

This means that the yards are a very long way behind in work done to date and that they are losing ground rapidly in comparison with scheduled requirements.

The final completion of the work under contract will probably take nearly a year longer than the time allowed in the contracts.

The effect of spreading the work over this longer period will be to very largely increase the overhead costs through the payment of salaries and incidental expenses for the added time.

There are certain facts which have been made plain to the trained observer as the work has progressed and which must be taken into consideration in judging the results obtained.

(1) The Shipping Board has at no time been made up of men with a knowledge of shipping or shipbuilding problems.

(2) There have been many changes in the personnel of the Shipping Board and consequently in its policies.

(3) A very large part of the time and the energies of the Fleet Corporation has been given over to the building up of a great and cumbersome system of supervision, reports, statistics on every conceivable subject connected with the work. In other words, the emphasis has been put upon the building of an organization and compilation of information which might be useful in a long-extended shipbuilding enterprise rather than upon the building of ships as an emergency measure. Most of this information is practically valueless, as it is taken from an emergency operation being carried on under abnormal circumstances and is not applicable to ordinary conditions.

(4) Another very large part of the efforts of the Fleet Corporation has been devoted to a wide range of social and industrial work—investigations, statistics, welfare work, technical and trade instruction, speech making, and so forth.

(5) In the policy adopted toward labor there has been practically no effort made to enforce ordinary discipline or to indicate to the workingmen generally that they were expected to render a fair return of work for the high wages paid. The records indicate that in many instances men being paid by the piece with the possibility of making from $20 to $30 a day did three times the quantity of similar work performed by men on a per diem basis. This condition is due in large measure to the apparent disregard for expense, the grossly excessive office and supervisory forces employed, and the knowledge among the workingmen of the very high salaries being paid. It is an interesting fact that the Hog Island shipyard's overhead expenses are averaging to-day the sum of $1,700,000 a month, and since the start of the work in this yard the overhead charges up to December 1 have exceeded $16,800,000.

Mr. VARDAMAN. Will the Senator pardon me for an inquiry?

Mr. CALDER. Certainly.

Mr. VARDAMAN. Unless I misunderstood the Senator, the overhead charges are paid out of the Public Treasury and not by the private corporation that is conducting the operations.

Mr. CALDER. The Senator is correct. They go as a contribution to the cost of building the ships. The money is taken out of the Public Treasury.

Mr. KING. Will the Senator yield?

Mr. CALDER. Certainly.

Mr. KING. Is Admiral Bowles still in charge at Hog Island?

Mr. CALDER. I believe he is.

Mr. KING. He is the officer who sent an offensive and highly improper telegram to the Senator from Florida [Mr. FLETCHER], denouncing a Senator who had called attention to the extravagance and waste at the Hog Island yard.

Mr. CALDER. I do not recall the telegram.

Mr. KING. There was such a telegram. A sheet is published under the authority of those directing operations at Hog Island at a considerable expense to the Government. I saw on the front page of that sheet the telegram to which I referred. It appeared in bold type, and its place in the publication, together with the editorial comment, as I recall, clearly manifested a purpose to attack Senators for daring to criticize Government functionaries and agencies.

I have been waiting to see whether the Secretary of the Navy would call Admiral Bowles to account. If he does not do it, I think that a resolution would be proper asking why action was not taken looking to an explanation of conduct so deserving of censure. No official occupying the position held by Admiral Bowles, or one similar, is warranted in denouncing a member of the legislative branch of the Government as he did. The criticism by the Senator from Mississippi [Mr. VARDAMAN] of conditions at Hog Island was made in the discharge of his duty as a Senator and as a member of the committee charged with the responsibility of investigating the work at Hog Island. If the Senator and the committee found conditions that were improper, or if they believed that there was waste and inexcusable extravagance, it was their duty to challenge attention to the same. It is little less than an outrage that Government funds should be employed to publish libelous screeds, in which officials are denounced as "liars" for their fearless exposure of wrongs and the reckless waste of the taxes of the people.

Mr. CALDER. I would say in response to the Senator from Utah that Admiral Bowles is a retired naval officer, and I doubt whether he is under the control of the Secretary of the Navy.

Mr. KING. The attitude of this officer, his lack of appreciation of the proprieties, his violent outbreak, his utilization of a sheet, doubtless under his control, to give this intemperate telegram to the country, indicate that he is not the proper man for the place and that he should be retired therefrom.

Mr. CALDER. Before entering upon a discussion of terms of the contracts for building ships and shipyards, may I for a moment bring the attention of the Senate to some matters included in a report of the Shipping Board recently filed indicating that it has spent upward of $75,000,000 for housing during the past year? In my judgment, much of this was unnecessary. Many shipyards throughout the country have taken care of the housing of their employees. I believe that this could have been done in other places if the Shipping Board had insisted.

I was interested in the statement made by the senior Senator from Florida [Mr. FLETCHER] the other day, in which he called the attention of the Senate to the extraordinary amount of money spent for housing ship workers in northern and eastern States as against the small amount in South Atlantic and Gulf States. I am not here to defend the acts of the Shipping Board in this regard, but to add just a word or two to what the Senator from Florida has stated. He pointed out the amount of money spent in his own State, comparing it to the amount spent in New York.

I remember the figures. They indicated that the amount spent in Florida about equaled the total housing expenditures in New York, despite the fact that in 1918 the State of New York paid into the Federal Treasury over four times as much money as all of the South Atlantic and Gulf States put together.

The thing that interested me most in his statement was the reference to the expenditure of $1,300,000 at Groton, Conn., for the housing of about 300 men. This would seem to indicate that it cost about $4,000 to house the ship workers at this point, a sum which all will agree is most extraordinary, and in my judgment inexcusable, unless these houses are built in a location where they could be easily disposed of after the war is over without regard to whether or not the shipyard at Groton remains.

It is impossible to criticize these matters justly without first-hand information, and that is only obtainable where one can visit the place of expenditure or have a personal representative visit it for him.

In this connection I might add that this morning a representative of the Emergency Fleet Corporation, who has charge of housing, appeared before the Committee on Commerce and discussed with the committee some of the expenditures for this purpose. I was quite surprised to find that the average cost of the frame houses of three, four, and five rooms built at Jacksonville, Fla., including land, was over $4,000. This gentleman stated that in his judgment the Government will be able to sell these houses after the war is over and business is adjusted again at about 60 per cent of their cost to the Government.

I will venture the statement here and take the chance of being a good prophet that in my judgment the Government will be doing very well indeed if we are able to sell these houses for 40 per cent of their cost. If it were left to me to determine the question to-day, and I could sell them for that price, I would make the bargain immediately.

Mr. LENROOT. Will the Senator yield?

Mr. CALDER. Certainly.

Mr. LENROOT. During the Senator's absence from the Committee on Commerce this morning another matter came up that I think should be mentioned in this connection. The Government has an agency yard, as the Senator is aware, at Wilmington, N. C.

Mr. CALDER. The Carolina Shipbuilding Corporation.

Mr. LENROOT. Yes; the Carolina Shipbuilding Corporation, at which there are four ways. There was a proposition to construct houses there at an expense of $500,000. Mr. Piez informed the committee last week that this proposition would be abandoned. A committee from Wilmington, N. C., are here in Washington, and this morning officials of the Shipping Board came before the committee and stated that although not

one dollar of expense has thus far been incurred for the houses, in their opinion we should proceed with the construction of the $500,000 worth of houses, where it is admitted that the Government will lose 50 per cent of the cost. Unless some committee of Congress shall express itself in opposition to that waste, that money will be wasted, because there is very great pressure being brought to bear to secure that expenditure.

Mr. CALDER. I thank the Senator for calling the Wilmington, N. C., operation to the attention of the Senate. In my judgment it is inexcusable. There ought to be sufficient housing facilities there to take care of the ship workers at the ship plant at Wilmington, and there ought to be people enough interested in this great project in that city to provide housing facilities for the people employed in the shipyards. That has been done at many points all over the country, and there is no reason why it should not be done at this place.

Mr. JONES of Washington. Mr. President, I was not able to be present at the committee meeting this morning, and I should like to ask the Senator from Wisconsin [Mr. LENROOT] what showing was made as to the necessity for building houses there now? The winter has been on for some little time and this shipbuilding corporation has been in operation for some time. They certainly have been able to take care of the housing necessities thus far. What was the showing made as to the necessity for this work?

Mr. CALDER. I think perhaps the Senator from Wisconsin can answer that question better than I. He was present at the committee meeting this morning.

Mr. LENROOT. I will state that the yard has just been completed. The first keel was laid last month. My information is that there are 900 men employed there and that it will require a much larger number when they proceed with four ships. Speaking individually, there can be no possible reason for the construction of four ships at a time now at such a very greatly added expense. They have sufficient housing facilities if they will construct two ships at a time.

Mr. CALDER. Mr. President, in my judgment, certain modifications of the existing conditions should be made at once.

(1) The general policies of the Shipping Board and the scope of its activity should be determined by Congress.

(2) The board should be composed of men whose business experience qualifies them to work out the details under these policies and within the limits set.

(3) The Emergency Fleet Corporation should be organized on a strictly business basis as the construction branch of the Shipping Board. The executive head of the Fleet Corporation should have sufficient authority to enable him to make decisions promptly and to carry on the work as private business is carried on.

(4) The activities of the Fleet Corporation in connection with the work of privately owned yards having contracts for ships should be limited to the proper inspection of the work and to rendering assistance in the supplying of materials and facilities.

(5) The work in the Government-owned yards should be carried on as a direct Government work, under the immediate control and direction of the Fleet Corporation. The assumption that the corporation now acting as agents of the Fleet Corporation under these contracts were really furnishing the "know how" in return for the fees to be paid them is shown to be founded upon a fallacy. They did not "know how" when they began the work; their records show practically no progress toward "knowing how" at present; they have spent and are spending enormous sums of the Government's money unnecessarily; their organizations are unwieldy and extravagant. The cost of the operations would be very much reduced under Government direction.

It would be quite impossible to convert these into lump-sum contracts under existing conditions without paying a price which would be exorbitant in every way. The best results can only be obtained by direct Government operation. Such operation would also make it possible to close out these emergency operations without the complications which must result from working through an agent. The work has gone too far to be canceled to advantage.

Mr. VARDAMAN. Mr. President, will the Senator from New York yield to me at this point?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Mississippi?

Mr. CALDER. I yield.

Mr. VARDAMAN. There would be an additional saving if the Government should take over the Hog Island shipyard, for instance, of not less than $8,000,000 in fees and possibly $14,000,000 in fees that go to the agent corporation, which has rendered no service at all to the people of the United States.

Mr. CALDER. I thank the Senator from Mississippi.

I have here the total of the requisitioned ships which were contracted for and were under construction at the time of the organization of the Emergency Fleet Corporation that were taken over by them. The summary of these vessels is as follows:

Requisitioned ships.

Kind of ship.	Total contracted for.		Deliveries required to Oct. 31, 1918.		Actual deliveries to Oct. 31, 1918.		Required deliveries not made.		Per cent of failure.
	Ships.	Dead-weight tons.	Ships.	Dead-weight tons.	Ships.	Dead-weight tons.	Ships.	Dead-weight tons.	
Steel cargo	318	2,096,652	231	1,336,762	230	1,346,802	1	9,960	
Steel tankers	62	594,880	29	335,235	35	354,405	6	19,170	6
Steel refrigerator	12	77,700	12	77,700	5	33,200	7	44,500	58
Steel transports	7	34,558	7	34,558	4	18,972	3	15,586	43
Steel colliers	9	70,350	9	70,350	8	61,750	1	8,600	12
Total requisitioned ships	408	2,874,090	288	1,874,605	282	1,815,129	6	[1] 59,476	3

[1] Surplus.

These vessels, Mr. President, were all contracted for and under construction before we entered the war.

I also submit a table which indicates that the Emergency Fleet Corporation has contracted for the construction of 10,393,000 dead-weight tons of steel vessels, of which only 612,200 tons were delivered up to October 31, 1918.

Mr. President, I ask unanimous consent to insert this table in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The table referred to is as follows:

Contract steel ships.

Kind of ship	Total contracted for.		Deliveries required to Oct. 31, 1918.		Actual deliveries to Oct. 31, 1918.		Required deliveries not made.		Per cent of failure.
	Ships.	Dead-weight tons.	Ships.	Dead-weight tons.	Ships.	Dead-weight tons.	Ships.	Dead-weight tons.	
Cargo	1,298	8,559,380	225	1,481,748	106	612,200	119	872,548	59
Tanker	80	737,000							
Refrigerator	4	37,600							
Transport	86	704,250							
Hospital	2	20,000							
Barge	8	34,800	1	7,500			1	7,500	100
Tugs	97		3				3		100
	1,573	10,393,030	229	1,492,248	106	612,200	123	880,048	60

[1] Dead-weight tons not given for tugs.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Washington?

Mr. CALDER. Yes.

Mr. JONES of Washington. The Senator from New York may show it a little later on; but I wonder whether he does show just what time these ten-million-odd tons are to be completed under the contract?

Mr. CALDER. I have not those figures, Mr. President. I have the figures here indicating the total tonnage that should have been delivered on the day of the signing of the armistice; and those figures are 1,492,248 tons, of which only 612,200 tons were delivered. I have not, however, the facts asked for by the Senator from Washington.

It is an interesting fact that of 106 steel ships delivered up to October 31, 43 of these were constructed on the Pacific coast, 60 on the Great Lakes, and 3 on the North Atlantic seaboard. The question undoubtedly will be asked why were more not delivered from the Atlantic coast yards. This can be answered by the statement that these yards were all filled by orders for naval ships and merchant vessels requisitioned by the Shipping Board.

I ask unanimous consent to print in connection with my remarks a table showing the cost and progress of the ships being constructed by the American International Shipbuilding Corporation at Hog Island, Pa. This statement shows that the yard construction exceeds by $34,000,000, or 113 per cent of the original estimates, and that the ship construction will probably exceed the estimates by the sum of $81,000,000, or 32 per cent of the total. These figures indicate a careful analysis of the whole project. Under the schedule agreed upon 15 ships should have been delivered by November 11. None were delivered by that date.

The PRESIDING OFFICER. In the absence of objection, permission to print the table referred to will be granted.

The table referred to is as follows:

Statement of cost and progress.

	Estimated cost.	Probable cost.	Excess cost.	Per cent excess.
Yard construction	$30,000,000	$64,000,000	$34,000,000	113
Ship construction	256,000,000	337,000,000	81,000,000	32
Contractor's fee	11,825,000	9,061,000	[1] 2,764,000	[1] 23
Total	307,825,000	410,061,000	112,236,000	36

[1] Reduction.

Production.

Cumulative results.	Required to Nov. 11, 1918.	Actual to Nov. 11, 1918.	Shortage.	Per cent of shortage.
Ships delivered	15		15	100
Ships launched	46	4	42	91
Ships placed in construction	91	49	42	46
Steel laid on ways ... tons	198,000	80,000	118,000	60
Rivets driven ... tons	32,000,000	9,300,000	22,700,000	71
Steel fabricated ... tons	340,000	230,000	110,000	32
Steel rolled ... do	510,000	427,000	83,000	16

Current work.	Required.	Actual.	Shortage.	Per cent of shortage.
Ships in outfitting basin	31	4	27	89
Ships on ways	45	45		
Steel on ways ... tons	70,000	68,800	1,200	
Rivets in ships on ways	9,000,000	7,200,000	1,800,000	20
Steel laid last month ... tons	50,000	15,300	34,700	69
Rivets driven last month	9,000,000	3,196,000	5,804,000	64

Mr. CALDER. The first ship launched was scheduled for delivery 51 days after launching. On November 11, 98 days after launching, she was still undelivered.

I ask also unanimous consent to print in the RECORD a statement of the cost and progress of the Merchants Shipbuilding Corporation, at Bristol, Pa. These figures indicate that the cost of the yard construction exceeded the estimates by the sum of $6,500,000 and that the probable cost of the ship construction will exceed the estimates by over $31,000,000.

Under the schedule agreed upon 25 ships should have been delivered by November 11. Not one was delivered.

The PRESIDING OFFICER. In the absence of objection, the table referred to by the Senator from New York will be printed in the RECORD.

The table referred to is as follows:

Statement of cost and progress.

	Estimated cost.	Probable cost.	Excess cost.	Per cent excess.
Yard construction	$7,450,000	$14,000,000	$6,550,000	88
Ship construction	78,324,480	109,654,000	31,329,520	40
Contractor's fee	3,840,000	3,000,000	[1] 840,000	[1] 22
Total	89,614,480	126,654,000	37,039,520	41

[1] Reduction.

Production.

Cumulative results	Required to Nov. 11, 1918.	Actual to Nov. 11, 1918.	Shortage.	Per cent of shortage.
Ships delivered	25		25	100
Ships launched	29	3	26	90
Ships placed in construction	41	15	26	63
Steel laid on ways ... tons	102,000	30,000	72,000	70
Rivets driven	18,500,000	3,900,000	14,600,000	79
Steel fabricated ... tons	125,400	65,400	60,000	48
Steel rolled ... do	155,000	113,000	42,000	27

Current work.	Required.	Actual.	Shortage.	Per cent of shortage.
Ships on outfitting basin	4	3	1	25
Ships on ways	12	12		
Steel on ways ... tons	17,550	21,000	[1] 3,450	[1] 20
Rivets in ships on ways	2,640,000	2,250,000	390,000	15
Steel laid last month ... tons	10,000	4,800	5,200	52
Rivets driven last month	1,743,000	900,000	843,000	48

[1] Surplus.

Mr. CALDER. The first ship launched was scheduled for delivery 28 days after launching. On November 11, 80 days after launching, she was still undelivered.

Mr. President, in my judgment it will be found that the change in the contract between the Emergency Fleet Corporation and the Submarine Boat Corporation from cost plus with fixed profit modified to a lump-sum price will be profitable to the Government. It is true that the ships being constructed by this concern will cost $27,000,000 more than at first estimated, but most of this increase can be accounted for by the increased cost of labor and material, and while the Submarine Boat Corporation will apparently earn $2,000,000 more than the profit originally fixed in the contract, in the end this will be advantageous to the Government, for here the contract is really an incentive for the builder to finish his work expeditiously and economically.

I ask unanimous consent to insert in the RECORD a table with total figures on the progress and cost of the work of the Submarine Boat Corporation.

Under the schedule agreed upon, 53 ships should have been delivered by November 11, and not one was delivered.

The PRESIDING OFFICER. In the absence of objection, the table referred to by the Senator from New York will be printed in the RECORD.

The table referred to is as follows:

Statement of cost and progress.

	Estimated cost.	Probable cost.	Excess cost.	Per cent excess.
Yard construction	$8,500,000	$17,000,000	$8,500,000	100
Ship construction	100,500,000	136,500,000	27,000,000	25
Contractor's fee	5,475,000	[1] 7,500,000	2,025,000	37
Total	123,475,000	161,000,000	37,525,000	30

[1] Profit estimated.

Production.

Cumulative results.	Required to Nov. 11, 1918.	Actual to Nov. 11, 1918.	Shortage.	Per cent of shortage.
Ships delivered	53		53	100
Ships launched	89	15	74	83
Ships placed in construction	117	43	74	63
Steel laid on ways ... tons	182,000	55,000	127,000	70
Rivets driven	31,000,000	8,060,000	22,940,000	74
Steel fabricated ... tons	193,000	133,000	60,000	31
Steel rolled ... do	240,000	[1] 262,000	[1] 22,000	9

[1] Surplus.

Production—Continued.

Current work.	Required.	Actual.	Shortage.	Percent of shortage.
Ships in outfitting basin	36	15	21	58
Ships on ways	28	28		
Steel on ways ... tons	25,000	26,500	[1] 1,500	16
Rivets in ships on ways	3,472,000	3,610,000	[1] 138,000	14
Steel launched last month ... tons	17,700	9,000	8,700	49
Rivets driven last month	3,100,000	1,650,000	1,450,000	47

[1] Surplus.

Mr. CALDER. The average time on the ways for the 15 ships launched previous to November 11 was 191 days.

The first ship launched was scheduled for delivery in four months from date of launching. On November 11 she had been in the water nearly six months and was still undelivered. Three others were in the water nearly four months and still undelivered.

In considering time consumed on these ships, it must be considered that they are only about 65 per cent as large as those in the other two yards and are simpler in many ways.

The figures I have quoted indicate that, including the requisitioned contract steel ships and wooden cargo ships, when completed, the United States will have a net tonnage of 16,000,000 tons. This is, of course, exclusive of privately owned American ships, which will total about 4,000,000 dead-weight tons.

If this fleet of vessels are of a character that can compete with the tonnage of England and other maritime nations of the world, then, indeed, the United States has made a real advance toward a permanently successful merchant marine.

Recently in the hearings before the Committee on Commerce Mr. Piet, general manager of the Emergency Fleet Corporation, stated in reply to a query that the Fleet Corporation was carefully examining into the question as to whether or not the ships being built by them were competent to compete with the ships being constructed in England and Japan and other maritime countries. This is a very important matter, for if this great tonnage, when completed, is not of a character to carry freight as expeditiously as other nations, then, indeed, our ships will have been built in vain.

This question is one that has been occupying the attention of the maritime powers of the world for the past year. They knew that we were building a great fleet of fabricated vessels that could be operated at a speed of 10 knots an hour, and I am told that Great Britain a year ago began the construction of ships that would outsail ours. The Shipping Board denies that this is so and insists that our vessels can compete with the rest of the world. I sincerely hope that this is true.

Newspapers indicate that the Shipping Board have purchased the International Mercantile Marine. I do not know whether or not this is so, but with the war over I can not understand the necessity of this purchase. Many of the ships owned by this company are splendid vessels. Others are old and antiquated, some of them having been in commission for over 30 years. Newspapers suggest that these vessels were purchased by the Shipping Board only because an English company was about to take them over. The war is over, and I can not see any reason why we should pay an exorbitant price for these ships simply because some one else wants them. Surely in the course of a year or two, when business is normal again, we could duplicate this fleet for less money than the Government is paying for it. If we did that we could build modern vessels which could compete in speed and in equipment with any other fleet afloat.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Florida?

Mr. CALDER. Yes.

Mr. FLETCHER. May I ask the Senator, just on that point, not committing myself one way or the other, or going into any details regarding that transaction, if he would not think that $90 a ton in cash for those ships would be getting them at very much less than we could build them for, and be a very fine bargain?

Mr. CALDER. In answer to the Senator from Florida, I will say that there are many ships owned by the International Mercantile Marine that would be cheap at $90 a ton—very cheap—and a great many of them would be very dear at that figure.

Mr. FLETCHER. I am speaking now of the whole tonnage, of about 850,000 tons. The fleet includes such ships, as the Senator knows, as the *Olympic*, the *Adriatic*, the *Celtic*, and other ships which originally cost over $200 a ton. Taking the whole tonnage of 850,000 tons at $90 a ton, would not the Senator think that was a bargain?

Mr. CALDER. That would seem to be a bargain, I will admit, at present prices and under present conditions, but I am convinced that before two years roll by we can in this country duplicate that fleet for very nearly the price we are asked for it by the International Mercantile Marine. For my part, as between purchasing them at that figure and not purchasing them at all under present conditions, with the tremendous tonnage that we now have in sight, I should prefer not to purchase them.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Washington?

Mr. CALDER. Yes.

Mr. JONES of Washington. Will the Senator from New York tell me under what flag those ships are now operating?

Mr. CALDER. I understand that most of them are now operating under the flag of Great Britain.

We will have when our present shipbuilding program is completed a large number of cargo ships with speed ranging from 10 to 14 knots, but so far as I have been informed we will have no greater passenger ships, and the money spent by the Shipping Board for the purchase of the International Mercantile Marine might better be utilized for this purpose.

As I indicated in the opening of my remarks, the law provides that the authority granted to the President in relation to the construction and operation of these vessels shall cease six months after the final treaty of peace is proclaimed between this Government and the German Empire. This presents a problem to the Congress which warrants their beginning at once an intimate study of our whole maritime problem.

What disposition shall we make of this fleet of vessels that cost this country nearly $4,000,000,000? Will it be the determination of Congress to permit the Shipping Board to operate these vessels permanently? Shall we lay down a governmental policy by which ultimately we shall drive out of business every privately owned vessel in America, or shall we offer for sale this fleet to men accustomed to the operation of ships at a reasonable price, marking off their cost the additional war-time expenditures, and then, after that is done, can we operate them successfully in competition with our maritime rivals?

Robert Dollar has suggested the sale of this entire fleet at a reasonable figure and its operation under the American flag, paying to the seamen employed on the vessels the difference in pay between that given by foreign shipowners and the amount usually paid to American seamen? We are informed by the newspapers that Mr. Hurley, the president of the Shipping Board, is in Europe seeking to make arrangements with our maritime competitors by which they will increase the compensation of the men who sail on their ships to the same rate we give ours. A moment's consideration of this statement will stamp the suggestion as absurd. Does anyone suppose that Japan, Norway, Italy, or Spain, without considering Great Britain, France, or Germany, will ever agree to any such proposal?

Shall we, as has been suggested, organize a corporation under Federal charter, the stock of which shall be purchased by individuals, and to which the Government shall guarantee a reasonable return, this fleet to be turned over to this corporation at a fair price and then conducted by it as a private enterprise?

To any student of American shipping it must be apparent that no American fleet of merchant vessels can be operated without Government aid either in one form or another. If it is operated as a Government enterprise the loss will be covered up in appropriations by Congress for the maintenance of the fleet. This sort of business everyone knows will be extravagant and inefficient and can not hope to be permanent, and, so far as I am concerned, it is my purpose to oppose permanent control and operation of a Government-owned merchant marine.

The seaman's act, too, must be modified. I have offered amendments to it which I am hopeful after a thorough examination of the subject may meet with the favorable consideration of Congress. I believe these amendments will not injure the men who sail the seas and will be most helpful to the owners. We lacked sufficient seamen to operate the vessels sailing under our own flag before the war began.

We have brought a great many men into the service, but those who have examined this subject know that most of the men recruited into the merchant marine during the war will go back to their former vocations. With a fleet five times as large as we had in 1916, we can not hope to operate it under the present regulations. I would not for a moment take away from these men the additional safeguards and comforts given them by this measure, but a modification would be welcomed by those who have examined into the subject fully. Never since the Civil War has such an opportunity presented itself to this country to have

a merchant marine as it does to-day. We are building one at enormous expenditure—three times what it would have cost in peace days—but somehow or other we could not agree upon the terms of building one in less perilous times. It has seemed to those who live on the seaboard that the people back in the country have failed to understand that if we hope to maintain a permanent foreign market for the products of the factory and the farm we must maintain a merchant marine under the American flag to carry our American goods to the places where they could be sold advantageously.

To-day that fleet is in sight. Shall we dissipate it by lack of foresight? Shall we not begin by telling the American people the truth, explain to them that we can not hope to succeed unless they are willing to contribute each year some little part toward the maintenance of this fleet, or shall we pretend that American ingenuity can outstrip England, Japan, and other maritime competitors?

We need to look back to the history of other days to realize the part the American Nation played in trade on the seas; how in the years following the Revolution American vessels carried 92 per cent of our overseas trade, and this was built up through preferential customs duties and tonnage taxes. We saw this business dwindle until in the spring of 1914 only 8 per cent of our foreign trade was carried in ships flying the American flag. Will we permit this condition to exist again? We brag of our greatness and our capacity to supply the world, and yet in the days before we entered the European war south of Panama a Bank of England note was worth more than our gold. We insist that we were the first country to open the door to China—and we did—but China has not seen us since. Nor does she know why the American flag never flies in her ports. We were the first Nation to open the door to Japan, and if we cross the ocean and enter her island empire we must do so under her own flag. The Philippines are ours, but Japan controls the trade of the islands. Hawaii is a Province of this country, but her great trade is with the Orient. Porto Rico is under the dominion of the United States, but much of her trade is still with Spain. South America is nearer to us than she is to Europe, and by every rule of business ought to be our customer; but England and Germany have dominated her commerce for half a century. Our Monroe doctrine has protected Mexico, but she laughs at our protestations of friendliness.

American ingenuity first thought out water transportation by steam, and we are now for the first time in 50 years actually considering the creation of a permanent merchant marine. American shipbuilders conceived the iron ship, and until the surrender of the German fleet we were fourth in the navies of the world, and before the outbreak of the European war our overseas merchant marine was less than that of Norway, although we have forty times her population and three hundred times her wealth.

In our War with Spain the United States was compelled to take the shipping of the world to get sufficient transports and colliers to carry an army to Cuba and the Philippines and to supply auxiliary craft for the Navy. In 1907, when our fleet sailed around the world, we did not have enough American colliers to furnish coal for our ships of war. In the present war we were compelled to move an army from our shores to France, and if it had not been for the transports furnished by England and France instead of having 2,200,000 men in Europe on November 1 and to have supplied them with the things that an army needs we would not have had one-third of that number there.

The first 1,000,000 tons of steel ships delivered by American shipbuilders to our Shipping Board since the war began would not have been obtained but for the foresight of English and Norwegian companies, who had contracted with American shipbuilders for them, and these ships were requisitioned by our own Government. We must have the best of ships so that we may compete under the best circumstances. I have already referred to the fact that the creation of this great merchant fleet now under construction would cost when completed upward of $4,000,000,000, and of that sum at least $1,500,000,000 is still to be spent. Will the American people stand for this additional outlay? I am hopeful that they will.

Let us modify the law so that these vessels may be sold to private interests and operated by them for the benefit of the American people. I am sure a method can be evolved that will save the country the least possible loss and assure the effective utilization of this great national investment. I am mindful of the fact in considering this whole problem that we must contend with two great competitors.

First, England, with her capacity for the sea, her great shipyards, and her ability to build and operate vessels much cheaper than we can, with her colonies and island possessions all over the face of the earth, enabling her to trade to and from these places profitably, while ships with American cargoes sailing from American ports for other countries will often have difficulty in obtaining return business. England has built up through her banking and other trade facilities business connections in the remotest corners of the world. To compete successfully with her we must establish trade relations and be prepared to extend the same credits as any other nation. We must know the methods of the rest of the world and be prepared to meet them with an American system and American goods better than theirs, or else our merchant marine will be of little value, for without trade to carry our ships are useless.

Second. Our second serious competitor is Japan, that wonderful country, that has already driven our merchant marine from the Pacific Ocean and can at much less cost build and man a merchant marine. We can not hope to regain our former position in the trade with the Orient unless the Government is willing to assist.

These are serious questions which require the careful consideration of the wisest men of the Nation. I have wondered if our present Shipping Board, which is apparently committed to a policy of Government ownership, has had the sort of experience that equips them to handle a problem of this magnitude. I regret that the President has not seen fit to place upon the board men of wide experience in the building and operating of ships.

This is the first genuine opportunity the United States has had for a real merchant marine in the past 60 years, and if we had the courage to go to the American people, explain to them that we have invested nearly $4,000,000,000 of their money in this undertaking, and that to maintain it we must have their support—if we do this in an intelligent way without partisan bias I am sure they will respond.

PRICE OF WHEAT.

Mr. GRONNA and Mr. FLETCHER addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. GRONNA. Mr. President, I listened this afternoon to the very interesting debate with reference to the situation in Russia. It is too late to now enter into any further discussion of that matter. I simply wish to say that I agree with the statements made by the Senator from Idaho [Mr. BORAH] that we can hardly expect to restore peace in that great domain by sending armies there. I believe we can accomplish more by feeding that hungry nation. We know that in the case of an individual when he is hungry he is dangerous, and it is even more true that a starving nation is dangerous. For that reason, Mr. President, I am going to take the time of the Senate for a few moments to address myself to the question of production and the question of the prices of foodstuffs.

A great many communications with reference to the price of wheat for 1919 are addressed to me, and every day I am receiving letters asking for information relative to the guaranty by the Government for the 1919 crop.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Florida?

Mr. GRONNA. I am sorry, Mr. President, that I can not yield to the Senator. I shall finish my remarks in the course of 10 or 15 minutes.

On the 4th day of December last there was printed in the CONGRESSIONAL RECORD a letter written by Judge Glasgow, chief counsel for the Food Administration, which letter was addressed to me. This letter fully explains the act fixing the price of wheat for 1918, and also the power extended to the President of the United States to guarantee the price for 1919. It also shows very clearly that the administration intends to fulfill the promises made by Congress and by the administration to the wheat growers of the country, and will ask that the law shall be enforced.

I regret to say, however, that I have observed statements credited to some of the officers of the Food Administration, and also to the chairman of the Committee on Agriculture of the House, giving an estimate of the losses which the Government is about to sustain because of this guaranty. I fear that such statements will have their damaging effects upon the production of wheat for 1919.

It has frequently been stated that agriculture is the real foundation of all our industrial wealth. If that be true, everything possible should be done to encourage this industry.

We are just emerging from a world's war, and we have learned from experience that wheat is an indispensable article of food, especially so in times of war, because of its keeping qualities; but it is also an indispensable article of food in times of peace, as it is the most nutritious, wholesome, and by far the cheapest and best cereal in the production of bread.

Those of you who are representing States where manufacturing is the leading industry and where labor is necessarily largely employed are naturally concerned about the protection of these manufactures, as well as in the welfare of the factory workers; but have you carefully considered the fact that without this article of food—bread—your men would have to stop work and your factories would cease operation?

You have had an opportunity recently to try substitutes for wheat bread, and I know that you do not like them.

Now, I ask you to continue to help not only the American farmer who produces wheat, but the laboring man, the people of the United States as a whole, in securing the most nutritious, wholesome food article, and at a lower price—yes, not even one-half the cost of other articles of food on the world's market to-day.

For fear that you have forgotten our admonitions and advice, I am going to ask you to listen to me for just a moment—long enough to tell you what it is costing the American people for bread.

The present price of wheat will average in the various markets in the United States a little less than $2.25 per bushel. Four and a half bushels of wheat will make one barrel of flour. Most people believe that the average consumption of flour per capita is one barrel for the entire year. The Agricultural Department estimates that 5.3 bushels are consumed by one individual person a year. At $2.25 per bushel, using the estimate of the Agricultural Department that it takes 5.3 bushels to feed a human being for an entire year, the cost would be $11.93 at the mill. This would make a little more than a barrel of flour.

Now, I want to be perfectly fair, and will allow $1.07, or at the rate of $1 per barrel, for marketing and the profit to the retailer, which would make the cost of flour to the consumer $13 per barrel, or a little less than 3.6 cents per day, providing you make your own bread; and let me say right now that on the 7,000,000 farms in the United States every ounce of bread is made by the housewife. The housewife on the farm is not depending on somebody else to manufacture the bread for the farm, and I think I might say with perfect safety that nowhere on the face of the earth will you find as nutritious and as wholesome, good bread as may be found on the farm. If the people of the cities refuse to use economy and manufacture their own bread, that should not be laid at the door of the American farmer. Perhaps your bread is costing you more than it ought to cost you, but if it does, it is your fault and not the farmers' fault.

Anyone who has taken the time to study the production of wheat for the entire world knows that there is to-day no great surplus. If we take all the countries into consideration, there is no surplus. The average world production of wheat from 1909 to 1913, inclusive, was about 3,700,000,000 bushels. The estimated population of the world is approximately 1,650,000,000. It may be said that we have different races, and some of the human race do not eat wheat, but we do know that the white, or Caucasian race, the black race, and the red race, all use wheat for bread. It is perhaps true that the yellow, or Mongolic, race, does not use as much wheat as the other races, but the yellow races constitute about 581,000,000, and they use some wheat. But at any rate, it leaves more than 1,000,000,000 people whose chief article of food is bread. So that with a production of 3,700,000,000 bushels of wheat and a population of more than 1,000,000,000, which for centuries have used wheat as the chief cereal for bread, it is evident that if wheat is distributed to all these people who desire this article for food, there is a large shortage, and not a surplus. Of course, it may be said, and I take it that to a certain extent it is true, that not all of these people are able to purchase wheat. They use other cereals for bread.

I have a statement issued by the Agricultural Department on January 7, 1919, which shows that the visible supply in the United States on December 1, 1918, was only 175,000,000 bushels, and in Argentina less than 2,000,000 bushels. Of course, by including the harvests of 1918 and 1919, it is estimated that Argentina may have a surplus of 185,000,000 bushels, but that is entirely problematical—it is only a guess—nobody knows what the crop is really going to be. The department estimates that Australia has 170,000,000 bushels, and by including the harvests for 1918 and 1919, it estimates that there may be a surplus of 210,000,000 bushels; but we are not certain about that.

Now, outside of Canada and British India, no other countries can be expected to raise a surplus. The war-stricken countries of Europe, with their soils devastated, their labor disorganized, will not be able to produce enough to feed themselves, and they must depend upon America and upon the countries which I have named for the necessary food products.

Those who complain about the fixed price of wheat should know that the best information obtainable shows that the average cost of producing a bushel of wheat, based upon the labor cost of 1917, is $2.47. The average maximum price at the terminals, which does not mean that price to the farmer, is $2.25. Now, if it cost the farmer $2.47 to produce a bushel of wheat in 1917, what did it cost him in 1918, when wages were much higher? And I dare say they will be higher in 1919 than they were in 1917. Why all this cry about the loss to the Government of the United States in guaranteeing a price at least 22 cents less per bushel than it cost to produce it? Where is the injustice to the American consumer? Do not you know that it costs the American farmer more to produce wheat now than it did before the war? Do not you know that the articles which he must buy and the labor which he must hire are costing more?

I have before me a pamphlet issued by the American Exchange National Bank, of New York City, under date of January 1, 1919. I want to read from this pamphlet a short paragraph:

> Buying on a gold basis, inflation of the currency amply secured by gold and other legal resources does not depreciate paper money as measured in gold; but the money of the country, including gold coinage, may be depreciated when measured in commodities. The value of a bushel of wheat as food never varies, but a bushel of wheat commands more dollars and cents just now than it did before the war. The outstanding circulation of the United States is about $54 a head, or about $20 above the average of prewar days. The average price of commodities is now about 200 per cent, or almost three times the average price before the war.

Now, these are matters to think about. The average price of commodities is now about 200 per cent, or almost three times the average price before the war.

The farmer is necessarily a much heavier purchaser than the common laborer; he must buy his mechanical tools and machinery and all things necessary to carry on his farming operations besides what the laborer who works in the factory necessarily must buy. In other words, besides food and clothing, the farmer must buy all articles necessary to carry on his business, and it often happens that the farmer is compelled to buy more machinery during a single year than the value of his entire crop for that year.

I said a moment ago that we have testimony from the most reliable sources that it cost to produce wheat in 1917 $2.47 a bushel. Dr. Spillman, one of the ablest men in the service of the Department of Agriculture, has made a statement that in accordance with his estimates, based upon reports for a number of years, wheat cost to produce not less than $2.47.

We ought to remember that most people now believe that the war is over. During the war the farmers felt that it was their patriotic duty to plant wheat and other grains, regardless of whether they made or lost money. It is different now. Believing that the war is ended the farmers feel that they are not now under the obligation of planting and producing a crop which will sustain a loss, and it is my judgment that we should not discourage the production of wheat, because the farmer may turn his energies to the production of other commodities. More than that, it may, as has been so often the case, discourage him from engaging in the industry altogether.

We hear so much about the "back to the farm" movement, and we are asked why is it that the farm boys are leaving the farms and going to the cities to engage in other industries and in other work? The answer is plain. It is because the farm boy and the farm girl can make more money in the cities. They can get more wages and work less hours, and it is human nature to want to make as much, and with as little expended energy, as possible.

I am writing this letter in the RECORD in the hopes that it may help to counteract the statements which have been made and circulated through the press that the Government may lose hundreds of millions of dollars because the President and Congress have indicated a willingness to enforce the contract made with the individual producers of wheat in this country. I do not believe that the farmers should be compelled to continue to sell their products at a loss, and I have shown that the average cost of wheat to the farmer is more than the price fixed by the Government.

There will be no loss to the Government, unless some genius should undertake and succeed in perfecting an organization which would control the world's market and use such organization to depress prices.

Let us remember that before we entered this war wheat sold in the American markets for a dollar a bushel more than the price we fixed. But when the legislation which was finally enacted was pending we were told by Mr. Hoover that the reason for fixing the price of wheat was to stabilize prices in order to assure production. He stated and restated the proposition that

he was opposed to a maximum price and that he wanted only a minimum price fixed. Everybody knows that the minimum price was made the maximum price. The price of wheat was controlled absolutely by the organization known as the Grain Corporation, and for two years we controlled the price of the farmers' most valuable crop at a price per bushel of at least $1 less than what it would have brought in the market if it had been left to the laws of supply and demand.

Do you mean to tell me that, now that the war is over, you are going to repudiate the contract which in times of war took from the pockets of the farmer one-third of what he would have received for his crop if he had been left alone, and that, now you believe there is going to be a surplus, you are going to begin to further discourage him by refusing to fulfill a contract made by Congress and approved by the President of the United States? But you say the farmers have made money out of their crops during the war. In some localities they have; in others they have not made any money; and the most money has been made by the farmer who has been fortunate enough to have most of his own help. If any one of you have visited the farms in this country during the war, you must have seen that old men and women who had retired, and who really felt that they were unable to perform any hard labor, were found in the fields from early morning until late at night, assisting as best they could in the production of food. You must have seen young boys and girls struggling from sunrise until dark, bending all their energies, doing everything possible to perform a man's work. Labor was not only high in price but was scarce and inefficient.

To those of you who believe that the farmer is making large profits let me say to you that the West stands with open arms to receive you and to encourage you to engage in that industry. We are not asking for any exclusive rights to engage in this industry at all. We say to the people of the world: We are glad to have you within the borders of our State; we are glad to have you with us and to compete with us in this great industry. We will not discourage you, but help you if we can. At least we will be neighborly and friendly.

The unfortunate situation, so far as the farmer is concerned, has always been that his organization has never been completed. It has generally been ruined by some ambitious genius who, through his own selfishness, has succeeded in keeping from the farmer the facts, and in that way misled him, and instead of perfecting the organization so necessary to his success, both in production and in marketing his products, it has generally gone on the rocks and been made a regretable failure.

It must be apparent to every citizen that a man who begins his labors at early dawn and works all day until night, and very often part of the night, that he is not in a position to keep posted on affairs. It is for that reason that the farmer has been unable to perfect his organizations, and it is because he has been imposed upon by unscrupulous men who have posed as his friends but in reality have been his worst enemies. These are the reasons why the farmer has not succeeded. The labor organizations of this country are now demanding that those who go out on the farms to work shall insist on an eight-hour day. You know what that would mean to the consumers. Let us suppose that all the farmers in the United States resolved to work only eight hours a day. What do you suppose wheat would cost you per bushel if they should insist on making a profit in their business?

These are matters which must be solved in the near future. There is as much necessity for reconstruction and readjustment in the great industry of agriculture as there is in the enterprise of any other industry, and all the farmers ask is that the same standard of justice shall be applied to them and their industry that is applied to labor and to those who are engaged in the business of manufacture.

It is remarkable, and I might say regretable, to note how apt we are to forget the importance of agriculture, and when questions of which we may be somewhat ignorant are presented we are not only indifferent but we see ghosts, because we do not understand or realize the importance of the matters.

I have often been met with the suggestion that agriculture is as old as the world, and while that may be true I doubt if the United States and the allies could have been successful in the recent war if the old method of farming had not been improved upon. If our people had not emerged from the old system of using a crooked stick for a plow, I am fearful that we would have been in the same condition that Jacob and the Israelites were some 17 centuries before the birth of Christ, when the people of Israel had to go to Egypt for their corn. We would have been in a great deal worse situation than the Israelites were, because there would have been no place for us to go to to secure food products.

If we want peace restored in the world we must first provide the people with food. A hungry man is a dangerous man, and we can hardly expect that the starving people of the world are in a position or in a frame of mind to help restore the peace of the world so that it will be safe for democracy.

Mr. President, I ask to have printed at the conclusion of my remarks a statement prepared by the Department of Agriculture.

The PRESIDING OFFICER (Mr. JONES of New Mexico in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

Wheat—Production, visible supply, and surplus.

Country.	Production, 1918.	Visible supply Dec. 1, 1918.	Estimated surplus.
	Bushels.	*Bushels.*	*Bushels.*
United States	917,100,000	175,000,000	
Argentina	219,431,000	1,850,000	[1] 185,000,000
Chile	28,292,000		
Uruguay	12,840,000		
Italy	175,408,000		
Spain	127,881,000		
Switzerland	7,095,000		
British India [2]	379,824,000		75,000,000
Japan	31,127,000		
Egypt	32,555,000		
Tunis	8,451,000		
Union of South Africa	8,837,000		
Australia	121,772,000	170,000,000	[1] 210,000,000
New Zealand	6,274,000		
United Kingdom	(3)	17,500,000	
Canada	(3)	55,388,000	100,000,000
Afloat		19,248,000	
Total	2,077,971,000	439,052,000	570,000,000

[1] Including harvests of 1918-19. [2] Includes native States. [3] No data.

Mr. GRONNA. I also ask to have printed an article which will be found in the Nation's Business, written by Mr. Howard Heinz. I desire the entire article to be printed in connection with my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

[From The Nation's Business, January, 1919.]

A HEART-TO-HEART ABOUT THE FARMER—"BACK TO THE LAND"—CERTAINLY! BUT WHAT ARE WE DOING FOR THIS "LAND"?

(By Howard Heinz, vice president H. G. Heinz Co.)

America has always had vastly greater natural resources than it has had capital or organization to use. Stimulated by war's necessities and assisted by governmental support, our mining and manufacturing industries have been recuipped and reorganized up to a plane that has more closely approximated these resources; and while this has also been measurably true of our agricultural industry, agriculture, during the war period, has made less advance proportionate to the increased demand upon it. And with half the world facing starvation through the devastation of its soil and the division of its man power into nonproductive channels, the problem of world food production during the reconstruction period becomes one of the first magnitude.

Perhaps the principal reason for the failure of our agricultural progress to keep pace with the growth of the Nation, even in normal times, has been a lack of understanding on the part of our urban population of the farmer's problem and a consequent lack of cooperation and encouragement, but this condition has doubtless been improved by the economic lessons which the war has taught us. The farmer and his usefulness to the community is perhaps held in higher appreciation to-day than at any time before in the entire period of our marvelous industrial development, but there remains much to be accomplished before we can reach anything approaching an ideal condition.

For the most part wholly unorganized in any practical way that looks to cooperative productive effort, and to improvement in marketing and distribution methods, a constant prey to the whims of changing weather conditions and compelled to battle unceasingly against the ravages of innumerable pests, it is safe to say that the financial return to the average American farmer is less than that received by the lowest-paid mechanic in any established trade.

With conditions such as described, how can the farmer compete in the labor market for his necessary help, especially when it is remembered that in place of eight hours and time and a half for overtime the farmer's daily work begins with the rising sun and is more often than otherwise finished by the light of the moon. How can he raise the necessary capital out of his meager returns for drainage, fertilizing, and other means of soil improvement? How can he avail himself of costly mechanical tools in substitution for the needed man power which is equally beyond his reach?

The wholesale desertion of eastern farms in recent years, the change from proprietary to tenant farming that is constantly taking place in all sections, the emigration of the bred-to-the-bone western farmer to Canadian land to secure the easier primitive conditions there prevailing, and the flocking of the young people from farms to cities to engage in commercial pursuits all tell an eloquent story of the lack of appreciation and suitable recognition hitherto given to the tiller of the soil.

OVERWORKED AND UNDERPAID.

Every laborer is worthy of his hire, and as labor that is underpaid and especially that which is both overworked and underpaid will seek new channels of effort, it is to be devoutly hoped that war's lessons concerning the importance to our general welfare, and even to our permanent safety, of a thriving and prosperous farming community may not go unheeded.

That the farmer is in some degree to blame for his present condition may not be denied, but far more blameworthy are those interests which have failed to lead, encourage, and support him or which have exploited him.

Successful agriculture constitutes the very foundation of a nation's prosperity. If we are to continue to have available that food surplus for export that is needed to help maintain our balance of world trade, if we are even to continue to be a self-supporting nation in the matter of food supply, there must be a more effective support given to our farming interests; financial, educational, moral, social.

MORE ADVANTAGES FOR THE FARMER.

There must be leadership where we naturally look for leadership in our other lines of activity; intelligent leadership by our men of affairs that will point the way and provide the means to better practical education in improved farm methods, better and more practical local organization of farm interests that will result in more cooperative buying and that will gain for the farmer the advantage of collective bargaining for the sale of what he produces.

The more economical purchase and more intelligent use of fertilizers; seed selection on a large scale; the proper adaptation of soil; rotation of crops as well to meet prospective market conditions as in the interest of soil improvement; the cooperative purchase and cooperative use of farm tractors and other devices calculated to increase production and lighten labor; increase and improvement in stock breeding; a degree of efficiency in scientific management that while increasing product will decrease costs; and an adequate financial backing should be some of the beneficial outgrowths of proper organization in our farm communities that may be depended upon to put our farm operations on a reasonably remunerative basis and encourage the "back to the land" movement advocated by our theoretical economists and with so negligible a result.

Much is being done for the uplift of the farming industry by our Government departments and educational institutions. Our Federal and State departments of agriculture, with their local agents in practically every country, have developed a marvelous efficiency in recent years and the results of their labors are manifest on every hand. Our agricultural colleges have gone far in the dissemination of practical farm knowledge, but the influence of these institutions is not far enough reaching; the process is too slow to meet the urgent need of the day; the work they do must be augmented and extended by the public-spirited men of every community before it will become really effective in influencing general results in any larger way.

With no possible prospect of restoring normal crop conditions in Europe under two or three years or of reconstituting its animal industry in a decade, there is an assured market for all that we can produce in cereals, roots, dairy products, and live stock, including hogs and oil-bearing vegetables, for of all food shortages the most distressing world need is to-day, and will be for some time to come, of animal and vegetable fats, the lack of which has been most acutely felt with marked effect upon the health of the people in all European countries, including the neutrals, throughout practically the entire war period.

Our manifest duty, then, as business men is not only to encourage food conservation by rational living and the avoidance of waste but to encourage and help the food-producing class by lending to it our leadership, our financial support, and our business ability for organization.

THE CENSUS.

Mr. SHEPPARD. I ask that the unfinished business be laid before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

Mr. SHEPPARD. I ask that the formal reading of the bill may be dispensed with.

Mr. FRANCE. I object, Mr. President. I think that is a very important bill, and it should be read in full.

Mr. SHEPPARD. I will say to the Senator that I had the bill published in the RECORD day before yesterday.

Mr. FRANCE. I should not be willing to consent to the rushing through of this bill. I think it should be read very carefully. It is a most important piece of legislation. I should be opposed to anything which would be in the nature of an attempt to rush it through.

Mr. SHEPPARD. I know the Senator will acquit me of any intention or desire to rush the bill through.

Mr. FRANCE. I do acquit the Senator of that. I know that he wishes to have a clear understanding of the bill, but I merely wish to have the bill read in full.

Mr. SHEPPARD. The bill will be read for action on the committee amendments.

Mr. FRANCE. Then I will withdraw my objection, if it is to be read for action on the committee amendments. I did not understand the status.

Mr. SHEPPARD. Has the formal reading of the bill been dispensed with?

The PRESIDING OFFICER. It has not. Does the Senator from Maryland withdraw his objection?

Mr. FRANCE. I do, with the understanding that the bill will be read for action on the committee amendments.

The PRESIDING OFFICER. Without objection, the formal reading of the bill is dispensed with.

Mr. SHEPPARD. I ask that the bill may be read for action on the committee amendments.

The PRESIDING OFFICER. The bill will be read for that purpose.

AFFAIRS IN RUSSIA.

Mr. THOMAS. Mr. President, I had intended during the course of the day to say something on the subject of our attitude toward Russia and our troops in the Russian territory, but the hour is too far advanced, so I shall content myself by giving notice that when the Senate reconvenes I may have something to say upon the subject.

ALEXANDER F. M'COLLAM.

Mr. MYERS. Mr. President, I ask leave to make a favorable report from the Committee on Public Lands on the bill (H. R. 1423) for the relief of Alexander F. McCollam, and I submit a report (No. 640) thereon. I wish to say a word in regard to the bill.

This is a bill which was favorably reported by the House Committee on Public Lands and has passed the House. It is to convey title to 1.16 acres of land in Placer County, Cal. It is in a forest reserve, but was classified as agricultural land. It was homesteaded by a homesteader who died before making the final proof. He left no widow, but his estate was administered on and closed up in the courts of California; and this little tract of land, comprising an area of 1.16 acres of land, was sold for a valuable consideration to a purchaser by order of court, and some improvements have been made upon it; and this bill is to convey title to him. The Agricultural Department recommends it, and the Interior Department has no objection to it. Therefore, I ask unanimous consent for the immediate consideration of the bill.

The PRESIDING OFFICER. Is there objection?

Mr. SMOOT. Mr. President, I wish to ask the Senator a question.

Mr. MYERS. Certainly.

Mr. SMOOT. Do I understand from the Senator that the homesteader just settled upon this 1.16 acres of land?

Mr. MYERS. So far as the record discloses, that seems to be the case.

Mr. SMOOT. What purpose did he have in mind in settling upon that little piece of land?

Mr. MYERS. He owned some land adjoining, I am told, and he simply wanted this land. I think he built a house on it. It was thrown open to homestead entry by order of the Department of Agriculture. He was intending to homestead it. Everything was done with the approval of the Department of Agriculture, so everything went nicely.

Mr. SMOOT. And he died before it was concluded?

Mr. MYERS. He died, and it was sold by the court.

Mr. SMOOT. He died before he had lived long enough to secure title?

Mr. MYERS. At least before he had made application to make final proof, and it went through the courts, and it was sold for a valuable consideration. Improvements have been put upon it, and this is just simply to straighten out the title.

Mr. SHAFROTH. It is not located in a town or near a town?

Mr. MYERS. No; the record does not disclose that at all.

Mr. SHAFROTH. It might be that there was only a fractional piece of land left, and he located upon that because of its proximity to other land.

Mr. MYERS. I think that is the case. I have read carefully the reports of the Secretary of Agriculture and the Secretary of the Interior on the bill, and they disclose, I am told, about all that is disclosed.

Mr. SMOOT. What surprised me was that he should have located upon that 1.16 acres if he had the right to locate upon 160 acres. It rather made me suspicious that there was some real reason why he should only take this little piece of land.

Mr. MYERS. None was disclosed by the record. None appears at all.

Mr. SMOOT. I understood the Senator to say that the Secretary of Agriculture and the Secretary of the Interior both approve it.

Mr. MYERS. Yes; they do. They have looked into it thoroughly, and ask its passage.

Mr. SMOOT. I have no objection.

Mr. MYERS. I ask that the unfinished business may be temporarily laid aside so that this bill may be considered.

The PRESIDING OFFICER. Without objection, the unfinished business will be temporarily laid aside.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 1423) for the relief of Alexander F. McCollam, and it was read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to issue a patent to Alexander F. McCollam, of Yankee Jims, Placer County, Cal., for the lands described in homestead entry No. 07340, Sacramento series, being homestead-entry survey No. 147, in section 28, township 14 north, range 10 east, Mount Diablo meridian, in Sacramento land district, in Placer County, Cal., and containing 1.16 acres, according to official plat of homestead-entry survey No. 147, in the Tahoe National Forest, made July 19, 1915.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

IRA G. KILPATRICK AND GUY D. DILL.

Mr. MYERS. Mr. President, I desire to make another report. This is on a bill in which the Senator from Indiana [Mr. WATSON] is interested. That Senator called it to my attention, and in his absence I am giving it attention for him. It is the bill (H. R. 8444) for the relief of Ira G. Kilpatrick and Guy D. Dill. I submit a report (No. 641) to accompany the bill. Its passage was recommended by the House Committee on the Public Lands and by the Interior Department. It has passed the House. This is to issue patent to 88 acres of land in Indiana upon the payment to the Government of $1.25 per acre for it. I have read the report made in the House and the report of the Secretary of the Interior, and they set forth in brief these facts:

The land has been occupied by the owners of it and their predecessors in interest for 50 years. It is located in a thickly settled portion of Indiana, and the title has passed a number of times, and there is simply no record of any patent to it. It is one of those cases where, if a patent was ever issued, it was lost or not put on record; and the land has been for 50 years in private ownership. This is simply a piece of legislation to validate the title, and its passage is recommended by the Interior Department.

The bill has passed the House, and I send it to the desk and ask leave to make the report. I also ask unanimous consent for the immediate consideration of the bill.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8444) for the relief of Ira G. Kilpatrick and Guy D. Dill, which was read, as follows:

Be it enacted, etc., That the title of Ira G. Kilpatrick and Guy D. Dill, as tenants in common, in and to the west half of the southeast quarter of section 3, township 32 north, range 8 east, in the district of lands subject to sale at Fort Wayne, Ind., in Whitley County, Ind., as assignee from Jonathan Pearson, by conveyance be, and the same is hereby, quieted and confirmed, and patent therefor shall issue to the said Ira G. Kilpatrick and Guy D. Dill as tenants in common, upon payment to the United States of $1.25 per acre.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THE CENSUS.

Mr. SHEPPARD. I ask that the unfinished business be laid again before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

ADJOURNMENT TO MONDAY.

Mr. MARTIN of Virginia. I move that the Senate adjourn until 12 o'clock meridian on Monday next.

The motion was agreed to; and (at 4 o'clock and 55 minutes p. m.) the Senate adjourned until Monday, January 13, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January 9, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Be graciously near, O God our heavenly Father, to our brave and gallant soldiers overseas. Their task having been accomplished, their hearts long for their beloved country and their dear ones at home, who are anxiously waiting their coming. Give them patience, endurance, fortitude, in the long hours they must wait; and bring them all back in safety. Especially be near to the wounded and sick, to comfort and sustain them; and Thine be the praise, through Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

THE RAILROADS.

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to print in the RECORD a series of four letters which passed between Judge McChord, Interstate Commerce Commissioner, and Mr. Sisson, vice president of the Guaranty Trust Co. of New York, on the question of railroad rates, management, and so forth, which I think, in view of the fact that we are soon to have railroad legislation, should be printed in the RECORD for the information of Members of this House.

The SPEAKER. The gentleman asks unanimous consent to incorporate certain letters in the RECORD on the subject of railroad rates. Is there objection?

There was no objection.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 4240. An act for the relief of Alma Harris.

LEAVE OF ABSENCE.

Mr. MANN. I ask unanimous consent for leave of absence for my colleague [Mr. GRAHAM of Illinois] on account of illness.

The SPEAKER. The gentleman from Illinois asks indefinite leave of absence for his colleague [Mr. GRAHAM of Illinois] on account of illness. Is there objection?

There was no objection.

RELIEF FOR INFORMAL CONTRACTS.

The SPEAKER. Under the rule the unfinished business is the contract bill.

Mr. DENT. Mr. Speaker, if necessary, I move that the House resolve itself into the Committee of the Whole House on the state of the Union.

The SPEAKER. That is not necessary. Under the rule the House resolves itself into the Committee of the Whole House on the state of the Union, and the gentleman from Georgia [Mr. CRISP] will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, with Mr. CRISP in the chair.

The CHAIRMAN. The gentleman from Alabama [Mr. DENT] has 30 minutes remaining, and the gentleman from Kansas [Mr. ANTHONY] 1 hour and 30 minutes. The Chair will recognize the gentleman from Kansas.

Mr. ANTHONY. I yield 10 minutes to the gentleman from Nebraska [Mr. SLOAN].

Mr. SLOAN. Mr. Chairman, I had expected to support this measure, because I believe the Government of the United States, like every one of its honest citizens, should live up to all its obligations and not repudiate them because of mere informality under any circumstances; but I was somewhat shaken in my purpose when I found the bill to be in the form in which it has been reported, with an entire absence of information which Members of the House, in my opinion, were entitled to receive.

This bill is to validate 6,000 and more contracts, involving one and three-quarter billion dollars, and to place that power in the hands of one individual, who, by the request for this measure, has made evident the fact that of the contracts drawn 12 per cent can not pass the auditor, the proper accounting officer.

The chairman of the Committee on Military Affairs said that the Secretary of War should be allowed to pass upon this matter, as he has already passed upon the remaining portion of $15,000,000,000 of expenditure. I wonder what would take place in any well-regulated business in this country if the man in charge of that business should make the abject confession that 12 per cent of his contracts were not according to instructions or law?

But I object to this bill in its present form and shall insist upon its amendment before it shall receive my feeble support, so that the Treasury may be reasonably safeguarded.

The War Department seems to regard informality as an unpardonable sin where the amount involved is small, but almost a virtue where the amount involved is large. From the statements that have been made it is evident that it has been much easier for a man to come to Washington and obtain a million-dollar contract—so far as formality is concerned—than it has been for a soldier who has served his country in the trenches to obtain the small monthly amount which is due him. And I want to remark also—this is the main purpose for which I took the floor—that it has been easier for a more or less insolvent nation of Europe to borrow $100,000,000 from the Treasury of the United States than it has been for a soldier, sick or wounded even unto death, to obtain the money that was justly due him for patriotic services rendered. I speak by the card as to a number of cases. So I believe that we should be careful in giving to one man the power of settling according to his sweet will this billion and three-quarters of contracts without our having any evidence whatever of what number of these 6,000 contracts, or what portion of the gross amount, were contracted 15 minutes before the armistice was agreed upon.

This bill in its present form gives all of the 11th of November to have entered into these informal contracts. It seems to me that anything like a good-faith inquiry, before the head of the

department should have been listened to by the committee with anything like favor, would have demanded of that department a classification of these informal contracts to show what ones were entered into on the 11th day of November. My recollection is that we received the news of the armistice being signed before the opening hours of business on the 11th of November. The more nearly the dates of these contracts approach the 11th of November the more I would look upon them with suspicion, or the more, I should say, they would demand careful investigation. Yet the House has been denied any statement or classification of these contracts, what they were or what their general nature was.

Think for a moment what you propose to do—to place in the hands of one man the power to validate these contracts for nearly one and three-quarter billions of dollars. What does that mean? It means the settlement of claims which amount to more than the total wealth of each of a number of the States of this Union. It means the placing in the disposition of the department practically judicial powers to settle this vast sum, an amount so large that it would take a train of cars more than a mile long, carrying 50,000 avoirdupois pounds of gold each, to pay it. It means the settling of claims amounting to a sum equal to one-half of all the assets of the Treasury of the United States which the Treasurer of the United States sees fit to state to the public. The total assets of the Treasury of the United States, outside of one asset, which I intend to refer to in a moment, are about $3,500,000,000, fluctuating from day to day. This sum which they ask us to allow them to settle without a proper hearing, without a report that presents the salient and important facts, equals half of all the assets of the Treasury outside the loans to foreign nations, that institution which we pay thousands of men every year to carefully guard.

But, as I said, informality is an unpardonable sin only in small contracts. We strain at gnats, and sometimes, as they said in olden times, swallow camels. But when I recall the fact that in this same department, if a soldier boy happened to be taken from his own company because of a disease breaking out to which he was absolutely immune, put into a detention camp, he would be sent overseas to serve months in the United States service and not given a dollar of pay due him.

Mr. QUIN. Will the gentleman yield?

Mr. SLOAN. I will.

Mr. QUIN. I thoroughly agree with the gentleman about that part; but as far as these contracts are concerned, does not the gentleman think the Government ought to be square and honest with the contractors?

Mr. SLOAN. Absolutely. The gentleman is quoting practically the language I used in opening my speech. We want to be square, and we want to see to it that we put it in the hands of a tribunal that will be square with the contractors and square with the people of the United States.

Mr. SANFORD. Will the gentleman yield?

Mr. SLOAN. I will.

Mr. SANFORD. Take the case of a corporation that now has on hand $5,000,000 worth of war material that has become practically unsalable—material made to carry on our Government in its effort to win the war—does the gentleman think that it would be good for the business interests of the country for a claim of that kind to await the adjudication of any tribunal that might take years?

Mr. SLOAN. That would be better than to place it in the hands of a tribunal that would not do justice, that had failed in small things. Those who are faithful in small things may be presumed to be faithful in large things; but those who are unfaithful in small things are apt to be unfaithful in large things.

Mr. SANFORD. I think the gentleman's Bible quotation is correct, but that kind of justice is pretty costly for the business interests of this country.

Mr. SLOAN. If the gentleman repudiates the Bible, I can not agree with him.

Mr. ANTHONY. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. SNYDER].

Mr. SNYDER. Mr. Chairman, there can be no question in the mind of any Member as to the advisability of adjusting and paying the so-called illegal claims against the Government as quickly as possible. Gentlemen, it is absolutely necessary for many reasons. Most of these contractors have obligated themselves to banks and the banks have turned their obligations over to reserve banks, and these obligations can not be continued indefinitely.

Another reason is the necessity of getting as many of these items cleared up as possible before we go to the country with the next liberty-loan issue.

If it is admitted that these bills ought to be paid, then it comes down to the point of who should have charge of these settlements.

It has been charged—with a great deal of justification, in my judgment—that the War Department has been inefficient and has not shown good business judgment, and that they have not used promptly the machinery that they had to make legal contracts after the order for goods or property had been given. It is easy to see, from a business standpoint, how many errors have been made. The officers, under the lash of criticism that they were moving too slowly and that red tape should be cut, were working at high speed. Also we must consider the fact that nearly 100 per cent of the contractors were patriotic and anxious to do what they could to help win the war; and inasmuch as it is common practice in business to take the word of both parties to a contract for their authority to at least start the work, it seems that there is some excuse at least for many of the difficulties that surround this question.

For my part, I fear that difficulties will arise in the adjustment of these matters if they are left in the hands of the War Department, and I am sure that many difficulties will arise if it is left to a commission to determine. It is certain that the War Department at this time must have more information with regard to these matters than anyone else could have, and it seems to me it must be admitted that very much of the business of the War Department has been satisfactory to the public. Further, as it has been shown that this $1,600,000,000 is only about 20 per cent of the amount that the War Department has already contracted for, for which settlements have been made, it would seem that they might be trusted to finish up the job. [Applause.]

Therefore, unless some substitute is offered that, in my judgment, would make it possible to close up these accounts quicker and get the money into the hands of the contractors and from them into the hands of the public, I shall favor this bill; and I want to say I am looking at this proposition from the standpoint of a manufacturer, contractor, and banker. I know of my own knowledge of a number of situations that are acute where adjustments must be made quickly or trouble will ensue.

Mr. GORDON. Will the gentleman yield?

Mr. SNYDER. I will.

Mr. GORDON. If the gentleman is looking at it from the standpoint of a manufacturer and a banker, of course his position ought to be for the payment of the claims without any investigation at all.

Mr. SNYDER. I am in favor of paying claims as quickly as possible where the matter has been properly adjusted. I will say further that I shall be satisfied with an adjustment that is made between the manufacturer and some one who is competent in the department to make that adjustment.

Mr. GORDON. But the gentleman wants an honest adjustment?

Mr. SNYDER. Yes; and I believe you will get an honest adjustment by this bill as well as you would by sticking in four or five other men.

Mr. ANTHONY. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. ROBBINS].

Mr. ROBBINS. Mr. Chairman and gentlemen of the committee, I think we ought to start in our investigation into this question with the national-defense act of the 3d of June, 1916. At that time, before we entered into the war, we passed an act of Congress to prepare this Nation for the conflict that Congress believed was inevitable. That act contained this provision, and I think it is important, because it imposes a penalty on every manufacturer and every citizen engaged in business in this country who does not comply with its provisions. I am not going to read all of it, but it provides, in section 120, among other things, as follows:

> The President, in time of war or when war is imminent, is empowered, through the head of any department of the Government, in addition to the present authorized methods of purchase or procurement, to place an order with any individual, firm, association, company, corporation, or organized manufacturing industry for such product or material as may be required, and which is of the nature and kind usually produced or capable of being produced by such individual, firm, company, association, corporation, or organized manufacturing industry. Compliance with all such orders and materials shall be obligatory and shall take precedence over all other orders and contracts—

And so forth. And it winds up with this provision:

> Any individual, firm, company, association, or corporation, or organized manufacturing industry, or the responsible head or heads thereof, failing to comply with the provisions of this section shall be deemed guilty of a felony, and upon conviction shall be punished by imprisonment for not more than three years and by a fine not exceeding $50,000.

We went into the war without making any preparation for the national defense practically, except in the Navy Department; and the President, under the provisions of this bill, when war was declared on the 6th of April, 1917, began to commandeer the enterprises in this country and the industries of this country to get ready for the war. The Government went into my district—and I want to say right here that I am not interested in any of these contracts. No man has spoken to me about the breach of a Government contract, except in one instance, and I said to him that I would only call it to the attention of the department and would introduce him to the proper accounting officers, but could not represent him. But I know of car works in my district that stopped manufacturing cars, in which they were engaged in a profitable business, and converted one entire part of their plant into the making of shells. I visited the Baldwin Locomotive Co. in company with other Members of the House in September and we found a large part of that manufactory had stopped making cars and locomotives and was manufacturing explosive shells and munitions of war.

On the 11th day of November, while the country was at the highest speed of munition production and most intensely engaged in preparation for war, an armistice was suddenly signed. At that time in the Eddystone plant there were 15,000 employees, 3,500 of whom were women and young girls, working with a zeal and a rapidity that startled every person who went through that plant. At 11 o'clock on the 11th day of November last the armistice was signed, without being anticipated or expected, and immediately the War Department—and I praise them for it—set about canceling these war contracts and stopping the manufacture of these materials. We all understand what a contract is; that it may be in writing, or it may be by parole or oral, or it may be expressed or it may be implied. We are told, and we know, that in this zeal and haste to prepare for war contractors and manufacturers from all over the United States were summoned to Washington and were told, as the testimony of the Secretary in the hearings before the committee states, that as soon as he found they could make the materials, why the War Department ordered them to proceed at once, and to do so without waiting to reduce the contracts under which they worked to the formality required by the practice of the department and the Revised Statutes. The distinction between the United States Government as a contractor and a private individual is that the Government is not bound by a contract unless it is in writing, signed at the end thereof by the proper officer and accompanied by an affidavit that the contracting party is not interested therein. That is not so with a private individual, a partnership, or a corporation. A private contract may be in writing or it may be by parole; it may be express or it may be implied. In either case, however, the parties are bound by its terms, but not so with the United States Government; and so it happens, gentlemen of the committee, that on the 11th of November, when Germany suddenly collapsed and when this armistice was quickly signed, there were 6,600 of these agreements to purchase war supplies that had not been reduced to the formality of written contracts.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. ROBBINS. Mr. Chairman, I will ask the gentleman from Alabama [Mr. DENT] to grant me five minutes, which he promised to do.

Mr. DENT. Mr. Chairman, I did promise the gentleman five minutes, and I told the gentleman from California [Mr. KAHN] that he could use whatever time I had left, and in his absence I yield five minutes to the gentleman from Pennsylvania.

Mr. ROBBINS. Mr. Chairman, is it right, is it fair, to repudiate these informal contracts or obligations of the United States Government arising out the conditions that I have briefly stated? No private contractor, no corporation or individual, would repudiate them. They would be taken up at once for adjustment, and that is exactly what this bill proposes to do—to allow a proper, equitable, and just adjustment of these claims promptly and without delay or expense. It is true that they may involve more than mere compensation. It may be that it will involve a recompense for speculative damages or profits, and it ought to, if such profits can be justly shown to arise out of the contracts if properly carried out.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. ROBBINS. I yield for a brief question.

Mr. McCULLOCH. Has anybody contended at any time or anywhere upon this floor or any place that these contracts that were just and equitable should be repudiated by the Government?

Mr. ROBBINS. The contractors have been assailed here, I do not know whether by the gentleman or not——

Mr. McCULLOCH. Not by me or by anybody else that I heard.

Mr. ROBBINS. As if they were a band of harpies who came here to Washington to plunder the Government. I deny that; on the contrary they were patriotic. These men came here because they were summoned, in the first instance, to come here and help to prepare this Government to defend its very life, and, in the second instance, because this statute, entitled "An act to provide for the national defense," passed on June 3, 1916, compelled them to come here on the summons of a responsible officer of this Government and compelled them to turn their factories over as the War Department directed they should turn them over and devote them to the manufacture of munitions of war. If that be true, the question is, Who is to adjudicate these claims? That, I think, is the pivotal question arising here. I believe that no Member of Congress wants to be unjust or wants to put the United States Government in a position where it is not fair toward the men who have furnished the instruments, the accouterments and equipments with which our soldiers fought and won this war. We have a court established already called the Court of Claims, and I took up with the clerk of that court the question whether or not this court could adjudicate these cases. It is a court particularly constituted and established to adjudicate and determine the justness of claims against the Government of the United States. It is established here in Washington exclusively for that purpose. I have a letter from the clerk of that court dated December 28, and he seems to object that I even questioned him as to whether they could adjudicate these claims. He tells me they are busy with cases growing out of the War of the Rebellion; the destruction of cotton and other things of that sort. I admit that if they are still working on cases growing out of the Civil War that then this court could not meet the emergency here, because what we want in these claims is promptness. One billion six hundred and seventy-five million dollars of unsettled claims against this Government can not and ought not to be held up at this time. We want prompt adjudication. The clerk of the court goes on to tell me that they have 57 cases appealed to the Supreme Court of the United States, and 684 cases are awaiting disposition, and he adds that where cases are promptly prepared they are tried and promptly disposed of in this court. I shall not take the time to read the letter at this time, but with the permission of the committee I herewith insert it as a part of my remarks:

UNITED STATES COURT OF CLAIMS,
Washington, D. C., December 28, 1918.

Hon. EDWARD E. ROBBINS,
House of Representatives of the United States.

DEAR SIR: I am replying to your letter of December 23, in which you ask to be advised as to the condition of business in this court.

I am at a loss to know why this court is so frequently and continuously criticized for being slow in the transaction of its business. I think perhaps it is due to the fact that special acts of Congress from time to time confer jurisdiction on the court in cases which have been pending in the departments or before Congress for many years, and when it is known that they are pending before this court people jump to the conclusion, without investigation, that they have been pending here ever since they arose. A good illustration of this is the claims for abandoned and captured property taken by the Government from southern territory immediately after the Civil War. This court had jurisdiction of those cases at the time the property was taken and under the then existing law adjudicated and disposed of all of them. In 1911 a new and enlarged jurisdiction in these cases was conferred upon the court and some 500 of the cases came back here. I think it is the general impression throughout the country that they have been pending here ever since 1864.

Answering specifically the question as to the amount of undetermined business in this court, permit me to explain by way of introduction that many cases are filed in this court involving identically the same state of facts and the same question of law, and therefore the trial of only one case is necessary. I shall refer to these hereafter as class or group cases.

There are on the dockets of this court about a hundred cases filed before January 1, 1917. Of these about 50 are class or group cases, to be filed with other cases filed since January 1, 1917. The other 50 cases are undisposed of for various reasons which have appealed to the court as equitable; for instance, attorneys representing them have entered the military and naval service of the United States during this war and it has not been thought fair to press their cases to trial, and civil and military officers of the Government who are necessary witnesses in these cases are scattered about over the earth by reason of the war.

Of the cases filed since January 1, 1917, not falling under the class or group cases, but to be tried as individual cases, about 150 in various stages of preparation remain undecided. The trial of something like a dozen cases will dispose of the class or group cases.

There are pending in the Supreme Court of the United States on appeals from this court 57 cases, and there are 684 cases in this court awaiting the action of the Supreme Court on said appeals and which will be disposed of promptly in accordance with the decision of the Supreme Court.

In this court, as in all other courts, the speed with which the court disposes of its business must in some manner depend upon the speed with which cases are prepared for trial. This court has a rule, I believe, not usual in other Federal courts, of calling its docket from time to time and ordering the parties on pain of dismissal of the cases to get them ready promptly. On the first day of the present term, December 3, 1918, the court entered an order in all cases filed prior to June 1, 1918, in which no steps had been taken for the preparation of the cases for trial, that the same be set for trial for December 16, 1918, and on

that day dismissed all cases in which no preparation had been made unless reasonable assurance was given that preparation would be promptly made.

Permit me to add that when a case is prepared and stands for trial in this court it is usually reached within a few weeks, and when argued and submitted is decided within a few weeks later. From this summary you will see that this court is probably as near abreast of its business as any State or Federal court in the country.

I have referred above to the abandoned and captured property cases. These are claims for cotton taken by agents of the United States Government immediately after the war and sold and the proceeds turned into the Treasury of the United States. The jurisdiction of this court under the act of 1911 is to render judgment not to exceed the proceeds in the Treasury of the United States. That act gave the claimants until January 1, 1918, to file their cases, and in order that the aggregate of the judgments of this court might not exceed the sum in the Treasury it was considered necessary to defer the adjudication of the cases until all cases were filed or barred from being filed by the statute of limitations. In the meantime, there were several questions which required adjudication in a preliminary way; for instance, much of this cotton which was claimed by individual claimants was shown by the archives of the Confederate Government, now in the possession of the United States, to have been sold to the Confederate Government for Confederate bonds. It was necessary to determine whether this was a valid sale, divesting the claimant of title to the cotton. That question was decided by this court adversely to the individual claimants, and on appeal was affirmed by the Supreme Court and its mandate was filed in this court on May 27, 1918. On December 2, 1918, the court set down for hearing all of these cotton cases—443 in number—for December 18, 1918. On that day 210 cases were dismissed and 5 cases argued and submitted to the court. The remainder of the cases are set for Monday, January 6, and the trial of about a half dozen of them will practically determine the entire cotton jurisdiction.

I hope this gives you the information you desire, and if it does not I shall be pleased to furnish you anything else within my power.

Respectfully,

SAML. A. PUTMAN, *Chief Clerk.*

Mr. DENISON. Mr. Chairman, will the gentleman yield?

Mr. ROBBINS. I yield for a brief question.

Mr. DENISON. As a matter of fact, of course, the gentleman from Pennsylvania, as a lawyer, knows that the Court of Claims has no jurisdiction to hear and determine any of these claims involved in this bill unless Congress should give it jurisdiction.

Mr. ROBBINS. Certainly; and that is why I obtained the letter. We would have to pass an act of Congress turning these claims over to the Court of Claims for disposition. Do not misunderstand me. I hope I made that clear, and if I did not I do so now. I understand it perfectly well. We are passing an act of Congress establishing not a judicial tribunal but establishing an authority, consisting of the Secretary of War, to pass on these claims; and if we are not satisfied with that, by amendment to this act of Congress we can place them in the hands of the Court of Claims.

Mr. DENISON. The gentleman does not think these claims will be adjusted by the Secretary of War himself, does he?

Mr. ROBBINS. This act provides that he shall examine into them, and I know that he is not going to adjust 6,600 claims himself. If the gentleman has visited any of the industrial plants, he must know that in every one of them there was an officer of this Government standing by and inspecting every particle of war material that was manufactured before it was sent out. The War Department already has the information and the organization to promptly investigate and properly and justly decide all these claims, and ought to be allowed to do so.

And you will know also that there is no source of information so valuable as that which is under the control of the War Department, by reason of its not only making these contracts but by reason of the fact that it has inspected war material made under the contracts from time to time.

It must be borne in mind also that the War Department was compelled to expand its personnel from less than 1,000 clerks to some eight or ten thousand clerks. Many of these are inexperienced men. This could not be avoided, and in the great haste to get war materials orders were necessarily given by letter, by telegraph, and in many instances over the telephone. The work was new. It was done under great pressure, the orders being to win the war at all cost. Get the guns, munitions, and equipment for our brave boys on the battle line, and in the haste and zeal to carry out these orders the contracts were not all reduced to writing, as required by the three thousand seven hundred and forty-fourth section of the Revised Statutes, and signed at the end thereof, and having thereto attached an affidavit that the parties signing were not interested. When these informal contracts were presented to the Comptroller of the Treasury for payment they were promptly refused on the ground that they were not contracts such as were required by the Revised Statutes and binding upon the Government. Moreover, by the sudden declaration of peace on November 11 it became impossible to complete these contracts. The Comptroller of the Treasury ruled as follows:

There are in the hands of contractors many informal papers, such as letters, purchase orders, procurement orders, etc. These papers generally are intended to be and are preliminary to the execution of contracts. In themselves they place no obligation on the Government. The latter may be liable on a quantum meruit for the fair value of articles delivered and accepted, but it has no legal obligation for expenses incurred, value of incomplete work, material on hand or arranged for, etc., unless a contract in legal form has been made. Of course it is understood a legal contract can not be made now for articles the Government does not need, and this is true regardless of prior negotiations or understandings, written or oral.

This ruling made it impossible to execute in a formal manner these contracts, and hence, as the comptroller says at another places in his ruling, "cases involving only equitable claims can not be settled by executive officers without new legislation," and it is necessary to pass this act and place the settlements of these claims in the hands of some tribunal, or refer them to some one with authority to adjust and settle them.

The Secretary of War is the most competent official to take charge of this matter. He has the machinery. These contractors were summoned by his department to make the contracts for which claim is now made. The contracts were not formally executed, because the officials of his department were unable, for lack of time or information, to complete these contracts. It is a maxim of the law, "Where one of two innocent parties must suffer, he whose act caused the loss should bear it." In this case, certainly the contractors who furnished the goods are not to blame. The Government will make no contract except on forms approved by the Attorney General. The War Department itself could not make the contracts because of lack of time and lack of information, but relying on the good faith of the War Department, moved by a patriotic devotion to do their utmost for the Government in time of stress, these 6,600 citizens provided munitions of war or furnished something of value to the Government or prepared to render service for the purpose of aiding in the prosecution of the war against our enemies. It would be an act of bad faith now to refuse to pay merely because the contract is not in writing on the form prescribed by law in order to bind the Government.

In many of these cases large sums of money were tied up, and financial embarrassment will in many cases overtake these claimants if prompt relief is not extended to them. They have been compelled to pay for labor, material, insurance, and transportation, all of which was necessary expense in the production of the munitions, supplies, and equipment manufactured and furnished to the Government and used in the prosecution of the war.

I do not believe the people of the United States want any such claims repudiated and those who furnished the material either financially embarrassed or driven into bankruptcy, and I do not believe that this Congress should for a moment tolerate any action that would bring about such a direful result.

We must place our confidence in the War Department and permit it to promptly take up and adjudicate these claims. This act amply protects the Government. The claims must be presented within six months, only fair value is to be paid for the product, only the actual cost incurred in the preparation for the manufacture of war supplies is to be allowed. Great care is taken not to confer jurisdiction on courts, so that the Secretary of War is practically the final arbiter in all these cases, and where criminality or fraud is discovered criminal prosecutions are preserved against the malefactors.

I favor the passage of this bill because I believe it is just, and I believe that the Secretary of War will promptly carry out its provisions and pay these just claimants who have aided the Government at the time of its distress.

I hope, Mr. Chairman, that the bill will pass.

Mr. ANTHONY. Mr. Chairman, I yield seven minutes to the gentleman from New York [Mr. DEMPSEY].

Mr. DEMPSEY. Mr. Chairman and gentlemen of the committee the question involved here is a business one and not a political question, and it is a most important business question to contractors and the business community, and by discussing it from the political standpoint and criticizing either the Secretary of War or anyone else we jeopardize the interests of this great body in the community in which we are interested at this time. Now, let us see. The question here is a very narrow one. In the first place, it is provided by the bill in the Senate, which will be offered as a substitute here, that in all cases where goods have been delivered the goods can be paid for by the Secretary of War, and there will be referred to the commission provided for in that bill only cases where damages are involved.

Mr. SANFORD. Will the gentleman yield?

Mr. DEMPSEY. For a question.

Mr. SANFORD. Perhaps the gentleman could be assisted in his argument if he knows that the Senate committee has just withdrawn that bill, revised its judgment, abolished the commission plan——

Mr. DEMPSEY. I did not yield for a speech.

Mr. SANFORD. That is the information I get.

Mr. DEMPSEY. I doubt the statement of the gentleman from New York. I heard the same report upon the floor yesterday, and I went over with the gentleman from Illinois and we inquired of Senator HITCHCOCK and found that it had not been withdrawn; that it had passed the Senate committee unanimously.

Mr. SANFORD. The gentleman had better go over again.

Mr. DEMPSEY. I beg not to be interrupted.

Mr. DENT. Will the gentleman yield?

Mr. DEMPSEY. I will yield after a moment. So that under that bill there is a very narrow question presented. It is simply a question of referring to a commission disputed claims, claims which involve damages, claims which are in their nature judicial. I call the attention of the committee to the argument of the chairman of the committee, which was twofold. He said, first, we should refer these claims to the Secretary of War because the Secretary already has considered $15,000,000,000 of claims, and why not add a billion and a half more? Why, it seems to me you could not possibly present a better argument for withdrawing from the consideration of the Secretary this billion and a half of disputed claims. Is it an argument to say that because a man is already overburdened and overloaded with work you should add to his shoulders that which he clearly can not do? Now, I am not saying a word in the way of criticism at all. We all know the difficulties which the War Department had in performing its ordinary work.

We all know the difficulties which the insurance department had, and we all know the difficulties the allotment division had. It was all admitted here on the floor only two or three days ago when a bill introduced by Mr. SAUNDERS of Virginia was under consideration. Do you know only two days ago the Secretary of War appeared before a committee and said he had added 3,000 clerks within a few weeks last past, and he was about to add a thousand more? Why should you add to his work?

Then the chairman of the committee said, second, we should refer these to the Secretary of War because the parties will get together, and he said he could not understand the position of the gentleman from Ohio, that the question was not a judicial one, that he could not see why two business men should not get together. Why, suppose that I and another business man have a dispute, and I know that the other business man is judge as well as party, that he can absolutely determine the question, that I have to submit to his determination. Is that a getting together? Is that a standing of the parties on an equality? Does not that involve a judicial determination and is not that a judicial determination by one of the parties to the controversy against the other party to the controversy? Is not that the real situation and not the situation presented by the chairman of the committee?

Mr. DENT. Will the gentleman allow an interruption?

Mr. DEMPSEY. I will.

Mr. DENT. Does the gentleman contend if this bill is passed by Congress that the contractor will be compelled to accept its benefits?

Mr. DEMPSEY. I contend if this bill is passed by the committee the procedure as laid down by the chairman is this: That in case of any dispute the matter is referred to a subordinate committee in the War Department, and some small employee who receives a small salary, and in case the committee finds against the chairman he can appeal to another committee of subordinate employees in the department from that decision. I contend this, that in neither case is the class of employees the class of men who are fitted to pass upon questions of this kind which involve judicial discretion, which involve ability of a high order, which involve also acting in a way of absolute indifference on the part of the party, an ability to determine without being interested in any way; and instead of that if you refer it to one party who is interested by that proceeding the contractor may be apt not to get a fair, honest, judicial determination of this claim to which he is honestly and fairly entitled and which is what this House wants to give him.

Mr. DENT. Yes; but the gentleman has never yet answered my question, that if this bill becomes a law will the contractor be compelled to accept its benefits? If the Secretary of War does not give him that to which he thinks he is entitled he will still have recourse——

Mr. DEMPSEY. Whether he will have to accept it as an ultimate result or not, should he be compelled first to face the finding of facts by one of the parties and then go to a court with an adverse finding of facts? He must face two trials instead of one, and should he face a second trial with a finding of facts against him we all know it will be practically impossible to reverse the finding of facts, while it may be easy to reverse the finding upon the law. In other words, under this bill you force upon him at the best two trials and you force him to go into an appellate court with a finding of facts against him.

Mr. DENT. That same thing applies to $15,000,000,000 worth of contracts.

Mr. DEMPSEY. The gentleman's argument is twofold. He says, first, because this man is overburdened with the consideration of $15,000,000,000 worth of contracts we should load him down with a billion and a half more. And he says, second, that a fair trial is a trial where you make one of the parties to the controversy the judge, and he says that that is two business men getting together. And I say that is not at all the situation. When you make one of two business men judge as well as party, you are not giving the other party that fair and just determination to which he is entitled.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. ANTHONY. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. MCCULLOCH].

Mr. MCCULLOCH. Mr. Chairman, the distinguished gentleman from Alabama [Mr. DENT] on yesterday, in making his adroit argument in favor of this bill, spent the major portion of his time dealing with a proposition about which there is not the slightest dispute in this House, and gave very scant consideration to the only question about which there is dispute.

No man who is honest will deny that every just claim against this Government, whether it be the claim of a contractor or anybody else, should be paid. Every man who is honest will admit that all just claims should be paid promptly. There should be no delay about it. Payment should be made just as quickly as it can be done equitably and justly to all concerned. But the only question in dispute here is who should settle the claims. Now, why is it that the claims aggregating $1,600,000,000 have not been paid? Why is it that the Comptroller of the Treasury has refused to pay them? He has refused to pay them because there were irregularities. Now, the chairman of the committee would have the House believe that all of the irregularities were trivial; but according to the charges and statements that have been made upon the floor of this House during the course of this debate all of the irregularities are not trivial. They were not mere informalities in procedure. It was charged here yesterday that there were irregularities that might, if pursued and carefully investigated, involve criminality. In view of the fact that the Comptroller of the Treasury has refused to pay these bills because of irregularities, and in view of the further fact that the charge has been made upon this floor that those irregularities were not mere informalities but went deeper, is not that enough to place the representatives of the people, who are charged with safeguarding the funds of the United States, upon guard and give them notice?

Is not that sufficient to make you men here, who are charged with this great responsibility under the Constitution, place about the settlement of these claims every reasonable safeguard? Is it the part of good judgment or good business or is it common sense for you to say, "We will disregard all that; let the Secretary of War and the officers who are responsible for the irregularities go ahead and settle them"? Let them cover up, if you please, the fact that they failed to file the affidavit which would prove, or tend to prove, that they had no personal or pecuniary interest in the contract they were entering into for the Government. To my way of thinking, the safeguard that requires the filing of an affidavit that the officer has no interest in the contract he is making is most important, as are many other checks and balances provided by law, which, it appears from this debate, have been either evaded or disregarded by officers. I do not want to see this Government permit its officers to enter into contracts with themselves or their former employers without being called to account and the transaction carefully examined into from all angles. I do not believe it is a good thing to be lax or indifferent about those matters. Therefore I believe that there should be some provision in this bill which will safeguard these settlements but not delay them.

I am in favor of the amendment that will be offered by the gentleman from Pennsylvania [Mr. MOORE], which requires a committee to assist in the settlement of these contracts. I can not now give the language of the amendment, but it provides for a committee which shall have the power to authorize payment of all claims. It does not take away from the Secretary of War any power, except that it supervises the settlement. It would not cause any delay, because under the act all these claims must be paid by June 30, 1919. There will be no delay about it; there will be no injustice about it. It simply means that the Congress is placing a safeguard around the settlement of these claims, which it is its plain duty to do.

Now, I do not say that I will not vote for this bill if it is not amended, because I think all just claims ought to be paid and paid promptly, but being on notice, the charges referred to having been made, it is our duty to see to it, in so far as we can, that proper safeguards are placed around the payment of these vast sums of the people's money, and the chairman of the committee, in my opinion, should accept the Moore amendment without a single word of protest.

Mr. DENT. Will the gentleman allow a question?

Mr. McCULLOCH. Yes; I will.

Mr. DENT. What is the amendment? I did not get it.

Mr. McCULLOCH. It is an amendment the exact language of which I can not give you, but which was referred to by the gentleman from Pennsylvania [Mr. MOORE] last night before we adjourned. It provides that there shall be a committee composed in part of Members of Congress—of the House and Senate—which committee shall supervise the settlement of these claims.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DENT. It is not, then, to create a commission?

Mr. McCULLOCH. No; it is a different proposition entirely.

Mr. ANTHONY. Mr. Chairman, I yield five minutes to the gentleman from Connecticut [Mr. TILSON].

Mr. TILSON. Mr. Chairman, in the presence of a great number of things to be criticized, I know there is an irresistible temptation to use such an occasion as this bill presents to indulge in criticism. I am not going to find fault with anyone who has seen fit to use this occasion for that purpose, although I think that there is far less ground for criticism in connection with this particular matter than with many others. If those who are inclined to criticize the War Department rely upon criticism of this character, such as informalities in contracts, and thus indicate that there are no more serious matters to be criticized, in my judgment they substantially give away their case.

There will undoubtedly be a time for proper investigation and criticism of expenditures under the War Department. There will be an opportunity to inquire as to whether those expenditures have been made wisely and whether we have had a full return for our money.

Mr. DOWELL. Will the gentleman yield for a question?

Mr. TILSON. In just a moment.

It does not seem to me, however, that this is the occasion. I think we shall make a great mistake if we choose this absolutely necessary legislation as a vehicle and occasion for general criticism of the wisdom or lack of wisdom in the expenditures of the War Department.

Mr. DOWELL. Mr. Chairman, will the gentleman yield there?

Mr. TILSON. I yield to the gentleman for a brief question.

Mr. DOWELL. Does the gentleman believe that it is better to have the commission now to pass upon these claims as to their justness than, after they are paid, to appoint an investigating committee to determine whether or not they have been rightfully paid?

Mr. TILSON. I do not. I think it would be far better to make mistakes in the payment of a few claims that ought not to be paid than to withhold payment upon a billion and a half of just claims, when such delay is a substantial denial of justice. If afterwards it should be revealed that a few are erroneous, even then it is possible in most cases to right the wrong. In other words, it would be better to make a few mistakes now than to do the injustice of holding up hundreds and thousands of claims which mean so much, not only to the contractors, but to the general business of the country.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. TILSON. For a question; I yield.

Mr. SNYDER. In other words, the gentleman means just what I attempted to state, that it is better to pay 75 or 85 per cent of these just claims, even if errors are made, on account of the great necessity on the part of the contractors in having the money that is due them.

Mr. TILSON. Yes. The whole question is this: Shall we put the United States Government in the position of being able to do what any honest, reputable business man would do under like circumstances? Under governmental restrictions and laws, some of them proper and some of them in my judgment useless, the War Department is hampered in doing what an individual would do under like circumstances. By this legislation we simply permit the Government to do what any honest business man in private life would do under similar circumstances and for which he would be considered a crook if he failed to do.

Let us assume the case of two business men, one a building contractor conducting large operations, the other a man who furnishes supplies. Suppose there was a great fire or an earthquake and great structures are necessary immediately. The contractor goes hurriedly to the man who furnishes supplies and in the haste of the occasion there are informal contracts—items of supplies furnished in the confusion concerning which it is not easy to find out what are the real facts in the case. What would they do? Men representing these two concerns would immediately come together and in a very short time they would adjust the matter and go on with their business. Owing to the restrictions that I have mentioned, the Government can not do that. We propose to authorize the Secretary of War to do just that by this legislation.

Mr. KING. Mr. Chairman, will the gentleman yield?

Mr. TILSON. Not now. Let us consider this legislation under three heads: First, what is for the best interest of the country at large as distinguished from the interests of the Government as representing the taxpayers and from the interests of the contractors themselves? What is best for the people as a whole? As we all know, industrial conditions are abnormal on account of the war. Capital has been tied up in war work and labor has been earning its bread in war activities. It is highly important for all that at the earliest possible moment the capital thus tied up be released so that business may resume its normal course. Those who may choose to oppose legislation absolutely necessary for this return to normal business conditions will assume a serious responsibility.

Second. What is best for the Government and the Treasury? It will surely be for the best interests of the taxpayers to settle these claims as soon as possible. Claimants will accept less if they can get it promptly in order to return to their peacetime business. They can afford to take less, and less will be due, for if prompt settlement is not made interest and resulting damages must and should be added. It is a well-known fact that claims for damages grow in geometrical progression with the time taken for settlement.

Third. What is fair and right as between the Government representing all the people and an individual or group of individuals? Delay in settlement means distress or financial ruin for many honest, patriotic creditors who placed their all at the disposal of the Government in order to win the war. We can not afford to place the Government in the attitude of a shifty, evasive, delinquent debtor. If legislation effecting substantially the purposes of this bill is not speedily enacted, we shall do just that thing.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. ANTHONY. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. LAGUARDIA].

The CHAIRMAN. The gentleman from New York is recognized for five minutes.

Mr. LAGUARDIA. Mr. Chairman, it seems to me the committee is borrowing trouble in insisting upon the passage of this bill as it is worded.

If the committee will classify these claims and separate those claims where the goods have been delivered in toto, providing that the proper affidavits are filed, and permit the Secretary of War to pay such claims, I am sure there is no objection on the part of any Member of this House to the payment of such claims.

Mr. GORDON. Mr. Chairman, will the gentleman yield right there?

Mr. LAGUARDIA. Yes.

Mr. GORDON. You are wasting time there, because this bill is not necessary to pay for goods that have been delivered. The War Department has authority to pay for them now under an implied contract.

Mr. LAGUARDIA. Good. Now, then, we come to the class of cases where the goods have not been delivered, and while some of these claims are made in absolute good faith and the claimants are entitled to payment we are going to have a large number of claimants that will come in and try to seek profits which they would have gained if the war had continued, and for goods which they manufactured on speculation.

The gentleman from New York [Mr. SNYDER] suggested that perhaps 75 per cent of the claims are good, and he asks, "Why not pay 75 per cent of the claims and let the other 25 per cent follow in?" The trouble is that the 75 per cent of honest claims will amount to 25 per cent of the amount and the 25 per cent of dishonest claims will amount to 75 per cent of the amount we will appropriate. I want to protect the Treasury against dishonest claims.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. In a moment. I know of a case where in my own personal experience there was an implied contract. The material was offered. I found the material defective and rejected every bit of it. This manufacturer could come in and

claim a million dollars and call me as a star witness. I hear he is now seeking to adjust that claim for a hundred thousand dollars, and that is every cent he is entitled to, if that much.

Mr. SNYDER. Mr. Chairman, will the gentleman yield right there for a question?

Mr. LAGUARDIA. Yes.

Mr. SNYDER. I would like to know if the gentleman can point out any particular case that is so glaringly dishonest.

Mr. LAGUARDIA. Certainly. Let us take the case of the raincoats in New York, where, if we should follow the suggestion of the distinguished gentleman from Pennsylvania [Mr. ROBBINS] to have the Government inspector adjust these claims, we would have to go to the Federal penitentiary in Atlanta to have this man pass upon the claim of the fraudulent manufacturer.

I introduced here on the first day of the Sixty-fifth Congress, my first day in this House, a bill which would have sent that dishonest contractor and that dishonest inspector to the gallows, and not to jail; but you did not have courage enough to pass upon it. It is still sleeping in committee. What we want to do is to separate the dishonest claims from the honest claims. Why let the Department of War pass upon it? You say this is purely a commercial proposition, in the cases of unliquidated claims; I consider it is a judicial proposition. Let the Secretary of Commerce pass upon it, and let the Attorney General look after the interests of the Government.

Mr. MONTAGUE. Mr. Chairman, will the gentleman yield there?

Mr. LAGUARDIA. Yes.

Mr. MONTAGUE. How would the gentleman's bill send somebody to the gallows?

Mr. LAGUARDIA. I introduced a bill on the first day of the Sixty-fifth Congress providing death penalty for dishonest contractors, to anyone who defrauded the Government in contracts in time of war. That is the logical, decent thing to do. Hang the man who will defraud his own country in time of war, while his countrymen are dying for it.

Mr. MONTAGUE. You mean to send somebody to the gallows for a crime committed before or after the passage of the law?

Mr. LAGUARDIA. The gentleman knows you can not pass a criminal law which is ex post facto.

Mr. MONTAGUE. I asked the gentleman that question because I thought the gentleman intimated that we could.

Mr. LAGUARDIA. The gentleman could not possibly have misunderstood what I said.

Mr. MONTAGUE. The gentleman possibly did not express himself as clearly as he intended.

Mr. LAGUARDIA. That is a difference of opinion between us. I "have" given that subject considerable study, more than many certain learned committees that had no experience and no information as to what they were trying to do, and refused to listen to others when they passed a very poor bill. I trust I have made myself clear on that point. [Laughter.]

Now, if the Senate comes back with this bill as it now stands, and takes out the amendment providing for a reviewing commission, I shall support the amendment sent up by the gentleman from Pennsylvania [Mr. MOORE]. Otherwise it is our duty to defeat this bill as it stands, and let the committee come in with a logical bill to look after the interests of the Government. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. ANTHONY. I yield five minutes to the gentleman from Illinois [Mr. DENISON].

The CHAIRMAN. The gentleman from Illinois is recognized for five minutes.

Mr. DENISON. Mr. Chairman, this bill contains 15 lines. There are 15 lines in the bill proper and 45 lines in the provisos. There are 8 provisos to the bill as it has been reported, and I understand it is the intention of the chairman of the committee to offer one or two more, so that when the bill is finally voted upon it will be a bill consisting of 15 lines itself and 50 or 60 lines of provisos, all of which shows, at least to my way of thinking, that we are trying to do something by this bill that we ought not to do. Any bill that contains only 15 lines and that has 50 or 60 lines of separate provisos is, to say the least, a rather unusual bill.

Mr. DEMPSEY. Provisos inserted after the bill was introduced?

Mr. DENISON. Yes. All of these provisos were added by the committee after the bill was introduced.

Now, as a Member of this House, I am not going to vote for any bill that will authorize or empower any man who has been a party to an illegal contract to settle unliquidated damages growing out of that illegal contract. [Applause.] And that is just exactly what this bill does in its present form. There were a number of speeches made here yesterday which tried to leave the impression with the House that the only difference between the claims that will be settled under this bill and those that have been settled under legal contracts is a mere matter of informality.

Gentlemen, that is misleading. That is sugar-coating the whole proposition. Let me tell you what this bill does. The War Department now has the authority to settle for any materials that the Government has actually received, I do not care whether under a legal contract or an illegal contract. The War Department already has that power, and the Court of Claims has jurisdiction to settle every liquidated or unliquidated damage claim growing out of any legal contract; but the Court of Claims has no jurisdiction to settle any one of the claims covered by this bill; neither has the War Department jurisdiction to do so, because the claims that are to be settled under this bill are so-called equitable claims and are not legal claims growing out of any express or implied legal contracts. Now, if I have the time I want to call your attention to this provision in the act of Congress that was passed during the Civil War; and it has been rather amusing to me to see the members of the Military Affairs Committee of this House standing here and saying that this law was an obstruction to the War Department and that we ought to disregard it, although it is a valid existing law. That law provided that any officer in the War Department who signed a contract purchasing supplies for the Government should file with it his affidavit that he had no interest in the contract, direct or indirect, and that he should file with the department all bids, offers, and advertisements, and so forth, connected with the letting of the contract. Now, I would like to have some members of the Military Affairs Committee who have been belittling this law explain to the House what the purpose of it was. This law was passed by the Congress for some good purpose, and if it is not a good law it ought to be repealed, and I do not believe in letting the department ignore it absolutely when it is a valid existing law passed to protect the people and the Government.

The chairman of the committee [Mr. DENT] stood here yesterday and said that there is no difference between the contracts to be settled under this bill and those that are valid except a mere informality. Why, gentlemen of the House, if there has been any dishonesty in connection with the letting of war contracts—and I have heard a great deal of talk, and so have you, about graft and dishonesty in connection with the letting of some of these contracts—this bill will whitewash the whole thing.

The act of Congress under which these thousands of war contracts are absolutely void and illegal was passed in 1862, during the Civil War. It is a statute of frauds, as the Supreme Court has said, enacted for the very purpose of protecting the Government against fraud and dishonesty on the part of Government officials. It provides that all contracts made with the Government must be signed by the officer who makes the contracts, and he must attach to the contract an affidavit to the effect that he has no interest, direct or indirect, in the contract. He must also file with the contract, and attached to it, all offers, bids, advertisements for bids, and all other papers connected with the letting of the contract.

Now, here are nearly 7,000 contracts that we already know of, involving several billion dollars, that everyone of them are illegal and worthless because they were not signed by the officers who made them, nor were the affidavits of such officers made and filed with them, nor were the bids and other data filed as required by law. In other words, this statute of frauds, enacted to protect the public Treasury, was entirely ignored and disregarded, and Members stand here and argue that this default on the part of the officers of the War Department was a mere informality. If this bill is passed, all kinds of padded, fraudulent, and dishonest claims for damages, both actual and speculative and imaginary will be presented, and in my judgment they will aggregate twice as much as has been estimated by the War Department.

The idea that Congress should by law authorize the same officers of the War Department who have made these illegal contracts and failed to do their duty to the Government to settle the claims for damages that will be presented under them is preposterous to me. Now, I am in favor of paying every single just claim any person has against the Government, and doing so promptly. None of us, I think, want to deny to anyone a prompt settlement of his legitimate claim growing out of any expense he has incurred or liability he has contracted in helping the Government in the prosecution of the war.

But the end to be accomplished does not always justify the means provided to accomplish it. Let us provide for the payment of all these claims that are proper just as promptly as is possible. But let us also protect the people we are representing and guard the public Treasury while we are doing so. Surely Congress can adequately provide for the settlement of these claims without necessarily letting the settlements be left to the very officers who made the illegal contracts—who failed to do their duty when the contracts were made.

If this bill can be amended by the House so as to authorize some one else besides the War Department to make the settlements, I am willing to vote for it. If we can amend it so as to protect the Government from swollen and fraudulent claims, I will support it. But in its present form it is simply an omnibus whitewash, which I fear will in the end cover up a whole lot of waste, extravagance, graft, and possibly fraud; and, however urgent it may be that the valid claims ought to be settled promptly, I am unwilling to vote to allow them all to be settled in the manner provided by the bill in its present form.

Mr. SNYDER. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired.

Mr. DENT. I yield five minutes to the gentleman from Nebraska [Mr. SHALLENBERGER]

Mr. SHALLENBERGER. Mr. Chairman, I do not care to take the time of the committee in a discussion of this bill, but there are a few things that have been touched upon that I think ought to be brought to the attention of the House. In the first place, the same action that is proposed in this bill has been required of Congress, and the same duty has been performed by the Secretary of War, following the Civil War and also the Spanish-American War. The chairman of the committee [Mr. DENT] read to the House yesterday the legislation similar to this enacted during the Civil War, and action exactly similar to that intended at this time was taken by the Secretary of War in settling claims against the Government following the Spanish-American War; and the Spanish War claims were carried to the Supreme Court of the United States, and the action of the Secretary of War was declared valid by the highest court in the land. So we have got warrant for what we are seeking to do.

Now, there is one thing particularly that I want to impress upon the House, because I think we have had an erroneous idea of it presented here, and that is that these claims are to be adjusted by the men who were responsible for making the contracts. That is not correct. On the contrary, 34 regional boards have already been constituted by the Secretary of War. They are civilian boards, made up of the representative business men of the different communities in which they are acting. For instance, in the city of Chicago and for that region John J. Mitchell, president of the great Illinois Trust and Savings Bank, is a member of the board. These men are already acting. They are men selected because of their high character and sound business judgment.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. SHALLENBERGER. I yield to the gentleman from Wisconsin.

Mr. COOPER of Wisconsin. Where is there anything in the pending bill that will insure the appointment of a commission headed by John J. Mitchell, or of which he is a member?

Mr. SHALLENBERGER. This bill authorizes the Secretary of War to adjust these claims, and the Secretary of War has already constituted these boards, and Mr. Mitchell is a member of one of them.

Mr. COOPER of Wisconsin. Exactly; but this bill does not authorize the Secretary of War to appoint anybody.

Mr. SHALLENBERGER. These boards are already settling the claims which have arisen from formal contracts.

Mr. LITTLE. Will the gentleman yield for a question?

Mr. SHALLENBERGER. I want to get into the RECORD——

Mr. LITTLE. If what the gentleman has stated is true, why do we not pass a law to authorize the appointment of these commissions?

Mr. SHALLENBERGER. You are authorizing it when you pass this bill.

Mr. LITTLE. Why not say so in the law then?

Mr. SHALLENBERGER. The Secretary of War is authorized to do so. It has already been done. And I want to say further that I have here a statement showing that 685,872 contracts and purchasing orders were executed during this war. In other words, almost 700,000 contracts and purchasing orders have been made by the War Department with the different business men of this country, and only 6,000 of them are unconsummated and at issue in this particular case and to be settled under the terms of this bill.

Mr. JUUL. Will the gentleman yield for a very brief question?

Mr. SHALLENBERGER. I have only five minutes. Just wait until I finish my statement, and then if I can I will yield. I want to get this into the RECORD. I asked the Secretary of War and the Assistant Secretary of War and the munitions director if there was any evidence before the War Department that one single one of these so-called informal contracts was tainted with fraud, in the opinion of the War Department, and their reply to me was that so far as they knew there was not one scintilla of evidence that a single one of these contracts was tainted with fraud, but that every contract as to which there had been any suggestion of fraud was a valid, formal contract. Therefore there is no warrant for the insinuation, and no evidence to imply that there is any suggestion of fraud in connection with these particular informal contracts. They were caught unfulfilled by the armistice, and that is the reason for this legislation.

Mr. KING. Will the gentleman yield there for a question?

Mr. SHALLENBERGER. I want to make one more statement. The proposition is made, in controverting our plan, to create a commission. A commission means delay, interminable delay and enormous expense. We now have boards composed of high-class business men operating all over the country settling the formal contracts. If any man were to come before Congress and propose to constitute two commissions—one to settle one class of contracts which are valid and another commission to settle claims in controversy, I do not think he would have any hearing before the House. But that is what you propose to do if you appoint a commission. You will have the commission and also these regional boards of high-class business men, who are settling valid claims.

Mr. DENT. Will the gentleman yield?

Mr. SHALLENBERGER. I yield to the gentleman from Alabama.

Mr. DENT. In that connection a statement was made by the gentleman from New York [Mr. SANFORD] a little while ago, that the Senate Committee on Military Affairs had recalled the Hitchcock bill. That statement is absolutely correct. A member of the Senate Military Committee called me over the phone a little while ago and informed me that the Senate Military Committee had recalled the Hitchcock bill and abandoned the commission proposition.

Mr. KING. I would like to ask the gentleman this question.

Mr. SHALLENBERGER. I will yield to the gentleman from Illinois.

Mr. KING. Can the gentleman give the House any light as to who these 6,500 people are making these claims?

Mr. SHALLENBERGER. No; I have not that information. A few of them were mentioned casually in the hearings. They are representative men and business corporations scattered all over the country who were doing things necessary for the United States to win the war.

Mr. KING. Are there any aircraft contracts in this proposition?

Mr. SHALLENBERGER. I was informed by the Assistant Secretary of War that, as far as he could state, the Hughes investigation aircraft contracts are not included in this bill.

Mr. MILLER of Washington. Will the gentleman yield?

Mr. SHALLENBERGER. Yes.

Mr. MILLER of Washington. Did the War Department furnish the committee with any data as to who the men are that have these informal contracts and the names of the officers on the part of the Government who are supposed to have made the contracts?

Mr. SHALLENBERGER. We had only a general statement; no detailed list was made. That list is being prepared, but it will take some time. We were given a brief summary of the entire amount, about a billion and a half of money and something like 6,600 contracts, scattered all over the country.

Mr. DOWELL. Will the gentleman yield?

Mr. SHALLENBERGER. Yes.

Mr. DOWELL. Does not the gentleman think that Congress ought to know who composes the boards that the gentleman has referred to?

Mr. SHALLENBERGER. I will say that these boards have all been appointed and are known and now acting upon the formal contract claims.

Mr. DOWELL. We have not that knowledge.

Mr. ANTHONY. Mr. Chairman, I yield 10 minutes to the gentleman from Kansas [Mr. LITTLE].

Mr. LITTLE. Mr. Chairman, I ask leave to extend and revise my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. ANTHONY. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Chairman, as I stated yesterday, I am anxious that all legitimate contracts shall be paid as promptly as possible. There ought to be no delay. People who have done service for the Government during the war should receive their money, but I believe there should be some supervision over so large a transaction as this. There really should be a limitation put upon the total amount to be expended. All we know is that it is to approximate $1,600,000,000, but I have heard rumors that it may run up to $4,000,000,000. Being on the revenue-raising committee, that strikes me as a serious matter. Business men are appealing to us to reduce taxes, and this seems to be an effort to increase taxes. Something has been said about the amendment that I propose to offer and concerning which notice was given late last evening. I wish to explain the amendment, and in explaining I desire to say that it should not embarrass the Secretary of War in the slightest particular, nor cause any delay whatever, but if adopted, it seems to me that it will satisfy the Congress and satisfy the people at large. The amendment does not alter the present bill in any respect, except that it creates a committee on war-contract expenditures. Following the syllabus of the bill, it inserts the following:

> There is hereby created a committee on war-contract expenditures, to consist of the Secretary of War, two Members of the Senate, one a Democrat and one a Republican, to be appointed by the President of the Senate, and four Members of the House of Representatives, two Democrats and two Republicans, to be appointed by the Speaker of the House of Representatives.

I think I shall add to the committee the Attorney General, along with the Secretary of War, so that the legal department will be represented in the approval of these claims. That clause creates a committee on war-contract expenditures.

Section 2 provides that the Secretary of War, "with the approval of the committee on war-contract expenditures," which we have just created, is authorized to do all that this bill proposes. So that there is absolutely no hindrance, no stumbling block placed in the way of the Secretary of War.

All that we do is to satisfy the people and satisfy the Congress that there will be some intelligent supervision of these more than 6,600 contract claims. What will the Secretary of War do under these conditions? Once a week, or once in two weeks, or once a month, if he pleases, he may call together this committee on war-contract expenditures. They will assemble, and if the Secretary is ready with his audited accounts, with his bills, or his statements, he will lay them before the committee, and they will say, "All right, 1, 2, 3, 4, 5, 10, 20, or 100 contracts are clear as a whistle; we are satisfied with the audit and they should be paid."

We authorize them to be paid; but No. 59, No. 62, No. 1132 do not look exactly right to us and are laid aside for further information. What hindrance is there; what stumbling block in the way of the Secretary with an arrangement like that? What objection can any honest man have to it? Why would it not be a relief to the Secretary of War to have the sanction of the Attorney General and of the Representatives of the Congress in this regard? That is all the amendment proposes. There is no delay in settlement, and every condition of the bill will be followed.

Mr. EAGLE. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. EAGLE. I would like to say to the gentleman that I should favor his amendment if I were convinced of one point, and, therefore, I ask in good faith to have his views on that point. It is in my own mind as a reason against the amendment, otherwise the amendment seems to me to be sound. I doubt if there is a single Member of the 435 of us who, with his committee work, with his attendance here from noon until 6 o'clock each day, with his from 50 to 150 letters each day and from 5 to 10 or 20 telegrams each day——

Mr. MOORE of Pennsylvania. The gentleman should ask his question.

Mr. EAGLE. Oh, I want to get this off my chest.

Mr. MOORE of Pennsylvania. If the gentleman will ask for more time for me I am satisfied.

Mr. EAGLE. I will beg hard. Is not each Member so loaded with responsibility that any one of the four appointed would find it almost impossible to give a fair, intelligent, judicial investigation to any one of these claims of the whole 6,700? Now, is it fair to appoint four men and charge them in the eyes of the country with the knowledge and responsibility which lack of time probably will not permit them to fulfill?

Mr. MOORE of Pennsylvania. I know the gentleman put his question in good faith, but in putting it he has made an argument. I think I can answer it by saying that no Member of Congress, no matter how busy, will refuse to serve the country in this regard without compensation, and that is just exactly what I propose. I propose to leave it to the Speaker to appoint four men, two Republicans and two Democrats, and to the President of the Senate to appoint one Republican and one Democrat, and I venture to say that no man named by either of those gentlemen will refuse to serve in this capacity without compensation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. EAGLE. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. The time has been fixed by rule.

Mr. MOORE of Pennsylvania. All I wanted to do was to explain this amendment. It is a fair proposition and one which I think the House can very properly consider.

Mr. DENT. Mr. Chairman, I yield seven minutes to the gentleman from Ohio [Mr. GORDON].

Mr. GORDON. Mr. Chairman, I am opposed to appointing commissions for the purpose of investigating claims of this sort. It just means a divided responsibility and getting nowhere. Now, the suggestion which has just been made to the House by the gentleman from Pennsylvania [Mr. MOORE] of appointing a commission of Congressmen to act with and supervise the Secretary of War is wholly fallacious, it seems to me, so far as any practical results are concerned. If this House is anxious to do what ought to be done, then what it desires to do is to pay every honest and just claim with as much speed as possible, but to submit every claim to proper investigation to know what you are talking about. I am not going to spend any time answering the argument of those gentlemen here who say we ought to turn this thing over to a commission of bankers and manufacturers, who have these contracts, and let them decide themselves what they ought to have. I think it is a perfectly foolish or worse proposition for a Member of Congress to stand on the floor of this House and advocate to intelligent men. It is not necessary to indict these people for crime; it is not necessary to charge anybody with dishonesty. What we actually know is that there are 6,600 claims here, aggregating $1,600,000,000. Of course, we want them paid, but this House is here supposed to represent the public interest, and if it is necessary to take time and investigate these claims, and, of course, it is necessary, whatever time is required ought to be taken and this talk about stopping the wheels of progress and ruining business men is a fallacious sort of argument that is designed to prevent these claims being examined properly and the amount actually and properly due determined. Now, of course, it is not very strange that men come here and say that they need the money, but that is not a new thing with Congress. I suppose the older Members who have been here for years have been confronted with that right along. But the question for us to determine is what is our duty in this matter. I say that our duty is to require investigation of these things. I have been very strongly of the opinion, and am yet, that there ought to be an investigation amounting to a judicial inquiry. Of course, they say it will take time. Of course it will, but Congress is not going to vote any lump sums here to anybody without any knowledge of the facts unless provision is made for a possible tribunal for determining the question. Now, of course, the War Department is one of the executive departments of the Government. This bill is advocated here upon the ground that the man upon whom the authority is conferred will not exercise it. The gentleman from Nebraska [Mr. SHALLENBERGER] said they had a commission appointed of a prominent banker in Chicago and somebody else and what they were going to do, but this bill does not confer any authority on any other man.

It says the Secretary of War. Of course, there is just this difference between conferring authority upon a Cabinet officer and conferring it on a court. The court can not delegate its authority, while the Cabinet officer can; but, of course, no pretense is made that the Secretary of War as a lawyer is going to sit down and make investigation of these claims before they are approved; no pretense of that sort is made. I take it we ought to amend this bill. It will help it some by providing that before any claim under this bill shall be allowed the Attorney General shall certify in writing upon the bill that the allowance of it is authorized by this statute which we now are passing or something to that effect, and I wish the gentlemen of the House would consider that, as I think it will be an additional safeguard. Of course, if these 6,600 claimants came here to Congress individually and introduced a bill to pay their claims in the regular order, the bill would go to the Court of Claims. They would write to the War Department, get a report on that

particular claim, and they would probably report it back to Congress with the recommendation of the War Department, and the War Department would get this information largely from the sources relied on under this bill; but the truth about it is gentlemen come to Washington and parade certain claims concerning which there is no dispute and ask this Congress to pass a blanket authority to pay 6,700, about only two or three of which we know anything.

Mr. MADDEN. Will the gentleman yield?

Mr. GORDON. I will.

Mr. MADDEN. I suppose there are claims not yet presented?

Mr. GORDON. Oh, unquestionably. When we had this hearing there was a million dollars' worth there and before the hearing was printed it reached $1,600,000,000.

Mr. MADDEN. I understand there are $4,000,000,000 not yet presented——

Mr. GORDON. I do not know about that; it is big enough as it is; but these claims ought not to be paid and they ought not to be authorized to be paid until they have been properly investigated.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. GORDON. I will.

Mr. COOPER of Wisconsin. I was not here yesterday, being in attendance upon the funeral of Col. Roosevelt, and I do not know just what the discussion was, but here is a question I would like to ask the gentleman. The gentleman is a member of the Committee on Military Affairs——

Mr. GORDON. Yes.

Mr. COOPER of Wisconsin. I see from the record the gentleman from Alabama said:

> Suppose that on the 15th day of October, if that was a week day, the Quartermaster's Department hired some manufacturer—

And so forth. And a little later he said:

> Suppose on the same day a representative of the Ordnance Department sent a telegraphic order—

And so forth. They did some of that, did they not, by telephone?

Mr. GORDON. That I do not know. Our committee has reported an amendment to this bill that will cut out the telephone conversations.

Mr. COOPER of Wisconsin. Were there any of these orders given by dollar-a-year men in the War Department or in any department anywhere?

Mr. GORDON. I am not prepared to answer that question. There have been orders given by different individuals. The gentleman from New York [Mr. LAGUARDIA] had a conversation with somebody, and he is now present——

Mr. LAGUARDIA. I wish to say that the aeroplanes were not accepted.

Mr. GORDON. You can not allow every Tom, Dick, and Harry to tell the people to make goods to win the war, and then present claims to the Government.

Mr. BLANTON. Will the gentleman yield?

Mr. GORDON. I will.

Mr. BLANTON. Suppose the gentleman's contentions were correct and were carried out, and one of these claims should come regularly before the Claims Committee; for instance, of the House; the Claims Committee submits that to the War Department, and that department reports favorably on it. Is there a single instance of that kind where the Claims Committee would not bring it before the House and ask the House to pass it? So, after all, it is left to the Secretary of War.

Mr. GORDON. I think that is true, the only difference being in the aggregate amount. These amounts here aggregate over $1,600,000,000 up to date, and there are more than 6,600 claims. Now, the argument is made that any sort of judicial investigation will take too much time. The very claims that ought to be examined are likely to be passed without proper examination. You can not undertake to say that because 25 per cent of them are just or that 25 per cent are unjust we will authorize the payment of all of them. I do not think any sensible man with sound common sense or honesty will advocate any such proposition as that.

Mr. McKENZIE. Will the gentleman yield?

Mr. GORDON. I will.

Mr. McKENZIE. Does not this bill provide that these settlements have to be filed with Congress, stating the exact facts in connection with the settlement, after the settlement?

Mr. GORDON. Yes; afterwards.

Mr. McKENZIE. Does the gentleman believe that any man in the War Department or any other official of the Government would enter into some shady arrangement under those conditions?

Mr. GORDON. Oh, no. It is not the man in the War Department that is going to do it. It is the man that is getting the money that is going to do the shady things. I am not charging anybody in the War Department with intent to defraud.

Mr. McKENZIE. Does not this bill also provide that if any gentleman does enter into this shady transaction we can pursue him?

Mr. GORDON. Of course, you can pursue him on a criminal indictment for felony if he conspires to defraud the Government.

Mr. LAGUARDIA. In France or England or Italy?

Mr. GORDON. In this country.

Mr. BENSON. Will the gentleman yield?

Mr. GORDON. I will.

Mr. BENSON. What remedy does the gentleman offer?

Mr. GORDON. I think the bill ought to be amended in two particulars. I think that before being paid they ought to be approved by the Attorney General of the United States. I think, furthermore, they ought to be compelled to make this affidavit. A majority of these claims, it was testified, were rejected because the man who made the contract did not sign it and make the affidavit provided by law. I believe before these claims are paid that an affidavit ought to be made by the man who made the contract to the effect that no one but the Government and the contractor had any interest in it and that the terms claimed were agreed upon. And an amendment ought to be adopted so that he would be rendered liable to the same extent he would have been if he had signed and sworn to the contract in the original instance.

Mr. ANTHONY. Mr. Chairman, I yield the remainder of my time to the gentleman from California.

Mr. COOPER of Wisconsin. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COOPER of Wisconsin. Is this general debate?

The CHAIRMAN. General debate; yes.

Mr. DENT. Mr. Chairman, I yield the balance of my time to the gentleman from California [Mr. KAHN].

The CHAIRMAN. The gentleman from California is recognized for 27½ minutes.

Mr. KAHN. Mr. Chairman, this legislation is asked for by the War Department because there are some 6,600 agreements to be settled under this bill in this country alone, and the amount involved in these agreements is $1,600,000,000. It is a very large amount, and if these contracts or agreements had been formally executed according to law the War Department would not be put to the necessity of asking for this legislation.

On the 11th of November last year, when the news came that an armistice had been signed, the War Department did that which any good business house would have done. It immediately notified the contractors of the country right there and then to stop the further making of supplies that were being turned out to win the war. Now, those gentlemen who had contracts that were properly executed in accordance with the provisions of the Revised Statutes have had no trouble at all in getting a settlement. There are local boards composed of men in the various departments who have been engaged in supervising the actual production prepared for or carried on and who know the nature of the contracts. They call to their assistance the officers and Government inspectors, who watch the making of the supplies for the Government and who have direct supervision thereof in the factories that are turning out the supplies. These inspectors and officers are there with their records to give assistance to the local boards that are investigating the matter. The Government, so far as I am informed, up to the present time has had excellent service at the hands of these inspectors. They have been a very efficient class of men. They have frequently rejected supplies that did not come up to the specifications. I want to say now that I think the country owes a debt of gratitude to the manufacturers and producers of the United States for their willingness to turn over to the Government all their facilities to speedily produce the supplies that were necessary for the winning of the war. And the workmen in the factories who gave their best ability toward turning out these supplies deserve the thanks of the country.

There are about four classes of cases that are involved in this legislation. The first class comprises agreements made by the Ordnance Department, which should have been signed by the Chief of the Procurement Division of that department. Instead they were signed by one of his principal assistants. The Comptroller of the Treasury ruled that the signature of this assistant did not comply with the statutory requirements for the execution of valid contracts. This legislation is required so as to enable the Government to settle all cases of this kind.

It often happened that the manufacturer was told that time was the essence of the contract; that he ought to put all his energy into the task of supplying the Government rapidly, because upon the rapidity with which the supplies could be secured would depend the duration of the war. The manufacturers went ahead in good faith to turn out their products as speedily as possible.

Now, when their claims were sent to the comptroller for his approval he called to the attention of the War Department the fact that the contracts on the part of the Government had not been properly executed by the Government and refused to authorize the payment of those claims. Of course later on the War Department corrected anything of that kind. No such contracts or agreements were entered into later than the comptroller's decision, because the War Department realized that the contracts would be invalid, and the contractors could not be paid.

Then there was a second class of cases. The Engineer Department for years had been in the habit of getting merchants to furnish them supplies, especially for river and harbor work, upon blank forms, the validity of which had never been questioned. Those forms were used in the early days of the war by the Engineer Department, and the supplies were furnished the Government. The forms specified consider in detail the character, amount, price, and time of delivery of the required articles. But the comptroller said: "That is invalid; you can not do it," and therefore a large number of cases of that kind are held in suspension.

A third class is that in which the War Department called manufacturers before it and informed them that the Government required a certain article. The manufacturer probably had never turned out that article, but he had certain machinery that could be adapted to the manufacture of that class of goods, and he said frankly to the Government: "I do not know what I can do in the matter of making a price for you. What I will do will be this: I will turn over my factory to the manufacture of this commodity. You put in your official inspectors. We will open our books; we will show you exactly what the cost will be, and then we will agree upon a price." There were no formal contracts entered into, because they could not enter into a formal contract under a condition of that kind.

Then there were, finally, other cases where the Government contemplated taking over large tracts of land for the purpose of manufacturing trinitrotoluol, or TNT, as it is usually called. They went on tracts of farm land and told the men owning it, "We are going to commandeer this land," or "We are going to condemn it, because we need this land for the manufacture of those commodities that will help us to win the war." In many cases the farmers went elsewhere and entered into contracts for the purchase of land many miles away from where they had been formerly. But they were dispossessed. Then the armistice was signed. The Government has not paid these farmers anything for the land. Later the Government found it would not require the land.

Now, those farmers, those men who gladly, in many instances, went off the land in order that the Government might have the proper acreage on which to build factories—and the most notable case is the one at Racine, Wis.—those farmers ought not to be compelled to wait indefinitely for their pay, because they have probably entered into contracts, into agreements for the purchase of new lands, and upon the payment to them of the price of the land taken by the Government depends their ability to pay for the new lands upon which they proposed to settle.

Now, those are the four classes of cases, as nearly as I can recall them.

Mr. HAMILTON of Michigan. Mr. Chairman, may I ask the gentleman a question?

Mr. KAHN. Yes.

Mr. HAMILTON of Michigan. I do not know whether it would be possible, but I want to ask the gentleman if he thinks it would be possible to so frame a bill as to validate those contracts which have been erroneously signed, and then put the others in a different class?

Mr. KAHN. That is one thing that the committee did not want to do. They did not want to validate the contracts, because they felt that these claims ought to be settled, and that by failure of the passage of legislation to validate the contracts the probability of a speedy settlement would be more likely to be accomplished.

Mr. HAMILTON of Michigan. May I further suggest this to the gentleman: Clearly where the contracts have been erroneously signed by some one in the War Department—for illustration, in a case where the other party to the contract has gone on providing material—clearly there is a case where the party ought to be paid, and the contract is there to speak for itself. There are two kinds of contracts that the gentleman has described.

Mr. KAHN. True; but if I can bring it to the gentleman's attention more specifically, I want to say that while the Government itself dealt generally with only one individual, there were numerous subcontractors who obtained contracts from the main contractor, and the main contractor must take upon himself the settlement with his subcontractors. We felt that by refusing to validate those claims the contractor would speedily make his settlement with the subcontractors, and the thing would be wound up without unnecessary delay, whereas in all probability there would be indefinite delay by pursuing the other course.

Mr. HAMILTON of Michigan. Then you could have validated those contracts upon certain conditions specified?

Mr. KAHN. Probably in every contract that is involved there is a certain condition that involves just that particular contract. They are not all alike. They have variations. And so, in order to bring the thing to as speedy a conclusion as possible, the bill was agreed to by the committee in the form in which it is presented to the House.

Mr. REED. Mr. Chairman, will my colleague yield?

Mr. KAHN. Yes.

Mr. REED. Is it true that the comptroller has in the past approved and ordered payment upon improperly executed contracts?

Mr. KAHN. Well, I want to say that, so far as my knowledge of the present comptroller is concerned, I do not think that any invalid contract was recommended for payment by him.

Mr. REED. It has been stated on this floor to-day that, following old forms, certain departments had been in the habit of making unlawful contracts and these have been paid. When did this spasm of infallibility and efficiency strike the office of the comptroller?

Mr. KAHN. No; they have not been paid. That is the very reason why this legislation has been asked for, because the comptroller himself refused to pass favorably upon those contracts.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Certainly.

Mr. GREENE of Vermont. I think perhaps what the gentleman from West Virginia has in mind is the fact that one branch of the War Department in peace times——

Mr. REED. The engineering branch?

Mr. GREENE of Vermont. Yes; the engineering branch had been authorized to make what were called purchase contracts, and when the officers were called upon to make contracts for the department generally they used that form of contract until they were notified that they could not do it.

Mr. REED. By the new comptroller?

Mr. GREENE of Vermont. No; by the comptroller.

Mr. KAHN. Mr. Warwick has been in office for some time. Now, what is proposed by this legislation is to give these men who entered into agreements with the Government to turn out supplies for the winning of the war, or to do something that would help to win the war, the same right for the settlement of their claims as those contractors who have duly executed contracts.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield for a question?

Mr. KAHN. Certainly.

Mr. BANKHEAD. I would like to have the gentleman's construction of the proposition where a man who really had a bona fide contract which was invalid. If this bill passes, the question of the adjudication of the amount would be left entirely in the hands of the Secretary of War?

Mr. KAHN. The final payment; yes.

Mr. BANKHEAD. Now suppose, as a matter of fact, the Secretary of War was not willing to award to that man an amount which he held was due him; in other words, that the Secretary of War wanted to settle upon a basis which was not satisfactory, and that the facts might tend to prove were not satisfactory and just to the contractors. What remedy would the contractor have?

Mr. KAHN. He would have no remedy whatever. Even if we pass this legislation, he will have no remedy. He can not go into any court of the United States and establish his claim.

Mr. DENISON. His remedy would be to have a bill introduced in his behalf?

Mr. KAHN. Yes; exactly. He could go to the Committee on Claims or the House or the Senate with his claim, but Members are aware how few claims of that kind are ever passed by Congress.

Now, there is a serious condition that confronts many of these men. They have their capital tied up in this work. Many of them have had to borrow from their banks in order to meet the requirements of this Government. They now are paying interest every day, because their banks are carrying them along. I am told that several of these concerns have already gone into

bankruptcy and that many others are threatened with bankruptcy. Do you know what that means? It means the closing of many of these concerns before they can adjust their business so as to return to a peace-time basis. It means the throwing out of employment of their mechanics and laborers and forcing them upon the labor market of the country. I do not think the Members of this House want to see such a condition prevail. I imagine that the Members of this House feel that the Government ought to be just as honest as the citizens of the Republic; that every just claim ought to be paid, and that the men who, in the hour of the country's stress, came to the country's assistance should not be penalized because of some informality in the proper execution of their agreements with the Government.

Mr. EMERSON. This bill proceeds upon the theory that the War Department will deal fairly with these contractors. Now, perhaps it will. But should there not be some one—for instance, the President—to whom they could appeal in the event that they thought that they were unfairly dealt with?

Mr. KAHN. The process of dealing with these claims is this: I should state, however, that the War Department officials are dealing with the claims arising under properly executed contracts every day. Before the gentleman was here I stated that the matter is first taken up by a local board composed of officers of the Army who are attached to the particular branch of the military service that negotiated the agreement. In other words, if it be an ordnance matter, ordnance officers pass upon the claim. If it be a quartermaster's matter, officers of the Quartermaster's Department pass upon it. They make a finding. Then later the claim is presented to a second board, which is here in Washington, and is composed of officers in the respective bureaus who are specially selected for this purpose of review. Then the claims are finally sent to the Board of Contract Adjustment in the War Department. They pass upon these claims. They go over the papers. They review the whole matter and finally reach a determination. This is the third board to pass upon the claim. In the process of adjustment it goes through three separate and distinct boards, until it finally gets to the Secretary of War for his approval.

Mr. DENISON. Do these boards have a definite personnel?

Mr. KAHN. Yes.

Mr. DENISON. Would the gentleman object to putting into the bill an amendment requiring these claims to go in that way?

Mr. KAHN. I certainly would not object, but I am told, or rather the committee were told by the War Department that that is the very course they are now following and that they propose to continue to follow. They propose to continue to follow the same course which they have followed in adjusting all the differences heretofore. I do not think it is really necessary to put that in the proposed legislation, because that is the procedure that has been in vogue at the War Department since we have been in this trouble.

Mr. LEA of California. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. LEA of California. Can the gentleman tell me whether or not the Secretary of War has expressed any intention of so adjusting these claims as to protect the legitimate rights of subcontractors?

Mr. KAHN. Well, I do not know positively what it is their intention to do. I understand that it is the purpose of the War Department, before they make final settlement with the contractor, to see that he makes his settlements with his subcontractors, so as to fully protect them, before the War Department finally will pass upon his claim. I understand that is the department's purpose.

Mr. BLANTON. The gentleman has stated that these agreements should be treated with the same consideration as bona fide written contracts.

Mr. KAHN. Certainly.

Mr. BLANTON. Could any honest contractor object to a requirement being placed in the bill that would provide that the officer who caused the goods to be ordered should make the customary affidavit?

Mr. KAHN. That officer may be dead now.

Mr. BLANTON. But where he is living. I take it that 99 per cent of them are living.

Mr. KAHN. Oh, no. In the early stages of the war they were shifted around very rapidly, and many of the officers were sent right over to France to carry on the work there.

Mr. BLANTON. But is there any objection to that where the officer is living and accessible?

Mr. KAHN. I do not think that would meet with the requirements of the Revised Statutes. In fact, we were so told.

Mr. BLANTON. Should not the officer make an affidavit that he had no interest in the contract?

Mr. KAHN. I rather think that ought to be the case, but that is a matter that could be investigated by the men who will be charged with the duty of passing upon these agreements.

Mr. BLANTON. Several of them have been dismissed from the Army and Navy for having an interest in the contracts that they let, have they not?

Mr. KAHN. I do not know whether there were any dismissals. I know that in the Aircraft Board investigation it was brought to light that some of the Army officers had knowledge of what was going to be done and they gave the information to the concerns with which they had previously worked.

Mr. BLANTON. Have there not been courts-martial and convictions?

Mr. KAHN. I doubt whether there have been any convictions or courts-martial. I believe, however there were some indictments.

Mr. DENT. Will the gentleman yield to me?

Mr. KAHN. Certainly.

Mr. DENT. As to the suggestion that we should require the officer who made the contract to file an affidavit, he may be dead; he may be inaccessible; it may be practically impossible, and it is not fair to the honest contractors to put the burden on the officer to say that that must be done before the contractor shall be paid.

Mr. KAHN. And, furthermore, the contracts were entered into so rapidly at the beginning of the war, the requirements of the Government were so great, that I doubt whether a single officer who in this way was representing the Government could recall all the facts connected with the making of the contracts or agreements. It would be almost a physical impossibility for him to remember all the details. Take the Members of this House, who get dozens of letters every day, and ask a single one of them what was in a certain letter that he received three or four months ago. Without refreshing his memory from the files of his office, he probably would not remember the incidents referred to in the letter. So it would be almost a physical impossibility for an officer to recall all the conditions surrounding every agreement that was entered into by him on behalf of the War Department.

The Secretary of War has specifically stated to the committee that time is the essence of this thing. Many men who have their money tied up in various manufacturing plants are very anxious to get back to a peace basis. They want to continue the manufacture of those goods or commodities that they were accustomed to manufacture before we got into this war. We should help them in every way possible. We should provide them with the method by which their proper claims can be paid so that they can begin peace-time activities.

Mr. WINSLOW. Will the gentleman yield?

Mr. KAHN. Certainly.

Mr. WINSLOW. Does the gentleman think there was any good reason why the contracts could not have been executed concurrently with the execution of the orders themselves?

Mr. KAHN. Yes; I stated a little while ago that there was one line of claims where that was absolutely impossible. They were the claims of a concern that was called upon to manufacture a class of goods that had never been manufactured by them at any time. But they had machinery which could be converted to the use of manufacturing that class of goods. The manufacturer would say to the agent of the Government, "I will do this, I will turn over my facilities, but I can not tell what the thing is going to cost the Government because I have to find out what the cost is going to be to me. But I will let you put your inspectors into my factory, I will open the books, and you will have every facility for learning what it is going to cost, and then we will agree on the price and make the written contract."

Mr. WINSLOW. Very good, but could they not make the agreement or contract with that very condition in it?

Mr. KAHN. I do not think they could, because the Revised Statutes are specific upon the subject of making valid contracts and the provisions have to be followed; certain things have to be done, and they could not be done under such a condition of affairs as I have stated.

Mr. WINSLOW. Would the gentleman justify the department in urging manufacturers to begin the manufacture of articles when the Government knew that there was no immediate need for them?

Mr. KAHN. The purchasing department was trying to help win the war and the people of the country were anxious to win the war. The War Department's agents went to the factories. They knew they could not get all the supplies that were needed

in many different directions without having the cooperation of many new concerns that they induced to go into the manufacture of war materials for the purpose of turning out the needed quantities of these supplies. They went to the business concerns frankly and stated the Government's case. The manufacturers just as frankly stated their case to the Government. The Government said, "We need the stuff; go ahead." That was done in innumerable cases all through the war. The manufacturer, as a patriotic citizen, relied upon the good faith of his Government that he would ultimately get his pay. And it would be bad faith, in my opinion, on the part of the Government now to refuse to pay these claims for the settlement of which this law is now asked.

Mr. WINSLOW. I can agree to that; but the point I want to get at is whether or not the buying department was clothed with the proper commercial authority when they ordered manufacturers to produce articles when they could get the articles to meet the war necessities through the regular channels.

Mr. KAHN. Of course, every branch of the Navy and War Departments that could enter into contracts authorized the officers of these branches to enter into agreements for the furnishing of the required supplies. The gentleman from New York [Mr. LAGUARDIA] a while ago stated that anybody could issue orders for the manufacture of goods. The gentleman is entirely mistaken. The business of the country is not done quite as loosely as that. The departments had men whose duty it was to negotiate these contracts, and the men so designated were the only ones that could negotiate the contracts. But that is only one line of cases.

Mr. WINSLOW. A very small line.

Mr. KAHN. No; it is a considerable line, and a good deal of money is involved. There is another class of cases sought to be covered by the law. I stated a while ago that farmers in several parts of the country were told to quit their land; that the Government needed the land for erecting factories thereon that were to turn out munitions—turn out supplies that were needed to win the war.

The farmers got off the land. Their claims have not been paid. In some cases before the Government could get control of the entire tract of land that was needed for its purposes the armistice was signed. The farmers were told that the War Department would settle with them. They had no agreements that fixed amounts would be paid. Under the comptroller's decision these men, who in good faith moved upon new land, expecting to pay for that new land out of the funds which they would be paid by the Government, now find themselves high and dry because they can not get their money. It was intended to build a great big T. N. T. plant at Racine, Wis. They required some 2,000 acres at that place. There were two or three other parts of the country where the Government had practically condemned the land. The farmers were ordered off. They were told, at any rate, that no crops would be allowed to be planted during the current year. Those men have legitimate claims against the Government. They ought to be paid their claims. And yet without the passing of this legislation the Government is not in a position to enter into an agreement with these men. What is more, these men have no remedy in any court against the Government.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. GREEN of Iowa. Is not my friend in error about that. In the deficiency appropriation bill we appropriated $15,000,000 to pay for lands that the President might requisition and take over and pay for in his discretion. That is the effect of it.

Mr. KAHN. There is no appropriation provided in this bill at all. The President undoubtedly took over those lands, or some of them, but the legal formalities that the comptroller requires were not complied with.

Mr. GREEN of Iowa. But under the provisions of the deficiency bill none of those requirements was necessary. The President could pay what he pleased.

Mr. KAHN. Under section 120 of the national defense act we thought that we gave the War Department full authority to commandeer every business concern of the country if that were deemed necessary to win the war, if we got into a war. We found out that the language there was not broad enough to cover all of these cases.

Mr. KEARNS. Mr. Chairman, will the gentleman yield?

Mr. KAHN. I will.

Mr. KEARNS. Take, for instance, the land that was taken at Racine from the farmers. That was taken back in July some time.

Mr. KAHN. I do not remember just what the date was. My impression is that it occurred later than July.

Mr. KEARNS. Why has not the War Department made contracts with those farmers long before this time?

Mr. KAHN. I understand they were in process of negotiating at the time the armistice was signed.

Mr. KEARNS. But the armistice was not signed for five or six months after the land was taken. Why have they not made contracts with them?

Mr. KAHN. I do not know why they did not. I am not running the War Department.

Mr. KEARNS. The only question in my mind is why they should come in at this late day and ask for authority?

Mr. KAHN. The armistice was signed on the 11th of November. On the 12th of November the War Department immediately stopped all contracts. The department came to Congress as speedily as possible and asked for authority to pay these claims.

The CHAIRMAN. The time for general debate under the rule has expired. Under the terms of the rule the bill will be considered under the five-minute rule. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to adjust, pay, or discharge any agreement, express or implied, upon the basis of reasonable value but in no case greater than the agreed price that has been entered into, in good faith during the present emergency and prior to November 12, 1918, by any officer or agent acting under his authority, direction, or instruction, with any person, firm, or corporation for the acquisition of lands, or the use thereof, or for any supplies, material, or equipment to be used in the prosecution of the war, when such agreement has been executed in whole or in part, or expenditures have been made or obligations incurred upon the faith of the same by any such person, firm, or corporation prior to November 12, 1918, and such agreement has not been executed in the manner prescribed by law: *Provided*, That payment under such agreement shall not exceed the fair value of the property transferred or delivered and accepted by the United States, as determined by the Secretary of War, and where no property has been transferred, delivered, or accepted payment shall not be in excess of the actual cost incurred in preparation for performance, as such cost is determined by said Secretary: *Provided further*, That this act shall not authorize payment to be made of any claim under such agreements after June 30, 1919: *And provided further*, That the Secretary of War shall report to Congress at the beginning of its next session following June 30, 1919, a detailed statement showing the nature, terms, and conditions of every such agreement and the payment or adjustment thereof: *And provided further*, That nothing in this act shall be construed to confer jurisdiction upon any court to entertain a suit against the United States upon any agreement of the character herein provided for: *And provided further*, That no settlement of any claim arising under any such agreement shall bar the United States Government through any of its duly authorized agencies, or any committee of Congress hereafter duly appointed, from the right of review of such settlement, nor the right of recovery of any money paid by the Government to any party under any settlement entered into, or payment made under the provisions of this act, if the Government has been defrauded, and the right of recovery in all such cases shall extend to the executors, administrators, heirs, and assigns, or any party or parties: *And provided further*, That nothing in this act shall be construed to relieve any officer or agent of the United States from criminal prosecution under the provisions of any statutes of the United States for any fraud or criminal conduct: *And provided further*, That this act shall in no way relieve or excuse any officer or his agent from such criminal prosecution because of any irregularity or illegality in the manner of the execution of such agreement: *And provided further*, That the names of such contractors and the amounts of such partial or final settlements shall be filed with the Clerk of the House for the information of Congress and printed in the CONGRESSIONAL RECORD, or in the Official Bulletin, or as a public document, 10 days before confirmation and payment is authorized upon such contracts.

Mr. DENT. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

Mr. MANN. Mr. Chairman, a parliamentary inquiry?

The CHAIRMAN. The gentleman will state it.

Mr. MANN. Under the rule which, I believe, provided for consideration of the amendment of the committee, is the committee amendment to be treated as original matter, so that an amendment to it is subject to an amendment?

The CHAIRMAN. Reading the section of the rule that the amendment reported by the committee shall be read and considered in lieu of the original text, the Chair would feel authorized in construing that to mean that the committee amendment shall be treated as the original text.

Mr. MANN. I think the Chair is right about that, but we ought to have the ruling.

Mr. CAMPBELL of Kansas. Mr. Chairman, I will say to the Chair and to the Members of the House that was the intention of the Committee on Rules in preparing the rule.

The CHAIRMAN. The Chair will so rule. The gentleman from Alabama offers an amendment, which the Clerk will report:

The Clerk read as follows:

Page 3, line 10, after the word "any," insert the words "foreign government or with any."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. DENT. Also the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 3, line 15, after the word "such," insert the word "Government."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. MANN. Mr. Chairman, I would like to ask the gentleman from Alabama a question about this. Is there any knowledge as to the number of contracts that were entered into with foreign governments?

Mr. DENT. I have no knowledge as to the number.

Mr. KAHN. Mr. Chairman, if the gentleman from Alabama will permit, so far as the committee was informed, the agreements with foreign governments were not negotiated in accordance with the procedure set forth in our Revised Statutes, and practically all of the claims of the foreign governments will have to be settled under this provision of law.

Mr. MANN. Can the gentleman say how much they amount to?

Mr. DENT. I put that in the RECORD yesterday, from a letter written to me by the Assistant Secretary of War, Mr. Crowell. In one portion of the letter he says:

A recent cable states that the outstanding obligations of the American Expeditionary Forces on November 11 amounted to $1,183,130,000.

The number of them he does not state.

Mr. MANN. What governments were they owing to?

Mr. DENT. The French, the British, and the Italian.

Mr. MANN. Does anyone know what the amounts were?

Mr. DENT. I do not know.

Mr. MANN. Of course the War Department knows, but does not give us that information.

Mr. DENT. I have not that definite information.

Mr. MANN. It would be a very easy matter, it seems to me, to divide the total and find out what each Government has owing to it if they wanted to give the information.

Mr. FOSTER. I think Mr. Stettinius was asked about that before the Committee on Rules, and he said he did not know the number of the contracts.

Mr. MANN. How can they reach the amount in dollars and cents without knowing?

Mr. FOSTER. I do not know, either.

Mr. MANN. Well, the gentleman, my colleague, knows they can not do it without knowing, and if they know it would be very easy to give the information.

Mr. FOSTER. Mr. Stettinius had charge of the work over there.

Mr. DILLON. Will the gentleman yield for a question?

Mr. DENT. I yield to the gentleman.

Mr. DILLON. Can the gentleman give any information as to the foreign government, whether such foreign government was allowed to represent this Government and at the same time the foreign government represented itself?

Mr. DENT. I really would like the gentleman to restate that question.

Mr. DILLON. I wanted to know if such foreign government could represent its own Government at the same time it represented our Government, so that it occupied a dual position of dealing with both parties?

Mr. DENT. Why, certainly not. Our Government would have its own representative, if that is what the gentleman means.

Mr. DILLON. Well, for instance, suppose that the Government now is binding our Government, could it sell something to this Government——

Mr. DENT. Oh, it can not do that. This simply adds to the bill authority to make settlement with foreign governments as well as contractors in this country.

Mr. DILLON. I have been informed in some instances those foreign governments have represented our Government and at the same time sold government property to our Government, and I wanted to know whether there was any truth in that.

Mr. DENT. I have no information upon it at all.

Mr. ALEXANDER. I read the hearings on that question and they are to this effect, that the foreign government had contracted with their nationals for certain supplies at certain prices, and our Government, our agents, through the foreign government, had their nationals furnish supplies at the same price. That was the form of the negotiation.

Mr. DENT. As I understood the gentleman, he seems to think the foreign government represented itself and our Government at the same time in the transaction.

Mr. ALEXANDER. There is nothing in the hearing showing there was anything like that.

Mr. MOORE of Pennsylvania. Mr. Chairman, I am glad the gentleman from Illinois [Mr. MANN] has raised this question with the gentleman from Alabama, because it affords a better understanding as to why there is confusion in the minds of Members of Congress with regard to these bills. Anyone reading the hearings before the Committee on Rules would assume that the American manufacturers were rushing into bankruptcy because the Government has refused to pay their claims. There was such meager testimony in regard to these oral contracts that some good may have resulted from this discussion in this House. When the gentleman from Kansas asked the Secretary of War how much these claims amounted to in the aggregate, the Assistant Secretary of War, Mr. Crowell, promptly responded that there were as the present, so far as they knew, approximately 6,600 oral contracts, not written contracts, and that the aggregate amount they represented was about $1,600,000,000.

Mr. KAHN. That is in America.

Mr. MOORE of Pennsylvania. Now, we find that the gentleman from Alabama answers that of this total amount of $1,600,000,000 Mr. Crowell tells us he knows about $1,183,130,000 goes to foreign governments.

Mr. KAHN. This is the additional amount.

Mr. MOORE of Pennsylvania. If it is additional, then, instead of these oral contracts amounting to $1,600,000,000 they amounted to $2,700,000,000; and yet the taxpayers of the Nation are appealing to the Committee on Ways and Means and the conference committee now in session to cut down the burden that must be levied upon them. Oh, I want these facts brought out. Let us understand the status of the American taxpayers. Granted that we had to do these things suddenly, granted that our agents had to do things in France, Italy, and in England, but also remember the American manufacturer has been suffering from embargoes, and can not to-day obtain shipping space to send his manufacturing material into some of the countries that now assume to control the high seas. We were asked in the Ways and Means Committee only two or three weeks ago to authorize another foreign loan of $1,500,000,000, and we refused to do it. I presume there are some generous souls who think that unpatriotic, even though we have already lent $8,500,000,000. Though we are not going to lend this additional $1,500,000,000 we are going to pay——

Mr. LONGWORTH. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I do.

Mr. LONGWORTH. I do not think the gentleman stated it exactly correctly when he said we were to lend it. We were to authorize the Secretary of the Treasury to lend any part of it, or all of it, to such nations as he might see fit at any time.

Mr. MOORE of Pennsylvania. The gentleman states the case correctly, but what I wanted to do was to bring to the attention of my Republican friends and my patriotic Democratic friends, who must answer to the people for the tax burdens we are imposing, that the little bill of $13,000,000,000 which France has presented to Germany for the destruction of property over there, some of which we are paying in this appropriation now, is almost exactly the amount of the deficit in the Treasury of the United States for the year 1919.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CALDWELL. Mr. Chairman, it is rather amusing to us on this side of the House to hear Republican critics go after this bill. In times gone by it has been the boast of Republican critics—and they were here in the times gone by—that the Republican Party was the party that looked after the business interests of our country, and yet all yesterday and all to-day we hear the criticism of the war horses on the Republican side of this House of the Democratic administration trying to take care of the business interests of this country, and the criticism that is made here is that we have not a sufficient amount of detailed evidence upon which we can base this legislation.

And if the gentleman would take time to look at the hearings before the Military Committee he would find that the greatest Republican that was drafted and brought into the War Department, Maj. Gen. George Goethals, of Panama Canal fame, was the man who came and stood sponsor for this bill and who failed to give the detailed information that a Democrat on this side of the House asked for, and the only criticism that was justified by the gentleman from Pennsylvania [Mr. MOORE] and his esteemed associates, that he distinguished from the patriotic associates on this side, was criticism that ought to have been thrown at the Republican official who is responsible for this condition having grown up in the Quartermaster's Department while he was there.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. CALDWELL. I think I can not, my time has expired.

Mr. MOORE of Pennsylvania. I would like to call the gentleman's attention to the fact that I have read the hearings and am familiar with them.

Mr. KAHN. Mr. Chairman, I have listened with a great deal of interest to what the gentleman from Pennsylvania [Mr. MOORE] has said. In fact, I always like to listen to him. But these agreements that were entered into with foreign Governments were made necessary because Congress itself in the years gone by refused to prepare this country for war. [Applause.] When we got into the war we had not the proper facilities for making heavy guns, for making aeroplanes in quantities, and for doing other things that were essential for engaging in or winning a war. England made them for us, and France made them, and Italy made them. We had to appeal to the Governments that were cooperating with us in this war to furnish us with needed ammunition, with needed guns, with flying machines, with powder and shells—with all those facilities that were required in carrying on the military operations of this Government. And so the Government of the United States got the Governments of England and France and Italy to appeal to their nationals in the various manufacturing lines to furnish our Government with the supplies that we needed over there to help win the war.

Mr. MADDEN. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. MADDEN. Right in that connection I would like to ask if the gentleman from California can tell us how many American guns we shot during the time of the American Army on the other side? I think it is true that there were none at all.

Mr. KAHN. I do not believe it is true. We had some naval guns over there which were used, and we had some hundreds of guns that we had sent from this country.

Mr. MADDEN. Sent them but did not use them?

Mr. FOCHT rose.

Mr. KAHN. Just a moment. I want to repeat my answer to my friend. Of course, the guns that we were sending over—and we were able to send them complete with carriages and all the appurtenances—were beginning to go over in considerable quantity at the time the armistice was signed; but, as a matter of fact, there were fully 500 American guns of various calibers that went over. But that is an object lesson for Congress. You can not make a cannon in a month. It takes six months in ordinary times to turn out a single piece of ordnance. A single cannon in ordinary times is six months in building. We turned them out in this war in as low a period as three months.

Mr. MADDEN. How long were we in the war?

Mr. KAHN. Eighteen months.

Mr. MADDEN. We did not get the cannon out.

Mr. KAHN. Let me tell the gentleman that in order to make a single cannon you have got to make gauges, and jigs, and tools, and dies, that require many months in their manufacture, before the Government can turn out a single cannon.

Mr. MADDEN. We heard many scientific lectures on that question in the House, urging the department to make the jigs and dies and tools and machines, but it is evident that they were asleep on the job.

Mr. KAHN. I want to say to my colleague that we gave the Ordnance Department the money to make these gauges and tools and dies, and they never used the money at all. Congress did that before the war. Congress appropriated the money. [Applause.]

Mr. SNYDER. Which side of the House did it?

Mr. KAHN. The Republicans and Democrats.

The CHAIRMAN. The gentleman from Kentucky [Mr. FIELDS] is recognized.

Mr. FIELDS. Mr. Chairman, the purpose of the bill under consideration is to confer upon the Secretary of War authority to settle a certain class, or classes, of claims against the Government growing out of informal contracts during the war or out of uncompleted contracts at the time the armistice was signed. During the war the needs of the War Department naturally appealed to the patriotism of the people, and acting through purely patriotic motives and in the belief that the Government would keep faith with the people and meet its moral obligations, the manufacturers and producers, the people generally, who were in position to contribute to the needs of the War Department, did so, and in many instances without waiting for the execution of formal contracts, as required by statute; and it was most advantageous to the Government for them to do so, for in many instances—in fact, in every instance—the necessity for speedy production was so great that the department could ill afford to have production delayed for the completion of formal contracts, which, as a general proposition, would have required considerable time because of the continuous transferring of officials and the many changing conditions incident to the speedy building up of our Military Establishment from what it was when we entered the war to what it was when the armistice was signed. It was therefore patriotic on the part of those furnishing supplies to the Government to push production without awaiting the execution of formal and legal contracts. In fact, their failure to have done so would have subjected them to severe criticism; and, now that they have fulfilled their obligations to the Government, the Government must, in common decency and self-respect, fulfill its obligations to them, which it can not do without additional legislation. Hence the necessity of the passage of this bill.

Mr. Chairman, referring to some of the objections that have been raised to the bill, and especially to the objection of my friend from Ohio [Mr. GORDON], that the bill confers judicial powers upon the War Department, I will say that the bill is not so designed and will not confer such powers. Its purpose is to remove certain limitations which, under present circumstances, renders the War Department unable to meet its moral obligations over which there are no controversies. There is nothing in the bill to provide for or force the settlement of claims in controversy. There is nothing in the bill to force claimants to accept the terms offered by the Secretary of War when, in their opinion, his terms fail to meet or satisfy the moral obligations of the Government. If such controversies arise and can not be amicably settled by the Secretary of War and the claimant, the latter will have the same remedies at law that now exist. I therefore maintain that the objections of the gentleman from Ohio are not well founded.

The discussion of the merits of the bill was not, however, my object in taking the floor, as it has already been explained in detail by the chairman of the committee and others who have preceded me.

I desire to refer briefly to the reference that was made to the manufacture of guns by the gentleman from Illinois [Mr. MADDEN]. And in that connection to the criticism, severe and vicious criticism, of the Secretary of War that was made upon the floor on yesterday by the gentleman from Kansas [Mr. CAMPBELL].

Mr. MADDEN. Will the gentleman yield? I did not say anything about the manufacture of guns. I said there were no guns on the battle line.

Mr. FIELDS. I accept the gentleman's statement. The gentleman from Kansas [Mr. CAMPBELL] on yesterday delivered a tirade against the Secretary of War, and it seemed that the basis of his complaint was the fact that certain orders for munitions of war had been placed with foreign Governments by the War Department.

Mr. Chairman, I have observed that those who hang their hearts upon and wrap their souls around the great manufacturers and the special interests of the country have groaned in their agonies ever since the War Department placed certain orders with French manufacturers.

Mr. CAMPBELL of Kansas. Mr. Chairman, will the gentleman yield?

Mr. FIELDS. I want to finish my statement first. But I will say for the information of the gentleman from Kansas that the Secretary of War explained that transaction fully when he appeared before the Senate committee, after the same criticism had been made of him last year, and showed that the placing of those contracts with the French Government was not an additional burden upon the French Government, as had been charged by some of his critics, but that in a conference between himself and the French and British commissioners it was decided that the placing of such contracts would be in the interest of the prosecution of the war, because France had the factories already equipped and was anxious to secure the orders, whereas it would have required, and did require, several months to equip American factories to do that particular character of work.

Mr. CAMPBELL of Kansas. Now, will the gentleman yield?

Mr. FIELDS. Yes.

Mr. CAMPBELL of Kansas. If I made myself clear, as I intended to do, what I stated was that Gen. Pershing had to go to foreign contractors because of the failure of the War Department to make contracts early enough with our own manufacturers.

Mr. FIELDS. Does the gentleman know of any manufactories in America that were idle during the time that we were en-

gaged in the war? Were they not all operated to their maximum capacity? And since the Secretary of War and the British and French commissioners decided that the placing of these contracts with the French Government was to the best interest of the allied cause, should the gentleman from Kansas now criticize the American Secretary of War for so placing them? I maintain that he can not afford to do so.

It has been intimated that in the manufacture of guns by foreign Governments American manufacturers were not doing anything toward the preparation of these guns. Probably the public generally does not understand that the principal part of the work on 25,750 of these guns was completed by American manufacturers. In other words, they were furnished to the foreign Governments in the shape of forgings. The term "forgings" as applied to a gun would, if applied to a house, mean the completion of the house, all but the paint. The guns were completed in this country on through the forgings, and it was the finishing process which was completed by the foreign Government after the forgings were delivered to them; and the report of the War Department shows, as I have stated, that there were 25,750 of these forgings furnished by American manufacturers.

That should therefore relieve to a considerable extent the agonies of these gentlemen who have been registering such vicious complaints because these orders for guns were placed with French manufacturers.

The gentleman from Kansas alleged, if I heard him correctly, that the War Department had broken down, and that the American Secretary of War had shown his inability to meet the responsibilities imposed upon him, and as proof of his allegation he referred to the fact that dependents or beneficiaries of soldiers are not receiving their allotments, and so forth. I agree with him on that criticism. I believe that the men responsible for these delays should be criticised and even punished. But their failure to disburse allotments promptly does not go to prove that the War Department has broken down or that the American Secretary of War has proven himself inefficient in the prosecution of the war, because those delinquencies, unfortunate and deplorable as they are, are as a drop of rain to the ocean when compared with the achievements of the department since we entered the war.

Mr. Chairman, I have just received from the War Department a report showing its achievements, which I will print for the information of the House and the country, and which is as follows:

STATISTICS BRANCH, GENERAL STAFF, WAR DEPARTMENT.

Summary of all forces in the Army at time of its greatest strength, Nov. 11, 1918.

[Figures are the latest available and are subject to revision.]

	Officers.	Men.	Total.
Army personnel in Europe	75,333	1,868,216	1,943,549
At sea, en route to Europe	1,162	21,072	22,234
Total	76,495	1,889,288	1,965,783
Marines (on duty with Army in Europe)	784	26,504	27,288
Total, including marines	77,279	1,915,792	1,993,071
Siberian expedition	298	8,806	9,104
Total A. E. F. in Europe and Siberia	77,577	1,924,598	2,002,175
In United States	104,060	1,572,441	1,676,510
In insular possessions, Alaska, etc	1,977	53,758	55,735
Grand total in Army, excluding marines	182,639	3,524,293	3,707,132
Grand total in Army, including marines	183,623	3,550,797	3,734,420

Troops embarked and transported, by flag, of tonnage employed.

[Not including 30,600 marines and 9,677 nurses.]

	American.	British.	French.	Italian.	Total.
1917.					
May	1,033	685			1,718
June	12,261				12,261
July	5,437	7,551			12,988
August	5,486	12,784	72		18,328
September	14,818	18,809			33,622
October	28,216	14,913			43,129
November	10,518	12,498			23,016
December	37,471	11,369			48,840
1918.					
January	24,398	22,378			46,776
February	38,765	9,259	3		48,027
March	54,280	27,726	1,805		83,811
April	65,456	49,963	1,793		117,212
May	94,562	135,611	2,044	12,128	244,345
June	145,903	145,188	3,412	13,385	277,888
July	106,213	178,361	7,238	14,540	306,350
August	112,354	145,038	16,400	7,725	281,516
September	100,851	137,518	7,774	5,758	251,901
October	64,779	96,348	5,999	8,072	174,198
Nov. 21	5,692	22,356	2,153		30,201
Total	898,449	1,047,374	48,691	61,608	2,056,122

Cargo transported to the American Expeditionary Forces, April, 1917, to Nov. 1, 1918, short tons, by Supply Service.

[It has not been possible to separate shipments of Signal Corps proper and aviation material prior to August, 1918. Similarly, motor-transport cargo is distributed among the other services prior to August, 1918.]

	Quartermaster.	Engineer.	Ordnance.	Signal.	Medical.	Motor transport.	Aviation.	Red Cross.	Miscellaneous.	Total.
1917										
June	11,000		4,400		400					15,800
July	5,700	400	800	3,700	1,200					11,800
August	14,100	2,100	500	900	1,400			400		19,400
September	24,600	9,600	12,900	1,300	3,000			1,600		53,000
October	35,700	55,600	10,400	7,600	2,500			2,800	300	114,900
November	22,600	44,400	7,000	1,700	700			1,200	700	77,900
December	62,900	65,700	36,700	6,100	2,300			4,900	1,000	179,500
1918										
January	51,800	35,600	26,600	6,100	700			600	500	122,000
February	108,800	49,200	56,900	10,700	1,400			500	2,000	227,500
March	128,000	84,200	58,400	10,300	4,300			1,600	2,500	289,200
April	171,600	112,500	72,000	7,500	6,700			300	2,600	373,200
May	240,300	110,800	77,100	10,900	7,500			1,900	1,500	450,000
June	201,300	108,800	86,800	11,900	10,300			1,300	2,200	425,200
July	244,700	129,000	118,400	27,500	10,400			2,200	3,500	535,700
August	223,600	148,500	127,600	3,200	11,200	25,000	21,000	3,900	7,700	571,700
September	270,900	194,100	129,700	2,900	11,600	33,300	22,400	5,600	10,900	681,300
October	353,700	164,400	160,700	3,400	13,500	55,000	8,000	3,200	7,600	749,500
Total	2,149,400	1,314,300	989,900	115,500	88,900	113,300	51,400	31,900	43,000	4,897,600

Production of munitions in the United States for the United States Army from Apr. 6, 1917, to Nov. 11, 1918.

Artillery (complete units):	
75-millimeter guns	932
3-inch and 75-millimeter A. A. guns	97
4.7-inch guns	157
155-millimeter 5-inch and 6-inch guns	121
155-millimeter howitzers	144
Railway artillery	20
Heavy howitzers	176
Total guns	1,647

Artillery ammunition (complete rounds):	
75-millimeter gun	15,164,000
3-inch and 75-millimeter A. A. and mt. gun	561,000
4.7-inch gun	342,000
3.8-inch and 4.7-inch howitzer	113,000
155-millimeter 5-inch and 6-inch gun	966,000
155-millimeter howitzer	754,000
Railway artillery	20,000
Heavy howitzer	156,000
Total rounds	17,203,000

Other ordnance:		
Helmets		1,975,000
Machine guns		130,000
Machine rifles		52,000
Rifles		2,507,000
Pistols and revolvers		698,000
Rifle and machine gun ammunition	rounds	2,879,000,000
Pistol ammunition	do	328,000,000
Tractors		3,249
Tanks		69
Smokeless powder [1]	pounds	198,000,000
T. N. T. [1]	do	101,000,000
Ammonium nitrate	do	91,000,000
Picric acid [1]	do	37,000,000

[1] Large quantities also manufactured for France and England.

Ordnance material shipped or delivered to American Expeditionary Forces.

	Floated to Nov. 15.	British and French deliveries to Nov. 11.	Total.
Artillery (complete units):			
75-millimeter guns	143	1,888	2,031
4.7-inch guns	64		64
155-millimeter howitzers		747	747
5-inch S. C. guns	26		26
6-inch S. C. guns	72		72
155-millimeter guns	[1] 16	226	242
8-inch howitzers	96	141	237
9.2-inch howitzers		37	37
8-inch S. C. guns, railway mounts	3		3
14-inch navy guns	8		8
75-millimeter A. A. guns	26	52	78
Total guns	454	3,091	3,545
Artillery ammunition (complete rounds):			
75-millimeter ammunition	8,595,000	2,614,000	11,209,000
4.7-inch ammunition	242,000		242,000
155-millimeter howitzer ammunition	199,000	1,126,000	1,325,000
155-millimeter gun ammunition		39,000	39,000
5-inch and 6-inch S. C. gun ammunition	19,420		19,420
8-inch howitzer shell		311,000	311,000
9.2-inch howitzer shell	109,000	104,000	114,000
8-inch S. C. gun shell			
14-inch gun shell	1,000		1,000
Total rounds	9,066,420	4,194,000	13,260,420
Other ordnance:			
Rifles	1,800,000		1,900,000
Pistols and revolvers	615,000		615,000
Machine guns	49,350	4,158	53,508
Machine rifles	38,000	33,915	71,915
Rifle and machine-gun ammunition	1,629,900,000	95,900,000	1,725,200,000
Pistol and revolver ammunition	233,848,000		233,848,000
Grenades	1,745,000	5,508,000	7,253,000
Caissons (75 and 155 millimeter)	5,000	2,676	7,676
Tractors	1,547	348	1,895
Tanks	25	341	366

[1] Without recuperators.

Total floated in column 1 includes quantities later sunk.

British and French deliveries in column 2 exclude guns lent temporarily to the United States, and ammunition furnished direct by the French and British to troops in the field. They also exclude guns shipped to the United States for training purposes or turned over from British orders in United States.

Production of munitions in the United States for Great Britain and France from Apr. 1, 1917, to Nov. 11, 1918.

ARTILLERY.[1]

	Complete units.	Extra guns.	Extra carriages.	Limbers and vehicles.	Forgings. Tubes.	Recuperators.	Sets of jackets.	Extra jackets.
For Great Britain:								
18-pounder field guns	38	200						
4.5-inch howitzers	97	4		44				
8-inch howitzers	92			160				
9.2-inch howitzers	134	12		[2] 174				
Total	361	216		278				
For France:								
37-millimeter infantry guns	70			70				
75-millimeter field guns					10,020	575	3,432	
120-millimeter guns		100			312		326	72
145-millimeter guns, model 1916					148		33	275
155-millimeter howitzers		[3] 275			2,259		2,244	167
155 Schneider guns		100			1,189		356	1,652
155 Filloux guns		[3] 50	[3] 50		326		55	
220-millimeter howitzers					290		242	
220-millimeter guns					79		110	18
Total	70	525	50	70	14,623	575	6,798	2,184
Grand total	431	741	50	348	14,623	575	6,798	2,184

[1] Excluding naval guns.
[2] Sets, plus 16 extra transport wagons.
[3] Allotted to French from Ordnance Department orders.

Production of munitions in the United States, etc.—Continued.

ARTILLERY AMMUNITION.

	Forgings.	Machinings.	Complete rounds.
For Great Britain:			
13-pounder shell			57,300
4.5-inch howitzer shell	100,310		
6-inch howitzer shell	2,000,491	2,589,371	
8-inch howitzer shell	855,208	167,712	
9.2-inch howitzer shell	610,972	124,290	
12-inch shell		467	
For France:			
37-mm. gun shell			3,519,740
Total	[1] 3,568,001	[1] 2,888,840	3,577,040

[1] In addition to rounds fully completed.

Airplanes and engines produced and shipped to the American Expeditionary Forces Apr. 6, 1917, to Nov. 11, 1918.

PLANES.

Type.	Produced	Shipped overseas.
Combat—DH-4	3,227	1,885
Combat—Handley Page (parts)	101	100
Training—Elementary	5,346	
Training—Advanced	2,474	
Total	11,148	1,985

ENGINES.

Combat—Liberty	13,574	[1] 4,283
Combat—Hispano (180)	469	245
Training—Elementary	10,588	
Training—Advanced	5,221	300
Total	29,852	4,829

[1] Does not include 1,025 consigned to allied Governments.

In addition, 2,676 combat planes equipped with engines were received from allied Governments.

United States squadrons at the front.

A squadron is equipped with from 15 to 25 planes:

Apr. 30, 1918	3
May 31, 1918	12
June 30, 1918	13
July 31, 1918	14
Aug. 31, 1918	26
Sept. 30, 1918	32
Oct. 31, 1918	43
Nov. 11, 1918	45

Comparison enemy planes brought down by United States forces and United States planes brought down by the enemy.

United States planes lost to enemy	271
Enemy planes lost to United States forces (confirmed losses; in addition there are 354 unconfirmed)	491

Transportation equipment produced and shipped to American Expeditionary Forces Apr. 6, 1917, to Nov. 11, 1918.

RAILROAD TRANSPORTATION.

	Produced.	Shipped overseas.
Standard gauge locomotives	1,691	[1] 1,141
Narrow gauge locomotives	455	406
Standard gauge cars	19,516	[1] 16,372
Narrow gauge cars	4,038	3,651

[1] 350 standard gauge locomotives and 791 standard gauge cars have been purchased in Europe for the A. E. F.

AUTOMOTIVE TRANSPORTATION.

Trucks, two-wheel drive	55,563	30,417
Trucks, four-wheel drive	16,934	9,421
Ambulances	10,803	6,981
Motor cars	17,666	6,963
Motorcycles	28,310	16,188

Clothing and equipage stocks overseas, Nov. 1, 1918.

[Stocks on hand in France and days' supply, based on Gen. Pershing's new automatic allowances effective Nov. 1, 1918.]

	Stock in United States	Stock overseas.	Number of days 2,000,000 men could be supplied with stock overseas.
Blankets	4,291,000	1,119,000	425
Drawers, winter	15,796,000	5,591,000	212
Jerkins	1,455,000	1,044,000	159
Coats, denim	3,991,000	1,419,000	154

Clothing and equipment stocks overseas, Nov. 1, 1918—Continued.

	Stock in United States.	Stock overseas.	Number of days 2,000,000 men could be supplied with stock overseas.
Puttees, woolen	5,231,000	3,356,000	149
Trousers, denim	3,374,000	1,842,000	140
Boots, rubber, hip	1,199,000	551,000	140
Shirts, flannel	6,710,000	3,033,000	136
Stockings, wool, heavy	16,280,000	8,753,000	134
Coats, wool	4,142,000	2,141,000	128
Shoes, field	8,850,000	2,693,000	103
Gloves, wool	3,734,000	2,892,000	82
Pauliins	38,000	21,000	80
Breeches and trousers, wool	6,791,000	1,789,000	73
Overcoats	3,681,000	477,000	73
Raincoats	1,620,000	550,000	59
Undershirts, winter	13,906,000	1,231,000	55
Mittens, leather	3,070,000	664,000	51
Caps, overseas	2,931,000	189,000	14

Mr. Chairman, this report shows that the American Department of War under the management of Newton D. Baker, whom the gentleman from Kansas [Mr. CAMPBELL] criticizes and indicts for incompetency, sent more men to France from May, 1917, to November, 1918, than Great Britain sent during the entire four and a third years that she was engaged in the war and moved more tonnage across the seas than was ever moved in a like period, and that in each activity of the department directed to the prosecution of the war it has made the world's greatest record, a record that has never been equaled and that will, in my opinion, never be excelled. Oh, but the gentleman from Kansas said, "What have we got for all this expenditure of money?" Mr. Chairman, I thought that every American citizen, and especially every Member of the American Congress, felt and believed that America had played a potent part in the winning of this war until I heard the remarks of the gentleman from Kansas.

Mr. CAMPBELL of Kansas. Mr. Chairman, will the gentleman yield?

Mr. FIELDS. Not just now. The gentleman said, "What have we got?"

Mr. CAMPBELL of Kansas. What I said was that we had less in units of arms and less in units of ammunition and less in munitions of war for the money we spent than any country engaged in this war and that we had spent more money than any country had ever spent in the history of mankind.

Mr. FIELDS. Oh, I will let the gentleman make his speech in his own time.

Mr. CAMPBELL of Kansas. That is what I said.

Mr. KAHN. Mr. Chairman, will the gentleman yield to me?

Mr. FIELDS. Mr. Chairman, when we entered the war the world recognized the fact that the entente allies were fighting with their backs to the wall, and as a result of our entry into the war we have overthrown the German military machine and got the Kaiser's goat. [Applause.]

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. FIELDS. Yes.

Mr. KAHN. In answer to the statement of the gentleman from Kansas [Mr. CAMPBELL], I would also call his attention to the fact that this Government pays its soldiers more than any other country in the world. [Applause.]

Mr. FIELDS. Certainly; and so are labor and transportation charges greater here than in any other country; in fact, every commodity, everything, is higher here than anywhere else in the world, and in view of that fact and the unparalleled achievements of the Secretary of War and the department of which he is the head, it ill becomes the gentleman from Kansas to rush to the floor of this House, after the victory we have won, and try to create the impression throughout the country and the world that the Government of which he is a part has not been a potent factor in the winning of this war. [Applause.]

The CHAIRMAN. The time of the gentleman from Kentucky has expired. The gentleman from Vermont [Mr. GREENE] is recognized for five minutes.

Mr. GREENE of Vermont. Mr. Chairman, it is obviously impossible to discuss this bill from all the angles that have been suggested in this debate in a simple five minutes, and one must be content therefore to take up only one or two phases of the subject.

Mr. MADDEN. Mr. Chairman, will the gentleman yield for a suggestion?

Mr. GREENE of Vermont. Yes.

Mr. MADDEN. I would like to have the gentleman discuss the bill.

Mr. GREENE of Vermont. That is what I will do if I get the time.

Mr. MADDEN. And the importance of passing these claims, and omit discussing how the war was fought.

Mr. GREENE of Vermont. That is exactly what I had in mind to do. It is not a question of reviewing the conduct of the War Department in this war, but the question of the Government of the United States paying its just and lawful debts, whether anybody has a legalized scrap of memoranda of them or not.

Now, that is the view and intent of the committee, notwithstanding the necessary policy of the War Department in making tentative contracts, either orally or in the shape of memoranda in one form or another, in order that the work might commence immediately, and without waiting for some decision or the completion of some convenient detail, for a formal contract to be signed. We have sought to take into account all those conditions and perplexities attending the last few contracts that did not happen to be formally completed in writing as required by law when the clock struck 12 on this armistice.

For a year and six months and more we have gone on allowing the War Department to do these various things. Sometimes it started out with nothing but a telephone message over the wire directing somebody to go ahead and begin operations, saying the papers would follow. This would be done by the contractor, and finally the formal contract required by the statute would come along and be signed. These contractors have gone on with the work, and in the course of time the formal contract has been forwarded to them and signed and returned and filed, and the Comptroller of the Treasury has allowed payment. That same process has gone on over and again in thousands and thousands of cases all through the year and seven months. Then all at once the great warp and woof of these enormous activities has been cut, because the clock struck at midnight on a certain day, the edge where the cutting took place becomes a selvage, and those people who are left on that selvage are suddenly suspected by some gentlemen as somehow being possible parties to a possible fraud, simply because their edge is not like the complete pattern that runs up to it. I can not understand why that should be.

Mr. GOOD. Will the gentleman yield?

Mr. GREENE of Vermont. I should be glad to yield, but I have not the time. The gentleman is experienced on the floor, and knows how difficult it is to make a statement like this in five minutes.

I can not understand why we should undertake to hold up the payment on these last transactions and still permit the long succession of similar processes to stand because they had come to completion and to the formal signing of statutory contracts. I do not see why we should hold up the last ones and allow the others to pass unchallenged. I do not see why any man should be put to any greater burden in this matter than the others, so long as he has rendered his service and given what was contracted for to the Government.

Neither can I understand another phase of it, which comes about in the practical operation of this thing. I have a case in mind which does not involve a great trust or one of these great munition monopolies that people seem to be so afraid of. It involves a typical case that probably is duplicated all up and down the land, where people owning a machine shop, comparatively small and unpretentious as modern industrial plants go, the capital stock probably not amounting to more than $100,000, found that their machinery was adaptable to the making of shrapnel shell and went to work on it at the instance of the Government. They performed several contracts for the Government, all of which went through these stages of development, from the first verbal instructions to the final completion of the papers according to the statute, and the payment of the money by the Treasury. They did that several times, and then, just a few weeks before the armistice, they got the usual informal telegram or telephone message, "Go ahead and make us some more of these things." Being good patriots they took the Government at its word. They trusted to the good faith of the United States of America and went on and started another order, got their raw materials, engaged their workmen in the various processes, and bought or used $50,000 or $60,000 worth of material which will be spoiled if the work is not completed. At a certain time on a certain day, let us say, because of the armistice, everything was stopped, leaving them just short by a few days of having a formal written contract. Therefore, there is now no authority of law to pay these men. If we hold payment up by any commission or board, or reference to any long-drawn-out process of that kind, you and I know what will

happen. The concerns like this one that have got $50,000 or $60,000 worth of money tied up in raw materials and labor will simply be wiped out of existence by the delay. They can not finance themselves in such a delay.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GREENE of Vermont. I ask for five minutes more.

The CHAIRMAN. The gentleman from Vermont asks that his time be extended five minutes. Is there objection?

There was no objection.

Mr. GREENE of Vermont. We know what will happen. Those people will simply be wiped out of existence. And their case is duplicated all up and down this land from one end of it to the other, where patriotic men were able to turn some little plant of one kind or another over to the service of the Government and were patriotic enough not to require the Government to give a bond to pay the bill before they went ahead to help the Government to fight the enemy in a war.

Now, here is another phase of this matter: We understand from a statement from Mr. Dorr, of the War Department, which has been put into the report, that certain of these transactions, having been made formal contracts and reduced to writing, and, as it was supposed, having been completed in accordance with law, turn out upon second inspection to be missing in some technical detail or to be wrong in some technical detail. Nobody at the time suspected that there was any disagreement as to the terms, nor is there now. Nobody had any thought about the matter until the Comptroller, whose business it is to see if he can find flies on barn doors, has found a fly on this barn door. He has found that some contract does not literally comply with the statute, although it was meant to comply with it in honest intention. So he says, "I can not by authority of law pay you any money on that contract until it is amended."

Mr. HASTINGS. Give us some illustrations of that.

Mr. GREENE of Vermont. There are illustrations in these purchase orders of the Engineer Corps, and also in the Ordnance Department, where the wrong man signed the papers.

There is another phase of this thing which to my mind is a great deal more significant, perhaps, than any of the others.

It is claimed by our friends who object to this that somehow by this statute we are going to invest the War Department with judicial powers, that we are going to erect in the War Department a court, and curiously enough we are going to allow one party in the contest to be the judge of the case. That is not true. That is a misunderstanding and a misapprehension of the facts. If you will look at formal contracts that were completed you will find that the Secretary of War reserved the right of cancellation at any stage of the fulfillment, and if he had—as he did in instances—invoked his right to cancel the contract before the term of it had been completed, then there would have been left for the War Department to adjudicate precisely the same condition of affairs that arises under these other contracts that were not reduced to writing, contracts that had been suddenly stopped by the armistice.

Under formal contracts men had begun to go into the process of manufacturing; they had purchased raw material; they had engaged labor and begun to expend money, when all at once the Secretary of War invoked the right of cancellation. What happened? There were certain damages that had to be ascertained, there were uncertain damages that had to be determined. Parties had to get together, as between the contractor and the War Department, and arrive at the damages under the contract. That has been going on through a year and six months, through the machinery of the War Department, and we have not complained.

Now this bill proposes to take care of these cases of informal contracts just the same as was done by reason of the cancellation clause written into the formal contracts.

We have cases now where contracts have not got to the written stage, but where the cancellation clause may be said to be injected into them just the same by the effect of the armistice. The Secretary of War wants to do the same thing by these honest men that he did with other honest men who had their contracts in writing. But people are suspicious and say it is making him a court. It is not making him a court now any more than in the other case.

Mr. LONGWORTH. Will the gentleman yield?

Mr. GREENE of Vermont. I will.

Mr. LONGWORTH. Was it not expected by everybody that these contracts would be carried out by both parties in good faith, and was it not only the position taken by the comptroller that has brought about this situation?

Mr. GREENE of Vermont. Absolutely. On the morning of the day that the armistice was signed the War Department and these contractors were going ahead with the utmost good faith; the patriotic manufacturer was doing the work and trusting in the good faith of the Government, and the Government relied upon the patriotism of the manufacturer to do it.

The CHAIRMAN. The time of the gentleman from Vermont has expired.

Mr. GREENE of Vermont. I ask for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GREENE of Vermont. So that on this morning when this business was going along in absolute good faith between the contractor and the department, nobody had the faintest idea that a to-morrow was going to see any change in the relations between the parties. And there never has been any change between the parties. Nor has the contractor and the War Department come to any disagreement about these contracts. Time was the essence in the case, and the haste occasioned by it brought about the failure to start with formal contracts. And so time, unfortunately, swinging back on the return beat of the pendulum, has been the cause of failure of payment, because the clock struck on a certain day before the agreements had been put into writing.

If we are to go in now on the theory that, because the War Department has done something technically wrong in working in great haste under pressure of war, so men who are honestly creditors of the Government to-day shall be penalized for the department's omission by withholding their pay, what sense of justice will the people of the United States think there is in the proposition? These men are not responsible.

I do not doubt that the War Department has been guilty of errors in the conduct of these war preparations, and I have no doubt that some of the contracts that have been made have been used as a means by which unscrupulous men have imposed upon the good faith of the Government. I do not doubt that some bad contracts were made, filled, and settled by payment in the course of this year and a half of unparalleled war emergency. Perhaps some bad contracts are actually on the way to settlement now. But I think it is still fair and reasonable to believe that the most of these contractors were honest, as I presume 90 per cent of our whole American society is, and we might wisely apply the spirit of the well-known proposition of Blackstone by saying that we can well afford to pay 10 dishonest men so that the 90 per cent of honest men will be done no wrong but will get what is due them. [Applause.]

Mr. TOWNER rose.

Mr. DENT. Mr. Chairman, I have no desire to cut off debate, but I hope the gentleman will let me pass these other committee amendments.

Mr. TOWNER. I shall only take five minutes and perhaps not that. Mr. Chairman, I desire to correct what perhaps may be a wrong impression which the committee may have received from some remarks by the gentleman from New York [Mr. CALDWELL]. The gentleman from New York gave the impression, I am quite sure, that he himself was strongly in favor of this bill. I was surprised in reading the hearings, because I read this on page 7 of the hearings before the committee. Mr. CALDWELL, the gentleman from New York, was interrogating Gen. Goethals, and this was the question he asked, or rather the statement that he made:

Mr. CALDWELL. Here is the proposition: A law was on the statute books stating that these contracts should be made in such and such a way. This being a country of laws, it was expected that the men who hold executive office would comply with the laws passed by the Congress of the United States. Yet, in utter disregard of the law they continued to make these agreements or contracts which are not legal, and now they are asking Congress to say that what they, God's annointed, did shall be paid for with the people's money.

And then the gentleman from New York, doubtless with great emphasis, added:

And I will not vote for such a proposition as that.

[Laughter and applause.]

Mr. Chairman, the second proposition that I was surprised to ascertain from these hearings was this: I understood the gentleman from New York [Mr. CALDWELL] to say to the committee that Gen. Goethals was very strongly in favor of the propositions contained in this bill, and immediately following Mr. CALDWELL's statement I read the following from the hearings:

Gen. GOETHALS. That is all right. We are just telling you the conditions, and it is up to you to pass the bill or not, as you see fit. I am perfectly willing to tell the contractors that they have their recourse to the Court of Claims.

So it would hardly be proper or fair to Gen. Goethals to say that he himself was in favor of this method of settling these claims. He himself declares that he would be perfectly satisfied if these gentlemen had their recourse in the Court of Claims.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. TOWNER. I see the gentleman from New York about to rise, and I should be very glad to yield to him if he so desires. [Laughter.] I yield to the gentleman from Pennsylvania.

Mr. CALDWELL. I gladly give way to the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. I wanted to refer the gentleman to page 31 of the hearings, where the gentleman from New York [Mr. CALDWELL], in interrogating the comptroller, said:

Why would it not be the best plan to give the Court of Claims authority over these cases?

And I would like the gentleman to refer to page 34 of the same hearings, in which the gentleman from New York [Mr. CALDWELL] is made to say:

Would there be any provision under this bill by which anyone could restrain the Secretary of War? Do you not say in this bill the allowance made by the Secretary of War shall be final and conclusive? Neither you nor I nor anybody else expects the Secretary of War himself to pass on these things.

Then, if the gentleman will permit, I would like to quote the gentleman from New York still further. Interrogating the comptroller he said:

When these contracts were made there was talk in the Halls of Congress and on the streets of our country to the effect that men formerly employed by these great contractors were the people who were giving the contractors all the contracts. Under this bill those men will be put on boards to pass on the question as to what their former bosses are going to get when the war is over. After we have won there is no need of paying tribute for winning the war.

[Laughter.]

Mr. TOWNER. Mr. Chairman, in reply to the gentleman's interrogatory, I will say that he himself has stated all that is necessary.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. CALDWELL and Mr. MADDEN rose.

Mr. CALDWELL. Mr. Chairman, I think I am entitled to recognition.

The CHAIRMAN. The gentleman from New York is recognized.

Mr. CALDWELL. I think I ought to be entitled to five minutes now.

Mr. MADDEN. But the gentleman just talked.

Mr. CALDWELL. I know; but the gentleman must understand that I am both a Democrat and a Republican.

Mr. MADDEN. I do not think the gentleman is either. [Laughter.]

Mr. CALDWELL. And now they have jumped on me as a Republican. [Laughter.]

The CHAIRMAN. The gentleman from New York, the Chair thinks, is entitled to be recognized.

Mr. MADDEN. The Chair is always fair, and I would like to be recognized after the gentleman from New York.

Mr. CALDWELL. Mr. Chairman, I will frankly admit that the bill that was presented to us by Gen. Goethals was so far objectionable that I could not support it, but if the Committee of the Whole will look at the bill it will see that every word of the original bill has been stricken out, and the Military Committee has in effect proposed a new bill which carries checks and balances that relieve it of the trouble that was presented by the Republican, Goethals. Notwithstanding the fact that the record shows that Gen. Goethals said he was willing to send the matter to the Court of Claims, the accent of his voice was such as to indicate that he felt that it would be a shame to do so. The gentleman from Iowa [Mr. TOWNER] was not there, and I was, and I will leave it to the Republican members of the Committee on Military Affairs if I have not properly interpreted the remarks.

Mr. KAHN. The chairman of the committee introduced the bill and he was requested to do so by the Democratic Secretary of War.

Mr. CALDWELL. And he sent the Republican, Goethals, down there to follow it up.

Mr. LONGWORTH. He was the only able one they had.

Mr. MADDEN rose.

Mr. DENT. Mr. Chairman, before the gentleman from Illinois uses his time, I ask unanimous consent that at the conclusion of his remarks all debate upon this amendment be concluded.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that all debate upon the pending amendment be closed in five minutes. Is there objection?

There was no objection.

Mr. MADDEN. Mr. Chairman, I was very much gratified to learn from the gentleman from New York [Mr. CALDWELL] that the Committee on Military Affairs had sense enough to provide checks and balances with which to pay these bills. [Laughter.] Of course, you could not provide the checks unless you had the balances, and now I am surprised to find that this very same committee, with all these wise men aboard, are coming before the House requiring the Treasury of the United States to furnish the balances, while they are providing the checks. Seriously, however, the Government of the United States was compelled to enter into the contracts, and whether it entered into contracts with France or England or Italy or with American citizens or corporations makes no difference. We were engaged in a great struggle. We tried to do the best we could. We were being urged to win the war, to speed up, and it took some urging on the part of Congress sometimes to force the executive branches of the Government to speed up; but when they finally did awaken to the importance of the situation they got busy. Whether it was necessary to make a written contract, or a telegraphic contract, or a verbal contract, or a telephonic contract makes no difference. The object was to get results, and it would not make any difference if you continued the war for the next 10 years. When the war was over the same condition would obtain that applies now. Unfinished contracts would be in existence, claims for damages would be justified, factories that were turned over to the Government would be where they had to be converted to civil use. These factories during the process of conversion to civil use will be idle, and claims, and proper claims, must be made against the Government. Supplies that have already been furnished by contractors not now needed are on hand ready for sale to somebody who will buy them, and they ought to be paid for. Whether the contract was completed or only begun, the measure of damages must be ascertained. The Government of the United States can not afford to be less than just, and it will be just.

No man should receive a dollar that is not due him. Every man should receive every dollar due him. [Applause.] The United States Government has its reputation at stake. It can not afford as a Government to do what an individual would not be permitted to do, and we, as the representatives of the American people, can not afford to say that any man living within the confines of America patriotic enough to turn everything over to the Government to win the war must now be considered as an outcast and unworthy of confidence. We can not afford to say here that the Secretary of War, who had power to adjust a contract legally made, must not have the power to adjust a contract, whether legally made or not, if it was made in good faith. The time has come when somebody must be trusted. These adjustments must be made. Losses on the part of American citizens can not be tolerated by the Congress or by the Government.

We can not afford to take the chances of creating panic, and whether the claims amount to $1,000,000,000 for American citizens and European governments, or $1,100,000,000 more for European governments, or whether those two figures measure the amount of responsibility, or whether the responsibility is twice as great, yet if there is a legal claim against the Government it must be met, and it ought to be met in all fairness as promptly as possible, trusting somebody to do the thing that should be done, assuming that the Government functionaries, whether they be the Secretary of War or the President of the United States, or whomsoever may be charged with this responsibility, will do his duty as he understands it. He should ascertain the facts, report upon the conditions as they are found to be, and pay the balance due to whoever it may be found to be due without any undue delay, and if in the consideration of the settlement of this question any person is found to have done wrong we have our remedy in the law. [Applause.]

The CHAIRMAN. Under the order of the committee all debate is closed on this amendment, and the question is on the committee amendment.

The question was taken, and the committee amendment was agreed to.

Mr. DENT. Mr. Chairman, I offer the following additional committee amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Add as an additional proviso: On page 5, line 10, at the end of the bill, add the following:

"Nothing in this act shall be construed to authorize payment to be made upon any agreement of a character other than referred to unless the agreement or some memorandum thereof was at the time reduced to writing by an authorized officer or agent of the Government."

Mr. DENT. Mr. Chairman, I do not know but what that amendment might embarrass the department in the settlement of these contracts. This is a committee amendment which was agreed to in the committee, and it was agreed to because the Secretary of War stated before the Committee on Rules emphatically that practically all of these contracts had been reduced to some sort of written form in the War Department, and

it was on such written memoranda that they expected to settle those contracts, and it is for that reason that the amendment is offered.

Mr. MANN. Will the gentleman yield?

Mr. DENT. I will.

Mr. MANN. Many of these contracts, so called, were entered into, and orders were made by telegraph, possibly by mail and by long-distance telephone. Of course, the person furnishing the material had no knowledge and could have no knowledge as to whether the officer who telegraphed him or wrote him or telephoned him sat down and made a written memorandum of what he had done. Now, this is a bill by which you select one man out and pay him and on the same terms, as far as another contractor is concerned, you do not pay him.

Mr. DENT. I agree with the gentleman from Illinois; but the information that the Rules Committee had was to the effect that every one of these telegraphic and telephonic orders had been put in some sort of a written form by the officer who dealt with the transaction, and that is the reason——

Mr. MANN. Well, a copy of the telegram would not be a written memorandum, and a letter itself would not be a written memorandum.

Mr. DENT. A copy of the telegram would not be a written memorandum?

Mr. MANN. Certainly not.

Mr. DENT. It depends on whether it is broad enough.

Mr. FOSTER. I think what the War Department claims is that where they gave a telegraphic order it was based on previous memorandum made by War Department officials.

Mr. MANN. There were may cases throughout the country where officials of the War Department went to cities, went to factories, and themselves personally gave orders which had been under consideration. They could have no written memorandum made at the time.

Mr. FOSTER. They stated it was within the War Department now—all of these—and that all of these were based on that sort of a memorandum.

Mr. MANN. There is so much inefficiency in the War Department I doubt very much whether they have half of such cases with proper memoranda.

Mr. DENT. As I said at the beginning, I rather question whether or not the committee was wise in offering this amendment now, upon reflection, but it was offered in the committee and adopted by the committee upon the statement that there was a written memorandum of every contract, and they propose to settle on these memoranda.

Mr. BARKLEY. Will the gentleman yield?

Mr. DENT. I will.

Mr. BARKLEY. If this amendment was adopted and there was one case where that sort of a memorandum may not have been made, then it can not be paid?

Mr. DENT. That is true, and that is the reason why I am inclined to think perhaps——

Mr. McKENZIE. Will the gentleman yield?

Mr. DENT. I do.

Mr. McKENZIE. Was it not stated before our committee that there were no such cases where there was not a memorandum of some character in the War Department?

Mr. DENT. That is true.

Mr. McKENZIE. And it seems to me it would be a most violent presumption for the Congress of the United States to assume that some man should after the armistice had been signed come out and say, "Well, I had some certain form of contract with the War Department," and not a single memorandum of any character there. While this legislation may be considered of doubtful wisdom, judging from such speeches we have heard here to-day, surely this amendment would not make it more doubtful.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DENT. Mr. Chairman, I ask for three minutes more.

The CHAIRMAN. The gentleman from Alabama asks that his time be extended for three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. ELSTON. Does the gentleman have any apprehension that the use of the word "memorandum" here will put it in the class of construction that the word bears in connection with the statute of frauds? Does not the gentleman think that possibly the use of the word "record" would be better than the word "memorandum"? That is, the word "record" would be much less formal, I think.

Mr. DENT. I see the gentleman's point. There might be something in that.

Mr. ELSTON. After this becomes a law, of course, the word "memorandum" would be susceptible of the very strict construction it has in connection with the statute of frauds.

Mr. DENT. I do not think so, in view of the fact that the amendment as originally offered by a member of the committee contained the language of the statute of frauds, and if I may, without violating the rules of the House, I will say that the gentleman from Illinois [Mr. McKENZIE] moved to amend so as not to make this apply.

Mr. ELSTON. If the gentleman will permit a moment, that, of course, would not be a part of the statute and would not be read with it. I think the use of the word "record" there would cover most any kind of a memorandum in connection with the contracts.

Mr. LAGUARDIA. Is not the purpose of this amendment to do what the gentleman from California [Mr. ELSTON] seeks to avoid? Is it not the purpose to have this come within the requirements of the statute of frauds, and so to shut out all claims of speculative profits?

Mr. ELSTON. I had reference to the matter of time.

Mr. DENT. No; it is not the purpose.

Mr. LAGUARDIA. I was in hopes that it was.

Mr. DENT. It is not the purpose of this amendment to make the contract come within the provision of the statute of frauds. If it did, that would destroy the purpose of the bill.

Mr. COOPER of Wisconsin. Mr. Chairman, I ask that the amendment of the gentleman from Alabama may be read once more. There is confusion here as to just what it is.

The CHAIRMAN. The Clerk will report the amendment.

The amendment was again reported.

Mr. COOPER of Wisconsin. Mr. Chairman, that amendment, should it be made law and be enforced, would work a great hardship to some innocent people, for it would absolutely deprive them of any opportunity to have their claims settled. I can make this plain by presenting some of the principal facts of a case in which a number of my constituents are interested. These facts were told me at my home in Racine on November 19 last by three farmers, whose farms were all located a few miles north of Racine. These men said that in September last—about the middle of the month, I believe—a man representing himself to be an agent of the United States Government came to their homes and endeavored to secure 30-day options on their farms, at the same time saying that the Government was going to buy 2,000 acres there of contiguous land, with a view to establishing a great T. N. T. plant. The farmers who called on me had some of the option blanks which the agent had left with them. These were not printed at all, being merely typewritten carbon copies, from which the words "the United States Government" or "the Government of the United States," customary in blanks used by or for the Government, were omitted. Blank spaces were left for these words. The agent went from farmer to farmer and said, "We want your land for the purposes of a T. N. T. plant. We want you to sign this option. Of course, it is really immaterial to us whether you sign or not, for in any event the Government of the United States will take your land."

These farmers told me that when they asked for evidence of his authority to act for the Government he pulled something out of his pocket and read it without showing it to them. They took it for granted that he had the authority. And I believe that he had. Although the blanks contained the customary statement, "In consideration of $1 in hand paid," they told me also that none of them had ever received one cent of the dollar which those who signed options had receipted for.

Before the 30-day options had expired men claiming to be agents of the Government took 2,000 acres of contiguous land, land on which options had been given and land on which options had not been given, and put up all over it signs bearing the words "Property of the United States Government"

The men who called on me had given no options. They said to the agent, "When are we going to get our money?" The reply was, "You will get it very soon. The Government will settle up with you." Thereupon all the farmers on the 2,000 acres moved away with their families. Some of them took options on homes in the city of Racine, and others on farm lands elsewhere.

They received nothing, as I have said, for their farms. This left some of them without means to pay for the property on which they themselves had taken options. Winter was coming on, and there they were.

Most, if not all, of this land was taken about the middle of October, when everybody knew that the Germans were defeated.

Now, we want these men to be paid. Their property was trenched—dug up; railroad tracks were put down; buildings were erected; and all without paying even one penny to any of the owners of the farms thus seized.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. COOPER of Wisconsin. Mr. Chairman, I would like to have three minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. DUPRÉ. Mr. Chairman, will the gentleman yield?

Mr. COOPER of Wisconsin. Yes.

Mr. DUPRÉ. Has the gentleman any doubt in his mind as to the authority of these men who came along and made those contracts? It seems to me it is a very dubious proposition.

Mr. COOPER of Wisconsin. Well, it looked dubious to me, Mr. Chairman, until I went up to the War Department and was informed that these agents had acted with the authority of the Government. In the office of the Assistant Secretary of War I dictated to a stenographer a statement of the facts of the Racine case. Two or three days later—I think the next day—some one, I do not know who, telephoned me from the War Department saying that the Racine case was one of great merit, and that it would receive prompt attention.

On November 19, after these farmers called on me, I telegraphed a statement of the facts to the Secretary of War and asked what the department was going to do about the matter. On December 6 I received a letter from the Assistant Secretary of War in reply to my telegram, in which he says:

> The situation which you mention seems to require immediate attention. I have therefore caused a special investigation to be instituted in this matter, and it will be expedited as rapidly as possible.
>
> Yours, very truly,
>
> BENEDICT CROWELL,
> *Assistant Secretary.*

Over to the left and near the signature were the initials "C. W. H." I do not know who he is.

Now, as I say, those farmers ought to be paid. Some of the property is practically destroyed for agricultural purposes. They are bound by contracts into which they subsequently entered for the purchase of other real estate. They are subject to a very great hardship. The question is, Mr. Chairman, whether this bill, which would authorize the Secretary of War to settle and adjust these cases, would allow the Secretary of War to appoint for the adjustment of these claims or other claims arising out of similar circumstances any of the men who authorized or conducted the negotiations or work on behalf of the Government. The farmers and other honest claimants ought to be paid promptly and in full. We ought to insist on knowing all about why there was such haste in attempting to establish a great T. N. T. plant to cover 2,000 acres during the very closing days of the war, when we knew that the German armies had met with overwhelming defeat.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. COOPER of Wisconsin. Yes.

Mr. GORDON. Does the gentleman think these people ought to be paid for the land and keep it, too?

Mr. COOPER of Wisconsin. No; but I think they ought to be paid for the land, those who gave options and those who did not give options, the Government having taken over the property of all.

Mr. GORDON. Do you claim that would not be exercised under this authority if the bill is adopted?

Mr. COOPER of Wisconsin. There is no memorandum nor option in some cases. They took the land of some men who had given no option. And if this amendment should be adopted, then in cases where there is no memorandum or option the farmer could not have his claim settled.

Mr. GORDON. There is an implied contract on the part of the Government if it took it.

Mr. COOPER of Wisconsin. But does not the gentleman from Ohio see that there is no written memorandum?

Mr. GORDON. But there is an implied contract by the very act of the Government.

Mr. COOPER of Wisconsin. But this provision that I have read specifically provides that there shall be a memorandum, or otherwise there can be no adjustment or payment of the claim. There would have to be a suit.

Mr. GORDON. But this does not preclude payment by the Government for stuff that it has actually taken. Those claims are not covered by this bill.

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. COOPER of Wisconsin. Mr. Chairman, I want three minutes more.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to proceed for three minutes more. Is there objection?

There was no objection.

Mr. COOPER of Wisconsin. In view of what has been said by gentlemen, I would like to ask the chairman of the Committee on Military Affairs if the contention of the gentleman from Ohio [Mr. GORDON] is correct. Under the amendment now pending, which would specifically prohibit the payment of any claim for which there is not a memorandum, if a man's property has been taken without any option, there being no written agreement signed by him at all nor by the Government, would he get any pay?

Mr. DENT. I will say to the gentleman very frankly that if this amendment is adopted it is my construction of it that unless the officer or the agent of the Government who handled the transaction did file some written memorandum as to the transaction, he could not get payment.

Mr. COOPER of Wisconsin. That is as I understand it, and in the absence of anything of that kind these farmers in my district whose property was taken without their having signed an option and without there being any written agreement by the Government to take their property or any memorandum made at that time would be absolutely barred.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. COOPER of Wisconsin. Yes.

Mr. GOOD. Without that agreement they would not fall within the class provided for by this bill.

Mr. COOPER of Wisconsin. I think they would.

Mr. GOOD. It applies to those between whom there is an agreement of some kind with the Government—between the Government and the claimant.

Mr. COOPER of Wisconsin. I think the gentleman is mistaken. If he will look at line 17 he will see the language, "and such agreement has not been executed in the manner prescribed by law." That language covers implied contracts. Moreover, in line 4, page 3, the bill specifically mentions agreements "express or implied."

Mr. GOOD. But there was no meeting of the minds in those instances.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. COOPER of Wisconsin. Yes; I yield to the gentleman from Illinois.

Mr. McKENZIE. I simply desire to ask the gentleman from Wisconsin if he does not understand it to be the law that where the Government of the United States takes property under its power to commandeer—takes possession of any property, either real or personal—it is bound to pay the fair valuation of that property, regardless of whether there is a contract or not?

Mr. COOPER of Wisconsin. That is very true.

Mr. FIELDS. They did not resort to commandeering proceedings there.

Mr. COOPER of Wisconsin. Very true; but if Congress should pass a law providing that no claim of that kind shall be adjusted, paid, or discharged unless there is a memorandum, then the law which the gentleman has just cited would not control. The last law passed by Congess would govern that transaction, and these farmers could not have their claims adjusted or paid through negotiation or mutual agreement. They would have to litigate.

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by printing therein a letter which I wrote on the subject of this T. N. T. plant at Racine.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

The letter referred to is as follows:

> WASHINGTON, D. C., *December 6, 1918.*
>
> Mr. VINCENT NOVAK,
> *Box 85, R. F. D. 1, Racine, Wis.*
>
> DEAR SIR: Referring to the subject of the proposed T. N. T. plant, North Racine, about which we had a conversation, I have to inform you that a letter from the War Department addressed to me at Racine was forwarded and received here. The letter is dated November 25, but did not reach me until yesterday. This is the first word in reply to my telegram to the War Department, sent November 19, that I have received.
>
> After some preliminaries the letter, which is signed by the Assistant Secretary of War, concludes as follows:
>
> "The situation which you mention in your telegram seems to require immediate attention. I have therefore caused a special investigation to be instituted in this matter and it will be expedited as rapidly as possible.
>
> "Yours, very truly,
>
> BENEDICT CROWELL,
> "*Assistant Secretary of War.*"
>
> The letter also contains the statement that the department is making every effort to determine as soon as possible all the questions involved in each of the problems which have arisen out of the sudden cessation of hostilities, and that upon the determination of such questions in each case where the department has caused damage every law-

> ful step toward making prompt reparation will be made. The Assistant Secretary says also that some of the cases are more urgent than others by reason of the hardships which may result from delay, and then says that he will take up the Racine case at once.
>
> I will call at the War Department this afternoon or to-morrow morning and do everything that I can to have the difficulties with the property owners properly settled.
>
> Yours, very truly,
>
> HENRY ALLEN COOPER.

Mr. SHALLENBERGER. Mr. Chairman, I want to call to the attention of the gentleman from Wisconsin the fact that the very case he refers to was brought before the committee. The gentleman from Illinois [Mr. McKENZIE] asked Mr. Dorr, who represented the War Department upon this particular matter, to give a specific case that would be affected by this law, a case that they sought to remedy under this law, and his reply was:

> Mr. DORR. I might mention one which was brought to my attention this morning. That was the case where the Government was planning to build a T. N. T. plant at Racine, Wis. At the time the armistice was signed it became evident that that plant ought not to be proceeded with. The plant was just beginning, and it had been necessary to get some land for it, and that land had been occupied; options had been given; there was a question of titles to look up; and the whole matter could not wait for the adjustment of the technicalities of the real estate law in the matter, and the Government was occupying the land. There were farmers who had their all in their little places and had turned over the occupancy of that land to the Government, and the Government naturally wants to make some compensation to the owners, to give them relief, and I do not see how we are going to do it. There was a very urgent telegram from that locality urging the department to make prompt settlement in the matter. I do not see how that can be done without enabling legislation.

He asked this law for the express purpose of taking care of this case and others like it, and this bill is drawn to enable the War Department to take care of it, and his statement is that options and memoranda had been given which will enable them to do so.

Mr. COOPER of Wisconsin. Will the gentleman permit an interruption?

Mr. SHALLENBERGER. Certainly.

Mr. COOPER of Wisconsin. The gentleman will observe that in that statement the witness declares that options had been given.

Mr. SHALLENBERGER. Yes.

Mr. COOPER of Wisconsin. But options were not given in some cases, but the property was taken.

Mr. GORDON. There is an implied contract to pay for it, then.

Mr. COOPER of Wisconsin. Exactly; but if you abrogate the implied contract by a specific statute which says you shall not pay on the implied contract, that you shall not pay unless there is a written memorandum of agreement, that repeals it pro tanto, of course.

Mr. SHALLENBERGER. I will say to the gentleman from Wisconsin that the general statement was made to the committee that there was no case where a memorandum did not exist. Therefore we propose this amendment to the bill. Furthermore, in this particular case Mr. Dorr stated that options had been given, and that these men did have memoranda showing the contract and the amount the Government was to pay. Of course, if that is not true, then it does not come within this amendment.

Mr. COOPER of Wisconsin. Mr. Chairman, the farmers who called on me on the 19th of November last, intelligent, educated men, were positive in declaring that they had not given options, and had nevertheless been compelled to move off of their property. They knew better about the facts than did the witness just quoted by the gentleman from Nebraska [Mr. SHALLENBERGER].

The CHAIRMAN. The time of the gentleman has expired.

Mr. GORDON. Mr. Chairman, the case cited by the gentleman from Wisconsin [Mr. COOPER] of these men who refused to give an option is a case where there was no contract and no pretense of a contract, of course; but if the Government took possession of their land, by operation of law an obligation was created for the Government to pay the reasonable value of that land.

Mr. COOPER of Wisconsin. Will the gentleman permit an interruption right there?

Mr. GORDON. Yes.

Mr. COOPER of Wisconsin. These men did not refuse. They were handed this document to read over, and before they consented or made up their minds what to do the property was taken.

Mr. GORDON. Oh, well, then, that does not alter the facts at all. If the Government takes property, which the Government can only lawfully do in time of war, that creates an obligation on the part of the Government to pay the reasonable value of that property.

Mr. VENABLE. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. VENABLE. Of course I suppose it is generally conceded that if the Government takes the property of a citizen, the citizen has a right to go into court, vindicate his rights, and receive payment?

Mr. GORDON. Certainly. He could sue in the Court of Claims on that very thing.

Mr. VENABLE. But do you contend he could do it under this bill?

Mr. GORDON. No; not under this bill.

Mr. BLANTON. He would not be limited to the Court of Claims. He could go into the Federal court of his locality.

Mr. VENABLE. However, if this amendment is adopted, will it not be a prohibition upon the Secretary of War to prevent his paying any claim, however meritorious, unless there was some sufficient memorandum in writing?

Mr. GORDON. Not if the goods have been delivered; certainly not; and this statute is not intended to cover those cases at all.

Mr. VENABLE. When it specifically states that no claims shall be paid unless there was a memorandum?

Mr. GORDON. Certainly. The purpose of this legislation is to provide for the adjudication of contracts not executed. Now, in the case cited by the gentleman from Wisconsin [Mr. COOPER] the contracts were executed and possession of the property was taken. In two instances no agreement had been entered into, but the Government seized the property, anyway, and thereby, by operation of law, there arose an obligation upon the part of the Government to pay the reasonable value of that property.

Mr. VENABLE. Is there anything in the bill which confines it to contracts that are not executed? Regardless of what you construe the intent to be, does it not prescribe a number of informal claims that were bad because they did not come up to the statutory requirement as to form?

Mr. GORDON. Yes; but the cases which the gentleman refers to do not come within this statute.

Mr. VENABLE. And then you say that none of these contracts shall be satisfied and the moral obligation discharged unless there is a sufficient memorandum.

Mr. GORDON. Yes; sufficient to determine the contract.

Mr. VENABLE. Would not the court construe that as prohibiting the payment by the Government in the case mentioned by the gentleman from Wisconsin [Mr. COOPER]?

Mr. GORDON. Certainly not; and I will tell you why.

Mr. VENABLE. I wish to understand why.

Mr. GORDON. These men to whom the gentleman from Wisconsin referred as not having given an option upon their land, but whose land was seized by the Government, can present a claim for the value of that land to the War Department. If the War Department refuses to pay it or they are unable to agree upon a price, they can commence a suit in the Court of Claims against the United States for the recovery of it. Not a single one of the claims covered by this bill can be sued for in the Court of Claims without express authority of Congress.

Mr. DILLON. Will the gentleman yield?

Mr. GORDON. I will.

Mr. DILLON. Suppose the Government took possession of the business, or took possession of the land, and holds it a week or a day through the commandeering process, does the gentleman claim that the Government has got to buy the land or pay for the use?

Mr. GORDON. Of course, the Government has got to make some just settlement in the matter.

Mr. JOHNSON of Washington. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. JOHNSON of Washington. Is debate exhausted?

The CHAIRMAN. The Chair will read the rule:

> When general debate is closed by order of the House, any Member shall be allowed five minutes to explain any amendment he may offer, after which the Member who shall first obtain the floor shall be allowed to speak five minutes in opposition to it, and there shall be no further debate thereon.

Mr. STEVENSON. Mr. Chairman, I offer an amendment to the committee amendment. I think it will not be objected to by the committee.

The Clerk read as follows:

> Strike out of the proposed amendment the words "at the time," and insert the words "on or before November 12, 1918."

Mr. STEVENSON. Mr. Chairman, I do not care to take up much time in the discussion of this proposed amendment. The term "at the time" is exceedingly indefinite. Certainly none of the quasi contracts were entered into after the 12th of November. The armistice took effect at midnight, the 11th of November, 1918. In order to give them sufficient latitude to get in, if you adopt the amendment you ought to allow the memorandum

to be made during the period up to the 12th of November, 1918, and remove all discussion that will arise over what "at the time" means. Does that mean some hour, some day, or some week? "At the time" is indefinite.

Now, there is one other matter I wish to allude to. It seems to be advocated here—and I was at first impressed with it—that where the Government took possession of property, as related by the gentleman from Wisconsin [Mr. COOPER], and received property, that that was provided for under the general law, and the Government had it to pay for, regardless of this act. But this act undertakes to deal with that very condition, because you find in the proviso, line 18, the following:

Provided, That payment under such agreement shall not exceed the fair value of the property transferred or delivered and accepted by the United States, as determined by the Secretary of War, and where no property has been transferred, delivered, or accepted payment shall not be in excess of the actual cost incurred in preparation for performance, as such cost is determined by said Secretary.

That brings the case cited by the gentleman from Wisconsin within the control of this act. I am inclined to think that the whole amendment is vicious, and if it is adopted it ought to be adopted with the provision fixing an absolute date on which the memorandum was filed.

Mr. DENT. Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto be concluded in 30 minutes.

Mr. MANN. Debate on what?

Mr. DENT. On the committee amendment and all amendments thereto.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that all debate on the amendment proposed by him and all amendments to that amendment be concluded in 30 minutes. Is there objection?

Mr. ELSTON. Reserving the right to object, I would like to ask the chairman of the committee whether he expects to continue the session until this bill is disposed of?

Mr. DENT. I certainly do. This is the last committee amendment.

The CHAIRMAN. Is there objection to the request?

Mr. MANN. Reserving the right to object, if 30 minutes' time is allowed and members of the committee seeks recognition in favor of the amendment, will they first be entitled to recognition?

The CHAIRMAN. Under the rules of the House, as the gentleman knows, each member of the committee is entitled to preferential recognition. The Chair does not think that when a member of the committee has spoken once that he is entitled to preferential recognition again.

Mr. MANN. That is true, with the modification that first a member of the committee in favor of the amendment is entitled to recognition and then one who is opposed to the amendment.

Mr. FIELDS. I am a member of the committee and have been trying to get recognition for some time.

The CHAIRMAN. The Chair has recognized the gentleman from Kentucky once. [Cries of "Vote!" "Vote!" "Vote!"] The question is on the amendment offered by the gentleman from South Carolina to the committee amendment.

The question was taken, and the amendment to the amendment was agreed to.

The CHAIRMAN. The question now is on the committee amendment as amended by the gentleman from South Carolina.

Mr. GREEN of Iowa. Mr. Chairman, I offer a further amendment.

The Clerk read as follows:

Page 5, line 10, after the word "contracts," strike out the period and insert a colon, and add the following:

"*Provided further*, That no payment shall be made on any claim made under this act until affidavit has been made by the officer or agent, if living, who, on behalf of the War Department, made the agreement or arrangement upon which said claim is based, that it was entered into or made without any benefit or advantage to himself, and that he is not interested, directly or indirectly, in whatever may be paid thereon."

Mr. DENT. I reserve a point of order on that.

Mr. PARKER of New Jersey. Mr. Chairman, I make the point of order that that is not an amendment to the amendment.

The CHAIRMAN. The Chair will state to the gentleman from Iowa that the amendment of the gentleman from South Carolina has already been adopted.

Mr. GREEN of Iowa. Mr. Chairman, I was under a misapprehension and I withdraw the amendment.

The CHAIRMAN. The question is on the committee amendment offered by the gentleman from Alabama as amended by the gentleman from South Carolina.

The question was taken; and on a division (demanded by Mr. DENT) there were 50 ayes and 67 noes.

So the amendment was rejected.

Mr. McKENZIE. Mr. Chairman, I offer the following amendment, to come at the end of the bill, which I send to the desk and ask to have read.

The Clerk read as follows:

At the end of the bill add the following:

"*And provided further*, That all authority heretofore authorizing the Secretary of War to acquire real estate, by purchase or otherwise, by any act or acts of Congress providing for the existing emergency is hereby repealed, and that any unfinished contracts for the acquiring of real estate are hereby canceled, and that hereafter the Secretary of War or his agents shall not be permitted to acquire title to any real estate, by purchase or otherwise, until specifically authorized so to do by act of Congress and the providing of an appropriation by Congress to pay for the same when such purchase is duly authorized."

Mr. DENT. Mr. Chairman, on that I reserve the point of order.

Mr. McKENZIE. Mr. Chairman, I am not going to take up the time of the committee to discuss this amendment at any length. I think you all understand the purpose of it. The purpose is to prevent the War Department from purchasing any more real estate. Under the war power and under the law passed by Congress they have been enabled to buy large tracts of land, and the testimony before our committee a few days ago on a proposed artillery field gave notice to the committee that they are going right along taking options and buying land, and while we are now involved in the discussion of this bill to make settlement for these hundreds of contracts that have been heretofore entered into, many of them irregular or informal, it seems to me time now, since we are at peace, to stop the further purchase of real estate unless it is specifically authorized by Congress and an appropriation made to pay for it.

Mr. McKEOWN. Mr. Chairman, will the gentleman yield?

Mr. McKENZIE. Yes.

Mr. McKEOWN. I will ask the gentleman if the War Department has not now, at this time, title to a large acreage at Fort Sill, Okla., where they are conducting artillery schools, without buying any more land?

Mr. McKENZIE. That is true. I do not care to say anything further.

Mr. MAPES. Mr. Chairman, will the gentleman yield?

Mr. McKENZIE. Yes.

Mr. MAPES. The gentleman's amendment contains this language:

And that any unfinished contracts for the acquiring of real estate are hereby canceled.

Mr. McKENZIE. Yes.

Mr. MAPES. In my district there is a case somewhat similar to the situation in the district of the gentleman from Wisconsin [Mr. COOPER]. The Government established a picric-acid plant and took possession of the land of about 40 people. Options were given in most cases, but those options have now expired. The Government took possession of the land, but the owners have not yet received pay for their land, although they were obliged to get off the land and they lost their crops and the use of the land entirely. Substantial buildings were put up on the land and it is no longer suitable for the use of the original owners. What effect would the gentleman's amendment have on a situation like that?

Mr. McKENZIE. I would say to the gentleman from Michigan that under the bill now pending in the committee those gentlemen will get settlement through the War Department, and what I am aiming at is to cancel all unfinished contracts and prevent the War Department from entering into any more, in order that we may get a final settlement of this whole thing and know where we are at.

Mr. MAPES. Is not the language of the amendment so broad that it would cancel these proposed contracts and prevent those men from getting pay for their land?

Mr. McKENZIE. No; it would cancel the contract, but they would get their pay under the legislation now pending.

Mr. ELSTON. Does the gentleman mean by "unfinished contracts" contracts on which full payment has not yet been made? Let us say a contract was entered into where payment is to be made in installments, where the Government has made improvements and wants to keep the land. Suppose the Government has not paid in full, would that be an unfinished contract?

Mr. McKENZIE. It would not be, because in that case the title has passed.

Mr. ELSTON. Oh, no; the title has not passed. I am speaking of an executory contract, where all payments have not been made and the deed, therefore, has not yet passed to the Government. I think the phrase "unfinished contracts" is rather dangerous to use for the object the gentleman wishes to accomplish, viz, to prevent the Secretary of War from making further contracts for the purchase of land.

Mr. SUMNERS. Mr. Chairman, will the gentleman yield?

Mr. McKENZIE. Yes.

Mr. SUMNERS. I would like to ask the gentleman how he construes his amendment as applied to this situation, where the Government has an option on real estate and has erected valuable improvements and contemplates availing itself of them? If the contract is canceled, the Government is left with a valuable improvement upon land which it does not own, with no power to acquire title save through condemnation, and I am not sure that in a condemnation suit any estimate of the value of the land covered would be such as to take advantage of the improvements that have been put upon the land.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. DENT. Mr. Chairman, I make the point of order much as I dislike to make the point of order on an amendment of this kind.

The CHAIRMAN. What is the gentleman's point of order?

Mr. DENT. That it is not germane to the purposes of the bill.

The CHAIRMAN. The Chair is ready to rule.

Mr. McKENZIE. I do not care to argue the question, because I think the Chair is familiar with parliamentary procedure.

The CHAIRMAN. The Chair has nothing to do with the merits or demerits of the proposition, but the Chair is called upon to rule upon the technical proposition as to whether or not the amendment is in order on this bill under the rules of the House. The subject matter before the House is a bill "to provide relief where informal contracts have not been made in the manner required by law." The amendment offered, in the opinion of the Chair, does not relate to the subject matter of this bill at all—is not germane to it—but repeals certain statute law and provides that hereafter officials of the department shall not buy land for Government use unless they have specific authorization from Congress so to do. The Chair does not believe the amendment is germane to the subject matter of this bill and sustains the point of order.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer the following amendment to the bill.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. MOORE of Pennsylvania offers the following amendment to the bill: "Strike out all after the word 'that,' on line 3, page 3, and insert"——

Mr. STAFFORD. Mr. Chairman, a question of order.

The CHAIRMAN. The gentleman will state it.

Mr. STAFFORD. I wish to offer an amendment to perfect the text.

The CHAIRMAN. The Clerk will have to report the amendment.

Mr. STAFFORD. But the motion, as disclosed by the reading, is to strike out all and offer a substitute——

The CHAIRMAN. The Clerk will report the amendment.

Mr. MOORE of Pennsylvania. That is not correct, I include the whole bill.

The Clerk read as follows:

Strike out all after the word "that," on line 3, page 3, and insert the following:

"There is hereby created a committee on war-contract expenditures, to consist of the Secretary of War, the Attorney General, two Members of the Senate, one a Democrat and one a Republican, to be appointed by the President of the Senate, and four Members of the House of Representatives, two Democrats and two Republicans, to be appointed by the Speaker of the House of Representatives.

"SEC. 2. That the Secretary of War, with the approval of the committee on war-contract expenditures, be, and he is hereby, authorized to adjust, pay, or discharge any agreement, express or implied, upon the basis of reasonable value but in no case greater than the agreed price that has been entered into, in good faith during the present emergency and prior to November 12, 1918, by any officer or agent acting under his authority, direction, or instruction, with any foreign Government or with any person, firm, or corporation for the acquisition of lands, or the use thereof, or for any supplies, material, or equipment to be used in the prosecution of the war, when such agreement has been executed in whole or in part, or expenditures have been made or obligations incurred upon the faith of the same by any such government, person, firm, or corporation prior to November 12, 1918, and such agreement has not been executed in the manner prescribed by law: *Provided*, That payment under such agreement shall not exceed the fair value of the property transferred or delivered and accepted by the United States, as determined by the Secretary of War, and where no property has been transferred, delivered, or accepted payment shall not be in excess of the actual cost incurred in preparation for performance, as such cost is determined by said Secretary: *Provided further*, That this act shall not authorize payment to be made of any claim under such agreements after June 30, 1919: *And provided further*, That the Secretary of War shall report to Congress at the beginning of its next session following June 30, 1919, a detailed statement showing the nature, terms, and conditions of every such agreement and the payment or adjustment thereof: *And provided further*, That nothing in this act shall be construed to confer jurisdiction upon any court to entertain a suit against the United States upon any agreement of the character herein provided for: *And provided further*, That no settlement of any claim arising under any such agreement shall bar the United States Government through any of its duly authorized agencies, or any committee of Congress hereafter duly appointed, from the right of review of such settlement, nor the right of recovery of any money paid by the Government to any party under any settlement entered into or payment made under the provisions of this act, if the Government has been defrauded, and the right of recovery in all such cases shall extend to the executors, administrators, heirs, and assigns, or any party or parties: *And provided further*, That nothing in this act shall be construed to relieve any officer or agent of the United States from criminal prosecution under the provisions of any statutes of the United States for any fraud or criminal conduct: *And provided further*, That this act shall in no way relieve or excuse any officer or his agent from such criminal prosecution because of any irregularity or illegality in the manner of the execution of such agreement: *And provided further*, That the names of such contractors and the amounts of such partial or final settlements shall be filed with the Clerk of the House for the information of Congress and printed in the CONGRESSIONAL RECORD, or in the Official Bulletin, or as a public document, 10 days before confirmation and payment is authorized upon such contracts.

Mr. DENT. Mr. Chairman, I reserve a point of order.

Mr. STAFFORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STAFFORD. Is it in order for the gentleman to offer his amendment as a substitute before amendments to perfect the text are included?

The CHAIRMAN. The Chair would state that the substitute, of course, is nothing but an amendment, and the Chair thinks it is in order at this time to offer an amendment in the nature of a substitute. The Chair, however, believes that if any of the Members have an amendment to perfect the text those amendments should be voted on before the vote is taken on the substitute.

Mr. STAFFORD. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STAFFORD. Whether the gentleman is now in order to proceed to discuss his amendment and after he has had the floor whether it is then in order to offer an amendment to perfect the text?

The CHAIRMAN. The Chair thinks so.

Mr. STAFFORD. I desire to offer an amendment to perfect the text.

The CHAIRMAN. The gentleman from Pennsylvania has the floor.

Mr. MOORE of Pennsylvania. Mr. Chairman, the amendment before the committee now is the committee amendment to the House bill literally as printed, except that it includes the two amendments which were just passed by the committee as offered by the Committee on Military Affairs, and which have been inserted at the proper places, and a new provision, which is as follows:

That there shall be created a committee on war-contract expenditures, to consist of the Secretary of War, the Attorney General, two Members of the Senate, one a Democrat and one a Republican, to be appointed by the President of the Senate, and four Members of the House of Representatives, two Democrats and two Republicans, to be appointed by the Speaker of the House of Representatives.

That is new. It creates a committee on war-contract expenditures. That is all. The next paragraph starts out with the declaration "that the Secretary of War"—and this is new—"with the approval of the committee on war-contract expenditures, be, and he is hereby, authorized," and so forth, to do everything that is set forth in the printed bill. The whole proposition is that we, in response to what appears to be a public demand, shall offer to the Secretary of War congressional cooperation in the matter of the settlement of these large contracts.

I endeavored a little while ago to explain just how this might be done and how simple it would be. It should be no embarrassment to the Secretary, except that of fixing a time for meeting this congressional committee, and the Attorney General to cooperate with him as to those particular contracts he properly audited, and which are ready for approval, or for further investigation if it be found that there should be any newly discovered evidence or any reason why they should be further examined.

I hesitated about placing with the President the authority to appoint a committee or a commission, because it might be said that putting the power in the hands of the President at this time and requesting him to appoint a commission—he being absent from the country—would mean delay. For the same reason I am not quite satisfied that the Senate amendment creating a commission would avoid delay, which everyone seems to want to avoid, because the Senate amendment proposes to create a commission that shall be paid a salary of $10,000 per member. That, of course, as we all understand, would mean a long period of service. There is nothing in this proposed amendment except the creation of a committee to cooperate and, if need be, to assist the Secretary of War to see that these contracts are valid, that there is no imperfection or irregularity with regard to them, and that they are properly and promptly paid if found correct. That is the sum and substance of the

proposition—that the Congress of the United States shall have oversight and supervision along with the Secretary of War as to contracts, both foreign and domestic, that we are now informed will mount up to more than $2,700,000,000. How many I am unable to say. The Assistant Secretary of War has indicated in the hearings that the American contracts will number six thousand six hundred and odd.

Mr. TILSON. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I will.

Mr. TILSON. I would like to know from the gentleman what he thinks six Members of Congress, two Senators and four Representatives, could do toward informing this House as to the details of 6[illegible]000 contracts in addition to other duties that they must perform, in view of the fact that most Members of Congress, perhaps I might say all of us, would have very little, if any, technical knowledge of the subject covered by those contracts?

Mr. MOORE of Pennsylvania. That is a fair question. It was asked by the gentleman from Texas [Mr. EAGLE] a little while ago, and I attempted to answer it then. The answer was this: The public would be better satisfied and Congress would be better satisfied to know that Members appointed by the Vice President and the Speaker had satisfied themselves that the procedure at the War Department was regular. As to the matter of time and the excess of service that some of us think we perform, I stated then, and I repeat, that no Member appointed upon this committee by the Vice President or the Speaker would hesitate one minute about responding to the call of the Secretary of War to look over his lists. There are 435 Members of the House and 96 Members of the Senate——

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent that I may have five minutes more.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. There are 435 Members of the House and 96 Members of the Senate. And every one of them is in direct communication with the American public. More than 100,000 people do their official correspondence with and through these Members of the Senate and the House. We know, just as the gentleman from New York stated in the case that was brought to his attention a little while ago, when some one "read the hearings on him," that the Secretary of War personally can not attend to all the details of his department. We have multiplying evidence of that fact now, with respect to war-risk claims, contracts, and all sorts of business respecting the discharge of soldiers, and things of that kind.

If the Secretary of War relies upon his subordinates and those subordinates in the matter of contracts are men who have had some interest in the contracts or the awarding of contracts, what more reasonable than that he should welcome the cooperation of Members of Congress to look at his lists? There are six thousand six hundred and odd contracts. Yes; it would take a long time to look over that list. But I assume when the Secretary of War calls its first meeting and this Committee on Expenditures should assemble, he would have a list of at least a thousand contracts ready for their approval or their disapproval, and if they observed that contract No. 1 was made by a distinguished firm of builders, that it had been properly audited, that the amounts were accurately stated, it would not take that committee long to say, "Pass that," and "Pass No. 3; pass No. 4. But hold up No. 1102. I have had a communication about that from one of my constituents. A gentleman has complained to me through the House or the Senate in respect to that contract. Lay that aside until we can make an investigation." And it might happen that there would be dozens of such contracts necessitating further examination and inspection for reasons not known to the Secretary.

Gentlemen, never in the history of the world have we entrusted to individuals such power and confidence as have been reposed by Congress in our public officials in this war. And they have done some extraordinary things. Give them credit for that. But we must not let them get it into their heads that Congress does not still exercise its powers and its prerogatives. We are voting away, if we pass this bill, $2,700,000,000. That is a tremendous tax against the people of the United States. Over in a small room across the way we are now discussing the problem of how to cut down the tax bill from $8,000,000,000 to $6,000,000,000, and here you are spending, or proposing to spend, nearly one-half of the latter amount, about which as a tax proposition there is so much complaint.

I do not reflect upon a single officer of the department with respect to this bill, except to say that sometimes they are overconfident and sometimes they have not welcomed that scrutiny which we, if we had been elected by the people, would have welcomed if we had been in their places.

Mr. PURNELL. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. PURNELL. Does not the gentleman think that this committee ought to be composed of high-class expert accountants, who can devote all their time to this business and receive pay for it?

Mr. MOORE of Pennsylvania. My information is that they have all the expert accountants down in the War Department now that the country and the Government affords.

Mr. PURNELL. Well, then, say business men.

Mr. MOORE of Pennsylvania. Then it would mean compensation and delay—the very thing that most of the people have been protesting against. You appoint this congressional committee and let the Secretary lay his cards on the table—that is all he has to do—and if that committee has no information, if no one has made complaint, if there has been no correspondence affecting the contract, if the audit seems clear and plain and just, let the settlement be made. But if there shall be one in a hundred, or two in a hundred, or one in a thousand that savors of crookedness or connivance or favoritism, let it be held up for further information.

Mr. JUUL. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. JUUL. I would like the gentleman to say whether he knows if there is an itemized list, or what is approximately an itemized list, in the possession of any Member of this House as to the number of items, and what they consist of, and their amount?

Mr. MOORE of Pennsylvania. I read the hearings as carefully as I could, and I did not find that any officer of the War Department was prepared to give that list, and I have heard it stated that one of them said it would take as many as 200 clerks quite a long period of time to prepare the list, which seems to justify the suggestion that congressional oversight would do no harm.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. SLOAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Nebraska, as the Chair understands, offers an amendment to perfect the text. The Clerk will report the amendment.

Mr. SLOAN. My amendment is at the desk.

The Clerk read as follows:

Amendment offered by Mr. SLOAN: Page 3, line 3, strike out "twelfth" and insert "eleventh."

Mr. SLOAN. Mr. Chairman, I move to strike out the date, the 12th, which is selected as a focal date here, and insert "eleventh," for the following reasons: First, there was no occasion for any officer of the War Department to enter into any new contracts on the business day of November 11; second, there was no reason why any contractor should impose upon his country, even if the opportunity should present itself for a new contract, after the armistice was signed.

The armistice was signed in the morning of November 11 over there, which was late at night November 10 over here. I read from the Washington Post of November 11—and the Washington Post is a morning paper—this statement:

Germany surrenders. The war is over. The armistice has been signed. It was signed at 5 o'clock this morning, French time. This announcement was made at 2.45 o'clock this morning officially at the State Department.

Now, at that time there is a record, I understand, which shows that the Government had charge of the means of communication, the wires of this country, and there was communication available to every part of this country, and there was no officer in this country but who was reachable at that time, to have stopped further negotiations and entering into new contracts. It seems to me that if we would safeguard the Government's interests and at the same time have due regard for the rights of contractors who were careful in making their contracts, we should change that date from the 12th of November to the 11th.

As I suggested this morning when I was speaking to this question in a general way, the nearer you come to the final time fixed in the bill the closer should be the investigation given to each of these alleged contracts and the greater likelihood there would be that they might be fraught with fraud or irregularity. I do not think we should attempt to validate any contract that was made after the armistice was signed, after an opportunity was given for every official of the War Department and everybody interested to know that fact, and therefore for preparing themselves and protecting themselves against a mistake in the contract or a question of authority.

I want to say in passing at this time that I do not understand that there are many Members of this House who do not desire to pay every obligation honestly entered into by the Government with any contractor. The Government should pay every dollar honestly due, regardless of the formality or informality of these contracts. But I think the American people would be better satisfied if the tribunal that determines their validity, or determines the good faith of these contracts, were some other tribunal than the tribunal named in this bill, and for that reason I heartily agree with the proposition presented by the gentleman from Pennsylvania [Mr. MOORE].

Mr. DENT rose.

The CHAIRMAN. The gentleman from Alabama [Mr. DENT] is recognized. Is the gentleman opposed to the amendment?

Mr. DENT. I am opposed to the amendment.

The CHAIRMAN. The gentleman from Alabama is recognized.

Mr. DENT. Mr. Chairman, I reserved a point of order on this amendment. I am under the impression that this amendment is not germane to the proposition involved here. But I am going to withdraw that reservation and leave it to the House to say whether or not at this particular stage of the game they are willing to say that the War Department shall not settle the contracts that happen not to have been formally and ceremoniously executed when they have the right to settle millions of dollars of contracts that were formally executed; and I ask unanimous consent that all debate on the amendment of the gentleman from Pennsylvania [Mr. MOORE] and the amendment thereto be now concluded.

Mr. GARRETT of Tennessee. Does the gentleman withdraw his point of order?

The CHAIRMAN. The gentleman withdraws his point of order.

Mr. GARRETT of Tennessee. I am very much disposed to renew the point of order. I make the point of order, Mr. Chairman, that the amendment of the gentleman from Pennsylvania is not germane.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. MANN. It is clearly germane, and there is no use in wasting time upon it.

Mr. GARRETT of Tennessee. It goes entirely outside of the machinery of the bill.

Mr. MANN. It provides for the payment of the claims. To say that we can not affect the machinery for the payment of the same claims would put us in a very ridiculous attitude.

The CHAIRMAN. The Chair will hear from the gentleman from Tennessee.

Mr. GARRETT of Tennessee. The only point I make is that it is not germane to the purposes of the bill. It creates machinery that lies outside of the scope of the bill.

This is a bill to authorize the War Department to make settlements, and the amendment proposed by the gentleman from Pennsylvania is to create an entirely different machine for carrying out the purposes of the bill.

That is all I care to say about it, Mr. Chairman.

The CHAIRMAN. The Chair is ready to rule. The bill before the House has for its object the validating and settling of damages arising out of informal contracts made by the War Department. The bill before the House provides that the Secretary of War, or any of his agents or representatives, can adjust and settle these differences. The amendment of the gentleman from Pennsylvania [Mr. MOORE] provides a different method or a different agent or a different tribunal to settle these differences. The Chair believes it is germane to the bill before the House. The Chair does not believe the House is confined to the particular method of settlement of these claims that the committee reports. The Chair believes the amendment is germane proposing another vehicle, and it is for the House to determine which shall be adopted. The Chair overrules the point of order.

The Chair understood the gentleman from Alabama [Mr. DENT] to ask unanimous consent that the debate on this amendment of the gentleman from Pennsylvania [Mr. MOORE] as a substitute and the amendment of the gentleman from Nebraska [Mr. SLOAN] be now closed. Is there objection?

Mr. DILLON. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. DILLON. I have an amendment to perfect the text. I would like to have five minutes upon that.

The CHAIRMAN. The Chair does not think the request submitted would preclude debate on other amendments.

Mr. MANN. It would not. The request was made to close the debate on——

The CHAIRMAN. The Chair understood the request was on the substitute of the gentleman from Pennsylvania and the amendment of the gentleman from Nebraska.

Mr. MANN. The amendment offered would affect the amendment of the gentleman from Pennsylvania.

Mr. DILLON. But not an independent amendment to perfect the text.

Mr. GREEN of Iowa. Mr. Speaker, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GREEN of Iowa. I understood that there was an amendment pending offered by the gentleman from Nebraska [Mr. SLOAN].

The CHAIRMAN. There is an amendment of the gentleman from Nebraska [Mr. SLOAN] pending to perfect the text, to strike out "twelve" and substitute "eleven."

Mr. GREEN of Iowa. And until that is disposed of no other amendment to perfect the text would be in order.

Mr. STAFFORD. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STAFFORD. I assume that after the amendment of the gentleman from Nebraska [Mr. SLOAN] is voted on, then other amendments to perfect the original text would be in order.

The CHAIRMAN. The Chair thinks so. Is there objection to the request of the gentleman from Alabama?

Mr. MANN. Temporarily I will object, because I want to make a statement.

The CHAIRMAN. The gentleman from Illinois objects. The Chair will recognize the gentleman from Illinois.

Mr. MANN. Mr. Chairman, I am not so much interested in the amendment of the gentleman from Nebraska [Mr. SLOAN] as to the date, nor even the amendment of the gentleman from Pennsylvania [Mr. MOORE], which probably could do no great harm, but, in my judgment, would do no great good, because I think the committee that would be appointed would have to act pro forma and leave it to the War Department in the end. Now, what is the situation? We went into the war without preparation, without organization, without soldiers, without guns, without ammunition, without methods of transportation, without an army, or the supplies for an army. Everyone understood that great difficulties confronted us in making an army and providing the materials for the Army. By the solemn declaration of Congress we had pledged the resources of the entire country behind and back of the war. We as a part of the Government, and the Government itself, called upon the people throughout the country to aid in furnishing the necessary supplies and in furnishing the soldiers. We passed the selective-draft law, which eventually provided the soldiers.

But soldiers without equipment are not very valuable in fighting in modern days. We had no method arranged in advance to acquire what was necessary to carry on the war. We pleaded that the people from patriotic motives should practically turn over their factories and their business to aid the Government, and we did not stop with pleading patriotic motives. We conferred upon the President autocratic powers over their establishments, and he exercised those powers in many cases.

The great trouble with the Government in all its dealings is red tape. Red tape is necessary in ordinary times, but the commander in chief of an army has to cut red tape frequently if he wins. The criticism that I would have made of the War Department was not that it was too hasty in obtaining supplies, but that it was too slow to begin with, by reason of the red tape provided by law and by regulations. They finally went in and commenced to get the supplies. They practically said, "Red tape be damned! Get the things for the boys, furnish the guns and the ammunition, furnish the machinery and the transportation, do everything that is necessary to hurry up the Army and finish the war." The sooner the war was over the better for the country. The sooner the war was ended the fewer lives would be lost. These people went to work and urged the people throughout the country to aid in furnishing supplies without formal contracts. If the war had continued until now, these agreements would have been disposed of and formal contracts would have been signed; but almost like a flash out of a clear sky came the sudden ending of the war. Few here or elsewhere thought that it was to be ended so soon. The War Department was at the height of its activity in obtaining supplies. I believe that the dignity of the country requires that we should treat these people in absolute good faith and pay our bills; that we should not take advantage of technicalities when we urged them not to [applause]; that we can not afford to repudiate obligations which we were seeking to incur; that when we asked the people of the country to respond and they did respond, we ought not now to plead the baby act and say, "We have no formal contracts with you." [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska to strike out "twelve" and substitute "eleven."

The question was taken, and the amendment to the amendment was rejected.

Mr. DENT. Mr. Chairman, I ask unanimous consent that all debate on this bill and all amendments thereto be concluded at half past 5.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that debate on the bill and all amendments thereto be closed at 5.30. Is there objection?

Mr. BENSON. Mr. Chairman, I want to ask the gentleman whether I can get five minutes?

Mr. KEARNS. I object.

Mr. DENT. Then, Mr. Chairman, I move that debate on the bill and all amendments thereto be concluded at 5.30 o'clock.

Mr. KEARNS. Mr. Chairman, I have an amendment to offer to the motion.

The CHAIRMAN. The gentleman from Alabama moves that all debate on the bill and amendments thereto close at 5.30.

Mr. KEARNS. I move to amend that motion by substituting 5 o'clock for 5.30.

The CHAIRMAN. The vote will first be taken on the amendment to the motion offered by the gentleman from Ohio.

The question was taken, and the amendment to the motion was agreed to.

The CHAIRMAN. The question now is on the motion of the gentleman from Alabama, as amended, to close debate at 5 o'clock.

The question was taken, and the motion was agreed to.

Mr. NEELY. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 3, line 4, after the word "adjust," strike out the words "pay or discharge" and insert in line 5, after the word "implied," the following: "or pay or discharge any liability or damage arising out of or resulting from such agreement."

Mr. NEELY. Mr. Chairman and gentlemen of the committee, the purpose of the amendment just read, and of additional ones that I shall offer if this one is adopted, is to confer upon the Secretary of War authority to settle claims by paying damages to persons who have been injured by the Government's operations during the recent emergency.

The bill authorizes the Secretary to adjust, pay, or discharge agreements, express or implied, when expenditures have been made or obligations incurred upon the faith of such agreements. It is clear to my mind that this language means that the adjustment may be made when expenditures have been made or obligations incurred by the injured party, and not by the Government itself.

Under the strict construction now being observed by the War Department and the Comptroller of the Treasury, I doubt if the bill in its present form will provide relief in those cases in which the Government has appropriated lands under informal agreements and injured the landowner by the erection of buildings or factories that are now worse than useless. In cases of this kind the Government ought to have the authority to make settlements by paying adequate damages to the owner of the injured land and leaving the same in his possession. Does anyone believe that the War Department will construe this bill as conferring any such authority?

Without amendments, I doubt if the bill reaches cases like the following one, which arises near Fairmont in the district which I have the honor to represent:

Several months ago representatives of the War Department notified Hon. John F. Phillips, of Fairmont, that they purposed taking about 12 acres of his land, situate on the Monongahela River, for war purposes. Mr. Phillips, not wanting to part with his land, offered the Government the use of his whole farm of 200 acres for the duration of the war without cost, but upon condition that after the emergency was past the land should be restored to its former condition. This offer was refused, and the Government's agents fixed the price of the land at $2,000 per acre and directed Mr. Phillips to execute an option to the Government at this price upon pain of having the land condemned. Mr. Phillips complied. The Government wired an acceptance of the option from Washington, took possession of the land, and destroyed its value, so far as the former owner is concerned, by building a number of massive reinforced-concrete foundations thereon. Soon after the armistice was signed the work on the land in question was abandoned. The Government never completed its contract with Mr. Phillips. The latter brought here a deed, properly executed, and tendered it to the War Department's representative on last Monday in my presence. Thereupon the official having the matter in charge simply said, "Mr. Phillips, your agreement is not binding on the Government, because the Government's agents have not signed the same." Personally I know of no language sufficiently vigorous to describe such an intolerable outrage. It is to provide a remedy for such abuses that I have offered the pending amendment, and purpose to offer others, if this one is adopted, to make it effective.

Mr. CALDWELL. Will the gentleman yield?

Mr. NEELY. Yes.

Mr. CALDWELL. Has the gentleman called the attention of the War Department to the act of June 19—the Hay bill?

Mr. NEELY. No; for it would be a waste of time to do so.

Mr. CALDWELL. The Hay bill provided that in case of war the Government could take any property, business, material, or anything else and pay for it, and if it could not agree with the owner it could pay three-quarters and the man could go to the Court of Claims for the balance?

Mr. NEELY. In this case the War Department refuses to pay anything, on the ground that there is no law authorizing payment in the premises.

Mr. CALDWELL. I know; they do not recognize that the Hay bill is law, and perhaps never will.

Mr. NEELY. But that does not help Mr. Phillips, whose land has been seized and its value destroyed.

Mr. GORDON. With whom did the gentleman talk in the War Department?

Mr. NEELY. With Capt. Dykema.

Mr. GORDON. He has no authority to bind the War Department.

Mr. NEELY. As a matter of fact, Capt. Dykema very frankly admitted that he had no authority to pay Mr. Phillips for his land.

The CHAIRMAN. The time of the gentleman from West Virginia has expired. The question is on the amendment offered by the gentleman from West Virginia.

The question was taken, and the amendment was rejected.

Mr. GREEN of Iowa. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 5, line 10, after the word "contracts," strike out the period, insert a semicolon, and add the following: "*And provided further*, That no payment shall be made on any claim made under this act until an affidavit has been filed, made by the officer or agent, if living, who, on behalf of the War Department, made the agreement or arrangement upon which such claim is based, to the effect that the claim was entered into or made without any benefit or advantage to himself and that he is not interested directly or indirectly in whatever may be paid thereon."

Mr. DENT. Mr. Chairman, I reserve the point of order.

Mr. GREEN of Iowa. Mr. Chairman, I do not want to take up the time to discuss the amendment if it is not in order. It seems to me so clearly in order that I do not care to argue it.

The CHAIRMAN. The gentleman will state the point of order.

Mr. DENT. I will withdraw the point of order.

Mr. GREEN of Iowa. Mr. Chairman, I do not know how anyone who desires that only fair and honest claims shall be paid can object to this amendment. The gentleman from New York [Mr. CALDWELL], it seems from the hearings as read by my colleague [Mr. TOWNER], stated that it was rumored around the lobbies that certain gentlemen were making contracts on behalf of the War Department with their former employers. I will put it much stronger. I know that parties were here making contracts with their former employers. Now, I want to know, this House ought to know, and the country wants to know whether these gentlemen have any interest in these contracts that they have been making. We ought to have known this before any of these contracts were made. We should know it now before any payments are made on them. Gentlemen have objected to criticisms of the War Department in this connection. How is it possible to discuss this question fairly and not make some criticism of the War Department? Nearly all of these contracts date back some six months before the armistice was entered into, and yet gentlemen say the execution of the armistice was the reason why these contracts are not validated. The real reason is that the War Department was paying no attention to the law.

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. KAHN. I just want to ask the gentleman how those officers who are now dead can make the affidavits?

Mr. GREEN of Iowa. I have provided for that in my amendment. Unless the agent is alive the affidavit is not required.

Mr. ELSTON. Will it be necessary before any contract can be validated to have it shown affirmatively that the agent who made it for the Government is living? Suppose he is out of the employ of the Government and can not be found.

Mr. GREEN of Iowa. The gentleman has not listened carefully to the reading of my amendment. It simply provides if the man is living he shall make the affidavit.

Mr. ELSTON. That it must appear affirmatively that he is not dead. Suppose he is crazy or that he has left the Government's employ and can not be located. They have to have that information before the money can be paid.

Mr. GREEN of Iowa. Oh, the gentleman could abrogate almost any law we have with reference to the making of affidavits of lack of interest in the contracts Government agents make on that theory.

Mr. TILSON. Suppose he is in Siberia?

Mr. GREEN of Iowa. Yes; and suppose the sun does not rise to-morrow. The point is that the War Department knows where these men are who have been in the service. This objection of the gentleman from California [Mr. ELSTON] is purely fanciful. If gentlemen want contracts to go through where they know men have been making contracts with their former employers, without an affidavit saying that they are not interested in the contracts, let them say so fairly and squarely. Any Member who has been paying any attention to the letting of these contracts knows that this has been going on. Is it possible that Members care nothing about it?

Mr. McKENZIE. Will the gentleman yield?

Mr. GREEN of Iowa. I will.

Mr. McKENZIE. On the point of the practicability of the gentleman's amendment, if an officer was crooked enough to take graft in one of these contracts, does the gentleman think he would hesitate to make an affidavit that he did not?

Mr. GREEN of Iowa. Does not the gentleman know that his argument would apply against any restriction we have in the statute? We have a number of important restrictions in the law as it stands. Would the gentleman repeal them? This bill has been offered to get around parts of them. It is not necessary we should avoid that part of it. These claims can be paid without any trouble upon these affidavits being made. There will be no difficulty in locating the agents nor, as far as the Army officers are concerned, in obtaining the affidavits, but how some of these men, who were still being paid their salary by their former employers, could make the affidavits is another question in which the country is very much interested.

Mr. NORTON. Mr. Chairman——

The CHAIRMAN. Is the gentleman opposed to the amendment?

Mr. NORTON. Yes.

The CHAIRMAN. The Chair recognizes the gentleman from North Dakota until 5 o'clock.

Mr. NORTON. Mr. Chairman, this amendment provides that no contract or agreement shall be paid until an affidavit is made up the time to discuss the amendment if it is not in order. It seems to me so clearly in order that I do not care to argue it. to the effect that the party who made the contract or entered into the agreement verbally or informally for the Government is not in any way interested personally in the payments to be made under the contract and is not to receive or be the beneficiary of any part of the sum paid by the Government on account of the contract.

Now, it seems to me that in this proposed legislation there should be some clear and well-defined provision for having a careful examination and check made of all these informal and irregular contracts which we are providing for to be settled and paid. This careful examination and check should be made by disinterested persons who are in no way under obligations to the War Department and who have not been parties to any of the carelessness and extravagances of the War Department during the war.

The gentleman from Pennsylvania [Mr. MOORE] proposes a disinterested check upon these contracts in his amendment now pending before this committee, which amendment provides that before payment shall be made on these irregular and hastily made contracts they shall be approved by a committee composed of the Secretary of War, the Attorney General, two Members of the Senate, and four Members of the House. Notwithstanding the fact that there is a general and widespread feeling throughout the country that many of these claims should be more carefully examined into and more carefully checked up than they are likely to be by the Secretary of War or his representatives, I fear the influence of several thousand war contractors, whose greed for big and easy war profits is yet unsatisfied, will result in having the settlement of these claims placed in the hands of those who will be likely to give the least attention and consideration to the interest of the Government in the settlements and payments to be made.

I listened with a great deal of interest to the very eloquent and pleasing argument made by the gentleman from Illinois [Mr. MANN], telling of the wonderful accomplishments of the big business interests of the country since the beginning of the war and urging that the payment of these claims be left in the generous hands of the Secretary of War. An argument in favor of open-handed generosity and liberality always appeals strongly to expectant beneficiaries and their friends. Such an argument will always find ready response in the hearts of those who have war contracts with the Government.

While I agree entirely with what the gentleman from Illinois has said in regard to our unpreparedness at the time we entered the war, and while I agree with him that governmental red-tape rules and regulations must be and should be cut in war times, I do not believe that the urgent need of the Government in time of war for war supplies justifies administrative officers of the War Department in paying wholly outrageous and exorbitant prices for supplies furnished to or work done for the Government, nor do I believe such need justifies or excuses administrative officers of the Government in wildly and hysterically spending and wasting millions of dollars of the money of the taxpayers of the country on carelessly considered and impractical projects. I have not been able to learn from anyone acquainted with payments that have been made by the Government on its war contracts that the business interests that have performed these contracts have done so at any loss or at any great business sacrifice. On the contrary, the thing that I have invariably heard from those having these contracts was that there were large, fat, and easy profits in them. The unbridled extravagances in expenditure of the Government's money during the war by the War Department, the Ship Building Corporation, and the Housing Bureau is to-day the common talk of thousands of the employees of these departments of the Government. The time should come, and I trust that the time will come, when the executive and administrative officials responsible for allowing and sanctioning these wild and extravagant expenditures will be held to an accounting by the taxpayers of the country.

In the light of the liberality and abandon with which the Secretary of War has allowed the money of the Government to be spent on regular and formal contracts is it at all surprising that there is a well-grounded general public feeling that if the settlement and payment of these claims growing out of irregular and informal contracts is left entirely with the Secretary of War his generosity and openhandness in the matter of expenditure of public funds will be such as to require the Government to pay millions of dollars more on these claims than in all fairness and justice to all parties concerned should be paid on them? It is well time to call a summary halt on the careless abandon with which administrative officers of the Government are permitting funds of the Government to be paid out in order to make of themselves good fellows with the trade and business interests of the country. If the House does not have the good sense and judgment to provide for a check outside of the War Department upon the settlement and payment of these claims, I trust that such will be done before this measure finally passes the other branch of the Congress.

The CHAIRMAN. The time of the gentleman has expired; all time under order of the committee has expired. The question is on the amendment offered by the gentleman from Iowa [Mr. GREEN].

The question was taken, and the amendment was rejected.

The CHAIRMAN. Under order of the committee no further debate is in order; amendments are in order. The Chair will recognize gentlemen having amendments to offer to perfect the text before a vote is taken on the substitute offered by the gentleman from Pennsylvania.

Mr. BENSON. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BENSON: Page 3, line 18, after the word "law," strike out, beginning with the word "*Provided*," down to and including the word "Secretary," in line 25.

Mr. GORDON. Mr. Chairman, can we have the matter stricken out reported?

The CHAIRMAN. Without objection, the Clerk will report the part of the bill stricken out.

The Clerk read as follows:

Page 3, line 18, after the word "law," strike out the following language:

"*Provided*, That payment under such agreement shall not exceed the fair value of the property transferred or delivered and accepted by the United States, as determined by the Secretary of War, and where no property has been transferred, delivered, or accepted payment shall not be in excess of the actual cost incurred in preparation for performance, as such cost is determined by said Secretary.

The question was taken, and the amendment was rejected.

Mr. WOOD of Indiana. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. WOOD of Indiana: Page 3, line 20, before the word "transferred" insert "taken"; also, before the word "transferred" in line 22 insert the word "taken."

The question was taken, and the amendment was rejected.

Mr. CALDWELL. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. CALDWELL: Page 3, line 20, after the words "United States" insert "and in addition a payment not in excess of the actual cost, as such cost is determined by the said Secretary, incurred in preparation for performance of said agreement and the actual outlay incident to cancellation and not included in the cost of articles."

The question was taken, and the amendment was rejected.

Mr. FESS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. FESS: Page 4, line 2, before the word "after" prefix the word "filed."

Mr. FESS. So it will read——

The CHAIRMAN. Without objection, the Clerk will report the language as amended.

The Clerk read as follows:

So as amended the lines will read:

"*Provided further*, That this act shall not authorize payment to be made of any claim under such agreement filed after June 30, 1919."

The question was taken, and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. FESS) there were—ayes 56, noes 76.

So the amendment was rejected.

Mr. FESS. Mr. Speaker, I ask for a division.

The CHAIRMAN. The gentleman from Ohio asks for a division.

The committee divided; and there were—ayes 56, noes 74.

So the amendment was rejected.

Mr. GORDON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GORDON: Page 5, line 10, at the end of line 10, insert the following:

"*And provided further*, That before the payment of any claim authorized to be settled by the terms of this bill, the Attorney General of the United States shall certify thereon that the amount allowed is authorized by the provisions of this enactment."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. LAGUARDIA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 4, line 2, after the word "nineteen," insert:

"*And provided further*, That this act shall not authorize payments to be made of any claim under such agreements for aircraft production, including motors and aircraft supplies."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. LAGUARDIA. Division, Mr. Chairman.

The committee divided; and there were—ayes 32, noes 83.

So the amendment was rejected.

Mr. GOOD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GOOD: Page 3, line 23, after the word "Secretary," add the following:

"*And provided further*, That this act shall not apply to any agreement which in the opinion of the Secretary of War was entered into through misrepresentation or fraud or where the price agreed upon was unreasonable."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chairman announced that it was in doubt.

Accordingly the committee divided; and there were—ayes 56, noes 76.

So the amendment was rejected.

Mr. LAGUARDIA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 3, lines 4 and 5, after the word "express," strike out the words "or implied" and insert "or provable at common law under the statute of frauds."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. DILLON. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from South Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DILLON: Page 3, lines 10 and 11, after the word "corporation," strike out the words "for the acquisition of lands, or the use thereof" and insert in lieu thereof the words "for the use of any lands."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. DILLON. Mr. Chairman, I offer a second amendment.

The CHAIRMAN. The gentleman from South Dakota offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DILLON: Page 3, line 25, after the word "Secretary" insert "and that no adjustment or payment shall include prospective or possible profits on any part of the contract beyond the goods and supplies received and actually delivered to the United States."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. STAFFORD. Mr. Chairman, I offer an amendment to give the committee an opportunity to have it railroaded.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 3, line 5, after the word "value," insert "after deducting all claims the Government has against the claimant."

Mr. STAFFORD. So that the phraseology will read——

The Clerk read as follows:

So that the line as amended will read:

"That the Secretary of War be, and he is hereby, authorized to adjust, pay, or discharge any agreement, express or implied, upon the basis of reasonable value after deducting all claims the Government has against the claimant."

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question now recurs on the substitute of the gentleman from Pennsylvania [Mr. MOORE].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. MOORE of Pennsylvania. Division, Mr. Chairman.

The committee divided; and there were—ayes 60, noes 104.

So the substitute was rejected.

Mr. FESS. Mr. Chairman, I would like to offer an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

Mr. CALDWELL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CALDWELL. Is an amendment in order now?

The CHAIRMAN. The Chair can not tell until the amendment is read.

Mr. CALDWELL. I mean now that the motion to substitute has been passed and voted on?

The CHAIRMAN. The Chair can not tell until the amendment shall have been read. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. FESS: Page 4, line 2, strike out the word "after" and insert in lieu thereof the words "not filed prior to."

Mr. FESS. So that it will read——

The Clerk read as follows:

So that, as amended, the line will read:

"*Provided further*, That this act shall not authorize payment to be made under such agreements not filed prior to June 30, 1919."

Mr. GARRETT of Tennessee. Mr. Chairman, I make a point of order on that. I do not care to insist on it. It was voted on only a few minutes ago. It was exactly the same thing.

Mr. FESS. The other one was affirmative and this is negative.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. SANDERS of Indiana. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SANDERS of Indiana: Page 5, at the end of section 1, insert a new section, as follows:

"SEC. 2. If the person, firm, or corporation to whom funds shall be payable under the terms of this act shall be in bankruptcy, in receivership, or an assignment shall have been made for the benefit of the creditors of such person, firm, or corporation, then in such event the amount due any subcontractor, laborer, or material man on account of the carrying out of said contract shall become preferred claims over all other claims in the hands of any such trustee or assignee to whom the funds shall be paid."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. DENT. Mr. Chairman, I move that——

The CHAIRMAN. The committee amendment is not yet adopted.

Mr. STAFFORD. Mr. Chairman, I move to strike out, on page 5, from the last proviso, the following phraseology, found in lines 7, 8, and 9, "and printed in the CONGRESSIONAL RECORD or in the Official Bulletin or as a public document," so that the language will read:

Provided further, That the names of such contractors and the amount of such partial or final settlements shall be filed with the Clerk of the House for the information of Congress 10 days before confirmation and payment is authorized upon such contracts.

The CHAIRMAN. The Chair will not have the Clerk again read it. The question is on agreeing to the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question now is on agreeing to the committee amendment striking out all after the enacting clause of the bill as introduced and substituting therefor the committee amendment as amended.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. Under the order of the House providing for the consideration of this bill, the committee will now rise.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CRISP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, and had directed him to report the same back with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is, Shall the bill pass?

The question was taken, and the Speaker announced that the "ayes" seemed to have it.

Mr. KING. Mr. Speaker, I demand a roll call.

The SPEAKER. A roll call is demanded. Those in favor of taking this vote by yeas and nays will rise and stand until they are counted. [After counting.] Twenty-five gentlemen have arisen—not a sufficient number.

Mr. NORTON. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. KING. I raise the point of no quorum.

The SPEAKER. The Chair will count. [After counting.] Two hundred and ten gentlemen present, not a quorum. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll. Those in favor of passing this bill will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 270, nays 30, answered "present" 3, not voting 127, as follows:

YEAS—270.

Alexander	Candler, Miss.	Davis	Fisher
Anderson	Cannon	Dempsey	Focht
Anthony	Cantrill	Dent	Fordney
Aswell	Carlin	Denton	Foss
Ayres	Carter, Okla.	Dickinson	Foster
Bacharach	Cary	Dies	Frear
Bankhead	Chandler, Okla.	Dill	French
Barkley	Church	Dixon	Fuller, Ill.
Barnhart	Clark, Pa.	Dominick	Gallagher
Beakes	Classon	Donovan	Gallivan
Bell	Cleary	Doremus	Gandy
Benson	Coady	Doughton	Gard
Beshlin	Collier	Drukker	Garner
Birch	Connally, Tex.	Dunn	Garrett, Tenn.
Black	Connelly, Kans.	Dupré	Garrett, Tex.
Bland, Ind.	Cooper, Ohio	Eagan	Gillett
Bland, Va.	Cooper, W. Va.	Eagle	Glynn
Blanton	Copley	Edmonds	Goodwin, Ark.
Booher	Crago	Elliott	Gordon
Brodbeck	Cramton	Ellsworth	Gray, Ala.
Browning	Crisp	Elston	Greene, Mass.
Buchanan	Crosser	Emerson	Greene, Vt.
Burnett	Currie, Mich.	Esch	Griest
Burroughs	Curry, Cal.	Fairfield	Hadley
Byrnes, S. C.	Dallinger	Farr	Hamilton, Mich.
Byrns, Tenn.	Darrow	Fess	Harrison, Va.
Caldwell	Davey	Fields	Haskell
Hastings	McFadden	Pou	Stiness
Hayden	McKenzie	Powers	Strong
Hayes	McKeown	Purnell	Summers
Heflin	McLaughlin, Pa.	Quin	Sweet
Hensley	McLemore	Rainey, H. T.	Tague
Hersey	Madden	Rainey, J. W.	Taylor, Ark.
Hicks	Magee	Raker	Taylor, Colo.
Hollingsworth	Mann	Ramsey	Temple
Houston	Mansfield	Randall	Thomas
Hull, Iowa	Mapes	Rayburn	Thompson
Hull, Tenn.	Martin	Reed	Tillman
Humphreys	Merritt	Riordan	Tilson
Igoe	Miller, Wash.	Robbins	Timberlake
Jacoway	Mondell	Rodenberg	Treadway
Johnson, Wash.	Montague	Rogers	Venable
Jones	Moon	Romjue	Vestal
Juul	Moore, Pa.	Rose	Vinson
Kahn	Moores, Ind.	Rouse	Volgt
Keating	Morgan	Rowe	Volstead
Kehoe	Mott	Ruhey	Watson
Kelley, Mich.	Mudd	Sabath	Ward
Kelly, Pa.	Neely	Sanders, Ind.	Wason
Kennedy, Iowa	Nelson, A. P.	Sanders, La.	Watkins
Kettner	Nelson, J. M.	Sanders, N. Y.	Watson, Pa.
Kincheloe	Nicholls, S. C.	Sanford	Weaver
Kinkaid	Nolan	Scott, Mich.	Welling
Kitchin	Oldfield	Shallenberger	Welty
La Follette	Oliver, Ala.	Sherley	Wheeler
Lampert	Olney	Sherwood	White, Me.
Larsen	Osborne	Shouse	White, Ohio
Lazaro	O'Shaunessy	Siegel	Wilson, Ill.
Lee, Ga.	Overmyer	Sinnott	Wilson, La.
Lesher	Overstreet	Small	Wilson, Tex.
Lever	Padgett	Smith, Idaho	Wingo
Lobeck	Paige	Snell	Winslow
Lonergan	Parker, N. J.	Snook	Wood, Ind.
Longworth	Peters	Snyder	Wright
Lufkin	Phelan	Stafford	Young, Tex.
Lunn	Platt	Steagall	Zihlman
McAndrews	Polk	Stedman	
McCulloch	Porter	Stevenson	

NAYS—30.

Almon	Green, Iowa	LaGuardia	Sloan
Baer	Hawley	Little	Steenerson
Campbell, Kans.	Hillard	Lundeen	Stephens, Miss.
Denison	Hnddleston	Norton	Towner
Dillon	James	Ramseyer	Williams
Dowell	King	Rankin	Woodyard
Fairchild, B. L.	Knutson	Sells	
Good	Kraus	Sisson	

ANSWERED "PRESENT"—3.

Flood	Kearns	London

NOT VOTING—127.

Ashbrook	Ferris	Kennedy, R. I.	Saunders, Va.
Austin	Flynn	Key, Ohio	Schall
Blackmon	Francis	Kiess, Pa.	Scott, Iowa
Borland	Freeman	Kreider	Scully
Bowers	Fuller, Mass.	Langley	Sears
Brand	Garland	Lea, Cal.	Shackleford
Britten	Godwin, N. C.	Lehlbach	Sims
Browne	Goodall	Linthicum	Slayden
Brumbaugh	Gould	Littlepage	Slemp
Butler	Graham, Ill.	McArthur	Smith, Mich.
Campbell, Pa.	Graham, Pa.	McClintic	Smith, C. H.
Caraway	Gray, N. J.	McCormick	Smith, T. F.
Carew	Gregg	McKinley	Steele
Carter, Mass.	Griffin	McLaughlin, Mich.	Stephens, Nebr.
Chandler, N. Y.	Hamill	Maher	Sterling
Clark, Fla.	Hamilton, N. Y.	Mason	Sullivan
Claypool	Hamlin	Mays	Swift
Cooper, Wis.	Hardy	Miller, Minn.	Switzer
Costello	Harrison, Miss.	Morin	Templeton
Cox	Haugen	Nichols, Mich.	Tinkham
Dale	Heaton	Oliver, N. Y.	Van Dyke
Decker	Heintz	Park	Vare
Delaney	Helm	Parker, N. Y.	Waldow
Dewalt	Helvering	Pratt	Walker
Dooling	Holland	Price	Walsh
Doolittle	Hood	Ragsdale	Watson, Va.
Drane	Howard	Reavis	Webb
Dyer	Husted	Roberts	Whaley
Esson	Hutchinson	Robinson	Wise
Estopinal	Ireland	Rowland	Woods, Iowa
Evans	Johnson, Ky.	Rucker	Young, N. Dak.
Fairchild, G. W.	Johnson, S. Dak.	Russell	

So the bill was passed.

The following pairs were announced:

Until further notice:

Mr. SIMS with Mr. HAMILTON of New York.

Mr. HOLLAND with Mr. KENNEDY of Rhode Island.

Mr. FLOOD with Mr. WATSON of Virginia.

Mr. SEARS with Mr. COOPER of Wisconsin.

Mr. SLAYDEN with Mr. MCKINLEY.

Mr. SAUNDERS of Virginia with Mr. WALSH.

Mr. BRUMBAUGH with Mr. COSTELLO.

Mr. HELM with Mr. KIESS of Pennsylvania.

Mr. SULLIVAN with Mr. GOODALL.

Mr. HARRISON of Mississippi with Mr. REAVIS.

Mr. CARAWAY with Mr. BROWNE.

Mr. RAGSDALE with Mr. TINKHAM.

Mr. BLACKMON with Mr. LEHLBACH.

Mr. SCULLY with Mr. MILLER of Minnesota.

Mr. DOOLITTLE with Mr. AUSTIN.

Mr. STEELE with Mr. BUTLER.

Mr. BRAND with Mr. GEORGE W. FAIRCHILD.
Mr. FERRIS with Mr. LANGLEY.
Mr. CLARK of Florida with Mr. HUSTED.
Mr. McCLINTIC with Mr. McARTHUR.
Mr. PARK with Mr. SWIFT.
Mr. THOMAS F. SMITH with Mr. BRITTEN.
Mr. DOOLING with Mr. GARLAND.
Mr. CAREY with Mr. MASON.
Mr. HASELL with Mr. HUTCHINSON.
Mr. ESTOPINAL with Mr. NICHOLS of Michigan.
Mr. PRICE with Mr. DALE.

Mr. EAGAN. Mr. Speaker, my colleague, Mr. SCULLY, has authorized me to say that he was unavoidably absent, but if present he would vote for the bill.

Mr. SIEGEL. Mr. Speaker, my colleague, Mr. GOULD, was called out of the city. If present he would vote "aye."

The result of the vote was announced as above recorded.

On motion of Mr. DENT a motion to reconsider the vote whereby the bill was passed was laid on the table.

HOUR OF MEETING TO-MORROW.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?

Mr. MANN. Will the consideration of the river and harbor bill be resumed?

Mr. KITCHIN. Yes.

EXTENSION OF REMARKS.

Mr. ELSTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DENT. Mr. Speaker, I ask unanimous consent that all Members who have spoken on the bill have five legislative days in which to extend their remarks on the contract bill.

The SPEAKER. The gentleman from Alabama asks unanimous consent that all those Members who have spoken on the bill have five legislative days in which to extend their remarks. Is there objection?

Mr. MANN. I object.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 50 minutes p. m.) the House, under its previous order, adjourned until to-morrow, Friday, January 10, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting a letter from the Chief of Engineers of the United States Army submitting a statement showing the name of each civilian engineer employed between July 1, 1917, and June 30, 1918, in work of improving rivers and harbors (H. Doc. No. 1067), was taken from the Speaker's table, referred to the Committee on Rivers and Harbors, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. GANDY, from the Committee on the Public Lands, to which was referred the bill (S. 3797) validating certain applications for and entries of public lands, and for other purposes, reported the same with amendment, accompanied by a report (No. 904), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GORDON, from the Committee on Military Affairs, to which was referred the bill (H. R. 13440) transferring jurisdiction and control over Battle Mountain Sanitarium of the National Home for Disabled Volunteer Soldiers from the Board of Managers of the National Home for Disabled Volunteer Soldiers to the Secretary of War for use for Army hospital purposes for the period covered by the exigencies growing out of the present war, reported the same without amendment, accompanied by a report (No. 903), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GRAY of Alabama: A bill (H. R. 13884) authorizing the Secretary of War to donate to the county of Washington, Ala., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13885) authorizing the Secretary of War to donate to the county of Marengo, Ala., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13886) authorizing the Secretary of War to donate to the county of Choctaw, Ala., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13887) authorizing the Secretary of War to donate to the county of Clark, Ala., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13888) authorizing the Secretary of War to donate to the county of Monroe, Ala., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13889) authorizing the Secretary of War to donate to the city of Mobile, Ala., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. CRAMTON: A bill (H. R. 13890) authorizing the Secretary of War to donate to the town of Capac, Mich., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. BENSON: A bill (H. R. 13891) for the relief of commissioned officers and enlisted men of the Army recommended for promotion; to the Committee on Military Affairs.

By Mr. FULLER of Illinois: A bill (H. R. 13892) to amend and repeal certain provisions of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 13893) to repeal title 7 of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 13894) authorizing the Secretary of War to donate to the city of Sandwich, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13895) authorizing the Secretary of War to donate to the village of Kirkland, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13896) authorizing the Secretary of War to donate to the city of Rockford, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CANTRILL: A bill (H. R. 13897) authorizing the Secretary of War to donate to the city of La Grange, Ky., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WARD: A bill (H. R. 13898) authorizing the Secretary of War to donate to the town of Catskill, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13899) authorizing the Secretary of War to donate to the town of Cobleskill, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13900) authorizing the Secretary of War to donate to the town of Saugerties, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13901) authorizing the Secretary of War to donate to the town of Liberty, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13902) authorizing the Secretary of War to donate to the city of Hudson, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13903) authorizing the Secretary of War to donate to the city of Kingston, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 13904) to expel and exclude from the United States aliens who, to escape military service, have withdrawn their declaration of intention to become citizens; to the Committee on Immigration and Naturalization.

By Mr. SMITH of Idaho: A bill (H. R. 13905) to provide for the erection of a Federal building at Blackfoot, Idaho; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 13906) to donate a captured German cannon or gun to the cities of Boise, Twin Falls, Pocatello, Idaho Falls, Blackfoot, St. Anthony, Montpelier, Hailey, Buhl, and Burley, in the State of Idaho; to the Committee on Military Affairs.

By Mr. POU: A bill (H. R. 13907) authorizing the Secretary of War to donate to the town of Smithfield, Johnson County, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CLARK of Missouri: A bill (H. R. 13908) authorizing the Secretary of War to donate to the town of Bowling Green, Mo., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SCHALL: A bill (H. R. 13909) to provide for a motto upon silver dollars coined; to the Committee on Coinage, Weights, and Measures.

By Mr. SIEGEL: A bill (H. R. 13910) regulating the salaries of Army field clerks; to the Committee on Military Affairs.

By Mr. CLARK of Florida: A bill (H. R. 13911) providing for the transfer of a portion of the old public-building site at Baltimore, Md.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 13912) authorizing the Secretary of the Treasury to accept a correctionary deed for land of new post office at New York, N. Y.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 13913) providing for the sale of abandoned customs boarding stations, New Orleans, La.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 13914) providing for the purchase of certain land in the District of Columbia; to the Committee on Public Buildings and Grounds.

By Mr. DILL: A bill (H. R. 13915) granting the consent of Congress to Wenatchee-Beebe Orchard Co. to construct a bridge across the Columbia River at or within 4 miles northerly from the town of Chelan Falls, in the State of Washington; to the Committee on Interstate and Foreign Commerce.

By Mr. SNOOK: A bill (H. R. 13916) authorizing the Secretary of War to donate to the village of Fayette, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13917) authorizing the Secretary of War to donate to the village of Fort Jennings, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MARTIN: A bill (H. R. 13918) authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to designated cities; to the Committee on Military Affairs.

By Mr. BURROUGHS: A bill (H. R. 13919) authorizing the Secretary of War to donate to the town of Sandwich, N. H., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13920) authorizing the Secretary of War to donate to the town of Manchester, N. H., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DALE: A bill (H. R. 13921) donating two captured German cannon or field guns and carriages to the Bellows Falls Company of Vermont State Militia for ornamental purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 13922) donating a captured German cannon or field gun and carriage to the village of St. Johnsbury, Vt., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 13923) donating a captured German cannon or field gun and carriage to the village of Newfane, Vt., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 13924) donating a captured German cannon or field gun and carriage to the village of Island Pond, Vt., for decorative purposes; to the Committee on Military Affairs.

By Mr. JONES: A bill (H. R. 13925) authorizing the Secretary of War to donate to the town of Crowell, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13926) authorizing the Secretary of War to donate to the town of Tahoka, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13927) authorizing the Secretary of War to donate to the town of Post City, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13928) authorizing the Secretary of War to donate to the town of Dalhart, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13929) authorizing the Secretary of War to donate to the town of Crosbyton, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13930) authorizing the Secretary of War to donate to the town of Floydada, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13931) authorizing the Secretary of War to donate to the town of Lamesa, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13932) authorizing the Secretary of War to donate to the town of Haskell, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13933) authorizing the Secretary of War to donate to the town of Paducah, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WALSH: A joint resolution (H. J. Res. 382) directing the United States Coast Guard to resume its operations under the Treasury Department; to the Committee on Interstate and Foreign Commerce.

By Mr. SHERLEY: Resolution (H. Res. 499) for the consideration of H. R. 13708; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEAKES: A bill (H. R. 13934) granting a pension to Sabina McCaughen; to the Committee on Invalid Pensions.

By Mr. CAMPBELL of Kansas: A bill (H. R. 13935) granting an increase of pension to Frank West; to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 13936) granting an increase of pension to Richard Trist; to the Committee on Invalid Pensions.

By Mr. CRAMTON: A bill (H. R. 13937) granting an increase of pension to John Van Etton; to the Committee on Invalid Pensions.

By Mr. DALE: A bill (H. R. 13938) granting an increase of pension to George H. Bishop; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13939) granting a pension to Catherine Celley; to the Committee on Invalid Pensions.

By Mr. DRUKKER: A bill (H. R. 13940) granting an increase of pension to John H. Doremus; to the Committee on Pensions.

By Mr. JOHNSON of Washington: A bill (H. R. 13941) granting an increase of pension to Albert M. Kenyon; to the Committee on Invalid Pensions.

By Mr. McARTHUR: A bill (H. R. 13942) granting a pension to Henry Houghton; to the Committee on Pensions.

By Mr. SELLS: A bill (H. R. 13943) granting an increase of pension to William Edwards; to the Committee on Pensions.

By Mr. SNOOK: A bill (H. R. 13944) granting a pension to Chancey Worline; to the Committee on Invalid Pensions.

By Mr. SCULLY: Joint resolution (H. J. Res. 381) to enable prompt liquidation of claims for damages to persons and property occasioned by an explosion or explosions at the plant of the T. A. Gillispie Loading Co., at Morgan, N. J.; to the Committee on Appropriations.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Petition of The William Rahr Sons Co., of Manitowoc, Wis., relating to Senate bill 5234; to the Committee on Ways and Means.

Also, resolutions by executive committee and legislative committee of Wisconsin Teachers' Association, indorsing Senate bill 4987; to the Committee on Education.

By Mr. EMERSON: Resolutions of the Cleveland Independent Aid Society, protesting against the admission of nations to the league of nations that do not protect all their citizens; to the Committee on Foreign Affairs.

By Mr. GRIFFIN: Resolutions of Bronx Congress, 914 Prospect Avenue, New York City, favoring Britten resolution (H. Res. 485) creating peace conference, Versailles, France; to the Committee on Foreign Affairs.

By Mr. JOHNSON of Washington: Resolutions of the California Redwood Association, San Francisco, Cal., favoring the restoration to the Interstate Commerce Commission of its powers which were suspended by the Federal control act of March 21, 1918; to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Western Pine Manufacturers' Association, Portland, Oreg., favoring the restoration to the Interstate Commerce Commission of its powers which were suspended by the Federal control act of March 21, 1918; to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Traffic and Transportation Association of Portland, Oreg., favoring the restoration to the Interstate Commerce Commission of its powers which were suspended by the Federal control act of March 21, 1918; to the Committee on Interstate and Foreign Commerce.

Also, resolutions of West Coast Lumberman's Association, Seattle, Wash., favoring the restoration to the Interstate Commerce Commission of its powers which were suspended by the

Federal control act of March 21, 1918; to the Committee on Interstate and Foreign Commerce.

By Mr. NOLAN: Petitions and resolutions by the California Redwood Association, of San Francisco, Cal., favoring Senate bill 5020, to revive and restore to the Interstate Commerce Commission powers taken away or suspended by Federal control act of March 21, 1918; to the Committee on Interstate and Foreign Commerce.

Also, resolutions by the Federal Employees' Union, No. 76, Vallejo, Cal., favoring Government ownership of the railway systems of the country; to the Committee on Interstate and Foreign Commerce.

By Mr. VARE: Resolutions of Philadelphia Maritime Exchange, favoring legislation relating to the validation of informal war contracts; to the Committee on Military Affairs.

Also, resolutions of the Trustees Fairmount Park Art Association, Philadelphia, favoring completion of Government housing projects; to the Committee on Public Buildings and Grounds.

Also, resolutions of the Pennsylvania Manufacturers' Association of Philadelphia, favoring legislation relating to the validation of informal war contracts; to the Committee on Military Affairs.

HOUSE OF REPRESENTATIVES.

FRIDAY, *January 10, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, lead us we pray Thee, by Thy spirit through this day; that in thought, word, and deed we may make dominant all that is purest, noblest, best in our being; and thus reflect Thy glory round about us; after the similitude of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 79. An act for the sale of isolated tracts of the public domain in Minnesota; and

H. R. 9895. An act to authorize the sale of certain lands to school district No. 28 of Missoula County, Mont.

The message also announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 208. Joint resolution providing that one term of the United States district court for the eastern district of Oklahoma shall be held annually at Hugo, Okla.

The message also announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 3220) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat, to determine the practicability of their utilization as a fuel and in producting commercial products, had requested a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HENDERSON, Mr. WALSH, and Mr. POINDEXTER as the conferees on the part of the Senate.

The message also announced that the Senate had passed the following concurrent resolution, in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 28.

Resolved, by the Senate (the House of Representatives concurring), That Sunday, the 9th day of February, 1919, be set aside as the day upon which there shall be held a joint session of the Senate and the House of Representatives for appropriate exercises in commemoration of the life, character, and public service of the late Theodore Roosevelt, former President of the United States, Vice President of the United States, and President of the Senate.

That a joint committee, to consist of five Senators and seven Members of the House of Representatives, to be appointed by the Vice President and the Speaker of the House of Representatives, respectively, shall be named, with full power to make all arrangements and publish a suitable program for the joint session of Congress herein authorized, and to issue the invitations hereinafter mentioned.

That invitations shall be extended to the President of the United States, the members of the Cabinet, the Chief Justice and Associate Justices of the Supreme Court of the United States, and such other invitations shall be issued as to the said committee shall seem best.

That all expenses incurred by the committee in the execution of the provisions of this resolution shall be paid, one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 1423. An act for the relief of Alexander F. McCollam;

H. R. 8444. An act for the relief of Ira G. Kilpatrick and Guy D. Dill; and

H. R. 12194. An act to provide for the award of medals of honor, distinguished-service medals, and Navy crosses, and for other purposes.

The message also announced that the Vice President had appointed Mr. WEEKS and Mr. HOLLIS members of the Joint Select Committee on the part of the Senate, as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Treasury Department.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, Senate joint resolution of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. J. Res. 208. Joint resolution providing that one term of the United States district court for the eastern judicial district of Oklahoma shall be held annually at Hugo, Okla.; to the Committee on the Judiciary.

MEMORIAL EXERCISES FOR THE LATE EX-PRESIDENT ROOSEVELT.

Mr. MANN. Mr. Speaker, I ask unanimous consent for the present consideration of Senate concurrent resolution 28, which has just come over, which I ask that the Clerk report.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Senate concurrent resolution 28.

Resolved by the Senate (the House of Representatives concurring), That Sunday, the 9th day of February, 1919, be set aside as the day upon which there shall be held a joint session of the Senate and the House of Representatives for appropriate exercises in commemoration of the life, character, and public service of the late Theodore Roosevelt, former President of the United States, Vice President of the United States, and President of the Senate.

That a joint committee, to consist of five Senators and seven Members of the House of Representatives, to be appointed by the Vice President and the Speaker of the House of Representatives, respectively, shall be named, with full power to make all arrangements and publish a suitable program for the joint session of Congress herein authorized, and to issue the invitations hereinafter mentioned.

That invitations shall be extended to the President of the United States, the members of the Cabinet, the Chief Justice and Associate Justices of the Supreme Court of the United States, and such other invitations shall be issued as to the said committee shall seem best.

That all expenses incurred by the committee in the execution of the provisions of this resolution shall be paid, one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

The Chair announced the following committee: Mr. KITCHIN, Mr. CANTRILL, Mr. RANDALL, Mr. CALDWELL, Mr. MANN, Mr. TEMPLE, and Mr. SCHALL.

Mr. MANN. Mr. Speaker, I shall ask the Speaker to excuse me from membership upon the committee and, if I may be permitted, to suggest in my place the name of Mr. GEORGE W. FAIRCHILD, of New York.

The SPEAKER. The Chair appoints Mr. GEORGE W. FAIRCHILD in place of Mr. MANN.

MEMORIAL EXERCISES FOR THE LATE REPRESENTATIVE TALBOTT.

Mr. MANN. Mr. Speaker, Sunday, February 9, 1919, has heretofore been set aside for exercises in commemoration of the late Representative TALBOTT, of Maryland. By authority of two gentlemen from Maryland—Mr. LINTHICUM, who had the day set aside, and Mr. BENSON, who is the successor of Mr. TALBOTT—I ask unanimous consent that the order setting aside February 9 be changed to February 16, on which to hold the exercises upon the life, character, and public services of Mr. TALBOTT.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the memorial services for the late Representative TALBOTT be changed from the 9th of February to the 16th of February. Is there objection?

There was no objection.

EXTENSION OF REMARKS.

Mr. GRIEST. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the river and harbor appropriation bill.

The SPEAKER. Is there objection?

There was no objection.

PAYMENT OF SOLDIERS' ALLOTMENTS, ETC.

Mr. MANN. Mr. Speaker, I have here a letter from the Secretary of War in reference to the payment of allotments, which I think ought to be read to the House. I ask unanimous

consent that the letter may be read, and also that my reply thereto may also be read.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read as follows:

WAR DEPARTMENT,
Washington, January 6, 1919.

Hon. JAMES R. MANN,
House of Representatives.

MY DEAR MR. MANN: My attention has been called to the statements which have been recently made on the floor of the House concerning the delay in making payment to the enlisted men of the Army and of their allotments, and I feel that there is some misunderstanding in the matter which, in justice to the War Department, should be clarified.

With respect to the matter of allotments, I wish to state that the War Department has jurisdiction only in cases where the allotments do not carry family allowances, and that those which do carry family allowances come within the jurisdiction of, and are paid by, the Bureau of War-Risk Insurance, Treasury Department.

Concerning the allotments which are payable by the War Department, I wish to state that these payments are being made promptly and that they are not in any way in arrears. There may be, and probably are, cases where there has been some delay due to inability to locate the allottee, but these are few in number, and even in these cases it is hardly likely that any hardship has resulted, as these allotments are not made for the benefit of families. Allotments which are made for the benefit of families and which carry family allowances are not paid by the War Department, but by the Bureau of War-Risk Insurance of the Treasury Department. The War Department is cooperating heartily with the Treasury Department in its efforts to solve the intricate business imposed by the sudden assumption of this great undertaking. I do not comment here upon the work of the War-Risk Insurance Bureau, because the committees of Congress have already looked into it and have been made acquainted with the almost endless detail which the inauguration of this new and helpful system of insurance and payment entailed, and I refer to the subject only in order that the line of division and responsibility may be made clear, and to assure you that the War Department is in hearty cooperation with the Treasury Department in its effort to solve the problem.

Concerning the pay of enlisted men, I believe that this matter can best be understood by dividing the men into two classes—those who remained in the United States and those who went overseas. With reference to the men who remained in the United States, I wish to state that during the past year the troops at the large camps and cantonments have been paid their monthly pay in full at an average of the fifth day of the month. In many instances payment at these camps, each containing from 40,000 to 60,000 men, has been completed on the last day of the month in which the pay accrued, and in a great many cases payment has been fully made on the first day of the succeeding month. In the early months of the war there was some delay in the payment of the individual cases of men who were transferred from their organizations, which was due to the system then in effect of transmitting their service records. This situation was met and overcome by the inauguration of an individual pay card which the soldier carried in his personal possession, and upon which he could be paid, even though his official service papers were not available at his new station. I mention this so as to show that the department did not fail in its duty to initiate new methods which were required to meet the new conditions of service.

With respect to the troops overseas, payment has not been made as promptly as has been the case of the men who remained in the United States, and it is known that a great many of the sick and wounded who are being returned from overseas, and of whom I shall speak later in this letter, are several months in arrears in their pay. It is to be borne in mind that from July to November of last year the overseas troops were actually in the fighting line, and I think that any delay in their payment can properly be attributed to the conditions of their service rather than to any lack of effort on the part of the authorities of the American Expeditionary Forces. It requires no stretch of imagination to realize the vast difference between paying troops which are in camps or cantonments and paying troops which are in actual action along a wide battle front and operating under conditions of intensive offensive campaign.

It is cases of sick and wounded men coming back to the United States from the field of operations in France which have given rise to the statement that there has been a serious and unwarranted delay in the payment of troops, and when consideration is given to the conditions under which these men were operating in France it is not strange that they should be returned to the United States in arrears in their pay or without proper records showing the condition of their accounts with respect to pay and other items which enter into the computation of their pay and allowances.

When these men reached the United States the department was confronted with the problem of making payment to men who had no records whatever showing the date to which they were last paid, or the condition of their accounts with respect to allotments, insurance, or any other items which enter into the computation of pay. To meet this situation the department made partial payments to these men upon their arrival at the ports of debarkation in the United States, and also partial payments upon their arrival at the various hospitals to which sent, anticipating that the necessary official records would be received shortly after the arrival of the men so as to enable settlement of their accounts in full. When it was ascertained that it would probably be impossible to obtain these records from France, instructions were issued on December 12, 1918, to take the personal affidavits of the men as to the date to which they were last paid and the status of their accounts with respect to their allotment and insurance and to pay them all the arrears of pay due as shown by these affidavits. There is no sanction of law for the action taken by the department, but the situation demanded that measures be adopted to effect payment in full to these sick and wounded men, and the only way to accomplish this was to take the affidavits of the men themselves and accept these affidavits as establishing the correct amounts due them.

The department has made a full and complete report to Congress of its action in issuing these instructions to have the men paid in full on their personal affidavits and has requested that legislation be enacted which will sanction the steps so taken.

Cordially, yours,

NEWTON D. BAKER,
Secretary of War.

UNITED STATES HOUSE OF REPRESENTATIVES,
Washington, D. C., January 9, 1919.

Hon. NEWTON D. BAKER,
Secretary of War, Washington, D. C.

DEAR MR. SECRETARY BAKER: I am in receipt of your favor of the 6th instant, which I shall ask to have read in the House.

The inefficiency of the Bureau of War Risk Insurance would be a burlesque if it were not a tragedy.

Unless the many letters which come to me and other Members of Congress misstate the facts, you are in error in believing that the allotments payable by the War Department are being made promptly and are not in any way in arrears. Nor do I understand that the allotments made by the soldier are not made for the benefit of families. The allotment made by the soldier, as I understand, is made for the benefit, usually, of somebody more or less dependent upon him even in those cases where there is no family allowance by the Bureau of War Risk Insurance.

I beg to say, also, that I am receiving many complaints from soldiers that they are not receiving their pay and have not received it for many months, in many cases though in dire need of money. That there is unwarranted delay in the payment of sick and wounded men coming home is beyond question, unless the many soldiers who write are all lying about it, and I do not believe that. The Government is utterly failing in its responsibility to the soldiers and to their dependents in regard to pay and allowances. Excuses, of course, will be offered, but what is needed is attention to the business.

My mail is filled with complaints and I am informed the same is true of other Members of Congress.

These are not the only complaints being made against the War Department. While the Government is maintaining an expensive system of officers under the Department of Labor to secure employment for discharged soldiers, the soldiers in the service who have employment awaiting them, and where they are needed, find it in many cases difficult or impossible to secure discharges. It is, I think, just a pure lack of proper attention or proper consideration and humane concern.

Another matter to which I call your attention is the refusal of the War Department to obtain information concerning soldiers who are reported wounded and referring them to the American Red Cross. If a soldier under the War Department has been wounded abroad and is in a hospital of the United States abroad, surely the War Department ought to obtain information and give it to relatives here instead of advising relatives to communicate with the Red Cross. Such action on the part of the War Department seems to indicate an absolute insensibility to humane feeling.

Just as an illustration of the very many letters which are being received by me and others at the Capitol relating to the payment of soldiers in hospitals, I inclose you one letter from Sergt. John J. McAvoy, Company A, One hundred and twenty-seventh United States Infantry, Thirty-second Division, General Hospital 28, Fort Sheridan, Ill., though I confess I fear to send such letters to the War Department for fear it will result injuriously to the soldier. Of course, a part of his letter refers to the failure of the War Risk Insurance Bureau; but how can you reconcile your apparent complacent satisfaction with the pay department of the Army with the statements in this letter, if they be true?

Yours, very respectfully,

JAMES R. MANN.

CHANGE OF REFERENCE—TUNNEL UNDER HUDSON RIVER.

Mr. SMALL. Mr. Speaker, I ask unanimous consent that reference of the bill H. R. 12588, introduced by the gentleman from New Jersey [Mr. EAGAN] to provide for the construction of a tunnel under the Hudson River between the States of New York and New Jersey, which has been referred to the Committee on Rivers and Harbors, be rereferred to the Committee on Interstate and Foreign Commerce.

The SPEAKER. Is there objection?

There was no objection.

PURCHASE OF BONDS BY SOLDIERS.

Mr. LITTLE. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. LITTLE. Mr. Speaker, I am glad to see from the reading of the reply of the letter from the gentleman from Illinois [Mr. MANN] to the letter of the Secretary of War that it is quite evident that the gentleman from Illinois has fully recovered his health. [Laughter.] Along that line there is one other suggestion that I desire to make. A new trouble has arisen, and I do not know that anyone else seems to have heard of it. I am getting quite a number of letters from soldiers who have paid for their liberty bonds but who can not get them. It appears that they have made an arrangement by which the money would be taken out of their pay and sent to the Federal Reserve Bank at New York City, the bonds to be then sent to the place designated by the soldier when paid for. They do not get the bond. The soldier writes to me, and then I write to the bank, and find that the matter has passed out of their hands, I do not know how, to the Department of Allotments or to some of their branches. They write back something about the bank, and they have no definite information about the matter. I write back rather briskly, and I get this answer, that they are now waiting for a report from the company commander as to whether or not the soldier has paid for the bonds or not. The bank that got that money and the department that got it knows whether the bond has been paid for. The paymaster's office knows whether it has been paid for, whether the soldier got the pay, or whether it was reserved from his pay. The idea of sending off to France to ask

some company commander who may have died in battle, or whose whole company may have died in battle, is absurd and ridiculous. If they have arranged it so that they have to depend upon the company commander to determine whether or not the soldier has paid for his bond, the whole thing has gone to pieces, because every record might be lost in 10 minutes on the battle field and never recovered. I hope somebody may take this in hand and get as much interest in it as I have, so that we may see to it that these soldiers who have paid for their bonds get them and without any delay. [Applause.]

RIVER AND HARBOR APPROPRIATION BILL.

Mr. SMALL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13462, the river and harbor appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the river and harbor bill, with Mr. BOOHER in the chair temporarily, in the absence of the permanent Chairman, Mr. BYRNS of Tennessee.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13462, the river and harbor bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. FREAR. Mr. Chairman, at this point I believe it is proper to introduce amendments, because the first paragraph in the bill has been read. Am I right?

The CHAIRMAN. That is right.

Mr. FREAR. I wish to offer an amendment at this time—in fact, four amendments—which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. FREAR: At the end of page 1 insert the following after the word "named," in line 9:

"*Provided*, That no contract for work herein appropriated for shall be entered into unless the President or the Secretary of War shall first declare that immediate commercial or other public necessity exists for the prosecution of such work and for the use of such project at this time."

Mr. FREAR. Mr. Chairman, we have made conditions on many projects that have been placed in this bill. Some of them relate to contributions by the locality, others to the performance of conditions. Frequently we have provided that a project shall not be advanced until the Secretary of War is satisfied as to certain conditions. I have gone a step further, and it seems to me at this time of all times it is very important that we should know there is a commercial necessity existing or something imperative that requires the insertion of 70 new projects in this bill and a large increase of appropriations placed in the bill after the engineers make the first recommendation to the committee. And in order that that may be passed upon with some degree of judgment by those who are not interested in the project themselves but who understand the condition of the Public Treasury at this time, I believe this amendment of all amendments should be passed. Now, what does it provide? That no new contract for work herein appropriated for shall be entered into unless the President or the Secretary of War shall first declare that immediate commercial or other public necessity exists for the prosecution of such work and for the use of such project. The Army engineers have not said these 70 projects should be advanced at this time. No one except the committee has placed them there, and I ask if the House is going to permit the committee to say that these 70 projects are important, that these additions which have been made to the various projects—sometimes $2,000,000 in amount—are important and of immediate necessity?

Mr. DUPRÉ. Will the gentleman yield?

Mr. FREAR. No; not just this moment; I will later. We have the position confronting us, and with that position confronting us and with the fact that we are going to sell public bonds to raise money for the improvement and to levy a direct tax I submit, Mr. Chairman, of all times that the President of the United States and the Secretary of War ought to be permitted to pass upon the question, that it ought not to be taken out from their authority, and that this House, without any knowledge of the importance of these projects, should determine if they should be a tax upon the Treasury. I now yield to the gentleman.

Mr. DUPRÉ. I was going to ask the gentleman if every project in this bill has not been heretofore recommended by the Secretary?

Mr. FREAR. That is not the point. The point is the immediate necessity after they have recommended. Yes; the Trinity River was recommended, the Missouri River was recommended, any number of worthless projects, and some of them have been abandoned. However, that is not the point. The point is the question of immediate necessity. You ought not to be afraid to leave it to the President of the United States or to the Secretary of War.

Mr. DUPRÉ. My first inquiry was to be followed by this one, if I may make it of the gentleman: Does the gentleman think it is the function of the Secretary of War or the President of the United States to appropriate money, or is it the duty of the Congress to do so in its wisdom if it sees fit?

Mr. FREAR. I believe that this House—that we, as the Committee of the Whole House here—are derelict in our duty if we pass this bill in its present form, without the condition put there that the Secretary of War, in certain conditions, may determine whether or not it is proper and timely to make the improvements.

Mr. KENNEDY of Iowa. Will the gentleman yield for a question?

Mr. FREAR. I do.

Mr. KENNEDY of Iowa. Does not the gentleman know that if we impose that condition that the President or the Secretary of War will send this matter to the engineers in order to get an expert report?

Mr. FREAR. Conceded. Now, the engineers themselves have not asked for these 70 new projects, not one of them. That is the point I make—the engineers themselves have not submitted these. The Chief of Engineers, whatever may be his disposition, determines these questions. Then we have got the responsibility fixed that this is an immediate commercial necessity in his judgment, and we can hold him to that responsibility.

Mr. CALDWELL. Will the gentleman yield?

Mr. FREAR. I will.

Mr. CALDWELL. Was the gentleman in the Hall when the President delivered his message at the opening of Congress?

Mr. FREAR. I have been in the Hall when the President delivered many messages.

Mr. CALDWELL. At the opening of the Congress?

Mr. FREAR. Yes. Go on and ask the question.

Mr. CALDWELL. Does not the gentleman remember the President said——

Mr. FREAR. I do not care to answer questions of that kind. I believe if the President of the United States or the Secretary of War, if they are willing to pass upon it, we have got something to go upon, but to-day we have not.

Mr. TREADWAY. Will the gentleman yield?

Mr. FREAR. I will.

Mr. TREADWAY. The gentleman is a member of the Committee on Rivers and Harbors and has the testimony before him, of course, as to the relative merits of the projects suggested.

Mr. FREAR. There was no testimony. That is the point; there was no testimony before the committee outside the engineers' reports, and some of them were back five years and more ago.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FREAR. I ask for five minutes more. I may not take more than a moment.

Mr. TREADWAY. May I ask the gentleman one other question?

The CHAIRMAN. Is there objection to the gentleman proceeding for five minutes? [After a pause.] The Chair hears none.

Mr. TREADWAY. Has not the gentleman sufficient confidence in his colleagues on the Rivers and Harbors Committee to allow them to pass on the merits of the various projects they recommend?

Mr. FREAR. I will say, in answer to that, that the distinguished gentleman from Massachusetts [Mr. TREADWAY] who questions me was one of those who led one of the recent fights on this very bill two years ago, and for the very reason he did not have confidence in a majority of his colleagues.

Mr. TREADWAY. If I may be allowed to interrupt the gentleman in his time, I will say that that was not the reason.

Mr. FREAR. Then let me say this, that the gentleman from Massachusetts at that time presented a statement, with which I was agreed, that there was a balance of over $30,000,000 in the hands of the Chief of Engineers, which was sufficient for all purposes. At this time $45,000,000 is in the hands of the Army engineers, and you are adding 70 new projects to this bill and you are increasing by several million dollars—yes, a good many million dollars—some of the old projects. Over $15,000,000, as nearly as can be estimated, in all, is the amount that has been added since the engineers first reported to the committee. They

reported upon a war basis. Is there anything that can be objectionable to gentlemen on the other side that the President or Secretary of War shall be permitted to pass upon this? If you have an immediate project you want put in without examination, yes. Why not be willing to leave it to the Executive? I certainly am, because I believe you fix responsibility and determine then the importance of the particular project.

Mr. MOORE of Pennsylvania and Mr. DEMPSEY rose.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MOORE] is recognized.

Mr. MOORE of Pennsylvania. I would like to ask the gentleman from Wisconsin if he is not a member of the Rivers and Harbors Committee, and has not been for several years?

Mr. FREAR. I believe the gentleman is quite familiar with the fact that I have been. We have had a good many controversies on the floor and do not always agree on the subject in controversy.

Mr. MOORE of Pennsylvania. That is true, but the gentleman has been or is a distinguished member of the Committee on Rivers and Harbors.

Mr. FREAR. With the exception of the adjective, I accept the correction.

Mr. MOORE of Pennsylvania. I placed the adjective, because it is well bestowed.

May I ask the gentleman further if he presented the amendment he now presents to the Committee of the Whole to the Committee on Rivers and Harbors?

Mr. FREAR. No; but I did this: I asked when the Committee on Rivers and Harbors met that the Chief of Engineers or his representatives should come before the committee, and that a stenographer should be there to take the proceedings, both of which requests were refused.

Mr. MOORE of Pennsylvania. May I ask the gentleman if he was a faithful attendant on all the meetings of the committee held on this bill?

Mr. FREAR. I have been as faithful as the average member.

Mr. MOORE of Pennsylvania. The gentleman did not attend all the meetings?

Mr. FREAR. Oh, no. I was in attendance here on some very important meetings, where I had the encouragement of the gentleman from Pennsylvania who is now addressing us.

Mr. MOORE of Pennsylvania. That may be true.

Mr. FREAR. And certainly I could not be in two places at the same time.

Mr. MOORE of Pennsylvania. There are some things that the gentleman from Wisconsin does that the "gentleman from Pennsylvania" approves.

Mr. FREAR. I appreciate it.

Mr. MOORE of Pennsylvania. "The gentleman from Pennsylvania" was inquiring whether, in view of the fact that the gentleman from Wisconsin has started his fight against the River and Harbors bill this morning on the basis of the amendment that he now proposes, which would tend to revolutionize the entire system, he had presented this in good faith to the membership of the Committee on Rivers and Harbors, of which he is a member?

Mr. FREAR. If the gentleman wants a reply to that, I will say that for four years I presented almost this identical amendment at the beginning of the discussion on this floor. It is not a new amendment. Every member of the Committee on Rivers and Harbors who has followed the discussion knows that it has been offered by other Members here on the floor, including the gentleman from Massachusetts [Mr. TREADWAY], who spoke a moment ago. It is my recollection that he introduced it and asked that the President and Secretary of War be permitted to do what my amendment asks.

Mr. MOORE of Pennsylvania. Would it not have been the regular order for the gentleman to have presented his amendment to the Committee on Rivers and Harbors, so that it might have been discussed by that committee before it came here?

Mr. FREAR. It seems that a member of the committee would have a right to raise that objection, but the gentleman who has spoken, and who has many important projects in this bill, has not the right to take to task any member of the committee, who has a right to do his duty here or elsewhere.

Mr. MOORE of Pennsylvania. I will say to the gentleman that if I had a very important proposition to lay before the House and country, as the gentleman has, because his is a country-wide proposition, I would lay it before the committee of which I was a member and fight it out there; and if it was defeated there, then, giving notice to my colleagues on the committee, I would bring it into the House.

Mr. GALLAGHER. Will the gentleman from Pennsylvania yield?

Mr. MOORE of Pennsylvania. I will.

Mr. GALLAGHER. Do you think it would have made any difference in the results of the committee deliberations if the gentleman from Wisconsin had presented it to the committee?

Mr. MOORE of Pennsylvania. It might not if all the members of the Committee on Rivers and Harbors agreed with the gentleman from Illinois who just asked the question and the gentleman from Wisconsin [Mr. FREAR], with whom he agrees; of course not.

Mr. GALLAGHER. It might make some difference if it was offered to the committee.

Mr. MOORE of Pennsylvania. If those two gentlemen were unalterably opposed to river and harbor improvements—and I would not say in favor of railroad domination of the country—then it might be we could never get the question I am raising before the House unless some gentleman outside of the committee ventured to do what I am doing now—call the attention of the larger body to the fact that when a member of the committee had a chance to present his amendment to his own committee he did not do it, but brings it suddenly on the full membership of the House when the members of his committee did not have full notice.

Now, I yield to the gentleman from Alabama.

Mr. BANKHEAD. I do not know whether I correctly understood the gentleman from Wisconsin or not, but I gathered the inference from his remarks that there were some of these new projects incorporated in this bill that did not have the specific recommendation or indorsement of the Board of Engineers. Is that true?

Mr. MOORE of Pennsylvania. I am not a member of the committee. I can not answer that.

Mr. FREAR. The gentleman is mistaken.

Mr. MOORE of Pennsylvania. Let me say this to the gentleman from Alabama, however: That the time has come for new projects to go into this bill. The people of this country, this United States, have been waiting since the war began for improvements in their own country. They have been making vast appropriations and great sacrifices to help the people of other countries. They have been aiding canals elsewhere. Their money has gone to the construction of railroads in France while they have been suffering in the United States for lack of decent and sufficient transportation facilities.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent that I may proceed for five minutes.

Mr. BANKHEAD. I would like to interrupt the gentleman with a question.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. I yield to the gentleman.

Mr. BANKHEAD. Understand, I am not in opposition to the bill.

Mr. MOORE of Pennsylvania. I understand the gentleman is not.

Mr. BANKHEAD. But it has been my impression heretofore that it was impossible to procure the insertion of any item in the river and harbor bill without the backing of the Board of Engineers. That has been the policy, as I understand.

Mr. MOORE of Pennsylvania. I understand that has been so; otherwise there would be fair ground for the criticism of the gentleman from Wisconsin.

Mr. KENNEDY of Iowa. Mr. Chairman, will the gentleman yield right there?

Mr. MOORE of Pennsylvania. Yes.

Mr. KENNEDY of Iowa. I want to say to the gentleman from Pennsylvania and to the gentleman from Alabama that there is not a project incorporated in this bill but has the indorsement of the Board of Engineers.

Mr. BANKHEAD. I think for myself that there ought to be some which have not got the indorsement of the Board of Engineers.

Mr. MOORE of Pennsylvania. If that statement were agreed to, it would be up to the gentleman from Wisconsin to challenge it. He is a member of the committee.

Mr. FREAR. I have specifically admitted it, and the gentleman knows it.

Mr. MOORE of Pennsylvania. Then the gentleman from Wisconsin stands in direct opposition to the Army engineers.

Mr. FREAR. They have abandoned some of the projects they urged years ago.

Mr. MOORE of Pennsylvania. Are any of those abandoned projects in this bill?

Mr. FREAR. One is modified. It has not been abandoned. But that is immaterial. I speak of that simply as regards their own judgment.

Mr. MOORE of Pennsylvania. I speak of the gentleman from Wisconsin as in general opposition to the bill and in general opposition to the War Department, and he does it in a broad, general way apart from the Committee on Rivers and Harbors, of which he is a member, where, if he had attended regularly the meetings of that committee, he might present his opposition.

Mr. FREAR. I presume I have attended the meetings of the committee as regularly as the average Member, and as regularly as the gentleman from Pennsylvania has attended the meetings of the committee to which he belongs. But I have not discussed or criticized the War Department any more severely than has the gentleman who has just spoken, and that within the last two or three days, and I believe that is his province and his duty.

Mr. MOORE of Pennsylvania. I have done that in regard to the failure of the War Department to pay soldiers' allotments and allowances and to make discharges, and I will continue to do so as long as it appears that our public officials are not making prompt settlement with our soldiers and their dependents.

But that has nothing to do with this. I am in favor of construction and reconstruction within the United States. I was just pointing out that we have made liberal appropriations and allowances, and have undergone vast sacrifices and imposed heavy taxation upon our people for reconstruction in other climes than our own; and during all this time, when we have been sapping the business life blood of our Nation and the physical life blood of our men and women for the benefit of other peoples, our new river works have remained idle, have stood still. We have failed to make appropriations for ourselves. We have fallen behind in the matter of our commercial relations with foreign nations. We have not brought ourselves up to date in the vital matter of transportation, and we have permitted ourselves to go almost exclusively into the hands of those controlling existing transportation methods without giving ourselves the benefit of a competitive means of transportation.

Now, this bill proposes to reconstruct—to construct and reconstruct—the waterways of the United States in order that this infernal railroad inadequacy and congestion may be relieved. [Applause.] And the gentleman from Wisconsin, who opposes this bill in toto, and who seems opposed to the principle of waterway improvements, who rejects the recommendations of the United States Army Engineers who are endeavoring to give us a competitive transportation system in this country, stands to hamstring the business people of the United States, to compel them to pay the highest possible freight rates, to compel them, when there is plenty in certain parts of the land, to pay the highest prices in other sections where they can not get food supplies, and to hold back and throttle forever the opportunity that the people generally demand.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. DEMPSEY rose.

The CHAIRMAN. The gentleman from New York is recognized.

Mr. SMALL. Mr. Chairman, pending the gentleman's remarks, may I ask unanimous consent that all debate on this amendment close in five minutes?

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that all debate on this amendment close in five minutes. Is there objection?

There was no objection.

Mr. DEMPSEY. Mr. Chairman and gentlemen, the gentleman from Wisconsin [Mr. FREAR] advocates the abdicating by Congress of its function of legislating as to all new projects included in this bill. The proposition is not a new one. It was presented last year by the gentleman from Massachusetts [Mr. TREADWAY], who urged it because we were in the midst of war, with war facing us with all of its difficulties. But this House, none the less, decided to hold the legislative part intact and firm in its own hands; and to-day the gentleman from Wisconsin again urges that we place the function which belongs to us in the hands of the President, that we abdicate and give to him the right to legislate, regardless of the fact that we have considered deliberately and in the regular way the subjects as to which he says we should hand over to the Executive our rights and our functions.

And does he in any way justify the abdicating by Congress of its rightful function? Does he point to any unworthy project in the bill? Does he give a bill of specifications, and does he turn to the items and say, "Here is an unworthy project"?

Mr. FREAR. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. Just a moment, and then I will. Does he say, "There are 70 new projects, and among those new projects I specify that such and such projects are unworthy of being improved"? Oh, no. He makes a general indictment. He does not turn to any one item and show that that project should not be improved. He says, generally, we should turn our back upon progress. We should not in this great and growing country of ours, with all its need of increased transportation, have any new projects, however worthy, unless after we have passed the bill with deliberation and consideration the President says we are right by specifically writing his approval of each new project. That is the proposition in its nakedness, and that is all there is to it. Now I yield to the gentleman and ask him to specify which one of these 70 projects he criticizes, which of them is wrong, which of them this Congress should not approve? Or, I ask him the broad and general question, Is he opposed to all improvements unless, after Congress has passed the bill, the President invests himself with our functions and relegislates in our behalf? Is that his proposition?

Mr. FREAR. The gentleman asks me a question, and he makes a long and extended argument in regard to it. I will say this in response, that when this country is facing a deficit of $18,000,000,000 in the Treasury I do not feel that it is dangerous to submit to the President or to the Secretary of War the question of the commercial necessity of these 70 new projects, and I ask the gentleman to say which of these 70 new projects he considers is of vital necessity at this time that he thinks the President or the Secretary of War would not approve of?

Mr. DEMPSEY. I will say in answer to the gentleman two things. He asks me to specify a project, and I will give him one as an illustration. I will point the gentleman across the country to Beverly Harbor, and I will tell him that if Beverly Harbor had been improved as we propose to improve it, New England last winter, that great and prosperous part of the country, which contributed as much as any other part of this Nation to the waging of the war, would have been warmed; that its people would not have suffered for lack of coal, because we would have been able to furnish a way to distribute by water the coal to those people who needed it.

Mr. FREAR. Will the gentleman yield?

Mr. DEMPSEY. Now, I will specify that as one of the instances. And then, on the general proposition, I will say to the gentleman that the Secretary of War has already approved of each one of these projects, approved of it specifically after thorough examination, and that approval was before this committee, and was one of the things that influenced us; not all, because we do not believe that we ought to be bound solely and wholly by the judgment of the Secretary of War. We believe we are sent here ourselves to legislate, and that we ought to give the country the benefit of our own thought and consideration.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment of the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

Mr. FREAR. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FREAR: At the end of page 1 insert the following:

"*Provided*, That prior to any expenditure of public moneys under this bill the Secretary of War shall be satisfied that there now exists, or shall secure satisfactory assurances that local interests will provide sufficient areas of water frontage and suitable public water terminals adequate for the traffic which shall be open to the public on equal terms and as conditioned in the upper Cumberland project contained in this bill."

Mr. FREAR. Mr. Chairman, this subject has been discussed not only in the committee but on the floor by the chairman of the committee. We are all familiar with the fact that the Government heretofore has gone on in the case of the Ohio River and has expended something like $59,000,000 without a single water terminal. We are asked here to improve many different waterways without public terminals; and if we are going to be consistent we will make the same condition that we have made in the case of the upper Cumberland and other waterways without favor, and say, "If this project is to be improved, you must provide satisfactory terminals before the Government will put its money into this project."

Now, the Chair is well aware of this fact, and so is the committee, that after an amendment is offered different members of the committee or Members of the House have the privilege, particularly if they are interested in projects in this bill, of assuiling the Member who offers the amendment, and that there is no chance to answer them. For instance, the gentleman from Pennsylvania [Mr. MOORE], who just spoke, has more money secured for Philadelphia in this bill, and for its immediate neighborhood, than any gentleman—nearly one-quarter of the bill. I do not question his interest, but I do say that when he says I am opposed to the principle of waterway improvement he must know that that statement is untrue. I have approved constantly of the improvement of deserving waterways. Why, as the gentleman himself said a day or two ago on this floor, we are taking the blood from the people of this country. We certainly are. We are facing a deficit of $18,000,000,000. Six and a half million dollars are appropriated in this bill for the Delaware River and the waterways immediately surrounding Philadelphia when only $900,000 were recommended by the engineers to the committee in the first place, and $5,500,000 have been added for the Delaware River, for the Chesapeake & Delaware Canal, and for the Schuylkill. When this is proposed, I ask that the Secretary of War may tell the country of the immediate necessity for that expenditure, because when we are taking the money out of the blood of the people, as the gentleman from Pennsylvania well says, it seems to me it is time for us to know the importance of these expenditures.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. FREAR. I yield to the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. I wish the gentleman's statement were true about the Delaware River and about the gentleman from Pennsylvania. I wish it were true that we were getting so much as the gentleman indicates. I am glad to take the gentleman on his own proposition as to whether the Delaware River is worthy of improvement or not.

Mr. FREAR. That is not the question. The question is that the gentleman has just charged me with not being willing to improve waterways, and the gentleman has secured $6,500,000 for projects around Philadelphia.

Mr. MOORE of Pennsylvania. I challenge that.

Mr. FREAR. Let me enumerate them: Two and a half million dollars for the Delaware River, $1,000,000 for the Schuylkill, right there at Philadelphia, and $3,000,000 for the Chesapeake & Delaware Canal, which the gentleman time after time and year after year, and I am afraid successfully, has been urging as a project which the United States Government should take over.

Mr. MOORE of Pennsylvania. The Chesapeake & Delaware Canal is in the States of Delaware and Maryland.

Mr. FREAR. And Pennsylvania and Philadelphia hold practically all the stocks and bonds that are invested in that canal, and the gentleman has been a most ardent exponent and advocate of that canal.

Mr. MOORE of Pennsylvania. The gentleman admits that.

Mr. FREAR. Yes. I am pleased to yield to the gentleman, whose eloquence could secure almost anything. But let me say this——

Mr. MOORE of Pennsylvania. We need these improvements for national reasons.

Mr. FREAR. Oh, there is no project in the bill but what is put in as a national proposition. Now, in regard to the statement of the gentleman from New York [Mr. DEMPSEY], I made a statement which was not repeated correctly. I said, Is there a proposition which the gentleman knows of that the President and Secretary of War would not approve? He says Beverly Harbor—would not the Secretary of War approve it? That is the only question, and I had no fear or question about it. The House votes down the proposition. We required proper terminals on some of these propositions, and why not on all of them?

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

Mr. FREAR. Mr. Chairman, I offer a third amendment.

The Clerk read as follows:

At the end of page 1 insert the following:

"*Provided*, That no contract for work hereinafter appropriated shall be entered into until the city, county, or State, or any other agency, shall have deposited with the Secretary of War, in some bank to be designated by him, an equal amount for the sum herein appropriated, which sum shall be expended by the Secretary of War in the prosecution of said work."

Mr. FREAR. Mr. Chairman, this is a question of contribution. It has been urged in this House and in the Senate on various occasions. There is no reason why, as suggested in the amendment, Nawiliwili Harbor, Hawaii; the Sandusky port, on Lake Erie; and many other different projects which I can enumerate are required to contribute to the improvement, while nine out of ten of the other projects do not contribute a dollar. Why is this partiality shown? Let us, if we are going to give them these sums, do as they do in European countries, say to the localities that they must give a certain amount to show their earnestness in regard to the improvements. Do not make the Government contribute at all. And if we are going to contribute it all, let us say we will do so impartially. What right have we to say to Nawiliwili Harbor that they shall contribute $100,000 and make good terminals before a dollar will be expended by the Secretary of War? What right have we to do that except that they have not a Delegate with a vote to cast? He can only speak on the floor. I know the islands give a great deal more to the revenue of the Government than they have got back. If we are going to be fair, just, and honest in this thing with these various communities let us treat them all alike. Let us have good faith on the part of the community in that they are willing to make some contribution, that they believe in the improvement.

Mr. ROBBINS. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. ROBBINS. Does the gentleman's amendment apply to new improvements?

Mr. FREAR. Yes; and necessarily so.

Mr. ROBBINS. If you take Pennsylvania, no county could contribute anything to rivers and harbors under the constitution.

Mr. FREAR. The answer obviously to that is that I believe in changing the present system and adopting one so that communities may contribute. You could change the constitution of Pennsylvania. Why should Pennsylvania get $6,500,000 in this bill while Nawiliwili Harbor only gets a few thousand dollars and is obliged to contribute $100,000?

Mr. ROBBINS. That is no answer.

Mr. FREAR. It is an answer.

Mr. MOORE of Pennsylvania. It is because $21,000,000 per annum comes in through Philadelphia and nothing comes in through Nawiliwili.

Mr. FREAR. Oh, yes; Hawaii contributes more to the country than she gets out of it.

Mr. MOORE of Pennsylvania. I am speaking of Government revenue that comes in through the improvements.

Mr. FREAR. I am speaking of revenue that comes from Hawaii, and I know they give far more to the Government than they ever receive.

Mr. ROBBINS. Take the harbor of Erie, Pa.; we know that it is necessary to improve it by reason of the damage to the breakwater by a storm.

Mr. FREAR. Just as at Nawiliwili Harbor, which has a breakwater, and we say to them, "You must give $100,000 before the Government will contribute a dollar. You people have not any vote on the floor, although you pay more taxes than you receive back, but we make that as a prior condition." Why should we do that?

Mr. ROBBINS. Because Nawiliwili Harbor is a Territory.

Mr. FREAR. Yes; but they pay more money to the Government than they get back.

Mr. ROBBINS. You can not apply your rule to any State in the Nation.

Mr. DEMPSEY. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. DEMPSEY. Why not make your rule work the other way and abolish all contributions? You would reach the same result logically.

Mr. FREAR. Let me say that many projects in this bill would never appear here if the people were obliged to make contributions. They will get all they can from the Government Treasury because they have no responsibility on their side. All they have to do is to come and beg first of the Army engineers and then put the thing through the committee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

Mr. FREAR. Mr. Chairman, I have another amendment here which I send to the desk and ask to have read.

The Clerk read as follows:

At the end of page 1, insert the following:

"*Provided*, That work on any new project herein adopted shall not be commenced until the Secretary of War is satisfied that railroad connections have been made or will be made within reasonable time to make the project accessible to the communities whose commerce is properly tributary to such waterway, as provided in conditions for improvement of Nawiliwili Harbor in this bill."

Mr. FREAR. Mr. Chairman, that relates to the same general proposition, excepting here in that case they require them to establish railways to bring all of the traffic down to the harbor of Nawiliwili. That is, the committee has done that in addition to their paying $100,000 into the Treasury before a dollar will be expended upon the part of the Government. I did not mean to say that there was no Delegate from the Hawaiian Islands. There is, but he has not a voice in the determination of this bill; as we all know, he can not vote. We can tax Hawaii as we choose. We can give them whatever we choose

and make whatever conditions we choose. They have no one here who can tell on the floor what should be done who can vote. That is the point I make. Here is a condition, and I do not know that it is not a proper condition. I rather think it is, but it should be generally imposed, if so, on all projects.

Mr. MOORE of Pennsylvania. Mr. Chairman, the gentleman from Wisconsin knows that the Delegate from Hawaii has a right to speak on the floor.

Mr. FREAR. Oh, yes; but he has not the right to vote.

Mr. MOORE of Pennsylvania. I know the gentleman wants to do justice to the Delegate from Hawaii, with whom he is on very good terms.

Mr. FREAR. Oh, surely. We are all on good terms with him, a very estimable man, and I do not think that project should be singled out and such conditions made there unless the condition is made on projects generally. The chairman of the committee on the floor talked for half an hour almost on that one subject of terminals, and let me say that he talked well, and I think no one can fairly raise any objection to that proposition, that the Government should not make expenditures unless there are terminals built by localities, and he was addressing himself largely to the Ohio River. If the Ohio River ought to have it—and we have spent $50,000,000 there with very little result—and if the Missouri River ought to have it—and we have spent $24,000,000 there with very little result—why not make it general with all? That would seem to me the only fair condition, and that is the reason that I have offered the amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wisconsin.

The amendment was rejected.

The Clerk read as follows:

Tenants Harbor, Me.: Completing improvement in accordance with the report submitted in Rivers and Harbors Committee Document No. 12, Sixty-second Congress, third session, $12,500.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. The other day at the conclusion of his remarks the chairman of the committee made a statement which in substance was that men who objected to this river and harbor bill were not intellectually honest. That would include a large part of the House membership, if true. I desire to present just a few brief remarks in this connection, which I think may be of interest at the outset of this bill. I oppose this 1919 river and harbor bill, not from any personal or local injury, fancied or real, but because the bill is vicious and wasteful in character. I am not acting alone as a Representative from Wisconsin in this opposition, but for taxpayers throughout the country, who are equally concerned in its defeat.

Members of the committee in past years have poked fun at all western waterway traffic. Let me say my own State represents more actual waterway traffic than that of any other member of the committee, with one exception. Wisconsin stands second in waterway commerce of all the States in the country. Last year four of its harbors, taken from a dozen of its ports, handled over 70,000,000 tons of waterway traffic, hauled on the average over 800 miles. The total appropriations for these four harbors reached $11,670,000 in the last 50 years. The greatest river in the world, without a boat line upon it, also flows past my district, a hopeless, deserted stream.

In general debate on this bill I was severely criticized by Chairman SMALL of the committee, who hails from North Carolina. I ask the House to judge between us as to our comparative interests and intellectual honesty. On pages 8, 9, and 10 of this bill over $1,500,000 is carried for North Carolina rivers, canals, and rivulets that were placed in the bill after the engineers' reports were first sent to the committee, according to the committee memorandum book. This is more than ten times all amounts in this bill appropriated for Wisconsin's waterways, and yet all the actual North Carolina waterway traffic does not reach one-hundredth part of that of Wisconsin. The chairman of the River and Harbor Committee comes from North Carolina. One river in North Carolina—the Cape Fear—with its tributaries, has already received from the Government Treasury for so-called improvements $7,730,168, or more than has been given the second harbor in the world at Superior-Duluth; yet this river's commerce last year was less than 1 per cent of that of this Wisconsin harbor.

The bill before us carries $554,000 more for that one North Carolina stream, or over five times as much is in the bill for that river, as for all the Wisconsin projects put together. Again, $1,000,000 more is carried in the bill for two insignificant North Carolina waterways that do not handle in real commerce 5 per cent of the waterway traffic of the little harbor of Ashland, in my own State. North Carolina, the home of the chairman of the committee, also gets six new projects in the bill, more than any other State in the Nation; and with this astounding record of having four feet in the hog trough, the chairman of the committee from that State seeks to distract attention from his many appropriations by criticizing me personally.

Returning to other waste contained in the bill, Wisconsin has one harbor, Superior-Duluth, that has received from the Government in the past about the same amounts as the Cumberland River, and yet that Wisconsin harbor handled over five hundred times the actual commerce of the Cumberland River last year and shipped it ten times as far. In this bill the Cumberland River will receive $340,000, in addition to $7,108,767, which will begin another hopeless $4,500,000 canalization project on that river. Yet I am criticized by the chairman for protesting against this indefensible waste of public money. Again, one of Wisconsin's five largest harbors last year handled three thousand times as much traffic as the hopeless Missouri River, which project was first rejected by Col. Townsend. The Missouri River, in addition to over $24,000,000 thus far received from the Government, gets $400,000 more in this bill for a so-called commerce of less than 15,000 tons last year. Compared with this, about $100,000 is given in this bill for all the Wisconsin harbors, that handled over 70,000,000 tons last year.

Yet I am criticized for exposing such colossal waste contained in this bill. I could extend comparisons to many other old and new wasteful projects in the bill, but I am content to place these facts, taken from the 1918 engineers' records, before the country, and to say that with $45,000,000 balance on hand at this time for waterway expenditures and $18,000,000,000 indebtedness confronting the Nation, it is worse than foolhardy to finance such miserable reckless waste through liberty-bond sales and burdensome direct taxes. That is the issue, and no effort of the chairman of the committee or anyone else can sidetrack that issue.

Mr. SMALL. Mr. Chairman, I move to strike out the last word. I suppose a brief comment is in order. In reply to the gentleman from Wisconsin [Mr. FREAR], I desire to say that after the gentleman made almost an hour's speech upon this bill, when the committee was considering it under general debate, I used this language with reference to the gentleman and his speech:

He says this "wicked" bill is going to pass the House, carrying with it the indictment that the membership of this House will support a bill not in the public interest, involving a waste of the public money. It is an unfair, unjust, unjustifiable criticism of the committee and of the House. I make this expression immediately after the gentleman has concluded. I do not make it unkindly; but the gentleman has not made a criticism of this river and harbor bill creditable to a man seeking only the truth and desirous of doing only justice and fairness. I do not impute the slightest moral turpitude to the gentleman from Wisconsin. I have studied the gentleman from Wisconsin, trying to ascertain something about his mental methods. The only way I can account for them—because I do not impute the slightest lack of moral conception to his make-up—is that for some reason or other on river and harbor legislation the gentleman has great difficulty in being intellectually honest. In all truth and fairness I commend that criticism to the gentleman, with the hope that in good time he will reform.

I made that statement extemporaneously, but deliberately. I have had no occasion to palliate it or withdraw it. I do not think anything has occurred this morning which justifies any withdrawal of the statement.

The gentleman says a good deal about North Carolina and North Carolina projects. The gentleman intends, I presume, to say that as chairman of the committee I took advantage of my position to favor unworthy projects in North Carolina. If there is a single member of the committee other than the gentleman from Wisconsin who believes it, I not only invite but I urge him to say so. If there is a single Member of this House who has the slightest idea that the gentleman's imputation is correct, I invite and urge him to say so. This is a great body. This House makes up its mind about Members. It is not what the gentleman from Wisconsin says, it is not what I may say about myself. It is the verdict of the House that counts, and the verdict of this House, based on my experience of 20 years, is honest and just to every Member of the House. I am willing to leave my reputation for fairness and integrity and for such intelligence as I may possess to the membership of the House. The gentleman from Wisconsin, whether he likes it or not, must do likewise.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Boston Harbor, Mass.: For maintenance, $40,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. The chairman of the committee has stated that this is in no sense a personal controversy, and I do not believe that either of us will engage in that, because he is not built along those lines, nor am I. He says as chairman of the committee that it is charged that he took advantage of his position, and that is the criticism. Is there such a criticism? I have simply

stated the facts. There are many things which I did not wish to state until the gentleman impugned my intellectual honesty, but I now say that his State, by a peculiar accident, let us say, gets more projects than any other State in the Union; that it gets $1,500,000, that do not carry one one-hundredth part of the commerce of my own State.

It was added after the engineers had reported, and the chairman from North Carolina, passing upon the 70 projects, recommended them to the committee. Is not that so? Now, with that situation, can he challenge me with intellectual dishonesty when a proposition like that confronts the House? Think of it! Take this proposition just passed. I do not oppose it. I do not intend to move to strike it out. The proposition in regard to Tenants Harbor—why, it is for the benefit of one boat, one single boat. Read the engineer's report on page 7:

The chief reason for the demand for increased depth in Tenants Harbor is the need for a channel that can be used at all stages of the tide by the sea boat which connects Tenants Harbor with Rockland and Portland, Me., and affords the customary means of transportation. This vessel draws about 13 feet. The business of the steamboat above referred to which is operated by the Eastern Steamship Corporation, amounted during the calendar year 1911 to 1,339 tons of freight and 1,000 to 1,200 passengers.

I am not going to move to strike it out, but at this time in the history of the country, with the condition of the Treasury as we know it, you ask that the item here ought not to be allowed. I am going to ask after a while what projects should be allowed that are of imperative necessity. Are you going to permit six projects of North Carolina to go into the bill, the Newbegun, Scuppernong, and other creeks down there? I am afraid they are to go in. But I do not propose to permit the chairman or anyone else on this floor to question my intellectual honesty in order to cover up such matters. I leave it to the House to determine who selected these new projects carrying a million and a half dollars for North Carolina when he presented the 70 projects which were adopted in this bill to the members of the committee.

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn.

There was no objection.

The Clerk read as follows:

Gloucester, Beverly, Salem, Lynn, Plymouth, and Provincetown Harbors, Mystic, Malden, Weymouth Fore, and Weymouth Back Rivers, and Dorchester Bay and Neponset River, Mass.: Completing improvement of Weymouth Fore River, $183,000; completing improvement of Beverly Harbor in accordance with the report submitted in House Document No. 220, Sixty-third Congress, first session, and subject to the conditions set forth in said document as modified in the report printed in Rivers and Harbors Committee Document No. 8, Sixty-third Congress, second session, $61,500; in all, $244,500.

Mr. SMALL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 11, strike out "completing" and substitute in lieu thereof "for."

Mr. SMALL. Mr. Chairman, this simply corrects a clerical error. The appropriation does not complete it, and therefore the word "for" should be substituted.

M. TREADWAY. Will the gentleman yield?

Mr. SMALL. I will.

Mr. TREADWAY. As I recollect the item, this amount of $61,500 is one-half of the total appropriation required to complete Beverly Harbor?

Mr. SMALL. Yes.

Mr. TREADWAY. It is $123,000, if I remember rightly the engineers' estimate.

Mr. SMALL. I think the gentleman's recollection is correct.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Pollock Rip Shoals, harbor of refuge at Nantucket, New Bedford and Fairhaven Harbors, Fall River Harbor, and Taunton River, Mass.: Continuing improvement and for maintenance of Pollock Rip Channel, $200,000.

Mr. GREENE of Massachusetts. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman a question if the gentleman from North Carolina will yield for that purpose.

Mr. SMALL. I will.

Mr. GREENE of Massachusetts. I would like to inquire with reference to the intent of carrying out this project at Pollock Rip Shoals, Harbor of Refuge at Nantucket, New Bedford, and so forth, continuing improvement, and for maintenance of Pollock Rip Channel, $200,000. When does this sum of $200,000 become available and how is the money to be expended?

Mr. SMALL. I will say the appropriation becomes immediately available upon the approval of the act, and this is a continuation of the improvement which has heretofore been carried on at Pollock Rip Shoals, and I may say to the gentleman that with which he is entirely familiar, that the result of this matter has been most favorable and the channel has remained stable.

Mr. GREENE of Massachusetts. I am very glad to hear the chairman make this statement, because there was considerable opposition at the time the improvement was begun there for fear the same would not become permanent. But what I wanted to ascertain was, as the probability is there will be little, if any, expenditure in the Fall River Harbor, because the tide is very strong in that harbor, and therefore the harbor will naturally be provided for in the cleansing, and I was only inquiring what the expenditure would probably be in the other places, if estimated by the engineers. Does the gentleman know?

Mr. SMALL. There was so much confusion, I could not hear the gentleman.

Mr. GREENE of Massachusetts. I asked as to the probable expenditure in the Harbor of Refuge, Nantucket, New Bedford, and Fair Haven Harbors, Fall River Harbor, and Taunton River, Mass. I presume the expenditure will be very small in the places mentioned.

Mr. SMALL. Yes; there is no estimate of appropriation for any of the places mentioned. The $200,000 is intended exclusively for the continuing of the improvement at Pollock Rip Shoals.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

Connecticut River below Hartford, Conn.: For maintenance, $15,000; for improvement in accordance with the report submitted in House Document No. 132, Sixty-fifth Congress, first session, $75,000; in all, $90,000.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I approve of this item included in the bill, which is a new project, in accordance with the report submitted by the Engineers in reference to the lower Connecticut River. There are two sections of the Connecticut River, so called, as far as improvements are concerned, the lower section being that from Hartford down and the upper section running from Hartford to Holyoke, Mass., which is in my district. For some time an effort has been made to improve navigation in the so-called upper Connecticut River. A new survey was authorized in the Sixty-second Congress and a report was incorporated in House Document No. 417, Sixty-fourth Congress, first session. The Chief of Engineers, Gen. Kingman, in that report made distinct recommendations relative to the improvement of the upper Connecticut River. His recommendation in brief was:

That the Government should appropriate $1,870,000, with $65,000 for annual maintenance, and that there should be constructed a lock and dam at Enfield under private interest, and that the total expense of $3,950,000 should be met by the Government if this lock and dam was not commenced within a reasonable time by the private interest referred to.

Mr. KENNEDY of Iowa. Will the gentleman yield?

Mr. TREADWAY. I do.

Mr. KENNEDY of Iowa. That was the recommendation, I understand, of the district engineer, but it was not approved by the division engineer, the Board of Engineers, the chief, that part of it?

Mr. TREADWAY. This is a report, if this quotation is correct, of Gen. Kingman, Chief of Engineers, to the Secretary of War, paragraph 3.

Mr. KENNEDY of Iowa. The gentleman does not mean to say the Chief of Engineers approved of that recommendation?

Mr. TREADWAY. The Chief of Engineers, Gen. Kingman, approved the statement I make, quoting from him, which appears in House Document No. 417, Sixty-fourth Congress. I think the chairman of the committee has the report before him or on his desk, and will vouch for the correctness of my statement.

Mr. SMALL. The gentleman has read correctly from the report. Would the gentleman from Iowa care to have the report referred to to read?

Mr. TREADWAY. Now, Mr. Chairman, my particular interest in the adoption of this report comes from the definition of what may or may not be regarded as a reasonable time. I misunderstood that phraseology when I first read the report, but was corrected by Gen. Taylor in a conversation with him in reference to the subject matter. The "reasonable time" would date from the time of the adoption of the project by the Federal Government. So I submit that, in view of the dire need of the improvement of the upper Connecticut River, we should adopt the project and have that time underway to which he refers as reasonable, up to the time the Government should expend the total sum of $3,500,000.

Now, the upper Connecticut River project has been before Congress for many, many years, long before I was a Member of this body. In the Sixty-second Congress the project at that time, as favored by the Board of Engineers, became a part of the river and harbor bill in the Senate. When the bill went to conference the Senate amendment, including this project, was not agreed to. So it never has become a law. The whole matter hinges on the possible cooperation between private interests, anxious to secure the development of water power, and the Government's desire to secure navigation. The interest of Congress, of course, is solely that of navigation. The interest of the people involved is both, one as necessary as the other. The adoption of that project as a navigation project means 12 feet of water from Hartford to Holyoke, passing through a most fertile section of the country, a very thickly populated section, offering and having great industrial possibilities. There probably is no section outside of thickly metropolitan settled districts more industrially occupied and engaged than the particular reach within the Connecticut area. In addition, there is the greatest need of hydroelectric power.

The document to which I referred called attention to the saving of one item of coal alone in transportation for the population as then reported upon. There would be an annual saving on the basis of coal consumption at the time this report was made by Col. Abbot of from $200,000 to $300,000 annually. The various kinds of freight available, both outgoing and incoming, is almost unlimited. The mills of that immediate vicinity need the raw material. They need to get their finished product to the market. And it seems to me that we ought, as the representative body of the people——

The CHAIRMAN. The time of the gentleman has expired.

Mr. TREADWAY. May I have five minutes more?

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to proceed for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. TREADWAY. We ought to begin the period, wherein the Government may or may not cooperate, to secure this 12 feet of navigable water in this reach of 34 miles from Hartford to Holyoke. There is no question of the merit of the project. The only question involved is this relationship between the development for navigation and the development for power purposes. I realize that that subject has been a mooted question before Congress. This body has passed one bill, the Senate has passed another, and there it has been hung up almost indefinitely, certainly during the life of the last two Congresses, and what the prospect may be of amendments to the so-called Adamson general dam act, in a way that will permit of this dual relationship, nobody knows. Therefore when there is so much involved in the commercial welfare of a section as is based solely on the navigation feature, as provided by this report, it seems to me that we could do no more than to include this as one of the projects well worthy of adoption by Congress.

Mr. TILSON. Will the gentleman yield?

Mr. TREADWAY. Certainly.

Mr. TILSON. It has not been the fault of the private individuals, either, that this improvement has not taken place. I would suggest to the gentleman, but the fault was with Congress or with the Government in not permitting them to go on with this improvement.

Mr. TREADWAY. The gentleman is absolutely correct. I am glad he refreshed my mind on that point. At the time it seemed probable that this project would be adopted in the Sixty-second Congress a large private corporation stood ready to undertake the private development to which the gentleman from Connecticut refers, and while, of course, we have no positive assurance that that cooperation could be secured to-day, nevertheless it is fair to assume that it could be secured, because the possibility of the development of 30,000 or 40,000 horsepower annually makes a satisfactory and desirable business proposition. It is only fair to anyone who is asked to put their personal money into such a project that the Government show its good faith by first adopting the project. That is why I am bringing the matter before the House to-day; not for its immediate action, because I am willing to bow at the present time in deference to the judgment of the committee that it should not be included in this present bill.

I appeared before the committee, stated the case as best I could, and am willing now to accept the judgment of the committee that the relationship between the two features, namely, navigation and power, should take further form before this project is adopted. But I do not think we should be asked to wait indefinitely for general legislation. I personally do not think that should apply to this particular project. I realize that the action of the committee was in their best judgment. They did not, as I understand it, pass an adverse judgment on the project, but asked for its further delay. Our people hope that that period of further delay is soon to expire. We have been very patient, have waited long and as patiently as we could, but if within a short period the judgment of the committee should be reversed it certainly would be very beneficial to the sections which I in part have the honor of representing.

I think I have made all the statement in connection with the matter that I care to, other than to ask, Mr. Chairman, that I may be allowed to extend my remarks and incorporate a memorandum that I left with the committee at the time of the committee hearing.

HOUSE OF REPRESENTATIVES,
WASHINGTON, D. C., *December 14, 1918.*

Hon. JOHN H. SMALL,
Chairman Committee on Rivers and Harbors,
House of Representatives, Washington, D. C.

MY DEAR MR. SMALL: In compliance with your suggestion made when I appeared before your committee on December the 11th advocating the adoption of the Connecticut River improvement project, I am pleased to submit the accompanying statement to the committee supplementing the testimony I then presented.

Sincerely, yours,

ALLEN T. TREADWAY.

Statement furnished the Rivers and Harbors Committee by Representative ALLEN T. TREADWAY, of Massachusetts, in support of the adoption of the Connecticut River project between Hartford, Conn., and Holyoke, Mass., in accordance with Document No. 417, Sixty-fourth Congress, first session.

1. The subject of Connecticut River navigation has been so continuously before Congress that only the briefest review need be made of its history. In the Sixty-first Congress, second session, Document No. 818, the Secretary of War transmitted a favorable report from the Chief of Engineers upon the project in cooperation with private enterprise which would secure a development of power. Following this report, in the Sixty-second Congress extended hearings were held before your committee upon a bill introduced by Representative GILLETT carrying out the details of the proposed cooperation between the Government and private interests. This bill was attached to the rivers and harbors appropriation bill in the Senate, but was not agreed to in conference. A new survey was then ordered, which resulted in the report contained in Document No. 417, Sixty-fourth Congress, first session, already referred to. It will thus be seen that the Connecticut River project has been the typical case of interrelation between governmental appropriation for navigation and private construction for power purposes.

2. The division officer at the time of the survey in 1909 was then Maj. Harry Taylor, now Gen. Taylor, of the Board of Engineers, to whom I gladly refer you for any details.

3. Document No. 417, Sixty-fourth Congress, first session, transmitted by the Secretary of War on December 15, 1915, distinctly recommends the improvement of this stretch of the Connecticut River at a total first cost to the Government of $1,870,000 and $65,000 annually for maintenance and operation, basing the estimate on the construction of the Enfield Lock and Dam by private interests. The district officer recommends that if private interests should not "in a reasonable time construct this lock and dam that the United States should undertake the entire work and lease the power created. On this basis the cost to the United States will be increased to $3,950,000." Adoption of either method by Congress would be acceptable to all interested. I do not need to make further quotations from the report, which is available to your committee and which in all details is favorable to the adoption of the project.

4. At the time the report was submitted the population directly affected was over 200,000. The saving in coal transportation alone would have been from $200,000 to $300,000 per annum. It was computed that 30,000 horsepower could be developed.

5. The need both of the transportation facilities through navigation and the hydroelectric power that could be developed never was greater than at the present time. The section to be served is growing in population and the industrial possibilities would be limited only by the power that could be developed and sold. A channel 12 feet in depth from Hartford to Holyoke would accommodate barges using the Erie Canal and the neighboring waterways from New York, relieving in a very large measure the congested freight shipments so well recognized at the present time.

6. At the last session of the present Congress a general bill passed the House substantially in the form presented by the special committee and would have permitted such a development as the one under consideration. The Senate has previously passed a particular bill for the Connecticut River, so it is submitted for your consideration that the two branches have virtually gone on record in favor of the Connecticut River, but that no positive law has yet been adopted. As a result, the citizens continue to pay unnecessarily high freight rates, traffic is congested, industrial development is delayed, and the water power is not only unavailable for commercial needs, but is absolutely wasted. The Connecticut River is a typical case of the combination of navigation and creation of power. I therefore submit that an initial appropriation should be included in your present bill.

7. Should the committee favorably consider the adoption of the project, it could readily incorporate such conditions as would place the project in harmony with the intent of Congress in the effort to pass the so-called Sims bill. I respectfully submit that the initial appropriation should be made by Congress before it could be expected that private interest should construct the lock and dam. The friends of Connecticut River navigation have waited patiently, but conditions are now so acute that patience in this case does not seem longer to be a virtue. We earnestly ask for inclusion of the project in the present rivers and harbors bill.

8. Attention should be called to the fact that improvement of the Connecticut River above Hartford to Holyoke, a distance of 34 miles, would not only make that stretch available to a large amount of commerce but would increase the use of the river below Hartford to the Sound by that amount of tonnage. The benefit can also be regarded as relieving the freight conditions from the points of loading of the tonnage for the upper Connecticut which would be New York, Perth Amboy, Norfolk, or other ports. The improvement, therefore, would not be affected solely on the stretch from Hartford to Holyoke.

9. I beg to again call attention of the committee to the specific phraseology of Gen. Kingman in his report, to be found on page 3, Document No. 417. He recommends a channel 12 feet deep at mean low water, 100 feet wide, between Hartford and Holyoke, at an estimated cost of $1,870,000 and $65,000 annually thereafter for maintenance. He designates four conditions which must be complied with, having to do with the lock and dam and terminal facilities. Under condition A reference is made to construction of the lock and dam at Enfield in accordance with plans approved by the Chief of Engineers and the Secretary of War "under the general provision of law applicable to such cases." I submit that the project should be adopted in the present rivers and harbors bill with the initial appropriation, that a reasonable time be given to any interested parties to lay before the Secretary of War such proposition as may be in accordance with statutes, and that he, the Secretary of War, can then pass upon the plans in accordance with statutes and that he, the Secretary of War, can then pass upon the plans in accordance with this condition "under the general provision of law applicable to such cases."

I would ask that the documents already referred to and my testimony before the committee on December 11 be incorporated with this statement as part of your records.

Respectfully submitted.

ALLEN T. TREADWAY.

WASHINGTON, D. C., *December 14, 1918.*

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend and revise his remarks. Is there objection?

There was no objection.

Mr. SMALL. Mr. Chairman, I wish to supplement with a brief statement what the gentleman from Massachusetts [Mr. TREADWAY] has just said, not for the purpose of clarifying his explanation of this project or of adding anything thereto, but to draw the attention of the House to an inference respecting this project.

This project involves both navigation and the development of water power. It is one of the most attractive propositions of its kind in the United States. As the gentleman says, it traverses a section teeming with industrial plants, with a large population, using very large quantities of coal and other raw products, and producing a large volume of finished products. All of these require transportation, and there can be no doubt that if this part of the river between Hartford and Holyoke were improved, commerce would follow.

As I said, the development of water power is involved here, and I think I may without impropriety state that the committee were not unfavorable to this project, but after some hesitation believed it ought to be postponed until we had some general water-power legislation, such as has been under consideration for so many years in Congress, legislation which would attract capital and protect the public.

This is simply another instance—and that is the main purpose for which I rose to speak—showing the necessity of some general legislation, in order that navigable improvements of this kind involving water power may not be longer delayed, against the public interest.

Mr. TREADWAY. Mr. Chairman, may I ask the gentleman a question?

Mr. SMALL. Certainly.

Mr. TREADWAY. I understood the gentleman to say that he considered that this particular project—or rather the committee did—I wish to inquire whether the committee thought it should delay the adoption of this project until general legislation is enacted?

Mr. SMALL. Yes.

Mr. TREADWAY. Is that the attitude of the committee, in view of the recommendation of the engineer, Gen. Kingman, that this particular project should be adopted, and that such laws as now apply should be complied with by private interests?

Mr. SMALL. I probably should not have discussed in any way the action of the committee, but I thought it fair to say that there was no vital objection to the improvement itself, and that the only reason for delay was the absence of any general legislation.

Mr. GILLETT. Mr. Chairman, I am glad to hear what the gentleman from North Carolina [Mr. SMALL] has stated. I have made so many speeches on this question that I am not going to take up the time of the House with one now. I began to work for this project when not a Member who is now present was a Member of the House. I hope the project will be adopted when every Member who is now present will still be a Member of the House. I feel, as the gentleman has said, that the one imperative and only necessity for the adoption of this project and its completion, which will add both to the industrial resources of the district and to navigation, is the general water-power legislation to which the gentleman referred, and I sincerely trust that the gentleman and others associated with him on the committee will hasten the passage of that legislation.

Mr. TILSON. In view of the very fair statement of the gentleman from North Carolina [Mr. SMALL], I rise simply to call the attention of the committee to the extreme modesty of the people most vitally affected by this particular legislation.

As stated by the gentleman from North Carolina, this locality already has the commerce; there is no doubt about that; and yet, because there is a water-power proposition tied up with it, we are delaying the furnishing of navigation facilities.

In other parts of the country where there is only speculative commerce, where there is only hope that it will follow the improvement in navigation, we have expended large sums for locks and dams and for otherwise improving rivers and building canals. Here we have the business already. There is no doubt about the commerce that will use the improvement.

I wish to call attention to and emphasize the fact that the people in the Connecticut Valley have been unusually modest in their demands. Private individuals representing the water power at this point for 10 years, to my personal knowledge, have been asking for legislation, either special or general, that would permit them to go on with the water-power development. They have not been permitted by Congress to do so, and now the project that would make this great stream navigable, where the commerce is, is still held up for lack of legislation, lack on our part, on the Government's part, of legislation under which this improvement can be begun as a water-power project. I think I am justified in rising to call attention to the modesty of the demands of our good New England population.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. TILSON. Yes.

Mr. TREADWAY. The gentleman notes that the lower Connecticut is to be improved in this bill. The project we are now speaking about is for the upper Connecticut. If that should be adopted, would not the lower Connecticut, for which there is an appropriation, be benefited by just that much commerce?

Mr. TILSON. Yes. The lower stretch of river that we have already improved would be used very much more if all the commerce of Holyoke, Chicopee, Springfield, and the other Connecticut River towns of that industrial region should have facilities for water transportation.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Duck Island, Branford, New Haven, Milford, Bridgeport, Southport, Norwalk, Five Mile River, Stamford, and Greenwich Harbors, Westport Harbor and Saugatuck River, breakwaters at New Haven, and Housatonic River, Conn.: For maintenance, $23,000; for improvement of Bridgeport Harbor in accordance with the report submitted in House Document No. 898, Sixty-third Congress, second session, $111,300; for improvement of Norwalk Harbor in accordance with the report submitted in House Document No. 1143, Sixty-third Congress, second session, $88,000: *Provided*, That no part of the latter amount shall be expended until the Secretary of War shall have received satisfactory assurances that local interests will construct such public wharfage facilities as, in his opinion, are required in the interest of commerce; completing improvement of Stamford Harbor in accordance with the report submitted in House Document No. 1130, Sixty-third Congress, second session, $183,000: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement: *Provided further*, That no part of the latter amount shall be expended until the Secretary of War shall have received satisfactory assurances that local interests will construct a suitable public wharf; completing improvement of Greenwich Harbor in accordance with the report submitted in House Document No. 289, Sixty-third Congress, first session, $35,000; in all, $440,300.

Mr. FREAR. Mr. Chairman, I hesitate, after the few recent remarks just made in passing, to question anything in New England, but for fear I may be challenged later on with sectionalism when I oppose one or two other projects and explain them in other parts of the country, I desire to refer incidentally to two or three projects contained in this one paragraph.

Let me read in regard to Bridgeport from the 1918 report of the Army engineers. This is not the project that is reported on by the engineers for this improvement. This improvement is not for the harbor. It is for Johnsons Creek and to reach up to a boat yard away up at the edge and not on the main harbor. Here is what the report of 1918 says, in volume 1:

No estimate is submitted for maintenance during the fiscal year ending June 30, 1920, and it is expected that the completion of the above work, if necessary before the above date, will furnish adequate channels for the accommodation of the commerce of the harbor.

And yet you are asked in this bill to appropriate $111,000 for Bridgeport, Johnsons Boat Landing, away up the creek, that carries several thousand tons.

Let me refer again to Stamford Harbor here. Let me show what they say about Stamford Harbor. I am reading now from page 225 of the Report of the Engineers for 1918, where they reported favorably for the improvement. Here is what they say of it:

No estimate is submitted for maintenance during the fiscal year ending June 30, 1920, for the reason that the work to be done under the above estimate, if accomplished before that date, will leave the improvement in such condition that no further maintenance will be necessary during the fiscal year 1920.

There is no suggestion in this report but what, so far as present needs are concerned, these improvements are able to accommodate all the commerce.

Now, I have no objection to these projects any more than to many others that are there, but I do say that the Army engineers in 1918 determined that no appropriation for maintenance is necessary. They are not coming in and demanding these new projects. When they say they have enough money for the commerce there in that stream, and that they have enough for the maintenance for present needs, I say that you take it away from the President and from the Secretary of War to pass upon these things and you put it in the hands of the chairman of this committee, who comes to the committee with 70 new projects, and they adopt all that he recommends.

I say that is unfair at a time when we are facing a deficit of $18,000,000,000, when you have got to raise the money for these projects and others by the sale of liberty bonds and by a direct income tax. At such a time I can not see how any man can go to his constituents and justify this expenditure, in view of the report of the engineers.

Awhile ago the gentleman from New York [Mr. DEMPSEY] said, "You have not given a bill of particulars." He wanted me to make an hour's argument here in two minutes. I can give you project after project, and I ask you to answer if you can. Explain the immediate necessity, if you feel that it exists, some one, excepting those whose districts will receive all the money that is appropriated here for these different projects. New York is interested in what is in this bill. New York has important commerce, and I admit it; but in the substitute bill which I propose to offer for $12,000,000, which is more than the amount added here to the first report of the engineers, New York and everything else that has any real commerce is included.

These new projects are generally not needed and not important at this time. These are the things on which I could comment; I could comment on the Norwalk project in the same way. There are three new projects here. Let me suggest in passing that under this new system this committee embodies a number of projects in one paragraph, and all the projects in one paragraph, involving over $900,000, have got to be discussed in five minutes, if the committee members are technical, which I suppose they will not be.

In the Engineer's Report for 1918 there is no claim of immediate necessity. No one contends that there is immediate necessity for either of these projects, such as under present circumstances would justify this contribution out of the Federal Treasury at this time.

Mr. SMALL and Mr. MERRITT rose.

The CHAIRMAN. The gentleman from North Carolina.

Mr. SMALL. I yield to the gentleman from Connecticut [Mr. MERRITT.]

Mr. MERRITT. Mr. Chairman, the report to which the gentleman from Wisconsin [Mr. FREAR] has alluded was made by the engineers during war time, and at that time the committee and everyone agreed that even necessary matters might wait. The gentleman has not alluded to the necessity for the improvement of these harbors in Connecticut. As he says, they are all treated together. The reason why they are all treated together, I take it, is that the same reason exists for the improvement of all of them.

Mr. FREAR. Will the gentleman yield for a correction?

Mr. MERRITT. I will; yes.

Mr. FREAR. The report which recommends these improvements was made in 1913. The report from which I read is this year's report of the Army engineers, which says that no money is necessary at this time.

Mr. MERRITT. For the completion of these projects?

Mr. FREAR. For the present projects, or for the use of commerce in the harbor, as I read.

Mr. DEMPSEY. What the gentleman read stated that two harbors out of five do not immediately need a maintenance allowance, but that allowance may be needed during the year for the five as a whole, and the amount is $23,000. That is the report of the engineers.

Mr. MERRITT. I was especially addressing myself to what I think the gentleman refers to, the new projects, and for the information of the committee I should like to point out that all these harbors are really a part of the great New York terminal. It has been shown during the war that the railway facilities for handling coal and merchandise into New England through the port of New York are absolutely inadequate to meet the requirements of commerce, and the physical conditions render it impossible to make those railway facilities equal to those requirements, because all that commerce for New England has to come over the New York & New Haven Railroad from New York. That railroad is already overburdened with passenger traffic, and the freight conditions must be ameliorated in order to help New England. Now, all these harbors need deepening and increasing, so that bulk freight coming into the harbor of New York can be delivered into Connecticut and so distributed through New England without burdening that small railroad throat from New York.

That in brief is the necessity for this increase. A further reason is that the schooners and barges which handle the commerce of New York are being made larger constantly, and where a depth of 9 feet was sufficient a few years ago a depth of 12 feet is necessary now. One member of the committee, who is familiar with that branch, being interested in it, so stated when I was before the committee, and that is the fact.

While this seems local, it helps the national commerce by relieving the port of New York, and by relieving the connection with the whole of New England through New York; and therefore, while in the case of Bridgeport it refers to Johnsons Creek, that is none the less a part of the harbor of Bridgeport, because the requirements of that harbor and of the country in order to meet the facilities of commerce have gone up by leaps and bounds, and this is not by any means a local project, but on the contrary is a New England project, and beyond that a national project, and therefore it is entitled to the support of this House. [Applause.]

Mr. SMALL. Mr. Chairman, I would not consume the time of the committee except to point out as an illustration the fallacious argument made by the gentleman from Wisconsin against Stamford Harbor, and I invite the attention of the committee to it. The gentleman read from the annual report substantially to the effect that no recommendation or estimate was submitted, and none was required. The gentleman should know that that extract he read from the annual report referred to existing projects. The bill adopts a new project, and the gentleman deliberately attempts to have the committee believe that the Chief of Engineers has recommended no appropriation for this new project when the committee have deliberately adopted this new project with an appropriation. The annual reports of the Chief of Engineers discuss only existing projects which have heretofore been adopted by Congress.

Now, the gentleman was either ignorant or he was not sincere with the House. I have before me the Report of the Chief of Engineers, House Document No. 1130, Sixty-third Congress, submitted to Congress July 20, 1914, which contains an affirmative and strong recommendation for this project, with an estimate of an appropriation of $183,000, the same amount carried in the bill.

The pro forma amendment was withdrawn.

The Clerk read as follows:

East River, N. Y.: Continuing improvement, $4,000,000.

Mr. FREAR. Mr. Chairman, I rise to reply to the gentleman from North Carolina, who has six new projects in the bill, all added after the bill was first agreed to, and who gets a million dollars for his two canals that have practically no commerce. He says the gentleman from Wisconsin is ignorant or insincere, and I repeat that compliment to him, because he is unfair in urging his own projects.

Let us see. I did not say that it was a question of maintenance of the present projects, and to use his own discourteous terms I say that he deliberately misrepresents my statement. It was not in regard to the present projects, I said.

How shrewdly he dodged the proposition of the first and how quickly he got away from it.

Now, you can deepen a harbor to 35 feet if you want to. It is not a new project, it is not necessary for commerce, and you can not get away from it.

Mr. DUPRÉ. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. DUPRÉ. Was the gentleman measuring his words when he said that the chairman of the committee had six new projects in the bill after it was completed?

Mr. FREAR. After it was reported by the engineers the first time, and the gentleman from Louisiana has five, almost as many, and he is going to be a very active assistant, and I shall be glad to have him because there is something else that I may want to say in regard to that. The gentleman has five, and will make a very good assistant to the chairman.

Mr. DUPRÉ. I hope I shall in the discussion of the bill before the House.

Mr. FREAR. Yes; and the gentleman at the head of a "national" waterways organization also comes from Louisiana, and is a distinguished Member of another legislative body. The vice president of another waterway organization comes from North Carolina, and happens to be the chairman of the Committee on Rivers and Harbors.

The pro forma amendment was withdrawn.

Mr. MAGEE. Mr. Chairman, this improvement is of vital interest to New York City and to the Nation. I want to do a simple act of justice in connection with this improvement to the Member from New York [Mr. DEMPSEY], a member of the Committee on Rivers and Harbors.

The Hon. Murray Hulbert, formerly a Member of this House, issued a statement in the form of a letter on December 23, 1918, the signature of which is typewritten, but I assume there is no question as to the authenticity of the communication. It contains this statement:

The press, and especially the newspapers, have been very generous in giving me full credit for the humble part I have had in these matters, but this reversal in the treatment of New York Harbor could not have been achieved without the splendid cooperation of Secretary Daniels and Secretary Redfield and the entire New York congressional delegation, of whom Hon. WILLIAM E. CLEARY, my successor on the River and Harbor Committee; Mr. RIORDAN, of New York; Mr. MAHER, of Brooklyn; and Mr. CALDWELL, of Queens, are deserving of special mention.

May I not suggest that a word of commendation for these gentlemen is not only their just due but would doubtless spur them to greater deeds for the future of the port.

The secretary to the commissioner writes as follows:

MY DEAR CONGRESSMAN: The commissioner directs me to inclose you herewith a copy of a letter this day sent to the various newspapers, which is self-explanatory.

Yours, very truly,

WM. S. PRINCE,
Secretary to the Commissioner.

I do not speak in any spirit of criticism, but it is only just to other Members of the House that I call the attention of the House to the amendment which was offered in connection with this improvement. On April 9, 1918, at a time when Mr. Hulbert was not a Member of the House, because he had resigned as Member of the House on December 31, 1917, to accept a more lucrative position as commissioner of docks of New York City, the gentleman from New York [Mr. DEMPSEY] introduced this amendment:

Amendment offered by Mr. DEMPSEY: After the figures "$2,200,000," on page 2, line 24, add the following: "And the Secretary of War is hereby directed to prosecute the work of improvement, with a view to securing a depth of 40 feet in the channel through East River and Hell Gate as soon as practicable."

I was present on that day in the House when this amendment was under consideration. There were many Members in the House from different States who took an active part in bringing about the adoption of the amendment. Great credit is due to the gentleman from Illinois [Mr. MADDEN] and to the gentleman from Minnesota [Mr. MILLER] and to the gentleman from New York [Mr. SIEGEL] and to other Members of the House. The votes pertaining to the adoption of this amendment were fairly close. Upon the motion of the distinguished chairman of the committee that the committee rise, the vote, on division, was ayes 49, noes 58, and the vote on appointment of tellers was ayes 53, noes 59. The vote upon the amendment itself was ayes 62, noes 51. I do not wish to detract any credit from any person in reference to the institution of this great improvement, but I do wish to give credit where credit is due, and my observation and judgment is, and there is not any doubt in my mind about it, and I do not think there is any doubt in the minds of the Members of the House about it, that the adoption of this amendment by the House upon that day was due to the earnest and indefatigable efforts of the gentleman from New York [Mr. DEMPSEY], and I want to give him the credit which is his due. [Applause.]

Mr. CLEARY. Mr. Chairman, I want also to give Mr. DEMPSEY great credit for what he did that day. He did lead in this matter, and we supported him. My name appears in the letter which the gentleman from New York has just read. I might say that my own modesty would never have suggested that it appear there. I had nothing to do with it, and knew nothing of it, but while I am on my feet perhaps I might say one word for this bill. Before I do so, I wish again to state that Mr. DEMPSEY is entitled to all credit the gentleman asked for. He is a very fine gentleman, always in favor of these great improvements, and on that day he did lead the fight and we all supported him.

As the New York matter is up it brings various things to my mind. It brings the discussion of the New England coast, and the matters in respect to Connecticut, and so on; and as a man who has had experience in transportation matters for a lifetime, I might say that these projects are good; that they are necessary. The coal all does go up through New York from South Amboy and Elizabethport and Weehawken and these other New Jersey ports, through the terminals, through New York up to New England. We have often carried coal a long distance up the Sound much more cheaply than we did a short distance, because in one place we could load our boats full, had 9 or 10 feet of water, while in such places as Stamford and other places we would perhaps only have 6 or 7 feet of water. We had to have so much money for the trip, so that the places that had little water had to pay the excess freight, which, of course, is unfair and improper. That is one of the things that shows the necessity and the justice of these river and harbor bills. Wherever you see throughout the country great cities have grown up through their commerce, you will find that they are on the water. Take Chicago, New York, Philadelphia, Baltimore, Boston—all of these great cities have grown up because of water transportation. Everyone who has looked up the history of it remembers that the city of New York was third in population and commerce when the Erie Canal was built. It is historically interesting to note that it was George Washington himself who first suggested a great waterway connecting the Lakes with the ocean down through the Hudson River by way of the Mohawk Valley. I might say here a word or two in regard to the great citizen who has just died. I remember appearing before him when he was governor of our State on two different occasions, urging improvement of this Erie Canal. Gov. Roosevelt appointed a committee, the result of whose labors was the improvement and enlargement of the Erie Canal. And we should never lose sight of the fact that he is the same Roosevelt who built the Panama Canal. Everybody recognizes that, and that will go down in history perhaps as his greatest achievement.

He was a great patriot; no one dare deny that. Yet he was a great canal man, and he never hesitated in small things. He wanted to improve them and make large things out of them. So when we can mention such men as Washington, Clinton, and Roosevelt as men who supported water transportation and who dug out harbors and made the cities and the country great because of its water transportation before it had rail transportation, then I think we should be liberal in all of these projects. I would rather make a mistake on the wrong side—that is, I would rather be more liberal and give every American city a good improvement in the way of harbor facilities in the rivers and harbors of the country—than to neglect the water altogether. Our business is here. This country is only very mengerly developed as yet in reality. When we have developed all of these rivers and harbors, built them up, the man who lives 100 years from now will not be able to realize how much has been done in his time, just as it is difficult for us as we look back 100 years. Let us not be niggardly; let us go ahead, and wherever there is a proper proposition, wherever there is a reasonable opportunity to improve the rivers and harbors of the country I want to see them improved, whether they be in Florida, in Massachusetts, or in New York. [Applause.]

It is a great national matter. Of course, New York does not need any talk from me. New York is recognized as the gateway of the Nation. Nobody will condemn the improvement of the harbors there, not even men who hate water transportation. No one will put anything in the way of New York's improvements. All of the Nation uses New York, every section of it, when you go abroad or when you come home, and all transportation, east, west, north, or south. [Applause.]

Mr. DONOVAN. Mr. Chairman, I move to strike out the last word. I have a good deal the same attitude of the Irishman who went to Paris. When he came home he was telling his friend of his delightful trip, how he enjoyed the sights and the interchange of conversation with its people. His friend said to him, "Why, what are you talking about? You do not talk French, do you?" "No," he replied, "I do not talk French, but I had with me an interrupter." [Laughter.] Like the Irishman, I feel that I am an interrupter in these proceedings, but at the same time I may in a small measure be an interpreter. I can not let the occasion go by without subscribing to the sentiments of the gentleman from New York [Mr. MAGEE] relative to the other gentleman from New York [Mr. DEMPSEY], who in April last, when the rivers and harbors bill was under consideration, succeeded in procuring by amendment authority for a 40-foot Hell Gate channel. I think, however, that tribute is also due to another New York Member, Representative SMITH, and I know Mr. DEMPSEY will agree with me that it was largely through their joint efforts that said authority for the great and necessary New York Harbor improvement was consummated.

To my colleague, Mr. MAGEE, I am pleased to state that before this good day I have placed on record by written word to the mayor of the city of New York the substance of what he has just so well stated of the great work of Mr. DEMPSEY. I believe that I express the opinion of the entire New York City delegation, as well as that of his colleagues throughout the State of New York, who so ably assisted him, in paying a tribute of gratitude for the masterful manner in which he made that accomplishment. [Applause.]

Mr. THOMAS F. SMITH. Will the gentleman yield?

Mr. DONOVAN. I will.

Mr. THOMAS F. SMITH. When the gentleman refers to Representative SMITH the gentleman is referring to Representative CHARLES B. SMITH?

Mr. DONOVAN. No; the gentleman is modest. I refer to Representative THOMAS F. SMITH. [Applause.]

I need not urge upon the committee the necessity and demand for the improvement of New York Harbor which the bill under consideration proposes. The port of New York, not only being the largest in this country, but in the world, should have added to its great natural advantages as a waterway and for the handling of its immense tonnage all the mechanical and scientific equipments that can be given.

The appropriation for the removal of Shell Reef, the dredging of Ambrose and Anchorage Channels, and the improvement of Newtown Creek will supply the needed improvements. Better navigation, lessening of congestion, and increase of commerce will then follow.

I would, in fact, be an interrupter if I were to continue longer to detain you with arguments, and therefore I will now conclude. [Applause.]

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

New York Harbor, N. Y.: For maintenance of entrance channels and for continuing improvement of Ambrose Channel, Craven Shoal Channel, and Anchorage Channel, $300,000.

Mr. FREAR. Mr. Chairman, let me not detract by anything I might say from the eulogies paid my friend Mr. DEMPSEY, a member of the committee, or any other member of the committee who can point to a very large amount or number of projects which he has secured in this bill, or any of the gentlemen who are outside of the committee who have been equally successful. I will say this, that the genial gentleman from New York is entitled to credit, because he certainly worked hard, but I can not conceive why the House of Representatives is paying compliments to this individual and that individual, however well-deserved they are, for their energy in getting projects or getting appropriations. Why, Mr. Chairman, it ought to depend and depend entirely, as I assume it does in New York, on the commercial necessity. Why, that ought to be behind it. I have never questioned appropriations for the commerce of New York, if they were deserving of support, urged by either Mr. DEMPSEY or any other Member on the New York delegation for their rivers. All Members of this House stand together—we all stand together—for waterway improvement. But I do not quite understand that sentiment which would pay a special compliment, except for a Member's arduous labors on this committee and every other committee, to a Member because of the appropriations which come for his community in this bill. I can not understand that method of reasoning, and that is without any criticism of those who have paid the high compliments to my friend. I agree so far as the general speeches are concerned. Now, Mr. Chairman, the question was raised a few moments ago about opening wide the Treasury doors, so as to improve the waterways of the country. Oh, yes, you have; you have given $150,000,000 to the Mississippi River, which has not got a boat line of importance. You have given $24,000,000 to the Missouri River, without a single boat line of any kind, with less than 15,000 tons of commerce last year. You have given seven or eight millions to the Hennepin Canal, which I think had 8,000 tons, including sand, last year; I may be mistaken in the exact freight. Why, you have not any commerce upon the inland waterways, so far as I can recollect, with one or two exceptions. Why, there is no boat line yet upon the $150,000,000 canal of New York State, and if any canal ought to be successful it is that, and I hope it will be. New York has shown its public spirit by paying for it out of its own treasury.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. FREAR. I will.

Mr. LAGUARDIA. That $150,000,000 is appropriated by the State of New York.

Mr. FREAR. I say New York appropriated for it out of its own treasury. I want to give due credit; you are entitled to it; your State is entitled to it; but the canal is yet a doubtful experiment. I say some of these projects are desirable and worthy—we all know it—in this bill, but many are not.

Mr. HUMPHREYS. Mr. Chairman, I move to strike out the last word just to make this suggestion: The gentleman says $150,000,000 has been spent on the Mississippi River and no boats are there. He is not accurate as far as that is concerned. Boats are there, and there is some little commerce, not enough to justify the expenditure of $150,000,000, but this $150,000,000 of which the gentleman speaks has been spent there from the beginning of time down to date. There was a time when part of this money was being appropriated when the Mississippi River was the greatest highway of commerce in the world. There was a time when the commerce of the Mississippi River was 30,000,000 tons annually.

Mr. FREAR rose.

Mr. HUMPHREYS. Now just wait a second. I just want, not denying what the gentleman said about the totals, to explain it. During those days certainly no man would criticize the appropriations which were then made. They were necessary in order to further commerce and to make it possible. Why, I remember the statement of the president of one of the great barge lines on the Mississippi River to the effect that there were 5,000 wrecks scattered along the banks of that river and in the stream at the time he testified, which was many years ago, caused by snags and bars which had been permitted to accumulate in the river. It was for the purpose of removing those obstructions to commerce that much of the money was appropriated and was justified then by the facts. Now, in recent years appropriations for the Mississippi River have increased and the commerce has decreased, but in fairness it ought to be said that in recent years the large appropriations made for the lower river were not for the purpose largely of improving the river for commerce, but were expended in the interest of flood control, so that whereas we have spent $150,000,000 in many years, I do not know just how many, but since we began these appropriations, and whereas the commerce now on the river is small, it ought to be stated——

Mr. GARD. Will the gentleman yield?

Mr. HUMPHREYS (continuing). It ought to be stated that while this $150,000,000 was being expended in the years gone by, which was then justifiable on account of the large commerce then upon the river, in later years a large amount of it has been devoted to flood control. I yield to the gentleman from Wisconsin.

Mr. FREAR. Is it not a fact before one dollar was ever spent upon the Mississippi River by the Government the commerce was then much larger than it is to-day, that there is not a boat line, not a single boat line, upon the river to-day, and that the $150,000,000 has not developed any commerce——

Mr. HUMPHREYS. No.

Mr. FREAR. And was for that purpose, at least according to the statement made upon the floor year after year, until the Flood Control Committee was appointed, of which the gentleman from Mississippi is chairman, and that up to that time it was always said that it was for commerce, and yet we have no commerce appreciably, compared with the enormous expenditures made upon the river?

Mr. HUMPHREYS. Now, the gentleman asks a question as to whether or not this, that, or the other is not true. Now, I will answer, Mr. Chairman, in the negative. None of the statement is correct. There is more commerce to-day, very much more, though the river carries very little, than there was before the Government of the United States ever made any appropriations for the river. There are boat lines now on the river, a number of them. I have not looked into the engineers' report this year, but I take it that the commerce from Baton Rouge—and I think that is the point at which they divide it—south would show something like a million tons. When considering the commerce on the river it is difficult to avoid duplication. The reason I said from Baton Rouge south is because there can not be any duplication there. But there are many hundreds of thousands of tons of freight more. There are many boat lines on the Mississippi River to-day and local and through barge lines.

The third point, as I recall now, is that these appropriations, until I became chairman of the Flood Control Committee, were always predicated on the theory that the money was spent for the purpose of developing the commerce on the river. That is not the fact. The act of Congress which created the Mississippi River Commission in 1881 particularly and specifically states it is for the control of floods as well as for navigation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUMPHREYS. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. Without objection, the gentleman will be allowed to proceed for two minutes more.

There was no objection.

Mr. HUMPHREYS. The fact that all the engineers agree that there was but one way to improve the river for navigation, and that was the identical method by which it was necessary to improve it for the purpose of flood protection, was frequently stated in answer to the suggestion by Members of Congress that Congress had no constitutional warrant for making the appropriation. That is all. The arguments were always made that here was a great enterprise, so great in its area, so great in

its possibilities for benefits to the whole people, that it did, in fact, involve the general welfare of the people, that it justified appropriations being made by Congress, $1 being given by Congress where the local interests put up $3. Now, these facts, I think, ought to be submitted in fairness, in view of the criticism in the statement of the gentleman that $150,000,000 had been spent without securing any commerce. The $150,000,000 does not go in this bill. Nothing is carried in this bill for the lower Mississippi from Cairo down.

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

Mr. GARD. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended three minutes.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the time of the gentleman from Mississippi be extended three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. GARD. I wanted to ask what was the total average of the commerce on the Mississippi River last year?

Mr. HUMPHREYS. I do not know. The chairman of the committee can state it, probably. I imagine that the commerce on the lower Mississippi perhaps ran, if you could eliminate the duplications, probably around 1,000,000 tons. That is merely a guess.

Mr. GARD. I wanted to know whether there was a severance between the amount said to be appropriated for navigation purposes and the amount for flood-control purposes on the Mississippi River.

Mr. HUMPHREYS. The flood-control act passed a few years ago contemplated an improvement on the Mississippi River below Cairo by the Mississippi River Commission, and the jurisdiction of that commission extends to the entire subject of flood control and navigation. I will state that perhaps $1,000,000 will be about the amount spent annually—perhaps not quite that much—directly in the interest of navigation, without reference to flood control, and the other would be spent for the construction of levees and revetments, both in the interest of navigation and of flood control. Now, that is about, approximately, the situation.

Mr. WHEELER. Will the gentleman yield for a question there?

Mr. HUMPHREYS. Yes.

Mr. WHEELER. In the appropriations made for flood control would not some of that money be spent in deepening and widening the channel in order to control the water?

Mr. HUMPHREYS. Yes.

Mr. WHEELER. If so, it would not be necessary to appropriate money in the river and harbor bill for the improvement of the Mississippi River?

Mr. HUMPHREYS. No. There is no appropriation carried in this bill for it.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Newtown Creek, N. Y.: For improvement of Newtown Creek and tributaries in accordance with the report submitted in House Document No. 936, Sixty-fourth Congress, first session, and subject to the conditions set forth in said document, $205,000: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement.

Mr. CLEARY and Mr. FREAR rose.

The CHAIRMAN. The gentleman from Wisconsin [Mr. FREAR] is recognized.

Mr. FREAR. Mr. Chairman, I move to strike out the last word.

The gentleman who has just spoken, the gentleman from Mississippi [Mr. HUMPHREYS], chairman of the Flood Control Committee, was a member of the Committee on Rivers and Harbors for many years, and a very active member. This House, in its wisdom, passed a bill giving $45,000,000 from the Treasury toward work on the lower Mississippi on condition that the people along the lower river gave one-third as much, if I remember correctly the condition made in the bill. I can speak from positive knowledge of portions of the Mississippi River when I say that on the upper Mississippi, with practically $30,000,000 expenditure—and that was for the purpose of improving navigation—the commerce to-day amounts to practically nothing in view of the enormous expenditure made; that the engineers figured, in order to get their commerce, the cost of automobiles ferried across the river, and added over $40,000,000 to it last year for automobiles ferried across the river. They do not have the item in it now, but they put in sand and logs floated down the river.

Mr. GARD. To what does the gentleman attribute the condition of the commerce?

Mr. FREAR. To the railroads, largely. The Government to-day is endeavoring to test it out by building boats and barges, because private investment will not do it.

Mr. DEMPSEY. Will the gentleman advise the House how they float sand and gravel down the river?

Mr. FREAR. I will state that I went down the Mississippi from St. Paul to St. Louis, and paid my own fare, for the purpose of seeing how the commerce on the Mississippi River, which I had heard spoken of frequently on this floor, really existed. For 300 miles we never passed a freight boat on the Mississippi River—and that was three years ago—until we passed a barge of sand, and you have practically 6 feet of water there in the river at all times of the year.

Mr. HUMPHREYS. Did you meet any?

Mr. FREAR. Nothing except Government boats. These were everywhere, carrying materials for the improvement of the river, and not a single boat carrying commerce, unless it was an excursion boat. But we met this sand. I put these facts in the RECORD at the time when I made the trip.

Now, the gentleman from Mississippi has been a very faithful and ardent supporter of these matters. No appropriation has ever been too large to excite his attention. He has been satisfied. I have no criticism to pass upon him. He has been very kind to me at times when I criticized these matters. But I do want to say that the $150,000,000 spent on the Mississippi was ostensibly expended for commerce, and you have not any commerce to speak of. I have tried to find out where it is on the lower river by reading page after page. There is a little commerce below. But one port in our State has over 50,000,000 tons, and the gentleman takes a great deal of satisfaction because, after an expenditure of $150,000,000, you have got possibly a million tons.

Mr. HUMPHREYS. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Yes.

Mr. HUMPHREYS. The gentleman will be fair enough to state that the $150,000,000 has been expended in the past 80 or 90 years?

Mr. FREAR. Yes; for a long period.

Mr. HUMPHREYS. And during that time there has been tremendous commerce on the river?

Mr. FREAR. Yes. I agree that before a single dollar was ever expended they had 130 boats on the upper river, but there is not a single boat there now. We spent $30,000,000 on the upper river, and we have had commerce there in the past; but now the commerce is almost completely wiped out, except for these proposed Government barge lines. Last year we gave $3,000,000 to Mr. Goltra, the chairman of the Democratic National Committee, for barges built by the Government. We are still building them.

Mr. KENNEDY of Iowa. You say "we." Who does "we" mean?

Mr. FREAR. I mean the Government—one of the so-called war boards—for the purpose of carrying ore from St. Paul to St. Louis.

Mr. CALDWELL. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Yes.

Mr. CALDWELL. Have conditions developed in the Mississippi River similar to those in Long Island Sound with respect to the railroads?

Mr. FREAR. I can not be interrupted for that. You must take your own time. The conditions are very different. In the Mississippi you can have only a limited depth. Beyond that the water is not there to fill the river, any more than in the Missouri or in the Cumberland or in the Ouachita. There is no commerce there. The railroads take it away.

Mr. CALDWELL. Did the railroads drive out the boats?

Mr. FREAR. Yes; frequently they have driven the boats out of business. That is a matter of public knowledge.

Mr. CLEARY. Mr. Chairman, the last item read was "Newtown Creek." Inasmuch as it is called a "creek" I thought perhaps I ought to explain it to some Members present who may not know the facts.

Newtown Creek is only a portion of the East River, running up between the Borough of Queens and the Borough of Brooklyn. It has a tremendous business, which runs into the millions of tons. There are tremendous factories there, and there is a tremendous commerce on it. I want you to know it is not an ordinary creek. It is simply a great slip, a part of East River, in Brooklyn, built up for the advantage of the people so that they can get their water business up into the heart of the city of Brooklyn. That is what Newtown Creek is.

Now, while I am on my feet I want to call attention to another feature of this water transportation, which was suggested by a gentleman who said something about it, that even

where a railroad does parallel a water line and where as the result of the use of that railroad, which gets most of its money out of passenger traffic, and so on, it is able by its large capital for the time being to reduce the tonnage of that river to a small percentage, all the same in the judgment of the people of those localities, the industries that have been built up, the country that has been developed by the simple existence of that river, justifies the improvements that were put on it, if it never carried another pound. I want you to remember that. [Applause.]

Mr. GALLAGHER. Mr. Chairman, it seems to me that it is a great deal more popular to throw bouquets and compliments at one another here in this committee than it is to stand up and oppose the bill. It is not popular to oppose a river and harbor bill. If the engineer's report to the committee that $11,750,500 for waterway expenditures for this year is sufficient for all purposes, with a balance of $45,000,000 on hand, then under what reasoning do we propose to go to work and propose to spend $27,000,000? Why do we do that when the engineers, who have authority and whose judgment should govern appropriations, say $11,000,000 is enough?

I was in hopes that we could hold down the appropriations to the amount asked for this year by the engineers. I think under existing circumstances it would be far more popular to do that than to spend $27,000,000 in the face of the conditions that confront the Treasury of the United States. We are exacting every dollar we can get from the people by taxation, and we are trying to expend it in the most economical way that we can; and to propose to expend $27,000,000 for waterway improvements at this time, when the engineers say $11,000,000 is enough, requires a considerable nerve to override the engineers' recommendation and estimate.

Now, we hear a great deal of rates being regulated by waterway improvements. I have been on the Committee on Rivers and Harbors for a number of years, and I have seen a great many millions of dollars expended for waterway improvements, but I would like to know who will contend that the ultimate consumer gets any benefit whatever from these improvements? We hear a great deal of talk about how coal is transported on water, and how the people are benefited by such transportation of coal because they can get a cheaper rate by water than they can by railroads. Does anybody believe that they can buy a pound or a ton of coal any cheaper, whether the coal is transported on water or by rail?

Mr. CLEARY. Mr. Chairman, will the gentleman allow an answer to his question?

Mr. GALLAGHER. Yes.

Mr. CLEARY. I will say I know of one case. The Delaware & Hudson Railroad monopolizes the carrying of all the coal in northern New York, and it runs partly up into New England. I was for many years vice president of the Lake Champlain Transportation Co. We used to deliver coal parallel to the Delaware & Hudson Railroad right up into Vermont, and we sold coal right straight along for a dollar a ton less than the railroads. Coal in the village of Whitehall was continually $1 a ton less than it was in Fairhaven, 20 miles away, and the farmers used to haul it from there in sleighs in order to get the benefit of the dollar a ton difference in the price. The railroad had a regular rate. The canal had no rate. It carried it the cheapest it could.

Mr. GALLAGHER. That was some time ago, was it not?

Mr. CLEARY. Up to five or six years ago. I have not been in that business since then.

Mr. GALLAGHER. I have been buying some coal since then.

Mr. CLEARY. I do not mean the last year, during war time.

Mr. GALLAGHER. Everybody who has to buy a ton of coal knows that the price of coal is regulated at the mines.

Mr. CLEARY. Oh, no.

Mr. GALLAGHER. It is regulated by transportation.

Mr. CLEARY. By transportation; yes.

Mr. GALLAGHER. And the small dealer in coal who sells you a ton of coal below the regulated price is put out of business.

Mr. CLEARY. That is governmental.

Mr. GALLAGHER. That is the way they are doing business now, and you are proposing to spend millions to open up water transportation for coal, when the price is regulated to the consumer.

Mr. CLEARY. It can only be lowered by water competition.

Mr. GALLAGHER. The consumer can not buy it unless he pays the price put upon it by the manipulators in the market.

Mr. CLEARY. That has only been during the war. I have been cutting the price of coal all my life, and selling it here and there for whatever we could get for it, and selling it more cheaply because of the water transportation lines.

Mr. GALLAGHER. It is known by everybody who has to buy coal that the price is regulated. So it is with other commodities. After we have spent millions of dollars in opening up creeks and rivers for the improvement of water transportation, everybody knows that we can not buy anything a dollar or a cent cheaper than the regulated price.

The gentleman from New York [Mr. CLEARY] spoke about the Erie Canal, and what a great benefit it is. The State of New York has spent millions of dollars to develop the Erie Canal, but where are the boats? They have got no boats on the Erie Canal, and there is no transportation on the Erie Canal.

Mr. CLEARY. That is not true.

Mr. GALLAGHER. Not any to speak of.

Mr. CLEARY. The Erie Canal was only finished this year.

Mr. GALLAGHER. But one of the alarming conditions about the Erie Canal is that after it was finished they found they had no boats for it.

Mr. CLEARY. They had to build new ones, but they will come on, just as the rivers produce the commerce when they are deepened.

Mr. WHEELER. There have been about $24,000,000 expended on the Missouri River. How much benefit have the people received in the way of decreased freight rates there?

Mr. GALLAGHER. They have not received any benefit, and there is no boat line on the Missouri River.

Mr. SNYDER. I should like to say a word about the Erie Canal. I live on the Erie Canal, and the gentleman is absolutely correct about there being no boats on it.

Mr. GALLAGHER. They have made no preparation for boats for it.

Mr. SNYDER. The Government has been operating that canal for the past year, and I have ridden up and down beside it 40 or 50 miles day after day during the summer, and nine times out of ten I never saw a boat on it. A year ago I suggested here how easy it would be for the Government to arrange it so that we could get some benefit out of it.

Mr. GALLAGHER. That is the condition practically of nearly all these rivers. There are no boats on them. Here is the Missouri River, on which we have spent millions, more than $20,000,000 in all, and a short time ago they were going to put a boat line on the Missouri River. There is an appropriation of $400,000 in this bill for the Missouri River, and not a boat on it, and no possible chance for a boat to be operated on it.

Mr. SNYDER. Thirty years ago all of our coal was carried by canal, and many times in those days we received our coal at a cost of not to exceed $2 a ton on the yard. This year, by reason of no boat transportation and several other reasons, I received the coal on my yard inventoried at $7 a ton.

Mr. CLEARY. By reason of no boat transportation—the best possible argument in favor of boat transportation.

Mr. GALLAGHER. The trouble with the Erie Canal, like the trouble with the rivers, is that there are no boats on them. We have been pouring millions of dollars into these waterways to make them ready for transportation, and there are no boats.

Mr. WHEELER. Is it not true that the owners of the boats that were on the Missouri River disposed of them to the Government, so that there are no boats there to-day?

Mr. GALLAGHER. They sold them out to get rid of them, because they were unprofitable.

Mr. PLATT. Is it not true that the Railroad Administration have fixed the rates on the Erie Canal, and other water-transportation lines, so high that nobody will use them?

Mr. GALLAGHER. There are no boats on the Erie Canal.

Mr. RUCKER. Mr. Chairman, there seems to be some kind of a malignant feeling about the Missouri River, and I wish to notify the Chair that I would be grateful if gentlemen would discuss the paragraph under consideration, in accordance with the rules of the House. [Laughter.]

Mr. GALLAGHER. A gentleman asked me about the Missouri River, and I want to tell him about it. There is an appropriation of $400,000 in this bill for the Missouri River, and there is not a boat line on the river, and no prospect of a boat line. I asked the engineer, "What are you going to do with the $400,000 appropriation for the Missouri River?" He said: "The soldiers are coming home, and there is great need for opportunity to put men to work. You can use it very nicely by putting men to work." "For what purpose?" "To improve the river." Yes; and there are no boats on the Missouri River.

Mr. RUCKER. Does the gentleman say that there is no boat line on that river?

Mr. GALLAGHER. There was one; but it was unprofitable to the Kansas City people, who put up the money for that boat line, and they were glad to sell it and get rid of it.

Mr. RUCKER. The gentleman is assuming part of that. The Government recently took possession of a great many profitable businesses.

Mr. GALLAGHER. They were very glad to get rid of the boats, a great many people that had stock in the company.

Mr. RUCKER. When the Government gets through improving the Missouri River I want the gentleman to come there and ride down that majestic river, and then he will change his mind about it.

Mr. GALLAGHER. I have been up and down that river.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I ask unanimous consent that my colleague's time be extended five minutes and that he be given at least one minute of that time for himself.

The CHAIRMAN. The gentleman asks that the time of the gentleman from Illinois be extended five minutes. Is there objection?

There was no objection.

Mr. FREAR. Mr. Chairman, I just want to quote from the Engineer's report to show that the boats were laid up for the winter and that the boats were there then. That was before the Government took them. We have spent $24,000,000, as shown by the report, and after deducting the sand, the commerce was less than $15,000.

Mr. GALLAGHER. Mr. Chairman, the whole question resolves itself into this: The people are paying taxes and the Government is trying in every direction to get money to pay our war bills, and now, notwithstanding these enormous amounts that we have to raise, we propose to spend a number of million dollars for the improvement of rivers where there are no boats and no commerce to speak of. I have been on the committee for years, and we have been making appropriations every year for the improvement of rivers. But there are no boats on any of the rivers worth speaking about, and we are simply throwing the money into the rivers and into the creeks without getting any return for the people's money. Now, if we would take the millions that we are spending on rivers and creeks and put that money into good roads, does anybody doubt that that money would bring great returns to the farmers and everybody else? They could not control the farmers coming to town with produce; they could not control the traffic on the highways, and we would get some benefit from the money put in good roads that we now put into rivers and into creeks. We put the money into waterways where there is no attempt by the people along the rivers to make any provision for harbors. How are you going to tie up boats where there are no harbors? If there were boat lines or prospective boat lines, I would be in favor of improving the rivers. If there were boat lines I would be in favor of appropriating this money, but that is not the case. Why should we spend enormous amounts of the people's money in the improvement of rivers every year where there is no commerce. I am opposed to it. I am in favor of improving every harbor where there is commerce to justify it. I do not find any fault with the improvement of the harbors of New York or Boston, or any great port where they make provision for commerce, but I do object to the present bill in the face of the report of engineers, and I say it is not fair to the public to expend millions where we do not get a cent of return.

Mr. WHEELER. As I understand, the committee recommended $15,000,000 more than was recommended.

Mr. GALLAGHER. I think the engineers reported a recommendation of $15,000,000 and said it could be reduced to about $11,000,000, and the bill carries $27,000,000.

Mr. DUPRÉ. When was the Engineer's report made up and sent to the Congress?

Mr. GALLAGHER. I can only tell when it reached the committee.

Mr. DUPRÉ. The gentleman knows when the annual report is made up, does he not?

Mr. GALLAGHER. No; when I am called upon to act on the report of the engineers is when it is presented to the committee.

Mr. DUPRÉ. If the gentleman does not know about the law and the practice in that respect, that is all right.

Mr. GALLAGHER. I know all about the engineer's report and when it was presented to the committee.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CALDWELL was recognized.

Mr. SMALL. Mr. Chairman, we are not discussing any amendment to the bill, the amendment is a pro forma one. I ask unanimous consent that after the gentleman from New York [Mr. CALDWELL] concludes that we proceed with the reading of the bill. Does the gentleman from Pennsylvania want time?

Mr. ROBBINS. I want to answer the argument in regard to the rates on coal. I am willing to do it on the next paragraph.

Mr. SMALL. Very well; Mr. Chairman, I ask unanimous consent that debate on this amendment and paragraph close in five minutes.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that debate on the paragraph and amendments thereto close in five minutes. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Newark Bay, N. J.: Completing improvement in accordance with the report submitted in House Document No. 2110, Sixty-fourth Congress, second session, and subject to the conditions set forth in said document, $105,600.

Mr. ROBBINS. Mr. Chairman, the gentleman from Illinois [Mr. GALLAGHER], who just addressed the committee, made the assertion that the waterways of the country were of no benefit in the transportation of coal, and indeed he took the stand that the waterways of the country were declining in the matter of transportation everywhere. The district that I have the honor to represent has bordering it and adjoining it two navigable streams—the Allegheny and the Monongahela. The Government has expended approximately $6,000,000 on the Monongahela River and has installed therein 15 locks and dams and carried slack-water navigation from Pittsburgh to the city of Fairmont, in the State of West Virginia. The average freight on coal within 40 miles radius of the city of Pittsburgh by rail is 40 cents per ton, and it has been that for the last 10 years. The average freight by water transportation, not for 40 miles but for 80 miles within a radius of the city of Pittsburgh, which is the great consuming coal market of western Pennsylvania, is 18 cents per ton, and as proof of the fact that industrial interests that are available and accessible to this slack-water navigation make use of it as a means of carrying coal let me read to you from the lock master's report of Lock and Dam No. 3 in my district to show the amount of coal the industries and consumers of coal generally take by water, because they can purchase it at lower rates, and in order to show that the rivers are not declining in their commerce. I may say parenthetically that when the Government took this system of navigation on the Monongahela over in 1887 the entire traffic of coal, freight, merchandise, and miscellaneous freight was less than 5,000,000 tons. In 1913 12,000,000 tons of freight passed through this lock and 43,598 passengers on passenger boats. In 1914 there were 37,092 passengers and 10,374,000 tons of freight. There was a decrease there because we were coming into the war.

In 1915 there were 27,800 passengers and 11,816,000 tons of freight; in 1916, 32,513 passengers and 12,876,000 tons of freight; while in 1917 the latest available statistics say there were 23,078 passengers and 16,900,000 tons of freight. This freight, according to the lock master's report, was made up as follows: Coal, 76 per cent; coke, 2 per cent; building material, sand, gravel, and so forth, 12 per cent; waste from our furnaces, 7 per cent; miscellaneous 2 per cent; showing that the river traffic, at least in western Pennsylvania is not only increasing in volume and value, but is a positive benefit to our manufacturing industries, and that coal is procured there at so much less per ton that our industries and consumers of coal resort to and use this navigable stream in order to procure fuel.

Talk about river traffic declining! Listen to this: The lockages upstream in this lock—and I give it because it is in my district—were 5,720 in 1917, and the lockages downstream were 6,045. The steamboat lockages upstream were 4,398 and downstream 4,369. As further evidence of this important river traffic and of its constant, continuous, and great increase, let me cite the number of barges that these boats tow. The upstream lockage was 21,000 and the downstream lockage 21,046. When a gentleman gets up on the floor of this House and asserts that we are wasting money on these improvements and that the people receive no benefit from them he is talking either without accurate information or the district that he represents does not avail itself of what the Government is endeavoring to make available for its benefit. Western Pennsylvania has no greater improvement, no greater stimulus to the great industrial center of Pittsburgh, than its water transportation, bringing cheap coal, cheap transportation, cheap raw material to the furnaces and forges of that great industrial center and workshop of the world, the city of Pittsburgh. [Applause.]

Mr. FREAR rose.

Mr. SMALL. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FREAR. Mr. Chairman, the gentleman who last spoke selected the one project in the United States—the inland waterway that is not a ship canal—that is known as a success, and that is the only one, so far as I know, unless he calls the Ohio River a success, which, with $59,000,000 of expenditure, has an average traffic of only a few miles; but a gentleman from Pennsylvania, not far distant from the gentleman who has spoken, suggested to me that I look at the other locks and see what is doing there. I hold in my hand page 2989 of the Engineers' Report, the last one, and of the 15 locks only those that are down near the mouth are the ones that carry commerce. The upper ones average four and five thousand tons, and so on, and they have cost an immense amount of money. I got the suggestion from a gentleman from Pennsylvania, and he says he knows the condition thereof.

Mr. ROBBINS. Does the gentleman deny the statistics that I have given as to Lock No. 3?

Mr. FREAR. The gentleman has taken the statistics of the lower locks, of course, but on the river itself——

Mr. ROBBINS. I took only one lock.

Mr. FREAR. I have got them all here.

Mr. ROBBINS. I do not care; the commerce there will be developed, just as it has been developed in pools Nos. 1, 2, and 3.

Mr. FREAR. The gentleman from Illinois told the fact and called attention to the decrease. Here are nine locks where there is an infinitesimal commerce to-day. It is only near the mouth where commerce is important. The Monongahela is known as a peculiar river, because it has coal close to the place of manufacture, and it resembles in that particular the Rhine River in Germany, which is practically the only river over there which is a success. The gentleman from Illinois in making his comparison of the Mississippi and the Missouri and the Cumberland and the Tennessee, the conditions are as he states, and in North Carolina and in the lower reach of one of the rivers, of course, the traffic does exist, but it is practically the only river which has been cited——

Mr. WHEELER. Is not there a canal to Philadelphia supposed to haul coal to Philadelphia?

Mr. FREAR. I do not know——

Mr. MOORE of Pennsylvania. That shows how carefully gentlemen study river and harbor matters.

Mr. FREAR. I do not know to what the gentleman refers. That is all I care to say about this, except that the Monongahela, because of its peculiar situation, with the mines close by and the great industrial center of Pittsburgh, is a success, but it is not a success on the rivers generally. The gentleman from Illinois stated the fact, I believe, correctly, as can be evidenced by the statistics. On the Monongahela, I believe, it is only near the mouth where they use it, according to the figures I have read.

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn.

There was no objection.

The Clerk read as follows:

Keyport and Shoal Harbors, Woodbridge, Cheesequake, Matawan, and Compton Creeks, Elizabeth, Raritan, South, and Shrewsbury Rivers, and Raritan Bay, N. J.: For maintenance, $15,000; for improvement of Raritan River in accordance with the report submitted in House Document No. 1341, Sixty-second Congress, third session, $250,000; for improvement of Shrewsbury River in accordance with the report submitted in House Document No. 1290, Sixty-second Congress, third session, $100,000; in all, $365,000.

Mr. FREAR. Mr. Chairman——

Mr. SMALL. Mr. Chairman, if I may be permitted to make a statement. Mr. Chairman, may I say to the committee that we are exceedingly anxious to conclude this bill to-day, and if gentlemen will confine their remarks to the paragraph under consideration and will not make pro forma amendments, for the purpose of discussing extraneous matters or matters not involved in the paragraph under consideration, we will save a great deal of time. There is no purpose on the part of the committee to curtail discussion or bona fide criticism of the bill or any inquiries for information.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. SMALL. And I would be glad if we could make some substantial progress. The gentleman from Wisconsin has the floor. He yielded to me for the purpose of making a statement.

Mr. LAGUARDIA. Will the gentleman yield to me for a question?

Mr. SMALL. If I have the time.

Mr. FREAR. I yield to the gentleman.

Mr. LAGUARDIA. I only want five minutes to speak on another matter, which I believe is very important, something I very seldom do, and I hope the gentleman will not object.

Mr. SMALL. Well, the gentleman can make his request to the House when the gentleman from Wisconsin has concluded.

Mr. FREAR. Mr. Chairman, this is the Raritan River, which carries a quarter of a million dollars in this new project, on page 5 of the bill. The gentleman from North Carolina, the chairman of the committee, took me to task a little while ago because I read the last Engineers' Report, which is old. I read the report of 1918, of the conditions there to-day. Page 360 of the Report of the Army Engineers of 1918:

Proposed operation. The balance available will be expended in maintenance dredging.

There is a small balance they have there, and there has been an appropriation for this work.

Channels of the present completed width will conveniently accommodate present and reasonably prospective commerce.

That is the Engineers' Report of this year:

It is accordingly not proposed, at the present time, to prosecute the project for its completion.

They will not complete the project, and yet we have a proposition facing us when the engineers say they have enough money, that the harbor will accommodate present commerce, we have $250,000 for a new project coming in here. Let me take up another. The Shrewsbury project. There are two or three others I want to speak of incidentally as I am passing. The Shrewsbury: How much is added here? A hundred thousand dollars. I do not know but what there is more, but that is all that appears in the bill here. Now, let me read from page 375:

The funds available will be expended for maintenance, dredging of shoals at the Highlands Bridge, in Reeves Channel, and in the Upper and Lower Crossovers, provided a suitable contract can be secured.

It is proposed to expend the fund appropriated by the river and harbor act of July 18, 1918 ($10,000) for maintenance dredging by contract where needed in any part of the river covered by the project.

Now, remember, $100,000 in this bill, in addition to $2,805,000 that has already been expended, and a gentleman, a member of the committee, within my hearing says that they have got fine commerce there now. Let me tell you what they have: 411,000 tons in 1917, 95,000 tons last year, a failure of over 80 per cent of reasonable tonnage, and you are asked for another new project on an 80 per cent loss showing.

Mr. KENNEDY of Iowa. What is the value?

Mr. FREAR. Oh, its value. They do not ask anything more; they do not need anything more, and yet with a loss of 80 per cent in their commerce there is added another project to this bill, and you are going to tax the American people and sell liberty bonds for that purpose.

Mr. LAGUARDIA. Mr. Chairman, I move to strike out the last two words. Mr. Chairman, while I was home Christmas a neighbor of mine informed me that she had received a letter from a comrade of her husband in the Marine Corps informing her that her husband had been killed. She telegraphed the Navy Department, but received no reply. At her own expense she cabled the chaplain of the regiment, the company commander, and tried for a month and a half to get some word concerning her husband, but was unable to get any replies to her cables. Finally, just at Christmas she received this letter from the War Risk Insurance Bureau.

It is addressed to Mrs. Catherine Euphrasia O'Donoghue, 270 West Eleventh Street, New York City. It says:

TREASURY DEPARTMENT,
BUREAU OF WAR RISK INSURANCE,
Washington, December 21, 1918.

In re: ₮2,186,969. O'Donoghue, Michael Thomas, MCR. MB. Paris Island, S. C.

Mrs. CATHERINE EUPHRASIA O'DONOGHUE,
270 West Eleventh Street, New York, N. Y.

MADAM: The award of $30 per month granted in your favor on the application of the above-named enlisted man was paid up to and including October 31, 1918, but as this man died October 4, 1918, there resulted an overpayment of $26, which amount you will please refund immediately.

This refund should be made by money order or draft, drawn to the order of the Treasurer of the United States, and mailed to the Office of Receipts and Disbursements, Bureau of War Risk Insurance, Washington, D. C., with this letter or a copy thereof.

Respectfully,

BUREAU OF WAR RISK INSURANCE,
DEPUTY COMMISSIONER, ACCOUNTS,
By W. DE R.

5
A. D. 104/sw
Form ₮2002
Feb. 5 '19

This is a regular shyster-style demand for a refund made upon a poor woman, and the first official notification from her Government that she received of the death of her husband. To my mind, a most disgraceful procedure. Gentlemen, hostilities have ceased for over a month and a half, and there is no reason why these records are not in shape and why the people of this country can not have timely and complete information concerning their boys.

Here is my reply to the War Risk Insurance Bureau, and I ask that the Clerk read it.

The CHAIRMAN. Without objection, the Clerk will read the communication.

The Clerk read as follows:

DECEMBER 30, 1918.

BUREAU OF WAR RISK INSURANCE,
Washington, D. C.

DEAR SIRS: In reference to your letter of December 21, in re No. 2186969, O'Donoghue, Michael Thomas, Marine Corps Regiment, Marine Barracks, Paris Island, S. C., marked "5 A. D., 104/sw, Form ₮2002, Feb. 5/19," signed Deputy Commissioner, Accounts, by W. de R., addressed to Mrs. Catherine Euphrasia O'Donoghue, 270 West Eleventh Street, New York City, you are informed that I have instructed Mrs. O'Donoghue to ignore that letter and all similar communications from your bureau. You will hereafter communicate in this matter direct with me.

You will inform me at once who is the author of this crudely drawn, shyster-style form letter. You will also inform me at once why it is that an overpayment of this nature is not debited to the account of the insurance and taken out of the final payment when it is made.

I want an immediate reply from you, inasmuch as I shall take this matter up in the House.

Very truly, yours,

FIORELLA H. LAGUARDIA.

Mr. LAGUARDIA. No reply as yet has been received by me from the bureau.

Mr. LINTHICUM. Will the gentleman yield?

Mr. LAGUARDIA. I will.

Mr. LINTHICUM. Was the boy killed in action?

Mr. LAGUARDIA. Yes; killed in action, or died of wounds received in action. He was a marine.

Mr. McKENZIE. Will the gentleman yield?

Mr. LAGUARDIA. For just a question. I have something more to say.

Mr. McKENZIE. The gentleman can get more time. First, I want it understood that I do not approve of this character of letter.

Mr. LAGUARDIA. Which one? Mine or the department's?

Mr. McKENZIE. The one that was written to the widow.

Mr. LAGUARDIA. Thank you.

Mr. McKENZIE. But I do think in the interest of truth we ought to get the facts before the House and the country. What I want to ask you is whether or not under the law that the Congress enacted some time ago this widow would not be entitled to compensation under that law from the date of the death of the soldier, and whether or not, if she received allotment pay after the death of the soldier, and then entitled to compensation, she would not be getting double pay?

Mr. LAGUARDIA. That is true. My reply was, as I stated in the letter, that there is insurance coming to this widow and compensation coming to her. Now, with all the clerks that we have, with all the officers that we have, and all the bookkeepers that we have, they can at least debit that account with $26, and when they pay the widow the insurance deduct that amount and not write a letter of that kind.

Mr. BARKLEY. Does not the gentleman know that the compensation, allotment, and insurance features are all kept separate, and that no one department can keep everything of that sort?

Mr. LAGUARDIA. I do not care. If it is wrong, let us fix it.

Mr. BARKLEY. If the fault is in the Congress, then your letter is not justified.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. McKENZIE. I ask unanimous consent that the gentleman may proceed for five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois [Mr. McKENZIE] that the gentleman from New York may proceed for five minutes? [After a pause.] The Chair hears none.

Mr. LAGUARDIA. I do not care where the blame is; we must correct it. Surely a system of credit and debit between these departments can easily be established. I do not believe legislation is necessary for that—common sense and ordinary intelligence is all that is required. What I want to make clear is that I do not want to blame any department. If it is up to us, let us get together and do it; but I do not see that there is a tendency here to do those things.

Mr. BARKLEY. Will the gentleman yield?

Mr. LAGUARDIA. No. We passed a sloppy bill yesterday with the pretense of taking care of honest claims. We passed a bill by which every dishonest profiteer and crooked money grabber can catch onto the wagon and get his bills paid. And the tendency is keeping on.

If a Congressman goes to a petty officer of the Army he is treated with arrogance and impertinence. Now, there is no reason why we can not take matters in our own hands, and it is up to us to do it. If we do not do it, there is no use of complaining about the attitude of the departments.

Mr. DUPRÉ. If they treat brother officers in that way, what does the gentleman think of the way they treat ordinary civilians who have never been in uniform? [Laughter.]

Mr. LAGUARDIA. Just think of it! I can imagine. The gentleman has my sympathy.

The War Department has issued a circular, known as Circular No. 77, in which they stated the policy by which they would discharge certain classes of men, and yet when an application is made and the man is squarely within the requirements of that circular the answer comes back that "the services of the man can not be spared." I had a case where a boy is detailed to selling tickets for the Long Island Railway, and they told me that his services could not be spared, and yet he is a former employee of that railway, and if he were discharged he would be placed in exactly the same position where he is now as a soldier—except, of course, the railway company for whom he is selling tickets would necessarily have to pay him and not the United States Government.

Mr. KEARNS. And get more money, too.

Mr. LAGUARDIA. Of course.

I introduced a resolution yesterday authorizing the employment of civilians in all positions of a clerical nature or where it is just purely manual labor and not of a strictly military nature. It will cost the Government less than it does under the present system of maintaining ten soldiers to do one man's work.

If you consider the pay of a soldier, his food, his clothing, the cost of administration, and the overhead charges, we can employ men in the localities where the services are needed at the standard wages for such services and save money, besides discharging thousands of men who are now involuntarily kept in the Army away from their families and their usual productive pursuits. The resolution has been referred to the Committee on Military Affairs. I sincerely hope it will not be kept there until the war is over, or until demobilization is complete—in about two years from now, at the rate we are going.

But, gentlemen, these men can be spared. We can get every soldier in Europe back. I will tell you how to begin demobilization and actually produce results. Take every officer of the Army and put him back to his original rank in the Regular Army and you will see how quickly demobilization will start. There is no need of that army in Europe. There is no need of that army in Russia. Their duty is completed; it has been gloriously performed. The thing to do is to get the men back as quickly as we can and to demobilize the troops that we have here now. The purpose of our National Army has been served and there is no reason for the continuance of this large number of men in the Army.

Mr. ROBBINS. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. ROBBINS. Is it not because all these regular officers have been elevated in rank and hold commissions with larger salaries? Is not that the reason why they do not want the demobilization?

Mr. LAGUARDIA. Yes. Put them back into the Regular Army at their regular rank. Why, there are mere lads out of West Point but a few years holding the rank of lieutenant colonel. And as for generals, there are hundreds of them. Take the Aviation Service—all Regulars holding high ranks and very few of them flying across the lines; it was the civilian soldiers who did that.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. SNYDER. I know of a lieutenant colonel who, with his friends, is doing the best he can to get out of the service, and he can not do it.

Mr. LAGUARDIA. Is he in the Regular Army?

Mr. SNYDER. He is in the National Army and serving as adjutant of a division. Everything under heaven has been done to get him out, even offering to pay his transportation home, and they will not let him come.

Mr. LAGUARDIA. Certainly. They want to keep a large establishment over there. No large Army; no high ranks. We must take the matter in hand and compel prompt return of our troops from overseas and immediate demobilization at home.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. HASKELL. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from New York moves to strike out the paragraph.

Mr. HASKELL. I do so, Mr. Chairman, for the purpose of calling the attention of the House to some correspondence which I have here, in brief two letters, in which it is charged

that Maj. T. M. Lynch, of the Quartermaster Corps, died of pneumonia in the Walter Reed Hospital through neglect.

Mr. LINTHICUM. Mr. Chairman, I want to know if this appertains to this bill or not?

Mr. HASKELL. Oh, no.

Mr. LINTHICUM. Then I object to it.

Mr. KEARNS. The gentleman from Maryland is too late.

Mr. HASKELL. This correspondence makes the charge that Maj. T. M. Lynch, of the Quartermaster Corps, died of pneumonia in Walter Reed Hospital because of neglect and inhuman treatment, and I ask that these letters be read for the information of the House.

The CHAIRMAN. Without objection, the Clerk will read them.

Mr. LINTHICUM. I object.

Mr. MADDEN. The gentleman from New York has the right to have them read.

Mr. DUPRÉ. I hope the gentleman from Maryland will not do that.

Mr. HASKELL. I will read them myself.

Mr. MADDEN. It will take more time if you object to this than by letting it go.

Mr. LINTHICUM. My only object is to get through with this bill.

The CHAIRMAN. Is there objection?

Mr. LINTHICUM. I withdraw the objection.

The CHAIRMAN. The gentleman from Maryland withdraws the objection. The Clerk will read.

The Clerk read as follows:

NEW YORK, *December 17, 1918.*

Congressman HASKELL,
Care Continental Hotel, Washington, D. C.

DEAR CONGRESSMAN HASKELL: I am taking the liberty of sending you herewith copy of my letter to Mr. William A. Graham, Chief of the General Supplies Division of the Quartermaster Corps, in which department my brother and associate member of my company, Maj. T. M. Lynch, worked for the past seven months in the position of chief of the administrative branch.

The facts mentioned in the inclosed letter all came under my personal attention at the Walter Reed Hospital, where my brother died solely because of lack of attention and inhuman treatment—the same kind of inhuman treatment, I have since learned, is existing throughout various other hospitals on this side.

I have also since learned, from first hand evidence of physicians and laymen, who have recounted to me their personal experiences, that they have seen instances almost without end that were even much worse than that mentioned in my letter to Mr. Graham.

I sincerely hope that you can and will take such measures as you deem best to throw the light of publicity on these conditions, and thus minimize, at least, the terrific loss of life that is being needlessly wasted daily, but which fact is being kept hidden from the public.

Nothing can be done, naturally, to bring back my brother to his wife and family; but I would feel that I was remiss in my own personal duty if I omitted taking this step in asking your good offices to try and prevent a continuous recurrence of such catastrophes among not only those who are at the present time in these hospitals, but also those who, in all likelihood, will be accorded similar incompetent treatment for the future if something is not done to change the situation.

Sincerely, yours,

JOSEPH J. LYNCH.

NEW YORK, *December 23, 1918.*

Mr. WILLIAM A. GRAHAM,
Chief General Supplies Division, Quartermaster Corps, Washington, D. C.

DEAR MR. GRAHAM: Permit me to express, in behalf of Maj. Lynch's wife, his mother, and myself, our sincere appreciation of the courtesy and service rendered his immediate family subsequent to his death, as well as for the representation the division accorded him at his funeral.

We all feel very kindly toward you and the division. Likewise did my brother, whose almost last conscious thought was given to the handling of his work and how best to administrate the duties intrusted to him. He had no idea whatsoever that he was going to die, and his mind was almost continuously given to the work needing his immediate attention.

I am very sorry indeed, however, and if I were to permit myself to give free rein to expression I am afraid I might say something with reference to the medical attention given my brother which would not look well in type. I had a five months' experience last winter with a very virulent pneumonia case of my youngest son, and consequently am a little qualified to pass judgment on the methods of treating pneumonia cases. I had, in all, 8 physicians and 16 nurses ringing over those five months, not to mention a number of specialists. There is hardly a phase of the case which I have not studied, because it meant a matter of life and death with my son, and I left nothing undone, from a human agency standpoint, to bring him back to health, which, with God's help, was accomplished.

The surrounding conditions in which I found my brother on my arrival at the hospital absolutely forbade his recovery. In the first place I am not at all in sympathy with the allopath treatment of pneumonia cases. Their record of "cures" is so terrifically low on a percentage basis when compared with the homeopathic treatment thereof as to leave no doubt in anyone's mind (other than an allopath) of how very absurdive are their ideas and how dogmatic they uniformly are in adhering to them in spite of the terrific loss of life accruing from their treatment.

Nothing, of course, can be done to bring back my brother and business associate to me or to his wife or his mother; that is all past. But I would like to, in some measure, at least, try to help, if possible, to remedy the situation for the poor devils that have to undergo such treatment as I saw given my brother on my arrival at the hospital.

Under the plea of, "he needs fresh air," my brother's cot was placed on a screened piazza, and, while the folding doors on this piazza were both open and the temperature very low, a window back of his cot was also open, permitting a terrific draft over his bed. Moreover, insufficient clothing was on the cot, with the consequence that the vitality needed to offset the effect of the pneumonia disease itself had to necessarily be dissipated in counteracting the effect of the terrifically cold draft blowing over his bed from the open window. My wife and I called the nurse's attention to this condition immediately on arriving at his bedside. No justification was attempted for such a condition, as no justification was permissible.

Notwithstanding the fact that I had previously telephoned the officer of the day or the adjutant (Maj. Roberts) offering to bring on two or three nurses from New York with me on the 3.30 Congressional Limited, he told me that he had plenty of nurses and did not need them. I found to be the fact that two nurses only were employed in ward No. 21, where my brother was located, and these two nurses were supposed to look after all the patients in that entire building—a physical as well as mentally impossible task for them to do and render service to any given case like my brother's.

By feeing the nurses and getting them interested in my brother's case, I succeeded in getting an additional special nurse for the remaining few hours of his existence—too late, however, to undo what had gone before.

Toward the end I asked permission to have oxygen administered to my brother, and Capt. Durgin, who was on night physician duty, told me I would have to take this up with the chief. He admitted that the chief was not on duty at night and would not be there until the next day. He suggested, however, I take it up with the captain on the desk at the "entrance" section of the hospital—I believe his name is Haxes—which I did, with the result that he also claimed having no authority to even suggest, let alone request, Capt. Durgin to use some oxygen, and, of course, did nothing. An hour or two later my brother died.

In connection with the handling of pneumonia cases I was further shocked to learn from Capt. Durgin, as well as the nurses, that trips to the ward were made but once every three or four hours, if then, hardly a method of medical procedure that will give any assurance whatsoever of successful results, particularly in the treatment of pneumonia cases wherein the heart becomes such a vital factor, needing close, immediate attention continuously.

Further, one of the nurses admitted frankly that even in a case of necessity they were supposed not to notify or call the physician or to make any suggestions regarding a patient's condition, which would warrant an additional visit of the physician; in other words, medical attention was to be given at the specific periods of the three to four hour interval visits and at no other time. You can imagine my feelings in the matter when I learned this phase of the "treatment."

The whole hospital "treatment" from the start to the finish is absolutely the most incompetent and inhuman I have ever seen or experienced and among my many business clients I have numbered quite a few representative hospitals, and I know whereof I speak.

The foregoing incidents are but a few of the things that I encountered during my comparatively brief stay at my brother's bedside. One further illustration of the obvious incompetency that exists throughout was evidenced to me before I even left New York. I telephoned the officer of the day, or the adjutant, and I had to be very insistent in my statements that my brother was registered at their hospital and, in reality, compel them to go and look it up three different times before they were in position to verify my statement as being correct—hardly what one might term an "efficient" method of administration, particularly so in reference to cases like pneumonia that need continuous, close, personal contact and supervision if the patient, whoever he may be, is to get any show whatsoever for his life.

I am very sorry, indeed, that such a situation as this should have eventuated, not only for my brother's and his family's sake but also for yours. I don't want you to think for one moment that I have any feelings whatsoever toward any other than the hospital administration. I admit frankly, however, that the hospital phase of the matter is one concerning which I have very strong opinions—opinions which are irrefutable because they are backed by indisputable facts, knowledge, and experience that can not be gainsaid by anyone. I only hope that my bringing this matter to your attention may in some way alleviate the condition for those who may have the ill fate to follow Maj. Thomas M. Lynch.

It certainly has been a terrific shock to me to realize, as I have in this case, at least, how apparently unappreciative the Government is of the personal sacrifices, sup[illegible] human effort, and work rendered it by men like my brother, whose only fault is that ultraconscientiousness in sticking too long to their task at the expense of their health. For any man, whether he be officer or private, to be accorded the "treatment" mentioned in the foregoing paragraphs of this letter is, in my opinion, a stain upon our Government's glorious record in this war—a stain which I am loath to believe it would willingly permit to continue.

Sincerely,

J. J. LYNCH.

P. S.—I have about decided to bring this matter up for congressional action. I would feel personally responsible otherwise for the murder of others who may follow my brother and be accorded similar "treatment."

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Delaware River, Pa., N. J., and Del.: Continuing improvement and for maintenance from Allegheny Avenue, Philadelphia, to the sea, $2,500,000; completing improvement at Camden, N. J., in accordance with the report submitted in House Document No. 1120, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $71,080; in all, $2,571,080.

Mr. FREAR. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. FREAR. Mr. Chairman, I speak on this item because it is somewhat different; it is not a new project; it is not an old project, but it is an important one, so far as commerce is concerned. I wish to call attention to a phase of this item as it was presented to the committee. On page 9 of the committee book report submitted by the Army engineers is an item of $500,000 for this project. That is for the Delaware River from

Philadelphia to the sea, and $400,000 on the Schuylkill. As the bill stands to-day it carries $2,500,000, or five times as much for the Delaware River, and $1,000,000, or more than double, for the Schuylkill.

I have spoken about the conditions to-day, which it seems to me call for some reasonable attempt at economy, and, referring to page 391 of the record, I find that there was available for the fiscal year ending June 30, 1919, for this Delaware River $2,916,123, or almost $5,500,000 that will be carried by this proposition, counting this balance on hand, if we vote this $2,500,000, which I expect the House will do. I refer to page 389 and read from the report of the engineers for 1918:

Owing to the inability to secure advantageous contracts, the balance remaining on hand (of $2,900,000) is larger than was anticipated. It is estimated that the sum of $500,000, in addition to the funds now available, can be profitably expended during the fiscal year 1920 in continuing the required maintenance and new work under existing projects.

And yet, although the engineers only asked for $500,000, with $2,900,000 on hand, the committee is adding $2,500,000 in this bill.

Now, Mr. Chairman, I am willing to concede that we are not at war and that the engineers' report for $500,000 may have been founded on that basis; but the conditions of the Treasury are no different. We are going to raise the funds in the same way that we would have raised them then.

And if the Army engineers at that time thought it sufficient, with $2,900,000 on hand, to add $500,000 more, it seems to me that the committee, in adding $2,000,000 to that amount, is largely burdening this bill with a very big item.

Mr. DUPRÉ. Will the gentleman yield?

Mr. FREAR. In just a moment. Now, I realize that this is a large port. I realize that the gentleman from Philadelphia, Mr. MOORE, who is a very industrious and eloquent Member, is very anxious about this, and that other Members are; but let me say, it is the largest one item that has been added in this bill, and with the Schuylkill River, adding $600,000 to that, although they have expended only some $1,500, I think so far, it is $2,500,000 added to this bill over the report made by the engineers to the committee, as shown by the books of the committee.

Mr. DUPRÉ. I want to ask the gentleman if he has read page 25 of the hearings, where Gen. Taylor, who represented the Chief of Engineers, himself suggested this increase?

Mr. FREAR. I have no doubt you can get the engineers to suggest anything; but here is the report made by the Chief of Engineers, and that is the report that is official, and he says that $500,000, in addition to the $2,500,000, is all that is necessary. Yet the committee has added $2,000,000, making about $5,500,000 for the Delaware River. Now, I suggest that this is a different kind of an item, and as it appeared here I thought it was proper to present to the House at this time in order to show the significance of such methods of preparation of the bill. Of course, you can say it is important, but I can not understand how, with that large amount of money on hand, more than has ever been held on hand for that river before, this large appropriation is added.

Mr. DUPRÉ. Mr. Chairman, I think it proper, just after the gentleman from Wisconsin has concluded, to read from the hearings. It has been suggested that possibly the gentleman from Wisconsin [Mr. FREAR] has not attended all the meetings of the committee; but I want to say that he has been very attentive in his presence. But possibly he does not recall, or may not want to recall, some of the things that took place there. I read from page 25 of the hearings:

The CHAIRMAN. The next is Delaware River, from Philadelphia to the sea, for which $500,000 is submitted as an estimate for further improvement. Is that all that can profitably be used during the next year on that great river?

Gen. TAYLOR. I think not, sir, under the existing conditions. The original estimate by the district engineer was $2,500,000, but in view of the conditions that existed at the time the estimate was submitted to Congress—

That is when we were at war—

we cut this down to $500,000. With changed conditions, with the armistice having been signed and the probabilities of additional plant becoming available in the near future, I would recommend that that be put back to the original amount—$2,500,000.

So spoke Gen. Taylor, assistant to the Chief of Engineers. That is all I want to say in reply to the gentleman from Wisconsin.

Mr. MOORE of Pennsylvania. Mr. Chairman, I think we are ready to have the Clerk read.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Schuylkill River, Pa.: Continuing improvement, $1,000,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. I just want to call the attention of the House to the answer, and the only answer, that has been made here—that after the Chief of Engineers and the Army board have passed upon this item and have recommended the amount of $500,000 the chairman of the River and Harbor Committee, according to the hearings, says:

Is that all that can profitably be used during the next year on that great river?

And with that invitation Gen. Taylor said, "Oh, as long as the war is over, we can put in the full amount," and to the $500,000 is added $2,000,000. That one statement of Gen. Taylor is allowed to set aside not only the views of Members as to public economy but the view of the Board of Engineers, according to the reports sent here for our guidance.

Mr. DUPRÉ. Referring to the Schuylkill River, which has just been referred to by the gentleman from Wisconsin, I think it is proper to proceed in the way that I have before and to call attention to the difference between the gentleman from Wisconsin and the Chief of Engineers, or his representative, and to the difference between the gentleman and the record as made up in the committee. I read from the hearings, at page 26:

The CHAIRMAN. The next item is Schuylkill River. The estimate there is $400,000. Have you any modification?

Now, the gentleman said that the chairman of the committee had extended an invitation to Gen. Taylor, which he evidently accepted. Personally, I resent that imputation on Gen. Taylor; but I will read Gen. Taylor's reply:

Gen. TAYLOR. I recommend that that be increased to $1,000,000. That estimate of $400,000 was submitted under the same conditions exactly as the Delaware River, when we were doubtful about being able to get dredges, and we put in the minimum that we could get along with, and we now think we will be able to obtain dredges, and that is a very important project.

And he goes on to state what the project is. I just mention that for the benefit of the House, to show how the Committee on Rivers and Harbors acted in making up this bill, which seems to have aroused so much of the opposition of the gentleman from Wisconsin.

Mr. MOORE of Pennsylvania. Mr. Chairman, much of the foreign and domestic commerce that comes into and goes out of the Delaware River arises on the Schuylkill. That is a very important branch of the Delaware River. It is unquestionably one of the largest oil-shipping ports in the United States. Just for the information of the House, before this item is passed, I wish to say that the reports of the engineers show that the value of foreign exports from these rivers last year was $501,000,000. I think I can say without fear of contradiction that the port of Philadelphia, of which the Schuylkill River is a part, has come to be the second port of the United States. I do not say that with a view of arousing contention, but that is the fact. Upon the Delaware River, in the vicinity of the Schuylkill River, we have very many shipyards upon which the Government is now dependent. There are on the Delaware River, from Trenton down to Wilmington and below, 27 shipyards at the present time. There are 9 docks and 179 shipbuilding ways. At these yards are employed 80,000 men. The revenue collected by the Government at the customhouse in Philadelphia for the port of Philadelphia for the past year is a little more than $14,000,000. That was due to the fact that our exports were heavier than our imports, and to other conditions which I need not explain at the present time. Prior to 1913 it was usual for the port of Philadelphia to collect from the shipping that came into that port for the revenue of this Government as high as $21,000,000. It has fallen off during the war because of the difference between the imports and exports and the laws. I mention the fact, however, to show that while Congress is proposing to appropriate $2,500,000 to build a project that has not been worked upon during the war, and $1,000,000 toward bringing the Schuylkill up to date, the Government of the United States is getting its appropriation back tenfold, and that is one of the methods by which the revenue of the Government is raised. I am aware that some gentlemen say that that is not a fair contention, but I assume that if the waterway is working and bringing revenue to the Government it is mighty good investment on the part of the Government to spend probably 5 or 10 per cent in order to get that revenue.

Mr. GALLAGHER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. SMALL. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that all debate on the paragraph and amendments thereto close in five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. LINTHICUM. Mr. Chairman, in answer to the gentleman from Pennsylvania about the port of Philadelphia, I want to have read in my time an editorial from the Baltimore American of December 16, 1918, which may enlighten the gentleman from Pennsylvania and some others as to the port of Philadelphia.

The Clerk read as follows:

A BIT OF PORT NEWS.

According to a statement in the Philadelphia Ledger, Maj. Gen. Goethals told Mayor Smith, of Philadelphia, a few days ago that the Government will discontinue the use of Philadelphia as a port for handling Army supplies, as likewise Boston and Newport News, and that all such shipments hereafter will be made from New York, Baltimore, and Charleston. The reason given by Gen. Goethals to the Philadelphia mayor for discontinuing the use of that port is that experience has shown that the cost of handling Army supplies for shipment from Philadelphia and Boston is greater than the corresponding cost as pertaining to Baltimore and New York.

The Quartermaster's Department has, by actual tests, proven what was apparent on the face of things, namely, that Baltimore has an advantage in interior connections and developed harbor facilities which constitute an economic advantage in the handling of export trade. The statement made to the Philadelphia mayor by the quartermaster general will doubtless be a very cold douch for Quakertown, for there has been much talk recently in shipping circles along the Delaware about making the Delaware River port a hot rival to New York in respect to foreign commerce.

Generally speaking seaports are born and not made. Baltimore, we believe, is one of the born world ports. It has a harbor layout upon a grand scale equaled by few other ports, excelled by none. And it has three systems of dockage terminals functioning in connection with three extensive railroad systems. It is not to be overlooked that the Western Maryland is in alliance with the New York Central system and that the shortest port connection for that system for interior business is at Baltimore.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Cooper, Salem, Cohansey, and Maurice Rivers, Woodbury, Mantua, Raccoon, Oldmans, and Alloway Creeks, N. J.: Completing improvement of Raccoon Creek in accordance with the report submitted in House Document No. 800, Sixty-third Congress, second session, $29,770.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. No one rejoices more than I do that Baltimore has come to the front. [Laughter.] It is a growing city and extremely popular for a while. It will continue to be popular in Washington and elsewhere until the end of the wet season. [Laughter.] This may account to a certain extent for the exuberance of the editorial writer from whom my friend from Maryland has quoted. All the editorial writer has said is not exactly in accordance with the facts. We glory in Philadelphia, now that we occupy the second place amongst the ports of the United States, in the gradual advancement that is being made by our neighbor. We have been working hand in hand so far as we could, except occasionally we have found by reason of the activity of Baltimore's mayor and the energy of Baltimore's Congressmen that they have slipped a few things over on us. [Laughter.]

It is a good thing to have this sort of rivalry along the coast. It is not pleasant to find an Army officer permitting himself to be quoted in favor of one port against another, because if we consult the Constitution of the United States we find that no one port is permitted to have a preference over any other port. Natural conditions prevail to the advantage of some ports, and social conditions, as in the case of Baltimore, sometimes give an undue advantage to a city.

But the fact is, Mr. Chairman, the controversy between Gen. Goethals and the mayor of Philadelphia, referred to by the Baltimore editor, is not fairly stated. There has been a controversy between the mayor, the Secretary of the Navy, and the Secretary of War because of certain conditions in Philadelphia due to an overflow from the city of Baltimore. [Laughter.] What prevails at Baltimore seems to be sweeping over into Philadelphia, with the result that the mayor has been obliged to take the matter up with the Secretary of War and the Secretary of the Navy, and in the due course of time the responsibility will be fixed and the invasion will be suppressed. [Laughter.]

But I wish at this time to take advantage of a part of my five minutes to say that I have certain communications from Gen. Goethals and others in respect to the controversy which I would like to put in the RECORD, as they completely refute the statement of the editor that Baltimore has taken the second place from Philadelphia. I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Philadelphia asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. LINTHICUM. Mr. Chairman, there is a very pleasant rivalry between Philadelphia and Baltimore, and Baltimoreans love Philadelphia just the same as the Philadelphians love Baltimore. When it comes to the question of particular facilities and cheapness of transportation from Baltimore with the Central West, Baltimore has it all over Philadelphia. As to the hospitality and the wet goods of Baltimore at this time, I want to say that we do sell squirrel whisky, which makes a fellow jump around a little, but we do not sell, as they do in Philadelphia, a brand called Eagle whisky, which makes him fairly fly.

The Secretary of War or the Secretary of the Navy told the mayor of Philadelphia that if he did not clean up a little he would have to do it for him. I think that is the matter the gentleman refers to. The Secretary of War or the Navy has never had to tell Baltimoreans that we keep clean.

Mr. FREAR. Mr. Chairman, I was willing to submit to two interjections by the gentleman from Maryland [Mr. LINTHICUM] because a few moments ago he raised the point that we were not discussing the particular project, and I wanted to see how far afield he was willing to go.

Mr. LINTHICUM. I have been discussing port facilities.

Mr. FREAR. The port of Philadelphia is not in controversy.

Mr. SMALL. Mr. Chairman, will the gentleman yield, so that I may make a request?

Mr. FREAR. Yes.

Mr. SMALL. Mr. Chairman, I ask unanimous consent that debate upon this paragraph and all amendments thereto close in five minutes.

Mr. BROWNING. Mr. Chairman, I would like to have five minutes.

Mr. SMALL. Very well; make it 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FREAR. Mr. Chairman, the interesting part of the discussion by the gentleman from Louisiana [Mr. DUPRÉ] and also by the gentleman from Pennsylvania [Mr. MOORE] in regard to Schuylkill River is of no avail, because I made no suggestion about the Schuylkill. I was discussing the Delaware River, and they both jumped to the Schuylkill immediately. The gentleman from Pennsylvania [Mr. MOORE] rightly says that Philadelphia has a large item of $14,000,000 which is received every year and goes into the Government Treasury. That is a large amount of money, but they have some large shipyards down there. That is also true; but the gentleman fails to tell us that there is to be taken from the Government Treasury over $34,000,000 to make up a shortage in the Hog Island shipyard proposition that no one can explain, and that is right in sight of Philadelphia, so that this money in the Treasury can not all be used for carrying on this waterway, when we have to pay for a shortage in the Treasury that comes from that immediate neighborhood.

Mr. MOORE of Pennsylvania. The gentleman is going a little afield.

Mr. FREAR. I will yield later, but I want to get back now to Raccoon Creek.

Mr. MOORE of Pennsylvania. But the gentleman has made a charge.

Mr. FREAR. I know; and the gentleman can answer it.

Mr. MOORE of Pennsylvania. I have no time, because the time has been fixed.

Mr. FREAR. Mr. Chairman, I object to being interrupted, because I have not the time.

Mr. MOORE of Pennsylvania. Then I shall have to take some time.

Mr. FREAR. Why, certainly that is all right. I would not make any charge at all that I would not want the gentleman to answer if he can. I am now referring to Raccoon Creek. Raccoon Creek is an important proposition. It gets $39,000 in this bill. It has lost over 80 per cent of its commerce within four years, and half of that important commerce was manure.

Mr. MOORE of Pennsylvania. That is going out to Wisconsin to fertilize the land out there.

Mr. FREAR. Oh, no; we do not need it. We grow things without it there. Page 5 of the report says that the traffic of the stream is carried by gasoline boats and barges, and by one steamboat plying daily between Bridgeport and Philadelphia; but before that let me throw a little light on this Philadelphia situation. In the Washington Star of January 3 there is a reference to a Government investigation of alleged discrimination against Philadelphia as a port for overseas trade and for disembarkation of troops, and we find it reported that Philadelphia and Boston alone of all of the principal ports in the country have not been represented upon the shipping control committee of the United States Shipping Board, notwithstanding such representation has been earnestly urged, and that neither of these ports has received what it believes to be its proper allotment of Government overseas trade. In other words, the disembarkation of troops must await until Philadelphia has been given its fair proportion and Baltimore its fair proportion with Boston and New York. Oh, no; that is not the purpose, and if that is the suggestion in this report it is a mistake. But let us get back to Raccoon Creek. There is reported a small tonnage, with drafts between 4 and 6 feet. The traffic of the stream is carried by gasoline boats and barges and by an occasional steam tug. A greater width at bottom than 40 feet would be impracticable, it is said, without endangering the stability of the banks. On page 7 of the report I read:

The stream is tortuous in its course, but can not be advantageously straightened by cutting off points or shortened by making cut-offs, because the meadows along the banks have been protected by levees and have been reclaimed to a greater extent than on any other stream in the district. Instead of the worthless marsh land usually acquired for cut-offs valuable farm lands would be destroyed and the price would be out of proportion to the benefit expected.

Mr. Chairman, here is little Raccoon Creek, and the committee has put this in for $39,000, in addition to all the money that has been spent on the creek, which lost 80 per cent of its commerce during the last four years. That is a proposition added to this bill by the committee.

Mr. BROWNING. Mr. Chairman, in answer to the gentleman from Wisconsin [Mr. FREAR], I want to say that Raccoon Creek, I suppose, would be spoken of as a river in his district, because it is a large stream. It carries one of the largest volumes of commerce of any tributary of the Delaware River. The Board of Engineers in 1913 reported that there was an average daily tonnage of about 4,923 tons; that in 1912 the commerce amounted to 92,688 short tons, valued at $1,163,700. There are 21 landings and wharves used, and I think 34 boats ply the stream. The farmers use it almost entirely to ship their products to Philadelphia, Chester, Wilmington, and Baltimore. There is more farm produce shipped from the city of Swedesboro, on this creek, than from any other one point in the State of New Jersey. Produce also goes to New York and Boston, but that freight goes by rail.

This provision is for a jetty at the mouth of the creek; it has been highly recommended by the Board of Engineers and it was in a river and harbor bill which passed this House and died in the Senate. I am surprised that the gentleman makes this attack upon an item for the improvement of a creek which is doing business for the benefit of the farmers in south Jersey.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. BROWNING. Yes.

Mr. MOORE of Pennsylvania. Is it not a fact that there is only one railroad running down to serve this farming country?

Mr. BROWNING. There is but one.

Mr. MOORE of Pennsylvania. Is it not a fact that if this stream were not open so that the farmers could get to it by boat they would have to pay the highest possible freight rates?

Mr. BROWNING. There is no doubt about that.

Mr. MOORE of Pennsylvania. Is it not true that if they had to do that the price of living would go up to all of those who purchase these food products?

Mr. BROWNING. Certainly.

Mr. MOORE of Pennsylvania. Why did the Lord ever arrange that the Delaware River should have tributaries so that the farmers could get to it? Can the gentleman answer that?

Mr. BROWNING. I do not know.

The Clerk read as follows:

Cold Spring and Absecon Inlets, Absecon and Tuckerton Creeks, and Toms River, N. J.: For maintenance, $20,000.

Mr. KENNEDY of Iowa. Mr. Chairman, I move to strike out the words "Absecon Inlets," in line 6.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. KENNEDY of Iowa moves to amend page 6, line 6, by striking out the words "Absecon Inlets."

Mr. KENNEDY of Iowa. Mr. Chairman, I want to call the attention of the chairman of the committee to the fact that the Committee on Rivers and Harbors refused to allow an estimate for maintenance of $30,000 for Absecon Inlet. Now, under this policy of grouping projects in a district for maintenance of projects the engineers could use any or all of this $20,000 at Absecon Inlet. It seems to me that to carry out the intention of the committee these words should be stricken out.

Mr. MOORE of Pennsylvania. Mr. Chairman, I sincerely trust that the motion made by the gentleman from Iowa will not prevail. The gentleman who represents the district in which this inlet is, Mr. BACHARACH, has been called away by illness. I know that he sincerely desires that this item shall stand as written, and as it is for maintenance I see no reason why it should not stand. Absecon Inlet is an inlet at Atlantic City, N. J., the great coast playground of the world, and efforts have been made there for years to establish boat lines, and they have been established, and they were running up until the war. Efforts to establish a 12-foot channel were made, and were successfully made. That channel is outside where the sea sweeps back and forth and tides flow, and it is very difficult to maintain it. Any gentleman who has been to Atlantic City and gone up to the inlet and out on one of the pleasure craft will understand the difficulties of this proposition. There is a harbor there, and there is every reason why commerce should be encouraged to go there. There is no other way to get there except by rail, and that is very expensive in these times. To strike out this item and leave Cold Spring Harbor in would simply mean to cut out Atlantic City.

Mr. KENNEDY of Iowa. Does the gentleman think the Government is justified in spending $40,000 a year there, which it has been doing for four or five years?

Mr. MOORE of Pennsylvania. The item is for the maintenance of Cold Spring, Absecon Inlet, Absecon and Tuckerton Creeks, and Toms River, N. J., not for Absecon alone.

Mr. KENNEDY of Iowa. I am not asking to strike out the appropriation; I am asking to strike out the words "Absecon Inlet," because there is no commerce there that requires continuing the work.

Mr. MOORE of Pennsylvania. I beg the gentleman's pardon.

Mr. KENNEDY of Iowa. There is no commerce; there are no steamboats. It is a channel made by a sea-going dredge. The dredge is the only boat to be seen in the channel.

Mr. MOORE of Pennsylvania. I know steamboats were running from Philadelphia into Atlantic City——

Mr. KENNEDY of Iowa. When?

Mr. MOORE of Pennsylvania. Some time before the war.

Mr. KENNEDY of Iowa. There have been no steamboats there for two years. We are spending $40,000 per year wearing out a dredge and getting absolutely no returns in the way of commerce.

Mr. MOORE of Pennsylvania. That substantiates my statement.

Mr. KENNEDY of Iowa. I call attention to this fact——

Mr. MOORE of Pennsylvania. If I mistake not, because I have not followed this matter closely, I saw it announced recently that a steamboat line had been started by some business men to connect with New York.

Mr. KENNEDY of Iowa. If that is true the dredge could be put in commission again, but there is no occasion for doing work there at present. It has developed no commerce.

Mr. MOORE of Pennsylvania. Let me call the gentleman's attention to the fact that a large appropriation has been made for Pollock Rip Shoals, out in the open sea, which the gentleman and I both supported and which the committee approved, where the sea sweeps back and forth and where there is a possibility always that maintenance will have to be provided.

Mr. KENNEDY of Iowa. Yes; but there are millions of tons of commerce passing through Pollock Rip Channel.

Mr. MOORE of Pennsylvania. That is true, and I approve the appropriation and would fight for it, because I believe it to be necessary; but the geographical conditions are substantially the same as to the ebb and flow of the tide and the possibility of filling in the channel. Why, you might as well say that a house would keep clean forever without sweeping as to say that an inlet that the sea breaks over back and forth would keep open without assistance.

Mr. KENNEDY of Iowa. If there is any commerce that is using it now, the engineers do not know it.

Mr. MOORE of Pennsylvania. There are hundreds of boats at Atlantic City using this inlet——

Mr. KENNEDY of Iowa. I beg the gentleman's pardon, that is not the case. I was over there a year ago last spring and I talked with fishermen and also with the people working on this dredge, and they said there was absolutely no use for that channel except for the sailboat that took people from Atlantic City out over the bar and back.

Mr. MOORE of Pennsylvania. The gentleman from Pennsylvania [Mr. EDMONDS] hands me a report showing that in 1914 there was an increase in commerce at this point from 27,500 tons in 1913 to 30,500 tons, so why close it up, why stop business that has just started after this vast expenditure?

Mr. KENNEDY of Iowa. The commerce that they have there does not use the channel the dredge is maintaining.

Mr. MOORE of Pennsylvania. The gentleman again calls attention to the value, showing that the commerce advanced from $1,700,000 to $1,800,000.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMALL. Mr. Chairman, I think perhaps there is no difference between the gentleman from Iowa and myself. It

is only a question of how such mutual purpose shall best be carried out. What the gentleman has in mind, as I understand, is to provide that no part of this $20,000 shall be spent on Absecon Inlet; but I do not think that ought to be accomplished by striking out "Absecon Inlet" from the bill, because there is available, or was on July 1, 1918, $20,000. The words "Absecon Inlet" may remain in the bill. I will ask the gentleman if this proviso, which I will read, would not accomplish the purpose he has in mind: Strike out the period at the end of line 8, insert a colon, and add the following: "*Provided*, That no part of the funds herein appropriated shall be expended on Absecon Inlet."

Mr. KENNEDY of Iowa. That it the purpose I seek to accomplish. I accept the amendment.

The CHAIRMAN. Will the gentleman withdraw his amendment?

Mr. KENNEDY of Iowa. No; I accept the amendment to my amendment.

Mr. MOORE of Pennsylvania. I ask whether that does not contemplate the abandonment of the maintenance at that point?

Mr. SMALL. I will say to the gentleman, pending the reading of the amendment, that Absecon Inlet has been discussed by the committee a great many times. The original improvement was taken up as an experiment, and with the assurance that the commercial interests of Atlantic City and other localities would so that a commerce was established between Atlantic City by water and other points. There is no such commerce to and from Atlantic City through the inlet.

The commerce is confined to small fishing boats and pleasure boats, and for their purposes it is not necessary to maintain a deeper channel than would exist naturally.

Mr. MOORE of Pennsylvania. That involves commerce, as I stated, and it involves the saving of life.

Mr. SMALL. There is no need of any further improvement for these pleasure boats or these fishing boats. There was a steamer placed in service at one time between Atlantic City and New York, I think, but that service has been withdrawn for some time. And my understanding is that there is at present no commerce by steamboat of any size between Atlantic City and any other point.

Mr. MOORE of Pennsylvania. May I ask the gentleman what becomes of the dredge?

Mr. SMALL. The demand for dredges is so great it can be used in other improvements.

Mr. MOORE of Pennsylvania. It has not been working there for some time.

Mr. SMALL. That is probably true.

Mr. MOORE of Pennsylvania. Has the inlet been going back?

Mr. SMALL. Up to this time the project depth has been maintained, and will be so long as the available funds will permit. The committee concluded that the existing commerce did not justify further appropriations. Under the general provisions of the law the dredge formerly used on this project may be diverted for other improvements.

Mr. KENNEDY of Iowa. Mr. Chairman, in view of the amendment offered by the chairman of the committee, which serves the purpose I have in mind, I withdraw my amendment.

The CHAIRMAN. The gentleman from Iowa [Mr. KENNEDY] asks unanimous consent to withdraw his amendment. Is there objection? [After a pause.] The Chair hears none. The gentleman from North Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 6, line 8, strike out the period at the end of line 8, insert a colon, and the following:

"*Provided*, That no part of the funds herein appropriated shall be expended on Absecon Inlet."

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. SMALL].

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Appoquinimink, Smyrna, Leipsic, Little, St. Jones, Murderkill, Mispillion, and Broadkill Rivers, Del.: For maintenance, $10,000; for improvement of Mispillion River in accordance with the report submitted in House Document No. 678, Sixty-second Congress, second session, except that part of said improvement known as Cut-off No. 2, which is hereby eliminated from said project, $70,000: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement; in all, $80,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. In addition to $219,000 or more that has been spent upon this little creek, or river, as it may be called, the Mispillion, this bill carries $70,000. Let me say in reply to the gentleman from New Jersey [Mr. BROWNING], who talked just a few minutes ago, and who questioned whether or not we had a transportation waterway out there, that the greatest river in the world passes by my district, and I think most of the money spent on it has been wasted. We have a port that carries 52,000,000 tons, or practically twice what Philadelphia carried last year.

But I want to address myself, if I may, to the Mispillion River.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. FREAR. My rising, Mr. Chairman, seems to be a signal for interruptions. I trust I am not, intentionally, at any rate, intruding on any of these projects belonging to the gentleman, but I want to talk about the Mispillion River now.

The district officer presents a project for the improvement of the Mispillion River. Understand that this project was in the 1914 bill, which was defeated. Now it is up here again. It was the same kind of a project. It has not changed at all, and it is not improved at all, but we have lost 40 per cent of the commerce we had at that time.

I am reading from page 4:

The improvement now desired and needed is the making of a number of cut-offs in the river to shorten the distance between Milford and Delaware Bay, the elimination of some sharp bends, and the increase in depth across the flats to 6 feet at mean low water to conform to the project depth in the river—

And so on. And then down further it says:

The Delaware, Maryland, and Virginia branch of the Pennsylvania Railroad passes through the town and shares with the river the transportation of the town and vicinity.

Of course, the suggestion was made that the railroads are held down in their prices by the waterways. That is not so, unless you have a railroad commission that will hold them down to a reasonable expense. Why should the Government be continuously putting money in there on the theory that it is going to affect freight rates? That was once a common argument, but it has been exploded now, Mr. Chairman, and it is not indulged in in these debates, and particularly it is not indulged in by the Army engineers, who now make their recommendations on a different basis.

I am reading from page 4 again. I read:

There are no public wharves on the Mispillion, but all the private wharves are free to those who wish to use them, and space along the river bank is too abundant to permit of any monopolizing of the terminal facilities.

Notwithstanding this money that has been expended—over $200,000—there is not a public wharf on that stream yet; and in order to shorten the distance up to Medford—that is the purpose here—for these people who do not contribute a nickel toward this project, we are asked to give $70,000 more, in addition to the $200,000, to be derived from the sale of liberty bonds.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Inland waterway from Delaware River to Chesapeake Bay, Del. and Md.: For improvement to a depth of 12 feet at mean low water, in accordance with the report submitted in House Document No. 196, Sixty-third Congress, first session, $3,000,000: *Provided*, That of the foregoing amount so much as shall be necessary, not to exceed $2,514,289.70, may be paid for the purchase of the existing Chesapeake & Delaware Canal and all the property, rights of property, franchises, and appurtenances used or acquired for use in connection therewith or appertaining thereto.

Mr. SMALL. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The gentleman from North Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. SMALL: Page 7, strike out the words "the purchase of" at the end of line 7.

Mr. SMALL. I will explain the purpose of this amendment. Condemnation proceedings are now pending for the acquirement of this property, and they were pending when the agreement was made, about a month ago, as to the purchase price of the property. It is quite probable, in the opinion of the Chief of Engineers and the Department of Justice, that it may transpire that the best way to obtain title so as to quiet any outstanding claims would be to have the condemnation proceedings continue in a friendly way to an award and final judgment; and that being true, the words "for the purchase of" ought to be stricken out, so that it will read "may be paid for the existing Chesapeake & Delaware Canal."

Mr. MOORE of Pennsylvania. Would the effect of the gentleman's amendment be to leave open the condemnation proceedings in the event there should still be any differences between the Government and the owner?

Mr. SMALL. It leaves it entirely in the discretion of the Secretary of War, to acquire it either by purchase and the execution of proper instruments or by pursuing the condemnation proceedings, as may be deemed desirable.

Mr. MOORE of Pennsylvania. In other words, there will be two strings to the bow?

Mr. SMALL. Yes.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from North Carolina.

The amendment was agreed to.

Mr. FREAR. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. FREAR. Mr. Chairman, I would not pass over this item in this quiet way, but——

Mr. MOORE of Pennsylvania. The gentleman intends to debate the item?

Mr. FREAR. Yes.

Mr. MOORE of Pennsylvania. I am very glad to hear it. We did not expect the gentleman to pass over it.

Mr. FREAR. And the House would be indebted to the gentleman from Philadelphia without a motion on my part to strike out the last word. I hold in my hand Document 196. That is of the Sixty-third Congress, first session. This is for $3,000,000 for a bankrupt canal. That is only for the first payment. You are going to have $12,000,000 or $15,000,000 or possibly $20,000,000 to pay for a 13-mile canal, 25 feet deep or over, to connect the Chesapeake with the Delaware River. It will eventually amount to that.

Col. Bixby recommends the Raritan, running across New Jersey. That is to cost $45,000,000 if you put it at a 25-foot depth. That is in the same document as the one in which he recommends the 13-mile canal we are now discussing.

Mr. Chairman, we have had this project before us for many years. When it was originally built the Government put $450,000 into that canal. Now the Government is to buy it outright, to spend $3,000,000 in this bill, and possibly $10,000,000 or $15,000,000 or $20,000,000 eventually to get the deep channel that they want in order to connect Philadelphia with Baltimore. They will come in here with the recommendations of the Chief of Engineers and the Secretary of War or the Secretary of the Navy to show why it is needed for naval protection, so that our great battleships can run in and out, so that no hostile vessel can come across the seas and catch them. [Laughter.] It is needed also, it is said, for the transportation for troops at the rate of 4 miles an hour, in order that the troops may be transported from Washington to Baltimore. That is from the engineers.

There is a little commerce there, a small commerce; but for this $3,000,000 you will assess the people of the Hawaiian Islands and compel them in part to pay, and the people of Sandusky and the people of every harbor out in the State of Oregon and the State of Washington, and say they shall pay half or a large contribution toward the improvement of their projects.

Why do we say, "We will give to Pennsylvania and Baltimore $3,000,000 in this bill and follow it up with an unlimited amount—any amount you choose to put in, depending on the width of the canal and the depth" without asking for contribution?

Mr. Chairman, I have moved to strike out this item many times. It is no better and no worse than many other items. But my distinguished friend here from Philadelphia, Mr. MOORE, with his eloquence can almost convince a man against his will concerning the merits of a proposition, and no doubt he will do it with respect to this. The Government paid $450,000 originally, and now when the company is bankrupt, when the bonds are worth only 68 cents on the dollar and the stocks are valueless—and the stocks and bonds are all practically held by the city of Philadelphia—we are to buy it. I do not care to discuss or to criticize it any more. I have done so time and time again, many times. As my good friend from Illinois [Mr. MADDEN] once said, it is to take the seasickness out of the sea in going from Baltimore to Philadelphia, a delightful trip to take. [Laughter.] Of course, lives have been lost in going from Baltimore to Philadelphia by water, but Christopher Columbus in a comparatively small boat crossed the ocean several times. He was never afraid, and yet we must have a 13-mile canal between Baltimore and Philadelphia in order to make them more accessible to each other. The people over there want it. The people who own the stocks and bonds of this company want it. But I feel that they should make some contribution first of all.

Now, we are going to have the proposition elucidated with more eloquence by the gentleman from Pennsylvania than by anyone else who could attempt it. He has brought out a map illustrating the course of the canal. I suggest this to the gentleman, that all the while he is speaking on this subject the people who are to pay for this are the people not only of my State but the people of every State in the Union, and we will have to buy liberty bonds to build this Chesapeake & Delaware Canal, and we are now facing $18,000,000,000 indebtedness in order to buy this canal and meet other expenses. [Applause.]

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I intend to give the gentleman from Wisconsin [Mr. FREAR] the surprise of his life. He has been so generous in his adulation of this project that I feel that I ought not to take up the time of the House to answer him. [Applause and laughter.] To be sure, there have been one or two misstatements; I will not be so severe on the gentleman as the chairman of the committee is at times, because they love each other in the House and in committee; but several of the gentleman's statements are so utterly at variance with the—I will not say that [laughter]; but some things that the gentleman said so lack knowledge and information that I feel I would like to extend my remarks on this subject. I ask unanimous consent to do so. [Applause.]

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend his remarks. Is there objection?

Mr. MADDEN. Reserving the right to object, I think the gentleman is so eloquent, so full of facts, so full of oratory, and so full of jokes, and that the subject matter of his speech is so well portrayed on the map that tears are dropping down from the clouds on certain parts of the map. [Laughter.]

Mr. MOORE of Pennsylvania. The map speaks for itself.

Mr. MADDEN. And it cries to itself. [Laughter.]

Mr. MOORE of Pennsylvania. Oh, no.

Mr. MADDEN. I am inclined to object to the request for an extension of remarks on the part of the gentleman, and insist that his remarks be uttered on the floor. I do not like to have gentlemen make these speeches under cover, so I ask that the gentleman from Pennsylvania may be given 15 minutes in which to utter his remarks, so that we can hear what he says instead of having them hidden away in the RECORD.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Pennsylvania may proceed for 15 minutes. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. I want to say that a man convinced against his will is of the same opinion still. I feel that I ought not to say anything on this subject, important though it be.

Mr. FOCHT. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman.

Mr. FOCHT. The gentleman knows that I come from Pennsylvania and that I have served in public bodies up there. We have always been pretty liberal up there to encourage many enterprises. This, I understand, is what is called a "pork-barrel bill," is it not?

Mr. MOORE of Pennsylvania. Such bills have been so called. I think the gentleman has been in error about the facts sometimes.

Mr. FOCHT. I am very liberal by my vote, and I do not want to have any conscientious scruples. I should just like to know what Pennsylvania is getting out of this. [Laughter.]

Mr. MOORE of Pennsylvania. If you will listen to the gentleman from Wisconsin [Mr. FREAR] you will find that we are getting more than $6,000,000 for "the vicinity of Philadelphia." I do not quite agree with him, because I believe every one of these projects to be national projects.

Mr. FOCHT. Since allegations are being made by the gentleman from Wisconsin [Mr. FREAR] that Pennsylvania is being taken care of to that extent, I think possibly I will be able to arrange matters with my conscience and vote for the bill. [Laughter.]

Mr. MOORE of Pennsylvania. I welcome the gentleman from Pennsylvania [Mr. FOCHT] into the fold. We are gradually making converts for a worthy cause, and the longer we stay here and the more persistent we are the more friends we have and the more meritorious does our cause become.

Mr. FOCHT. Do you not think that some other Member might make a similar acknowledgment?

Mr. MOORE of Pennsylvania. I think so.

Mr. FOCHT. And that possibly some of their enthusiasm is inspired by the pork coming into their immediate neighborhood?

Mr. MOORE of Pennsylvania. The gentleman from Wisconsin has been so self-sacrificing regarding his own territory and so condemnatory of his own rivers that sometimes I think it might be well for other Members to praise theirs.

Mr. MADDEN. Mr. Chairman, I object to this Pennsylvania colloquy. There are other States represented here besides Pennsylvania.

Mr. MOORE of Pennsylvania. Illinois is always welcome in a controversy of this kind, and New York likewise.

Mr. SNYDER. The gentleman seems to be carrying out his first idea, of not saying anything about this project.

Mr. MOORE of Pennsylvania. That is the fact, owing to these interruptions. The gentleman is as lucid as usual.

Mr. Chairman and gentlemen, I appreciate the compliment of being invited to say something on this subject. It is one very dear to me, and one in which I have come to believe thoroughly. The agitation to accomplish this great work has extended over the period of my entire term in Congress. I believe it to be of national moment, or I would not stand here advocating it.

Much has been said about the extravagant expenditures of the Government at the present time. River and harbor bills have been inveighed against because of the allegation of "pork." No one has contributed more to that unsavory reputation of river and harbor bills than the gentleman from Wisconsin [Mr. FREAR] and naturally it has brought responses and countercharges from gentlemen who are interested in improvements of this sort. It is not known generally that under the auspices of the waterways association, of which I happen to be president, and which has often been referred to by my friend from Wisconsin [Mr. FREAR], a waterway regiment was organized for service in France. I have in hand a letter from one of the officers of that regiment which to me contains a moral for the people of the United States to heed. This letter comes from the Seine district in France, and it leads me to say that the Rhine is not the only river in Europe upon which there is a great barge traffic. Only a few days ago we read that owing to the floods in the River Seine the people of Paris were being shut off from food supplies; and I stop to interpolate that every nation in Europe to-day is preparing to reconstruct or to construct canals for the purpose of carrying food supplies and lessening freight costs. This is the only country that has not been doing it extensively in recent years.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman from Iowa.

Mr. GREEN of Iowa. The gentleman spoke of his long experience in this matter. Does he not think it has assumed a position of greater importance at this time, in view of the extraordinarily high freight rates which we have been having as the result of the Government administration of the railroads?

Mr. MOORE of Pennsylvania. I think there is a great deal in that statement. It is an argument that I would support.

Mr. MADDEN. I suppose the gentleman would not care to have that particular controversy discussed just now?

Mr. MOORE of Pennsylvania. I would, because waterway development was a part of the railroad-control bill as it passed this Congress, and instead of waterway development being encouraged, as it should have been encouraged, we discovered that railroad management remained with the old railroad managers, and substantially every movement to develop waterway transportation, and to furnish competition, was not encouraged, if it was not throttled.

Mr. GREENE of Massachusetts. That is right.

Mr. MADDEN. Does the last statement of the gentleman from Pennsylvania indicate that he is against the railroads being managed by those who have special knowledge of railroad business?

Mr. MOORE of Pennsylvania. I am certainly not in favor of Government ownership, and I believe the railroads should be managed by men who are best able to manage them and who know the business. [Applause.] But I believe that when we appropriated $500,000,000 to the Director General of Railroads to take over the railroads of the country, and in that bill authorized and directed him to take over the waterways and use them, if the result of that has been that when the great State of New York has spent more than $150,000,000 to build canals to be of service to the people, upon which freight can be carried for less than it can be carried upon the railroads, it does not become the administrator of the railroads under Government direction to provide and insist that the freight charges upon the waterways shall be equal to the freight charges upon the railways.

Mr. SNYDER. I should like to make a suggestion on that.

Mr. MOORE of Pennsylvania. That is the reason I say that in some instances it may be that water transportation has been throttled by Government control of railroads.

Mr. SNYDER. The Railroad Administration took over the Erie Canal after the expenditure of $150,000,000 by the State of New York, and then refused to have that canal used.

Mr. MOORE of Pennsylvania. I think the gentleman's statement is a fair one. The rates were to be forced up to equal railroad rates.

Mr. MADDEN. I wish the gentleman would tell us something about the proposition that is delineated on the map.

Mr. MOORE of Pennsylvania. I will do that; and I think I can convince the gentleman in due course of time. But I want to read about the American soldier boys in France who are developing waterways there while we have been sitting idle, refusing to make provision for new projects in the United States:

> We have American crews on towboats and barges that we bought or have hired from the English and French, and it looks good to see our flag on the river. Of course, we got started long after the British in this river game and had to patch up old boats and improvise ways and shops, repair old machinery, and do a lot of things late comers usually have to do. It has been an interesting game so far, and never fear but what Americans can operate boats and barges with any of them. * * *
>
> As you know, these French and Belgian barges operating on the canals of the first category are all of a standard dimension and are approximately 250 tons displacement

I read that much only to show the truth of the argument that has been made here for a long while—these many years—that these foreign countries have been utilizing waterways and using them to the full while we have neglected ours. And the gentleman from Illinois wants to know about this particular proposition.

I want to deal with it in this way: Is it too expensive? That is the proposition. That has been the sole objection to it when all is considered. Too expensive! What is the proposition? Utilizing the natural waterways along the coast inside the ocean line. Great steamships can go up along the coast when not interfered with by submarines, of course. They could come and go here inside. If we had these waterways open they could penetrate the very territory they are intended to serve without rehandling of cargoes. It has been but a few days since you read with intense enthusiasm of the President of the United States riding on the deck of an ocean greyhound up from the Mersey River to the city of Manchester, in England, amidst the huzzas of the people along the way. The people from the various towns saluted him and his trip ended with grand acclaim in the center of that great manufacturing city, 33 miles inland from the sea—just about the distance from Trenton to New York, which we propose to utilize when the upper part of the canal is authorized. Vessels carrying beef from Chicago, vessels carrying wheat from the Dakotas, vessels carrying cotton from the South, vessels from the ports of Galveston and Savannah and New Orleans carrying food to feed the people of Europe, providing them with raw material for manufacture, go up the Mersey River by the port of Liverpool to Manchester, thirty-three-odd miles away. Our own President stood on the deck of an ocean steamer only a short time ago—up through the fields of England into that inland city of Manchester. I mention this because we have even superior waterway facilities in the United States but have failed to take advantage of our opportunities.

Mr. MADDEN. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. MADDEN. Does the gentleman recall whether or not England as a country built that canal to Manchester, or did the city of Manchester build it?

Mr. MOORE of Pennsylvania. I will tell the gentleman how it was: Liverpool stood like a dog in the manger at the port, one of those ports to which the gentleman from Illinois [Mr. GALLAGHER] referred a little while ago, like those over yonder on the coast, when he said, "Give them all the money on the coast, but nothing for inland waterways, because they have no boats." How, in the name of Heaven, could boats get to Manchester or to our own inland ports if we do not give them the water to get there? Here stood Liverpool on the coast barking like a dog. You can get to Manchester; oh, yes; but through Liverpool—and then by rail—unload at Liverpool and pay the difference in freight on the railroad that will bring you up to through railroad rates. Thus Liverpool could crush Manchester. Manchester was compelled, as a matter of self-defense, to contribute, and the board of trade of England helped, and the result was that the canal was cut through, and now ships laden with the meat products of the packers of Chicago pass through to Manchester. I have seen them myself unload the sides of beef at Manchester, on the dock 33—or maybe it is 36—miles from the sea, coming up by Liverpool and virtually telling that port to mind its own business. Manchester gets the meat at the same rate that Liverpool does, and the brokers in between are cut out of business. [Applause.] We could do that here at a dozen different ports.

Gentlemen ridicule the proposition, not realizing that other people are doing what we refuse to do. Will you go to the proposition that the gentleman from Wisconsin says I am personally—and I hope patriotically—interested in? It is to connect up a part of the Delaware River, that has 27 shipyards on it this very day, with the Chesapeake, that affords admission to Baltimore, and by this route [indicating on the map] to Washington and then down through here to Norfolk and Hampton Roads to the South. Gentlemen ridicule it. They do not know and will not understand, unless they inspect the situation for

themselves. Time and again we have begged them, even challenged them, to come over and look at this geographical condition that God Almighty has laid down for us to avail ourselves of. [Applause.]

The expense! The gentleman from Wisconsin worries—and I say this in all kindness—worries about the cost of the Chesapeake & Delaware Canal—two and a half millions has been agreed upon by the engineers.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. I shall not ask for any more time.

Mr. GREENE of Massachusetts. Mr. Chairman, I ask that the gentleman's time be extended as much as he wants.

Mr. SNYDER. Mr. Chairman, I ask unanimous consent that his time be extended for five minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the time of the gentleman from Pennsylvania be extended for five minutes. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Chairman, I shall not discuss whether there was a defalcation by a crooked officer of the company many, many years ago. That has absolutely nothing to do with the value of this property. It does not affect the standing of any bank to-day that one of its cashiers 25 years ago robbed it of $100,000. What has that to do with the main proposition? Gentlemen have used this argument from the beginning of this discussion to destroy this project.

Mr. FREAR. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. FREAR. Will the gentleman name anyone who has done that?

Mr. MOORE of Pennsylvania. The gentleman himself has called it a bankrupt canal, and he referred to it time and again as such, and refers in the report to the fact of the defalcation.

Mr. FREAR. Yes; it is bankrupt, because for a number of years they could not make expenses.

Mr. MOORE of Pennsylvania. That is where the gentleman is wrong. The canal has been self-sustaining since its construction and it pays 4 per cent on its bonds now and takes care of its own improvements. These are the things that aggravate when you come to discuss these matters. I shall put into the RECORD the facts, because having heard these things hurled on this floor so often I have had special inquiry made about this concern back to the days of its construction in order to get the exact truth and the facts might be ascertained. I propose to put into the RECORD the facts, so that gentlemen here and elsewhere may labor under no delusions that will affect the merits and the truth.

Mr. ROBBINS. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. ROBBINS. Is not this a great saving in distance between Philadelphia and Baltimore?

Mr. MOORE of Pennsylvania. Yes; the difference between 90 and 325 miles between Philadelphia and Baltimore; but I would prefer to put it this way: Say that it is a great saving in distance between this great manufacturing center of New England [pointing] and this great productive center of the South. [Applause.]

And say this, that if that waterway is taken and worked at a depth which is standardized, so that a man or a company can know that his ships will go through without running on a sand bar, or being held up somewhere in the night, a service will be provided that will be as good as that of the railroads for heavy freight and those raw materials that do not need speedy transportation. And dealing with foodstuffs, just let me carry you back to the spring after the worst winter through which we ever passed. When the fertile fields of Florida were abloom, when the orchards were full, when the rich grounds were producing potatoes by the carload, when the people in the North were being gouged at the highest prices, when the people of New England and the soldier boys coming back from abroad were being charged $1.50 a dozen for the oranges they begged and craved for and which could not be had, it was because the railroads had issued embargoes, saying they would not carry perishable freight, and because the submarines were outside and the inland waterways were not available. You were told that you must depend upon your own locality, that you people of the great metropolis must get your fresh eggs from the henroosts in the city of New York, that you must dig your potatoes out of Broadway. The railroads could not carry them from Florida or bring them in from Iowa, and they rotted and went to waste where grown because neither the railways nor the waterways could carry them. [Applause.]

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Oh, my friends, it is broader than the mere question of Philadelphia and Baltimore. It is bigger than New York and Norfolk. It is a national, humanizing, protective proposition. [Applause.] I yield to the gentleman from Iowa.

Mr. GOOD. The gentleman has referred to the earnings of the canal. I would like to ask if he has the figures.

Mr. MOORE of Pennsylvania. I am not going to discuss that, because it is so far afield from the main problem that it would take up all of my time; but I shall put every line in the RECORD, and I shall beg the gentleman to read it carefully.

Mr. GOOD. Can the gentleman tell us how many bonds are outstanding?

Mr. MOORE of Pennsylvania. The same amount that is mentioned in the report. All that is proposed to be paid for this property is what is represented by bonds. All this so-called worthless stock is to be disregarded; every old back debt is cleaned up. The bonds that are paying 4 per cent constitute the value of the property as appraised, and the Government acknowledges it.

Mr. FREAR. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. FREAR. The gentleman made a statement a few moments ago, in response to a question of mine, to the effect that it had been constantly referred to in respect to this defalcation by an officer of the company. I asked him who made that statement, and the gentleman suggested that we were all making it. Now he makes the statement that that canal has been paying expenses constantly. I call his attention to Document No. 215, which is an official report, Fifty-ninth Congress, second session, wherein it is shown that in 7 of the 12 years, according to the statement, the official statement that was submitted, there was a deficit in the handling of that canal.

Mr. MOORE of Pennsylvania. Yes.

Mr. FREAR. That is not on the stock; that is on the bonds.

Mr. MOORE of Pennsylvania. Yes; they did not earn money in those years, but they had a surplus from previous years or earned enough in subsequent years to pay their way through. Now, will the gentleman be satisfied? [Applause and laughter.]

Mr. Chairman, the Chesapeake & Delaware Canal statement to which I referred, and which explains the financial operations of the company, is herewith submitted under leave to print. The statement was prepared after careful research and investigation by Mr. Wilfred H. Schoff, secretary of the Atlantic Deeper Waterways Association. The information it contains was taken from official documents.

It is as follows:

CHESAPEAKE & DELAWARE CANAL.

A statement from the Atlantic Deeper Waterways Association, Philadelphia, Pa., December 30, 1918.

"Pursuant to authority voted by Congress in the river and harbor act of 1917, the War Department has negotiated with the Chesapeake & Delaware Canal Co. for the purchase of the existing Chesapeake & Delaware Canal at the price recommended by the Chief of Engineers, $2,514,289.70 (H. Doc. 391, 62d Cong., 2d sess., pp. 4 and 95, and H. Doc. 196, 63d Cong., 1st sess., p. 6). These reports confirm the recommendations made in 1907 by a commission appointed by the President of the United States (S. Doc. 215, 59th Cong., 2d sess.).

"The Chesapeake & Delaware Canal forms the connecting link between the Delaware River and Chesapeake Bay, and is an essential part of the Atlantic intracoastal waterway system as recommended by the War Department and in part adopted by Congress through the purchase and partial completion of the Chesapeake & Albemarle Canal, connecting Chesapeake Bay with the North Carolina Sound and the Atlantic Ocean below Cape Hatteras.

"The Chesapeake & Delaware Canal, if Congress shall approve the recommendations of the War Department, will be converted into a tide-level canal of 12 feet depth and 90 feet bottom width, these being the standard dimensions adopted on the New York Barge Canal and for the modernized Federal waterways.

"The Chesapeake & Delaware Canal in recent years has passed traffic averaging close to 1,000,000 tons per year. In this respect, it has maintained its usefulness and activity better than others of the old small canals, its maximum tonnage in 1872 having been 1,318,772 tons. Army engineers and commercial experts, who have studied the prospects of future commerce on an improved canal, predict for it an annual traffic largely in excess of the present figures, more nearly approximating 5,000,000 tons per year.

"The main hindrance to increase of traffic on the existing canal is its inadequate size, barges being limited to the dimen-

sions of the locks, 24 feet by 220 feet by 10 feet. On the New York Barge Canal, where locks were unavoidable, the dimensions adopted were 310 feet by 45 feet by 12 feet. The larger size, under modern conditions of traffic, is found necessary, in order to produce the economy of transportation which the modern barge affords.

"In answer to the natural inquiry how the price of $2,514,289.70, recommended by the War Department, is arrived at, it may be stated that this represents the amount for which the canal property is mortgaged, $2,602,950, less certain securities and other property held by the company, amounting to $88,660.30, the difference being $2,514,889.70.

"The amount of the mortgage, according to the annual reports of the company, is considerably less than the actual cost of the canal, and very much less than the present cost of reproducing the canal property, even deducting the locks and other structures which the Government will not use in completing its tide-level waterway over this route.

"A brief account of the formation and history of the canal company may be opportune. In the early years of our Republic the improvement of the means of communication was recognized to be the most vital issue before the people. All our early statesmen gave serious consideration to this problem. The labors of De Witt Clinton toward bringing about the completion of the Erie Canal are well known, but Americans of our time are not all aware of the fact that the engineering experience and the political foresight of George Washington were applied with almost equal persistence to the formulation of plans and the organization of companies for construction of canals and improvement of waterways in other parts of the country.

"These were recognized to be matters of public importance, and although in each case corporations were organized to undertake the work, they were semipublic, officered as a rule by men in public life, and received public support. The Chesapeake & Delaware Canal Co. was of this sort. The surveys and levels were first made in 1769 under the auspices of the American Philosophical Society. The years of the Revolution and of the formation of the Republic were not auspicious for undertaking large public works, but the influence of George Washington was extended in support of such work throughout his administration. For the purpose of creating the connection between Delaware River and Chesapeake Bay the Chesapeake & Delaware Canal Co. was incorporated in three States—Maryland, 1799; Delaware, 1801; Pennsylvania, 1801. The company was authorized to issue capital stock in the amount of $2,500,000, in 12,500 shares, at $200 par value. Subscription books were opened at Philadelphia, Wilmington, Baltimore, and elsewhere, but the funds received were sufficient only for a beginning, and the trade embargoes which culminated in the War of 1812 put a stop to the work.

"The President of the United States, James Madison, in his message to the Fourteenth Congress, second session, December, 1816, called attention to the desirability of soon completing the contemplated canals, and a committee of Congress reported a bill authorizing the Secretary of the Treasury to subscribe for shares in the companies organized to construct the Chesapeake & Delaware and the Dismal Swamp Canals. The Chesapeake & Delaware Canal Co. was then reorganized, its surveys revised, and books again opened to subscription.

"The State of Maryland (under act of December 18, 1812) had subscribed to 250 shares, $50,000.

"The State of Pennsylvania (under act of March 28, 1823) subscribed to 500 shares, $100,000.

"The State of Delaware (under act of February 5, 1823) subscribed to 100 shares, $20,000.

"The United States (under act of Congress, March 3, 1825) subscribed 1,500 shares, $300,000, and subsequently (act of Congress, March 2, 1829) 750 shares, $150,000, making a total of $450,000.

"The city of Philadelphia at about this time, though the ordinance has not been found, is believed to have subscribed 125 shares, $25,000.

"Private investors subscribed apparently 4,208 shares, of which 800 were subsequently forfeited for nonpayment of installments, and others carried as 'partly paid.'

"The condition of the stock issue, as inferred from the company's report for 1851, was as follows:

Private investors	$517,038.50
United States	450,000.00
State of Pennsylvania	100,000.00
State of Maryland	50,000.00
City of Philadelphia	25,000.00
State of Delaware	20,000.00
	1,162,038.50

"The stock subscribed by the United States, the States of Pennsylvania, Maryland, and Delaware, and the city of Philadelphia was common stock, on the same terms as that subscribed by private investors, and the acts of Congress of 1825 and 1829 provided that 'the Secretary of the Treasury shall vote for president and directors of the said company, according to such number of shares, and shall receive upon the said stock the proportion of the tolls which shall from time to time be due to the United States for the shares aforesaid.'

"The revised surveys called for a canal 13½ miles long, 60 feet surface width, 36 feet bottom width, 8 feet depth, at a cost estimated by its engineers of $1,354,364.64, and although this was slightly in excess of the stock subscriptions, the company decided to proceed with the work. The canal was completed and opened to operation in 1829, and the company, in its 1830 report, stated that it had cost a much larger sum than had been anticipated, the actual cost having been $2,301,864.03.

"The company started business, therefore, with a deficit in construction account of $1,039,825.53 and without capital, so that in 1833 the company was forced to negotiate a loan for $400,000 at 6 per cent. Its construction costs were further increased by contractors' litigations for work performed under canceled contracts, under which judgments were entered in the Delaware courts for $229,820.

From this the original construction cost may be figured at	$2,431,684.03
With a consequent deficit, due to the fact that the stock issue was less than half subscribed, of	1,269,649.53
The floating indebtedness arising from this, arrearages of interest, and deficits in canal operations were merged in 1836 into a funded debt of	1,503,185.01
And in 1847 into a further funded debt of	796,592.23
In 1853 it became necessary for the company to enlarge its locks, to provide for increasing traffic, and to meet this expense a temporary loan was issued, amounting to	419,222.76
After completion of the new locks the three funded debts of the company were merged in 1856 into a 30-year mortgage loan at 6 per cent, amounting to	2,800,000.00

which amount was slightly less than the apparent cost of construction to that date and indicated a greatly reduced value in the common stock.

"The two decades following enlargement of the canal were years of prosperous business on which relatively high tolls were collected. The stockholders received several cash dividends and their holdings were further increased by several stock dividends, so that the total issue was expanded from $1,162,038.50 to $1,903,238.50. In 1867, under legislation enacted for that purpose, the company converted its stock issue from a $200 to a $50 share basis, each holder of $200 in the old issue receiving four shares of $50 in the new.

"In 1914, at a hearing before the subcommittee of the Senate Committee on Coast and Insular Survey, the company reported its stock issue as follows:

	Shares.	Par.
Private investors	20,804	$1,057,788.50
United States	14,625	731,250.00
State of Maryland	1,625	81,250.00
City of Philadelphia	663	33,150.00
	37,717	1,903,238.50

The property as above stated was subject to a mortgage maturing in 1886 of $2,800,000	$2,800,000.00
The directors endeavored to pay off this loan, and at various times up to 1872 set aside for that purpose, out of earnings of the company, sums totaling	806,250.00
supposing that they had reduced the loan to	1,993,750.00
But a dishonest official reissued out of the above (converting the cash to his own use)	609,200.00
so that upon maturity in 1886 the loan was extended at 5 per cent for a further period of 30 years, for	2,602,950.00
In 1893, owing to the depletion of the company's contingent fund, the loan holders consented to a reduction of the interest rate to 4 per cent in order to enable the company to accumulate a contingent fund of $100,000 to meet extraordinary expenses and deficits in operation as they might arise.	
In 1916 the loan was extended at 4 per cent for a further period of 10 years.	
The War Department has recommended acquisition of the canal property for the amount of the mortgage loan, less convertible securities, etc., in the treasury, amounting to	88,660.30
Making a net price of	2,514,289.70

"The effect of the above-mentioned defalcation was to make it impossible for the stockholders to pay off the mortgage and acquire back their property. It, therefore, practically extinguished the value of the stock issue, amounting to $1,903,238.50. It took away nothing from the value of the canal property and it did not affect the mortgage loan of $2,602,950, on which interest has been punctually met.

"The United States, State of Maryland, and city of Philadelphia, together with numerous individuals and estates, principally descended from public-spirited citizens who subscribed to the original issue of common stock of 1823–1829, have a common

equity in the property, which is mortgaged for less than its cost, but on which, owing to reduced rate of tolls and increased expenses, they have been unable in recent years to earn a sufficient profit to pay off the mortgage.

"Of this issue the United States holds 14,625 shares, the State of Maryland 1,625, the city of Philadelphia 663 shares, and private individuals and estates 20,804 shares.

"The present recommendation of the War Department is in effect that the United States acquire possession of the property by paying off the mortgage.

"By so doing, the United States, a minority holder of 14,625 out of a total of 37,717 shares of the common stock, will become sole owner of the property, while the holders of the remaining 23,092 shares, including the State of Maryland and the city of Philadelphia, will receive nothing, and will sacrifice their equity as a contribution to a national welfare.

"It is obvious that such an arrangement is advantageous to the United States.

"The Chesapeake & Delaware Canal should be public property. It should be modernized and improved and made part of a comprehensive system of inland water transportation. Its corporate difficulties have arisen from insufficient initial financing, which has made it impossible at any time for the company to improve its property to keep pace with the increasing demands of traffic, and to the fact that as a local enterprise limited by its charter to the collection of tolls upon its canal, being, therefore, in the same status as a turnpike road, having no power to carry freight or passengers through its canal, it has never been in a position to develop business between distant points, and thus to utilize the undoubted advantages of its geographical position.

"The Chesapeake & Delaware Canal is needed also for purposes of even greater importance in interstate commerce. Before the United States entered the war, numerous boards of the Army and Navy reported upon the desirability of a series of safe inside passages between the great ports and the naval and military stations along the Atlantic seaboard, and the events of the war, when a few raiding submarines were able at different times to paralyze our coastwise traffic, afforded abundant proof of the need of these inside passages, if at any future time our Atlantic coast should be subjected to attack from a strong naval power.

"Government ownership and improvement of the Chesapeake & Delaware Canal is, therefore, an essential item in our future national defense no less than our interstate commerce. The present question is whether acquisition of the existing property by paying off the mortgage is a fair basis of settlement. The United States should not be expected to pay more than the property is worth, neither should it expect to take it at a price unfair to the security holders. The original construction was undertaken in good faith, largely as the result of the urging of the Federal Government, and individual investors subscribed of their funds to contribute to the common welfare.

"For the financial difficulties in which the company became involved, the United States was responsible equally with the investors, for they arose altogether from a stock subscription insufficient to meet the construction cost. Although the common stock has now no more than a nominal value, the stockholders can not in honor, and probably could not in law, dispose of their property for less than the amount for which it is mortgaged, and this obligation rests equally upon all stockholders, the United States, the State of Maryland, the city of Philadelphia, and the individual subscribers. On the other hand, the property has cost considerably more than the amount for which it is mortgaged.

"Among cash items in the company's reports appear the following:

Original construction 1829 (company's report for 1830, p. 16)	$2,201,864.03
Judgment under contract litigation, 1832	229,820.00
Reservoir, 1841	22,000.00
Completing same, 1844	7,300.00
Pumping engine and lifting wheel and dredge	38,200.00
Waterworks, 1853	6,900.99
Reconstruction of locks, 1855	375,177.02
Water wheel, 1857 (company's report for 1856)	6,000.00
Riparian rights purchased, 1872	7,790.50
Dredge, 1882	12,000.00
Telegraph line, 1861	1,385.00
Boilers and engines, 1865	17,896.75
Dredge, 1866	13,931.80
Telegraph line, 1872	1,725.16
Pump, 1873	1,500.00
Other items in sundry annual reports, 1851–1880, about	20,000.00
Making an apparent total of	2,963,551.25
To this should be added the steady enlargement of the canal prism by the company's dredges; a conservative estimate would be $10,000 per year, 1866 to 1918, 53 years	530,000.00
Or an apparent construction cost of	3,493,551.25

"The Agnus commission in 1907 reported the cost of production at that time as:

Dry excavation, 15,000,000 cubic yards, at $0.16	$2,400,000
Dredging 1,435,700 cubic yards at $0.14	200,000
80,000 linear feet bank revetment	70,000
44,000 perches masonry at $3	132,000
Lock at Delaware City	120,000
Lock at St. Georges	118,226
Lock at Chesapeake City	147,370
Acreage of land holdings, 8,000 acres at $50	400,000
Pumping plant at Chesapeake City	50,000
Auxiliary arrangements for summit level supply	5,000
Bridges	31,000
Houses, offices, etc	30,000
Tools, machinery, etc	1,000
Telephone line	2,000
	3,708,186

"But it is well known that the cost of both dry excavation and dredging has materially increased since 1907 and that the company's land holdings have likewise increased in value, so that a present cost of reproduction would be more than nearly $5,000,000.

"The provision in the pending river and harbor bill for the United States to acquire the property for the amount of the mortgage appears, therefore, to be fair in every respect. Although the United States as holder of a minority of stock interest is on no more than equal terms with the other stockholders, it will receive from them the free and patriotic contribution of their equity and will take over the property for an amount considerably less than the stockholders have expended upon it—very much less than the cost of reproduction at present prices, and will then be in a position to improve and develop it for the prosperity and security of the whole country."

Mr. LINTHICUM. Mr. Chairman, I move to strike out the last two words.

Mr. SMALL. Mr. Chairman, I ask unanimous consent that debate on this paragraph and amendments thereto close in five minutes.

Mr. FREAR. Mr. Chairman, I would like to have five minutes.

Mr. SMALL. Make it 10 minutes.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that all debate on the pending paragraph and all amendments thereto close in 10 minutes. Is there objection?

There was no objection.

Mr. LINTHICUM. Mr. Chairman, it is particularly gratifying to me, having worked with these gentlemen for the purchase of this canal, to know that the House will act favorably upon this item. In reference to the canal not making more money, I merely want to cite one instance. When I was a member of the State senate the canal company came to Annapolis and asked that its tolls be increased. The State senate refused it, so that the canal has been held down to a certain revenue all the time upon the old toll basis, whereas the expenses of maintenance and all other charges have gradually increased.

Mr. MADDEN. Will the gentleman yield?

Mr. LINTHICUM. I will.

Mr. MADDEN. Does the gentleman say that the canal company asked the State of Maryland to increase its tolls?

Mr. LINTHICUM. To allow them to increase the tolls.

Mr. MADDEN. Why, the tolls are the charges paid, the sums to be paid for the right to use the canal.

Mr. LINTHICUM. I term it tolls, or whatever you choose to call it.

Mr. MADDEN. I thought they wanted to increase the freight rates.

Mr. LINTHICUM. Well, freight rates or tolls, as you choose to term it.

Mr. MADDEN. There is a difference between tolls and freight rates.

Mr. LINTHICUM. The legislature absolutely refused it, and the canal, without any increase in its charges, has been able to pay expenses all these years and they have gone ahead until this time, keeping itself in proper shape. Now, I believe, as the gentleman from Pennsylvania [Mr. MOORE] says, that it is not a question for Baltimore, it is not a question for Philadelphia or any of these great cities, but it is a question for the entire Nation. It is a question of having the commerce of every port along the Atlantic seaboard transported without being subjected to the rigors and dangers of the sea to the various terminals along our coast. When Senator Burton was chairman of the Committee on Rivers and Harbors of this House he came to Baltimore, and he was taken down the river and shown the great port facilities. He was shown the magnificent business we were performing, and he said, "Gentlemen, I am not interested in what business you are doing; I am interested in the port facilities, because that is a benefit to the Central

West and to the entire country. I am interested in the country, and the better the harbor and the deeper the harbor you have here in Baltimore the better facilities will we have through the West." When we are enabled by deeper canals to bring this trade to Baltimore, Philadelphia, and the Atlantic seaboard, why, it is going to improve the entire transportation system of the country. I want at this time to express the deep appreciation that the country owes to the Atlantic Deeper Waterways Association and to those splendid officials, the gentleman from Pennsylvania [Mr. MOORE] and the gentleman from North Carolina [Mr. SMALL]. They have worked in season and out of season for a proposition which they believe is to the interest of the entire land, and I believe when this work is finally completed if there be any of us left to look back upon this controversy we will say to ourselves and our friends, "How foolish we were absolutely to stand against a proposition of this mighty importance to the Nation." I do not want to take up any more of the time of the committee. I am not near so well informed upon this as these gentlemen are, but I do believe that when this item is adopted and this work is performed it will stand out as a monument to the Sixty-fifth Congress and to the gentlemen who have assisted us in the splendid undertaking. [Applause.]

Mr. CLEARY. Will the gentleman yield?

Mr. LINTHICUM. Yes; I yield.

Mr. CLEARY. Is it not a fact that a waterway that barely pays when it is not fully developed will be much more profitable when fully developed?

Mr. LINTHICUM. That has been demonstrated in many instances, in railroads and everything else, that when you develop an increased traffic you make it more profitable.

Mr. CLEARY. And is not that one of the greatest arguments for the improvement of these waterways?

Mr. LINTHICUM. Absolutely. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask the same privilege of revising and extending my remarks in the RECORD, because it was refused when I made the request a while ago.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none.

Mr. FREAR. Mr. Chairman, again I am interested in the line of discussion of the two distinguished gentlemen who have just concluded, one from Philadelphia at one of the terminals and the other from Baltimore at the other terminal, gentlemen who approve of this canal. The gentleman from Pennsylvania, with all the eloquence of which he is capable, has talked about the attractive features of this canal for years. I am not going to question that. I do question the right or duty of this Government to buy it. The gentleman from Baltimore says that the gentleman from Pennsylvania, who is the president of the Inland Waterways Association, and the gentleman from North Carolina, who happens to be vice president of that association and the chairman of this committee, have worked in season and out of season, to use his own expression, to secure the adoption of this project. What chance does an ordinary man, even though he is a Member of Congress himself, have against the honorable president and vice president of this Inland Waterways Association, who are both strong Members of this body? Mr. Chairman, the gentleman from Pennsylvania read a letter from a soldier in Germany, but he did not tell you, and he does not tell the House, that Germany controls the railroads of Germany. Ah, that is the point! He did not tell you that they owned the railroads. He did not tell you that France is going to acquire the possession of all of her railroads, and that is the reason these countries have made a success of it.

Mr. LOBECK rose.

Mr. FREAR. In just a moment. I did not interrupt these other gentlemen. Now, they have not touched the argument. The point is here that the Manchester Canal, as the gentleman from Illinois well said, was built by Manchester, not by England. This canal is not to be built by Philadelphia, it is not built by Baltimore. Oh, no. The very fact that the president and vice president of the Inland Waterways Association worked in season and out, according to the gentleman from Maryland, has had some impression, I take it.

Now, Mr. Chairman, this is the proposition: The gentleman states in one breath that all the important governments of Europe practically, very nearly of the whole world, have taken over railroads, and that he is opposed to it, and yet the railroads destroy all the inland commerce that we know of on all the rivers and canals. And in these other governments, like in Germany, they compel the port or harbor to make its contribution. Nothing is contributed here from Philadelphia. All they have got to do is to work and work and work. And what was the expression of my good friend from Baltimore [Mr. LINTHICUM]? That they work in season and out and they finally get it. Now, I am not criticizing them. I know that these gentlemen are very distinguished gentlemen, and that they have worked hard for this project. But I say that this Government will never make a success of its inland waterways, and we all know it, if we stop to reason—and it is perfectly foolish to think otherwise—unless we control the railroad rates. On the Mississippi River, the Missouri, the Cumberland, the Tennessee, and all of those rivers you can not control your rates or control the freight rates and permit these places to live, as they do in Germany. For 7 out of 12 years this canal has failed to pay expenses. How was it paid? Out of the fund they had on hand, of course. That shows the commercial standing of the canal. The gentleman criticizes "the gentleman from Wisconsin" and says, "Why, he is not interested in waterways." Oh, yes, I am, but I am not interested in throwing this money into this canal, causing the people of this whole Government to be burdened with taxes on account of it, that are taken, to use the expression of the eloquent gentleman from Pennsylvania, from the blood that is being wrung out of the American people.

The CHAIRMAN. The time of the gentleman has expired. All time has expired.

Mr. FREAR. Mr. Chairman, I ask unanimous consent in this connection to insert a short extract in regard to railroads.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection? [After a pause.] The Chair hears none.

The following is the extract referred to:

PRIVATE OR GOVERNMENT OWNERSHIP OF RAILWAYS AND WATERWAYS.

Our Government is the only Nation of importance that refuses to accept a businesslike financial budget, and in equally mysterious fashion it is practically the only Government in the world that tenaciously clings to private ownership of railways, notwithstanding that policy has resulted in the destruction of our inland waterway transportation. All important railway lines are State owned in Germany, Austria, Hungary, Russia, Italy, Switzerland, Belgium, Holland, Denmark, Norway, Japan, South Africa, Australia, and other countries. Over one-half of the lines operated under the English flag, according to statistics, or about 53,400 miles against 33,292 miles, are State owned, and the remainder are rapidly being taken over by the Government. In France the Government operates only a limited number of its railways, but by operation of law all are to come into the possession of the Government in the course of time. This principle also is invoked by the South American and Central American Governments, according to authorities that have compiled statistics on the subject. Irrespective of merits or demerits of the railway problem, Congress continually is asked to give down liberally for impossible waterways without contributions from localities, giving to the community having the longest or most powerful reach, irrespective of comparative commercial necessity or possible utility, and we are continually asked to look to Germany and other foreign governments for justification of such course. Every student of the subject knows that local contributions are generally imposed in Europe with waterway improvements, and wherever appreciable waterway traffic exists in European countries it is generally due to exceptional conditions affecting coal or other low-grade freight that are easily distinguished from our own conditions and to a control of railway rates that is exercised abroad in favor of cheap traffic for the waterways.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Rockhall, Queenstown, Claiborne, Tilghman Island, Cambridge, and Crisfield Harbors, Elk and Little Elk, Chester, Corsica, Choptank, Tuckahoe, Warwick, La Trappe, Tred Avon, Wicomico, Manokin, and Pocomoke Rivers, Slaughter, Tyaskin, and Broad Creeks, Twitch Cove and Big Thoroughfare River, and Lower Thoroughfare, Deal Island, Md.; Nanticoke River (including Northwest Fork), Del. and Md.; Broad Creek River, Del.; and Tangier Channel, Va.: Completing improvement of the North Fork of Tred Avon River in accordance with the report submitted in House Document No. 27, Sixty-third Congress, first session, and subject to the conditions set forth in said document, $19,600; completing improvement of Wicomico River in accordance with the report submitted in House Document No. 1500, Sixty-third Congress, third session, and subject to the conditions set forth in said document, $17,100; completing improvement of Tangier Channel in accordance with the report submitted in House Document No. 107, Sixty-third Congress, first session, $16,434; in all, $53,134. The unexpended balance of appropriations heretofore made for Tilghman Island Harbor is hereby made available for improvement in accordance with the report submitted in House Document No. 790, Sixty-third Congress, second session.

Mr. LINTHICUM. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman a question. I notice there is in this bill no mention of the Baltimore Harbor, either for maintenance or for continuing improvement. I would like to have information from the gentleman as to why this was left out.

Mr. SMALL. The reason for that lies in the fact that the balance available is sufficient for the needs of Baltimore Harbor for the next fiscal year. The amount on hand is $676,000, and the Chief of Engineers reports that that amount will be sufficient for all the needs of the harbor for maintenance and

such work of further improvement as may be necessary until the end of the next fiscal year.

Mr. LINTHICUM. I am very glad to have the information from the gentleman.

Mr. FREAR. Mr. Chairman, there are several new projects in this one paragraph. I am not going to discuss them all, because I am not here in the rôle of an obstructionist, as I have said. I am here to show the character of the bill as best I may, and to show the absolutely indefensible character of some of the items.

I take the first item there. I am perfectly willing to take the others, but I am going to take the first. It is for the North and South Forks of the Tred Avon River, $19,600. I will read from Document No. 7, Sixty-third Congress, first session, and page 3. It says:

The improvement desired is an extension of the channel up one of the forks so as to make additional terminal facilities possible. Under existing conditions the only wharf property available is controlled by one individual, and boats can not go above this property on account of lack of depth.

Think of it! One individual!

Mr. MADDEN. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. MADDEN. Does the gentleman get the idea from the Report of the Engineers that this money is to be expended for making a channel?

Mr. FREAR. Possibly.

Mr. MADDEN. That is what it is for?

Mr. FREAR. I assume so; not for building wharves.

Mr. MADDEN. They are going to build a channel? There is no channel there now?

Mr. FREAR. Not at this farthest point.

Mr. MADDEN. I think it is an outrage for the Government of the United States to spend money for any such purpose.

Mr. FREAR. Here is the absurdity of this item, which was in the 1914 bill and stricken out because the bill failed. I am reading on page 5 now. Here is a community that wants some money expended for its own individual use. If you go to California, Oregon, Washington, or the Hawaiian Islands, or elsewhere, you say, "Pay your share." Let us see what they do over in Maryland. Let us see the representation of the improvement. They do not give a nickel toward this. But it is for the benefit of these people. They say that this village has four banks, with aggregate deposits of $2,125,000; that the assessable value of property within the county is $13,000,000.

Then they go on and say down below—

The town is on two railroads, the Baltimore, Chesapeake & Atlantic and the Philadelphia, Baltimore & Washington.

And with those conditions this town does not give a nickel. Yet why do you put the condition in as to all other places? What right have we—I am speaking now of the committee and of the Congress, of which I am a Member—to appropriate this money for a project of that kind? Who can defend it? I do not know. A man in that community may, because he may want it. But why not act fairly and squarely with the various communities in this country and say, "If we are going to require a contribution from one place, we will require it at others." They have several banks here, and yet they do not give 5 cents toward this project, and we stick it in the bill without any evidence that it is needed at this time.

Mr. MADDEN. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last two words.

Mr. MADDEN. This paragraph deals with a number of projects, among them being Elk and Little Elk Creek. What these Elks are used for I do not know; whether they are intended to be used for supplying meat to the soldiers abroad or to those in American camps, no one has said; whether they are intended to divert the sportsmanlike spirit of the hunter, no one says. It is evident from reading the report that there is no need for any expenditure of money here, not even for the entertainment of the hunter.

Later on we have an improvement at Twitch Cove. Now, Twitch Cove, I assume, is one of those sleepy creeks within which the water sleeps in its own bed. [Laughter.] There is no chance whatever for the promotion of any commerce at Twitch Cove, as I understand it.

Then we have Slaughter Creek. Here is the Treasury of the United States slaughtered annually for an amount unjustified in order that the political welfare of those patriotic statesmen in the neighborhood of Baltimore may be advanced. That these appropriations are unjustified and unjustifiable everybody will agree except the gentleman from Baltimore [Mr. LINTHICUM], who just took his seat a moment ago.

Then we have this new project, provided for in House Document No. 27 of the Sixty-third Congress, first session, calling for an expenditure of $19,600 for the construction of a creek where now no navigation is possible, and where I understand from the gentleman from Wisconsin [Mr. FREAR] no navigation will be had, except that water will be carried to the dock of a single individual who is in business there. It seems to me that where somebody locates a business upon dry land it is not the business of the Government to build a waterway to his plant, and nobody but the men with such imaginations as those have who come from the State of Maryland would be able to induce the Engineers of the Army to recommend such an improvement.

We have an inland waterway to be provided for on the Delaware River and Chesapeake Bay, Md., for the improvement of which we are to be called upon later to expend the further sum of $17,100.

Tangier Channel is another case where, in accordance with the report submitted in House Document No. 27, Sixty-third Congress, we are to appropriate $16,434, when it was rejected only a short time ago by the Army engineers. But the persuasive influence of the gentleman speaking for the Democratic Party of Maryland, who sits in this House with a certificate of election to Congress, was able to change the minds of the Army engineers, and now we are called upon to spend money for that improvement. Who says there is any navigation there to justify the appropriation? Does anyone claim it? I deny it. Who replies to the contrary? No one from Maryland.

Why not then cut out the appropriation? Why should we in other sections of the country be called upon to contribute to such improvements as these—rather not improvements, but such expenditures as these? The time has come, Mr. Chairman and gentlemen of the House, when Members must speak out, when the people of the Nation demand that appropriations shall be scrutinized. There is $18,000,000,000 of a deficit in the Treasury for obligations created by reason of the war, with new appropriations demanded every day, running into the billions. There is a $6,000,000,000 bond sale soon to begin. Taxes are levied in such enormous proportions on the backs of the American people as were never known before. Still the Committee on Rivers and Harbors, with its imagination, comes here and begs of you and recommends the appropriation of money to throw into these dry creeks, where no navigation has ever been dreamed of or ever will be.

Mr. DUPRÉ. Mr. Chairman, I suppose we have been waiting as usual for the annual witty speech of the gentleman from Illinois [Mr. MADDEN], which he always makes——

Mr. MADDEN. I do not know what the gentleman has been waiting for, but he may get more than he has waited for.

Mr. DUPRÉ. Well, possibly, that depends. I am willing to bandy words or anything else with the gentleman. I hope that is parliamentary. [Laughter.] When the gentleman so rudely interrupted me I was going to suggest that we had been waiting for his annual speech on rivers and harbors. Personally I am thankful that he has made it at this point, because I thought he was going to tell his old story about the water hyacinth.

Mr. MADDEN. No; I will reach that later.

Mr. DUPRÉ. And I will meet the gentleman later, as I have previously. The gentleman selects the Little Elk and the Big Elk, and he has made a tremendous impression on the House with his play on those words. So I think we might as well vote on the proposition which he has so earnestly urged be deleted from the bill.

Mr. BLAND of Virginia. Mr. Chairman, it is not my desire unduly to take the time of the House, but only to reply to the challenge which has been extended by the learned gentleman from Illinois [Mr. MADDEN] who has just spoken. He referred to Tangier Channel as being in Maryland. It is not in Maryland. It is in Virginia. I desire that the credit for that shall go to Virginia.

Mr. MADDEN. I beg the gentleman's pardon.

Mr. BLAND of Virginia. I am perfectly willing to accord it.

Mr. SANDERS of Louisiana. That is only an evidence of the ignorance of the gentleman from Illinois about the bill, that he did not even know what State it was in.

Mr. BLAND of Virginia. The gentleman stated that this was rejected by the Army engineers. I desire to call the attention of the House to the document in which this project has been distinctly approved, and it is the project that is in the bill.

The gentleman from Illinois has said that there is no commerce on this channel. I desire to refer to the document in which it is distinctly shown that there is an outgoing commerce of $200,000 and an incoming commerce of $121,400, or a total of $321,400, with a channel that, at the minimum, has a depth of only 2 feet. The former report, referred to by the distinguished gentleman from Illinois [Mr. MADDEN], was made in 1891. I have the report here. If anyone will take the time to read

that report, he will be convinced that the engineer had never examined the project. Again, we find that in 1900 the same engineer made the same report, and said that there was no commerce at Tangier Island. He said that they had a commerce only sufficient for the necessities of life. In reply to that I call attention to the report which was filed by the engineer 10 years later, showing that Tangier Island, in Chesapeake Bay, 15 miles from Crisfield, had at that time a commerce of fish, crabs, and oysters, dependent entirely upon its own boats, of $321,000. The population had increased 50 per cent, increasing from 800 people to 1,200 people, and its commerce had increased from the mere necessities of life to a total of $321,000, and that with a freight rate from Crisfield, Md., of 20 cents per hundred pounds.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. BLAND of Virginia. I will.

Mr. MOORE of Pennsylvania. Is it not true that round about the vicinity of Crisfield and these rivers that need improvement the city of New York, the city of Philadelphia, the city of Baltimore, and the city of Washington obtain a very large proportion of their food supplies?

Mr. BLAND of Virginia. Of course it is true. The gentleman from Illinois has talked about commerce. Gentlemen, we are dealing here with a commerce that means a reduction in the price of the necessities of life. These people are sending you fish, crabs, and oysters. They have nothing else to deal in. They have their boats drawing from 2 to 6 feet of water, and they practically can not navigate those channels with any cargo. It is in order that they may increase this interstate commerce with Philadelphia, Baltimore, and Crisfield in the necessities of life that this appropriation is put into this bill. I merely ask you, gentlemen, in justice to your own votes, to read the report, and it will be sufficient. [Applause.]

Mr. MADDEN. Will the gentleman yield?

Mr. BLAND of Virginia. Yes.

Mr. MADDEN. I just want to ask the gentleman if he thinks a channel with 2 feet of water in it is a thing that justifies the expenditure of public money for the creation of commerce?

Mr. BLAND of Virginia. I do, with the commerce that is there and the commerce that will come with the depth of 5 feet, which is asked for in this bill. [Applause.]

Mr. HUMPHREYS. I will state to the gentleman from Illinois that there are a number of rivers in this country where the project depth ultimately hoped to be attained is only 3 feet, upon which float many thousands of tons of interstate commerce. I recall one river with a depth of only 3 feet which a few years ago had a commerce of $13,000,000 of cotton floated in one year, in addition to other products in interstate commerce.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

James, Nansemond, Pagan, and Appomattox Rivers, Va.: Completing improvement of Pagan River in accordance with the report submitted in House Document No. 591, Sixty-fourth Congress, first session, $25,000.

Mr. GOOD. Mr. Chairman, I move to strike out the last word, for the purpose of making an inquiry about an item which has been passed. If I am mistaken in the conclusions which I have drawn with regard to it, I should like to be corrected.

When the gentleman from Pennsylvania [Mr. MOORE] was discussing that item of the Chesapeake & Delaware Canal I was anxious to know what the receipts were and the amount that was paid annually, and the gentleman said it was in the report. I do not find it in the report, but he has furnished me with a copy of the hearings, in which I find what seems to me to be a very extraordinary showing. According to this statement, on page 36 of the hearings, it will be seen that for 31 years there was part of the time a net return and part of the time there was a loss, and, if my figures are correct, the net profit for that time was approximately $120,000 and the net loss was $130,000.

I can well understand, therefore, why the cost of this canal, according to the statement on page 34—the original cost was $2,201,000 cash; received from stock subscriptions $1,162,000, and the balance by bond issue of $1,038,000. The amount subscribed for stock by the United States was $450,000. Now, this bonded indebtedness of the company has increased from $1,038,000 to over $2,500,000. They paid the dividends out of borrowed money, according to the report shown here. If you are going to pay interest at 4 per cent on $2,500,000, it will require an annual expenditure of $100,000. The showing here is that for 30 years the net loss is $10,000 over and above the receipts when it comes to deduct the operating expenses. So instead of paying the interest out of the operation it has been obliged to borrow $10,000 to operate the plant, and all of this interest must have been paid out of borrowed money. We might as well understand when we buy this plant that we are buying something that is hardly paying, has not paid for 30 years, a cent above the operating expenses, unless the figures that I have read are incorrect.

Mr. CLEARY. If the gentleman will yield, suppose a waterway 7 or 8 feet deep was not profitable to the owners, would they not immediately and naturally improve it; or, if new owners bought it, would they not improve it, expecting to make it profitable because of the improvement?

Mr. GOOD. That may be; it may be made a profitable thing. I am only talking about what has been done.

Mr. CLEARY. It is what will be done that we are interested in. We want to know if we can make it profitable. There may be a waterway only 6 or 7 feet deep which is unprofitable, but if made 10 or 12 feet deep may be of great profit.

Mr. GOOD. That may be true; I am only trying to find out if the figures are true that I quote from the hearings as to the actual conditions in regard to this canal.

Mr. MANN. Mr. Chairman, I move to strike out the last word, and I do it for the purpose of asking the gentleman from North Carolina a question. We have now finished 8 or 9 pages of a bill of 31 pages. We commenced the session this morning at 11 o'clock, got to the bill about half-past 11, and now what is the gentleman's intention as to proceeding with the bill this afternoon?

Mr. SMALL. I will be frank with the gentleman. A request was submitted this morning by gentlemen on both sides that we make an effort to complete the bill to-day.

Mr. MANN. I understand, and I hoped that would be possible; but Members want to know how late they are going to be kept here.

Mr. SMALL. I would be glad to continue the consideration of the bill until after 6 o'clock, and yet I realize that we are dependent upon the will of the committee. The bill has been before the House, not under consideration, since January 2, and this is the first time we have been able to resume consideration. The amount of business before the House is so great that we deem it urgent that we complete the bill as soon as possible. I have difficulty in answering the gentleman except from my own viewpoint. I would be glad to sit until 8 o'clock.

Mr. MANN. I do not see any special object in continuing between 6 and 8 o'clock and then stopping, because it is quite certain that there would not be very many here between 6 and 8 o'clock. The gentleman would not be able, in my judgment, to continue unless he so announced now and have a quorum present.

Mr. DUPRÉ. Will the gentleman permit a suggestion to the chairman of the committee? Would it not be well to sit until half-past 5 and then resume at 8 o'clock?

Mr. SMALL. That would be agreeable to the chairman, but my observation has been that once the Members of the House have dispersed for the evening they do not return.

Mr. MANN. It is not fair to have an evening session of the House without giving advance notice. Gentlemen have a right to make engagements for the evening, unless they have notice that Congress will be in session, and while they might break their engagement it is hardly fair to them.

Mr. DUPRÉ. Would the gentleman consider a suggestion to sit until 6 o'clock and then adjourn until morning?

Mr. MANN. We might meet at 11 o'clock. I would be willing to meet at half-past 10.

Mr. SMALL. What would the gentleman from Illinois suggest?

Mr. MANN. I think it would be desirable to adjourn at 6 o'clock and to meet at 11 o'clock to-morrow. I had hoped that we could get through with the bill to-day. We have no desire on this side of the House to delay the consideration of these bills.

Mr. SMALL. I am sure the gentleman is acting in good faith. I think, under all conditions, Mr. Chairman, it would be advisable to announce now that I will move at 6 o'clock that the committee rise, and then I will ask unanimous consent that the House meet at 11 o'clock to-morrow, and I hope no one will make an objection.

I would like to have the attention of the gentleman from Illinois [Mr. MANN] further to make the announcement that we shall endeavor to complete the consideration of this bill to-morrow.

Mr. MANN. That is all right.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Waterway from Norfolk, Va., to the sounds of North Carolina: For maintenance, $250,000.

Mr. FREAR. Mr. Chairman, in line with what has been said, let me assure the House that I have no intention to delay

the passage of the bill, but this is the first day we have had for discussion, and when we are charged, those of us who are opposed to certain kinds of legislation, with intellectual dishonesty, when the public-building bill is set aside, which is a bill of the same general character, because the members of that committee realize that at this time of all times it is unwise to force such a bill upon the attention of the House, then it occurs to me that it is right to oppose a bill of this kind, and I owe no apology to anyone, and when the gentleman charges us with intellectual dishonesty I assure him that so far as I am able I want to point out some of the defects, and among other items there is the one before us. This is an item for the expenditure of $250,000 for a canal that runs down to the sounds of North Carolina. Not one dollar was recommended by the Army engineers to the committee for this item. About $250,000 has been expended thus far, with a balance on hand. The Army engineers reported on page 569 in regard to this canal running down into North Carolina no estimate for additional funds, and that as the maintenance of this waterway at the present time is not considered of sufficient importance to justify the expenditure of any funds in addition to the balance available on July 1, 1918, they do not request anything, not one dollar. Think of it; no estimate for additional funds has been made; it is not considered of sufficient importance to justify the expenditure of any funds in addition to the balance available; and yet this committee adds $250,000, a quarter of a million dollars. Intellectual dishonesty! Who selected the items? Who added the money to the bill for a canal that lost 40 per cent of its commerce in two years? You will find that on page 569 of the report. No estimate for an additional amount is demanded, and here the committee gives practically the same amount that has been expended upon this canal during the last 25 years. The public-building bill was set aside because of its unsavory record. Can you think of anything worse than that item—a quarter of a million dollars—when the engineers say they do not need it? Who put it in? Let us find out about this question of intellectual dishonesty. Some one put it in. Over half the insignificant commerce on this waterway is logs and lumber that float on that small stream. The engineers say in the 1918 report they do not need the money, and do not want it, and you put in a quarter of a million dollars.

Mr. SMALL. Mr. Chairman, I regret the necessity for making a brief comment. The gentleman from Wisconsin [Mr. FREAR] states with reference to this item that no recommendation was made in the report of the Chief of Engineers. The next paragraph in the bill is as follows:

Waterway from Norfolk, Va., to Beaufort Inlet, N. C.: Continuing improvement and for maintenance, $750,000.

The gentleman may make the same criticism as to this latter item.

Answering his criticism, I submit this comment: Before the committee entered upon the consideration of this bill I made a statement of some length to the committee, and it was discussed before the committee. Presumably the gentleman heard it. The Chief of Engineers made the estimates, which are contained in annual report, during the summer. These estimates were made after conferences with the Secretary of War and with a number of the members of the committee, including the chairman of the committee. At that time it was agreed that all estimates for maintenance and further improvement should be, to use a familiar expression, "cut to the bone," and the estimates in the annual report of the Chief of Engineers were made during the summer, when the war was still in progress. When we began the consideration of this bill, at the convening of this session, on the 2d of December, as everyone knows, the armistice had been signed on November 11 and peace had come.

There have been many conferences held with the Secretary of War, with the Chief of Engineers, and between Members of the House as to the policy that should be pursued in this bill, and it was agreed that we should have a bill framed along lines appropriate to normal or peace conditions. Therefore the Chief of Engineers increased the estimates in some instances and submitted estimates in other instances where no estimates had been originally submitted. There was originally an estimate for $500,000 for the Delaware River from Philadelphia to the sea. That was increased to two and a half million dollars. There was an estimate of $400,000 for the Schuylkill River, which was increased to $1,000,000. There was an estimate made during the summer of $3,000,000 for the East River, and that was increased to $4,000,000. I might recite further instances where estimates for maintenance and further improvements were increased when we entered upon the consideration of this bill on December 2 last.

Does the gentleman from Wisconsin know that? As a member of the committee should he know it? He, of course, says that these two items happen to be in North Carolina and would have the Committee of the Whole draw the inference that for some reason, improper or otherwise, the chairman of the committee was influential in having the Chief of Engineers make an estimate which was unnecessary and not in the public interest. I do not expect to detain the committee at length in replying to that inference, but I merely wanted to say, Mr. Chairman, in response to several statements which have been made in debate about the amount of the estimates contained in the annual report of the Chief of Engineers and the amounts appropriated in this bill, that increases were made, with the full knowledge and consent of the committee, upon the recommendation of the Chief of Engineers and, as we all believe, in the public interest.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. SMALL. Certainly.

Mr. GREEN of Iowa. I note in the report, page 3, a statement that after the armistice was signed there was a conference of the President, the Secretary of War, and the Chief of Engineers, and certain appropriations for maintenance were increased. I assume that is what the gentleman referred to in part?

Mr. SMALL. Yes. As a result the Chief of Engineers increased the estimates on certain of these items.

Mr. GREEN of Iowa. I note further down in the list of these increases $250,000 for the waterway from Norfolk, Va., to the sounds of North Carolina. Do I understand the gentleman that the engineers in this supplemental estimate specifically mentioned this item?

Mr. SMALL. They did.

Mr. FREAR. Mr. Chairman, I move to strike out the last two words.

Mr. SMALL. Will the gentleman defer it until the next item is read?

Mr. FREAR. I do not expect to take two minutes in response. I do not want to have the House misled, and I do not propose to mislead if I can help it. On page 569 of the Engineer's Report—and I read it for the third time—the Chief of Engineers and the Board of Engineers—and this is not Gen. Taylor who made the change, but this is what the Chief of Engineers said. Listen:

No estimate for additional funds is made, as the maintenance of this waterway, this canal, at the present time is not considered of sufficient importance to justify the expenditure of any funds in addition to the balance available on July 1, 1918—

Now, how much?—

Nine hundred and twenty-nine dollars—

On hand.

That is on page 569. The waterway is not considered of sufficient importance in time of war or peace, and yet $250,000 has been added. Who added it? Who brought in the report of these 70 projects? There has been added $250,000, a quarter of a million, almost as much as has been expended on this one item in the last 25 years. Why? Is it the fact that the distinguished gentleman who charges us with intellectual dishonesty will not be the chairman of the committee next time and will not have the selection of all these items? May that possibly influence his opinion at this time? I wonder! Mr. Chairman, until the insinuations, the unfair and unjust insinuations, were thrown out I had no idea of going into these items, but I propose to do it in order that the House may know who is improperly influenced in this discussion and who desires to present the matter frankly. Do you suppose if you had gone to the Chief of Engineers you could have gotten $250,000 added to your project, I ask the different members of this committee, to an item of little benefit and aid to commerce? Do you think you could? Just take it to yourselves. Why, of course not; of course not. It takes a friend in court to get such a remarkable concession as large as this when the Engineer's Report says it is not important, that no importance is attached to it in time of war or in time of peace or any other time. Yet here is $250,000 added to the whole project.

Mr. GREEN of Iowa. Will the gentleman yield? I am not particularly enthusiastic about this project, but I think we ought to be fair to the gentleman from North Carolina. The gentleman from Wisconsin asked who put this in, and apparently the President and the Secretary of War and the Chief of Engineers put it in.

Mr. MADDEN. Mr. Chairman, I move to strike out the last three words.

The CHAIRMAN. The gentleman from Illinois is recognized to oppose the pending amendment.

Mr. MADDEN. Mr. Chairman, it seems rather strange that where the Chief of Engineers says that he is unwilling to recommend the expenditure of $929 for a further improvement of a channel the Committee on Rivers and Harbors are proposing to expend $250,000 on it.

I read from page 509 of the report, which says:

Proposed operations: With the funds available, necessary examinations will be made and, if required, shoals and snags will be removed.

Shoals and snags? That is quite a navigable stream, I judge, where you have to remove the shoals and the snags in order to get water through a channel, to say nothing at all about getting boats through it. He says further:

No estimate for additional funds is made, as the maintenance of this waterway at the present time is not considered of sufficient importance to justify the expenditure of any funds in addition to the balance available on July 1, 1918.

Now, there was nine hundred and some odd dollars available July 1, 1918. The Chief of Engineers says that the channel is not considered of sufficient importance to justify the expenditure of more money than is available. And yet we find in this bill an item of $250,000 to remove the snags and the shoals. Why do we want to remove the snags? Is it to provide for navigation? Why do we want to remove the shoals? Is it that we may be able to float boats or that the water may be allowed to run through the channel without overflowing the banks? Is it because we have land to protect on the sides of this channel, or is it because we want navigation? Is there any justification, in the face of the statement by the Chief of Engineers that the $929 available is all the money that ought to be expended under any circumstances, in appropriating $250,000? Is it possible that under the present state of the Government finances, where everybody is being taxed to the limit, that we are willing to display our extravagance by reporting in favor of an appropriation of $250,000, where the responsible executive official of the Government, the Chief of Engineers, says there is no justification whatever for the expenditure of more than $929?

I think the House, under all the circumstances, ought to vote to strike this item out. There can be no justification for doing anything else. Are we to go before the people with the declaration that we are willing to spend $250,000 under the present conditions, where the Chief of Engineers says we ought not to even spend $929? Has the Committee on Rivers and Harbors so far forgotten its obligations to the people of America that it is willing to stand sponsor here for the appropriation of a quarter of a million dollars under such circumstances? Has the Committee on Rivers and Harbors the courage to come before the House and say to the Members that they are willing to stand for such a recommendation in the face of the adverse report of the Chief of Engineers? Are we to understand that the Committee on Rivers and Harbors has no consideration whatever for the state of the country's finances? Are we to understand that they pay no attention whatever to the already great load that is being carried on the backs of the American people? Are we to understand that in the face of idleness everywhere, of the returning soldiers without jobs, of the returning soldiers unable to get their pay, that, notwithstanding all this, we are asked to expend $250,000 of the people's money when there is no justification whatever for any expenditure at all? Has the River and Harbor Committee so far forgotten the sense of propriety that it will come before the Congress and recommend the expenditure of this vast sum in the face of the recommendation of the Chief of Engineers that there is no justification for it? Does the River and Harbor Committee expect to command the respect and the confidence of their associates on this floor with such a recommendation in the face of all the facts?

I maintain, Mr. Chairman, that the chairman of the Committee on Rivers and Harbors should himself move to strike this item from the bill, for no man, knowing all the facts in the case, can justify it, and no person knows the facts better than the chairman of the Committee on Rivers and Harbors. And I am unwilling, as one Member of this House, to go before the American people and say that I will vote for the expenditure of $250,000 of their money for an improvement that does not under any circumstances even encourage the development of navigation.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last three words.

Mr. SMALL. Pardon me, in order to make a request. How much time does the gentleman require?

Mr. GREEN of Iowa. Five minutes, or I will restrict it to three minutes if the gentleman desires.

Mr. SMALL. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes. Is there objection?

Mr. MADDEN. I will have to object to that, because I expect to move to strike out the item, and I want to debate that.

The CHAIRMAN. The gentleman from Illinois objects.

Mr. MADDEN. I want to call to the attention of the House the iniquity of the item.

Mr. GREEN of Iowa. The gentleman may prefer that I should say what I have to say on the next item. If so, very well.

Mr. MADDEN. Mr. Chairman, I move to strike the item out, and on that motion I desire to say a few words.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. MADDEN moves to strike out the paragraph, page 8, lines 23 and 24.

Mr. SMALL. Mr. Chairman, I do not desire to make any point of order, but I think the gentleman must realize that there ought to be an end to the debate. The gentleman has already discussed this.

Mr. MADDEN. I have not discussed this motion.

Mr. SMALL. But the gentleman's discussion is entirely pertinent.

Mr. MADDEN. If the gentleman will submit a point of order to the Chair, I will abide by that, whether I speak or not.

Mr. SMALL. I will not make a point of order, even if there is delay.

Mr. MADDEN. Now, Mr. Chairman, in the present state of the Government's finances, with $18,000,000,000 of obligations standing against the United States, having expended $25,000,000,000 to conduct the war so far, having appropriated $36,000,000,000 with which to conduct the war, having gone to the American people to ask them to buy bonds in unlimited quantities in order to conduct the war, having shown beyond any controversy the injustice of the item proposed for the expenditure of $250,000 where the Chief of Engineers says we ought not to spend any money at all, I submit to the membership of the House that this item ought not to remain in the bill.

I ask the gentleman from North Carolina [Mr. SMALL], the chairman of the Committee on Rivers and Harbors, if he himself does not believe that under all the circumstances this item should be stricken from the bill? I ask the gentleman from North Carolina, the chairman of the Committee on Rivers and Harbors, if anybody in the War Department recommended the appropriation of $250,000 in the face of the recommendation of the Chief of Engineers to the effect that we ought not to expend any money on this project? I ask the gentleman from North Carolina, the chairman of the Committee on Rivers and Harbors, whether or not there is any commerce that justifies the expenditure of $250,000 as provided in this item of the bill? I ask the gentleman from North Carolina to say to the House on his honor as a man that this $250,000 proposed appropriation is justified in any sense for navigation. I ask the gentleman from North Carolina to say to the House, upon his honor as a man and as chairman of this great committee, whether the removal of the sand bars, if I may so speak, and the removal of the snags from this creek or this channel is of sufficient importance to the navigation of the country to justify the further obligation of $250,000 against the Treasury of the United States? I feel justified in saying that the gentleman from North Carolina is sufficiently honorable, sufficiently honest, sufficiently interested in the integrity of the bill, sufficiently interested in the preservation of the integrity of the Treasury that when put upon his honor he will say that this item should be stricken from the bill; and I ask every man here who believes in maintaining the integrity and the honor and the dignity of the House of Representatives to vote to strike the item from the bill.

Mr. GREEN of Iowa. Mr. Chairman, I have not always been in accord with the Committee on Rivers and Harbors. Very often, in fact, I have differed from them; but I want always to treat the committee fairly, and I do not want any statements to be put into the RECORD here, to be read by the public at large, that will indicate that committee is not dealing fairly with the House.

The gentleman from Illinois [Mr. MADDEN] has stated over and over again that the Chief of Engineers did not recommend this item. Let me read from the hearings just a brief statement with reference to what the Chief of Engineers says with reference to this project if the appropriation were given:

The section of the inland waterway from Norfolk to Beaufort in North Carolina, which is known as the North Carolina cut, and which gives a thoroughly protected channel, is going to take some time to complete—several years to complete. If an appropriation were given for this project—for the waterway from Norfolk, Va., to the sounds of North Carolina—of $250,000, and for the inland waterway from Norfolk, Va., to Beaufort Inlet, of $750,000, I think that within the next year or a year and a half we could have a 12-foot channel through from Norfolk to Beaufort, and I would recommend that those appropriations be made.

Mr. FREAR. Mr. Chairman, will the gentleman inform the House from whose testimony he is reading?

Mr. GREEN of Iowa. From that of Gen. Taylor.

Mr. FREAR. He is not the Chief of Engineers. Here is the report of the Chief of Engineers.

Mr. GREEN of Iowa. Who was Gen. Taylor acting for if not for the Chief of Engineers?

Mr. FREAR. He is one of the engineers of the War Department?

Mr. SMALL. The gentleman from Wisconsin refers to Gen. Harry Taylor as not being the Chief of Engineers. Everyone connected with the committee knows that Gen. Harry Taylor is assistant to the Chief of Engineers, having charge of rivers and harbors, and in every recommendation that he makes he represents the Chief of Engineers, and the gentleman from Wisconsin [Mr. FREAR] knows that.

Mr. MADDEN. I would like to ask the gentleman a question.

Mr. GREEN of Iowa. Just a moment. I will take only five minutes. Of course, it would be idle folly to expend $250,000 to clear a channel of snags and sand bars and have then only 2 or 3 feet of water, and no man in this House would be justified in voting for such a project. But it is altogether a different question as to whether a man would be justified in voting for a 12-foot channel from Norfolk, Va., down to Beaufort, N. C., as is proposed here. The whole proposition is a part of the great intercoastal canal which the gentleman from Pennsylvania [Mr. MOORE] eloquently described to the committee a little while ago, and at that time the gentleman from Illinois [Mr. MADDEN] did not see fit to move to strike out the other items connected with it.

This is part and parcel of that project. Ordinarily I do not think that money should be expended on such projects, but in the face of the railroad rates that we now have, that tend to hamper business and destroy trade, and in consideration of the further fact that it is proposed to employ the returning soldiers upon great public enterprises, I think that this project can well have much argument in its support, and it ought not to be stigmatized as one that nobody can justify in conscience and reason here upon the floor. If a waterway can be constructed with 12 feet of depth from Norfolk to Beaufort, there is no question on earth but that thousands of tons of commerce will float upon it every year, and I think it would be of great benefit in many directions.

Mr. FREAR. This is a project which amounts to about $5,000,000. I think the gentleman must have misunderstood or misread the report of the engineers giving a 12-foot canal.

Mr. GREEN of Iowa. The gentleman is talking about the whole project in stating the cost. I have read what the engineer, Gen. Taylor, said, and I assume that he knows his business. I have read it just as it is stated here. This is a great enterprise, one of the greatest enterprises ever undertaken in the history of this country. Along the Atlantic coast there float millions of tons of shipping exposed to the storm of the seas and to destruction. Can we afford to spend this money? I have some doubt about it, I will admit, at this particular time; yet the canal would be of great advantage.

Mr. STAFFORD. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. STAFFORD. Does the gentleman know of any mariner who has asked for protection for navigation in an inland canal for his ship, who desires to keep away from the deep-sea navigation?

Mr. GREEN of Iowa. The gentleman can answer that for himself. I am not interested in the question, though I know Cape Hatteras is called the "graveyard of the Atlantic."

Mr. STAFFORD. The gentleman has offered himself as an authority on this question and I thought he had some evidence.

Mr. GREEN of Iowa. It is immaterial what the deep-sea sailor wants. A barge canal of 12 feet would do an enormous business.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. SMALL. Mr. Chairman, I would not consume any time except from a query put to me by the gentleman from Illinois [Mr. MADDEN]. At this particular time I am not willing to go into this subject fully. I will say, however, that in my opinion this appropriation is entirely in the public interest and will subserve a most useful public purpose in the interest of navigation and commerce.

The CHAIRMAN (Mr. FOSTER). The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. MADDEN) there were—ayes 7, noes 40.

Mr. MADDEN made the point of order that no quorum was present, and subsequently withdrew it.

The Clerk read as follows:

Waterway from Norfolk, Va., to Beaufort Inlet, N. C.: Continuing improvement and for maintenance, $750,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word.

Mr. SMALL. Before the gentleman proceeds, I wish to ask unanimous consent that debate on this paragraph and all amendments thereto close in five minutes.

Mr. FREAR. This is a three-quarter of a million dollar project. Will the gentleman make it 15 minutes?

Mr. SMALL. How much time does the gentleman want?

Mr. FREAR. I would like about three minutes to close and five minutes to open.

Mr. SMALL. I ask unanimous consent that debate on the paragraph and all amendments thereto close in 10 minutes.

Mr. MADDEN. I object; I do not think it is fair to ask to close debate before debate is begun. As a matter of fact, the gentleman can not close debate before debate has commenced.

Mr. SMALL. How much time does the gentleman want?

Mr. MADDEN. I make the point of order that the request is out of order before the debate begins.

The CHAIRMAN. The Chair thinks that the gentleman can make a unanimous-consent request.

Mr. MADDEN. Then I object.

Mr. FREAR. Mr. Chairman, these two canals run near each other. The gentleman from Iowa [Mr. GREEN] a little while ago read from Gen. Taylor's report that he made before the committee. I do not want gentlemen to forget that we are paying nearly 100 per cent more for dredging than we paid two years before. The Chief of Engineers said that no estimate for additional funds is made for that canal and that it is not considered at the present time of sufficient importance to justify the expenditure of $250,000.

What would you give for that kind of testimony? Why was not he confronted with this record? Who put the item into this bill? Now, look at this statement here. On page 574 we find $640,725 balance on this insignificant waterway now under discussion, and yet the committee has inserted without request of engineers $750,000. The canal has 148,000 tons of commerce, and over half of that is logs, timber, and sand.

We have spent on this project something like $3,744,000, and all the commerce does not reach one-tenth part of little harbors that we have up in my country. Still you propose, after the engineers submitted nothing, because they had a large amount on hand—the engineers' report shows $649,000, according to this book, and yet the committee has inserted without request of engineers $750,000. The canal has 148,000 tons of commerce, and over half of that is logs, timber, and sand.

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You have got back to war conditions in this item:

No estimate is submitted for beginning constructive operations on the part of the waterway between Albemarle and Pamlico Sounds.

I take it that that is not the project that they have in mind here, but they do not ask for anything. Nothing was asked in this report for proposed operations. They had a sufficient amount. It says:

The river and harbor act approved July 18, 1918, appropriated $500,000 for this work, making a total of $649,725.37 available for expenditure upon the improvement.

And he tells how that money is to be expended. He does not ask for anything more. But the gentleman who charges the House with intellectual dishonesty, the vice president of the Inland Waterway Association, who makes his accusations against Members of Congress, has an item of $750,000 added to this in addition to the $250,000 for the other canal in North Carolina, his State.

Mr. DUPRÉ. The chairman of the committee never charged the House with intellectual dishonesty. He only charged one member of it.

Mr. FREAR. And the gentleman from Louisiana, with five projects in the bill, representing, as he does, the president of the National River and Harbor Congress, who is running over here and there, is equally interested in this bill.

Mr. DUPRÉ. I hope that I may——

Mr. FREAR. I object to the gentleman talking in my time. The gentleman can get his own time.

The CHAIRMAN. The gentleman from Wisconsin declines to yield.

Mr. FREAR. Mr. Chairman, I recognize that anyone talking here against these items has to meet every man who has a project of importance in the bill, for Members feel that that is the most interesting thing in their minds.

The CHAIRMAN. The time of the gentleman has expired. The Chair recognizes the gentleman from Louisiana [Mr. DUPRÉ].

Mr. FREAR. I have three minutes in which to reply.

Mr. DUPRÉ. I would rather listen to the gentleman.

Mr. FREAR. The gentleman from Louisiana has not the privilege of determining that.

Mr. DUPRÉ. Mr. Chairman, the only trouble with the gentleman from Wisconsin is that he is unfamiliar with the project that he is talking about. He continually harps with regard to some five projects which I have, that are yet to come. As a matter of fact, as I have previously suggested to my friend from Illinois, I wish I had 10 projects, but they will be discussed in their own proper time. The matters to be discussed now are those before the committee for consideration.

The gentleman from Wisconsin has been speaking about "Mr. Taylor." I do not know whether he is talking about Col. TAYLOR, of Arkansas, or whom, but I imagine he has been talking about Brig. Gen. Taylor, who is the Assistant Chief of Engineers, and who knows something more about rivers and harbors than the gentleman from Wisconsin does.

The section of the inland waterway from Norfolk to Beaufort in North Carolina—

Says Gen. Taylor—I am reading from page 39 of the hearings—

is going to take several years to complete.

I tried to get the gentleman from Illinois [Mr. GALLAGHER] to admit that the report of the Chief of Engineers was made on the basis of July 1. The gentleman from Illinois would not admit that. I hope somebody will pin down the gentleman from Wisconsin [Mr. FREAR] and make him say so. I doubt if they can pin him down even to so patent a fact as that the report of the Chief of Engineers was made on the basis of July 1, and under the law, as I understand it, that report had to be in the hands of the Secretary of the Treasury by October 15. On July 1, in spite of the gallant efforts of our boys from Wisconsin and other States, our country was very much concerned in the conflict which was being waged. Subsequently, when the matter came to the attention of the committee, the armistice had been signed, and the representative of the Chief of Engineers, without any invitation or solicitation, of his own accord made many suggestions, as I have already told the House, with regard to amending the report which the Chief of Engineers had previously made.

Among them was an increased amount for this inland waterway from Norfolk to Beaufort, to be found in a document which the gentleman from Wisconsin [Mr. FREAR] hates to read, but which is available to all other Members, namely, the hearings before the Committee on Rivers and Harbors, of which the gentleman is an honored and loquacious member. So I appeal from this obsolete document from which he has been quoting to the hearings before the committee, and particularly to the report and statement of Gen. Taylor, the accredited representative of the War Department upon that occasion. It is useless to call it to the attention of the gentleman, because he does not want to know, but it may be well to tell the other Members of the House that whenever the gentleman from Wisconsin is talking about something it might be well to inquire whether he is reading from the hearings before the Committee on Rivers and Harbors, where Gen. Taylor, the Assistant Chief of Engineers, presented revised estimates, or from these very parsimonious estimates made last July, when we thought that things might happen to this country which, thank God, have not happened.

Mr. MADDEN. Mr. Chairman, I move to strike out the last two words. I want to call attention to this proposal to appropriate $750,000 for the waterway from Norfolk, Va., to Beaufort Inlet, N. C. Reading from the report of the Chief of Engineers of the United States Army, June 30, 1918, I find the following:

At the close of the fiscal year ending June 30, 1918, there was an available balance, exclusive of outstanding liabilities and contract obligations, of $49,725.37 for expenditure under this project. The river and harbor act approved July 18, 1918, appropriated $500,000 for this work, making a total of $649,725.37 available for expenditure upon the improvement. It is intended to expend the money available for completion of the part of the inland waterway which lies between Norfolk, Va., and Albemarle Sound, N. C., and for making surveys, etc., as follows:

Operations under contract:

To complete dredging in the North Landing River, Va.	$45,948.69
To complete dredging in the Southern Branch of the Elizabeth River, Va.	207,780.00
Total	253,728.69

Work with United States plant:

To complete dredging of Virginia Cut, including cost of removal of logs, etc.	$41,800.00	
To complete dredging in North Landing River, Va., including cost of removal of logs, etc.	211,000.00	
To remove old lock, west end of Virginia Cut	40,000.00	
To complete survey and secure options on land between Albemarle and Pamlico Sounds	11,000.00	
Acquirement of land required for improvement of South Branch of Elizabeth River	15,000.00	
		$318,800.00
Engineering, supervision, and contingencies		77,196.68
Total		649,725.37

It is proposed to commence the work to be done under contract, provided the necessary arrangements can be made for doing the work, about November 1, 1918, to prosecute it at an average rate of expenditure of about $25,000 per month, and to complete it in about 10 months. This is a very rough estimate of the time of beginning and rate of progress, due to the prevailing conditions in the matters of labor and material, and available plant, resulting from the war. If arrangements can not be made for doing this work by contract, it is proposed to perform the necessary dredging and work incidental thereto by the use of Government plant and hired labor.

It is proposed to prosecute the work to be done by Government plant and hired labor according to the following schedule:

Operation of U. S. dredge *Currituck*, 20 months, at $12,000 per month	$240,000
Operation of U. S. snag boat *Roanoke*, 10 months, at $1,280 per month	12,800
Survey, 5 months, at $2,200 per month	11,000
Removal of lock, 4 months, at $10,000 per month	40,000

And below I find the following:

Due to war conditions, no estimate is submitted for beginning constructive operations on the part of the waterway between Albemarle and Pamlico Sounds, N. C.

Mr. FREAR. Six hundred and forty-nine thousand dollars was the balance on hand.

Mr. MADDEN. They had $649,000 on hand. They say they can expend only $303,000 in the next 20 months. Yet in addition to the $649,000, out of which $303,000 can be expended in 20 months, the Committee on Rivers and Harbors brings in a proposal to appropriate $750,000 more. According to the statement made by the Chief of Engineers, there would be $384,000 left at the end of 20 months from the 1st of November, 1918; and so, with $750,000 more proposed, we have $1,349,000 to begin a work of which only $303,000 can be expended in 20 months. Why do we need the $750,000? If no part of the $750,000 can be used at all until after the expenditure of the $649,000, and only $300,000 of the $649,000 can be used within 20 months from the 1st of November, 1918, what is the sense in appropriating $750,000 now? I suppose it is useless to appeal to the good sense or judgment of gentlemen who have projects in the bill, but there is no harm in stating the facts and putting them into the RECORD, so that the public may understand that, notwithstanding the fact that there is no need whatever for the money, that it can not be used, yet the River and Harbor Committee insists upon appropriating.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last three words. Members may see the commercial economy and advantage of shortening the distance between Philadelphia and Baltimore, instead of having the commerce that arises in those respective cities go around the Delaware Capes and up the Chesapeake and vice versa to the respective terminals through the Government acquiring the Chesapeake & Delaware Canal, having a length, I believe, of 13 miles; but when you come before the Congress in these times with a project that is now under consideration seeking to create an inland waterway 12 feet in depth paralleling the entire coast from New England down to Florida and from Florida around to the Gulf, when the ocean is open at all times, in all kinds of weather for all kinds of navigation, I can not understand the justification of sinking $5,000,000, which this one project involves, from Norfolk to Beaufort Inlet. I have been on the coast on occasions, and I have seen little dories out in the ocean less than 25 feet in length going through tempestuous seas, and yet you wish here to establish a route for pleasure boats, to avoid perhaps the high seas, by establishing a canal uniform in depth to 12 feet. What we do find are the terminal facilities along this canal in these several hundred miles from Norfolk to Beaufort Inlet, which the engineer's estimate for the project to cost more than $5,000,000, of which $750,000 is voted in this bill. There is no objection on the part of Members who are interested in worthy river improvements in these times when it is necessary to employ labor to have the Government expend funds, but there is righteous indignation on the part of Members of this House in sinking money on pleasure canal routes. I read from the report of the Chief of Engineers, page 572, as to what are the terminal

facilities in this stretch of territory from Norfolk to Beaufort Inlet.

The north end of this waterway is in Norfolk Harbor, the terminal facilities of which are described under this heading in the report on that improvement. Following is a list of the other wharves on the waterway: At Great Bridge, Va., at the northern end of the Virginia Cut, 1 wharf and warehouse; on the Virginia Cut, 2 wharves with warehouses; at Munden, Va., 1 wharf and warehouse; on Currituck Sound, 1 wharf and warehouse; on the Carolina Cut, 2 wharves with warehouses; and on North River, 3 small wharves. All of the above wharves and warehouses are privately owned. The wharves are of the bulkhead and open power work type and the warehouses are simple wooden structures. All are understood to be open to general public use upon the payment of wharfage. Physical connection with railroads exists only at Munden, Va., the terminus of the Currituck branch of the Norfolk-Southern Railroad. No highways lead to the different parts of the waterway, except where public roads touch the stream. The facilities are considered adequate for existing commerce.

Mark you this as to whether there is warrant for any traffic development on this inland waterway when the ocean is open within a few miles for all character of vessels.

No highways lead to the different parts of the waterway, except where public roads touch the stream. The facilities are considered adequate for existing commerce.

All facilities are considered adequate for existing commerce. That is the supreme and final judgment of the Chief of Engineers, and yet the committee comes in here with an appropriation of three-quarters of a million dollars and asks, because there is need to employ labor, to sink it in this canal paralleling the coast. It will require wild imagination indeed for anyone to imagine that there will be any commerce for years and years on a project that the report shows will total more than $5,000,000 in expenditure and where there are no developing aids to commerce except one railroad. How can you justify such an extravagant expenditure when you are calling upon the people to raise billions of dollars by loans to carry on the Government for the next fiscal year?

Mr. DUPRÉ. Will my friend yield for a moment? I want to call the attention of the gentleman from Wisconsin, the other gentleman from Wisconsin, to page 39 here, where Gen. Taylor, the representative of the Chief of Engineers, urged this appropriation. Probably there is no use to call the attention of the gentleman from Wisconsin to anything except the Engineer's Report, which was made last July.

Mr. STAFFORD. There is the solemn pronouncement of the Chief of Engineers, who says in the last line:

The facilities are considered adequate for existing commerce.

There is nothing that goes beyond——

Mr. DUPRÉ. There is the report of the Chief of Engineers through his representative, Gen. Taylor, who says an absolutely different thing.

Mr. DEMPSEY. Mr. Chairman——

Mr. SMALL. Will the gentleman pardon me to make a request?

Mr. DEMPSEY. Yes; not to be taken out of my time.

Mr. SMALL. Mr. Chairman, after the gentleman from New York concludes, who, as I understand, desires five minutes, and the gentleman from Wisconsin desires three minutes——

Mr. FREAR. Make it five; I may not take more than two or three——

Mr. SMALL. Then I would like a brief time, and I ask that all debate on this paragraph and amendments thereto close in 15 minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that all debate on the pending paragraph and all amendments thereto close in five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. DEMPSEY. Mr. Chairman, the gentleman from Wisconsin, who was last heard, has misconstrued entirely a single sentence in the Engineer's Report, and upon that he bases a very specious and very illogical argument. He says there is a sentence, in effect, that the existing facilities are deemed adequate for the existing commerce. Now, to what does that refer? The gentleman takes that in its broadest sense, separates it from the context, treats it as though it were a single sentence with no connection whatever with what precedes it, and yet it is limited entirely to that which preceded it; and it says this only and means this only: That the existing facilities, so far as wharves are concerned, so far as highways are concerned, are adequate to accommodate the existing commerce, and that is all that it says.

It has no such reference at all as the gentleman supposes, and if he had read the report carefully he would have seen that it had no reference at all to the question of the stream itself, the waterway, being adequate for the commerce which can be transported upon it, and which is the question at issue. And that is about the way the gentlemen who are criticizing this bill get their material. They think that the Chief of Engineers is an editor and a writer instead of being, as he is, a scientific man who deals with these matters as an engineer, and they find some one sentence of this kind and upon that they build a fairy tale which has absolutely no possible connection with the facts which are involved.

Now, let us see what is involved here. The fact is that this project has been in existence for a considerable length of time. It is a 12-foot project and the work at the northerly end is well under way. It is a project which is 190—practically 200—miles long. It is a project which in its incomplete condition attracts about 700,000 to 800,000 tons of freight per year, and has attracted that amount of tonnage all through until war time was reached, and even in war time it has attracted about 400,000 tons. The gentleman from Wisconsin [Mr. STAFFORD] says that this is a pleasure way; that he has seen yachts which dared the tempests of the ocean. Of course he has. But the barges which carry freight do not dare the ocean. They take even on this inadequate canal to the amount——

Mr. STAFFORD. Will the gentleman yield?

Mr. DEMPSEY. I have not the time.

Mr. STAFFORD. I do not think you have time for facts.

Mr. DEMPSEY. They take it to the amount of hundreds of thousands of tons, and have taken it ever since the project was commenced. That is the situation. And these gentlemen go back to the time previous to the war and say, "You can not use $750,000." Of course, you could not at the time the engineer made the printed report. But war conditions have ceased. The conditions are totally changed. The Engineer Department can to-day obtain dredges. They are ready to do this work. And they make their recommendations not as of six months or eight months ago, but they make their recommendations as to the conditions prevailing to-day. And with those conditions before them they say the amount recommended can be used.

Now, let us just take for a moment the tone of this criticism. I believe gentlemen can discuss these matters and not become personal. And I believe that gentlemen can discuss these matters and refer solely to facts. I believe that gentlemen can discuss these matters and be fair to their associates. I believe that gentlemen can discuss these matters and not indulge in personalities. I say that this project comes before the committee with the indorsement of the Chief of Engineers. And it comes before the committee also justified by the amount of commerce, justified by the changed conditions, and the amount which is asked can be used.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMALL. Mr. Chairman, I wish to have five minutes in conclusion. Would the gentleman from New York like to have two of those minutes?

Mr. DEMPSEY. No; I have finished.

Mr. MOORE of Pennsylvania. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE of Pennsylvania. Was it the arrangement that the gentleman from Wisconsin should close?

The CHAIRMAN. The arrangement was for 15 minutes, and the Chair understood it would be divided between the gentleman from New York [Mr. DEMPSEY], the gentleman from North Carolina [Mr. SMALL], and the gentleman from Wisconsin [Mr. FREAR].

Mr. SMALL. Would the gentleman like to get some of my time?

Mr. MOORE of Pennsylvania. A minute or two.

Mr. SMALL. I yield to the gentleman two minutes.

Mr. MOORE of Pennsylvania. I would like to make this further parliamentary inquiry. Has not the gentleman from Wisconsin [Mr. FREAR] already spoken on this amendment?

The CHAIRMAN. I understand; but the Chair also understands it was the unanimous consent that the gentleman from Wisconsin [Mr. FREAR] was to have five minutes.

Mr. FREAR. Mr. Chairman, the distinguished gentleman from New York [Mr. DEMPSEY], who always gets the bouquets thrown at him, also gets four millions in this bill.

Mr. DEMPSEY. Because the project merits it. That is the reason.

Mr. FREAR. I can not question the gentleman's argument on that, and I do not pretend to do that. When the gentleman speaks about personalities being injected into this discussion, let me say they first came from the gentleman from North Carolina, whose project this is, because he was the first one who had the temerity to charge men with intellectual dishonesty on this floor because they disagreed with him on his bill. Let me say a word to the gentleman from New York. What does he know about it? Practically not anything. He mistakes the commerce. He does not have it correctly. The commerce in 1914 was a little over 200,000 tons. Last year it was only 148,000 tons, and over half of that was timber and logs.

Mr. DEMPSEY. That was by the Government canal only. That was—oh, I was talking about the commerce.

Mr. FREAR. I object, Mr. Chairman. I have only a little time, and I want to go into this thing. I have given the official commerce figures for this project, and those are the figures in the Engineer's Report that we were entitled to rely upon. The gentleman from Louisiana [Mr. DUPRÉ] challenges my judgment of this item. I will say that I used to live on that waterway. The gentleman does not know the waterway. I know it; at least portions of it. Only 148,000 tons of commerce were borne on that waterway last year, and this bill carries over $750,000 for it, with over $600,000 in balances on hand. Think of it! What an absurdity! But the gentleman from North Carolina [Mr. SMALL], chairman of the committee, wants the project and he gets it, just as he got the other $250,000 project for North Carolina.

The suggestion is made that a remark made by Gen. Taylor as an afterthought—just a remark in answer to a question—the suggestion is made that Gen. Taylor's remark should set aside the results of the investigation and determination of the engineers, whose official reports are before us. Why, Mr. Chairman, what chance does an Army officer have between us when he gets down with the committee and every member is anxious about his projects, when the chairman of the committee, with the interest that he naturally feels in a project of this kind, is interested? The engineers did not ask for a dollar in their report, neither for the first canal nor for the second, and the committee has added $1,000,000 in these two items.

Now I want to discuss one more item.

Mr. DUPRÉ. Mr. Chairman, will the gentleman yield for a moment?

Mr. FREAR. In a moment, and then I will get through. The suggestion has been made here that these improvements will furnish employment to men. Mr. Chairman, I make this statement—I have made it before; I have asked for investigating committees, and they have not been granted—I make the statement that the Dredgers' Association under a gentlemen's agreement practically controls all the dredging on the coast to-day. Under a gentlemen's agreement they divide up the territory and work. They estimate the cost and then they usually double, adding about 100 per cent. I am satisfied that those are the correct figures, because they come to me from a source that I deem unquestionable. Here is the evidence of how this dredging has jumped: In 1916 Bowers & Co. were charging us for North Landing 5.9 cents a yard. Last year, 1918, at North Landing it had increased to 22 cents, as compared with 5.9 cents, or about 6 cents. At the same place the dredgers have jumped it three times and more in their estimates. Take the Virginia cut, which in 1915 was 14 cents for dredging. In 1918 the Virginia cut is given at 22 cents, an increase of 50 per cent. As I say, when you have that situation the men who run the dredges will get that Government money. It is not the soldiers who want employment who will get it. The dredgers charge 100 per cent over the cost. That is the statement that comes to us.

Now, from the evidence that we have the Treasury is in worse shape than it was when these estimates were first made. We have a $6,000,000,000 revenue bill confronting us. The Army engineers said they did not need any money for either of these projects before and did not want it; and yet Gen. Taylor gets into the record and says one-quarter of a million could be spent for one of these projects and three-quarters of a million for another. I leave that statement speak for itself.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I will ask the gentleman from North Carolina how much time I may have?

Mr. SMALL. Three minutes.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for three minutes.

Mr. MOORE of Pennsylvania. Mr. Chairman, I have received this letter from one of the large fertilizer establishments of Philadelphia:

PHILADELPHIA, *December 14, 1918.*

Hon. J. HAMPTON MOORE,
House of Representatives, Washington, D. C.

DEAR SIR: We have been advised that the United States Shipping Board have advanced freight rates on phosphate rock from Florida eastern ports to Philadelphia and other tidewater ports 90 cents per ton. This seriously affects our fertilizer business and costs to the farmer, since Florida phosphate rock plays an essential part in the fertilizer industry; in fact, the material is indispensable. This cost must accessarily be reflected in the selling price of the manufactured product, and it is unfortunate that this is asked at this time, because it will tend to increase the cost of producing crops, whereas the feeling now seems to be that the cost of living should recede.

The present vessel rate of freight from Florida to Philadelphia is $6.50 per ton, and vessel pays for loading and discharging. The new rate will work out $7 per ton, free loading and discharging, which really amounts to an increase of about $1 per ton.

When we tell you that this new rate is three and one-half times the normal rate before the war, we think you will agree with us that this seems out of proportion for a comparatively short haul coastwise ocean trip. This new rate becomes effective on December 15, and we earnestly beg your support to our protest, and ask if you will take this up for us and for the fertilizer industry in general, since the entire industry is affected.

Anything that you can do which will help out on this vital matter that affects the cost of food production will be greatly appreciated by us and be of service to the country at large.

Very truly, yours,

BAUGH & SONS CO.,
E. BUTLER, Jr.,
Treasurer.

The present vessel rate referred to in this letter is for that outside ocean voyage that the gentleman from Wisconsin [Mr. STAFFORD] thinks we should resort to.

Mr. RAGSDALE. Mr. Chairman, will the gentleman permit an interruption?

Mr. MOORE of Pennsylvania. In a moment. Both gentlemen from Wisconsin have been arguing for an outside route. One of them said he has seen "a little dory"—that, I am frank to say, might send him to oblivion in some of these inland waters about which he complains—riding gaily out on the ocean "in a tempestuous sea." I have never in my experience, except down in the West Indies, seen any "little dory" riding on "a tempestuous sea" out in the ocean. And I question from what I did see whether the gentleman from Wisconsin would care to be in one under the circumstances. But I read recently of dozens of American vessels going to the bottom on the Atlantic coast in peaceful seas because we did not have these inland waterways open. The German submarines were out there on the open sea and the American ships that might have used an inside passage in times of war, but which had not been prepared for them, were sent to the bottom. It was "too expensive" to build these inside waterways. The gentleman has forgotten that the ocean has not been free, is not free now, to American shipping along the Atlantic seaboard. The gentleman has forgotten that the German submarines were here and that American vessels were sunk and American coastwise shipping stopped because American torpedo-boat destroyers were loaned to our allies to protect their shipping and ours on the other side of the water. The gentleman has temerity to stand here and say that we shall not improve our inland waterways, but shall continue to take all the risks of the outside sea, upon which he once saw a little dory riding in a tempestuous storm.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired. The gentleman from North Carolina [Mr. SMALL] is recognized for three minutes.

Mr. SMALL. Mr. Chairman, the gentleman from New York [Mr. DEMPSEY] and the gentleman from Pennsylvania [Mr. MOORE] have so completely answered any objection to the appropriation for this waterway from Norfolk to Beaufort that I would not consume the time of the committee except for the remarks made by the gentleman from Wisconsin [Mr. STAFFORD]. I have such great respect for him that I am constrained to say he would not have made the argument he did if he had been well informed. It is impossible for a man within 5 minutes or 10 minutes to glance over a report and reach a satisfactory conclusion on a subject upon which boards of engineers have been engaged in investigation for months and upon which at least some members of the committee have read hundreds of pages of evidence and upon which at least some Members of the House have endeavored to give intelligent study. So, while the argument of the gentleman from Wisconsin [Mr. STAFFORD] was not creditable to him, it is due to the fact that he had not given sufficient time to study the reports and inform himself.

The gentleman talks about the necessity of this interior waterway when we have the Atlantic Ocean. Does the gentleman know that this waterway lies behind Cape Hatteras and Cape Lookout, which, along with Cape Cod, are the most dangerous points along the Atlantic seaboard and in the whole world? Does the gentleman know that this waterway leading down from Norfolk traverses the sounds of eastern North Carolina to Beaufort, and that for that entire distance there is not a single navigable outlet to the ocean, so that the only way those people in eastern North Carolina can reach Norfolk, Baltimore, and Philadelphia by water is through this inside route? Does the gentleman know further that prior to this war we were building up quite a substantial through commerce between Charleston and Savannah and other southern ports with Norfolk, Baltimore, and Philadelphia? This traffic was by barges, which navigated the ocean south of Beaufort Inlet.

Beaufort Inlet lies south of both Cape Hatteras and Cape Lookout, from which point coastwise navigation south to Jacksonville is comparatively safe. There is not a more meritorious project in all the country than this Norfolk-Beaufort waterway. The gentleman simply did not know. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Blackwater River, Va.; Meherrin and Roanoke Rivers, and Newbegun Creek, N. C.: Completing improvement of Newbegun Creek in accordance with the report submitted in House Document No. 24, Sixty-third Congress, first session, $5,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. I desire before I conclude these remarks to discuss Newbegun Creek. I am interested, and I think the House ought to be interested, in the unprejudiced judgment passed upon this inland waterway by the president of the Inland Waterways Association, assisted by the vice president of the Inland Waterways Association.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. FREAR. I have only five minutes, and I want to discuss Newbegun Creek.

Mr. MOORE of Pennsylvania. The gentleman is so personal——

Mr. FREAR. I will say this, that the gentleman is one of the most courteous and one of the most able gentlemen on the floor of the House; but when this question is raised by these two gentlemen here, of course they have this deep interest in it, it is very dear to their hearts, and they have urged it constantly. I am not speaking now of the vast amount of money in this bill in which the gentleman's community is interested, as well as the large amount going to the gentleman from New York [Mr. DEMPSEY], but I do say that they are not entirely unprejudiced, and I do not assume that I am. I try to be, however.

Mr. MOORE of Pennsylvania. The gentleman makes this personal reference on every paragraph of the bill. Surely there must be some reason for it.

Mr. FREAR. No; this last item is an inland waterway, where a million dollars has been put in.

Mr. DUPRÉ. Will the gentleman yield?

Mr. FREAR. No, I can not; this next item is the Newbegun Creek, a very important proposition. It was stricken out in the 1914 bill. I read from the Engineer's Report:

A gasoline boat 57 feet long, with 4½ feet maximum draft, runs between the landings on this creek and Elizabeth City, making daily round trips during most of the year, though occasionally the schedule is reduced to three round trips per week. This boat makes connection at Elizabeth City with the Norfolk Southern Railroad. There are a number of other boats used on this stream, but they do not appear to run on a regular schedule.

It has not been possible to obtain complete statistics as to the annual commerce of the stream, owing to the partial destruction by fire of the records of the gasoline boat, but from the data that could be obtained it is estimated that the annual commerce amounts to about 5,000 tons, valued at $300,000.

This is the first examination of this creek that has been directed by Congress, and no work has ever been done upon it by the United States, but about 30 years ago an attempt to improve the bar was made by a local steamboat company, which excavated the southern channel now used.

That item is shoved in here when we are paying more taxes and more taxes and more funds are asked with which to buy liberty bonds.

Mr. MADDEN. Will the gentleman state when this Newbegun Creek was begun?

Mr. FREAR. It does not say when it was begun. Probably just begun. It is a tributary of the Albemarle Sound, but it says that the stream varies in depth after a rainfall, and that with unfavorable wind the variation may be 2 feet.

Mr. MADDEN. Does the wind blow the water out of the channel?

Mr. FREAR. To the extent of 2 feet.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. FREAR. I will yield for a question but not for a statement.

Mr. MOORE of Pennsylvania. The gentleman has never been upon the water——

Mr. DUPRÉ. Does not the gentleman think it would be advisable to investigate the Deep Waterway League, the same as they are investigating the National Security League?

Mr. FREAR. No; because the gentleman was in favor of investigating the National Security League, and he is not in favor of an investigation of the Waterway League. I accept his judgment in this case.

Mr. MOORE of Pennsylvania. Does not the gentleman know that the action of the wind influences the tide?

Mr. FREAR. Yes; it states here to the extent of 2 feet.

Mr. MOORE of Pennsylvania. And that the wind frequently holds the water down so that vessels have to wait until the wind subsides?

Mr. FREAR. That is so in the Newbegun Creek to the extent of 2 feet. The gasoline boat can not get up the creek when the wind blows.

Mr. MOORE of Pennsylvania. Is there any gentleman except he who comes from the mountain top that would laugh at that proposition?

Mr. FREAR. Oh, we have the second largest harbor in the country in my own State and plenty of good waterway projects.

Mr. MOORE of Pennsylvania. Oh, the gentleman runs like a March hare.

Mr. FREAR. Yes; and so does the gentleman from Pennsylvania, who has interrupted me. I can not yield to discussion further on this line.

Mr. MADDEN. Will the gentleman yield?

Mr. FREAR. Yes; I will yield to the gentleman from Illinois.

Mr. MADDEN. What does the gentleman from Wisconsin think of the suggestion that a bulkhead be built on one side of the channel to stop the wind from blowing the water out of the channel?

Mr. FREAR. I think it would be better to place the gasoline boat on stilts, or use some other means for floating it.

The Clerk read as follows:

Manteo Bay, Scuppernong, Pamlico, Tar, South, Bay, Neuse, and Trent Rivers, Fishing, Contentnea, Swift, and Smith Creeks, and waterway connecting Swan Quarter Bay with Deep Bay, N. C.: For maintenance, $7,500; completing improvement of Scuppernong River in accordance with the report submitted in House document No. 1196, Sixty-second Congress, third session, $31,800; in all, $39,300.

Mr. RAGSDALE. Mr. Chairman, I move to strike out the last word. I want to express my commendation of the gentleman from Pennsylvania in trying to get lower freight rates on phosphate rock. The gentleman has been so uniformly criticizing the southern producer in all things that we grow——

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. RAGSDALE. Yes.

Mr. MOORE of Pennsylvania. I never unfavorably criticized the southern producer, but always sought to encourage him and have him do his best.

Mr. RAGSDALE. I have heard the gentleman from Pennsylvania stand on the floor and criticize the southern cotton planter for not being patriotic because he would not grow more linters, when the gentleman knows, as a matter of fact, that there is no such thing as the growing of linters. The gentleman has learned that none of these items enters into the cost of production, including that of cotton, because his manufacturers have it brought home to them that the gentleman is willing to do something for the southern cotton planters. I am glad to find him on that side, even if he has been moved by the interests of the northern manufacturer.

Mr. MOORE of Pennsylvania. Mr. Chairman, I see that the gentleman is good-natured about this, and I shall not pursue the controversy. I think we are pretty nearly alike on the proposition.

Mr. FREAR. Mr. Chairman, I wish to address myself to the Scuppernong River, if I may; that is, Scuppernong Creek, which is the project, one of the six new projects that go into the bill.

Mr. MANN. What is the meaning of the word "scuppernong?"

Mr. FREAR. Scuppernong is a grape, and a very delicious one. I have lived down there, and I know. In 1913 the commerce of this remarkable creek amounted to 30,000 tons, but in 1917 it had dwindled down to 9,000 tons. You may be sure that the engineer who made the estimates down there, when he gave a loss of 70 per cent, did not misrepresent it. The average haul is 4 miles. No boat lines have been established. The improvement has had the effect of reducing the freight rates, it says. All of the wharves are privately owned. Mr. Chairman, nearly one-half of the speech of the chairman of the committee was in regard to having publicly owned wharves on waterways, and here down in his own State we find that they are privately owned. Why select Ohio for public wharves instead of having the wharves down in North Carolina public? I have before me Document No. 1196 of the Sixty-second Congress, second session, which contains a report way back in 1912, and in this time, when we are taking the blood out of the people, to use the splendid expression of my friend from Pennsylvania [Mr. MOORE], to pay bills, you are asking us to put the Scuppernong Creek and Newbegun Creek in this bill. Let us see what the report says. Reading from page 5 we find that the first report was unfavorable to any improvements, because of the small commerce and the sparse population, for they were amply served as it was at that time, and now the commerce has dwindled to 9,000 tons. The report of 1902 covered some proposed improve-

ments at the bar and was a favorable one and resulted in adoption.

Mr. MADDEN. Have they got bars down there?

Mr. FREAR. They have bars there. It is said in the report that the improvements made have resulted in placing the commerce on a substantial basis, excepting for a severe blow that was received in 1908. What was that severe blow? "Prior to that time there were no railroads in that section, and all the transportation of products was dependent upon the water, but during 1908 a branch of the Norfolk & Southern Railroad was extended to Creswell," and that was the unfortunate occurrence which took away from the water traffic. It is said that that, combined with the financial panic of that year, resulted in a large decrease in the river tonnage. The report says that at that time it was 68,000 tons, and now it is only 9,000 tons. Think of it. Here is a loss of about 85 per cent in that time, and this bill proposes to give this creek as much more as it has had in all of the years of the past. Think of the waste in this project? Generally speaking, it is said the depth of water appears to be ample for the one steamer and 25 schooners that navigate the river, except above Cross Landing, and then it is rendered difficult on account of the bends and obstructions. Yet with that statement of facts, with that situation presented by the engineers in the report of 1912, the people of the country in this year, with a deficit of eighteen billions before the country, with people being urged to buy liberty bonds, are to be taxed $1,000,000 for two little waterways down there, together with the Newbegun and the Scuppernong Creeks. Think of the absurdity of it.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

The Clerk read as follows:

Beaufort and Morehead City Harbors, Beaufort Inlet, waterway from Pamlico Sound to Beaufort Inlet, waterway connecting Core Sound and Beaufort Harbor, channel connecting Thoroughfare Bay and Cedar Bay, and inland waterway Beaufort to Jacksonville, N. C.: For maintenance, $24,500; completing improvement of Beaufort Harbor in accordance with the report submitted in House Document No. 1108, Sixty-third Congress, second session, $15,900; completing improvement of channel connecting Thoroughfare Bay and Cedar Bay, N. C., in accordance with the report submitted in House Document No. 1125, Sixty-third Congress, second session, $5,200; in all, $45,600.

Mr. SMALL. Mr. Chairman, I move that the committee do now rise.

Mr. MADDEN. This item has not been passed.

Mr. SMALL. No; it is open for discussion. I desire to announce now that we shall try to complete the bill to-morrow. I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. BYRNS of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the River and Harbor appropriation bill and had come to no resolution thereon.

Mr. SMALL. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow. Is there objection?

Mr. MADDEN. Mr. Speaker, reserving the right to object, if we are to have notice now that we are to stay in session to-morrow night until this bill is passed, I think I shall have to object to meeting at 11 o'clock. I have other things to do.

Mr. SMALL. I hope the gentleman will not object.

Mr. MADDEN. I do not want to object.

Mr. SMALL. The gentleman was present when we had the colloquy here.

Mr. MADDEN. I know I was present.

Mr. SMALL. And when it was announced——

Mr. MADDEN. But there was not any such statement made as that we are going to stay in session until late to-morrow night.

Mr. SMALL. The gentleman may not have heard it.

Mr. MADDEN. I was here, and there was no statement of that sort made. Anyhow, if there is such a statement made now, I am going to object. I am willing to meet at 11 o'clock, but I am not willing to stay until 9 o'clock to-morrow night.

The SPEAKER. That is no part of the gentleman's request.

Mr. MADDEN. I know.

The SPEAKER. The Chair knows, but that was not part of the gentleman's request.

Mr. MADDEN. And unless the gentleman says he does not intend to do that——

Mr. SMALL. Of course, the completion of the bill is in the control of the committee.

The SPEAKER. Is there objection to the request to meet at 11 o'clock a. m. to-morrow?

Mr. MADDEN. I think I shall have to object, unless we have an understanding that we quit at a reasonable time to-morrow night.

Mr. SMALL. I hope the gentleman will not object.

The SPEAKER. Is there objection?

Mr. MADDEN. I object.

THE LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL (H. REPT. NO. 910).

Mr. BYRNS of Tennessee. Mr. Speaker, by direction of the Committee on Appropriations, I present a bill making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, for printing under the rule.

The SPEAKER. The Clerk will report it by title.

The Clerk read as follows:

A bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

Mr. STAFFORD. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Wisconsin reserves all points of order on the bill, and the bill is ordered to be printed and referred to the Committee of the Whole House on the state of the Union.

REREFERENCE OF A BILL.

Mr. WELLING. Mr. Speaker, on December 30 I introduced a bill (H. R. 13565) affecting the mining of rare minerals, which was erroneously referred to the Committee on the Merchant Marine and Fisheries, and I ask unanimous consent that it be referred to the Committee on Mines and Mining, to which it belongs.

The SPEAKER. Without objection, it will be so ordered.

Mr. MANN. Mr. Speaker, I think when a gentleman makes a request we should hear what it is. We could not hear what the gentleman was asking, and the Speaker did not state the request.

The SPEAKER. The gentleman will state it over again so that all gentlemen can hear it.

Mr. WELLING. I ask unanimous consent that a bill I introduced on December 30, which was erroneously referred to the Committee on the Merchant Marine and Fisheries, be referred to the Committee on Mines and Mining, and that request has the indorsement of the gentleman from Missouri [Mr. ALEXANDER], the chairman of the Committee on the Merchant Marine and Fisheries.

Mr. MANN and Mr. ROBBINS. What is the bill?

The SPEAKER. It is in reference to the mining of rare minerals.

Mr. MANN. I suppose the mistake was made by marking it "M. & M."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

PERMISSION TO ADDRESS THE HOUSE.

Mr. MASON. Mr. Speaker, I ask unanimous consent of the House that on Monday, after the reading of the Journal, I have 20 minutes to speak upon the question of the League to Enforce Peace.

The SPEAKER. The gentleman from Illinois [Mr. MASON] asks unanimous consent that next Monday, after the reading of the Journal, on the conclusion of business on the Speaker's table, that he shall be permitted to address the House for not to exceed 20 minutes on the League to Enforce Peace.

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, I will say that I am extremely sorry to have to object to any request made by the gentleman from Illinois [Mr. MASON], but some time ago I gave notice that during the short session, when I was present, objection would be made to making a speech after the reading of the Journal. It would have to come up in general debate on some bill. The reason for it is, of course, that it might interfere with the transaction of important business.

Mr. MANN. We will probably be on the legislative appropriation bill in general debate on Monday. I have no doubt that my colleague could secure time on that.

The SPEAKER. Is there objection?

Mr. GARRETT of Tennessee. I object.

HOUR OF MEETING TO-MORROW.

Mr. KITCHIN. Mr. Speaker, I will renew the request that when we adjourn to-day we adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER. The gentleman from North Carolina moves that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?

Mr. MADDEN. If we can have some assurance that we will adjourn not later than 6 o'clock to-morrow, I will not object. I am as anxious to get through as anybody else is.

Mr. KITCHIN. I think we will finish the bill, but I could not give the assurance.

Mr. MADDEN. Then I object.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 6 minutes p. m.) the House adjourned until to-morrow, Saturday, January 11, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Navy, transmitting a proposed draft of a bill providing for readjustment of the rates of pay of chief pay clerks and chief pharmacists of the Navy (H. Doc. No. 1669); to the Committee on Naval Affairs and ordered to be printed.

2. A letter from the assistant chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Harry R. Hurlbut, Sherman R. Hurlbut, Elizabeth J. Hurlbut, and Horace A. Hurlbut, heirs of Frederick J. Hurlbut, deceased, v. The United States (H. Doc. No. 1670); to the Committee on War Claims and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War, submitting supplemental estimate of appropriation required by the War Department for the fiscal year 1919 (H. Doc. No. 1671); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Public Printer, submitting supplemental estimate of appropriation required by the Government Printing Office for the fiscal year 1919 (H. Doc. No. 1672); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior, submitting a supplemental estimate of appropriation required by the Geological Survey for topographic surveys in the United States, fiscal year 1919 (H. Doc. No. 1673); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Secretary of the Treasury, transmitting copy of a communication from the president of the Columbia Institute for the Deaf submitting a supplemental estimate of appropriation required for current expenses of the institution during the remainder of the fiscal year 1919 (H. Doc. No. 1674); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of Agriculture submitting a supplemental estimate of appropriation required by the Department of Agriculture for assistance in supplying and conserving farm labor through cooperation with State, county, and local agencies, fiscal year 1919 (H. Doc. No. 1675); to the Committee on Agriculture and ordered to be printed.

8. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of Agriculture submitting a substitute estimate of appropriation required by the Department of Agriculture for farmers' cooperative demonstration work, fiscal year 1920 (H. Doc. No. 1676); to the Committee on Agriculture and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. RAKER, from the Committee on the Public Lands, to which was referred the bill (H. R. 17) to include certain lands in the counties of Modoc and Siskiyou, Cal., in the Modoc National Forest, California, and for other purposes, reported the same with amendment, accompanied by a report (No. 909), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. WELLING, from the Committee on Claims, to which was referred the bill (S. 2885) for the relief of Moses M. Bane, reported the same with amendment, accompanied by a report (No. 905), which said bill and report were referred to the Private Calendar.

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (H. R. 5495) for the relief of Joseph A. Prat, reported the same without amendment, accompanied by a report (No. 906), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 4923) to relieve the estate of Thomas H. Hall, deceased, late postmaster at Panacea, Fla., and the bondsmen of said Thomas H. Hall of the payment of money alleged to have been misappropriated by a clerk in said office, reported the same without amendment, accompanied by a report (No. 907), which said bill and report were referred to the Private Calendar.

Mr. WELLING, from the Committee on Claims, to which was referred the bill (H. R. 9045) for the relief of certain pay officers of the United States Navy, reported the same without amendment, accompanied by a report (No. 908), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. STRONG: A bill (H. R. 13945) authorizing the Secretary of War to donate to the county of Armstrong, State of Pennsylvania, two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13946) authorizing the Secretary of War to donate to the town of Punxsutawney, Pa., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13947) authorizing the Secretary of War to donate to the county of Clarion, State of Pennsylvania, two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13948) authorizing the Secretary of War to donate to the town of New Bethlehem, Pa., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13949) authorizing the Secretary of War to donate to the county of Jefferson, State of Pennsylvania, two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13950) authorizing the Secretary of War to donate to the town of Ford City, Pa., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13951) authorizing the Secretary of War to donate to the county of Indiana, State of Pennsylvania, two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13952) authorizing the Secretary of War to donate to the town of Blairsville, Pa., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 13953) authorizing the Secretary of War to donate to the Brookville Park Association, Brookville, Pa., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. BOOHER: A bill (H. R. 13954) authorizing the Secretary of War to donate to the Central High School, St. Joseph, Mo.; the State Normal School, Maryville, Mo.; the Tarkio College, Tarkio, Mo.; and the county of Andrew, Mo., one each a German brass cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FULLER of Illinois: A bill (H. R. 13955) authorizing the Secretary of War to donate to the city of Sycamore, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13956) authorizing the Secretary of War to donate to the city of Mendota, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13957) authorizing the Secretary of War to donate to the city of Peru, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13958) authorizing the Secretary of War to donate to the city of Morris, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13959) authorizing the Secretary of War to donate to the city of DeKalb, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13960) authorizing the Secretary of War to donate to the city of Ottawa, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13961) authorizing the Secretary of War to donate to the city of La Salle, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LEVER: A bill (H. R. 13962) authorizing the Secretary of War to donate to the city of Columbia, S. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CARLIN: A bill (H. R. 13963) to increase the salary of the United States marshal for the eastern district of Virginia; to the Committee on the Judiciary.

By Mr. LAZARO: A bill (H. R. 13964) authorizing the Secretary of War to donate to the cities of Crowley, Oberlin, De Rider, Lake Charles, Cameron, Ville Platte, Opelousas, and Jennings, La., each two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. BURNETT: A bill (H. R. 13965) to expel and exclude from the United States certain undesirable aliens; to the Committee on Immigration and Naturalization.

By Mr. EMERSON: A bill (H. R. 13966) to prevent the sale of firearms to minors; to the Committee on the Judiciary.

By Mr. IGOE: A bill (H. R. 13967) to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, and an act in amendment thereto approved October 6, 1917; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: A bill (H. R. 13968) authorizing the Secretary of War to donate to the city of Spring Green, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13969) authorizing the Secretary of War to donate to the city of Thorp, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13970) authorizing the Secretary of War to donate to the city of New Lisbon, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13971) authorizing the Secretary of War to donate to the city of Owen, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13972) authorizing the Secretary of War to donate to the city of Merrillan, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13973) authorizing the Secretary of War to donate to the city of Prairie du Sac, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13974) authorizing the Secretary of War to donate to the city of Sauk City, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KING: A bill (H. R. 13975) authorizing the Secretary of War to donate to the city of Geneseo, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13976) authorizing the Secretary of War to donate to the city of Canton, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13977) authorizing the Secretary of War to donate to the city of Quincy, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13978) authorizing the Secretary of War to donate to the city of Rushville, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13979) authorizing the Secretary of War to donate to the city of Lewistown, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13980) authorizing the Secretary of War to donate to the city of Galesburg, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13981) authorizing the Secretary of War to donate to the city of Cambridge, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PETERS: A bill (H. R. 13982) authorizing the Secretary of War to donate to the city of Eastport, Me., two bronze or brass cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. ROBBINS: A bill (H. R. 13983) authorizing the Secretary of War to deliver to the borough of New Kensington, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 13984) authorizing the Secretary of War to deliver to the borough of Jeannette, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 13985) authorizing the Secretary of War to deliver to the borough of Slippery Rock, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 13986) authorizing the Secretary of War to deliver to the borough of Harmony, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 13987) authorizing the Secretary of War to deliver to the borough of Zelienople, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 13988) authorizing the Secretary of War to deliver to the borough of Irwin, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 13989) authorizing the Secretary of War to deliver to the borough of Vandergrift, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 13990) authorizing the Secretary of War to deliver to the borough of Mount Pleasant, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 13991) authorizing the Secretary of War to deliver to the borough of Scottdale, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 13992) authorizing the Secretary of War to deliver to the borough of Monessen, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 13993) authorizing the Secretary of War to deliver to the borough of Latrobe, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 13994) authorizing the Secretary of War to deliver to the city of Butler, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 13995) authorizing the Secretary of War to deliver to the city of Greensburg, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

By Mr. LESHER: A bill (H. R. 13996) authorizing the Secretary of War to donate to the Borough of Laporte, county of Sullivan, State of Pennsylvania, one cannon or fieldpiece captured from the enemy during the present war; to the Committee on Military Affairs.

Also, a bill (H. R. 13997) authorizing the Secretary of War to donate to the borough of Sunbury, county of Northumberland, State of Pennsylvania, one cannon or fieldpiece captured from the enemy during the present war; to the Committee on Military Affairs.

Also, a bill (H. R. 13998) authorizing the Secretary of War to donate to the borough of Danville, county of Montour, State of Pennsylvania, one cannon or fieldpiece captured from the enemy during the present war; to the Committee on Military Affairs.

Also, a bill (H. R. 13999) authorizing the Secretary of War to donate to the borough of Bloomsburg, county of Columbia, State of Pennsylvania, one cannon or fieldpiece captured from the enemy during the present war; to the Committee on Military Affairs.

By Mr. CANTRILL: A bill (H. R. 14000) authorizing the Secretary of War to donate to the city of Lexington, Ky., three German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. GANDY: A bill (H. R. 14001) authorizing the Secretary of War to donate to the county of Gregory, S. Dak., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BRODBECK: A bill (H. R. 14002) authorizing the Secretary of War to donate to the borough of Hanover, York County, Pa., four cannon or fieldpieces, with carriages, with suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14003) authorizing the Secretary of War to donate to the borough of Gettysburg, Adams County, Pa., 20 German cannon or fieldpieces, with carriages, with suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14004) authorizing the Secretary of War to donate to the city of York, York County, Pa., four cannon or fieldpieces, with carriages, with suitable number of shells; to the Committee on Military Affairs.

By Mr. LOBECK: A bill (H. R. 14005) to incorporate the Order of the Gold Star; to the Committee on the Judiciary.

By Mr. SNELL: A bill (H. R. 14006) authorizing the Secretary of War to deliver to the village of Malone, in the State of New York, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14007) authorizing the Secretary of War to deliver to the village of Port Henry, for use at old Fort St. Frederick, N. Y., one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

By Mr. ALEXANDER: A bill (H. R. 14008) authorizing the Secretary of War to donate to the town of Kingston, Caldwell County, Mo., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14009) authorizing the Secretary of War to donate to the city of Gallatin, Daviess County, Mo., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14010) authorizing the Secretary of War to donate to the city of Liberty, Clay County, Mo., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14011) authorizing the Secretary of War to donate to the city of Richmond, Ray County, Mo., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14012) authorizing the Secretary of War to donate to the city of Plattsburg, Clinton County, Mo., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14013) authorizing the Secretary of War to donate to the city of Maysville, Dekalb County, Mo., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14014) authorizing the Secretary of War to donate to the city of Bethany, Harrison County, Mo., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14015) authorizing the Secretary of War to donate to the city of Albany, Gentry County, Mo., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14016) authorizing the Secretary of War to donate to the city of Princeton, Mercer County, Mo., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14017) authorizing the Secretary of War to donate to the city of Grant City, Worth County, Mo., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. ROUSE: A bill (H. R. 14018) authorizing the Secretary of War to donate to the city of Falmouth, Ky., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14019) authorizing the Secretary of War to donate to the city of Williamstown, Ky., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14020) authorizing the Secretary of War to donate to the city of Warsaw, Ky., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14021) authorizing the Secretary of War to donate to the city of Bedford, Ky., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14022) authorizing the Secretary of War to donate to the city of Carrollton, Ky., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14023) authorizing the Secretary of War to donate to the city of Newport, Ky., four German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14024) authorizing the Secretary of War to donate to the city of Covington, Ky., four German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14025) authorizing the Secretary of War to donate to the city of Burlington, Ky., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. TIMBERLAKE: A bill (H. R. 14026) donating a captured German cannon or field gun and carriage to the county of Boulder, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14027) donating a captured German cannon or field gun and carriage to the county of Yuma, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14028) donating a captured German cannon or field gun and carriage to the county of Washington, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14029) donating a captured German cannon or field gun and carriage to the county of Weld, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14030) donating a captured German cannon or field gun and carriage to the county of Sedgwick, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14031) donating a captured German cannon or field gun and carriage to the county of Morgan, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14032) donating a captured German cannon or field gun and carriage to the county of Kit Carson, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14033) donating a captured German cannon or field gun and carriage to the county of El Paso, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14034) donating a captured German cannon or field gun and carriage to the county of Elbert, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14035) donating a captured German cannon or field gun and carriage to the county of Logan, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14036) donating a captured German cannon or field gun and carriage to the county of Lincoln, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14037) donating a captured German cannon or field gun and carriage to the county of Phillips, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14038) donating a captured German cannon or field gun and carriage to the county of Larimer, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14039) donating a captured German cannon or field gun and carriage to the county of Arapahoe, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14040) donating a captured German cannon or field gun and carriage to the county of Douglas, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14041) donating a captured German cannon or field gun and carriage to the county of Cheyenne, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14042) donating a captured German cannon or field gun and carriage to the county of Adams, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14043) donating a captured German cannon or field gun and carriage to the public park at Eaton, Weld County, Colo., for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14044) donating a captured German cannon or field gun and carriage to the town of Limon for the city park of Limon, Colo., for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14045) donating a captured German cannon or field gun and carriage to the park board of Longmont Park, Longmont, Colo., for decorative and patriotic purposes; to the Committee on Military Affairs.

By Mr. SNOOK: A bill (H. R. 14046) authorizing the Secretary of War to donate to the city of Defiance, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14047) authorizing the Secretary of War to donate to the village of Paulding, Ohio, one German cannon or fieldpiece; to Committee on Military Affairs.

Also, a bill (H. R. 14048) authorizing the Secretary of War to donate to the city of Napoleon, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14049) authorizing the Secretary of War to donate to the city of Van Wert, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14050) authorizing the Secretary of War to donate to the city of Ottawa, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14051) authorizing the Secretary of War to donate to the city of Bryan, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14052) authorizing the Secretary of War to donate to the city of Wauseon, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DRUKKER: A bill (H. R. 14053) authorizing the Secretary of War to donate to the city of Paterson, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14054) authorizing the Secretary of War to donate to the city of Passaic, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SWEET: A bill (H. R. 14055) authorizing the Secretary of War to donate to the city of Laporte City, Black Hawk County, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14056) authorizing the Secretary of War to donate to the city of Dubuque, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14057) authorizing the Secretary of War to donate to the city of Eagle Grove, Iowa, one German cannon or fieldpiece, to be placed on the lawn of public library at said place; to the Conumittee on Military Affairs.

Also, a bill (H. R. 14058) authorizing the Secretary of War to donate to the city of Eldora, Hardin County, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14059) authorizing the Secretary of War to donate to the city of Eagle Grove, Iowa, one German cannon or fieldpiece, to be placed in the city park; to the Committee on Military Affairs.

By Mr. WILSON of Louisiana: A bill (H. R. 14060) authorizing the Secretary of War to donate to cities and towns in Louisiana German cannon, fieldpieces, etc.; to the Committee on Military Affairs.

By Mr. HICKS: A bill (H. R. 14061) for the erection of a monument to the memory of Theodore Roosevelt at Washington, D. C.; to the Committee on the Library.

By Mr. CONNALLY of Texas: A bill (H. R. 14062) authorizing the Secretary of War to donate to the city of Hamilton, Tex., one German cannon or fieldpiece or piece of artillery; to the Committee on Military Affairs.

By Mr. HAYDEN: A bill (H. R. 14063) authorizing the Secretary of War to donate captured German cannon to the city of Nogales, Ariz.; to the Committee on Military Affairs.

By Mr. WINGO: A bill (H. R. 14064) authorizing the Secretary of War to donate to the county of Crawford, State of Arkansas, to be placed in the courthouse grounds in the city of Van Buren, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14065) authorizing the Secretary of War to donate to the county of Pike, State of Arkansas, to be placed in the town of Murfreesboro, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14066) authorizing the Secretary of War to donate to the Greenwood district, county of Sebastian, State of Arkansas, to be placed in the courthouse grounds in the town of Greenwood, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14067) authorizing the Secretary of War to donate to the southern district of the county of Logan, State of Arkansas, to be placed in the courthouse grounds in the town of Boonseville, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14068) authorizing the Secretary of War to donate to the northern district of the county of Logan, State of Arkansas, to be placed in the courthouse grounds in the town of Paris, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14069) authorizing the Secretary of War to donate to the Fort Smith district of the county of Sebastian, State of Arkansas, to be placed in the courthouse grounds in the city of Fort Smith, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14070) authorizing the Secretary of War to donate to the county of Polk, State of Arkansas, to be placed in the courthouse grounds in the city of Mena, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14071) authorizing the Secretary of War to donate to the county of Sevier, Ark., to be placed in the courthouse grounds in the city of De Queen, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14072) authorizing the Secretary of War to donate to the county of Scott, Ark., to be placed in the courthouse grounds in the town of Waldron, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14073) authorizing the Secretary of War to donate to the county of Montgomery, Ark., to be placed in the courthouse grounds in the town of Mount Ida, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14074) authorizing the Secretary of War to donate to the county of Miller, Ark., to be placed in the courthouse grounds in the city of Texarkana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14075) authorizing the Secretary of War to donate to the county of Howard, State of Arkansas, to be placed in the courthouse grounds in the city of Nashville, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14076) authorizing the Secretary of War to donate to the county of Little River, State of Arkansas, to be placed in the courthouse grounds in the city of Ashdown, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. RANDALL: A bill (H. R. 14077) to create a commission to be known as the Federal motion-picture commission, and defining its powers and duties; to the Committee on the Judiciary.

By Mr. BYRNS of Tennessee: A bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. WOOD of Indiana: Resolution (H. Res. 500) directing the Secretary of War to furnish information in reference to foreign military officers now in the United States to the Clerk of the House of Representatives; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CANNON: A bill (H. R. 14079) granting an increase of pension to James T. Kent; to the Committee on Invalid Pensions.

By Mr. CARLIN: A bill (H. R. 14080) granting a pension to Floyd B. Daugherty; to the Committee on Pensions.

By Mr. CHURCH: A bill (H. R. 14081) granting a pension to John M. Williams; to the Committee on Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 14082) granting a pension to Florence G. Tuttle; to the Committee on Invalid Pensions.

By Mr. COADY: A bill (H. R. 14083) granting a pension to William Dugent alias William Brown; to the Committee on Invalid Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 14084) granting a pension to Belle Harbert; to the Committee on Invalid Pensions.

By Mr. LONGWORTH (for Mr. HEINTZ): A bill (H. R. 14085) granting a pension to Robert Goodman; to the Committee on Pensions.

By Mr. LONGWORTH: A bill (H. R. 14086) granting a pension to George McFoster; to the Committee on Pensions.

Also, a bill (H. R. 14087) granting an increase of pension to Henson Lanter; to the Committee on Invalid Pensions.

By Mr. PLATT: A bill (H. R. 14088) for the relief of William H. Stone; to the Committee on Military Affairs.

By Mr. SLEMP: A bill (H. R. 14089) granting a pension to Jessie Courtney; to the Committee on Pensions.

By Mr. SWEET: A bill (H. R. 14090) granting a pension to Mary J. Doyle; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Resolutions adopted at mass meeting of American friends of Irish independence, held at New York, demanding withdrawal of armies from Ireland and Russia so that Irish people and the Russian people may be left free to work out their own destiny; to the Committee on Foreign Affairs.

By Mr. FULLER of Illinois: Petition of members of the Chicago war-service committee of the national war-service committee of the dry goods and department stores in Chicago and Illinois, protesting against the proposed tax on certain articles of wearing apparel, etc., costing above a fixed amount; to the Committee on Ways and Means.

Also, petition of the National Automobile Chamber of Commerce, the Motor and Accessory Manufacturers' Association, the Automobile Equipment Association, and the National Automobile Dealers' Association, protesting against sales taxes on automobiles, tires, parts, and accessories as proposed in the pending war-revenue bill; to the Committee on Ways and Means.

Also, petition of Florsheim Shoe Co., opposing the proposed tax on shoes; to the Committee on Ways and Means.

Also, petition of the Attleboro (Mass.) Chamber of Commerce and of Emil Brande & Bro., of Chicago, protesting against the proposed tax on jewelry; to the Committee on Ways and Means.

Also, petition of Samuel Gompers, president of the American Federation of Labor, for the enactment of the Smith rehabilitation bill, Senate bill 4922; to the Committee on Education.

Also, petition of the pupils of the public schools of Porto Rico, that a battleship of the United States be named Porto Rico; to the Committee on Naval Affairs.

Also, petition of the Powell (Wyo.) Chamber of Commerce for the completion of the Shoshone irrigation project; to Committee on Irrigation of Arid Lands.

Also, petition of Local Union No. 401, of Peru, Ill., of the Iron Molders' Union of North America, favoring the enactment of the McKellar-Keating retirement bill; to the Committee on Labor.

Also, petition of Leon F. Mass, favoring the construction of a system of Government owned, controlled, and maintained paved trunk-line highways across the United States, from ocean to ocean and from north to south, with necessary and convenient intersecting lines; to the Committee on Roads.

Also, petition of J. W. Shorthill, secretary of the National Council of Farmers' Cooperative Associations, favoring the control of railroads to be returned to the Interstate Commerce Commission; to the Committee on Interstate and Foreign Commerce.

Also, petition of H. H. Gross, president of the Universal Military Training League, for universal military training and service; to the Committee on Military Affairs.

Also, petition of George H. Higgins, factory manager Burd High Compression Ring Co., of Rockford, Ill., protesting against the enactment of the bill placing wireless telegraphy under the sole control of the Government; to the Committee on Interstate and Foreign Commerce.

Also, petition of W. B. Shafer, jr., of Norfolk, Va., advocating 12 months' extra pay for all who served in the Army or Navy during the late war with Germany; to the Committee on Military Affairs.

Also, petition of the Haddorff Piano Co., of Rockford, Ill., favoring repeal of the increased postage rate on first-class matter and opposing repeal of the zone plan for second-class mail; to the Committee on Ways and Means.

Also, petition of the Rockford (Ill.) Association of Credit Men, for equality in the levying of taxes under the pending revenue bill and for speedy enactment of the measure; to the Committee on Ways and Means.

Also, resolutions by the Republican Club of New York, against the provisions of the revenue bill providing rates of taxation beyond the current year; to the Committee on Ways and Means.

Also, memorial of the New Koren Association, for self-determination of the people of Korea; to the Committee on Foreign Affairs.

Petition of E. F. Achard, of the Federal Plate Glass Co. of Illinois, opposing an excess or war profits tax in excess of 50 per cent; to the Committee on Ways and Means.

Also, petition of district board, Division No. 4, of Boston, Mass., and local board, Division No. 1, Rockford, Ill., favoring a brevet commission and medal for members of the district and local selective-service boards; to the Committee on Military Affairs.

By Mr. LUNDEEN: Petition of representatives of Minneapolis Jewish workers' organizations in convention assembled, indorsing the Lundeen resolutions for the recall of American troops from Russia; to the Committee on Foreign Affairs.

By Mr. NEELY: Petition of Walter F. Naylor and others, of Wheeling, W. Va., urging Government operation of railroads in the United States for five years; to the Committee on Interstate and Foreign Commerce.

Also, petition of Lodge 326, Brotherhood of Boilermakers, Iron-Ship Builders, and Helpers, of Grafton, W. Va., urging Government operation of railroads in the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. WHITE of Maine: Resolution of Portland (Me.) Council, United Commercial Travelers of America, favoring the return of railroads to private ownership and operation under Government regulation; to the Committee on Interstate and Foreign Commerce.

Also, resolutions of a mass meeting of the Lithuanians of Lewiston, Me., and vicinity, favoring the national independence of Lithuania; to the Committee on Foreign Affairs.

HOUSE OF REPRESENTATIVES.

SATURDAY, *January 11, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, our Father in heaven, for that desire which Thou hast implanted in the heart of man, which is ever moving him upward and onward toward a betterment of his condition, physically, mentally, morally, spiritually; for every honest, patriotic, philanthropic measure in the home, the State, the Nation, looking to that end; and we most fervently pray that it may possess our hearts until we all come unto the measure of the stature of the fullness of Christ; and Thine be the praise. Amen.

The Journal of the proceedings of yesterday was read and approved.

REPRINT OF A BILL.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent for a reprint of the bill H. R. 13026, with the report.

The SPEAKER. What is the bill?

Mr. CLARK of Florida. It is a bill authorizing the Secretary of the Treasury to provide a hospital and sanitarium facilities for discharged and sick soldiers and sailors.

The SPEAKER. The gentleman from Florida asks unanimous consent for a reprint of a thousand copies of the bill named, with the report. Is there objection?

There was no objection.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 79. An act for the sale of isolated tracts of the public domain in Minnesota;

H. R. 1423. An act for the relief of Alexander F. McCollam;

H. R. 9865. An act to authorize the sale of certain lands to school district No. 28, of Missoula County, Mont.;

H. R. 8444. An act for the relief of Ira G. Kilpatrick and Guy D. Dill; and

H. R. 12194. An act to provide for the award of medals of honor, distinguished-service medals, and Navy crosses, and for other purposes.

WAR-RISK INSURANCE.

Mr. FULLER of Illinois. Mr. Speaker, I ask unanimous consent to speak for one minute.

The SPEAKER. The gentleman from Illinois asks unanimous consent for one minute. Is there objection?

There was no objection.

Mr. FULLER of Illinois. Mr. Speaker, I wish to call the attention of Members of the House to a matter that seems to me to be of considerable importance and that should receive early consideration. Much has been said about the alleged inefficiency of the Bureau of War Risk Insurance. I think there will be less cause for complaint under the management of the newly appointed director, who seems to take hold with a will to accomplish results. However, there is a new branch of work upon which the bureau is only just about to commence. That is the branch concerning compensation for death or disability incurred in the service. I have introduced a bill to have that business transferred from the Bureau of War Risk Insurance to the Bureau of Pensions, where it properly belongs and where all the facilities, machinery, and organization for that kind of work already exist. Whether you call it compensation or pensions it amounts precisely to the same thing. The same procedure and the same proofs are necessary as in the establishment of a right to pension under the general law for disability or death incurred in the service. It would take years and cost millions of dollars before the Bureau of War Risk Insurance could be as well organized and as well equipped

for the special work required as the Bureau of Pensions is now already organized and equipped. Millions of dollars will be saved if the bill providing for the transfer of this work to the Pension Bureau is speedily passed.

I understand that there are now some 14,000 clerks and employees in the Bureau of War Risk Insurance. Nearly or quite all of them are inexperienced, and I think every Member of Congress has had great difficulty in securing any satisfactory action or information concerning matters in that bureau. The matter of compensation for death or disability incurred in the service and the adjudication of such cases is one peculiarly within the province of the Pension Bureau. Its clerks, examiners, and medical force have had long training and experience in the questions necessarily involved; they have all the machinery and would be fully prepared to give prompt and efficient service in all cases at much less expense and with much less loss of time than would be possible in the War Risk Insurance Bureau. I believe the officials of both bureaus would welcome the change, and that it should be speedily made now when the work under that provision of the war-risk insurance act is just commencing. I ask the most careful consideration of the following statement of reasons for the passage of the bill now pending before the Interstate Commerce Committee:

Since the foundation of the Republic all of the pensions paid to soldiers, seamen, and marines have been paid through the Pension Bureau. All of the archives relating to such claims are on file in the Pension Bureau. This comprehends the War of the Revolution, the War of 1812, the Mexican War, the Civil War, the Spanish-American War, and the various Indian wars.

Thus not only the pension history of the Government in all its various forms is in the same place but also is found there the individual military and naval history of each claimant for pension. There is a continuous record with relation to such matters in the one place without a break since the beginning of this Government.

The act of October 6, 1917, for the first time in the history of the Government, takes away from the Pension Bureau the consideration of claims based upon military and naval service. It calls the bounty of the Government "compensation" instead of "pension," but the purpose and meaning of both terms are exactly the same.

The employees of the Pension Bureau are peculiarly and effectively schooled in the administration of claims for pension. The building which they occupy is the only one which is distinctly for the use of a bureau. It is arranged conveniently to accommodate that kind of work. The bureau is officered and regulated for the proper and early disposition of claims. It has a field force, the members of which have had years of experience in inquiry into and report upon claims. It has an arrangement for designating and placing the files of the bureau so as to make them readily accessible.

Its various divisions for considering and adjudicating claims, reviewing them, enrolling them, and paying those admitted have had many years of experience, and they work expeditiously and intelligently. They could easily handle the added work incident to claims for compensation.

The adjudication of invalid pension claims involves both the procuring, arranging, and weighing of the evidence necessary to determine the legal title of applicants, and the consideration of anatomical, surgical, and pathological questions, in order to determine whether a ratable degree of disability exists, and to decide upon a legal and equitable rate of pension in case of allowance. This work, especially where a combination of disabilities is alleged, is often complicated and presents many difficult and perplexing problems. The Bureau of Pensions has, in the years which have passed since its establishment, gradually built up a system for handling such claims. During this process much progress has been made in discovering and correcting mistakes of policy and practice, eliminating inconsistencies, and bringing about orderly methods. While it is not contended that the system is perfect, it is believed to be far superior to any which could be developed without years of practical training and experience along these lines.

The Bureau of Pensions has the trained force and the machinery necessary for mailing millions of checks annually with efficiency and dispatch. In its disbursing office and finance division it is supplied with the equipment necessary to make payments of amounts, large or small, in lump sums or at fixed intervals to large numbers of people, and to make adequate administrative examination of the accounts of such payments in accordance with law.

The Bureau of Pensions has a Medical Division with a trained and experienced corps of medical examiners and reviewers, whose duties are to pass on all medical questions as to pathological results and immediate cause of death, and the fixing and adjusting of rates commensurate with the degree of disability shown. This class of work is so vitally important that it is deemed wise and proper to have the concurrent opinion of at least two, and in many cases three, medical men on every case, and this has been for a long time, and is still, the practice of the Medical Division.

The local examining boards situated at convenient places throughout the United States number about 1,300, in addition to which there are about 128 single surgeons and 550 specialists. These physicians are selected by reason of their skill in medicine and surgery, and, after long experience in making examinations and giving exact pen pictures of the condition of claimants for pension, have become very proficient along these lines.

In doubtful pension cases a special investigation in the field becomes necessary to determine the merits of the claim, or whether any criminal features are involved. Examples of such cases are those in which the origin of the disability is obscure, the identity of the claimant is uncertain, or the evidence as to legal widowhood or other essential elements of title is inconclusive, or in which there are indications of fraud. This work is done by the Special Examination Division, which was organized shortly after the Civil War, and has developed a practical system of investigation, maintaining throughout the United States a skillful corps of "special examiners," as the field investigators are designated. This division has an efficient organization and superior facilities for training additional operatives, and is well equipped for the field work which will inevitably arise in connection with claims based on death or disability under article III of the act of October 6, 1917. A carefully selected and capable office force is charged with the administration of the field service, which was never more efficient than now.

The War Risk Bureau is overburdened because of its stupendous task, and it would be greatly relieved to consolidate with the Pension Bureau all the work that relates to compensation.

I have been reliably informed that all the cases where compensation can be claimed for death or disability incurred in the service can be handled expeditiously by the present force in the Pension Bureau, without any material addition to the clerical force, so that if the change can be speedily made before such an organization is built up in the War Risk Insurance Bureau it will result in a saving to the Government of many millions of dollars in addition to greatly expediting the adjudication of the many deserving cases.

I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE.

Mr. DEWALT. Mr. Speaker, I ask unanimous consent that on Monday, after the reading of the Journal and the disposition of business on the Speaker's table, I be permitted to address the House for 30 minutes on the railroad problem.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that next Monday, after the reading of the Journal and the disposition of business on the Speaker's table, he be permitted to address the House, not to exceed 30 minutes, on the railroad problem. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, the probabilities are that if we get through with the river and harbor bill to-day Monday will be devoted largely to general debate on the legislative appropriation bill. I take it that it is the intention of the gentleman from Tennessee [Mr. BYRNS] to call up the legislative bill when the river and harbor bill is disposed of. Last night my colleague, Mr. MASON, asked for unanimous consent to address the House for 30 minutes on Monday, and the gentleman from Tennessee [Mr. GARRETT] stated that he had announced that if he were on the floor at any time he would not be willing to give unanimous consent at the short session of Congress for addresses to be delivered outside of general debate, and I think it is a very good rule to follow. I hope the gentleman will not make the request under the circumstances.

Mr. DEWALT. Mr. Speaker, I have always yielded with due deference to the wishes of the Members of the House, and, of course, if there is any objection I will accept it in the utmost kindness in the interest of expedition of business. The gentleman from Tennessee [Mr. BYRNS] has just informed me that he will yield me time on this bill.

Mr. McCULLOCH rose.

The SPEAKER. For what purpose does the gentleman from Ohio rise?

Mr. McCULLOCH. I ask unanimous consent to proceed for five minutes.

The SPEAKER. The gentleman from Ohio asks unanimous consent to proceed for five minutes. Is there objection?

Mr. SMALL. Reserving the right to object, we wish to proceed with the river and harbor bill to-day, and I wish the gentleman would withhold that request until later.

Mr. McCULLOCH. I think the gentleman would perhaps expedite his bill if he granted the request.

Mr. FOSTER. I object, Mr. Speaker.

The SPEAKER. The gentleman from Illinois objects.

BATTLE MOUNTAIN SANITARIUM.

Mr. DENT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 13440) transferring jurisdiction of Battle Mountain Sanitarium, in South Dakota, to the Medical Department for hospital purposes during the war.

The SPEAKER. The gentleman from Alabama asks unanimous consent for the present consideration of the bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 13440) transferring jurisdiction and control over the Battle Mountain Sanitarium of the National Home for Disabled Volunteer Soldiers from the Board of Managers of the National Home for Disabled Volunteer Soldiers to the Secretary of War for use for Army hospital purposes for the period covered by the exigencies growing out of the present war.

Mr. SMALL. Reserving the right to object, Mr. Speaker, if I may have the attention of the gentleman from Alabama [Mr. DENT] and the gentleman from North Dakota [Mr. GANDY], the gentleman from Alabama spoke to me about this matter and said there would be no objection to it. I will not make any objection to it if the gentleman will agree to withdraw the bill if objection develops.

Mr. DENT. I can not see how there can be any objection to it. It is recommended by the Secretary of War, and the Board of Managers of the National Soldiers' Home desire to make the transfer.

Mr. STAFFORD. Will not the gentleman withhold that until Monday?

Mr. MOORE of Pennsylvania. Mr. Speaker, I object.

The SPEAKER. The gentleman from Pennsylvania objects.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. SMALL. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the river and harbor bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13462, the river and harbor bill, with Mr. BYRNS of Tennessee in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13462, the river and harbor bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The CHAIRMAN. The Clerk will read.

Mr. FREAR. Mr. Chairman, may I inquire what is the status of the proceedings?

The CHAIRMAN. When the House adjourned yesterday the paragraph at the bottom of page 9 had been read.

Mr. FREAR. And I had made a motion to strike out the last word. Mr. Chairman, I have had the question raised why I referred to a number of projects instead of taking several and confining my remarks to those. The reason is evident, because many of these projects in my judgment are indefensible at this time, and in response to a statement of the chairman that my position raised the question of honest intellectuality, I am endeavoring to convince the House—I realize that it may be a futile proposition—that some of these projects, whatever your action is, are immaterial. Men have sent word to me that they would like to vote on the proposition with me but that they have something in the bill. It is immaterial to me how my friends vote. Every man votes his own convictions, and I assume that he is honest in his conviction, as I am in mine.

Now, as to Beaufort Harbor, the next one we have, I read from page 3:

4. The district officer is of opinion that the locality is worthy of improvement to the extent outlined above, at a total estimated cost of $53,100, provided a suitable public wharf, with storage facilities and mechanical equipment with rail connections, be provided by local authorities. The division engineer is of opinion that further improvement is not worthy of being undertaken by the General Government at the present time.

5. The board was not convinced of the advisability of the extensive improvement proposed at the expense of the General Government, and interested parties were so informed and given an opportunity of presenting their views.

The division engineer is of the opinion that that improvement is not worthy of being undertaken by the Government at the present time.

This resulted in a hearing before the board on April 21, 1914, which was attended by the Hon. JOHN H. SMALL, Member of Congress, who gave expert testimony to show why that project should be approved and the division engineer overruled. It is recommended for a small amount on page 2.

Taking up Thoroughfare Bay, which is in the same paragraph, and I am trying to deal with these matters, I read on page 5:

This waterway was subject to a previous examination and a report was submitted by Capt. Earl I. Brown, Corps of Engineers, dated May 29, 1909. The previous examination contemplated, in addition to the present channel, a further extension by the way of Long Bay through an old canal to Turnagain Bay, the report thereon being unfavorable to the improvement.

In addition to the information furnished by the district officer the board has had the benefit of statements and arguments submitted at a public hearing held at its office this date, which was attended by Hon. JOHN H. SMALL, Member of Congress, and a delegation of citizens from the locality, all of whom appeared in behalf of the proposed improvement.

Now, Mr. Chairman, in regard to these two projects, the gentleman from North Carolina, chairman of the committee, went before the board on these two North Carolina projects that were acted upon unfavorably by under officers, and afterwards the Board of Engineers received Chairman SMALL's expert testimony which he offered in support of it. I want to give him and the House something of information that will be of interest. When Mr. Fitzgerald left the House a distinguished gentleman rose in his place and said. I quote:

I sometimes fear that too many of our colleagues set up as the true measure of service here the amount of money which they can filch out of the Treasury into their districts and States for creeks or rivers or public buildings. Fitzgerald's idea and effort has been to keep the money in the Treasury and not take it out except for the country's needs.

I recommend to the gentlemen to study that speech, because it comes from the distinguished gentleman from North Carolina, the Democratic leader, Mr. KITCHIN, and should carry a moral to the chairman of the Rivers and Harbors Committee, also from North Carolina, and to every other Member of the House who would "filch" money from the Public Treasury for worthless projects.

The Clerk read as follows:

Northeast, Black, and Cape Fear Rivers, N. C.: For maintenance and continuing improvement of Cape Fear River below Wilmington in accordance with the existing project and in accordance with the report submitted in House Document No. 746, Sixty-fifth Congress, second session, $498,625; continuing improvement of Cape Fear River above Wilmington, $30,000; completing improvement of Northeast River in accordance with the report submitted in House Document No. 1356, Sixty-second Congress, third session, and subject to the conditions set forth in said document, $25,375; in all, $554,000.

Mr. SMALL. Mr. Chairman, I offer the following committee amendment.

The Clerk read as follows:

Page 10, line 11, after the word "Wilmington" strike out "$30,000" and insert in lieu thereof "$51,000"; and strike out the numerals "$554,000" in line 15, page 10, and insert in lieu thereof the following: "$575,000."

Mr. SMALL. Mr. Chairman, the purpose of the amendment is to increase the appropriation for the upper Cape Fear River from $30,000 to $51,000. I have in my hand a letter from the Chief of Engineers recommending the increased appropriation, dated December 30, 1918, after the bill had been reported to the House. Unless some gentleman desires me to read the letter in extenso, I will not do so, but place it in the RECORD.

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, December 30, 1918.

Hon. JOHN H. SMALL,
Chairman Committee on Rivers and Harbors,
House of Representatives.

MY DEAR MR. SMALL: 1. In response to your letter of the 12th instant in regard to the project for Cape Fear River above Wilmington, N. C., I have the honor to say that this project provides for a navigable depth of 8 feet at mean low water from Wilmington to Fayetteville, to be procured by the construction of two locks and dams and the dredging of intermediate shoals. The two locks and dams are practically finished, completing 92 per cent of the project. The work remaining to be done is the dredging of shoals in the pools.

2. The upper lock was opened to navigation in September, 1917. The only boat regularly using the upper section of the river draws about 3½ feet of water, loaded, and makes two round trips per week between Wilmington and Fayetteville. This boat had no trouble until the latter part of October, 1918, when, on account of an unusually dry season, the water was at an unusually low stage and the boat had more or less trouble for a period of two or three weeks, but it is reported that she did not fail to make a trip. Such plant as was available was put upon the work and is still engaged in snagging and dredging. The available depth at present is reported to be 5 feet.

3. There is available for dredging operations $40,000, appropriated by the river and harbor act of July 18, 1918. With this amount and the $30,000 estimated by the Chief of Engineers for appropriation in the pending river and harbor bill, it was expected to keep the dredging plant going until such time as further appropriation should be made at the first session of the Sixty-sixth Congress. In view of the expense

involved in transferring suitable plant to the upper Cape Fear River from Beaufort, N. C., or other points in the Wilmington district, the district engineer is of the opinion that the full amount of the estimate required for the dredging involved should be available before commencing work, and he, therefore, recommends that the item in the pending bill be increased from $30,000 to $51,000.

4. As stated above, it was the expectation that the amount recommended in the Annual Report for 1918 would be sufficient to continue operations until the passage of another river and harbor bill; but it is believed that it would be to the advantage of the work to have the full amount of the estimated cost available, and the recommendation of the district engineer for increase in the pending bill is therefore concurred in at this time.

Very truly, yours,

W. M. BLACK,
Major General, Chief of Engineers.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina.

The question was taken, and the committee amendment was agreed to.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. These are two very large projects inserted again by the gentleman from North Carolina, with the approval of the committee. As I said, he has the largest number of projects of any gentleman on the committee or any gentleman in the House. These two projects carry over a half million dollars. Let me say of the commerce on these two projects, that all of it put together does not amount to one one-hundredth part of one single harbor in my own State which I can name, Superior and Duluth, and I do not think that will be questioned. Yet after spending $7,731,158 for this stream, more than for the Wisconsin harbor, you have asked here for how much? Five hundred and seventy-one thousand dollars, increasing it. I read from page 14 of Document 746:

From a careful reading of the within report and a consideration of the commercial statistics, I am convinced that an increase in depth of the river proper is necessary at the present time. It will be noted that of the tonnage given in the recapitulation of the commercial statistics, 200,000 of the 792,000 tons reported is not affected by the depth of the channel reported on.

That is from the colonel, Corps of Engineers, of the particular district in which it is situated. Reading further from page 21 of the same document I find the following:

There are no publicly owned terminal facilities—

And yet we have heard here much discussion of the Ohio River in respect to terminal facilities, but here is a project right in the gentleman's own State where there are no public facilities—

but it is believed that the privately owned terminals at Wilmington are adequate at the present time for the commerce through the port. At present all of these important wharves are located on the east side of the river, leaving the western bank of the river practically undeveloped, which offers excellent opportunity for the development of public terminals. The wharf owned by the Wilmington Compress & Warehouse Co. is the only wharf on any side open to the public in Wilmington. Their rates for wharfage, handling, and storage are fixed, and equal to all, but controlled solely by themselves.

After spending over $7,730,000 on this stream, $571,000 are now to be added after that statement of the engineer made in the 1918 report.

Taking the next project just above, I read from Gen. Kingman's report, and it will be seen that these engineers are not very enthusiastic. That is, for a project to reach up to three fertilizer factories. The board states that the three fertilizer factories now have a tonnage that would be affected by a more commodious channel, and that such a channel would result in a material saving in the handling of their heavier commodities.

It appears that these concerns would be directly benefited, while the general public would be indirectly benefited by the work.

I want to say, in all fairness, that this is one of the cases in which a contribution is insisted upon from these three fertilizer factories, but they ought to have contributed it all. Reading now from page 14:

If the improvement is worthy of being made at all, it is worthy of being made in the way that I have described. If we spend $50,000 in making a 150-foot channel, it is my prediction that we will spend $50,000 more in the next 10 or 12 years in keeping it open, and we will have an unsatisfactory channel most of the time.

I am not prepared to say that the improvement is worthy of the expenditure of $100,000 at this time, but when the improvement is made it should be as I have described it.

That is Gen. Kingman's report. Instead of following his judgment, the committee put it in and at half the amount, and, as he says, they waste the money; and that is another one of these wasteful projects in the bill, of which there are many I do not intend to refer to.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. FREAR. If the gentleman will get me more time.

Mr. MOORE of Pennsylvania. Did not the gentleman say that $7,000,000 had been expended upon this project?

Mr. FREAR. No; I said that $7,700,000 had been expended upon this river.

Mr. MOORE of Pennsylvania. I understood the gentleman to call it a creek.

Mr. FREAR. Oh, no; the gentleman did not understand that. I object to such an interruption as that. Let me say that the loss in commerce on this project was 50 per cent inside of three years. In 1914 it consisted of 167,720 tons of everything—wood, sand, and everything else—and in 1917 it was 77,151 tons. The loss on the lower river reached 40 per cent in the last three years. Fifty per cent from 1910. There is no change in the character of improvement, and yet with that remarkable statement coming from the engineers themselves, you are going to vote to put into this bill $571,000 more for a stream that has had $7,700,000 already spent upon it and a relatively small commerce.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired. The Clerk will read.

The Clerk read as follows:

Waterway between Charleston and Winyah Bay, S. C.: Completing improvement in accordance with the report submitted in House Document No. 178, Sixty-third Congress, first session, $20,000.

Mr. SMALL. Mr. Chairman, I ask unanimous consent, if the committee so desires, to return to this part of the bill later in the evening, providing we receive a recommendation from the Chief of Engineers, which he has not quite completed, for improvement of the Waccamaw River. If the recommendation is not received, there will be no request to return to it.

Mr. FREAR. For this item?

Mr. SMALL. For the Waccamaw River.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to return to this particular portion of the bill later in the evening. Is there objection?

There was no objection.

The Clerk read as follows:

Waterway between Beaufort, S. C., and St. Johns River, Fla.: For maintenance, $23,000; completing improvement of Generals Cut, Ga., in accordance with the report submitted in House Document No. 581, Sixty-third Congress, second session, $1,000; completing improvement of Back River, Ga., in accordance with the report submitted in House Document No. 1391, Sixty-second Congress, third session, $5,000; in all, $29,000.

Mr. MADDEN. Mr. Chairman, I make the point of order against the item just read. This is a canal, as the report of the engineers shows. It is what they call Generals Cut, Ga. It is proposed to build a canal through solid earth for a distance of about 2,000 feet. I claim that this committee has no jurisdiction over canals at all, and the item ought not to be in the bill. It is a new project; never has been provided for before. There is no law upon which to base the legislation, and while the Committee on Rivers and Harbors, generally speaking, assumes jurisdiction over a great many things against which a point of order would not lie, I believe that the point of order is good against the item now under consideration.

Mr. SMALL. Mr. Chairman, the point of order does not lie against the proposition. I assume that the point is directed against the part of the paragraph providing for the improvement of Generals Cut, Ga. In the first place, I may say that this is not exclusively a canal proposition. Reading from the report of the Chief of Engineers:

Generals Cut is a small, straight canal, about 2,000 feet in length, which, in connection with certain small creeks, makes a continuous waterway from Darien across the delta of the Altamaha River.

The district officer states that the depth of the cut is only about 2 feet at mean low water, but that the removal of sunken logs and stumps would increase the depth 3 or 3½ feet.

So that this improvement, instead of being a canal, is a combination of artificial and natural waterways and is an improvement of both with a view of affording better navigation.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. SMALL. I will.

Mr. MADDEN. I would like to ask the gentleman from North Carolina, if his contention should prove to be correct, whether the same logic would apply where a natural waterway stops at a point and a hundred miles from that point another natural waterway began, whether, under those circumstances, we could build artificial waterways connecting those two natural waterways?

Mr. SMALL. Well, that is an academic question and has no application here.

Mr. MADDEN. It is the same thing——

Mr. SMALL. No; the conditions are not analogous. I say if where an improved artificial waterway is combined with the improvement of natural waterways, either intermediate or at the extremities of the artificial waterway, that it is within the jurisdiction of this committee and that the point of order would not lie; but in this case Generals Cut is mingled with natural waterways or creeks in order to make up the general waterway under improvement for which the appropriation is made. It is quite evident, Mr. Chairman, that the original jurisdiction of the House Committee on Railways and Canals is frequently used

by gentlemen in the House as a buffer against projects to which gentlemen may be opposed and which can not be opposed upon their merits. That has nothing to do with the technical question of the jurisdiction of the Committee of the Whole. I admit, but it is at least applicable to this phase of this question, that the ousting of the jurisdiction of a committee which has taken jurisdiction of the subject should be rigidly construed and that the point of order ought not to be sustained unless it clearly and indubitably appears that this committee is without jurisdiction. Now, the waterway under improvement here, to repeat, and to put it in the light most favorable to the point of order which has been made, is partly artificial and partly natural, and I think the Chair would not only be justified but entirely right in deciding against the point of order made against this improvement where the nature of the improvement as I have described is partly natural and partly artificial.

The CHAIRMAN. Let the Chair ask the gentleman from North Carolina this question. The Chair did not clearly understand the gentleman: Is this an improvement of an existing natural waterway or does this improvement relate to an artificial waterway to be created in the form of a canal?

Mr. SMALL. There is a waterway there already. Presumably, originally, a part of it was artificial; presumably it was an artificial cut, and at present the waterway, to quote again from the language of the Chief of Engineers in his report:

Generals Cut is a small, straight canal about 2,000 feet in length, which, in connection with certain small creeks, constitutes a useful waterway for small boats from Darien across the delta of the Altamaha River.

It is a further improvement of the waterway already existing, the waterway consisting in part of an artificial and in part of a natural waterway.

Mr. MOORE of Pennsylvania. Will the gentleman from North Carolina yield?

Mr. SMALL. I will.

Mr. MOORE of Pennsylvania. Is there any doubt in the gentleman's mind that water already exists in this waterway, or do the reports show that there is no water in this project? The gentleman from Illinois has stated that this is a cut through solid land.

Mr. SMALL. On the contrary, the waterway does exist at the present time.

Mr. MOORE of Pennsylvania. There is an existing waterway which this appropriation proposes to improve?

Mr. SMALL. That is it.

Mr. MOORE of Pennsylvania. So it is not a new canal proposition nor is it a cut through solid land, as the gentleman from Illinois indicated?

Mr. SMALL. The gentleman is in error as to that.

Mr. MADDEN. Mr. Chairman, I wish to call the attention of the Chair, if the Chair pleases, to the statement made by the Chief of Engineers, or somebody for the Chief of Engineers:

This waterway was created by an artificial cut of some 2,000 feet in length, which connected Butlers River with a small creek entering Darien River and is said to have been cut about in 1736 by Gen. Oglethorpe. It is generally a fresh-water stream, but affected by the rise and fall of tide, which at Darien is 6.5 feet.

There can be no question about the fact that this is an artificial waterway and that it was cut through the solid earth; that there was no water except on both ends of it before the improvement was made, and whether the cut was made last week or the last century or the century before, it seems to me makes no difference. If this item is held in order, it will be perfectly appropriate for the River and Harbor Committee to report a bill favoring a cut not only of 2,000 feet but of 2,000 miles, to connect two natural waterways, because the same principle will apply regardless of what the length of the cut may be. Now, we are establishing a very unfortunate precedent if we permit this committee to report and the committee sustains that report in a matter of this sort, because while this particular item is of itself of no great importance and does not cost very much money, it may well turn out to be a very expensive experiment, for if this is sustained as in order what will prevent the next River and Harbor Committee from coming in here and calling attention to this precedent and recommend an expenditure of five or six million dollars or one hundred million dollars, if you please, for the purpose of cutting an artificial channel to connect two natural waterways? I maintain, Mr. Chairman, that the precedent established here is of the greatest danger and ought not to be established.

Mr. MOORE of Pennsylvania. I think the gentleman from Illinois is clearly wrong in his contention. He stated at the beginning that this was a cut through solid land. In that he seems to have been mistaken. This improvement is to be an improvement of an existing waterway. If the gentleman from Illinois [Mr. MADDEN] were correct, that the River and Harbor Committee has no jurisdiction over matters of this kind, then when the problem arises as to short cutting a circuitous route or for shortening the bend in a river it would be impossible for this committee to assume jurisdiction, because in order to make that short cut from one section to another section of the same river it would be necessary to cut through solid land. If that were true, then this committee would have no jurisdiction over a river improvement whatever, and yet the purpose of the committee as contemplated in the rules is to deal with the matter of our rivers and harbors.

What does it mean? Here is a river that runs naturally like the letter "S." To navigate that river in the ordinary course would require a vessel to sail 10 miles. A cut across that "S" would mean a saving of 9 miles by a cut of 1 mile. Frequently the Army engineers have recommended such improvements. This committee has brought them to Congress and Congress has improved them. That is a function of the committee.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. MOORE of Pennsylvania. Yes.

Mr. MADDEN. But this is no such case as that.

Mr. MOORE of Pennsylvania. It is very similar.

Mr. MADDEN. The report of the Army engineers says distinctly that this is a cut across a piece of land to connect two natural creeks, running in opposite directions; not a part of the stream to be straightened at all, but a cut running straight across there, say, from here to where the Chairman sits, to connect two streams running in opposite directions.

The CHAIRMAN. The Chair would like to ask the gentleman from Pennsylvania [Mr. MOORE] and also the gentleman from North Carolina [Mr. SMALL] if the statement made by the gentleman from Illinois [Mr. MADDEN] is correct?

Mr. SMALL. To what extent?

The CHAIRMAN. As to whether or not this is a canal to connect two streams running in opposite directions.

Mr. MOORE of Pennsylvania. If it is correct, it would sustain the argument I have made. Here are two waterways, and the third in between, and the third is an existing waterway not of sufficient depth. The proposition is to improve the intervening waterway itself, the one which the gentleman from Illinois [Mr. MADDEN] complains of. If that were improved then you would have a continuous line of waterways. And it is the object and the function of the committee to recommend an improvement of that kind. To say now that this matter should be referred to the Committee on Canals comes very late, because the gentlemen on the Committee on Canals are presumed to have notice that this is a canal, if it is a canal. It is an existing waterway. There is water in it and it flows between two streams, and the problem is to improve it so that the two streams may be made continuous.

Mr. SMALL. Mr. Chairman, I wish to present another fact which is material in the determination of this matter. I repeat my former statement to the effect that this improvement comprises both natural and artificial waterways, a combination of both. And I will send up, if the Chair desires it, the report. Now, in the second place, I want to read further from the report here. The Chief of Engineers says a further survey of this cut does not seem to be necessary, as the only improvement that is deemed necessary to accommodate the limited amount of traffic would be the removal of logs. And I call the attention of the Chairman to this, namely, that the only improvement necessary is the removal of "logs and stumps and trimming of a small amount of overhanging trees."

Now, the report of the district engineer is not controlling. The final report, embodying the conclusion of the Chief of Engineers, is always controlling in these reports submitted. Now, reading from the report of the Chief of Engineers, the last paragraph, it says:

After due consideration of the above mentioned reports, I concur with the views of the district officer and the Board of Engineers for Rivers and Harbors, and therefore report that the improvement by the United States of Generals Cut, near Darien, Ga., is deemed advisable to the extent of removing logs, snags, and similar obstructions.

This is no excavation either for further deepening or widening, but simply to remove those obstructions, including the cutting of overhanging trees. So that it is based upon those two propositions, that this is not a proposed improvement of a canal exclusively, but a proposed improvement of a natural as well as an artificial waterway, forming one continuous waterway; and, second, that the improvement only contemplates the removal of snags and overhanging trees.

I would be glad to send this report up to the Chairman if he desires.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Illinois [Mr. MADDEN] makes a point of order on

that portion of the pending paragraph, beginning on line 24, on page 10 of the bill, and which reads as follows:

completing improvement of Generals Cut, Ga., in accordance with the report submitted in House Document No. 581, Sixty-third Congress, second session, $1,000—

on the ground that a portion of it relates to the improvement of a canal.

Now, it is very clear to the Chair that the Committee on Rivers and Harbors does not in this bill have jurisdiction over the improvement of canals. Under section 56, Rule XI, bills reported from the Committee on Rivers and Harbors are given a privileged status where they relate to the improvement of rivers and harbors. As far as the Chair knows, it has been uniformly held heretofore that under this rule the Committee on Rivers and Harbors has no authority or jurisdiction to report an appropriation bill, which shall have a privileged status, for the improvement of any existing canal or to make a canal.

In the view of the Chair, this is simply a question of fact as to whether or not this paragraph relates to the improvement of a canal. It is stated by the gentleman from North Carolina [Mr. SMALL] that this is an existing waterway. But the gentleman from North Carolina also states that it does not exclusively consist of a natural waterway. The gentleman from Illinois [Mr. MADDEN] has called the attention of the Chair to the report and map submitted by the Chief of Engineers, which show that this is, for a portion of the distance, a canal; and in view of the ruling in the Hennepin Canal case, and the uniform rulings that have been made since that decision was rendered, the Chair does not think that this provision is in order, and therefore sustains the point of order made by the gentleman from Illinois.

Mr. MOORE of Pennsylvania. Mr. Chairman, I appreciate the adherence of the Chair to the precedents to which he has referred, but this is so obviously a technical decision and the whole question is so obviously technical, as against the merits, that I respectfully appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from Pennsylvania appeals from the decision of the Chair. The question is, Shall the decision of the Chair be the judgment of the committee?

Mr. STAFFORD. Mr. Chairman, I ask for recognition.

Mr. MOORE of Pennsylvania. I desire to be heard, Mr. Chairman.

The CHAIRMAN. The Chair will first recognize the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. Mr. Chairman, no Member of the House appreciates more than I do the services which have been rendered by the distinguished gentleman who is the present occupant of the chair, and I would be the last person on earth to raise a question controverting his decision if I did not believe the merits and facts warranted it.

Since I have been in this House this question of the jurisdiction of the Committee on Railways and Canals has come forward every time a river and harbor bill has been reached. Each time the question has been raised the Chairman, whoever he may have been, has been compelled to adhere to the precedents, and improvements have stood idle by reason of that fact. The Committee on Railways and Canals has never so exercised its jurisdiction that the product of its work has been seen upon this floor. So that to refer these canal matters, which are of importance to the progress of the country, to the Committee on Railways and Canals has, up to this time, been like referring them to the refrigerating chest for cold storage.

Mr. GARD. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman.

Mr. GARD. I want to know if this Committee on Railways and Canals has any privileged status in reporting bills?

Mr. MOORE of Pennsylvania. It could report bills.

Mr. DEMPSEY. Mr. Chairman, will the gentleman yield for a question?

Mr. MOORE of Pennsylvania. Yes.

Mr. DEMPSEY. Was not this same question up when a Representative from Mississippi was presiding two years ago?

Mr. MOORE of Pennsylvania. This same question was up when the distinguished gentleman from Mississippi [Mr. HARRISON], now a Senator elect, was in the chair. It referred to another project, proposing to connect two existing waterways through an artificial waterway, and because of the technical question raised at that time, that the artificial waterway, on which a great public improvement depended, had not been referred to the Committee on Railways and Canals, an effort was made to throw it out of court. Then the appeal from the decision of the Chair was respectfully made, as it is most respectfully made now, and the Committee of the Whole sustained the appeal.

Now, I want to express the belief that it is not in the mind of any Member of the House, and certainly not in the mind of any chairman of the committee who makes these decisions, to halt public improvements, but that is exactly what this technical objection means—to halt public improvements and stop the internal development of the country.

Because some gentleman objects to a river and harbor bill in toto, because some man has a prejudice against river and harbor appropriations, because some editorial writer in Chicago or in Philadelphia or elsewhere terrorizes Members of Congress by writing articles about the "pork barrel," are we always, when we get to the very point of passing public measures which are of value to the community and which tend to encourage business through the United States, to be halted by this technical objection raised at the eleventh hour, when an improvement is in sight?

I rise for the purpose of making this explanation now, in order that the committee may thoroughly understand that there is no desire to personally reflect upon the gentleman who occupies the chair. He has been obliged by precedents to make this decision, but it is our province to cut the red tape which seems to hamstring the House and let these public improvements go through. More money for the United States; more money for development here, and possibly a little less as a gratuity to the people of the earth besides! A little more for the protection and development of our soldier brain and brawn and for the opening up of these new internal improvements in the United States which will give them employment. We have appropriated money to help along the canals and rivers in France, and we may appropriate money for the improvement of rivers in Germany before we get through. We are very liberal in some things, but when it comes to our own country some editorial writer crying "pork" seems to have the power to hold us up. I beg my colleagues on the other side and my Republican friends to sustain this appeal. Let us make practical provision for the employment of our soldiers and sailors when they return to the United States.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. OVERSTREET rose.

The CHAIRMAN. The gentleman from Georgia is recognized.

Mr. MADDEN. Mr. Chairman, I made the point of order, and I demand the right to reply.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia. He will recognize the gentleman from Illinois later.

Mr. OVERSTREET. Mr. Chairman, if the engineers had not made this recommendation, there would be some reason for voting this proposition down; but we recognize the fact that the distinguished gentleman from Tennessee [Mr. BYRNS] sustained the point of order purely upon technical grounds. The report of the engineers shows that this was an existing waterway from 1736. This canal was partly cut by Gen. Oglethorpe over 100 years ago. That being true, it seems to me the principle of law of immemorial usage would apply that it runneth back to a time when the memory of man runneth not to the contrary. Therefore, we should take it for granted that it is a natural waterway. To say the least, Mr. Chairman, there is merit in the project, and it only involves the small amount of $1,000. That is all this item of the bill carries, and the time already lost in debating the proposition would come to more than the $1,000. Without reflecting on the chairman who made this ruling, I hope this House will vote to overrule his decision.

This project is in my district. I am familiar with this stream. You could not tell that it was a canal. It is overgrown by bushes and brush. If any of it was cut artificially originally, you could not tell it by looking at it now. This appropriation of $1,000 is for the purpose of clearing out this underbrush and cleaning out these logs. The stream is already there. There is water flowing between these two rivers. I hope the House will vote to overrule the decision of the Chair and will let this $1,000 appropriation stand. My colleague calls my attention to the fact that when the gentleman from Mississippi [Mr. HARRISON] was in the chair the House overruled him on a similar proposition. No reflection is intended. The gentleman from Tennessee [Mr. BYRNS] understands, of course, that he had to make the ruling because there was some precedent for it, and he sustained the point of order on technical grounds. As I have said, there is merit in the proposition, and a meritorious matter of this kind ought to be allowed to stand, notwithstanding the technical objection. I hope the House will vote to overrule the decision of the Chair. [Applause.]

Mr. MADDEN. Mr. Chairman and gentleman, of course I have no feeling at all in this matter, and all the claptrap of

the gentleman from Pennsylvania [Mr. MOORE], who has just taken his seat, about his desire to find employment for the returning soldiers has no merit. To begin with, this project involves the expenditure of only $1,000. How many soldiers could be employed on it? Will anybody rise to say? It is not a question of the employment of soldiers; it is a question of principle that is involved. It is not a question of whether this committee has jurisdiction. After all, it is a question of what may follow. Now, what may follow? In this particular case we find ourselves confronted with the fact that this committee is reporting in favor of digging a canal to connect two parallel streams 2,000 feet apart. The canal which they propose to dig is no part of a river. It does not come within the scope of the statement made by the gentleman from Pennsylvania [Mr. MOORE] that it is a winding river, across which we might make a cut to shorten the navigation. Oh, no. It connects two parallel streams 2,000 feet apart. It is a canal and nothing else. It can not be considered as anything else.

Now, I maintain that the decision of the Chair ought to be sustained, simply because if the Chair decided in any other way than that in which it did decide we would find ourselves confronted with this condition: Suppose, for example, that beyond Lake Michigan in the State of Illinois, which is a natural waterway, we find that two or three hundred miles away is the Illinois River, running south. We will assume that there is no natural waterway connecting the Illinois River and Lake Michigan. If this is permitted to go into the law, would anybody contend that it would not be permissible for us to report a bill to dig a canal at Government expense to connect Lake Michigan with the Illinois River?

Mr. JUUL. Will the gentleman yield for a question?

Mr. MADDEN. Yes.

Mr. JUUL. Does not the gentleman think it would be a splendid idea if we cut the red tape and did connect the Great Lakes with the Mississippi?

Mr. MADDEN. I think it would be a good idea for us to connect the Lakes with the Mississippi River; but the State of Illinois, although asking that it be done, stands ready to contribute $20,000,000 of its own money toward the execution of that kind of a project. But here in the State of Georgia, although the amount to be expended is small, no one pretends that the State of Georgia intends to contribute any part of the expense. We are establishing a precedent which, if followed, would permit the Government of the United States, through an act of Congress, to dig the Erie Canal from end to end.

Mr. DEMPSEY. No; that is already dug. The State of New York has spent $160,000,000 on that already.

Mr. MADDEN. I understand that the Erie Canal is dug, but if it was not dug this would permit the digging of that canal out of funds from the Treasury of the United States. It would permit the digging of any other canal anywhere in the United States without the contribution of a single dollar by the locality to be benefited. I submit, in all fairness, that this goes beyond the realm of our jurisdiction; that the Chair ruled in accordance with justice and decency and good practice, and he ought to be sustained in his ruling, unless you want to establish a precedent that may come back to plague you in the future, and that may cost the Treasury of the United States any number of hundreds of millions of dollars without any possibility of return for the expenditure.

Mr. DUPRÉ. Mr. Chairman, the gentleman from Illinois [Mr. MADDEN], who has just addressed the committee, has been referring to the precedents that have been established in such matters, but the gentleman has failed to refer to the last precedent which was established, not by the Chairman of the Committee of the Whole but by the committee itself. When the gentleman from Mississippi [Mr. HARRISON] was presiding two years ago the question of the Delaware & Chesapeake Canal came up for consideration. The point of order was made the same as is here contended for, that the Committee on Rivers and Harbors had no jurisdiction in the premises. The Chairman upheld that point of order, an appeal was taken from his decision, and the committee reversed the ruling of the gentleman from Mississippi [Mr. HARRISON]. I submit that the action of the committee should be as good to-day when the gentleman from Tennessee [Mr. BYRNS] is presiding as it was when the gentleman from Mississippi [Mr. HARRISON] was reversed. Here is a matter that involves $1,000, and the point of order is made against it. Two years ago a matter involving $3,000,000 was before us, a point of order was made against it, the Chairman sustained the point of order, and the committee overruled the Chairman, and expressed its willingness to pay that amount if it was necessary to get that waterway.

Now, is the Committee of the Whole, only two years afterwards, going to refuse to do for Georgia what it did two years ago for the Delaware & Chesapeake Canal? I appeal to the committee to be fair. [Applause.]

Mr. MANN. Mr. Chairman, the distinguished gentleman from Tennessee [Mr. BYRNS] occupying the chair has made a ruling following the rules of the House. The Constitution provides that we shall operate under the rules made by the House. The House has provided its rules. The gentleman from Tennessee has decided that under the rules of the House a certain item in this bill is not in order. The merits of the item are not properly before the House. This is a lawmaking body. The question before the House is whether it is a law-abiding body, whether it will follow the rules it has established, regardless of the merits of the particular proposition, or whether it will decide it when it comes up according to the individual preferences or lobbying of Members of the House.

I take it that this is a law-abiding body as well as a lawmaking body. If it is a law-abiding body, when it makes rules it will follow the rules it has made, and in this case it must either decide that the gentleman from Tennessee, as Chairman, did not know the rules of the House, did not make a correct ruling under the rules of the House, or else it pays no attention to the rules it made itself, unless, perchance, it desires to have the rules operate in favor of individual projects.

This body can never do well unless it observes the rules of the House. The river and harbor bill always is subject to enough criticism without the criticism being made throughout the country that when the river and harbor bill is up the House pays no attention to the rules made by the House of Representatives, that Members override the rules made for other bills because they desire to interject projects into the bill which the public, erroneously of course, calls the pork-barrel bill.

We can afford in a river and harbor bill to be honest with the bill; we can afford to be honest with ourselves; we can afford to pass a river and harbor bill under the rules of the House, but we can not afford to put in an item in contravention of the rules of the House.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. MANN. Yes.

Mr. MOORE of Pennsylvania. Does not this body rise superior to the Committee on Rules?

Mr. MANN. I have not mentioned the Committee on Rules; I have mentioned the rules of the House, made by the House itself. The question is, Will the House override its own rules because of some little item in the bill.

Mr. JUUL. Will the gentleman permit me to ask a question?

Mr. MANN. Yes.

Mr. JUUL. If it was shown that this little improvement was not the improvement of a canal but simply the clearing out of an old cut—and I used to live within a couple of miles of this place—if this is merely the removal of trees and stumps from a cut that has served as a waterway for 200 years, or nearly that, would the gentleman say that we are violating the rules of the House by allowing this little $1,000 to the State of Georgia?

Mr. MANN. It makes no difference whether it is "a little one thousand dollars" or $100,000,000.

Mr. JUUL. May I repeat my question to the gentleman—if this waterway has been in existence for nearly 200 years, water having flowed through it all the time, would the gentleman say that we are digging a canal?

Mr. MANN. That is begging the question. That matter was argued before the Chairman of the Committee of the Whole, Mr. BYRNS. I did not listen closely to the arguments that were made and I do not know the merits of the proposition, but I prefer to take the judgment of the Chairman of the Committee of the Whole House, the gentleman from Tennessee [Mr. BYRNS], who tried to make a fair ruling, and, in my judgment, did make a fair ruling, rather than to impassioned utterances of Members of the House who have urged the House to overrule the Chairman regardless of the rules of the House.

Mr. DEMPSEY. Mr. Chairman, I say with no lightness of feeling that I differ, with great deference, with the minority leader of the House. It is with slowness and reluctance that I do so. I want to call the attention of the House to some things which, it seems to me, have a bearing on this question. I think the broad general ground is an important one. I think that the merits of the proposition are more important than the rules under which it is considered. Second, I think that we are all familiar with the fact that the jurisdiction of committees overlaps, and it is not at all clear, but exceedingly doubtful—it is in a nebulous condition—whether this committee had jurisdiction of such a question as that involved here.

The Chairman decides the question upon a certain state of facts and then a gentleman rises who has lived in the vicinity, who is familiar with the facts, who knows them better than any report can state, who knows the situation from personal observation, because he has lived there, and he refutes the very basic thing upon which the ruling is made. He gives us a state of facts which would make the House decide exactly contrary to the ruling of the presiding officer.

Mr. MADDEN. Will the gentleman yield?

Mr. DEMPSEY. In a moment.

Mr. JUUL. Mr. Chairman, will the gentleman allow me to ask the gentleman from Georgia a question?

Mr. DEMPSEY. I will.

Mr. JUUL. I would like to ask if the matter in controversy is the Oglethorpe Cut?

Mr. OVERSTREET. Yes; it is the cut which the gentleman referred to.

Mr. DEMPSEY. Now, we come to another question that I want to call to the attention of the House. I want to recall a scene that was enacted here only two days ago. I want to call the attention of the House to the fact that a map was presented here of a canal, and the gentleman from Pennsylvania called attention to the fact that if we made that short 13-mile cut we would afford an inland waterway from the South, from Florida, from Georgia, from all the raw-material States in the South through an inland protected waterway up north to the manufacturing public, and this House rose as one man in applause in response to that suggestion. There was no one voice dared raise the question that that also was a canal project. Why, if you are going to fight out the proposition did you not fight it then? Why did not you fight it with millions of dollars at stake, with a canal 13 miles long, and not reserve the fight where a thousand dollars only is at stake, with a waterway that has been in existence over 100 years?

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. MADDEN. Does the gentleman know that nothing but rowboats are operated on any of the connecting channels, and that not even a rowboat can successfully traverse the proposed canal.

Mr. DEMPSEY. Mr. Chairman, the gentleman who preceded the gentleman from Illinois [Mr. MADDEN] said that the merits of this proposition were not before the committee.

Mr. MADDEN. The gentleman is talking about the merits.

Mr. JUUL. Mr. Chairman, will the gentleman yield for a question?

Mr. DEMPSEY. Yes.

Mr. JUUL. Does the gentleman know that even within my time there was no way for reaching Darien from Brunswick and the Atlantic Ocean except in a rowboat and a ship; that there was not any railway?

Mr. DEMPSEY. When we come to a discussion of the merits, as we will, if the House overrules this technical ruling, I believe that the statements of the last gentleman, propounded as a question, will be refuted, and that this will be shown by those who know to be a worthy project, one which should be included in the bill.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. MOORE of Pennsylvania. Is not this a fair answer to the question of the gentleman from Illinois [Mr. MADDEN], that whereas we may put canals in this bill providing for steamships, we shall not put waterways in this bill providing for waterways where men are so unfortunate as to own only rowboats?

Mr. MADDEN. Mr. Chairman, will the gentleman let me ask a question there?

Mr. DEMPSEY. Oh, I decline to yield any more of my five minutes.

Mr. MADDEN. The gentleman is not confined to five minutes.

Mr. DEMPSEY. Oh, yes; I am. When we come to a discussion of the merits of this proposition——

Mr. MADDEN. Mr. Chairman, will the gentleman yield for one question?

Mr. DEMPSEY. In about one minute, when I finish this sentence. When we come to a discussion of the merits of this proposition, as we will, that matter can be discussed, but the merits of the proposition are not now before us, and we can not discuss them. We are discussing the question whether or not this point of order should be sustained. I point to two things: I point to the nebulous and uncertain boundaries of the rules, illy defining, uncertainly defining, the jurisdiction of committees, and I point, second, to the fact that only two days ago this House as one man rose to the Delaware Canal and said that millions of dollars should be expended upon it, and no one even raised his voice in protest. Yet the gentleman who raises the question now, and, so far as I recollect, every one here now was present at that time and were all aware of the situation, because they are skilled and experienced men. They have been here a long time and are familiar with the rules, and they knew if they could raise the question at all they could raise it then just as well as now.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. MADDEN. Of course, the statement of the gentleman from New York [Mr. DEMPSEY] is intended to be misleading——

Mr. DEMPSEY. I object, for that is not a question and I ask that it be stricken out. I decline to yield my time and surrender the floor.

Mr. MADDEN. Then I shall withdraw the statement and ask a question. The gentleman from Pennsylvania—oh, I see the gentleman from New York is resuming his seat, and he does not care to answer the question.

Mr. DEMPSEY. I am willing to answer questions, but that is a statement.

Mr. MADDEN. Then I shall take time to make the statement. Mr. Chairman, I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MADDEN. Mr. Chairman, the gentleman from New York [Mr. DEMPSEY] has just made the statement that the item connected with the purchase of the Delaware Canal was subject to a point of order. That was true last year and the point of order was made and it was sustained. Then the gentleman from Pennsylvania [Mr. MOORE], doing then what he has done now, appealed from the decision of the Chair and the appeal was sustained and legislation was enacted in connection with the item in the last river and harbor appropriation bill. It was not subject to a point of order in the bill as presented to us to-day. So that the statement of the gentleman from New York was very misleading, intentionally or unintentionally, it does not matter which. The question asked by the gentleman from Pennsylvania [Mr. MOORE] of the gentleman from New York [Mr. DEMPSEY], who has just taken his seat, "If this House is willing to let go by the project for the purchase of a canal on which steamboats can navigate, why not enact a law that will permit the navigation of rowboats?" was also intended to be misleading. It was intended that the House should be misled and not understand the facts. This item is the only item in the bill thus far reached that is subject to a point of order. The point of order was raised, and the point of order has been sustained, and now an appeal comes from the gentleman from Pennsylvania. Successful in his appeal last year, interested in the river and harbor bill as he is, and as is the gentleman from New York [Mr. DEMPSEY] and the gentleman from North Carolina [Mr. SMALL], having a bill made up of pork in which almost every State and district in the United States is interested, of course you can violate the rules of the House and appeal from the decision of the Chair and make a ruling that may cost the Treasury of the United States hundreds of million of dollars in the future.

Mr. SANDERS of Louisiana. Mr. Chairman, when an appeal was taken last year from the decision of Chairman HARRISON in a similar case, I voted against sustaining the position of the Chair, and I intend to vote in favor of the appeal against the Chair to-day. I am going to do it now for the same reason that I did it last year. I listened with a great deal of attention to the argument of the minority leader, the gentleman from Illinois [Mr. MANN], a minute ago. I could not fail to contrast it with the magnificent argument which he made the other day in favor of passing the bill to validate otherwise invalid contracts. He seemed then to glory in the fact that the War Department had cut red tape whenever necessary, but, forsooth, we here in the House, bound by the red tape of rules, may not cut the red tape to accomplish the public weal. I take it, that the rules were made for the House and not the House for the rules. I take it, that the rules of this House were made for the purpose of doing business and not for the purpose of preventing business from being done.

And I say that the highest prerogative of the House and the Committee of the Whole alike is that whenever a rule prevents the performance of public business, then the House or the committee has the right to proceed to do business. Now, the rivers and canals of this country are as one; they are a means of transportation, and they can not be considered, in my opinion, separate and apart one from the other. And, Mr. Chairman, I want to impress this upon the membership of this committee, if I may, and that is this: That this committee in the final analysis is the judge itself of the rule. [Applause.] And that when this

committee says what the rule is that is the rule, and from the decision of this committee there is and there can be no appeal. We can appeal from the decision of the Chair when he undertakes to interpret the rule, and then the interpretation of the rule is taken from the Chair, placed in the hands of you and I, and it is for us to say what the rule is.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. SANDERS of Louisiana. I will.

Mr. MOORE of Pennsylvania. I think the gentleman has very correctly interpreted the situation. I want to ask him if he recalls this instance as bearing upon the rights or prerogatives of the committee to overrule the Chair at times. A bill was brought in and the gentleman from Ohio [Mr. BURTON], who has been held up as one of the great chairmen of the Rivers and Harbors Committee, having some interest in a public building in Cleveland, sought to have a proviso that the building should be constructed of granite. A point of order was made and sustained by the Chair, the Chairman at the time being no less distinguished a person than Mr. Sherman, subsequently Vice President of the United States. The gentleman from Ohio persisted, and his appeal from Mr. Sherman's decision was sustained.

The Committee of the Whole, exercising the right which we hope it will exercise here, appealed from the decision of the Chair and overruled him in a case not so meritorious as this. Now, does the gentleman think there is any impropriety in taking similar action to-day?

Mr. SANDERS of Louisiana. Far from any impropriety, in answer to the gentleman's question——

Mr. STAFFORD. Will the gentleman yield to allow me to correct——

Mr. SANDERS of Louisiana. Let me finish and then I will yield. Far from there being any impropriety in voting to overrule the Chair, I take it that it is our absolute duty, if we disagree with the Chair in his interpretation of the rule, to vote to overrule him, irrespective of who the Chair may be, where he comes from, what his intellectual attainments are, or what his knowledge of the rules may be. Now I yield to the gentleman from Wisconsin.

Mr. STAFFORD. I merely rose to ask the privilege of correcting the gentleman from Pennsylvania——

Mr. SANDERS of Louisiana. Do that on some one else's time, may I beg. Mr. Chairman, I want to add one further word, and that is this: I agree fully with the gentleman from Illinois [Mr. MANN], that we are a law-making body. I sincerely hope that we are a law-abiding body, but, Mr. Chairman, I want to say this to the membership of the committee, that there is a great difference between a law and the rules of the House. A law is something that I am obliged to obey, because it is the law of my land. The rules of this House, if I interpret them correctly, are like the rules of any other legislative body. They are simply a form of procedure. There is nothing sacred about them. They are made one day and unmade the next. They are made to govern our deliberations, not to bind our actions, and whenever those rules interfere in any way with the business of the people the rules should be changed, and there are two ways to change them. First, by action of the body in the making of rules; and, second, by the body itself declaring what interpretation the rules are entitled to. [Applause.]

Mr. JUUL rose.

Mr. SMALL. I want to ask the gentleman how much time he desires; we are anxious to close.

Mr. JUUL. Less than five minutes, but I would like to have that.

Mr. SMALL. I yield to the gentleman.

Mr. STAFFORD. I would like to have some time before a vote is taken.

Mr. JUUL. Mr. Chairman and gentlemen, it is because I am desirous of following the suggestion and advice of the minority leader [Mr. MANN] to cut red tape that I step to the front here to-day. I believe in rules, but I do not believe that rules should be permitted to cripple the power of 400 gentlemen to act in an emergency. I think this bill is chock full of appropriations that ought never to be made, but I think we are stopping at the wrong place. Now, this is a proposition to complete the improvement of Generals Cut, in Georgia, in accordance with the report submitted in House Document No. 581, Sixty-third Congress. It calls for $1,000. In lines 6 and 7 you are asked to appropriate $35,000 for the Altamaha River. Now, imagine a body that passes on $35,000 for the Altamaha River and must stop at the completion of an improvement connecting that river with the other river because, forsooth, 176 years ago part of the connecting link was cut with spades instead of being formed by nature. That is exactly what you are trying to hesitate at. The cut is there; it has been there for a long time. One gentleman said here that this was a boat connection. When I reached Georgia, about 40 years ago, there was absolutely no means for getting up to the city of Darien from the Atlantic Ocean except by boat, and I went there in a sailboat and was glad to get there that way. [Applause.] Now, we can appropriate $35,000 for the Altamaha River and $50,000 for the Darien River, but we can not connect the two rivers with $1,000, because 176 years ago men used spades in connecting the two streams. I think, gentlemen, that is carrying the rule too far. I believe rules are made for the purpose of transacting business and not for the purpose of blocking business. [Applause.] And believing that I would like to be able to consider and vote for this item, and I would probably refrain from voting for half of the stuff that is in the bill, because I think it never ought to be in it. I am not in favor of voting money for the River of Jordan or the River of Doubt, but here is a proposition where gentlemen are stopping and raising an issue at the wrong time and in the wrong place. [Applause.]

Mr. SMALL. Mr. Chairman, not to interfere with the gentleman's recognition, may I ask unanimous consent that all debate on this appeal close in 10 minutes, 5 minutes to be granted to the gentleman from Wisconsin——

Mr. STAFFORD. The five-minute rule, as the gentleman knows, does not apply in discussion of questions of appeal from the decision of the Chair.

Mr. SMALL. How much time does the gentleman want?

Mr. STAFFORD. I would not want to be limited. I do not desire unlimited time, but I think 10 or 15 minutes.

Mr. BANKHEAD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN (Mr. FOSTER). The gentleman will state it.

Mr. BANKHEAD. Under the rules of the House, when we are in Committee of the Whole under the five-minute rule, I ask whether time for debate is not limited to five minutes on an appeal from the Chair?

The CHAIRMAN. On an appeal the time is one hour, in the opinion of the Chair, without close examination of rules and precedents.

Mr. BANKHEAD. Does the same rule obtain in the Committee of the Whole as to limitation of debate as obtains in the House?

The CHAIRMAN. Yes; the Chair is of that opinion now. However, the Chair will state that it is in order to close debate whenever the committee sees fit.

Mr. SMALL. Mr. Chairman, I submit the unanimous-consent request that the debate on the appeal close in 15 minutes, 10 minutes to be consumed by the gentleman from Wisconsin [Mr. STAFFORD] and 5 minutes by myself.

Mr. LARSEN. Mr. Chairman——

Mr. SMALL. Seventeen minutes, then; two minutes to be consumed by the gentleman from Georgia [Mr. LARSEN].

The CHAIRMAN. The gentleman from North Carolina [Mr. SMALL] asks unanimous consent that the debate upon the appeal be limited to 17 minutes.

Mr. SMALL. May I modify that and make it 23 minutes, 10 minutes to be consumed by the gentleman from Wisconsin [Mr. STAFFORD], 5 minutes by the gentleman from Georgia [Mr. LARSEN], 3 minutes by the gentleman from Ohio [Mr. GARD], and 5 minutes to myself?

The CHAIRMAN. The gentleman from North Carolina modifies his request to the effect that the debate upon this appeal be limited to 23 minutes, 10 minutes to be consumed by the gentleman from Wisconsin [Mr. STAFFORD], 5 minutes by the gentleman from Georgia [Mr. LARSEN], 3 minutes by the gentleman from Ohio [Mr. GARD], and 5 minutes by himself. Is there objection? [After a pause.] The Chair hears none.

Mr. STAFFORD. Mr. Chairman, no more important question on the integrity of the procedure of the House can confront the Committee of the Whole than passing upon an appeal from the decision of the Chair. It is admitted by those who seek to overthrow the rules of the House that the decision of the Chair is correct, and yet we have here to-day, by those who favor river and harbor appropriations, the revolutionary doctrine proposed, that whenever a majority of this House believes that there is merit in a proposition, notwithstanding the rules of the House for its orderly procedure, the majority shall control regardless of what the House in its calm moments has determined should be the rule of procedure. If that is going to be the practice here is it to be the policy, whenever a member of the Committee on Appropriations, who happens to have some item out of order in an appropriation bill ruled out of order under the rules, because of the rule that no legislation should be carried on an appropriation bill, to rise and appeal from the decision of the Chair? Rarely has it been resorted to. I recall only three or four instances. The gentleman from Pennsylvania [Mr. MOORE], who again assumes to overthrow the rules, as he did two years

ago, cites an instance about former Representative Burton, of Ohio, when he moved to overrule the decision of the Chair. He is in error when he says it was on a river and harbor bill. He does not know the facts. If he had known the facts he would not have referred to that instance as there was an exceptional condition that might have justified the committee in then setting aside the decision of the Chair, because Mr. Burton then admitted that he was out of the Chamber and engaged in committee work at the time when the amendment which he offered to the House would have been in order. Mr. James S. Sherman, then in the chair, ruled, on the sundry civil appropriation bill, where Mr. Burton sought to have this amendment incorporated, that it would have been in order if the gentleman from Ohio had presented it in time. The House thought an unfair advantage was being taken of Mr. Burton and they made that exception. But I very well remember the late Republican leader, Mr. Sereno E. Payne, rising on the floor when a like attempt was made to overrule the decision of the Chair, and appealing to Members, regardless of party, regardless of their interest in the individual proposition, not to have them set aside all rules but calling attention to the necessity, as pointed out by former leader Dingley, of adhering to the rules of the House if they were to have good legislation.

The gentleman from New York [Mr. DEMPSEY], another member of this committee, and the gentleman from Pennsylvania [Mr. MOORE], and these other Members, rise in an attempt here to try to overrule the decision of the Chair, to set aside all precedents, and allow any character of legislation to be considered on this bill. This river and harbor bill is the one bill of all bills, when it is under attack from the country at large, where we should observe strictly the rules of the House, and where it should not be said that we lightly set aside the rules of the House to consider a project over which the committee has no jurisdiction. I am surprised and amazed that members of the committee should justify this revolutionary doctrine, that whenever they see fit, on some amendment which is out of order, immediately arise and move to overrule the decision of the Chair.

The gentleman from New York [Mr. DEMPSEY], a learned attorney, says the merits of the proposition are more important. Why, if we were to follow that idea there would be chaos and pandemonium here in this Chamber in the consideration of its legislation. If we were to follow that course and adopt the position of the gentleman from Louisiana [Mr. SANDERS], there would be no rules. The will of the majority at all times would be supreme, and the very purpose of the rules, as the purpose of all law, is to protect the minority against the present majority. The majority of to-day may be the minority of to-morrow.

Mr. MONTAGUE. Mr. Chairman, will the gentleman permit a question?

Mr. STAFFORD. Yes; I will be glad to.

Mr. MONTAGUE. The gentleman is a skilled parliamentarian. What is the difference in parliamentary law between the right to purchase and operate a canal on yesterday and the right to dig out a canal to-day?

Mr. STAFFORD. Well, I know nothing about the merits of the proposition, but I know this: That under the established precedents of this House legislation with respect to canals does not rest with the Committee on Rivers and Harbors. I know further that under the precedents of this House, respecting river and harbor bills, matters may be reported which are not privileged, over which the committee has jurisdiction, but they can not be considered on a river and harbor appropriation bill, but those matters must take their ordinary course just like any other bill.

The gentleman from Louisiana cites the case of the consideration of a bill granting to the War Department authority to adjust claims that have not been executed properly. That bill was brought in under the regular orderly procedure. There is always recourse on the part of a committee, or a majority of the House, when they desire to have a thing put in order on an appropriation bill to go to the proper committee, and that is the Committee on Rules. There is no majority in this House at this time. Three-fourths of those who are present are interested in this project, and it is to protect, perchance, the majority of this House who are absent at the present time against the raids and ravages that are being perpetrated by these sponsors of large river and harbor improvements that the rules are placed there.

Mr. MONTAGUE. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Not just now. As I say, I have no concern with the merits of the propositions. What is a thousand dollars? But I am concerned with the more fundamental proposition, and that is that if we recognize now on a river and harbor bill the right to hold in order a proposition for the improvement of a canal, or the building of a canal, it is a dangerous precedent that is going to come to plague us in the future. There will be nothing to prevent a Member on the floor of the House getting his friends here and offering amendments to build a canal involving the expenditure of hundreds of millions of dollars. With the power of a majority favoring it it can be rushed through despite the rules of the House providing that that legislation must first be considered by a committee. That is the object of those who now seek to have the orderly rules of the House superseded. They say, in effect, that any extraneous amendment that is not in order may be considered on the spur of the moment if supported by a majority. That is a radical departure from orderly procedure.

Mr. MONTAGUE. The gentleman from Wisconsin misunderstood my question. What I am trying to get at is the continuity of the rule. How can a rule be hot and cold? Why should the rule permit a canal to be bought or purchased on page 7 and forbid a canal to be improved on page 11? Why did not the gentleman make the point of order yesterday?

Mr. STAFFORD. I did not make the point of order on this proposition. The gentleman can not throw that at me. I am consistent. I am not concerned about the merits of the item. I would not have made the point of order. But I am rising here, independent of the merits of the proposition, appealing to Members who are in favor of maintaining the integrity of the rules of the House to stand by those rules now. It is revolutionary to attempt to override the decision of the Chair. I appeal to Members to stand by and protect the rules against the ravages that are being made against their integrity.

Mr. MONTAGUE. Here is a ravage of three millions yesterday, when the gentleman did not open his mouth, and here is a ravage of $1,000 to-day, and the gentleman cries aloud.

Mr. STAFFORD. This is not on the merits of the proposition. This is on the question of the integrity of the rules of the House. I hope the gentleman will see the difference between the question of order and the question of merit in digging a little $1,000 canal. I hope the gentleman has that breadth of vision.

Mr. SLOAN. If the gentleman's contention is correct, that it will prevent the building or construction of these rivers, where, then, will we be able to place our expenditures hereafter when we shall have filled up our rivers, creeks, brooks, affluents, rivulets, runnels, and all?

Mr. STAFFORD. There is no question as to the authority of the committee to report an item for the improvement of a river or harbor. This item is for the construction of a canal, and the question before the House is, Shall we maintain the integrity of the rules of the House?

Mr. LARSEN. Mr. Chairman, I desire to occupy the time of the committee a few moments, in order that I may not be subjected to the criticism which the gentleman from Wisconsin [Mr. STAFFORD] seemingly would inflict upon the House. He takes the position that we are trying to override the rules of the House. I deny the charge; we are only endeavoring to properly construe a rule made by the House.

The rule under consideration is only the expression of the will of the House as to the manner of its deliberations, and the vote that we take will be an interpretation of that expression. Two years ago the gentleman from Mississippi [Mr. HARRISON] ruled on a similar question that such a proposition was not in order. That was his interpretation of the rule, but an appeal was taken from his decision, and this House in good faith sustained the appeal.

Now, so far as I am concerned, I feel that I should be bound by the decision of the majority and by the interpretation of the rule as then expressed by the membership of the House.

I think the position of the gentleman from Illinois [Mr. MANN], for whom I have very high regard, is very much in error and does little credit to the integrity of the House. He says we should stick to the rules of the House. The inference is that the House on previous occasion violated its own rules by sustaining the appeal from the decision of Chairman HARRISON.

Gentlemen of the House, I doubt whether it is fair to take the position at this time that the House was in error two years ago. For one, I believe in the wisdom of this House and in its integrity. I believe that the vote on this proposition will be properly interpreted; that the Members of this House will vote properly on it; and whether they do, in my judgment, vote properly or not, I shall not be inclined to criticize.

Mr. Chairman, so far as the merits of the proposition are concerned, I think they are against the ruling of the distinguished gentleman from Tennessee [Mr. BYRNS]. I do not believe that he thoroughly understands the facts. I believe that if he did he would not have made the ruling. Believing

that the Chairman is in error, I shall vote in favor of the appeal. If I believed that he was right, I would vote to sustain him. I believe a majority of the membership of this House will vote to overrule him. In doing so they will vote to establish an interpretation consistent with what they conscientiously believe to be the rule. It will be without an effort to supersede any rule.

Mr. GARD. Mr. Chairman, we ought not to speak lightly of that which is properly classed as the observance of law, because we ask all our people through the length and breadth of this land to observe the law of the land. There is no higher duty of citizenship to any man than to be a law-respecting and law-abiding citizen. That is precisely the question which is presented here. The rules of this House of Representatives are the law of the Members of this House, and I submit, even though we realize the very personal interest which some Members of this House have, it is not for us to adhere to a rule when it pleases us and to violate a rule deliberately because, perchance, we have an assembly of friends here who may wish to set the rule aside. Therefore I seek to impress upon the membership of this committee that it is not a light question that you are acting upon when by an appeal you seek to override the ruling of the Chair; because, in the first place, the ruling of the Chair is right. Nobody takes the floor and says the ruling of the Chair is wrong. There is no reason, as a matter of truth and of justice and of logic, why the appeal should be sustained or why the ruling of the Chair should be overruled.

Mr. MANSFIELD. Will the gentleman permit a question?

Mr. GARD. I am glad to yield, although I have a very limited time.

Mr. MANSFIELD. The gentleman is assuming that this is a canal and not a watercourse. Now, suppose that is not the fact. Suppose this was a watercourse nearly a hundred years before these rules were made, and that it was an existing watercourse at that time?

Mr. GARD. Of course, that presents an entirely different state of fact. I assume that it is a canal, because I recall from the statement of the chairman and the statements of other gentlemen here that a part of this is admittedly a canal. Now, if it is a canal and we have a rule covering it, that rule is a law unto the membership of the House of Representatives, and to say that it should be swept aside merely because it is in somebody's interest to sweep it aside means in the last analysis that we are bordering on anarchy in the House of Representatives; because a rule is a law, and if a rule is a wrong one it should be changed, modified, or altered in proper way. It should not be peremptorily set aside merely because of the personal interest of the moment.

Mr. SMALL. Mr. Chairman, I shall be very brief in making a few comments upon this appeal from the decision of the Chair. The Chairman of the Committee of the Whole has exercised his judgment and has interpreted a point of order against the item in the bill. Members of the Committee of the Whole now have an opportunity to exercise their judgment and to say whether the point of order is well taken. The action of the Committee of the Whole on this appeal does not involve any disparagement of the Chairman of the Committee of the Whole. If the appeal is sustained, it is simply the exercise of the judgment of the aggregate body as against the judgment of one Member. I have had occasion so often to give approval to the position taken by the distinguished minority leader [Mr. MANN] upon nonpartisan questions that I was rather surprised at the emphasis which he gave to the sanctity of the rules of this House. Are these rules sacred? May I give just a few instances of how the House frequently sets aside the rules of the House. We have a day on which motions are made to suspend the rules and pass bills. Admittedly these bills would not be in order on that day unless two-thirds of the House should suspend the rules and pass them. Session after session the Committee on Rules bring in resolutions making certain bills in order, regardless of the rules of the House. We have had reports from the Committee on Rules making in order a certain bill by a committee when under the rules of the House it was not within the jurisdiction of that committee. We had in the last session, I think, a resolution from the Committee on Rules, when the Post Office bill was under consideration, making certain provisions in order on that bill when under the rules of the House they were not in order.

Mr. GARRETT of Tennessee. But the Committee on Rules brought in that resolution under the authority of the general rules.

Mr. SMALL. I understand that, of course; but I may ask, Is the Committee on Rules, created by the House, superior to the body which created it?

Mr. GARRETT of Tennessee. It is not. It can not do anything that the House itself does not authorize.

Mr. SMALL. Certainly, and nothing will be done regarding this item except what the House authorizes.

Mr. STAFFORD. Why, there is not even a quorum of the committee here—less than 100 Members. You are asking that less than a quorum shall pass upon this question.

Mr. SMALL. That has nothing to do with it. We are in Committee of the Whole. The Committee of the Whole has a right to pass on this question, and I am simply submitting this question, that if under the rules we create a committee which has the right to bring in a resolution suspending these sacred rules, even under the rigorous contention of some Members here, this Committee of the Whole may at least appeal from the judgment of the Chairman of the Committee of the Whole, and exercise their judgment, and say that their judgment is one way and the judgment of the Chairman of the Committee of the Whole another way.

Mr. DUPRÉ. Will the gentleman yield?

Mr. SMALL. I yield to the gentleman from Louisiana.

Mr. DUPRÉ. I want to ask the gentleman if every proposition in this bill for which an appropriation has been made looking to continued improvement of inland waterways has not originally emanated from the Committee on Rivers and Harbors?

Mr. SMALL. I know of no exception to it.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. SMALL. Briefly, because my time is limited.

Mr. CAMPBELL of Kansas. The gentleman from North Carolina was discussing the bringing in of rules by the Committee on Rules and making in order matters not theretofore in order. Does not the gentleman from North Carolina distinguish the difference between the bringing in of a rule for a given purpose and the overruling of a decision of the Chair for a specific purpose? The one creates a precedent to be followed thereafter; the other does not.

Mr. SMALL. I can make the distinction. Of course, the gentleman is a member of the Committee on Rules and is jealous of the jurisdiction of his committee; but the point I am making is that these sacred rules are frequently set aside by the House and by the Committee of the Whole, and that the Committee of the Whole may do so in this instance.

The CHAIRMAN. The question is, Shall the decision of the Chairman stand as the judgment of the committee?

The question was taken; and there were—ayes 40, noes 33.

Mr. DUPRÉ and Mr. CALDWELL asked for tellers.

Mr. MANN. I make the point of order that there is no quorum present. This question is being submitted to the committee. For that reason let us have a full committee.

The CHAIRMAN. The gentleman makes a point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and twenty Members present, a quorum.

Mr. DUPRÉ. I have asked for tellers.

The CHAIRMAN. The gentleman from Louisiana asks for tellers.

Tellers were ordered, and the Chairman appointed Mr. DUPRÉ and Mr. MADDEN.

The committee again divided; and the tellers reported that there were—67 ayes and 43 noes.

So the decision of the Chair stood as the judgment of the House.

Mr. SMALL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SMALL. Of course, the point of order only applies to that part of the paragraph; that is to say, the part in this language—

completing improvement of Generals Cut, Ga., in accordance with the report submitted in House Document No. 581, Sixty-third Congress, second session, $1,000.

Mr. MADDEN. That is all.

Mr. SMALL. Mr. Chairman, I offer the following committee amendment. The amount at the end of the paragraph should be $28,000, and I move to strike out the figures "$29,000" and insert "$28,000."

The Clerk read as follows:

Page 11, line 5, strike out "$29,000" and insert "$28,000."

The amendment was agreed to.

The Clerk read as follows:

Altamaha, Oconee, and Ocmulgee Rivers, Ga.: For maintenance, $35,000.

Mr. LARSEN. Mr. Chairman, I have an amendment to section 6, which I send to the desk.

The Clerk read as follows:

Page 11, line 7, after the word "maintenance," strike out the figures "$35,000" and insert "$40,000."

Mr. LARSEN. Mr. Chairman, in 1911 a survey of the Altamaha River system was ordered and was made by Dan C. Kingman in the early part of 1912. The engineer making the survey and report recommended an appropriation of $635,000 and some cents for the improvement of this Altamaha River system, to be divided into and expended in five annual installments of an equal amount.

When this report came before the Board of Engineers it was disapproved, but with the recommendation, however, of the board that the annual appropriation for the system should not exceed $40,000 per annum. For each and every year since that time, with the exception of one year, the appropriations for the Altamaha River system has been $40,000. The exception was made three or four years ago when, by action originating in the Senate, as I understand, the appropriation was increased to $60,000.

For the ensuing year the bill provides an appropriation of $35,000 for the system, which reduces the amount heretofore allowed for a number of years $5,000. The committee seeks to justify this on the theory that the same is being done in many other cases, that circumstances make it necessary, and that there remains available funds which have not been expended in previous years. The report of the engineer says there is on hand at this time something like $54,000. I want to emphasize, if I can, very briefly, the importance of this river system. The Altamaha River is the largest river in Georgia. It is a river of considerable size and, as acknowledged by the chairman of the Rivers and Harbors Committee and by the Board of Engineers, is of considerable commercial importance.

On yesterday we voted upon a proposition authorizing an appropriation for an inland waterway between Norfolk, Va., and Beaufort, N. C. In that item the appropriation carried $750,000. I have looked up the tonnage of the river referred to in that proposition, and its total tonnage is in round numbers 185,000 tons per annum. We also had another proposition from Norfolk, Va., to North Carolina Sound for $250,000. The annual tonnage on that river is only 300,000 tons.

I take it, gentlemen of the committee, that the appropriations voted in the preceding sections were justified. Certainly I am not complaining of or question those items in the bill, but I wish to say that if those are justified, then the proposed appropriation for the Altamaha River system can not be justified, so far as the amount is concerned.

The Altamaha River system consists of three rivers, the Altamaha, the Oconee, and the Ocmulgee. In the aggregate they contain something like 490 miles of navigable streams. The system traverses 45 counties, all in Georgia. The navigable portion touches 25 counties. These are among the most productive of the State and have a taxable wealth of approximately $150,000,000, with a population of 500,000 persons. The tonnage on those streams amounts annually to from 150,000 to 170,000 tons, and have a valuation of from three to five million dollars.

Now, on the Virginia-Carolina proposition, with an annual tonnage of 185,000 tons, you voted $750,000, and on the Altamaha system, with 490 miles of navigable streams and a tonnage of from 150,000 to 170,000 tons, you propose to vote only $35,000. I ask you, gentlemen, do you think that is right; do you think it is fair; do you think it is a proper amount? The only excuse that is offered is that the appropriation made available heretofore has not been expended. Last year the people affected demanded that improvement should be made on these rivers. They appealed to me to ask a reopening of the Kingman report. I did so, and the Rivers and Harbors Committee very generously recommended that the report be opened and reconsidered.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LARSEN. I ask for five minutes more.

Mr. SMALL. Reserving the right to object, can not the gentleman get along with at least three minutes?

Mr. LARSEN. I will try and close in three minutes.

Mr. SMALL. Let us limit the time to six minutes, the gentleman to have three and I to take three.

Mr. LARSEN. Oh, the chairman does not need over a minute. May I not have five?

Mr. SMALL. Mr. Chairman, I ask unanimous consent that all debate on the pending paragraph and amendments thereto close in eight minutes.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to close debate on this paragraph and all amendments thereto in eight minutes. Is there objection?

There was no objection.

Mr. LARSEN. Mr. Chairman, I presume I am entitled to five minutes.

As I said, last year we were in an unfortunate condition. People from all of the counties affected asked that relief be granted. The rivers and harbors committee recommended to the Board of Engineers that the report be opened for investigation. Hon. John C. Melliss, engineer in charge at Savannah, was instructed to make investigation. He called meetings at several points in the district, and they were very well attended. The business men met from every section and testified under oath that they had been practically forced to abandon river transportation because the rivers had been so neglected that they could not navigate them.

I urged the engineer located at Savannah to make his report. I wired and personally requested him to do so, yet so far as I am able to learn no report has been made from the Savannah office, and no adequate relief has been granted to the people of this territory. The appropriation made last year and perhaps for previous years has not been fully expended. It seems that practically all of the boats available for work on this river system suddenly became unfit for service. I do not think it was due to overwork in my part of the country. I would not say what work was done on other parts of the stream.

Last year of the money that was expended, $24,000 was in repairs of snag boats and other boats. There was spent, in round numbers, $6,473.92 for inspection—ascertaining, as I understand, what was necessary to be done, trying to determine where they should work and what they should do. There was spent $4,680 for office expenses, while for operation, exclusive of repairs on boats, $3,706.03.

As repairs seem to have been made, we trust the remainder will be spent for operating. If this money could not be expended last year, it should be spent this year. All we want is that sufficient money be made available at this time. It can be expended by an industrious engineer at Savannah in a short while. We have a new engineer in the district now. The people in the territory demanded that the engineer shall go to work. With sufficient available funds I think it is likely that good work will be done. If we do not spend the money, certainly the Government will not be hurt. If it be spent, the returns will be good and benefit will accrue to the people. Upon the Oconee, one of this system of rivers, is located at Milledgeville, the old State capital, and Dublin, one of the most progressive cities in Georgia. Macon is at the head of navigation on the Ocmulgee, and Hawkinsville and other prosperous cities are on this stream. There is direct transportation from Macon to Darien and Brunswick on the coast. What we need is to have the snags, shoals, and rocks taken out and the system of rivers put into proper shape for navigation. It is a very important system. It is the only river system of any importance in the State of Georgia and it is being neglected. We ask now to increase the amount to the minimum appropriation that has been allowed heretofore, $40,000. It is an increase of only $5,000, and the money will only be made available.

I trust gentlemen of the committee will see fit to vote for the amendment.

Mr. SMALL. Mr. Chairman, just a brief reply. It would have been more appropriate if the gentleman had omitted comparisons from his remarks, particularly as the statements as to tonnage in his remarks were incorrect.

Mr. LARSEN. I will ask the gentleman to state the correct figures.

Mr. SMALL. The gentleman has the reports before him. I simply state that they are incorrect. As to the amendment to increase this appropriation from $35,000 to $40,000, this is a system of rivers consisting of the Altamaha, the Oconee, and the Ocmulgee. The Altamaha River is formed by the confluence of the Oconee and Ocmulgee Rivers at a point known as The Forks. The Altamaha is navigable for 37 miles. The Oconee is navigable for about 145 miles and the Ocmulgee for about 205 miles. It is one of those sluggish streams where it is difficult to maintain the channel. The project depth is for 3 feet, with an effort to increase it to 4 feet. There is now more than $50,000 on hand, and the engineers, after careful investigation at the request of the committee, report that this additional amount of $35,000, added to the amount which is on hand, is all that could be profitably expended to the end of the next fiscal year. If the Committee of the Whole should increase this appropriation, it will constitute an exception. There is no appropriation in this bill in excess of the sum recommended by the Chief of Engineers.

Mr. LARSEN. May I ask the chairman one question, inasmuch as he has questioned the accuracy of my statement as to tonnage?

The CHAIRMAN. Does the gentleman yield?

Mr. SMALL. Mr. Chairman, I do not care to take up unnecessary time. The gentleman endeavored to state the tonnage upon some other improvement not connected with this.

Mr. LARSEN. Let me ask the gentleman a question.

Mr. SMALL. I do not wish to go into an extraneous matter.

The CHAIRMAN. The gentleman declines to yield. The question is on the amendment offered by the gentleman from Georgia.

The question was taken, and on a division (demanded by Mr. LARSEN) there were—ayes 6, noes 15.

So the amendment was rejected.

The Clerk read as follows:

St. Johns River, Fla., Jacksonville to the ocean, opposite the city of Jacksonville, Jacksonville to Palatka, and Palatka to Lake Harney, Lake Crescent, and Dunns Creek, and Oklawaha River, Fla.: For maintenance, $108,000; for improvement between Jacksonville and Palatka, $9,000: *Provided*, That the project for this section may be extended, in the discretion of the Secretary of War, in accordance with the report submitted in House Document No. 699, Sixty-third Congress, second session: *Provided further*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement; in all, $117,000.

Mr. SEARS. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 11, line 16, after "Palatka," strike out "$9,000" and insert "$25,000"; on page 11, line 17, after "*Provided*," strike out all down to and including the word "session," in line 20, and insert the following: "that $9,000 of the above amount shall be expended by the Secretary of War in accordance with the report submitted in House Document No. 699, Sixty-third Congress, second session"; and in line 23, page 11, strike out "$117,000" and insert in lieu thereof "$133,000."

Mr. LARSEN. Mr. Chairman, I move to strike out the last word. Gentlemen of the committee, inasmuch as the distinguished gentleman from North Carolina challenged the statement which I made a few minutes ago as to the tonnage of the proposition voted upon yesterday, I feel that in justice to myself and in fairness to the House I should state to the House how I arrived at the tonnage. I neglected to say the average tonnage for the last five years. To be exact, the average tonnage of the proposition for the past five years was 185,459 tons. See comparative statement, part 1, of the Report of the Chief of Engineers, United States Army, page 575.

Mr. SMALL. What improvement is that?

Mr. LARSEN. I am speaking of that one in Virginia, of this inland waterway, Norfolk to Beaufort, N. C. The average tonnage was 185,459 tons for the past five years, but the tonnage, as I find from the record for the past two years, instead of being what I said it averaged for the five years, was a great deal less. The tonnage for 1916 was 141,029 tons and for 1917 it was 148,134 tons. I take it for granted that the distinguished chairman, when I asked him to state the tonnage, would have done so except that he felt like it might possibly embarrass him and the other members of the committee. I would not desire to do that; at the same time I do not like to be embarrassed by having my integrity questioned before the House in that way. I want to be fair with this House. I try to be fair with everybody, and I would not purposely make a misstatement of facts to this House or to anyone else. Now, I am not making any criticism about the appropriation involved. I voted for it, and I am glad I did. You gentlemen did not vote for my appropriation, and I have no hard feelings on that account. I want to put myself straight before the House, that is all.

Mr. SMALL. Mr. Chairman, just a word in reference to the statement of the gentleman from Georgia [Mr. LARSEN]. A great many times in this House it has been explained, and if the gentleman could have been present and listened——

Mr. LARSEN. I was.

Mr. SMALL. He would have found it unnecessary to have made the statement which he did. Let me call attention to the fact that in the waterway from Norfolk to Albemarle Sound there are two canals. Both of these canals lead from Norfolk to Albemarle Sound, N. C., and are substantially parallel. One of these, the Chesapeake & Albemarle Canal, has been acquired by the United States and is under improvement. On both of these canals before this war the aggregate commerce was between 800,000 and 900,000 tons and of a valuation of several millions of dollars. Even during this war it amounted to between 400,000 and 500,000 tons, with a value, as the gentleman will see, of from $5,000,000 to $6,000,000. And so once more I make the explanation to gentlemen who every now and then make a discovery.

Mr. LARSEN. May I ask the gentleman where he got those figures and whether they are in this report of 1918?

Mr. SMALL. I will cite them to the gentleman. You only cited the commerce as to one canal.

Now, Mr. Chairman, as to the amendment offered by the gentleman from Florida [Mr. SEARS], I am sure every member of the committee will join with me in this expression, that if, as the gentleman from Florida thinks, and I have no doubt thinks sincerely, his section of Florida has not been cared for in this bill, it is not the fault of the gentleman from Florida himself. He has diligently appeared before the committee, has made, as he always does, attractive arguments, and produced evidence which, in his opinion, would induce the committee to act favorably upon the amendments to the bill suggested by him.

The committee, however, were actuated simply by the desire to discharge their duty. A committee must have some policy, Mr. Chairman. By law we constitute the engineers as the experts to determine how much they can spend profitably and wisely during the next fiscal year. If the Committee of the Whole or if the House attempts—certainly not in a thorough way, but necessarily in a hurried manner—to say how much can be spent, it will be seen that mistakes will be made. Now, the committee appropriated here all that was recommended. There is $108,000 carried. It is true that that is recommended specifically for the St. Johns River from Jacksonville to the ocean. But that portion of the St. Johns River from Jacksonville to Palatka is in the same group, and if it transpires that the other portion of the river above Jacksonville should require some of this $108,000, it will be within the discretion of the Secretary of War and Chief of Engineers to determine how much shall be diverted.

Mr. SEARS. Will the gentleman yield?

Mr. SMALL. Certainly.

Mr. SEARS. The appropriation specifically reads:

St. Johns River, Fla., Jacksonville to the ocean, opposite the city of Jacksonville, Jacksonville to Palatka, and Palatka to Lake Harney.

And for several years appropriations have been made for that. Does the gentleman contend that the War Department could take a part of the money appropriated by Congress to be used to improve the St. Johns River from Palatka to Lake Harney?

Mr. SMALL. Under the consolidated item that is authorized. You will find that we carry a provision in this bill——

Mr. SEARS. The War Department has specifically stated that it will take $108,000 and that that can be expended profitably from Jacksonville to the ocean. Then how are they going to use any money on this other part of the river?

Mr. SMALL. If the emergency arises so as to make it necessary to use any money from Jacksonville to Palatka they can divert a part of this $108,000.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMALL. Mr. Chairman, I ask unanimous consent for one minute more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SMALL. I call the attention of the committee to another provision in this bill. This bill carries a lump-sum appropriation of $1,000,000 for meeting emergencies which could not be foreseen at the time that this bill was formulated and reported to the House. And if it should transpire that that portion of the river needs any expenditure, it can be taken from that lump-sum appropriation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. SEARS].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. SEARS. Division. Mr. Chairman.

The committee divided; and there were—ayes 17, noes 25.

So the amendment was rejected.

Mr. SEARS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Florida offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. SEARS: Page 11, line 17, after the word "section" strike out "may" and insert "shall"; and on line 18, strike out "in the discretion of" and insert "by."

Mr. SEARS. Mr. Chairman, the amendment if adopted will read:

Provided, That the project for this section shall be expended by the Secretary of War.

In other words, the section as it now reads means nothing. The Secretary of War can spend that $9,000 on an improvement of the river from Jacksonville to Palatka, when the committee, as I understand it, intended to give that to me for improvement of Deep Creek. I believe the Congress can act and should act affirmatively. If you mean what you said, make it "shall" and direct the Secretary of War as to what he shall do. If you do not mean it, leave it just like it is, and if this motion does not prevail then I shall make another motion, one to strike out.

Mr. SMALL. If I may have the attention of the members of the committee, they will remember this phraseology was discussed, and, individually, as a member of the committee, I see no serious objection to removing it from the discretion of the Secretary and making it mandatory. It is based upon a favor-

able report. If any member of the committee thinks otherwise I would be glad to hear from him. But that is my judgment in regard to the matter.

I take the liberty, then, of accepting the amendment.

Mr. SEARS. I am glad the chairman accepts it, because I will state frankly to the House if the amendment had not been carried I would have moved to strike it out, because it should not be in there as it now reads. To stay there as it now appears would be to fool my district or fool myself, and make those people believe they were going to get something when perhaps they would not, and it would be placed in the bill by the Senate as in 1917.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Removing the water hyacinth, Florida: For the removal of the water hyacinth from the navigable waters in the State of Florida, in so far as it is or may become an obstruction to navigation, $10,000.

Mr. MADDEN. Mr. Chairman, I offer an amendment to strike out the word "hyacinth" on line 7 and the word "hyacinth" on line 8.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: Page 12, line 7, strike out the word "hyacinth," and also on line 8 strike out the word "hyacinth."

Mr. MADDEN. Mr. Chairman, I believe this amendment ought to prevail, because there will not be anything in the way of obstruction in these channels but the water if the word "hyacinth" is stricken out. If we are going to spend $10,000 for any purpose, I think it would be well spent if it were spent for moving the water from these channels. [Laughter.] I verily believe that there is very little water in most of these channels that this $10,000 is appropriated for.

Mr. SEARS. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Certainly.

Mr. SEARS. The State of Florida having just passed a prohibition amendment and having made it an offense punishable by a fine of $500 the first time a man gets drunk, do you think that would take the water out of Florida? [Laughter.]

Mr. MADDEN. That is the best argument I have heard made for keeping this appropriation in. In years gone by we have ridiculed the idea of appropriating money to remove weeds from navigable streams. It has been contended that if there was any navigation on the streams the weeds would not grow there. Since there is no navigation and weeds must obstruct the natural flow of the stream, in my opinion we ought not to make any appropriation at all.

These streams are all covered with hyacinths, and then they are overshadowed with trees, in which the birds and monkeys, I believe, disport during the hot summer evenings. Once in a while we hear of an alligator climbing up through the hyacinths, and perhaps it is just as well that the hyacinths should remain there in order to furnish food for the alligators. [Laughter.] It does not seem that any of the natives are willing to subject themselves to the viciousness of the alligator, and therefore we must find some way to supply food to them, and I know of no better way than to permit them to feed on the hyacinths. [Laughter.]

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Certainly.

Mr. LONGWORTH. Is the gentleman's idea that when all the water is removed from these rivers their beds should be navigated by tanks? [Laughter.]

Mr. MADDEN. Well, I believe when the water is removed from these channels we should have some place to cultivate. We might cultivate the hyacinths. We might develop the water hyacinth as a native plant that could be utilized for some good purpose, and thereby we would relieve the Treasury of the United States every year from being drawn against for large sums of money for removing the hyacinths for no good purpose. If we could remove the water and permit the hyacinths to develop, we might find some chemist in the Department of Agriculture who could tell us how the hyacinths could be used for feeding the hungry in some place where the food supply is short.

The hyacinth in its natural, native form is a beautiful flower. What the hyacinth is in the Florida rivers, I hardly dare to say; but if it is an obstruction to navigation that does not exist, why should we spend the money of the United States to provide for a condition that there is no necessity for providing for?

Mr. CALDWELL. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. CALDWELL. Did you not ask that question in the Sixty-fourth Congress and a couple of times in this one already?

Mr. MADDEN. A couple of times in what?

Mr. CALDWELL. In this Congress.

Mr. MADDEN. Well, a good thing can be asked more than once, and I have not seen anybody here who had sense enough to answer the question, no matter how many times it has been asked. Not even the gentleman from New York seems to have any knowledge on the subject. The mere fact that I have asked the question and nobody can respond justifies the continuation of the question. Does anybody know what the water hyacinth is, what its value is as a food? Does anybody know why it is permitted to obstruct the navigation on the Florida rivers where there is no navigation? Does anybody know why we should spend money to remove the hyacinth?

Mr. SEARS. The water hyacinth can not live unless it has water. If you take the water out, it will die. As Members know, it is a plant that simply obstructs, like water lilies, navigation, even more than sand. It is practically out of the rivers now, those that are navigable, but if you let it accumulate it completely stops navigation.

The CHAIRMAN. The time of the gentleman from Illinois has expired. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Mobile Harbor and Bar and channel connecting Mobile Bay and Mississippi Sound, Ala.: For maintenance of channel connecting Mobile Bay and Mississippi Sound, $4,000; continuing improvement and for maintenance of Mobile Harbor and Bar, $100,000; in all, $104,000.

Mr. SMALL. Mr. Chairman, I have a committee amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from North Carolina.

The Clerk read as follows:

Committee amendment: Page 12, line 23, after the word "bar," strike out "$100,000; in all, $104,000," and insert in lieu thereof "$200,000; in all, $204,000."

Mr. SMALL. Mr. Chairman, this amendment increases the appropriation for the maintenance and further improvement of Mobile Harbor and Bar $100,000, making the total for that particular improvement $200,000, and increasing the aggregate from $104,000 to $204,000. This amendment is based upon a communication from the Chief of Engineers recommending this increase in the appropriation.

Unless some gentleman desires to have the communication read, I will not read it, but will ask to have it appended to my remarks and inserted in the RECORD. The gentleman from Alabama [Mr. GRAY] wishes recognition.

The CHAIRMAN. Without objection, the request of the gentleman from North Carolina will be granted to insert the letter referred to in the RECORD.

There was no objection.

Following is the letter referred to:

JANUARY 4, 1919.

Hon. JOHN H. SMALL,
Chairman Committee on Rivers and Harbors,
House of Representatives.

MY DEAR MR. SMALL: The estimate submitted by this department of the amount that could be advantageously used for the improvement of Mobile Harbor, to be provided in the pending river and harbor bill, was $100,000; and when Gen. Taylor was before your committee and questioned as to whether this amount would be sufficient, he stated that in his opinion it would. Further consideration of the matter, in view of data recently received as to dredges which will probably be available for this improvement for the next year and the cost of operating these dredges, indicates that in order to carry on the work at a satisfactory rate until June 30, 1920, the estimate of $100,000 should be increased to $200,000; and it is accordingly recommended that the pending bill be amended so as to provide $200,000 for Mobile Harbor instead of $100,000.

Very truly, yours,

W. M. BLACK,
Major General, Chief of Engineers.
By H. TAYLOR,
Brigadier General, United States Army.

The CHAIRMAN. The gentleman from Alabama [Mr. GRAY] is recognized for five minutes.

Mr. GRAY of Alabama. Mr. Chairman, I take it that there will be no real opposition to this amendment increasing the appropriation from $100,000 to $200,000. It was thoroughly considered by the Board of Army Engineers as well as the Committee on Rivers and Harbors, and after a hearing and consideration of the matter the Board of Engineers decided to recommend an increase of $100,000 from that which had already been recommended, to wit, $100,000, making the total appropriation $200,000 for Mobile Harbor improvement.

It might be well to state, gentlemen of the committee, that as a result of recent investigations on the part of the Railroad Administration it was determined that the Government should take over the canalized river that flows into Mobile Bay, the Black Warrior-Tombigbee system. This morning I obtained from the Railroad Administration, of which Mr. Tomlinson is the director, the following data, which may prove to be of interest to some members of the committee. They are already preparing to operate and have on hand seven towboats, four being for New Orleans and three for the Mobile trade. They have practically secured 23 barges to be operated upon this canalized river. I am informed that contracts are being let by Mr. Tomlinson, who is now in Mobile, looking after this project and its contemplated development. Contracts are now being let for the construction of 20 new barges.

I am informed further that they estimate that under normal conditions 600,000 tons of coal per annum will come down the canalized Warrior-Tombigbee River from the coal fields of Alabama to the Gulf and from there out into the markets of the world. The present rate on coal per ton from the coal fields of Alabama to Mobile by rail is about $1.00. The estimated cost by the Government barges is 90 cents per ton, and the saving per ton for Mobile will be 70 cents. The present railroad rate on coal to New Orleans by rail is $2.20 per ton. The estimated cost by the Government barges will be $1.57 per ton, a saving per ton for New Orleans of 63 cents. Now, gentlemen, if you will take the amount of coal alone that will likely be handled on this river—and it is estimated, as I stated, that 600,000 tons of coal will come down this river—simply multiply that by the difference in cost for transportation, which will be about 70 cents per ton on an average, and you will observe that hundreds of thousands of dollars will be saved annually to the coal consumers of this country.

So I trust, gentlemen, and am expecting that there will be no opposition to this amendment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRAY of Alabama. May I have two minutes more?

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. GRAY of Alabama. It may be interesting to know that the amount allotted by the administration from the revolving fund that you remember about for the new equipment for the operation of barges on the Black Warrior and Tombigbee River system is $1,600,000. That which is now being expended on the old equipment is $640,000, making the total outlay for the Government upon this project alone $2,240,000. That is to be used upon the canalized river, which will bring down these great coal resources. That says nothing about the freight that is to be carried up the river to such important railroad points and competitive points as Demopolis, Tuscaloosa, and other places. So the Government is going to spend $2,240,000 upon this river alone, and it is highly important that the channel of this great harbor should be increased to a depth of 30 feet, and rapidly, too, in order to accommodate its ever-increasing commerce, that the larger vessels drawing at least 30 feet may come into the port of Mobile. I say again, gentlemen of this committee, that I do not contemplate that this proposed amendment will meet with any opposition at your hands but will have, rather, your hearty approval. [Applause.]

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

The Clerk read as follows:

Black Warrior, Warrior, and Tombigbee Rivers, Ala.: For improvement in accordance with the recommendation in the Annual Report of the Chief of Engineers, United States Army, for the fiscal year ending June 30, 1918, $200,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. I was very much interested in the remarks of the gentleman who has just finished [Mr. GRAY of Alabama], and I wish to say this in reference to him personally, that I regret very much that he will not longer be a member of our committee. He has been a faithful and an excellent member, and he has certainly urged very persistently and very strongly the merits of this particular project at Mobile. I know the conditions down there, and I desire to say this in passing, because I believe I have always opposed the project, believing it was inadvisable to put the project in the bill at that time until conditions required further improvement. But he calls my attention to the fact, in his statement, that the Government is spending $2,240,000 more upon this project, and here we have in the bill that has just been read by the Clerk an appropriation of $200,000, and I believe a project calling for $400,000 in all. If I remember correctly, the engineers made the statement to us that the boats had been practically driven off the Black Warrior River by the railroads, notwithstanding the Government had expended so much money there. How much money has the Government put into the Black Warrior River already? I read from page 2527, where it is stated that the Government has already expended $9,901,295. That has been pointed out to us as the one great project that was going to determine the value of canalization in this country. So we have put into it year after year, I understand, a total of something like $11,000,000. And with what result? If you will look at page 2530, you will see that the traffic below the locks, after deducting logs, which do not need this depth of channel, amounts to 31,000 tons. There are logs; there is some coal that is brought down; but I understand now that the boats have been driven off until the Government is obliged to build boats, just as it has been obliged to build them on the Mississippi and other places, because the railroads drive them off; and after this enormous expenditure upon this river the Government is obliged to put the money into boats to make use of it. I think, Mr. Chairman, it is an unparalleled situation, and shows what we have been doing, that we have been putting money into all these streams. We were assured that this was a completed project, and it is, but right in this bill there is an immediate appropriation of $200,000 on a $400,000 project to meet the necessities of these Government boats that are to be put in there.

Mr. HUMPHREYS. Will the gentleman yield for a question for information about this canalization?

Mr. FREAR. Certainly. I do not know that I can give it to the gentleman.

Mr. HUMPHREYS. When was this canalization of the Black Warrior completed? How long ago?

Mr. FREAR. The statement has been made repeatedly that the 6-foot channel was what was desired. I do not know but what it was more than that, but here is a new project added, besides the more than $10,000,000 that has been expended already.

Mr. HUMPHREYS. But when was the 6-foot project completed?

Mr. FREAR. I can not give the gentleman the exact date, but we have been assured that this was the one project that was completed, and it was to be a fair test.

Mr. HUMPHREYS. I am asking for information.

Mr. FREAR. I can not give the gentleman the exact information. Does the gentleman say it is not completed?

Mr. HUMPHREYS. No; I do not know anything about it; I am trying to find out something about it. I want to know if this project has been completed, just how long, and whether any commerce developed from the coal mines through the locks and dams before the Government undertook it.

Mr. FREAR. I believe practically none. Let me say this in justification, that afterwards there was some commerce; they had a small amount of coal that came down the river.

Mr. HUMPHREYS. I am not talking about that; I am talking about the commerce through the locks and dams.

Mr. FREAR. Yes; through the locks and dams. Notwithstanding the cumulative method of figuring which the engineers indulge in, it shows 279,000 tons that went through the locks, but that includes logs and everything of that kind.

I want to say that I am not taking the time of the House unnecessarily, because we have passed over a number of projects that I could have discussed, but did not care to unnecessarily take the time.

Mr. HUMPHREYS. Will the gentleman yield?

Mr. FREAR. I will.

Mr. HUMPHREYS. The point I am asking, and only for information, is as to the justification of this project. It was the hope, expectation, and belief that a great deal of coal would come down through these locks, and what I want to know is if as a matter of fact that has developed.

Mr. FREAR. No; because the Government could better afford to build a railroad and pay $50,000 a mile for it, and then get better results. As it stands to-day, with all this enormous expenditure, the waterway is practically useless unless the Government proceeds to put boats on it.

Now, we propose to give the railroads back to the individuals. I point to this because it has been mentioned in repeated arguments that here was a project, a good test for canalization, and so let us go on with this at any event. We have done that. In this bill is the canalization of the Cumberland River, in addition to the $7,000,000 that we have expended on that river. Now, without having established a successful case in a single instance, with possibly the exception of the Monongahela, they are going on with other projects. Now, take the amount expended for maintenance of locks, which must be borne by the Government, there is no return compared with the amount expended. The returns are insignificant.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. FREAR. I will.

Mr. OLIVER of Alabama. Is the gentleman informed of the tonnage that went down that river in 1917?

Mr. FREAR. It says here that there were 580,000 tons.

Mr. OLIVER of Alabama. That is a pretty good tonnage, is it not?

Mr. FREAR. Four hundred and fifty-seven thousand tons in 1917, 580,000 tons the year before, and that contains the logs that floated down through and practically everything else besides. Here is a duplication as in the case of the Mississippi River. You have driven off the boats; you can not maintain the boats unless the Government gets behind them, including a cost up to this time of nearly $10,000,000. Now you ask the Government to make use of it. I do not blame the people of Alabama for wanting that; they want to make use of it; and what chance is there of doing so when the railroads can drive off water transportation unless the Government comes in and runs the boats?

Mr. HUMPHREYS. Will the gentleman let me ask him another question?

Mr. FREAR. Yes.

Mr. HUMPHREYS. Are these logs floated down the river?

Mr. FREAR. Yes. They could be floated down without the improvement. Here is a new project of $400,000 to increase the depth from 6 to 8 feet. In the floating of logs, as the gentleman can readily understand, that could not be considered.

Mr. HUMPHREYS. No; I was interested in the canalization project and looked forward with a good deal of interest to see what the development would be when the canalization was completed. I was trying to find out after it was completed whether some substantial commerce had developed, and particularly whether or not there was a substantial commerce in coal.

Mr. FREAR. There was some, of course; the project, I learn, was completed three years ago; but I want to say that there has been expended more money there than in the Superior-Duluth Harbor, more than in that of Chicago, which had a tonnage of over 5,000,000 tons, and more than Milwaukee, with about 7,000,000 tons. Ashland, in my State, has 10,000,000 tons on an average each year, and here, with an expenditure of $10,000,000 you have got a couple hundred thousand tons, or something of that kind.

Mr. SMALL. Mr. Chairman, can we have an understanding as to the length of debate on this paragraph and amendments thereto? How much time does the gentleman from Alabama want?

Mr. OLIVER of Alabama. I want 10 minutes; not over that.

Mr. SMALL. I ask unanimous consent that all debate on this paragraph and amendments thereto close in 14 minutes.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to close debate on this paragraph and all amendments thereto in 14 minutes. Is there objection?

There was no objection.

Mr. FREAR. Mr. Chairman, let us find out whether or not the gentleman is correct. The gentleman says they are going to find a saving of $400,000 in freight rates every year after this canalization is completed. Now, we have spent substantially $10,000,000 on that river already and little traffic is there to speak of, and the interest on that taken out of the Government every year means $400,000, the full amount that he expects to save. But that is not the point. Two hundred and eleven thousand dollars was spent last year for lockage, for managing that canal, and that is in addition to the interest item. We are wasting money there. As I said, there was $600,000 last year it cost the Government on this river. Now, on top of all that we are going to put in a new appropriation—I do not think the gentleman has the right description as I have it here; it is 150 feet width of the river, and they want an 8-foot depth and now want $400,000 more. Two hundred thousand dollars contained in this bill will not go far on a $10,000,000 proposition. He and I agree in regard to railroads, but he says that shows the absurdity of my position. For 50 years we have been spending money and we have seen all the commerce on the upper Mississippi driven from that river after we spent $150,000,000. We have seen the commerce on the Missouri River driven away after we have spent $24,000,000, and I have raised my voice here time and again and these gentlemen have never given any attention to the subject until now. I say it is absurd to throw money away on the gentleman's stream or any other stream unless we prevent the railroads from driving that commerce away. Here we appreciate the fact that the Government itself, not a private individual, but the Government itself, is obliged to build the boats in order to make commerce possible on the Black Warrior.

Mr. GRAY of Alabama. Mr. Chairman, why is it my good friend [Mr. FREAR] seems to be living entirely in the past? He does not seem to realize we are preparing to do something big in the near future. He talks about what has been done upon the Warrior River and what has not been done. We are preparing to do something upon that river in the future, not trying to live altogether with the past and in the past. This great Government of ours is trying to do something with that river; in fact, has determined to do something with it. I want to ask the gentleman from Wisconsin, in view of the fact that the Government is going to undertake to develop here river transportation, what has he to say about that? It is not simply the question of the river and the small commerce which has existed upon it in the past, but here the Government proposes to spend millions of dollars to bring millions of dollars' worth of the best coal in the world and the cheapest coal in the world to the peoples of the earth. What has the gentleman to say about that? Does he oppose it; does he oppose cheap rates for hauling coal? Is he in favor of the railroads monopolizing and taking possession of the transportation systems of the country? Is he to raise his hands and say, "We give up to the railroads; we are going to let them handle all the coal from the coal fields and levy an increased rate," or does he propose to unite with his Government and mine and yours in this great scheme to utilize this river and avoid the congestion and the shortage of cars, which condition existed a few months ago? Then we had cars all congested in one section of the country to the detriment of the other. We propose to open the channels of commerce everywhere. That is what they are doing to-day in France, and even in Germany they propose to do the same thing. They are not going to sit idly down and go to sleep. What is France doing—that great country? What is England doing? England has never stopped the development of her waterways, and neither has France. We helped them with their transportation problem during the war period. We have even sent our engineers over there in order that we might help that great country. They are not going to give up, although they have bled at every vein. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRAY of Alabama. I ask unanimous consent to extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none. All time has expired and, without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

Tombigbee River, Ala. and Miss.: For maintenance from mouth to Demopolis, Ala., $40,000, and from Demopolis, Ala., to Walkers Bridge, Miss., $2,500; in all, $42,500.

Mr. FREAR. Mr. Chairman, this is part of the same system, so I think it properly comes under the same discussion. I wish to say this to the gentlemen from Alabama, who indulge in the specious argument that they have used here——

Mr. SMALL. Will the gentleman allow me to submit a request for unanimous consent? How much time does the gentleman wish?

Mr. FREAR. Five minutes.

Mr. SMALL. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina? [After a pause.] The Chair hears none.

Mr. FREAR. Now, Mr. Chairman, the people of this country have been liberal with waterways, with the South as well as with the North. My attention was just called to Ashtabula Harbor, where we have spent between two and three million dollars. We had about 16,000,000 tons of commerce last year. That is the kind of commerce we have. Now, these gentlemen who live upon rivers—and I live on the greatest river in the world, and it has no commerce, it is deserted—these gentlemen who live upon some of these rivers now say, "Let us canalize them and we will then proceed to show you what we can do." All right. Which river? The Black Warrior River has been held up time and again in the House of Representatives. All right. This Government has put in about $10,000,000 on the Black Warrior River. The interest item on that to the Government amounts to $400,000 a year and the cost of lockages to take care of it amounts to over $200,000, which makes over $600,000.

Mr. HUMPHREYS rose.

Mr. FREAR. I can not yield to the gentleman until I get through with this statement. After we have finished that improvement—that is all they asked for, nothing more—that was going to establish the use of waterways and the use of all waterways. Now, what happened?

The small traffic has been practically driven off of that river the same as it has off of every other river, as was predicted. What happened? The gentleman from Alabama says we are living in the past. You have lived in the past, and the Government has financed you in the past, and it is financing you today, because you can not put a line of boats on that river yourselves. Gentlemen, you come to the Government, after we have given you all the money to complete the project, and ask us to put boats down there to help carry the coal down the river to you so that you can save a little money. This particular item is costing the Government $600,000 annually. There are other projects in this bill, like the Cumberland and others that are proposed to be started here, with the same hopeless situation that you have in this case. That is what I desire to call your attention to. It is continued waste and waste, and you can not close your eyes to it, because you have some project in the bill in which you are especially interested. It is there. And you can not read these engineers' reports without coming to that conclusion.

The gentleman refers to France and Germany. I have explained several times, and the gentleman knows, if he knows anything about transportation abroad, that Germany owns its railroads, and it discriminates in favor of the waterways. France has or has arranged to take over its railroads. But the gentlemen who talk loudest on this subject, I predict, are among those who will on this floor in a few days return the railroads to their owners. They have said I am speaking for the railroads. That is just what I am seeking to control. I say this: We are wasting money in enormous amounts, and we all know it. And here is an item which, after we have spent $12,000,000, has practically no commerce. Now, with the $600,000 annual tax on the people for maintenance, we are still without a boat line, and the Government has got to build one if the stream is utilized.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Barataria Bay and Bayous Lafourche, Terrebonne, Grossetete, Plaquemine, and Teche, Louisiana: For maintenance, $20,000; for improvement of Barataria Bay in accordance with the report submitted in House Document No. 200, Sixty-fifth Congress, first session, and subject to the conditions set forth in said document, $32,000: *Provided*, That no expense shall be incurred by the United States for acquiring any lands and easements required for the purpose of this improvement; for improvement of Bayou Teche in accordance with the report submitted in House Document No. 1329, Sixty-second Congress, third session, $100,000: *Provided*, That no expense shall be incurred by the United States for acquiring any lands or easements required for the purpose of this improvement; in all, $152,000.

Mr. FREAR. Mr. Chairman——

Mr. OLIVER of Alabama. Mr. Chairman, will the gentleman allow me to get leave to extend my remarks?

Mr. FREAR. I will.

Mr. OLIVER of Alabama. I ask permission, Mr. Chairman, to extend and revise my remarks.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. SMALL. Mr. Chairman, if the gentleman from Wisconsin will permit, how much time does he desire?

Mr. FREAR. Probably not over two or three minutes; at any rate, not over five.

Mr. SMALL. I ask that debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. This item calls for $315,000, I believe. It is not that amount in the bill. The total amount in this bill, as I understand, is $152,000 for a number of projects; but this item alone, when we get the project completed, will cost $315,000. What I want to say is this: We have spent $216,000 on this same project. At this time I can not understand why it is urged, except that different members of the committee are very glad to have their items in the bill. There may be some desire—and I presume there is—and a great deal of pressure at home. But I turn to page 7 of the report. I can not find it in the Engineers' Annual Report. But accepting this report, it says that three-fourths of all the commerce is saw logs. That is the kind of commerce mentioned here. Now, there is some commerce. I believe in cases, even on inland waters, that show a commerce there should be some help from the Government when the communities themselves are willing to help. But I do say, Mr. Chairman, that when we make a tax upon Sandusky Harbor, for instance, in this bill, and require them to make a contribution, and when we make a contribution condition on the harbor of Nawilliwilli, and other harbors that are handling real commerce, it does not seem right for us to dig down in the Treasury every time for some little or big project without insisting on a contribution being made. When they want flood control down on that river they contribute toward it. And then they say that they will pay a third of the cost. That is what they contribute, the people who are having their lands protected along the Mississippi.

If the people in Louisiana can do that in one case, why should they not do it in all cases? And Louisiana should not do it any more than any other place. I believe a contribution should be asked for. We are collecting that money from the sale of liberty bonds and by increased taxes. There is not any justification for this or many other items that I have passed by and did not take time to discuss.

A few moments ago we passed a stream. What was asked for in that case? Congress is asked to give a deeper channel for one boat. You may say that that could not be possible. Here it is right here, the Boca Ciega Bay project, in Florida. Let me read:

The St. Petersburg Transportation Co. is at the present time compelled to use a boat drawing 4 feet for the trips between Tampa and Passagrille. They are very anxious that an 8-foot channel be provided so that they can use one of their larger boats. The boat that they now use is the *Manatee*, which draws 4 feet. The boat that they desire to use is the *Favorite*. The *Favorite* would make daily trips between Passagrille, St. Petersburg, and Tampa.

Think of that kind of a project, and yet that is approved by the committee. I just passed that over without discussion. What is the use of raising these points that have been brought in from one end of the country to the other? These are frequently insignificant little items. This is one of them. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. The gentleman from Wisconsin withdraws his pro forma amendment, and the Clerk will read.

The Clerk read as follows:

Atchafalaya River, La.: For maintenance, $30,000.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. TREADWAY. I do this to call the attention of the House to an evident fraud that is being perpetrated on the families of soldiers. I received yesterday a communication from the wife, or, rather, the mother-in-law, of a soldier, written for the wife, the soldier being one of those in the famous "lost battalion" in the Argonne Forest, whose commander, Lieut. Col. Whittlesey, I am proud to say, is from Pittsfield, Mass. She sent me a circular letter, which I hold in my hand, anonymous in character, headed "The American Biography Publishers," a concern evidently endeavoring through misrepresentation to secure from the families of soldiers the sum of $1 to have the life account of the soldier appear in so-called publications of the American Biography Publishers.

I intend to take this matter up with the Post Office Department, because it seems to me it is a positive fraud and should not be permitted to be circulated through the mails. The circular calls attention to the fact that this soldier was on the casualty list, and asking for a dollar in order that his name might appear on the "honor roll" to be presented to the President of the United States. Think of such a circular as that going out to the families of our boys!

I at once made inquiry whether or not any casualty had occurred in this particular case, because the mother-in-law said that her daughter refused to believe that her husband is dead, having heard from him within a short time. I made inquiry at the War Department and found that there had been no such casualty; that the man had been slightly gassed in September, and assigned to duty at Tours on September 9, and wired the lady to that effect.

It seems to me that attention should be publicly called to such a circular letter as this, in order that the people of the country may not have the anguish of such solicitations from commercial circulars as the one to which I refer, and in order that proper publicity may be given to the matter I ask unanimous consent that these letters be printed in the RECORD.

The CHAIRMAN. Is there objection to the printing of the letters referred to in the RECORD?

There was no objection.

Following are the letters referred to:

PITTSFIELD, JANUARY 7, 1919.

Hon. ALLEN T. TREADWAY,
House of Representatives.

MY DEAR CONGRESSMAN: My daughter, Mrs. Charles B. Cornell, received the inclosed letter yesterday from the American Biography Publishers and in that way learned that her husband is dead—if such is the case. She refuses to believe it until she hears from Washington. The last letter she received from her husband was dated October 10, 1918, and in that letter he (Mr. Cornell) stated he had been in that lost battalion and had been sick ever since they were rescued. At the time of Mr. Cornell's enlistment he and his wife were living at 104 Concord Street, Brooklyn, N. Y. The soldier's address in the service was: Sergt. Charles B. Cornell, Company H, 308th Infantry.

Now, dear Congressman, I am sorry to trouble you so often on this case, but you have been so kind and considerate in helping my daughter to get what rightly belongs to her, namely, her allotment, that I again appeal to you to find out if possible if Mr. Cornell is dead or anything concerning him.

Thanking you for your interest in my daughter's case and anxiously awaiting a reply.

Respectfully, yours,

MRS WM. T GUY.

91 WEST UNION STREET, PITTSFIELD, MASS.

AMERICAN BIOGRAPHY PUBLISHERS,
PUBLISHERS OF INDIVIDUAL HONOR ROLLS,
Hartford, Conn., December 19, 1918.

MRS EVELYN CORNELL,
195 Concord Street, Brooklyn, N. Y.
Nearest kin of Corpl. Charles B. Cornell.

DEAR FRIEND: Victory is ours. We have driven the last of the autocratic rulers from power and have given the peoples of the world an opportunity to enjoy the freedom which is ours. Once more America has fought in the cause of freedom, and our cause was expressed in the President's stirring address to Congress: "For the ultimate peace of the world and the liberation of all its peoples; for the rights of nations, great and small, and the privilege of men everywhere to choose their way of life and of obedience."

It is with deep regret we notice the name of your soldier boy in a recent casualty list. Although neither we nor anyone else can endeavor to offer you such consolation as will alleviate your sorrow, we feel sure that every person in your position harbors a great deal of pride in having offered a son, husband, brother, or relative to the noble cause for which the whole civilized world went to battle.

We desire to secure a short biography of his life to go into a book now being compiled by the American Biography Publishers, so that his name may live in history and go down in posterity. This book when completed will be presented to the President of the United States as a memorial to those who have fought in the cause of liberty and democracy.

To commemorate the deeds of your soldier boy, we have prepared an attractive honor roll, lithographed in a beautiful sepia on a high grade of paper, size 11 by 14 inches, artistically combining the different branches of the United States service, with the flags of the allies, topped by an eagle with outspread wings. This honor roll will be engrossed with the name and title of your soldier boy and other essential facts from his biography.

We are inclosing an information blank, which we ask you to kindly fill out and return to us with $1, for which we will send you the honor roll suitably engrossed, and also enter his biography in the book we are compiling.

You owe it to your soldier boy as well as to yourself to send us this information at once.

Respectfully, yours,

AMERICAN BIOGRAPHY PUBLISHERS.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Waterway from the Mississippi River to the Sabine River, La.: For improvement from Mississippi River to Bayou Teche in accordance with the report submitted in House Document No. 646, Sixty-third Congress, second session, $100,000: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement, but this proviso shall not include the acquisition of the rights of any private canal which it might be to the interest of the United States to acquire; completing improvement of Vermilion River, La., and channel to connect the Vermilion River with the inland waterway from the Mississippi River to the Sabine River in accordance with the report submitted in House Document No. 1336, Sixty-second Congress, third session, $37,500: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement; in all, $137,500.

Mr. FREAR. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. FREAR. Mr. Chairman, I ask the chairman of the committee how much is involved in that first proposition; that is, Bayou Teche, Miss.? I am asking for information. On page 15 of the document it says $826,000. Is that the amount?

Mr. SMALL. That is one of the sections of the intercoastal waterway.

Mr. FREAR. That is the amount that is carried in this project?

Mr. SMALL. There are estimates, as the gentleman will see, for several depths. The depth adopted on this section was 5 feet and the estimated cost is $826,000.

Mr. FREAR. Yes; I thought that was it, but I was not sure.

I want to say in passing, Mr. Chairman, that we quietly sit here listening to the Clerk read these projects for $100,000, and so on, not knowing that here is an $826,000 project, a canal or waterway down there in Louisiana, that we are adopting. That is the fault of this kind of a bill. It does not give the country or the House the correct understanding of what is involved in the projects in amount or character. Eight or probably nine or ten times as much will be involved in this before the expenditures are finished as the amount in this bill, and it will never be completed as a 5-foot project, because the next item in an adjoining column, after we get the 5 and 7 foot project, will call for a 9 or 12 foot project. A good authority says, "You can not run any good commerce down there in Texas unless we have a 12-foot channel." No contribution is asked for from the local people. From $1,000,000 to several million dollars will be eventually expended for this section of the inland waterway down in Louisiana.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Bayous Vermilion, Nezpique, des Cannes, Plaquemine Brule, and Queue de Tortue, Mermentau River, and Calcasieu River and Pass, La.: The project for Mermentau River and tributaries is hereby extended to include Bayou des Cannes as far up as the Evangeline Bridge in accordance with the report submitted in House Document No. 1591, Sixty-fifth Congress, third session.

Mr. SMALL. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from North Carolina.

The Clerk read as follows:

Committee amendment offered by Mr. SMALL: Page 15, strike out the numerals "1591," at the beginning of line 7, and insert in lieu thereof "1398."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MARTIN. Mr. Chairman, I would like to ask the chairman of the committee why this item carries no appropriation?

Mr. SMALL. The reason for that is this: The report which is adopted here recommends that Bayou des Cannes be added to the project of the Mermentau or Nezpique River, so that it becomes part of that project, and any appropriations made therefor may be expended for this particular improvement.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Freeport Harbor, Tex.: Continuing improvement, $100,000.

Mr. SMALL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Committee amendment offered by Mr. SMALL: Page 15, strike out the period at the end of line 23, insert in lieu thereof a semicolon, and add the following: "for improvement, $5,000: *Provided*, That the project in this section may be extended at the discretion of the Secretary of War in accordance with so much of the report submitted in River and Harbor Committee Document No. 3, Sixty-third Congress, first session, as recommended the dredging of the channel across the bar at the mouth of the Colorado River; in all, $49,000."

Mr. SMALL. Mr. Chairman, the purpose of this amendment is to include in that project the dredging of the bar at the mouth of the Colorado River at an expense of $5,000. The amount of commerce involved seems to justify the improvement. I have a letter from the Chief of Engineers recommending this amendment, which I will not read but will insert the letter in my remarks.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to insert in his remarks the letter referred to. Is there objection?

There was no objection.

Following is the letter referred to:

JANUARY 4, 1919.

HON. JOHN H. SMALL,
Chairman Committee on Rivers and Harbors,
House of Representatives.

MY DEAR MR. SMALL: 1. In reply to your letter of January 3, 1919, in reference to the improvement of the Colorado River, Tex., I have the honor to say that it appears from information furnished by Judge Mansfield that an important development has taken place near the mouth of this river, and that it is now desired that the improvement should be made simply across the bar at the mouth of the river, so as to afford access to the river; and it is now not deemed essential that the work above the mouth of the river, which also involved the principal part of the cost, should be undertaken.

2. The conditions recommended by the Chief of Engineers in River and Harbor Committee Document No. 3, Sixty-third Congress, first session, apply more particularly to the work above the mouth of the river than at the mouth of the river. It is understood that the condition which involved the construction of a railroad spur to mile 21 has been met by a railroad spur constructed into Matagorda near the mouth of the river. In view of the existing conditions, it does not seem necessary to make the dredging of the channel across the bar subject to the conditions, and it is suggested that the desired improvement could be brought about by amending the item found on page 15, lines 19-21, of the river and harbor bill, as introduced in the House of Representatives, to read substantially as follows:

"Waterway from Galveston to Corpus Christi and channel from Pass Cavallo to Port Lavaca, Tex., for maintenance, $44,000; for improvement, $5,000: *Provided*, That the project for this section may be extended at the discretion of the Secretary of War in accordance with so much of the report submitted in River and Harbor Committee Document No. 3, Sixty-third Congress, first session, as recommended the redredging of the channel across the bar at the mouth of the Colorado River; in all, $49,000."

Very truly, yours,

W. M. BLACK,
Major General, Chief of Engineers,
By H. TAYLOR,
Brigadier General, United States Army.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Red, Black, Ouachita, Tensas, Boeuf, and Saline Rivers, and Bayous Macon, Bartholomew, D'Arbonne, and Corney, Ark. and La.: For maintenance, $15,000; continuing improvement of Ouachita River in accordance with the report submitted in Rivers and Harbors Committee Document No. 7, Sixty-fifth Congress, second session, $300,000; in all, $315,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. I desire to speak for a moment on the Ouachita River.

This Government has already appropriated $4,389,360 for the Ouachita. After deducting the timber and sand that has been floated down the Ouachita we find 28,500 tons carried as actual commerce.

Reading from page 5 of the hearing before the committee on this project, a United States Senator from one of the States traversed by the Ouachita River came before the committee and he said:

Mr. Chairman and gentlemen, it is one of the best river and harbor projects in the United States, and it ought to be carried out in the same good faith with which it was undertaken and the same wise manner with which it was begun in 1902.

Let me state, by the way, that this Senator is at the head of a waterway organization in the United States. The chairman of our Committee on Rivers and Harbors [Mr. SMALL] then said:

Senator, some of these rivers do not seem to have developed the commerce even where a moderate channel was provided. What is the probable effect on Congress if the Ouachita River is developed and the locks and dams completed?

Then the Senator states why there should be commerce, because, he says, there is so much commerce adjacent to both banks of the river. Then the chairman of the Committee on Rivers and Harbors [Mr. SMALL] again says:

That does not always follow. There have been instances where there was a large commerce in the territory contiguous, and yet no waterborne commerce has developed, making it seem evident that the development of water-borne commerce is dependent upon the activities of the people in the sections contiguous.

Now, as I said, bearing in mind that we have already spent over $4,000,000 during a long period of years on this stream to secure 28,000 tons of commerce, I read from document No. 7, referred to here, which asks for $360,000 more; but, as I understand it, $300,000 is contained in the bill. I read from page 2:

The Board of Engineers for Rivers and Harbors believes that the plan proposed is feasible of execution, but that the commerce that could reasonably be expected to use this section of the river, aside from timber that does not require slack water, is not sufficient to justify the cost of the work. It therefore reports that the modified plan is feasible, but not commercially advisable. If, however, Congress decides that it is advisable to continue the improvement and carry slack water up to Camden, the board recommends that the modified plan proposed by the district engineer be adopted rather than the construction of Locks and Dams Nos. 7 and 9.

If then Congress, like the Rivers and Harbors Committee, decides that it is advisable to continue the improvement, the board recommends the adoption of the modified plan. Then the Chief of Engineers says:

After due consideration of the information presented, I concur in the views of the board.

Mr. Chairman, I could present facts in reference to this Ouachita River which it would take an hour to read, but I will simply read from page 4 of House Document 979, a report on a reexamination of the Ouachita River:

The present commerce, consisting largely of timber products, is not extensive, and owing to the character of the adjacent country, which is devoid of large commercial, mining, or manufacturing industries, the river traffic can not reasonably be expected to assume the magnitude considered essential to warrant the construction and maintenance of an expensive system of locks and dams. The question is now complicated, however, by the work already done, and it must be decided to what extent the unexecuted portion of the project should be continued or abandoned.

And the Army engineers all the way through their report suggest the abandonment of the project. They would do it if they could, because, as in the case of the Black Warrior River, you have a case of a very large expenditure with a very insignificant return in the way of commerce. That is one of many similar projects contained in this bill for which we are to pay by the sale of liberty bonds. What excuse can be offered for such expenditures?

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

Mississippi River from the mouth of the Ohio River to and including the mouth of the Missouri River: For maintenance, $700,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. This is a 200-mile stretch of the Mississippi River on which the Government thus far has spent over $18,000,000.

Mr. SMALL. How much time does the gentleman desire?

Mr. FREAR. Only five minutes.

Mr. GREEN of Iowa. I should like at least five minutes, and possibly a few minutes more.

Mr. SMALL. Will five minutes be sufficient for the gentleman from Wisconsin?

Mr. FREAR. I can get in on the next item.

Mr. SMALL. I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 15 minutes, the gentleman from Wisconsin to have five minutes, the gentleman from Iowa five minutes——

Mr. GREEN of Iowa. Make it seven minutes.

The CHAIRMAN. The gentleman from Iowa seven minutes and the chairman three minutes. The gentleman from North Carolina asks unanimous consent that debate on the pending paragraph and all amendments thereto close in 15 minutes. Is there objection?

There was no objection.

Mr. FREAR. Mr. Chairman, after an expenditure of over $18,000,000, or an appropriation of $18,466,000, upon this 200-mile stretch of the Mississippi River, we have only a very small amount of traffic, of which I believe the largest item is garbage hauled from the city of St. Louis. This stretch of the river receives, at this rate, $3,500 a mile.

The next item which you are coming to on the Mississippi River receives $350 per mile. In other words, this lower part of the river, which is deeper and more navigable, if depth amounts to anything, receives ten times as much per mile as the upper part. Now, what was the purpose of the Army engineers in insisting on this large increase in the appropriation that we have here, after the tremendous expenditure which has already been made? There is in the hands of the Army engineers a balance of $370,000 available, in addition to this $700,000 proposed. What are they doing on the river? What have we accomplished there in the nature of traffic? There is a small traffic, but the only place, outside of the lower Mississippi River, where the Government is trying to-day to establish evidence that the Mississippi River is commercially successful is on the upper river, where the committee has given $350 a mile. The amount given the 200-mile stretch of $700,000, in addition to the large appropriations in the past, seems beyond reason. Now, what is the proposition you have there? I will read from page 48 of the hearings on inland transportation.

Mr. Goltra, chairman of the Democratic State committee of Missouri, has been receiving contracts, according to his statement, of $3,000,000; and this is established in the record here in the Engineers' Report, although it does not give his name—for carrying ore on the upper river from St. Paul down to St. Louis to his factory and furnaces. He says he is going to help commerce by taking coal back from the Illinois fields. Here is his proposition to the Government, page 48. He says that the cost per ton per mile for the fleet will be $1,700,000, that it has cost the Government $3,360,000, and that that money will cost him 6 per cent per annum on $283,000. And then he proceeds to determine how he can make it successful at that capitalization. The Government has to pay double that amount—$3,000,000—and you propose on the upper part of the river to expend $250,000 and $700,000 for the stretch from St. Louis down to the mouth.

Mr. GREEN of Iowa. Mr. Chairman, I think it is time that we looked at these projects in a sensible and reasonable light. When we consider the transportation on rivers the first question ought to be whether products can be carried more cheaply than by rail if the improvement is made, and whether this transportation will be desired. If we can answer those questions in reference to the Mississippi River we will solve them in favor of the appropriation.

There is no question in the mind of any engineer but what the Mississippi River could for a reasonable sum be fitted to carry heavy products like coal, iron, and grain at a very reasonable and low rate, probably one-half of what the railroads charge. There is no question but what the products are waiting to be carried and would be offered if the river channel was such that they could be carried by large barges and the boats were there.

What is the trouble? The gentleman from Wisconsin is right in one respect. The trouble is that as soon as we get the river in shape and get boats ready to carry the grain and ore the railroads make a reduced freight rate, so low that the boats are driven off the river. Then we come back to the question why have we no boats? Because no one will construct boats knowing that they will be driven off the river by a lower rate. We have no terminals. Why? People will not construct terminals if terminals are to be made useless by lower freight rates made by the railroads.

Another thing, we do not have suitable control over the railroads so that they are made to connect with water routes. How long is it going to be before the American people will wake up to this state of things? My friend from Wisconsin [Mr. FREAR] thinks this condition is going to last as long as the Nation en-

dures. I do not think it will. I think the people have reached the time when they will stop this practice. The present rail rates are a great burden on business, and there is no prospect that they will be lowered. On the contrary, they are being raised every day.

I remember when a small boy a canal from Chicago to La Salle that did a large business. It was operated at a very low rate, but after the railroad was constructed beside it it carried freight at one-quarter of the rate that it hauled it for the same distance elsewhere. Of course, the people at a distance were made to pay the difference. They were compelled to pay the railroad what it lost on this stretch lying parallel with the canal, and so the canal was driven out of business. It now lies idle, its boats are rotting, its channel out of repair. The people living near by could not ship on it if they would.

Mr. SWITZER. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. SWITZER. My recollection is that Mr. Goltra said that give him the fleet that he wanted, and he could carry the ore from Minnesota down to St. Louis in competition with any rates that the railroads might make if sufficient money was appropriated to dredge the upper river, and he said that there was sufficient money appropriated to keep the water in proper condition from St. Louis to St. Paul.

Mr. GREEN of Iowa. I think the gentleman is correct, but I am talking about water transportation in general and the propriety of making use of it in this country. Every gentleman in this House knows that the heavy freight in Europe is carried largely by water. It ought to be carried largely by water in this country; but it is not, for the railroads are permitted to use a system which would ruin anybody who undertakes to compete by water. They can not compete with the rates which the railroads are willing to make. The gentleman from Wisconsin says that if the railroads come back into private control the same system will be kept up. I have no doubt it will be if the railroad managers absolutely control the matter, but I do not believe the American people will longer put up with that situation. They ought not to; there is no reason why they should, and I do not believe they will. In fact it will be our fault if they are compelled to endure it.

Recently, as the gentleman from Pennsylvania [Mr. MOORE] called attention, the Erie Canal was revived, and it was proposed to carry freight at a lower rate than the railroads which paralleled it. For some reason the Director General of Railroads made an order that it should not carry freight at a less rate than the railroads, and thereby limited its capacity and prevented it from carrying any great amount of freight for the reason that the transfer charges would increase the amount necessary to be paid, so that the freight after all was greater than by rail.

Out there in the same State of Illinois we also have another canal called the Hennepin Canal, which has been characterized as one of the greatest failures that ever existed in this country. It was well constructed and is in good condition this day. It was thought that it would do a great business, but it is a failure, so far as commerce upon it is concerned. It cost about $7,000,000, and it has often been said that this great sum was wasted, because the traffic upon it is insignificant. Yet it runs through one of the most fertile sections of this country and connects the Illinois River with the Mississippi. Paralleling it at a short distance are great trunk lines of railways which have more business offered them than they can properly care for. An immense tonnage of coal, grain, and merchandise passes by the same as if it had never been constructed.

What is the reason? Why does it do no business, passing, as it does, through the most fertile section of the whole United States? The reason is that it has no connection with the railroads at the beginning or end. It practically has no terminals. It was built to connect with the canal I first mentioned, but before completion the railroads had ruined the other, and it was in no condition for traffic. The Hennepin Canal might just as well run from nowhere to nowhere as to be in that situation, because without terminals and without the railroads being compelled to turn over to it the freight on reasonable conditions it could not get the freight.

The CHAIRMAN. The time of the gentleman from Iowa has expired. There are two minutes remaining in control of the gentleman from North Carolina [Mr. SMALL].

Mr. SMALL. Mr. Chairman, would the gentleman from Iowa like the remaining two minutes?

Mr. GREEN of Iowa. Yes.

Mr. SMALL. I yield them to the gentleman.

Mr. GREEN of Iowa. At the eastern end of this canal there are located within a very few miles some of the greatest coal mines in the country, and if that coal could be gotten down to the canal at any reasonable cost—and there is no reason why it should not, except that the railroads would not transport it at any reasonable price, and because there are no terminal facilities to handle it—the canal would do an enormous business in coal alone, provided there were terminals at the other end. In the other direction the world's garden spot—my own State—could furnish millions of bushels of grain to be carried eastward. But there is no way to get grain to the canal, and people hesitate to build terminals under such circumstances. They realize that the railroad would soon take the business away from the canal if the traffic was created. What, then, is the solution of the problem which arises? I answer that if we are to make this water traffic successful, if we are to justify these expenses, we must necessarily follow this legislation with other legislation when the proper time comes, when the question of the railroads going back to private control or the question of their remaining in public control comes before us, and then we must make provisions for the construction of terminals, we must provide that railroads shall not so lower their rates as to drive transportation from the rivers and the canal. In that way we will build up in this country, as we ought to have built up long ago, a great water-borne commerce, by which this heavy freight, the thousands of tons of iron and coal and grain that now clog our railroads and absorb our transportation systems, may be handled at the cheapest and lowest rates every known. [Applause.]

The Clerk read as follows:

Mississippi River from the mouth of the Missouri River to Minneapolis, Minn.: Continuing improvement and for maintenance, $250,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. I can agree, and I presume the House will agree, with practically all that the gentleman from Iowa [Mr. GREEN] has just said. We are all agreed, providing you will utilize these rivers. I might be presumed to be more interested in the upper Mississippi River traffic than any other proposition that can be found, because it goes by my district, but it has no traffic. There is going to be no traffic there unless you do something to occasion it. The gentleman says, let us go on and look after the railroads. We have this same argument made year after year on the floor of the House. We are always going to do something with the railroads. What have we ever done? What proposition has ever come? Now comes the proposition of giving the railroads back to private individuals. Why not make minimum rates so as to prevent localities from having the especial advantages they have now? The favored localities will not stand for that. How are you going to prevent this railroad discrimination which drives traffic from the river? I believe we ought to, and we could do it if we did it like Germany or France, or other countries do, but we gag a little at that proposition. Mr. McAdoo said a few days ago that unless you continue the five-year proposition to control the railroads all of this money that is being put into the waterways is wasted; that is, for these barges and boats that are being built. On page 1158 of the 1918 Engineer's Report we find the statement that in view of the overtaxed condition of railroad transportation and the proposed greater utilization of rivers to relieve the railroads, the board of trustees of the Emergency Fleet Corporation have authorized the expenditure of $3,600,000 for the construction of 4 river towboats and 24 river barges for carrying iron ore, coal, and oil on the Mississippi River. That is the Goltra contract for his steel concern. That is the statement of the Army engineers. My statement was questioned a moment ago. It does not mention Mr. Goltra, but it mentions him here in the other report. He is going to get this for his private business project. It is not for the public at large, but he gets it for his own use. The gentleman referred to the Minneapolis project, which requires only $85,000. It appears the Army engineers make this statement on that project, that it is improbable—and I think that is the term, "improbable," they use—that any use of this river can be established for traffic in coal. They were expecting it, of course, for the use of coal alone. Whether Mr. Goltra can make a success of it or not the country does not know, but we are going at this effort only piecemeal, a little here and a little there, in experiments, and we are putting an enormous sum of money into the Mississippi River—$150,000,000, as I said, in the Mississippi River. Let us control the railroads. Let us say to them, "You can not drive this water traffic off," as they do in other countries. Why not do that? You have never heard such a proposition coming on the floor of this House. I hope it will come, and if all this agitation will result in something like that, so that we will increase the river transportation, it will be time for congratulations.

The gentleman spoke of the Hennepin Canal. We have spent $7,596,000 for the Hennepin Canal. What is its traffic? About 5,000 tons. That is to be found on page 2729 of the report. I

refer to it immediately because I remember that canal. We have got to do more than talk on the floor of the House. We have got to do something in the form of actual legislation; and the gentleman, I know, feels with me that it is time we do something to cause these rivers to be used or else stop appropriations. That is why I say we are appropriating $700,000 for the lower reach of the river when it does not need it. It seems to me that the Government is taking the chances in Goltra's case without anything to protect it.

Mr. McKENZIE. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. McKENZIE: In line 12, page 17, after the figures "$250,000," insert the following:

"*Provided*, That not to exceed the sum of $5,000 of said money may be expended in the raising of the wing dam used as a ferry landing at Fulton, Ill., said improvement to be made with the approval and under the supervision of the Chief of Engineers."

Mr. McKENZIE. Mr. Chairman, I do not care to take up the time of the committee to discuss this amendment. I understand that the chairman of the committee and the other members to whom I have submitted it have no objection to it, and therefore I feel that it would be an imposition upon the committee at this time to make a speech. I ask for a vote.

Mr. SMALL. Will the gentleman state the extent to which it has the approval of the Chief of Engineers?

Mr. McKENZIE. Mr. Chairman, I will make this statement, and I presume, in justice to the Chief of Engineers, I ought to make it. This is a matter that came to my attention very recently. The purpose of it is to raise the wing dam that was constructed in the river some years ago for the purpose of controlling the channel and deepening it at that point for a depth of 6 feet. Since that time this wing dam, or rather the river, has filled up to such an extent that the teams can not get out to the end which is the ferry landing at certain seasons of the year—the ferry landing is at this point, as I understand it—when the water is low, and it is necessary to have this raised. It has not been generally customary for the War Department to make these improvements, unless there was some special authorization of Congress, and I submitted this matter only this morning to the Chief of Engineers, Gen. Taylor, and he said that he could not give a written approval as to the project or the amendment, not having had any investigation made, but that if Congress saw fit to do this, of course they would carry out the direction of Congress. I want simply to say this, gentlemen of the committee, that this does not increase the appropriation. It simply provides that out of the sum of $250,000 for the improvement of this stretch of the Mississippi that not to exceed $5,000 of it shall be used for the purpose of raising this wing dam, so as to have this saving to the people of the city of Fulton. That is all there is in the amendment.

Mr. SMALL. Mr. Chairman, the committee accepts the amendment.

The question was taken, and the amendment was agreed to.

Mr. FESS. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by printing that address which I delivered in New York on the railroad problem.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Missouri River: For maintenance and continuing improvement with a view to securing a permanent 6-foot channel between Kansas City, Kans., from the upper end of Quindaro Bend, and the mouth of the river, $400,000; for maintenance between Kansas City and Sioux City, $10,000; in all, $410,000.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question. I observe that only $10,000—I have not the item right before me, but I so understood the Clerk to read it—is allowed for the maintenance from Kansas City to Sioux City, a distance of several hundred miles. Is there any unexpended balance there or is that all that is intended to be allowed?

Mr. SMALL. About $37,000 is on hand. The Chief of Engineers reports that with this appropriation and the available balance the work contemplated can be carried out.

Mr. GREEN of Iowa. Well, I think possibly that is so, but I was not aware of this unexpended balance in that amount. I still think that is pretty small, because you must remember that river takes very quick movement along that stretch of towns and threatens not only existing channels but existing towns in its changes.

Mr. FREAR. Mr. Chairman, I move to strike out the last two words. The stretch of river of which the gentleman from Iowa was just speaking carried last year 6,000 tons 30 miles. I have forgotten the exact amount we have spent on it, but we have spent on the Missouri River $22,923,359. This 400-mile project has had $16,913,000, and we are going to expend $12,200,000 more in order to complete this project on the river. The commerce——

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. FREAR. The gentleman is getting to be very enthusiastic as to rivers this year. It is all right, but I wish to make my statement first, then I will yield. The commerce on this river, after deducting sand, all 1 mile, was 14,436 tons. Think of it? Now, let me read from the report of the Army engineer on this and see what he has to say about it only three years ago. I will read from page 12 of the Engineer's report, from Herbert Deakyne, lieutenant colonel, Corps of Engineers. He says:

From the foregoing considerations I am of the opinion that the present and reasonably prospective commerce on the Missouri River between Kansas City and the mouth is not sufficient to warrant the continuance of the present project. I think the snagging should be continued, so that commerce may have the advantage of the natural depth of the river and the river shall not be allowed to become entirely obstructed. Any attempt at partial improvement seems futile, because the draft of boats, and therefore their cargoes, will be determined by the least existing depth. If the river is improved at all, the work should be complete as to protection of banks and control of channel.

He recommends $40,000 a year. Following that let me read from Col. Townsend, who is the head of the Mississippi River Improvement, on page 13, where he says:

Instead of scattering appropriations over the entire western territory, a channel of 8 or 9 feet depth should first be provided from Chicago to New Orleans and the offer of assistance in the construction of a canal along the Des Plaines River from the State of Illinois accepted. An opportunity should then be afforded the American people to determine whether they want highways, not by rhetorical efforts in river conventions, but by a practical utilization of the channel thus afforded.

Listen to this, please. Here is the engineer's report:

An opportunity should then be afforded the American people to determine whether they want waterways, not by rhetorical efforts in river conventions, but by a practical utilization of the channel thus afforded. Until such revival occurs appropriations on the tributaries should be confined to maintaining the existing status.

He recommends $150,000 for the appropriation for snagging, and, of course, he was overridden. As Gen. Taylor said to the committee, when he went up the river he saw the boat line there, and he said the board decided if those people were willing to make some investment we ought to do something for it. So the board overruled the engineer. Then this boat line was taken off the river.

I now yield to the gentleman from Iowa [Mr. GREEN] for a question, because I imagine what is coming.

Mr. GREEN of Iowa. I do not think the gentleman is as good a mind reader as that. I do not think he should get up here and say that he assumes that I would support a certain project which he mentions, when I was supporting a project from Kansas City to Sioux City. It is for simply maintaining the banks.

Mr. FREAR. We have got 6,000 tons of commerce there after all the years of improvement on the upper part.

Let me say this, that, according to the report, early in the fall the company laid up the boats for the winter, and that is the time that we had the 14,000 tons of commerce. We have spent $22,000,000 on the Missouri River. This bill carries $400,000 more.

Mr. WOOD of Indiana. Mr. Chairman, I move to strike out the last word.

Mr. SMALL. If the gentleman will permit me, how much time does the gentleman from Indiana desire?

Mr. WOOD of Indiana. I would like to have 10 minutes.

Mr. SMALL. Can not the gentleman conclude in five?

Mr. WOOD of Indiana. All right. I will extend my remarks.

Mr. SMALL. Mr. Chairman, I wish to move that all debate on this paragraph and amendments thereto close in 10 minutes, 5 minutes to be consumed by the gentleman from Indiana and 5 minutes by the gentleman from Missouri [Mr. BOOHER].

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. WOOD of Indiana. Mr. Chairman, I desire to call the attention of the gentlemen of the committee to a memorial which I expect every Member of Congress has received. I am prompted to do this by much that has been said in argument here concerning the value of these canals and waterways, and concerning what has been said about their being of no use because the railroads of this country have prevented their being made useful by the controlling of their rates, and so forth.

The State of New York, with considerable vision at the time when the canals of other States were being abandoned, saw to it that their canals were preserved. It took them over. They became a part of the property of the State. The State of New York has expended $429,000,000 in keeping them up, has made their use absolutely free, not only to the citizens of the State of

New York but also to anyone else that desires to use them. When this war broke out the State of New York, having control of these canals and thinking to do the patriotic thing, tendered them to the Government. The tender was accepted; but instead of their being used as it was intended they should be used, to relieve the congested condition then existing and which has since existed, they were absolutely rendered useless by reason of the fact that the Director General of Railroads prevented their being used for carrying any character of freight, especially to the West. And when a committee from the State of New York came here to ascertain why he had taken that action he said it was because "they would fix any kind of an old rate" in carrying their freight to the West, and it would materially interfere with the receipts that the railroads ought to receive for carrying this freight.

Mr. MOORE of Pennsylvania. If the gentleman will pardon me, in carrying grain to the East.

Mr. WOOD of Indiana. And also in carrying grain to the East.

Now, the result of that has been that these canals are not being used, because the Director General still insists upon controlling them, and he still insists on prohibiting the carrying of freight there. It has resulted, if you please, not only in the people being prevented from getting their freight as they otherwise would have gotten it, and were getting it before, along the line of these canals, resulting in great hardship in many places, but where they are getting it by means of the railroads they are being compelled to pay largely excess rates. And one instance is given where the people along the upper end of some of these canals are being compelled now to pay a dollar a ton more for their coal that is delivered upon the railroad than they would be compelled to pay for it if it were permitted to be delivered by these canals.

This is a very instructive memorial. It is addressed to the Congress of the United States, it is addressed to the Interstate Commerce Commission, and it is addressed, if you please, to the Director General of Railroads himself, and it is praying the Congress of the United States for relief against this condition. It occurs to me, gentlemen, that this is a good time for this to be brought to the consideration of every Member of this Congress, and in order that it may be had in detail and read by the Members in detail I ask to extend my remarks by making this memorial a part of them.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to extend his remarks by printing the memorial referred to. Is there objection? [After a pause.] The Chair hears none.

The following is a copy of the memorial referred to:

NEW YORK'S CANALS.

A statement and memorial addressed to the Congress of the United States, the Interstate Commerce Commission, the United States Railroad Administration, the governor of the State of New York, the Legislature of the State of New York, the Public Service Commission of the second district of New York.

For nearly a century the canals of New York State have contributed in a substantial measure to the prosperity of the whole country.

VAST EXPENDITURES BY NEW YORK.

Since the inception of the Erie Canal in 1810 the State of New York has expended for these canals the sum of $429,800,000 entirely from its own resources. Of this sum it has expended $154,800,000 since 1903, in order to rehabilitate the canals as an efficient factor in transportation.

These canals when thus rehabilitated and modernized were officially opened to commerce in the month of May, 1918.

USE OF CANALS FREE.

They were offered by the State free of tolls or any charge whatever for the use of commerce to anyone; any firm or corporation, except the railroads, to operate boats upon them to carry their own property or the property of others. This privilege was made as free to the people, the boats, and the freight of all other States as it was to the people of New York and their freight.

MILLIONS OF TONS OF FREIGHT.

In August, 1917, after the United States entered the war, the governor and the Legislature of the State of New York invited the United States Government to use these canals to relieve the congestion upon the railroads and to transport supplies to the seaboard for the Government and its allies. If preparation had been made by promptly building the necessary boats, millions of tons of freight could have been carried upon these canals during the season of 1918.

The Federal Government made no such preparation, but in May, 1918, took over the operation of navigation upon these canals as a war measure.

KILLED CANAL LINES, THEN REFUSED FREIGHT.

The Railroad Administration having no boats set about to acquire the control of the usable boats which had been operated upon the canals. The boats of transportation lines which had been operating upon these canals for many years were taken and such lines were driven out of business. The freight which had been waiting transportation by these lines, with the exception of one line, was refused, and the boats were sent empty to Buffalo.

CANAL COMPETITION STOPPED.

The Director General's explanation of this procedure to a committee of New York State business men in Washington on the morning of Friday, October 25, 1918, was that the Railroad Administration had made some calculations of the effect that would be produced by taking the freight west in these boats "at any old rate," which meant the lower canal rate, and it had been decided best to send the boats empty, because if the freight was carried by canal the railroad revenues would be reduced.

CANALS WERE TO MAINTAIN COMPETITION.

The purpose of New York in constructing, enlarging, maintaining, and operating these canals was to provide a means of transportation for all kinds of merchandise and other freight, all of which could be carried cheaper and quicker by water than by rail. It was the purpose to give the business interests and industries of the country the benefit of the lower freight rate and the benefits which would be derived from canal competition.

RAILROADS NOT PERMITTED TO OPERATE BOATS.

The State of New York, in order to insure such competition, enacted a law on June 9, 1917, known as the "Interchange of traffic act" (chap. 805 of the Laws of 1917), which prohibited railroads operating boats upon the canals. This law was enacted because it was foreseen that if railroads were permitted to operate boats upon the canals, backed by the capital of the railroads, they would discourage private enterprise and private capital would not venture to build and operate boats upon the canals and measure strength in an unequal battle with the prepondering capital of the trunk lines of railroad when also operating boats on the canal.

RAILROAD CONTROL OF CANALS FEARED.

It was foreseen that if railroads were permitted to operate boats upon these canals the railroads would dominate and drive the smaller independent canal carrier off the canals and control canal rates. It was foreseen, also, that the rates on the canals would then cease to be competitive with rail rates, and the canals, under these circumstances, would be of no real value to this State or other States in fostering their commerce and manufactures, and the vast sums of money expended upon these canals would be wasted.

PANAMA CANAL DENIED TO RAILROAD SHIPS.

This policy of the State of New York in preventing the railroads from operating boats upon the New York canals was previously adopted by the Congress of the United States with respect to the Panama Canal.

When the Panama Canal was nearing completion it was seen that if railroads were permitted to operate steamship lines through the Panama Canal the railroad-owned ships would ultimately drive off all other ships and dominate that canal, and then, being without competition, would make the freight rates thereon so as to nullify all of its advantages as a route of cheap transportation between the Atlantic and Pacific coasts of the country, and the Panama Canal would not then be in any degree a regulator of transcontinental rail rates.

Congress in the Panama Canal act passed August 24, 1912, therefore, prohibited railroad-owned steamships from using the Panama Canal.

CONGRESS FOSTERS WATER LINES.

Moreover, in the same act Congress amended the interstate commerce act and gave the Interstate Commerce Commission full power to compel the interchange of traffic everywhere throughout the country between rail lines and water lines on through shipments; to make through rates via rail and water lines on through bills of lading, to declare the proper division of such rates to which the rail and water carriers would be entitled on such shipments, and to compel the making of physical connections between rail lines and water lines, and to assess the cost of same equitably upon such lines.

POLICY OF CONGRESS NULLIFIED BY RAILROAD ADMINISTRATION.

It was clearly the policy of Congress, as expressed in this law, to encourage transportation by water lines, to insure competition between rail and water lines, and to prevent the railroads from throttling water competition. This act has not been repealed and it is now the law, although wholly nullified by the United States Railroad Administration acting under the power it has assumed to possess over transportation given it as a war measure.

CANALS CONSIGNED TO DISUSE.

The State of New York invited the United States Government to use the canals to their maximum capacity. The United States Railroad Administration assumed the control of navigation upon these canals and then diverted the normal traffic from them to the railroads. The Director General's explanation that to use the canals would reduce railroad revenues does not justify taking them under his control and then adopting a policy consigning them to disuse.

INCREASED THE COST OF COAL.

The New York superintendent of public works recently stated that coal transported to northern New York and Canada during the past season has been carried by railroads paralleling the Champlain Canal at a cost of a dollar per ton more to the consumer than if carried by the canal, where necessary boats were available but consigned to idleness. The tonnage carried on the Erie Canal during the season of 1918 has been smaller than in any year since 1826, when the original canal was opened.

TRANSPORTATION SYSTEMS TO SERVE PUBLIC.

In its report issued December 1, 1918, the Interstate Commerce Commission, in discussing the policy which should be pursued, said: "Whatever line of policy is determined upon, the fundamental aim or purpose should be to secure transportation systems that will be adequate for the Nation's needs even in time of national stress or peril, and that will furnish to the public safe, adequate, and efficient transportation at the lowest cost consistent with that service. To this end there should be provision for * * * development and encouragement of inland waterways and coordination of rail and water transportation systems." In other words, our transportation systems should be operated to serve the public and not primarily to enhance corporate revenues.

CONGRESS APPROVED COMPETITIVE PRINCIPLE.

In a communication to Congress December 5, 1917, the Interstate Commerce Commission also said: "The railroads of the country came into being under the stimulus of competition. From the outset their operation and development have been responsive to a competition which has grown with the growth of population and industry. This competitive influence has been jealously guarded and fostered by State laws

and constitutions as well as by the Federal law. * * * Congress, accepting the competitive principle as salutary, has thrown about it prohibitions against compacts, etc., * * * and, while the original act is but the nucleus of the act we now administer, that prohibition has remained unchanged."

NEW YORK SUPPLEMENTS NATIONAL POLICY.

The purpose of the State of New York in constructing and maintaining her canals, therefore, has been in entire harmony with a long-established national policy and supplemental to such national policy.

CANALS A BOON TO WHOLE COUNTRY.

Many people outside of New York do not yet understand either the motives of New York or the value of these canals to the country at large. They have assumed that the vast expenditures made by New York for her canals were made from purely selfish motives. This is not a correct view; for, while New York, along with the other States, has been greatly benefited by these canals and expects to be benefited by them in the future, New York knows that she has conferred a boon of inestimable value upon the whole country.

INFLUENCE OF NEW YORK'S CANALS.

Relating to the influence of New York's canals, nothing more convincing should be needed than the testimony of Mr. Albert Fink, some time commissioner for the several trunk lines of railroad, and the testimony of Mr. George R. Blanchard, some time vice president of the Erie Railroad Co., the most eminent railroad authorities of their time.

Mr. Blanchard (testimony, p. 2840, New York Assembly Document No. 38, 1880) said:

"The State holds within its grasp the great controller of the freight rate within its borders, to wit, the canal; there is not a town that is not affected more or less within this whole State, from the extreme northeast to the extreme southwest corner of it, by the canal policy and rates of this State. Every rate we make to or from Buffalo in competition with the Erie Canal has more or less influence to every point this side of Buffalo. * * *

"I might use an illustration upon the west end of our line, for instance, Salamanca, upon the Dunkirk division; the rate to that point is limited by the canal rates and the rates upon Lake Erie to Dunkirk, plus the railroad rate back to Salamanca, which is not upon the line of the canal; it is remote from it; it is upon the southern border, but we are limited to the lower of the rates I have cited. Still further, if the canal makes a rate to Buffalo, and if we make the rate to Buffalo to compete with the canal, the rate being only 3 cents per 100 pounds more to stations on our western division by the tariff I have submitted than to Buffalo, the rate immediately falls down to within 3 cents of the Buffalo rate which is made by the canal, and in this way the canal influences our rates where it does not limit them."

REGULATES THE RATES OF THE WHOLE COUNTRY.

Mr. Fink (testimony, p. 530, New York Assembly Doc. No. 38, 1880) said:

"That whenever a reduction is made in the rail rate from Chicago to New York, occasioned by lake and canal competition, that that reduction extends to Louisville, Nashville, and Savannah.

"It extends to every point of the country, I might say; to-day, when they charge 10 cents or 12 cents a hundred from Chicago to New York, the steamship lines from here to Savannah take up that freight and carry it for 15 cents from here to Savannah, making a rate from Chicago to Savannah of 25 cents; the regular rate from Chicago to Savannah by railroads may be at the same time 50, 60, 70, or 80 cents; they have to come down and conform to the water rate; the rate in Savannah determines again the rate in Atlanta; Atlanta is perhaps the most interior of all towns in the country, and generally gets the highest rates on that account; they carry their freight for nothing, from Chicago to New York almost, and then from here by water to Savannah and then carry the short distance from Savannah up to Atlanta themselves—that is 200 miles—and the other rail lines that work from Chicago to Nashville, Louisville, Chattanooga, and Atlanta have simply to conform to the rates that the steamship lines and the rail lines from Chicago and New York make; thus the lake navigation and canal navigation regulate the rates of the whole country, you may say, from Canada down to the Gulf."

2,000 MILES INLAND VIA ERIE CANAL

It must be borne in mind that the New York canals, extending across the State of New York from the Hudson River to the Great Lakes, complete the link in water transportation extending nearly 2,000 miles inland from the Atlantic Ocean toward the Pacific coast, so that the vast territory of the United States, even west of the Mississippi River, is advantageously affected by the transportation of the Erie Canal.

AN AMAZING FACT.

This may be seen by a single illustration. Lumber from the northwest Pacific coast, under normal conditions, may be carried by ship via the Panama Canal to New York and thence via the Hudson River, Erie Canal, and Great Lakes, and thence via rail points on an average of 500 miles west of the Mississippi River before the cost of such transportation will equal the cost via rail direct from the Pacific coast to the same points.

THE CANALS PARALYZED.

Notwithstanding these inestimable advantages of the New York canals to the whole country we have seen them during the past season paralyzed and rendered almost useless in order that railroad revenues should be increased.

THE FATAL STROKE OF A PEN.

To accomplish this practical destruction of water competition, if it could have been done unaided by the Railroad Administration, would have cost the railroads many millions of dollars by reducing their rates to a destructively competitive basis, or low enough to drive the canals out of business. But this could not have been done without also bankrupting the competing railroads. It has been done without loss to the railroads, and, so to speak, by the stroke of the pen of the Director General of Railroads, when he adopted the policy and signed the order to route all freight by railroad that the rails could carry. It was done when the Director General of Railroads adopted the policy that freight should not be routed via the canal because, as he explains, it would disorganize the railroad tariffs of the country and reduce railroad revenues. The paralysis of the canals was made doubly sure when canal rates were placed upon and maintained at a practical parity with rail rates.

ROUTES ALL FREIGHT VIA RAIL.

It was manifestly an utterly empty assurance which the Director General of Railroads gave to the business men of the State of New York on the 25th of last October, in Washington, that anyone may put boats upon the canals and operate them with full confidence that the Railroad Administration would not interfere with their operation or their rates, and when he guaranteed that such boats would not be commandeered. It will be seen at once that having the power to route all freight via rail, and exercising that power, there would be no disturbances of rail rates through canal competition and no reduction of railroad revenues, for there would be no freight for canal boats to carry and no boats to carry it.

RAILROAD DOMINATION OF CANALS REALIZED.

It will also be seen how all of the dangers which were foreseen from railroad domination of the canals, hereinbefore referred to, have been realized to their fullest extent by the domination of the canals by the railroads through the arbitrary intervention of the United States Railroad Administration.

COUNTRY-WIDE DEVELOPMENTS BLIGHTED.

The Railroad Administration has thus arbitrarily reversed policies and principles long time established by wisdom, honored by consent, pledged by custom, and confirmed and guaranteed by the laws of the United States and of the separate States, upon the supposed permanence and inviolability of which stupendous industrial investments have been based, made, and progressively enlarged, and from which unparalleled developments have resulted throughout the country, now to be blighted or destroyed.

It is not conceivable that Congress ever intended to confer the power upon the Railroad Administration to so arbitrarily and effectually destroy water competition, or that Congress did ever consent to the paralyzing of one of the chief lines of water transportation in order that railroad revenues should be increased. The Panama Canal act of recent enactment, herein referred to, provided means to perpetuate and insure water competition, and Congress in recent years has been exceedingly generous in the appropriations made for rivers and harbors.

EXCEEDED POWER CONFERRED.

It is clear that the power exercised by the Railroad Administration to route all freight at will was not intended to apply to water lines and to permit the diversion of freight from water lines. It is clear that Congress did not contemplate or intend that the power to route freight should apply to freight intended by the shipper for water lines, or that such power should be so exercised as to prevent a shipper using a water line if he desired to do so. It is not conceivable that Congress intended to sanction the arbitrary routing of coal to northern New York and Canada by railroad at a cost of $1 per ton more to the consumer than if routed by a parallelling canal when idle boats were available.

CONGRESS INTENDED TO RELIEVE RAILROADS.

The act was passed by Congress at a time when the railroads of the country were badly congested and freight was awaiting transportation, when the industries of the country were being sadly hampered thereby and the supplies for the armies and peoples of our allies were being delayed; and, moreover, it was necessary to prepare the railroads at once to quickly transport our own troops and the supplies intended for them abroad and for the many camps and cantonments in this country. Manifestly, Congress did not intend that, under such conditions, the law it passed should be so construed that freight intended for water lines would be arbitrarily shunted on to these railroads, the congestion of which Congress intended the law to relieve.

ARBITRARY WAR POWERS NO LONGER NECESSARY.

The war is now over, and the exercise of these arbitrary war powers is no longer necessary and should no longer be indulged or permitted by the Railroad Administration whatever its motives or explanations may have been.

WAR POWERS WOULD CONTINUE TO PARALYZE.

The arbitrary power exercised by the Railroad Administration to route freight from the canals to the railroads has paralyzed the canals during the past season and will continue to do so in coming seasons if such exercise of power be permitted to continue. Under these conditions neither private caterprise nor the State will attempt to embark in canal transportation, for the business of the canals would depend wholly upon the caprice of the Railroad Administration.

WHOLE COUNTRY AFFECTED.

Vast interests in many of the States are seriously injured by the paralysis of these canals, while in New England, on the Atlantic coast, on the Pacific coast, all the States contiguous to the Great Lakes, all the States of the central and northwest, and most of the States of the Mississippi Valley, would be greatly benefited by the maximum use of the New York canals, and the entire country would be materially advantaged.

RAILROAD ADMINISTRATION SHOULD RENOUNCE POWER TO ROUTE FREIGHT FROM THE CANALS.

The material welfare of the country demands that the United States Railroad Administration shall at once and publicly renounce all claim to power under the law to route freight from the canals to the railroads, and shall at once make it known that shippers desiring to use the canals in the coming season of navigation of 1919 may prepare to do so, and that persons desiring to enter the transportation business upon the canals may be given time to prepare therefor with the assurance that freight which shippers desire to send by the canals shall be permitted to be so carried.

CONGRESS PETITIONED TO AMEND LAW.

We respectfully but earnestly appeal to and petition the Congress to at once amend the law so that the Railroad Administration shall cease to route freight from the canals, and so that shippers may be permitted to direct their freight by canal and take advantage of the lower water rate.

NEW YORK'S GOVERNOR AND LEGISLATURE PETITIONED TO ACT.

We respectfully petition the governor and the Legislature of the State of New York to take such steps as in their wisdom may be necessary and proper to restore the canals to their former and normal freedom from restraint.

INTERSTATE COMMERCE COMMISSION AND PUBLIC SERVICE COMMISSION PETITIONED TO ACT.

We respectfully petition the Interstate Commerce Commission and the public-service commission of the second district to take such measures as are provided to be taken under the amended interstate-commerce act and the law of this State, respectively, to establish physical connections between rail and water lines and to carry into effect the purpose of such

laws that a free interchange of traffic between rail and water lines shall be established, and through shipments made practicable on through bill of lading to or from points beyond the canal terminals.

Respectfully submitted,

MARCUS H. TRACY, *Chairman*,
FRANK BRAINARD,
FREDERICK R. GILLESPIE,
EDWARD S. WALSH,
Canal Committee, New York Board of Trade and Transportation.
FRANK S. GARDNER, *Secretary*,
203 Broadway.

Approved by:

CHARLES F. MACLEAN,
Chairman Executive Committee,
New York State Barge Canal Conference.

NEW YORK, *December 30, 1918.*

The CHAIRMAN. The gentleman from Missouri [Mr. BOOHER] is recognized.

Mr. BOOHER. Mr. Chairman, I do not propose now to enter into any extended reply to the statement of my friend from Wisconsin [Mr. FREAR] as to the Missouri River improvement.

The gentleman from Wisconsin said the boat line had been taken off the river from Kansas City to St. Louis. That is true, but he did not tell the House, as I think he ought to have done, that the boat line was taken off because the railroad department commandeered the boats, and all the boats but one were taken over by the Government and taken to the lower Mississippi and put to work there on Government work. But the Secretary of War, before he permitted those boats to be taken off, required an agreement to be made with the boat companies of Kansas City to the effect that the boats would be put back after the war. They made that agreement, and they are acting on it in good faith; and in order that the president of this company and the company itself may be set right before the House and before the country, I ask permission, Mr. Chairman, to print as a part of my remarks the remarks of Mr. Dickey, the president of the Kansas City Boat Co., made before the House Committee on Rivers and Harbors a few days ago. It is a concise and clear statement of the intention of the company to replace their lines whenever they can get the material and whenever the time comes for them to do it.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to extend his remarks by printing the remarks indicated. Is there objection?

There was no objection.

Following is the statement referred to:

STATEMENT OF MR. WALTER S. DICKEY.

It is the intention of the company, when the improvement shall have proceeded (the war emergency is over and normal conditions prevail), to put that capital back into boat construction of a larger and more modern type to utilize the channel of the river. At the present time, since September, we have had no operation on the river. This season, however, because of the low water and ice, we would not be operating in any event. We usually closed about this time of the year—about the 1st of December.

The CHAIRMAN. Will you kindly state a little more fully, Mr. Dickey, the intentions of your company——

Mr. DICKEY. As I say, this matter was——

The CHAIRMAN (continuing). As to building another fleet of boats and resuming traffic.

Mr. DICKEY. Of course, I am not authorized to bind the company in any sense, but at the directors' meeting, when Mr. Sanders approached us about the purchase of these boats, this whole question was reviewed, and those present at the meeting expressed to him the hope, the expectation, and the determination that if he took the craft, as soon as river improvements had continued to such a point as to make it desirable and advantageous to proceed, and after the war, it was the intention of the company to continue to operate and to reengage in freight traffic on the river with new boats.

Mr. KENNEDY. But you have no plans at present for providing a new fleet?

Mr. DICKEY. Oh, yes; we have plans.

Mr. KENNEDY. I mean you have taken no action?

Mr. DICKEY. No; we have let no contracts or anything of that kind. We could not get steel now if we wanted it, or at least we could not get even a promise of it until the last two or three days.

Mr. KENNEDY. As I recall, the manager of the company, who was before the committee last year, stated the line had been a losing proposition; is that correct?

Mr. DICKEY. The line has been a losing proposition; there is no water to make it profitable. When the channel is in that condition on account of lack of water, lack of improvements, we could only load to about one-half of our capacity.

Mr. LEA. Was there an abundance of freight, so far as your boats could handle it?

Mr. DICKEY. We always had full loads upstream; not always downstream. But in seasons when we had no water, on account of the movement of bulky commodities and we had downstream loads, we always did our best, and had the best results.

Mr. LEA. How long would it take to rebuild those boats after the construction is determined upon?

Mr. DICKEY. So far as we are concerned, the construction design is already made. We have had in our employ for several years a naval architect studying those things and making plans, and we have the plans, blue prints, and specifications, and it would take, as Mr. Tomlinson outlined to you a few moments ago, somewhere between 7 and 10 months to get power boats built. I think the time would be lessened now, but any time in the last three or four months that is about the best you could get in the way of a promise from the builders.

Mr. LEA. How did your rates compare with rail rates between the main points?

Mr. DICKEY. For all the time we were in operation, for the eight or nine years, our rates uniformly were 20 per cent less than the rail rates, whatever it might be, and on all classes of commodities and on all quantities, car lots and less than car lots.

Mr. LITTLE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The Chair would state to the gentleman from Kansas that the debate is exhausted on this paragraph.

Mr. RAKER. The gentleman can have an opportunity on the next paragraph.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

Osage and Gasconade Rivers, Mo., and Kansas River, Kans.: For maintenance, $2,000.

Mr. FREAR. Mr. Chairman, I understand that what the gentleman from Missouri [Mr. BOOHER] said is correct, but I want to call attention to page 2225 of the Engineer's Report, where it is stated——

Mr. BOOHER. Mr. Chairman, I make the point of order that the gentleman is not in order. That paragraph has been passed.

Mr. FREAR. Oh, the gentleman will surely permit me to supplement his statement. I did not move to strike out the paragraph or anything. I am simply adding to that to explain that.

Mr. BOOHER. I do not think it needs explanation.

Mr. FREAR. I think it does need explanation.

Mr. BOOHER. I make the point of order that the gentleman is not in order.

Mr. FREAR. I am talking about this paragraph right here. This is a Missouri River paragraph, and there is a boat line on the adjoining river.

Mr. BOOHER. The gentleman is talking about the Osage and Gasconade.

Mr. FREAR. The gentleman from Missouri took nearly 10 minutes of my time when I was on the floor, and I yielded to him time after time.

Mr. BOOHER. Wait! Wait! You are going too fast. [Laughter.] I will withdraw the point of order and consent to the gentleman proceeding in a minute, if he will stop.

Mr. FREAR. I quote from page 2225:

Early in the fall the Kansas City (Mo.) Navigation Co. laid up their boats for the winter—

That was before the Government took them over—

and the amount of traffic that year was 4,440 tons—

After you deduct the sand.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Cumberland River, Tenn. and Ky.: For improvement above Nashville in accordance with the report submitted in Rivers and Harbors Committee Document No. 10, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $340,000: *Provided*, That assurances satisfactory to the Secretary of War shall be given that local interests will provide sufficient areas of water front and suitable water terminals at all towns or landings adequate for the traffic and which shall be open to the public equally and on terms satisfactory to the Secretary of War.

Mr. FREAR. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. SMALL. Mr. Chairman, if the gentleman will permit an interruption, I desire to submit a request for unanimous consent. I ask unanimous consent that debate on this paragraph and amendments thereto close in 10 minutes, 5 to be used by the gentleman from Wisconsin [Mr. FREAR] and 5 by the gentleman from Tennessee [Mr. HULL].

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that debate on this paragraph and all amendments thereto close in 10 minutes, to be used as indicated. Is there objection?

Mr. POWERS. Mr. Chairman, I shall want five minutes.

Mr. SMALL. I will make it 15 minutes.

The CHAIRMAN. The gentleman from North Carolina modifies his request and makes it 15 minutes. Is there objection?

There was no objection.

Mr. FREAR. Mr. Chairman, this is an old, familiar subject, and I know that the gentlemen interested in it are very anxious to have it adopted. It has been up before the House a number of times, but I call attention to the fact that it is a new canalization project, reaching the amount of $4,500,000, and that we have already appropriated for that river over $7,180,767. The commerce is very small, after deducting the timber and sand. I do not mean alone timber rafted but generally carried on small depths. They say that ought not to be deducted. Possibly not. But it is a limited commerce, and the commerce on the

upper river is very limited when you take out the sand and timber.

Now, the statement I made a short time ago applies to this river, as many others. What have we been investing our money for, and what return have we had from it? I have told the House just exactly what the situation was on the Black Warrior River. When you shall have spent this amount we will have spent all together $12,000,000, and will not get coal.

Now, I want to read what the Engineer's Report says, with which many Members of the House are familiar. Understand I have not moved to strike it out. It would be useless to do so, and in any event it may be as good a project as some of the projects in the bill. I read from page 4 of the report:

The amount of commerce at present is not extensive when considered in connection with an expensive slackwater improvement, and the amount that may be expected in the future is only conjectural, and it is believed that, measured by the usual standards applied in considering the question of advisability in such cases, it would hardly be sufficient to warrant a favorable recommendation.

This is signed by Col. Black, senior member of the board. He states, however, that the case is exceptional, after stating that it was doubtful if the amount would be used.

Now, on page 3—

The division engineer does not think that the work is justified by the commercial benefits to the general public, but he states that the present inquiry discloses important benefits to the locality that indicate the propriety of requiring local cooperation such as is often obtained from a community where it is furnished an effective transportation line. He is of opinion that the additional work should not be undertaken except on the condition that the States of Kentucky and Tennessee, or the local communities affected, shall contribute one-half of the estimated cost of construction. Otherwise he concurs with the district officer.

That is after an investigation of the project. An expenditure of $4,500,000 would mean a contribution by the people who are to be directly benefited there of $2,250,000. Now I read the next paragraph—

In addition to the information contained in the reports of the district officer and in those heretofore submitted, the board has given consideration to statements and arguments made at a hearing given at its office on January 28, 1914—

Which was attended by two United States Senators and eight Representatives, who gave expert testimony; and after that the engineers changed their report, modified it, and leaving all in regard to the uncertainty of the project they struck out all recommendations for a contribution.

Now I desire to say this, Mr. Chairman: I hope that this effort is not entirely lost in bringing these matters before the attention of the House. I have read to you from the reports. I am not drawing my conclusions. I have discussed the other projects, and I have tried to do this fairly as I viewed it. I have discussed about one-half of the projects that I might have discussed on which I had memoranda. But I feel that I have discussed enough to show the general tendency of the bill, with 70 new projects placed there by the chairman of the committee. He brought the 70 new projects to the committee. I believe investigation will disclose that practically all of the dredging by private companies is controlled by them under a gentleman's agreement and that they divide up the work and in effect determine territory. The Government is hamstrung and choked and gagged as a result. Still some gentlemen say, "Let us do this for the purpose of keeping the soldiers employed when they come back." If we want to build highways or anything else, to get any substantial returns, very well; but, for heaven's sake, what result is had in throwing all this money into all these rivers, in addition to what we have put there before?

Now, Mr. Chairman, I do not want to take any unnecessary time. I know what the answer to my arguments will be, and I accept it as such, but I have just read the engineers' report on this project under discussion, in which they state, in effect, that they doubted the advisability of the project and at a time when we are going to raise money by the sale of liberty bonds and by heavy taxation.

Mr. HULL of Tennessee. Mr. Chairman, the gentleman from Wisconsin does serious injustice to himself as well as to the Cumberland River section by the manner in which he has undertaken to criticize it. I never have any disposition to engage in personalities, and have none now. I do wish, however, to protest against the manner in which the gentleman has undertaken to discredit this project. Any gentleman has the most perfect right to take up the facts of a legislative proposition and discuss them and state his conclusions; but the gentleman has persistently, for a day or two, gone out of his way to refer to this river without stating a single fact in support of the derogatory remarks which he has made.

The truth is, Mr. Chairman, that this river is more than 500 miles in its navigable length. Three hundred and twenty-five miles of the lower end of this river have been locked and dammed by the Government. Twenty-five miles of the upper end have been locked and dammed by the Government. We have now a middle section, comprising 171 miles in length, through a territory from 50 to 120 miles wide, which has no railroad or other transportation, which has no outlet for the commerce of that section except by this river.

The main purpose in adopting the original project, which was done in 1886, and stood here favorably acted on for 20 years, both by Congress and the Engineer Department—the primary purpose in locking and damming the lower river—was to reach the great timber, coal, and other resources of that bottled-up section, which was and is now without transportation facilities.

It is apparent that a railroad completed at both ends, incomplete in the middle, where the main resources which it is to carry are found, will not have a great volume of commerce until it is completed. This is the condition of this river project. My friend did not read the finishing and favorable statement of the Department of Engineers. They said this project should be completed, because it had been largely built, but was incomplete, because this immense stretch of country, larger than Connecticut, was bottled up and comprised the chief resources, which it would afford an outlet for, and because this was the original purpose of the project. The gentleman would indicate that there was only a few tons of commerce on it. I ran down in 1914, while conditions were normal, the details of the commerce. I found that it was valued at about $8,000,000 on the upper river—314,000 tons. Deduct the sand which my friend from Wisconsin seems to complain about, and there were 213,000 tons, valued at nearly $8,000,000. This amount chiefly dribbled out of the bottled-up section of this river during the rainy season of the winter and spring.

There are enough losses on account of high water which suddenly comes and washes away freight which is waiting on the river banks for steamboats to pay for the construction of a lock every year in this undeveloped section of the river.

If a waterway more than 500 miles long, which runs 200 miles through the undeveloped timber, coal, and agricultural regions of Kentucky and more than 300 miles through the blue-grass Cumberland basin of Tennessee—if that waterway is not to be utilized I would be inclined to agree with the gentleman from Wisconsin that we should abandon waterway commerce in every respect and depend entirely on the railroads, although they have practically broken themselves down by lowering their rates at waterway points in order to drive off waterway commerce and by having engaged in other acts of that kind. [Applause.]

Mr. POWERS. Mr. Chairman, I believe that the gentleman from Wisconsin [Mr. FREAR] is honest in his convictions. I have no desire to criticize him in any respect. He is just mistaken about the facts in this case. If he were fully cognizant of all the facts, notwithstanding his inherent opposition to all waterway construction, I believe he would support this particular proposition.

The facts are that way back yonder in 1888 the Congress of the United States determined upon the canalization of the Cumberland River from its mouth to the head of navigation. The plan was to construct 28 locks and dams. The matter progressed. Construction went on until now the river is canalized completely below Nashville, Tenn., at an expenditure on the part of the Government of more than $3,000,000, and above Nashville, Tenn., about $3,000,000 has been expended. Seven locks and dams have been constructed on the Tennessee side above Nashville, Tenn., and one on the Kentucky side below Burnside, Ky. More than 500 miles of the entire length of the river has already been locked and dammed except the stretch of territory of 171 miles. As the gentleman from Tennessee [Mr. HULL] just said, one of the primary objects Congress had in view when it undertook to canalize the river was to reach the valuable coal and timber lands in the upper Cumberland which lie in that stretch of the river of 171 miles that has not been locked and dammed.

The question is, Is the Congress of the United States, after having expended over $6,000,000, over two-thirds of the amount of money necessary for the canalization of this river—and there is only a stretch of 171 miles yet to be locked and dammed—is it going to refuse to continue to appropriate money for the canalization of this river and thereby fail to reach the valuable coal and timber lands on the upper section of the Cumberland River?

Besides this, as has been suggested here, there is a stretch of territory there as big as the entire State of Connecticut that has not a foot of railroad within its boundary lines and no means of transportation except upon the Cumberland River. You can not have transportation on the Cumberland River in that stretch of 171 miles except for four or five months out of the year.

Mr. DEMPSEY. Unless this improvement is completed.

Mr. POWERS. Of course, unless the improvement is completed. If the coal veins along that stream were 25 feet thick, if the mountains were absolutely full of it, there is not a coal company in the world that could afford to put up a coal-mining plant on the banks of that stream under present conditions and only get transportation four or five months out of the year. It is complained here that the commerce is not sufficient to justify the expenditure of this money. Why, if the railroad companies, if the coal-mining companies, if the manufacturing interests of the country should take the position that commerce does not justify at present the construction of a railroad to a big mountain full of coal there would never be any railroads constructed and never be any coal produced.

There is no way to have transportation unless you have something to transport, and you can not transport the coal in these mountains, nor the timber on these hills, unless this river is completely locked and dammed. [Applause.]

The Clerk read as follows:

Ohio River: Continuing improvement and for maintenance by open-channel work, $300,000.

Mr. ROBBINS rose.

Mr. SMALL. Mr. Chairman, if the gentleman will permit, I ask unanimous consent that debate on this paragraph and all amendments thereto shall close in eight minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ROBBINS. Mr. Chairman and gentlemen of the committee, I was before an inland waterway convention last Tuesday at Pittsburgh, and I was requested to offer an amendment to this paragraph increasing the amount $5,000,000 for the purpose of completing the improvement of the Ohio River. I do not intend to offer that amendment, because investigation of the condition of this improvement has convinced me—and the members of the Rivers and Harbors Committee so advise me—that although it is progressing very slowly, much more slowly than it ought to progress, there is money enough now available to carry the canalization of the Ohio River through probably to completion. At least, there is all the money now appropriated that can be expended until the next river and harbor bill is brought before the House. The balance yet unexpended from previous appropriations is $9,711,952.25 for construction of locks and dams and $372,350 for channel work. This improvement contemplates the erection of 38 dams to improve the river by slack-water navigation to Cincinnati. Twenty-three of those locks and dams have been completed. Six of them have not been begun, and nine of them are in various stages of construction. So that the slack-water navigation on the Ohio River, which the gentleman from Wisconsin [Mr. FREAR] criticises as being unproductive of freight traffic, is in a condition where it can not transport freight traffic, because it is incomplete, and the greater part of the year, by reason of these gaps caused by the 15 dams that have not been completed, the stage of water will not afford regular and systematic navigation. But what has been the result on the Ohio River even with this handicap, with 15 sections of the river not improved. In 1917, the last available year for which a Government report is given, 1,664,000 tons of coal were floated down that river, although navigable conditions existed but a very small portion of the time. The total tonnage on the river that year was 1,925,000, which included over 60 different articles of commerce, showing that the commerce on the Ohio River after it is completely canalized from Pittsburgh to the south will develop into a mighty traffic and furnish cheap transportation to the coal and other northern products that naturally seek markets in the South.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield for a suggestion?

Mr. ROBBINS. I am coming to what the gentleman so ably discussed a few moments ago, and I trust he will bear with me until I conclude my statement. I have been more than amazed at this continued claiming in the debate on this bill that water transportation is on the decline. That can not be so; but the reason that it has received a setback within the last two or three years is because of the attitude of the Interstate Commerce Commission under the railroad legislation of the country. Especially is this true since the Government has taken control of the railroads and also assumed control of the canals and navigable rivers. The Interstate Commerce Commission had no jurisdiction over water transportation until 1912, and before that time the railroads were endeavoring to get into their haul a link of water transportation, and then the whole haul was taken out from under the jurisdiction of the Interstate Commerce Commission, and by that means river transportation was stifled because the railroads would not make joint rates with the water transportation of the country. Take the single illustration of the transportation between Arkansas City and Cairo, because that is a point where water transportation existed until recently, when the boats were driven off by unfair competition. There was a rate made by the river boats between those points which was met by the railroad rate, but intermediate points, such as McGehee, Ark., which was on the direct line of the rail haul between Arkansas City and Cairo, was given a much higher rate by rail to Cairo than the water rate to make up for the loss to the railroad, and the same thing happened in the transportation between Pittsburgh and Cincinnati. For over 50 years there existed on that stream what was known as the Pittsburgh & Cincinnati Packet Co., running a line of river packets between those two ports, carrying passengers and freight, but when the Interstate Commerce Commission refused to compel the railroads to make a joint rate so that the freight that was carried from Pittsburgh to Cincinnati could be sent out over the railroads to given points not on the river and the freight carried from Cincinnati north to Pittsburgh could be distributed to other points reached only by rail, the railroads put in force a through rate between Cincinnati and Pittsburgh that the boats could not meet and would not pro rate with the water transportation for destinations beyond the limit of the water transportation, and all of that traffic disappeared. The result was that the Pittsburgh & Cincinnati Packet Co. was compelled to stop operation in a single day. No more conspicuous example of the unfair methods adopted by the railroads can be cited than the effect on the coal traffic at Cincinnati and on the coal traffic from Pittsburgh and upriver points to Cincinnati and the southern ports along the Ohio and Mississippi Rivers by the refusal to make joint rates than this.

The Interstate Commerce Commission refused to enforce this Panama Canal act of April, 1912, and the railroads refused to make joint rates as the result.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUMPHREYS. Mr. Chairman, I ask unanimous consent that the gentleman may be permitted to proceed for five minutes.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that the gentleman from Pennsylvania may proceed for five minutes. Is there objection?

Mr. MANN. Reserving the right to object, the time——

Mr. SMALL. How much time does the gentleman wish?

Mr. MANN. I have no objection to the gentleman proceeding, but the time fixed must be extended.

Mr. HUMPHREYS. I include that in my request. It is very interesting and I think the House would like to hear the gentleman.

Mr. ROBBINS. I will only take two minutes.

Mr. SMALL. Will the gentleman ask unanimous consent that the time may be extended two minutes and let the gentleman from Pennsylvania occupy that time?

Mr. HUMPHREYS. The gentleman only wants two minutes, but I would like to make it five. I will ask unanimous consent that the time be extended for five minutes.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that the time be extended for five minutes, the additional five minutes to be used by the gentleman from Pennsylvania [Mr. ROBBINS]. Is there objection? [After a pause.] The Chair hears none.

Mr. ROBBINS. Mr. Chairman, the effect, as I was stating, of the ruling of the Interstate Commerce Commission on section 11 of the Panama Canal act of 1912 was to cause railroads to refuse to establish joint rates with water carriers between Pittsburgh and the South on coal.

After the Chesapeake & Ohio Railroad was built to the coal fields of West Virginia from Cincinnati a condition happened that illustrates exactly the effect of this failure to make joint rates between rail and river traffic.

The Chesapeake & Ohio made a through rate into Cincinnati on coal which it refused to prorate with the river boats, and then refused to make a joint rate for river coal at Cincinnati destined for distribution into the smaller cities and towns around Cincinnati, and the result has been that 19 coal docks at Cincinnati, according to the very latest report, had to go out of business, and all that country in southern Illinois, Tennessee, and Ohio that was formerly getting coal by river had to obtain their supply by transfer on railroads and have it hauled out to points where river transportation did not reach, and they had to pay the additional freight as part of the increased price. Now, gentlemen, I know it is useless to make these statements in discussing a river and harbor bill unless one can suggest some remedy for it. The remedy, however, is very clear to those who have studied the situation. What Congress must do is to amend the interstate-commerce act making mandatory the provision contained in section 11 of the Panama Canal act which was construed by the commission as discretionary only. If we do that

and compel the river and rail systems of transportation to make joint rates, the whole southern country would be given the advantage of cheap coal from the North, and the North would, by reason of cheap freight rates, obtain cotton and farm produce from the South, and we would again bring back our commerce to the rivers which has been driven off by this system of the railroads failing to prorate with water-borne craft.

When a steamboat line on a river is doing a reasonably fair and profitable business, under present conditions it would be bought up by a competing railroad, or they would install a river fleet alongside of it, and by making cheap rates drive it out of business and make up the loss by charging higher rates where water competition does not exist.

Mr. LITTLE. If the gentleman will yield, will the gentleman just state briefly what his remedy is? Some of us are not familiar with the exact terms of the interstate-commerce act.

Mr. ROBBINS. The interstate-commerce act originally did not include water transportation at all, but in the Panama Canal bill, which was passed in 1912, section 11 extended the jurisdiction of the Interstate Commerce Commission over river traffic.

Mr. LITTLE. Yes; now, what does the gentleman desire to do?

Mr. ROBBINS. Just wait. When the Interstate Commerce Commission was brought face to face with the question of the construction of that act by a suit brought by the St. Louis & New Orleans Steamboat Co., operating between St. Louis and New Orleans, in which it filed a rate and demanded the right to join with the competing railroads in making joint rates, the Interstate Commerce Commission construed this provision of the act not as mandatory, but held it to be discretionary with the railroad and refused to enforce it. Now, Congress wants to enact legislation to compel joint rates which will, I believe, restore this river traffic, and this can be done by amending the interstate-commerce act and make its terms obligatory and require joint rates between river and rail traffic.

Mr. MILLER of Washington. And issue through bills of lading?

Mr. ROBBINS. So through bills of lading can be issued from the point of shipment, whether it be for traffic originating by water or by rail and whether the point of destination be on a water route or railroad.

There is another matter that has resulted in discrimination here. Up until this time bankers will not accept bills of lading over water-transportation routes as security for loans; they will, however, accept bills of lading from rail-transportation lines. The result of this unfair discrimination has been that the shippers by water have been compelled to carry their own paper with their own financial resources, whereas a rail shipper, in competition, could take his paper to the bank and on a bill of lading obtain cash or credit; and that is no small matter in a business like the coal business, where long-distance shipments are made, with long-time paper taken in payment, and long-term credit must be extended.

Now, gentlemen, I think this is a very important matter, when we come to study the difficulties under which waterborne commerce on the rivers of the United States is operated. My friend from Wisconsin, Mr. FREAR, is constantly criticizing the declining freight and traffic movement on water. Why, the greatest freight movement in western Pennsylvania is to get up to the Lakes with our coal during the summer season, in order that we may send it to the Northwest by cheap water transportation. And from the 15th of March until the 15th of November every possible effort is made down at the mines to mine coal and ship all the coal possible to the Lakes. Why? Because of the cheap transportation we get by water up to Duluth, Superior, Milwaukee, Racine, Detroit, Chicago, and lake ports. When the lake freezes up we can not ship that coal, by reason of the difference in the cost of the freight by rail and water on the traffic. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. FREAR. Mr. Chairman, the interesting part of the discussion is that I am always brought into the controversy when I have no opportunity to answer. I have never suggested anything about what the gentleman was referring to, and he replies to what the "gentleman from Wisconsin" says about Lake Erie. I would like to discuss it, as I have in the past, but I have not time.

Mr. Chairman, I ask unanimous consent to insert in the RECORD a portion of pages 2247 and 2250 of the Engineer's Report, which shows the amount of traffic carried on the Cumberland River in recent years.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection? [After a pause.] The Chair hears none.

The following is the extension referred to:

The following table gives a comparative statement of the commerce for the calendar years indicated below Nashville:

Comparative statement.

Year.	Tonnage as reported in annual reports of Chief of Engineers (total).	Farm products.	Forest products, exclusive of those transported by rafts.	Merchandise, including flour and meal.	Fertilizer.	Sand and gravel.	Miscellaneous, including coal, cement, iron, machinery, etc.	Totals, exclusive of sand, gravel, and rafted products.
1908	259,734	24,176	217,272	6,300	.....	8,520	1,778	249,526
1909	193,118	27,202	120,468	18,113	82	16,414	177	175,042
1910	327,757	56,365	168,909	42,513	.....	45,040	9,770	277,557
1911	223,278	23,254	145,334	7,159	709	40,916	2,305	178,762
1912	178,650	21,431	59,373	10,800	.....	26,780	1,542	93,146
1913	165,123	16,123	131,024	3,705	1,100	11,253	1,026	152,978
1914	155,458	6,151	99,286	4,140	851	38,976	1,337	111,745
1915	126,949	10,250	92,723	3,941	621	15,237	1,791	109,079
1916	126,994	15,720	81,383	6,834	601	12,474	1,247	105,784
1917	131,325	3,805	81,866	2,100	403	39,644	1,361	89,535

The following table gives a comparative statement of the commerce for the calendar years indicated above Nashville:

Comparative statement.

Year.	Tonnage as reported in annual reports of Chief of Engineers (total).	Farm products.	Forest products, exclusive of those transported by rafts.	Merchandise, including flour and meal	Fertilizer.	Sand and gravel.	Miscellaneous, including coal, cement, iron, machinery, etc.	Totals, exclusive of sand, gravel, and rafted products.
1908	246,260	14,594	145,228	17,827	.....	53,032	1,579	179,228
1909	225,074	18,019	103,813	29,422	500	68,250	3,020	154,824
1910	188,057	14,997	66,992	19,283	9,310	57,517	2,431	113,013
1911	181,024	24,314	37,007	13,217	2,688	75,704	560	77,816
1912	309,705	22,705	104,588	33,045	2,148	74,051	1,135	165,622
1913	337,824	16,318	78,774	10,171	4,024	103,201	2,272	120,559
1914	314,028	16,032	75,619	18,510	4,386	101,925	1,877	116,110
1915	266,186	17,088	58,623	15,731	3,524	131,707	933	95,902
1916	263,953	12,332	39,603	13,237	1,778	144,765	1,291	68,191
1917	267,091	16,077	62,225	15,702	3,664	112,752	3,490	101,158

Total appropriations to date, $7,108,767.

Mr. SMALL. Mr. Chairman, the gentleman from Pennsylvania [Mr. ROBBINS] has made a very distinct contribution to this debate. He has entered into a phase of traffic upon our interior waterways which must be studied and discussed. No intelligent man denies the lack of traffic upon many of our interior rivers, but that constitutes no reason for their abandonment. As intelligent men it is the duty of the Congress of the United States to find the remedy and apply it. There are reasons, and good reasons, why traffic does not exist and why it has declined. In part those reasons are due to the indifference of localities in not providing boat lines, in not constructing terminals, in not providing for interchange of traffic between the water carriers and the railroads. Then we must have more legislation, not only along the line suggested by the gentleman from Pennsylvania, enforcing interchange of traffic, compelling the fair treatment on the part of the railroads, but perhaps even going so far as to regulate water rates; and whenever an enlightened public sentiment and the Congress shall undertake the solution of this problem along these intelligent, progressive, and aggressive lines, and give water transportation a fair and equal chance, unmolested, so that those who desire to send traffic by water may do so upon equal terms, with every facility which the railroads possess, then you will have a restoration of water traffic. And the Ohio River will be one of the most conspicuous rivers in the country in the volume and value of traffic carried. [Applause.]

The Clerk read as follows:

Grand Marais, Marquette, Marquette Bay, and Ontonagon Harbors, and Keweenaw Waterway, Mich.; Ashland and Port Wing Harbors, Wis.; Duluth-Superior Harbor, Minn. and Wis.; Agate Bay and Grand Marais Harbors, Minn.: For maintenance, $59,000; completing improvement of Duluth-Superior Harbor in accordance with the report submitted in House Document No. 1018, Sixty-fourth Congress, first session, $24,000; completing improvement of Keweenaw Waterway at Princess Point in accordance with the report submitted in House Document No. 835, Sixty-third Congress, second session, $138,000; in all, $221,000.

Mr. LONGWORTH. Mr. Chairman, I move to strike out the last word. I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. LONGWORTH. Mr. Chairman, we are now nearing the completion of the river and harbor bill, and I certainly do not want to take up unduly any of the time in the House. The bill

has had a rocky road. Many of its provisions have been violently attacked, small as well as great. In fact, this morning we debated for an hour, I believe, a provision involving only $1,000.

I have in mind a river improvement now in progress in the sunny Southland, in comparison with which any item of this bill is utterly insignificant. It is purely a river improvement. It ought to be carried in this bill if anywhere, and yet the reason why it is not carried in this bill is obvious. It is because the Rivers and Harbors Committee and the Congress would never have approved it. They never have approved it so far. It is part of a plan that has been repeatedly turned down by Congress. And yet it is now going on, is in process of construction, because a way has been found to find the appropriation outside of the river and harbor bill.

Mr. Chairman, I ask the Clerk to read some correspondence that I have had recently with the War Department.

The CHAIRMAN. Without objection, the Clerk will read the correspondence.

The Clerk read as follows:

NOVEMBER 14, 1918.

The honorable the SECRETARY OF WAR,
Washington, D. C.

MY DEAR MR. SECRETARY: I have just read a clipping from the Nashville Tennessean of last Monday, stating that work on the Muscle Shoals Dam has been ordered to be resumed. I should be glad to be advised as to whether this statement is true, and if so, first, how much is it estimated that the entire cost of the dam will be; second, does the estimated cost of the dam include power plant, and if not what is its estimated cost; third, if the total cost of the project shall exceed the amount heretofore appropriated out of the so-called nitrate fund, is it contemplated to draw on some other fund or to ask Congress for an additional appropriation; fourth, how long is it estimated that it will take to complete the project; fifth, is it expected that the power to be furnished by the project will be continuous throughout the year, or is it expected that at certain seasons there will be either no power developed or less than at other seasons; sixth, is it expected that all power so developed shall be used in connection with the nitrate plant recently erected at Muscle Shoals, or is it expected that a portion of it will be used by other plants, and if so, what plants?

Your compliance with the request for the information above indicated will greatly oblige.

Yours, very sincerely,
NICHOLAS LONGWORTH.

WAR DEPARTMENT,
Washington, December 21, 1918.

Hon. NICHOLAS LONGWORTH,
House of Representatives.

MY DEAR MR. LONGWORTH: Acknowledging the receipt of your letter of the 14th ultimo requesting certain information regarding the dam at Muscle Shoals, Tennessee River, I have the honor to state that on November 9 information was received from the chairman of the War Industries Board that restrictions could now be withdrawn from this construction, and the district engineer was at once notified to resume work on the project.

Referring to the specific questions propounded in your letter, the following information is submitted:

1. The total cost of the project was estimated in October, 1917, to be $14,534,000, based upon then prevailing wages and prices of material. On February 23, 1918, because of the lowering of the cost of cement to the Government, the estimate was reduced to $14,000,000.

2. This estimate includes the dam, locks, and flowage rights, and the power house with hydroelectric machinery capable of generating about 120,000 horsepower. The power-house substructure will be constructed so as to provide for placing additional units in the future, if desired, in order to utilize the noncontinuous or secondary power in connection with steam-generating units already installed at nitrate plant No. 2.

3. If the amount available from the appropriation of section 124 of the national-defense act should prove insufficient to complete the project, it will be supplemented by reimbursing the appropriation for expenditures already made from that fund which might, with equal propriety, have been made from other funds at the disposal of the bureau. Such reimbursement will be deferred until the necessity therefor actually arises.

4. It is estimated that about three years will be required for the completion of the project.

5. Of the power to be furnished by the project, it is estimated that approximately 72,000 horsepower will be continuous throughout the year. In all but the driest years it is to be expected that approximately 100,000 horsepower can be developed continuously.

6. The most economical development of power at Dam No. 2 requires the ultimate installation of generating capacity largely in excess of the requirements of Nitrate Plants Nos. 1 and 2, in order that advantage may be taken of the large amount of secondary power available at the dam. It is probable, however, that the initial installation will not be greater than required for the operation of the nitrate plants and that no surplus power will be available for use by other plants.

Very truly, yours,
BENEDICT CROWELL,
The Assistant Secretary of War.

Mr. LONGWORTH. Mr. Chairman and gentlemen, it is obvious that I could not undertake to discuss this question in this brief time, and I am only calling your attention to some features of it as a preliminary. I intend to discuss this subject at length and in detail at the earliest possible moment.

If you caught the reading of the dates of those two letters, you will note that it took the department five weeks to answer those six simple questions. I have propounded, in addition to those, some 50 other questions in the endeavor to bring out, if possible, this whole nitrate situation, on which up to date has been spent, as nearly as I can figure, considerably more than $100,000,000, all of which is waste, for not one ounce of nitrates has yet been produced, and not one ounce of nitrates for war purposes or for governmental purposes will ever be produced.

This is one of the connecting links. It is one of the three dams known as the Muscle Shoals project—a project turned down time after time by Congress. This $14,000,000 was not taken from any fund designed for the purpose of any sort of water improvement. It was all that was left of the nitrate $20,000,000 appropriation, an appropriation for the purpose of building nitrate plants, and nitrate plants only.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman permit one question?

Mr. LONGWORTH. Certainly.

Mr. COOPER of Wisconsin. Who directed that expenditure?

Mr. LONGWORTH. The President of the United States.

The history briefly is this: When the nitrate plant known as plant No. 2 was about to be constructed at Muscle Shoals another fund, never designed for the purpose of building nitrate plants, was tapped. It was a provision carried in the national-defense act providing an appropriation for ammunition for field, mountain, and siege cannon of some $300,000,000. Out of this, as an original expenditure, $45,000,000 was taken to build a plant at Muscle Shoals. I propose to show at a later date that it was a unanimous recommendation of the commission, formed for the purpose by the Secretary of War—a unanimous recommendation that Muscle Shoals should not be chosen as a site. But it was chosen. How and why, I hope may later be made clear.

There is not an ounce of water power there, and this proposition is to create, at the expense of the people of the United States, water power not now in existence at Muscle Shoals. For what purpose? For the purpose of supplying the power for this plant. And for what purpose will this plant be operated? No nitrates are needed for ammunition. All that this plant can ever be used for is the production of fertilizer; and all that is being done, gentlemen, is to spend $14,000,000—and it will cost more than that—to furnish water power for a private corporation to produce fertilizer in this plant at Muscle Shoals, which has cost the Government to date, as I am informed, over $60,000,000.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. LONGWORTH. I ask permission, Mr. Chairman, to proceed for five minutes, and then I will not ask for any more time.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. LONGWORTH. Why, gentlemen, this bill carries $26,000,000, less than twice the cost of this one dam. It has been described as a "pork-barrel bill." The Ohio River project, part provision for which has been just passed, does not all together involve the expenditure of more than $60,000,000, and that for the benefit of millions of people in the Ohio and Mississippi Valleys. Do you call that "pork" when we have already expended and are in process of expending more by a third than that at one place on the Tennessee River—to benefit whom? One private corporation.

You will recall that I vigorously opposed this proposition of diverting $14,000,000 from our nitrate fund to build the dam at Muscle Shoals, and I took the ground that it was not a war expenditure, and gentlemen on the floor defended it as a war expenditure pure and simple, although it was stated at that time, and it is now repeated by the Chief of Engineers, that the completion of this dam would take somewhere about four years. Shortly after the war started my view was apparently upheld by the Secretary of War, who ordered work on the dam discontinued on the ground that it was not an essential. Now, it crops up again to plague us. There was not a single man here who believed that the war was going to last four years. Certainly the war is over now and we are spending, as I say, far more than the cost of the Ohio River improvement on this one proposition, and that for the benefit of one private corporation.

Mr. MADDEN. Is that private corporation manufacturing hydroelectric energy?

Mr. LONGWORTH. No; they manufacture nitrates for fertilizing purposes.

Mr. MADDEN. Who composes the corporation?

Mr. LONGWORTH. The Air Nitrates Corporation, a corporation with $1,000 capital, divided into 10 shares, controlled by the president and directors of the American Cyanamid Co., which was formed to relieve the American Cyanamid Co. from any liability on the construction of this plant. They have received $1,000,000 in cash for supervision. They have not put up a

single cent; they have assumed no liabilities; and now the Government is expending $14,000,000 to produce power to make fertilizer for this company.

Mr. MADDEN. In addition to the million dollars they are to receive a profit to be derived from the investment of this $100,000,000.

Mr. LONGWORTH. Their royalties will amount to somewhere about $2,000,000 a year, and they assume no liability or risk whatever. Now, forsooth, we are going to build for them—the American people are going to build for them—a dam to operate their plant for their own profit. It is stated in the body of the letter just read that the power to be generated at this dam will only be sufficient to supply this one plant. Did you ever hear of a monopoly more complete?

Mr. MADDEN. They must be influential in some quarters of the Government.

Mr. LONGWORTH. I do not care to say now what my private opinion is of this entire transaction. I do not want to make any statement which can not be backed by the authority of the Secretary of War, and I will wait for an answer to my letter before saying more. I have not much hope of a speedy answer, because if it took 5 weeks to answer 6 simple questions Congress may be adjourned before I receive an answer to 50.

Mr. MADDEN. Why does not the gentleman make his request for answers in relays of five?

Mr. LONGWORTH. I hope to be able before long in one discourse to lay before the House fully and frankly and without mincing words the result of my investigation into this whole nitrate proposition. Therefore I do not care now to make any specific answer to the question of the gentleman from Illinois. I will postpone it until I receive full information. I will say that if the information is not forthcoming, specific and accurate, I intend to move that an investigation be had by Congress of this entire nitrate proposition, including the two abandoned Ohio plants as well as this Muscle Shoals monstrosity, its aiders and abettors, and particularly of the activities of the Air Nitrates Corporation. [Applause.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

Manistique Harbor, Mich; Menominee, Oconto, Green Bay, Algoma, Kewaunee, Two Rivers, Manitowoc, Sheboygan, Port Washington, Milwaukee, Racine, Kenosha, and Waukegan Harbors, Sturgeon Bay & Lake Michigan Ship Canal, and Fox River, Wis.: For maintenance, $38,000; completing improvement of Sturgeon Bay & Lake Michigan Ship Canal in accordance with the report submitted in House Document No. 1382, Sixty-second Congress, third session, $33,000; in all, $71,000.

Mr. COOPER of Wisconsin. Mr. Chairman, I would like to ask the chairman of the Committee on Rivers and Harbors a question. I notice that the harbors of Racine and Kenosha, in my district, mentioned in that paragraph, are included with a half dozen or dozen more under one item for maintenance—$38,000. In the city of Racine there is going on a harbor improvement of great importance—the completion of the south half of the Arrowhead project. This bill contains no appropriation for the completion of that project. I want to know if my information is correct—that there is money enough now on hand to keep the contractor busy during the next year.

Mr. SMALL. I will say as to the particular work and improvement to which the gentleman refers, that there are contracts outstanding involving $146,000, and in addition to that they have about $23,000 in cash on hand and available. I will read from page 1439 of the Engineer's Report:

The funds now available are sufficient for completion of harbor entrance and continuing extension of south breakwater, and for maintenance of harbor to June 30, 1920; therefore no estimate is submitted.

Mr. COOPER of Wisconsin. So that the work on the existing contract can proceed during the coming season?

Mr. SMALL. Yes; and the existing work maintained.

Mr. COOPER of Wisconsin. That is a much-needed improvement and one which the city has been looking to for a long time. Now, on page 28, beginning on line 6 of the bill, is this language:

Provided, That no preliminary examination, survey, project, or estimate for new works other than those designated in this or some prior act or joint resolution shall be made.

In the last river and harbor bill there was a provision for making a survey at Kenosha. I do not know whether the survey has ever been made, but there is in this bill no specific provision for the survey at that harbor. But that survey, if not made under the other bill, could be made under that proviso, could it not?

Mr. SMALL. Yes. The law authorizing it will remain in force until it has actually been submitted to Congress.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last two words for the purpose of obtaining information. The item before the committee provides for $38,000 for maintenance of some 8 or 10 very important harbors on the Great Lakes, among them that of my own city, Milwaukee. Some years ago I called attention to the fact that none of this money was used for maintenance of the inner harbor at Milwaukee, which carries a tonnage of more than 6,000,000 annually. I can not reconcile $38,000 as adequate in a minor degree for maintenance purposes of harbors such as Milwaukee, Racine, Waukegan, Manistique, Oconto, Green Bay, Two Rivers, Manitowoc, Sheboygan, whose aggregate tonnage is several millions.

Mr. MADDEN. There are 8,000,000 tons at Milwaukee alone.

Mr. STAFFORD. In my home city there are 8,000,000 tons, I am reminded; and I wish to ask in all fairness why the committee discriminates against the Lakes in the appropriations for maintenance, and yet in some projects you provide thousands of dollars even for the removal of snags and floating hyacinths. In all fairness, why does the committee have one policy for the Atlantic seaboard and the Pacific seaboard and the Gulf ports and another for the Great Lakes? I ask the question in all sincerity, because I think it is an unfair discrimination.

Mr. SMALL. Mr. Chairman, at Milwaukee both the inner and the outer harbors are recognized as being under improvement. For the inner harbor there was on hand $24,366.

Mr. STAFFORD. If the gentleman will permit——

Mr. SMALL. Let me answer the gentleman's question.

Mr. STAFFORD. The gentleman is not directing his reply to the point that I make. I am quite well aware of the condition of the appropriations for the inner harbor and the outer harbor. My inquiry is why you discriminate in the way of maintenance, dredging, and the like against the Great Lakes—why you have one policy for the southern river projects and another for the projects on the Great Lakes?

Mr. Chairman, I wish to say that from the very day that I entered Congress there has been one policy so far as the maintenance of inner harbors on the Great Lakes is concerned, and a different policy for the maintenance of harbors or streams entering the ocean or the Gulf. I called the attention of the Committee on Rivers and Harbors during my first term 16 years ago to that, and I called the attention of the committee to it some 3 or 4 years ago, and had incorporated in the then bill an item providing that the maintenance fund could be utilized for inner-harbor improvements. The gentleman, as chairman of the committee, does himself ill justice, notwithstanding his erudition respecting projects pertaining to the Atlantic seaboard, to say that there are not different policies as to maintenance of rivers on the Great Lakes from those in other parts of the country. He can not show me where there has been $1,000 expended for dredging on the inner harbor of Milwaukee, and I challenge him to show that; and that was the purpose of my rising, in all good faith, to ask why as to some harbors they provide for maintenance in the inner harbors of the Great Lakes, whereas on others they do not, and he has not answered the question.

Mr. SMALL. Mr. Chairman, I think the gentleman did not make himself clear at first, and I think I know now to what the gentleman refers. In House Document No. 1007, Sixty-first Congress, third session, submitted to Congress December 5, 1910, the Secretary of War submitted a report. By leave of the House I append to my remarks copy of the report of the Chief of Engineers, also the report of the special board, followed by the report of the Board of Engineers for Rivers and Harbors. This report will furnish valuable information.

Mr. GREEN of Iowa. Will the gentleman yield? Was the city so famous for the amber-colored beverage asking anything more for this harbor or claiming that it ought to have anything more expended there?

Mr. SMALL. I do not understand the gentleman from Wisconsin to be asking for more. I did not at first understand the purport of his inquiry. I now do understand it, because that particular report comes to my mind, and it is an interesting report, and I ask leave to extend my remarks in the RECORD by inserting portions of it, as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, July 25, 1910.

SIR: I have the honor to submit herewith, for transmission to Congress, report dated December 18, 1909, by the board of Engineer officers constituted by Special Orders, No. 20, office of the Chief of Engineers, April 30, 1909, in accordance with the following item in the river and harbor act approved March 3, 1909:

"The Secretary of War is authorized to appoint a board of engineers to examine those harbors on the Great Lakes and elsewhere in which the whole or a part of the harbor is improved at local expense, which board shall make recommendations with a view to determining whether the improvements so made by local authorities should be undertaken or maintained by the General Government and to establishing uniform rules in making harbor improvements."

After discussing the subject at length, the special board concludes with the following recommendations covering the several questions involved:

"1. That the advisability or inadvisability of the Government's undertaking any work at any harbor be determined in the manner now established by existing law and practice.

"2. That no work of construction or maintenance be undertaken by the Government at any harbor constructed by and operated in the interest of a corporation or private person and adapted to the promotion of such interest only.

"3. That the work of the Government at any harbor be confined to the general part of the harbor, including, as may be necessary, the construction and maintenance of breakwaters, with the general anchorage area protected thereby, of entrance piers and jetties at the mouths of inner channels, and the portion of such channels immediately between them, and also of such long general channels of approach as may be necessary to connect the harbor with outside deep water.

"With regard to the first provision of the law, regarding those harbors in which the whole or part of the harbor is improved at local expense, the board recommends that the improvements so made by local authorities should not be undertaken or maintained by the General Government.

This report has been reviewed by the Board of Engineers for Rivers and Harbors in accordance with the law, and it concurs in the principles and recommendations contained in items 1 and 2 as quoted above. It concurs also in the general principles enunciated in item 3 and in the final paragraph relating to harbors in which the whole or part of the harbor is improved at local expense. It recognizes, however, that there may be instances in which the interests of the general public will not require a rigid application of the principles stated in item 3, and that there may be exceptional cases in which improvements made by local interests will fall within the class of works deemed proper for the General Government to undertake or maintain, or that will so conform to an advantageous project for further improvement of the locality as to merit special consideration.

I concur in the views of the Board of Engineers for Rivers and Harbors.

Very respectfully,

W. H. BIXBY,
Chief of Engineers, United States Army.

THE SECRETARY OF WAR.

REPORT OF EXAMINATION OF HARBORS ON THE GREAT LAKES AND ELSEWHERE.

CLEVELAND, OHIO, *December 18, 1909.*

SIR: The board of Engineer officers constituted by Special Orders, No. 20, Office of the Chief of Engineers, "to examine those harbors on the Great Lakes and elsewhere in which the whole or a part of the harbor is improved at local expense," has the honor to submit the following report:

The order convening the board is as follows:

"WAR DEPARTMENT,
"OFFICE OF THE CHIEF OF ENGINEERS,
"*Washington, April 30, 1909.*

"SPECIAL ORDERS, No. 20.

"By authority of the Secretary of War, a board of officers of the Corps of Engineers, to consist of Col. Daniel W. Lockwood, Col. Dan C. Kingman, Lieut. Col. Curtis McD. Townsend, Lieut. Col. John Millis, Maj. Charles S. Riché, will assemble at Cleveland, Ohio, upon the call of the senior member, not later than May 15, 1909, 'to examine those harbors on the Great Lakes and elsewhere in which the whole or a part of the harbor is improved at local expense,' and report, as provided in the river and harbor act approved March 3, 1909.

"The board is authorized to visit such points as it deems necessary for the proper performance of its duties.

"Upon the completion of the duties assigned them the members of the board will return to their proper stations.

"The travel directed is necessary in the military service.

"By command of the Chief of Engineers:

"FREDERIC V. ABBOT,
"*Lieut. Col., Corps of Engineers.*"

By letter of April 24, 1909, addressed to all officers in charge of river and harbor districts in the United States and in the insular possessions, the Chief of Engineers called for reports covering any improvements of the character mentioned in the law within their respective districts. These reports to give the details of each work as regards nature and scope of project, estimated cost, status as to completion, expenditures by the Federal Government and by other interests, respectively, and the character of the other interests. Each officer was also directed to submit such views and recommendations as the work in his district of the kind referred to might suggest, or as he might consider pertinent to the subject and of value to the board. All of the reports received in compliance with the above instructions were referred to the board, and they have been classified and a synopsis of the facts stated by the district officers has been prepared in a shape for convenient comparison and consideration. This synopsis is appended hereto. Many of these reports go into matters pertaining to the relations between Government work and that done at private or local expense on rivers, dredged channels, and other waterways. While these works involve many important questions in connection with the general subject of harbor and waterway improvement, the wording of the law below quoted confines the duties of the board specifically to harbors, and the discussion in this report is limited accordingly.

Under the original orders and subsequent detailed orders and instructions from the Chief of Engineers the board, either as a whole or by committee, has visited and examined the harbors at Duluth, Minn.; Milwaukee, Wis.; Chicago, Ill.; Toledo, Ohio; Lorain, Ohio; Cleveland, Ohio; Ashtabula, Ohio; Conneaut, Ohio; Buffalo, N. Y.; Boston, Mass.; Philadelphia, Pa.; and Baltimore, Md.

The duties of the board are defined in the act of Congress approved March 3, 1909, which provides as follows:

"The Secretary of War is authorized to appoint a board of engineers to examine those harbors on the Great Lakes and elsewhere in which the whole or a part of the harbor is improved at local expense, which board shall make recommendations with a view to determining whether the improvements so made by local authorities should be undertaken or maintained by the General Government and to establishing uniform rules in making harbor improvements."

The board is thus called upon to make recommendations in regard to two things: First, whether or not harbor improvements made at local expense should be undertaken or maintained by the General Government; and, second, as to uniform rules in making harbor improvements.

The first proposition is a special one. The second is general in character and involves a number of problems. It is always best to master the general solution first and then pass to the special case, the board will take up first in order the second proposition given in the law.

It will be well at the outset to consider harbors in general, in order to ascertain what they are, how they are used, and what they should supply to meet the demands of water-borne commerce. The name "harbor" was originally applied to a shelter for soldiers, hence afterwards to a lodging place or inn, and finally to a portion of a sea or lake or other large body of water, either landlocked or artificially protected so as to be a place of safety for vessels in stormy weather. Such shelters are always desirable in exposed localities along the natural routes of ships, and they are so important that, if not supplied by nature, countries frequently provide them at heavy expense. They ought to furnish a sheltered area of sufficient size for all the vessels likely to take refuge in them. The depth of water should be sufficient to safely float the largest ship and not too great for convenient anchorage. The bottom should be of a character to afford a good holding ground. The shelter against the waves should be complete, and it is desirable also that shelter against the prevailing winds should be afforded. The entrances and exits should be convenient, adequate, and safe at all times.

In law and commercial usage a harbor has come to mean something more than this. It is not only a place of shelter, but it is also a place where vessels are admitted to discharge and receive their cargoes, from whence they depart, and where they finish their voyages. Such harbors, for convenience of loading and unloading vessels, should be equipped with wharves extending into water of sufficient depth to permit the ship to lie alongside; and if the rise and fall of the tide is excessive, it is sometimes necessary to completely inclose large basins in which the water is maintained at a constant level and into which vessels are received and discharged by means of locks.

In harbors of extensive commerce the articles shipped are not produced in the immediate vicinity, nor are the articles received from the vessels consumed locally. The shipments are drawn from a wide extent of country and the receipts are sent back to the same places. Such a harbor becomes to a large extent a place where the mode of transportation is changed from land to water or from water to land. This introduces another set of conditions into the problem; that is to say, the land routes and land approaches.

The land routes may be by streets and roads, and sometimes by rivers and canals, but in our own time and country they consist principally of railroads. Therefore every consideration of economy and facility of transporting freights require that the train should be brought alongside of the ship. It is just as necessary in an important harbor that it should afford abundant rail routes to the territory to be served and convenient access for the trains to the wharves as it is that it should possess corresponding facilities for the vessels. A harbor without proper railway facilities is no better than a harbor without any water in it.

To summarize, then: A good harbor must possess a sheltered water area of adequate dimensions, with one or more convenient channels of approach to the same; it must afford a sufficient anchorage for vessels waiting to be berthed or unloaded; it must take hold of it; it must have wharves, warehouses, and wharf machinery suited to all the varied commerce that comes to the port; it must have good roads and streets by which these wharves can be reached; and, above all, it must have good and sufficient railroads penetrating all the region to be served, with good yard room and trackage to place the trains alongside the warehouses or the ships. Since most of these things must be supplied artificially, it is evident that the best results would be attained if the whole were under a single direction and control; and the best harbors in the world are to be found among those where this has been possible. In the United States it is not possible. The United States controls its navigable waters, and sometimes it improves them as it deems desirable or necessary. It has the right to build and operate railroads, but it has never done so. This has been left to companies chartered by the States, and it is in accordance with the custom of our people and the spirit of our Government that such things as wharves and warehouses should be provided by individual or corporation effort and roads and streets by the local governments.

How, then, ought a harbor to be secured, improved, or maintained in this country? And what should be the dividing line or lines in the matters of design, control, and cost? Before attempting to answer this it is well to consider the different classes of the commerce of a harbor in reference to its general and local value.

First we have those commodities drawn from a wide extent of country, brought by land routes to the port and sent across the sea. And to this belongs also the return cargoes of the ships which is put upon the cars and scattered over the country for consumption. This class of commerce in our country is of very great value, and has much to do with the general welfare, for it comprises the surplus products of the farms, the forests, and the mines. But it is not of very great local value to the harbor through which it passes, for every consideration of economy and efficiency demands that the transfer between car and ship shall be effected with the least possible expenditure of money and labor. Hence the less money it leaves in the harbor the better it is for the commerce. The wharves and landing places for this class of commerce are frequently placed outside the city limits, so that the trains do not have to pass through the city at all, and some successful harbors of this class are found where there is no city, a small village being quite sufficient to accommodate all of the people that can gain a livelihood from the very limited employment that this business of transfer affords.

Examples are not wanting where the improvement of a harbor of this class, while it has led to a large increase in volume of freight handled, has actually diminished the total amount of money that the traffic left in the port. Obviously such commerce is of national and not local benefit, and if harbors or parts of harbors are specially devoted to this class of commerce alone, they could properly be provided and maintained at the national expense.

The next class of commerce is made up of things brought by vessel for local consumption or for local sale and distribution. This would comprise fuel, building materials, provisions, dry goods, machinery, and manufactured articles. The best results in this business require the wharves to be near the various trade centers, and a much greater number of wharves is needed than for an equal number of tons of specialized transfer freight. This kind of commerce has a much greater value locally than the mere transfer of freight, for it affords employment and profit to a great many more people. It is of general value and interest, too, for it is the marketing of distant products.

The third and last class of commerce is made up of raw material, which, on reaching the harbor either by land or water, as the case may be, is then manufactured or worked up into a higher class, and hence a more valuable product before being sent forward to its destination. It may be that it is wheat which is ground into flour, or corn distilled into alcohol, or timber manufactured into furniture, wagons, etc., or hides tanned into leather and made into shoes and harnesses and other articles, or cotton or wool that is converted into cloth, or the ores of metals that are reduced to the metallic state and afterwards made up into the thousands of articles of use and value for which the metals are employed, and then in the new and vastly more valuable state it is forwarded by the appropriate route to its destination. This kind of commerce is by far the most valuable of all from the local standpoint. It furnishes profit and employment to a great many people, and it is the thing that makes great cities possible. A ton of a certain commodity may leave at the place of manufacture an amount of money ten times or a hundred times greater than its value in the raw state. The general public has an interest in this, too, aside from the mere trade, because it makes for the general welfare that the processes of manufacture should be carried out at the place where of necessity there must be a change in the mode of transportation, since this reduces the number of handlings, and, other things being equal, it reduces also the cost of the finished product.

This is the commerce that is most desired by cities, and it requires for its successful development a very large amount of interior harbor frontage in order to bring the ship alongside the factory at eligible factory sites. It is this that creates the demand for interior basins and canals and for the excavation and development of creeks or little rivers penetrating into the heart of a city. The need is a real one, and such improvements are generally not without merit, but the question is by whom should such improvements be planned and by whom should they be executed.

There is another point that ought not to escape consideration, and that is the effect of these interior harbor developments upon real estate values. Land that is inaccessible, that is low and swampy, that borders upon the foul sloughs and creeks, may be transformed into eligible factory sites convenient to deep navigable water, and the whole adjacent territory, before of little value, becomes desirable for building sites for the added population that the new industries will draw, and an enormous increment of value may result from this effort in behalf of commerce. Indeed this increment may be so great as to become, in certain cases, the real motive that inspires the advocates of the harbor improvement. In other words, improved real estate values and not the increased demands of commerce may be the prime incentive. This phase should always be carefully considered. But, however worthy and necessary the proposed development may be, a large increase in riparian values must result from it, and there must be unearned increment for somebody.

In the ordinary improvements made in cities, such as the paving of streets, the laying of sewers, or the opening of parks, the property immediately benefited is made to pay a part at least of the cost of the improvement, and the city can in time recoup itself for the rest by the increased taxes that will follow from the added value of the property. In the improvement of a harbor the United States can not do this, for these things are out of reach of the General Government and can only be dealt with locally.

It follows, therefore, that in the case of harbors or parts of harbors devoted to the class of commerce destined for local consumption or distribution, or for local manufacture or milling in transit, there is a special local interest, advantage, and profit in excess of the general interest and value. There is a gain in which the general public does not and can not share, and there are sources of revenue resulting from such harbor development that are accessible to the local government, but are beyond the reach of the General Government. Therefore in the improvement and maintenance of harbors or parts of harbors where the commerce is of this character, there ought to be a division of cost between the local and the General Governments in a proportion that should bear the same relation to the local special profit and value of the commerce bears to the general profit and value.

But how is this division of cost to be brought about? The United States can not impose a special tax upon a city or upon individuals who may be specially benefited by the improvements, and it can not compel the city to do it. Something has been accomplished by leaving to local interests the duty of providing wharves and terminals as well as land approaches and land routes. But this is not always enough, and sometimes a sort of division of work and cost has been attempted by the General Government when it has executed and maintained the exterior structures and approaches and left to the locality the duty of developing and caring for the inner harbor.

A fair, uniform, and equitable division applicable to all harbors is difficult to make. Harbors are too unlike in their physical conditions. Some require large and expensive breakwaters, others long channels of approach, costly to excavate and difficult to maintain; others extensive jetties and training walls, and when these exterior difficulties are overcome, little or nothing may be needed for the improvement of the inner harbor. On the other hand, a harbor may require no exterior works, or only such as present little difficulty and involve little expense, while the inner harbor or basin, the thing most indispensable and necessary to commerce, can only be secured and maintained with great difficulty and outlay.

This division of partnership, poor and unsatisfactory as it is, can only be brought about when the locality voluntarily consents to it. If the city fails to do its part, then the whole project of improvement comes to naught, and the money expended by the General Government is lost and wasted. Or if the city does its part in an unwise, imperfect, and inefficient manner, then the whole effort is to a corresponding extent impaired, crippled, and defeated. This is the natural consequence of a divided responsibility and control. It was pointed out at the outset how important it would be if all of the works and appliances that go to make up a complete and satisfactory harbor could be planned and executed under a single direction and control. Nevertheless, in the case of an inner harbor that penetrates the heart of a community or city there are many difficulties that arise that can not be properly handled except by the police power of the city, and that the Government can not suitably control without vexatious friction. Frequent bridges across such part of a harbor may be necessary for the community but detrimental to vessels, especially when the city wishes to keep these bridges closed during certain hours of the day. Again, deposits of sewage and refuse in the harbor cause shoals which the General Government should not be expected to remove, especially when the disposition of such material is of moment to the health of the community. The police power which the community has and which the General Government has not, makes it highly desirable that all work involving questions of this character be left to the locality to do.

In this connection it must also be borne in mind that there are few harbors whose commerce is not made up in varying proportions of all three of the general classes of commerce above described; also that harbors to-day largely devoted to mere transshipping may and probably will, by the development of additional industries and by the great growth of the country's commerce, soon become engaged to a controlling degree with commerce of great local benefit. Any rules to be of general application for the future must take into account this probability, and also the impracticability of obtaining money from Government sources alone with sufficient rapidity to keep up with the growth of the country's business. Additional harbor facilities of all kinds will be continually needed for many years to come and must be provided if the business of the country is not to suffer. The Government should not and will not neglect the national interest in these matters, and it should incline to the side of liberality, but the localities, corporations, and so forth, concerned should also assist all such needed developments to the extent to which they will profit by them.

It is recognized that there are a number of harbors of the first importance on the seaboard whose commerce is so general in character, whose international importance is so great, and in which the national interest is of such magnitude that rules applicable elsewhere perhaps can not advisedly be applied to them. The further development of such gateways could properly continue along the lines now in force, but harbors of less importance than these, and harbors on the Great Lakes, the bulk of whose commerce is domestic in character, require consideration in their development if that development is to keep pace with the country's growth, and it is important that the interests which will profit from this development should proportionately aid in securing it.

Before proceeding further, it seems best to submit a brief description of the harbors in various parts of the country and a general statement of the amounts of money that the Government has expended on them.

On the Atlantic coast the physical and climatic conditions that affect harbors and their artificial improvements are, in the northern portions, frequent storms with much fog and thick weather during the winter season, and occasionally during severe winters the formation of ice, so as to interrupt or seriously impede navigation in the extreme northern harbors, though generally open and navigable throughout the year. In the southern part of the coast ice difficulties do not exist, and the season of the more violent storms is in the summer, when the tropical cyclones prevail. The tidal oscillation on the Atlantic coast is generally regular and diminishes in amount from the north, where it is considerable, to the southern portions, where tides are small. The number of natural bays, inlets, and river mouths susceptible of development as harbors is unusually large, and the commercial conditions are such as have demanded the utilization of practically all of them, as well as the construction of a few purely artificial harbors for refuge.

The approximate total number of harbors on this coast that have been improved by artificial works is 93, and the total amount appropriated by the Federal Government for this purpose to date is, in round numbers, about $76,000,000. The works of harbor improvement consist of breakwaters for creating artificial harbors of refuge, as at Sandy Bay, Point Judith, and the Delaware Bay harbor of refuge; of breakwaters to create and protect smaller commercial harbors, of which there are numerous examples on the New England coast; of jetties and contraction works for regulating works for increasing the depth of the channel approach, as at Charleston and Savannah; and of dredging and rock excavation for increasing depth and width of channels within or leading to harbors and for increasing available harbor areas. Boston, New York, Philadelphia, Baltimore, and Norfolk are the most important examples of harbors where the artificial improvement has consisted almost entirely of excavations to give the depths and areas of water available for navigation, and in these as well as in several other harbors on the Atlantic coast the important works are designed to secure and maintain conditions that will accommodate the largest vessels yet built.

In some cases on the Atlantic coast the difficulties that it has been necessary to overcome by works of harbor improvement were inherent in the conditions of nature and in those attending the inauguration and normal development of commerce by vessels, as at Boston, New York, and Charleston, and in case of the harbors of refuge at Cape Ann and Delaware Bay; while for places like Philadelphia, Baltimore, and Jacksonville the need of harbor improvement work is attributable as much to the accidental location and subsequent growth of an important commercial center as to adverse natural conditions and increase in the size of ships.

No important harbor on the Atlantic coast has been improved wholly at local expense. The principal cases where improvements directly affecting navigation have been made partly at local expense are Boston, Philadelphia, Wilmington, Del., and Baltimore, and a number of small harbors in Massachusetts have been improved at the expense of the State. With these exceptions, the improvements on any considerable scale that have so far been made have been at the expense of the United States.

The harbors on the Gulf of Mexico present the general characteristics of shores of low relief consisting largely of sand, deficient natural depths, a small tidal oscillation, freedom from ice, and exposure to sudden and violent tropical storms that frequently produce great variations in the sea level with damaging results. The harbor improvement work consists principally of jetties to increase depths at harbor entrances by natural scour and to maintain depths obtained by dredging, as at Galveston and the mouths of the Mississippi River, and of extensive dredging alone or in connection with protecting jetties and other works, as at Mobile, Pensacola, Sabine Pass, Tampa Bay, and Key West. The depths contemplated by the improvements of the Gulf harbors are generally somewhat less than for the larger harbors of the Atlantic coast. All these improvements have been made at the expense of the United States, except that considerable work at local expense has been done at Galveston, mouth of Brazos River, Aransas Pass, Port Arthur, and Sabine Pass. The improvements at Galveston and New Orleans have been assisted by the respective municipalities, but the other improvement work in the Gulf harbors, other than at Government expense, has been mostly done by private interests and corporations. The work of improvement at New Orleans Harbor proper has consisted entirely in protecting the banks of the river from erosion and caving. This has been done jointly by the United States and the local authorities.

The approximate total number of harbors on the Gulf coast that have been improved by artificial works is 11, and the total amount appropriated by the Federal Government for this purpose to date is, in round numbers, about $23,500,000.

The Pacific coast possesses comparatively few natural harbors or localities where it is practicable to build artificial ones. The rugged nature of the topography along the coast and the limited resources of most of the adjacent country have limited the demands for the development or creation of numerous harbors. There are no ice difficulties, but the whole coast is more or less exposed to violent storms and heavy seas, and in the northern part fog and thick weather prevail during portions of the year, and difficulties of navigation are increased sometimes by heavy smoke from forest fires. The tidal oscillation is large and very irregular.

The works of harbor improvement present a great variety, including those at San Francisco and Seattle, which are natural harbors requiring little improvement except wharf construction and development of interior slips and channels, the extensive breakwater at San Pedro, the sea jetties at Humboldt Bay, mouth of Columbia River, and Grays Harbor; and large works of dredging, partly in connection with land reclamation, with auxiliary construction at the inner harbors and channels of Oakland, Seattle, and Tacoma. Mention should also be made of the works of improving the channel in San Pablo Bay by dredging, and the works on the lower Willamette and Columbia Rivers to improve the approach to Portland Harbor.

Important works at private expense have been done on an extensive scale at San Pedro Harbor and vicinity and others are projected. A private company is engaged in constructing a separate harbor at Long Beach, near San Pedro inner harbor, on which a shipbuilding plant is in operation. Works of improvement at San Diego Harbor are under contemplation by the State harbor board, and at San Francisco extensive work at local expense has been done and is in progress in the way of developing the wharves and slips.

In the State of Oregon extensive contributions have been made to improving the lower Willamette and Columbia Rivers by the "port of Portland," and action has been taken by the State under which it is expected that funds will be raised by local taxation to assist in improving several other harbors. At Tacoma and Seattle contributions have been made by local interests to improving inner channels. Except as above, most of the Pacific coast harbor improvements have been made by the General Government.

The approximate total number of harbors on the Pacific coast that have been improved by artificial works is 13, and the total amount appropriated by the Federal Government for this purpose to date is, in round numbers, about $15,000,000. Nearly all the important harbors on this coast are designed to accommodate vessels of the largest type and deepest draft.

In one respect the harbors of the Great Lakes differ from those of the coast, in that they are frozen up for about four months each year, and for this period they serve only as winter quarters or ice harbors for vessels, while on the seacoasts all harbors are open throughout the year with very few exceptions. The Lakes have no sensible daily tidal oscillation, but the available harbor depths are affected by the seasonal variations in water level. The artificial channels of the chain of lakes enforce certain restrictions on the dimensions and build of the vessels which indirectly affect the requirements as to harbors. In length and beam the Lake vessels now approach the largest vessels on the sea, but their draft is less. Ocean-going vessels are naturally more seaworthy than the lake boats would be under corresponding conditions, but the requirements for harbors of refuge and for protection for vessels at commercial harbors are based on much the same principles as those that obtain in case of harbors on the seacoast. Conditions of weather seriously adverse to navigation for the type of vessel employed often prevail on the Lakes during the season of navigation. These include violent storms and heavy seas, and smoke, fog, and thick weather. When navigation is closed, safe winter harbors for the vessels are required.

The approximate total number of harbors on the American shores of the Great Lakes that have been improved by artificial works is 78, and the total amount appropriated by the Federal Government for this purpose to date is, in round numbers, about $75,000,000.

From the wording of the law the board feels that its duties have to do primarily with the harbors of the Great Lakes, and a more detailed description of these harbors seems desirable before passing to the consideration of their further improvement.

It is impossible to discuss, in an intelligible way, the improvement of the harbors on the Great Lakes without first giving some consideration to the history of the harbors and the region which they serve, and without offering some reasons why they were originally selected for improvement and why the particular methods and materials which have been used for their betterment were selected.

None of these harbors were originally planned to meet conditions at all comparable with those now existing. In their natural condition the Great Lakes offered very few safe and commodious harbors which were of sufficient depth to be used by any vessel suitable for lake navigation, and none of all which could be used by vessels of the present time. Shelter from storms and waves could be had within the mouths of the tributary streams and sometimes in the bays or indentations of the shore line. These rivers and bays were generally deep enough for the small ships then in use, but their entrances from the lake were almost invariably obstructed or completely closed by bars formed by the joint action of waves and currents at or near the line of the lake shore. During the season when storms were most prevalent on the Lakes the waves washed up the sand and gravel and almost completely closed the mouths of the streams, but during the times of freshets the volume of water discharged by these streams was generally sufficient to cut its way through the bars and to afford and maintain, for a time, channels deep enough to permit the passage of the small craft which were likely to use them.

The bars which separated the bays from the Lakes were generally more permanent in character and higher in relief than those at the mouths of the river, and channels more or less fortuous and uncertain always existed across these bars, through which the water ebbed and flowed as was necessary to maintain the level between the bays and the Lakes. All of these channels were constantly shifting, were of uncertain and varying depth, and liable to be obliterated temporarily by the action of any sudden storm. Such as they were, however, they were of necessity made use of by the first comers.

When the settlement of the region bordering upon the Lakes had advanced so far that the population produced something in excess of its own requirements and found it necessary to transport its product to market by water, the need of better harbors became imperative. Between 1820 and 1830 the improvement of a large number of harbors on the Lakes was planned, and the actual work of betterment was undertaken at several of them. Where, as was generally the case, the proposed harbor was in the mouth of a river, the effort toward improvement was directed to doing away with the river bar, and this was effected by the construction of jetties extending outward into the lake, so as to prolong the natural banks of the river and to confine its discharge to a channel of moderate width. The result was invariably to secure a better and deeper entrance; and if the material composing the bar was such that the current of the river could move it, the bar was completely washed away and a channel secured and maintained between the jetties as wide and deep as the discharge of the river was capable of producing. In the case of harbors in bays, jetties were also made use of, and these were reinforced by similar structures built along the crest of the bar so as to prevent new channels from cutting through it and to confine the ebb and flow due to other causes then tides to a single, well-defined entrance.

The necessity for rapid construction, for great economy due to small appropriations, and the lack, in a new country, of skilled artificers led to the use of timber for the construction of these jetties and shore arms. The subaqueous portion was built up of separate timber cribs, made of logs flattened upon two sides and notched together in much the same way that the log cabins of the time were built. These cribs were rectangular in form and were of the length of a single log, i. e., 20 to 30 feet. They were strengthened by a longitudinal wall and one or more cross walls, also built of logs. The logs were fastened together with wooden pins. The structures were generally built without bottoms. They were floated into position and sunk upon the natural bottom of the lake and filled with small stone gathered from the shore or from the fields. The superstructure was generally built of sawed timber and was made continuous over a series of cribs. The side and cross walls were generally a foot thick and were carried up so as to give the jetty a height of 6 or 7 feet above the ordinary level of the lake. The superstructure was then filled with small stone and the whole was planked over to form a deck.

This method of construction has generally been continued ever since, but the cribs are now built with sawn timber, are strengthened with corner posts, sheathed with hardwood plank, and driftbolts and screw bolts have taken the place of wooden pins. The cribs are generally sunk upon a prepared foundation, either of riprap or piling. They are made much longer also than was first the case, and, generally, are provided with bottoms sufficiently tight to hold the filling of stone.

An increasing commerce led to the adoption of larger vessels upon the Lakes until finally the vessels attained a size and draft too great to enter the channel between the jetties. Resort was then had to dredging. The harbors were gradually deepened from 10 to 12 to 16 feet, and finally to 21 or 22 feet. Until this maximum depth was sought, the natural depth in the harbors and bays was generally sufficient, and no dredging was necessary inside the natural lake-shore line.

Jetties have now lost their primitive function, which was an active one, viz, to scour out a channel by the force of the natural currents, and have become simply conservative in their nature, their office being simply to protect the artificial channels which have been secured and are now maintained by dredging. In order that the original jetties should be effective, the distance between them necessarily could not greatly exceed the natural width of the stream the entrance to which they were designed to improve. This limited the distance between them from 120 to perhaps 250 feet, and this latter width was seldom exceeded. This narrow entrance was difficult for vessels to make when driven toward the shore by a strong wind, and if a sailing vessel under such circumstances failed to make the harbor it was almost certain to be wrecked upon the beach. This led to the construction of breakwaters out in the lake and generally lying on the most exposed side of the jetty entrance. The breakwater was connected with the land by a shore arm, thus forming an L-shaped structure, the angle of the L turned in the direction of the greatest wind exposure. It was thought that sailing vessels could easily gain the shelter of this structure and there drop anchor and await a favorable time for entering the commercial harbor.

These structures did not prove altogether satisfactory. While they sheltered an area from a certain direction of wind, they left it exposed to winds coming from other directions and made it a place rather dangerous for vessels to lie. This has generally been met by building a similar structure symmetrically disposed on the other side of the jetty entrance, and it has been the belief and the hope of the Government that these sheltered areas would be made use of for commercial purposes; that wharves would be erected along the shore under shelter of the breakwater, and the narrow and unsatisfactory harbor afforded by the river would gain relief in this way. But, contrary to the expectation of the Government, this has not been done, and we find the sheltered areas under the breakwaters at Oswego, Buffalo, Cleveland, Chicago, and Milwaukee comparatively little used. The breakwater affords an anchoring place for yachts, generally shelters the boathouse of the local yacht club, a part of the area is used for abandoned hulks and wrecks, and much of the lake shore is utilized, or an effort is made to utilize it, for park purposes.

Such is the present condition of harbors on the Great Lakes, and it is seen that the first improvements which were necessary were wholly outside of the natural shore line of the lake. There was no occasion for the United States to expend any money in improving the harbor inside of this line. Therefore in almost all of the lake harbors the policy has been followed of limiting appropriations and improvements made by the National Government to work in the lake. When the necessity for greater depth in the river forced itself upon the local community, then this community has generally found the means for deepening the river, and only in a very few instances has the United States come to its relief. Meanwhile the traffic of the Lakes has grown; starting from nothing there has been built up an inland waterborne commerce that has never before been approached in magnitude and value in the world's history. Most of the Lake harbors are congested and physically inadequate for existing traffic, and this traffic is growing and will probably continue to grow for many years. The time has arrived when a definite policy should be adopted for dealing with the harbors that serve this commerce. The problem is too great a one to be dealt with by the General Government alone, and cooperation must be had from the localities and corporations that will profit from this increasing commerce.

It is not for the United States to dictate to communities what measures should be taken, but these communities, having police powers and means of taxation which the United States has not, and being able to recoup themselves through increasing land values and otherwise,

should themselves rise to the situation and, in cooperation with the railroads and other large corporations interested, should put their harbors in shape for the economical handling of the business that is coming. Otherwise they must be prepared to see themselves distanced by rival communities with greater enterprise. In this way, and in this way alone, can the needed development be attained as rapidly as it will be needed. The United States can not well do for one locality what it refuses to do for another, and if it is expected that the United States is to do all of the work that will be required at all localities the expenditure that would be necessary would be manifestly prohibitive. The United States should be as liberal as possible, and so far as practicable its liberality should be somewhat in proportion to the enterprise shown by the localities themselves.

The board, after mature consideration of the many complicated questions involved and with the view of causing harbor facilities to be increased as rapidly as they are going to be needed, recommends the establishing of the following uniform rules in making harbor improvements hereafter:

1. That the advisability or inadvisability of the Government's undertaking any work at any harbor be determined in the manner now established by existing law and practice.

2. That no work of construction or maintenance be undertaken by the Government at any harbor constructed by and operated in the interest of a corporation or private person and adapted to the promotion of such interest only.

3. That the work of the Government at any harbor be confined to the general part of the harbor, including, as may be necessary, the construction and maintenance of breakwaters with the general anchorage area protected thereby, of entrance piers and jetties at the mouths of inner channels, and the portion of such channels immediately between them, and also of such long general channels of approach as may be necessary to connect the harbor with outside deep water.

With regard to the first provision of the law, regarding those harbors in which the whole or part of the harbor is improved at local expense, the board recommends that the improvements so made by local authorities should not be undertaken or maintained by the General Government.

Respectfully submitted.

D. W. LOCKWOOD,
Colonel, United States Army, Retired, Chairman.
DAN C. KINGMAN,
Colonel, Corps of Engineers.
C. McD. TOWNSEND,
Colonel, Corps of Engineers.
JOHN MILLIS,
Lieutenant Colonel, Corps of Engineers.
C. S. RICHE,
Major, Corps of Engineers.

THE CHIEF OF ENGINEERS, UNITED STATES ARMY.

* * * * * * *

[Second indorsement.]

THE BOARD OF ENGINEERS FOR RIVERS AND HARBORS,
Washington, May 16, 1910.

Respectfully returned to the Chief of Engineers, United States Army.

The Board of Engineers for Rivers and Harbors has reviewed the report of the special board appointed to report upon the following item of law contained in the river and harbor act of March 3, 1909:

"The Secretary of War is authorized to appoint a board of engineers to examine those harbors on the Great Lakes and elsewhere in which the whole or a part of the harbor is improved at local expense, which board shall make recommendations with a view to determining whether the improvements so made by local authorities should be undertaken or maintained by the General Government and to establish uniform rules in making harbor improvements."

The report of the special board, after discussing the subject at length, concludes with the following recommendations covering the several questions involved:

"1. That the advisability or inadvisability of the Government's undertaking any work at any harbor be determined in the manner now established by existing laws and practice.

"2. That no work of construction or maintenance be undertaken by the Government at any harbor constructed by and operated in the interest of a corporation or private person and adapted to the promotion of such interest only.

"3. That the work of the Government at any harbor be confined to the general part of the harbor, including, as may be necessary, the construction and maintenance of breakwaters with the general anchorage area protected thereby, of entrance piers and jetties at the mouths of inner channels, and the portion of such channels immediately between them and also of such long general channels of approach as may be necessary to connect the harbor with outside deep water.

"With regard to the first provision of the law, regarding those harbors in which the whole or part of the harbor is improved at local expense, the board recommends that the improvements so made by local authorities should not be undertaken or maintained by the General Government."

After careful consideration of the report of the special board this board concurs in the principles and recommendations contained in items 1 and 2, quoted above. The board also concurs in the general principles enunciated in item 3 and in the final paragraph relating to harbors, in which the whole or part of the harbor is improved at local expense. It recognizes, however, that there may be instances in which the interests of the general public will not require a rigid application of the principles stated in item 3. It also recognizes that there may be exceptional cases in which improvements made by local interests will fall within the class of works deemed proper for the General Government to undertake or maintain or that will so conform to an advantageous project for further improvement of the locality as to merit special consideration.

For the board:

WM. T. ROSSELL,
Colonel, Corps of Engineers,
Senior Member of the Board.

Mr. STAFFORD. Mr. Chairman, if I may be allowed to say in the gentleman's time, because I do not wish to take up the time of the committee needlessly, as I am in favor of having this bill disposed of in the next hour or so, I would like to say even during Mr. Burton's time, if the gentleman will inquire minutely into some of the maintenance projects on the Great Lakes, he will find that with some of the smaller harbors they have been maintained by the National Government. What I am saying is that you are not adopting a uniform policy and have discriminated as to maintenance against the many inner harbors on the Great Lakes.

Mr. SMALL. I understand the gentleman, but the gentleman's harbor is one of those that is favored because provision is made.

Mr. STAFFORD. The harbor at Milwaukee is not favored; there has not been one cent expended by the Government on the inner harbor, notwithstanding its great commerce.

Mr. SMALL. Is the gentleman quite sure?

Mr. STAFFORD. I am quite positive.

Mr. SMALL. Well, then, if he is sure, Mr. Chairman, I ask unanimous consent to extend my remarks in the manner indicated.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina? [After a pause.] The Chair hears none.

Mr. COOPER of Wisconsin. Mr. Chairman, I rise to move to strike out the last word. I simply want to be inserted at this point in the RECORD the fact or the statement confirmatory of the statement made a moment ago by the chairman of the committee, the gentleman from North Carolina, about the funds available for the completion of the Arrowhead project. I had a conversation to-day with Col. Taylor, of the Engineer's Office, War Department, and he informed me substantially as the gentleman from North Carolina that there will be approximately from $140,000 to $150,000 on hand in the aggregate there which will suffice for the coming season.

Mr. SMALL. Both under contract and not under contract, part under contract and part not.

The Clerk read as follows:

Chicago and Calumet Harbors, Chicago and Illinois Rivers, Ill.; Calumet River, Ill. and Ind.; and Indiana and Michigan City Harbors, Ind.: For maintenance, $110,000; completing improvement of Calumet Harbor in accordance with the report submitted in House Document No. 237, Sixty-third Congress, first session, $38,170; in all, $148,170. The unexpended balance of appropriations heretofore made for the improvement of Chicago Harbor is hereby made available for improvement in accordance with the report submitted in House Document No. 1303, Sixty-fourth Congress, first session. The unexpended balance of appropriations heretofore made for improvement of Chicago River is hereby made available for improvement and maintenance in accordance with the report submitted in House Document No. 1294, Sixty-fourth Congress, first session. The unexpended balance of appropriations heretofore made for improvement of Indiana Harbor is hereby made available for improvement in accordance with the report submitted in Rivers and Harbors Committee Document No. 6, Sixty-fifth Congress, second session.

Mr. BARKLEY. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I desire to have read in my time a letter which I received from the president of the West Kentucky Coal Co. in reference to the lack of appropriation for the Ohio River in this bill.

The CHAIRMAN. Without objection, the Clerk will read the letter in the gentleman's time.

Mr. SMALL. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes.

Mr. HENRY T. RAINEY rose.

Mr. SMALL. Does the gentleman desire time?

Mr. HENRY T. RAINEY. Yes.

Mr. SMALL. Does the gentleman care to take it on this or on the next item?

Mr. HENRY T. RAINEY. Either on this or the next item.

Mr. MANN. I would like to have five minutes on this paragraph.

Mr. SMALL. Mr. Chairman, I ask unanimous consent that all debate on the paragraph and all amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman asks unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes. Is there objection? [After a pause.] The Chair hears none. The Clerk will read the letter.

The Clerk read as follows:

WEST KENTUCKY COAL CO.,
Sturgis, Ky., January 9, 1919.

Hon. A. W. BARKLEY,
Washington, D. C.

DEAR SIR: You no doubt are familiar with the recent rivers and harbors bill, there not being any appropriation made for the improvement of the Ohio River other than the unexpended appropriations which have been tied up under contract for the Ohio River improvement.

The improvements on the Ohio River are of vital importance to all of the people who live on the Ohio and adjacent to it, and inasmuch as about one-sixth of the population of the whole United States live

in the Ohio and Mississippi Valleys it seems to me that the benefits that these citizens can derive from having the Ohio and Mississippi Rivers made navigable continuously during the year are such that our Representatives in Congress should not overlook the importance of making the necessary appropriations to complete the great work that has already been begun in order that the public may have the benefit of these great waterways.

The West Kentucky Coal Co. is especially interested in the improvement of the lower Ohio as well as the Mississippi River, but more especially in the lower Ohio. Under ordinary conditions we transport half a million tons of coal down the Ohio River from our mines located near Caseyville, Ky., and on account of the present river condition we are only permitted to operate approximately seven months in the year, and these operating months are contingent on the flood stages of the water. With the proper improvements we could have continuous operation and could transport one and a half million tons of coal with the same equipment that we now have, and I am sadly disappointed that no appropriation was made in this session of Congress to take care of the necessary improvements on the lower Ohio.

With the present high labor cost on railroads, as well as the congestion of the railroads at various periods of the year, it makes it more necessary that improved river transportation should receive the necessary attention. In periods of car shortage, as well as other transportation facilities, if the Ohio and Mississippi Rivers were put in the condition in which they can be put at a normal cost, then the citizens living along these two great rivers could be served not only with coal but with various other commodities which have been most difficult for them to get transported to the towns and cities bordering these two rivers; and with these increased transportation facilities better car supply, as well as motive power, could be diverted to other localities where they would be needed.

I earnestly request that you use every effort in your power to see that something is done at the next session of Congress, and if possible at the present session, to have the necessary appropriations made for a continuance of the improvements of the lower Ohio River and not have it delayed for two or three generations to come. This country is in need of this improvement, and it should be given immediate attention; and if the necessary appropriations are made, it would help solve the great question of what are we going to do to find work for the returning soldiers.

I am attaching a copy of resolutions which were passed at the Ohio Valley Improvement Association meeting, and while these resolutions are modest in their suggestions they represent the feeling and best judgment of representative men from Pittsburgh to Cairo; and I am sure that the body of men that assembled at Louisville on December 31 and 32, 1918, went there with no selfish motives, but with the idea in view of trying to put before Congress the feeling and best judgment of the entire public who live in the Ohio and Mississippi Valleys.

Trusting that your efforts can be depended upon to see that these resolutions are acted upon, I am,

Yours, very truly,

C. F. RICHARDSON,
President.

Mr. BARKLEY. Mr. Chairman, I ask that a copy of these resolutions of the Ohio Valley Improvement Association be printed in the RECORD following the letter.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that a copy of the resolutions be referred to be printed in the RECORD following the letter. Is there objection?

Mr. STAFFORD. I object.

The CHAIRMAN. The time of the gentleman from Kentucky [Mr. BARKLEY] has expired.

Mr. MANN. Mr. Chairman, there has been a good deal of discussion at times in the House when the river and harbor bill was under consideration as to the amount of commerce which is obtained on rivers or harbors which are improved. And also a good deal of discussion to the effect that, owing to railroad competition, the improvement of rivers and harbors does not bring water commerce commensurate with the improvement. The paragraph which was just read carries an item for the Calumet Harbor, situated in Chicago. The Calumet River is a little river that runs from Indiana into Illinois and out to Lake Michigan. A few years ago there was no commerce there. There were a number of railroads there and there are a number of railroads there now in south Chicago, comprising railroads like the New York Central, the Pennsylvania, and Baltimore & Ohio, as well as various western roads, and belt lines which connect all the railroads with the Calumet Harbor and River.

Notwithstanding railroad competition, notwithstanding that the water competition is direct with the railroad competition, the commerce there now amounts to over 10,000,000 tons a year, wholly dependent upon the improvement of the Calumet River and Harbor. And if the improvement had not proceeded ahead of the commerce there never could have been any commerce there. Commerce followed the improvement. It followed, I may say, fairly rapidly, notwithstanding the railroad competition.

Gentlemen who believe it is impossible to develop water commerce at any point in competition with the railroads will have a living illustration that it can be accomplished where the conditions demand it. I do not know as to many of the items in this bill or the desirability of endeavoring to obtain water commerce in competition with the railroads at various places, but certainly there are cases, and certainly this is one, where the development has been a wise development; the expenditure has been a wise expenditure by the Government. This water competition from the Calumet Harbor, affecting the grain rates from the West to the East, has not only developed an immense water commerce, but has had the effect of duly reducing railroad rates on grains and other commodities passing from the West to the East around the south end of Lake Michigan, and likewise of coal and other articles going from the East toward the West.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

Mr. SWITZER. Mr. Chairman, I would like to have five minutes.

Mr. SMALL. Will the gentleman not take it on another paragraph? Debate on this has been exhausted.

Mr. SWITZER. I would like to have unanimous consent. I was not present, and I would like to say something about the Ohio River situation. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. SWITZER. Mr. Chairman, in view of the statement read by the gentleman from Kentucky [Mr. BARKLEY] I think it is due that some reason be stated why there is no appropriation recommended at this time to the pending bill for the Ohio River.

The Chief of Engineers, appearing before the committee, stated the unexpended balance on hand, amounting to something in the neighborhood of $10,000,000, was ample to do all the work that the Government could do in the next year or a year and a half with the equipment it had on hand or could secure, and that there would be no need for an additional appropriation unless contractors who had heretofore made bids to build dams and partial construction of dams on the Ohio River would evince some disposition to make a reasonable bid. And the Chief of Engineers assured us that when the bill reached the Committee on Commerce of the Senate, if any contractor who had heretofore been doing river-improvement work on the Ohio River would make some reasonable bid, even for partial construction of dams, there would be a recommendation made by the engineers for some million dollars additional appropriation. Certainly there should not be money appropriated unless there could be reasonable assurance given us that the money can be expended in the next year and a half. Conditions have been so abnormal, labor so scarce, material so high, that many contractors on the river have practically failed in doing Government work, and very few men manifest a disposition to make offers to do contract work at this time. And, as I understand it, about the only work that will go on is the work directly under the engineers, with Government equipment.

I desire to say a word at this time in reference to a matter brought to the attention of the committee by my colleague from Ohio [Mr. LONGWORTH]. I do not doubt his statement. While I think probably, and know, there should be some investigation made along the lines mentioned, yet I do not think that should detract from the merits of the Muscle Shoals proposition as a power-producing proposition.

I have visited Muscle Shoals. Of course, my judgment may be erroneous, but I believe that the possibilities are great for the development of water power at Muscle Shoals. I am one of those who believe that where a great water power can be developed in the United States it should be done, even if it is to be done with Government money. I do not believe, merely because Congress in the past has turned down some proposition, that Congress, in the future or now, should turn it down. It seems to me as though gentlemen who in the past have voted against appropriating money to develop water power at Muscle Shoals, when the labor could have been procured cheaply and the work done more cheaply than it can be done now or in the future, will find themselves in a hole when there is an agitation on throughout the country for the development of water power in this country and it must be done at a greatly increased cost. I think it has been a mistake on the part of Congress in the past to turn down this joint proposition to not only improve the navigation of the Tennessee River at Muscle Shoals, but along with it jointly to develop the great possibilities of water power.

Mr. KEARNS. Mr. Chairman, will the gentleman yield?

Mr. SWITZER. I do.

Mr. KEARNS. I understood the gentleman from Ohio [Mr. LONGWORTH] to say that 8 or 10 men down there invested about $1,000 in this project.

Mr. SWITZER. I am not defending men who may be grafting on the Government at the present time. What may be true with respect to Muscle Shoals is true practically at every can-

tonment—practically everything that has been done in the last year and a half. But because there are grafters in the country is, to my mind, no reason why the merits of Muscle Shoals should be disparaged. As I understood him, the gentleman from Ohio said this company would receive something like $2,000,000 in royalties.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. SWITZER. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for two minutes more. Is there objection?

Mr. SWITZER. He said this company will receive something like $2,000,000 royalties. Is that correct?

Mr. LONGWORTH. Substantially.

Mr. KEARNS. Reserving the right to object, Mr. Chairman, if I do not object will the gentleman allow me to ask him a question?

Mr. SWITZER. Yes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SWITZER. As I understand the gentleman from Ohio, he believes that the production of nitrates at Muscle Shoals is going to be a success and is going to make for somebody a large amount of money. It may be that they are going to receive profits in some illegitimate way. I am not disputing that. But if it is true, if there is to be $2,000,000 of profits in royalties on the nitrate to be produced at Muscle Shoals, then it is evident that nitrates will be produced at Muscle Shoals; and I want to say that I am in favor of producing all the nitrate you can in this country for the purpose of furnishing a cheaper fertilizer. [Applause.] I think that Congress can do nothing better than to pursue every possibility that will tend to cheapen the production of fertilizer and make better fertilizer in this country.

Why, you gentlemen, everyone of you, two or three years ago received letters from a nitrate importing company in New York City, who said that this nitrate proposition would fail; that the Government could not produce nitrate. Yet these importers wanted us to vote down the Muscle Shoals proposition and similar propositions. Why? Because they said it would interfere with their nitrate importation from, and trade with, Chile. I then made up my mind that if Muscle Shoals would be a failure, it would not be a failure so far as the production of nitrate is concerned, because, otherwise, these importers would not be objecting to an attempt to produce nitrate in this country if the proposed proposition would be a failure. While it may be true that some men may receive abnormal profits—I do not know anything about that proposition; it may be that somebody has "got next," and probably is going to make more out of this proposition than he should make—yet I do not think it should disparage Muscle Shoals as a power-producing proposition. I understand it will save the consumption of something like 6,000,000 bushels or 8,000,000 bushels of coal annually in this country. Although I oppose reckless waste of public money, especially in furtherance solely of some private enterprise, still I favor the Muscle Shoals power-development proposition and every proposition that will tend to cheapen the cost of the production of fertilizer in this country. [Applause.]

The CHAIRMAN. The time of the gentleman from Ohio has again expired. The Clerk will read.

Mr. HENRY T. RAINEY rose.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. SMALL. Mr. Chairman, we wish to complete this bill this evening in so far as we can, and it is the desire that gentlemen confine their remarks to the bill. We have all endeavored to be as generous as we could to the membership of the House and made no point of order when gentlemen have discussed subjects not connected with the bill. We did not want to curtail discussion along any line. But I hope from this time on gentlemen will confine their discussion to bonafide amendments to the bill in order that we may make progress and complete the bill to-night.

Mr. DEMPSEY. Let me say to the gentleman that I think it is the feeling of some gentlemen here, or a good many, that while they would be willing to stay and complete the reading of the bill they do not want to vote on the passage of the bill, or on a motion to recommit, until Monday morning.

Mr. GARNER. Why should we not get through with it to-night?

Mr. DEMPSEY. I am making this suggestion on the part of others. As far as I am concerned, I would be willing to complete it.

Mr. SMALL. If we can get the bill completed and report it back to the House we will have made substantial progress.

Mr. TREADWAY. Will the gentleman from North Carolina state whether that is the program, to report it back and adjourn, or does he expect to get a final vote on the passage of the bill to-night?

Mr. SMALL. Does not the gentleman think it would be wise to pass the bill to-night?

Mr. TREADWAY. Suppose the question was brought up that no quorum was present.

Mr. SMALL. Mr. Chairman, I ask unanimous consent that debate on this paragraph and all amendments thereto close in 12 minutes.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that debate on this paragraph and amendments thereto close in 12 minutes. Is there objection?

Mr. CALDWELL. Reserving the right to object, Mr. Chairman, a great many of us in the House interested in this bill believed when the statement was made the other day that a vote would be taken to-day. We knew that on Monday there would be general debate, and many of us have made arrangements to transact official business outside of the city on Monday. If the bill goes over until Monday it will be a hardship on these Members. I know that some Republican Members have gone away knowing that they left old war horses enough here to put it off until Monday, and they would not be here, but I do not see why when we depended on the statement of the chairman that there would be a vote to-day we should not have it. I am willing to stay here and have a call of the House and send for these Republicans——

Mr. FREAR. Mr. Chairman, I object to such a statement being made on the floor.

Mr. SMALL. I make the point of order, Mr. Chairman, that all this debate is out of order.

The CHAIRMAN. The point is well taken. The gentleman from North Carolina asks unanimous consent that all debate on this paragraph and amendments thereto close in 12 minutes. Is there objection?

There was no objection.

Mr. HENRY T. RAINEY. Mr. Chairman, I move to strike out the last word. Mr. Chairman, since this bill has been under consideration I have been engaged as one of the conferees on the revenue bill and have not been able for that reason to take part in the discussion. My knowledge of what has occurred is confined to my reading of the RECORD each day. I have noticed the frequent references of the gentleman from Wisconsin [Mr. FREAR] to the proposed barge line on the Mississippi River. Evidently the gentleman from Wisconsin does not understand the proposition. Therefore I conceive it to be my duty to explain to this House the barge-line proposition on the Mississippi River, which may revolutionize river traffic in the United States. I am unwilling that this important matter should be misrepresented in this debate.

The gentleman from Wisconsin referred in this connection to the alleged fact that the Government has turned over $3,360,000 to the Hon. Edward F. Goltra, of St. Louis, whom he describes in one place as a Democratic State committeeman and in another place as the chairman of the Democratic national committee and in another place as chairman of the Democratic State committee of Missouri.

Mr. FREAR. Oh, I think the gentleman is mistaken about that; I never said he was chairman of the national committee.

Mr. HENRY T. RAINEY. The gentleman made that statement yesterday, and the report of the debate on page 1229 of the CONGRESSIONAL RECORD shows that he did. But that is immaterial. Mr. Goltra holds none of these positions and never did, and not one cent has been turned over to him in any way. I merely call attention to these statements to show how inaccurate the gentleman is. Mr. Goltra is a member of the Democratic National Committee from the State of Missouri, but this fund is not turned over to him on account of any such consideration as that.

Edward F. Goltra is one of the great iron masters of the United States, and he has conceived a plan which will revolutionize, I believe, not only the manufacture of iron in the United States, but the navigation of our rivers.

The proposition to which the gentleman from Wisconsin [Mr. FREAR] refers so often and about which he understands so little is this: The original proposition was to build 24 barges and 3 steamers. In its modified form it contemplates the building of 19 barges and 3 steamers. Three million three hundred and sixty thousand dollars has been allotted for that purpose by the Shipping Board. The 19 barges are now in process of con-

struction at Dubuque, Pittsburgh, and at two other points on our western rivers. Twelve of them are 65 per cent completed and they will all be completed in the month of April of this year. They are 300 feet long and 48 feet wide. The reason why the number of barges has been decreased from 24 to 19 is to leave a margin of funds for the purpose of constructing along the river at points where they may be needed great steel unloading devices, supplied with 10-ton steel shovels, capable of unloading one of these barges in a few minutes of time. These great steel unloading devices or tracks extend out into the river and the barge is run between the outer supports of the tracks and the bank of the river, and these great traveling 10-ton steel shovels empty the barges in a few movements, depositing along the track the ore or the coal——

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. HENRY T. RAINEY. Mr. Chairman, I ask unanimous consent that the time be extended for five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the time on this paragraph be extended for five minutes. Is there objection?

There was no objection.

Mr. HENRY T. RAINEY. The cargo can be deposited by these traveling shovels in railroad cars or in any other way along the banks of the river. The barges draw 4 feet of water, and at low water carry 1,000 tons of coal or of iron ore; that is, at the low water which prevails in the Mississippi River in the latter part of August and the early part of the month of September. During the remaining period of time they carry much larger loads than this.

The steamers, which will soon be in process of construction, to be used in moving these barges are constructed of a type absolutely new in the United States and, so far as I know, new in the world. They are 265 feet long and have a beam of 58 feet, and operate in three feet and a half of water. There are no similar tugboats in use at the present time on any of our rivers. In addition to the ordinary rudder, they are fitted with what are known as monkey rudders or Yukon rudders, which are double rudders operating behind the propelling wheels, and with this steering device it is possible to operate these great steamers in three feet and a half of water and still move successfully six of these loaded barges. The project is to start these steamers out from St. Louis loaded down with coal and drawing four feet and a half of water. They carry enough coal to enable them to make the round trip to Minneapolis and back to St. Louis, and when they get back to St. Louis they will be drawing 3½ feet of water and they will push six of these great steel barges drawing 4 feet of water.

This fleet of barges, propelled by one of these steamers, can carry more ore in one trip by 3,000 tons than can be carried on the largest of the ore-carrying steamers on the Lakes. At a moderate stage of water one of these fleets propelled by one of these steamers on the Mississippi River will carry as much iron ore as can be carried on 300 50-foot freight cars, and will move down the river as fast as any freight train can move. In other words, one of these steamers will bring down the river at one load the equivalent of seven long trainloads of ore. The project is to have no empty barges going back to Minneapolis, but to carry back to Minneapolis the coal from the coal fields of Illinois for the great northwestern section of the United States, and unloading devices are already being arranged at the city of Minneapolis for the purpose of unloading this coal.

The project which Mr. Goltra has conceived contemplates assembling iron ore, coking coal, and manganese at the city of St. Louis, in the State of Missouri, bringing it there by a haul which is almost a complete water haul. We find that we have coking coal in the State of Illinois.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. HENRY T. RAINEY. Mr. Chairman, I ask unanimous consent to proceed for four minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the time on the paragraph be extended for four minutes. Is there objection?

Mr. DEMPSEY. Mr. Chairman, before the gentleman starts will he please tell how much more they carry at good water than at low water? The gentleman stated more than 1,000 tons, but did not state how much more.

Mr. SMALL. Reserving the right to object, could the gentleman get along with less?

Mr. HENRY T. RAINEY. Perhaps I will be able to do so; I will do my very best to get through in three minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. HENRY T. RAINEY. At an ordinary stage of water each of these barges will carry nearly 2,000 tons of ore; at a flood stage each barge will carry 2,000 tons. The project is to assemble at St. Louis, Mo., manganese and iron ore and coking coal, and by using modern by-product ovens we find that we have coking coal in Franklin County, Ill., a short railroad haul of 50 or 60 miles, and this coal can be brought to Chester, Ill., 60 miles below St. Louis, and loaded on these barges. We propose to bring manganese from Cuba, unload by floating derricks at New Orleans on these river barges, and then bring it on up the river to St. Louis. In the summer time these barges will be occupied in bringing iron ore from the North, and their return cargoes will consist of coal for the great Northwest.

In the wintertime these barges will be operated on the lower Mississippi River carrying coal to New Orleans and will bring manganese from Cuba and coking coal from Franklin County, Ill., to the city of St. Louis. We propose to manufacture iron in the city of St. Louis, by this inexpensive method of assembling the material, cheaper than it can be manufactured in any other section of the United States. It is 650 miles down the river from the point where the iron ore will be loaded on the barges to St. Louis. It is a thousand miles from the Lake Superior points nearest to the iron-ore section of the Northwest to the Lake Erie points nearest to Pittsburgh. It is 850 miles from these points on Lake Superior to Gary, Ind., and in order to load on Lake steamers for Gary or Lake Erie points the railroad haul is something like 150 miles from that section of the Mesaba Range from which they are compelled to get ore. The railroad haul from the ore fields to the point of loading on the Mississippi River is only a hundred miles.

This in brief is the proposition which we who live along the greatest of our rivers and who are studying its problems believe will result in a tremendous economic saving to this country in the matter of iron production and will result in time in revolutionizing the method of navigating the rivers of the United States. The gentleman from Wisconsin before many years, before many days have passed, will see this great fleet of steel barges in operation on the Mississippi River and in successful operation. The competition of the railroads has nothing to do with freight of this kind. Arrangements have already been made for this trade. The blast furnaces are ready and will be in operation in May, and then the gentleman from Wisconsin will be surprised, and equally surprised, I have no doubt, to find soon the river which for 200 miles flows past the boundary of the great State which in part he represents here carrying a tonnage which he seems never to have even dreamed of. [Applause.]

Hon. Edward F. Goltra, with splendid patriotism, has entered upon this project, which will in a few years make the city of St. Louis one of the great iron-producing centers of the continent. This project makes possible the utilization of every mile of the great Mississippi River from the head of navigation to the Gulf of Mexico. It makes possible cheaper coal and more coal for the great city of New Orleans and all its industries; it makes possible cheaper coal and more coal for the great Northwest. In this age of iron it makes possible cheaper iron for the industries of all the States. The rivers are coming into their own again, and the Mississippi River barge line systems may in the very near future be extended to the other great rivers which between our mountain ranges flow down to the sea. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired.

Mr. FREAR. Mr. Chairman, if the gentleman from Illinois had been present during the discussion he would have heard everything that I read into the RECORD from the Engineer's Report to-day, which can not be gainsaid, and in addition to that let me say that Mr. Goltra came to my office, in addition to the hearing before the Rivers and Harbors Committee, and I know his proposition completely, as well as does the gentleman who just spoke. I have understood it completely, and the best opinion of experts with whom I have conferred is that Mr. Goltra is going to be disappointed with his new type of boat for the Mississippi. But that is neither here nor there. I hope he will not be disappointed and that he may be successful. I hope so. Others desired that same opportunity to lease these boats. Mr. Goltra was given the advantage, and he now has it, and he must make good. He expects to buy the boats at one-half the cost of construction, and so states——

Mr. HENRY T. RAINEY. Will the gentleman yield?

Mr. FREAR. I can not unless I can get more time. The gentleman has used 14 minutes and the discussion of this is all in the RECORD. Read the RECORD in regard to it.

Mr. HENRY T. RAINEY. The last statement is not true.

Mr. FREAR. That statement is true, and I put it in the RECORD in Mr. Goltra's own words. You will find it in the permanent RECORD.

Mr. HENRY T. RAINEY. Will the gentleman yield?

Mr. FREAR. I can not unless I get the time. I have been held to five minutes, and I want to talk about another subject. If the gentleman will take my statement, he will find that it is absolutely so, and I know as much about it—that is, about the Goltra proposition—I believe I do, as does the gentleman from Illinois.

I believe I do. I hope Mr. Goltra is going to be successful. But that is neither here nor there. The minority leader a few moments ago made a statement that I want to refer to briefly. He said on the Calumet Harbor and River they have about 10,000,000 tons, and that was an evidence of what could be brought about by putting in the improvement before institutions went in to create commerce. That is true; but it would not have been an improvement at that point if it had not been known that those great steel mills were to be constructed at Calumet Harbor. And there is another and a basic reason that the ships on the ocean and large boats that use the ship canals on the Lakes can make a success of transportation, as we know, and can compete with the railroads, and that is the case in Calumet Harbor.

When it comes to the Mississippi River, unless now Mr. Goltra has found the secret of success, the Mississippi River with its $150,000,000, the Missouri River with its $22,000,000, and the Tennessee with its $12,000,000, and this appropriation of over $12,000,000 just adopted, with past expenditures, for the Cumberland, no commerce is on all these streams, because they are entirely different propositions, small-depth boats and under different conditions. And that is what I have been discussing here in exposing the waste on rivers and canals.

Now, Mr. Chairman, this bill, in my judgment, with the 70 new projects added, is much worse than the bill two years ago, when many gentlemen present voted against it. I can not understand why a man who voted against the bill at that time can come to any other conclusion at this time. Then we had 133 votes, not counting the pairs, against the bill. I say that the same condition that existed two years ago exists to-day. And in regard to that other proposition, you can not show any evidence thus far, so far as has been presented to us, even on the Black Warrior, which was to be the test, of any successful use of the rivers. I hope it will come. I believe in maintaining the rivers all the time, but not in putting in these very expensive projects and new expensive improvements until we can have some justification and some means of utilizing them. And that is what we have failed to do up to this time on all the rivers, except possibly the Monongahela and one or two other small projects.

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

Ship channel connecting waters of the Great Lakes between Chicago, Duluth, and Buffalo, including St. Marys River, St. Clair River, channels in Lake St. Clair and Detroit River, Mich.: Completing improvement of Grosse Pointe Channel, Lake St. Clair, in accordance with the report submitted in House Document No. 188, Sixty-fifth Congress, first session, $94,000; for improvement of Livingstone Channel, Detroit River, in accordance with the report submitted in House Document No. 322, Sixty-fifth Congress, first session, $750,000; in all, $844,000.

Mr. HENRY T. RAINEY. Mr. Chairman, the arrangement Mr. Goltra has with the Shipping Board is this: At any time within six years he has the privilege of buying these barges and these steamers upon an appraisement to be made in such manner as the Government shall direct. Now, that is an exceedingly different proposition from any agreement to get these barges at one-half their value. He expects to pay for them their full value after that value has been ascertained in the manner I have indicated. The Government required Mr. Goltra, before making this lease to him, to expend $100,000 of his own money in acquiring wharfage rights at points they designated along the river. And he did it. And in addition to that, Mr. Goltra expended $35,000 of his own money in experiments made on the river and in developing this plan which is now approaching completion.

I never heard that any other responsible persons wanted to lease these barges. The whole scheme originated with Mr. Goltra. He submitted it to the engineers of this Government, and these barges and these steamers are being built now under their direction, and the steamers will be built in all probability by the Government itself. And in building the steamers they propose to use the machinery, the steam pipes, and the condensers which were purchased for use in our wooden ships—projects which have now been abandoned. And the intention is to salvage a large part of this valuable machinery and find this use for it.

I would like to know of the gentleman what other gentlemen, and I want him to name them, were willing to pay $100,000 out of their own pockets in acquiring wharfage space along these rivers, and I want to know who experimented other than Mr. Goltra with this proposition, expending $35,000 of his own money in developing this scheme, and I want to know what responsible persons made a better offer to the Government for these barges than the proposition made by Mr. Goltra, which has been accepted by the Government.

Mr. FREAR. Is that the question?

Mr. HENRY T. RAINEY. Yes.

Mr. FREAR. Col. Keller did not name the parties that were trying to get this lease; but he did say that there were a number of them, and the gentleman will find it in the hearings before the River and Harbor Committee. If the gentleman will permit me in rising in opposition to read from page 48, it is as follows:

Mr. SWITZER. You think this traffic will continue?

Mr. GOLTRA. Yes, sir; I have ideas about that matter that will interest you. At first you may disagree with me, but on reflection I think you will agree with me. The cost per ton per mile: If I can eventually purchase this fleet for $1,700,000 that has cost $3,360,000, that money will cost me 6 per cent per annum; that is, $283 a day. I know the number of men that are going on that boat to operate it—I am speaking now of one boat—and I know how much they will cost and how much they will eat; that will cost me just $36 a day.

Then he goes on to discuss the proposition. He said to me personally it is going to cost the Government twice as much to-day as it would take at any other time, because of the excessive high price of labor; and he said he expected to buy those boats at about half price. That is the statement he made in my office, and that is substantially the same statement that he made in his hearing. His statement differs substantially from the statement which the gentleman from Illinois has just made.

Mr. HENRY T. RAINEY. The gentleman is very clever. Everybody knows that it costs more to build now than it will 10 years from now or 6 years from now.

Mr. FREAR. That is Col. Goltra's statement.

Mr. HENRY T. RAINEY. My statement is the fact, and Col. Goltra has never stated anything to the contrary. It is a contract that he has with the Government, providing that at any time within six years from the present time he has the right to buy these boats from the Government at an appraisement.

Mr. FREAR. Here is Col. Goltra's statement, that he expects to buy them at half price. Let me say that Col. Goltra had a trip on that river last year. An expert who is used to river traffic tells me that the Goltra boat will not be successful. He wasted the money and the time of the Government on the other trip. He wasted his own money. He took a dredge off the Mississippi so as to use it on some project, according to the Engineer's Report. He lost $10,000 on that trip. He says that the upper river to-day is in perfect condition, and that he can use it to-day. It does not need any improvement for his purposes. That is his own statement in the hearing. The water is there. Col. Goltra does not complain. So, Mr. Chairman, it seems to me I have not made any unfair statement. I did not intend to do so. Unfortunately, the gentleman was not here.

Mr. HENRY T. RAINEY. It is a clever statement, and it is not in accordance with the facts.

Mr. FREAR. It is in accordance with the facts, and the gentleman does not know what the facts are.

Mr. HENRY T. RAINEY. I recited what the facts are.

Mr. FREAR. The gentleman is mistaken, and I have given them as they are.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. MANN. If we stay here, while the discussion we have just had has been interesting and valuable—and I have enjoyed hearing both gentlemen—if we stay here, I shall give notice now that I shall make a point of order on any gentleman discussing anything except the paragraphs of the bill from this on until the conclusion of the bill, if we are to be kept here. [Applause.]

Mr. SMALL. I think the intention of the gentleman is entirely justified, in view of the liberality of the committee.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Mackinac, Cheboygan, Rogers City, Alpena, Harbor Beach, and Monroe Harbors, Saginaw, Black, Clinton, and Rouge Rivers, Mich.: Completing improvement of Alpena Harbor in accordance with the report submitted in House Document No. 830, Sixty-fifth Congress, second session, and subject to the conditions set forth in said document, $67,500: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement.

Mr. HICKS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

Mr. HICKS. I do so for the purpose of refuting a statement——

Mr. SMALL. Mr. Chairman, how much time does the gentleman desire?

Mr. HICKS. Only two minutes.

Mr. SMALL. I ask unanimous consent, Mr. Chairman, that all debate on this paragraph and all amendments thereto close in two minutes.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that all debate on this paragraph and all amendments thereto close in two minutes. Is there objection?

There was no objection.

Mr. HICKS. Mr. Chairman, I rise to refute a statement made a few moments ago by the gentleman from New York [Mr. CALDWELL], my colleague from the second district, who intimated that the Republicans on this side of the House were not paying their share of attention to the consideration of this bill. At the time he made that statement, by actual count, there were 37 Republicans present and 29 Democrats.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Toledo, Port Clinton, Sandusky, Huron, Vermilion, Lorain, Cleveland, Ashtabula, and Conneaut Harbors, Ohio: For maintenance, $[illegible]; completing improvement of Sandusky Harbor in accordance with the report submitted in House Document No. 982, Sixty-fourth Congress, first session, and subject to the conditions set forth in said document, $184,000; completing improvement of Huron Harbor in accordance with the report submitted in House Document No. 5, Sixty-third Congress, first session, and subject to the conditions set forth in said document, $34,500; *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement; completing improvement of Fairport Harbor in accordance with the report submitted in House Document No. 206, Sixty-third Congress, first session, $238,500; completing improvement of Ashtabula Harbor in accordance with the report submitted in House Document No. 987, Sixty-fourth Congress, first session, and subject to the conditions set forth in said document, $85,000; in all, $592,000.

Mr. SMALL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from North Carolina.

The Clerk read as follows:

Committee amendment offered by Mr. SMALL: Page 21, line 26, after the word "improvement," insert "completing improvement of Lorain Harbor, $20,000," and on page 22, line 8, strike out the numerals "$592,000" and insert in lieu thereof "$612,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SMALL. Mr. Chairman, I would like to insert in the Record a letter from the Chief of Engineers recommending this amendment.

The CHAIRMAN. Without objection, that will be done.

There was no objection.

Following is the letter referred to:

JANUARY 6, 1919.

Hon. JOHN H. SMALL,
Chairman Committee on Rivers and Harbors,
House of Representatives.

MY DEAR MR. SMALL: 1. The river and harbor act of August 8, 1917, adopted a project for the extension of the west breakwater at Lorain Harbor, in accordance with a report submitted in House Document No. 980, Sixty-fourth Congress, first session, and subject to conditions set forth in said document. The object of this improvement is to extend the west breakwater to the shore, so as to prevent shore erosion and consequent fill in the harbor area.

2. On account of the unfavorable conditions during the war, this work has not been undertaken, and the district engineer now states that to complete the work will require $20,000 in addition to the amount heretofore appropriated.

3. To do part of the work with the funds which are available and awaiting further appropriation for the completion will materially increase the cost of the work, and as it is desirable that it be done as soon as practicable, it is recommended that the further appropriation of $20,000 be made for the completion of this improvement.

Very truly, yours,

W. M. BLACK,
Major General, Chief of Engineers.
By H. TAYLOR,
Brigadier General, United States Army.

The Clerk read as follows:

Colorado River, Ariz.: For maintenance for the Government levee on the Gila River near its junction with the Colorado River at Yuma, $10,000.

Mr. HUMPHREYS. Mr. Chairman, I make a point of order on the paragraph. This is solely in the interest of the control of floods of the Arizona River, and has no reference to the improvement of navigation.

Mr. SMALL. Mr. Chairman, this item was inserted because it was recommended in the Report of the Chief of Engineers and by the representative of the Chief of Engineers, Gen. Taylor, who was before us. It appears to be quite urgent. I am obliged to concede, if the gentleman insists on the point of order, that it is not for navigation, but for flood control.

Mr. HUMPHREYS. I insist on it, although I have no objection to the merits of it.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

San Francisco, Oakland, Richmond, Monterey, and Humboldt Harbors, Redwood and Petaluma Creeks, Napa River, San Pablo Bay, Mare Island Strait, and Suisun Channel, Cal.: For maintenance, $124,800; for maintenance of Oakland Harbor in accordance with the report submitted in House Document No. 1131, Sixty-fifth Congress, second session, and subject to the conditions set forth in said document, $12,000; completing improvement of Suisun Channel in accordance with the report submitted in House Document No. 986, Sixty-fifth Congress, second session, and subject to the conditions set forth in said document, $64,500; completing improvement of San Rafael Creek in accordance with the report submitted in House Document No. 801, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $27,300; *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement; completing improvement of Petaluma Creek in accordance with the report submitted in House Document No. 849, Sixty-fifth Congress, second session, $20,000: *Provided*, That no expense shall be incurred by the United States for acquiring any land required for the purpose of this improvement; in all, $248,600.

Mr. SMALL. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 23, line 25, strike out the words "completing improvement of Petaluma Creek" and insert "for improvement of Napa River;" and, in line 27, strike out "849, Sixty-fifth" and insert in lieu thereof the following: "795, Sixty-third."

Mr. SMALL. Mr. Chairman, the purpose of this amendment is to correct a clerical error in making up the bill. Petaluma Creek was substituted instead of Napa River. This does not change the appropriation, but carries out the intention of the committee.

The amendment was agreed to.

Mr. SMALL. Mr. Chairman, I offer another amendment.

The Clerk read as follows:

Page 24, insert the following paragraph between lines 3 and 4:

"Crescent City Harbor, Cal.: The condition in the item in the river and harbor act approved July 18, 1918, requiring assurances that a railroad shall be constructed between Crescent City, Cal., and Grants Pass, Oreg., is hereby waived until an appropriation is made by the United States for the further prosecution of said project."

Mr. SMALL. Mr. Chairman, I may explain the purpose of this amendment. When the project was adopted no appropriation was made, but a local contribution of $200,000 was made. There were other local conditions, primarily one to the effect that a certain railroad should be constructed, but recent conditions as to the scarcity and high cost of material as well as labor have made it impossible to construct the road. This simply waives the condition while they are spending their own money, so that the local conditions will not become applicable until after Congress makes an appropriation.

The amendment was considered and agreed to.

The Clerk read as follows:

Puget Sound and its tributary waters, Olympia, Seattle, Anacortes, Port Gamble, Tacoma, and Bellingham Harbors, Lake Washington Ship Canal, Snohomish and Skagit Rivers, Swinomish Slough, waterway connecting Port Townsend Bay and Oak Bay, Columbia River between Wenatchee and Kettle Falls, Wash.: For maintenance, $27,000; for maintenance of east and west waterways, Seattle Harbor, in accordance with the report printed in Senate Document No. 313, Sixty-fifth Congress, third session, and subject to the conditions set forth in said document, $40,000; completing improvement of Skagit River in accordance with the report printed in House Document No. 935, Sixty-third Congress, second session, $30,000; completing improvement of Anacortes Harbor in accordance with the report submitted in House Document No. 1117, Sixty-fourth Congress, first session, and subject to the conditions set forth in said document, $56,000; completing improvement of Port Gamble Harbor in accordance with the report submitted in House Document No. 851, Sixty-fifth Congress, second session, and subject to the conditions set forth in said document, $12,000; in all, $165,000.

Mr. MILLER of Washington. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend, page 25, line 19, by adding the following next after the semicolon, after the item of $40,000 in said line:

"For the maintenance of the Duwamish waterway, Seattle Harbor, to a depth of 20 feet and to a width of 150 feet at mean low water as far south as Eighth Avenue, south bridge, $40,000: *Provided*, That no part of said appropriation shall be available for said purpose until said improvements shall have been completed to project dimensions to said point."

Mr. MILLER of Washington. Mr. Chairman and gentlemen of the committee, after the many days of argument and discussion, I call your attention to an improvement in Seattle Harbor, covered by the amendment I have introduced for an appropriation of $40,000 for its maintenance. We have expended in Seattle by local interests over $6,000,000 on harbor improvements, and have never asked the United States Government for a single cent.

The bill carries an appropriation of $40,000 for the east waterway and the west waterway. Those are waterways dredged out by private interests 1,000 feet wide. The east waterway is a mile and a quarter long and the west waterway is a trifle over a mile long. Continuing this improvement along the Duwamish Valley project under the direction of the Army

engineers, it is 500 feet wide, 150 feet between pierheads. This project has been completed by local interests at the expense of over $2,000,000. There are large shipbuilding enterprises on this river. The Seattle & North Pacific Shipbuilding Co., situated on this waterway, has contracts with the United States Government for the construction of ten 9,400-ton steamships.

In this project the Duwamish River, covered by the amendment, is 20 feet of water, 150 feet wide between pierheads and 500 feet wide between bulkheads. What we are after is an appropriation for the maintenance simply of this enterprise. Not one dollar are we asking for the building or construction of the enterprise, but simply its maintenance. It could not be included in this bill, because at that time this project was not completed. Technically it is not completed now. My amendment says that none of this appropriation shall be available until this improvement is completed to its project dimensions. In my city of Seattle on the east and west waterways there have been constructed one-seventh of all of the tonnage constructed by the Emergency Fleet Corporation. Over 20,000 men are in the shipyards on the east and west waterways and on this Duwamish River, and nearly 25,000 at the present time in the entire city. Since the Shipping Board or the Fleet Corporation has released private shipyards, so that they can enter into foreign contracts, this improvement will be alive with shipbuilding enterprises, and I am simply asking that in order that this may be maintained to a depth of 20 feet, in order to permit these shipbuilders to launch their ships and put them down this waterway, an appropriation be granted.

Mr. HUMPHREYS. Mr. Chairman, how much does the amendment call for for maintenance?

Mr. MILLER of Washington. Forty thousand dollars.

Mr. HUMPHREYS. Where does the gentleman get that figure? Why do you say $40,000?

Mr. MILLER of Washington. It is the sum approved by the project and district engineers.

Mr. HUMPHREYS. The United States engineers?

Mr. MILLER of Washington. Yes; in Senate Document 313.

Mr. HUMPHREYS. They recommend it?

Mr. MILLER of Washington. They do recommend it. That is all I have to say.

Mr. SMALL. Mr. Chairman, the gentleman moves this amendment appropriating $40,000 for the maintenance of the Duwamish River. The city of Seattle is entitled to high praise for its civic enterprise in the improvement of the Duwamish River and the east and west waterways; but, as a matter of fact, the Chief of Engineers has only recommended the United States taking over the maintenance of the east and west waterways.

Mr. MILLER of Washington. That is correct.

Mr. SMALL. And we have provided for maintenance of the east and west waterways in the paragraph under consideration. However advisable it may be, we are not in a position, and the Committee of the Whole is not in a position, to bring it to the House nor could we consent that the House shall make an appropriation for the maintenance of this project for which no recommendation has been made.

Mr. MILLER of Washington. Except by the district engineer and the project engineer.

Mr. SMALL. Yes. I am referring to the Chief of Engineers.

Mr. HUMPHREYS. Mr. Chairman, will the gentleman yield?

Mr. SMALL. Certainly.

Mr. HUMPHREYS. Was the Chief of Engineers asked about this after he got that original estimate under direction of the War Department to confine his estimates to such projects as were absolutely necessary in the conduct of the war?

Mr. SMALL. The report to which the gentleman from Washington refers is based upon a resolution by the Senate, referring the matter, and in that report the Chief of Engineers uses this language:

The board believes it is advisable for the United States to take over and assume the maintenance of those portions of the east and west waterways for a distance of 6,500 feet and 5,200 feet, respectively, from the pierhead line in Elliott Bay, at an estimated cost of $40,000.

That is the only recommendation that we have included in the bill. I will say to the gentleman our committee would be glad to pass a resolution, if it seems appropriate, referring this matter to the Board of Engineers for Rivers and Harbors in order to make further investigation and determine whether the United States should assume the maintenance of the Duwamish waterway.

Mr. HUMPHREYS. When was that dated?

Mr. SMALL. This is a quite recent report, dated July 9, 1918.

Mr. HUMPHREYS. What does the chief say about that?

Mr. SMALL. I have just read.

Mr. HUMPHREYS. I thought the gentleman read from the report of the board.

Mr. SMALL. No; I read the Chief of Engineer's report and the conclusions, and it makes no recommendation as to the Duwamish River.

Mr. HUMPHREYS. The board makes no recommendation?

Mr. SMALL. No.

Mr. HUMPHREYS. The Board of Engineers?

Mr. SMALL. I can tell you in a moment.

Mr. MILLER of Washington. Pardon me, but the board recommends it.

Mr. SMALL. I will read you from the concluding paragraph from the Board of Engineers for Rivers and Harbors:

The board therefore recommends that the United States take over and assume the maintenance of the east and west waterways for distances of 6,500 feet and 5,200 feet, respectively, from the pierhead line at Elliott Bay at an annual estimated cost of $40,000.

The Chief of Engineers substantially adopts the same language, so the gentleman will see it will be a violation of a settled policy of the Committee on Rivers and Harbors as to what they shall recommend on a river and harbor bill, and gentlemen of the Committee of the Whole will see what a dangerous precedent would be set if the committee should adopt this amendment.

Mr. HUMPHREYS. If the gentleman will yield for another question, has the survey been made of this Duwamish waterway?

Mr. SMALL. Yes; this report covers that. The resolution of the Senate says:

To review the report on the survey of the east and west waterways and the Duwamish waterway at Seattle, Wash., printed in House Document No. 54, first session, Sixty-fifth Congress, and to submit such further report and recommendation upon said waterways, or any of them, as may be desirable in view of any change in local condition since the date of its prior report.

So they had full opportunity to recommend the maintenance of the Duwamish River by the United States if they desired to do so.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER of Washington. Mr. Chairman, I ask for three minutes more.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to proceed for three minutes. Is there objection?

Mr. SMALL. Can not the gentleman get along with less time than that—say two minutes?

Mr. MILLER of Washington. I will try. The report of the project engineer is dated the 31st of last May. The report of the Chief of Engineers is the 9th of July, I believe. Events move swiftly out in that country. That contract for ten 9,400-ton steamships was let near that interval. All of these shipyards along here [illustrating] have multiplied a thousandfold since the report of the local engineer on this project. As I said, events move swiftly out there. All of these great shipyards in here—in there [indicating]—is an improvement where the city has spent $2,850,000 on terminals, a port commission project involving the very latest mechanics and appliances capable of being utilized in the handling of cargoes. This project here is a part of the industrial improvements of Seattle, and I am simply asking that we have this in order to keep this channel open if necessary, not a dollar to be expended until the improvement is completed according to the project dimensions and under the direction of the United States Board of Engineers.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington.

The question was taken, and the Chair announced the ayes seemed to have it.

On a division (demanded by Mr. SMALL) there were—ayes 32, noes 31.

Mr. SMALL. I ask for tellers, Mr. Chairman.

The CHAIRMAN. The gentleman demands tellers. Those in favor of taking this vote by tellers will rise and stand until they are counted. Twelve gentlemen have arisen, not a sufficient number.

So the amendment was agreed to.

The Clerk read as follows:

Honolulu, Kahului, Hilo, and Nawiliwili Harbors, Hawaii: For maintenance, $10,000; completing improvement of Kahului Harbor, $94,300; for improvement of Nawiliwili Harbor in accordance with the report submitted in House Document No. 609, Sixty-second Congress, second session, $250,000: *Provided*, That work on the project herein adopted shall not be commenced until the Secretary of War is satisfied that railroad connections will be made within a reasonable time which will make the harbor of Nawiliwili accessible by land to the entire southern portion of the island: *Provided further*, That the rates on said railroad shall be subject to regulation by the Secretary of War: *And provided further*, That no contract for work herein appropriated for shall be entered into until the county of Kauai, or other agency, shall have deposited to the credit of the Secretary of War, in some bank in the Territory of Hawaii to be designated by him, the sum of $200,000, which sum shall be expended by the Secretary of War in the further prosecu-

tion of sale work, in the same manner and in equal amounts as the sum here in appropriated: *And provided further*, That no expense shall be incurred by the United States for acquiring any lands required for the purposes of this improvement; in all, $354,000.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. SMALL. Will the gentleman let this committee amendment be adopted, simply correcting——

Mr. MANN. No; I can not allow the committee amendment to go in; I would otherwise.

This proposition, which is quite agreeable to me, provides that the rates on a railroad to be provided for shall be subject to regulation by the Secretary of War. And I have no doubt that that might be a good thing. But the interstate-commerce law provides, or I am under the impression at least that it does, that the rates on railroads in Hawaii, as well as elsewhere in the United States, shall be subject to control by the Interstate Commerce Commission. And I doubt very much the desirability of attempting to repeal the interstate-commerce law by a little sentence in the river and harbor bill.

The Secretary of War, through the district engineer, might be able to regulate rates on a railroad, though of course they have no special knowledge on the subject, but the interstate-commerce law makes a lot of provisions in reference to rates and notices, the posting of rates and the filing of tariffs, and everything of that kind. And while that law is largely in abeyance at present, it is not repealed, and I see no reason, unless the gentleman from North Carolina can give me one, why it should be repealed in part or in whole at this time.

Mr. SMALL. Mr. Chairman, the question was as to where this improvement should be located——

Mr. MANN. I am not saying anything about the improvement or the requirement for the construction of a railroad. I am in favor of the improvement. I do not know, but I think I heard a good deal about this on a trip I made to Hawaii with others at one time, though I do not recollect definitely about it. I have no objection to the improvement. I think it is a deserving one. I think it is perfectly proper, as well as desirable, to require a railroad to be in some way regulated. But has the gentleman any special information as to whether the Interstate Commerce Commission should not still retain jurisdiction over all these railroads out there?

Mr. SMALL. Except it is the usual policy of Congress in imposing any condition, when improvements are authorized, to leave it to the War Department to look after the performance of these conditions.

Mr. MANN. That is not one of the conditions. One of the conditions is the construction of the railroad. That is all right to leave to the Secretary of War. Now, when the railroad is constructed, does the gentleman mean to say then we should remove all the restrictions now contained in the interstate commerce law? Would not this change those? Here is a requirement in the law in regard to the time when they can make changes——

Mr. SMALL. May I interrupt the gentleman? Is it the opinion of the gentleman as to the railroad connections that the Interstate Commerce Commission, upon complaint, would have the power to regulate and fix the rates there?

Mr. MANN. That was my understanding. In addition to that, however, I had a gentleman telephone to the Interstate Commerce Commission to-day, and was informed by the assistant secretary that the Interstate Commerce Commission had jurisdiction over railroads in Hawaii. I was under that impression, because I had charge of the interstate-commerce bill when it passed the House.

Mr. SMALL. I may say that this particular condition was recommended in the report by the Chief of Engineers, and it seemed wise to the committee that there should be some regulation of the rates there.

Mr. MANN. We all agree to that.

Mr. SMALL. Then Mr. Chairman, I move to strike out the words beginning on line 14 this language:

Provided further, That the rates on said railroad shall be subject to regulation by the Secretary of War.

The last "*And provided further*" should go out, so that the words struck out shall begin with "That the rates on said railroad shall be subject to regulation by the Secretary of War: *And provided further*."

Mr. MANN. Oh, no. "*Provided further*" should remain in there.

Mr. SMALL. "*Provided further*" should remain in.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SMALL: Page 26, line 24, after the word "*further*," strike out "That the rates on said railroad shall be subject to regulation by the Secretary of War: *And provided further*."

Mr. SMALL. That is correct.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from North Carolina.

The amendment was agreed to.

Mr. SMALL. I have another amendment, Mr. Chairman.

The CHAIRMAN. The gentleman from North Carolina offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SMALL: Page 26, line 26, strike out "$354,000," at the end of the line, and insert in lieu thereof "$354,300."

Mr. SMALL. This only corrects a clerical error in the aggregate.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

San Juan Harbor, Porto Rico: For maintenance, $10,000.

Mr. SMALL. Mr. Chairman, I move to strike out the last word. I think I ought to make a comment at this time. The Committee of the Whole has just adopted an amendment assuming an obligation on the part of the United States for maintenance of the Duwamish waterway, when there has been no recommendation and no official information before the committee. The gentleman who presented the amendment, Mr. MILLER of Washington, came before the Committee on Rivers and Harbors and urged the maintenance of the east and west waterways, carrying an appropriation of $40,000, which met with the approval of the committee and is contained in the bill.

I think I ought to absolve the Committee on Rivers and Harbors from having made this error, and to point out to the Committee of the Whole how dangerous it is to make a precedent of this kind. As to whether I shall ask for a separate vote upon this amendment will depend upon the consensus of opinion among the members of the committee.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

Boston Harbor, Mass., with a view to the construction of an entrance channel through South Beach, between Winthrop and Revere, connecting Broad Sound with the Charlestown Navy Yard by way of Chelsea River; also with a view to the construction of a connecting ship channel from the proposed new entrance at South Beach to South Boston.

Mr. SMALL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from North Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SMALL: Page 28, line 25, strike out the word "South" and insert in lieu thereof the word "Short," and on page 29, line 2, strike out the word "South" and insert in lieu thereof the word "Short."

Mr. SMALL. Mr. Chairman, this is simply to correct a clerical error.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Intracoastal waterway from Beaufort, N. C., to the Cape Fear River.

Mr. SMALL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from North Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. SMALL: Page 30, between lines 7 and 8, insert the following paragraph:

"Waccamaw River, N. C. and S. C."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sabine Lake and Sabine Pass, La. and Tex., with a view to the construction of a dam in the outlet of Sabine Lake, including consideration of any proposition for cooperation on the part of local interests.

Mr. SMALL. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The gentleman from North Carolina offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. SMALL: Page 30, between lines 17 and 18, insert the following paragraph:

"Intercoastal waterway from Galveston Bay to Pass Cavallo."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Black Rock Channel, N. Y.

Mr. SMALL. Mr. Chairman, I offer another committee amendment.

The CHAIRMAN. The gentleman from North Carolina offers another amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. SMALL: Page 31, insert the following paragraph between lines 5 and 6:

"Tonawanda Harbor and Tonawanda Creek, N. Y.; Lake Tahoe, Cal. and Nev."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Honolulu Harbor, Hawaii.

Mr. WELTY. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. WELTY: Page 31, line 14, after the word "Hawaii," insert "to resurvey the Miami & Erie Canal and report as to the feasibility and advisability of improving the same to a depth of 12 feet, with a prism of 100 feet, and to report with detailed plans and an estimate of the cost of such improvement."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on that amendment.

Mr. WELTY. Mr. Chairman, I do not think a point of order should be made at this time, when three or four million dollars have been voted for canals in other places. In 1894 the Congress passed a resolution providing for a survey of the canal or waterway connecting the Ohio and the Lakes. In pursuance of that resolution the Board of Engineers made three different surveys of the three canals in Ohio. They recommended one that is mentioned here in this amendment as feasible and proper in order to connect the Ohio with the Great Lakes from Cincinnati to Toledo. The resolution provided that it shall be only 7 feet deep. They made a survey of 10 feet. Nothing was done because no improvements had been made in the Ohio River. Since that time almost $50,000,000 has been expended in the improvement of the Ohio River and over $150,000,000 on the Erie Canal, and now it seems that there ought to be a connecting link between the Mississippi River and the Lakes. I ask simply for a resurvey to a depth of 12 feet to be in harmony with the improvements on the Erie Canal. I know the point of order must be sustained if the gentleman from Wisconsin will insist, but I hope the gentleman will withdraw the point of order in view of the fact that millions of dollars have been spent on other canals under the direction of this committee and permit the House to pass upon the merits of the proposed survey.

Mr. STAFFORD. Mr. Chairman, I believe this project is no more worthy than others carried in the bill, but I withdraw the point of order.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

Mr. WELTY. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill just passed.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. WELTY. Mr. Chairman, having been granted permission to extend my remarks, I beg to submit the following, which I believe, had it been fully known by the House, the Members present would have permitted the proposed amendment, even in the face of the rule not to allow any amendments on the floor of the House not fully considered by the committee.

On April 20, 1918, I filed a bill (H. R. 11579) "To authorize the appointment of a board of engineers to make a preliminary location, survey, and plans for a canal connecting the waters of Lake Erie and the Ohio River on the line of the Miami & Erie Canal from Toledo to Cincinnati, Ohio, and from a point near Defiance, Ohio, to a point in the southerly end of Lake Michigan, and to estimate the cost thereof." This bill was referred to the Committee on Railways and Canals, because that committee, under the rules of the House, is the only one having jurisdiction of canals.

Full hearings were had on said bill by the committee, and on December 19, 1918, the committee having considered the same, reported it to the House with the recommendation that it pass with certain amendments, which report and amended bill were ordered to be printed for the consideration of this House.

I offered this amendment to the rivers and and harbors bill for the reason that I was of the opinion that, because of the congestion of the calendars in both branches of Congress, my bill could not be considered during the short session, and with a hope that a resurvey could be commenced with the opening of spring. I believe that had the membership of the House fully known the facts, the vote would have been different, even though it was late at night when I was permitted to offer my amendment.

I believe that the country should know that Congress is definitely planning in the development of the inland waterways, and for this reason I propose to again offer this amendment when the Commerce Committee considers this bill, with a hope that if the Senate adopts the same the House will then be inclined to accept this amendment. The amendment was lost by only 10 votes, with the solid opposition of the Rivers and Harbors Committee, which to me is sufficient evidence that there are others in the House sharing my views in matters of building up our inland commerce with a view of taking care of the products of the Mississippi Valley and relieving the congestion of transportation.

My bill, in short, provides for the appointment, by the Secretary of War of a board of three engineers skilled in the survey of navigable waterways, to make a preliminary examination, location, survey, and detailed plans for a canal, and an estimated cost thereof, and to make a survey and also to estimate the cost thereof for a canal from the Miami & Erie Canal, near Defiance, Ohio, to the southerly end of Lake Michigan. The bill further provides that the canal should be of a depth not less than 12 nor more than 16 feet, and of sufficient width to permit the passage of vessels as are contemplated to be used on the Erie Canal. Section 3 of this bill provides for an estimate of the costs of the canal, including the cost of dams, reservoirs, locks, surveys, and other matters necessary to its location, construction, operation, and maintenance, water supply, and the probable water power. Section 4 provides that in estimating the cost of such canal the board shall exclude all property whatsoever now owned and controlled by any State or States or political subdivisions, through which the canal may pass. Section 5 provides for the necessary employees to carry out the provisions of this act, and their pay, while section 6 provides for reports.

There is no need of canalizing our rivers and of building these canals unless the Government intends to complete inland navigation, so that barges on our lakes and rivers can go from New Orleans to New York and return without unloading their cargoes. I believe that this Congress should go on record speedily, showing its intention to make these improvements, so that business can adjust itself with that end in view.

Our sphere of influence is no more confined to the geography of our own country. We have finally reached our majority, so to speak, and have become a world commercial power. Our farms and factories produce more than we are able to consume, and they must seek foreign markets for their supplies. If this is true, transportation will of necessity become a mighty factor. We can not locate all of these farms and factories along the seaboard, and in order to give them a chance we must give them cheaper transportation. Their products must be loaded on ocean-going vessels at the least possible expense, to be taken into foreign markets and sold in competition with the products of the world. The time has come when we must quit dreaming and write these visions into law, so as to furnish a chart to the business and manufacturing interests of our country, in order that they will know that it will be only a matter of time until barges will go to New York or New Orleans, and will only be unloaded when they are loaded into ships bound for foreign markets.

Mr. Chairman and gentlemen of the House, permit me only to point out a few facts that are indicative, showing that it will be only a matter of a few years until we will be the foremost commercial power in the world.

First. Congress realized in 1913 that the expansion of our foreign trade would never be aggressive and become a power unless we are permitted to transact all of our business through American banks. In that year Congress passed what is known as the Federal reserve banking act, one section of which provides for taking care of the foreign trade by inaugurating a foreign banking system. Since the passage of said act this country has established in foreign countries 113 banks and agencies, all of which are under Federal control.

Second. In April, 1918, Congress passed an act to promote export trade, which permitted combinations for the purpose of establishing a common sales agency in taking care of our surplus products.

Third. The Committee on Appropriations of the present Congress recommended that $525,000 be spent for procuring information about foreign trade and stimulating the same.

In addition to these we are bending every effort to build up a merchant marine, so that our products can be transported into foreign markets in ships built and owned by Americans.

Besides this let me mention only a few facts, which will inevitably mean the completion of the canal to connect the Ohio River with the Lakes.

On August 17, 1894, Congress passed an act by which the Secretary of War was "authorized and directed to appoint a board of three engineers of the Army, whose duty it shall be to survey the Miami & Erie Canal, the Ohio Canal, and such branches thereof and such river and stream channels as may in their judgment form available portions of a continuous canal connecting the waters of Lake Erie with the Ohio River, through the State of Ohio, and to report the feasibility and advisability of improving and widening such canal to 70 feet at the water line and deepening the same to 7 feet." This report was submitted to Congress on the 27th day of February, 1896, by the Secretary of War, and stated that:

It would be feasible to construct a canal of the dimensions specified in the act upon any of the three routes described, but a canal of the dimensions and capacity specified by Congress would be inadequate depth in the canal and in the Ohio, requiring a transshipment of freight, be so restricted in its benefits to interstate commerce that the construction of a canal of such dimensions or apart from an adequate improvement of the Ohio River would not, in the opinion of the board, be advisable.

The report also stated that:

The board has not considered it a part of its duty to present any recommendations with regard to a canal of dimensions different from those prescribed in the act of Congress, but it calls attention to the fact that the report of the executive officer of the board covers the question of water supply and cost of construction for a canal having a uniform width of 85 feet and depth of 10 feet, which would admit the passage of vessels that might be considered of about the least practicable size for lake navigation.

In this report the engineers submitted minute details in favor of the western route from Cincinnati to Toledo along the old Miami & Erie Canal because of "its superior water supply, its important terminal points, and the magnitude of its local traffic." In the report they further say:

A consideration of importance in favor of this route arises from its relation to the old Wabash and Erie route, and particularly to the project advanced many years ago, and lately being brought forward again, to connect the west end of Lake Erie with the southern end of Lake Michigan.

Among the direct benefits, the report mentioned the following:

If the inquiry is to be strictly limited to a canal of the dimensions of the present Erie Canal of New York, and without reference to any improvement in the navigable condition of the Ohio River, the question of advisability can be answered in the negative. Such a canal would be restricted to a purely local role, and while it might be a proper object of State or private enterprise, it would not be so on the part of the General Government. But the question will be examined on the basis of the broader assumptions already made.

The engineers point out other benefits to the Nation in the event the Erie Canal is completed and the Ohio River connected with the Lakes by a canal which will permit barges to pass over this route without unloading their cargoes.

Among the indirect benefits in said report we find the following:

As is well known, what may be called the indirect benefits of water competition in freight traffic are generally considered as of greater importance than the direct benefits. It is fully recognized that the influence of a capacious and free waterway in controlling and equalizing railroad freight rates, even if only a small proportion of freight actually goes by water, is of great value to the public. The history of the Erie Canal shows, by a comparison of summer and winter rates on lines paralleling it, that it has effected a reduction in railroad freight during the past 25 years of not less than 50 per cent; and it has been estimated that the amount saved in transportation of grain alone through the State of New York by the Erie Canal during the last 30 years is at least $200,000,000. The influence of the waterway does not cease with the suspension of navigation in the autumn. On all such freight as can be held over until spring the railroads are compelled to make concessions even in wintertime. It is a recognized fact among the best railroad authorities that free water competition, instead of being a detriment to the railroads, is a benefit to them. The classes of freight that can be carried most economically by water are those that are carried with least profit by the railroads. The two systems of transportation are natural complements of each other and make possible a division of traffic which is of advantage to both. That this argument rests on a sound basis is evidenced by the successful contemporaneous development of canals and railroads in France and by the fact that in our own country the most prosperous railroads are those that parallel the great waterways.

As to the future of existing canals, the Chief Engineer further states:

A matter of importance bearing upon the general subject arises from the impending fate of the present Ohio canals. It is highly improbable that the State of Ohio will much longer maintain a system which has been suffered to deteriorate until it has become a great public burden without any adequate return. If the State abandons its canals, and if the lines are occupied by railroads and the reservoir sites are sold, it will never again be possible to build a canal along any of the proposed routes.

Since the filing of this report the Federal Government has expended millions upon millions for the canalization of rivers and the building of canals. The Ohio River was then unimproved, but since that time almost $50,000,000 have been expended in the canalization of this stream. The State of New York has expended over one hundred and fifty millions in deepening and widening the old Erie Canal. Canada has proposed an enlargement of the Welland Canal so as to permit oceangoing vessels to unload at the docks of Chicago and Duluth, and the Federal Government is expending $6,230,000 for the building of barges to care for the commerce of the lower Mississippi and $3,336,000 for the building of barges for commerce between St. Louis and Minneapolis. This is in addition to the present fleet of 29 barges, each of 500-ton capacity, now on the lower Mississippi. These are acts of men of vision, and no man will gainsay that the system of inland water transportation will be completed until those now spending millions for barges on the Mississippi and the Erie Canal will be permitted to carry their cargoes between the Mississippi and its tributaries to the State of New York.

These barges for the Mississippi now under construction and for use on the upper river are 300 feet long and 48 feet wide and draw only 4 feet of water. They are propelled by steamers which are 265 feet long and have a beam of 58 feet and operate in 3½ feet of water. There are no similar tugs in use at the present time on any of the rivers. There are 19 barges and 3 steamers to be built for use on the upper Mississippi. These barges are to start from St. Louis loaded with coal and return from Minneapolis loaded with ore. One of these steamers can propel six of these great barges. Six of these steel barges propelled by one steamer can carry more ore in one trip by 3,000 tons than can be carried on one of the largest of the ore-carrying steamers on the Lakes. One of these steamers with its six barges will carry as much iron ore or coal as can be carried on three hundred 50-foot freight cars and will move down the river as fast as any freight train can move. In other words, one of these steamers will bring down the river at one load the equivalent of seven long trainloads of ore.

The North and Northwest are calling for coal, and it is estimated that these barges could carry this coal for 90 cents to $1 per ton cheaper than the railroads. What the saving would be is only conjectural, but when you consider the consummation of coal in the homes, to say nothing of our factories, it will be worth while to think about these matters. In addition to these benefits, the farmers and manufacturers will receive the benefits of cheaper transportation of their products to New York or New Orleans. I know there are those who are skeptical in the matter of this proposed improvement. I know there are those who consider its advocates dreamers, but to these I need only say that those who advocated the Panama Canal were considered dreamers at first, yet the products of the farms and factories of the State of Washington can be transported through this canal to New York for less than the cost of transportation from New York to Ohio, and no one will now advocate the abandoning of the Panama Canal.

All of these matters go to show that we have not only fought and won the world war, but that American commerce will be carried into every country of the globe, and instead of buying goods stamped "Made in Germany" or "Made in Japan" the familiar sign "Made in America" will be found. Commerce is the life of a nation, and I hope that the Nation will continue to have men at its head who are able to appreciate the sacrifice made by our soldiers and preserve this Republic by granting it more life.

The canals in Ohio cost the Federal and State Governments almost $16,000,000, and yet this property has been permitted to go into disuse because of the neglect of its officers. Would we treat this property thus if it was our private property? Bankruptcy would soon stare us in the face. Then, why should we longer neglect this public property? Is a public office no longer a public trust? Are men elected to the position of these trusts for what they can get out of it? Shall we sit supinely here and fail in our duties, and then have our conscience condemn us the remainder of our lives because we failed to do our full duty? But, gentlemen, we must not forget that we can not deal with ourselves alone while here, but must answer sooner or later to a constituency, having a right to judge us by our acts of commission as well as omission.

These canals, in the first place, were built largely from the sale of Government lands, but the grant carried a proviso that

"the said canals, when completed or used, shall be, and forever remain, public highways for the use of the Government of the United States, free from any toll or charge whatever for any property in the United States, or persons in their service passing along the same." These canals in Ohio have been in disuse for more than a quarter of a century. The survey was made under an act of Congress over 22 years ago, and yet the Federal Government has been acting the part of Rip Van Winkle ever since that time. Is it not time that they should go on record in the matter of the canals of Ohio and relieve their right and title to the land, or develop them for what they are intended? These lands should either be used for agricultural purposes, and permit the farmers to raise corn and potatoes, or they should be properly utilized by the people in the matter of transportation of the products of these farms and the thriving factories along these routes.

I am only asking for a survey and a report as to the feasibility and advisability of such a proposed canal, and I hope that Congress will vote favorably upon the proposed amendment so as to be in a position to pass more intelligently on this matter.

Mr. SMALL. Mr. Chairman, I desire to be heard. This was not presented to the committee. It involves a very important and expensive survey. There are other considerations that ought to have been presented to the committee, and I do not think the Committee of the Whole at this time, when no opportunity has been had by the Committee on Rivers and Harbors to consider it, should give favorable consideration to the adoption of this provision for making this important survey at this time.

Mr. WELTY. In response to what the gentleman says, I would say that the engineers——

Mr. SMALL. And let me say further that the language is informal, and, I think, is incorrect.

Mr. WELTY. If it is informal I want to say that I copied the language from the act of 1894, and it simply provides for a resurvey of that which had been surveyed and reported two years afterwards, in 1896.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The question was taken; and on a division (demanded by Mr. SMALL) there were—ayes 17, noes 27.

So the amendment was rejected.

The Clerk read as follows:

SEC. 4. That no part of the funds herein or hereafter appropriated for works of river and harbor improvement shall be used to pay for any work done by private contract if the contract price is more than 25 per cent in excess of the estimated cost of doing the work by Government plant: *Provided*, That in estimating the cost of doing the work by Government plant, including the cost of labor and materials, there shall also be taken into account proper charges for depreciation of plant and all supervising and overhead expenses and interest on the capital invested in the Government plant, but the rate of interest shall not exceed the maximum prevailing rate being paid by the United States on current issues of bonds or other evidences of indebtedness.

Mr. SMALL. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Committee amendment by Mr. SMALL: Add the following new section at the end of the bill:

"SEC. 5. That Little River, from Big Lake, in Mississippi County, to Marked Tree, in Poinsett County, Ark., is hereby declared to be not a navigable waterway of the United States within the meaning of the laws enacted by Congress for the protection of such waterways: *Provided*, That this provision shall be null and void unless expressly approved by an act of the Legislature of the State of Arkansas within two years from the date of approval of this act."

Mr. MANN. Mr. Chairman, I make a point of order on that. The Committee on Rivers and Harbors has no jurisdiction of this matter.

Mr. SMALL. Mr. Chairman, I desire to make this statement: The purport of the amendment is plain upon its face. It is to declare a certain stream within certain limits in the State of Arkansas not navigable within the meaning of the laws of the United States if it shall be approved within two years by the Legislature of the State of Arkansas. I will state that the matter has been considered by the committee, was referred to the Chief of Engineers, and I have before me a letter from the Chief of Engineers recommending it.

Mr. MANN. Mr. Chairman, it seems to me that those matters ought to go always to the committee that has jurisdiction over them, which committee considers all of these propositions. The gentleman endeavors to insert it upon a river and harbor bill. The Committee on Interstate and Foreign Commerce has these bills come before them. Why should they not have this matter go before them? There is no difficulty in getting consideration of bills of this kind by the proper committee.

Mr. SMALL. The Committee on Rivers and Harbors has been assuming jurisdiction of such matters.

Mr. MANN. Oh, no; the Committee on Rivers and Harbors had sometimes offered an amendment like this, but the Rivers and Harbors Committee does not have jurisdiction of such bills. A great many such bills have been in Congress since I have been here, and I have never known them to go anywhere except to the Committee on Interstate and Foreign Commerce. Sometimes, as a matter of river and harbor improvement, the Rivers and Harbors Committee has included an item in the bill, but this has nothing to do with river and harbor improvement. It is entirely foreign to this bill. The Committee on Rivers and Harbors has no jurisdiction of the subject matter, and this has no place on this bill. It is not a part of river and harbor improvement. Doubtless some one, I do not know who, desires to have this legislation; but the mere fact that some very good Member of the House desires legislation is no reason why it should be enacted unless proper methods are pursued. I make the point of order.

Mr. SMALL. Mr. Chairman, I would like to argue the point of order, and yet I do not wish to do so at this time. I will ask the gentleman to withdraw his point of order in order that I may withdraw the amendment.

Mr. MANN. If the gentleman desires to withdraw his amendment, he can do it without my withdrawing the point of order.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to withdraw the amendment. Is there objection?

There was no objection.

Mr. SMALL. Mr. Chairman, I simply want to say that I can not concede that the position of the gentleman from Illinois is well taken, that the Committee on Rivers and Harbors has no jurisdiction.

Mr. MANN. The gentleman does not need to concede it, because it is so well settled that it does not make any difference what the gentleman concedes.

Mr. SMALL. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the several amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. BYRNS of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 13462, the river and harbor appropriation bill, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. SMALL. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. SMALL. Mr. Speaker, I demand a separate vote upon the amendment proposed by the gentleman from Washington [Mr. MILLER] appropriating $40,000 for the maintenance of the Duwamish River.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them en grosse. The question is on agreeing to the amendments, except the Miller amendment.

The amendments were agreed to.

The SPEAKER. The question now is on agreeing to the Miller amendment.

The question was taken.

Mr. SMALL. Mr. Speaker, I demand a division.

The House again divided; and there were—ayes 44, noes 42.

So the amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading.

The bill was ordered to be engrossed and read the third time.

Mr. MANN. Mr. Speaker, I demand the reading of the engrossed bill.

The SPEAKER. The gentleman demands the reading of the engrossed bill.

Mr. MANN. Mr. Speaker, I will not make such a demand on Monday.

Mr. KITCHIN. As I understand it, the gentleman simply desires to have the vote on Monday instead of to-night?

Mr. MANN. Yes.

Mr. KITCHIN. Of course, then under the circumstances we will have to adjourn.

WITHDRAWAL OF PAPERS

By unanimous consent, Mr. SWITZER was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Robert H. Lawson, H. R. 19709, Sixty-third Congress, no adverse report having been made thereon.

LEAVE OF ABSENCE.

Mr. NORTON. Mr. Speaker, I ask leave of absence for five weeks on account of important business.

The SPEAKER. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS.

Mr. WELTY. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill just passed.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

HOUR OF MEETING ON MONDAY.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock on Monday next.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 32 minutes p. m.) the House adjourned until Monday, January 13, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Navy, transmitting tentative draft of items of legislation for the consideration of Congress in reference to pay of men discharged from the Army or Navy (H. Doc. No. 1677); to the Committee on Naval Affairs and ordered to be printed.

2. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Mary R. Greiner, widow of Henry C. Greiner, deceased, against The United States (H. Doc. No. 1678); to the Committee on War Claims and ordered to be printed.

3. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Julius King, brother of Walter B. King, deceased, against The United States (H. Doc. No. 1679); to the Committee on War Claims and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. RAKER, from the Committee on the Public Lands, to which was referred the bill (S. 3646) granting rights of way over Government lands for dam and reservoir purposes, for the conservation and storage of water to be used by the city of San Diego, Cal., and for other purposes, reported the same with amendment, accompanied by a report (No. 911), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Idaho, from the Committee on the Public Lands, to which was referred the bill (H. R. 13034) to validate and confirm certain erroneously allowed entries in the State of Minnesota, reported the same without amendment, accompanied by a report (No. 912), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. VOLSTEAD, from the Committee on the Judiciary, to which was referred the bill (S. 68) to amend section 269 of the act of March 3, 1911, entitled "An act to codify, revise, and amend the laws relating to the judiciary," reported the same without amendment, accompanied by a report (No. 913), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CALDWELL: A bill (H. R. 14091) requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

By Mr. GALLIVAN: A bill (H. R. 14092) fixing the compensation of United States inspectors of customs; to the Committee on Ways and Means.

By Mr. FULLER of Illinois: A bill (H. R. 14093) providing for the transfer of jurisdiction of and all claims for compensation for death or disability from the Bureau of War Risk Insurance to the Bureau of Pensions, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. LaGUARDIA: A bill (H. R. 14094) to repeal an act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," and the act amendatory thereof; to the Committee on the Judiciary.

By Mr. ADOLPHUS P. NELSON: A bill (H. R. 14095) authorizing the Secretary of War to donate to the city of Phillips, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14096) authorizing the Secretary of War to donate to the city of Merrill, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14097) authorizing the Secretary of War to donate to the city of Rhinelander, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14098) authorizing the Secretary of War to donate to the city of Washburn, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14099) authorizing the Secretary of War to donate to the city of Ashland, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14100) authorizing the Secretary of War to donate to the city of Ladysmith, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14101) authorizing the Secretary of War to donate to the city of Superior, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14102) authorizing the Secretary of War to donate to the city of Spooner, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14103) authorizing the Secretary of War to donate to the village of Grantsburg, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14104) authorizing the Secretary of War to donate to the village of Balsam Lake, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BRODBECK: A bill (H. R. 14105) to provide for the equitable distribution of captured war devices and trophies to the States and Territories of the United States and to the District of Columbia; to the Committee on Military Affairs.

By Mr. HICKS: A bill (H. R. 14106) authorizing the Secretary of War to donate to the village of Hicksville, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14107) authorizing the Secretary of War to donate to the village of Riverhead, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14108) authorizing the Secretary of War to donate to the village of Greenlawn, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BLANTON: A bill (H. R. 14109) authorizing and directing the Secretary of War to donate to the county of Llano, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14110) authorizing and directing the Secretary of War to donate to the county of Lampasas, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14111) authorizing and directing the Secretary of War to donate to the county of San Saba, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14112) authorizing and directing the Secretary of War to donate to the county of Coleman, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14113) authorizing and directing the Secretary of War to donate to the county of Brown, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14114) authorizing and directing the Secretary of War to donate to the county of Comanche, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14115) authorizing and directing the Secretary of War to donate to the county of McCulloch, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14116) authorizing and directing the Secretary of War to donate to the county of Mills, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14117) authorizing and directing the Secretary of War to donate to the county of Palo Pinto, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14118) authorizing and directing the Secretary of War to donate to the county of Stephens, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14119) authorizing and directing the Secretary of War to donate to the county of Shackelford, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14120) authorizing and directing the Secretary of War to donate to the county of Jones, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14121) authorizing and directing the Secretary of War to donate to the county of Callahan, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14122) authorizing and directing the Secretary of War to donate to the county of Concho, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14123) authorizing and directing the Secretary of War to donate to the county of Eastland, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14124) authorizing and directing the Secretary of War to donate to the county of Runnels, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14125) authorizing and directing the Secretary of War to donate to the county of Taylor, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14126) authorizing and directing the Secretary of War to donate to the county of Nolan, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14127) authorizing and directing the Secretary of War to donate to the county of Burnet, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14128) authorizing and directing the Secretary of War to donate to the county of Tom Green, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KINCHELOE: A bill (H. R. 14129) authorizing the Secretary of War to donate to the city of Henderson, Ky., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. DALE: A bill (H. R. 14130) donating a captured German cannon or field gun and carriage to the village of East Barnet, Vt., for decorative purposes; to the Committee on Military Affairs.

Mr. FULLER of Illinois: A bill (H. R. 14131) authorizing the Secretary of War to donate to the city of Plano, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14132) authorizing the Secretary of War to donate to the city of Yorkville, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14133) authorizing the Secretary of War to donate to the village of Cherry Valley, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14134) authorizing the Secretary of War to donate to the village of Shabbona, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14135) authorizing the Secretary of War to donate to the city of Genoa, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HAMLIN: A bill (H. R. 14136) authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to designated cities; to the Committee on Military Affairs.

By Mr. GALLIVAN: A bill (H. R. 14137) authorizing the Secretary of War to donate to the city of Boston, Mass., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14138) authorizing the Secretary of War to donate to the city of Boston, Mass., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14139) authorizing the Secretary of War to donate to the city of Boston, Mass., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. DOREMUS: A bill (H. R. 14140) donating a captured German cannon or field gun and carriage to the county of Clare, Mich., for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14141) authorizing the Secretary of War to donate to the city of Clare, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HOUSTON: A bill (H. R. 14142) authorizing the Secretary of War to donate to the town of Woodbury, Tenn., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14143) authorizing the Secretary of War to donate to the town of Smithville, Tenn., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14144) authorizing the Secretary of War to donate to the town of Manchester, Tenn., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14145) authorizing the Secretary of War to donate to the Middle Tennessee State Normal School at Murfreesboro, Tenn., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SEARS: A bill (H. R. 14146) authorizing the Secretary of War to donate to the Board of County Commissioners of St. Johns County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14147) authorizing the Secretary of War to donate to the Board of County Commissioners of Broward County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14148) authorizing the Secretary of War to donate to the Board of County Commissioners of Brevard County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14149) authorizing the Secretary of War to donate to the Board of County Commissioners of St. Lucie County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14150) authorizing the Secretary of War to donate to the Board of County Commissioners of Palm Beach County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14151) authorizing the Secretary of War to donate to the Board of County Commissioners of Duval County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14152) authorizing the Secretary of War to donate to the Board of County Commissioners of Volusia County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14153) authorizing the Secretary of War to donate to the Board of County Commissioners of Flagler County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14154) authorizing the Secretary of War to donate to the Board of County Commissioners of Orange County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14155) authorizing the Secretary of War to donate to the Board of County Commissioners of Seminole County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14156) authorizing the Secretary of War to donate to the Board of County Commissioners of Osceola County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14157) authorizing the Secretary of War to donate to the Board of County Commissioners of Monroe County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14158) authorizing the Secretary of War to donate to the Board of County Commissioners of Okeechobee County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14159) authorizing the Secretary of War to donate to the Board of County Commissioners of Dade County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14160) authorizing the Secretary of War to donate to the Board of County Commissioners of Putnam County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14161) authorizing the Secretary of War to donate to the Board of County Commissioners of Clay County, Fla., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TAYLOR of Colorado: A bill (H. R. 14162) to increase the cost of the public building at Durango, Colo.; to the Committee on Public Buildings and Grounds.

By Mr. BURNETT: A bill (H. R. 14163) to prohibit immigration for a period of four years, and to restrict immigration thereafter; to the Committee on Immigration and Naturalization.

By Mr. RAMSEYER: A bill (H. R. 14164) directing the Surgeon General of the Army to make reports in certain cases; to the Committee on Military Affairs.

Also, a bill (H. R. 14165) providing for the honorable discharge of officers or enlisted men in the Army of the United States in certain cases; to the Committee on Military Affairs.

By Mr. CRAGO: A bill (H. R. 14166) providing for the promotion of certain officers of the United States Army; to the Committee on Military Affairs.

By Mr. DYER: A bill (H. R. 14167) to provide a tariff and obtain revenue in connection with the metal contents of zinc ore; to the Committee on Ways and Means.

By Mr. BLAND of Virginia: A bill (H. R. 14168) authorizing the Secretary of War to donate to the town of Belle Haven, county of Accomac, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14169) authorizing the Secretary of War to donate to the village of Tangier, on the island of Tangier, county of Accomac, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14170) authorizing the Secretary of War to donate to the town of Urbana, county of Middlesex, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. COADY: A bill (H. R. 14171) authorizing the Secretary of War to donate to the city of Baltimore, State of Maryland, German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. ALMON: A bill (H. R. 14172) authorizing the Secretary of War to donate to the city of Moulton, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14173) authorizing the Secretary of War to donate to the city of Tuscumbia, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14174) authorizing the Secretary of War to donate to the city of Scottsboro, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14175) authorizing the Secretary of War to donate to the city of Florence, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14176) authorizing the Secretary of War to donate to the city of Athens, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14177) authorizing the Secretary of War to donate to the city of Huntsville, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14178) authorizing the Secretary of War to donate to the city of Decatur, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KETTNER: A bill (H. R. 14179) authorizing the Secretary of War to donate to the town of Corona, Cal., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CONNALLY of Texas: A bill (H. R. 14180) authorizing the Secretary of War to donate to the city of Marlin, Tex., one German cannon or fieldpiece or piece of artillery; to the Committee on Military Affairs.

Also, a bill (H. R. 14181) authorizing the Secretary of War to donate to the city of Gatesville, Tex., one German cannon or fieldpiece or piece of artillery; to the Committee on Military Affairs.

Also, a bill (H. R. 14182) authorizing the Secretary of War to donate to the city of Waco, Tex., one German cannon or fieldpiece or piece of artillery; to the Committee on Military Affairs.

Also, a bill (H. R. 14183) authorizing the Secretary of War to donate to the city of Meridian, Tex., one German cannon or fieldpiece or piece of artillery; to the Committee on Military Affairs.

Also, a bill (H. R. 14184) authorizing the Secretary of War to donate to the city of Belton, Tex., one German cannon or fieldpiece or piece of artillery; to the Committee on Military Affairs.

By Mr. LEVER: A bill (H. R. 14185) to provide that the United States shall cooperate with the States in promoting the health of the rural population of the United States, and for other purposes; to the Committee on Agriculture.

By Mr. DEWALT: A bill (H. R. 14186) to provide for the incorporation of Federal railroad companies and the regulation thereof, and to establish a system of supervision of railroads in the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. TAYLOR of Colorado: A bill (H. R. 14187) to provide for the erection of a public building in the city of Montrose, Colo.; to the Committee on Public Buildings and Grounds.

By Mr. MERRITT: A bill (H. R. 14188) authorizing the Secretary of War to donate to towns in the State of Connecticut German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. DOOLITTLE: A bill (H. R. 14189) authorizing the Secretary of War to donate to the city of Wamego, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. RUCKER: A bill (H. R. 14190) authorizing and directing the Secretary of War to make certain donations of cannon and ordnance to designated towns and cities; to the Committee on Military Affairs.

By Mr. VOIGT: A bill (H. R. 14191) authorizing the Secretary of War to donate to the city of Juneau, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14192) authorizing the Secretary of War to donate to the city of West Bend, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14193) authorizing the Secretary of War to donate to the city of Port Washington, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14194) authorizing the Secretary of War to donate to the city of Portage, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14195) authorizing the Secretary of War to donate to the city of Fort Atkinson, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14196) authorizing the Secretary of War to donate to the city of Watertown, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14197) authorizing the Secretary of War to donate to the city of Jefferson, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14198) authorizing the Secretary of War to donate to the city of Plymouth, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14199) authorizing the Secretary of War to donate to the city of Mayville, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14200) authorizing the Secretary of War to donate to the city of Beaver Dam, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14201) authorizing the Secretary of War to donate to the city of Sheboygan, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14202) authorizing the Secretary of War to donate to the city of Hartford, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14203) authorizing the Secretary of War to donate to the city of Waupun, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14204) authorizing the Secretary of War to donate to the city of Columbus, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

By Mr. EMERSON: Joint resolution (H. J. Res. 383) to discharge all soldiers in the United States whose services are no longer needed, and to eliminate delay in granting such discharges; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND of Indiana: A bill (H. R. 14205) granting an increase of pension to Francis H. Powell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14206) granting a pension to John I. Amy; to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 14207) granting an increase of pension to William C. Stuart; to the Committee on Invalid Pensions.

By Mr. CANDLER of Mississippi: A bill (H. R. 14208) for the relief of Mrs. Mamie Duffer, of Shannon, Miss.; to the Committee on Claims.

By Mr. COPLEY: A bill (H. R. 14209) granting a pension to Drusilla S. Hilliard; to the Committee on Invalid Pensions.

By Mr. POLK: A bill (H. R. 14210) granting an increase of pension to John E. Beatty; to the Committee on Invalid Pensions.

By Mr. WEBB: A bill (H. R. 14211) granting an increase of pension to General G. Burris; to the Committee on Pensions.

By Mr. WOOD of Indiana: A bill (H. R. 14212) granting an increase of pension to John N. Ellis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14213) granting an increase of pension to Peter A. Ruble; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CALDWELL: Petition of sundry citizens of New York, urging legislation to provide for the deportation of enemy aliens; to the Committee on the Judiciary.

By Mr. CARY: Petition of the Standard Aircraft Corporation, urging the extension of the Air Mail Service; to the Committee on the Post Office and Post Roads.

Also, memorial of the presidents of the various cattle-breeding associations, favoring further legislation for the eradication of bovine tuberculosis; to the Committee on Agriculture.

Also, petition of the Chamber of Commerce of Key West, Fla., urging the building of a pipe line from the mainland to that place to supply ships and local government enterprises with fresh water; to the Committee on Naval Affairs.

By Mr. DOOLING: Petition of C. E. Beaubrun, New York City, against the proposed tax on furs; to the Committee on Ways and Means.

By Mr. FREAR: Petition of citizens of Chippewa Falls, Wis., favoring Irish independence; to the Committee on Foreign Affairs.

By Mr. KELLY of Pennsylvania: Petition of the International Molders' Union of Pittsburgh, Pa., praying for the passage of the McKellar-Keating retirement bill; to the Committee on Reform in the Civil Service.

By Mr. KETTNER: Petition of N. E. Addy, corresponding secretary of Local No. 551, Amalgamated Sheet Metal Workers' International Alliance, San Bernardino, Cal., in regard to the future of the railroads of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHN M. NELSON: Petition of Henry Helland, of Superior, Wis., favoring the return of railroads and other public utilities to private control, to be operated under charters granted by the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. POLK: Resolutions adopted by the teachers of Sussex County, Del., and by the Delaware Association of College Women, Wilmington, Del., urging the passage of Senate bill 4987, to provide for a national department of education; to the Committee on Education.

By Mr. RAKER: Resolution by the California Redwood Association, to restore to the Interstate Commerce Commission the powers taken away by the Federal control act of March 21, 1918; to the Committee on Interstate and Foreign Commerce.

By Mr. ROBBINS: Petition of the Butler Board of Trade, Butler, Pa., favoring the improvement of highways; to the Committee on Roads.

SENATE.

MONDAY, *January 13, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, by every revelation of truth Thou hast made to men Thou dost call them to recognize Thy right to rule, to trust in Thy divine providence, to follow Thy spirit in the discharge of the duties and in the achievements of their life successes. We pray Thee as we come to face the duties of this day that we may be given the spirit of reverence, of submission to the divine will, and that through the day we may keep ever in mind our obligation to the God of heaven, to the God of all the earth. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of Thursday last, when, on request of Mr. KING and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had agreed to the concurrent resolution of the Senate (S. Con. Res. 28) providing for a joint session of the Senate and House of Representatives on Sunday, February 9, 1919, for appropriate exercises in commemoration of the life, character, and public service of the late Theodore Roosevelt, former President of the United States, Vice President of the United States, and President of the Senate, and authorizing arrangements therefor and the payment of all expenses incurred.

The message also announced that the Speaker of the House had appointed Mr. KITCHIN, Mr. CANTRILL, Mr. RANDALL, Mr. CALDWELL, Mr. GEORGE W. FAIRCHILD, Mr. TEMPLE, and Mr. SCHALL as the committee on the part of the House to make arrangements for the joint session of Congress on February 9, 1919.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 13274. An act to provide relief where formal contracts have not been made in the manner required by law; and

H. R. 13462. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 79. An act for the sale of isolated tracts of the public domain in Minnesota;

H. R. 1423. An act for the relief of Alexander F. McCollam;

H. R. 4240. An act for the relief of Alma Harris;

H. R. 8444. An act for the relief of Ira G. Kilpatrick and Guy D. Dill;

H. R. 9865. An act to authorize the sale of certain lands to school district No. 28 of Missoula County, Mont.; and

H. R. 12194. An act to provide for the award of medals of honor, distinguished-service medals, and Navy crosses, and for other purposes.

MEMORIAL EXERCISES FOR THE LATE PRESIDENT ROOSEVELT.

The VICE PRESIDENT. The Chair announces the following Senate members of the committee under the concurrent resolution providing for memorial exercises in honor of former President Roosevelt on February 9: Senators WADSWORTH, of New York; MARTIN of Virginia; SIMMONS, of North Carolina; SMOOT, of Utah; and CHAMBERLAIN, of Oregon.

SENATOR FROM SOUTH DAKOTA.

Mr. JOHNSON of South Dakota. I present the credentials of Hon. THOMAS STERLING, chosen by the qualified electors of the State of South Dakota a Senator from that State for the term beginning March 4, 1919, which I ask may be read and placed on file.

The credentials were read and ordered to be filed, as follows:

UNITED STATES OF AMERICA,
STATE OF NORTH DAKOTA.

This is to certify that on the 5th day of November, 1918, at a general election held throughout said State, THOMAS STERLING was duly chosen by the qualified electors of the State of South Dakota to the office of United States Senator for the term of six years, beginning on the 4th day of March, 1919.

In witness whereof I have hereunto set my hand and caused the seal of said State to be affixed at Pierre, the capital, this 24th day of December, 1918.

PETER NORBECK, *Governor.*

By the governor:
[SEAL.]
Attest:

FRANK M. ROOD,
Secretary of State.

SENATOR FROM WYOMING.

Mr. KENDRICK. I present the credentials of Hon. FRANCIS E. WARREN, chosen by the qualified electors of the State of Wyoming a Senator from that State for the term beginning March 4, 1919, and I ask that they be read and placed on file.

The credentials were read and ordered to be filed, as follows:

THE STATE OF WYOMING,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 5th day of November, 1918, FRANCIS E. WARREN was duly chosen by the qualified electors of the State of Wyoming a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1919.

Witness: His excellency our acting governor, Frank L. Houx, and our seal hereto affixed at Cheyenne, this 3d day of January, in the year of our Lord 1919.

FRANK L. HOUX,
Acting Governor.

By the acting governor:
[SEAL.]

FRANK L. HOUX,
Secretary of State.

SENATOR FROM TENNESSEE.

Mr. McKELLAR. I present the credentials of Hon. JOHN K. SHIELDS, chosen by the qualified electors of the State of Tennessee a Senator from that State for the term beginning March 4, 1919, which I ask may be read and placed on file.

The credentials were read and ordered to be filed, as follows:

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 5th day of November, 1918, JOHN K. SHIELDS was duly chosen by the qualified electors of the State of Tennessee a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1919.

Witness: His excellency our governor, Tom C. Rye, and our seal hereto affixed at Nashville this 14th day of December, in the year of our Lord 1918.

TOM C. RYE, *Governor.*

By the governor:
[SEAL.] IKE B. STEVENS,
Secretary of State.

ALLOTMENTS TO SOLDIERS' DEPENDENTS (S. DOC. 336).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 3d instant, certain information relative to the payment of allotments of soldiers to their dependents, which was referred to the Committee on Military Affairs and ordered to be printed.

EMPLOYEES OF DEPARTMENT OF LABOR (S. DOC. 338).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Labor, transmitting, in response to a resolution of December 23, 1918, a list showing the number of civil employees of the department on January 1, 1919, and the number discharged during the previous two weeks, which was ordered to lie on the table and be printed.

SHIP CONSTRUCTION FOR FOREIGN ACCOUNT (S. DOC. 334).

The VICE PRESIDENT laid before the Senate a communication from the United States Shipping Board, transmitting, in response to a resolution of December 16, 1918, certain information relative to the construction of ships in American yards for foreign account, which, with the accompanying paper, was referred to the Committee on Commerce and ordered to be printed.

EMPLOYEES OF WAR TRADE BOARD (S. DOC. 337).

The VICE PRESIDENT laid before the Senate a communication from the director of the War Trade Board, transmitting, in response to a resolution of December 23, 1918, a list showing the number of civil employees in the board on January 1, 1919, and the number discharged during the previous two weeks, which was ordered to lie on the table and be printed.

NATIONAL PROHIBITION.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the governor of Michigan, transmitting a certified copy of resolutions adopted by the legislature of that State ratifying the proposed prohibition amendment to the Constitution of the United States. The communication and accompanying resolutions will be placed on the files of the Senate.

PETITIONS AND MEMORIALS.

Mr. LODGE presented a petition of sundry Lithuanian citizens of Worcester, Mass., praying for the independence of Lithuania, which was referred to the Committee on Foreign Relations.

Mr. TOWNSEND presented a petition of Local Branch, International Molders' Union of North America, of Detroit, Mich., praying for the passage of the so-called civil-service retirement bill, which was ordered to lie on the table.

He also presented a petition of the Rotary Club of Kalamazoo, Mich., praying for the deportation of interned aliens, which was referred to the Committee on Immigration.

He also presented a petition of Local Branch, International Association of Machinists, of Kalamazoo, Mich., praying for the extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

Mr. WARREN presented a petition of the board of education of school district No. 1, of Laramie County, Wyo., praying for the establishment of a department of education, which was referred to the Committee on Education and Labor.

He also presented a petition of the local board of the selective-service draft of Weston County, Wyo., praying for Government recognition of the work of the selective-service boards in raising the National Army, which was referred to the Committee on Military Affairs.

Mr. PHELAN presented a petition of the Friday Morning Club, of Los Angeles, Cal., praying for the passage of the so-called civil-service retirement bill, which was ordered to lie on the table.

Mr. SAULSBURY. I present a petition signed by more than 150,000 children, pupils in the public schools of Porto Rico, asking that the President and Congress of the United States honor the island of Porto Rico by bestowing its name upon one of the battleships of the Nation. I move that the petition be referred to the Committee on Naval Affairs.

The motion was agreed to.

WOMAN SUFFRAGE.

Mr. CURTIS. I present a telegram embodying a resolution and ask to have it read.

The VICE PRESIDENT. Without objection, the telegram will be read.

The Secretary read as follows:

CHICAGO, ILL., *January 10, 1919.*

Hon. CHARLES CURTIS,
United States Senate, Washington, D. C.:

Committee unanimously adopted following resolution this morning: "The Republican national committee, in meeting assembled in Chicago, January 10, reiterates its belief in the necessity for the enfranchisement of the women of America, and therefore calls upon the United States Senate for the immediate passage of the Federal suffrage amendment, and further calls upon all Republican legislatures to stand ready to ratify the amendment when presented.

"WILL H. HAYS."

Mr. NEW. I have received the following telegram from Indianapolis, Ind., which I request may be read.

There being no objection, the communication was read, as follows:

INDIANAPOLIS, IND., *January 11, 1919.*

Hon. HARRY S. NEW,
United States Senate, Washington, D. C.:

The following joint resolution was passed by both houses of the Indiana Legislature, with only one dissenting vote, immediately on the close of Gov. Goodrich's address to the joint session of both houses at the opening of the Indiana Legislature:

"Whereas the women of our country have in the past world's war again demonstrated their unfailing patriotism and eminent ability and are in every way deserving of the ballot; and

"Whereas there is pending in the Senate of the United States a resolution proposing an amendment to the Constitution of the United States providing for equal suffrage: Therefore be it

"*Resolved*, That we, the Senate and House of Representatives of the seventy-first session of the Indiana General Assembly, in joint session assembled, urge the United States Senate to the immediate passage of said measure, to the end that this session may ratify same."

Presented by Representative Alldredge and adopted with but one dissenting vote.

EDGAR T. BUSH,
Lieutenant Governor.
JESSE EMBACH,
Speaker of the House of Representatives.

Mr. McCUMBER. I present a telegram embodying a concurrent resolution of the Legislature of North Dakota, requesting the Senators and Representatives from that State to vote for the Susan B. Anthony national suffrage amendment. I ask to have it printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

BISMARCK, N. DAK., *January 11, 1919.*

Hon. PORTER J. McCUMBER,
United States Senate, Washington, D. C.:

The following concurrent resolution was adopted to-day:

"*Be it resolved by the Senate of the State of North Dakota (the House of Representatives concurring),*

"Whereas there is now pending before the Senate of the United States an amendment to the Federal Constitution known as the Susan B. Anthony national suffrage amendment; and

"Whereas the legislative assembly of the State of North Dakota believe that the same should be submitted to the States union as an amendment to our Federal Constitution: Now, therefore be it

"*Resolved*, That the State of North Dakota, through its legislative assembly, does herewith respectfully petition and urge the national Senate of the United States to favorably consider, and early approve, the Susan B. Anthony national suffrage amendment; and be it

"*Resolved*, That the secretary of State be instructed to send a copy of these resolutions to the Senators and Representatives of the State of North Dakota in Congress. Certified copy in to-night's mail."

THOMAS HALL, *Secretary of State.*

SALVAGE OF SHIPPING.

Mr. FLETCHER. Mr. President, I have a communication from the Twentieth Century Deep-Sea Salvage Syndicate, of Chicago, Ill., which I ask may be read.

There being no objection, the communication was read, as follows:

TWENTIETH CENTURY DEEP-SEA SALVAGE SYNDICATE,
Chicago, January 6, 1919.

Hon. DUNCAN U. FLETCHER,
Chairman Commerce Committee, United States Senate,
Washington, D. C.

DEAR SIR: We have the honor to call to your attention, as we were recommended to do by Mr. H. H. Garven, foreign trade commissioner of the Chicago Chamber of Commerce, a matter of the gravest importance, we think, with respect to the available shipping of the United States and her allies, viz: The open boast of Germany, through Counsellor von Stockert, of the German Navy Department, that the reports of submarine sinkings comprise a record of shipping which gives Germany an advantage in salvaging operations.

By reason of equipment which enables us to go to greater depths than divers, and at those depths attach buoyancy chambers to ships to float them, our syndicate is concerned in the salvaging of shipping from the high seas. Our American syndicate meets at once the fact

that Germany has the exact locations of hundreds of valuable cargoes of which we and other American salvaging interests have no information. Our situation is similar to that of British and other salvors.

The question which should be pressed home to the peace conferees was stated in a cable message we sent to President Wilson, as follows:

"Deep-Sea Salvage Syndicate here, comprising former Lithuanians, respectfully inquire whether, among peace terms, Germany will be required to surrender data in exclusive possession where shipping was sunk by submarines. We urge importance."

It is our hope and the expectation of our advisors in the Chicago Association of Commerce that you will bring this matter up for the consideration of your committee, and also bring it up on the floor of the Senate with the purpose of publicly demanding the surrender by Germany of the record of her crimes without which surrender German salvaging interests expect to press an advantage over the United States and her associates in the war.

Will you permit such advantages to be overlooked? As stated above, Secretary Redfield advises us that he knows of no present plans to get the information contained in the reports of submarine crews. Will you please advise us what can be done?

Respectfully, yours, CLYDE S. THOMAS.

BRITISH SHIPPING (S. DOC. NO. 335).

Mr. FLETCHER. I have here a very interesting article on the subject of the problem of British shipping, by Sydney Brooks, published in the Nineteenth Century for December. It discusses the whole question of British shipping, which necessarily involves the shipping of other countries and world shipping. It is a very able discussion of the subject, and I ask unanimous consent to have it printed as a public document. I have complied with the law and submit an estimate of the cost with this application.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

SOLDIERS' MAIL.

Mr. SHAFROTH. I present to the Senate a letter written by Newton D. Baker, Secretary of War, inclosing a communication from Gen. Goethals and also a cablegram from Gen. Pershing relative to the transportation and delivery of mail to and from the Expeditionary Forces in France. I ask that the letter and accompanying papers be printed in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

WAR DEPARTMENT,
Washington, January 9, 1919.

Hon. JOHN F. SHAFROTH,
United States Senate.

MY DEAR SENATOR SHAFROTH: Some days ago you called my attention to comments which were current with regard to irregularity in the mail service between the United States and the soldiers of the American Expeditionary Forces, and I told you I was then having an examination made into the matter and would be glad to place the results of the examination in your hands. I now have pleasure in handing you a cablegram from Gen. Harbord, commanding general of the services of supply in France, and a report from Maj. Gen. Goethals covering the collection and dispatch of mail in the United States intended for our Expeditionary Forces abroad. Neither of these reports undertakes to examine into individual complaints with regard to delayed or irregular mail service. Both are in response to a direction from me that a summary examination of the entire situation should be made on the two sides of the ocean. They therefore deal with the volume of mail matter and the speed with which it is handled.

It is, of course, entirely obvious that there is no question of divided responsibility in this matter. The War Department and the Army undertake the distribution and collection of mail in France. The Post Office Department delivers the mail to us here in New York and receives it from us at the ports of embarkation in France; its services are helpful and expeditious, and whatever delays there are grow out of the essential situation in France as described in Gen. Harbord's cablegram. I am particularly anxious to have it understood, therefore, that the Post Office Department is helpful and that the War Department does not feel that any difficulties are attributable to the postal service operated by that department.

I do not think it would be helpful to restate in altered phrase the difficulties pointed out by Gen. Harbord. They are, however, very real, and the difference between the situation of an army in actual conflict in a disturbed area and in a country the transportation facilities of which are taxed to the utmost, and such a service operated in a settled country like our own, is very great. The change of location and designation of units, the shifting of personnel, the necessary secrecy of military movements, inadequate transportation facilities, absorption of attention upon military operations are all elements which must be taken into account, while, as is pointed out in the report of Gen. Goethals, obscure and inadequate addressing and the usual difficulties of mail dispatch here apply with equal force to mail intended for our overseas troops.

I have been, of course, constantly in contact with this situation. I studied it on the occasion of my first trip to Europe, in March, 1918, and as a result of that trip worked out with the Postmaster General the arrangement whereby the entire responsibility for the service in France passed from the Post Office Department to the Army. I later restudied the question in September, 1918, when the new Army system was fairly well organized and constantly improving. Now that the armistice has brought about the suspension of hostilities, undoubtedly the improvement will be even more marked and rapid, except as further elements of difficulty are introduced by the presence of a substantial part of the American Army on German soil, into which railroad and other transportation facilities are extremely limited, and by the return of soldiers to the United States, which will add to the movement of the troops as they progress from the interior of France to the seaboard and are embarked for their journey home.

I have not attempted to deal with individual instances which have come to your attention or to mine. There are very many of them; some of them seem quite impossible of explanation. Many of them, upon narrow inquiry, turn out to be mistakes for which the system installed is in no way responsible; some of them undoubtedly are due to failures on the part of employees promptly and efficiently to perform their duties; but the system is under constant supervision and its employees are becoming daily better trained, and the improvement will be manifest.

In the meantime, it is only just to Gen. Pershing and Gen. Harbord and Gen. March and Gen. Goethals to say that each of them has appreciated profoundly the importance of regularity in the mail, both as a matter of justice to the soldier and his family and as a matter of efficiency in the Army, and all of these officers have given the matter constant attention, with a view to overcoming the difficulties and improving the service.

Cordially, yours, NEWTON D. BAKER,
Secretary of War.

JANUARY 6, 1919.

Memorandum for the Chief of Staff.
Subject: Examination of mail destined for the American Expeditionary Forces.

1. In accordance with your instructions of December 28, 1918, the commanding general port of embarkation, Hoboken, N. J., was directed to make the check of mail destined for the American Expeditionary Forces, and his examination of first and second class mail covered a period of one week—from December 27, 1918, to January 2, 1919, both dates inclusive. During this period, 1,552 sacks of first-class mail and 10,474 sacks of second-class mail were received from the terminal and dispatched to the American Expeditionary Forces. From these sacks there were examined 788 letters and 715 prints, which had been sent from all parts of the United States. The bundles from which the mail was taken were prepared for delivery to the ship's side within three hours of call from the officer in charge of the dispatch of mail at Hoboken.

2. The following is a summary of the number of days required for the transmission of mails from time of postmark in several sections of the country to time of delivery by post-office authorities to the Army authorities at Hoboken.

	First-class mail.		Second-class mail.	
	Average days.	Longest time.	Average days.	Longest time.
Pacific coast	6¼	13	8	12
Montana to Texas	5	7	6½	10
West of Mississippi and Southern States	3¾	6	6¼	11
Chicago, Ohio, and West Pennsylvania	1¾	13	3¾	6
Balance of eastern States	1½	3	2½	4

3. From the time of mailing to the time of delivery to the military authorities at Hoboken all mail is in the hands of the Post Office Department. All classes which are marked for the American Expeditionary Forces are shipped by the Post Office Department to the Chelsea Terminal, which occupies the entire second floor of Pier 86, North River. At this point it is sorted and marked for the various organizations in France for which intended, and is delivered by the Post Office Department to the military authorities when called for for loading on steamers. The time that the mail is in the hands of the military authorities at Hoboken until the departure of the steamer varies from one to three days, except in the unusual cases where sailings may be delayed on account of unforeseen circumstances, as, for instance, an accident may happen to a ship to defer sailing, or in some cases it is necessary to transfer mail from a ship on which it has already been loaded. A close liaison has been established between the postal office at Chelsea Terminal and the officer in charge of the mail at Hoboken, in order to eliminate delays in the delivery of mail to ship's side. Mail is loaded on the ship as soon as it is received from the Post Office Department.

4. It will be noted that the week during which this examination of mail was made was during the holiday season and followed the season of the year when the mail service over the whole country is taxed with unusual quantities of mail. Notwithstanding this condition, the average time required for deliveries would not, in any case, appear excessive, and the maximum time consumed is believed to be due entirely to the heavy holiday conditions.

5. From information obtained at Hoboken, it is believed that one great cause of delay in the delivery of mail to the American Expeditionary Forces has been due to the change in designations of organizations after arriving in France, and in a great many individual cases in the transfer of individuals from one organization to another. As mail is made up in the Chelsea Terminal in accordance with the designations of organizations as addressed, and as reports of changes in orgsnizations are sometimes slow in reaching that terminal, delays which can not be corrected are bound to occur. As soon as changes in the designations are received the postal authorities make corrections as far as possible in the markings on their packages before they go overseas. Another cause of delay, both in the Chelsea Terminal and, no doubt, in the delivery of mail in France, is due to the illegibility of addresses, to straighten out which the services of a force of men are constantly necessary. Delay is also caused by the sending of casuals overseas and the time necessary to locate those men in definite organizations to which their mail may be forwarded. Detailed information on this subject is contained in report, inclosed herewith, of the officer in charge of mail at Hoboken, which sets out at greater length the result of examination made of the mail.

GEO. W. GOETHALS,
Major General, Assistant Chief of Staff,
Director of Purchase, Storage and Traffic.

[Cablegram.]

Received at the War Department January 1, 1919.

From: H. A. E. F.
To: The Adjutant General, Washington.
No. 2022. December 31. Confidential.

For the Chief of Staff.

Paragraph 1, Reference X377, following report is submitted: During the month of November there were received from the United States 66,614 sacks of mail in 15 shipments.

Subparagraph A. The average time for the transmission of this mail between the United States and base ports in France was 12 days; the average interval of time between shipments was two days; and the average time of unloading and shipping mails complete from base ports was three days. The time indicated as required for the handling of mail at base ports applies to all classes of mail and is figured from hour of arrival of ship until hour of departure of last sack of mail. All first-class mail, however, is cleared from base ports in 24 hours. During this period mail is unloaded, sacks are checked for accuracy of direction, and mail is transported to station and loaded on trains.

Subparagraph B. The average time for the carrying of mail between base ports and the headquarters, S. O. S. was two days; and between base ports and general headquarters was four days; and between base ports and Nancy, which is selected as typical point in the advance areas where scheduled rail service ceases, was five days.

Subparagraph C. At points in the advance areas and occupied territory beyond Nancy and similar rail heads, where there are no scheduled train movements and dependence must be made on irregular moving supply trains and trucks, no accurate statistics can be compiled, but the time of transmission may be estimated as from 2 to 10 days, varying with the weather and road conditions, amount of transportation available for movement of mails, and upon the movement and distance from rail heads of the units for whom mail is intended. All transmission of mail in France is delayed by the irregular train service resulting from war conditions, such as the constant shifting of large bodies of troops and deliveries of required supplies, by the limited number of cars for the transportation of mail that can be secured from the French railroad authorities, and by the fact that much mail must be shipped by freight schedule to obtain delivery.

Subparagraph D. During the month of November the time of transmission of outgoing mail from combat troops to points in the advance areas, where scheduled train movements began, was from 2 to 10 days, dependent upon conditions, as indicated in preceding paragraph. From these advance points, such as Nancy, to the port of debarkation, the average time of transmission was five days.

Subparagraph E. Pursuant to cablegram A-1331, paragraph 1, all mail from the American Expeditionary Forces intended for delivery to United States is turned over to the United States civil postal service at certain ports designated by them, after which responsibility of military postal service ends. During month of November 13,570 sacks of mail from members of the American Expeditionary Forces were delivered to civil postal authorities; and the latter reports this was forwarded to the United States in seven shipments, average time between shipments four days. For comparison, shipment of mail from American Expeditionary Forces to United States during the month of October was 10,817 sacks.

Subparagraph F. Pieces of mail handled in Army post offices during November total 90,467,929, estimated on basis of 40 letters to a package and 58 prints to a sack.

Subparagraph G. From Postal-Express Service statistics for December, which are not complete, the following information is available: Received from United States, including Christmas packages, 123,981 sacks of mail. Aside from that forwarded by regular railway mail facilities, this bulk was dispatched to destinations in 174 separate car shipments, no car of which has been longer than eight days en route to destination. There has been delivered to the civil postal authorities for dispatch to United States from December 1 to December 24 19,896 sacks of mail, and the civil postal officials report that this was dispatched in nine shipments; average time between shipments three days.

Subparagraph H. Control by the military authorities of the Army postal service in France was authorized by cablegram A-1331, paragraph 1, dated May 18, 1918, and was completely assumed July 1, 1918, the month of June being occupied in the details of transfer of control and the organization of a military postal service. The strength of the United States civil postal service operating in zone of American Expeditionary Forces was approximately 300, and of these 50 selected clerks were commissioned in or employed by the military postal service. From this nucleus this service has been expanded to its present strength of 140 officers and 3,700 enlisted men, exclusive of companies mail orderlies.

Subparagraph J. On July 1 the strength of the American Expeditionary Forces was approximately 900,000, and on November 30 its strength was approximately 1,800,000, the average monthly rate of increase from July 1 to November 1 being about 260,000. From July 1 to November 11 a great portion of these forces were engaged in active operations, which necessitated frequent, rapid, and secret movement from one sector of the battle line to another; and since November 11 continued shifting of organizations has been required by posting of an army of occupation and the withdrawal of remaining combat troops to locations better suited for their habitation than the devastated battle area.

Subparagraph K. All these required movements, together with the necessity of maintaining an uninterrupted supply of food, ammunition, and replacements to units, has limited the amount of transportation available for strictly mail purposes. Despite these conditions, the service has been improved by the establishment of over 80 additional Army post offices and railway mail service, which now consists of 28 lines, covering 14,000 miles. The average daily number of changes of status of individuals of the American Expeditionary Forces that might possibly affect the delivery of mail to individuals has totaled between 30,000 and 40,000, and these changes necessitate more readdressing of mail daily than it is estimated is required of the combined post offices of New York State.

Subparagraph L. That certain deficiencies in the postal service of the American Expeditionary Forces should develop was inevitable, and every effort has been made to correct these as rapidly as possible. When one considers, however, the comparatively short time military postal express service has been in operation and the magnitude of the task of organizing and operating this service under modern war conditions, and in a country whose transportation facilities have been strained to the utmost in order to meet its own war requirements, it is considered that what has been accomplished is a creditable record of achievement, and, due to the changed conditions and the consequent cessation of movement of troops, it is further believed that the service will now show marked improvement.

PERSHING.

RAILROAD RATES.

Mr. GRONNA. I have received a number of complaints from commercial clubs in my State. I have their letters, but I shall not present all of them to the Senate. However, I have a copy of a letter addressed to the Director General of Railroads and also to the secretary of the Interstate Commerce Commission showing how ruinously, I might say, the rules have been enforced and the rates increased and how they affect the small jobbing centers. I ask that the letter be printed in the RECORD.

There being no objection, the letter referred to was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

BISMARCK, N. DAK., *December 27, 1918.*

Hon. W. G. MCADOO,
Director General of Railroads, Washington, D. C.
Hon. G. B. MCGINTY,
Secretary Interstate Commerce Commission, Washington, D. C.

GENTLEMEN: We are informed that the Director General of Railroads has submitted for the consideration of the Interstate Commerce Commission, State railroad commissions, and shippers tentative schedules of uniform class rates for application in various parts of this country, including one designated the standard scale of class rates for 100 per cent western territory, which includes North Dakota, and which, therefore, vitally affects the present interests and future welfare of our city as a jobbing and manufacturing center.

This matter has been carefully considered by the traffic committee of our organization, and they have directed me to transmit the following statement relative thereto:

The application of the 100 per cent western class rates to our business with no simultaneous advance in the specific or overhead rates from the Twin Cities would be disastrous to our jobbers and manufacturers. A careful check of rates shows that if the 100 per cent scale were made effective the jobbers at the Twin Cities could deliver the principal commodities of commerce to practically all points within a hundred-mile radius of Bismarck at a less freight cost than our jobbers could take delivery of solid carloads and ship to such nearby territory in less-than-carload quantities. Such an adjustment of rates we believe to be unlawful and in violation of the act to regulate commerce. Rates so constructed would encourage the waste of transportation facilities present in long less-than-carload movements as compared with carload movement to jobbing centers in consuming territory and short less-than-carload hauls to ultimate destination.

Any schedule of rates which produces waste of transportation facilities must be rejected alike by the Railroad Administration, the Interstate Commerce Commission, and all shippers who regard the conservation of transportation facilities and the proper solution of national problems as of greater consequence than some immediate personal gain or loss.

The discriminations in favor of the Twin Cities which would result from applying the 100 per cent scale to North Dakota traffic are the result of large increases in all rates, and especially the third and fourth classes, with no simultaneous increase from cities outside the State. We can see no excuse for such preferential treatment of the Twin Cities, Duluth, Chicago, etc. As a matter of fact, we are unable to find any sound reason for applying rates 33⅓ per cent higher in North Dakota than are simultaneously applied within Minnesota and for exempting interterritorial rates from any change. Traffic conditions in 75 per cent and 100 per cent territories and between those territories as far as North Dakota is concerned are substantially similar, and the proposed rate treatment is in all respects unjust as to North Dakota and unduly preferential of Minnesota and interterritorial traffic.

The net result of such freight rates would be further concentration of business and industry in our large cities, which is highly objectionable from a transportation, industrial, or sociological point of view. The freight rate schedules now in effect carry many unduly discriminatory rates which should be adjusted before uniform rates on any basis are established.

North Dakota is the only State in western classification territory which has no through commodity rates from trunk line and Central Freight Association territories from which jobbers and manufacturers must procure their supplies. If reasonable and nondiscriminatory freight rates on commodities from these territories to North Dakota were established, there could be no objection to a uniform scale of distributing rates to apply in properly defined zones which would eliminate the discriminations in favor of the Twin Cities, Duluth, Chicago, etc., referred to above.

To make the new 100 per cent scale effective without any adjustment of inbound commodity rates would seriously increase the discriminations from which the cities of North Dakota are now suffering and would threaten the very existence of many jobbing houses and industries.

For all these reasons we most earnestly early urge that the proposed 100 per cent scale of class rates shall not be made effective, and that no modification of the proposed scale shall be established without affording us an opportunity to consider the proposed rates and be heard as to their merits.

Yours, very truly,

THE BISMARCK COMMERCIAL CLUB
SPECIAL TRAFFIC COMMITTEE,
J. P. SELL, *Chairman.*
GEO. N. KENISTON, *Secretary.*

Mr. GRONNA. I also have two brief statements, prepared by the Commercial Club of Bismarck, N. Dak., giving a comparison of the freight costs of jobbing canned goods from St. Paul and Bismarck in territory west of Bismarck on the Northern Pacific Railway. I ask that the statements be printed in the RECORD and referred to the Committee on Interstate Commerce. It is a matter of very great importance not only to the jobbers of my State but to all consumers as well.

There being no objection, the statements were referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

Comparison of freight costs of jobbing canned goods from St. Paul and Bismarck in territory west of Bismarck on the Northern Pacific Railway

[Rates in cents per hundred.]

Station.	Distance from Bismarck.	Before June 25.		Since June 25.		Bismarck under 100 per cent scale.
		St. Paul.	Bismarck.	St. Paul.	Bismarck.	
	Miles					
Sunny	8.9	47.5	51	66.5	67.5	67.5
Lacoss	14.2	48	55	66.5	69	68.5
Sweet Briar	21.6	51	58	66.5	72.5	71.5
Judson	27.5	52	59	66.5	74	73.5
Sedalia	30.4	52	60	66.5	75	73.5
New Salem	34	54	60	68	75	73.5
Blue Grass	38.1	55	60	69	75	74.5
Sims	41.2	56	60	70	75	76.5
Fetters	42.5	56	61	70.5	76.5	76.5
Almont	46.1	57	61	71.5	76.5	77.5
Curlew	51.7	58	61	73	76.5	78.5
Kurtz	56.7	59	62	74	77.5	79.5
Glen Ullin	63.6	59	63	74	79	80.5
Eagle Nest	69.1	60	64	75.5	80	80.5
Hebron	76.1	61	65	76.5	81.5	82.5
Knife River	79.6	61	65	76.5	81.5	82.5
Antelope	85	62	66	78	82.5	84.5
Richardton	91	62	67	78	84	84.5
Taylor	96.5	63	67	79	84	86.5
Lodo	101.3	63	69	79	86.5	87.5
Lehigh	110.9	64	70	80.5	87.5	89.5
Dickensen	115.5	65	70	81.5	87.5	88.5
Kland	119.5	65	70	81.5	87.5	89.5
Zeeuth	129.6	66	72	83	90	92.5
Fryburg	141.1	67	73	84	91.5	94.5
Scoria	150.4	68	74	85	92.5	95.5
Rider	160.7	69	74	86.5	92.5	98.5
Sentinel Butte	171.7	70	76	88	96	101.5
Beach	180.1	71	76	89	95	100.5

NOTE.—A large proportion of the canned goods consumed in this territory is produced in territory east of St. Paul and the carload rates to St. Paul are the same whether the car goes on to a Bismarck jobber or into a St. Paul jobbing house. The difference in freight cost beyond St. Paul represents the relative jobbing freight-rate advantage.

Bismarck rates represent fifth class, St. Paul to Bismarck, plus fourth class Bismarck to destination.

St. Paul rates are fourth-class rates St. Paul to destination.

Comparison of less-than carload rates.

Distance		1	2	3	4
25 miles	100 per cent scale	33	28	23	20
	Present rates	25	21	17.5	15
	Increase	8	7	5.5	5
	Increase per cent	32	33.3	31.4	33.3
	June 24 rates	19	16	13	10
	Increase	14	12	10	10
	Increase per cent	73.7	75	76.9	100
50 miles	100 per cent scale	43	37	30	26
	Present rates	33	32.5	25	20
	Increase	4	4.5	5	6
	Increase per cent	10.3	13.8	20	30
	June 24 rates	31	28	20	16
	Increase	12	11	10	10
	Increase per cent	38.7	42.3	50	62.5
75 miles	100 per cent scale	51	43	38	31
	Present rates	47.5	40	31.5	24
	Increase	3.5	3	4.5	7
	Increase per cent	7.4	7.5	14.3	28.1
	June 24 rates	38	32	25	19
	Increase	13	11	11	12
	Increase per cent	37.1	34.3	44	63.1
100 miles	100 per cent scale	58	49	41	35
	Present rates	54	46.5	35	27.5
	Increase	4	2.5	6	7.5
	Increase per cent	7.4	5.4	17	27.3
	June 24 rates	43	37	28	22
	Increase	15	12	13	13
	Increase per cent	35	32.5	46.5	59
125 miles	100 per cent scale	66	56	46	40
	Present rates	60	51.5	40	30
	Increase	6	4.5	6	10
	Increase per cent	10	8.7	13	33
	June 24 rates	48	41	32	24
	Increase	18	15	14	16
	Increase per cent	37.5	36.6	43.8	66
150 miles	100 per cent scale	73	62	51	44
	Present rates	66.5	56.5	44	34
	Increase	6.5	5.5	7	10
	Increase per cent	9.7	9.7	15.9	9.4
	June 24 rates	53	45	35	27
	Increase	20	17	16	17
	Increase per cent	37.7	37.7	45.7	62.9
175 miles	100 per cent scale	82	70	57	49
	Present rates	72.5	61.5	47.5	36.5
	Increase	9.5	8.5	9.5	12.5
	Increase per cent	13.1	13.8	20	36.9
	June 24 rates	58	49	38	29
	Increase	24	21	19	[illegible]
	Increase per cent	41.3	42.8	50	68.9
200 miles	100 per cent	88	75	62	53
	Present rates	79	67.5	52.5	40
	Increase	9	7.5	9.5	13
	Increase per cent	11.3	11.1	18.1	32.5
	June 24 rates	[illegible]	54	45	32
	Increase	25	21	20	21
	Increase per cent	39.6	38.8	47.6	65.6

AFFAIRS IN GREECE.

Mr. SMOOT. I have a telegram from the Hellenes of Utah, in the form of a petition, praying for the freedom and independence of Greece, which I ask be referred to the Committee on Foreign Relations.

The VICE PRESIDENT. It will be so referred.

Mr. SMITH of Arizona. Mr. President, although the printing of certain matter in the RECORD has been voted down by the Senate on several occasions, I should like to emphasize the propriety of the course pursued by the Senator from Utah. There is no need of printing all such telegrams and letters in the CONGRESSIONAL RECORD. It is costing more money than Senators conceive of. The Senator from Utah and I attempted, until the Senate voted us down on the proposition, to prevent the printing of matter in the RECORD that had no more business there than upon any man's private desk.

I submit it to the Senate and suggest that Senators do all they can to prevent this miscellaneous publication in the RECORD, for it is costing an enormous amount of money and nobody reads it except the party who sent it, to whom a copy of the RECORD may be sent to show that it has been printed. My motion to stop such publications has been voted down several times by the Senate, and Senators can do as they please about it. I am only doing it for the purpose of saving the money, the paper, and the expense. They are now asking 80 cents an hour to print the CONGRESSIONAL RECORD. There is a constant raise in pay in every department of printing, and we are piling on the Government an enormous expense in printing a lot of nonsense. I wish the Members of the Senate would take notice of the expense it is costing the Government and act accordingly.

RELIEF OF EARTHQUAKE SUFFERERS.

Mr. SAULSBURY. I present a petition from the Senate of Porto Rico asking that our Government shall assist the government of Porto Rico in looking after the welfare of the earthquake sufferers. I do not know whether this is the only petition which has been sent to our Government or not, but I think it has not been published in the RECORD, and this should perhaps be printed in the RECORD, being from the Senate of Porto Rico on a governmental matter. I therefore make that request.

There being no objection, the petition was ordered to be printed in the RECORD, as follows:

A RESOLUTION PRAYING THE CONGRESS OF THE UNITED STATES FOR AID FOR THE VICTIMS OF THE EARTHQUAKES.

Whereas the people of Porto Rico, by reason of the recent earthquakes, suffer the consequences of the almost total destruction of several important towns of the island; and

Whereas such seismic phenomena have brought about the complete ruin of many families, who are now in misery; and

Whereas the insular government, in order to meet the most urgent necessities occasioned by the calamitous phenomena, has appropriated about $1,000,000 from its scant resources for restoring and reconstructing buildings and public works and to aid the victims of said earthquakes; and

Whereas the people of Porto Rico have found it necessary to pledge its credit by the issuance of bonds and to suspend the enforcement of important laws, which carries with it serious inconveniences and delays, particularly with reference to public works urgently and imperatively required for the development and progress of the country; and

Whereas the Governor of Porto Rico, in his message in the legislature, estimates the damage caused by the earthquakes as amounting to over $5,000,000, an estimate which is generally considered very much lower than the actual damages, and, furthermore, the country has exhausted all its resources, already affected by the meritorious manner in which it contributed to the victory of the United States, which have so brilliantly defended the cause of liberty, justice, and democracy of the world; and

Whereas magnanimous France, momentarily setting aside her overwhelming problems, associated herself with this people in their suffering and has come forward with material aid for the relief of the victims of the earthquakes, and such noble example has been followed by other nations; and

Whereas the generosity shown by the glorious American Nation toward the Old Continent in aid of the indigent poor in times of terrible anxiety and her chivalrous protection given Martinique when the latter was devastated by the last volcanic eruption of Mount Pelee can not be forgotten; Now, therefore, be it

Resolved by the Senate of Porto Rico, That the cooperation of the Congress of the United States be, and the same is hereby, petitioned efficiently to render aid to the aforesaid victims by appropriating a sum to be covered into the treasury of Porto Rico and to be disposed of by the Legislature of Porto Rico as the Congress may direct; and be it further

Resolved, That a printed copy of this resolution be transmitted to the President and to each Member of the House of Representatives and of the Senate of the United States and to the Resident Commissioner for Porto Rico in Washington.

I, Eugenio Astol, acting secretary of the Senate of Porto Rico, do hereby certify that the preceding resolution is a true and correct copy of senate resolution 13, adopted by the Senate of Porto Rico at San Juan, P. R., this 7th day of December, 1918.

EUGENIO ASTOL,
[SEAL.] *Acting Secretary of the Senate.*

CLAIMS AGAINST MEXICO.

Mr. KING. I have received a number of letters and petitions in view of the resolution which I offered a few days ago asking the State Department to furnish certain information relative to

the claims of American citizens against the Republic of Mexico. As a type of one of the letters I shall send to the desk, but shall not ask to have read or put in the RECORD, a letter which I move be referred to the Committee on Foreign Relations. It is a letter from Chief Justice Bartch, formerly of the Supreme Court of the State of Utah, referring to these claims and to the indignities and outrages to which American citizens have been subjected.

The VICE PRESIDENT. The letter will be referred to the Committee on Foreign Relations.

DISTRICT AND LOCAL DRAFT BOARDS.

Mr. KING. I have received a large number of petitions from district and local boards praying for legislation conferring upon them some sort of military rank. I have also received a number of letters protesting against conferring any sort of recognition upon them. I send to the desk and ask to have referred to the Committee on Military Affairs two types of the communications that I am receiving.

The VICE PRESIDENT. The letters will be referred to the Committee on Military Affairs.

COMMISSIONS IN THE ARMY.

Mr. KING. I have also received a great many letters in reference to the action of the War Department in promulgating a letter on the 11th day of November which in effect prohibited the granting of any further commissions in the Army or granting commissions to those who had been recommended. As a type of the hundreds of letters that I have received protesting against the order of the Secretary of War and urging that some sort of legislation should be enacted if necessary in order to remove this evil, I send to the desk the following letter and ask to have it referred to the Committee on Military Affairs.

The VICE PRESIDENT. It will be so referred.

GOVERNMENT OWNERSHIP OF RAILROADS.

Mr. McKELLAR. Mr. President, I offer for the RECORD without reading, resolutions of the County Quarterly Court of Davidson County, Tenn., upon the question of Government ownership of railroads, and ask that they may be printed in the RECORD and referred to the Committee on Interstate Commerce.

The VICE PRESIDENT. Without objection, that course will be taken.

The matter referred to is as follows:

STATE OF TENNESSEE, *Davidson County:*

County quarterly court of said county met pursuant to adjournment at the courthouse in Nashville Tuesday afternoon, January 7, 1919. Present and presiding his honor Litton Hickman, judge and chairman, and a quorum of the justices of the peace, when, among other things, the following proceeding was had, to wit:

Title: A resolution by the Davidson County Court opposing any further centralization of power through the ownership by the Government of the public utilities of the Nation.

The following resolution was offered by Esquires Douglas, Dorris, and Coode:

"Be it resolved by the quarterly county court of Davidson County, Tenn., in quarterly session assembled:

"Whereas in accordance with an act of Congress the Hon. Woodrow Wilson, President of the United States, by various proclamations did take from private ownership and put under Government management and control railroads, telegraph lines, and telephone facilities of the United States of America; and

"Whereas it was the evident purpose in taking over these various public utilities at the time to so conduct them that the great war that was being fought by the allied nations of the world against the central powers could be conducted in a more efficient manner by laying aside the rights of each individual and of each corporation and making them subservient to the winning of the war; and

"Whereas now that the armistice has been entered into and peace negotiations are in progress, rendering that community of purpose unnecessary; and

"Whereas the Hon. Woodrow Wilson, President of the United States, in a personal address before Congress has plainly stated to Congress that he has no solution to offer so far as the future of the railroads of America are concerned and looks to Congress to formulate plans for the future guidance in these matters; and

"Whereas Congress in its wisdom may adopt the plan of some who favor Government ownership, or, on the other hand, it may look to the country for guidance and for instructions as to how best to proceed; and

"Whereas the Davidson County Court is elected for the purpose of conducting the affairs of Davidson County in such a way as to promote health, wealth, and happiness of those residents living within its boundaries; and

"Whereas the members of the Davidson County Court, elected by the people to represent the interests of the people, believe that Government ownership of public utilities is undesirable, but that some method should be adopted by Congress authorizing the return of the railroads, telegraph, and telephone properties in the near future to their rightful owners, but under such Government supervision as will protect the interests of the general public in so far as the interests of the general public relate to these public utilities; and

"Whereas the Davidson County Court desires to be put strictly on record as having opposed the centralization of power, believing that this one fact did more to destroy the harmony of nations than did any other one given thing: Therefore be it

"*Resolved by the Davidson County Court in quarterly session assembled, at its January term, 1919,* That it hereby declares itself unalterably opposed to any effort by the Congress of the United States looking to any greater centralization of power than existed prior to the war of 1914-1918; and be it further

"*Resolved,* That this court, through its Representatives in Congress, petition the Congress of the United States to return, by legislative enactment, to private ownership those public utilities that were taken over by the United States Government as a war contingency; and be it further

"*Resolved,* That the Davidson County Court favors the enactment by Congress of the United States of such measures of Government supervision as will protect the interests of the general public against the unscrupulous dealings of either capital or labor in the management or the operation of the public utilities of the Nation; and be it further

"*Resolved,* That a copy of this resolution be spread upon the minutes of this court and additional copies be sent to the Hon. JOSEPH W. BYRNS and to the two United States Senators, Senators McKELLAR and SHIELDS.

"S. G. DOUGLAS (chairman).
"JNO. COODE.
"F. M. DORRIS."

Moved and seconded that the foregoing resolution be adopted.

A true copy.

ROMANS HARLEY, *Clerk.*

ARMY IDENTIFICATION.

Mr. McKELLAR. Mr. President, I wish to call the attention of the Senate to an article in the Memphis Commercial-Appeal of Tennessee of January 10, in which the statement is made that it is proposed by the War Department to abolish all marks of divisional pride. I quote from that statement the following:

It is also declared that soldiers must leave off Army and division identification marks—

I am speaking now of overseas soldiers.

If this is true, it means the First Division must rip off those meaningful figures—ones from their left shoulders—the Rainbows must drop that scrambled-egg semicircle, the immortal Second must abandon the picturesque star and Indian head, the Seventy-seventh must put away its Statue of Liberty, and all other tags of identification must depart. The striking big, black letter A, which designated Liggett's first army during the days of Argonne, would doubtless be included in the order, along with the gorgeous red, white, and blue targets which the Third Army of Occupation sports on its shoulders.

Mr. President, I am going to ask permission to have the whole article inserted in the RECORD, with the statement that I do not for a moment believe the War Department would make such an order as to the soldiers who have served abroad. I am quite confident that the department does not contemplate making any such order; but, to be on the safe side, I am asking to have this article inserted in the RECORD, together with a letter from Mr. Charles E. Morrow, of Memphis, Tenn., who has called it to my attention, and I do so for the purpose of protesting even against any such contemplated action.

I might say that the letter largely goes to the proposition of a resolution that I offered several days ago, which has been reported favorably to this body by the Committee on Military Affairs, calling upon the Secretary of War to report as to overseas promotions, in view of this body taking such action with reference to the report after it comes in as may be necessary. I therefore ask that both the letter and the article be printed in the RECORD as a part of my remarks.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

MEMPHIS, TENN., *January 11, 1919.*

Hon. KENNETH McKELLAR,
United States Senate, Washington, D. C.

MY DEAR SENATOR McKELLAR: The inclosed article appeared in the Commercial Appeal of yesterday, and knowing your interest in the soldier boys I am sending it to you fearing you may not have seen it. Of course, it may be that this is merely idle rumor sent over by the correspondent to fill space, but if there is any foundation for the story I think it very small business on the part of the authorities and calculated to expand the disappointment and discontent that I hear so much of every day. It does seem to me that if there was ever any excuse for pinning the tags onto the combat forces who bore the brunt of the fighting that they should be permitted to wear them home and until after they are mustered out. Scarce a day passes now that young officers who have seen the hot fighting and have been mustered out drop in to see me, and while they are commendably cautious in their criticism they nearly all find it difficult to conceal their disgust that they find themselves bowing and saluting captains and majors who entered the service after these boys had been fighting for months, and find that they are just where they started as far as their commissions are concerned, and the men who were never outside of the camps on this side have received high office.

Yesterday a young second lieutenant who was shot through the groin at the battle of Soissons and has been in the hospital practically ever since, but is now discharged from the service, came in to see me and was commenting upon the fact that he had met a friend of his who had used every effort to dodge the draft but was finally caught, finally landed in a camp, and came out a major though he had never been out of this country, while this boy who had fought and suffered was mustered out just where he went in, a second lieutenant, notwithstanding when his command was shot to pieces and the commanding officer in requesting replacement officers asked that no men above the grade of second lieutenant be sent him as he wished to promote some of his second lieutenants. No men were sent below the grade of first lieutenant so that the seconds were left where they were, and he for one was mustered out just where he went in. He said he was going to get out of his uniform to-day, and it was the last time he ever expected to be seen in one. This is not the spirit these men should have and probably would not be if they felt that justice had been done them. I think that all of the young officers who are now with the army of occupation

who saw the worst of the fighting should be advanced in grade, not only for the honor but for financial reasons, as these men being kept over there so long after the others have been sent home will find on their return that the positions they filled in civil life will have been filled by the earlier arrivals and the patriotic spirit of the employers will have cooled down, if not died out entirely, and these men will find it difficult to secure their old jobs or get new ones.

I am writing you regarding this matter knowing your interest in these boys and with the hope that such presentment may be made to the proper officials as will correct what they seem to regard as a great injustice; I take it, of course, that the high command know their business, but they may not be familiar with the sentiment of the people at home who look at the thing from a common-sense point of view rather than a military one.

Very sincerely, yours,

C. E. MORROW.

[From the Memphis Commercial Appeal.]

MAY ABOLISH MARKS OF DIVISIONAL PRIDE—REPORTED THAT OVERSEAS INSIGNIA MAY BE ORDERED OFF—WOULD DROWN SENTIMENT—OVERSEAS HEROES MAY BE FORCED TO REMOVE OVERSEAS CAPS AND SAM BROWN BELTS ON RETURN TO STATES—MANY WILL WEAR FOREIGN DECORATIONS FOR HEROISM.

[By Damon Runyon, Universal Service staff correspondent.]

WITH THE AMERICAN ARMY OF OCCUPATION AT COBLENZ, *January 9.*

According to reports printed over here, American officers and soldiers returning to the United States will not be permitted to wear many little items of apparel which will distinguish them as members not only of the overseas forces but of combat divisions.

It is said that officers can not wear Sam Brown belts, trench overcoats, or overseas caps. This seems to the writer not only rather absurd but a real hardship upon the officers.

The most of them will leave the Army as soon after their return as it is possible to do so. Few of them have any other coats than trench coats. This is especially true of those who put in most of their time on the fighting line. Not many of them have other headgear than overseas caps. The order means that they will have to go to the additional expense of buying new equipment, which they will be putting away in a few weeks, or perhaps days. Many of them, too, will have to buy new tunics if they abandon their Sam Brown belts, because months of wearing have either left indelible marks where leather came into contact with cloth or worn it out altogether.

It is also declared that soldiers must leave off their Army and division identification marks. If this is true, it means the First Division must rip off those meaningful figure ones from their left shoulders; the Rainbows must drop that scrambled-egg semicircle; the immortal Second must abandon the picturesque star and Indian head; the Seventy-seventh must put away its Statue of Liberty, and all other tags of identification must depart. The striking big black letter "A" which designated Liggett's First Army during the days of Argonne would doubtless be included in the order, along with the gorgeous red, white, and blue target which the Third Army of Occupation sports on its shoulders.

Abolishing their various marks is not a matter of great importance as compared to the other proposition, but it would be a shame if the people of the States do not get to see their soldiers as they are now, not as they are refurnished by some one whose ideas may be sound enough from a military standpoint, but who obviously lacks sentiment.

Soldiers like little touches to their uniforms, such as divisional marks. They are very proud of them. Moreover, it is very convenient, because its easy to identify a man's outfit at a glance. It seems to us that officers and men ought to be permitted to come home just as they are. There is one thing that nobody will deny them wearing—that's their rewards for valor. Many a man will have a distinguished-service cross and the Croix de Guerre across his chest when he lands in America. Some of them have Legions of Honor and various British decorations, too. It will be pretty hard to disguise them by any order in such a way that they'll look anything but their true characters as members of divisions that won the war.

REPORTS OF COMMITTEES.

Mr. FLETCHER, from the Committee on the Judiciary, to which was referred the bill (S. 4603) to further protect interstate and foreign commerce against bribery and other corrupt trade practices, reported it with amendments.

Mr. HARDING, from the Committee on Naval Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 3063) for the repair, preservation, care, and future maintenance of the restored historical naval brig *Niagara*, Commodore Oliver Hazard Perry's flagship in the Battle of Lake Erie (Rept. No. 642); and

A bill (S. 4261) to provide that petty officers, noncommissioned officers, and enlisted men of the United States Navy and Marine Corps on the retired list who had creditable Civil War service shall receive the rank or rating and the pay of the next higher enlisted grade (Rept. No. 643).

THOMAS CAMPBELL.

Mr. CHAMBERLAIN. On December 20, 1918, the bill (H. R. 1873) for the relief of Thomas Campbell was received from the House and referred to the Committee on Post Offices and Post Roads. This was an erroneous reference. I ask that the Committee on Post Offices and Post Roads be discharged from the further consideration of the bill and that it be referred to the Committee on Military Affairs, which has proper jurisdiction over it.

The VICE PRESIDENT. Without objection, that action will be taken.

HOUSING OF GOVERNMENT EMPLOYEES.

Mr. SAULSBURY. Mr. President, in the nature of a report from a committee, I desire to state that at an informal meeting on Friday last of many members of the Committee on the District of Columbia the question of extending the life of the antitrust profiteering joint resolution, which now is in operation in this District, and which will extend until the declaration of peace, was considered by those members of the committee who were present; and it was agreed that it might be advisable for me to make the statement that the sentiment and the feeling of the committee, so far as there represented, was opposed to a further continuance of the provisions of that joint resolution beyond the declaration of peace. It was thought that it might be wise to notify the people of the city of Washington, both landlords and tenants, that the sentiment of that committee as indicated—and it was unanimous, so far as the members were present—was that it would be a good plan to let the joint resolution expire with the declaration of peace and conditions in Washington, so far as the renting of property was concerned, assume a normal condition.

It was also believed that that might be an inducement toward the diminution of the large number of unnecessary clerks believed to be in Washington, and that if it were not made too easy for them to remain they would have a tendency to leave the District. The committee, so far as its members were present and expressed themselves, thought that the whole provisions of that joint resolution should not be extended further than under the existing law.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred, as follows:

By Mr. SMOOT:

A bill (S. 5317) granting the free use of the mails to Edith Carow Roosevelt; to the Committee on Post Offices and Post Roads.

A bill (S. 5318) granting a pension to Edith Carow Roosevelt; to the Committee on Pensions.

A bill (S. 5319) authorizing the Secretary of War to donate to Brigham City, Utah, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CHAMBERLAIN:

A bill (S. 5320) to promote the administration of military justice by amending existing laws regulating trial by courts-martial, and for other purposes; to the Committee on Military Affairs.

By Mr. SAULSBURY:

A bill (S. 5323) to authorize the Governor of the Territory of Hawaii to acquire privately owned lands and rights of way within the boundaries of the Hawaii National Park; to the Committee on the Pacific Islands and Porto Rico.

By Mr. WARREN:

A bill (S. 5324) granting an increase of pension to Rouser Mettler; to the Committee on Pensions.

By Mr. KNOX:

A bill (S. 5325) to donate a cannon to the city of Erie, Pa.; to the Committee on Military Affairs.

A bill (S. 5326) granting an increase of pension to Daniel Robb; to the Committee on Pensions.

By Mr. NEW:

A bill (S. 5327) granting an increase of pension to John M. Barber (with accompanying papers);

A bill (S. 5328) granting a pension to George A. Bertels; and

A bill (S. 5329) granting an increase of pension to George H. Pennington; to the Committee on Pensions.

By Mr. TOWNSEND:

A bill (S. 5330) granting a pension to Arthur H. Letts (with accompanying papers); to the Committee on Pensions.

By Mr. DILLINGHAM:

A bill (S. 5331) granting an increase of pension to George Whitcher (with accompanying papers); to the Committee on Pensions.

By Mr. SMITH of Arizona:

A bill (S. 5332) for the relief of settlers on Baca Float Grant No. 3, in the State of Arizona (with accompanying papers); to the Committee on Public Lands.

A bill (S. 5333) for the relief of Mrs. W. P. Miller (with accompanying papers); to the Committee on Claims.

By Mr. JOHNSON of California:

A bill (S. 5334) to correct the military record of Jesse E. Smalley; to the Committee on Military Affairs.

By Mr. LODGE:

A bill (S. 5335) authorizing the Secretary of War to donate to the city of Marlboro, Mass., one German cannon or fieldpiece;

A bill (S. 5336) authorizing the Secretary of War to donate to the city of Taunton, Mass., one German cannon or fieldpiece; and

A bill (S. 5337) authorizing the Secretary of War to donate to the city of Worcester, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MARTIN of Kentucky:

A bill (S. 5338) authorizing the Secretary of War, in his discretion, to deliver to each of the several county seats in the State of Kentucky captured German cannon, cannon balls or shells, and gun carriages, condemned United States cannon, cannon balls or shells, and gun carriages; to the Committee on Military Affairs.

DISPOSAL OF GOVERNMENT PROPERTY.

Mr. CHAMBERLAIN. Mr. President, I introduce a bill at the request of the Secretary of War, authorizing the President to sell real or personal property, purchased or acquired by the United States in connection with or incidental to the prosecution of the existing war, and I ask that it be referred to the Committee on Military Affairs. I will state, however, that I am now preparing a bill which will cover not only the property mentioned in this bill, but all surplus property that the Government possesses, so that it may be in the hands of a more centralized body.

The bill (S. 5321) authorizing the President to sell real or personal property purchased or acquired by the United States in connection with or incidental to the prosecution of the existing war was read twice by its title and referred to the Committee on Military Affairs.

RELIEF OF DISCHARGED SOLDIERS.

Mr. VARDAMAN. Mr. President, I send to the Secretary's desk a bill which I ask to have read and referred to the Committee on Military Affairs. I am going to ask the indulgence of the Senate for a few minutes to submit some observations on the subject treated in this bill.

The bill (S. 5322) for the relief of discharged soldiers was read the first time by its title, the second time at length, and referred to the Committee on Military Affairs, as follows:

Be it enacted, etc., That there shall be paid to each honorably discharged enlisted man and officer of the Army who served with the American Expeditionary Forces abroad, who may have served not less than 60 days between April 6, 1917, and January 1, 1919, the total sum of $216, in six equal monthly payments, as a gratuity, and that there shall be paid to each honorably discharged enlisted man and officer of the Army who served in the United States, who may have served not less than 60 days between April 6, 1917, and January 1, 1919, the total sum of $180, in six equal monthly payments, as a gratuity, the first of such payments to be made at the time of his discharge, or within 30 days after the approval of this act where such enlisted man or officer has been heretofore discharged, payments to be made under the direction of the Secretary of War: *Provided*, That a total of not exceeding $216 and $180, respectively, shall be paid to any discharged soldier, irrespective of the number of times discharged.

Mr. VARDAMAN. Mr. President, I have often said that the only light which we have to guide our uncertain footsteps through the darkness of the future shines out from the experiences and trials of the past; but present conditions are so unlike and dissimilar to conditions that ever existed before in the world's history that I am unwillingly driven to the conclusion that what has happened in the immediate past furnishes no reliable guide or suggestion as to what may happen in the immediate or remote future. The world is mad, crazed with a blood lust and greed for gain, a kind of Cæsarean mania seems to have taken possession of the brains of some men ambitious for world power, and, taking it all in all, the moral viewpoint has changed and the national and international sense of justice altogether distorted.

There is much truth in the suggestion made by a writer, whose name I can not now recall, that "Nineteenth century civilization has broken down. There is a collapse of human moral energy, a revival of the primitive barbaric instincts and the fierce endeavor to have one's little private will by force * * *. Through all this seething chaos run evil currents of intrigue after intrigue, monarchical, bolshevist, financial, imperialistic, particularist, clerical, atheist. Up through the European chaos is surely creeping the menace not of socialism but of Bolshevism, which is the revengeful shadow of reckless modern materialism."

Having sown to the wind, the world is now reaping the horrible harvest of the whirlwind. The people of Russia, after generations of oppression, "profaned and disinherited," are now drunken with their suddenly acquired freedom and independence. The ignorance which the rich few fostered and forced upon the unfortunate many, tainted with the spirit of hate and revenge, unbridled and unrestrained, is now exemplifying the biblical injunction, "Whatsoever ye sow, that shall ye also reap."

The peasants of Russia for generations have borne the weight of taxation, toiled without ceasing, and in silent suffering leaned upon the hoe and gazed upon the ground; the emptiness of ages is shown in their faces and on their backs the burden of the world. The masters, lords, and rulers of those lands are now called upon to reckon with these men, to answer the "brute question in the hour when whirlwinds of rebellion shake the world." It presents a pathetic spectacle and demonstrates the inevitable consequences of "man's inhumanity to man."

The cruel, grasping greed and the conscienceless reign of the rich are responsible for the crimes of the vicious, ignorant Bolshevists, whose mistakes excite emotions of commiseration in my breast rather than feelings of hate. Whatever excesses they may have perpetrated—and they are probably many—their conduct is in no respect more inhuman, illegal, reprehensible, or revolutionary than the conduct of their soulless, conscienceless, plutocratic predecessors.

Their predecessors knew better; they possibly do not. Man is the creature of heredity and environment. The perfect man is the evolution of the best economic, sanitary, and social condition. Starvation, ignorance, living in an atmosphere saturated with crime for many generations never produced a Gladstone or a Washington. A child born of ignorant, vicious parents and reared in squalor and pinching indigence is not expected to have the breadth of mental vision, the delicate sense of right, and moral conscience that one would naturally have born and reared amidst different, better environments.

I can not think of the situation in Russia but that this picture appears before my mental vision—

But behold a fellow mortal fashioned on another plan:
Coarse, deformed, and misbegotten—more a devil than a man—
Heir to sin and want and sorrow, born without a sense of shame,
Stung by sharp, keen, fierce desires burning in his blood like flame;
Weak, unbalanced, repulsive—reveling in sensual things;
If he hath a soul within him, 'tis a soul that never sings—
'Tis a soul that hath no wings!
He was born without the power or the impulse to forbear
When the dumb, resistless forces of the cycles centered there.

The picture is a little overdrawn, but it serves the purpose of the illustration.

Mr. President, it is a matter of fact that the men and women who labor in this world have never had a fair share of the products of their own toil.

The people whose labor produces the vital necessities of life, the things that clothe and feed the world, have not been given a square deal in the past and are not given a square deal in the present. When that fact dawns upon the obfuscated intellect of the toiler, if he should be incited, even in a spirit of revenge, to rise in the fullness of his unrestricted physical force, it may not be surprising or unexpected if he should go to excesses in dealing with his former oppressors. I do not approve or condone any form of injustice or lawlessness, but I am convinced that in the court where conscience sits as judge, when all the facts are considered, there will be found for the unfortunate revolutionists of Europe some mitigating circumstances.

The many remedies or solutions which have been proposed for the great problems which confront the world are as varied and multitudinous as the pebbles of the sea are many formed. Some are good, some chimerical, and others utterly impracticable. There is but one solution of this problem, I think, there is but one universal solvent, and that is justice. If we try that in America, we shall win where other countries have failed in meeting the great issues which confront the complex civilization of this century.

I propose in the bill I have just introduced that Congress give to the soldiers six months' extra pay. It will be money well invested; it will go to the masses of the people, where it will be distributed, and in turn soon find its way back to the channels of trade and finally to the Treasury of the United States. These men were taken away from their homes by force, by the Prussian system of conscription, and now when they go back they will necessarily find conditions disorganized and in some instances discouraging. This small pittance from the Government will help to bridge the chasm and will provide the necessaries of life while the soldier is taking up the thread where he left off two years ago. We had better spend money in this way than distribute it among the poor of Europe. If I had my way, I would help the suffering in every land, but I would first take care of my own household. The American statesman who neglects America to scatter charity with a royal hand throughout Europe when there is suffering and want here at home is not any better than the man mentioned in the Scripture who neglects his own household. Six months of extra pay to the soldier will stimulate production, give encouragement and hope. It will not be a donation or charity, but rather an acknowledgment of the Nation's gratitude, and the best investment the American people could make through their Government for the good of all. Greater love hath no man for his country than the man who is willing to give his life to keep his country's flag triumphant and stainless in the air. These men have shown their love and devotion to the flag, and it is as little as the country can afford to do to tax the great substantially untaxed war-made fortunes for the consolation and comfort of the soldier and his family. If in America permanent peace shall follow this war, we must provide against the wolf of want howling at the door, especially of the men who bared their heroic breasts to the storm of war. Bolshevism is not a contagious social disease, but, like scurvy and pellagra, the result of lack of nutrition, or malnutrition.

You can not stop its growth by quarantining against it. It can not be stamped out by proscriptive legislation, punishment, starvation, and the enactment of penal statutes. You might as well undertake to stop the spread of influenza by murdering the patient as to limit the growth of this social disease by harsh and criminal legislation. The panacea for this disease and all other similar social disorders will be found in giving the laboring people of the world an equal chance in the race of life with the capitalists. Give them good wages, enough of the products of their own toil to furnish comfortable homes, to educate their children, and otherwise improve their manner of living, and then there will be no more Bolshevism or conflicts between capital and labor.

RIVER AND HARBOR APPROPRIATIONS.

Mr. SAULSBURY submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

SALARIES OF JUDGES.

Mr. WARREN submitted an amendment intended to be proposed by him to the bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, which was ordered to lie on the table and be printed.

CONTROL OF WATER POWER.

Mr. BANKHEAD. Mr. President, during the early days of this session the question of water-power legislation was passed upon. In fact, such legislation has passed the Senate at two different sessions. The bill involving that legislation went to the other House, where a bill was substituted for the Senate bill, and the matter is now in conference. The senior Senator from Tennessee [Mr. SHIELDS] is the chairman of the conference committee. It has developed that the condition of his health will not permit him to attend the sessions of the conference committee at the present time, and perhaps he will not be able to return to the city for some time. It is a very important measure and demands are coming from every section of the country for its passage. I therefore ask that the Senator from Tennessee be relieved, at least temporarily, from service on the conference committee and that the Senator from Florida [Mr. FLETCHER], the chairman of the Committee on Commerce, be substituted as one of the conferees in his place in order that we may get to work on the bill.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

AMERICAN TROOPS IN RUSSIA.

Mr. JOHNSON of California. I offer the resolution which I send to the desk.

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 411), as follows:

Resolved, That, in the opinion of the Senate, the soldiers of the United States, as soon as practicable, should be withdrawn from Russia.

Mr. JOHNSON of California. Mr. President, I do not assume to discuss the resolution this morning. I wish it to lie upon the table that it may be taken up during the week. I desire to give notice that during the week I shall ask that it be taken up for consideration and then in detail I shall discuss it. But that the Senate may be informed concerning some of the facts which recently have developed, I wish to read one paragraph, with their consent, of Northcliffe's article appearing in this morning's press, as follows:

One of the chief mysteries of the situation is the result of the great shroud that covers Russia. The only news coming out of Russia is of two kinds, wireless sent out by Lenine and Trotzky, of the Bolsheviki government and wireless of Petlura, president of the Ukraine government. The other kind of news is that brought out of Russia by refugees, or which is spread by the people flying from the Bolsheviki armies in Esthonia and Poland. I have for some time been of the opinion that the world powers should sink their pride for the moment and get into communication with the Bolsheviki with the purpose of sending an allied commission into Russia to find out what is really going on there. Such a commission should be accompanied by persons whom Russians do not regard as hostile. One is, I believe, the former head of your Red Cross in Russia, Raymond Robins. There is an English writer named Arthur Ransome. I have no right to use their names, but the emergency is great and quick action is necessary. The world must know what is really happening.

OPPOSES ARMY IN RUSSIA.

We are beset by appeals to send warlike missions. One suggestion is that we should have an expeditionary army in the Baltic Provinces; another that we should send armed forces from Odessa and Kief, joining up with the Ukrainians. So far as Great Britain is concerned, any attempt to transfer further British troops to Russia will be resented fiercely by our people. We have had more than four and a half years of war, and our soldiers did not enlist for the purpose of policing Russia. I have no doubt that when our army is demobilized an army could easily be raised in Great Britain, composed of adventurous spirits, who would go anywhere they were sent, but it seems to me imperative that we should first find out what is happening among those 150,000,000 of people.

I offer this resolution, Mr. President, because more than a month ago, couched in the most respectful language, I introduced a precatory resolution, which was referred to the Foreign Relations Committee, a precatory resolution which merely begged that we be informed concerning our policy in Russia. That resolution has been bottled up in the Foreign Relations Committee; and therefore I ask that this resolution lie upon the table in order that it may be taken up with very little delay.

It is obvious, from the fact that the Government will not, because it can not answer our inquiry of more than a month ago, that we have no policy in Russia, and that the Government of the United States can not respond to the resolution because it has not any policy at all in Russia to-day. We are neither one nor the other; we are neither intervening in sufficient force to be of consequence, nor are we getting out of Russia. We are to-day simply inviting disaster in Russia, and interfering here and there, without knowing why, and in matters, too, in which we have no concern.

I therefore offer this resolution, and, with the permission of the Senate, will speak at length upon it during the week.

HOUSE BILLS REFERRED.

H. R. 13274. An act to provide relief where formal contracts have not been made in the manner required by law was read twice by its title and referred to the Committee on Military Affairs.

H. R. 13462. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, was read twice by its title and referred to the Committee on Commerce.

ORDER OF BUSINESS.

Mr. STERLING obtained the floor.

Mr. THOMAS. Mr. President, may I inquire if the morning business is over?

Mr. STERLING. I had understood that the morning business was over.

Mr. THOMAS. I am making the inquiry. I have no information on that point.

The VICE PRESIDENT. Is there any further morning business? The Chair hears none, and the morning business is closed. The Chair desires to inquire what the Senate is going to do with its Calendar Monday rule?

Mr. FLETCHER. Mr. President, what is the order of business? Is the calendar in order?

The VICE PRESIDENT. This day has been set apart by a rule of the Senate as Calendar Monday. At the conclusion of the morning business the calendar is to be proceeded with, under the rule. The Senator from South Dakota is proceeding to address the Senate upon the subject of a league of nations.

Mr. STERLING. Mr. President, if that is the order of business, I do not want to occupy the time of the Senate to the exclusion of any business before it. I took it for granted that the morning business being closed, and the Vice President having so announced, I was at liberty to proceed.

Mr. SMOOT. Mr. President, I ask unanimous consent that the Senator from South Dakota may be allowed to proceed with his remarks.

The VICE PRESIDENT. Is there any objection? The Chair hears none.

Mr. THOMAS. Mr. President, I have no objection. I had given notice at the last meeting of the Senate that at the close of the morning business to-day I would address the Senate, but I am perfectly willing to postpone what I have to say until a later time.

Mr. STERLING. I will say to the Senator from Colorado that I gave a like notice on Thursday last that at the conclusion of the morning business to-day I would address the Senate.

Mr. THOMAS. It is a matter of no importance, in any event. I cheerfully yield to the Senator from South Dakota.

The VICE PRESIDENT. The only interest the Chair has in the matter is that this looks to the Chair like a fool rule that has been adopted by the Senate, requiring Monday to be set aside for the calling of the calendar. It has not been complied with, to the Chair's knowledge, since it has been adopted.

LEAGUE OF NATIONS.

Mr. STERLING. Mr. President, in venturing to discuss briefly the proposal for a league of nations to enforce peace, I shall take some things for granted. I shall concede, for example, that the treaty negotiating power is under our Constitution wholly in the hands of the President; that he can initiate the proceedings and on behalf of the United States carry them on to the point where the completed document is signed by the representatives of the high contracting parties; that up to that point he is under no legal or moral obligation to consult the Senate either as to the subject matter, the terms, or the form of the treaty.

As a corollary of this the Senate has no right, legal or moral, to ask the President to disclose to the Senate his purposes or views in regard to any treaty which may be in contemplation.

From the standpoint of the respective rights of the Executive and the Senate it is of no consequence that the situation requiring a treaty is an exceedingly grave one, or that its consequences are found to be of world importance, or that the Senate must ratify it if it is to become a binding treaty, or that harmony of thought and action between the President and Senate with the resulting public benefit would flow from some exchange of views. The President may, notwithstanding all these considerations, wholly abstain from communicating with the Senate or with its Committee on Foreign Relations or from in any way taking the Senate or any of the Members of the Senate into his confidence.

This is his right. The Senate may be embarrassed by disclosures made pending the negotiations or by the intermingling of the wise and unwise or the safe and the perilous in the terms of the treaty, but its right to consider and act thereon does not begin until the President lays the finished treaty before the Senate with his message requesting the ratification thereof.

That these are the conditions under which treaties may be made and ratified will, I think, be conceded by every Member of the Senate, even by the distinguished Senators from Massachusetts [Mr. LODGE] and Pennsylvania [Mr. KNOX], whose positions in regard to what should be the subjects for consideration at the coming peace conference have been made special targets for criticism by certain Senators on the other side of the Chamber.

I am not aware that either of the two Senators mentioned hold or have expressed any other view of the powers and rights of the President and Senate, respectively, than those I have mentioned, and yet Senators on the majority side have, while ostensibly discussing the question of a league of nations, laboriously set up a man of straw, and for purposes of refutation have assumed in their arguments that Senators on this side of the Chamber had charged the President with some usurpation of power and had denied to the Senate certain legal rights in the matter of negotiating the coming peace treaty.

Nothing, it seems to me, from what I have heard stated here on the floor and from what I know of the opinions of Senators, can be farther from the fact. The Senators from Massachusetts and Pennsylvania surely need no defense nor does their attitude need any explanation from me. I mention the circumstance because of the zeal it discloses on the part of Senators on the other side in defending the President against any criticism because of his aloofness in a matter so absorbing, so vital to ourselves, and so closely related to the welfare of the world. There are some fine precedents for a different course, but if it be said that the President pursues the customary course, I believe it a custom which would be "more honored in the breach than in the observance," and that in a time like this, especially, it would be well if the Senate could be advised, even if it is not permitted to advise, in advance.

Mr. President, the imminent and all-absorbing question is not exactly whether we shall ever have a league of nations to enforce peace, but whether we must have it now; whether its creation must consume the precious time of the peace conference, whose business should be to settle at the earliest possible day the momentous issues arising immediately out of this war. The rights of the allies on the one hand and the obligations of the central powers on the other hand should as soon as possible be definitely known. The oppressed nationalities to whom assurances have been given should be speedily put in the way of realizing their long-cherished national ideals. Boundaries must be adjusted.

To my mind the work of the peace conference should be to take careful account of causes, responsibilities, methods, and conduct of the war; of the adjustments that will best insure against a recurrence of war; an account also of the losses sustained by pillage, by burning, by any means in violation of international law, and then to define the boundaries of the new sovereign States to be carved out of enemy or other territory. These things done and well done will entitle the peace conference to the lasting gratitude of the lovers of peace and justice everywhere.

My thought is that the relations and mutual purposes of the allied nations are such as themselves constitute an almost perfect guaranty against war as between themselves, and a reasonable guaranty of the peace of the world; that there are difficulties in the way of establishing a league to enforce peace which can not at this time be overcome; that in the interests of all concerned the peace conference should not be burdened with or delayed by the consideration of a constitution for such a league; that the definite peace which is to mark the end of the great war and not a league of nations is the goal to which all the talents, learning, and experience of the commissioners to negotiate peace should be directed; that in addition to the difficulties sure to be encountered in the organization of such a league it is a matter of grave doubt whether its decisions can ever be made effectual against any nation not willing to abide by them; and that in the last analysis we shall have to depend on the friendship and good faith of the nations of the world rather than force for our guaranty of peace.

"But now we know each other still better. We have lived together; we have defended together the same sacred cause; we have together saved mankind; we are friends forever." These are words from the eloquent message of the President of the French Republic to the American people received New Year's Day. A fitting New Year's greeting. A splendid epitome, the message is, of mutual sympathies, of mutual struggle, of mutual ideals in the cause of free government and the rights of humanity.

What need, we may well ask, of a formal league with its arbitral tribunal, with its armament to carry out and enforce the decrees of that tribunal, between nations bound by such ties as these? For all the future the thoughts of the people of these two Republics will hark back to the causes which gave them birth; to Washington and Franklin; to Lafayette and Rochambeau, and to the common perils and sacrifices in the struggle just ended to rid the world of the last and greatest menace to freedom and civilization.

As against the binding force of ties such as these it might be said: "Beware the solemn and formal pact with its many refinements, its possible misinterpretations, and with armed force looming always in the background as its sanction."

For without such a pact France and the United States are "friends forever." No league can improve upon that relation.

And how stands the case with another ally, Great Britain? President Nicholas Murray Butler, of Columbia University, in his admirable preface to Prof. Dunning's work entitled "The British Empire and the United States," written in celebration of the 100 years of peace between Great Britain and our country since the signing of the treaty of Ghent, has this to say: "There have been more tempting occasions for misunderstanding and armed conflict between the British Empire and the United States than between the United States and all other nations of the earth combined."

But he further says: "Having been itself carved by revolution from the side of the British Empire, it is but natural that both the bonds of friendship and the causes for jealousy should be more numerous between the United States and the British Empire than between the United States and any other people. This is a plain historical fact which must be accepted by those who guide opinion and frame public policies."

Happily the bonds of friendship have prevailed over all the numerous causes for jealousy. The hope expressed in the toast proposed by John Quincy Adams at the banquet which marked the conclusion of the treaty of Ghent has been more than realized: "Ghent, the city of peace; may the gates of the temple of Janus here closed not be opened again for a century."

Nor have they been. The treaty of Ghent settled little else than that it ended our last war with Great Britain. The British alleged right of impressment, the main cause of the war, the question of disarmament on the Great Lakes, the boundaries to the Northeast and the Northwest, the seal and fisheries questions were all left, though not without serious friction at times, for adjustment to the patience, skill, mutual regard, and successful diplomacy of after years. And the "after years" have brought their multitude of questions and controversies even

more exciting and perplexing than those known to exist at the time of the treaty of 1814; among them the Oregon question, the Isthmian Canal, the many causes of friction growing out of the Civil War, including that of the Alabama claims, the Venezuelan boundaries dispute, and other questions growing out of the Monroe doctrine, the Alaskan boundary dispute, and a hundred others more or less threatening our peaceful relations, but all settled by diplomacy or by the friendly arbitration which came as a result of the negotiations.

And there is that great boundary line of more than 3,000 miles without a fort, or a soldier even, to guard the territory or the peace of the people on either side. If anyone had been skeptical about the future relations of Great Britain and the United States and had looked upon Great Britain as at heart unfriendly to the United States, jealous of her growing commerce and power, arrogant when she deemed the advantage to be on her side, and biding the time when she might use that advantage, some study of the history of the relations of the two nations ought to have reassured him that no breach in international relations could be more unlikely or remote than that of war between ourselves and the mother country.

Back of all diplomacy, back of the self-restraint and skill of statesmen on either side, exercised for the purpose of averting war, is the soul of these two peoples, largely of common origin, of common language, and common political and social ideals. The compelling, binding influence of all together is such that if Great Britain and the United States should ever go to war with each other it will be for a cause and under circumstances which no league of nations can prevent or control.

As with France, so with Great Britain; we have shared with her in the same great danger, fought with her for the same great cause; her merchant marine has aided us; her navy has protected us. These things make a great, new, and, I believe, an indissoluble tie between us. Nor shall insidious anti-British or pro-German propaganda, whether directed from abroad or disseminated by certain newspapers at home, prevail against it.

And so here is this trinity of nations; the spirits of their brave sons, whose blood shed so freely commingles in the soil of stricken Belgium and enduring France will, through the long years to come, plead with compelling power for peace, amity, and good will between them.

I do not forget Italy or the great sacrifice of men and means she has made or the valiant service her armies rendered the common cause in holding and at last, under almost insuperable difficulties, defeating the flower of the Austrian Army on the Italian front. I confess to sympathy with her in her claim for Italia Irredenta. The recognition of the claims of other nationalities in Austria-Hungary, in the Balkan States, and in Russia emphasizes her right. But Italy with the other three great nations, the tie between which I have feebly described, make the four who are to be "friends forever" and for the adjustment of whose relations with each other no formal league of nations to enforce peace is required.

I am coming to the heart of the inquiry. I am not here declaring against a league of nations—even a league to enforce peace. But I shall want to know why, under the conditions described and as we all know them, the question must be urged with such persistence now and to the extent that an agreement that the peace conference shall constitute or organize a league of nations to enforce peace is made, as it were, a condition precedent to any peace conference at all.

In addition to the considerations which I have named as applicable to Great Britain, France, Italy, and the United States are these: Germany is beaten and prostrate—unrepentant, it may be, but prostrate from a military point of view. She will not be a factor in framing the terms of peace no more than she was in framing the armistice her commissioners so abjectly signed. So with Austria-Hungary. So with Bulgaria and Turkey. No government exists in Russia that any of the great powers has recognized save Germany. Will Russia be present at the peace conference? She could not now be a member of a league of nations if one were formed. One of the great questions which properly and most probably will receive the early attention of the conference is the occupation of Russian territory by allied forces. What is the status of the forces there now? How long shall they remain? These questions discussed with so much spirit here in the Senate emphasize the need of early action by the peace conference. Until then let there be the status quo, at least so far as allied occupation is concerned. There can be no assurance of permanent peace with class war in Russia and Germany as the order of the day. The situation is desperately uncertain, and it is a part of our duty to see that allied Bolshevism does not make for naught the splendid victory for liberty and for law and order we have just won.

We at first welcomed the revolution in Russia. We thought it one grand step in making the world safe for democracy. But Bolshevism is not democracy. Both the interests of democracy and of peace demand that the allies do not now abandon Russia.

Belgium will, of course, have a proud and honored place at the peace council table. Roumania and Serbia will likewise be admitted. Denmark, Holland, Sweden, and Norway, nor either, was a party to the war. Their rights and interests will be respected and protected, but whether at a peace conference or as members of a league of nations their influence would be negligible or slight at least. Peace terms will be imposed and policies determined by the allied nations who have fought this war to a successful conclusion—to a peace with victory. And these allied nations already constitute a league, and the ever-to-be-praised thing about it is that it is voluntary and unconstrained by any thought that the armed force of the league may be used against any member nation.

They have together fought a holy war against a common and cruel foe. They are capable of making a just and righteous peace, and that, too, without the surrender of any of the attributes of a sovereign nation or the right to develop their own national ideals or to defend by force of arms, if need be, their rights from invasion by any other nation in the world.

So, Mr. President, as a practical consideration, the only nations whose voice and influence will be potent in a league to enforce peace are in league to-day and are destined to remain in it long after the final word is said and all the representatives of the high contracting parties have for their respective governments attached their signatures to the treaty of peace.

Admittedly it will take a long time to frame the constitution for a league of nations—longer than the settlement of the questions growing immediately out of the war. What the number of the congress or the assembly of the league? What the basis or ratio of representation, or shall each sovereign nation be entitled to one vote? In other words, shall the United States and Serbia stand on the same footing in determining the issues of war and peace? For what councils or tribunals shall provision be made? To what extent shall they be representative of the nations constituting the league? What shall be the means for the enforcement of the decisions of the league made through its arbitral tribunal or otherwise? Shall each nation presently arm and equip its proportionate share of men and ships to be maintained by it as a part of an international army and navy for the enforcement of peace, or shall the nations disarm meanwhile and wait the decision of the league as to the forces, land or naval, or both, which they shall contribute for the coercion of any recalcitrant nation? And not least among the problems confronting our representatives will be that arising under the constitutional provision giving to Congress alone the power to declare war. No league of nations can override that.

These questions, and many more quite as grave and important, it will be the province of those who prepare the constitution for a league of nations to consider and decide—a long, laborious, and yet most delicate task.

Meanwhile a hundred other questions of present vital moment to the belligerent nations in the late war and to the world are pressing for solution. Instead of retarding or in any way delaying their adjustment, the influence of America should favor their speedy settlement.

Shall Germany pay the whole cost of the war? I express no opinion here; but she unrelentingly required the payment of a billion dollars by France in 1871 for the expenses of a war Bismarck himself had schemed to bring about, besides compelling the cession to her of Alsace-Lorraine. But how much of Britain's expenses and damages, amounting to forty-one billions, should she pay; of that of France, amounting to nearly twenty-seven billions; of Italy's, amounting to eight billions five hundred millions; of Belgium's, totaling seven billions one hundred millions; of our own, amounting to $18,000,000,000? Or shall we ask for no indemnity and be content with reparation for 375,000 tons of shipping destroyed by her illegal warfare and for the loss of over 700 civilian lives by the same wretched means?

Mr. KING. Mr. President——

The PRESIDING OFFICER (Mr. JOHNSON of California in the chair). Does the Senator from South Dakota yield to the Senator from Utah?

Mr. STERLING. I yield.

Mr. KING. I did not catch the last statement of the Senator. Did the Senator mean to convey the idea that France's losses and damages to property, as well as the expenses incurred in the war, aggregate only $27,000,000,000? It totals a great deal more. The losses of the French people in real and personal property aggregate over $25,000,000,000, and in addition to that France has put into the war more than $30,000,000,000 in cash.

Mr. STERLING. I will simply say to the Senator that I found this statement in a summary of expenses and damages of the different nations. I think it will fall far short of all the actual damages and losses that have been sustained by France.

Mr. KING. It has been estimated by those who have made a careful study that in labor alone it would cost nearly $20,000,000,000 to place France back in the position she was in prior to the war. In addition to that, the machinery and the other personal property destroyed would aggregate also several hundred million dollars, if not several billion dollars.

Mr. STERLING. The $27,000,000,000 which it is said France may claim is one item in an aggregate of $125,000,000,000 to $150,000,000,000, the aggregate being the probable claims of all the nations engaged in the war against Germany.

What shall be the terms of payment; what period of time should be given? Shall it be required of Germany that she repudiate her great debt or postpone for a long time its payment—the war debt she owes her own citizens—until she pays all indemnities assessed against her and makes reparation for the huge losses she has so ruthlessly inflicted upon the unoffending nations against whom she made war?

Mr. President, I was attracted by a letter written to the New York Times two or three days ago by Mr. James Phinney Baxter, in which he discusses briefly the methods of payment to be imposed upon Germany. I read it in this connection:

TO MAKE GERMANY PAY.

PORTLAND, ME., *December 25, 1918.*

To the EDITOR OF THE NEW YORK TIMES:

From the present outlook we seem justified in the opinion that our astute representatives at the peace conference will give their coadjutors to understand that the American people want no indemnity for the vast losses which Germany has caused us in money and men by forcing us into the war. It is likely that to liquidate the debt which she owes the nations for damages she has caused them she would have to pay upward of $150,000,000,000, and needless discussion is going on relative to the amount of cash she can pay. I say needless discussion, for a cash payment should not for a moment be considered, as Germany is in no situation to pay a cash indemnity and should not be pressed to do so.

Why not treat her as a wise creditor treats a delinquent debtor? A creditor with any brains doesn't demand immediate payment from a debtor and cause his bankruptcy. On the contrary, he studies his condition and does what he can to enable him to liquidate his indebtedness by paying in suitable installments. This is the only reasonable way to deal with Germany in this crisis of her affairs. Consolidate her indebtedness, covering every item of indebtedness for damage to the nations at war with her, and make the time of payment not less than 50 years, this indebtedness to be represented by coupon bonds of suitable denominations, with a semiannual rate of interest at a low rate (perhaps 3.65, for convenience), and an annual payment of 2 per cent on the principal until the whole debt is extinguished.

JAMES PHINNEY BAXTER.

I can not surmise what the commissioners at the peace table will decide in this regard, but I simply want to say that the good, sound sense, as I view it, expressed in this letter from Mr. Baxter appeals to me.

But, Mr. President, whatever the amount or whatever the terms, it will be better for the allies, better for the peace and prosperity of the world, better for Germany herself, that it be determined quickly.

The papers of a few days ago carried the message of Mr. Hoover to the effect that the Huns had laid northern France prostrate; that industrial life had been paralyzed; that 1,500,000 persons needed relief; that the French Government would be powerless to afford relief for months to come. And there is Belgium besides—worse off than northern France—industrially ruined. Workmen and workwomen killed, plants and machinery destroyed or stolen, taken, and carried away, with the hope, as expressed in a resolution of the Cologne Chamber of Commerce, that "the destruction of French and Belgian industries would allow a rapid recovery of German power." What can we hope from a nation with a spirit like that? Or let me ask, what quality—as long as she maintains a spirit like that—so as to not exclude a hope of regeneration.

But note a contrast. There was a strong desire to repay the Huns somewhat in kind, to give them a taste of their own frightfulness by destroying some of their industries, by laying low a few of their cities, and there was to be heard the demand, "On to Berlin!"

But the desire to end the bloodshed silenced these voices, and not a German industry nor a German home was touched by the devastating hand of war. The contrast is finely depicted by a double cartoon in the Columbus Dispatch. Here it is in a recent number of the Literary Digest: Scene 1, what the German soldier goes home to: A snug and pleasant looking cottage, good outbuildings, neat fence, all in good repair, wife and children with hands extended giving the approaching man in uniform, with gun and knapsack on his back, glad welcome out at the gate.

Scene 2, what the Belgian soldier goes home to: A picture of desolation complete. Only the trunks or stumps of trees, outbuildings blown to pieces; what must have been a comfortable home now a ruin, part of one end and the chimney all that is left standing. And in the midst stands the returned Belgian soldier—no wife or child greets him, and the only sign that they once had been there is the broken child's doll he finds in the scattered débris.

Here, Mr. President, are wrongs for which no complete reparation can ever be made. Let Germany pay till she is bled white, she can never heal the deep anguish she has caused by her savage methods of warfare. But justice demands that she atone for the wrong in the one way the world recognizes as adapted to the case—by compensation in money.

Our distinguished ex-President, Mr. Taft—a most devoted advocate of a league of nations to enforce peace—speaks of such a league as an "acute necessity." I believe I have already shown there is no present necessity, if ever, and I am satisfied that the people of the United States will say that not a league of nations but the relief and restoration and rehabilitation of Belgium and northern France, not to speak of Serbia, constitute the "acute necessity" and the supreme duty of the hour. The duty is not performed until Germany's contribution is determined and the guaranties for its payment made certain.

We all rejoice in the splendid reception given the President in France and England and Italy; the people acclaim and royalty entertains and exhibits its best; his visits in these countries have been a continuous ovation. May we not flatter ourselves that the high honors bestowed are in part due to the great and generous people he represents? But I confess to some regret that nowhere have we seen mention of any discussion of the prospective claims for the unspeakable wrongs suffered by the unoffending civilian populations of Belgium and France.

Mr. KING. Mr. President, will the Senator from South Dakota yield to me?

The PRESIDING OFFICER (Mr. SPENCER in the chair). Does the Senator from South Dakota yield to the Senator from Utah?

Mr. STERLING. I yield to the Senator.

Mr. KING. If I understand the full significance of the Senator's statement, it is to the effect that the President has not given utterance to statements that would call for reparation in behalf of France and Belgium?

Mr. STERLING. Oh, no; I do not mean to say that the President has not expressed himself even before going abroad; I hardly know what he has stated abroad in regard to this particular subject; but before going abroad the President expressed himself—and I believe that that is his firm conviction—to the effect that there should be reparation for those wrongs.

Mr. KING. If the Senator will pardon me, I desire to say that upon one occasion at least, and, as I recall, upon two occasions, since the President has been in Europe, and in one very notable speech, the President explicitly declared that reparation must be made to Belgium and to France and to their people.

Mr. STERLING. Yes.

Mr. KING. And I have no doubt that the Senator from South Dakota and the American people will be entirely satisfied with the attitude of President Wilson upon this matter. President Wilson will make no soft peace; there will be a just one made. Germany will be compelled to meet all just and righteous exactions for the atrocities and wrongs she has committed.

Mr. STERLING. I do not disagree for a moment with the Senator from Utah in the expression of his belief as to the President's attitude or as to what the President has said, Mr. President. My complaint is that these items of expense, damage, and devastation are not being specifically considered, and considered now.

How infinitely better it seems, too, if subjects like these and others growing immediately out of the war should have first place rather than the ill-defined and yet 300-year old dream of a league of nations to enforce peace. Would not the enforcement of the terms of a just peace quickly made be the best guaranty of continued peace, and take the place of a league of nations for some time to come? It should be a peace so just that Germany would be unwilling, if not powerless, to break it, or to break the peace of nations for a generation to come at least.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Utah?

Mr. STERLING. I yield to the Senator.

Mr. KING. I know the distinguished Senator from South Dakota is so fair and so just that he would not want even an inference to be drawn from any remarks of his that would be the basis of an injustice to President Wilson or to any other person. I therefore now invite the attention of the Senator to the fact that the newspapers have been replete with evidences of the fact that upon numerous occasions the President has taken up with Lloyd George, Balfour, Clemenceau, and the representatives of Italy and France other questions than the question of the league of nations. Obviously, neither the utterances

of the President nor of those with whom he has talked upon those important questions such as indemnity, rectification of territorial lines, would be for the public at present. They are, in diplomatic language, mere "conversations"; but, of course, the matter that the President has most addressed himself to in his public speeches has been the league of nations. However, I do not think it is quite fair to infer because he has spoken repeatedly concerning a partnership, or concert, or a league of nations that the other questions to which the Senator is now alluding have not received consideration.

Mr. STERLING. I do not mean, Mr. President, that any such inference should be drawn from what I am saying. I am saying, however, that it is my position that the other questions should have first place rather than that the time should be consumed in preliminary conferences or in the actual peace conference itself in discussing the question of a league of nations to enforce peace.

Mr. MOSES. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from New Hampshire?

Mr. STERLING. I yield to the Senator.

Mr. MOSES. It is very evident, Mr. President, that a discussion of this kind will produce various effects upon the minds of the large audience listening to it. I understood the Senator from South Dakota to mean that the President had been setting forth his demands for a league of nations as preliminary to all other discussions and all other elements in the discussion of the peace treaty. It is my understanding, from a pretty careful reading of the telegrams and dispatches that come from Europe, that the President has been insisting that the league of nations should precede all other elements and discussions in the peace treaty and that all of his speeches and all of his efforts have been directed toward that end.

I do not understand that the Senator from South Dakota takes a different point of view, and certainly his remarks produced no such impression upon my mind. I hope the Senator from Utah [Mr. KING] has not been misled by the remarks of the Senator from South Dakota into thinking that his meaning has been otherwise.

Mr. STERLING. I thank the Senator for his observations. Mr. President, it must not be overlooked that disputes concerning territory and boundaries will be among the most serious and important to engage the attention of the peace conference. It is reported that there will be 26 of such disputes, some of which will be hotly contested. I quote from the cablegram of Paul Scott Mowrer found in the Evening Star of Tuesday.

I ask leave to print these various items as found in the Washington Evening Star instead of reading them.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

PROBLEMS BEFORE PEACE CONFERENCE—26 TERRITORIAL DISPUTES LISTED, SOME OF WHICH ARE HOTLY CONTESTED—CLAIMS OF THE NATIONS.

(By Paul Scott Mowrer.)

PARIS, FRANCE, *January 5.*

There are some 26 territorial disputes in Europe, not to mention those in Asia and Africa, which the peace conference will be called upon to settle. These disputes may be listed as follows:

1. The Aaland Islands, now held by Russia and apparently claimed by Sweden.
2. Helgoland, now held by Germany but probably claimed by England.
3. Denmark demands the return of Schleswig from the hands of the Germans.
4. Belgium seems to be preparing to demand from Holland the Province of Limburg, which stretches like a peninsula between Belgium and Germany, forming an awkward barrier.

LUXEMBURG'S ALTERNATIVE.

5. Luxemburg will be called upon to decide whether she prefers to be French, Belgian, or independent.
6. France desires to neutralize the left bank of the Rhine.
7. France wants to include the Sarre Basin in Lorraine.
8. Italy claims part of the Austrian Tyrol.
9. The Italians and Jugo-Slavs are engaged in a bitter controversy over the Dalmatian coast, which both claim; they are intrenching opposite one another where the lines meet north of Fiume.
10. Northern Albania is claimed by the Jugo-Slavs, the Valona region by Italy, and southern Albania by Greece, while the Albanians themselves desire independence.
11. Greece claims all of Thrace, including Constantinople, from Bulgaria and Turkey.
12. Greeks, Serbs, and Bulgars all demand favorable frontier rectifications in Macedonia.
13. The Jugo-Slavs seem to claim the strip running from Graz to the Danube east of Vienna so as to give them a common frontier with the Czecho-Slovaks.

BITTER PROTEST BY HUNGARIANS.

14. The Hungarians protest bitterly against the newly declared southeastern frontier of Slovakia.
15. The Poles, Czechs, and Germans all claim Silesia.
16. The annexation of the banat of Temesvar has been proclaimed by both the Jugo-Slavs and the Roumanians, while the Hungarians are unwilling to relinquish it.
17. The Roumanians occupying Transylvania are driving out the Hungarians.
18. Roumanians and Ruthenians are fighting over Bukovina.
19. The Bulgarians want a favorable frontier rectification in the Dobroges.
20. Roumanians are occupying Bessarabia, which the Ukrainians also claim.
21. The Poles and Ruthenians are fighting over eastern Galicia.
22. The Germans and Poles are fighting over Posen.

CLAIMS BY POLAND.

23. The Poles claim the valley of the Vistula and Danzig from Prussia.
24. The Poles claim east Prussia.
25. The Poles claim Lithuania, which seems to prefer independence.
26. Bolsheviki are invading the Baltic Provinces, which seem to desire independence.

Mr. STERLING. Thus it will be seen that a part of the work of the peace conference will consist of nation making. The nations thus to be constituted are those for whose peace their membership in a league of nations would be most desirable, but let us have first the nation capable in the exercise of sovereign power to enter a league; and let us remember that this work of making new nations and establishing their frontiers is distinctly the work of the peace conference.

The advocates of a league of nations speak confidently and as though it were an easy thing to achieve. Agree to it and it is done. Or at most, since the representatives of different nations are presently to assemble in a peace conference, made necessary by the armistice and the end of the war, together with the admission of defeat, why should not these same representatives at the same conference prepare and adopt a constitution for, and forthwith organize, a league to enforce peace?

I have already mentioned some of the problems to be solved, the difficulties to be encountered. The Senator from Massachusetts [Mr. LODGE] a few days ago read into the RECORD many more suggested by Lord Bryce, an earnest and most distinguished advocate of such a league. No candid man at all acquainted with the action of the usual deliberative body, let alone a body composed of such diverse elements as an assembly for the purpose of creating a league of nations, and who has any conception of the momentous issues and world interests involved in the formation of such a league and the conferment of the power upon it to enforce peace, can doubt that many months, more probably years, would elapse before a congress assembled for the special purpose had concluded its labors and published the results to the world.

Mr. KING. Mr. President, will the Senator yield?

Mr. STERLING. I yield to the Senator from Utah.

Mr. KING. The distinguished Senator from South Dakota has invited attention to the momentous questions that demand solution at the peace conference. Among the questions to which he has referred are those involved in the reorganization of governments and, as he said, the setting up of new nations. The question occurs to me—and I suggest it to the Senator, in view of the implied criticism, at least, of the action of President Wilson—does not the Senator think, where changes are being made that will in a measure rearrange the map of Europe and steps must be taken that call for more or less of protection and support for new nations which may be recognized, that before the American delegates enter formally the peace conference there should be some understanding as to what shall be done by the allied nations for the purpose of perpetuating the work which they do? Might it not be a futile and unwise thing to settle boundaries, erect new states, impose indemnities, and agree upon the multitudinous questions involved in the settlement of the mighty issues and results of this war, and then leave the conference without reaching an understanding looking to the preservation of the work accomplished and the maintenance, at least for a time, of the status quo created? Therefore, would not a prudent and a wise man representing a great nation want to have some information in advance as to what would be done toward preserving the structure to be erected? The form of the peace treaty may depend upon what terms it contains to protect the peace of the world.

Mr. STERLING. Mr. President, I will say to the Senator that I shall give some little hint of my view on that question before I close. But the attitude of the allied nations toward the new nations to be created or carved out of enemy territory or other territory will be such as in itself will give an assurance of peace to these new nations, an assurance that none of them shall be made the prey of any other aggrandizing nation or of nations desirous of annexing any part of their territory or in any way invading their rights.

But for the settlement of the many problems which must come before a congress to form a league of nations the manifold issues of the war can not wait without imperiling the existing peace.

On what principle does the right to form a league for the enforcement of peace rest? Its advocates claim to find it in

the right of the State to maintain order and protect society by enacting a penal code with its provisions for the punishment of any person convicted of violating it.

But it seems to me that the cases are quite different. A sovereign State is not for the purposes of the league like the individual citizen of a State who in order that the State may exist without anarchy must conform to the law. The State stands for a whole people. How can a State as the organ through which the people speak and act politically give valid consent to the coercion of its own people any more than a State or any supposed State authority can surrender the police power of the State? The violation of any treaty may subject the nation at fault to hostile attack, but that is altogether different from consent in advance that the nation aggrieved either singly or in combination with other nations may resort to arms against her.

Again, Mr. President, it has been gravely contended that there is identity of principle or at least an analogy in our Federal form of government and a league of nations to enforce peace. But this claim will not stand analysis. The whole question appears to have been thoroughly considered by the Convention of 1787. The plan of a constitution laid before the convention by Randolph of Virginia contained a provision authorizing the Congress or national legislature "to call forth the force of the Union against any member of the Union failing to fulfill its duty under the articles thereof." The Patterson, or New Jersey, plan contained a similar provision. Mr. Madison was at first in favor of such a provision, but later changed his mind and observed that "the more he reflected on the use of force, the more he doubted the practicability, the justice, and efficacy of it when applied to a people collectively and not individually—a union of the States containing such an ingredient seemed to provide for its own destruction," and note this significant statement of Mr. Madison:

> The use of force against a State would look more like a declaration of war than an infliction of punishment and would probably be considered by the party attacked as a dissolution of all previous compacts by which it might be bound.

Hamilton, as we know, believed in a strong central government and submitted to the convention a plan accordingly. But he was opposed to armed force as a means of coercing a State. He spoke of force as either a coercion of laws or a coercion of arms. "But how," he asked, "can this force be exerted on the States collectively? It is impossible. It amounts to war between the parties. Foreign powers also will not be idle spectators. They will interpose, the confusion will increase, and a dissolution of the Union ensue." The same position was restated with great force in the Federalist.

Oliver Ellsworth, like Hamilton, distinguished between coercion of law and coercion of arms. "Where," he asks, "will those who oppose a coercion of law come out? Where will they end? A necessary consequence of their principle is a war of the States one against another. I am for coercion by law, that coercion which acts only upon delinquent individuals. This Constitution does not attempt to coerce sovereign bodies—States—in their political capacity. No coercion is applicable to such bodies but that of an armed force. If we should attempt to execute the laws of the Union by sending an armed force against a delinquent State it would involve the good and the bad, the innocent and the guilty, in the same calamity."

And so, Mr. President, this is the foundation on which we have builded—coercion of law and not coercion of arms. Our great Civil War even did not illustrate a contrary principle. It was not the war of the Federal Government against individual States, but a war to enforce the execution of the laws of the United States against those in armed rebellion against the Government of the United States and its authority.

If in forming a nation composed of so-called sovereign States, but inevitably less than sovereign as members of the Union of States, it was found necessary to reject the doctrine of coercion by force of arms, how can we expect to see that doctrine successfully applied to States which are in fact now and which always expect to remain sovereign and independent States?

Others may see no difficulty in the way; but either there is this one mighty obstacle in the way of a league, the ultimate sanctions of which rest on force, or else I am sadly wanting in faith or vision or both.

Mr. President, the Nation now mourns the death of one of its greatest citizens, if not at the time the greatest. Thorough, faithful, and eminently able in all the many positions he occupied during his strenuous life, from his membership in the New York Legislature to seven and a half years as President of the United States, he is famed and honored to-day for the great and beneficent results he accomplished in each.

One of his biographers, in speaking of Col. Roosevelt's sense of duty, says:

> Mr. Roosevelt's conception of duty ignores all sorts of magnificent ideals at long range and fastens itself upon the tasks which lie nearest his hand.

The lesson afforded by his conception of duty is one for us to heed. The task has been at hand and waiting now since the great and fateful day when the armistice was signed. Its terms, together with the unsettled conditions at present existing, would seem to make the consideration of the terms of peace and of readjustment alone the practical, the imperative, duty of the hour.

For the rest we should be willing now to trust to the moral and political sympathies and kinship of the allied nations, to their example, to their kindly offices and admonitions in international disputes or when war threatens. Their influence, together with the common aversion to war intensified as it is by what the world has just passed through, ought, aside from the internal dissensions of any nation, to be the harbinger and guaranty of a long peace between nations; and so we come back to the thought that good will and good faith between nations, and not force, are our only sure guaranties of international peace.

Mr. MYERS. Mr. President, if I may be permitted, I will take this occasion to express some views which I hold about the proposition of a world league of nations for the preservation of peace, and some matters incidentally connected therewith, such as the approaching peace conference between the warring nations. For some time I have had running through my mind some random thoughts on these subjects which have crystallized into sentiments with me, and I beg leave to take this occasion to express those sentiments.

I believe it is not only the privilege but the duty of Senators to express their sentiments, if they have any, on these great questions of vital importance which are now attracting the thought not only of the people of this country but of the entire world. Senators are supposed, in some measure at least, to know and represent the sentiments of their constituents, and I believe they generally do. I believe when they have sentiments on such subjects as these they should express them for the consideration of those who have the immediate handling and disposition of the issues involved, if such persons should see fit to give them any consideration; and if so, for such and so much consideration as those more immediately concerned in handling these problems may think such sentiments to be worthy of.

Under certain conditions and within certain restrictions and limitations of membership, jurisdiction, and other details I am in favor of a world league of nations for the preservation of peace. I would not favor, however, any league of nations which would diminish the sovereignty of the United States of America. I do not believe that any league of nations which may be formed ought to require any reduction of the British Navy, which has been probably the greatest factor in redeeming the world from the destruction which threatened it during the last four years, and which I am sure will be used as a preservative of the future peace, honor, and integrity of civilized nations which want to do what is right in international affairs.

Mr. WATSON. Mr. President, will the Senator yield?

Mr. MYERS. With much pleasure.

Mr. WATSON. The Senator is like all of us who approach the discussion of this problem of a league of peace, in that he is compelled to discuss it somewhat negatively. Does the Senator know of anybody who has defined a league of nations—as to how it shall be composed and as to what authority it shall have or be clothed with?

We can all approach the question by saying that we are not in favor of a league of nations that will interfere with the Monroe doctrine, or a league of nations that will constitute a supersovereign to which we must yield a portion of our sovereignty, and all that sort of thing, in a negative way; but will the Senator define his league of nations so as to say to us how it shall be composed and with what authority it shall be clothed?

I should think that a discussion along that line would be exceedingly wholesome at this time.

Mr. MYERS. Mr. President, the Senator from Indiana has asked several questions. I will try to give attention to each of them.

As to the Senator's first question, whether I know of anybody who has defined a league of nations or said of what it should consist and how it should be conducted, I do not know of anyone who has completely given such a definition in its entirety. I have heard various theories advanced, but all of them appear to be more or less nebulous and chaotic. I think the subject is one which will require very prolonged and exceedingly careful consideration, not only by the people who frame the proposition for the league of nations but by those who are called upon to ratify it.

As to my views, I admit that they are not entirely mature as yet. They are somewhat in the same condition as the views of most people; but I will try to give something of my views, as a part of my remarks, before closing.

As to the Monroe doctrine, of which the Senator from Indiana has just made mention, I would not favor any league of nations which did not retain in the United States complete jurisdiction over the Monroe doctrine. I would not be in favor of sharing that jurisdiction with any other nation or nations. I think the United States should also retain complete jurisdiction of immigration and such other questions as vitally affect our national existency and integrity.

I do not think that Germany or any other of the central powers should be admitted now, or within this generation, into any league of nations that might be formed. Like most of the others who have discussed this subject I can tell more about what I think ought not to be done than what should be done; and perhaps I am in the same situation in that respect as most of the others who have given the subject attention.

As I have stated, under certain conditions I would favor a league of nations; but I do not look with favor upon the plan, sometimes suggested, of the delegates to the peace conference, which is soon to assemble, undertaking to frame an agreement for a league of nations and to incorporate it in and make it a part of a treaty of peace between the warring nations. I can see no reason why the two should be combined in one transaction. I believe it would be better not, and I hope it will not be done. The two propositions are distinct. They are not inseparably connected. They possess many elements of difference which will require different theories and extended consideration in different directions; and I can see no necessity that the two be treated as parts of one transaction at one sitting of one and the same body.

I think many advantages would inhere in a contrary course. I believe the first consideration of the approaching peace conference should be to frame terms of peace between the warring nations, and to take measures to enforce those terms of peace, and to put an end to the war that is now theoretically in existence, and as far as possible to put an end, as well, to the conflagration which has taken possession of nearly all of Europe. What the world needs and the people of this country want is peace first, right now. I believe the people of this country and the people of the world want peace as the first desideratum at the hands of our representatives in Europe. That is of more pressing importance than anything else. The people of this country want peace declared as soon as possible, and want demobilization, want as many of our boys as possible back, at the earliest possible day. Give them that first. Then see about a league of nations.

As I have said, I do not believe that Germany ought to be admitted to any league of nations; yet, when terms of peace are framed and completed, Germany will have to assent to those terms of peace, unless she wants to continue the war. We will have to have her, through her representatives, subscribe to them, and they will have to agree to submit them to whatever sort of government she may have for ratification; so that Germany will necessarily be a party to the conclusion of the treaty of peace. However, I do not think Germany ought to be permitted to have anything whatever to do with a world league of nations. She ought to be kept absolutely out of it; and yet, if an agreement for a league of nations is incorporated in the treaty of peace, which is to be submitted to all of the warring nations, Germany, it seems to me, would necessarily have to be admitted to the league of nations. She would have to be a party to it because she would have to assent to it; because she would have to subscribe to the document which provides for it; and why should we require Germany to subscribe to that arrangement unless she is going to be admitted to it and made a party to it? It would be radically wrong to require Germany to subscribe to something which she did not have to live up to and to which she was not a party; but if the two agreements are to be embodied in one document, if the league of nations is to be incorporated in the treaty of peace, Germany will undoubtedly have to sign the agreement for the league of nations as well as the agreement for the peace treaty. That I do not want to be. In other words, I want Germany to be compelled to assent to the peace treaty, whether she may want to or not; but I do not want to permit her to assent to or participate in the league of nations, even if she should desire to. Hence they should be kept separate and distinct and the peace treaty, first in importance and necessity, should come first.

For that reason alone, among a number of other reasons, I think that the consideration of the formation of a league of nations should be postponed until after the treaty of peace is arrived at and subscribed by the representatives of the warring nations. Then, if the peace delegates want to continue their existence and their sessions and sit in a different capacity and frame a proposal for a league of nations, while the United States Senate and the due and appropriate bodies of the other warring nations are considering the ratification of the treaty of peace which is submitted to them, I would have no objection to that. If they should desire to go from one piece of business to another, I can not see that there would be any material objection.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER (Mr. McCUMBER in the chair). Does the Senator from Montana yield to the Senator from Tennessee?

Mr. MYERS. With pleasure.

Mr. McKELLAR. I should like to ask the Senator a question. Of course, it is understood that all of the European powers and practically all of the other powers that are in this war want something of this peace conference. England will be wanting territory. She will be wanting indemnities. France likewise will be wanting indemnities and territory, and so will each of the other great nations among the allies. They are not particularly interested in the thing in which America is interested. America is not asking for any indemnity or any territory.

Mr. MYERS. I think we ought to ask for indemnity, though.

Mr. McKELLAR. Well, I know; but, as a matter of fact, we are not doing it.

Mr. MYERS. We are not, so far.

Mr. McKELLAR. Not so far. The only thing for which America is asking is freedom from future wars and freedom of the seas, so that our commerce can go and come at will. These are the principal things, for which America is asking. Now, does not the Senator think that when the peace conference is over and these European nations have got all the territory that they can get and all the indemnities that they can get—in other words, when it has been decided that they should get all that they can get—they will leave the conference and have no further interest, really, in these questions that they may consider entirely idealistic questions? In that way America will be prevented from getting these vital things that will prevent wars in the future. Does not the Senator think that now, when these other nations that are going to be in the peace conference want something, is the time for America to get what she wants?

Mr. MYERS. I think that after the treaty of peace is concluded the nations which constitute the entente allies will want a league of nations to prevent a repetition of the horrible catastrophe that has just convulsed the world in fire and blood as much as the United States will want it. It is more to their interest to prevent it than it is to the interest of the United States to do so. They are more immediately subject to the danger of a recurrence. They would be the greatest sufferers if another world war should break out on the Continent of Europe, and I think they will want to prevent it just as much as the United States.

Mr. McKELLAR. If that is true, why are some of the representatives of some of the nations opposing it now and why should anyone oppose it if we can get it now? If that is what we want, why not get it, and get it as soon as possible?

The PRESIDING OFFICER. The Senator will yield while the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

Mr. MYERS. Replying to the esteemed Senator from Tennessee, I will say that I have not heard of any accredited representatives of any of the countries that constitute the entente allies being opposed to a league of nations along proper lines, to be worked out in the future. I was not aware that any of the nations which constitute the entente allies had taken that stand. I thought they were all open to conviction on the subject and that most of them had agreed that we ought to have some league of nations.

Mr. McKELLAR. I was called out of the Chamber for a moment, and I did not hear all the Senator said, but I judge from the remark I just heard that the Senator is not aware that any of the nations have taken a position opposed to a league of nations. That is true, but there are certain statesmen in each of the nations, I believe, who want to postpone it, just as there are certain gentlemen in our own Nation who want to postpone it. The question I ask is, If a league of nations is a good thing and we can get it now, why not take it now while we can get it?

Mr. MYERS. I have just given one reason which, to my mind, is very vital. I am opposed to admitting Germany into a league of nations, and yet if an agreement for a league of nations and an agreement as to terms of peace with Germany are both arrived at in one transaction, by one body, at one sitting, as

a part of one transaction, and are embodied in one document, Germany would have to sign the agreement for a league of nations as well as the agreement for a treaty of peace. If the two agreements were to be embodied in one document, Germany, it seems to me, would inevitably have to be admitted to the league of nations, and I am utterly and absolutely opposed to that. She is not fit to be in a league of nations. I am not only opposed to permitting Germany to be in a league of nations but am opposed to letting her have anything to say about what nations may be in, or about the terms of it, or about anything else connected therewith. Let Germany sign and ratify the treaty of peace and no more.

Mr. McKELLAR. Does the Senator think that the allies, who will be absolutely in control of the conference, will permit Germany to come into any league or into any agreement, whether you call it a league or whatever you may call it, that will be inimical to any of the allies? I do not think so. I think that right now the terms upon which Germany may be admitted to sign any peace treaty, whether it includes a league of nations or not, will be more drastic and severe than they will be if it is postponed until some future time when feeling has abated.

Mr. MYERS. I am in favor of having a treaty of peace perfected and put in force just as soon as possible. One of my reasons is that the terms to Germany may be severe and just. When it is submitted to the various nations concerned in it for their consideration and ratification, if the same delegates which framed it wish to continue sitting, if it is their judgment that they should do so, and if they want to consider in a separate transaction the forming of a league of nations, I can see no objection to that.

Mr. McKELLAR. The Senator is a lawyer, of course.

Mr. MYERS. I have the honor to belong to that profession.

Mr. McKELLAR. Both the Senator and I as lawyers have asked for a continuance in various cases for a defendant when the defendant had rather a bad case. The Senator is familiar with the doctrine among practitioners at the bar that one postponement is equal to about a halfway winning of the case, and two postponements are equal to about a three-fourths winning of the case. Now, is not the same principle involved here? If a league of nations is postponed at this time is it not true that those who would have no league of nations have about half won their case?

Mr. MYERS. I do not think so. Every case at a term of court can not be tried the first day or on the same day. I am not an advocate of combining in one trial the trial of two cases involving different issues and totally dissimilar subjects. I think the issues of one case should be tried on one day or at one time, and following that the issues of the other should be tried. If there were different parties to the two cases they would have to be tried separately. Here Germany would have to be a party to one settlement and should not be to the other. I do not believe in attempting to combine adjudication of two things having different subject matter and different parties.

Europe is afire with lawlessness and warring elements, some of which are trying to ignite the world and upset civilization. The sparks are flying everywhere. Some of them are lighting in this country and threatening ignition. They are embers of the great conflagration just ended. The first thing is to put out the fire and have peace. We must have peace before we can enforce it. If a man's house were afire, I should think his first care would be to put out the fire, and then that he would consider how to prevent another fire. If a man's house were afire I would not think he would spend any time talking about how to prevent another fire until he had first put out that fire. It seems to me that is exactly the situation in Europe to-day. First, I would say, put out the fire that is burning. Then take steps to prevent another. First stop the war that is smoldering and emitting sparks. Then take steps to prevent another. First get the most of our boys home. Then take steps to see that they do not have to go abroad again to keep brigand nations from throttling the world.

Furthermore, any treaty of peace between the warring nations and also any agreement for a league of nations, of course, must be submitted to the United States Senate for ratification, and there may be some Senators who would be for one proposition and against the other. I think they should have the privilege of considering, debating, and voting on them separately. That is my view of the matter. I may be wrong. I am open to conviction, but it now appears to me that would be the logical course to pursue.

The peace conference which is about to assemble will have urgent and arduous duties of immediate moment, of pressing necessity, which I think should receive very prompt attention. There will be enough to demand its attention for some time, exclusively, in arriving at terms of peace; and if the peace delegates should undertake to divide their time and efforts between the formation of a treaty of peace, which it seems to me ought to be perfected in a few weeks if given exclusive attention, and the vague and uncertain subject of a world league of nations, an experiment that never has been tried, they would undoubtedly sit for months, and might sit for years, before arriving at a conclusion as to either. Meantime, the world would with impatience await results.

A treaty of peace should be arrived at and agreed upon in a comparatively short time. To form a league of nations might take a year. It seems to me they should first undertake the simplest undertaking. Then let them consider deliberately and in all its details the untried experiment of a world league of nations and take for it all the time necessary.

Serious questions press now upon the peace delegates for speedy solution. One of the first that confronts them and the world is what to do with the German Kaiser. It should not go unanswered. Justice demands an answer. I think the German Kaiser should be executed. He should be put to death. He has forfeited the right to live. Death should be his portion. He should be executed like a common criminal. He is an uncommon criminal, but he should be executed just as though he were a very common criminal, and I think he should be executed without a trial. His guilt is known. There is nothing to try. What issues are there to try? All the world knows that he launched a vile, criminal war which plunged the world into the greatest catastrophe and conflagration which it has ever known, the greatest calamity since the flood; that he drenched Europe with blood and crime and bestiality; and that he waged war in a way which violated every principle of international law, civilized warfare, humanity, civilization, Christianity, and common decency. The world well knows those things. They are known to all men. They are common knowledge, sufficiently common for judicial cognizance. He waged war in a way which brought the blush of shame to everybody who has any respect for international rights, civilized warfare, or common decency; in a way that brought agony to hearts of women and pallied the souls of men. He bombed hospitals and undefended towns; he murdered thousands of innocent women and children, mangled and maimed little school children at their desks, while pursuing the innocent pastimes of childhood; he cut the hands off of little boys, ravished women and girls, murdered thousands of noncombatants, and carried other thousands into captivity and slavery. These things are known to all the world, and what is there to try in regard to his guilt? He is a monster of iniquity, a fiend in human form. While others have been executed for murdering one human being, he has murdered thousands.

I am not in favor of any soft sentimentality in dealing with these awful questions which are pressing upon the attention of the world. I believe they should be weighed and determined from a standpoint of justice. I believe there is such a thing as justice in the immutable laws of God, and I think there ought to be in all the laws and transactions of mankind. If there is to be justice in the world, if any justice is to come out of the awful catastrophe which has deluged the world with blood, the German Kaiser, the arch criminal of all, should suffer death.

I think as a result of the treaty of peace, which I hope may soon be concluded, the German Government, whatever government may then be in charge of German affairs, should be required to surrender the Kaiser to the military authorities of the United States and the entente allies for execution; and if the German Government should refuse to do so, the armies of the United States and the entente allies should go wherever he may be found and take him and execute him. Every nation on earth ought to be made to know that no civilized nation can harbor such a criminal as the German Kaiser and give him an asylum of safety and refuge from punishment. There should be no nation that would want to do so, and if any nation wants to do it it should be disillusioned.

There are ample reasons for my conclusions on this subject. There is ample reason for holding the Kaiser responsible for all the monstrous criminality and shocking outrages of this horrible war. In 1914 postal cards were printed under the authority of the Kaiser and sent to the Kaiser's soldiers as a command from their commander in chief, which contained these printed instructions to German soldiers: "You will take no prisoners; you will show no mercy; you will give no quarter; you will make yourselves as terrible as the Huns under Attila." At the beginning of the war the Kaiser issued a proclamation to the German soldiers, speaking of all who dared oppose his will, in which he said: "Strike him dead. The day of judgment will not ask you for reasons." Those are the principles and injunctions upon which the Kaiser waged war.

There will be no punishment for fearful crimes and deadly wrong as long as he is permitted to live.

There are other reasons why he should be executed, and executed without a trial. If it were known to all the world that any ruler of a country who started a criminal and wicked war, in the event he lose the war, would lose also his head, there would be very few wars waged in future. If it were known to all the world that any ruler who started a war of aggression against another country would, in the event of losing the war, also lose his head, there would be mighty little war waged.

There has not been a bank failure in China for a thousand years, for the reason that at the time of their last bank failure the officials of the failed bank were beheaded. I think the execution of the Kaiser would have very much the same effect on future warfare in the world. It would be an example to others which would have a most beneficent effect in preventing war. I think it would be a better preventive of war than any league of nations that might be formed.

In addition to that, the Kaiser's immense fortune, which is estimated at $250,000,000, should be confiscated. He has forfeited all right to it. It should be confiscated and used to pay indemnities to the entente allies and to the United States for the horrible outrages that he has committed in waging this brutally uncivilized and fearful war. Von Bernstorff, von Papen, von Rintelen, Dernburg, and a lot of the other German "vons" who were active criminals and moving spirits in this wicked war and who resorted to crime without stint or hesitation to advance their nefarious schemes, should be imprisoned for life at hard labor. That should be their portion, and it should be so provided by the treaty of peace.

I read an article from an issue of the Chicago Journal of a few months ago:

THE POTSDAM CONFERENCE.

On July 5, 1914, a secret conference was held at Potsdam. It was presided over by the Kaiser. Besides this all-highest war lord, there were present:

The German crown prince.
Von Bethmann-Holweg, then chancellor.
Von Tirpitz.
Von Falkenhayn.
Von Stumm, head of the political department of the foreign office.
Archduke Frederick of Austria.
Count Berchtold, foreign secretary of Austria.
Count Tisza, prime minister of Hungary.
Conrad von Hoetzendorf, Austro-Hungarian chief of staff.

The question before this council was whether to make the murder of the Archduke Francis Ferdinand a week before the excuse for starting a general European war. The council discussed the matter, and decided for war.

So much we know, and entirely from Teutonic sources. The German ambassador at Constantinople never wearied of telling the American minister how completely this council settled everything. There may have been more persons present than those named, and there may have been some opposition to the course pursued. It does not matter. These nine men did the deciding, and there could not have been much demur to their program, for the whole conference was over in a few hours.

Nine men, five Germans and four Austro-Hungarians, meeting in secret and owing responsibility to no one, started a war which has gone round the world; a war which has slain nearly 9,000,000 men in battle, starved or otherwise murdered millions of noncombatants, particularly babies, devastated vast provinces, destroyed great cities, heaped up mountainous debts.

Nine men and 9,000,000 deaths, counting soldiers alone. A million skulls to each important man at that conference, and the whole 9,000,000 to the Kaiser, who is responsible for them all! Was such preeminence in murder ever dreamed of before?

These are some of the reasons why I say the German Kaiser should be executed and why all the other men mentioned in that article should be imprisoned at hard labor for the rest of their natural lives. If that were done, I believe it would have more effect in preventing future wars than any league of nations that might be formed.

Mr. POINDEXTER. Mr. President, does the Senator think the Kaiser ought to be hung or shot?

Mr. MYERS. I might say both. If the Kaiser were both hung and shot it would be none too much punishment for his deserts.

Von Bernstorff, who is mentioned in that article, is a burglar. He tried to climb in the back door of the United States and corrupt our Government and debase it with the most unprincipled and dastardly criminal machinations that have ever been known in the history of this country. He undertook to turn loose in this country a tide of corruption, disloyalty, and treason, which, I am sorry to say, went further and acquired more volume than I liked, but which fortunately was stemmed in time to prevent any serious disaster to us as a Nation. He is one of those who should be imprisoned, according to my idea, at hard labor for the rest of his life.

In addition, I believe that Germany should be made to pay indemnity to every country constituting the entente allies and to the United States as well. I believe that Germany should be made to pay all the costs of this war to the nations which successfully waged it. I believe Germany ought to be required, as the result of the peace conference which is about to assemble, to pay every dollar of the $25,000,000,000 or more that the war cost this country; she ought to be required to reimburse us for every dollar of our war expenditure, and to do the same for Great Britain, France, Belgium, Italy, and every other country which participated in the war against her.

Is there any reason why the taxpayers of this country should pay the enormous sum of money which the war cost us? Did they bring on this war? Did they do anything wrong in connection with it? Is it their fault that this country entered the war and was compelled to use its entire military and naval forces and an unprecedented amount of money in order to throttle Germany and to keep her from destroying the world? What have the people of this country done that they should be mulcted in such an enormous sum—that such an enormous burden of taxation should be placed upon them? They have done nothing to deserve it. The German people are the people who made the entrance of this country into the war a necessity. They are the ones who are to blame. They are the ones who are in the wrong and they should be made to pay the penalty. I believe in applying to this situation the homely old maxim, "Let those who dance pay the fiddler." Germany danced to the music of war, to the dreams of the Kaiser for world conquest and his ambition to subdue all the world. Then, if Germany enjoyed the dancing let her pay the fiddler, I say; pay it all, every cent of it. You may rest assured that if Germany had won the war the United States would have been compelled to pay her a large, fat indemnity.

A provision in the treaty of peace to require Germany to reimburse us for our war costs would be nothing more than just and right. It would be absolute justice, and this world can not be satisfactorily conducted upon any other plane than that of justice. I believe justice is one of the greatest things in the world. If justice is not to prevail in this world the world can not be safe for democracy or safe for any other virtue that goes to make it a fit place in which to live. Justice should be the first consideration. We should be just before we are generous.

I do not partake of any of the sentimentality which favors dealing gently and softly with Germany and waiving all indemnity on behalf of this country. This country did not suffer as much as some of the other warring countries, but it suffered a great deal more than it should have been required to suffer, and Germany ought to pay the cost of it. I say, let those who caused the war pay the bills. It would have a very helpful effect upon the German people in deterring them from ever starting out again to conquer the world. It is a commonly accepted rule of practice and procedure at law, I believe, in all jurisdictions where disputes are adjudicated by law, that the winning party is entitled to recover his costs, that the losing party to litigation is required to pay the costs of both sides to the controversy, and the fact that it may bankrupt him to do so is not taken into consideration in the rendition of the judgment. The judgment is entered against him anyway, and if he is never able to pay it he always remains under the burden of it. I say let the judgment in this case be entered against Germany, and if she is never able to pay it let it hang over her for all time to come, as a warning that she must not try the same thing any more.

I think it would be a very efficient preventive of war, too, if it were known to all the world that hereafter any nation which embarked upon war, if it lost the war, would have to pay all costs; not only its own cost, but the cost of the prevailing nation or nations. I think that is a sound principle of law and justice. I think it has much effect upon some people in keeping them from going to law upon frivolous or unjustifiable grounds. Often they are kept from it by the fact that the litigation may be expensive and they may have to pay all the cost if they lose the litigation. I think it keeps many evilly disposed people out of court, and it would undoubtedly have the same effect upon the nations of the world if they knew full well that a losing nation at war would have to pay all the costs for both sides. Nations would be likely to consider a long time before engaging in an unjustifiable war. People would have to be very strongly convinced that war would be justifiable before they would engage in it under such circumstances.

There is another thing for which I think the peace conference should provide in the peace treaty, and that is requirement that Germany must repudiate her entire war debt. That war debt is a monument to the monstrous iniquities, the greed, the criminality, and the lustfulness for conquest of the German people. It was subscribed gleefully and joyously, with a view of reaping the benefits expected to ensue therefrom. The people of Germany were told, if they would support their Government and subscribe the necessary funds for the prosecution of the war,

that when Germany had conquered her opponents and was ready to look forward to conquering the rest of the world they would be richly reimbursed in the booty of conquest, trade, and commerce, and loot for all the expenses which the war had cost them. The people subscribed to the German war fund, knowing that the war was a wicked, unjust, criminal war of conquest and aggression; and, having so subscribed, they should stand the just penalty of losing their money, put up for wicked purposes. I believe that, too, would be a good warning to the nations of the world. If they were made to know that a nation which engages in a wicked, unjustifiable war of conquest, if it loses, will be required to repudiate its war debt, I think it would have a very strong effect in keeping people from subscribing the funds with which to carry on such a war. A nation would be very careful, I believe, in future to decide whether or not a war was a righteous one before calling on its people for funds for waging war. In this instance, repudiation of Germany's war debt would be a just punishment. It would be merited.

The people of Germany who subscribed to the funds for the prosecution of the war were just as much in favor of a war of criminal aggression and lustful conquest as was the German Kaiser or as were any of the German war lords who conducted the infamous war. There was no difference. The people furnished the funds and the Kaiser and his war lords conducted the war and expended the funds, and they should all lose alike. If the German Government be allowed in the years to come to build up its fortunes and to repay its people the money they subscribed for the conduct of a wicked, criminal war, instead of paying the money to the entente allies and the United States by way of indemnity, it will be a monstrous miscarriage of justice, in my opinion. It should not be permitted. I say, make the criminals who fought pay, and make the criminals who paid lose.

Every war bond which the German Government issued to a subscriber of money for the purpose of carrying on the war should be repudiated, as a result of the treaty of peace; and if there are any holders of those war bonds in this country, it would give me peculiar pleasure and especial satisfaction to see repudiated the part of the debt which they hold and which is due them. I agree entirely with the sentiment so often expressed by the lamented late Col. Roosevelt, that people who in this country styled themselves German-Americans were not Americans at all, that their hearts were in Germany, and that they ought to be there themselves; and if their pocketbooks were at the disposal of Germany, they ought to be made to feel in a substantial way their lack of allegiance to this country.

I believe that all the property of the banks, the private holdings and the fortunes of Germany should be confiscated and applied to the payment of indemnities to the countries which compose the entente allies and to the United States. Every visible asset and all means which can be obtained to satisfy these just claims for indemnity should be applied thereto. I believe that Germany's iron and coal beds and her potash beds should be taken away from her, or that she should be required to work them for the payment of indemnities to the entente allies and the United States. I believe that the entente allies and the United States should keep all of Germany's warships and put them to use, and not sink them. I am not in favor of any such sentimentality as would sink those warships, when they are badly needed and can be put to some use for the benefit of the nations who are entitled to them. I believe that we should take all of Germany's merchant ships and distribute them among the entente allies and the United States. I believe that the successful countries should keep Germany's African colonies and that they should either be turned over to Great Britain in payment of her indemnity or should be distributed among the different nations which constitute the entente allies.

If necessary to make Germany pay for this war, I would have the German people work for their board and clothes for the next 500 years, and during that time, at least, they would not start another war of lustful bestiality, of wicked conquest, to destroy everything that does not worship at the shrine of German might.

I believe that the different states which constitute the German Empire should be forcibly and permanently segregated. I believe the peace conference should require the segregation of Prussia, Bavaria, and all other of the different principalities which compose the German Empire, and that it should be a provision of the treaty of peace that they should never again be united under one government, but must remain totally separate and apart forever. They should not be permitted to have a common ruler; they should not be permitted to have a common court nor a common legislative body, but should be kept just as separate and distinct as the United States and Canada are kept; just as separate and distinct as are Spain and Portugal.

Really Germany deserves dismemberment; that is, she deserves to be dismembered and to be partitioned and distributed as colonies amongst the entente allies, just as Poland was dismembered and partitioned some generations ago. That was a most monstrous and unjust act, to which Germany, to her shame and infamy, was a party. The dismemberment and partition of Germany would be a most merited and deserved act. I would not, however, go that far. I believe if the principalities which constitute the German Empire are forcibly segregated and kept apart and are allowed no cooperation whatever in the future, so long as time may last, that that would answer practical purposes fairly well.

These different principalities or States should be required, I think, by the treaty of peace to keep down their standing armies and reserve military forces to a very nominal number of men. Neither Germany, collectively, nor the principalities which compose Germany, separately, should be allowed ever again to maintain a standing army or a reserve force for military purposes which would be of any consequence. I would say that, merely for police purposes, I think each one of those principalities, as a separate nation, might be allowed to keep 500 or 1,000 men under arms or in reserve, but no more than that number. None of them should ever be allowed to have a navy.

The payment of the indemnities which I think should be paid to the entente allies and the United States in reimbursement for the cost of this war should be equitably apportioned among the different principalities which now compose the German Empire, and which, in future, ought to be separate and independent nations, and each one should be required to pay its allotted quota of the indemnities.

Germany should be required to quit warring on Poland. Poland should be erected into an independent nation, embracing original Polish territory. Germany should be required to quit helping the Russian Bolsheviki to conduct a reign of anarchy and crime in Russia. Germany, I believe, is furnishing much of the brains, power, munitions of war, and instruments to continue the unsettled and very disastrous state of affairs that prevails in Russia. Germany should be required to withdraw all aid and assistance, by troops, by intrigue, by connivance, by approval or recognition of any kind whatever, from any element of the people in Russia, and to let the Russian people settle their own troubles.

You may say that these terms are severe, but the subject matter of them merits severe terms; nothing but severity would be just. Stern measures should be taken in grave emergencies. I have read some utterances to the effect that we should not be animated by any spirit of revenge in our settlement with Germany. I agree with that; I do not think that we should be animated by revenge at all. We should be animated entirely by a spirit of justice; and in all that I say and advocate I have in view only justice, and am animated solely by a spirit of justice; but I believe justice should prevail. Organized society undertakes to punish individual criminals. It is absolutely necessary that it be done. That has been recognized for thousands of years. There can be no successful or beneficial organized society without the punishment of individual criminals. They are punished for the welfare of all, yet that punishment is not administered from a spirit of revenge; it is administered from a spirit of justice, or it should be, and I believe it generally is. When men prove themselves unfit to live as individuals in organized society, the common practice is to put them to death. When they prove themselves unfit to be at large, the common practice is to confine them for the rest of their lives, generally at hard labor. I believe the same rule should be carried into international affairs, so that when a nation like Germany proves itself unfit to be at large, as we might say, in the world of nations, she should be rendered absolutely impotent to do any more harm; she should be put in such a condition that she can do no more harm to the rest of organized society in the world. If you can not put her in some separate place and lock her up, she ought to be so fixed that she can never do any more harm to the organized society of the world. The only way to fix Germany so that she will never do any more harm to the organized society of the world is to strip her of all of her power, segregate her into different nations, require those nations to keep separate and refrain from reuniting, and make them pay the full measure of all the damage which the German Empire perpetrated on the world.

Of course, this would be a hardship upon the German people, but I am not one of those who believe that the German Kaiser and his war lords are entirely responsible for the horrible war that has just ended. In my opinion the German people were just as much to blame and were just as much the cause of it as

were the German Kaiser and his war lords. The German Kaiser is the result of the spirit of the German people. The German people made the Kaiser what he is, and they are responsible for him. He is the outgrowth of their sentiments, their ideas, and their civilization. I believe the German people, as a rule, are every bit as bad as the German Kaiser, who is their product. I know there are some exceptions, but I am speaking of the German people generally. I do not believe the German people are the product of the German Kaiser; I do not believe that some 70,000,000 people, their animosities, their spirit, and their civilization are the product of one man. I believe that the one man is the product of the 70,000,000 people.

I do not believe that 70,000,000 people were dragooned and lassoed and dragged into this war. I believe they went into it willingly and cheerfully and eagerly and gleefully; that they were just as much in for a war of conquest, spoliation, aggression, and criminality as was the German Kaiser. In that connection I will read an extract from an article from the pen of Mr. Richard H. Edmonds, editor of the Manufacturers' Record, of Baltimore, Md., which very forcibly expresses what would be just conditions for Germany as the result of her monstrous crimes. He says:

> Until Heaven offers peace to unrepentant hell, until the Almighty invites Satan to a peace parley and to sit beside Him on the throne and rule the universe, we would be traitors to civilization and to God Himself to grant peace to an uncrushed, unrepentant, unpunished Germany. Peace for Germany without full punishment would be a premium upon crime and an indorsement of all Germany's fearful shedding of blood.

As to whether or not the terms I have proposed would be too severe for Germany or unmerited, I will read another article by the same author, Mr. Edmonds, which is entitled "The bill of civilization against Germany." It is as follows:

THE BILL OF CIVILIZATION AGAINST GERMANY!

What a staggering bill it will be!

It will be a bill for four years, up to the present time—how much longer no one yet knows—of the most fearful crimes which the world has ever known.

It will be a bill for the millions who have died in defense of civilization and for the millions who have been blinded and maimed and permanently invalided.

It will be a bill for all agonies which hundreds of millions have had to endure.

It will be a bill for the tears which have flowed from the eyes of millions of mothers and wives, sisters, and sweethearts because their loved ones have had to endure all of the hardships which the vilest ingenuity of hell could instigate as they fight on the side of heaven in the battle against hell.

It will be a bill for such sorrows as earth has never known by dishonored womanhood which in shame and deathless woe cries out to heaven against the criminals.

It will be a bill for mangled children and for tens of thousands of helpless babies done to death by Germany's crimes.

It will be a bill not merely for the tens of millions of money, not merely for the ships that have been murdered, for the towns and the countries that have been ravaged, for the cathedrals and churches that have been destroyed; these are only a part of the material things which must be charged against Germany in the bill of civilization against barbarism.

It will be a bill which no human words can ever portray and no auditor can ever state in figures.

These are some of the items in this bill against Germany, the magnitude of which no expert accountant who ever lived could measure by human calculations.

Though the tears can never be wiped away, the broken hearts never be mended, the millions of murdered brought back to life, the dishonored womanhood never be restored, the bill must be summed up in the most graphic language known to mankind. It must be written on the pages of human history with a pen fed by the blood of millions of broken, bleeding hearts. There it will stand forever as an unpaid debt from which Germany can never through eternity be cleansed.

As well might Judas have sought to blot out the reality of the betrayal of his Lord and of the agony of the cross as for Germany to hope ever to wipe out the record of its crimes. In letters of fire, burned into the soul of every man and woman living now or in the centuries to come, they will forever stand.

Germany will for 10,000 years be regarded as more typical of rotten heartedness than Judas and Nero.

Though Germany can never wipe out this bill, there is a bill for material things which should represent every dollar spent by America and our allies in saving civilization from being destroyed.

There is a bill for every ship that has been murdered, for every pound of foodstuffs and raw materials of which Germany has robbed others.

There is a bill for the disruption and disorganization of every business on earth.

There is a bill for every fruit tree cut down, for every town looted and burned, for every car and locomotive stolen. These things must be summed up and Germany be made to pay to the uttermost farthing.

To require anything less of Germany would be to condone its crimes, to become an apologist for them, and a coworker with Germany in sapping the world's moral strength.

There is also a bill which can be paid only by the death upon the gallows of the leading criminals.

I regret that this war did not terminate by an unconditional surrender of the forces of Germany and her allies. I regret that it did not terminate by military victory on German soil. I believe Germany should have been made to know and feel something of the devastation of war. I mean legitimate war, not criminal warfare. I would have had her taste war on her own soil. Of course, that is a thing of the past, and we can only look to the future. I believe, however, that justice demands adequate punishment of Germany for all of her crimes. The list is long and shocking and requires stern measures. For that reason I do not believe Germany should be admitted to the peace conference. She has no place in the peace conference; she is not entitled to have any voice in the peace conference; she is not fit to sit in the peace conference. Germany is a criminal; an international bandit, murderer, highwayman. Her crimes are black and shocking. She waged war by murder, rape, arson, and every other crime known to the catalogue of criminality. In my opinion the entente allies and the United States should formulate the terms which are to be imposed upon Germany, and should then call the German representatives into the conference and make them sign the terms. Germany is a criminal in the dock, awaiting her sentence, and should have no voice in what that sentence is to be. If she does not like this, let the result be extinction of Germany as a nation, annihilation of her national existence. If an earthquake were to occur and swallow up the entire territory now occupied by Germany and all the inhabitants thereof and a great lake were to succeed it, I believe the world would be better off. It would be safer, anyway.

I am not in favor of admitting Germany to any league of nations which may be formed. A league of nations is simply a law and order society. If a law and order society were formed in a community, who would think of admitting into it the most notorious criminals in the community? If the people of a community have been outraged and shocked beyond expression by a number of fearful and bloodcurdling criminal attacks and outrages upon the women of the community and a law and order society is organized to protect the women of the community, would anybody think of admitting into that law and order society a man who was guilty of the crime of rape, sit beside him at the table of the law and order society and confer with him about methods to prevent a repetition of such horrible crimes? If the crime of horse stealing has been prevalent in a community and a law and order society is organized to prevent horse stealing, would the people who organized that society take into it a notorious horse thief who had been repeatedly caught with the goods on him, caught stealing horses and making away with them? Would he be considered fit to sit in an antihorse thief society? Just so it is with Germany. Germany is not fit to sit in a league of nations; she is not a qualified party to sit in a league of nations; she would not be in sympathy with the nature and objects of a league of nations. If a society were organized to enforce a prohibition law, would people think of admitting into that society notorious bootleggers who make a business of surreptitiously selling whisky and defiantly breaking the very law which the society is organized to enforce? The question answers itself.

If Germany entered into a league of nations she would pay no attention to it; she would consider it merely "a scrap of paper." Germany has no honor or truth in her; she has no recognition of those principles which make for the maintenance of decency and honor and law-abiding conduct among nations. The very moment she became able to violate the principles of a league of nations, if a member, and saw it would be to her advantage to do so, she would violate them.

I lay down three general principles as the sum and substance of the views which I am expressing. They are, first, that Germany should be required to pay full indemnity for all the damage she has caused and the cost she has imposed in this war upon the United States and each and all of the nations of the entente allies; second, that Germany should not be admitted to the peace conference, because she is not fit to be admitted to it; and, third, that Germany should not be admitted to any league of nations, because she is not fit to be admitted to one. In support of them I will read some extracts from Dr. Newell Dwight Hillis's volume, entitled "German Atrocities." I wish to submit them, and ask if the people of whom these things are true are fit either to sit on a peace conference or to be represented in a league of nations, and if there would be any injustice in requiring them to pay in full all of the damages and costs they have brought upon the entente allies and the United States on account of this war? Dr. Newell Dwight Hillis, as is doubtless well known to all Senators, is one of the prominent and leading clergymen of the United States. As clergyman, citizen, patriot and American, he stands in the forefront of our citizenry. He went to Europe during the progress of the European war and very carefully investigated the charges of German atrocities and had them fully verified to his entire satisfaction by affidavits, by the testimony of eyewitnesses, by official documents, by diaries taken from the bodies of dead German soldiers, and by other evidence that would be admitted in any court of law.

I have read for my own information a great deal of his book, and I will read to the Senate some striking excerpts therefrom:

No horrors in history are so overwhelmingly evidenced as the German atrocities. The nature, the number, and the extent of their crimes have been documented more thoroughly than the scalpings of settlers by Sioux Indians, the horrors of the Black Hole of Calcutta, or the cruelties of the Spanish Inquisition. No American to-day can cross the threshold of Belgium or northern France, Poland, or Serbia without recalling the words that Dante saw above the gate of hell, "Abandon hope, all ye who enter here." Not since Judas and his fellow conspirators crucified Jesus has there been a ruler, a war staff, or an army that has deliberately revived the cross as an instrument of torture to further the ends of military efficiency. The Germans have literally fulfilled the Kaiser's charge in 1900 and reproduced in 1914 upon various cards for the Kaiser's soldiers: "You will take no prisoners; you will show no mercy; you will give no quarter; you will make yourselves as terrible as the Huns under Attila." All scholars know that the Kaiser was referring to Attila's well-known motto, "Where my feet fall let grass not grow for a hundred years."

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It is not by chance that the first atrocities were begun on practically the same day—August 17, of 1914—and along a line extending from the English Channel to the Swiss frontier, just as the murders and mutilations, the rapes, and the pillaging began and ended at the same time in Poland, Roumania, and Serbia, and are now being repeated in more malignant forms in northeastern Italy.

Nor were these atrocities committed in moods of drunkenness, hours of anger, nor by the occasional degenerate, like Jack the Ripper, of Whitechapel Road. Allen White and Arnold Toynbee are doubtless right in asserting that most of the attacks upon little girls and young women were made by German officers; nevertheless, all must confess that the German soldiers were not less culpable, as they pillaged the land guided by the deliberate, cold, precise, scientific, ordered policy of German frightfulness.

The story of German occupancy of Belgium and France is a long, black story of unspeakable crimes. These brigands broke into banks, looted factories, pillaged houses, burned the farmers' machinery, chopped down orchards and vineyards. In the face of their newly signed treaties with the allied nations, pledging the safeguarding of all buildings dedicated to education and religion, with the lives and property of noncombatants, the Germans made their treaties mere scraps of paper, sneered at the most solemn obligations given by men to men, burned cathedrals, colleges, and libraries, mutilated old men and women, violated little children, nailed a child to a farmer's barn door upon which they found a calfskin drying in the sun, and beneath wrote the word "swei." They crucified Canadian officers and Roman Catholic nuns. They bombed hospitals and Red Cross buildings. They thrust women and little children between themselves and the Belgian and French soldiers defending their native land. The affidavits, photographs, and mutilated bodies are witnesses that destroy forever the last shred of doubt and incredulity. For men who are open to testimony, the German atrocities are more surely established than any of the hideous cruelties recorded in history. Now, for the first time, wildest savagery has been reduced to a science and damned into existence under the name of German efficiency.

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In the "summarizing report by the general war staff," published December 31, 1914, the German chief says in explanation of the Belgian campaign: "The need of the German Army to push through Belgium was imperative. Our starting point was that the tactical object of the Twelfth Corps was to cross the Meuse with speed. To at once overcome the opposition of the inhabitants was a military necessity, and something to be striven for in every way." And what does "every way" mean? Let the German staff themselves answer. "The flourishing town of Dinant with its suburbs was burnt and made a heap of ruins and a large number of Belgian lives lost." "About 220 inhabitants were then shot and the village was burned. Just now—6 o'clock in the afternoon—the crossing of the Meuse begins near Dinant; all the suburbs, chateaux, and houses were burned down during this night. It was a beautiful sight to see the villages burning all around us in the distance." "The town appeared to be perfectly peaceful, nevertheless, for the sake of security, a number of the inhabitants were made prisoners by the grenadiers." "Later, we decided to assemble all the male hostages against the garden wall, where we shot them."

Hundreds of witnesses called in one town, after the Germans had passed on, show that the German officers and soldiers were engaged in one horrible orgy of pillage, drunkenness, lust, and murder.

They began by breaking open all wine cellars, and soon the officers went reeling and staggering through the streets, firing their revolvers into the windows of houses and stores. They blasted the safes open with dynamite. They carried goods from the shelves to the freight trains, and as fast as the town was pillaged burned the houses. During four days they looted and burned 1,200 houses, stores, factories, schools, and churches. They left lying on the ground 700 dead bodies, chiefly women and children. Two trains laden with the men and women who were strong enough to work were carried off to Germany. All the manufactories where the artisan class were wont to work were systematically destroyed. Marching away from towns that were blazing furnaces, the German soldiers drove in advance a long line of women and children, with a few aged men, and used them as a screens behind which they could march into the next town that was to be looted.

I will now read what Cardinal Mercier, the primate of Belgium, declares about the ruin and sacking of Louvain:

At Louvain the third part of the city has been destroyed: 1,074 dwellings have disappeared; in addition, in the suburbs—Kessellloo, Heverlé, and Herberle—1,828 houses have been burned. In this dear city of Louvain, ever in my thoughts, the magnificent church of St. Peter will never recover its former splendor. The ancient college of St. Yves; the art schools; the commercial and consular schools of the University; the old markets; our rich library, with its collections, its unique and unpublished manuscripts, its archives, its gallery of great portraits of illustrious rectors, chancellors, professors, dating from the time of its foundation, which preserved for masters and students alike a noble tradition and were an incitement to good work—all this accumulation of intellectual, historic, and artistic richness, the fruit of the labors of five centuries, all, all is in ashes.

I read now words of admonition of the Kaiser and the German war staff to the German soldiers:

"Strike him dead; the day of judgment will not ask you for reasons." The soldier might read this: "You can slay, pillage, loot, burn, rape, leave thousands of bodies massacred and mutilated on the ground, but remember that your Kaiser and your war staff will stand between you and the avenging God, and will see to it that the Judge of all the earth makes you no trouble on the great day of accounting."

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Here is the diary of Eitel Anders. It is believed that he belonged to the Fourteenth Bavarian Regiment. The diary was taken from his body upon the battle field and is similar to hundreds of others: "We crossed the bridge over the Maas at 11.50 in the morning. We then arrived at the town of Waendre. When we went out of the town everything was in ruins. In one house a whole collection of weapons was found (the mayor had ordered the women to bring to his house every weapon that they could find, that the Germans might have no excuse for saying that anyone had struck their soldiers or fired a gun). All the inhabitants, without exception, were brought out and shot. This shooting was heartbreaking as they all knelt down and prayed, but praying is no ground for mercy. A few shots rang out, and they fell back into the green grass and slept forever. It is real sport." But how did Eitel Anders sleep that night? We know that Macbeth did not sleep after he murdered Duncan and Banquo. The next day the soldier made another entry—mark the opening words: "This morning, in happy mood and high spirits, we passed through Tatarages. But before this we cleaned up the suburb of Mons and burned the houses. The inhabitants came out of the houses into the open plain. Here many heartbreaking scenes occurred. It was really terrible to watch."

Having stated that he had murdered men, young Eitel Anders sleeps well at night, and the "next morning, in happy mood and high spirits," wakened to plan fresh crimes. Shakespeare's murderer did not dare trust himself out under the stars that blazed with anger, but Eitel Anders's sleep was not disturbed by the blood upon his hands, because he really believed the Kaiser would be able to stand between him and the great day of judgment.

After Gen. Clauss shot 15 aged men in the streets of Gerberviller, too, that officer rode away with a light heart, quite free from the remorse that unseated the reason of Macbeth.

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The German Laws of War on Land, their handbook of military tactics, has organized crime into a science and killed in men the spiritual optic nerve.

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In August of 1914, when the German Army was broken and compelled to retreat before the French, they passed through many French towns and villages in which they found no soldiers and no weapons, and where no battle, no skirmish, and no shot took place. During last July and August we went slowly from one of these towns to another, talking with the broken-hearted women and children, comparing the photographs taken immediately after the German retreat and almost before the mutilated bodies were cold. Slowly we sifted the evidence. On the ground we compared the full official records made at the time with the statements of wretched survivors who live in cellars where once stood the beautiful homes, the orchards and vineyards, but where now all is desolation and anguish.

Among the multitude of events described by witnesses who survived the martyrdom of their village are the following: When the noise of the approach of Gen. Clauss's division of 20,000 soldiers in full retreat was heard an aged Frenchman stepped to his open door. He had retired from business to spend his last days midst the friends of his childhood and youth. Hearing the noise of the approaching army, the merchant stepped to his open door. As the first automobile swept by the German officers lifted their revolvers and emptied the lead into the old man's body. He pitched forward down the stone steps and in his death struggle worked his way to the wrought-iron gate, where after the German retreat he was found dead.

Before touching the body official photographers, under the direction of their noble prefect, took their photographs from different angles. In the garden behind the smoking cellar was found the wife, lying dead upon the grass, her left wrist tied by the clothesline to the root of an apple tree, the right wrist tied to a clump of gooseberry bushes. She was dead, but not through dagger or pistol. Standing beside their graves we studied the photographs and talked with the families of the 15 aged men whom Gen. Clauss ordered shot because there were no young or middle-aged men in the village whom he could kill.

BURNING OF AN AMBULANCE DRIVER.

Most harrowing the testimony given by the mother of a Red Cross ambulance driver. The day before the Germans came this man had returned from the front, bringing an ambulance filled with wounded soldiers. While the division of 20,000 Germans were looting the houses and carrying away every rug, carpet, table, chair, picture, tool, and art treasure toward the Rhine, German officers entered the house of Sister Juliet, who was nursing the wounded soldiers. Finding the young Red Cross man there, they immediately shot him. Later, while his mother was holding his head in her arms and stanching his wounds, a German officer approached and seizing her hands held them behind her back, while one of the privates poured petrol over her son's head. With two fingers this soldier ripped the clothes from the breast of the wounded man and poured oil under his shirt and then set fire to his garments. Referring to his death struggles and the photograph of the charred mass that had once been her son lying on the brick pavement, this mother exclaimed, "If I had only let him bleed to death! If I had only let him bleed to death! Then they could not have made him die twice!"

THE MURDER OF HEREMILL.

In a little farming village not many miles from Gerberviller the Martyred stands a battered square belfry into which the Germans lifted their machine guns, hoping to hold back the pursuit of the French Army, thus giving Gen. Clauss time to retreat and "dig in" some miles to the northeast. Tying the ropes to the axle of automobile trucks, the Germans soon lifted their guns into the church tower. They then drove the French women and children into the church and used them as a screen. One young mother did not immediately obey because of certain duties in connection with her little child. With two other girls this young wife was stood up against the stone wall of her own little house and shot, for the purpose of teaching French women to obey instantly when German savages command.

When all the women and children were packed into the church a boy was sent back to tell the French that if they fired upon the guns in the church belfry they would kill their own families. Two nights later, when a storm was raging, the women slipped a little boy through the window and sent word to the officers of the approaching French Army that their wives wished them to open fire on the German guns. In blowing these weapons out of the belfry the French killed 20 of their own wives and children, who preferred to share death with the men they loved rather than suffer nameless indignities from German

brutes. In a hundred years of history where shall you find a record of soldiers, whether red, black, or yellow, save Germans, who were such sneaking, sniveling cowards that they do not dare play the game fairly and like men, but in their chattering terror use women and little children as shields against danger? Of a truth, the "Potsdam gang" has added a new word to the literature of cowardice.

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For centuries the enemies of farms, houses, towns, and cities have been fire, flood, and earthquake. Witness the city of St. Pierre. An interior explosion blew off the cap of the mountain and a flood of gas poured down upon the lovely city, asphyxiated the citizens, and left not one house standing. Witness that mighty convulsion in San Francisco, that brought thousands of brick buildings crashing down in ruins. Witness the fire in Chicago that turned the great city into piles of twisted iron and ashes. In New Zealand there is a lake called Avernus, the birdless lake. Poisonous gases rise from the black flood of water, and soon the lark with its song and the eagle with its flight fall into the poisonous flood.

But all these images are quite inadequate to explain the devastation of France upon the retreat of the Germans. About 40 miles north of Paris one strikes the ruined region. Then hour after hour passes, while with slow movement and breaking heart the investigator journeys 100 miles to the north and zigzags 125 miles south again through that ruined region. Centuries ago Julius Cæsar described it as a wild land, rough, with forests filled with wolves. Then the Frenchman entered the scene.

He subdued the wild grasses, drained the valleys, and widened the streams into canals. He enriched the fields, surrounded the meadows with odorous hedges and filled swamps with perfumed shrubs. Slowly the Frenchman threw arches of stone across the streams and carved the bridges until they were rich in art, while everything made for use was carried up to beauty. He gave to the roof of the barn its lovely lines; the approach to the house was upon a curved road, the highways were shaded by two rows of noble trees. The stony hillside was terraced, and there the vines grew purple in the sun. How simple was his life? What a sanctuary his little home! With what rich embroidery of wheat he covered all the hills! He was prudent without being stingy, thrifty without being mean. The French peasant saves against old age with one hand and distributes to his children with the other.

WHAT HATE CAN DO.

And having lavished all their love upon the little farmhouse, the granary, and the garden, having pruned these grapevines with their clusters of white and purple, the time came when each vine seemed like a friend, dear as that miraculous picture was to Baucis and Philemon. For these reasons all France was invested with affection and beauty.

The French peasants loved their land and then lost it. One morning the Hun stood at the gate. The farmers with their pruning knives were no match for Germans with their machine guns, and down they fell under the plum trees they were pruning. The devastated regions of France are like unto a world ruined by devils. The Germans cut down the apples, the pears, and all the peaches. They did not spare the cherry, the quince, the gooseberry, and currant, or the vineyard. Gone also all the beautiful bridges—they have been dynamited! Gone all the lovely and majestic thirteenth-century churches! Gone all the galleries, for some of the finest art treasures in the world have perished.

The land has been put back to where it was when Julius Cæsar described it 2,000 years ago—a wild land, and waste, growing up with thorns and thistles. That proclamation on a wall tells the whole story. "Let no building stand, no vine or tree. Before retreating see that the wells and springs are plentifully polluted with corpses and with creosote." The spirit was this, "Since we Germans can not have this land, no one else shall."

PRINCE EITEL'S CRIME.

But there is more. One of the historic chateaux is that of Avricourt, rich in noble associations of history. It was one of the class of buildings covered by a clause in the international agreements between Germany, France, and the United States and all the civilized nations, safeguarding historic buildings. For many months it was the home of Prince Eitel, the Kaiser's second son.

When a judicial and jury held inquiry at the ruins of the chateau, the aged French servant, who understood the electric lighting and had charge of the gas plant during Eitel's occupancy, stated that he heard the German officers telling Eitel Frederick that he would disgrace the German name if he destroyed a building that had no relation to war, that could be of no aid or comfort to the French Army, and that he would make his own name, and that of his family, a name of shame and contempt, of obloquy and scorn. But the man would not yield. He brought in his auto trucks and carried to the freight cars every historic object in the splendid chateau. Having pledged himself to leave the building uninjured, the prince stopped his car at the gates of the exit, ran back to this historic house, filled his firebrand, spread the flames upon the halls, waited until the flames were well in progress, and then ordered his men to light the fuse of dynamite bombs. A few days later inquiry was held and testimony of aged servants and little children was taken. The degeneracy of this German prince as then revealed has not been equaled since the first century of the Romans catalogued the unnatural crimes of the men of the ancient world.

Germany has no artistic sense. Her own poet, Heine, predicts that she will yet pull in pieces her one fine cathedral. The German poet does not think any beautiful thing is safe so long as it is in German hands. The gifted Heinrich had the vision that literally saw the German pounding to pieces the cathedral at Louvain and Ypres, in Arras, in Bapaume, in St. Quentin, and Rheims.

I now come to some extracts that are so horribly vile and indecent in their details that they are not fit to be printed in a publication of general circulation. It is all right to publish them in a book which only those who wish may buy and read, but I do not believe they are fit to be in the CONGRESSIONAL RECORD. They relate how thousands of French and Belgian women had their breasts cut out by German soldiers and the reason why they were cut out. They are so bloodcurdling and shocking to every sense of decency that I will not read these pages. They embody sexual subjects, including a scheme to impregnate all of France and Belgium with venereal disease, and the book tells how this scheme was systematically practiced on a large scale; and it also, in the next few succeeding pages, tells how some of the wives and daughters and sisters of French and Belgian soldiers were treated by German soldiers, but they are too horrible and vile to read. There was no excuse for the vile conduct detailed, even from the standpoint of lustful bestiality, because in the rear of all of the German armies were great numbers of kept women, kept there with the knowledge, sanction, approval, and by provision of the German authorities.

I will skip those horrible, shocking things, and read a few other extracts as to individual atrocities.

Here is a German song. It shows the principles which the German people cherish and the principles upon which they conduct warfare:

Oh, Germany, hate! Slaughter thy foes by the millions, and of their reeking corpses build a monument that shall reach the clouds.

Oh, Germany, hate now! Arm thyself in steel and pierce with thy bayonet the heart of every foe; no prisoners! Lock all their lips in silence; turn our neighbors' lands into deserts.

Oh, Germany, hate! Salvation will come of thy wrath. Beat in their skulls with rifle butts and with axes. These bandits are beasts of the chase, they are not men. Let your clenched fist enforce the judgment of God.

Oh, Germany, the time to hate has come. Strike and thrust, true and hard. Battalions, batteries, squadrons, all to the front! Afterwards thou wilt stand erect on the ruins of the world, healed forever of thine ancient madness, of thy love for the alien.

Here is a German hymn, so styled:

We have but one single hate;
We love as one, we hate as one;
We have but one single foe,
Whom you all know, whom you all know.
He sits crouched behind the gray flood,
Full of envy, full of fury, full of craft, full of guile,
Set apart by waters that are thicker than blood.
We wish to go before a seat of judgment
To swear an oath, face to face,
An oath of metal no wind can blow away,
An oath for children and children's children,
Hearken to the word, repeat the word,
It rolls on through all Germany:
We will not forbear from our hate.

I will read now a few brief extracts of individual atrocities that were amply proven by affidavits, the testimony of eyewitnesses, diaries, documentary, and other undoubted proof.

A boy with his hands cut off, mutilated by a German officer, because he was supposed to have laughed at this drunken brute.

A Belgian babe, skewered upon the bayonet, driven through his stomach, with his little head and hands and legs dangling as the German proudly carried it through the street of a village.

A mother superior crucified by bayonets to the door of her schoolhouse as punishment for scratching the face of an officer, who was violating the person of a young nun. The burning alive of a man who defended his wife.

Photographs of an aged priest, staked down to the ground, and used as a lavatory until he was dead; photographs and affidavits of young girls with one breast cut off.

The dead body of a young girl nailed by her hands to the outside door of a cottage. She was about 14 or 16 years of age.

"September 14. One hundred and eight inhabitants are stated to have been shot after they had dug their own graves. Innumerable houses have been destroyed. The population looks bitter and scowling." August 22 (notebook of Private Max Thomas): "Our soldiers are so excited, we are like wild beasts. To-day destroyed eight houses, with their inmates. Bayoneted two men with their wives, and a girl of 18. The little one almost unnerved me, so innocent was her expression."

In retreating from Laines eight drunken soldiers were marching through the street. A little child of 2 years came out and a soldier skewered the child on his bayonet and carried it away while his comrades sang.

Withdrawing from Hofstade, in addition to other atrocities, the Germans cut off both hands of a boy of 10. At the inquest affidavits were taken from 25 witnesses who saw the boy before he died or just afterwards.

Passing through Haecht, in addition to the young women whom they violated and killed, a child 3 years old was found nailed by its hands and feet to a door.

"The captain served a requisition upon all the farmers hereabouts, taking horses, oxen, wagons, milk, and butter. These people are so ignorant that they did not know when he gave them false receipts and signed this name—Herr von Koepenick." Other peasants received receipts stating that in return for the goods that have been requisitioned by the German officers, the owner was to come to the German quartermaster and receive his pay in 20 strokes of a whip lash. If all the diaries of the Germans now in the hands of the English, Belgian, and French authorities were brought together and published they would make a small library, and the title would be "Confessions of Crime by German Soldiers."

"August 19. Halted and plundered a villa, as invariably the surrounding houses were immediately plundered; dined splendidly, drank 11 bottles of champagne, 4 bottles of wine, and 6 bottles of liquor."

Joan Vanderschoot, Tenth Company, Thirty-ninth Infantry, Seventh Army Corps. "August 19.—Quartered in the university. Boozed through the streets of Liege; lie on straw; booze in plenty; little food; so we must steal. We live like gods here in Belgium."

H. W. Heller, August 6: "Friday at 8.30 came the news that the English had landed in Belgium. We smashed everything immediately. One sea only burning houses and heaps of dead people and dead horses every three steps."

Fritz Holman writes: "We are never thirsty here in France. We drink five and six bottles of champagne a day, and as to underlinen, we simply loot a house and change. God only knows what will happen unto us later on."

Stephen Luther's diary: "There was terrible destruction; in a farmhouse saw a woman who had been completely stripped and who lay on burnt beams. How savage! Terrible conditions in the destroyed houses. August 24, 1914, in Ermiton we took about a thousand prisoners. At least 500 were shot."

Are those things not worthy of consideration in determining whether or not Germany should pay full indemnity to the entente allies and the United States for all the damage and cost she has incurred in this horrible war? Are those things not proper for consideration in determining whether or not Germany should be admitted to the peace conference? Are they not worthy of consideration in determining whether or not Germany is fit to be admitted to a world league of nations composed of civilized nations for the preservation of peace? Are those things not to be a factor in the determination of what is justice? If Germany is barred from a world league of nations and from the peace conference and required to pay to the uttermost farthing full indemnity, now or in future generations, for all the costs of this horrible war, are those things not a proper factor to consider as provocation and justification? If they are considered, is it to be termed revenge, or a spirit of animosity, or are they proper factors to be considered in the administration of justice?

I say those things simply prove that Germany should pay full indemnity in this or future generations, no matter how long it may take, for all the cost incurred by the entente allies and the United States in defeating her in this horrible war. I say they prove conclusively that Germany should not be permitted to sit at the peace table; that Germany is not fit to be admitted to any league of nations composed of civilized nations for the preservation of peace.

I will read a few further extracts from this work to show the spirit of Germany, the spirit with which she prosecuted this infamous warfare of spoliation and crime:

One of the Kaiser's speeches contains the explanation of his dream of becoming a world conqueror: "From my childhood I have been under the influence of five men—Alexander, Julius Cæsar, Theodoric II, Frederic the Great, and Napoleon. Each of these men dreamed a dream of a world empire; they failed. I am dreaming a dream of a German world empire, and my mailed fist shall succeed."

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One of the Pan German Empire pamphlets and many of the German newspapers contain a revised map of Europe, showing "Germania" stamped across the continent, with St. Petersburg, Paris, and London become county seat towns, paying tribute to the world capital, Berlin. Many German newspapers, during this war, have published maps showing Canada as a German Province, with the name "Germania" stamped across South America, Mexico, and Central America. These many pamphlets and Pan German Empire books explain Admiral Dewey's report to President McKinley. That report seems to have been written in the cabin of the flag ship *Olympia*, in Manila Bay. Dewey states that the German admiral told him plainly to make a note of this prophecy that within 15 years (1899, report of Admiral Dewey) Germany would crush France and Belgium, seize Holland and Denmark, utterly destroy England, and take Canada as a German Province. Admiral Dewey added that the German admiral told him that while the Kaiser intended to seize New York and Washington and hold them for an indemnity, he did not intend to permanently hold in subjection the United States, but he did intend to retain Mexico and South America, and then "dispose of the Monroe doctrine as he thinks best." This may explain the Kaiser's word to Mr. Gerard: "After this war I will stand no nonsense from the United States."

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When the Kaiser first announced his Pan German Empire scheme he bribed his people by appeals to avarice, ambition, and jealousy of England and Russia. The arguments used by the Potsdam gang were very simple: Agriculture pays 6 per cent; trade, 8 per cent; finance, 10 per cent; shipping, 12 per cent; but war is an industry that pays 50 per cent dividend upon the investment. Germany's war upon little Denmark, a people without army or navy, paid an enormous dividend upon the investment in that it gave Germany one of her richest Provinces, made possible the Kiel Canal, and left Denmark permanently crippled and exposed. "Denmark and Holland, also, are apples," says a German author, "that are slowly ripening, and we will pick the fruit at the proper time." Germany's war of 1864 upon Austria was the attack of a brigand upon a traveler rich with gold, and the cities and Provinces that Germany wrested away from the ruler of Vienna paid 100 per cent upon the investment.

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In 1911 the Kaiser spread out before his people bribes most alluring. Just as the Devil led Jesus up into a mountain and showed Him the whole earth, so the Kaiser and the Potsdam gang led the Germans into a mount of temptation and showed them how easy it was to make the Kaiser a world emperor. The argument was very simple; after 25 years of preparation Germany has 9,000,000 soldiers, has cannon, liquid fire, poisoned gases, battleships, aeroplanes, with every wagon and automobile ready to have the pleasure body removed and a military body substituted. "We are ready to the last buckle on the horses' harness."

To the east was Russia, broken by war with Japan; Russia with her gold mines, her wheat granaries, her vast coal and iron deposits and forests, all undeveloped. To the southeast was Roumania with her oil wells; with Constantinople and the silk fields; and the Tigres, the gateway to the Indian Ocean and the treasures of the Bagdad Railway country. To the west was unarmed Belgium, rich with 20 billions of treasure; France, half armed, with her newly discovered iron mines and coal measures; England, one vast jewel box, a kind of Aladdin's cave. "Wait until Germany lifts her mailed fists upon the English treasure box; there will be enough for everybody in Berlin," is the gist of Zimmerman's speech of November, 1914. "The people of the United States call us Huns," writes the editor of the *Local-Anzeiger*, but New York had better remember that the young Huns from the German forests took only two weeks to cross the Alps and loot the city of Rome."

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At last the woven web was spread all over the world through spies. Could any man have been lifted up above Berlin and had full power to survey the whole world, he would have seen a spider's web, with its center in Berlin, with the Kaiser as the big black spider, sending out along the sinuous threads, into every capital of every country and of every continent, his evil plans and plots. Men like Von Bernstorff in Washington and Münsterberg in Boston, Von Bopp, recently convicted in San Francisco, Luxburg in Buenos Aires, with their schemes to blow up munition factories, planting of bombshells in ships, dynamiting parliament buildings, blowing up bridges, organizing sedition in Mexico, India, and Brazil, the millions and millions of dollars spent in our own country, the secret decorations of medals given to bankers, manufacturers, shippers, editors, newspaper boys, stenographers, make up a story of Machiavellian devilry and subtle cunning that has no parallel.

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This counsellor of litigation tells us that on the German day, October 6, 1901, Germanism in the United States was organized at Philadelphia. The diplomat then tells us how, directed by the German ambassador, he went up and down the United States organizing in New York, Brooklyn, Chicago, Milwaukee, Cincinnati, and St. Louis the German soldiers' societies of the United States, and wooing the German-Americans over to the point where they would see that their first allegiance was to be the Fatherland, their second to the United States. The German foreign office and the Kaiser were constantly sending Von Holleben for German-American flags, decorations, gracious letters, medals, invitations to visit Germany and meet the royalty—methods that culminated in the German law that made it possible for pro-Germans in this country and for their sons, despite American citizenship, to keep their German citizenship, with all the rights of suffrage in the fatherland. Very significant also one sentence in these reminiscences of this German diplomat: "The relations between official Germany and the emigrant subjects of the emperor, whether they have become citizens of the Republic or not, may lead to serious complications between Germany and the United States and to unforeseen incidents which at any moment may involve both powers in serious difficulty."

No scholar longer doubts that the German Government fully expected that when war was declared some six or eight thousand German-Americans belonging to the German societies in the United States would bring about something akin to civil war. This is not to be wondered at, in view of the fact that for years Germany's official representatives had been receiving from time to time honors and addresses from the Kaiser and sending back to Berlin cablegrams pledging undying faithfulness and loyalty, and affirming their purpose to enthrone German culture in the United States. This diplomat quotes in full the address of the German ambassador in behalf of the Kaiser on presenting the German colors to the German Military Society of Chicago.

"Greetings from the German Emperor! That is the cry with which I come before you. His Majesty, my most gracious master, has ordered me to hand to you to-day the color which has been desired by you so strongly and for so long. The color is a token of His Majesty's approval with which the Kaiser remembers in love and friendship those who have served in the German Army and Navy and those who have fought and bled for the fatherland. This color is to be the symbol of German faithfulness, German manliness, and German military honor. His Majesty asks you to accept this color as a token of that unity which should prevail among all German soldiers, to act also abroad (think of that, 'abroad' in Chicago) in accordance with the sentiments of German loyalty and German sense of duty, and to take for your maxim the words of that great German, Bismarck: 'We Germans fear God but nothing else in the world.' Now let the color flutter in the wind. In this moment of enthusiasm let us all sound the cry that is now on the lips of every old German soldier—His Majesty, the German Emperor, William II, hurrah, hurrah, hurrah!"

I ask you to remember that that message was sent to the people in this country who styled themselves "German-Americans."

Resuming my reading:

The history of no country contains plot so astounding! Under cover of hospitality the German guest was planting bombshells in the home of his host. With infinite cunning, the German diplomats built a German kingdom within our kingdom.

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Read the article by that American physician, who left Germany last summer by way of Switzerland. Note that when a train of English soldiers passed through the town, a train loaded with prisoners packed in freight cars, without sanitation, wounded men, who had been without food or drink for three days, men who, with black lips, begged the German women for water; that these women held water just out of reach of these English soldiers, and then spilling it on the ground, spat in the faces of these wounded men!

I pause in my reading to say that they are the same German women who are now appealing to the women of the United States to prevail upon the authorities in this country to furnish them with food. They are probably the same German women who had the audacity to send a message to the wife of the President of the United States and appeal to her to interest the authorities and the women of this country in a plan to furnish food to the people of Germany.

Resuming my reading:

When Germans were marching into a Belgian village, a German captain ordered the villagers to go into the church. The houses were then searched. Unfortunately no weapons were found, and therefore there was no excuse for looting the town and then burning the buildings. The diary of a German soldier says that his captain showed him a window opening into the cellar of a Belgian house, and told him to put a gun in through the window. A few minutes later the captain "discovered" the gun, and taking the weapon into the church told all the villagers that concealed weapons had been found, and they must all be shot and the village destroyed. The German burglar's life was sacred, but the honest householder's life and that of his family were as nothing, losing all rights because the German burglar has broken open the door.

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That is an illustration of German honor.

Three years of battle have lessened the wealth of the allied nations, but vastly increased the treasures of Germany. This war has cost Great Britain $30,000,000,000, it has cost France $20,000,000,000, it has cost the United States $10,000,000,000. For these billions expended there has been for the allies no financial return. In striking

contrast thereto, consider that if Germany has spent $20,000,000,000 upon this war, she has won another $20,000,000,000, and even claims to have won $30,000,000,000. Thus far, her armies, like those of ancient Rome, have looted four countries. She has carried away their gold, silver, copper, iron, steel, stocks, bonds; she has stolen their locomotives, passenger coaches, freight cars, wagons, automobiles, with all the goods of merchants. In the face of her solemn treaties she has stolen the horses, cattle, oxen, sheep; she has spoiled the granaries of their wheat, rye, and barley. She has looted the Belgian and French factories of their machinery, and carried away the looms from the mills for cotton, wool, and silk. The total value of the steel mills of Belgium and of France, with all lathes and stationary engines, is almost incalculable. She looted the iron and coal mines of Belgium and France and the wells of Roumania for the oil; she has looted the mines of Poland, Roumania, and Serbia of their bronze, lead, zinc, copper. She has loaded thousands upon thousands of freight trains with household furniture, agricultural implements, goods from the merchants' stores, art treasures from public galleries, as well as from private houses. In every city and town, in every store and farmer's house, the Germans attack first of all the safety vaults and the little money chests of rich and poor alike. Germany found Belgium worth $20,000,000,000. It is probable that she has spoiled Belgium of at least $8,000,000,000.

The national fortunes of the invaded territories were estimated at fifty billions, and most of this, after three years, is now in the hands of the Germans. Each attack made by Germany has been against a rich people, whose treasures she could loot, while every attack made by the allies has been to recover a land already devastated, poor, and helpless. In choosing Napoleon, therefore, rather than Jesus, Germany chose the motto of aggressive warfare and has made war an investment too profitable to be readily abandoned.

The peril to the allies is the greater because of the vicious methods used by Germany. All military experts know that wars are fought incidentally with guns at the trenches, but in reality with granaries at the rear. Better a million well-fed men with naked fists than 2,000,000 of armed men who are starving, for the starving men will soon be too weak to lift the guns and the well-fed men will grasp the weapons. From the viewpoint of food resources Germany has from the beginning occupied a unique position, in that she is rimmed all around about with little nations unprepared and unarmed and therefore impotent to protect themselves from her root cellars, their herds and flocks, when Germans come in to steal them. Whenever Germany has, therefore, been short of food she has organized an expedition and looted some land like Belgium or Poland. The next winter she sends an army out to loot Roumania. Now that the harvests have been gathered in upon the fields of Italy, Germany is trying to despoil that land.

Whenever she has had to withdraw a million men from the fields to send them to the front Germany has impressed another million from Belgium, Poland, or Roumania and forced these slaves to plow her fields, reap her harvests, and all without wage.

In view of those recitals, nearly all of which are amply substantiated by incontrovertible proof, is it any injustice to ask that Germany reimburse the people of this country for every dollar that they expended in preventing Germany from despoiling and ruining the entire world? Can any spirit of revenge or animosity be found in such a request? I believe not. I do not believe that justice can be done to Germany in this world or by any human method, but I hope that our delegates to the peace conference will insist that Germany pay to the full the bill that she justly owes this country on account of the expense incurred in defending the world against her criminal aggression.

I have many newspaper clippings, mostly of the Associated Press, of well authenticated instances of the shocking brutality of German atrocity during the war. Here I submit some of them, only a few of many, as follows:

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LONDON, *July 11.*

In the course of a lecture on the Zeebrugge operations, Naval Paymaster Collingwood Hughes narrated to-day a story illustrative of German cruelty and ratiousness. He said a patrol boat discovered a derelict German submarine from which it rescued the crew.

The commander was assured by the German captain that there were no others aboard and he was about to blow up the boat and sink her when he heard tappings from the inside. A search revealed four British seamen tied up as prisoners.

"The Germans," the lecturer added, "were going to allow those poor fellows to be buried into eternity after their own lives had been saved."

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LONDON, *November 25.*

Pitiable conditions among British prisoners of war who have been liberated by the Germans since the signing of the armistice are described by Exeter's correspondent at French headquarters. Thousands of these men, mostly British, are entering France daily. The correspondent writes:

"I have never seen human beings in such a state of raggedness, hunger, and misery. When the camp at Forbach, 38 miles east of Metz, as well as those elsewhere, were broken up the prisoners, most of whom were captured during the March offensive, were told to clear out and trek home from the allies. They started to walk the 50 or 60 miles to the allied lines, but were given no food and had no money. They were in shameful rags, the soles dropping off their boots. Some wore clogs and no socks.

"They left the prison camps in droves of hundreds in charge of German officers and soldiers who had deserted. The weather was very cold and many died by the roadside within a few miles from friends. When the survivors entered the French lines French soldiers who were hardened war heroes were horrified to see men in such a plight. It is not doubted that tale suffering was intentionally imposed upon the British. Prisoners of other nationalities are agreed that the British were treated worse than the others at all German camps."

A further report of Sir Robert Younger's committee dealing with the treatment of British prisoners in the coal and salt mines of Germany gives harrowing details of brutal treatment by the Germans. This report says:

"From testimony scarcely a month old it is evident that there is no sign of improvement whatever in the treatment of prisoners in Germany. This disgrace is open and flagrant and the only possible inference is that Berlin deliberately approves of it.

PARIS, *August 5.*

With more than 200 churches in his diocese totally destroyed, the others damaged and robbed of priceless ornaments, sculptures and sacred vases; 50 of his priests captured and condemned to years of hard labor in Germany, and 300,000 parishioners driven from their homes, Mgr. Pechenard, bishop of Soissons, is buried with grief.

Barbarism of the Germans and their obvious delight in ruining all things French, especially churches, has leveled to the ground some of the most famous and noted edifices in the Soissons district. They destroyed everything possible inside the churches which they could not destroy with their guns.

Because they remained in their respective towns, helping aged and infirm who could not flee before the invader, 50 priests were taken captive. These, it has been learned, have been sentenced to 5, 10, and 15 years in the working forces of Germany.

"The enemy has sowed death everywhere," said the bishop. "There where he passed nothing exists. The villages are destroyed. There are no houses, no industry, no commerce. I tremble when I think of the sadness of my people when they return to the places where their old homes stood.

"The brutal treatment complained of was that sick men, so long as they were able to stand, were compelled by the sentries to continue working. Anyone who refused was beaten with rifles and bayonets until he began again, or, if this failed, he was forced to stand at attention in front of the sentry on the main gate until the shift had returned from work, a period of anything up to 8 or 10 hours. If they fainted or became too weak and still refused, they were put in a cell behind some big ovens, where the air was extremely bad and the heat fearful. They were sometimes kept in this place for two or three days in this terrific heat until they agreed to work. During this time no food from parcels was allowed, the German food being the only kind, and the only way of quenching thirst was the allowance of two bottles of water a day.

"Another soldier who refused to complete his task was taken out of the mine dressed only in a shirt and drawers (it was too hot in the mine to wear anything else) and was put for the night in a hut which was not weatherproof. In the morning it was half full of snow. The next day he was taken to the mine again and beaten until he had finished his task. A Russian prisoner was shot in cold blood for trying to escape from the salt mines at Ehmen. A civilian stopped him until the sentries got up to him. One sentry hit him on the head with the butt end of a rifle, splitting his head open and breaking the butt of the rifle. Two of them dragged him back by the arm. He was half walking and half being dragged along the ground. A sentry, without any orders at all, walked up to him and fired point-blank at his chin. The bullet entered his chin and blew away the back part of his head."

The accommodation provided in the huts where the men lived appears to have been abominable. At the Neuhof salt mine the men slept in triple-deck beds, with two men in each bed. Except for a narrow passage about 2 feet wide, there was no room to move about. The beds were full of vermin, and there were a large number of black beetles and other insects on the walls and floor. Owing to the crowded condition, it was impossible to keep the place clean. Everywhere it is the same story of dirt, discomfort, and foul drainage.

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WITH THE BRITISH ARMY OF OCCUPATION,
December 5.

At Liege, Spa, and Verviers one meets the same universal disgust and loathing of the Germans as everywhere. One hears the same tales of looting, espionage, and impositions, but the topic of all others to which it is impossible to refrain from returning in German treatment of prisoners, especially the British.

In all the black story of Germany's conduct in this war there is nothing viler than her treatment of the sick prisoners in hospitals up to the time of the armistice. I heard this same tale several places, but know the facts best as they occurred in Namur.

The treatment of sick prisoners almost always was bad. Their diet consisted of 4 ounces of black bread a day, with coffee in the morning, rice soup at noon, and a tenspoonful of jam every 48 hours. Our doctors tell me every prisoner was suffering and still suffers from intestinal troubles. All are emaciated and show evidence of neglect.

The culminating crime was the worst when the Germans made no attempt to hand the hospitals over to any authority or representative of the allies. They did not even inform the patients or civilians where they were going. They merely went away and left the patients alone. At Namur there were a dozen places used as hospitals, of the existence of which the civilian did not seem even to have been aware.

The consequence was the patients were left entirely to themselves. Into some hospitals the civilians penetrated the first day. Other patients remained absolutely unvisited for 48 hours, when, driven by hunger, some who could walk went out on the streets to seek food. Then only did the citizens hear of the situation. When they entered the hospitals they found an almost incredible state of affairs.

In one institution six patients lay dead in their beds. There were 11 dead in the hospitals at Namur and 17 in one institution in Nivelles. The cases of neglect were very flagrant. Men were in bed in clogs. The places were littered with dirty bandages and refuse, so the atmosphere was terrible and the sufferings of the patients too dreadful for words.

It was five days after the Germans left the hospitals before the first British medical officers arrived and 10 days before there was anything like a proper supply of invalid food and medical necessities.

Meanwhile the residents of the town did everything possible. Many worked in the hospitals regularly until the British took them over. An organization, of which the Catholic fathers were at the head, did all possible to repair the German barbarity.

Altogether there were 600 prisoners in the hospitals at Namur, and 200 more arrived in the town exhausted and became patients. Of all the accursed things the Germans have done in the war, I doubt if anything has been so truly damnable as this.

One sergeant, who had been prisoner for seven months, spoke bitterly of an enforced march after his capture.

For four days, he said, the prisoners had virtually no solid food, and when they arrived at camp they were put to work burying men who had died from starvation. In one week 15 out of 100 died. No pity or leniency was shown to men who were unable to work through sickness. Only blows and the usual punishments of half rations were given them.

A noncommissioned officer of the royal army medical corps said that the worst sight he saw was near Soissons. He was working in a hospital where English prisoners were suffering badly from dysentery.

While still alive a man was put into a coffin and some German soldiers were preparing to nail the lid of the coffin down.

"I protested," said the officer, "that the man was not dead, but I was laughed at and pushed to one side. The Germans proceeded with their grewsome task and afterwards informed me that they had nailed the coffin lid down with 4 and 6 inch nails."

Another man who said he had been captured eight months ago described the murder of an officer in a prison camp near the Aisne.

"In the camp one day," he said, "I saw a British officer being bullied by a German sentry. The German soldier was demanding the officer's boots, but the officer refused to part with them. After a little further argument the German soldier shot the officer and took the boots from him as he lay dying on the ground."

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OTTAWA, ONTARIO, *February 3.*

A Louisen dispatch to the Ottawa agency of Reuter's (Ltd.) says it has received from a trustworthy Belgian citizen, who has just reached London from the German military zone at Valenciennes, an account of terrible conditions existing in occupied districts of France, from which virtually no news ever reached England. For obvious reasons it could not be stated how this man escaped. He still bore traces of a heavy blow on the jaw and showed Reuter's representative a handful of natural teeth which had been knocked out by the butt end of a German guard's rifle. He said:

"The Germans have organized a slavery army in the zone of northern France. When I left St. Armand a few weeks ago conditions were unbearable. All the men between the ages of 17 and 50 had been taken away. Unmarried women under 40 are obliged to work in the fields, while girls from 12 to 14 must collect acorns and nettles.

"Everywhere you meet civilians working under armed guard. Every one wears a brassard showing the town he came from. Some wear brassards around the leg showing they tried to escape. I saw an old man with a large cross painted on his back. I knew what that signified. If you refuse to work you are fined; if you refuse to pay the fine you are imprisoned; if you refuse a second time you are sent to Germany, from where one seldom comes back alive."

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PARIS, *November 24.*

The last party of Germans left Brussels by train last Sunday morning. As the train was about to leave reports stated the Germans had made a gift of wagonloads of food which was at the station and would not be taken away, and was to be given to whomever might come to fetch it. The result was that the people of the neighborhood collected at the station.

While they were waiting a series of vast explosions took place, in which at least 300 were killed and 150 wounded. It was extraordinary to witness the street crowded with people carrying the national flag and rejoicing at the approach of their saviors, while the sky was filled with clouds at the time set for the explosions.

At Hasmont a German munition train blew up and burned two German hospital trains, killing 1,000 wounded men and partly wrecking the town. Hasmont is a Belgian frontier station on the railway through Dutch Limburg, on which the Germans had promised the Dutch to carry no military supplies.

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Free Poland, a periodical devoted to the best interests of the Polish people and their ultimate independence, prints a graphic and startling article by Frederick Walcott, in which he describes scenes of starvation and desolation in Poland that are amazing.

Mr. Walcott went to Poland 18 months ago, in order to see with his own eyes the actual condition of the people. He says that along the roadside from Warsaw to Pinsk, a distance of 230 miles, nearly a half million Poles had died of hunger and cold. He saw the road strewn with their bones, picked clean by the crows. With their usual thrift the Germans were collecting the larger bones to be milled into fertilizers.

"Wicker baskets were scattered along the way—the basket in which the baby swings from the rafter in every peasant home," he says. "Every mile there were scores of them. I started to count, but I had to give it up; there were too many of them.

"They told me 1,000,000 persons were made homeless in six weeks of the German drive in August and September, 1916. They told me 400,000 died on the way. The rest, scarcely half alive, got through with the Russian Army. Many of these people have been sent to Siberia. It is these people whom the Paderewski committee is trying to relieve.

"In the refugee camps 500,000 survivors of the flight were gathered by the Germans, members of broken families. They were lodged in ferry-built barracks, scarcely waterproof, unlighted, unwarmed in the middle of winter. Their clothes, where the buttons were lost, were sewed on. Filth and infection from vermin were spreading. They were famished, their daily ration being a cup of soup and a piece of bread.

"In Warsaw, which had not been destroyed, the streets were lined with people in the pangs of starvation. They squatted here with their elbows on their knees or leaning against the buildings, too feeble to lift a hand for a bit of money or a morsel of bread if one offered it. Charity did what it could. The rich gave all they had; the poor shared their last crust.

"In that situation the German commander issued a proclamation. Every able-bodied Pole was bidden to Germany to work. If they refused, they let no other Pole give him to eat not so much as a mouthful, under penalty of German military law.

"Staying with his folk he is doomed and they are not saved. Leaving them he will be cut off from his family. Germany will set him to work, that a German workingman may be released to fight against his own land and people."

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At Courtacon the Prussian guards forced the mayor, four men of the commune and a boy of 14 years to act as a screen against French firing. These five escaped with their lives, but the Germans found a boy of 16 who belonged to the Belgian conscript class, but who had not yet been called. They first stripped him naked and then executed him.

At La Ferte-Gaucher Germans broke into a house and violated a woman in the presence of her 4-year-old child. Pressing on to Mauperthuis, they seized a civilian from his house and executed him, together with a hostage whom they had brought with them from Courtacon. They also seized and shot two aged caretakers of a neighboring farm.

At Gembloux, after the Germans had retreated, pursuing Belgian troops found the dead body of a woman pinned to the door of a house by a sword driven through her chest. The body was naked and the breasts had been cut off.

At Peronnes the Germans burned 63 houses and shot 8 civilians, including the burgomaster. The relatives of the executed civilians were ordered, under threat of death, not to touch the bodies and they lay in the street for 48 hours.

At La Ferte-Gaucher a woman who resisted the advances of a German officer was turned over by him to four of his men and ravished by them in turn as the officer looked on.

At Monceau-sur-Sambre, on the same day, the Germans burned 251 houses after looting them and shot down 28 persons, including women and children, as they fled from their burning homes. Thirty others received wounds from which they afterwards died, and 12 were executed by firing squads.

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Four days before a young lieutenant had sat there; to-day he was gone. He had been taken prisoner, and that morning his body had been found by Italian troops in their advance. His eyes had been torn from their sockets and his tongue cut out and other unmentionable injuries had been inflicted. This is the kind of enemy that comes now asking for mercy and compassion.

—

In one town I passed through an old man met the advancing Italians and led them into the courtyard of his house where the bodies of his two daughters, girls about 17 years old, lay dead. The father said that before they had been smothered to death they had been the victims of 23 Austrian soldiers.

As an illustration of the spirit of Germany not only in waging warfare but with which she agreed to the armistice for the cessation of hostilities, I call attention to the fact that Germany has already in numerous well-authenticated instances violated the terms of the armistice, the solemn compact which her representatives signed with the representatives of the entente allies and the United States. In having her armies retreat from Belgium and France, in direct violation of her solemn pledge and the terms of the armistice, her soldiers continued to loot and steal and destroy; carried away with them live stock, household goods, and everything of value upon which they could lay their hands. They have also violated the terms of the armistice in other respects. They continue to wage war against Poland and to help the Bolsheviki in Russia, in direct and palpable violation of their solemn agreement expressed in the terms of the armistice.

I submit here a couple of newspaper clippings, two of many, showing that Germany is still defiant, unrepentant; showing her reckless disregard of armistice provisions. They are as follows:

REDS DISABLE 150 AFROS IN VIOLATION OF ARMISTICE.

BASEL, SWITZERLAND, *November 29.*

One hundred and fifty airplanes which had been gathered at the Boeblingen airdrome, 11 miles southwest of Stuttgart, to be handed over to the allies in accordance with the provisions of the armistice, have been rendered useless by order of the revolutionary committee, according to a Stuttgart dispatch received here.

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PARIS, *January 7.*

Only 10 days remain before the expiration of the time allotted for Germany of the meeting of the armistice terms of Marshal Foch, and many of the details still remain not entirely complied with. This is particularly true as concerns article 4 of the armistice, regarding the surrender of war materials, especially guns and airplanes.

About 5,000 motor trucks have been delivered up, but the number of railroad engines turned over equals only half the number stipulated in the armistice—5,000. A great number of the 150,000 railway cars in good working order called for are still undelivered. In addition naval units, including submarines, remain in German seaports, although under the terms of the armistice they should have been surrendered.

Added to the nonfulfillment of the surrender of war paraphernalia is the failure of Germany to abide by her agreement to repatriate immediately a great number of entente soldiers held as prisoners, and in high quarters here the question has arisen if, in spite of Marshal Foch's accustomed indulgence, the interallied command will not be more severe in its dealings with Germany when the expected request by Germany for a further delay in meeting the allied terms comes up for discussion.

I believe before indulging in any generosity to such people, we should first insist upon justice to our own people. I believe in justice to Americans before generosity to such people as those of Germany and her allies in the war. Before Germany should expect anything except cold, unmitigated, plain, naked justice from the United States, before she should expect any generosity or any mercy, she ought to show some repentance. Germany is not repentant, Germany is still unrepentant. Not one iota of repentance has she exhibited for her criminal warfare, her monstrous attempt to subdue the world and destroy civilization. The German people are not sorry that they undertook the war. They are only sorry they did not win it and carry out their plans to subdue the world.

They are already boasting of the next war. They are declaring, and have declared ever since the cessation of hostilities, that their armies are unbeaten; that Germany is an unconquered nation; that there was no fighting on German soil; that German soldiers protected the fatherland from any devastation as a result of the war; and that they merely yielded to an armistice in order not to inflict any further destruction upon the world.

I have some newspaper clippings on that subject, a few of many, which I here submit. They are as follows:

PARIS, *November 29.*

"Au revoir, we'll be back in five years," was the parting assertion of German officers and soldiers to the inhabitants of Strassburg. Many Germans were still extremely boastful as they left the city, and spoke of a new war which they said was sure to come, with Germany better prepared economically to withstand a blockade.

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ASSERT ARMY IS UNBEATEN.

Here as in Treves, the home-going Germans received a great welcome from the civil population. All Germans assert the army returned unbeaten. Certainly the attitude of the inhabitants of Coblenz is not that of a beaten people. In the evening the cafés are crowded with well-dressed men and women, and there are music and animation in all the brightly lighted resorts.

—

LONDON, *December 31.*

Germany is reducing to and not below her prewar standard, according to Gen. Sir Frederick Maurice, who, writing in the London Daily News, says:

"Germany is demobilizing on a definite plan. The German general staff is at work at Cassel, and, as usual, is working systematically, despite the disturbances in Berlin.

"Since the signing of the armistice something like 2,000,000 German soldiers have been disbanded, but Germany is reducing her army to and not below her prewar standard of about 800,000 men. Her plans are to keep two annual classes with the colors, but as her classes are weak owing to the war losses, she is at present keeping four classes. If this is allowed to continue, neither France nor the rest of us can be secure without armies, the maintenance of which will spell ruin. If we are to make the world safe, we allies must keep on the German frontier a sufficient force to enable us to impose terms which will make a recurrence of the events of August, 1914, impossible, and we British must take our share in this burden.

"By all means let's make Germany pay, and let those who have suffered most be paid first. If Germany can pay for 800,000 soldiers, she can pay for some of the damage she has done."

—

Herr Ebert said to returning German soldiers:

"You protected the homeland from invasion, sheltered your wives, children, and parents from flames and slaughter, and preserved the nation's workshops and field from devastation."

—

LONDON, *December 22.*

"We are prepared to lose Alsace-Lorraine and some colonies, as well as part of Poland. But there are limits. If anyone dares to touch the west bank of the Rhine or Danzig (Baltic port of Prussian Poland), Germany will rise as one man and make war again, even if we have no weapon left except poison gas."

Theodor Wolff, editor of the Berlin Tageblatt, recognized as Germany's most moderate-liberal journalist, is thus quoted in an interview with the Copenhagen newspaper Politiken. A resumé of the interview is telegraphed to the Daily Express.

"Germany," said Wolff, whose paper was repeatedly suppressed under the old regimé because of his liberal writings, and who personally had a leading hand in the overthrow of autocracy, "stands fast by President Wilson's program. She is counting upon real peace negotiations, not on a dictated peace.

"If a sensible peace is made, a democratic, progressive German republic is certain. But if we had thought that we were to be given over to brutal might we would have taken other steps. Our front was unbroken.

"We demand that the questions of Alsace-Lorraine, German Austria, and the eastern provinces be left to a vote to decide their independence.

"There must be no new economic barriers against Germany.

"We are not powerless. We are not humbled. Germany's 60,000,000 inhabitants can not indefinitely lie down under such threats, but they will arise again to be a powerful factor in Europe.

"Although the German and Austrian Governments are responsible for the war, others bear an enormous responsibility for it as well.

"We must pay for the acts of our U-boats and for the breach of Belgian neutrality, but we have now overthrown the old regimé."

I have no faith whatever in the alleged change of government in Germany. I think it is camouflage. I think that Germany is simply pretending to undergo a change in government in order to try to fool the entente allies and the United States. It remains to be seen whether we and the entente allies can be fooled.

The German people have not changed one particle. Their nature, disposition, and spirit remain the same and will remain the same. The only safe course is to put them in such condition that it will be impossible for them ever to wage another war of inhumanity and bestiality against civilization. The people of a German republic would be just the same people as those of a German empire. I think they are changing their form of government or pretending to do so for the purpose of trying to escape liability for indemnity. They are, in my opinion, laying the groundwork to enable them to say after the treaty of peace is signed, and when indemnity is demanded of them for the United States, Great Britain, Belgium, France, and Italy, "Why, we owe you nothing. This is not the government that had the war. This is not the government that inflicted that damage, spoliation, and ruination. This is not the government that caused your war cost. This is another government altogether. We have nothing to do with those things. The government that owes you money has passed out of existence. It can not pay you anything. There is nobody from whom to collect."

It is a good deal like a firm of merchants, "Jones & Smith," who might buy $100,000 worth of goods on credit and simply change the name of the firm to "Jones & Smith Mercantile Co.," a corporation, and who, when the creditors demand their money for the goods, say to the creditors, "This is not the firm that bought your goods. We do not owe you anything. This is a different firm. The firm may be composed of the same people, but it is a different firm altogether." I think that is the kind of trick the German people are trying to play on the United States and the entente allies.

Germany should be made to feel that she is a vanquished nation and must pay for all the harm she has done. Not only is Germany unrepentant, but Germany has endured no great amount of real suffering as yet. Germany has not suffered one iota of what the people of France, Belgium, and Italy have suffered. I do not believe the people of Germany have suffered the privation and hardship that the people of Great Britain have suffered, because Germany has looted all her neighbors and kept herself rich and fat in food and spoils. Germany is now calling upon the people of this country to feed her people, to send them food. I do not believe there is any necessity for any such appeal. I think they have two motives in making this appeal. First, they think that every dollar's worth of food that they get out of the United States will keep that much food from going to the starving, suffering people of France and Belgium and will cause a few more women and babies to starve to death in France and Belgium, and that they will in that way accomplish still further their nefarious purposes and gratify their hatred of France and Belgium. They think, furthermore, I believe, if they can beg food of us and make us believe they are starving we will be easy with them in regard to terms of settlement. That, in my opinion, is what is behind their appeal for food. They just harvested a crop in the fall, and I am satisfied they have sufficient food to answer their needs until spring. That has been ascertained by people who have investigated their condition, their stores of food and sources of supply. I have a few newspaper clippings on that score, a few of many, and here submit them, as follows:

LONDON, *January 4.*

While the Ebert government in Berlin is proclaiming that Germany is facing a famine and is appealing for a modification of the armistice conditions, official evidence is at hand that at least a large part of the fatherland is as well off, if not better, than are the allied peoples. A member of the allied naval commission in German waters in an article in the Times says:

"The German Government and the press, from the moment the ink was dry on the armistice signatures, made a concerted appeal for food on the ground that otherwise great numbers faced imminent certain starvation. This even went the length of a call from the womanhood of Germany to their sisters in France and England to intercede in behalf of the dying children of the fatherland. In response to this appeal, comprehensive plans for revictualing those parts of Germany actually in need of food has been part of the allied program ever since the signing of the armistice.

"It would be absurd to draw conclusions on conditions in all parts of a country like Germany from those observed in one region, however extensive, and that I am not endeavoring to do. I am confining myself in detailing what the various members of the allied naval commission saw with their own eyes in a very considerable area of northwestern Germany, over which their work of inspection took them.

"But if the food conditions in the rest of Germany are not much worse than in Oldenburg, Mecklenburg, and Schleswig-Holstein there certainly is no need for haste on the part of the allies going to their relief.

"Members of various subcommissions of the allied naval commission, who covered many hundreds of miles of country and saw tens of thousands of people at close range, reported having noticed no evidence of underfeeding among any of the inhabitants. Indeed, they are of the unanimous opinion that the population, urban and rural, are fed near enough to normal requirements to keep them full of physical vigor.

"As a member of the intelligence staff, who passed many years in the country before the war, put it, 'You don't see so many people with rolls of fat on them as five years ago, but you do see a healthier, hardier, and generally more fit-looking population.'

"The results of a really bountiful harvest are seen in bulging barns and sheds, plethoric haystacks and fodder piles. The surest evidence of an oversupply of vegetables was the careless way in which cabbages, potatoes, and beets were handled in transport.

"A starving people does not leave food of this kind to rot along the roads nor in station yards, while in journeys through Oldenburg I saw endless evidence not only of intensive cultivation but also of careful, scientific fertilization.

"There is clear proof that the supply of artificial fertilizers—phosphates besides nitrates and lime—was fairly well maintained. Trucks on the station siding showed that, so did the State fields; for fresh young winter wheat, which I saw everywhere, was pushing up, taking full advantage of this mild winter weather and showed no trace of the hungriness I have noted for the last year or two in some overcropped, underfertilized fields in England.

"The people thereabouts are Danish, but are producing a huge supply of good food—enough to keep the people in less fertile regions far from want."

—

AMERICAN ARMY OF OCCUPATION, *January 2.*

According to estimates made by intelligence officers of the American Third Army after an investigation, it appears that in the area occupied by the American troops the cities and towns have enough of most foods to last during the winter and the country districts have enough to carry them through the spring.

LONDON, *November 28.*

The Cologne Gazette of November 16 published an article under the caption "Armistice and the food supply," written by a specialist named Oetteishofen, who argued that there could be no question of a shortage of food in Germany, but that it was urgently necessary to reduce rations.

The writer maintained that Germany could deal with the transport problem by readjustments, reducing the transport of potatoes and vegetables and confining the transport facilities to foods of greater nutritive value in proportion to their bulk. He advocated the killing of pigs in particular, the abolition of the rationing of sugar, and the restriction of railway consignments to distances of over 150 miles to consignments of corn, sugar, live cattle, meat, fats, poultry, eggs, and cheese.

Dealing with the harvest, Oetteishofen estimated the bread-corn harvest, apart from barley and oats, at not less than 12,000,000 tons and the potato harvest at about 47,500,000 tons.

The writer points out that Germany must have an abundance of sugar, because most of the German sugar hitherto had been used as raw material for munitions, and Germany now had a sugar harvest of about 1,808,000 tons, as compared with a peace consumption of only 1,200,000 tons. He said the potato supply also must benefit from the fact that it no longer was necessary to extract spirits from potatoes for munition purposes.

"Even after the armistice," the writer said, "there is abundance of food in Germany for feeding the population if we reduce the consumption by animals by reducing the stocks of cattle. It is to be expected that food prices will soon fall sharply. The public can contribute to this end if it will avoid hoarding of supplies and wait for cheaper prices."

LONDON, *December 17.*

The correspondent in Berlin of the Daily Express, dealing with the return of the German Army, says the scenes of enthusiasm marking the home-coming of the troops are ending.

"Men have been coming home at the rate of 10,000 a day," says the correspondent. "Every day Herr Ebert, the chancellor, takes his place on a rostrum opposite the French embassy. He addresses the home-coming men, and the bands play martial music, while the crowds cheer and wave their handkerchiefs.

"'Deutschland uber alles' brought me into the street this morning. To my amazement—and to the apparent amusement of the French officers, grouped in the window of the embassy—a regiment was passing the Brandenburg gate to the old tune. Later I heard it played continuously as cavalry, infantry, and artillery swept by. Regimental flags were crowned with laurel wreaths. The men wore evergreens around their steel helmets, and their tunics and guns were covered with flowers.

"What particularly struck me was the attitude of the home-coming officers. Those I have seen in the Berlin garrison were quiet men, many of whom had removed their marks of rank. They seldom were saluted by their men. On the other hand, the troops just returned from the front are well-disciplined and saluted as of old. The officers themselves are unchanged. They exhibit themselves, monocled and tight waisted, to the population, who cheer them loudly.

FIFTY CABARETS ARE OPEN.

"Berlin is dancing mad. There are about 50 cabarets in the city and dancing goes on all the afternoon and until 9 o'clock at night. In a week's time the edict closing dancing halls at 9 o'clock will be removed and dancing then will continue all night. Berliners are looking forward to this. It is a remarkable sight to see cabarets packed to suffocation with women in expensive toilets and both soldiers and civilians dancing and drinking wine costing £2 a bottle. Seats at the theaters can only be booked two days ahead.

"'We are trying to forget,' said a Berliner to me to-day."

Here is a clipping which shows something of conditions in German Austria:

GERMAN AUSTRIA'S FIRST LOAN.

ZURICH, *December 29.*

According to the Vienna Neue Freie Presse, German Austria's first loan has been highly successful. The subscriptions will close December 31. Nearly 600,000,000 crowns had been subscribed by December 24, or more than 100,000,000 crowns over the total asked for.

If they can subscribe so liberally to their first governmental loan, they are not short of food, and they can pay indemnity for some of the damage done by them.

Germany has not suffered anything like the people of the Confederate States suffered during the Civil War in this country, nor anything like the people of the Southern States of the Union suffered during the reconstruction times after the close of the Civil War. They have not been made to feel the spirit of agony; they have not been made to feel the cruel hand of privation, denial, and suffering for the actual necessities of life, such as the people of the South felt during the Civil War in this country. Germany must be made to suffer before she will be repentant. Germany must be made to feel the stern force of power before the brute spirit in her will experience any of the suffering she so richly merits.

The Civil War in this country was waged upon a principle between honorable people, to settle a disputed question which could only be settled by the arbitrament of the sword; but the war that Germany waged was waged from a spirit of lustful bestiality, greed, spoliation, hatred. It was a war based on every bad trait in human nature.

Germany has now substituted cunning, trickery, deception, audacity for force. Her audacity is appalling. There are evidences that Germany is even looking to the people of this country for protection from her crimes, looking to us to make it easy for Germany in the settlement of the terms of peace. I hope there is no foundation for any such expectation on her part and that no such humiliation will ever come to the people of the United States. I have seen it stated in newspapers that the people of Germany expect the vile and unspeakable Bernstorff to be one of their delegates, and that he is expected to sit at the table in the peace conference. I see from the newspapers that Germany is preparing to send a delegation and retinue of 100 people to represent the cause of Germany at the peace conference. I hope that none of them, especially Bernstorff, will be permitted to sit at the peace table. If Bernstorff should offer to take a seat at the peace table, it would be an insult to the people of this country; and in such event I hope that our delegation would protest, and if their protest were unavailing, they would be justified in leaving the peace conference. Here is a newspaper clipping which tells of Germany's audacious preparations for the peace conference:

LONDON, *January 7.*

Preparations for the peace conference are being concluded by the German ministers, and an enormous number of documents have been made ready, according to the Amsterdam correspondent of the Daily Express. These will be taken to Paris by the German peace delegates and their staff, which, including secretaries and assistants, number about 100.

It has been arranged, says the correspondent, that every ministry shall be represented by at least one official of first rank. The foreign office will be in full force, with Count von Brockdorff-Rentzau, the foreign minister, at the head and possibly with Carl Kautsky and Dr. Eduard David, socialists, and Eduard Bernstein, independent socialist, as first advisers.

Among the colonial experts who are to be sent to Paris the names of Dr. Solf and Dr. Dernburg are mentioned, while the ministry of mercantile marine will be represented by the late Herr Ballin's successor, Herr Heinecken; the ministry of commerce by Dr. Rathenau, president of the General Electric Co. Count von Roedern, the former governor of Alsace-Lorraine, may attend in behalf of the ministry of finance, as he now holds the post of secretary of the imperial treasury, and may be accompanied by Adolf Wermuth, burgomaster of Berlin, while Mathias Erzburger, who was one of the delegates to the armistice conference, is likely to join in the deliberations as expert on the league of nations.

The name of Germany's first plenipotentiary has not yet been divulged, but many believe that he will be Prince Lichnowsky, the former ambassador at London, who exposed German culpability in the war, although his appointment would be distasteful to the "red" government.

I submit these things, shocking as they are, because I believe they should be considered by our people. They should be known. I believe in plain words. It will not hurt to know the facts, shocking as they are. Germany must be fixed for all time to come if the world is to be safe. Now is the time, and the peace conference is the instrumentality to do it.

I contend that none of the central powers should be permitted to be represented at the peace conference, that none of them should be permitted to join the league of nations. They are all criminals and unfit for association with civilized and law-abiding nations.

Russia should not be permitted to take part in the peace conference; she should not be permitted to join the league of nations. Russia is the poltroon and slacker of the nations of the earth. This war was fought largely for the preservation of Russia. When Austria declared war on little Serbia, Russia came to the rescue of Serbia and declared war on Austria, and said it would not permit a large nation to destroy a small and helpless nation. Germany then declared war on Russia; and if Great Britain, France, Italy, and the United States had not gone into the war and sided with Russia, if they had not come to the rescue of Russia, the war would not have lasted six weeks. Russia would have been destroyed and annihilated; she would have been wiped off the face of the earth, and would not to-day be in existence; the Russians would have been made slaves and serfs of Germany; but Great Britain, France, and Italy went to the rescue of Russia, and yet, in the moment of their dire distress, in the moment of the greatest distress of the nations that went to the rescue of Russia, to save her from total annihilation, she lay down and betrayed them to their enemies. After having entered into a solemn obligation not to make a separate peace she made a separate peace with Germany and betrayed her associates to the common enemy.

She made a peace with Germany that was infamous and slavish, devoid of every instinct of manhood, honor, and integrity. A nation of that kind is not fit to be in a league of nations; it can not be trusted to be in a league of nations.

I contend that only the nations that are civilized and are disposed to do what is right should be admitted to the league of nations. The object of a league of nations is to make all nations of the world do what is right, just as the object of organized society is to make all subjects of organized society do what is right. The law-abiding people of a community form organized society, and their object is to make those who are not law-abiding obey the mandates of those who are law-abiding. They proceed to do so in well-administered governments by enforcing law and order. The society of the nations of the world should be on the same plane and basis. The nations which are law-abiding should undertake to force those who are not law-abiding to be law-abiding and to respect the rights of others; but you are not going to do that by admitting lawless nations into full

fellowship in organized society for the enforcement of law, and you are not going to do it by taking criminal nations by the hand and inviting them to an equal voice in the deliberations and powers of a league of nations.

I do not believe that the time will come in this generation when Germany or any of its component parts or any of the central powers or Russia will be fit or worthy to be in a league of nations. They must go through a process of total regeneration and reconstruction and must learn different ideas. Different principles must be instilled into the hearts of their people. They must have stable governments erected on the ruins of their old unworthy governments; they must be conducted not for purposes of robbery and spoliation but for the purpose of upholding and respecting the rights of all nations. It may take years and years of time for that to be brought about in the case of the central powers and of Russia.

A league of nations should be organized for the welfare of all mankind, to uphold the right and to punish the wrong. In doing that, so far as Germany is concerned, the first undertaking should be to teach Germany that might is not right, but that right is might. That is what Germany needs to be taught—that might is might, that might is power, and that might will prevail. Until Germany is taught that lesson Germany must be kept down by the other nations of the world where it will be impossible for her to do any wrong or to create any consternation in the world.

I believe in extending mercy and generosity to people, even to those who are in the wrong, and even to criminals, when they show that they are repentant and are worthy of mercy and generosity. That is the spirit of the Christian religion; but it teaches that forgiveness must only be expected by those who are repentant and not by those who persist in continuing in wicked careers of wrong. The same principle should be applied to the nations of the world. It is the only sound principle. It is sound in religion, in civilization, in ethics, and in all the other elevating influences of mankind. It is sound in individual life, it is sound in the internal affairs of nations, and it ought to be sound in the international affairs of nations. People who do wrong must be punished; nations which do wrong must be punished until they are repentant, acknowledge their wrongs, and give evidence of their disposition to do what is right.

I have been asked my idea of a league of nations. My idea of a league of nations is that its principal object should be to compel the nations of the central powers, Russia, and all other nations not disposed to do right to do right, to observe the rights of mankind, and to maintain a well-balanced world of right and justice. The principal object of a league of nations should be to enforce justice, to see that justice prevails in the world of nations. Right now a part of its work would be to keep Germany and her allies and Russia in such a position that they will be incapable of doing any wrong to any people. In order to do that, I think a league of nations should be comprised at the beginning of those nations that constitute the entente allies and the United States. That would be a good beginning. An incipient league of nations is already formed. Let them continue their cooperation in the interest of justice and the enforcement of right in the world and the righting of wrongs.

I would have admitted further to the league of nations such neutral nations as have evinced a disposition to be right and to do right during the war which has just come to a close. I would not admit any nation, such as Spain, which plainly sympathized with Germany. I would have such a league composed of the nations of the entente allies and the United States and such neutral nations as have proven by their conduct that they wanted to do the right, and will do right in the future. When that kind of a league of nations is formed, if it will prescribe proper rules and enforce them, it will be impossible for any other nation, no matter of what strength or power, ever to run amuck in this civilized world, as Germany has done. As other nations become regenerate and repentant and show a disposition to do right, I would favor taking them into the league of nations under such securities and binding restrictions as seem proper, and testing them; take them in on trial. If they prove true to their professions, let them remain, and in time all of the civilized nations will be in a league of nations and will be pledged to resist any attempt to launch another world-wide war of ruination, spoliation, and criminal aggression.

As to other terms and conditions of a league of nations, such a league I think should be perfected cautiously, and after due deliberation and great care. Precautions should be taken not to encroach unduly upon the sovereignty of any of the nations of the league. Such a league should really be defensive instead of offensive; a league of nations designed to defend the world against criminal aggression instead of launching warfare against nations not in the league. It seems to me it should largely be a mutual organization for defense. If comprised of the leading civilized nations of the earth, the real powers of the world, leaders in righteousness and high standards, and if backed by an enlightened sentiment and abhorrence of wrong, I think it would need little force to attain its ends. No nation would dare defy it. A repetition of the crime of Germany would be impossible, unthinkable. May it so be.

CONDITIONS IN RUSSIA.

Mr. THOMAS. Mr. President, I had intended to-day to submit some observations to the Senate upon conditions in Russia and the attitude which this Government should occupy regarding that country. I do not care to enter upon a discussion of so important a topic at this late hour, and therefore shall not attempt to do so until to-morrow, when, if occasion offers, I shall have something to say upon the subject.

The PRESIDING OFFICER. Does the Senator desire his observation noted that he will address the Senate to-morrow?

Mr. THOMAS. Yes, Mr. President, although the Senator from Idaho [Mr. BORAH] contemplates addressing the Senate upon a kindred subject, and I have no desire to interfere with him.

THE CENSUS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

The PRESIDING OFFICER. The Secretary will read the bill for the purpose of amendment.

The Secretary proceeded to read the bill.

The first amendment of the Committee on the Census was, in section 1, on page 1, at the beginning of line 4, to insert "forestry and forest products," so as to make the section read:

That a census of the population, agriculture, manufactures, forestry and forest products, and mines and quarries of the United States shall be taken by the Director of the Census in the year 1920 and every 10 years thereafter. The census herein provided for shall include each State, the District of Columbia, Alaska, Hawaii, and Porto Rico. A census of Guam and Samoa shall be taken in the same year by the respective governors of said islands and a census of the Panama Canal Zone by the governor of the Canal Zone in accordance with plans prescribed or approved by the Director of the Census.

The amendment was agreed to.

The reading of the bill was resumed and continued to line 18, on page 2.

Mr. SHEPPARD. Mr. President, on page 2, line 18, I move to substitute the word "ten" for the word "fifteen." The director has found that he can get along with 10 statisticians instead of 15.

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). The amendment offered by the Senator from Texas will be stated.

The SECRETARY. In section 3, on page 2, line 18, before the words "statistical experts," it is proposed to strike out "fifteen" and insert "ten," so as to read:

SEC. 3. That during the decennial census period, and no longer, there may be employed in the Census Office, in addition to the force provided for by the legislative, executive, and judicial appropriation act for the fiscal year immediately preceding the decennial census period, an assistant director, who shall be an experienced practical statistician; a chief statistician, who shall be a person of known and tried experience in statistical work; a disbursing clerk; an appointment clerk; a private secretary to the director; 4 stenographers, 8 expert chiefs of division; and 10 statistical experts.

The amendment was agreed to.

Mr. KING. Mr. President, will the Senator permit an inquiry?

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Utah?

Mr. SHEPPARD. I do.

Mr. KING. I remember some little discussion—I have forgotten whether it was in the committee or outside of the committee—with respect to the provision in line 18 for eight expert chiefs of division, in the same line as the amendment suggested a moment ago. My recollection is that there was some discussion, in which it was contended that the Director of the Census could get along with six instead of eight. Does the Senator recall whether it was deemed necessary to adhere to this number?

Mr. SHEPPARD. Mr. President, the director put before us a statement showing that he would need these eight expert chiefs of divisions during the decennial census period.

Mr. KING. Yes; I recall that. While I am on my feet, will the Senator from Texas advise the Senate how long that period will cover?

Mr. SHEPPARD. It will cover three years, beginning June 30 of this year, and within those three years this bill requires that the census shall not only be taken but that all reports shall be formulated, presented, and published for distribution.

I shall state further to the Senator that the additional force required during the decennial census period will cover a field force of something like eighty-five or ninety thousand enumerators, about twelve hundred special agents, 400 supervisors, and an additional office force in Washington of from one to five thousand employees.

Mr. KING. My recollection is that there was some discussion as to the necessity of continuing the number of the higher-priced employees for the full period of three years. I will ask the Senator whether, upon full hearing, it was concluded that they were required for that entire period?

Mr. SHEPPARD. That seemed to be the situation.

Mr. KING. If the Senator will pardon me, it seemed to me from the evidence that was adduced at the hearings and from some investigation which I made outside of the hearings that they would not be required for so long a period; but, if the director insists that their services will be needed for that period, I shall not make any objection.

Mr. GRONNA. Mr. President, perhaps the chairman of the committee gave the information, but I was unable to hear the discussion between him and the Senator from Utah; so I inquire if the Senator can tell the Senate how many assistants the present law provides for?

Mr. SHEPPARD. I can give the Senator that information. The existing law under which the Thirteenth Census was taken provides for practically the same number of supervisory assistants as does the present bill; there is very little change in this respect.

Mr. GRONNA. May I ask the Senator another question? As I understand, these appointments are additional to the appointments provided for in the legislative appropriation bill. Am I correct in that?

Mr. SHEPPARD. The legislative, executive, and judicial appropriation bill provides only for the force covered by the permanent census act, some 600 employees and the supervisory officials, who are all permanent. This bill is practically a reenactment of the law providing for the thirteenth and subsequent decennial censuses, with only such changes as were found by experience to be necessary in the interest of prompt and efficient census taking. The appointees it authorizes continue during the three-year decennial census period and no longer.

Mr. GRONNA. The service of these appointees will be at an end, I take it, on the conclusion of the taking of the census?

Mr. SHEPPARD. At the conclusion of the decennial census period, which covers the three years from June 30 of this year.

Mr. WARREN. Mr. President, at some point, perhaps not now, in the consideration of the bill, I should like to have the Senator state what changes have been found necessary and what additions have been made over the extra force provided for the Thirteenth Census.

Mr. SHEPPARD. I shall be glad to give the Senator that information now. In this section the only addition is 15 statistical experts; and the director has found since this bill was reported to the Senate that he can do the work with 10 statistical experts. That is the only addition, so far as this section is concerned, over the act providing for the Thirteenth Census.

Mr. WARREN. Then this bill is exactly like the law of 10 years ago with that change?

Mr. SHEPPARD. With that change, and with the further change that four stenographers are provided, instead of two under the Thirteenth Census law; the section under consideration is the same law of 10 years ago. The other sections can be explained as we come to them.

The reading of the bill was resumed.

The next amendment of the Committee on the Census was, on page 3, line 2, after the word "*Provided*," to strike out:

That no man appointed or employed or who shall hereafter be appointed or employed under this act shall on account of such employment be certified by any official or authority for deferred classification under act No. 12, Sixty-fifth Congress, entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, or under any act amendatory thereof that has been or shall hereafter be enacted: *Provided further*,

Mr. SHEPPARD. I shall state that the necessity for that provision has passed, in view of the fact that fighting has ceased and the draft process is no longer in operation. This language prevented the exemption of employees in the Census Office from the draft on the ground that they would be needed in an essential occupation.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed, and the Secretary read as follows, beginning on line 12, page 3:

That whenever practicable women and honorably discharged soldiers and sailors shall be employed in the positions herein provided for.

Mr. KING. Mr. President, I should like to ask the chairman of the committee whether or not, under the provision just read by the Secretary, being found in lines 12, 13, and 14, on page 3, it is intended that soldiers and sailors shall be employed whenever practicable, regardless of the civil-service law?

Mr. SHEPPARD. I do not think so. I would accept an amendment making that clearer, if the Senator desires.

Mr. KING. The Senator thinks that language is clear, that they must be under the civil service?

Mr. SHEPPARD. That is my construction.

Mr. THOMAS. Mr. President, as to that, if it is of any consequence that they should be exempt from the civil-service law, while I question the propriety of such a provision in a statute, it certainly can not mean much if those who are supposed to be favored must nevertheless come from the classified service, since on the lists they will be certified and have to take their chances. I think, too, that it would be well to amend it by inserting the word "men" after the word "practicable," so that it will read:

That whenever practicable, men, women, and honorably discharged soldiers and sailors shall be employed in the positions herein provided for.

Mr. SHEPPARD. Mr. President, this provision is not in the existing law. It was inserted on the floor of the House, and really the comment of the Senator from Colorado is to a great extent justified. It is difficult to see how any particular meaning can be attached to it. I suggest that we allow it to remain, however, as it passed the House.

Mr. SMOOT. Mr. President, is the Senator having the bill in charge quite sure that the amendment that was just agreed to, striking out, beginning with the word "That," on line 2, down to and including the word "further," on line 12, has reference only to the Military Establishment?

Mr. SHEPPARD. That is my understanding.

Mr. SMOOT. I simply want to reserve the right, before the bill is passed, to look up what the "deferred classification under act numbered 12, Sixty-fifth Congress," really has reference to.

Mr. THOMAS. It is the conscript law.

Mr. SMOOT. I thought so.

Mr. THOMAS. It is.

Mr. SMOOT. If it has reference to anything further than merely the conscript law, then of course I shall want a reconsideration of the vote by which the amendment was agreed to.

Mr. SHEPPARD. That is entirely satisfactory.

The reading of the bill was resumed.

The next amendment of the Committee on the Census was, in section 5, page 4, line 10, after the word "Census," to strike out "$7,000" and insert "$7,500," so as to read:

That during the decennial census period the annual compensation of the officials of the Census Office shall be as follows: The Director of the Census, $7,500;

Mr. SMOOT. Mr. President, I should like to ask the Senator if in past census bills there has been an increase in the compensation of the Director of the Census over and above the compensation that he regularly receives?

Mr. SHEPPARD. That has been the case during the last two censuses, to my knowledge.

Mr. SMOOT. Does the Senator say that in the last two censuses the Director of the Census has received $7,500 a year?

Mr. SHEPPARD. During the decennial census period of the Twelfth Census he received $7,500; during that of the Thirteenth Census he received $7,000.

Mr. SMOOT. Does the Senator remember what he receives ordinarily?

Mr. SHEPPARD. As a permanent thing, $6,000.

Mr. SMOOT. That was my recollection.

Mr. WARREN. Six thousand dollars was the old salary.

Mr. SHEPPARD. There is an enormous increase in his duties and responsibilities during the decennial census period. He has something like eighty-five or ninety thousand people under him, and he really faces a critical task; and during the last two decennial census periods he has been allowed a substantial increase. I shall state that a few moments ago I submitted an amendment to section 3 diminishing the number of statisticians originally suggested from 15 to 10, which would mean a saving of $10,000. That $10,000 would more than cover the increases which we ask for some of the supervisory officials during the decennial census period.

Mr. SMOOT. It seems to me that the salaries that the Senate committee has reported are altogether out of proportion to the salaries that are paid other heads of divisions and bureaus of the Government; and I do not believe we ought to go to the extreme at this particular time. I believe that the salaries provided for in the House bill are ample.

I will ask the Senator if he will not allow the amendments in section 5 to go over for the present, because I understand the

Senator wants the bill to be read to-day, and does not expect it to be passed to-day; and then we can refer to the matter when we have the bill before the Senate again.

Mr. SHEPPARD. Mr. President, I ask that the amendments in section 5 go over for the present.

The VICE PRESIDENT. Without objection, the amendments in section 5 will be passed over.

Mr. SMOOT. And the same thing as to the salaries in section 6, because the same subject matter will be discussed then.

Mr. SHEPPARD. I make the same request as to section 6, Mr. President.

The VICE PRESIDENT. The amendments in section 6 will be passed over.

The reading of the bill was resumed, beginning on page 5, line 21.

The next amendment of the Committee on the Census was, in section 7, page 5, line 24, after the word "prescribe," to strike out "the said" and insert "subject to the approval of the United States Civil Service Commission, these," so as to read:

That the additional clerks and other employees provided for by section 6 shall be subject to such special test examinations as the Director of the Census may prescribe, subject to the approval of the United States Civil Service Commission, these examinations to be conducted by the United States Civil Service Commission, to be open to all applicants, without regard to political party affiliations, and to be held at such places in each State as may be designated by the Civil Service Commission.

The amendment was agreed to.

Mr. SHEPPARD. The purpose of this amendment was to bring the additional clerks in the office force here in Washington clearly within the civil-service rules. The Civil Service Commission insisted upon it, and the National League for Civil Service Reform urged it.

The reading of the bill was resumed.

The next amendment of the Committee on the Census was, on page 6, line 8, after the word "service," to insert "and selections therefrom shall be made by the Director of the Census," so as to read:

Certifications shall be made by the Civil Service Commission upon request of the Director of the Census from the eligible registers so established, in conformity with the law of apportionment as now provided for the classified service, and selections therefrom shall be made by the Director of the Census in the order of rating.

The amendment was agreed to.

The next amendment was, on page 6, line 14, after the word "the," to strike out "Census Office" and insert "Government service," so as to read:

Provided further, That hereafter all examinations of applicants for positions in the Government service from any State or Territory shall be had in the State or Territory in which such applicant resides, and no person shall be eligible for such examination or appointment unless he or she shall have been actually domiciled in such State or Territory for at least one year previous to such examination.

Mr. KING. Mr. President, I should like to ask the Senator from Texas whether it is wise to strike out, in line 14, the words "Census Office" and insert in lieu thereof the words "Government service"? It seems to me that if that is done we shall be extending the operation of this bill into a broader and wider field.

Mr. SHEPPARD. Mr. President, I shall state to the Senator that that amendment simply restores the language of the existing Thirteenth Census law. The existing law uses the term "Government service," and it seems to have been the only existing authority for the examination of employees in all the different departments in the States of their residence. If this were stricken out the commission would be left without authority in that regard. It seems the Thirteenth Census act was utilized in the first instance for general legislation to this extent. The House struck out the words "Government service" and inserted "Census Office," and the fact has since been brought to our attention that unless we restore the words "Government service" the Civil Service Commission will be without the general authority that they now possess in the respect I have mentioned.

Mr. KING. The Senator means with respect to those who may be employed under the provisions of this act?

Mr. SHEPPARD. And all other acts.

Mr. KING. I should like to inquire of the Senator whether there is not an existing law which provides for the time, place, and method of examining those who are applicants for positions under the civil service?

Mr. SHEPPARD. There is, but authority for examination in the State of residence is found only in the act for the Thirteenth and subsequent censuses.

Mr. KING. And there is no general statute with relation to that?

Mr. SHEPPARD. That is my understanding.

Mr. SMOOT. As I understand, the general law authorizes the Civil Service Commission to conduct examinations for positions in the Government service. If we provide simply for the Census Office in this bill, there is no special law giving the authority to examine any particular person for any one department, but it is general. Therefore this should be done.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on the Census was, on page 6, line 21, after the word "Commission," to strike out "may" and insert "shall"; in the same line, after the word "examinations," to strike out "for positions in such service"; in line 22, after the word "the," to strike out "place" and insert "places"; in line 25, after the word "held," to insert a comma; on page 7, line 1, after the word "such," to strike out "applicant is a" and insert "applicants are"; in the same line, after the words "bona fide," to strike out "resident" and insert "residents"; in line 2, after the word "the," to strike out "State or Territory" and insert "State or Territories"; in the same line, after the word "such," to strike out "applicant claims to have a" and insert "applicants claim to have"; in line 5, after the word "law," to strike out "or" and insert "of"; and in line 11, after the word "physician," to strike out "*And provided further*, That in no instance shall more than one person be appointed from the same family," so as to read:

Provided further, That the Civil Service Commission shall hold examinations of applicants temporarily absent from the places of their legal residence or domicile in the District of Columbia and elsewhere in the United States where examinations are usually held, upon proof satisfactory to the commission that such applicants are bona fide residents of the State or Territories in which such applicants claim to have legal residence or domicile: *Provided further*, That nothing herein shall be so construed as to abridge the existing law of apportionment or change the requirements of existing law as to legal residence or domicile of such applicants: *And provided further*, That no person afflicted with tuberculosis shall be appointed and that each applicant for appointment shall accompany his or her application with a certificate of health from some reputable physician.

Mr. THOMAS. Mr. President, it seems to me there is a grammatical inaccuracy in the amendment on line 2 of page 7. It is a comparatively small matter. The words "State or Territory" are stricken out and the words "State," singular, and "or Territories," plural, are inserted in place thereof. Now, if conformity with the word "residents" requires the plural of "Territory," it should also require the plural of "State."

Mr. SHEPPARD. The Senator is correct, and I hope he will offer an amendment to that effect.

Mr. THOMAS. I think the House provision is the better of the two; but inasmuch as that would require other amendments, I move to make the word "State" on line 2 "States."

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On line 2, it is proposed to strike out "State or Territory" and insert in lieu thereof "States or Territories."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. KING. Mr. President, I invite the attention of the chairman of the committee to lines 23, 24, and 25 on page 7, and lines 1 to 8, inclusive, on page 8, reading as follows:

And provided further, That employees in other branches of the departmental classified service who have had previous experience in census work may be transferred without examination to the Census Office to serve during the whole or a part of the decennial census period, and at the end of such service the employees so transferred shall be eligible to appointment to positions in any department held by them at date of transfer to the Census Office without examination; but no employee so transferred shall within one year after such transfer receive higher salary than he is receiving at the time of the transfer.

Complaint has been made to me as a member of the committee that under the provisions of this section the Director of the Census would have authority to employ one or more persons who formerly had been in the Census Bureau. The claim is made that there are a number of incompetent persons available who are very desirous of obtaining these positions, or, to speak very plainly, who are waiting around here for these jobs, and that it is unfair to give them the preference, such as it is claimed this language would give them.

Mr. SHEPPARD. This language authorizes a transfer from other departments.

Mr. KING. Yes; but the contention is that there are persons who are incompetent, and who are now in other branches of the service, who are anxious to be transferred to the Census Bureau, and that this will enable that to be done without their taking the civil-service examination, notwithstanding their incompetency. Complaint has been made to me that it will be the means of giving positions in the Census Bureau to incompetents, some of whom have some sort of a "pull," and who are or will be pets

of the chiefs of divisions and those who hold responsible positions in the bureau. Very serious objection has been made to me in regard to the provision to which I have just called attention.

Mr. SHEPPARD. I do not believe that the present Director of the Census would be guilty of action of that kind. I believe the Senator from Utah can rest assured of that fact. Besides, the Senator will observe that no increase in salary can be had within a year after the transfer.

Mr. KING. I promised to call the attention of the chairman of the committee to the complaint which has been made to me with respect to the evils which it is alleged will grow out of the situation if the bill is enacted in its present form.

The reading of the bill was resumed, and the Secretary read to line 21, page 8.

Mr. SHEPPARD. Mr. President, at the end of section 7 I wish to submit an amendment, reading as follows:

And provided further, That in the selection of the additional clerks and employees provided for by section 6 the director is authorized to use, so far as practicable, the reemployment registers established by Executive order of November 29, 1918.

I offer that amendment, to come in at the end of line 20, page 8.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. At the end of section 7, on page 8, line 20, after the word "act," it is proposed to insert the following:

And provided further, That in the selection of the additional clerks and employees provided for by section 6, the director is authorized to use, so far as practicable, the reemployment registers established by Executive order of November 29, 1918.

Mr. SMOOT. Mr. President, I should like the Senator to explain that amendment to me, as my attention was diverted while it was being read.

Mr. KIRBY. Mr. President, before the Senator begins, I should like to know why these people who have been employed in the service up to now should be given any preference in the opportunity to work for the Government hereafter, as against people who have not enjoyed that privilege.

Mr. SHEPPARD. They do not have a preference.

Mr. KIRBY. I understand they are directed by the proposed amendment to use this register.

Mr. SHEPPARD. Not at all. The director is authorized to use them as far as practicable. I shall say to the Senator from Utah that the amendment was offered at the request of the Civil Service Commission. A number of employees for whom employment could no longer be found were put on reemployment registers by the Civil Service Commission, and the commission thought that they might profitably and justly be used by the director if he saw fit; and that is why I offered the amendment.

Mr. SMOOT. Mr. President, it seems to me that under the section itself he has that power; and I do not see why you should put this amendment in, virtually directing him to do so.

Mr. SHEPPARD. It does not direct him. If it does, the amendment does not correspond with my intention. It simply authorizes him to do it.

Mr. THOMAS. Does the Senator suppose that if the authority is given it will not be exercised?

Mr. SHEPPARD. It is intended that he shall exercise it in so far as may be practicable.

Mr. THOMAS. I do not think we need quarrel over phraseology, then. The commission will exercise it all right.

Mr. SHEPPARD. The Senator means, the Director of the Census will exercise it?

Mr. THOMAS. No; I mean that as I understand the amendment, it authorizes the Director of the Census to use lists which have been prepared heretofore by the Civil Service Commission. The latter will see that he uses them.

Mr. SHEPPARD. Let me read the letter from the Civil Service Commission, so that it can go into the RECORD:

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C., December 30, 1918.

Hon. MORRIS SHEPPARD,
Chairman Committee on the Census,
United States Senate.

SIR: In anticipation of legislation providing for the Fourteenth Decennial Census, the commission has the honor to bring to your attention the inclosed copy of an Executive order promulgated by the President on November 29, 1918, which provides for the reemployment registers to be made up of the names of persons in the competitive classified civil service with unrestricted status who were appointed prior to the date of the order, who have served less than three years, who are separated from the service because of a reduction of force, and who are recommended for further employment by the Government because of demonstrated efficiency in the office from which they are separated.

It seems probable that at the time when work will begin on the census the reemployment registers resulting from the procedure authorized in the Executive order will contain names in excess of the needs of the service. As a matter of economy, the commission suggests that when the census bill is framed consideration be given to the matter of making use of eligibles on the reemployment registers for filling positions in connection with the census. These persons have been tested by examinations and have won permanent appointments by competition, and lose their positions only because of necessary reduction of force. Their experience acquired in the Government service would make them of more value to the Census Office than inexperienced employees. A provision in the census act suggesting or directing that these registers be used as far as possible would seem likely to be of benefit to the Government service and a merited recognition of the worth of these employees, who lose their positions through no fault of their own.

The commission will be glad to furnish more detailed information concerning the reemployment registers upon request.

By direction of the commission:

Very respectfully,

CHAS. M. GALLOWAY,
Acting President.

Mr. SMOOT. Does the Senator understand that they are on the permanent roll now or simply on the waiting list?

Mr. SHEPPARD. They are on the permanent eligible roll of the commission.

Mr. SMOOT. I would want to know that that was the case before I could agree to the amendment.

Mr. SHEPPARD. The Senator means whether they are in the service now?

Mr. SMOOT. No; they have been in the service.

Mr. SHEPPARD. Yes; they have been in the service.

Mr. SMOOT. But the letter does not show that they are on the permanent roll. They may be simply on the waiting list. If that is the case, I do not think we ought to put them ahead of those who may take the civil-service examinations hereafter, but if they are on the permanent roll and have been discharged then it seems to me, of course, this provision should be adopted.

Mr. SHEPPARD. Let me read the Executive order:

EXECUTIVE ORDER.

The names of persons in the competitive classified service with unrestricted status who were appointed, either permanently or probationally, prior to the date hereof, and who have served less than three years, and who are separated from the service because of a reduction of force, and who are recommended for further employment by the Government because of demonstrated efficiency in the office from which they are separated, will, upon request, be entered by the Civil Service Commission upon appropriate eligible registers for reappointment, eligibility thereon to continue for one year from date of separation.

Such reemployment registers will be separate and apart from the registers of the commission resulting from current examinations, and eligibility thereon and certifications and appointments therefrom shall in all respects conform to the usual practice and procedure, except that certifications of persons formerly in the apportioned service shall be made without regard to the apportionment.

The departments in making requisition on the commission for certifications of eligibles shall state whether they prefer certification to be made from a reemployment register or from a regular register of the commission.

It is desirable that the departments in making requisitions request certification from the reemployment registers so far as practicable, having in view the efficient performance of Government work.

WOODROW WILSON.

THE WHITE HOUSE, *November 29, 1918.*

Mr. SMOOT. From the reading of it I can not now tell whether that is an order covering them into the civil service. I ask the Senator to let the amendment go over, and I will see in the RECORD to-morrow the order, and then I will ask the Census Department as to whether they have been covered in or not.

Mr. SHEPPARD. I ask that the consideration of the amendment may go over for the present.

The VICE PRESIDENT. It will go over.

Mr. KING. Mr. President, in view of the letter just read by the Senator from Texas, I wish to make an observation.

As I understand the communication, it is to the effect that those who have been in the service for some length of time and have been separated will probably render better service than those who have not been in the service.

Mr. SHEPPARD. Separated solely on account of a reduction of force and not through any fault of their own and who have personally demonstrated their efficiency.

Mr. KING. The theory seems to be the longer you are in the service the more efficient will your service be to the Government.

Mr. SHEPPARD. These have been in the service for less than three years, I will say to the Senator.

Mr. KING. The theory seems to be that length of service in the Government gives better qualification and makes one more efficient as an instrumentality for Government work.

Mr. SHEPPARD. Would not such a one be more efficient than one who had not been in the service?

Mr. KING. I think that is true.

Mr. SHEPPARD. Would not such a one have more experience than one who had not been in the service?

Mr. KING. It would give a longer time, at any rate.

Apropos of what the Senator has just read, I would like to state that information conveyed to me conveys a different story. As I understand the contention of the Senator, it is that length of service in the departments increases efficiency; that those who have been in the departments many years give better results to the Government. I have made some little inquiry, particularly

during the past year, in the departments with a view to ascertaining the character of service rendered by employees. Recently two persons having control over, or the disposition of, a large number of employees of the Government who are under the civil service, stated to me that there had been an improvement among old employees by reason of the new blood which the war had brought into the departments; that many of those recently given positions in the departments worked with such zeal, vigor, and efficiency that their example was contagious among older employees, and the result had been that the latter were doing better work than ever before. I doubt not but what this is the experience in other departments of the Government. Of course, there have been thousands of persons given positions in the departments since the war began who were incompetent and whose work, therefore, would be inefficient and unsatisfactory. The vast amount of work devolved upon some of the departments by reason of the war made imperative the calling of more persons into the departments.

Of course, if thoroughly competent employees could have been secured the number needed would have been very much less. But the point I wanted to make was that the persistent claim made by advocates of the civil service, that the civil service makes for efficiency and a higher standard of performance, is not quite supported by recent conditions. There is certainly much truth in the contention that under civil service the Government does not obtain the highest and best results. Many unbiased persons who have investigated the operation of the civil service in the United States and elsewhere have reached the conclusion that it makes for inefficiency and builds up a protected class who progressively become less efficient, a class who constantly claim greater privileges and higher rewards and seek preferences and advantages different from those in other activities of life.

It is not to be wondered at that the charges so often made that the civil-service plan is a delusion and a sham. Human nature is much the same in all ages and under all circumstances. If persons hold positions for life, the tendency is to perform work in a lackadaisical sort of manner. Particularly is this true where the work is of a clerical character or is of the same character from day to day and year to year. Persons so engaged lose initiative and self-reliance, and they drift into a mental attitude under which their work is performed in a more or less perfunctory manner. Buttressed behind law which makes it difficult, if not impossible, to remove or discharge them, the tendency is to become indifferent and autocratic. We find in our Government strong manifestations of the evils which have been recognized in bureaucratic governments. There is much truth in the charge that our Nation is becoming bureaucratic and is controlled by departments and bureaus and commissions and governmental agencies.

A Republican Senator of many years' service, after giving full consideration to this subject, did not hesitate to say that the work of the Government, if put in the hands of private individuals, could be performed at a saving of several hundred million dollars annually. The natural tendency is, as I have indicated, for employees who have a life tenure to drift into the ways of the bureaucratic, to claim special privileges, to constantly seek increased compensation with less service. There are thousands of men and women in the Government service whose work is of the highest order. There are thousands who are giving the best that is within them and who are entitled to the highest meed of praise. I know of men and women who are serving the Government whose qualifications are of so high an order that they could obtain important positions with corporations or private business concerns at a very much larger compensation. These persons are making a real sacrifice in remaining with the Government, and nothing that I have said is aimed at this class of Government employees. But there are thousands who fail to appreciate the duties and obligations resting upon them and do not give to the Government that devotion, energy, and honest service that they should. I do not know whether any different system can be employed to secure employees for governmental work. There is much to be said in favor of the civil-service plan. There are very strong arguments against it. Certainly its results have not been entirely satisfactory even to its most ardent friends and champions. I hope that some day a better system can be devised, a system that will secure better results and afford the Government better protection.

It is not only demoralizing for the service but it is demoralizing to individuals where inefficiency exists, and particularly if it is continuous and persistent. It is injurious to the character and ethical concepts of individuals if they render and are permitted to render inefficient service. A fair wage should be paid to employees, whether in the service of the Government or in the service of individuals, and a fair day's work should be given by the employee for such wage. The spirit of reciprocity should exist in Government service as well as in private service. Too many people seek positions with the Government because it is believed that the compensation is greater than for like service rendered to private persons or in private activities. There are some persons who feel that it is no offense to rob the Government. Accordingly we find many persons attempting to evade revenue laws. The same spirit exists among some who are in the employ of the Government. They are willing to receive the compensation provided by the Government, but they do not give an adequate return therefor. If civil service is to be continued, then there must be some adequate plan to secure proper and efficient service. Persons in the Government service have told me that many who are under them were incompetent and many were willfully inefficient, but that they did not feel like taking steps to secure their removal. If the present plan of securing Government employees is continued, then there must be some plan devised that will compel the indifferent and inefficient to discharge their duties and the incompetent to be separated from the service. I have had occasion to make inquiry concerning the activities of the Board of Efficiency. It has very great responsibilities resting upon it. The evils of which I have spoken will continue, and continue in an aggravated form, unless this board wields its power and authority with a stronger hand. I have sometimes thought that it was too tolerant and was not accomplishing what was intended when it was created.

Mr. THOMAS. Before the Senator takes his seat——

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). Does the Senator from Utah yield to the Senator from Colorado?

Mr. KING. Certainly.

Mr. THOMAS. Let me ask the Senator whether the efficiency which he desires is not after all obtainable through congressional legislation. The Efficiency Commission can recommend, and if we do nothing with the recommendation it is we and not the commission who are to blame. I understand, and I think it is true, that the Efficiency Commission appointed by President Taft made a very elaborate report. The report came to Congress and like nearly all the reports of committees, it was the last we ever heard of it. I think the difficulty lies not so much with the efforts of the Efficiency Commission as with the ineptitude of Congress concerning their report. It is here and nowhere else that the work of reformation of these conditions must be effectuated.

Mr. KING. Of course, if Congress has been derelict in the discharge of its duty, I hope that fault will be remedied in the near future, but I have been of the opinion from the inquiries I have made that the Efficiency Board is not as active as it should be; at least if it is active the results are not entirely satisfactory.

There is one other matter I wish to mention, Mr. President, which I think conduces to inefficiency. Instead of promoting men because of efficiency and because of their earnestness in the discharge of their duties there is too much of a disposition to make promotions with reference to seniority or longevity in the service. As a result many very energetic and active men and women in the service of the Government are passed by in favor of less competent persons whose term of service has been much longer. I have had many complaints, because of the policy of recognizing length of service rather than effective service.

Mr. THOMAS. May I interrupt the Senator again?

Mr. KING. I am very glad to be interrupted.

Mr. THOMAS. There again we set the example. Here seniority counts.

Mr. KING. In the Senate?

Mr. THOMAS. In the Senate, upon committees, and upon committees of conference. We must not blame the employees of the Government too much if they set their course by our illustrious example.

Mr. KING. Permit me to say in reply to the Senator that fortunately or unfortunately men are not selected for positions in the United States Senate under the civil-service rules.

Mr. THOMAS. Perhaps if they were we would have a more efficient Senate.

Mr. KING. That is possible.

Mr. SMOOT. Mr. President, I simply wish to make this suggestion to my colleague. The Efficiency Board have been received with open arms by some of the departments of our Government. Certain departments have had them come in and recommend changes which have been adopted, but there are other departments of Government which simply will not have them enter their departments. I remember one case where they were virtually instructed to go in and did go into the department, but it never did any good because of the fact that the head of the department would not carry out the recommendations of the Efficiency Board. I have thought many times that it would

be a very good thing if we had a board or commission of some kind clothed with authority to go in and rectify the glaring modes of carrying on business for the Government, and compel them to be changed. But there is no such authority yet given to any commission or board which we have created.

THE ROOSEVELT NATIONAL PARK.

Mr. PHELAN. Mr. President, I have introduced a bill in this body, Senate bill 2021, which provides for the creation of a national park in California, to embrace the famous Kings River Canyon and groves of giant trees, admittedly the most surprising and wonderful stretches of the national domain, open to all the people at all seasons of the year for health, recreation, and æsthetic gratification. The amendment I now move provides that this area shall be, when created into a park, designated in honor of our late and beloved President, the Roosevelt National Park. I have consulted the Secretary of the Interior, Hon. Franklin K. Lane; Stephen Mather, the Superintendent of National Parks; and Representative ELSTON, of California, who are all of one mind on this subject—that no more fit designation could be made.

Theodore Roosevelt was early identified with the West, and the west of the West. He sought among the great mountain ranges and the vast expanse of the prairie a field for his abounding energy. From his narrow environment of city streets and congested population he naturally sought expansion. The liberalizing influences of the western life nationalized him and prepared him doubtless for the larger tasks which he was destined to assume. I can not imagine a more fitting memorial for a man of his character, courage, culture, generous nature, and love of the beautiful than the rugged, wild, and sublime scenery embraced in the region of central California. The story of William Tell might apply with equal pertinency to Theodore Roosevelt, who learned his love of liberty from his love of nature. He, too, was influenced by the mountain streams which "plow the valleys without asking leave" and the mountain peaks which "wear their caps of snow in the very presence of the regal sun." Here are the King and Kern River canyons, Mount Whitney, the highest in the continental United States proper, and here in the crystal pure waters, "never too grave to smile, too tired to run," disport the golden trout, peculiar to this place alone, and already bearing the scientific description of *Salmo roosevelti*. There is no equal area on earth superior in natural wonders. It is bounded by the crests of the high Sierra; cataracts leap in glory from altitudinal clefts; giant trees lift their heads far above the besetting fog, erect amidst tempests, resplendent in the light of day, wreathed in immortelles, and serenely at rest in the free air of heaven. California—a State richly endowed by nature—can dedicate no finer monument to Roosevelt than this, the choicest of her natural gifts, nor the Nation a more appropriate memorial.

The PRESIDING OFFICER. The amendment will be referred to the Committee on Public Lands.

THE CENSUS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

Mr. SHEPPARD. In view of the lateness of the hour I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 14, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *January 13, 1919.*

The House, under its previous order, met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, our heavenly Father, from whom proceedeth all things and to whom we are indebted for all the renewed blessings of life day by day, imbue us plenteously, we beseech Thee, with the riches of Thy grace that we may measure up to the highest aspirations of our own hearts and quit ourselves like men in the duties and responsibilities of the remaining hours of this day; and Thine be the praise through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Saturday, January 11, 1919, was read and approved.

LEAVES OF ABSENCE.

Mr. KINCHELOE. Mr. Speaker, I ask unanimous consent for leave of absence for my colleague, Mr. ROUSE, on account of illness in his family.

The SPEAKER. The gentleman from Kentucky asks unanimous consent for indefinite leave of absence for his colleague, Mr. ROUSE. Is there objection?

There was no objection.

Mr. CANDLER of Mississippi, by unanimous consent (at request of Mr. VENABLE), was granted leave of absence indefinitely, on account of illness.

RATIFICATION OF PROHIBITION AMENDMENT IN MICHIGAN.

The SPEAKER. The Chair has received a communication from Gov. Sleeper, of Michigan, announcing the ratification of the prohibition amendment, which will be filed in the archives of the House.

RIVERS AND HARBORS.

Mr. MANN. Mr. Speaker, I desire to withdraw my demand for a reading of the engrossed copy of the river and harbor bill.

The SPEAKER. The gentleman withdraws his demand for reading of the engrossed copy of the river and harbor bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. FREAR. Mr. Speaker, I desire to offer a motion to recommit with directions to report.

The SPEAKER. The Clerk will report the motion.

The Clerk read as follows:

Mr. FREAR offers the following motion to recommit:

"In addition to a balance of $45,000,000 in the hands of the Secretary of War on January 1, 1919, for immediate expenditures on river and harbor work, the sum of $12,000,000 is hereby appropriated out of any moneys in the Treasury not otherwise appropriated, to be immediately available and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, for the preservation and maintenance of existing river and harbor work, and for the prosecution of such projects heretofore authorized as may be most desirable in the interests of commerce and navigation and most economical and advantageous in the execution of the work: *Provided*, That allotments from the amount hereby appropriated shall be made by the Secretary of War upon the recommendation of the Chief of Engineers. *And provided further*, That at the beginning of the next session of Congress a special report shall be made to Congress by the Secretary of War showing the amount allotted under this appropriation to each work of improvement."

Mr. BLANTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. Is a motion to recommit subject to amendment?

The SPEAKER. Yes.

Mr. BLANTON. I have an amendment to the motion.

The SPEAKER. The Clerk will report it.

Mr. SMALL. Mr. Speaker, pending the reading of the amendment, I desire to submit a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SMALL. The motion to recommit offered by the gentleman from Wisconsin [Mr. FREAR] purports to be a statement of fact regarding $45,000,000. My inquiry is whether that is appropriate in a motion to recommit.

The SPEAKER. The Chair does not think there is anything obnoxious in this motion. I will suggest to the gentleman from Wisconsin——

Mr. FREAR. If there is any question——

The SPEAKER. The gentleman from Wisconsin never made any motion at all. This is a statement.

Mr. FREAR. I move to recommit, Mr. Speaker.

Mr. SMALL. I move the previous question, Mr. Speaker.

Mr. FREAR. I move to recommit.

The SPEAKER. I am stating to the gentleman that he has not moved to recommit.

Mr. FREAR. I made the motion on the floor to that extent.

Mr. MANN. The gentleman on the floor moved to recommit with instructions to report back forthwith with the amendment suggested.

Mr. HARRISON of Mississippi. Mr. Speaker, can it be reported again?

The SPEAKER. The Clerk will again report it.

The motion to recommit was again reported.

Mr. SMALL. I move the previous question.

Mr. FREAR. Mr. Speaker, if I may do so, I would like to add to that to strike out all after the enacting clause; that is, to make the motion.

The SPEAKER. What is it?

Mr. FREAR. To strike out all after the enacting clause of the bill as reported now to the House and to insert what appears here in the substitute amendment.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Mr. FREAR moves to recommit the bill to the Committee on Rivers and Harbors with instructions to that committee to report the same back forthwith with the following amendment: Strike out all after the enacting clause and insert the following:

"In addition to a balance of $45,000,000 in the hands of the Secretary of War on January 1, 1919, for immediate expenditures in river and harbor work, the sum of $12,000,000 is hereby appropriated out of any moneys in the Treasury not otherwise appropriated, to be immediately available and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, for the preservation and maintenance of existing river and harbor work and for the prosecution of such projects heretofore authorized as may be most desirable in the interests of commerce and navigation and most economical and advantageous in the execution of the work: *Provided*, That allotments from the amount hereby appropriated shall be made by the Secretary of War upon the recommendation of the Chief of Engineers: *And provided further*, That at the beginning of the next session of Congress a special report shall be made to Congress by the Secretary of War showing the amount allotted under this appropriation to each work of improvement."

Mr. SMALL. Mr. Speaker, on that I demand the previous question.

The SPEAKER. The Chair will put that motion in a minute. The Clerk will read the amendment offered by the gentleman from Texas [Mr. BLANTON].

The Clerk read as follows:

Mr. BLANTON moves to amend the motion to recommit as follows: At the end of said instruction add "And said committee are further instructed"; and at the end of the bill add the following new section: "SEC. 5. The Chief of Engineers shall at the earliest date practicable report whether the various projects provided for in this bill are now deemed of urgent national importance, and no item of appropriation herein provided for shall become available until the same shall have been reported by the Chief of Engineers as of urgent national importance."

The SPEAKER. The gentleman from North Carolina moves the previous question.

The previous question was ordered.

The SPEAKER. The question is on the Blanton amendment.

The question was taken, and the amendment was rejected.

The SPEAKER. The question is on the motion of the gentleman from Wisconsin [Mr. FREAR] to recommit.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. FREAR. Mr. Speaker, I ask for the yeas and nays, and I make the point of no quorum.

The SPEAKER. Are you going to do both things at once?

Mr. FREAR. I make the point of no quorum.

The SPEAKER. The gentleman from Wisconsin makes the point of no quorum. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. The question is on the motion to recommit.

The question was taken; and there were—yeas 91, nays 203, answered "present" 4, not voting 132, as follows:

YEAS—91.

Anderson	Dowell	Jones	Rogers
Anthony	Elliott	Kearns	Sabath
Ayres	Ellsworth	Keating	Sanford
Baer	Emerson	King	Scott, Iowa
Beshlin	Evans	Kinkaid	Sells
Bland, Ind.	Fairfield	Knutson	Sherwood
Blanton	Fess	Kraus	Sloan
Bowers	Foss	Lampert	Snook
Browne	Foster	McAndrews	Stafford
Campbell, Kans.	Frear	McCulloch	Sweet
Carp	Fuller, Ill.	McKinley	Taylor, Colo.
Chandler, Okla.	Gallagher	Madden	Thompson
Clark, Pa.	Gandy	Mapes	Timberlake
Classon	Gard	Moores, Ind.	Tinkham
Connelly, Kans.	Gillett	Morgan	Towner
Cooper, W. Va.	Good	Nelson, A. P.	Vestal
Crisp	Gordon	Nelson, J. M.	Volgt
Crosser	Green, Iowa	Norton	Welling
Currie, Mich.	Haugen	Parker, N. J.	Wheeler
Dallinger	Hersey	Purnell	Williams
Dill	Hilliard	Rainey, J. W.	Wilson, Ill.
Dillon	Hollingsworth	Ramseyer	Young, N. Dak.
Doolittle	James	Rankin	

NAYS—203.

Alexander	Clark, Fla.	Doughton	Hamilton, Mich.
Almon	Claypool	Drukker	Hamlin
Aswell	Cleary	Dupré	Hardy
Austin	Coady	Dyer	Harrison, Va.
Bankhead	Collier	Elston	Haskell
Barnhart	Connally, Tex.	Ferris	Hastings
Bell	Cooper, Ohio	Fields	Hawley
Black	Cooper, Wis.	Fisher	Hayden
Blackmon	Copley	Flood	Hayes
Bland, Va.	Curry, Cal.	Fordney	Heflin
Booher	Dale	Freeman	Hensley
Browning	Darrow	French	Hicks
Buchanan	Davey	Gallivan	Holland
Burnett	Davis	Garner	Houston
Burroughs	Dempsey	Garrett, Tenn.	Huddleston
Butler	Dent	Garrett, Tex.	Hull, Iowa
Byrnes, S. C.	Denton	Glynn	Hull, Tenn.
Byrns, Tenn.	Dewalt	Godwin, N. C.	Humphreys
Caldwell	Dickinson	Goodall	Igoe
Cannon	Dies	Goodwin, Ark.	Johnson, Ky.
Cantrill	Dixon	Gray, Ala.	Johnson, Wash.
Carew	Dominick	Greene, Mass.	Juul
Carter, Okla.	Donovan	Greene, Vt.	Kehoe
Chandler, N. Y.	Dooling	Hadley	Kelley, Mich.
Kennedy, Iowa	Mason	Romjue	Taylor, Ark.
Kincheloe	Merritt	Rose	Temple
Kitchin	Miller, Wash.	Rubey	Tillman
La Follette	Mondell	Rucker	Tilson
LaGuardia	Moon	Sanders, La.	Treadway
Larsen	Moore, Pa.	Scott, Mich	Van Dyke
Lazaro	Mott	Sears	Venable
Lea, Cal.	Oldfield	Shallenberger	Vinson
Lee, Ga.	Oliver, Ala.	Sisson	Volstead
Lever	Olney	Slayden	Walker
Linthicum	Osborne	Small	Walton
Little	Overmyer	Smith, Idaho	Ward
Lobeck	Overstreet	Smith, T. F.	Ward
Londen	Padgett	Snell	Wason
Lonergan	Paige	Snyder	Watson, Va.
Lufkin	Phelan	Stengall	Weaver
Lunn	Polk	Stedman	Webb
McArthur	Pou	Steele	Welty
McKeown	Powers	Steenerson	Whaley
McLaughlin, Mich.	Quin	Stephens, Miss.	White, Me.
McLaughlin, Pa.	Ragsdale	Sterling	White, Ohio
McLemore	Rainey, H. T.	Stevenson	Wilson, La.
Magee	Raker	Stiness	Wingo
Maher	Randall	Sullivan	Wise
Mann	Riordan	Sumners	Wood, Ind.
Mansfield	Robbins	Switzer	Wright
Martin	Rodenberg	Tague	Young, Tex.

ANSWERED "PRESENT"—4.

Cramton	Harrison, Miss.	Saunders, Va.	Shouse

NOT VOTING—132.

Ashbrook	Fairchild, G. W.	Kreider	Roberts
Bachmann	Farr	Langley	Robinson
Barkley	Flynn	Lehlbach	Rouse
Beakes	Focht	Lesher	Rowe
Benson	Francis	Littlepage	Rowland
Birch	Fuller, Mass.	Longworth	Russell
Borland	Garland	Lundeen	Sanders, Ind.
Brand	Gould	McClintic	Sanders, N. Y.
Britten	Graham, Ill.	McCormick	Schall
Brodbeck	Graham, Pa.	McFadden	Scully
Brumbaugh	Gray, N. J.	McKenzie	Shackleford
Campbell, Pa.	Gregg	Mays	Sherley
Candler, Miss.	Griest	Miller, Minn.	Siegel
Caraway	Griffin	Montague	Sims
Carlin	Hamill	Morin	Sinnott
Carter, Mass.	Hamilton, N. Y.	Mudd	Slemp
Church	Benton	Neely	Smith, Mich.
Costello	Heintz	Nicholls, S. C.	Smith, C. B.
Cox	Helm	Nichols, Mich.	Stephens, Nebr.
Crago	Helvering	Nolan	Strong
Decker	Hood	Oliver, N. Y.	Swift
Delaney	Howard	O'Shaunessy	Templeton
Denison	Husted	Park	Thomas
Doremus	Hutchinson	Parker, N. Y.	Vare
Drane	Ireland	Peters	Waldow
Dunn	Jacoway	Platt	Walsh
Eagan	Johnson, S. Dak.	Porter	Watkins
Eagle	Kahn	Pratt	Watson, Pa.
Edmonds	Kelly, Pa.	Price	Wilson, Tex.
Esch	Kennedy, R. I.	Ramsey	Winslow
Essen	Kettner	Rayburn	Woods, Iowa
Estopinal	Key, Ohio	Reavis	Woodyard
Fairchild, B. L.	Kiess, Pa.	Reed	Zihlman

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On the vote:

Mr. SHOUSE (for) with Mr. SCULLY (against).

Mr. CRAMTON (for) with Mr. EDMONDS (against).

Mr. McCLINTIC (for) with Mr. ROWE (against).

Until further notice:

Mr. SIMS with Mr. ESCH.

Mr. ROUSE with Mr. WINSLOW.

Mr. MONTAGUE with Mr. MUDD.

Mr. LITTLEPAGE with Mr. SIEGEL.

Mr. PARK with Mr. SWIFT.

Mr. DELANEY with Mr. LANGLEY.

Mr. BRAND with Mr. GEORGE W. FAIRCHILD.

Mr. PRICE with Mr. HUSTED.

Mr. BRUMBAUGH with Mr. COSTELLO.

Mr. HARRISON of Mississippi with Mr. REAVIS.

Mr. HELM with Mr. KIESS of Pennsylvania.

Mr. SAUNDERS of Virginia with Mr. WALSH.

Mr. THOMAS with Mr. FARR.

Mr. EAGAN with Mr. LEHLBACH.

Mr. GRIFFIN with Mr. HAMILTON of New York.

Mr. CARAWAY with Mr. GRIEST.

Mr. WATKINS with Mr. SINNOTT.

Mr. HAMILL with Mr. HUTCHINSON.

Mr. ESTOPINAL with Mr. NICHOLS of Michigan.

Mr. BEAKES with Mr. REED.

Mr. HELVERING with Mr. GARLAND.

Mr. GREGG with Mr. GOULD.

Mr. JACOWAY with Mr. DENISON.

Mr. OLIVER of New York with Mr. STRONG.

Mr. O'SHAUNESSY with Mr. DUNN.

Mr. ROBINSON with Mr. VARE.

Mr. RUSSELL with Mr. ZIHLMAN.

Mr. CRAMTON. Mr. Speaker, I voted "yea." I would like to withdraw my vote and to vote "present," because I am paired with the gentleman from Pennsylvania, Mr. EDMONDS.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will unlock the doors. The motion to recommit is lost. The question is on the passage of the bill.

Mr. SMALL and Mr. FREAR demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 234, nays 70, answered "present" 5, not voting 121, as follows:

YEAS—234.

Alexander	Ellsworth	Larsen	Sanders, La.
Almon	Elston	Lazaro	Sanders, N. Y.
Anderson	Farr	Lea, Cal.	Sanford
Aswell	Fields	Lee, Ga.	Schall
Austin	Fisher	Lever	Scott, Mich.
Bankhead	Flood	Lirthicum	Sears
Beakes	Fordney	Little	Shallenberger
Bell	Foss	Lobeck	Sinnott
Black	Freeman	London	Slayden
Blackmon	French	Lonergan	Sloan
Bland, Va.	Fuller, Ill.	Longworth	Small
Booher	Gard	Lufkin	Smith, Idaho
Bowers	Garner	Lunn	Smith, C. H.
Browning	Garrett, Tenn.	McArthur	Smith, T. F.
Buchanan	Garrett, Tex.	McLaughlin, Mich.	Snell
Burnett	Glynn	McLaughlin, Pa.	Snyder
Burroughs	Godwin, N. C.	McLemore	Stengall
Butler	Goodall	Magee	Stedman
Byrnes, S. C.	Gooslin, Ark.	Mahon	Stevenson
Byrns, Tenn.	Gray, Ala.	Mann	Stephens, Miss.
Caldwell	Greene, Mass.	Mansfield	Stephens, Nebr.
Cannon	Greene, Vt.	Martin	Sterling
Cantrill	Hadley	Mason	Stevenson
Carraway	Hamilton, Mich.	Merritt	Stiness
Carew	Hamlin	Miller, Wash.	Sullivan
Carter, Okla.	Hardy	Mondell	Switzer
Chandler, N. Y.	Harrison, Va.	Moon	Tague
Clark, Fla.	Haskell	Moore, Pa.	Taylor, Ark.
Cask, Pa.	Hastings	Morgan	Temple
Claypool	Hawley	Mott	Tillman
Cleary	Hayden	Oldfield	Tilson
Coady	Hayes	Oliver, Ala.	Timberlake
Collier	Heflin	Olney	Tinkham
Connally, Tex.	Hensley	Osborne	Treadway
Cooper, Ohio	Hicks	Overmyer	Van Dyke
Cooper, W. Va.	Hilliard	Overstreet	Venable
Cooper, Wis.	Holland	Padgett	Vinson
Copley	Hollingsworth	Paige	Volstead
Curry, Cal.	Houston	Parker, N. J.	Walker
Dale	Huddleston	Phelan	Walton
Darrow	Hull, Iowa	Polk	Ward
Davey	Hull, Tenn.	Porter	Watson
Davis	Humphreys	Pou	Watkins
Dempsey	Igoe	Powers	Watson, Va.
Denison	Jacoway	Quin	Weaver
Dent	Johnson, Ky.	Ragsdale	Webb
Denton	Johnson, Wash.	Rainey, H. T	Welling
Dewalt	Jones	Raker	Welty
Dickinson	Juul	Randall	Whaley
Dies	Kearns	Rankin	White, Me.
Dill	Kehoe	Rayburn	Wilson, La.
Dixon	Kelley, Mich.	Riordan	Wingo
Dominick	Kennedy, Iowa	Robbins	Wise
Donovan	Key, Ohio	Rodenberg	Wood, Ind.
Dooling	Kincheloe	Rogers	Woodyard
Doughton	Kinkaid	Romjue	Wright
Drukker	Kitchin	Rose	Young, Tex.
Dupré	La Follette	Rubey	
Dyer	LaGuardia	Rucker	

NAYS—70.

Anthony	Doolittle	Keating	Romseyer
Ayres	Dowell	Kelly, Pa.	Sabath
Baer	Elliott	King	Scott, Iowa
Barnhart	Emerson	Kraus	Sells
Beshlin	Evans	Lampert	Sherwood
Bland, Ind.	Fairfield	McAndrews	Snook
Blanton	Foss	McCulloch	Stafford
Browne	Foster	McKeown	Taylor, Colo.
Campbell, Kans.	Frear	McKinley	Thompson
Cary	Gallagher	Madden	Towner
Chandler, Okla.	Gallivan	Mapes	Vestal
Chiesson	Gandy	Moores, Ind.	Voigt
Connelly, Kans.	Good	Nelson, A. P.	Wheeler
Crisp	Gordon	Nelson, J. M.	Williams
Crosser	Green, Iowa	Nolan	Wilson, Ill.
Currie, Mich.	Haugen	Norton	Young, N. Dak.
Dallinger	Hersey	Purnell	
Dillon	James	Rainey, J. W.	

ANSWERED "PRESENT"—5.

Cranton	Knutson	Saunders, Va.	Sisson
Harrison, Miss.			

NOT VOTING—121

Ashbrook	Carter, Mass.	Esch	Graham, Ill.
Bacharach	Church	Essen	Graham, Pa.
Barkley	Costello	Estopinal	Gray, N. J.
Benson	Cox	Fairchild, B. L.	Gregg
Birch	Crago	Fairchild, G. W.	Griest
Borland	Decker	Ferris	Griffin
Brand	Delaney	Flynn	Hamill
Britten	Dorsey	Focht	Hamilton, N. Y.
Brodbeck	Drane	Francis	Heaton
Brumbaugh	Dunn	Fuller, Mass.	Heintz
Campbell, Pa.	Egan	Garland	Helm
Candler, Miss.	Eagle	Gillett	Helvering
Carlin	Edmonds	Gould	Hood
Howard	McFadden	Ramsey	Smith, Mich.
Husted	McKenzie	Reavis	Steele
Hutchinson	Mays	Reed	Strong
Ireland	Miller, Minn.	Roberts	Sumners
Johnson, S. Dak.	Montague	Robinson	Sweet
Kahn	Morin	Rouse	Swift
Kennedy, R. I.	Mudd	Rowe	Templeton
Kettner	Neely	Rowland	Thomas
Kiess, Pa.	Nicholls, S. C.	Russell	Vare
Kreider	Nichols, Mich.	Sanders, Ind.	Waldow
Langley	Oliver, N. Y.	Scully	Walsh
Lehlbach	O'Shaunessy	Shackleford	Watson, Pa.
Lesher	Park	Sherley	White, Ohio
Littlepage	Parker, N. Y.	Siegel	Wilson, Tex.
Lundeen	Peters	Sims	Winslow
McClintic	Platt	Sisson	Woods, Iowa
McCormick	Price	Slemp	Zihlman

So the bill was passed.

The Clerk announced the following additional pairs:

Mr. ROWE (for) with Mr. MCCLINTIC (against).

Mr. EDMONDS (for) with Mr. CRAMTON (against).

Mr. SCULLY (for) with Mr. SHOUSE (against).

Mr. COSTELLO (for) with Mr. KIESS of Pennsylvania (against).

Mr. VARE (for) with Mr. ROWLAND (against).

Until further notice:

Mr. GRIEST with Mr. KNUTSON.

Mr. BENSON with Mr. FOCHT.

Mr. BRUMBAUGH with Mr. BEITTEN.

Mr. HELM with Mr. IRELAND.

Mr. SAUNDERS of Virginia. Mr. Speaker, on the vote just taken I am recorded in the affirmative. I forgot that I was paired with the gentleman from Massachusetts, Mr. WALSH. I wish to withdraw that vote and to vote "present."

The result of the vote was announced as above recorded.

Mr. HARRISON of Mississippi. Mr. Speaker, on the motion to recommit I voted "no" inadvertently, forgetting that I was paired with the gentleman from Nebraska, Mr. REAVIS. I desire to withdraw my vote, and I ask unanimous consent to do so.

The SPEAKER. The gentleman asks to withdraw his vote and to be recorded as present. Is there objection?

There was no objection.

Mr. SAUNDERS of Virginia. I wish to make the same request. I was paired with the gentleman from Massachusetts, Mr. WALSH. I thought he was back here, and inadvertently voted.

The SPEAKER. The gentleman makes the same request. Without objection, it will be so ordered.

There was no objection.

Mr. BARNHART. Mr. Speaker, I came into the room hurriedly from a committee meeting, misunderstood the motion to recommit, and voted "no." I should like to ask unanimous consent to change my vote from no to aye.

The SPEAKER. The gentleman from Indiana [Mr. BARNHART] asks unanimous consent to change his vote from no to aye on the motion to recommit.

Mr. MANN. Mr. Speaker, reserving the right to object, I am not very distinct in my memory. Does the Speaker remember when last a request of this kind was made and Members were allowed to change their votes in this way?

The SPEAKER. The recollection of the Chair is that it has been done once or twice, and it has been objected to sometimes. The Chair will give his opinion that it is a very poor practice.

Mr. MANN. The statement is already in the RECORD.

The SPEAKER. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, I would like to ask that the vote on the bill be again reported.

The SPEAKER. The gentleman from Indiana is trying to change his vote on the motion to recommit.

Mr. MOORE of Pennsylvania. That is the one I desire to know about.

The SPEAKER. Ninety-one ayes and 103 noes. That is on the motion to recommit.

Mr. MOORE of Pennsylvania. Is that the vote that the gentleman desires to change his vote upon?

The SPEAKER. Yes.

Mr. BARNHART. Mr. Speaker, I do not wish to break any precedent. It is not very material, and I withdraw my request.

On motion of Mr. SMALL, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. KEATING. Mr. Speaker, the gentleman from West Virginia [Mr. NEELY] is not here, and he asked me to announce that were he here he would vote against the motion to recommit and in favor of the passage of the bill.

BATTLE MOUNTAIN SANITARIUM.

Mr. GANDY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 13440 transferring jurisdiction and control over Battle Mountain Sanitarium of the

National Home for Disabled Volunteer Soldiers from the Board of Managers of the National Home for Disabled Volunteer Soldiers to the Secretary of War for use for Army hospital purposes for the period covered by the exigencies growing out of the present war.

Mr. BARNHART. Reserving the right to object, I would like to have the gentleman make some statement.

The SPEAKER. The Clerk will report the title to the bill.

The Clerk read as follows:

A bill (H. R. 13440) transferring jurisdiction and control over Battle Mountain Sanitarium of the National Home for Disabled Volunteer Soldiers from the Board of Managers of the National Home for Disabled Volunteer Soldiers to the Secretary of War for use for Army hospital purposes for the period covered by the exigencies growing out of the present war.

The SPEAKER. Is there objection?

Mr. BARNHART. Reserving the right to object——

Mr. SLOAN. I object.

Mr. GANDY. Will the gentleman from Nebraska withhold his objection for a moment?

Mr. SLOAN. I will, but I shall object if no one else does.

Mr. GANDY. Mr. Speaker, this is a Government institution and the national board of control has signified in writing their consent for its transfer to the Surgeon General, who needs it for hospital purposes. It was built for a hospital, it is a hospital, and the Surgeon General's office needs it to take care of the returned wounded soldiers from over the seas.

Mr. CAMPBELL of Kansas. Is it to be open to discharged soldiers or only to those who are returned and retained in the service?

Mr. GANDY. To take care of wounded soldiers in the service. I may say that there are only 230 inmates there now, and there are 1,000 vacant beds in the home at Danville. It is proposed to take the members from this sanitarium to Danville for the time being.

The SPEAKER. Is there objection?

Mr. SLOAN. I object.

LEAVE OF ABSENCE.

Mr. EAGAN, by unanimous consent, was given leave of absence for three days on account of sickness.

INVESTIGATION OF LIGNITE.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 3220, insist on the House amendment, and agree to the conference asked for by the Senate.

The SPEAKER. The gentleman from Illinois asks unanimous consent to take from the Speaker's table the bill S. 3220, insist on the House amendment, and agree to the conference asked for by the Senate. The Clerk will report the title to the bill.

The Clerk read as follows:

A bill (S. 3220) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat, to determine the practicability of their utilization as a fuel and in producing commercial products.

RELIEF IN EUROPE.

Mr. POU. Mr. Speaker, by direction of the Committee on Rules I submit the following resolution.

The Clerk read as follows:

House resolution 499 (H. Rept. No. 915).

Resolved, That immediately upon the adoption of this resolution the House shall resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 13708 (a bill providing for the relief of such populations in Europe, outside of Germany, as may be determined upon by the President as necessary); that there shall be not exceeding three and one-quarter hours of general debate, which shall be confined to the bill, to be divided equally between those supporting and those opposing the bill, and to be controlled equally by the gentleman from Kentucky [Mr. SHERLEY] and the gentleman from Massachusetts [Mr. GILLETT], at the end of which time the bill shall be read for amendment under the five-minute rule, and at the conclusion of such reading the committee shall rise and report the bill to the House, together with the amendments, if any, whereupon the previous question shall be considered as ordered upon the bill and all amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. POU. Mr. Speaker, I ask unanimous consent that the time for debate on the rule be 80 minutes, 40 minutes to be controlled by myself and 40 minutes by the gentleman from Kansas [Mr. CAMPBELL]. At the end of which time the previous question shall be considered as ordered.

The SPEAKER. The gentleman from North Carolina [Mr. POU] asks unanimous consent that the debate on this rule be confined to 80 minutes, half to be controlled by himself and half controlled by the gentleman from Kansas [Mr. CAMPBELL]; that at the end of 80 minutes the previous question shall be considered as ordered. Is there objection?

Mr. MANN. Reserving the right to object, I want to ask the gentleman a question. The rule provides for three and a quarter hours of debate on the bill. On the rule would be 80 minutes additional, which would make in the neighborhood of five hours before it is completed. Then it would be considered under the five-minute rule. Is it the intention of the gentleman from Kentucky, if the gentleman from North Carolina knows, to ask the House to stay in session to-day until the bill is completed?

Mr. POU. I think that is the intention of the gentleman from Kentucky.

Mr. SHERLEY. If the gentleman will pardon me, I will say that that was my desire, and I presumed it would be the desire of the House. The days are passing, and if everyone knew the matter was to be disposed of to-day there would be an assurance of the full attendance which the importance of the matter demands.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, may I inquire of the gentleman, as there is some ambiguity in the phrase, whether it is the intention of the committee, or of the two gentlemen named, to control the time both in favor and against, or is one to control the time entirely in opposition and the other entirely in favor of the bill?

Mr. SHERLEY. It was my understanding that the gentleman from Massachusetts would control the time in opposition. I would control the time in favor of the bill, and it is my purpose to give to the gentleman from Illinois [Mr. CANNON] practically one-half of my time for such use as he may see fit to make of it on his side of the House for those who favor the proposal.

Mr. LITTLE. Reserving the right to object, Mr. Speaker, I would like to ask a question of the chairman. I could not hear everything that was said, but do I understand that his request would prevent the offering of amendments?

Mr. POU. No.

Mr. MANN. It would prevent an amendment to the rule.

The SPEAKER. Is there objection?

There was no objection.

Mr. POU. Mr. Speaker, I yield 10 minutes to the gentleman from Kentucky [Mr. CANTRILL].

Mr. CANTRILL. Mr. Speaker, this rule makes in order a bill from the Committee on Appropriations which appropriates $100,000,000 to relieve famine conditions in Europe. There was no objection in the Committee on Rules to the form of the rule. The Committee on Rules is unanimous, I believe, in the opinion that the terms of the rule are entirely fair, and there was no criticism as to the rule itself. There was, however, in the Committee on Rules, determined opposition to the bill which the rule seeks to make in order, and I would like to have the House know that the Committee on Appropriations, one of the most conservative and careful committees of the House, after a full consideration, made a favorable report upon the bill appropriating $100,000,000; and the chairman of that committee, the gentleman from Kentucky [Mr. SHERLEY], appeared before the Committee on Rules, in behalf of his committee, asking for the adoption of this rule.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. CANTRILL. I have very little time, but I will yield for a very brief question.

Mr. GORDON. Just a question to ask the gentleman what the vote was in the Committee on Appropriations, that great, conservative committee?

Mr. CANTRILL. All that I know is that it was a majority vote, which is sufficient to bring the matter before the House and before the Committee on Rules. If it had not been a majority vote, of course the chairman of that committee would not have come before the Committee on Rules.

The facts are these, as we understand them on the record that has been made before the Committee on Rules: There are thousands and tens of thousands of people in Europe who to-day are starving to death. It comes to us from the best of authority that within the next two or three months there will be millions of people in Europe starving, and the Governments of England and France and Italy have already appointed their commissions and put behind them financial support, and to-day are relieving as best they can famine conditions in Europe. This Government, through the President of the United States, has called upon Congress and the American people to cooperate with these European Governments in helping to relieve these famine conditions. I appeal to this House, and especially to the Republican side of the House, to repudiate the action of the gentlemen of the Committee on Rules representing that side of the House when they undertake to say to the peoples of the world that the United States are so stingy and so devoid of all principles of humanity and Christianity that they will not cooperate with other Governments in saving mil-

lions of starving women and children in this world. [Applause.]

Mr. GORDON. Mr. Speaker, will the gentleman yield?

Mr. CANTRILL. No; I have not the time. I have only a few minutes, as the gentleman knows. That is the situation that is before us; and the eyes of the world and the eyes of the people of this Nation are looking at this House to-day to see whether or not we are willing, out of our abundance and plenty, the American people and this Government, the richest in all the world, after having appropriated money by the billions for war munitions with which to kill people, whether now we are willing to place ourselves in the attitude of refusing to appropriate a paltry $100,000,000 in order to cooperate with the great civilized nations of France, Italy, and England to save millions of women and children from starving to death. The great God of the universe has blessed this country more than any other in the history of the world, and do you gentlemen mean to tell me that upon a great occasion like this you intend to draw political and party lines upon the question of millions of people starving to death?

Yet this House to-day is confronted with the spectacle of gentlemen on the Committee on Rules representing the Republican side of the House voting against supporting the rule when the Committee on Appropriations had already passed favorably upon it. Gentlemen on the Republican side of the House, I ask you to repudiate that action. If you are not in favor of the bill, I do beg you, in the name of humanity, with millions of people starving to death, to at least adopt the rule and bring the bill before the House, where it may be considered upon its merits, so that the American people may know the real condition that exists in Europe to-day. [Applause.] One of the most distinguished American women has recently come back, after giving her services to the Red Cross, and she delivered a lecture in this city the other day. Speaking from actual observation she said that in many places in Europe to-day mothers having three or four or five children are now compelled to pick the child that they will permit to die, because they can not get food enough to feed them all. Yet do you gentlemen on the Republican side of the House mean to tell me that in such conditions as that you propose to have the party lash applied to you and refuse to adopt this rule, so that you may have the opportunity of hearing the bill upon its merits? The facts are as we get them from the very best of authority, that the appropriation of this paltry sum will relieve conditions—and it is a paltry sum compared with the billions that we have appropriated without a dissenting voice in recent days. It is a fact that this appropriation will do more to satisfy European countries that this Nation is sincere in its demand for peace than anything else we can do. When people are starving you can not ask them to give favorable consideration to any peace terms or to any terms that would help reestablish law and order. The first thoughts of people who are starving turn to anarchy, and in large measure, in my opinion, the great turmoil that is existing in Europe to-day is due more to famine than to any other one condition, and yet when we are asked to cooperate, not to assume the entire burden ourselves, with these other great Governments, whose commissions have already been appointed, and I believe Lord Reading has been appointed as the head of the English commission—when we are asked to appropriate this money we find bitter opposition, and I say all honor and glory to the Committee on Appropriations of this House for favorably voting upon it, including the distinguished gentleman frm Illinois [Mr. CANNON], the father of the House, in whom every Member has implicit confidence. There was no politics in it, as I understand it, in the Committee on Appropriations, because the distinguished gentleman from Illinois [Mr. CANNON] is heartily in favor of the bill, and I am asking you to adopt the rule in order that you gentlemen upon the Republican side of the House may hear him speak upon the merits of the proposition, and I am sure that you gentlemen have unlimited confidence in his judgment, especially on matters of this character. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. SNELL].

Mr. SNELL. Mr. Speaker, the resolution that is presented by the chairman of the Committee on Rules, if adopted by this House to-day, makes in order the boldest piece of legislation that has been introduced in the Sixty-fifth Congress. This legislation contemplated by this bill will open up a brand new field of limitless public expenditure, and it is of such a character that it demands the most careful and considerate attention by every Member of the House. During the last two or three years we have become accustomed to pass appropriations of $1,000,000, $2,000,000, $100,000,000—yes, five and ten billions of dollars—at one time, with hardly any debate, with scarcely the dotting of an "i" or the crossing of a "t."

But, mind you, gentlemen, we did that because the President of the United States, the Commander in Chief of the Army, said that it was absolutely necessary for the prosecution of the war. When we received those commands, Republicans and Democrats alike stood shoulder to shoulder, rose to the situation, and almost unanimously voted President Wilson more money and more power than that which has been granted to any king or potentate in the history of the civilized world. But we did that to win the war. Now, thank God, the war is over and an entirely different situation confronts us. Let me tell you, gentlemen of the House, the day has gone by when you can hold a man up to public ridicule, call him un-American, unpatriotic, and pro-German because he demands full information [applause on the Republican side] before he votes to give away the people's money. That is the reason I am opposed to this rule and this bill here to-day. The information is not available to this House why we should grant Mr. Wilson and Mr. Hoover this new, additional, and unlimited authority. Mr. Speaker, because we granted President Wilson's every request to win the war, that is no sign we will follow him blindfolded in reconstructing the Old World. The financial conditions of this country at the present are such that the American people demand that this Congress shall closely scrutinize every dollar of public expenditure. They demand that we shall not appropriate a dollar of public money that is not absolutely needed, and every man in this House knows that the business of this country will fairly groan under the taxes that will be levied by the present pending revenue bill; and the worst of it all is the end is not yet in sight. I was told by a member of the Committee on Ways and Means this morning that there would be a deficit in the public funds this year of $10,000,000,000. A $5,000,000,000 loan will come this spring and another later in the season.

Now, with these financial conditions confronting us, I maintain that there are no $100,000,000 plums for any one man's basket, unless we have the most positive and definite information as to the absolute necessity, the how, where, and why it will be spent, and that information is not available at the present time. Mr. Speaker, if I can read the signs of the times, there is more unrest, uncertainty, and, I think I may say, discontent, among the laboring population, the manufacturer, the farmer, and business men to-day than at any time in recent years. High taxation and higher cost of living are causing the spread of Bolshevikism in our own country, and, notwithstanding this, the President demands that we place a $100,000,000 additional tax on our people, that, as he says, Mr. Hoover may stop the spread of Bolshevikism and anarchy in a foreign land. The time has come, gentlemen, when the President of the United States and the Members of this Congress should give more attention to the reconstruction problems here at home and less to the political intrigues of map-making of southern Europe. [Applause on the Republican side.] I am not opposed to rendering relief to the stricken and starving populations of the Old World. I will go just as far as any man in private or public expenditure along this line, but I do maintain that the time has come, if we are going to open up a new field for public expenditures of this kind, that President Wilson should tell the Congress and the American people what he intends to do and how far he is going along this line. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. SNELL. Just a minute more.

Mr. CAMPBELL of Kansas. I yield one minute more to the gentleman.

Mr. SNELL. And I also maintain that the time has come when, to a certain extent at least, he should take us into his confidence in regard to his reconstruction and peace plans, and until he does that and until he does furnish us the information to which we are entitled I maintain it is the duty of every man in this House to vote against these questionable lump-sum appropriations. [Applause on the Republican side.]

Mr. CAMPBELL of Kansas. Will the gentleman yield back any time he did not use?

Mr. SNELL. I yield back whatever time may be remaining.

The SPEAKER. The gentleman yields back half a minute.

Mr. POU. Will the gentleman use some more of his time?

Mr. CAMPBELL of Kansas. I would like the gentleman from North Carolina to use some more of his time.

Mr. POU. I yield five minutes to the gentleman from Illinois [Mr. CANNON]. [Applause.]

Mr. CANNON. Mr. Speaker, I am for this bill. [Applause.] Let us stop a minute and see what is involved. There is no time in the short debate to show what the merits of this proposition are. This proposition is to consider this bill, and I want to ask this side of the House and that side of the House, Are you afraid to consider this bill upon its merits? [Applause.] The only way to get intelligent consideration is to consider it.

So much for that. Oh, I have here a letter written by President Roosevelt, a message, just as the ships went around the world, in regard to the great earthquake in Italy and the $800,000 which he asked of the Congress, and it was given without a word, and when it was given he expended it for food. The returning eight battleships and other ships were sent to help relieve the condition. They were fed. It was in time of peace. He was a great statesman, and he was broad enough to understand that in this country is the great melting pot, and it was put upon that ground as well as to relieve misfortune. And after he fed them he built houses over there from that appropriation, and it met with the approval of this country. A score or more of similar appropriations have been made. Now, what is the condition, just briefly, and all I can do is to refer to it? Outside of the allies the Bolshevikl are in possession everywhere in Europe except Germany, and making great headway there. Oh, perhaps, not in Finland.

Mr. SLOAN. Will the gentleman yield?

Mr. CANNON. If the gentleman will be brief.

Mr. SLOAN. Did ex-President Roosevelt ask to have personal charge of that $800,000 appropriation?

Mr. CANNON. Yes; it was expended under his direction.

Mr. SLOAN. That he should have personal charge of it?

Mr. CANNON. Well, he did have personal charge of it. How else could you expend it? [Applause.] I simply refer to it in passing. Great God, I think I have got in my make-up a strain of German, a strain of English, a strain of Irish, and a strain of French. [Laughter and applause.] God made the world, and under God we have had the progress we have had. Now, at the end of this great contest what have you? A peace table. Who is at the table? Germany? No. Germany is fighting as to whether she will go absolutely to the Bolshevikl, which means anarchy there. Austria? No. Russia? No. The Balkans? No; unless it be Serbia that will get in. There you are. What security have you as to who you are to negotiate with for peace? Now, it is put upon this ground as a matter of policy. First, it is good policy that people should not starve, for if they are starving they will take food with a strong hand. Why, God knows there is not a man within the sound of my voice, if there was anarchy in the United States as they have it in Europe outside of the allies, and food was short—there is not a man in this House of Representatives, if his family was starving and he was starving, but would take it with a strong hand if it could be found. If there is one such, let him rise up now. [Applause.]

No man rises on either side of the House.

This is to relieve a condition; and yet gentlemen say that they will not even consider this proposition. I do not indorse lots of things that Woodrow Wilson has done; but he is our President. Right or wrong, he is over there trying to do things.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POU. Mr. Speaker, I yield two minutes more to the gentleman.

Mr. CANNON. Our expenditures during this war were $40,000,000 per day. This $100,000,000 would amount to the expenditures for two days and a half, where we have expended very well up toward $30,000,000,000, and, God knows, when the end comes and we have peace, after all things are determined, war risks and everything else, it may amount to $50,000,000,000 or $60,000,000,000.

We have the food; we can demonstrate that. We have the wheat that the Government owns. We have an excess of pork and fats and cottonseed oil and lard oil. This money will be expended in this country, substantially. From the standpoint of a wise policy, without any indorsement of Woodrow Wilson, except as it is necessary to recognize that he is our President and will be for two years to come—the only President we have—we ought not to withhold proper aid to work out these problems. In the event this rule is adopted I will speak a little more at length and give reasons why, in my judgment, this bill should pass. [Applause.]

Mr. POU. Mr. Speaker, did the gentleman from Illinois use his entire time?

The SPEAKER pro tempore. He used all of his time.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield 20 minutes to the gentleman from Iowa [Mr. GOOD], a member of the Committee on Appropriations. [Applause.]

Mr. GOOD. Mr. Speaker, I opposed this bill in the committee and I oppose it now. However, I did say to the gentleman from Kentucky [Mr. SHERLEY], chairman of the Committee on Appropriations, that I would do what I could to have the bill brought before the House, and what I have to say, therefore, is not in opposition to the rule, because I realized that the merits of this proposition could not be discussed in 80 minutes, but will in part explain my opposition to the bill itself.

But a few weeks remain of this Sixty-fifth Congress. This Congress will go down in history as the greatest legislative assembly in all the world. It passed more important legislation, appropriated more money, did more real substantial work than any other legislative body in the world. And it all was done with a singleness of purpose and a patriotism that touched every Member of the House. We were in favor of winning the war, and we voted without party division to give the President, as Commander in Chief of the Army and Navy, all the power and all the money necessary to win imperishable glory for our country and our country's flag. But, Mr. Speaker, when on the 11th day of last November the President appeared in our presence and read that most remarkable message, giving in detail the terms of the armistice, he concluded by saying:

> The war thus comes to an end; for, having accepted these terms of armistice, it will be impossible for the German command to renew it.

I approach, therefore, the discussion of this subject on the solemn declaration of the President that two months ago the war came to an end and that Germany would be unable to renew it. When the war was on we gave him all the money he asked for its prosecution; we gave him all the power, all the legislation which he demanded to win the war. Now that the war is over, I believe that Congress, one of the coordinate branches of the Government, should again commence to function; that it should pass upon all demands; and that the House of Representatives, which is entrusted under the Constitution with originating all appropriation bills, shall before it passes appropriation bills know the details not only with regard to the needs for which the appropriations are asked but the conditions under which the appropriations are to be expended. Now that the war is over, I am not willing to pass lump-sum appropriation bills to carry out objects, no matter how worthy, unless we understand all the facts. Of course, there is starvation in Europe; there always has been, there always will be, and I am willing to go as far as any man to give relief to the needy and the suffering. If we would rise to our full duty in such an emergency we would not pass a lump-sum appropriation, much of which might be wasted in its administration. But if the emergency is urgent we would give to the American Red Cross, that great mother of humanity, composed as it is of more than 22,000,000 Americans, who are contributing to its objects—we would delegate to that organization, with more than 5,000 relief commissioners in Europe, the task of bringing relief; we would give them more than our full share of the funds necessary to prevent suffering and starvation. I am not in favor of this bill, which, if enacted into law, will, I fear, be the first step which we will have taken since war came to an end to invite extravagance and waste in the expenditure of public funds.

I do not object to appropriating this money because it is granted to the President. I am opposed to appropriating any lump sum, giving any individual, no matter who he is, full power and discretion over its expenditure. By the very nature of things, the President, because of his multitudinous duties, can not investigate the expenditure of such vast sums that have been entrusted to his care. He has been compelled to turn these matters over to subordinates and bureau chiefs. When the history of this war is written men will be shocked to learn how hundreds of millions of dollars were utterly wasted, and most of the waste came through lump-sum appropriations. Now that the war is over, we should profit by our experiences during the war and appropriate money only when we know all the facts for which the appropriation is sought, and we should make detailed appropriation in a manner so that the fund can not be spent for any other object than that for which it was expressly appropriated.

I think I can define my position best by relating here what has already been done in what I believe to be an illegal appropriation by the President of $5,000,000 out of the funds granted to the President for national security and defense.

I have here a statement from the War Trade Board for publication on December 15, 1918, which reads:

> The loading of two additional vessels with cargoes for Russia and arrangements for continued shipments through January and February through the activity of the War Trade Board of the United States Russian Bureau (Inc.) was announced to-day by the War Trade Board. The dispatch of three vessels to Vladivostok carrying materials urgently needed in Siberia previously was announced.
>
> Private capital, acting on information furnished through the Russian bureau, is financing most of these cargoes, which include also materials for Czecho-Slovak relief and railroad materials. This is in harmony with the announced policy of the board to encourage and promote the rehabilitation of Russia's economic life and to cover by direct operations only those portions of the field which can not be served readily by private enterprise. Plans for shipments to Vladivostok, Black Sea, and the Baltic were considered by the board at its meeting to-day.

When my attention was called to this work of the War Trade Board of the United States Russian Bureau (Inc.), I commenced

a search to ascertain if Congress had authorized its incorporation. I found no such record. I found that Vance McCormick and a majority of the members of the War Trade Board had incorporated under the title "The War Trade Board of United States Russian Bureau (Inc.)," and that Vance McCormick was president, and John Foster Dulles, nephew of Secretary Lansing, was the secretary and treasurer. This concern was incorporated under the laws of the State of Connecticut. The certificate of incorporation provides "that the amount of capital stock with which this corporation shall commence business is $3,000,000." The incorporators, with their holdings of stock, are as follows: Vance McCormick, 1 share; J. Beaver White, 1 share; Edwin F. Gay, 1 share; Clarence M. Woolley, 1 share; Albert Strauss, 1 share; Alonzo E. Taylor, 1 share; Thomas I. Chadbourne, jr., 1 share; H. Starr Giddings, 1 share; Stoddard M. Stevens, jr., 1 share; Ralph Royall, 1 share; and Vance C. McCormick, chairman of the War Trade Board, 49,990 shares. It is thus seen that these incorporators include a majority of the directors of the War Trade Board, and that each incorporator subscribed for only 1 share of stock, but that the remaining 49,990 shares are held by Mr. Vance C. McCormick as chairman of the War Trade Board. The $5,000,000, I am advised by the War Trade Board, was contributed by the President out of the $100,000,000 which Congress appropriated to him in a lump sum for national security and defense. It is therefore apparent that this incorporation to which I have referred is a United States corporation. The United States really owns all of the stock, and on inquiry I find that it is through this corporation that the United States proposes to deal with the Russian situation.

I am advised that it will take many millions more to carry out the intentions of the department, and I undertake to say that if anything at all is done along the line provided for in the charter of this corporation the amount involved will reach billions of dollars.

While we were willing to vote and did vote without party division billions of dollars to prosecute the war, and I believe now are willing to vote millions of dollars to relieve distress, suffering, and starvation in Europe, yet I want to say that I do not believe there is a man here who down in his heart would be willing to vote one dollar out of the Treasury to carry out the provisions found in this certificate of incorporation, wherein are enumerated all the objects of the corporation.

Would you be willing to give to the President $5,000,000 to organize a company to engage in the manufacture of all kinds of products in any and all parts of the world, to prospect for minerals and metals and mine them, or to buy agricultural, grazing, and timber lands in all parts of the world, or to buy precious stones, or to buy, build, own, and manage hotels, boarding houses and restaurants in all parts of the world outside of the State of Connecticut, or to buy and operate railroads in all parts of the world outside of the State of Connecticut, or to loan money in all parts of the world outside of the State of Connecticut, or to carry on the business of banking in all parts of the world outside of the State of Connecticut? No; of course, you would not; and yet, out of the $100,000,000 that was given to the President by Congress to carry on the war, he has given $5,000,000 to this corporation which is empowered to do all these things, and many other things.

I have read the wonderful dream of Cecil Rhodes. I have read with interest and enthusiasm the charter of the Hudson Bay Co., but I undertake to say here and now that the dream of Cecil Rhodes or the charter of the Hudson Bay Co. is not to be compared with this wonderful document setting forth the aims and purposes of the War Trade Board of United States Russian Bureau (Inc.).

I will append to my remarks the certificate of organization, but the certificate of incorporation is so illuminating that I shall read it for your information, in order that you may see the objects to which the President has set aside $5,000,000 appropriated to him in a lump sum for national security and defense.

It is as follows:

Certificate of Incorporation of the War Trade Board of United States Russian Bureau (Inc.).

We, the subscribers, certify that we do hereby associate ourselves as a body politic and corporate under the statute laws of the State of Connecticut, and we further certify:

First. That the name of the corporation is the War Trade Board of United States Russian Bureau (Inc.).

Second. That the said corporation is to be located in the town of Hartford, County of Hartford, State of Connecticut.

Third. That the nature of the business to be transacted and the purposes to be promoted or carried out by said corporation are as follows:

1. To engage in the business of buying, selling, importing, and exporting goods, wares, and merchandise of every description, and any and all kinds of personal property, and to carry on a general mercantile and commercial business in any part of the world.

2. To engage in any and all kinds of manufacturing, and to acquire, hold, lease, and sell all lands, buildings, machinery, and equipment, and all raw materials and supplies necessary to or useful in the conduct of any such business in any part of the world.

3. To search for, prospect, explore, purchase, lease, or otherwise acquire, own, develop, work, operate, sell, lease, mortgage, or otherwise dispose of any and all agricultural, grazing, timber, or other lands, mineral deposits, mines, mining properties, collieries, and quarries, and the products and by-products thereof, all in any part of the world.

4. To cultivate, cut, mine, crush, smelt, concentrate, refine, treat, prepare for market, buy, sell, exchange, export, import, trade and deal in any and all agricultural products, timber, and timber products, oil, petroleum, coal, iron, metals, phosphates, nitrates, minerals, precious stones, and materials and products and by-products of all kinds, all in any part of the world.

All of this under the guise of feeding the starving people of Russia. Further:

5. To build, construct, complete, equip, purchase, lease, or otherwise acquire, hold, own, manage, operate, maintain, mortgage, sell, or otherwise, dispose of hotels, apartment houses, boarding and lodging houses, restaurants, stores, shops, and places of public entertainment or amusement, all in any part of the world, outside of the State of Connecticut.

[Laughter.]

What is the matter with Connecticut?

Mr. BUTLER. Mr. Speaker, will the gentleman yield?

Mr. GOOD. No; I regret I can not. I have not the time—

6. To build, construct, complete, equip, purchase, lease, or otherwise acquire, hold, own, manage, operate, maintain, mortgage, sell or otherwise dispose of railways, telephone and telegraph systems, gas and electric light and power works, plants and systems, and any other plants, machinery or works for the production, manufacture, transmission and distribution of light or energy of every nature and description, and to furnish and sell gas, electricity, steam and any other kind of substance or energy used for lighting, heating, or power purposes, all in any part of the world outside of the State of Connecticut.

[Laughter.]

7. To build, construct, complete, equip, purchase, lease or otherwise acquire, hold, own, maintain, operate, mortgage, sell, or otherwise dispose of, or turn to account, reservoirs, water powers, dams, flumes, watercourses, aqueducts, water rights, canals, irrigation systems, sewage, drainage and sanitary works, water works and to furnish and sell water and water power, all in any part of the world outside of the State of Connecticut.

8. To promote, finance, build, construct, complete, equip, purchase, lease, or otherwise acquire, hold, own, operate, maintain, mortgage, sell, or otherwise dispose of wharves, piers, docks, bulkheads, drydocks, basins, tugs, boats, lighters, storehouses, warehouses, elevators, oil tanks, and other terminal facilities of all kinds, all in any part of the world outside of the State of Connecticut.

9. To build, equip, buy, own, lease, operate, and sell steamships, sailing vessels and any and all other kinds of craft or instrumentalities used or to be used in the business of transporting freight or passengers upon water; and in any part of the world outside of the State of Connecticut to operate the same, and engage in the transportation of or in the business of transporting freight or passengers.

10. To take and receive upon deposit, as bailee, for safekeeping and storage, jewelry, plate, money, specie, bullion, stocks, bonds, securities, and valuable papers of any kind, and other valuable personal property, and to guarantee their safety, upon such terms and for such compensation as may be agreed upon by it and the respective bailors thereof, and to let out vaults, safes, and other receptacles, all in any part of the world outside of the State of Connecticut.

11. To make loans or advances, either ordinary or privileged, either with or without security, at such rates of interest as may be agreed upon between the corporation and the borrower, either for ordinary banking or commercial purposes or for the special purpose of facilitating mining, agricultural, and industrial operations and public utilities, all in any part of the world outside of the State of Connecticut.

Now, get this, my Democratic friends, and never again refer to trusts or illegal combinations:

16. To enter into any agreement or arrangement for sharing profits, union of interest, reciprocal concessions or cooperations, with any country, firm, or person carrying on or proposing to carry on any business within or similar to any of the objects of this company; to guarantee the contracts and obligations of any such company, firm, or person; to unite with any such company, firm, or person in the creation of joint or joint and several obligations of any and every character which this company may find it necessary or convenient to create, or issue in the execution of any business or the carrying out of any purpose specified in this certificate; but none of the business authorized by this paragraph shall be done within the State of Connecticut.

[Laughter.]

Mr. Vance McCormick has provided here for the greatest trust the world ever saw and it is financed out of the $100,000,000 given to the President for national security and defense, and all of it is done under the cover of feeding the starving people of Russia.

Mr. LONDON. Mr. Speaker, will the gentleman yield?

Mr. GOOD. No; I can not yield.

17. To acquire in any manner, hold, and own bonds, debentures, or other obligations, or evidences of indebtedness or securities, or shares of capital stock in any corporation or corporations, association or associations, and while owner thereof to exercise the rights, powers, and privileges of ownership, including the right to vote on any shares of stock or in respect of any bonds or debentures so held or owned.

18. To carry on the business of banking in all its branches, and to transact and do all matters and things incidental thereto, or which may be usual in connection with the business of banking or dealing in money or securities for money, including, among other things, the issue of due bills, circulating notes to bearer, bank notes, promissory notes, or the discounting and negotiating, buying, selling, paying, or collecting of promissory notes, drafts, bills of exchange, and other evidences of indebtedness; receiving deposits, buying and selling exchange, bank notes, bullion, and coin, and loaning money on real and personal security, but no part of the business specified in this paragraph shall be done in the State of Connecticut.

Think of it! The President giving Mr. Vance McCormick's private corporation, even though the stock is held by the War Trade Board, $5,000,000 to carry on banking in any part of the world, with power to issue due bills, circulating notes to bearer, bank notes, etc., all to prevent the people of Russia from starving.

19. The corporation shall have power to do any and all things set forth as its objects to the same extent and as fully as a natural person might or could do, as principal, agent, contractor, or otherwise, and by or through trustees, agents, subcontractors, or otherwise, alone or jointly with any other corporation, association, firm, or person, and to execute all acts and enter into all contracts, civil and mercantile, and to do all and everything necessary or incidental for the protection or benefit of the corporation: *Provided, however*, That this corporation shall not have power to transact, within the State of Connecticut, the business of a bank, savings bank, trust company, building and loan association, insurance company, surety or indemnity company, railroad or street railway company, telegraph or telephone company, gas, electric-light or water company, or the business of a company requiring the right to take and condemn lands within the said State, or to occupy the public highways within said State; and nothing herein contained shall be construed to permit the doing of any acts within the said State not authorized in the case of a corporation organized under the general laws thereof, nor permit the doing of any acts in any other State or Territory of the United States, or in any foreign country, if prohibited by the laws of such State, Territory, or foreign country: *And provided further*, That within the State of Connecticut this corporation shall not have the power to and shall not sell or negotiate its own choses in action, nor sell, guarantee, nor negotiate the choses in action of any other person or corporations as investments.

Fourth. That the amount of the capital stock of said corporation hereby authorized is $5,000,000, divided into 50,000 shares of the par value of $100 each, all of one class.

Fifth. That the amount of capital stock with which this corporation shall commence business is $5,000,000.

Sixth. That the duration of said corporation is unlimited.

Then follows the signatures of the incorporators.

These are the things that the War Trade Board of the United States Russian Bureau (Inc.) wants to do, and for the accomplishment of these things the President has turned over to this board $5,000,000; and not a man sitting on the floor of the House would vote money out of the Treasury of the United States for these express purposes. This incorporation needs more money to carry them out, and if we vote this $100,000,000 the President has the same power to turn over any or all of it to this same corporation that he had to give it $5,000,000.

Yes; we are asked now to appropriate $100,000,000, just as we were asked during the war to appropriate, and did appropriate, a lump sum of $100,000,000 for national security and defense. And if we vote this money, in the future we must not complain if any part of it is engaged in merchandising in all parts of the world, or in manufacturing in all parts of the world, or in mining and developing mines in all parts of the world, or in buying and owning and operating railroads, electric-light and gas plants, and banking, and everything under the sun, in all parts of the world.

To some of you the granting of this tremendous power may seem comical, but to my mind it is a most dangerous thing. I am willing that America shall do her part to feed the starving people of Europe, but I am not willing that we shall engage in all of these enterprises under the guise of preventing starvation.

I must confess that in one sense the situation is comical. Why, we are going to establish hotels in all parts of the world. Of course, that is one of the best ways to feed the people who are hungry. My attention was called a few days ago to the New York Hotel Review, a paper published by the New York hotels to exploit the wonderful things they have accomplished. I find a news item in this paper to the effect that John McE. Bowman, president of the Commodore, Biltmore, Manhattan, and other hotels, was commissioned to select a chef for the President's party during his trip abroad, and Mr. Sweeney was commissioned to select a culinary force. Mr. Bowman selected the chef of the Biltmore, Mr. Lewis Seres, and the article concludes:

Mr. Sweeney, however, in a comparatively short time interviewed, selected, and caused to be sworn into the United States Navy, a culinary crew of 25, which is the largest culinary crew ever gotten together for a transocean voyage. It might be said here that Mr. Sweeney was the man who selected the culinary force for the train that carried Prince Henry of Prussia to Canada on the occasion of his visit here several years ago. Four of the members of the culinary crew of the *George Washington* were sworn in as petty officers.

And I suppose that when Mr. Vance McCormick has acquired these hotels and restaurants and boarding houses in all parts of the world, that it is proposed to acquire under the terms of this charter, we will have as cooks in all of these hotels petty officers from the Navy, and possibly all of these will be selected by the same person who selected "the culinary force for the train which carried Prince Henry of Prussia to Canada on the occasion of his visit here several years ago."

Again, we are told that millions of people are starving in Europe. I suppose there is great suffering in many parts of Europe. I wish we might prevent the starving of a single person. I wish we might do something in a big and substantial way to alleviate the suffering and prevent starving. But I have wondered whether or not this matter has not been a little overdrawn, for almost coincident with the cablegram of the President, I read an article in the New York Times, on December 28, under the following headlines:

Georgeous scene at banquet—All royal formalities observed at King's dinner to Wilson—Largest display of plate—Gold service worth $15,000,000 are brought from the palace vaults for occasion.

Can it be possible that almost within the shadow of the building where that banquet was given men and women were starving? Is it possible that that great Democrat could sit down to a table spread with a $15,000,000 gold plate and then send a message to America within a day or two, telling us that millions were starving in Europe, and that we should give him $100,000,000 to prevent it? [Applause.]

Now, what have we done in a practical way to relieve this distress? First, we have given to the Secretary of the Treasury power to loan money to all these countries of Europe that are mentioned in the hearings, and he has even loaned money to the Czecho-Slovaks, a great people, but whose organization as yet is practically only on paper; yet we are loaning money to them out of the Treasury, to feed their people. We are loaning money to Serbia and to the Balkan States. We have loaned vast sums to our other allies, including Russia, and the newspapers yesterday carried the statement from Mr. Glass that Government loans to foreign countries are restricted now to necessary credits for the purchase of foodstuffs in this country. It is apparent that not a single country mentioned in the hearings, which is in need of foodstuffs, is having any difficulty in borrowing the money from Uncle Sam to buy these necessities.

Now, in addition to that, in order to duplicate the service, it is proposed to give the President $100,000,000 in order to feed these same people.

Mr. Speaker, a book has recently been written by Dr. E. A. Ross, of the University of Wisconsin, entitled "Russia in Upheaval." The author has been there and has just recently returned. I quote from page 13 of that book:

By the railroad, not far from Irkutsk, are piled up four millions of pounds of Siberian meat, spoiling in the July sun because there is no railway stock for moving it to Russia.

And again on page 334 I read:

From all sides we are receiving news of disorders and excesses at railway stations by soldiers and others. The railways are in the power of the mob. Cars are opened, and their contents plundered. Large numbers of profiteers are transporting goods arbitrarily without having paid anything on them. Cars are uncoupled from trains, thus interfering with the instructions of the railway servants. This state of anarchy has entirely disorganized the transport service.

Think of it! At Irkutsk, the author saw piled up 4,000,000 pounds of Siberian meat, spoiling in the July sun, because there was no railway stock to move it. It would require 8,000 average carcasses to make 4,000,000 pounds of meat; and the second statement of this author clearly shows why these foodstuffs can not be delivered to the people. Send American meat there, and is it not likely to be seized by the lawless and will it not only make them stronger in their fight against organized society? Much as we desire, we can not prevent starvation in Russia.

I desire also to call attention to the fact that already Mr. Hoover, through his grain corporation, has enough money to buy all the surplus wheat in the United States, and after he has bought it at $2.20 per bushel, he will still have in his fund, according to the hearings, almost $50,000,000 to buy other cereals. And remember, it is not urged that any corn be purchased for export to Europe for this purpose.

I call your attention to page 19 of the hearings, wherein it is shown that we raised in the United States last year 917,000,000 bushels of wheat. It is estimated by Mr. Hoover that it will take 600,000,000 bushels or thereabouts to feed our own population and to furnish seed for the next year, leaving 317,000,000 bushels available for export. Mr. Hoover's assistant states that 200,000,000 bushels have already been sold and exported to Europe, leaving only 117,000,000 bushels available for export. If every bushel of that was bought by Mr. Hoover at $2.20 per bushel, it would require about $257,000, and according to the statement of Mr. Glasgow, Mr. Hoover has for this purpose $300,000,000. Hence, he would have $50,000,000 left to buy other grains to feed the starving people of Europe after he had bought every bushel of American wheat available for export.

Now, if you will turn to page 4 of the hearings I think you will find the real secret of Mr. Hoover's desire. I quote:

Because of the stimulation of the production of hogs throughout the hog-producing sections of the country we have accumulated in the hands of packers, by reason of the run on hogs at this particular time of the year, a large surplus that we must work off as we can to Europe, and one of the purposes of Mr. Hoover has been, if possible, to provide a safe and regular drain of such edibles as fats, oils, and cereals that we have a surplus of to Europe.

You will observe that we are told that there is a surplus of fats and oils in the hands of the packers, by reason of the run of hogs at this particular time of the year, a large surplus that Mr. Hoover says must be worked off, quoting his words, in "a safe and regular drain." Ah, there must be no slump in the price of these fats in the hands of the packers; a safe and regular drain of this surplus of fats that are in the hands of the packers of the country must be sent to Europe, so that there can be no slump in the price, while this surplus is in their hands. [Applause.]

That is the crux of this whole matter, and you can not get away from it, and I want to say now that if this scheme of stabilizing the market is put through under the guise of saving the starving in Europe, hundreds, yes thousands, of our fellow Americans will, because of high prices that will be maintained, be made to suffer, and many of them will starve.

I am unwilling for one to permit the packer or any other producer in the United States to reach his hand down into the Treasury of the United States in order to stabilize and hold up the price of their product.

Mr. HARDY. Will the gentleman yield?

Mr. GOOD. No; I am sorry I do not have the time.

I find here in the Christian Science Monitor a statement with regard to the $6,000,000 of profits made by the Cudahy Packing Co., from which I quote:

After paying the regular dividends on the preferred stock, the $6,000,000 profit would represent an earning power of 47.4 per cent on the common stock.

It was inevitable that the packers would make money during the war. They were selling their product on a rising market. Vast sums were made by them because of that fact. They realized that the time was coming when they would be compelled to sell their product on a falling market, when they would lose some of these immense profits made during the war, and I doubt not they thought they would be able to so conduct their affairs that in balancing their books over a period of years it would be found that they had made considerably more money when they were doing business on a rising market than they had lost when they were selling their goods on a falling market.

Now, Mr. Hoover comes forward with his program, and that is to stabilize the market so long as there is a surplus of fats in the hands of the packers. I do not believe there is any justification for his program, and hence I must oppose it. I have opposed stabilizing the markets of the produce in the hands of the farmers, and I must oppose stabilizing the profits in the hands of the combination that has fared very well and can well afford now to meet the very obstacle that every business man must meet.

I want to see America do America's part in this emergency, but I am not willing to duplicate the service which 22,000,000 of Americans are already performing through the American Red Cross. It has been said here to-day that the allies are furnishing food to the starving, while America is talking about it. I deny it. America is doing her full share, through the American Red Cross, to-day. She is not only helping the poor in the Balkans and in Russia, but she is contributing to the wants of the poor and the needy in France and in Italy, and even Great Britain. The last report of the American Red Cross shows that there is appropriated for relief work in Belgium over $2,000,000; for relief work in Italy, $3,588,000; for relief work in Russia, $1,243,000; and for relief work in Serbia, $875,180; for relief work in Great Britain, $1,885,000, and for relief in other foreign countries almost $4,000,000. And yet, in order to put this bill through, without investigation and without a knowledge of the real facts, we are told that America is not doing her part. This bill ought to be sent back to the committee, with instructions to that committee to call before it the officers of the American Red Cross here in Washington, and to hear those officers, and then, after a full and comprehensive survey, which can be had within the next few days, report out a bill that will be the measure of America's obligation in this emergency.

The SPEAKER pro tempore. The time of the gentleman from Iowa has expired.

APPENDIX.

STATE OF CONNECTICUT,
OFFICE OF THE SECRETARY.

THE WAR TRADE BOARD OF UNITED STATES RUSSIAN BUREAU (INC.).

CERTIFICATE OF ORGANIZATION.

The undersigned, a majority of the directors of the War Trade Board of United States Russian Bureau (Inc.), located in the town of Hartford, hereby certify as follows:

First. That the amount of the authorized capital stock of said corporation subscribed for is 50,000 shares, being shares of capital stock amounting to $5,000,000 and being not less than the full amount of $5,000,000, with which the incorporators in the certificate of incorporation stated the company would begin business.

Second. That the amount paid thereon in cash is $5,000,000.

Third. That the amount paid thereon in property other than cash is nothing.

Fourth. That $100 has been paid upon each share subscribed for, excepting no shares.

Fifth. That the name, residence, and address of each of the original subscribers to said stock, with the number of shares subscribed for by each, are as follows:

Name, residence, and post-office address.	Number of shares.
Vance C. McCormick, Harrisburg, Pa	1
J. Beaver White, Washington, D. C	1
Edwin F. Gay, Cambridge, Mass	1
Clarence M. Woolley, Washington, D. C	1
Albert Strauss, New York, N. Y	1
Alonzo E. Taylor, Washington, D. C	1
Thomas L. Chadbourne, jr., New York	1
H. Starr Giddings, Bronxville, N. Y	1
Stoddard M. Stevens, jr., Hackensack, N. J	1
Ralph Royall, New York, N. Y	1
Vance C. McCormick, chairman War Trade Board, Washington, D. C	49,990

Sixth. That the directors and officers of said corporation have been duly elected and that its by-laws have been adopted.

Seventh. The name, residence, and post-office address of each of the officers and directors of said corporation are as follows:

OFFICERS.

Name, residence, and post-office address:
President, Vance C. McCormick, Harrisburg, Pa.
Treasurer, John Foster Dulles, Washington, D. C.
Secretary, John Foster Dulles, Washington, D. C.

DIRECTORS.

Name, residence, and post-office address:
Vance C. McCormick, Harrisburg, Pa.
Thomas L. Chadbourne, jr., New York, N. Y.
Albert Strauss, New York, N. Y.
Alonzo E. Taylor, Washington, D. C.
Clarence M. Woolley, Washington, D. C.
J. Beaver White, Washington, D. C.
Edwin F. Gay, Cambridge, Mass.

Eighth. The location of its principal office in this State is No. 11 Central Row, Hartford, and the name of the agent or person in charge thereof on whom process against it may be served is Lucius F. Robinson.

Dated at Washington, D. C., this 13th day of November, 1918.

EDWIN F. GAY,
J. BEAVER WHITE,
ALBERT STRAUSS,
ALONZO E. TAYLOR,
A Majority of the Directors.

DISTRICT OF COLUMBIA,
City of Washington, ss:

On November 13, 1918, personally appeared Edwin F. Gay, J. Beaver White, Albert Strauss, and Alonzo E. Taylor, signers of the foregoing certificate of organization, a majority of the directors of the War Trade Board of United States, Russian Bureau (Inc.), and made oath to the truth of the same before me.

[SEAL.] H. McHUGH,
Notary Public, District of Columbia.

My commission expires August 9, 1923.
Approved December 2, 1918.

FREDERICK L. PERRY, *Secretary,*
By ELMER H. LOUNSBURY.

Mr. POU. Mr. Speaker, I yield five minutes to the gentleman from Mississippi [Mr. HARRISON].

Mr. HARRISON of Mississippi. Mr. Speaker, the speech the gentleman has just made is the most demagogic utterance I have ever heard on the floor of this House. He talks about a corporation that was organized for the purpose of carrying supplies and food to the starving people of Russia, and in no instance did he point out any abuse of the powers granted that corporation. I am not concerned about how the judgment and actions of this House to-day will affect Woodrow Wilson personally, but I am wondering how it will affect other people—not those for whom this relief is sought, for you know and I know if they are not relieved promptly their suffering, hunger, and distress will soon end in death. I am wondering how the action of the American Congress—how each vote and every utterance—will affect those people whose representatives are now sitting around the council table and who will be influenced in a greater or less degree by the representatives of the American Government.

The part this Government has played during this great world crisis is immeasurable. The influence it has wielded in bringing hostilities to a close has been incalculable. By his diplomacy President Wilson hastened the end, and the principles he enunciated have been accepted as the basic principles upon which peace will be made. It is due to his master genius that we have thus far approached peace. He is to-day recognized as the exponent of democracy, the apostle of justice, and the friend of liberty-loving peoples throughout the world. The estimate that the great masses of people in other countries place upon him will certainly be influenced to some extent by the confidence that his own people express in him.

The gentleman from Iowa talks about Bolshevism. Let me say to the gentleman that the spirit of Bolshevism, the most dangerous menace that has ever confronted free government, now rampant in the war-torn countries of central Europe, finds encouragement in disorder and threatens organized government

by creating dissension among the people. If ever there was a time when the representatives of organized government needed to present a united front, it is to-day. Discord and dissensions give encouragement to Bolshevism.

President Wilson knows the situation with which we are called upon in this way to deal. He is on the ground and has studied the situation from every angle. No man in the world to-day has the confidence of the great masses of other countries to the extent that the President of this country does, and those people are looking to him with hope and an abiding faith. Ah, the gentleman cynically refers to the dinner with the royalty of England. It was not only the royalty who received him, but low as well as high, the poor as well as the rich, the humble as well as the royal of foreign lands. In Manchester, the great industrial center of Britain, he was greeted with unsurpassed enthusiasm and every expression of commendation was showered upon him. At Brest and Paris and all along the routes he has traveled in France flowers have strewn his path and he has been received with wild acclaim. The people of Milan and the country for miles around crowded the streets of that city to do him honor and give demonstration of their appreciation of his great efforts in the interest of lasting peace.

The President has sought this relief for suffering humanity, and if we fail to grant it we are not only opposing humanity but will be embarrassing the representatives of this Government in the peace negotiations. So let me urge you, gentlemen, to stand by your Government at this time; stand by it until the peace treaty is written and ratified by the Senate.

The American people have always been charitable, and they have manifested that spirit to greater extent during this great world crisis. They have contributed millions of dollars, not through the Government particularly but through other agencies, for the relief of the suffering people—Belgium, Serbia, and France—and to-day a great campaign is on to raise a large fund for the relief of stricken Armenia.

You can not afford to hold back on technicalities in this instance; you can not excuse your opposition to this measure by calling for details. Your views and actions in this instance will be construed as in the interest of suffering humanity or against humanity; as upholding the spokesman of your Government or opposing him.

am not unmindful of the fact that some of you on that side of the House are intoxicated on success as the result of the recent elections, and in your political debauchery you have gone wild; but be not deceived. That little woman who lives in an humble cottage out yonder on the western plains, that patriotic farmer in the remote and out-of-way sections of the southland, as well as the toiler in the busy city who gave their sons to fight for the peace that our representatives are contending for will want to know the reason why you attempted at this time to embarrass your Government. And every boy who is now encamped on the western front awaiting the signing of the treaty of peace will want to know the reason for this opposition and obstruction.

Be not deceived, gentlemen, this war is not over yet; the treaty of peace has not been signed, and we must strengthen the hold that our representatives have in order to obtain the things for which our boys have fought, and your obstruction here to-day will either strengthen or hamstring their arms.

Let me suggest to you who are opposing this measure the story of the ass who was so unmanageable and untractable that no pasture no matter how green could restrain his roving disposition; no fence was strong enough to withhold him. So his master placed a yoke and bell around his neck. One day the ambitious ass broke through the fence and wandered over roads and fields to a near-by city and there paraded up and down the street, his yoke swinging from side to side and his bell ringing. He attracted the attention of passers-by and was very proud of his accomplishments. Presently his master came along and caught him, saying to the ass: "You are deceiving yourself. If you think your actions are attractive and pleasing to the crowds you are mistaken. That yoke you wear is not an emblem of praise, but a badge of dishonor."

Mr. DENISON. Will the gentleman yield?

Mr. HARRISON of Mississippi. Yes; I yield.

Mr. DENISON. The President came before us and said that it was necessary to vote for woman suffrage, in order to win the war. Does the gentleman stand by the President in that? [Laughter.]

Mr. HARRISON of Mississippi. Oh, the gentleman can not lead me astray on that proposition. He knows it is afield of this discussion.

The SPEAKER pro tempore (Mr. DEWALT). The time of the gentleman has expired.

Mr. POU. I yield to the gentleman two minutes more.

Mr. HARRISON of Mississippi. The gentleman knows that I differed with the President on that proposition. But the gentleman knows, too, that when I cast my vote in the House, the President had not come before the Senate and laid down any such proposition. I did not believe then, nor do I now believe, that woman suffrage is a war measure. The gentleman is merely trying to justify his indefensible position. My record in this House since this crisis arose has been to stand by Woodrow Wilson, not because he was a Democrat but because he was the President of the American people. [Applause.]

Mr. McCULLOCH. Will the gentleman yield?

Mr. HARRISON of Mississippi. Yes.

Mr. McCULLOCH. Does the gentleman regard it as treason to ask for information?

Mr. HARRISON of Mississippi. I do not.

Mr. McCULLOCH. That is all that we are doing here.

Mr. HARRISON of Mississippi. The gentleman can not excuse himself in that way. The American people will accept your action to-day either as not standing by our representatives in France and embarrassing them or encouraging them and upholding their hands.

Mr. McCULLOCH. Then, in order to get justice, we must pay tribute.

Mr. HARRISON of Mississippi. If the gentleman thinks that, then well and good.

Sirs, I am heartily in favor of this legislation. I am in favor of every piece of legislation that our representatives in France believe will aid in the slightest degree in securing a speedy and just settlement of the issues of the war upon the enunciated principles of our President. I have never, up until this good hour, since this crisis began cast a single vote or given expression to a single sentiment that would hamper my Government and its representatives. And I shall pursue that course when I have left the activities of this body to take up my duties in the other end of this Capitol. I shall be moved by the same purpose, namely, to stand by the representatives of this Government in their peace negotiations and to wage war upon everyone who is its enemy. [Applause.]

Mr. POU. Mr. Speaker, may I ask the gentleman from Kansas how many speeches are to be made on that side?

Mr. CAMPBELL of Kansas. Only one.

Mr. POU. Mr. Speaker, I shall submit one or two observations very briefly. Now, I am not going to criticize the gentleman from Iowa [Mr. GOOD]. I am not going to charge that he made a demagogic speech, but I am going to say this: There are a few gentlemen on the Republican side of the aisle, and possibly a few on this side of the aisle, whose position is always known before they speak. Whenever they arise to address the House the House knows in advance what is coming. When the gentleman from Iowa arose both sides of the House knew exactly what to expect—a bitter speech and abusive of the President of the United States.

It is said we need more information. What more information can the House of Representatives desire? The President of the United States has gone in person to Europe. Whether you criticize the wisdom of his trip or not, he is there. He has had opportunity to consult with the representatives of all the nations of the world, and after careful investigation he cabled to the chairman of the Committee on Appropriations of this House that $100,000,000 is urgently needed in order to save people from starvation. Do you want additional evidence? We have appropriated billions in the prosecution of this war, but we must hesitate here, we must quibble, we must play politics, because that is what is being done here to-day, in response to the request of the President of the United States that he needs $100,000,000 to save certain peoples of Europe from starvation. Gentlemen of the House of Representatives, Republicans and Democrats, we shame ourselves if we turn down that request, we shame our Nation if we turn down such a request as this. I think you Republicans may well set a precedent here and now. You will soon be in control. The next House of Representatives is yours, and I make this prediction: You will be appropriating money for this very object, because we are all Americans, and while our prejudices may get the better of us for a short while, there is no red-blooded American who is going to let women and children starve anywhere on earth, if he can prevent it. That is the plain issue that is presented here to-day. People are starving now. We alone have the food. Shall we save them or let them die? You must answer to-day.

Mr. Speaker, I can not for my life understand this constant criticism that we hear of Herbert Hoover. I have heard arguments actually advanced that gentlemen would not vote for this appropriation because Hoover was going to spend the

money. What has Hoover done to justify any charge against him? He has proven himself the most efficient man that could possibly have been found throughout the length and breadth of civilization. He has handled tens of millions of dollars, and up to this good hour, so far as I know, the finger of suspicion has never been pointed at him. But it is "that man Hoover." Because Hoover, having a thankless job—a job that nobody wanted—has had the courage to stand up and do his duty he is to be criticized, and that is to be used as an excuse for opposing this bill! Mr. Speaker, I conclude by saying this: Whatever may be said about the House of Representatives, it is American on both sides of the aisle, and this request coming from the President of the United States for $100,000,000 to save people from starvation is not going to be denied by Americans in this House. I reserve the remainder of my time.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield the remainder of my time—nine and a half minutes—to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Speaker and gentlemen of the House, this is an occasion when we are determining whether we shall act from judgment or from emotion, whether what we do is the result of a logical conclusion of reasoning or a mere impulse. Thus far the proponents of this measure are undertaking to force conviction by attempting to make it appear that the opposition is merely partisan and political. I merely rise to state that kind of statement is not argument. If it should so appear that one side opposes a proposition and another favors it, why should not the side opposing it say to the side that favors it that they are putting it purely upon a partisan basis? Why should not the Republicans say that the Democrats are making it a partisan matter? I do not make that charge against the Democratic side, and they have no right to make that charge against the Republican side—that the opposition to this resolution or authorization is purely partisan, that it is in order to embarrass the President. It was so stated—that we must pass it or it will embarrass the President. That was stated on the floor here, and it has been stated elsewhere. If the President is to be embarrassed, it is not by our vote; but it probably is his indiscretion that makes it an embarrassment which our vote will not relieve. It has been also stated that we must do it to reduce the danger of the Bolsheviki movement. That was stated on this floor and it has been stated in the argument for this bill. I would suggest that one of the best ways to reduce the evils of bolshevism is not by undertaking to bribe it in the shape of food nor by undertaking to flirt with it, but is by undertaking to deal with it by law, as has been too often noted in and out of official life, especially as it is found in our own country. My opposition to this measure is that it is of doubtful wisdom to pay out of the Treasury of the United States, whether the funds come by taxation or by loan, public money collected for specific purposes on demand on the part of a foreign government when war no longer continues. I voted with the rest of you to authorize the loans to the foreign governments during war. While they were not our allies, we were associated with them and the purposes of the two were the same. Therefore I did not hesitate to vote for authorization of loans; but let me say to the Democratic side of the House it is a source of criticism to borrow money from our own people at a certain fixed rate and loan it to foreign governments—even to our allies—at the same rate when those very governments loan to their own people at from 2 to 3½ per cent greater than we are loaning to them. [Applause.] I raise the question of discretion, whether because we did it in time of war—a doubtful thing in its wisdom even then—we should continue to do it when war no longer exists; and, for one, I shall not hesitate to withhold my support of this proposition. I will not now agree to take out of the Treasury of the United States, whether it be replenished by taxation or loan, in both of which cases it comes from the people—from the earnings of our own people—money to lend to any other country when war has ceased. So much for that phase of the opposition.

There is another phase, and that is the manner in which this gift is asked. I am at the point where I shall cease to vote further an indiscriminate amount of money in unlimited quantities to any single individual to use at his own discretion, I do not care who that man is. [Applause.] The hundred million dollars is but the beginning. If it is right, and we are justified in voting $100,000,000 because it is asked for, then we must by the same force vote the next $100,000,000 that is bound to be asked for. There is no limit to this thing, and as a representative of the people of one district in Ohio I regard myself as the trustee of the burdens they are called upon to bear to conduct this Government, and while I shall give of my own to the very limit of my ability for a charitable purpose, I shall leave my people to do likewise, and will not give of their own earnings without their consent. That is a phase of opposition to this bill that I can not overcome. The bill says it is to feel the people outside of Germany. It was not so stated at first. Only this morning the press quotes Mr. Hoover as saying that by spring Germany would be upon the verge of famine. It is coming from every source that the German Bolsheviki movement is producing nameless distress in Germany, and if our purpose is to prevent this movement, and you ask this bill upon that basis, then are you going to send it to Germany? I do not commit a breach of confidence, but we have been told that this side of the House, with that side of the House, will soon be voting appropriations out of the Treasury to feed the German suffering people. Before we embark upon such a campaign it will be well for us to wait until we hear from our own sons, some of them in German prisons, as to the treatment of Americans at the hands of Germans. If we are to legislate by emotion rather than upon a rational basis, let the Congress study the attitude of our enemy toward our own and our associate peoples.

Before we set out on the basis of preventing the Bolsheviki movement in Germany and retarding it in other lands of Europe let us first look to our own household, take care of our own interests here. Of course, there is suffering, war is inevitable to produce suffering, but let the Red Cross organization set out the facts and then let us appeal to our own people who will meet the issue. Let us proceed upon that basis to raise this fund and I will vote for it. [Applause on the Republican side.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POU. Mr. Speaker, how much time have I remaining?

The SPEAKER pro tempore. Twelve minutes.

Mr. POU. Mr. Speaker, I yield the remaining 12 minutes to the gentleman from Kentucky [Mr. SHERLEY]. [Applause.]

Mr. SHERLEY. Mr. Speaker and gentlemen of the House, the day the armistice was signed most of us in America mentally took off our war clothes and hung them in the closet and immediately proceeded to get out the old peace suit that we had worn years ago and said, "Now, let us go back to old conditions." And while that may be a very natural desire it is a long ways from being a possibility and the one thing that the people of America need to bear in mind, not only in considering this proposal which is now before the House but in many that are to come hereafter, is that while fighting has ceased we have not reached a condition of peace and that the world has not, and perhaps can not, save through many days of bitter travail, go back to the old conditions, and men's minds that refuse a recognition of that fundamental fact are minds that refuse to keep pace with the movement of the world and of the times. [Applause.] And for us to stand here and speak of and deal with the proposal that is now before the House as we might have dealt with such a proposal 4 or 5 or 10 years back or 4 or 5 or 10 years forward is to ignore facts that stare every man in the face. I had hoped that the need of this proposal would so appeal to men that there would be no great division upon it. I recall what the gentleman from Illinois alluded to. How there came a message from President Roosevelt to the Congress of the United States asking $800,000 to be voted for the relief of the people of Italy who were suffering from a great eruption, a great earthquake. It passed the Committee on Appropriations unanimously and it came out on the floor and went through the House and Senate unanimously. Some one suggested, was it given to the President to do as he pleased with. The act is quite brief, it is so short that I think it is worth reading:

That to enable the President of the United States to procure and distribute among the suffering and destitute people of Italy such provisions, clothing, medicine, and other necessary articles, and to take such other steps as he shall deem advisable for the purpose of rescuing and succoring the people who are in peril and threatened with starvation, the sum of $800,000 is hereby appropriated out of any money in the Treasury not otherwise appropriated.

In the execution of this act the President is requested to ask and obtain the approval of the Italian Government, and he is hereby authorized to employ any vessels of the United States Navy and to charter and employ any other suitable steamships or vessels.

No limitation of any kind or requirement for report as to expenditure, no audit but a blanket appropriation that was most gladly voted to Theodore Roosevelt, knowing that he, like every other President of the United States, was honest and could be trusted in great emergencies to deal in the interest of the country that has given him its highest possible office. Now, so much for that. Everyone who has spoken in opposition to this proposal has spoken on the assumption that America was undertaking to do a thing of its own accord without consultation and without cooperation of the allies, with whom it has been working since our entrance into the war. I deny it. I state that there is to-day in existence an interallied commission for the purpose of the distribution of food and of relief to these people, and I will read to the House the names of some of the men who are on that commission.

Mr. CAMPBELL of Kansas. Will the gentleman permit a question?

Mr. SHERLEY. Just briefly.

Mr. CAMPBELL of Kansas. Will the gentleman state when that commission was appointed?

Mr. SHERLEY. Well, I will give the gentleman such information as I have. I know what is in the gentleman's mind. He would have the impression to go out that the President and Mr. Hoover have forced the allies to enter into this scheme and that it is simply one that originated with Mr. Hoover and with the President. I deny it. I say to you that before the cable from the President was sent to the Congress on the 2d of January there had already been an agreement in substantial form by the allied nations as to the creation of such a commission.

Mr. MADDEN. Will the gentleman yield?

Mr. SHERLEY. I would like to proceed——

Mr. MADDEN. For a simple question. Does the gentleman know whether the allied nations, the entente allies, made any such appropriation or joined in such appropriations as is proposed to be made here?

Mr. SHERLEY. I do not know whether they made appropriations, but I know they are furnishing food and transportation and actual relief while we are talking about it. [Applause on the Democratic side.] Now, as the representatives of Great Britain, there are on the commission——

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. SHERLEY. I would like to complete this sentence without interruption. I want to be accommodating, but I have a limited amount of time. As the representatives of Great Britain, Lord Reading, ambassador to the United States, and Sir John Beale, chairman of the Wheat Executive Commission. On the part of France there is Clementel, minister of commerce, and Mr. Vilgrain, undersecretary of state for supply.

In regard to Italy, the information comes that their commissioners are on the way, and in their absence Signor Attolico, of the Interallied Food Council, is authorized to act for them. On the part of America are Mr. Hoover and Mr. Davis, Mr. Davis having been a representative of the Treasury Department who went abroad in order to represent them and who has been designated by the President in connection with this matter.

And so I repeat that this is not simply a proposal of the United States. It is likely true, I hope it is true, that the United States representatives urged that the head of that commission should be a representative of the United States of America. Most of the food must come from America, and, thank God, America is in a position to furnish that food without suffering and want to her own people. [Applause.] To my mind it is not a matter to be complained of, but a matter of congratulation, that America in this great reconstruction work is taking a premier part, a leadership, and that an American representative is to be at the head of the commission.

Now, much is undertaken to be said here about people favoring relief but objecting to method, and the same gentleman who in one moment says he would trust the Red Cross but would not trust the President, in the next breath complains because some one suggests partisanship. I do not suggest partisanship. Since this war started I have made no partisan speech. God knows the issues that confront the world are too big for any of us to let our little biases and prejudices control us. Though I believed the President and Mr. Hoover were thoroughly disreputable—and no man dares charge it or produces one scintilla of proof to justify it—yet they are the representatives of the American Government abroad. The President and those that sit with him are our representatives there, and they are our representatives in accordance with the Constitution that gives to the Executive the initiation of foreign affairs and of matters of treaty.

In the general debate I will read a telegram from Mr. White, the Republican member of the commission there, urging the passage of this bill and stating the need for it to be passed. I say to you that men who deny the need of relief in Europe deny it in the face of overwhelming facts. Why, there is not a man who can read a newspaper with discernment but that knows to-day that one of the very greatest, in fact the greatest, problem of Europe is the problem of food. And there is not a man who knows history but that knows that you can not talk reason to men whose bellies are pinching with hunger; that you can not get order and stability while men and women and children die of starvation.

It is not proposed to give this food to Germany. She has money with which to buy food, and she will have to pay for what food she gets from us or from our allies, and she will only get food then to the extent that we can give it after dealing with the needs of our allies and our friends. Austria-Hungary has gone to pieces. In what composed that dual monarchy are now several groups of people, our friends, who have not food. Roumania has not; Serbia has not. But the gentleman reads from a book about the mass of food that was found in northern Russia.

The SPEAKER. The time of the gentleman has expired.

Mr. SHERLEY. It was there because of the absence of transportation. It was not there as an indication of surplus. [Applause.]

The SPEAKER. The question is on agreeing to the rule.

The question was taken, and the rule was agreed to.

The SPEAKER. Under the rule, the House automatically resolves itself into the Committee of the Whole House on the state of the Union.

Mr. GOOD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Iowa asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Accordingly the House, in accordance with the rule, resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 13708, with Mr. GARD in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 13708) providing for the relief of such populations in Europe, outside of Germany, as may be determined upon by the President as necessary.

Be it enacted, etc., That for the participation by the Government of the United States in the furnishing of foodstuffs and other urgent supplies, and for the transportation, distribution, and administration thereof to such populations in Europe, outside of Germany, as may be determined upon by the President from time to time as necessary, and for each and every purpose connected therewith, in the discretion of the President, there is appropriated, out of any money in the Treasury not otherwise appropriated, $100,000,000, which may be used as a revolving fund until June 30, 1919, and which shall be audited where practicable in the same manner as other expenditures of the Government are audited: *Provided*, That expenditures hereunder shall be reimbursed so far as possible by the Governments or subdivisions thereof or the peoples to whom relief is furnished: *Provided further*, That a report of the receipts and expenditures under this appropriation shall be submitted to Congress not later than the first day of the next regular session.

The CHAIRMAN. Under the rule, three hours and one-quarter are prescribed for general debate.

Mr. SHERLEY. When I have used 10 minutes, I wish to be notified.

Mr. MOORE of Pennsylvania. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE of Pennsylvania. When will amendments to the bill be in order under the rule?

The CHAIRMAN. After the expiration of the general debate, I am informed.

Mr. MOORE of Pennsylvania. What course will one pursue who desires to offer an amendment? To give notice during his speech or wait until the expiration of the general debate?

The CHAIRMAN. Under the five-minute rule after general debate.

Mr. MADDEN. Mr. Chairman, I did not quite understand what the gentleman said about the time for offering amendments to this bill. It is all one section, I assume. Is it to be assumed that the bill will not be read again, but that the amendments can be offered at any time when the bill is under consideration under the five-minute rule?

The CHAIRMAN. The Chair understands that the bill will be read under the five-minute rule, and at that time amendments may be offered.

Mr. MADDEN. It will be read as one section?

Mr. MOORE of Pennsylvania. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE of Pennsylvania. In view of that ruling by the Chair, I inquire whether it will be permissible to debate the amendment when offered under the five-minute rule?

The CHAIRMAN. In the time prescribed by the rule, on presentation to the committee.

Mr. TOWNER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TOWNER. As I understood the Chair to state, he recognized the gentleman from Kentucky [Mr. SHERLEY] for three hours.

The CHAIRMAN. No; the Chair stated he recognized the gentleman from Kentucky for the time prescribed under the

rule, which was one-half of three and one-quarter hours. The gentleman desired to consume 10 minutes only at this time.

Mr. TOWNER. And this side will be recognized for one-half the time?

The CHAIRMAN. Yes.

Mr. SHERLEY. The Chair will, of course, credit me with this time, which I have not used?

The CHAIRMAN. The gentleman is recognized from now.

Mr. SHERLEY. Mr. Chairman and gentlemen, the bill is very short. It provides for an appropriation of $100,000,000 for participation by the Government of the United States in the furnishing of foodstuffs and other urgent supplies, and for the transportation, distribution, and administration thereof, to such populations in Europe outside of Germany as may be determined upon by the President from time to time as necessary, and for each and every purpose connected therewith in the discretion of the President.

There is then provided that expenditures hereunder shall be reimbursed as far as possible by the Governments or subdivisions thereof or by the peoples to whom relief is furnished. It provides that, so far as practicable, there shall be an audit of expenditures, and it provides that there shall be a report made at the next regular session of Congress of all receipts and expenditures under the fund.

It has been estimated that it will require something like a billion and a half dollars' worth of foodstuffs to supply Europe's needs this coming year. It is believed that something over $300,000,000 will probably have to be expended by the allies in the way of either gift or loan of foodstuffs to the suffering peoples. The condition in Europe is bad beyond description. I have here any number of cables from abroad touching the conditions in various countries. In Vienna the food shortage is very great; in Roumania, in Serbia, among the Czecho-Slovaks, in a large part of Russia. There will be this coming year several millions of people who will die in Russia from starvation in spite of anything that anybody can do for them, and no man can exaggerate the actual condition of want that exists.

Bolshevism is constantly spreading westward. It has overrun Russia. It is practically overrunning Poland. It threatens to engulf all of Germany. The remedy for it is one of two things—bullets or bread. You can stop Bolshevism by killing all of the Bolsheviki, but you can also prevent the spread of it by helping starving people to live.

I believe the people of America prefer that method to one of continued warfare. I do not believe that it is possible to have stable governments with which the peace conference can deal without some preliminary relief in the way of food to many of the peoples involved.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Kentucky yield to the gentleman from Illinois?

Mr. SHERLEY. Yes.

Mr. McKENZIE. I do not want to disturb you in your line of thought, but you spoke of Russia and the enormous number of people who will die of starvation there in the coming year. Now, I assume, but perhaps the gentleman knows, however, that the great mass of those people are in the interior of Russia, and the cities and the more congested portions are under the control of these revolutionists, the Bolsheviki, who control the transportation. What I want to ask is a practical question: How do you expect, within two or three months which you give as the time in which this starvation would take place, to get this food to those starving people?

Mr. SHERLEY. To those starving people I do not expect it. That is the reason why I stated that a million or more would die of starvation, irrespective of anything that could be done. But if the people for whom this fund can be used can be reached, such starvation will not come to them. They can be reached, and they are being reached already. Our allies are doing what they can. England is feeding Serbia. Italy is helping. Food is being given to Roumania. We are also selling food to neutrals, and there can be, and will be, real relief over a great area.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. COOPER of Wisconsin. The gentleman from Illinois [Mr. McKENZIE] has just said that the starving people in Russia are principally those in the interior. The President's letter says, "Extended investigation and consideration of the food situation in certain parts of Europe disclose that especially the urban populations in certain areas" are faced with absolute starvation, indicating that it applies to cities as well.

Mr. SHERLEY. There is no question but that in great parts of Russia there is great suffering that can not be relieved.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. LONGWORTH. What, if any, funds are now in the Treasury which would be available for the purpose sought for in this bill?

Mr. SHERLEY. As far as I know of, there are no funds in the Treasury, except such balances as may exist in connection with the President's fund, which can be used in his discretion.

Mr. LONGWORTH. Can the gentleman state what is left of that $100,000,000?

Mr. SHERLEY. I could not state. I have no doubt that some of the moneys have probably been given by the President out of his fund in connection with food relief now, because this food situation is pressing hour by hour and day by day.

Mr. HICKS. Mr. Chairman, will the gentleman yield for a question?

Mr. SHERLEY. Certainly.

Mr. HICKS. Can the gentleman give us some information as to what some of the other powers are doing in the way of financial assistance along the same lines?

Mr. SHERLEY. I am not able to give the gentleman any information regarding any detailed proposition in dollars and cents that France and Great Britain and Italy will contribute, but I am advised by the State Department that all of them have agreed to carry their share of the burden and do all they can in this great relief; that England is now actually furnishing large quantities of foodstuffs to Serbia, that she is also furnishing other foodstuffs elsewhere and transportation, and that Italy and France are helping; and there is nothing to warrant any one in the belief that our allies are not in good faith proposing to cooperate to the extent of their abilities.

In that same connection it must be borne in mind that, speaking by and large, the food, as distinguished from money—the actual food—must come out of America, because only in America are any large surplus stocks.

Mr. LONGWORTH. Does the gentleman believe that any of the funds that will be realized from the proposed issue of bonds could be used for these purposes without further legislative authority?

Mr. SHERLEY. I know of no authority that exists for the use of those moneys for this purpose directly. Presumably the Secretary of the Treasury, if he saw fit, under existing law could make advances to our allies, and the allies in turn might agree to use that money for relief work.

Mr. LONGWORTH. Then, under the gentleman's theory, he might use some of it?

Mr. SHERLEY. No. We might not use it; we could loan to our allies and might, if we wanted to, make a gentlemen's agreement as to how they would use the moneys loaned to them. But there is no law that I know of that authorizes expenditures out of the Treasury in the way of gifts or foodstuffs to the starving people of Europe.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. STAFFORD. Can I call the gentleman's attention to the limited phraseology that authorizes the Secretary of the Treasury to advance funds to foreign governments? The gentleman need not answer unless he sees fit.

Mr. SHERLEY. The act speaks for itself. I speak only from memory. The gentleman from Ohio is familiar, of course, with that language, because he helped to report the bill and pass it, carrying the money.

Mr. STAFFORD. If the gentleman will permit, the phraseology shows that the Secretary of the Treasury is only limited to advance these credits to such foreign governments as were then engaged in war in cooperation with the United States.

Mr. SHERLEY. Now, if the gentleman will permit——

The CHAIRMAN. The Chair admonishes the gentleman from Kentucky that he has already used 10 minutes of his time.

Mr. SHERLEY. I will use five minutes more. If the committee will permit, I will read from a cablegram of date of January 6:

> The British are already furnishing from army stocks food and clothing. Relief to Serbia and Syria, the Italians of South Austria. The British and French are advancing money for transport Belgian relief. Allies are willing and anxious to do all they can and have and will contribute to the full extent of their resources; but must be borne in mind that most of the food must be purchased in the United States, and American money would be used for such purpose and transportation.

Now, that cablegram has been followed by a number of others, all to the same effect. I repeat that I have no information as to the exact pro rata basis upon which the other Governments have agreed—if they have agreed—with America, as to this relief; but, knowing the amount of money that is being asked, knowing the extent of the relief that is needed, I do not believe that $100,000,000 at this time represents an undue contribution on the part of America in the solution of these tremendously pressing matters. And I do not share at all with the gentleman from Ohio [Mr. FESS] his fear that because we vote $100,000,000 we will be compelled to vote other sums ad infinitum. I believe that he and I believe that I and those who come after us will have intelligence enough to deal with situations as they arise, and I know of no case that can be stated—the gentleman is a logician—that can not be destroyed by carrying it to the absurd degree of the fears of those who are opposed to it. Anybody can by speculating that this means something else—and it is pure speculation—draw the conclusion logically, if he chooses so to call it, that therefore the thing should not be undertaken.

Mr. FESS. Will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. FESS. The gentleman states "knowing the extent of the relief required." Where have we any definite knowledge as to the extent of the relief required? Is it not true that this is a mere guess?

Mr. SHERLEY. Of course, the gentleman may quibble about the word "definiteness." I do not know how to get in time definiteness of information as to the money it is going to cost to feed starving people while they are starving. I do know, however, that men whose business it has been to make a survey tell us what in their judgment will probably be necessary; and having in mind the exigencies, physical, political, and social, that exist, I consider that that is as definite as practical men ought to want, and that a man who insists upon the definiteness that comes from a census enumeration is either fooling himself or undertaking to fool others as to the character of his opposition to the matter.

Mr. FESS. It is easier to vote a mere guess, and that is what this is.

Mr. SHERLEY. Oh, the gentleman quoted his own fear. I prefer Mr. Hoover's estimate to the gentleman's fear.

Mr. FESS. How long has Mr. Hoover been over there?

Mr. SHERLEY. He has been over there for a month or more. He has had representatives there for many months, and we have been getting information since the beginning of the war as to food conditions.

Mr. FESS. And the request has been made since Mr. McCormick reached there.

Mr. SHERLEY. The request may have been made, but that again is evidence of wonderful logic. A man goes at a certain time. A request comes at a certain time. Therefore it comes because the man went there! I submit it again to the gentleman as an evidence of that conclusive character of logic which is being given us here to-day. [Applause.]

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. SHERLEY. I yield to the gentleman from Tennessee.

Mr. GARRETT of Tennessee. The objection of the gentleman from Ohio finally was to the President expending the fund.

Mr. FESS. That is only one objection.

Mr. GARRETT of Tennessee. In the first five minutes of his remarks he stated that he would not vote to tax his people for this purpose. Then finally he said if the Red Cross would administer it he would vote for it.

Mr. FESS. I would. That is only one objection.

Mr. SHERLEY. But, if the gentleman please, I am not willing to discuss this question on the ground of personal opinions of individuals touching this man and that man. In all the abuse that has been heaped upon Mr. Hoover I have yet to hear any concrete evidence of wrongdoing on his part. I have yet to hear any fact that justifies distrust of him. He has performed for the world a great service in my judgment. [Applause.] But I say to you that we are faced with a situation where we have either to repudiate the representatives of the country because of our belief about men or go forward with this matter.

The CHAIRMAN. The gentleman has used five additional minutes.

Mr. HAMILTON of Michigan. Will the gentleman yield for a question for information?

Mr. SHERLEY. I yield to the gentleman from Michigan.

Mr. HAMILTON of Michigan. In the testimony taken before the gentleman's committee it is stated that Great Britain and France have already joined in an arrangement for the distribution of relief for these people, and that Italy is soon to join. I wanted to ask the gentleman if he had received information since as to just what organization is to distribute this relief—if it is interallied relief?

Mr. SHERLEY. I stated to the House that there would be two representatives each from England, France, Italy, and the United States.

Mr. HAMILTON of Michigan. They are to cooperate?

Mr. SHERLEY. And that the question of distribution, quantities, methods of transportation, and persons to whom distributed would be determined by this interallied commission.

Mr. HAMILTON of Michigan. I thank the gentleman.

Mr. SHERLEY. And I desire to state that as having been given to me authoritatively in a cablegram from overseas.

Mr. SHALLENBERGER. Will the gentleman yield?

Mr. SHERLEY. I yield to the gentleman from Nebraska.

Mr. SHALLENBERGER. The gentleman has stated the fact that England is active in this matter. The public press carries notice that the British Government has canceled its contracts made with this country largely for the purchase of food supplies, upon the representation that they did not need any more. Now, the thing is going to occur that we are going to have a great surplus of wheat in this country if our crop goes on. Will not this money be available for the purchase of wheat in this country?

Mr. SHERLEY. I take it that practically every dollar of it which shall be expended in the way of food will be expended for food bought in America.

Something was said about the condition of food. There is a very large surplus of wheat in this country over our needs. This country is under guaranty to maintain the price of wheat that shall be offered for sale until June 30, and in addition to that this country has undertaken by agreement—not by law, but agreements that have been enforced in good faith—to maintain a minimum price for live stock that should be offered for sale. That has been maintained. There is a very large surplus of cattle, and particularly of hogs, over the needs of this country. That surplus can be used, and will need to be used, in Europe, but if we undertake not to export it you will immediately disturb and break to pieces the markets of the country.

I have no desire to maintain high prices. I know what some men will say, particularly those men who want to appeal to the unthinking, about the poor of our cities, that they ought to have relief, but I repeat again that we can not think simply in terms of our own geography in this day and generation. It would be a lasting disgrace to America if, having entered the war, our efforts should cease the moment the fighting had ceased, if we ceased to have any vision, and confined our views simply to the selfish desires of ourselves. [Applause.] If there be men so little of soul who want to think only in terms of selfishness, I say to those that, considering the standpoint of the Treasury, the expenditure is money well invested. I do not want to see the armies of occupation turned again into active warring armies in Europe. I believe, as I believe in my existence, that unless the allies solve some of the pressing problems of food that exist abroad, you will see a resumption of the fighting. I want the boys to come home. I want the boys here again. I am not afraid to risk $100,000,000 for feeding these people when I voted the huge sums for the prosecution of the war that I and my colleagues have voted in the past.

Now, I must not take longer time, in justice to those who are to follow. I want to read from a cablegram that was sent by Henry White to Senator LODGE, and I read it with the permission of Senator LODGE:

> January 8, 7 p. m. For Senator LODGE from Mr. Henry White:
>
> "Feel I should no longer delay laying before you condition which has been gradually forcing itself upon our delegation and which now dominates entire European situation above all else, namely, steady westward advance of Bolshevism. It now completely controls Russia and Poland, and is spreading through Germany. Only effective barrier now apparently possible against it is food relief, as Bolshevism thrives only on starvation and disorder. I consider it therefore of utmost importance that President's request for one hundred million appropriation for relief be granted at once. Impossible to inaugurate peace conference under proper auspices without previous adequate provision to cope with situation. Aside from stoppage of Bolshevism, I understand there is in United States considerable surplus of food accumulated at high prices, maintenance whereof guaranteed our Government or assurance under its auspices, and that it is necessary to dispose of this surplus in order to relieve warehouse and financial facilities, as well as prevent serious fall in prices, with radical break in market, which would cost our country more than the appropriation asked for. The appropriation is not for the purpose of advancing money to Germany, which will pay on a cash basis for any food sent there. Allies are already furnishing relief to liberated territories and are disposed to assist otherwise to extent of their available resources, but most of the food must come from the United States. I can not too strongly impress upon you urgency of meeting situation herein described."

I submit that for the consideration of those gentlemen who do not think any good can come out of Nazareth, and who are unwilling to accept any representation that the President of

the United States or Mr. Hoover might make touching the matter. For the great mass of the people of America who believe that the President is earnestly and capably representing the people of the United States in this great work abroad, I desire to read this cablegram which I received from him on January 11.

I can not too earnestly or solemnly urge upon the Congress the appropriation for which Mr. Hoover has asked for the administration of food relief. Food relief is now the key to the whole European situation and to the solution of peace. Bolshevism is steadily advancing westward, is poisoning Germany. It can not be stopped by force, but it can be stopped by food; and all the leaders with whom I am in conference agree that concerted action in this matter is of immediate and vital importance. The money will not be spent for food for Germany itself, because Germany can buy its food; but it will be spent for financing the movement of food to our real friends in Poland and to the people of the liberated parts of the Austro-Hungarian Empire and to our associates in the Balkans. I beg that you will present this matter with all possible urgency and force to the Congress. I do not see how we can lend definite powers with whom to conclude peace unless this means of stemming the tide of anarchism be employed.

WOODROW WILSON.

Mr. EMERSON. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. EMERSON. I would like to ask the chairman what would be the effect of this phraseology of the bill on page 4:

Provided, That expenditures hereunder shall be reimbursed so far as possible by the Governments or subdivisions thereof or the peoples to whom relief is furnished.

Mr. SHERLEY. The legal effect is simply this: The money is given to the President to be used in his discretion. Of course that discretion could override that indication of the will of Congress, but it also has the great value of indicating that Congress expects the money expended for food and used for this relief to be recompensed where funds or securities are available. It is an indication of the intent.

Mr. EMERSON. And not binding?

Mr. SHERLEY. It is not fully binding in a legal sense; the gentleman realizes that we can not give the President discretion in moneys to be expended and then bind that discretion. The gentleman will also realize that you could not compel the food to be given only for value, because that would destroy some of the main purposes of the bill and of the need of the situation abroad. We must leave it in the discretion of the President.

Now, I beg gentlemen that in the consideration of this matter they will consider that this country has been exceedingly fortunate in that it has never yet had a President that it had to hesitate to trust touching financial expenditure.

Mr. CANNON. Will the gentleman yield for a single suggestion?

Mr. SHERLEY. Yes.

Mr. CANNON. I want to suggest to the gentleman that wherever it can be audited the bill provides that it shall be audited—a Treasury audit—and where it can not be it shall be reported to Congress at the beginning of the next regular session, and the House of Representatives can get at it if they think it was improperly expended.

Mr. SHERLEY. Now, I want to say one other word in connection with what was suggested by the gentleman from Iowa [Mr. GOOD]. He read you here amid great glee on the part of one or two gentlemen the articles of incorporation of a company that had been incorporated to do business in Russia. The articles of incorporation providing that company might engage in every kind of business, I take it—and the gentleman from Connecticut will correct me if it is not so—is one of those blanket charters that the State of Connecticut permits to be granted to corporations to do business outside of Connecticut.

This is the important fact, and it shows the difference between insinuation and fact. The gentleman told you about this incorporation. He then stated that he presumed that this corporation would be used as a medium for the disposition of the funds, although there is not a scintilla of evidence to warrant that belief, and I deny that it will be so used; but I call attention to this fact: There was not a word of proof offered to show that any wrongdoing had grown out of the creation of that corporation. Let us carry back our minds a little while. I like sometimes to do so, though not to have it stay back. Let us go back to the time when there was a great deal of agitation in America over helping Russia with supplies, and that boots and shoes, as the common expression went, were of more value than soldiers and bayonets. It may have been very proper to have created a corporation as a medium whereby the Government and those merchants of America who wanted to send supplies through to Russia might be able to do it. Remember we were controlling, and we are still in large measure controlling, exports from this country. We were controlling its shipping and tonnage. The trouble is that gentlemen refuse to think about the unusual conditions that have surrounded the Government and that have made unusual remedies necessary; but what I ask is that before men vote against this relief proposal because of the creation of a corporation by the War Trade Board some proof be submitted that there has been something wrong, something corrupt, something unwise, something loose done by virtue of that corporation, and that it is to be the medium for doing similar things in connection with this fund.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. GOOD. The articles of incorporation which I read were not in blanket form but were an unusual form. The corporation was incorporated as late as December 2, 1918, and every dollar of the money, the $5,000,000, was given to that corporation by the President, that the War Trade Board holds the stock as directors, and the things provided for are unlawful under the laws of the United States.

Mr. SHERLEY. All right; I am willing to accept all of the gentleman's statements of facts, but I decline to follow his conclusion as a lawyer as to what constitutes unlawfulness. I should want to look further at the record. But take the case as stated. I personally would rather that all the stock be owned by the Government than that part of it be owned by the Government, and I think most men here would. I again submit to the House that the gentleman from Iowa [Mr. GOOD] has not produced a scintilla of evidence to show that any wrongdoing has come out of the creation of that corporation. I do not want to take further time of the House now, but again I ask those gentlemen who are so persistent for detailed information to see to it that they do not follow fears, which they take for information.

Of the frightful conditions in Europe there can be no doubt. I will, under extension of remarks, place in the RECORD extracts from cables received from abroad showing some of these conditions. Of our ability to supply foodstuffs there is no question. We have a billion and a half dollars' worth of surplus food that we can and should export to Europe. Most of it will be exported and sold for cash. We are asked by this bill only to authorize the use of a hundred millions in conjunction with aid given by our allies to buy food for relief of those unable through regular channels and methods to obtain food. The need for such action is believed in not only by our representatives at the peace conference but by the allied Governments' representatives. The success, nay, the initiation, of the work of the peace conference is in great measure dependent on such relief work. Shall America give the lie to her statements of purpose, to that idealism that has been her guiding star in all the dark days of the war by refusing this aid? Shall she be not only so selfish but so lacking in creative statesmanship as to hold back because, forsooth, we can not say that each dollar we spend will be matched by one from each of our chief allies? This has not been her way of aiding humanity in the past. It will not be her way now.

[Copies of cablegrams received from time to time from American representatives relative to the food situation in Europe.]

JANUARY 6, 1919.

Very urgent. Rickard, Food Administration. Food 173. Your 118.

The British are already furnishing from army stocks food and clothing relief to Serbia and Syria, the Italians to South Austria. The British and French are advancing the money for transport Belgian relief. Allies are willing and anxious to do all they can, and have and will contribute to the full extent of their resources, but must be borne in mind that most of the food must be purchased in the United States, and American money would be used for such purchase and transportation. Your 107 as to using this revolving fund. It would, in effect, be such a fund, but it must be borne in mind that it would ultimately be absorbed in giving credits possibly over long periods to such peoples and institutions as our Treasury could not properly advance under the law, and some of it would be lost in sheer charity. This is not to replace Treasury advances to England, Belgium, France, Italy, Serbia, and Roumanian Government for the purchase of American food. The proposed appropriation would be entirely insufficient for these purposes. Might, however, later on be used to partially replace loans to Serbia and Roumania, but their urgent needs must in any event be cared for by the Treasury pending this appropriation. The matter is most urgent and forms the foundation for any complete arrangement with the allies fixing their participation. It would also furnish a large measure of relief to urgent surpluses, if prompt enough. There needs be great emphasis to all American officials and Congress that the armistice has left us large surplus of food that, if we are to dispose of it, we must give credits, and that, as the Nation trying to put peace on high-level ideals on which we went into war, we can not be niggardly in the world's greatest problem to-day—that is, How to get food. I need not repeat that strong liberal relief is to-day the only hope of stemming the tide of Bolshevism without the expenditure of lives and vast sums on military action. While it is urgently necessary to dispose of our surplus foods in order to relieve congestion and protect the producers from disaster and the consequent chaotic results, it is most fortunate for the saving of human lives that we have this surplus, and our country can not afford to fail to meet both emergencies.

HOOVER.

[Cablegram received Jan. 7, 1919, from Mr. Hoover.]

On area covered by new appropriation general situation of these countries is that their animals are largely reduced; their crops were far below normal, due to man and animal shortage, ravage, and cli-

matic conditions. The surplus harvest above absolute needs is now rapidly approaching exhaustion, and consequently the towns and cities are in dangerous situation. Our reports show specifically Finland that food is practically exhausted in cities; that while many of the peasants have some bread other sections are mixing large amount of straw; they are exhausted of fats, meats, sugar, and need help to prevent a renewed rise of bolshevism.

Baltic States: Food may last one or two months on much reduced scale; they sent deputation to our minister at Stockholm imploring food.

Serbia: Town bread ration down 3 ounces daily in north; not accessible from Salonica. In south, where accessible, British are furnishing food to civil population; we are trying to get food in from Adriatic.

Jugo Slavia: Bread ration in many towns 3 or 4 ounces in all classes; short of fats, milk, and meat.

Vienna: Except for supplies furnished by Italians and Swiss, their present bread ration of 6 ounces per diem would disappear; large illness from shortage of fats, ration being 1½ ounces per week; no coffee, sugar, eggs, practically no meat.

Tyrol is being fed by Swiss charity.

Poland: Peasant probably have enough to get through; mortality in cities, particularly among children, appalling for lack of fats and milk, meat, bread; situation in bread will be worse in two months.

Roumania: Bread supply entire people estimated to last another 30 days; short of fats and milk; last harvest 60 per cent a failure.

Bulgaria: Harvest also a failure; supplies available, probably two or three months.

Armenia already starving.

Czecho-Slovaks: Large suffering; lack of fats and milk; have bread for two or three months; have sugar for six months. We have each country under investigation as to total amounts required to barely maintain life and their resources to pay. Preliminary investigation by Taylor and staff in connection with allied staffs show total above areas will require about 1,400,000 tons imported food to get through until next harvest, costing, say, $350,000,000 delivered.

JANUARY 9, 1919.

Further telegraphic message from Dr. Alonzo Taylor, who represents us in interallied food commission at Vienna. Taylor is assisted by Lieut. Col. Cannaday and Capt. Gregory of our Army. The situation in Vienna is extremely bad. Flour ration is 5 ounces per day; fat ration is 2 ounces per week; meat ration is 3 ounces per week. People living mostly on cabbages and turnips. The stocks are very low; practically matter of days. Prices are past all description. Unrationed butter, which can sometimes be obtained from illicit trade, is about $6 per pound. The allied commission has decided that 30,000 tons of foodstuffs must be immediately provided. Of this the Italians offer to provide 15,000 tons for immediate shipment. Condition is urgent. Are we authorized to state that we will supply? There is no practicable finance in sight at the moment except to take undertakings of some of the banks.

AMERICAN MISSION.

STOCKHOLM, *January 9, 1919.*

SECRETARY OF STATE,
Washington:

In connection with the proposed appropriation of $100,000,000 by Congress to assist in food relief in Europe I feel you would like to have the food situation in Finland and the Baltic Provinces. With this in view have asked Norman Anderson, of Commerce Department, who is with legation in Stockholm, to compile facts and figures for me, which I quote below. This will show you urgent need of some of these countries for immediate relief. "Early Finnish grain, importation and production, less seed grain, was in terms flour and thousand metric tons beginning summer 1913, first year imports 414, production 431; second, 257 and 421; third, 346 and 468; fourth, 237 and 419; fifth, summer 1917 to December 1918, 13 and 391. Total crop this autumn estimated 660 metric tons, of which half oats and only 1 per cent wheat. To supply three and one quarter million population Finland with 500 grams flour daily per person Finland requires about 255,000 metric tons flour per year. Finnish Food Commission, Stockholm estimates present stock flour Finland 246,000 metric tons consisting 74 per cent rye, 20 per cent barley, 7 per cent oats, and 2 per cent wheat. Shortage therefore flour of about 110,000 metric tons, equivalent to 120,000 metric tons grain which must be imported for this year's requirements; estimated needs for seed, and animals 461,000 metric tons, of which present stock Finland is about 200,000, and 160,000 metric tons must be imported. Total grain imports necessary this year's requirements for flour, seed, and animals about 280,000 metric tons. From 11,000 tons recently authorized from Scandinavia, about 2,000 tons already shipped to Finland. Grain stocks on hand in Finland do not tell true story of situation. Southeastern part of Finland agricultural and producers hold grain on hand for own consumption, estimated that about 2,000,000 of population produces and consumes most of food on hand. Helsingfors and western and northern regions, rocky soil and lakes, unproductive and always dependent on Russia for grain import long since cut off. Great deprivation in these districts. Bread consisting of oats, moss, and cellulose; very bad bread; ration, 80 grams daily, 40 grams extra for workers to million card holders.

"Urgent need in Finland for pork, sugar, fats, and dried fruits imports. Normal Finland produces about half pork requirements. No stock left, and this year's requirements pork estimated 25,000 metric tons, of which 5,000 to 10,000 needed immediately. No sugar on hand, and estimated year's requirements 15,000 metric tons. This year's requirements cocoa, fat and butter substitutes estimated 15,000 metric tons, and dried fruits 12,000 metric tons. Negotiations now under way to supply Finland with herring from Norway. Varying food conditions Baltic States comprising Esthonia, Courland, and Livland. Large stocks on hand Esthonia, which normally reports food plenty reported Revel at low prices; Esthonia stocks threatened, however, Bolshevik invasions; conditions may change any day. Livland and Courland normally self-supporting, but since war Russian German armies took available stocks. Germans been requisitioning 200,000 poods, or 3,200 metric tons grain from Courland and Livland per month. Recently Bolsheviks taken and destroyed remaining stocks and reported conditions acute, especially in cities Riga, etc.; estimated food requirements, Baltic States being prepared by Baltic States commission, Stockholm, will be cabled next day or two."

MORRIS.

PARIS, *January 10, 1919.*

SECRETARY OF STATE,
Washington:

For Polk. Your 138, January 7, 8 p. m. Message to-day from Col. Atwood, United States Army, representative Hoover in Serbia and neighboring territory, states:

"Previous reports American naval officers on bad food conditions in Croatia, Bosnia, and Herzegovina are very conservative. British Army gotten through a relief train to Belgrade from Fiume. We need two or three cargoes of mixed provisions at once. Admiral Bullard has secured for us necessary storage and stevedoring conditions. Both Navy and Army giving every possible assistance."

Please give copy to Food Administration.

LANSING,
American Mission, Paris.

PARIS, *January 10, 1919.*

SECRETARY OF STATE,
Washington:

For Polk. With reference to your 138, January 7, 8 p. m. Commission comprising representatives four governments, among whom Dr. Alonzo Taylor, representing United States, received following telegram from Vienna:

"Allied representatives now authorized ship Austria 30,000 tons without regard to immediate financial arrangements. Italy offers 15,000 tons. Conditions very urgent."

AMERICAN MISSION.

PARIS, *January 10, 1919.*

SECRETARY OF STATE,
Washington:

For Polk. Your 138, January 7, 8 p. m. Hoover has received following from American mission of investigation to Czecho-Slovakia, comprising Dr. Alonzo Taylor, Gibson, Capt. Gregory, and Dr. Kellogg. Begins:

"We recommend immediate supply to Czecho-Slovakia of another 6,000 tons of fat and 1,000 rice and 500 tons soap and 500 tons coffee and 20,000 tons of flour."

Seven thousand tons fat have been already arranged.

LANSING.

JANUARY 10, 1919.

Mr. Merrill, now making investigations in Serbia for the Government, telegraphs from Belgrade: "Essential food in most districts for present, but fear serious shortage in many places next month; prices high; bread 25 to 40 cents per pound and poor in cities suffering. Food minister says situation in Dalmatia most serious. America alone can handle situation."

AMERICAN MISSION.

PARIS, *January 10, 1919.*

SECRETARY OF STATE,
Washington:

For Polk. Have following telegram, January 3, from Polish Government, Warsaw:

"In view of the famine in Lithuania, Silesia, and Lwow, in order to satisfy the minimum needs of the indigent population of all Poland with Lithuania, Silesia, 60,000 tons of flour are needed immediately. There is a need of 45,000 tons of flour per month in January and February and 30,000 tons of flour per month in March, April, May, June, and July, a total need of 300,000 tons of flour. The below-given indicated quantities must be comprised in the monthly needs. The duration of these monthly needs comprises eight months; that is, beginning with January until month of August, inclusively. Six thousand seven hundred fifty tons of peas, kidney beans, and oatmeal; 5,625 tons of sugar; 1,875 tons of rice; 8,400 tons of preserved meat, above all, lard; 2,250 tons of fish and herring; 600 tons of condensed milk; 15 tons of cheese; 180 tons of butter; 600 tons of vegetable and animal fats; 375 tons of tea; 90 tons of cocoa; 30 tons of pepper; 15 tons of saltpeter. In view of complete exhaustion of all storage, there is a need of clothing, shoes, and underwear for 10,000 inhabitants, counting per person a pair of shoes, 3 meters of material for clothing, and 6 meters of linen. There is a need of medicines and bandages. We will communicate to you on occasion the great necessary quantity of same. For the transport of the above-mentioned cargoes of the ports of Gdansk, Krolewiec, and Libawa, 3,300 covered wagons and 110 locomotives are necessary.

"It is indispensable to give up as soon as possible to the Polish Government the railroads, with rolling stock: Gdansk, Miawa, Gdansk, Torun, Libawa, Bialystok.

"Communication with the white Russian regions of Lithuania and Podlaide is impossible in view of the fact they are still invaded by the Germans, who clear the country of the last reserves and the Bolsheviks massacre the population."

LANSING,
American Mission, Paris.

The CHAIRMAN. The gentleman from Kentucky has used 31 minutes, and the Chair recognizes the gentleman from Massachusetts [Mr. GILLETT] for 97½ minutes.

Mr. GILLETT. Mr. Chairman, this is the first time that any difference in the Committee on Appropriations has been brought to the floor of the House, certainly during this Congress, and for one I genuinely regret it. Of course there have been differences in the past, but we have buried them in the committee and united when we came onto the floor of the House. This time the division in the committee was very close, and I felt it my duty to oppose this proposition. My opposition is based fundamentally on two reasons: First, we have not the information sufficient to warrant this House in entering upon such a vast plan of future operations, such as this; second, before the United States begins to act as the almoner of all Europe some arrangement should be made with our allies so that we should with harmony and with fairness amongst us all support these impoverished nations. Those are substantially the two reasons because of which I felt obliged to oppose this appropria-

tion. Up until now, as far as I remember, every request of the President has been granted. While the war lasted both sides of the House felt that the wishes of the administration should be their wishes, and when a request was made to us we granted it without much consideration. We sometimes felt, I think, that quite possibly some of these requests were cloaks to cover propositions not directly connected with the war, but we did not propose to take the risk of putting our suspicions into a negative vote, and we granted what was asked. Of course the most notable illustration that will come to every man's mind of that was the bill relating to the telegraphs, under which the cables were taken over after the armistice had been declared. I have no regret that I acted favorably upon all of the requests that were made. But now the war is over, now the emergency which compelled us not to make scrutiny and investigation has passed, and, although I am not from Missouri, from now on, when requests are made, I must be shown that they are reasonable, and I think that that is the proper attitude for the House to take. It is always true in case of war that vast powers are given to an Executive. History shows that one of the dangers to a Republic is that in time of war unreasonable powers are given to the Executive, which, in time of peace, are still desired and retained. Therefore when peace comes the good of the Republic requires that scrutiny should again be exercised, and that this House should legislate not simply because it is requested to legislate but upon its own motion.

Therefore I think it becomes us in the future to resume the functions which we abdicated practically for the time of the war, and I think the country expects that now this House will pass upon appropriation bills and other bills upon their merits, and that we shall have shown to us the facts upon which legislation shall be based. I was very much surprised that my friend the chairman of the Committee on Appropriations should say a few moments ago that he did not think we ought to ask for further information. That differs greatly from his ordinary attitude toward appropriation bills. Why, what have we to support this? We have simply a cablegram from the President requesting us to pass this legislation and an echoing cablegram from one of his fellow members of the peace delegation. Those are all of the facts that we have. Why should we not have more? Why should we not be told what they presumably have before them? You say there is not time. We have had a delegation in Europe investigating this for several months. This whole subject has been investigated in cooperation with the other powers of Europe, and yet Congress is absolutely in the dark. We do not know how much famine is oppressing the nations of Europe. We do not know where they need the food. We do not know whether this $100,000,000 will tide us all through or whether it is just the first one hundred million and we have to follow it on with hundreds of millions after this. And before we embark upon what may be a policy which will cost this Government a billion of dollars, I think we ought to wait until the facts from Mr. Hoover or his agent or whoever has been made the investigators shall have come over here. They should have come over in time to inform us when this proposition was first before us. There is going to be delay because of the President's absence, because he did not appoint anybody to perform his duties while he is gone, and for that reason it is going to take an extra week before this bill can become a law, and when one coordinate branch of our Government is out of the country engaged in world affairs it is peculiarly imperative that one of the other branches of the Government should look out for the interests of America. And I think now that the war is over we are expected to give some attention to economy.

Mr. MANN rose.

Mr. GILLETT. Does the gentleman wish to interrupt me?

Mr. MANN. The gentleman referred to the question of time. We passed a bill in reference to the transportation of clerks home. It was presented to the White House on December 19 last. The authorities received a cablegram on January 10 that the President had signed the bill. The gentleman referred to a week. There was a matter about which there was no controversy, and the time elapsed was from December 19 to January 10.

Mr. GILLETT. Of course, that increases the strength of my argument, but it also emphasizes the feeling which a good many people have, that before the President went over he ought to have appointed somebody to perform his functions, and while he is away it does not mean we are to accept every cabled request without investigating it fundamentally. Now, the Members want to appreciate that this bill is the exercise of an entirely new function by Congress.

It is the function of feeding a starving world. The constitutional power, I suppose, would be greatly doubted, especially by that side of the House. We have once or twice, in the case of Martinique and in the case of Italy, granted appropriations which were mere benefactions; but as a rule we have recognized in this country that when charity was to be performed it was to be done not by the Government but by the people of the United States, and such an organization as the Red Cross, such an organization as has recently been formed to assist the Armenians, those have been the agencies by which charity is to be performed. Now, when we are entering on a phase of charity greater than this world has ever dreamed of before, when we are going to say we will feed the hungry of the whole southwest of Europe, we ought to be deliberate and have the facts put before us. Why, my friend said that there is only one way to stop the spread of Bolshevism, and that is food. Now, if we knew that food would stop the spread of Bolshevism, that certainly would be a tremendous argument in its favor; but it is a mere assumption——

Mr. CALDWELL. Will the gentleman yield?

Mr. GILLETT. No; I can not yield; others want time and I am compelled to speak in haste. That is a mere assumption. Of course, hunger and suffering of any kind always makes a person discontented with the existing government; but upon that theory, giving of food to Russia would make Russia satisfied with existing government, which is the Bolsheviki, and it would make Poland satisfied with the existing government.

Now, just how extreme this famine is, just what sections of Europe need to be covered, I do not know, and we ought to know. Why, my friend speaks about the allies supplying them now. They are supplying them, if I understood it correctly, out of the Army stores, and the United States is doing that to-day. The United States is sending to Italy and to the east Adriatic Army stores and supplies. That is against the law. But I do not criticize them. If the necessity demands it, let them do it; but there is a great distinction between supplying foreign governments from Army stores and making a vast appropriation of $100,000,000 for it, and, personally, I think before we enter upon that there ought to be an absolute agreement among the different nations of the world about the policy that shall be followed, about when and where and how it shall be distributed, and about the proportions which the different nations shall contribute. I do not want to be mean about it.

Mr. CALDWELL. Will the gentleman yield——

Mr. GILLETT. No; I can not. I am willing that the United States shall grant much more than its full quota, and I think our country is disposed to be generous, that it would be glad to give more than its share, but we want to have it understood that there is an agreement among the nations, and we do not want to do it in a way which will make our allies discontented. Now, I suspect—I suspect that this is not an allied proposition; that it is a United States proposition alone. The suggestions about keeping up the price of food are a commingling of commerce and charity. Are we doing this for charity or for the food products of the United States? If it is charity, as I think it ought to be, let us not combine it with something else; let us have it understood and have our motives justly suspected. There are suspicions—you have all read them in the papers—there are suspicions that jealousies have grown up between the United States Food Administrator and the food administrators of the allies, and that the allies think that the United States is trying to be too prominent and trying to get too much of the éclat of the distribution.

I do not suppose our allies will object to our giving all we please. Of course, they would like to have us give more than our quota—and I think we are willing to do so—but I think when we are entering on this enormous problem—this problem of furnishing food to the suffering of Europe—we want first to have the full cooperation and sympathy of our allies. I think what ought to have been done and what ought to be done now is to have our delegates at the peace conference agree, or our President agree with the leading men of France and Great Britain and Italy, upon some plan by which this distribution shall be made, and agree in general upon the proportion in which the different countries shall subscribe to it.

Mr. SHERLEY. Will the gentleman yield?

Mr. GILLETT. Certainly.

Mr. SHERLEY. There has been an agreement by England, France, Italy, and the United States that this food distribution shall be by distribution at which each shall have its representatives.

Mr. GILLETT. But there is no agreement, so far as we are advised, as to the extent of it, as to the amount the different nations shall contribute, or as to anything about repayment. Has there been any such agreement?

Mr. SHERLEY. There has been no agreement as to the definite amount, except the statement that the allies were prepared to give their portion of it.

Mr. GILLETT. Where is that?

Mr. SHERLEY. I read it, or, if I did not, I will do so.

Mr. GILLETT. Do you mean it is in the hearing?

Mr. SHERLEY. I mean I read it here on the floor. I have a cablegram here, which I will pass over to the gentleman, that contains that.

Mr. GILLETT. Just a vague statement that they are prepared to do their share is not what I want. We ought to have, it seems to me, an agreement as to how and in what proportion the different nations shall combine. The natural way, I should think, but I may be quite wrong about it, is that when supplying food to one of these suffering nations we should take the notes and obligations of those nations, and then the allied nations practically indorse them jointly, so that in time, if they ever can repay it, the allies as a whole would be repaid. Some such system as that ought to be inaugurated. At any rate, before we are called upon to enter upon this vast new program I think there ought to be, first, information, some developed information, not a mere telegram saying it is needed; and then there ought to be some program which will extend into the future upon which the vastness of this whole intention shall be measured and conceived and prepared, so that we will know what we are undertaking.

Mr. DILLON. Will the gentleman yield?

Mr. GILLETT. I can not yield. The gentleman will excuse me.

One word more. The gentleman says bolshevism must stop. We all appreciate that, and yet bolshevism probably can not be stopped. It is spreading westward. I confess I think that anyone who has the ear of Europe could do no better service to his country and to the world than in not merely saying always what is agreeable to those he is talking to but occasionally dropping a timely and healthy suggestion that freedom involves responsibilities and duties as well as blessings [applause] and to suggest that the obligations of freedom mean the obligations of law and order, and that no nation and no people are fit for freedom who do not respect the rights of others as well as their own. And so it seems to me that we could perhaps meet bolshevism occasionally by an argument as well as with food. But we have no assurance that food is going to stop bolshevism. It is entirely an assumption. Of course, it makes a plausible argument. But this is just a practical question: Shall the United States Congress appropriate $100,000,000 without knowing for what it is to be spent in any detail at all and not knowing how much our allies will cooperate? Those are the two grounds on which I oppose this resolution.

It is disagreeable, of course, to oppose any proposition for charity. The popular side is always to say, "Here are famine-stricken sufferers; will you not relieve them?" and, of course, everybody says "Yes." And the people of the United States, I am sure, want to relieve suffering, as everybody in this House does. The people of the United States will contribute out of their own pockets, if not out of the United States Treasury. If it is necessary to contribute out of the United States Treasury they will gladly do that. But before they do it I believe they want to know the facts upon which it is based, and they want to know what the other nations of Europe, with whom we are in alliance and who are equally responsible, will do. [Applause.]

Mr. SHERLEY. Mr. Chairman, may I ask how much time the gentleman has used?

The CHAIRMAN. The gentleman from Massachusetts has used 14 minutes.

Mr. SHERLEY. I suggest that the gentleman from Massachusetts [Mr. GILLETT] use some of his time.

Mr. GILLETT. I yield 10 minutes to the gentleman from Indiana [Mr. WOOD].

Mr. WOOD of Indiana. As a member of the Appropriations Committee I voted against this measure, and nothing has occurred since it was reported to the House to change my opinion. As has already been stated, it is not a popular thing to oppose a measure that has for its purpose the distribution of alms to those who are starving. But it occurs to me that we should reach a point presently where we should distribute our charity with some degree of intelligence and where we have some idea as to the character of program that is to be pursued in the distribution.

If these hearings have amounted to anything they have informed us that this is just a beginning. When the end will be nobody knows. There is no information in these hearings with reference to the extent of that suffering, or where we should commence or the amount we should distribute here or there or yonder. All of that we are told must be left to the discretion of this newly organized body for the distribution of food upon the other side.

And here is a thing that strikes me as being a little strange, and perhaps some of the rest of you will have the same impression. The Red Cross is organized now, if you please, as it has never been organized before in the history of the world—an agency whose purpose, and prime purpose, is to relieve the suffering of the world.

They are organized all through that country which they say is affected and where they say the starvation exists. We have had no report for our edification gathered by the Red Cross. There has come no word from this great agency that they are not able to cope with the emergency. There has come no cry for relief from them.

Where does it come from? It comes, if you please, from a new organization that has been formed within a month. And who is at the head of that organization? Mr. Hoover. It is Mr. Hoover that is asking for this appropriation and not the President of the United States. The President of the United States is merely the medium conveying to the Congress the desire of Mr. Hoover, and the President of the United States was frank to say so in the telegram that the gentleman from Kentucky [Mr. SHERLEY] read to the committee, wherein he said he hoped he [Mr. SHERLEY] would use all of his power to obtain the appropriation asked for by Mr. Hoover.

Now, then, gentlemen may differ with me with reference to Mr. Hoover. I think he is the most expensive luxury that was ever fastened upon this country. I think he will continue to be the most expensive luxury with which we have to do if we still continue to give him unlimited power.

It has been said that we ought to congratulate ourselves because of the fact that we have an American at the head of this distributing committee. I deny that we have an American at the head of this distributing committee. He is an expatriated former citizen of the United States and he has never found it necessary to become repatriated. He did not come here in our midst during these trying days as a representative of the United States Government, to act and give his services for the benefit of the people of the United States. He came here as the agent of the allies, as their purchaser of food and food supplies, and that was long before we entered into this war. When we entered into it he was selected as the Food Administrator. Did Mr. Hoover resign his position as the purchasing agent of the allies for food supplies? No. He maintained that agency throughout and is occupying it now. Most paradoxical, these two positions. I dare say that the American people expected that he was their agent, solely and alone. He was not their agent except as it was to his interest to be their agent, he representing primarily the interests of the allies. Never before was such a paradoxical position of such great importance occupied by any man in the history of this country. Therefore I say there is reason for having more light and information on the subject when we are informed by the President of the United States who it is who is asking for this $100,000,000.

It has been said that there is no one who can point to a single item of misuse of power on the part of this man Hoover. I expect that when the final scrutiny comes, when the echoes of war have ceased to sound, when judgment reigns supreme again and reason has its sway and investigation is made to inform the people of the facts to which they are entitled, much can be said of the transactions of Mr. Hoover. As I said, and as I repeat again, if we had had an American citizen of the United States, interested with the citizens of the United States, at the head of this great foodsupply business of the United States there would be a better feeling in this country, at least, and a belief in the minds of the American people that their interests were the prime interests in the mind of that Food Administrator. But when we know that every breath that he drew was drawn as the agent of the allies, and when we know that in every purchase he made he was acting primarily in the interest of the allies, and only secondarily in the interest of the United States, I think it is passing strange that the first cry that we hear coming from the other side asking that we contribute $100,000,000 comes not from the agency that we have trusted and found true in every respect for the relief of suffering over there—the Red Cross—but it comes from the man who has just suddenly gone over and had himself placed at the head of that institution, as he had himself placed at the head of the institution here, when it is only his secondary purpose to serve the interests of the United States in the position to which he is now appointed, because his prime object is to further the interests of the allies. This is the same unbiased gentleman who proclaimed through

the public press on the day before the election last November that through the election of a Democratic Congress the President will not only save the lives of a million American boys and countless innocent women and children, but will enable him to attain a more complete "victory and a more permanent guaranty for peace than by any other means." This statement should be sufficient to condemn him in the minds of all men as being unfit for a responsible position of trust.

Now, it has been suggested here, if you please, that this money is to be expended for the most part in purchasing food supplies in the United States. The hearings do not bear out that assertion. The hearings, what little there is on that subject——

Mr. HARDY. Mr. Chairman, will the gentleman yield for a question for information?

Mr. WOOD of Indiana. Yes.

Mr. HARDY. Has the Government heretofore appropriated money for the Red Cross, or has that organization been voluntarily supported?

Mr. WOOD of Indiana. So far as I know that has been voluntarily supported.

Mr. HARDY. And it has never asked money from the Government?

Mr. WOOD of Indiana. No; and it is the exception when the Government is called upon to appropriate for charitable uses. Generally, when cries come for the relief of other nations, the people themselves take it upon themselves, through the Red Cross or some other agency of that kind, to raise the relief required. It is the greatest exception when the United States Government has done it. I suppose half a dozen times would cover all the times it has done it. There is no warrant of law authorizing it at any time, and if we pass this measure it will be without authority of law.

But I refer to the Red Cross for the reason that they have an agency everywhere. They are supposed to know all about the subject, the places where there is suffering; and if we propose to pass this bill in spite of there being no law to warrant it, and we want to get the greatest value possible for our money, why can we not give it to the Red Cross for distribution?

Mr. HARDY. Is not the Red Cross now urging in the most vigorous terms the passage of this bill?

Mr. WOOD of Indiana. I have not heard of it. In the last Red Cross drive they got more than $100,000,000, when it was expected that this war would last a year or two longer, and they have got much of that money still unexpended. But whether they have much money or little money, I think it would have been wise—at least it would have furnished information for this committee—to have heard something from that agency. [Applause.]

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. SHERLEY. Mr. Chairman, I yield to the gentleman from Illinois [Mr. CANNON] 40 minutes of my time.

Mr. CANNON. Forty minutes or forty-seven minutes?

Mr. SHERLEY. I yield to the gentleman 40 minutes, and if I find myself able to do so I will be glad to give him additional time.

Mr. CANNON. I yield to the gentleman from Wyoming [Mr. MONDELL] 10 minutes.

Mr. MONDELL. Mr. Chairman, I have no disposition to minimize the force of the arguments that have been made in opposition to this measure. I shall support the measure with my voice and my vote, not in ignorance or denial of the force of those arguments, but because, after due consideration of them, while I find them persuasive, I do not find them conclusive or convincing.

I wish it were true that, having as representatives of the American people on their behalf assumed a tremendous responsibility in the world war, we had arrived at a condition where we might now honestly and conscientiously assume that responsibility had been discharged. We have not reached that condition. I wish it were true that having put our hands to the plow we had reached the end of the furrow and might properly turn back. I wish it were true that the signing of the armistice had brought peace and plenty, prosperity, and security in Europe, but it has not. We know—all the world knows—that famine gaunt and stark, attended by every horrid form of pestilence, marches on the receding waves of carnage, while crime and violence and all the devils of anarchy fatten and flourish in their wake. And what are we going to do about it? Deny our responsibility? Assume that we are in no wise further obligated over there? I wish that we might honorably do that. I am no more pleased than other gentlemen are with what I consider the pernicious practice of making sight drafts on Congress without notice or explanation. But we have been long accustomed to that practice. We should have become accustomed to it before now. This, however, is true: We have flung tens of billions of dollars into the cavernous maw of war in the past 18 months with less information as to the details of plans and purposes than we have touching this matter. So far as the major controlling and appalling facts of the situation are concerned, we are informed—all the world is informed. They are brought to us by every pulsation of the sound waves, by every click of the cables. We have 2,000,000 boys over there and the heart of the Nation pines to have them home. If the appropriation of this sum of money, trifling compared with the billions we have heretofore appropriated—intended, at least, whether it accomplishes it or not, to stay the progress of famine and pestilence and the spread of anarchy—shall by one day hasten the homecoming of those boys, if it shall in any degree remove the danger and menace that our boys may be called upon to engage in the distasteful task of restoring order amid the chaos of eastern Europe, it will have been the best spent $100,000,000 we have appropriated since the war began. [Applause.]

I am not supporting this measure out of full and complete approval of presidential peregrinations, plans, or policies. Far from it. But I decline to take advantage of this measure in order to emphasize those disagreements. The President, under the Constitution, is our spokesman in the inauguration and the negotiation of the terms of peace. He has seen fit, in the carrying out of that duty, to bring himself in personal contact with the men charged with like responsibility in Europe. That is his affair. That is his responsibility. As our spokesman, as our voice on the watchtower, as the representative of America in the peace negotiations he has said to us that, in his opinion, our responsibilities under the conditions as he finds them require the expenditure of the sum we are asked to appropriate.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. MONDELL. My time is limited, but I yield to the gentleman.

Mr. CAMPBELL of Kansas. What connection has this appropriation of $100,000,000 with what the United States is asking for from the peace commission?

Mr. MONDELL. If this appropriation of $100,000,000 shall relieve hunger, thereby giving people an opportunity to think sanely, and so shall stay the march of anarchy, it will have been the wisest and sanest appropriation we have made since the war began. [Applause.] I hope that in addition to relieving distress and pain and misery among men it may smooth the pathways of peace. [Applause.]

Mr. IGOE. Will the gentleman yield for a question?

Mr. MONDELL. Briefly.

Mr. IGOE. What does the gentleman think of the suggestion of the gentleman from Massachusetts [Mr. GILLETT], that the way to appease the hunger of these people is to stop them and argue with them and write them letters and notes?

Mr. MONDELL. I am rather inclined to feed them first. [Applause.]

Now, Mr. Chairman, just one thing more. I do not altogether agree with the President. While he talks wisely and well of democracy, his attitude toward communications with Congress savors strongly of autocracy. But whether we agree with him or not, under the Constitution he is charged with a great responsibility. When the war began I stated that while the war lasted and until peace came I should consider it my duty to resolve the doubts I had in matters directly connected with the war in favor of the view of those charged with executive authority. I do not believe I shall be wholly relieved from the obligation of duty until around the peace table it shall be determined what our duties and responsibilities are touching the situation in Europe. Until that time comes I shall to a large extent resolve my doubts in these matters in favor of the view of the responsible executives of the Government, who in this case is the President himself. I decline to take the responsibility of in any degree or in any wise embarrassing or lessening the influence of America at the peace table by declining to accede to this request of the President of the United States. [Applause.]

Mr. GILLETT. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. GORDON].

Mr. GORDON. Mr. Chairman, in the first place, I want to call attention to the observation made originally by the gentleman from Kentucky [Mr. CANTRILL], and repeated by the gentleman from Mississippi [Mr. HARRISON], to the effect that the United States Government and Congress appropriated hundreds of millions and billions of dollars simply for the purpose of killing and slaying people. I think that is the worst slander on the American Congress that I have ever heard on the floor of this House. We were assured by the President of the United

States that the rights of citizens on the high seas had been unlawfully invaded, and those of us who voted for those appropriations voted to vindicate the sovereignty of the Nation and not for the purpose of killing and slaying. All of the evidence that we have heard in support of the resolution has been discovered outside of the hearings and in the testimony of persons who have no actual knowledge on the subject.

The President of the United States, in his communication to Congress, says this, and I read it:

> I wish to appeal to the great sense of charity and good will of the American people toward the suffering, and to place this act primarily on a humanitarian basis.

Anything there about the Bolsheviki? Anything there about the necessity of this as a means of bringing about peace? Of course, gentlemen had no legitimate reasons in support of this measure and so they had to manufacture some. [Laughter.] The real truth about it is, and the theory upon which they have reported this resolution is, that by feeding the faces of the Bolsheviki you can bring about peace the terms of which he and his commissioners are in Europe to negotiate.

Now, the nations that have been engaged in this war are quite as much, in proportion to their resources, interested in bringing about peace as the Government of the United States, but if the argument of the gentleman from Kentucky [Mr. CANTRILL] is sound, then the argument in support of all the peace commissioners adopting resolutions, as suggested by the gentleman from Massachusetts [Mr. GILLETT], in behalf of all nations of Europe represented in the peace conference is sound, because if this is a peace proposition it ought to be vouched for by all the nations of Europe in the peace conference. Every one of the allied nations is represented there by their leading representative men. They are authorized to speak on this question. If that conference had adopted a resolution that this sum, or any other sum, is necessary and the nations would join in it and fix any proportion they might as the just proportion of the United States, I would vote the last dollar, and do it willingly and freely. If we had that statement from all of those charged with the responsibility of making peace that it was necessary, I would vote for it. But we have nothing but telegrams intended to drag this thing through Congress. I challenge any man in support of the resolution to state one scintilla of competent evidence that France, Italy, or England has appropriated one dollar in support of this purpose, or have agreed to do so.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. LAGUARDIA. Is the gentleman aware of the fact that Italy has fed the whole Serbian Army after the retreat, and sent food to Albania and food to Montenegro?

Mr. GORDON. That has nothing to do with this case, but was during the war, when Italy was getting licked and fed Serbia's soldiers for helping her. [Laughter and applause.] As I say, the hearings in this case disclose that Italy has not contributed one cent——

Mr. LAGUARDIA. That is not correct.

Mr. GORDON. For this purpose, and if the gentleman will read the hearings he will know more about this case than he does now.

Mr. LAGUARDIA. I am stating facts.

Mr. GORDON. But, gentlemen, we ought to consider this question properly. I repeat that there is not a scintilla of competent evidence that any one of these three nations has contributed, or agreed to contribute, one single dollar in support of this proposition.

Mr. SHERLEY. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. SHERLEY. I stated that I held here in my hand, and I read from it and I will put it in the RECORD, a cablegram from the American representatives abroad to the effect that England, France, and Italy had agreed to bear their proper share and that they were actually sending foodstuffs——

Mr. GORDON. Through the army.

Mr. SHERLEY. And that they are actually transporting food for relief of these people. [Applause.]

Mr. GILLETT. That is through the army.

Mr. GORDON. All through the army. Now, I took down that part of the cablegram that the gentleman read from Mr. White. Of course, a telegram from the peace commissioners, headed by Woodrow Wilson, would have more weight, but I took down what the gentleman from Kentucky read from Mr. White.

Mr. BYRNES of South Carolina. Will the gentleman yield?

Mr. GORDON. Yes; briefly.

Mr. BYRNES of South Carolina. The gentleman said he would accept a telegram from the peace commission. Are not the cablegrams that the gentleman from Kentucky read from the American peace commission?

Mr. GORDON. Oh, I object; I will make my own speech. I say, gentlemen, that the representatives of the European nations ought to take up this proposition if it is so momentous as is represented to us. I say if this obligation rests on the nations which have prosecuted this war and which have prosecuted it to final victory, the same obligation rests on them in proportion to the ability and power and resources as rests on the United States. I say to you that the ground on which the President of the United States placed the proposition in the telegram upon which the resolution was based, which was reported out of the Appropriations Committee, placed it solely on the ground of charity and good will.

Mr. GOOD. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. GOOD. Speaking about the contributions from Italy, the American Red Cross appropriated in Italy $3,583,826 and in Great Britain $1,885,750.

Mr. GORDON. We have had starvation in Italy ever since it got into the war. They could not feed themselves, to say nothing about feeding outside nations. I want to call attention to the fact that ever since we got into the war we have been underwriting the bonds of these nations.

I am willing to underwrite them some more, if it is necessary, for the purpose the gentlemen ask here, to wit, that you will not have any peace unless you feed these people. If that is so, then the obligation rests equally upon all of the allied nations, together with us, to feed them. I am willing to furnish the food, but I do say, as a matter of self-respect, the American Government ought to insist that an obligation, which is certainly equal upon each of these allied nations, ought to be recognized, and it ought to be recognized before we vote this $100,000,000. That is what I say, and there is no answer to that. The observations made by the gentleman from Massachusetts [Mr. GILLETT] have not been answered, and they can not be answered within the truth. These beautiful statements that, so far as they are able and find it convenient, these nations will undoubtedly do their share are exceedingly indefinite, and are statements upon which I would refuse to bind this Nation in the first instance. The matter was placed originally upon the ground of mere charity. What about the hundreds of millions that have been donated to the Red Cross? What was that donated for? Why did this Congress authorize national bank officers to take money out of their treasuries and donate it to the Red Cross, if it was not upon the theory that the doling out of charity was not a public function, as Mr. Hoover says it is, but was a purely private function, which individuals themselves must be relied upon to perform. That is the theory upon which everyone has been donating to the Red Cross. It is the theory upon which appeals have been made for the Red Cross ever since the war started—that donating to charitable purposes is not a Government function. Hoover is the man who discovered it was a Government function, and in passing we have been challenged to point to anything in the record of Mr. Hoover that has not tended to the benefit of the United States. Well, Hoover, as has been observed, was the purchasing agent for the allied nations to come over here to buy wheat. The Government of the United States put the monopoly of purchasing, along with the embargo, in his hands, so that he could fix the price of wheat, and he fixed it, and when complaint was made to him by a Member of the House that other grains were going up out of all proportion, including corn, he said, "You give me the right to fix the railroad rates and I will bring these rates down." That is to say, by the imposition of confiscatory railroad rates he could make the price of corn in Iowa $1 a bushel, in Nebraska 50 cents. In Missouri he could fix it at $1 and in Kansas at 50 cents. That is the power that Mr. Hoover wanted, but that is one of the powers that he did not get from Congress. The burden is upon those who undertake here——

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. SHERLEY. Mr. Chairman, I yield five minutes to the gentleman from South Carolina [Mr. BYRNES].

Mr. BYRNES of South Carolina. Mr. Chairman and gentlemen of the House, the opposition to this bill is based on several grounds. One is that we have not sufficient information. Our good and explosive friend from Ohio [Mr. GORDON] a few moments ago asked for information coming from any source other than Mr. Hoover that the allies are cooperating in this work, and I then asked him to yield in order that I might read him this statement contained in the cable from the American mission.

Mr. KEARNS. What American mission?

Mr. BYRNES of South Carolina. The American peace mission. It sends this cable, and the chairman of the Committee on

Appropriations had it with his cables there, and I picked it out from among them a moment ago:

All of the relief to Serbia has been and is contributed by England. England is also sending to Roumania two cargoes of flour and contributions have already been made by Italy.

The President of the United States has in his message said that there is an agreement between the allied nations to cooperate in this work. Mr. Hoover has in his cable said that the allied nations are committed to it. This cable says they are not only committed to it but the allies, without waiting for this Congress to act, have gone ahead with this work and are proceeding to relieve starvation, while the American Congress, or some part of it, hesitates and asks, as my good friend from Massachusetts [Mr. GILLETT] did, that a treaty be arranged among the nations in order to cover this. I presume he would ask that that treaty be arranged and then sent to the Senate for ratification, and in the meantime the people of Europe should be allowed to starve.

Mr. GILLETT. I did not suggest a treaty.

Mr. BYRNES of South Carolina. The gentleman says nothing should be done until the peace commissioners get together and agree. Then to bind this country it would be submitted to the Senate, and in the meantime the people would starve.

Mr. JOHNSON of Washington. Who signed that paper?

Mr. BYRNES of South Carolina. It is a cable from the American peace commission. So signed. My good friend from Ohio, Dr. FESS, stated one minute that he would refuse to vote to spend the money of the people of his district unless he received an indorsement or a direction from them, and in the very next minute he declared, in winding up his remarks, that if the Red Cross were intrusted with this work he would vote for it. The only objection is as to the method by which this proposed fund shall be used.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. I can not yield unless the gentleman states that I am misquoting him.

Mr. FESS. The gentleman is misquoting me.

Mr. BYRNES of South Carolina. I will state to the gentleman from Ohio that I am, or used to be, a shorthand writer, and I took down his statement at the time, and if he looks at his manuscript he will see that he said that if the Red Cross handled this fund he would vote for it.

Mr. FESS. I said that, but I did not say that if I were instructed from my district——

Mr. BYRNES of South Carolina. What was the gentleman's language?

Mr. FESS. I said that I would not vote out of the Treasury money that was paid out of my district; that I would be willing to allow the people of my district to give, but I would not give their gift.

Mr. BYRNES of South Carolina. That is a differentiation without any difference. The taxes of the people who live in the district represented by the gentleman go into the Treasury.

Mr. FESS. That is different from what I said.

Mr. BYRNES of South Carolina. But he would not vote unless he got some direction. It is quibbling. The gentlemen who oppose this resolution are seeking for excuses. The gentleman from Iowa [Mr. GOOD] spoke about the War Trade Board and the appropriation of $5,000,000 in a lump sum from the President to that board to organize a corporation. Not one cent of that has been spent.

The War Trade Board assisted in the organization of the corporation because it could not conduct that work. By agreement of the allied council the nations acting independently were to engage in this work, and this corporation was to go into Siberia and exchange food for commodities, such as furs, that those people own and which they could not bring to this country. When the armistice came they gave up the idea of carrying on work of that kind, and the only work——

Mr. KEARNS. Will the gentleman yield——

Mr. BYRNES of South Carolina. And the only work of that corporation was to aid the War Department in furnishing food supplies to the Czecho-Slovaks who helped us in the war. I believe, gentlemen of the House, that the Republicans on the Committee on Rules——

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNES of South Carolina. One more minute.

Mr. SHERLEY. I yield the gentleman one minute.

Mr. BYRNES of South Carolina (continuing). The Republicans on the Rules Committee did not properly represent the Republican side of this House, and that the Republicans in this House will follow the Americanism of those gentlemen who stand here to-day in support of the President's request to aid the starving people of Europe. My good friend from Ohio says we should not attempt to destroy the Bolsheviki. My good friend from Massachusetts [Mr. GILLETT] says we should argue with them; we should not give them food. What argument would he make to starving men? The question is largely one of how we should treat that subject. Shall we handle it with force? By force Bolshevism can not be stopped; by food it may be stopped. You can win more of those people to stable government to-day with bread than you can with bullets.

Mr. FOCHT. Will the gentleman yield?

Mr. BYRNES of South Carolina. We have won the war, but we have not yet won peace. We can not hope to do so until stable governments exist where chaos and disorder now exist. The allied representatives believe that by contributions of food reason may return to those disordered peoples. Shall we refuse the appropriation and run the risk of forcing our boys in France to remain there for an indefinite period?

Mr. FOCHT. Will the gentleman yield for me to ask a question?

Mr. GILLETT. I yield the gentleman a minute.

Mr. FOCHT. If I am correct, the gentleman said there was an agreement between the United States and the allied countries of Europe in regard to this matter. May I not ask the gentleman whether he does not believe it is high time the President or the commission or somebody of the so-called representatives of this country submitted to the American Congress these agreements, especially since the election on November 5?

Mr. BYRNES of South Carolina. It is now submitted.

Mr. FOCHT. What does the gentleman think about——

Mr. BYRNES of South Carolina. I say it is now submitted to you. [Applause on the Democratic side.]

Mr. FOCHT. Where is it?

Mr. BYRNES of South Carolina. It is here in this cable.

Mr. FOCHT. The gentleman refused to give the names signed to the telegram.

Mr. BYRNES of South Carolina. I stated that it was the American peace commission.

Mr. FOCHT. Who is that?

Mr. BYRNES of South Carolina. If the gentleman is so uninformed that he does not know who constitutes the American peace commission, it is useless to waste time in telling him.

Mr. FOCHT. Nobody else knows much about them, because we did not have anything to do with appointing them.

The CHAIRMAN. The gentleman from Kentucky [Mr. SHERLEY].

Mr. SHERLEY. I suggest the gentleman from Massachusetts use some of his time.

Mr. GILLETT. Mr. Speaker, I yield five minutes to the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. Mr. Chairman, it is a poor cause that calls to its support vituperation and misrepresentation. The gentleman from Kentucky [Mr. CANTRILL] devoted the largest part of his remarks to denouncing the Republican members of the Committee on Rules as being wholly destitute of compassion, and he called upon the Republican Members of this side to repudiate them as being entirely unwilling to contribute anything to relieve suffering and starvation. Mr. Chairman, I know not what could have inspired this remark and why the further charge should have been made that those gentlemen were playing politics, except that the gentleman himself was smarting under the party lash administered by the party leader to drive him to this course. What is this awful crime with which the Republican members of the Committee on Rules was charged? What was their terrible conduct? That they were unwilling to relieve suffering and distress? No. They were as much willing to relieve it as the gentleman from Kentucky or any other man in this House.

What, then, was this misconduct on their part? It is that they were unwilling that the money of the American people, $100,000,000 of their money, should be spent without their knowing where and how it was going. They wanted to know in what countries this money was to be expended. They were unwilling in time of peace to grant powers that under such conditions had never before been given to kaiser or emperor. This is the whole of their offense. And what is it that the gentleman from Kentucky and some others on that side plume themselves so much upon? The great generosity of being willing to give away other people's money without knowing how it is to be expended or what was to be done with it. I confess that I can not get enthusiastic over liberality of that kind. I would rather know something about what is to be done with this fund before I vote for it. Mr. Chairman, we have had an unfortunate experience with these enormous appropriations which have been voted without let or hindrance, to be expended without any restriction, but we voted them under stress of war, in an emergency, under press of circumstances. While the war was in doubt, while the Germans were thundering

at the gates of Paris, we had that for an excuse, but we have no excuse for such a course at this time. We have every reason, on the contrary, to say that now that the war is over, as the President himself has said, that these lump appropriations, voted to be expended entirely in the discretion of the person who expends them, should now stop. Gentlemen have said——

Mr. HARDY. Will the gentleman yield for a brief question?

Mr. GREEN of Iowa. I can not yield. I only have five minutes.

The CHAIRMAN. The gentleman declines to yield.

Mr. GREEN of Iowa. Gentlemen have said we are lowering the influence of the President in Europe by opposing this appropriation. Mr. Chairman, I have heard many criticisms upon the President, some of which I indorsed and some that I did not, but I never heard it intimated until gentlemen on that side, the Democratic side of the aisle, brought it up that he was a man of so little ability and so little credit that he could not transact the duty of a peace commissioner unless he was given $100,000,000 to spend as he pleased. That is the position in which gentlemen on the other side are putting the President. It is not this side that is belittling him. It is the other side who say that unless he can have $100,000,000 he can not discharge the functions of a peace commissioner. [Applause on the Republican side.]

I would gladly support this bill if there was any check upon the expenditure which it authorizes. I would support it if the money was to be handled by the Red Cross, for this would give a check and balance by passing through its hands and would make use of that organization instead of requiring another to be created. As it stands, this immense sum will be expended with no check and no audit, except to find that it was authorized by the President. I can not approve the bill in that form, but I suppose it is hopeless to expect any amendments will be permitted. Gentlemen on the other side are determined that Congress shall relinquish all control over this fund, and, so far as this money is concerned, completely abdicate its functions, relinquish its powers, and abandon its duties.

Mr. CANNON. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. TEMPLE].

Mr. TEMPLE. Mr. Chairman and gentlemen of the committee, I am in favor of this bill. [Applause.] I hesitated to favor it. When the proposal was first made the objections to the bill seemed in my mind to be greater than the necessities for the appropriation. Those objections, so far as my own attitude toward the bill is concerned, have not disappeared, but in spite of the objections, which I think I hold at their full value, the necessities require me to vote for this bill. It is not uncommon that I find myself forced to advocate one side or another of a question when there are good reasons on both sides. I do not think, either, that it is an unfortunate state of mind. I want to be able to see both sides of the question, and I do not want good reasons on one side to paralyze my mind when I consider the good reasons on the other side.

I would like to have more information as to the machinery that is to handle this appropriation. I should like to have more information as to the restrictions that are to be placed upon this expenditure. I do not need any more information as to the necessity for the relief of those people. We know what the condition of Europe is. We know that starvation threatens. This is a matter of common knowledge, about which we do not need to take special expert testimony. The men that are in the best position to know tell us that probably in those parts of Russia that we can not reach even after we pass this bill millions will die of starvation. Mr. Hoover, for whose opinion on such subjects I have great regard, estimates that perhaps 10,000,000 people will die of starvation even if we pass this bill, because we can not reach them. Millions more will starve if we refuse to pass this bill and nobody else takes up the burden that we refuse to place upon our own shoulders. Other people will take it up if we lay it down, but that will not meet our responsibility.

England and France, we are assured by Mr. Rickard, of the Food Administration, have done now in the relief of Belgium twice as much as the United States has done. We have done much. We are highly praised by the people for whom we have done it. We must not forfeit their good opinion by claiming that we have done it all. We must not boast of our generosity. There was work to be done in the world, and we undertook to do our share of it, so far as the knowledge of the necessities could be brought to our people. And the people were liberal. But we did not know the necessities as fully as the men and women of France and England knew them. They were passing under their eyes. We have not done as much as they have done, but I do believe if the necessity had continued, with the information that was being disseminated in this country and with our increasing understanding of the needs, that all we had would have been at the disposal of the allies and ourselves in this war if necessity had required.

Now, the great expenditures of the war have been passed. We have saved billions by the unexpected shortening of the period of hostilities. We ought not to throw our money away because we have saved what we did not expect to save. That is a spendthrift policy. When it is intended to spend money for one purpose and the expenditure is found to be unnecessary, the money should not burn a hole in our pocket merely because it is unspent. This is a characteristic of the spendthrift. But this expenditure is needed. We have the money. And to hold the place that our generosity and our very practical idealism have won for us in the world, we ought to continue to bear our share of the burden.

The purpose for which the money is needed is exceedingly well known. It is not to be spent in Germany. It is not a gift. It is not an appropriation of $100,000,000 to be given away. It is an appropriation to establish a revolving fund to be used in the purchase and distribution of food. That food is to be sold and paid for if the consumers are able to pay for it.

Mr. GORDON. Will the gentleman yield?

Mr. TEMPLE. I will.

Mr. GORDON. We have such a revolving fund now, and have had it for several years, under the administration of Mr. Hoover.

Mr. TEMPLE. Not for this purpose.

Mr. GORDON. Of course not. You can not give it away, but you can sell it. The purpose of this is solely to give it away, and it is the only purpose of it.

Mr. TEMPLE. The language of the bill provides:

That expenditures hereunder shall be reimbursed, so far as possible, by the Governments, or subdivisions thereof, or the peoples to whom relief is furnished.

Here is the language that describes the use to which the money may be put:

One hundred million dollars, which may be used as a revolving fund until June 30, 1919, and which shall be audited, where practicable, in the same manner as other expenditures of the Government.

Now, what are the other safeguards? In the first place, the main safeguard is that the funds shall be audited—and I intend to move an amendment to that—shall be audited, where practicable, in the same manner as other expenditures of the Government are audited. I would strike out the words "where practicable," and make it read:

Shall be audited in the same manner as other expenditures of the Government are audited.

I want that change to be made in the bill if possible. Another safeguard is that the expenditures made under this bill are to be reimbursed so far as possible by the Governments or subdivisions thereof, or the peoples to whom relief is furnished. In good faith, let us understand that. It says "reimbursed so far as possible." It can not be a revolving fund unless reimbursements are made. I imagine that the fund will diminish, that the amount that is revolving will decrease, but the President's telegram says the total shipments of foodstuffs will amount to one and one-half billion dollars, and the minimum sum to handle it is $100,000,000. Well, you can not make purchases and sales of $1,500,000,000 worth of food out of $100,000,000, or even $400,000,000, as it will be if Italy, England, and France contribute a like amount. The fund must be a revolving fund. The food purchased must be sold if it is to move that amount of food under the intention expressed here.

A further safeguard is found in the requirement of the last proviso of the bill:

Provided further, That a report of the receipts and expenditures under this appropriation shall be submitted to Congress not later than the first day of the next regular session.

Mr. DILLON. Mr. Chairman, will the gentleman yield to me for a question?

Mr. TEMPLE. For a short question.

Mr. DILLON. Does the gentleman understand that the famine-stricken people in this bill would include Armenians and Turks and Bulgars? We are not at war with those countries.

Mr. TEMPLE. The President's telegram says:

While the Secretary of the Treasury can accept obligations of certain Governments and through these measures their situations can be cared for temporarily, there are still other areas through eastern and southern Europe where such arrangements can not be made. This applies more particularly to the liberated peoples of Austria, Turkey, Poland, and western Russia.

Mr. DILLON. Does that apply to Bulgaria?

Mr. TEMPLE. So far as the language of the bill is concerned, there is nothing in it that would prevent the application to Bulgaria.

Mr. ROGERS. Does the gentleman think it ought to apply to Armenia?

Mr. TEMPLE. I certainly do. The only country that is specifically excepted is Germany.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. CANNON. I yield to the gentleman two minutes more.

The CHAIRMAN. The gentleman is recognized for two minutes more.

Mr. EMERSON. Mr. Chairman, will the gentleman yield?

Mr. TEMPLE. I have only two minutes, and I want to say something in those two minutes. The bill provides for relief outside of Germany. It was the plan, as appears in the hearings, to establish a food-supply depot at Rotterdam and out of the supply at that depot to sell food to Germany, provided Germany brought the gold in hand to pay for it. I would not object to that. But the language of the bill seems to throw Germany out altogether.

So far as Mr. Hoover is concerned, I have this to say: The work he undertook and did is of a magnitude that is almost beyond comprehension. The first food administrator that we know anything about in history or tradition had seven fat years in which to get ready for the seven lean years. Mr. Hoover had none. If sometimes he overstepped the strict letter of the law, it was because of the magnitude of the need, and that man will live honorably in the records of these times when many of us are forgotten. [Applause.]

Mr. EMERSON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. TEMPLE. My time has expired, but I will yield for a question.

Mr. EMERSON. Does the gentleman say that the language in the first proviso makes it a revolving fund?

Mr. TEMPLE. Not the proviso, but the language preceding the proviso specifically says it shall be a revolving fund.

Mr. EMERSON. There is nothing mandatory about it.

The CHAIRMAN. The gentleman from Massachusetts [Mr. GILLETT] has remaining 55 minutes and the gentleman from Kentucky 20 minutes and a half, and the gentleman from Illinois [Mr. CANNON] 17 minutes.

Mr. GILLETT. Mr. Chairman, I yield to the gentleman from Iowa [Mr. TOWNER] 10 minutes.

The CHAIRMAN. The gentleman from Iowa is recognized for 10 minutes.

Mr. TOWNER. Mr. Chairman, I agree with the gentleman from Pennsylvania [Mr. TEMPLE], that there is much to be said in favor of as well as against this bill. I think gentlemen of the committee are capable at this time to determine in their own minds as to what their line of duty should be in regard to this contemplated appropriation. There are certain propositions that every gentleman should consider when he comes to make up his mind to vote for this bill. In the first place, in a general way we know the origin of this bill. We know that the able and distinguished and disinterested gentleman who had charge of our own food control during the war, Mr. Hoover, some time ago went over to Europe; he went over there for the purpose of determining in his own mind what should be done to relieve the distressed conditions that exist throughout Europe among the peoples that were without food and needed supplies. We do not know what the result of his deliberations has been. We do not know what his conclusions are. We do not know to-day whether or not he has formulated any plan, but out of a clear sky comes practically the demand of the President, saying to us, "Give me $100,000,000 to carry on the distribution of food in Europe."

What does that mean? I presume that it means that the $100,000,000 is to be handed over to Mr. Hoover, but I do not know it.

Are gentlemen ready to vote $100,000,000 without knowing to any extent in any manner by whom or to whom this fund is to be distributed? And yet that is what we are asked to do. We are asked to turn over this $100,000,000 presumably to Mr. Hoover—to do what? To organize, I presume, some kind of food relief for Europe. And yet the President tells us that this $100,000,000 is to be expended within the next six months. I presume it likely that this is to furnish the foundation upon which, until other nations can be brought into the arrangement, this distribution shall be made. We ought to know, if that be true, what these arrangements are.

I want to say to gentlemen in the House that the time has gone by when you can make these demands on the people of this country and have them approve of them without knowing what they are for. [Applause.] I want to say to the members of this committee that the people of this country will not sanction your action unless they know better than we do what it is for. I want to say to you that they will not sanction your action on the supposition that it is going to be well used, and that it will meet their approval. I do not know whether it will or not. I sincerely hope that it will meet with their approval. But that is no reason why we should be called upon to grant this enormous fund in a lump-sum appropriation without knowing how and where it is to be used.

Gentlemen say, "Oh, the necessity is great. Bolshevism is sweeping over Europe." I wonder if in any gentleman's mind he thinks that what we give here will stop the spread of Bolshevism. What is Bolshevism? It is composed of two classes—the soldiers who have been discharged and the workingmen who have no work. These have banded together upon a promise that they may divide the property of the earth among them and sustain themselves and govern themselves according to their own sweet will. Imagine those people being stopped by a loaf of bread! Gentlemen say that the Bolsheviki will be stopped only by "bread or bullets." Imagine that class of men being stopped by an offer of bread! They would spurn the offer and say, "We propose to take the bread, whether you give it or not." That is the spirit of Bolshevism.

Mr. SLAYDEN. Will the gentleman yield?

Mr. TOWNER. I beg the gentleman's pardon. I must not yield. I want to say, gentlemen, that you will not be justified before the people upon that assumption if you go to them with that reason for this appropriation. Neither will they hear you when you say you intended to stabilize the price of wheat. That is another afterthought intended for the purpose of forming some kind of an excuse to some gentlemen for voting for this bill. And yet at $2 a bushel this $100,000,000, if it were all spent for wheat, would buy only 50,000,000 bushels, and we are going to have a surplus for export and disposition of over 300,000,000 bushels. I wonder if that will stabilize the price of wheat.

No, gentlemen, these are not reasons; and I think if any gentleman goes before his people and says that at this time we took $100,000,000 out of the Treasury without knowing where it was to go, or by whom it was to be expended, or whether or not we were the only persons to distribute the fund or others were to share with us, he will go before them without sufficient excuse for his action.

Ah, gentlemen, the time has come when it will not do to say we did this because of extraordinary emergency to carry on this war. The people of this country will expect you to look upon every proposition for every appropriation with the utmost care and scrutiny. It will not be sufficient for you to say to them, "It was a good cause, it was a good proposition, it was a good appropriation." You must say to them in order to justify an appropriation now, at least of this enormous amount, that it was indispensably necessary. Why, what is the financial condition of this country now, gentlemen? You can not possibly figure out how you are going to get enough money during the next year to pay the appropriations that will be absolutely necessary.

Take your $6,000,000,000 that you are going to raise by taxation, and take your $6,000,000,000 that you hope to raise by a bond issue, and you have $5,000,000,000 or $6,000,000,000 more yet to raise. Yet here you are spending $100,000,000 prematurely, without knowing where it is to go, without knowing what it is to be spent for, just as if you had the Treasury overflowing with money. Gentlemen, you will have to answer before your constituents for conduct of this kind. In my judgment there ought to be presented to us an arrangement by which we could justify such an appropriation.

Mr. LAGUARDIA. Will the gentleman yield for a question?

Mr. TOWNER. If you will make it brief.

Mr. LAGUARDIA. Would not the gentleman consider it sufficient justification if this is part of the program and part of the ideal we said we were fighting for?

Mr. TOWNER. My dear sir, if you say that we are to become the great fountain from which all this money is to be drawn for the rehabilitation of Europe, neither your people nor my people will approve of that idea. [Applause.]

Mr. SHERLEY. I yield five minutes to the gentleman from Texas [Mr. HARDY].

Mr. HARDY. Mr. Chairman, I have been very much interested in the discussion and especially in the tone and temper and in the substance of the speeches of those who have opposed the bill. I regret to say it, but it does seem to me that a large part of the opposition grows consciously or unconsciously out of a desire to discredit the President of the United States while he sits in the councils of the nations abroad. [Applause.] I know that heretofore opposition to measures under consideration has been accompanied, not once but many times, with denunciation of other actions of the President; on every opportunity they have iterated and reiterated general and special denunciation of him, and I know that excuses have been offered for opposition to this measure, by denunciation of Mr. Hoover, by denunciation of a certain corporation, and by all manner of excuses. It seems to me that the whole course of the Republicans is calculated and intended in this country and possibly abroad to cast a stain, a stigma, and a shame upon our representatives at the council table abroad. I want to tell you, gentlemen, that if you vote against this bill to-day you will live to see the day when your children will be ashamed of your vote. You may hope to shame the President but you will only shame your children by your speeches. [Applause.]

Before the last election these men who are denouncing the President now were the loudest in their declarations that they had loyally and devotedly supported the President in all his war policies, and that their party was even more loyal in their support of him than were the Democrats, and by their speeches and newspaper propaganda they convinced hundreds of thousands of voters, who honestly supported the President and believed in him as the wisest and strongest leader of the Nation, that these declarations were true. The voters did not analyze correctly the record of these Republicans. Had they done so, their votes would have been different. They would have discovered that even during the war they voted with the President on questions whenever overwhelming public sentiment drove them to support him, and that they obstructed and opposed every measure which it was safe to oppose or obstruct. They opposed and obstructed nearly all the measures to raise revenue; they opposed and obstructed the bill to create the Shipping Board and authorize the construction and operation of ships; the bill to create an armor-plate plant; a substantial majority of them favored the McLemore resolution and made a bitter fight to prevent its consideration by opposing the rule to consider it; and on these and many other measures they made hundreds of speeches bitterly criticizing the President. But when it came to appropriations for the Army and Navy they voted with the President. They would have been execrated if they had not, and they knew it, and on these latter votes they appealed to the country as supporters of the President. The President knew them and knew what kind of followers they were; but even he could hardly have dreamed that, after securing their election by professions of loyalty to him, they would turn around and declare that their election was a repudiation of him, as they began to do the day after the election and have continued to do ever since.

Before the election they were followers of the President, but under their cloaks of devoted followers they carried stilettos, ready to stab him in the back as soon as they could do it safely.

The President understood what kind of followers they were when he asked the American people to elect a Democratic majority; but they had so far convinced the people of their honesty and zeal in his support that many voters actually resented his request. The election is over; the Republicans are elected; their cloaks have fallen off and the stilettos they have always carried are no longer concealed. They stab the President openly and boastfully, and they hope and believe that by the next election they can so discredit and wound him that he will be shorn of his strength with the people. Every error, every mistake of omission or commission, every extravagance, every failure, either here or in France, is directly or indirectly laid at his individual door. We have heard it done in this debate to-day; we have heard it before and will hear it until November, 1920. And at every step the President takes he will be dogged and badgered by these men so loyal and devoted only a few months ago. The fight on this bill is only an illustration. It was submitted to the Committee on Appropriations; it was reported out against the almost solid opposition of the Republican membership of that committee. Speed in its passage was urgently needed, but the Republicans in the House objected to its consideration; a rule for its consideration had to be had; the Republicans on the Rules Committee opposed and at first, by absence of Democratic Members, defeated the rule in the committee. The full committee was gotten after several days' delay, and then the rule was reported out against the solid opposition of the Republicans and with the solid support of the Democrats, and so, Mr. Speaker, this measure, that tugs at the heartstrings of every man who has a soul, is made a party measure because the President asked for its passage. At first the Republican leaders, with a few conspicuous exceptions, seemed to fall over each other in order to get to oppose it, but as the debate proceeds they are weakening.

One gentleman from Ohio [Mr. FESS] declared that while he was opposing the bill he would vote for it if an amendment making the Red Cross, an unofficial body, the agent to expend the money were adopted. Does his charity wait and hang on his spleen against the President? Or is it simply that he wants to make good the Republican statement that the last election was a repudiation of the President? Or does he want to show Europe that he has no faith in our President, in whose hands the bill places the fund? Or, having opposed the bill, has he become ashamed, and is he seeking a loophole by which he may claim to support the purpose of the bill and yet assault the President? Or is he simply seeking to frame an excuse for his vote against the measure, which he will finally cast?

What is this proposition? It is a proposition on which our allies—England, France, and Italy—have already expressed their purpose, and they are even now extending their assistance to the starving nations of Europe; and our President, sitting in council with them, doubtless agreed with them and said what he thought the American Government would do. If he had listened to the quibbles of the gentlemen here, he would have stood with his finger in his mouth and said, "I do not know whether America will help or not," and you gentlemen would have been ashamed of your country and ashamed of your President if he had done so, and you know it. [Applause.]

A similar bill to this came before Congress when Mr. Roosevelt was President. A volcano or earthquake destroyed a part of Italy and your President asked for an appropriation of $800,000 to relieve the stricken district. Every motive and purpose for the passage of this bill and every motive and purpose for opposition to it existed as to that bill when you gentlemen were in power and your President asked for help to relieve the suffering in Italy. You gave it to him without a whimper or a quibble, and you were right. The sum asked then was less than one-hundredth part of what is asked now, but the occasion was not one-hundredth part as great.

The man who stands here and opposes this measure necessarily hunts for an excuse. Every man who has expressed his opposition to this bill has hunted an excuse. He hides behind the Constitution, criticism of the President, criticism of Mr. Hoover, criticism of a certain corporation, behind anything he can conjure up, and he will be hunting for excuses as long as he stays in public life. [Applause.] Some gentlemen say, "We do not know; we have not been sufficiently informed as to the need of this." The gentlemen who last spoke and some others have said, "We object to bulk appropriations." What intelligent man is there who does not know the fearful and pressing need of the starving millions of Europe, and how in the name of God would you itemize an appropriation here to be given to the different nations—little Serbia, Albania, Roumania, Montenegro, parts of Italy, perhaps, or Poland? How are you going to itemize them?

Then some say, "We do not know who will expend this." Others say, "We do know who will expend it and we object because Mr. Hoover is going to have something to do with it." It is a congeries of excuses; but the real purpose seems to me to be to slap the President in the face while he sits at the council table. Well, gentlemen, that is one blow you will live to regret if you succeed in giving it. One gentleman, Mr. SLOAN, of Nebraska, declared, "It seems to me that we should begin to think of America and legislate for America. If there is any charitable credit to be drawn from the Treasury let us save it for Americans." If I had made that speech I would hide the RECORD containing it from my children.

The Good Book gives us a story told by the Master: "And Jesus answering [the lawyer] said: A certain man went down from Jerusalem to Jericho and fell among thieves, which stripped him of his raiment, and wounded him, and departed, leaving him half dead. And by chance there came down a certain priest that way, and when he saw him he passed by on the other side. And likewise a Levite, when he was at that place, came and looked on him, and passed by on the other side. But a certain Samaritan, as he journeyed, came where he was, and when he saw him he had compassion on him, and went to him, bound up his wounds, pouring in oil and wine, and set him on his own beast, and brought him to an inn, and took care of him. And on the morrow when he departed he took out twopence and gave them to his host, and said unto him, 'Take care of him, and whatsoever thou spendest more, when I come again I will repay thee.' Which, now, of these three thinkest thou was neighbor unto him that fell among the thieves?"

Benedict Arnold has had ingenious apologists for his treason; Judas Iscariot has had excuses made for his betrayal; but in all the centuries that have passed no man has attempted to defend or excuse the priest and the Levite who passed by on the other side.

Among the great nations assembled at the peace-council table are England, France, and America. We were eleventh-hour servants in the vineyard, in the fighting of the war. Shall we take a small part or no part in the healing of the nations? We were ready to spend $30,000,000,000 to fight our way to victory, but now some gentlemen are not willing to spend one three-

hundredth part of that amount to heal the wounds which were left in the wake of the war.

But, Mr. Chairman, the story of the priest and the Levite and the good Samaritan, or the appeal of stricken Italy in former times, is not all that is involved in this measure. If we and England and France and Italy were governed by the selfishness of some of the gentlemen who have spoken against this bill we might not save our treasure. Should all of us pass by on the other side and leave the starving, shivering millions of desolate Europe to die, they might in dying and in revolt against inhumanity inaugurate a reign of terror that would destroy all hope of peace and require a million or two million of the allied troops, our boys among the rest, to fight another war for the safety of civilization and to conquer peace again. The bloody French Revolution might pale before the monstrous upheaval of the beast that lurks in the hunger and despair of hundreds of millions of people. And we might spend not a hundred million dollars, but ten billions of dollars and thousands upon thousands of young men's lives, young men whose faces are now turning toward the west, whose eyes are gleaming with the hope of seeing soon their homes and loved ones. The great lesson of the war may yet be that love triumphs where armies fail; that the good Samaritan is at last the conqueror of the world; and this bill may be the beginning of the regeneration of civilization, the healing of the nations. It ought to pass without a dissenting vote. [Applause.]

ADDENDUM

On the motion to recommit the bill and amend it so that the fund would be taken out of the President's hands and placed in the hands of the Red Cross there were—yeas, 1 Democrat and 116 Republicans; nays, 187 Democrats, 34 Republicans. On final passage of the bill there were—yeas, 136 Democrats, 87 Republicans; nays, 9 Democrats, 64 Republicans.

Mr. TEMPLE. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GILLETT. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Chairman, there is no man in the American Congress, in either House I fancy, who takes a more kindly interest in the efforts of the President to bring about conditions in Europe that will not only make for peace, but for permanent peace, than I do. For years I have been an advocate in every substantial way of the program for a permanent peace which is now proposed by the President. Of course, I wish him Godspeed in his efforts to build up an organization throughout the world that will help to lift the burdens from off the shoulders of the people, by lessening armament everywhere, and for securing permanent peace. I welcome the overthrow of the autocracies in Russia and Germany as a step toward that permanent peace, because I believe the people will never assess against themselves, if they have control, the penalty of suicide.

But, Mr. Chairman, I recognize that the greatest menace now threatening civilization in the whole wide world is anarchy, sometimes called Bolshevism. Bolshevism and anarchy exist in Russia through an enormous area. It is rapidly spreading over the whole German Empire. If we are going to appease hunger that makes people restless and inclines them to anarchy, why should we overlook what is perhaps the greatest point of danger in all Europe to-day? Surely, hunger affects the German people, as it affects those in Russia and Serbia, Asia Minor, and other parts of the world. There is no exclusion of Turkey in this bill as far as I can see, the people of the Ottoman Empire, and if we are to exclude the German people, the most of whom had nothing to do with making the war, and who are among its greatest victims, except the devastated areas in France and Belgium—if we are to exclude them, do we tend to allay their unrest, do we tend to reconcile them to the control of the leading associated governments? Do we tend to help bring them into the league of peace, as ultimately they must come, if that league is worth having, by saying that we will prevent anarchy in Russia, we will cure anarchy in all other parts of the world, but we will let you starve and thereby promote anarchy in your section of the country?

To my mind that is the only good reason for the passage of the bill, but I think I see some reasons why it should not pass. Being old-fashioned, I am accustomed to act in accordance with a document that I swore to uphold and defend. I can find no authority in the Constitution for the contribution of $100,000,000 for charity anywhere. The President says in his cable:

> I wish to appeal to the great sense of charity and good will of the American people toward the suffering, and to place that act primarily on a humanitarian basis.

Now, if the President had said that in his scheme to bring peace to the whole world it appeared essential, in his judgment as Commander in Chief of the Army and the Navy, to facilitate the progress of universal peace, that we should do this thing, that we should help the governments and the peoples who are not in a position to help themselves, it would have been, in my opinion, a stronger appeal and with greater justification for the votes we are asked to give. [Applause.]

Mr. BYRNES of South Carolina. Will the gentleman yield?

Mr. SLAYDEN. Yes.

Mr. BYRNES of South Carolina. Does the gentleman remember in the Fifty-ninth Congress, when President Roosevelt requested an appropriation for Italy?

Mr. SLAYDEN. I was not in Washington at that time.

Mr. GILLETT. Mr. Chairman, I yield 10 minutes to the gentleman from Nebraska [Mr. SLOAN].

Mr. SLOAN. Mr. Chairman, I had not intended to discuss this question or impose myself on the House. But we have been so frequently lectured by certain gentlemen self-imposed censors in this House that while intending to vote against this measure, I now desire to make a few observations.

I assume that every man on this floor who proposes to vote for this measure is absolutely honest. I assume that he is absolutely patriotic. I challenge his right, however, to even suggest that anyone who opposes it has less than he of either one of these qualities. I specially resent the lecture which we received from the gentleman from Mississippi [Mr. HARRISON] about the lack of patriotism of those who oppose this bill. When men on this floor have made sacrifices that he did not and could not make, he has no right, living in the time that he is and of the age that he is, to stand here and criticize any man as to any vote on any war procedure.

No man, unless he has taken the risk to sacrifice himself in this war, having an opportunity to do so, or through those of his own blood, has the right to question the patriotism of any man who stands here and votes as he believes patriotic and right. [Applause.]

The day has been when a man could stand here and say if you do not vote thus and so the public will deem you disloyal, and you know that the loudest mouthed of all those men have been the men who made the least sacrifices during the war. [Applause.] A specious plea has been made here to-day. It has been made too often in the last 21 months—that you must stand by your Government, and then explain that the Government means the President of the United States. That would be true in Russia, and it may be true in the minds of some men living in this country with their hearts over yonder, but it is not true generally in America, and I hope it never will be. The President of the United States is not the Government, and the Capital of the United States is still in Washington and not yet in Versailles or Paris.

Many of us are becoming aweary of discussions concerning the league of nations. There are many nations, and if some would influence or control others, there must be some kind of combination of nations. But up to this time, as each eye sees a different rainbow so all men have their different visions of a league of nations for peace. Whatever the official conception of the league may be, there is only one who knows, and he refuses to tell, except, perhaps, into the ear of royalty.

It seems to me that we should begin to think of America and legislate for America. If there is any charitable credit to be drawn from our Treasury let us save it for Americans. Extend this charity from the Treasury in favor of those to whom we owe no obligation, and what answer will you make to the pleas which common foresight must see rising from every quarter of the United States?

Has the atmosphere of France prompted those who should be most solicitous for our Treasury's stability to subscribe to the easy philosophy spoken over there a century and a half ago by Mme. Pompadour when she comforted that fatuous French monarch with the statement, "After us, the deluge"?

It would seem that if our quondam President had not been so obsessed with the delusion of his own indispensability and burdened with the authorship and advocacy of the 14 points of ambiguity, now largely scrapped, and had appointed three great Democrats and two great Republicans to have met the leading statesmen of Europe at the peace table there would have been no S O S sent hither for a golden crutch to support a prestige which his friends deem in danger.

The reasons urged for this bill are, first, that we are practically pledged to it by one Hoover, toward whom it is said that no finger has been pointed. I point no finger at him, but as long as they have specially mentioned Hoover, permit me to say that a great many of the producers of this country will remember him for many years to come as one who thought of

the American producer last, if at all. He thought of the foreign consumer and made the standard of cattle the Argentine product instead of the product of our own country. Out of this grew the bankruptcy of a large number of people throughout the Northwest. Mr. Hoover has no authority from the Congress of the United States to make a pledge of a single dollar to be paid under any circumstances out of the Treasury of the United States. "Upon what meat doth this, our Hoover, feed, that he has grown so great" that he can without authority of Congress pledge the credit of the United States? What right has our chief commissioner over there to pledge the credit of the United States? Men differ with regard to this, but I regard him only as chief peace commissioner over there, and nothing more. I do not regard him as the President of the United States at this time. He is there as a commissioner, or in no capacity whatever. A peace commissioner has no authority over us, the custodians of the coin, the currency, and the credit of the United States, or jurisdiction to pledge $100,000,000 for any charity.

A picturesque character in another forum said that our Chief Commissioner was over there as Commander in Chief of our armies. "Angels and ministers of grace defend us" all from such a defense. He would have the Commander in Chief remain 4,000 miles away, with stormy seas between, while the "battle of the ages" raged along the deadliest line of the centuries until the fighting ceased and then with hysteric haste hurry to the zone of former conflict. As no one on that side has seen fit to defend against that defense, permit me in this way to break a lance in his behalf.

It is said that it would embarrass our quandom President, now acting as chief peace commissioner over yonder should we not give him this $100,000,000. Was it not thought of by him that it might be embarrassing for some of his friends to vote their convictions and against this raid on the National Treasury? If he would reach for this money in the Treasury of the United States, why did he not consult with the Congress before this round-robin message was sent? It did not come from the President of the United States constitutionally. It could not come from the President of the United States while he is over there. If it had come from the President of the United States, it would have come in person or through a message to the Congress of the United States and not to the Secretary of the Treasury, unless he saw fit to show fine scorn for this body.

Is $100,000,000 a bauble—such a paltry sum that it is not worth mentioning to the Congress of the United States, the lawful guardians of the Treasury? One hundred million dollars is almost the precise sum the collection or noncollection of which at the ports of the United States turned the control of the country from the Republican side of the House to the Democrats. I fear this absent treatment being administered to the Republic is going to be very expensive. Now, how lightly they say he asks for this $100,000,000 in order to keep his prestige at high-water mark! What prestige can a commissioner for peace have or lose that he could purchase back by $100,000,000? Philip of Macedon said that the golden key could open the gate of any city, but I do not understand that we are sufficiently interested in the portals of Europe to use the golden key on any of their cities, or any of their countries. Here Congress is expected to yield, as it has too often in the last six years under implied threat that in case Congress stood by its convictions some dire calamity would occur. We remember well a national campaign was conducted on a certain issue, and when it was won we were asked to grant an ungrudging reversal of that issue on account of matters of nearer and greater consequence. Years have elapsed, but what these consequences were no man knows any more than he does the unrevealed secrets of Sahara's silent Sphinx.

We are asked for $100,000,000, and men who oppose it want to know when it is to be given, to whom it is to be given, how it is to be safeguarded, to whom it is to be paid, and no answer is given. They practically say you heard our demand, yield. Your oath and your country's good are both entirely irrelevant.

We should not grant the $100,000,000 to dazzle the real powers of Europe, which are Britain, France, and Italy. There has been enough of splendor since that composite company seized the American transport named for the father of our country and after converting it into a floating palace of glass, walled within with costly wood and precious metal, furnished it with all the trappings to delight the vision and invite supercomfort of those on board. There was a commissary that would tickle palate, appease appetite, and assuage thirst. It sailed away with many men of many minds, including statesmen, diplomats, scribes, healers, chefs, necromancers, valets, vocalists, and those who performed cunningly on flute and harp. The burdened cables and the surcharged upper ether brought multiplied messages of the glory and splendor of their Brittanny landing. The princely, yea, imperial, meeting at gay Paris or historic Versailles sent every volatile Frenchman in thought back 400 years ago to the regal meeting of the English and French sovereigns on the "Field of the Cloth of Gold." It has been a source of gratification to some inhabitants of the United States that the splendor and glory of the "Field of the Cloth of Gold" had dimmed before the blaze of the twentieth century's resplendent magnificence. There are those, too, who see in this proceeding how the mysterious Mr. House had in making arrangements far outclassed Cardinal Wolsey, who had brought together the vain King Francis I and the autocratic Henry VIII. History says of that famous meeting, "It attracted much attention, but little was achieved." History has a way of repeating itself.

Why longer delay for further display? Have they not dined at Buckingham Palace where unaccustomed guests wear smoked glasses that the splendor injure not their vision?

Have they not reposed in the palace of the Quirinal over against the Capitoline, where once slumbered the rulers of Imperial Rome? Have they not visited the Vatican? Yea, more, do they not lodge in the palace of Murat, the lord of which traces his lineage to the family of the great Corsican?

It might, but it should not, be a fitting finish to distribute imperial largesses from our National Treasury unto the professional poor of Europe. We have been generous even unto profligacy in our loans. We have given from the pockets of our people vast sums through the Red Cross, Young Men's Christian Association, Knights of Columbus, and similar organizations to alleviate the want and suffering of Europe. That is proper. But the Treasury of the United States is not an eleemosynary institution. It should not be used as such. We read in the dispatches about many small nations being formed in Europe whether the large nations of that continent favor them or not. I am opposed to calling into existence further small nations if American blood must defend them or the American Treasury sustain them.

Bolshevism is rampant in Europe. Already the allies are disclaiming responsibility for the overthrow of the government upon which it has raised its crimson flag. They impliedly call attention to America's responsibility. We should not feed Bolshevism in Europe. We may need our food and energy to resist and maybe fight it in America.

Note the following recent dispatch:

OUR JOB TO CRUSH REDS, PAPER SAYS.

LONDON, *January 12.*

> In an editorial to-day, advocating suppression of the Bolsheviki, the Globe declared it is "Uncle Sam's job."
>
> "We appeal to President Wilson and America to consider the Russian situation and ask themselves whether they haven't serious responsibilities in that regard," said the Globe.
>
> "President Wilson knows it is useless for his high ideals to be realized while Russia is a welter of madness and bloodshed. Doesn't President Wilson think that suppression of the Bolsheviki is Uncle Sam's job? Somebody must do it. We and the French are in no condition for such an undertaking."

This money is not needed in peace negotiations. Six weeks have elapsed since the *George Washington* lifted anchor, and the diplomatic gladiators are still sparring for an opening. If it be not lese majesty or contempt of court, let me suggest as a means of settlement that they "proceed to settle." Paraphrasing Horace Greeley's famous statement, "The way to settle is to settle."

This debate is nearly closed and we are still about as short of information as Mark Twain was in his day. Mark Twain had a son christened William, but called Willy. He, too, was over in Europe. He, too, was in the atmosphere of nobility. He, too, basked in the blaze of near royalty. On the morning after he, too, looked about and saw that there were poor in Europe, and so he cabled for a thousand dollars. Mark Twain, like some of us, wanted to know and cabled back "What for," and he answered that it was "for Willy." Now, this is "for Woodrow," with about as much information as Willy had vouchsafed Mark. I am opposed to giving $100,000,000 to keep Woodrow in the king row.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. SLOAN. I would like to have about two minutes more.

Mr. GILLETT. I am very sorry, but all my time has been promised.

Mr. SLOAN. I would like to finish that cablegram. [Laughter.]

Mr. GILLETT. I have promised every minute that I have got.

By unanimous consent Mr. SLOAN was granted leave to extend his remarks in the RECORD.

By unanimous consent, leave to extend their remarks in the RECORD was granted to Mr. GORDON, Mr. GILLETT, and Mr. SLAYDEN.

Mr. CANNON. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. MAGEE].

Mr. MAGEE. Mr. Chairman, the cablegram of the President contains a most extraordinary request. We are informed that the appropriation asked for is necessary to prevent people living in areas devastated by war from starving to death. If we read between the lines we can reasonably conclude that, in the opinion of the President, food and supplies in the areas referred to will bring order out of chaos and result in the creation of some sort of government in the place of anarchy. Viewed in this aspect, the bill can well be regarded as a war measure.

We must bear in mind that the war is not yet ended. If humanitarian acts will tend to prevent further devastation of war and hasten the time when our soldiers can safely be ordered from overseas to America, then our duty in the premises is clear. [Applause.]

It is apparent that whatever is to be done must be promptly done. We can not dally in the face of starvation and anarchy. The President is on the ground; he is Commander in Chief of the Army and the Navy of the United States; he has urged upon us the necessity of prompt action, and in the absence of information which he must be presumed to possess I can not bring myself, through partisan or other motives, to the point of denying his request. [Applause.]

The expenditure of $100,000,000, or so much thereof as may be necessary, now might result in the saving not only of billions of dollars, but also of many precious American lives. The President has not seen fit to consult with us before making his request, but the request is before the world, and it seems to me that in time of war we are bound to sustain the Commander in Chief of our Army and Navy. [Applause.]

Mr. MADDEN. Will the gentleman yield for a question?

Mr. MAGEE. I regret I have not any time to yield.

It is immaterial whether we deemed it wise or unwise for the President to go overseas; it is unavailing whether we agree or disagree with his views in the making of the treaty of peace; and it is irrelevant to our determination as legislators whom he shall designate to carry out his orders in the distribution and application of the funds provided.

Mr. MADDEN. Did the gentleman say he would yield?

Mr. MAGEE. I must respectfully decline to yield; I have not the time.

The fact remains that he has gone overseas, and we should wish him success and a Godspeed in his great mission. The fact exists that he has strong convictions upon the kind of a treaty of peace that will best guarantee the future peace of the world, and it is apparent that the responsibility for the distribution of any appropriation made by the Congress must rest upon him. [Applause.]

One other thing is apparent and absolutely controlling: We must not discredit the President of the United States before the world on the eve of the peace conference, which will be the most momentous gathering in all history [applause], and probably shape the destinies of the peoples upon this earth for generations to come. [Applause.]

Mr. HARDY. Mr. Chairman, I wish to ask leave to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas? [After a pause.] The Chair hears none.

Mr. GILLETT. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. DENISON].

Mr. DENISON. Mr. Chairman and gentlemen, the argument of my friend from New York who has just spoken is, to say the least, very discouraging, because if what he says is true we need not expect these large, unprecedented appropriations to cease until domestic peace has been restored in all the countries of the world. Now, I say that is very discouraging. This bill affords a splendid illustration of the different way that arguments appeal to the minds of different Members. Now, one argument advanced in favor of this bill here to-day is that there is a large amount of food, particularly meats, that have been accumulated at high prices by the packers and by others in this country and that this appropriation will afford a ready market for that accumulated food. Now, gentlemen of the House, that is one of the reasons why I am against the bill.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. DENISON. No; I have not the time; I beg the gentleman's pardon.

The CHAIRMAN. The gentleman declines to yield.

Mr. DENISON. I will never vote for an appropriation from the Public Treasury in order to supply an easy market for the foodstuffs that may have accumulated at war prices in the hands of the packers or anyone else in this country.

Another argument that has been advanced by advocates of this measure, particularly the chairman of the committee, is that this money will be expended largely in this country. Now, that is another reason why I am opposed to the bill; that is, I am not willing to vote appropriations out of the Treasury to be given away to the people of other countries, simply because the money will be spent for the foodstuffs that are produced in this country.

Another argument advanced in favor of the bill is that it will tend to stop Bolshevism. Now, gentlemen of the House, I do not know any place where Bolshevism is doing so much damage as it is doing in Germany to-day, and yet we are not going to spend any of this money, they say, in Germany. The chairman of the committee [Mr. SHERLEY], I believe, said that none of this money is to be given away in Germany, because Germany has plenty of money to feed her own people; and yet if that argument in favor of this bill is sound, there ought not to be any Bolshevism in Germany, because he says they have plenty of money in Germany to feed their people. That argument that this appropriation will help stop the spread of Bolshevism does not appeal to me at all. But the main argument, as I understand it, that has been advanced in favor of this bill is the one stated by the President in his cablegram—that we ought to make this appropriation for charitable and humanitarian reasons. Now, gentlemen of the House, that is another reason why I am against the bill. I do not think it is my duty, nor do I have the right, as a Member of the House, to vote appropriations out of the Public Treasury for charitable or humanitarian disbursement in foreign countries. I think that appeals for funds for humanitarian purposes should be addressed to the people of the country and not to their Representatives in Congress. During some of the recent Red Cross campaigns I had occasion to speak and appeal to the people of my district to contribute to the Red Cross and to the Y. M. C. A. and other war-work agencies. We wanted those funds to help take care of our suffering and dying soldiers who were fighting our battles for us. I was asked by a number of people why Congress did not appropriate money for the Red Cross and for the Y. M. C. A. Surely those were commendable causes and it seems to me, at least, it is just as commendable and as urgent that we give our money to administer to our own suffering and dying soldiers as it is for us to give money to feed the people of foreign lands. I had to answer that it was not the policy of the Government or the part of wisdom to appropriate money out of the Public Treasury for such purposes. Those are purposes of mercy and of charity, and we must depend upon those impulses in the people themselves to give, as far as they are able to give, for that kind of relief. If the President had appealed to the people to contribute this money to help feed the starving peoples of Europe, I would have been glad to have helped to raise it in every way I could; but I am opposed to making an appropriation out of the Public Treasury for that purpose. [Applause.]

Mr. Chairman, the time has come when I am unwilling to vote large lump-sum appropriations upon the mere request of the President or any other person. While we were at war, and it was necessary to devote all our resources to the prosecution of the war, I was willing to give the President such powers as he thought were necessary to enable him to successfully prosecute the war. But now we are no longer threatened by a common enemy, and the chief purpose of our entering into the war has been accomplished, and before I vote for any more hundred million dollar appropriations from the Public Treasury I have got to know that it is for a purpose for which we have a legitimate right under the Constitution to tax the people; and I have got to be shown who is going to expend the money and how it is going to be expended. After the German Army had ruthlessly marched over Belgium and France, destroying the homes of the people, devastating the country, and leaving the people dying from exposure and starvation, did the President call upon Congress for an appropriation from the Public Treasury to help relieve those people? No. He called upon the people for voluntary contributions for that purpose, and the money was freely given. When Austrian and Bulgarian Armies marched over Serbia, driving the Serbian Army out of their own country and completely devastating Serbia and leaving the people of that country starving and dying, did the President ask Congress to appropriate money from the Public Treasury in order to relieve them? No. But now, when the fighting is over and the President goes to Europe for the purpose

of impressing upon the representatives of the countries over there the necessity of incorporating into the treaty of peace certain ideas of his own as to a league of nations and other plans which he thinks will insure an eternal peace on earth among men, he cables back that he wants $100,000,000 out of the Public Treasury to help feed the people of those countries. I do not think we have enough information upon which to make an appropriation of this kind. I think the President should have taken Congress more into his confidence and disclosed to us more of his plans and purposes. If the people of Europe are starving, I think the people of this country should contribute freely for their relief, but I think such contribution should be entirely voluntary. I do not think that we should tax the people of this country for all these many millions in order to distribute charity to the peoples of Europe. If the President had been willing to send a message back to the American people telling them of the conditions in Europe, and had asked the people to contribute at once for the relief of the suffering over there, I am sure many Members of the House would have been willing, as I would have been, to turn to our districts and appeal to the people to contribute of their means for that purpose; but I do not think that we, as representatives of the people, without any authority from those we represent, have any right to levy taxes upon the people to the extent of hundreds of millions of dollars to be given away by the President in Europe, however charitable and merciful his purposes may be.

We have been appropriating money in staggering amounts for the prosecution of this war, and we have of necessity got to continue doing so in order to meet the legitimate obligations that will fall upon the Government as a result of the war. The time is coming when the people are going to demand an accounting and we will have to explain by what right we made these vast appropriations of the people's money. It will only be a short time until there will be another Government-bond campaign, and all over this country the people will be begged to loan the Government money. More funds will have to be raised for the Red Cross, and we will have to appeal to the people for voluntary contributions for various purposes growing out of this war. I think we should hesitate before we appropriate money out of the Treasury in order to stop the spread of Bolshevism in Europe. We have no assurance and no facts upon which to even base an opinion that the expenditure of $100,000,000 to help feed the peoples of Europe will have any effect whatever upon the spread of Bolshevism.

I am unwilling to vote for this appropriation, because I think it establishes a dangerous precedent. It will only be a short time, I fear, until other appeals will be made for similar appropriations, because if the President is going to undertake to help feed the world in order to prevent revolution, civil war, or other disorders in foreign lands, we will have to be making appropriations a long time, and it will only be a short time until these appropriations will amount to many hundreds of millions. And where will we stop? The time to stop such appropriations is before we begin them. I think that we should confine our appropriations of the public funds to those purposes which are the legitimate and necessary functions of the Government, and that the money we spend to feed the starving peoples of Europe or for other charitable or humanitarian purposes should be raised by voluntary subscriptions of the people.

For months I have appealed, as I am sure many Members have, to the War Department and the Bureau of War Risk Insurance to pay to the families of our soldiers the allotments and allowances that are due them. And yet these payments have not been made and the families of those who are fighting for this country have been positively suffering in many instances because this Government has not met its obligations to its own people. Even our soldiers themselves have not been paid. I wish that more attention could be paid to the obligations that the country owes its own soldiers and the families of the soldiers and to those who are suffering for want of food here before we begin distributing money from the Public Treasury to the peoples of Europe. We can not afford, of course, to see people die of starvation anywhere if we can prevent it. But in the absence of more information than we now have, I am unwilling to appropriate public money for that purpose now.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHERLEY. Will the gentleman from Illinois use some of his time?

Mr. CANNON. I will yield to the gentleman from Wisconsin [Mr. STAFFORD] seven minutes.

Mr. STAFFORD. Gentlemen, the voting of this authorization is to enable the administration to treat all peoples who have engaged in the great European war on a parity with one another, except the people of Germany. For my part, I would like to see that exception eliminated, because it has been stated time and time again from the very beginning of the war that we were not warring against the peoples of Germany but against the governing class. The hearings disclose the intention not to except Germany, but to allow foodstuffs to be sold to Germany for cash.

Under existing law, in the act passed within less than a month after we declared war, authority was vested in the administration to advance to the credit of foreign governments engaged in the war against the central powers the moneys of this Government to the extent of billions of dollars. At the present time the Treasury is advancing moneys to the extent of hundreds of millions of dollars to all those governments—to Great Britain, to France, to Italy, to Belgium, to Serbia, to Greece, and to the Czecho-Slovak nation—for the rehabilitation of those countries and for the purchase of foodstuffs and supplies. And yet it can not, because of the phraseology of the law, advance credit and funds to the Jugo-Slavs or the Polish people. Having invited those people to assist us in the war in overthrowing Germany to the extent of sacrificing their lifeblood, are we to refuse them, just because they have no form of government now in existence, the succor we are extending to other peoples? Is it to be said that we are going to have one policy toward one people and a different policy as to another people?

Mr. SLOAN. Will the gentleman yield?

Mr. STAFFORD. Just for a short question.

Mr. SLOAN. Does not the gentleman know that we are loaning money to the Czecho-Slovak government now?

Mr. STAFFORD. I stated that, because that is one of the recognized governments; but we are not loaning money to the Jugo-Slovaks, nor are we able under that law to advance money to the Poles. Those people were just as instrumental in overthrowing the autocratic Government of Germany as the established governments and allied powers were.

Gentlemen in opposing this proposition would restrict, would hamper, the President in his efforts to settle this great world problem. Why, I have seen the Congress vote millions of dollars without authority, as, for instance, for the relief of the people of Salem, Mass., for a little conflagration, and the entire Massachusetts delegation voted solidly for that unconstitutional appropriation. [Applause.] And in times of peace we have voted hundreds of thousands of dollars when some earthquake devastated certain portions of the outside world without constitutional authority. But here, with war still existing technically, when we have the full right and authority to aid the President, and to allow him to expend this money, objection is raised. Who knows but what at the peace table the President and the allied powers might not exact from our enemy, Germany, the return of this $100,000,000, or so much money as may be advanced to these unconstituted authorities as is necessary for the rehabilitation of those countries, and, what is more necessary, to prevent starvation from stalking everywhere in those countries.

Mr. GORDON. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. GORDON. If it is unconstitutional to give money to your own citizens, why is it not unconstitutional to give it to nonresident aliens?

Mr. STAFFORD. Because we are still at war. Only an armistice has been declared, and it is in the power of the President, as one of the terms of peace to exact from Germany, our enemy, the return of the money that this Government and the allied governments will advance to these people.

Criticism has been lodged against this measure in that it should not be done by the Government, but by the Red Cross. We recognized the policy of advancing this money through the Government in the very first bond act, in making loans and advancing money to the powers that exist. Shall it be said that just because the governments do not exist, whereby we can deal directly with them as a constituted entity, that we should be deprived of making these advances?

In the bill that is about to be presented for consideration following this measure, the legislative appropriation bill, hundreds of thousands of dollars are to be voted to the Department of Commerce to advance our commerce in the way of rehabilitating these stricken countries that have been engaged in this war. There can be no better business proposition, looking at it from the standpoint of American business policy, than for us to vote this $100,000,000 to alleviate the suffering conditions in those countries. Shall it be said that we were strong for making profits from the sale of munitions, but unwilling to lend a helping hand to aid the distressed in the impoverished countries devastated by the war?

I remember attending a lecture given by Mr. Rockwell, a representative of the Rockefeller Foundation, after the de-

vastating drive Germany made across Poland, in which he depicted the terrible conditions existing all through Poland, and request was made that Congress should aid——

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. I ask the gentleman from Illinois to give me all the time he can spare.

Mr. CANNON. I have three minutes remaining, which I yield to the gentleman.

Mr. STAFFORD. And request was made that Congress should aid in relieving and alleviating these conditions by appropriating $500,000,000, and a like amount to be raised by private subscription. We did not feel it incumbent upon us at that time, because we were not in the war, but there are some men here who were strongly in favor of getting into the war but who do not wish now to recognize the obligations that come as the result of the war. You can not shirk these responsibilities even if you would.

Mr. DUPRÉ. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. There is a disposition among some Members of this Chamber and there is a disposition throughout the country that, now that the armistice has been signed, we should separate ourselves absolutely from the conditions growing out of the war. I, too, wish to extricate our Government from European imbroglios, but there are certain obligations thrust upon us that follow as a corollary to our entrance in the war. One of the obligations imposed on the United States as a result of the war is to take care of the people who aided in the victory that came so suddenly, to prevent them from starving until they can return to peaceful pursuits.

Mr. DUPRÉ. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. In a moment. Shall we say to the Jugo-Slavic people and to the Poles, who were patriotic to the core in helping to overthrow Germany, that just because there is no government in existence of the Jugo-Slavs or in Poland whereby we could advance money to them on bonds and give them credit, we shall allow starvation to spread, and permit utter ruin, chaos, and anarchy to follow? I believe the American people, after we have withdrawn billions of expenditures from foreign Governments for furnishing bullets and munitions against warring people, will at least be willing to give $100,000,000 of our ample stores to try to rehabilitate those people by giving them bread instead of bullets.

Mr. DUPRÉ. Mr. Chairman, will the gentleman yield now?

Mr. STAFFORD. I yield to the gentleman.

Mr. DUPRÉ. I wanted to ask if the gentleman had voted for the declaration of war?

Mr. STAFFORD. Oh, everybody in this Chamber knows that I did not. That is merely a flippant interjection on the part of the gentleman from Louisiana.

Mr. DUPRÉ. Oh, no; the gentleman——

Mr. STAFFORD. I decline to yield for such flippant remarks. That is beside the question under discussion. Every vote of mine since the declaration of war has been to the end of carrying that war to a successful conclusion. Now that the armistice has been signed, I am not willing to hamper the President, under the guise of economy, to bring about conditions in stricken Europe, so that he can not negotiate the proper terms for an enduring peace. I am that kind of a patriot, and not a partisan war advocate. [Applause.]

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. MADDEN. Mr. Chairman, on behalf of the gentleman from Massachusetts [Mr. GILLETT] I yield five minutes to the gentleman from Ohio [Mr. MCCULLOCH].

The CHAIRMAN. The gentleman from Illinois yields five minutes to the gentleman from Ohio from the allotment of the gentleman from Massachusetts. The gentleman from Ohio is recognized for five minutes.

Mr. MCCULLOCH. Mr. Chairman, if I am given an opportunity I will offer an amendment to this bill which, I believe, will provide a safeguard in the distribution of this fund which will be fair and which is as little as we, the representatives of the people, should do.

The bringing of this bill before the House presents a most serious problem to every conscientious Member. I do not believe that the time has come when this country can refuse to respond to the pleas of outcrying and suffering humanity, no matter where they may be. I do not believe that the time has come—and I trust that it may never come—when the conditions of our Treasury will be such as to make it impossible for us to aid the suffering because we can not afford to be charitable. This is a great, resourceful, and powerful Nation, and we can afford to do our part, be it great or small, toward every humanitarian project.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. MCCULLOCH. Yes.

Mr. JOHNSON of Washington. Following that out, I think it will follow as a consequence that, having made this appropriation, some future Congress will be called upon to appropriate great funds to stop the formation of bread lines in the United States.

Mr. MCCULLOCH. That may be necessary some day, yet I hope not. But the time has come when it is the duty of this House to scrutinize not only all bills appropriating money but all pleas for money of every kind that may be made. There is a limit to which the people will justify extravagant expenditures. Under the Constitution the power is lodged with Congress to raise money by placing upon the people the burdens of taxation. Under the provisions of that same Constitution Congress has the power to disburse by appropriations the money so raised among the various departments for governmental purposes or otherwise. The granting and the accepting of such powers carry corresponding responsibilities. Under the stress of war the Members of this House have let down the bars and have granted lump-sum appropriations and a lavish expenditure of money unequaled in the history of the Republic. Such action was justified because we were at war; but the emergency has now passed, and the bars should be put up again, and Congress should assume the responsibility of placing a check upon the lavish expenditure of the public moneys. Lump-sum appropriations should be discouraged. Europe thinks we are rolling in wealth, and naturally they want us to finance the world. But every dollar you appropriate must come out of the pockets of the American people, and there may be a limit to their endurance.

The longer I listened to the arguments that have been made to-day, confused as they were, about our purposes and our desires and the necessities on the other side of the ocean, the more respect I had for the admonitions of George Washington in his Farewell Address, when he warned us to beware of foreign entanglements. [Applause.]

I do not believe we should be appropriating money to pay tribute for justice. If we, upon our merits, can not get justice at the peace table, we can not get it by attempting to buy it. If I vote for this bill, I shall do so agreeing with the President of the United States that it is strictly a charitable proposition, and I do not want my country to be in the attitude of being charged with buying justice with American dollars, as some Members would make appear necessary.

I will not oppose this bill if it is amended so as to put a check on the distribution of the money, but I am opposed to making a lump-sum appropriation of a hundred million dollars for Herbert Hoover to distribute throughout the world as he sees fit.

I am opposed to trying to buy our way into Europe, either for the purposes of trade or otherwise, with American dollars. I am opposed to the idea that we must give billions as tribute in order to get justice at the peace table.

Those who are shortsighted enough to advocate such a course are not following the President's request, but are simply playing into the hands of Europe, and their leadership should be repudiated by the Members of this House, for such leadership will, just as sure as the days come and go, be repudiated by the people of this Nation. The spirit of the fathers of this country is not dead. The great mass of the American people still believe that we should look after America first and the rest of the world afterwards. They are still opposed to getting down on their knees to kings and princes, and they believe that we should play a man's part in the world's affairs and not the part of a cringing weakling trying to buy our way to favor. We have millions of men and millions of money for equity and justice and millions for deserving charity and for aiding humanity, but not one cent for tribute. If we place about the appropriation proper safeguards, we will be doing our fully duty at least in that regard. [Applause.]

The Washington Evening Star of January 11, last Saturday, printed the following in regard to this bill:

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Administration officials are deeply concerned about the delay of Congress in appropriating the fund. Friends of President Wilson believe opposition to this appropriation may affect seriously the prestige of the representatives of the United States at the peace table.

Under the terms of the allied agreement, by which Herbert C. Hoover was put in charge of the rationing of the world's food supply, it is believed here that, acting under authority of President Wilson, Mr. Hoover promised that the United States would take the part in the proposed plan indicated by the President's request for the $100,000,000 appropriation. Exact details of the arrangement under which Mr. Hoover acts have not been received here.

Should Congress repudiate the President's request, following its failure to accept Secretary McAdoo's suggestion that a $500,000,000 revolving fund be established, from which to make loans to the allies, it is contended that the President will be placed in an anomalous position.

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The reason given by administration officials for not specifying more definitely to whom the food supplies are to go is that Mr. Hoover should be left free to meet changing conditions as the needs arise.

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It is held by supporters of the administration that the United States already has suffered, both in friendly feeling and in commercial prospects, by the declination of Congress to authorize peace-time loans to allied nations. Other powers will be found to make the loans, and trade naturally will follow in the wake of these loans, it is argued. Japan is ready to make loans, it is understood here, and thus she will be able to extend her influence in a trade field where, it is held, the United States should seize every opportunity of gaining a firm foothold.

The statements set out in that article have been confirmed by majority leaders upon the floor of this House this morning. It has been contended that in order that we may have influence at the peace table we must make this hundred-million-dollar appropriation. It has been contended that in order that the President and our representatives may have prestige in Europe and be enabled to secure certain concessions and the justice for which they are contending that we must pay tribute by way of appropriating millions of dollars to be expended in Europe. I do not believe that any thoughtful man would want to go on record as sustaining such a course or advocating such a policy. Either we are giving this money to aid the starving or we should not give it at all, and we should have no other purpose in mind.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Does the gentleman from Massachusetts [Mr. GILLETT] desire further recognition?

Mr. GILLETT. How does the time stand?

The CHAIRMAN. The gentleman from Massachusetts has 20 minutes and the gentleman from Kentucky 15½ minutes.

Mr. GILLETT. I yield 10 minutes to the gentleman from Kansas [Mr. CAMPBELL].

Mr. CAMPBELL of Kansas. Mr. Chairman, I have insisted from the beginning that Congress should have information that would justify it in making this appropriation. I still insist that that is not only the right but the duty of Congress. No information has been given here to-day by anybody advocating this appropriation that justifies the Congress in taking this amount of money from the Treasury. The country has just gotten through with giving $225,000,000 to the Red Cross and six other allied organizations. This money is in the hands of those organizations to-day for charitable purposes. It is in the hands of persons who are in Europe and on the way over there. Within five minutes I have spoken to an agent of the American Red Cross who leaves to-morrow for Europe for the purpose of doing the very work that it is proposed to do by this appropriation, and the American Red Cross is an organization that extends into every section of Europe. They know every part of that country where there is hunger and want. Not a member of that organization appeared before the Committee on Appropriations or the Committee on Rules in support of this appropriation. They did not ask for a dollar. They are in possession of information that could be given to the Congress and to the country in justification of this appropriation if there is such evidence. The only information here comes from an alleged survey made by Mr. Hoover of the conditions in Europe. He went upon his own motion or by appointment from the President to seek justification for a continuation of his activities as a dispenser of charity and a controller of food products. On the 9th day of January, 1919, the day the Committee on Rules had this matter up, an Associated Press dispatch from Paris covering the question of food distribution to the people of the central powers and the Balkans commented on the lifting of the embargo and the effect that that would have, and stated that that was one of the things that would be considered by the peace conference. But up to this time, the dispatch stated, all that had been done had been done by Mr. Hoover; that up to that time England and Italy had not yet appointed food commissioners to consider the subject. It is plain to me that Mr. Hoover's activities in Paris and in London had not impressed England and Italy up to that time with the importance of appointing food commissioners and of engaging in the activities that he was urging this country to engage in.

There is too much of a disposition on the part of Congress to appropriate lavishly out of the Treasury upon these requests without justification or proper information. The allied representatives—and I speak of them separate from the United States—are approaching the peace table with their minds on indemnity, on the restoration of the statu quo ante bellum. They are approaching the peace table with a determination to secure from the vanquished foe indemnity for every wrong done and for every dollar spent during the war. I have not heard of a word from our peace commissioners as to a request for indemnity or for money spent during the war. On the other hand, it was naively stated from Paris yesterday that it will be suggested to the American peace commissioners that it would be a most magnanimous action on their part to relinquish all claims for the return of the moneys we have advanced to the allied powers—relinquish claims for the return of moneys advanced to England, France, and Italy. The allies have no hesitation in looking at the proposition from the cold-blooded financial viewpoint.

Sob stuff has been given us here to-day for the purpose of getting $100,000,000 out of the Treasury. Mr. Chairman, it will take hard work to produce $100,000,000 by the American people to pay this sum. I am thinking of those who will have it to pay. Our first duty is to the people of the United States. We have prepared to do charity by giving $225,000,000 to organizations that are prepared actively to engage in charitable work in the war zone of Europe. That has all been done by voluntary contributions by the American people. I repeat that no justification has been given here to warrant Congress in taking $100,000,000 out of the Treasury to do a charitable work that already has been provided for through the American Red Cross and other organizations, seven in number, with representatives extending throughout the countries affected by the war.

We must get below the clouds and take a practical view of the things plainly in sight. [Applause.]

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. SHERLEY. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. LAGUARDIA].

Mr. LAGUARDIA. Mr. Chairman, I will attempt to give some of the information asked for by the various speakers this afternoon. Some gentlemen I could not answer. Unfortunately, in my branch of the service we were not trained in the defense of gas attacks. [Laughter.]

Gentlemen, this proposition is entirely in keeping with our obligations and the ideals which we told our boys we were fighting for. It has nothing to do with Bolshevism; it is not going to destroy Bolshevism. It is not charity, and, if it is a charity, gentlemen, it is entirely unbecoming to the American people to give charity with as much grudging as you are going to give this money. [Applause.]

Every military authority will agree with me that Germany could not have been beaten had we not first destroyed Austria-Hungary. Austria-Hungary was destroyed and the surrender of Germany followed. Credit is due to the Italian Army for the destruction and defeat of the Austro-Hungarian Army. But, gentlemen, what did more than anything else to disrupt Austria-Hungary internally was the President's 14-points peace message. [Applause.] We took that message, translated it into 14 languages, and delivered it by the ton in the Austrian territory. The Austrians feared that message more than they did our bombs, because they served notice that any aviator captured distributing pamphlets of that nature would be immediately hung.

The gentleman from New York, my colleague, Mr. SNELL, says that he wants some scrutiny here. I will tell the gentleman that we will have the scrutiny of the whole world; our representatives will have to make good; the $100,000,000 of food must be judiciously apportioned—to place it where it belongs—or we will hear about it.

I appeared before the representatives of the Jugo-Slav conference at a gathering in Rome, not as a representative of this House, not as an American soldier, but as an American citizen, and I told them in April that if they could break loose from the Hapsburg yoke, if they could establish a government that we could trust, that we would help them. I told them that we were eager to assist the oppressed people of the world. Now, did we mean it then or are we going to renig now?

Did we not war against the central powers because we believed that it was our duty to take a decisive stand with the civilized nations of the world? Let us for a moment read the closing words of the great war message of April 2, 1917.

The President said, in closing:

It is a distressing and oppressive duty, gentlemen of the Congress, which I have performed in thus addressing you. There are, it may be, many months of fiery trial and sacrifice ahead of us. It is a fearful thing to lead this great peaceful people into war, into the most terrible and disastrous of all wars, civilization itself seeming to be in the balance. But the right is more precious than peace, and we shall fight for the things which we have always carried nearest our hearts—for democracy, for the right of those who submit to authority to have a voice in their own governments, for the rights and liberties of small nations, for a universal dominion of right by such a concert of free peoples as

shall bring peace and safety to all nations and make the world itself at last free. To such a task we can dedicate our lives and our fortunes, everything that we are and everything that we have, with the pride of those who know that the day has come when America is privileged to spend her blood and her might for the principles that gave her birth and happiness and the peace which she has treasured. God helping her, she can do no other.

Those are the principles for which we fought, and now that we have won the war we must make good and see these unfortunate people at least started on the right path to self-government. We did not intend to liberate them from Hapsburg or Hohenzollern oppression and then stand idly by and permit them to starve.

Now, this food is necessary. The remark was made that the allies ought to do their part. When Italy had not sufficient food for herself, for her own people, she sent food to feed the Serbian Army. I say that in answer to the inquiry of the gentleman from Illinois [Mr. MADDEN]; and a pound of bread meant more to Italy in those dark days than a thousand tons means to us to-day. The remarks from the gentleman from Ohio [Mr. GORDON], although he is a member of the Committee on Military Affairs, show that he is not at all familiar with the military activities on the Austrian front.

Gentlemen, let us be frank. So much has been said about the allies doing their share. In answer to that I say that the allies did more than their share for three long years fighting Germany while Germany was sinking our boats, murdering our citizens, and we were making up our minds what to do. The gentleman from Iowa [Mr. GOOD] said that we are going to give something to the Czecho-Slovaks, "a nation on paper." I will say to the gentleman that that "nation on paper" had an army in the field fighting long before our Army was in the field, that when the Russian Army broke entirely it was the Czecho-Slovaks that held the line. I say to the gentleman that regiments and companies of Czecho-Slovaks surrendered to the Italians and refused to go to the rear, but turned around and fought against the Austrians. They would not go to the rear lines until they demonstrated that they surrendered for the purpose of fighting the Hapsburg Army. At one time 300 of them were captured and hanged immediately. The Czecho-Slovaks have earned every bit of liberty that they are going to enjoy. We can not do too much for them. The gentleman also says that the war is now over, that it is not necessary to vote this money under the duress of war. I am glad we are in a position to vote this money, now that hostilities have ceased, in keeping with our obligation and the principles we told the world we were fighting for, without duress. Let the world know that this is the free will of the representatives of the American people. The gentleman from Ohio [Mr. FESS] says that we should act on judgment and not on emotions. I will say to the gentleman, who has had some experience in preaching, that I would refer him to Bernard Shaw's Major Barbara. "You can not talk religion to a man with hunger in his eyes." And likewise you can not preach self-government and liberty to people in a starving land.

There seems to be doubt as to the necessity of this food being so urgently needed. Everyone rejoiced when the news was flashed, shortly after the defeat of the Austrian Army, that the Jugo-Slavs had agreed among themselves to establish a government embracing and uniting all of the Slav countries of the Balkans. The word "Jugo" means southern and nothing else. I say this because some Members might still be under the impression, like the friend of Mr. Dooley, that it is some sort "of canned meat." The population of Bosnia and Herzegovina according to the last census is about 1,898,000; Croatia and Slavonia has 2,000,000; Serbia about 3,000,000; Montenegro, 436,789; Dalmatia, about 650,000. These Provinces would constitute the greater part of the Jugo-Slav confederacy, about ten or twelve million people in all. Besides this, there is the city of Fiume, with about 50,000, and Trieste and Istria, with 940,000. It is safe to say that in not one of these Provinces is there any supply of food. There is no crop in Serbia, absolutely none in Bosnia and Herzegovina, and the crop in Istria and Dalmatia is very meager and limited. These are some of the people that must be fed immediately. I do not believe it is necessary to give you figures of the Czeko-Slovak Provinces and Poland, for no doubt you are quite familiar with them and conditions there. This bill is certain of passage, and I urge my friends of this House not to attach any strings to it or do anything which might embarrass our representatives at the peace conference. England will certainly do her full share in this vast undertaking of assisting our allies or new friends of newly formed governments. England has always responded with her full quota, be it men, money, or food, whenever required. France and Italy will surely do everything within the limits of their resources to cooperate with us. Let us put all of our heart in this measure, and let us lend, or give if necessary, willingly and cheerfully. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. GILLETT. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman and gentlemen, the hour is late and we have listened to a great many arguments both for and against this proposition during the day. I presume gentlemen who are here are anxious to reach a vote and that further arguments will not have much weight. We have heard a great many arguments here why this appropriation should be made, but we have not been given a single reason. We have not had a single fact that can justify action. I voted for the war; I voted for everything connected with the war; and I have done, in common with other Americans, everything that is necessary to bring about victory. The President of the United States on the 2d day of December said that the war is over and we are at peace with the world. The Chief of Staff and the Secretary of War say that the Army is being demobilized; that 1,150,000 of our soldiers have been ordered discharged; that we are discharging them at the rate of 30,000 a day. Fleets of ships are coming in carrying wounded soldiers from the other side and discharged men. Moneys are being expended out of the Treasury of the United States in fabulous sums. Taxes are being levied upon the American people as they never have been levied before. These taxes will continue for the next generation, no matter what we may do now. The American people are looking forward to the time when relief will come to them. Hundreds of thousands of men will be coming back from the other side, out of employment, and they will be in a starving condition in many cases before they will find a job. We have starvation existing in some cases in America now. It is not long since that the people of the Southern States appealed to the Congress to help them when the price of cotton was so low that everybody was out of funds down there. We believed then that we were not justified in voting money from the Public Treasury for private use. In 1913 there were 4,000,000 men idle in America. The bread lines then, under the present administration, were longer than they ever had been before. Did anyone suggest that we appropriate $100,000,000 to feed America's starving men that were standing in the bread line at that time? Will anyone appeal to the Treasury of the United States to feed them now, if necessary? I doubt it. We have been told that at the request of President Roosevelt we voted an appropriation of $800,000 for the relief of the Italians on account of the earthquake at Messina. Yes, we did; we voted $800,000 that they might be fed and cared for medically and surgically, but we were told specifically what the money was to be used for. We knew the facts in the case. An earthquake had swept these people into death and ruin and starvation. They were unable to relieve their own distress. The people for whom we propose now to appropriate this money could earn the bread which they need if they would but quit fighting among themselves and go to work. The more we feed them the less they will work. The American people are not willing that they should be taxed for the purpose for which this appropriation is asked. At any rate, they are not willing that we should appropriate $100,000,000 of their money until we know that the countries beside whom we fought are willing to contribute their share in cooperation with us.

Mr. LAZARO. Will the gentleman yield for a question?

Mr. MADDEN. I have not the time to yield. If they are willing to contribute their share of the fund, if they will agree to do that among the peace commissioners of which the President of the United States is one, and he will send word to the Congress of the United States that in common with the allied nations he wants America to contribute its share to any charity which the world deems necessary and important, there will not be a man, woman, or child in America who will not say amen; but to say, without information, without facts, without knowledge, that we must be the only Nation to contribute to a fund like this is to say that we are willing to impose upon the American people to an extent unlimited. We have already spent $25,000,000,000 of their money to win the war. We have yet many billions of dollars to pay. We are maintaining a great Army and a great Navy that will not be all demobilized for the next two years. We will call upon the American people soon for the payment of a $6,000,000,000 tax. We will call upon them also for the purchase of $6,000,000,000 more of liberty bonds. We will continue to tax them to the limit during more than the coming generation. We will find ourselves in the not far distant future in need of help for our own people, but notwithstanding that I would be willing to be one of 110,000,000 of people to contribute to the fund now sought as a citizen of America but I am not willing to cast my vote to take this $100,000,000 out of the pockets of an already overtaxed people.

Let us appeal to the charity of America in its private capacity. They have already in the not far distant past contributed $225,000,000 to the Red Cross for just the very purpose this $100,000,000 is sought. Let us contribute $200,000,000 more, if necessary, out of our private purses; but do not let us as the spokesmen of America prostitute the Treasury of the United States instead of giving of our private means to provide for any charitable necessities that may exist either in this country or anywhere else throughout the world. Stop it. The time is come when we must call a halt to this extravagant waste of public funds. Stop it or the people of America will soon stop you. Stop the extravagance. We have been going on and on in a headlong rush of extravagant waste until we do not know what we are doing, but the time is come to call a halt and this is the place to call it. Let the President of the United States formulate his plan in common with the allied nations with whom he sits and give the information that will justify action by the American people through their spokesmen in the American Congress. [Applause.]

Mr. McCULLOCH. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MADDEN. I ask permission to revise and extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. GILLETT. Mr. Chairman, I ask that all gentlemen who have spoken have that right.

The CHAIRMAN. That can not be done in Committee of the Whole.

Mr. SHERLEY. Mr. Chairman, I yield five minutes to the gentleman from Tennessee [Mr. BYRNS].

Mr. BYRNS of Tennessee. Mr. Chairman, the gentleman from Illinois who preceded me complained that we have not sufficient information and details as to the plan to be adopted in the distribution of food that will be purchased and as to the amount of expense that will be borne by our Government, and, really, that is the chief complaint made by gentlemen who oppose this resolution. It is, of course, very desirable to have all the information available when we vote upon any appropriation and particularly upon an appropriation of this magnitude. But we are 3,000 miles away and there is no opportunity for the Congress to get in touch with representatives of the allied powers. There is a great American now in Europe who is in touch with the allied powers and who has cabled to the Congress requesting this appropriation. While we talk here people are starving in Europe, and I for one am willing to trust the President of the United States, whom the people have trusted and do trust, to safeguard the interests of the American people and their Treasury. [Applause.]

The gentleman from Massachusetts [Mr. GILLETT] said that the United States Government was to be the great almoner of Europe. That I deny. I would not vote for a resolution which had for its purpose the financing solely by the United States Government of the whole project of feeding the starving in Europe, or even for paying the greater portion of that burden. It is true, as the gentleman from Kansas has stated, that the Governments of Europe are at the peace table asking for either territory or indemnity on account of the war and that our Government is the only great power which is not asking for an indemnity. We are asking only that a peace be agreed upon which will have as its chief corner stone the recognition of the rights of the people everywhere and which will be made as permanent as human endeavor can possibly make it. This fact, Mr. Chairman, does not absolve us from all obligation arising by reason of our participation in the war. But I deny that we are to do more than our fair share, along with the Governments of Great Britain, France, and Italy. We have the assurances of the peace commissioners and the representatives of the United States who are now in Europe that our Government will not be expected to shoulder the burden alone.

Cablegrams have been read here to the House, statements have been made as to the extent to which Great Britain and Italy are now furnishing food to the suffering and starving in Europe, and an interallied commission has been appointed to handle these funds. And it seems to me that sufficient evidence has been presented to the Congress that our Government is not expected and will not be required to bear anything more than a reasonable and proper proportion of the burden which rests upon our Government and the allied powers of Europe.

The gentleman from Ohio [Mr. GORDON] has stated that nothing had been read from the hearings showing that this Government would not be expected to do more than bear its just and fair proportion. I want to read from page 5 of the hearings the statement made by a representative of the Government who appeared before the committee in support of this appropriation.

Mr. GORDON. What was his name?

Mr. BYRNS of Tennessee. Mr. Glasgow. He says:

> The purpose of this appropriation, as we gather from the cables, is that England and France—Italy not yet having signified her ability to put up her proportion—have agreed to put up their proper proportion of the relief fund necessary to take care of the starving people throughout Europe, and, at the President's request, this $100,000,000 would be America's contribution to the common fund. It is not the purpose to use any part of this fund for charitable contributions where there is a possibility that those starving people can by any means, by securities or by money, pay for it, but the purpose is to use it as a revolving fund for handling the situation so far as possible, but in certain isolated cases where it is impossible to get payment at once it is to be used to relieve the starvation and anarchy.
>
> That, Mr. Chairman, is about the situation.
>
> The assurance we get is that England and France will pay their proportion. Mr Rickard, who is thoroughly familiar with the Belgian relief work, informs me that in the Belgian relief work, which has been carried on with remarkable success throughout its entire career, England and France contributed to that relief just twice what America contributed. That is the only guide we have as to what may be the proportions in which the contributions will be made.

The President tells us that this appropriation is necessary as our part of a fund to relieve the starving and put down anarchy in certain sections of Europe in order that where anarchy now prevails stable governments may be formed which are capable of entering into terms of permanent peace. I am not willing by my vote to help to paralyze the arm or handicap in any way our great President, who is now in Europe in the endeavor to carry out the wishes of the American people and to write a peace treaty which will save future generations from the terrible experiences of the past four years which have drenched the whole world with blood.

Say what you please, the American people are behind Woodrow Wilson. They have bidden him godspeed in his efforts. The heart of every father and mother, every soldier, every son and daughter, beats in sympathy with his efforts to bring about a permanent peace league. Do not delude yourselves with the idea that the people will look with patience upon the action of any party or any individual who throws an obstacle in his path, as the defeat of this resolution would do. The people would rather pay many times this appropriation and secure a quick and permanent peace and the early return of our boys than to have no appropriation made and see hostilities resumed or be threatened with another war in the early years to come. Do not by the defeat of this resolution make it possible for the President's opponents to detract from his great prestige in the allied countries by saying that he has not the support of the representatives of the American people, whom he is trying to serve and who are earnestly supporting him.

Mr. Chairman, I support this resolution because I regard it as distinctly a war measure. It is intimately connected with and grows out of the great war in which we have been engaged and which we have won. I will vote for it because I regard it as an obligation to the world which rests upon the United States Government and the allied powers in Europe on account of the great war. And certainly no true American would desire to see his country, rich, proud, powerful, and resourceful as it is, fail to measure up to the full obligation and responsibility resting upon it. [Applause.]

Mr. SHERLEY. Mr. Chairman, I ask for the reading of the bill.

Mr. MOORE of Pennsylvania. Mr. Chairman, I desire to offer an amendment.

Mr. SHERLEY. Mr. Chairman, I ask that the bill be read for amendment, and then the gentleman can offer his amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read, as follows:

> *Be it enacted*, That for the participation by the Government of the United States in the furnishing of foodstuffs and other urgent supplies, and for the transportation, distribution, and administration thereof to such populations in Europe, outside of Germany, as may be determined upon by the President from time to time as necessary, and for each and every purpose connected therewith, in the discretion of the President, there is appropriated, out of any money in the Treasury not otherwise appropriated, $100,000,000, which may be used as a revolving fund until June 30, 1919, and which shall be audited, where practicable, in the same manner as other expenditures of the Government are audited: *Provided*, That expenditures hereunder shall be reimbursed, so far as possible by the governments or subdivisions thereof or the peoples to whom relief is furnished: *Provided further*, That a report of the receipts and expenditures under this appropriation shall be submitted to Congress not later than the first day of the next regular session.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Pennsylvania.

The Clerk read as follows:

Amendment offered by Mr. MOORE of Pennsylvania: Page 1, line 4, after the word "States," insert the words "in conjunction with the allies engaged in the war against the Imperial German Government."

Mr. MOORE of Pennsylvania. Mr. Chairman, I am not in favor of this bill, but if the bill is to pass I believe it should be amended and certain limitations should be put upon the expenditures, and that we should also insist that our allies should bear a fair proportion of this expense. I am not satisfied that the United States is getting that square deal in this war business to which it is entitled. I am not satisfied that our diplomacy up to date has been so wholly in the interest of the United States as it should have been. I am not satisfied that we are safeguarding our trade routes as they should be safeguarded. Every time a foreign nation desires to regard us as an "easy" people we seem "to fall for it." If it is money, we furnish the money; if it is men, we furnish the men; or, if distress prevails, then comes an appeal for charity and we help. All this time we ignore the fact that there are thousands at home, within our own jurisdiction, who knock at our door in vain for the encouragement Congress withholds. Bills remain upon the calendar for the relief of individuals and concerns in the United States until the parties in interest are dead, and we take no action. Appeals come up from the wives and children of our soldiers, now policing these foreign lands, and all we do is complain and find fault with the administrative officers. We take no hurried action to see that justice is done to our own people. Business men contend, owing to the increase in bureaus and the appropriations necessary for their maintenance, that they are hamstrung and limited in their trade affairs. We are told by them that the increase in the cost of living is due to the fact that we have been placing too much confidence in bureaucratic chiefs, like the gentleman who is now upon the other side of the water making arrangements to dispense American charity in foreign nations——

Mr. CANNON. Will the gentleman yield for a question?

Mr. MOORE of Pennsylvania. I yield to the gentleman from Illinois.

Mr. CANNON. Now, I have no objection, so far as I am concerned, as to Italy, France, Great Britain, and several other countries, Cuba,—for instance—but if we are going to consult all those the people will be dead and buried on the other side that we want to help. I say that in the hope that the gentleman will amend his proposition.

Mr. MOORE of Pennsylvania. The gentleman is older than I am, and holds a most respected place in this House. I am going to ask him if he has not heard these cries for relief coming up from the Far East ever since he has been a Member?

Mr. CANNON. That is foreign to the subject. We have been in this war, and are still in the war.

Mr. MOORE of Pennsylvania. I am asking the gentleman if he has not heard, from the time he began his service in this House, these cries for relief from the Far East?

Mr. CANNON. Oh, yes; and from the West as well as the East. We are committed to China, and we have done a lot of things.

Mr. MOORE of Pennsylvania. If the gentleman prevails in this, we would involve ourselves in these matters in Europe until we are compelled to add $100,000,000 and another $100,000,000, even until the people of the United States bleed. There is distress amongst our own people here just as there is amongst these restless people abroad.

Mr. GARRETT of Tennessee. The gentleman's amendment is the only suggestion in the way of real legislation that would involve us with foreign Governments.

Mr. MOORE of Pennsylvania. I am trying to put the foreign nations on the plane of good faith with the United States, and I will tell the gentleman why: Have we tried to do business in South America recently? Yes; we have, and our War Trade Board, in conjunction with the British officials, have restricted the space on which we may go into the markets of the world. We have been held up at every point. While they are busy capturing trade, our food prices are going up. While we are providing food for others we are forcing our own food prices so high——

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent that the gentleman be given five minutes more. He has not had a chance to speak in general debate.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Pennsylvania may proceed for five minutes more. Is there objection?

Mr. SHERLEY. I shall not object in this instance, but in order that it may not in the future carry any personal phase to it, I shall object to undue extensions under the five-minute rule. I think the House wants to vote on the amendments as offered and finish the business.

Mr. MOORE of Pennsylvania. Does the gentleman object in this instance?

Mr. SHERLEY. I do not object in this instance, but in order that in the future it may not carry any personal phase, I announced that I shall object to undue extensions hereafter.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for five minutes more.

Mr. MOORE of Pennsylvania. I thank the gentleman from Kentucky for withholding his objection for the present. When the gentleman, who is chairman of the Committee on Appropriations, was on the floor I endeavored to ask him a question. He was interested in his subject and could not at that time accord me an answer. I wanted to ask him then how much money had been spent of the first $100,000,000 we turned over to the discretion of the President for such use as he saw fit during this war. I wanted to ask him how much money Mr. Hoover, the Food Administrator, had spent since the President appointed him to that high charge. I wanted to know whether at the present time the funds of the United States, whether of the President's $100,000,000 fund or not, were going into these foreign countries for the relief of these people, and I wanted to know whether it was an afterthought or whether it was due to the ostentatious reception given to our representatives on the other side, that the thought had come to them that they were to play Kris Kingle to the people of Europe? [Applause.]

I was wondering, then, if the gentleman would answer me as to the amount of taxes we are obliged to levy upon the people of the United States. The gentleman is on the Committee on Appropriations, which spends our money; I am on the Committee on Ways and Means, which raises it. This morning I was unable to participate in the debate, because in conference we were deliberating upon the methods of imposing an additional burden of taxation that may run up to $8,000,000,000, which the people of the United States will have to pay. The burden is heavy, and now that war profits are no more, we were proposing to distribute that taxation, to take it not only from the profiteers but to spread it all over the country. We must make the farmer pay and the industrial worker. All along the line they must bear the expense of this war. We were considering these things. I wanted to know whether these $100,000,000 funds, which were new in this country three years ago, and which seemed to be enormous when we began them, are being properly expended, and it made no difference to me whether they were being expended by the President of the United States, by Mr. Hoover, or bureau chiefs down along the line. The money thus spent must be paid by the people of the United States, who are not aware, I am sure, that their Congress is endeavoring to make them, by the passage of this bill, the almoners of the entire earth. [Applause.]

I have seen widows, I have seen wives of soldiers in distress here. I have seen children clinging to the breasts of their mothers in the United States. You do not have to carry me over to Armenia for pictures of misery and distress. I have seen American collectors on the streets begging for Armenians, when American women, passing by with children clinging to them, have asked, "If this money goes to Armenia what will become of us?" We have plenty of pitiful stories right here at home.

I have here the evidence of the tax that the American soldier boys have been paying upon the ships of foreign nations carrying them abroad for a price, to protect the people over there. I have evidence of the commissary established by money makers on these ships, taxing our boys out of the paltry wages we are paying them to lay down their lives on the other side. I have some evidence of the taxes that are levied upon the expenditures of our soldiers on the other side. They pay heavily for everything they buy and some of them come back penniless. I know that every claim that is set up against us over there for aiding in the establishment of "democracy throughout the world" has been made a matter of record, and that we are paying lavishly for every damage done, and knowing all this I thought the gentleman from Kentucky might be able, when I asked him the question, to tell us something about it. I think we might well be informed whether we are throwing this $100,000,000 away for the gratification of a few individuals who want to be philanthropic and generous with other people's money, or whether it is an attempt on the part of somebody "to put something over on us." I wanted to know whether somebody, national or individual, was trying to unfairly involve the United States, and I think the time has come for us to find out. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired.

Mr. CANNON. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. CANNON moves to amend the amendment offered by Mr. MOORE of Pennsylvania by adding after the word "allies" the words "Great Britain, France, and Italy," so that the amendment will read:

"Page 1, line 4, after the word 'States,' insert the words 'in conjunction with the allies, Great Britain, France, and Italy engaged in the war against the Imperial German Government.'"

Mr. CANNON. Mr. Chairman, I offer the amendment to perfect the amendment of the gentleman from Pennsylvania. Without that amendment the gentleman's amendment would kill the object of the bill if it was adopted. The Central American States, Cuba, and many other nations, have allied themselves with us in this war.

Mr. MOORE of Pennsylvania. I will accept the gentleman's amendment if it is confined to France, Italy, and Great Britain.

Mr. CANNON. Very well, the gentleman modifies his amendment, and I want to ask him now, with that amendment, is he willing to support the bill?

Mr. MOORE of Pennsylvania. I am frank to say that I will not support it, because I think the precedent would be a very bad one, indeed.

Mr. CANNON. The gentleman from Pennsylvania is my personal and political friend, and I would not say anything to hurt his feelings, but I must be true to my own views. I must be reconciled to myself and perform my duty as I see it. The gentleman in his remarks has spoken about starvation in the United States, about women with children asking alms. I am here to say that, so far as I am informed and believe, here in the United States we are organized to relieve those who are not able to relieve themselves, and we are quite as well off in that respect now as we have ever been in the United States. [Applause.] In my own city, and in every other city, township, and county, thank God, we are organized to give relief to distress. Sometimes the people who ask relief are not candid. Sometimes relief is given, even by residents of the United States, where the people relieved might support themselves by industry. We are no worse off in that respect than we were before this war was declared. [Applause.]

I want to say one other thing, and I must insist upon it. The gentleman says the war is over. Somebody has said that Woodrow Wilson, the President of the United States, has said that the war is over. What he said was, "So the war comes to an end." But he did not mean it when he said it, because the war can not be over until peace is made. Now, how is peace to be made between the warring powers? Our principal enemies are Germany and Austria. In the beginning Russia was one of our allies. No other countries except the three that I have mentioned, Great Britain, France, and Italy, joined with us can give assurances that the terms of peace will be enforced, because the other countries have not organized governments. I pray God that the Czecho-Slovaks and the Jugo-Slavs and Serbia and Roumania may come in, but there is a proposal in the newspapers that Germany shall be taxed $40,000,000,000. Is there any government in Germany to assent to such a tax? Why, in the Far East Bolshevism is universal and progressing in Germany.

I am not afraid of this $100,000,000 being misappropriated. The gentleman says, and other gentlemen have said, "Oh, it is the entering wedge." Good God, you can not make any appropriation in this Congress that will be an entering wedge, that will bind any future Congress. After the 4th of March the next Congress will be here, either in extra session or in regular session later on. I hope we will not be sidetracked with embarrassing amendments and that we will get a vote upon this bill to-night.

Mr. MANN. Mr. Chairman, I very much deplore the lack of information which we have from the President in regard to this appropriation. It seems to me that Congress might have been taken somewhat further into the confidence of the President regarding the needs of the appropriation and proposed application of the money. But I regard this proposition as purely something which grows out of and is a part of the war. The peoples who will be benefited by this appropriation are those who have joined with us, or we have joined with them, in making war. And because of the war there is the shortage of food supplies there. If our Army were in the Balkans, with starving people on every side, we would criticize the Army if it did not give to the starving people a portion of the rations which we had furnished to the Army. And while I deplore the lack of information given to us by the President, I do not feel disposed to punish the starving people of southeastern Europe because of any failure of the President to give the information. [Applause.]

We know enough about what has taken place in Europe to believe that there is a [illegible] there, that there is danger of starvation there because of the war, and when we believe that there is the danger of starvation there, that peoples are starving for lack of food, I think it would be proper for us, as a part of the war expense, to help feed them until peace comes to them in their own localities. [Applause.]

Of course, I hope and believe that the expenditures of any money by this country there will be joined with expenditures by Great Britain and France. I have no doubt that will be the case. I do not think that we ought to hesitate to give the money now, so that it can be used as soon as possible. Before we could acquire the information, if we waited, these people will have passed beyond. Their government will still be disorganized and anarchy will still prevail. It is to our interest as a country to establish not merely the forms of government there early, but to establish real peace there. I do not believe that all the troops from the United States will be returned to-morrow. There is danger over there yet, and we would not be willing then to have the danger show up and send our troops back, but if we can establish a stable government in the Balkans and southeastern Europe we then can safely bring home our boys from Europe. We ought to establish a stable government in Germany. I had hoped that our troops would march into Berlin and establish a government there. That ought to have been done, but we ought now to see to it that as soon as possible a stable form of government is established in those countries and that our troops may return to peaceful pursuits at home. [Applause.]

For these reasons I shall support the bill, because I do not believe we ought to take the responsibility on our side of turning down the first request the President has made in connection with the peace table, when the danger of starvation threatens these people if we refuse the request. If it was a matter of punishing the President I might join in the punishment. I am not willing to punish other people because of the failure of the President to properly perform his duty in giving information to Congress. [Applause.]

Mr. COOPER of Wisconsin. Mr. Chairman, I move to strike out the last word. Mr. Chairman, during the debate some of the gentlemen who have spoken seemed almost to doubt the urgency of the situation over there. As I listened to these gentlemen I was reminded of a meeting that I attended in this city one Sunday afternoon three years ago, at the home of Miss Boardman, then and now the head of the local Red Cross. About 100 members of the Senate and the House were present, together with a number of the residents of this city.

We were invited to hear a Mr. Wolcott, then recently returned from Europe, where he had been prominently connected with the American Red Cross, describe what he saw in Poland. It was a vivid recital. I have time to mention only two or three of the many incidents of which he told us, and which he said were typical of countless thousands in Poland alone.

In company with an officer he was one day walking along the street during a snowstorm when he noticed, near the walk, a little mound of snow. Pushing his cane down into it they found a boy about 7 or 8 years of age, unconscious, with the emaciated arms and legs, the swollen stomach, and the bulging eyes of those who suffer from starvation. They carried him to a house and he revived sufficiently to tell them that he had had nothing to eat for two days; that two days before he had had a crust of bread, and that was all, and he died—starved to death.

The speaker threw on a screen pictures he had taken for the Red Cross in Poland. One was of a long, low, white structure in front of which were seated a number of persons. Among these was one to whom he directed especial attention, saying she was an anemic woman whom he at first thought must die of hunger, but whom they succeeded in saving. In the building back of her, when the picture was taken, were more than 100 men lying on the floor, of whom more than 100 died of starvation, and among them was her husband. This woman had lost her husband and six children in 12 days from starvation.

Gentlemen who doubt the urgency of the situation should remember that these incidents occurred three years ago, and that conditions have steadily grown worse.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. COOPER of Wisconsin. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

Mr. SHERLEY. Mr. Chairman, in view of the notice that I served sometime ago I feel constrained to object to an extension of time, though personally I should like to have the gentleman continue, but I must follow the rule.

The CHAIRMAN. Objection is made.

Mr. GARRETT of Tennessee rose.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. GARRETT of Tennessee. I should like to ask the gentleman from Kentucky whether he is going to accept this amendment?

Mr. SHERLEY. I expect to discuss the amendment and am prepared to discuss it at this time, but I realize that a number of gentlemen who had not spoken under general debate are desirous of speaking briefly now, and for that reason I have not claimed the floor.

Mr. GARRETT of Tennessee. Mr. Chairman, I do not care for recognition to discuss anything except the amendment, and I really do not care for recognition to discuss that.

Mr. SHERLEY. I am ready to discuss the amendment now.

Mr. GARRETT of Tennessee. Very well.

Mr. SHERLEY. Mr. Chairman, I desire to say simply this touching the amendment: There is not, in my judgment, the slightest doubt of the fact that England, France, and Italy have agreed to cooperate with the United States, and that they will cooperate, and I have that statement, as I have repeatedly said to this House, from the cables that have been sent by our representatives in France to the State Department and transmitted to me. There are two objections, to my mind, to legislating it into this bill. The amendment as offered by the gentleman from Pennsylvania [Mr. MOORE] would require cooperation and work on the part of all the allies. Manifestly that would not be a practical thing. In order to remedy that the gentleman from Illinois [Mr. MADDEN] suggests three allies; but you get out of one dilemma only to get into another, because then you confine the activities to the four allies—England, France, Italy, and the United States. I submit in all candor, in good faith to this House, that the attempt by this language to narrow activities is a mistake. We are dealing in Europe with affairs of tremendous moment. I do not share at all the suspicions of the gentleman from Pennsylvania touching the good faith of our allies. I have not shared his suspicions in the past touching our allies, and I do not share them now. I do not think it is necessary to write in here the names of the different nations. I do not think it is becoming for this Nation to undertake to arrange the detail of cooperation with other nations upon the same terms that men might arrange a horse deal or participation by individual Members in connection with personal matters. The language of the bill provides for the participation by the Government of the United States in furnishing these various things. Let us be frank. You are not going to really safeguard your $100,000,000 by that language, and all you do is to add what, in my judgment, is simply evidence of bad taste. I hope both amendments will be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois to the amendment offered by the gentleman from Pennsylvania, and for the information of the House, without objection, the Clerk will again report the amendment offered by the gentleman from Illinois.

There was no objection, and the Clerk again reported the Madden amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The amendment was rejected.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Pennsylvania, which the Clerk, without objection, will again report for the information of the committee.

Mr. MOORE of Pennsylvania. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE of Pennsylvania. I had accepted the amendment offered by the gentleman from Illinois.

Mr. GARRETT of Tennessee. But the committee did not.

The CHAIRMAN. There was no unanimous consent given for its acceptance. Without objection, the Clerk will again report the amendment offered by the gentleman from Pennsylvania [Mr. MOORE].

There was no objection.

The amendment was again reported.

The CHAIRMAN. The question is on the Moore amendment.

The question was taken; and the Chair announced the noes had it.

On a division (demanded by Mr. MOORE of Pennsylvania) there were—ayes 42, noes 85.

So the amendment was rejected.

Mr. GILLETT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. GILLETT: Page 4, line 6, after the word "furnished" insert "and no part of said sum shall be expended until Great Britain, France, and Italy shall have agreed to contribute to the relief herein provided their fair share thereof as determined by the President in view of the interest and economic ability of said nations."

Mr. GILLETT. Mr. Chairman, I do not wish to take up the time of the committee, as I have already discussed this measure, but this amendment goes somewhat further than that offered by the gentleman from Pennsylvania [Mr. MOORE]. It simply provides that Great Britain, France, and Italy shall contribute fairly. Now, I do not agree with the gentleman from Kentucky [Mr. SHERLEY] that it is at all a slight upon those nations for us to say that they ought to contribute their fair share, too. The gentleman, in fact, says the reason why we need not do this is that he is satisfied they will do it. Well, perhaps they will and perhaps they will not. They certainly will not do it unless they feel that it is necessary. They will not do it if our $100,000,000 alone is enough. This may end the need or we may be entering into a very far-reaching support of those nations, and it seems to me it is but fair that the United States should say, "We are glad to contribute; we will contribute liberally, but you ought to contribute such an amount as your interests and your economic condition makes reasonable." I do not say what that is. I leave that in this amendment to be decided by the President of the United States. It seems to me that is a fair, reasonable, and proper limitation to be put on this bill. I believe it really carries out what is the view of every man in this House that the other nations ought to cooperate with us in this charity, and I do not believe that either of the other nations would conceive it was an insult for us to make our appropriation dependent upon their also contributing their fair amount. [Applause.]

The CHAIRMAN. The question is upon the amendment offered by the gentleman from Massachusetts.

The question was taken, and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. GILLETT) there were—ayes 55, noes 94.

So the amendment was rejected.

Mr. WOOD of Indiana and Mr. McCULLOCH rose.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana [Mr. WOOD], a member of the Committee on Appropriations.

Mr. WOOD of Indiana. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. WOOD of Indiana: Page 1, lines 10 and 11, after the word "President," insert "and to be expended through the American Red Cross."

Mr. GARRETT of Tennessee. Mr. Chairman, I make the point of order on the amendment.

Mr. WOOD of Indiana. Just reserve it.

The CHAIRMAN. Does the gentleman make or reserve the point of order?

Mr. GARRETT of Tennessee. I make the point of order that it is not germane to the bill.

The CHAIRMAN. Does the gentleman from Indiana desire to be heard?

Mr. WOOD of Indiana. I desire to be heard. I insist, Mr. Chairman, that it is germane——

Mr. GARRETT of Tennessee. If the gentleman will wait a minute——

Mr. MANN. It is not subject to the point of order.

Mr. GARRETT of Tennessee. May the amendment be again reported?

The CHAIRMAN. Without objection, the Clerk will report the amendment offered by the gentleman from Indiana, a member of the committee.

There was no objection.

The amendment was again reported.

Mr. GARRETT of Tennessee. I have made the point of order; I will reserve it.

Mr. SHERLEY. I will reserve it if the gentleman wants to speak to it.

Mr. WOOD of Indiana. Mr. Chairman and gentlemen of the committee, I insist that this amendment is germane. This money is to be expended through some agency. It has been repeatedly said here by the proponents of this measure that it is to be expended through this international food-supply organization of which Mr. Hoover is the head and appointed by the President.

Now, that being true, it is perfectly germane to change the agency and define what the agency is through which it shall be expended. I take it for granted that the majority of gentlemen here want to get the best possible results from this legislation. If it is for the purpose of relieving the distress throughout Europe, why not place it in the hands of that agency that is prepared and qualified to see that every dollar of it goes for the purposes for which we desire to expend it. Why should we be

taking and expending a large portion of it for the purpose of paying for cargoes of pork already over there and those that are on the way over there, directed, if you please, by this new agency? If it is to be expended for the relief of distressed Europe, place it in the hands of those men and women who have been relieving the distress of Europe since this war commenced, who are in the localities, if you please, where this distress is, and who get their information first hand, and who are not engaged constantly around banquet tables and know nothing of the facts except by hearsay. [Applause.]

The American people have responded, as no people on the face of the earth have ever responded, to charity, and to every war necessity. It is time that they were being informed now as to how the future expenditures are to be made. We will be going before the people presently asking for another loan of $5,000,000,000; soon after that for another loan of $5,000,000,000. The American people have a right to know, now that the war is over, and when they have a right to ask questions, how this money of theirs is being expended. There is no right in law for the expenditure of this money at all. And no man can maintain that there is, unless it be by the exigency of war—a war that the President has said in this House is ended.

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. WOOD of Indiana. I will.

Mr. GOODWIN of Arkansas. Will the gentleman vote for the bill if his proposed amendment is adopted?

Mr. WOOD of Indiana. Absolutely. I will vote for it. I want to see that this money is expended for the purpose for which we are intending it. [Applause.] No one here doubts but what the Red Cross can expend this money better than any new agency that is now being organized over there. And no one doubts but what they have the information with reference to where this distress exists and where the relief can be best applied. Why should we then furnish a new overhead, with all the expenses necessary to that overhead, and put it in force so that it can expend this money?

Mr. MOORE of Pennsylvania. Does the gentleman know that the President has indorsed the plan of the American committee to raise $30,000,000 to be expended in the Far East, and much of this money is collected and in the war chest now?

Mr. WOOD of Indiana. Yes. The papers are full of it. But I want to confine myself to the matter immediately before us. I take it that everyone here is acting in good faith in reference to this thing, and my only opposition to it before the committee and here is the medium through which this money is to be expended. My belief is that there will not be one-half of it that will go for the purposes we are voting it for if it is placed in the hands of this new agency. My belief, on the other hand, is that every dollar of it will go for the purposes we are voting it for if it is placed in the hands of the Red Cross. Who has heard of any money being diverted from their purposes by the Red Cross?

Mr. ROBBINS. Will the gentleman yield?

Mr. WOOD of Indiana. I will.

Mr. ROBBINS. I wish to suggest to the gentleman from Indiana that his amendment, which names the distributing agency as the "Red Cross" is incorrect. I read from chapter 23, session 3, of the Fifty-eighth Congress, which incorporates this organization, and I find the proper corporate name is the "American National Red Cross." It is important that the proper corporate name be given, if it is to perform this very important international charitable work.

Mr. WOOD of Indiana. I will ask that it be changed.

The CHAIRMAN. The Chair will say to the gentleman that the amendment of the gentleman is not correct so far as it applies to lines 10 and 11. It applies to lines 9 and 10, and, without objection, the changes indicated by the Chair will be made.

There was no objection.

Mr. LAGUARDIA. Will the gentleman from Indiana yield?

Mr. WOOD of Indiana. I will.

Mr. LAGUARDIA. Would the gentleman have the official representatives of this Government in dealing with the official representatives of other Governments, deal with them through the medium of a private organization?

Mr. WOOD of Indiana. What is the organization that has just been created over there but a number of citizens, two designated from this country, namely, Mr. Davis and Mr. Hoover? Two were designated by France, two were designated by England—a new combination, if you please. We ought not to quibble about the agency through which this money is to be spent. It is the result, I dare say, that we are all wanting, and if we want the best possible result, why not give it to that agency whose business it is to expend money in this way? [Applause and cries of "Vote!"]

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. SHERLEY. Mr. Chairman, I withdraw the point of order and desire simply to say this in connection with the amendment offered.

The CHAIRMAN. The point of order is withdrawn.

Mr. SHERLEY. It is perfectly impracticable to adopt this amendment and to put into effect the cooperation which gentlemen on the other side, including the gentleman from Indiana [Mr. WOOD], have so greatly urged. I know nothing that warrants the belief that this money will not be properly expended by the President and by the representatives he has named upon this allied food commission, and I do know that the Red Cross has been dependent in the past, as it is to-day, for much of its information and much of its help in granting its relief to the allied food commissions that have existed and that do now exist. I hope the amendment will be defeated. [Applause and cries of "Vote!"]

Mr. MANN rose.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. MANN. Mr. Chairman, if you write a letter up to the War Department to-day and ask the War Department in reference to some soldier in France who has been killed or wounded, some one, perhaps, who may be in a hospital, the distinguished gentlemen who run the War Department will refer you to the American Red Cross. [Applause.] They will tell you that they have to rely upon the American Red Cross for any information concerning any soldier boy of the Republic in a hospital in France. And it does seem to me that if the Army admits either its own incompetency or the utmost competency of the Red Cross in giving information concerning men in the service of the United States abroad, we might very properly use the machinery of the American Red Cross in distributing charity in Europe. [Applause and cries of "Vote!"]

The CHAIRMAN. The question is presented upon the amendment offered by the gentleman from Indiana [Mr. WOOD].

The question was taken, and the Chair announced that the noes appeared to have it.

Mr. WOOD of Indiana and Mr. SNYDER demanded a division.

The CHAIRMAN. A division is asked for. Those who favor the amendment will rise and remain standing. [After counting.] One hundred and one gentlemen have risen in the affirmative. Those opposed will rise and remain standing. [After counting.] One hundred and nineteen gentlemen have risen in opposition.

Mr. WOOD of Indiana. I ask for tellers, Mr. Chairman.

The CHAIRMAN. Tellers are asked for. Those who favor the taking of the vote by tellers will rise and be counted. [After counting.] Evidently a sufficient number have risen.

Tellers were ordered; and the Chair appointed Mr. SHERLEY and Mr. WOOD of Indiana to act as tellers.

The committee again divided; and the tellers reported—ayes 103, noes 129.

The CHAIRMAN. On this vote the ayes are 103 and the noes are 129.

So the amendment was rejected.

Mr. McCULLOCH. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

Mr. MANN. Mr. Chairman, we could not hear the announcement of the vote.

The CHAIRMAN. The announcement of the vote was ayes 103, and noes 129. The Clerk will report the amendment.

The Clerk read, as follows:

Amendment offered by Mr. McCULLOCH: Strike out in line 7 the words "the President" and insert in lieu thereof the following: "a commission, to consist of three members, one of which shall be appointed by the President, one of which shall be named by the Senate, and one by the House of Representatives; not more than two members of said commission shall be of the same political party."

Mr. McCULLOCH. Mr. Chairman, I do not care to take more than a minute.

It has been admitted on both sides of the Chamber during the discussion that information in regard to how this fund is to be expended, where it is to go, and how it is to be administered, is very meager. The information received from the other side of the ocean is meager, and the information given the House by the chairman of the committee in charge of the bill has been exceedingly meager. I gathered from the newspaper report, to which I have already referred, just a portion of which I desire to call to the attention of the House now, something of what is to be done. In an article in the Evening Star on Saturday this paragraph appears:

The reason given by administration officials for not specifying more definitely to whom the food supplies are to go is that Mr. Hoover should be left free to meet changing conditions as the needs arise.

Now, I submit that on an appropriation of $100,000,000, which comes out of the pockets of the taxpayers of America, it would be as little as we could do to add to the medium of distribution one Member from the House and one Member from the Senate.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I will.

Mr. GARRETT of Tennessee. I want to see how we could work out practically the amendment proposed by the gentleman in the event that it should be adopted. The amendment provides for one member appointed by the President, one elected by the Senate, and one elected by the House.

Mr. McCULLOCH. Elected or appointed, either way.

Mr. GARRETT of Tennessee. The amendment provides "elected." And it provides that no more than two of them shall be members of the same political party. Now, how are we going to arrange about the election, in the event that the gentleman's amendment prevails? If the President appoints one and appoints a Democrat, and the Senate elects one and elects a Democrat, then would we have to elect a Republican? Or if the President appoints a Republican, and the Senate elects a Republican, then will the House have to elect a Democrat? What is the practical result?

Mr. McCULLOCH. It perhaps does seem somewhat impracticable to one so partisan as the gentleman, but it will be more practicable after the 4th of March. There would be no trouble about it then. Now, I believe that the impracticability suggested by the gentleman from Tennessee would remedy itself. The proposition I am trying to advance is just this, That it is our duty now to place some safeguard around the expenditure of this money, and that this appropriation would be accepted by the people in a better spirit if they know that there is a supervising committee consisting in part of the representatives of the people; and I can not see, if there is nothing to this except charity and good will and justice and equity, why everybody should not be willing to have proper safeguards around it. For my part I will gladly and willingly vote for this bill if this amendment, or the amendment which will probably be offered in a motion to recommit, is adopted. I think we ought to do something. We owe it to the taxpayers to put some safeguard around the expenditure of this money.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. McCULLOCH].

The amendment was rejected.

Mr. LITTLE. Mr. Chairman, I send up an amendment and ask that it be read.

The CHAIRMAN. The gentleman from Kansas is recognized to offer an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LITTLE: Page 1, line 6, after the word "to," insert "the Armenians."

Mr. SHERLEY. I reserve a point of order on the amendment.

Mr. LITTLE. Mr. Chairman, the Armenians have waited a thousand years to get a little attention from Christendom, and I did not know but I would have to wait as long before I got a hearing here.

For a thousand years the Armenians have been ground between the upper and the lower millstone, and they have not been pulverized yet. That means that they must necessarily be a race of the utmost stamina and entitled to the utmost consideration, and I am asking you to give it to them to-day. You wish to be charitable and to do a Christian thing. The universal voice of mankind will tell you that no race in the world is as needy to-day as is Armenia. No other race has suffered so and is suffering as much.

If you wish to reward a deserving race, no other race has endured as much as this race has endured for the cause for which we stand. They put 100,000 men into this war, first with the Russian Army, and then in their own army when they held the Turks for months, and at last they put 8,000 men with Allenby's army when he broke the power of the Turks. They are deserving because they have shown that they have the recuperative and self-sustaining power that with a little aid now will make them a great and powerful and rich nation. They are the industrious and ambitious people of all that vast area between the Caspian and the Mediterranean. They are the artisans and farmers of that land and the business men of the whole Turkish Empire, the only race that has demonstrated the capacity to organize and develop a nation. They are the one people who entered this war in chains and emerged with a recognized republic of their own, won by their own arms, the little Republic of Ararat. This mighty Christian Republic of the Occident should not overlook the rights of the first Christian nation which 1,500 years ago raised the banner of a Christian civilization in the Orient.

Mr. CANNON. Will the gentleman yield?

Mr. LITTLE. I yield to the gentleman from Illinois.

Mr. CANNON. As I understand it, Armenia is a part of Turkey in Asia?

Mr. LITTLE. It is the Christian part of Turkey. It lies right against the Caucasus. These people are of the same race and blood that we are. They just happened to land down there instead of in Europe.

Mr. CANNON. But this bill says Europe, and the Armenians are in Asia.

Mr. LITTLE. We do not undertake to take care of Europe. You will notice that this resolution says "the population of Europe," and these people are the same population and the same principle applies. The same reasoning applies. Turkey offered them more when this war began than our allies have as yet, but they cast their lot with us. They are Christians, they have suffered and endured for a thousand years, and they have shown a stability that entitles them to a chance to make their country great.

Mr. SHERLEY. Will the gentleman yield for a suggestion?

Mr. LITTLE. Yes.

Mr. SHERLEY. I doubt the wisdom of adopting the language in the form in which the gentleman has suggested it.

Mr. LITTLE. I should be glad to have a suggestion.

Mr. SHERLEY. I just wanted to make a suggestion to the gentleman. It occurred to me that perhaps the situation could be reached if the language in the bill was made to read "such populations in Europe and countries contiguous thereto, outside of Germany." That would deal with the situation without specifying any particular country.

Mr. LITTLE. If I accept that, will the gentleman accept my amendment?

Mr. SHERLEY. I am willing to offer the amendment.

Mr. LITTLE. Then I am through, and I am much obliged.

Mr. SHERLEY. Mr. Chairman, I offer the following amendment: After the word "Europe," in line 6, insert "and the countries contiguous thereto."

The CHAIRMAN. Does the gentleman offer that as a substitute for the amendment offered by the gentleman from Kansas?

Mr. SHERLEY. I think the gentleman from Kansas will withdraw his amendment.

Mr. LITTLE. I understand the gentleman from Kentucky to indicate that that would include all of Turkey.

Mr. SHERLEY. A part of Turkey is in Europe and a part of Turkey is out of Europe, and certainly that would be contiguous thereto.

Mr. LITTLE. I do not want any quibbling about it hereafter. Mr. Chairman, I withdraw my amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SHERLEY: Page 1, line 6, after the word "Europe," insert "and countries contiguous thereto."

The amendment was agreed to.

Leave to extend remarks in the RECORD was granted to the following Members: Mr. JOHNSON of Washington, Mr. PARKER of New Jersey, Mr. CLARK of Pennsylvania, Mr. SHERLEY, Mr. SCHALL, Mr. HUDDLESTON, Mr. HERSEY, Mr. CANNON, Mr. ROBBINS, Mr. CAMPBELL of Kansas, Mr. BYRNES of South Carolina, Mr. RUBEY, Mr. HUMPHREYS, Mr. HAWLEY, Mr. GALLIVAN, Mr. OLIVER of Alabama, Mr. ROGERS, and Mr. LUNN.

Mr. SHERLEY. Mr. Chairman, I move that the committee do now rise and report the bill and amendment to the House, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The CHAIRMAN. Under the rule which was adopted the committee rises automatically.

The committee rose; and the Speaker having resumed the chair, Mr. GARD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill 13708, providing for the relief of such populations in Europe, outside of Germany, as may be determined upon by the President as necessary, and had directed him to report the same back with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was read the third time.

Mr. WOOD of Indiana. Mr. Speaker, I move to recommit the bill to the Committee on Appropriations with instructions to report it back forthwith with the following amendment.

The Clerk read as follows:

Mr. WOOD of Indiana moves to recommit the bill to the Committee on Appropriations with instructions to report the same back forthwith with the following amendment: Page 1, line 10, after the word "President," insert "to be expended by the American National Red Cross."

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the noes seemed to have it.

Mr. WOOD of Indiana. I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 117, nays 202, answered "present" 3, not voting 108, as follows:

YEAS—117.

Anthony	Fairfield	Knutson	Rose
Barr	Fess	Kraus	Sanders, N. Y.
Bland, Ind.	Focht	La Follette	Schall
Blanton	Fordney	Little	Scott, Iowa
Bowers	Foss	Longworth	Sells
Browne	Frear	Lufkin	Sinnott
Browning	Fuller, Ill.	McArthur	Sloan
Burroughs	Gillett	McCulloch	Snell
Butler	Glynn	McKenzie	Snyder
Campbell, Kans.	Good	McLaughlin, Mich.	Steenerson
Cary	Goodall	McLaughlin, Pa.	Stiness
Chandler, N. Y.	Green, Iowa	Madden	Sweet
Chandler, Okla.	Greene, Mass.	Magee	Swift
Clark, Pa.	Greene, Vt.	Mann	Switzer
Classon	Hadley	Mason	Tilson
Cooper, W. Va.	Hamilton, Mich.	Miller, Wash.	Timberlake
Copley	Haskell	Moore, Pa.	Tinkham
Curry, Cal.	Haugen	Moores, Ind.	Towner
Dale	Hawley	Morgan	Treadway
Dallinger	Hayes	Mott	Vestal
Darrow	Hersey	Mudd	Ward
Davis	Hicks	Nolan	Wheeler
Dempsey	Hollingsworth	Osborne	White, Me.
Denison	Hull, Iowa	Paige	Williams
Dillon	Johnson, Wash.	Purnell	Winslow
Dowell	Juul	Ramseyer	Wood, Ind.
Dyer	Kelley, Mich.	Rankin	Woodyard
Elliott	Kennedy, Iowa.	Robbins	
Esch	King	Rodenberg	
Fairchild, B. L.	Kinkaid	Rogers	

NAYS—202.

Alexander	Dooling	LaGuardia	Saunders, Va.
Almon	Doolittle	Lampert	Scott, Mich.
Anderson	Doremus	Larsen	Sears
Aswell	Doughton	Lazaro	Shallenberger
Austin	Drukker	Len, Cal.	Sherley
Ayres	Ellsworth	Lee, Ga.	Sherwood
Bankhead	Elston	Lever	Shouse
Beakes	Emerson	Linthicum	Sims
Bell	Evans	Lobeck	Sisson
Benson	Farr	London	Small
Beshlin	Ferris	Lonergan	Smith, Idaho
Black	Fields	Lunn	Smith, C. B.
Blackmon	Fisher	McAndrews	Smith, T. F.
Bland, Va.	Flood	McKeown	Snook
Booher	Foster	McLemore	Stafford
Brodbeck	Freeman	Maher	Stengall
Buchanan	French	Mansfield	Stedman
Burnett	Gallagher	Mapes	Steele
Byrnes, S. C.	Gallivan	Martin	Stephens, Miss.
Byrns, Tenn.	Gandy	Merritt	Stephens, Nebr.
Caldwell	Gard	Mondell	Stevenson
Campbell, Pa.	Garner	Moon	Sullivan
Cannon	Garrett, Tenn.	Nelson, A. P.	Sumners
Cantrill	Garrett, Tex.	Nelson, J. M.	Tague
Caraway	Godwin, N. C.	Nicholls, S. C.	Taylor, Ark.
Carew	Goodwin, Ark.	Nichols, Mich.	Temple
Carlin	Gordon	Oldfield	Thompson
Carter, Okla.	Gray, Ala.	Oliver, Ala.	Tillman
Church	Griffin	Olney	Van Dyke
Cleary	Hamlin	O'Shaunessy	Venable
Coady	Hardy	Overmyer	Vinson
Collier	Harrison, Va.	Overstreet	Voigt
Connally, Tex.	Hastings	Padgett	Volstead
Connelly, Kans.	Hayden	Parker, N. J.	Walsh
Cooper, Ohio	Heflin	Phelan	Walton
Cooper, Wis.	Hensley	Polk	Watkins
Cramton	Holland	Pou	Watson, Va.
Crisp	Houston	Quin	Weaver
Crosser	Huddleston	Ragsdale	Welling
Currie, Mich.	Hull, Tenn.	Rainey, H. T.	Welty
Davey	Humphreys	Rainey, J. W.	Whaley
Decker	Igoe	Raker	Wilson, Ill.
Dent	Jacoway	Randall	Wilson, La.
Denton	James	Rayburn	Wilson, Tex.
Dewalt	Johnson, Ky.	Riordan	Wingo
Dickinson	Jones	Romjue	Wise
Dies	Kehoe	Ruby	Wright
Dill	Kelly, Pa.	Rucker	Young, N. Dak.
Dixon	Kettner	Sabath	Young, Tex.
Dominick	Kincheloe	Sanders, La.	
Donovan	Kitchin	Sanford	

ANSWERED "PRESENT"—3.

Barnhart	Harrison, Miss.	Taylor, Colo.

NOT VOTING—108.

Ashbrook	Delaney	Graham, Ill.	Hutchinson
Bacharach	Drane	Graham, Pa.	Ireland
Barkley	Dunn	Gray, N. J.	Johnson, S. Dak.
Birch	Dupré	Gregg	Kahn
Borland	Eagan	Griest	Kearns
Brand	Eagle	Hamill	Keating
Britten	Edmonds	Hamilton, N. Y.	Kennedy, R. I
Brumbaugh	Esagu	Heaton	Key, Ohio
Candler, Miss.	Estopinal	Heintz	Kiess, Pa.
Carter, Mass.	Fairchild, G. W.	Helm	Kreider
Clark, Fla.	Flynn	Helvering	Langley
Claypool	Francis	Hillard	Lehlbach
Costello	Fuller, Mass.	Hood	Lesher
Cox	Garland	Howard	Littlepage
Crago	Gould	Husted	Lundeen
McClintic	Parker, N. Y.	Rouse	Strong
McCormick	Peters	Rowe	Templeton
McFadden	Platt	Rowland	Thomas
McKinley	Porter	Russell	Vare
Mays	Powers	Sanders, Ind.	Walsh
Miller, Minn.	Pratt	Scully	Walker
Montague	Price	Shackleford	Wason
Morin	Ramsey	Siegel	Watson, Pa.
Neely	Reavis	Slayden	Webb
Norton	Reed	Slemp	White, Ohio
Oliver, N. Y	Roberts	Smith, Mich.	Woods, Iowa
Park	Robinson	Sterling	Zihlman

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. SLAYDEN with Mr. GRAHAM of Illinois.

Mr. SCULLY with Mr. COSTELLO.

Mr. PARK with Mr. EDMONDS.

Mr. McCLINTIC with Mr. ROWE.

Mr. MONTAGUE with Mr. GRIEST.

Mr. HARRISON of Mississippi. Mr. Speaker, I voted "nay," and I desire to withdraw that and vote "present," as I am paired.

The name of Mr. HARRISON of Mississippi was called, and he answered "Present."

Mr. TAYLOR of Colorado. Mr. Speaker, I desire to vote "nay."

The SPEAKER. Was the gentleman in the Hall listening?

Mr. TAYLOR of Colorado. No; I was not.

The SPEAKER. The gentleman does not bring himself within the rule.

Mr. TAYLOR of Colorado. Mr. Speaker, I desire to vote "present."

The name of Mr. TAYLOR of Colorado was called, and he answered "Present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. SHERLEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 242, nays 73, answered "present" 1, not voting 114, as follows:

YEAS—242.

Alexander	Doughton	King	Ramseyer
Anderson	Drukker	Kinkaid	Randall
Aswell	Ellsworth	Kitchin	Rankin
Austin	Elston	LaGuardia	Rayburn
Ayres	Emerson	Lampert	Rogers
Barnhart	Esch	Larsen	Romjue
Beakes	Farr	Lazaro	Rose
Bell	Ferris	Lea, Cal.	Ruby
Benson	Fields	Lee, Ga.	Rucker
Beshlin	Fisher	Lever	Sabath
Black	Flood	Linthicum	Sanders, La.
Bland, Va.	Fordney	Little	Sanford
Blanton	Foss	Lobeck	Scott, Mich.
Booher	Foster	London	Sears
Brodbeck	Freeman	Lonergan	Shallenberger
Browning	French	Longworth	Sherley
Buchanan	Fuller, Ill.	Lufkin	Shouse
Burnett	Gallagher	Lunn	Sims
Burroughs	Gallivan	McAndrews	Sinnott
Byrnes, S. C.	Gandy	McCulloch	Small
Byrns, Tenn	Gard	McLemore	Smith, Idaho
Caldwell	Garner	Magee	Smith, C. B.
Campbell, Pa	Garrett, Tenn	Maher	Smith, T. F.
Cannon	Garrett, Tex.	Mann	Snook
Cantrill	Glynn	Mansfield	Stafford
Caraway	Godwin, N. C	Mapes	Stengall
Carew	Goodwin, Ark.	Martin	Stedman
Carlin	Gray, Ala	Merritt	Steele
Carter, Okla	Greene, Vt.	Miller, Wash	Stephens, Nebr.
Cary	Griffin	Mondell	Stevenson
Classon	Hadley	Moon	Stiness
Cleary	Hamilton, Mich.	Moores, Ind.	Sullivan
Coady	Hamlin	Morgan	Sumners
Collier	Hardy	Mudd	Swift
Connally, Tex.	Harrison, Va	Nelson, A. P	Switzer
Connelly, Kans.	Haskell	Nelson, J. M	Tague
Cooper, Ohio.	Hastings	Nichols, Mich.	Taylor, Ark
Cooper, Wis.	Hayden	Nolan	Taylor, Colo.
Cramton	Heflin	Oldfield	Temple
Crisp	Hensley	Oliver, Ala	Thompson
Crosser	Hicks	Olney	Tillman
Currie, Mich.	Holland	Osborne	Tilson
Dallinger	Houston	O'Shaunessy	Tinkham
Darrow	Huddleston	Overmyer	Treadway
Davey	Hull, Tenn.	Overstreet	Van Dyke
Decker	Humphreys	Padgett	Venable
Dempsey	Igoe	Paige	Vestal
Dent	Jacoway	Parker, N. J	Vinson
Denton	James	Phelan	Voigt
Dewalt	Johnson, Ky.	Polk	Volstead
Dickinson	Jones	Porter	Walsh
Dill	Juul	Pou	Walton
Dillon	Keating	Purnell	Watkins
Dixon	Kehoe	Quin	Watson, Va.
Donovan	Kelley, Mich.	Ragsdale	Weaver
Dooling	Kelly, Pa.	Rainey, H. T.	Welling
Doolittle	Kettner	Rainey, J. W.	Welty
Doremus	Kincheloe	Raker	Whaley

Wheeler	Wilson, Tex.	Wise	Young, Tex.
White, Me	Wingo	Wright	
Wilson, La.	Winslow	Young, N. Dak.	

NAYS—73.

Almon	Dies	Hollingsworth	Schall
Anthony	Dominick	Hull, Iowa	Scott, Iowa
Baer	Dowell	Johnson, Wash.	Seils
Bankhead	Dyer	Kearns	Sherwood
Blackmon	Elliott	Kennedy, Iowa	Sisson
Bland, Ind.	Fairchild, B. L.	Knutson	Sloan
Bowers	Fairfield	Kraus	Snell
Browne	Fess	La Follette	Snyder
Butler	Focht	McArthur	Sweet
Campbell, Kans	Fream	McKenzie	Timberlake
Chandler, N. Y.	Gillett	McKeown	Towner
Chandler, Okla.	Goodall	McLaughlin, Mich	Ward
Clark, Pa.	Gordon	McLaughlin, Pa.	Williams
Cooper, W. Va.	Green, Iowa	Madden	Wilson, Ill.
Copley	Greene, Mass.	Moore, Pa.	Wood, Ind.
Curry, Cal.	Hangen	Mott	Woodyard
Dale	Hawley	Robbins	
Davis	Hayes	Rodenberg	
Denison	Hersey	Sanders, N. Y.	

ANSWERED "PRESENT"—1.

Harrison, Miss.

NOT VOTING—114

Ashbrook	Fuller, Mass.	Lesher	Rouse
Bacharach	Garland	Littlepage	Rowe
Barkley	Good	Lundeen	Rowland
Birch	Gould	McClintic	Russell
Borland	Graham, Ill	McCormick	Sanders, Ind.
Brand	Graham, Pa	McFadden	Saunders, Va.
Britten	Gray, N. J.	McKinley	Scully
Brumbaugh	Gregg	Mason	Shackleford
Candler, Miss.	Griest	Mays	Siegel
Carter, Mass.	Hamill	Miller, Minn.	Slayden
Church	Hamilton, N. Y.	Montague	Slemp
Clark, Fla.	Benton	Morin	Smith, Mich.
Claypool	Heintz	Neely	Steenerson
Costello	Helm	Nicholls, S. C.	Stephens, Miss.
Cox	Helvering	Norton	Sterling
Crago	Hilliard	Oliver, N. Y.	Strong
Delaney	Hood	Park	Templeton
Drane	Howard	Parker, N. Y.	Thomas
Dunn	Husted	Peters	Vare
Dupre	Hutchinson	Platt	Walsh
Eagan	Ireland	Powers	Walker
Eagle	Johnson, S. Dak.	Pratt	Wason
Edmonds	Kahn	Price	Watson, Pa.
Esson	Kennedy, R. I.	Ramsey	Webb
Estopinal	Key, Ohio	Reavis	White, Ohio
Evans	Kiess, Pa.	Reed	Woods, Iowa
Fairchild, G. W.	Kreider	Riordan	Zihlman
Flynn	Langley	Roberts	
Francis	Lehlbach	Robinson	

So the bill was passed.

The Clerk announced the following additional pairs:

On this vote:

Mr. ROWE (for) with Mr. GRAHAM of Illinois (against).

Mr. VARE (for) with Mr. ROWLAND (against).

Until further notice:

Mr. EAGAN with Mr. GOULD.

Mr. GREGG with Mr. LEHLBACH.

Mr. SLAYDEN with Mr. MCKINLEY.

Mr. ESTOPINAL with Mr. PETERS.

Mr. NICHOLLS of South Carolina with Mr. DUNN.

Mr. ROUSE with Mr. KAHN.

Mr. THOMAS with Mr. LANGLEY.

Mr. EAGLE with Mr. STEENERSON.

Mr. RIORDAN with Mr. BACHARACH.

Mr. SAUNDERS of Virginia with Mr. WATSON of Pennsylvania.

Mr. KEY of Ohio with Mr. KIESS of Pennsylvania.

Mr. DUPRE with Mr. RAMSEY.

Mr. MONTAGUE with Mr. MASON.

Mr. ROBINSON with Mr. GRIEST.

Mr. WEBB with Mr. FULLER of Massachusetts.

Mr. DENISON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Speaker, I ask unanimous consent that my colleague, Mr. GRAHAM of Illinois, who is absent on account of illness, be permitted to extend his remarks on this bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. HASKELL. Mr. Speaker, Mr. SIEGEL, of New York, is unavoidably detained on account of important business. If he were here he would have voted for this bill and likewise this morning would have voted against the motion to recommit and for the passage of the river and harbor bill.

Mr. FARR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

Mr. WALSH. On what?

Mr. FARR. On this bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. WELLING. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. KEATING. Mr. Speaker, the gentleman from West Virginia [Mr. NEELY] is absent. He has asked me to state if he were here he would have voted against the motion to recommit the bill and vote for the final passage of the bill.

Mr. DOMINICK. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. LA FOLLETTE. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The result of the vote was announced as above recorded.

On motion of Mr. SHERLEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. MANN. Mr. Speaker, I suggest to the gentleman from Kentucky that he move to amend the title.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent that the title be amended to conform with the text.

The SPEAKER. Without objection, the title will be amended to conform with the text of the bill.

There was no objection.

Mr. SHERLEY. Mr. Speaker, I now move that the House adjourn.

Mr. MANN. Mr. Speaker, pending that, may I ask if it is the intention to call up the legislative bill to-morrow?

Mr. SHERLEY. It is my understanding it will be called up.

Mr. GARNER. Is it the purpose to move to adjourn until 11 to-morrow?

Mr. KITCHIN. Some gentlemen who have left said that if that request were made they would object, so we do not ask it.

Mr. WALSH. I shall object.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. LANGLEY, for two days, on account of sickness.

ADJOURNMENT.

Mr. SHERLEY. Mr. Speaker, I renew my motion to adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 21 minutes p. m.) the House adjourned until to-morrow, Tuesday, January 14, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of Commerce submitting a supplemental estimate of appropriation required for the Department of Commerce for the fiscal year 1919 (H. Doc. No. 1680); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the executive officer of the Arlington Memorial Amphitheater Commission submitting a supplemental estimate of appropriation for expenses of dedicating the amphitheater and chapel (H. Doc. No. 1681); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior submitting a proposed paragraph of legislation authorizing a credit in the accounts of George W. Evans, chief disbursing clerk (H. Doc. No. 1682); to the Committee on Claims and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of Commerce submitting a supplemental estimate of appropriation required by Bureau of Fisheries for the fiscal year 1919 (H. Doc. No. 1683); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting a supplemental estimate of appropriation required by the Public Health Service for the fiscal year 1920 (H. Doc. No. 1684); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Postmaster General submitting a supplemental estimate of appropriation required by the Postal Service for the fiscal year 1919 (H. Doc. No. 1685); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Navy submitting additional estimate of appropriation required by the Navy Department for the fiscal year 1919 (H. Doc. No. 1686); to the Committee on Appropriations and ordered to be printed.

8. A letter from the Secretary of the Navy, transmitting a tentative draft of a bill to prescribe the membership of boards of selection for promotion in the Naval Reserve Force (H. Doc. No. 1687); to the Committee on Naval Affairs and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Miss RANKIN, from the Committee on the Public Lands, to which was referred the bill (S. 3571) granting lands for school purposes in lots No. 111 in each of the town sites of Fort Shaw and Simms, Sun River reclamation project, Montana, reported the same without amendment, accompanied by a report (No. 914), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WATKINS, from the Committee on Revision of the Laws, to which was referred the bill (H. R. 13304) authorizing the appointment of a commission to codify, revise, double index, and annotate all the laws of the United States of a permanent and general character, reported the same with amendment, accompanied by a report (No. 916), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 12862) granting a pension to Nancy Robinson, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SHERWOOD: A bill (H. R. 14214) authorizing the Secretary of War to donate to the Board of Commissioners of Ottawa County, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14215) authorizing the Secretary of War to donate to the Board of Commissioners of Ottawa County, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14216) authorizing the Secretary of War to donate to the Board of Commissioners of Lucas County, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FULLER of Illinois: A bill (H. R. 14217) authorizing the Secretary of War to donate to the city of Hinckley, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14218) authorizing the Secretary of War to donate to the village of Pecatonica, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14219) authorizing the Secretary of War to donate to the village of Durand, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14220) authorizing the Secretary of War to donate to the village of Rockton, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. STEELE: A bill (H. R. 14221) authorizing the Secretary of War to donate to the borough of Northampton, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 14222) authorizing and directing the Secretary of the Interior to increase the monthly salaries of registers and receivers of local land offices; to the Committee on the Public Lands.

By Mr. STEVENSON: A bill (H. R. 14223) authorizing the Secretary of War to donate to the city of Lancaster, State of South Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14224) authorizing the Secretary of War to donate to the city of York, State of South Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14225) authorizing the Secretary of War to donate to the city of Camden, State of South Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14226) authorizing the Secretary of War to donate to the city of Cheraw, State of South Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14227) authorizing the Secretary of War to donate to the city of Gaffney, State of South Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14228) authorizing the Secretary of War to donate to the city of Chesterfield, State of South Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14229) authorizing the Secretary of War to donate to the city of Chester, State of South Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14230) authorizing the Secretary of War to donate to the city of Fort Mill, State of South Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14231) authorizing the Secretary of War to donate to the city of Kershaw, State of South Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14232) authorizing the Secretary of War to donate to the city of Rock Hill, State of South Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14233) authorizing the Secretary of War to donate to the city of Winnsboro, State of South Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. RAYBURN: A bill (H. R. 14234) donating captured cannon and cannon balls to the city of Sherman, Tex.; to the Committee on Military Affairs.

Also, a bill (H. R. 14235) donating captured cannon and cannon balls to the city of Denison, Tex.; to the Committee on Military Affairs.

By Mr. HICKS: A bill (H. R. 14236) authorizing the Secretary of War to donate to the village of Roosevelt, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14237) authorizing the Secretary of War to donate to the village of Mineola, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14238) authorizing the Secretary of War to donate to the armory of the National Guard at Flushing, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14239) authorizing the Secretary of War to donate to the village of Port Washington, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SCULLY: A bill (H. R. 14240) authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to the city of Red Bank, Monmouth County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14241) authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to the city of Perth Amboy, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14242) authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to the city of South Amboy, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14243) authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to the city of Toms River, Ocean County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14244) authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to the city of Long Branch, Monmouth County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14245) authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to the city of Asbury Park, Monmouth County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14246) authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to the city of New Brunswick, Middlesex County, N. J.; to the Committee on Military Affairs.

By Mr. KING: A bill (H. R. 14247) authorizing the Secretary of War to donate to the town of Yates City, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14248) authorizing the Secretary of War to donate to the city of Kewanee, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14249) authorizing the Secretary of War to donate to the town of Orion, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14250) authorizing the Secretary of War to donate to the town of Oneida, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ESCH: A bill (H. R. 14251) authorizing the Secretary of War to donate to the city of La Farge, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GEORGE W. FAIRCHILD: A bill (H. R. 14252) authorizing the Secretary of War to donate to the city of Oneonta, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HASKELL: A bill (H. R. 14253) requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

By Mr. KELLY of Pennsylvania: A bill (H. R. 14254) providing that the Secretary of War may turn over to the Postmaster General camp buildings and material suitable for the Postal Service; to the Committee on Military Affairs.

By Mr. CLASSON: A bill (H. R. 14255) authorizing the Secretary of War to donate to the city of Sturgeon Bay, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14256) authorizing the Secretary of War to donate to the city of Antigo, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14257) authorizing the Secretary of War to donate to the city of Crandon, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14258) authorizing the Secretary of War to donate to the city of Appleton, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14259) authorizing the Secretary of War to donate to the city of Green Bay, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14260) authorizing the Secretary of War to donate to the city of Kewaunee, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14261) authorizing the Secretary of War to donate to the city of Marinette, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14262) authorizing the Secretary of War to donate to the city of Oconto, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14263) authorizing the Secretary of War to donate to the city of Florence, Wis., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

By Mr. McKINLEY: A bill (H. R. 14264) authorizing the Secretary of War to donate to the city of Sullivan, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14265) authorizing the Secretary of War to donate to the city of Shelbyville, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14266) authorizing the Secretary of War to donate to the city of Mattoon, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. OLIVER of Alabama: A bill (H. R. 14267) authorizing the Secretary of War to donate to the county of Hale, Ala., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14268) authorizing the Secretary of War to donate to the county of Sumter, Ala., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14269) authorizing the Secretary of War to donate to the county of Tuscaloosa, Ala., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14270) authorizing the Secretary of War to donate to the county of Greene, Ala., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14271) authorizing the Secretary of War to donate to the county of Perry, Ala., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14272) authorizing the Secretary of War to donate to the county of Bibb, Ala., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. McKINLEY: A bill (H. R. 14273) authorizing the Secretary of War to donate to the city of Clinton, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14274) authorizing the Secretary of War to donate to the city of Monticello, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14275) authorizing the Secretary of War to donate to the city of Decatur, Ill., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14276) authorizing the Secretary of War to donate to the city of Homer, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14277) authorizing the Secretary of War to donate to the city of Champaign, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14278) authorizing the Secretary of War to donate to the city of Urbana, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14279) authorizing the Secretary of War to donate to the city of Charleston, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14280) authorizing the Secretary of War to donate to the city of Tuscola, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MOTT: A bill (H. R. 14281) authorizing the Secretary of War to donate to the city of Fulton, N. Y., two German cannon or fieldpieces; to the Committee of Military Affairs.

Also, a bill (H. R. 14282) authorizing the Secretary of War to donate to the city of Oneida, N. Y., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14283) authorizing the Secretary of War to donate to the city of Watertown, N. Y., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14284) authorizing the Secretary of War to donate to the city of Oswego, N. Y., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14285) authorizing the Secretary of War to donate to the village of Lowville, N. Y., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14286) authorizing the Secretary of War to donate to Colgate University at Hamilton, N. Y., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. FLOOD: A bill (H. R. 14287) authorizing the Secretary of War to donate to the city of Staunton, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14288) authorizing the Secretary of War to donate to the town of Palmyra, Va., one German cannon or fieldpiece; to the Committe on Military Affairs.

By Mr. BENSON: A bill (H. R. 14289) authorizing the Secretary of War to donate to the town of Bel Air, Md., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14290) authorizing the Secretary of War to donate to the town of Westminster, Md., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14291) authorizing the Secretary of War to donate to the Board of County Commissioners of Baltimore County, Md., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SWIFT: A bill (H. R. 14292) to establish the American Academy of Government and Diplomacy; to the Committee on the District of Columbia.

Also, a bill (H. R. 14293) authorizing the Secretary of War to donate to the Borough of Brooklyn, city of New York, N. Y., for Bushwick and Highland Parks, cannons or fieldpieces, with carriages and suitable complements of projectiles; to the Committee on Military Affairs.

Also, a bill (H. R. 14294) authorizing the Secretary of War to donate to the Borough of Queens, city of New York, N. Y., for Forest Park and Richmond Hill Library Square, cannons or fieldpieces, with carriages and suitable complements of projectiles; to the Committee on Military Affairs.

By Mr. CARY: A bill (H. R. 14295) to create an athletic commission and to legalize boxing in the District of Columbia; to the Committee on the District of Columbia.

By Mr. SCULLY: A bill (H. R. 14296) to donate to the borough of Atlantic Highlands, Monmouth County, N. J., a captured cannon or gun; to the Committee on Military Affairs.

Also, a bill (H. R. 14297) to donate to the borough of Barnegat City, Ocean County, N. J., a captured cannon or gun; to the Committee on Military Affairs.

Also, a bill (H. R. 14298) to donate to the borough of Spring Lake, Monmouth County, N. J., a captured cannon or gun; to the Committee on Military Affairs.

Also, a bill (H. R. 14299) to donate to the borough of Keyport, Monmouth County, N. J., a captured cannon or gun; to the Committee on Military Affairs.

Also, a bill (H. R. 14300) to donate to the borough of Highlands, Monmouth County, N. J., a captured cannon or gun; to the Committee on Military Affairs.

Also, a bill (H. R. 14301) to donate to the borough of Farmingdale, Monmouth County, N. J., a captured cannon or gun; to the Committee on Military Affairs.

Also, a bill (H. R. 14302) to donate to the borough of Englishtown, Monmouth County, N. J., a captured cannon or gun; to the Committee on Military Affairs.

Also, a bill (H. R. 14303) to donate to the borough of Deal, Monmouth County, N. J., a captured cannon or gun; to the Committee on Military Affairs.

Also, a bill (H. R. 14304) to donate to the borough of Bradley Beach, Monmouth County, N. J., a captured cannon or gun; to the Committee on Military Affairs.

Also, a bill (H. R. 14305) to donate to the borough of Belmar, Monmouth County, N. J., a captured cannon or gun; to the Committee on Military Affairs.

Also, a bill (H. R. 14306) to donate to the borough of Allentown, Monmouth County, N. J., a captured cannon or gun; to the Committee on Military Affairs.

Also, a bill (H. R. 14307) to donate to the borough of Allenhurst, Monmouth County, N. J., a captured cannon or gun; to the Committee on Military Affairs.

Also, a bill (H. R. 14308) to donate to the borough of Spottswood, Middlesex County, N. J., a captured cannon or gun; to the Committee on Military Affairs.

Also, a bill (H. R. 14309) to donate to the borough of South River, Middlesex County, N. J., a captured cannon or gun; to the Committee on Military Affairs.

By Mr. HICKS: A bill (H. R. 14310) authorizing the Secretary of War to donate to the village of St. Albans, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SCULLY: A bill (H. R. 14311) to donate a captured cannon or gun to the borough of Roosevelt, Middlesex County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14312) to donate a captured cannon or gun to the borough of Runnson, Monmouth County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14313) to donate a captured cannon or gun to the borough of Metuchen, Middlesex County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14314) to donate a captured cannon or gun to the borough of Seabright, Monmouth County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14315) to donate a captured cannon or gun to the borough of Milltown, Middlesex County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14316) to donate a captured cannon or gun to the borough of Tuckerton, Ocean County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14317) to donate a captured cannon or gun to the borough of Highland Park, Middlesex County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14318) to donate a captured cannon or gun to the borough of Bay Head, Ocean County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14319) to donate a captured cannon or gun to the borough of Dunellen, Middlesex County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14320) to donate a captured cannon or gun to the borough of Helmetta, Middlesex County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14321) to donate a captured cannon or gun to the borough of Jamesburg, Middlesex County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14322) to donate a captured cannon or gun to the township of Lakewood, Monmouth County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14323) to donate a captured cannon or gun to the township of Sayreville, Middlesex County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14324) to donate a captured cannon or gun to the township of Eatontown, Monmouth County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14325) to donate a captured cannon or gun to the township of Cranbury, Middlesex County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14326) to donate a captured cannon or gun to the township of Matawan, Monmouth County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14327) to donate a captured cannon or gun to the township of Woodbridge, Middlesex County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14328) to donate a captured cannon or gun to the township of Shrewsbury, Monmouth County, N. J.; to the Committee on Military Affairs.

By Mr. DALE: A bill (H. R. 14329) donating a captured German cannon or field gun and carriage to the village of East Burke, Vt., for decorative purposes; to the Committee on Military Affairs.

By Mr. CHARLES B. SMITH: A bill (H. R. 14330) to amend an act entitled "An act to incorporate the American National Red Cross," approved January 5, 1905; to the Committee on the Judiciary.

Also, a bill (H. R. 14331) to provide for the appointment of an additional district judge in and for the western district of the State of New York; to the Committee on the Judiciary.

By Mr. ELSTON: A bill (H. R. 14332) to change the name of Sequoia National Park, Cal., to the Roosevelt National Park; to the Committee on the Public Lands.

By Mr. SNYDER: A bill (H. R. 14333) authorizing the Secretary of War to donate to the city of Little Falls, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14334) authorizing the Secretary of War to donate to the city of Utica, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14335) authorizing the Secretary of War to donate to the city of Rome, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14336) authorizing the Secretary of War to donate to the village of Waterville, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LAMPERT: A bill (H. R. 14337) authorizing the Secretary of War to donate to the village of Westfield, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14338) authorizing the Secretary of War to donate to the city of Chilton, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14339) authorizing the Secretary of War to donate to the village of Kiel, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14340) authorizing the Secretary of War to donate to the city of Manitowoc, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14341) authorizing the Secretary of War to donate to the city of Berlin, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14342) authorizing the Secretary of War to donate to the city of Ripon, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14343) authorizing the Secretary of War to donate to the city of Neenah, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14344) authorizing the Secretary of War to donate to the city of Menasha, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14345) authorizing the Secretary of War to donate to the city of Oshkosh, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14346) authorizing the Secretary of War to donate to the city of Fond du Lac, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. OSBORNE: A bill (H. R. 14347) to provide for the payment of mileage to officers on joining their first stations when commissioned in the National Army; to the Committee on Military Affairs.

By Mr. LUFKIN: A bill (H. R. 14348) authorizing the Secretary of War to donate to the city of Salem, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14349) authorizing the Secretary of War to donate to the city of Newburyport, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14350) authorizing the Secretary of War to donate to the city of Gloucester, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14351) authorizing the Secretary of War to donate to the town of Salisbury, Mass., one German cannon or fieldpiece; to the committee on Military Affairs.

Also, a bill (H. R. 14352) authorizing the Secretary of War to donate to the city of Haverhill, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14353) authorizing the Secretary of War to donate to the town of Topsfield, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14354) authorizing the Secretary of War to donate to the city of Beverly, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14355) authorizing the Secretary of War to donate to the town of Rowley, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14356) authorizing the Secretary of War to donate to the town of West Newbury, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14357) authorizing the Secretary of War to donate to the town of Swampscott, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14358) authorizing the Secretary of War to donate to the town of Ipswich, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14359) authorizing the Secretary of War to donate to the town of Manchester, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14360) authorizing the Secretary of War to donate to the town of Merrimac, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14361) authorizing the Secretary of War to donate to the town of Marblehead, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14362) authorizing the Secretary of War to donate to the town of Newbury, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14363) authorizing the Secretary of War to donate to the town of Georgetown, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14364) authorizing the Secretary of War to donate to the town of Groveland, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14365) authorizing the Secretary of War to donate to the town of Hamilton, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14366) authorizing the Secretary of War to donate to the town of Danvers, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14367) authorizing the Secretary of War to donate to the town of Essex, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14368) authorizing the Secretary of War to donate to the town of Amesbury, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14369) authorizing the Secretary of War to donate to the town of Rockport, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14370) authorizing the Secretary of War to donate to the town of Wenham, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DYER: Resolution (H. Res. 501) providing for investigation and report by the Interstate Commerce Commission as to what the present methods are that are now being used in the purchase of railroad ties, switch ties, car material, and crossing plank; whether said methods are the most efficient; and as to whether there are any satisfactory substitutes now on the market for taking the place of the railroad ties, etc., now generally used and made of timber; to the Committee on Interstate and Foreign Commerce.

Also, joint resolution (H. J. Res. 384) providing for a joint committee to investigate all matters relating to mail and pay of soldiers in France; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BESHLIN: A bill (H. R. 14371) granting a pension to William J. Taylor; to the Committee on Pensions.

By Mr. DENISON: A bill (H. R. 14372) granting an increase of pension to Simpson Newman; to the Committee on Invalid Pensions.

By Mr. DICKINSON: A bill (H. R. 14373) granting a pension to Thomas B. Leeper; to the Committee on Invalid Pensions.

By Mr. FESS: A bill (H. R. 14374) granting an increase of pension to Elizabeth A. Deuel; to the Committee on Pensions.

By Mr. SCULLY: A bill (H. R. 14375) for the relief of Edward S. Farrow; to the Committee on Military Affairs.

By Mr. WHITE of Maine: A bill (H. R. 14376) granting an increase of pension to Edward T. Jackson; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Petition of National League for Woman's Service in Wisconsin, asking support of the Lewis-Raker bill; to the Committee on Military Affairs.

Also, resolutions of American Federation of Labor, protesting against sections of the war-revenue bill relating to the zone system and increase of postage on second-class mail; to the Committee on Ways and Means.

Also, resolutions by the Industrial Commission of Wisconsin, indorsing the Smith-Bankhead bill for the rehabilitation of industrial cripples; to the Committee on Education.

By Mr. ELSTON: Resolution to be proposed by Hon. A. A. Wendering, California assemblyman, bespeaking action of Congress relative to naturalization of aliens; to the Committee on Immigration and Naturalization.

Also, resolutions of board of education and city clubs and associations of Oakland, Cal., indorsing Senate bill 4987; to the Committee on Education.

By Mr. ESCH: Resolutions of National Educational Association Commission on War Emergency, declaring approval of organizing youth of Nation for agricultural service; to the Committee on Education.

Also, resolutions of the Industrial Commission of Wisconsin, indorsing the Smith-Bankhead bill for the rehabilitation of industrial crippies; to the Committee on Education.

By Mr. DOOLING: Resolutions of National Automobile Chamber of Commerce of New York, petitioning Congress to increase appropriations to aid extension of export trade; to the Committee on Interstate and Foreign Commerce.

Also, petition of National Federation of Federal Employees of Greater New York, requesting that the order directing a reduction in the civilian force at the navy yard, Brooklyn, N. Y., be withdrawn temporarily until members of enlisted personnel have been released; to the Committee on Labor.

By Mr. JOHNSON of Washington: Resolutions of the Tacoma Rotary Club, Tacoma, Wash., urging that aliens refusing to bear arms in defense of the United States be forever barred from the privileges of citizenship; to the Committee on Immigration and Naturalization.

By Mr. KETTNER: Letter from Hon. Lyman M. King, Redlands, Cal., relative to maintenance of zone rate of postage; to the Committee on Ways and Means.

Also, petition of Anaheim and Fullerton, Cal., regarding House bill 13159 and Senate bill 5306, prohibiting amateur wireless operations; also, letter of George P. Bush, manager Santa Fe telegraph offices, San Diego, Cal.; to the Committee on the Merchant Marine and Fisheries.

Also, letters from Clarence W. Barton, El Centro; Eugene De Burn, chairman registration and selection military service, San Diego; R. O. Price, chairman local board No. 1, San Bernardino; and Charles C. Chapman, member of local board, Fullerton, all in the State of California, relative to recognition by Congress for part taken in war by selective-service boards; to the Committee on Military Affairs.

Also, resolutions submitted by W. J. Capnel, recording secretary Brotherhood Railway Carmen of America, San Bernardino, Cal., relative to Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: Resolutions by the Teachers' Association of Oakland, Cal., indorsing Senate bill 4987; to the Committee on Education.

SENATE.

TUESDAY, *January 14, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, at the beginning of a new day we lift our hearts to Thee and seek to draw from Thee day by day grace and courage and wisdom and strength for the battle of life. As we face the tremendous issues that are upon us to-day we would not face them alone, but, as our fathers did, we would gain Thy guidance and blessing. So we come, we trust, in the spirit of our fathers and in their faith lift our hearts to the God of Nations, praying that Thou wilt indue us plenteously with heavenly gifts and guide us in the discharge of our duty. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. SHEPPARD and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed a bill (H. R. 13708) providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary, in which it requested the concurrence of the Senate.

AFFAIRS IN GREECE.

Mr. SPENCER. I send to the desk a resolution in the nature of a petition from citizens representing all the Greek societies, Greek community, and all Greeks who are American citizens, residents of the city of St. Louis, Mo., and vicinity, in meeting assembled on the 29th day of December, 1918, which I should like to have printed in the RECORD. The resolution deals with the rights of Hellenism, as they see it, at the peace conference.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

We, native Americans and American citizens of Greek birth, representing all the Greek societies, Greek community, and all Greek residents of the city of St. Louis, Mo., and vicinity, in meeting assembled on this 29th day of December, 1918, at the Greek Church of St. Nicholas, St. Louis and Garrison Avenues, have unanimously adopted the following resolution:

Whereas the world war that cost humanity an untold sacrifice and suffering has come to an end, thanks to the valor and heroism of the combined forces of the free peoples of the world; and

Whereas the leaders and representatives of the allied powers are about to assemble in peace conference at Versailles, France, to permanently decide the future peace, freedom, and happiness of the world; and

Whereas the heads of the allied Governments have declared that the war has been fought to abolish all arbitrary and autocratic powers and to secure the absolute freedom and justice for all the nations and peoples, strong and weak, upon the foundation as expressed by our illustrious President Woodrow Wilson, "The reign of law based upon the consent of the governed, sustained by the organized opinion of mankind": Now, therefore, be it

Resolved, That we request very respectfully that the peace delegates of the allied powers extend the ideals and principles of freedom and self-determination to the unrelenting Hellenism, inhabiting the northern Epirus, all of Thrace, including the Grecian metropolis Constantinople, the northern, western, and southern coast of Asia Minor, and all the islands of the Archipelago or Ægean Sea, including the Dodecanese, held by Italy since 1910, and Cyprus, held by England. These territories are either entirely inhabited by Greeks, or the Greek race predominates over all the other inhabitants. Historically, geographically, and ethnologically the rights of Hellenism is undisputable. These peoples have originally occupied and built the above districts, and for 2,518 years have heroically defended civilization and Christianity, which they themselves established, and saved more than once the western civilization from Asiatic rule. They have suffered more than any other race in the hands of the unspeakable Turk, and certainly more than any other are entitled to be helped to rid the black slavery and servitude imposed upon them by barbarians, and be permitted to reunite with their mother country—Greece—from which they have been forcibly torn away, while defending the ideals and principles for which the present democracies of the world united to preserve; be it further

Resolved, That a copy of this resolution be sent to our noble President Woodrow Wilson, the United States Senate, the Governments of Great Britain, France, and Italy, and to the true leader of all Hellenism, Eleutherious Venizelos.

GEO. V. R. MECHIX,
Chairman.
JOSEPH CONSTAND,
Secretary.

DEMOBILIZATION OF AMERICAN TROOPS.

Mr. JOHNSON of South Dakota. I present a resolution adopted by the Huron Rotary Club, of South Dakota, on the subject of demobilization, a subject which is very important to everyone, I think, at this time, and I ask that it be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

HURON ROTARY CLUB,
Huron, S. Dak., January 11, 1919.

Hon. EDWIN S. JOHNSON,
United States Senate, Washington, D. C.

DEAR SIR: I am inclosing herewith copy of a resolution passed by the Rotary Club of Huron at their meeting January 8, 1919.

This resolution is the outcome of discussion on the matter of demobilization. Reports from the fathers of these young men in France and in cantonments in the United States show a condition that is demoralizing to these young men. Now that the armistice has been signed those who are so badly needed at home should be returned as soon as possible.

Very truly, yours, W. H. MAUL, *Secretary.*

Whereas it is now two months since the armistice was signed and it is manifest that no public good can be promoted by longer keeping our soldiers in camps and cantonments in the United States; and

Whereas it is also manifest that only a comparatively small portion of the American Expeditionary Forces is needed in Europe as an army of occupation; and

Whereas a vast number of men are held in idleness in various places in France and in cantonments in the United States who should be at once returned to their homes, where they are sorely needed in all the various fields of employment or where they should resume their studies in schools and colleges; and

Whereas the conditions that necessarily followed the taking away from these noble young men of the incentive to give their lives, if necessary, to win the war are those of relaxation, weakening of morale, and idleness, which tends to demoralization; and

Whereas thousands of these young soldiers are in foreign lands, where there is a most deplorable disorganization of the mail service, and they have been unable to receive news from their homes for months; and

Whereas in this community, which is fairly representative of the situation generally in the country, 16 boiler makers and machinists, 15 agents and telegraphers are imperatively needed by the local division of the Chicago & North Western Railway Co. at Huron and can only be secured by a return of soldiers, while every bank and business house and trade in this city is similarly in need of men, one dealer needing 10, another 8, another 6, and so on down the line; and it is the same in the country on the farms; and

Whereas tremendous demands are daily made by parents and employers for the release and return of men from the Army; and

Whereas the lack of men in all useful pursuits in both appalling and apparent, and that by reason of the unnecessary detention of men in the cantonments and camps of this country successful agriculture is threatened, commercial activities are paralyzed, manufacture and industries are handicapped, and all useful and peaceful pursuits suffer, and the situation can only be relieved by the immediate discharge from the Army of all men in the camps in this country.

We urge upon Congress such action as may be necessary to bring about the immediate demobilization, and we demand such congressional investigation necessary to hasten the discharge of every man under arms not absolutely needed in completing the demobilization of men from overseas as rapidly as they can safely be returned to this country.

Rotary Club of Huron, S. Dak.; John Longstaff, president; W. H. Maul, secretary; R. E. Cone, banker; H. E. Dickinson, superintendent Chicago & North Western Railway Co.; J. C. Dexter, dry goods; D. G. Medbery, mayor; Paul Braden, train dispatcher; H. A. Perriton, drug store; W. F. R. Whorton, dentist; J. H. Fossberg, laundry; Coe I. Crawford, lawyer and lecturer; C. W. McIlvaine, secretary South Dakota State Board of Agriculture; R. E. Beach, president Dakota Savings & Loan Co.; George C. Fullenweider, president National Bank of Huron; A. H. Dodsley, manager oil company; F. C. W. Kuehn, architect; E. W. Pigion, clergyman; George H. Costain, music dealer; I. A. Churchill, lawyer; A. M. Urquhart, automobiles; A. S. Gardner, lawyer; W. C. Gagnon, wholesale candy; J. M. Morin, wholesale groceries.

EXTENSION OF FARM-LOAN ACT TO PORTO RICO.

Mr. SAULSBURY. I present a petition from the Farmers' League of San Juan, P. R., asking for the extension of the farm-loan act to that Territory. I move that it be referred to the Committee on Banking and Currency.

The motion was agreed to.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred, as follows:

By Mr. NORRIS:

A bill (S. 5339) providing for the disinterment and removal of the remains of the infant child, Norman Lee Moizahn, from the temporary burial site in the District of Columbia to a permanent burial place; to the Committee on the District of Columbia.

By Mr. OVERMAN:

A bill (S. 5340) to provide for the protection of persons from liability for the consequences of compliance with orders or instructions issued during the period of the war by Government officers or agents; to the Committee on the Judiciary.

By Mr. UNDERWOOD:

A bill (S. 5341) donating a captured German airplane, fieldpiece, and shells to the city of Birmingham, Ala.; to the Committee on Military Affairs.

By Mr. LEWIS (by request):

A joint resolution (S. J. Res. 209) authorizing and directing the Secretary of the Treasury to permit the entry of distilled, malt, vinous, or other intoxicating liquors, except distilled spirits, into bonded warehouses under bond conditioned for the export of such distilled, malt, vinous, or other intoxicating liquors to some foreign country within one year from the date of entry into the United States; to the Committee on Finance.

RIVER AND HARBOR APPROPRIATIONS.

Mr. FLETCHER submitted seven amendments intended to be proposed by him to the river and harbor appropriation bill, which were referred to the Committee on Commerce and ordered to be printed.

SALARIES OF JUDGES.

Mr. SMITH of Georgia. Mr. President, I wish to call the attention of Senators to the fact that immediately after the morning business to-morrow I hope to bring before the Senate the bill with reference to judicial salaries and retirement. I mention my intention publicly because there are a number of Senators who have expressed a desire to be present when the bill is considered.

RESOURCES OF ARIZONA.

Mr. ASHURST. Mr. President, I observe in a widely circulated and remarkably influential magazine, Collier's National Weekly, an editorial entitled "Prearranged pioneering." I am surprised that the editor of this high-class publication should have made such a sarcastic reference to the State of Arizona as he has done in this editorial. I ask that the article be read. It appeared on Saturday, January 14, 1919.

The VICE PRESIDENT. Without objection, the Secretary will read.

The Secretary read as follows:

PREARRANGED PIONEERING.

"Everyone seems to be entitled to at least one suggestion as to what is to be done with the returning soldier. Everyone, that is, except the returning soldier himself.

"'I know just the thing,' says a solicitous official. 'The arid lands of the West! Our veterans can reclaim them.'

"'The swamps of Florida leave much to be desired as homestead land,' suggests another. 'They would keep any number of men busy draining and shoveling for years to come.'

"This leads to a train of similarly benevolent propositions, involving the working over of various undeveloped sections of the country, with an eye to keeping the unemployed veteran busy. But what about the veteran? He has not yet been quoted for publication on this 'arid-land' question. Presumably when he left this country a few months ago he was a normal American with a normal American's preconceived notions of what constitutes a good time. It is safe to assume that reclaiming arid lands has not been on his list of things that he wanted to do when first he reached home. What, therefore, will be his emotions on being greeted by his local reconstruction committee with this message: 'Welcome home, our hero! Your old job is gone, but we have the jolliest little bit of desert in Arizona which the Government will grant to you, and on which you can raise a practically unlimited family and perhaps a radish or two in time. Go West, young man; go West!'

"Life in God's great outdoors is doubtless a wonderful thing, and we have been led to believe that the thrill of the pioneer is a reward in itself; yet there ought to be at least an alternative reward for those returning soldiers who have benefited so little by military training as still to hanker after the effete life in the congested but congenial centers of human life."

Mr. ASHURST. I present a paper by one HENRY F. ASHURST, entitled "Arizona, the Old New State, Rich in Scenic Grandeur, Romance, History, and Natural Resources." I ask that it be included in the RECORD.

Mr. THOMAS. In view of the absence of the senior Senator from Arizona [Mr. SMITH], who objects to everything being printed in the RECORD except spoken words, I simply suggest that the Senator from Arizona seems to be taking advantage of that fact.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

ARIZONA, THE OLD NEW STATE, RICH IN SCENIC GRANDEUR, ROMANCE, HISTORY, AND NATURAL RESOURCES.

[By Senator HENRY F. ASHURST.]

Arizona was a populous land before the Pyramids were built. Years before Romulus and Remus were suckled, ancient Arizona peoples builded cities, not wholly lacking in grandeur. These peoples of antiquity wove and spun cotton and flax into gaudy tapestries; they melted gold and silver, from Arizona's hills, into chieftains' ornaments and queens' girdles, before Cæsar's shouting legions and laureled ensigns brought tribute back to Rome.

Centuries before the Knickerbocker set foot on Manhattan Island, their engineers watered Arizona's fertile sands from canals and reservoirs finished with hard linings of tamped or burnt clay, which in some degree possessed the endurance of our modern concrete. The origin of this people is unknown, enwrapped in the mists of antiquity. Nothing has been found of sufficient distinctiveness to enable us to do more than speculate and form ingenious theories as to whence they came, how long they enjoyed their tolerable civilization, and whither and why they went.

The Pima Indians reported to Padre Quino in 1698 that the Casa-Grande ruins were in the same condition at least 300 years before, which seemed to be as far back as the Pima tradition ran.

Whether these ancient peoples perished, migrated into Mexico, or broke up into the numerous tribes of aborigines still inhabiting the State is a matter of speculation.

Obscure and meager is that portion of our annals where we must seek for the meaning and derivation of the name "Arizona." According to bulletin 613, "Guidebook of the Western States," issued by the Department of the Interior in 1915, the word "Arizona" is taken from the Papago language, in which it is said to signify "place of small springs." According to the Encyclopedia of Names, the word is said to be "a corruption of Pima or Papago, 'Orilson,' meaning 'little creeks.'" Mowray in his "Arizona and Sonora," says: "The name is undoubtedly derived from the Aztec. In the original it is 'Arizuma' and the change is a corruption into the present word, which is accepted as Spanish. The impression among those who have been curious enough to investigate is that it signifies 'silver-bearing.'"

EARLY SPANISH EXPLORATIONS.

The first Caucasians to enter Arizona were two friars, Juan de la Asunsion and Pedro Nedal, who came in 1538. Fra Marcos de Niza, a Franciscan friar, and his party, entered in 1539 and journeyed to the source of the San Pedro River. History reveals nothing more fascinating than the annals of the "conquistadores" who represented Castillian pride and power—Ponce de Leon, Cortez, Pizarro, De Soto, Coronado, and their comrades, who flourished in the sixteenth century and made their grand tours over the western hemisphere impelled by a thirst for adventure and imbued with a contempt for danger.

Francisco Vasquez de Coronado, a native of Salamanca, Spain, of noble descent, who had attained distinction as a soldier and statesman, entered Arizona at the head of his command in 1540 and wandered for years in search of the gems and gold of the mythical seven cities of Cibola. Coronado's vagrant rambles yielded him no pecuniary profit, but he reported to his sovereign that in his explorations he was as richly rewarded as if he had found the legendary cities and Quivera's phantom towers.

Hernando de Alarcon sailed from Acapulco in May, 1540, to explore the region north of New Spain and reached the head of the Gulf of California, then known as the Sea of Cortez. He reported that he "found a mighty river that ran with so great a fury that we could hardly sail against it." There began the acquaintance of Europeans with the Colorado River, the "Nile of the West."

The Colorado River, which forms the western boundary line of the State, has the energy to drive practically unnumbered industrial enterprises, and if its waters were scientifically conserved they would irrigate lands sufficient to support nearly 2,000,000 persons. This river annually discharges 300,000,000 tons of fertilizing material. The wealth, population, produce, and tradition of the land of the Pharaohs could easily be reproduced in the valley of this river.

SPANISH MISSIONARIES AND MISSIONS.

Father Quino, subsequently known as "the great apostle to the Pima Indians," established the first mission in Arizona. He was a native of Trent, in the Austrian Tyrol, and died about the year 1710 after 26 years of missionary work in Arizona and in Sonora, Mexico.

The Mission of San Xavier del Bac, near the city of Tucson, known as a "rancheria" in the seventeenth century, and as a mission since 1720, is the oldest mission in Arizona or California which has not fallen into partial decay. It stands a monument to the zeal, industry, and architectural skill of the early missionaries.

AMERICAN INVASION.

The leaders of the American invasion were Kit Carson, the great scout and trapper; Sylvester Pattie and his son; Felix Aubrey; Lieut. Zebulon M. Pike; Bill Williams; R. W. Hardy; Jedediah Smith; Pauline Weaver; Gen. John C. Fremont, Senator from California, candidate for President and governor of Arizona; Brig. Gen. Stephen W. Kearny, commander of the Army of the West; and Col. Alexander W. Doniphan, the versatile lawyer and valorous soldier from Clay County, Mo.

In 1850 the first steamboat, the stern-wheeler *Yuma*, entered the Colorado River to the amazement of the Indians, who fled in terror.

In 1858 Lieut. Ives, of the Engineer Corps of the Army, with the little steamer *Explorer*, ascended the Colorado River as far as the lower end of Black Canyon.

The northern line of the Mexican Republic constitutes the southern boundary of the State. Physically considered, the State consists of series of wide plateaus, having a mean elevation of 1,500 feet on the southeast and up to 6,000 feet above sea level on the north. These plateaus are riven in all directions by vast gorges and great canyons of remarkable grandeur cut by the rivers which long ago eroded their way through. Mountain ranges and numerous high peaks greatly diversify the prospect. In no other place is nature more clearly caught in the act of world making than in the physical character of the larger portion of the State.

The climate of the State is varied, ranging from north-temperate winter in the mountains to isothermal heat in the tropical levels in the south-center. Infectious pulmonary afflictions never originate in the State. Health seekers are therefore very numerous. The glaring sunlight and ozone-laden atmosphere are said to be specifics for all tubercular troubles in the primary stages. The humidity is less than in any other State except Nevada, the rainy season being confined almost wholly to July and August. The rainfall is at times almost tropical in its excessiveness and rapidity of precipitation.

The population, exclusive of tribal Indians, is about 416,000. Of its 72,000,000 acres, only about 8,000,000 are privately

owned, the remainder being public land, Indian reservations, and national forests.

The Territory, as originally created, in 1863, embraced 120,912 square miles, but its area was afterwards reduced by Congress to 113,956 square miles.

Obviously there can not be narrated in this paper even a portion of the exalted heroism of the early pioneers in their contests with ferocious Indians, or their fortitude and sagacity in traversing and settling uncharted stretches of desert, whose raw and ruthless sun came down as a pitiless flail and where life was in constant peril from lurking savages or from a miscalculation as to the distance to or location of the next "watering place."

The process of evoluting a vast, unknown domain into a prosperous State is a grim game.

Prior to the entry of the Southern Pacific Railroad into the Territory in 1879 merchandise and supplies were brought to Yuma by steamboat and thence distributed by freight teams to the various settlements. Six months were frequently required to transport a consignment of goods from San Francisco to the interior of the Territory.

Two transcontinental railway lines, the Santa Fe and the Southern Pacific, now cross the State. These pulsating arteries of commerce follow the general course of historic trails and stage roads.

The Santa Fe Railroad follows the general course of the "Old Santa Fe Trail," while the Southern Pacific follows the once busy Butterfield stage line. Over the Butterfield route, established in 1858, was run a triweekly stage for a distance of 2,535 miles, traversing a land infested by Indian tribes of unspeakable brutality. Twenty-four days were required to cover the distance between St. Louis and San Francisco. The shortest period of time in which the mail was ever carried was 21 days and 23 hours. The journey was difficult and filled with peril. The cost of passage per person was $150, exclusive of meals. The route was abandoned in 1861 on account of the inveterate hostility of the Indians and the outbreak of the Civil War. The Butterfield stage line, although the longest, most important, and most romantic, was not the first to cross Arizona. The first stage line established was in 1857 and extended from San Antonio, Tex., on the east, to San Diego, Cal., on the west.

The Santa Fe trail, established in 1822, first ran from the Missouri settlements to Santa Fe, N. Mex., was later extended to the Pacific Ocean, and followed largely the same stretches of country explored by the first detail of European civilization on its way to the Grand Canyon in 1541. It in turn passes the Petrified Forest, the logs of which are the remains of trees that grew in Triassic time. The trees were of several kinds, most of them being related to the Norfolk Island pines. A small amount of iron oxide is distributed through the logs, which gives them their beautiful yellow, brown, and red tints. This old trail also passes near the Hopi villages, where may be seen to this day the most remarkable indigenous religious rite in the Western World—the snake dance; it passes the Painted Desert, and crosses and recrosses the path where walked the steps of Fray Garces, who, in 1776, wandered along the brink of the Grand Canyon the while the Liberty Bell in Philadelphia was proclaiming freedom.

The city of Tucson, probably the oldest city in the United States, has undergone strange mutations and various conditions of occupancy, to wit: An Indian pueblo; mission for Spanish priests; presidio for Spanish soldiers; rendezvous for Mexican troops; capital of the Confederate Territory of Arizona and later capital of the Union Territory. Tucson was the first and only walled city in the United States. This wall existed for about 150 years and was built in the form of a square. The wall rose to a height of about 5 feet above the roofs of the houses. A tower guarded each corner and there were two entrances, defended by immense doors of heavy timbers, invariably closed at night. Some of the old wall was later used in the construction of modern buildings.

In December, 1846, Lieut. Col. St. George Cooke, commanding the Mormon battalion, composed of 500 courageous Mormon soldiers who were marching to the assistance of Gen. Stephen Kearny, then hard pressed by the Mexicans in California, issued the following order:

HEADQUARTERS MORMON BATTALION,
CAMP ON THE SAN PEDRO,
December 18, 1846.

Thus far on our course we have followed the guides furnished us by the general (Kearny). These guides now point to Tucson, a garrisoned town, as our road, and assert that any other course is a hundred miles out of the way and over a trackless wilderness of mountains, rivers, and hills. We will march then to Tucson. We came not to make war on Sonora, and less still to destroy an important outpost of defense against Indians; but we will take the straight road before us and overcome all resistance. But shall I remind you that the American soldier ever shows justice and kindness to the unarmed and unresisting? The property of individuals you will hold sacred. The people of Sonora are not our enemies.

By order of Lieut. Col. Cooke.

(Signed) P. C. MERRILL, *Adjutant.*

Reaching Tucson the next day, the command passed through the gate into the walled city, whereupon Col. Cooke raised the American flag and then made a short speech in which he stated that no one would be harmed, as his troops would not in any way interfere with the private property and civil rights of the citizens.

To the unsophisticated "tenderfoot," the deserts of Arizona present nothing attractive, whereas a familiarity with them reveals that they bear upon their bosoms, flora of gorgeous beauty. Much has been written of the "arbureal Arizona deserts," for these deserts bloom with flowers. The prevailing hue of the desert is not monotonous; for there are ever-changing color-tones of the sky and far-away mountain peaks that form the rim of your world. The rich purple tones in the distant hills, the pearl gray touches, and the deep translucent azures in the arching heavens make up myriad glints of light and color that may not be set upon canvas.

Within the State is the largest area of recent volcanic action to be found on the continent, "recent" being employed in its geological sense. In the State is the largest and most interesting cave dwelling; the most extensive "pinus ponderosa" forest in the United States, and in the forest are hundreds of small parks—bowl-like gems of exquisite scenery.

Maj. J. W. Powell, whose labors as an explorer and geologist were of incalculable value to the American people, left a rich legacy by his early explorations of the Grand Canyon. Scarcely less fearless and prominent were the subsequent journeys and explorations through the canyon made by Lieut. Wheeler in 1871, Mr. R. B. Stanton in 1890, and the Kolb brothers in 1912.

The total number of Indians maintaining tribal relations in the State is about 44,000. The Navajo (one of the boldest and most sagacious of tribes) is domiciled in northeastern Arizona. The Navajos were wily foes and their raids and depredations were usually victorious. After the acquisition of the great Southwest by the United States, the Navajo warriors killed many citizens. Several attempts were made to subdue the Navajo, but none succeeded until 1863, when Col. Kit Carson drove them into New Mexico, where they were held as prisoners until 1867, when they were permitted to return to their old haunts in Arizona, where a reservation covering more than 9,000,000 acres was apportioned to them. Since that time they have been peaceful and in some ways prosperous. The Navajo was not mentioned by travelers prior to 1629 and apparently began as a small offshoot of the Apaches. They call themselves Dinneh, "the people." The Spaniards called them, "Apaches de Navajo," from Navahu, the name of an old Tiguа pueblo. The women weave the famous Navajo blankets, which bring them nearly $500,000 a year, and men and boys tend their sheep and goats and raise a few crops.

Despite their history as predatory savages, the Navajo are in general jovial, intelligent, and, as Indians go, industrious and capable. They have an ample vocabulary, a complex grammar, an elaborate religious system, and hundreds of songs.

Arizona is the premier copper mining State; it produces annually one-third of the copper output of the United States, being about one-sixth of the entire world output. The value of the State's copper production for the year 1918 was over $200,000,000, while the annual output of gold, silver, lead, and zinc aggregated $13,000,000.

The total value of crops raised in Arizona for the agricultural year of 1918 is $36,000,000, and of this crop long-staple cotton furnished a value of $14,000,000.

That portion of Arizona, exclusive of the Gadsden purchase, was formally ceded by Mexico to the United States in 1848 by the treaty of Guadalupe Hidalgo.

The Gadsden purchase, consummated in 1854, added 24,940 square miles to the Territory's domain.

Immediately after the Gadsden purchase, increasing numbers of Americans, from the stream of immigrants to California, began to make permanent homes in the Territory. These pioneers possessed the vision and energy of State builders and the spirit of Crusaders. As early as 1856 the settlers in Arizona petitioned Congress for separation from New Mexico and for the establishment of a Territorial government. In December, 1859, Senator Jefferson Davis introduced a bill to create a temporary government for the Territory of Arizona. Through the vicissitudes of government, Arizona was organized as a Territory by the Congress of the Confederate States a year before the Congress of the United States erected the Union Territory, and was occupied during the Civil War by a force of Confederates

from Texas, who were driven out by the Federal troops entering from California in 1863.

The civil government of the Union Territory was formally set up at Navajo Springs in 1863; hence the capital may be said to have been once at Navajo Springs. It was at Prescott from 1863 to 1867; at Tucson from 1867 to 1877; again at Prescott from 1877 to 1889, when it was permanently located at Phoenix. Almost immediately upon the erection of the Territory the question of statehood was agitated. Such a bold and dominant vanguard of American pioneers would not long permit their new home to remain in a posture of vassalage and dependency. Moreover, the Territorial government was set up by men of large ability and high ambition. The first Delegate to Congress, Charles D. Poston, born in Hardin County, Ky., in 1825, was a brilliant orator and charming raconteur.

The first man inducted into the office of governor was John Noble Goodwin, born in South Berwick, Me., in 1824, a graduate of Dartmouth College. Mr. Goodwin was elected to the Thirty-seventh Congress from the State of Maine. His state papers, and especially his messages to the Territorial legislature, evince a high order of patriotism and scholarship. After his service as governor he was Delegate to Congress from the Territory.

The first secretary of state was the classically educated Richard Cunningham McCormick, born in New York City in 1832. He was with the Army of the Potomac as a correspondent of the New York Evening Post in 1861 and 1862; was secretary of the Territory, governor, and in the Forty-first, Forty-second, and Forty-third Congresses, was Delegate; appointed minister to Brazil in 1877, but declined; appointed minister to Mexico in 1879, but declined; elected as a Republican from New York to the Fifty-fourth Congress.

The efforts of the people of the Territory to obtain statehood have at times been marked by disagreement between the people of the Territory and the Federal Government. A constitution was framed in 1891, and undoubtedly Arizona would have been admitted into the Union at that time, except that the Arizonians were unwilling to eliminate from their proposed State constitution a provision that silver and gold should be a standard of legal tender.

In 1903 statehood was defeated by a filibuster led by the able Senator Beveridge, of Indiana, who with other Senators, "talked to death" what was known as the omnibus statehood bill, providing separate statehoods for Arizona and New Mexico. In the following Congress, Senator Beveridge obtained committee approval in both Houses for his plan of uniting Oklahoma and Indian Territory as one State and Arizona and New Mexico as another. The bill passed the House and came to the Senate, where Senator Joseph Benson Foraker, of Ohio, encouraged and aided by the then Delegate from Arizona, MARCUS A. SMITH, now United States Senator, the wisest and most experienced statesman of the Southwest, conducted a determined contest with Senator Beveridge. The Beveridge bill passed the Senate with the "Foraker amendment," which provided that the vote of Arizona and New Mexico, counted separately, should determine whether they were to be admitted as one State. Under this amendment Arizona found refuge, and at the elections in 1906, by a large majority, refused to link her destiny with another community.

An enabling act authorizing the admission of Arizona and New Mexico as separate States was passed by Congress and approved by President Taft on June 20, 1910. The constitutional convention assembled in October of that year, and after a session of 60 days framed a constitution, which was ratified in February of the succeeding year by nearly four-fifths majority of those voting.

Congress by joint resolution of August 21, 1911, agreed to admit Arizona if the judicial recall provision were eliminated from the proposed constitution, which was done by the voters at the general elections held in the following December.

On February 14, 1912, President Taft issued his proclamation declaring Arizona admitted as a State, and on the same day George W. P. Hunt, president of the constitutional convention, was inducted into the office of governor.

The laws of the State represent an enlightened policy, and have mitigated, if not wholly removed, some of the worst evils that most balefully afflict society.

As a State, Arizona united the energy of youth with the wisdom of experience, and accomplished that rare feat in reforms of fusing progress with stability. The birth of a sovereign State and its entry into the American Union is an important and majestic event. Under our Federal system it is the most beautiful and symmetrical creation of political authority known to men. Although at times it seems that the States are being gradually weakened or absorbed by the Federal Government, no American should forget that the sovereignty of statehood is the highest and most beneficent plan which human wisdom can devise.

Do you seek the land of romance? Go to Arizona.

Would you engage in stock raising? There are grown the wool and hides that clothe a Nation and the mutton and beef that sustain it. Hydroelectric power? There are strategic points where may be generated sufficient hydroelectric power to turn all the wheels and propel all the trains requisite to carry the commerce of the entire southwest.

Von Humboldt called Arizona the "treasure vault of the Americas," over 100 years ago. The State is nature's alembic, where the base metals are transmuted into gold. She is El Dorado! Remain there and shout "Eureka!" for into her hills and caverns nature has poured more mineral wealth than Ophir had to burden the fleets of Solomon.

Scenic grandeur! The deep alcoves, the green and gray crags, the vermilion gleams and roseate hues of the Apache trail, open the door to regions of beauty and glory.

Let Music Mountain, with its regularity of strata and its singular erosive work, point you to a sheet of music carved on the face of the mountain by the Great Composer, through the agencies of wind and water.

The Painted Desert casts its bewitching spell upon you and you perceive the "sea of jasper;" you seem to descry fortifications with flags flying on their ramparts, walled towers on conical hills amidst an admixture of light and shade beneath a vault of flawless turquoise blue.

Only a facile pen and not this dull one may be dipped deep enough into the ink of temerity to attempt a description of the colonnades, pyramids, fluted pilasters, swelling domes, sculptured architraves, mosques, minarets, and inverted temples in that 13-mile-wide gash, the Grand Canyon.

A prose-poet of no contemptible order will find himself hard pressed, even tamely, to describe the bold escarpments, sheer cliffs and isolated mesas, within that wondrous canyon, between whose walls there tumbles and rolls and boils the rapid and forbidding Colorado River.

Would you follow that noble vocation by which the multitudes of the earth are nourished, agriculture? Would you become a producer? Consider then that the fertile sands and salubrious climate of Arizona produce the Tunis date, the Egyptian long staple cotton, the orange, the olive, the lemon, the Louisiana sugar cane, the Michigan sugar beet, the Canadian strawberry, the Kalamazoo celery, the California cantaloupe, the French asparagus, and all the fruits and grains and flowers. And lest the rainy season might not synchronize with the "heated spell" there have been built irrigation projects so big and yet so simple, so practical and yet so ideal that they charm the imagination with their wizardry the while they pour their "living waters" out upon the rich alluvial soils.

Do you seek health? Arizona is a dreamful tranquillity, which soothes the throbbing nerve of pain. She blows a bracing, healing air that reddens the bloodless lip and paints the rose upon the invalid's pallid cheek. And the citizens! They are of active enterprise and unbending courage. They are disciples of industry, therefore apostles of success who know that all independence, competence, and all livable conditions of life come only from constant striving and long-sustained effort. The wealth and beauty of enterprise, the public order, justice, and progress that have been set up in Arizona during the past 30 years make the lamp of Aladdin and the purse of Fortunatus appear tame and commonplace by comparison. Her people, testifying to the eternal and supreme truth of Christianity as a solid foundation for civilization, have built a State which will give good government to the people and strength to the Union so long as men love liberty. Fair dealing, moderation, industry, sobriety, frugality, freedom from bigotry, are the great virtues, and they who visit these shrines never come away empty handed. These virtues build a State.

Hail the giant—the old-new State! Her past is romantic; her present is radiant. Those who are banished from her borders by caprice or misfortune are irresistably recalled by the splashing splendors of her noonday sun; her sunsets that are wedges of flaming gold, and her cloudless nights lit with eternal stars, which, bright and clear, bespangle the serene and silent arch above.

PEACE POLICIES.

Mr. FRANCE. I offer a resolution and ask to have it read and referred to the Committee on Foreign Relations.

The resolution (S. Res. 412) was read and referred to the Committee on Foreign Relations, as follows:

Whereas on the 11th day of November, 1918, the President of the United States announced the signing of an armistice between the United States and the central powers, against which this Nation had been at war, the President at that time declaring "the war thus comes to an end"; and

Whereas it has not as yet come to the knowledge of the Senate of the United States that peace negotiations have been entered into with the enemy; and

Whereas the keeping for any length of time of an American Army upon European soil is undesirable and a cause of vast expense and of deep anxiety to the American people; and

Whereas profound unrest among the people of many nations and violent revolutions in several countries, which spirit of unrest and revolution are augmented by the hardships resulting from the maintenance of armies of occupation and by that underproduction throughout the world of the necessities and commodities of life, which has resulted from the long withholding of many millions of men from productive industry, must be a cause for deep concern on the part of the several Governments: Therefore be it

Resolved,

First. That the Senate, as part of the treaty-making power of the Government, does hereby consent to and most earnestly advise that at the very earliest possible moment negotiations be entered into with the enemy looking to the establishment of a just peace and that all subsidiary questions, which might delay the establishment of such a just peace between the nations, without which peace national stability is everywhere endangered, may be postponed for a later discussion at an international conference.

Second. That the Senate, as part of the treaty-making power of the Government, does hereby consent to and most earnestly advise that at the earliest possible moment consistent with the safety of this Nation American troops be returned from Europe; and, further, that after the establishment of peace the President call upon the Governments of North and South America to appoint two delegates each to an international conference, to be held at some suitable time and place, to consider plans for the closer cooperation of these Governments in promoting justice, progress, and friendship among and within the said countries of the Western Continent; and, further, that the President also, at some time subsequent to this conference of the American Republics, call upon all the nations to appoint delegates to another international conference, to be held at some suitable time and place, to discuss and consider plans for the promotion of justice, progress, and friendship among and within the nations of the world, such conference to particularly discuss and consider plans for the removal, so far as may be, of the economic and social causes of war, and to this end particularly give attention to—

1. The congestion of population of some nations.
2. The underpopulation of other nations.
3. The unregulated competition between the more populous and industrial countries for the raw products and trade of the less populous and agricultural ones.
4. The exploitation of the weaker and the less advanced by the stronger and more highly organized nations.
5. A larger self-determination of peoples and nations.
6. The possibility of the cooperation of the more advanced nations for the improvement of the conditions of the backward countries, particularly those of Africa and parts of Asia, by the formulation of plans for the reclamation of waste lands, for the utilization of natural resources, including water powers, for wise colonization, for education, and for the spread of civilization in the interest of those countries and of the world.
7. The best means for the wider and more rapid extension of education and civilization throughout the world, looking to the ultimate elimination of national, racial, and religious antagonisms.
8. The establishment of constitutional republics or of governments of such uniformity throughout the world as would make for that national stability upon which could be based a permanent international order.
9. The elimination of all causes of national enmities and the establishment of friendship and justice between the nations, with a view to the ultimate establishment of a league of nations or world federation of republics for the purpose of promoting the cause of progress and of peace throughout the earth.

CALENDAR MONDAY.

Mr. SHEPPARD. Mr. President, the Senate proceeded yesterday with its usual custom of disregarding Calendar Monday. The Vice President called attention to the fact that Calendar Monday had not been observed since the rule providing for it was adopted. I wish to give notice that hereafter on Calendar Monday I shall object to any variation whatever from the regular order to the end that Calendar Monday may be observed. I give this notice now in order that Senators may be fully advised.

HOUSE BILL REFERRED.

H. R. 13708. An act providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary, was read twice by its title and referred to the Committee on Appropriations.

LEAGUE OF NATIONS.

Mr. BORAH. Mr. President, whatever there may be of virtue or of vice, of strength, or of weakness in the proposition of a league of nations, whether it shall prevail or whether it shall fail, I think it profitable to discuss the problem. Certainly no subject of such moment should be permitted to pass into practical form without the most thorough consideration and discussion upon the part not only of those in public place but of and by private citizens.

There are, it seems, as many different kinds of leagues of nations as there are advocates. But I think it may be fairly said that all are but modifications of two fundamental types or plans. The first is a league which would organize the moral forces of the world. The second is a league which would organize the military forces of the world. The former depends for its effect upon public opinion and the power of ideas. The second rests ultimately, if not primarily, upon force, upon repression. The former is indicated in President Wilson's speeches in France and Italy. The second has its most distinguished and industrious advocate in ex-President Taft.

I do not at this time discuss the first plan. I recognize in government and among men the power of public opinion. We shall watch with interest the development of the machinery by which it is to be made effective for the settlement of concrete questions and particularly difficulties in international affairs. It is upon the second plan that I wish to submit some observations, for peace by repression may be infinitely worse than war. It may not be a peace of justice or of liberty at all. It may be the same kind of a peace that Germany contemplated for all the world in case her scheme had ripened into success. It was frustrated, however, by the liberty-loving people of the free nations, who thought there were some things dearer than peace, and among them the right to live our own lives in our own way.

At the time that the League to Enforce Peace was first organized it was apparent to those who gave it consideration that it must rest ultimately upon force, upon the principle of repression. But the advocates of this particular league were very slow to admit to the public that that was the true construction to be placed upon their program. It was some time before it was conceded that force would have any particular part in the maintenance and execution of the objects and purposes of this league. It was argued that it might ultimately be relied upon, but that it would be seldom used. We have now arrived at that stage of the discussion when its proponents concede that the distinguishing feature of this league over all others is that it depends upon force and that its fundamental principle is that of repression; that it can only be maintained by the organization of the military power of the great nations, to be used whenever those powers shall deem it proper.

Naturally, the first question that one would ask would be, "How are you going to raise your Army to sustain this vast military program or this league based upon force?" Would the citizens of the United States volunteer to enter the Army for the purpose, for instance, of settling difficulties in the Balkans? Would the American boys leave their homes or the farms or the factories for the purpose of taking part in the adjustment of a controversy between Japan and Russia over Manchuria? How are you to have a sufficient force in a free nation with which to maintain the program outlined by this league? After some delay, the ex-President was frank enough to say precisely how it was expected to raise and maintain a sufficient Army to support a league to enforce peace. I call attention to this because it is one of the practical features now indicated in the workings of this program; it is one of the things which come home direct to the citizen, and which enable him to see precisely what his duties and obligations are to be if this particular principle should be incorporated in the league of nations. We are to have conscription in time of peace.

We yielded, Mr. President, to the principle of conscription in the great emergency through which we have just passed, but it is certainly of extraordinary moment to the people of this country to have presented to them the question of conscription in time of peace in order to secure a force with which to sustain the proposed league. In a speech made in New York some time ago in advocacy of the league of nations, the ex-President said:

> Very little service of any kind has been exacted from the great body of the people. Conscription is needed to discipline our native young men and to teach them respect for authority. It is needed to teach our millions of newly created citizens loyalty. Congress should enact a conscription law making provision not only for the present but for the future after the war shall end.

The ex-President should be commended for his candor. It was clear from the beginning that must be the true basis, and the only basis, upon which a league to enforce peace, based upon the principle of force, could ever be maintained. We will never be able to call into activity or into service a sufficient force from the American homes to do our part in a league of nations to settle the controversies of Europe and of Asia by means of military power except by fastening conscription upon the American people. At a time when other governments, which have had experience with conscription, are pledging the people that it shall be abrogated and eliminated from their system this Republic is to have it made permanent. While others are trying to get away from it the league to enforce peace would require that we ingraft it upon our system as an abiding principle. Lloyd George and others who have spoken upon the subject have said that it shall not only be eliminated but that it shall be forgotten as a precedent. The league to enforce peace states that the basis upon which it expects to operate is that of inaugurating

this principle even in time of peace. That is the practical, and the first practical, proposition with which we shall have to do in the organizing of this particular form of a league. I think it well to read a paragraph from Mr. Lloyd George's speech about the time that he was asking the people of England for their suffrages:

On the eve of this important election which means so much to the country I wish to make it clear beyond all doubt that I stand for the abolition of conscript armies in all lands. Without that the peace conference would be a failure and a sham. These great military machines are responsible for the agony the world has passed through, and it would be a poor ending to any peace conference that allowed them to continue.

That which the premier of England looks upon as the basis of militarism and the exclusion of which is essential to the peace of the world, the ex-President regards as indispensable to the successful operation of a league to enforce peace. Both are correct, and, peculiarly enough, both are for a league of nations.

We pass on to another feature of this program of a league to enforce peace. We are not only to have an army based upon conscription but we are to have the largest navy in the world. Admiral Badger, appearing before the Committee on Naval Affairs, outlined the Navy we should have, and frankly stated the objects and the purposes for which it was being built. I trespass upon the patience of the Senate long enough to read a paragraph or two from the admiral's testimony. On page 495 of the hearings he gives a list of the battleships, battle cruisers, scouts, and so forth, which are to make up the largest navy in the world, as follows:

Battleships	12
Battle cruisers	16
Scouts	30
Destroyers	108
Submarines:	
Fleet	21
S type	146
Antisubmarine	24
Mine laying	42
Mine sweepers	284
Destroyer tenders	12
Submarine tenders	6
Airplane carriers	6
Patrol vessels	376
Aircraft:	
Large seaplanes	1,704
Dirigibles	156
Kite balloons	544
Rigid airships	24

In his testimony he says:

Navies must be the principal support of a league of nations, and the United States, from its wealth, influence, and power, will be called upon to contribute a very large share of the international police force to render such a league effective.

The able Secretary of the Navy, addressing the committee a few days afterwards, among other things said:

It is desired to enter the Paris peace conference with the assurance from Congress that the American Navy would be enlarged to a size commensurate with the greatest naval power.

Why should we enter a peace conference at which no one will have a seat other than our friends and our allies with the assurance from the American Congress that we are building the biggest war machine in history? If I meet with my neighbor to settle a difficulty, announcing in advance that we are there for the purpose of arranging our difficulties upon peaceful terms and in a peaceable way, it is calculated to disturb the serenity of the gathering if I throw upon the table my loaded revolver. There is no one at the peace table, Mr. President, to whom it is necessary to say that we are preparing for war upon a gigantic scale. I have no particular objection to the game of international bluff, provided it is not too expensive for the taxpayers. Besides, the bluff might be called, and that would be the beginning of another war.

Again he states:

I may say that you can not do anything in the world which would so strengthen this country's position at the peace conference as to authorize this enlarged naval program.

I quote from a report of his testimony in the New York Times of December 31:

It is the desire of Secretary Daniels and the Navy officials to have a Navy which will be as large as that of any other country, not only for defensive purposes but for policing the world in case a league of nations to enforce peace is created at the Versailles conference.

This program is estimated to cost $600,000,000. This is the largest single naval expenditure in the history of the world, all in order that a league to enforce peace may not fail for want of respectability.

I can not understand this demand for so heavy an expenditure for warships at this particular time. The facts and the reason and the psychology of the situation, if I may use that term, are all against it. Battleships are made for war, for the purpose of fighting some one. Where is the enemy that compels this speedy and tremendous expenditure at this time? Germany is conquered and her navy subject to the disposal of her conquerors. Russia is dismembered and broken. Every one of these ships built at this time will rot upon the sea before Russia is again a factor upon the ocean. Are we then challenging or throwing doubt upon the friendship of France or of England? Japan is a powerful nation, but her relations with this people are now friendlier than they have been for a decade. In addition to that, the relation of England and Japan is amicable enough. I would favor a reasonable building program at this time, although the necessity for it is less commanding than it has been for 15 years. But to put out this extraordinary and bewildering and threatening program at this time is unnecessary to the situation, unwise as an international move, and highly unjust to the taxpayers of this country, already harried and worried with the fearful burdens of the war.

Mr. THOMAS. Mr. President, may I suggest to the Senator that in enumerating these formidable countries he should not overlook Bolivia and Switzerland?

Mr. WEEKS. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Massachusetts?

Mr. BORAH. I yield.

Mr. WEEKS. I do not know that the Senator from Idaho has stated it, but if this program is carried out it will give the United States a larger and stronger Navy than that of Great Britain at the beginning of the war, and if the ships that are now under construction are completed, it will give the United States a stronger Navy than the combined navies of the three next powers—Japan, France, and Italy.

Mr. BORAH. Mr. President, we can best realize this stupendous program by comparison. France, Russia, Germany, and England combined expended in round figures $200,000,000 upon their navies in the year 1913. This was at a time when there was a feverish, though undefined, feeling of unrest in Europe. In fact, after 1906 Germany had in a sense challenged England's sea power by her increased building program. But even so, those four great powers combined expended little more upon all their navies than we now propose to expend upon ours in the next year. After the war has come to an end, with our enemies defeated and all the great naval powers friendlier than ever before in our history, we propose to spend $600,000,000 in the next three years upon a powerful fighting machine. Is this not a direct challenge to the good faith of our allies, or does it not throw doubt upon the sincerity of our own professions? Above all, is it not a signal act of injustice to the people of this country, who have paid taxes and bought liberty bonds and saved and stinted and denied themselves in this crisis? Is the American taxpayer to have no place whatever in this program of national affairs save that of a coddled peon? Are we going on with this shameless orgy of expenditure until the people are forced to cry out with the voice of revolution against the madness that is grinding them to powder? The expenditures of this war will amount to easily thirty billions, and yet we are proposing to add billions upon billions for war purposes in time of peace.

Then there comes from the War Department a demand for the purchase of all the cantonments. These vast war utilities are to be purchased at a cost of from twelve to fifteen millions and to be maintained and kept up at a cost annually of from fifteen to twenty million dollars. These things are the first incidents or preliminary preparations of the league to enforce peace. These are the modest preparations for peace by repression, by force. While we seem to have great plans in theory, nevertheless in practice we are still apparently following the rule of kings and autocrats and that is to first frighten the people and then rob them through taxation. I call attention to these facts at this particular time for the reason that it is a program advocated by men of vast influence and of great standing in this country who have announced that they propose to hold conventions in all the large cities of the country in order that the people may understand precisely what their program is and to secure an indorsement at the hands of the people. What effect that might finally have upon the congress at Versailles I do not know, but I want, if I can in my humble way, to convey to the people the fact that the league to enforce peace does not mean disarmament, it does not mean relieving them from taxes or from the great burdens of war but of adding to them permanently and for all time to come. It is not certain that this program will bring peace, but it is morally certain that it will bring great armies and navies and crushing burdens and taxes without "stint or limit."

Now, let us see what they propose to do with that great military force when they get it. We are not left in doubt in regard to it. The principle upon which they propose to use

it has been stated repeatedly. Slowly but surely the scheme unfolds.

Speaking at Baltimore, December 9, 1918, the ex-President of the United States said:

We have got to have a league with force enough to say to all those small nations: "We do not propose to let you start a conflagration that will destroy this peace that we have endured so infinitely much to bring about."

Again, at Atlantic City:

We should make a start in Russia right soon. You can not deal with the Bolsheviki in any other way than their own system. The only way to deal with those people is to kill them off.

The league to enforce peace is, therefore, according to the explicit language of its most distinguished advocate, based entirely upon the principle of repression. The only remedy which is now proposed is that of absolutely repressing any movement that does not accord with the idea of the league to enforce peace.

The whole scheme, Mr. President, is founded on force. These advocates of this particular league can find no amelioration, no remedy, save that based upon force. "Kill them off," cries the league's most distinguished exponent. While yet in the formative period, even before they have an army at their command, before they have actually tasted the power for which they hunger, the watchword is "kill them off." What will be the program when once power is lodged in their hands? "He tasted blood and felt no loathing. He tasted again and liked it well." That is the story of all individuals and of all institutions believing in or founded upon the gospel of force. If these people would enter Russia, with whom we are at peace, and slay and decimate because of internal troubles, what would they do with other nations which might from time to time have internal disturbance or revolutions? Have they not said in explicit language that "we want a force to deal with small nations when they start a conflagration." Are all conflagrations to be put out save those which meet with their approval? The fathers started a conflagration in 1776. Other peoples may start conflagrations of the same kind. India, with her countless millions, may in future years express a desire for independence and for freedom. Other subject nationalities may feel some time or other that they want their independence and freedom. What will be the doctrine of the league? They have announced it—"Kill them off."

The people have been told of the halcyon days that were to come with the league. Men would no longer make war. The crushing burdens of stupendous armaments were to be lifted. The dull, monotonous struggle of the masses bending under the weight of governmental expenditures was to have an end. But not so. We are to have a larger standing army than ever. Why? In order to support the league. We are to have the largest Navy in the world. Why? In order to support the league of peace. We are to have militarism such as Prussia only dreamed of. We are to have taxes beyond the taxes of any era or of any age. Why? In order to support the league of peace. We are to compose all the troubles and put out all the conflagrations started to destroy kingship or bureaucracy. And how are we to stop the troubles? How are we to put out the conflagrations? Why, in the same old way, nothing new about it at all. Precisely the same way and in the same method of the holy alliance—"kill them off." If the people are to be taxed and taxed, and if they rebel against the burden are to be killed off I do not see the virtue of the scheme. I confess that my vision may be somewhat blurred and I know my fancy is somewhat troubled when I see these vast equipments of war, this vast array of force—standing armies, conscription, great navies, and taxes without stint or limit—with no answer to give the people when they cry out in resistance save the cry coming down through the centuries from the lips of tyrants and despots, "kill them off."

Those who while wanting peace nevertheless have feared a league backed by a vast military power have not had long to wait to see their fears justified. They had looked into the pages of history and they feared that human nature was in all probability still the same—that arbitrary power backed by military force would resort to repression as the only means of maintaining peace. And how quick the change! They changed their shibboleth overnight. During the war the air was laden with promises for a freer and more democratic world, a less burdened people, the rights of small nations with no invidious exceptions, self-determination, open diplomacy, disarmament, and democracy. These things intoxicated the very air we breathed. Cheered by these promises the people fought and bled and died in the great cause. Mothers gave up their sons, wives their husbands, and the common people faced hunger and disease, starvation and death in the belief that they could see ahead for their children at least a freer and a less burdened world. Kings and armaments and royal tinsel and secret agreements and all the pretense and vicious practices which have weighed humanity down seemed nearing their eternal end. But scarcely had the armistice been signed until a different tone, a discouraging warning voice was heard from those in authority. A noted leader, an advocate of the league on the other side, hastened to say, "The world can not be made safe for democracy by increasing the number of democratic states." Self-determination, it was declared, could only have a most limited application. Open diplomacy has been rejected, disarmament has given way to an ambitious program for stupendous armies and navies. As for the rights of small nations, if they should start a conflagration the remedy is to kill them off. These are not the principles upon which we fought the war; and these are not the principles, either, upon which permanent peace may rest, but they are the principles which are already foreshadowed by this league based upon force.

The league to enforce peace organized just 100 years ago ran the same course. Its original protestations were upon a high plane. Its purposes were based upon the widest humanitarianism and the greatest liberty for all. It specifically declared in favor of self-determination and it pronounced in favor of open diplomacy. But when once organized and backed with power it had but one principle by which it was guided, and that was repression. When the people cried out against injustice and made a move for liberty they were suppressed by force without regard to their rights or to the justice of their cause. When the small nations of South America started a conflagration they made a move to put it out. This putting out conflagrations is a fascinating pastime. But America said no; these conflagrations are shedding a kindly light upon the homes and the hearthstones of the long repressed and they shall not be put out, neither shall those who started them be killed off. Revolution is the people's law of self-defense, and you shall not deny it to those South American people.

Senators, you can not establish peace by force, by repression. If you have any other workable scheme or plan, bring it forward, but the scheme based on force is more repulsive and destructive of human justice and human liberty and human progress than Prussianism itself. It is Prussianism extended, amplified, and denationalized. If you think you can seek out and do justice to all nations, great and small; if you think you can found an organization based upon the principles of human progress and whose decrees are enforced by public opinion; if you think you can prescribe reasonable rules for change and growth and progress; if you think you can look into the hearts of a particular people and interpret that inexplicable passion which when the appointed hour comes melts away all obstacles, rejects all restraints, and forces its way from a small to a great nation; if you think you can look upon a French revolution cursed with apparent stupidity and steeped in blood and foretell that in a hundred years those same people, disenthralled and free, will stand between civilization and organized barbarism as the French stood at the Marne; if you think you can now look upon a broken and dismembered and bleeding Russia and foretell her future or point out along what paths she will move in order that she may realize the best there is in her; if you think you can do what the living God has not been able to do, standardize the human family; if you feel you can undo what He in His inscrutable wisdom did when He planted race prejudice in the hearts and stamped color upon the faces of men, then give us your prospectus. We will be glad to look it over. We shall be infinitely happy if we find that it is workable. But if you are simply going back to the old discarded league of military power with which to put out conflagrations, to repress movements, and to kill off those who are dissatisfied and who in their madness and helplessness are striving for better things, we should reject it and denounce it as a menace to human liberty and a challenge to human progress.

Mr. President, it may not be uninteresting to call attention to some other views, foreign views, of this league to enforce peace. I think it throws some light upon it to have the construction of those who do not feel timid on account of our institutions or the possible bias or prejudice of the people against transferring their sovereign powers to a supertribunal. Mr. H. G. Wells, one of the most fascinating writers of the day, in his book entitled, "The Fourth Year," discusses the league of nations as follows:

If this phrase, "the league of free nations," is to signify anything more than a rhetorical flourish, then certain consequences follow that have to be faced now. No man can join a partnership and remain an absolutely free man. You can not bind yourself to do this and not to do that and to consult and act with your associates in certain eventualities without a loss of your sovereign freedom. People in this country and in France do not seem to be sitting up manfully to these necessary propositions.

I like the candor of the writer. He states without circumlocution that any organization of the league which will amount to anything at all must necessarily imply the surrender of sovereignty upon the part of the individual nations. We must transfer to some one the right to determine when we shall enter a war or when we shall make use of our armed forces for any particular purpose in the execution of the plans of the league. He can not conceive of an organization which would have any prestige which did not detract or subtract from some one a sovereign power which it had taken unto itself. Some one must give up that sovereign power, and the individual nations must do that. Further along in his interesting volume he says:

> Firstly, then, it must be able to adjudicate upon all international disputes whatever. Its first function must clearly be that. Before a war can break out there must be the possibility of a world decision upon its rights and wrongs. The league, therefore, will have as its primary function to maintain a supreme court, whose decisions will be final, before which every sovereign power may appear as plaintiff against any other sovereign power or group of powers. * * * But in addition there is a more doubtful and delicate class of case—

After having enumerated the different cases which have occurred to him—

> arising out of the discontent of patches of one race or religion in the dominions of another. How far may the supreme court of the world attend to grievances between subject and sovereign?

The author is probably correct. It is likely true that the next war will not be a war between governments or between nations but between the governments and the people. I admit that the future is filled with many forebodings, but they are of internal conflicts. Those of us who believe in an orderly, regulated liberty, in a government of law, a government by the people in orderly and manly fashion, have something of a task before us. I deplore the madness and the fearful crimes of Russia, but we must find some remedy besides killing them off. I am one of those who believe that the French Revolution and the Russian Revolution, that Robespierre and Lenine, are the legitimate outgrowth and offspring of the injustice and oppression, the hideous, prolonged, and insistent cruelty of the governments which preceded. There has not been a mass movement in all history that did not have a just foundation. We might have differed wholly with the methods, we might have deplored the madness, but there was a cause for it, nevertheless, lying back. There has not been a crime committed in Russia in the last six months that had not its legitimate parent crime in the indescribable oppression of the bloody Romanoffs for the last two and one-half centuries. Now, my friends, we can not shoot up or kill that kind of movement. If we are not strong enough and wise enough to remove the injustices and the wrongs, to restore security and confidence to the people, then these things will have to work themselves out in blindness and in wrath and in destruction. You have got to feed the Russian people on something besides bullets. That is the food which the Romanoffs have fed them for the last three centuries. America should adopt a different plan. You have got to remove the causes of disturbances or the disturbance will go on, for starving people are not afraid to die at the cannon's mouth. It is natural, therefore, that this writer, as well as the ex-President, entertaining the views they do, advocate a league which will not only determine controversies between different nations, but which will go into Russia, which will go into this country and into that country, and adjust the internal affairs of that particular nation in accordance with the program of the league.

You can see, therefore, that this conscript army for which Mr. Taft calls and the greatest navy in the world are not alone to settle the difficulties between the different nations, but they are to adjust and compose the internal difficulties of the different nations, especially if they are calculated to spread over national lines. Mr. Wells says here, giving an illustration of some of the things that may arise:

> Such cases are highly probable, and no large, vague propositions about the "self-determination" of peoples can meet all the cases. In Macedonia, for instance, there is a jumble of Albanian, Serbian, Bulgarian, Greek, and Roumanian villages always jostling one another and maintaining an intense irritation between the kindred nations close at hand. And quite a large number of areas and cities in the world, it has to be remembered, are not homogeneous at all. Will the great nations of the world have the self-abnegation to permit a scattered subject population to appeal against the treatment of its ruling power to the supreme court? This is a much more serious interference with sovereignty than intervention in an external quarrel. Could a Greek village in Bulgarian Macedonia plead in the supreme court? Could the Armenians in Constantinople, or the Jews in Roumania, or the Poles in West Prussia, or the negroes in Georgia, or the Indians in the Transvaal make such an appeal?

The author seems to reason that unless these difficulties are adjustable before this tribunal and before the league it must necessarily result in disturbing the stability of the nations which compose the league. I do not myself see how we can avoid following the gentleman to the final conclusion where his logic leads.

Then he says:

> Behind the decisions of the supreme court must lie power. And here come fresh difficulties for patriotic digestions. The armies and navies of the world must be at the disposal of the league of free nations, and that opens up a new, large area of delegated authority.

In a discussion of this subject in the New Statesman, an English publication, in a recent issue, this exceedingly interesting suggestion is made:

> One of the first things to be considered by the league of nations must necessarily be the need for an international agreement for the enforcement in all countries of legislation on factory conditions, a maximum eight-hour day, the prevention of sweating and unhealthy trades necessary to protect the workers against exploitation and oppression, and the prohibition of night work for women.

Would the American workingman be willing to have the standards for labor, what constitutes exploitation and what constitutes oppression, determined by a supertribunal composed of representatives from nations whose labor standards are confessedly far below ours? Would it likely result in raising the standard to ours or lowering it to theirs? Could we compete against labor standards before a tribunal better than we can in actual fact, and would labor of this country be willing to throw down the bars to the labor standards of China, Japan, the Balkans, and countless south European countries?

No better illustration of the difference between theory and practice can be found than appeared in the public prints a few days ago. Mr. Gompers, the able and patriotic leader of the labor forces of this country, a recognized leader among the labor forces of the world, appeared before a committee of the Senate within the last few days and warned them and the country that labor would not stand for enforced arbitration, and then hastened away to the boat to take passage to Versailles to lend his influence to the league to enforce peace. While the laboring men of this country will not submit to a league to enforce peace in labor troubles, it is thought that a league to enforce peace throughout the world would be both practicable and satisfactory. Mr. Gompers was right. If labor consents to enforced or compulsory arbitration, it will result in labor becoming in many industries the peon of superior forces. But if labor, a part of the Nation, will not submit to the principle of enforced peace, shall all the people, of which labor is a part, submit to enforced peace? Is the principle of repression to be rejected by a part and not the whole of a nation? Can a people submit to compulsory arbitration things which may involve their liberty, their independence, their prosperity and industrial existence and labor reject it because it is supposed to be inimical to its vital interests? And how would labor like to submit to enforced peace or compulsory arbitration at the hands of a tribunal composed of members whom, save one, they had no voice in selecting or electing and whose viewpoint might be wholly different from the viewpoint of those upon whose interests they were passing? How would American labor like to submit its vital interests, the question of wages, of sanitariness, to a tribunal composed of a Chinaman, a Japanese, a Bulgarian, and a Russian, and even the nations with labor standards much higher? And yet is it not clear, and does not Mr. Gompers know, that enforced peace at the hands of such a tribunal would inevitably have its effect upon the standards of American workingmen? If it were not for the common sense which the experiences of men inject into the schemes and dreams of men, what a bubble-chasing life we would live—at least until supper time.

Another quotation from this earnest and illuminating article in the New Statesman is interesting and possibly instructive. It should be remembered that this is an article which works out the whole plan in detail and leaves nothing to the imagination. We seem to get a better insight into just where we think we are going. It reads:

> The league of nations that the world is about to establish ought, if it is to be anything more than the ropes of sand in which diplomatists have hitherto delighted, to have its District of Columbia, with its own metropolitan city independent of any other jurisdiction, free from the suspicion of police or economic pressure by any of its constituent units, conveniently easy of access for them all on the borders of the sea which has become the world's greatest highway; and last but not least, under climatic conditions making for composure rather than for nervous excitement.

It will be seen from this that the capital of the league is not to be upon this mundane sphere. It is to be in the celestial kingdom beside the crystal sea. Heaven alone knows who the president will be under such circumstances.

But summing it all up, the views of the ex-President, the platform of the league, the constructions placed upon the platform by its authors and by those who are in sympathy with it, here is what the league to enforce peace proposes: Conscription in time of peace and a large standing army; the greatest navy in the world; adding by the Navy alone to our great tax burdens from two hundred and fifty to three hundred million dollars a year; the transferring, if not legally, in effect, the power to declare war from the Congress of the United States to some tribunal over which the people themselves who must fight the battles and pay the taxes have no control; the renouncing of the doctrine of Washington and the entering of the politics and alliances of Europe; becoming a member of a league from which we can not withdraw; the abandonment of the Monroe doctrine and permitting Europe to interfere in the affairs of the western continent; the sending of American soldiers to Europe and Asia and Africa whenever any disturbance arises, although it may not affect our people at all; and the whole scheme has just one ultimate power, and that is military force—the same power and the same principle which every despot has relied upon in his efforts against the people when the people were seeking greater liberty and greater freedom, the same power which George III and Wilhelm II made the basis of their infamous designs. That is the program to be given to the American people under the soporific term of a league to enforce peace.

Mr. President, I am not ashamed to say in these days of advanced thought and cosmopolitan faith that I believe in the old-time Americanism, in the policies and principles which made us great and which alone will keep us great. I want America, disenthralled and disentangled, by precept and example, through influence and counsel, to continue her lead in the grand march of civilization—in the world struggle for free government. What we need—and may Providence hasten the hour—is a rebaptism of the national spirit and a reconsecration to the national ideals. Give us again the vision and the courage of that steadfast pilot who guided our frail bark through the first perilous years; give us the Americanism which fired the fighting soul of Andrew Jackson; give us the faith in our institutions and the love of our common country of him who walked unscathed through the fierce fires of an internecine war to the deathless glory of martyrdom; give us a people bound together by the ties of respect and confidence, inspired by a common hope, devoted to a common country; give us something that is our very own, which we may love and for the preservation of which men are willing to die, and you will have an America, a United States, which will exert far more influence and dispense greater happiness and lead more certainly to world contentment than an America shorn of her individuality and embarrassed in her free movements by alliances or sickened and enfeebled by the international virus. I beg you to believe that there is nothing to take the place of this old-time Americanism. Let us cling to it as of old they clung to the horns of the altar. Let us foster it as you would foster the virtues about your own family hearthstone. Without it we will go the way of all the republics of the earth.

The fact is we have come in contact with two evil forces from the Old World—Prussianism and internationalism. Instead of repelling and rejecting them we are yielding to their slimy maw the proudest heritage ever left to the keeping of any people—American principles and the American conception of government. These two hands are not more alike than, in the last analysis, are the doctrines of Lenine and Trotsky and that of Wilhelm and Ludendorff. Both contemplate world dominion and the utter destruction of the national spirit everywhere. Each would undermine and destroy the individuality of all governments and compound all under one universal rule. Both are founded upon treachery, deceit, lying, repression, force, decimation, and assassination. They came together at Brest as naturally and as inevitably as common criminals combine to stay the hand of the law. They were both against America and everything for which America stands. But while civilization starts back in shuddering contemplation of the rule of either, certain American statesmen propose to take something from the creed of both and substitute it for the teachings of Washington and the faith of millions of American homes. Instead of our own Government, controlled and directed by the intelligence and patriotism of our own people, instead of American standards and American principles, instead of devotion to our institutions and to our own flag, we are to have an international superstate resting upon Prussian force, with a vast army of repression, a superstate in which the national spirit stands rebuked and the international flag is the sole symbol of our hopes. I do not know what the future has in store. I can not look very far into that time which is not yet. But I do know that there was brought into being on this western continent nearly 150 years ago an experiment in government which has weathered every storm, which was baptized with the wisdom of the greatest leader of this or any other age, which has excited the emulation and inspired the efforts of people in every quarter of the globe, which has given freedom and prosperity to the people at home and precept and example and inspiration to the world abroad. And as for me, I shall not by any act or vote of mine surrender it or even compromise it in the eyes of the world.

If the chief objects of government be that of disseminating happiness among its people and building character, of endowing the citizen with individual worth and the nation with collective strength, why should we turn our backs upon the policies of the past? Is there an American who, looking abroad in other lands and making his comparison, is not in this respect proud of the achievements of his country? Why should we disregard the teachings and disown the policies under which we have come to our present commanding position in the world? Or if the highest glory of a State be the devotion and love which the people bear it, where shall we look for greater glory than our own Government has experienced from the first until now? And when has the patriotism of its people known such exaltation as at this very hour? Go with me to Chateau-Thierry or look upon the scene at Belleau Wood. The crisis of the great war is at last at hand. The whole liberty-loving world is awaiting the contest. The stakes for which they fight is nothing less than civilization. All that the free people of the earth have, all they love is here to be saved or lost. Three brave nations are reeling under the fearful blows of organized barbarism—force incarnate. Circumstances and chance itself, that silent arbiter of so many battle fields, seem to favor the desperate foe. Can the enemy pass? Can he enter Paris? In this dread hour the American marines arrive upon the scene. They are boys from American homes—not soldiers by profession, not the Hessian puppets of some superinternational tribunal, nor yet the anemic minions or soulless scavengers of internationalism—they are red-blooded Americans, representing the majesty and the authority of a self-governing Nation accredited to their fearful task by the sovereign act of a free people, sustained and encouraged by the prayers around countless thousands of American hearthstones, themselves imbued with the spirit of liberty, fighting for the country they love; and as such they are invincible.

The thing which finally won this war, which overcame and beat down militarism—trained, efficient, disciplined, brutal militarism—was the Frenchman's love of country, the Briton's love of country, the American's love of country—that which internationalism would murder. This it was that stayed the march at the Marne; this it was that turned the tide at Chateau-Thierry; this it was that went into the Belleau Wood, which human fiends had made into an earthly hell, and dragged militarism from its chosen lair; this it is that defends the ideals of a nation. God pity the ideals of this Republic if they shall have no defenders save the gathered scum of the nations organized into a conglomerate international police force, ordered hither and thither by the most heterogeneous and irresponsible body or court that ever confused or confounded the natural instincts and noble passions of a people. Oh, no, Mr. President, let us leave these things—the lives of our people, the liberty of our whole Nation—in the keeping and under the control of those people who have brought this Republic to its present place of prestige and power. What we need in this hour is faith in the institutions that our fathers gave us, faith in the career which everything indicates we shall enjoy unless we in public place prove recreant to our duties in this great and trying hour.

Mr. THOMAS obtained the floor.

Mr. WILLIAMS. Mr. President——

Mr. THOMAS. I yield to the Senator from Mississippi.

Mr. WILLIAMS. Mr. President, I shall not take much of the time from the Senator from Colorado nor much of the time of the Senate. I understand the Senator from Idaho [Mr. BORAH] has just made a speech in its main intendment bearing against the proposition of a league of nations. I want to insert in the RECORD a couple of short poems, and I want to say nothing about them except that the first one was written by the author soon after her boys had been reported to be dead. All that she had went, all that she had died, and she wrote these lines:

> Lie down and sleep,
> Leave it with God to keep,
> This sorrow, which is part
> Now of your heart.
> When you awake,
> If still 'tis there to take,
> Utter no wild complaint;
> Work waits your hands;
> If you should faint,
> God understands.

That was published some time ago, coming from the pen of Katrina Trask. Later on came this answer to the Senator from Idaho, and it is complete and sufficient, although she did not even know that he was going to speak. It is entitled "Citizens, arise!"

CITIZENS, ARISE!

[By Katrina Trask.]

Rise, Citizens, arise! the mad world war is done,
But our divinest duty has only now begun:
With every power we now must work to make a righteous world.
To hold Truth's standard steadfast, to wave Truth's flag, unfurled,
To plow and sow the shadowed earth until it blooms anew,
To make the Word of Prophet and Philosopher come true.

Not the word of the so-called "practical man" who never saw beyond his nose in his life—

'Tis ours to help, to teach mankind to choose the better part—
To clasp kind hands with brother, not to shoot him thro' the heart.
To us the glorious victory, O Citizens, is given
To bring to this black, bloody Earth a foretaste of clean Heaven.
Let beast tear beast to fragments, let ruthless savage fight:
For man there dawns a morning—a clearer, holier light:
Redemption, federation, are possible at last—
Great hopes that have been cherished in all the ages past.

This was written by a woman whose boys were dead, not written by me or any other man who was in the safest bomb-proof position on the surface of the earth, to wit, the floor of the Senate of the United States—

Behold! the dreams that prophets dreamed are now upon the way—
A league of nations may be formed to match the dawning day,
A bond of human brotherhood, a true God-welded bond,
To hold mankind together, with cohesion far beyond
The strength that comes from weapons and from armaments of might,
Nations allied to nations by everlasing right.

"Everlasting right," which, in the long run, by the way, I will say is might—

This potent league of nations will need no gun nor sword.
Its order is the law of the Everliving Lord—

"The Everliving Lord," who still exists, I do not care what you say about it—

The law of harmony, all brutal war shall cease—
Its corner stone is justice, its translucent walls are peace.
Rise, citizens! Arise from the weary, blood-drenched sod.
Proclaim the league of nations—sealed with the seal of God!

"Translucent walls"! Anybody not a fool can see through them. They *are* translucent—God is behind them. Ultimately you *must* see Him, whether you will or not.

"With the seal of God," and, thank God, not with the seal of the Senate of the United States, unless the Senate shall hereafter indicate a sufficient degree of common sense to affix its seal, which I doubt.

Mr. BORAH. Mr. President, may I thank the Senator from Colorado for yielding to the Senator from Mississippi that we might be regaled by that profound discussion of a league of nations?

CONDITIONS IN RUSSIA.

Mr. THOMAS. Mr. President, on the 12th day of December last the Senator from California [Mr. JOHNSON] introduced a resolution requesting the Secretary of State to send to the Senate, if not incompatible with the public interest, "all data, documents, and information showing or bearing upon our present relations with Russia as to peace or war, so that the Senate and the Nation may know why and for what purpose our soldiers are in Russia and what is the policy of the Government in reference to Russia, and if not incompatible with the public interest to advise the Senate of the number of United States soldiers in Russia and their location, and of their operations, together with any lists of casualties which they may have suffered."

The resolution was referred to the Committee on Foreign Relations, of which I am a member. It there became the subject of consideration shortly afterwards and again just prior to the Christmas holidays. On each of those occasions I voted to report the resolution to the Senate. Should it again become the subject of discussion I shall, if opportunity be given, again cast my vote for its appearance upon the calendar.

I do not, Mr. President, mean to be understood as favoring the resolution because of my attitude toward it as a member of the Committee on Foreign Relations; but I believe that, inasmuch as the suppression of a resolution can not suppress the discussion of its substance, and inasmuch as the resolution calls for information to which the Senator and the public in general are entitled, unless it be incompatible with the public interest, and inasmuch as such information will be withheld if it is so incompatible, nothing can be gained by keeping it within the possession of a committee.

Moreover, a failure to report so important a resolution justifies the impression that the real purpose is to withhold the information desired, whatever the real purpose may be. Hence the very conditions which the withholding of a resolution may be designed to prevent will assert themselves because it is withheld.

There are two methods of reporting a resolution—one favorable, the other adverse. Either is sufficient to place it on the calendar, and neither is necessary to a full discussion and consideration of its purpose. Hence I felt, and I still feel, that some committee disposition should be made of this resolution, to the end that we may dispose of it and proceed to the consideration of other and perhaps more exigent business during the short session of this Congress.

The resolution involves in some degree the great question of allied duty toward Russia, not only for the present but for the future, and I have no doubt that one of the reasons actuating the Senator from California in introducing the resolution was to enable him, by information to be obtained through it, to intelligently discuss all features of the situation. I regard it as one of the very important problems now confronting the allies; one which they can not avoid; one which they must solve if we are to have, indeed, a permanent peace after a hard-earned victory. I think, Mr. President, that we can aid in the solution of that problem by considering their former attitude toward Russia and the part which that great people have played in the war during its first two years.

Mr. President, the primary object which Germany had in view when upon the 1st day of August, 1914, she declared war against Russia was the overwhelming of that great nation. Bismarck had taught his people the importance of conquering other nations, one by one, and of preventing, so far as diplomacy and falsehood could do so, any interference with that program by other nations.

Russia had just emerged from a disastrous war with Japan. She had not yet fully reconstituted her civil government, her army, or her navy. She was in that formative process through which every nation must pass after a great war. She was potentially formidable in her vast population and in her vaster territory. Her reestablishment as the practically dominating balance of power in Europe would impose limitations upon German ambitions and German expansion.

To avoid this embarrassment Russia must be overthrown as the first step toward world dominion. It is therefore a significant fact that immediately upon the service by Austria of the ultimatum upon Serbia and the known attitude of Russia as the protector of Serbia, Germany at once became prominent in the negotiations preceding the declaration of war, and that she declared war against Russia six days before Austria did so, although the mobilization of the Russian forces was aimed at Austria and officially declared to be for that purpose only. The interval between the service of that ultimatum and Germany's declaration of war against Russia was utilized by the Kaiser in the effort to detach both France and England from the struggle. Germany's purpose was to mass her forces upon the eastern frontier and to make Russia the first victim of her terrific power. Russia crushed, the ultimate problem which France and England presented would, as a matter of course, be greatly simplified and the ultimate result made morally certain.

Germany supposed Great Britain would remain neutral in the event of a declaration of hostilities because of her domestic difficulties. Ireland was upon the verge of civil war; disaffection ran riot throughout her dominions in India; and, by some strange mental aberration, the German people believed that England's entry into a world war would be inevitably followed by the desertion of her colonies. She was, therefore, much more concerned with France.

Her ambassador was instructed to ascertain, in the event of a declaration of war against Russia, whether France would remain aloof from the struggle and virtually disregard and disavow her obligations to Russia, assumed some time before under treaty stipulations with which the world is familiar. Should she respond favorably to the ambassador's inquiries he was authorized to say to the French Government:

If it declares it will remain neutral, your Excellency will be good enough to declare that we must, as a guarantee of its neutrality, require the handing over of the fortresses of Toul and Verdun; that we will occupy them and restore them after the end of the war with Russia. A reply to this last question must reach here before Saturday afternoon at 4 o'clock.

The reply of France to this astounding demand has become historic. Germany thereupon declared war against Russia, and shortly afterwards against France. Germany struck France first. She expected to overwhelm that great people, while Austria, her forces having been mobilized, should hold Russia in check on the eastern front. The Central Empires would then easily overcome Russia, and Germany, as the mistress of Europe, would then dispose of England and America when her interests required it.

This, then, Mr. President, was Germany's original war program, and it may be said that because of the preparation which she had made and the weaknesses which, largely through her intrigues, were then apparent among her enemies, every probability indicating her swift and sure success. Disregarding treaty

obligations, her vast army poured over little Belgium, held for a short time by the gallant though ineffective defense of that splendid people. She swept through northeastern France, and within the short space of 60 days the sound of her guns was heard upon the streets and boulevards of the great city of Paris.

Mr. President, the actual winning of the war has been attributed to many causes. Some say the intervention of America; some, British supremacy upon the sea; others, the food supply; and still others the morale of the Anglo-Saxon. All these causes were, to my mind, essential to the great victory, but we must not overlook the part which Russia played during the time that she was in this war as one of its most active participants.

It is true that Russia was the typical despotism of the world; that under the Government of the Romanoffs neither life nor property was safe from the ambitions or the whims of the monarch; that, as compared to Russia, Prussian kaiserism had its elements of attraction and superiority. I make no defense either of the Czar or of the character of his Government, for neither is compatible with American ideals of liberty and justice; but the fact must be told, as a part of the history of the war, that the cooperation of the most despotic Government in the world with the freer and more enlightened countries of western Europe made it possible to defeat German ambitions and to dethrone the House of Hohenzollern.

Before the French frontier had been reached by the German armies the Grand Duke crossed the eastern frontiers of Germany and entered upon German territory with hundreds of thousands of his troops, and between that hour and the time when the German forces reached the Marne the German general staff was compelled to detach 13 divisions from the army of von Kluck and speed them with all haste under the command of Ludendorff to the eastern frontier. I need not ask whether the miracle of the Marne would have been possible but for this diminution of German force at such a time.

Shortly afterwards, when the little army of England was the sole impediment between the legions of the Kaiser and the channel ports, another demonstration by the Grand Duke required the detachment of 15 more German divisions to withstand the increasing menace upon the eastern frontier. I need not ask whether but for that situation the splendid little army of England would not have been sacrificed in vain.

I can not take the time to describe in detail the many—because they were numerous—instances in which the cooperation of the Russian Army and the Russian Government with those of France and England saved the day to civilization. It may, however, throw some light upon the general subject and illustrate the extent of Russian sacrifice for the allied cause to refer to Russian casualties during her engagement as an active combatant in this mighty struggle.

The lowest estimate which I have seen of Russian casualties is 9,500,000 and the highest 12,000,000. I think perhaps the average of these two figures would conservatively state her actual losses from the 1st day of August, 1914, until the Bolshevist appeared, when her armies collapsed and she disappeared as a combatant in the struggle against Teutonic world dominion. This average is 10,750,000.

Russia's losses, therefore, exceeded the total casualties of France, England, Italy, and the United States from the commencement of the war to its triumphant close, on the 11th day of November. Her actual losses of life are estimated in round numbers at three and a half millions of men, equaling those of all her allies. If buried side by side in a straight and unbroken line, their graves would cover a distance of 2,000 miles. And we must not forget that during the time when Russia was an active ally her soldiers were poorly clad; they were poorly armed; they were betrayed by enemies at home while holding at bay those upon the front; but, notwithstanding all these terrible drawbacks, the Russian soldier always fought. He fought whether advancing or retiring. When there was 1 rifle to 2 men he fought, when the supply became 1 to 5 he fought, and when they were reduced from 1 to 10 he still fought on, waiting his turn to take the rifle falling from the hands of the dying man who held it.

What would have been the result of this conflict but for the heroism of the Russian soldier, but for the activities of the Russian Czar, but for the tremendous Russian front, extending from the shores of the Baltic Sea to the confines of Constantinople, compelling a division of the forces of the central powers for more than two years, when the Russian Government collapsed and chaos supervened? We can not conceive, although we are very prone to forget, the far-reaching and immeasurable benefits she conferred upon civilization and upon democracy by these heroic efforts and sacrifices. Indeed, so tremendous are they that we may condone much of the conduct which has since characterized Russia's attitude toward this great war.

I express no regret over the downfall of the Czar or any sentiment but approval of the action of the Russian people in determining that the time had come for their emancipation.

Indeed, Mr. President, the anachronism between the Russian despotism of the East and the British and French democracies of the West united against the same foe, for the same purpose, and practically committed to the same future destiny was too manifest to have resulted otherwise. It was not only inconsistent—under ordinary circumstances it would have been unbelievable—but the contrast did more to hasten the hour of the overthrow of the Romanoffs than any other single influence.

The Government overthrown, a provisional government was established in its place, which was immediately recognized by the allied powers. It had the confidence of the world, and evidently had behind it the progressive, orderly, and liberty-loving forces of that great people. Unfortunately it was a weak government in experience, comprised largely of incapable men, who believed rather in compromise with the turbulent elements always accompanying changes in government than in meeting and repressing them for the time being, to the end that social and industrial stability might attend the crystallization of the new order into permanency and strength.

At this time Nicholas Lenine, since noted as the real ruler of Russia, was a refugee in Switzerland, where, during the previous period of the great struggle, he was preaching in German interest the doctrine of misgovernment and demoralization and using his influence wherever possible against the cause of the allies, while Leon Trotzky, high in the councils of the I. W. W., was denouncing the Government of the United States upon the streets of the city of New York. Both were working against the allies, and both went to Russia as soon as possible after the overthrow of the Czar as emissaries and representatives of the Kaiser; and from the time of their return to this good hour they have represented forces antagonistic to everything for which the allies stand and to every principle upon which the American Government has been established.

These succeeding the weak and despicable Kerensky government represent the forces and the influences now confronting us and which are directly involved in our attempted solution of the Russian problem. Russia's sacrifices and heroism under the Czar and her base and cowardly betrayals of her allies under the Bolshevists are its principal factors.

It is perhaps a fortunate circumstance for us that America entered the war after the Czar's abdication. She never was the ally of a despot, however greatly her sympathy with the cause to which he devoted himself, his people, and his resources. America's entry into the war almost synchronized with the abdication of the Czar. To us, therefore, came from Russia's new government appeals for that aid which she must have if she were to continue the struggle. I well recall the occasion when, in this Chamber, the new ambassador from the provisional government addressed the Senate from the platform which you, Mr. President (Mr. HENDERSON in the chair), now occupy. I well remember the enthusiasm with which his assurances and his pledge of Russia's aid to the end were greeted. We responded to that appeal at once. We responded with money, with men, with supplies. We gave of our abundance in unstinted measure of every resource upon which we could draw. We were conscious of the great debt which civilization owed to Russia. We were conscious of the obligations of the American Government to every people struggling for freedom and imitating our example; and, above all, we were conscious of the necessity of continuing the eastern front intact, and by that means hastening the war to a glorious conclusion.

The Secretary of the Treasury, in his recent report, tells us that a credit was established after April 6, 1917, with Russia of $325,000,000, of which cash advances were $187,729,000, and balances under established credits were $137,270,000. All this occurred before Kerensky's downfall. The money advanced was perhaps the smallest part of our contribution. We sent engineers, we sent industrial experts, we sent economists, we sent mechanics, we sent from every class of our citizens those who were competent by their experience and education to expand the great resources of that mighty country and to continue its industries, to the end that they might become effective agencies in the prosecution of the war and minister to the well-being of the Russian people after its close.

Upon the wharves of Vladivostok, American supplies soon appeared in tremendous bulk and quantity, consisting of artillery, ammunition, clothing, railway supplies, hundreds of new American locomotives, and all the paraphernalia essential to an active and vigorous offensive. We united with our allies in landing supplies nearer the field of action, and large quantities, valued at hundreds of millions, were also sent to the Murman coast and to Archangel, there to be transported over two lines of railroads to Petrograd and to the front. During the time

we were transporting these huge supplies France and England were calling for all the aid upon the western front that we could give them. Losses by the submarines far outstripped our capacity of construction. Our soldiers were going over slowly, our supplies more slowly. Both could have been vastly increased could we have utilized the tonnage essential to the transportation of Russian supplies. Uncle Sam did his bit in the Orient as well as upon the western front, and responded to every call from the Russian people up to the hour when the Kerensky government collapsed and Bolshevism rose from its ruins armed with the torch and the dagger.

Mr. President, in this we only did our duty. We did it manfully, and the sacrifices which we made we would duplicate were we confronted with a similar emergency.

But during this time in what work were the agencies now in control of Russia busily engaged? They were engaged in demoralizing the army, in undermining the navy, in slandering the allies and their cause. They preached animosity to Americans and the American Government. They were the most potent forces working for German militarism and the undoing of democracy outside the ranks of the German Army.

The PRESIDING OFFICER (Mr. HENDERSON in the chair). The hour of 2 o'clock having arrived, the Senator will yield while the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

Mr. THOMAS. It is not necessary, Mr. President, to rehearse the bloody and dismal tragedy of Bolshevik supremacy from the hour when Lenine and Trotzky became the dominant forces in Russia down to the date of the Brest-Litovsk treaty. That treaty embodied conditions dictated by Germany and was negotiated at a time when its psychological effect upon the allied morale would be far-reaching and possibly disastrous. Lenine and Trotsky received their orders from Berlin and obeyed them with alacrity.

The prospect was a somber one for the allied forces all through the fall and winter of 1917–18. It was during that period that the tide of their fortunes reached its lowest ebb. It was first signalized by the final collapse of the entire Russian land and naval forces. Then followed the Caporetta disaster to Italy, an event which turned the tide completely within 48 hours upon the Italian front and threw the magnificent Italian Army, broken and demoralized, back to the plains of Venetia. They narrowly escaped utter annihilation, but were rescued through the heroic efforts of Diaz, who re-formed and held his broken lines upon the Piave River. Saloniki was thus left to its own resources; and Roumania, surrounded by enemies, collapsed and surrendered.

The Brest-Litovsk treaty was therefore aptly timed and while the shock of the Caporetta disaster was putting French valor and British nerve to the supreme test. That treaty, Mr. President, will go down into history as the most shameful and humiliating surrender of a great nation recorded in the tides of time. To call it a treaty is to play with words. It was Bolshevik betrayal of civilization in the name and by the apparent authority of the Russian people. Except the subsequent surrender of the German fleet without a blow, it stands as a reproach to the integrity of every human virtue.

Lenine and Trotsky, at the command of their German employers, invited the allied nations to participate in their treaty deliberations and extended to them the advantages and privileges they pretended to hope for as a result of their efforts. Impudence and insolence could not go beyond this.

What did it accomplish? It placed Russia absolutely at the mercy of Germany. It released not less than 500,000 effective veteran German soldiers for duty upon the western front. It enabled Germany for the first time during the history of the war to concentrate all her forces at a given point. It enabled her to abandon the eastern front to second and third class soldiers, who went from Province to Province, from city to city, and from section to section without meeting any resistance whatever, and to annihilate Roumania, who fought on, notwithstanding the Russian debacle and in the face of the most fearful odds that ever confronted a weak and dying people.

I only refer to the March drive for the purpose of emphasizing its importance as a Bolsheviki contribution to the German cause. That it did not succeed was little short of miraculous. Nothing there saved the allies except the incomparable discipline of the French and the bulldog determination of the Anglo-Saxon. But for these two indispensable and unconquerable attributes, the channel ports would have been reduced and Paris taken. The war would have ended in the triumph of Germany, and the triumph of Germany would have been due to its Bolshevik mercenaries.

Fortunately, the tide of battle finally went the other way, and we can say with truth and a feeling of devout thankfulness that our victory was achieved over all the powers of man and all the powers of hell; achieved against the Kaiser of Germany and the Bolsheviki of Moscow and Petrograd.

Meantime, Mr. President, what was this so-called government doing on its own account? What were its other contributions to German success and to German victory? It repudiated Russia's debts to all other nations, including the allies. It repudiated its $325,000,000 of obligations just assumed to the United States.

It outraged ambassadors and murdered consuls, outraged the rights of the citizens and subjects of other countries, conducted its campaign of murder and robbery against the stranger within its gate as against the unfortunate people subject to its domination. It confiscated the property of allied citizens and subjects everywhere. It robbed Roumania of the little fund of gold which it had deposited in Petrograd as a safeguard in the hour of possible disaster. It sold all war supplies that could be found to German agents; it sent its own throughout the country gathering them up and delivering them upon whatever terms the Germans might impose. It delivered the Russian fleet to Germany, a transaction as shameful though not so extensive as the subsequent surrender of the German fleet. It submitted to Germany's cold exactions and depleted the Russian treasury, that Germany might profit thereby. All this time it proclaimed its animosity to all forms of organized government, its bitter hatred of Germany and of everything German, its mission to revolutionize and destroy the world in the cause of idealistic principles and a bloody pretense of universal brotherhood.

It encountered domestic difficulties, one of the most important of which was the obstinacy of the Finnish people, who determined to set up a government of their own upon the principle of self-determination, and who did so, thereby incurring Bolshevik invasion, pledged to Finnish massacre, robbery, and subjugation in the name of brotherhood and democracy.

Finland appealed to the Kaiser. She threw herself into the arms of Germany, and the Kaiser, nothing loath, instantly responded. Between a union of his troops and the White Guard, bolshevism was repelled. Pending the determination of which German prince should occupy the throne of Finland, German forces menaced Archangel and the Murman coast through Finnish territory. Her purpose was obvious. First, she desired these northern ports for another submarine base. America and Great Britain had thrown a barrage of bombs and mines across the northern boundary of the North Sea, and submarine outlets to the Atlantic were mined with tragedy and disaster.

Mr. KING. Mr. President, will the Senator yield for a moment?

Mr. THOMAS. Certainly.

Mr. KING. I dislike to interrupt the Senator in his very able exposition of the situation, but it seems to me at this point where he mentions Finland it would not be inappropriate to invite attention to the fact that there has been unjust criticism in our own land of the Finnish people. The Finnish people did not desire an alliance with Germany, but, as the Senator from Colorado has stated, they invoked Germany because they preferred German protection to Bolshevik rule. The Finnish people are democratic and desire a liberal progressive democracy. They do not desire bolshevism and they do not desire German control.

Mr. THOMAS. Mr. President, some day the history of the laying of that barrage will be given to the public. It will constitute one of the most thrilling incidents of this war. Suffice it to say, it was an effective barrier to that outlet into the Atlantic Ocean. It is true that an occasional submarine might successfully negotiate the passage, but equally true that it had been made practically inaccessible to submarines. Germany was therefore dependent upon the channel, perhaps more dangerous than the barrier to the north of the sea, and these northern submarine bases were absolutely essential to the further prosecution of her submarine campaign.

Her second object was the securing of the vast stores of supplies and munitions which the allies had landed at these harbors, which they and the Red Guards were equally anxious to obtain.

Meantime she was also intriguing with Bolshevik authorities for the capture and utilization of the stores at Vladivostok, which, of course, involved control of the Siberian Railroad. To that I shall presently refer.

The allies met, as they should have met, that situation by throwing a force as soon as possible on the Murman coast and into Archangel. I can not conceive what criticism of them would

not be just if they had failed to act upon the crisis as they did. The only one which occurs to me as now applicable is that the force was not as large as it should have been, but Germany at that time had her hands too full with the marines and American soldiers and soldiers of the allies on the western front, and the menace therefore to throw additional detachments northward developed its Bolshevist features, for German stress was Bolshevist opportunity, and the Red Guards again overwhelmed Finland and threatened both Archangel and the Murman coast. But our forces were still on guard and our supplies intact. When they are withdrawn our property must be withdrawn also.

I come now, Mr. President, to another one of the fundamental events which helped to win the war. Had it not occurred there is every probability that the hundreds of thousands of German and Austrian prisoners in Russia would have been speedily repatriated and remustered into the armies of the central powers, and Germany would have secured possession of the Siberian Railway and of the vast allied supplies at Vladivostok. I refer, of course, to the retreat of the Czecho-Slovakian forces.

It will be recalled that during the campaign of 1916 Gen. Brusiloff, in his offensive against Galicia, captured about 500,000 prisoners. The facts are that most of those prisoners were Czecho-Slovaks who deliberately, taking their guns with them, left the ranks of the Austrian Army and eagerly surrendered to the Russians. They were inspired, rightly or wrongly, by their views of patriotic duty. They were devoted not to Austria but to their own people, who had been subjected to Austrian oppression and domination for centuries. They perceived that the war gave them the great opportunity of time, and that they would be faithless to their countrymen and to themselves did they not take advantage of it. After their surrender they volunteered for the Russian service, were mustered into her forces, and held their part of the eastern front from the good hour when they became an integral part of the Russian Army and long after the main Russian force had collapsed. Not until they were the only remaining force upon the eastern front with arms in their hands did they retire.

The Austrian Government offered them full immunity and full pardon, provided they would return to their former allegiance and reenter the Austrian service. They were also urged by the Bolsheviki to identify themselves with the Red Guard. True to themselves and to their faith, they spurned both of these temptations and determined upon a course which will command the admiration of mankind for all time. They resolved to continue the fight for the allies and to proceed, regardless of obstacles, from the Russian front across Russia and Siberia to Pacific ports, across the Pacific Ocean to San Francisco and Seattle, across the American Continent to our Atlantic ports, and across the Atlantic Ocean to the front in France.

Mr. President, these heroic men determined in the face of the most appalling difficulties and dangers to traverse three-quarters of the globe and reappear as militant soldiers against the power of the German Kaiser. When we consider the distances, the vast spaces by land and by sea, the desolation of the Siberian desert, the limitless difficulties of transportation across two oceans, the dangers lurking in their pathway across the 5,000 miles of territory stretching from the Ukraine to Vladivostok, and their resolution to brave them all, we may well conclude that the heroism and moral courage of man admits of no limitation. They began that march. They were assured free conduct by the Bolsheviki Government only to have them revoked through the intrigues of the German Government. They disregarded the revocation. They were then assured that if they would surrender their arms to the Bolsheviki they would be permitted free and safe passage to Vladivostok. They surrendered their arms, and as a result were immediately attacked by the Red Guard. With bare hands, the only weapons that nature gives to man, these heroes assumed the offensive against their treacherous enemies, recaptured their arms, and continued their march to the Pacific Ocean.

Not only so, but they maintained themselves as a fighting force against the rapidly accumulating Red Guard army, manned with German munitions and officered by German veteran commanders. They saved the Russian situation. They saved the Siberian line of communication. They relieved the pressure on the western front. They compelled the retention in Russia of that vast body of German and Austrian prisoners which under the treaty of Brest-Litovsk would have been rapidly transported back to the central empires and reincorporated into their militant armies.

It must not be assumed for a moment, Mr. President, that the progress of these men was attended by unbroken triumphs. On the contrary, their very existence was more than once imperiled. They appealed more than once to the allies for aid, and finally, through the efforts of Masaryk, now President of the Czecho-Slovak Nation, that appeal was heard. They asked to be aided in the struggle to reach the Pacific Ocean. They said, and said truly, that theirs was the only force representing the allied powers in Russia. Their supplies were exhausted. Their ammunition had practically given out. Their clothing was in tatters. They were menaced by constantly increasing foes. They called upon the allies for help, and they called in vain for weeks and months. Winter, with all its Siberian horrors, confronted them. Death in its most horrible form lurked in their rear and threatened their flanks, embodied in the powers of the Red Guard.

Finally some action was taken. The allies sent a force to Vladivostok, and the President announced in August what our purposes and objects were. The Johnson resolution recites that announcement.

I have heard this episode compared to Xenophon's retreat of the Ten Thousand. It is the only thing in history that furnishes any parallel. But Xenophon's Ten Thousand marched a bare thousand miles up the Tigris from central Persia to the Black Sea and then reenlisted as mercenaries in the ranks of another contestant. These men in a hostile country, destitute of clothing and provisions and almost destitute of arms, determined to march over 10,000 miles of land and traverse 3,000 leagues of ocean, not to enlist as mercenaries but to continue to fight for their ideals of freedom and of justice and to liberate their countrymen, their wives, and children from the tyranny and oppression of Austria. Xenophon's memorable episode fades into insignificance when compared with this epic of the Czecho-Slovak, fighting every foot of their beleaguered way. This campaign of 150,000 heroic central Europeans, inspired by devotion to the greatest cause that ever animated mankind, justified its sacrifice of blood and treasure.

As I have said, we finally and reluctantly yielded to this appeal and dispatched a very small contingent of soldiers, together with those of France and Great Britain, with a very much larger contingent of Japanese, to their relief. Japan announced her purpose by a pronunciamento of August 2. Her Government declared that it "agreed with the American Government to dispatch troops to relieve the pressure weighing upon the Czecho-Slovak forces, who, aspiring to secure a free and independent existence for their race and loyally espousing the common cause of the allies, justly command every sympathy and consideration for the belligerents.

"In adopting this course the Japanese Government remains constant in their desire to promote relations of enduring friendship, and they reaffirm their avowed policy of respecting the territorial integrity of Russia and of abstaining from interference in her internal politics."

They further declare that upon the realization of the objects above indicated they will immediately withdraw all Japanese troops from Russian territories and will leave wholly unimpaired the sovereignty of Russia in all its phases."

Mr. President, this comparatively small contingent of soldiers rescued the Czecho-Slovaks within the territory lying between Vladivostok and Lake Baikal, but there is a considerable body of them west of the lake who need all the force that the allies can spare for their rescue from certain annihilation, yet it is announced that not only America, but Great Britain and Japan, according to dispatches of this morning, have determined to withdraw all of their troops from Asia, thus leaving these heroic souls to their fate.

I assert that if we carry out this program and desert these men, we will put an ineffaceable stain upon the glorious record of the allies. We owe it to every consideration of justice, of decency, and of gratitude to rescue every Czecho-Slovak soldier in Russia from that hell of bolshevism, aid him in returning to his country, now, for the first time in centuries, enjoying the blessings of freedom. I am amazed that, our task being half done, we propose to abandon it and leave these immortals to the terrible fate confronting them. It is wrong, and posterity will hold us, and ought to hold us, accountable if we now desert these heroic men, who saved the situation upon the eastern front, who deserve our immediate and most effective assistance, who are allies in very truth, and who in the immortal words of Lincoln have given our cause the full measure of devotion. If we now withdraw, it is certain that before the suns and showers of springtime shall again visit the earth we will read of their massacre, attended by circumstances that will revive our schoolboy memories of death and torture by American savages and African bushmen.

Moreover, Mr. President, our enormous stores are still at Vladivostok. Scarcely anything that we sent there has found transportation farther west. They were all seized by Bolshevist looters. Some of them were scattered and sold for a song.

They will become a total loss if we are to abandon Russia altogether.

I for one protest, Mr. President, against the withdrawal of American troops either from the Archangel coast or from Vladivostok until every American and every dollar's worth of allied property has been salvaged and returned.

The complaint which I make, Mr. President, is that the force which we sent to Russia was insufficient. I grant you that they may have been exposed to undue danger and peril; I grant you that, with the ever-increasing Bolshevik menace, they may be seriously imperiled; but should we, Mr. President, withdraw because of that fact? Should we not rather reenforce our gallant men at both these critical points, that we may successfully establish ourselves there until the need which requires it shall have been fully subserved.

Mr. JOHNSON of South Dakota. Mr. President——

The PRESIDING OFFICER (Mr. KIRBY in the chair). Does the Senator from Colorado yield to the Senator from South Dakota?

Mr. THOMAS. I yield to the Senator.

Mr. JOHNSON of South Dakota. I have been very much interested in the remarks of the Senator from Colorado, with the latter part of which I very fully agree; but I want to ask him a question, if it will not interrupt him to have me do so. Does the Senator understand that the Bolshevik soldiers in Russia to-day are largely officered by Germans?

Mr. THOMAS. They are largely officered by Germans. Their instruction has been entirely that of German officers. The Bolshevik program, among other things, resulted in the murder of Russian officers; indeed, of every one who fell into their clutches.

Mr. JOHNSON of South Dakota. Further, I should like to ask the Senator from Colorado if we have no power under our armistice agreement to compel Germany to take those officers out of Russia?

Mr. THOMAS. The terms of the armistice require that the German forces occupying any Russian territory shall evacuate it, but that does not meet this difficulty. These officers are Germans, but they are not now German officers. They are the commanders of the Russian army and are an integral part of the Russian force. Consequently they are no longer subject to the orders of the German Government.

Mr. JOHNSON of South Dakota. Mr. President, if, under the terms of the armistice, we should compel our small forces which are in the country now to come out of Russia we would not only sacrifice largely the Russian people who welcomed our forces there and who would welcome, no doubt, an additional force and the establishment of a government along the lines on which the allies entered the war, but it would neutralize all that we have done. Such a course is based on neither right, duty, nor justice. What the allies ought to do, in my opinion, is to send enough soldiers into Russia to assist our comrades there in arms and to help the people who fought with us so bravely for the freedom of the world to establish a government of their own choosing rather than to allow them to be starved first and then slaughtered like beasts by a force infinitely worse than that of the despised Prussian armies. The Bolshevik government is a creature inspired by the German Kaiser. Their agents and soldiers were sent into Russia to organize it, and it seems to me to be all one common enemy.

For myself, I am free to say that I fear the red flag of Russia. I have repeatedly talked with Members of this body, pointing out, as I saw it, its great and immediate danger to our peace conference at Versailles, as well as the European countries as a whole. I do not hesitate to say that, in my opinion, if it is not stamped out now and forever, it will be a living menace to the European countries and may eventually control them. And I also greatly fear its influence upon our own Nation. I have argued that it was the first question that ought to be taken up and settled, and time only convinces me that my conclusions were right.

Bolshevikism is an enemy to every civilized nation in the world, and I fail to see why we are not to-day at war with the same class of people that we have been since we allied ourselves with the Russian people.

Mr. THOMAS. Oh, Mr. President, the problem is fraught with a great many difficulties, and its solution with a great many undesirable consequences.

It is said, Mr. President, in view of the fact that conflicts have occurred between our own and the Red Guard troops, that we are making war upon Russia. I do not think that our troops were sent there with guns in their hands simply to stand quietly and let the enemy run over them. Foch says the best of all defenses is an offensive, and that is also a fundamental principle in the strategy of the German staff; but, be that as it may, the Red Guard troops will not be troubled by our troops at Archangel or at Murman if they let them alone, and because we have successfully attacked them some distance from Archangel by no means implies that we are waging a war against them. We are protecting our property and our citizens as far as we can reach them, and I think that it is our duty to continue to do so. I confess to much apprehension regarding the situation there, because of the constantly increasing Red Guard forces and the constantly diminishing allied forces. It seems to me that England, France, and the United States are pursuing the worst possible policy, which is the policy of inaction. If there are not troops enough for the purpose, they should either be reinforced or withdrawn. To withdraw them without taking also the property which they were sent there to safeguard would render the entire enterprise humiliating and disgraceful, if not absurd. It is said by some that we are warring against an ally.

Mr. KING. Mr. President, will the Senator from Colorado yield to me?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Utah?

Mr. THOMAS. I yield.

Mr. KING. Apropos of the statement of the Senator from South Dakota [Mr. JOHNSON], I desire to say that lately I have been talking with a man who recently came from Russia, and he stated that the withdrawal of the troops from the Murman coast and from Archangel would subject to massacre at the hands of the Red Guard the Russians who have been loyal to the allies and loyal to the views for which the allies contended and the 6,000 or 7,000 Russian soldiers who were there operating with the allied troops.

Mr. THOMAS. Certainly they would share the fate now threatening the few Czecho-Slovaks operating west of Lake Baikal.

Mr. President, we are not warring against an ally. Russians who have acted with the allies have begged for intervention much more actively than they have received it. If there is any element in Russia which deserves intervention at the hand of the allies it is that element which cooperated with them during the reign of the Czar, during the existence of the provisional government, and of the Kerensky administration.

But, Mr. President, the Bolsheviki long ago declared war against us. They have declared war against every established government upon the face of the earth. They have announced their purpose to wage war until they are overthrown. Theirs is an international movement; and they make no disguise of the fact. Theirs is a movement designed to substitute for established government everywhere the Bolshevik government of Russia. They proclaim eternal warfare against all organized society. How, then, can it be said that we are making war against an ally? God deliver us from such an ally! It is Bolshevik influence that is opposing peace; that is embarrassing the reconstruction of Roumania; that has postponed the crystallization of the governmental forces of the Czecho-Slovaks and the Jugo-Slavs. At the behest of the imperialists of Germany, and under the leadership of Liebknecht, they are endeavoring to reduce the condition of that unhappy people to chaos, that their followers may plunder the multitude, while junkerdom secures the return and restoration of the Hohenzollern dynasty.

Mr. KING. Will the Senator from Colorado yield to me?

Mr. THOMAS. I will do so in just a moment. There is grave danger that these influences will overwhelm both Poland and the Slovak peoples before a treaty of peace shall have been negotiated and the allies shall have framed even the rudiments of their proposed league to enforce peace.

Now I yield to the Senator from Utah.

Mr. KING. In connection with what the Senator from Colorado is just stating, I invite his attention to the fact that recently there have appeared in Hungary a number of the Russian Red Guard and representatives of Lenine and Trotzky, with Russian gold and Bolshevik paper money, and that they are doing everything possible to prevent the Hungarians from establishing a stable form of government upon the ruins of the Austrian Empire.

Mr. THOMAS. Oh, Mr. President, I have considerable material upon that feature of the situation as affecting not only Hungary but many others.

To give a fair notion of what the Bolshevik idea of its relations to other Governments should be, let me recall the Bolshevik proposal to Great Britain for the establishment of diplomatic relations, which, of course, involved the recognition by Great Britain of the Bolshevik government. The British authorities said, "Suppose that we do this, we understand that your diplomats, in the event we receive them, will at once become the advocates of bolshevism in Great Britain." The answer was, "Certainly; that is why we want to make this

arrangement. Our ministers and our consuls will be instructed to propagate bolshevism wherever possible, to urge your people to overthrow your Government, to tear down the pillars of your social fabric, and introduce into your country the conditions now prevailing in Russia."

Who does not remember the recent conduct of Joffe? I regret that this creature bears a name so nearly identical with that of the great hero of France, who must be tempted to change his name and adopt some other appellation. Joffe is the Bolshevik ambassador to Berlin appointed pursuant to the treaty of Brest-Litovsk and recognized as a matter of course by the German Government. With the liberation of Liebknecht from his prison, Joffe began his Bolshevik propaganda among the people of Germany. He became so offensive, and went to such extremes in his advocacy of fire and sword, death and destruction, that the Ebert provisional government ordered his deportation from the country. Why, Mr. President, the Bolsheviki are serving Germany in France and England and America as efficiently as German secret service ever did. A recent article in the New York Times, of January 7, by the Times's correspondent in Paris declares:

> In well-informed circles here the feeling grows daily stronger that bolshevism is one of the greatest dangers with which the allied conference must cope. The mass of the public does not yet realize the full extent of the danger, as the newspapers avoid alarming news on the one hand and on the other are overready to feature exaggerated stories emphasizing the utter disorganization and ruin of the Bolshevist régime in Russia.
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> Yet those who know the "secrets of the gods" in Paris no longer disguise their alarm at the course of events in Europe. Holland, Spain, and Switzerland are seriously menaced by labor troubles. Stockholm is overtly the headquarters of the Bolshevist propaganda, whose funds amount to millions of dollars as a result of unprincipled speculation by henchmen of Lenine and Trotzky on the ruble exchange and in Russian oil and other industrial shares whose variations they can influence at will.
>
> Even in France, England, and Italy there are disquieting symptoms whereof the dissatisfaction over the demobilization question is not the sole manifestation. In Germany the Spartacists grow daily more dangerous, powerful, and daring, and while the allies are hair splitting over the conference procedure and the exact significance of the league of nations the Bolshevist flood rolls steadily westward across Poland.
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> What is really happening in that direction may be judged by a leading editorial in the Swiss Journal de Geneve, whose neutral impartiality can not conceal its profound anxiety. The writer says:
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> "The Russian Bolsheviki are advancing. They have reconstituted an army of mercenaries very well paid, and, it is said, organized and disciplined. Its numbers, reckoned by its adversaries as high as 2,000,000, are, perhaps, exaggerated; but at least they are sufficient to move almost without meeting resistance on the footsteps of the retreating Germans.
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> "All the populations of western Russia, Lithuanians, White Russians, etc., are falling, one after the other, into the power of triumphant anarchy. Now Poland is threatened. The aid promised by the allies is not forthcoming, and the Poles are hard pressed on all sides by Ruthenians and Bolsheviki, without its being possible to determine the unique and mysterious hand which certainly is maneuvering their host of enemies.
>
> "The internal situation of the country is hardly less threatening. Ravaged by the Germans in an unparalleled fashion, Poland has no longer a single machine or single plow. Her industrial cities are thronged by a starving mass of Russian prisoners, Polish workers dismissed by the Germans, and retiring German troops scouring the country of its last reserves of food like a plague of locusts. Disorder, pillage, riot, and murder are the order of the day.

The remainder of this article, which is very short, I ask to have incorporated in my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

> "The Polish Government is faced by well-nigh insurmountable difficulties. Its chief, Gen. Pilsudski, is unsupported by the allies, and his efforts are hampered by a committee of people who for four years have not set foot in Poland. Czechs, Jugo-Slavs, and other exiles in the entente countries have returned home, but the Poles alone continue to create in Paris difficulties for the Government of their country. Meanwhile anarchy rises and grows more serious.
>
> "And what is Germany's attitude in this turmoil? It is hard to say. While the Poles are accusing the Germans of favoring bolshevism in Poland and break off diplomatic relations on that account, the Germans, for their part, dread the Bolshevist danger which the neighborhood of Poland represents to them. At the moment when, despite all assertions to the contrary, Liebknecht grows every day stronger and more menacing, Poland is for Germany a peril no less social than national.
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> "In any case Europe's interest is evident—to save Poland and in order to save it to strengthen the hand of its Government, for bolshevism is not a force that can be checked with ease. To-day it is at Minsk, perhaps to-morrow at Vilna. When it shall have triumphed at Warsaw and Cracow can it be prevented from reaching Berlin and Vienna? And then what will become of all of us—allies and neutrals alike?"
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> The despairing appeal of the last sentence, coming as it does from one of the soberest and most reliable newspapers in Europe, whose friendship to the entente cause has been unswerving throughout the war, should be enough to open the eyes of the allied leaders to the danger of further talk without action and further temporization and delay.

Mr. THOMAS. I might read a similar communication from the Paris correspondent of the New York World, on the 9th day of January, and of similar import; but I will not detain the Senate by doing so.

While bolshevism is arrayed against the property-holding class, and while its avowed purpose is to endow a very small segment of people with all of the power of organized society, while it proposes to abolish selfishness and cupidity, it recruits its army of mercenaries, and holds it in leash by paying wages hitherto unknown in military history. One of the greatest inducements to war, through all the stages of civilization, has been the cupidity of the soldier, the prospect of plunder, of loot, of rapine. The acquisition of property and of goods by conquest instead of labor has attracted the cupidity of the world from time immemorial; and the Bolsheviki are utilizing precisely the elements for the dissolution of the social compact which the allied countries propose to disarm by a league to enforce peace. Their soldiers receive from 250 to 450 rubles a month. Having looted the treasure of 180,000,000 of people, being in control of their industrial forces, operating through the Soviets, they have no difficulty in securing sufficient funds for their army and their emissaries engaged in the work of instigating riot and revolution in other countries. This explains the expansion of the Bolsheviki army, an army of mercenaries, well paid and encouraged to plunder and loot at home and abroad.

These creatures are creating dissension among the allies now gathered at Paris for the reestablishment of peace. They are directed by the cunning German hand, so potent for mischief when working in secret. Bolshevik emissaries, with ample funds, spin their webs and weave their toils as German brains suggest and German hands direct. An "ex-attaché" has recently informed us through the columns of the Washington Post that Prince Von Bulow, the greatest chancellor that Kaiser Wilhelm ever had, and one of the greatest and most unscrupulous intellects of time, was in charge of Bolshevik propaganda; that his master hand in intrigue is easily recognized by those familiar with his methods in all of the dissolving forces and influences now so active in Paris, in every country in the world. Germany is seeking, under cover of bolshevism, to undo the power of the allies through agencies more dangerous than her armies ever were, for they are organized not only but subtle and unseen.

What bolshevism has done for Russia through German agencies it may do elsewhere. And bolshevism calls itself democracy. One of the first acts of this democratic organization was to disperse the Duma, which had been elected under the Kerensky régime which revealed an overwhelming anti-Bolshevik majority in its attempted organization. It was dispersed with bayonets the day succeeding its meeting; it never has been permitted to reconvene, and bolshevism has made no attempt to ascertain the will of the great majority in Russia either through the processes of an election or otherwise.

In fact, Mr. President, bolshevism in Russia has been one long agony of murder, of pillage, of destruction. It has attracted to its ranks all the criminals, the idlers, the adventurers, and the outcasts of the Empire. Murder and all the crimes of the category are sanctified in the Bolshevist declaration of faith. It is an inverted autocracy. Composed of numbers of many instead of one, it is far more atrocious and far more demoralizing and far more cruel than Czardom ever was.

Mr. President, the French Revolution has ever been regarded as the most awful episode of blood and carnage in human history, and down to the accession of Bolshevik power in Europe that was true. No one doubts the awful character of the French Revolution, nor yet that it was largely justified by the events of preceding centuries. The guillotine was said to be active in Paris, during the days of Rebespierre and Marat, by day and by night. It counted its victims every moment; and yet, Mr. President, the total number of men and women sacrificed to the guillotine during the French Revolution was less than 4,000. My friend from Utah [Mr. KING] says it was 2,700. But the Bolsheviki in Petrograd in a single day last fall murdered 860 human beings; and if all the victims of its reign of terror could be enumerated they would doubtless reach into the hundreds of thousands. There is no similar period of organized butchery known to history.

The French Revolution, too, had an organized government. It was a forceful government. It was a government which in large degree respected life and property. Its terrors were waged against practically a single and a very small class, the nobility, which had oppressed and trodden underfoot the common people of France for centuries. Even so, Mr. President, the reaction from its horrors resulted in the downfall of Robespierre, and in the emergence of Napoleon from its wrack and ruin. France, drunk with blood and reeling under the weight of a task it could not accomplish, threw herself into the arms of a usurper, and abandoned her ideals for the glories of world dominion. And when bolshevism shall have run its

bloody course, Russia, stricken and despairing, may welcome a deliverer albeit he may rescue her from its infernal clutch only to rivet her chains of servitude more securely than before.

I have stated my view regarding what our attitude toward Russia should be. Summarized, I contend that we should rescue the Czecho-Slovaks west of Lake Baikal at whatever cost; second, that we should safeguard until we can remove the property of the allies at the ports of the Pacific and of the northern ocean; and, lastly, that we should determine upon some policy toward an international condition more menacing in its consequences than any which our civilization has confronted. If we have overthrown the Kaiser only that bolshevism shall wax in power then it were better that an all-conquering Kaiser had spread his dominions over every land. His was a government infinitely preferable to the enthronement of the criminal elements of society, devoted to the destruction of life and the confiscation of property everywhere, without trial, without investigation, without appeal. I shall never believe that after paying the price which autocracy's overthrow demanded America will fail to measure up to the more supreme duty of the hour and take this hideous monstrosity by the throat and strangle it forever.

What is bolshevism? It is hard to describe in adequate language what is meant by that term. The recent Dutch minister from Holland to Russia, who barely escaped with his life, and who has made an impassioned plea for allied intervention as a duty to civilization, in an interview in the London Times said:

I wish to give a solemn warning to the working classes of all nations. Bolshevism, I say without exaggeration, is the end of civilization. I have known Russia intimately for 20 years and never have the working classes of Russia suffered as they are suffering at the present moment. I have never seen or dreamed of the possibility of such corruption, tyranny, and the absence of all semblance of freedom as there are in Russia at the present moment.

Translated into practice, the five points of bolshevism really come to this: (1) High wages; (2) do not work; (3) take other people's property; (4) no punishment; (5) no taxation; and I suppose there will always be a certain number of people who will adopt a program which in practice amounts to this. That is why, having myself seen the disastrous effects of this policy on all classes of society, I take the first opportunity on my arrival in England to warn the public. The bulk of the workmen in Russia are to-day far and away worse off than they ever have been, and the state of unemployment is simply terrible. When I left Petrograd the situation was one of utter starvation, and most people hardly knew how they would exist through the following day. The future, to me seems hopeless. One thing is certain, that, left as she now is, Russia will be in a state of utter and complete ruin. Wherever bolshevism rules the nation has been beaten to a pulp and is utterly helpless.

I have said that this movement appeals to the predatory instincts of the criminal class, and I will venture the assertion that there is no so-called Bolshevist organization in any country in the world that is not welcomed by its criminals, by the man who would cut his neighbor's throat for a nickel or burn his neighbor's house for pastime. Bolshevism is destruction enthroned against a civilization that is entirely constructive, and if it succeeds it means relapse into a condition of absolute and primitive barbarism.

Mr. President, Russia is the center from which all governments, as I have said, are being attacked. I want to call attention to a few significant and sinister circumstances in support of that assertion.

I have here an extract from the New York World of January 9, which states the policy of the so-called Spartacus Bund, which is the name of the organization in Germany.

The Spartacus Bund is a group of direct-action Socialists determined to carry on the class struggle of the working classes against the bourgeoisie until a Government is established by and for the working classes, excluding all others from participation. It represents the great mass of the proletariat, not only in Germany but in the entire world.

WORLD-WIDE PLANS.

The revolution it is carrying on in Germany is only a step toward the world-wide revolution, which is to end in the universal establishment of dictature by the proletariat. Class struggle must be carried to the point where government by the proletariat masses shall be so thoroughly established that it can crush resistance. The proletariat of all countries must be united, and it must rule the world.

The immediate objects of the Spartacus Bund in Germany were outlined by the recent Spartacus Congress. What the Spartacus Bund proposes to do follows:

It will disarm all the police, all the soldiers, and all others not belonging to the proletariat. It will deprive the ruling classes of all arms and make resistance impossible. It will take control of all arms and ammunition plants in the name of the Arbeiter-Soldatenrat and arm all workmen devoted to the cause of the proletariat as a workmen's militia.

A red guard will be constructed from the proletariat as an active militia to fight counter-revolution. Discipline imposed by officers and under officers will be removed, substituting the free disposition of the soldiers thus putting an end to military caste. All officers and their adherents will be removed from the soldiers' soviets.

The old administration will be replaced by one true to the cause of the proletariat.

A revolutionary tribunal will be established, before which will be tried the men chiefly guilty of causing and prolonging the war. This list will include both the Hohenzollerns, Ludendorff, Hindenburg, Tirpitz, and all their accomplices, as well as counter-revolutionists.

If the purpose were confined to the last recital, I do not know that the world would seriously object; but, unfortunately, bolshevism perceives no distinction between the world-wide criminal who deserves punishment and the peaceful citizen who happens to have a clean collar and 10 cents in his pocket.

Politically the purpose of the Spartacus Bund has been to put an end to the federation of States and to substitute a single German Socialist republic, the Arbeiter-Soldatenrat, to take over all parliamentary functions and all State functions except those originating in that body.

Election to public office and to parliament will be confined to soldiers and workmen, and there will be the right of instant recall of representatives. A central committee will be constituted by the Arbeiter Soldatenrat for the exercise of executive power. There will be absolute socialization of the State, with a six-hour day and unemployment insurance.

God have mercy upon the company which takes the risks or the Government that may be called upon to assume them.

I have another clipping, which I shall not read, Mr. President, because I have already spoken longer than I intended, but which indicates the class of individuals, and those alone, who will be permitted to exercise any power or enjoy any rights of citizenship. It consists solely of those who do not employ anybody for anything. If I ask John Smith to carry my horse for wages I instantly disqualify myself from the right of citizenship. If a man employs another to do anything, however needful, however helpful to the employee, he writes his sentence of political death under the Bolshevist régime and is excluded from this choice band of thieves and scoundrels by virtue of that simple fact. This, they say, is carrying to its logical sequence the doctrine of the rule of the proletariat, and I am inclined to think that is true. It surely demonstrates the utter hollowness, tragedy, and impossibility of the Bolshevist scheme.

Mr. President, I have said that Russia is the center from which all Governments are being attacked. The attacking forces are operating in America actively, operating quite as freely as in countries across the sea. They have been identified with our industrial life for some time through an organization known as the I. W. W.; and it is a significant fact that nearly all of the prominent leaders of bolshevism in Russia, Lenine excepted, graduated from eastern New York, from Chicago, from Philadelphia, and from Buffalo, and every mother's son of them were members of the Industrial Workers of the World.

We are told by the press in the last few days that the Bolsheviki are organizing soviets in our large cities and that two, I believe, already exist in New York, and others are forming or are to be formed in Chicago, San Francisco, and Seattle. This means the establishment in free America of organizations whose avowed object and purpose are to agitate for the overthrow of this Government. It means, if it is permitted to be, that these scoundrels and expatriates from Russia, in combination with other scoundrels and criminals in this country, may organize with impunity for the propagation and practice of treason. It means that these centers of pernicious activity are to become the rallying points and nurseries of the I. W. W. When we consider the vast range of the criminal population of the great centers of this country, men who live by crime, and who will flock to these organized points under the rallying cry of "Brotherhood and the proletariat," disseminating their doctrines upon every street corner under the plea of freedom of speech, and the temptations which they offer to the unscrupulous, the unemployed, and the dissatisfied, we may readily perceive that here will be fruitful ground for this terrible menace to civilization.

I predict that unless the Government of the United States in cooperation with the States, in their sovereign capacity, shall stamp out these organizations and punish those who dare thus to menace the integrity of our institutions and advocate the overthrow of our Government the scenes of Petrograd and Moscow will be repeated on the shores of Lake Michigan and the island of Manhattan. How much further they will spread God only knows; but I am convinced that there is no duty to-day confronting the people of the United States, the American Congress, and the legislatures of our Commonwealths more imperative than this to which I am now calling attention.

Mr. President, only a few days ago a terrible riot—a so-called labor riot—developed in the Republic of Argentina. It was so formidable in its dimensions that the army was mobilized, the President for the time being surrendered his functions to the commander in chief, and the military power of the Republic was invoked to quell the insurrection. Two hundred and fifty lives were lost and some 750 persons were wounded, many of whom will die. It now appears that this entire trouble was fomented

and engineered by Russian Bolshevists from Petrograd and Moscow, and that Uruguay would have been involved in the uprising but for the rigor of its authorities.

MONTEVIDEO, URUGUAY, *January 12, 1919.*

The police have uncovered a plot on the part of Russians to instigate a Bolshevik movement here and in Buenos Aires. Four of the leaders in the movement are said to have confessed their participation in a plan to overthrow the Uruguayan and Argentine Governments and institute soviets in both countries. The police by quick work prevented an outbreak here which had been arranged to occur simultaneously with that in Buenos Aires.

The director of the "cultured center" is Isaac Molinoff, a Russian, who is said by the Buenos Aires police authorities to have been an accessory in a bomb-throwing plot in the Colon Opera House several years ago. Since that time Molinoff had lived here. He was arrested during the general strike last August, charged with carrying explosives.

FREED AFTER SHORT SENTENCE.

He pleaded that he was taking the bomb to sea to destroy it. He was given a short sentence and recently was released from custody. It is said that Molinoff since his release has been engaged in Bolshevist propaganda.

Among those arrested with Molinoff are Moses Federmann, Numann Patulyoski, and Marcos Mirnovich. Federmann, questioned by the police, is reported to have said that an anarchist revolution could not be long delayed in Uruguay, and that he would establish a soviet government along the lines of Nikolai Lenine. He is alleged to have said that he did not believe the arrest of the ringleaders in the present movement would hinder the ultimate success of the plan.

Patulyoski told the police that he had come to Montevideo from propaganda work in Buenos Aires in order to aid in the local movement. He said he knew Molinoff in Russia, where Molinoff had been active in propaganda work.

Another serious disturbance, formidable in its proportions, has just broken out in Peru. I have no particle of doubt that it has been fomented by the same pernicious influences, and that these will continue to occur until the strong hand of the Governments shall be unsparingly exercised against them.

I have referred to the I. W. W. It is beyond controversy that this criminal organization was a potent agency for German intrigue and German crime prior to America's entrance into the great war. There is no question that the 20 or 30 men affiliating with it who have been convicted were properly convicted, and that, considering their menace to this country in time of war, their sentences were not extravagant. But now that the war is over this organization is again beginning its activities and the exercise of its devilry. It is the original and will continue to be one of the agencies of the Bolshevik propaganda in the United States.

I have read from a newspaper clipping the purpose of the Bolsheviki in Germany. I now read the preamble, or statement, of the I. W. W. principle:

The working class and the employing class have nothing in common. There can be no peace so long as hunger and want are found among the millions of working people and the few who make up the employing class have all the good things of life.

Between these two classes a struggle must go on until the workers of the world organize as a class, take possession of the earth and the machinery of production, and abolish the wage system.

Instead of the conservative motto, "A fair day's wage for a fair day's work," we must inscribe on our banner the revolutionary watchword, "Abolition of the wage system."

It is the historic mission of the working class to do away with capitalism. The army of production must be organized not only for the every-day struggle with capitalists but to carry on production when capitalism shall have been overthrown. By organizing industrially we are forming the structure of the new society within the shell of the old.

Its methods are thus set forth by its historian:

As a revolutionary organization the Industrial Workers of the World aims to use any and all tactics that will get the results sought with the least expenditure of time and energy. The tactics used are determined solely by the power of the organization to make good in their use. The question of "right" and "wrong" does not concern us.

This organization is tolerated in many parts of this country. It boasts of apologists and admirers. Some regard it as one of a natural sequence of our disturbed and altogether unsatisfactory social and industrial condition. It may be, Mr. President; but it is a matter of great satisfaction to me to know that the American Federation of Labor repudiates it and that it denounces all labor organizations recognizing and operating under the wage system. I know individually some of the leaders of this organization. I know their purpose to be identically the purpose of Russian bolshevism. There is no difference. "Direct action" is their watchword, which means kill, burn, destroy, assassinate. Before the war in some of the States upon the Pacific coast juries dared not punish these people for their crimes, because over their heads hung the constant threat and menace of the organization. In the section from which I hail that condition at one time came very near being the established fact. This means that unless the citizenship of the country are protected by their Government and by counter organization the criminals that constitute these organizations will increase in numbers, in terrorism, and in menace to our established institutions.

Mr. President, just a word, and I am through.

I do not believe that a disorder of this kind can be destroyed by penal legislation, however rigidly enforced. There is much unrest in the world. There is a widespread and largely justified dissatisfaction with the existing industrial, social, and economic conditions. The complaints against the oppression of trusts, combinations, and organized capital are in many instances unfortunately only too well founded. There can be such a thing as bolshevism in high life, depriving men by illegitimate combinations through legal processes of their property without taking their lives, perhaps more pernicious in their consequences than violent assaults upon human life and property.

No man can deny the Bolshevist's argument when he says that but for the despotism of the Romanoffs there would be no Bolshevists, although it is but partly true. Nor can we deny that the Industrial Workers of the World is the offspring of the railroad wrecker and the monopolist. The leading industrial, commercial, and financial forces of this country, recognizing the perils confronting society, must abandon practices and policies engendering these conditions and conform the economic life of the Nation to the lines of equity and of justice. This, more than codes and correctives, will promote tranquility and deprive anarchism of its only refuge.

I had thought, Mr. President, that with the affliction of a world war, the magnificent response the American people have made to all consequent demands upon them, the transient extinction of class differences, the prevalence of a true spirit of democratic sacrifice and cooperation, the predatory outrages of financial power would terminate during the interval of strife. But, unfortunately, Mr. President, I was overoptimistic. Some of them have occurred during the war, whose excitements have served to make their perpetuation easy; others are in process.

A great railroad in my State, the Denver & Rio Grande, one of the most prosperous systems in the United States prior to the war, is to-day in hopeless, irredeemable bankruptcy. Its stockholders have lost virtually their entire investment through no fault of their own. A few years ago this stock commanded from $80 to $85 a share upon the market. To-day there is no market for it whatever. The road has been looted, wrecked, robbed, and destroyed by as heartless and conscienceless a combination of bankers and capitalists as ever coveted a prosperous and desirable property. Strange to say, they have accomplished this object by utilizing its obligations to another railroad, which they also captured for a song, and then used the guaranty of the Rio Grande for its destruction. When the history of this incident shall be understood by the people of the United States they will perceive in it a bolshevism as dangerous to American institutions and to the integrity of our civilization as that of Lenine and Trotzky at the other end of the social system.

No, Mr. President, there is much to do besides legislation. We must recognize and remove, as far as we can, the evils and the abuses which are the sole possible defenses for this unfortunate and dangerous situation.

LEAGUE OF NATIONS.

Mr. SHAFROTH. Mr. President, I wish to offer a few remarks upon the Knox resolution, which was presented some time ago by the junior Senator from Pennsylvania.

The principal object of the Knox resolution is contained in the third paragraph thereof, which reads as follows:

That any project for any general league of nations or for any sweeping change in the ancient laws of the sea as hitherto recognized as international law and violated by the Teutonic powers should be postponed for separate consideration not alone by the victorious belligerents but by all the nations, if and when at some future time general conferences on those subjects might be deemed useful.

The present war has been the most disastrous of any in the history of the world. It is estimated that over 7,000,000 men have been killed and that over 15,000,000 men have been disabled or wounded. It has been calculated that the cost of the war, including the destruction of property, has amounted to more than $200,000,000,000, in consequence of which bonds have been or will be issued by the various nations involved which it will be impossible to liquidate for more than a hundred years. It is safe to say that no wars are remunerative, even to those nations that are victorious.

The United States at all times has recognized the horrors of war and sought in every way to avoid engaging in conflict. Not until ruthless disregard by Germany of the principles of international law in sinking American ships and destroying American lives did we make our declaration of the existence of a state of war. The United States has at all times in the past been among the foremost of nations to encourage the formation of arbitration tribunals for the settlement of international disputes and the making of agreements to mitigate the brutalities of war. In the interest of humanity and civilization it has always been the pur-

pose of the United States to form some kind of covenant with all or the leading nations of the world to prevent the recurrence of war which ruthlessly exterminate so much of the youth and flower of our land and which places a burden of crushing taxation upon the countries of the world. It must be remembered that this burden rests mostly upon labor, as wealth is nothing but accumulated labor. It has taken just such frightful results as are unfolded to our view to demonstrate the necessity of avoiding war, to make people consider seriously some method of averting future visitation of such catastrophes. It is said that the Napoleonic wars, by reason of the death and disabling of so many of the stalwart soldiers, reduced in the following generations the average height of the men of some large districts of Europe as much as 2 inches. Our policy has produced a nation of wealth, power, and intelligent citizenship which is unequaled in the history of the world.

The question presented by the Knox resolution is whether, when these evils are vividly before us and when all of the world is appealing for some measure to prevent such terrible recurrences, we should proceed with the peace negotiations and not consider at this time any proposition concerning a league of nations, by which such horrors might be avoided. The resolution bears upon the face of it an opposition to any such league. It states that the subject "should be postponed for separate consideration, not alone by the victorious belligerents but by all the nations, if and when at some future time general conferences on those subjects might be deemed useful." It suggests no time when such conferences shall be held; it casts doubt upon the propriety of ever holding them when it says, "if and when at some future time general conferences on those subjects might be deemed useful."

Mr. President, there are two ways of defeating the plan for a league of nations: First, by openly opposing and voting against it; and, second, by postponing its consideration to a time when other subjects are engrossing the attention of the world and when there may exist divisions and disputes among nations which might destroy any chance of effecting an agreement. In my judgment, to vote for the Knox resolution proposing postponement is virtually to vote against the formation of any league of nations for the purpose of avoiding wars.

One of the principal reasons for our entering the war was to bring about such a compact with other nations as would insure the peace of the world forever. That was the statement made by the President to the Senate and House of Representatives at the time of our entrance into the war. No dissent was made to that declaration by Senators or Representatives, but all enthusiastically applauded the sentiment. We have said time and again that if such a result is obtained it will compensate us for the great loss of life and property occasioned by this disastrous war. Every Senator or Representative who has addressed citizens of our country in favor of the various liberty loans has dwelt upon this as one of our highest aims. Is it possible that anyone with fairness can now in an indirect manner propose the abandonment of that, the greatest argument we had in getting the approval of the people of the United States to subscribe to gigantic loans for the prosecution of the war?

In the past the principal retarding influence in the creation of a league of nations has been the fear on our part that the court or arbitration body would be so dominated in the interest of the monarchies of Europe that we might be swept into the monarchial system instead of having prevail the just principles of the rights of humanity as set forth in our Declaration of Independence. It was the apprehension that we might be at a disadvantage in submitting our disputes with other nations to a tribunal composed of judges the majority of whom would in all likelihood be from monarchies.

The continued discussion of the formation of a league of nations has developed many proposals for the determination of international disputes. In order to induce nations to enter into such a league it is necessary to avoid giving any advantage to one nation over another in the trial of such causes.

Mr. President, I have always believed that there should be established an international court to which all controversies threatening war between nations must be submitted; that the judges thereof should not be selected for the determination of all disputes presented, but should sit only in those cases to which they may be assigned; that each nation should have at the court as many judges as it deemed proper to appoint to act as a panel from which to select those who are to pass upon each international question; and that when a dispute threatening war arises between any two nations each nation, after the formulation of the pleadings, should select an equal number of judges of its own if it so desires, and those so chosen to select the odd judge of the court, and if they can not agree upon the odd judge, then, if no other way can be devised, they shall resort to chance in the selection of such odd judge. Even if, in the selection of the odd judge, an advantage should be obtained by one side, it would be inconsiderable when weighed with the destruction of life and property of each nation in case of war.

A court so constituted would be regarded by all nations as fair, and thus the first great requisite of a successful arbitration tribunal would be accomplished. Under those conditions all of the nations would find security in the league which would prevent many, if not all, wars, and consequently they would likely be willing to enter into such a league.

Mr. KING. Will the Senator yield?

Mr. SHAFROTH. I yield.

Mr. KING. The Senator may intend discussing at a later part of his speech the point concerning which I was about to interrogate him, and, if he does so intend, I shall be very glad to have him so inform me.

Mr. SHAFROTH. I shall be glad to have the statement of the Senator.

Mr. KING. Does the Senator contemplate a system which would require that all who are parties to the convention or league of peace, whatever form it assumes, shall submit to it every question affecting the vital interests or the honor or territorial integrity of each nation?

Mr. SHAFROTH. I do not as to territorial integrity. My idea concerning an agreement as to the territorial integrity is this: I believe there ought to be specified in the peace treaty we are negotiating the boundaries of each nation, and we should stipulate that those boundaries, except as modified by mutual agreement of each nation interested, with the consent of the inhabitants of each, shall be respected and protected by the nations to the league. That, in my judgment, would do away with nine-tenths of the wars of the world, because territorial acquisition has been the bone of contention and has been the aim of nations who desired conquest more than any other cause. I have no doubt that nine-tenths of the nations of the world that have been fighting have had their causes originate from a desire to obtain the territory of some other nation.

Mr. KING. The Senator knows that upon the part of those who are discussing this question the terms justiciable and nonjusticiable are employed?

Mr. SHAFROTH. Yes.

Mr. KING. Accepting the terminology and the definition so given, is the Senator willing to have our Nation join a league of nations which would require that we should submit to the league of nations, for instance, the Monroe doctrine, the question of tariffs, and other vital questions, some of which would be entirely nonjusticiable?

Mr. SHAFROTH. I must say that it would depend somewhat upon the controversy which was presented. But my desire is as near as possible to submit all questions that arise in controversies between nations. I will cover that, if the Senator will allow me, a little further on, and probably a little more clearly. The Monroe doctrine will not be jeopardized by a league of nations to enforce peace, but will be made more secure by the guaranty of all the nations instead of by ours alone. If the United States should have a dispute with Belgium, that kingdom could well say that it has as good a chance of winning the controversy against the great United States as would be the chance of our own Government, and we, desiring no acquisition of territory and desiring nothing but what is right and just, would be glad to accept the terms of arbitration and select our judges of the court which would determine the controversy. We could not refuse, unless we were to exercise those very qualities of domination of great nations over smaller nations which we have so unanimously condemned in this war. With the full confidence on the part of both Belgium and the United States that the tribunal would be fair, both would submit, knowing that the determination in the judgment of the majority of a tribunal so formed would be in the interest of the orderly administration of justice. The first great requisite in the formation of a league of nations for the prevention of wars is, in my judgment, the establishment of a court so constituted.

Mr. President, the difference between that kind of a court and a court of fixed judges named by the league or named by all the nations to determine all controversies that come before it is the difference between night and day as to whether the arbitration will be regarded as fair. In other words, we have our doubts whether, if we have but one judge upon the tribunal and the monarchies of Europe have seven or eight, we will not be engulfed in the influence of those judges appointed from monarchial governments. Consequently the fear has been that we will not get justice. If we were sure that we would get justice there would be no difficulty in agreeing to almost any proposition for a league of nations that might be presented;

but where you agree that the court which determines the matter shall consist of judges selected by your own Government and judges selected by the opposing Government, and that those judges shall meet and determine and agree upon a third or fifth or seventh or ninth judge, dependent upon the size of the court, you can readily see that all nations will agree to come into a league that will have for its court such an organization. They will then know that their chances are equal, and that while there might be some advantage obtained by one nation over another in the selection of the odd judge, it would be inconsiderable compared to the great damage and wrong and death and destruction that must result from these wars.

As to the manner in which the decrees of the court shall be enforced there are many differences of opinion; some believe that its decrees should be enforced by such a great army and navy of its own as would make resistance by one nation futile. This, of course, would involve an agreement among the nations to reduce their armies and navies far below those provided for the international tribunal. If successful, the tribunal would prevent the enormous burdens upon the people which are now made necessary in order that each nation may be prepared for conflicts. Unless some agreement among the nations is made providing for compulsory submission of controversies to an international court, the powers of the world will compete more sharply than they have in the past in the enlargement of armies and navies. That policy will produce not only great burdens but will breed in each nation warlike tendencies and autocratic attitude in the exercise of its powers.

Others believe that the league of nations should simply exercise a moral influence against the entrance of nations into war or that by hindrance and delays such a length of time might elapse that the passions of each nation would subside and reason induce each to forego the declaration of hostilities.

There are objections to these contentions for the enforcement of the decrees of the court, but that some measure should be adopted which would prevent many, if not all, wars it seems to me clear. If nothing more results from the peace treaty than that each nation agrees to respect the territorial boundaries as fixed in the treaty and to aid in maintaining such territorial integrity, nine-tenths of the wars of the world will be prevented. As soon as a nation obsessed with the idea of conquest knows that it must fight the entire world if it attempts to seize territory, it will conclude that nothing is to be gained by an aggressive course and abandon such schemes. Nine-tenths of the wars of the world have been started for the purpose of acquiring territory, and if such an agreement were made by all the nations of the world it would eliminate nine-tenths of the wars of the world. Germany has been the one nation of all others to decline to enter into an international agreement for arbitration of controversies and now, in the formation of the peace treaty, we have a right to compel her to keep the peace by some such contract; whereas if the matter is delayed there is no way of requiring her to enter into such an agreement. It is therefore imperative, to my mind, that an international agreement, which will at least tend to prevent war in the future, should be considered and agreed upon before the peace treaty is concluded. There are others who believe that the decree of the court should be enforced, if necessary, by the army and navy of each of the signatory powers.

Mr. President, we heard a very eloquent speech to-day from the able Senator from Idaho [Mr. BORAH] condemning that form of an international agreement. He said that there would be a competition by each nation endeavoring to get as great an army and navy as possible in order to preserve the peace of the world. He overlooked the fact that in that same agreement for the arbitration of controversies it can be stipulated and agreed that there shall be no enlargement of the armies and navies of the nations, or a limitation of the armaments can be specified and fixed according to population of the respective nations or by such other means and such other ways as may be devised. With an agreement of that kind I see no reason why that competition would exist which the Senator fears, but it will exist if no league of nations is agreed upon.

There are some who believe that the decrees of the court should not be enforced except by an agreement that a nation refusing or failing to submit a controversy to the international court should be punished by certain commercial restrictions imposed by all the nations of the world. Others contend that a nation refusing to submit a controversy with another nation to the international court should not recover against the other nation any indemnity. Such a rule, of course, would place the nation refusing to submit its controversy to arbitration at a disadvantage and likely to cause it to refrain from a declaration of war. To those who say it would be futile to simply agree to submit all controversies threatening war to an international court and abide by the result because some nations might regard such treaties as mere scraps of paper, it may be said that the results from treating the Belgian treaty as a scrap of paper would likely prevent any nation in the future breaking a treaty with all the nations of the world.

While I believe in some of the more drastic means of enforcing the decrees of the court, yet any of the means suggested would be better than no agreement.

President Wilson is now in Europe endeavoring to negotiate a peace treaty that will not only settle the disputes as to the nations in this war but that will at least have a tendency to prevent wars in the future. As we have said so many times that we are fighting for a permanent peace among the nations of the world, that this is a war to end all wars, it seems to be inconsistent with our own declarations when we advise that he make no treaty with respect to the world's peace. He knows the situation and views of the nations and as to whether we can get a treaty that will insure peace to the world better than we who have no communication with the representatives of other nations. It may be that he will not accomplish the thing which we all desire, namely, making the world safe from wars, but we impair his influence if we pass resolutions urging that he should not endeavor to consummate such purpose at the most opportune time. Now is the psychological moment to produce such an agreement, and if there is anyone in the United States who can produce such a happy result it is the President, who, as the demonstrations in Europe show, is held not only in the highest regard but in the greatest affection by the people of the entente powers. To impose our advice on him when we are not familiar with the situation, it seems to me, is a proceeding which would greatly weaken his influence in the negotiation of the treaty. It, therefore, in my judgment, would be the height of impropriety to pass the Knox resolution.

THE CENSUS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

The PRESIDING OFFICER (Mr. WADSWORTH in the chair). The question is on the amendment of the Senator from Texas [Mr. SHEPPARD] on page 8.

Mr. SHEPPARD. After consulting further with the Senator from Utah [Mr. SMOOT] I have prepared an amendment to be offered in lieu of the amendment which I presented yesterday afternoon and which is now pending. I ask that it may be read.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. On page 8, line 20, after the word "act," at the bottom of the page, at the end of section 7, insert the following additional proviso:

And provided further, That in the selection of the additional clerks and employees provided for by section 6, the director is authorized to use, so far as practicable, the reemployment registers established by Executive order of November 20, 1918, so far as the same applies to permanent appointments by competition.

Mr. CURTIS. Mr. President, two or three Senators who are absent have suggested that they desired to be present when the pending bill was being considered. I therefore suggest the absence of a quorum. I do not know anything about the pending amendment.

The PRESIDING OFFICER. The Senator from Kansas suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Borah	Jones, N. Mex.	Moses	Shafroth
Colt	Kellogg	Myers	Sheppard
Culberson	Kendrick	New	Smith, S. C.
Curtis	Kenyon	Norris	Smoot
Fletcher	King	Overman	Spencer
France	Kirby	Page	Sutherland
Frelinghuysen	La Follette	Poindexter	Thomas
Gay	Lewis	Pollock	Underwood
Gronna	McKellar	Pomerene	Vardaman
Hale	McNary	Ransdell	Wadsworth
Henderson	Martin, Ky.	Reed	Walcott
Johnson, S. Dak.	Martin, Va.	Sanisbury	

Mr. CURTIS. I have been requested to announce the unavoidable absence of the junior Senator from New York [Mr. CALDER]. I will let this announcement stand for the day.

I have been requested also to announce the unavoidable absence of the Senator from Washington [Mr. JONES]. I will let this announcement stand for the day.

I have been requested also to announce the absence of the Senator from Illinois [Mr. SHERMAN] on account of illness. I will let this announcement stand for the day.

Mr. McKELLAR. The senior Senator from Tennessee [Mr. SHIELDS] is absent on account of illness. I desire that this announcement may stand for the day.

Mr. SUTHERLAND. My colleague, the senior Senator from West Virginia [Mr. GOFF], is absent on account of illness.

Mr. FLETCHER. I desire to announce the necessary absence of my colleague [Mr. TRAMMELL].

Mr. KIRBY. I wish to announce the unavoidable absence of the senior Senator from Arkansas [Mr. ROBINSON] on account of illness.

Mr. FRELINGHUYSEN. I desire to announce the unavoidable absence, on account of illness, of my colleague, the junior Senator from New Jersey [Mr. BAIRD].

Mr. LEWIS. I wish to announce that the Senator from Oregon [Mr. CHAMBERLAIN], the Senator from Maryland [Mr. SMITH], the Senator from Georgia [Mr. HARDWICK], the Senator from North Carolina [Mr. SIMMONS], and the Senator from California [Mr. PHELAN] are detained on official business.

The PRESIDING OFFICER. Forty-seven Senators have answered to their names. There is not a quorum present. The Secretary will call the names of the absent Senators.

The Secretary called the names of absent Senators, and Mr. SMITH of Georgia, Mr. SWANSON, Mr. TOWNSEND, and Mr. WEEKS answered to their names when called.

Mr. BANKHEAD entered the Chamber and answered to his name.

The PRESIDING OFFICER. Fifty-two Senators having answered to their names, a quorum is present.

The pending question is on the amendment offered by the Senator from Texas [Mr. SHEPPARD], which the Secretary will state, as perfected by that Senator.

The SECRETARY. At the end of section 7, on page 8, line 20, after the word "act," it is proposed to insert the following:

And provided further, That in the selection of the additional clerks and employees provided for by section 6, the director is authorized to use, so far as practicable, the reemployment registers established by Executive order of November 29, 1918, so far as the same applies to permanent appointments by competition.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Texas.

The amendment was agreed to.

The next amendment of the Committee on the Census was, in section 8, page 9, line 10, after the word "home," to insert "whether or not a survivor of any war in which the United States has been engaged, and if so, of what war," so as to make the clause read:

SEC. 8. That the Fourteenth Census shall be restricted to inquiries relating to population, to agriculture, to manufactures, to forestry and forest products, and to mines and quarries. The schedules relating to population shall include for each inhabitant the name, place of abode, relationship to head of family, color, sex, age, conjugal condition, place of birth, place of birth of parents, nationality or mother tongue of all persons born in foreign countries, nationality or mother tongue of parents of foreign birth, number of years in the United States, citizenship, occupation, whether or not employer or employee, whether or not engaged in agriculture, school attendance, literacy, and tenure of home, whether or not a survivor of any war in which the United States has been engaged, and if so, of what war, and the name and address of each blind or deaf and dumb person.

The amendment was agreed to.

The next amendment was, on page 10, in line 2, after the word "manufactures," to insert "to forestry and forest products," so as to make the clause read:

The schedules of inquiries relating to manufactures, to forestry and forest products, and to mines and quarries shall include the name and location of each establishment; character of organization, whether individual, corporate, or other form; character of business or kind of goods manufactured; amount of capital actually invested; number of proprietors, firm members, copartners and officers, and the amount of their salaries; number of employees and the amount of their wages; quantity and cost of materials used in manufactures; principal miscellaneous expenses; quantity and value of products; time in operation during the year; character and quantity of power used; and character and number of machines employed.

The amendment was agreed to.

The next amendment was, on page 10, in line 14, after the word "manufactures," to insert "of forestry and forest products," so as to make the clause read:

The census of manufactures, of forestry and forest products, and of mines and quarries shall relate to the year ending December 31 next preceding the enumeration of population, and shall be confined to manufacturing establishments and mines and quarries which were in active operation during all or a portion of that year. The census of manufactures shall furthermore be confined to manufacturing establishments conducted under what is known as the factory system, exclusive of the so-called neighborhood, household, and hand industries.

The amendment was agreed to.

The next amendment was, on page 11, line 6, before the word "determined," to strike out "The form and subdivision of inquiries necessary to obtain the information under the foregoing topics shall be" and insert "The number, form, and subdivision of inquiries provided for in section 8 shall be," so as to make the clause read:

The number, form, and subdivision of inquiries provided for in section 8 shall be determined by the Director of the Census.

The amendment was agreed to.

The next amendment was, in section 9, page 11, line 18, after the words "by the," to strike out "Secretary of Commerce upon the recommendation of the Director of the Census" and insert "President, by and with the advice and consent of the Senate," so as to make the section read:

SEC. 9. That the Director of the Census shall, at least six months prior to the date fixed for commencing the enumeration at the Fourteenth and each succeeding decennial census, designate the number, whether one or more, of supervisors of census for each State, the District of Columbia, Alaska, Hawaii, and Porto Rico, and shall define the districts within which they are to act; except that the Director of the Census, in his discretion, need not designate supervisors for Alaska, Hawaii, and Porto Rico, but in lieu thereof may employ special agents as hereinafter provided. The supervisors shall be appointed by the President, by and with the advice and consent of the Senate: *Provided*, That the whole number of supervisors shall not exceed 400: *Provided further*, That so far as practicable and desirable the boundaries of the supervisors' districts shall conform to the boundaries of the congressional districts: *And provided further*, That if in any supervisor's district the supervisor has not been appointed and qualified 90 days preceding the date fixed for the commencement of the enumeration, or if any vacancy shall occur thereafter, either through death, removal, or resignation of a supervisor, or from any other cause, the Director of the Census may appoint a temporary supervisor or detail an employee of the Census Office to act as supervisor for that district.

Mr. SMOOT. Mr. President, I ask that the amendment go over for the present.

The PRESIDING OFFICER (Mr. KENDRICK in the chair). Without objection, the amendment will be passed over.

The reading of the bill was resumed and continued to the end of line 13, on page 13.

Mr. KING. Mr. President, in lines 11, 12, and 13, on page 13, I move to strike out the words "and in addition thereto $1 for each thousand or major fraction of a thousand of population enumerated in his district, such sums," so that the section, if amended, will read:

SEC. 11. That each supervisor of the census shall, upon the completion of his duties to the satisfaction of the Director of the Census, receive the sum of $1,500, to be in full compensation for all services rendered and expenses incurred by him—

And so forth.

It seems to me that the sum of $1,500 provided in the section is ample for the few days' work that will be required at the hands of the enumerators.

Mr. SHEPPARD. Mr. President, this is compensation for the supervisors, I will say to the Senator, and not for the enumerators. The work of the supervisors lasts for five or six months and sometimes longer. This is the compensation that was provided 10 years ago when the Thirteenth Census was taken. No change from the provision then enacted has been made in the present bill, and I do not think that the Senator ought to insist upon his amendment.

Mr. KING. Mr. President, in reply I will say that if experience has demonstrated that $1,500 is inadequate compensation we ought to provide in the bill an amount that will be sufficient and fair. It seems to me that to leave it in this indefinite way is not the wisest and best method of legislation.

Mr. SHEPPARD. It is the method that has commended itself to the experts who prepared the bill originally and who made examination of the entire situation with a view to seeing what changes, if any, should be made. It was their view, the view of the House committee, and the view of the House itself that the compensation provided 10 years ago would be sufficient at the present time for the supervisors, which is $1,500 and a dollar for each thousand people and major fraction thereof enumerated in a district.

Mr. KING. I will ask the Senator why we can not specify the amount to be allowed instead of leaving it in rather an indefinite way?

Mr. SHEPPARD. It is uncertain as to how many people are in the various districts, and for that reason it was thought that a given sum plus a dollar for each thousand names and major fraction thereof would be a better form of compensation and would be something of an inducement to greater activity in the performance of duty.

Mr. KING. Does the Senator state that the evidence before the committee and the experience of the department have proved that $1,500 is not sufficient compensation?

Mr. SHEPPARD. That seems to be the consensus of opinion among those who have had experience in the matter.

Mr. KING. I believe, Mr. President, that the $1,500 compensation provided is adequate, but I withdraw the amendment if the fact is that in the past they have been allowed the same compensation provided by this bill.

Mr. SHEPPARD. That is the case.

The PRESIDING OFFICER. The amendment offered by the Senator from Utah is withdrawn.

The reading of the bill was resumed and continued to the end of section 15, on page 17.

DEMOBILIZATION OF AMERICAN TROOPS.

Mr. McKELLAR. Mr. President, I wish to say a few words in regard to the question of demobilization. It will be remembered that shortly after the armistice the War Department, through Gen. March and others, as I recall, made statements to the press of the country that the Army would be demobilized at the rate of about 30,000 men a day. The latest figures shown by the department on Saturday are that 693,889 had been demobilized up to that date, or an average of about 11,564 men per day since the armistice, just a few more than one-third of the estimate of the department. Of course, the department must have planned to demobilize 30,000 per day or the first statement would not have been made. Of course, the department must have thought it advisable to demobilize 30,000 per day or that number would not have been fixed upon. We can not assume that the department was guessing at the number it planned to demobilize per day. It is no answer now to say we are demobilizing faster than England is. England's situation is different from ours. England's needs are different from ours. Surely our own original plans have not been changed because England is demobilizing more slowly than we are.

Mr. President, soldiers are being kept in camps, having absolutely nothing to do; officers are being kept in camps also with no duties to perform. I am speaking solely of our domestic forces. The Army abroad is under the control of Gen. Pershing, and, of course, he should be absolutely in control of that situation, but when he sends troops back here they should be immediately demobilized. If he had a use for them they would not be sent back.

The war is over, and it is our duty to get back to a peace basis at the earliest practicable moment. Our boys went into the Army, most of them, giving up excellent positions in civil life, in order to defend their country in the time of their country's peril. Now that peril is over, surely it is as little as their country can do to permit them to go back to their accustomed duties. This was what was promised them. In many instances it seems to be the policy of the authorities not to permit the boys to be discharged upon application, if such discharge can be avoided. This is unjustifiable.

I wish especially to call the attention of the Senate to Circular No. 77 of the War Department, which I ask to have inserted in my remarks at this point without reading.

The PRESIDING OFFICER. Without objection, it is so ordered. The Chair hears no objection.

The matter referred to is as follows:

Circular No. 77.

WAR DEPARTMENT,
Washington, November 21, 1918.

DISCHARGE OF ENLISTED MEN FOR RELIEF OF FAMILY OR URGENT NEED IN INDUSTRIAL WORK.

1. Department commanders within the United States, commanders of ports of embarkation, and commanders of camps not under the jurisdiction of department commanders or of chiefs of bureaus of the War Department, are authorized to discharge enlisted men upon their own application when there is sickness or other distress in the soldier's family, or when he is needed to resume employment in an industry or occupation in which there is urgent need of his services, provided that such discharge will not disrupt or cripple an existing organization, and that the soldier's services can be spared. Consideration will be given to the fact that the machinery of camps must be utilized in the demobilization of the Army and due regard must be taken that it is not retarded by the discharge of personnel connected therewith.

2. The instructions contained herein apply only to individual and exceptional cases and are not intended to release men in large groups or blocks for any general employment or occupation.

3. Application for discharge under the provisions of this circular will be made in each individual case by the soldier concerned and through his immediate commanding officer. No man who voluntarily enlisted prior to April 1, 1917, will be discharged under this authority.

4. Men discharged under these instructions will be included in such weekly reports of men discharged as are required by the War Department.

5. Cases of the character indicated arising in places not covered by this authority will be forwarded to The Adjutant General of the Army for final action.

(220.81, A. G. O.)

By order of the Secretary of War:

PEYTON C. MARCH,
General, Chief of Staff.

Official:
P. C. HARRIS,
The Adjutant General.

Mr. McKELLAR. While this circular in its general terms is broad enough, men are not being discharged under it as rapidly and as freely as they should be discharged. Apparently it is the purpose of the commanding officers not to discharge at all, except when it can not be avoided. I think also a very restricted meaning has been given to it by the department. I have in mind especially the case of development companies, which, under a circular of the War Department, were to be demobilized among the first, as I recall. Up until a few days ago, and I imagine they are still there, there were four battalions of the development companies, two white and two colored, that were being held at Camp Meade for the purpose, so I am told, of keeping the development companies together until a plan could be devised by the War Department for handling permanent development companies.

Of course the Senate understands what development companies are. They are men underweight, frail and weak men, men afflicted with disease or unfit for military service. They are not soldiers and can not be made soldiers until they are rehabilitated and cured.

The idea of keeping these undeveloped and diseased men in the Army, now that the war is over, is little short of ridiculous. The idea of having permanent development companies in a peace army is farcical. It puts the Army authorities in an indefensible position to keep these men in the Army.

I have written the department about this matter, but no action has been taken up to this time.

I wish to call the attention of the Senate and the country to another great mistake that is being made by the Army authorities in not permitting the discharge of men who have their old or who may have new places in civil life open to them. Circular No. 77 ought to be amended so as to provide that any soldier, enlisted man or officer, who has a place open to him and who presents an application for a discharge and an affidavit from a would-be employer showing that the old place or a new one is open to him in agriculture, industry, commerce, or business, or in any other capacity, ought to be discharged at once, without regard to any supposed need of the Army for him. The need of the soldier for a permanent place is greater than the need of the Army for a particular soldier, now that the war is over.

Mr. VARDAMAN. Mr. President, would it interrupt the Senator for me to make a suggestion at this point in his very able speech?

Mr. McKELLAR. Not at all.

Mr. VARDAMAN. I am glad the Senator is calling attention to what seems to me a very serious oversight on the part of the War Department. From my State recently I have had probably a hundred letters from fathers whose sons are in the Army, mothers, and wives who live in the country; and they are impressing upon me the necessity of having the boys at home in the very near future if they are to make crops during the present year. It seems to me the War Department would see the necessity especially for letting the farmer boys out of the Army now, if they are to make a crop, and be relieved from a year of idleness. I am glad the Senator from Tennessee is calling attention to what seems to me a very serious dereliction on the part of the War Department.

Mr. McKELLAR. Mr. President, it is true that farmer boys all over the country ought to be returned to the farms without delay, where they have farms open to them. There are great numbers of men in the Army who have no such positions open to them and who can do such necessary work as may be required for the Army. It is safe to say that not less than 100 letters are received by me each day from citizens of Tennessee, urging that Tennessee soldiers who have positions open to them be discharged and permitted to take these places while they can get them. I imagine other Senators get as many or more.

At least one department of the Government—the Department of the Interior—is making most strenuous and splendid efforts to secure positions and employment for our returning soldiers. This department is entitled to the greatest commendation for its effort along this line; but while it is making these efforts, apparently the War Department, doubtless for the most part unintentionally, but nevertheless it is in effect dealing with the subject so as to prevent young men from getting places which are now open to them. The Interior Department is trying to get them employment. The War Department is in many cases refusing to let them off to accept employment.

Our departments should get together and work in harmony for the benefit of these soldiers, getting them employment wherever possible.

Mr. President, according to the present outlook, it will take 12 months to demobilize our Army. Plans for a more rapid demobilization ought to be made at once. The present plans are inadequate. Indeed, these men are not being demobilized much faster than they were brought into the Army by Gen. Crowder, and they were drafted, it will be remembered, only at intervals. A comparison of the two systems, one of the draft under Gen. Crowder and the one of demobilization under the War Department, shows a very marked difference in success of the draft plan as compared with the plan for demobilization adopted by the department. The department had better place the demobilization of the Army in the hands of Gen. Crowder. He gets results, and if he planned to demobilize that number it would be done.

Mr. President, the people of the United States are tired of this red tape in demobilization, and I want urgently to request the War Department to dispense with it. The sooner we get back on a normal peace basis the better it will be for the country, and the better, I may say, for the Army. It can hardly be believed that any officer in the War Department or in the Army is trying to hold back demobilization in order to effect a larger peace organization of the Army. If there are any such officers, and I hope there are none such, they are making a great mistake. Nothing will work more to prevent a large peace-time organization than this red tape and delay as to demobilization.

I have introduced a bill providing for a more expeditious demobilization of our domestic troops, but I hope the War Department may speed up without requiring further legislation.

Mr. SMOOT. Mr. President——

Mr. McKELLAR. I yield to the Senator from Utah.

Mr. SMOOT. I have heard from several sources that there has been an order issued to the commanding officers at most of the cantonments in the United States that only a certain percentage of the men should be discharged. As the Senator is a member of the Military Affairs Committee, I wish to ask him whether he has any information on that point?

Mr. McKELLAR. No, Mr. President, I have not. I think the Navy has some such proposition, and I think that is whence the Senator received his information, or that it relates to the Navy Department.

Mr. SMOOT. I am quite sure the Navy has——

Mr. McKELLAR. The Navy has, I know.

Mr. SMOOT. Because I have received letters from the officials of the Navy Department virtually stating that and giving the reasons why; but I have understood from letters that I have received—and, I will say to the Senator, from the soldiers themselves—when I have asked that they be discharged if not inconsistent with the successful working of the Army, stating that the soldier could not be discharged because of the fact that the percentage that had been agreed upon by the War Department for discharges had been reached, and he would have to wait his turn. I wondered whether or not any such order as that had been issued by the War Department.

Mr. McKELLAR. Mr. President, I do not think there is such an order from the department. It may be the order of some camp commander. I will call the Senator's attention to circular 77, bearing on this subject, and, as it is a very live question, for the benefit of the Senate I will read just a part of it:

> Department commanders within the United States, commanders of ports of embarkation, and commanders of camps not under the jurisdiction of department commanders or of chiefs of bureaus of the War Department are authorized to discharge enlisted men upon their own application when there is sickness or other distress in the soldier's family, or when he is needed to resume employment in an industry or occupation in which there is urgent need of his services, provided that such discharge will not disrupt or cripple an existing organization and that the soldier's services can be spared.

If the War Department would leave out that proviso and instruct camp commanders to follow the order this matter would be absolutely settled; but I will say to the Senator, under this order the department commanders pay a great deal more attention, according to the letters I have received from them, to the proviso than they do to the main body of the circular. They seem to think that the discharge of a single man "disrupts or cripples an existing organization." In other words, whenever they see fit they decline to discharge soldiers, apparently without regard to the order, and the result is that only a very few men are being discharged on their own application, judging from the number of letters I receive on the subject. If that order was given its proper interpretation there probably would not be much trouble. Gen. Jervey, acting for the Chief of Staff, has in a letter to me put a very restricted meaning on the phrase "needed to resume employment in an industry or occupation in which there is urgent need of his services," and I assume that this restricted and distorted meaning of the phrase has been sent out to all commanding officers of camps. At all events, very few cases that have come under my notice have been discharged for this reason. I do not see how any fair-minded officer, under existing conditions, could refuse to discharge a man under him when a place is open to the soldier.

Now, it is clear that all of us are intensely anxious to get these boys in the Army. We are going to be called upon, and I think it will be perfectly right, to make appropriations that will cause the employment of a large number of these returning soldiers; public improvements may have to be made just to give them employment; and, while that is true, and while we all want to get them employment, here are thousands of young men with places open to them, but who can not take them because the War Department will not release them. I receive every day affidavits from would-be employers showing that men in the Army are absolutely necessary to their business. I had one the other day as to the manager of a concern that has been paid $20,000 a year salary. The concern have no manager, and they are anxious to get their former employee back.

Mr. POMERENE. Mr. President——

Mr. McKELLAR. If the Senator will excuse me just a minute, they were anxious to get this former employee back to take charge of the business. The War Department had refused time and time again to grant that young man a discharge, and it was only after the most strenuous exertion upon my part that I finally got him discharged a day or two ago, and I am very grateful to the department for granting that discharge.

Mr. SHAFROTH. Mr. President——

Mr. McKELLAR. Let me yield to the Senator from Colorado, who addressed the Chair first, and then I will yield to the Senator from Ohio.

Mr. SHAFROTH. I want to call the attention of the Senator first to the very circumstances that he has set forth, to show that demobilization can not take place as rapidly as he might desire.

Mr. McKELLAR. Just let me reply to the Senator in this way, and then I will let him go ahead and make the statement: If 30,000 per day can not be demobilized, why was it that our military authorities told us in the beginning that they were making arrangements to demobilize at the rate of 30,000 a day? Why now are they performing that promise by demobilizing at the rate of only 11,500 a day? In other words, if it is now right to demobilize 11,500 per day, why did the department fix upon 30,000 per day and lead the country to believe that they were going to demobilize 30,000 per day?

Mr. SHAFROTH. We had a discussion here the other day by the chairman of the Committee on Military Affairs, the Senator from Oregon [Mr. CHAMBERLAIN], and he was protesting most vigorously about the demobilization of men in large number without picking them out. He wanted those who had dependents upon them to be selected first, and the others to be held subject to the orders of the War Department. He made various other objections to the demobilization of men quickly. Now, Mr. President, I have not any doubt but that the policy of the Government is to demobilize these men within a reasonable time.

Mr. McKELLAR. According to the department apparently a reasonable time is 12 months. The law provides for 4 months after the peace signing in which the entire Army is to be demobilized, and the department, according to its own figures now, will occupy 12 months in demobilization. If they do not demobilize faster, or get the law changed, it may be that a part of the Army will be demobilized by lapse of time and by operation of law.

Mr. SHAFROTH. But, Mr. President, it becomes necessary, for the very reasons that the Senator proposes, to find out who have dependents, who are needed for the farms, and so on. I supposed that demobilization usually took place in companies, but under the system which is proposed, and which seems to meet the approval of the Senator, as a matter of fact these discharges are made by individuals, depending upon the individual circumstances, and, of course, inquiry with relation to the matter, and perhaps the presentation of affidavits, must of necessity take considerable time. There should be examinations as to the physical condition of the soldier, because this war is going to bring forth enormous numbers of pension applications, and it will be important to know whether the man when he was discharged had a certain ailment or disease and as to whether he had it at the time of his enlistment. All of these matters make it almost impossible to discharge men in the manner that probably we would like to have them discharged, and I have no doubt, too, that there are many soldiers who do not care to be discharged quickly.

Mr. McKELLAR. My remarks have nothing to do with those men about whom the Senator is talking. I refer only to those who have places open to them, with an affidavit from the would-be employer that there are places open to them as the ground for asking the War Department to discharge them.

Mr. SHAFROTH. I have no doubt but that they will be discharged as soon as it can be gotten around to.

Mr. McKELLAR. Evidently they are not being discharged as the War Department expected to do it. There is a great difference between 11,500 and 30,000 per day.

Mr. SHAFROTH. Well, that may be. The department no doubt finds difficulties in the way, as we all do when we undertake something that is new to us; and on that account it seems to me that we are making a very creditable showing when we have demobilized six hundred and some odd thousand soldiers since the armistice took place.

Mr. McKELLAR. I now yield to the Senator from Ohio.

Mr. POMERENE. Mr. President, I simply wanted to call attention to the fact that the other day Gen. March gave out an

interview to the effect that we were demobilizing our troops twice as rapidly as the British Empire had.

Mr. McKELLAR. The Senator probably was not in the Chamber when I addressed myself to that statement.

Mr. POMERENE. No; I was not.

Mr. McKELLAR. Gen. March gave out an interview in November, saying that the plan of the department was to demobilize at the rate of 30,000 a day; that they had not quite reached it then, but that was what they would do. They had demobilized up to last Saturday 693,889, which, by a simple calculation, is 11,564 per day, just a little over one-third of what they said they were going to demobilize per day. Now, by another simple calculation it will be found to take 12 months to demobilize our armies that were used in this war if we proceed in the future as we have in the past. The fact that England is not demobilizing more rapidly is a very different situation, because England is very differently situated. Besides, the department has already fixed 30,000 per day as the number of men that should and would be discharged. They published this determination. It was not conditioned upon the number that England might demobilize.

Mr. POMERENE and Mr. SHAFROTH addressed the Chair.

Mr. McKELLAR. I yield to the Senator from Ohio first.

Mr. POMERENE. There are certainly two sides to this proposition. I want to see these soldiers demobilized and in their homes as quickly as we can get them there; but it is a question of employment now, and that must be considered; and I know the department has taken steps looking to the determination of what portion of these soldiers have employment in prospect and what portion have not.

Mr. McKELLAR. Mr. President, will the Senator yield to me now?

Mr. POMERENE. Yes; surely.

Mr. McKELLAR. Does not the Senator receive letters every day from young men or their parents saying that places are open to them and asking the Senator to get them discharged from the Army, and does not the Senator find that it is practically impossible to get them discharged from the Army? I find it most difficult to get young men discharged. There is no question of employment, I will say to the Senator, in the class of cases that I am talking principally about. I am talking about the cases where employment is open to the soldier and the employer is trying to get the soldier released for the purpose of giving him employment, and the Army officials will not discharge him for that worthy purpose.

Mr. POMERENE. We do get some of them; but I have a case which came to my knowledge to-day from my own State, referring to a young physician at one of the camps here. He is a specialist on nervous diseases. There is need for him at home, but the Army authorities say: "We need him here. These boys are coming back, and many of them need specialists of his type, and we must look after the returning boys first." Now, that is one illustration. I can understand why, though this young man is needed at home, the Army could not see their way clear to release him.

Mr. SHAFROTH. Mr. President, I will state to the Senator from Tennessee that the governor of the State of Colorado wrote me a letter recently in which he very seriously objected to the discharge of soldiers in other places than the places where they enlisted. His theory was that they were discharged and given pay to get back to their point of enlistment, and that sometimes instead of doing so they expended their money and were unable to get back, and consequently he protested against the discharge of men other than at the place of enlistment. In other words, he wanted them brought back in a body to the cantonment and there mustered out of the service in the way which he thought would be the best way. Now, all of those are retarding things; and we who do not see the difficulties may think that they are taking a long time, but it seems to me that in view of the fact that nearly 700,000 men have been discharged in less than two months that is a mighty good record.

Mr. KIRBY. Mr. President——

Mr. McKELLAR. Mr. President, I will say to the Senator from Colorado, if the Senator from Arkansas will excuse me just a minute, that there either has been or will be an application here from The Adjutant General's Department for increased clerk hire to answer letters about discharges. They are coming in in countless numbers, and most of them are about young men who have places open to them. I say that where a young man who is in the Army to-day has a place offered to him where he can go into civil life and make his own way, as he has done heretofore, it is the duty of the Government to discharge him instantly upon his examination.

Mr. SHAFROTH. I think the Senator will find no difficulty in getting the discharge of that man.

Mr. McKELLAR. Why, it is almost impossible to do it now. My mail is filled with refusals to discharge under these conditions.

Mr. SHAFROTH. The Senator at present makes inquiry with relation to the matter, and that means delay; and the very fact that the department wants a large increase in the force for the purpose of determining this matter demonstrates, to my mind, that there is an inadequate force to make these decisions, and for that reason there must be delay occasioned by that inadequate force.

Mr. McKELLAR. Well, it is high time we were furnishing a sufficient force to get these requests for discharges acted upon promptly. Let us get our boys back into their usual occupations at the earliest moment possible.

Mr. KIRBY. Mr. President, I do not see that very much good can result from this discussion, which seems to me inopportune, but which has been projected and thrust in here.

I am getting tired of hearing everything that the War Department does criticized all the time. The chairman of the Committee on Military Affairs stood here for two or three or four hours the other day and criticized the alleged mistakes and failures and miscarriages of plans of the War Department. Notwithstanding we had, after declaring war, mobilized an army and put it on the battle front in one-half of the time that it took England to mobilize and get her army only 30 miles across the Channel into France, he criticized the organization of our Army and the slowness of the department's procedure, and commended especially the wonderful system of demobilization of the Army of England, and said that we were unable to demobilize our Army at all; that we had no plan for it, and knew nothing about what would be done in the future; and now here is another member of the Military Affairs Committee, who is jumping on the administration in the same way.

I desire to have printed in the RECORD, without reading it, an article from the New York Times that shows how the British Army is being demobilized, and that Lloyd George must ask the patience of the army for the length of time required for its being disbanded.

The PRESIDING OFFICER. Without objection, it is so ordered. The Chair hears no objection.

The matter referred to is as follows:

[From the New York Times of Jan. 9, 1919.]

LLOYD GEORGE ASKS PATIENCE OF ARMY—PREMIER SAYS POWERFUL FORCE MUST BE MAINTAINED TILL PEACE IS CONCLUDED—FLEET JOINS IN GRUMBLING—WAR OFFICE WARNS MEN CLAMORING FOR DEMOBILIZATION THEY ENDANGER COUNTRY.

LONDON, *January 8.*

Demobilization demonstrations were repeated to-day at the war office and some of the country camps. Gen. Robertson, commander of the forces, again received a deputation and promised the men the fullest investigation of their grievances.

An appeal was issued to-night on behalf of the premier saying Mr. Lloyd George was giving his personal attention to the matter and urging that as the German armies still were powerful it was necessary for Great Britain to maintain a strong army during the peace negotiations.

The men were urged to submit patiently to the inevitable inequalities and hardships. They were reminded that discipline was imperative and that the present course of the the soldiers would delay and not advance demobilization.

The Government has issued an announcement that from a date to be fixed no officer or soldier in France will be allowed to come to England on leave except on the distinct understanding that he will return to France at the expiration of his leave, and that on no pretext whatever will he be discharged during leave. The statement adds:

"Experience shows this order to be necessary in order to insure the maintenance of the army of occupation, the personnel of which must receive leave in their return."

The vicinity of the war office was invaded yesterday by lorries filled with men and by marching soldiers. They came from the Shoreham Camp. Many of them were on leave from Saloniki and objected to being sent back.

On the sides of the lorries were signs reading, "Get a move on," "We won the war; give us our tickets," "Get on with it, Lloyd George," and other similar sentiments. The men were generally well-behaved and treated the matter humorously, although they refused to disperse until a deputation was seen by officials, who assured them that Viscount Milner, secretary of state for war, and Gen. Sir William Robertson were then in conference on the grievances advanced by the soldiers.

A war office statement prints an address by Maj. Gen. Fielding, commander of the London district, to troops assembled in the war office quadrangle. He absolutely declined to consider grievances submitted in such a manner by the troops, and told them they must bring their objections to their own headquarters and to their own commanding officers. He reminded them that the war was still on and that "although we have won the war, we may lose the peace." He said he knew the trouble was being fomented by only a few agitators, and that "most of the men would be ashamed of the action they are taking if they only knew the danger in which they are placing the country."

One of the chief causes of dissatisfaction has been the belief held by numbers of the troops that they were to be sent to Russia. This has been dispelled by the official statement issued at the war office yesterday, saying that there was not the slighest intention of dispatching new forces to Russia.

It has been announced authoritatively that the rate of demobilization, which last week was 10,000 per day, has been already increased to between 20,000 and 25,000 daily.

Discontent has also made its appearance in the Grand Fleet, especially among the auxiliaries, whose duty it has been to sweep up mines.

The crews of many of the auxiliaries were recruited from the fishing fleets, and the men wish to share in the huge profits now being made by the fishermen. Two pounds extra weekly had been offered to them to continue at work, but they agitated for their discharge. The Admiralty has settled the matter by deciding that only volunteers shall be engaged in sweeping mines. About 65 per cent of those engaged in mine sweeping volunteered for that service.

The press is generally displaying full sympathy with the troops, but the more influential newspapers do not hesitate to tell them that they are acting inadvisedly in taking their present course, which is not open to their comrades overseas, who are equally entitled to demobilization.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. KIRBY. Yes.

Mr. McKELLAR. Will the Senator give us his views on the question of our military plans in Russia?

Mr. KIRBY. My views about the military plans of this country in Russia are already made known to the public. I do not know why the American Army is in Russia to-day, except that the military exigencies originally required that a small contingent be sent there. I do say that if it is necessary for the Army to remain in Russia it must be reinforced until it is strong enough to take care of itself against all comers; or, if that can not be done, it ought to be withdrawn at once.

Mr. McKELLAR. I am in entire agreement with my friend from Arkansas about that matter; but when my friend jumps on me for being critical it seems to me that he is in the same boat. He has been criticizing our Army affairs in Russia.

Mr. KIRBY. I have not criticized our military affairs. I have not criticized the Government for finding a necessity for sending the Army there. I have not criticized the Government for retaining the Army there; but, if it is necessary to be done, then it must be strengthened; that is all.

Mr. McKELLAR. That is what I am saying about these boys. If it is necessary to let them be demobilized, let us demobilize them.

Mr. KIRBY. We should not demobilize our Army until the war is over; and the bill for the organization of the Army provides that within four months after the war is over the demobilization shall occur.

Mr. McKELLAR. One minute. The Senator says—and I judge he speaks with authority—that the War Department is not intending to demobilize our Army. When the Chief of Staff comes forward in an interview and says that he is going to demobilize them at the rate of 30,000 a day, it looks as if there is some difference of opinion between the Senator himself and the Chief of Staff, at any rate. I think the Senator ought to get together with his department before he defends it.

Mr. KIRBY. I am only discussing the law. The law providing for the organization of the Army says when it shall be demobilized, and we have not yet declared that the war is ended by proclamation of the President. We are proceeding with demobilization as rapidly as it can be done. Suppose we took the view that the Senator from Colorado [Mr. THOMAS] has expressed here to-day, that we must send an army across into Russia to protect a bandit horde of Czecho-Slovaks who became traitors to their own country and joined the Russian Army, and when the Russian Army quit fighting they continued, overran Russia, and harassed the Russians throughout the old Empire. According to that Senator we must organize an army and go to Russia to protect these people from the fate that must inevitably overtake them. If that is to be done, why demobilize the Army at all? He says that there are 2,000,000 mercenaries, trained fighting men, in the army that now recognizes the Russian authority; and the same people that are in authority in Russia now said to us when our little force went there: "This is Russia, and whenever an army comes into our borders here, without our invitation, we must necessarily regard it as an unfriendly force and declare war against its country to protect ourselves."

That was done. Now, that is the condition over there. We talk about demobilizing the Army here. Why, the Senator from Tennessee talks about demobilization of the Army just as though it could be done like dismissing a country school. He would say, "Well, school is out, children; you can all go home." He seems to have some sort of an idea like that in his mind. As has been suggested by the Senator from Colorado [Mr. SHAFROTH], these men must be examined physically.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. KIRBY. Yes.

Mr. McKELLAR. I am not taking that course at all. I am just saying that I would prefer that the department would do what it said it was going to do, namely, that it would demobilize at the rate of about 30,000 a day. It seems to me that is a reasonable amount. That can be done. There is no doubt in the world about our ability to demobilize our forces at the rate of 30,000 a day. The department thought so 40 or 50 days ago. There is no reason why it should not be done; and I am insisting that they carry out their promise to the people to demobilize along that line. The people accepted it, and they ought to have it.

Mr. SHAFROTH. Was not that simply an estimate made by an officer there as to whether they could do it?

Mr. McKELLAR. Surely nobody ought to be in a better position to make an estimate than the Chief of Staff.

Mr. SHAFROTH. How many estimates have been made as to the time it would take to construct a public building, and how many times are we disappointed in many respects? As a matter of fact, can you not allow latitude to an officer of the War Department to change his mind after he has determined upon an estimate of that kind?

Mr. McKELLAR. A difference of 19,000 out of 30,000 is a pretty wide latitude, and if he falls a little short there ought not to be any complaint.

Mr. SHAFROTH. That may be; but——

Mr. McKELLAR. If the Senator will pardon me a minute, he is paid $7,500 a year, as the rest of us, and if two-thirds of it should be dropped off he would be left in a rather undesirable position about his salary.

Mr. KIRBY. Mr. President——

Mr. McKELLAR. So it is with the War Department when it comes out and makes a statement to the country that the troops are going to be demobilized and sent back home and the boys with positions are going to be allowed to be discharged upon their individual application. I think they ought to comply with what they say. That is all I am saying, all I believe in, and all I request.

Mr. KIRBY. The Senator's position is a little singular in one respect of inconsistency, it seems to me. He has read a general order of the War Department, showing what the purpose is and how it ought to be applied. He has made no complaint that in the Navy Department only 20 per cent are expected to be released at all, and I understand the Marine Corps, consisting of over 200,000 men, nearly all of whom saw no fighting whatever in the war, is still intact.

Mr. McKELLAR. I want to correct the Senator. In the first place, I am not as familiar with the Navy and Marine Corps as I am with military affairs, and I am talking about military affairs because I am familiar with them and keep up with them. In the next place, the Marine Corps is discharging men as rapidly as possible. I have never seen such activity as is displayed in that matter. They are acting very diligently about it from the commandant, Gen. Barnett, on down, as far as I know. The Navy Department I am not familiar with, but they are discharging men quite rapidly in that department; but that is different from the Army, because there are very few men comparatively in the Navy.

Mr. KIRBY. They provide for the discharge of only 20 per cent, and when it gets down to results they are allowing certain commanders and commandants to exercise the exclusive power to discharge these men, and if they do not think the men can be discharged without injury to the service they are not discharged at all. Their decisions are not reviewed like is done in the War Department, where discharges are granted in great numbers, notwithstanding the action of the commandants in refusing them in the first instance. But let us pass by that for a moment. Has it ever occurred to the Senate what might happen if the war is not over? Some of you have stood here and talked about universal military training and what shall be done hereafter to keep an Army and how many men we shall have in our standing Army, as though the war is over. But if this war is not ended, if all the government that Germany has is destroyed and Germany gets into the condition of the Russian people, so that we must go there and occupy that country with an army and reestablish the government under a protectorate, in order that it may be compelled to perform its obligations because of the crimes it has committed against humanity, how many men in an army from this country will it take to do it? Will a new army need to be raised for that purpose? How many will it take if we must go into Russia and pacify that country, which is torn and dismantled and dismembered and destroyed from the mighty empire it once was?

Mr. McKELLAR. Do I understand that the Senator argues in favor of sending a great army into Russia?

Mr. KIRBY. I am not in favor of that; but if you must do it, how many men do you want to discharge now?

Mr. McKELLAR. I may be mistaken, but I thought the Senator was opposed to the War Department sending any troops into Russia. Am I mistaken?

Mr. KIRBY. You are not mistaken.

Mr. McKELLAR. That is what I thought.

Mr. KIRBY. But it all hinges on negotiations that are pending now yonder in the Old World about the settlement of this controversy. We have found it necessary to retain 30 divisions of the Army in France and Germany, and suppose it is necessary to resume fighting.

Mr. McKELLAR. May I interrupt the Senator again? Does the Senator want the Senate and the country to understand that he is opposed to the demobilization of our troops in this country?

Mr. KIRBY. No; the Senator does not want the country to understand that, nor does he want the Senate to understand it, and he does not want to be interrupted any more by the Senator. I let him finish his speech, and I would be glad to hear him make another speech when I get through. I do not care about having him take my time here on that proposition. Before we get too far from the subject of demobilization I want to say that I think every man ought to be permitted to go home at the earliest possible moment, consistent with the good of the service and the safety of the country. I think that ought to be done. I think we ought to have a policy outlined as soon as it can be done definitely about what is to be done with reference to future armament; and until that is done, what are you going to do? Here is one man who insists that we ought to have universal military training. Another Senator says all the Army ought to be discharged at once, and he talks about it like it might be done in 15 or 20 minutes.

It seems to me if there was a policy and if we do need a great army we might have dispensed with any necessity for universal military training in the next few years by putting all the men who are to be discharged upon the inactive reserve list subject only to call into active service again on the proclamation of the President within three years, upon a declaration of war being made. We would then have had an army that could be raised on the proclamation of the President upon a declaration of war and the necessity of it, an army already thoroughly trained, and that necessarily would be composed of able fighting men. That would have dispensed with all the idea of this other way of doing things that has been suggested and would not have required any soldier on the reserve list to report for active service again unless a declaration of war was made and an army needed in the next three years. It is suggested that we dismember and demobilize our domestic army, and that our foreign army be allowed to remain yonder where necessity requires it until the necessity is ended, however long that may be.

I believe the War Department is going along with this work as rapidly as it can be done under existing circumstances. I know the War Department performed wonderful achievements in the organization of this Army. I know the Army has covered itself with glory in fighting on the fields of France. Now, we are back here at home. We have won a great victory, and I believe we ought to be a little patient and let these men be demobilized as rapidly as they can be, without too much criticism of the War Department down here that put the whole thing into being in the first place and established, transported, and maintained the Army and expect to continue to demobilize it as rapidly as it can be done.

That is all I want to say about it.

Mr. SHEPPARD. Mr. President——

Mr. SMOOT. Will the Senator yield to me for a moment?

Mr. SHEPPARD. I yield to the Senator from Utah.

EDITH CAROW ROOSEVELT.

Mr. SMOOT. From the Committee on Pensions I report back favorably without amendment the bill (S. 5318) granting a pension to Edith Carow Roosevelt, and I ask unanimous consent for its immediate consideration.

Mr. SHEPPARD. I ask that the unfinished business be temporarily laid aside for the consideration of that measure.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole, and it was read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Edith Carow Roosevelt, widow of Theodore Roosevelt, late President of the United States, and pay her a pension at the rate of $5,000 per year from and after the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

THE CENSUS.

Mr. SHEPPARD. I ask that the unfinished business be laid before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

RECESS.

Mr. SHEPPARD. I move that the Senate take a recess until 12 o'clock to-morrow noon.

The motion was agreed to; and (at 5 o'clock and 10 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, January 15, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *January 14, 1919.*

The House met at 12 o'clock noon.

The Chaplain, the Rev. Henry N. Couden, D. D., offered the following prayer:

Unto Thee, O God, our heavenly Father, in whose sacred presence we dwell, do we lift up our hearts in gratitude for that providence which hitherto has shaped and guided the destiny of our Republic.

Keep us, we beseech Thee, evermore in touch with Thee, that we may more and more increase in everything that makes a nation great and glorious; that we may further demonstrate to the world the utility of our sacred principles, justice, liberty, equal rights for all, and thus hallow Thy name as faithful disciples of the Jesus of Nazareth. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Vice President, in pursuance of Senate concurrent resolution No. 28, had appointed as members of the joint committee on exercises in commemoration of the life, character, and public service of the late Theodore Roosevelt Mr. WADSWORTH, Mr. MARTIN of Virginia, Mr. SIMMONS, and Mr. CHAMBERLAIN.

The message also announced that the Senate had passed the following order:

Ordered, That Mr. FLETCHER be appointed a conferee on the part of the Senate on the bill (S. 1419) entitled "An act to amend an act entitled 'An act to regulate the construction of dams across navigable waters,' approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce," in the place of Mr. SHIELDS, excused.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

An act (S. 3469) to amend an act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products," approved August 10, 1917; to the Committee on Agriculture.

SPEAKER PRO TEMPORE FOR SUNDAY, JANUARY 19, 1919.

The SPEAKER. The Chair assigns the gentleman from Illinois [Mr. CANNON] to preside next Sunday.

LIGNITE COAL AND PEAT.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 3220, known as the lignite bill, insist on the House amendments thereto, and agree to the conference asked for by the Senate.

The SPEAKER. The gentleman from Illinois [Mr. FOSTER] asks unanimous consent to take from the Speaker's table the bill S. 3220, to insist on the House amendments thereto, and agree to the conference. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (S. 3220) to authorize the Secretary of the Interior to make investigations through the Bureau of Mines of lignite coal and peat, to determine the practicability of their utilization as a fuel and in producing commercial products.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The SPEAKER announced the following conferees: Mr. FOSTER, Mr. WINGO, and Mr. DENISON.

CHANGE OF REFERENCE.

Mr. SEARS. Mr. Speaker, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of the bill H. R. 14077, a bill introduced by the gentleman from California [Mr. RANDALL], and relating to motion-picture shows, and that the same be referred to the Committee on Education. I understand the chairman of the Committee on the Judiciary stated to Mr. RANDALL that he thought this bill should go to the Committee on Education, and I will state for the information of the House that last year the committee had considerable hearings and those hearings have been printed, and perhaps

some expense in the form of printing hearings this year might be saved if this bill were referred to the Committee on Education.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I do not see how the Committee on Education has jurisdiction of a bill of the character the gentleman has mentioned.

The SPEAKER. The bill was sent to the Judiciary Committee because it contained a penalty.

Mr. SEARS. I simply made the request because session before last it was referred to the Committee on Education, and at the last session it was also referred to the Committee on Education. It is immaterial to me.

Mr. GARD. I reserve the right to object for the purpose of asking the gentleman a question. Does the bill carry a penalty for some noncompliance with the law relating to moving-picture shows, or what is it?

Mr. SEARS. I find in section 12 that "a violation of any of the provisions of this act shall be punished by a fine of not more than $1,000." I had not read the bill.

Mr. GARD. Then it is clearly not a bill for the Committee on Education, Mr. Speaker, and I object.

EXTENSION OF REMARKS.

Mr. SANFORD. Mr. Speaker, I ask unanimous consent to insert in the RECORD a letter written to me by Mr. Simon W. Rosendale on the subject of "Zionism."

The SPEAKER. The gentleman from New York asks unanimous consent to insert in the RECORD a letter on the subject of "Zionism." Is there objection?

Mr. STAFFORD. Mr. Speaker, I object.

Mr. SANFORD. Will the gentleman reserve his objection? The "official censor" of the House has passed on this, and I thought you would not press that in his absence.

Mr. STAFFORD. I was asked by my distinguished colleague, the gentleman from Massachusetts [Mr. WALSH], to safeguard the RECORD in his absence.

Mr. SANFORD. Perhaps you will take my word for it that he has passed on it.

Mr. STAFFORD. Of course, I am exercising in his absence my own particular judgment, and therefore I object.

CALENDAR WEDNESDAY.

Mr. KITCHIN. Mr. Speaker, I want to ask unanimous consent to dispense with the business in order on to-morrow, Calendar Wednesday, for the purpose——

The SPEAKER. The gentleman from North Carolina asks unanimous consent to dispense with business in order for Calendar Wednesday—to-morrow. Is there objection?

Mr. MANN. Reserving the right to object, what are we going to do to-day and to-morrow?

Mr. KITCHIN. We will have under consideration the legislative bill. We are going to try to get through by Thursday night, if possible.

Mr. MANN. You can not do that.

Mr. KITCHIN. I am asking to dispense with it for the purpose of trying to do the best we can to conclude it.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. BYRNS of Tennessee. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the legislative, executive, and judicial appropriation bill.

LEAVE OF ABSENCE.

Mr. LITTLE. Just one minute. Mr. Speaker, I ask for indefinite leave of absence for Congressman LUNDEEN, of Minnesota, on account of sickness.

The SPEAKER. The gentleman from Kansas asks unanimous consent for indefinite leave of absence for Congressman LUNDEEN on account of sickness. Is there objection? [After a pause.] The Chair hears none.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

The SPEAKER. The gentleman from Tennessee [Mr. BYRNS] moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of House bill 14078, the legislative appropriation bill.

Mr. BYRNS of Tennessee. Pending that motion, Mr. Speaker, I wish to ask the gentleman from Wisconsin [Mr. STAFFORD] if we can not agree upon time for general debate.

Mr. STAFFORD. I think, if the gentleman is in an agreeable frame of mind, there will be no difficulty whatever in agreeing upon time. I have requests on this side for more than four hours, not considering a request from my colleague on the committee [Mr. GOOD] or considering any time for myself. That is the condition of affairs that confronts me in the determination of what can be agreed upon as to time in the discussion of this bill in general debate.

Mr. BYRNS of Tennessee. I am sure the gentleman is as anxious as I am or any other Member of the House to dispose of this bill at the earliest possible moment. The gentleman is aware that another appropriation bill is to follow this, and then another. I was wondering if some of these gentlemen who have asked the gentleman for time would not be willing to take their time on a succeeding appropriation bill.

Mr. STAFFORD. I wish to say to the gentleman that I am quite as desirous as the gentleman is toward having this bill completed at an early date. It is a very long bill. I believe when we come to the consideration of the bill under the five-minute rule we shall make rapid progress, but these requests have been pending for a long time. They are largely upon subjects connected with current legislation, and these gentlemen are very insistent that they be granted the privilege at the present time. I would suggest that we go ahead to-day without any limitation and run maybe until 6 o'clock or 6.30, and then see what the status is and limit debate either when we get back into the House to-night or when we meet to-morrow morning.

Mr. BYRNS of Tennessee. Could we not agree that debate close to-night? We could sit until 9 o'clock if necessary.

Mr. STAFFORD. I think that is impracticable in view of the fact that these Members who have requested time desire an audience. I think if we run to 6.30 we would make good headway and be able to close debate some time to-morrow afternoon.

Mr. SLAYDEN. Mr. Speaker, will the gentleman from Tennessee permit me to suggest that in making that arrangement I would like to have him consider me for an hour?

Mr. BYRNS of Tennessee. I will state to the gentleman from Wisconsin that, including the request just made by the gentleman from Texas, I have requests for about three hours, and I shall want a little time for myself to explain some of the provisions of the bill. Could the gentleman get along on eight hours, to be equally divided?

Mr. STAFFORD. I do not see how we possibly could, unless the gentleman wishes to keep out the gentleman from Iowa [Mr. GOOD] and myself from making remarks.

Mr. BYRNS of Tennessee. Of course I do not want to do that.

Mr. STAFFORD. In that case I shall be willing to sacrifice my own time.

Mr. BYRNS of Tennessee. I ask unanimous consent, Mr. Speaker, that the time for general debate be equally divided, and that one-half be controlled by the gentleman from Wisconsin [Mr. STAFFORD] and one-half by myself. Perhaps we can agree later on as to limitation of time.

The SPEAKER. Do you fix any limit?

Mr. BYRNS of Tennessee. Not at present.

The SPEAKER. The gentleman from Tennessee, pending his motion, asks unanimous consent that the time be controlled half and half by himself and the gentleman from Wisconsin. Is there objection?

There was no objection.

BOARD OF VISITORS TO THE NAVAL ACADEMY.

The SPEAKER. The Chair announces as members of the Board of Visitors at Annapolis: Mr. PAIGETT, Mr. ESTOPINAL, Mr. RIORDAN, Mr. BUTLER, and Mr. BROWNING. The statute is so obscure that I do not know whether the chairman of the Committee on Naval Affairs is an ex officio member or not, but the Chair will consider it.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Tennessee, that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 14078, the legislative appropriation bill.

The motion was agreed to.

The SPEAKER. The gentleman from Missouri [Mr. ALEXANDER] will take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 14078, the legislative appropriation bill, with Mr. ALEXANDER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 14078, the legislative appropriation bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Tennessee is recognized.

Mr. STAFFORD. Mr. Chairman, if it is agreeable to the gentleman from Tennessee, I would like to yield some time at the present moment. I yield 30 minutes to the gentleman from Illinois [Mr. MANN].

The CHAIRMAN. The gentleman from Illinois is recognized for 30 minutes.

Mr. MANN. Mr. Chairman, I have received so many letters on different subjects relating to the failure in the main of the War Risk Insurance Bureau or the War Department to attend properly to the Government's business that I think that I ought to call the attention of the House in the CONGRESSIONAL RECORD to a few of them. My information is, from talks with other Members of the House, that they are in receipt of similar letters, although I hope not to the extent that I have been during the last few days or weeks.

I have not asked for very much time; I will proceed with these letters. I read:

CHICAGO, *January 6, 1919.*

Hon. JAMES R. MANN,
House of Representatives, Washington, D. C.

DEAR SIR: I am inclosing a copy of letter written by Mrs. Ethel Halpin to The Adjutant General of the United States with reference to her wounded husband, Thomas E. Halpin.

She and her mother-in-law have been left in absolute ignorance as to the condition of this man, who was severely wounded by machine-gun bullets in September, 1918. Mrs. Halpin is amazed to receive from the War Department a letter by which she is referred to the Bureau of Communications, American Red Cross, Washington, D. C., for information as to the condition of her husband, a soldier of the United States, wounded in its service. The absurdity of referring relatives to some voluntary organization for information regarding the condition of a man wounded in the service of his country, in the hospital, or perhaps dead, is such that it calls for the most vigorous action on behalf of the relatives here.

I respectfully request you, on behalf of Mrs. Halpin, that you make an effort to obtain some information as to this man's whereabouts and condition. I confidently intrust this matter to you with the expectation that some information may be obtained through the War Department.

Yours, very truly,

GEO. R. SANDERSON.

P. S.—I am inclosing you a photostatic copy of Gen. Parker's letter.

CHICAGO, ILL., *January 6, 1919.*

Hon. AUSTIN A. PARKER,
Adjutant General United States,
War Department, Washington, D. C.

DEAR SIR: I have your letter of the 3d instant with reference to my husband, Thomas E. Halpin, Company D, One hundred and eighth Engineers, who was severely wounded by machine-gun bullets September 26, 1918. Neither his mother, Mrs. Mary C. Halpin, 3641 Lexington Street, Chicago, Ill., nor myself has received any information from him, from the War Department, or from any source, respecting this wounded man since the first information to my mother-in-law.

Surely the United States takes more interest in its wounded soldiers than to ignore the repeated requests of interested relatives as to their whereabouts and present condition. Instead of having to refer to the American Red Cross, I repeat my inquiry to the War Department. I want to know where my husband is and how he is. I think I am entitled to this information from official sources, without being asked to call upon some voluntary organization for information.

I invoke the prompt action of the War Department, and I shall certainly expect to get definite and immediate answer from you.

Yours, very truly,

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
Washington, January 3, 1919.

MRS. ETHEL HALPIN,
Care Continental Casualty Co.,
910 Michigan Avenue, Chicago, Ill.

MADAM: I regret to advise you that this office has received no further information concerning Pvt. Thomas E. Halpin, Company D, One hundred and eighth Engineers, who was wounded severely by machine-gun bullet September 26, 1918.

Notification to this effect was sent by telegraph to his mother, Mrs. Mary C. Halpin, 3641 Lexington Street, Chicago, Ill., the emergency address left by the soldier.

For further information concerning his condition you should write to Bureau of Communications, American Red Cross, Washington, D. C.

Respectfully,

AUSTIN A. PARKER,
Adjutant General.

These parties had written to The Adjutant General's Office for information, and they received this reply under date of January 3, 1919:

I regret to advise that this office has received no further information concerning Pvt. Thomas E. Halpin, Company D, One hundred and eighth Engineers, who was wounded severely by machine-gun bullet September 26, 1918—

And so forth; and this:

For further information concerning his condition you should write to Bureau of Communications, American Red Cross, Washington, D. C.

Here is a man wounded severely in the service of the United States on the firing line in September last. His wife has been informed of the injury and, as I shall show later, with other letters, is probably unable to get into communication directly with the soldier through correspondence and writes to The Adjutant General's Office to inquire about the soldier. Now, it would be just as cheap for The Adjutant General's Office to cable to France or to write to France as it is for the Red Cross to do it. I can conceive no meaner disposition on the part of the Government than to tell a wondering and grieving wife, "Your husband was severely wounded nearly four months ago, and if you want to know how he is communicate with a private party."

I can understand how the Government in certain cases may not be able to give information, but when they can acquire it as easily as somebody else there is absolutely no excuse for the Government refusing to perform its duty in order to turn it over to the Red Cross. [Applause.]

I said probably the department had not been able to get into correspondence with the soldier, because letters written to soldiers in hospitals in France are meanwhile being returned to the writers through the Dead Letter Office, and no effort apparently is being made by the Army to deliver the letters addressed to soldiers in hospitals in France. Here is a letter dated January 6:

Inclosed find returned letter to me not delivered to my son who has been in France for 14 months.

This is from a father. He has a letter from his son dated December 17, saying:

No mail from you for five weeks and no pay for six months.

Notwithstanding the letter of Gen. Lord published in the newspapers and the letter of Secretary Baker, stating that these men were being paid up to date, no mail for five weeks and no pay for six months; and this is a mild case. This letter is from Theodor Rasch. Here is the envelope addressed to Harry H. Rasch, Headquarters, One hundred and forty-ninth United States Field Artillery, Base Hospital No. 17, American Post Office 715, American Expeditionary Forces, France, postmarked at South Chicago, September 14, 11.30 p. m., 1918. Stamped "Returned to writer." The letter in full is as follows:

SOUTH CHICAGO, ILL., *January 6, 1919.*

Congressman JAMES R. MANN.

DEAR SIR: Inclosed find returned letter to me not delivered to my son, who has been in France for 14 months. He was gassed August 7 at Fismes and sent to hospital at Dijon Base Hospital No. 17; from there he went to different camps and latter part of September he received two letters from home. October 10 he wrote from Base Hospital No. 6; next letter written October 23, when he was at front north of Verdun. He received letters at front November 10, and now he is or has been at Base Hospital No. 49; letter written by him to home dated December 17, in which he said no mail from you for five weeks and no pay for six months. Kindly give this your attention.

Yours, respectfully,

THEODOR RASCH.

Here is a letter from a gentleman, who is a man of very high standing in the city of Chicago:

TREASURY DEPARTMENT,
CUSTODIAN SERVICE,
South Chicago, Ill., January 4, 1919.

Hon. JAMES R. MANN, M. C.

DEAR MR. MANN: I again trouble you, and this time with a genuine grievance not only of my own but of several other parents here, who have the same tale to tell that I have.

I inclose three envelopes just received back from France. These are only a few of several, similarly treated, received by other parents here; however, I will only deal with the case of my own son.

This boy enlisted at the age of 19. He was not 21 till the 8th of December last. You will note from the address that he is a member of Col. Foreman's regiment. He is first gunner of his battery, and, I am informed, has the reputation of being the best gunner of the regiment. He was all through the fighting with his regiment up until about the middle of October when he was sent back to a base hospital. During this time he was one whole month without ever taking off his clothes, slept in trenches, where he would wake up with water about him and rats running over him; slept on the bare ground, lived on bully beef and hard tack, and most of this time handled his gun with his hands in bandages and regretted exceedingly to have to leave the fighting zone when he did. And now the sequel: This boy that offered his life for his flag and country is wounded or incapacitated and sent to a base hospital, and through the orders or regulations of some military martinet or stupid postal official he has not received a particle of mail since going to the hospital, and his case is only one of hundreds of other boys wounded or sick in the hospitals. In God's name, what good military or other purpose is served by such regulations? Surely if there is any time in his life when a boy would be anxious to hear from his family and friends it is when lying sick amongst strangers. The man who is responsible for this regulation, whether military or postal and whether high or low, is a stupid brute, and instead of occupying a responsible position should be punching red steers on the plains.

The family and friends have been writing him regularly. The night I heard he was sent to the hospital I wrote him and inclosed a money order for $50, thinking he might need funds. I sent him money again, as a Christmas present, and his sisters have sent him money as well as other little inclosures that they thought he would like. One of my

brothers, a priest in Ireland, on learning that he was in hospital and expecting that he would get a furlough when he recovered, wrote him and offered to pay all his expenses if he would visit the old home and relatives. And not one of those letters has he received. He writes home regularly, and in all his letters is begging for some word from home. Here is a quotation from a letter received yesterday from him:

"It seems years since there was any mail from home for me. This isolation from the place that occupies my mind at all times now makes me feel like an outcast, but I am expecting mail any day now. It is bound to get here some time, unless I leave too soon. A bunch of letters would be the most welcome Christmas present that I could ask for."

Imagine what thoughts must pass through this poor chap's mind. He does not know whether we at home are now among the living or the dead. Such a mental state is certainly not conducive to his quick recovery. And the brute who is responsible for those regulations did not have human feeling or wit enough, if there was any excuse for such regulations, to let the poor wounded or sick boys know that they would not have any mail sent them to the hospitals and thus in a measure relieve them of some cause of worry. We hear so much on this side of the water of the wonderful things that are doing and to be done for the sick and wounded. If there are any other regulations like this one, may God help the poor fellows. And this is the reward for those boys who endured untold hardships and shed their blood for their country.

I can not believe that Secretary Baker or other responsible Army heads know of this treatment of the sick and wounded, as well as their families, for the relatives worry as much as the poor boys in not being able to communicate with them. One of my daughters yesterday, in desperation, sent a cablegram to the hospital where Clifford is. I don't suppose that he will even be allowed to receive this. I may add that the boy says that he is in good health, only that there is infection in his wounded hands, hence receiving mail could be of no possible injury to him.

Now, Mr. MANN, I would ask you as a great favor to take this matter up with officials of the War Department that a stop may be put to this regulation. It may not do my boy any good, as he may be back with his regiment or on his way home before anything is done, but it will be a great act of charity on your part toward the other poor fellows in the hospitals.

My son's address to where we send his mail is as given on the envelopes:

"Corpl. Clifford O'Sullivan, Battery C, One hundred and twenty-second United States Field Artillery, American Expeditionary Forces, France."

The hospital to which he was sent is: "Base Hospital 19, Vichy, Allier, France." He cautions us to send all mail to his regimental address.

Wishing you a happy and prosperous New Year, I remain,

Very sincerely, yours,

P. T. O'SULLIVAN.

And here are the letters that were sent, returned to the writers, addressed to Corpl. Clifford O'Sullivan, Battery C, One hundred and twenty-second Regiment, Field Artillery, American Expeditionary Forces, France. They are marked "Sick, 10/10. Return to writer. Dead Letter Division, P. E. S., C. P. O., A. E. F."

Mr. DYER. Will the gentleman permit a question?

Mr. MANN. I have not the time.

Mr. DYER. I just wanted to know if the letters were returned from France, or if they ever left the United States?

Mr. MANN. They were returned from France, from the dead-letter office of the American Expeditionary Forces. They knew where he was. Somebody knew, and any sort of organization would have found him. Money was sent to him, letters from home were sent to a boy less than 21 years of age who had been fighting his machine gun with his hands bandaged. Then he was sent to the hospital and could not hear from home. And if his family should ask the War Department about him they would be told to go to the Red Cross, that they have something else to do besides give information about wounded soldiers. In the opinion of The Adjutant General a wounded soldier is a petty thing.

Here is another letter:

JANUARY 2, 1918.

Hon. JAMES R. MANN,
House of Representatives, Washington, D. C.

DEAR SIR: I take this liberty in addressing you on a matter which not only concerns myself but also many other western men, who, after serving their country faithfully and suffering great hardships in the field overseas, return to this great country of ours and are held for an indefinite period in eastern training camps.

My case is this: Our regiment arrived from Brest, France, December 22. Upon our arrival at this camp all the men from the Eastern or New England States were discharged in the course of four days. We of the West are being held here for what reason no one seems to know, and in spite of our appeals for discharge, even offering to waive our transportation money, we can get no results.

There is not a man among us who is not frantic to get home to his loved ones, and it seems that we are entitled to some consideration as well as those who live in Boston.

Could I call upon you, Mr. MANN, to look into this matter and see if it is not possible to have us discharged and sent home from here without any more red tape of being sent to some other camp for another stretch of waiting.

Yours, sincerely, Private JAMES J. HILL,
Battery "C," Seventy-third Artillery, Camp Devens, Mass.
Chicago address, 1639 North Tripp Avenue.

Here is another letter:

MY DEAR CONGRESSMAN MANN: I am a member of the Medical Department, United States Army, and have been for nearly a year past located at the base hospital, Camp Grant, Ill. You will, therefore, understand my reason for withholding my name for the present, as a good many men whom I have known have been severely handled for writing to their Senators and Congressmen, and I do not care to run the risk of a court-martial at this late date.

No effort whatever is being made to demobilize the enlisted personnel, and it appears that we may be in service for another eight months or a year. The manner in which applications for discharge are handled is an absolute farce. Although an average of 20 applications for discharge are being accepted each day, only 5 have been approved to date. Letters addressed to the commanding general, Capt. Grant, through military channels are returned to the writer without individual comment by the commanding officer base hospital, in direct contradiction to instructions contained in Army Regulations regarding the transmittal of military letters. At least 90 per cent of the applications are cases of actual hardship in the applicant's family and are supported by the usual affidavits. They are not even given consideration and their rejection unquestionably means that untold suffering will result.

This letter is not being written because of my personal grievance, but because I feel that a man who has served his Nation faithfully and well should not be treated like a dog, but should receive justice.

Here is another letter:

CHICAGO, ILL., *January 8, 1919.*

Hon. JAMES R. MANN.

DEAR SIR: Will you kindly tell me why my husband has never received one of my letters since he arrived in France? He arrived at France around the 1st of October, and I have written every other day regularly, and he keeps sending cablegrams, "Why don't you write?" He went over with the Thirty-first Division from Macon, Ga., and was transferred to the postal express service lately. Will you please see what you can do for me, as I need him home badly, as my father died in November, leaving me an added expense to my mother. Will you please help me to find out why he does not receive my letters, as he is terribly worried at not hearing from me.

Thanking you in advance for this kind favor, I am,

Very truly, yours,

MRS. R. A. MACKIE,
7157 South Halsted Street, Chicago, Ill.
(Third Apartment, care of Mrs. Hull).

My husband's address is as follows: Corpl. Rae A. Mackie, No. 1360966, Postal Express Service, A. P. O. 717. American Expeditionary Forces, Tours, France.

And this man is in the postal express service of the Army; but through the absolute disorganization of the War Department a man in the postal express service, who has the money to cable home, can not hear from his wife. He might have been exempted from the service if he had asked exemption, but he did not.

Here is another letter:

CHICAGO, ILL., *January 8, 1919.*

Hon. JAMES R. MANN, M. C.,
Washington, D. C.

DEAR SIR: Inclosed you will find clippings from the Chicago Tribune of January 5 and 6 relating to treatment given our boys who are over in France. You will find it a good sample of many cases who have been treated the same way. I have a son over there since August 2, who has not received one letter since arriving there; we have written more than 50 letters and friends have written at least 25 more, and he has not received a solitary one. We receive letters from him about every three weeks, the last one about a week ago said he had not had a cent of pay for five months but would not care for the money if he could only hear from home to know we were still alive.

He was quite seriously wounded in the Argonne fight, and about the 5th of October was in base hospital 54, where he wrote to us from, saying he would give anything for a letter from home. About the 20th of October I wrote him at the base hospital. I wrote a letter at the same time to the United States Postal Express Service and his commanding officer to try and get some mail to him, but could not stir up anything. On December 6 I got telegram from adjutant's office saying, "Sorry to inform you Earl Eyer is missing in action since October 30." I answered back telling in which hospital he had written us from and to verify and answer back. I got no response in reasonable time, so I wrote him full particulars as to the boy being wounded and in hospital since October 5; that we had several letters from him and the date of last one at that time, which was November 3.

In a few days I received a telegram which read: "December 16. Cabled for information concerning Pvt. Earl Eyer; will advise report when received. Harris." On January 6, 1919, I received the following telegram, "Pvt. Earl Eyer, Infantry, previously reported missing in action since October 30, now reported returned to duty December 30. Harris."

I received a cablegram from the boy January 2 saying he was well; that gave me a telegraph address, and I cabled back next day to let him know we were all well. I will also inclose the envelopes of two letters returned on the 6th; you can judge for yourself whether they have ever been across the ocean or not; if they have been, why were they not delivered to him? If they knew he was wounded before I told them where he was, they surely could have delivered mail. It looks like the mail service overseas has been as rotten as the aeroplane and munition works corporations. You will please excuse my very plain expressions in this matter, but when we have deprived ourselves to help win this war and have our sons suffer the way so many do, and apparently on account of inefficiency of management of our worthy Cabinet, can you wonder that we feel the way we do?

Yours, truly,

W. EYER,
710 East Sixty-ninth Street, Chicago.

This envelope, addressed to Earl Eyer, Company I, Fourth Infantry, American Expeditionary Forces, via New York, has a pencil memorandum—

Wounded 11/13.

It is postmarked at Chicago September 23 last. It has also—

Returned to writer.

Here is another one addressed to the same man, and it is also marked—

Wounded; returned to writer.

Here is another letter from the boy himself. It is dated December 11 last, and is as follows:

DEAR MOTHER, DAD, AND BROTHERS: It has been three months since I have had any mail, and I am lonesome and downhearted. My mail is somewhere in France, and the Lord only knows when I will get it. I hope and trust you are all well and happy. Life for the past month has been hell. It seems as though all of the S. O. S. are against us. There are 490 of us in this camp. All of us have either been wounded or sick; and do you know what they have us doing? Stevedore work, unloading coal, etc. While we do such work the S. O. S. are playing ball and writing letters. If you hear of me going to jail, you will know that I put one of these S. O. S. birds to sleep. It gets a fellow's goat after he has spent nine months in the lines, dodged death a few times, sleeping in shell holes, rain and mud, and then have to come back here and do their work. We spend most of the time in pup tents, while they are sleeping in barracks, with stoves and bunks in them. After two weeks of the above we moved into a barracks and were told to make ourselves comfortable. Everyone got for himself a bunk, after carrying it about half a mile and putting it together. We spent one night in it and were told to move, and in came negroes to sleep in the bunks we carried and built. They moved us into barracks without windows and doors, and we again had to sleep on the ground. It rained last night, and the barracks were as waterproof as a sponge. We have not seen a pay day in months—

I call this especially to the attention of Secretary Baker—

and they will not try to get our mail, so you see how miserable this makes things for us. The Eighty-sixth Division, as you know, is the Blackhawk, and it comes from Chicago. They have been over here for four months, and they think it is awful because they have not gone back by this time. We have been here since October 31, 1917, and, according to the papers, they are going to ask Congress to pass a law which will give them authority to keep us over here indefinitely. Oh, well, we had an easy time of it. We were only in the following battles: Champagne, Chateau-Thierry, St. Mihiel, Verdun, and the Argonne Forest, and in each one saw many of our pals fall from the Hun fire; but regardless of all, I can go back and say I have done my bit to help win the war. I was in the first big American battle and the last one and did not quit until I was forced to. It has been three long, weary months since I heard from home, and I am lonesome and disgusted. I have been in this camp for a month and, to tell you the truth, it has been the most miserable month I have spent since I have been here, and I have had some miserable days. I feel as bad and pretty near worse than when I was sent to the hospital, having been taken off the field of battle. All they think of back here is to work us day and night. There are 400 from our division here. Everyone has seen action and has been sick or wounded. Instead of giving us good living quarters, they house us in barracks without windows or doors, and, to top things off, we have been sleeping on the ground. You will not find the S. O. S. men living like this. They have warm barracks and bunks and instead of working they write letters and play ball, and we have to do their work. I told you in one of my letters not to write to me any more. Well, mother, cancel that order. It looks as though we will be here for a long time, so keep on writing. I must close, as I am out of news, and disgusted. Hoping you are well and happy, I remain, with love,

Your son,

JACK.

Was he entitled to a letter from home? Do you not think the Government could afford to deliver his mail to him—a boy who was in almost every one of the big battles, who was wounded and sent to a hospital, who was compelled to sleep on the ground? Do you not think the Government might at least have given him his mail? It did not pay him; it did not provide him with decent quarters. He was sent to the hospital. Was not the least the Government could do to deliver his mail to him? What kind of an organization is it over there—hampered undoubtedly by regulations from here—which after a year and a half of war can not pretend to get the mail into the camps and hospitals?

Mr. LINTHICUM. Mr. Chairman, I would like to ask the gentleman why those letters were returned. Was there any reason for it? Were they not delivered to the hospital—the one the gentleman mentioned previous to this.

Mr. MANN. There was no reason given except that the man was wounded and it was returned to the writer.

Mr. FLOOD. I would like to ask the gentleman how many letters were returned.

Mr. MANN. I have given the address here of quite a number, but I have a great many more in my office. I was just about to say that the Assistant Postmaster General is reported to have said the other day that there were three or four tons of these letters returned from France.

Mr. LINTHICUM. I want to say to the gentleman that several days ago I got a letter from a parent of one of the boys who went over there, and he was wounded and in the hospital, saying that certain letters had been returned, and I wrote him and suggested that perhaps the boy was on his way home, and about a week after that he arrived at Norfolk. I thought perhaps that might be the case here.

Mr. MANN. Oh, no; there can be no excuse made. The boys were there in the hospital and the letters were in the hands of the postal officials of the War Department over there, and instead of being delivered they were returned to the writer, although they had the indorsement on the envelope itself that the man was wounded, and they knew he was wounded, and they knew he was in the hospital.

Mr. FREAR. It was 8 or 10 carloads the assistant postmaster said, not tons of letters, when he testified before the Senate committee.

Mr. MANN. Very well. It may have been carloads. I do not remember. Now, I think the boys at home ought to be discharged. They are granting discharges to the boys in the camps at home very slowly. Here is a letter from a boy who is at Camp Grant—I dare not give his name:

As you know, there are many thousand boys here in our camps who are not doing a hand of work, not even earning the salt they use, for the Government, but yet are wasting valuable time which they might be utilizing to the interest of their family or themselves. This does not seem hardly fair, that these men should be held here in the Army when they have their future to look forward to. For the War Department to hold these men any longer is outrageous. I for one haven't done a lick of work for the last two months, but yet when I apply for discharge I am only refused and told that my services are needed in the work of demobilization of other troops, and the only thing I am needed for is to eat three meals a day and sleep. Now, if any fair-minded man can show me any reason for such kid's play, I am willing to keep quiet about it and stay for as long a time as Mr. Baker or any of his gang wants me to, but I am not willing to stay here doing nothing for my country and losing plenty for myself and probably my family future. Are not we deserving of an immediate discharge when our services are not needed? But that may be all true enough, but like all Army regulations the officers say it is an order, and so it will have to be carried out. The personnel officer of this camp says that there must be 17,000 men retained here for demobilization work. Now, anyone with an ounce of sense will readily see that there is no need of that many men to discharge 1,500 men a day. So, under such regulations, we soldiers that have been unfortunate enough to be assigned to what our personnel officer has classed as permanent units are held and will be held until the middle of summer or four months after peace has been signed. There are too many officers in our Army of to-day who now have the best position they ever had, and do not want to discharge their men, as they want to hold on to the soft snap as long as possible. Are you men who sent us here going to stand for such a condition as this? We have given up everything to go forth and fight for fairness and justice. Now show us, by the use of your good office, that you intend for every man to get a square deal.

I have had a great many letters from boys in camps similar to that. Nothing to do in camp, with an opportunity to take a good position at home. And they are not discharged, and you can not get any information from the War Department about the cases, or if they answer a letter, as they probably will, they answer with a form letter, a form letter giving no information.

Mr. FULLER of Illinois. And it takes six months to get that.

Mr. MANN. They are making no effort to let these boys out who have got jobs awaiting them and who want to go to work. I have letters from men in all branches of the service, a whole lot of them here. I have not the time to read them, because I want to read to the House a letter received from one of the boys at Brest, if I have the time, and I want to say in connection with the conditions at Brest, I have made some inquiry about the matter, and the conditions there are not the fault of the men in charge at Brest. The conditions there are the fault of the Army, the General Staff here in Washington. This is dated:

BREST, FRANCE, *December 17, 1918.*

SWEETEST MOTHER: It would take volumes to tell you of the trip here and another set of classics to tell about the horrors of Brest. The famous 5-foot shelf of Harvard classics would hardly suffice. If I dared use such language as the men use, I'd probably be thrown out of the Army for abuse of the mails and disowned by you, but I would be better able to describe Brest.

Imagine 600 hungry men, tired out from four days in what are known as "eight-forties" (chevaux and hommes, respectively), with an 85-pound sack on their backs, a heavy overcoat, heavy underwear, heavy "arctic" overshoes, detraining in the dark, marching 4½ miles in mud that kept getting deeper and deeper! Finding all Army tents pitched in the mud, having to sleep in the selfsame mud that night, and finding the next day that they had to eat in centralized kitchens, waiting in line from an hour to an hour and a half to get chow, and, having gotten it, finding that it was impossible even for a hungry man to eat it!

And I may say that this letter is absolutely a private letter and never expected to see public light—

There must be between 40,000 and 60,000 men here. Transportation is so scarce that water carts are hauled by details of 14 men. Our outfits haven't any cart. We send details with the men's canteens to get water. There are no latrines. Big cans (galvanized iron) are set along the roadsides for the men to defecate in. Every few hundred yards—perhaps every quarter of a mile—there is a row of these cans. The smell is fierce. Trenches are dug near every outfit for urinating. The camp is so crowded that there seems to be no head or tail to anything. From 11 until 2, from 4 till 7, the roads are packed with men and officers trying to get chow. I've dipped my mess kit into "suds 'n' rinser" together with lieutenant colonels, who were just as vociferously damning the whole place as the loudest second lieutenant. Men are only allowed to take one pair of shoes to the States. Their outfits may have been here for weeks, all prepared to embark four days after their arrival here. These men have nothing but wet shoes and wet socks to wear, and can't get anything else—

A General Staff regulation—

To-day two colonels inspected the mess. They came a whole hour before the terrible mob scene. They will report "everything lovely."

This morning I was down at headquarters, over a mile from where our part of the camp is. This headquarters group used to be all the camp there was here. Now it is just about big enough, with a lot of wooden shacks added, to house the necessary offices. Troops and mud, troops and mud—more mud and then some more—everywhere. And

thousands more arriving daily—not mud, but troops. When Mr. Wilson arrived at this port they hustled him aboard a train. I wish he could have waded incog. through this camp. To cap the climax, it rains every half hour. Then the sun shines; then the sky clouds up and it gets awfully chilly. You always have to have your raincoat with you, and when it isn't raining you suffocate from just carrying it. There's no use trying to dodge the mud holes. If you don't step in them, some one else will and slop it all over you, or a truck will go splashing through with "a bone in her teeth," throwing mud for 10 feet on either side. You can't tell where the holes are, for the whole road is a pool of liquid mud. The traffic of trucks and soldiers, and soldiers pulling water carts, prisoners loading defecating cans onto trucks, is a mad whirl of mud, men, and smells. It reminded me of the crowd leaving the ball game, if the game were played in the slums of garbage row and the fans all were khaki. To-day I helped a major carry his own bedding roll for half a mile.

There is not enough truckage so that individual units can run their own mess. The men are scurrying the country roundabout the camp for loaves of French bread, cans of sardines, anything they can get, to fill out the voids in their stomachs. If the American Expeditionary Forces are demobilized through Brest and the present conditions keep up, there will never be another draft put over in the States nor will any of those men ever volunteer.

Brest is the greatest antimilitary argument in the whole, wide, wide world. The situation is just not handled at all. The men came to me to-day, "Lieutenant, how about our mess fund?" I had to tell them that when we arrived they took our field kitchen away from us, so we couldn't cook; there was no wood to be had, and no trucks to haul fuel if we could get it—no trucks to haul food. But to-morrow I'm going to take 40 or 50 men with me to the sales commissary and buy enough stuff so we can serve our own breakfasts—cold. It's true, but we can heat coffee and can give men enough to start the day on.

We'll probably all of us have the most miserable Christmas in our existence if we stay here. I can't imagine a worse hole than this—and we have a so-called War College to teach officers how to handle such a situation. I hope they court-martial me for this letter—perhaps the information I could divulge would open the eyes of a few of the officials in the Capital, who hear nothing but flowery tales of the American Expeditionary Forces.

And now, sweet mother, it's time for me to kick in. Thank God, I've got my bedding roll with me and haven't as yet lost the blankets.

Good night, and love, love, love—

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I ask leave to insert these letters complete——

Mr. STAFFORD. Does the gentleman desire any more time?

Mr. MANN. I would not like to take more time; I do not want to take time away from gentlemen who desire time. However, I will take two minutes more.

Mr. STAFFORD. I will yield the gentleman five minutes.

Mr. MANN. Well, I do not want to take time away from other gentlemen.

Mr. STAFFORD. The gentleman can yield back the time if he does not need it.

Mr. MANN. I know a boy, a brigadier general, who was reported to be in charge at Brest, an officer of the Marine Corps. I know him well; I have known him since he was a small boy. I learned that he did one thing, probably many more like it; he took the hay the Army had sent for the horses and gave it to the boys to lay on the mud that they might lie on the hay. I do not know whether they will court-martial him for that or not. They had no nurses at this camp. This boy, Brig. Gen. Butler, had 2,000 marines there, and he put them at work taking care of the sick who came there. They had influenza at the camp. These marines took the men, carried them directly from the train to the camp and laid them on the hay. They fed them, took care of them, and were acting as nurses for them. Lo and behold! an order came to ship these marines and scatter them through camps throughout France. They were there acting, and willing to act, as nurses, and they were ordered away where they had nothing to do but kill time, and the men who were sick were required to wait on each other. Who can imagine a more brutal and inefficient service than that? [Applause.] There can be no excuse for it. We, we of this body, forced the men into the Army by the draft. It is true many of them volunteered, but we forced them into the Army. We knew they would undergo hardships, perhaps lose their lives, perhaps lose their limbs, but we intended and put into the law that they might give part of their pay to their dependents at home and the Government would supplement that. That has not been done. We guaranteed to them that we would give them as good protection as could be given to them while in the Army, and we have utterly failed as a Government to carry out our promise. If there was to be a new war to-day, after these boys come home, it would not be so easy to get a new army if the same Army officials were to be in charge of the Army. [Applause.]

Mr. GOOD. Will the gentleman yield for a question?

Mr. MANN. I will.

Mr. GOOD. I was wondering if the gentleman knew anything about the practice that is indulged in here in Washington in regard to St. Elizabeths? Everybody knows that is an institution for the insane, and I was told by a man just back from France that in the insane ward there a great many boys who had come back a little nervous because of shell shock were put along in the same ward with men who are insane, and had been insane for years, are incurable, and they are all in the same wards together.

Mr. MANN. Well, there are so many things being done that are incomprehensible that I sometimes wonder if the men in charge of the War Department have utterly lost sight of what is known as common sense——

Mr. FREAR. And humanity.

Mr. DYER. Is there not something that Congress can do to remedy the situation?

Mr. MANN. I think there might be, but I do not know.

Mr. BYRNS of Tennessee. Mr. Chairman, I yield 40 minutes to the gentleman from Massachusetts [Mr. GALLIVAN].

Mr. STAFFORD. Will the gentleman permit me to direct an inquiry to the chairman? May I inquire of the gentleman having the bill in charge as to what his desire is as to yielding time? There are many men on this side who would like to hear the gentleman from Illinois [Mr. MASON] speak on the league of nations, and I would like to accommodate them so far as to give them notice as to when he will be recognized.

Mr. BYRNS of Tennessee. That, of course, depends on the gentleman from Wisconsin.

Mr. STAFFORD. I do not know whether the gentleman desires recognition after the gentleman from Massachusetts [Mr. GALLIVAN] concludes or not.

Mr. BYRNS of Tennessee. I take it that we will alternate in the time.

Mr. STAFFORD. Then I give notice that I will next yield to the gentleman from Illinois [Mr. MASON].

Mr. BYRNS of Tennessee. I yield 40 minutes to the gentleman from Massachusetts [Mr. GALLIVAN].

Mr. GALLIVAN. Mr. Chairman, the recital of the story by the gentleman from Illinois [Mr. MANN] was most interesting and heart appealing, but it is not new to most of us. We all have heard the things which he has heard, and some of us have heard of even more outrageous things than he has told us. Delayed mail, mistaken reports of casualties, and various other lapses of the War Department have been told to every Member of this House in his daily mail. When a distinguished Member of the other branch said that the War Department had failed to function because we were at war, he was assailed in a certain part of the public press from Maine to California; but when he said that the War Department had failed to function he told a whole lot of truth. [Applause.] And his direct attack on that department awoke the country and the department so that it proceeded to function in part.

Mr. Chairman, what will the men of this Congress say when they hear the story of an entire division of American boys, the first National Guard unit in this country to leave our shores and fight in every fight since February, 1918, beginning at Chemin des Dames, and who were at Soissons, Apremont, Seicheprey, Flirey, Xivray, Chateau-Thierry, St. Mihiel, Belleau Wood, Verdun, and the Argonne Forest? Twenty-six thousand men left New England in September, 1917; in February, 1918, these boys went into the trenches; and on November 11, 1918, a shattered remnant came out of the trenches. Thirteen thousand casualties occurred in the "Yankee Division." Think of it, men of America! Five hundred and sixty boys of a regiment, the One hundred and first Infantry, formerly the Ninth Massachusetts, and of the Fifth Massachusetts, and of the Sixth Massachusetts, sleep their last long sleep under the blood-soaked fields of France; 2,300 of those boys wounded—arm off, leg off, eye out, gassed—oh, I can not go on!

And on the 6th of November, 1918, the colonel of that regiment, who had stood with his boys from September, 1917, until November 1, 1918, shoulder to shoulder with them in the trench and in combat, was relieved of his regiment to make way for a dandy pet of the Leavenworth clique.

Mr. BUTLER. I have had the same experience.

Mr. GALLIVAN. You have all the same story of what has happened to the commanding officers of regiments which went out in the National Guard, because, forsooth, some one in authority did not believe that the man from your State, and from your State, yes, and from your State [pointing], and from my State, who went out as colonel or major in authority, just as well versed in modern warfare, as exemplified on the battle fields of France, as a graduate of West Point or of Leavenworth, was the kind of fellow that the Regular Army colonel wanted to rub elbows with or get the glory that comes out of war. They were all right for months, when the shells were shrieking and the "H. E.'s" exploding; but just like the last quarter of a football game, when the whistle is about to blow, and the ball is on the 1-yard line ready to go over, they take out these gallant officers from the National Guard in this country and they hand the commission and the salary that goes with the job to some fellow who never engaged with combat troops in all the period of the war.

Now, Mr. Chairman, if there be any man who doubts what I have said, I am going to ask at a later date that this entire thing be investigated by this body. [Applause.]

Mr. BUTLER. Will the gentleman permit me to add here that the same occurrence, the same facts, occurred with a soldier in my congressional district? The day before the armistice was signed they removed him and sent him home, after being in continuous battle for four months as the captain in an artillery regiment.

Mr. GALLIVAN. One of the finest men in Texas was removed under similar conditions; two splendid colonels in Missouri were removed; a brigadier general from Pennsylvania was removed under similar conditions. And then, if you ask the Secretary of War for an explanation, you are told that he has nothing to do with it; that Gen. Pershing is in complete authority; and if you ask him the second time for some other information he gets peeved. He does not like to be cross-examined. [Laughter.] And his Chief of Staff—why, I read with amusing interest what my good friend from Illinois [Mr. MADDEN] said the other day about the Chief of Staff and his upstart aide. And since then I have had a similar experience. I asked him politely when the division to which I have referred—the Yankee Division—which has been in France since September 23, 1917, and which is now stranded in France, would be permitted to come back to the States. Remember, Mr. Chairman, that the division of which I speak has been longer in France than any other division, with the single exception of the troops that went over, at the beginning of our entrance into the conflict, with Gen. Pershing. Ninety-six hundred men have passed through one regiment, with whose work I am more familiar than with the work of other regiments in that division. Think of it! The war strength of a regiment is 3,650, and 9,600 men have passed through the One hundred and first Infantry from February to November. And I asked when these boys, what is left of them, would be permitted to come home.

I directed my inquiry to Gen. March, and I wrote on the outside of the envelope the words "Personal; special attention of Gen. March." [Laughter.] I received a reply on Saturday, in which I was informed by one Swing, a major in the National Army, that—

Gen. March directs me to say to you that the Twenty-sixth Division is not on priority and will not be placed there until Gen. Pershing decides to place it there. Any other information on this division will be furnished you through the press.

[Laughter.] That is the gospel truth, gentlemen. [Renewed laughter.]

Mr. BUTLER. You have got to read it in the newspapers.

Mr. GALLIVAN. That is the gospel truth. Well, I wrote the heroic Gen. March, and I told him that if he tried to ignore me he was not going to get away with it. [Applause.] I repeated my inquiry, and I said to him, "Now, you tell me it is up to Pershing. I want to ask you how I can reach Gen. Pershing." I had written him two or three letters since this war started, and I wrote at the suggestion of the War Department, and until this hour I have never received a reply from Gen. Pershing or from any member of his numerous and highly tailored staff [laughter], which from the inception of the conflict has slept comfortably in Chaumont and Tours.

So that, Mr. Chairman, while I had not the faintest intention of referring to this matter in the time allotted to me in this debate, I could not keep quiet after listening to the gentleman from Illinois [Mr. MANN], when I had the story and knew it to be true and wanted to share some little part of it with Congress. I do not desire any publicity about this matter, gentleman. But I dare say I will get a little bit on account of some things I have said. [Laughter.]

I want to say to the practical politicians in Congress that I would not wish my political enemy any more harm than that he should select for high public preferment one or two of the so-called great generals who are abroad and who have never even seen a combat. [Laughter.] I mention no names. [Laughter.] I have talked with the boys, and there is not one of them—no, not one of them—that has either affection or respect for the two or three that I have in mind. [Applause.] Now, Mr. Chairman, Congress ought to do something. Congress, through its Military Committee or through its leaders, ought to do something, and it ought to do it on a nonpartisan basis. There ought not to be any politics in it. [Applause.] Remember, as the gentleman from Illinois [Mr. MANN] has said, that a great many of these boys were shoved into the Army. They were good men. The boys for whom I speak volunteered. They were in the Massachusetts Volunteer Militia. They were only home a short time from a six-months' tour of duty on the Mexican border, and they went to France, and I am proud to say this word: They went to France, the first State unit to go from this country, because they were the first State unit ready. Honest to God, they taught Regular Army men at their elbows how to do things. [Applause.] They taught them how to take care of themselves. They had an intelligent leader. Col. Logan was the peer of any officer. They were good boys from good families, and those of them who still survive are over there yet. There has not been a day since they were placed at this so-called rest camp when from two to six of them have not died from illness in some hospital.

Of course, their mothers and their fathers want the boys to come back. But for the first time I am beginning to hear from the boys themselves that they would like to come back. They have been there now since September, 1917. That is a long, long time. They have seen their comrades go over the top and into the mouth of hell and they have buried them in France, and now, with the fighting over, their minds go back to the early days when they talked with one another as to what the future had in store, and then they count over the list of those who were their tent mates, and they find that they have gone—"gone west"—and the boys who survive would like to come home.

What is Congress going to do about it? Is it going to allow the Secretary of War to "pass the buck" to Pershing? Is it going to allow the handsome Chief of Staff to "pass the buck" to Pershing? What are we elected for? I respectfully submit that I hope my words will be thought over after you gentlemen have left the Chamber. I confess that I do not feel powerfully important enough to start such an investigation as I would like to see begun, but unless some big fellow does it, a little fellow like myself will undertake it. [Applause.]

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. GALLIVAN. Yes.

Mr. SNYDER. Yesterday we passed a bill through this House giving the Commander in Chief of the Army $100,000,000 to be spent as he saw fit. Does not the gentleman think that some of the arguments he has made here to-day would have had greater effect if we had had this knowledge? And does he not fear that, the President of the United States being Commander in Chief of the Army and having control of the Secretary of War, there is a possibility of as many mistakes being made in the expenditure of this $100,000,000 which the Congress saw fit to give him yesterday as have taken place in the management of the Army?

Mr. GALLIVAN. Oh, anything is likely to happen; but that has not anything to do with this case whatever.

Mr. SNYDER. It seems to me it has.

Mr. GALLIVAN. And the question has no place in my remarks.

Mr. LITTLE. Mr. Chairman, will the gentleman yield for a question?

Mr. GALLIVAN. If it has to do with my remarks, gladly.

Mr. LITTLE. I think it has.

Mr. GALLIVAN. I will decide that point. [Laughter.]

Mr. LITTLE. The day before this you allowed the War Department the same authority to spend $4,000,000,000. Is it not possible that there might be as many mistakes in the expenditure of that $4,000,000,000 as in the expenditure of the $100,000,000?

Mr. DYER. Mr. Chairman, will the gentleman yield?

Mr. GALLIVAN. Yes; if it has any bearing on what I am talking about.

Mr. DYER. Will not the gentleman state what his idea and suggestion is as to what we, the Congress, can do to help in this deplorable situation of which he and the gentleman from Illinois talked this morning?

Mr. GALLIVAN. I have an idea that either the Committee on Military Affairs or a special committee appointed by the Chair, with equal representation from the two political parties, should at once conduct such an investigation as I have referred to, begin taking evidence here, and then go abroad and visit in France every outfit that has a complaint and that wants to be heard.

Mr. DYER. I take it from the gentleman's remarks that he thinks it should be composed of Members of both branches of Congress.

Mr. GALLIVAN. Exactly.

Mr. DYER. Of both political parties.

Mr. GALLIVAN. Exactly, in equal numbers.

Mr. DYER. I advocate that, and suggest that the gentleman urge such a proposition on the Democratic leaders of this Congress. [Applause.]

Mr. GALLIVAN. How much time have I left, Mr. Chairman?

The CHAIRMAN. Twenty minutes.

Mr. WHITE of Maine. The gentleman has spoken of one colonel of this Twenty-sixth Division being relieved of his command. Can he give us any information as to how many other officers with this division have been relieved?

Mr. GALLIVAN. I can, and I am glad the gentleman has asked the question. The colonel whom I had in mind was from my own city, and he is my next-door neighbor. He was the longest-in-service colonel in command of a regiment now in France when relieved, a distinguished graduate of Harvard College, who left Harvard in 1898 to go into the Spanish War as a boy, and he has been a soldier ever since. He gave up his place on the bench to go to France, and he led as brave an outfit as ever left America. He is the man that went into the trenches and into the gutters night after night with his boys; and just before the bell rang, when everything was safe, he was relieved of his command, and it was not given to his lieutenant colonel, mark you, noble Jack Greenaway, whom most of you have heard of. Jack Greenaway was with Col. Roosevelt in the Spanish War. He was a Yale man, a great athlete, and a wonderful fellow. In August last he became lieutenant colonel of the One hundred and first Infantry and a loyal aid to Col. Logan. The command was not given to Jack Greenaway, the colonel's assistant, but it was given to a Regular Army officer.

The gentleman from Maine asks me if I know about any other colonel. The colonel of the Maine outfit was removed even later, another gallant New Englander, Col. Hume, with a splendid career in the service of his State and of his country, and a brigadier general from my State, in command of the Fifty-second Brigade, was relieved of his command, and Maj. Gen. Clarence R. Edwards—God bless his name [applause]—who went to France in charge of this division, was sent home in September because he refused to do the dirty work. [Applause.] That is the story, gentlemen. He was told to his face by a whipper-snapper chief of staff of the Twenty-sixth Division named Duncan K. Major, a lieutenant colonel, "If you don't get these National Guardsmen, we will get you." And they got Clarence Edwards; but, as I said before, he refused to do their dirty work, and when he came to Boston he owned that town, and as long as he lives he will have a place in the hearts of New England second to no other man. [Applause.]

Mr. BUTLER. Will the gentleman permit me to ask him a question?

Mr. GALLIVAN. Yes.

Mr. BUTLER. Of course, the country knew very well that Gen. Clarence Edwards had been sent home; but did I understand the gentleman to say that he was threatened with dismissal if he did not get these National Guardsmen?

Mr. GALLIVAN. The man who threatened him had no power of dismissal, but he had the power of scheming and of "framing" and of misrepresentation. You know that the chief of staff of a division is a pretty powerful fellow. In most instances he runs the division. The major general does not always run it. I am not yet permitted to give to the public my authority for the statement that this chief of staff had said to Gen. Edwards, "If you do not get these National Guardsmen, we will get you," but they "got" Clarence Edwards. He is back in Boston once more at the head of the Northeastern Division, and I have no doubt that when all the boys come back home we shall hear more about it. The boys will be discharged and they will be home some day, but I want to see this thing all come out, and I want the deserving brigadier general and the colonels to whom I have referred restored to their commands, and I want to see tribute paid, at least by the Congress of the United States, to the wonderful sacrifices which each and every one of them has made. [Applause.]

Mr. LITTLE. Will the gentleman yield for a question?

Mr. GALLIVAN. Yes.

Mr. LITTLE. I want to call the gentleman's attention to the fact that probably another reason——

Mr. GALLIVAN. Has the gentleman a question to ask me? I can not yield for a statement.

Mr. LITTLE. I will put it in the form of a question. Does the gentleman know that Gen. Clarence Edwards was out of fashion with that clique for another reason—that is, that he was a fighting soldier instead of an expert? He was with Lawton in the Philippines, and before this war began had fought in more fights and commanded more troops in action than any major general that went to France. For that reason he was a little unfashionable. And I can add a little to the gentleman's statement of facts by saying that the week before he sailed he said to me that he proposed to get either a bullet or a promotion. I am sure he tried hard for both. It is a subject of great regret to me that he did not get the promotion. I sympathize with the gentleman. [Applause.]

Mr. GALLIVAN. I understand from what the gentleman from Kansas has said and from my own knowledge that Gen. Edwards is just as he has described him. He was a fighting general and he saw combat and participated in combat, and few of these other fellows did, and do not you get bluffed when they come back home. Many of them do not know a "77" from a "dud," if you know what a "dud" is. It is a flivver explosive and most of the petted favorites would run away from a baked apple hurled in their direction. [Laughter.] Now, I have finished what has come to me on the spur of the moment.

Mr. GREEN of Iowa. Will the gentleman yield to me now?

Mr. GALLIVAN. Yes.

Mr. GREEN of Iowa. You know the Secretary of War stated that it was the intention to leave 32 divisions, or more than a million and a quarter of men, in Europe. Does the gentleman approve of that?

Mr. GALLIVAN. I do not approve it, and the gentleman reminds me of something else in connection with this division. It was picked for the army of occupation, and when its new major general looked it over he found that the boys were all in. And I might say to my California friends and to my Wisconsin friends in this House that to-day that division is composed in the main of California and Wisconsin troops. We have some from Illinois, quite a few, but New England has less than 20 per cent of the division, and when picked to be a part of the army of occupation the new division commander, on report from brigade commanders, threw up his hands—the boys were gone, physically gone. Then they took their equipment away and they gave it to other troops which were going into the army of occupation. The newspaper correspondents have written home to Boston, and their language, Mr. Chairman, has been allowed to pass through the censors' hands, and according to them the boys of the Twenty-sixth New England Division, the Yankee Division, were left stranded at Montigny le Roi. There they are now, stranded. When I asked the Chief of Staff what he could tell me in reply to the newspaper stories, his upstart aide tells me nothing—"Read the papers," and I have read them. The papers tell me the division is stranded, and out of the One hundred and first Infantry, when it went to France, three-quarters of the boys came from my district. I knew every company commander, and, by God, I am going to see that that regiment is treated right—what is left of it. [Great applause.]

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman permit me to ask him one other question?

Mr. GALLIVAN. Gladly.

Mr. GREEN of Iowa. Will not the gentleman also agree with me that none but those who volunteer especially for that purpose ought to be kept in Europe now?

Mr. GALLIVAN. I am hardly prepared to answer that question. I do believe they could get enough volunteers.

Mr. GREEN of Iowa. Certainly.

Mr. GALLIVAN. To take care of that work.

Mr. GREEN of Iowa. From those on this side and on the other.

Mr. GALLIVAN. And I believe that system ought to be tried out. I do believe we perhaps ought to try the volunteer system and that they would get more than enough.

Mr. GREEN of Iowa. I will say to the gentleman that the Military Committee now has before it a bill for that purpose.

Mr. GALLIVAN. Mr. Chairman, I rose as a member of the Committee on Appropriations to discuss this bill, and that is the reason I asked for 40 minutes. What I have to say should be in no way a reflection on the committee or the hard-working subcommittee which has been hearing heads of departments since the 23d of November, and which has finally completed its report, which comes to us in the form of the legislative, executive, and judicial appropriation bill for the next fiscal year. The information that I have has come to me since the committee has finished its hearings, and that must be my apology to my excellent friend, the hard-working chairman, for not having brought this matter to his attention and to the attention of his associates.

THE BUREAU OF EFFICIENCY.

It seems an inescapable part of the natural order of things that about every decade some big new idea should suddenly capture public fancy. For a time it enjoys a startling vogue, and during its destined hour woe be unto him who questions or challenges. Now one thing, then another, but always its pretensions are paraded as something just a little short of a universal panacea for human ills. Then, almost overnight the illusion collapses or subsides into sober moderation, permitting those remaining sane while the craze was at its flood to venture out of their retreats to hold an orderly autopsy over the remains.

Naturally, the big idea possesses a certain merit, else it could not hold public attention. Taking this element of truth for a foundation, thereupon is reared some wonderful and fantastic philosophy that claims everything, cures everything.

An army of suddenly converted zealots sing its praises, the idea swells to the proportions of a crusade sweeping aside with arrogant intolerance all opposition and purposely perverting and misinterpreting any honest inquiry, until one excess after another is committed under the cloak of its pretended virtues. What little merit the idea held at the beginning is tortured by its bigoted followers out of all its original shape or understanding.

Something like this has been the history of the big idea of "efficiency." Some few years ago this new thought of efficiency, with its concommitant, all-embracing philosophy, suddenly projected itself across the people's vision, and for a time occupied the center of the stage. Just exactly what the term "efficiency" really meant no one dared press to an answer unless he was willing to be listed as an undesirable citizen and the motives that prompted the inquiry malevolently misconstrued. It is true that some one has aptly defined "efficiency" as doing the right thing at the right time with the least possible effort, and while this definition rings pleasing to the ear, still it throws little additional light upon the subject. The term and its definition could readily be interpreted to suit individual tastes.

Anyway, the idea grew. It became the style. New ideals were invoked and the Mecca of individual development which marked the superman was to achieve 100 per cent efficiency. No one could say that efficiency was not a good thing, the public voted that it was, and its popularity grew apace. True enough, the country needed to apply its principles. We had grown too loose in our business methods. There was too much waste. The general idea was sound.

But just here is where trouble begins. Because the acknowledged utility of the general idea of efficiency had won approving prominence made it possible to foist on the public all sorts of contraptions, prompted under its fair name. Then, too, so-called efficiency experts without a shred of business experience; self-centered theorists, whose life had spelled failure written large; fakirs, charlatans, and adventurers, each with some plausible sophistry to exploit, now appeared on the scene to persuasively urge some new-fangled efficiency device or system, certain to save an incalculable amount of time, money, and labor. Efficiency experiments became the order of the day.

As a rule these experiments met with painful failure. Generally speaking, their glib promoters have been discredited and forgotten. The devices and systems they offered were all right in theory, only they would not work in practice. Their memory lingers, however, and in this fact lies danger, because where yesterday the term "efficiency" was a name to conjure with, now, in the light of our unfortunate experiences, with an invasion of efficiency experts, we are just as likely to swing to the other extreme, forgetting the fundamental virtues that efficiency holds and its imperative need in all well-ordered business. But, first, we should have no cloudy conception of its meaning and we should be sane about it. In no quarter is the application of its sober principles more necessary than in the work of the Government, and I propose to briefly review our experiences along the line of efficiency in the administration of Government business. A Bureau of Efficiency in connection therewith is now and for some time has been in operation, and I deem the occasion timely to speak frankly and plainly about its activities because the record of this bureau offers little hope of encouragement to those who long to see Government work conducted on a practical business basis.

Some six or seven years ago the late Senator Aldrich was credited with a statement which at that time received wide publicity, wherein he charged that $300,000,000 was annually wasted in the Government's expenditures which could be saved through the application of ordinary business methods. It is certain that this statement sank deep in the public mind and doubtless contributed much to legislation that followed. The efficiency idea was about this time blossoming into prominence, and, knowing full well that there was much room for improvement in administrative methods, a sentiment in Congress developed favoring the creation of some sort of an agency intended to institute efficiency methods in the various departments.

Accordingly on March 25, 1913, the Division of Efficiency was created, with a chief at $4,000 a year, to which was later added a staff of five persons, beginning with an expert investigator at $3,000 and closing with a messenger at $600 per annum. Mr. Herbert D. Brown was named as chief of this division, a position which, through all the varying fortunes of the enterprise, he still retains. The Division of Efficiency, in its initial operation, was tacked onto the United States Civil Service Commission. Just exactly what its duties were supposed to be, the evidence at hand fails to disclose, nor is much light thrown on the subject by a careful reading of the several annual reports of the Civil Service Commission covering the two or three year period this connection continued. In the beginning much was said about efficiency rating of civil-service employees, and it was assumed that the standardization of some such system was the main purpose for which the Division of Efficiency was created.

On page 13 of the thirty-first report of the Civil Service Commission, 1913–14, appears the following statement, which gives some clue of what the Division of Efficiency was expected to accomplish:

WORK OF THE DIVISION OF EFFICIENCY.

Under the acts of August 23, 1912, and March 4, 1913, the duty was laid upon the commission of instituting systems of efficiency ratings for the personnel of the service and also of investigating and reporting to the President, with its recommendations as to the administrative needs of the service relating to personnel.

Presumably, this was the chief work of the Division of Efficiency at the outset, but apparently it fell down on the job. Continuing, this report adds:

At the outset it became clear that any system of efficiency ratings for the personnel of a given office would be of little value if subsequent investigations of the administrative methods of the office disclosed the advisability of changing the methods.

In other words, there was little work for the Division of Efficiency here, so other tasks must be found for these efficiency experts, which vaguely are referred to as "a study of administrative methods." Just what this term means is not quite clear nor is further information disclosed in the brief reference to Mr. Herbert D. Brown and his division, although from time to time we have been assured by excellent gentlemen on the floor of Congress that great and good work was being done.

Evidently some one was favorably impressed or else Mr. Brown was exceedingly busy with his friends in Congress. His importance grew apace, and on March 4, 1915, an amendment to the legislative, executive, and judicial appropriation bill provided that the Chief of the Division of Efficiency shall be appointed and shall report to Congress at the beginning of each regular session, through the President, the nature and progress of the work undertaken and the results accomplished. What work, if any, was performed in the two years preceding the record fails to disclose. Nevertheless, again on February 28, 1916, another amendment, this time tacked on to the urgent deficiency bill, provided for an independent bureau, and thus the Division of Efficiency grew to the Bureau of Efficiency.

"Upon what meat doth this our Cæsar feed, that he is grown so great?" From a small beginning in a few short years there rises an independent bureau; a bureau, too, which, from all available reports, has absolutely nothing to offer in justification for its existence during the preceding years, but hides its impotence under the glare of the magic word "efficiency." Only one scant mention, and this in the thirty-third report of the Civil Service Commission, and that publishing the divorce and announcing that hereafter Mr. Herbert D. Brown and his efficiency trappings would keep house by themselves. But no mention of any work performed, good, bad, or indifferent.

That was in 1916. Since that time one report has been issued by the Bureau of Efficiency, a small pamphlet of some 1,500 words, reading matter, and the remaining space devoted to a lengthy roster of employees and a recapitulation of the salaries paid. In this brief report the following ingenious alibi is offered for nonperformance of duty:

During the past year the Bureau of Efficiency has not departed from the principles which have governed its procedure from its inception in March, 1913. It has stood not for publicity, but for results. It does not publish reports except when required by Congress to do so.

Could a more illuminating explanation be offered? Instituting a widely heralded system of efficiency and then shrinking from publicity after five long years of experimenting. Setting forth full of promise and with an ambitious program, this Bureau of Efficiency now modestly hides its head when called on to proclaim its achievements. Results, indeed! Let us see what they are.

Evidently Mr. Brown is not so certain about the matter himself. Quoting from his report we find him treating the subject in the following hesitating language:

Much of the work of the Bureau of Efficiency during the past year will not produce savings, except, indirectly, through better administration. Nevertheless the actual savings resulting from the work by the bureau during the year would seem to justify the cost of its maintenance.

"Would seem to justify the cost of its maintenance" is a faint echo of the confident promises that paved the way for the creation of the bureau. One thing is certain: There is no "seems" about the increasing expense involved in its adminis-

tration. The first year some 5 employees were sufficient; last year there was a total of 49. From an annual expense of $15,000 this cost has jumped to $100,000, practically all for the payment of salaries. This year it reaches the fine sum of $125,000, and it is still on the way up. According to the testimony of Efficiency Expert Brown, the pay roll for permanent employees amounted last year to $80,000 and for temporary employees $23,000. Even in these days of billions, the sum total spent on this experimental bureau will make an imposing figure.

Meanwhile the results are negligible. In fact, of all the jobs assigned to this Bureau of Efficiency by Congress only one, and that a report on work performed by Subtreasuries, seems to have been fully completed. Even in this instance, little in the way of concrete results has followed the recommendations of Mr. Brown.

On every other job the Bureau of Efficiency has either lagged lamentably or completely fallen down. This statement is abundantly confirmed by a review of the hearings before the Committee on Appropriations of the House, where, despite insistent instructions from Congress, Mr. Brown was unable to make a complete or even partial report on the several tasks assigned the bureau. Among these assignments was one to examine and audit claims; another to investigate the methods employed by the Civil Service Commission; another to submit comparative tables showing the rate of pay granted for similar work to Government and private employees; another to ascertain and submit to Congress a compilation showing the prospective cost of various old-age retirement plans for civil-service employees. The hearings before the House Appropriations Committee of January 7, 1918, disclose that little, if any, progress was or had been made on these several items, and it is doubtful if any worth mentioning has been made since. After more than a year's delay and after much heckling and prodding, a very limited compilation of figures of doubtful accuracy relative to the prospective cost of a retirement plan has been submitted, but utterly without any explanatory data or advice, as would be naturally expected.

Compared to the large appropriation voted for its maintenance, nothing worth mentioning has been accomplished by the Bureau of Efficiency in the more than five years it has existed. And yet Mr. Brown complains that "unless our force is substantially increased we will not be able to do it"—referring to the several tasks assigned and unfinished by this bureau. It is Congress that wants results, and Mr. Brown replies with a plea for more money. So lamentable was the condition as disclosed at these hearings that Mr. Brown was moved to admit at the conclusion, "We have spent most of our time at this hearing in apologizing for not finishing certain work." In the light of these revelations, the "Bureau of Inefficiency" would be a more fitting designation.

And the testimony at these hearings discloses more. It showed that while the Bureau of Efficiency pretended to be busy introducing systems of scientific management in other departments, it, in fact, reveals an appalling lack of system in managing its own affairs.

Its reports are beyond understanding, and the references made to the work it is supposed to be performing are couched in the vagguest terms when, indeed, it makes any reference at all. It fails to complete its work on time or when ordered by Congress to do so. It fails to maintain any settled administrative policy or to forecast with even passing accuracy its prospective cost of maintenance. It fails to confine its own expenditures within the appropriation granted. It fails to furnish a single specific instance where it has simplified former methods or benefited administrative processes. In fact, it fails to show any good reason for its existence or why it should be designated as a bureau of efficiency. And yet this is the bureau that is presumed to tell other departments how to run their business.

Moreover, among all other departments, this bureau was the only one, as the testimony disclosed, that failed to submit its annual report on time, much less a report on any of the work it was supposed to be doing. Finally, on February 1, 1918, about two months late, a little pamphlet of 1,500 words of rending matter made its appearance, labeled "Report of the United States Bureau of Efficiency." Herein the several duties assigned the bureau by Congress are mentioned and brief excuses offered why nothing had been done. In this report Mr. Brown insists that the bureau is saving the Government money, but he explains "that much of the work of the Bureau of Efficiency during the past year will not produce savings, except indirectly through better administration." The nearest approach that can be gleaned of what Mr. Brown thinks his efficiency staff is doing and the nature of the saving effected is shown by the following extract and accompanying table taken from his annual report:

The bureau has effected annual savings of about $500,000, or nearly $9 per annum for each dollar spent once. Most of these savings will not appear as reductions in appropriations, because they have been brought about in the organization of new activities occasioned by the war. Nevertheless they represent actual money savings and the elimination of expenditures which otherwise would have been incurred for personal service and equipment.

Here follows a table showing in general terms the character and amount of the alleged savings:

Accumulated totals of savings in Government expenses from Mar. 25, 1913, to June 30, 1918, that have been accomplished by the Bureau of Efficiency.

	1913-14	1914-15	1915-16	1916-17	1917-18	Total.
Estimates for increased appropriations withdrawn	.....	$50,000	$51,000	$62,000	$50,000	$213,000
Estimates reduced below previous appropriations	.....	38,000	87,300	151,490	217,199	493,989
Saving in floor space, at 50 cents a foot	.....	.....	1,300	2,950	2,950	7,200
Increase in clerical labor and printing avoided	$100,000	100,000	115,600	130,600	561,356	1,007,556
Increase in postal revenue	.....	.....	17,500	30,000	30,000	77,500
Intention to increase estimates abandoned	.....	.....	6,200	6,200	6,200	18,600
Reduction in work offset by increases in other work of office	.....	.....	.....	.....	57,000	57,000
Work reduced, but no reduction in estimates	.....	.....	.....	10,000	10,000	20,000
Total	100,000	188,000	278,900	393,240	934,696	1,994,836

An ordinary, careful examination of the foregoing tables will reveal the indefinite character of the alleged savings. They are not savings that will be reflected in reduced appropriations. Mr. Brown admits as much. There is no statement showing in what department this saving occurred or just how it was brought about. Neither was there any explanation of the character of these several items offered at the hearings, and it is well to recall at this juncture that the annual report of this bureau did not make its appearance until long after the Appropriations Committee had completed its annual budget. In the light of its other known delinquencies, it is a matter of grave doubt whether these so-called savings will pass muster under careful inquiry. In fact, it is quite unlikely that there has been any saving at all. The whole business bears a curious aspect.

In a concluding portion of Mr. Brown's testimony at the hearings of January 7, 1918, the following passages occur:

Mr. VARE. When was this department organized?
Mr. BROWN. In the spring of 1913.
Mr. VARE. Can you point to any reduction in any one year in the cost of running the Government?
Mr. BROWN. Oh, yes, sir.
Mr. VARE. I mean as a whole.
Mr. BROWN. Well, of course, we can not cover the whole Government, but the offices in which we have worked there has been a substantial reduction.

"In the offices which we have worked there has been a substantial reduction," pleads Mr. Brown. Let us see. Let us note how this general statement squares with the record. Let us trace the history of "Expert" Brown's Division of Efficiency in the light of the evidence disclosed at the several hearings in the intervening time.

THE CIVIL SERVICE COMMISSION.

The Division of Efficiency began its work early in 1913 as a part of the Civil Service Commission. Its duties, we gather, in keeping with Mr. Brown's alluring prospectus, were to institute a system of efficiency ratings for Government employees and to install modern administrative methods for handling Government business.

No sooner, it seems, had the Division of Efficiency been added to the Civil Service Commission than trouble broke out. Mr. McIlhenny, president of the commission, and Mr. Brown, chief of the division, could not agree, with the result that efficiency ratings and modern methods marked time while the controversy raged.

As Mr. McIlhenny considerately testifies, this difference in opinion was due to "my idea at that time that we should formulate a system of efficiency ratings which we could throw over all the departments as a blanket," while Mr. Brown strongly took the stand that a reorganization of methods and a general reclassification of salaries must come first. The entire service, according to the Brown idea, it appears, must be completely revolutionized before his efficiency system would fit, which it is well to note in passing was quite an ambitious program. This contention over efficiency methods was sufficient, however, to block progress, and little, if any, was made. It is further evident that the Civil Service Commission were little impressed with the efficiency ideas of Mr. Brown.

THE WAR DEPARTMENT.

Anyway, nothing seems to have been accomplished along the lines of efficiency ratings until about two years later—sometime during the summer of 1915—when Mr. Brown suggested the establishment of a system of efficiency ratings in the War Department. Again the Civil Service Commission vetoed the project. This time President McIlhenny explains his opposition to the proposal on the ground that Expert Brown's efficiency system was still an untested experiment, and besides the necessary reorganization and reclassification of salaries had not been effective, the latter a Brown idea. Thus the Brown efficiency system was not tried out in the War Department.

THE BUREAU OF PENSIONS.

Somewhere during the intervening period, after long and thoughtful study of the subject, as Mr. Brown testifies, he made an effort to introduce a better system of handling pension checks and accounting same in the Bureau of Pensions and the Department of the Interior. The Bureau of Pensions objected; they did not take kindly to his ideas. Trouble was encountered at the very outset. Finally a conference was held in the office of the Secretary of the Interior, with the Secretary of the Interior presiding, and the Brown efficiency system was suavely and plausibly explained and apparently just as bitterly challenged. The Secretary, being in doubt, decided to refer the matter to Mr. Ryan, Comptroller of the Reclamation Service, and the result of this investigation seems to have forever put a quietus on the Brown efficiency system as far as the Bureau of Pensions was concerned. In any event, some time later, as Brown testifies, "the Commissioner of Pensions refused to permit our employees to collect any further information in his office." Thus the incident closed "without any substantial reduction of expense" in this particular office.

THE TREASURY DEPARTMENT.

Some time early in 1914 it appears that Chief Brown, acting upon the request of the Committee on Appropriations and the Secretary of the Treasury, set out to install his efficiency system in the Treasury Department. Mr. Brown states that he worked at this job something more than a year. Mr. Malburn, former Assistant Secretary of the Treasury, says it was about two years. What the Efficiency Division did or were trying to do during this period is not made clear, but it is certain that after more than a year of experimenting trouble again began brewing and no peace would come until Brown and his efficiency staff finally betook themselves from the Treasury Department. Two years' work and nothing completed is what the record shows. "They barely skimmed the surface of it," charged Assistant Secretary Malburn in the hearings of January, 1916.

The evidence indicates that this last trouble developed and kept pace with a growing conviction among Treasury officials that the Brown efficiency system was chimerical and unsafe. It was all right in theory, but it would not work in practice. Performance did not square with promise. In Mr. Malburn's testimony occurs the following statement:

When I took my present office, which was in August, 1914, the efficiency committee had already taken up the work for some time in the Treasurer's office and had prepared a table of efficiency ratings for the national bank redemption agency in the Treasurer's office, which, however, was not complete. We have never been able to get them to complete that up to date.

Expert Brown admits this charge to be true, but he seeks to explain the delinquency by shifting the burden of blame to the shoulders of the Civil Service Commission. He says:

I was unable to get the Civil Service Commission to establish efficiency records in the War Department, and therefore I thought it not worth while to attempt any efficiency records in the Treasury Department.

A curious angle of this incident, as the testimony discloses, is that Mr. Brown, when on the force of the President's Commission of Economy and Efficiency, under the Taft administration, is credited with installing an efficiency rating system for the national bank redemption agency. Five years later the system, it seems, it still unfinished, which is strange, to say the least.

This and similar friction of the same sort seems to have marked Brown's two years' experience with the Treasury Department, until, as the evidence indicates, despite the authority granted the Division of Efficiency to experiment carte blanche, an ingenious plan was devised to grease the skids and hasten their going from this department. A committee on improvement of five members, composed of Treasury officials, with Assistant Secretary Malburn as chairman, were appointed by the Secretary of the Treasury for the purpose of investigating combinations in the Treasury Department and, if need be, to install more efficient methods for the conduct of its business, just exactly the same work that the Brown Efficiency Division was supposed to be doing at the same time. The aims and duties of this improvement committee were illuminatingly set forth in the following testimony:

Mr. STAFFORD. How many subcommittees were there?
Mr. MALBURN. Twelve.
Mr. STAFFORD. What was their special work as originally planned by the general committee of which you were chairman?
Mr. MALBURN. Each one had certain offices in the Treasury.
Mr. STAFFORD. What was their special duty?
Mr. MALBURN. To go into the offices and investigate the methods of doing the work, with the idea of getting more efficient service.
Mr. STAFFORD. The very line of work that the efficiency commission was originally created to perform.

The appointment of this committee seems to have been the beginning of the end for Brown's Efficiency Division in the Treasury Department. Furthermore, there is reasonable ground for the presumption that the object of the improvement committee was chiefly to neutralize and limit the harm that might arise from too much experimenting. As it would naturally be expected the appointment of this committee resulted in more and still more friction, until eventually, in high resentment, Mr. Brown personally filed a protest with the Secretary of the Treasury. His reception by this official is best told in his own words:

Mr. BROWN. * * * I called on the Secretary of the Treasury and asked him, in view of the fact that we were unable to make any satisfactory arrangements with his committee, would he not permit us to go ahead independently and finish our work. He said, no; that he would not be willing; that he did not think it desirable to have two investigational organizations running neck and neck in the office at the same time.

Whereupon, in the language of Mr. Brown, the Efficiency Division withdrew from the Treasury Department. "If substantial reductions in expenses" were achieved in this instance, then certainly the department officials did not show the proper appreciation.

THE POST OFFICE DEPARTMENT.

And now, at last, where do we find it? In the Post Office Department.

Mr. MADDEN. You will find it also in the Bureau of War Risk Insurance.

Mr. GALLIVAN. Oh, I am coming to that after a bit.

Some time early in 1915, about the close of his ill-starred two-year campaign in the Treasury Department, Chief Brown turned his attention to the Post Office Department, and here, it seems, his reception was much more cordial than in any previous assignment. Later we find Postmaster General Burleson, in the hearings before the House Appropriations Committee, graciously referring to Mr. Brown as a "member of my personnel committee in the Post Office Department." At the same time Mr. Denning, chief clerk of the Post Office Department, explains:

The committee in the Post Office Department is called the committee on personnel, as distinguished from the Division of Efficiency, as it is called in the Civil Service Commission. Mr. Brown is chief. The Civil Service Division works out the ratings, based on the law, and the committee on personnel in the Post Office Department is charged with the enforcement of those ratings, so far as the Post Office Department is concerned.

The act of August 23, 1912, was enacted into law while Mr. Burleson was a member of the Appropriations Committee of the House, and it appears that he was keenly interested at that time in the idea, and later, as Postmaster General, anxious to give the system a trial. Accordingly, as President McIlhenny, of the Civil Service Commission, testified, "the Efficiency Division therefore went in and, with Mr. Burleson's powerful assistance, has accomplished a reorganization of that department and the establishment of an efficiency system." Nevertheless, we find Mr. McIlhenny in 1916 quite dubious regarding the success of the efficiency system as installed in the Post Office Department, viewing it rather as an experiment whose worth could only be determined by the test of time. On the contrary, Mr. Brown held no such fears. "We have worked out," he said, "a system of efficiency ratings in the Post Office Department that I think is about as good as it is possible to get. The results speak for themselves."

That was in January, 1916. Since that time the efficiency system thus fastened on the Post Office has given the department the time of its life, and "the results," as Mr. Brown said, "speak for themselves," but far from the way Mr. Brown so confidently predicted.

From the day this efficiency system began operation trouble piled on trouble has accumulated for the Post Office Department. Mails have been delayed inexcusably; the service has been dislocated and at times almost demoralized; soldiers' mail, both at home and abroad, has been scattered and held up without rhyme or reason; a flood of public complaint has deluged Congress, coming from all sections of the country; and the subject has been the source of bitter debate on many occasions at both ends of the Capitol; newspaper criticism has raged, going so far as to

call for the resignation of the Postmaster General; and even the postal employees sulked at their work in sullen and rebellious resentment. The results speak for themselves indeed. Confusion and chaos has been the mature flower of the Brown efficiency system in the Post Office Department, compelling finally a softened attitude of those in authority and a modification of the system itself in deference to this indignant nation-wide public clamor. In a speech I delivered in this body on May 1, 1918, the workings of this efficiency system were exposed and its claims exploded, proving it to be an utter failure in every particular. Let me now repeat one emphatic statement made at that time:

* * * Were the people familiar with the multitude of injuries they have suffered through having a commendable purpose of efficiency twisted and perverted out of all shape or meaning by a squad of egotistical, tinkering experimenters, inspired by an utterly selfish motive, they would make short shrift of them and in less time than it takes me to explain the workings of their so-called efficiency system.

The system is a hopeless financial failure, just as it is in every other way. Nothing good can be said in its defense. It is philosophically unsound, and it is based on an utter misconception of the proper relations of the post office to the people and the worker to his work. It must go.

And here I may add both Burleson and Brown ought to be thrown into the discard with it. Hasten the day!

THE WAR RISK BUREAU.

Quite recently the management of the War Risk Bureau has been the subject of bitter denunciation both in the House and in the Senate. Everybody is familiar with the subject. Incompetency, negligence, and an utter lack of system in conducting its business are alleged, and many pathetic incidents are recited showing the embarrassments and injury to soldiers and soldiers' dependents that flowed from its choked and confused administrative process. Almost unbelievable stories have been told of the demoralized condition of this bureau, which Representative MADDEN charged in an address to the House on January 2, 1919, "is a stench in the nostrils of every man that has anything to do with it." Representative RUCKER, on December 13, 1918, referred to information he had received showing where some 300,000 letters had reached this bureau, accumulating in a neglected pile, while soldiers' wives and dependents waited in vain for a reply. Much more evidence in the same strain has been filed, leaving no doubt that the indictment against this bureau was grounded on solid fact.

It is to this very bureau that Chief Brown, now of the Bureau of Efficiency, has come to climax his unusual career as an efficiency expert in the Government service. Some time in October, 1917, he was called to aid in supervising its organization work and to install efficient administrative methods. He has been there ever since. He is there now. "I hold no brief for Mr. Brown," says Representative STAFFORD in the House on December 13 in reply to the flood of criticism of the War Risk Bureau, "but I do know they are employing clerks by the thousands in order to pay the allotments and pay the insurance that will come due and the compensation to those that have been injured."

Yet this is the same Bureau of Efficiency, according to Mr. Brown's testimony of January 7, 1918, before the House Appropriations Committee, whose services were enlisted to place the War Risk Bureau on a business basis and, in his words, "to work out the simplest and most effective method of doing every job." Here Mr. Brown had no rival officials to dispute his sway. Here were no time-honored customs to overturn. The War Risk Bureau was virgin soil. Expert Brown was in flush at the very beginning to install his efficiency system without let or hindrance and to swing into full play his long-treasured ideas on effective organization. The results speak for themselves. With complaints rising in a swelling tide, while some 14,000 employees, housed in 18 buildings, are standing in each other's way in helpless confusion, it must finally dawn on Mr. Brown that there is something sadly wrong with his efficiency system. Nor is here any evidence of "substantial savings." And yet, strange as it may seem, despite much trouble, little progress, and many rebuffs, Mr. Brown and his idea have kept growing in prominence. Just a minor department, then an important division, and now an independent bureau—this is a record of less than six years. Surely there must still be magic in the word "efficiency."

THE NATIONAL CIVIL SERVICE REFORM LEAGUE.

Even with his latest unfortunate experience, Mr. Brown and the Bureau of Efficiency may still cherish ambitious dreams of expanding influence and power. In this tumultuous hour of reconstruction anything is possible, and recent developments indicate that in this particular instance big things may now be under way.

The National Civil Service Reform League is an organization opposed to the spoils system in politics and committed to ideas of efficiency in the Government service. It numbers among its members men prominent in public affairs. Its president is Mr. Richard H. Dana, of Boston, and late in November, 1918, Mr. Dana, as chairman of a league committee of five members, released a sweeping indictment against the present Civil Service Commission, charging it with general incompetency and calling for its reorganization. President Dana furthermore charges particularly that the Civil Service Commission is in collusion with the Post Office Department, and by submitting eligible lists to Congressmen have cooperated in "securing the partisan reconstruction of the so-called motor Rural Free Delivery Service." More revelations along the same line are promised by Mr. Dana in the early future.

A surprisingly intimate knowledge of the inside workings of both the Civil Service Commission and the Post Office Department is revealed in this attack by the league causing the initiated to be curious as to their source of information. It is known, however, that a bond of friendly intimacy exists between the officers of the league and Mr. Herbert D. Brown, and President Dana in committee hearings has on a number of occasions referred approvingly to Mr. Brown's opinions, stating in one instance that "the league had employed Mr. Brown years ago."

The peculiar aspect of this whole affair lies in the fact that while Mr. Dana, president of the league, goes gunning to promote the reorganization and run the present Civil Service Commission out of office it happens that at almost exactly the same time Mr. William A. Bird, editor of Good Government, the official publication of the Civil Service Reform League, offers a comprehensive plan to expand the powers of the Civil Service Commission and provide for its reorganization. And the strange part of the whole business is that, according to Mr. Bird's plan, Mr. Herbert D. Brown would naturally and logically float into the vacancy at the head of the reorganized Civil Service Commission, which President Dana leading a determined onslaught had created.

The Public is a widely read weekly publication of aggressive and progressive tendencies. In its issue of November 16, 1918, there appears a contribution from the pen of William A. Bird on the subject of civil-service reform. This article calls for a reorganization of the Government service along more efficient lines, and, what is more to the point, offers a platform showing how this reorganization should be effected. Here is how it is to be done:

Transformation of the Civil Service Commission into a genuine employment department by giving it complete jurisdiction over all appointments, promotions, and removals, except of officers appointed with senatorial confirmation.

Prescription of competitive examinations for the latter class of offices, except those of Cabinet rank or those having distinctly policy-determining functions, and the nomination to the Senate of the highest on the list.

Consolidation of the Efficiency Bureau with the Civil Service Commission, giving it the duty of keeping service records of all employees, on which all promotions, dismissals, etc., should be based.

Discontinuance of separate hiring and firing by all other agencies of the Government and of recruiting applicants for examinations, these functions to belong solely to the Civil Service Commission.

A careful perusal of this program of reorganization will show the unlimited authority it is proposed to vest in the Civil Service Commission. Promotions, removals, transfers, the right to hire and fire are, according to this plan, to be the future functions of the Civil Service Commission and fully a million employees are to come under its benign jurisdiction, no one escaping except the few of Cabinet rank. This is indeed an ambitious program. The Civil Service Commission would achieve a distinction at once that would make it the mecca of all office-seekers' hopes. But the important item in point is that the Bureau of Efficiency is to be joined to the Civil Service Commission, with greatly expanded powers over the Government employees. Then it must naturally follow when the present Civil Service Commission has been thrown out of office on President Dana's list of changes some one else must be selected to fill their places. And who would be more logically a candidate than the Chief of the Bureau of Efficiency, Mr. Herbert D. Brown? And the fact that Mr. Brown might aspire for and even reach this prospective eminence would not be a whit more strange in the light of his past career than that he now holds his present important station. It is a matter well worth thinking about.

Did the situation warrant this entire subject could be continued at length. A careful inquiry tracing the ramifications of this bureau will, I am sure, reveal further evidence that will justify its entire discontinuance. I disclaim any animus or interest either in Mr. Brown or the Bureau of Efficiency other than what springs from a concern for the public welfare. Any error I have made in this indictment will be freely acknowledged when the facts presented in rebuttal prove my deductions incorrect or inaccurate statements to have been made. In the light of all information available, however, I am utterly unable to see where this Bureau of Efficiency fills any useful niche in

governmental activities or contributes any beneficial service worth mentioning. I doubt that it has effected any considerable saving of the people's money. The cost of its operation has grown to be an imposing total and each year a large additional appropriation is demanded for its maintenance. The conviction grows upon me that the Bureau of Efficiency could be entirely wiped out without loss to the public service.

If, however, it is the wish of Congress to continue this bureau, then its affairs should be overhauled and a more efficient system of accounting and administration installed. Its expenditures should be confined within its appropriations. It should make its reports promptly to Congress when ordered to do so. It should give a detailed and specific account of its activities, clearly show the character of work it is doing, state explicitly the amount and nature of the savings it has effected, and compile its reports in such a manner that the ordinary legislator can read and understand. We want efficiency; it is a good thing. What we do not want, however, is any Government institution, guilty of gross negligence and inattention to public duty, attempt to conceal its impotence under some high-sounding title. Efficiency is as efficiency does. [Applause.]

Mr. STAFFORD. Mr. Chairman, I yield 30 minutes to the gentleman from Illinois [Mr. MASON].

Mr. MASON. Mr. Chairman, I address myself to the question of a league of nations to enforce peace, and approach it with sincerity and humility, asking only unprejudiced and thoughtful colleagues to consider the views suggested, with the same spirit of charity which I am endeavoring to use in presenting them. I am told that there is a tribe in Africa, who, when meeting anything in life that is new to them, they immediately shoot at it; and that in the same neighborhood there is another tribe which, when meeting anything new they immediately fall down and worship it. Let us hope that we will rear a tribe in Congress that will meet this new question without either violence or fear, but rather meet it calmly and with what intelligence we can command, patiently solve the problem. The league of nations to enforce peace is of necessity, somewhat vague and indefinite, and most of the objections thus far raised seem to me to grow from a misconception of the plan suggested by the organization in this country, known as "The League to Enforce Peace," which apparently has met the practical approval of the President of the United States, and, as I think I shall show, with the substantial approval of the late ex-President Roosevelt. In order that it may be understood, I quote from propositions made by the league. The following is a brief exposition of the league's program, presented by ex-President Taft:

Briefly, it is proposed that a league of nations, including the United States, be created at the end of the present war. An invitation to join the league would probably be extended to all civilized and progressive nations. A general treaty would be signed, by the terms of which the member nations would mutually agree to submit to public hearing any and all disputes which might arise among them. Such an agreement would not apply to quarrels of a purely national character and would not, therefore, interfere with insurrections or prevent revolutions. To carry out the program it would be necessary to set up two international tribunals—a judicial court, for the purpose of hearing those questions that can be determined by the accepted and established rules of international law and equity, and a council of conciliation, for the purpose of composing by compromise all other questions that come up which, unless settled, would be likely to lead to war. A peaceful way would thus be provided to change unjust conditions however arising. The court, after preliminary inquiry, would determine before which tribunal a given case would go. In the event of any member nation, without first submitting its quarrel to public review and report, all the other nations who are members of the league would immediately join in bringing to bear both diplomatic and economic pressure to stop the would-be aggressor. If after this joint protest it persisted with overt acts of hostility and actually commenced war, then the other member nations, with their combined military and naval forces, would come to the defense of the one attacked. It is confidently expected that the acceptance and operation of the program would result in the gradual reduction of armaments, if a specific agreement to reduce armaments were not made one of the essential terms of the treaty creating the league of nations.

I read now from an article by Theodore Roosevelt:

Fortunately, Mr. Taft has set forth the proposal for such a league under existing conditions with such wisdom in refusing to let adherence to the principle be clouded by insistence upon improper or unimportant methods of enforcement that we can speak of the league as a practical matter. I think that most of our people are in favor of the establishment of the principle of such a league under common-sense conditions which will not attempt too much and thereby expose the movement to the absolute certainty of ridicule and failure. There must be an honest effort to eliminate some of the causes that may produce future wars and to minimize the area of such wars.

SUPPLEMENT TO NATIONAL DEFENSE.

Mr. Taft explicitly admits and insists that the league is to be a supplement to and in no sense a substitute for the duty of our Nation to prepare its own strength for its own defense. He also explicitly provides that among the various peoples who would not be admitted to the league on an equality with the others there shall be different spheres of interests assumed by the different powers who have entered into the league.

For example, the affairs of either Asia, the Balkan Peninsula, and of north Africa are of prime concern to the powers of Europe, and the United States should be under no covenant to go to war about matters in which its people have no concern and probably no intelligent interest.

MONROE DOCTRINE MUST STAND.

On the other hand, the Monroe doctrine—at least for all America between the Equator and the southern boundary of the United States—is a vital point of American policy and must in no shape or way be interfered with. We do not interfere with existing conditions, but aside from these no European or Asiatic power is to have any say so in the future of Mexico, Central America, and the lands whose coasts are washed by the Caribbean Sea.

The Panama Canal must not be internationalized. It is our canal. We built it, we fortified it, and we will protect it, and we will not permit our enemies to use it in war. In time of peace all nations shall use it alike, but in time of war our interest at once becomes dominant.

RESERVES INTERNAL QUESTIONS.

Most wisely, Mr. Taft's plan reserves for each nation certain matters of such vital national interest that they can not be put before any international tribunal. This country must settle its own tariff and industrial policies and the question of admitting immigrants to work or to citizenship and all similar matters, the exercise of which was claimed as a right when in 1776 we became an independent Nation. We will not surrender our independence to a league of nations any more than to a single nation.

Moreover, no international court must be intrusted with the decision of what is and what is not justifiable. In the articles of agreement the nonjustifiable matters should be as sharply defined as possible, and until some better plan can be devised the nation itself must reserve to itself the right as each case arises to say what these matters are.

And a few excerpts from the addresses of President Wilson:

I pray God that if this contest have no other result, it will at least have the result of creating an international tribune and producing some sort of joint guaranty of peace on the part of the great nations of the world. * * * Now, let us suppose that we have formed a family of nations and that family of nations says: "The world is not going to have any more wars of this sort without at least first going through certain processes to show whether there is anything in its case or not." If you say "We shall not have any war," you have got to have the force to make the "shall" bite. And the rest of the world, if America takes part in this thing, will have the right to expect from her that she contribute her element of force to the general understanding. Surely that is not a militaristic ideal. That is a very practical ideal."

Mr. Chairman, I ask leave to extend my remarks, because I did not think it necessary to read to my colleagues all of these excerpts.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

Mr. MASON. If there is any desire on the part of anyone to know the President's views in a general way, I would recommend them to read his address delivered in Washington, D. C., May 27, 1916; also his Memorial Day address, May 30, the same year; and of June 13, 1916; June 17, 1916; September 2, 1916; October 6, 18, and 25, 1916; November 4, 1916; his address to the Senate, January 22, 1917; and his war message to Congress, April 2, 1917. I also desire to call your attention to the remarks of Lloyd George on January 11, 1917, when he says: "The best security for peace will be that nations will band themselves together to punish the peace breaker." The former prime minister of Great Britain, Hon. Herbert Asquith, indorses our President's views in the following:

The President held out to his hearers the prospect of an era when the civilization of mankind, banded together for the purpose, will make it their joint and several duty to repress by their united authority and, if need be, by their combined naval and military forces, any wanton or aggressive invasion of the peace of the world. It is a fine ideal, which must arouse all our sympathies.

Mr. Chairman, the league of nations and all others speaking of the cases to be heard use the word "justiceable," and it may not be out of place to explain briefly its meaning, for I believe that it has been greatly misconceived by distinguished statesmen of our own country, and when you once get at the root of the word and its proper use it will seem as though our distinguished friends in the Senate fight a man of straw and are afraid of their own shadows. I say this with great respect, for, as a matter of fact, I discuss this question with humility, because such distinguished Senators have seemed to comment adversely upon the whole proposition. One, a Senator from Massachusetts, who has earned his leadership in American diplomacy, another distinguished Senator who has honored the office of Secretary of State, another Senator from the State of Missouri who has attracted the attention of Americans by his courage and ability. The questions they ask are entirely pertinent, but clearly indicate their opposition to the plan. First, Mr. Speaker, it is proposed to submit only "justiceable" questions. Those who write dictionaries say that the word is obsolete. It is used by our Supreme Court in a way that clearly indicates that it applies not only to the cause but to the authority or jurisdiction of the court. Kinny's Law Dictionary shows "justiceable" in old English law means "amenable; summonable." "Summons" at law means "called by authority to appear at the place named." So that a cause to be justiceable in the court means not only that it involves the question of

justice between parties, but it means that the court considering it has jurisdiction and with power to compel attendance. To illustrate, the Supreme Court of the United States in several cases where they use the word show that it means something more than the cause itself. No cause can be submitted to this international court or league that is not submitted by the Senate of the United States, and when Senators ask questions which even suggest the possibility of submitting fixed American principles to that court or submitting questions which would involve the constitutional rights of the citizen he expresses a fear as to his own future conduct, which, it is hoped, in the fair and open discussion of this case they will overcome. To illustrate, if some foreign country, being aggrieved at the conduct of our citizens, should demand that those citizens be tried at this international court, an American Senate could be relied upon not to make a treaty which would deprive a citizen of his right of trial by jury, and even if the President and the Senate should so far forget their duty as to attempt to compel an American citizen to be tried without a jury the Supreme Court of the United States will grant a writ of habeas corpus just as cheerfully as they now set aside the laws now passed by Congress which they find to be in conflict with the Constitution.

Then the word "justiciable," as it must be used now, carries with it a jurisdictional question, and clearly no question which involves the honor of this Nation or the fixed constitutional rights of our citizens would be "justiciable" in an international court, and could not be made so by treaty which violates the Constitution of the United States. Any such league or court could not, under the present propositions, hear without the consent of the parties in interest, because the United States, regarded as one State, under international law has not surrendered or agreed to any such power. The difference can be illustrated by the opinion of Chief Justice Fuller, Louisiana v. Mississippi (202 U. S. Supreme Court, p. 33). Mr. Justice Fuller used this language:

> The demurrer was overruled because the court was of opinion that the bill presented a prima facie case of justiciable controversy between Louisiana and Mississippi, and such a controversy as to fully sustain our jurisdiction.

By the Constitution of the United States, all of the States submitted certain questions of controversy between themselves to the Supreme Court, and gave to that court exclusive jurisdiction.

Mr. Justice Bradley, in the case of Hands v. Louisiana (134 U. S. Supreme Court, p. 1), stated that the Constitution of the United States made some causes justiciable "which were not known as such at the common law." And in the case of Missouri v. The Illinois Sanitary Districts of Chicago the court took jurisdiction because of the drainage in the sanitary districts affecting the waters in Missouri, and though no boundary lines, or anything which had been theretofore considered as a controversy between States was involved, yet the court held that it was justiciable in the Supreme Court of the United States, and the reasons given are most progressive, holding, in substance, that as Missouri could not make war against Illinois there must be some remedy and that the cause presented was justiciable, again showing that "justiciable" in its modern application involved jurisdictional questions.

The United States, being a sovereign State and having power to make war, can not be forced into this court except by agreement, and that agreement would be the thing would give jurisdiction and that agreement will not only lay down the questions to be settled but might, and probably would, make certain rules which would become part of the law of the case submitted.

As a matter of fact, Webster says that the word "justiciable" is obsolete, but the word is not obsolete, although the old definition is, in my opinion, out of use. When the Supreme Court of the United States uses the word "justiciable," it means that there is a case which can be heard in that court either by agreement of the parties or by reason of the Constitution of the United States—in other words, there is a case of which the Supreme Court has jurisdiction with power to summon the offending party into court—which gave that court jurisdiction and power. In my humble opinion a better definition of the word "justiciable," or at least a definition which explains its true meaning when considering this tribunal which may be established by a league of nations, is to add to the definition a cause that may be heard and determined in a court of justice where the court has jurisdiction with power to summons and where the agreement submitting the question becomes a part of the law governing the cause submitted. With this definition in view, every nation can guard its own interest in the submission of its cause, and looking, as it is our duty to do, to the interests of the United States, no cause could ever be made "justiciable" which endangered our integrity as a Nation or put in jeopardy the inalienable rights of our citizens.

Suppose the Senate should submit a treaty which allowed that court or league to determine how much tax we should pay in support of a given church. That would not be "justiciable" nor could the Senate make it so. There is not a suggestion in the so-called Taft plan, or any plan in the President's speeches, that would allow that court to interfere with the domestic policy of any nation. The opposite is suggested by everyone. So we can put aside our timidity on that score.

Mr. TILSON. Will the gentleman yield for a question at that point, before leaving the question of justiciable cases? I desire to ask him as to what number of cases that would remove if you applied it to justiciable cases only. Would it be important in number?

Mr. MASON. It means simply this, in my opinion, that every case would have to be submitted separately at first; and that in submitting a case the stipulations or treaty submitting it would limit the questions to be tried and it would become a part of the law governing the case.

Mr. TILSON. It would simply be submitting it that makes it justiciable?

Mr. MASON. Yes; otherwise it could not be until you submit it, because it has no natural jurisdiction. The Supreme Court has jurisdiction in the controversies between the States, because the States have no power to declare war, having delegated that power to the United States of America, and the Supreme Court of the United States got exclusive jurisdiction over all controversies between the States by the Constitution.

But, Mr. Chairman, we are asked of what use can such a court be unless it has power to enforce its own jurisdiction as well as power to enforce its decrees? Anyone familiar with arbitration in our domestic affairs will remember that we met that same question in different States when we established boards of arbitration that were not compulsory, and all know what a great stride that was toward the protection of the peace of our community. We said to the capitalist and to the labor organization, "There is the board of arbitration"; and the one who refused to step into that tribunal immediately lost public sentiment and lost his cause. We can not expect in this starting in to make new international law to accomplish all at the beginning, but the moment that the tribunal is established and war is threatened between any nations, great or small, the nation that refuses to submit to an impartial court loses the respect and the confidence of the nations of the world, the respect and the confidence of its own people, and by its very refusal admits that its demands are not based on justice.

Again I say to the timid: Let not your heart be troubled. The Senate will never by general or special treaty submit Americanism to any court, and they can not do it if they try, for which thank God and the Constitution of the United States.

My next proposition is that there is a treaty, under law and good conscience, existing between all the nations at war which agrees to the league of nations to enforce peace and for self-determination of the little peoples of the world. When, you may ask, did the powers agree to that treaty? My answer is, the day that President Wilson's propositions were approved by our allies and accepted by the central powers. By the law of right, not might, all other treaties, private and public, between any or all of the parties were merged into that treaty.

I know the terms of secret treaties between our associates made before we entered the war provided, in the case of success of their arms, that territory should be taken and government be without the consent of the governed. I know that the Senate of the United States did not in form advise and consent to that agreement, made by us and accepted by our allies. I know that the several sovereigns did not in form authorize it to be signed and sealed by their several ministers. But I also know the two propositions for which I contend—self-determination and permanent peace—were reduced to writing by our President, approved by our associates, accepted in writing by our enemies, approved by 100,000,000 American people, and sealed by the blood of our sons. And that signing and sealing ought in honor to bind any honorable man or nation.

Mr. Chairman, our country is facing the greatest problem that has ever confronted it. In all of written history no such situation or anything approaching it has presented itself. We will be able, as a Nation, to meet these great questions if we will put aside partisan jealousy and political interests and, forgetting all past differences, approach these questions in a spirit of unselfishness.

The conflict just closed will be known in history as "The War," possibly "The World War" or "The Great War"; and while we felicitate ourselves on its result we must give credit where credit is due—not to statesmen, not to the great business men who have made sacrifices, not to the great officers who have rendered such splendid service, but to the sturdy American boy who on the western front went fearlessly into the face of the enemy and turned the tide of war on that spring morning in

1918. And the first step in the discharge of the duty that lies before us is to protect those boys and those who depend upon them against further sacrifices. None of our higher aspirations for an ideal future can come about if we can neglect "the least of these" who tendered their all in their country's service.

Mr. Chairman, it is the duty of the President to negotiate treaties for acceptance or rejection by the Senate of the United States. According to both Webster and Clay, the House of Representatives must be interested in those treaties, as that body must furnish the means—the legislation and money—to carry out any treaty which the President and the Senate may make. And, then, back of us are the people themselves, who make and unmake Presidents and Congresses; and, in the last analysis, public opinion must approve any treaty to make it valuable to the world.

The American people, then, having to pass final judgment upon the conduct of the President and the Congress—the American people being the court of last resort—it follows that that court should be informed as to all the facts, and this can be made possible only by open and free discussion in the peace parley now in progress. It would be worse than folly to ask an intelligent verdict from a jury when the facts had all been excluded from that jury. No final verdict that will make for civilization can be had if the American Congress and the American people are to be gagged, bound, and tongue-tied while considering these great questions. There must be absolutely no secret trading or conniving. Let those who come to the peace table be prepared to speak openly, and, if they are so compelled to do, there will be less of selfishness and none of us will make demands that do not appeal to the human sense of justice. And in the greatest of all the questions, the right of self-determination of the little peoples of the world, all should be open and free, so that there may be no controversy in the future as to what facts were permitted to be known by the people and what facts were concealed from the people.

It is said by some that the treaty of peace will be somewhat hampered by secret treaties of the past; if so, then the keeping of the secret treaties will be kept rather in the "breach than in the performance." I have shown it would not be a breach of treaty since the terms have been agreed to by all nations. The trouble all along has been that international law has not kept pace with civil law, for under international law there is written into every treaty by the law itself "This treaty is binding only so long as it is found to be to the interest of the parties hereto." We have complained of the breach of treaties; the complaint lies deeper—the complaint is against the unethical rule of international law which permits the cancellation of treaties whenever either party says they are against the interests of that party. We are standing facing the greatest opportunity to amend international law that has ever been presented to us, and if we fail to rise in this emergency the great sacrifices of the past few years will have been in vain.

Every citizen has a right to think and speak. I suggest as a part, at first, the simple statement:

We hereby form a league of nations to secure permanent peace, to which all nations are invited.

We agree to refrain from making with any nation any secret treaty or agreement.

We agree that in case of any disagreement between the parties hereto or between any of the parties hereto and any other nation—provided such disagreement does not involve the sovereignty of any nation—to submit such disagreement to such league of nations for conciliation before committing any act of war upon any nation.

We are in a position now to stop the wicked demands of "military necessity" and the plea of "national safety," given as a reason for war. We are in a position now to prevent international dueling, called war, as we have stopped the dueling of individuals in the United States.

It is feared by some of the best of our students of statecraft that we might, in entering such a league, violate the Constitution of the United States. That objection, however, answers itself when we consider that whatever we do in maintaining the peace of the world will be done by the treaty-making power which becomes the law of our land.

Those treaties need come only to the establishment of "neutral" zones, territories, or States. It was not unconstitutional for the United States to agree that Panama should be neutral territory; it was not unconstitutional when, in the keeping of that treaty, the President of the United States forbade and prevented fighting and the killing of people there; in other words, he prevented war.

Of course, that was in the interest of trade and commerce, another name for a dollar; and, now, standing in the shadow of our great sacrifice, sorrowing in the loss of our children and suffering with the broken-hearted wives and mothers, have we not enough of genius and the spirit of Christ with us to demand in the field of diplomacy as much consideration for human hearts and lives as we have heretofore given in the interest of trade and commerce?

Some say that in our action in Panama we did violence to our little neighbor, the United States of Colombia. Then, if so, let this great international court consider that very question. Our sister Republic has made a claim against us; our President has recommended the payment of a large sum of money. He makes this recommendation in good conscience, yet I never could, as an American or as a judge sitting in the case, with my knowledge of the facts, vote for one cent to our sister Republic. But I know the dangers of an interested judge or a prejudiced jury, and while I feel that we do not owe them one penny I would be willing to leave the matter to a disinterested court, because the case could be made by treaty to come within the word "justiciable." It is a claim sounding in dollars and cents, and if a disinterested court should decide that the United States owes the Republic $10,000,000 or $20,000,000, as one citizen I would rather pay it than to face the world with the proposition that we refused to pay our honorable obligations to the little peoples of the world wherever they may be located and refused to enter a court of justice. If, by any course of reason, an unprejudiced court was to decide against America, I would rather suffer what seems to be a financial wrong than to take the life of our neighbor or sacrifice an American boy.

Suppose a treaty was made that we would make war on certain conditions. This could not relieve Congress from its power to declare war or not as the conditions require.

We are told that it would destroy the Monroe doctrine. Mr. Chairman, the Monroe doctrine is as full of strange constructions and debatable propositions as the plan of salvation in religion and as surrounds the "freedom of the seas" in the field of diplomacy.

I think that about the middle of the last century Lord Palmerston announced the doctrine that where citizens invested their money it was the duty of the Government to collect it, and if a few freebooters in one country could, by bribery or corruption of the officials of a little nation, put the burden of taxes upon that nation, then the army and navy could be used to collect, regardless of the equity. We have seen enterprising, unsavory gentlemen, even from our own dear country, going into South America and by corrupting the ruling powers they have been able to get millions of bonds guaranteed by the Government where the money invested was from one-tenth to one-third of the bond.

It can be said to the credit of President Roosevelt that he enlarged along the lines of justice the rules of the Monroe doctrine. We have gradually stretched the Monroe doctrine around Cape Horn and taken in all of the islands of the sea, except where some other unselfish nations, including monarchies and republics, have extended their Monroe doctrines and got there ahead of us. The whole Monroe doctrine, as stated by President Monroe, is but the placing in words of what was known in international law as the "zone of influence." That zone of influence law was based on geographic nearness; but history shows that it was a rule that did not work. On the contrary, the doctrine of nearness gave way to the doctrine of diligence and expansion. The Monroe doctrine can be improved under the league of nations as proposed by Mr. Taft and his colaborers, and is not an impossible or an iridescent dream to say that that league, once established, the duties of the United States of America would be much lightened, for back of the Stars and Stripes would be the colors of every civilized nation in the world, prohibiting the invasion of one country by another and protecting the sovereignty of the smallest peoples on the earth.

Mr. Chairman, again we are told there are so many intricate questions. I know it, Mr. Chairman. When one enters the field with open mind he is staggered to see how little he knows of the intricate problems that confront us. It is most distressing to hear inexperienced men who solve these great human problems in the twinkling of an eye.

To-day, in the ancient birthplace of Christianity, wrested from "the unspeakable Turk," grave questions are arising. The people of the United States judge the Jewish race by our citizens here, and we, having seen their advancement in art, their success in commerce, and their loyalty to American ideals, feel that they can be trusted to manage their own inheritance. Our noble ally, France, makes a suggestion as to the reconstruction of that country, while our equally splendid ally, the English Jew begins to be fearful, I can judge by their writings, that the reorganization of that government may be left still subject to political intrigue and commercial exploit.

The paper of to-day shows that our noble and brave ally, the Italian, who has fought side by side with our boys and given unstintingly of lives and treasury, is met by a proposition of

those who seek to organize the new Serbian Nation, and a demand is made that the Italians evacuate Trentino and Istria. A few months' study of the Russian situation will leave you less informed than when you first began. We do know that American lives are being sacrificed in Russia to support one political party without the consent of Congress, which is alone the war-making power of the United States. We do know and feel sure that Poland, so long oppressed, is to rise again and take her place among the nations of the earth, and nowhere in the world is the news received with such joy as here in the United States, where we native Americans have learned to know that race to be able and worthy of self-government. We in Chicago know the Bohemian and the Lithuanian deserve that we keep our word. That is all they ask.

But it has its complications which must be met and solved in a spirit of righteousness, and unless we begin now, in this world parley, it would seem as though the sacrifice of blood and tears has been in vain. The "little peoples" of the world are promised consideration regardless of the question of whether they are nations or simply little peoples. We are told that we are not entering the realm even of discussing the relations of Great Britain and Ireland. Why? The British, the Scottish, and the Irish fought side by side with our boys; there is not a field where English valor was so nobly shown that is not stained by Irish blood. Are some questions too sacred to speak of? We have, or claim to have, some sovereignty in the Philippine Islands. They stood ready to serve; they are asking independence. If they should knock for admission and I was the doorkeeper, I would open the door and bid them thrice welcome as one of the "little peoples" of the world whose rights are to be considered. I know many of our friends will say that is an American question, but I say, "No; not after the sacrifice we have made for the little peoples of the world."

They say our flag is over the Philippine Islands, and that the British flag is over Ireland; and I say that the American flag has never been over the Philippines with the consent of the little people, and the flag of our ally, Great Britain, was put over, and has been kept over, Ireland by force and without the consent of the men, women, and children beneath that flag.

Mr. Chairman, I say this with no unkind feeling in my heart toward our ally, Great Britain, and certainly with no desire to cast reflections upon our splendid ally or upon our native land; but we have yet to learn, again and again, the old lesson that territory and people governed by force and against their will is wrong—eternally wrong—and that it means happiness neither to the Government nor to the governed.

It is a question of international honor; it is a question of whether the broad propositions made by the President of the United States, which were accepted by the American people, by our allies, and finally by Germany, means one thing for our friends and another for our enemies. If the President is right, and I believe he is, then the United States can not afford to demand independence for the little peoples of the world while we keep the American flag over the Philippine Islands and the British flag over Ireland. Mr. Chairman, the great hindrance to civilization has been the ungodly desire of one man to govern another man without his consent; the ungodly desire of one people to govern another people without their consent. [Applause.] To make other people happy our way. George III said from the throne he wanted us Americans to have the blessings of happiness that come from English liberty. Be happy our way. We got the large ego and said the same thing to the Filipino. [Applause.] They now ask independence. I am for it. How can we talk about self-determination for others and refuse it to the Filipino? Hear their prayer.

The legislature in a joint session held in the marble hall of the Ayuntamiento has adopted the following joint resolution:

"Whereas the chief executive has just informed the legislature that it may take official cognizance of the termination of hostilities in Europe under the terms of the armistice laid down by the United States and her associated Governments; and

"Whereas said terms of the armistice are such as to insure the advent of peace. Be it therefore

"*Resolved*, That a message of most heartfelt congratulations be sent to the President of the United States for the brilliant success obtained by the United States in the terrible war just ended, together with the expressions of the confident expectation of the Filipino people that this victory of power shall be converted into the victory of right through the glorious realization of the great ideals of humanity, justice, and liberty and self-government enunciated and reiterated by President Wilson.

"*Be it further resolved*, That it be recorded, as it is hereby recorded, the gratitude of the Filipino people to the United States for the part they were allowed to take in the most far-reaching enterprise ever undertaken by democracy, the first part of which, fought in the field of arms, has successfully ended.

"*Be it finally resolved*, That the Filipino people, which has unqualifiedly sided with the United States when the war was thrust upon her, hereby renew their adherence to the noble purposes sought in this war, and they place themselves again, as heretofore, at the pleasure of the American people, ready to contribute their modest but cordial and determined service in the forthcoming task of reconstruction and peace. The Filipino people believe that Providence, in choosing the American people as the leader in this stupendous and immortal enterprise, has ordained in its high designs that through the complete development and application to all peoples of the principles which have given birth to the United States the fruit of victory gained at the cost of untold sacrifices shall not have come to naught; that the world be made safe for democracy; that the rights and liberties of the small nations be forever secured and guaranteed; that the peoples desiring to be free be liberated and allowed to establish, without fear or hindrance, a government of their own choosing, and change it at will when so demanded by their best interests; that the weak be not at the mercy of the strong, and that the spirit of selfishness and domination be destroyed and established in its place amongst all free men of the world a new kingdom of constructive and equalitarian justice based upon foundations that will make it universal, secure, and permanent, and when all these things shall have been confirmed that the war, which has happily ended, has been fought in the interest of free humanity and the everlasting peace of the world."

MANILA, *November 19, 1918.*

SECRETARY OF WAR,
Washington

Referring to telegram from your office of the 15th instant, which I referred confidentially to the presidents of both houses of the legislature, I beg to transmit at their request the following:

"The main purpose of the Philippine mission was to secure from the United States the final adjustment of matters affecting our national independence. This mission could have been sent some time ago, but the war in which America was engaged and the noble issues to which we have given our most unqualified indorsement did not permit us to take such a step. The hostilities having now ended with the victory of American arms and ideals, our duty called upon us to act, hence the joint resolution unanimously passed by the Philippine Legislature providing that a special mission be sent to the United States. The Filipino people, which demand of its representatives these final steps, is earnestly desirous to establish its own independent government, not alone as the only fitting culmination of its efforts on behalf of its ideals of liberty and democracy but also as a practical corollary of the principles of self-government enunciated and reiterated by the President of the United States in his war messages. The mission is now organized and has decided to sail on the *Minoa*, due in San Francisco about the 17th of next month. This trip is publicly known and it has received the cordial approval of the whole country. In view, however, of the suggestions of the War Department transmitted to us by the Governor General four days ago, and having, as we have, absolute faith in the President, we are ready to defer to his wishes by postponing for the time being the trip of the mission. We are mindful of the grave responsibility we are assuming before the Filipino people in delaying the execution of a demand in which are involved its most vital interests, but we take this step after full deliberation, without misgivings, because of our firm conviction that the President already has a plan that will satisfy the national aspirations of the Filipino people, which we have on repeated occasions presented to the Government of the United States, and that the execution of such plan in so far as the Government of the United States is concerned is assured, during the present administration. In view of these facts and so that we may submit the point of view of the Filipino people, would the President allow us to hope that he will find some opportunity to confer and deliberate with the Filipino mission as to details as soon as it may be compatible with the most pressing war matters of the Government of the United States? As the authorized spokesmen of our people, we would not properly express its feelings if we did not take advantage of this opportunity to say that the Filipino people is profoundly grateful to the United States for her encouraging promises of independence, and for the assurances now reiterated, all confirming our faith that the interests of the Filipino people are safe in the hands of President Wilson."

In transmitting the foregoing message I have received another evidence of the wisdom of the Filipino leaders and of their faith in the President. I invite the President's attention, however, to the effect of his war addresses upon the Filipino people. They are encouraged by them to expect that independence would follow as a matter of course the victory of America. All agitation for independence has been avoided here during the war on account of the anxiety of the Filipinos to repress any expression of opinion which might be constructed as a lack of appreciation and loyalty to us at a time when their utmost support and cooperation was expected and enthusiastically given. It is certain that the Filipino people believed that the main issue of the war was the right to self-determination to every people, once disappointed, could present a serious military problem to the United States, but I respectfully submit that our position would be difficult and the situation of the representative of our country in the Philippines most embarrassing if the consideration of Philippine independence is now indefinitely postponed. The people here have become restless * * * and are really anxious to secure early action, settling definitely their future from a sympathetic and responsive Congress. Indecisive treatment of the question would be, in my opinion, an unfortunate culmination of our policy, which has made the people of the Islands so content and so prosperous during recent years. Will the President authorize me, at his convenience, to make some statement of policy here which will meet this situation?

HARRISON.

See our situation in Cuba. For the first time in the history of the world we made sacrifices without demanding territory or power. We promised, when we declared war against Spain, that we would not take territory. Notwithstanding that promise, the cry went up that wherever the American flag went up, it went to stay. "Keep Cuba"; and men and newspapers, sounding like a large parrot lined with a graphophone, repeated it from ocean to ocean: "Don't haul down the American flag; it's up to stay!" And then they branded as traitors and pro-Spanish every American gentleman who demanded that our country should keep its promise.

Mr. Chairman, I was in Cuba on the day our flag came down and the little republican flag of the single star took its place. Our flag, sir, is the most beautiful emblem in the world, but it never looked so beautiful to me as it did that day coming down,

because it was keeping the promise of a Christian Nation. [Applause.]

If I could speak to the conscience of the English Government and the English people I would beg them to know how much stronger to-day the American Government is in Cuba than the British Government is in Ireland. [Applause.] There is not a man, woman, or child in Cuba who does not love the American flag, and the moment we declared war against Germany the little brother sprang to our side with all he had to give in men, money, and ships. Why? Because we kept faith; because we stood by the right of the little peoples of the world to govern themselves. We made room in the Cuban sky for the Cuban flag; and when our brave and splendid mother country, Great Britain, makes room in the Irish sky for an Irish flag she will have a stronger ally in trade and commerce, peace or war, than she can ever have while the Irish citizen is a subject of Great Britain by force.

Mr. Chairman, in discussing the treatment to be given to Ireland, I agree with the proposition that we must stand with our allies in this now critical movement for the future peace of the world, and any American who knows the sacrifices of the English people, the loss in blood and treasury which they have sustained; any American who knows the willing sacrifice made by the English people and the bravery of her soldiers would not, for a moment, do anything to belittle the greatness of the English people. But, Mr. Speaker, that does not mean that the American Government and the American people shall be silent, nor does it mean that any American citizen, however weak and unimportant, shall be denied the right of speaking fearlessly, though with affectionate regard for our allies, upon every question that involves American honor and the future of our country. For that reason we can not stop to discuss the differences which have existed for centuries between the Irish people and the English Government. It is not necessary to recall the sorrows of Ireland any more than it is necessary for us to go back foolishly and talk about our differences in war more than 100 years ago. But Mr. Speaker, one of the things which holds the French and the American people, which made our people so willing to sacrifice in this war, was the help rendered to America in the War of the Revolution by the French people; and it will not be improper in this connection to consider that at the same time France was helping us to win our independence Ireland was doing the same thing. While our great Benjamin Franklin was preparing for the independence of our country, he visited Ireland as early as 1771. He went there to convince the Irish that their interests were the same as American interests; and Franklin says that he found the Irish people "disposed to be friends of America, in which I endeavored to confirm them with the expectation that our growing weight might in turn be thrown into one scale, and by joining our interests with theirs a more equitable treatment from this nation (England) might be obtained for themselves as well as for us."

It needs no great student of diplomacy to know that Franklin knew, and both England and Ireland knew, that he was, if necessary, willing to stir up trouble between Ireland and Great Britain if in so doing he could help America.

The first General Congress, which met in Philadelphia in 1774, appointed a committee to draft an address to the people of Ireland. That address was read on July 28, 1775, and says, among other things:

> You have ever been friendly to the rights of mankind, and we acknowledge with pleasure and gratitude that your nation has produced patriots who have nobly distinguished themselves in the cause of humanity and of America.

The great Pitt, in his defense of America in the English Parliament, declared that "Ireland was with America to a man"; and when the Earl of Effingham declared that we Americans were fellow subjects and that he would not draw his sword against our lives and liberties he was given by the people in Ireland an address of honor for his friendship for America.

Money was raised in Ireland by popular subscription to assist the American cause in the Revolutionary War. True it is that many Irishmen were in the war against us, but they were there as subjects of the nation at that time at war with us, and the thousands of Irish citizens who fought for our independence took the double chance of being killed in war and also of being tried for treason in case we failed. I speak of this in no spirit of resentment, but simply to correct the impression so prevalent among our people that the Irish people as a nation, or as a people, if you please, did not fight with us or help us in our own struggle for independence.

Mr. Chairman, the propositions made by our President were accepted in terms by our allies and with not a single protest except a suggestion as to some limitation of the meaning of "freedom of the seas." Therefore, in stating the propositions, so far as the Irish people are concerned, in quoting the demands of President Wilson, I am quoting what has been accepted by our allies. I call attention to the language of the President who, in making his demands, used the language of peoples and did not limit it to governments, so that for the purposes of this discussion it may be conceded that Ireland is not a nation; but no one will deny that the Irish are a people.

In the speech of September 27, 1918, the President names as the first of the five great issues of the war, "Shall the military power of any nation or group of nations be suffered to determine the fortunes of peoples over whom they have no right to rule except the right of force?" The third issue is, "Shall peoples be ruled and dominated, even in their own internal affairs, by arbitrary and irresponsible force or by their own will and choice?" And the President states that these "are the issues, and they must be settled definitely and once for all."

In the same speech he says "the satisfaction of the several peoples whose fortunes are dealt with" must be reached. The reading of this speech shows that that was addressed to all of our allies.

We turn to the 14 points made by the President on the 8th of January, 1918. In the tenth point he says: "The peoples of Austria-Hungary should be accorded the freest opportunity of autonomous development." In the twelfth point, while it provides that "the Turkish portions of the present Ottoman Empire should be assured a secure sovereignty, the other nationalities which are now under Turkish rule should be assured an undoubted security of life and an absolutely unmolested opportunity of autonomous development."

In the thirteenth point the language is even more explicit:

> An independent Polish state should be erected which should include the territories inhabited by indisputably Polish population. * * *

At the close of this address, he demands justice to all peoples and nationalities.

In the speech of the President of February 11, 1918, in replying to Von Hertling, he says:

> This war had its roots in the disregard of the rights of small nations and of nationalities which lacked the union and the force to make good their claim to determine their own allegiances and their own forms of political life. Covenants must now be entered into which will render such things impossible for the future; and those covenants must be backed by the united force of all the nations that love justice and are willing to maintain it at any cost.

I quote three of the four cardinal principles again laid down by the President to Congress on the 11th of February, 1918:

> II. That peoples and provinces are not to be bartered about from sovereignty to sovereignty, as if they were mere chattels and pawns in a game, even the great game, now forever discredited, of the balance of power; but that—
>
> III. Every territorial settlement involved in this war must be made in the interest and for the benefit of the populations concerned and not as a part of any mere adjustment or compromise of claims among rival states; and—
>
> IV. That all well-defined national aspirations shall be accorded the utmost satisfaction that can be accorded them without introducing new or perpetually old elements of discord and antagonism that would be likely in time to break the peace of Europe and, consequently, of the world.

I quote now from the President's great address at Mount Vernon, in which he restates his four points, and I insert in full his second point:

> II. The settlement of every question, whether of territory, of sovereignty, of economic arrangement, or of political relationship, upon the basis of the free acceptance of that settlement by the people immediately concerned, and not upon the basis of the material interest or advantage of any other nation or people which may desire a different settlement for the sake of its own exterior influence or mastery.

To-day there is no doubt that those who sit at the peace table will hear and consider the just claims of all the little peoples of the earth except Ireland. Mr. Chairman, we are told that this is purely an English question, and some say purely an Irish question. Mr. Chairman, I say it is neither.

We are told that self-determination and lasting peace are dreams. Dreams are thoughts.

There are good and bad dreams, practical dreams and idle dreams.

Less than 20 years ago a small number of men in a chamber near us said we should have Government savings banks. "Dreams," said our bankers. That we should have parcels post. "Dreams," cried the transportation companies. That we should have an income tax. "Dreams," said the rich man. That we should elect Members of that body by the people. "Dreams," said the political boss. That we should some time permit the majority to run that body. "Dreams," said the lovers of legislative power. Yet all these dreams have come true, and many more have come and will come. Every step in art, mechanics, or morals that has made for civilization has met with opposition, either by selfishness or pessimistic incredulity, sometimes both. While the dreamer of bad dreams has failed and been

forgotten, the dreamer of good dreams may be forgotten, but his dreams come true.

The German Emperor dreamed of a world conquest, of self. A poor boy from Illinois, Abe Lincoln, on his flat-boat trip to New Orleans saw them selling human beings to the highest bidder, and he dreamed a dream. Which one of these dreams has come true?

To say that good dreams come true is only another way of saying that right and not might shall prevail. We poor optimists who dream of a league to enforce peace are scoffed and called bad names by some of the ablest statesmen; yet I tell you the law is fixed as eternal as the law of gravitation, that our dream of peace is born of unselfishness; it is brought to us by the better angels of our nature, and as sure as God is marching on it shall come true.

Ever since the shepherds on the hillside heard the angels' song of "Peace on earth; good will to men," men have doubted, but that promise has persisted.

In the midst of the roar of cannon and the whine of the shell the "still small voice" has been heard, and now, with uncovered heads and open hearts, in the presence of our heroic dead, shall we not dedicate ourselves to that for which the Master died and for which our boys have rendered the full measure of service?

I pray that the God of battle, that has given victory to our colors in every war, may be with us still in our struggle for an honorable and lasting peace.

Mr. TILSON. Will the gentleman yield?

Mr. MASON. If it does not come out of that 10 minutes.

Mr. TILSON. I should like to know just how far the gentleman would carry the principle of self-determination. For instance, in the Philippines or in Ireland, as the gentleman has referred to these two cases, to how large a group would he apply the principle?

Mr. MASON. I would let the people there settle for themselves, as your dad and mine did in 1776. I asked Katherine Hughes, a well-known writer and a reliable representative of Irish nationality, as to the Ulster question, and this is her answer:

Ulster is an integral part of the ancient nation and territory of Ireland. It is a popular and a mistaken opinion in this country that all the Protestants of Ulster are opposed to the government of Ireland by the Irish. Ulster men qualified to judge claim that one-fifth of the Protestants of Ulster are nationalist Irish. Some of the most ardent Sinn Fein leaders to-day, like Blythe and Figgis and Hobson, are Protestants.

In all Ulster there is only a Protestant majority of 280,000. In Belfast city alone the entire Protestant majority of Ulster lives. In 5 of the 9 counties of Ulster the majority of the people are Catholic, viz. 81, 56, 54, 55, and 78 per cent of the population. In the 4 remaining counties the Protestant majority is 58, 54, 79, and 69 per cent. Ulster is not the richest Province of Ireland. Leinster is the richest and pays the largest share of taxes.

As Lindsay Crawford, an Ulster Protestant and founder of the Independent Orangemen, stated at Toronto last year in a public speech: "We can not forget the part that this Ulster played in the years gone by in the national fight. If in later years, through the intrigues of British statesmen, these men have been weaned from the national cause, it is not, I am convinced, a hopeless task to bring them back to the side of Ireland, to make them stand, as their fathers stood, for the defense and maintenance of Irish nationality."

It is an historical fact that 130 years ago the Protestants of Ulster were fighting with the Catholics of Ireland—the possessors and dispossessed making common cause—against England for Irish independence.

It is also a fact that some of the religious and political prejudice planted in Ulster after that era of independence still lingers. There are Ulstermen who claim their first duty is to England, not to their native land, Ireland. But I ask you to recall what Washington did with the Ulster problem on his hands in 1776. Those residents of America who preferred to remain "Loyalists" to England did so. Fifty thousand of these "Loyalists" fought in the English Army against American independence, and Washington simply regarded them as traitors to their country. It is on record that he called them "abominable pests of society." When American independence was established such of these Loyalists as desired to do so lived peacefully in America; The others moved into British territory and were recompensed by England for any pecuniary loss they suffered.

It is not even the dream of the leaders that war between half civilized and bogish nations can be stopped at once, but it is believed that it will prevent war in many cases and that in the course of time, patience, and unselfishness this human being will work out a plan so that the decrees of this court will be respected as much as we now respect the decrees and judgments of our State and national court. No one believes for a minute that in our courts we reach absolute justice in all cases. Justice is that most valued and priceless jewel frequently so hard to find, but civilization has taken the position in civil law that we would rather submit to the payment of the dollars which the courts say we owe and which we believe we do not owe. I say civilization has reached the point where we would rather pay it than to appeal from the courts of the country to a shotgun.

Even this great international court, hedged in by racial and religious prejudices or national interests, may in some cases work an injustice. We take the same chance in every court in this country, including the United States Supreme Court. Sometimes their opinions are given by a bare majority of one. Frequently in cases in which you have no possible interest the minority opinion may strike you as much sounder in law and logic, but under our American civilization in obedience to a high sense of Americanism we bow to that decision without dreaming of a bombing plane, a submarine, or even a "six gun" or a stiletto.

Mr. Chairman, the mere fact that such a court was established, the mere fact that its doors stood open would be an invitation to nations standing in a war-like attitude, would tend to prevent wicked and unreasonable demands on the part of one nation as a mere excuse for conquest. In the present state of mind of the people of this world no civilized nation will march into the territory of another nation, refusing an invitation into this court.

But some of the ablest and most distinguished students of diplomacy in and out of Congress say we must have peace first and trust to the future to make this league of nations. We have peace now; true, the final treaties have not been signed; and in my humble opinion unless some such court is agreed upon, as a permanent fixture in the jurisprudence of the world with power to hear submitted cases and power to enforce its decrees, we will have failed to accept this glorious opportunity now knocking at our door.

If we fail now, then American statesmanship has not reached the high level of American valor. How brave they were. Four Illinois regiments that formed the Infantry of the Thirty-third Division, from July 4 until the armistice was signed, never moved back 1 inch. Not one coward in 2,000,000 men. Why repeat the sacrifice to you? You have stood at the open grave. You have seen the mutilated still live, the deaf, the blind. We called to mothers to give their son's blood for a permanent peace, and some of the gentlemen who cried loudest for the sacrifice now shrug their shoulders and say, "What's the use, there has always been war; there will always be war." If we fail now and find that our sacrifice only meant to leave the world as it was—our dead have only given another twist to the kaleidoscope—swiftly changing the colors on the map. If we leave our enemies out to go home and in sullen despair to pay their debt and tax their people for another war; if our allies are to be able to say, see there our banner floats over an unwilling people; see we have more territory, regardless of the golden rule of self-determination; see the colonies that have changed their masters and have a new flag. If that is what our sons have died for, they have died in vain, and the world's war was a shamble and a farce. But, sir, if we can catch the spirit of the vision of peace and self-determination, it shall be ours to know that "There is a Divinity that shapes out ends," and ours to sing again, "Mine eyes have seen the glory of the coming of our Lord, and God is marching on." I thank you, gentlemen, for your attention. [Applause.]

Mr. STAFFORD. Mr. Chairman, did the gentleman from Illinois consume all of his time?

The CHAIRMAN. Yes; just exactly consumed his time.

Mr. BYRNS of Tennessee. Mr. Chairman, I yield 40 minutes to the gentleman from Virginia [Mr. MONTAGUE].

The CHAIRMAN. The gentleman from Virginia is recognized for 40 minutes.

Mr. MONTAGUE. Mr. Chairman and gentlemen of the committee, I beg to say in advance that I will not yield to interruptions, and I hope I shall not consume the 40 minutes which have been allotted to me.

Mr. Chairman, the President's departure from Washington to participate directly or indirectly in the peace conference soon to assemble at Versailles has unhappily evoked some criticism—criticism as to the authority and the wisdom of his mission and of his views upon the objects of his mission. But, fortunately, this House has not been the forum of originating or disseminating these criticisms, and it is the public conviction that this House does not share in these untimely and unnecessary animadversions.

HIS AUTHORITY.

Mr. Chairman, from my viewpoint, whatever may be the expediency or inexpediency of the President's extraordinary errand, no criticism thereof is justifiable at this time. Inquiries relating to his constitutional authority to absent himself from the seat of government for so long a time and at a distance so great are, of course, not untimely, for every act of the President must be sustained by the Constitution and laws made in pursuance thereof. Some eminent lawyers have denied the President's constitutional right thus to absent himself. This contention is comprehensively refuted by the organic authorization empowering him to make treaties, subject to the consent of

two-thirds of the Senate. By usage the President has heretofore delegated to others the framing of treaties in his behalf, which he has in turn presented to the Senate for concurrence. But whatever the usage, the original power to negotiate treaties is conferred upon the President by the express language of the Constitution itself. Manifestly he can not delegate a power which he does not possess, and if he were not so expressly empowered the repeated recognition of the validity of his delegation *proprio vigore* presupposes the existence of such power in the President. Therefore the President has the power either directly to negotiate a treaty himself or indirectly to negotiate it through his agents. To argue that he can exercise this power only by delegation is to give to an agent more authority than is given to the principal himself. In brief, the President has the whole power to negotiate treaties, and he may delegate a portion or all of this power or he himself may exercise the whole or any part of it. And it inevitably follows that in exercising this power he may do all things necessarily incident to its exercise. To empower the President to negotiate a treaty and to forbid his presence at the time and place of its negotiation is a palpable contradiction, a plain negation of his power. An analogy is found in his constitutional authorization to act as the Commander in Chief of the Army and Navy. It is obvious that he may execute this power by agents or he may assume it himself. If he assumes it, he may unquestionably accompany and command these forces, wherever they may lawfully be, and the Supreme Court has recently held that these forces may lawfully operate on foreign soil.

So I submit that the President may in person negotiate a treaty, and as an inexorable incident of this right he may visit such places at home or abroad and consume such time as may be necessary to conduct such negotiations. The power is clearly granted to him, and the method of its exercise is within his executive discretion, for which he is answerable to the people of America in the manner required by its institutions.

THE EXPEDIENCY OF HIS MISSION.

So much, Mr. Chairman, for the President's constitutional authority and right to absent himself from the country to participate in these negotiations. What of the expediency of his errand? There have been and are sincere differences of opinion as to the wisdom of his going abroad. But he has gone, he is in France, and he is there to exert more effectively than could be done by any other agency of our Government the great weight of this Nation to the negotiation of a proper treaty, and, in my unbiased judgment, all differences of opinion should now be composed or their expression withheld; and the President of the Nation should have, as I believe by an overwhelming majority he does have, the united and affirmative support of its people.

Mr. Chairman, I would accentuate the contention that it is the peculiar province of the President alone to determine at this vital juncture in the affairs of the world whether he can best serve America and civilization by staying at home or going abroad. The exigencies, the responsibilities, and the opportunities are best known to him. Then, too, his presence at the deliberations in Versailles has been most earnestly insisted upon by at least England and France, and their satisfaction at his presence in Europe has been expressed in the past few days by demonstrations of unprecedented magnitude and enthusiasm. So in the presence of the assembled nations he now finds his own errand approved, and shall we at this anxious period of human history impair their confidence or destroy their hopes—their confidence in us as a nation, their hopes in us as a friend? Shall we by partisan or hasty speech strike him down among those whom he and we would most serve in this agonizing hour?

Moreover, Mr. Chairman, the premiers of the allied nations will represent in person their Governments in the conference. These premiers practically appoint the representatives of their Government just as the Presidents have heretofore done for the United States. So when the premiers themselves decide to represent their Governments in the conference, there was no other course open to the President save practically to perform the same functions if the same weight and dignity were to be secured for America in the conference that will accrue to the allied Governments.

Mr. Chairman, in considering the criticisms made upon the President's errand, criticisms to which I have already alluded as well as criticisms to which I shall hereafter call attention, I would accentuate an observation that may be generally applied to them all, namely, that while any given criticism may in and of itself be wise in a given instance, another circumstance and another occasion will render the same criticism wholly unwise and positively injurious.

THE CONDUCT OF HIS MISSION.

I turn now, Mr. Chairman, to another class of criticisms; that is, criticisms relating to his manner or method of conducting or administering his mission. For example, it is contended that before his departure for France he should have taken "the American people into his confidence"; that he should have advised them in advance of the exact lines he would follow or the particular positions he would take in the conference; that he should have stated to the American public with meticulous precision his views upon the questions to be submitted to the conference and the order of precedence in which they should be considered.

We should bear in mind, Mr. Chairman, that this particular criticism emanates from those who energetically resent the President's personal performance of this great diplomatic function and who insist that it shall be performed by the old accustomed method of selected and appointed commissioners. The contrast of the two methods demonstrates the sincerity or logic of the critics, for the old method is the method of concealment, the method of secrecy. So we have this palpable contradiction: The same critics who demand of him a more definite expression of our international objects in reality would not have him but his representatives, namely, his delegated agents or commissioners, who, it should not be forgotten, must necessarily exercise concealment. These critics with one breath would have the President give his views, but in the next breath they would have in place of him a commission which must inexorably withhold their views. Therefore what other conclusion can be drawn than that the purpose of this criticism is not to secure a more definite expression of the objects of our Nation at the conference but to destroy the influence of the President in the performance of his mission by misleading the people to believe that the President should do what it is impracticable for him or any other agent of our Government to do?

Mr. Chairman, we should keep in mind that the President does not go to dictate but to help negotiate a treaty. Why, then, should we demand the particulars of his policies? Has he not already gone far beyond the other participating Governments in outlining the purposes and objects of his country? What of his "fourteen points" and other addresses, all of which have been directed to the precise subjects that will be submitted to the conference?

COMPOSITION OF THE COMMISSION.

Mr. Chairman, the President has incurred some criticism because he did not constitute the commission in whole or in part of Senators, the basis of the criticism being that the Senate itself would thereby be better informed regarding the details and temper of the conference from time to time. Obviously all of the proceedings of the conference, whether in full session or sitting in sections or committees, will be accurately recorded, preserved, and made available. Steam, mails, telegraph and telephone, stenography, and the press, all will combine to keep the Senate in intimate and adequate touch with the conference and all of its deliberations and conclusions. The "incidents living as they rise," the facts substantive or cognate, the arguments, relevant and irrelevant, all will be caught in repose or in motion and may be easily placed before the Senate. But why should the President be charged with this omission now? The United States has negotiated or been party to over 600 treaties, and I can recall only one of these the signers of which were in whole or in part Members of the Senate, and that one was the Spanish-American peace treaty. It is true that Senators have sat in arbitrations or other councils in some few instances, but these tribunals negotiated no treaties, though subsequent treaties sometimes preserved and perfected their conclusions or findings. On the contrary, Mr. Chairman, there has been for some years, certainly since the Spanish-American peace treaty, a noticeable public sentiment in opposition to senatorial membership of treaty conferences. And for the commanding reason that the public interest is the better served and promoted, the real purpose of the Constitution the better expressed and applied, by holding that great tribunal in reserve as a revisory or appellate agency, detached in interest or association, calm and judicial, to consider and concur or nonconcur in the treaty submitted by the Executive. This desirable achievement can never be fully accomplished if that body must pass upon work partly or largely from the hands of its own membership. [Prolonged applause.]

Of course, I would not be understood to controvert the full right of the Senate to advise the President in respect of contemplated treaties. This has been done from time to time, and Presidents have even gone so far as to ask in advance for this advice, but the advice of the Senate in its collective or collegiate capacity is very different from the actual consent or review by the Senate of the action of its individual Members in negotiating treaties. One action is free from the personal equation, while the other is embarrassed by the personal factor.

HIS UNDISCLOSED PURPOSES.

Mr. Chairman, animadversions have been directed to what is alleged to be the vicious or uncertain meaning of some of the

items of the President's "fourteen points" address. For example, the danger said by some to be found in his views respecting economic barriers, and the indefiniteness of his views as to armaments and freedom of the seas. Criticisms of these three propositions are based mainly upon assumptions as to the President's meaning, despite the fact that as to economic barriers he has written letters expressly disclaiming the meaning or interpretation imputed to him, expressly disclaiming any purpose or plan whereby the economic or fiscal policy of the Nation may be interfered with or in any manner controlled save by the unhampered constitutional agencies of the Government.

The question of proportional or relative reduction of armaments can, of course, only be wisely and practically considered and determined in the conference itself. But that there is a serious purpose in the mind of the civilized world to secure a reduction of armaments, either immediately or gradually, is beyond question, and the President merely expresses this righteous desire. Are the allied Governments more definite in their expressions as to conscription and standing armies? Indeed, Mr. Chairman, has any of the Governments likely to participate in the conference been more definite in expressing its views upon the subjects to be considered than our own Government through its President?

And of the freedom of the seas? America has always favored this freedom, which has perhaps been one of her three traditional and historic foreign policies. Does the President's language authorize an unprecedented extension or limitation of this freedom? Let his words answer:

> Absolute freedom of navigation upon the seas, outside territorial waters, alike in peace and in war, except as the seas may be closed in whole or in part by international action for the enforcement of international covenants.

I submit that in this language the President simply makes a pronouncement of the general policy of America and of civilized nations respecting the lawful use of the seas, and that the detail or concrete enlargement or abridgment of the rights of navigation is preeminently a matter to be considered and adjusted at the council table.

A LEAGUE OF NATIONS.

Mr. Chairman, the storm center of criticism, though very late in gathering, is directed at the President's attitude on a league of nations. This criticism declares that the proposed league means either too much or too little and that, in any event, it should not be considered at the peace conference. I imagine the President claims no originality for the idea of establishing such a league. Many men in America have favored such an international arrangement for some years, notably ex-President Taft and Mr. Lowell, president of Harvard University. The plan brought forward by the association headed by these eminent men gives a rather distinct outline of the object and plan of the league, which may be found in the current literature of the day. The subject, however, seems to have been even more profoundly discussed in England, and I hear in France as well.

Dr. David Jayne Hill, a distinguished publicist, has in a recent article given the names of those who have made special study of the scheme. He does not, however, mention what to me appears to be the most philosophical of recent discussions, namely, two articles appearing in the Edinburgh Review by W. Alison Phillips. This writer puts his finger upon the vital joint in the armor; that is, the success of the league depends largely upon the development of a cosmopolitan patriotism which in given instances may be paramount to our national patriotism—broadly, that our allegiance to the league may be greater than our allegiance to the Nation. Viscount Bryce not only attempts to answer, with his accustomed penetration and learning, this particular argument but presents an able and favorable discussion of the whole subject in what, I believe, is the last published volume of his writings.

Again, Mr. Chairman, the ultra-conservative thinkers contend that the impracticability of the league is shown by several historical examples. They cite alleged former similar attempts of nations and contend that all of them have been failures. For example, some 900 years ago mediaeval Christendom undertook to stop feudal wars by a league known as the "truce of God," supported by solemn religious oaths and by armed forces. Following the peace of Utrecht, the Abbé de St. Pierre, in 1713, published his scheme for perpetual peace, from which the Russian Emperor Alexander developed the project that he submitted to Pitt in 1804, and which was revised and developed after the downfall of Napoleon into what is known as the Holy Roman Alliance, which was neither holy nor Roman and against which ambitious undertaking America proclaimed the Monroe doctrine. There may be other instances, and certainly men as great as Grotius and Kant have devoted profound and practical consideration to the subject.

I am an ardent supporter, Mr. Chairman, of the purposes of a league of nations, but I have some misgivings as to the success of its practical administration. But when I consider the immeasurable loss and welter, the incomparable misery and agony imposed by this great war whose end is not yet visible, I can not be indifferent to any plan which aims to prevent a repetition of such a catastrophe. [Applause.] Nor do I believe, Mr. Chairman, that the leagues mentioned by the eminent publicists afford a formidable or deterrent analogy. The political, social, economic, and industrial systems, as well as the civilizations of that day and of to-day are so unlike that the free governments of our time are not justified in withholding from the plan their most sympathetic consideration. I for one am not willing to close my ears to the voices from millions of graves, to shut my eyes to the millions of wounded and suffering peoples, and to immeasurable areas of destruction, and thereby contribute in the slightest degree to the embarrassment or defeat of a plan to which a stricken world looks forward with longing hopes. What other device or remedy is offered? Shall the nations tread again the wearisome road from Vienna to Versailles? We can not stand still.

> He that considereth the wind shall not sow, and he that looketh to the clouds shall not reap.

So the voice of the ancient seer bids us to take a step, to take a chance. Must we not, therefore, at least give our approval to the consideration by the conference of a league of nations supported, in the language of the President—

> by a reign of law based on the consent of the governed and sustained by the organized opinion of mankind?

Mr. Chairman, can we not make a more rational classification of the law? Why, for example, should individual homicide be crime and collective homicide directed by the state be innocence? Why should not crimes committed by a state be the concern of all of the family of nations as much so as a crime by the person is the concern of every individual of the State? Why should criminal law apply to the crimes of persons and the civil law, the law of property and of contracts, apply to the crimes of nations? May not a league of nations afford the medium by which a rational and moral reclassification of the law of nations may be made to fit the crimes of the state?

Nor can I concur, Mr. Chairman, in the criticism that the President would favor or the conference would develop any plan for a league of nations that would affect the sovereignty of our Nation, or the vigor of our constitutional system, or our internal and domestic powers and policies.

But, Mr. Chairman, we are told that the President should be more definite in his expressions as to the objects and workings of the proposed league of nations. Is he not as clear as is Clemenceau's "balance of power" device? And is not this "balance of power" to be established by a league or agreement of nations? There are leagues and leagues—leagues of ambition and leagues of conscience, and this great war has been fought for the supremacy of the moral forces of the world. Shall we trudge along the same old road to come again at the end of fifty or a hundred years to another field of blood, to another hurricane of gas, to another fire from heaven, to another upheaval of the seas? Will the years to come forgive us unless we hold out now some hope to mankind that the light of peace will shine longer and more uninterruptedly upon earth than it has ever heretofore done? [Applause.]

A MORE CONVENIENT SEASON.

There is, Mr. Chairman, another criticism of this immediate subject to which I have heretofore alluded. That is that, though a league of nations may be expedient, yet the pending Versailles conference is not the time or the place to deal with the subject; that this conference should deal with peace alone; and that such subjects as armaments, the law of the seas, and the league of nations should await another day and another place. All I have to say as to this, Mr. Chairman, is that if these subjects are not considered by this conference and are postponed to another day and another place, then that other day and other place may not come until the world shall have passed through another and greater catastrophe than the one that now occasions the coming conference at Versailles.

Mr. Chairman, I would submit in this connection a more serious thought. Some one has said that great revolutions occur without being known at the time. But are we ignorant of the present ominous symptoms? Do we not hear strange sounds, and do we not see portentous signs? Are there not sinister and abhorrent forces moving about in the slime and welter of the aftermath of this great war? Behold Germany and Russia and the Bolshevik. Coming from the common heart of humanity, is there not the threat that civilizations should end wars or revolutions may end civilizations? From every group of peoples the world over do we not hear the insistent

demand that statesmanship should speedily set up some device that will materially limit or prevent the recurrence of wars? Is there any known design other than a league of nations? And if we do not try it out in some form, what is left to us? A critical, a terrible moment, confronts the world. Shall we wait for another upheaval? Shall we wait for the procession of the dark ages? So-called historic precedents, sustained by the brilliance of pen or the eloquence of senates, will not answer the question. Some serious, tangible effort must be made or civilization may well be anxious as to the fabric and foundation of political institutions.

Mr. Chairman, I wish in conclusion to say that there is as much need of unity of action to-day in support of the conference as there was for unity of command for the success of the allied armies on the field of battle. Amidst the tribulations of Europe the President now seems to carry the one healing touch. In the courts and chancelleries of Europe he is the most hopeful and commanding figure [applause]—independent, initiative, and courageous. He is lifting high before the peoples of the world the standards of a virtuous democracy. He is not encumbering his task with the questions of the equipoise and balance of powers. He is dealing broadly with the principles which make for an enduring peace. He is confronting immense perplexities, infinite difficulties, and stubborn congeries of traditions and castes, and the spirit of America that all unconsciously sustains his counsel and compels his action should give hope and confidence to the people of America. Therefore, not as a partisan, but as an American, I congratulate the House, which constitutes the most concrete and multiform expression of the will of the American people, upon the temper and judgment it has heretofore exhibited, and to express the hope that in this vital hour the American people shall sustain the efforts of the President and our representatives abroad, as I believe they now do and will continue to do. Their failure will be our failure and their success will be our success. [Applause.]

Mr. Chairman, I yield back such time as I have not consumed.

Mr. BYRNS of Tennessee. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. DEWALT] 30 minutes.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 30 minutes.

Mr. DEWALT. Mr. Chairman and gentlemen of the committee, on last Saturday I requested unanimous consent to address the House, but yielding to the suggestion of the minority leader [Mr. MANN], who was very courteous in his suggested objection, I succeeded in obtaining time through the courtesy of the gentleman from Tennessee [Mr. BYRNS].

I doubt very much—indeed, I am quite sure of the fact—whether what I have to say will be as interesting or as entertaining or as beneficial, possibly, as the very learned and instructive remarks that we have just heard from the gentleman from Virginia [Mr. MONTAGUE] or as those that we heard from the gentleman from Massachusetts [Mr. GALLIVAN], and therefore I crave the indulgence of the committee and possibly ask for the patience of the committee in approaching a subject which, although very interesting and perhaps instructive, is not very entertaining. And yet I believe that to-day it is one of the most important matters now before the people of the country. It is this great railroad problem. What shall we do with the transportation systems of this country?

The President, when he last addressed the Congress, used the following words and pointed out three different modes of procedure:

> We can simply release the roads and go back to the old conditions of private management, unrestricted competition, and multiform regulation by both State and Federal authorities; or we can go to the opposite extreme and establish complete Government control, accompanied, if necessary, by actual Government ownership; or we can adopt an intermediate course of modified private control under a more unified and affirmative public regulation and under such alterations of the law as will permit wasteful competition to be avoided and a considerable degree of unification of administration to be effected.

He was frank enough to say to the Congress that as to these three courses he had no definite choice, nor did he have any definite recommendation to make. But coming as he did before the Congress and presenting the question to us, it seems to me that it becomes the duty of the Congress to speedily—and as speedily as the circumstances will warrant—find some remedy for the evils which we all admit to be existent.

In approaching this subject it is well enough to recognize that we have a great problem. In the first place, there are so many different and diverse interests. We have the public, consisting of the shippers and the travelers and consumers. We have the Government itself, which is vitally interested. We have the stockholders and the bondholders of the various corporations making up the transportation systems of the country. And then, last but not least, we have the employees, and all these diverse interests are vitally concerned with this proposition.

Mr. EMERSON. We have the consumers also.

Mr. DEWALT. And the consumers as well. I was going to speak of them in connection with the public at large, because after all the public pays the freight in the ultimate analysis. Now, in many points these different interests, whilst they converge, nevertheless are sometimes antagonistic. When we consider the enormity of this problem, let me say to you that the total trackage of the railroads in operation on January 1, 1917, was 397,014 miles, and that trackage system was owned by 2,095 different companies in the realm of the United States. The number of employees was 1,700,000, almost as many men as we had in France fighting for the liberties of the world. The outstanding bonds of these various corporations were $10,875,206,065, and the stock at par value aggregated $8,755,403,517.

Mr. HUMPHREYS. Would it interfere with the gentleman's argument to ask a question there?

Mr. DEWALT. Not at all, sir.

Mr. HUMPHREYS. What was the market value of that stock?

Mr. DEWALT. I have no means of ascertaining, except to say that the fluctuation in the market gradually increased during the year 1916, and then decreased after that time.

Mr. WHITE of Maine. Has the gentleman the number of security holders?

Mr. DEWALT. I have not. Take these alone, the interest of the stockholders and the bondholders in these various corporations, the enormous amount of money invested and invested by the public at large, securities held by orphans, trustees of orphans, insurance companies, banks, stockholders who are enumerated throughout the entire country, little and large, if you please, and then take in conjunction with that the fact that there are 1,700,000 employees engaged in the operation of these railroads, and then take the concluding fact to which the gentleman from Ohio has just referred, that here we have a public of 110,000,000 people who are daily using the transportation systems of this country either by travel or by the carriage of freight, they ultimately, as I have suggested, must pay the freight, and you see, as I have said, the enormous problem that confronts the Congress of this country.

Mr. GOODWIN of Arkansas. Can the gentleman state the number of stockholders throughout the country?

Mr. DEWALT. I can not. Therefore it seems almost effrontery for one who has had as little experience as I have in legislative matters, particularly here in the House of Representatives, to attempt in any way to formulate a system which may be of some effective force.

And whilst I am going on with this argument—because I propose to make it an argument if I possibly can, instead of a speech—I want with all modesty to say that the ideas I have formulated I do not attempt by any means to assert are perfect; nor do I claim entire credit for what I have formulated, because many of the ideas that I have in the bill that I will afterwards introduce, or which has been introduced, have been gained by my experience on the Committee on Interstate and Foreign Commerce and have been gained by conversation and observation of the methods and knowledge that the other members of that committee had, far superior to my own. Further than that, I have consulted in very large measure Mr. William Cook, the author of Cook on Corporations, who has examined this subject with particular care and attention.

After considering the enormous magnitude of this problem, is there any necessity for legislation of this kind? I doubt very much whether there is anyone in my hearing, whether there be anywhere anyone, who will contradict the assertion that the public has been inconvenienced during the last year during which we have had Federal administration. I doubt very much whether anyone will controvert the position that I now take, that the expenditures under Federal control have been far in excess of those that we had during private management. In fact, it is an established fact now that the deficit under Federal control is $796,000,000. That is not chargeable to inefficiency; that is not chargeable possibly to waste or mismanagement; but it is chargeable to the fact that we were operating under extraordinary circumstances in extraordinary times. But nevertheless the fact remains that, for reasons which are apparent upon the face of the record and disclosed by evidence satisfactory to anyone who examines it, there is this deficit, caused not alone by Federal administration of the roads but caused by concurrent circumstances during that time.

Mr. HUMPHREYS. Will the gentleman permit an inquiry there?

Mr. DEWALT. Certainly.

Mr. HUMPHREYS. The statement I have seen in the papers was that that deficit was $136,000,000. The gentleman says it is $700,000,000.

Mr. DEWALT. It is $796,000,000. That is the true figure.

Mr. GOODWIN of Arkansas. Is that exclusive of the amount appropriated by Congress for the railroads?

Mr. DEWALT. No.

Mr. GOODWIN of Arkansas. It includes that?

Mr. DEWALT. It includes that; yes.

Then, more than all that, which to me is a very potent fact, we have had during the course of Federal administration of these various roads and prior to that time a conflict of authority between the States of the Union and the Federal authorities, a matter which to my mind, as a lawyer and as a patient investigator of a part of this subject, is totally abhorent to any good management. What do I mean by that? There is no doubt that as a proposition of law—and I am addressing myself largely now to the legal side of this proposition—the States have the right to control commerce within their own territory, and so far as intrastate traffic is concerned the State authorities, if they choose to exercise that authority, have the right so to do. But there is no doubt of the other proposition, that when the Federal authority, in the exercise of the commerce clause of the Constitution, does or attempts to exercise authority even as to intrastate traffic which is intermingled with interstate traffic, then the power of the Federal Government is supreme and paramount. The Minnesota rate case has gone so far as to say that the State authorities may, for the public health of its inhabitants and for the welfare of the inhabitants of the State, control intrastate traffic, but that so soon as the Federal Government exercises its authority wherever interstate commerce is mingled with State traffic, there, upon the assumption or exercise of that power by the Federal Government, the Federal power becomes paramount and supreme.

Therefore I take it as a sound legal proposition that there must be in the near future, if we desire efficient management of the transportation systems of the country, a radical change, and that radical change ought to be with the Interstate Commerce Commission or the Federal authorities by the exercise of a proper agency for supreme and ultimate control, not only of rates but of other appliances in regard to transportation, except in so far as that traffic is entirely included within State borders. If that be a good proposition not only legally, but according to common sense, then it seems to me that I have pointed out to this committee not only the reasons for legislation but the necessity for legislation.

Mr. Chairman, it is easy to find fault. Anyone can say to anyone else, You are a sick man, and anyone can sympathize with that sick man, but it requires a skilled physician and it requires more than sympathy to give a potent remedy for the disease from which the man is suffering. Therefore you have a right to say to me whilst I am addressing you, "Admitting that the patient is ill, admitting that there is necessity for legislation, admitting the largeness of the proposition you are about to discuss, what is your remedy?" As I before said, I have tried to formulate that remedy. I have tried to formulate it by introducing a bill in this House, which, with all due modesty, I again repeat I desire each and all of you who are interested in this subject to examine, to criticize, to reform, to remodel, because I do not claim for it perfection, nor do I claim for it all-wise knowledge. He who attempts to assert that he knows all things has not yet learned the beginning of wisdom, because the beginning of wisdom is to know that you know nothing.

What do I propose in this legislation? In the first place, in the bill introduced I create an executive department headed by a secretary of railroads, who shall be a member of the Cabinet, and be paid the same salary as a member of the Cabinet, and who, of course, shall be nominated by the President of the United States, and who shall be confirmed by the Senate, if the Senate so sees fit. I then divide the territorial limits of the United States, exclusive of Alaska, into five regional districts, something upon the order of the divisions of the reserve bank system. I place marking of the territorial limits geographically, as to the needs of commerce and as to the needs of the railroads in these various geographical districts, in the hands of the Interstate Commerce Commission and say by the bill that the Interstate Commerce Commission, having due regard to the needs of commerce and to geographical location, shall carve out of this territory five districts, or, at most, nine; not more than nine.

I then create Federal railroad companies, and they are created by a Federal railroad board. That Federal railroad board consists of six members. One of those members is the executive head of the department, to wit, the Cabinet officer. The other five are selected in a manner which I shall afterwards give to you, but they must all be confirmed by the Senate of the United States, and if there be a vacancy that vacancy can be filled by the President of the United States, but his tenure of office shall not last more than 30 days after the convening of the next session of the Senate, so as to give the Senate the opportunity of acting on the nomination thus made. After this Federal railroad board is constituted they are in turn to constitute and organize Federal railroad companies in these various districts. They are to select nine men, and those nine men are to form a Federal railroad corporation in the district. Those nine men having formed this corporation by subscribing to stock, which is $10 a share, and each one of them having $1,000 worth of shares, constitute the corporation, and they have all of the inherent powers which are given to a corporation, to sue and be sued, to make contracts in regard to all railroad matters, to buy and to sell, to settle and dispute, to recognize the courts of law, and to be recognized by the courts of law, in all of the proceedings inherent to and concurrent with corporate legislation. But more than that, they have the power then to condemn, if you please, railroad property, and to take it by condemnation proceedings, but those condemnation proceedings shall be in the jurisdiction of the State authorities and not the Federal authorities, to wit, the condemnation proceedings for the taking of the property shall be local proceedings, and if the property be taken in the State of Pennsylvania, the Pennsylvania courts shall have jurisdiction under the usual forms of procedure in regard to condemnation proceedings. After this corporation is formed they also have the right of issuance of stock, and for what purpose? To buy, if you please, the outstanding stock of the railroad companies in their various regional districts. To make it more plain, the Pennsylvania Railroad Co. in one of these districts, or the Federal corporation in these regional districts, issues its stock, and in turn that stock may be taken by John Jones, who is one of the stockholders of the Pennsylvania Railroad Co., as an exchange for the stock of the Federal corporation. If he refuses so to do, it is up to him, but the Federal corporation in this region has the right to acquire by the issuance of its stock, or the raising of money upon its stock, which raising of money becomes easy by a different provision in the bill, to purchase all or any portion of the stock of the various companies in the district, which is within the circumscribed limits of the region.

After that stock has been purchased, or while it is still outstanding, the corporation within the district, however, preserves its personal identity. The Pennsylvania Railroad Co. does not lose its identity; the New Jersey Central Railroad Co. does not lose its identity. They in turn select their directors by a vote of stock. If the Federal organization within the regional districts has control of the stock or a majority of the stock of the New Jersey Central, then they elect the directories; but those directors must be residents within the territory within which the road is located.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. DEWALT. Yes.

Mr. MADDEN. Would not the proposal of the gentleman authorizing the local Federal board, which is the corporation, to buy the stock existing and the bonds existing, make his scheme in effect Government ownership?

Mr. DEWALT. It would not be Government ownership unless the Government itself through a holding corporation acquired all of the stock or a majority thereof. Then it would be; yes.

Mr. MADDEN. That is what I mean.

Mr. DEWALT. Yes; it would be.

Mr. MADDEN. In effect.

Mr. DEWALT. Yes.

Mr. MADDEN. The foundation the gentleman is laying is a foundation for the ownership of railroads by the Government of the United States without the expenditure of any money. Is that it?

Mr. DEWALT. No; it would scarcely be that, because it would be the expenditure of money; it would be the issuance of stock which afterwards is guaranteed by the Federal Government itself; and more than that, there would be no necessity in buying the bonds of the various outlying corporations because those bonds are a first lien on the property itself, and are always the best of security.

Mr. MADDEN. Does not the gentleman's plan contemplate allowing bonds to remain intact and taking control of the stock by exchange or condemnation or purchase?

Mr. DEWALT. By condemnation or purchase.

Mr. MADDEN. Of course, I might overstate it in talking about bonds——

Mr. DEWALT. Of course, that would remain upon the property as a first lien. How, when this stock is issued, does it become of value to the parties who desire to obtain it? In

order that this stock may be used by the people who wish to have the backing of the Government, I provide in this bill that the Government of the United States shall guarantee a 3 per cent dividend upon this stock, that the dividend upon the stock shall be no greater than 6 per cent, and if more than 3 per cent is earned, of course the stockholder gets this per cent, but the guarantee of the Government is 3 per cent, which makes the stock a valuable asset to investment holders and investment seekers. It might be said they can get more than 3 per cent, but this bill has an added feature, that the stock may be used in the reserve banks of the country, and it may be used as collateral in national banks and that national banks may deal in the stock and use it as collateral for loans, thus making it not a liquid asset in the currency of the country but making it a negotiable asset for the securing of loans for the conduct of business, and it therefore becomes not what you would call currency or a liquid asset but an available asset for business transactions. But some of these might earn more than 6 per cent. What, then, shall be done with the balance above the 6 per cent? The bill then provides that if more than 6 per cent shall be earned by any one of these regional or Federal corporations that one-half of the excess above 3 per cent shall be Government property and shall be used for betterments, improvements, and so forth, and the purchase of the outlying stock of the regional corporation if seen so fit or the retirement of bonds, and that the excess of one-half shall be given to the regional corporation for the use of the companies and they in turn to pay as much as necessary thereof for betterments and improvements.

Mr. McKENZIE. Will the gentleman yield?

Mr. DEWALT. I will.

Mr. McKENZIE. Does the gentleman expect to explain in his time the relation of these zones one to the other, the overlapping, and how he controls the income of a certain railroad in one certain zone which extends over into another zone?

Mr. DEWALT. I shall be glad to do that very soon.

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. DEWALT. I will.

Mr. GOODWIN of Arkansas. The Government guarantees 3 per cent, but in no event shall there be an earning capacity of over 6 per cent?

Mr. DEWALT. No; the earning capacity may be 20 per cent.

Mr. GOODWIN of Arkansas. But not over 6 per cent can go to the stockholder. Is this stock free from taxation? It should not be exempt from taxation.

Mr. DEWALT. The stock would not be free from taxation, but would be subject to State taxation.

Mr. GOODWIN of Arkansas. Upon an earning of 3 per cent alone, could that be made attractive to purchasers of the stock?

Mr. DEWALT. I doubt whether it would in that relation; but that, after all, is but a mathematical calculation and clearly goes to what we call a large measure of the bill, and it might be a matter of minutia, it might be a matter to consider in the amount to be floated, but we do know that 3 and 3½ "per cents" guaranteed by the Government are considered to be very attractive.

Mr. EMERSON. Will the gentleman yield?

Mr. DEWALT. I will.

Mr. EMERSON. Now, the whole hornets' nest of this whole railroad proposition is this——

Mr. DEWALT. As long as the gentleman omits the hornets I do not care about the nest.

Mr. EMERSON. You will find it is a hornets' nest before we get through with it; but the Director General, in taking over the roads, has raised the pay of the men, then he raised the fares, and then he passes it over to us, dumps it on our porch to take care of, and that is the hornets' nest.

Mr. DEWALT. That is a condition; that is not argumentative; it is nothing more than assertion. It is one of the things we have to meet whether it is a hornets' nest or not; it neither diminishes nor enlarges the efficacy of the proposition we are considering. I admit in the beginning we had these difficulties to contend with. Knowing the condition, it is useless to say, Here we are; and the next question is, What are you going to do about it? I admit all you say, and I admit the great strength of it, too, because I know what the figures show. They say:

At the very outset of his administration the Director General started to economize on railway operation by separating 400 officers drawing salaries of $5,000 a year or over from the railway operating pay roll. "Under private control," says he in his report of his seven months' stewardship, "salaries as high as $100,000 per annum were paid to officers of railroad corporations. Under Government control the highest salaries paid are to the regional directors (of whom there are seven), and these salaries range from $40,000 to $50,000 per annum." By this strike Federal control saved $4,614,889 a year in operating cost.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNS of Tennessee. The gentleman is making a very interesting and instructive address; does he desire some more time?

Mr. DEWALT. Will the gentleman give me 10 minutes?

Mr. BYRNS of Tennessee. I yield the gentleman 10 minutes.

Mr. DEWALT (continuing reading)—

But by a succession of orders Mr. McAdoo has added something like $700,000,000 annually to the pay rolls of the railways, without adding one foot-pound to the efficiency of the 1,800,000 employees.

And, worse than that, we are partly responsible for the situation, may I suggest to the gentleman? When we passed the Adamson bill there was an increase of $268,471,074 in pay of railway employees in 1917 over 1916, and $196,240,000 of this may be traced directly to the Adamson law and to the advances incident to putting the new law into effect.

So the Director General was not at all to blame for this extraordinary circumstance. We passed the Adamson law, and I think we rightfully passed it, and I think it was of benefit ultimately to the Nation at large to have it passed; but that does not alter the circumstance. The fact remains that there was this increase of expenditure in operating expenses, and although the increase of income was large it was not sufficient to meet the expenditures; and therefore this deficit.

I might go on with the bill, and I should be very glad to explain another feature thereof. I provide in this bill for something else which is consistent also with the Federal reserve act, to wit, an advisory council. This advisory council is to consist of 10 members. Those members are to be selected by the different regional railroads within the region; but I provide that all of those men on the advisory council must be resident within the district, and all of them must have continuous residence for at least nine months to two years prior to their selection for these places; and I provide that three of these men shall be representatives of labor connected with the labor organizations of the railroad companies. I have been insistent, and will always be, as one who worked on the railroads himself, that there are certain inalienable rights that every workman has, and one of those rights is representation where his wages are concerned. But I have provided also in this bill that in these directorates there must be a representation of labor, and when a vacancy occurs in that representation upon the directorate, if that vacancy is to be filled, it must be filled by the selection of somebody connected with the labor organizations of the various railroad companies.

Mr. ROSE. Will the gentleman yield?

Mr. DEWALT. I will.

Mr. ROSE. Does the gentleman prohibit the construction of railroads by private capital?

Mr. DEWALT. Oh, no. You can build all the railroads you desire.

Mr. ROSE. And what becomes of them after they are constructed, under your proposed bill?

Mr. DEWALT. God only knows what becomes of anything that is constructed by anybody else. They will take care of themselves. Even in the making of shoes, if the Government made all the shoes that were to be consumed, it would not prohibit you and me from manufacturing them.

Mr. ROSE. I was wondering if under the items of the bill you have been discussing you provide that all these railroads should be taken over by the different——

Mr. DEWALT. Oh, no. There are 765 of what we call short lines. The rest of them are not all trunk lines, but concurrent with the trunk traffic. The other question you might present in the same way—and that is one of the vital things in connection with this bill—is this: What shall you do about the rates? Under the railway-control bill that we now have, Federal control, the President has initiative power in the making of rates and the fixing of rates. There is no doubt about that. Now, shall this question of rates remain with the Interstate Commerce Commission? The great trouble with the Interstate Commerce Commission—and I say it in no detriment at all to their functions and their exercise thereof—was this, that in spite of the insistent demands of the railroad companies, in spite of the pleas of the railroad companies that they could not make enough money to carry on the traffic of the country, when it was demonstrated beyond doubt they could not go into the market and get credit on their securities in order to get money for their equipment, and when the war came, when they were totally inefficient to take care of the traffic they were receiving—in spite of that thing the Interstate Commerce Com-

mission refused to give them a raise of rates but insisted on their improving the service. When the Federal Government took control of the railroads it raised the rates 25 per cent, and in some instances more. They raised the wages almost as high as 43 per cent in some instances, and then they had what they call efficient control. I maintain now, and I think without fear of successful contradiction, that if the Interstate Commerce Commission and the Federal authorities had been as generous or as wise—let us put it that way—as they should have been in the raising of rates according to reasonable demands, we would not have had the trouble we had with the railroads.

Mr. MADDEN. Will the gentleman yield?

Mr. DEWALT. I will.

Mr. MADDEN. In regard to what the gentleman has said about percentage of increase in the rates, as to 25 per cent being the minimum rate, it ran up as high as 900 per cent.

Mr. DEWALT. I do not know anything about the 900. I did not get as high as those figures, but I do know about the 43.

Mr. RAYBURN. The gentleman does not intend to convey the impression as to these rates that if that had been done at first these rates would have been raised as high?

Mr. DEWALT. I do not understand.

Mr. RAYBURN. You say rates were raised horizontally all over the country 25 per cent. You say that if the Interstate Commerce Commission had been generous with the railroads they could have operated and we would not have had to take them over. Does the gentleman intend to say that he thinks, even though they had possibly the same conditions that we had when the Interstate Commerce Commission increased these rates, that the horizontal increase would have been made?

Mr. DEWALT. Oh, no. Nor would my remarks bear out that inference. But I do maintain the business proposition that you can not have the invested capital of this country in railroads or any other enterprise unless you give that enterprise a sufficient income to manage its operation and return dividends to its stockholders. You may say they inflated their stock. I grant you that to some extent. You may say there was an overvaluation of railroads, and I grant you that to some extent. But I maintain as a business proposition, from the experience of the Pennsylvania Railroad, which is considered to be one of the best managed railroads in this or any other country, if they were not able to live and pay dividends to their stockholders that they could not have raised the credit necessary to buy equipment when the war came.

Mr. RAYBURN. The gentleman will admit also that the railroads paid a larger percentage the year before the Government took them under Federal control than they had had since 1910?

Mr. DEWALT. I think the table of 1916 had the largest percentage of dividends. Nevertheless, the gentleman will also admit, from what took place in the Interstate Commerce Commission investigation, that they had not increased their workmen's wages or terminal and trackage facilities, simply because they could not raise the money.

Mr. RAYBURN. I think that one reason, and the main reason, why the railroads have been unable to raise money in this country and sell their securities is that they had reached the point where their securities in a great many instances did not stand for anything. And that was a vanishing hope.

Mr. COOPER of Ohio. Will the gentleman yield?

Mr. DEWALT. I will.

Mr. COOPER of Ohio. You stated a moment ago that this rate question was one of the most important. I believe so. What about the wage question? Do you not think that is one of the most important in the operation of railroads, too?

Mr. DEWALT. They are correlative.

Mr. COOPER of Ohio. If you will pardon me, do you not think that the wage-making power ought to have something to say in regard to the wages of the employees?

Mr. DEWALT. I have provided for that in this bill by their representation upon these directorates. And more than that, I took the position at the time the Adamson bill was before the Supreme Court, in discussion with one of the best lawyers in this House—and I do not pretend by any means to compare with him in legal ability—that the time would come, and it did come, when they decided the Adamson case, that they would also at least inferentially decide that the question of wages was within Federal jurisdiction and the power of Congress; and I will tell you why.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DEWALT. I ask for a little more time, Mr. Chairman.

Mr. BYRNS of Tennessee. I yield to the gentleman five minutes more.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for five minutes more.

Mr. DEWALT. When you make up rates you have got to take into consideration every component part that goes into the rate. One of the greatest component parts of that rate is the wage of the man who operates the railroad train or the fellow at the switch or the man in the tower house. Whatever occupation he has in regard to the operation, whether he be a superintendent or track walker, goes into the wage problem, and whenever you make your scale of rates you have to take that into consideration. Therefore if the United States, through the Interstate Commerce Commission, has the right to regulate rates, I take it as a part of that proposition that the Interstate Commerce Commission would also have the right to regulate wages. That is the proposition.

Mr. COOPER of Ohio. Mr. Chairman, will the gentleman yield?

Mr. CANNON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield; and if so, to whom?

Mr. DEWALT. I will yield first to my friend from Ohio.

Mr. COOPER of Ohio. Is it not a fact that under private ownership and operation the Interstate Commerce Commission has nothing at all to do with wages, and yet they fixed the rates?

Mr. DEWALT. That is right. Now I yield to the gentleman from Illinois.

Mr. CANNON. I have listened with interest to the gentleman's statement. The iron is composed of iron and labor and coal of the people that eat, including the farmer. It takes it all to run a railroad.

Mr. DEWALT. There is no doubt about that.

Mr. CANNON. Now, then, in the gentleman's opinion, can we by legislation cover the whole ground, from the cradle to the grave, in every possible industry and undertake to fix wages?

Mr. DEWALT. I recognize the strength of what the gentleman says, because it would be reducing the argument to what you would call the reductio ad absurdum. Nevertheless, notwithstanding the gentleman's opinion, for which I have great respect, after all legislation always has been and will be and should be confined by the Supreme Court of the United States to matters relative and pertinent to the material issue then before the court.

That being so, let us consider the argument of the gentleman from Illinois. He says the ore that goes into the rail and the man who digs the ore that goes into the furnace which makes the rail also earns wages, and therefore my proposition in regard to the rate-making power and the wage-fixing power should be in Congress or some other authority, and therefore he argues that we should also say that they should control the wages by Congress of the man who digs the ore and puts it into the furnace. That might be so, if you reduced the argument to its ultimate conclusion and finality, if it were not for another proposition, that those things are too far removed from the correlative subjects for which the legislation is had, and for that reason it would not be true.

Mr. FOCHT. Mr. Chairman, will the gentleman yield?

Mr. DEWALT. Certainly.

Mr. FOCHT. I have listened to the plan laid out by the gentleman in regard to the new method of operating our railroads, but in the presence of some very serious and widely extended opposition to Government ownership, I wish the gentleman, if he does not have time now, will, in the extension of his remarks, amplify a little in respect to the necessity, for this reason: It is a very common belief that had the Interstate Commerce Commission yielded to the importunities of the railroads the railroads might have made these extensions and provided ample accommodations for the freight and passenger traffic of the country, and that the railroads themselves, with the exception possibly of the New Haven, which was willfully wrecked, as shown by the testimony before the committees here—the railroads, I say, such as the Philadelphia & Reading Railroad Co., which came out of a receivership and to-day is one of the wealthiest organizations in the world, paying a high dividend, and the Pennsylvania Railroad Co., the best operated organization of any on this earth, not excluding the United States Government itself, paying a high dividend, and the Northern Pacific, and the Great Northern, and the Union Pacific, and the Illinois Central——

Mr. DEWALT. Will you permit me to interrupt you a moment? I would like to have this incorporated in my remarks as a part of my speech. [Laughter.]

Mr. FOCHT. The thought I would like to have the gentleman present is, first, before you talk so much about the new plan, what is the necessity of complicating this ramifying railroad system, financially and otherwise, with the Government? That is the idea. [Laughter.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. DEWALT. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. DEWALT. I append herewith the bill I introduced on January 11, 1919:

A bill (H. R. 14186) to provide for the incorporation of Federal railroad companies and the regulation thereof, and to establish a system of supervision of railroads in the United States, and for other purposes.

DEFINITION OF TERMS.

Be it enacted, etc., That wherever the words "Federal railroad company" are used in this act the words shall be construed to refer to each of the corporations to be organized under this act, as hereinafter provided.

The words "Federal railroad board" used in this act shall be construed to mean the board of nine members herein provided for.

The words "secretary of railroads" used in this act shall be construed to be the head, at the seat of government, of an executive department to be known as the department of railroads, said head to be appointed by the President, by and with the advice and consent of the Senate. Said appointee shall receive a salary of $12,000 per annum and his term and tenure of office shall be uniform with other members of the President's Cabinet.

FEDERAL RAILROAD DISTRICTS.

SEC. 2. That continental United States, excluding Alaska, is to be divided into five districts, to be known and designated as (1) New England railroad district, (2) central railroad district, (3) southern railroad district, (4) northwestern railroad district, and (5) central Pacific railroad district. The aforesaid railroad districts as designated by name shall each include territorially such portions of continental United States as shall be prescribed and determined by the Interstate Commerce Commission, having due regard to geographical lines and traffic requirements.

SEC. 3. That the Interstate Commerce Commission shall, as soon as possible after the passage of this act, determine and designate the territory of the various railroad districts hereinbefore specified in section 2 of this act and make report of the same to the Federal railroad board hereinbefore designated; and the Interstate Commerce Commission shall have power, from time to time as necessity demands, to increase the number of districts to, but not beyond, nine, and to change the territorial limits and boundaries of such districts.

FEDERAL RAILROAD COMPANIES.

SEC. 4. That the Federal railroad board shall supervise the organization in each of the said districts of a Federal railroad company by nine individuals in each district selected by the Federal railroad board, and thereupon such individuals thus selected in each district shall, under their seals, make an organization certificate which shall specifically state the name of such Federal railroad company, the territory and extent of the district as defined by the Interstate Commerce Commission and the lines of railroad included therein as defined in section 2 of this act, the city and State in which its principal office is to be located in said district, the amount of capital stock ($9,000), and the number of shares into which the same is divided ($10 each), and the number of shares subscribed for by each incorporator (100), and the said organization certificate shall be acknowledged before a judge of some court of record or notary public; and shall be, together with the acknowledgment thereof, authenticated by the seal of said court or notary, transmitted to the secretary of railroads, who shall file, record, and preserve the same in his office. Upon the filing of such certificates with the secretary of railroads as aforesaid, each of the said Federal railroad companies shall become a body corporate, and as such and in the name designated in such certificate shall have power—

First. To adopt and use a corporate seal; to have succession in perpetuity, unless it is sooner dissolved by act of Congress or unless its franchise becomes forfeited by some violation of law; to make contracts; to sue and to be sued in any court of law or equity; to appoint by its board of directors such officers and employees as are not otherwise provided for in this act, to define their duties, require bonds of them and to fix the penalty thereof, and to dismiss such officers or employees; to prescribe by its board of directors by-laws not inconsistent with law, regulating the manner in which its general business may be conducted, and the privileges granted to it by law may be exercised and enjoyed; to exercise such incidental powers as shall be necessary to carry out the purposes of this act.

Second. To acquire, hold, and exercise the power of ownership of any or all of the shares of the capital stock and bonds and other obligations of any or all railroad companies within its district as aforesaid; also to construct, acquire, maintain, and operate railroads within its district; also to issue shares of its capital stock from time to time, either for cash or in exchange for shares of stock or bonds or other obligations of any and all railroad corporations within its district on such basis of exchange as may be authorized by its board of directors; also to issue shares of its capital stock from time to time for such purposes, including its own expenses and disbursements) connected with or incidental to the control, acquisition, construction, management, use, and development of railroads, railroad business and railroad stock, bonds, or other obligations already issued or hereafter to be issued by railroad companies within its district (including the issue of Federal railroad company stock, to provide money to enable any railroad company in its district to pay or purchase outstanding obligations or to pay for past or future improvements, equipment, or extensions, stock of such railroad company being issued to the Federal railroad company in consideration of such money) as may be determined by its board of directors; also to exercise the power, which is hereby given to it, of eminent domain, to acquire any shares of the capital stock or bonds or other obligations of any and all railroad corporations within its district or to acquire any railroads themselves or railroad property for railroad purposes in its district, whenever in its opinion it is necessary or advantageous to it to do so, by condemnation under judicial process, and the local State courts wherein such stock or property is located shall have jurisdiction of proceedings for such condemnation. The practice, pleadings, forms, and modes of proceedings in causes arising under the provisions of this act shall conform to the practice, pleadings, forms, and proceedings existing at the time in like causes in the courts of record of the State within which such stock or property is held or located.

Third. To vote its holdings of stock and to solicit proxies from other stockholders to vote their holdings of stock in any railroad corporation in its district, and such vote of such stock and proxies by the Federal railroad company for directors in said railroad corporation or corporations shall be limited to persons who shall have resided within the district for at least nine months in each of the three years prior to the election, and have been actively engaged during said three years in the district in commerce, agriculture, or some other industrial pursuit, including railroad management, operation, or other work in connection with such management or operation, or in the practice of a profession.

SEC. 5. That at least six members of the board of directors of each Federal railroad company shall for at least nine months of each of the preceding two years have resided in the district in which they have been chosen directors. No Senator or Representative in Congress shall be an officer or director of the Federal railroad company. No director of the Federal railroad company shall be an officer, director, or employee of any other railroad company. Any director of any Federal railroad company may be removed at any time for cause by the Federal railroad board, but before such removal the director sought to be removed shall be furnished with a copy of the alleged causes for such removal and shall be given an opportunity to make defense thereto, all of which proceedings shall be a matter of record in the office of the secretary of railroads. The board of directors of each Federal railroad company shall consist of nine members, all of whom shall be appointed by the Federal railroad board, but at least three of such directors shall in some official way be connected with the employees of the railroads of the district governed by such Federal railroad company. Protests of stockholders or by the public shall be open to public inspection. Vacancies from any cause in the boards of directors of any Federal railroad company shall be filled by the Federal railroad board, having due regard, however, to the representation of the employees of the roads in such district where the vacancy occurs. The directors of each Federal railroad company shall receive such compensation as the board of directors may determine in each instance, subject to the approval of the Federal railroad board. The board of directors of each railroad company shall at its first meeting (after its first board retires from office) designate three directors to serve one year from the next 1st day of January, and three for two years, and three for three years, and thereafter all directors shall hold office for three years. Each Federal railroad company shall every six months make a full report of its operations to the Speaker of the House of Representatives, who shall cause the same to be printed for the information of the Congress.

SEC. 6. That there is hereby created a Federal advisory railroad council, which shall consist of two members from each Federal railroad district. Four of these members shall be appointed by the secretary of railroads, three shall be selected by the Federal railroad company directors, and three shall be elected or designated by the stockholders or directors of the various railroad companies in the regional district, but such appointments and selections shall be limited to those who have been actively engaged in commerce, agriculture, or labor, or in the management and operation of railroads. The meetings of said Federal advisory railroad council shall be held at least three times each year, and oftener if called by the secretary of railroads, in the city of Washington, D. C., or some other place deemed more suitable by the secretary of railroads at the time of such call for such meeting. The council shall select its own officers and adopt its own methods of procedure, and a majority of its members shall constitute a quorum for the transaction of business. Vacancies in the council shall be filled in each instance by designation as hereinbefore provided. The compensation of such advisory council shall be the sum of $25 per day for each member and necessary traveling expenses incurred by such member.

SEC. 7. That the advisory council shall have power, by itself or through its officers, to confer directly with the Federal railroad board and with the Federal railroad companies and their boards of directors, and with the boards of directors of the various railroad corporations in any or all of the regional districts on general business conditions relevant to railroad operation, management, or control; second, to make oral or written representations containing such matters to any or all of such boards or to the secretary of railroads; third, to call for information and to make recommendations in regard to the matters pertaining and relevant to railroad management, operation, and control.

SEC. 8. That the capital stock of each Federal railroad company shall be divided into shares of $10 each. The outstanding capital stock may be increased from time to time as authorized by the board of directors, but no such increase of capital stock shall be authorized without the previous consent of at least a majority of the Interstate Commerce Commission. When the capital stock of any Federal railroad company shall have been increased the board of directors shall cause to be executed a certificate to the secretary of railroads showing the increase of capital stock. The shares shall be represented by certificates which shall be transferable.

SEC. 9. That dividends on the stock of each Federal railroad company shall not exceed 6 per cent.

SEC. 10. That the United States Government hereby guarantees the payment of 3 per cent dividends on the shares of the stock of the several Federal railroad companies and the Secretary of the Treasury is hereby authorized and directed to sign the name of the United States of America to a guaranty to that effect on the face of the certificates of stock issued by the corporation (the guaranty on canceled certificates to be canceled when the certificates are canceled by transfer), the form of said guaranty to be as follows:

"The United States of America hereby guarantees to the record holder of this certificate of stock the payment by the Federal railroad company issuing the same 3 per cent annual dividends on the shares of the capital stock represented by this certificate, payable semiannually on the 1st days of January and July of each year after the date of this guaranty.

"If at any time the United States of America by act of Congress ceases to pay said guaranty, the United States of America shall pay to the holders of said certificates of stock the price at which they were originally issued or the value at the time of issue of the property for which they were originally issued."

The said guaranteed rate of dividend may be varied by Congress from time to time, but not as to any issue already made.

SEC. 11. That the United States Government shall be entitled to one-half of all the profits of the said several Federal railroad companies in excess of aforesaid 6 per cent dividends, and shall apply so much thereof as is necessary for the payment of one-half of the extensions and improvements necessarily made to the various railroads, or purchase of railroad bonds or stock, or reduction of rates, or retirement of stock issued hereunder, or for any other purpose the Government may deem best in connection with the railroads, and the remaining one-

half of the excess of above said 6 per cent dividends shall be retained by the several Federal railroad companies, and so much thereof as is necessary shall be applied to the payment of the remaining half of the expenses for extensions and improvements necessarily made to the railroads, or purchase of railroad bonds or stocks, or reduction of rates, or retirement of stock issued hereunder, or for any other purpose the Government may deem best in connection with the railroads.

SEC. 12. That national banks and Federal reserve banks may invest and deal in the shares of stock of the said Federal railroad companies or any of them, and such shares may be transferred to and deposited with the Treasurer of the United States in lieu of United States bonds as prescribed by sections 5159 to 5189, inclusive, of the Revised Statutes of the United States, as amended and by section 4, subdivision 8, of the Federal reserve act, and may be deposited with the Treasurer of the United States as security for deposits by said Treasurer of funds of the United States in national banks, and may be deposited as security for and in accordance with the act of Congress of May 30, 1908, amending the national banking laws. The board of trustees established by act of Congress of June 25, 1910, to establish postal savings depositories may invest postal savings funds in such shares as securities of the United States within the meaning of that act. Said shares of the capital stock of said Federal railroad companies or any of them shall be receivable at par as a satisfactory collateral security for Federal reserve notes and as a reserve available as eligible paper under the Federal reserve act and as investments by Federal reserve banks.

SEC. 13. That the Federal railroad companies shall proceed with all reasonable dispatch to acquire sufficient of the outstanding capital stock of the Pennsylvania; New York Central; Illinois Central; Chicago, Milwaukee & St. Paul; Chicago & North Western; Union Pacific; Atchison, Topeka & Santa Fe; and Southern Pacific Railroad systems to control those railroad companies; each Federal railroad company so to acquire the stock of any said railroad system or systems within its district. Such acquisition may be by purchase or by exchange of Federal railroad company's stock for the stock of said railroad system or systems or by condemnation proceedings.

FEDERAL RAILROAD BOARD.

SEC. 14. That a Federal railroad board is hereby created, which shall consist of six members, one to be the secretary of railroads and the remaining five members to be appointed by the President of the United States, by and with the advice and consent of the Senate. In selecting the said five members of the Federal railroad board not more than one shall be selected from any one Federal railroad district. The said five members shall devote their entire time to the business of the Federal railroad board and shall receive an annual salary of $12,000, payable monthly, together with actual necessary traveling expenses. In addition to the salaries hereinbefore provided for, each of the said six members shall each year receive $10,000 for each and every one of said five Federal railroad companies which pays its guaranteed dividend without resort to the guarantor, each year being taken by itself. No Senator nor Representative in Congress shall during his term of office, or for five years thereafter, be a member of the Federal railroad board. The members of the said board shall be ineligible during the time they are in office and for two years thereafter to hold any office, position, or employment in any railroad company, and shall not during that time hold or own stock therein. At least one of said five members shall be a person experienced in the management and operation of railroads. One member shall be designated by the President to serve for 2 years, one for 4, one for 6, one for 8, and one for 10 years, and thereafter each member so appointed shall serve for a term of 10 years, unless removed for cause by the President. Whenever a vacancy shall occur, whether by expiration of term or otherwise, among the said five members of the Federal railroad board, a successor shall be appointed by the President, with the advice and consent of the Senate, to fill such vacancy. The President shall have power to fill all vacancies that may occur on the Federal railroad board during the recess of the Senate by granting commissions which shall expire 30 days after the next session of the Senate convenes. Of the five members thus appointed one shall be designated by the President as governor and one as vice governor of the Federal railroad board. The governor of the Federal railroad board, subject to its supervision, shall be the active executive officer. A majority of the members at a meeting duly called shall constitute a quorum, and a majority of those present at such meeting shall be sufficient for affirmative action. The salaries and expenses of the Federal railroad board shall be paid by the Federal railroad companies in proportion to the respective outstanding capital stock of each from time to time. The Federal railroad board shall annually make a full report of its operations to the Speaker of the House of Representatives, who shall cause the same to be printed for the information of the Congress. The Federal railroad board shall have power to examine, at its discretion, the accounts, books, and affairs of each Federal railroad company and to require such statements and reports as it may deem necessary, and shall at all times furnish full information to the public regarding its operations of each Federal railroad company.

SEC. 15. That said Federal railroad board is hereby given the power to fix and determine all interstate railroad rates and service, and also such intrastate rates and service as Congress has power to regulate under the Constitution of the United States. No State or State commission or other State authority shall fix, determine, or regulate any rates, service, or operation of railroads owned by any of said Federal railroad companies.

SEC. 16. That no stock shall be issued by any Federal railroad company except after the approval thereof by the Federal railroad board, which board shall also first approve the use to be made of such stock and the terms of its issue. All financial operations of every Federal railroad company shall be approved by the Federal railroad board before becoming effective.

SEC. 17. That if any clause, sentence, paragraph, or part of this act shall for any cause be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of the act but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SEC. 18. That all provisions of law inconsistent with or superseded by any of the provisions of this act are to that extent, and to that extent only, hereby repealed.

SEC. 19. That this act may be altered from time to time or repealed.

Mr. STAFFORD. Mr. Chairman, I yield to the gentleman from Illinois [Mr. MADDEN] 30 minutes.

The CHAIRMAN. The gentleman from Illinois is recognized for 30 minutes.

Mr. MADDEN. Mr. Chairman and gentlemen of the House, I was intensely interested in the speech of the gentleman from Pennsylvania [Mr. DEWALT]. It suggested a new thought with respect to the organization and management and operation of railroads. I had intended, without having made any preparations, to give my views as to what should be done by the Congress in the matter of the organization of the railroads, in the matter of organization of merchant ships, as well as in the matter of the organization of the telegraph and the telephone and cable lines——

A MEMBER. Any more?

Mr. MADDEN. It is a big job, I hear some one say, and I do not pretend to have given it the kind of study that it merits. But I think the time is opportune for those who have opinions, or who think they have on what I consider these fundamental problems, to express their views, not with any intention of outlining definite legislation upon them, but rather for the purpose of inviting public discussion. For after all these questions must arrive at a stage before very long when definite and conclusive action must be taken upon them by the Congress of the United States. The people all over the United States are looking forward to the time when the Congress is to express a definite attitude. And while Members of the House and perhaps Members of the Senate are frequently reluctant to express their opinions in advance, lest they may not be in conformity with the public sentiment of the country, I think it well that some one should have the courage to have opinions and be willing to express them, regardless of whether they meet with the public view or not, in order that the discussion may go on and that something tangible may result from the discussion. And so I presume—for I assume that it is a presumption on my part, having no legal knowledge, having no special knowledge on either of these subjects—to assert an opinion.

But my opinion is that the railroad problem is of such transcendant importance that it must meet with some sort of satisfactory settlement before very long. It can not continue to remain under the control of the United States Government without either having money invested in it or having ownership in some form, for I apprehend that no one will claim that the Government has the right to maintain control over private property in times of peace while the owners of the property are held up in the air without any knowledge of what treatment their interest in the property is to receive; and so I have reached the conclusion that the owners of the property have rights which even the Government is bound to respect. For myself, I believe that the properties owned by the railroad companies of the United States can never go back into the same form of ownership which obtained before the war. Government operation has involved the expenditure of a large amount of Government money, and we have adopted a scheme of operation which, in effect, has set aside the Sherman law, and we have unified the railways. We have made the terminals common terminals. We have, in other words, pooled the issues of all the railroad companies merely by authorizing the President of the United States to take them over for operation during the war. We could have accomplished all this without the Government taking them over, but it might not have been considered wise, and perhaps it would not have been popular. To do without Government control during the war what we have done through Government control would involve the repeal of the Sherman law and would have permitted what has been claimed to be the basis of scientific management and operation of the railroads by men who have devoted all their lives to the practical solution of that problem. But, as it was, we did not have the courage or the good sense to do directly what we have done indirectly. We have had railroads under private ownership, with the rate-making power in the Interstate Commerce Commission. To the extent of the rate-making power and the accounting system we have had a measure of Government control. My judgment is that when this problem is finally settled it must be settled along lines that will unify the railroad systems of the country, and that this unification will involve the organization of a very strict Government regulation; that that regulation will be such as to give to the Government not only the power to make rates but to regulate the conduct of the operation of the roads, and also give to some board that may be created by the Congress the power to fix wages.

Mr. COOPER of Ohio. Will the gentleman yield right there?

Mr. MADDEN. Yes.

Mr. COOPER of Ohio. Does not the gentleman believe that ought to be vested in the rate-making power?

Mr. MADDEN. The regulation may be covered all in one board. I do not undertake to say. I am giving just a rough outline of my own views for example.

In the consideration of this subject there are four general plans possible:

First. Government operation with private ownership (present condition).

Second. Government ownership and operation.

Third. Government ownership and private operation.

Fourth. Private ownership and operation with Government regulation.

To be satisfactory any plan must create the following fundamental conditions:

First. Confidence in the mind of the investor that the investments in railroad securities will be protected against improper methods of finance and lowering of rates below a reasonable level; that the principal and income will be secure. This is necessary because railroads must be improved and enlarged concurrently with the industrial growth and expanse of the country. Also the greater the stability in the railroad investments, the lower the interest rates at which money can be secured for railroad improvement and expansion. This interest cost of money is a substantial part of the cost of transportation, therefore a saving in this item will result in cheaper transportation. The truth of this statement has been proven by the events of the last 15 years. During this period, due to gradual undermining of the investor's confidence in railroad securities, funds for railroad development have been increasingly harder to secure and interest rates have advanced, consequently the railroads were practically standing still while the industrial life of the Nation was enormously expanding, with the inevitable result that when the peak load was reached the railroads were unequal to the task.

Second. Confidence on the part of the shipper that money received by the railroads for transportation will be properly used. The shipper first of all wants adequate service, and secondly he wants this service at the lowest consistent rate. However, he does not want service at less than cost, because later he will inevitably have to make up the deficit of to-day with an added penalty. The shipper will be willing to pay the necessary cost of adequate service economically produced. The confidence of the shipper has been undermined in the past, first by improper financial methods which placed unnecessary financial burdens on certain roads, and in other cases diversion of earnings which properly belonged in the properties. Secondly, many public agitators for personal reasons have taken advantage of these episodes to condemn the whole field of railroad endeavor, with the result that an atmosphere of suspicion and distrust has been cast over the whole railroad situation, even though, as a whole, we have the best and cheapest railroad transportation of any country in the world. No effort should be made to defend the improper practices, and attention is drawn to them only to point out the necessity of preventing their repetition.

Third. Confidence upon the part of railroad labor that it will receive a just compensation and that proper working conditions will be maintained. A workable method must be devised that will provide means of settling controversies, because strikes can not be tolerated as a means of settlement.

Fourth. Working conditions for the managements which will enable them to operate and develop the railroads along progressive lines. By this is meant that hampering restriction of laws, preventing pools, consolidations, and mergers, plural control by commissions, who ofttimes have different interests and no responsibility as to the general results of their acts, and restrictions in the funds allowed for maintenance and improvements should be eliminated.

Fifth. Confidence on the part of the general public that a square deal will be given; that the transportation agencies will be adequately developed along the right lines and economically operated, and that abuses will be prevented.

Taking up the possible plans and analyzing them with respect to the foregoing fundamentals, we arrive at the following conclusions:

GOVERNMENT OPERATION WITH PRIVATE OWNERSHIP (PRESENT PRACTICE).

This has the advantage that the railroads can be operated as a unit, are free from all restrictions, both Federal and State, and have the entire credit of the Nation behind the operation.

On the other hand this plan weakens instead of strengthening the credit of the owners, makes extensive improvements impossible, and produces a general unsettled and disturbed state.

Manifestly this method can not be permitted to continue for any prolonged period. The sooner it is discarded the sooner will settled conditions be established.

GOVERNMENT OWNERSHIP AND OPERATION.

This method will settle all questions relating to finances and to plural control, and would effect certain economies resulting from unified operation.

On the other hand it would be impossible to keep this enormous organization free from the effects of politics. The employees would use their political influence to force more favorable wages and working conditions; the various communities would use political influence to obtain improvements for their communities similar to the so-called "pork-barrel" method in appropriations for public improvements; and the constituents of officeholders would force the officeholders to make the railroads a job-hunting ground, with all the attendant evils resulting to the morale of the operating organization.

The railroads could not be operated economically, because the personal initiative and responsibility of the management would be entirely changed. Management can not be expressed in cut and dried formulas. It is the place where freedom of judgment must be allowed and personal initiative encouraged by fear of a penalty for failure and promise of reward for success. Government ownership and operation would stifle the morale of the railroad organizations. This morale is as important in business organizations as in an army on the firing line. It is harder to maintain than in an army, because it must be maintained continuously year in and year out, while in an army it is only for a relatively short period and under the stress of a great emergency.

Government operation would eventually become a huge imponderable machine tied up in the traditional red tape, entirely devoid of any personal element, either in its dealings with the public or its employees.

GOVERNMENT OWNERSHIP AND PRIVATE OPERATION.

This method would solve the financial difficulties, but would be very close to Government ownership and operation and would have many of the objections of it. In addition, there would be the traditional troubles between landlord and tenant.

PRIVATE OWNERSHIP AND OPERATION WITH GOVERNMENT CONTROL.

This plan offers a way to attain the advantages of the other plans without the disadvantages, if properly worked out and fearlessly and constructively applied. Manifestly this control must be vested in one body, made up of our most experienced and able men. This body must be removed from all influences, both political and personal, other than the best interests of the whole country. The control body must also shoulder the responsibility for the success or failure of its control.

This body must be so organized that it will be easily accessible and will be in intimate touch with the various sections of the country, and will be capable of making prompt business-like decisions.

With the above in mind, it is suggested that the following things should be done:

First. All restrictions of present laws as to consolidations, pools, mergers, and so forth, should be repealed.

Second. Control should be centralized in the Federal Government.

Third. Create a commission whose organization, personnel, methods of doing business, powers, and responsibilities should be along the following general lines:

ORGANIZATION.

Divide the country into five regions, one to embrace New England with offices at Boston, one to embrace the eastern section with offices at New York, one to embrace the central section with offices at Chicago, one to embrace the West with offices at San Francisco, and the other to embrace the South with offices at Atlanta.

Each region to have a commission of five, who would handle all matters relating primarily to its own particular region.

For matters relating to the country as a whole, the five commissions would meet in Washington as a committee of the whole.

All the commissions to report to a director of transportation, whose duties would be entirely supervisory and who would determine questions of jurisdiction as between the regional committees and the committee of the whole. Each regional committee would have authority to render decisions as to matters brought before it or originated by it, and these decisions would be binding unless and until superseded by decisions of the committee of the whole. Methods of procedure should be left with the commission.

PERSONNEL.

Each regional committee should be made up of permanent residents of that particular region, and who should be required to live in that region during tenure of office.

The members of these committees should be appointed by the President, subject to approval of the Senate, under the same conditions as the Justices of the Supreme Court. The appointment to be for life or until reaching the age of 70.

Appointments should be made from men experienced in the following lines of endeavor:

1. Banking or investment.
2. Railroad management.

3. Commerce (representing the shippers).
4. Labor.
5. General (representing the general public).

Vacancies should be filled from the field from which the vacancies occurred.

POWER AND AUTHORITY.

These commissions should have the power and authority over the following things:

1. The issue of securities of all kinds, to prevent improper methods of finance.
2. Authority to approve or disapprove, or to order pools, mergers, and consolidations, with authority to approve, disapprove, or fix the terms thereof.
3. Authority to approve or disapprove or to order extensions and additions and betterments on all projects involving expenditures of more than $200,000 for each single project.
4. Supervision with authority to order corrections in the maintenance of the properties and charges made for depreciation, it being the duty of the commission to see that the properties are adequately maintained and adequate depreciation reserves set up to guarantee the integrity of the properties.
5. Supervision with authority to adjust working conditions and wages of railroad labor when agreements or settlements of controversies can not be reached by the employees and managements.
6. The power, authority, and responsibility of regulating service.
7. The power, authority, and responsibility of fixing rates.
8. Power and authority to approve or disapprove the dividends paid.
9. The authority to employ all necessary assistants.
10. Authority to prescribe methods of recording and accounting and reporting by the railroads.

In other words, the commissions would be given complete authority and power. The commissions would be made up of our best men experienced in the work and would then be responsible for the results.

Mr. GARNER. In the beginning the gentleman said we would not undertake to regulate property in which we had no interest. Now, if you adopt the scheme you suggest, do we not undertake to regulate the railroads in which the Government has no interest?

Mr. MADDEN. I think the Government must be said to have an interest, in the face of the fact that we have already expended a large amount of money for the development of the properties of the railroad companies during Government control, and for the interest which the Government has it may be necessary for us to have the power to regulate not only the rates but the wages; but, aside from that, the Government represents the people's interests, which must be taken into consideration.

Mr. GARNER. But I understood the gentleman in the beginning to say that fundamentally it was wrong for the Government of the United States to take property and undertake to regulate it when it had no financial interest in it. Let me direct the attention of the gentleman to the fact that under the condition that existed before the war the Interstate Commerce Commission was undertaking to regulate the freight rates of the country and certain other phases of the railroads, and under the gentleman's scheme it would be just an enlargement of their powers over properties which, if I understand the gentleman, are still to be owned by the individuals.

Mr. MADDEN. The Government is doing to-day what I said I objected to, but will not be permitted to do when we finally reach an adjustment and turn the roads back.

Mr. IGOE. Will the gentleman yield for a question?

Mr. MADDEN. I would prefer to go on.

Mr. IGOE. Go ahead.

Mr. MADDEN. I think we ought to have regional boards of directors. I think that on these regional boards there ought to be men representing all the elements of activity within the region. I think labor should be represented, I think agriculture should be represented, I think banking and manufactures should be represented, and when we reorganize the roads, in my judgment, the men who are selected as members of a regional board should be men who live within the territory for which they are selected, and if they have the qualifications that they should have they should be appointed to these positions for life, so that they would be taken away from the political influences that might shape their actions if they were appointed only at the will of the President or some other public functionary. Personally I am against Government ownership, but I am in favor of the strictest Government regulation consonant with proper conduct of these great arteries of commerce. I believe in stabilizing, I believe in unifying, I believe in utilizing the instrumentalities of commerce to the full limit of their power. I believe that if we unify and permit the use of the terminals in common and permit the pooling, so to speak, of the issues, of the incomes, and the traffic under proper Government regulation we will not only be able to treat labor fairly but we will also be able to treat capital fairly and that we will have a condition of things which will meet with the approval of the American people.

After all, whatever settlement of the question is made, it must be made with a view to meeting the approval of the people, because they are the greatest factor in the case.

Mr. EMERSON. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. EMERSON. I would be glad to get the gentleman's reasons why he favors regional control.

Mr. MADDEN. Because I think the conditions are different in different sections of the country and require different treatment. For example, in a strictly agricultural territory the conditions are totally different from what they are in a strictly manufacturing territory. I think the conditions are different in a strictly agricultural territory from what they are in great centers of population. I think they are different in the mountain territory from what they are in the prairie territory, and I believe men acting as regional directors within the different zones will have a better conception of the needs of the community over which they preside than they would have if they were selected entirely from New York or Chicago or some other great center of population.

Mr. RAYBURN. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. RAYBURN. The gentleman says, in argument for the regional control, that there are different conditions in different sections of the country. Take it within one of the regions—I care not how large or how small—will you not have poor railroads and rich railroads?

Mr. MADDEN. We would have one system of railroads, in my judgment, if we are going to meet this case as it ought to be met. We will not have any rich or poor railroads, but we will have whatever they are, rich or poor. We will have one system.

Mr. DENISON. Then should competition be entirely eliminated?

Mr. MADDEN. Yes; entirely eliminated, if you want to put it in that way. I would eliminate it to the extent that the Government permits its elimination. I am not afraid to eliminate competition if the Government regulates it. That is the point.

Mr. DENISON. If you eliminate competition entirely and private initiative in the management of railroads——

Mr. MADDEN. I am not eliminating private initiative in the management of railroads.

Mr. DENISON. Why not as soon have Government ownership?

Mr. MADDEN. I am not eliminating private initiative; I am encouraging it.

Mr. DENISON. But you can not have private initiative if there is no competition.

Mr. MADDEN. There will be competition between the railroads. They will use the roads in common, and if the Government is to regulate with the rigidity I think it can there will be no trouble either about the initiative or about the competition.

Mr. HUMPHREYS. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. HUMPHREYS. Does the gentleman believe that the ownership of the roads should remain private?

Mr. MADDEN. Yes; and the operation of them.

Mr. HUMPHREYS. But that the directors of the road who should control it should be appointed by some other agency?

Mr. MADDEN. I did not say the directors of the road; I was talking about the regional regulating directors.

Mr. HUMPHREYS. Regulating what?

Mr. MADDEN. Regulating the conduct of the railroads, the issuance of stocks and bonds, the finances, and doing the things that ought to be done to prevent the owners from putting on the market spurious securities.

Mr. HUMPHREYS. And also regulate the rates?

Mr. MADDEN. Yes.

Mr. HUMPHREYS. Then what would be left of the owners of the roads?

Mr. MADDEN. The scientific management of the business. I maintain that the man who manages the practical side of a business is infinitely more in need of scientific knowledge than the man who is charged with the responsibility of regulating his action.

Mr. HUMPHREYS. But if you regulate and determine his income and his expenses, what scientific financial expertness can benefit the owner of the road?

Mr. MADDEN. I think the gentleman is assuming now that we are attempting to pass a law, while I am only outlining my views, and I think the gentleman is taking a too restricted view of what I say.

Mr. HUMPHREYS. I was asking for information, in order to learn what the regional directors would be permitted to do, what powers they would have.

Mr. MADDEN. The railroad directors, the managers of the railroads, would be permitted to run the roads, to regulate the employment of men, to make the schedules of trains, to regulate every part of business of the institution, except the issuance of securities, the making of the rates, and the regulation of the conditions that will be laid down by the law, through the regional directors. The manager of the railroad would be the man who would need knowledge, brains, and experience. The other men, the regional directors, need nothing except a knowledge of how to carry out the law that is laid down, within the strict lines of which they must act. But the railroad man, the manager, the man with scientific knowledge, will have to have knowledge extending throughout the ramifications of the railroad business. He will have to coordinate, he will have to manage, he will have to provide, he will have to buy, build, and supply the equipment, and he will have to know how to schedule his trains, he will have to know what connections to make here, there, and everywhere. This is something that requires scientific knowledge. The other is simply a knowledge that will be laid down for the men between the lines of the law.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. FESS. The Federal Reserve Board can regulate the rates of interest that a bank can charge, but the Federal Reserve Board does not supersede the owners of the bank. The owners do the business of the bank just the same as before.

Mr. MADDEN. Why, certainly.

Mr. FESS. As I understand your plan would be an opportunity which would give regulation, but the owners of the road would run the road just as the owners of a bank run the bank?

Mr. MADDEN. Just as the owner of the plow runs the plow, exactly. [Laughter.]

Mr. RAYBURN. Will the gentleman yield?

Mr. MADDEN. I want to get away from this and start on something else. I do not say that I want to get away because I am not anxious to answer the gentleman, but my time is limited.

A MEMBER. The gentleman is getting into deep water.

Mr. MADDEN. No; I am not getting into deep water; I am willing to swim in any water there is. I yield to the gentleman.

Mr. RAYBURN. The gentleman says when he gets these regions established, of which he talks about, this Utopia, there will not be any rich roads or poor roads, and yet he says he believes in private ownership——

Mr. MADDEN. Yes.

Mr. RAYBURN. Is he going to carry his structure to that point where every stockholder will be paid the same return upon his investment regardless of what kind of a road his money is in?

Mr. MADDEN. I think the regional directors ought to coordinate with the main board at Washington. This board will be a subsidiary body of the main board, and they will be under the direction of the main body exactly as the regional directors of the Reserve Bank System are under the Reserve Board, exactly. Of course, you know you can not outline a bill here in an ordinary 30 minutes' talk. It is very easy for a man to rise in his place and ask questions that have no relation whatever to the subject. I stated when I arose that I only rose for the purpose of creating discussion on the outside, and I hope whatever I may say here to-day will create discussion that will result in some concrete legislation.

Mr. RAYBURN. If this talk gets out it will create some discussion on the outside.

Mr. McKENZIE. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. McKENZIE. I simply desire to ask my colleague if I have not understood him correctly, that he favors one great central corporation of railroads rather than the regional proposition submitted by the gentleman from Pennsylvania?

Mr. MADDEN. I am in favor of one great corporation authorized by the Government of the United States to cover the whole United States.

Mr. McKENZIE. Will the gentleman permit one other question?

Mr. MADDEN. Yes.

Mr. McKENZIE. In the gentleman's judgment, with the study he has given to this question, does not he believe that the administration of a zone system when applied to railroads that extend entirely across the country will be an impossibility?

Mr. MADDEN. Well, no; I think not. I think that certain jurisdiction could be given to the regional directors by the Federal board that will give them the jurisdiction within the division as it is to-day under private ownership. Under private ownership the managing director of a railroad company appoints a division superintendent, and within the division the superintendent is supreme.

Mr. FESS. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. FESS. The regional plan would not necessarily be divided upon the basis of geography?

Mr. MADDEN. Not at all.

Mr. FESS. It would follow the thoroughfare?

Mr. MADDEN. Surely. There is one more thing I was going to say.

Mr. GREEN of Iowa rose.

Mr. MADDEN. I can not dwell upon this any longer, because I intended to take up the ship proposition. I realize, Mr. Chairman and gentlemen, that this is a big topic, and it is one that can not be dealt with offhand or it can not be dealt with in a jocular way, as you gentlemen have attempted to deal with it. Of course it does not make any difference how you joke with me about it. You know you can not take me off my feet, and it will not embarrass me, no matter what you say; and whether I have thrown any light upon the subject does not matter. I have expressed the opinion that I have crudely formed. I would perhaps have expressed that much better if you gentlemen had let me alone. [Laughter.]

Now I desire to take up the shipping question. Since the war began we have built a very large number of ships. We have built those ships at an enormous cost. Those ships are owned by the Government of the United States. It must be evident to everybody who has given any thought to the question that the Government can not itself engage in the shipping business in competition with the shipping of the world. Something will have to be done when this war is over to utilize the great merchant marine which we have accumulated and of which we are all so proud in order that we may be able to meet the competition of England, France, and the other nations in the markets of the world.

Mr. FESS. Before the gentleman leaves that point, will he yield for one question?

Mr. MADDEN. Surely.

Mr. FESS. I would like to have the gentleman's opinion on Mr. Hurley's statement that on account of the grade of efficiency on the part of American labor we will be able to meet that competition.

Mr. MADDEN. There can not be anyone who has given an hour's thought to the question of efficiency in labor who will agree that Mr. Hurley is right, not that our men are not efficient, but we are paying very much more money than any other nation pays to the men who are following a seafaring life. For example, Japan pays on an average about $15 a month to its sailors, England pays about $30 a month, and America about $60 a month. Now, there must be something done in the matter of legislation to equalize this situation so that we can successfully compete with the shipping of the world, and I have a suggestion to make which you men may not think to be wise or to be practicable. I think, first, that we must either sell or lease the ships that the Government has built if we expect to maintain the supremacy which these ships should give to the United States in the markets of the world. Whether it will be by sale or lease is a matter for the Congress to determine. Then the question, if we sell, is, How are we going to encourage the men who buy to operate the ships at a profit?

If we lease, what are to be the terms of the lease? And how can the man who leases our ships afford to fly the American flag if he is compelled to pay $60 to a sailor in competition with Japan, who pays $15? How can he afford to operate the ships, and can he operate the ships successfully and profitably—and the two are together—if he has to compete with England, who pays her men $30 a month? The natural logic of the situation might suggest a subsidy to pay the man who leases the boat or ship for his loss. That would not be popular, and never has been popular, in the minds of the American people.

Then, what is the necessary thing to do? Are we going to draw on the Treasury of the United States to make up the deficit, and are we going to hand the amount that we draw from the Treasury over to the man who leases the ship? That is not a popular thought, because in the mind of the ordinary man every man who is transacting business is making a lot of

money, though he may be losing it. Most people say that no man will run business at a loss; but I have seen business run for several years at a loss. And I have been asked why. It was because those who owned it were trying to hold on until they could see a chance for a profit. They had their money invested; it was all they had in the world. What were they to do with it? Throw it away without an effort? Of course not. Most men who have hung on under adverse circumstances and have had the courage to meet the situation as it was have won out in the end. Now, we have this situation to meet: We have the opposition of the American people to a ship subsidy. It does not sound well to the average American. Then, what are we going to do?

I have this suggestion to make: If we pay $60 and Japan pays $15 and England pays $30, we can have a board appointed, through which board we can pay out of the Treasury of the United States the difference in wages paid by England and Japan and the wages paid to the American sailor. When you pay it direct to the sailor, there will be no opposition to it, because everybody knows he is not getting it to make him rich.

Mr. GARNER. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. GARNER. That brings up the old problem. As an economic proposition, how is England to compete with Japan if it costs them 50 per cent more?

Mr. MADDEN. Every shipper in England takes stock in the shipping company in proportion to the size of his business—does it as part of a voluntary plan.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. Mr. Chairman, I would like to have perhaps 5, or maybe 10, minutes more.

Mr. STAFFORD. I yield 10 minutes to the gentleman.

Mr. GARNER. Does that interest equal the difference in the cost between Japan and England?

Mr. MADDEN. Yes; it does, as both owner and shipper meet the loss in proportion to their interest.

Mr. GARNER. Our cost, then, would be equal to, say, $35 per man as between Japan and this country, and if Japan went down——

Mr. MADDEN. Equal to $45.

Mr. GARNER. And if Japan went down to $12 we would have to increase it to $48, and if it went down to $10 we would have to increase it to $50.

Mr. MADDEN. And my idea is that if we have an opportunity we will pay this to the men themselves.

Mr. McKENZIE. Does the English Government pay a subsidy to their freighters?

Mr. MADDEN. The gentleman from Pennsylvania [Mr. EDMONDS] can answer that more correctly than I can.

Mr. EDMONDS. They do not pay it to freighters or to tramps. But they do pay it to passenger and package steamers.

Mr. MADDEN. We will have to do it if we are going to maintain the standard of wages.

Mr. GARNER. How are you going to ship freight from England in competition with Japan with only 50 per cent of the cost, maybe, that we can do the work with?

Mr. MADDEN. Maybe we can. I am in favor of establishing a board through which we can pay to the men who sail under the American flag the difference between the wages paid here and the wages paid in other places.

Mr. McKENZIE. I am interested in what you are saying, and I want to ask you this one question in regard to your proposition. The wages of the American seamen are fixed, as I understand it, by the Seamen's Union?

Mr. MADDEN. Yes.

Mr. McKENZIE. And in these other cases they do not have such regulation. Now, if we would adopt such a plan as you suggest, what difference would it make to the shipowner or the Government running a ship if they could fix any price for their labor and it would be paid out of the Treasury?

Mr. MADDEN. We have got to assume that we are going to be reasonable and our labor unions are not going to make it impossible for the American flag to fly on the world's seas.

Mr. GARNER. From the gentleman's experience with the Post Office Department, he ought to be convinced at this time that those wages are going up.

Mr. MADDEN. Whatever it is, whatever it may be in the future, we must meet it if we expect to run American ships. I think that is the way to deal with it, and I believe if we deal with it in any such fashion as that we will be able to float the American flag on every American merchant ship that has been made in every American shipyard and will be able to meet the competition in the markets of the world.

Mr. KEARNS. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. KEARNS. Your proposition in effect is a subsidy, after all, is it not?

Mr. MADDEN. Yes; of course it is a subsidy, but it is the kind of a subsidy that the people would agree to.

Mr. KEARNS. You only call it by another name so that they will not object to it?

Mr. MADDEN. No. I do not think the people themselves object to a subsidy in fact if it is paid to somebody who needs the money rather than to the man to add to his profits.

Mr. HUMPHREYS. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. HUMPHREYS. A few years ago, before the war broke out in Europe, when we were in normal peace times, I heard Capt. Dollar say that a ship that cost here pretty nearly a million dollars—close to a million—which was an ordinary freighter—I think it was about 7,000 tons or maybe 10,000 tons—could be bought abroad for $500,000, according to my recollection.

Mr. MADDEN. I think he said $600,000.

Mr. HUMPHREYS. Yes. Now, that is true. You can buy a ship abroad—a Japanese can get a ship at $500,000, or an Englishman can do it, and it costs $900,000 or $1,000,000 to buy the same ship here. How would the gentleman undertake to compete?

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. MADDEN. We are up against that situation. We already have a certain number of ships that we have built. The cost of building a ton of shipping before the war was about $75 for a wooden ship, and to-day it is $200. But we have the ships, and we must make some disposition of them, and we want to use them in the markets of the world, and we must provide some method by which they can be used. We constantly boast of American genius, of its ability to overcome obstacles. Our people continue to insist that we can do what other people can do. They want an active American merchant marine. If they insist upon having American ships, built in American yards, operated by American sailors, under the American flag, at American wages, they will doubtless sustain us in our efforts to meet their views if we can but develop American commerce on the high seas.

Mr. STAFFORD. Mr. Chairman, I yield 20 minutes to the gentleman from New York [Mr. HICKS].

The CHAIRMAN. The gentleman from New York is recognized for 20 minutes.

Mr. HICKS. Mr. Chairman, I ask permission to revise and extend my remarks.

The CHAIRMAN. The gentleman from New York asks permission to revise and extend his remarks. Is there objection?

There was no objection.

Mr. HICKS. America's answer to the poem "In Flanders Fields":

Rest ye in peace, ye Flanders dead.
The fight that ye so bravely led
We've taken up. And we will keep
True faith with you who lie asleep
With each a cross to mark his bed,
And poppies blooming overhead,
Where once his own lifeblood ran red.
So let your rest be sweet and deep
In Flanders fields.

Fear not that ye have died for naught.
The torch ye threw to us we caught.
Ten million hands will hold it high,
And freedom's light shall never die!
We've learned the lesson that ye taught
In Flanders fields.

Your flaming torch aloft we bear,
With burning heart our oath we swear
To keep the faith, to fight it through
To crush the foe or sleep with you
In Flanders fields.

And our boys kept the faith and fought it through! [Applause.] On this winter's day, on the eve of a new era in world politics, when the implements of warfare are already rusting upon battle fields but yesterday the scene of awful carnage, we give our heartfelt thanks for the blessings of peace—blessings achieved in large measure by the matchless courage and the superb bravery of our own boys and by the unflinching spirit of devotion and determination of our people at home. [Applause.] Each week welcomes back tens of thousands of our boys in khaki and in blue, and we say to them each one, and we say also to every man who did not have the opportunity of going abroad: "We appreciate what you have done and the country thanks you for your heroic deeds. For all time you men in blue and you men in khaki have earned the gratitude of your country for your unselfish sacrifice in maintaining the principles of our Nation and the honor and the glory of the flag." [Applause.]

In the brief time allotted me to-day I desire to speak of some of the things I saw on the firing line last summer and a year ago. I regret that opportunity does not permit me to speak fully of the achievements of Great Britain in this conflict; but let me say that the men of English blood and of Scotch and of Irish and of Welsh blood and the men from the colonies overseas fought in this conflict like the bulldogs which they are, and that the people of that great empire gave of their substance and of their blood without stint and without reserve. [Applause.] And of France—heroic, noble France, bearing in this conflict the greatest blows in the history of war; France, our friend and ally in the dark days of our Revolution—think for a moment of what France has done in this great struggle! One million four hundred thousand of her sons dead; 1,400,000 more helpless cripples; thousands and thousands of her women and children victims of the savagery of war; scores of her cities shapeless ruins; hundred of acres of her rich land desolate waste; homes destroyed, churches demolished; and yet the resolution of France rose supreme to the sacrifices, the horrors, and the losses, and through the weary years of darkness stood steadfast between Prussia and her ambition to rule the world. [Applause.]

They say "France was bled white." Yes, in men and in money, but not in spirit and in heroism; and the blood that was shed by those French soldiers on the last day of the fight was the reddest of the red blood of heroes. Bleeding and maimed as she was, France through it all gave a promise like the rainbow in the heavens that democracy was safe in her hands. [Applause.]

I want to take you a moment, my colleagues, to the battle line. We will go to the city of Rheims, the city which of all cities appeals to us for sympathy. It was in November a year ago, just as the lengthening twilight of a gray November afternoon was casting its somber hues on those torn and gloomy walls that we entered the city of Rheims. Rheims, ill-fated, battle-scarred Rheims! What memories and associations of the past, what tragedies and sorrows of the present, are awakened at the sound of that name! Religion, history, art, chivalry, romance—the epitome of human aspirations and of human endeavors—crowd the centuries of her existence. To-day empty homes, crowded cemeteries, desecrated churches, crumbled walls, and battered pavements tell of the bombardment and the destruction wrought by German guns. And there, surmounting all, a pathetic monument to the frightfulness and wreckage of war, stands the shattered cathedral. For 800 years this masterpiece of architectural splendor has been the shrine of countless thousands. But yesterday the pride of France, to-day a bleak and broken relic of its former glory. Birds flight their passage through those empty windows, once studded with the noblest expression of the glazier's art. Molded column and chiseled art, rich with the tracings of a master hand, lie as heaps of dirt upon the pavement. And there in front of the altar, where once stood Joan of Arc when her King was crowned, is a great pile of broken glass and fragments of holy figures. Oh, the pathos and the wantonness of it all!

And I want to take you with me for a moment to the heights of the Meuse on the eastern frontier of France, to Verdun, immortal Verdun, the rock of destiny! [Applause.] Verdun, against whose slopes were hurled the mightiest assaults that the world has ever known; Verdun, whose very hills were blasted to their base beneath the heaviest cannonading in all history; Verdun, a name which will endure for the ages; Verdun, where the blood of heroes was transmuted into everlasting glory! Go out on those hills which surround the city like a necklace, 35 miles in extent. Down in those valleys and on the hills beyond, and yet beyond, was fought that great fight of two years ago. Square mile after square mile, with not an inch that has not been torn by shell and consecrated by the supreme sacrifice of those who fell in its defense. It is as if nature herself had sickened at the terrible carnage being wrought on her bosom and died in the agonies of smallpox leaving its mark upon every hand. Shell hole and crater, crater and shell hole, crowd there one upon the other in terrible confusion, and those holes to-day are filled with pieces of artillery, rifles, hand grenades, helmets, gas masks; yes, dead men, too, are lying there in the mud at Verdun! I have seen the ruins of Port Arthur in Manchuria, and have been to the top of 303 Meter Hill, where the Russians and Japanese crossed swords in 1904; but all the devastation and ruin of Port Arthur is not one-tenth of what we saw at Verdun. We passed three cemeteries containing 30,000 men, and I asked the commandant, "Where lie the rest?"

"There they lie beneath your feet, ground back into the elements." Three hundred thousand men gave up their lives in this inferno of death; 180,000 Germans, 120,000 French; five men killed for every 9 square feet of earth on those blood-soaked fields. Oh, remember what happened at Verdun. Line after line of Germans in that terrific onslaught poured up those slopes to be beaten back time and time by the French soldiers. Fort Douaumont had fallen, and the German lines were only 4 miles from the city. Then the Kaiser, watching the battle, telegraphed to Berlin that he held the key to Verdun, and the capital decorated itself with flags and bunting in anticipation of a victorious march to Paris. But between those gray German lines and their goal stood the intrepid soldiers of France! True to the traditions of their glorious past, they met charge with charge, attack with attack, bayonet with bayonet, club with club, stayed the avalanche which had piled the ground in places with 9 feet of human corpses, and held on; and the victory flags of Berlin, tattered and torn by waiting, became shrouds on the coffin of the Kaiser's dream of conquest. [Applause.] And to-day Verdun, with all the blood and all the anguish that it represents, stands forth as the greatest monument to courage and bravery in all the world, and it stands there, too, as the sepulchre of Prussian hopes and ambitions. [Applause.] Oh, my colleagues, think of what transpired there at Verdun and what hung in the balance. It was here that civilization itself tottered, then fell as the German hosts swept onward, then rose again as the dauntless soldiers of France, inspired by the watchword of liberty, "They shall not pass," drove back again and yet again the onslaught of the Huns. [Applause.] Let me tell of what we saw in one of our great training camps in France a year ago. Do you know that some of your own sons have been arrested as deserters from the American Army? Our own boys have been arrested for leaving their colors; and I will tell you why. Many of those boys in khaki were stationed back of the line, in the south of France and at the seaports, and, despairing of a chance to go to the trenches, they deserted; and when they were found they were on the firing line with rifles in their hands, fighting with their victorious comrades. [Applause.]

But to return to the training camps. We went to one a year ago and saw those boys of ours coming in from their training. I said, "Boys, how are you?" They said, "All right." "How is your food?" "All right," they replied. "How are your quarters?" "We are not kicking." "How is your equipment?" "Oh, we are satisfied." I said, "Well, now, boys, haven't you any kick at all to make? Remember, I am a Congressman, and if I do not get a few kicks once in a while it does not seem natural. Now, let me have your complaints, if you have any." And they gathered around me, not one but dozens, and this was their trouble: "Our complaint is that we can't get to the front. For God's sake give us a chance to fight before this war is over." [Applause.] That is all the complaint our boys had.

I want to tell you some of the things about our boys and what they have done—some personal things. Oh, we came into this fight not one minute too soon. Last March the Germans started that great offensive, the objective being to break in two the allied armies and seize Paris and Amiens while yet America was preparing. They launched that terrific line of fire, a line that left in its wake ruin, desolation, death, outrage, pillage, rape; a line of fire that trampled under foot every precept of law, every right of Christianity and of humanity; a line of fire as if the very flood gates of hell had broken loose. That line crept farther and farther southward. You and I recall how we would go out there in the lobby day after day and watch that thin line of defense on the great map being pushed nearer and nearer toward Paris. What was the answer to it all? Oh, there was only one. America in all her faith and strength answered the call and hurled into the vortex 2,000,000 of her sterling manhood, with 5,000,000 more to follow if it had been necessary. [Applause.] Then those Germans, sweeping on day after day, with every day a victory, came against a stone wall. They thought when they saw those old slouch hats and those khaki uniforms that the stone wall was made of Australians and Canadians, and it was an honor to be taken for an Australian or Canadian on that firing line. [Applause.]

They sent back for more artillery; they sent back for their reserves; they sent back for their Prussian Guard; and they stormed and stormed that stone wall, but it did not give way, for those slouch hats belonged to the boys from the States, the American devils. [Applause.] You know you have to take account of every piece of information you pick up. One day up there on the line we came across 10 German soldiers lying in a circle not larger than this hall. We went through their pockets to see if they had any information which would be of

benefit to our own lines. We found nothing, but in front of Chateau-Thierry an American officer discovered the diary of a German officer, and this is how it read:

July 11. Things are going fine. We will soon be in Paris.
July 13. The fighting is becoming furious.
July 14. We have sent back for our reserves, and we are fighting like hell.
July 15. Mein Gott! How those Americans can fight.

[Applause.]

I want to say a word or two about little Belgium. Belgium restored once more, thank God, to her own boundaries and to her own people! [Applause.] When we were in Belgium the part free from the invader was only 30 miles long and 15 miles wide. If that flag behind the Speaker was a map of Europe, those of you in the rear seats would not be able to discern the part which was free Belgium. We went there, as my friends, GOODWIN, DALE, and TIMBERLAKE, will remember, on the birthday of the King. We were not dressed in court attire; we had on trench shoes and old trousers covered with mud and slime, flannel shirts, and old slouch hats. The King welcomed us in that great democratic simplicity which has endeared him to the world. We told him that America was proud of what the Belgians had done, and he replied, "Here I am in the little remnant of my kingdom, and here I will remain until every Belgian is killed and until Belgium is no more." [Applause.] We told him that the American people thought a great deal of him and of his people, and I asked him what message I could take home with me to America. Putting his hand on my shoulder, he said, "Take this message to the American people," and I give it to you to-day from the heroic King of the Belgians:

"Tell the American people that without their help and their support my people would have starved to death, and from the bottom of my heart I thank them." [Applause.]

Let me tell you some stories, some deeds, of those boys of ours. Let me give you some of their actual experiences. Up there on the front at the Vesle River we met some of the officers who had been out in no man's land with their men. There was an Irishman from my own State, and one night an officer going over the top discovered this young lad going forward with a revolver in his hand. The officer said, "Here, Mike, put up that pistol; that is not heavy enough. Use your rifle in this kind of a fight." The Irishman said, "Officer, I can't do it; I am wounded." "Wounded; whereabouts?" "In my stomach." And the officer looked and saw that a machine-gun bullet had ripped up the man's stomach, and he was holding his intestines in with his left hand, but he was going toward the enemy, fighting with his right hand. [Applause.]

Let me tell you another story. One night a man was found crawling on his stomach through that shell-infested area, and an officer coming upon him said, "Stand up." The man replied that he could not, that he was wounded. "If you are wounded, you want to crawl the other way, because you are crawling toward the enemy." "Yes; I know it, but I am going that way because I know that right up there is a German machine-gun nest, and I am going after it." That man gave his life's last blood fighting the enemy of his country. [Applause.]

Now, do you wonder why it was that Bulgaria gave up? Do you wonder why it was that Austria cried, "Kammarad"? Do you wonder why it was that the Imperial German Army crumbled and then ran for home and have been running ever since? Do you wonder now why it was that the German Government when they asked for peace found themselves in pieces? Do you wonder now why it was that a great navy hauled down its flag without striking a blow? Do you wonder now why it was that the German Kaiser deserted his people and fled to Holland, and lies in hiding, wrathfully contemplating the smash up of the divine right of kings and the dissolution of that nefarious compact between "Me und Gott"? [Applause.]

Mr. Chairman, on this winter's day, somewhere in the Valley of the Rhine, somewhere in Alsace-Lorraine, somewhere in northern France, the Stars and Stripes are flying. They are kissed by the golden sunbeams, messengers from on high, in the effulgent light of victory for God, for civilization, and for country. They fly in the triumph of a holy cause, glorified in their rededication to the cause of human rights. [Applause.] Let us remember on this day what St. Paul said 2,000 years ago; when we behold our flag flying there in triumph, let us remember his words in those days of long ago. Facing the angry mob, which beset him, he said, "Beware how you molest me, for I am a citizen of Rome."

He epitomized in that declaration the power and the determination of that great Empire of antiquity whose protecting arm stretched to the ends of the earth. To-day the American flag, the symbol of the unity, the purpose, and the will of a mighty people, proclaims to all the world the admonition, Beware how you molest him who renders me allegiance, for he is a citizen of America. [Applause.]

Mr. STAFFORD. How much time did the gentleman yield back?

The CHAIRMAN. Two minutes.

Mr. STAFFORD. I yield five minutes to my colleague [Mr. FREAR].

Mr. FREAR. Mr. Chairman, the House was very much interested to-day when the minority leader, Mr. MANN, discussed the failure of our soldiers abroad to get their mail. I have with me a short article which states that Assistant Secretary Praeger told the Senate Committee on Post Offices on January 11 that from 8 to 10 carloads of mail are now standing on the tracks in one place in France undistributed. Secretary Praeger, of the Post Office Department, laid the blame for this tragic mismanagement directly upon the War Department. Probably millions of undelivered letters have failed to reach our boys in Europe through this criminal carelessness. Responsible officers should be court-martialed for such neglect, because it violates every pledge given that we would look after the boys properly. Let me say, I have not heard from my own son, somewhere in France or Germany in times of peace, now for two months. Other parents have not heard from their sons for several months. Who is responsible for this neglect and what punishment is to be given them? The wives, parents, and other relatives who have boys abroad are anxious and every Member here should take it unto himself to force a reply and determine where the responsibility rests. Will we do it?

Mr. GREEN of Iowa. Did the gentleman say tons or carloads?

Mr. FREAR. Carloads; 8 or 10 carloads of undelivered mail in one place. I have another matter I desire to present. I am receiving hundreds of letters, like every other Member of Congress to-day, asking that soldier boys be brought home from the cantonments and camps. Let me read two or three letters that carry their own message. However small or uninfluential may be the individual Congressman, they will be obliged eventually to listen to us at the War Department if we bring our voices together in an emphatic demand, because we have the final determination. Congress gave the War Department every facility with which to carry on this war. Sooner or later that department must make an accounting, and we ought to hold the Army staff or responsible officers strictly accountable for conditions such as are now disclosed. I received the following from Camp Hancock several days ago. I can not give the boy's name, but he is from my home State and writes from this Georgia camp.

He writes:

Start a movement to get these boys in camp home. There are thousands of men and almost every family interested. Here is a camp that costs the Government something well over a hundred thousand dollars a day to maintain, yet demobilization plans have not taken a good step forward. What are they waiting for—until the cold, cold winter weather steps in and then transfer the northern boys north? In this way many will undoubtedly die.

However, it appears the mayor of Augusta still has influence at Washington, despite his practical admission of being implicated in camp-contract scandals.

I do not assume responsibility for that statement; I give it as it comes to me, but I do know that such influences are sometimes urged to keep boys in local camps.

He continues:

Some of the soldiers are of the opinion that his frequent trips to Washington are for the purpose of keeping the camp here as long as possible. The boys from the North need champions—see that we get a square deal. Every week in the Army costs some of us $60.

Now, I will read from another letter.

Mr. BANKHEAD. Will the gentleman yield?

Mr. FREAR. I can not, because my time is limited. Here is another letter relating to another camp in Georgia, Camp Jessup. It comes from the father of a boy, who writes me from Wisconsin. He asks why his boy can not be released. The father writes:

Received a letter from my son to-day, that an order was issued at his camp that no application for discharge was to be accepted, and states that he thinks the only thing to do to get a discharge is to take it up with the head of the Motor Transport Corps, at Washington.

Why can not our boys be discharged from these Georgia camps? Who issued that order refusing to discharge, and why?

I have another letter, a third, also from Georgia, this time coming from Camp Gordon. I prefer not to give the name, but the writer, an officer of the camp, says:

The commanding officer of this organization can fully appreciate the conditions as outlined in your letter, but no orders have been received to discharge the men now in this depot. As soon as such order has been received this man will be given consideration. Under the circumstances nothing can be done at the present time toward relieving him of duty at this depot.

Here are three letters coming from three camps in one State—Georgia—and men can not get released from their enforced service. They are not drilling nor working, just idling, and they all want to go home.

Why does the War Department hold them there?

In a letter received from Wisconsin, the cashier of a bank writes me regarding his wife's brother, who served with the One hundred and twenty-eighth Infantry. He writes:

My wife's brother was wounded about July 20, near Soissons, in France. His parents, at Menomonie, Wis., never received any notice from the War Department, and the first word finally came in a letter from him. On December 9 he arrived at Hoboken, N. J., and has been confined to his bed for over five months. During that time he has had three operations on his leg and will have to have another to save it. During all this time he has not received any mail, though his sisters have written him every week. A draft for $15 sent him in France also failed to reach him. He has not been paid a cent since June. When he arrived at Hoboken he sold his shirt to get money for cutting four months' growth of hair. In a letter received to-day (Dec. 21) he states he is to be sent to Fort Snelling.

These letters are from or concerning boys from my home State who were taken from their homes sometimes with only a few hours' notice, and this is the treatment given by the War Department. I am not giving trivial complaints. These boys might as well be in prison pens as unemployed in southern camps. In the last case what treatment could be more brutal than to leave this wounded boy without a cent for six months and no letters or money ever reached him. In fact, he sold his shirt to get money to look human and have his hair cut. Many court-martials are in order, and the men to be tried for neglect are those who wear shoulder straps and are responsible for such treatment as these boys receive.

The gentleman from Massachusetts [Mr. GALLIVAN] has just spoken of the arrogance of Regular Army officers. Let me read from another letter that confirms his statement.

Mr. COOPER of Ohio. Will the gentleman yield?

Mr. FREAR. In a moment I will be glad to do so. This is from a man, a brave officer who fought at Chateau-Thierry. I know him intimately and have known him for many years. He was over there in the hot fighting with the Wisconsin National Guard Division. He has been sent to a camp in this country. He writes of his present duties:

A general court-martial is held (I have sat on many of them) and some badly frightened youngster is brought in, and according to the accusations by the judge advocate, who is picked from among the lawyer officers, the lad is a notorious criminal. Upon cross-examination it seems that the lad has been in the service, we'll say, a year, having been drafted. He has asked for a pass only to be refused, receives a pitiful letter from his sister that their mother has become dangerously ill and there are doubts as to her recovery, and she wants to see her boy. He again applies for a pass and is told that the full number has gone and he is turned down. He calmly gets out of camp and goes to his home to see his mother. After a couple of days he suddenly realizes what he has done and becomes frightened and is afraid to go back. He remains in the house with his uniform on but not daring to go out. A detective places him under arrest and he is brought back to camp and to the guardhouse. The testimony is finished and court closed. The court solemnly decides that the boy is guilty of deliberate desertion in time of war; in fact, their minds are usually made up in advance. The boy has been defended by some lieutenant, who has agreed to handle the case and who laughingly says after the case is over, "Oh, I told the lad to plead guilty and throw himself on the mercy (?) of the court, because I don't know anything about the case." What shall the sentence be? After strong protest by one member of the court, the lad is sentenced to "dishonorable discharge" and 15 years at Fort Leavenworth.

I have described an actual case, being a member of the court myself.

Thank God, I was in the National Guard, who did the fighting over in France while the Regular Army stayed over on this side, filling the prisons with homesick boys.

What have you to say of such treatment of boys we have taken from their homes by the strong arm of the law in order to give up their lives, if need be, for their country? A few understrapping officers who never saw real service, but who sat in solemn judgment over this kid soldier that went home to see his sick mother, these officers who would Prussianize this country by such methods, sent that boy to Leavenworth for 15 years. Is it not time that Congress takes cognizance of such matters? Every man who sat on that court-martial and who voted to railroad that boy into Leavenworth should himself be court-martialed and imprisoned, if these facts appear as stated. I have served many years in the Regular Army and National Guard myself and have a wholesome respect for discipline, but these little martinets blessed with a brief authority are trying to out-Prussianize Prussia.

I have not discussed scores of complaints received against the War Risk Bureau, casualty division, allotment branch, or other recognized inefficiency in the past. These mistakes or neglect have caused much suffering in individual cases; but I am trying to place before the House matters that should receive certain and immediate attention.

Mr. Chairman, with the state of affairs I have described, with carloads—yes, trainloads—of mail undelivered to our soldier boys in France, with no pay in many cases for months at a time, with the disgraceful showing at Brest, where 70,000 boys were forced to sleep and live in rain and mud, with the scandalous conditions described in letters read to us by the gentleman from Illinois [Mr. MANN], with a widely published statement by Gov. Henry J. Allen a day or so ago that our troops fought for four days in Argonne Forest without artillery support, suffering casualties of one-half of the division, that were concealed by a rigid censorship as absolute as that of Germany but "lacking only the German intelligence," with courts-martial here at home of boys sent to Leavenworth for long terms because absent without leave from camps in this country after the war was over, with hundreds of thousands of boys unable to get out of southern camps, I say what indictment can be laid against any department stronger than that?

We are a patriotic people, and we have been fighting to maintain democracy and bestow it upon other peoples. What can we say of the facts that are given by Members on this floor day after day in view of our avowed purposes?

Members sit here helplessly, and no one has suggested a remedy. I am willing to overlook many shortcomings during times of war, but now that the war is over I believe those responsible for wrong conditions should be punished, no matter where it hits. Unless demobilization proceeds in southern camps without delay we should investigate conditions and do more than idle resolution when responsibility is fixed.

Why do we sit here helpless? We represent these boys and their wives and parents. The letters are filed with the testimony of the men, and they ask for relief.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HICKS. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

Mr. FREAR. Mr. Chairman, I make the same request.

The CHAIRMAN. The gentleman from New York and the gentleman from Wisconsin ask unanimous consent to extend their remarks in the RECORD. Is there objection. [After a pause.] The Chair hears none.

Mr. FESS. Mr. Chairman, I would like to ask the gentleman from Wisconsin [Mr. FREAR] a question.

Mr. STAFFORD. I yield one additional minute to the gentleman from Wisconsin.

Mr. FESS. I wanted to ask the gentleman a question based on this situation: A young man, formerly of rank in the National Guard, under the impulse of war, enlisted. He has made no effort to get any rank. He left a good salary in this city. I called on the general to know what he was doing and why he could not be discharged. The reply came to me that in order to discharge him they would have to state they did not need him. Therefore, later on, they could not find anybody to take his place. He is doing clerical work that a boy could do without any training. Here is a man of good salary, identified with some of the Members here, of rank in the National Guard, who seems to be held simply to save the ranks of others.

Mr. FREAR. Let me say, Mr. Chairman, in reply, that in my judgment the case cited by the gentleman from Ohio is indefensible; but I have recited cases that are far worse, in that these boys in Georgia camps are not even permitted to work. They are idling away their time in three Georgia camps and can not secure their discharge. No intelligible reason can be given for such treatment. Let us bring the boys home now.

Mr. STAFFORD. Mr. Chairman, I yield one minute to the gentleman from Ohio [Mr. COOPER].

Mr. COOPER of Ohio. Mr. Chairman and gentlemen, while we are on this question of the soldier boys in France, I would like to say that there are a great many fathers and mothers in this great land of ours who feel proud of their boys who have made the supreme sacrifice on the fields of France. A great many of the boys are still living, and we think of them; and I am wondering whether the War Department can not provide some means whereby the fathers and mothers of this country can send these boys a little money. I received a letter from a young man to-day who is located in France. He is not yet 20 years of age. He volunteered in the service last July. This letter was written on the 15th day of last December, and in that letter he said to me: "I dislike very much to ask for any money, but I have not received one cent of money from our Government since I entered the service of my country." Now, it seems to me there is something radically wrong there when this great Government of ours can not provide these boys with a cent of money for months at a time. We can furnish and appropriate large sums of money for other purposes, for other people, but we can not do anything for these boys who have shed their blood and have made the sacrifice for us.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Chairman, I yield one minute to the gentleman from Ohio [Mr. KEARNS].

Mr. KEARNS. Mr. Chairman, referring to the incident that the gentleman from Wisconsin referred to about the boy who was court-martialed because he left camp to go to the home of his dying mother on the advice of his sister, I want to say that I think he refers to the same case I have in mind. The proceedings of the court-martial were sent to the War Department here in Washington just a few days ago, and the officer who examined what we would call the bill of exceptions in the case immediately recommended that the boy be restored to all of his rights in the Army and that he be immediately released from Fort Leavenworth. I am very glad to say that this young officer who had the honor and integrity and courage to make this recommendation comes from my district. [Applause.]

Mr. BYRNS of Tennessee. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. STEELE]. [Applause.]

Mr. STEELE. Mr. Chairman, several days ago the gentleman from Kentucky [Mr. FIELDS] placed in the RECORD a statement issued by the War Department showing what had been accomplished during the period of the war by American manufacturers in the way of manufacturing war munitions. It was a most remarkable statement, particularly in view of the fact that an increased burden had been placed upon American manufacturers, because at the very outset of this war the central powers were able to conquer Belgium and the industrial part of northern France, which included large deposits of coal and iron in those sections. The American manufacturers met that situation in a way that reflects great credit not only upon the manufacturers but upon the laboring people of the country who assisted in bringing about that great result.

In a newspaper article a few days ago Mr. J. Leonard Replogle, former steel administrator and member of the War Industries Board, said:

> There will be no brighter pages in the history of the greatest and most terrible war the world has ever known than those which describe the deeds of the steel makers of this country, who wiped commercialism from their slate and set themselves to the herculean task of meeting all emergencies, cooperating with the Government in every possible way, and doing everything humanly possible to help win the war.

About a month ago Mr. Charles M. Schwab, former president of the Bethlehem Steel Co. and now chairman of its board of directors, made a speech in the city of New York, in which he stated the achievements of that company in the way of manufacturing war munitions during this war. It was such a remarkable statement that I thought it would be of interest to the House and the country and to the future historian of this war that these results should be placed in some permanent form. I therefore addressed a letter to the president of the company, Mr. E. G. Grace, and asked him to give me a summary of these results. I have his reply in my hand, which I send to the Clerk's desk and ask the Clerk to read.

The Clerk read as follows:

BETHLEHEM STEEL CO.,
South Bethlehem, Pa., December 23, 1918.

Hon. S. J. STEELE, M. C.,
House of Representatives, Washington, D. C.

DEAR CONGRESSMAN STEELE: It gives us much pleasure, in response to your letter of the 19th ultimo, to outline, in part, our production for the Government and the allies during the period of the recent world war.

While all of our plants were employed directly in the furnishing of war essentials, we could hardly attempt, at this time, to go into statistics showing the quantities of steel produced by us in various forms, such as armor plate, forgings, shell steel, air flasks, structural shapes, engine shafts, castings, etc., nor would it be advisable to enter into the magnitude of the new construction and extensions to our plants to produce war materials, but we will endeavor to give you a report descriptive of our production of ordnance material and shipbuilding.

ORDNANCE MATERIAL.

There was supplied by the Bethlehem Steel Co. to the United States Government and its European allies during the world war a total of 3,340 guns, together with their mounts and such accessories, including ammunition wagons, as are appropriate and necessary for their use. The guns in question include guns of all sizes, from the largest guns now in general use in our service—namely, 14 inch—down to the smallest gun used in the field, excepting only rifles. There are 14 inch, 12 inch, 9.2 inch, 6 inch, 5 inch, 4 inch, and 3 inch guns.

As compared with this, we are reliably informed that all other concerns of this country, including Government arsenals, furnished approximately 2,500 gun equipments complete, and the performance of the Bethlehem Steel Co. was approximately 60 per cent of the total of the entire country.

Since the time of our entry into the war, in April, 1917, there were shipped in complete units, in calibers up to 9.2 inches, to this and allied countries from Bethlehem 1,330 units, and from every other place in this country, including Government arsenals, 710 units, making a total of 2,040, showing 65 per cent of the entire production as coming from Bethlehem.

In addition to the finished guns, there was supplied by the Bethlehem Steel Co. to the United States Government and its European allies, in the past three years, semifinished guns in the form of forgings upward to 55,000,000 pounds, with an additional 8,500,000 pounds supplied in the form of forgings for naval torpedoes. This does not include forgings for our own finished guns, but in this semifinished-gun total of 55,000,000 pounds it is well to state that this poundage is the equivalent of approximately 10,000 finished guns, so that in all, the Bethlehem Steel Co. has shipped over 13,000 completed or partially completed guns in this world conflict. Of this amount—55,000,000 pounds—35,000,000 pounds have been made since our entry into the war in April, 1917, and is approximately 65 per cent of the total furnished by the entire country, including our Government arsenals. It is well to know that approximately 2,000,000 pounds per month have been supplied the French Government, who, in turn, have manufactured finished guns for the United States forces in France.

There has been supplied ammunition for the above-mentioned guns to the number of between 18,000,000 and 19,000,000 complete rounds, with an additional 1,500,000 projectiles. This in itself was approximately 40 per cent of the entire shipments of this country since the world war began in August, 1914.

In addition to the above-mentioned materials, this company has placed in operation three large plants for the manufacture of high explosives, and for the filling of projectiles and fuses, and for the assembly of complete ammunition.

There has also been maintained by the Bethlehem Steel Co. throughout the war three proving grounds for the testing of guns, projectiles, powders, and fuses. These proving grounds not only served the United States Government and its allies for testing the materials supplied by the Bethlehem Steel Co., but carried on tests of similar materials for other companies.

There has been fired from the proving grounds of the Bethlehem Steel Co. during the war a total of 390,481 rounds for the purpose of testing war materials being delivered to the United States Government and its allies.

SHIPBUILDING.

From August 3, 1917, the date upon which the United States Shipping Board commandeered all merchant tonnage, to the 15th instant the Bethlehem Shipbuilding Corporation (Ltd.) delivered 17 tank vessels and 38 cargo vessels, making a total of 55 merchant ships with a deadweight tonnage of approximately 525,000 tons, representing over 20 per cent of the total steel merchant tonnage delivered during that period.

During the same period there were delivered 25 destroyers for our Navy and 15 submarines, representing over 60 per cent of the total number of destroyers delivered to the Navy during that period and nearly all of the submarine boats. In addition to this we have, at the present time, nearing completion and in the water, 34 destroyers and 8 submarines, as well as 2 tank vessels, 5 cargo vessels, and 2 tugs.

We trust this information will be of interest to you, and with the compliments of the season,

Yours, very truly, E. G. GRACE, *President.*

Mr. STEELE. The particular credit this company is entitled to is that at a time of great stress in the history of the country they voluntarily placed at the disposal of this Government their entire plant, so that in that time of great crisis the Government was able to get the benefit of that wonderful plant, which I have heard Mr. Schwab say was 50 per cent more efficient than the great Krupp plant at Essen, in Germany. [Applause.] It was a valuable asset to this country during this time of great war conflict to have had the benefit and assistance and equipment of this complete plant, and therefore its work was a great achievement for them and for the country.

It turned out 65 per cent of all the large munitions and really large guns manufactured in this country during the great contest. Their plant at the time of the signing of the armistice was engaged 100 per cent upon Government work. At the outbreak of the war, in 1914, the Bethlehem plant employed about 8,000 persons, and at the time of signing the armistice 32,000, and, including the subsidiary plants, about 75,000 persons. At a hearing before the House Committee on Naval Affairs several years ago Mr. Grace said that the officers of his company were first patriotic Americans, and if ever the country got into trouble the company would place its entire plant at the disposal of the Government. It has faithfully kept that promise. The Government itself fixed the prices; the Government itself fixed the price of labor; and they were the instrument of the Government; and the fact that the Government had this large plant at its disposal, without having to spend a dollar or risk a dollar in the erection of a plant of that kind, was of great material benefit in bringing this war to an end when it did. And if it had not been for the assistance that the Bethlehem plant and other steel plants gave to the allies previous to the entry of the Government in this war the result might have been different. [Applause.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. STAFFORD. Mr. Chairman, I yield two minutes to the gentleman from California [Mr. ELSTON].

The CHAIRMAN. The gentleman from California is recognized for two minutes.

Mr. ELSTON. Mr. Chairman, I simply wish to detain the House for a moment to make mention of a bill which I introduced on yesterday following the introduction in the Senate of a similar bill by Senator PHELAN, of California. It has for its object the changing of the name of Sequoia National Park in California to "Roosevelt National Park."

The suggestion was made by Mr. Lane and by Mr. Mather, the Director of National Parks. The proposed park is an enlargement of the smaller parks heretofore called the Sequoia National Park. The greater park, when it is authorized by Congress, will include some wonderful scenic features; not only

the largest grove of *Sequoia gigantea*, the largest trees of the world, but it will also include the great canyon of the Kern and King Rivers, as well as the tremendous Alpine Meadows; and it will also include the highest point of continental United States, Mount Whitney. I think it is extremely fitting that this great park, which includes some of the most magnificent scenic features in the world, should be named after Theodore Roosevelt. It has in many of its aspects the grand features which were characteristic of Roosevelt himself.

I thought it proper to direct the attention of the House to the fact that this bill has been introduced and may come up for consideration before long. [Applause.]

Mr. STAFFORD. Mr. Chairman, I yield three minutes to the gentleman from Massachusetts [Mr. GILLETT].

The CHAIRMAN. The gentleman from Massachusetts is recognized for three minutes.

Mr. GILLETT. Mr. Chairman, I simply wish to indorse the statement which the gentleman from California has made. Three years ago I went through this Sequoia National Park and the King and Kern Valleys that he speaks of. We went in, out of the reach of the telegraph or the mail, with a pack train and I spent there two of the most interesting and healthful weeks of my life. I do not suppose it is possible to compare different beauties of nature according to their relative excellence, but if there is any finer scenery in the world than this I should like to see it. But until I have seen it I shall be skeptical about it and be satisfied with the wonderful picturesqueness and variety of the valleys and gorges and mountains and chasms and streams of this extraordinary region. It did not seem to me it was useful for anything except a great camping-out place for the American people. Possibly a few sure-footed animals might get grazing there, but it was apparently created as a grand aggregation of scenic beauty, where tired man could refresh and enjoy himself. As the gentleman from California [Mr. ELSTON] has said, it is very desirable that the present Sequoia Park should be enlarged so as to include this neighboring tract of wonderful scenery, and then nothing could be more appropriate than to name the whole after such a lover of nature as Theodore Roosevelt. [Applause.]

Mr. BYRNS of Tennessee. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. ALEXANDER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, had come to no resolution thereon.

HOUR OF MEETING TO-MORROW.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 34 minutes p. m.) the House adjourned until to-morrow, Wednesday, January 15, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Interior, transmitting report of expenditures under appropriation, "Construction and operation of railroads in Alaska," to and including September 30, 1918, in and for the town sites named (H. Doc. No. 1688); to the Committee on Expenditures in the Interior Department and ordered to be printed.

2. A letter from the Secretary of Agriculture, transmitting statement showing in detail the travel from Washington to points outside the District of Columbia performed by officers and employees of the Department of Agriculture on official business during the fiscal year 1918 (H. Doc. No. 1689); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SUMNERS, from the Committee on the Judiciary, to which was referred the bill (H. R. 13629) to provide for the appointment of an additional district judge in and for the northern judicial district of the State of Texas, reported the same with amendment, accompanied by a report (No. 929), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ESCH, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 5192) for the construction of a bridge across Rock River at or near South Jackson Street in the city of Janesville, Wis., reported the same without amendment, accompanied by a report (No. 930), which said bill and report were referred to the House Calendar.

Mr. RAYBURN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13273) to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, and an act in amendment thereto approved October 6, 1917, reported the same with amendment, accompanied by a report (No. 931), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (H. R. 11673) for the relief of John K. Ashley, jr., reported the same without amendment, accompanied by a report (No. 917), which said bill and report were referred to the Private Calendar.

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (H. R. 653) for the relief of Henry P. Grant, of Phillips County, Ark., reported the same with amendment, accompanied by a report (No. 918), which said bill and report were referred to the Private Calendar.

Mr. CLAYPOOL, from the Committee on Claims, to which was referred the bill (H. R. 7705) for the relief of the Cleveland Trinidad Paving Co., reported the same with amendment, accompanied by a report (No. 919), which said bill and report were referred to the Private Calendar.

Mr. STEAGALL, from the Committee on Claims, to which was referred the bill (H. R. 12014) for the relief of Nancy A. Parsons, C. M. Parsons, D. F. Staggs, Ollie Staggs, Rous Staggs, Lenn Birchfield, Alice Birchfield, Bertie Gwin, Greely Gilbert, Linville Gilbert, and Nelson Gilbert, reported the same, with amendment, accompanied by a report (No. 920), which said bill and report were referred to the Private Calendar.

Mr. LITTLE, from the Committee on Claims, to which was referred the bill (H. R. 5398) for the relief of James A. Henderson, reported the same without amendment, accompanied by a report (No. 921), which said bill and report were referred to the Private Calendar.

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (H. R. 13023) for the relief of John T. Adams, reported the same without amendment, accompanied by a report (No. 922), which said bill and report were referred to the Private Calendar.

Mr. CLAYPOOL, from the Committee on Claims, to which was referred the bill (S. 280) for the relief of Alfred Sjostrom, reported the same without amendment, accompanied by a report (No. 923), which said bill and report were referred to the Private Calendar.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (H. R. 745) for the relief of George H. Grace, reported the same without amendment, accompanied by a report (No. 924), which said bill and report were referred to the Private Calendar.

Mr. CLAYPOOL, from the Committee on Claims, to which was referred the bill (H. R. 12230) to refund certain duties paid by W. Louiza & Co., reported the same without amendment, accompanied by a report (No. 925), which said bill and report were referred to the Private Calendar.

Mr. WELLING, from the Committee on Claims, to which was referred the bill (H. R. 7074) for the relief of Mrs. Thomas McGovern, reported the same with amendment, accompanied by

a report (No. 926), which said bill and report were referred to the Private Calendar.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (H. R. 2504) to reimburse Capt. E. D. Kromers, Medical Corps, United States Army, for rent of quarters at Honolulu, Hawaii, reported the same without amendment, accompanied by a report (No. 927), which said bill and report were referred to the Private Calendar.

Mr. CLARK of Pennsylvania, from the Committee on Claims, to which was referred the bill (H. R. 2867) authorizing the Treasurer of the United States to pay Catherine C. Schilling $599, reported the same with amendment, accompanied by a report (No. 928), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MOTT: A bill (H. R. 14377) authorizing the Secretary of War to donate to the town of Richland, N. Y., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14378) authorizing the Secretary of War to donate to the village of Hannibal, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FULLER of Illinois: A bill (H. R. 14379) authorizing the Secretary of War to donate to the city of Marseilles, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14380) authorizing the Secretary of War to donate to the city of Streator, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14381) authorizing the Secretary of War to donate to the village of Poplar Grove, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WEAVER: A bill (H. R. 14382) authorizing the Secretary of War to donate to the town of Waynesville, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14383) authorizing the Secretary of War to donate to the city of Asheville, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14384) authorizing the Secretary of War to donate to the board of trustees of Hollis High School, Hollis, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. OSBORNE: A bill (H. R. 14385) authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to designated cities; to the Committee on Military Affairs.

By Mr. BLACKMON: A bill (H. R. 14386) authorizing the Secretary of War to donate to the city of Talladega, Talladega County, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14387) authorizing the Secretary of War to donate to the city of Jacksonville, Calhoun County, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WALTON: A bill (H. R. 14388) authorizing the Secretary of War to donate to the city of Santa Fe, N. Mex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14389) authorizing the Secretary of War to donate to the city of Roswell, N. Mex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14390) authorizing the Secretary of War to donate to the city of Albuquerque, N. Mex., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14391) authorizing the Secretary of War to donate to the town of Silver City, N. Mex., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BENJAMIN L. FAIRCHILD: A bill (H. R. 14392) authorizing the Secretary of War to donate to the town of Eastchester, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14393) authorizing the Secretary of War to donate to the town of Pelham, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14394) authorizing the Secretary of War to donate to the city of Mount Vernon, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14395) authorizing the Secretary of War to donate to the city of Yonkers, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HASTINGS: A bill (H. R. 14396) authorizing the Secretary of War to donate to the city of Stilwell, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14397) authorizing the Secretary of War to donate to the county of Cherokee, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14398) authorizing the Secretary of War to donate to the city of Muskogee, Okla., four German cannon or fieldpieces; tot the Committee on Military Affairs.

Also, a bill (H. R. 14399) authorizing the Secretary of War to donate to the city of Okmulgee, Okla., four German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14400) authorizing the Secretary of War to donate to the city of Henryetta, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14401) authorizing the Secretary of War to donate to the county of Wagoner, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14402) authorizing the Secretary of War to donate to the city of Stigler, Haskell County, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14403) authorizing the Secretary of War to donate to the city of Checotah, county of McIntosh, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14404) authorizing the Secretary of War to donate to the city of Eufaula, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14405) authorizing the Secretary of War to donate to the town of Muldrow, county of Sequoyah, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14406) authorizing the Secretary of War to donate to the county of Sequoyah, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14407) authorizing the Secretary of War to donate to the town of Vian, county of Sequoyah, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14408) authorizing the Secretary of War to donate to the city of Westville, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TIMBERLAKE: A bill (H. R. 14409) donating a captured German cannon or field gun and carriage to the city of Manitou, county of El Paso, State of Colorado, for decorative and patriotic purposes; to the Committee on Military Affairs.

Br. Mr. DENT: A bill (H. R. 14410) to authorize the acquisition of land for a national military cemetery in France and to provide for the establishment, care, and maintenance thereof, and for other purposes; to the Committee on Military Affairs.

By Mr. BACHARACH: A bill (H. R. 14411) requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

By Mr. RAMSEY: A bill (H. R. 14412) authorizing the Secretary of War to donate to the borough of Leonia, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14413) authorizing the Secretary of War to donate to the city of Phillipsburg, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14414) authorizing the Secretary of War to donate to the borough of Oakland, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14415) authorizing the Secretary of War to donate to the borough of Woodridge, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14416) authorizing the Secretary of War to donate to the town of Hackensack, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14417) authorizing the Secretary of War to donate to the town of Newton, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. NICHOLLS of South Carolina: A bill (H. R. 14418) authorizing the Secretary of War to donate to the city of Greenville, S. C., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14419) authorizing the Secretary of War to donate to the city of Union, S. C., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14420) authorizing the Secretary of War to donate to the city of Spartanburg, S. C., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14421) authorizing the Secretary of War to donate to the city of Laurens, S. C., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

By Mr. RAYBURN: A bill (H. R. 14422) donating captured cannon and cannon balls to the city of Ladonia, Tex.; to the Committee on Military Affairs.

Also, a bill (H. R. 14423) donating captured cannon and cannon balls to the city of McKinney, Tex.; to the Committee on Military Affairs.

Also, a bill (H. R. 14424) donating captured cannon and cannon balls to the city of Greenville, Tex.; to the Committee on Military Affairs.

Also, a bill (H. R. 14425) donating captured cannon and cannon balls to the city of Honey Grove, Tex.; to the Committee on Military Affairs.

Also, a bill (H. R. 14426) donating captured cannon and cannon balls to the city of Commerce, Tex.; to the Committee on Military Affairs.

Also, a bill (H. R. 14427) donating captured cannon and cannon balls to the city of Celina, Tex.; to the Committee on Military Affairs.

By Mr. CARTER of Massachusetts: A bill (H. R. 14428) authorizing the Secretary of War to donate to the town of Needham, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CANTRILL: A bill (H. R. 14429) authorizing the Secretary of War to donate to the city of Winchester, Ky., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. ASWELL: A bill (H. R. 14430) authorizing the Secretary of War to donate to the cities and towns in Louisiana German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14431) authorizing the Secretary of War to donate to the city of Alexandria, La., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BLACKMON: A bill (H. R. 14432) authorizing the Secretary of War to donate to the city of Piedmont, Calhoun County, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. COOPER of West Virginia: A bill (H. R. 14433) donating a captured German cannon or field gun and carriage to the city of Bluefield, W. Va.; to the Committee on Military Affairs.

Also, a bill (H. R. 14434) donating a captured German cannon or field gun and carriage to the town of Union, W. Va.; to the Committee on Military Affairs.

Also, a bill (H. R. 14435) donating a captured German cannon or field gun and carriage to the city of Hinton, W. Va.; to the Committee on Military Affairs.

Also, a bill (H. R. 14436) donating a captured German cannon or field gun and carriage to the town of Logan, W. Va.; to the Committee on Military Affairs.

Also, a bill (H. R. 14437) donating a captured German cannon or field gun and carriage to the city of Princeton, W. Va.; to the Committee on Military Affairs.

Also, a bill (H. R. 14438) donating a captured German cannon or field gun and carriage to the town of Pineville, W. Va.; to the Committee on Military Affairs.

Also, a bill (H. R. 14439) donating a captured German cannon or field gun and carriage to the city of Williamson, W. Va.; to the Committee on Military Affairs.

Also, a bill (H. R. 14440) donating a captured German cannon or field gun and carriage to the town of Wayne, W. Va.; to the Committee on Military Affairs.

Also, a bill (H. R. 14441) donating a captured German cannon or field gun and carriage to the town of Hamlin, W. Va.; to the Committee on Military Affairs.

Also, a bill (H. R. 14442) donating a captured German cannon or field gun and carriage to the town of Welch, W. Va.; to the Committee on Military Affairs.

By Mr. WHITE of Maine: A bill (H. R. 14443) authorizing the Secretary of War to donate to the city of Bath, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14444) authorizing the Secretary of War to donate to the city of Lewiston, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14445) authorizing the Secretary of War to donate to the city of Auburn, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14446) authorizing the Secretary of War to donate to the town of Canton, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14447) authorizing the Secretary of War to donate to Fryeburg Academy, in the town of Fryeburg, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WEBB: Resolution (H. Res. 502) authorizing the Committee on the Judiciary to designate an additional assistant clerk during the third session of the Sixty-fifth Congress; to the Committee on Accounts.

By Mr. CAMPBELL of Pennsylvania: Resolution (H. Res. 503) making in order an amendment to the legislative, executive, and judicial appropriation bill increasing the salaries of Members of Congress; to the Committee on Rules.

By Mr. CAMPBELL of Kansas: Joint resolution (H. J. Res. 385) proposing the establishment of a league of nations; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CONNELLY of Kansas: A bill (H. R. 14448) granting an increase of pension to Henry O. Pixley; to the Committee on Invalid Pensions.

By Mr. CURRY of California: A bill (H. R. 14449) for the relief of Robert L. Brantley; to the Committee on Invalid Pensions.

By Mr. FIELDS: A bill (H. R. 14450) granting an increase of pension to Gussie Rash; to the Committee on Invalid Pensions.

By Mr. FOCHT: A bill (H. R. 14451) granting an increase of pension to John Gellinger; to the Committee on Invalid Pensions.

By Mr. GARD: A bill (H. R. 14452) granting a pension to James Sweeney; to the Committee on Pensions.

By Mr. KING: A bill (H. R. 14453) granting an increase of pension to John Hobart; to the Committee on Invalid Pensions.

By Mr. KNUTSON: A bill (H. R. 14454) granting an increase of pension to Wilson B. George; to the Committee on Invalid Pensions.

By Mr. LONGWORTH (for Mr. HEINTZ): A bill (H. R. 14455) granting an increase of pension to George Sullivan; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Colorado: A bill (H. R. 14456) granting an increase of pension to John J. Kraft; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANTHONY: Petition of Joshua Mitchell and other citizens of Seneca, Kans., for repeal of postal zone rate law; to the Committee on Ways and Means.

By Mr. DILLON: Petition of Rotary Club and business men of Huron, S. Dak., urging Congress to bring about immediate demobilization and hasten the discharge of men under arms overseas as rapidly as they can safely be returned home; to the Committee on Military Affairs.

By Mr. HOLLINGSWORTH: Memorial of Brotherhood of Railway Carmen of America, Wellsville, Ohio, asking continuance of Government control or ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. KELLY of Pennsylvania: Petition of Iron City Central Trades Council, of Pittsburgh, Pa., favoring public ownership of railroads, telegraphs, and telephones; to the Committee on Interstate and Foreign Commerce.

By Mr. OSBORNE: Memorial to the Congress in the matter of creating the rank of general emeritus, United States Army, to be held by the marshal of France, in the recent war against the central powers; to the Committee on Military Affairs.

By Mr. SNYDER: Petition of Hall of Division, No. 3, Ancient Order of Hibernians, for the enactment of the Gallagher resolutions, looking to an independent government for Ireland; to the Committee on Foreign Affairs.

By Mr. TAYLOR of Colorado: Petition of Retail Merchants' Bureau of Civic and Commercial Association of Denver, Colo., protesting against luxury-tax provision of pending revenue bill; to the Committee on Ways and Means.

Also, petition of Fur Dealers' Group of Civic and Commercial Association of Denver, Colo., protesting against luxury tax on furs; to the Committee on Ways and Means.

SENATE.

WEDNESDAY, *January 15, 1919.*

(Legislative day of Tuesday, January 14, 1919.)

The Senate met at 12 o'clock noon.

PETITIONS AND MEMORIALS.

Mr. PHELAN presented a petition of sundry teachers of the public schools of San Luis Obispo, Cal., praying for the establishment of a department of education, which was referred to the Committee on Education and Labor.

Mr. TOWNSEND presented petitions of the Ladies' Literary Club of Wayland; of the School Teachers' Association of Albion; of the Chamber of Commerce of Albion; and of the Rotary Club of Ann Arbor, all in the State of Michigan, praying for the establishment of a department of education, which were referred to the Committee on Education and Labor.

Mr. MOSES presented a resolution adopted by the State Federation of Labor of New Hampshire, favoring the proposed extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

He also presented a memorial of sundry citizens of Milford, N. H., remonstrating against the enactment of legislation prohibiting amateur wireless, which was referred to the Committee on Military Affairs.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CULBERSON:

A bill (S. 5342) providing for the appointment of an additional district judge for the northern judicial district of the State of Texas; to the Committee on the Judiciary.

By Mr. SAULSBURY:

A bill (S. 5343) to authorize the governor of the Territory of Hawaii to ratify the agreements of certain persons made with the commissioner of public lands of the Territory of Hawaii, and to issue land patents to those eligible under the terms of said agreements; to the Committee on the Pacific Islands and Porto Rico.

By Mr. BANKHEAD:

A bill (S. 5344) to amend an act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes"; to the Committee on Post Offices and Post Roads.

By Mr. McNARY:

A bill (S. 5345) for the relief of William Mortesen; to the Committee on Claims.

A bill (S. 5346) granting an increase of pension to Harvey L. Smith; to the Committee on Pensions.

By Mr. MARTIN of Kentucky:

A bill (S. 5347) granting an increase of pension to Harlin L. Clark (with accompanying papers); to the Committee on Pensions.

By Mr. HALE:

A bill (S. 5348) to amend an act entitled "An act for the establishment of marine schools, and for other purposes," approved March 4, 1911; to the Committee on Naval Affairs.

By Mr. CALDER:

A bill (S. 5349) requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

By Mr. MOSES:

A bill (S. 5350) to donate a gun or howitzer to the town of Plaistow, in the State of New Hampshire; and

A bill (S. 5351) to donate a gun or howitzer to the town of Bennington, in the State of New Hampshire; to the Committee on Military Affairs.

By Mr. CALDER:

A joint resolution (S. J. Res. 210) authorizing the War Department to employ civilians to perform clerical and manual work in order to insure the immediate discharge of soldiers now performing such duties; to the Committee on Military Affairs.

SALARIES OF JUDGES.

Mr. HENDERSON submitted an amendment intended to be proposed by him to the bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, which was ordered to lie on the table and be printed.

RIVER AND HARBOR APPROPRIATIONS.

Mr. POMERENE submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

AMERICAN SOLDIERS' CEMETERY IN FRANCE.

Mr. SPENCER submitted an amendment intended to be proposed by him to the bill (S. 5313) authorizing the Secretary of War to acquire and maintain a cemetery in France in the name of the United States for the reception and interment of the bodies of American officers and men who lost their lives in connection with the European war, and to appropriate $500,000 therefor, and for other purposes, which was referred to the Committee on Foreign Relations and ordered to be printed.

MEMORIAL ADDRESSES ON THE LATE SENATORS STONE AND JAMES.

Mr. REED. I ask unanimous consent to have an order made by the Senate at this time to fix a date for memorial addresses on the late Senator WILLIAM J. STONE.

The order was read and agreed to, as follows:

Ordered, That the Senate convene on Sunday, February 2, 1919, at 11 o'clock a. m., to consider resolutions in commemoration of the life, character, and public service of the late Senator WILLIAM JOEL STONE.

Mr. BECKHAM. On January 2 an order was entered fixing February 9 as the date for memorial addresses on the late Senator JAMES. Owing to a conflict in dates I ask that the order be changed to February 2 instead of February 9.

The VICE PRESIDENT. Without objection, it is so ordered. The Chair hears none.

THE CENSUS.

The Senate, as in Committee of the Whole, resumed the consideration of bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

The Secretary resumed the reading of the bill at section 16, page 17.

The next amendment of the Committee on the Census was, in section 16, on page 18, line 19, after the word "this," to strike out "act," and insert "act"; in the same line, after the word "shall," to insert "so far as practicable"; and in line 22, after the word "city," to insert "township, or other civil division," so as to make the section read:

SEC. 16. That the compensation of enumerators shall be determined by the Director of the Census as follows: In subdivisions where he shall deem such remuneration sufficient, an allowance of not less than 2 nor more than 4 cents for each inhabitant; not less than 20 nor more than 30 cents for each establishment of productive industry reported; not less than 20 nor more than 30 cents for each farm reported; not less than 20 nor more than 50 cents for each irrigation or drainage enterprise reported; and 10 cents for each barn and inclosure containing live stock not on farms. In other subdivisions the Director of the Census may fix a mixed rate of not less than $1 nor more than $2 per day and, in addition, an allowance of not less than 1 nor more than 3 cents for each inhabitant enumerated, and not less than 15 nor more than 20 cents for each farm and each establishment of productive industry reported. In other subdivisions per diem rates shall be fixed by the director according to the difficulty of enumeration, having special reference to the regions to be canvassed and the sparsity of settlement or other considerations pertinent thereto. The compensation allowed to an enumerator in any such district shall not be less than $3 nor more than $6 per day of eight hours' actual field work, and no payment shall be made for time in excess of eight hours for any one day. The subdivisions or enumeration districts to which the several rates of compensation shall apply shall be designated by the Director of the Census at least two weeks in advance of the enumeration. No claim for mileage or traveling expenses shall be allowed any enumerator in either class of subdivisions, except in extreme cases, and then only when authority has been previously granted by the Director of the Census; and the decision of the director as to the amount due any enumerator shall be final: *Provided*, That within the limits of continental United States each supervisor to be appointed or selected under this act shall be an actual resident of the district, and each enumerator to be appointed or selected under this act shall, so far as practicable, be an actual resident of the subdivision within which his duties are to be performed; but an enumerator may be appointed if he be an actual resident of the city, township, or other civil division of which the subdivision in which his duties are to be performed is a part.

The amendment was agreed to.

The next amendment was, in section 20, page 21, line 22, after the word "having," to strike out "five thousand" and insert "two thousand five hundred," so as to make the section read:

SEC. 20. That the enumeration of the population required by section 1 of this act shall be taken as of the 1st day of January, and it shall be the duty of each enumerator to commence the enumeration of his district on the day following, unless the Director of the Census in his discretion shall defer the enumeration in said district by reason of climatic or other conditions which would materially interfere with the proper conduct of the work; but in any event it shall be the duty of each enumerator to prepare the returns hereinbefore required to be made and to forward the same to the supervisor of his district within 30 days from the commencement of the enumeration of his district: *Provided*, That in any city having 2,500 inhabitants or more under the preceding census the enumeration of the population shall be completed within two weeks from the commencement thereof.

The amendment was agreed to.

The reading of the bill was continued.

Mr. SMOOT. Mr. President, I wish to refer to the last amendment agreed to, for the purpose of asking the Senator having the bill in charge a question. I notice that the Senate committee has stricken out 5,000 and inserted 2,500, referring to the inhabitants of a city. That amendment virtually means a doubling of the cost in securing the number of inhabitants as against the provision made by the House.

Mr. SHEPPARD. I shall state to the Senator that it refers to places having 2,500 inhabitants at the last census. By this time most of the places that had 2,500 inhabitants at the last census have three, four, and five thousand inhabitants. The amendment is in the interest of the promptest possible returns.

Mr. SMOOT. I thought that in cities of 5,000 inhabitants the return ought to be made within two weeks, as provided by the House. The Senate committee has stricken out 5,000 and reduced it to 2,500, as applied to cities where the returns shall be finished within two weeks.

Mr. SHEPPARD. If you take places that had 2,500 inhabitants 10 years ago you will come nearer to reaching your figure of 5,000 now than by using the number 5,000 in this bill.

Mr. SMOOT. The Senator should know that many cities that had hardly any people at all 10 years ago may have now 2,500 and perhaps all of them. There is no doubt there are as many of them that have grown in population so as to reach nearly 2,500 as there are cities that have grown from 2,500 inhabitants to 5,000 inhabitants.

I wish to ask the Senator, however, what the present law provides. Does it not apply to cities of 5,000 inhabitants? If I remember correctly, the provision applies to cities of 5,000 and the object was exactly what the Senator has stated—to secure early returns. The past experience has been that in a city of 5,000 people the returns could be made within two weeks.

Mr. SHEPPARD. The existing law contains a clause making this provision applicable to cities of 5,000.

Mr. SMOOT. I think that is very much better than the Senate committee amendment. In other words, if there is a city of 3,000 people, under the Senate committee amendment the two weeks' provision does not apply, and it certainly should apply, because there is no reason why in any city with a population of 5,000 the returns should not be made within two weeks. It has always been done in the past. I think the Senate committee made a mistake in reducing the number.

Mr. SHEPPARD. We followed the recommendation of the committee of experts who prepared the bill for the House. The House made the change in the face of that recommendation. I desire to read to the Senator the recommendation of the committee of experts.

Mr. SMOOT. All I want to say is that if 2,500 is to become the law, then every city with 3,000 people will not have its returns made in two weeks, but more than likely it will take four weeks and involve twice the amount of cost that it should bear.

Mr. SHEPPARD. That would be the case if you left the provision at 5,000, would it not?

Mr. SMOOT. Oh, no.

Mr. SHEPPARD. Then the enumerators would take 30 days for all cities under 5,000.

Mr. SMOOT. But under this provision they are compelled to make the return within two weeks.

Mr. SHEPPARD. Yes; in all cities having populations of not less than 2,500. If we do not put in this provision, they will take 30 days, and thus prolong the time for the report.

Mr. SMOOT. I either misunderstand the amendment or else the Senator does. Under the House provision, if there was a city of 4,999 inhabitants, the return would have to be made within two weeks. Under the amendment the Senate committee has made, if it is a city of 3,000 people——

Mr. SHEPPARD. But the minimum population for two weeks' requirement is 5,000. If the population is under 5,000, enumerators may take the longer time. The minimum population limit for cities in which the enumeration is to be completed within two weeks has been lowered from 5,000 to 2,500. The committee of experts say:

The enumeration of all areas of fairly compact population should be completed in the shortest possible time, and it seems entirely possible to have the limit of two weeks apply in 1920 to all places of 2,500 inhabitants or more, as shown by the census of 1910.

That is the minimum population of cities within which the returns must be made in two weeks.

Mr. SMOOT. The proviso as passed by the House reads this way:

That in any city having 5,000 inhabitants or more under the preceding census the enumeration of the population shall be completed within two weeks from the commencement thereof.

The Senate committee has stricken out "5,000" and inserted "2,500." So under the Senate committee amendment if the population is 3,000 or 3,501 they are not compelled to have completed returns within two weeks and they will take 30 days.

Mr. SHEPPARD. It is the intention of the Senate committee to require the return from all cities of 2,500 inhabitants or more to be made within two weeks. That is the intention of the committee. If we have not expressed it properly, it is our fault.

Mr. SMOOT. I will take it up with the Senator later.

The VICE PRESIDENT. It is so expressed.

The reading of the bill was continued.

The next amendment was, on page 26, after line 16, to insert:

The provisions of this section shall also apply to the collection of the information required and authorized by the act entitled "An act to provide for a permanent Census Office," and by acts amendatory thereof or supplemental thereto.

Mr. SHEPPARD. Mr. President, that amendment should be disagreed to, because it appears in a different form in another part of that section. I ask that it be disagreed to.

The VICE PRESIDENT. The question is on agreeing to the committee amendment.

The amendment was rejected.

The next amendment was, in section 27, page 27, line 12, after the words "Census Office," to insert "or, instead of such an allowance, their actual subsistence expenses, not to exceed $5 per day," so as to make the section read:

SEC. 27. That the Director of the Census may authorize the expenditure of necessary sums for the actual and necessary traveling expenses of the officers and employees of the Census Office, including an allowance in lieu of subsistence not exceeding $4 per day during their necessary absence from the Census Office, or, instead of such an allowance, their actual subsistence expenses, not to exceed $5 per day; and he may authorize the incidental, miscellaneous, and contingent expenses necessary for the carrying out of this act, as herein provided, and not otherwise, including advertising in newspapers, the purchase of manuscripts, books of reference, and periodicals, the rental of sufficient quarters in the District of Columbia and elsewhere and the furnishing thereof, and expenditures necessary for compiling, printing, publishing, and distributing the results of the census, the purchase of necessary paper and other supplies, the purchase, rental, exchange, construction, and repair of mechanical appliances, the compensation of such permanent and temporary clerks as may be employed under the provisions of this act and the act establishing the permanent Census Office and acts amendatory thereof or supplemental thereto, and all other expenses incurred under authority conveyed in this act.

The amendment was agreed to.

The next amendment was, in section 33, page 30, line 16, after the word "certificate," to insert "and that the Director of the Census is authorized to furnish transcripts of tables and other records and to prepare special statistical compilations for State or local officials, private concerns, or individuals upon the payment of the actual cost of such work: *Provided, however*, That in no case shall information furnished under the authority of this act be used to the detriment of the person or persons to whom such information relates," so as to make the section read:

SEC. 33. That the Director of the Census be, and he is hereby, authorized, at his discretion, upon the written request of the governor of any State or Territory or of a court of record, to furnish such governor or court of record with certified copies of so much of the population or agricultural returns as may be requested, upon the payment of the actual cost of making such copies and $1 additional for certification; and that the Director of the Census is further authorized, in his discretion, to furnish to individuals such data from the population schedules as may be desired for genealogical or other proper purposes, upon payment of the actual cost of searching the records and $1 for supplying a certificate; and that the Director of the Census is authorized to furnish transcripts of tables and other records and to prepare special statistical compilations for State or local officials, private concerns, or individuals upon the payment of the actual cost of such work: *Provided, however*, That in no case shall information furnished under the authority of this act be used to the detriment of the person or persons to whom such information relates. All moneys hereafter received by the Bureau of the Census in payment for labor and materials used in furnishing transcripts of census records or special statistical compilations from such records shall be deposited to the credit of the appropriation for collecting statistics.

The amendment was agreed to.

The reading of the bill was concluded.

The VICE PRESIDENT. Are there any further committee amendments?

Mr. SHEPPARD. Mr. President, we are about to return to amendments which have been passed over. Some of them involve controverted items, and in order that there may be as full an attendance as possible while they are being considered, I make the point of no quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Dillingham	Johnson, S. Dak.	Lodge
Bankhead	Fernald	Jones, N. Mex.	McKellar
Beckham	Fletcher	Kellogg	McLean
Calder	France	King	McNary
Colt	Hale	Knox	Martin, Ky.
Culberson	Henderson	La Follette	Martin, Va.
Cummins	Hollis	Lenroot	Moses
Curtis	Johnson, Cal.	Lewis	Myers

New	Pollock	Smith, Mich.	Underwood
Nugent	Pomerene	Smith, S. C.	Vardaman
Page	Ransdell	Smoot	Wadsworth
Penrose	Reed	Spencer	Warren
Phelan	Saulsbury	Sutherland	Watson
Pittman	Shafroth	Swanson	Williams
Poindexter	Sheppard	Thomas	

Mr. LEWIS. I desire to announce that the Senator from Rhode Island [Mr. GERRY], the Senator from Maryland [Mr. SMITH], the Senator from North Carolina [Mr. SIMMONS], the Senator from Montana [Mr. WALSH], the Senator from Georgia [Mr. SMITH], and the Senator from Arkansas [Mr. KIRBY] are detained on official business. I wish also to announce that the senior Senator from Arkansas [Mr. ROBINSON] is detained by illness.

Mr. McKELLAR. I wish to announce the unavoidable absence of my colleague, the senior Senator from Tennessee [Mr. SHIELDS], on account of illness. I will let this announcement stand for the day.

Mr. POMERENE. I have been requested to announce the absence of the Senator from North Carolina [Mr. OVERMAN], the Senator from Minnesota [Mr. NELSON], and the Senator from Delaware [Mr. WOLCOTT] on official business of the Senate.

Mr. FLETCHER. I desire to announce the unavoidable absence of my colleague [Mr. TRAMMELL]. I will ask that this announcement stand for the day.

Mr. SMOOT. I wish to announce the absence of the Senator from South Dakota [Mr. STERLING] on account of death in his family.

I desire also to announce the absence of the Senator from Illinois [Mr. SHERMAN] on account of illness.

I wish also to announce that the Senator from Washington [Mr. JONES] is unavoidably absent.

I will let these announcements stand for the day.

Mr. McNARY. I desire to announce the unavoidable absence of my colleague [Mr. CHAMBERLAIN] on official business.

The VICE PRESIDENT. Fifty-nine Senators have answered to the roll call. There is a quorum present. The Secretary will state the first amendment passed over.

The SECRETARY. The first amendment passed over is in section 5, page 4, line 10, after the words "Director of the Census," to strike out "$7,000" and insert "$7,500," so as to read:

SEC. 5. That during the decennial census period the annual compensation of the officials of the Census Office shall be as follows: The Director of the Census, $7,500.

Mr. SMOOT. Mr. President, I am going to take the time of the Senate only for a few moments to state my position on this amendment.

The Director of the Census is paid $6,000 annually, which compensation is provided for in the annual appropriation bill; but during the census 10 years ago the Director of the Census was paid $1,000 additional, or $7,000 per annum.

Mr. SHEPPARD. Mr. President, the Senator must remember that 20 years ago an increase of $1,500 was allowed the Director of the Census.

Mr. SMOOT. At that time, however, the Director of the Census was receiving $5,000, instead of $6,000; in other words, with the $1,500 he then received, $6,500.

Mr. SHEPPARD. But Congress allowed him $7,500 for the decennial census period 20 years ago; and if what the Senator says is correct, Congress gave him an addition of $2,500 for the three years.

Mr. SMOOT. Well, Mr. President, in the last census that was taken the Director of the Census was allowed $7,000 per annum; and, as I stated, that is a thousand dollars more than his regular salary. I recognize that there is more work done in the Census Office while the census is being taken than in the ordinary year; but, upon the other hand, there are many, many more hundreds and thousands of employees to do the work; and it does seem to me that the House was wise in fixing the salary at $7,000 instead of $7,500. I say this because the heads of bureaus and of some of the divisions are receiving no more than $5,000, but some of them $6,000, which the Director of the Census in ordinary times receives.

If this policy is to be followed out, whenever there is any legislation passed that throws an additional amount of work for a short time upon the head of any bureau or any division, we must immediately make an additional appropriation to pay him for that extra period. I think the policy is an unwise one; and I believe that the House, in giving the thousand dollars extra, has done all that ought to be done. Therefore I shall content myself by asking that a vote of the Senate be taken upon the question of whether the director shall be paid $7,000 or $7,500. I recognize the ability and energy of the present director and appreciate his labors in the past.

Mr. SHEPPARD. Mr. President, the Senate Census Committee has made, on the whole, a decrease of $500 in the salary list granted by the House to these supervisory officials for the decennial-census period. We cut out several positions altogether; we kept some at the figures fixed by the House, and we made small increases in the salaries of others; we hope that the disposition we made will be sustained by the Senate.

We are merely allowing the director what his predecessor was given 20 years ago for the Twelfth Census period. The census next year is to be probably the greatest and the most complete ever taken in the history of the world. The director receives a permanent salary of $6,000 a year, but his duties are going to be multiplied fifty-fold during the three years of the coming decennial-census period. We believe it but fair that we should follow the precedent established so long ago as 20 years and give him this small increase of $500 over what the House has allowed.

Mr. SUTHERLAND. Mr. President, I call the attention of the Senator from Utah to the fact that the work of the Census Bureau during the census period is in no wise comparable to the work of the ordinary bureaus of the various departments. It is high-pressure work. It is work that requires the time and attention of men nights, days, and Sundays in order to complete the work and get these statistics into proper form. It involves in this case the handling of an estimated number of 113,000,000 cards, which have to be counted four times, the equivalent of handling about 500,000,000 cards once. Then, too, there is the responsibility of wisely directing the expenditure of $20,000,000. No business concern in this country which contemplated spending that amount of money would be able to get a man competent to handle it for the meager sum of $7,000.

Twenty years ago the Director of the Census was allowed $7,500. Ten years ago, for some reason, the salary was reduced to $7,000. The work has largely increased. The number of people to be counted and the responsibilities have increased. Everybody knows that the purchasing power of a dollar at this time is very much less than it was 10 years ago, 50 per cent of what it was at that time, possibly 40 per cent of what it was 20 years ago; so that the director's present contemplated salary of $7,500 is much less than it was 10 years ago at $7,000, and much less than it was 20 years ago at the salary of $7,500.

While we must be economical in the passage of these supply bills, and, while we must not give a dollar more than is justly due to these people, yet we must be fair and just to these public servants who are required to do this responsible work; and I hope the Senate will uphold the decision of the committee in these amendments.

Mr. SMOOT. Mr. President, of course I recognize, as I stated before, that there is extra labor in the Census Bureau at the time when the census is being taken. I recognize that there are millions of cards to handle, but we all know that the Director of the Census does not handle the cards. He has nothing to do with them, other than to give the order as to how they shall be cared for; and, speaking of a private corporation distributing $20,000,000 securing the services of a man at $7,500, I call the Senator's attention to the fact that the Commissioner of the General Land Office, who has charge of hundreds of millions of acres of land, who pays out millions and millions of dollars annually, whose employees usually are greater in number than those in the Census Office, is receiving a salary of $5,000, and has been receiving it for a number of years.

If we are going to take into consideration the question of the high cost of living, that applies to every single employee and officer of the Government of the United States; and if we are going to make any kind of an advance upon that ground, it ought to be universal, and we ought not to pick one out here and another there.

As I said, I hope that the House provision will prevail.

Mr. KING. Mr. President, I desire to submit a few observations before the vote is taken upon this amendment. Like many other Senators, I have been struck with astonishment at the ease with which appropriations can be obtained. It is true, technical objections are often urged against meritorious propositions and obstacles are sometimes interposed to appropriations entirely legitimate and proper; but, as a working formula, I think it may safely be said that appropriations are often made by Congress which lack merit and are not grounded in morality or justice. There is too much of a disposition to follow the suggestions and wishes of bureaus and public officials who are benefited, or who seek to be benefited, by the legislation which is sought. I know it is difficult to always get the right angle from which to judge as to the propriety and wisdom of a given item or as to the justice of a proposed appropriation; but more and more Congress relies upon the representations of these agencies of the Government which will have to do with the appropriation or will be benefited by the appropriation in legislation relating thereto. Notwithstanding the fact that in many

instances where representatives of the department or bureau or division who appear before committees have a direct interest in the legislation, particularly if it is an appropriation, there is a disposition upon the part of the committee to sit with open mouths as if Sir Oracle were speaking. In making this statement I do not desire to impugn the honesty or integrity of the agents or employees or officials of the Government who seek the appropriations or appear before committees to testify in respect thereto. The departments and bureaus and agencies of the Government are interested in extending their powers and jurisdiction and authority. Often the head or chief of bureau or agency feels that the particular activity in which he and those under him are engaged is of vital interest to the Government. He is ambitious to extend its functions and powers and authority. Often officials feel that their work or the work of the bureau or agency with which they are identified is of supreme importance to the Government and that sufficient recognition has not been accorded it in the past. Anyone who has studied the growth and development of the departments, bureaus, and agencies of our Government can not help but be impressed with the view that those who have been connected with the same have exhibited great zeal in extending the authority and activities of such organizations.

A cell, so to speak, is organized and it increases in strength and power and soon ceases to be unicellular and becomes multicellular. Each cell, as it is created, expands and grows, and those connected with it are interested in emphasizing its importance. Of course, it is to be expected that every representative of a governmental agency, when appearing before a committee of Congress, will emphasize the work which has been performed by the organization with which he is connected. He seeks to make a good showing and to aggrandize the agency or bureau for which he speaks. It is a matter of common knowledge that there has been competition between bureaus and governmental instrumentalities. If one publishes a magazine or paper exploiting its achievements, some other bureau or department or agency follows the same course and attempts a better publication. If an increase in salary is given to one bureau, immediate demands are made in other bureaus, and there is a constant effort to show that the work performed by a given agency is greater or more important than the work accomplished by some other agency of the Government. Under such circumstances very strong presentations are made to committees, and Senators and Representatives, perhaps properly and certainly inevitably, are impressed with the enthusiasm and earnestness with which various items of desired appropriations are advocated. Requests, if not demands for increased compensation, if not constant, are so persistently made as to be regarded as more than intermittent. I have sometimes felt that there is not sufficient scrutiny and examination of estimates submitted by Government departments and bureaus and by the chiefs of divisions and officials of the Government. We know that millions are often asked for when hundreds of thousands only should be appropriated. I am afraid that the spirit which has been developed since we have been talking in billions has become somewhat of a mental strabismus upon the part of all. A dollar seems so insignificant as to be beneath our notice. To add a few hundred thousand dollars to an appropriation bill seems unimportant, and to take millions out of the Treasury excites no concern and provokes little if any comment. The Democratic Party historically has been the party of economy and has insisted upon wise and economical expenditures of the public moneys. During war times there is a tendency to depart from safe and sane paths of legislation. In the hurry incident to war and in the haste required for enacting imperative war legislation, watchfulness of appropriations and strict economy did not always obtain.

Indeed, there is a disposition to pass unchallenged whatever legislation is asked for by the Government, and particularly by those departments that are intrusted with war activities and with those officials who are particularly charged with conducting military and naval operations. The result is that war usually breeds extravagance. Of course, war means waste, but the war is now practically concluded. We are passing from the war clouds into the light of peace. There must be a sharp turn in Government appropriations. There must be no haste and confusion in making appropriations. There must be calm, careful, and painstaking examination of every bill calling for appropriations and of every penny that is taken from the Public Treasury. The Democratic Party can not afford to disregard its principles and its past record which calls for economy.

I lift my voice to warn the leaders of the Democratic Party that unless they demand and practice economy in dealing with public funds, the party will be held to strict account by the public, and if it is guilty of extravagance it will be sternly and deservedly rebuked by the patriotic people of the land. It is particularly important that there should be economy at this time. The expenses incident to the war and growing out of the war have not yet been paid. There are billions of dollars of claims yet to be liquidated. To meet the stupendous amounts which the Government will be called upon to pay, will require the laying of heavy and, indeed, burdensome taxes, and will call for the strictest economy. Those who study our industrial situation and are cognizant of the present resources of the people, know that there will be difficulty in obtaining the enormous sums necessary to discharge the pressing obligations of the Government. The transition from peace to war will be accompanied by industrial disturbances. Indeed, we will be fortunate to escape serious financial difficulties. If all act patriotically together, keeping in view the welfare of the Nation and the peace and happiness and prosperity of all classes and of all sections of our Nation, I believe we will escape financial disaster and pass successfully through the troubled social and economic waters into the calm sea which will bear the ship of state into a haven of progress and prosperity. This hour calls for an exhibition of sanity and common sense upon the part of legislators. Expenditures must be cut wherever possible. It is not a suitable time to make a general increase in salaries.

In most labor circles there may be reductions in compensation. Of course, war produces high prices, and high prices result in wage increases. The laboring men are always sufferers during periods when nations are passing from inflation and high prices to a stage calling for a reduction in prices and in the scale of wages. Of course, everyone is concerned in the welfare of those who toil. Their interests must be guarded, and to secure the welfare of the laboring man, now more than ever, requires the earnest and sympathetic consideration of the Government as well as that of the employers of labor.

But it is not the time, in my opinion, to begin raising the wages of those in the Government service. They have many advantages over the workingmen employed in the various activities of our land. Protected by the civil service and guaranteed positions for life, they have peculiar and special advantages which should be taken into consideration when the question of raising salaries of Government employees is up for consideration.

Speaking to the question under consideration, we find that the salary of the Superintendent of the Census is $6,000 a year. The duties of this office during seven years of the decennial periods are not very onerous. While the census is being taken his duties and responsibilities are augmented. At the same time he is given additional help and numerous competent and efficient aids. The House added a thousand dollars to the salary provided by law, and we are now asked to increase that amount to fifteen hundred dollars. Generally speaking, it is not a wise or safe plan to increase the compensation of employees because there is a temporary increase in the work devolved upon them. If this is done it provokes demands in all lines of governmental service. Occasionally there will be indefinite periods when the work in a bureau or of some employee may be increased over that required during the normal period. It is difficult to measure what such work performed for a short time is worth. The person expecting the position knows that such position calls for increased work at infrequent times. He accepts the position with the knowledge of that fact. To give one additional compensation will, as stated, provoke demands from others. The precedent is bad and the consequences of such a course can not be fully apprehended. The committee amendment, in my opinion, is unwise and should be rejected.

Mr. WILLIAMS. Mr. President, the official whose salary is in question is one of the most useful members of the administration, one of the most efficient, and deserving of all sorts of praise and all due compensation. I am not at all astonished that the Senator from Utah [Mr. KING] came to the relief of his colleague [Mr. SMOOT]. I agree with both of them. I do not see why now, when the whole world is threatened with national and international bankruptcy, we should give way to everybody who wants an increase of salary; and in saying that, I do not mean that this man is to be classed as "everybody," because he is beyond that. He is outside of that class. He deserves very much more than to be classed with the ordinary people who are serving the Government; but it does seem to me that we ought to put a check upon this idea of demanding from every quarter, everywhere—I am not so much afraid of this particular case as I am of the general trend of it all—an increase because of the increased cost of living. The increased cost of living is going back to a normal status after a while; but after you once fix these salaries they will never go back at all.

Mr. SHEPPARD. Mr. President, will the Senator yield for a question?

Mr. WILLIAMS. Yes.

Mr. SHEPPARD. Does the Senator know that this increase is only temporary, only for three years, and that at the end of that time it automatically goes back?

Mr. WILLIAMS. No; I did not know that, to be frank with the Senator, and that would reconcile the proposition somewhat to my mind. But I started out to say a few words about the general trend of getting out of the Government every cent that everybody can.

Just at this time, when patriotism and self-denial and self-sacrifice are very highly called for, everybody is coming up, from the laboring man in the navy yard up to the very highest official, demanding something to "compensate them for the sacrifices of the war." Why should they be compensated? The balance of us have suffered without compensation. The ordinary blacksmith and school-teacher—and especially the school-teacher, who is doing more good than anybody else—have not found that it was possible to recoup at the public expense while they were making their sacrifices in order to carry on the war. I have not found it possible to recoup, and I do not want to. I would not vote for a proposition to increase the salary of a Senator or a Member of the House of Representatives because we have been called upon to stand our part of the gaff in this war. It seems to me everybody ought to be willing to stand his share of it. Your boys have gone; they have stood their share of it. Some of them have come home, thank God, without a scratch. A great many have come home wounded and hurt. Some of them are left there to be buried "where the tree fell."

Now, why should we, whenever an appropriation bill is up, appeal to the charity and philanthropy of Congress to increase a man's salary because he has suffered while the war was going on? Of course he has suffered; but he has suffered in a bomb-proof place. All of us here have suffered in bomb-proof places, and there has not been very much suffering about it. I would have been very glad to have taken my boys' places in this struggle. I think I would. I do not know whether I would or not. I am not so sure of myself, but I think I would. But not having done it, being unable to do it, why should I appeal to the American people to recoup me for the high cost of living due to the war, and why should anybody else do it? Why should not every man be willing to say, "Now is the moment of supreme sacrifice; and my sacrifice has not been so awfully great, either; I have not starved. I have not done without enough clothing to the point of being arrested for indecent exposure. I have been able to go through with it all." Why should not that spirit be spread around among the American people, and why should we not tell the people who stayed at home during all this time—some of them because they wanted to, some of them because they could not help it—why should we not tell the people who stayed at home all this time, "You must no recoup your war losses at the expense of the American people; you must have patriotism and self-abnegation enough to be willing to say that you and I have thrown that much into the pot for which the world has played, and which the world has won in behalf of freedom, in behalf of democracy, and in behalf—as we all hope—of a league of nations to keep the peace of the world for years to come?"

I am not making this speech so much about this particular case. If there is any man who deserves peculiar reward and increase of salary, it is this particular man. I am not talking about that so much; but I am talking about the general idea that seems to prevail all over the country that this is a time to bite something out of the Public Treasury, when it seems to me it ought to be a time for patriotic citizens to say, "I will not bite; if I bite, I will bite later when the world is not threatened with bankruptcy and when the United States is free to carry on its own domestic concerns without the extra burden of taking care of Armenia, Serbia, Belgium, Roumania, Syria, and Palestine, all of which must come out of our pockets in one way or another, publicly or privately."

Now, why can we not just simply say, "This is a time for self-denial and not a time for self-assertion; this is a time to get along with less salary than we have been having if we can do it, not a time to demand higher salary?"

Mr. President, this world either has a soul or it has not. This country either has a soul or it has not. If it has no soul, of course, everybody is for himself and the devil take the hindmost; but if it has a soul, it seems to me that that soul ought to express itself in acts, not merely in words; and those acts ought to consist in taking less, if we can, from the public than we hitherto have taken and not in taking more.

Mr. MYERS. Mr. President, I have listened with interest to the remarks of the Senator from Mississippi. It occurs to me to suggest that the approaching census will involve a great deal more work, labor, and responsibility than any other census which has ever been taken in the United States. There will be more to do, more to be responsible for, in taking the Fourteenth Census than there was 10 years ago or at any previous census. The work is continually growing.

It further occurs to me to suggest that $7,500 now is not nearly the equivalent of what $7,000 was 10 years ago. The committee amendment seems to me to be fair and right, and I shall support it.

Mr. SUTHERLAND. Mr. President, I desire to call the attention of the Senate to the statement made by the Senator from Utah [Mr. SMOOT], made under a misapprehension perhaps. He was probably comparing the size of the Land Office with the permanent Census Bureau.

Mr. SMOOT. That was what I was doing.

Mr. SUTHERLAND. The pending bill provides for the census period, which is a term of three years, during which the entire decennial census will be taken.

I have before me the legislative, executive, and judicial appropriation bill for the year ending June 30, 1920, as reported by the House committee, and I find that the total number of employees outside of special agents, for which an appropriation of $6,000 was made, is 512, whereas during the census period that is about to ensue a force of 4,000 clerks will be employed in connection with the Bureau of the Census, and a field force consisting of supervisors, enumerators, and special agents numbering from 85,000 to 90,000.

The work of selecting this vast organization, the responsibility for their selection, the responsibility for their work, rests finally upon the Director of the Census. It seems to me, in view of the very large number of people to be directed, the amount of money to be expended, and the care with which the statistics have to be assembled, $7,500 is an exceedingly moderate salary.

Mr. KING. If the Senator——

Mr. SUTHERLAND. Just a moment. I will say, in answer to the junior Senator from Utah, in relation to the appeals made here for increases in salary, and our gullibility, that in this particular matter I had rather an inside view of the working of the Census Office, because I was chief of the largest division of the Census Office a good many years ago—in the 1890 census. I therefore had rather a familiar view of the inside working of the Census Office, and I know from actual experience that not only do they have a day force there but they have a night force, and the Director of the Census and the chiefs of divisions and expert special agents, the men who are responsible for the conduct of the clerks and the work done by them, are not only occupied many hours during the day but during the night and frequently on Sundays, because it is high-pressure work, requiring constant attention under high-pressure methods, which are very exhausting and for which all these men should receive at least the fair compensation which is provided by this bill as amended by the committee. I now yield to the Senator from Utah.

The VICE PRESIDENT. The Senator from Utah [Mr. SMOOT] requests the yeas and nays.

The yeas and nays were ordered.

Mr. SMOOT. The question is on agreeing to the Senate committee amendment?

The VICE PRESIDENT. It is.

The Secretary proceeded to call the roll.

Mr. FLETCHER (when his name was called). I have a general pair with the junior Senator from Massachusetts [Mr. WEEKS]. In his absence I transfer my pair to the Senator from Nebraska [Mr. HITCHCOCK] and vote "yea."

Mr. KNOX (when his name was called). I am paired with the Senator from Oregon [Mr. CHAMBERLAIN]. In his absence I withhold my vote.

Mr. SAULSBURY (when his name was called). Has the junior Senator from Rhode Island [Mr. COLT] voted?

The VICE PRESIDENT. He has not.

Mr. SAULSBURY. I have a pair with that Senator, and therefore withhold my vote.

Mr. SWANSON (when his name was called). I am paired with the senior Senator from Washington [Mr. JONES]. I do not know how he would vote. If I were permitted to vote, I would vote "nay."

The roll call was concluded.

Mr. DILLINGHAM. Has the senior Senator from Maryland [Mr. SMITH] voted?

The VICE PRESIDENT. He has not.

Mr. DILLINGHAM. I have a pair with that Senator, which I transfer to the Senator from New Jersey [Mr. BAIRD] and vote "nay."

Mr. CURTIS. I desire to announce the absence of the Senator from Illinois [Mr. SHERMAN] on account of illness. I will let this announcement stand for the day.

I also announce that the Senator from South Dakota [Mr. STERLING] is absent on account of death in his family.

I wish also to announce the unavoidable absence of the Senator from Washington [Mr. JONES].

Mr. KENDRICK. I have a general pair with the senior Senator from New Mexico [Mr. FALL]. I transfer that pair to the Senator from Arizona [Mr. SMITH] and vote "yea."

Mr. JOHNSON of South Dakota. I have a pair with the Senator from Maine [Mr. FERNALD], which I transfer to the Senator from Arkansas [Mr. KIRBY] and vote "yea."

Mr. CURTIS (after having voted in the negative). I have a pair with the junior Senator from Georgia [Mr. HARDWICK], who, I understand, has not voted. I will transfer my pair to the senior Senator from Minnesota [Mr. NELSON] and let my vote stand.

I have been requested to announce the following pairs:

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Illinois [Mr. SHERMAN] with the Senator from Kansas [Mr. THOMPSON]; and

The Senator from South Dakota [Mr. STERLING] with the Senator from South Carolina [Mr. SMITH].

Mr. LEWIS. I wish to announce that the Senator from Montana [Mr. WALSH] and the Senator from Maryland [Mr. SMITH] are detained on official business.

The result was announced—ayes 34, nays 27, as follows:

YEAS—34.

Ashurst	Johnson, Cal.	Martin, Ky.	Shafroth
Beckham	Johnson, S. Dak.	Myers	Sheppard
Culberson	Jones, N. Mex.	New	Simmons
Fletcher	Kendrick	Overman	Smith, Ga.
Frano	La Follette	Phelan	Smith, Mich.
Gerry	Lewis	Pittman	Sutherland
Hale	McKellar	Pollock	Wolcott
Henderson	McLean	Pomerene	
Hollis	McNary	Ransdell	

NAYS—27.

Borah	Kenyon	Nugent	Townsend
Calder	King	Page	Vardaman
Cummins	Lodge	Penrose	Warren
Curtis	McCumber	Poindexter	Watson
Dillingham	Martin, Va.	Reed	Weeks
Gronna	Moses	Smoot	Williams
Kellogg	Norris	Spencer	

NOT VOTING—35.

Baird	Goff	Nelson	Sterling
Bankhead	Gore	Owen	Swanson
Brandegee	Harding	Robinson	Thomas
Chamberlain	Hardwick	Saulsbury	Thompson
Colt	Hitchcock	Sherman	Trammell
Fall	Jones, Wash.	Shields	Underwood
Fernald	Kirby	Smith, Ariz.	Wadsworth
Frelinghuysen	Knox	Smith, Md.	Walsh
Gay	Lenroot	Smith, S. C.	

So the committee amendment was agreed to.

Mr. SMOOT. I suppose the same vote would be recorded on the other increases proposed, and I shall not, therefore, ask for a record vote upon them.

Mr. SHEPPARD. There is one amendment which I wish to submit. In line 16, after the words "chief of division," to strike out "$2,250" and insert "$2,500."

The VICE PRESIDENT. There are some amendments on the preceding page which have not been acted upon, and they will be stated.

The next amendment passed over was, in section 5, page 4, line 10, after the words "Director of the Census," to strike out "$7,000" and insert "$7,500"; in line 11, after the words "assistant director," to strike out "$4,500"; three chief statisticians and the chief clerk, $3,000 each; two" and insert "$5,000; the chief clerk and three chief satisticians, $4,000 each; three"; in line 13, after the words "chief statisticians," to strike out "$3,000"; and in line 14, after the word "geographer," to strike out "$2,750" and insert "$3,000 each," so as to make the section read:

SEC. 5. That during the decennial census period the annual compensation of the officials of the Census Office shall be as follows: The Director of the Census, $7,500; the assistant director, $5,000; the chief clerk and three chief statisticians, $4,000 each; three other chief statisticians and the geographer, $3,000 each; the disbursing clerk, $3,000; the appointment clerk, $2,750; the chiefs of division, $2,250 each; the private secretary to the director, $2,250; the statistical experts, $2,000 each; and the stenographers provided for in section 3 of this act, $1,800 each.

The amendment was agreed to.

The VICE PRESIDENT. The amendment proposed by the Senator from Texas [Mr. SHEPPARD] will now be stated.

The SECRETARY. It is proposed by the Senator from Texas, in line 16, after the words "chiefs of division," to strike out "$2,250" and insert "$2,500."

Mr. SMOOT. I do not know that it would be wise at this time to ask the Senate to change any motion that may be made by the chairman of the committee, but the increase in salary for the chiefs of division from $2,250 to $2,500 is, I think, unwarranted. I will be content with just a viva voce vote of the Senate, without the yeas and nays.

Mr. SHEPPARD. I am told by the director that it is absolutely essential that this increase shall be made, in order to hold the services of competent men; that these men can get similar positions in the War Department and in the Treasury Department now at $2,500; and that the Internal Revenue Commissioner now has positions carrying $2,500 which he is very willing to tender them. The director will have the greatest difficulty in holding men with sufficient skill and ability at $2,250 per annum.

Mr. SMOOT. Mr. President, in answer to the Senator, I desire to say that that statement is made to the members of the appropriations committee every year. I know it has been made for at least 12 years, but men who then held positions in the departments of the Government are still there, though the increases asked for have not been made. Many of the heads of divisions get $2,000 per annum, though some of them get $2,500, as is provided in the pending bill. Of course, we made exceptions as to the Census Department, and I so presume all of the others ought to be included.

Mr. SUTHERLAND. Mr. President, I desire to inform the Senator from Utah that, under the pending legislative, executive, and judicial appropriation bill in the House of Representatives, a number of the chiefs of divisions are given pay at the rate of $2,500 per annum, recognizing the fact that this is a proper time to give those men some equitable increase. That plan has been followed, and the House committee is certainly not wildly extravagant, but is much more economical than is the Senate committee. They have gone over the schedule of the legislative, executive, and judicial appropriation bill, and have granted increases of salaries to $2,500 as to a number of chief clerk positions.

Mr. SMOOT. Mr. President, I have not seen the legislative, executive, and judicial appropriation bill for this year, but I desire to say that there are one or two chiefs of divisions in the service of the Government who have been receiving for some time a salary of $2,500 per annum. I am not going to take the time of the Senate to state the reasons why they have been granted that salary, but there are reasons why they are receiving it, and good reasons, too, which do not apply to the Census Bureau.

Mr. KING. Mr. President, from the vote just taken and the motion now made by the chairman of the committee to increase the compensation of the officials embraced within the class contemplated by his motion it would seem—at least, to the casual observer—that the pledges of the Democratic Party in behalf of a reduction of governmental expenditures and economy were rather lightly regarded.

Mr. SHEPPARD. I desire to suggest to the Senator from Utah that we have made a total decrease in the salary list as the bill came over from the other House.

Mr. KING. Conceding what the Senator from Texas has just stated—and, no doubt, his statement is correct—that does not lead me to change the statement just made. The bill as it came from the House shows an increase in the salaries of various officials provided for in the bill now under consideration. I do not know that there is any very great credit due because there has been a slight reduction in the aggregate amount carried by the bill as it came from the House and now reported by the Senate committee. The House bill, in my opinion, is too liberal in the appropriations made. The total amount required for the taking of the census is entirely too large for the results obtained. I have no doubt but what the same work could be performed by private individuals for a very much less sum than that which the Government will be required to pay. Of course, the taking of the census is a work which could not well be delegated to a private concern, no matter how honorable and efficient its personnel might be. But I desire to emphasize the fact that the party which has stood for economy, as I have heretofore suggested, should—particularly at this time, when the expenses of the Government are so gigantic—maintain its honorable record. We have always charged that the Republican Party was inefficient in its administration of public affairs and was wasteful and extravagant in the handling of the Public Treasury. The stupendous appropriations made during the period of the war, together with the charges intermittently made by the minority of extravagance upon the part of the party in power, influenced many people and led them to believe that this Democratic administration was not mindful of the public welfare and economical

in its conduct of national affairs. I am afraid that an examination of some of the appropriations made will afford some justification for the feeling prevalent in some quarters. It has been stated that the recent defeat of the Democratic Party was in part chargeable to the belief entertained by some that it had not zealously guarded the Public Treasury and had not with that scrupulous care which should have characterized its course discharged its obligations as a servant and trustee of the people.

This is no time for an increase in the compensation of public officials. Here and there some glaring injustice can be found which, perhaps, should be remedied, but, generally speaking, there should be no revision of the salaries of Federal employees at the present time. We are in a condition of flux. The industrial and economic situation is uncertain, and abnormally high prices which have prevailed during the war, not only in the United States but throughout the world, inevitably will suffer a declination. It will not prove an easy task to readjust conditions. There is no question but what there will be in many activities sharp declines; not only raw materials but finished products, including food supplies, will suffer reductions in prices. There was far greater reason for an increase in the salaries of the employees of the Government when the war was on than at this time when the war is ended, and we are seeking to reach a peace basis without financial disaster or serious industrial and social unrest. Every possible effort should be made to economize and to reduce governmental expenditures. Public officials, particularly those who are intrenched in office for life, ought to be the first to aid in bringing about a prompt and satisfactory readjustment in the economic and social life of the Republic. As long as the toiling masses—those who work in mine and field and factory—may be affected, and possibly affected in a more or less serious way, by the changes compelled during the period of transition from war to peace, it would seem that those who have life positions, particularly positions which have proved and still do prove so attractive as to cause great competition to secure them, would not be the first to insist upon a revision upward of their schedules of compensation. I know it is popular to advocate high salaries and increased compensation, and one who objects to an increase for those in the public service usually arouses intense animosities. I believe not only in good wages but high wages for those who work and toil and who by their efforts produce the food we eat and the clothes we wear and construct the habitations in which we live. I would like to see the workingmen—the great toilers of our land—not only liberally but generously compensated. I hope the day may come when they will enjoy more leisure and have more of the comforts and pleasures of life than the past has awarded them. I am not in favor of making public offices so attractive by high salaries as to lead to the scrambling and competition that in the past and now exist to secure them.

The Senator from Texas [Mr. SHEPPARD] states that unless the salaries covered by his amendment are increased, it will be difficult to hold in the public service those now filling the positions. It might not be a misfortune if some in the public service should be separated from it. However, I do not entertain the view just expressed by the Senator. I do not hesitate to make the prophesy that if these men or any of the officials provided for in this bill leave the service, there will be a multitude of competent persons seeking their vacant posts. There are now numerous applicants for Government positions. Senators are importuned daily by numerous individuals for positions in the Government service; and there is no question but what the applications for such service will greatly increase within the next few months. I repeat, as I have heretofore stated to-day, that the obligation rests upon the Democratic Party to reduce in every possible way the expenses of the Government. There will be thousands of demands made upon Congress for appropriations. Meritorious and unmeritorious schemes will be presented, and Congress will be besieged upon all sides for gifts, bonuses, largesses, and appropriations, the granting of a tithe of which would bring national bankruptcy and ruin. Our duty is to set our faces against all demands, except those that can not be avoided, and aid the country by reducing the burden of taxation to the lowest possible degree. If the Democratic Party fails to discharge this high duty, it will be sternly rebuked by the people, in which event the Republicans, perhaps profiting by such default, might attempt to follow a safer path.

I sincerely hope the amendment offered by the Senator from Texas will be rejected.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Texas. [Putting the question.] The noes seem to have it.

Mr. SHEPPARD. I ask for a division, Mr. President.

The question being put, on a division the amendment was agreed to.

The VICE PRESIDENT. The next amendment passed over will be stated.

The next committee amendment passed over was, in section 6, page 4, line 25, after the word "clerks," to strike out "of classes 4, 3, 2, and 1" and insert "with salaries at the rate of $1,800, $1,680, $1,560, $1,440, $1,380, $1,320, $1,260, $1,200, $1,140, $1,080, $1,020, $960, and $900; one engineer at $1,200; and two photostat operators, at $1,200 each."

Mr. SMOOT. I withdraw my objection to that amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The next committee amendment passed over was, in section 6, on page 5, line 13, after the word "clerks," to strike out "of classes 2, 3, and 4" and insert "with salaries at the rate of $1,440 or more per annum."

Mr. SMOOT. Mr. President, I see that class 1 is not included in this House provision, and, that being so, I have no objection to the amendment.

The VICE PRESIDENT. The amendment is agreed to, without objection. The Secretary will state the next amendment passed over.

The next amendment passed over was, on page 11, line 18, after the words "by the," to strike out "Secretary of Commerce upon the recommendation of the Director of the Census" and to insert "President, by and with the advice and consent of the Senate."

Mr. SMOOT. Mr. President, I propose to amend the committee amendment by inserting after the word "appointed," in line 18, page 11, the words "in conformity with the civil-service act and rules," so that it will read:

The supervisors shall be appointed in conformity with the civil-service act and rules.

Mr. ASHURST. Mr. President, let me inquire of the Senator from Utah, if he will yield to an interruption, if, under the terms of his amendment to the committee amendment it would mean that the names of the appointees would not come to the Senate at all?

Mr. SMOOT. It would mean that the appointments would be made under the civil-service act and rules. There are only 400 of them, I will say to the Senator from Arizona, but these 400 have some 85,000 enumerators to select; and it does seem to me that, so long as the other employees of the Government are under the civil-service act and are to be selected under that act, the supervisors ought to be placed under that act as well.

Mr. ASHURST. How many supervisors did the Senator from Utah state there will be?

Mr. SMOOT. There will be 400 of them.

Mr. ASHURST. I do not wish to prolong the discussion on this bill, but this seems to me one of the vital things in the bill. We are from time to time creating new offices, offices that have no responsibility to anybody, and it seems to me, on a matter so important as is this, that these officials should be confirmed by the Senate. The Senate has a right to know who is going to do this work. I was somewhat instrumental in securing the adoption in the committee of the amendment which provides that these appointees shall be confirmed by the Senate. I have not the slightest objection to the Senator's amendment including these employees in the civil service after they have once been confirmed by the Senate.

Mr. SMOOT. I will say to the Senator that the President can, without an examination, cover them into the civil service without any act of Congress, and that is just exactly what I do not want him to do.

Mr. ASHURST. That is the very thing I object to. Employees are being covered into the civil service who have no capacity whatever, and there they remain for life, responsible to no constituency, responsible to no man, and not subject to recall.

The Senate from time to time has complained about the aggressions of the Executive power. Incompetent and unreliable men were appointed as judges advocate, and the Senate was not called upon nor permitted to reject or confirm the appointments. I will make the assertion here that in a number of cases had the Senate been called upon to confirm appointees in the Judge Advocate General's Department several of them would have been rejected. So it seems to me that those Senators, especially those upon the other side of the Chamber, who complain that there is constant aggression on the part of the executive department, ought to realize that here is an opportunity to stay the Executive power, to restore the Senate to its

proper function, and to give it an opportunity to say whether or not these men are worthy or unworthy.

I hope the Senate will adopt an amendment prohibiting a Senator from making any recommendation in these matters. I hope to escape the burden and the liability—for it is a liability—of making any recommendation; but the Senate ought to know who these appointees are; the Senate has a right to know; and if it is willing that the Executive shall make these dozens upon dozens of appointments without the Senate having a voice in the matter, Senators upon the other side ought to withhold any criticism about Executive domination and about Executive encroachment upon the prerogatives, constitutional rights, and powers of the Senate.

Mr. SMOOT. Mr. President, will the Senator accept, then, an amendment of this sort——

Mr. ASHURST. The Senator from Texas is in charge of the bill.

Mr. SMOOT. The Senator from Arizona stated what he was in favor of, and I am simply asking him whether he will accept such an amendment as I am about to suggest——

Mr. ASHURST. I will be glad to hear the suggestion.

Mr. SMOOT. Not that it can bind the chairman of the committee in any way. Would the Senator be agreeable to an amendment so as to make the provision read like this?

The supervisors shall be appointed by the President, by and with the advice and consent of the Senate, provided they shall be selected from persons having passed the civil-service examination.

Mr. ASHURST. Mr. President, that is almost an ideal suggestion. I do not know how the English language could make it any better. That is, to my mind, a most perfect amendment, and so far as I am concerned I am glad to accept it.

Mr. SMOOT. It will be perfectly satisfactory to me if such an amendment as that can be accepted, and I will ask the chairman of the committee having the bill in charge if that amendment is satisfactory to him?

Mr. SHEPPARD. I deem it my duty, Mr. President, to present to the Senate what the director says on this subject. The responsibility of taking the census rests on him, and his views are entitled to consideration. He says that these supervisors serve for only five or six months, and that he does not believe that men of the requisite business capacity and executive ability can be induced to take civil-service examinations and enter the civil-service competition for places of such temporary nature. He makes the following comment:

The selection of supervisors is largely on account of their business capacity; in other words, their business capacity to organize the work and force in a district that usually conforms to the congressional district, to come in contact with enumerators under him, to be able to see that the enumeration is done accurately and well, and then to see that the returns of the enumerators are properly made and transmitted to the Census Office. The personal knowledge of those men by any source that we may resort to is for the purpose of finding that they are men of character, that they have the respect of the community or the district in which they work, and to facilitate the appointment, which is done in that way.

The supervisors have not been selected under the civil-service rules in preceding censuses, but have been appointed in the same manner as they are to be appointed under this proposed law. In justice to the director, who has this work to do, the committee decided to submit the measure as he recommended it and as he believed it to be most practicable, in view not only of his own opinion, but of the position taken by a committee of experts who prepared this bill and many of whom had had practical experience with former censuses. The Senator from West Virginia [Mr. SUTHERLAND] was the chief of a division during a former census, and he can give the Senate the benefit of his personal knowledge on this question.

Under all the circumstances, Mr. President, I would not feel justified in accepting the amendment proposed by the Senator from Utah, but will leave the matter to be decided by the Senate as its judgment may suggest.

Mr. SMOOT. Mr. President——

Mr. ASHURST. Mr. President, will the Senator from Utah yield to me for just a moment?

Mr. SMOOT. Yes.

Mr. ASHURST. I am not making any assault on the civil service. The first thing we know we are going to have hundreds of thousands—yea, millions—of people drawing salaries out of the Federal Treasury. The taxpayer's back is bending now under the burdens of taxation, and if we keep on and on including people into the civil service, finally we will have one person out of every hundred we meet drawing salaries from the Federal Government, and then we will have, like some of the European Governments, a great horde of officialdom not subject to removal fastened upon the people. There are no terms prescribed when they shall leave a public office; they are there for life; and the longer they are there, frequently the more inefficient they become.

Without intending to reflect upon the civil service at all, I do think there is some philosophy in the suggestion that new blood now and then is a very good thing for official life, but I think the Senate at this time ought to begin—and it should have begun long ago—to insist that those who are going to hold office, perhaps, for a long time ought to be confirmed by the Senate; instead of yielding, we ought to insist upon our prerogatives and our rights and perform our duties under the Constitution. I have no information personally as to how or in what manner the names are selected; indeed, I would prefer that they be sifted through the civil service. Then if they come to us and are objectionable, they can be rejected.

Mr. SMOOT. The Senator seems to be under the impression that once in the civil service the Government has to employ them all the time. That is not the case, however. We have just adopted an amendment to this bill directing the Director of the Census to employ people who are not on the permanent rolls now and who have been discharged because of lack of work. That is only giving them a preference; but there are thousands of persons in the United States who have passed the civil-service examination who are not now in the employment of the Government.

Mr. SUTHERLAND. Mr. President, may I ask the Senator a question?

Mr. SMOOT. Yes.

Mr. SUTHERLAND. Would not these supervisors, though, once on the civil-service list, be eligible for transfer to other departments, provided vacancies exist?

Mr. SMOOT. Why, certainly.

Mr. SUTHERLAND. That is possibly the point that the Senator from Arizona has in mind—that while this bill does not contemplate their permanent employment, yet by transfer to other permanent bureaus of the Government they may become permanent employees of the Government.

Mr. SMOOT. Mr. President, if there is no position for them, then they are not employed; but if they want to enter the employment of the Government, and there is a place made for them by vacancy, why not appoint them if they pass the civil-service examination and the President has selected them for this particular place? I see no objection whatever to that.

Mr. SUTHERLAND. I call the Senator's attention to the fact that these men only function for a few months. They are selected largely for their executive ability. They do not themselves go out and make inquiries. They have charge of the selection of a large number of enumerators, and they supervise the work of these enumerators. They must be men of business capacity and judgment, rather than men having technical knowledge along the lines that are frequently prescribed by civil-service examinations; and some of the examinations have no relation whatever to the duties which the men to be selected have to perform. It seems to me just about as sensible to require a civil-service examination of these men as it would be to require a Member of Congress first to take a civil-service examination before he could be eligible to election for Congress. You might get men of a certain class and character; but I believe a requirement such as the Senator suggests here would deprive this important branch of the Government of the services of a large number of valuable men who would not subject themselves to a civil-service examination.

Mr. SMOOT. Mr. President, the only reason why they would not subject themselves to a civil-service examination is because they could not pass it; and if they can not pass it, they ought not to be appointed. Now, we either ought to abolish the civil-service law entirely or we ought to live by it. As far as I am personally concerned, I will be satisfied with the action of Congress; but as long as we have the civil-service law on our statute books, we ought to live up to it.

Mr. ASHURST. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. KIRBY in the chair). Does the Senator from Utah yield to the Senator from Arizona?

Mr. SMOOT. Yes.

Mr. ASHURST. It is not the fault of Congress that the civil-service rules and laws are not obeyed. It is because the favorite of some bureau chief here or there is selected and preferred over some one else, although the selected one does not have the standing and the grade that the one who is passed over has. It is because of the fact that human elements will enter into this situation, just the same as they will elsewhere.

I have never been an enthusiast over the civil service. My objection to the civil service is that it places in office a horde of officials who, as the years glide by, lose initiative, lose the spirit of attack, lose the spirit of bold endeavor, and lose the desire to accomplish anything. Sitting at a desk and watching the clock as the years roll by, the first thing they know they become inefficient. As I said before, if new blood can be infused from time to time into official life, if the civil-service

appointees know that there may be a time when they must leave their offices and go out into the world of business and of endeavor and win a living by their own efficiency, they will keep up the high standard of efficiency they have when they come in as new blood.

I am not an enemy of the civil service. In fact, I have no sympathy for those who sneer at it and call it the "snivel service." Grave injustices have been done under it. It has done some good—not as much good, however, as it could do if it were rigidly enforced, as the authors of the law intended some 30 years ago that it should be enforced.

Mr. SMOOT. Mr. President, I am afraid the same objection that the Senator now makes to those who have taken the civil-service examination applies to the men that enter the Government service at any time. I have stated upon the floor of the Senate a number of times, and I will state again, that no friend of mine by my assistance or recommendation will be given a permanent Government position in Washington if he intends to make his calling and vocation in life a position in one of the departments.

This is what it means, and nothing else: He becomes an absolute machine, and it is only a few years until he loses confidence in his ability to make a living, and he gets settled down in one position, and he spends just the amount of money that he gets from the Government of the United States, and he becomes a dependent. He dares not enter into competition with other men of the country to earn his livelihood; but he thinks: "Well, the Government is a good employer and the monthly pay comes regularly, and I will live within that if I can; and if I can not, I will get accommodated in some other way."

I want to say now that I have seen more good men ruined by being put into a chair in one of the departments than in any other way—men who could have made their mark in this life, men who would have stood high in their profession; but rather than go out and enter competition, rather than to take that starvation period which comes to men, whether he be a business man or whether he be a lawyer or a professional man of any kind, he remains a dependant. He sees a fourth-class clerk in the departments receiving $1,800. He perhaps has no children about him, and he thinks he can live on that salary and live in Washington; and I have heard some of them say that they would rather live in Washington and half starve than live in other places in the United States and have a comfortable living.

I like to see men encouraged who come here for the purpose of securing an education and while going to school earn enough to live on, and I want to see the universities in Washington filled with such young men; but I say now that when a man has received his certificate of graduation from the university the best thing that can happen to him is, as soon as that certificate is issued, to be told to get out and go home and follow the vocation in life that he has previously selected.

Mr. ASHURST. Mr. President, I think the Senator has performed a very useful public service. He has graphically and, I think, accurately described what happens to large numbers of men who come here and take positions in the departments. In my judgment the Senator has correctly said that there are men practically buried in the departments here who, were they out measuring wits with other men in the world, would rise to high places in the law, in medicine, in business, in industry, and in other walks of life; but confident, whether rain or shine, whatever happens, that this particular stipend may be depended upon, it does degenerate one, and they lose that bold spirit.

In view of that very statement and argument made by the Senator, with which I thoroughly agree, here are a number of other people that we are going to include in this very class. If these enumerators are included in the civil service, there is another large number, four or five hundred, going into that very class; and there they will remain, because after the census has been taken they have a civil-service status, and they will secure employment somewhere else under the Government, instead of going out into the fields of civil life.

This matter is not vital to me. I did this because over a year ago I made up my mind that hereafter when any new offices are created I shall insist that the Senate shall put its seal of approval or disapproval on the appointees.

So far as the point is concerned about Senators making recommendations I wish Senators were precluded from making recommendations, but limited themselves solely to their constitutional function of voting "yes" or "no" on the appointees after they come in here.

I do not wish to pursue the subject any further. I have said all that I want to say.

Mr. SMOOT. Mr. President, we know that if these supervisors are not under the civil service, every political influence that can be brought to bear upon the Director of the Census will be brought to bear upon him to appoint all of them from one political party. There is no question at all about it.

Mr. ASHURST. Mr. President, may I interrupt the Senator right there?

The PRESIDING OFFICER. Does the Senator from Utah further yield to the Senator from Arizona?

Mr. SMOOT. Just as soon as I conclude I will yield. Then, when those 400 supervisors are appointed, they have the selection of 85,000 enumerators, and we all know exactly what that means.

As I said before, I think that if we are going to have a civil-service law upon the statute books we ought to live up to it, and if not we ought to repeal it; and therefore I feel just like the Civil Service Reform League feel in relation to this matter. Let me read to the Senator what they say:

> The league is very glad to see this change—
>
> That is, of the 4,000 clerks that are provided for—
>
> which is made substantially as urged by us before your committee. There remains, however, one very serious defect in the bill. I refer to the method of employment of the 400 supervisors who will select the 85,000 enumerators. In the original bill these supervisors were to be selected by the Director of the Census and appointed by the Secretary of Commerce.

And I want to say here that I approve the Senate committee amendment as against the House provision.

Mr. ASHURST. The Senator does think the Senate committee amendment is some improvement over the House provision?

Mr. SMOOT. I do.

> In the bill as now reported—
>
> That means as reported to the Senate—
>
> the appointments are to be made by the President and confirmed by the Senate. This is the procedure followed in previous censuses. It is quite certain that under this system of appointment the actual selection of enumerators will be guided by political considerations, as in the past.

And I will say to the Senator that the appointments have always been along political lines.

> Now that the war is over it can no longer be argued that the Civil Service Commission is too busy with other work to establish registers of eligible persons for appointment as supervisors. If these appointments are made impartially, without reference to politics, then the 85,000 enumerators chosen by the supervisors are likely to be appointed impartially, and the country will be spared a repetition of past scandals.

Mr. President, I think I have said enough upon this point. Every Senator knows just what it means, and all I want is a record vote upon it. If the chairman of the committee does not wish to accept the amendment as I last proposed it, in conformity with the suggestion made by the Senator from Arizona, then I shall want the vote upon the original amendment as I offered it. In other words, Mr. President, it will then read as follows:

> The supervisors shall be appointed in conformity with the civil-service act and rules.

I offer that as a substitute for the committee amendment. I should like to have the yeas and nays upon the substitute, Mr. President.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on the amendment to the amendment as proposed by the Senator from Utah. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. MOSES (when his name was called). I have a general pair with the Senator from Kentucky [Mr. MARTIN]. In his absence I withhold my vote.

Mr. FLETCHER (when Mr. SWANSON's name was called). I was requested to announce that the junior Senator from Virginia [Mr. SWANSON] is paired with the Senator from Washington [Mr. JONES].

Mr. TOWNSEND (when his name was called). I have a pair with the senior Senator from Arkansas [Mr. ROBINSON]. I transfer my pair to the senior Senator from Minnesota [Mr. NELSON] and vote "yea."

The roll call was concluded.

Mr. DILLINGHAM. I have a general pair with the senior Senator from Maryland [Mr. SMITH]. I am informed that he has not voted. I therefore transfer my pair to the Senator from New Jersey [Mr. BAIRD] and vote "yea."

Mr. CALDER. Is the Senator from Rhode Island [Mr. GERRY] recorded as voting?

The PRESIDING OFFICER. He has not voted.

Mr. CALDER. I have a pair with that Senator and withhold my vote.

Mr. SAULSBURY. I transfer my general pair with the Senator from Rhode Island [Mr. COLT] to the junior Senator from Florida [Mr. TRAMMELL] and vote "nay."

Mr. KNOX. I transfer my pair with the Senator from Oregon [Mr. CHAMBERLAIN] to the Senator from Washington [Mr. POINDEXTER] and vote "yea."

The PRESIDING OFFICER (Mr. KIRBY in the chair). I wish to announce that the senior Senator from Arkansas [Mr. ROBINSON] is unavoidably absent on account of illness. I ask that this announcement may stand for the day.

Mr. PENROSE (after having voted in the affirmative). I have a general pair with the senior Senator from Mississippi [Mr. WILLIAMS]. I notice that he has not voted, but I feel justified in permitting my vote to stand.

Mr. WILLIAMS. I will permit the pair to stand.

The PRESIDING OFFICER. The pair stands as already announced.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Illinois [Mr. SHERMAN] with the Senator from Kansas [Mr. THOMPSON].

The result was announced—yeas 27, nays 25, as follows:

YEAS—27.

Cummins	Kenyon	McNary	Spencer
Curtis	Knox	New	Townsend
Dillingham	La Follette	Norris	Wadsworth
France	Lenroot	Page	Warren
Gronna	Lodge	Penrose	Watson
Hale	McCumber	Smith, Mich.	Weeks
Kellogg	McLean	Smoot	

NAYS—25.

Ashurst	Jones, N. Mex.	Pittman	Sutherland
Bankhead	Kirby	Pomerene	Thomas
Culberson	McKellar	Ransdell	Vardaman
Fletcher	Martin, Va.	Reed	Wolcott
Hardwick	Myers	Saulsbury	
Henderson	Nugent	Shafroth	
Hollis	Overman	Sheppard	

NOT VOTING—44.

Baird	Gerry	Martin, Ky.	Smith, Ariz.
Beckham	Goff	Moses	Smith, Ga.
Borah	Gore	Nelson	Smith, Md.
Brandegee	Harding	Owen	Smith, S. C.
Calder	Hitchcock	Phelan	Sterling
Chamberlain	Johnson, Cal.	Poindexter	Swanson
Colt	Johnson, S. D.	Pollock	Thompson
Fall	Jones, Wash.	Robinson	Trammell
Fernald	Kendrick	Sherman	Underwood
Freilinghuysen	King	Shields	Walsh
Gay	Lewis	Simmons	Williams

So Mr. SMOOT's amendment to the amendment was agreed to.

Mr. SMOOT. I call attention to the fact that the words "by the" in line 18 should be stricken out.

The PRESIDING OFFICER. Without objection, the words "by the" on page 11, line 18, after the word "appointed," will be stricken out. The question is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

Mr. GRONNA. I offer an amendment on page 9——

The PRESIDING OFFICER. The Senator will suspend a moment, until he finds out what the parliamentary situation is. The Chair will ask the Senator from Utah to state his amendment.

Mr. SMOOT. When I asked to strike out the words "by the" I was led to believe that the amendment that was offered by myself had been disagreed to.

The PRESIDING OFFICER. It was agreed to, and the Chair so announced.

Mr. SMOOT. As that amendment was agreed to, the words "by the" should not be stricken out.

The PRESIDING OFFICER. The question is on the motion to reconsider the vote by which the words "by the" were stricken out.

The motion to reconsider was agreed to.

The PRESIDING OFFICER. Without objection, the amendment striking out the words "by the" will be rejected. Now, will the Senator from Utah restate his amendment?

Mr. SMOOT. I will read the provision as it will stand:

> The supervisors shall be appointed in conformity with the civil-service law and rules by the President, by and with the advice and consent of the Senate: *Provided*, That they shall be selected from persons who have passed the civil-service examination.

The PRESIDING OFFICER. That is the statement of the amendment as it has been agreed to. There seems to be no objection to its correctness, and it is the amendment agreed to.

Mr. SHEPPARD. I give notice that I shall ask for a separate vote on this amendment in the Senate.

The PRESIDING OFFICER. Notice is given that a separate vote will be asked on the amendment in the Senate.

Mr. GRONNA. I should like to have the attention of the chairman of the committee, because I am quite sure he will have no objection to the amendment which I shall propose.

Mr. SHEPPARD. Let the amendment be read.

Mr. GRONNA. On page 9, line 19, after the word "crops," I move to insert a comma and the words "and the cost of producing such crops."

Mr. SHEPPARD. I accept the amendment.

The amendment was agreed to.

Mr. LA FOLLETTE. If I may have the attention of the chairman of the committee, I think he will accept the amendment which I shall propose. On page 8, line 22, after the word "population," I move to add the words "to the distribution of wealth."

Mr. SHEPPARD. I have no objection to the amendment.

The amendment was agreed to.

Mr. LA FOLLETTE. There is one amendment further that I wish to move. After the word "home," in line 10, page 9, I move to insert the words "and the encumbrance thereon," so that it will correspond to the phraseology in the paragraph immediately following it with respect to farms.

Mr. SHEPPARD. I have no objection to that amendment.

The amendment was agreed to.

Mr. NEW. Are general amendments now in order?

The PRESIDING OFFICER. The committee amendments have been disposed of and general amendments are in order.

Mr. NEW. I offer the following amendment.

The PRESIDING OFFICER. It will be read.

The SECRETARY. Strike out all of section 6 after the word "provided" in line 18, page 5, and insert:

> That after the passage of this act preference shall be given to honorably discharged soldiers, sailors, and marines, and widows of such, in making appointments to clerical and other positions in the executive departments and in independent Government establishments.

Mr. NEW. Does the Senator from Texas accept the amendment?

Mr. SHEPPARD. I have no objection to the amendment.

The amendment was agreed to.

Mr. CUMMINS. I should like to ask the Senator in charge of the bill a question with regard to the salaries of the statisticians in the Census Office. There is now in the Census Office an employee known as the chief statistician or Chief of the Bureau of Vital Statistics, is there not?

Mr. SHEPPARD. There are five statistical experts in the Census Office at present. The only effect of the bill is to add one other chief statistician. Does the Senator have reference to chief statisticians?

Mr. CUMMINS. The bill provides that three of the chief statisticians shall receive a salary of $4,000 a year and that three of them shall receive a salary of $3,000 per year. Why does the committee discriminate as between these statisticians?

Mr. SHEPPARD. Because the three who receive the larger salary are at the head of three great divisions of the Census Office, population, manufactures, and agriculture, respectively, and the other three have duties that are not so important.

Mr. CUMMINS. Is there any greater or more important division in the Census Office than the one which has charge of the vital statistics of the Nation?

Mr. SHEPPARD. I think so, because the work of vital statistics goes on from year to year and is not as extensive as is the work of the chief statisticians of the three great divisions during the decennial-census period. The increases referred to are only for the three years of the decennial-census period.

Mr. CUMMINS. There is quite enough to occupy the attention of one man. No matter when he performs his work, he is at work all the time.

Mr. SHEPPARD. But the special labor involved in the work of the three-year period has very much increased. I shall give the Senator the number of employees who will be under the statisticians of population, manufactures, and agriculture during the decennial-census period. The statistician of the Division of Population will have under his jurisdiction about 1,800 employees, the chief statistician of the Division of Agriculture about 1,000 employees, and the statistician of the Division of Manufactures about 500 employees. Each of these divisions is much larger than many of the bureaus of the Government service, and it will be necessary to have in charge of them men of strong executive and administrative ability.

Mr. CUMMINS. I do not think the salary one receives should depend entirely upon the number of subordinate employees in his bureau.

Mr. SHEPPARD. That is only one indication of the increased duties during the decennial-census period.

Mr. CUMMINS. I assume that the amendment which was offered by the committee has been already passed on.

Mr. SHEPPARD. It has been passed upon.

Mr. CUMMINS. Unless it is reconsidered, I shall feel it my duty to reserve it for a separate vote in the Senate.

Mr. SHEPPARD. The Senator can offer an amendment in the Senate on the subject.

Mr. CUMMINS. I do not know anything about the specific work of the other two statisticians to whom I am referring, but I do know something about the work of the chief statistician in the Division of Vital Statistics, and I think the adjustment here is a grave and unwarrantable discrimination against that particular employee.

Mr. SHEPPARD. I shall say to the Senator that the census which will be taken next year will not cover vital statistics. Vital statistics are provided for in the permanent-census act, and they are taken periodically and independently of the decennial census. They only apply to the registration area of the United States, and only a comparatively small number of States have official registration. The taking of vital statistics is confined to that area, and continues as a permanent thing, whereas these increases of salary apply merely to the work of the three statisticians in connection with the Fourteenth decennial census, which continues for a period of only three years. The salaries go back to what they are as a permanent thing at the end of three years.

Mr. CUMMINS. I understand that; but I assume you have attached salaries to the various places because they are commensurate to the volume of work performed?

Mr. SHEPPARD. On account of the increase in the work during the three years of the decennial census. There is no special increase in the work in vital statistics.

Mr. CUMMINS. It seems to me if that work is properly taken care of in the law there will be an increase in the labors of that office, for vital statistics are of growing importance in this country.

Mr. SHEPPARD. Not as a part of the decennial census work.

Mr. CUMMINS. They are the foundation for practically all our social and industrial legislation.

Mr. SHEPPARD. That is entirely true; but they are not a part of the coming decennial census.

Mr. CUMMINS. It is intended that the work shall be done in 1920, is it not?

Mr. SHEPPARD. Quite true.

Mr. CUMMINS. I think the Chief of the Division of Vital Statistics should have a salary of $4,000 per year, and I move to amend the bill, if the Senator will permit this to be done without a reconsideration.

The PRESIDING OFFICER. The motion to amend is not in order without a motion to reconsider.

Mr. SHEPPARD. Is it the intention of the Senator from Iowa to substitute $4,000 for $3,000 in line 13?

Mr. CUMMINS. I simply want to offer an amendment which will increase the salary of the chief statistician of vital statistics to $4,000 per year.

Mr. SHEPPARD. I ask that the amendment be reconsidered in order that the Senator from Iowa may offer the amendment he has in mind.

The motion to reconsider was agreed to.

Mr. CUMMINS. I move, in line 13, page 4, before the word "thousand," to strike out the word "three" and substitute "four" in its stead.

Mr. SHEPPARD. I accept the amendment.

Mr. CUMMINS. Then, after the word "statisticians," in the same line, I move that there be inserted the words "including the chief statistician of the Bureau of Vital Statistics."

Mr. SHEPPARD. I accept that amendment.

The PRESIDING OFFICER. The chairman of the committee accepts the amendment as proposed. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. FRANCE. I understand that the committee amendments have been disposed of?

The PRESIDING OFFICER. They have been disposed of. The bill is still as in Committee of the Whole and open to amendment.

Mr. FRANCE. I desire to offer several amendments to the bill, and as the amendments, while they are quite numerous, really constitute one amendment, I desire that they shall be read at the desk together without reference to the parts of the bill to which they apply.

The PRESIDING OFFICER. The Secretary will read the amendments.

The Secretary read as follows:

In the title and wherever it occurs in the bill strike out the word "decennial" and insert in lieu thereof the word "quinquennial."

On page 1, strike out all of line 1 to line 2 on page 2, inclusive, and insert in lieu thereof the following:

"*Be it enacted, etc.*, That a census and survey of the population of the United States and of its colonies and of the education, health, insurance, agriculture, manufacture, forestry and forest products, mines and quarries of the people of the United States and of its colonies shall be taken by the Director of the Census, beginning in the year 1920, and every five years thereafter: *Provided, however*, That the making of the census, registration, and schedule of inquiries relating to population shall be continuous, as hereinafter provided.

"The census herein provided for shall include each State, the District of Columbia, Alaska, Hawaii, Porto Rico, Guam, and Samoa, said census to be made in accordance with such plans and regulations as the Director of the Census may prescribe in pursuance of the provisions of this act."

On page 2 strike out all of section 2 and substitute therefor the following:

"SEC. 2. That the period of three years, beginning the 1st day of July next preceding the census provided for in section 1 of this act, shall be known as the quinquennial census period, and the reports upon the inquiries provided for in said section shall be completed and published within such period: *Provided, however*, That the registration of the population and the schedule of inquiries relating thereto shall be commenced on or before the 1st day of July, 1919, and shall thereafter be continuous, and the results of the same shall be continually recorded and shall be from time to time compiled and analyzed, and useful statistics based thereupon published, as the public interest may require, but at intervals of not longer than five years: *Provided, however*, That information identifying any particular individual or firm shall not be published but shall be held in confidence: *Provided, however*, That lists of all citizens over 21 years of age, arranged and divided into sections according to election precincts, districts, counties, congressional districts, and States, which lists shall contain information as to the race, sex, occupation, and residence of each such inhabitant over 21 years of age, shall be published on or before the 1st day of July in each year, such lists to be known as the "official Federal registration lists," and to be printed for distribution in sections as described at such reasonable prices as may be determined upon by the Director of the Census."

On pages 8, 9, 10, and 11 strike out all of section 8 and substitute therefor the following:

"SEC. 8. That the Fourteenth Census shall be restricted to inquiries relating to the education, health, insurance, agriculture, manufacture, forestry and forestry products, mines and quarries of the people of the United States and the colonies, and to the population of the United States and its colonies.

"The survey and schedules of inquiries and the records relating to population shall be so made as to furnish continuing records of each inhabitant, which records shall be kept by complete card system, in duplicate, one set of records to be filed in the census office of the local subdivision and one set to be filed in the office of the Bureau of Census in Washington when it shall be called for. Such continuous survey and records of the inhabitants of the United States shall be so made as to furnish an accurate schedule of vital, educational, and industrial statistics as a basis for the formulation of legislation to promote the general welfare, defense, and safety by improving the vital, educational, and industrial condition of the inhabitants, and such survey and records shall include specifically and in detail for each and every inhabitant, the place and date of birth; month and character of contagious diseases; occupational diseases and accidents; school attendance and progress; business or vocational training; military training or service and wounds or disabilities contracted in service; high-school, college, or technical training; health and physical condition; the health and physical condition of all school children under 21 years of age, and of all adults under 25 years of age, as ascertained by an annual medical examination; place, character, sanitation, and tenure of abode; relationship to head of the family; color; sex; age; conjugal condition; occupation; condition of employment or unemployment; registration in Federal employment agency; whether employer or employee; trade; business; public officer, honors or special achievements; payment of taxation or insurance premiums; whether qualified and habitually exercising suffrage rights in State and Federal elections; place of birth of parents, nationality, and mother tongue, and knowledge of English if born in a foreign country; nationality, mother tongue, and knowledge of English of parents of foreign birth, and number of years in the United States; literacy; and the date, place, and cause of death; and such schedules shall also include a survey of the almshouses, charitable agencies, and complete and partial pauperism in the United States.

"The survey of and schedule of inquiry relating to education shall be so made as to secure such definite and classified information as might be useful as a basis for the formulation of legislation for the establishment of a Federal department of public education and for the standardization and extension, with the aid of the Federal Government, of all of the agencies of public instruction and for the establishment of a federalized system of free public education and training extending from the elementary schools to and including technical schools, colleges, universities, and professional schools with vocational and rehabilitation schools as well as night schools for adults and immigrants, compulsory in its elementary but optional for and equally available to all in its higher departments; and such schedule of inquiry shall include a survey of the number, character, cost, and value of city and rural public-school buildings for the white and racial groups; of private, technical, and rehabilitation schools; of colleges, universities, and professional schools; salaries of teachers and the total annual cost of maintenance; the total number of children of school age; the number enrolled, the number in regular attendance, and the length of the school year; sanitary conditions; character of curricula and physical and mental training; tuition and living costs in private schools and colleges; and the possible availability of private institutions, schools, and colleges for acquisition for future or continued use as parts of a public system of education.

"The survey and schedule of inquiry relating to the public health and of insurance shall be so made as to secure such definite and classified information as might be useful as a basis for the formulation of legislation for the establishment of an efficient Federal department of public health, vital statistics, and insurance and for the standardization and extension of all of the various existing public-health agencies and for the promotion of rational insurance systems, particularly with the purpose of limiting the ravages of tuberculosis and other communicable diseases and of preventable industrial accidents and diseases and the destitution due to preventable injury, death, and inadequate insurance, and such schedule of inquiry shall include a survey and tabulation of vital statistics and of the health of the population as reported by the population registration records heretofore provided for; also a survey of public and private health bureaus or agencies; of public and private hospitals and sanitoria for general or special diseases; of contagious and industrial diseases; of industrial accidents; safety devices, sanitary precautions, morbidity and mortality in the dangerous and dusty trades; of tenements and insanitary housing conditions; of employers' liability laws, and of systems in force of health, old-age, accident, or other forms of insurance, with cost of same and the distribution and number of those insured: *And provided*, That the President is hereby authorized to appoint, with the advice and consent of the Senate, a commission on education of three members and a commission on public health, vital statistics, and insurance of three members to advise with the Director of the Census as to the most efficient methods of collecting and classifying data relating to these subjects, and each member of said commissions may be granted a salary at the rate of $5,000 per annum for the term of his service, which shall not exceed three years.

"The schedules relating to agriculture shall include name, color, sex, and country of birth of occupant of each farm, tenure, acreage of farm, acreage of woodland, value of farm and improvements, and the encumbrance thereon, sanitary condition, value of farm implements, number and breeding of live stock on farms, ranges, and elsewhere, and the acreage of crops and the number working, including family, in crop production, and the net and gross income, the quantities and cost, including value of the labor of farmer and family, of crops and other farm products for the year ending December 31 next preceding the enumeration. Inquiries shall be made as to the quantity of tilled and tillable land and of land reclaimed and reclaimable by irrigation and drainage and the crops produced; also as to the location and character of irrigation and drainage enterprises, and the capital invested in such enterprises.

"The schedules of inquiries relating to manufactures and to mines and quarries shall include the name and location of each establishment; character of organization, whether individual, corporate, or other form; character of business or kind of goods manufactured; amount of capital actually invested; number of proprietors, firm members, copartners and officers, and the amount of their salaries; number of employees and hours of labor, and the amount of their wages; sanitary conditions and health preservation methods, and pension or profit-sharing systems; quantity and cost of materials used in manufactures; principal miscellaneous expenses; quantity and value of products; time and operation during the year; character and quantity of power used; and character and number of machines employed.

"The census of manufactures and of mines and quarries shall relate to the year ending December 31, next preceding the enumeration of population, and shall be confined to manufacturing establishments and mines and quarries which were in active operation during all or a portion of that year. The census of manufactures shall furthermore be confined to manufacturing establishments conducted under what is known as a factory system, exclusive of the so-called neighborhood, household, and hand industries.

"The form and subdivision of inquiries necessary to obtain the information under the foregoing topics shall be determined by the Director of the Census.

"Whenever he shall deem it expedient the Director of the Census may charge the collection of these statistics upon special agents or upon detailed employees to be employed without respect to locality."

On pages 11 and 12, strike out all of section 9 and substitute therefor the following:

"SEC. 9. That the Director of the Census, at least six months prior to the date fixed for commencing the schedules of inquiries and the enumeration as herein provided, shall designate the number, whether one or more, of supervisors of census for each State, the District of Columbia, Alaska, Hawaii, Porto Rico, Guam, and Samoa, or special agencies as hereinafter provided, and shall define the various census districts, census subdivisions of the census districts, and the census precincts in which they are to act: *Provided*, That the supervisors of the census shall be appointed by the President with the advice and consent of the Senate: *Provided further*, That so far as possible the boundaries of the census districts shall conform to the boundaries of congressional districts, and the boundaries of the various census subdivisions shall conform to the political subdivisions of the States or colonies, such as counties, cities, or legislative districts, and that the census precincts shall conform to the election precincts of such political subdivisions: *And provided further*, That, if in any supervisor's census district the supervisor has not been appointed and qualified 90 days preceding the date fixed for the survey and enumeration, or if any vacancy shall occur, either through death, removal, resignation, or from any other cause, the President may appoint a temporary supervisor or director of the census district or the Director of the Census may detail any employee of the Census Office to act as a supervisor of the district: *And provided further*, That each supervisor of the census shall select, with the approval and consent of the Director of the Census, a suitable office in each of the census precincts of each of the various census subdivisions of each of said census districts, to be created as heretofore provided, to which office on census enumeration days, which shall be duly specified and publicly proclaimed by the President, all of the inhabitants of said census precinct shall come either in person or through the head of the family, parent, teacher, or head of the firm by which he may be employed, to be enrolled and to receive a numbered registration card: *And provided further*, That the supervisor of the district shall, with the approval and consent of the Director of the Census, also select suitable central offices for each census subdivision corresponding to either city, county, or legislative district, if possible at the county seat or at some other central point where there shall be provided, until a suitable Federal building shall be erected, as may hereafter be provided by law, rooms and facilities for the study, tabulation, classification, and safekeeping of all record cards containing vital statistics and other information provided by the schedules of inquiry: *And provided further*, That such central offices shall also be utilized for the accommodation of the subdivision branch of the Federal Department of Public Health, Vital Statistics, and Insurance; of the subdivision branch of the Federal Department of Education, and of the subdivision branch of the Federal Employment Bureau when and if these shall be authorized and created by Federal statutes. The Director of the Census shall also make regulations concerning the carrying by individuals, after they shall have been registered, of identification numbered registration cards: *And provided further*, That the supervisor in each census district shall select clerks, preferably residents of the census precinct, and preferably the State election or registration officials of the corresponding election district or precinct to act as clerks or enumerators in that corresponding census precinct for the making of the records in said precinct, and the supervisor of the census shall also name an assistant supervisor, and clerks to such assistant supervisor for each census subdivision who shall have supervision of the clerks and enumerators of the census precincts, and who shall receive, classify, and care for the records in the central offices of the census subdivisions and forward them as directed to the office of the Census Bureau in Washington: *And provided further*, That one properly qualified, regularly licensed physician shall be appointed as medical supervisor for each census precinct, and one such physician shall be appointed as medical director for each census subdivision, which medical supervisor and medical director shall assist in the collection and classification of all health and vital statistics for the census precinct and census subdivision, respectively, under regulations which shall be prescribed by the Director of the Census: *And provided further*, That the Secretary of War and the Secretary of the Navy and the heads of the various executive departments of the Government shall be charged with the making, through the offices of the Provost Marshal General, of the Surgeon General of the Army, of the Surgeon General of the Navy, or through other suitable agencies, of the schedules of inquiries relating to the men in the Army, the men in the Navy, and the employees in all of the various executive departments of the Government: *And provided further*, That the President be, and he is hereby, authorized to assist the Director of the Census by calling upon the governors of the various States and colonies and upon State, county, and city officials to promote the speed and accuracy of the census taking by permitting and, so far as may be, requesting or directing the heads of the State and city departments, educational authorities, heads of private schools and colleges, teachers, and school physicians to make the schedule of inquiries relating to all employees of the said departments and to children or students enrolled in the various educational institutions: *And provided further*, That the President be, and he is hereby, also authorized to seek the cooperation of the heads of railroads, public utility, commercial, and industrial enterprises in the making of schedules of inquiries relating to their employees: *Provided, however*, That the public-school teachers who make the schedule of inquiries relating to their pupils shall be, and others, as the Director of the Census may name, may be duly authorized as enumerators of the census and shall be paid for their work, receiving such compensation from the Census Bureau as the Director of the Census may determine."

On pages 12 and 13, strike out all of section 10 and substitute in lieu thereof the following:

"SEC. 10. That the Director of the Census shall also direct that inquiries shall be made through the supervisors of the various census districts and through the assistant supervisors of various census subdivisions as to the best available site in each census subdivision, in the town or city where the central offices of the census subdivision shall be located, for the erection of a Federal building for the permanent accommodation of the census subdivision offices, for the safe-keeping of records, and for the permanent housing of the subdivision branches of the Federal Departments of Education, of Health, Vital Statistics, and Insurance, of the Federal Employment Bureau, Agricultural Extension Services, and of the Post Office; and whether the local authorities or agencies will provide the site or what would be the price of the same, such site to be suitable for the erection of a building either by the Federal Government alone or in conjunction with the local authorities, which building shall be suitable for the aforesaid uses, with fireproof files for the population records, rooms and laboratories for physical examinations, rooms for corrective physical treatments, assembly hall, a library of United States bulletins and publications, the vocational or rehabilitation school, facilities for a Federal community center or such other activities as will best promote the Federal and local needs: *Provided*, That the results of these inquiries shall be tabulated and submitted to the chairman of the Committee on Public Buildings and Grounds of the Senate for consideration by that committee: *Provided further*, That each supervisor of census shall be charged with the performance within his own district of the following duties: To consult with the Director of the Census in regard to the division of his district into subdivisions most convenient for the purpose of enumeration, which subdivisions or enumeration districts shall be defined and the boundaries thereof fixed by the Director of the Census as heretofore provided; to designate to the director suitable persons, and with his consent to employ such persons as enumerators, one or more for each precinct and subdivision; to communicate to enumerators the necessary instructions and directions relating to their duties; to examine and scrutinize the returns of the enumerators, and in the event of discrepancies or deficiencies appearing in any of the said returns to use all diligence in causing the same to be corrected or supplied; to forward the completed returns of the enumerators to the director at such time and in such manner as shall be prescribed; and to make up and forward to the director the accounts of each enumerator in his district for service rendered, which accounts shall be duly certified to by the enumerator, and the same shall be certified as true and correct if so found by the supervisor, and said accounts so certified shall be accepted and paid by the director.

"The duties imposed upon the supervisor by this act shall be performed in any and all particulars in accordance with the orders and instructions of the Director of the Census."

Mr. FRANCE addressed the Senate. After having spoken with interruptions for two hours and a quarter,

Mr. SHEPPARD. Mr. President——

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). Will the Senator from Maryland yield to the Senator from Texas?

Mr. FRANCE. I yield.

Mr. SHEPPARD. If the Senator is willing to suspend now we will take a recess so that he can go on to-morrow, as it may suit his convenience.

Mr. FRANCE. I will be very glad to suspend, because I could not possibly finish this evening. In fact, I have hardly touched upon the general subjects which I desire to discuss. These remarks have only been made in a most preliminary way, although I have consumed a considerable amount of time. I will be very glad to yield now.

Mr. SHEPPARD. I move that the Senate take a recess until to-morrow.

Mr. MCKELLAR. Will the Senator from Texas withhold his motion for a moment?

Mr. SHEPPARD. Certainly.

DEMOBILIZATION OF AMERICAN TROOPS.

Mr. McKELLAR. Mr. President, yesterday in discussing the subject of demobilization some question was raised as to the attitude of the administration. I had not at the time I made my remarks seen the Washington Times newspaper of January 14. I have it before me now, and I will read this extract from it:

PRESIDENT TELLS PEACE DELEGATES AMERICAN TROOPS MUST GO HOME—ALLIES' PLAN TO KEEP YANKS AS POLICEMEN IS OPPOSED.

PARIS, January 14.

The outstanding feature of the allied peace conferences to-day was the announcement by President Wilson to the delegates that American troops must be sent home from Europe without delay.

It is learned that the imperativeness of returning the Yanks to the United States as quickly as possible was strongly emphasized by the President, who wants the fighters to be enabled to resume normal peace-time occupations at the earliest possible moment.

I am delighted to know that the President's views on this subject and mine seem to be apparently the same.

Mr. WILLIAMS. Mr. President, I merely wish to call attention to the fact that that is just a part of some of the recent expressions of the President of the United States and not an expression of his entire purpose.

RECESS.

Mr. SHEPPARD. I renew my motion.

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). The question is on the motion of the Senator from Texas that a recess be taken until 12 o'clock noon to-morrow.

The motion was agreed to; and (at 5 o'clock and 5 minutes p. m.) the Senate took a recess until to-morrow, Thursday, January 16, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *January 15, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Come Thou, Almighty Father, with all Thy power and holy influence, and help us and all the world to extricate ourselves from the tangled web which we have woven about us.

The war presumably is over and we are striving to reconstruct the world into a permanent peace. Remind us, we beseech Thee, that reconstruction begins at home.

Help us to look into our own hearts with a view of reconstructing ourselves. Thou hast made clear the way, but we are strangely forgetful and fail to follow the straight and narrow way, which is life eternal.

Give us the will, the determination, to cast out satan, which is selfishness, and follow the golden rule, the panacea for all the ills that beset us, and the world will reconstruct itself. Peace will be permanent and every home, every nation, will enjoy the fruits of their own labors and the world become a paradise. In Christ Jesus our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BOWERS (at the request of Mr. COOPER of West Virginia), for one week on account of illness.

To Mr. LUNDEEN, for six days on account of illness.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested.

S. 5318. An act granting a pension to Edith Carow Roosevelt.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 5318. An act granting a pension to Edith Carow Roosevelt; to the Committee on Pensions.

EXTENSION OF REMARKS.

Mr. MANSFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the question of the zone postal law, including therein a letter written by me to Mr. Charles Johnson Post, director of the publishers' advisory board.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, who do I understand wrote the letter?

Mr. MANSFIELD. It is a letter from myself to Mr. Post.

The SPEAKER. Is there objection?

There was no objection.

Mr. SANFORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein a letter from Simon W. Rosendale in opposition to Zionism.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD by printing a letter therein from Dr. Rosendale against Zionism. Is there objection?

There was no objection.

SESSION CLERKS TO VARIOUS COMMITTEES.

Mr. HASTINGS. Mr. Speaker, I present herewith a privileged report from the Committee on Accounts, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 460.

Resolved, That clerks to committees of the House during the session provided for by the legislative, executive, and judicial appropriation act for the fiscal year ending June 30, 1919, be, and they are hereby, assigned for the present session of Congress to the following committees, to wit: Committee on Education, Committee on Railways and Canals, Committee on Reform in the Civil Service, Committee on Alcoholic Liquor Traffic, Committee on Invalid Pensions (assistant clerk), Committee on the Judiciary (additional assistant clerk), Committee on Enrolled Bills (assistant clerk), Committee on Disposition of Useless Executive Papers.

With the following amendments:

Strike out all of lines 7 and 8; in line 11 strike out the words "committee on disposition"; strike out all of line 12; after the words "assistant clerk," in line 11, insert the words "Committee on Woman Suffrage," so that the resolution as amended will read as follows:

"*Resolved*, That clerks to committees of the House during the session provided for by the legislative, executive, and judicial appropriation act for the fiscal year ending June 30, 1919, be, and they are hereby, assigned for the present session of Congress to the following committees, to wit: Committee on Education, Committee on Reform in the Civil Service, Committee on Invalid Pensions (assistant clerk), Committee on Enrolled Bills (assistant clerk), Committee on the Judiciary, Committee on Woman Suffrage."

The SPEAKER. The question is on agreeing to the amendment.

Mr. SANFORD. Mr. Speaker, will the gentleman from Oklahoma yield?

Mr. HASTINGS. Certainly.

Mr. SANFORD. Mr. Speaker, the House will recall that a few days ago the gentleman from Kentucky [Mr. JOHNSON] reported this and the resolution that I assume will be taken up next in order, and at that time I opposed the resolution and asked the gentleman to withdraw it upon the ground that through an error I had not been notified of the meeting of the committee. The committee has now met and has gone with some care into each one of these questions. As a result of our deliberations, and after hearing the chairmen of the several committees, we have stricken out the Committee on Railways and Canals, the Committee on Alcoholic Liquor Traffic, and the Committee on Reform in the Civil Service from this resolution.

Mr. HASTINGS. And we have added the Committee on Woman Suffrage.

Mr. SANFORD. And have added the Committee on Woman Suffrage. In the other resolution we have stricken out about half of the committees. I would not have the House for a moment think that this is wholly a satisfactory method of dealing with this kind of business, but so far as I have been able to see we have taken the only course that is open to us. I have stood for the proposition that any person who asks from this Committee on Accounts for the disbursement of public money should come before the committee and tell his reason. With reference to this particular question I have asked that the chairman shall first say to this committee that in his judgment the proposition calls for a wise disbursement of public money, and that he favors it, and then I have required that he give some reasons to substantiate his judgment. I have not seen fit to go any further than that. The committees that have been stricken from both of these resolutions are the committees where the chairmen have not been able to make that statement.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. SANFORD. Gladly.

Mr. MANN. How has the Committee on Reform in the Civil Service been provided with a clerk until now?

Mr. SANFORD. That is not in this resolution.

Mr. HASTINGS. It is not provided except that we provide for it in this resolution.

Mr. MANN. I thought it was proposed to strike that out.

Mr. HASTINGS. That would leave that committee without any clerk at all.

Mr. STAFFORD. Under the revised form the Committee on Reform in the Civil Service is provided with a clerk.

Mr. SANFORD. My memorandum is that the Committee on Reform in the Civil Service is provided with a clerk.

Mr. HASTINGS. We strike out the Committee on Railways and Canals and the Committee on Alcoholic Liquor Traffic and substitute the Committee on Woman Suffrage and the Committee on Reform in the Civil Service.

Mr. MANN. I understood the gentleman from New York to say that they had taken out the Committee on Reform in the Civil Service.

Mr. SANFORD. In saying so I think I followed a prompting that was made to me, but my memorandum shows that the Committee on Reform in the Civil Service is taken care of in this resolution.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. SANFORD. Yes.

Mr. STAFFORD. I am informed by a member of the Committee on Reform in the Civil Service that it has not met during this entire Congress. What is the need of providing for a clerk in the closing days, except, perhaps, to wind up the business of that important committee?

The SPEAKER. The Civil Service Committee is in the amendment.

Mr. SANFORD. I am unable to answer that question. My position is this: If the chairman of a committee, of a standing committee of this House, comes before our committee and says that, in his judgment, the public work that is intrusted to him can not be done without this assistance and then gives the reasons, I feel that, as a Member of the House, I am bound by his judgment, because the functions that, under the rules, are placed on these several committees are vital and important functions. I know that in many cases the functions are not performed. I know that in a majority of the cases these committees on expenditures do not do any work at all, but in some cases they do do work. In any event, they have very important duties.

Mr. STAFFORD. Will the gentleman yield further?

Mr. SANFORD. Yes.

Mr. STAFFORD. Take, for instance, the once very important Committee on Woman Suffrage. We have passed all the legislation possible that can be conceived on that question, and now we are asked by a gentleman, who is a very busy Member of this Congress, for a committee clerk. What is the reason advanced by the chairman of that committee that he should desire the aid of a clerk in these closing days of the term?

Mr. SANFORD. I would like to have the gentleman know that I struggled very patiently and tried to persuade the chairman of the Committee on Woman Suffrage that the work of that committee was long since done. I opposed this provision, but the chairman of the committee was very serious and said that his correspondence was very extensive, and that the work before it is very vital. I could not quite understand it, but he was a very responsible person intrusted with a very responsible position, and I felt in his case that I was bound by his judgment.

Mr. WOOD of Indiana. Will the gentleman yield?

Mr. SANFORD. I will.

Mr. WOOD of Indiana. I wish to call the attention of the gentlemen of the House to the fact that at the time the Woman Suffrage Committee was created, and in the hearings at that time of the creation, it was agreed by those who were interested or promised by those who were interested in the creation of that committee that when the legislation had passed the House there would be no longer need of the Committee on Woman Suffrage, and it would not be longer continued.

Mr. SANFORD. And that situation is with the House. It is for the House to decide, but it is my opinion that we should no more have that committee than a committee on men suffrage. I am very glad to see anybody who is enthusiastic to help the women of the country along, but to have a committee of this kind on woman suffrage when it has wound up all it can do is ridiculous, but it exists by virtue of the judgment and action of the House.

Mr. EMERSON. Will the gentleman yield?

Mr. SANFORD. I will.

Mr. EMERSON. Does this provide for a clerk to this committee for the term of six or eight weeks?

Mr. SANFORD. In this resolution.

Mr. GILLETT. It is not to July 1?

Mr. SANFORD. No.

Mr. HASTINGS. I want to say on behalf of the Committee on Accounts that the chairman of these several committees appeared before the committee and made statements. Now, in reference to this Comaittee on Woman Suffrage I do not think there is any more important committee of the House. It is a very live question throughout the United States and throughout the several States. The chairman of the committee appeared before us and stated that a vast amount of correspondence is before that committee upon this subject, and I am sure that Members of Congress understand that this being a live subject that there is a vast amount of correspondence coming, of course, to the committee and that a clerk to the committee is needed. It is only a session clerk and expires with the end of this Congress on the 4th of March next, and the committee, after hearing the statement made by the chairman, agreed favorably to report this resolution with this amendment, and we believe it ought to pass.

Mr. GARD. Will the gentleman yield?

Mr. SANFORD. I will.

Mr. GARD. I have a very high regard for the gentleman's work on this somewhat troublesome committee and also for his candid and impartial expression of his views. Will the gentleman state whether in his opinion any of these clerkships are needed at this session in either of these resolutions?

Mr. SANFORD. In answer to the gentleman I should like to say I have very great doubt whether any of them are needed at all or not, but I have felt that the Committee on Accounts is bound by the judgment of the men who have duties imposed upon them under the rules of the House, and that if they come before us and tell us that those duties can not be performed without a clerk I feel I am bound by their judgment. The one thing which I want to impress, however, with reference to this at this time is this, that I felt and feel now that the House should protect this committee to the extent of supporting it in striking out these committees where the chairman is not able to come and make a statement. I want to see the House get a little confidence in the method by which the committee is now proceeding.

Mr. GARNER. Will the gentleman yield?

Mr. SANFORD. I will.

Mr. GARNER. I am very anxious the House should get more confidence in the Committee on Accounts myself, but I think the method the gentleman has adopted, and he is very frank with the House, will cause them to lose some confidence in it; that if you simply go and take the statement of a man about the need of a clerk, and you are not going to investigate yourself and ascertain definite knowledge of whether he needs the clerk, I am afraid you will not have the confidence of the House which you ought to have.

Mr. SANFORD. The gentleman from Texas [Mr. GARNER] misunderstands my statement. I say that I want the House to have confidence in the method of exclusion which I have adopted. I do not care whether the House adopts the resolution for any of these committees or not; but I say the thing we are doing now is so much better than anything we have done before that I think the House ought not to put in this resolution any provision in favor of any man who has not the courage to come or has not seen the necessity of coming and stating the facts on which he makes his claim.

Mr. STAFFORD. Do I understand from the statement of the gentleman and the gentleman proposing the resolution that it was the intention of the committee to provide merely session clerks for these committees?

Mr. SANFORD. Under the pending resolution?

Mr. STAFFORD. Yes.

Mr. SANFORD. This resolution assigns to certain committees the clerks provided for in the legislative bill.

Mr. STAFFORD. Ah, will the gentleman permit me? There are no clerks provided for this committee in the legislative, executive, and judicial appropriation bill for the fiscal year 1919. The gentleman is under an error in so proceeding. There is no clerk provided for the Committee on Reform in the Civil Service.

Mr. SANFORD. Oh, no.

Mr. GARNER. There are some clerks provided for.

Mr. SANFORD. I say that the legislative bill provides a certain number of clerks, to the number of eight. The legislative bill provides for eight clerks without assigning them to any definite committees.

Mr. GARNER. And you are undertaking to assign them here?

Mr. SANFORD. It is the function of the Accounts Committee to assign them to certain committees.

Mr. SNELL. Is there any evidence to show about the clerk for the Committee on Railways and Canals?

Mr. SANFORD. That was stricken out.

Mr. SNELL. I was on that committee two years, and I never found the door open. I wondered what they did.

Mr. SANFORD. That explains the situation. I do feel that I would like to relieve my own conscience by saying to the House about this subject that I have found, from day to day and from week to week in the work of this committee, hidden under the cloak of this sort of legislation and this sort of procedure lots

of things that I would not want to talk about in public—things I know the House would not stand for. When conditions of this kind exist men act as they would not act if they were really confronted with the nature of the thing they were doing. I have found that these different authorities for the creation of patronage are used for private and political gain of one kind and another. There is none of it very important, because there is none of it big. It is all little. But little as it is, it seems to enter into the relationships in the House and poison them and contaminate them. I think we can cure this situation to some extent if we will simply insist that men talk about the thing they want to do; tell the thing they want to do.

I have found, for instance, under all the old precedents here that some of these committee clerkships have been taken and given to individual Members of the House who were not on the committees at all; that is, a gentleman getting the right to appoint a clerk under one of these resolutions at $6 a day takes that clerkship and gives it under the direction of some person of authority to some other person, because persons in authority want to reward or help that other person. Now, that is absolutely unjustifiable. That thing has been done under circumstances where it would seem on the surface as if it were done to influence important and vital action in this House. It is done by persons of influence and authority, who perhaps at the time they did it did not understand, perhaps did not give consideration enough to it to realize, the enormity and the moral turpitude of the thing they were doing. These clerkships have been assigned to individual Members for their private and personal use, when no person would have had the temerity to say publicly or to say in the House that there ever was such intention. On the other hand, in this House to-day there are men who by reason of their prominence in national legislation have been confronted with great tasks to perform, and who by reason of their position on this committee or that committee are carrying great burdens, and because of that the business they have to do in their offices has so greatly increased that they are unable to cope with the situation, and they are hiring clerks out of their own pockets. I sometimes think that the House, if it knew the situation with reference to some of these very prominent and capable and busy Members of the House, might be inclined to help the situation out. But I am sure the House would never intentionally authorize the practices that have prevailed in the distribution of patronage.

When I first came on the committee, the committee acted wholly on precedent. It would be said, "There is precedent for this thing; this thing has been done for 20 years"; and if anybody would say that this thing had always been done it would go. And that is where the danger was. Precedent never justifies the expenditure of money. And however little this thing is apparently on its face, because these resolutions only involve a couple of thousands of dollars a month, nevertheless I am anxious to persuade the House to this point of view for the reasons I have indicated.

Mr. HASTINGS. Mr. Speaker, I yield to the gentleman from California [Mr. RAKER] five minutes. How much time have I?

The SPEAKER. The gentleman started in with an hour and has used 20 minutes.

Mr. RAKER. Mr. Speaker and gentlemen of the House, I have taken seriously the appointment of myself on various committees. I believe there are important duties to be performed, and I have attempted to perform them. The only criticism I have received is that I am too active and have asked for too much here and there.

I thought when a man was appointed on a committee it was his duty to do the work of that committee, and the duty of the House to furnish the committee with the necessary clerical assistance and material with which to do the work. The House graciously appointed me on the Committee on the Expenditures in the Department of Justice, and I acted as chairman for six months. I was given no secretary and was told by the House that I should do no work. Notwithstanding that, I gathered a lot of data and information in order that I might judiciously perform my duties as chairman if I was continued upon that committee. There was work that the House ought to have had done. That committee has important functions to perform, as do all of the committees on expenditures in the various departments if they would but do their duty to the House and the country. They could be busy two-thirds of the time, particularly when the Members are not members of other committees. On the Committee on Expenditures in the Department of Justice in particular they should look into the question of the expenditures of that department and its various agents as to what has been done regarding the expenditures in the various penitentiaries, the expenditures of United States clerks of courts, district attorneys, and marshals. The duty of that committee is to take that work up, and I was trying to do that.

Now, when the House determined upon a Committee on Woman Suffrage and I was again given an honor—and I take it to be an honor to be the chairman of that committee—I took up the responsibility of that committee, not only to the House but to the country, and I have tried to do my work and have the committee do its work. We have been doing work—active work—and when a bill is passed through the House that fact is no sign that it is the duty of the committee to cease its work. It is the duty of the committee to push it along and see that it is enacted, if it can get through, if it is proper legislation. There is hardly a day when the secretary of that committee is not at work on correspondence and in personal communication, by telephone and otherwise, with those who favor a constitutional amendment giving the right of suffrage to women.

This committee authorized me to employ a clerk—the same one we had before—and a meeting has been called for Monday, and a hearing is to be had, and I deem it my duty to see to it that the things that belong to that committee are attended to. Merely because some one is opposed to woman suffrage is to me no reason why I should cease to do my work. When we are fighting for democracy abroad and spending over $35,000,000,000 we at home are refusing to extend the same right of democracy to over half of our population, who are begging and pleading for it. The members of the committee are ready and willing to give their time and perform their duty and see to it that the committee is called together, and no member on that committee can say that committee meetings have not been called or that the clerk has not been attentive and is not necessary. I do not believe that we should ask the House to do something that does not belong to proper legislative functions. There are some committees that have a great deal of work to do; and if those who have charge of them would not try to gather before their committees all the important functions that belong to other committees less important those other committees will perform the duties that are placed upon them. If they will do it, they will have their hands full. They have got the chance to have their secretary and their experts do the work that they ought to do.

It is one of the things that this House attempted to do eight years ago, and it is one of the things that you Republicans will attempt to do when the Democrats have turned over the administration of this House to you. You will make an investigation of the executive departments. But you should make an investigation now by your Democratic committees, and let them go to work; and if anything wrong is shown up you can bring in legislation to correct it and not wait until two years from now. Do your duty as it is done now in every county and State in this Union, where they examine into the facts to see whether the public money is properly expended, and enforce the law and see that it is properly expended, and if a correction is to be made, make the correction. Because a man comes here for a year or two and gets on a small committee is that any reason why he should quit and lie down and do nothing?

The SPEAKER. The time of the gentleman from California has expired.

Mr. RAKER. I would like to have two or three minutes more.

Mr. HASTINGS. Mr. Speaker, I yield to the gentleman two minutes more.

The SPEAKER. The gentleman from California is recognized for two minutes more.

Mr. RAKER. I realize that we are taking up the time of the Committee on Appropriations. But yesterday we agreed to dispense with the proceedings in order to-day, and we have done that for a month, putting aside Calendar Wednesday and other matters. I do not want to take up the time of the House unduly, but I believe it is unfair and unjust to criticize small committees because they are trying to do their duty and perform their work. I think it is unfair to criticize a man and try to belittle him because he is on a small committee and not on the Committee on Appropriations or the Committee on Ways and Means or the Committee on Military Affairs or the Committee on Naval Affairs. That ought not to be the spirit of any man in this House. A man if he is on a small committee to-day, if he is attending to his duties and giving proper service to the House and to his constituency, will be appreciated by his constituency and he will be enabled to demonstrate that he is worthy of going on further. That has been the history of this country for a hundred years, and will continue to be the history of this country until the end. [Applause.]

Mr. HASTINGS. Mr. Speaker, I ask for a vote on the amendment. I move the previous question.

Mr. LITTLE. Can I have two minutes?

Mr. HASTINGS. The gentleman can speak on the next resolution.

Mr. LITTLE. Will not the gentleman yield me just two minutes?

Mr. HASTINGS. I yield two minutes to the gentleman.

The SPEAKER. The gentleman from Kansas is recognized for two minutes.

Mr. LITTLE. I just want to say this: I am on that committee, and I see in this list three committees, all of which put together do not do as much work as is done by this single Committee on Woman Suffrage. I think the House ought to be fair with us. Those people receive a stack of correspondence that will keep a clerk busy from now until the 4th of March. The young lady who is acting as clerk has been doing the work of that committee since November, and she should be paid for it, and the people in the country who write about this woman-suffrage amendment to the Constitution should have answers given to their letters. What subject before Congress is more worthy of consideration than this? I think this committee should have a clerk and the clerk should be paid like other clerks of committees. It is an important committee.

The SPEAKER. The question is on ordering the previous question.

The previous question was ordered.

Mr. GARNER. Mr. Speaker, let the amendment be read.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

House resolution 460, as it will read when amended:

"*Resolved*, That clerks to committees of the House during the session provided for by the legislative, executive, and judicial appropriation bill for the fiscal year ending June 30, 1919, be, and they are hereby, assigned for the present session of Congress to the following committees, to wit: Committee on Education; Committee on Reform in the Civil Service; Committee on Invalid Pensions, assistant clerk; Committee on the Judiciary, additional assistant clerk; Committee on Enrolled Bills, assistant clerk; Committee on Woman Suffrage."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. BOOHER, indefinitely, on account of illness.

SESSION CLERKS TO VARIOUS COMMITTEES.

Mr. HASTINGS. Mr. Speaker, I send up another privileged resolution from the Committee on Accounts.

The SPEAKER. The Chair will recognize the gentleman for that purpose, provided he will agree that if there is a row about it he will withdraw the resolution.

Mr. HASTINGS. I will. I promised the gentleman from Tennessee [Mr. BYRNS] that I would do so.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 468.

Resolved, That the Committee on Expenditures in the Department of Agriculture, the Committee on Expenditures in the Department of Justice, the Committee on Expenditures in the Department of the Interior, the Committee on Expenditures in the Department of Commerce, the Committee on Expenditures in the Department of Labor, the Committee on Expenditures in the Navy Department, the Committee on Expenditures in the Post Office Department, the Committee on Expenditures in the State Department, the Committee on Expenditures in the Treasury Department, the Committee on Expenditures in the War Department, the Committee on Public Buildings and Grounds each be allowed a clerk at the rate of $125 per month during the third session of the Sixty-fifth Congress, beginning December 2, 1918; that the Committee on Enrolled Bills be allowed a clerk, at the rate of $6 per diem, during the third session of the Sixty-fifth Congress, beginning the 2d day of December, 1918; that the Committee on Rules be allowed an assistant clerk, at the rate of $100 per month, during the third session of the Sixty-fifth Congress, beginning the 2d day of December, 1918. Salaries of said clerks to be paid out of the contingent fund of the House.

Mr. HASTINGS. There is an amendment contained in the report eliminating a number of these committees.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

The Committee on Accounts report the following substitute resolution:

"*Resolved*, That there be paid out of the contingent fund of the House for the services of a clerk to each of the committees designated herein compensation at the rate of $125 per month during the third session of the Sixty-fifth Congress, beginning December 2, 1918: Committee on Expenditures in the Department of Agriculture, Committee on Expenditures in the Department of Justice, Committee on Expenditures in the Department of Labor, Committee on Expenditures in the Treasury Department; that the Committee on Rules be allowed an assistant clerk, at the rate of $100 per month, during the third session of the Sixty-fifth Congress, beginning on the 2d day of December, 1918."

Mr. CALDWELL. Will the gentleman yield for a question?

Mr. HASTINGS. I yield.

Mr. CALDWELL. The Committees on Expenditures in the War and Navy Departments were purposely left out, were they?

Mr. HASTINGS. They were purposely left out. The chairmen of these several committees were sent for, and the chairmen of these two committees did not appear. We allowed clerks only where representatives of the committees appeared before the Committee on Accounts and where, after investigation, the Committee on Accounts found that there were bills or other matters pending before the committees that justified the allowance of clerks.

Mr. HAMLIN. Will the gentleman yield to me a moment?

Mr. HASTINGS. I yield to the gentleman.

Mr. HAMLIN. I notice that in the amendment offered the Committee on Expenditures in the State Department is left out. The chairman of that committee did not appear before the Committee on Accounts. I am not certain that he was requested to appear, but at any rate he would not have appeared, for the reason that that committee does not expect to have any meetings during this session. I am not complaining. I care nothing about it. I only want to say this: That this committee was provided for in 1812. During all the time that the Republicans were in charge of this House, I think without exception, that committee was awarded a clerk at each session of the Congress, and the record shows that during all of that time, under a Republican administration, it met only a few times about the year 1876. Since the Democratic Party has been in control of the House that committee has done considerable work, covering many weeks' time, and have saved the Government enough money to pay the salary of a clerk for the next 50 years, if they wanted to give it to him.

Mr. GILLETT. Was not that work done at the time when the administration was of a different political character from the House?

Mr. HAMLIN. It was; and very valuable work was done. I am only curious to know, when the control of this House passes to the Republicans next session, what they will do as to the allowance of a clerk for this committee. I predict that you will do, as you always have done, give these committees clerks whether they do any work or not. These committees ought to be given clerks or the committees should be abolished.

Mr. HASTINGS. I move the previous question.

Mr. MANN. Will the gentleman yield?

Mr. GARD. Will the gentleman yield?

Mr. HASTINGS. I really agreed not to; but I will yield to the gentleman from Illinois.

The SPEAKER. How much time does the gentleman yield?

Mr. GARD. I only want to ask a question.

Mr. HASTINGS. Then I yield first to the gentleman from Ohio.

Mr. GARD. I wanted to ask whether under the amendment offered by the committee provision is made for an additional clerk to the enrolling clerk of the House?

Mr. HASTINGS. That was attended to in the other resolution, which we have already passed.

Mr. GARD. That seems to be the one thing that is really necessary at this time.

Mr. SANFORD. That was covered in House resolution 460.

Mr. HASTINGS. Now I yield to the gentleman from Illinois [Mr. MANN].

The SPEAKER. How much time?

Mr. HASTINGS. Such time as the gentleman desires.

Mr. MANN. I think the Committee on Enrolled Bills was allowed a clerk at $150 a month instead of $125 a month.

Mr. HASTINGS. At $6 a day.

Mr. MANN. I notice that the resolution reported by the committee strikes out the Committee on Expenditures in the War Department and the Committee on Expenditures in the Navy Department. Neither does it provide for the Committee on Expenditures on Public Buildings. I should think if any of these committees on expenditures were going to be busy, and properly busy at this time, it would be first the Committee on Expenditures in the War Department, second the Committee on Expenditures in the Navy Department, and possibly the Committee on Expenditures on Public Buildings, though I do not know whether that committee would have jurisdiction of some of the frauds that have been committed. Certainly there is room for investigation, even from friendly sources.

I should be delighted to see the Democratic Party investigate some of the things in the War Department and in the public buildings which have been constructed, because even partisanship could not prevent the bringing in of severely critical reports. Mr. Speaker, I think it is safe to say that in the next Congress the committee which will investigate the War and Navy Departments and various other departments of the Government will properly be provided with help, because we know

that in a great many places in the Government there have been rotten frauds, not to mention conscienceless actions and intellectual mistakes. It will not be so pleasant then. Why do you not commence the investigation now? Are you afraid of what you will find? Here are these committees, they want clerks, and the ones which are of least importance have the greatest demand for clerks. I hope they will go ahead. Certainly the committees of these other branches of the Government ought to be at work investigating. Throw the light of "pitiless publicity" on some of the things that have taken place.

The SPEAKER. The question is on ordering the previous question.

The previous question was ordered.

The SPEAKER. The question is on the substitute.

The substitute was agreed to.

The SPEAKER. The question is on the resolution as amended by the substitute.

The resolution as amended by the substitute was agreed to.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. BYRNS of Tennessee. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14078, the legislative, executive, and judicial appropriation bill. Pending that motion I desire to submit a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BYRNS of Tennessee. Mr. Speaker, when the committee rose yesterday the gentleman from Illinois [Mr. DENISON] had not concluded his remarks. Can the Speaker give me any information as to just how much time is remaining to the gentleman from Illinois?

The SPEAKER. The gentleman has eight minutes remaining.

Mr. BYRNS of Tennessee. Mr. Speaker, I will ask the gentleman from Wisconsin if we can not make some agreement as to the limitation of time for general debate.

Mr. STAFFORD. Mr. Speaker, I wish to say that I am in a much more agreeable frame of mind this morning, in respect to agreement for time, than I was yesterday.

Mr. BYRNS of Tennessee. I am very glad to hear that.

Mr. STAFFORD. Yesterday the gentleman was good enough to take my suggestion, and this morning I am perfectly willing to take any suggestion that the gentleman has to make.

Mr. BYRNS of Tennessee. I understood from the RECORD that the gentleman has consumed probably 44 minutes more than this side of the House. I will ask the gentleman if he is willing to agree to 3 hours for general debate, 1 hour and 45 minutes to be controlled by myself and 1 hour and 15 minutes by himself?

Mr. STAFFORD. That is satisfactory.

Mr. BYRNS of Tennessee. Then, Mr. Speaker, I ask unanimous consent that general debate be limited to 3 hours, 1 hour and 45 minutes to be controlled by myself and 1 hour and 15 minutes to be controlled by the gentleman from Wisconsin.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that general debate be limited to 3 hours, 1 hour and 45 minutes to be controlled by himself and 1 hour and 15 minutes by the gentleman from Wisconsin. Is there objection?

Mr. LITTLE. Mr. Speaker, I would like to get about 15 minutes this morning in some way.

Mr. STAFFORD. The gentleman comes in at the very last minute and asks for time after I have made my arrangements to provide these other gentlemen with time.

Mr. LITTLE. That is correct. I am asking for time.

Mr. BYRNS of Tennessee. Let me say this to the gentleman from Kansas: I understand that either the Diplomatic and Consular appropriation bill or the Indian appropriation bill will be taken up immediately after this bill is concluded. We spent all day yesterday on general debate and are going to spend three hours to-day. If we can get through with this bill by to-morrow or by Friday, the gentleman will doubtless be able to arrange for some time on these other bills, and I hope that that will satisfy the gentleman.

Mr. LITTLE. But I want to speak on this bill.

Mr. BYRNS of Tennessee. If the gentleman wants to speak on this bill, he will have opportunity under the five-minute rule.

Mr. LITTLE. I have no objection to this, providing I get about 10 minutes, though I would rather have 15.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to ask whether the time remaining to my colleague [Mr. DENISON] is to be taken out of this time?

Mr. BYRNS of Tennessee. If this request which I have submitted is agreed to, I understand that it will be.

Mr. MANN. Of course, it would be under the request, but I understand it was not to be. It is already charged up against the gentleman from Wisconsin on the statement made by the gentleman from Tennessee.

Mr. BYRNS of Tennessee. He will have eight minutes. I am willing to make it an hour and 25 minutes to the gentleman from Wisconsin.

Mr. LITTLE. That should give me some time.

Mr. STAFFORD. I would be very glad to give the gentleman from Kansas some time, but not 15 minutes.

The SPEAKER. Does the gentleman from Tennessee modify his request?

Mr. BYRNS of Tennessee. If the gentleman from Wisconsin desires additional time in order to take care of the gentleman from Illinois.

Mr. STAFFORD. I will be able to give the gentleman 10 minutes.

Mr. LITTLE. How much time could the gentleman give me?

Mr. STAFFORD. I will do the very best I can with the gentleman.

The SPEAKER. Does the gentleman from Tennessee modify his request?

Mr. BYRNS of Tennessee. Make it 1 hour and 25 minutes for the gentleman from Wisconsin and 1 hour and 45 minutes to be controlled by myself.

The SPEAKER. The request is for 3 hours and 10 minutes of general debate, 1 hour and 45 minutes to be controlled by the gentleman from Tennessee and 1 hour and 25 minutes to be controlled by the gentleman from Wisconsin. Is there objection?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Tennessee that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the legislative, executive, and judicial appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the legislative, executive, and judicial appropriation bill, with Mr. ALEXANDER in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

Mr. STAFFORD. Mr. Chairman, will the gentleman from Tennessee permit me to yield time to the gentleman from Illinois [Mr. DENISON]? Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. DENISON] to continue his remarks interrupted last evening by darkness overcoming the Chamber.

Mr. DENISON. Mr. Chairman, I regret that I was temporarily out of the Chamber when the gentleman from Pennsylvania [Mr. DEWALT] was discussing the railroad problem, or rather his solution of it.

I desire to make a few observations on the railroad question, but I am not going to attempt at this time to enter into any detailed plan or solution of the problem, and I only want to make this observation: That whatever plan is proposed or adopted by Congress to settle the railroad problem, if it eliminates from the different individual railroad systems of the country the incentive for profit and competition and private initiative, we might just as well leave the railroads where they are to-day and let the Government own and operate them. And if the zone system which the gentleman proposed and discussed will have that effect upon the different railroad systems it will be useless as a solution of the railroad problem, and we might just as well admit it.

But I want to call the attention of the House first to a news item that was carried in the Washington papers last week, which I want to read:

RAILROAD LOSS $150,000,000—SUM REPRESENTS DEFICIT IN 1918 UNITED STATES WILL HAVE TO MAKE UP.

It will take six months more of receipts from the increased freight rates to permit the Government to recoup its losses, officials believe. If Congress does not approve the proposed five-year extension of Federal control and as a consequence President Wilson carries out his announced intention of returning the roads to private management at an early date, the Government's loss will not be made up.

BIG LOANS NOT INCLUDED.

This deficit does not include the big sums—between $150,000,000 and $200,000,000—which have been loaned to railroads to help them pay for the extensive program of improvements and purchase of new cars and locomotives. These loans will be repaid eventually.

Now, that news item went all over the country and was published in most of the country newspapers. I received several country newspapers from my district carrying this

same item. In the Washington papers of January 11, particularly the Evening Star, I noticed a news item headed—

Walker D. Hines succeeds McAdoo as railroad chief.

And from that I read, as follows:

Walter D. Hines, Assistant Director General of Railroads, has been appointed Director General by President Wilson, succeeding William G. McAdoo, who now retires to private life.

RECOMMENDED BY MR. M'ADOO.

Mr. Hines, who was recommended by Mr. McAdoo, is an advocate of the latter's plan for five-year continuation of Government control to provide a test period and has supported most other policies of the retiring Director General, with whom he has been associated throughout the last year of Government management. He is accredited with having originated many policies of the Railroad Administration. If Congress does not enact new railroad legislation at an early date Mr. Hines favors returning the roads at once to private management, and this is expected to develop into a strongly contested issue within the next month or two.

Of course that, too, has gone all over the United States and was published in the country newspapers. Those two items will be pertinent to what I have to say on this question.

On August 29, 1916, an act of Congress became a law containing the following provision:

The President, in time of war, is empowered, through the Secretary of War, to take possession and assume control of any system or systems of transportation, or any part thereof, and to utilize the same, to the exclusion as far as may be necessary of all other traffic thereon, for the transfer or transportation of troops, war materials, and equipment, or for such other purposes connected with the emergency as may be needful or desirable.

This act was passed in view of the threatened trouble with Mexico, and afterwards, on January 1, 1918, the President, under the powers conferred upon him by this act, took possession of all the railroads of the country and began operating them under his war powers as Commander in Chief of the Army and Navy.

On February 19 following, the bill known as the railroad-administration bill was called up for consideration in the House by the gentleman from Tennessee [Mr. SIMS]. This bill provided for fixing compensation to be paid to the owners of the railroads, the fixing of rates, the period of limitation, and the method of administration of the railroads while under Government control, and was very thoroughly and ably debated in the House. I thought then, and I think now, that no more important legislation had received the attention of Congress.

As the bill was originally prepared by the Secretary of the Treasury and submitted to the Committee on Interstate and Foreign Commerce it provided that the Government control of the railroads should continue indefinitely after the conclusion of peace, making further legislation by Congress necessary, at least under the theory of the bill, before the railroads could be returned to their original owners. Secretary McAdoo, then Director General of the Railroads, submitted a prepared statement to the House and Senate Committees on Interstate Commerce, which may be found on page 2347 of the CONGRESSIONAL RECORD, and in which he presented the reasons why he insisted that no time limit should be placed upon the control of the railroads by the Government, but that the period of Government control should by the law be made indefinite after the end of the war.

It will be remembered that the President took possession of the railroads of the country as Commander in Chief of the Army and Navy in the exercise of a war power under a law which conferred such power upon him only in time of war, and upon what theory, or under what provision of the Constitution, the Director of Railroads insisted that the Government control and operation of the railroads should continue indefinitely after the end of the war was never explained by Mr. McAdoo.

The views of the Secretary of the Treasury on indefinite Federal control were promptly disapproved by the Interstate Commerce Committees of both the House and the Senate, and when the bill was reported to the House it contained a provision limiting the period of Government control to 24 months after the declaration of peace. The gentleman from Tennessee [Mr. SIMS], in presenting the bill to the House, said (CONGRESSIONAL RECORD, p. 2338):

The majority of our committee are of the opinion that a definite period of two years should be set as the time limit within which such legislation should be matured and enacted. Obviously the period may thereafter be extended, if such extension be found necessary in the public interest. The majority were of the opinion that the insertion of a definite time limit for Federal control puts the burden of presenting proper measures of constructive legislation where it belongs—upon the owners of the properties—and that it is inconsistent with the public interest to allow a war control admittedly assumed for emergency purposes only to extend indefinitely in time of peace.

While the bill was under consideration for amendment, the gentleman from Kentucky [Mr. BARKLEY] offered an amendment, striking out the provision limiting the time of Federal control to two years and inserting a provision making the time of Federal control indefinite as the bill was originally prepared by the Secretary of the Treasury. Upon this amendment there were 40 Members who voted for and 143 who voted against it, showing clearly the overwhelming sentiment of the House against an indefinite or even a very long period of Government control after the termination of the war. The gentleman from Wisconsin [Mr. ESCH] offered an amendment changing the period of Government control from two years to one year after the close of the war. Upon this amendment there were 115 voted "aye" and 97 voted "no" in the Committee of the Whole; but afterwards when a separate vote upon the Esch amendment was taken in the House there were 164 for and 205 against it, showing that the sentiment of the House was about evenly divided between those who believed that the period of Government control after the war should be two years, as decided by the committee, and one year. The Senate bill fixed the time of Government control at 18 months after the declaration of peace. In conference the two Houses agreed upon 21 months as a compromise. The bill passed the House on the 28th of February and became a law on March 21, 1918. I was one of those who voted for the Esch amendment fixing the period of Government control at one year instead of two years after the close of the war. And upon its final passage I voted against the bill, because I was opposed to conferring upon the President or the Director General of the Railroads the power of fixing freight and passenger rates for all the railroads in the country, and I was opposed to allowing the President to continue his control of the railroads as Commander in Chief of the Army under a war power for a period of two years after the war had ended and peace had been restored.

Mr. Speaker, the history of this legislation shows that Secretary McAdoo was very insistent that the period of Federal control of the railroads should remain indefinite after the close of the war, and that no limitation of the time of Government control should be inserted in the bill so that the railroads would go back to private control automatically. I do not know how true it may be, but I have been told that the Secretary was deeply disappointed, even resentful, at the action of Congress in refusing to accept his views and in limiting the time of Government control to 21 months after the close of the war.

Since the Railroad Administration bill became a law, on March 21 last, Mr. McAdoo has had absolute control of all the railroads of the country except the short-line railroads, which he released from Government control before Congress had time to pass legislation preventing him from doing so. I do not intend to indulge in any criticism of Mr. McAdoo's administration of the railroads, or to raise any question as to his purpose or motive in doing anything that he has done with them. All I wish to say is that the effect of his policy and his various acts as the Director of Railroads in carrying out his policy has been to dissipate, as far as possible, the individual organizations of the railroad companies; to destroy, as far as possible, their individual identity; to divert customary business from one road to another; and, in short, to scramble the railroads together so completely that the task of unscrambling them is going to present difficulties that I am sure were not foreseen by many of us at the time this legislation was enacted.

I have been told by practicable railroad men that many things have been done which, from the standpoint of economical operation of the railroads, were wholly unnecessary, but which, from the standpoint of thoroughly scrambling the railroads, were, of course, highly effective.

But, Mr. Speaker, I arose more particularly to speak briefly of the latest developments in the railroad question. The armistice, which closed the fighting and presaged the ending of the present war, was signed on November 11, and on December 3 President Wilson appeared before a joint session of the House and Senate to advise the Congress on the state of the Union and to suggest such legislation as he thought necessary. A new Congress had been elected, preparations were being made for the peace conference to settle the international questions growing out of the war, and the people were even then beginning to look to Congress for reconstructive legislation. Everyone, I think, who has been interested in public affairs has looked upon the railroad question as one of the greatest problems that confront the country, and one that will require the earliest and most serious attention of the Congress. Most of the Members of the House, I believe, and most of the country, I am sure, expected the President to speak with some definiteness upon the railroad question, and present to the Congress some solution of it, and to suggest such legislation as would enable the Government to return the railroads to their owners within the time fixed by Congress, and at the same time

conserve the welfare of the public and of the owners of the roads.

Mr. EMERSON. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. EMERSON. Having taken the roads over, some legislation will necessarily be required to turn them back. Now, how are we as Congressmen going to reconcile the increase in pay of the men and the increase in passenger and freight rates?

Mr. DENISON. How are we going to reconcile them?

Mr. EMERSON. Yes; how are we going to work them out? The 2,000,000 men working for the railroad companies are going to say, "Before these roads go back we want to be protected in our wage increase." Now, how are we going to get along on that?

Mr. DENISON. There is no danger in the world but what the railroad men will be protected in their wage increase. None of us need worry about that. They will protect themselves.

Mr. EMERSON. You can not have an increased wage without increased rates.

Mr. DENISON. I think that is true, and we have got to become reconciled to the increased rates.

Mr. HUMPHREYS. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. HUMPHREYS. Just what does the gentleman from Ohio mean by his statement that legislation will be necessary in order to turn the railroads back? Does he mean necessary in the public interest? It will certainly not be necessary as a matter of law.

Mr. EMERSON. That may be true, but I do not concede for a moment that the Government is going to take over these railroads and then turn them back on the stockholders without taking care of them in some way.

Mr. HUMPHREYS. It may be in the public interest, but I was interested in the gentleman's statement that it would require some further legislation in order that the railroads might go back.

Mr. EMERSON. I think it will, will it not?

Mr. HUMPHREYS. It will not.

Mr. DENISON. Legally it will not, but for practical reasons some legislation will be required.

Mr. HUMPHREYS. It may be very desirable, but certainly we can turn the railroads back without any further legislation.

Mr. EMERSON. I do not think the Government will turn them back without further legislation.

Mr. DENISON. I think some general railroad legislation is very desirable.

I confess I was greatly surprised when the President began his discussion of the railroad problem with the following statement:

> The question which causes me the greatest concern is the question of the policy to be adopted toward the railroads. I frankly turn to you for counsel upon it. I have no confident judgment of my own. I do not see how any thoughtful man can have who knows anything of the complexity of the problem. It is a problem which must be studied—studied immediately and studied without bias or prejudice. Nothing can be gained by becoming partisans of any particular plan of settlement.

I venture to say that this statement struck the Congress as being most unusual for the President. During the past four years there have been many far-reaching and difficult problems presented to us for solution. I think I have heard every address that has been made to the Congress by the President during that time; addresses in which he presented to us for our consideration questions which involved not only the very safety and existence of our Government, but the peace and the prosperity and the welfare of our people at home. I do not recall that the President had ever before presented a problem to Congress without giving us at the same time his solution of it. He has not only recommended what we should do, but generally insisted that we should do it. When a great railroad strike was threatened just before the election of 1916 and the difficult question of properly adjusting an industrial dispute had to be met, if I remember correctly, the President came before us in joint session and presented to us a definite and, to him, a complete solution to the difficulty. It seems, too, that the President has, during these recent trying times, evolved a formula of 14 fundamental principles, which he has enunciated and which, at least in his own opinion, have been the goal for which our men have been fighting in France, and the acceptance of which will solve all the national and international difficulties that have occupied the attention of a distressed world for the past four and a half years, and which, it is claimed, will result in peace on earth and good will among men everywhere. In fact, the President, during his terms of office, has at one time or another had under consideration many great questions which involved our international relations and our industrial and economic welfare, and he has always had a solution that he could recommend to Congress. But how strange it was that the President, after having had control and operation of the railroads of the country for a year, and after having had the counsel and advice of the wise men of his Cabinet and of the Director of Railroads, should come before the Congress and frankly admit that he had no recommendation to make as to the disposition of the railroads.

And how strange, how passing strange, was the President's statement, that he frankly turned to Congress for counsel upon any question. I do not recall that he had ever, on any former occasion, turned to Congress for counsel. His statement that he frankly turned to the Congress for counsel upon this question was so inconsistent with the President's past attitude toward Congress that I confess I could accept it only with considerable mental reservation on my part. However, referring further to the railroad problem, the President said:

> Let me say at once that I have no answer ready. The only thing that is perfectly clear to me is that it is not fair either to the public or to the owners of the railroads to leave the question unanswered, and that it will presently become my duty to relinquish control of the roads even before the expiration of the statutory period, unless there should appear some clear prospect in the meantime of a legislative solution. Their release would at least produce one element of a solution, namely, certainty and a quick stimulation of private initiative.

And later he said:

> I hope that the Congress will have a complete and impartial study of the whole problem instituted at once and prosecuted as rapidly as possible. I stand ready and anxious to release the roads from the present control, and I must do so at a very early date if by waiting until the statutory limit of time is reached I shall be merely prolonging the period of doubt and uncertainty, which is hurtful to every interest concerned.

Gentlemen of the House, I have studied carefully that part of the President's message which deals with the railroad question. I have studied it in view of his attitude and of the attitude of Mr. McAdoo at the time of the enactment of the Railroad Administration law to which I have been referring. I have studied it in the light of the administration of the railroads by Mr. McAdoo during Government control. I have studied it in view of the subsequent statements of Mr. McAdoo, to which I will presently refer; and from my study of the message I think these conclusions are justified: That the President's statement that he had no solution of the railroad problem and no recommendation to make to Congress upon that question was, to say the least, very unusual and unnatural; that the President wished to impress upon the Congress the difficulties of the railroad problem by showing Congress that he, after having had control of the railroads for a year, and after having the counsel and assistance of some of the ablest railroad men of the country, could not make any suggestion as to the necessary legislation; that he expected the present Congress, during this short session when all the time is usually required to pass the necessary appropriation bills, to pass some legislation upon the railroad question before the 4th of March; that in order to secure this legislation by the 4th of March the President would hold over Congress the threat that, if such legislation was not enacted, it will be his duty to relinquish his control of the roads at an early date and return them to their original owners without waiting for the expiration of the 21 months. In other words, the President knew that Congress could not possibly pass permanent railroad legislation before the 4th of March, yet he faced us with the statement that if we did not pass some kind of legislation he would relinquish control of the railroads at an early date.

The question that naturally suggested itself to my mind was, What legislation did the President want that he was unwilling to recommend or even suggest? The answer to this question is found in the recent communication from Mr. McAdoo to the chairman of the Interstate Commerce Committee of the House and found in the CONGRESSIONAL RECORD of December 12.

I hope that the Members have all read this statement of Mr. McAdoo's carefully. It purports to be a statement of his views as to the course that should now be pursued by Congress with reference to the railroads. It does him great credit as a capable, far-seeing politician. It is an ingenious argument of one who professes to be opposed to Government ownership of railroads in favor of a plan for the Government to operate the railroads for a period of five years at the expense of at least $2,500,000,000 for the purpose of experimenting and demonstrating to the country that Government operation is the best solution of the railroad problem. This letter of Secretary McAdoo is dated December 11, just eight days after President Wilson addressed Congress on the railroad question. It is inconceivable, to my mind, that the Director of Railroads would have presented this recommendation to Congress without having consulted the President; and it is just as inconceivable to me that President Wilson should have prepared his message to Congress upon the railroad question without having fully discussed and having come

to an agreement and understanding upon the subject with his Secretary of Treasury and Director of Railroads.

Mr. WOOD of Indiana. Will the gentleman yield?

Mr. DENISON. Yes; certainly.

Mr. WOOD of Indiana. Is it not a fact that Director General McAdoo said at the time he submitted this plan that he had the approval of the President?

Mr. DENISON. That is true. I am coming to that.

All doubt upon that question is removed by Mr. McAdoo himself, because he says, in the last paragraph of his statement, "the President has given me permission to say that this conclusion accords with his own view of the matter."

Now, let me call attention briefly to just two or three sentences in Secretary McAdoo's statement. To begin with, he says:

> The war is ended, and we are now confronted with the necessity either of legislating intelligently about the railroad problem at this session of the Congress or of promptly returning the railroads to their owners.

Mr. BLANTON. Will the gentleman yield for a question?

Mr. DENISON. For a brief question.

Mr. BLANTON. Is it the gentleman's idea that during that eight days' interim the President's mind was wholly neglectful of this subject?

Mr. DENISON. No; my impression is they had an understanding before the eight days.

Mr. BLANTON. He could have reached a conclusion in the eight days.

Mr. DENISON. Of course, he could have done so; but, of course, we know that is not natural; they must have had an understanding.

Mr. BLANTON. Is it the gentleman's idea that the President was not honest in his assertion to Congress?

Mr. DENISON. No; I never said or intimated that.

Mr. BLANTON. That is his insinuation.

Mr. DENISON. It is not so; I did not intend that. But possibly it might be inferred that the President was not as frank as we were led to believe

Mr. McAdoo ignores the fact that the railroads were taken over by the Government only for one purpose—as a war necessity; he ignores the fact that the railroads were not taken over for the purpose of legislating on the railroad problem, but in order to enable us to more effectively prosecute the war; he ignores the fact that Congress has 21 months after the declaration of peace to solve the railroad problem. Why should Mr. McAdoo think that this legislation has to be passed at the present session of this Congress? He knows that the President can call an extra session of Congress for the express purpose of considering this question during the coming summer, and he knows that before the 21 months expire Congress will have met and a regular long session will have passed. What the Secretary meant but did not say was that it was necessary, in his view, for this legislation to be passed by a Democratic instead of a Republican Congress.

Mr. McAdoo further says:

> It will be impossible, I presume, to secure legislation in this short period providing a permanent solution of the railroad problem. This being true, only three courses are open: (1) Government operation of the railroads for one year and nine months following a proclamation of peace, which would mean, in my judgment, Government operation for a period in no event longer than two years and three months; (2) the prompt return of the railroads to private control; or (3) extension of the period of Federal control to five years.

He then proceeds to present an ingenious argument showing the total inadequacy of the present railroad administration law, showing the impossibility of continuing to operate the railroads under the present law, because, he says, it was not enacted in some respects in the form in which he originally wanted it to be enacted; showing the disastrous results to the public and the owners of the railroads that would follow their prompt return to private control; and concluding with a recommendation and a request for immediate legislation by this Congress extending the period of Government control to five years. And the reasons why he urges that the period of Government control be extended to five years are to enable the Government to expend at least $2,500,000,000 in improving the railroads and to demonstrate to the satisfaction of the people of the country the practicability of operating the railroads more economically under unified control.

Now, I ask the Members if it does not seem strange to you, as it did to me, that the President, in addressing Congress on December 3, should state that he had no confident judgment of his own upon the railroad problem and no recommendation to make as to what legislation should be enacted, and yet eight days later the Secretary of the Treasury and Director of Railroads should present to Congress a concise and positive recommendation and request for legislation extending the period of Government control five years, accompanied by the statement that this recommendation and request was made with the President's express approval

Gentlemen of the House, I think Secretary McAdoo should be entirely frank with the Congress. I think he should give us credit for possessing at least some amount of intelligence. I think he and we should be frank with the people. I do not think we should do anything under false pretenses, and if anything has been done under false pretenses I think it is our duty to disavow it promptly and effectively.

I know that Congress authorized and approved the taking over of the railroads by the Government for one purpose only, and that was as a war measure, to enable us to more efficiently prosecute the war. There are, of course, some Members of Congress who openly and frankly believe in Government ownership of railroads. But I do not believe there are as many as a dozen Members of the House who would have authorized the President to take over the railroads, either for the purpose of owning or operating them permanently by the Government or for the purpose of experimenting in Government ownership or operation, in order to test out or demonstrate the theory of Government ownership.

The people of the country have been led to believe, and we are responsible for it, that the Government took over the railroads as a war necessity. I believed then, and I believe now, that Mr. McAdoo and others connected with the present administration had another purpose in view, and that purpose was to experiment with Government ownership, with a view to grafting that policy permanently upon our Government. But this ulterior purpose was so submerged under war necessity that Congress could not thwart it, although an effort was made to do so by placing a definite limitation upon the time of Government control.

And now comes the Director of Railroads with the bold and open recommendation that we throw off the mask of war necessity entirely, the war now having been ended, and that we extend the period of Government control five years in order to carry out this socialistic experiment in Government operation of railroads; in order to expend at least $2,500,000,000 of the people's money—and, in my judgment, it will be a great deal more than that—in making material improvements for the railroads.

Gentlemen of the House, I will not be a party to a program of this kind, which will amount to a plain deception of the people and the consummation of a questionable purpose which was begun under a patriotic pretense.

Mr. McAdoo does not state under what provision of the Constitution Congress has the power to continue the control and the operation of the railroads of the country for a period of five years when the country is not at war. The railroads were taken over by the President under the exercise of his war power. His rights under the exercise of that power must necessarily cease as soon as possible after the war has ended. There is but one other provision in the Constitution under which Congress could possibly take possession of the railroads according to law, namely, the commerce clause, under which Congress is given power to regulate commerce between the States. In the exercise of that power to regulate commerce between the States Congress could, I suppose, on behalf of the Government condemn and take over the interstate railroads and operate them. But in that case the value of the railroads would have to be ascertained and due compensation promptly paid to the owners. Congress has no power under the commerce clause of the Constitution to take over the railroads of the country for a period of five years for the purpose of demonstrating that they could operate better under a unified control or for the purpose of expending a few billion dollars of the people's money in the improvement of them. I venture the opinion that there can be found no authority under the Constitution for the legislation which Mr. McAdoo asks, and that if Congress should, after the war is ended and when no war necessity exists, pass legislation to continue the control and operation of the railroads for five years for the purposes mentioned by Mr. McAdoo, such legislation would be held to be invalid if it should be tested in the courts.

But aside from the lack of constitutional authority for such legislation, I think we should reject it because it would be morally wrong for the Government to continue in the possession of the property of the railroad companies for one purpose when we took possession of them for another.

In his letter to the chairman of the Interstate Commerce Committee Mr. McAdoo further says:

> There is one, and, to my mind, only one, practicable and wise alternative, and that is to extend the period of Federal control from the one year and nine months, provided by the present law, to five years, or until the 1st day of January, 1924. This extension would take the railroad question out of politics for a reasonable period. It would give composure to railroad officers and employees. It would admit of the

preparation and carrying out of a comprehensive program of improvement of the railroads and their terminal facilities; would immensely increase the efficiency of transportation machines. It would put back of the railroads the credit of the United States during the five-year period, so that the financing of these improvements could be successfully carried out. It would offer the necessary opportunity, under proper conditions, to test the value of the unified control, and the experience thus gained would of itself indicate the permanent solution of the railroad problem.

This suggestion of Mr. McAdoo's that the extension of the period of Federal control to five years would take the railroad question out of politics for a reasonable period is one that ought to excite our interest. To me it is amusing and might well suggest the inquiry as to whether Mr. McAdoo is speaking with more or less mental reservation or whether he assumes that the Members of Congress have had no experience with politics and are incapable of any judgment of their own as to the effect of such legislative action upon a question which ought to be an industrial or economic question only.

A more recent statement of Mr. McAdoo, it seems to me, will throw a great deal of light upon this very question, and I think ought to be called to the attention of the House and of the country. This statement was made on Sunday, December 15, and the occasion was a union peace jubilee of the associated congregations of six churches held at the Sixty-ninth Regiment Armory in New York City. Mr. McAdoo was one of the speakers, and in the course of his address he made some remarks on the railroad question which I think are exceedingly significant and afford a key by which his real attitude toward the railroads and his recommendation for railroad legislation are made quite plain. According to the New York Sun of Monday, December 16, Mr. McAdoo said:

> I don't know anything more inappropriate than the discussion of the Government ownership of railroads at a church meeting. The Government had to take over the transportation systems during the war, and the private owners had for the time being to step aside. Now, you can do what you please with them. It makes no difference to me whether you decide on Government ownership or not. The majority will rule in the matter, and I am not afraid of the decision of the majority. I think well of American people, even though they did return a Republican Congress last election.

According to the New York Tribune of the same date, Mr. McAdoo refused to forecast the future of the American railroads and said:

> "I won't suggest whether I think we ought to have public or private ownership," he said. "We will leave that to the people, and I have faith in their intelligence to judge correctly, even if they did return a Republican Congress last election."

The New York Times of the same date made the following statement:

> In his address Secretary McAdoo reviewed the historic points in the Nation's war policy, briefly indicating the unprecedented character of the selective-service act, the liberty loan campaigns, the war-insurance act, and digressed to say concerning the railroad problem that he did not care whether they remained under Government ownership or whether they were returned to private hands. However, he felt certain that whatever was done the decision of the majority of the American people would be decisive, and of the outcome of that decision he had no fears.

Thus Mr. McAdoo, as late as December 15, addressing the people of his own city and State, says that the question of Government or private ownership and control of the railroads is one to be settled not by the Congress but by the people. It is a question, according to the Secretary, upon which the majority will rule, and he is not afraid of a decision of the majority. "We will leave that to the people, and I have faith in their intelligence to judge correctly."

I ask you, gentlemen of the House, what does Mr. McAdoo mean when on December 11 he addresses the Commerce Committees of the Congress, telling them there must be legislation at this short session and that it will be impossible to provide permanent legislation, and that the only reasonable course we can take is to extend the time of Government control for a period of five years, and then addresses the people of New York one week later, telling them that the question as to whether or not we shall have Government or private ownership of railroads is a question which the people themselves must settle and which the majority must decide? How can the question of Government or private ownership of the railroads be made a question to be determined by the majority of the people unless it be made a political issue in a political campaign? If Mr. McAdoo meant anything at all in his New York address, he meant just what he said—in substance, that the question of whether or not we should have Government or private ownership and operating of railroads in this country is a question which must be made the issue in a Nation-wide political campaign.

In his recommendation to the Congress on December 11 he says that by extending the period of Federal control five years the railroad question will be taken out of politics; and then one week later he tells the people of New York that the railroad question must be made a political question and be determined by a majority of the people. The two statements of the Secretary are directly contradictory and inconsistent. If we are to look to either to find his real views, in my judgment, we come nearer getting them in his address at the union peace jubilee meeting in New York than in his communication to the chairman of the Interstate Commerce Committee.

Mr. Speaker, I do not mean to indulge in any partisan criticism of Mr. McAdoo. But I am within my proper privilege, I think, when I compare his statements upon the railroad question and draw from them and from his management of the railroads while under his control such inferences as I think are reasonable. I believe that Mr. McAdoo believes in the permanent Government control of all railroads, and that he thinks that the continued control and operation of the railroads for a period of five years will not only demonstrate the wisdom of Government ownership but will make it necessary. When the railroad bill was under consideration last February and Mr. McAdoo insisted that the period of Government control should be indefinite after the end of the war I believe it was his intention then not only to use the railroads for the purpose of the war but for the further purpose, in his own language, of affording "the necessary opportunity, under proper conditions, to test the value of unified control."

He knows that permanent railroad legislation can not possibly be enacted at the present short session of this Congress. He knows that such legislation will be enacted by the Republican Congress which is to follow this one, and that such legislation will be passed before the next national campaign, and that the railroad question will thereby be really kept out of politics. But Mr. McAdoo wants the present Democratic Congress to extend the period of Government control five years, so that the railroads may be used as an experiment in Government ownership, and in the meantime at the next presidential campaign the question of Government ownership of railroads will be made a political question to be determined, as he says in his New York speech, by a majority of the people.

We may as well be frank with ourselves and candid with our constituents and speak plainly about this question. Mr. McAdoo does not want the railroad question settled before the next national election. He wants it settled at the next national election. What else could his New York speech mean?

Since Mr. McAdoo delivered his New York speech he has been before the Commerce Committee of the Senate and has made a statement not only urging that Congress pass legislation extending the period of Government control five years, but he has stated, in answer to direct questions from members of the committee, that if this Congress does not grant his request and extend the time of Government control he has no other plan or legislation that he cares to suggest or recommend. This attitude of Mr. McAdoo throws additional light upon his real purpose. If he has any constructive plan of railroad legislation to recommend to the Congress, he is unwilling to recommend it at this time. He is determined to have just one thing, namely, a five-year extension of Government control.

In my judgment there are two courses which Congress can take with reference to the railroad problem, either of which will make it a political issue in the presidential campaign to be determined by the people along political instead of economic lines. In the first place, if this Congress passes the legislation Mr. McAdoo wants passed and extends the Federal control of the railroads for five years, the question of Government ownership will be the dominant political issue in the next national campaign, and in that case the Democratic Party will be responsible.

In the second place, if the Republican Congress that will come into power on the 4th of next March does not take up the railroad question and settle it promptly by the enactment of wise permanent railroad legislation, then, in that case, it will be a political issue in the next campaign; and the Republican Party will be responsible.

Many of us still remember Mr. Bryan's Madison Square Garden speech delivered a number of years ago in which he advocated Government ownership and operation of all the railroads. The socialist element of the Democratic Party has for years been in favor of it. Men high in the councils of that party today, such as Senator LEWIS, from my own State, Secretary Burleson, Secretary Lane, Secretary Wilson, Secretary Baker, and others, as I am informed, are favorable to it. If the railroad question is not permanently settled, so far as it can be by legislation, before the next national campaign, the Democratic national platform in 1920 will contain a straight-out declaration for Government ownership and operation of the railroads, cables, telegraphs, and telephones. That part of the Democratic

Party that can be controlled by Mr. McAdoo, Mr. Burleson, and President Wilson and Davie Lewis quite apparently want the permanent settlement of the railroad question postponed in order to experiment with it and make of it a political plaything and in order to capitalize it in the next national campaign, just as they tried to capitalize the Adamson law in the last presidential campaign.

There is a propaganda going on now all over this country in favor of Government ownership of the railroads. It emanates from Washington City and reaches to every part of the country. Press dispatches, inspired by Mr. McAdoo or by others here in Washington who want Government ownership of railroads, are sent out to all parts of the country advocating Mr. McAdoo's proposition of extending the time of Government control for five years.

As an illustration let me cite one case of what is being done. Last summer a large delegation of business men of the Mississippi Valley, who believed that water transportation on the Mississippi and Ohio Rivers should be encouraged by the Government in order to help relieve the railroad situation, came to Washington to have a hearing before Mr. McAdoo, with a view to getting the Government to construct a line of barges for the transportation of bulky freight on the rivers. Mr. McAdoo referred the matter to the Interstate Commerce Commission, who gave an extended hearing. Several of the Senators and many Members of the House were present at the hearing, where the question was fully presented. Afterwards, upon the recommendation of the Interstate Commerce Commission, Mr. McAdoo decided to construct barges for the Mississippi River, and work upon them was begun. Early in December, after the armistice was signed, it was reported in the press dispatches that the Government would abandon the policy it had begun with reference to the construction and operation of barges on the Mississippi River. Immediately the business men of Cairo, Ill., sent a telegram to Mr. McAdoo to inquire whether or not the Railroad Administration intended to abandon the work it had undertaken for the encouragement of river traffic. Mr. McAdoo wired back in reply to the effect that if we are to have river transportation fostered by the Government until it is an assured success we must also accept his plan of having the railroads remain under Government control for the next five years. Let me quote from Mr. McAdoo's telegram as it was published in the Cairo Evening Citizen on December 16 last:

> It is proper that I should call your attention to the fact, however, that unless Congress shall extend the period of Federal control so that a reasonable opportunity may be afforded for a fair test of the value of unified railroad operation along with coordinated inland waterway operation, the experiment on the Mississippi River may not hold out much promise. I doubt if the Mississippi River operation can produce satisfactory results if the railroads should be turned back soon to private control. The old methods of railroad competition with waterways transportation will be revived, and it is probable that the waterways experiment may not be able to survive that competition. I suggest these phases of the problem because interest in proper waterways development has been manifested frequently. I think your business men's organizations in Cairo should consider very seriously the importance of extending the period of Federal control in order that a fair test of unified operation of the railroads may be made and that along with it the inland waterways may be developed and a fair opportunity given to demonstrate the usefulness of such development.

Of course, Mr. McAdoo knows that the business interests of the Mississippi Valley are deeply interested in the revival and the development of river traffic, and he apparently hopes by this kind of propaganda to enlist the assistance of those interests in influencing the Members of Congress from the Mississippi Valley to support his proposed plan of extending the period of Government control.

And I have seen press dispatches recently indicating that there is a general campaign going on all over the country, the apparent purpose of which is to induce various organizations and interests to communicate with the Members of Congress and urge support for Mr. McAdoo's proposed plan of extending the time of Government control.

I, of course, do not know what action the Interstate Commerce Committee of the House or the Commerce Committee of the Senate will take at this session on the plans submitted by Mr McAdoo. He insists that he is urging his plan in order to keep the railroads out of politics. I think the country understands that he is doing so in order to bring the railroads into politics. Mr. McAdoo may be able, by the approval and the support of the President, to coerce this Congress into extending the time of Government control for five years by the threat to return the railroads to their private owners at an early date. But if they do so, the people of the country will, in my judgment, hold them and their party to a strict accounting for it.

I think the Republicans in Congress should insist upon an extra session being called by the President so that permanent railroad legislation may be enacted as early as possible. We have had very arduous duties to perform here during the last four years, and I know that it will be an added burden for the Congress to have to meet in extra session during the coming spring. But the Republican Party ought not to shirk its plain duty. It ought to assume the responsibility of settling this question during the coming year. It is an industrial or economic and not a political question and ought not to be made a political question by postponing it over the next presidential campaign.

Any person who makes a political prophecy takes more or less chance in doing so, for a certain odium results if he turns out to be a bad prophet. But I am willing to predict that if this Congress extends the time of Government control of railroads five years after peace is declared, the Director of Railroads will, under the directions of the administration, proceed with Mr. McAdoo's policy of expending from two and a half to four billion dollars from the Public Treasury in the improvement of the railroads. He will continue the scrambling of the railroads until the identity of the different systems shall have been completely destroyed.

Government ownership of the railroads will be the dominant political issue in the next national campaign, and Mr. McAdoo will, of course, expect to be the candidate of his party for President. He will hope, of course, to capitalize what has been done for the railroad men. The increase of wages, to which the railroad men were, generally speaking, entitled even before the war, but which were made immediately necessary because of war conditions, will be claimed as an asset of the Democratic Party, and particularly of Mr. McAdoo. There are some who are so shortsighted as to believe that the railroad men of this country can be herded together and voted for this party or that party, or for this candidate or that candidate, because they have been given a substantial increase in their wages. Those who are so foolish as to believe this, those who think that the support of the railroad men of the country can be purchased by giving them out of the Public Treasury an increase of wages to which they were entitled as a matter of right, know very little about human nature and about the nature of railroad men in particular. The men who work upon the railroads of this country know what they are entitled to. They are patriotic, intelligent, and understand that conditions and the necessities growing out of them, rather than the gracious favor of any individual or set of individuals, have brought about their increase in wages. They have their politics just the same as you and I have, and they have the intelligence and courage to vote their own political convictions; and the man or set of men who think that the railroad laborers of this country will be voted at the next election for any man or any political party is going to be fooled.

I have seen in the public press recently where the representatives of the four brotherhoods had refused to approve a policy of Government ownership of railroads. I do not know whether this is true or not, but if it is true it was, in my judgment, a wise decision. If the railroad men of this country are looking to their own future interests and welfare they will hesitate to allow themselves to be influenced into the support of any policy that will take from them the right by which they have won what they now have. Let them inquire of the employees of the Post Office Department of our Government and they will get some valuable information on Government control.

I am opposed to Government ownership of railroads because I believe that private initiative and competition and the desire for profit will give better railroad service than will any system of Government ownership. I am opposed to it because I believe that under Government ownership the railroads will become a political rather than an industrial or economic organization. I am opposed to it because I do not believe the people of this country should have placed upon them at this time the tremendous burden of buying and operating the railroads of the country. I am opposed to it because I think the operation of the railroads by the Government will be detrimental to the interests of all the railroad workmen of the country, as well as to the public, who has to depend upon the railroads for service.

I think there should be a permanent secretary of transportation. He need not necessarily be a member of the Cabinet, but could occupy a place similar to that of Comptroller of the Currency. He should have supervision over the interstate railroads of the country similar to the supervision of the Government over national banks. I think all interstate railroads should be compelled to incorporate under the Federal Government, and the issue of stocks and bonds should be under strict Federal control. New construction, extensive improvements, and the issue of stocks or securities should be permitted only after a certificate of convenience and necessity has been granted by the secretary of transportation. Unification of terminals and reduction of expenses should, and naturally would, follow

from this greater Federal control. Rates should be initiated by the railroad companies themselves, subject to the approval of the Interstate Commerce Commission. A commission should be created to investigate and arbitrate by agreement questions of wages where such questions can not be settled by collective bargains. But private initiative, well-regulated competition, and the opportunity for reasonable reward, both to the owners of the railroads and their managers, for intelligent, efficient, and economical management of the railroads as business organizations and public agencies should never be destroyed; and railroad employees should never become employees of the Government.

I do not think it would be necessary or wise to enact legislation extending the time of Government control. The country wants better railroad service and wants the question settled soon. Congress can solve the question, and if the Republicans here are wise they will not delay it, but will enact permanent railroad legislation as soon after the 4th of March as possible. In any event, it should be done before this great industrial question is made a political football in a national campaign, even if it is necessary to have an extra session of Congress in order to accomplish it.

Mr. BUCHANAN. Mr. Chairman, I yield one hour to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Chairman, I thank the committee for agreeing to indulge me this morning, and I want to say frankly while I have very positive opinions about it, what I am going to say has nothing to do with the railroad proposition per se. Incidentally, I do make some observations that perhaps a shrewd listener might construe as a sort of indirect expression of opinion upon some phases of that question. However, my speech is to be mainly reminiscent.

With the close of the present Congress I will leave the House after 22 years of unbroken service. It has not been as distinguished as every Member secretly hopes to make his service when it begins, but it has been conscientious, and I have done my utmost at all times to advance the highest interest, political and material, of all my countrymen. I have even tried to understand and consider the affairs of my fellow men in other countries, for we are now forced by circumstances to realize that the world is in a certain way growing smaller, and all recent and current history suggests the necessity for a cultivated "international mind."

I have long had great comfort in our isolation, and I can not help regretting that the affairs of Europe and Asia have become our affairs, and if our "associates," so called, in the great war should adopt the unfriendly suggestion to unload African colonies on us our cup of bitterness will overflow. Let us pray for deliverance from all these entangling foreign alliances just as far as possible, but if impossible, if such offenses must come, I believe we should prepare ourselves in every way to meet them bravely and intelligently.

Curiously enough my effort to understand the affairs of other countries has been sharply criticized by some small-minded people who seem incapable of comprehending a world larger than a congressional district and do not appear to know that the right to live in peace and prosperity is almost as important as an appropriation for a Federal building. [Applause.]

But in spite of the inevitable bitternesses and disappointments, petty jealousies, and misrepresentations I have found pleasure in the work of a Representative. In spite of unwarranted and stupid things at the personal honor of Congressmen, as common as they are silly, I have been proud of the office of Representative, for I was brought up to reverence that branch of our Government that the makers of the Constitution saw fit to put in section 1 of Article I of that wonderful if unfashionable document.

Just to refresh your memories let me quote the first four lines of the Constitution of the United States:

> All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.

The founders intended that this particular body should have primacy in the affairs of government, but in some respects it has fallen from its proud estate. Its great prototype, the British Commons, has grown steadily in importance and power since, under Edward the First, in the thirteenth century, the masses of England, by their representatives, were admitted to Parliament. To every patriotic American who believes in a government of the people through their representatives—the only practicable way, despite the clamor for referendum and recall and such like political nostrums—this decline in influence of the people's branch of the legislature causes grief and humiliation.

I heard a story recently that illustrates this decadence of the House. My informant said that the chairman of one of our great committees asked the chief of a department, whom he had the power to call before him, if we were to have any legislation touching that department during this session.

I try to believe that it was merely an unfortunate way of asking if the department referred to would recommend legislation before March 4.

What is the cause of this degradation of the first born of the Constitution? In thinking it over I have not been able to avoid the conclusion that it is due to a voluntary surrender of constitutional rights and duties that only need to be asserted to be respected. [Applause.] We surrender without a struggle rights that some of our British ancestors died for.

I have also reached the conclusion that unreasoning partisanship has something to do with this growth of a menace to the rights and liberties of the people through breaking down their representatives. I am a partisan, Mr. Chairman, and a strong believer in parties. They are necessary in free government, but they are not in themselves the purposes of our political organizations. Parties are supposed to stand for principles and their chief function is to see that those principles are applied to government. If that is not the purpose of their existence, they ought to perish. When devotion to mere party organization becomes so strong that principles are forgotten and loyalty to the instrument of their application is regarded as the thing of supreme importance, we have reached the danger line. That view has grown alarmingly in this body. I have heard Members jestingly say that they had raped the Constitution so often that one more outrage, if in the party interest, was of small importance.

To jest about the Constitution and the solemn oath we all take to support and defend it is as offensive to the moral sense as making jokes about a disregard of truth and personal honesty. But these things help one to understand the contempt with which legislative bodies are treated in the press and by the public they serve.

Yet, in spite of this yielding attitude, I hope and I believe that the American Congress, which is a great body, representing a mighty people, will assert itself and will regain its ancient standing and prestige.

THE FIFTY-FIFTH CONGRESS.

My service here began in the Fifty-fifth Congress and was mainly one of observation and attention. I found it interesting and instructive. There were some great men here at that time in both parties. There were not as many self-styled "Reformers" and "Progressives" as developed later. Those who were here were the flotsam of an earlier political wreck, yet they exercised, and still exercise, a strange and baleful influence on legislation. In my humble judgment they were not superior in virtue, and certainly not in intellect, to the frankly robust partisans in both parties. I do not mean there are not some great men here now, but I was perhaps more impressionable at that period of my career. Not all who cry "Lord! Lord!" shall enter the Kingdom of Heaven, and I doubt if the world will ever accept at their own estimate these holier than thou people who have set themselves the task of criticizing other men's morals and regulating other men's habits. Sometimes when I grow weary of their antics I refresh myself by reading about the Pharisee who stood and prayed thus, "God, I thank Thee that I am not as other men are, extortioners, unjust, adulterers, or even as the publican," and note with some satisfaction that the verdict of the Master was for the publican, who also stood and prayed.

There was in the Fifty-fifth Congress as leader of his party one of the greatest men I ever met. His information was so broad and his intellect so keen that he could snatch the heart out of any question presented for his consideration and by a flash of his incomparable wit make clear the murkiest situation.

I have always regretted that Mr. Reed could not have lived to expose with his biting, penetrating wit a lot of the cant and humbuggery of a later day.

In that Congress Joseph W. Bailey, of Texas, was the Democratic leader, and a great one. There may have been men serving with him who were his peers; there may even have been wiser men among his colleagues; but I do not recall their names, and I am sure they could have been numbered on the fingers of one hand.

While the Cuban question was a hot issue in the early spring of 1898, there was a great deal of speech making, mostly sound and fury, and one day there was a debate in which Mr. Bailey had a leading part. The particular debate to which I refer turned on a resolution offered by him to recognize the Cuban Republic. A point of order was made that it was not a matter of

privilege, and the Chair so held. The Democrats thought the decision wrong and contrary to the rules. Mr. Bailey was vehement and eloquent in his denunciation of the decision and provoked the anger of the Speaker. The Chair made an extremely clever speech, declaring, in substance, that being a mere man he was liable to error, but that the House, in its combined wisdom, was sure to be right, and then an appeal from his decision was submitted. Of course, the perfect machine that the Republican Party of that day was sustained him.

A few minutes later I had occasion to speak to him, and went to his desk for that purpose. At the same moment a southern Member, one of those parliamentary sharps who go about with a book in hand to entrap unsuspecting and better men, also approached the Speaker. He said: "Mr. Speaker, touching your decision of this morning, concerning the wisdom of which I no longer protest, as the House has sustained you, I would like to read you a few lines from this book." "Very well," the Speaker replied; "proceed." He then read a paragraph that contradicted the position taken by Mr. Reed in his ruling. The Speaker asked him from what book he was reading. "That," the Member said, as he smiled triumphantly, "is Thomas B. Reed on Parliamentary Law." "Oh, yes," said the Speaker; "I remember. But the book is wrong." [Laughter.]

There was another leading Republican in that Congress who interested me very much, and still does. I refer to Hon. JOSEPH GURNEY CANNON [applause], North Carolinian by birth, but a citizen of Illinois by habit and for official purposes [laughter], a much misrepresented and maligned individual and as good a legislator and as honest a man, in my opinion, as ever sat in this House. [Applause.] I have never thought that the cruel fight subsequently made on him was a creditable episode in American politics.

The Republican Party under the leadership of Reed, Dingley, CANNON, Dalzell, and Henderson was a wonderful machine, always lubricated and usually working overtime and remorselessly. It was cruel but efficient, and its victims admired it while they squirmed.

It was in that Congress that I made the acquaintance of some half a dozen great Missourians. No delegation ever had three brighter blades in the intellectual play of debate than Cowherd, De Armond, and CHAMP CLARK. [Applause.] The first two are dead, and by their deaths the State and the Union were made poorer.

Three more radically different men holding the same general political views and members of the same party it would be hard to find.

Cowherd had common sense to the point of genius. Frank, earnest, painstaking, he went to the bottom of all questions that interested him and before he finished his investigation he knew all that was knowable about them. He was a man of whom it might be said of every work to which he set his hand, "Well done, good and faithful servant."

De Armond had inherited from some remote French ancestor, who may have been the victim of religious persecution, an earnestness that made him appear almost fanatical. A student of men, history, and law, his subdued unemotional voice was heard all over the House, for it compelled the respectful attention of friend and foe alike. He was a master of debate. His tongue was a rapier and its owner shrunk from no encounter. His speeches went into the RECORD as uttered and are models of concise phrasing.

CHAMP CLARK, thank Heaven, is still with us [applause], elevated to a position which I dare say he picked out for himself in the Fifty-third Congress. Some of us hope he has been preserved for an even higher place than the Speakership. [Applause.] It is useless to tell you what manner of man he is, for he is in the understanding and the heart of nearly everybody here. He would blush if I were to say more.

In order to establish the truth of history I am going to tell of an incident during the discussions that preceded the declaration of war against Spain in 1898 in which he appeared. One day he made a vigorous speech, sparring, like all the other House orators, for political position, and just as he was closing he was asked a question by that excellent and amiable gentleman, George W. Steele, of Indiana.

The question was answered by Mr. CLARK, but when the RECORD appeared neither the question nor the answer was in it. Mr. Steele wanted to know why it had been left out. The RECORD, as posterity will have it, says Mr. CLARK said in reply that the question had nothing to do with what he was discussing and that he assumed responsibility for its failure to appear, that he kept it out because it marred the unity of his speech; besides, he had previously given advance copies of his speech to the newspaper men. [Laughter.] That is what he is reported to have said. Now for the facts. It is a case like that of the old guard at Waterloo, who said a picturesque thing, but in words that do not make choice family reading and others had to be substituted. The future Speaker told Mr. Steele that he had left the question out because it and the reply spoilt a damn good speech. The Indianian laughed good-naturedly and was satisfied.

In the course of my service I have seen the end of an epoch in the passing of the Confederate brigadiers, whose coming to Congress in the seventies caused so much unjustified alarm in the North.

What man is there, North or South, who can forget or regret the service in Congress of John T. Morgan and Edmund W. Pettis? [Applause.] Joe Wheeler, of Alabama, was in the House when I came, but soon after went into the Spanish War, and at the time of his death his faded Confederate gray uniform had become blue. McEnery, of Louisiana; the knightly Walthall, of Mississippi; Cockrell, of Missouri; and that wonderful Tennesseean, Isham G. Harris, with his sturdy old colleague, Bate, as honest as the blue of the sky and as brave as Cæsar, were all in Congress and all had been general officers in the Confederacy. Bate had shed blood for the Union in the War with Mexico and carried its scars with him to the grave.

I sat in the "Cherokee strip," now abolished, by the side of a Republican Member, Gen. James A. Walker, of Virginia, whose proudest boast was that he had commanded the Stonewall Brigade. Later came Gordon, of Tennessee, who was a Confederate brigadier at 25 and a gentleman to his death, more than 40 years later.

Of those with high military rank who served on the other side, so far as I am informed, there is only one left. He is a man whose mental and moral courage measures up to the rare physical quality that sustained him in 43 battles of the Civil War. It is a pleasure and privilege to know ISAAC R. SHERWOOD, of Ohio. I hope he will live to be a hundred years old and die a Member of Congress, if that is his ambition.

Surely, Mr. Chairman, the most bitter Republican partisan in Congress can not now regret that those men were sent here. They were loyal and their service in Congress was an outward and visible sign of a reunited country. Some of them added other honors to their age by drawing swords for the Union in 1898, and would have done so 20 years later if it had been physically possible. Instead they sent their sons to fight and die in France and Flanders.

I wonder if our friends in England and France have ever fully appreciated the real significance of the military association of 1917. "Saxon, Norman, and Dane are we," and I believe that it was something more than a transient political tie that brought those armies together, something far deeper. The sympathy and comprehension by which they made their fight so successful had its genesis with the people from whom they sprang, with the Huguenots of France, with the contemporaries of Bacon, Drake, and Shakespeare, all of whom wrought for freedom.

It was the descendants of these liberty lovers who fought for their faith, who broke the Spanish Armada and pulled the beard of Philip, that sent the Confederate brigadiers to Congress. If they committed a sin then, was it not expiated when their sons won the praise of Foch and Haig at Chateau-Thierry and in the Argonne? [Applause.]

TEXAS.

Mr. Chairman, I have heard a perfectly authentic story about a learned bishop who throughout a long and useful life was noted for his highly developed sense of humor. When he was on his deathbed a solicitous young clergyman asked him if he felt that he was passing away. "How do I know," the bishop replied, "I have never passed away before." This is my first swan song, and I am as ignorant of the rules for such an occasion as the bishop was of the mysteries of death. I can only hope the Chairman will be considerate and let his gavel alone until I can pay a little debt I owe to Texas before I cease to speak for her on this floor.

Of course, I believe Texas is not only the largest State in the federation but altogether the finest. I know it has the most picturesque and interesting history, even if it has no Plymouth Rock or Jamestown, and I have been amazed at the ignorance of that history of some otherwise well-informed gentlemen in Congress. It is my purpose to use a few minutes in telling just enough of the story of the great Commonwealth to encourage my friends who have asked about it to further investigation, and to answer questions that have often been asked me.

Texas has been under five flags. The Speaker, when pleading eloquently in the House for the St. Louis exposition of 1904, contended that it was at one time a part of Louisiana, and thus under the flag of France. But, omitting that claim as apocryphal, it still has vivid chapters of history under the sovereignty

of Spain, Mexico, the Republic of Texas, the United States, and the Southern Confederacy. Yoakum's history says, and I suppose it is true, that the first European immigrants arrived in Texas in February, 1685, under the leadership of Robert Cavalier, Sieur de la Salle, but there are other historians who maintain that the Spanish missionaries who visited Santa Fe had been in Texas. However, that controversy is over a detail that does not concern me now.

La Salle did go to Texas in 1685 and did, after the manner of his time, take possession of the country in the name of Louis XIV, and tried to establish a colony. Hostile Indians and quarrels among his followers led to an abandonment of the colonization project. La Salle himself was murdered by one of his own men and was buried near the Neches, or some other Texas stream, but which will probably never be known.

In 1689 the Spanish Viceroy in Mexico took formal possession of the country in the name of his King, and thereafter Spain's title was never seriously challenged until 1810 when the Mexicans, led by a priest, Don Miguel Hidalgo, revolted and declared for an independent government. That revolution was soon ended by the capture and execution of the priest, but others followed, and after 11 turbulent years the sovereignty of Spain was extinguished.

In 1821 a grant of land was made to Moses Austin, who was born in Connecticut, had lived in Virginia, and was then a citizen of Missouri, and he was authorized to introduce 300 families from the United States. He died within a few months after making his contract with Mexico, but requested his great son, Stephen F. Austin, whose inadequate effigy stands in the old hall of representatives, to execute it. Austin took the first Anglo-American immigrants to Texas in 1822, 137 years after the failure of La Salle.

The venture proved to be an apple of discord thrown into a political and social situation that was normally in a state of suppressed or open revolt.

The impossible had been undertaken. Americans, by the terms of the contract, were putting themselves under the political dominance of an inferior people. In the earth strata are imposed one upon the other, and so it usually is in political organizations. When hardy, self-reliant Americans went to live among Mexican Indians it was quickly evident that they could not long remain the substratum, contract or no contract. The Americans were all trained to the hardships of the frontier and skilled in the use of arms, and the Mexicans had been guilty of great imprudence when they invited such men to come and live among them.

The Texas of that day was, as it is now, a land of strong temptation to the always land-greedy Anglo-Saxon. Its prairies, as far as the eye could see, were a carpet of flowers in spring and its soil as rich as soil can be. Game was so abundant that men could live with the minimum of work and follow the life of adventure most congenial to the descendants of those other men who after settling the first colonies had crossed the Appalachians to open up the great West. They were dangerous neighbors to a more indolent and less aggressive race.

In 1824 Mexico adopted a new constitution that was in some respects modeled on that of this country. But there were fatal dissimilarities. For example, there was no provision for trial by jury, there was a State religion, not that of the immigrants, and Congress was to interpret the constitution.

By that constitution Texas was associated with the exclusively Mexican State of Coahuila, and known as Coahuila and Texas. More ill-matched twins were never born. The Texans did not like the constitution and had most reluctantly consented to it, but made a reasonable effort to adjust themselves to it, and violation of the few rights guaranteed to them was the ostensible cause of the open revolt in 1835.

From about 1830 the American settlers had grown more and more restless. The eccentric and offensive application of an unfamiliar code, disturbing incidents now and then, such things as would have been settled by a minor court in our country, sometimes an open breach of the peace when the Mexican authorities were resisted with arms got on the nerves of the immigrants, and the Mexicans failed to remember that when Americans get nervous they have a fatal trigger habit.

Petty tyrannies continued, as did contempt for the contractual rights of the colonists under which they had been induced to settle in the wilderness. Then the absolute incompatability of the Anglo-Saxon and the Spanish-Mexican-Indian natures made a conflict unavoidable in spite of the earnest, honest efforts of Austin to prevent it. There were certain dominant, aggressive Americans in the colony who frankly wanted a break with Mexico and hardly made an effort to conceal their purpose to set up an independent government or associate Texas with the United States.

Santa Anna, the Mexican dictator, unwittingly promoted their designs. He was energetic and vicious, ambitious in a military way, and constantly referred to himself as the Napoleon of the West. He disliked and feared the Texans and wanted to expel them from Texas or destroy them.

In 1835 he forcibly dispersed the legislature of Coahuila and Texas, then sitting at Saltillo. The Texas members of that body avoided arrest and returned to their homes and quickly blew into a blaze the smoldering fires of revolution. Santa Anna's order for their arrest was disregarded but it brought matters to a head at once.

A meeting of the citizens of the municipality of Columbia on the 23d of June, 1835, issued an address to the inhabitants of the other municipalities calling for an assembly of all for the 15th of the following October. The meeting then proposed is known in history as the "General Consultation." A significant feature of the call is that the delegates were urged to ascertain and bring with them to the October meeting the number of inhabitants of their respective jurisdictions. They were already making a military inventory of man power.

The General Consultation met on the appointed day and in that meeting the Republic of Texas was really born. Two days later, the 17th of October, a letter was received from Gen. Austin, who was on his way to San Antonio with a small army to attack the Mexicans, in which he urged the delegates to adjourn their meeting and join him in the assault on San Antonio. A large number, preferring a fight to their civil duties, accepted the invitation and a few days later there was a battle between the Texans under Austin and the Mexicans at one of the missions just outside the present city of San Antonio. I need not tell you the Texans were brilliantly successful for that was their habit in such engagements.

On the 1st of November the General Consultation reconvened and published to the world a declaration of purposes and principles that was a sort of preliminary declaration of independence to be followed by a more formal one March 2, 1836.

This General Consultation continued as the government of Texas until October 22, 1836, when the Republic was organized under the presidency of Gen. Sam Houston. Gentlemen who want to understand these movements and want to know something about the capacity of these frontiersmen for the administration of government would do well to read the declaration of purposes and principles issued in November, 1835, and the declaration of independence of March 2, 1836.

It may interest you to know who the 58 signers of the declaration of independence were. Eleven were from Virginia, 9 from North Carolina, the same number from Tennessee, while Kentucky furnished 5 and Georgia and South Carolina 4 each. New York and Pennsylvania were each represented by the signatures of 2 native sons. Massachusetts, never a laggard in such enterprises, had 1 representative, as did New Jersey.

England, Ireland, Scotland, and Canada each had the name of one man on the roll of honor, as did Mexico in the person of De Zavala.

Among the interesting names found on that document are those of Sam Houston, Thomas J. Rusk, afterwards Secretary of War for the Republic and Senator in the United States Congress, and Samuel Augustus Maverick, about all of whom too little is known in other States. The names of other great figures in the Texas war of independence are better known in doubtful tradition and romance than in the dignified pages of history, where they belong. There was, for instance, Col. James Bowie, a brave and honorable member of a distinguished Maryland family of that name, who is chiefly known to his countrymen as the inventor of a knife. Then there was David Crockett, at one time a Member of this House from the Tennessee section, so ably represented by Mr. GARRETT, who is remembered mainly as the hero of hunting adventures and doubtful stories. He and Bowie fought the good fight together and died in the defense of liberty in the absolutely unparalleled massacre of the Alamo.

Another and even more interesting case of perverted history is that of Samuel A. Maverick, a relative of Samuel Maverick, the Massachusetts lad whose monument stands on Boston Common, with those of other bold patriots, who shed the first blood in the contest with King George's men in 1770.

Mr. Maverick was born in Charlestown, S. C., of well-to-do and distinguished parents, and educated at Yale College. Like many another bold and adventure-loving young man, he went to Texas in 1835 to seek his fortune. He arrived just in time to join in the revolution and to participate under Ben Milam in the assault on and capture of San Antonio. He was one of the signers of the declaration of independence, and under the Republic represented the district of Bexar in the first congress.

In 1842 he and other citizens of San Antonio were captured by the Mexican general, Woll, and marched about 1,200 miles

through an almost waterless, treeless, and foodless desert to southern Mexico, where he was imprisoned in the Castle of Perote. For months he wore a ball and chain, still proudly exhibited by his sons, and worked in the quarries.

Through the intercession of Waddy Thompson, then minister from the United States to Santa Anna's turbulent autocracy, he was permitted to return to San Antonio in time to become a member of the last congress of the Republic, that which arranged by treaty for the admission of Texas into the American Union.

And yet this brave and honorable man who spent his entire adult life in constructive work for his country has been the victim of a false and libelous story, told usually without malice, but with that preference for what is picturesque rather than that which is true, that has done such grave injustice to many of our nation-building frontiersmen. Every western man knows that the word "maverick" is used to describe unbranded cattle, but few know the origin of its use. The Century Dictionary, in defining the word, quotes as authority an absolutely correct definition made by the late Col. Roosevelt in the Century Magazine. Col. Roosevelt says "unbranded cattle are called 'mavericks,' and when found on the 'round-up' are either branded by the owner of the range on which they are or are sold for the benefit of the association"—of cattle raisers.

Mr. Maverick, a civil engineer by profession, like most enterprising men of that day went in heavily for land that could then be bought at 5 and 10 cents per acre and he never engaged in any other business.

In 1845, while he was living temporarily at Decrows Point, on the Gulf coast, a neighbor who owed him $1,200 paid the debt in cattle at $3 per head. He did not want the cattle but took them and put them in charge of some negroes, nominally slaves, but essentially free, and with his family returned to San Antonio. The cattle remained on the Gulf until 1853, when they were moved up to the San Antonio River, about 50 miles below the city of that name, and continued in the vigilant care of the same colored family.

Mr. Maverick was so occupied with public duties and other private affairs that he gave no attention to his herds. They were left to graze, to fatten, and wander away at will on the prairies. His unbranded cattle found on the range were referred to as Maverick's, meaning that they belonged to the herd of Mr. Maverick. They were so neglected that from the original stock of 400 taken over for debt in 1845 he still had just that number 11 years later when he sold them to Mr. Toutant de Beauregard, a brother of the Confederate general, from whom I had the story as well as from members of the family. I have seen all the letters that were written and received during those 11 years that referred to the cattle venture, and they establish the accuracy of what I am saying.

This, Mr. Chairman, is the true story of the origin of the word "maverick," as applied to unbranded cattle, and I hope that its publication in the RECORD will end forever the ridiculous lies about a "cattle king" who never had profit out of the business, or more cattle than the 400 head he bought in 1845 and which had not increased in 1856, when he sold them.

Let me go back for a moment to the political history of the Republic.

THE ALAMO.

On the 23d of February, 1836, the 150 Texas troops in the Mission of the Alamo in San Antonio, were attacked by Mexican soldiers under Gen. Santa Anna. That was the beginning of one of the most historic sieges of all time, one of the most impressive tragedies, and in its consequences one of the most important events in history. Directly traceable to it, and the supplemental engagement at San Jacinto, was the introduction of a new member into the family of nations, and later an accretion to the territory of the United States of an area much greater than the original thirteen States, plus Kentucky, Vermont, Tennessee, Maine, and West Virginia.

On the 1st of March 32 gallant men from Gonzales joined the 150 who were within the walls of the Alamo, and none of the 182 ever came out alive. The army of Santa Anna certainly contained as many as 4,000 men, and estimates run as high as 6,000. The odds were more than 20 to 1 against Col. Travis and his men, and under such circumstances, with no possibility of early relief, the end was never in doubt. On the 5th of March the final assault was made. Among the Texans there was no thought of surrender and all fought to the death, taking an appalling toll from the Mexicans. Veracious chronicles have it that the bodies of Col. Travis, who commanded, and David Crockett, his aid, were surrounded by heaps of slain. I do not doubt that the same thing would have been said of Col. Bowie if he had not been ill and confined to his bed. But where all were heroes why discriminate?

A flame of righteous wrath swept over Texas, and the rest of the war was fought with the battle cry "Remember the Alamo." Meanwhile, Gen. Houston, for strategic reasons, had been falling back toward east Texas, and at San Jacinto, on the 21st of April he engaged and destroyed the Mexican Army that was under the command of Santa Anna himself. In a few minutes after the battle began the Mexicans were in full retreat. The next morning the self-styled "Napoleon of the West" was a prisoner and a supplicant for the favor of Sam Houston.

The Texans killed, wounded, and captured more than double the number of men in Houston's command, which was a very proper score.

However, the importance of San Jacinto is not in the number killed or the number engaged. Its political importance far outweighed all such considerations. Texas was now free, her independence recognized by the enemy, and she could begin her career as a nation. The life of the Republic that began in so much violence and disorder continued until 1845 when, of her own free will, under no compulsion whatever, by formal treaty she became a part of the great Republic of the United States. Texas was not annexed, but came like a bride, after proper wooing, in honorable marriage and protected by a prenuptial contract made between sovereignties. It is the only State of the Union that ever exercised the full rights of sovereignty in dealing with other Governments. The Republic had her diplomatic representatives in Europe and in the United States, and maintained a small but valiant army and something of a navy.

By the terms of her admission to the Federal Union Texas retained all her public lands. It was also stipulated in the treaty that the new State might cut her territory into five States, and that these should be admitted into the Union, a privilege that few people have ever thought of asserting. Each of the States so admitted, whether one or five, was to be permitted to come in with or without slavery.

I want to assure my friends from Massachusetts that that is another treaty right we will not assert.

As a Republic, Texas had a peaceful history. It is probably the only sovereignty that never in its entire life engaged in a foreign war. Texas had ministers in France and England, and both were represented in the Republic, but her people were not skilled in the arts of diplomacy and knew nothing of its forms and conventions. There was a near war with France when a simple Republican tavern keeper threatened to chastise, or, as some have it, did chastise the French minister for shooting his pigs that had wandered into the legation. Fortunately there were no cables in those days to carry such news to the Government concerned, and before France heard of the trouble the entente cordiale had been reestablished.

SOCIAL CONDITIONS.

Life in Texas, when these great things were being done was not all cakes and ale, nor, on the other hand, an unending round of fighting and hardships. I have in my possession at this time the diary of an unusually intelligent, educated, and refined woman that covers the period from 1836 down to the war between the States. Her stories of fierce Indian fights, some of which she saw, are as thrilling as any romance of the frontier ever published. The primitive life of the Republic and of those days is illustrated in stories, each of which is an instructive essay. The complete independence of character and utter unfitness of such people for menial service is shown in her account of a visit made to her by President Lamar and his staff. There was a great dinner to which the fine people came to pay their respects to the President of the Republic. But there was a servant problem then, as now, and our hostess had to pick up such help as she could find. A white man absolutely without experience was engaged and as thoroughly drilled as possible. After he had made one or two trips to and from the kitchen he appeared without a coat. The mistress called him to her side and whispered a command to put on his coat. His perfectly audible reply was, "I would, ma'am, but it is too damned hot."

When Texas did these great things, Mr. Chairman, when she declared her independence of Mexico and made the declaration good, there were in all that vast territory only 30,000 Anglo-Americans. Indians, Mexicans, and negroes were estimated at 22,500. The enemy challenged by the 30,000 whites numbered about 7,000,000, making odds of 233 to 1 against the Texans; but in a few months after hostilities began a new nation was born and constitutional, republican liberty was strengthened by the support of another great moral and physical force. That power never died. When it ceased to exist independently it voluntarily merged with the American Republic; the Lone Star of Texas became one of a constellation.

That, Mr. Chairman, is a very brief outline of the history of Texas to 1845. Heaven grant that the spirit of liberty and order that directed its founders when, in the midst of enemies, they set up government in the wilderness may never die, but remain forever a bulwark of defense for order and law. It seems to be needed now more than ever to avoid the dangers of radicalism sweeping over the world and the more insidious but equal peril of centralization now threatening in our own country. We must grapple with and destroy the monster of anarchy, but in doing so we should not forget for a moment that no government and too much government are both dangerous to the liberty of the people. Anarchy threatens the state and the family on which it is based; centralization in our country will destroy the federated, constitutional Union. Whether born in the disordered minds of Mujiks, who have endured centuries of oppression, or presented in the guise of an economic proposal, anarchy, as well as socialism, is an enemy of liberty and must be destroyed. [Applause.]

Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. The gentleman yields back 15 minutes.

Mr. STAFFORD. Mr. Chairman, I yield 10 minutes to the gentleman from Connecticut [Mr. TILSON].

Mr. TILSON. Mr. Chairman and gentlemen, what I wish to say is in regard to the demobilization of our military and naval forces, mostly in regard to our military forces.

On November 21, just 10 days after the signing of the armistice, the War Department issued Circular No. 77, which I shall insert in the RECORD, with the leave of the House, and shall quote only a single paragraph from it:

Circular No. 77

WAR DEPARTMENT,
Washington, November 21, 1918.

DISCHARGE OF ENLISTED MEN FOR RELIEF OF FAMILY OR URGENT NEED IN INDUSTRIAL WORK.

1. Department commanders within the United States, commanders of ports of embarkation, and commanders of camps not under the jurisdiction of department commanders or of chiefs of bureaus of the War Department, are authorized to discharge enlisted men upon their own application when there is sickness or other distress in the soldier's family, or when he is needed to resume employment in an industry or occupation in which there is urgent need of his services, provided that such discharge will not disrupt or cripple an existing organization, and that the soldier's services can be spared. Consideration will be given to the fact that the machinery of camps must be utilized in the demobilization of the Army and due regard must be taken that it is not retarded by the discharge of personnel connected therewith.

2. The instructions contained herein apply only to individual and exceptional cases and are not intended to release men in large groups or blocks for any general employment or occupation.

3. Application for discharge under the provisions of this circular will be made in each individual case by the soldier concerned and through his immediate commanding officer. No man who voluntarily enlisted prior to April 1, 1917, will be discharged under this authority.

4. Men discharged under these instructions will be included in such weekly reports of men discharged as are required by the War Department.

5. Cases of the character indicated arising in places not covered by this authority will be forwarded to The Adjutant General of the Army for final action.

[220.81, A. G. O.]

By order of the Secretary of War:

PEYTON C. MARCH,
General, Chief of Staff.

Official:

P. C. HARRIS,
The Adjutant General.

As you will observe, this is somewhat cryptic in its phraseology. At least it allowed opportunities for diverse action, as it was construed by different officers of the Army. Perhaps with a view of clarifying the meaning of Circular 77, or of trying to make action under it more nearly uniform, on January 6 of this year Circular No. 6 was issued. I shall read only a part of it and insert it all in the RECORD, if the House will permit:

Circular No. 6

WAR DEPARTMENT,
Washington, January 6, 1919.

DELAY IN DISCHARGE OF ENLISTED MEN FOR URGENT REASONS.

1. Applications for immediate discharge under the provisions of Circular No. 77, War Department, 1918, will be acted upon as expeditiously as possible, and the applicants will be informed without unnecessary delay of the action taken. Deserving cases should be investigated, and where the applicants have not correctly or fully stated their reasons for asking immediate discharge, officers should render such assistance as may be necessary to correct them so that the applications may be properly presented and acted upon.

2. Circular No. 77, War Department, 1918, was issued to relieve domestic distress and to release men whose individual services are shown to be urgently needed and indispensable to an industry or occupation. In passing on applications under the latter head, the test to be applied is not the existence of a general shortage of labor in any trade or business, but the value to a given employer or business of the particular individual concerned, and the impracticability of securing a substitute. It will be found that nearly all cases properly coming under this head are cases of resumption of a former position in which an individual has been specially trained.

3. All applications for discharge under the provisions of Circular No. 77 will receive careful and conscientious consideration and prompt action.

(220.81, A. G. O.)

By order of the Secretary of War:

PEYTON C. MARCH,
General, Chief of Staff.

Official:

P. C. HARRIS,
The Adjutant General.

Mr. CALDWELL. What is the number of that circular?

Mr. TILSON. It is Circular No. 6, series of 1919. The series for 1918 ended on the 31st of December and a new series began on January 1. This is Circular No. 6 for 1919.

Mr. Chairman, my contention is that these circulars, which amount to orders from the War Department, have not been fairly acted upon by junior, intermediate, and, in some cases, higher commanders.

I can not be accused of being an unfriendly critic of the Army. In fact, I have been regarded during by service in this House as a friend of the Army. I am a friend of the Army, which is sufficient cause for my saying some of the things I shall say to-day. If such conduct as I shall mention continues, it is inevitable that our Army itself will come into ill repute on account of it and the innocent will have to suffer with the guilty.

Army officers should act in good faith under these circulars and not in accord with their own convenience. From numerous cases, papers concerning which are in my possession, it appears that applications made by soldiers, accompanied by the facts clearly stated, showing dependence or showing the needs of their business, have not been accepted by the lieutenant or captain commanding the organization. Perhaps every Member here has received letters of this kind from their soldier boys in which it is stated the captain would not even accept their application. Even where the application has been accepted by the lower unit commander, somehow or other, before it gets through the office of the commanding officer and all the way up to the department commander it has been decided by some one along the line that the young man can not be spared. I have investigated a number of these cases and, as a rule, find the facts to be that a great number of soldiers are in that camp or organization doing nothing—absolutely nothing.

Mr. RUCKER. Will the gentleman yield just a moment?

Mr. TILSON. For a question only.

Mr. RUCKER. In connection with what you have just said, I have had at least two letters from soldiers in camp in which they said the lower officer or lieutenant would not accept their application for discharge because the commanding officer of the camp had told them not to do so. I do not know whether it is true or not.

Mr. TILSON. I think that probably such letters could be duplicated by almost every Member on the floor of this House, indicating that what my friend from Missouri says is true in a great many cases.

Mr. SMITH of Idaho. May I ask the gentleman a question?

Mr. TILSON. Briefly.

Mr. SMITH of Idaho. Do not the regulations require that when an application is filed it must go to the superior officer to be approved by him?

Mr. TILSON. It is the usual military procedure that when an application is properly filed it shall go through regular channels and be either approved or disapproved. I protest against the fact that they are not received in many cases. I protest generally against the attitude of Army officers as shown by their conduct in these cases. Such officers seem to regard it as more important that they should keep men in their companies, for something or for nothing, than that these men when not needed or when they can be spared should be permitted to return to their families and their business. In time of actual war everything must give way to military necessity. Family relationships and the business by which men earn their bread must suffer or be sacrificed if need be. I protest against the attempt of those clothed with a little brief authority to make such abnormal conditions permanent. When the dire necessity of war has passed men's families and their business by which they support their families resume their place of prime importance.

I wish to say that I speak only of demobilization in this country, because those across the water are on a different basis, and I shall not speak of them in this connection. I am speaking of this country, where the boast is being made as to how rapidly we are demobilizing. Thousands of men are being discharged who would gladly remain in the service longer, while other thousands are being held against their will to their great loss.

I have one instance here before me where it appears that it is well known that there will be hundreds of men discharged from

a particular unit within the next few days. One man established a perfectly good case to the effect that he is the superintendent of a large business and that he is very much needed in order that that business may go on. He is only a private soldier, and yet the officer has returned the papers disapproved on the ground that the soldier can not be spared. Discharging hundreds every day, and yet certify that one private soldier can not be spared. Meanwhile the evidence of the private soldier himself, with a number of others corroborating it, is to the effect that they are doing absolutely nothing. Yet the officer says he can not spare one man.

Mr. ROSE. Will all these complaints that we are making, without some resolution or bill upon the part of Congress, get us anywhere?

Mr. TILSON. What I am saying to-day is in order to call the attention of the country, and certainly the attention of the War Department, to the fact that even the instructions that have been sent out by that department, apparently in good faith, and which would cover most of the hard cases of dependents and business reasons, are not being acted upon in good faith. It is bringing reproach upon the War Department itself. It is discreditable to the Army.

Many of these cases of refusal are for discreditable reasons. In some cases it is because the applicants are good men and it might prove to be a slight inconvenience for the officer in command if he permitted his good men to go. He may be willing to discharge others, but if he has a particularly good man he does not wish to let him go. The reason is clerical work in some instances. A $10,000 a year enlisted man is held indefinitely to be a clerk for a $2,000 a year lieutenant. In other instances it is because the men are good chauffeurs. There are many of these cases. Two men came up the other day from a camp near Washington, one from my own State and the other from the State of Minnesota. They belong to the Motor Transport Corps. They said there were 70 men in their organization. They said that there never was a day in which more than 10 of the 70 men were engaged in doing anything. The only work of some of them was to drive officers to the bank or elsewhere about the city or country in automobiles. Still their applications for discharge had been refused.

In the Navy similar orders have been issued, but have been acted upon in a much more intelligent and satisfactory manner. The Navy is in a different position, too, because the Navy is not so largely demobilizing. It is trying to keep a large number of good men and would be justified in much more rigid requirements than can be justified in the Army. The Marine Corps is still better. The Marine Corps is very desirous of holding its men, especially its good men, and yet I have had hardly a case of complaint from the Marine Corps, because Marine officers are considering each individual case on its merits, and because they do not desire to keep even good men in cases where they ought to be permitted to return to their families or their business.

Mr. McKEOWN. Will the gentleman yield?

Mr. TILSON. I will.

Mr. McKEOWN. I want to know whether the gentleman has any information to the effect that where Members of Congress write commanding officers they immediately turn down and refuse the request because it comes from a Member of Congress?

Mr. TILSON. I do not know that I can blame an Army officer so very much for that, because that is not good business. It ought not to be so that an Army officer will discharge a man simply because a Member of Congress writes him to do so. We should not ask for anything of that kind. Where a good case has been made, where a man, on his own application, accompanied by the proper statement, has shown that family or business reasons bring him within the rule laid down by the War Department itself, then the rule should be acted upon in good faith and the man discharged from the service.

Mr. McKEOWN. The gentleman does not mean to say that a Member of Congress has not the right to ask a commanding officer to consider the facts?

Mr. TILSON. Such a request is perfectly proper, but it ought not to be necessary for a Member of Congress to ask an Army officer to consider the facts. He ought to do it as a matter of right upon the application of the soldier without the necessity for any request on the part of a Member of Congress.

Mr. RUCKER. What are we going to do if he will not do it?

Mr. TILSON. I think something ought to be done. The War Department itself should do something. After the attention of the War Department has been called to these facts, if nothing happens there, then something ought to be done here.

Mr. RUCKER. If the gentleman will pardon me, I do not think I ever saw a better place in the world where the gentleman's remarks would fit in than in a case where I gave one commanding officer the devil and got results by so doing.

Mr. TILSON. The gentleman did well, but such extreme measures ought not to be necessary. Such conduct on the part of Members of Congress generally might not be considered a proper course, and surely it ought not to be necessary to follow it. [Laughter.]

Mr. Chairman, if this sort of thing goes on, the Army is going to be made the most unpopular institution in the whole country and Army service is going to be made the least desirable of our services. It ought not to be so. We are demobilizing millions of men, and they are being discharged every day. It is not necessary for us to keep all of these men in the service, and it is so stated by the War Department. Then, it seems to me, we ought to discharge those men who present good cases under the rules laid down by the War Department itself—good cases of family dependence or of business needs.

Mr. MANN. Mr. Chairman, will the gentleman yield for a question?

Mr. TILSON. Yes.

Mr. MANN. Does the gentleman think these orders of the War Department are in good faith?

Mr. TILSON. I do not say that they are not in good faith. They are apparently in good faith. Under them some Army officers are acting intelligently and wisely and discharging the men who ought to be discharged.

Mr. MANN. Well, if these orders are issued in good faith and are not being carried out by subordinate officers, do not a lot of these officers need to be court-martialed for refusing to accept papers that they are bound to accept, but who are paying no attention whatever to the regulations and terms of discharge?

Mr. TILSON. Yes. I think a lot of officers ought to be reprimanded or court-martialed for not acting properly under these orders.

Mr. MANN. I think it emanates from the head of the War Department here and the Chief of Staff.

Mr. TILSON. Wherever it originates, it ought to be done away with, and if the head of the department is responsible for it he ought to be severely criticized until he stops it.

Mr. MANN. The delightful head of the department, not knowing what is going on in the department, takes the word of some officer, and everything is "lovely" with him.

Mr. PAIGE. Mr. Chairman, will the gentleman yield?

Mr. TILSON. Yes.

Mr. PAIGE. I want to cite a case in my own town, where a man had three sons in the Army. One has died in France, another has died here, and he himself has died, and the man's wife is totally dependent on the other young man left in France. Ought he not to be discharged?

Mr. TILSON. On a proper statement of those facts to the commanding officer he should be discharged, without doubt.

Can I have a couple of minutes more?

Mr. STAFFORD. How much time did I yield to the gentleman?

Mr. TILSON. Ten minutes; and I have two minutes left.

Mr. STAFFORD. I will yield the gentleman two minutes more.

Mr. HAUGEN. Mr. Chairman, will the gentleman yield?

Mr. TILSON. Yes.

Mr. HAUGEN. Can the gentleman state why the veterinarians are retained in the service? My understanding is that the Army is disposing of the horses, and these veterinarians are not needed. I understand there is not a horse within 600 miles of where the veterinarians are stationed, and still they are kept in the service.

Mr. TILSON. That is probably true. The great cry that I hear, coming up from the men in all of these camps is, "We are doing nothing; we are eating Uncle Sam's chow and receiving his pay, and we are doing nothing."

Mr. RUCKER. Mr. Chairman, will the gentleman yield?

Mr. TILSON. Yes.

Mr. RUCKER. In connection with the colloquy between the gentleman from Connecticut and the gentleman from Illinois [Mr. MANN] I want to say that if the gentleman from Connecticut brings his great intellect and usefulness to bear upon the problem, I hope he will not fail to put into his legislation something that will demobilize some of these titled officers. I think there is where the trouble lies.

Mr. TILSON. The gentleman is right, as usual. I believe the trouble lies with some of these titled officers. I believe that the reason why many enlisted men are kept in the service is

that some of these Army officers, who are holding better jobs now than they ever held before in their lives, wish to keep a large number of enlisted men in the service in order to make their jobs more important and more permanent. That is the nub of the whole matter, in my judgment. [Applause.]

Mr. CRISP. I think the gentleman hit the bull's-eye that time.

Mr. CALDWELL. Mr. Chairman, will the gentleman yield?

Mr. TILSON. Yes.

Mr. CALDWELL. Does the gentleman know who is at the head of the demobilization service in the Army?

Mr. TILSON. There are several heads. Beginning up at the very top, there is the President, who is Commander in Chief of the Army and Navy, then the Secretary of War, the department commanders, and so on down to the little fellows.

Mr. CALDWELL. The gentleman knows, if he knows anything about it at all, that Col. E. D. Anderson is in charge of it.

Mr. TILSON. That fact is of no importance in this connection. Mr. Chairman, I hesitate to take advantage of my position in the House to say anything about men who can not appear on this floor and answer me, and for that reason I am not using any names this morning. If it shall become necessary, I have a considerable list of names here where, in my judgment, Army officers have not acted in good faith, and I shall make it my business to present these names here and have them printed in the CONGRESSIONAL RECORD, along with the facts in the several cases, and show that they have not acted in good faith. I do not wish to do this if the proper result can be brought about in any other way. As I have suggested, I do not think it right, on general principles, to attack men here where they can not talk back. For that reason I shall not be specific as to names in my remarks to-day. However, I have the facts and names here before me, to be used if necessary, and I have no doubt that other gentlemen in this House can duplicate these facts. Something ought to be done, and if the War Department itself does not voluntarily do it, then our assistance should be given here in the form of legislation or the withholding of appropriations. [Applause.]

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. STAFFORD. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. ROSE] three minutes.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for three minutes.

Mr. ROSE. Mr. Chairman and gentlemen of the House, I take it that every Member of this House is able to reproduce all of the cases that were submitted by the distinguished gentleman from Illinois [Mr. MANN]. I have tried under the rules issued by the department to give instructions concerning discharges, and I received a letter yesterday from a lady well known in the city of Johnstown, Pa., and now located at Newport News, Va., with her husband, commenting upon the application of the latter. The application for his discharge was made in accordance with the orders promulgated by the War Department, and accompanied by affidavit from the employer of the soldier and by letter from the State employment bureau giving the reasons upon which the application for discharge was based. I understand that the order was approved by the captain, by the company commander of the soldier, and the major, and subsequently recalled by the major. From the letter mentioned, bearing date January 12, 1919, I quote the following:

> I called the major yesterday to ask him about the papers, and, Mr. Rose, he acted anything but a gentleman to me, saying that he thinks I should be satisfied that my husband was allowed to stay with me at night; also that I have been able to work.

The reply of that official is brutal, if not suggestive. This is only one of many cases that have come to my notice, but I desire to call your attention to another case which strongly appeals to me. It is that of a well-known physician residing in Johnstown, Pa., who has been assigned for duty in one of the hospitals in the State of New York, and in his letter, among other things, says:

> We have no patients in this hospital at all, and it certainly is distressing to sit around all day long with nothing to do. Some of the doctors have been here for three months and have not done a tap in all this time.

And yet he is unable to obtain his discharge from the service. For reasons well understood, I do not give his name, and I have declined to make a personal request for his discharge for the reason that any attempt upon the part of Members of Congress to assist in that direction have been frowned upon. Something must be done. There should be an investigation. Without definite action I think that all the complaints that we are making can get us nowhere at all, and, of course, the Army will get into disrepute unless we can do something to satisfy the people that the discipline in the Army of the United States is what it ought to be.

I am reminded this morning by a communication from a very distinguished gentleman in the congressional district I have the honor to represent that the Members of this Congress are not doing right by the people; that they are sitting idly by while our young men are compelled to remain in the Army, where they are not needed, and prevented from taking up employment in places where their services would be of inestimable value at this time.

When we do make efforts to strictly follow the orders given by the department, but which contain a reservation holding the balance of power, we get nowhere. I am tired of having these complaints coming by the score, but with all the agitation and all the just criticism which has been made against the War Department, we are no nearer the solution of the problem than when we started. Of course, I am not in position to say who is to blame, but I agree with the statement of the gentleman from Massachusetts [Mr. GALLIVAN] that something must be done and done quickly in the interest of our soldier boys. There must be some authority somewhere, and I trust that an investigation will soon follow, resulting in discharges and demobilization in accordance with the orders that have been issued and which we have tried so diligently to follow.

Mr. BYRNS of Tennessee. I yield to the gentleman from Ohio [Mr. KEY].

Mr. KEY of Ohio. Mr. Chairman, I have been directed by the Committee on Pensions to inform the House that the committee to-day, by unanimous vote, approved the bill (H. R. 13879) granting to Mrs. Edith Carow Roosevelt, as widow of the late Col. Roosevelt, a pension of $5,000 a year, and instructed the chairman of the committee to prepare a report and file it at the earliest possible date. Just as soon as this report is in, which will be in a day or two, it is my intention to ask the House to take favorable action on the bill.

Mr. DYER. I ask for half a minute.

Mr. STAFFORD. I yield to the gentleman from Missouri half a minute.

Mr. DYER. The gentleman from Ohio probably knows that the Senate passed this same bill yesterday. Why not call it up and pass it here?

Mr. KEY of Ohio. The House bill was introduced first.

Mr. DYER. Well, I know; but the Senate passed a similar bill yesterday.

Mr. KEY of Ohio. The House bill was introduced some days prior to that in the Senate and has been duly considered by a House committee, as it should be, and reported. I think the House bill, of course, should be considered by the House after the House has referred it to one of its own committees and that committee has faithfully and promptly considered and reported the bill.

Mr. STAFFORD. I yield to the gentleman from Indiana [Mr. FAIRFIELD] 10 minutes. [Applause.]

Mr. FAIRFIELD. Mr. Chairman and gentlemen of the committee, lest we forget how many people are involved in the difficulties that attend the demobilization of the Army, it is well to remember that approximately 2,000,000 men are yet in France and that approximately 1,500,000 men are in the cantonments in this country.

Mr. GORDON. Will the gentleman yield there?

Mr. FAIRFIELD. Yes.

Mr. GORDON. How many have been discharged?

Mr. FAIRFIELD. I can not say. I understand that we have had approximately 2,200,000 men overseas and that approximately 300,000 have been returned from overseas.

Mr. GORDON. There have been over 1,100,000 discharged. Our Army must have been a good deal bigger than I supposed it was if the gentleman's figures are approximately correct.

Mr. FAIRFIELD. So far as the number overseas is concerned, I have my information from a member of the Committee on Military Affairs. I am absolutely at a loss to know how many have been discharged in this country. Does the gentleman know?

Mr. GORDON. The last statement I saw was that something over 1,100,000 had been discharged.

Mr. FAIRFIELD. In this country?

Mr. GORDON. No; altogether.

Mr. MADDEN. The statement was that 1,150,000 had been ordered discharged, of whom 635,000 had been discharged.

Mr. FAIRFIELD. At least, there is such a large body of men involved that it certainly is worth our while to make note of the magnitude of this question. In addition to that, there are also 100,000,000 people in this country who are so interested that when these agencies of the Government are indicted the indictment is not by the gentleman from Illinois or

the gentleman from Massachusetts. The indictment is from the cantonments; the indictment is from the hospitals; the indictment is from the homes of these boys. It is said that the War Risk Insurance Bureau is working inadequately. It is said that the mail to the boys in the hospitals is not delivered. It has been said without contradiction on the floor of the House that 8 or 10 carloads of mail sent to France have been returned. It has been charged that the condition of camps and hospitals in France is not only unsatisfactory, but that there has been almost criminal negligence in the care of them. That indictment comes up out of the hearts of the great people of this country, who were solidified behind this Government and gave freely of their substance, and gladly, though with heart-strings breaking, gave of their flesh and blood. Yet all we can do here is to voice their protest. It is a grave charge against the conduct of these various agencies. On the question of demobilization you, as well as myself, have had much experience. I find that men who have positions waiting for them, men who are anxious to get out, and who have made application, find that some petty captain declares that the services of the man are indispensable. Then they come to the Congressman and the Congressman writes the captain, and then they telegraph to him again that the application has been denied. Then the Congressman goes up to see the adjutant general, and goes around and around in a circle until finally, now and then, a man is discharged.

Mr. BAER. Will the gentleman yield?

Mr. FAIRFIELD. I yield.

Mr. BAER. Does the gentleman know—I have heard it stated by several Members—that the department has removed the provision allowing the boys to make application in order that they may go back into educational institutions, and that it will not allow the boys to get out of the Army for that purpose any more. Does the gentleman understand anything about that?

Mr. FAIRFIELD. All I know is that I had a young man in my office this morning who has had two years of college work and who is a private. I said to him, "Do you want to stay in or get out?" He said, "I would like to finish my college course." I said, "What opportunity have you for getting out?" And he said, "It looks as if there were no opportunity at all."

Mr. CALDWELL. What was the line of work the young man was doing?

Mr. FAIRFIELD. He is connected with a medical unit. I asked if he was very busy, and he said, "Oh, I am punching a typewriter most of the time, though I am from the farm and never had any experience with a typewriter until now. A competent typist could do eight times as much as I can do in half the time."

Mr. CALDWELL. Who is going to do the punching of the typewriter if you turn him loose?

Mr. FAIRFIELD. The gentleman has asked a legitimate question. There are men who do not want to get out; there are men who are willing and anxious to remain in the Army. Why not say to the boys, "You who desire to remain and continue as soldiers indicate it, and then let us discriminate in respect to these discharges."

Mr. LAGUARDIA. May I suggest to the gentleman in answer to the gentleman from New York [Mr. CALDWELL], who is a member of the Committee on Military Affairs, that I introduced a resolution authorizing this department to employ civilians to do this clerical work and all work not of a military nature. That resolution is before his committee at this time. We can release thousands of boys all over the United States if the Committee on Military Affairs would only report that resolution.

Mr. FAIRFIELD. I understand that one of the executive departments of the Government to-day has many men detailed to it for doing clerical work, and they are being retained in the Army, yet detailed to another department in work not in immediate connection with the Army. I am inclined to think that, so far as demobilization upon the other side is concerned, it would be wise to authorize the organization of an army of 500,000 men who would volunteer out of the men who are over there to do the work that yet remains essential on the other side. No man is so foolish as to think for a moment that we should immediately, with the armistice still pending, withdraw all of our troops from Europe. It would be an act of bad faith on the part of the Government, and yet is it not true that a reorganization permitting the men to enlist who desire to extend their time in Europe would be a wise thing for this Government to enact? [Applause.]

By unanimous consent, Mr. FAIRFIELD was granted leave to extend his remarks in the RECORD.

Mr. STAFFORD. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. ROBBINS].

Mr. ROBBINS. Mr. Chairman and gentlemen of the committee, I agree with everything that has been said on this floor about the difficulties we are laboring under in getting our soldiers discharged from military service. I wish to direct the attention of the committee in the time allotted to me to another matter that has been brought very forcibly to my notice by occurrences in my home city, Greensburg, Pa. The great Lincoln Highway extends through that city and extends across the State of Pennsylvania. It has been rebuilt by the State at a very great cost, and over that road the United States Government, since the fall of 1917, has been transporting the automobile trucks for the use of the Army from the factories in the West to point of shipment at Baltimore. I was home on Sunday, December 29. That was a very cold day in that locality. The basement of the First Presbyterian Church of that town has been turned over to the ladies of the city, who have organized a society for the voluntary and charitable subsistence of these troops who are operating these truck trains. They did this all last winter during the severest weather we have ever experienced in that climate. They sent out from this church kitchen, at all hours, day or night, very frequently several miles to where these boys were stuck in the snow, sandwiches and coffee, and at times men to shovel snow to help to bring them in. They have also refitted the State armory there, at considerable expense, by private subscription, in which these men are and have been at night comfortably housed. I thought that this had ceased with the signing of the armistice, but my attention has been called to the fact that this situation continues, and I want to have read from one of the leading daily newspapers of my district, the Greensburg Daily Tribune, an excellent and forceful editorial, printed on the 10th of this month, giving a description of the conditions that exist among the men driving these trucks, to which I wish to direct the careful attention of this committee, and I ask that in my time the Clerk read that editorial, and then I shall make some further comments about it.

The CHAIRMAN. Without objection, the Clerk will read.

There was no objection, and the Clerk read as follows:

[From the Greensburg Daily Tribune, Jan. 10, 1919.]

SUSPEND BRUTALITIES.

The truck-train soldiers passing through Greensburg these rough days must agree that Sherman was eminently correct in his estimate of war. These truck-train boys have been exposed to cruel suffering. They deserve better, and they should get better than they are getting.

It is a privilege and a pleasure for the good women of Greensburg to entertain, feed, and generally make comfortable the young soldiers now being compelled to face the winter blasts just to pilot truck trains to the seaboard when they are not needed. To them it is no longer a question of loyalty or devotion to their Government. Last winter the boys who came to this town half frozen and underfed were inspired with the confidence that sometime, sooner or later, they would go abroad and get a taste of the war for which they longed. Now there is no promise or hope of that sort. The men are simply moving trains of the trucks to the East, where they are not needed, and they are forced to the painful exposure without sufficient clothing to keep them comfortable, and without arrangements for their substantial food other than that provided by the generous communities through which they pass. They have no money and many of them go unshaven on that account.

Many of the young soldiers who spent Wednesday night in Greensburg had not been paid for months. Many of them complained that they needed warmer clothing. They confessed the need of clean underclothes, and most of them admitted that their suffering would have been intense had it not been for the Red Cross and the kindly communities through which they pass.

That condition is offensive. It should not be allowed. The Government with billions to waste should be forced to provide better for its soldiers who are probably serving favorite contractors better than they are serving their Government.

The soldiers are always welcome in Greensburg. They are always generously treated when here, but the soldiers should be paid what the Government owes them, and they should be privileged to rest during violent weather. The war is over and its brutalities should be suspended.

Mr. ROBBINS. Mr. Chairman, two statements in that editorial I wish to bring to the attention of the Members of this House. The first is that these soldiers are not paid. Why is it? Here are soldiers who are never outside of the limits of counties or cities in which there are located banks, and who have not been outside of the country. If they had checks, they could get money at any time while passing through the country. Yet they have not been paid for months. When I came out of the church on this Sunday in December when I was home I saw 40 Army trucks lined up on either side of the street in front of the church. I went down to the basement to see the boys in the dining room, where dinner was being served to them, and I found many of them without overcoats, complaining of the cold and of the hardships to which they were subjected. I know from personal experience that these men when they are taken to the drug stores for medicine must ask to have the bills paid by the man or the woman who accompanies them, because they have no money. This is not right. There is no rea-

son why these men should not be promptly paid and not made mendicants and beggars.

I desire to bring to your attention another matter alluded to in this editorial, and that is the continued purchase of automobile trucks for the use of our Army. I am told there are now over 100,000 automobile trucks in France, and if anyone makes the trip by rail from Washington to the city of Baltimore he will see acres of Army autotrucks standing over near that city in mass, not being used, the canvas tops rent by the winter winds and the machines rusting and going into decay. Yet the War Department is still going on buying automobile trucks 60 days after the cessation of hostilities. What is the use of this? I appeal to the Members of this House that something ought to be done to stop this waste of the public money. I understand that under the Constitution Congress controls the purse and the sword—at least the Supreme Court has so decided. We have sheathed the sword, and now why do we not take control of the purse? Under the Constitution, as I understand its terms, the unimpaired power of investigation rests in this branch of Congress. Why will Congress not investigate and find out where the money is coming from that is being wasted in buying these useless automobile trucks?

I have introduced a resolution calling on the Secretary of War to report to Congress the number of automobile trucks that our Army has, the purpose for which they are being used, the number being purchased, and what it is proposed to do with them, and where the department is going to get the money to pay for them, because I do not believe in getting up on the floor of Congress and pointing to a wrongful act which amounts to almost a crime, as in this instance, and not suggesting some remedy. We have made no appropriation specifically for this purpose.

Last week when we passed the bill to legalize contracts and permit settlement under contracts, it was reiterated over and over again during the debate that the only reason that bill was being passed was to permit settlements under contracts that had not been formally reduced to writing and properly executed. Are not these automobile contracts in writing? If they are, every one of them contains a clause permitting the Secretary of War to cancel the contract whenever he wishes to do so; and the act we passed last week was to permit an adjustment and settlement promptly out of court of any damages arising from such canceled or unfilled contracts. Yet, notwithstanding full legal authority is vested in the Secretary of War to cancel any and all contracts for the purchase of automobile trucks, still the procession of trucks continues to flow from Detroit, Cleveland, Buffalo, and the West over the Lincoln Highway, not destined for Europe but to Baltimore, where these Army trucks, standing side by side, cover acres of ground, standing out in the open winter weather and going into rapid deterioration and decay. This item, in the aggregate, amounts to millions and millions of dollars. It is the duty of this Congress to stop it, and I hope the majority party will allow my resolution to come out of the committee and be adopted, so that Congress can put a stop to this reckless waste.

Why does not the Secretary of War cancel these contracts and stop this waste? These automobile trucks that I saw there, 40 of them in the first train and 10 later on that Sunday afternoon, cost the Treasury of the United States not less than four or five thousand dollars each. Where is the money coming from? Is the Government going to sell them to recoup the Treasury? Down in Georgia the other day, you gentlemen will remember, the Quartermaster Department had a sale of horses and mules that the Government had bought at a cost of from $200 to $250 apiece and sold them at from $40 to $75 each, the report further says, and the department has 8 or 10 sales advertised of a like character. What will the Government make out of the sale of automobiles if it is losing on the sale of horses and mules the great sums of money such as indicated by the report of these sales? Oh, gentlemen, I think it is high time—high time, indeed—that this Congress should assert its right and demand to know how the money in the Treasury of the United States is being expended now that the war is over. We have come to a time in this war that no man ought to be accused of the crime of disloyalty or unfairness to the administration if he questions such expenditures. I voted for every dollar that was asked by the administration during the continuance of the war, but now I, for one at least, asserting my privilege as a Member of this House, want to know why this money is being uselessly expended in buying automobile trucks 60 days after the war is over. I speak of this because it is an item to which my attention was directed while these trains of Army trucks were passing through my home city and about which I know something from personal observation.

Mr. WINGO. Will the gentleman yield?

Mr. ROBBINS. Briefly.

Mr. WINGO. Can the gentleman give the names of concerns with whom the Government has made contracts to buy automobile trucks since the signing of the armistice?

Mr. ROBBINS. I do not know the name of any contractor with whom contracts have been made since the date of the armistice. These trucks, I was told by one of the men running them, were made in Detroit. I did not look at the name on the trucks to see whose make they were and I do not know these facts, and I have introduced a resolution to go into an investigation of this whole matter, and hope the gentleman from Arkansas will stand with me and support it.

Mr. WINGO. I should be glad to have such information.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROBBINS. Mr. Chairman, I ask permission to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none.

Mr. STAFFORD. Mr. Chairman, I yield five minutes to the gentleman from Michigan [Mr. FORDNEY].

Mr. FORDNEY. Mr. Chairman and gentlemen of the committee, I am going to ask permission to refer to a matter in the bill perhaps not up for discussion just at this time. Some time ago Congress passed a law creating the Bureau of War Risk Insurance. [Laughter on the Republican side.] When that law was passed it was my understanding—and I should have known more about it, but I did not give the matter sufficient study—that that bureau was to only have control over the insurance taken out in the interest of the soldiers during this war. I did not understand that it was to have control of the pensions of soldiers in this war

Mr. MADDEN. Oh, yes.

Mr. FORDNEY. And when this bill was reported my attention was then called to this feature of the bill. The time must come when this Congress must change existing conditions and existing law in this respect. We are throwing away a very large sum of the people's money.

I notice and you will notice on page 98 of this bill that there is an appropriation for the Pension Bureau, where there are more than 635,000 pension claims to be cared for, of $1,246,540. In addition to that sum there is $100,000 for field service and $6,000 for other matters, making a total of about $1,352,000. In the very near future these allowances to dependents of soldiers in the war will pass out, and allotments to these people will be in the past, and the insurance carried by the Government on the soldier will be transferred to some insurance company undoubtedly, or discontinued, but if you will go to page 42 of this bill you will find a sum of $10,989,000 appropriated in a lump sum for the Bureau of War Risk Insurance. No limit as to number of employees; no limit as to salaries, and so forth. Why, that department is scattered over this town in 15 different buildings, and, so help me, it will take a week to get five minutes of information in any of them. [Laughter.] I wrote on the 9th of December to the Bureau of War Risk Insurance, asking whether or not a certain soldier who had lost his life had taken out an insurance policy or made application for insurance. That afternoon I received two more just such inquiries, and I took the three letters, and after going to the third building I found that those boys had made application; the one I had written about had made application in August, 1917, for a $10,000 policy. I examined the papers myself; they were furnished to me by a clerk. Three weeks later I received an answer to my letter written that morning of the 9th saying there was no application made by the soldier on file anywhere to be found. He had named as beneficiaries his father and mother, one-half to each. Now, there is $10,989,000 appropriated here for the maintenance of the Bureau of War Risk Insurance, and it is three, four, or five times as much money as would be necessary to do that same work if that bureau is merged into the Pension Bureau. [Applause.]

Mr. RAYBURN. Will the gentleman yield?

Mr. FORDNEY. Yes; I will be glad to do so.

Mr. RAYBURN. Does the gentleman think there is room in that old Pension Office to house those 14,000——

Mr. CAMPBELL of Kansas. They ought not to have any 14,000.

Mr. FORDNEY. I did not understand the gentleman.

Mr. RAYBURN. Does the gentleman think the proposition of their being scattered in 15 buildings will be cured by putting them in the old Pension Office——

Mr. FORDNEY. Let me give you some information, my good friend, and this information comes from the Pension Bureau, that if we were to give the Commissioner of Pensions 500 extra clerks he will do the business for which you are asking now an appropriation for the Bureau of War Risk Insurance of

$11,000,000. [Applause on the Republican side.] That is what the Pension Bureau will do.

Mr. RAYBURN. Will the gentleman yield further? Surely the gentleman does not think that the compensation end of the Bureau of War Risk Insurance is comparable with the Allotment and Allowance Division——

Mr. FORDNEY. What I do say, my friend—I have only five minutes, and I will have to conclude in that time—is this: This insurance that the Government is now carrying for the soldiers is going to be discontinued in a short time, or transferred to some of the old-line insurance companies.

Mr. RAYBURN. Well, now——

Mr. FORDNEY. Wait a minute.

Mr. GARRETT of Tennessee. The gentleman does not want to make that statement.

Mr. FORDNEY. The chances are it is going to be discontinued. So far as to the soldier that returns from the war uninjured and in good health, a man that requires no Government aid, there is no reason for the Government insuring the soldier after the war is over, the soldier that comes out sound, and he may not continue his insurance with his Government—it is optional with the soldier. He quite likely will transfer his policy to some old-line insurance company. The allotment to his family, his wife, or his mother, or his father will be discontinued the minute he is discharged from the service, and all that will be left for the Government to do will be to pay this compensation, which is a pension in every sense of the word, although we may have given it another name.

Mr. MADDEN. And more than that, you have all these clerks to pay.

Mr. STAFFORD. Does the gentleman believe that the 95 per cent of our enlisted force who have taken out insurance will surrender that insurance and take insurance in private insurance companies when the Government is giving them rates which do not charge up the cost of administration and which are less than those charged by private insurance companies?

Mr. FORDNEY. I saw a tabulated statement given to a discharged soldier the other day which showed the amount of premium he must pay monthly upon his policy for a term of years. The rates went on up and up and up, and if the soldier lives to be an old man the rates will go so high that he can not afford to pay it. I think he could get old-line insurance cheaper, and he will not pay it. Whether the Government is now willing to carry this insurance during the war and after the war for a time or not, Congress will repeal this law sooner or later. I am speaking of the well soldier, not those that have been disabled or who have lost their lives.

Mr. GRAHAM of Illinois. Does the gentleman remember when the bill was being debated on the floor the proposition was made that the Pension Bureau be used for this particular work, and that it was resisted by gentlemen who were advocates of this bill?

Mr. FORDNEY. I am frank to tell you that I was not fully informed at that time; if I had, I would have opposed the bill.

I had the impression that any pensionable feature of the bill would be under the jurisdiction of the Pension Bureau.

If no pension or compensation legislation had been enacted covering military and naval service in the present war, all claims for death and disability incurred in such war would have been adjudicated in the Bureau of Pensions, in accordance with the existing general pension law; and that is what I supposed would be done. No action on the part of Congress was necessary to have all claims based on disability contracted in service and line of duty. Such claims were provided for under the general pension law.

Mr. GRAHAM of Illinois. The proposition was made to use the Pension Bureau, and it was vigorously resisted by those who were proponents of the bill on the theory that it could not be used for that purpose.

Mr. FORDNEY. Gentlemen, there is no justification to-day in continuing in existence this Bureau of War Risk Insurance, so far as the compensation of the soldier for disabilities received in the Army is concerned; none whatever. That is a pension pure and simple and is going to continue to be one, and I want this Government to be generous to the poor fellow who has lost an arm or a leg or an eye or his reason. I want to see that compensation sufficient to care for him the balance of his life in a respectable manner. But there is no justification for this appropriation. I call your attention to the fact that here are more than 635,000 pensions being cared for, for a little over $1,350,000. The entire enlistment in this war is about 4,000,000, and to-day it is costing us $17,000,000 for the Bureau of War Risk Insurance, and less than 500,000 casualties reported.

Mr. MADDEN. How would they be able to keep these clerks if we did not make this appropriation? Of course, we have got to keep them, whether there is work for them or not.

Mr. FORDNEY. The clerks ought to be kept at home in the pursuit of business, where labor now can not be found to do the work that is to be done. And yet I am told there is a bill before this House to exclude from the United States all immigration for the next four or five years. Some gentlemen come in here shouting about the high cost of living. The high cost of living is going to continue so long as the high cost of production continues, gentlemen. What is the use of playing the part of a demagogue? Why not tell the truth? We know that the man who advocates low cost of living and high cost of production is one of two things, he is either dishonest or a blamed fool.

Therefore, gentlemen, I say the time is coming and is close at hand when, for reasons of economy and efficiency, this war-risk insurance must be discontinued as a Government activity, and the compensation, pension, feature of the Bureau of War Risk Insurance act must be merged with the Pension Bureau.

That fact is patent to me, and I feel confident that an examination of the history of the two bureaus will convince any reasonable mind of the correctness of my conclusions.

The act providing compensation, pension, for death or disability contracted in line of duty in the military or naval service of the United States in the war with Germany was passed October 6, 1917. It placed the jurisdiction over such claims in the Bureau of War Risk Insurance. That bureau has 13,000 or more employees, so I am told.

Out of the number of employees engaged on the compensation claims, possibly 1 or 2 per cent have had some experience in similar work. The great bulk of them had no previous experience. While the character of the work was old, it was new to the people to whom it was given by law to do. The office was a newly created and newly organized one, made up of inexperienced personnel and without the aid of necessary physical machinery.

It is not surprising or astonishing that under such conditions the organization has failed to function satisfactorily and that its failure has become notorious. You are all familiar with the conditions or with the complaints growing out of them and know as well that there must be a remedy provided.

As was so well said by my friend FULLER the other day:

> Since the foundation of the Republic all of the pensions paid to soldiers, seamen, and marines have been paid through the Pension Bureau. All of the archives relating to such claims are on file in the Pension Bureau. This comprehends the War of the Revolution, the War of 1812, the Mexican War, the Civil War, the Spanish-American War, and the various Indian wars.

So the Pension Bureau has had jurisdiction over all claims for pension based on death or disability contracted in line of duty in the United States military or naval service in all wars and during time of peace up to October 6, 1917. After that date jurisdiction is vested in the Bureau of War Risk Insurance in all cases in which the soldier or sailor was then or thereafter in service, unless the right to pension accrued before that date.

The Bureau of Pensions is quartered in the Pension Office Building, a building constructed expressly for its work, and is perhaps superior to any other office building in Washington for its purpose. You are all familiar with its dimensions, its large, well-lighted, and ventilated court and rooms, the rooms receiving light from the outside as well as from the court. It is supplied with all necessary modern machinery required for preparation and payment of pensions or compensation.

The Bureau of Pensions has an experienced force of employees, trained in the work of adjudication of claims. The employees number less than 1,000, and, in my judgment, an increase of that force of not to exceed 500 would be wholly adequate to perform all of the functions of the Pension Office, together with that part of the Bureau of War Risk Insurance devoted to the settlement of claims for compensation, and to perform the work with reasonable promptness.

The Bureau of Pensions has not only a trained, experienced, and well-disciplined office force, medical and legal, but it has local boards of examining surgeons, single surgeons, and specialists located conveniently throughout the United States in probably 1,500 places. These surgeons have been selected by reason of their skill in medicine and surgery and have had long experience.

The Bureau of Pensions also has a skilled and experienced force of special examiners for field work, which is necessary for the protection of the Government incident to the aid it gives to proper settlement of just claims.

Now, the cost of the administration of the Bureau of Pensions for the year ending June 30, 1919, will not exceed the sum of $1,322,620, as that is the total amount appropriated for that

purpose. The amount carried in the current appropriation bill is $1,246,540.

If the compensation feature of the Bureau of War Risk Insurance is transferred to the Bureau of Pensions, the additional cost for the administration of the latter bureau will be substantially only the amount required for salaries of 500 or less clerks. The aggregate salaries of 500 clerks, at an average of $1,400 a year, would be $700,000, which, added to the amount carried in the pending appropriation bill, would be $1,946,540.

Now, if you can ascertain the present cost of the administration of the compensation division of the Bureau of War Risk Insurance you can easily determine accurately which bureau will the more economically administer the law. There can be no doubt that by reason of their thorough knowledge of such work and long experience the clerical force of the Pension Bureau can accomplish the work more efficiently and expeditiously at this time. The employees of the Bureau of War Risk Insurance no doubt will, if kept at the work long enough, become experienced and efficient in the adjudication of compensation or pension claims, but why take the time to educate so many of them at great expense when the work can be done by a capable force already receiving pay for similar work and who, with slight increase in number, can take on the combined pension and compensation work of both bureaus?

I thank you, gentlemen. [Applause.]

Mr. RAYBURN. Mr. Chairman, I ask unanimous consent that I may be allowed to proceed for five minutes.

Mr. FORDNEY. Mr. Chairman, I ask unanimous consent that I may be permitted to revise and extend my remarks.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. STAFFORD. Mr. Chairman, I had reserved eight minutes for the gentleman from Kansas [Mr. LITTLE]. He was very anxious when we were agreeing upon time to-day to have some time and for the last half hour I have been endeavoring to locate him. But I do not find him in the Chamber. Of course, I now yield those eight minutes to the gentleman from Kansas [Mr. LITTLE]. But he is not present, as it happens, and I yield five minutes to the gentleman from Texas [Mr. RAYBURN] first.

Mr. RAYBURN. Mr. Chairman, this Bureau of War Risk Insurance has been chewed on here by everybody that wanted a football to kick around, and I have been silent most of the time for the simple reason that I know that the business down there has not been carried on like I thought it should have been carried on, and the letters have not been answered, and matters have not been looked after in a great many instances like I think they should have been. I have also been quite a good deal disgusted because I have found few men who have been responsible for the conduct of the bureau who were willing to take suggestions, but who have been overambitious to have the credit of putting the thing over; but I realize that it has been one of the greatest tasks in the Government, and I have not publicly criticized them, as I have tried to hold myself in a helpful attitude at all times. I think that now we have a director who, if given support, will bring the whole bureau up to an efficient standard soon. But I find that about 75 per cent of the criticism of this bureau is a senseless criticism. It is a criticism by men who do not know the provisions of this law, just like the gentleman from Michigan [Mr. FORDNEY], who has just taken his seat.

He said in the beginning that he did not understand that certain things were contained in this bill when the law was passed. That is not the only thing that he does not understand about this law, as he evidenced in his statement here. He says that the Bureau of War Risk Insurance, except the compensation end, would cease soon after the war closed, and that the Bureau of Insurance will lapse or be taken into some old-line insurance company.

That is exactly in the teeth of everything that the movers of this legislation expected of it. Everybody knows who has ever read the law with understanding that the Government insurance is not only for the dead soldiers and their beneficiaries, not only for the cripples and maimed soldiers and those whose health has been impaired in the Army to such an extent that they can not get other insurance in a private company, but it will be carried on for all who have been in the Army. It would be merciless indeed to turn them out upon the world by discontinuing the insurance where they can not get insurance after their insurability has been destroyed by their service in the Army. Not only that, but in order to keep this insurance section a going concern, we have provided that the insurance shall go on as to every man in the Army who at this time has taken out insurance and wants to carry it on.

Of course the gentleman from Michigan did not understand, either, when he said that this insurance would mount higher and higher each year until it would become prohibitive. He does not seem to understand that a provision is in the law to the effect that this renewable yearly term insurance is not to carried on after the war is over, but that every policy that any soldier carries in this insurance section is to be converted within five years into some other kind of insurance. Everybody that knows anything about insurance knows that yearly term renewable insurance is the cheapest insurance in the world that a young man can get, and he knows that in the long run it becomes prohibitive, because it is the highest and most costly insurance in the world.

Now, the proposition indeed was up here to transfer the compensation end of this law to the Pension Office. Reasons were given here why it should not be done. More generous provisions have been made for the crippled and maimed soldiers in this law than has ever been made before in the history of this or any other Government, and the Pension Department of this Government—as every fair man knows who will speak the truth and will listen to it—has become the football of politics in many districts of this country and has become a stench in the nostrils of a lot of people.

That is one reason why we did not put this compensation under the administration of the Pension Office. We tried to make it generous enough then. We believed that we did make it generous enough to take in every man who went into this Army and came out crippled and maimed until he would, more generously than ever before, be taken care of by the Government of the United States, and we tried to fix it so that afterwards we would not have a scandal in Congress, such as we have had in connection with the pensions, of men, making it the football of politics, introducing special bills and by special favors getting them passed, to add to their political prestige at home.

Mr. RUCKER. Mr. Chairman, will the gentleman yield?

Mr. RAYBURN. I will yield to the gentleman.

Mr. RUCKER. I would like to ask the gentleman to tell us, if he will, in what respect the Pension Office has become a stench in the nostrils of good people anywhere?

Mr. RAYBURN. I have heard it almost ever since I was able to read that the Pension Office was made the football of politics in this country.

Mr. RUCKER. That must have been away down South, and surely not where soldiers live. [Applause.]

Mr. RAYBURN. That is the reason why Congress did not put it in the Pension Office.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. RUCKER. I would like to have five minutes for myself. I did not intend to speak before.

Mr. RAYBURN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. STAFFORD. Mr. Chairman, I will yield three minutes to the gentleman from Missouri [Mr. RUCKER] out of my own time that I have been reserving for myself.

Mr. RUCKER. I do not want to take it from the gentleman, but I appreciate it.

Mr. STAFFORD. I have been yielding time that I had reserved for my own use.

Mr. RUCKER. Mr. Chairman, I had no intention of injecting myself into this debate until I heard the remarks just made by the gentleman from Texas [Mr. RAYBURN], a gentleman for whom I entertain the very highest regard, both as a distinguished Member of this House and a gentleman of high standing. But I will not sit here and allow a man on either side of the House to make such accusations against the administration of the Pension Bureau as were made by the gentleman from Texas [Mr. RAYBURN] without a reply. I know that comparisons are odious, and they ought to be, but I say to you, if the gentleman from Texas [Mr. RAYBURN] has somewhere, in some remote section of this great Republic of ours, heard murmurs of criticisms of the Pension Office, he has heard here in Washington a tumult of protests against the bureau he helped to create—the War Risk Insurance Bureau. [Applause.]

Mr. RAYBURN. Most of the criticisms I have heard since I have come here have been put in the CONGRESSIONAL RECORD.

Mr. RUCKER. In what respect is the Bureau of Pensions a stench in the nostrils of men? It ministers to the wants of the afflicted, it cares for the soldier's widow and her children, and it gives efficient and prompt attention to all matters coming under its jurisdiction.

Oh, the gentleman said something about special bills, and I have heard that on my side of the House before. [Laughter.] Every now and then it is repeated by some gentleman. But why are special pension bills necessary? It is because the existing pension law does not make proper provision for many of the men who suffered bodily injury and impaired health for their country. Our pension laws do not make the same generous provision for soldiers of the Civil War as this Congress, by almost unanimous vote, made for the relief of the National Army, and for that reason those of us who have seen brave, strong, patriotic, and loyal men, seen them in their helplessness, visited them in their humble homes, and witnessed the evidences of misery and want, have come to Congress, in special cases, and asked Congress to be more liberal and generous than it had been, and by special law grant relief that should be granted, and Congress has usually responded favorably. Is that the cause of the stench? Is it possible that in this great land of ours, where in two wars the North and South have locked arms and marched side by side, bearing that flag to victory—is it possible that anywhere in this land to-day there lives a man who still permits the passions of the Civil War to rankle in his bosom?

Mr. RAYBURN. No; but it does seem that if the pension law is not generous enough the gentleman, with gentlemen on his side, will make it so. They will make it so.

Mr. RUCKER. I want to say to this committee that at the time the War Risk Bureau bill was introduced I was one of those who thought the administration of that part of the act relating to compensation, so called, ought to be vested in the Pension Office, and if it had been put there it would have been infinitely more efficiently administered than it is to-day, and I think everybody will admit that.

Mr. STAFFORD. I yield two minutes to the gentleman from New York [Mr. LAGUARDIA.]

Mr. LAGUARDIA. Mr. Chairman, it has been, and I suppose it will be so often, my unpleasant and painful duty to criticize various departments and bureaus of our Government for their conduct of the war, that it is a pleasure on this occasion to testify to the excellent work and the perfect organization of the Surgeon General's office overseas. The gentleman from New York [Mr. HASKELL] had read the other day a complaint about a case in the Walter Reed Hospital, in Washington. I have no actual information as to this particular hospital or what the Surgeon General's office has been doing in this country during the war, so I asked for a report covering that particular case. I will have the Clerk read the report, which is a full and complete answer to the complaint read into the RECORD the other day. It is but fair to have it before the Members and the country, inasmuch as the other side of the question was presented to the House.

I want to say that our base hospitals overseas were perfect. The work performed by the medical department right near the firing lines was wonderful. The work of our medical corps overseas was a revelation and a lesson to the armies of our allies. It is the one branch that could teach and did not require to learn from others. The sanitary work in our camps kept the disease down to an unprecedented low percentage. The best medical men of the country responded to the call, and fortunately each man was put, as far as practicable, to work for which he has specialized. The medical department of our service overseas came out of this war with a 100 per cent perfect record.

I ask unanimous consent to extend in the RECORD the letters which I have received.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

SEVERAL MEMBERS. Read them.

Mr. LAGUARDIA. I will ask the Clerk to read the letters.

The letters are as follows:

WAR DEPARTMENT,
OFFICE OF THE SURGEON GENERAL,
Washington, January 13, 1919.

Hon. F. H. LAGUARDIA,
House of Representatives, Washington, D. C.

MY DEAR MR. LAGUARDIA: With reference to your letter of January 7, in which you inclose a letter from Mr. Jos. J. Lynch and copy of letter addressed to Mr. William A. Graham, all in relation to conditions at the Walter Reed General Hospital, the Surgeon General directs me to inform you that the matter was given prompt and full investigation by one of the distinguished medical authorities on duty in this office, and I am inclosing for your information the complete report, together with the return of all papers forwarded by you.

The return of these papers for file is requested, if convenient, when they have served their purpose.

Very truly, yours,

D. C. HOWARD,
Colonel, Medical Corps.

WAR DEPARTMENT,
OFFICE OF THE SURGEON GENERAL,
Washington, January 13, 1919.

From: Lieut. Col. Joseph L. Miller, Medical Corps, United States Army.
To: The Surgeon General, United States Army.
Subject: Investigation of the treatment of pneumonia at Walter Reed Hospital, Takoma Park, D. C.

1. Pursuant to verbal instructions from the Surgeon General's office, I have read the attached letter of Mr. Joseph J. Lynch and have visited Walter Reed Hospital and conferred with the following named medical officers and nurses:

Col. E. R. Shriner, commanding officer; Maj. B. H. Randolph, chief of the Medical Service; Maj. D. M. Roberts, assistant chief of Medical Service; Maj. Henry F. Stoll, medical inspector; Capt. D. M. Bloom, assistant adjutant; Capt. C. H. Hayes, receiving officer; Capt. Edward C. Durgin, officer of the day (Dec. 18, 1918); Miss R. Stewart, chief nurse; Miss F. M. Poole, night supervisor of nurses; Miss O. R. Fahl, night nurse on duty, ward 21 (Dec. 18, 1918); Miss Jennie Moore, night nurse on duty, ward 21 (Dec. 18, 1918).

I have furthermore consulted the hospital record of Maj. Thomas M. Lynch and inspected the hospital building where he was placed during his last illness.

2. The hospital record of Maj. Thomas M. Lynch shows that he was admitted to Walter Reed Hospital slightly before midnight of December 17, 1918; that he died at 11.30 p. m., December 18, 1918. The following medical history appears on the record: "Began six days, chills, fever, headache pain. Next day went to work, returned at noon, and since then has been in bed. Symptoms have increased. Cough began and has persisted since. Vomited once in past three days. Much dizziness and very weak from the first." "Patient looks very ill; color bad, with considerable cyanosis, dusky in appearance." "Definite consolidation, dullness, bronchial breathing upper right lobe back and front. Whole back and axilla filled with crackling moist rales." "Examination December 18, 12 noon, patient admitted in a critical condition, color bad, cyanosis and lungs pretty generally filled up." "2.30 p. m., December 18, given intravenously left arm about 150 c. c. citrated blood from influenza-pneumonia patient type I. Patient's blood type I." "4 p. m., patient moved to porch, second floor." "Patient died 11.30 p. m., condition becoming worse and more critical as time passed. Lungs filling more and more."

The hospital record furthermore shows that the patient's temperature on admission was 104°, pulse 100, respiration 32. His drug medication was digitalis, camphorated oil, and strychnine.

3. Col. E. R. Shriner, the commanding officer, stated that there were two medical officers on night duty, and that there was no rule that a medical officer should not be called in case the nurse considered that a patient was worse.

4. Maj. Randolph, chief of the medical service, states that Capt. Keys, the ward surgeon in ward No. 21, reported to him on the morning of December 18, 1918, that a Maj. Lynch, who had been admitted to the hospital on the night previous, was very ill with pneumonia. He requested Capt. Keys to have Maj. Stoll, a specialist in disease of the lungs, see Maj. Lynch.

5. Maj. Henry F. Stoll states that on the morning of December 18, 1918, Capt. Keys informed him that he had a very sick officer, Maj. Lynch, in ward No. 21. Maj. Stoll found Maj. Lynch in a very critical condition, and the physical examination previously cited in this report was written at that time by Capt. Keys. He furthermore reports that the patient was stuporous and could only be aroused with difficulty. Capt. Keys was the ward surgeon in charge of Maj. Lynch, but he is now temporarily absent from the hospital on sick report.

6. Maj. D. M. Roberts, assistant chief of the medical service, was called to the phone by the adjutant and talked to Mr. John Lynch over the long-distance phone on the morning of December 18, 1918. Mr. Lynch asked about his brother's condition, and requested him in case additional nurses were required or an outside medical consultant to make such arrangements and he, Mr. Lynch, would see that the bills were paid. Maj. Roberts does not recall that Mr. Lynch stated that in case it was necessary he would bring nurses with him from New York. Maj. Roberts informed Mr. Lynch that he would communicate at once with the ward surgeon regarding Maj. Lynch. This he did, and Capt. Keys reported that the patient's condition was very critical.

7. Capt. E. C. Durgin, officer of the day on December 18, 1918, states that he first saw Maj. Lynch about 10.30 p. m. December 18. His brother, Mr. John Lynch, was present. Mr. Lynch asked Capt. Durgin whether he thought oxygen would do any good; he replied that Maj. Lynch was then dying, and oxygen would not benefit him. Mr. Lynch also asked if he thought it might be advisable to secure a medical consultant from New York. Capt. Durgin replied that his brother had at most only a few hours to live, and hence it would not be advisable to send to New York for a consultant. Capt. Durgin stayed with the patient about 40 minutes, and during all this time a nurse was present.

8. Capt. C. H. Hayes, the receiving officer, stated that Mr. John Lynch came to him late in the evening of December 18 and asked him if oxygen could be secured for his brother. Capt. Hayes informed him that this was a matter for the ward surgeon, as it was not his duty. During his conversation with Mr. John Lynch a nurse called up asking Capt. Hayes to inform Mr. Lynch that he had better return to ward No. 21, as his brother was very low. Later that night, after Maj. Lynch had died, Capt. Hayes talked with Mr. Lynch, and he did not criticize the treatment his brother had received, but seemed satisfied that he had received the proper attention.

9. Capt. D. M. Bloom, the assistant adjutant, was questioned regarding the difficulty Mr. Lynch is reported to have had in determining over the long-distance phone whether his brother was in the hospital. The assistant adjutant stated that a period of several hours elapses after a patient is admitted to the hospitals before lists can be made out from which the adjutant can promptly acquire this data.

10. Miss R. Stewart, chief nurse, reported that nurses were instructed in case a patient developed unfavorable symptoms to communicate at once with the night supervisor, who in turn would give the information to one of the two medical officers always on duty during the night. She also stated that the night supervisor now on duty was extremely careful to communicate with medical officer in case she was informed that a patient had developed any unfavorable symptoms. There had been during December a shortage of nurses, due to inability to secure additional Army or civilian trained nurses.

11. Miss F. M. Poole, the night supervisor, stated that she does not recall any request from the nurse in ward No. 21 regarding Maj. Lynch.

12. Miss F. R. Fahl, the nurse on night duty on the first floor of ward No. 21, recalls having seen Maj. Lynch during the short period when she was called to the second floor to relieve the nurse there at meal time.

13. Miss Jennie Moore was on night duty on the second floor of ward No. 21 when Maj. Lynch was a patient there. She does not recall when he entered the hospital, but recalls distinctly the evening he died. She states that Maj. Lynch's brother reached the hospital about 9 or 10 p. m., December 18, 1918. He asked if a special nurse might be secured for his brother. She replied that she could see if this were possible, and a Miss Kane was sent and remained as special nurse with Maj. Lynch until his death. At no time did Mr. John Lynch suggest or offer her a fee in order to facilitate this request. She does not recall that Mr. Lynch mentioned that his brother had insufficient bedding. In case such a request had been made there were adequate extra blankets in the ward. She does not recall that Mr. Lynch complained that his brother was not receiving proper attention. She also stated that the nurses did not have orders not to disturb the medical officer in case a patient became worse.

14. Miss Kane, the special nurse, is not now at Walter Reed Hospital.

15. Ward No. 21 was visited. It is a three-story brick building, built for a contagious ward. Each floor has a normal capacity for about 12 patients. The first floor is used for sick nurses. The other two floors for sick soldiers. Each floor has single rooms and small wards, the largest with a normal capacity of four beds. An inclosed veranda extends along the south side of the building. This veranda is divided in the middle by a partition. Each section has three double French windows reaching from the floor to the ceiling. The floor is cement. The wards were clean and orderly.

16. The above-mentioned veranda is a most satisfactory place for treating pneumonia patients. It is essential that a very ill pneumonia patient, with rapid respiration, be placed in a current of air in order to assure the carrying away of the expired air before the next inspiration. This is recognized as one of the essentials in the fresh air treatment of pneumonia.

17. Oxygen at the present time is little used in the treatment of pneumonia. The best authorities consider that it has little if any value. Patients die as the result of the severe toxemia rather than from insufficient oxygen.

18. Few pneumonia patients in private life have a physician call as often as every three hours. With a medical officer always available, and the nurse instructed to call him in case untoward symptoms develop, it would seem that rounds by the physician every three hours would be quite adequate.

19. As shown by the record, Maj. Lynch was carefully examined and treatment along accepted lines promptly instituted. He even had the benefit of the most recent discovery in the treatment of influenza-pneumonia, viz, the use of convalescent serum.

20. The investigation shows that Maj. John Lynch entered the Walter Reed Hospital six days after the onset, critically ill with influenza-pneumonia. He died 24 hours later. The medical attention he received there, both from a diagnostic and therapeutic standpoint, was of the highest character. There is no evidence that the hospital was guilty of neglect.

JOS. L. MILLER.

Mr. BYRNS of Tennessee. Mr. Chairman and gentlemen of the committee, so much time has been consumed in the general debate on this bill, and it is so exceedingly important that this House should proceed to pass the pending appropriation bills at an early date, that I trust when we come to the consideration of this bill under the five-minute rule gentlemen of the committee will confine themselves as closely as possible to the provisions of the bill. There will, of course, be no disposition on the part of anyone to prevent a full and thorough discussion of any of the provisions in the bill, but I trust that the debate will be confined to the bill itself.

Mr. Chairman, the subcommittee which was charged with the duty of preparing this bill was probably faced with the most difficult task that has ever been faced by any subcommittee that has had charge of a similar bill. This bill makes an appropriation for services of certain employees of the Government for the fiscal year immediately following the war, and it was manifestly impossible for the heads of the departments and the heads of the different bureaus in the city of Washington to state with any particular definiteness how much they would need in their governmental activities while we are passing from a war to a peace basis. Your committee, therefore, I say, have had considerable difficulty in arriving at just what sums will be needed during the next fiscal year. There may be cases in this bill where too much has been appropriated, although I doubt that very much. There are probably in the bill items where possibly too little has been appropriated for the next fiscal year; but your committee was not unmindful of the fact that in such cases, as the year progresses and the work necessary in the departments develops, Congress will be in a better position to judge accurately at the next session in December, and if additional money is needed can provide it by way of a deficiency bill.

Mr. GALLAGHER. Does the gentleman think that statement refers to the salaries of Congressmen?

Mr. BYRNS of Tennessee. I was referring more particularly to the salaries of some of the more poorly paid Government employees.

I want to refer specially to the services rendered by my colleagues upon the subcommittee, the gentleman from Montana [Mr. EVANS], the gentleman from Texas [Mr. BUCHANAN], the gentleman from Wisconsin [Mr. STAFFORD], and the gentleman from Iowa [Mr. GOOD]. They have rendered very long, faithful, and arduous services in the preparation of this bill.

The committee went into session in hearings upon the estimates submitted on this bill on November 20, and for weeks was engaged constantly during the day and in many night sessions in holding hearings, endeavoring to ascertain the facts necessary for the proper preparation of this bill. We had presented to us requests for general increases of salaries, ranging from positions of assistant secretaries in departments, from $5,000 to $7,500, down to $2,000 and less, increases which amounted to more than $000,000 for this bill alone. These increases were not submitted to Congress under the law which requires that original estimates shall be submitted through the Secretary of the Treasury to the Speaker, and thence transmitted to the proper committees, but they were submitted by way of supplemental estimates, no reason being assigned as to why they were not submitted in the original estimates. In addition to that, every department requested that increases be given to what may be called the mechanical force of the particular department.

I am not able to tell you just how much those increases would have amounted to, because no estimates were submitted and no data given the committee as to the number to which it would apply and as to how much the aggregate sum would be. Your committee felt that it was impossible on an appropriation bill, and particularly at the short session of Congress, to undertake such an investigation as would justify it in reporting a general salary increase bill to this Congress. In addition to that, in so far as the mechanical help of the departments is concerned, you will recall that this House has passed what is known as the Nolan minimum-wage bill, and that bill is now pending in the Senate. If it is the desire of Congress to raise the mechanical help and the lower-paid help of the departments to a rate of not less than $3 a day, it is very easy, of course, for the Senate to take that bill up and pass it, and if signed by the President it would become a law, the House having already acted. The result is that your committee has not recommended any general increases of salary in this bill. There are a very few that have been increased, and we will come to them as we proceed with the reading of the bill. In order to meet the demand—and there is a general demand—for increases of salary among a great many of the employees of the Government, and do what I think is common justice to the employees of this Government, the committee has recommended the creation of a joint commission to make investigation, conduct such hearings as are necessary, and report to Congress with reference to a reclassification and readjustment of the salaries paid to employees.

Mr. LAZARO. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. LAZARO. When you reported this bill you took it for granted that the Senate would pass the Nolan bill; otherwise you would have recommended an increase?

Mr. BYRNS of Tennessee. No; I do not want to leave the gentlemen under that impression, because I have no information as to what the Senate will do with reference to the Nolan bill. As I stated, it was manifestly impossible for this committee at the short session to undertake to go fully into what is being paid to the employees of this Government, as compared with what is being paid for similar services in private employment, not only here in the District of Columbia but throughout the country. And in addition to that, even if that investigation had been made and the committee had determined there were salaries which ought to be increased, it was impossible to include them on an appropriation bill under the rules of the House, because they would have been subject to a point of order. The point I make with reference to the Nolan bill is this: The House has passed the Nolan bill, and it is now pending in the Senate. If it is the desire of Congress to give to all employees of the Government not less than $3 a day as a minimum wage, it will be very easy for the Senate to take that bill up and pass it.

Mr. LAZARO. Mr. Chairman, I want to say that I fully agree with the gentleman in this proposition to create a commission. I think this thing ought to be looked into thoroughly, so that we can arrive at some understanding to do those people justice.

Mr. BYRNS of Tennessee. I am very glad the gentleman has made that statement. As a matter of fact, there has been no general reclassification and readjustment of salaries since about 1850.

Mr. LAZARO. And it ought to be done.

Mr. BYRNS of Tennessee. And the gentleman well says, it ought to be done.

Mr. DENISON. What is the provision for the commission?

Mr. BYRNS of Tennessee. It provides for the appointment of a joint commission of 10, 5 Senators to be appointed by the Vice President, who shall be Members of the Sixty-sixth Congress, and 5 Representatives to be appointed by the Speaker of the House, who shall also be Members of the Sixty-sixth Congress, and appropriates $50,000, or so much thereof as may be necessary, to provide this commission with proper clerical assistance. While I am on the subject of salaries I might say that the committee has recommended to the House a continuance of the provision of $120 a year which is carried in the current law and with which all of you are familiar.

The estimates submitted to the committee for this bill amounted to $120,017,637.63. The total appropriations made for the current fiscal year amount to $89,182,145.98, and this bill which is recommended to the House carries a total of $96,306,891.75, or about $7,000,000 more than the appropriation for the current year. That increase is made up of two items which were not considered in the current bill, or at least an increase of one item, and a new item. This bill carries $15,000,000 for the taking of the next census, which will begin January 1, 1920, and it carries an appropriation of several million dollars more than is carried in the current law for the collection of internal revenue. If these items are taken from the bill, this bill would really be a considerable reduction over the expenses for the current year.

It is not my purpose to undertake a discussion of this bill in detail. That can best be done as we proceed with the reading of the bill. I wanted to call attention to a few of the main outstanding features of the bill. We have provided, as I stated, $15,000,000 for the taking of the next census. That is not all that the Director of the Census says will be necessary. He submitted an estimate to the committee for $20,500,000, which would be sufficient to entirely take the census, according to his figures, and would also provide for the permanent force of the census for a period of three years.

But he stated in the hearings that it would be impossible to expend more than $15,000,000, if that much, during the next fiscal year, and your committee was unwilling to recommend an appropriation for an amount that was admittedly more than he could possibly expend during the period of this bill. This bill carries an appropriation of $4,000,000 by way of lump sum for the War Department, which is a considerable reduction over the current law and also a considerable reduction of the estimates which were submitted.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. TILSON. Were not the estimates submitted by the War Department made up before the signing of the armistice, and were they not figured upon a war-time basis for that department?

Mr. BYRNS of Tennessee. That is true.

Mr. TILSON. Which would necessarily be very much higher than a peace-time basis in the fiscal year 1920?

Mr. BYRNS of Tennessee. That is true, but after the signing of the armistice the War Department submitted amended estimates of what they would need during the fiscal year 1920 on a peace basis, and it was to that estimate I referred when I said this was less.

Mr. TILSON. The gentleman has reduced the revised estimate of the War Department?

Mr. BYRNS of Tennessee. Yes. In other words, the original estimate which was submitted prior to the signing of the armistice, my recollection is, called for $32,000,000. Now, after the signing of the armistice, the War Department revised this estimate and submitted estimates which called for $5,940,570, stating that it was expected that that sum would provide for 4,977 additional employees. The amount recommended by the committee, at an average salary of approximately $1,200, would approximately care for 3,300 persons, or 1,600 less than had been requested. Now, I do not know, I am frank to say, whether that will be sufficient or not. My judgment is that the War Department will find that that sum is entirely sufficient as the fiscal year progresses, although it is certain that The Adjutant General's Office will require a greatly increased force. In this estimate it was stated that The Adjutant General would probably require $2,900,000 alone. As I say, I do not think as the year progresses any such sum as that will be required, yet the committee felt that if it was mistaken, and if by any chance it did allow too little, Congress would be in session and be better able to pass on what was needed at the next winter session than now, six months prior to the beginning of the fiscal year.

Mr. MANN. Will the gentleman yield?

Mr. BYRNS of Tennessee. I yield.

Mr. MANN. Did not the Secretary of War recently make an estimate asking for $6,000,000 mainly for additional clerk hire?

Mr. BYRNS of Tennessee. Yes; it amounted to $5,940,000 to be exact.

Mr. MANN. That was after this bill had been——

Mr. BYRNS of Tennessee. No; that estimate was presented to the committee while it was having its hearings, and we had that estimate before us when the hearings on the War Department were conducted.

Mr. MANN. Well, I think there was an estimate submitted in the last few days of $6,000,000.

Mr. BYRNS of Tennessee. Oh, well, the gentleman means for a deficiency; the gentleman refers to a deficiency?

Mr. MANN. That is what I wanted to ask, whether that was for a deficiency for the balance of this fiscal year—$6,000,000 for additional clerk hire?

Mr. BYRNS of Tennessee. That is my understanding; but I am frank to say I have not seen the estimate. The estimate referred to by the gentleman is for a deficiency for the remainder of the fiscal year. Now, gentlemen, for the Navy Department this bill carries for additional employees $1,046,000, which is a reduction from $1,210,686.73 provided for the current year and a reduction from the estimate submitted to the committee, which was $1,607,740. The Navy Department at the time our hearings were conducted had in the District of Columbia a total of 6,275 persons, with pay aggregating an annual rate of $7,729,293.28, which was made up as follows: Statutory employees on the regular roll, 723; total salary, $818,260; temporary additional employees, 1,263; total salary, $1,516,260.16; and reserves to the number of 4,289, with a total salary of $5,354,773.12.

Mr. McKENZIE. Will the gentleman yield?

Mr. BYRNS of Tennessee. I yield to the gentleman.

Mr. McKENZIE. I would like to ask the gentleman a question in regard to the practice of these different departments. You are making appropriations of so much money to pay for the additional help in the War Department, for example, and also in the Navy Department. What I want to know is, What is the practice of those departments? In the event you do not make sufficient appropriations, do the heads of the different departments go right on employing this help they feel they need and then come in with a deficiency appropriation and ask Congress to pay the bill?

Mr. BYRNS of Tennessee. The law provides where a lump sum is provided that it shall be apportioned throughout the year, in 12 equal installments, month by month, but it also gives to the head of the department the authority to waive that law of apportionment where he deems it necessary for the conduct of the Government's business. Of course, therefore, Congress has no authority, unless it repeals that law, to regulate the amount of money that shall be used during the month unless it proceeds in the bill to say how much shall be used month by month.

Mr. McKENZIE. In peace time you provide in this legislative, executive, and judicial appropriation bill for a certain specific number of clerks, as I understand it, and, of course, the heads of the departments can not add to that number without the authority of Congress, but now during this war time or period is it possible that Congress has not the power to demobilize this great force of clerks down there, but they can go on and keep them on the roll and then come in with a deficiency bill?

Mr. BYRNS of Tennessee. Congress has undoubtedly power to reduce the appropriations, of course, and decline to give permission to employ the clerks. They can not employ them unless they have an appropriation, and this bill, while it carries $4,000,000 for the War Department, provides for a reduction from the amount of about $18,000,000 which, I understand, is needed for the current year. So you see that in itself is quite a demobilization.

Mr. McKENZIE. I understand that; but, for instance, the deficiency the gentleman just spoke of a few moments ago, which the Secretary of War is asking for, is to pay for help. Now, the appropriation is a certain amount of money?

Mr. BYRNS of Tennessee. Yes.

Mr. McKENZIE. When that was exhausted they do not keep taking on clerks, I understand, but come in with a deficiency?

Mr. BYRNS of Tennessee. Yes; the original appropriation was something over $10,000,000, but, as I stated, under the law the Secretary of War had the right to waive the necessity of apportioning that money month by month where an emergency arose which, in his opinion, warranted such action, and I assume that was so in this case.

Mr. McKENZIE. He can do the same thing under this bill?

Mr. BYRNS of Tennessee. He can.

Now, it appears that the Navy Department expects to continue the employment of a force of 2,572 reserves, even though they were allowed the 1,785 additional employees which were asked of Congress in this bill. For my part, gentlemen, I think it is a bad practice to employ reserves in peace times here in Washington to perform clerical service. I think that work ought to be done by civilians. But since it was stated that 2,572 reserves were to be employed anyway, and since your committee had no jurisdiction of legislation with reference to the employment of reserves here in the Navy Department, your committee felt thoroughly warranted in reducing this sum to a little over a million dollars for about 800 employees.

Mr. MADDEN. Will the gentleman yield?

Mr. BYRNS of Tennessee. I will.

Mr. MADDEN. I was wondering whether in the face of the fact that the Navy Department has decided under the Naval Establishment to retain 2,500 reserves as clerks if it would not be a good thing to cut out all the civilian clerks and let them run the department with reserves, inasmuch as this committee has no jurisdiction to do anything else?

Mr. BYRNS of Tennessee. I think that would be advisable if it was proper to employ reserves in peace times.

Mr. MADDEN. I know; but inasmuch as this committee has no jurisdiction to direct the removal of reserves, and the department insists on retaining them, and at the same time insists on the employment of civilian clerks, if there is no other way around to reach the matter of the economical administration of the affairs of the department this committee could refuse to appropriate for the civilian clerks until they found out when the department was going to let go of the reserves.

Mr. BYRNS of Tennessee. I think what Congress ought really to do is to refuse to provide for the reserves.

Mr. MADDEN. The gentleman said they had no jurisdiction over them.

Mr. BYRNS of Tennessee. And they should require the Navy Department to submit estimates here as to the extent of the clerical force they would need during the fiscal year.

Mr. MADDEN. Would the gentleman raise a point of order against an amendment that would do that in this bill?

Mr. BYRNS of Tennessee. To cut out the reserves?

Mr. MADDEN. Yes.

Mr. BYRNS of Tennessee. The reserves are not carried in this bill.

Mr. MADDEN. I understand; but we might put a provision in this bill that would prevent their being carried any other place.

Mr. BYRNS of Tennessee. I would feel compelled at the present time to say I would for this reason: They evidently have not estimated here for anything like the force that will be needed by the Navy Department, and I think if we were first to cut out the reserves, without giving the Navy Department an opportunity to come before some committee to show the civilian force they need, it might do the department an injustice.

Mr. MADDEN. I thought, maybe, that if we could eliminate the reserves that are acting as clerks in the department, and we did not have enough civilian clerks to do the work, we could supply them in the bill before it got through the Senate.

Mr. DYER. Will the gentleman state of what these reserves consist? Are they men or women, or both?

Mr. BYRNS of Tennessee. They consist of both sexes, but the majority are women.

Mr. DYER. Does the gentleman know as a matter of fact that they get more pay than civil-service employees?

Mr. BYRNS of Tennessee. I understand that many of them do.

Mr. DYER. The employees who have been there for years are getting less pay than these reserves.

Mr. BYRNS of Tennessee. I think that is true in some instances. That is another reason why I think the employment of reserves in peace times in the Navy Department should be abandoned.

Mr. EMERSON. Will the gentleman yield?

Mr. BYRNS of Tennessee. I yield.

Mr. EMERSON. I find in this bill in several places provisions for the employment of people by name. Why is that in the bill? Now, for instance, in the Senate I find Henry M. Rose, at $5,000.

Mr. BYRNS of Tennessee. Where is that?

Mr. EMERSON. That is on page 2; Henry M. Rose, $5,000, and on page 17, for the employment of Joel Grayson in the document room.

Mr. BYRNS of Tennessee. That is due to the fact that Congress many years ago—I do not know just when—passed a joint resolution placing these particular men on the rolls at the salaries named in the bill, and hence the appropriations in the bill are framed to take care of them by name because they were named in the joint resolution.

Mr. EMERSON. They are permanently employed?

Mr. BYRNS of Tennessee. They are permanently employed until Congress sees fit to repeal the resolution.

I want to hurriedly refer to two or three matters. We have included in this bill a provision in reference to war materials so as to provide that the excess materials and supplies in the various departments which have accumulated on account of the war may be used by other departments.

The President issued an Executive order covering these excess general supplies into the custody and care of the General Supply Committee, and the provision that we have recommended makes provision for their sale by this General Supply Committee to the departments and bureaus of the Government that may need them.

This bill undertakes to eliminate all the provisions for rent that are being made here in the District of Columbia, with the exception of certain buildings which are under lease by the Government. There are a number of buildings like the building occupied by the Department of Labor, the Civil Service Commission, and other establishments, which are under lease for a period of years. Some of these leases run to 1921, 1922, and 1923. Of course, in these cases it is necessary for the Congress to make an appropriation to carry out the terms of the leases.

Then there is another building the lease of which expires June 30. That is the building occupied by the Department of Commerce. Your committee felt that it was hardly in accordance with the dignity of that great department to undertake to put it in one of these temporary wooden buildings down here in the park, and hence we have recommended to Congress that the Secretary of Commerce be given authority to enter into another lease for five years at the end of the present term of the lease. But with the exception of a few other buildings which appear in the bill, this committee has eliminated all the rent, amounting to more than $600,000, that is being paid private owners here in Washington.

It was stated by Mr. Dorr, who has charge of this matter, that the total net space available in temporary buildings is 3,994,000 square feet. He has received requests from certain activities of the Government for 761,000 square feet, which will be taken care of by June 30 of this year, and he estimates that after all these requests are taken care of he will then have an additional 500,000 square feet which will be available for assignment to other branches of the Government.

Your committee felt, inasmuch as these buildings are suitable for office purposes, and inasmuch as they will be vacant, it would be a waste and an extravagance to undertake to rent private buildings here in the city of Washington when the Government has sufficient available space to take care of all its business, and hence, as I say, we eliminated more than $600,000 in rent from this bill.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. I will.

Mr. MANN. What buildings does the gentleman refer to? He said "these buildings." What buildings does he refer to?

Mr. BYRNS of Tennessee. Government buildings?

Mr. MANN. Yes.

Mr. BYRNS of Tennessee. I have reference to these temporary buildings down here in Henry and Seaton Parks and in the Mall, and then also to a number of buildings, the Food Administration Building and the Fuel Administration Building, which are down near Potomac Park, and the War Trade Building, which is on Government land on Fourteenth Street.

Mr. MANN. I take it that the position of the gentleman and of the committee is that these temporary buildings which were put up in parks are to remain there?

Mr. BYRNS of Tennessee. No. The committee recognized full well that it will be impossible for these buildings to be occupied more than a few years, because they are temporary in character.

Mr. MANN. They are temporary in character, of course, and they may fall down, and can not be used very long; but in the meantime they can repair them and keep them up. I had hoped that the committee or Congress would attempt at the very earliest possible moment to restore the parks and tear down these temporary buildings just as fast as they could get the people out.

Mr. BYRNS of Tennessee. I feel sure that many of these buildings will be torn down, even if this provision goes in, eventually, because they will not all be needed.

Mr. MANN. Just those that are needed will remain. But the Government activities are such, the demand for space is such,

that as soon as any portion of the Government, the Congress or the House of Representatives, and any one of the various departments finds that there is additional space that can be obtained they always want to occupy more room. There never will be space enough created for the Government to satisfy the desire of people for more room. We have had experience of that in connection with our own offices.

Mr. BYRNS of Tennessee. I thought that possibly if this provision were adopted it might serve to aid some gentlemen who are endeavoring to have the Government put up more buildings. For my part I have always thought it was a shame that the Government of the United States, rich and powerful as it is, did not own its own buildings and house its employees under its own roof, and I hope the time will come soon when we will have buildings of that character. And when I say that, I do not mean buildings that are put up under the artistic ideas of the Fine Arts Commission, with many expensive columns and little office space, but I mean substantial, good-looking, respectable office buildings.

Mr. EMERSON. And have them grouped together where we can get to them.

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. I yield.

Mr. GRAHAM of Illinois. I remember hearing Mr. Fitzgerald, of the Committee on Appropriations, discussing this matter on the floor here, and the point was raised at that time about building these buildings in the Mall or in the parks; and he stated that it was the purpose of the committee and its members, so far as he could tell, that they should be only temporary, and should be torn down just as soon as the emergency was over. Is that still the idea of the committee, so far as you know it?

Mr. BYRNS of Tennessee. That is a matter, of course, with which the committee of which I am a member has nothing to do. But I think that is the idea of every Member of Congress, because these buildings are in their very character temporary, although it is stated that some of them might last 5 or 10 years. I see no reason why some of them should be torn down during the next fiscal year, and certainly economy demands that the Government should use them as long as they stand.

Mr. GRAHAM of Illinois. They are in a place where they ought not to be. Is not that true?

Mr. BYRNS of Tennessee. That is true, possibly of one or two buildings, but buildings like the Food Administration Building and the Fuel Administration Building and other buildings near Potomac Park do not interfere with any of the parks of the Government. As a matter of fact, they are constructed on leased land, for which the Government is paying 10 cents a square foot per annum.

Mr. GRAHAM of Illinois. I imagine it is the intention to move some of the other departments of the Government into these temporary buildings. Is it also intended to move the records of these various activities into these buildings?

Mr. BYRNS of Tennessee. There will be no particular permanent records of great value. There will be no records of such value as those of the War Risk Bureau or the Internal-Revenue Service. Departments which have a great volume of records will not be moved there, I take it. The question of what branches of the Government will be moved into these buildings is left with the President.

Mr. GRAHAM of Illinois. In other words, there will not be anything taken into these buildings, so far as the gentleman knows, that would be exposed to the hazards of destruction by fire?

Mr. BYRNS of Tennessee. Oh, no; quite the contrary, I am sure. The Committee has recommended to Congress that the Arlington Building, so called, which is now nearing completion and, I understand, will be ready about February 1, shall be used by the Bureau of War Risk Insurance, and if there is any excess space, that the Secretary of the Treasury may designate it for other bureaus of the department. Now, representatives of the bureau appeared before the committee and asked for an appropriation of $40,000 to rent the Southern Railway Building, down here near the depot, stating that it was the only building within their knowledge which they could rent which was of fireproof construction. We did not allow that; but inasmuch as it was stated to the House when the Arlington Building was purchased out of the emergency fund of the President, and in the hearing before the Senate committee that it was purchased for the War Risk Bureau, we felt that the War Risk Bureau should be put into that building, especially since, as has been stated on the floor this morning, it is now spread out in 15 buildings over the city, and that is one of its chief excuses, and I think justified to a certain extent, for its failure to render the prompt service that we all hoped it would render in the case of allotments and allowances.

Mr. SLOAN. Will the gentleman yield at that point?

Mr. BYRNS of Tennessee. I yield.

Mr. SLOAN. Did Congress ever authorize the investment of its funds in this Arlington Hotel property, so called?

Mr. BYRNS of Tennessee. The $4,200,000 which was used in purchasing that building was set apart by the President out of the emergency fund which Congress had theretofore placed in the hands of the President.

Mr. SLOAN. That emergency fund was distinctively a war-chest fund and not a real estate or construction fund.

Mr. BYRNS of Tennessee. It was an emergency fund for war purposes undoubtedly. There are many purposes to which it might have been legally and properly devoted by the President, and I assume this is one of them.

Mr. HUMPHREYS. Did not Congress subsequently take some action touching this matter?

Mr. BYRNS of Tennessee. I think not, although it was discussed in the House.

Mr. GARNER. They reimbursed the $4,200,000, did they not?

Mr. STAFFORD. When did they ever do that?

Mr. GARNER. I am asking the gentleman.

Mr. STAFFORD. I do not think they ever took such action. In fact, the gentleman from North Carolina [Mr. POU] was ready to introduce a rule to consider the resolution providing for the purchase of that building when Mr. McAdoo went ahead and purchased it out of this fund.

Mr. GARNER. I think they reimbursed that.

Mr. HUMPHREYS. What is the gentleman's recollection about that? My own recollection is that Congress subsequently authorized the reimbursement of this fund out of which the President had made the payment, and thereby ratified and indorsed what Mr. McAdoo did.

Mr. BYRNS of Tennessee. I am frank to say to the gentleman that I am not certain that any such action was taken. I do know that the matter was very thoroughly discussed upon the floor of the House, but I do not recall that Congress passed a bill appropriating $4,200,000 for the purpose of reimbursing the President's fund.

Mr. EMERSON. The Government paid for it, just the same, whether out of the President's fund or some other fund.

Mr. BYRNS of Tennessee. It is paid for, and, to my mind, it is one of the finest buildings that the Government owns here in the city, with one or two exceptions. It is a splendid building, and I have no doubt is fully worth the money paid for it. It contains something over 600,000 square feet of space, and will be more than sufficient to house this great War Risk Bureau.

Now, gentlemen, while I am discussing the War Risk Bureau and the space that has been provided for it, I wish to refer to the fact that the gentleman from Illinois the other day read into the RECORD a number of letters, some of them attacking certain officials in the Bureau of War Risk Insurance, one of them in particular undertaking to name three of the employees of the Bureau of War Risk Insurance, to wit, Mr. King, whose initials I do not recall; Mr. Effner, whom I do not know; and Mr. D. A. Jones, who is superintendent of special agents. Mr. King is now a deputy commissioner. Criticism was made in this letter—the gentleman from Illinois expressly stated he did not vouch for the accuracy of the statement—of these gentlemen for having selected what was known as the Hooper-Holmes Bureau to make the investigations required by law as to the allotments and allowances.

This letter intimated, if it did not expressly say so, that the three gentlemen to whom I have referred stood to make a good deal of money as a result of the methods that they had followed in selecting this bureau to make these investigations. I understand full well, as I say, that the gentleman from Illinois did not vouch for that statement. I regret that he did not give the author of the letter, because if he had it might be possible to show—I do not know whether it is the fact or not—that the author of the letter was one of two or three employees who have been discharged from the bureau. But whether that be true or not, I wish to say, in justice to these gentlemen, that I do not think any criticism can be made of them for the manner in which they have selected these special agents to make these investigations. I have known Mr. D. A. Jones for many years; I have known his family, and I can cheerfully testify to his high character and integrity. He is a reputable, splendid gentleman, who came here in a clerical capacity, and who by virtue of his own industry and efficiency has been promoted to be superintendent of investigations in the bureau. As to Mr. King, I never knew him until he appeared before the committee in the hearings. He impressed me then as a man of fine

business capacity, and all who know him speak well of him. He is connected in some way—just how I do not know—with the Hooper-Holmes Bureau. I do not know Mr. Effner. The facts are that they were under the necessity of making this investigation under the law. Here were hundreds of thousands of cases all over the country.

They had sent checks for allotments and allowances, because, of course, they realized they could not delay sending out checks to families of soldiers who needed the money while they undertook these many investigations. The question was as to how they should select those to make investigations in every town and in every civil district of the country. More than 110,000 investigators were selected. They appealed to insurance inspection agencies, they appealed to the Red Cross, they appealed to every conceivable source for a list of men capable of making these investigations. They took a list of the American Bar Association and sent a letter, I am informed, to every member of the American Bar Association telling him that while they knew he would not be particularly interested in the $1 which was all that was paid for any particular case, yet it was hoped, from the standpoint of patriotism and desire to serve the country, that he would assist in such investigations. Many of them did it as a pure matter of patriotism, because the sum of $1 was not sufficient compensation for the work required in many of these cases. Out of the 110,000 investigators on the rolls, they tell me, 60,000 are active, and I am informed that representatives of the Hooper-Holmes Bureau are serving in only about five States. I submit that in cases where only $1 is paid for an investigation, where the fee is not paid by either one of these three gentlemen, but is paid through the disbursing officer of the bureau, there is not the slightest opportunity for either one of them, if so inclined, to profit at the expense of the Government in the investigation.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. MANN. The statements which I read in the House were read some time ago. They could easily be denied if they were not true. The gentleman has not denied any of them yet. I have been appealed to by various gentlemen not to press anything of this kind, because some of these gentlemen were members of the Republican Club of New York, in good standing in the club. It seemed to me, instead of endeavoring to bring political influence to bear upon me, which usually does not have very much effect, they would better deny the statements. Is Mr. King a high official in the Bureau of War Risk Insurance?

Mr. BYRNS of Tennessee. Yes; he has been acting as deputy commissioner.

Mr. MANN. Is he a high official in connection with the Hooper-Holmes Bureau?

Mr. BYRNS of Tennessee. That is my information.

Mr. MANN. And the gentleman knows the transaction is improper if he had anything to do with it?

Mr. BYRNS of Tennessee. I know this, without undertaking to argue the propriety of Mr. King having been employed as a deputy commissioner and then employing the investigators of his bureau to make these investigations; I feel sure that there has not been any graft to those in charge here in Washington in these investigations throughout the country, for this reason: In the first place, it has been difficult, I am informed, to even get men to make these investigations for $1, because they insist that it is worth four or five times that much. In addition to that, I am told that when these reports come in they are first submitted to those in charge of the investigation section, and if they are found to be proper and the person making the report has complied with the instructions of the bureau, then his name is certified to the disbursing office and a check for the amount due is sent directly to him. I submit that in order for anyone here in Washington to profit it would be necessary to have some arrangement with the whole 60,000 investigators over the country for a refund of a part of the dollar that might be sent him in this or that case.

Mr. MANN. If the Hooper-Holmes Bureau is making a large amount of money out of this and Mr. King as deputy commissioner of this bureau was instrumental in having that company get the work in which he is interested, I can very readily see an opportunity of making considerable money whether it is called graft or otherwise. As to whether the investigations which have been made are worth $1, that is another thing. I doubt whether any investigation is made in most of these cases that is worth 5 cents. I happen to know of some cases where I know the investigations took no time and it is not worth a nickel.

Mr. BYRNS of Tennessee. I am informed that as a result of these investigations about $300,000 per month remains in the Treasury.

Mr. MANN. The gentleman, I suppose, means that a lot of those allowances have been revoked, namely, upon reports made directly to the Bureau of War Risk Insurance, and in most cases it has been an outrageous revocation.

Mr. GARNER. Not in most cases.

Mr. MANN. In many cases, without investigation, without knowledge.

Mr. BYRNS of Tennessee. The gentleman referred to an investigation by Congress. I think that if there is the least scintilla of evidence of facts to support the charge that any employee of the Bureau of War Risk Insurance has been profiting at the expense of the Government and in violation of law and the obligation that he owes to the Government, there ought to be such an investigation and such person punished.

Mr. MANN. If the Deputy Commissioner of the Bureau of War Risk Insurance has given a contract to a concern of which he is substantial owner, and which receives a large amount of money from the Government, it certainly means that somebody is getting some money out of the Government.

Mr. BYRNS of Tennessee. I am informed by Mr. King—I give the gentleman as my authority—that the Hooper-Holmes Co. does not receive one cent of the $1 that has been paid to those making these investigations. The Government pays the money direct to the investigator, who is expected to make a close and personal investigation of the cases placed in his hands, and which often requires a good deal of work and the interviewing of a number of persons. Gentlemen must bear in mind that this investigation is required by law, and these officials have been trying to do their duty.

And I hold in my hand a memorandum which was handed me by Mr. King, and also one handed me by Mr. D. A. Jones, which they asked me to do them the justice to present to the House. These gentlemen specifically deny these charges, and I wish them to go into the RECORD so that their side of the matter may be made clear.

Mr. MANN. Do I understand the gentleman says that no money is paid by the Government to the Hooper-Holmes Co.?

Mr. BYRNS of Tennessee. No; if I said that I was very unfortunate in my statement.

Mr. MANN. I understood it.

Mr. BYRNS of Tennessee. What I meant to say was, I am informed by Mr. King that the Hooper-Holmes Bureau receives no part of the money that is paid to any of its agents for making this investigation.

Mr. MANN. Oh, no; but is the gentleman also informed that the Hooper-Holmes Co. does not pay the dollar to the agent?

Mr. BYRNS of Tennessee. For making this investigation?

Mr. MANN. But only pays a portion of it?

Mr. BYRNS of Tennessee. The dollar is paid by the Government.

Mr. MANN. To the Hooper-Holmes Co.?

Mr. BYRNS of Tennessee. No; my information is it is paid directly to the man making the investigation, and the voucher is sent him and not to the Hooper-Holmes Bureau.

Mr. MANN. Well, the gentleman has stated both ways about it.

Mr. BYRNS of Tennessee. Then I have been unfortunate. I stated a few moments ago——

Mr. MANN. There is quite a difference in whether the Government is given an opportunity to use the list of people which the Hooper-Holmes Co. has as its own list and pays the men itself or whether the Government has made an arrangement with the Hooper-Holmes Co. and pays the Hooper-Holmes Co. a dollar for each case and the Hooper-Holmes Co. pays a portion of that amount to the men making the investigation.

Mr. BYRNS of Tennessee. My information is that the Government is only using the list of the Hooper-Holmes Bureau in certain States where they were unable to secure lists through the usual method and that the money which is paid for making the investigation is not paid to the Hooper-Holmes Bureau but paid to each individual who makes this investigation and the report.

Mr. MANN. It is a very easy matter to determine. Why has it not been determined? The letter which I read to the House, which might be supplemented by a statement made to me by a Member of the House who said he had investigated this matter, was that the Hooper-Holmes Co. received a dollar, and whereas it usually had a great many employees working in other insurance cases it did not pay the dollar to the investigator, and that in other insurance cases it took a contract for making the investigation for less than a dollar and still retained a profit after paying the investigator. Now, it is easy to know what the facts are.

Mr. BYRNS of Tennessee. I repeat I have here, Mr. Chairman, a statement of Mr. King in the form of a memorandum

which he requested me to present to the House, and I ask unanimous consent to insert this, and also a memorandum from Mr. D. A. Jones, in the RECORD as a part of my remarks, which will give the gentleman the full information.

The CHAIRMAN. Is there objection?

Mr. GRAHAM of Illinois. Mr. Chairman, reserving the right to object, does Mr. King say anything about the point suggested by my colleague in his memorandum?

Mr. BYRNS of Tennessee. Yes; and explains the whole matter.

Mr. GRAHAM of Illinois. Why can not it be read now?

Mr. BYRNS of Tennessee. If you will give me the time I will be glad to read it, but I have not the time, and I was trying to get through so as to yield to the gentleman from Texas the balance of my time. I think it will serve every purpose if it is printed in the RECORD.

Mr. SLOAN. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. SLOAN. Will the gentleman also place in the RECORD the questionnaire submitted to the various investigators or inspectors, whatever they may be, relative to the right of these beneficiaries to these allotments? I understand that the questions submitted were, at least some of them, subject to criticism. For instance, in a number of them, and I appeal to the gentleman from Ohio for a definite statement, if a mother was claiming allotment from a son the investigator would ask whether or not she was a moral woman, or words to that effect?

Mr. BYRNS of Tennessee. I have never had an opportunity to see one of the questionnaires, and I do not know just what statements are contained in them.

Mr. KEARNS. Will the gentleman yield?

Mr. BYRNS of Tennessee. I take it they were made sufficiently broad in order to give all the information that was necessary for the bureau to act properly on the case. I yield to the gentleman.

Mr. KEARNS. I had sent to my home town, addressed to me as attorney at law, 8 or 10 questionnaires, wanting information relative to a number of allottees in that particular neighborhood. I happened to know personally two of them myself—two mothers. The letter inclosed asked me to state in the place for remarks on each questionnaire whether or not these mothers were moral women. Now, I would like to ask the gentleman from Tennessee what would be the difference whether a mother was moral or not if she had sent two or three sons into the Army and those sons had made an allotment to her. The money belonged to the boys and not to the Government. The Government had agreed with those boys when they left their homes to pay this allotment to the mother, and I could not quite understand what business it was of the department whether the mother happened to be a good woman or a bad woman. The sons wanted her to have the money or they would not have allotted it to her. It was their money.

Mr. BYRNS of Tennessee. Is the gentleman certain that that was only an allotment, and that it did not carry with it an allowance?

Mr. KEARNS. It carried with it an allowance, yes, in this particular instance. The two sons had gone in November, 1917. It was only a few weeks ago that I received this letter and these questionnaires. This mother had not received even one nickel up to that time. It seems to me if the Government was not satisfied to pay the allowance it ought at least to have paid the $30 that belonged to the sons of this mother, regardless of whether she was a moral woman or not.

Now, in this particular instance to which I refer, because this mother could not get this money from her sons, who had been supporting her for the last six or seven years, to my knowledge, she was compelled to take in washing and do the family laundry for a number of families in this town. She was thus compelled to be away from home through the day, when she was at work, and one of her younger boys caught cold playing in the streets, with no one to look after him, and died. Certainly some one in the department is responsible for that young son's death. I happened to know of this case, and when I got the questionnaires I wrote to the department answering their questions as best I could, but when it came to the place where it asked whether she was moral or not, I wrote in that place "It is none of your d—— business"; and the mother informed me in a week after that she had received the allotment and allowance.

Mr. BYRNS of Tennessee. I have had many cases called to my attention which I thought were inexcusable, but, on the whole, I think we should take everything into consideration. Here are 4,000,000 applications for allotment and allowance to the War Risk Bureau, a bureau that did not grow gradually, but where all the allowances and allotments were thrust on it at one time. Possibly there may be a little justification for the delay. Gentlemen can appreciate what a stupendous job it was and how very difficult it was not to make some mistakes.

Mr. Chairman, in the preparation of this bill your committee has borne constantly in mind the importance and necessity of retrenching the expenditures of the Government. The expenses incident to the preparation for and the winning of the war were without precedent in the history of this or any other country. Congress, with an eye single and alone upon an early and lasting victory spared no expense necessary to enable those charged with the prosecution of the war to thoroughly equip our soldiers who were so bravely risking their lives in the cause of freedom not only for our own beloved country but for the world at large. During the war money was spent with a lavish hand, and not a single loyal taxpayer complained or would have had it otherwise. A heavy bonded indebtedness which will require years to liquidate was willingly incurred in order that militarism and autocracy might forever perish from the earth. But now the scene has changed. The war has been won. It has cost the lives of many of the noblest and best of our citizenship, and billions in money. But, Mr. Chairman, independence is never purchased at too great a sacrifice. Every true American, not excepting the noble mother who made the supreme sacrifice of her splendid son on the altars of her country, has been willing to make the sacrifice in order to maintain our commercial independence and complete sovereignty and to rid the world of the nightmare of military domination and economic servitude.

This war has taught us many valuable lessons. Chief among them, I trust, is the lesson of frugality, the importance of conserving our food supplies and resources, and the sin of wastefulness and wanton extravagance. On account of our great abundance, the American people had become an extravagant people, wasting vastly more of the actual necessities of life each year than was necessary for their comfort and pleasure. The necessities of war have brought this fact home to the man and woman both on the farm and in the city. And, Mr. Chairman, what is true of the individual should be true of our Government. Our appropriations for years to come will be many times greater than ever before on account of the war, and this increased burden will rest upon the people whom we represent. The time has come when the representatives of the people must give closer attention to the expenditures made by the Government. This does not means that our Government must be parsimonious. It certainly does not mean that those who are employed by the Government shall not receive a wage which will fairly compensate them for the services rendered and enable them not only to live comfortably and decently but to also have some of the real and genuine pleasures of life. It does not mean that the Government shall be unprogressive and fail to make those expenditures which are necessary for the health, happiness, and education of its people. It does not mean that it shall in any way neglect those internal improvements which are so necessary for its complete development or that it shall fail to fully foster and lend proper encouragement to agriculture, industry, and commerce. Quite the contrary. For these are duties which must be assumed by a Government which exists for the people and not for a few favored individuals. But it does mean, Mr. Chairman, that the expenditures of the Government must be closely scrutinized and that all wasteful and unnecessary expenditures must be eliminated. This your committee has very earnestly endeavored to do in the preparation of this bill.

Some increases made necessary by the developments of the war have been recommended. Among them is an increase for the promotion of our commerce, both foreign and domestic. I am frank to say that personally I would have been willing to see an even greater amount appropriated than is recommended in this bill, for I regard this as a matter of the most vital importance to the prosperity of all the people and particularly at this time. Every dollar that is properly expended for the extension of our foreign commerce at this time will be wisely spent. We are not spending near so much for this purpose as Germany was spending before the war, and we all know that the products of her factories and industries had invaded every country in the world, and that if she had only been content, and had not sought to dominate the world by the force of her arms, she would very soon have become supreme, commercially, over all other nations. This substantial and worth-while peaceful victory would have been secured through the aid which her government was giving to her industries in foreign fields. Neither are we spending as much as Great Britain, which will be our chief, though friendly, trade rival of the future. Nor, I dare say, will we be spending more than Canada, whose statesmen are already planning a world-wide campaign for the exploitation of her products. The nation that does not prepare

now for the fierce trade rivalry that is bound to ensue, and that does not take proper and necessary steps to secure a large part of the world's trade, is making a most serious economic mistake.

It is a matter of the most vital importance to every citizen of our country. The greater our trade, the more factories we will have and the greater the number of laborers who will be employed and the better the wages which will be paid them. Likewise, the greater will be the demand for our agricultural products and the price which will be paid for them. If we, as a Nation, expect to keep our place in the sun, then we must see to it that American-made goods and American products of all kinds find their way into all the markets of the world. In the future a nation's greatness very happily will not be measured by the size of its army or the strength of its naval armament, but by its commercial strength. The true test will not consist in the number of its naval vessels and its big guns, but rather in the number of its factories.

The opportunities have never been greater or more inviting than they are at this time. The eyes of the whole world are upon America. Her vast resources have become known to every nation on the globe. Her ability to produce, "to deliver the goods," has been demonstrated to a wondering world, and no one will be heard to question her ability to successfully cross swords with every rival in the forceful struggle for a large share of the world's trade. If this is to be secured, then proper steps must be taken now. We must not wait until other nations have satisfied the waiting markets made hungry by the war and thus established a trade which may prove permanent. The devastated lands of Europe offer an inviting field for our products. The same may be said of the neutral countries of Europe whose stock of supplies has run low. Germany, by reason of the activity of commercial agents and her manufacturers, had a great trade with South America and the Orient. The fortunes of war have lost this to her. Shall we permit this trade to be taken by other countries, or shall we reach out and take it as we can do by reason of our vast and varied resources, which are superior to those of any other nation on the globe? To do this we must adopt the plan that Germany followed with such great commercial and financial success, and which other nations are planning to follow, and send experienced and competent commercial agents into promising foreign fields, not to act as sales agents, but to study foreign market conditions and requirements, and to give advice and information to our manufacturers as to how they can best meet such conditions and compete with other countries. We are spending millions of dollars in building the largest merchant marine in the world. These bottoms, filled with American commodities, agricultural and industrial, should enter every market of the world, bringing back in return those elements of wealth which will contribute to the prosperity of our entire citizenship. I regard it as a sad commentary that we are to-day spending for this purpose less than one-twentieth of what it costs to build one first-class battle cruiser.

And let me say just here, Mr. Chairman, that every section of our country is equally interested in this vital problem. It is America's opportunity, and not that of any particular section of America. The enrichment of one section adds to the wealth and commercial strength of our common country. The fires of sectional hatred which years ago unfortunately, but somewhat naturally, mounted high, I am happy to believe have been completely extinguished. There is no North, no South, no East, no West in this country except in a geographic sense. And I greatly deplore the fact that there were some in the recent election who for purely political purposes sought to fan the old fires of sectional hatred into flame by the cry that the "South is in the saddle." Such a sentiment was unworthy of the great political party in whose interest it was uttered, and an insult to those to whom it was addressed, in the hope of influencing them. Let me tell you that there is no such feeling in the South. We rejoice that we are an important part of this great Nation and that our brave boys fought by the side of the brave boys of other sections for the glory and honor of our flag. I repeat that an effort to provoke sectional feeling for political purposes is unworthy of the one who attempts it, and I feel sure will be rebuked by the sober, sensible people of all sections of our country.

And let me say, in no spirit of resentment or criticism, that the South has done much to add to the wealth of the North and East. For reasons with which we are familiar she has had comparatively few manufactories. Her cotton has in large part been shipped hundreds of miles to New England, and there woven into cloth and then distributed over the world. That this has been a serious economic mistake on the part of capital no one will deny, for the South is nearer to South America and the markets of Australia and the Orient. The loss on account of unnecessary transportation is therefore considerable, especially when it is considered that many southern harbors offer ample facilities to steamship lines for the shipment of her valuable products direct to foreign markets. We have the coal, the iron, the water power, the transportation, and other facilities, and with these advantages you may rest assured that factories will soon spring up in the South in greater abundance than ever, and that the increasing whir of her spindles and factory wheels will make her an ever-growing commercial as well as agricultural factor in the life and wealth of the Nation.

Mr. Chairman, I append herewith the memoranda to which I have referred.

TREASURY DEPARTMENT,
BUREAU OF WAR RISK INSURANCE,
Washington, January 6, 1919.

MEMORANDUM.

Re Connection of John J. King with the Investigation section of the Bureau of War Risk Insurance.

In June, 1918, the Hooper-Holmes Bureau, a corporation operating under the laws of New York and engaged in furnishing information and inspection service to insurance companies for the past 25 years, received a telegram from C. E. Nesbit, Commissioner Bureau of War Risk Insurance, asking that one of the principals come to Washington for a conference. In pursuance to the request contained in this telegram I came to Washington and had a conference with Mr. Nesbit, Assistant Secretary Love, and others. I remained here four days. I feel that I was practically drafted into the service of the Government, for the reason that upon my first interview with the commissioner he stated that he wanted me to come here for six months to assist in the organization of a central investigation section to replace the work that had already been planned for numerous branch offices and which had already proven unsatisfactory and very expensive. As a result of my conferences during my first visit to Washington, and after a consultation with my business associates in New York, it was agreed that I would come to Washington in an advisory capacity for three days or thereabouts each week, I having stated it was impossible at that time to give the Government my entire time for six months. Early in July I received an appointment as expert adviser to the Bureau of War Risk Insurance. About this time Mr. H. A. Behrens, of Chicago, was also called in as an adviser, and was jointly submitted a plan of operation of the investigation section, centralized in Washington, which plan was adopted and approved by the Assistant Secretary of the Treasury, the Director of the Bureau of War Risk Insurance, and the commissioner. This plan has been carried out under my advice and is now functioning. It has been inspected by most of the officials and advisers of the War Risk Bureau and has had their approval. I am attaching hereto a copy of the report outlining the plan.

Mr. Eugene T. Lies, who had been deputy commissioner at the time I first came to Washington, resigned as of July 31, 1918, leaving the position of deputy commissioner, in charge of the investigating section, vacant. During the summer and fall of 1918 this position was frequently offered to me, and I was urged to accept it. I declined to do so, on the ground that I did not feel able to give any more time to the service of the Government, and felt that I was doing all I could do in this advisory capacity. In the fall—to be specific, on November 6, 1918—I agreed to accept the position of deputy commissioner, in charge of the investigation section, on the distinct understanding that it would be for a short time only. My moving motive in accepting the appointment as deputy commissioner was the thought that I should at least for a time accept the responsibility for the organization, and the further feeling of pride in the organization which had been created. It had always been my intention to separate myself from the organization with the end of the year 1918, and the signing of the armistice accentuated this feeling. As the end of the year approached the new director was appointed, and I felt it my duty to remain in the organization until such time as he had had an opportunity to select my successor. Director Lindsley was informed soon after his being inducted into the office that I was one of the war workers who would remain but a short time, and I personally gave him this information at a later date.

The act of Congress creating the Bureau of War Risk Insurance provides that certain investigations and reinvestigations shall be made by the commissioner. The plan under which these investigations have been made is precisely the plan which has been used for more than 30 years by the life and casualty insurance companies, great and small. It is not an experiment nor is it original with me. It provides for reports in the main to be made by local field examiners, whose work is supervised by salaried field examiners, the latter, in addition to this work of supervising, to handle the more difficult class of investigations. The economy of this plan can not be questioned nor can its results. The section has handled a very large number of investigations at a fraction of the cost which would have been incurred had we attempted to have all our investigations made by salaried field examiners, even were it possible to organize such a staff.

The charge has been made that the investigation business of the War Risk Insurance Bureau has been turned over to the Hooper-Holmes Bureau. This is a ridiculous statement, and no person with any knowledge of the facts would make it. The immediate problem confronting the investigation section was to obtain a list of local field examiners who had had some experience in making investigations and who would be willing to make such investigations and reports to the section. Insurance companies, inspection agencies, bar associations, State boards of education, and other similar organizations were appealed to to furnish lists in various States. The difficulty was to obtain the names of people who would be willing to make such investigations and names of such persons were sought from every available source. The fee of $1 for making these investigations which was offered by the Bureau of War Risk Insurance was not attractive in view of the amount of work entailed in making the investigations. Many people with previous experience in such work refused to make reports for this fee, although, on the other hand, a considerable number offered to make reports without fee for patriotic motives. The Hooper-Holmes Bureau furnished its list of correspondents for five States at the urgent request of the gentlemen who were then taxed with the duty of perfecting a list of local field examiners. These same gentlemen urged that the Hooper-Holmes Bureau go further and furnish a complete list of its correspondents, but because of the amount of work entailed this was never done. At least one large inspection agency refused to furnish a list of its correspondents, because it did not wish to divulge its trade secret.

As the work of organization progressed and the section's needs at any given point became acute, it was my custom to suggest names of people at various points throughout the country who were asked to make these reports. Many of them accepted the assignment. Many others refused it. The section now has a list of approximately 110,000 persons through the country who have agreed to make these reports. Of these, approximately 60,000 are active. Possibly 1 per cent of these active local field examiners are persons whose names have been taken from the Hooper-Holmes lists. The other 99 per cent were taken from other lists and obtained in various other ways. The Hooper-Holmes, of course, has no interest whatsoever in the work done by these people. It simply furnished from its files names of people who made reports for it, and they were requested to make reports for the War Risk Bureau. I find, however, that at six points throughout the United States local field examiners have been used who are part of the Hooper-Holmes organization. The names of these men were suggested by me while acting in an advisory capacity and when some one was needed in their respective localities to handle the work. These men have, I am informed, handled the Bureau of War Risk inspections just as they would inspections which come to them from any insurance company, and should there be any profit in the handling of the business, that profit would accrue to the Hooper-Holmes Bureau. Likewise, should there be a loss in handling it, they would sustain the loss. Anyone familiar with the subject knows that there is no profit in handling these reports at $1, and no inspection organization would undertake the work as a purely business proposition.

I have carefully refrained from having any business dealings with the Hooper-Holmes Bureau on behalf of the War Risk Bureau, Investigation Division, since I have been deputy commissioner, and there is much evidence in my files to substantiate this statement.

Mr. W. R. Ebner, whose name was mentioned in the article read on the floor of the House by Congressman MANN, is taxed with method and personnel in this organization. Mr. D. A. Jones is superintendent of the Investigation Division. Neither of them has ever had any connection with the Hooper-Holmes Bureau. Our method of handling the payment of fees is such as to provide every possible safeguard for the Government, and I particularly desire that our entire plan be looked into carefully.

JOHN J. KING.

TREASURY DEPARTMENT,
BUREAU OF WAR RISK INSURANCE,
Washington, January 8, 1919.

MEMORANDUM.

Re Connection of D. A. Jones with the Investigation Division of the Bureau of War Risk Insurance.

In the month of January, 1918, I was offered a position with the Bureau of War Risk Insurance as insurance expert. I accepted this offer and reported for duty on February 11, 1918. I was at that time assigned to the Allotment and Allowance Division of the bureau and my connection with the bureau from February 11 to March 25 was in connection with the Allotment and Allowance Division. On many occasions during this time I conferred with the commissioner and the general counsel of the bureau with reference to making investigations. On the 25th of March I was assigned to make investigations by the commissioner, Mr. C. E. Nesbit. On April 1 the Investigation Division of the Bureau of War Risk Insurance was created. On April 5 I was assigned to this division as secretary or clerk to the head of the division. At that time no deputy commissioner was in charge, but on or about May 1 Mr. Eugene T. Lies was appointed deputy commissioner in charge of investigations and I remained during his connection with the bureau as administrative secretary of the Investigation Division.

The plan promulgated by the deputy commissioner, Mr. Lies, proved to be very expensive to the Government and other plans were discussed. Early in July the plan for investigation under which we are now operating was submitted and approved by the officials. The plan under which the investigations are being made, I understand, is the same plan used by many of the life and casualty companies and inspection companies; that is, the larger number of examinations are made by the local examiners, whose work is supervised or looked after by salaried field examiners, who, in addition, handle the more difficult classes of investigations.

On September 11 I was appointed superintendent of the Investigation Division by the commissioner, Mr. Nesbit, and at this time I am holding the same place. At that time the problem which confronted the Investigation Division was to obtain lists of local examiners who had had some experience in making investigations and who would be willing to make such reports at $1 per report. Many organizations, such as the Bar Association, inspection agencies, insurance companies, and other organizations were appealed to to furnish lists in various States, which was done; but the difficulty we had was to obtain the names of people who would be willing to make such investigations at this nominal fee.

The names of such persons were sought from every available source. The fee of $1 which was offered by the Bureau of War Risk Insurance, as anyone knows, was not and is not attractive in view of the amount of work to be done in making such investigations. Many people with previous experience refused to make such inspections. I will state that a considerable number offered to make reports without the fee for patriotic motives, and we have had many reports from them not accepting the fee of $1. I recall that we requested one large inspection agency to furnish a list of its correspondents and it refused, because it did not wish to divulge its lists of correspondents.

There are, approximately, about 110,000 persons throughout the country who have agreed to make reports for the bureau; of these about 60,000 are active, and not more than 1 per cent are persons whose names have been furnished from the Hooper-Holmes list; the others were taken from other lists and obtained in various ways. Our method of handling the payment of these fees is such that it provides every possible safeguard for the Government.

On January 2, 1919, there appeared in the CONGRESSIONAL RECORD a letter read by Mr. MANN, a Member of Congress, on the floor of the House of Representatives, in which I was branded as a member of the "clique who expected to get rich from the investigation section of the Bureau of War Risk Insurance," which statement also implied that I, as an employee of the Government and superintendent of the Investigation Division of the Bureau of War Risk Insurance, was acting in collusion with Mr. King and Mr. Ebner in such capacity, Mr. King being also an employee of the Government and vice president of the Hooper-Holmes bureau mentioned, to forward the interests of that company at the expense of the Government and in utter disregard of my duty as a Government employee. I will state that I never knew the Hooper-Holmes bureau or Mr. King, nor have I had any communication or connection with him or the Hooper-Holmes bureau prior to the time Mr. King became connected with the Bureau of War Risk Insurance in the Investigation Division. The statement is not true that the investigations of Bureau of War Risk Insurance matters have been turned over to the Hooper-Holmes bureau. The work is being carried on through our own organization. We have handled 253,145 investigations, and of this number we have placed 7,358 with local examiners in six cities—whom I am now informed are the managers in their respective cities of the Hooper-Holmes bureau—and their reports are among the best received by us. It was and still is difficult to obtain men to handle this work properly in large cities.

As an employee of the Government and as superintendent of the Investigation Division of the Bureau of War Risk Insurance as above stated, I positively state that the charges contained in the letter referred to, in so far as they relate to me, are absolutely and unqualifiedly false.

D. A. JONES.

Mr. KEARNS. Mr. Chairman, I would like to have a minute right here.

Mr. STAFFORD. I will yield to the gentleman one minute, but I am yielding it out of my own time.

Mr. KEARNS. Mr. Chairman and gentlemen, I would like to know what business it could possibly be of anyone in this bureau, even if the Government was going to pay the allowance to these mothers throughout the country, if a mother has a boy in the Army and he is making his mother an allotment of one-half of his pay, whether that mother is a moral woman or a good woman. She has furnished a boy to the Army, and this boy has given $15 of his pay. If she has given this boy to the service of his country, why is not she entitled to receive $10 allowance per month from the Government? Anyhow, why should they leave it to my judgment or the opinion of anyone as to whether the mother is moral or immoral? When they refer this case to me, am I to pass upon the morality of this woman? Should any person be clothed with the power to pass judgment upon the character of mothers with sons who are in France? Is it to be left to the judgment of anyone whether these women have at all times lived the proper kind of life or not? I think it is an outrage, I think it is a disgrace, that when our boys are fighting in France for the Government to send emissaries over this country attempting to connect the name of the mother with some scandal. I charge that in every such instance this bureau has been engaged in an attempt to prove the mothers of these boys in France immoral women [applause], with the hope of escaping payment of a paltry allowance. [Applause.]

This is the crowning infamy of a department of this Government that has proven itself infamous in the extreme. This wholly inefficient branch of the War Department has by its inefficiency and reckless disregard of the law caused countless thousands of dependents of our brave boys to suffer because of a lack of the necessaries of life.

Mr. STAFFORD. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. Nineteen minutes.

Mr. STAFFORD. I yield two minutes to the gentleman from Kansas [Mr. LITTLE].

Mr. LITTLE. Mr. Chairman, there is a feature of this legislation to which I wish to invite the attention of the House in the two minutes I have. I wish to refer to the way the committees are assigned their duties. It is clear to me that much of the work of these committees can be assigned, even under the rules, to other committees in such a way that they will all be working committees, and people could not come in here complaining that they are getting a clerk without any reason. I know that the Committee on Interstate and Foreign Commerce is getting lots of legislation that could, to say the least, go somewhere else. That is true of the Judiciary Committee and others. I am inclined to think that that is true of the Appropriations Committee. It is not the purpose of Congress to make two or three big committees work day and night and never really getting done. It is better if we could have it so that every man in this House might be on a working committee and each committee have something to do all the time. And there should be, in my judgment, such a reassignment and redistribution of these bills as to make that possible. Just specifically, I notice now that this bill provides no clerk for the Woman Suffrage Committee. To my personal knowledge there are 11 committees that have clerks here that do not do as much work as the Woman Suffrage Committee. I am on two committees myself neither one of which does as much work as the Woman Suffrage Committee, though both have done a good deal—one much work. Now, I believe you could do much good in this House by having a committee to reexamine the rules and their application to these committees so as to assign the bills in such a way as to make every committee a working committee. If it is not going to be a working committee it might just as well be disposed of; and if it is going to be a working committee it ought to have a

clerk, and it ought to be allowed to do something and compelled to do something.

The larger the number of Members who take an active part in shaping legislation the better the Congress. I know of many bills sent to what are known as the big committees which, under the rules reasonably interpreted, could be sent to committees which are not doing one-third the work they could just as well do. Yet we see these big committees actually clamoring for possession of bills over which they have, under the rules, absolutely no jurisdiction whatever. As far as the rules allow, this legislation should be distributed so that all committees would have something to do. This would give the big committees better opportunity to do thorough work. All proffered legislation would then come on the floor in better shape. Every man would then have a chance to do active personal work. As it is, some men crowd others off the floor all the time. This Congress is intended to be a representative body, representative of all the people. What is the use of having 435 Members if 30 or 40 of them on a few committees have charge of the preparation of all important legislation and there is no sense for such a theory? In my judgment, there ought to be a committee in this House to plan a better distribution of the bills introduced. The Committee on Rules perhaps ought to frame a different rule governing that proposition. Possibly the Speaker could get time, with the assistance of a small committee, to consider every bill introduced and determine where it should go. Certainly something should be done to put the burdens on more shoulders to relieve the overworked committees and to establish an equality of work and a balance of power among the committees of this House.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LITTLE. Mr. Chairman, I ask leave to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. STAFFORD. Mr. Chairman, I yield two minutes to the gentleman from New York [Mr. PLATT].

The CHAIRMAN. The gentleman from New York is recognized for two minutes.

Mr. PLATT. Mr. Chairman, I have listened with a good deal of interest to the discussion in regard to the shortcomings of the War Risk Insurance Bureau. After the act of November, 1917, got into operation I started out perhaps with as many war-risk cases as anybody in the House. West Point is in my district, and the war-risk insurance act particularly benefits the old sergeants and old enlisted men in the Regular Army, who had been and generally have continued living with their families at the old Army posts. With them it came as an increase of pay, practically. They were living on the old Army pay, which the war nearly doubled, and they started in and assigned half of their pay to their wives, and the War Risk Bureau added the family allowance, in many cases after a most exasperating delay.

As a matter of fact 150 cases came down here from West Point alone, and the War Risk Insurance Bureau proceeded to lose the papers of 50 of those cases. [Laughter.] Fortunately they had all been made out in duplicate and made out in the proper form at the quartermaster's office at the academy. The duplicates were sent down, and the War Risk Insurance Bureau promptly proceeded to lose 25 of those. [Laughter.] It took my secretary and myself several months to get them all straightened out, although they were perfectly simple cases, and there was really no question about them. In one of these cases my secretary finally followed the papers from one section of the bureau to another until he saw the check made out at the disbursing office and put it in the mail.

The real trouble about the administration of the war-risk-insurance business, however, chiefly is the law itself. This Congress had no business to pass such an act as that. The bill was connected in secret sessions by Judge Mack and a coterie of highbrows, whose attitude was that they knew everything and that Members of Congress are a bunch of boobs, who know nothing. They pulled Mr. Gompers in and railroaded the bill through under the guise of a labor measure. Judge Mack sat up there in the gallery and sent down notes to Mr. RAYBURN and members of the committee which had the bill in charge, practically commanding them that they should not allow such and such amendments to go through.

That act was designed with Mack-Havellian ingenuity to produce confusion and distress. Allotments of soldiers' and sailors' pay are nothing new and neither is there anything new about compensation, except the name.

Allotments have been handled for years by the Quartermaster's Department of the Army and the Bureau of Supplies and Accounts in the Navy, and they could have kept on handling them without any serious trouble; and if family allowances were to be added these two bureaus of the War and Navy Departments could easily have been expanded to take care of them. In fact they did keep on handling some of the allotments without family allowances, and finally had to take them all over to help out the War Risk Bureau, though the taking over was the cause of much additional and unnecessary confusion and some distress.

The compensation or pensions should certainly have been given to the Pension Bureau, and nothing but unwarranted Democratic prejudice against the old soldiers and the Pension Bureau itself prevented that from being done. The insurance feature probably should have been given to the Pension Bureau also, but if given to the War Risk Bureau it was the only thing that should have been put on that little bit of a 2 per cent bureau that was organized originally simply to insure ships. Why you should have put the enormous business of allotments and compensation and insurance on a little bureau in the Treasury Department created simply to insure ships was a mystery to me. The bureau was bound to break down under the load. No power on earth and no amount of "efficiency" in management could have saved it. Congress ought to have had sense enough to throw that bill out and pass a bill that was properly drawn. I believe at the time I was the only Member on this side of the House who voted against the passage of that bill. [Applause.] Now there seem to be a lot of Members who wish they had also so voted.

Mr. STAFFORD rose.

The CHAIRMAN. The gentleman from Wisconsin is recognized for 15 minutes.

Mr. STAFFORD. Mr. Chairman, I do not wish in any way to supplement the exhaustive presentation of this measure made by the chairman of the subcommittee [Mr. BYRNS of Tennessee], but I wish to make a few general observations.

It has been suggested that four years after the conclusion of the present war the cost for maintaining our Government would be in the neighborhood of from $4,000,000,000 to $5,000,000,000 annually. At the beginning of the war the cost was in the neighborhood, as you all know, of $1,000,000,000. We have in the bill presented to you—the first appropriation bill after the signing of the armistice—which reflects, in a way, the war activities of the Government and the expectation of larger increases of appropriation occasioned by our entrance into the war.

This bill carries a total appropriation of $96,000,000. The last legislative appropriation bill carried $37,000,000. The $96,000,000 must be credited with $13,000,000 provided for the taking of the census. Fifteen million dollars is the amount carried, but we usually appropriate $2,000,000 for that bureau. But outside of that instance I do not recall any increase that is not directly traceable to the war. For instance, the appropriation for the State Department: In 1917 we appropriated on the statutory roll $321,000 and $126,000 additional for temporary employees, or a total of $447,000. This bill, for statutory employees in the State Department, carries a total of $529,000 and $125,000 additional for temporary employees, or a total of $654,000.

However, you may take other items in this bill—for instance, the appropriation for the Comptroller of the Treasury: For the fiscal year 1917 we appropriated $73,000, and this bill carries $137,000. Take the Treasurer's office: In 1917, $325,000; in this bill, $778,000. Take Internal Revenue: For the clerical force in that bureau, $381,000 for the fiscal year 1919, and for the coming fiscal year, $687,000. That is not the amount that we appropriate for services in the field for collecting the revenue, which aggregates the large amount of $21,000,000.

Mr. MADDEN. This is only for this city?

Mr. STAFFORD. Yes. That is only for the clerks in the bureau here in Washington. So that we have here incontrovertible testimony that by reason of our entrance into the war the expenses of the Government are going to be at least two-fold, and maybe threefold, as the immediate necessities follow.

The subcommittee has had great difficulty in readjusting the clerical force of the War Department and the Navy Department to the conditions that will obtain during the next fiscal year. As was stated by the chairman of the subcommittee, the Navy Department has resorted to naval reservists in large numbers to perform clerical services, and it was represented by the Assistant Secretary of the Navy, Mr. Roosevelt, when called before our committee, that it was the policy and intention of the Navy Department to go before the Committee on Naval Affairs and ask for authorization to provide for 2,500 reservists during the next fiscal year.

I agree with the chairman of the subcommittee that that practice is open to criticism. Though the War Department used

limited-service men in a clerical capacity, it is not the intention of the War Department during the next fiscal year to use limited-service men at all, but to dismiss as rapidly as possible during the remaining months of the present fiscal year these limited-service men who have been performing clerical services.

Mr. TILSON. May I interrupt the gentleman?

Mr. STAFFORD. I will be glad to submit to a brief interruption.

Mr. TILSON. Did it appear before the gentleman's committee what is the relative cost of a reservist and a civilian employee to do the same work?

Mr. STAFFORD. I am able to give the gentleman that information. There are three classes of reservists. A chief yeoman or yeowoman receives $1,600, a first-class yeoman $1,344, a second-class yeoman $1,296, a third-class yeoman $1,244, and a landsman $1,123, all salaries higher than are usually paid for clerical services of this character.

I recognize that there was need for the Navy Department to call to the service all who could perform clerical work; but now that the war is over I can not agree with the department, particularly as we are providing for conditions beginning July 1 next, that there is any need for retaining in the Navy Department persons garbed as yeomen or yeowomen, right beside others dressed in civilian clothes, when we can get adequate numbers of clerks right here in the District of Columbia who are only too desirous of being transferred from other departments of the Government. Instance after instance has been called to our attention of young ladies who came to Washington to do their patriotic duty in aid of the Government by performing clerical duties who are now receiving $1,200 or $1,400, who are only too willing to accept service at $1,000 a year, for whom positions are not available, and yet the Navy Department is going to continue, or is asking authorization to continue, this large number, 2,572 reservists, during the coming fiscal year. Naturally we had to proceed with that as a basis in our report of appropriations; but we did provide for temporary employees distributed over various bureaus, segregating the amounts, a total of $1,040,000.

Mr. TILSON. Then the gentleman's very full answer, if stated in condensed form, would be that it costs more for the reservists than it would for civilian employees—that we are paying reservists very much more, on an average, than we pay the civilian clerks alongside of them?

Mr. STAFFORD. We are not paying so very much more, but we are paying them more; but it is a censurable practice to retain in a civilian capacity, when the war is over, persons under naval classification to perform clerical work, and there is no reason whatsoever why the Navy Department should ask it when there are adequate clerks in the District who are only too willing to perform that work, and, furthermore, when the committee were willing to grant them the money if they would only make the request.

Mr. TILSON. Does the gentleman know whether they are privileged to make allotments and the Government makes allowances to their families in addition to their pay?

Mr. STAFFORD. Although there is no direct testimony on that score, in my opinion this amount does not include their allowances. If they occupy a military position, either with the Navy or War Department, though they may be performing only clerical service, just like the limited-service men, they would be entitled to allowances to their families just like men in the ranks.

Mr. SMITH of Idaho. I think the gentleman is in error. I think the amount includes allotments for subsistence and also for quarters.

Mr. STAFFORD. That is not the question the gentleman from Connecticut asked me.

Mr. TILSON. I referred to the allowances to their families.

Mr. STAFFORD. I did not make the statement that the gentleman from Idaho seeks to put in my mouth. The gentleman from Connecticut asked me whether this included allowances to families under the war-risk insurance law. I say that they are entitled to the allowances. As far as clothing and subsistence and quarters are concerned, the testimony before the committee confirms the statement made by the gentleman from Idaho.

Mr. SMITH of Idaho. They would be entitled to the allowances allowed them by law.

Mr. COOPER of Ohio. I have been informed that a great many of the young women were encouraged by the War Department to enlist in this service for three years at these fixed salaries. Now, does the gentleman know whether any of these young women are in this class? If they are, I would not think the department ought to dismiss them when it encouraged them to enlist for three years.

Mr. STAFFORD. That phase of the subject was not gone into whatsoever. As every Member knows, this bill of 150 pages is the most detailed appropriation bill that is presented to the House for consideration. It carries special provision for 10,431 statutory clerks. It has been a laborious work to sit and go over these respective items seriatim, which the committee has been engaged on since two weeks before the regular convening of this session, until a week ago. But there are some features of this bill that take us out of the realm of tedium into the realm of practical affairs, and one of these is the growing importance, by reason of the termination of the war, of the Bureau of Foreign and Domestic Commerce in the Department of Commerce. We all recognize the great necessity at the present time of developing, so far as opportunity is offered, the European, Asiatic, and other foreign fields for our foreign commerce. We have in times past made provision for commercial attachés and commercial agents for that character of work throughout the world, carrying a total in the bill for the present year of $400,000. The committee, recognizing the need of additional force to develop this work, which is so necessary at the present time, increased one appropriation for this field investigation from $125,000 to $325,000 and increased the total appropriation to $680,000.

There is no denying that if we are going to increase our commerce, if we are going to provide commerce for our merchant marine that is fast being launched, it is absolutely necessary for us to aid as far as we can the manufacturers of this country to gain foreign markets.

The State Department has performed some activities along this line through the Consular Service, but the service performed by the commercial agents and the commercial attachés is separate and distinct and independent of the work performed by the consular representatives connected with the State Department. These men travel throughout the foreign countries to determine what business is available for the manufacturing and industrial interests of this country, and the department is equipped to convey that information directly to the various commercial and industrial activities of the country. I believe that the House will be almost unanimous, if not entirely, in approving this large increase of appropriation.

Mr. SNOOK. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. SNOOK. How many agents is it supposed to have?

Mr. STAFFORD. We increased one appropriation from $125,000 to $325,000, an increase of $200,000. The salaries of these agents vary from $4,000 to $6,000, plus their per diem expenses when away from headquarters.

Mr. SNOOK. Are they civil-service employees?

Mr. STAFFORD. They are not, as I recall, but my recollection is not distinct in respect to that. I remember that that question was considered some six or eight years ago. They are not civil-service employees, but they have to stand a test which is given them by the Bureau of Foreign and Domestic Commerce in order to have them qualify for the service.

This appropriation should have the cordial support of the manufacturing and commercial interests of the country. Through these agencies the prospects for trade expansion in foreign countries are brought home to our own tradespeople. Other foreign countries have similar trade agents. Should we now neglect this work, when the trade of foreign countries has been paralyzed largely by the war, we will pass by an opportunity that may never be so promisingly ours for years to come.

It is our duty to the industries of the country, it is our duty to our expanding merchant marine, it is of present moment to every section of the country that this commercial governmental aid should be extended.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired. All time has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. KEARNS. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

Mr. SUMNERS. Mr. Chairman, I make the point of order that there is no quorum present.

Mr. BYRNS of Tennessee. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The question is on the motion of the gentleman from Tennessee that the committee do now rise.

The question was taken.

Mr. BYRNS of Tennessee. Mr. Chairman, I demand tellers.

Tellers were ordered; and the Chair appointed Mr. STAFFORD and Mr. BYRNS of Tennessee to act as tellers.

The committee again divided; and there were—ayes 3, noes 90.

So the motion was rejected.

The CHAIRMAN. A quorum is present, and the Clerk will read.

The Clerk read as follows:

For assistance to Senators who are not chairmen of committees, as follows: Thirty clerks, at $2,000 each; 30 assistant clerks, at $1,200 each; 30 messengers, at $1,200 each; in all, $132,000.

Mr. CALDWELL. Mr. Chairman, I move to strike out the last word. I do so at this time to call the attention of the House to the fact that over on the other side of the Capitol every Member who is not a chairman of a committee, and who otherwise has plenty of help by reason of that fact, has $4,400 a year to pay for his clerical help, and their work is not any more than ours. Since this war has come and the demobilization has brought down upon us an enormous correspondence, it is physically impossible for the clerks who can be hired for $2,000 a year to attend to the business of the average Member of this House. While I do not propose to urge any point against the allowance for clerk hire for the Members of the Senate, I think it is only fair that we should at this time appropriate enough money under the proper item to pay the necessary clerical help for the Members of this House. I withdraw the pro forma amendment.

The Clerk read as follows:

For driving, maintenance, and operation of an automobile for the Vice President, $2,000.

Mr. CALDWELL. Mr. Chairman, I move to strike out the last word, and I do this for the purpose of correcting the statement which I just made. I made the statement that each Senator not a chairman of a committee was allowed $4,400 a year to pay for clerical help. The chairman of the subcommittee informs me that more than that amount is allowed. How much are they actually allowed?

Mr. BYRNS of Tennessee. I stated to the gentleman that each Senator now has a clerk who is paid out of the contingent fund, who receives $1,200 a year. That would make $5,600 a year.

Mr. CALDWELL. Well, $5,600 instead of $4,400.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. CALDWELL. Yes.

Mr. STAFFORD. As I understand the provision made by the Senate for these Senators who are not chairmen of committees, they are allowed one clerk at $2,000, one assistant clerk at $1,200, and in addition to that they have a messenger at $1,200, so that the total clerical assistance is $3,200.

Mr. CALDWELL. Then the chairman says that there is one other clerk to be paid out of the contingent fund of the Senate.

Mr. BYRNS of Tennessee. My reference was simply to the passage of a Senate resolution which provided for an additional clerk for each Senator, and that clerk was being paid out of the contingent fund. Just whether that is being done now I do not know.

Mr. STAFFORD. The chairman of the committee does not mean to convey the impression to the Members of the House that every Senator who is not a chairman of a committee is entitled to more than one clerk and one assistant clerk and one messenger, as provided in the last item on page 9?

Mr. BYRNS of Tennessee. That is all they are entitled to under the law as passed by both Houses of Congress, but the Senate passed a resolution which provided for an additional clerk for each Senator, to be paid at the rate of $1,200 per annum, the money to come out of the contingent fund of the Senate.

Now, whether they still have that clerk I do not know, but such a resolution was passed.

Mr. STAFFORD. Was the gentleman referring to the resolution passed by the Senate providing for those cases where the Senator had not been reelected and it was desired to continue the clerical force of the defeated Senator until the next regular or special session of the Congress?

Mr. BYRNS of Tennessee. No. The Senate has $50,000 in their contingent fund, and that has been all they have had for their miscellaneous items, exclusive of labor, certainly for the past four or five years. Now, under the current law the Senate raised their contingent fund from $50,000 to $140,000, the $90,000, or most of it, to be for the payment of the additional fourth clerk for the Senators at the rate of $1,200 a year. That is what I mean.

Mr. STAFFORD. Reading this provision it merely provides those Senators who are not chairmen of committees with two clerks and one messenger.

Mr. BYRNS of Tennessee. That is true.

Mr. STAFFORD. Where is the fourth clerk, when there are only two clerks?

Mr. BYRNS of Tennessee. That is true, and the gentleman is clearly correct as far as the law is concerned; but I have just stated to the gentleman that at the last session of Congress the Senate passed a Senate resolution—not a joint or a concurrent resolution, but a Senate resolution—providing for an additional clerk for each Senator, to be paid at the rate of $1,200 a year, and increased the contingent fund from $50,000 to $140,000 in order to take care of that extra clerk.

Mr. STAFFORD. Assuming that is the case, that would merely provide for three clerks instead of four.

Mr. BYRNS of Tennessee. No; it provides for four—three clerks and a messenger—making, in all, $5,600.

Mr. STAFFORD. Is the gentleman including the messenger as a clerk?

Mr. BYRNS of Tennessee. Oh, he is used as a clerk. They do not have any messengers over there who is exclusively so used. I do not know of any Senator who is employing a man simply as a messenger at $1,200. They are used to perform some kind of clerical service.

Mr. STAFFORD. I am not acquainted with senatorial ways and I was seeking information.

Mr. DALLINGER. Will the gentleman yield?

Mr. BYRNS of Tennessee. I will.

Mr. DALLINGER. I would like to ask the gentleman where is the provision for the Senate contingent fund to be large enough to take care of another clerk—where in this bill?

Mr. BYRNS of Tennessee. It is on page 10, line 25. The gentleman will notice the House has put it back to $50,000. I was speaking of the appropriation for the current year, which is $140,000. Now, what the Senate will do when this bill goes over there I do not know—whether they will increase it to $140,000 or leave it at $50,000.

Mr. HUMPHREYS. If they shall increase it to $140,000 for the contingent fund of the Senate, the House conferees will yield and agree to it.

Mr. BYRNS of Tennessee. They did so before; that has been the uniform practice in regard to appropriations relating exclusively to the organization of either House.

Mr. MAPES. Will the gentleman yield?

Mr. BYRNS of Tennessee. I will.

Mr. MAPES. Was not the resolution to which the gentleman refers passed before this appropriation was made? If the gentleman will recall, some time in the last session Senator JONES of Washington, I think it was, made a campaign for an extra clerk for those Members of the Senate who were not chairmen of committees, and a resolution was then passed awaiting legislation of this kind which gave each Senator two clerks and a messenger. Is that resolution in force or will it be after this provision is enacted into law?

Mr. BYRNS of Tennessee. Well, I do not know, and I can not tell the gentleman whether it expired by limitation or not, but I do know a resolution providing for a fourth employee was passed and that $40,000 of the $140,000 was made immediately available covering the expenses of this additional employee.

Mr. AUSTIN. Mr. Chairman, I move to strike out the last two words. I wish to ask the gentleman in charge of this bill if the proposed commission to equalize, readjust, and reclassify salaries in the executive departments also embraces authority to equalize and readjust salaries of employees of the Senate and the House?

Mr. BYRNS of Tennessee. No; it does not.

Mr. AUSTIN. Does not the gentleman think that question ought to be also considered in connection with the reclassification or investigation along the line of the readjustment of salaries in the executive departments?

Mr. BYRNS of Tennessee. I hardly think so, because each House can take that up for itself, and with very little trouble adjust those salaries at any time it chooses. We have a Committee on Accounts, for instance, that considers resolutions in reference to salaries of employees of the House, and the Senate has a similar committee. There is no reason for a joint commission to pass on such questions.

Mr. AUSTIN. Mr. Chairman, 35 or 40 years ago the two Houses of Congress got into a controversy in reference to the readjustment of the salaries of their employees. The House attempted to reduce the salaries of the Senate employees along with the reduction of the salaries of the House employees. The Senate opposed the proposition, and when the bill finally passed both Houses of Congress there was discrimination, the old salaries of the Senate remaining and the new or reduced salaries of the House remaining in the bill as it passed the House originally. Those inequalities have stood now for almost half a

century. Men at this end of the Capitol—faithful and efficient employees of the House—doing precisely the same character of work that corresponding officers of the Senate are doing, are receiving from $250 a year to $1,000 a year less. This bill carries appropriations for messengers in the Senate who are paid $220 a year more than we are paying for assistant clerks to committees of the House.

The rate of pay or compensation in the Senate is not excessive or high. It is the same as it was 40 years ago, and yet during that period there has been an advance in the cost of living, especially in the city of Washington. And if we are going in this bill to do justice by the employees of every executive department of this Government, why can we not go a step further and right this inequality which has stood for many, many years? If we continue to leave that responsibility upon the Committee on Accounts another 40 years will pass without anything being done. I trust that when we reach the paragraph providing for a commission that we will do what is right and just by those who have been associated with us here in rendering faithful and efficient service and no longer permit this injustice to remain, which is a reflection upon our sense of fairness in dealing with these faithful and deserving employees of the House.

Mr. LITTLE. Mr. Chairman, I move to strike out the last word.

I want to ask the chairman a question. I notice the gentleman in charge of the bill made a remark that the Senate insisted upon some contingent feature here. I have not been here long enough to be entirely familiar with the procedure in a good many matters. I would like to ask the gentleman from Tennessee [Mr. BYRNS], Does the Committee on Appropriations when the Senate insists do just what they insist upon, or does this report represent an examination of these arrangements for Senate contingent funds and clerks, and the like, by the committee, so that the committee reports that these are necessary?

Mr. BYRNS of Tennessee. I was referring, I will state to the gentleman, to the amendment which the Senate adopted, increasing their contingent fund in the last bill. Of course, in conference the conferees of the respective Houses always endeavor to carry out the wishes of the House they represent.

Mr. LITTLE. There has been no conference yet.

Mr. BYRNS of Tennessee. We were referring altogether to the appropriation for the current year and not in this bill. When it comes to a question of the appropriation for the clerical help of either House it has never been the custom for the other House to offer any objection. In other words, each House, it is understood, will be the judge of just what it needs in the way of clerical assistance and supplies.

Mr. LITTLE. In other words, in discussing clerks and contingent funds you are simply satisfied that the Senate feels that those things are necessary for itself. For example——

Mr. BYRNS of Tennessee. We have only allowed here for the Senate the appropriations that have been made from year to year. For instance, we have not recommended $140,000 for their contingent fund. We simply recommended the amount that has always been carried. Now, whether the Senate will see fit to increase it or not, I do not know.

Mr. LITTLE. Does that mean that your committee recommends to this House for its approval the passage of these amounts for clerks?

Mr. BYRNS of Tennessee. The amounts carried in the bill.

Mr. LITTLE. Your committee feels it knows enough about it to direct this House to pass them?

Mr. BYRNS of Tennessee. Precisely.

Mr. LITTLE. It does not depend entirely, then, upon the say-so of the Senate about it?

Mr. BYRNS of Tennessee. I am frank to say to the gentleman I do not know just how many clerks the Senate needs. I would not want to say that they did need the clerks or did not need them. We must necessarily depend on the Senate to determine that, and they have indicated——

Mr. LITTLE. Have your researches ever determined whether they need any more than we do or not?

Mr. BYRNS of Tennessee. I take it that a Senator, who represents an entire State, whereas we represent only portions of a State, needs a greater amount of clerical assistance than a Member of the House.

Mr. LITTLE. It was not my intention particularly to take issue on that. I was looking for the information from your experience. You think probably they do need a little more, then?

Mr. BYRNS of Tennessee. Yes.

Mr. LITTLE. Would it appear to you they need twice as much?

Mr. BYRNS of Tennessee. That would depend, of course, upon the correspondence of each individual Member and also of the Senators. There might be cases where they do not need twice as much and there might be cases where they needed more.

Mr. LITTLE. I was just seeking the information.

Mr. CALDWELL. Will the gentleman yield?

Mr. LITTLE. I will.

Mr. CALDWELL. There are some cases where there are two Senators in a State and one Member of Congress. In that case the Member of Congress would have as much work as both Senators. And there are some States where Senators live in rural sections and Congressmen in thickly settled sections, where the Congressman would have three times as much correspondence. I mean to say that neither of the Senators in my State has the correspondence that I have.

Mr. LITTLE. Do you not think that in a State where they have two Senators and one Representative the Representative should receive the same amount the two Senators receive? Would that suggestion receive the Senate's approval?

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For folding speeches and pamphlets, at a rate not exceeding $1 per thousand, $5,000.

The CHAIRMAN. The Chair desires to call attention to the misspelling of the word "pamphlet," on line 13, page 10. Without objection, it will be corrected.

There was no objection.

The Clerk read as follows:

JOINT COMMITTEE ON PRINTING.

For clerk, $3,000; inspector, under section 20 of the act approved January 12, 1895, $2,000; stenographer, $1,000; for expenses of compiling, preparing, and indexing the Congressional Directory, $1,600; in all, $7,600, one half to be disbursed by the Secretary of the Senate and the other half to be disbursed by the Clerk of the House.

Mr. GOOD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Iowa moves to strike out the last word.

Mr. GOOD. Mr. Chairman, with regard to this item here, I have wondered whether the Joint Committee on Printing could not, by the adoption of some rule or method, make some change in the printing of the roll calls. If the names on roll calls could be printed in distinctive type, that would be valuable not only to the present Congress, but valuable to students and persons who are investigating matters involved in roll calls after this Congress and other Congresses shall have passed away.

For instance, if one wants to know the political line up of parties and how the votes are recorded on a measure, it takes hours, and even days, to go back and look up the history of that vote to learn how the parties were divided. You must take not only the roll call at the beginning of the session, but oftentimes Members die and others are elected in their stead, and you must also take the biographical dictionary and find out to what party Members belong.

It seemed to me that if the names of Members could at all times be printed in distinctive type and that type carried not only through one Congress, but through all Congresses; that is, if the names of the Democratic Members could be differentiated, as now, in roman type, and adopt it as a permanent thing and print the roll calls in the same way, and use italics for the Republican Members, then if persons who come after us or persons unacquainted with the Members wanted to look up the personal history on roll calls they could tell at a glance just how political parties and members of political parties voted on the roll calls.

It seems to me it would not cost a cent more to do it, but it would be of great advantage to anyone taking up the study of legislation in the Congress of the United States. I do not know whether any members of the Joint Committee on Printing are here. I do not know whether it is possible or not to do this; but it seems to me that something of that kind ought to be done.

Mr. JUUL. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. JUUL. I wish to state, for the benefit of the gentleman from Iowa and the Members here, that in Illinois the secretary of state carries on a publication in the form of a bluebook, containing a list of members of the House and of the Senate of Illinois, from the beginning of the State legislature, and each year you can get your copy of the bluebook when it is handed to you and there see the political complexion of each member.

Mr. GOOD. What I am talking about is the roll calls as printed in the CONGRESSIONAL RECORD. They are not printed in distinctive type. It seems to me they might be printed in distinctive type, and that it would be a great convenience for people not familiar with the membership of Congress to know just exactly what their political affiliations were.

The CHAIRMAN. The gentleman withdraws his pro forma amendment.

Mr. MANN. Mr. Chairman, I desire to oppose the amendment.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. MANN. The suggestion made by the gentleman from Iowa [Mr. GOOD] strikes me at first blush as a very good suggestion. The tally sheet, from which the roll call in the RECORD is made, is already printed in distinctive type. It has been the case, I think, for years, for the majority Members to be printed in roman and for the minority Members to be printed in italics and for independents to be printed in capital letters or by some other means of distinction, so that if the Government Printing Office would follow copy the distinction would be made in the roll call; that is, follow copy as to the kind of print. We frequently waste a great deal of time—many of us, I think—in going over old roll calls, and sometimes present roll calls, in figuring how Members vote. It is not very difficult as to the present roll calls, because most of us know the political complexion of the Members; but if you want to go back awhile, frequently in looking over an old roll call it is quite a job.

Mr. HUMPHREYS. The gentleman means it is not difficult for a Member of the House to do it at present?

Mr. MANN. Yes; it is not difficult for a Member of the House to do it at present.

Mr. HUMPHREYS. But for an outsider it would be exceedingly difficult?

Mr. MANN. Yes. Of course probably the main reason why there is distinctive type used for the different political parties in the tally sheet is that it is for the benefit of the newspaper boys, so that they will not have to figure out what a man's politics is. It is right before them when they make up the list, and they frequently report how the House votes politically.

The CHAIRMAN. The Clerk will read.

Mr. SMITH of Idaho. Mr. Chairman, may I ask the gentleman from Illinois a question?

Mr. MANN. Certainly.

Mr. SMITH of Idaho. I am not a printer, but it seems to me it would be very difficult for the printers to print the RECORD in the manner suggested. Probably the same end would be accomplished by having a capital letter, indicating the party to which the Member belongs, placed beside the Member's name.

Mr. MANN. I do not understand why it will be difficult for the Government Printing Office to print one name in Roman and the next in italics.

Mr. SMITH of Idaho. I presume the RECORD is set up by machinery, by the linotype, and it would not be as easy to insert italics and capital letters as it would be to insert the letter "R" or the letter "D," as the case may be, after the names of Members.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. GARRETT of Tennessee. The physical difficulties of printing, of course, might be easily overcome, but I believe that if the gentleman from Illinois will consider the question more thoroughly he will realize that there ought not to be in the official declaration of a vote recognition of political parties, to be put in by name. The physical difficulties could probably be overcome, but the objection is one more fundamental than that. The mere physical difficulty is not in the way. It ought not to be.

Mr. MANN. I could readily see that there might be an objection to having inserted at the end of the vote so many Democrats voted "aye" and so many voted "no" and so many Republicans voted "aye" and so many voted "no." I would not do that; but it is just as convenient for Members of the House and other people to have the roll call printed in such a way as to show the politics as it is at the Clerk's desk, where it is convenient for the clerks to have the tally sheet printed that way, so that they can tell whether a man is a Republican or a Democrat.

In other words, the reading clerk, in calling the roll, when he calls a name printed in roman will look over at that side of the House for a response, and when he calls a name printed in italics he will look over on this side of the House.

Mr. HUMPHREYS. Mr. Chairman, I move to strike out the last word. A year or two ago did we not provide for a much more elaborate index of the CONGRESSIONAL RECORD than the one we have now—more of a topical index?

Mr. MANN. I do not think so. The CONGRESSIONAL RECORD index is very much amplified now.

Mr. HUMPHREYS. We talked a good deal about it. I thought there was provision made, and that ex-Senator Peffer, of Kansas, was engaged on it under some provision that was made.

Mr. MANN. I think that did not apply to the current RECORD.

Mr. CAMPBELL of Kansas. That applied to the old RECORD, indexing it by topics. When a man talked about free silver in 1896, or greenbacks in 1876, Senator Peffer would find that and index it.

Mr. MANN. I suppose it was mainly to give employment to somebody.

Mr. STAFFORD. It was called to the attention of some committee, I believe, a year ago that there was some person employed by the Senate to do that work, and that he was receiving a large fee for indexing the RECORD. I believe that person has since gone into the service of the Army, and that the RECORD is not being indexed accordingly at the present time.

The Clerk read as follows:

HOUSE OF REPRESENTATIVES.

For compensation of Members of the House of Representatives, Delegates from Territories, the Resident Commissioner from Porto Rico, and the Resident Commissioners from the Philippine Islands, $3,304,500.

Mr. CAMPBELL of Pennsylvania. Mr. Chairman, I wish to offer an amendment to increase the compensation of Representatives and Senators from $7,500 to $10,000 per annum.

The CHAIRMAN. The gentleman does not indicate where the amendment is to come in.

Mr. CALDWELL. Is the gentlemen's motion to strike out "$3,304,500" and insert in lieu thereof "$4,400,000"?

Mr. CAMPBELL of Pennsylvania. I offer that as an amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. CAMPBELL of Pennsylvania offers an amendment on page 12, line 5, to strike out the figures "$3,304,500" and insert in lieu thereof "$4,400,000."

Mr. BYRNS of Tennessee. I reserve a point of order on that amendment. I will say to the gentleman that his amendment will not accomplish what he desires, because the law fixes the salaries of Members of Congress at $7,500, and merely to increase the total of the appropriation would not increase the salaries. I make the point of order against the amendment.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

Chaplain: For Chaplain, $1,200, and $600 additional so long as the position is held by the present incumbent.

Mr. DYER. Mr. Chairman, in line 15, I move to strike out the figures "$600" and insert in lieu thereof the figures "$800," so as to increase the salary of the present Chaplain $200.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. DYER moves to amend, on page 12, line 15, by striking out the figures "$600" and inserting in lieu thereof the figures "$800."

Mr. BYRNS of Tennessee. I reserve a point of order, if the gentleman wishes to discuss his amendment.

Mr. DYER. I do not think it is subject to a point of order.

Mr. BYRNS of Tennessee. Suppose I make the point of order and let the gentleman discuss that.

Mr. DYER. I am quite sure it is not subject to a point of order. If the gentleman wants to make it, he may do so.

Mr. BYRNS of Tennessee. I make the point of order that it is not authorized by law.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

Clerks, messengers, and janitors to the following committees: Accounts—clerk $2,500, assistant clerk $1,800, janitor $1,000; Agriculture—clerk $2,500, assistant clerk $1,800, janitor $1,000; Appropriations—clerk $4,000 and $1,000 additional so long as the position is held by the present incumbent, assistant clerk and stenographer $2,500, assistant clerks—1 $1,900, 1 $1,800, janitor $1,000; Banking and Currency—clerk $2,000, assistant clerk $1,200, janitor $720; Census—clerk $2,000, janitor $720; Claims—clerk $2,500, assistant clerk $1,200, janitor $720; Coinage, Weights, and Measures—clerk $2,000, janitor $720; District of Columbia—clerk $2,500, assistant clerk $1,800, janitor $720; Election of President, Vice President, and Representatives in Congress—clerk $2,000; Elections No. 1—clerk $2,000, janitor $1,000; Elections No. 2—clerk $2,000, janitor $720; Elections No. 3—clerk $2,000, janitor $720; Enrolled Bills—clerk $2,000, janitor $720; Flood Control—clerk $2,000, janitor $720; Foreign Affairs—clerk $2,500, assistant clerk $1,800, janitor $720; Immigration and Naturalization—clerk $2,000, janitor $720; Indian Affairs—clerk $2,500, assistant clerk $1,800, janitor $720; Industrial Arts and Expositions—clerk $2,000, janitor $720; Insular Affairs—clerk $2,000, janitor $720; Interstate and Foreign Commerce—clerk $2,500, additional clerk $2,000, assistant clerk $1,500, janitor $1,000; Irrigation of Arid Lands—clerk $2,000, janitor $720; Invalid Pensions—clerk $2,500, stenographer $2,100, assistant clerk $2,000, janitor $1,000; Judiciary—clerk $2,500, assistant clerk $1,600, janitor $720; Labor—clerk $2,000, janitor $720; Library—clerk $2,000, janitor $720; Merchant Marine and Fisheries—clerk $2,000, janitor $720; Military Affairs—clerk $2,500, assistant clerk $1,500, janitor $1,000; Mines and Mining—clerk $2,000, janitor $720; Naval Affairs—clerk $2,500, assistant clerk $1,500, janitor $1,000; Patents—clerk $2,000, janitor $720; Pensions—clerk $2,500, assistant clerk $1,600, janitor $720; Post Offices and Post Roads—clerk $2,500, assistant clerk $1,400, janitor $1,000; Printing—clerk

$2,000, janitor $1,000; Public Buildings and Grounds—clerk $2,500, assistant clerk $1,200, janitor $720; Public Lands—clerk $2,000, assistant clerk $1,200, janitor $720; Revision of the Laws—clerk $2,000, janitor $720; Rivers and Harbors—clerk $2,500, assistant clerk $1,800; janitor $1,000; Roads—clerk $2,000, janitor $720; Rules—clerk $2,000, janitor $720; Territories—clerk $2,000, janitor $720; War Claims—clerk $2,500, assistant clerk, $1,200, janitor $720; Ways and Means—clerk $3,000, assistant clerk and stenographer $2,000, assistant clerk $1,900, janitors—1 $1,000, 1 $720; in all, $171,700.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. I wish to ask the chairman of the committee how it comes that the Foreign Affairs Committee, a very small committee, and the Indian Affairs Committee, another small committee, have assistant clerks at $1,800, while the Naval Affairs Committee and the Post Office Committee and a lot of large committees here have clerks at $1,500 or $1,400? How does that happen?

Mr. BYRNS of Tennessee. I do not know, unless the chairmen of those committees were a little more persuasive with the House. I will say to the gentleman that practically all of these clerks to committees have been allowed in the first instance by resolution.

Mr. MADDEN. I just wondered how it came, because there is not any comparison in the amount of work that has to be done by the clerks of these committees. Take the Post Office Committee, for example, with appropriations of about $400,000,000 a year, compared with the Indian Affairs Committee with appropriations of $17,000,000 a year, or the Foreign Affairs Committee with appropriations of $3,000,000 or $4,000,000 a year, and the Naval Committee with several billion dollars a year lately.

Mr. CAMPBELL of Kansas. Will the gentleman permit me?

Mr. BYRNS of Tennessee. Yes.

Mr. CAMPBELL of Kansas. Probably the number of bills introduced and the number of meetings of the committee and hearings on bills before the committee would have more to do with the work of the clerk than the total sum carried in the annual appropriation bill.

Mr. MADDEN. I do not think that helps the case any, because some of these big committees are constantly in session.

Mr. CAMPBELL of Kansas. I doubt if there is a more active committee mentioned by the gentleman, outside of the Committee on Naval Affairs, than the Committee on Indian Affairs.

Mr. MADDEN. I do not disparage the importance of the work of the Indian Affairs Committee, but the volume of its work can not be compared with the volume of the work done by some other committees.

Mr. CAMPBELL of Kansas. Not in dollars and cents, but it does have important work to do.

Mr. MADDEN. I do not say it is not important; but the volume of its work can not amount to so much as that of some of these other committees.

Mr. BYRNS of Tennessee. Since I have been a member of the Committee on Appropriations, and I understand that has been the case heretofore, the Appropriations Committee has never recommended an additional clerk to a committee unless a resolution providing for it was first introduced and passed by the House. So I can not give the gentleman any information as to why these salaries are different. That is a matter that rests with the House.

Mr. MANN. Mr. Chairman, I move to strike out the last word. Will some gentleman in the Committee on Military Affairs tell us how many clerks that committee has?

Mr. CALDWELL. Mr. Chairman, they have a clerk, an assistant clerk, and a messenger, called the janitor.

Mr. MANN. Of course, we carry a clerk and an assistant clerk in this bill, but I am under the impression that Congress has provided an additional clerk for the Committee on Military Affairs in a resolution, whose compensation is payable out of the contingent fund of the House.

Mr. CALDWELL. There are several people working up there. One of them is the chairman's secretary, who is allowed under another provision of the bill, and it may be that there is still another one, because the work is very, very heavy.

Mr. MANN. I am not sure, but I have it in my mind that an additional clerk was provided. Industrial Arts and Expositions—clerk $2,000, janitor $720; Insular Affairs—clerk $2,000, janitor $720; Interstate and Foreign Commerce—clerk $2,500, additional clerk $2,000, assistant clerk $1,500, janitor $1,000; Irrigation of Arid Lands—clerk $2,000, janitor $720; Invalid Pensions—clerk $2,500, stenographer $2,100, assistant clerk $2,000, janitor $1,000; Judiciary—clerk $2,500, assistant clerk $1,600, janitor $720; Labor—clerk $2,000, janitor $720; Library—clerk $2,000, janitor $720; Merchant Marine and Fisheries—clerk $2,000, janitor $720; Military Affairs—clerk $2,500, assistant clerk $1,500, janitor $1,000; Mines and Mining—clerk $2,000, janitor $720; Naval Affairs—clerk $2,500, assistant clerk $1,500, janitor $1,000; Patents—clerk $2,000, janitor $720; Pensions—clerk $2,500, assistant clerk $1,600, janitor $720; Post Offices and Post Roads—clerk $2,500, assistant clerk $1,400, janitor $1,000; Printing—clerk

clerk. Then one is Mr. DENT's secretary, allowed under the provision of the bill on page 19, as every one of us has a secretary allowed, and then there is another one, and I do not know just what her status is.

Mr. MANN. Of course, as suggested by my colleague, Mr. MADDEN, it would be ridiculous for Congress to say that the Committee on Military Affairs should have one assistant clerk at $1,500 and the Committee on Foreign Affairs should have one assistant clerk at $1,800, and I say that with the intention of making no reflection whatever upon the Committee on Foreign Affairs.

Mr. MADDEN. Or the Committee on Indian Affairs.

Mr. MANN. The Committee on Indian Affairs has a great deal of legislation outside of its appropriation bill. The Committee on Foreign Affairs is one of the important committees of the House, and I am making no reflection upon it at all. I think that committee ought to have an $1,800 assistant clerk.

Mr. CALDWELL. I would not be at all surprised that a large amount of the work that is being done up in the Committee on Military Affairs is being done as it is in a great many of the other Members' rooms, paid for out of the pocket of the Member, instead of out of the Treasury of the United States, as it should be. I have no doubt in the world that the help up there ought to be increased, because the work is very heavy.

Mr. LITTLE. Mr. Chairman, if I may be permitted, it occurred to me that perhaps they need some one as clerk of the Committee on Foreign Affairs who is acquainted with some other language. I do not know.

Mr. MANN. Oh, no; I think the Committee on Foreign Affairs needs no interpreter. The members of that committee speak all languages.

Mr. LITTLE. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 15, line 25, after the figures "$720" insert "Woman Suffrage, clerk, $2,000; assistant, $720."

Mr. BYRNS of Tennessee. Mr. Chairman, on that I reserve the point of order.

Mr. LITTLE. What is the point of order?

Mr. BYRNS of Tennessee. It is not authorized by law. It is legislation upon an appropriation bill.

Mr. LITTLE. The gentleman informed us a few moments ago that they made up this list of clerks after resolutions had been introduced and passed on the floor. The resolution was introduced here this morning and passed with regard to a clerk, and if you follow the rule you laid down a few moments ago, now that that resolution has been adopted, then this bill is subject to the same amendments that you would make to it under your argument. I do not see anything in the point of order. If it is out of order I do not care to waste time discussing it.

Mr. BYRNS of Tennessee. Mr. Chairman, I make the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. LITTLE. Then, Mr. Chairman, I make the point of order that every one of these assistants who have been added here is subject to the same point of order, having been added because of resolutions introduced, and they ought to be stricken out.

Mr. CALDWELL. Mr. Chairman, I would like to be heard upon that point of order.

The CHAIRMAN. The Chair can not rule on such an omnibus point of order as that.

Mr. LITTLE. Then I shall make the point of order a little more definite, though I am not familiar enough with them to indicate which ones; but let us take, for example, the assistant clerk to the Committee on Foreign Affairs. I do not know whether that is added by virtue of some resolution such as the gentleman from Tennessee mentioned, but I am going to assume that it is and make the point of order that it is out of order, because it was added, and if the gentleman says it was not, that would cover that point. Each of these assistants here was added because of some resolution like that.

Mr. BYRNS of Tennessee. Mr. Chairman, I can not speak positively as to every position here, but my impression is that practically all, if not all, of these positions have been provided by resolution.

Mr. LITTLE. Mr. Chairman, I renew my point of order.

Mr. BYRNS of Tennessee. And even if that were not true, the gentleman's point of order comes too late, because there has been discussion of the paragraph and amendments offered.

Mr. LITTLE. Mr. Chairman, I renew my point of order. The chairman says that they are all that way in effect. If mine is out of order they all are.

The CHAIRMAN. The Chair thinks the gentleman's point of order comes too late. The point of order is overruled, and the Clerk will read.

The Clerk read as follows:

Office of Doorkeeper: Doorkeeper, $5,000; maintenance and repair of folding room motor truck, $500, or so much thereof as may be necessary; special employee, $1,500; superintendent of reporters' gallery, $1,600; janitor, $1,500; messengers—16 at $1,180 each, 14 on soldiers' roll at $1,200 each; laborers—17 at $720 each, 2 known as cloakroom men at $840 each, 8 known as cloakroom men, 1 $600 and $120 additional so long as the position is held by the present incumbent, and 7 at $600 each; 2 female attendants in ladies' retiring rooms at $800 each; superintendent of folding room, $2,500; foreman, $1,800; 3 clerks, at $1,600 each, messenger, $1,200; janitor, $720; laborer, $720; 32 folders, at $900 each; 2 drivers, at $840 each; 2 chief pages, at $1,500 each; 2 messengers in charge of telephones (one for the minority), at $1,800 each; 2 assistant chief pages, at $1,500 each; 44 pages, during the session, including 2 acting pages, 2 telephone pages, press gallery page, and 10 pages for duty at the entrances to the Hall of the House, at $2.50 per day each, $23,430; superintendent of document room, $2,000; assistant superintendent, $2,100; clerk, $1,700; assistant clerk $1,600; assistants—seven at $1,320 each, one $1,100; janitor, $920; messenger to press room, $1,000; in all, $161,750.

Mr. BYRNS of Tennessee. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

On page 17, in line 9, strike out the words "assistant chief pages" and insert in lieu thereof "assistants to messengers in charge of telephones, one for the minority."

Mr. BYRNS of Tennessee. Mr. Chairman, this is simply to make the appropriation conform with the resolution which was passed creating those two places.

Mr. LITTLE. May I inquire when this was passed?

Mr. BYRNS of Tennessee. I can tell the gentleman in a few moments.

Mr. HUMPHREYS. It was about October.

Mr. BYRNS of Tennessee. The resolution was agreed to September 24, 1918, and provided for those places in the language as appears in the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For the employment of Joel Grayson in document room, $2,150.

Mr. JUUL. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman a question. I am desirous to know why this great big mass of gentlemen who are going to draw all this money on all these preceding cases are to be lost in obscurity while our distinguished and mutual friend, Joel Grayson, has to be mentioned by name in lines 18 and 19, where I find, "For the employment of Joel Grayson in document room, $2,150." I have not the slightest doubt that Joel is a good fellow, but I want to know what Joel has done that he is distinctly specified ahead of all mankind.

Mr. MANN. I think I can give the gentleman the information.

Mr. JUUL. I do not do it sarcastically, but simply in order to find out.

Mr. MANN. Mr. Chairman, Joel Grayson knows more about public documents than any other man on earth. [Applause.]

Mr. JUUL. Mr. Chairman, that was exactly what I wanted to find out.

Mr. MANN. Well, that is true, and I think the gentleman himself must have known that. Here is the reason why his name is in here; I am perfectly willing to state it. It got to the point where the Republicans thought the Democrats would shortly win Congress, or, perhaps, after they knew they had won or were going to win, and it was the opinion on both sides of the House that Joel Grayson ought to be retained in the document room as a bureau of information and ought not to be left at the tender mercies of the superintendent of the document room or the doorkeeper, or even any committee that might be appointed to divide out the patronage, and both sides of the House unanimously agreed to put that provision in the bill, specifying him by name, and it was done. It is not subject to the point of order, and I hope he will be kept in the document room as long as he lives. [Applause.]

Mr. FOSTER. His case came up on attempt to discharge him at one time, and it was carried finally to the Comptroller of the Currency some years ago.

Mr. MANN. I do not know what his politics are.

Mr. FOSTER. I think he is a Republican, but he is one of the best men in the Capitol.

A Member. He came from Virginia.

Mr. EAGLE. In reference to the gentleman's comment, I am glad to observe one public official somewhere in America who has at the same time the commendation of even a considerable portion of the committee.

Mr. HUMPHREYS. Let me add that this order or this procedure was adopted a great many years ago, not just a few years ago.

Mr. MANN. I remember when it was adopted, though I could not specify the date.

Mr. HUMPHREYS. It must have been 20 years ago.

Mr. MANN. No; I do not think it was.

Mr. HUMPHREYS. His name was carried when I first came to Congress, and that has been 16 years ago. His name was carried in this bill.

Mr. MANN. I can not say just how long ago it was.

Mr. HUMPHREYS. My belief is that it has been carried in there for 20 years just because of his superior qualifications and fitness for that place.

Mr. SLOAN. Will the gentleman yield? He has been in long enough, so that he holds his place by right of prescription now?

Mr. HUMPHREYS. He holds it, although he is a Republican, under a Democratic House, has for the past eight years, and will hold it under the next House, not because he is a Republican, but he will hold it when the Republicans organize the House because of his efficiency.

Mr. EAGLE. Is my friend quite sure that if he were a good Democrat he would hold it?

Mr. HUMPHREYS. Oh, undoubtedly, because we have good Democrats in the organization who are particularly efficient and who have been held by the Republicans. I know one who held for 16 years when the Republicans were in control.

Mr. JUUL. I just wished to conclude my question. I wish to ask the chairman of the committee if this sum of $2,150 would be available for another man performing the same service in case anything should happen to Joel Grayson?

Mr. BYRNS of Tennessee. No; it would not; it would lapse. The appropriation would lapse and remain in the Treasury, of course, if this man should resign or die.

Mr. JUUL. What would become of the office in the meantime?

Mr. BYRNS of Tennessee. It would be necessary for the House to make some provision, but this appropriation would not be available for anyone else.

The Clerk read as follows:

For minority employees authorized and named in the resolution of December 6, 1915: Special employee, $1,800; special messenger and assistant pair clerk, $1,800; two special messengers, at $1,800 each; special chief page and pair clerk, $1,800; in all, $9,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I would like to get the attention of the gentleman from Tennessee [Mr. BYRNS] if I can. This paragraph provides for minority employees of the House and specifies those named in the resolution of December 6, 1915. Those were Republican minority employees. I am under the impression that in the next House the minority employees are likely to be selected by the Democratic side of the House, but there is no provision in this bill for their selection by the House or by the Democratic side of the House. We have usually carried in the bill an item providing that successors of these employees might be named by the House of Representatives at any time, and if that provision be carried in this bill, then it would authorize the Democratic caucus to have some one move a resolution that certain men be named to these places; but without that provision the places will become vacant unless the Republican minority employees fill them besides filling the majority employees' places.

Now, I do not want to be too magnanimous, but, on the other hand, I never did believe in taking candy from children. [Laughter.] It is that paragraph and the five following it. Heretofore we have carried, where it would come in after line 11, page 18, this language:

Successors to any of the employees provided in the preceding paragraph may be named by the House of Representatives at any time.

Now, why was that left out of the bill?

Mr. BYRNS of Tennessee. I was going to say to the gentleman that that provision has always been carried, and it was left out of this bill by the formal vote of the committee. I can not offer any reason for it, and I appreciate the force of what the gentleman says. I shall offer an amendment, when we reach the item, restoring it. I am very much obliged to the gentleman for calling the attention of the committee to it.

The Clerk read as follows:

To continue employment of the laborer authorized and named in the resolution of December 19, 1901, $840.

Mr. MANN. Mr. Chairman, I move to strike out the last word. This is the place where the gentleman proposes to offer the amendment.

Mr. BYRNS of Tennessee. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BYRNS of Tennessee: Page 18, line 11, insert: "Successors to any of the employees provided for in the six preceding paragraphs may be named by the House of Representatives at any time."

Mr. BYRNS of Tennessee. That is the form of the language in the current law.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Official reporters: Six official reporters of the proceedings and debates of the House, at $5,000 each; assistant, $2,500; six expert transcribers, at $1,200 each; janitor, $720; in all, $40,420.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word, if I may.

It seems that the Official Reporters of debates of the House are entitled to better consideration than they receive. If there ever was a corps of efficient men, trained in the art of their employment, it is this corps. It seems to me that while everybody who has devoted a lifetime to the study of an important calling, requiring expert knowledge and experience should be given the compensation which that knowledge and experience and their work justify, these men are not being paid what they should be paid. And I am rather at a loss to understand why the Committee on Appropriations has never thought proper to report an increased appropriation for their compensation.

I think the salaries of the official reporters of the House were fixed 30 or 40 years ago, when you could buy potatoes for 25 cents a bushel, sugar for 3 cents a pound, flour for $4 a barrel, beefsteak for about 10 cents a pound, ham for 7 or 8 cents, and bacon for about 5 or 6 cents, while to-day the cost of these commodities has soared so sigh that it is only occasionally that a person can get an opportunity to indulge in the luxury of eating them.

I do not know whether it is in order or not, but I am going to test it out by trying. I move to amend the item for the compensation of the official reporters of the House by increasing that compensation to $6,000 each where it now is reported at $5,000.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. MADDEN moves to amend, page 19, line 4, by striking out "$5,000" and inserting in lieu thereof "$6,000."

Mr. MADDEN. And I move to strike out "$2,500" where it appears and make it "$3,500."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 19, line 5, strike out "$2,500" and insert "3,500."

Mr. BYRNS of Tennessee. Mr. Chairman, I make the point of order on the amendment.

Mr. MADDEN. I am very sorry.

Mr. BYRNS of Tennessee. I want to say that I appreciate the force of what the gentleman says; but the Committee on Appropriations has never assumed authority and jurisdiction to bring in an increase of salary for employees of the House without the House having first taken action. I have understood there has been a resolution introduced, or is about to be introduced, in regard to the salaries of the reporters of debates in the House. That resolution will go to the Committee on Accounts, the proper committee for jurisdiction of it, and in that way the House can take such action as it sees fit. Since it is not authorized by law, I feel constrained to make the point of order.

Mr. MADDEN. I appreciate the modesty of the gentleman from Tennessee and his committee in not having recommended action until the House has first acted; but since the House has had no opportunity to act, why should the committee object to giving it that opportunity now?

Mr. MANN. Mr. Chairman, I move to strike out the last word. My genial friend from Tennessee [Mr. BYRNS] says the Committee on Appropriations never does any of these things without the consent of the House, but this very paragraph carries an item that the House has never authorized, namely:

Six expert transcribers, at $1,200 each.

When did the House give authorization for that?

Mr. STAFFORD. In the gentleman's absence from Congress a resolution passed the House which provided that instead of the Official Reporters of debates paying the transcribers out of their own salaries and then being reimbursed later, the transcribers should be made annual clerks at $1,200 a year.

Mr. MANN. All right. I was not aware of that fact.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

Mr. MADDEN. Mr. Chairman, did I understand the Chair to sustain the point of order made by the gentleman from Tennessee? I did not understand the ruling. I thought the Chair overruled it.

The CHAIRMAN. The Chair sustained it. The Clerk will read.

The Clerk read as follows:

Clerk hire, Members and Delegates: To pay each Member, Delegate, and Resident Commissioner, for clerk hire, necessarily employed by him in the discharge of his official and representative duties, $2,000 per annum, in monthly installments, $880,000, or so much thereof as may be necessary; and Representatives and Delegates elect to Congress whose credentials in due form of law have been duly filed with the Clerk of the House of Representatives, in accordance with the provisions of section 39 of the Revised Statutes of the United States, shall be entitled to payment under this appropriation: *Provided*, That all clerks to Members, Delegates, and Resident Commissioners shall be placed on the roll of employees of the House and be subject to be removed at the will of the Member, Delegate, or Resident Commissioner by whom they are appointed; and any Member, Delegate, or Resident Commissioner may appoint one or more clerks, who shall be placed on the roll as the clerk of such Member, Delegate, or Resident Commissioner making such appointments.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. CALDWELL. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order on the paragraph.

Mr. CALDWELL. If the gentleman please, if the gentleman is going to reserve a point of order on the paragraph, I would have him make it.

Mr. STAFFORD. I make the point of order. It is legislation not authorized by law.

Mr. CALDWELL. Of course, the gentleman realizes that that knocks out all the clerk hire of all the Members?

Mr. STAFFORD. I intend to do as I did last year—offer an amendment providing for the same amount for clerk hire as is now provided by the present bill.

Mr. HUMPHREYS. What is the gentleman's point of order?

Mr. STAFFORD. That it is legislation not authorized by existing law.

Mr. HUMPHREYS. What is legislation?

Mr. STAFFORD. Two thousand dollars.

Mr. HUMPHREYS. Does the gentleman contend that it ought to be $1,200, the law?

Mr. CALDWELL. The law is $1,200. I understand that any Member who is not a chairman of a committee authorized by resolution to have a clerk is entitled to a session clerk at the rate of $100 a month. That is the law, so that if the gentleman from Wisconsin insists on his point of order, nobody in this House will have a secretary or a clerk to take care of his business. I would like to have the Chair rule on the question.

The CHAIRMAN. Has any Member made a point of order on the paragraph?

Mr. CALDWELL. I will appeal from the decision of the Chair.

The CHAIRMAN. Does the gentleman from Wisconsin insist on his point of order?

Mr. STAFFORD. I do.

The CHAIRMAN. The point of order is sustained.

Mr. STAFFORD. Mr. Chairman, I offer the following amendment:

On page 19, line 12, insert "Clerk hire, Members and Delegates: To pay each Member, Delegate, and Resident Commissioner for clerk hire necessarily employed by him in the discharge of his official and representative duties, $2,000 per annum, in monthly installments, $880,000, or so much thereof as may be necessary."

Mr. CALDWELL. Mr. Chairman, I offer a substitute for the amendment.

Mr. MANN. Mr. Chairman, I wanted to ask the gentleman from Wisconsin whether this provision in his judgment is subject to a point of order?

Mr. STAFFORD. It is, so far as the amount is concerned. The existing law allows the payment of only $1,200. This authorizes the payment of $2,000.

Mr. MANN. This is the same provision that was stricken out, but the point of order made against the bill is made to the provision in reference to the filing of the names of the clerks with the Clerk of the House, I take it?

Mr. STAFFORD. That is so.

Mr. MANN. This is subject to amendment, then, of course?

Mr. STAFFORD. It may be amended by any germane amendment. It increases the amount.

Mr. MANN. It increases the amount, but it possibly could not provide for a stenographer by name?

Mr. STAFFORD. That is perfectly correct.

Mr. HUMPHREYS. Mr. Chairman, will the gentleman from Wisconsin yield to me for a question?

Mr. STAFFORD. I have not the floor, but I will yield.

Mr. HUMPHREYS. I understand the gentleman has an amendment pending and so has the floor. Would the gentleman permit an amendment fixing the amount at $3,200, so that in addition to our secretary we would have a stenographer at $1,200?

Mr. STAFFORD. I may say to the gentleman from Mississippi that the subcommittee did not consider any increase of salary whatsoever for clerk hire. We had this matter thrashed out last year when an attempt was made to raise the allowance for clerk hire from $2,000 to $2,400. The motion of the gentleman from New York [Mr. CALDWELL], was voted down at that time when the House decided that the clerk hire should be $2,000.

Mr. HUMPHREYS. But the gentleman from Wisconsin realizes, with everybody else, that this work has been very largely increased, perhaps doubled, since then.

Mr. STAFFORD. No; I can not agree to that so far as my own office work is concerned.

Mr. HUMPHREYS. It has been very materially increased. My own has been doubled. I imagine that everybody's work has been radically increased; so much so that if you have only one clerk I dare say—I have not had the experience, because, being the chairman of a committee, I have more than that—but I do not believe any one clerk could well attend to the stenographic work in the committee and also perform the duties of secretary.

Now, it occurs to me that if we are able to have a secretary at $2,000 he would do the work of the secretary, and then if we had enough to employ a stenographer to do the stenographic work it would certainly enable the Members of the House to perform their duties to their constituents much more efficiently and effectively. I hope the gentleman will not object to increasing the amount, making it $3,200 instead of $2,000. That would answer all practical purposes and it would not be extravagant.

Mr. STAFFORD. This matter should be presented to the Committee on Accounts in the proper way. The committee has not given any consideration to it.

Mr. HUMPHREYS. The committee has not given consideration to the $2,000 which the gentleman proposes. The gentleman himself proposes to make the amount $2,000.

Mr. STAFFORD. That is the existing law.

Mr. HUMPHREYS. In the last analysis it has to go back to the committee for final action.

I suppose the Committee on Accounts in the last analysis has got to come back to this committee for final action.

Mr. BYRNS of Tennessee. I offer the following amendment, on page 13.

Mr. MANN. There is no page 13 to this.

Mr. BYRNS of Tennessee. To strike out the words "pay each," in the first line of the amendment, and insert in lieu thereof the words "for clerk hire for each"; and strike out the words "for clerk hire," in the last part of the second line and the first part of the third line, and add the following at the end of the amendment:

The CHAIRMAN. The Clerk will report the amendment to the amendment offered by the gentleman from Tennessee to the amendment of the gentleman from Wisconsin.

The Clerk read as follows:

Amendment offered by Mr. BYRNS of Tennessee to the amendment offered by Mr. Stafford: Page 19, line 13, after the word "delegate," strike out the words "pay each" and insert in lieu thereof "for clerk hire for each," and in lines 14 and 15 strike out the words "for clerk hire," and after the word "necessary," at the end of the amendment, insert:

"*Provided*, That all clerks to Members, Delegates, and Resident Commissioners from and after July 1, 1919, shall be employees of the House of Representatives and shall be paid in the same manner as other employees of the House are paid: *Provided further*, That each Member, Delegate, and Resident Commissioner may appoint a clerk or clerks, who shall be subject to be removed at the will of the person by whom they are appointed: *Provided further*, That the amount unexpended at the end of any month shall be carried forward and be available for expenditure in the succeeding month, but shall not be available beyond the end of the fiscal year: *Provided further*, That Representatives and Delegates elect to Congress whose credentials in the form of law have been duly filed with the Clerk of the House of Representatives, in accordance with the provisions of section 31 of the Revised Statutes of the United States, shall be entitled, from the date of commencement of their respective terms, to make appointments and removals of clerks under this appropriation: *Provided further*, That the employment of any clerk or clerks hereunder shall cease upon the death, resignation, removal, or termination of service of the Member, Delegate, or Resident Commissioner by whom they were appointed."

Mr. MANN. I reserve a point of order upon the amendment, as there seems to be a conspiracy between the two gentlemen.

Mr. STAFFORD. To show that there is no "conspiracy between the two gentlemen," I make the point of order.

Mr. BYRNS of Tennessee. I want to say to the gentleman that I was very much surprised when the gentleman from Wisconsin made the point of order against this paragraph.

Mr. MANN. And the gentleman had a typewritten proposition ready to take its place.

Mr. BYRNS of Tennessee. I had this amendment in my pocket, which I proposed to offer, because I had understood that this question of clerk hire would come up.

Mr. MANN. I am not criticizing the gentleman. I knew he had the amendment in his pocket.

Mr. BYRNS of Tennessee. I am firmly of the opinion that the House can not afford to increase its clerk hire unless it puts its clerks on the roll, as I have been contending for many years.

Mr. MANN. I am not opposed to the gentleman's proposition.

Mr. BYRNS of Tennessee. The point of order of the gentleman from Wisconsin would simply have this result: Several years ago, I think the gentleman from Georgia [Mr. BARTLETT] made a very earnest effort to put the clerks to Members on the roll. I remember in my first term in Congress he raised that issue, and I heard it fought out here upon the floor of the House and voted with him, and ever since that time I have been doing what I could in my feeble way to have the clerks to Members put upon the roll. Now, failing in his effort, as a matter of compromise there was inserted in the law a provision, not that Members' clerks should be put on the roll and paid directly out of the Treasury but that Members of Congress should file with the Clerk of the House of Representatives the names of their clerks, which amounted to nothing, except that clerks to Members had their names filed in the office of the Clerk of the House of Representatives. Now, for what reason I do not know—but certainly I do not criticize him for it—the gentleman from Wisconsin has made a point of order which absolutely destroys that provision, and the result is that there will be no filing anywhere.

Mr. CAMPBELL of Kansas. Will the gentleman yield for a question?

Mr. BYRNS of Tennessee. I yield.

Mr. CAMPBELL of Kansas. I am employing an extra clerk who is employed in one of the departments of the Government. Would this provision interfere with my employing that clerk and his being carried on two rolls?

Mr. BYRNS of Tennessee. It would if he received over $2,000. I will say that to the gentleman frankly.

Mr. CAMPBELL of Kansas. He would be getting over $2,000 in the aggregate.

Mr. BYRNS of Tennessee. Then I think this would interfere with his employment.

Mr. CAMPBELL of Kansas. He is a very competent clerk, and I want him. He can do my work. He reaches my office after the departments close, and he works probably until midnight.

Mr. BYRNS of Tennessee. I want to say this, Mr. Chairman, and I say it in all sincerity and frankness and earnestness, I do not think this House can afford to stand in the position here of absolutely destroying the provision that requires the names of our clerks to be filed in the office of the Clerk of the House and then refuse to place our clerks upon the roll. [Applause.] And I for one am not going to stand before the country as being willing to agree to any such action. Of course, the House can take such action as it pleases.

Mr. MADDEN. I think every clerk ought to go on the roll and be paid by the Clerk of the House.

Mr. CAMPBELL of Kansas. I think our clerks ought to be placed on the roll and be paid by the Clerk of the House.

Mr. BYRNS of Tennessee. That is what would be done if my amendment should be adopted.

Mr. MADDEN. I hope it will be adopted.

Mr. BYRNS of Tennessee. I think it ought to be adopted, in fairness to the Members of the House and in fairness to every Member of the next Congress.

Mr. HUMPHREYS. Mr. Chairman, may I ask the gentleman a question?

Mr. BYRNS of Tennessee. Yes.

Mr. HUMPHREYS. If the gentleman's amendment be adopted, would the gentleman object to increasing it to $3,200? Certainly we need it.

Mr. BYRNS of Tennessee. I will say to the gentleman that I am one of those who need more clerk hire than we have got, because I have had occasion to employ and have now employed two clerks, paying one of them out of my own pocket, though I hesitate to refer to myself. I have been, doing that ever since I have been in Congress. I am not prepared to say to the gentleman, however, that I would support a proposition to increase the amount of clerk hire, even if my amendment should be adopted.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. HUMPHREYS. The gentleman, if he thinks we need it, will not be very aggressive in his opposition, I take it.

Mr. BYRNS of Tennessee. I certainly do not believe the gentleman from Mississippi would support a proposition to increase the $2,000 amount without putting them on the roll.

Mr. HUMPHREYS. No.

Mr. BYRNS of Tennessee. And I, therefore, ask the gentleman if he favors my amendment?

Mr. HUMPHREYS. I am in favor of putting them on the rolls absolutely. What I would prefer to do would be to have two clerks, one at $2,000 a year and one at $1,200, both of them on the rolls, but what I ask the gentleman now is, if we accept his amendment, if his amendment is agreed to, would he not be willing to increase the amount to $3,200? They would go on the roll then.

Mr. GOOD. Mr. Chairman, I think clearly the amendment offered by the gentleman from Tennessee is subject to the point of order. I hope, however, that the House will meet the problem that is before it in a broad-minded way. For years complaint has been made in the House because of the large appropriations made for clerk hire in the other body and the small allowance in the House, and when this matter comes before the House with regard to our own clerk hire we sidestep it. That is not the way to decide this question.

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. BYRNS of Tennessee. The gentleman has stated that he thinks the amendment I offer is subject to the point of order. Just why?

Mr. GOOD. I think it is clearly legislation.

Mr. BYRNS of Tennessee. Why, it is germane to the amendment offered by the gentleman from Wisconsin [Mr. STAFFORD], and that is subject to the point of order.

Mr. GOOD. I do not think it is germane at all, but I would like to see if we can not arrive at some definite agreement in respect to this matter, for the amendment has real merit.

Mr. BYRNS of Tennessee. It is not only germane, but, as some one suggests, it is a limitation providing how that money shall be expended and how it shall be paid out of the Treasury.

Mr. GOOD. It does more than that; and I will say to the gentleman that I do not object to it in the least. I think that the employees of Members, where the salaries are paid out of the Treasury of the United States, should have their names on the rolls and they should be paid directly, providing that provision is made for enough help. I call the gentleman's attention to a fact of which he has full knowledge, that Members by the hundred have said that if you put these employees on the rolls then Members will not be permitted, as they have been permitted in the past, to take three or four hundred dollars or five hundred dollars of the amount allowed for clerk hire and pay it to a dozen clerks at times to relieve congestion.

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. BYRNS of Tennessee. I know that is the reason that has been assigned on the floor of the House in opposition to this amendment, but if the gentleman will read my amendment he will see that that is entirely taken care of.

Mr. GOOD. I have listened to the gentleman's amendment, and it is the same as last year, but it is impracticable of operation, unless he couples with it more help, which means more pay.

Mr. BYRNS of Tennessee. It is not the same as last year.

Mr. GOOD. I want to say to the gentleman, let us meet this proposition. Let us give to the Member a secretary, and let us give to the Member, at least during the session, a stenographer, and put them both on the rolls, just as they are in the Senate. Let us give ourselves at least enough clerical help so that we can do the business that our constituents expect of us. Many Members tell me that they are not able now to attend to the correspondence that is coming from mothers and fathers of boys over there unless they pay it out of their own pocket. Certainly this should not be, and I hope that we can come to some agreement now, as we ought to, to have our regular secretaries and then have at least a session clerk at, say $100 a month——

Mr. HUMPHREYS. Oh, make it annual.

Mr. BYRNS of Tennessee. I will say this to the gentleman, that if this amendment is adopted and the clerks of Members are placed on the rolls, so far as I am concerned I shall not make any point of order to any amendment that may be submitted to increase the number, but I do not say that I will vote for it.

I certainly will make the point of order, however, on any proposition which undertakes to increase the number unless they are placed on the rolls. I think the House ought to have an opportunity to pass on this matter fairly. It is a matter that appeals to one Member of the House as much as it does to another, and I am unwilling to stand here as one Member of the House and by resorting to a point of order prevent the House from carrying out its will in a matter that pertains to the House and its organization.

Mr. GOOD. I understand the gentleman, and I think he is entirely fair in the matter. I think he wants to do the things that a majority of the Members of the House want, and I would suggest that if along with his amendment he could tie up the other amendment to give the Members a stenographer as well, at least for the session, I do not believe there would be any opposition from any quarter in making a satisfactory disposal of the matter.

Mr. CALDWELL. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. CALDWELL. I will say this, that I am only waiting on this proposition to have it passed on, and then I am going to offer a further amendment to increase the amount.

Mr. GOOD. The difficulty about that is that it is subject to a point of order, and the point of order would likely be made and sustained.

Mr. CALDWELL. It can not be, because it will only be the amount.

Mr. GOOD. I should think the gentleman could get unanimous consent, and have them both pending at the same time, and then the point of order could be withdrawn.

Mr. CALDWELL. Mr. Chairman, there has been some suggestion here that now would be the time to offer the amendment for an additional clerk.

The CHAIRMAN. An amendment was offered by the gentleman from Wisconsin [Mr. STAFFORD], and the gentleman from Tennessee [Mr. BYRNS] offered an amendment to that amendment. The gentleman from Illinois [Mr. MANN] reserved the point of order on the amendment, if the Chair understands the situation. Does the gentleman insist on the point of order?

Mr. MANN. The gentleman from Wisconsin [Mr. STAFFORD] made the point of order.

Mr. BYRNS of Tennessee. Then I want to be heard. I do not know whether the Chair cares to hear me upon the point of order. I understand the gentleman from Wisconsin makes the point of order?

Mr. STAFFORD. I made the point of order.

Mr. BYRNS of Tennessee. The amendment offered by the gentleman from Wisconsin is clearly subject to a point of order—in other words, it is legislation upon an appropriation bill. No point of order has been made to it. Now, I think under the uniform ruling another amendment which is germane or which seeks to provide a limitation to that amendment is in order. Now, the amendment which I have offered I think is clearly germane, Mr. Chairman, to the amendment offered by the gentleman from Wisconsin, because it provides how this money which is sought to be appropriated by the amendment of the gentleman from Wisconsin shall be paid. The amendment of the gentleman from Wisconsin provides for $2,000 to each Member. My amendment provides for the manner of payment of this $2,000, and it seems to me it is clearly in order. In my judgment it is clearly germane, for it relates to the subject matter of the amendment pending.

The CHAIRMAN. Does the gentleman from Wisconsin desire to be heard?

Mr. STAFFORD. Mr. Chairman, this same proposition in almost the identic form was presented to the House when the last legislative bill was under consideration. The gentleman from Tennessee [Mr. BYRNS] then offered virtually this amendment to a similar amendment that I now offer and the Chair then held—and you will find the proceedings on pages 3057 to 3068 of the RECORD—that it was out of order. The provision that is now under consideration, to which no point of order has been made, provides for the payment to the Members of a certain amount of money for a certain specific purpose. The amendment offered by the chairman of the committee provides for the payment to some person, and specifies the way that payment shall be made. The amendment under consideration provides for an allowance of $2,000 for clerk hire to be expended by the Member during the year in such portions as he determines. The amendment offered by the gentleman from Tennessee does not provide for any allowance to the Member for clerk hire. It absolutely negatives that idea, and provides for the payment to an outside person who shall be placed on the roll. This is no new proposition for the decision of the Chair. It was more exhaustively argued last year, and the sentiment of

the House then was, if I gauged the sentiment correctly, that the Members were not in favor of being deprived of the privilege of allotting $2,000 for clerk hire during the year to such persons as the Members saw fit to pay.

Mr. CALDWELL. Will the gentleman yield?

Mr. STAFFORD. And the gentleman from New York, who has been so active in this matter, also offered an amendment to increase the allowance to $2,400, and his amendment was then defeated.

Mr. CALDWELL. Will the gentleman yield for just a minute?

Mr. STAFFORD. Not just at this moment. The amendment offered by the gentleman from Tennessee [Mr. BYRNS] two years ago, after his other larger amendment was eliminated, was as follows:

Provided, That all clerks to Members, Delegates, and Resident Commissioners shall be placed on the roll of employees of the House of Representatives, and shall be paid in the same manner as other employees of the House are paid.

What does the chairman say in passing upon the point of order and holding that it was not germane and not in order?

The Chair is advised by the Clerk that that is the portion of the amendment to which the point of order is directed. It seems to the Chair that this language makes a very definite change in existing law. The basic law does not impose any requirement of this character in regard to the clerks of the Members, or require that they shall be paid as other employees of the House are paid. It is true that this change in existing law is for the duration only of this act, but the principle involved is the same. The Chair does not think that so large an increase of illegality as this amendment proposes can be fairly said to be a perfecting amendment to the increase in the amount allowed by the basic law for clerk hire. If it could be fairly so construed then this amendment would be in order.

The Chair is of opinion that this, like the other amendment, is controlled by the principle heretofore announced and is not in order. The point of order is sustained.

I have before me the basic law authorizing the payment of an allowance to Members of the House, and while my provision is subject to the point of order because it increases that amount from $1,200 to $2,000 it can not be held it is open to amendments that are not relevant or germane. His amendment especially does not provide for an allowance to Members of the House, but it provides for the employment of some person who is to be placed on the roll. If this were in order, it would be in order to authorize a Member to appoint a messenger to aid him in the performance of his clerical duties. It would enable the gentleman, if this is in order, to say that each Member shall be allowed to appoint two clerks or three clerks and fix their salaries. I am unwilling, Mr. Chairman, that a provision should go through without any consideration by a committee. I am going out of Congress. This does not affect me. I am in sympathy with the suggestion offered by the gentleman from Iowa [Mr. GOOD], and if it is the wish of this House that the clerks of the Members of this House should be put on the permanent roll and be given an assistant clerk——

Mr. BYRNS of Tennessee. Now, will the gentleman permit? Will the gentleman do this? The gentleman says he is going out of Congress and he will not be a Member of Congress. Will he not permit Members who are going to be Members of the next Congress to make the point of order if they desire?

Mr. STAFFORD. Because this matter was thrashed out over a year ago and the gentleman was as insistent as he is to-day on imposing on the Members these provisions that were not sympathetically received by the Members of the House, I intend to exercise my rights as a Member.

There is a way, and the gentleman knows there is a way. He has had nearly 12 months to bring this provision in regular channels. He has not made any steps to do it. Why has not the gentleman, who should be safeguarding the interests of the Treasury in regard to this bill, gone before the Committee on Accounts and presented the matter? He will get a respectful hearing. But, no; he has not done that, and wishes now to present it on the spur of the moment.

Mr. BYRNS of Tennessee. The gentleman knows that at every session, at every opportunity I have had, I have presented this matter and have always met the opposition of the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Why has not the gentleman gone to the Committee on Accounts? Why has the gentleman been sleeping all this time?

Mr. BYRNS of Tennessee. The gentleman is making remarks not justified by the record.

Mr. STAFFORD. Has the gentleman gone to the Committee on Accounts with the proposition? Answer that question.

Mr. MANN. I make the point of order, Mr. Chairman, that the gentleman from Wisconsin is not discussing the point of order.

Mr. CALDWELL. Mr. Chairman——

Mr. BYRNS of Tennessee. Mr. Chairman, I want to say in reply to the statement made by the gentleman from Wisconsin [Mr. STAFFORD], which implies that I have not made every effort to put the clerk upon the roll, that there has not been, and I leave it to my colleagues upon this floor——

Mr. STAFFORD. I will withdraw any charge that implied insincerity. But the gentleman has not taken steps to place it in regular channels.

Mr. BYRNS of Tennessee. There has not been a Member of this House who has been more earnest in his efforts to see the clerks of Members placed on the roll.

The CHAIRMAN. The Chair is ready to rule.

Mr. LITTLE. Mr. Chairman, I would like to be heard on the point of order.

Mr. BYRNS of Tennessee. The gentleman from Wisconsin has said that this is taking advantage of Members. I submit to the Chair that if the point of order is overruled then the Members of this House will have an opportunity to express themselves on it, and if a majority is opposed to placing clerks on the roll the amendment will not be adopted. But I am only anxious that this House shall have an opportunity to express itself.

Mr. MANN. There are a good many Members here who will not be in the next House, you know.

Mr. BYRNS of Tennessee. But they are not making points of order.

Mr. MANN. What is the difference?

Mr. BYRNS of Tennessee. The difference is this: That the majority settles it, but one man, even if the entire membership is for it, may defeat a proposition by making a point of order——

Mr. MANN. Any man on the floor, as long as he is here, has rights.

Mr. STAFFORD. Why do you not go to the Committee on Rules and ask for a rule, if you are so deeply interested?

Mr. CALDWELL. Mr. Chairman——

The CHAIRMAN. Does the gentleman wish to make a point of order?

Mr. CALDWELL. I wish to submit a unanimous-consent request, if I may, and it is in order. I want to ask unanimous consent that there be considered in place of the amendments that have been suggested an amendment reading as follows:

To each Member, Delegate, and Resident Commissioner for hire of one clerk at $1,200 per annum, and for hire of such other assistants as may be necessarily employed by him in the discharge of his official and representative duties at not exceeding $2,000 per annum additional, in monthly installments, as much as may be necessary.

And then to continue as the matter was contained in the bill as submitted to the House.

I ask that in all sincerity in the hope that that will pour oil on the troubled waters and everybody can be satisfied.

The CHAIRMAN. Is there objection to the gentleman's request?

Mr. MADDEN. Mr. Chairman, I object.

Mr. LITTLE. Mr. Chairman, I wish to be heard on the point of order.

The CHAIRMAN. Well, be brief.

Mr. LITTLE. When I am done I will stop.

The point of order here is, Mr. Chairman, that the amendment offered by the gentleman from Tennessee is new legislation and therefore out of order. The gentleman from Tennessee comes to us, and this is his answer: He says it is germane and therefore it is in order. It may be germane, Mr. Chairman, but if it is new legislation it is not in order. The gentleman says it is a limitation upon the grant. It might be a limitation on the grant and still be new legislation, and it would be out of order. He might just as well say to us that it was made at the right time. We often hear the objection made that an amendment is not offered at the right time. He might just as well say that it was made at the right time and that therefore it is in order.

The trouble with his amendment is, Mr. Chairman, that it is new legislation. If I can have the attention of the Chair and can have order, I wish to assist the gentleman from Tennessee with the same information about parliamentary law he called my attention to. As I was saying when the attention of the Chair was called away, it is clear that this is new legislation. Therefore it is out of order. It is immaterial whether it is germane or not. That is the argument he makes for it. It is immaterial if it is a limitation, which is the argument he makes for it. Those are the only arguments that the gentleman makes for it. If this is new legislation, it is out of order. That was the point of order, and that is the point I insist on and ask the Chair to rule on.

Mr. GOOD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GOOD. I am not quite clear in regard to the wording of the amendment of the gentleman from Tennessee [Mr. BYRNS], but if the point of order should be withdrawn would it then be in order for the gentleman from Mississippi [Mr. HUMPHREYS], or any other Member, to move to strike out "$2,000" and insert "$3,200," and is the amendment then in such shape that that would give each Member two clerks?

Mr. HUMPHREYS. Yes. I will answer that question.

The CHAIRMAN. The amendment offered by the gentleman from Wisconsin, increasing the amount allowed to Members for clerk hire from $1,200 to $2,000, is clearly subject to a point of order. Under existing law they are authorized to receive $1,200 per annum. But no objection and no point of order was made against that amendment, and in the opinion of the Chair an amendment to the amendment offered by the gentleman from Wisconsin [Mr. STAFFORD] would be in order, to increase the amount carried in his amendment so far as that is concerned.

The precise question raised here and involved in the amendment offered by the gentleman from Tennessee [Mr. BYRNS] was up when the legislative, executive, and judicial bill was under consideration in Committee of the Whole last Congress. Then the gentleman from Virginia [Mr. SAUNDERS] was in the chair and ruled on an out-of-order amendment, the purport of which was the same as the pending amendment offered by the gentleman from Tennessee [Mr. BYRNS]. The Chair under stands the rule to be that a paragraph or amendment which proposes legislation being permitted to remain in the bill may be perfected by a germane amendment (IV, 3260–3263, 3839–3844); but this does not permit an amendment which adds additional legislation (IV, 3836, 3837, 3862). The Chair sustains the point of order to the amendment offered by the gentleman from Tennessee [Mr. BYRNS].

Mr. HUMPHREYS. Mr. Chairman, I offer an amendment to the amendment of the gentleman, making it "$3,200" instead of "$2,000."

Mr. MADDEN. It increases the amount from $2,000 to $3,200?

Mr. HUMPHREYS. Yes. It strikes out "$2,000" and inserts "$3,200."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. HUMPHREYS: Page 19, line 16, strike out "$2,000" and insert "$3,200."

Mr. BYRNS of Tennessee. Mr. Chairman, I am opposed to that amendment, and I want to say why briefly.

The CHAIRMAN. The gentleman from Tennessee is recognized.

Mr. BYRNS of Tennessee. As I said awhile ago, the House is in this position: You have had for a number of years a provision of law whereby each Member was required to file with the Clerk of the House the names of those employed by him, and I presume that every Member has complied with the law, and the names are now in the Clerk's office.

Now, by the action taken to-day you have stricken that from the law, so that there is no obligation of that kind resting upon a Member; and here you are met by a point of order to the amendment which I offered, which seeks to place Members' clerks upon the roll and have them paid directly out of the Treasury and not through the Members.

Now, I want to submit to you, gentlemen, under those circumstances, whether you can vote that $3,200 shall be paid to you for clerical assistance. We talk about high expenses; about high taxes. Members are about to add more than $500,000 to this bill. That money will be paid directly to the Members of the House for them to pay to their clerical assistants.

I submit, gentlemen of the House, in all sincerity and all earnestness, that you can not afford to adopt that amendment. For my part, I am not willing to vote this great increase at this time. And to you who feel so disposed I wish to emphasize the fact that you should not do so now, since the amendment which I offered, placing clerks on the roll to be paid directly out of the Treasury, rather than in the indirect way of having the money so provided first paid to the Member and by him to his clerks, was not accepted.

Mr. CALDWELL. Mr. Chairman, I offer a substitute.

The CHAIRMAN. The Clerk will report the substitute offered by the gentleman from New York.

The Clerk read as follows:

Substitute offered by Mr. CALDWELL for the Stafford amendment: Page 19, after line 12, insert:

"To each Member, Delegate, and Resident Commissioner, for hire of one clerk at $1,200 per annum, and for hire of such other assistants as may necessarily be employed by him in the discharge of his official and representative duties, at not exceeding $2,000 per annum additional, in monthly installments, so much as may be necessary."

Mr. BYRNS of Tennessee. Mr. Chairman, I reserve a point of order on that.

Mr. HUMPHREYS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HUMPHREYS. This is offered as a substitute. That being true, the amendment which I offered has the preference, and will be voted on first, will it not?

The CHAIRMAN. It will be voted on first.

Mr. MADDEN. Mr. Chairman, I would like to be heard on the amendment.

The CHAIRMAN. The gentleman from Tennessee reserves a point of order on the amendment. The gentleman from New York wishes to speak to his amendment?

Mr. CALDWELL. Yes.

Mr. MADDEN. I understood I was recognized.

Mr. CALDWELL. That is all right. I give way. The gentleman will be speaking for me.

Mr. MADDEN. Who is recognized, Mr. Chairman?

The CHAIRMAN. The gentleman from Illinois, the gentleman from New York having given way.

Mr. MADDEN. Mr. Chairman, of course it is not popular to differ with the men who are anxious to get more compensation for clerk hire. I realize that; but there is an orderly way to provide for the payment of additional clerk hire if it is necessary, and that orderly way has not in this case been pursued. We have in the House a Committee on Accounts. The reports from that committee are privileged. They report all legislation affecting expenditures from the contingent fund of the House. And in order to provide for additional clerk hire, the case should be submitted to that committee before it is acted upon. I am not at all clear that we should even appropriate if the Committee on Accounts reported in favor of it. There are thousands of people employed throughout the United States in every calling who are unable to earn anything like the compensation that is being paid to the Members of this House for clerk hire, and before this bill is finished there will be demands for increased compensation by many Government employees. It must be evident to every man here that if the Congress votes to increase the compensation for clerk hire to its own Members, you will be barred from any argument against increased compensation from whatever source it may be demanded. You can not justify it without submitting to the demands of anybody who is on the Government pay roll anywhere for increased compensation. And if this increased compensation is voted, you have laid the foundation not only for the expenditure of $500,000 which it involves, but you have laid the foundation for the expenditure of millions more to meet the demands from other sources.

Now the question is, Are we in the mood to conserve the Treasury of the United States, or are we willing to pillage the Treasury upon every demand made from any source in order that we may be able to accord ourselves additional compensation for clerk hire? I maintain that I have as much work in my office as any man on the floor of this House, and I am able to do that work for the compensation paid out of the Treasury of the United States. If I choose to employ from my private funds additional service in my office, that is my business.

SEVERAL MEMBERS. Do you?

Mr. MADDEN. Whether I do or not, I maintain it is not the business of any Member here. The $2,000 a year is all that should be paid for the clerical force of any Member of this House, and I say that at the risk of incurring the enmity of the Members who are desirous of receiving more. I think the time has come when we should stop and consider the voice of the people. We are already spending billions of dollars for other purposes. The Treasury is empty—worse than empty. It is $13,000,000,000 worse than empty. We have men coming back from the battle front, out of employment. They will be glad to find employment at any price. Now, in God's name, if there is any money in the Treasury, save that money to meet the needs of the men who have fought to sustain the honor of the country and not give the membership of this House additional compensation for clerical hire.

Mr. CALDWELL. Mr. Chairman, the gentleman from Illinois is rather inconsistent. It was only a few moments ago that he was pleading very strongly to raise salaries of $5,000. The gentleman says that he can take care of his work with the present $2,000, and if he cares to spend more, that is his business. Of course, it is his business, and he has business enough so that he does not feel it.

In addition to that, I want to call attention to the fact that the substitute I propose does not increase a salary. It provides that the Members and Delegates in the next session of Congress may employ an additional clerk each, in order that they may do the work that will come to them from their respective districts, and that is all it does provide.

Mr. McKENZIE. Will the gentleman yield?

Mr. CALDWELL. Yes.

Mr. McKENZIE. I want to ask the gentleman from New York if under his amendment a Member of Congress could not get $3,200 whether he employed anybody or not?

Mr. CALDWELL. Yes, if he wanted to steal it; but I do not believe there is any Member of this House who is so low that he would steal a single penny of the money appropriated for clerk hire, and every Member of this House, when he becomes a Member here and spends money for clerk hire, has to make a certificate to the effect that he has actually disbursed the money; and any man who makes such a certificate, if it is false, not only steals the money but he also violates another section of the criminal law in that he has made a false certificate.

Every Member of this House can go into the Clerk's office and find the certificates that he has made and that every other Member of this House has made during this whole Congress, showing that he has actually expended the $2,000 appropriated up to date. If any one of them has stolen it, I for one will vote to expel him from the House and to call on the Attorney General of the United States to prosecute him and send him to the penitentiary. But I do not believe we have any such men. I am satisfied that the men who are honorable enough to receive the support of their constituencies throughout this country, whose rectitude of conduct has been such as to mark each one of them as one man out of 225,000 fit to be sent here to legislate for the people, are all of high enough integrity to be trusted that they will not steal a paltry $2,000 a year in driblets of a few dollars a month. [Applause.]

Mr. GARD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman from New York has the floor.

Mr. CALDWELL. Since I have been a Member of Congress every month I have been compelled to pay for clerk hire more money than has been assigned to me for that purpose; and if it is necessary that I pay part of it, I should much prefer to pay all than to pay half, because, if I pay all, the people in my district will know that I am paying all, and they will not unnecessarily burden me; but if I pay half, the people in my district think I am being paid for all and they will burden me just as heavily as their wishes require. It is not fair or conscionable. The Members of this House work just as hard as the Members of the other House. The Members of the other House each get more than $5,000 a year to pay for this kind of work. The smaller States have two men to represent them in the other House, while there is only one here from the same small State. The combined sum paid for clerical assistance to the two Senators is over $10,000 a year, and they can hardly get along with it. Here the Member gets a paltry $2,000 a year, and you compel men to go down in their pockets and pay this expense. It is not fair or honorable. Why do you do it? Because, forsooth, there happens to be some carping individual down in your district of whom you are afraid. You have not got nerve enough to go back to your people and say, "You sent me to Washington to do this work. I need assistance to do the clerical labor that comes to me because of your desires, and therefore I voted to pay for that additional labor."

Mr. AYRES. Mr. Chairman, will the gentleman yield?

Mr. CALDWELL. Yes.

Mr. AYRES. What objection has the gentleman to putting two clerks on the pay roll?

Mr. CALDWELL. None in the world.

Mr. AYRES. Why does not the gentleman's amendment call for that?

Mr. CALDWELL. Because it was ruled out of order. I shall vote for it if the gentleman can get it in here, but the proposition here and now is, Are we going to stultify ourselves and say to the people back home that we can not be trusted to perform the duty here, because, forsooth, some individual in our community will say that we tried to raise our salaries?

Mr. CRISP. Mr. Chairman and gentlemen of the House, I dislike to inject myself into this debate, but it seems to me that the House of Representatives every year belittles itself by bringing up this question of clerk hire and discussing it. It seems to me that the House should determine that question one way or the other and stop discussion of it. I am very much opposed to increasing the allowance for clerk hire and not putting the clerks on the rolls, but giving the money to the Members to disburse as they see fit. I can not see how anyone can object to placing their clerks on the roll and letting the Clerk of the House pay them. We all know that the membership of this House has been subjected to a great deal of criticism, whether justly or unjustly, in connection with the House insisting that this money should be paid to the Members, to be disbursed as they see fit. Why should anyone object to the disbursing officer of the House paying this money? We are not entitled to it unless we pay it out, and under the law you can place as many clerks as you see fit on the roll, to be paid by the Clerk, to be removed at your pleasure. If you pass this amendment increasing this allowance of clerk hire to $3,200, as the amendment now stands, you will not have to make any appointments to the Clerk of the House and you will subject yourselves to very adverse criticism. I do not believe the people of the United States will object to Members of Congress having whatever clerical assistance is necessary for them to attend to the people's business. They will not object to that, but it seems to me, if it is the opinion of this House that one clerk is not sufficient to attend to the work of the office, the intelligent and sensible thing to do is to bring in a bill; and, if it is necessary, you can get a rule from the Committee on Rules for its consideration, making it in order that each Member shall be entitled to appoint a secretary at whatever sum the House thinks fit, and that in addition thereto each Member shall be entitled to a stenographer at an annual salary, those clerks to be placed upon the rolls of the House, to be paid by the Clerk of the House, just as any other employee of the House is, subject to removal at the pleasure of the Member. [Applause.]

Mr. HUMPHREYS. Will the gentleman prepare in some concrete form his suggestion, so that we will have an opportunity to vote on that as a substitute for what is now pending?

Mr. CRISP. I can not prepare an amendment carrying that into effect which would be in order under the rules without a special rule from the Committee on Rules. Further answering the distinguished gentleman from Mississippi, the gentleman from Georgia is not advocating any increase of clerk hire at all, but is satisfied and can get along, so far as he is concerned, under the present allowance, and the gentleman will add that he always indorses his check and hands it over to his secretary and would be delighted to have him on the roll and have the Clerk of the House pay him.

Mr. HUMPHREYS. I would be delighted to have mine on the roll, too, if I could get him there.

Mr. GRAHAM of Illinois. Mr. Chairman, is all debate on this amendment exhausted?

The CHAIRMAN. The amendment offered by the gentleman from New York [Mr. CALDWELL]?

Mr. GRAHAM of Illinois. Yes.

The CHAIRMAN. A point of order was reserved upon the amendment.

Mr. GRAHAM of Illinois. Then I ask for the regular order.

The CHAIRMAN. Does the gentleman from Tennessee insist upon the point of order?

Mr. BYRNS of Tennessee. Mr. Chairman, there seems to be some confusion about this proposition, and I ask unanimous consent that this particular paragraph may be passed over until the first thing in the morning and that we proceed with the reading of the bill for at least half an hour.

Mr. MADDEN. I shall not consent to that unless we rise at this time.

Mr. BYRNS of Tennessee. Then I shall withdraw my request to pass over this paragraph. I have an agreement to stay here until 6.30.

The CHAIRMAN. What is the request of the gentleman from Tennessee?

Mr. BYRNS of Tennessee. My request is that we pass over this paragraph until to-morrow morning, and that we then proceed with the reading of the bill.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the consideration of this paragraph and pending amendments and points of order shall be passed over until to-morrow morning. Is there objection?

Mr. MADDEN. I object.

Mr. BYRNS of Tennessee. Then I make the point of order against the amendment offered by the gentleman from New York. It is legislation on an appropriation bill.

The CHAIRMAN. The point of order is sustained.

Mr. CANNON. Mr. Chairman, I want to talk about this amendment. As I understand it, as the matter now stands the vote will come on the $1,200 proposition, and if agreed to that will practically make the compensation $3,200 a year for each Member of the House, an increase of $1,200?

The CHAIRMAN. That is as the Chair understands it.

Mr. CANNON. Mr. Chairman, I crave the attention of the committee for five minutes. Oh, someone has talked about cowardice. So far as I am concerned, there is no cowardice about it, and in my vote touching this $1,200 proposition, over the $2,000, I shall take into consideration, without any cowardice, whether or not we ought to do it at this time. Oh, yes; the Senate gets more pay for their clerks than we do. That is a smaller body—96—and we are 435.

My objection at this time to this proposition, and probably at any other time during my congressional life here until I cross over, is to the increase. The country is in an abnormal condition. The value of the dollar, it is true, has been cut in two since the commencement of the war; or, to put it another way, prices have doubled. There is a great cry for increase of pay. Now, when this war closes the value of money is to increase so far as its purchasing power is concerned and the cost of living is to decrease. Now, there is a great movement—I guess you are getting some letters from people, people who are forming combinations throughout the country for a further increase of salary. Why, some are striking for an increase of salary and pay all over the country, and in many cases where the salary and pay are much larger than the increase in the cost of living. Now, we have got to consider not our own convenience but we have to legislate for normal conditions, and I do not believe we ought to make the $1,200 increase for ourselves [applause], because we will be estopped from refusing undue increase to others. Now, for that reason, if for no other, I am going to vote against this proposition.

Mr. KEARNS. Will the gentleman yield?

Mr. CANNON. Yes.

Mr. KEARNS. How much money does it cost the gentleman from Illinois to run his office a year?

Mr. CANNON. Two thousand dollars, no more and no less, and that is paid by the Government and certified. I get along fairly well. I have a pretty heavy mail, and I have got a good secretary. Oh, they say a lawyer makes $50,000 a year, that a merchant and a broker makes $100,000 a year, and we have got the excess-profits tax, we have got a large income tax, and when you get beyond a certain amount the Government takes 80 per cent of it. Well, we pay an income tax on our salaries if we do not have anything else. All that is true; but, mind you, since I have been in Congress the salary of Members of Congress has been increased from $5,000 to $7,500. The Forty-second Congress—March 5, 1871, to March 5, 1873—increased the annual pay of Members and Senators from $5,000 to $7,500 per annum.

The panic of 1873 came upon the country. The cost of living decreased. The severe criticism against the Members of Congress voting for the increase caused many Members to take the amount of the increase and donate the same—some to charity, some to orphan asylums, some to hospitals, some to the church, and some covered the amount into the Treasury of the United States, from which it came.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON. I would like about 2 minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. CANNON. Those were pretty serious times. Now, this is true substantially, the prices that the farmer receive, the prices that the laborer receive, however much they may petition us and send "round robins dispatches," when the time comes that the price of products and of living ceases to be so high the wage will be decreased, and we have got to settle that, so far as the Federal Government is concerned. No cowardice has entered into my position about this matter. God knows I have told my district I am ready to quit any time. I am here substantially by unanimous consent and will be in the next Congress. That is all I desire to say, perhaps I have not said it very well, but I wanted to say that much. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. HUMPHREYS].

Mr. BYRNS of Tennessee. Mr. Chairman, let us have that amendment again reported.

The CHAIRMAN. Without objection, the amendment will be again reported.

There was no objection.

The amendment was again reported.

The question was taken, and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. HUMPHREYS) there were—ayes 60, noes 45.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask for tellers.

Tellers were ordered.

The committee again divided; and the tellers [Mr. HUMPHREYS and Mr. BYRNS of Tennessee] reported that there were—ayes 61, noes 45.

So the amendment was agreed to.

Mr. RUBEY. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The question is on the amendment as amended.

Mr. RUBEY. But I desire to offer an amendment to the amendment.

Mr. HUMPHREYS. If the gentleman will permit me just a minute, I want to ask unanimous consent that the total be corrected to correspond with the amendment. I have not the total here, but I ask that the Clerk be authorized to correct the total.

The CHAIRMAN. Without objection, that will be done.

There was no objection.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Missouri.

The Clerk read as follows:

Amendment offered by Mr. RUBEY: Add to the amendment the following: "and Representatives and Delegates elect to Congress whose credentials in due form of law have been duly filed with the Clerk of the House of Representatives, in accordance with the provisions of section 31 of the Revised Statutes of the United States, shall be entitled to payment under this appropriation: *Provided*, That all clerks to Members, Delegates, and Resident Commissioners shall be placed on the roll of employees of the House and be subject to be removed at the will of the Member, Delegate, or Resident Commissioner by whom they are appointed; and any Member, Delegate, or Resident Commissioner may appoint one or more clerks, who shall be placed on the roll as the clerk of such Member, Delegate, or Resident Commissioner making such appointments."

Mr. MADDEN. Mr. Chairman, I make the point of order on the amendment. I want to make it as odious as I can, so when we get a roll call——

The CHAIRMAN. Does the gentleman make the point of order?

Mr. MADDEN. I do.

The CHAIRMAN. The point of order is sustained.

Mr. GOOD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Line 13, strike out the words "to pay" and insert the words "for clerk hire of" and then add at the end of the provision the following: "*Provided*, That no part thereof shall be paid to any Member, Delegate, or Resident Commissioner."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. GOOD: In the first line of the Stafford amendment strike out the words "to pay" and insert the words "for clerk hire of," and at the end of the Stafford amendment insert the words "*Provided*, That no part thereof shall be paid to any Member, Delegate, or Resident Commissioner."

Mr. MADDEN. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. It seems to be a limitation on the appropriation, and under the rules would be in order.

Mr. MADDEN. I do not consider that as a limitation at all, Mr. Chairman.

Mr. CALDWELL. But the Chair does.

The CHAIRMAN. The Chair overrules the point of order.

Mr. GOOD. Mr. Chairman, I want only a word on this amendment.

Mr. KINCHELOE. Will the gentleman yield for a question?

Mr. GOOD. After I have spoken a word or two.

Mr. Chairman, if we are to vote additional clerk hire to Members, it is very clear to me that everyone of those clerks should be put on the rolls and not a Member of this House should be allowed to disburse a single penny of the amount that is voted for clerk hire. It is for clerk hire. It is not for the Members of this House—and it should go to the country as such—that it is to do the work that Members are called upon by our constituents to do. Some Members are differently situated from others. Some Members can pay secretaries fat salaries out of their own pocket and not feel it, but others have not enough to reach down in their pockets every month to pay out $50 or $100 for additional clerk hire. They can not do that, but their constituents are entitled to the same character of service as the constituents of the man who can afford to pay for additional clerk hire. The amendment which I have offered simply provides that no part of this shall be paid to the Member or Delegate or Resident Commissioner. What will be the effect? It will be paid to the secretary or the clerk. I can not support any proposition for additional clerk hire if it is to be paid directly to the Member.

Mr. MADDEN. There is no right to do that under this.

Mr. KINCHELOE. Will the gentleman yield?

Mr. GOOD. I will.

Mr KINCHELOE. Is the gentleman sure it is going to be paid to the clerk? I am just asking for the information.

Mr. GOOD. It will be paid to him directly. That is the object of the amendment.

Mr. MADDEN. Mr. Chairman, I desire to be heard in opposition to the amendment. Now, to begin with, Mr. Chairman, we

have already voted to increase the compensation from $2,000 to $3,200 for clerk hire to each Member and Delegate. Now, the gentleman from Iowa [Mr. GOOD], seeking to take the odium off the action, proposes that no part of the appropriation made shall be paid to Members of the House, but makes no provision whatever to pay it to the clerks. There is no provision here as to who shall have the authority to appoint the clerks; there is no provision here as to who shall have authority to appoint a secretary.

The time has come when we must call a halt upon this indiscriminate extravagance, for this is nothing more nor less than a species of extravagance and waste of public money. We passed the amendment in the Committee of the Whole, but we are going to have a roll call on it when we get into the House, and I doubt very much whether we will pass it when it gets there. [Cries of "Vote!" "Vote!"] The gentlemen are insisting on a vote. But I have the floor and I am entitled to respectful consideration, and I do not care how much these gentlemen who demand to take further money from the Treasury of the United States call out "Vote," I propose to be heard. I have as much right to be heard as they, and I have been recognized according to the orderly procedure of the committee. The mere fact that I object to the passage of an amendment proposed is no reason why I should be yelled off the floor.

Mr. KEARNS. Will the gentleman yield?

Mr. MADDEN. No; I do not yield. I propose to be heard on this question. And I want to say to you men here to-day that you will not dare to go on record on a roll call when this question is called up before the House and when a roll call can be had. These men who voted for this, where their names are not recorded, will vote against it when their names are called and their action can be recorded. The people of the United States will not submit to this unjustifiable and extravagant waste of public funds under the present condition of the Treasury.

Mr. BYRNS of Tennessee and Mr. KEARNS rose.

The CHAIRMAN. Debate on this amendment is exhausted.

Mr. BYRNS of Tennessee. I wish to make a statement. I opposed the increase, but since that was adopted I am in favor of this amendment, and I hope it will be agreed to.

Mr. MANN. Mr. Chairman I make the point of order that all debate is exhausted.

The CHAIRMAN. The point of order is sustained.

Mr. KEARNS. Mr. Chairman, I move to strike out the last two words.

Mr. MANN. The gentleman can ask unanimous consent to proceed, but a motion to strike out the last two words is not in order at this particular stage.

Mr. KEARNS. Mr. Chairman, I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. KEARNS. Mr. Chairman, when on that amendment the roll is called to-morrow, or whenever it shall be called, I propose to vote for this increase, with the full belief and understanding that I represent a district that wants the work done here. The gentleman would seek to frighten us by this threat of public punishment if we vote for this amendment.

I am firmly of the belief that I represent a district in which no "short skate" lives. I am firmly of the belief that I represent a district that wants me to have sufficient clerical help to enable me to attend to its business here. The men and women of my district want me to have such help that when the mothers and fathers of the boys, some of them still in France, seek information and correct information about their boys I shall have the means at hand of getting this information for them. If I need two assistants they do not object. They want the facts about their boys. In these war times they know that our work is increased and they want us to have the necessary help.

I have heard Members speak against this increase of clerk hire who have said privately that they are now paying from $4,000 to $5,000 a year for running their own offices. If some man who may live in Chicago or New York or Philadelphia believes that it requires $4,500 or $5,000 to attend to the needs and the wants of his district I am thoroughly of the opinion that men who represent rural districts are just as much in need of that much money to run their offices, and the people of this country do not expect the Members of Congress to pay this extra money out of their pockets. It is Government or public work, and should be paid for as such. [Applause.]

There are a great many Members, I take it, on the floor of this House, representing districts of importance, who are not able to furnish $2,500 additional money for clerk hire. What the public wants is efficiency. We are attending to the business of our constituents, and there is not a constituency in the United States but deserves that its inquiries shall be answered, and promptly answered; that information which they seek shall be supplied to them; and I am firmly of the opinion that there is not a district in the United States that will not approve of such expenditure of public money as is necessary to provide that information. [Applause.]

This is not an increase of salary for our clerks. The amendment does not provide for an increase of anybody's compensation. It simply makes provision for more clerical help for Members of Congress. There is not a department of Government but has increased its office force many times since this war began. This war has more than doubled the office work of the membership of this House, and it is absolutely necessary that our office force be increased if we do the work that our constituents demand we do for them.

Mr. SNYDER. Mr. Chairman, I move to strike out the last three words.

The CHAIRMAN. Would not that be an amendment in the third degree, and not in order in the present parliamentary situation?

Mr. SNYDER. Then, I ask unanimous consent to address the House for three minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent to address the House for three minutes. Is there objection?

There was no objection.

Mr. SNYDER. Mr. Chairman, I favor the amendment increasing the amount to $3,200 a year, and if there is any way possible to put the employees that are hired by each of the Members or Delegates at $3,200 on the roll I am in favor of that.

I believe that my office has the average amount of business that each office has at the present time, and I think I have a secretary who is capable of doing as much work as any secretary that any of you may have. He has had a wonderfully long experience here. That man has not asked for my assistance, and I have not paid anything to anybody except him; but he is working 18 hours a day, including Sundays, and that is too much to ask of any man living.

I believe that the people of my district will be glad to have this measure enacted, so that we can have a sufficient amount of help to do the work that comes to our offices, and do it promptly and in time. Therefore I am not afraid to go before my people, and I am not afraid that I shall be looked upon as a coward when I stand here and say that I believe this amount should be increased so that, as I said a moment ago, we can give our constituents the attention to which they are entitled. [Applause and cries of "Vote!"]

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Iowa to the amendment proposed by the gentleman from Wisconsin [Mr. STAFFORD].

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Contingent expenses: For wrapping paper, pasteboard, paste, twine, newspaper wrappers, and other necessary materials for folding, for use of Members, the Clerk's office, and folding room, not including envelopes, writing paper, and other paper and materials to be printed and furnished by the Public Printer, upon requisitions from the Clerk of the House, under provisions of the act approved January 12, 1895, $10,000.

Mr. BYRNS of Tennessee. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. ALEXANDER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. EVANS, indefinitely, on acount of illness.

To Mr. FARR, for one week, on account of illness in his family.

EXTENSION OF REMARKS.

Mr. DENISON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend and revise his remarks—on the pending bill?

Mr. DENISON. No; on the subject I spoke on to-day.

The SPEAKER. On the subject upon which he spoke to-day. Is there objection?

There was no objection.

HOUR OF MEETING.

Mr. BYRNS of Tennessee. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 a. m. to-morrow.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning. Is there objection?

Mr. MADDEN. I object.

The SPEAKER. The gentleman from Illinois objects.

EULOGIES ON THE LATE REPRESENTATIVE MARTIN, OF ILLINOIS.

Mr. JOHN W. RAINEY. Mr. Speaker, I ask unanimous consent that Sunday, March 2, be set aside for memorial services in honor of CHARLES MARTIN, deceased, who was a Member of the Sixty-fifth Congress from the State of Illinois.

Mr. MANN. Mr. Speaker, may I suggest to the gentleman that the probabilities are that the House will be in session for the transaction of business on that day? The gentleman can take some other day and have it set aside.

The SPEAKER. The gentleman can pick out a date to-night and report later.

DIPLOMATIC AND CONSULAR APPROPRIATIONS.

Mr. FLOOD, from the Committee on Foreign Affairs, reported the bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920, which was referred to the Committee of the Whole House on the state of the Union and, with the accompanying report (No. 935), ordered to be printed.

Mr. STAFFORD. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Wisconsin reserves all points of order on the bill.

ADJOURNMENT.

Mr. BYRNS of Tennessee. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 31 minutes p. m.) the House adjourned until to-morrow, Thursday, January 16, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of Commerce, transmitting complete set of General Rules and Regulations of the Steamboat-Inspection Service (H. Doc. No. 1690); to the Committee on the Merchant Marine and Fisheries and ordered to be printed.

2. A letter from the president of the Chesapeake & Potomac Telephone Co., transmitting report of the Chesapeake & Potomac Telephone Co. for the fiscal year 1918 (H. Doc. No. 1691); to the Committee on the District of Columbia and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. TILLMAN, from the Committee on the Public Lands, to which was referred the bill (S. 4957) to establish the Lafayette National Park in the State of Maine, reported the same without amendment, accompanied by a report (No. 932), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LA FOLLETTE, from the Committee on the Public Lands, to which was referred the bill (H. R. 11219) providing for the appraisal and sale of the Gig Harbor abandoned military reservation in the State of Washington, and for other purposes, reported the same without amendment, accompanied by a report (No. 933), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. CLARK of Pennsylvania, from the Committee on Claims, to which was referred the bill (H. R. 8861) for the relief of Ivy L. Merrill, reported the same with amendment, accompanied by a report (No. 934), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. TINKHAM: A bill (H. R. 14457) authorizing the Secretary of War to donate to the city of Boston, Mass., three German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. SCULLY: A bill (H. R. 14458) to donate a captured cannon or gun to the township of Freehold, Monmouth County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14459) to donate a captured cannon or gun to the borough of Point Pleasant, Ocean County, N. J.; to the Committee on Military Affairs.

Also, a bill (H. R. 14460) to donate a captured cannon or gun to the borough of Island Heights, Ocean County, N. J.; to the Committee on Military Affairs.

By Mr. TILLMAN: A bill (H. R. 14461) authorizing and directing the Secretary of War to donate to the county of Madison, Ark., five German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14462) authorizing and directing the Secretary of War to donate to the county of Baxter, Ark., five German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14463) authorizing and directing the Secretary of War to donate to the county of Washington, Ark., five German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14464) authorizing and directing the Secretary of War to donate to the county of Van Buren, Ark., five German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14465) authorizing and directing the Secretary of War to donate to the county of Marion, Ark., five German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14466) authorizing and directing the Secretary of War to donate to the county of Searcy, Ark., five German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14467) authorizing and directing the Secretary of War to donate to the county of Boone, Ark., five German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14468) authorizing and directing the Secretary of War to donate to the county of Carroll, Ark., five German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14469) authorizing and directing the Secretary of War to donate to the county of Benton, Ark., five German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14470) authorizing and directing the Secretary of War to donate to the county of Newton, Ark., five German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. FARR: A bill (H. R. 14471) to amend the public building act approved March 4, 1913, authorizing the acquisition of a suitable site for a public building at Olyphant, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. GALLIVAN: A bill (H. R. 14472) regulating the honorable discharges or resignations of those who served their country in the Army and Navy during the war; to the Committee on Military Affairs.

By Mr. TINKHAM: A bill (H. R. 14473) for the construction of a new power plant at the Boston Navy Yard; to the Committee on Naval Affairs.

Also, a bill (H. R. 14474) for the construction of a plate storage yard at the Boston Navy Yard; to the Committee on Naval Affairs.

By Mr. GRIFFIN: A bill (H. R. 14475) providing for the reimbursement of the diplomatic and consular officers and agents of the United States in the countries recently at war, or in the war area, for the loss of personal belongings or other losses incurred consequent to war conditions; to the Committee on Foreign Affairs.

By Mr. ROBBINS: A bill (H. R. 14476) authorizing the Secretary of War to deliver to the borough of Ligonier, in the State of Pennsylvania, one cannon or fieldpiece, with a carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14477) authorizing the Secretary of War to deliver to the borough of Greensburg, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

By Mr. ALEXANDER: A bill (H. R. 14478) authorizing the Secretary of War to donate to the city of Stanberry, Mo., two

German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14479) authorizing the Secretary of War to donate to the city of Excelsior Springs, Mo., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14480) authorizing the Secretary of War to donate to the city of Cameron, Mo., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. McKINLEY: A bill (H. R. 14481) authorizing the Secretary of War to donate to the city of Weldon, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. STEELE: A bill (H. R. 14482) authorizing the Secretary of War to donate to the town of Stroudsburg, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HOLLINGSWORTH: A bill (H. R. 14483) authorizing the Secretary of War to donate to the town of Flushing, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14484) authorizing the Secretary of War to donate to the town of Mingo Junction, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WHITE of Maine: A bill (H. R. 14485) authorizing the Secretary of War to donate to the town of Rumford, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PURNELL: A bill (H. R. 14486) authorizing the Secretary of War to donate to the city of Frankfort, county of Clinton, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14487) authorizing the Secretary of War to donate to the city of Noblesville, county of Hamilton, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14488) authorizing the Secretary of War to donate to the city of Covington, county of Fountain, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14489) authorizing the Secretary of War to donate to the city of Delphi, county of Carroll, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14490) authorizing the Secretary of War to donate to the city of Crawfordsville, county of Montgomery, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14491) authorizing the Secretary of War to donate to the city of Attica, county of Fountain, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14492) authorizing the Secretary of War to donate to the city of Lebanon, county of Boone, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14493) authorizing the Secretary of War to donate to the city of Tipton, county of Tipton, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14494) authorizing the Secretary of War to donate to the city of Kokomo, county of Howard, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14495) authorizing the Secretary of War to donate to the city of Veedersburg, county of Fountain, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SMITH of Idaho: A bill (H. R. 14496) extending to members of local and district boards, Government appeal agents, and members of medical and legal advisory boards and State and county councils of defense the thanks of Congress for their services rendered in the administration of the selective-service law; also authorizing the President to appoint by brevet commissions the members of such State, county, and district boards; also authorizing and directing the Secretary of War to cause to be struck and presented to each of such officials, in the name of Congress, an appropriate medal; to the Committee on Military Affairs.

By Mr. GOULD: A bill (H. R. 14497) to amend an act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, by increasing the maximum of Federal aid in the construction of roads to $15,000 per mile; to the Committee on Roads.

By Mr. McCULLOCH: A bill (H. R. 14498) relieving honorably discharged officers and enlisted men from payment of premium on policies of war-risk insurance for a period of two years from date of such discharge; to the Committee on Interstate and Foreign Commerce.

By Mr. CRISP: A bill (H. R. 14499) authorizing the Secretary of War to donate to the city of Dawson, Ga., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SNELL: A bill (H. R. 14500) authorizing the Secretary of War to deliver to the village of Massena, in the State of New York, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

By Mr. CLARK of Pennsylvania: A bill (H. R. 14501) authorizing the Secretary of War to donate to the city of Erie, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TREADWAY: A bill (H. R. 14502) authorizing the Secretary of War to donate to the city of Pittsfield, Mass., one German cannon or field gun with limber; to the Committee on Military Affairs.

Also, a bill (H. R. 14503) authorizing the Secretary of War to donate to the city of Holyoke, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14504) authorizing the Secretary of War to donate to the city of North Adams, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14505) authorizing the Secretary of War to donate to the town of Greenfield, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14506) authorizing the Secretary of War to donate to the town of Adams, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14507) authorizing the Secretary of War to donate to the town of Westfield, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HUTCHINSON: A bill (H. R. 14508) extending the time for completion of the bridge across the Delaware River authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved August 24, 1912; to the Committee on Interstate and Foreign Commerce.

By Mr. JACOWAY: A bill (H. R. 14509) authorizing the Secretary of War to donate to Hendrix College, Conway, Ark., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. RANDALL: A bill (H. R. 14510) authorizing the Secretary of War to donate to Throop College of Technology, Pasadena, Cal., one captured German aeroplane for scientific purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14511) authorizing the Secretary of War to donate to cities in California captured German cannon, fieldpieces, and war trophies; to the Committee on Military Affairs.

By Mr BLACKMON: A bill (H. R. 14512) authorizing the Secretary of War to donate to the city of Selma, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14513) authorizing the Secretary of War to donate to the city of Anniston, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14514) authorizing the Secretary of War to donate to the city of Oxford, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14515) authorizing the Secretary of War to donate to the city of Heflin, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FLOOD: A bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920; to the Committee of the Whole House on the state of the Union.

By Mr. EMERSON: Joint resolution (H. J. Res. 386) providing for the construction of a post-office building at Bedford, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. ROBBINS: Joint resolution (H. J. Res. 387) to investigate the purchase of auto trucks since the armistice was signed and the failure to pay and subsist the men operating said trucks from Detroit to Baltimore; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CLARK of Pennsylvania: A bill (H. R. 14517) granting a pension to Ira Fetterman; to the Committee on Invalid Pensions.

By Mr. CRAMTON: A bill (H. R. 14518) granting an increase of pension to James Taylor; to the Committee on Invalid Pensions.

By Mr. DIXON: A bill (H. R. 14519) granting an increase of pension to John Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14520) granting an increase of pension to Mattie Shepherd; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14521) granting an increase of pension to Belle Morrison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14522) granting an increase of pension to Elisha Hurley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14523) granting an increase of pension to George W. Elenor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14524) granting an increase of pension to John M. Dixon; to the Committee on Invalid Pensions.

By Mr. FAIRFIELD: A bill (H. R. 14525) to correct the military record of Barneval Schwartz; to the Committee on Military Affairs.

By Mr. GRAHAM of Illinois: A bill (H. R. 14526) granting a pension to Mary Anne Harper; to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 14527) for the relief of Andrew J. Esser; to the Committee on Military Affairs.

By Mr. MANN: A bill (H. R. 14528) granting an increase of pension to Edward Nathan Marx; to the Committee on Invalid Pensions.

By Mr. RANDALL: A bill (H. R. 14529) granting a pension to Rita Shafges; to the Committee on Invalid Pensions.

By Mr. STRONG: A bill (H. R. 14530) granting a pension to Charles Francis Schaeffer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14531) granting an increase of pension to Julia Ann Fyock; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CAREW: Resolutions by National Automobile Chamber of Commerce, asking Congress to increase appropriations to aid extension of export trade; to the Committee on Interstate and Foreign Commerce.

By Mr. FARR: Resolutions of Enterprise Lodge No. 21, Joseph Oliver, secretary, Loyal Knights of America, favoring deportation of interned enemy aliens, and urging that naturalized citizens whose conduct invoked the law because of alien sympathies and action be deprived of their citizenship and deported; to the Committee on Immigration and Naturalization.

By Mr. PAIGE: Memorial of Lithuanians of Gardner, Mass., relative to recognition of that people as an independent nation; to the Committee on Foreign Affairs.

By Mr. RAKER: Resolutions by the American Federation of Labor, protesting against the zone system and increased rate on second-class matter; to the Committee on Ways and Means.

Also, resolutions by Farmers' National Conference on economic reconstruction in America and international reconstruction with reference to the natural resources of the country; to the Committee on the Public Lands.

By Mr. SMITH of Idaho: Memorial of Western Fremont County Council of Defense, urging legislation granting patent to next of kin of deceased soldiers, sailors, and marines who had entered upon the public lands; to the Committee on the Public Lands.

By Mr. SNOOK: Petition of members of Federated Shop Crafts, of Van Wert, Ohio, favoring retention of the railroads under Government control for a period of five years; to the Committee on Interstate and Foreign Commerce.

SENATE.

THURSDAY, *January 16, 1919.*

(Legislative day of Tuesday, January 14, 1919.)

The Senate met at 12 o'clock noon, on the expiration of the recess.

SENATOR FROM MISSISSIPPI.

The VICE PRESIDENT. The Chair lays before the Senate the certificate of election of BYRON PATTON HARRISON as a Senator from the State of Mississippi for the term beginning March 4, 1919, which will be read and placed on the file.

The credentials were read and ordered to be filed, as follows:

STATE OF MISSISSIPPI.

To all to whom these presents shall come, greeting:

This is to certify that on the 5th day of November, 1918, BYRON PATTON HARRISON was duly chosen by the qualified electors of the State of Mississippi a Senator from the said State to represent said State in the Senate of the United States for the term of six years beginning on the 4th day of March 1919.

Witness: His excellency, our governor, Theodore G. Bilbo, and our seal hereto affixed at Jackson, Miss., this the 2d day of January, in the year of our Lord 1919.

THEODORE G. BILBO,
Governor.

By the governor:
[SEAL.]

JOSEPH W. POWER,
Secretary of State.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

DISPOSITION OF USELESS PAPERS (H. DOC. NO. 1693).

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Acting Secretary of Commerce, transmitting, pursuant to law, schedules and lists of useless papers, of no historical value in the Department of Commerce, and requesting action looking to their disposition. The communication and accompanying papers will be referred to the Committee on the Disposition of Useless Papers in the Executive Departments, and the Chair appoints the Senator from Massachusetts [Mr. WEEKS] and the Senator from New Hampshire [Mr. HOLLIS] the committee on the part of the Senate. The Secretary will notify the House thereof.

EMPLOYEES IN DEPARTMENT OF JUSTICE (S. DOC. NO. 339).

The VICE PRESIDENT laid before the Senate a communication from the Attorney General, transmitting, in response to a resolution of December 23, 1918, a list showing the number of employees in the Department of Justice January 15, 1919, and the number discharged during the previous two weeks, which was ordered to lie on the table and be printed.

EMPLOYEES OF NAVY DEPARTMENT (S. DOC. NO. 341).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Navy, transmitting, in response to a resolution of December 23, 1918, a list showing the number of employees in the department January 1, 1919, and the number discharged during the previous two weeks, which was ordered to lie on the table and be printed.

TRAVEL OF EMPLOYEES IN AGRICULTURAL DEPARTMENT (H. DOC. NO. 1689).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a statement showing in detail travel from Washington to points outside of the District of Columbia performed by officers and employees of the Department of Agriculture, which was referred to the Committee on Appropriations and ordered to be printed.

ALASKAN ENGINEERING COMMISSION (H. DOC. NO. 1688).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, report of expenditures by the Alaskan Engineering Commission, which was referred to the Committee on Territories and ordered to be printed.

BOARD OF SUPERVISING INSPECTORS (H. DOC. NO. 1690).

The VICE PRESIDENT laid before the Senate a communication from the Acting Secretary of Commerce, transmitting, pursuant to law, copy of regulations by the Board of Supervising Inspectors, approved by the Secretary of Commerce, and authorized by the so-called seamen's act, which with the accompanying papers was referred to the Committee on Commerce.

EMPLOYEES IN UNITED STATES SHIPPING BOARD (S. DOC. NO. 340).

The VICE PRESIDENT laid before the Senate a communication from the United States Shipping Board, transmitting, in response to a resolution of December 23, 1918, a list showing the number of employees in the board January 14, 1919, and the number discharged during the previous two weeks, which was ordered to lie on the table and be printed.

FEDERAL BOARD OF VOCATIONAL EDUCATION (S. DOC. NO. 343).

The VICE PRESIDENT laid before the Senate a communication from the Director of the Federal Board of Vocational Education, transmitting, pursuant to law, an itemized account of expenditures of the board from October 1, 1918, to December 31, 1918, inclusive, which, with the accompanying paper, was referred to the Committee on Education and Labor and ordered to be printed.

COST OF THE WAR (S. DOC. NO. 342).

The VICE PRESIDENT laid before the Senate a communication from the Acting Food Administrator, transmitting, in response to a resolution of December 15, 1918, certain information relative to the cost of the war so far as the Food Administration is concerned up to January 1, 1919, which was referred to the Committee on Military Affairs and ordered to be printed.

CHESAPEAKE & POTOMAC TELEPHONE CO. (H. DOC. NO. 1691).

The VICE PRESIDENT laid before the Senate the annual report of the Chesapeake & Potomac Telephone Co. for the year 1918, which was referred to the Committee on the District of Columbia and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. LODGE. I present certain resolutions adopted by the New Syria National League which are brief, and I ask that they may be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

Resolutions adopted by the New Syria National League

Whereas the Turks, after four centuries of tyranny and murder of their own subjects, have proved to be incorrigible; and

Whereas the allied nations have accepted, among their aims of war, the principle laid down by President Wilson—in favor of liberating the small and oppressed nationalities and providing them with an opportunity for development along the lines of self-determination; and

Whereas the Syrians, conscious of the unselfish purposes of the United States in this war, its freedom from entangling alliances, and its noble efforts in protecting the weaker races and nations; and

Whereas the United States of America has hitherto assisted Syria and its people and has within its borders a quarter of a million Syrians (with 14,000 of them serving under its flag) who will form a bond of union between their land of birth and their land of adoption; and

Whereas the United States of America has been able throughout its entire history to assimilate on perfect equality men and women of all races, granting and guaranteeing to all equal rights and equal opportunity, whether economic, racial, or religious, and is the country trusted by all the belligerents to protect their interests as well as her own: Now, therefore, be it

Resolved,

I. That Turkish authority, actual or nominal, should not be reestablished.

II. That the New Syria shall be a federated union of Provinces, each Province autonomous within its own borders, yet bonded through one central government into one great nation from the Taurus Mountains to the Sinai Peninsula, free from the difficulties and dangers which beset the severance of one nation into varied spheres of influence, which are bound to hinder the full and freest development of one common people.

III. That the United States assume guardianship and administration of Syria until such a time as the Syrians are able to perform the functions of full self-government.

Mr. LODGE presented resolutions adopted at a mass meeting of Lithuanians of Gardner, Northampton, and Easthampton, all in the State of Massachusetts, favoring the independence of Lithuania, which were referred to the Committee on Foreign Relations.

He also presented resolutions adopted by the Friends of Irish Freedom, of Fall River, Mass., and resolutions adopted by the Robert Emmett Literary Association, of Fall River, Mass., favoring freedom of Ireland, which were referred to the Committee on Foreign Relations.

Mr. JOHNSON of South Dakota. I present a concurrent resolution adopted by the Legislature of South Dakota requesting the Senate of the United States immediately to pass the national suffrage amendment, which I ask to have printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

STATE OF SOUTH DAKOTA,
January 13, 1919.

Hon. ED. S. JOHNSON,
Washington, D. C.

MY DEAR SIR: I have the honor to hand you herewith a copy of senate concurrent resolution, adopted by our legislature now in session, requesting the Senate of the United States to immediately adopt the national suffrage amendment.

The people of this State passed, by a majority vote at the last general election, an amendment to our State constitution extending to the [illegible] of this State the right of suffrage. The official vote on said amendment was as follows:

For adoption	49,318
Against adoption	28,934

Therefore in behalf of the people of this State, I respectfully urge that you give your special attention and hearty support to said and best wishes for 1919, I am.

Very truly,

C. A. BURKHART, *Secretary of State.*

Certificate.

UNITED STATES OF AMERICA,
STATE OF SOUTH DAKOTA,
SECRETARY'S OFFICE.

I, C. A. Burkhart, secretary of state, do hereby certify that the annexed senate concurrent resolution was duly passed by the sixteenth session of the Legislature of the State of South Dakota.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota at the city of Pierre, January 13, 1919.

[SEAL.] C. A. BURKHART, *Secretary of State.*

Senate concurrent resolution.

Be it resolved by the Senate of the State of South Dakota (the House of Representatives concurring), Believing that the stanch patriotism and indispensable services of our mothers, wives, and daughters during the prosecution of the war entitles these noble women to all the rights and privileges a grateful country can bestow, we urgently request the Senate of the United States to immediately adopt the national suffrage amendment.

Be it further resolved, That copies of this resolution be sent to the Hon. THOMAS STERLING and to the Hon. E. S. JOHNSON, with the request that it be read into the CONGRESSIONAL RECORD.

Mr. HALE presented a petition of Derby Lodge, No. 608, International Brotherhood of Boiler Makers, of Milo, Me., praying for the proposed extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

REPORTS OF COMMITTEES.

Mr. CHAMBERLAIN, from the Committee on Military Affairs, to which was referred the bill (S. 5279) to authorize the resumption of voluntary enlistment in the Regular Army, and for other purposes, reported it without amendment and submitted a report (No. 645) thereon.

He also, from the same committee, to which was referred the joint resolution (H. J. Res. 289) for the appointment of four members of the Board of Managers of the National Home for Disabled Volunteer Soldiers, reported it with amendments and submitted a report (No. 644) thereon.

Mr. ASHURST, from the Committee on Indian Affairs, to which was referred the bill (S. 5277) reappropriating and making immediately available the $42,500 appropriated for the construction of two bridges over the Little Colorado and Canyon Diablo Rivers, near the Leupp Agency, Ariz., by the act approved March 2, 1917, reported it with an amendment and submitted a report (No. 646) thereon.

THE ROOSEVELT NATIONAL PARK.

Mr. PHELAN. I ask unanimous consent to submit a report from the Committee on Public Lands, recommending the passage, with amendments, of Senate bill 2021, providing for the addition of certain lands to the Sequoia National Park, Cal., and designating it the Roosevelt National Park, in honor of the late President Roosevelt, and I submit a report (No. 647) thereon. I ask unanimous consent for the immediate consideration of the bill.

The VICE PRESIDENT. Is there objection to the request of the Senator from California?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendments were, on page 1, line 3, to strike out the word "Sequoi" and insert "Sequoia"; in line 4 after the word "follows," to strike out the colon and insert a comma and the words "and that the park be hereafter designated the Roosevelt National Park, in honor of Theodore Roosevelt, late President of the United States"; and on page 9, strike out all of section 3 and insert:

SEC. 3. That nothing in this act shall in any way modify or affect the mineral-land or coal-land laws now applicable to the lands hereby added to said park.

So as to make the bill read:

Be it enacted, etc., That the boundaries of the Sequoia National Park, Cal., are hereby changed as follows, and that the park be hereafter designated the Roosevelt National Park in honor of Theodore Roosevelt, late President of the United States:

EAST AND NORTH BOUNDARY LINES.

Beginning at a point on the present east boundary line, which is on the range line between ranges 31 and 32 east of the Mount Diablo meridian, in township 18 south of the Mount Diablo base, California, where said range line intersects the hydrographic divide between Little Kern River and Soda Creek; then southeasterly along the hydrographic divide between Little Kern River and Soda Creek to the junction of Little Kern River and Quail Creek; thence easterly along the hydrographic divide between Quail Creek and Lion Creek to the summit of the Great Western Divide; thence southeasterly along the Great Western Divide to Coyote Peak (United States Geological Survey bench mark 10,919 feet); thence easterly along the hydrographic divide through sections 31 and 32, township 18 south, range 33 east, and section 4, township 19 south, range 33 east, to the junction of Kern River and Little Creek, about one-quarter mile south of Kern Lake and between that lake and Little Lake; thence easterly along the main divide south of Little Creek and between Golden Trout Creek and Cold Creek (tributaries of Kern River) to the summit of Kern Peak (United States Geological Survey bench mark 11,464 feet, triangulation station); thence northerly and easterly along the hydrographic divide between the South Fork of Kern River and Golden Trout Creek to the summit of the Sierra Nevada Mountains; thence northerly and westerly along the main crest of the Sierra Nevada Mountains to Pine Creek Pass, at the head of a tributary of Piute Creek, which flows southwesterly through French Canyon; thence following southwesterly down west bank of said creek through French Canyon and continuing along west bank of Piute Creek to the junction of the South Fork of San Joaquin River and Piute Creek; thence southerly along the main hydrographic divide to the summit of Mount Henry (12,197 feet); thence southeasterly along the hydrographic divide between the drainage of the South Fork of San Joaquin River and the drainage of the North Fork of Kings River to the junction with Goddard Divide; thence southerly and westerly along the hydrographic divide between Goddard Creek and the drainage of the North Fork of Kings River, and along the divide between Crown Creek and Blue Canyon Creek, along Kettle Ridge to Kettle Dome; thence southwesterly along the hydrographic divide to the junction of Crown and Fawn Creeks; thence westerly along the hydrographic divide between Fawn Creek and Rodgers Creek to Obelisk Peak; thence westerly along the main hydrographic divide south of Rodgers Creek to Spanish Mountain (triangulation station, United

States Geological Survey, bench mark 10,044 feet); thence southerly along the hydrographic divide (Deer Ridge) to the junction of the South and Middle Forks of Kings River; thence southerly along the hydrographic divide between Teamile Creek and Lockwood Creek and along the Sequoia and Big Baldy Ridges to Big Baldy (triangulation station, United States Geological Survey, bench mark 8,211 feet); thence continuing southerly along the said hydrographic divide (Big Baldy Ridge) to the northwest corner of the present Sequoia National Park, which is approximately on or near said hydrographic divide, between townships 14 and 15 south, ranges 28 and 29 east; and all of those lands lying between the boundary line last above described and the present east and north boundary lines of said national park are hereby included in and made a part of the Sequoia National Park.

WEST BOUNDARY LINE.

Beginning at the present northwest corner of the Sequoia National Park, which is approximately on or near the hydrographic divide (Big Baldy Ridge), between townships 14 and 15 south, ranges 28 and 29 east; thence southerly along the said hydrographic divide now between Redwood Creek and North Fork Kaweah River to where it intersects the present west boundary of said national park in township 15 south, range 28 east; and all those lands lying between the boundary line last above described and the present west boundary line of said national park are hereby excluded from the Sequoia National Park.

Beginning at a point on the present west boundary line of the Sequoia National Park where it is intersected by the hydrographic divide between Redwood Creek and North Fork Kaweah River in township 15 south, range 28 east; thence southerly along the said hydrographic divide to the junction of Redwood Creek and the North Fork Kaweah River; thence following down the west bank of the North Fork Kaweah River to the junction with Cactus Creek; thence southeasterly along the first main hydrographic divide south of Cactus Creek to where it intersects the present west boundary line of the said national park, township 16 south, range 28 east; and all those lands lying between the boundary line last above described and the present west boundary line of said national park are hereby included in and made a part of the Sequoia National Park.

Beginning at that point on the present west boundary line of the Sequoia National Park where it is intersected by the first main hydrographic divide south of Cactus Creek, between that creek and North Fork Kaweah River, township 16 south, range 28 east; thence southeasterly along said hydrographic divide now between Maple Creek and North Fork Kaweah River to Ash Peak; thence southeasterly along the hydrographic divide west of Alder Creek to where it intersects the present west boundary line of said national park, between townships 16 and 17 south, range 29 east; and all those lands lying between the boundary line last above described and the present west boundary line of said national park are hereby excluded from the Sequoia National Park.

Beginning at that point on the present west boundary line of the Sequoia National Park where it is intersected by the hydrographic divide west of Alder Creek, between townships 16 and 17 south, range 29 east; thence southeasterly along said hydrographic divide to the junction of the Middle and East Forks Kaweah River; thence south and easterly along the hydrographic divide between the East Fork Kaweah River and Salt Creek, over Red Hill, to Case Mountain; thence southerly and easterly along the hydrographic divide (Salt Creek Ridge) between the South and East Forks Kaweah River to where it intersects the present west boundary line of said national park, township 18 south, ranges 29 and 30 east. And all those lands lying between the boundary line last above-described and the present west boundary line of said national park are hereby included in and made a part of the Sequoia National Park.

Beginning at that point on the present west boundary line of the Sequoia National Park where it is intersected by the hydrographic divide (Salt Creek Ridge) between the South and East Forks Kaweah River, township 18 south, ranges 29 and 30 east; thence easterly along said hydrographic divide to Homers Nose (triangulation station, 9,005 feet); thence southwesterly along the hydrographic divide east of Bennett and Burnt Camp Creek to where it intersects the present west boundary line of said national park, township 18 south, ranges 29 and 30 east. And all those lands lying between the last above-described boundary line and the present west boundary line of said national park are hereby excluded from the Sequoia National Park.

Beginning at that point on the present west boundary line of the Sequoia National Park, where it is intersected by the hydrographic divide east of Burnt Camp Creek, township 18 south, ranges 29 and 30 east; thence westerly along said hydrographic divide to the junction of Burnt Camp Creek and the South Fork Kaweah River; thence southeasterly along the hydrographic divide toward Dennison Mountain, to where it intersects the present west boundary of said national park, township 18 south, ranges 29 and 30 east. And all those lands lying between the last above-described boundary line and the present west boundary line of said national park are hereby included in and made a part of the Sequoia National Park.

WEST, SOUTH, AND EAST BOUNDARY LINES.

Beginning at that point on the present west boundary of the Sequoia National Park where it is intersected by the hydrographic divide running from the junction of Burnt Camp Creek and South Fork Kaweah River to Dennison Mountain, township 18 south, ranges 29 and 30 east; thence southeasterly along the said hydrographic divide to Dennison Mountain; thence easterly along the hydrographic divide (Dennison Ridge) between the South Fork Kaweah River, the North Fork of Tule River, and the North Fork of the Middle Fork of Tule River and continuing along said hydrographic divide now between the South Fork Kaweah River and Peckis Canyon, Soda Creek, and Little Kern River to its intersection with the present east boundary line of said national park, which is on the range line between ranges 31 and 32 east, in township 18 south Mount Diablo base, California. And all those lands lying between the last above-described boundary line and the present west, south, and east boundary lines of said national park are hereby excluded from the Sequoia National Park.

All lands hereby excluded from Sequoia National Park are included in and made a part of the national forests adjacent thereto.

SEC. 2. That the provisions of the act of September 25, 1890, entitled "An act to set apart a certain tract of land as a public park"; the act of October 1, 1890, entitled "An act to set apart certain tracts of land in the State of California as forest reservations"; and the act of August 25, 1916, entitled "An act to establish the National Park Service, and for other purposes"; and all acts supplementary to and amendatory of said acts are made applicable to and extended over the lands hereby added to the park.

SEC. 3. That nothing in this act shall in any way modify or affect the mineral land or coal land laws now applicable to the lands hereby added to said park.

SEC. 4. That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States, whether for homestead, mineral, right of way, or any other purpose whatsoever, or shall affect the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land.

The amendments were agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to add certain lands to the Sequoia National Park, Cal., and to change the name of said park to Roosevelt National Park."

MINING CLAIMS IN ALASKA.

Mr. JONES of Washington. The joint resolution (S. J. Res. 198) to suspend the doing of assessment work on mining claims in Alaska, and so forth, was introduced by me some time ago and was referred to the Committee on Territories. Several Senators think it would be more proper to send the joint resolution to the Committee on Mines and Mining, as it relates to mining conditions in Alaska. So I move that the Committee on Territories be discharged from the further consideration of the joint resolution, and that it be referred to the Committee on Mines and Mining.

The motion was agreed to.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LODGE:

A bill (S. 5352) authorizing the Secretary of War to donate to the city of Chelsea, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CHAMBERLAIN:

A bill (S. 5353) to authorize the acquisition of land for a national military cemetery in France and to provide for the establishment, care, and maintenance thereof, and for other purposes; to the Committee on Military Affairs.

By Mr. FRELINGHUYSEN:

A bill (S. 5354) extending the time for the completion of a bridge across the Delaware River, authorized by an act approved the 24th day of August, 1912; to the Committee on Commerce.

By Mr. HALE:

A bill (S. 5355) authorizing the Secretary of War to donate to the city of Westbrook, Me., one German cannon or fieldpiece;

A bill (S. 5356) authorizing the Secretary of War to donate to the town of Winthrop, Me., one German cannon or fieldpiece;

A bill (S. 5357) authorizing the Secretary of War to donate to the city of Auburn, Me., one German cannon or fieldpiece; and

A bill (S. 5358) authorizing the Secretary of War to donate to the city of Eastport, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FLETCHER:

A bill (S. 5359) to establish load lines for certain vessels; and

A bill (S. 5360) to authorize the Department of Commerce, by the National Bureau of Standards, to examine and test manufactured articles or products for the owner or manufacturer thereof, to issue a certificate as to the nature and quality of such manufactured articles or products, and to prevent the illegal use of such certificates; to the Committee on Commerce.

By Mr. SAULSBURY:

A joint resolution (S. J. Res. 211) authorizing the appointment and sending of a commission to Porto Rico to study its industrial and economic conditions, and for other purposes; to the Committee on the Pacific Islands and Porto Rico.

RIVER AND HARBOR APPROPRIATIONS.

Mr. SHEPPARD submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

CONSTRUCTION OF ROADS.

Mr. WALSH submitted an amendment proposing to appropriate $3,000,000 for the fiscal year ending June 30, 1919, $6,000,000 for the fiscal year ending June 30, 1920, and $6,000,000 for the fiscal year ending June 30, 1921, for the survey, construction, and maintenance of roads and trails within or partly within the national forests, etc., intended to be proposed by him to the Post Office appropriation bill, which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

PAYMENT OF WAR CONTRACTS.

Mr. SMITH of Michigan. Mr. President——

Mr. FRANCE. Mr. President, I have the floor, but I yield to the Senator from Michigan.

Mr. SMITH of Michigan. I thank the Senator from Maryland.

Mr. President, the matter of overdue war bills, especially those affecting the manufacturing and business men of the State of Michigan, is a matter of a very serious moment to them and to our State as well. The Detroit Journal, one of the great journals of our State, on Monday last contained an article entitled "Overdue war bills," which said:

The injustice which the wage earners and employers of Detroit and Michigan are suffering in the Government's delay of payment for war materials is not only scandalous, but dangerous.

The $300,000,000 due Michigan manufacturers and subcontractors for honest war work honestly performed is a sum too large to yank from under the business structure of the State without serious results for workers and employers. And the twiddlers and twaddlers in Congress and the War Department who are responsible for the delay will be held so responsible if the shutting down of manufactories and the unemployment of thousands of workers follow.

Congress and the War Department need not fear the loss of reputation for painstaking and care in the expenditure of public funds, for neither Congress nor the War Department has any such reputation to lose.

But they can lose and are fast losing the respect and faith of this splendidly loyal city and State, for no municipality or Commonwealth can face the dangers which official delays are entailing and retain any considerable degree of belief in public men who are making partisan hyplay of a matter which means bread and butter to workers and employers alike.

The Michigan war material contracts in question were accepted in good faith and rushed toward completion under the high pressure of the war-time spirit. Some of them lacked the yards of red tape which are the official mark of Government contracts, but all of them were given by the Government and must eventually be paid. And if eventually, why not now?

The money has been expended by the manufacturers. The materials have been bought and the wages paid. If in speeding up the payment some individual firm should be given more than its just dues, the Government would have no difficulty in recovering later. Uncle Sam stands no chance of being bilked. The taxpayer is in no possible danger of being cheated. But both Uncle Sam and the taxpayer are going to suffer if the industries and the wage earners of the State are crimped by the delayed payment of the Government's just bills.

Three hundred millions of deferred war material debts is three hundred millions withheld from the industries and wages of Michigan citizens—withheld that a lot of imitation statesmen may play party politics and fence for partisan advantage in Washington.

It is high time that Michigan's Senators and Congressmen give some indications of their abilities to look after the interests of the people they represent.

Mr. President, I think there is just cause for the grievance of the Detroit Journal and of the manufacturers and business men of my State. No State in the Union responded more liberally, without restraint or hesitation, when the Government sought to place its bonds, when the Red Cross was raising its money, and when all the arrangements for carrying on the war were at their height. Detroit is particularly deserving of praise in this regard. It responded to every request that was made for munitions and war supplies. It changed the character of its business, without notice scarcely, and turned over those tremendous plants to Government work in order that the Government might be given the relief which it sought. The Detroit Journal says it is little less than scandalous that these bills have not been paid, and I agree that there is no just excuse for the delay.

I am glad to see my honored friend from Massachusetts [Mr. LODGE] nod his head approvingly at that criticism. It gives me confidence that the position I am taking is correct.

Why are these bills not paid? The money is to the credit of the department. I understand that many hundreds of millions of dollars unexpended is still to the credit of the department, that no new appropriation is necessary to pay these bills, and that there will be money returned unexpended after the end of the fiscal year. Am I right? I appeal to the Senator from Utah.

Mr. SMOOT. Mr. President, I wish to say that the article wherein it criticizes Congress for not acting or appropriating money for the payment of the bills referred to is unjustified in every particular. Congress has appropriated at least $10,000,000,000 more than will be expended or can be expended in the fiscal year ending June 30, 1919. If there is any delay of the payment of the bills, it can not be charged to Congress.

Mr. SMITH of Michigan. I thank the Senator from Utah. His acknowledged accuracy in public statements will be accepted by his colleagues, and I have no doubt by the public generally, as correct.

To deprive the manufacturers of Detroit and Michigan of the use of $300,000,000 long past due is a very important matter. To suddenly cancel the orders that are unfilled and ask these concerns to return to their ordinary avocations is burden enough, but not to pay the bills due is criminal. I do not know who is responsible for the delay, but if congressional action is not necessary, the responsibility must rest with the executive officers of the Government.

Mr. SHEPPARD. Will the Senator permit me to make a brief announcement, in which I am sure he will be very much interested?

Mr. SMITH of Michigan. Yes.

Mr. SHEPPARD. I have the honor to announce that this morning Nebraska ratified the nation-wide prohibition amendment, being the thirty-sixth State to ratify it. Within less than 13 months the amendment becomes a part of the Federal Constitution, the shortest time within which any amendment has been ratified with the sole exception of the amendment abolishing slavery.

Mr. SMITH of Michigan. I thank the Senator.

Mr. SHEPPARD. For the first time in history one of the leading nations of the world embodies in its national organic law a provision prohibiting the traffic in intoxicating liquors, a traffic which ultimately would have undermined the foundations of its being. The adoption of this amendment marks the advent of a new day. It is the first step in the new processes of legislation for human welfare which must follow the great war for democracy and civilization in Europe if the lessons of that conflict are to be grasped and utilized.

Mr. SMITH of Michigan. The statement of the Senator from Texas is, of course, interesting, although I am afraid it will not pay these bills. But just to show the Senator from Texas that as Michigan was in the advance in coming to the Government's rescue at the time the war broke out, I only wish to say that we were the first State in the Union to ratify the amendment to which he has referred.

Mr. WILLIAMS. Mr. President——

Mr. SMITH of Michigan. Pardon me, I think Mississippi was the first.

Mr. WILLIAMS. Mississippi was the first.

Mr. SMITH of Michigan. I guess Mississippi was a lap ahead of us.

Mr. WILLIAMS. That credit or discredit is due to my State and not to yours.

Mr. SMITH of Michigan. The "credit or discredit," the Senator says. The credit of passing the constitutional amendment very early, among the very earliest of the States, I think I may properly assume for my own State. But that is neither here nor there. What I want to do is to ascertain why these bills are not paid.

Mr. SWANSON. If the Senator will permit me, a great many of these bills are due under contracts that were not executed strictly in accordance with the law. There was a disposition to get rid of red tape in the departments and Congress was urging all the time that the war was being delayed by red tape. A great many of the contracts were simply orders made over the telephone and prices fixed. The Comptroller of the Treasury refused to pay any of these bills under the existing law which were not made strictly according to the written contract, and so forth. A bill passed the House and is waiting in the Senate to be passed creating a commission which will be established to pass on contracts which are bona fide and honest and which are a moral obligation on the Government.

In addition to that, there was a cancellation clause in a number of the contracts with unliquidated damages for canceling the contract. The contracts are canceled and the department is not disposed to take what all the contractors say were the damages sustained. There has to be some provision made for that. No doubt a great many of those contracts will have to be determined by legislation of Congress.

Mr. SMITH of Michigan. The Senator from Virginia is making an observation which I do not think will apply to the situation which I am describing, for the contracts about which I am complaining in my State were formal contracts. For instance, 100,000 shells were ordered from one firm, and then over the telephone the War Department said, "We must have 200,000; make them now," and it was done. It was done under the initial contract, and there is no reason in the world why that contract should not be paid.

Mr. SWANSON. I understand, under a condition like that, where there was no written contract, as required by law, the Government can not pay for it unless some relief is given.

Mr. SMITH of Michigan. There was a contract valid under the law.

Mr. SWANSON. In peace times we have a system of written contracts, which I think is very wise, to prevent the Government from being imposed upon. In time of war a great deal of this material was ordered to get rid of red tape for the reason that it was necessary, and I understand those contracts are held up until Congress can legalize them.

Mr. SMITH of Michigan. If there are illegal contracts, of course they ought not to be paid; but I am speaking of contracts that are legal, that have been formally executed and the goods delivered, and $300,000,000 are now owing to our people. It is an outrage and a shame to suspend payment and tie up these industries.

Mr. WILLIAMS. Is not the Senator in his zeal overstating the case? If there were illegal contracts they ought not to be paid. There are legal contracts by the hundred that ought to be paid.

Mr. SMITH of Michigan. I do not mean contracts that are not strictly formal. I mean contracts that are sufficient in themselves.

Mr. WILLIAMS. The Senator used the phrase "illegal contracts." He need not be suspicious at all. The Senator just instanced a case where 100,000 shells were ordered from a firm and it is discovered later that the Government wants more shells, that it wants 500,000.

Mr. SMITH of Michigan. The contract provided for it.

Mr. WILLIAMS. The original contract was for only 100,000 shells.

Mr. SMITH of Michigan. This was only a figure of speech. When the contract was let both parties knew more shells would be needed.

Mr. WILLIAMS. It was not.

Mr. SMITH of Michigan. They did not need a new contract.

Mr. WILLIAMS. It was for 100,000; it was not for such amount as was necessary.

Mr. SMITH of Michigan. Such a contract would have been foolish; all parties wanted latitude, and the contract provided for it——

Mr. WILLIAMS. I beg the Senator's pardon. If you will go back and investigate the contracts you will find in every case they were for a certain quantity. Now, then, that contract comes up for consideration before the Auditor of the Treasury, and it is discovered that the United States Government added 400,000 shells to that order over the phone. There is no law of the United States which permits any officer to add 400,000 shells to be charged to the United States Government by phone.

Mr. SMITH of Michigan. Why not pay for deliveries made and accepted?

Mr. WILLIAMS. I will come to that in a moment. Now, then, the manufacturer presents his bill for 500,000 shells, and the ordinary red-tape officer, circumscribed by law, as he must be, and as he is, responds, "I can not approve this bill, because it is for 500,000 shells, and it ought to be for 100,000."

We have in course of legislation a bill. The Senator from Utah [Mr. SMOOT] just said that it was no fault of Congress that none of this had been done. It is no fault of intendment upon the part of Congress or of will or volition, but there is this particular case. There are 400,000 more shells waiting there upon the action of Congress to confirm the telephone message. No man had any legal right in the world to order the 400,000 by telephone.

Mr. SMITH of Michigan. As the Senator knows, it is done over and over again, owing to the necessity for war materials.

Mr. WILLIAMS. I know it was, and I agree with the Senator absolutely that it had to be done, and that red tape had to be overridden and that the law had to be overridden; but when it comes to the officer who has to approve these things, he can not approve it unless he has some act of Congress behind him. He is faced with a bill for 500,000 shells and has a legal valid governmental contract for only 100,000, and he simply says, "I can not approve it; I must wait until Congress gives me the power. I am now awaiting that power."

Let me tell the Senator a few other things in this connection. If he will pardon me just a moment. Here are a lot of mineral men engaged in turning out a whole lot of minerals that were absolutely necessary to carry on the war. We did not make them here. We had been in the habit of importing them. We could no longer import them. The governmental agency acted without any authority at all, because they did not have time to wait for it, and you are waiting every minute to criticize them about it.

Mr. SMITH of Michigan. No; I deny that.

Mr. WILLIAMS. Well, all right; I hope you are not.

They just simply said, "You go ahead; you make this thing; it will cost you so much, but you make it; we need it; we have got to have it; you must make it." They said, "All right; we will do it. Will you make us whole if we do?" "Well, we will try to." So they went ahead.

Here are the cotton-oil mills in the South, let us say; here is a linter that turned out 75 pounds, and the Government said, "We want 145 pounds. You have got to change your old machinery in order to produce it, and, after you change your machinery the product that you make is worthless except for munitions; it is worthless for any other purpose; you can not sell it for trash; you can hardly sell it to make paper; but will you come to the rescue of the Government?" They said, "Yes." They put in the machinery. Well, within less than six months afterwards the armistice of peace was signed, and, of course, the machinery had not paid for itself and had not paid 10 per cent upon itself.

Now, what is the lesson to be derived from it all. I ask the Senator from Michigan, and I ask him with absolute confidence in the honesty of his reply, for I have know him a long time? I think first the answer is, Congress must pass a law validating these invalid and illegal contracts, unless there shall be fraud accompanying them, of course. I think the next step that we ought to take is that we ought to say to all these people, from those who are producing manganese down to those who put in the new machinery for cotton linters, and the friends of the Senator from Michigan in Detroit—we ought, as a Government, to say to every one of them, "We are going to charge this to profit and loss; it is a part of the war expenses. We are going to keep you whole; we are going to abide by the illegal contracts of the executive branch of the Government, because, although they were illegal, they were necessary. And unless there is fraud somewhere, overreaching, unconscionable bargaining, excessive profits, or something else unpatriotic we are going to take the charge upon the American people, and not leave it to you to pay; we are going to pay it, because we won this war for the civilization, the enlightenment, and freedom of the world."

The Senator from Michigan will find that there are more people outside of Detroit than there are in Detroit who have suffered——

Mr. SMITH of Michigan. I grant that. I am speaking for my own State. The Senator can speak for his.

Mr. WILLIAMS. And that they have got to be taken care of. He will go with me. We will leave this aisle aside, it will not be counted; and we will just simply say to these people, wherever there is a bona fide case, "You shall not suffer because of your patriotism; all of us will suffer, each for all, and all for each."

Mr. SMITH of Michigan. Mr. President, I am obliged to the Senator from Mississippi. Of course, he speaks of our industries and the industries of the South, and hopes that they will waive some of these damages. My hearing is very good, but I have not heard anyone down South waiving anything yet, and I do not know that the Senator has heard anybody up our way waiving anything; be that as it may, I am talking about bona fide contracts.

Mr. WILLIAMS. I am not talking about their waiving any damages, if the Senator will pardon me for a moment. It is not a question of waiver; it is a question of justice. We shall not bother with them as to what they shall waive or what they shall not; we shall make them whole and shall keep them whole, and charge it to public account, to profit and loss; but we shall not allow them to profiteer.

Mr. SMITH of Michigan. Well, Mr. President, notwithstanding what the distinguished Senator from Mississippi has said, I think that the contracts that are bona fide, that have been recognized, that have been carried out in detail, should be paid, and that the money should be forthcoming now.

Mr. SWANSON. Will the Senator from Michigan yield to me?

Mr. WILLIAMS. The Senator from Michigan is precisely right upon that, but the Senator forgets a little matter of legal detail there. When I present a claim against the United States Government for any amount whatsoever I have to sign a receipt, and in that respect I waive further claims against the United States Government.

Mr. SMITH of Michigan. You take payment on account.

Mr. WILLIAMS. Here is a man who has made a hundred thousand shells under a valid contract, who added 400,000 shells to the contract upon a telephone message. He can not afford to settle with the Government for the hundred thousand shells because he is cut off from the 400,000, and you have got to wait until Congress gives authority to some commission or somebody to settle for the 400,000.

Mr. SMITH of Michigan. This was said only to illustrate how a contract might be expanded. I was not speaking of a specific case.

Mr. WILLIAMS. Neither was I.

Mr. SMITH of Michigan. And neither was the Senator from Mississippi.

Mr. SWANSON. Mr. President——

Mr. SMITH of Michigan. Just a second. I am talking about contracts acknowledged and the goods delivered under them, the money due, and the money here with which to pay.

Mr. WILLIAMS. And with no element of uncertainty, doubt, or dispute.

Mr. SMITH of Michigan. With no element of fraud or uncertainty or dispute about them.

Mr. WILLIAMS. Now, if my contract, which is valid and has been validly executed, without any element of dispute regarding an invalid, outside, disturbing contract connected with it, is presented to the Government of the United States, and

the Government does not pay it, the Government ought to be execrated.

Mr. SMITH of Michigan. Well, the Detroit Journal is a very reputable and prominent journal in our State, and it makes the statement that there are over $300,000,000 due to Detroit and other Michigan manufacturers for goods delivered under their contracts. That money ought to be paid. That is what I am complaining about.

Mr. SWANSON. Mr. President, will the Senator from Michigan yield to me?

Mr. SMITH of Michigan. I yield to the Senator from Virginia.

Mr. SWANSON. Under the law, as I understand it, when the War Department gives an order and sends a check in payment of it to the contractor, the law requires that the contract be filed with that voucher, the contract be of a certain character, written, and signed by some officer in authority, absolutely showing the transaction before the Comptroller of the Treasury can approve it. That is the law. During this war that occasioned delay, and in order to get rid of red tape in connection with such contracts, all those requirements were not complied with. Consequently, when the voucher is given and the written contract is not filed, there is no authority for it to be approved by the Comptroller of the Treasury, and, therefore, the contractors do not get the money.

The House has passed a bill, and the bill has been reported to the Senate, that would cover cases of that kind, embracing between six and seven thousand contracts, which, when made, were lacking in formality in order to get rid of the red tape and to speed up action. Those contracts are not legal under the law existing at that time.

This legislation is intended to obviate that difficulty in connection with contracts about which there is no certainty. When there is certainty about a contract the department has advanced the money, or a large part of it. I think if the Senator will examine the claims for $300,000,000, get the cases itemized, and get the contracts, he will find difficulties of the kind to which I have alluded. In most of these cases, however, advances have been made. That has been my experience. Where advances were being made without the written contract being filed, the advances had to stop. Now, if it is desired to get relief—and relief ought to be given—we should pass this measure and thereby afford relief in these cases.

Mr. SMITH of Michigan. Mr. President, I have the acquiescence of my friends, the Senator from Massachusetts [Mr. LODGE] and the Senator from Utah [Mr. SMOOT], a member of the Appropriations Committee, in the statement that no congressional action is necessary, and that $10,000,000,000 in excess of these claims is now resting in the Treasury subject to use.

Mr. SWANSON. Mr. President, that is a mistake. The Military Affairs Committee of the Senate has unanimously reported a bill to give relief in those cases; and, if there is no occasion for any relief, why did the committee unanimously report the bill?

Mr. SMITH of Michigan. In any event, I think my friends from Virginia and Mississippi will both acquit me of any desire captiously to criticize. I have never done so; I have gone along and done my part to sustain the administration in this trying time; but I think it is unfair to ask the people of the State of Michigan to carry these claims for $300,000,000, which are bona fide, which are legal, which have been passed upon, and which could be paid by the Government, if it would pay them.

Mr. WILLIAMS. Mr. President, will the Senator from Michigan pardon another interruption, and then I will let him alone, unless I am further invoked to further useless controversy? In the first place, I think he will agree with me that neither the Senator from Massachusetts nor the Senator from Utah is pope, and that their opinions are not infallible.

Mr. SMITH of Michigan. Neither of those Senators make such a claim.

Mr. WILLIAMS. Their merely saying that further legislation by Congress is unnecessary does not close that question. Evidently it is necessary that there should be further legislation by Congress if we are going to make telephone messages governmental contracts.

Mr. SMITH of Michigan. I will say to the Senator——

Mr. WILLIAMS. The Senator agrees with me about that, does he?

Mr. SMITH of Michigan. I will say to the Senator, without any hesitation whatever, that a purely informal contract made by one officer and signed by another officer, and lacking the formalities which are necessary to give it a legal status, must be remedied.

Mr. WILLIAMS. It must be perfected by Congress.

Mr. SMITH of Michigan. It must be perfected; but I am talking about contracts which are bona fide.

Mr. WILLIAMS. That far the Senator from Michigan and I agree, as we always have agreed during our entire lives of coexistent public service where we understood one another. I wish to follow that up with this reflection: I think the Senator in his desire to represent his constituents, which has been peculiarly a characteristic of his ever since I first knew him—his loyalty to them, his devotion to them, his desire to see them through—is momentarily forgetful of the fact the entire United States is in more or less of the same fix——

Mr. SMITH of Michigan. Very likely; but it is none the less discreditable.

Mr. WILLIAMS. With regard to some industry or other; in other words, it is not a Michigan question; it is a war question, and we have got to remedy it. If it be true, as the Senator asserts—and I know that he believes it to be true or else he would not assert it——

Mr. SMITH of Michigan. I think I am right about it.

Mr. WILLIAMS. I say if it be true, as the Senator asserts—and I know that he believes it to be true or else he would not assert it—that there are men in Michigan who have valid contracts according to present existing law which have not been paid and which have been approved by the legal authorities of the Government and still remain unpaid, then I am with him, not because the men are from Michigan—they might be from anywhere. If that is the case, of course he is right; but in so far as that is not the case he is wrong.

Mr. SMITH of Michigan. Well, there is no ground for argument there. I would not by the action of any department of the Government validate a dishonest or a doubtful claim.

Mr. WILLIAMS. Or even an illegal one.

Mr. SMITH of Michigan. The Senator made a very fine distinction a few moments ago regarding legal and illegal claims. I can conceive that a claim might be well founded and yet lack some of the elements of the strictest legality. There is such a thing, however, as an equitable judgment, where some of the essential elements of a legal contract are lacking.

Mr. WILLIAMS. And yet if the Senator from Michigan happened to be the official to whom that claim had to be sent for his approval as a matter of law, I take it the Senator from Michigan would not approve it if it was lacking in legality, because he would subject himself possibly to impeachment, which is a very difficult procedure, but certainly to prosecuttion.

Mr. SMITH of Michigan. I will say to the Senator that when the Government was scanning this country with a field glass, begging its citizens to come to its aid, and those citizens came to its aid, it is not quite the fair thing to view those claims now through a microscope.

Mr. WILLIAMS. The Senator is exactly right; but when it comes to trying them out by the microscope the question arises, Who is going to try them? If the Senator and I were sworn officers of the Government to pass upon claims we would have to pass upon them by the law as the law is written, and we could not consider them for one moment, as Comptroller of the Treasury or as Auditor for the Treasury Department, a war necessity. But Congess can do so and Congress should do so, and the quicker Congress does so the better.

Mr. FRELINGHUYSEN. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from New Jersey?

Mr. SMITH of Michigan. Certainly.

Mr. FRELINGHUYSEN. I should like to ask the Senator from Michigan whether the $300,000,000 mentioned by him includes any invalid contracts?

Mr. SMITH of Michigan. I understand not. As I am informed, it is for contracts performed, goods delivered, and for which the money should be paid, and the money is to the credit of the department with which to make payment.

Mr. FRELINGHUYSEN. Mr. President, I am on the subcommittee of the Military Affairs Committee to consider the question of legislation in regard to the contracts with the Ordnance and Quartermaster Departments, and the situation is this: There are some 25,000 contracts at the present time which are unsettled. Six thousand of those contracts are informal or invalid contracts, verbal contracts; many of them orders given in an emergency over the telephone or by telegraph, or in other ways. There are also a number of contracts which have been made which have not been signed by the proper officer. The comptroller has stated that those contracts are illegal, and therefore some legislation is necessary to validate them. Those 6,000 contracts amount, according to the statement of the Assistant Secretary of War, to $1,000,000,000.

In order to remedy that situation, so that the War Department can promptly settle those contracts, legislation is necessary. Assistant Secretary Crowell has stated that on the other contracts they are settling them as fast as they can, and they have committees throughout the country, officers of the Ordnance Department, most of them civilian business men although commissioned, who are settling those contracts as fast as they can. I suggest to the Senator from Michigan that if he will take up this question with Assistant Secretary Crowell undoubtedly he can ascertain what is the matter and exactly what the situation is and probably arrive at some agreement which will enable them to accomplish a more speedy settlement.

Mr. SMITH of Michigan. Mr. President, I made this public appeal because I have been impressed with its seriousness; and I desired, if possible, to facilitate the prompt adjustment and payment of these valid claims. It is too much for us to carry, and we ought not to be called upon to do it.

What has been said by the Senator from Mississippi and the Senator from Virginia and the Senator from New Jersey of course should be considered, and undoubtedly is being considered by the departments; but I can see no reason in the world for delaying the payment of these claims that are admitted. The Government of the United States is probably the best Government in the world, and represents the most advanced thought and the highest purposes, but it is the worst paymaster that I know anything about. I have seen men perform service and drag their weary legs through life begging payment over and over again.

We authorized here the other day a payment 10 or 20 years belated. I think under the inspiration of the Senator from Mississippi the Committee on Foreign Relations approved the payment of money long overdue; and it is not a good reputation to get. It is all right if they have not got the money; but the Senator from Utah says that $10,000,000,000 that have been appropriated will be unexpended at the end of the fiscal year.

Mr. POMERENE. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Ohio?

Mr. SMITH of Michigan. Certainly.

Mr. POMERENE. This discussion seems to be general in its character as applying to the subject; and the observation made by the Senator from New Jersey [Mr. FRELINGHUYSEN] leads me to make this suggestion:

I recognize the fact that it is necessary to have some legislation to validate these contracts, and I know that several committees are now considering this subject; but I think they should bear in mind this fact, also, in bringing in this remedial legislation.

There are a great many of the principal contractors who have made subcontracts. I have in mind one concern that has six principal contracts with the Government, and on one of these contracts it has made several subcontracts. It seems to me that the money that is paid to the principal contractor ought to be distributed among the subcontractors who have contributed toward the fulfillment of the principal contract. In other words, the general creditors of a principal contractor ought not to be permitted to benefit by this legislation at the expense of the subcontractors who have given value to the Government.

Mr. SMITH of Michigan. Mr. President, the subcontractors have their remedy against a principal contractor; but the contractors that I am speaking about have no remedy at all. They can not sue the Government. They must wait; and if the money is in the Treasury, and these claims are legitimate, they ought not to be obliged to wait. That is my only contention, and I do not think there can be serious disagreement about the matter.

Mr. POMERENE. I am finding no fault with the Senator's position in that behalf.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Mississippi?

Mr. SMITH of Michigan. Certainly.

Mr. WILLIAMS. There can be no serious disagreement with the last utterance of the Senator from Michigan. There is none. Whenever a Government contract is valid and legal according to existing law and the proof has been made and the proper governmental authorities have passed upon it there can be no excuse for not paying it; but I rose just at this minute, Mr. President, chiefly to reinforce one thing that the Senator has said.

The United States Government is the poorest paymaster in the world upon equitable claims. It is one of the quickest and surest and best paymasters upon purely legal claims. If the Senator will pardon me for a bit of reminiscence——

Mr. SMITH of Michigan. Certainly.

Mr. WILLIAMS. I will state that one day, as a member of the Foreign Affairs Committee of the House of Representatives, a claim was presented to me as the chairman of a subcommittee growing out of the Spanish spoliation away back in 1819.

Mr. SMITH of Michigan. I was a member of the House committee at the time. I remember it.

Mr. WILLIAMS. I looked through the papers, and after I had looked through them I put into the papers a written recommendation of my own, as the chairman of the subcommittee, telling the clerk please to see the other members of the subcommittee and show them my report. Then, looking still further through the papers, I found that Daniel Webster had once recommended the payment of that claim and that Marcy, of New York, had also recommended it. So I merely added a postcript, saying that although not a very modest man I felt further reinforced in my convictions by the fact that Daniel Webster and Secretary of State Marcy, as he subsequently was—he was not then—had agreed with me with regard to that claim.

Mr. SMITH of Michigan. Was it ever paid?

Mr. WILLIAMS. Some time after that my hiatus occurred—the time during which I was neither a Member of the House nor a Member of the Senate. I had been elected to the Senate, but had not taken my seat, and I got a letter from some attorney somewhere, saying, "Do you know where the papers are in the case of So-and-so against the United States Government?"

I responded, "No. I had those papers at one time. I filed a written opinion, and I handed them back to the clerk." He said, "The clerk says those papers are still charged to you"; and, as far as I know, that claim, recommended by three such distinguished citizens as Daniel Webster and Marcy, and me, has never been paid, and the papers are lost.

Now, that is a sample of how Congress attends to business. That is not a reflection upon the Government; that is a reflection upon Congress—not that I want to reflect upon Congress. I have been too long a Member of the body, august and distinguished as it is, and I have gathered too much reflected light from its distinction to want to reflect upon it; but it is true, Mr. President, that if there ever was a Government in the world which took very little account of equities, while it took very distinct and good account of legalities, it is this Government.

I once had the honor of defining a legalist. In a late presidential campaign I said that a certain man was a legalist, and somebody in the audience—out in Wisconsin, I think; it may have been in Michigan—said: "What do you mean by 'a legalist'?" I said, "A man that can not get any hope for the future nor any confidence in the present, excepting from a precedent of the past," and the United States Congress acts that way very frequently.

Mr. SMITH of Michigan. Mr. President, I have taken more time than I intended, owing to the interruptions that have occurred; but I have nothing further to say, except this: Out of this overflowing Treasury I hope that the manufacturers and business men of Detroit particularly, and my State generally, may get these bills, that are very belated, paid. Three hundred millions of dollars is a large sum, and I think the complaint made by the Journal is justified.

I am greatly obliged to the Senator from Maryland for his courtesy in allowing me to proceed, and I yield the floor back to him.

NATIONAL PROHIBITION.

Mr. KENYON. Mr. President, in view of the announcement of the Senator from Texas [Mr. SHEPPARD] a few minutes ago as to the ratification of the prohibitory amendment by 36 States, I want to say just a word.

This marks the successful ending of the greatest moral battle waged in this country since the abolition of slavery. It has been a battle without compromise, as there can be no compromise between right and wrong. It is remarkable that this result could have been brought about so speedily. The power of the saloon is ended in the United States. As it passes to its grave it can go with the knowledge that it has been responsible for more misery and crime; more destruction of homes and debasement of character; more poverty, sorrow, and tears than any other agency the world has ever known. No one will weep over its demise. The United States will be a better and more prosperous Nation; its citizenship will be happier and more contented than ever.

I rise for the purpose, however, of felicitating the distinguished Senator from Texas, whose name will ever be associated with this movement. It must be a satisfaction to him to feel that, while the defenders of the liquor traffic may sneer at his efforts, the mothers of the Nation and the Christian citizenship of the land are thanking God that there came to Congress

a man with the courage, persistency, vision, and love of humanity that he has manifested in standing amidst all the storms of abuse, not only in the Nation, but around the Capitol, and fighting through the good fight to the end.

With due regard to the many services performed by other Senators in this body in days gone by, it is my humble judgment—and I know it is the judgment of millions of people in the United States—that no greater service has ever been performed to humanity or righteousness and to the real best interest of this Nation than has been by the Senator from Texas. I extend to him my heartfelt felicitations upon this day, truly one of triumph for him, and I extend to the State of Texas congratulations that they have in this body the man who has been the leader in this great movement.

THE CENSUS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 19984) to provide for the Fourteenth and subsequent decennial censuses.

Mr. FRANCE resumed the speech begun by him on yesterday. After having spoken for some time,

Mr. DILLINGHAM. Mr. President——

The PRESIDING OFFICER (Mr. ASHURST in the chair). Does the Senator from Maryland yield to the Senator from Vermont?

Mr. FRANCE. Mr. President, I shall later resume a discussion of this general subject, taking up particularly a discussion of the purpose of my amendment; but it gives me great pleasure to yield to the Senator from Vermont. I yield to him with the understanding that I do not lose the floor.

Mr. DILLINGHAM. Yes. I dislike to break in upon the very interesting and very able argument of the Senator from Maryland, but there is a matter on the Calendar which is of extreme importance, one which comes pretty nearly being of the highest privilege, which I had the honor to report from the Committee on Privileges and Elections. As I am called from the city this afternoon, I am very anxious to have it disposed of before going away. I ask the courtesy of the chairman of the committee that the pending bill may be laid aside temporarily by unanimous consent that this matter of privilege may be taken up.

Mr. SHEPPARD. I ask that the unfinished business may temporarily be laid aside for the consideration of the matter presented by the Senator from Vermont.

The PRESIDING OFFICER. The Senator from Texas asks unanimous consent that the unfinished business be temporarily laid aside. Is there objection? There being none, it is laid aside.

SENATOR FROM WISCONSIN.

Mr. DILLINGHAM. I ask unanimous consent that the Senate proceed to the consideration of Senate resolution 360, reported by me from the Committee on Privileges and Elections, declaring that the resolutions of the Minnesota Commission of Public Safety petitioning the Senate of the United States to institute proceedings looking to the expulsion of Senator ROBERT M. LA FOLLETTE be and the same are hereby dismissed.

There being no objection the Senate proceeded to consider the resolution.

Mr. DILLINGHAM. I ask to have the resolution read.

Mr. POMERENE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Ohio suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll and the following Senators answered to their names:

Ashurst	Johnson, Cal.	Martin, Ky.	Smith, Md
Bankhead	Johnson, S. Dak.	Martin, Va.	Spencer
Beckham	Jones, N. Mex.	New	Sutherland
Chamberlain	Jones, Wash.	Norris	Swanson
Culberson	Kellogg	Nugent	Thomas
Cummins	Kendrick	Overman	Townsend
Curtis	Kenyon	Page	Trammell
Dillingham	King	Pearce	Underwood
Fernald	Knox	Phelan	Vardaman
Fletcher	La Follette	Pomdexter	Walsh
France	Lenroot	Pollock	Warren
Frelinghuysen	Lewis	Pomerene	Watson
Gay	Lodge	Ransdell	Weeks
Gronna	McCumber	Reed	Wolcott
Hale	McKellar	Shafroth	
Henderson	McLean	Sheppard	
Hollis	McNary	Smith, Ariz.	

Mr. LEWIS. I desire to announce that the Senator from Nevada [Mr. PITTMAN] and the Senator from Rhode Island [Mr. GERRY] are detained on official business.

Mr. McKELLAR. I wish to announce that the senior Senator from Tennessee [Mr. SHIELDS] is absent on account of illness. I will let this announcement stand for the day.

Mr. SUTHERLAND. My colleague, the senior Senator from West Virginia [Mr. GOFF] is absent owing to illness.

The PRESIDING OFFICER. Sixty-five Senators have answered to their names. A quorum of the Senate is present. The Senator from Vermont asks that the pending resolution may be read.

The Secretary read Senate resolution 360, reported by Mr. DILLINGHAM, from the Committee on Privileges and Elections, as follows:

Resolved, That the resolutions of the Minnesota Commission of Public Safety petitioning the Senate of the United States to institute proceedings looking to the expulsion of ROBERT M. LA FOLLETTE from the Senate because of a speech delivered by him at St. Paul, Minn., on September 20, 1917, be, and the same hereby are, dismissed for the reason that the speech in question does not justify any action by the Senate.

Mr. DILLINGHAM. I ask that the report of the committee may be read.

The Secretary read the report of the committee, No. 614, submitted by Mr. DILLINGHAM, from the Committee on Privileges and Elections, as follows:

The Committee on Privileges and Elections, to whom were referred the resolutions of the Minnesota Commission of Public Safety petitioning the Senate of the United States to institute proceedings looking to the expulsion of ROBERT M. LA FOLLETTE from the Senate, as a teacher of disloyalty and sedition, giving aid and comfort to our enemies and hindering the conduct of the war, respectfully report that they have fully considered said resolutions and the charges contained therein, as well as the speech made by Senator LA FOLLETTE at St. Paul, Minn., on the 20th of September, 1917, to which speech said resolutions referred and upon which speech is based the petition contained therein.

Your committee have considered the entire case as presented and recommend that the petition preferred by the said Minnesota Commission of Public Safety be dismissed for the reason that the speech in question does not justify any action by the Senate.

Your committee also recommends the adoption of the following resolution:

Resolved, That the resolution of the Minnesota Commission of Public Safety petitioning the Senate of the United States to institute proceedings looking to the expulsion of ROBERT M. LA FOLLETTE from the Senate because of a speech delivered by him at St. Paul, Minn., on September 20, 1917, be, and the same hereby are, dismissed for the reason that the speech in question does not justify any action by the Senate.

LETTER FROM THE SECRETARY OF THE MINNESOTA COMMISSION OF PUBLIC SAFETY TO SENATOR FRANK B. KELLOGG, TRANSMITTING A COPY OF A RESOLUTION PASSED AT A MEETING OF THE COMMISSION HELD ON SEPTEMBER 25, 1917, TOGETHER WITH A STENOGRAPHIC REPORT OF THE SPEECH OF SENATOR ROBERT M. LA FOLLETTE.

[J. A. A. Burnquist, governor, ex officio, chairman; C. H. March, vice president; Lyndon A. Smith, attorney general, ex officio; C. W. Ames, St. Paul; John Lind, Minneapolis; John F. McGee, Minneapolis; A. C. Weiss, Duluth; John S. Pardee, secretary.]

MINNESOTA COMMISSION OF PUBLIC SAFETY,
St. Paul, Minn., September 26, 1917.

Hon. FRANK B. KELLOGG,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I have the honor, on behalf of the Minnesota Commission of Public Safety, to call your attention to the attached copy of the resolution passed at the stated meeting of the commission yesterday, September 25, together with a stenographic report of Senator LA FOLLETTE'S speech.

Yours, very truly, H. W. LIBBY, *Secretary.*

Resolutions.

Whereas Senator ROBERT M. LA FOLLETTE made an address of a disloyal and seditious nature at a public meeting before a large audience at the Nonpartisan League convention in St. Paul on the 20th of September, Whereas the utterances of Senator LA FOLLETTE, with all the prestige of his high office as a Senator of the United States, made under protection of a guaranty by the president of the Nonpartisan League that no disloyal expressions would be permitted during the alleged conference between producers and consumers on the high cost of living, have already served to create treasonable and seditious sentiments in the State of Minnesota, and being spread through the public press can have no other effect than to weaken the support of the Government in carrying on the war: Be it hereby

Resolved, That the Minnesota Commission of Public Safety respectfully petitions the Senate of the United States to institute proceedings looking to the expulsion of the said ROBERT M. LA FOLLETTE from the Senate as a teacher of disloyalty and sedition, giving aid and comfort to our enemies and hindering the Government in the conduct of the war; and be it further

Resolved, That copies of this resolution, together with stenographic copies of said La Follette speech, be forwarded to the President of the Senate and Senators NELSON and KELLOGG.

SPEECH OF SENATOR ROBERT M. LA FOLLETTE.

Introduced by chairman. [Continued applause.]

Mr. President, ladies, and gentlemen, it is needless for me to say anything about the importance of this conference conducted under the auspices of the Nonpartisan League. It speaks for itself. It is a nonpartisan league. Why a nonpartisan league? Why has such an organization been formed in this and other States of the Union? Because, Mr. President, ladies, and gentlemen, political parties have failed to give the people of this country real representative government. [Applause.] What is representation? Every man in this audience who stood up here when you sang that glorious anthem, "My country, 'tis of thee," answers that question. [Applause.] What was it for which men died in '76? It was that the Government established by their valor, their devotion, and their sacrifice, sealed with their blood, should be a real representative government. What is a representative government? A government that represents all the people. [Applause.] And when some of you who stood up in this audience while that glorious sentiment, set to heart-inspiring music, was being given forth—because some of us who stood up at that time have forgotten the sacrifices made

in 1776, made in the sixties, in order that that kind of government should be preserved, because some of you are testifying a devotion to liberty which you do not feel. [Applause.]

Who is it abroad over this country now waving the flags and crying out for democracy in the loudest possible tones? It is the business that is making money out of existing conditions; that is what it is. [Applause.] You new converts to democracy are masquerading in the livery of heaven while you serve the devil. [Applause.] Think for a moment for what Washington's Army starved and froze at Valley Forge, warming their stiffening fingers by little campfires. It was that we should have builded up here in this country of ours the only Government on this earth that should be truly representative of the people. [Applause.] What does that mean? It meant the election of two United States Senators from every State in the Union, a Member of Congress from every unit of representation agreed upon, who are to assemble at the seat of Government under the Constitution on the first Monday of December in each year, and there, representing never themselves, never the United States Co., never the ammunition makers, but always representing the people, they should vote for laws that were for the good of the Republic. That is what is meant. [Applause.]

Fellow citizens, when it becomes necessary for an organization, or when any considerable number of people come together in State after State of the Union and seek to form a nonpartisan league in order that they may get true representative government, it means that some power has come between the people and their representatives, and that they are not getting representative government under partisan domination. [Applause.] I am reminded, as I face this magnificent audience here to-night, I am carried back in memory to the early seventies. Do you realize, fellow citizens, that here at the head of the Mississippi Valley, here in what was called the Old Northwest, in the early seventies was formed the great granger movement to grapple with corporate power and restore representative government to the people of that day? [Applause.]

Have you forgotten, or is it possible that the younger generation have never been informed, that here at the head of the valley formed by the great Father of All the Waters was cradled the first independent institution which went out to fight corporate power in the United States? Minnesota, Wisconsin, Michigan, and Iowa were the four Commonwealths that for the first time in the history of the government of men declared the right of the people to have administered to them a control of the highways that lead to market? Are you aware of the fact that you are inheritors of a precious legacy here in Minnesota—a legacy that has not always been protected—here in Minnesota and in the State of my nativity lying to the south, in Iowa, and in Michigan was born the first great independent farmer movement for the control of railroad transportation, for the subjection of great corporations to public interests instead of permitting those corporations to control ruthlessly in their own interests all of the highways leading to the markets of the country? [Applause.]

Fellow citizens, you are the descendants of the men who made that wonderful historic contest; for, let me say to you that out of that movement that started in these four States that problem for the first time in the history of the world, the right of the public to fix charges upon the iron highways of commerce, that out of that wonderful movement started in the homes of the farmers of Minnesota, Iowa, Wisconsin, and Illinois—I said Michigan a moment ago; I should have said Illinois—of those four States in the homes of those farmers started that movement for the first time in the history of the world, asserting the right of the public to control railway transportation and railway rates over the railroads leading to the markets of the country. From that propitious hour there spread to the East and to the West that movement the germ of which was the right of the public to control transportation companies until it became the settled law of the land. When it was first asserted by the people of Minnesota, Iowa, Wisconsin, and Illinois, the owners of the railroads denounced it as an interference with private property and private rights; but the old granger movement, pursuing that great ideal, insisted that when these corporations are permitted to take private property on which to build their depots and their rights of way, that they at once become the servants of the people and their property is subject to public control. [Applause.]

It can not be too strongly emphasized—and I speak of it in connection with this nonpartisan farmers' movement—it can not be too strongly emphasized that that wonderful assertion of a public right was the result of the logical thinking of the farmer as he followed his plow. He reasoned that if the corporation had a right to take his property without his consent, and at a price fixed by the public, on which to build its depot grounds and its right of way, it must be in the same position that the county or the State or the township is in when it takes his property to build a highway, to locate a school building, or to build a public institution; that it was taking his property without his consent, and at a price fixed by statute; that it was taking that property under a public right, and that the highway, the iron highway, the depot, and yards so taken should not be considered as private property. That was a wonderful piece of reasoning upon the part of the men who followed the plow. But let me say that the advanced political thought, that the advanced political philosophy, that the advanced social philosophy of this country of ours finds the germ and the development and the fruitage upon the farms of the country; and it is for that reason that agriculture is the basis of statehood; it is the basis of stable business, of a government of the people, by the people, and for the people. [Applause.]

So I have a faith that this new movement up here, known as the nonpartisan organization, born on the farms of this old Northwest Territory, contains within it the seeds of a great social and political advancement. [Applause.] And, Mr. President and fellow citizens, ladies and gentlemen, I know you will pardon me for harking back to the old granger movement. I am constrained to believe that this new movement is another crop of the seed of that time. [Applause.] Now, fellow citizens, there would not be the slightest occasion in the world for the organization of a nonpartisan league, and you would not be able to enlist the farmers of a dozen or 15 or 20 States in this union unless there was something fundamentally wrong with our Government. There is something fundamentally wrong with it. [Applause.] Of course, I know the fellows who are waving the flags of to-day most frantically, the bloated representatives of wealth who are shouting loudest for democracy to-day, are trying to invest this particular time with a new form of democracy; a democracy that has attached to it as a cardinal principle, not liberty, not equality, but profit. [Applause.]

But, my friends, you can not enlist the thinking, intellectual, conservative population found upon the farms in this section of the country, which was known when I was a boy as the old Northwest Territory; you can not stir populations very deeply and very profoundly unless there is a profound reason for it; and that profound reason, if you will be a bit analytical, you will find is due to the fact that the very men who are shouting at the top of their voices about democracy to-day are the men who have been pillaging the hard-working sons of toil not only upon the farms but in the factories of the country. [Applause.] But, fellow citizens, I like the advent of this organization, for I know full well that it has already acquired a momentum that will carry it forward. No order from some secret-service employee or from some department of justice will be able to throttle this great movement that stands for real representative government. [Continued applause.]

Mr. President, ladies, and gentlemen, when I speak in this tone of voice do you get me back there against the wall? Are you able to hear me when I talk in this tone of voice back there in the alcoves? [Voices: "Yes."] [Laughter.] I will use a little less voice, because I want to be heard and at the same time I want to save my voice. I have got use for it [laughter and applause], and I purpose to use it for constitutional liberty, for free speech. [Continued applause.]

Now, I do not take the political dope of any papers that serve interests hostile to representative government. [Applause.] Fellow citizens, I come before you here to-night to talk to you particularly about this great movement you have adopted up here, and to give you a word of encouragement, to bid you to be brave, not to be intimidated because there may chance to be sneaking about here and there men who will pull back their coats and show a secret-service badge. [Applause.] Until Bunker Hill is destroyed, unless Little Round Top and the Hornet's Nest at Gettysburg shall have been obliterated and relegated to oblivion, there shall still be free speech in this country. [Applause.] Mr. President, I have stood all my life for law and order. [Applause.] Twenty years ago this very season at a little farmers' gathering in Ferndale, Wis., I opened the fight against corporate power in that State. I was denounced then as an iconoclast and a destroyer of conditions that ought to be preserved, just as some of the advanced thinkers of to-day are denounced for proclaiming, not a new doctrine but the doctrine of Franklin and Madison and Adams and Thomas Jefferson. [Applause.] What was the central thought of the little speech I delivered on that day? It was only this, that the corporations in Wisconsin were not paying their fair share of the taxes, and that they ought to be made to pay them, just as the farmers and owners of lands did. That was all; but that was considered treason. [Laughter.] Just as the same things are denounced as disloyal to-day; but, fellow citizens, I did not stop then and I won't stop now. [Applause.]

And then, 20 years ago, I was just asking for justice and equality in government, in taxation, and, fellow citizens, I came from Washington directly here, and on the floor of the House of Representatives, and in the Committee on Finance, the greatest committee in the Senate, I have been struggling for this same thing that I struggled for down at the Ferndale picnic in Wisconsin 20 years ago. There is not a shade of difference in principle. The only difference lies in the fact that where we in Wisconsin were considering thousands and hundreds of thousands, in this great Government of ours and in the times in which we find ourselves now, we are considering billions upon billions beyond the power of the human mind to grasp; that is the only difference. [Applause.] A little handful of men in Washington have been demanding—only a little handful of men—have been demanding that the taxation should be laid according to the principles that prevail wherever justice prevails, that taxation shall be laid according to the ability of the property to meet the taxes. [Applause.] We have been contending for that principle in Washington, just the same as in a smaller way I was contending for that principle in the first speech made on the 27th of August, 1897, to a farmers' picnic in Ferndale, Wis., which opened the campaign that lasted through a decade or a decade and a half of time.

Fellow citizens, the organization of the Nonpartisan League—and I come back to that as I shall from time to time during the limited space that I can speak to you—the Nonpartisan League finds its birth and its reason for existence in the fact that the burdens of government are not equally laid upon the people of this country. [Applause.] You could not organize a township in North Dakota, you could not enlist the sober, thinking mind on the farms in a county in this great and wonderful expanse of territory if you didn't have justice and right. If you didn't have a real grievance, for there are no men who think deeper, who reflect more soberly and conservatively, and I emphasize that word "more soberly and conservatively," than the farmers of this great country of ours. [Applause.] And I tell you, fellow citizens of our great and glorious country, when any considerable number of farmers, the leaders of the conservative population of this country, rise up en masse to demand a redress of grievances—look out. [Applause.] There is something radically wrong or you couldn't enlist them.

Now, fellow citizens, we are in the midst of a war. For my own part, I was not in favor of beginning the war. [Continued applause.] I didn't mean to say we had not suffered grievances. We had, at the hands of Germany, serious grievances; we had cause for complaining; they had interfered with the right of American citizens to travel upon the high seas on ships loaded with munitions for Great Britain. [Applause and yells.] And, gentlemen, I would not be understood as saying we didn't have grievances; we did, and upon those grievances, which I have regarded as insufficient, considering the amount involved and the rights involved, which was the right to ship munitions to Great Britain with American passengers on board to secure a safe transit. [Laughter and applause.] We had a right, a technical right, to ship munitions, and the American citizen had a technical right to ride on those vessels. I was not in favor of riding on them [laughter], because it seemed to me when the consequences resulting from any destruction of life that might occur would be so awful, I say [a voice: "Yellow"]—any man who says that in an audience where he can conceal himself is yellow himself. [Cries: "Put him out."] I say this, that the comparatively small privilege of the right of an American citizen to ride on a munition-loaded ship flying a foreign flag is too small to involve this country in a loss of millions and hundreds of millions of lives. [Applause.]

Now, fellow citizens, I didn't believe we should have gone into this war for that poor privilege, the right of an American citizen to travel upon a foreign vessel loaded with munitions of war, because a foreign vessel loaded with munitions of war is technically foreign territory [applause], and an American citizen takes his own life in his own hands just as much as he would if he were on the territory of France and camped in the neighborhood of an arsenal. Mr. President, it has sometimes occurred to me that the shippers of munitions of war, who are making enormous profits out of the business, should not have encouraged American citizens to ride on those ships in order to give a sort of semblance of safety to the passage of their profiteering cargo abroad. [Applause.] But, Mr. President, we went into the war by the adoption by Congress of a declaration of war in constitutional form; therefore we are in the war legally. I was not in favor of going into the war illegally. I resisted

the right to arm merchantmen when I knew that that would result in producing a condition that would bring about war without a declaration by Congress, and the Constitution says that Congress, and not the acts of the President, shall bring on a war with a foreign Government. [Applause.] But war was declared, and lawfully declared; it was not brought about by unlawfully and tyrannically arming of merchant ships. I had a little bit to do with stopping that on the 4th of March, and I put it to my everlasting credit that I was able to do it. [Applause.]

We are in the war, and we are at least lawfully in the war. Now, then, the war entails expenses. You can not run a war these days without paying for it; it is a costly enterprise. Every one of the nations, of the belligerent nations of Europe, is reeling under the financial burdens of the war, this of all wars in the history of the world, has laid upon them. Every one of the belligerent nations, up to last April, when we entered the war, had passed the line of safety so far as ever being able to redeem their financial obligations were concerned; every one except Great Britain. Whenever any Government is paying out for its obligations—for its current obligations—more than 25 per cent of its income, that nation has passed the time where it is safe to loan to it, and every belligerent nation in Europe last April, excepting Great Britain, had passed that line. Never—and this is a criticism to say—never before in the history of the human race was a war in progress that so, day after day, hour after hour, and moment after moment, sapped the very life-blood, the financial lifeblood, of the existence of the nation as a stable entity—and, fellow citizens, it behooves a nation to consider well before it enters upon a war of that sort how much it has got at stake. If all it has got at stake is the loans the house of Morgan makes to foreign Governments, and the profits that the munition makers will earn in shipping their products to foreign countries, then I think it ought to be weighed, not in a common hay scale, but in an apothecary's scale. [Applause.]

Ah! But somebody will tell you American rights are involved. What American rights? The right of some venturesome person to ride upon a munition-laden vessel in violation of an American statute that no vessel which carries explosives shall carry passengers. Four days before the *Lusitania* sailed President Wilson was warned in person by Secretary of State Bryan that the *Lusitania* had 6,000,000 rounds of ammunition on board, besides explosives, and that the passengers who proposed to sail on that vessel were sailing in violation of a statute of this country, that no passengers shall travel upon a railroad train or sail upon a vessel which carries dangerous explosives. [Applause.] And Mr. Bryan appealed to President Wilson to stop passengers from sailing upon the *Lusitania*. I am giving you some history that maybe has not come to you heretofore—the grievances that carried this country into the war, into a war the results of which, as to the loss of life and burdens, financial burdens, that shall be laid upon us can not be calculated by any mind. I say that the conditions that carried us into that war needed to be weighed carefully, for I announcate no new doctrine, but the doctrine of Daniel Webster, who said when the Mexican War was on that it was the right of the people of this country to determine for themselves whether there has been a sufficient grievance of the people to incur all the burdens and risks that go with a war of this kind.

I have only got a few minutes more if I make my train. It involves another engagement.

Fellow citizens, I am going to use it in the way I believe the foremost man on the other side will say is loyal to the interests of this Government. We are in this war. We have got to finance it. How shall we do it? Now, let me say to you that there are three ways of financing the war. First, by raising all the money that the war costs by taxation and paying the expenses of the war day after day as the war goes on. That policy of financing a war is called the plan of paying as you go. The founder of the science of political economy was Adam Smith. No one has ever discovered a new principle involved in that science from the days of that wonderful man down to this hour to night. And from Adam Smith down through the line of great political economists—Ricardo, John Stuart Mills, on down to the political economists of the present day—one and all, with such rare exceptions as to be unworthy of notice, one and all have said there is but one sound way of financing a war, and that is to impose taxes sufficient, while the war is on, to pay the expenses of the war. That you have no business and no right to hand it on to other generations; the generation that makes the war should pay for the war. [Applause.] But that is not all. Those great economists have said another thing. It was an enunciation of a great economic truth, and that is if you finance the war in any other way you impose a double burden not only on the people of to-day but upon your children of the next generation. I said there was one way of financing the war. There are three ways—that laid down by the great political economists of all times, that you should pay as you go; that you should levy enough taxes at the time to carry the expenses of the war. Of course, if you are going to do that you have to put the taxes chiefly upon the wealth of the time. [Applause.] Some people don't like that way. Then there is another way, and that is that you shall borrow, borrow, borrow; issue bonds, mortgage the Government and the generations to come in order to pay the expenses of the war. That is the opposite of paying as you go.

Every time you issue bonds you inflate the currency and prices, and you make it harder for the people of that particular time, because you put a mortgage on at a rate of interest not of the Government's choosing for which the Government is in war and starts in upon the loan policy it can not fix the interest; it can not fix any of the conditions of the bonds; it goes to the money lender with its hand out, its hat in its hand, and says, "What will you furnish the money for?" and the money lender, the wealth of the country, looks out for itself. [Laughter and applause.] Show me any war or any time when wealth has been patriotic, when wealth has said, "We don't care for interest; we don't care for profit; we are going to take care of the country." Do you know that J. Pierpont Morgan laid the foundation of his fortune the first $25,000 that he ever made he made in buying rifles of the Government, condemned rifles, at $2.50 apiece, and selling them back to the Government, disguised a little bit, at about $22.50 apiece? [Applause.] Do you know that a part of the great fortune of Vanderbilt, the commodore of war time, do you know how that was made? That was made by picking up condemned ships for almost nothing and selling them to the Government for a good round price. [Applause.]

But, fellow citizens, I wish I could stay with you all night. Do you know that congressional committees in the time of the sixties were busy for months and years investigating the frauds perpetrated upon the Government by the wealth of that country arising upon the dire necessities of this Republic to make fortunes out of it, out of those conditions? And if you think the animal has changed its spots or shed its skin come down to Washington and see for yourselves. [Applause.]

So, fellow citizens, you have to consider this thing, and that is the carrying of the burdens of the present war. How shall they be carried? Political economy says they shall be carried by the principle of pay as you go, and the big interests want to meet them out of long-time mortgages in the shape of bonds, and thus pay the expense of the war by borrowing. There is not much of a question but that the correct plan is to pay as you go. Do you know, about as soon as the war clouds began to show over the horizon, that 250 of the great economists of the United States, representing the best universities and colleges of the country, petitioned Congress in a petition, the logic and power of which to me was irresistible, that this war should be financed by imposing taxes upon surplus incomes, war profits, and other source of revenue, so that we should pay as we go? [Applause.] But that petition fell into the lands of the Philistines. [Applause.] And if ever saw the light of day, if it was the subject of comment upon the floor of either House, I venture to say it was at the time when I made the argument against the plan proposed, and in the tax bill which has just passed, I quoted largely from that petition in the making of that argument. Fellow citizens, no war has ever been financed as Adam Smith and all of his successors have said it ought to be financed. Why? Why, because wealth is always potential in government, and wealth never saw war financed wholly by taxation for the reason that wealth would have to pay the bulk of the taxes. As the underlying principle of taxation is that the burden of taxation must be borne according to the ability of the owners of property to bear the taxes, no Rockefeller would have to pay more, considerably, than the farmer in North Dakota. [Laughter.]

So wars have never been financed upon the sound economic principles; wars have always been financed with a struggle between the people on one side and wealth upon the other; wealth contending that the war should be financed by loans, and the people contending that the war should be financed by taxation of wealth, and wealth always being more potential than the people, but I trust that after the Nonpartisan League gets well under way that that won't be the condition in this country. [Applause.] But it has been the condition, and so most of the wars have been financed by both taxation and bond issues, and too frequently the bond issues have been the largest part of the cost of the war. Great Britain, more than any other country in the world, has financed her wars by taxation, and in proportion, in fair proportion, by the bond issues. The greatest wars that ever Great Britain participated in were the Napoleonic wars, and the Napoleonic wars were financed by Great Britain upon a fifty-fifty basis; indeed, 52 per cent of the expenses of the Napoleonic wars was paid by present taxation and 48 per cent of the expense was paid by loans, was carried by loans. In the Crimean War Great Britain paid practically an equal amount by taxation and by loans. But, fellow citizens, every Government that has paid the majority of its expenses by loans instead of taxation has paid a dear price for yielding to wealth as to the way in which the war should be carried on and financed. For always and always in proportion as your loans exceed the amount of money raised by taxes, just in the proportion you swell the prices that the people have to pay during the war, because the issuance of your bonds inflates the currency, and is followed always by accessory legislation, additional legislation, which accentuates that condition.

Now, fellow citizens, what happened after we declared war? In view of this history, in view of the warnings of the great economists of the country that we ought, if we were going to proceed upon a sound economic basis that we ought to finance this war as largely as possible by taxation instead of bond issues, what happened? We passed the declaration of war; the die was cast; we were in the thing. We had to shoulder the financial burdens, awful as they are. The first thing that high statesmanship required of this country was the making of a plan for financing the war as nearly sound in economic principle as possible. John Sherman, the greatest financier this Government ever produced, speaking after the Civil War upon a bill to refund some of the war debt at a lower rate of interest, said that the financing of the Civil War ought to have been at least upon a fifty-fifty basis; that is, that at least one-half of it ought to have been raised by taxes instead of by dealing with the bondholders. But, fellow citizens, I say, as in every other great crisis, the money power was too potential, and the Civil War was financed not upon a fifty-fifty basis; it was financed upon a basis that was about 30 per cent pay as you go and about 70 per cent—when you take the whole thing covering the four-year period—about 70 per cent by bond issues. But, fellow citizens, do you know that we struggled with the experiments, the financial experiments, that grew out of the financing of the War of the Revolution for a period of more than 30 years? Wrong financing of that war was in a large measure responsible for the worst panic that ever shook this Government to its commercial and financial foundations. And yet you can never say an economic or financial wrong that you do not have to settle for it. And so, fellow citizens, those who were responsible for the bringing on of this war, it should have been their first care to see that it was as largely financed by taxation as possible. There never was a time before in the history of the world when a war could be so largely and advantageously financed by taxation as this war. Why? Because never before in the history of the human race were great corporations making the enormous war profits that the corporations of this country have been making for the three years that the European war has been on and we have been at peace, and those enormous profits warranted the assessment of the very highest percentages of taxation against the war profiteers in order that this war should be properly financed.

Fellow citizens, it is only 20 minutes to train time. Let me say I have got to go. I do not like to go, but I want to say a few words in conclusion to you. I am going to say this: We passed a bill that levies only 31 per cent, on the average, upon war profits, and that, too, when the owners of these great profit-making concerns have had three years of the richest picking that was ever known in the history of mankind. [A voice: "Shame on Congress!"] Yes; shame on Congress. Yes; and shame on the administration, for the administration approved the bill. I am willing that Congress should bear all that it ought to bear, but I tell you that it has got an awful load of responsibility on it. It has not met those responsibilities; it shirks almost everything; it takes what the administration sends down, looks at it popeyed, and swallows it. And yet our forefathers, when they established this great Government of ours, said that the safety of the Republic depended upon the independence of each of the departments as to the other departments—the judiciary independent of the executive and the legislative; the executive department independent, under sanction of the Constitution, of the legislative and the judiciary; and the legislative department absolutely independent of the executive and judiciary. The legislative department was looked upon by the men who made this Government for us as the repository of the liberties of the people, and they fixed the term of the election of the Members of Congress at two years so they could bring them back home and look over their work, so that if it was not satisfactory they could elect other men in their places.

Now, then, fellow citizens, I say that Congress has not met its responsibilities. Let me give you one instance of it—one I want you to put away in your hearts and minds and take home with you and reflect on it. Under the Constitution Congress has the right, the absolute

right, to determine the objects and purposes of every war in which we engage. [Applause.] I am giving you the Constitution for it. Why, do you know that Abraham Lincoln, Daniel Webster, Charles Sumner, Henry Clay, and I might call the roll of all the great statesmen of that period, when the Mexican War was on, after war had been declared, and they believed that the war was a wrongful war, they stood in their places in Congress and denounced that war, and Abraham Lincoln voted for a resolution to recall the American troops from Mexico? [Applause.] And yet in these days, 1917, with the flags all about us commemorating liberty, constitutional liberty, we are inhibited from even discussing this war, from even suggesting that there might be some way with honor and credit to our Government to terminate it and stop the awful slaughter and the awful expense. [Applause and yells.] Let me say, in a word, if Abraham Lincoln was a patriot, if Daniel Webster was a patriot, if Clay and Webster and Lincoln and all the men of that time understood the Constitution and the rights of the people, you, the humblest one of you, have the right to discuss freely the question of whether this war might not be terminated with honor to the Government and the awful slaughter discontinued.

I thank you for your patience. [Applause.]

LETTER OF CHAIRMAN TO SENATOR LA FOLLETTE.

OCTOBER 5, 1917.

MY DEAR SENATOR: By direction of the Committee on Privileges and Elections, I hand you herewith a copy of a speech purporting to have been made by you in St. Paul, under the auspices of the Nonpartisan League, on the 20th day of September, 1917.

I am also requested to ask you whether or not this is a correct copy of the speech made by you; and if it is not a correct copy, will you kindly state wherein it is not correct and give us a correct statement thereof.

If you feel free to comply with this request at your earliest convenience, it will be appreciated greatly by the committee.

Very sincerely,

ATLEE POMERENE,
Chairman Committee on Privileges and Elections.

Hon. ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

[Original and copy of speech delivered to Senator LA FOLLETTE'S son at the Senator's room in the Capitol at 2.30 p. m. Friday, Oct. 5, 1917. J. F. O'ROURKE.]

REPLIES OF SENATOR LA FOLLETTE.

UNITED STATES SENATE,
Washington, D. C., October 5, 1917.

DEAR SENATOR: I have the honor to acknowledge receipt of your communication as chairman of the Committee on Privileges and Elections, transmitting a purported copy of a speech delivered by me at St. Paul on the 20th day of September, 1917, upon the invitation of the Nonpartisan League.

The matter which you inclose is not a correct copy of the speech, but I will not at this time undertake to state wherein it is not correct. I will however, do so just as soon as I can secure a transcript of the speech which is in secretarial notes.

At least two copies addressed to me have been transmitted from St. Paul within the last week, neither of which has been received. I am wiring for copies again to-day.

Assuring you, and through you the committee, that I will comply with your request at the earliest possible date, I am,

Sincerely, yours,

ROBERT M. LA FOLLETTE.

Hon. ATLEE POMERENE,
Chairman Committee on Privileges and Elections, United States Senate.

UNITED STATES SENATE,
Washington, D. C., October 11, 1917.

Hon. ATLEE POMERENE,
Chairman Committee on Privileges and Elections, United States Senate.

MY DEAR SENATOR: Since my letter to you of the 5th instant I have received a transcript of the speech referred to by you in your letter to me of that date. The transcript I have received is from the notes of the official reporter of the Nonpartisan League, who was present to report the proceedings.

I have compared the transcript received by me with the committee print which you have furnished to me. The fact is, as both transcripts show, I spoke extemporaneously. I had with me a few notes on the revenue bill, upon which I expected to speak more fully than I did. But the digressions caused by questions and suggestions from the audience led me to put my notes aside. I desire to aid the members of the committee in their investigation to the end that they may have as nearly as possible the same understanding of all that transpired in the St. Paul meeting as they would have if the members of the committee had been personally present. I am therefore furnishing the committee with the transcript of what I said according to the notes of the official reporter of the Nonpartisan League, omitting therefrom merely extraneous matter involving the comments and explanations of the reporter.

There were two interruptions from the audience not shown in the transcript of the official report of the Nonpartisan League, but which I recall and which are also shown by other reports of the proceedings. Thinking that these might have significance in your consideration of the subject matter of the speech, I here refer to them. One is the question from the audience: "How about the *Lusitania*?" Of course, all that I said upon that subject was said because of this interruption. I had no intention of referring to it. The New York Times's report of the meeting and other press reports show this to be as here stated, and it accords with my recollection.

The transcript of the official reporter of the Nonpartisan League is, of course, at your service if you desire the same.

The second interruption which I note as not appearing in the text of the transcript furnished me shows that the expression "Shame on Congress" came from the audience, and that I replied as shown in the context of the speech. This so appears in the speech furnished by you, at page 11, line 3. With these interruptions, the transcript of the speech I am herewith submitting is substantially correct so far as I can now recall.

You did not indicate what particular portions of the speech you had under consideration, and I have gone over it generally to make certain that it is substantially correct. As you will observe by comparing the two texts of the speech, there are many differences between them. If any of these differences have any significance for the purpose of your investigation and you desire to direct my attention to any particular language in either text, I will be glad to give it further consideration.

I assume that the wholly false reports sent out by the press generally, to the effect that I stated in various forms "We had no grievance," is receiving no credence from you, since that is contrary to the text of the speech you furnished me. I shall be very glad, however, if your investigation is sufficiently broad to take in an inquiry into the causes which led to the publication generally of these grossly false statements by the press.

Permit me to say that if it is the purpose of the committee to make an investigation as to my statement of fact in the speech, then I request that the committee advise me what statement of fact is so called into question and in what respect its correctness is questioned.

Furthermore, if any issues of fact are to be raised by testimony concerning any statements in the speech, then I ask to be accorded the right to question anyone so testifying, and that I be permitted to call witnesses to meet the testimony which may be so offered.

If the speech is to be otherwise questioned or my right to make it considered by the committee, then I respectfully request that I be so advised by the committee, and that I be given an opportunity to be heard thereon in person and by counsel.

Very respectfully, yours,

ROBERT M. LA FOLLETTE.

SPEECH OF ROBERT M. LA FOLLETTE, DELIVERED AT THE MUNICIPAL AUDITORIUM, ST. PAUL, MINN., SEPTEMBER 20, 1917.

[NOTE.—The transcript of the speech which follows should be read in connection with the corrections indicated in the foregoing letter.]

Mr. President, ladies and gentlemen, it is needless for me to say anything about the importance of this conference conducted under the auspices of the Nonpartisan League.

It speaks for itself.

It is a nonpartisan league.

Why a nonpartisan league? Why has such an organization been formed in this and other States of the Union?

Because, Mr. President, ladies, and gentlemen, political parties have failed to give the people of this country real representative government! [Cheers and applause.]

What is representative government?

Every man or woman in this audience who stood up here to-night when you sang that glorious anthem, "My Country 'Tis of Thee," answers that question. What was it for which men died in '76?

It was that the Government established by their valor and their devotion and their sacrifice, sealed with their blood, should be a real representative government.

What is a representative government?

A government that represents all of the people! [Cheers and applause.]

And when some of you who stood up in this audience while that glorious sentiment, set to heart-inspiring music, was being given forth, because some of you who stood up at that time have forgotten the sacrifices made in '76, made again in the sixties, in order that that kind of a government should be preserved. Because some of you are testifying a devotion to liberty which you do not feel? [Applause.]

Who is it, abroad over this country now, waving the flags and crying out for democracy in the loudest possible tones? [Cries from the audience: ["The profiteers!" "Big business!"]

It is business that is making money out of existing conditions. That is what it is. [Cheers and applause.]

You now converts to democracy are masquerading in the livery of heaven while you serve the devil! [Cheers and applause.]

Think for a moment for what Washington's army starved and froze at Valley Forge, warming their stiffening fingers at the meager camp fires! It was that we should have builded up here in this country of ours the one government on this earth that should be truly representative of the people. [Cheers and applause.]

What did that mean? It meant the election of two United States Senators from every State of the Union, and a Member of Congress from every unit of representation agreed upon, who are to assemble at the seat of government, under the Constitution, on the first Monday of December in each year, and there represent, never themselves, never the United States Steel Co., never the munition makers, but always representing the people.

They should vote for laws that were for the good of the Republic. That is what is meant. [Cheers and applause.]

Fellow citizens, when it becomes necessary for an organization, or when any considerable number of people come together in State after State of the Union and seek to form a Nonpartisan League in order that they may get true representative government, it means that some power has come between the people and their representatives, and that they are not getting representative government under partisan domination! [Cheers and applause.]

I am reminded as I face this magnificent audience here to-night, I am carried back in memory to the early seventies. Do you realize, fellow citizens, that here at the head of the Mississippi Valley, here by what was called the old Northwest, in the early seventies, was formed the great granger movement to grapple with corporate power and restore representative government to the people of that day? [Applause.]

Have you forgotten, or is it possible that the younger generation have never been informed, that here at the head of that valley, formed by the great father of all the waters, was cradled the first independent institution which went out to fight corporate power in the United States?

Minnesota, Wisconsin, Michigan, and Iowa were the four Commonwealths that for the first time in the history of the government of men declared the right of the people to have administered by them the control of the highways that lead to market.

Are you aware of the fact that you are inheritors of a precious legacy here in Minnesota? A legacy that has not always been protected; but here in Minnesota, and in the State of my nativity lying to the south, and Iowa and in Michigan, was born the first great independent farmer movement for the control of railroad transportation for the subjugation of great corporations to public interests, instead of permitting these corporations to control ruthlessly in their own interest all of the highways leading to the markets of the country.

Gentlemen, you are the descendants of the men who made that wonderful historic contest. For let me say to you that out of that movement that started in these four States, that proclaimed for the first time in the history of the world the right of the public to fix the charges upon the iron highways of commerce, that out of that wonderful movement started in the homes of the farmers of Minnesota, Iowa, Wisconsin, and Illinois—I said Michigan a moment ago; I should have said Illi-

nois—in those four States, in the homes of those farmers, started that movement for the first time in the history of the world asserting the right of the public to control railway transportation and railway rates over the railroads leading to the markets of the country.

From that propitious hour there spread to the East and to the West that movement the germ of which was the right of the public to control these transportation companies until it became the settled law of the land.

When it was first asserted by the people of Minnesota, Iowa, Wisconsin, and Illinois the owners of the railroads denounced it as an interference with private property and private rights. But the old granger movement, pursuing that great ideal that when these corporations are permitted to take private property on which to build their depots and their rights of way, that they at once became the servants of the people, and their property is subject to public control. [Applause.]

It can not be too strongly emphasized—and I speak of it in connection with this nonpartisan farmers' movement—it can not be too strongly emphasized that that wonderful assertion of a public right was the result of the logical thinking of the farmer as he followed his plow. He reasoned that if the corporation has a right to take his property without his consent, and at a price fixed by the public, on which to build its depot grounds and its right of way, it must be in the same position that the county or the State or the township is in when it takes his property to build a highway, to locate a school-building, or to build a public institution. That it was taking his property without his consent and at a price fixed by the public—by statute. That it was taking that property under a public right, and that the highway, the iron highway, the depot, the right of way so taken could not be considered as private property.

That was a wonderful piece of reasoning upon the part of the men who followed the plow. And let me say to you that the advanced political thought, and the political philosophy, social philosophy, of this country of ours finds the germ and the development and the fruitage upon the farms of the country. [Cheers and applause.]

And it is for that reason that agriculture is the basis of statehood. It is the basis, the stable basis, of a government of the people, by the people, and for the people. So, I have faith that this new movement up here, known as the nonpartisan organization, born on the farms of this great old Northwest Territory, contains within it the seeds of a great social and political advancement. [Cheers and applause.]

And, Mr. President and fellow citizens, ladies and gentlemen, I know you will pardon me in harking back to the old granger movement. I am constrained to believe that this new movement is but another crop of the seeding of that time. Now, fellow citizens, there would not be the slightest occasion in the world for the Nonpartisan League, and you would not be able to enlist the farmers of a dozen, 15, or 20 different States in this Union unless there was something fundamentally wrong with our Government.

There is something fundamentally wrong with it. [Cheers and applause.]

Of course—of course, I know that the fellows who are waving the flags of to-day most frantically [laughter], the bloatest representatives of wealth, who are shouting loudest for democracy to-day, are trying to invest this particular time with a new form of democracy. [Laughter, cheers, and applause.]

A democracy that has attached to it as a cardinal principle not liberty, not equality, but profits! [Laughter, applause, and cheers.]

And, my friends, you can not enlist the thinking, intellectual, conservative population found upon the farms of this section of the country, which was known when I was a boy as the old northwest territory; you can not stir that population very deeply and very profoundly unless there is a profound reason for it. [Applause.]

And that profound reason, if you will be a bit critical and a bit analytical, you will find is due to the fact that the very men who are shouting at the top of their voices about democracy to-day are the men who have been pillaging the hard-working sons of toil, not only upon the farms but in the factories of the country. [Cheers and applause.]

O, fellow citizens, I welcome the advent of this organization, for I know full well that it has already secured a momentum that will carry it forward. [Cheers and applause.]

No orders from some secret-service employees, or from some Department of Justice, will be able to throttle this great movement that stands for real representative government. [Cheers and applause.]

Mr. President, ladies, and gentlemen, when I speak in this tone of voice do you hear me back there? [Laughter.]

Are you able to hear me when I talk in this tone of voice, back there in that alcove? [A voice from the audience: "Yes!"]

Well, all right. [Laughter.] I'll use just a little less voice, then. Because I want to be heard, and at the same time I want to save my voice. [Laughter.] I have got use for it. [Laughter and applause.] And I propose to use it. [A voice: "Good!"]

Our Constitution will never fail us for free speech. [A voice from the audience: "We don't take the Tribune, Bob!"] [Another voice: "Nor the Journal, either!"] [A voice: "We don't subscribe."——]

No—I don't take the political dope of any paper that serves interests hostile to representative government. [Applause and cheers.]

Now, fellow citizens, I came before you here to-night to talk to you particularly about this great movement that you have started up here, and to give you a word of encouragement. To bid you to be brave! Not to be intimidated because there may chance to be sneaking about here and there men who will pull back their coats and show a secret-service badge. [Laughter and applause.]

Until Bunker Hill is destroyed, until Little Round Top, and the Hornet's Nest at Gettysburg shall have been obliterated and relegated to oblivion, there shall still be free speech in this country! [Great cheering.]

Mr. President, I have stood all my life for law and order. [Cheers and applause.]

Twenty years ago this very season, at a little farmers' gathering in Ferndale, Wis., I opened the fight against corporate power in that State. [Cheers and applause.]

I was denounced then as the Nonpartisan League has been denounced now. I was denounced then as an anarchist, and a destroyer of conditions that ought to be preserved, just as some of the advanced thinkers of to-day are denounced for proclaiming, not a new doctrine, but the doctrine of Franklin and Adams and Thomas Jefferson. [A voice: "And Thomas Paine!"]

What was the kernel, what was the center of thought of the little speech that I delivered on that day? It was only this. That the corporations in Wisconsin were not paying their fair share of the taxes; and that they ought to be made to pay up just as the farmers and owners of homes! [Laughter.]

That was all. But that was considered "treason"! [Laughter.] Just as some things are denounced as disloyal to-day. [Laughter.]

But, fellow citizens, I didn't stop then, and I won't stop now! [Cheers and applause.]

I then, 20 years ago, was just working for justice and equality in government, in taxation; and, fellow citizens, I come from Washington directly here; and on the floor of the House of Representatives and in the Committee on Finance, the greatest committee of the Senate, I have been struggling for the same thing that I struggled for down at the Ferndale picnic in Wisconsin 20 years ago. [A voice: "We know it, Bob!"] [Cheers.]

There is not a shred of difference in principle. The only difference lies in the fact that where we in Wisconsin were considering thousands and hundreds of thousands in this great Government of ours, and in the times which we find ourselves now we are considering billions upon billions—beyond the power of the human mind to grasp. That is the difference. [Applause.]

A little handful of men in Washington have been demanding—only a little handful, mind you—have been demanding that taxation should be laid according to the principles that prevail wherever justice prevails, that taxation shall be laid according to the ability or the property to meet the taxes. [Applause and cheers.]

We have been contending for that principle in Washington, just as in a smaller way I was contending for that principle in the first speech made on the 27th of August, 1887, at a farmers' picnic in Ferndale, Wis., which opened the campaign that lasted through a decade and a half of time.

And, fellow citizens, the organization of the Nonpartisan League—and I come back to that, as I shall from time to time during the limited space that I can speak to you—the Nonpartisan League finds its birth and its reason for existence in the fact that the burdens of government are not equally laid upon the people of this country. [Cheers.]

I am going to put away all those notes that I had made to talk to you from. [Laughter.] [A voice: "Go ahead!"]

You organized a league in North Dakota. You could not enlist the sober, thinking men on the farms in this wonderful expansive country if you didn't have justice and right; if you didn't have a real grievance. For there are no men who think deeper, who reflect more soberly and conservatively, and I emphasize that word, more soberly and conservatively than the farmers of this great country of ours.

I tell you, fellow citizens of our great and glorious country, when any considerable number of the farmers, the older, conservative population of this country, rise up in mass to demand a redress of grievances—look out! [Cheers and applause.]

There is something radically wrong. There is something radically wrong or you could not enlist them. Now, fellow citizens, we are in the midst of a war. For my own part I was not in favor of beginning the war. [Cheers and applause.]

I don't mean to say that we hadn't suffered grievances; we had—[a voice, "Yes!"]—at the hands of Germany. Serious grievances! [A voice: "You bet!"]

We had cause for complaint. They had interfered with the right of American citizens to travel upon the high seas—on ships loaded with munitions for Great Britain. [Laughter, cheers, and applause.]

Let me have the time; I have got to catch a train—unless I am stopped by somebody [laughter]; and I have never been stopped yet! [Laughter and applause.]

Cut it out. Let me have the time. I would not be understood as saying that we didn't have grievances. We did. And upon those grievances, which I regarded as insufficient, considering the amount involved and the rights involved, which was the right to ship munitions to Great Britain with American passengers on board to secure a safe transit. [Laughter and applause.]

We had a right, a technical right, to ship the munitions; and American citizens have a technical right to ride on those vessels. I was not in favor of the doctrine of riding on them [laughter], because it seemed to me that the consequences resulting from any destruction of life that might occur would be so awful. [A voice: "Yellow!"]

What did you say? [A voice: "Yellow!"]

Any man who says that in an audience where he can conceal his identity is yellow himself. [Many cries: "Put him out!" "Put him out!"]

Sit down, everybody. I don't want any of that in an audience where I am speaking. [Cries of "Order!" "Order!"]

All I want is order. I will take care of everybody that interrupts if you will just give me the chance. [Cheers and applause.]

I say this, that the comparatively small privilege of the right of an American citizen to ride on a munition-loaded ship flying a foreign flag, is too small to involve this Government in the loss of millions and millions of lives. [Cheers and applause.]

Now——[A voice interrupting: "Where is the yellow guy now?" Another voice: "Give it to him, La Follette!"] [Order!]

Now, fellow citizens, I didn't believe that we should have gone into this war for that poor privilege. [A voice: "Nobody else!"]

The right of an American citizen to travel upon a foreign vessel loaded with munitions of war. Because——[Another interruption.]

Wait just a minute. Let me state my position. Because a foreign vessel loaded with munitions of war is technically foreign territory [cheers and applause] and an American citizen takes his life in his own hands, just as much as he would if he were on the territory of France and camped in the neighborhood of an arsenal! [Cheers and applause.]

Mr. President, it has sometimes occurred to me that the shippers of munitions of war, who were making enormous profits out of the business, invited and encouraged American citizens to ride on those ships in order to give a sort of semblance of safety to the passage of their profiteering cargo across the broad. [Cheers and applause.]

But, Mr. President, we went into the war by the adoption by Congress of a declaration of war in constitutional form. [Applause.] I was not in favor of going into the war illegally.

I resisted the right to arm merchantmen when I knew that that would result in producing a condition that would bring about war without a declaration by Congress; and the Constitution says that Congress, not the acts of the President, shall bring on a war with a foreign government. [Cheers and applause.]

But war was declared, and lawfully declared.

It was not brought about by an unlawful and piratical arming of merchant ships. I had a little bit to do with stopping that on the 4th of March, and I put it to my everlasting credit that I was able to do it. [Cheers and applause.] We are in the war; and, at least, we are lawfully in the war.

Now, then, the war entails expenses. [Laughter.]

You can not run a war in these days without paying for it. [Laughter.]

It is a costly enterprise. Every one of the nations, the belligerent nations of Europe, are reeling under the financial burdens that war, this war of all wars in the history of the world, has laid upon them. Every one of the foreign nations up to last April, when we entered the war, had passed the line of safety, so far as ever being able to redeem their financial obligations were concerned. Every one except Great Britain. Whenever any government is paying out for its obligations more than—for its current obligations—more than 25 per cent of its income, that nation has passed the line where it is safe to loan to it. [Applause.]

Every belligerent nation in Europe last April except Great Britain had passed that line. Never—this is a criticism to say—never before in the history of the human race was a war in progress that so, day by day, hour by hour, moment by moment, sapped the very life blood, the financial life blood, of the existence of the nation as a stable entity.

And, fellow citizens, it behooves a nation to consider well before it enters upon a war of that sort how much it has got at stake. If all it has got at stake is the loans of the house of Morgan made to foreign governments and the profits that the munition makers will earn in shipping their products to foreign countries, then I think it ought to be weighed not in a common hay scale but in an apothecary's scale. [Laughter and applause.]

Ah, but somebody will tell you American rights are involved. What American rights? The right of some person to ride upon a munition-laden vessel in violation of an American statute that no vessel that carries explosives shall carry passengers. [Cheers and applause.]

Four days before the *Lusitania* sailed President Wilson was warned in person by Secretary of State Bryan that the *Lusitania* had 6,000,000 rounds of ammunition on board, besides explosives; and that the passengers who proposed to sail on that vessel were sailing in violation of a statute of this country, that no passenger shall sail or travel upon a railroad train or upon a vessel which carries dangerous explosives. [Cheers and applause.]

And Secretary Bryan appealed to President Wilson to stop passengers from sailing on the *Lusitania*.

I am giving you some history that probably has not been given you here before. [Cheers.]

So, fellow citizens, that grievances that carried this country into war, into a war the limits of which, as to the loss of life, and the burdens, financial burdens, that shall be laid upon us, can not be calculated by any man—I say that the conditions that carried us into that war needed to be weighed carefully. [Applause.]

Webster said when the Mexican War was on at full tilt—that it is the right of the people of this country to determine for themselves whether there has been a sufficient grievance for the people to incur all of the burdens and risks that go with the entrance into war.

I have only got a few minutes more if I make my train. [A voice: "Cut out that train."]

No; I can't cut out the train. It involves another engagement. Just let me have all the time if you will be so good. I am going to use it in a way that I believe even the extremest man on the other side will say is loyal to the interests of the Government.

Fellow citizens, we are in this war.

We have got to finance it.

How shall we do it?

Now, let me say to you, that there are three ways of financing the war.

First, by raising all the money that the war costs by taxation, and paying the expenses of the war day by day as the war goes on. That policy of financing a war is called the plan of paying as you go.

The founder of the science of political economy was Adam Smith. No one has ever discovered a new principle involved in that science from the days of that wonderful man down to this hour to-night. And from Adam Smith down through the lines of great economists—Ricardo, John Stuart Mill, and all the political economists of the present day, one and all, with such rare exceptions as to be unworthy of notice, one and all have said there is but one sound way of financing of war, and that is to impose taxes sufficient while the war is on to pay the expenses of the war. That you have no business, no right, to hand it on to other generations. The generation that makes the war should pay for the war. [A voice: "That's right!"] [Cheers and applause.]

But that is not all. That is not all. These great economists have said another thing, and it was the conclusion of a great economic principle, that is if you finance a war in any other way you impose a double burden not only upon the people of to-day, but upon the children of the next generation.

Let me explain that. I said there was one way of financing a war. There are three ways. That laid down by the great political economists at all times is that you should pay as you go; that you should levy enough taxes at the time to carry the expenses of the war. Of course, if you are going to do that you have got to put the taxes chiefly upon the wealth of the time. [Applause.]

Some people don't like that way. [Laughter.]

Then there is another way, and that is that you shall borrow, borrow, borrow, issue bonds. Mortgage the Government and the generations to come in order to pay the expense of the war. That is the opposite of paying as you go.

Every time you issue bonds you inflate the currency and prices and you make it harder for the people of that particular time. And because you put a mortgage on it, a rate of interest set and starts in upon the shooting—for when the Government is in war and starts in upon the loan policy it can't fix the interest; it can not fix any of the conditions of the bonds. It goes to the money lender with its hat in its hand and says, What will you furnish the money for?

And the money lender—the wealth of the country—looks out for itself. Show me in war or any time when wealth has been patriotic. When has said, We don't care for interest or profits; we are going to take care of the country. Why, do you know that John Pierpont Morgan laid the foundation of his fortune—$25,000—by buying condemned rifles at $2.50 apiece and selling them back to the Government disguised a little bit at about $22.50? [Cheers.]

Do you know that the foundation of Vanderbilt's great fortunes, at least a great part of it—the fortune of the Vanderbilts; the commodore of the war time—do you know how that was made?

By picking up condemned ships for almost nothing and selling them to the Government for a good round price. [Laughter.]

Oh, fellow citizens, I wish I could stay with you all night. [Cheers and applause.]

Do you know that congressional committees in the days of the sixties were busy, busy, busy for months and years investigating the frauds perpetrated upon the Government by the wealth of the country seizing upon the dire necessities of this Republic to make fortunes out of it—out of those conditions?

And if you think the animal has changed its spots or shed its skin, go down to Washington and see! [Cheers and applause.]

So, fellow citizens, you have got to consider this thing, and that is the carrying of the burdens of the present war. How shall they be carried? Political economy says they shall be carried by paying as you go. The wealth of the country, that wants to make big interest out of long-time mortgages, especially on bonds, says pay the expenses of the war by borrowing. Now, there is not a bit of question but that the correct plan is to pay as you go.

Why, do you know that just about as soon as the war cloud began to show on the horizon, do you know that 350 of the greatest economists of the United States, representing the best universities and colleges of the country—your own among the number—petitioned Congress in a petition, the logic and power of which to me was irresistible, that this war should be financed by imposing taxes upon surplus incomes, war profits, and other sources of revenue, so that we should pay as we go? [Applause and cheers.]

That petition fell into the hands of the Philistines. And if it ever saw the light of day or ever was made the subject of comment upon the floor of either House, I venture to say that it was at the time I made the argument against the plan proposed in the tax bill just passed, and quoted largely from that petition in the making of that argument.

Fellow citizens, no war has ever been financed as Adam Smith and all of his successors have said it ought to be financed. Why? Why? Because wealth, wealth, is always potential in government, and wealth never wants war financed wholly by taxation, for the reason that wealth would have to pay the bulk of the taxes. Because the underlying principle of taxation is—and I repeat it—that the burdens of taxation must be borne according to the ability of the owners of property to bear the taxes. And so Rockefeller would have to pay more considerably than a farmer in North Dakota would. [Laughter and applause.]

So wars have never been financed upon sound economic principle. Wars have always been financed with a struggle with the people on one side and wealth on the other, wealth contending that the war should be financed by loans, the people contending that the war should be financed by taxation of wealth; and wealth always being more potential than the people.

I pray God, after the Nonpartisan League gets well under way, that that won't be the condition in this country. [A voice: "You bet it won't!" Cheers and applause.]

But it has been the condition, and so most of the wars have been financed by both taxation and bond issues, and frequently the bond issues have been the largest part of the cost of the war.

But Great Britain more than any other great country in the world has financed her wars by taxation in proportion, in fair proportion, to bond issues. The greatest wars Great Britain ever participated in were the Napoleonic wars and the Crimean War. The Napoleonic wars were financed by Great Britain upon a 50-50 basis. Indeed, 52 per cent of the expense of the Napoleonic wars was paid by taxation and 48 per cent of the expense was carried by loans. In the Crimean War Great Britain paid practically an equal amount by taxation and by loans. But, fellow citizens, every government that has paid the majority of its expenses by loans instead of by taxation has paid a dear price for yielding to wealth as to the way the war should be carried out and financed.

For always and always in proportion as your loans exceed the amount of money raised by taxation, just in that proportion you swell the prices that the people have to pay during the war. Because the issuance of your bonds inflates the currency, and is followed always by accessory legislation, additional legislation, that accentuates that condition.

Now, what happened after we declared war? In view of this history, in view of the warnings of the great economists of the country that we ought, if we are going to proceed on a sound economic basis, that we ought to finance this war as largely as possible by taxation instead of bond issues, what happened? We passed the declaration of war. The die was cast. We are in the thing. We had to shoulder the financial burdens, awful as they are, that went with it. The first thing that high statesmanship required of this war was the making of a plan for the financing of the war as nearly sound in economic principle as possible.

John Sherman, of Ohio, the greatest financier that this Government ever produced, speaking after the Civil War upon a bill to refund some of the war debt at a lower rate of interest, said that the financing of the Civil War ought to have been at least on a 50-50 basis. That is, that at least one-half of it ought to have been raised by taxation instead of by dealing with the bondholders. But, fellow citizens, in this war, as in every other great crisis, the money power was too potential, and the Civil War was financed not upon a 50-50 basis; it was financed upon a basis that was about 30 per cent pay as you go and about 70 per cent—when you take the whole thing, covering the four and one-half year period—about 70 per cent of bond issues. But, fellow citizens, do you know that we struggled with the financial embarrassment that grew out of that wrong financing of the War of the Rebellion for a period of more than 30 years? The wrong financing of that war was in large measure responsible for the worst panic that ever shook this Government to its financial foundations. And you can never do an economic or financial wrong that you don't have to settle for it. And so, fellow citizens, those who were responsible for the bringing on of this war, if they should have been their first care to see that it was as largely financed by taxation as possible. And there never was a time before in the history of the world when a war could be waged and largely financed by taxation as this war. Why? Because never before in the history of the human race were great corporations making the enormous war profits that the corporations in this country have been making for the three years that the European war has been on and we have been at peace. And these enormous profits warranted the assessment of the very highest rates, the very highest percentages of taxation against the war profiteers in order that this war should be properly financed.

Fellow citizens, I am admonished that it is only 20 minutes to train time. I have got to go. I don't like to, but I have got to go. But I want to say a few words in conclusion to you.

We passed a bill that levies only 31 per cent, on the average, upon the war profiteers. And that, too, when the owners of these great profit-making concerns have had three years of the richest pickings that was ever known in the history of mankind. [Laughter.]

Eh? Yes: "Shame on Congress." And shame on the administration! for the administration approved of the bill. [Loud cheers.]

Congress has a heavy burden that it ought to bear, and I tell you it has got an awful lot of responsibility on it. It has not met its responsibility. It shirks almost everything. It takes what the administration sends down, looks at it cockeyed, and swallows it? [Cheers.]

Our forefathers, when they established this great Government of ours, said the safety of the Republic depended upon the independence of each of the departments as to the other departments—the judicial independ-

ent of the executive and the legislative; the executive department independent, under the sanctions of the Constitution, of the legislative and judiciary; and the legislative department absolutely independent of the executive and of the judiciary.

The legislative department was looked upon by the men who made this Government for us as the repository of the liberties of the people. It made the term of Members of Congress two years, so that they could bring them back home, look over their work, and if it was not satisfactory, elect other men in their places.

[A voice: We will remember that a year from now.]

Please, please, let me have the time.

Now, fellow citizens, I say that Congress has not met its responsibility. Let me give you one overshadowing instance of it, one that I want you to put on your hearts and minds and take home with you and reflect upon it.

Under the Constitution Congress has the right, the absolute right, to determine the objects and purposes of every war in which we engaged. [Applause.]

I am giving you the Constitution for it. Why, do you know that Abraham Lincoln, Daniel Webster, Charles Sumner, Henry Clay, and I might call the roll of all the great statesmen of that period, when the Mexican War was on, after war had been declared said they believed that the war was a wrongful war; they stood in the places in Congress and denounced the war. And Abraham Lincoln voted for a resolution to recall the American troops from Mexico. [Cheers.]

And yet in these days of 1917, with the flags all about us commemorating liberty—constitutional liberty—we are inhibited from even discussing this war, from even suggesting that there might be some way with honor and credit to our Government to terminate it and stop the awful slaughter and the awful expense. [Cheers.]

Let me say, in a word, if Abraham Lincoln was a patriot, if Daniel Webster was a patriot, if Clay and Webster and Lincoln and all the men of that time understood the Constitution and the rights of the people, you, the humblest one of you, have the right to discuss freely the question of whether this war might not be terminated with honor to the Government and the awful slaughter be discontinued.

I thank you for your patience. [Cheers.]

[The Senate of the United States, Committee on Privileges and Elections. In the matter of the investigation by the Senate of the United States of the charge made by the Minnesota Commission of Public Safety that on the 20th day of September, 1917, Senator ROBERT M. LA FOLLETTE made an address of "a disloyal and seditious nature" at a public meeting before a large audience at St. Paul, Minn.]

BRIEF IN BEHALF OF SENATOR ROBERT M. LA FOLLETTE.

(Filed by Hon. Gilbert E. Roe.)

STATEMENT OF FACTS.

On the 29th day of September, 1917, the Senator from Minnesota [Mr. KELLOGG] presented to the Senate a resolution adopted by the Minnesota Commission of Public Safety, which said resolution was as follows:

"Whereas Senator ROBERT M. LA FOLLETTE has made an address of a disloyal and seditious nature at a public meeting before a large audience at the Nonpartisan League convention in St. Paul on the 20th day of September;

"Whereas the utterances of Senator LA FOLLETTE, with all the prestige of his high office as Senator of the United States, made under protection of a guaranty by the president of the Nonpartisan League that no disloyal expressions would be permitted during the alleged conference between producers and consumers on the high cost of living, have already served to create treasonable sentiments in the State of Minnesota, and being spread through the public press can have no other effect than to weaken the support of the Government in carrying on the war; Be it hereby

"Resolved, That the Minnesota Commission of Public Safety respectfully petitions the Senate of the United States to institute proceedings looking to the expulsion of said ROBERT M. LA FOLLETTE from the Senate as a teacher of disloyalty and sedition, giving aid and comfort to our enemies, and hindering the Government in the conduct of the war; and be it further

"Resolved, That copies of this resolution, together with stenographic copies of said LA FOLLETTE'S speech, be forwarded to the President of the Senate and Senators NELSON and KELLOGG."

This resolution was thereupon immediately referred to the Committee on Privileges and Elections, of which the Senator presenting the resolution was a member. Senator LA FOLLETTE was temporarily absent from the Senate at the time of this proceeding, in attendance upon a meeting of the Committee on Finance, and had no information concerning the presentation of the resolution or of its reference to the Committee on Privileges and Elections until some time thereafter. He had no opportunity, therefore, himself to then move for an investigation of said charges either by special committee or otherwise. Thereafter the Committee on Privileges and Elections adopted a resolution authorizing a subcommittee thereof "to investigate the accuracy of the report of the speech delivered by the Hon. ROBERT M. LA FOLLETTE, United States Senator from the State of Wisconsin, September 20, 1917, before the Nonpartisan League at St. Paul; to investigate the accuracy of the statements made by the Hon. ROBERT M. LA FOLLETTE in said speech; and to report its findings to the full committee the first day of the next regular session of Congress, in December, 1917." The authority of the subcommittee of the Committee on Privileges and Elections to conduct the investigation was brought to the attention of Senator LA FOLLETTE for the first time in the course of the correspondence to which I shall now refer.

THE CORRESPONDENCE.

On October 5, 1917, the chairman of the Committee on Privileges and Elections wrote Senator LA FOLLETTE, inclosing what purported to be a copy of the speech made by the latter under the auspices of the Nonpartisan League at St. Paul, Minn. on the 20th day of September, 1917, and in said letter inquired whether the copy inclosed was "a correct copy of the speech made by you, and if it is not a correct copy will you kindly state wherein it is not correct and give us a correct statement thereof." On the same date Senator LA FOLLETTE replied to this letter advising the chairman of the committee that the purported copy of the speech inclosed with the chairman's letter was not a correct copy and assuring the chairman that he would comply with his request to furnish the committee with a correct copy at as early a day as possible. On October 11 following Senator LA FOLLETTE wrote the chairman of the committee advising him that a copy of the speech had been procured from the official stenographer who reported the meeting and inclosed the same, together with the explanation that certain interruptions from the audience to which reply was made, did not appear in the speech, and offering to the committee the original transcript of the official report of the meeting in question. This letter explains that, as the transcript in fact shows, the speech was made extemporaneously, and that while Senator LA FOLLETTE had with him a few notes on the revenue bill recently under consideration by the Senate, upon which he expected to speak, there were various digressions in the speech caused by questions and suggestions from the audience. In this letter Senator LA FOLLETTE also requested to be advised whether the accuracy of any statements of fact in the speech was called into question; and if so, in what respect; and also inquired whether the Senator's right to make the speech was questioned. In this letter Senator LA FOLLETTE also stated that if an investigation was to be conducted he desired to be heard in person and by counsel and be allowed to cross-examine witnesses, and thereafter produce evidence in his own behalf if he desired. To this letter the chairman of the subcommittee replied, under date of October 12, 1917, that its powers did not extend to an inquiry into the right of Senator LA FOLLETTE to make the speech, such question being reserved for the consideration of the full committee, and that it had no authority to inquire into the causes which led to the publication of the grossly false reports of the speech, to which Senator LA FOLLETTE had called attention in his previous letter. The chairman of the subcommittee, however, in this letter invited Senator LA FOLLETTE to appear before it "to be heard and to inform the committee with reference to the accuracy of various statements contained in the speech." To this letter Senator LA FOLLETTE replied, under date of October 13, respectfully pointing out to the chairman of the subcommittee the fact that the procedure proposed required Senator LA FOLLETTE to support the accuracy of all statements in the speech in advance of any information that any of these statements were challenged or questioned by anyone, or, if any statements therein were challenged, without any specifications as to which ones were challenged, or in what respect, or by whom, or in what manner their accuracy was questioned.

On October 15, 1917, the subcommittee replied to Senator LA FOLLETTE'S letter of the 13th instant, stating the substance of the resolution of the Minnesota Commission of Public Safety and reciting the resolution of the Committee on Privileges and Elections appointing the subcommittee, which resolution has been previously quoted, and stating that with the assurance given to the subcommittee by Senator LA FOLLETTE in furnishing a copy of the speech in question the only other question which the subcommittee was authorized to investigate was "the accuracy of the statements contained in the speech." In this letter Senator LA FOLLETTE was informed that the next meeting of the committee would be held on the 16th instant, at the committee room of the Committee on Privileges and Elections at 10.30 a. m., at which time Senator LA FOLLETTE was invited to be present to be interrogated by "each member" of the committee concerning "such portion of the address in question as to him may seem open to question." On the 16th day of October, 1917, Senator LA FOLLETTE appeared before the subcommittee and filed with it the letter of that date addressed to the chairman which appears in the correspondence. In this letter or statement Senator LA FOLLETTE asserts that as a matter of course he believed that all statements made by him in the speech were correct and accurate at the time he made them, and that he still believed them to be so. That if the correctness of anything he said in the speech was challenged by anyone he desired to know what statements were so challenged, and requested that he be allowed simply the plain rights accorded to all men in all proceedings which have for their object the ascertainment of the truth, to wit, the right to cross-examine witnesses produced against him, and thereafter the right, if he desired, to introduce evidence to meet that offered against him. He pointed out that every Senator and every man was entitled to have the statements made by him accepted as accurate, at least until some one appeared to question their accuracy, and that to deny that right to any individual or Senator would be an insult. Senator LA FOLLETTE in this letter again insisted upon his right to meet face to face and question any witnesses that might challenge the correctness of any statement made by him in the speech and to produce in his own behalf such witnesses and evidence, if any, as he deemed necessary or proper to controvert the adverse evidence offered, and he concluded by requesting the committee to make the investigation "thorough and complete to the end that it shall do justice to all participants and shall constitute an honorable precedent whenever so grave a matter as the proposed expulsion of one of its Members shall come before the United States Senate."

Thereafter the chairman of the committee advised Senator LA FOLLETTE that an adjournment of the proceedings had been taken to November 26, 1917, and on October 24, 1917, Senator LA FOLLETTE wrote the chairman of the subcommittee as follows:

"In order to be informed of the proceedings contemplated by your subcommittee at its next meeting, will you advise me:

"(1) Whether at the meeting of the subcommittee on November 26 any witnesses will be produced to testify to any inaccuracies of statement in the St. Paul speech; and if so, whether I will be accorded the opportunity to cross-examine such witnesses at that time or later if I think further time necessary to prepare for cross-examination after hearing the testimony in chief.

"(2) Whether any documentary evidence will be offered at that time to show any inaccuracies in the speech; and if so, whether reasonable time and opportunity will be given me to rebut the same.

"(3) Whether the subcommittee or its members have collected and will consider any evidence not offered and received at regular sessions of the subcommittee; and if so, whether such evidence will be submitted to me or my counsel if I desire it for inspection and thereafter reasonable time afforded me to reply to the same.

"(4) Has the subcommittee authority to compel the attendance of witnesses and the production of documents in my behalf, either at the next meeting thereof or at any adjourned meeting, if I desire to subpoena such witnesses and desire the production of records and documents after having learned what evidence, if any, the subcommittee has received to show inaccuracies or errors in said speech?

"The time fixed by you for the next meeting of the subcommittee is so close to the opening of the next session of Congress, when you advise me you are required to report to the full committee, that I respectfully suggest that the investigation would be greatly facilitated if you would furnish me a statement of the witnesses, if any, it is expected to call and the matters to which their testimony will be directed and a list of the papers or documents, so far as you may be advised, which the subcommittee expects to consider and which you may believe raise any question concerning the accuracy of any matters of fact stated in the speech. I wish that such statement or information might be in my hands at least a week before the next meeting of your subcommittee."

On November 5 the chairman of the committee replied to Senator LA FOLLETTE as follows:

"CANTON, OHIO, *November 5, 1917.*

"MY DEAR SENATOR: Your favor of the 26th ultimo received relative to the hearings to be held before the Subcommittee on Privileges and Elections on November 26, 1917.

"In reply I beg to say that our former correspondence relative to this subject indicates very clearly that you will be given full opportunity to examine and cross-examine witnesses and inspect documents. It seems to me that until the contrary appears it might be assumed that the subcommittee wants all the facts which are material and relevant to the issues before it and which may not be incompatible with the public interest to disclose. It can be assumed also that both the subcommittee and the full committee will base whatever conclusions they come to upon evidence which you will have an opportunity to examine and upon no other evidence.

"I do not have the correspondence which has passed between us here in Canton, but you have been advised that the inquiry of the subcommittee would be limited to two questions: First, Was the copy of the speech which was referred to the subcommittee an accurate transcript of the speech delivered, and, secondly, are the statements contained therein accurate?

"If after the witnesses are examined who may be called by the committee, it shall appear that further reasonable time is required by yourself or your counsel to produce other witnesses, or to further examine the testimony, I have no doubt it will be granted. In any event, I will make such request.

"In the absence of the other members of the subcommittee I do not deem myself authorized to make any further statement.

"Very sincerely,

"ATLEE POMERENE.

"*Chairman Subcommittee on Privileges and Elections.*

"Hon. ROBERT M. LA FOLLETTE,

"*United States Senate, Washington, D. C.*"

The balance of the correspondence merely shows that while Senator LA FOLLETTE was ready with counsel to proceed with the hearing on the 26th of November, 1917, and all subsequent dates to which the hearings were adjourned, the subcommittee, on its own motion, adjourned the hearing from November 26 to a subsequent date, and that the committee has, from time to time thereafter, adjourned said hearing without taking further action of any sort.

I have not attempted to set forth the full correspondence between the subcommittee and Senator LA FOLLETTE, which is, however, a matter of record and in the possession of the committee, but I believe that the foregoing faithfully summarizes the more important points thereof and sufficiently shows the history and present status of the proceeding.

POINT I.

The speech of September 20, 1917, affords no reason for expelling Senator LA FOLLETTE, and the charge of the Minnesota Commission of Public Safety based thereon is both frivolous and scandalous.

It is now nearly eight months since the charge of disloyalty based upon this speech was presented to the Senate. While Senator LA FOLLETTE had no opportunity at the time it was lodged with the Senate to move for an investigation of the charge for the reasons previously stated, he has, as the record shows, done what he could to expedite the hearings and bring the matter to a conclusion. Had the Senate or the members of the committee to which the resolution was referred even entertained a suspicion that the charge of disloyalty made against Senator LA FOLLETTE had the slightest basis in fact, the charge would long ago have been thoroughly investigated and appropriate action taken thereon. To suppose otherwise is to assume that the Senate is indifferent to the loyalty of its own membership in this great crisis of our Nation's life. I have no hesitation in affirming that if there were any Member of either House of Congress to-day whose unswerving loyalty and devotion to his country's cause was doubted, not one day would pass before a sweeping and thorough investigation would be made of such Member's loyalty.

Put to pass over these baseless and wanton charges without appropriate action by the Senate would not only be a great wrong to Senator LA FOLLETTE but to the public as well, and would furnish a vicious precedent, from the evil consequences of which no Senator in the country would be safe. I have therefore collected and herewith submit the precedents which plainly declare the power and duty of the Senate in this case, and in connection therewith present a brief analysis of the speech alleged to be "disloyal" and "seditious" and to have created "treasonable sentiments" in the State of Minnesota. Before examining the speech I invite attention to all the precedents established by the Senate so far as they have any bearing on this case, and also to the right of the citizens, and particularly Members of Congress, to criticise and, under some circumstances, to condemn the acts of the Government in time of war.

I shall take up no time in discussing the constitutional power of the Senate to expel a Member. It is provided in article 1, section 5:

"Each House may determine the rules of its own proceedings, punish its Members for disorderly behavior, and, with the concurrence of two-thirds, expel a Member."

The power of the Senate to expel a Member is limited only by the provision that it shall take a two-thirds vote to do it; otherwise all is left to the conscience and wisdom of the Senate. A two-thirds majority of the Senate may expel a Member for any reason or for no reason. No tribunal has been created to review its judgment in such matters. The sole remedy for abuse of this power rests with the people. The framers of the Constitution believed, and their belief has been justified by the uniform action of the Senate, that this power would never be exercised arbitrarily or captiously as the result of personal or political animosity. During the 130 years of the life of the Senate the principles have become well settled which control its action in cases where it is sought to expel a Member, and those principles are embodied in the precedents to which I now call attention.

1. The precedents.

a. The case of Humphrey Marshall.

The first case in which the Senate had occasion to consider its power to expel a Member was that of Humphrey Marshall, of Kentucky. This case is reported briefly in the compilation of Senate Election Cases from 1789–1913, Senate Documents, volume 9, page 168. See also history of this case in the transcript of the Senate proceedings, Annals of Congress, first session, Fourth Congress, 1795–96, pages 47–50; also Hinds' Precedents, volume 2, page 858.

It appears from the report of the above case that in February, 1796, the Vice President laid down before the Senate a letter from the governor of Kentucky and a memorial from the Representatives of said State, in which it was made to appear that Senator Marshall had been guilty of perjury in a proceeding in court. It appears that the court proceeding in question occurred several months before Mr. Marshall was elected to the Senate. The memorial or petition was referred to a special committee on motion of Mr. Marshall himself. The committee thereafter made a report exonerating Senator Marshall, which was adopted by a vote of 16 to 8. The principal propositions contained in the report were voted on separately and the whole document was carefully considered. The report is as follows:

"The committee to whom was referred the letter of the governor and the memorial of the Representatives of Kentucky, with the papers accompanying them, report:

"That the representatives of the freemen of Kentucky state in their memorial that in February, 1795, a pamphlet was published by George Muter and Benjamin Sebastian (who were two judges of the court of appeals), in which they say that Humphrey Marshall had a suit in chancery in the said court of appeals, in which it appearing manifest from the oath of the complainant, from disinterested testimony, from records, from documents furnished by himself, and from the contradictions contained in his own answer that he had committed a gross fraud, the court gave a decree against him, and that in the course of the investigation he was publicly charged with perjury. That Mr. Marshall, in a publication in the Kentucky Gazette, called for a specification of the charge, to which the said George Muter and Benjamin Sebastian, in like publication, replied that he was guilty of perjury in his answer to the bill in chancery exhibited against him by James Wilkinson, and that they would plead justification to any suit brought against them therefor. That no such suit, as the said representatives could learn, had been brought. The said representatives further say that they do not mean to give an opinion on the justice of the said charge, but request that an investigation may immediately take place relative thereto.

"Your committee observe that the said suit was tried 18 months before Mr. Marshall was chosen a member of the Senate, and that previous to his election mutual accusations had taken place between him and the judges of the said court relating to the same suit.

"The representatives of Kentucky have not furnished any copy of Mr. Marshall's answer on oath, nor have they stated any part of the testimony or produced any of the said records or documents or the copy of any paper in the cause, nor have they intimated a design to bring forward those or any other proofs.

"Your committee are informed by the other Senator and the two Representatives in Congress from Kentucky that they have not been requested by the legislature of that State to prosecute this inquiry, and that they are not possessed of any evidence in the case, and that they believe no person is authorized to appear on behalf of the legislature.

"Mr. Marshall is solicitous that a full investigation of the subject shall take place in the Senate and urges the principle that consent takes away error, as applying on this occasion, to give the Senate jurisdiction; but as no person appears to prosecute and there is no evidence adduced to the Senate, nor even a specific charge, the committee think any further inquiry by the Senate would be improper. If there were no objection of this sort the committee would still be of opinion that the memorial could not be sustained. They think that in a case of this kind no person can be held to answer for an infamous crime unless on a presentment or indictment of a grand jury, and that in all such prosecutions the accused ought to be tried by an impartial jury of the State and district wherein the crime shall have been committed. If, in the present case, the party has been guilty in the manner suggested, no reason has been alleged by the memorialists why he has not long since been tried in the State and district where he committed the offense. Until he is legally convicted the principles of the Constitution and of the common law concur in presuming that he is innocent, and the committee are compelled, by a sense of justice, to declare that in their opinion the presumption in favor of Mr. Marshall is not diminished by the recriminating publications which manifest strong resentment against him.

"And they are also of opinion that as the Constitution does not give jurisdiction to the Senate the consent of the party can not give it; and that therefore the said memorial ought to be dismissed.

"*Resolved*, That the Vice President of the United States is requested to transmit a copy of the foregoing report to the governor of Kentucky."

b. The case of William Blount.

The next case of expulsion dealt with by the Senate is that of William Blount, which occurred in 1797. This case is reported in compilation of Senate Election Cases, supra, page 1165; see also Hinds' Precedents, volume 2, page 813; also first session, Fifth Congress, Senate Journal, page 382; see particularly for the facts Bloom's impeachment proceedings, Annals first and second sessions, Fifth Congress, volume 1, pages 39–45; Annals second and third sessions, Fifth Congress, volume 2, pages 2245–2416.

The proceedings against Blount originated in a letter written by him to one Carey, an employee of the United States Government, in the Indian Service, in the Indian Territory. The letter is published in the compilation of Senate Election Cases, supra, page 1167. The facts of this case can be found in the Annals of Congress referred to above, and show that William Blount, a United States Senator from the State of Tennessee, was engaged in a conspiracy with divers persons in this country and in England to rob the Indians of their lands, to debauch them by the sale of liquor, encourage and incite them to engage in hostile operation against the interests of the United States and the Government of Spain, to make false reports concerning the character and conduct of the United States officials charged with the duty of protecting the Indians, and to do all this in alliance with British agents, subjects of the country with which the United States had recently been at war. Blount neither admitted nor denied the charges, nor attempted in any way to defend himself against them, although he was accorded the privilege of being represented by counsel, and was furnished copies of all papers which were made the subject of investigation, and obtained various adjournments from the select committee appointed to consider the case. Under the circumstances there was nothing to do but expel him from the Senate, and this was accordingly done by resolution, which provided:

"That William Blount, Esq., one of the Senators of the United States, having been guilty of high misdemeanors entirely inconsistent with his public trust and duty as a Senator, he, and he hereby is expelled from the Senate of the United States."

This resolution was adopted with only one dissenting vote.

c. The case of John Smith.

The next case in point of time was that of the Hon. John Smith, Senator from the State of Ohio, charged with complicity in the conspiracy of Aaron Burr. The case is reported in the compilation of Senate election cases referred to, supra, at page 1170. The history of the case is given in the Senate Journal, Tenth Congress, first session, with the report of the committee from the Annals of Congress (10th Cong., 1st sess., vol. 1, pp. 56–62, and the debate is found on pp. 29–42; also pp. 265–324). This case is also found in Hinds' Precedents, volume 2, page 815 and subsequent pages.

In this case the Senate, on November 27, 1807, adopted the following resolution:

"*Resolved*, That a committee be appointed to inquire whether it be compatible with the honor and privileges of this House that John Smith, a Senator from the State of Ohio, against whom bills of indictment have been found at the Circuit Court of Virginia, held in Richmond in August last, for treason and misdemeanor, shall be permitted any longer to have a seat therein; and that the committee do inquire into all the facts regarding the conduct of Mr. Smith as an alleged associate of Aaron Burr and report the same to the Senate."

See first session, Tenth Congress, Senate Journal, page 197, Annals 39. On December 31 following Mr. Adams, chairman of the committee, announced that the committee was ready to report, and made a motion, which was read and agreed to, "That John Smith, a Senator from the State of Ohio, be notified by the Vice President, to attend in his place." The Vice President accordingly notified Mr. Smith in the following words: "Sir, you are hereby required to attend the Senate in your place without delay. By order of the Senate. Signed, George Clinton, President of the Senate." Mr. Adams thereupon made his report.

In that report it is stated:

"Your committee are of opinion that the conspiracy of Aaron Burr and his associates against the peace, union, and liberties of these States is of such a character and that its existence is established by such a mass of concurring and mutually corroborative testimony that it is incompatible not only with the honor and privileges of this House, but with the deepest interest of this Nation, that any person engaged in it shall be permitted to hold a seat in the Senate of the United States. Whether the facts of which the committee submit here, with such evidence as under the order of the Senate they have been able to collect, are sufficient to substantiate the participation of Mr. Smith in that conspiracy or not will remain for the Senate to decide. The committee submit also to the consideration of the Senate the correspondence between Mr. Smith and them, through their chairman, in the course of their meetings.

"The committee have never conceived themselves invested with authority to try Mr. Smith. Their charge was to report an opinion relating to the honor and privileges of the Senate and the facts relating to the conduct of Mr. Smith. Their opinion, indeed, can not be expressed in relation to the privileges of the Senate without relating at the same time to Mr. Smith's right of holding a seat in this body, but in that respect the authority of the committee extends only to proposal and not to decision. But as he manifested a great solicitude to be heard before them, they obtained permission from the Senate to permit his attendance, communicated to him the evidence in their possession by which he was incriminated, furnished him in writing with the questions arising from the information, and explanations herewith submitted as a part of the facts reported."

The committee investigating the charges against Senator Smith, of which Senator John Quincy Adams, of Massachusetts, was chairman, was composed of the most distinguished Senators of that day, and its report deals extensively with the facts of the case and concluded with the following resolution:

"*Resolved*, That John Smith, a Senator from the State of Ohio, by his participation in the conspiracy of Aaron Burr against the peace, union, and liberties of the people of the United States, has been guilty of conduct incompatible with his duty and station as a Senator of the United States, and that he be therefore, and hereby is, expelled from the Senate of the United States."

The trial, argument, and debate on the case in the Senate occupied many days. The evidence, too voluminous to be here summarized, seems to leave no doubt that Senator Smith was an accomplice of Aaron Burr, and shows that the accused Senator was at least guilty of conspiring with Burr and others against the peace and union of the United States. Nevertheless the resolution for expulsion failed to receive the necessary two-thirds vote and was not adopted.

Various cases of expulsion grew out of the Civil War. In a number of cases Members of the Congress simply went with their States when they seceded, and their expulsion was a mere matter of form. In other cases it was evident that the Senator's sympathy was entirely with the rebellious States, but in no case was a Senator expelled for expression of opinion, however strong, in favor of the justice of the Southern cause or the injustice of the cause of the North. It was only where some overt act of positive disloyalty, such as communicating with the enemy to his advantage or furnishing money or material aid to some one engaged in the rebellion, could be brought home to the Senator that he was expelled. The Senate was very careful to distinguish between overt acts and opinions, no matter how strongly the opinions may have been expressed. I will now call attention to two leading cases dealing with this distinction.

d. The case of Benjamin Stark.

Benjamin Stark was appointed Senator by the governor of the State of Oregon in 1861 and presented his credentials to the Senate in January, 1862. Some question concerning his loyalty was raised before Senator Stark was sworn in, but he was allowed to take the oath, and a committee of the Senate was afterwards appointed to investigate the charges of disloyalty against him. Much of the testimony relied on to unseat him was that taken in the State of Oregon to prevent his appointment, the taking of which was completed about November 21, 1861. The case is reported in Senate Election Cases, supra, page 284, and subsequent pages. The debates on this question will be found in the Congressional Globe, part 1, Thirty-seventh Congress, pages 696–697; also part 2, second session, same Congress, pages 988–994; also Congressional Globe, part 3, same Congress, page 2596.

The committee made a report on April 22, 1862, in which is found:

"First. That for many months prior to the 21st November, 1861, and up to that time the said Stark was an ardent advocate of the cause of the rebellious States.

"Second. That after the formation of the constitution of the Confederate States he openly declared his admiration for it and advocated the secession of the loyal States of the Union into the Southern Confederacy under that constitution as the only means of peace, warmly avowing his sympathies with the South.

"Third. That the Senator from Oregon is disloyal to the Government of the United States."

A portion of the testimony upon which the committee based its findings is summarized in the report, as follows:

"In coming to the foregoing conclusion the committee cheerfully agree to the statement of the Senator in his answer, that 'as a Senator of the United States for the State of Oregon, I am entitled to and I claim every presumption of honor, integrity, loyalty, and patriotism that can be claimed by any other Senator until such presumption is overborne by competent testimony'; and they cheerfully accord to him all the force and benefit of such a presumption; at the same time they are forced, with pain and reluctance, to find such presumption overborne by the array of witnesses which testify in regard to his conduct and declarations. Thirteen witnesses, who are not only unimpeachable but are among the most respectable people of the city of Portland, where Mr. Stark resides, testify to the truth of the first of the foregoing propositions."

The report then sets out the names of the witnesses and, after some discussion of the testimony, proceeds:

"Although in his (Senator Stark's) communication to the Committee on the Judiciary, dated the 17th January, 1862, the Senator from Oregon declared 'that in a forum competent to try and determine the issue he should be able to prove the allegations against his loyalty to be utterly unfounded, and that in many important particulars the declarations of his assailants were false'; yet when an opportunity has been given to the Senator, upon his own motion, to send for persons and papers to disprove these allegations before a committee legally, if not otherwise competent, the Senator does not desire these witnesses to be put under oath nor to be reexamined nor cross-examined; nor does he offer any rebutting testimony of express a wish that any should be taken; nor does he, in his statement filed before the committee, so far as the committee remember, attempt to deny or impeach it—for while he says that the statements of Hull and Law are especially false, he makes no such allegation against these 13 witnesses or any one of them. He objects to no one of these witnesses because his statement was not made under oath.

"These witnesses, however, do not stand alone, nor does the finding of the committee on this proposition rest solely upon testimony given without the sanctity of an oath.

"Wesley C. Hull, upon oath, on the 18th November, 1861, says that, in the month of February previous, he heard Mr. Stark make use of the following language: 'If there is to be any war between the North and the South, all my property is for sale at 50 cents on the dollar, and I will go and help the South fight. The Palmetto flag is my flag; the Southern Confederacy is the only legal government in existence; that the United States Government is broken up; that Jeff. Davis is fighting in a good cause, and it will be impossible to defeat him'; that afterwards, upon another occasion, he heard the said Stark use the following language: 'The United States forces may fight the South from one end of their Government to the other, but it will amount to nothing; they will close up behind them, and they can not be conquered. The South is fighting in a good cause, for government and order, and they can not be conquered.'

"Henry Law, also on oath, says that he is acquainted with Mr. Stark; that as early as December, 1860, he heard Mr. Stark say he did not go one cent on the Star and Stripes; that the Palmetto flag was his flag, and if there was any issue between the North and South he would sell all his property and go South.

"A. M. Starr, also under oath, on the 20th November, 1861, declared that within the then last two weeks past he had heard Mr. Stark say that there was no United States Government; and also he heard Mr. Stark say, when the President first called for volunteers, 'that the United States Government could not support an army of 30,000 in the field for six months; that the people of the loyal States would not back up the administration in trying to put down this rebellion.'

"Thirty other witnesses, likewise under oath, say, on the 15th November, 1861, 'that Mr. Stark is well known and generally reputed to be an open and avowed friend to the Southern Confederacy as against the Union.'"

Other testimony was taken to the same effect and all substantially undisputed. A letter written by Senator Clark, in June, 1861, was also introduced, showing conclusively the same sentiments ascribed to him by the witnesses. In this letter he said:

"'Civil war can not avert disunion'; 'Subjugation can not prolong the Union'; 'To subjugate the South, were that possible, would be the establishment of a military despotism.'"

Upon the report of the committee, Senator Sumner introduced the following resolution:

"*Resolved*, That Benjamin Stark, a Senator from Oregon, who has been found by a committee of this body to be disloyal to the Government of the United States be, and the same is hereby, expelled from the Senate."

The Senate, however, by a vote of 16 for expulsion to 21 against, declined to agree to Senator Sumner's motion. (Cong. Globe, 37th Cong., pt. 3, p. 2596.)

e. The case of Jesse D. Bright.

Jesse D. Bright, Senator from Indiana, was expelled from the Senate in March, 1862, by a vote of 32 to 14. The case is reported in compilation of Senate election cases, supra, page 1200; Hinds' Precedents, volume 2, page 824. See for the debates, Congressional Globe, part 1, volume 3, second session Thirty-seventh Congress, page 59, and particularly pages 287, 391, 396, 413, 651, and subsequent pages.

The charge against Senator Bright was that of disloyalty and rendering aid to the rebel cause. It was based on the following letter, the authorship of which he admitted:

"WASHINGTON, *March 1, 1861*.

"MY DEAR SIR: Allow me to introduce to your acquaintance my friend, Thomas B. Lincoln, of Texas. He visits your capital mainly to dispose of what he regards a great improvement in firearms. I commend him to your favorable consideration as a gentleman of the first respectability, and reliable in every respect.

"Yours, very truly, JESSE D. BRIGHT.

"His Excellency JEFFERSON DAVIS,
"*President of the Confederation of States*."

When the foregoing letter became public, as it did through the arrest for treason of its bearer, Thomas B. Lincoln, Senator Bright, on September 7, 1861, wrote a second letter to J. Fitch, a friend at Madison, Ind., in which he sought to excuse or explain away the letter of March 1, 1861. In this second letter he said:

"No man regrets more than I the present condition of public affairs, or is more anxious to see peace, unity, and fraternity restored. I do not think the policy of that party is calculated to produce such results; so far from it, the inevitable tendency of its measures, in my opinion, is

to render the disruption permanent and incurable. And hence I have opposed, and so long as my personal convictions last shall continue to oppose, the entire coercive policy of the Government."

The movement to expel Senator Bright was led by Senator Trumbull, of Illinois, and Senator Sumner, of Massachusetts. Senator Bayard, of Delaware, and others opposed the expulsion. It is noticeable, however, that there was no dispute and practically little difference between the Senators concerning the principle which should be applied. The constitution of the Confederate States was adopted and Jefferson Davis elected President early in February, 1861. The question at issue was whether the letter of March 1 constituted an overt act and amounted to the giving of aid to the rebel government.

On this subject Senator Trumbull said (p. 395, Cong. Globe, vol. 1, 2d sess., 37th Cong.):

"On the 1st day of March, when the letter in question was written by the honorable Senator, this country was involved in a state of civil war. Mr. Davis on the 21st of January, left his seat in this Senate to inaugurate civil war, with the open and avowed purpose of dissevering his connection with this Government and inaugurating a state of facts in the Southern Confederacy which should dismember this Union, and on the 1st of March he was known to the world, and must, of course, have been known to the honorable Senator from Indiana, to be engaged in the purpose of overthrowing the authority of this Government in one-half of its jurisdiction. Then, sir, according to the law of nations, he was a traitor to his Government, and upon any fair exposition of law might have been convicted of treason and have been executed for treason.

"What was the condition of the honorable Senator from Indiana? He was a member of this Government, sworn to maintain this Government against all attempts to overthrow it either by foreign or domestic enemies. That was his duty. To aid, to countenance Jefferson Davis in his purpose to overthrow this Government was what? Treason, of course. Any citizen of the United States who should lend to him encouragement in carrying on the war which he had begun would be guilty of treason as a matter of course; * * *

"In the light of this principle—let us look at this letter and see what it proves. First, you will perceive, first, that it is addressed to 'his excellency Jefferson Davis, president of the Confederation of States,' etc., and that of course, is an official recognition of his character. He recognizes him in the effort he is making to maintain an independent government within the jurisdiction and limits of the United States as legitimate. He addresses him as if he acknowledges the success of his efforts and his attempts to establish such government. * * * And more, Mr. President, it is not only the language of friendships but it is the language of a courtier—'he visits your capital.' Not only does he recognize this usurper as a legitimate sovereign and head of a legitimate government, but he addresses him in the language of friendship and in court phrase—'your capital'—and he commends his friend to his favor. * * * Now, look at this letter. It is a letter of introduction to Mr. Davis in favor of the Senator's friend, Mr. Lincoln; and what was Mr. Lincoln to do? He was about to leave this capital of the United States to repair to the capital of Mr. Davis, who was in arms against his Government, to engage with him. His mission, therefore, was a mission of treason. The first step he made in advance was an overt act of treason. The honorable Senator knew that Mr. Davis was a traitor engaged in levying war. He knew that it was the purpose of this man Lincoln to join him and to aid him in his nefarious work in overthrowing this Government. He knew that, and he encouraged him to go and join Mr. Davis, giving him an introduction, a passport to Mr. Davis, and by using his great personal influence with his old friend to give him employment. I repeat, the mission of Lincoln was a mission of treason. The honorable Senator knew it. He was bound there for the purpose of giving Davis aid and comfort and to enlist in his services; nay, more, sir, not only to enlist in his service but to furnish him above all things what he needed—arms. He commends him, if you will recur to the language, as a man who desires to 'dispose of what he regards as a great improvement in firearms.'"

Referring to the Bright case in subsequently discussing the Powell case (see Cong. Globe, pt. 2, 2d sess., 37th Cong., p. 1254), Senator Trumbull said:

"I do not propose to argue the case of the Senator from Indiana. The Senator from Indiana was guilty of an overt act. He corresponded with traitors. He addressed them as a government. He recommended to them a man with arms."

This was the view that finally prevailed with the Senate. But it is to be noted that Senator Trumbull, as well as Senator Sumner and the other Senators, were careful to say that so far as the second letter was concerned, while it manifested intense hostility to the Government in its efforts to suppress the rebellion, it afforded no basis for any action by the Senate.

Senator Trumbull said (see Cong. Globe, pt. 1, 2d sess., 37th Cong., p. 397):

"I tolerate the freest expression of opinion. I agree that any Senator may disapprove the acts of the administration, may disapprove the policy that is pursued to put down this rebellion; but when any Senator, or anybody else, does an act in favor of the men in arms against this Government, then I say he is giving aid and comfort to the enemy, and he becomes criminally culpable."

Referring to the second letter, Senator Sumner said (see Cong. Globe, supra, p. 415):

"I do not dwell on other topics of this second letter, because, though exhibiting bad temper and bad principles, they do not necessarily conduce to treason. The writer is welcome to express his 'utter contempt for abolitionism' and also to declare his early and constant opposition to what he calls 'the entire coercive policy of the Government.' Such declarations may render him an unsafe counselor, but they do not stamp him as a traitor. And it belongs to us, while urging this body of disloyalty in all its forms, to maintain at all hazards that freedom of speech which is the herald and safeguard of all other freedom."

When it is remembered that the second letter was written long after hostilities between the North and the South had actually begun, and "the coercive policy of the Government included all measures taken by the Government to put down the rebellion," it is apparent that even in the days of the fiercest passions of the Civil War the Senate never thought itself empowered to inquire into the utterances and acts of any Senator, except those involving some overt act of hostility to the Government.

The principles upon which the Senate proceeded, and concerning which there was substantial agreement, were stated by Senator Bayard, as follows (see Cong. Globe, vol. 1, supra, pp. 647, 648):

"The action of the Senate in all cases of expulsion must of necessity be judicial. I freely admit that by the terms of the Constitution the power of expulsion is absolute in two-thirds of the Members present constituting a quorum and that there is no restriction on the power expressed and no specification of the grounds on which expulsion must be based. It is none the less judicial action. It is the punishment of an individual by deprivation of an office which he is entitled to hold unless criminal misconduct is proved against him. You may expel by the mere two-thirds vote of the Senate without any cause whatever, but that would not be the rightful exercise but a gross and tyrannical abuse of power. The punishment of an individual for misconduct in any mode, whether by deprivation of office or otherwise, in all free countries must necessarily be a judicial question, whatever may be the forum or the body in which the decision is to be made. The forms of proceeding in courts of justice may be dispensed with; the mere model rules of evidence may not be essential, but the great leading principles of evidence in all judicial trials can not be abandoned without palpable injustice where punishment is to follow the sentence of any tribunal. I care not whether you call the offense charged criminal misconduct or a misdemeanor; there must be an alleged charge proved according to rational inference from the facts adduced in the case or else injustice must be done. Difference of opinion, however wide, no matter how exciting or grave a subject on which that difference exists, will not justify an expulsion, unless, indeed, the doctrine is to obtain that a political party, having a two-thirds majority in this Chamber, can rightfully crush all opposition to its general policy or its particular measure by this power of expulsion. In my judgment, such can never be a rational construction of the constitution of a free representative government, be that government a monarchy or a republic.

"Sir, the precedents are in accordance with this. In Blount's case the judgment of the Senate was nearly unanimous. It was on criminal misconduct charged and proved in this case.

"In Smith's case the charge also was for participation in a conspiracy to destroy the United States or to subvert the Government as to a portion of its territory. Not sympathy with Mr. Burr, nor intimacy with Mr. Burr but participation in his conspiracy was the charge in the resolution for the expulsion of Smith, on which the vote of the Senate was taken, but which failed on the yeas and nays by one vote.

"In both those cases the Senate allowed counsel to the accused, but he was charged with a distinct and specific act of criminal misconduct. It matters not whether the conduct of Blount amounted to a misdemeanor which could be reached by the statute law of the land, it was criminal misconduct proved in the case; and the action of the Senate was judicial. In the case of Smith it was not only criminal misconduct, but if true and proved, it was a crime under the statute law, and could also have been punished by the sentence of a court. Of the jurisdiction of the Senate in both these cases or in this I have no doubt. But, unless the action was intended to be judicial, it is impossible to suppose that the Senate on those resolutions for expulsion would have allowed counsel to be heard in defense of the accused. The whole course of the proceedings was also of a judicial character."

f. The case of Lazarus W. Powell.

The above case, the last I shall consider, and the last of the great Senate expulsion cases growing out of the Civil War, is instructive. It is reported in Hinds' Precedents, vol. 2, p. 837; Compilation of Senate Election Cases, supra, p. 1205; Congressional Globe, second session, Thirty-seventh Congress, pt. 2, pp. 1208–1234.

On February 20, 1862, a resolution was introduced in the Senate to expel Senator Powell, of Kentucky, based on the grounds among others that after the Confederacy had been formed and made war upon the United States he had presided at a convention in Kentucky and supported resolutions providing:

"2. That the war being now waged by the Federal Administration against the Southern States is in violation of the Constitution and laws, and has already been attended with such stupendous usurpations as to amaze the world and endanger every safeguard of constitutional liberty * * *

"That the recall of the invading armies and the recognition of the separate independence of the Confederate States is the true policy to restore peace and preserve the relations of fraternal love and amity between the States. * * *

"6. That we heartily approve the refusal of Gov. Magoffin to furnish Kentucky troops to subjugate the South; and we cordially indorse his recent proclamation defining the position of Kentucky, in accordance with the sentiment of her people, and forbidding the invasion of Kentucky by Federal or Confederate troops.

"7. That although Kentucky has determined that her proper position at present is that of strict neutrality between the belligerent sections, yet, if either of them invade her soil against her will, she ought to resent and repel it by necessary force."

Senator Powell's course in the Senate had also been one of consistent opposition to the war and all the war measures. Speaking on the revenue bill when it was up for passage on the 2d of August, 1861, he said (see Cong. Globe, pt. 2, 2d sess., 37th Cong., p. 1212):

"I have steadily voted against all appropriations to carry on this war. I voted against the loan bill, and I have steadily voted against all war supplies. I cast those votes because I was opposed to the war; because I believe the war was calculated to eternally sever the States of this Union, and that it would result in no good, but manifest evil to every interest of the entire country. Having cast the votes I have, I can not conscientiously vote for this bill. I know that the heavy amount of war supplies that were being voted by Congress would necessarily result in the most onerous taxation of the people. Those gentlemen who voted for those war measures, I suppose, can conscientiously vote for this bill; for the votes which they have given lead directly to it. Those who vote for war measures and war loans can properly vote for the taxes to raise the money to pay the debt. I have opposed the war having voted against the loan, having voted against the Army supplies, deem it my duty to vote against the bill, which I shall do."

Yet only 11 votes could be mustered in support of the resolution for his expulsion, while 28 votes were cast against the resolution.

2. The law of free speech.

From the time that the people demanded and secured the first amendment to the Constitution as a condition of ratification of that document there has been little controversy until the present time respecting freedom of speech and of the press. When the people wrote into the Constitution "the first amendment providing that "Congress shall make no law * * * abridging the freedom of speech or of the press, or of the right of the people peaceably to assemble and petition the Government for a redress of grievances," they naturally felt from the language used that, so far as the Federal Government was concerned, the last word had been said on the subject. Until very recently it has been generally assumed that the Constitution meant what it said. So true is this that the Supreme Court of the United States has never had occasion directly to construe the free-speech clause of the Constitution.

In the case of Reynolds v. United States (98 U. S., 163) the Supreme Court approved the doctrine of the Virginia resolution of 1786, which provided

"To suffer the civil magistrate to intrude his powers into the field of opinion and to restrain the profession or propagation of principles on supposition of their ill tendency is a dangerous fallacy which at once destroys all liberty, because he, being, of course, judge of that tendency, will make his opinions the rule of judgment and approve or condemn the sentiments of others only as they shall square with or differ from his own. It is time enough for the rightful purposes of civil government for its officers to interfere when principles break out into overt acts against peace and good order."

There appears to have been more decisions by the Federal courts of this country upon the free-speech clause of the Constitution during the past year than in all the 130 years preceding since the Constitution was adopted. The reason, of course is that during the past year the right of the people to peaceably assemble and discuss public questions has been challenged as never before. That the Federal courts have, in the main, when the question has been presented, adhered to the ancient principles of a free press and free speech is both encouraging and reassuring. I shall take the space only to refer to a few of these cases.

These examples of the exercise of the right to criticize and denounce the Government cited under this and the next following subdivision of this brief are placed before you simply in order to show how very far anything Senator LA FOLLETTE is charged with saying comes from being objectionable under the decisions of the courts or the practice of the statesmen of this country. With the propriety or impropriety, wisdom or unwisdom, of such speeches and publications I have nothing to do.

The first case decided, I believe, on this subject since the war began was that of the United States v. Baker and Wilhide, in the United States District Court for the District of Maryland, decided on July 11, 1917, by Judge Rose, admittedly, I think, among the ablest district judges in the country. The charge against the defendants in that case was that of distributing literature and making speeches calculated to obstruct the operation of the draft law and discourage enlistments. The defendants were Socialists. The literature distributed was extremely violent in its denunciation of the war and the conscription law. One of the pamphlets, distributed at a public meeting called to promote enlistments, and entitled "The Price We Pay," contained, among other things, the following:

"Conscription is upon us; the draft law is a fact!

"Into your homes the recruiting officers are coming. They will take your sons of military age and impress them into the Army.

"Stand them up in long rows, break them into squads and platoons, teach them to deploy and wheel.

"Guns will be put into their hands; they will be taught not to think, only to obey without questioning.

"Then they will be shipped through the submarine zone by the hundreds of thousands to the bloody quagmire of Europe.

"Into that seething, heaving swamp of torn flesh and floating entrails they will be plunged, in regiments, divisions, and armies, screaming as they go.

"Yesterday I saw moving pictures of the battle of the Somme. * * *

"The hospital camps were shown, with hundreds and thousands of wounded men in all stages of pain and suffering, herded like animals, milling round like cattle in the slaughter pens.

"All the horror and agony of war were exhibited, and at the end a flag was thrown on the screen and a proclamation said:

"'Enlist for your country!' The applause was very thin and scattering, and as we went out most of the men shook their heads and said:

"'That's a hell of a poor recruiting scheme!' * * *

"It is the price you pay—you have rejected socialism. * * *

"This war, you say, is all caused by the Kaiser, and we are fighting for democracy against autocracy. Once dethrone the Kaiser and there will be permanent peace.

"That is what they said about Napoleon. And in the century since Napoleon was overthrown there have been more and greater wars than the world ever saw before.

"There were wars before Germany existed; before Rome ruled; before Egypt dominated the ages.

"War has been universal, and the cause of war is always the same. Somebody wanted something somebody else possessed, and they fought over the ownership of it.

"This war began over commercial routes and ports and rights, and underneath all the talk about democracy versus autocracy you hear a continual note, an undercurrent, a subdued refrain: 'Get ready for the commercial war that will follow this war.'

"Commercial war preceded this war; it gave rise to this war; it now gives point and meaning to this war.

"And as soon as the guns are stilled and the dead are buried commercial forces will prepare for the next bloody struggle over routes and ports and rights, coal mines, and railroads.

"For these are the essence of this as of all other wars!

"This, you say, is a war for the rights of small nations, and the first hand slighted when you sail across the Atlantic is the nation of Ireland, which has suffered from England for three centuries more than what Germany has inflicted upon Belgium for three years.

"But go to it! Believe everything you are told—you always have, and doubtless always will, believe them.

"Only do retain this much reason: When you have paid the price, the last and utermost price, and have not received what you were told you were fighting for, namely, democracy—

"Then remember that the price you paid was not the purchase price for justice, but the penalty price for your stupidity!"

Judge Rose, addressing the counsel and the jury before taking any testimony, said that he desired at the outset to make it clear what the issue was to be tried. Among other things, he said:

"Any man has a perfect right to any opinion he may see fit to form about any law that is proposed or about any law that is on the statute books. Any man may do anything, in itself legal, to secure the repeal of any law that is on the statute books. To that end he may make any argument that commends itself to his reason and judgment against the policy of any particular law, whether it be the law for selective draft or any other. And he is not answerable for the wisdom of his argument. He could not very well be so answerable and put on trial even for the good faith of some of 'them. I am afraid, if he could be, that most of the political orators in every campaign would be put on trial for the good faith of what they said about the other party.

And as the judge pointed out, there was one limit, and only one limit, and that was that one might not argue that a law should be violated, even though it was done under the pretense of arguing for the law's repeal. The sole question, as pointed out in various forms, was whether the defendants in anything that they did or said intended to persuade men to violate the law. And after the testimony was in, the court, in directing the jury to find a verdict of not guilty, said:

"You may have your own opinions about that circular; I have very strong individual opinions about it and as to the wisdom and fairness of what is said there, but so far as I can see it is principally a circular intended to get people to subscribe to some newspaper and to get recruits for the Socialist Party. I do not think that we ought to attempt to prosecute people for that kind of thing. It may be unwise in its effect, and it may be unpatriotic at that particular time and place, but it would be going very far, indeed, farther, I think, than any law I know of would justify, to hold that there has been made out any case here that there was an attempt to persuade men not to obey the law."

I have the certified copy of the opinion and indictment and one of the circulars, and shall be glad to submit same for examination if desired.

Judge Clarence W. Sessions, of the United States District Court for the Eastern District of Michigan, in the recent case of the United States v. Freeman, tried at Grand Rapids, Mich, October 19, 1917, set forth the same rule as that declared by Judge Rose. In that case it was charged that not only was the same pamphlet, "The Price We Pay," used to discourage enlistments, but also another one entitled "Proclamation and War Program," and the Socialist platform as well, which demands "continuous active and public opposition to the war." The evidence in the case was deemed sufficient to present some question of fact as to the intent. But in his charge to the jury Judge Sessions said:

"The distribution of literature here involved in itself and considered by itself is not unlawful. * * *

"Every citizen of the United States has a legal right to have and to express an opinion against the approval of any proposed or pending legislation, and to have and express an opinion favoring the repeal or modification of any law after it has been approved and adopted.

"Every citizen has the right to have and express any opinion opposed to the principle of conscription, either before or after the enactment of the selective draft or conscription act approved on the 18th day of last May.

"During April, May, and June of this year, and hence during the period covered by this indictment, every citizen had the right to criticize the Government and its policies, including the Government's declaration of war against Germany. He had a right to oppose conscription as a governmental policy. He had a right to use all lawful means and efforts, either in connection with a political party or as an individual, to secure the repeal of the conscription law or to assist in protesting against the continued existence of such law."

The latest pronouncement of the courts upon the subject, and probably the clearest and most complete, is that contained in the charge of Judge Augustus N. Hand to the jury in the case of United States v. Eastman et al., in the southern district of New York, delivered on April 25, 1918. I have procured the entire charge from the official reporter, which I will be glad to submit to the committee. I call particular attention to the following portions of the charge, which are unmodified by anything else in it, and which ably and correctly state the rule of law applicable alike to the humblest citizen and highest official in the land:

"I do not have to remind you that every man has the right to have such economic, philosophic, or religious opinions as seem to him best, whether they be socialistic, anarchistic, or atheistic, and that you should divorce yourselves from any prejudice you may have against any defendant by reason of proof of any such opinions on his part.

"Each defendant has the constitutional right of freedom of speech also, unless he violates the express law which he is accused of violating, no matter how ill timed, unsuited to your sense of propriety, or morally wrong his opinion, utterances, or writings may be. * * *

"Every citizen has a right, without intent to obstruct the recruiting or enlistment service, to think, feel, and express disapproval, and abhorrence of any law or policy, or proposed law or policy, including the declaration of war, the conscription act, and the so-called sedition clauses of the espionage act; belief that the war is not, or was not, a war for democracy; belief that our participation in it was forced or induced by powers with selfish interests of their own; belief that our participation was against the will of the majority of the citizens or voters of the country; belief that the self-sacrifice of persons who elect to suffer for freedom of conscience is admirable; belief that war is horrible; belief that the allies' war aims were or are selfish and undemocratic; belief that the Hon. Elihu Root is hostile to socialism and that his selection to represent America in a socialistic republic was ill advised.

"It is the constitutional right of every citizen to express his opinion about the war or the participation of the United States in it, about the desirability of peace, about the merits or demerits of the system of conscription, and about the moral rights or claims of conscientious objectors to be exempt from conscription.

"It is the constitutional right of the citizen to express such opinions, even though they are opposed to the opinions or policies of the administration and even though the expression of such opinions may unintentionally or indirectly discourage recruiting and enlistment."

These are the rights jealously defended and freely exercised by the great statesmen and devoted patriots of this country from the beginning of the Government down to the present hour.

At the risk of repeating what is already familiar to all members of the committee, I have ventured to bring together at this point some quotations from the great speeches of the leading men of our country made during times of great national stress and peril, to show how freely those rights have been asserted at such times.

3. Free speech as practiced in war times.

a. Of the Civil War.

As I have previously shown in discussing the precedents, it was freely conceded during the Civil War, as stated even by Senator Trumbull and Senator Sumner, that freedom of discussion must be maintained even in the midst of war, and that the right could not be challenged to disapprove the acts of the administration in power and even the policies pursued to put down the rebellion. It will be recalled that the national Democratic Party adopted a plank in 1864 strongly condemning the war. In its platform adopted in Chicago August 29, 1864, upon which George B. McClellan was nominated for President, it declared that—

"Justice, humanity, liberty, and the public welfare demand that immediate efforts be made for a cessation of hostilities, with a view to the ultimate convention of the States, or other peaceable means, to the end that at the earliest practicable moment peace may be restored on the basis of the Federal Union of the States."

Also—

"That the direct interference of the military authorities of the United States in the recent elections held in Kentucky, Maryland, Missouri, and Delaware was a shameful violation of the Constitution, and a repetition of such acts in the approaching election will be held as revolutionary and resisted with all the means and power under our control."

b. The Mexican War.

During the Mexican War the acts of the Government in prosecuting the war and the policy of the Government in declaring it were mercilessly condemned by men whose patriotism and devotion to their country's interest no one would think of questioning. It was a favorite device in that war, as it has been in all wars, for the war party to assert that anyone who opposed the declaration of war or any policy of the Government in conducting the war was prolonging it, and for that reason was guilty of reprehensible conduct. It has remained, however, for the members of the various so-called defense committees and public safety commissions of the present time to brand as treason and disloyalty all expressions of opinion in opposition to the war purpose or program of the administration. The most charitable thing that can be said of such men is that their zeal has far outrun their intelligence. Mr. Lincoln evidently did not feel that condemnation of the wisdom as well as the integrity of the administration during the Mexican War involved disloyalty or impropriety on his part. In the midst of the war and on January 12, 1848, in the House of Representatives, Mr. Lincoln bitterly assailed the whole war program of the President. Among other things, he said:

"Some, if not all, the gentlemen on the other side of the House, who have addressed the committee within the last two days, have spoken rather complainingly, if I have rightly understood them, of the vote given a week or 10 days ago, declaring that the war with Mexico was unnecessarily and unconstitutionally commenced by the President. I admit that such a vote should not be given in mere party wantonness, and that the one given is justly censurable, if it have no other or better foundation. I am one of those who joined in that vote; but I did so under my best impression of the truth of the case. How I got this impression, and how it may possibly be removed, I will now try to show. * * *

"Then he (the President) suggests the propriety of wheedling the Mexican people to desert the counsels of their own leaders and trust in our protection to set up a government from which we can secure a satisfactory peace, telling us that 'this may become the only mode of obtaining such a peace.' But soon he falls into doubt of this, too, and then drops back onto the already half-abandoned ground of 'more vigorous prosecution.' All this shows that the President is in nowise satisfied with his own positions. First he takes up one position, and in attempting to argue us into it he argues himself out of it; then seizes another and goes through the same process; and then, confused at being able to think of nothing new, he snatches up the old one again which he has some time before cast off. His mind, tasked beyond its power, is running hither and thither like some tortured creature on a burning surface, finding no position on which it can settle down and be at ease.

"Again, it is a singular omission in this message that it nowhere intimates when the President expects the war to terminate. At its beginning Gen. Scott was by this same President driven into disfavor, if not disgrace, for intimating that peace could not be conquered in less than three or four months. But now, at the end of about 20 months, during which our arms have given us the most splendid successes, every department and every part, land and water, officers and privates, Regulars and Volunteers, doing all that men could do and hundreds of things which it had ever before been thought men could not do; after all this this same President gives us a long message without showing us that, as to the end, he has him-self even an imaginary conception. As I have before said, he knows not where he is. He is a bewildered, confounded, and miserably perplexed man. God grant he may be able to show there is not something about his conscience more painful than al' his mental perplexity." (See Cong. Globe Appendix, 30th Cong., 1st sess., pp. 93-95.)

On January 2, 1848, Mr. Ashmun, of Massachusetts, in the House of Representatives offered this amendment to the Houston resolution of thanks to Zachary Taylor. This amendment inserted in the resolution of thanks the words that the Mexican War was "unnecessarily and unconstitutionally begun by the President of the United States." The Ashmun amendment was adopted by a vote of 85 to 81, Mr. Lincoln voting with the majority. (See Cong. Globe, 30th Cong., 1st sess., p. 95.) A subsequent motion to expunge the amendment was lost by even a larger vote. It is to be recalled that Mr. Ashmun was made chairman of the Republican convention which met in Chicago and nominated Mr. Lincoln for the presidency on May 18, 1860.

Alexander H. Stevens, of Georgia, in a speech on February 15, 1847, while the Mexican War was at its height, said:

"The President has more than once told us that the war is not waged for conquest. Is there a friend of his on this floor who supposes that anybody familiar with the unparalleled duplicity of his administration will do the President the injustice to believe him. Every act of his toward Mexico before the war began and since the war began displays his policy too clearly to be mistaken." (See McMaster's History of the United States, p. 477; also Cong. Globe, 29th Cong., 2d sess., p. 401.)

It will be remembered that Congress was far more united in its declaration of the war against Mexico than it was in declaring the present war. There were but two votes in the Senate against the declaration of war, Clayton of Delaware and Davis of Kentucky. Senators Berrien, Calhoun, and Evans, being in their seats, did not vote. (See Cong. Globe, p. 804, 1st sess., 29th Cong.) There were 12 votes against the declaration of war in the House of Representatives. (See Cong. Globe, 29th Cong., 1st sess., vol. 2, p. 797, also p. 824.)

The President, in his annual message to Congress, December, 1846, took occasion to justify the declaration of war against Mexico which he had obtained from Congress on May 13, 1846, at its previous session, and pointed out the number of lawless acts perpetrated upon the property and persons of our citizens by Mexico and of wanton insults to our national flag. Of those who opposed the war the President said:

"The war has been represented as unjust and unnecessary, and as one of aggression on our part upon a weak and injured enemy. Such erroneous views, though entertained by but few, have been widely and extensively circulated, not only at home but have been spread throughout Mexico and the whole world. A more effectual means could not have been devised to encourage the enemy to adhere to their cause and thus give them aid and comfort." (See Cong. Globe, 29th Cong., 2d sess., p. 4.)

Charles H. Hudson, of Massachusetts, speaking in the House of Representatives, referring to the above-mentioned portion of the President's speech, said:

"I look with equal indifference upon the denunciations of the President and of his flatterers on this floor. I will speak my sentiments here or elsewhere, and I will speak them fully. If I believe the Executive is wrong in any of his measures, I will make the declaration. If I believe he has usurped power and trampled upon the Constitution of the United States, none of the denunciations or sarcasms of gentlemen on this floor will deter me from giving a full expression of those my views and feelings. Nothing, I say, that the President can say or do will deter me in any degree from a full and fair expression of my own opinions. Has it come to this, Mr. Chairman, that a President can arrogate to himself the war-making power, can trample the Constitution under foot, and wantonly involve the Nation in war, and the people must submit to this atrocity and justify him in his course or be branded as traitors to their country? Why, sir, if this doctrine prevails, the more corrupt the administration is, if it has the power or the daring to involve this Nation in a war without cause, the greater is its impunity, for the moment it has succeeded in committing that outrage every mouth must be closed and everyone must bow in submission. A doctrine more corrupt was never advanced; a sentiment more dastardly was never advocated in a deliberative assembly. A Congressman who professes to be peculiar friends of popular rights may advance doctrines of this character, and they may be in perfect accordance with their views and feelings and in conformity with their democracy; but I have too much of the spirit which characterized our fathers to submit to dictation from any source whatsoever, whether it be foreign monarch or an American President.

"I believe, Mr. Chairman, that the first principal declaration contained in the message of the President—that the war exists by the act of Mexico and that we have taken all honorable means to prevent it—to be an untruth. * * *

"The message, Mr. Chairman, declares that the existing war with Mexico was neither desired nor provoked by the United States; on the contrary, all honorable means were resorted to to avert it! This declaration I believe to be absolutely untrue." (See CONGRESSIONAL GLOBE, Appendix, 29th Cong., 2d sess., pp. 49-50.)

The above quotations from Mr. Hudson are but typical of what was said freely in Congress and out of Congress and published freely in newspapers throughout the country. Indeed it appears that books and pamphlets of quotations from leading newspapers of the United States condemning the war policy of our Government were made up in Mexico and circulated among the people of Mexico to arouse them to oppose the invasion of American troops. (See CONGRESSIONAL GLOBE, Appendix, 1st sess., 30th Cong., p. 436.)

Joshua A. Giddings, of Ohio, in a memorable speech on the Mexican War, December 14, 1846, said:

"When the Members of the House met in this place two years ago the country was at peace, at profound peace, with all the world. Industry received its legitimate reward, agriculture and maintenance were flourishing and general prosperity was spread over the land. Then a great and sudden change came over our public policy; the party in power was seized with an inordinate desire to extend our territorial possessions, and thus, in the cant language of the day, 'to enlarge the area of freedom.' The party in opposition opposed it to the extent of their ability. Thus the two parties stood, on this great question, directly opposed to each other. But the extension policy prevailed, and in two short years a great and important change took place in our whole policy and condition. A foreign war of conquest now existed; the Nation was involved by it in a vast expenditure and in the guilt of deepest crimes. The people were called on to pour out their treasure and their blood upon a foreign soil. The result was just such as had been foreseen and distinctly foretold. * * *

"Mr. C. said he was aware that an idea was extensively indulged that whenever our country was engaged in war, be it just or unjust, every true-hearted American was bound to support it with all his power. He denied it utterly. For the present he would content himself with referring to the fact that the whole country were putting to each other the question, For what is our Army sent into the territory of a sister Republic and we taxed to carry devastation and bloodshed into the heart of a foreign country? What benefit is to result to us; what good to the world of mankind? These questions demanded an answer. The President had presented his piece of self defense, but had left the question unanswered." (Cong. Globe, 29th Cong., 2d sess., p. 34.)

Mr. Calhoun made a memorable speech in the Senate of the United States on the Mexican War on February 24, 1847. At that time the war had been in progress for many months, and the military operations were proceeding rapidly. Mr. Calhoun had shown himself to be patriotic rather than partisan in opposing the war. Moved by a high sense of duty, he had determined to oppose the war, even though it cut him off from his former political associations and thwarted whatever political ambition he might possess. In the speech above referred to, among other things, he said:

"Every Senator knows that I was opposed to the war, but none knows but myself the depth of that opposition. With my conceptions of its character and consequences, it was impossible for me to vote for it. When, accordingly, I was deserted by every friend on this side of the House, including my then honorable colleague among the rest [Mr. McDuffie], I was not shaken in the least degree in reference to my course. On the passage of the act recognizing the war I said to many of my friends that a deed had been done from which the country would not be able to recover for a long time, if ever; and added, it has dropped a curtain between the present and the future, which to me is impenetrable; and for the first time since I have been in public life I am unable to see the future. I also added that it has closed the first volume of our political history under the Constitution, and opened the second, and that no mortal could tell what would be written in it. These deep impressions were made upon my mind because I saw, from the circumstances under which the war was made, a total departure from that course of policy which had governed the country from the commencement of our Government until that time; and that, too, under circumstances calculated to lead to most disastrous consequences. Since then less than a year has elapsed, but in that short period enough has already been developed to make what was then said look like prophecy." (See Cong. Globe, Appendix, 29th Cong., 2d sess., p. 500.)

History has fully vindicated the prophetic judgment of Mr. Calhoun. Whatever possibility of peaceable settlement of the slavery question previously existed were destroyed by the annexation of Texas and by the conquests of the Mexican War. It has been said that the Civil War was the awful price we paid for the unjust war provoked with Mexico. Be that as it may, it is certain that the events of the Mexican War and the conditions growing out of it led on naturally to the Civil War. If so minor an event, comparatively speaking, as the declaration of war against Mexico might properly raise forebodings in the mind of Mr. Calhoun and others, what must have been the possibilities of danger to

our country which presented themselves to the minds of the statesmen of the present day when the result of our entry into this war were considered. Is a Senator disloyal because he was unwilling to take the responsibility of voting for the declaration of war, with all its awful consequences, or because, since war has been declared, he is anxious to find some honorable and just means of escaping from it before this country is reduced, possibly, to the condition of the warring nations of Europe? Whatever may be the thought of the wisdom or unwisdom of those who believed the war could have been avoided or still believe that some peace is possible short of the annihilation of one or the other set of warring nations, it is certain that they are entitled to their opinions and are entitled to express them.

It can not be successfully claimed that the foregoing speeches were made under the protection of the privilege of the Senate or House of Representatives, for the speeches were widely published, and, moreover, equally strong condemnation of the administration was made in speeches outside the Congress and appeared in many newspapers throughout the country.

Charles Sumner, in a speech at Tremont Temple, Boston, November 5, 1846, said:

"The Mexican War is an enormity born of slavery. * * * Base in object, atrocious in beginning, immoral in all its influences, vainly prodigal of treasure and life, it is a war of infamy which must blot the pages of our history."

Mr. Webster, at Faneuil Hall, on November 6, 1846, speaking of the Mexican War, said:

"Mr. Chairman, I wish to speak with all soberness in this respect, and I would say nothing here to-night which I would not say in my place in Congress or before the whole world. The question now is, For what purposes and to what ends is this present war to be prosecuted? * * * It is time for us to know what are the objects and designs of our Government. * * * We are, in my opinion, in a most unnecessary and therefore a most unjustifiable war."

Henry Clay, in a memorable address at Lexington, Ky., on the 30th day of November, 1847, answered completely and in his masterly manner the arguments sometimes heard to-day that being in war all power must be given to the President. Among other things, he said:

"Either Congress or the President must have the right of determining upon the objects for which a war shall be prosecuted. There is no other alternative. If the President possess it and may prosecute it for objects against the will of Congress, where is the difference between our free Government and that of any other nation which may be governed by an absolute czar, emperor, or king?"

McMaster's History of the People of United States, in Volume VII, page 497 and subsequent pages, gives various quotations from newspapers which condemn in the most violent language the conduct of the administration in the Mexican War. These publications appeared during the war.

In Great Britain there has been the same freedom on the part of the press and the public in condemning war policies, as we find has always existed in this country. It would be hard to parallel any denunciations of war in this country with the language used by Lloyd George, in 1901, in considering the Boer War. (See Do Parca's Life of David Lloyd George, vol. 2, pp. 216, 217, and subsequent pages.)

The philippics delivered by Fox, Burke, and Chatham against the British Government for the prosecution of the war against the American Colonies are among the classics of English literature and familiar to every schoolboy, while the terrific indictment of his Government by John Bright for its part in the Crimean War was a work for which his name is now most honored by his fellow countrymen.

But it is idle to pursue this subject further. Even at the present day there is ever a strong minority in each of the parliaments of the warring countries of Europe frankly and openly opposed to the policies of their respective governments in this war. Hereto attached and marked Appendix 1 is a record of the votes against war credits in the German Reichstag and French Chamber of Deputies during the present war and in the House of Commons during this war. It has not been able to find a record of opposition votes in the British Parliament during the present war. The votes given in the appendix are correct according to the legislative reference division of the Library of Congress.

As Appendix 2 to this brief I also attach quotations from German newspapers showing the frank and outspoken opposition to the war on the part of a portion of the German press.

c. The War of 1812.

The war was declared on the 18th day of June, 1812, and concluded by the treaty at Ghent on the 24th day of December, 1814. I shall not here review the distressing events which led up to the declaration of war against Great Britain in 1812. What was endured before taking up arms against Great Britain is well stated in the Garner and Lodge History of the United States, Volume III. In spite of this provocation, however, the Legislature of Massachusetts declared that the war was a "wanton sacrifice of our best interest." The House of Delegates of the State of Maryland, in a memorial addressed to Congress presented in the House of Representatives February 2, 1814, said, among other things, that they were:

"Convinced * * * that the war might have been avoided."

Also,

"That peace might be restored without dishonor to the country the present conjuncture seems to an highly favorable for a reconciliation with England, and it is fairly and honestly desired." (Annals, 13th Cong., 1st and 2d sess., vol. 1, pp. 1205, 1200.)

Hon. Morris S. Miller, a Representative in Congress from the Utica, N. Y., district, in the course of the discussion in the House of Representatives on the bill for the encouragement of enlistments, said:

"We have been told by honorable gentlemen on the other side of the House that, however much we may have been originally opposed to the war, it now becomes our duty to withhold our opposition and afford all the means in our power to carry it on with the utmost vigor. To this opinion I can not subscribe; it goes to the destruction of civil liberty and will not find advocates on this side of the House. This doctrine strikes at the vitals of your republican institutions. It amounts to neither more nor less than this: That a weak and wicked administration (I speak not particularly of the present men in power), finding the confidence of the people withdrawn and their power about to pass into other hands, have nothing to do but to declare war, and instantly all opposition must cease; the men who happen to be in place at the time of the declaration of war, however weak, however incompetent, and however profligate, must be supported at every hazard. To this doctrine I object, as it goes directly to the destruction of civil liberty. The people of this country, I am proud to say it, have an undoubted right to pass upon the conduct of public men and examine the tendency of public measures in war as well as in peace." (Annals, 13th Cong., 1st and 2d sess., vol. 1, p. 956.)

Hon. Abijah Bigelow, a Member of the House of Representatives from Massachusetts, speaking against the loan bill, February 9, 1814, said:

"I shall vote against it on the principle that it is to obtain money to prosecute a war of aggression and conquest—a war which has been as unwisely managed as it was improvidently declared. I shall vote against it on the principle that the measures which preceded and produced it were radically wrong." (Annals, 13th Cong., 1st and 2d sess., vol. 1, p. 1274.)

Hon. Timothy Pitkin, of Connecticut, speaking in the House of Representatives on the bill, said:

"Believing, as I do, that in this war of conquest we are sacrificing our men and expending our money without a prospect of any adequate advantage, I feel justified in voting against a loan of so many millions for this object." (Annals, 13th Cong., 1st and 2d sess., vol. 1, p. 1286.)

Hon. Cyrus King, a Member from Massachusetts, speaking in the House of Representatives upon an amendment to the bill to encourage enlistments in January, 1814, is reported as follows:

"Mr. King said it was not his wish to impede the recruiting service or throw any obstacle in the way of it. Far from it. A responsibility, a deep responsibility, certainly rested with those who commenced the war, and every fair and honorable means they could take ought to be allowed them to carry on their war. Gentlemen are accused, said he, of departing from those principles which actuated our forefathers, because they oppose the measures now proposed. I ask the gentleman from Maryland who have, in fact, departed from them? Who are acting over again the former tyranny of the British Government against this people? Who are cutting off our commerce and depriving us of our accustomed modes of industry and support of our families? Against that tyranny we did defend ourselves in time of old, and we shall have no difficulty, when attempted, of again doing the same." (Annals, 13th Cong., 1st and 2d sess., vol. 1, p. 932.)

Hon. Daniel Sheffey, a Representative from Virginia, speaking in the House of Representatives for the bill to provide an additional military force, in January, 1813, said:

"It is said that war having been declared all considerations as to its policy or justice are out of the question, and it is required of us as an imperious duty to unite on the measures which may be proposed by them for its prosecution, and we are promised a speedy, honorable, and successful issue. Do gentlemen require of us to act against our convictions? Do they ask that we should follow with a reluctant step in the career which we believe will end in ruin? Or do they suppose that while on the simplest subject an honest diversity of sentiment exists on this complicated and all-important one our minds are cast into the same mould? Uniformity of action is only desirable where there is uniformity of sentiment, and that on most subjects will only exist where the mind is enchained by the fear which despotic power inspires.

"But it has been said that the obedience to the will of the majority is the first principle of representative government and enjoins what gentlemen require. Yes, sir, obedience to all constitutional acts is a high and commending duty on the part of the minority and the people, and all factious opposition is highly criminal. But this does not prevent anyone in the House or in the Nation to use every effort to arrest the progress of evil or to effect a repeal of measures injurious to the public interest. And how can this be done unless there is full liberty to think and to speak and act as our convictions shall dictate? If this be violated, then there is an end to free government. A majority never can be corrected. They are irresponsible and despotic; they may prepare the yoke when they please; we must submit to it in silence." (Annals, 12th Cong., 2d sess., vol. 3, p. 681.)

Daniel Webster, in a speech in the House of Representatives January 14, 1814, strongly opposing the policy of the administration in prosecuting the war of 1812, and particularly addressing himself to the attempt then made to discourage discussion of the war by those opposed to it, said:

"Important as I deem it to discuss on all proper occasions the policy of the measures at present pursued, it is still more important to maintain the right of such discussion in its full and just extent. Sentiments lately sprung up, and now growing fashionable, make it necessary to be explicit on this point. The more I perceive a disposition to check the freedom of inquiry by extravagant and unconstitutional pretenses the firmer shall be the tone in which I shall exercise it. It is the ancient and undoubted prerogative of this people to canvass public measures and the merits of public men. It is a 'home-bred right', a fireside privilege. It has ever been enjoyed in every house, cottage, and cabin in the Nation. It is not to be drawn into controversy. It is as undoubted as the right of breathing the air or walking on the earth. Belonging to private life as a right, it belongs to public life as a duty; and it is the last duty which those whose representative I am shall find me to abandon. Aiming at all times to be courteous and temperate in its use, except when the right itself shall be questioned, I shall then carry it to its extent. I shall then place myself on the extreme boundary of my right and bid defiance to any arm that would move me from my ground. This high constitutional privilege I shall defend and exercise within this House, and without this House, and in all places; in time of war, in time of peace, and at all times. Living I shall assert it, dying I shall assert it, and should I leave no other inheritance to my children, by the blessing of God I will still leave them the inheritance of free principles and the example of a manly, independent, and constitutional defense of them." (*See* Annals, 13th Cong., supra.)

4. Analysis of the speech of September 20, 1917.

It will be observed that the only question the subcommittee has ever had before it for consideration outside of procuring a correct copy of the speech, which Senator LA FOLLETTE furnished it, is "the accuracy of the statements contained in the speech." Up to the present time, at least, no evidence has been produced before the committee, of which we have any information, to show that any of the statements made in the speech are inaccurate, nor has the committee complied with Senator LA FOLLETTE'S request, repeatedly made, to specify any portions of the speech the accuracy of which was ever questioned by anyone. The resolution of the Public Safety Commission, which is the basis of this investigation, does not contain any charge or suggestion that any statement in the speech is inaccurate in point of fact. The charge is that the speech "is of a disloyal and seditious nature" and has "served to create treasonable sentiments in the State of Minnesota." Senator LA FOLLETTE has affirmed on this record that he believed all statements in the speech to be true at the time he made them and that he still believes them to be true. Nearly eight months have elapsed since the speech was made and no proof has been forthcoming that any statement in it was inaccurate, and certainly no suggestion has been made that Senator LA FOLLETTE did not believe, and have good reason to believe, in the accuracy of every statement made. In any discussion, therefore, based upon the present state of the record, we must assume the accuracy of the statements made in the speech or at least that Senator LA FOLLETTE believed and had good reason to believe in their accuracy when he made them.

Turning now to the speech in question characterized by the Public Safety Commission as "disloyal and seditious" and declared to have created "treasonable sentiments in the State of Minnesota," it will be found that there is not a word in it suggesting disloyalty or sedition, but, on the contrary, that the speech is highly patriotic and strongly and dramatically urges upon all citizens the duty of defending our Government and of perpetuating our institutions. It is not only the enemy from abroad whose attacks we must meet, according to Senator LA FOLLETTE, but the enemies in our own household. This address, it is to be remembered, was made before "a large audience" composed of the sturdy, intelligent, and independent farmers of the Northwest. The persons present were largely members of a nonpartisan organization formed to advance and protect the interests of the farmers. This was hardly the place one would naturally select to plot treason or to give expression to treasonable or seditious sentiments. Until these days of "public safety commissions," "loyalty leagues," and "vigilance committees," I had supposed that treason was a crime of darkness plotted in secret and its plans matured by stealth, but it seems, according to the charge of the Minnesota "Public Safety" Commission, that Senator LA FOLLETTE launched his disloyal and treasonable utterances before a large audience of that element of our people most earnest and most loyal and most intelligent in their support of our Government and our institutions. Immediately on the first page of this speech that Senator LA FOLLETTE'S address was immediately preceded by the singing of our national anthem, to which he paid tribute with words of eloquence and fervor. I suppose that to the members of the Public Safety Commission this is only another evidence of a dark and devilish conspiracy on the part of the farmers of the great Northwest, aided and abetted by Senator LA FOLLETTE, to disrupt and destroy their Government in order that they might turn their farms and homes and their families over to an invading host of German enemies. I wish to treat quite seriously this charge against Senator LA FOLLETTE, for it has been dignified by being made the subject of an investigation by one of the great committees of the Senate of the United States, but, except for the standing which that charge has received by being noticed by a committee of the United States Senate, it would not, I believe, be treated seriously by anyone who has read the speech upon which it is aimed.

The address then goes on with the declaration that political parties have failed to give the people real representative government, and that is the reason why the Nonpartisan League has been called into existence. Emphasizing the importance and necessity for patriotism, Senator LA FOLLETTE said:

"Think for a moment for what Washington's army starved and froze at Valley Forge, warming their stiffening fingers at the meager camp fires! It was that we should have builded up here in this country of ours the one Government on this earth that should be truly representative of the people."

Senator LA FOLLETTE then passed rapidly in review the Granger movement and the fight made by himself in Wisconsin and by others in the Middle West to make our Government more representative of the people and to preserve liberty and justice in our laws. The fight over the revenue bill recently passed by the United States Senate was then taken up and the statement made that the little group of Senators who demanded higher taxes for war profits and excessive incomes were simply making the same fight that had been made in Wisconsin and other States of the Middle West to make wealth bear its fair share of the burdens of government. This naturally led up to the fact that we were in war and that the necessity of raising immense sums of money was occasioned by the war, and it is apparent that Senator LA FOLLETTE'S purpose merely was to deal with the war as a fact and consider how and upon what the war should be financed. He frankly stated what is well known to everyone, namely, that he was not in favor of going into war, but he added, "I don't mean to say that we had not suffered grievances; we had (a voice, "Yes!") at the hands of Germany. Serious grievances!" (A voice: "You bet!")

It is evident from the text of the speech that the person interrupting from the audience, knowing that Senator LA FOLLETTE had voted against going into the war, sought to embarrass him in his address by emphasizing the serious nature of the grievances which led a majority of the Congress to vote for the declaration of the war. Senator LA FOLLETTE then did what any ready speaker would do under the circumstances who wished to keep control of his meeting. He made a quick turn upon the interrupter from the audience, mentioning as one of our grievances the interference with our right to travel upon the high seas on ships loaded with munitions for Great Britain. Senator LA FOLLETTE did not say that this was one only grievance or that solely on account of this we went to war. He described this as a technical right and one which was too small to involve us in the awful consequences of this war. This discussion led to a further interruption from the audience, appearing near the top of page 15 of the speech, merely shown by the reporter's notes as "Another interruption." (Committee print.) As a matter of fact, as explained in the note of Senator LA FOLLETTE to the chairman of the committee accompanying the speech, and as is undisputed, this interruption consisted of some one shouting from the audience, "How about the *Lusitania?*" Senator LA FOLLETTE did not reply to this interruption for a moment, he said, "Wait just a minute," and then completed his thought and a few sentences later, as shown by the text at the bottom of page 16 and top of page 17, stated that before the *Lusitania* sailed President Wilson had been warned by Secretary Bryan that she carried explosives and a large amount of ammunition, asserted by the Senator to be 4,000,000 rounds, and that it was in violation of a statute of this country to allow passengers to travel upon vessels carrying dangerous explosives, and that Secretary Bryan appealed to President Wilson to stop passengers from sailing on the *Lusitania*. Here again it is obvious that all this was said on the spur of the moment in reply to an apparently hostile critic from the audience. Now, this merely stated in detail what, in substance, was common knowledge at the time of the sinking of the *Lusitania*. The manifest of the *Lusitania* published at that time in the newspapers of the country showed that she carried a large quantity of ammunition, and a calculation will show that she carried the number of rounds of ammunition stated by Senator LA FOLLETTE. Carrying ammunition was as much a part of the business of the *Lusitania* at that time and of the other great English vessels as was the carrying of passengers. The people of this country, the Congress, and the administration in power, not only knew the practice but were divided upon the policy of permitting it. Secretary Bryan, as is well known, resigned from the Cabinet and gave publicly as one of the reasons for resigning the fact that the President would not warn passengers not to travel upon munition-laden ships.

One has but to recall the history of the sinking of the *Lusitania* and interviews given by the United States Senators and others at the time, published generally in the press, and the controversy which raged throughout the country over the wisdom or unwisdom of the President's policy in refusing to warn passengers not to travel on munition-carrying ships to be aware that the substance of everything that Senator LA FOLLETTE said on the subject was at that time common knowledge. If anyone disputes the accuracy of the specific statement made by Senator LA FOLLETTE in this matter and the committee thinks it important to take up the investigation of the question in such a way that the attendance of witnesses may be compelled and the production of documents required, Senator LA FOLLETTE will be pleased to submit the detailed proof of the facts stated, which proof will, I feel sure, satisfy the committee that every statement made by him was correct.

From this point the speech discusses the relative merits of taxation and bond issues as a means of financing the war, and it is so obviously a fair and candid discussion of the subject that I am unable to conceive that even the Public Safety Commission of Minnesota can find any portion of it open to criticism. From the first word to the last in his speech it breathes the spirit of loyalty and devotion to the institutions of this country and to the rights of the common people.

I am aware that when this speech was delivered a large portion of the press of the country misrepresented it and misquoted it. For example, the statement made in the speech that we had suffered serious grievances at the hands of Germany was utterly misquoted, and the statement went broadcast through the press of the country that Senator LA FOLLETTE had said, "We had suffered no grievances at the hands of Germany." In many other respects, also, the speech was glaringly misrepresented. The attack which Senator LA FOLLETTE frankly made in the speech upon those who were profiting largely from the war and escaping just taxation at the same time aroused great bitterness, and, I have no doubt, led to the filing of the charges in question. I suppose that at the time these charges were referred to the subcommittee, and certainly at the time the Senate referred them to the Committee on Privileges and Elections, few, if any, of the Senators had read a true copy of the speech, and this, I assume, accounts for the fact that the speech was even referred to a committee of the Senate for investigation. It is no doubt true that the sentiments expressed in the speech are displeasing to many persons and many interests, but the charge that it contains anything disloyal or seditious or anything that a Senator of the United States, or, for that matter, any citizen, might not properly say is grotesquely absurd. Significant of Senator LA FOLLETTE'S attitude of mind at the time he made the speech, what he did not say is as important as what he did say. Had he desired to embarrass the administration or to raise a doubt concerning the wisdom of the declaration of war he would have referred to the part played by Great Britain as well as by Germany in drawing us into the war.

The protests of our Secretary of State against the unlawful acts of Great Britain are a matter of record as much as are the protests against the unlawful acts of Germany. On the 4th day of April, 1917, Senator LA FOLLETTE made a speech in the Senate in opposition to the declaration of war. That speech shows on his part a complete mastery of the argument against the declaration of war and a firm conviction that our Government should not declare war. I have heard that speech referred to by gentlemen not in agreement with Senator LA FOLLETTE as one of the ablest ever delivered in the Senate. It certainly marshals in a masterly manner the arguments against the wisdom of the declaration of war. Had it been the thought of Senator LA FOLLETTE in the 8th Past speech to express opinions opposed to the prosecution of this war, or even to the policies of the administration concerning it, he would certainly have stated those reasons against our going into the war which appealed to him as sufficient for opposing the declaration of war. Of course, he would have been entirely within his constitutional rights in so doing. This, however, was no part of the purpose of the speech, as any fair reading of it must show. In this speech to a sympathetic audience Senator LA FOLLETTE stated, as he has stated in the Senate, that the war must be accepted as a fact and dealt with as the best interests of our country and our people require. He did not pretend that he approved our going into the war, but asserted that we were in it in a lawful and constitutional manner and that it brought obligations to every citizen which must be faithfully discharged. The manner of discharging the obligation to raise the money to conduct the war was the theme of Senator LA FOLLETTE'S speech, and he turned aside from the thread of his argument merely to silence interruptions from the audience concerning the grievances which led us into the war, and the *Lusitania's* sinking, and spoke with self-restraint in so doing. The whole speech shows that Senator LA FOLLETTE did not even attempt to exercise the constitutional rights which he and every other citizen must have to express opinions about the wisdom or unwisdom of our participating in the war.

Was it unlawful for the *Lusitania* to transport at the same time passengers and dangerous explosives?

It may be urged that Senator LA FOLLETTE was in error in declaring that it was in violation of our statute to carry passengers and dangerous explosives at the same time on the *Lusitania*. Quite aside from the proposition that an erroneous view of the law is hardly a ground for expelling a Senator from the United States Senate, the fact is that in this, as in other respects, the statement made by Senator LA FOLLETTE was supported by undoubted authority.

In August, 1882, the Congress passed as chapter 374, law of 1882, an act entitled "An act to regulate the carriage of passengers by sea." That law has been continuously in force from that day to this. It was carried into the last compilation of the Federal statutes (see United States Compiled Statutes, 1916) and is found in sections 7997-8015 of such revision. Section 8 thereof, the section here material, is found in section 8005 of the revision. The statute is also carried in the pamphlet laws issued by the Department of Commerce in 1916, entitled "The laws governing the Steamboat-Inspection Service."

Section 8 of the passenger act of 1882, so far as is here material, is as follows:

"That it shall not be lawful to take, carry, or have on board of any such steamship or other vessel any nitroglycerine, dynamite, or any other explosive article or compound, nor any vitriol or like acids, nor gunpowder, except for the ship's use, nor any article or number of articles, whether as cargo or ballast, which, by reason of the nature or quantity, or mode of storage thereof, shall, either singly or collectively, be likely to endanger the health or lives of the passengers or the safety of the vessel."

If we go no farther than the manifest of the *Lusitania* as published in the press of this country on May 8 and 9, 1915, we find that the *Lusitania* was carrying 4,200 cases of "cartridges and ammunition"; 1,271 cases of "ammunition," besides a large quantity of "military goods." Knowing the minimum amount of gunpowder a cartridge carries and the number of cartridges in a case, it is easily ascertained that the cartridges alone on board the *Lusitania* contained many tons of gunpowder, not to mention the other "ammunition" referred to.

That gunpowder, although inclosed in the metallic case of a cartridge, especially when carried in such quantities, comes within the prohibition of the above statute is neither open to question under the language of the statute nor according to the decisions of the court.

In United States v. Giordani (163 Fed., 772) the precise question was before Judge Chatfield, Circuit Court of the Southern District, New York. The case was decided June 1, 1908. At that time section 4476 of the Revised Statutes was in force. That section provided:

"Every person who packs or puts up, or causes to be packed or put up for shipment, any gunpowder, nitroglycerin, camphene, naphtha, benzine, benzole, coal oil, crude or refined petroleum, oil of vitriol, nitric acid or other chemical acids, oil or spirits of turpentine, friction matches, or other articles of a like character, otherwise than as directed by the preceding section, or who knowingly ships or attempts to ship the same, or delivers the same to any such vessels as stores, unless duly packed and marked, shall be deemed guilty of a misdemeanor, and punished by a fine not exceeding $2,000 or imprisonment not exceeding 18 months, or both; one-half of the fine to go to the informer and the articles to be liable to seizure and forfeiture."

The defendant was indicted for violating the above statute. In the opinion it said: "The defendant has been indicted for (1) knowingly unlawfully attempting to ship as merchandise upon the steamer called the *Gracia* certain casks containing rifle cartridges, each cartridge containing 70 grains, in some cases, and in others 40 grains of gunpowder. * * * (2) For knowingly and unlawfully attempting to ship gunpowder and other articles of like character not duly packed and marked—that is to say, certain cartridges—both indictments being made under the provisions of section 4476 of the Revised Statutes of the United States (U. S. Compiled Stats., 1901, p. 3052). * * * As will be shown later, the defendant contends that cartridges are not included in the statutory term 'gunpowder.'"

The *Gracia* was a foreign vessel, and the defendant claimed that the provisions of section 4476 did not apply to the transaction. After disposing of this question, and upon a careful review of the statutes, holding that the statute applied even though the *Gracia* was a foreign vessel—apparently a freight boat—the court said:

"The further objection that cartridges are not 'gunpowder' but a manufacture of brass and gunpowder does not seem to be well founded. Not only does the United States Government so classify cartridges in its regulations for the carrying of explosives under authority of section 4422 of the Revised Statutes, but the fact that no chemical or physical change of substance has occurred and that the brass envelope, while it protects, does not affect the substance in any way shows that this classification is correct."

The St. Paul speech, for convenience of reference, is hereto attached, marked "Appendix 3," and I have inserted in it the corrections noted by Senator LA FOLLETTE in the letter of October 11 last to the committee, transmitting a copy of the speech.

POINT II.

Since the speech of September 20, 1917, affords no reason for expelling Senator LA FOLLETTE, the charges of the Minnesota Commission of Public Safety must be dismissed.

I believe that I have demonstrated from the precedents of the Senate, from the decisions of the courts, and the uniform practice of our people that nothing was said by Senator LA FOLLETTE in his speech of September 20 last at St. Paul which can be construed into opposition to the acts of war policies of the present administration and that he would have been entirely within his rights had he expressed opposition to both. He did not say that the war was unconstitutionally begun by the President, as Mr. Lincoln and a majority of the House of Representatives declared the Mexican War was begun, and declared it, too, in the midst of that war. On the contrary, Senator LA FOLLETTE said that the present war was constitutionally begun and emphasized that fact. He did not say, as Mr. Lincoln and the others said of the Mexican War, that the present war was even unnecessarily begun by the President. On the contrary, he said that we had grievances and serious grievances against Germany which led us into the war. Senator LA FOLLETTE said that with all our grievances, and serious though they were, he regarded them as insufficient justification for our entry into the war, considering the awful consequences which this act was certain to involve. Senator LA FOLLETTE in no way sought to place the responsibility for this war upon the President, as Mr. Lincoln and the other eminent statesmen from whom I have quoted, placed responsibility for the Mexican War upon the then President, Mr. Polk. Senator LA FOLLETTE made no attack upon the integrity or honesty of purpose of the President or his administration, as Mr. Lincoln attacked the honesty of purpose of Mr. Polk and his administration in the Mexican War. There is not a word in the St. Paul speech which questions the motive of any public official who had any responsibility for the war program or war policy of the administration. Yet, I assert, after a careful reading of the history of all the wars in which this country has been engaged, that no man had ever been attacked and assailed by a war party and a war-mad press as Senator LA FOLLETTE had been attacked even prior to the St. Paul speech. In the St. Paul speech, as always, Senator LA FOLLETTE'S condemnation was of measures not men, of policies that he believed to be wrong, not the individuals immediately responsible for those policies, for he knows how unjust it is to hold an individual responsible for a bad policy who is often himself merely a victim rather than the authority of such a policy.

Senator LA FOLLETTE came to St. Paul and made the speech of September 20 directly from his work in the Senate, where for weeks, and I believe months, he had been laboring night and day to increase the amount which excess profits and surplus incomes would contribute to the expenses of this war. He spoke to the people with directness and great earnestness concerning what he believed to be the wrong policy of the majority of Congress upon this subject, but he said only what he had a right to say, only what, believing as he did, it would have been cowardly and unpatriotic not to say. I ask that the members of this committee will put beside anything that Senator LA FOLLETTE said in the St. Paul speech the statements during the time of war made by Mr. Lincoln, Mr. Webster, Mr. Clay, and others in condemnation of the war policies they were discussing, and then determine whether anything Senator LA FOLLETTE said in fairly open to adverse criticism.

Whether Senator LA FOLLETTE was right or wrong in opposing the declaration of war, whether he was right or wrong in opposing the passage of the draft law, whether he was right or wrong in the causes which he believes led us into the war, whether he is right or wrong in his views concerning the financing of this war, is immaterial. He had a right to his views, and he had a right to express them, precisely as any Senator of any citizen has a right to express his views upon the same questions.

I assume, therefore, that however fundamentally any other Senator may differ from Senator LA FOLLETTE, there is and will be no thought in the minds of any of criticizing, of censuring, Senator LA FOLLETTE for any expressions in the St. Paul speech. It would be strange indeed if the policy should be adopted in the Senate of the United States that the majority might condemn expressions of opinion by the minority made outside of the Senate and not in the discharge of legislative duty.

No question of censure can arise in this case, however, for under the Constitution no such power exists in the Senate. Under section 5 of Article I, previously quoted, the Senate may do two things:

1. It may by a two-thirds vote expel a Member for any reason or for no reason.

2. It may punish a Member for disorderly behavior.

The "disorderly behavior" for which each House may punish its Members, as provided in the foregoing quoted portion of section 5 of Article I of the Constitution, is some sort of misbehavior committed by the Member in the presence of the House, or, in any case, it must be conduct which directly obstructs the action of the House in the performance of its legislative duties.

In Rawle on the Constitution, second edition, page 47, it is said:

"It has not yet been precisely settled what must be the disorderly behavior to incur punishment, nor what kind of punishment is to be inflicted; but it can not be doubted that misbehavior out of the walls of the House, or within them, when it is not in session, would not fall within the meaning of the Constitution. Expulsion may, however, be founded on criminal conduct committed in any place, and either before or after conviction in a court of law."

In Kilbourne v. Thompson (103 U. S., 168, p. 189) it is said:

"As we have already said, the Constitution expressly empowers each House to punish its Members for disorderly behavior. We see no reason to doubt that this punishment may in a proper case be imprisonment and that it may be for refusal to obey some rule on that subject made by the House for the preservation of order. So also the penalty which each House is authorized to inflict in order to compel the attendance of absent Members may be imprisonment, and this may be for a violation of some order or some standing rule on that subject."

As said in the same case, page 182, referring to the same provisions of the Constitution:

"These provisions are equally instructive in what they authorize and in what they do not authorize. There is no express power in that instrument conferred on either House of Congress to punish for contempts."

As held in the Kilbourne case, supra, the analogy to the power of the English Parliament in this respect which is sometimes drawn is erroneous, because the latter was formerly a judicial body and has the inherent power of a court to punish for contempt. Indeed, the Kilbourne case leaves it doubtful whether either the Senate or the House takes any power to punish by implication as necessary to a successful exercise of the legislative function.

This whole subject has been recently considered by the Supreme Court of the United States in Marshall v. Gordon (243 U. S., 521). In that case Marshall, United States district attorney for the Southern District of New York, was arrested on a warrant from the House of Representatives, having been declared by the House guilty of contempt of that body on account of a letter written and statements made by said Marshall concerning the conduct of a committee appointed by the House of Representatives to inquire into certain official conduct of the said district attorney. Marshall applied for discharge on habeas corpus, and the correctness of the judgment of the district court refusing such discharge was the question presented on the appeal to the Supreme Court of the United States. The Supreme Court held that the House of Representatives had no power under the Constitution to declare the conduct of the district attorney in writing the letter in question contempt of its authority and to inflict punishment upon the writer for such contempt. The point of the decision is that the only power the House has to punish for contempt is that necessary to self-preservation to enable it to perform its functions as a legislative body. In so far as the power to punish for contempt is necessary to enable the House to carry on the work of legislation it has such power, but it has absolutely nothing beyond that. As stated in the opinion, page 542, such power "rests only upon the right of self-preservation; that is, the right to prevent acts which in and of themselves inherently obstruct or prevent the discharge of legislative duty."

All of this is said concerning the power of the House to punish one not a Member of that body, but it applies with even greater force to a Member for reason that in the latter case the Constitution plainly specifies the misconduct for which a Member may be punished, and, as said in the Kilbourn case, this provision of the Constitution is not more instructive in what it authorizes than in what it does not authorize.

In the Marshall case, supra, the court says (p. 536):

"No power was expressly conferred by the Constitution of the United States on the subject (punishment for contempt) except that given to the House to deal with contempt committed by its own Members. (Art. I, sec. 5.) As the rule concerning the Constitution of the United States is that powers not delegated were reserved to the people or to the States, it follows that no other express authority to deal with contempt can be conceived of."

The Constitution having specified "disorderly behavior" as the sole ground upon which each House may punish its Members, besides of course its power to punish for violation of its rules, it follows that every other ground or cause of punishment is excluded. Expressio unius est exclusivo alterius. But even if it were admitted that in the case of Members the House took by implication some power to punish, it is obvious that such power can not go beyond preventing the obstruction of the performance of the legislative duty of that body. However irritated, indignant, or offended any Senator may be by the speech in question, the Constitution has wisely withheld from the Senate any power to punish a Member merely because in a public address outside the Senate he may make remarks which Senators believe will have an ill effect upon the public mind, or which for any cause arouses their indignation or resentment.

In concluding this argument, already much too long, I only desire to say that I have discussed this case as though the charges considered were made against the humblest private citizen in the land. I

have claimed nothing for Senator LA FOLLETTE by reason of his long record of devoted service to the public interest, as attested by his official acts not only as a Member of the United States Senate for many years but as a Member of the House of Representatives for six years and as three times governor of his State. I have not questioned the purpose or motive of those making the charges here under consideration. I confess that it has not been altogether easy to pursue this course. When one recalls the work of Senator LA FOLLETTE in private as well as public life in behalf of democratic government and just laws, unmarred by any selfish purpose or desire for personal gain, it is hard to consider dispassionately the charge of disloyalty—the most serious that can be made against any man—lodged against him by the Minnesota Commission of Public Safety. It is true that all the newspapers of the country served by the Associated Press the day after the speech entirely misquoted Senator LA FOLLETTE, as proved by the record, and made him say the very opposite of what he really said concerning our grievances against Germany which led to the war. It is true this falsehood has been repeated and multiplied during all the months that have since elapsed and has been cunningly used to procure votes of condemnation from various individuals and bodies throughout the country. Through all this Senator LA FOLLETTE has remained silent. He has felt that this proceeding before this honorable committee was at least quasi judicial in character and that a decision should be arrived at uninfluenced by anything except the facts and the law as presented to this committee. Even if Senator LA FOLLETTE had said the things he is charged with saying, he would have been entirely within his rights, as I believe has heretofore demonstrated; but when what he actually said is considered it is seen how wholly unsupported is the charge of "disloyalty." It is only by distorting the impromptu retorts of Senator LA FOLLETTE to the interruptions from the audience into a complete discussion of the intricate causes of the war that anything can be found in the speech to which the most zealous partisans of the administration can object. But under any construction possible to put upon it, it does not even approach to an improper discussion of the war.

There never was a more baseless attack made upon the character and reputation of a public man than that made upon Senator LA FOLLETTE by the filing of the charges in question.

I respectfully submit that this honorable committee should promptly report said charges to be wholly unfounded.

GILBERT E. ROE,
Attorney for Senator Robert M. La Follette.

"Even if the British sea power, which to-day dictates the conditions under which the seas are to be used, could be broken, hardly anything would be gained thereby. For, if the British fleet would have to cede its position to some other power, the latter would undoubtedly pursue, not a policy of sentiment, but one of materialism—to do what best serves its own interests."

The above appeared in the New York Globe of Friday, April 12, 1918. The Arbeiter Zeitung, of Vienna, is quoted in the Washington Times of April 29, 1918, in criticism of Germany's policy of annexations in Russia. It said: "We are not going to allow Austrian blood to be shed, either now or later on, to retain German conquests."

SPEECH OF ROBERT M. LA FOLLETTE, DELIVERED AT THE MUNICIPAL AUDITORIUM, ST. PAUL, MINN., SEPTEMBER 20, 1917, AS SUBMITTED BY SENATOR LA FOLLETTE TO THE SUBCOMMITTEE.

Mr. President, ladies, and gentlemen, it is needless for me to say anything about the importance of this conference conducted under the auspices of the Nonpartisan League.

It speaks for itself.

It is a nonpartisan league.

Why a nonpartisan league? Why has such an organization been formed in this and other States of the Union?

Because, Mr. President, ladies, and gentlemen, political parties have failed to give the people of this country real representative government. [Cheers and applause.]

What is representative government?

Every man or woman in this audience who stood up here to-night when you sang that glorious anthem, "My Country, 'Tis of Thee," answers that question. What was it for which men died in 1776?

It was that the Government established by their valor and their devotion and their sacrifice, sealed with their blood, should be a real representative government.

What is a representative government?

A government that represents all of the people. [Cheers and applause.]

And when some of you who stood up in this audience while that glorious sentiment, set to heart-inspiring music, was being given forth, because some of you who stood up at that time have forgotten the sacrifices made in 1776, made again in the sixties, in order that that kind of a government should be preserved. Because some of you are testifying a devotion to liberty which you do not feel. [Applause.]

Who is it, abroad over this country now, waving the flags and crying out for democracy in the loudest possible tones? [Cries from the audience: "The profiteers!" "Big business!"]

It is business that is making money out of existing conditions. That is what it is. [Cheers and applause.]

You new converts to democracy are masquerading in the livery of heaven while you serve the devil! [Cheers and applause.]

Think for a moment for what Washington's army starved and froze at Valley Forge, warming their stiffening fingers at the meager camp fires. It was that we should have builded up here in this country of ours the one government on this earth that should be truly representative of the people. [Cheers and applause.]

What did that mean? It meant the election of two United States Senators from every State of the Union, and a Member of Congress from every unit of representation agreed upon, who are to assemble at the seat of government, under the Constitution, on the first Monday of December of each year, and there represent, never themselves, never the United States Steel Co., never the munition makers, but always representing the people.

They should vote for laws that were for the good of the Republic. That is what it meant. [Cheers and applause.]

Fellow citizens, when it becomes necessary for an organization, or when any considerable number of people come together in State after State of the Union, and seek to form a nonpartisan league, in order that they may get true representative government, it means that some power has come between the people and their Representatives, and that they are not getting representative government under partisan domination. [Cheers and applause.]

I am reminded as I face this magnificent audience here to-night: I am carried back in memory to the early seventies. Do you realize, fellow citizens, that here at the head of the Mississippi Valley, here in what was called the old Northwest, in the early seventies, was formed the great granger movement to grapple with corporate power and restore representative government to the people of that day? [Applause.]

Have you forgotten, or is it possible that the younger generation have never been informed, that here at the head of that valley, formed by the great father of all the waters, was cradled the first independent institution which went out to fight corporate power in the United States?

Minnesota, Wisconsin, Michigan, and Iowa were the four Commonwealths that for the first time in the history of the government of men declared the right of the people to have administered by them the control of the highways that lead to market.

Are you aware of the fact that you are the inheritors of a precious legacy here in Minnesota? A legacy that has not always been protected; but here in Minnesota, and in the State of my nativity lying to the south, and Iowa and in Michigan, was born the first great independent farmer movement for the control of railroad transportation—for the subjugation of great corporations to public interests, instead of permitting those corporations to control ruthlessly in their own interest all of the highways leading to the markets of the country.

Gentlemen, you are the descendants of the men who made that wonderful historic contest. For let me say to you that out of that movement that started in these four States, that proclaimed for the first time in the history of the world the right of the public to fix the charges upon the iron highways of commerce, that out of that wonderful movement started in the homes of the farmers of Minnesota, Iowa, Wisconsin, and Illinois—I said Michigan a moment ago; I should have said Illinois—in those four States, in the homes of those farmers, started that movement for the first time in the history of the world asserting the right of the public to control railway transportation and railway rates over the railroads leading to the markets of the country.

From that propitious hour there spread to the East and to the West that movement the germ of which was the right of the public to control those transportation companies until it became the settled law of the land.

When it was first asserted by the people of Minnesota, Iowa, Wisconsin, and Illinois the owners of the railroads denounced it as an interference with private property and private rights. But the old Granger movement, pursuing that great idea that when these corporations are permitted to take private property on which to build their depots and their rights of way that they at once become the servants of the people and their property is subject to public control. [Applause.]

It can not be too strongly emphasized—and I speak of it in connection with this nonpartisan farmers' movement—it can not be too strongly emphasized that that wonderful assertion of a public right was the result of the logical thinking of the farmer as he followed his plow. He reasoned that if the corporation has a right to take his property without his consent, and at a price fixed by the public, on which to build its depot grounds and its right of way it must be in the same position that the county or the State or the township is in when it takes his property to build a highway, to locate a school building, or to build a public institution. That it was taking his property without his consent and at a price fixed by the public—by statute. That it was taking that property under a public right, and that the highway, the iron highway, the depot, the right of way so taken could not be considered as private property.

That was a wonderful piece of reasoning upon the part of the men who followed the plow. And let me say to you that the advanced political thought and the political philosophy, social philosophy, of this country of ours finds the germ and the development and the fruitage upon the farms of the country. [Cheers and applause.]

And it is for that reason that agriculture is the basis of statehood. It is the basis, the stable basis, of a government of the people, by the people, and for the people. So I have faith that this new movement up here, known as the nonpartisan organization, born on the farms of this great old Northwest Territory, contains within it the seeds of a great social and political advancement. [Cheers and applause.]

And, Mr. President and fellow citizens, ladies and gentlemen, I know you will pardon me for harking back to the old Granger movement. I am constrained to believe that this new movement is but another crop of the seeding of that time. Now, fellow citizens, there would not be the slightest occasion in the world for the Nonpartisan League and you would not be able to enlist the farmers of a dozen, 15, or 20 different States in this Union unless there was something fundamentally wrong with our Government.

There is something fundamentally wrong with it. [Cheers and applause.]

Of course—of course, I know that the fellows who are waving the flags of to-day most frantically [laughter], the bloated representatives of wealth, who are shouting loudest for democracy to-day, are trying to invest this particular time with a new form of democracy. [Laughter, cheers, and applause.]

A democracy that has attached to it as a cardinal principle, not liberty, not equality, but profits. [Laughter, applause, and cheers.]

And, my friends, you can not enlist the thinking, intellectual, conservative population found upon the farms of this section of the country, which was known when I was a boy as the old Northwest Territory, you can not stir that population very deeply and very profoundly unless there is a profound reason for it. [Applause.]

And that profound reason, if you will be a bit critical and a bit analytical, you will find is due to the fact that the very men who are shouting at the top of their voices about democracy to-day are the men who have been pillaging the hard-working sons of toil, not only upon the farms but in the factories of the country. [Cheers and applause.]

Oh, fellow citizens, I welcome the advent of this organization, for I know full well that it has already secured a momentum that will carry it forward. [Cheers and applause.]

No orders from some secret-service employees, or from some Department of Justice, will be able to throttle this great movement that stands for real representative government. [Cheers and applause.]

Mr. President, ladies, and gentlemen, when I speak in this tone of voice do you hear me back there? [Laughter.]

Are you able to hear me when I talk in this tone of voice, back there in that alcove? [A voice from the audience: "Yes!"]

Well, all right. [Laughter.] I'll use just a little less voice, then. Because I want to be heard, and at the same time I want to save my voice. [Laughter.] I have got use for it! [Laughter and applause.] And I propose to use it. [A voice: "Good!"]

Our Constitution will never fail us for free speech. [A voice from the audience: "We don't take the Tribune, Bob!"] [Another voice: "Nor the Journal, either!"] [A voice: "We don't subscribe"——]

No; I don't take the political dope of any paper that serves interests hostile to representative government. [Applause and cheers.]

Now, fellow citizens, I came before you here to-night to talk to you particularly about this great movement that you have started up here, and to give you a word of encouragement. To bid you to be brave! Not to be intimidated because there may chance to be sneaking about here and there men who will pull back their coats and show a secret-service badge. [Laughter and applause.]

Until Bunker Hill is destroyed; until Little Round Top, and the Hornet's Nest at Gettysburg shall have been obliterated and relegated to oblivion there shall still be free speech in this country. [Great cheering.]

Mr. President, I have stood all my life for law and order. [Cheers and applause.]

Twenty years ago this very season, at a little farmers' gathering in Ferndale, Wis., I opened the fight against corporate power in that State. [Cheers and applause.]

Mr. POMERENE. I send to the desk the minority report and ask that it may be read for the information of the Senate.

The PRESIDING OFFICER. It will be read.

The Secretary read the views of the minority submitted by Mr. POMERENE, from the Committee on Privileges and Elections, as follows:

I regret not being able to concur in the report of the majority of the Committee on Privileges and Elections recommending the dismissal of the proceedings pending against the Senator from Wisconsin.

The form in which this report shall assume is prompted in part by the course of the arguments leading the majority of the committee to its conclusions.

Under the Constitution the Senate is the judge of the qualifications of its members. The only constitutional qualifications of a Senator are that he shall "have attained to the age of thirty years, and been nine years a citizen of the United States, and, when elected, an inhabitant of the State for which he shall have been chosen." Within these limitations the Senate is the sole judge of the qualifications of its members.

The Senate is authorized to "determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member."

By reason of the authority thus conferred upon the Senate, under the constitutional provisions quoted, I am clearly of the opinion:

First. That, except as stated, there are no limitations upon the power of the Senate to determine the qualifications of its members except those imposed by a sound judicial discretion.

Second. That the Senate may adopt such rules of proceeding as to it may seem proper.

Third. That it may punish its members for "disorderly behavior," and that this power to so punish is only limited by the sound discretion of the Senate, no matter whether disorderly behavior be a statutable offense or not, committed during the session of the Senate, or in recess, in its presence, or beyond it.

It extends, in my judgment, to every kind of disorderly behavior, wherever and whenever committed during his incumbency in office. No Senator can throw aside the habiliments of his office during his term, neither when the Senate is in session, nor when he leaves the Chamber, nor when he is outside of the Capitol. During his term, wherever he is, or whatever he may be doing, he is still a Senator of the United States, under the restraints of his senatorial obligations, which he can not and ought not to be permitted to escape, no matter what his purpose or what the effect may be upon him personally.

Fourth. That, within its discretion, the Senate may try a member and exonerate him, or expel him (with the concurrence of two-thirds), or administer between these two extremes any other punishment which to it may seem fit and proper under all the evidence.

These conclusions are based upon the following considerations:

DISORDERLY BEHAVIOR.

What is meant by "disorderly behavior"? The history of this provision of the Constitution will give some light. When the committee on detail in the Constitutional Convention reported this section, Mr. Madison objected that "the right of expulsion was too important to be exercised by a bare majority of a quorum, and in emergency or factions might be dangerous." He moved to insert the words "with the concurrence of two-thirds." "With this phrase eliminated it must be seen that the words 'for disorderly behavior' qualify both verbs—the word 'punish' and the word 'expel.' With these words inserted, it means that the House may punish its Members and expel them for 'disorderly behavior.'" (Watson on the Constitution, vol. I, p. 290.)

It can not be that the phrase "disorderly behavior" can be limited in its usual acceptation to mean "disorderly conduct," as was contended in the cases below. If that were true, then it must follow that the Framers of the Constitution specifically provided for the punishment and expulsion of Members for "disorderly behavior," using the phrase in a sense so restricted as to include only the higher class of crimes, and leaving without penalty entirely that class of offenses commonly denominated as misdemeanors, or it was made so broad in its scope as to permit of expulsion no matter how frivolous or insignificant the dereliction may have been, and this is not probable. If it had been thus intended to apply this phrase to the higher class of crimes only, some more appropriate term would have been chosen.

It can not be that "disorderly behavior" is synonymous with "disorderly conduct," as these words are commonly understood, because it would be a misnomer to speak of treason, or any of the higher class of crimes, as merely "disorderly conduct."

It can not be that the phrase "disorderly behavior" was intended to include only statutable offenses, because such a restricted construction would leave the Senate powerless to purge itself of the presence of Members who might be guilty of the greatest kind of immorality or impropriety, and which might be even more offensive in the minds of Senators than the purely statutory offenses. In discussing the power to expel in the case of Mr. REED SMOOT, the able Senator from Pennsylvania, Mr. KNOX, said:

"The Constitution enables the Senate to protect itself against improper characters by expelling them by a two-thirds vote if they are guilty of crimes, offensive immorality, disloyalty, or gross impropriety during their terms of service." (CONGRESSIONAL RECORD, vol. 41, p. 2935.)

And I assert that this is true, whether the offenses named are statutory or not.

It can not be that the Senate's power to punish shall be limited to acts or words uttered in the Chamber during a session of the Senate, because, if thus restricted, then a Senator could be guilty of any impropriety, or any immorality, no matter how greatly it might shock the moral sense of the public or how embarrassing it might become to the Senate, and it would be powerless to protect itself. In other words, it is my belief that this language was intended to be all comprehensive and to include disorderly behavior and to give to the Senate the right to punish its Members for any disorderly behavior or for any crime, high or low, wherever committed, during their incumbency in office, and that power is only limited by the sound discretion of the Senate.

Mr. Justice Story, in his work on the Constitution, fifth edition, section 837, says:

"No person can doubt the propriety of the provision authorizing each House to determine the rules of its own proceedings. If the power did not exist, it would be utterly impracticable to transact the business of the Nation, either at all or at least with decency, deliberation, and order. The humblest assembly of men is understood to possess this power, and it would be absurd to deprive the councils of the Nation of a like authority. But the power to make rules would be nugatory, unless it be coupled with a power to punish for disorderly behavior or disobedience to those rules. And as a Member might be so lost to all sense of dignity and duty as to disgrace the House by the grossness of his conduct, or interrupt its deliberations by perpetual violence or clamor, the power to expel for very aggravated misconduct was also indispensable, not as a common but as an ultimate redress for the grievance. But such a power, so summary, and at the same time so subversive of the rights of the people, it was foreseen, might be exerted for mere purposes of faction or party, to remove a patriot, or to aid a corrupt majority; and it has therefore been wisely guarded by the restriction that there shall be a concurrence of two-thirds of the Members to justify an expulsion. This clause requiring a concurrence of two-thirds was not in the original draft of the Constitution, but it was inserted by a vote of 10 States, one being divided. A like general authority to expel exists in the British House of Commons and in the legislative bodies of many of the States composing the Union."

"Disorderly behavior" is the antithesis of good behavior. A Federal judge holds his office during good behavior. The meaning of these words will aid in the construction of the former.

Tucker, in his Constitutional Law, page 418, says:

"These words (good behavior) do not mean that a judge shall decide rightly, but that he shall decide conscientiously. He is not amenable to impeachment for a wrong decision, else when an inferior judge is reversed he would be impeachable; or, in the Supreme Court, a dissenting judge might be held impeachable because a large majority of the court affirmed the law to be otherwise. But if he decides unconscientiously—if he decides contrary to his honest conviction from corrupt partiality—this can not be good behavior, and he is impeachable. Again, if the judge is drunken on the bench, this is ill behavior, for which he is impeachable. And all of these are generally criminal or misdemeanor, for misdemeanor is a synonym for misbehavior. So, if he omits a judicial duty, as well as when he commits a violation of duty, he is guilty of crime or misdemeanor, for, says Blackstone, 'Crime or misdemeanor is an act committed or omitted in violation of a public law either forbidding or commanding it.'"

"To confine the impeachable offenses to those which are made crimes or misdemeanors by statute, or other specific law, would too much constrict the jurisdiction to meet the obvious purpose of the Constitution, which was, by impeachment, to deprive of office those who, by any act of omission or commission, showed clear and flagrant disqualification to hold it. On the other hand, to hold that all departures from, or failures in, duty, which were not willful but due to mistake, inadvertence, or misjudgment, and to let in all offenses at common law, which, by the decisions of the Supreme Court, are not within Federal authority at all, would be to extend the jurisdiction by impeachment far beyond what was obviously the purpose and design of its creation. It must be criminal misbehavior—a purposed defiance of official duty—to disqualify a man from holding office, or disable him from ever after holding office, which constitutes the penalty upon conviction under the impeachment process. The punishment, upon conviction, indicates the character of the crime or misdemeanor for which impeachment is constitutional. If the crime or misdemeanor for which the impeachment is made be not such as to justify the punishment inflicted, we may well conclude it was within the purpose of the Constitution in using the impeachment procedure.

"The same reasoning will apply to other offices of the United States as has thus been applied to the judicial office.

"The power of removal in other offices than the judicial is with the Executive and if exercised by removal the evil of his incumbency is at an end. But if the Executive should refuse to remove an officer who commits a violation of duty, or wholly omits to discharge it; if the appointing power screens from removal one flagrantly delinquent in duty, the impeachment power is the reserve instrumentality by which the Constitution will remove the official delinquent in spite of the action of the Executive in retaining him in the office which he disgraces. His flagrant misbehavior may work, through impeachment, his exclusion from office whom a wicked Executive would perpetuate in the official station he is disqualified to fill."

We are not, however, without guidance on this question in the election cases tried in the Senate.

In July, 1797, William Blount was expelled from the Senate for "a high misdemeanor entirely inconsistent with his public trust and duty as a Senator."

Mr. Blount had written a letter to an American agent among the Indians, attempting to seduce him as a faithful interpreter, and to employ him as an engine to alienate the affections and confidence of the Indians from the public officers of the United States residing among them. "It was not a statutable offense, nor was it committed in his official character, nor was it committed during the session of Congress, nor at the seat of government." By a vote of yeas 25, nays 1, he was expelled from the Senate. Mr. Justice Story says (sec. 838):

"It seems, therefore, to be settled by the Senate, upon full deliberation, that expulsion may be for any misdemeanor which, though not punishable by any statute, is inconsistent with the trust and duty of a Senator."

Mr. Tucker, in his work on the Constitution, concurs in this view.

John Smith, a Senator, was tried by the Senate in April, 1808. He was charged with participation in a conspiracy with Aaron Burr. The motion to expel him lacked one vote of the constitutional majority of two thirds. The vote was: Yeas, 19; nays, 10.

Mr. Justice Story, in discussing this case, says:

"The precise ground of the failure of the motion does not appear; but it may be gathered from the arguments of his counsel that it did not turn upon any doubt that the power of the Senate extended to cases of misdemeanor not done in the presence or view of the body."

ESPIONAGE ACT OF JUNE 15, 1917.

Now, in light of what I conceive to be the unlimited power of the Senate to determine the rules of its proceedings, to punish its Members for disorderly behavior, and, with the concurrence of two-thirds, to expel a Member, let us examine the situation as it stood at the time when the mind while considering the charges which have been filed with the Senate against Senator LA FOLLETTE.

On April 6, 1917, the Congress of the United States declared a state of war against the German Imperial Government, the greatest military power of modern times.

On May 18, 1917, Congress passed a draft law providing for the creation of an army to carry on the war, and by its terms required all male persons between the ages of 21 and 31, inclusive, to enroll or register for military service, excluding, of course, aliens who had not declared their intention to become citizens, and made them subject to call by the President from time to time into the military and naval forces of the United States; and by the law of the land these men constituted a part of the military and naval forces of the country.

On June 5, 1917, the registration of all men within the military age began throughout the entire country.

On June 15, 1917, the Congress passed the so-called espionage act making it a penal offense, punishable by fine or imprisonment, or both, for anyone when the United States is at war—

First. "To willfully make or convey false reports or false statements with intent to interfere with the operation or success of the military or naval forces of the United States, or to promote the success of its enemies;" or

Second. "To willfully cause or attempt to cause insubordination, disloyalty, mutiny, or refusal of duty in the military or naval forces of the United States;" or

Third. "To willfully obstruct the recruiting or enlistment service of the United States to the injury of the service of the United States."

MILITARY CONDITIONS IN THE COUNTRY.

On September 5, 1917, the first call was issued for 687,000 men, and other calls were made thereafter at short intervals. The young men thus called, and to be called, to the colors, came from all sections of the country. With rare exceptions they responded with alacrity for the defense of their country and for the protection of humanity.

On September 20, 1917, Senator LA FOLLETTE made the speech which is the subject of controversy before the Nonpartisan League in St. Paul, Minn.

At this time it was within common knowledge of the people generally that the I. W. W.'s, the extreme Socialists, the well-intentioned but misguided pacifists, and certain German propagandists were sowing the seeds of dissension and insubordination, and spreading their poison throughout the country for the purpose of discrediting the Government in its prosecution of the war. Some of them were taking this course because they were opposed to all war; others because they were opposed to this war; and still others because they were using their utmost endeavors to aid the enemy and to render impotent, so far as they could, our own forces. State and local authorities and the loyal citizens of the land, with the approval of the Government, were organizing associations for the purpose of checking acts of disloyalty and sedition in their respective communities, and among these organizations was the Minnesota Public Safety Commission, which filed the complaint now under consideration.

On May 7, 1915, the *Lusitania* was sunk by a German submarine with a loss of more than 1,100 lives, 114 of whom were American citizens, without warning, and without providing for the safety of the passengers and those who sympathized with her.

But this was not all. Before Congress passed the joint resolution declaring a state of war, the German submarines had sunk in the same way and by the same means 20 American vessels with a total loss of human life aggregating nearly 200 American lives. After repeated negotiations covering almost a year, on the 4th day of May, 1916, the German Imperial Government sent its note to the United States advising this Government that Germany had given instructions to her submarine commanders not to sink vessels without giving warning and without caring for the safety of passengers and crew in conformity with the rules of international law, unless they sought to escape; but intimated that upon certain contingencies this mode of warfare might be resumed. With this announcement the country believed the crisis had passed and all minor controversies could be adjusted, and except for Germany's subsequent aggressions there would have been no war.

But on January 31, 1917, the United States was advised that after February 1, 1917, Germany would resume without restrictions her submarine warfare on belligerent and neutral ships alike that would pass through a war zone estimated to be 1,400 miles long and 400 miles wide, through which nine-tenths of its commerce, aggregating at that time more than $6,000,000,000 annually, would have to pass; that only one ship could go each week, on Thursday, into Great Britain from the United States, and one ship return on Sunday, each week, from Great Britain. Only one day's notice was given to us, notwithstanding the fact that the German Imperial Government had determined as early as January 19 to resume this warfare, as is evidenced by the message which was sent to Bernstorff to be transmitted to the German ambassador in Mexico urging him to incite Mexico and Japan to begin war against us.

These were among the causes that led to the war, and these facts must have been known to the Senator from Wisconsin, and yet in his speech at St. Paul he said:

"Now, fellow citizens, we are in the midst of a war. For my own part I was not in favor of beginning the war. [Cheers and applause.]

"I do not mean to say that we had not suffered grievances; we had—[A voice: "Yes!"] at the hands of Germany. Serious grievances! [A voice: "You bet!"]

"We had cause for complaint. They had interfered with the right of American citizens to travel upon the high seas—on ships loaded with munitions for Great Britain. [Laughter, cheers, and applause.]

"Let me have the time; I have got to catch a train—unless I am stopped by somebody [laughter], and I have never been stopped yet! [Laughter and applause.]

"Cut it out. Let me have the time. I would not be understood as saying that we did not have grievances. We did. And upon those grievances, which I regarded as insufficient, considering the amount involved and the rights involved, which was the right to ship munitions to Great Britain with American passengers on board to secure a safe transit. [Laughter and applause.]

"We had a right, a technical right, to ship the munitions, and the American citizens have a technical right to ride on those vessels. I was not in favor of the riding on them [laughter], because it seemed to me that the consequences resulting from any destruction of life that might occur, would be so awful—[A voice: "Yellow!"]

"What did you say? [A voice: "Yellow!"]

"Any man who says that in an audience where he can conceal his identity is yellow himself. [Many cries: "Put him out!" "Put him out!"]

"Sit down everybody. I do not want any of that in an audience where I am speaking. [Cries of "Order!" "Order!"]

"All I want is order. I will take care of everybody that interrupts if you will just give me the chance. [Cheers and applause.]

"I say this, that the comparatively small privilege of the right of an American citizen to ride on a munition-loaded ship flying a foreign flag is too small to involve this Government in the loss of millions and millions of lives! [Cheers and applause.]

"Now—[A voice interrupting: "Where is the yellow guy now?"] [Another voice: "Give it to him, LA FOLLETTE!"] [Order!]

"Now, fellow citizens, I didn't believe that we should have gone into this war for that poor privilege. [A voice: "Nobody else!"]

"The right of an American citizen to travel upon a foreign vessel loaded with munitions of war. Because——[Another interruption.]

"Wait just a minute. Let me state my position. Because a foreign vessel loaded with munitions of war is technically foreign territory [cheers and applause], and an American citizen takes his life in his own hands, just as much as he would if he were on the territory of France and camped in the neighborhood of an arsenal! [Cheers and applause.]

"Mr. President, it has sometimes occurred to me that the shippers of munitions of war, who were making enormous profits out of the business, invited and encouraged American citizens to ride on those ships, in order to give a sort of semblance of safety to the passage of their profiteering cargo abroad. [Cheers and applause.]

"But, Mr. President, we went into the war by the adoption by Congress of a declaration of war in constitutional form. [Applause.] I was not in favor of going into the war illegally.

"I resisted the right to arm merchantmen, when I knew that that would result in producing a condition that would bring about war without a declaration by Congress; and the Constitution says that Congress, not the acts of the President, shall bring on a war with a foreign government. [Cheers and applause.]

"But war was declared, and lawfully declared.

"It was not brought about by an unlawful and piratical arming of merchant ships. I had a little bit to do with stopping that on the 4th of March, and I put it to my everlasting credit that I was able to do it. [Cheers and applause.] We are in the war. And, at least, we are lawfully in the war.

"Now, then, the war entails expenses. [Laughter.]

"You can not run a war in these days without paying for it. [Laughter.]

"It is a costly enterprise. Every one of the nations, the belligerent nations of Europe, are reeling under the financial burdens that war—this war of all wars in the history of the world—has laid upon them. Every one of the foreign nations up to last April, when we entered the war, had passed the line of safety, so far as ever being able to redeem their financial obligations were concerned. Every one except Great Britain. Whenever any government is paying out for its obligations more than—for its current obligations—more than 25 per cent of its income, that nation has passed the line where it is safe to loan to it. [Applause.]

"Every belligerent nation in Europe last April, except Great Britain, had passed that line. Never—this is a truism to say—never before in the history of the human race was a war in progress that so, day by day, hour by hour, moment by moment, sapped the very lifeblood, the financial lifeblood, of the existence of the nation as a stable entity.

"And, fellow citizens, it behooves a nation to consider well before it enters upon a war of that sort, how much it has got at stake. If all it has got at stake is the loans of the house of Morgan made to foreign governments, and the profits that the munition makers will earn in shipping their products to foreign countries, then I think it ought to be weighed not in a common hay scale but in an apothecary's scale. [Laughter and applause.]

"Ah, but somebody will tell you American rights are involved.

"What American rights? The right of some person to ride upon a munition-laden vessel in violation of an American statute, that no vessel that carries explosives shall carry passengers. [Cheers and applause.]

"Four days before the *Lusitania* sailed President Wilson was warned in person by Secretary of State Bryan, that the *Lusitania* had 6,000,000 rounds of ammunition on board, besides explosives; and that the passengers who proposed to sail on that vessel were sailing in violation of a statute of this country; that no passenger shall sail or travel upon a railroad train or upon a vessel which carries dangerous explosives. [Cheers and applause.]

"And Secretary Bryan appealed to President Wilson to stop passengers from sailing on the *Lusitania*.

"I am giving you some history that probably has not been given you here before. [Cheers.]

"So, I say that the grievances that carried this country into war, into a war the limits of which, as to the loss of life, and the burdens—financial burdens—that shall be laid upon us, can not be calculated by any man—I say that the conditions that carried us into that war needed to be weighed carefully. For I enunciate no new doctrine. I say what Daniel Webster said when the Mexican war was on at full tilt—that it is the right of the people of this country to determine for themselves whether there has been a sufficient grievance for the people to incur all of the burdens and risks that go with the entrance into war."

DISCUSSION OF SPEECH.

For the purposes of this report I shall pass over that part of Senator LA FOLLETTE's address which describes his personal services in the West, or give his views concerning the financing of the war, and deal only with that portion which speaks of the causes leading up to the war and of our motives for entering it.

Seven different times in less than two pages of printed matter, with little variation, he tells his audience in substance either that we went to war to [illegible] an American citizen to travel upon the high seas on a foreign-owned munition-laden ship or that he did not believe that we should have gone into the war for that "poor privilege." And each time he uses this language the stenographic reports of the speech show that his sentiments were met by the audience with "laughter, cheers, and applause" or "with cheers and applause," clearly indicating the audience of his statements upon his audience. Either they believed his statement that the United States had gone to war for this "poor privilege" and applauded it because they did not think it sufficient cause for war, or they knew it was not true and approved this slander upon the Government. Whatever may have been the reason for these demonstrations, the effect of the speech was wholly vicious.

Again he says:

"Mr. President, it has sometimes occurred to me that the shippers of munitions of war, who are making enormous profits out of the business, should not have encouraged American citizens to ride on those ships in order to give a sort of semblance of safety to the passage of their profiteering cargoes abroad."

And again the sentiment is met with "applause." What inference can be drawn except that it was the intention of the speaker to make it appear to his audience that the manufacturers of munitions were in fact encouraging American citizens to ride on these ships in order to give a semblance of safety to their business? What proof can be adduced for such an assertion? Everyone knows that Senator LA FOLLETTE was opposed to entering the war, but that was no reason why he should misrepresent the attitude of the President or of 82 Senators and of 373 Congressmen who voted in favor of a declaration of a state of war. Why should he seek thus to discredit the cause of America? Is not the Senate interested in finding out?

Again he says:

"If all it (the Nation) has got at stake is the loans the house of Morgan makes to foreign Governments and the profits that munition makers will earn in shipping their products to foreign countries, then I think it ought to be weighed not in a common hay scales but in an apothecary's scales."

And this sentiment again is met with applause. What was the purpose in making this statement? Of course, the Senator does not say that all we had at stake was the loans of the house of Morgan to foreign Governments and the profits munition makers were earning in shipping their products to foreign countries, but that is the impression he leaves with his audience; and who will pretend to say that any proof exists anywhere that these were the only issues at stake when we entered the war?

Again he says:

"Four days before the *Lusitania* sailed President Wilson was warned in person by Secretary of State Bryan that the *Lusitania* had 4,000,000 rounds of ammunition on board, besides explosives, and that the passengers who proposed to sail on that vessel were sailing in violation of a statute of this country, that no passengers should travel upon a railroad train or sail upon a vessel which carried dangerous explosives."

And the sentiment is applauded.

The facts so far as the committee is now advised concerning them are: Mr. Bryan says that he had no knowledge that there were any munitions aboard this vessel until some days after it had been sunk, and he, therefore, could not have made the statement credited to him. I am informed that if put to the proof Senator LA FOLLETTE would claim that he had been so told by a newspaper reporter in whose statements he had full faith.

The statute alleged to have been violated is section 8995, and it provides that:

"It shall not be lawful to take, carry, or have on board of any such steamship or other vessel any nitroglycerine, dynamite, or any other explosive or compound, nor any vitriol or like acids, nor gunpowder, except for the ship's use, nor any article or number of articles, whether as a cargo or ballast, which, by reason of the nature or quantity or mode of storage thereof, shall, either singly or collectively, be likely to endanger the health or lives of the passengers or the safety of the vessel," etc.

There was a large amount of small-arm munitions aboard, but the Commerce Department has held that this statute did not prevent the shipment of small-arm munitions, because they are not held to be dangerous explosives within the meaning of this section. There were empty shells aboard, but they did not contain either charges or fuses.

The committee was not advised that the passengers had any knowledge of the presence of small-arm munitions, and even if they had there was no statute preventing their sailing because of these munitions; and if they had sailed with this knowledge, surely that can not be a reason why Germany, by her submarines, without notice and without warning, should sink the vessel, thereby causing the death of innocent men, women, and children aboard her.

The Senator from Wisconsin has been in public life for many years. He has been a Member of the Senate since 1905.

Presumably he heard the various messages to the Congress delivered by the President discussing Germany's aggressions during the prewar period.

Presumably he was familiar with the notes exchanged between our Government and the German Imperial Government.

Presumably he knew that with the German note of May 4, 1916, pledging that passenger vessels would not be sunk without warning and without saving human lives, the *Lusitania* disaster was practically an impossibility.

Presumably he was familiar with the causes which led up to the war, and yet, with all the prestige of a long service in the Senate at the Capital of the Nation, he tells his audience that we went to war "for the poor privilege of establishing the right of an American citizen to travel upon a foreign-owned vessel loaded with munitions of war." He wholly ignores the real causes which led to the war, and which I have in part detailed in the earlier part of this report. He ignores the fact that a compliance with the German Imperial Government's order of January 31, giving notice that after February 1, 1917, all vessels which appeared in the war zone would be sunk, would, if put in effect, deny to 110,000,000 of people a foreign commerce aggregating $2,000,000,000 annually.

What excuse has the Senator from Wisconsin made for these statements? I have heard none. What must have been the effect upon his audience? The transcript of his speech shows that these particular parts of it were punctured with applause. Were those who applauded disloyal at heart, or were they ignorant of the real causes of our declaring war to war and agreed with him that we did not have cause for entering the war?

Presumably there were in this audience men and women of all classes and shades of opinion, men who constituted a part of the military and naval forces of the United States, as well as those who were older or younger—parents, perhaps, of boys who had gone to the front to serve their country. What effect would such language have upon these people gathered together for the purpose of hearing a message from the Capital of the Nation?

If it were true that we only went to war for the purpose of establishing the right of an American citizen to sail on a munition-laden, foreign-owned vessel, without warning and without caring for the safety of passengers and crew, it would have been justified, but does anyone feel that the war would have received the same united and enthusiastic support given to it by the American people? If young men of military age were in the audience, who were about to be called to arms, would not their ardor have cooled if they believed his speech? If the fathers and mothers of these young men were present, might they not have been persuaded that they ought not to be asked to make no great a sacrifice as the war would entail for "that poor privilege"? Would not it have helped to arouse their indignation? Would not its natural effect have been to cause "insubordination" or acts of "disloyalty" or "failure of duty" if an attempt were made to compel young men to go into the service for such a cause? Would it not have tended to obstruct the recruiting or enlistment service of the United States, to the injury of that service? Men usually intend what they say. In peace-loving America my belief is that the less the cause for war the less will be the enthusiasm for it.

If these statements had been made by one who was not accustomed to public speaking, or by a private individual who did not appear upon the platform in the habiliments of his office, less serious consequences might be expected to follow. But when one of the Senators of a great Commonwealth, exercising the functions of his office, appears upon the platform to discuss in the presence of his fellow citizens such commanding questions as the cause of the war, while we are in the midst of preparations for it, we must not overestimate or underestimate the weight of his words.

These statements could not have been made by accident or slip of the tongue, because the same thought, if not the very same language, is repeated several times within the space of a few minutes.

Counsel for Senator LA FOLLETTE, in his argument before the committee, had much to say on the subject of freedom of speech. I yield to no one in my desire to preserve this right in its entirety; but he has cited the committee to no authority, and Senators will look in vain for any authority which makes freedom of speech a shield by which the speaker may protect himself from the consequences of misstatement. Freedom of speech can not be pleaded in defense to justify the slander of the chastity of a woman or the honor of a man, or the cause of a country when in the throes of the most terrible war ever waged.

That this speech shocked the loyal and patriotic people of Minnesota is evidenced by the fact that the Minnesota Commission of Public Safety, composed of the governor of that great State and eminent citizens associated with him, presented to the Senate a memorial in which it was recited that the Senator from Wisconsin had made an "address of a disloyal and seditious nature at a public meeting before a large audience." * * * Also that "the utterances of Senator LA FOLLETTE, with all the prestige of his high office as a Senator of the United States * * * have already served to create treasonable sentiments in the State of Minnesota, and being spread through the public press, can have no other effect than to weaken the support of the Government in carrying on the war."

The evidence is not all before the committee of the Senate. I do not say in the present state of the record that Senator LA FOLLETTE should be expelled from the Senate, or that he should be convicted of a criminal offense under section 3 of the espionage act; but I do say that applying the principles of criminal law which are known to every lawyer, a grand jury inquiring into the case, with no other evidence before them than the speech itself, and the facts as in this report cited, would have been justified in returning an indictment against him for violation of the espionage law. And I further say that with this evidence, and none other, before a petit jury, it would have been justified in returning a verdict of guilty under this section of the statute, and no court would have disturbed it.

If there is any reasonable explanation which can be made of these utterances which would tend to prove an innocent purpose, such explanation ought to be given to the end that no injustice may be done, and that it may not be charged that the United States Senate passes lightly over wrongful speech by Senators while others are criminally prosecuted for offenses, in my judgment, no less severe.

Assume, for the sake of the argument, that United States Senators should have appeared in every important community within our borders and made like speeches. What would have been the effect upon the morale of the country? Could anything have been more gratifying to the heart of the German Kaiser? Would not such speeches have given some "aid and comfort" to the enemy?

Thus far I have discussed the facts, as I understand them, as if the speech were made in violation of the provisions of a criminal statute. Whether this is true or not is of little consequence so far as the duty of the Senate is concerned. The effect of the language upon the Senator's audience was the same, whether the language was within the inhibitions of a Federal statute or not. The effect upon their morale was the same. Men in peace-loving America do not willingly go to war unless there is found to be an urgent necessity for it. The rights and privileges of a private citizen should be and are guarded by the limitations of the written law, but the propriety or the impropriety of a Senator's utterances ought not alone to be determined by its limitations. I submit that a United States Senator ought to be more circumspect in his public speech before his fellow citizens who are in private life; and he ought not to give utterance to statements of fact which mislead people in time of war, whether his utterances infringe the criminal law or not.

I submit that men in high places should not either by word or deed so demean themselves as to lead from the path of duty those less well informed. Who can doubt the statement of the Minnesota Commission of Public Safety that the effect of the speech was to create treasonable sentiment in the State? Men usually intend the natural consequences of their utterances and of their acts.

It is true that the Committee on Privileges and Elections does not have all the testimony before it. It has no word from the Senator from Wisconsin which even tends to modify or explain away the natural effect of his utterances, save that he can substantiate every statement made in the speech, that he believed in their accuracy at the time they were made, and still believes them to be correct.

It is not the purpose of this report to prejudge the case, because the evidence has not as yet been completed. The views herein expressed are, of course, subject to such modification as a fuller hearing might require. All I mean to say is that in the present state of the record I am perfectly clear that there should be a full and complete hearing to the end—

First. That the Senator from Wisconsin can be completely exonerated if the testimony justifies it.

Second. That he may be expelled if the testimony justifies it.

Third. That the Senate may pass a vote of censure or administer such other punishment as the testimony may justify.

This, in my judgment, is a duty which we owe to the Senator from Wisconsin, to the United States Senate itself, and to the public. More we ought not to do, and less we can not be expected to do.

ATLEE POMERENE.

Mr. DILLINGHAM. Mr. President, the report of the committee presenting the resolution which has been read to the Senate contains a copy of the entire speech that was made by Senator LA FOLLETTE; it has been laid before the Senate, and I presume has been read by everybody. In view of the situation in the Senate, the fact that this matter has been brought up at this time by the courtesy of the chairman of the committee in charge of the pending legislation, I am perfectly willing that the vote of the Senate shall be taken upon the resolution without any further explanation on the part of the committee.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

Mr. POMERENE. On agreeing to the resolution, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. WILLIAMS. Mr. President, I do not quite understand what the proposition is that is now being presented to the Senate.

The PRESIDING OFFICER. The question is on the adoption of the resolution submitted by the Senator from Vermont, which the Secretary will read.

The Secretary read the resolution (S. Res. 300), as follows:

Resolved, That the resolutions of the Minnesota Commission of Public Safety petitioning the Senate of the United States to institute proceedings looking to the expulsion of ROBERT M. LA FOLLETTE from the Senate, because of a speech delivered by him at St. Paul, Minn., on September 20, 1917, be, and the same hereby are, dismissed for the reason that the speech in question does not justify any action by the Senate.

Mr. WILLIAMS. Mr. President, I have a few words to say about that. If I understand that resolution, it means that the fault committed by the Senator from Wisconsin in his St. Paul speech is to be passed over by the Senate without animadversion or criticism. Am I correct?

Mr. President, as I read the speech made by the Senator from Wisconsin in St. Paul, it was a series of false statements, and not only a series of false statements but a series of false statements which must have been consciously made. I find in that speech a charge that the United States went to war to protect "Morgan interests" of some sort or other. I find in that speech a charge that we went to war and sacrificed our children in order that rich Americans might ride on British munition-armed ships. I do not think I have misunderstood the speech as quoted in the report. I do not think I misread it the day after it was published. It is an everlasting lie that these United States went to war in order to protect any Morgan interests or any capitalistic interests of any sort. It is also an everlasting lie that the people of these United States ever sent their boys to be fed as cannon fodder in Europe in order that American citizens might ride upon munition ships. It is an everlasting lie that the *Lusitania* was armed or had dangerous explosives aboard, and that any law of the United States was ever violated by any American citizen who took passage upon the *Lusitania*. It is an everlasting lie that the 114 American citizens—men, women, and children—who went to their graves unkelled and unsung upon that memorable day of German barbarity went there to uphold the doctrine of capitalism, or of money-making, or of the right to protect a foreign ship under a foreign flag by American citizenship while it was carrying dangerous explosives.

I for one do not want the history of the United States to be written so that my children or grandchildren shall read that I sat quietly still while the United States Senate said that all that made no difference. I have seen ignorant boys arrested and tried and condemned, some few of them to death and some more of them to prison, for doing things and saying things that amounted to much less than this St. Paul speech.

I have no personal animosity to the Senator from Wisconsin, and he knows it. I have been good to him in days that have gone by, and he knows it; but I have no glad hand of welcome to extend to any enemy of my country when my country is in war, and I have no glad hand of welcome to extend to any man that slanders my country, that tells falsehoods about it, and I do not care whether he is a Senator or whether he is a plowboy, except that I can forgive the plowboy because of his ignorance.

Here we were engaged in a great war for the defense of the civilization and the liberty of the world. Every boy that could go went, or nearly every one—a whole lot of them, at any rate—except the few who were poisoned by this sort of literature. Is it to be said, for all time to come, that a Senator of the United States is to be held absolutely blameless while he announces to the world that my boys and your boys, some of them died, some of them were crippled, and some of them came back happily home, while they fought for the civilization of the world—is it to be held that he is blameless because he is not a plowboy when he says that we went to war "in the Morgan interest," when he says that we went to war in order that men might secure safe passage upon munition ships, in order that we might protect explosives by putting passengers aboard? Is it to be considered for one minute that he is blameless and that we have nothing to do with his utterances when he not only asserts that, but asserts more than that?

He asserts, in effect, that the American Republic has been guilty of hypocrisy and cowardice, and especially of hypocrisy; that it has gone to the Old World with the word in its mouth that it was fighting for the liberty of the world and for the democracy of the world and to make democracy safe in the world, when, as a matter of fact, it was fighting for "the Morgan interest," or it was fighting for a safe place for a ship on the ocean carrying high explosives protected by the presence of American women and children! Then he goes a little bit further in that speech at St. Paul, and he has the audacity to say that Mr. Bernstorff, as ambassador from Germany, gave us notice to keep off the ship. Gave us notice!—gave us! Who in the devil are we? We are the American people, under the providence of God. This little miserable Kaiser, who has since been dethroned to the gratification of the entire world, gave us notice, through his ambassador, that we might be hurt if we went on this ship, and then we were guilty of audacity and folly and insanity because we went on the ship, and 114 American citizens—most of them women and children—did not have cowardice enough to take the German warning and keep off the ship and went down unkelled and unsung and unshriven, and went down as Americans do go down, thank God, not a man of them deserting his post; every man giving place to a woman or child; every member of the crew, although they were British—but they speak English all the same—giving place to a woman or a child; all of them went down.

My children are to believe, and their children's children are to believe, that this Senate is going to pass over this thing in silence; that it was perfectly allowable for a man, provided he was a United States Senator, to say that these men, women, and children had no business there; they had no place there; they ought to have taken the warning of the German ambassador; they ought to have been scared by the German Kaiser; they ought to have been cowards, and not Americans!

Oh, Mr. President, I do not understand that. Maybe it is because I am more or less of a barbarian, something of a southerner in my ways; but I do not understand that. I do not understand why giving me a warning that I will be murdered if I go where I have a right to be ought to keep me from going there. I will go, so help me God! I will go every morning before breakfast and every night before I go to bed, and I believe I would go quicker after you told me that I should not than I would if you had not told me so.

Oh, this speech in St. Paul! I do not know what the Senator thought. I have begun to believe that he does not think; that if he thought anything at all, he thought that the self-seekers, the sloth lovers, the peace worshipers, the men and women who are willing to give up everything in the world in order that they may have a nice, easy time, would finally control America, and that somehow or other he or somebody else advocating that sort of doctrine would come out in front.

There is a peculiar thing about humanity, Mr. President, and that is this: In its ordinary days it loves pleasure. I understand why it loves it. I love it more than anybody. But when the days of crises come, the great days that invoke the human soul, the ordinary man rises above the measure which the Senator from Wisconsin meted out to him. He becomes inspired as by the voice of God running through all the history of the world. He sacrifices himself, his property, his children—and above all, his children—that is the hardest part of it. He is willing to see it all go into the melting pot rather than that anything false should exist. God calls to him from the depths—de profundis—and he answers with his whole soul; and, answering with his whole soul, he has no patience—not only not a little patience but no patience at all—for any man who makes this appeal to his ordinary, everyday life. He rises above it all. He becomes the son of God. Nine years out of ten, or ninety-nine out of one hundred, he does not know that he is the son of God; but in those peculiar days he does know it, and he knows that he would not fight for "the Morgan in-

terests," nor for "capitalistic enterprise," and that he would not fight and that he would not die and that he would not sacrifice his children for any of the base purposes mentioned in that speech of the Senator from Wisconsin at St. Paul.

It is given to all of us, Mr. President, just about once in our lifetime, to rise to the heights. That time was given to all of us during this war; and those of us who did not rise to the heights were just common clay, miserably common clay, devil-impulsed common clay; and those who could rise to the heights rose, and the American people as a whole rose. There were traitors, of course. There were profiteers, of course.

Men generally may be likened to animals of some sort or other. One is like a lion, another is like a fox, another is like a wolf, another is like a vulture; and when you come to measure them up at a great time like the breaking out of the Civil War—especially in the South, even more than in the North, but in both sections—and when you come to measuring men at this time, you find out where the man is. There is the watchdog, the English-mastiff man; the Newfoundland, who rushes to the rescue of home, the watchdog of the household. Nine-tenths of the American people resemble him. Then there comes a vulture, who swoops down and tries to get some little bit of carrion out of what is left, somehow, and who tries to feed himself and his little vulture family with it all. Then there is another type for which the animal kingdom does not present any analogy, because no wolf was ever unfaithful to wolves; no fox was ever unfaithful to foxes; no vulture, even, was ever unfaithful to vultures. We come to the disloyal among human beings, for whom there is no analogy in animal life at all.

You, the Senator from Vermont, the author of this resolution—a gentleman from the soles of his feet to the top of his head, every inch of him—you, by this resolution, are attributing to yourself the idea that that sort of thing is to go on unscathed, unblemished, uncriticized, and unpunished.

Mr. DILLINGHAM. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Vermont?

Mr. WILLIAMS. Certainly.

Mr. DILLINGHAM. I want to say that the Committee on Privileges and Elections had the resolutions of the Minnesota society under consideration for 14 months. They had before them the whole speech as reported by that committee, and the whole speech that was furnished to them by the Senator from Wisconsin, as reported by another reporter. They considered the whole speech, rather than the fragment which has been discussed by the Senator from Mississippi here to-day. They examined it in the light of every circumstance that was advanced. They had a compilation of authorities that was prepared, as I understand, in the Department of Justice, which covered the entire question, and the opening passage of which was that the whole speech should be read, because undoubtedly the tenor of the speech tends to throw light upon the intent with which certain statements which are challenged were uttered. Among other things the Senator, after stating that there was something wrong with our Government, said—and then follows what has been quoted from so freely here to-day.

Now, what I want to say to the Senator, in answer to his personal appeal to me, is that after having considered that at repeated meetings for 14 months, examining the whole question from the standpoint of lawyers and from the standpoint of precedent, the vote of that committee in recommending that the resolution of the Minnesota society be dismissed was entirely nonpartisan. It was 9 to 2. There were 11 members of the committee present; and the vote was nonpartisan, too, because the majority of voters consisted of Messrs. REED, VARDAMAN, WOLCOTT, ASHURST, DILLINGHAM, KENYON, SHERMAN, KNOX, and KELLOGG.

Mr. WILLIAMS. Mr. President, every whole must be made up out of its several parts. I imagine that the Senator from Vermont will not accuse me of any inaccuracy in any quotation that I have made from the speech made at St. Paul by the Senator from Wisconsin. I do not care about how a blacksnake smothers a bird over with its slime before it swallows it. I want to know about the slime; I want to know about the poison; I want to know about the swallowing which is coming first. The Senator does not deny, the Senator will not deny, that in the speech made by the Senator from Wisconsin at St. Paul were these assertions to which I have referred, and which are a calumny and a slander upon the American people, and upon my boys who fought in France, and upon Theodore Roosevelt's boys who fought in France, and upon everybody else's boys who fought there. It is an everlasting falsehood to state that we entered this war for the reason stated by the Senator from Wisconsin in his St. Paul speech.

Now, I do not care about the Senator's telling me that it took 14 months to measure up this speech as a whole. It has not taken me more than about 50 minutes to measure up the parts of it as parts, and they are sufficiently objectionable; and they were meant; they were not accidental. They were the deliberate judgment of the man who made the speech, and he has not yet apologized for them, and he will not. He has not the moral courage to do it. There it is. There is the statement—apology for the sinking of the *Lusitania* on the ground that they were forewarned, and that Bryan had made a statement to the effect that the *Lusitania* had explosives on it, and it turns out that that is false. Bryan never said anything of the sort. That is a lie, too. The Senator from Wisconsin either knew Bryan never said anything of the sort or he was speaking without sufficient information, and I take it that he was speaking without sufficient information. There is this difference between a falsehood and a lie: A falsehood is a false statement of fact when you do not know it is false; a lie is a false statement of fact when you do know that it is false. It does not make any difference to me which one of these two theories shall prevail about these particular utterances in that particular speech.

I do not care whether the next balance of power in the Senate between Democrats and Republicans is held by the slender vote of one or not. That is not disturbing me. I say that speech at St. Paul was disloyal in spirit, disloyal in words, disloyal in intendment, disloyal in effect, and disloyal with a set purpose. I say here standing on my two feet—there is not much to me, not much physically, intellectually, or morally, the poor weak creature that God made me, and perhaps that God ought to regret having made—I can not understand it in any other way, and I am not going to let my children and grandchildren misunderstand my attitude toward this resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution reported from the Committee on Privileges and Elections, on which the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I have a pair with the junior Senator from Georgia [Mr. HARDWICK]. I understand that if he were present he would vote the same way I would, and therefore I will vote. I vote "yea."

Mr. DILLINGHAM (when his name was called.) I have a general pair with the senior Senator from Maryland [Mr. SMITH], but I am excused from that pair on this occasion and vote "yea."

Mr. KENDRICK (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL]. He is absent from the Senate, and therefore I withhold my vote.

Mr. SAULSBURY (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. COLT], which I transfer to the senior Senator from Nebraska [Mr. HITCHCOCK], and vote "nay."

Mr. SMITH of South Carolina (when his name was called). I am paired with the Senator from South Dakota [Mr. STERLING], who is absent, and I withhold my vote.

Mr. CURTIS. I was requested to announce the absence of the Senator from South Dakota on account of a death in his family.

Mr. THOMAS (when his name was called). Has the senior Senator from North Dakota [Mr. MCCUMBER] voted?

The PRESIDING OFFICER. The Chair is informed that that Senator has not voted.

Mr. THOMAS. I have a general pair with the senior Senator from North Dakota. As he is absent, I withhold my vote. If I were at liberty to vote, I would vote "yea."

Mr. TOWNSEND (when his name was called). I have a pair with the senior Senator from Arkansas [Mr. ROBINSON], which I transfer to the junior Senator from Georgia [Mr. HARDWICK] and vote "yea."

Mr. UNDERWOOD (when his name was called). I desire to ascertain whether the junior Senator from Ohio [Mr. HARDING] has voted.

The PRESIDING OFFICER. The Chair is informed that that Senator has not voted.

Mr. UNDERWOOD. I have a general pair with the junior Senator from Ohio, and in his absence I withhold my vote.

Mr. WARREN (when his name was called). I inquire if the junior Senator from North Carolina [Mr. OVERMAN] has voted?

The PRESIDING OFFICER. The Chair is informed that that Senator has not voted.

Mr. WARREN. I have a general pair with the junior Senator from North Carolina. I transfer that pair to the junior Senator from New Jersey [Mr. BAIRD], so that the junior Senator from

North Carolina will stand paired with the junior Senator from New Jersey, and I vote "yea."

The roll call was concluded.

Mr. CALDER (after having voted in the affirmative). Has the junior Senator from Rhode Island [Mr. GERRY] voted?

The PRESIDING OFFICER. The Senator is not recorded.

Mr. CALDER. I have a general pair with the junior Senator from Rhode Island. In view of his absence, I withdraw my vote.

Mr. LODGE. The Senator from Georgia [Mr. SMITH], with whom I have a general pair, I do not see in the Chamber. I will ask if he has voted.

The PRESIDING OFFICER. The Chair is informed that that Senator has not voted.

Mr. LODGE. Then I am unable to vote. If I were able to vote I would vote "yea."

Mr. SHERMAN. Has the senior Senator from Kansas [Mr. THOMPSON] voted?

The PRESIDING OFFICER. The Chair is informed that that Senator has not voted.

Mr. SHERMAN. I have a pair with the senior Senator from Kansas, and therefore will be compelled to withhold my vote. If I were at liberty to vote, I would vote "yea."

Mr. KIRBY. I announce the unavoidable absence of my colleague [Mr. ROBINSON], who is detained on account of sickness.

Mr. LODGE. I am informed that the Senator from Georgia [Mr. SMITH], if present, would vote as I intend to vote. So I vote "yea."

Mr. THOMAS. I transfer my pair with the senior Senator from North Dakota [Mr. MCCUMBER] to the Senator from Oklahoma [Mr. GORE; and vote "yea."

Mr. SMITH of Georgia. I vote "yea."

Mr. LEWIS. I desire to announce that the Senator from Rhode Island [Mr. GERRY] is detained on official business.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS].

The result was announced—yeas 50, nays 21, as follows:

YEAS—50.

Ashurst	Johnson, Cal.	Moses	Spencer
Bankhead	Jones, Wash.	Nelson	Sutherland
Beckham	Kellogg	New	Swanson
Borah	Kenyon	Norris	Thomas
Chamberlain	King	Nugent	Townsend
Cummins	Kirby	Page	Vardaman
Curtis	Knox	Penrose	Wadsworth
Dillingham	Lenroot	Phelan	Warren
Fernald	Lewis	Poindexter	Watson
France	Lodge	Reed	Weeks
Frelinghuysen	McLean	Shafroth	Wolcott
Gronna	McNary	Smith, Ga.	
Hale	Martin, Va.	Smoot	

NAYS—21.

Culberson	McKellar	Ransdell	Trammell
Fletcher	Martin, Ky.	Saulsbury	Walsh
Gay	Myers	Sheppard	Williams
Henderson	Pittman	Simmons	
Hollis	Pomerene	Smith, Ariz.	
Jones, N. Mex.		Smith, Mich.	

NOT VOTING—25.

Baird	Gore	McCumber	Smith, S. C.
Brandegee	Harding	Overman	Sterling
Calder	Hardwick	Owen	Thompson
Colt	Hitchcock	Robinson	Underwood
Fall	Johnson, S. Dak.	Sherman	
Gerry	Kendrick	Shields	
Goff	La Follette	Smith, Md.	

So the resolution was agreed to.

THE CENSUS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

Mr. FRANCE resumed the speech begun by him yesterday. Before the conclusion of the speech.

Mr. SHEPPARD. Mr. President——

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). Does the Senator from Maryland yield to the Senator from Texas?

Mr. FRANCE. I yield.

Mr. SHEPPARD. I have been very much impressed with the arguments of the Senator from Maryland, and with his presentation of his very comprehensive amendments. I think that there are many meritorious features about them, and I am entirely willing to have them adopted by the Senate and go to conference, in order that they may be thoroughly studied. Therefore I shall say that the amendments are accepted, and I hope the Senator will now offer them.

The PRESIDING OFFICER. If there is no objection, the amendments will be accepted.

Mr. FRANCE. I desire to offer several amendments to the bill, and as the amendments, while they are quite numerous, really constitute one amendment, I desire that they shall be read at the desk together without reference to the parts of the bill to which they apply.

The PRESIDING OFFICER. The Secretary will read the amendments.

The Secretary read as follows:

In the title and wherever it occurs in the bill strike out the word "decennial" and insert in lieu thereof the word "quinquennial."

On page 1, strike out all of line 1 to line 2 on page 2, inclusive, and insert in lieu thereof the following:

"*Be it enacted, etc.*, That a census and survey of the population of the United States and of its colonies and of the education, health, insurance, agriculture, manufacture, forestry and forest products, mines and quarries of the people of the United States and of its colonies shall be taken by the Director of the Census, beginning in the year 1920, and every five years thereafter: *Provided, however*, That the taking of the census, registration, and schedule of inquiries relating to population shall be continuous, as hereinafter provided.

"The census herein provided for shall include each State, the District of Columbia, Alaska, Hawaii, Porto Rico, Guam, and Samoa, said census to be made in accordance with such plans and regulations as the Director of the Census may prescribe in pursuance of the provisions of this act."

On page 2 strike out all of section 2 and substitute therefor the following:

"SEC. 2. That the period of three years, beginning the 1st day of July next preceding the census provided for in section 1 of this act, shall be known as the quinquennial census period, and the reports upon the inquiries provided for in said section shall be completed and published within such period: *Provided, however*, That the registration of the population and the schedule of inquiries relating thereto shall be commenced on or before the 1st day of July, 1919, and shall thereafter be continuous, and the results of the same shall be continually recorded and shall be from time to time compiled and analyzed, and useful statistics based thereupon published, as the public interest may require, but at intervals not longer than five years: *Provided, however*, That information identifying any particular individual or firm shall not be published but shall be held in confidence: *Provided, however*, That lists of all citizens over 21 years of age, arranged and divided into sections according to election precincts, districts, counties, congressional districts, and States, which lists shall contain information as to the race, sex, occupation, and residence of each such inhabitant over 21 years of age, shall be published on or before the 1st day of July in each year, such lists to be known as the "official Federal registration lists," and to be printed for distribution in sections as described at such reasonable prices as may be determined upon by the Director of the Census."

On pages 8, 9, 10, and 11 strike out all of section 8 and substitute therefor the following:

"SEC. 8. That the Fourteenth Census shall be restricted to inquiries relating to the education, health, insurance, agriculture, manufacture, forestry and forest products, mines and quarries of the people of the United States and the colonies, and to the population of the United States and its colonies.

"The survey and schedules of inquiries and the records relating to population shall be so made as to furnish continuing records of each inhabitant, which records shall be kept by complete card system, in duplicate, one set of records to be filed in the census office of the local subdivision and one set to be filed in the office of the Bureau of Census in Washington when it shall be called for. Such continuous survey and records of the inhabitants of the United States shall be so made as to furnish an accurate schedule of vital, educational, and industrial statistics as a basis for the formulation of legislation to promote the general welfare, defense, and safety by improving the vital, educational, and industrial condition of the inhabitants, and such survey and records shall include specifically and in detail for each and every inhabitant, the place and date of birth; acute and chronic contagious diseases; occupational diseases and accidents; school attendance and progress; business or vocational training; military training or service and wounds or disabilities contracted in service; high-school, college, or technical training; health and physical condition; the health and physical condition of all school children under 14 years of age, and of all males under 45 years of age, as ascertained by an annual medical examination; place, character, sanitation, and tenure of abode; relationship to head of the family; color; sex; age; conjugal condition; occupation; condition of employment or unemployment; registration in Federal employment agency; whether employer or employee; trade; business; public offices, honors or special achievements; payment of taxation or insurance premiums; whether qualified and habitually exercising suffrage rights in State and Federal elections; place of birth of parents, nationality, and mother tongue, and knowledge of English if born in a foreign country; nationality, mother tongue, and knowledge of English of parents of foreign birth, and number of years in the United States; literacy; and the date, place, and cause of death; and such schedules shall also include a survey of the almshouses, charitable agencies, and complete and partial pauperism in the United States.

"The survey of and schedule of inquiry relating to education shall be so made as to secure such definite and classified information as might be useful as a basis for the formulation of legislation for the establishment of a Federal department of public education and for the standardization and extension, with the aid of the Federal Government, of all of the agencies of public instruction and for the establishment of a federalized system of free public education and training extending from the elementary schools to and including technical schools, colleges, universities, and professional schools with vocational and rehabilitation schools as well as night schools for adults and immigrants, compulsory in its elementary but optional for and equally available to all in its higher departments; and such schedule of inquiry shall include a survey of the number, character, cost, and value of city and rural public-school buildings for the white and racial groups; of private, technical, and rehabilitation schools; of colleges, universities, and professional schools; salaries of teachers and the total annual cost of maintenance; the total number of children of school age; the number enrolled, the number in regular attendance, and the length of the school year; sani-

tary conditions; character of curricula and physical and mental training; tuition and living costs in private schools and colleges; and the possible availability of private institutions, schools, and colleges for acquisition for future or continued use as parts of a public system of education.

"The survey and schedule of inquiry relating to the public health and of insurance shall be so made as to secure such definite and classified information as might be useful as a basis for the formulation of legislation for the establishment of an efficient Federal department of public health, vital statistics, and insurance and for the standardization and extension of all of the various existing public-health agencies and for the promotion of rational insurance systems, particularly with the purpose of limiting the ravages of tuberculosis and other communicable diseases and of preventable industrial accidents and diseases and the destitution due to preventable injury, death, and inadequate insurance, and such schedules of inquiry shall include a survey and tabulation of vital statistics and of the health of the population as reported by the population registration records heretofore provided for; also a survey of public and private health bureaus or agencies; of public and private hospitals and sanitoria for general or special diseases; of contagious and industrial diseases; of industrial accidents; safety devices, sanitary precautions, morbidity and mortality in the dangerous and dusty trades; of tenements and insanitary housing conditions; of employers' liability laws, and of systems in force of health, old age, accident, or other forms of insurance, with cost of same and the distribution and number of those insured: *And provided*, That the President is hereby authorized to appoint, with the advice and consent of the Senate, a commission on education of three members and a commission on public health, vital statistics, and insurance of three members to advise with the Director of the Census as to the most efficient methods of collecting and classifying data relating to these subjects, and each member of said commissions may be granted a salary at the rate of $5,000 per annum for the term of his service, which shall not exceed three years.

"The schedules relating to agriculture shall include name, color, sex, and country of birth of occupant of each farm, tenure, acreage of farm, acreage of woodland, value of farm and improvements, and the encumbrance thereon, sanitary condition, value of farm implements, number and breeding of live stock on farms, ranges, and elsewhere, and the acreage of crops and the number working, including family, in crop production, and the net and gross income, the quantities and cost, including value of the labor of farmers and family or crops and other farm products for the year ending December 31 next preceding the enumeration. Inquiries shall be made as to the quantity of tilled and tillable land and of land reclaimed and reclaimable by irrigation and drainage and the crops produced; also as to the location and character of irrigation and drainage enterprises, and the capital invested in such enterprises.

"The schedules of inquiries relating to manufactures and to mines and quarries shall include the name and location of each establishment; character of organization, whether individual, corporate, or other form; character of business or kind of goods manufactured; amount of capital actually invested; number of proprietors, firm members, copartners and officers, and the amount of their salaries; number of employees and hours of labor, and the amount of their wages; sanitary conditions and health preservation methods, and pension or profit-sharing systems; quantity and cost of materials used in manufactures; principal miscellaneous expenses; quantity and value of products; time and operation during the year; character and quantity of power used; and character and number of machines employed.

"The census of manufactures and of mines and quarries shall relate to the year ending December 31, next preceding the enumeration of population, and shall be confined to manufacturing establishments and mines and quarries which were in active operation during all or a portion of that year. The census of manufactures shall furthermore be confined to manufacturing establishments conducted under what is known as a factory system, exclusive of the so-called neighborhood, household, and hand industries.

"The form and subdivision of inquiries necessary to obtain the information under the foregoing topics shall be determined by the Director of the Census.

"Whenever he shall deem it expedient the Director of the Census may charge the collection of these statistics upon special agents or upon detailed employees to be employed without respect to locality."

On pages 11 and 12, strike out all of section 9 and substitute therefor the following:

"SEC. 9. That the Director of the Census, at least six months prior to the date fixed for commencing the schedules of inquiries and the enumeration as herein provided, shall designate the number, whether one or more, of supervisors of census for each State, the District of Columbia, Alaska, Hawaii, Porto Rico, Guam, and Samoa, or special agents as hereinafter provided, and shall define the various census districts, census subdivisions of the census districts, and the census precincts in which they are to act: *Provided*, That the supervisors of the census shall be appointed by the President with the advice and consent of the Senate: *Provided further*, That so far as possible the boundaries of the census districts shall conform to the boundaries of congressional districts, and the boundaries of the various census subdivisions shall conform to the political subdivisions of the States or colonies, such as counties, cities, or legislative districts, and that the census precincts shall conform to the election precincts of such political subdivisions: *And provided further*, That, if in any supervisor's census district the supervisor has not been appointed and qualified 90 days preceding the date fixed for the survey and enumeration, or if any vacancy shall occur, either through death, removal, resignation, or from any other cause, the President may appoint a temporary supervisor or director of the census district or the Director of the Census may detail any employee of the Census Office to act as a supervisor of the district: *And provided further*, That each supervisor of the census shall select, with the approval and consent of the Director of the Census, a suitable office in each of the census precincts of each of the various census subdivisions of each of said census districts, to be created as heretofore provided, to which office on census enumeration days, which shall be duly specified and publicly proclaimed by the President, all of the inhabitants of said census precinct shall come either in person or through the head of the family, partner, member, or head of the firm by which he may be employed, to be enrolled and to receive a numbered registration card: *And provided further*, That the supervisor of the district shall, with the approval and consent of the Director of the Census, also select suitable central offices for each census subdivision corresponding to either city, county, or legislative district, if possible at the county seat or at some other central point where there shall be provided, until a suitable Federal building shall be erected, as may hereafter be provided by law, rooms and facilities for the study, tabulation, classification, and safe-keeping of all record cards containing vital statistics and other information provided by the schedules of inquiry: *And provided further*, That such central offices shall also be utilized for the accommodation of the subdivision branch of the Federal Department of Public Health, Vital Statistics, and Insurance; of the subdivision branch of the Federal Department of Education, and of the subdivision branch of the Federal Employment Bureau when and if these shall be authorized and created by Federal statutes. The Director of the Census shall also make regulations concerning the carrying by individuals, after they shall have been registered, of identification numbered registration cards: *And provided further*, That the supervisor in each census district shall select clerks, preferably residents of the census precinct, and preferably the State election or registration officials of the corresponding election district or precinct to act as clerks or enumerators in that corresponding census precinct for the making of the records in said precinct, and the supervisor of the census shall also name an assistant supervisor, and clerks to such assistant supervisor for each census subdivision who shall have supervision of the clerks and enumerators of the census precincts, and who shall receive, classify, and care for the records in the central offices of the census subdivisions and forward them as directed to the office of the Census Bureau in Washington: *And provided further*, That one properly qualified, regularly licensed physician shall be appointed as medical supervisor for each census precinct, and one such physician shall be appointed as medical director for each census subdivision, which medical supervisor and medical director shall assist in the collection and classification of all health and vital statistics for the census precinct and census subdivision, respectively, under regulations which shall be prescribed by the Director of the Census: *And provided further*, That the Secretary of War and the Secretary of the Navy and the heads of the various executive departments of the Government shall be charged with the making, through the offices of the Provost Marshal General, of the Surgeon General of the Army, of the Surgeon General of the Navy, or through other suitable agencies, of the schedules of inquiries relating to the men in the Army, the men in the Navy, and the employees in all of the various executive departments of the Government: *And provided further*, That the President be, and he is hereby, authorized to assist the Director of the Census by calling upon the governors of the various States and colonies and upon State, county, and city officials to promote the speed and accuracy of the census taking by permitting, and, so far as may be, requesting or directing the heads of the State and city departments, educational authorities, heads of private schools and colleges, teachers, and school physicians to make the schedule of inquiries relating to all employees of the said departments and to children or students enrolled in the various educational institutions: *And provided further*, That the President be, and he is hereby, also authorized to seek the cooperation of the heads of railroads, public utility, commercial, and industrial enterprises in the making of schedules of inquiries relating to their employees: *Provided, however*, That the public-school teachers who make the schedule of inquiries relating to their pupils shall be, and others, as the Director of the Census may name, may be duly authorized as enumerators of the census and shall be paid for their work, receiving such compensation from the Census Bureau as the Director of the Census may determine."

On pages 12 and 13 strike out all of section 10 and substitute in lieu thereof the following:

"SEC. 10. That the Director of the Census shall also direct that inquiries shall be made through the supervisors of the various census districts and through the assistant supervisors of various census subdivisions as to the best available site in each census subdivision, in the town or city where the central offices of the census subdivision shall be located, for the erection of a Federal building for the permanent accommodation of the census subdivision offices, for the safe-keeping of records, and for the permanent housing of the subdivision branches of the Federal Departments of Education, of Health, Vital Statistics, and Insurance, of the Federal Employment Bureau, Agricultural Extension Services, and of the Post Office; and whether the local authorities or agencies will provide the site or what would be the price of the same, such site to be suitable for the erection of a building either by the Federal Government alone or in conjunction with the local authorities, which building shall be suitable for the aforesaid uses, with fireproof files for the population records, rooms and laboratories for physical examinations, rooms for corrective physical treatments, assembly hall, a library of United States bulletins and publications, the vocational or rehabilitation school, facilities for a Federal community center or such other activities as will best promote the Federal and local needs: *Provided*, That the results of these inquiries shall be tabulated and submitted to the chairman of the Committee on Public Buildings and Grounds of the Senate for consideration by that committee: *Provided further*, That each supervisor of census shall be charged with the performance within his own district of the following duties: To consult with the Director of Census in regard to the division of his district into subdivisions most convenient for the purpose of enumeration, which subdivisions or enumeration districts shall be defined and the boundaries thereof fixed by the Director of the Census as heretofore provided; to designate to the director suitable persons, and with his consent to employ such persons as enumerators, one or more for each precinct and subdivision; to communicate to enumerators the necessary instructions and directions relating to their duties; to examine and scrutinize the returns of the enumerators, and in the event of discrepancies or deficiencies appearing in any of the said returns to use all diligence in causing the same to be corrected or supplied; to forward the completed returns of the enumerators to the director at such time and in such manner as shall be prescribed; and to make up and forward to the director the accounts of each enumerator in his district for service rendered, which accounts shall be duly certified to by the enumerator, and the same shall be certified as true and correct if so found by the supervisor, and said accounts so certified shall be accepted and paid by the director.

"The duties imposed upon the supervisor by this act shall be performed in any and all particulars in accordance with the orders and instructions of the Director of the Census."

Mr. FRANCE. Mr. President, I confess that it is with a sense of diffidence, and I may say of responsibility, that I rise to discuss the amendments which I have proposed to the pending census bill. I realize perfectly well that this whole subject of the census is generally deemed to be a most technical one, and being technical, it is deemed to be a most uninteresting subject; but I think that, if I could secure the attention of the Senate to a real consideration of the amendments which I propose, the Senate would soon come to a realization that not only do these amendments to go to the very heart of the question as to the

methods by which the census should be taken, but that they also go to the very heart of the theories upon which the modern census, at least, is based; and that these amendments go to the very heart of this great subject which confronts us in this reconstruction period, as to what are the legitimate functions of government and as to what are not.

I have very positive views upon this subject. Throughout my political experience I have always sought to be a liberal in politics, but I have sometimes been distressed to observe that many of the so-called progressives were not progressives, but that they were destructives; and, Mr. President, in my political thinking, while I have leaned toward liberalism, I have always sought to avoid destructivism.

I believe in the principles of this Republic, and therefore I am a Republican and not a democrat. I believe that the fathers clearly understood what were the proper functions that belong to government when they wrote the Constitution of the United States, and I think that they clearly understood also what functions did not and should not belong to government.

Mr. President, it seems to me that an important problem of the reconstruction period is to decide this question: What are the legitimate functions of government as it has been constituted in the United States?

Mr. President, I hope the Senate will pardon another personal reference. I have sought to be a liberal in politics, and it is for that reason that I am opposed to the assumption by the Government of functions which are nongovernmental. If I could take every liberal in the United States by the hand to-day, I would say to him: "You, who believe in progress and liberalism in government, should be warned by the experience, the painful experience of the last few months, as to the danger of transferring to the Government those functions which do not properly belong to government at all." I would ask such liberal to read this language, taken from an advertisement, evidently contributed by patriotic citizens, in the Buffalo Commercial. I am not sure as to the politics of that paper, but whether it is Democratic or Republican it must believe in the Republic and those great principles of republican government which lie underneath the very foundations of the Republic:

STATE SOCIALISM.

Human experience proves that every government, whether autocratic or democratic, seeks to extend its powers and increase its authority at the expense of the liberties of the governed.

We are witnessing to-day an attempt by the administrative branch of the United States Government to consolidate and perpetuate the powers conferred upon it in a time of war, although peace has returned.

Secretary Daniels wants to take over the radio systems of the country.

Secretary Burleson, placed in control of the telephone and telegraph lines as a war measure, has grabbed the cables since the armistice was signed and now coolly proposes Government ownership and operation for all of them.

Director General McAdoo pleads for five years of Government control of the railroads, well knowing that by the end of that time it would be well-nigh impossible to turn them back to their rightful owners.

We are headed straight for state socialism, a system that negatives all individual initiative, discourages private enterprise, and creates an oligarchy of officeholders and State employees to vote in or out of power that party that does or does not meet their demands in fullest measure for more pay or more favorable working conditions and hours.

This is the great issue of the day, and it is absolutely necessary that an intelligent body of public opinion be lined up behind our lawmakers if a national calamity is to be averted.

Every business man, everyone with money invested in an enterprise of any kind, every farmer or home owner, every young man with a future to look forward to, and older men who desire that their sons should be given an equal opportunity with the young men of the past are hereby invited to write to their Senators and Congressmen, respectively, protesting against any legislation which has for its purpose the socialization of any of this country's great business organizations.

State socialism means surrender to the Socialistic Party. That surrender, unless prevented, will eventually give control of the Government to the Bolshevikl.

Democratic leaders have gone on record as advocating Government ownership. We do not believe the Democratic masses will stand for this proposed sale of their party to the Socialists.

Mr. President, it has been interesting to me as being, I think, somewhat in touch with the liberal thought of this country to see the certainly changing attitude of the masses of the people in the United States toward the question of the assumption by the Government of functions which can not from any standpoint be considered to be functions which should properly inhere in the Government. They have seen the Postmaster General stretch out a hand and grasp the wires and cables of communication; they have seen that hand suppress the movement over those wires of news and of thought and of opinion. They have seen the menace involved in such governmental action. All of the thinking people of this country who are not satisfied with conditions are very much interested in securing news as to what is transpiring in Europe concerning the peace conference and as to what is transpiring in Russia, because, Mr. President, most definite and certain news seeping through various channels from Russia informs us that deliberate untruths have been told to the American people with reference to the situation there; and these people, desiring to understand the situation, have seen the danger of having an interested Government controlling the information which the people have a right to have in order that they may pass intelligent judgment as to what foreign policy is being considered and as to what policy may be presented to them later for their adoption.

In this connection I wish to quote from a paper which I rarely quote; a paper which, while representing the great press of the South, is unfortunately so partisan in its views that its judgments are very often biased. This newspaper was in favor of the espionage act. I do not know whether it was in favor of the seizure of the cables, but already it has come to the position where it realizes that all is not well with the Democratic administration so far as its seizure of the cables is concerned. This editorial is headed "An unfortunate incident." I will ask, Mr. President, to have it inserted in the RECORD. I will give the substance of it, so that there may be no lack of continuity in my discussion. It refers to the question of suppression of news with reference to the English proposition to deal constructively with the Russian question, and it asks this question:

Why should we have to learn from a Paris Socialist paper, L'Humanite, that the British Government proposed on the 3d of this month that representatives of the various Russian factions should be allowed to come to Paris and discuss with the great powers terms of a permanent settlement?

And so forth.

I ask that the entire editorial may be printed in the RECORD at this point.

The PRESIDING OFFICER (Mr. McKELLAR in the chair). Without objection, it is so ordered.

The editorial referred to is as follows:

AN UNFORTUNATE INCIDENT.

The first of President Wilson's 14 principles was a demand for open international covenants openly arrived at. Is that principle being discarded at the outset? The Paris correspondent of the New York Herald cables that American newspaper men are told every day there is nothing for publication and are kept in the dark, and he intimates that if any covenants are being made they are not being made in the open. Possibly this is an exaggeration or a misconception.

But why should we have to learn from a Paris socialistic paper, L'Humanite, that the British Government proposed on the 3d of this month that representatives of the various Russian factions should be allowed to come to Paris and discuss with the great powers terms of a permanent settlement? The statement of the exact character of the proposition differs. From the reply of the French minister of war, as given in L'Humanite, it was interpreted by the French Government as an invitation to the Bolshevikl to take part in the peace conference. As explained by our Mr. Polk, it was a call on all the Russian factions to suspend hostilities and send delegates to Paris with a view of adjusting their differences and restoring law and order in Russia. But no matter which statement more accurately describes the proposal, there can be no doubt that it was one of the first importance. Why was it not made public at once?

The American delegates at Paris say they knew nothing about it until M. Pichon's scathing rejection of the British suggestion was published in L'Humanite. And Mr. Polk, our Acting Secretary of State, did not give it out, supposing that the memorandum which had been handed him on the 3d of this month had also been submitted to President Wilson and our delegates in Paris. It was clearly so big a thing that Mr. Polk did not feel at liberty to divulge it without authority from Paris. And yet he was so absent-minded that when a correspondent interviewed him with regard to M. Pichon's statement he "did not connect the question with the proposal referred to in the memorandum received from the British charge," and denied that any such proposal had reached him.

The closer the adherence to President Wilson's principle of open diplomacy the better it will be for everybody. The British proposal may be entirely defensible—may be based on motives of justice and wisdom. But it has gotten a black eye to start with because it was kept secret. That makes it at once an object of suspicion, invests it with the aspect of intrigue and double-dealing. Everybody begins to read into it weakness or selfishness. The French politely explain it as a reversion to the old Lloyd-Georgian radicalism and to a fear of Bolshevism at home. Others, more cynical, think it looks to a bargain for the payment of the British debt, or for such a reconstruction of Russia into small States as will eliminate her as a future menace to British interests in Asia.

None of these suspicions might have been aroused had this preliminary "covenant" been posted on the peace conference bulletin board. As it is, we seem to start off with a failure to insist on our own first and fundamental principle.

Mr. FRANCE. Mr. President, I shall not discuss further at this time the other functions which I believe the Government, unnecessarily, improperly, and to the damage of the country and to the proper progress of the conduct of the war, has assumed. I wish rather to get back to my theme, which is that progressive government can not exist, that free government is menaced, when the Government begins to assume nongovernmental functions.

That does not mean, Mr. President, that I am what should be called a "stand-patter." I am dissatisfied with conditions in this Republic; I realize that there are legitimate reasons why there should be here profound unrest; but I believe that we can meet the problem by first deciding definitely what are government functions and what are not, and then by beginning reconstruction work, not with a trowel, but with an ax, in order that we may cut the Republic free from many of these bureaus

which have been built up and release it from the performance of nongovernmental functions while at the same time insisting that every proper governmental function shall be performed with the very utmost of efficiency.

The trouble in this country is not due to our governmental form. It is rather due to the fact that the Government has not been efficiently performing its legitimate governmental functions, and that there have not been enacted the laws which, under our growing social and economic complexity, are necessary in order that the great fundamental principles enunciated by the fathers might be applied to a condition totally unlike that which existed in their day, but, I believe, a condition which they foresaw; because there is not lacking in the Constitution, as I believe and as I hope later to show, authority for the performance of one of these great fundamental functions which are really the proper and legitimate functions of government, and because of the inadequate and inefficient and bureaucratic performance of which great evils have arisen in this country.

You may say, perhaps, that I am neither flesh nor fish. I believe in the Republic, but I believe in change under the Constitution. I believe in reform, legitimate reform. I believe in a rearrangement and a reorganization of the whole Republic along certain lines, without the assumption by the Republic of a single function which it is not performing to-day, and which it has not the legitimate and constitutional right to perform.

Mr. President, if the Senators will agree with me that the survey of the condition of the Republic, that the enumeration and enrollment of its inhabitants, that the examination of the condition of each inhabitant, of the condition of his health, of the condition of his literacy or of his illiteracy, of the condition of his employment or unemployment, and so forth, are a legitimate function of government, we can go together; and I fail to see how you can disagree, for the census clause is one of the first written into the fundamental, organic law of the Nation.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Utah?

Mr. FRANCE. With pleasure.

Mr. KING. Referring to the last suggestion made by the Senator, does he think that the Government should act merely for the purpose of obtaining the desired, needful, and useful information, or for the purpose of aiding persons to secure employment, and also furnishing them employment, and embarking upon what might be termed a paternalistic industrial system? I ask because if it is the former, no one probably would disagree with him; if the latter, there might be a wide diversity of opinion.

Mr. FRANCE. Mr. President, I will suggest to the Senator that there are several questions involved in his question.

What is paternalism? What does the father do? Does he bring his son into the world and keep him as an infant all his life? Does he weaken him and soften him by an undue amount of paternal protection? Sometimes he does, and the product is an unmoral product; it is an un-American product. But I would ask the Senator if it is a legitimate function of paternal care to see that the child is born under as good conditions as possible, and that the child, being so born, shall be given every possible security against destruction by contagious or infectious disease, and that he be given as good an opportunity as the next man to secure a thorough education to fit him for the race of life?

I think, without discussing all of the proper functions of paternal care, that we can agree that there are legitimate paternal functions and illegitimate ones. The Senator will admit, for example, referring to the whole subject of popular education, that there were men who contended at one time that the establishment of popular education was paternalism. From what I know of the Senator from Utah and his views, I do not feel that we shall be very far apart upon that subject, although it is quite possible that from that undefined region which lies between legitimate and illegitimate paternalism I might select certain functions for the Government to perform which he would not select. But I think, so far as our fundamental conceptions are concerned, that he and I are in entire agreement; and I am making an effort to differentiate, if possible, between what I consider to be legitimate governmental functions, or, if you please, paternalistic functions—because all of the duties of governments are paternalistic in one sense—and what may be considered illegitimate governmental functions.

Certainly the census taking is a proper function. Do you believe that public education is a legitimate function of government? If you do, we go along together. I do not propose to give much time during the hours in which I shall discuss this subject to proving that popular education is a legitimate function of government, but I believe it is. If it is, give us education. Give us education for everybody. Give the poor boy as much education as the rich man can buy, and give it to him at the expense of the State. The failure to do this is one cause for unrest. Why should my boy, because I have a few thousand dollars a year, go to a great university, when he may be a blockhead, and get an education which the boy of my neighbor, who has not the money, can not get?

There, I will say to the Senator, is a border-line case. I believe that public education is a function of government; and, believing so, I do not believe that the Government can afford to try to highly educate a fool, nor do I believe it can afford to withhold from the brilliant young man the utmost education which he is capable of taking, regardless of his financial condition. Probably the Senator would say that that was one of the border-line questions.

Mr. KING. Mr. President, if the Senator will permit an interruption——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Utah?

Mr. FRANCE. I do.

Mr. KING. I concur with probably all that the Senator has said respecting the question of education, except that if he means that the Federal Government should assume the education of the children in the States I could not concur with him. I think that the sovereign States have resting upon them the responsibility of educating the children within their borders; and this duty they are performing with zeal and enthusiasm. I do not know of a single State that does not have a university in which the higher branches of education are taught, and taught freely, to all within the State.

I think if the Senator will go into the great universities of our country—and I do not want to indulge in any invidious comparison, but universities such as Yale and Harvard and Columbia——

Mr. SMITH of Michigan. And Michigan.

Mr. KING. And Michigan, certainly, as my distinguished friend from Michigan suggests; and I can speak with pleasure of that, because I attended that university—I think he will find more students who are the children of parents who possess but little or none of this world's goods than he will those whose parents possess wealth. It is a very common thing in these great educational institutions to find young men who work their way through college, because of their lack of means and the poverty of their parents. It is my observation that any young man in the United States who wants an education can obtain it, and it has not been denied him on account of poverty.

Mr. FRANCE. The Senator has again mixed several questions in his reply. If he will go to Wisconsin University, for example, he will find a university which I believe—and the Senator from Wisconsin can correct me if I am misinformed on that subject—is really a part of the system of public education; but if he will go to certain other institutions which I could name—and I will not name them—he would find that very few poor boys are there.

Mr. KING. If the Senator means that in some States provision has not been made to give the children of the poor the highest education that may be given to the children of the rich within the State, that State has failed in the discharge of its duty.

Mr. FRANCE. I feel so.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Michigan?

Mr. FRANCE. With pleasure.

Mr. SMITH of Michigan. It may not be inappropriate to say that there are men within the sound of the voice of the Senator from Maryland and the Senator from Utah who worked their way through a great educational institution. I do not happen to be one of them. I did not have the privilege of attending the University of Michigan. In fact, I had very little early education, because of the necessities of my situation; but my colleague [Mr. TOWNSEND], who was equally poor and equally determined and much abler, worked his way through in the most humble employments, and there was no bar to him.

Mr. LENROOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Wisconsin?

Mr. FRANCE. I yield, with pleasure.

Mr. LENROOT. I should like to call attention to the fact that although a university may provide free tuition, nevertheless it is not possible for every young man to work his way through the university. In many cases—a very large percentage of cases—he has dependents whom he must support, and it is not alone a question of making his own living while he is securing an education. Wisconsin University has recognized this, and has recognized it very substantially through its extension

courses, whereby it seeks to provide for the boy at home who must be supporting dependents at that stage of his life a fair amount of higher education.

Mr. FRANCE. Mr. President, the Senator from Utah and the Senator from Michigan have opened up a very important subject, and the remarks of the Senator from Wisconsin are quite applicable. I am not undertaking this afternoon to discuss the large question as to whether the States or the Federal Government should provide public education. I am merely laying down the proposition that if public education is a legitimate function of the Government, it must perform that function universally and fully; and it is not doing it——

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). Does the Senator from Maryland yield to the Senator from Tennessee?

Mr. FRANCE. Will the Senator permit me to proceed a moment? It is not doing it when we come to a great war and find that out of the 2,000,000 men called to defend the Republic against a violent and a most dangerous enemy 200,000, or 10 per cent, are illiterate. Our enemy had no illiteracy in his armies, because Frederick the Great had learned the value as a fighting man of the educated man, and, because he was both a capable and a ferocious military leader, he decided to educate his people. Does the Senator desire to defend a system of education which would force this great Republic, supposed to be the leader in enlightenment throughout the world, when exposed to such a deadly danger, to call 2,000,000 men to its defense and find 200,000 of them unable to read or write their names or to understand the orders which they must read in order to perform their duties in defending the Republic?

I now yield to the Senator from Tennessee with pleasure.

Mr. McKELLAR. Mr. President, I can not let this opportunity pass to say that I agree most heartily and cordially with the propositions as to national aid to education that the Senator from Maryland is so well laying down. It is one of the remarkable things that this great, rich Government of ours, contributing millions and sometimes almost billions to other worthy purposes, practically furnishes nothing to the cause of education of the youth of our land.

I agree with the Senator entirely on this subject. I think our Government should see to it that there are no illiterates in this country. We should do away with illiteracy; and while it is primarily the duty of the States, if the States do not perform that duty it is our duty as a National Government, it is our duty as legislators, to furnish the necessary money and the necessary means to educate the youth of America.

I am for education. I am for any kind of an educational bill. I am about education somewhat like the old-fashioned Kentuckian used to be about his whisky. It was all good, better, and best, and there was no bad whisky. [Laughter.] And so I think about education. It is all good. Private education is good. State education is good. And national education is good. It is all good. It is all helpful.

I am for any kind of an educational measure. I am for the best, of course, if possible. If we can not get that, then I will take the good or the better kind of an educational measure. I indorse what the Senator has said on national aid to education. I was much interested in and strongly for the vocational education we provided for some time ago. I was even more in favor, if that could be possible, of the educational rehabilitation of our wounded and maimed soldiers as provided for by us recently. And it would give me the greatest pleasure to support some general scheme of national aid to the cause of the general education of our youth. I hope some general plan can be agreed to so that the greatest, richest, and most powerful Nation on earth can also be the best educated.

Mr. FRANCE. I thank the Senator; and I would say that I am not raising a sectional question, because there are strict constitutionalists on that side of the Chamber who feel exactly as I do. Indeed, the Senator from Georgia [Mr. SMITH] has introduced a measure which, while it does not entirely meet with my views as to the best method, expresses purposes which are entirely in accord with the purposes which I have in mind, although the Senator from Georgia comes from a State which ordinarily would hold that the function of education belongs to the State rather than to the Federal Government.

But, Mr. President, I should be moving on.

Is the protection of the public health a legitimate function of Government? Well, I will only say the same thing—that if it is to the interest of State government and if it is to the interest of the Republic to protect in every legitimate and proper way the health of its citizens, then let us have a public-health system which will function, and function universally, and function scientifically.

I do not feel that any Senator can be in disagreement with the fundamental principles which I am laying down, so far as the social survey, public education, and the public health are concerned. Is the relief of unemployment, not in any paternalistic way, but in the way of bringing an unemployed man in New York, for example, in contact with an opening in Maryland, through the establishment of public-employment bureaus, a legitimate function of government? If it is, let us have public-employment bureaus which will function effectively.

Mr. President, if there are any men in this Chamber, let me say, who desire seriously to contend that any of these functions are not legitimate public functions, and that they are not legitimate functions of this Republic, then I will suggest to them that they had better resign from the Congress of the United States, or withhold in the future some of the votes which they have cast in the Congress of the United States; for every one of those functions is now being performed not only by the States but by the Federal Government as well; and I propose, later on in my discussion, to show that every one of these functions has not only been performed but that they can be legitimately performed; and I propose also to show that these very functions which the Federal Government has been performing during this war it can also legally perform during times of peace.

Mr. President, I desire to say, in passing, that these amendments which I have offered to the census bill are so fundamental, they open up such a large subject, not only the particular subject with which the amendments seem to deal, but the whole subject of reconstruction, as I have intimated before, and, indeed, the whole subject as to the legitimate and proper functions which government should perform, that, in view of the vastness of the subject, it would really take weeks of discussion to touch upon the most salient points. I am also very frank to say that if I felt that such a discussion by me of this subject, for weeks, would secure the serious and careful attention of the Senate to its and favorable action upon these census amendments—which, of course, are only a part of a program of legislation which I have in mind—I would not hesitate one moment to stand here and talk until the 5th of March, until there should be an extra session to deal with these fundamental problems of reconstruction, with which, if we do not deal, we will invite a most dangerous situation in the country; and let me say that with all the emphasis which I can put upon it.

The people of this country are not satisfied, and I hope they never will be, with conditions as they are; for it is not proper that the citizens of this great Republic, which is to be the pioneer in government, which is to be the leader in the great procession down the ages toward a better and a more peaceful civilization of the world, should ever be satisfied. I hope they will always be filled with a divine discontent. I rejoice to-day that conditions in this country are such that we can not go back to where we were before; and if there be any in this Chamber or in this Congress or in any of the legislative halls of the United States who believe that reconstruction means restoration of the old conditions, then, indeed, such a man is blind, not only to conditions as they prevail in this country but blind also to the whole deep meaning of this mighty struggle in which the world is now engaged.

Mr. President, I have been attempting to make it clear that these amendments are designed as a step toward removing those conditions which are a legitimate cause for unrest and for discontent. They are designed to lay a foundation for reconstruction as broad as the teeming millions of our population in this country and in our colonies in the islands of the sea, and as deep as every individual need which can be properly met by any legitimate function of the Government.

Mr. President, I love my country better than my party, and I will follow the leadership of any man who has a practical plan for leading this country and the world out of the present wilderness.

As I have pondered upon the situation in which we find ourselves, not only in this country but in the world, I have thought sometimes that in this crisis in human affairs we have a leaderless country, a leaderless world. Ideals are not enough. They must be applied and conditions must be considered as they are and not as we would wish them.

The problems of this country can not solve themselves. While I find myself in agreement with many of the ideals expressed by the President, I have been forced to reach the conclusion that he has not appreciated conditions as they really exist, not only in this country but throughout the world.

I shall not now discuss the world conditions, although of course they properly belong to the great question of reconstruction, because I believe that our reconstruction should consider the problems of the world as well as the problems of this country. But so far as the problems of this country are con-

cerned, certainly the President has not perceived them, because on December 2, in his farewell address, he said:

So far as our domestic affairs are concerned the problem of our return to peace is a problem of economic and industrial readjustment. That problem is less serious for us than it may turn out to be for the nations which have suffered the disarrangements and the losses of war longer than we. Our people, moreover, do not wait to be coached and led. They know their own business, are quick and resourceful at every readjustment, definite in purpose, and self reliant in action. Any leading strings we might seek to put them in would speedily become hopelessly tangled because they would pay no attention to them and go their own way. All that we can do as their legislative and executive servants is to mediate the process of change here, there, and elsewhere as we may. I have heard much counsel as to the plans that should be formed and personally conducted to a happy consummation, but from no quarter have I seen any general scheme of "reconstruction" emerge which I thought it likely we could force our spirited business men and self reliant laborers to accept with due pliancy and obedience.

Mr. President, there is no denying that for a short time the great liberal spirit of this country looked to Woodrow Wilson for its leadership; but there is also no denying the fact that for a long time this has not been the case, and that this statement alone, which reveals that the President does not understand conditions in this Republic, should be enough to turn the liberals of the country from him. I say this in no unkindness. We must have a solution for these problems which are real and pressing.

I recognize the fact, in extenuation of the statement quoted, that the President had been so preoccupied with a consideration of foreign questions that he had really not had the opportunity to sense and to appreciate the conditions which then existed in this country and which do now exist.

Mr. President, I desire to read portions of the amendments which I have proposed, with an explanation briefly of their meaning and of their purpose.

So far as the first amendment is concerned, it reads practically as the language of the bill down to the point where it says:

Provided, however, That the making of the census, registration, and schedule of inquiries relating to population shall be continuous, as hereinafter provided.

That is one of the chief points in my amendment or in my series of amendments. They provide for an enrollment or survey which shall be continuous and that, together with the fact that my amendments provide for a larger number of subjects for the schedule of inquiry, covers the substance of them. In a word, my amendments provide for a card catalogue, continuously revised, giving full information concerning the population of the United States.

Then in the second amendment, the amendment to section 2, there is a provision that so far as the census applies to the more fixed problems it shall be quinquennial instead of decennial. Referring to the continuous-enrollment feature, it says:

Provided, however, That the registration of the population and the schedule of inquiries relating thereto shall be commenced on or before the 1st day of July 1919, and shall thereafter be continuous, and the results of the same shall be continually recorded and shall be from time to time compiled and analyzed, and useful statistics based thereupon published, as the public interest may require, but at intervals of not longer than five years: *Provided, however*, That information identifying any particular individual or firm shall not be published, but shall be held in confidence: *Provided, however*, That lists of all citizens over 21 years of age, arranged and divided into sections according to election precincts, districts, counties, congressional districts, and States, which lists shall contain information as to the race, sex, occupation, and residence of each such inhabitant over 21 years of age, shall be published on or before the 1st day of July in each year, such lists to be known as the "Official Federal registration lists," and to be printed for distribution in sections as described at such reasonable prices as may be determined upon by the Director of the Census.

Now, the object of the published list is that there should be, at the periods of election, official registration lists, containing addresses. In order that a candidate who desires to present to the voters of the country items of interest and of importance may have the addresses readily at hand. Of course, one of the objects of this publication is to also save the unnecessary expense of local registration for election purposes.

The next amendment to section 8 contains the schedule of inquiries which would be made, so far as the individuals are concerned.

SEC. 8. That the Fourteenth Census shall be restricted to inquiries relating to the education, health, insurance, agriculture, manufacture, forestry and forestry products, mines and quarries of the people of the United States and the colonies, and to the population of the United States and its colonies.

Into that schedule of inquiries the chief items introduced which are not in the bill are the items of education, health, and insurance, and, as will be seen later on, the employment or unemployment of the people of the United States. This does not, however, cover the whole subject, as will be seen by those who are sufficiently interested to follow the enumeration of the schedule.

The survey and schedules of inquiries and the records relating to population shall be so made—

And here is a very important part for those who should be interested:

as to furnish continuing records of each inhabitant, which records shall be kept by complete card systems, in duplicate, one set of records to be filed in the census office of the local subdivision and one set to be filed in the office of the Bureau of Census in Washington when it shall be called for. Such continuous survey and records of the inhabitants of the United States shall be so made as to furnish an accurate schedule of vital, educational, and industrial statistics as a basis for the formulation of legislation to promote the general welfare, defense, and safety by improving the vital, educational, and industrial condition of the inhabitants, and such survey and records shall include specifically and in detail for each and every inhabitant the place and date of birth; acute and chronic contagious diseases; occupational diseases and accidents; school attendance and progress; business or vocational training; military training or service and wounds or disabilities contracted in service; high school, college, or technical training; health and physical condition; the health and physical condition of all school children under 14 years of age, and of all males under 45 years of age, as ascertained by an annual medical examination; place, character, sanitation, and tenure of abode; relationship to head of the family; color; sex; age; conjugal condition; occupation; condition of employment or unemployment; registration in Federal employment agency; whether employer or employee; trade; business; public offices, honors or special achievements; payment of taxation or insurance premiums; whether qualified and habitually exercising suffrage rights in State and Federal elections; place of birth of parents, nationality, and mother tongue, and knowledge of English if born in a foreign country; nationality, mother tongue, and knowledge of English of parents of foreign birth, and number of years in the United States; literacy; and the date, place, and cause of death; and such schedules shall also include a survey of the almshouses, charitable agencies, and complete and partial pauperism in the United States.

Mr. President, with reference to this schedule of inquiry, I would say that it seems to be a rather voluminous schedule; but, as a matter of fact, practically all of these various inquiries are being made to-day. I wish that I might impress upon those who do me the honor to be interested in this subject that while this change in the method of taking the census seems to be a radical one and while it at first sight might seem to be a change which would involve a very great expense, this is not true, for, taking the country as a whole, without regard to the activities of the Federal and of the State governments—that is to say, taking the activities both of the Federal Government and of the State governments together—we find that this schedule is being investigated now, and that, also, in a practically continuous manner. For example, take the registration of births; we have a system of birth registrations. Take the registration of deaths; we are making that now.

I might say, briefly summing up the schedules which are now being followed, that the governments, taking the Federal and the local governments together, are now collecting these statistics in various ways, all of these ways, however, unsatisfactory and unscientific, one method conflicting with another and one agency with another. We are collecting, under our present schedules in operation, statistics with reference to births. When a child takes an infectious disease it is reported. When he enters school he is registered. Whenever he is promoted in school it is noted. When he graduates from the public-school system it is noted. When he takes tuberculosis or any other contagious or infectious disease as an adult it is noted. When he becomes 21 years of age he is registered. When he marries it is recorded. When he gets out of employment it is sometimes recorded. When an accident happens to him a record is often made of that. When an immigrant comes to the country a record is made of that fact. We are to-day practically making a continuous registration or enrollment of our people, but it is being done in such a way that statistics, as a result of the inquiries which are being made, are very largely without value, because they are unsystematically gathered and are so improperly classified and finally recorded that they are not available.

For example, take the question of the mortality statistics. They were first incorporated in the schedule of inquiries by the Federal Government under the Federal census in 1850. It was deemed most important for the accuracy of the census returns that we have a knowledge of the mortality statistics; but in the juggling about with the various census schedules mortality figures were finally dropped from the schedule of inquiries, and to-day while we have publications of the Government dealing with the question of mortality statistics, such as this great volume which I have in my hand, the statistics are very largely unreliable, because they are no longer collected by the Federal Government, but by various State agents and by certain medical societies. As a matter of fact, to-day the mortality registration area only covers about 41 per cent of the population of the United States, while so far as the birth statistics are concerned—and I am referring to these schedules to show how defective our census is and yet how we are attempting to gather these statistics—the registration areas from which reports of the births are required only include 32,000,000 white and 840,000 colored.

There may be reasons why we should know how many colored births there are in a year in the United States, but if there are such reasons we have no schedule of return upon that subject. I believe there are reasons, to which I shall refer later when I come to a discussion of the subject of public education.

Mr. President, I hesitate very much to trespass upon the time of the Senate in this manner, and I believe that most of the Senators here will acquit me of ever wishing to presume upon the patience of the Senate so far as the making of long addresses is concerned, but I must ask the indulgence of the Senate upon this occasion and upon the occasions of my future discussion of this matter, because the whole subject is to my mind so vital that I can not let it pass; I can not let it disappear from view in the vast multiplicity of legislation with which we have to deal here. I can not let it escape the minds of the Senators whose work is so arduous that it is really impossible for many of them to be continuously in this Chamber. I was, before my election to this body, one of the men who visited the Senate and who labored under the impression that because the Senate Chamber was not filled with Senators all the time the Senate of the United States was not performing fully its functions. I think there should be some sort of announcement clearly made to the people of the United States to the effect that the reason why Senators are not in this Chamber when they are not here is because they are so frequently pressed with public business that it is impossible for them to be in the Chamber.

In connection with the inaccuracy of statistics, we should consider the great subject of unemployment. Could there be a more important subject than unemployment, particularly during this reconstruction period? I think not. Unemployment is one of the great problems which governments must solve.

The Senator from Utah [Mr. KING] interrupted me sometime ago and asked me what I considered to be the proper functions of government. I believe that students of government, from the wisdom which they have gained from a careful examination of governmental problems, must inevitably be led to the view that the problem of unemployment is a governmental problem which must be dealt with and solved. But how can we solve it unless we know what it is?

Mr. President, we knew in 1914 and 1915 that something was wrong in this country. We knew that there was unrest. We knew that there was such unrest that in some places the very foundations of the Republic seemed to be trembling. There were disturbances. There were thousands of hungry men walking the streets of our cities.

If you will pardon a personal reference, I will say to you now with all the earnestness I possess that, as a medical man who has taken particular interest in the subject of madness, the most terrible madman or the most dangerous animal that walks the earth is the hungry man.

Mr. President, in our discussion of problems of reconstruction, in our discussion as to how to restore peace in Europe, in our discussion as to how revolutions shall be quelled, and in our discussion as to how the spread of anarchy can be checked, let us not forget that there is no form of government in all the world that can hold hungry human beings in control.

The Senator from Utah [Mr. KING] is here. I do not believe that the Senator from Utah will disagree with me when I say that the question of employment or unemployment is a question which must be dealt with by the Government, certainly so far as the gathering of statistics is concerned, and by the Federal Government, because we already have what purports to be a Federal Employment Bureau. I do not care to criticize it at this time, nor its methods, but if it were in the hands of the most efficient scientific students and experts in the subject of unemployment in all the world it could not meet the situation, because we do not know how many men are employed, and we never have known in this country how many of our people were unemployed.

Speaking of the desirability of Government ownership, Mr. President, I would say that after the railroads have been in the hands of the Government for five years, if they are not more efficient than are the systems of public education, public health, and public employment in this country it will not take five hours only to go to New York, but it will require a Sabbath day's journey.

I was about to say that in 1914 and 1915 when we knew that something was wrong—and I desire to say I am not bringing this up in any partisan spirit—when we knew that there were a large number of unemployed, we were guessing whether there were 1,000,000, 2,000,000, or 5,000,000 men unemployed in the United States, and what did we have to do? It was imperative that the various employment bureaus should know how many men were unemployed in order to deal with the problem. What did we do? We had to go to one of the great industrial insurance companies of this country, that company being in closer touch with the hearts and the needs and the conditions of the people than their own Government, to find out how many men were unemployed, in order that the legislative bodies of this country might intelligently consider the great subject of unemployment.

Mr. SMITH of Michigan. Mr. President, if it will not interrupt the Senator, I ask if he will yield to me.

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Michigan?

Mr. FRANCE. I yield with pleasure to the Senator from Michigan.

Mr. SMITH of Michigan. That was about the time that the administration created an employment bureau in every hamlet and village and city in the land and turned the post offices into employment bureaus; but that did not give work. Work is an economic proposition, and it is not too much to say that when the party is in power that protects the American market place from unfair and unnecessary incursions there is always employment for labor, and when the party is in power that wastes its substance in following the will-o'-the-wisp then they turn the post offices into employment agencies, and, of course, they keep more agents receiving applications than they have jobs to give out.

Mr. FRANCE. Well, I must say that I agree with the Senator from Michigan in the main. I think from what the Senator has gathered from my remarks he will realize that I am not one of those who believe that every citizen of the Republic should be nurtured all of his life on the Government pap. I believe as to the great Senator from Michigan, without reflecting upon his successor, that the Senator's going from this body will take from here a man who understands the fundamental economic problems of this country and the fundamental economic laws which, although we may call ourselves lawmakers, we have never yet learned how to supersede. The going of that Senator will be a loss to this body, for the very reason that he understands, for instance, that employment bureaus can not always give work. I am not prepared to discuss that subject just at this moment; but I want to say that the fact is that we must have the unemployment figures, if it be only to know what the situation is, if it be only to let the country know, in order that there may be a change from an unsound economic condition to a sound and stable one. I think the Senator will agree with me that it would be advisable at least to know the figures which record the unemployment at any particular time.

Mr. KING. Mr. President, will the Senator from Maryland yield to me?

Mr. FRANCE. I yield to the Senator from Utah with pleasure.

Mr. KING. I desire, in the time of the Senator, merely to say one word in reply to the distinguished Senator from Michigan [Mr. SMITH], whom the Senator from Maryland is now eulogizing, and in which eulogy I most heartily concur. However, in an humble and friendly spirit, I beg to state that the Senator from Michigan, like Ephraim, is still wedded to his idols, but he is so naive and delightful in his idolatry, in his refreshing devotion to protection, and high protection, that really his criticism of the Democratic principles and theories of economics falls upon my ears in so gentle and inoffensive a way as to soothe me into serenity. But really it is fair to say—and if the Senator from Michigan had occupied the floor a moment more he would have said—that you can not attribute the present economic and industrial condition of the United States to the tariff or to a lack of protection. The war has pushed aside the normal laws of trade and the law of supply and demand. The nations of the earth have been in a great war for four years, and we have been engaged in that war for 18 months or more. During this period the United States has been called upon to furnish billions of dollars' worth each year of our products for consumption in Europe. That has stimulated the market: it has drawn into manufacturing centers large numbers of the population of the United States. Wages have been increased. The abnormal situation by reason of the war has created an abnormal situation in our industrial and economic system. Four millions of men have been drawn from the channels of trade and commerce; that is to say, from the ordinary channels in which they were employed. More than 4,000,000 of men—a large number—have gone into industrial service. Four millions have been called into the military and naval service of the Government. It would be a physical impossibility to-day to take those men out of the military service and have them go back to their place in the industrial and social system of the country without more or less of disturbance. This transition unquestionably will result in more or less of paralysis in business.

We have a tariff now—a tariff in the shape of an embargo—so high that it has prevented exports, and in a large measure has prevented imports. You can not export and you can not import

without securing a license, and the embargo is still in part in force. So the tariff question cuts no figure at all. Germany, a great competitor, and Great Britain, another great competitor, are unable now—Germany, at any rate, is—to compete with us or to ship anything into our markets. England furnishes us but little of her manufactured products. So the question of a tariff now cuts no figure in the present economic and industrial situation. If there is social unrest, if there is a falling of wages, and if there are men out of employment now, it seems to me that it is a rather strange mental concept to attribute that situation to the fact that we do not have a prohibitive tariff or a tariff so high that it might suit the views of the distinguished Senator from Michigan.

I think that the Labor Department has done a great deal of good in seeking to ascertain the needs of the people and trying to find where employment is required. The Labor Department heretofore—I mean since the war began—has not been so much concerned in furnishing places as it has been in getting men to fill places, because there were so many places in the industrial centers made necessary by the progress of the war that it was almost impossible to find men to fill those jobs. We did not have any tariff then, when there were two or three jobs for one man and when wages went from two, three, or four dollars a day to from ten to twenty dollars per day. So I think that if my friend intended to indulge in a fling at the Democratic economic and industrial views or policy he chose a very inopportune occasion for the purpose of indulging in his favorite pastime.

Mr. SMITH of Michigan. Mr. President, of course I do not want to interrupt the Senator from Maryland——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Michigan?

Mr. FRANCE. I yield to the Senator.

Mr. SMITH of Michigan. I intend to interrupt the Senator from Maryland but for a moment.

The Senator from Utah [Mr. KING] has not closely followed the speech of the Senator from Maryland. The Senator from Maryland was dealing with the riots and the famine and the hunger and the distress antedating our entrance into the European war and antedating that war itself. He was talking about the situation in 1913 and 1914. It was to that situation that I addressed my remarks.

I am well aware that war conditions have surrounded this country with a protection greater than even I would be willing to extend, but that will go down in a night. When it has gone down the American business man wants to know what the policies of his Government will be. It is that uncertainty that we face to-day.

Mr. KING. Mr. President, will the Senator from Michigan yield right there?

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Utah?

Mr. SMITH of Michigan. I am intruding upon the Senator from Maryland, and I do not want to do that.

Mr. FRANCE. I yield to the Senator from Utah.

Mr. KING. If the Senator from Michigan means by his last statement and the preceding ones to indicate that whenever Republicans are in power there is no uncertainty and that business men are entirely satisfied, he ought to be entirely gratified now, for the Republicans won the last election. They will have the House and the Senate, and therefore the business men can be assured of the character of legislation which they desire.

Mr. SMITH of Michigan. Unfortunately, however, we have got to wait a couple of years for the Presidency, but so far as we have been able to go we have made very great progress. In fact, it is rather remarkable progress, and I am only too happy to be assured in this place formally by the distinguished Senator from Utah, for whom I have very high respect, and with whom I have served at both ends of this Capitol, that we are to have a Republican Senate after the 4th of March and a Republican House; but neither House nor Senate can make the laws alone. If on the 6th of November last a President in harmony with the new Congress had been chosen, the uncertainty would have disappeared; and I repeat that the periods alluded to by the Senator from Maryland where there were hunger and illness and want were periods of Democratic ascendency, when we were laboring under their laws, and they brought ruin, as they have always brought ruin, and they lowered the credit of the Republic, and they discouraged initiative in business.

That is the plain, blunt truth about it, and I hope it does not offend my very sensitive, very able, and very patriotic friend from Utah to hear me say it.

Mr. FRANCE. Of course, I was not attempting to pronounce any eulogy upon the work of the distinguished Senator from Michigan. If I had wished to do so, it would have taken me a much longer period than I feel I can avail myself of at this moment to express my very high regard for him as a legislator who understands and who regards in his work fundamental economic laws.

Mr. President, I do not desire at this time to enter into any discussion of the general question whether employment bureaus do or do not always meet a serious situation; but I shall before I finish my remarks upon this general subject discuss the present employment bureaus and whether they are meeting the situation, and I shall express some views, of course, as to how the amendments I propose, if enacted into law, would give us definite and accurate scientific data with reference to unemployment. I am merely saying at this time that we are informed by the wisdom, not only of theoretical students of government but by the wisdom of this very legislative body and of other legislative bodies throughout the country—referring, of course, to State legislative bodies—that it is very important for us as legislators to deal with unemployment, and hence to know how many unemployed men there are in the United States, particularly under such conditions as those which the Senator from Utah has described, I think, fairly and accurately—conditions which are entirely different from the conditions which prevailed in 1913 and 1914, which, in my judgment, were as serious as the conditions now, although due to wholly different causes, and I believe to the causes which have been referred to by the Senator from Michigan. However, the fact remains that we should know the number of unemployed at any given time, but that we have not at hand any adequate means by which we can ascertain the number of unemployed.

In 1913 and 1914 conditions were very serious in the city of New York. In order to ascertain how serious they were use was made of an agency called the Association for Improving the Condition of the Poor. I am referring to a monograph on the subject of unemployment published by the American Labor Legislation Review. That association estimated on February 2, 1914, that on any given day during the winter of 1913-14 there were 325,000 unemployed men in New York. Quoting from this article, it says:

> But while relief agencies struggle with their problems of emergency relief, we do not forget that serious irregularity of employment is not temporary in America. It is continually one of our most wasteful industrial evils.
>
> The United States census for 1900 showed that 6,468,964 working people, or nearly 25 per cent of all engaged in gainful occupations, had been unemployed some time during the year.
>
> Of these, 3,177,753 lost from one to three months each, representing, on the basis of $10 a week, a loss in wages approximating $200,000,000; 2,554,925 lost from four to six months' work each, representing a wage loss of approximately $500,000,000; and 736,286 lost from 7 to 12 months' work each, representing a wage loss of approximately $300,000,000.
>
> Thus approximately $1,000,000,000 was lost in wages in the year.
>
> On this subject the census statistics are very unsatisfactory, but they are the figures gathered and published at great expense by the United States Government.

Mr. President, I could multiply quotations and pile up figures almost indefinitely which would prove to any man of open mind that the unemployment problem in this country is a most serious problem, but one the magnitude of which we do not know, because we have no agency by which the figures concerning unemployment are made available for the men who must legislate upon this great subject.

I care not now to discuss the character of the legislation necessary to correct an evil such as the unemployment evil; but surely when unemployment becomes widespread there is a cause, a removable cause, and there is a remedy necessary. At times it may be a high tariff and at other times there may be some other remedy which is needed; but when the situation exists it demands a remedy. The remedy, however, can not be applied until we know exactly the extent, the gravity, and the nature of the disease or difficulty which is to be met by the remedy.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. McKELLAR in the chair). Does the Senator from Maryland yield to the Senator from Utah?

Mr. FRANCE. Certainly.

Mr. KING. I have not had the pleasure of hearing all of the remarks of the Senator, but those that I have heard have been exceedingly interesting and instructive. As I understand, the Senator is not now addressing himself to the causes of social and industrial unrest and is not pointing out remedies therefor; but, as I gather from his remarks, he is seeking to amend the bill under discussion so that the Government can ascertain the number of persons at a given time, and at all times, for that matter, who are out of employment and the character of work they are most fitted to perform.

Mr. FRANCE. The Senator from Utah is perfectly correct in his conclusion. My amendment, in a word, provides for a

continuous survey of the population at all times, with a continual gathering of vital and social statistics, with card catalogue records, in order that there may be available the data concerning our population upon which we may base scientifically drawn legislation, data without which I believe precision of legislative action is absolutely impossible.

Mr. KING. I think we must all agree with the Senator. The Senator will remember that the science of statistics was developed by the French perhaps a century ago, and has been amplified materially since then; and there is much reason for the contention so earnestly made by publicists and learned legislators that there can be no comprehensive and scientific legislation without a knowledge of statistics, without full and complete data relating to the subject, including cognate matters. My present view is that it would be a proper thing for this Government to have a permanent bureau or department that would collect the statistics to which the Senator refers. With the changes which the future will produce in our industrial and economic conditions it will become more and more necessary that we shall have scientific data and full and complete statistics upon all questions affecting or relating to our social structure. The social organism will necessarily become more complex. It is the law of evolution. Progress exhibits itself in a change from the simple to the complex, from the homogeneous to the heterogeneous. So while fundamental principles do not change, the variations in the social structure will call for a proper adaptation of the principles to the changed conditions.

Mr. FRANCE. Mr. President, I thought the Senator and myself would be found to be in agreement upon that general subject. I am very sorry that the Senator was necessarily out of the Chamber at the moment when I was also saying—and I wish I might impress this upon the mind of every Senator—that to-day we are collecting all of the statistics and we are making inquiries covering all these subjects, but we are doing it in an inefficient way, and the results are such that they are of practically no value. When I say that we are doing this work I refer to the agencies, Federal and State, without reference to the distribution of their activities; and that is the important thing to be remembered, that this does not provide for anything new. It provides for doing the old thing in a new way. I must admit that the cost to the Federal Government will be greater, but the local governments will be by so much relieved, and the aggregate cost of collecting all of these various statistics will be much less after we have substituted a uniformity throughout the process and after we have done away with the multiplicity of agencies which are now collecting these figures in such a way that they are of practically no social value.

I desire to read into the RECORD just at this time one more quotation from the American Labor Legislation Review unemployment survey of 1914 and 1915. In this connection I would call your attention to the fact that this survey was made after the census of 1910 by a private or a local agency, showing that the statistics which were collected under the census of 1910 were either wholly inadequate or they were so old as to be of no value; and I would say that the fathers, even going back to the early days of the Republic, discovered that the whole difficulty with the census was—and I will refer to that when I begin my discussion of the history of the census, which I will make as brief as consistent with clarity—that by the time its results were published the statistics were too old to be of any value; that is to say, so far as statistics of this character are concerned. They were of value so far as the primary object, the enumeration of the people, was concerned:

> In New York the mayor's committee on unemployment, using employers' pay rolls—
>
> Another weak stick upon which we have had to lean—
>
> calculated that in the whole city there were about 200,000 fewer persons employed in December, 1914, than in December, 1913. To many this figure seemed excessive, and the subsequent discussion led to a more systematic inquiry by the Metropolitan Life Insurance Co. Through its agents this company, in the latter part of January, canvassed its industrial policyholders in Greater New York, and, finding that 18 per cent of all wage earners in the families visited were out of work, figured that 18 per cent, or 442,000, of all New York's wage earners were unemployed.

Mr. President, I could go on, as I say, and multiply statements and pile up figures to show that we have no adequate method at present for the ascertainment of the number of unemployed. I could take up the same line of discussion with reference to many other subjects in these schedules. I might, for example, take up the subject of health, and we would find a similar condition. We are trying to solve these problems of health without knowing what they are. I hold in my hand a very interesting monograph, for example, upon the mortality from respiratory diseases in the dusty trades—quite an important subject—and if I desired at this time to go into it, I think I could prove to you without any question that we know practically nothing definite about the number of men employed in the dangerous and dusty trades. It is quite alarming to realize that there are something like 3,200,000 of them in the United States. Probably that is a fairly good guess. It was founded upon the figures given by one of the great insurance companies, and it is a very startling estimate. I think it is an approximate one, but I do not think the number has been underestimated.

Mr. KING. Mr. President, will the Senator permit me?

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Utah?

Mr. FRANCE. With pleasure.

Mr. KING. I should like to say to the Senator that some of the matters to which he has just referred have received attention at the hands of some of the departments and bureaus. The Bureau of Mines, for instance, has given some attention to mining operations, and particularly to those mines in which dust is generated, and some of the States have compiled statistics relating to various occupations and occupational diseases and other matters embraced within the amendment offered by the Senator.

Mr. FRANCE. I thank the Senator for calling the attention of the Senate to that fact, of which I am aware—a fact which further emphasizes the very contention which I am making, that these figures are being gathered to-day by a multiplicity of agencies, but these agencies are so scattered and their data after being collected are so unsystematically arranged that the results are not practically available.

Mr. President, I can scarcely hope to make a perfectly orderly and logical presentation of this subject, because it is really so vast that one becomes almost lost in it, and therefore I am not attempting to make any finished address upon this subject. I am simply, in a very informal way, trying to start a discussion upon this most important subject; and, in view of the informality of my remarks, I desire to recur for a moment to this subject of unemployment, as we have to deal with it, particularly in this reconstruction period. Referring to that subject, I desire to say this, and I shall refer to it again, as I have also referred to it before.

For the reconstruction period I think it would be fair to consider that there are two functions of government which must be as fully as possible exercised. One of those is protection by maintained order and the other is production. Referring to the interchange between the Senator from Utah and the Senator from Michigan, I will say that our two political parties have always differed upon this subject as to the importance of national production so far as the national wealth is concerned. The Republican Party has always sought to encourage production. I feel that for the purposes of reconstruction we may consider the Government as a great business, so to speak, every adult citizen of which may be considered to be a worker capable of producing something to be added to the national wealth. The thing that has not been sufficiently recognized is that the disturbances which we see to-day all over the world, the revolutions which are occurring, have an explanation. There is a definite explanation for the fact that to-day in Europe and in Asia, taking certain territories together, there are more than 300,000,000 of people without responsible governments, speaking, of course, in a general way; more than 300,000,000 of people in a state of revolution.

Now, there is a reason, and, in a general way, I think we may say that this is the cause of the unrest and of the revolution. I have not changed my views on this subject. I said many months ago in this Chamber that I would not be surprised to see the war end in revolutions. It was only a question of time. You can not continue to draw indefinitely men and women from productive lines of activity and put them into destructive lines of work without ultimately having revolution, because the time is certain to come when an underproduction of the necessities and commodities of life will reach the point where men will no longer be satisfied, and then the wild, elemental passions which know no law break forth and men overthrow their government. So that, in a general way, the causes for the disturbance in Europe to-day are these: The underproduction of the various commodities and necessities of life, particularly food, and, of course, the faulty distribution of those articles which have been produced; but, in a general way, it is safe to say that the peoples of the world to-day are discontented and stirred with a profound unrest because there has been such an underproduction of the commodities and the necessities of life.

Mr. President, I wish I could make every man feel as I do about this, because if all felt as I do about it they would real-

ize, as I do, the necessity for consummating a peace as soon as possible. I want to see a peace established which shall be as permanent as may be. I am in agreement with the ideals expressed by the President when he looks forward to the time when peace shall dwell in all parts of the earth and when men may devote themselves wholly to productive rather than at times giving themselves over to destructive activity.

If we look at the fundamental causes of unrest and revolution and agree that they are due to the underproduction of the commodities and necessities of life, it must appear that it is most urgent that the millions of men in the armies and not now productively employed be returned at once to productive lines of work in order that this great fundamental cause of world unrest, the underproduction of the necessities and commodities of life, may be promptly removed. That is what disturbs me with reference to the undue prolongation of the peace conference—this scarcity in the world of those commodities which must be had in an increased amount if men are to be kept orderly, and if they are to be kept satisfied with their governments.

I can not express to you how important I feel it is that these millions of men be sent home and helped as soon as possible, and without the loss of time to which the Senator from Utah has referred, into the various productive lines of work. There never was a time when every unit of man power was so needed for the production of useful commodities and necessities; and that is one reason why I am pleading for scientifically organized agencies which will pick up the man as soon as he returns home, and in some way assist him to find some productive line of work. The resolution which I introduced here yesterday, urging speed in the making of peace in order that production may be resumed as speedily as possible, expresses my views upon that general subject.

Mr. KING. Mr. President, will the Senator yield for just a moment?

Mr. FRANCE. I yield, with pleasure.

Mr. KING. When the Senator attributes the social unrest now existing and which has existed for some time, exclusively to the fact of underproduction, as he has denominated it, in foodstuffs and in the necessities of life, I think he states the question in rather an extreme way. There are individuals in this country belonging to the I. W. W. organization whose struggle is against production. They denounce the wage system and seek the destruction of all government and orderly processes that would make for production, peace, and prosperity. They are satisfied with no wage, no matter how high. If they demand and receive $10 to-day, they decree a strike to-morrow. If their further demands are granted, they strike again. If agreements are entered into between them and their employer, they regard them as of no binding force, and they keep on striking, hoping in time to destroy the entire wage system. Indeed, their purpose is to destroy the form of government under which we are living.

Those who belong to the I. W. W. organization would continue their destructive work no matter what wages were paid them or how abundant were the products of field and factory and farm or how great was the prosperity in the land. Indeed, the greater the prosperity the more vindictive would be their assaults upon the Government and the social and economic system.

The same is true of the followers of Lenine and Trotsky. It is a class war that they are waging. They want to destroy the bourgeoisie; they want to destroy everybody who does not belong to what they denominate the proletarian class. They will destroy by murder and by assassination and by starvation in order to consummate their devilish and hellish purposes. Already in Petrograd, and in the area of territory controlled by Lenine and Trotsky, they have announced the rule, and they are enforcing it with severity, that the soldiers shall get all the food they want. If there is any not required by the soldiers, who are hired mercenaries, employed to kill and destroy, then those supposed to be supporters of Bolshevism are cared for; but the middle class, the commercial class, the intellectual class, are being deliberately exterminated, either through starvation or by assassination. They are going to enforce class rule, even if in order to effectuate that they are compelled to destroy all other classes.

Mr. FRANCE. Mr. President, so far as the I. W. W.'s in this country may be concerned, I feel that they are in a small minority, although I do feel that there has been much false economic doctrine taught, and I am sorry to say that some of it has been taught by certain of the labor-union leaders.

Mr. WILLIAMS. Mr. President, will the Senator pardon me for an interruption?

Mr. FRANCE. I yield to the Senator from Mississippi.

Mr. WILLIAMS. I just heard the Senator say that much of the doctrine had been taught by labor-union leaders. I do not remember that any labor-union leader ever taught any bolshevism or ever taught any I. W. W. doctrine; and if the Senator remembers the name of any labor-union leader who ever did teach any of it, I should like to have him mention it.

Mr. FRANCE. The Senator from Mississippi has misconstrued by remarks.

Mr. WILLIAMS. Because I remember distinctly that Mr. Gompers, and I remember that the balance of the people who are at the head of the labor unions in America, have taught the opposite doctrine, and have not joined in the anarchism and nihilism and the Bolshevism to which the Senator from Utah a moment ago referred.

Mr. FRANCE. I agree with the Senator on that. He misunderstood me. What I meant to say was this, and I think the Senator will admit that it is true: The labor-union leaders have taught the doctrine that high nominal wages are always desirable, and that high wages can be secured by a limitation of output, generally speaking; whereas the fact of the matter is that what ameliorates the condition of the laboring people is the production of a large amount of national wealth, and therefore a laboring man is often better off, more comfortable, more contented, more prosperous when he is getting $4 a day than when he is getting $10 a day, for it is not the nominal wage which must be considered; it is the real wage; for what will determine whether a man shall live in comfort or in discomfort is the purchasing power at the time of his dollar. One of the labor-union men recently said that the unions would not consent to any reduction of wages. I wish that such would realize that if we could properly organize the country for production and increase our production up to a certain point, labor's share in the production pile, as I call it, or in what is produced, would be larger, regardless of what the particular money wage is at that time.

The I. W. W. man of course is animated by several motives. Personally I am inclined to be charitable and believe that many of the I. W. W.'s are the unfortunate victims of a system which perhaps has not given them any full opportunity to prepare for the battle of life. Many of them have come from oppressed countries, such as Russia, where a man was practically a slave and where to him government for centuries has represented a cruel and relentless master. We must take all those things into consideration, even in passing judgment upon the I. W. W.'s. So far as the Bolsheviki of Russia are concerned, I think it is unfair to them for us to forget what government has meant to them in the past.

[At this point Mr. FRANCE yielded the floor for the day.]

Thursday, January 16, 1919.

Mr. FRANCE. Mr. President, I desire to continue the preliminary remarks which I was making upon yesterday, when the Senate took a recess, upon the amendments which I have offered to the census bill, which amendments I consider to be a part of what should be a national reconstruction program; and of course the national reconstruction program is a part of that great program of world reconstruction upon which we are about to enter, and upon which the sooner we do enter the better it will be not only for our own Nation, but for the world.

I said on yesterday, if I may be permitted to give a brief summary of my remarks, that in considering the reconstruction program it would be necessary for us at the outset to distinguish between those functions which should popularly be performed by Government and those functions the performance of which does not inhere at all in Government, many of which latter functions, Mr. President, I believe the Government has, through a mistaken policy, assumed during the present, now passing, emergency.

I called attention to the fact that I, personally, was not satisfied with conditions as they exist in the country to-day, but I attempted to give expression to my conviction that the unsatisfactory conditions which exist to-day in this country do not exist because of any defect in our governmental form. They do not exist because the Government has not assumed enough functions. It has, in my judgment, assumed too many. These evil conditions exist because the Government has not been properly performing those functions which do properly inhere in it.

I took the liberty, Mr. President, for purposes of my discussion, to refer to certain functions which I believe do inhere properly in government, functions which we have, by past legislation and by past national doctrine, incorporated into law and into practice, and called upon the Government to perform. I think there was very little dissension from my view on yesterday.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER (Mr. ASHURST in the chair). Does the Senator from Maryland yield to the Senator from Iowa?

Mr. FRANCE. I yield.

Mr. KENYON. I do not like to interrupt the Senator, as I know he is very anxious to conclude his remarks.

Mr. FRANCE. I am very glad to be interrupted by the Senator.

Mr. KENYON. I would like to ask the Senator if he discussed on yesterday in connection with this reconstruction work any plan of legislation for labor during this reconstruction period?

Mr. FRANCE. Yes. I will say to the Senator that I referred to that subject. In fact, I will say that in a general way the whole object of my remarks and the purpose of the amendments which I have offered are directed to a serious economic situation which does now exist in this country, and which will exist in a more aggravated degree very shortly as a result of readjustment necessary in passing from war to peace conditions.

Mr. President, I took the position yesterday that the first step in reconstruction was to take the Government out of business and out of business deals and to strip it from the obligations of performing a mass of nongovernmental functions in order that it might be free to go powerfully, resistlessly, and efficiently ahead in the performance of those legitimate functions of government which it has not been efficiently performing and as a result of the failure to perform which intolerable conditions have grown up in this country, conditions which are not satisfactory to me nor to the masses of our people.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Will the Senator from Maryland yield to the Senator from Utah?

Mr. FRANCE. I yield.

Mr. KING. I suppose the Senator, in the comprehensive statement just made, is referring to the control by the Government of the railroads, telephones, telegraphs, and cables?

Mr. FRANCE. Particularly.

Mr. KING. And shipping interests?

Mr. FRANCE. Particularly.

Mr. KING. The control of which during the war the Senator, as I understand, would justify, but in peace times deems intolerable?

Mr. FRANCE. I must say that while the Senator has interpreted my remarks in the main correctly, I have not shared the opinion that it was necessary for the Government to assume those nongovernmental functions even during war. That, however, happens to be a very large question, as to the wisdom or the necessity of such an assumption during the war of those functions.

Mr. KING. But at any rate in peace the Senator plants himself upon the proposition that it is not a governmental function to take over railroads and to own and operate them, to take over telegraphs and telephones and cables and own and operate them; that governmental control and operation makes progressively for inefficiency, for extravagance, and for waste. Is that the position the Senator takes?

Mr. FRANCE. The Senator has stated my position very clearly and I appreciate his statement. That is my view. In fact, Mr. President, I even question the right of Government to assume to do the thinking for its people. That is one of the nongovernmental functions which this great Republic has attempted to assume in this great emergency. I would strip from this Republic those deterring and intolerable barnacles which we have allowed to accumulate upon her hull—such, for example, as the duplicity bureau, so-called the Publicity Bureau.

The citizens of this Republic are not accustomed to a governess; they are not mental nurslings needing censored and predigested news. I said the other day in my discussion upon the espionage question that I could go out into the country—and the Senator from Missouri [Mr. REED] is looking at me very reproachfully because he realizes that when I say this I am borrowing a statement from him; I did not recall, however, until I saw that reproachful look upon his countenance, that I was doing it—that I could go out in the country, in Maryland, or in Virginia, and pick up in a short time dozens of men as competent to pass upon the Russian question as some of the men who are suppressing news which we should be receiving from Russia.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Will the Senator from Maryland yield to the Senator from Missouri?

Mr. FRANCE. The Senator from Missouri did not perhaps use these very words but this was his thought expressed in the remarks to which I refer. I yield, Mr. President.

Mr. REED. Of course the Senator spoke in jest when he said I was looking at him reproachfully. The Senator might not know it, but I was looking at the Senator with approval because he was talking some good plain common sense that he did not get from me, but which he got from his own head. I agree with him fully.

Mr. FRANCE. I know the great Senator from Missouri, who differs with me in politics, is one of the men who has not lost faith in this Republic and in the patriotism and loyalty of our people under all circumstances.

Mr. REED. I go further than the Senator, perhaps being more specific. I do not think there is a newspaper reporter in Washington who would not have made a better censor than Mr. Creel. I will go further than that and say I do not think there is any man in the United States who is permitted to be at large who would not have made a better censor than Mr. Creel.

Mr. KING. Will the Senator yield?

Mr. FRANCE. I yield with pleasure.

Mr. KING. I want to submit to him, and to the Senator from Missouri, if the Senator from Maryland and the Senator from Missouri are not rather cruel to Mr. Creel. He has frequently been criticized in this Chamber, and there has not been a single Senator who has defended him; apparently all of the criticisms were approved by the Senate. It would seem to me that perhaps the time has come when we might lay a wreath upon the official (?) grave of Mr. Creel.

Mr. FRANCE. I hope the time has arrived, not because he is Mr. Creel. I know nothing about Mr. Creel or of his efficiency or inefficiency. But there is no such thing as a good censor, and there is no such thing as good censorship. I have always made it a practice to speak not against persons but against policies. Words fail me to describe my contempt for that policy of censorship which has been adopted during this emergency, my views upon that subject having been expressed in my remarks the other day upon the subject of the repeal of the espionage law.

Yes, I would cut away with an ax, as I said yesterday, all of these bureaus which have grown up here and which are impeding the proper progress by the Government in its legitimate work.

Mr. President, I took occasion yesterday to warn the liberal thinking men of this country to take notice of this intolerable situation which has grown up because of the assumption by the Government of many nongovernmental functions, by the doing of which the Central Government has also built up a tremendous machine which, should it ever fall into the hands of not only reactionaries but destructionists, could be used to prevent all progress in this Republic and place her back among those nations which have represented the most reactionary and despotic governments of the world. I wish that all of the liberals would stand warned by what has happened since the seizure by the Government illegally—and I have not forgotten the decision by a United States judge to the contrary, either—of the telegraphs, telephones, and cables.

I have respect for courts, but I want to say when courts can hold such an action as that legal and when they can hold that an espionage law such as was enacted is constitutional, that I part, in judgment, company with the courts.

Mr. KING. Will the Senator yield?

The PRESIDING OFFICER. Will the Senator from Maryland yield to the Senator from Utah?

Mr. FRANCE. Yes.

Mr. KING. Mr. President, I think the Senator is administering an undeserved rebuke to the courts. I think that if anyone is to be criticized or anybody or functionaries are to be criticized it should be the Congress of the United States. The Congress of the United States enacted a law which under certain circumstances authorized the taking over of the telegraph, telephone, and cable lines. The court to which the Senator refers merely decided that it was a legislative question rather than a judicial question, that the court could not put itself into the position of the legislature and determine whether or not a question of policy was wise or unwise; that that was a function for the legislative branch of the Government. This position finds support in the political system which we inherited from England. The principle is as old as the English law. It is a part of the Anglo-Saxon institutions.

Now, the Senator may properly criticize the National Legislature for giving that power to the Executive; he may think—as many others do—that the policy was wrong; but he ought not to criticize the courts when they properly uphold the hands of the legislative branch of the Government. The Supreme Court has been criticized for some of its decisions, notably the one holding that the child-labor law was unconstitutional.

Critics have said that the Supreme Court of the United States ought to have taken the judgment of the legislative branch of the Government; that there are three coordinative branches of the Government; that the legislature determines the policy and the Supreme Court merely construes the law. I think the decision of the Supreme Court upon that question was right. I am inclined to think that the decision of Judge Hand upon the cable question was right. I am inclined to think the Senator's criticism, if it were leveled against Congress, would be entirely justified.

Mr. FRANCE. In reply to the Senator, I will say that I realize the force of his statement, and I know that he will be the first to acquit me of belonging to that class the members of which believe that the enactment of the legislation should always be the final act. I believe in reviews by the court. I have ever entertained the highest admiration for the decisions of the Supreme Court. I am not condemning the Federal judge who made that ruling, mistaken though I think he was. But I do want to say this: The Senator from Utah is a candid man, an honest man and a fearless man. He knows as well as I do that during the period of this war the legislative department of this Government abdicated in favor of the executive, and our orders were received from the executive department and obeyed.

If the Senator wants to question that I will refer him to what I referred to the other day, the vote taken by the Senate on an amendment to the espionage law. The amendment provided that even after the enactment of that law the people of the United States should have the right to speak "what is true, from good motives and for justifiable ends." The Senator from Montana [Mr. WALSH], one of the ablest constitutional lawyers and one of the best legal minds in this body, rose and called my attention to the fact, of which I was well aware, that the language of that amendment was similar to that of the constitutions of many States, and he said that there was no possible objection to the amendment, and the amendment was adopted by the Senate. But what happened? The bill went to conference, and by order from the executive department the amendment was stricken out, and by an order of the executive department and a subordinate in that department the Senate of the United States also reversed itself and refused to keep in the law this clause assuring the American people the right to discuss not affairs belonging to Washington, not affairs belonging to the administration, but their own governmental affairs, denying them the very right to speak the truth from good motives and for justifiable ends.

I want to say that my feeling toward this decision of the court has arisen from a haunting fear which disturbs me, that as the legislative department of this Government has abdicated and subserviently followed the directions of the executive, so also might the court become subservient and—after thoughtlessly applauding and approving addresses delivered at the joint sessions of the Congress outlining great policies, the determination of the wisdom and the constitutionality of which might involve the most careful and prolonged consideration by the court—also yield its judgment. A haunting fear, I say, has come to me that perhaps, as the legislative body abdicated, so might the judicial. The able lawyer, the distinguished Senator from Utah [Mr. KING], knows as well as I do that when the legislative body shall have abdicated and when the judicial body shall have abdicated the end has come, that the Republic has been utterly destroyed, and that, in place of a free Government here upon the Western Hemisphere a despotism has been built up as absolute as was that of Nicholas Romanoff, because the fathers all understood that the consolidation of these three powers, legislative, executive, and judicial, in any way in one would result in tyranny and despotism.

Mr. KING. Will the Senator from Maryland yield to me?

Mr. FRANCE. I yield to the Senator from Utah.

Mr. KING. Mr. President, the Senator from Maryland has made a very impassioned defense of personal liberty and of the rights of the individual against the aggressions of the Government. In his eloquent statement respecting those questions I am in hearty accord with him. I believe that a bureaucracy may become as oppressive and tyrannous as an imperial form of government. There is no question but that there is a tendency in this Republic toward a bureaucracy.

Mr. SMITH of Michigan. We have got it here now.

Mr. KING. Indeed, I regret to say, it is encouraged by the people. The people of the States when they see an evil existing which is purely local and intrastate in character immediately rush to Washington and, upon bended knees and with uplifted hands, ask for Federal aid and for Federal interposition. I believe that there is a subsidence of that strong feeling on the part of the people which has developed and maintained local self-government, and which sought to preserve the rights and prerogatives of the States, the sovereignty of the States, and that we are yielding to the Federal Government powers which belong to the States.

The fault is largely with the people. There is not sufficient study of the science of government and of the struggles of peoples of the past to secure liberty. Our Constitution, to many, is as a sealed book, and appeals to its provisions for protection against an abuse of power and the assertion of policies destructive of a representative form of government too often fall upon deaf ears and provoke irritation upon the part of many of the people. There is an inclination to forget that there can be no true progress that is not founded upon the growth and development of the individual. Perhaps there are exceptions, and yet I make bold to assert that one of the infallible evidences of national decay among a people who have enjoyed liberty is the persistent and progressive disinclination to assert and maintain a vigorous individualism and a virile and vibrant local self-government and a willingness, indeed a purpose, to relinquish into the hands of bureaucrats, or a powerful centralized government, the control of all matters—individual, local, and domestic. Our Government is one of checks and balances. If these are disregarded, confusion is inevitable, and in the end a change in the form of government must result. The congestion of power in the hands of a few means that the people, who are the source of power, have voluntarily or involuntarily been deprived of the same. I am insisting upon the maintenance of our form of government, the preservation by the States of the powers reserved to them in the Constitution. I protest against this constant aggrandizement by the Federal Government. The States are becoming enervated, supine, and lifeless. Vigorous States, powerful and progressive local political units, produce good government and operate as powerful citadels against the assaults of power and the tides of absolutism that in all ages, among all peoples, surge against humanity's interests.

But, if the Senator from Maryland will excuse me for so stating, I am inclined to think he has been rather ungenerous toward Congress, toward the Senate, of which he is so distinguished and brilliant a Member, in his wholesale charges of a complete abdication by the Senate and by the House of Representatives of the functions which rest upon them.

Mr. FRANCE. If the Senator from Utah will permit me to interrupt him, I desire to ask does he recall that I used the word "complete"?

Mr. KING. I understood the Senator to say "complete abdication."

Mr. FRANCE. I said "abdication." "Abdication" may be either partial or complete. I do not recall that I used the word "complete."

Mr. SMITH of Michigan. I am sorry the Senator from Maryland did not use it.

Mr. KING. Well, the Senator from Michigan supplements the statement of the distinguished Senator from Maryland, and the Senator from Michigan assumes the responsibility now of saying that there has been a complete abdication by the Senate of the legislative functions and powers which devolve upon it.

Mr. SMITH of Michigan. That is a large question, and I do not know that I would allow the Senator from Utah to state my judgment about it.

Mr. KING. I understood the Senator from Michigan to use the word "complete" and to express regret that the Senator from Maryland did not use the word "complete."

Mr. SMITH of Michigan. There is within the sound of my voice a Senator who for weeks, upon the other side of the Chamber, begged us to withhold these powers, and all around this Chamber he was criticized for doing so. We at least went a good way. I will say to the Senator from Utah, in abdicating the appropriate constitutional functions of Congress.

Mr. KING. Mr. President——

Mr. FRANCE. Will the Senator from Utah yield to me?

Mr. KING. Of course, I must yield whenever the Senator from Maryland desires me to do so, because I am trespassing upon his time.

Mr. FRANCE. I do not wish to interrupt the trend of thought of the Senator from Utah, but in that connection I think it is only fair for him to consider this proposition: That, after all, the essential question is not whether the abdication was complete, but whether there was any abdication, for abdications or assumptions of power are never complete at the beginning. The essential question is, Has there been any abdication?

Mr. SMITH of Michigan. We were told on the other side of the Chamber that the Constitution was for the time being nullified.

Mr. FRANCE. That doctrine was taught.

Mr. KENYON. And also on this side.

Mr. SMITH of Michigan. Yes; and also on this side.

Mr. FRANCE. The Senator from Utah is making most interesting remarks, and I will say that I have no controversy with him; we may have a difference of opinion, but I know that his views and mine, in a large way, are quite similar upon this constitutional question, and I desire him to discuss the very question as to whether, after all, the completeness or incompleteness of abdication is the essential thing. Is not any abdication almost as bad as complete abdication—although I did not use the word "complete"?

Mr. KING. Mr. President, perhaps I put into the mouth of the distinguished Senator from Maryland a word which he did not use. I interpreted his remarks, however, as being a denunciation of the Senate because they had completely abdicated their function; but I understand him now not to make that contention.

Mr. FRANCE. I hope the Senator from Utah will not take such an unfair advantage of me as to say that I was denouncing the Senate. I was not doing anything of the kind.

Mr. KING. Mr. President, if the Senator will allow me——

Mr. FRANCE. I was criticizing the Senate. I know that men with the very best motives, and men for whom I feel the deepest affection, said that in such an emergency it was better to have but one mind.

Mr. KING. I did not use the word "denunciation" in an offensive way at all.

Mr. FRANCE. I hope not.

Mr. KING. I intended it as the equivalent of the word "criticism." I think if the Senate has abdicated any of its powers it certainly should be subjected not only to criticism but to denunciation, because I agree with the distinguished Senator that if the tripartite division of powers which characterize this Republic shall be broken down and one coordinate branch of the Government encroaches upon the functions and powers of the other, serious consequences must inevitably result, and if the destructive course is persisted in, ultimately the Government would be changed in form or it would be overthrown.

Mr. FRANCE. Now, will the Senator from Utah yield for one definite question?

Mr. KING. Certainly.

Mr. SMITH of Michigan. The Senator from Maryland has the floor.

Mr. FRANCE. I mean may I interrupt him, because I have the floor, as the Senator well understands.

Mr. KING. Certainly; and that was stated.

Mr. FRANCE. When the Senate, after several days of consideration—because when my so-called "speaking the truth" amendment was first rejected it was rejected without mature consideration, and when the Senate several days later, after what should have been a period of deliberation, although during all of the intervening time the subject was not under formal consideration—reached a mature conclusion, without a dissenting vote, that there should be, for the protection of the people of the United States, written into the espionage law a clause guaranteeing to the people the right to speak the truth from good motives and for justifiable ends—when the Senate reached the conclusion that this was a proper safeguarding of the people's rights, one guaranteed in the constitutions of a large number of the States, was it or was it not an abdication of its judgment and of its proper deliberative and legislative functions when a subordinate in the Department of Justice wrote a letter saying that this amendment would make prosecutions difficult, and when the Senate, upon hearing that letter, reversed itself in spite of the efforts which were made by the Republican Party—and I wish to tell the country and the liberals of the country that it was almost by a party vote—when the Senate reversed itself and followed the judgment of that subordinate of the Department of Justice, was or was not that an abdication of its deliberative and legislative functions and of its judgment in favor of the judgment of a member of one of the executive departments?

Mr. KING. Mr. President, I do not think that the distinguished Senator has stated the situation in a fair and candid manner. The Senator seems to labor under the impression that to receive any suggestion from the executive branch of the Government is an encroachment upon the rights of the legislative branch. That obviously is incorrect, because often we seek the opinion of the executive branches of the Government with respect to matters coming properly under their cognizance; indeed, very much of the legislation which is enacted here is initiated—if I may be permitted the expression—by the executive branch of the Government. In the administration of the law officials and departments find imperfections, loopholes, weaknesses, and it is their duty obviously to challenge the attention of the legislative branch of the Government to those imperfections with a view to having them corrected. Accordingly, we are constantly asking the departments for suggestions, for advice, for their views respecting contemplated legislation. The legal department of the Government frequently prepares bills which Congress desires and some of which the executive department in the proper administration of its duties find are necessary in order to meet the exigencies of the hour.

Mr. FRANCE. May I interrupt the Senator at that point?

Mr. KING. Of course I must yield.

Mr. FRANCE. I wish to ask the Senator if he wishes to be put in the position of making no distinction between our asking advice before our action and our reversal of an action reached unanimously after orders have been issued or advice given?

Mr KING. Of course there is a distinction; but I am somewhat familiar with the incident to which the Senator refers and I do not think, as I said a moment ago, that the Senator fully portrays the facts in the case. The facts in brief are these, if the Senator will pardon me—and I say again I am trespassing upon his time——

Mr. FRANCE. I have recited the facts. I am not responsible for the Senator's conclusions, but I substantially recited the facts.

Mr. KING. There is some little inexactitude in the recitation which has just been given by the Senator.

Mr. FRANCE. Well, the Senator will certainly acquit me of any deliberate intention to misstate the facts. It is difficult to remember all the details.

Mr. KING. Absolutely, because I know the Senator is incapable of making a wilful misstatement of facts, or of conclusions, for that matter; but the facts in brief are these: We found when we were plunged into war that laws were necessary to deal with a number of important questions. It became necessary to place embargoes upon certain products, to provide punishment for spies and those engaging in treasonable undertakings and in transmitting information to the enemy. Another important question which needed attention was the question of publishing in this country matter that was prejudicial to the progress of the war, the publishing of seditious and revolutionary matter that would have prevented the execution of the draft law and the proper administration of laws enacted to prepare this country for the great struggle upon which it was entering. As a result of that situation the Department of Justice, at the request of Senators and Representatives, and doubtless at the request of the President of the United States as commander in chief of the Army, who was familiar with the situation and knew what the exigencies of the hour required, prepared a bill covering these subjects. It came in here as a criminal code dealing with most important questions. The bill passed and became a law. Later it was found necessary to amend certain provisions of the statute. In considering the measure to amend the original espionage act the Senator from Maryland offered the amendment to which he has referred. It was agreed to. Later the conference committee struck out the amendment and the Senate accepted their report.

While the bill was in conference the Attorney General, through his assistant, transmitted a letter to the Senator from North Carolina [Mr. OVERMAN], who had charge of the bill upon the floor, in which he indicated that if that amendment were to prevail in his opinion it would nullify important provisions of the law. The Senator from Maryland states that because of that letter, which was read and influenced Senators, they changed their opinions with respect to the amendment, and that that constituted an abdication upon the part of the Senate of its functions, resulting from the demands of the executive department. I deny that.

Mr. SMITH of Michigan. Well, let me give the Senator a concrete case.

Mr. KING. If the Senator from Michigan will pardon me, let me complete what I was about to say, and then, if the Senator from Maryland will permit, I shall be very glad to have the Senator from Michigan interrupt me.

Mr. SMITH of Michigan. I should like to give a concrete case showing where we were led off.

Mr. KING. In this particular case many Senators, lawyers among them, took the same view as the Assistant Attorney General; others took the view—and I was among that number—that the amendment as offered by the Senator from Maryland did not affect at all the interpretation which the courts would place upon the bill, and that his amendment was therefore unimportant. The Senator from Montana [Mr. WALSH], who voted for the amendment, submitted an argument showing that the amendment added nothing to the proposed law. Other Senators did believe that the amendment would embarrass the Government in prosecutions under the law and permit guilty persons, persons whose motives were sinister and criminal, to

escape punishment. In voting for the conference report I deny that Senators abdicated their judgment. Some of them, upon giving the matter further consideration, reached the conclusion that the amendment of the Senator would perhaps nullify the bill.

But coming now, specifically, to the charge of the Senator that there has been an abdication, in part at least, upon the part of the legislative branch of the Government in favor of the executive during the progress of the war, I want to invite the attention of the Senator to the fact that substantially all of the legislation relating to the war has been enacted by the unanimous vote of the Senate. There has been no controversy. Republican Senators and Democratic Senators believed that most of these great war measures—the draft law, the great measures that made for the building up of a fighting machine, the caring for our soldiers, and so on—were proper, whether they originated in the departments or whether they first found expression in the committees of either branch of Congress. I do not think it quite fair or just to say that Congress has abdicated its functions. I acquit Republican Senators who voted for these great war measures of an abdication of their legislative functions because they supported them. I think that the Senate and the House in this war, as the Senate and the House in other wars, have felt that we were compelled in time of war to enact legislation which we would not enact in time of peace; and we have relied more upon the suggestions of the Executive than in time of peace, because the Executive knew better than we, in many respects, the questions that needed legislative attention.

Mr. SMITH of Michigan. Mr. President——

Mr. FRANCE. I yield to the Senator from Michigan.

Mr. SMITH of Michigan. The Senator from Utah [Mr. KING] has, of course, made a rather glowing defense of the rectitude of Congress; but much of the complimentary reference to this side of the Chamber is lost when I know that our supine acquiescence was not always the result of our judgment, and I think Senators on this side have held their noses when they voted for about nine-tenths of the legislation that the Executive has forced upon us.

Mr. KING. I think, if the Senator will pardon me, that I will defend the Republicans against his indictment of his own party. [Laughter.]

Mr. SMITH of Michigan. I think I would be a little suspicious if the Senator from Utah defended this side of the Chamber.

Mr. KING. I think I could do it, perhaps, with better grace now than the Senator from Michigan.

Mr. SMITH of Michigan. With better grace, but not more fact or knowledge. The Senator's grace I admit, and his ability to do it interestingly, of course, would be acknowledged; but I will take my part of the responsibility for having voted against my judgment scores of times, and I know that I do not stand alone in that.

Mr. KING. Mr. President, will the Senator pardon me a moment?

Mr. SMITH of Michigan. But when the Senator from Utah takes up a concrete case, I have one in my mind. The Constitution vests in Congress alone the right to declare war; and yet our entire fleet and our Army were headed for a neighboring state in this hemisphere absolutely upon the ipse dixit of the President of the United States, and we came along supinely, and perhaps patriotically, and ratified what he did. It only shows the growing tendency of the executive department to thrive upon what it feeds on; and, while I do not want to enter into any controversy about it now, I have a record that I am proud of in connection with the war. I am perhaps as radical a partisan as there is in this Chamber, and I have no apologies to make for it. I believe that about everything the Democratic Party has tried to do was wrong and that the country has paid the penalty for it, and that sooner or later the common sense of the American people will return to power the party that has made progress, given encouragement to our countrymen, protected our market places, and so forth.

Mr. FRANCE. Mr. President, the Senator from Michigan has not forgotten that this party has been voted into power, so far as the legislative branch is concerned?

Mr. SMITH of Michigan. Yes. But the dulcet tones that came from the lips of my friend from Utah yesterday were the only real encouragement that I have had recently that the Senate would be Republican after March 4. The Senator admitted yesterday that it would be, and I was glad, because I respect his judgment, and I think it is quite vital; but we are far from being in power. We can not make a law until we have some one at the other end of the Avenue in sympathy with the congressional viewpoint, and for that we will have to wait two years—no longer, I hope.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Utah?

Mr. FRANCE. I yield for a moment, although——

Mr. SMITH of Michigan. Wait just a moment. I thought the Senator yielded to me.

Mr. FRANCE. Yes; I have yielded to the Senator.

Mr. KING. I thought the Senator interrupted me.

Mr. SMITH of Michigan. Perhaps I did; and I want to be very courteous to my friend. I have served with him in both Houses of Congress, and there is no one for whom I have higher respect. I sympathize somewhat with his contention that we have maintained a fair degree of legislative independence; but if he is satisfied that we have lived up to the time-honored and historic principles of our predecessors, he is a long way from a sound base.

Now I yield to the Senator from Utah if I have anything to yield. I am afraid I have not.

Mr. KING. I ask the indulgence of the Senator from Maryland for a moment.

Mr. FRANCE. I yield.

Mr. KING. Of course, it is impossible, Mr. President, when I am interrupting the Senator from Maryland, to adequately reply to the Senator from Michigan, who has now drawn an indictment against the Democratic Party, not only during this Congress but in the past. I have not time to review the Mexican situation, which the Senator has dragged into the discussion. Regardless of what some may think upon that question, it is sufficient to say that the American people approved of the policy of Mr. Wilson in dealing with the Mexican question, and two years ago he and the Democratic Party were continued in power.

Mr. SMITH of Michigan. He did not accomplish anything down there. He spent $200,000,000 in chasing a bandit, and the bandit is still doing business.

Mr. KING. Mr. President, there are many angles to that, and it would take a longer time than I have at my disposal now to reply to what the Senator has said; but I do concur in part with the Senator from Michigan and the Senator from Maryland. There has been a great tendency upon the part of the executive departments of the Government to override the legislative branch of the Government. A great President, a man whose untimely death we all deplore, and for whose memory we feel a profound respect, did not hesitate to use "the big stick" over Republican Senators and Congressmen, and to drive through, over the protests of Republican Senators and Republican Congressmen, measures which he conceived to be for the public good. No Executive has exercised greater power over the legislative branch of the Government than the great President to whom I have just alluded. I am not here now to make any criticism of his conduct in that respect, but I do concur in the view of the distinguished Senator that there is a disposition growing in the country to subordinate Congress to the executive departments of the Government; to the bureaus and clerks and satellites in departments, who too often attempt to foist upon Congress their visionary and selfish policies and to compel the enactment of legislation which more strongly entrenches bureaucracy in the Government. Speaking for myself, I feel that the Congress has not always asserted its powers and its functions and prerogatives, and has been oftentimes too subservient to the executive arm of the Government.

Mr. SMITH of Michigan. Mr. President——

Mr. KING. But let me say, in conclusion, that with respect to war legislation I believe that both of the distinguished Senators who speak so ably for the Republican Party, when they take up one by one these bills that have been enacted during the progress of the war, will say that they constitute a monument of fine and splendid legislation, a tribute to the patriotism of Congress and the American people; legislation which conduced to the winning of the war and brought it to a termination much sooner than if partisan controversies and obstructive tactics had characterized the workings of Congress.

In the days of Mr. Lincoln much of the great war legislation was originated by him and by his Cabinet; and the Republicans, then in control of the House and the Senate, registered, often without any protest, the wishes—the edicts, if I may be permitted the expression—of the executive branch of the Government. They felt, as Congress has felt now, that in periods of war the Executive power is stronger, and the legislative branch of the Government is called upon to make some sacrifices and some concessions in order to carry out the stupendous tasks which the war devolves upon the country.

Mr. SMITH of Michigan. Mr. President, I do not want to interrupt the Senator from Maryland, but——

Mr. FRANCE. I yield with pleasure.

Mr. SMITH of Michigan. The Senator from Utah [Mr. KING] has just said that the late President Roosevelt used the "big stick," which recalls to my mind the fact that while this body passed a resolution asking that the late Col. Roosevelt might go to France to take part in the war the President of the United States paid no attention at all to that recommendation. Frenchmen wanted him to come. The great Clemenceau wrote a letter to the President asking that Roosevelt might be sent over to inspire his countrymen. No attention was paid to it at all. The executive department has been the controlling department of this Government ever since the war broke out. You can not compare it with Lincoln's situation. Lincoln had a committee of Congress always at his elbow with whom he consulted about every question of policy.

Mr. KING. If the Senator will pardon me, a committee which some persons afterwards denominated "a snuffling committee", which was offensive to President Lincoln and to some of the leaders of his party.

Mr. SMITH of Michigan. It was not offensive to President Lincoln. I know personally one of the men on that committee who enjoyed the confidence of Mr. Lincoln. I know another who lived in honor all his life and closed his days amid the lamentations of his fellow citizens and neighbors. Oh, no; no committee that Mr. Lincoln would call about him would smell bad, even to a Democrat, and I deny that that committee smelt bad, although I do not know anything about it; I was too young to know anything about it, but there are men within the sound of my voice who know something about it personally.

I noticed that my friend from Illinois [Mr. LEWIS] entered the Chamber a moment ago, and it reminded me of the fact that he was one of the men who said that the Constitution went up the chimney when war was declared.

Mr. LEWIS. Mr. President——

Mr. SMITH of Michigan. I do not argue the question with him.

Mr. LEWIS. I must say I am not aware of that observation by me, but I did say, and do repeat, that certain policies are applicable to a time of peace that are suspended as to similar operations in time of war. That I repeat.

Mr. SMITH of Michigan. I did not mention the Senator from Illinois to engage in any controversy with him. He and I came into Congress together and we are going out together, and I am glad of it, because there will be less smoke after we are gone. [Laughter.]

Mr. DILLINGHAM. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Vermont?

Mr. FRANCE. I would appreciate it very much if the Senator would allow me just for a moment to conclude what I was saying, and to merely add one thing in reply to the Senator from Utah [Mr. KING]. I am sure he will acquit me of being one of those who utilize this platform to speak for the Republican Party. I hope that in what I say here I shall be speaking for the Republic and not for the Republican Party, and I know the Senator in all that he says is trying to speak for the Republic and not for the Democratic Party. I feel that should be made clear.

I was diverted in what I was saying by this colloquy which introduced the subject of free speech. In connection with the subject of free speech I have been asked a number of times by men, thoughtful men, as to whether I believed, in an emergency such as we have passed through, men of the socialistic party and of the pacifist party should be permitted to abuse the right of freedom of speech. In reply to that I have given this answer, and I always try to speak the words of a great man in answer to a difficult question which I do not feel competent to answer fully myself. I have answered this question in the language of Benjamin Franklin. I ask leave to introduce it into the RECORD. I have quoted it before. I want to refer just to the last part of it, which I give in answer to the question as to whether the abuses of free speech should be suppressed:

> Those abuses of the freedom of speech are the excesses of liberty. They ought to be repressed; but to whom dare we commit the care of doing it? An evil magistrate intrusted with power to punish for words would be armed with a weapon the most destructive and terrible. Under pretense of pruning off the exuberant branches he would be apt to destroy the tree.

That is my answer. The fathers who founded this Republic knew something. I ask permission to insert the whole of this in the RECORD.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Maryland? There being none, it will be inserted in the RECORD.

The matter referred to is as follows:

> Freedom of speech is a principal pillar of a free government; when this support is taken away the constitution of a free society is dissolved and tyranny is erected on its ruins. Republics and limited monarchies derive their strength and vigor from a popular examination into the action of the magistrates; this privilege in all ages has been and always will be abused. The best of men could not escape the censure and envy of the times they lived in. Yet this evil is not so great as it might appear at first sight. A magistrate who sincerely aims at the good of society will always have the inclinations of a great majority on his side, and an impartial posterity will not fail to render him justice. Those abuses of the freedom of speech are the excesses of liberty. They ought to be repressed; but to whom dare we commit the care of doing it? An evil magistrate, intrusted with power to punish for words, would be armed with a weapon the most destructive and terrible. Under pretense of pruning off the exuberant branches he would be apt to destroy the tree. (Franklin: Works, by Sparks, Vol. II, p. 285.)

Mr. DILLINGHAM. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland now yield to the Senator from Vermont?

Mr. FRANCE. If the Senator will allow me just a moment, I will say that I was discussing the assumption by the Government, making, of course, for inefficiency, of powers which do not properly inhere in government. In order that my position may be made perfectly clear to everyone, I wish to say that there is no power legitimately inhering in this Republic to build up a great bureau of Democratic spies to protect an autocratic administration again criticism, a system of espionage by which man spies upon man and neighbor upon neighbor, and under which men have been thrown into prison because of opinions and words; not for acts, but for opinions and for words. I can not be brought to believe that there is that power vested in the Republic, or that the fathers ever intended that that power should be conferred by the Constitution of the United States.

I was saying, for the purposes of my discussion, that there were legitimate functions of government—the census or survey, public education, the preservation of the public health, the creation of employment agencies. I was saying that the remedy for many of the evils from which we suffer would be the making of those legitimate functions complete, so far as their performance is concerned, by making the performance of them efficient and universal. That is the subject the discussion of which I desire to continue to-day, and perhaps for some days and weeks to come, because it is a large subject, and I am one of those who believe that the reconstruction program and policies and solutions will not "emerge," but that they must be constructed out of the brain and sweat of men who are willing to devote themselves to a solution of these problems and who are also willing to see things as they are and not as they would have them be.

Mr. President, continuing the preliminary remarks which I began yesterday afternoon on the subject of certain amendments which I have offered to the census bill and which are now pending, I desire very briefly to outline the purpose and the nature of the amendments.

As I intimated yesterday, these amendments not only very radically change the method of the census but they go to the very heart of the theory of the census, and I believe to the very heart of the great problem of national reconstruction.

Before proceeding with the discussion as to the general nature of the amendments I will say that so far as the schedules of inquiry are concerned they are not materially modified, although I have added to the schedules of inquiry two very important items, the item of education and educational agencies and the item of public health and public health agencies, and a third somewhat minor subject for inquiry, the subject of insurance and insurance agencies. So much for the present upon the question as to the schedules of inquiry for which my amendments provide.

There is one other important change to which I will call attention at this point, and that is a change in the census period so far as the inquiries are concerned into educational agencies, insurance agencies, agriculture, manufactures, forestry and forest products, mines and quarries, the interval at which a survey is to be made of those particular subjects of inquiry being 5 instead of 10 years. That is not a radical departure from the committee bill, as the committee bill already provides for an examination every five years, so far as certain of these items are concerned.

But, Mr. President, the essential and vital change which will be effected by the adoption of these amendments is this: The schedule of inquiries concerning population would be made not every 10 years but continually, and continually recorded by a card catalogue system. These amendments provide for a continuous survey of the population of the United States and of all those great vital and social questions which concern the population. Under my amendment there would be such a continuous gathering of social, industrial, and vital statistics as

would give us the data scientifically gathered, systematically classified, and accurately recorded by a card index system, upon which we might base legislative action, and having which before us we could legislate with intelligence and precision.

I shall attempt to show that it is of supreme importance that the census methods should be so changed that the census would give us this continuous enrollment and survey of our population in order that we might have before us the vital, industrial, and social statistics which are absolutely necessary if we are to act intelligently as a legislative body.

My amendment provides for such a continuous enrollment, and therefore it would seem to be a very radical change in the method of taking the census, a change which would perhaps involve in the aggregate a very great expense to the Government; but, as I showed yesterday, I think quite clearly, although I discussed the subject only briefly, we are not doing anything essentially new when we inaugurate such a system of continuous survey and enrollment. We are simply doing an old thing in a new way, for I indicated on yesterday that we are at present, through the various agencies, Federal and State, collecting such vital statistics. I endeavored, however, to make it clear that these statistics were being collected by such a multiplicity of agents and in such an unsystematic manner that they give us no clear comprehension as to the condition of the country at any particular time so far as the population might be concerned and the health and the education and the condition of employment of the population.

Under this new plan the country would be divided, as under the plan provided for in the bill, into various census divisions, subdivisions, and also into precincts. The census divisions, of course, would correspond so far as possible—and this is also the provision in the committee bill—to the congressional districts. Under my plan the census subdivisions would correspond to the political subdivisions of the various States, such as counties and legislative districts, and each of those subdivisions, such as counties and legislative districts, would then be subdivided into census precincts, each one of which would correspond so far as possible to the election precincts of that particular political unit.

My plan calls for a card catalogue, continually revised and kept up to date, of all the inhabitants of the United States. It also calls for a permanent census office in each census subdivision, which office shall be maintained at all times, and which office will ultimately be located in a Federal building in that particular census subdivision, in which Federal building, after additional legislation which I have in contemplation is enacted, there would also be accommodated the local branch of the Federal Employment Bureau, of the Federal Health Bureau, and also the offices of the local agricultural agency, such as the United States Government now maintains in cooperation with the States in almost every county of the Union, with certain important exceptions which I do not care to discuss now.

It becomes obvious that what I am seeking to do is to substitute a uniform Federal agency or system for the collection of these statistics in the place of a multiplicity of agencies which are now collecting them in a most inefficient manner.

The births, for example, which are now recorded by the county and other authorities would, of course, under this system be recorded in the local subdivision of the Federal Census Bureau. To put the subject somewhat more concretely before you, and to make it clear as to how this system would operate, as clear as I may in a reasonable length of time, I will say that in a general way the plan calls for the enrollment of the name of a child, as soon as it may be born, upon the record books of the Republic as a citizen of the Nation, on the theory that every child born becomes at once both an asset and a liability to the Republic, an asset inasmuch as he will grow up to become a part of the great Government of the Republic, and a liability because with his birth upon the soil of this Republic the Nation becomes obligated to him in certain ways. It becomes obligated in some way, either directly under the Federal system or indirectly under a State system—and that question I do not care to discuss at this time—for the preservation of his life, first; and, while I am not going into any discussion at the moment of the constitutional question as to how far the State and as to how far the Federal Government should deal with the individual so far as these particular cares and responsibilities are concerned, I want to say that one of the objects of the Federal Government as enunciated by the fathers was the preservation of life. You say that, of course, meant the preservation of the life of the citizen against an attack by a foreign or by a domestic enemy. Well, that is true; probably the fathers were thinking of that; but the language of the Constitution is very clear that one of the objects of the founding of the Republic was to guarantee the opportunity for life. When a child is born into this Republic, this Republic, either directly or through some of its agencies, becomes responsible for the preservation of the life of that child, not only against visible enemies but against the far more dangerous, insidious, invisible enemies which exist in multitudinous form. I am referring, of course, to bacterial and infectious diseases.

Of course, I know that there are many constitutional lawyers who hold, and upon good authority—because I think in a large way the fathers so held—that the subject of public health was one which should be left to State agencies; but while in theory that may possibly be true, yet, as a matter of fact, the theory is scarcely applicable to modern conditions, and we have persistently repudiated that theory in the actual practice of the Government.

With the growth of our knowledge of communicable disease and the causes of communicable disease—which, of course, are biological entities, the germs being living organisms—we found, as we became acquainted with these germs, that while many of them had undoubtedly taken courses in constitutional law, while many of them had attended college, university, and law school, and had sat within the persons of distinguished legislators, in the dignified legislative bodies of the land, yet unfortunately they had not accumulated any knowledge of constitutional law and had not learned the fine distinctions between State and national sovereignty. It seems impossible to convince these germs, in spite of this remarkable training which many of them have received, that they can not be permitted to travel along the arteries of interstate commerce.

Mr. President, we have practically admitted in our accumulated body of legislation that, so far as the public health is concerned, it has become a national problem, and that it must be dealt with by one agency, that agency operating universally and precisely over all the territory of the Republic. I shall go into that matter somewhat more fully later on.

I need not recall to you the many ways in which we have recognized that the subject of communicable disease must be dealt with nationally. I need not point out to you the accumulating evidence of the growing conviction that the great disease of tuberculosis, which annually kills more people than have ever been killed by any war, except possibly this one, can not be stamped out by State agencies. The bacillus of tuberculosis is interstate in its pernicious action, and it can not be caught and prohibited from doing its virulent work by any divided sovereignty. I think there is also a growing conviction that however commendable—and no man would go further in commending them than I—may be the efforts of private agencies to stamp out this disease, it can not be stamped out by such agencies or by the selling of Red Cross stamps. Tuberculosis is as preventable as any disease can be. The Department of Agriculture, operating all over the country, is eradicating it from the herds of the country; and as that department is operating widely over the country to stamp it out so far as the bovine animals are concerned, so we also have the authority to constitute Federal agencies to act regardless of State lines to prevent it so far as human beings are concerned—a much more important matter.

But I have been diverted somewhat. I say that we must act upon the theory that every child born becomes an asset and a liability to this Republic, and that we must first protect his life not only against enemies, foreign and domestic, but against the invisible enemies which, however domesticated, still remain alien and destructive. When the child takes a communicable disease now it is reported to some agency—to a county agency, to a State agency, to a private agency, or somewhere else—and that report is soon lost or forgotten.

When the child goes to school his name is recorded on the public rolls of the school. When he is promoted it is recorded; his course of study is recorded; his graduation from the school is recorded; his reaching of age is recorded; his becoming a voter, of course, is recorded. When he is married it is recorded; when he has an industrial accident or disease it is recorded somewhere, generally either for the purposes of local State compensation acts or for some other purpose.

The Federal agencies are collecting statistics all the time so far as industrial diseases and accidents are concerned. In other words, we have going on now a continuous survey or enrollment, which is being carried on, however, by such a multiplicity of agencies that the results are not standardized and the data are not practically available.

Under this plan, when a child is born a card will be made out showing the names of his parents. Of course, if his parents had already been recorded, as they would be under this plan, we should have upon the cards, with the names of his parents, their records, showing the heredity of the child—a most important item. There are those, for example, who are interested in certain of the industrial diseases who are pleading for their elimination, because they not only destroy the life of the

individual himself but because they weaken the children who are born of those who have contracted such industrial diseases. This birth-record card would show the child's heredity. It would be, of course, sent to the subdivision office in the county in which he was born. Then, of course, when the child took a communicable disease, a card would be dropped in the post office by the physician, without stamp, saying, "John Doe, number so-and-so, scarlet fever." This fact would be recorded at once on the appropriate card in the subdivision office. When the child entered the school, that would be recorded; his progress in school would be reported by the educational agency having charge of his education and recorded; so that on his card, under this system, there would be a continuous record of his progress. At any particular time by telegraph we could find out exactly how many boys and girls were in the high schools or how many were in the primary schools, and we would know almost instantly where our educational system was inadequate and where it was breaking down.

Of course, this opens up a very large question. I am not planning to discuss the psychological aspects of this question of continuous enrollment and record. A great stimulus would finally result to the ambitions and the energies of the people if each one realized that what he achieved for the Republic was to be recorded on the card of the Republic as a permanent testimonial as to the share taken by him for the welfare of the Government. The soldier, fighting the battles of the Republic, would know that when he came home, if he had received a cross of honor, that would be noted upon his card, and so on. I could illustrate it, of course, in many ways, and many things will suggest themselves to Senators.

Mr. SHEPPARD. Mr. President——

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). Does the Senator from Maryland yield to the Senator from Texas?

Mr. FRANCE. I shall be very glad to yield to the Senator for a question, but I should like first briefly to outline somewhat further my plan, and then I will be very glad to yield.

Mr. SHEPPARD. I shall wait until the Senator has concluded upon that point.

Mr. FRANCE. Then, I desire to make clear the practical operation of this plan, particularly so far as employment and unemployment are concerned.

I attempted to show yesterday that the chief problem of reconstruction was production. Reconstruction means production. There has been for a long time an underproduction in the world of the commodities and necessities of life. Men are hungry; men are unshod; men all over the world are lacking in those things which are necessary for a comfortable human existence. There is a shortage of food; there is a shortage of shoes; there is a shortage of clothing. Men are miserable in many parts of the world because their fundamental human needs are unsatisfied, and men are in revolution also for that very reason, for, after all, while you may discuss the political causes of revolution as much as you please, generally the causes go deeper than mere political questions. I am not meaning to say that if the French peasants had not been hungry and deprived of the materials necessary for a comfortable human existence in time there would not have been a French Revolution; but, as a matter of fact, the French Revolution did not begin until human misery had reached a certain point.

For years the worst government in all the world oppressed and degraded the Russian people; for years effort after effort was made to overthrow that despicable government—the most despicable, we should remember, which has ever been known in the history of the world—for years efforts were made to overcome it, and yet by one device or another the Russian people were called in this war to the colors and went and fought for their country obediently. They were not altogether satisfied with their government; but they were reasonably well fed and well clothed, and no man can read the history of the Russian revolution and not realize that what finally precipitated it were hunger and want. Owing to a colossal war effort, made in an unorganized and unsystematic way, there had grown up, because of the underproduction and the faulty distribution of food and also the underproduction and faulty distribution of other commodities, a condition in Russia which was intolerable. People were starving upon the streets of the cities. I shall not take the time of the Senate to review the conditions; but the Russian revolution was really a revolution which was precipitated by the lack of satisfaction of the fundamental human needs of the people.

You can not hope for the reestablishment of national stability—and upon the establishment of national stability depends, of course, the reestablishment of international order—you can not hope for the establishment of national stability throughout the world until you have produced enough to satisfy those elemental human needs which must be satisfied before you can put the people into such a state of body and mind that they will be willing to listen to the voice of reason.

There were those filled with hatred who said that no exportation of food to some foreign enemy countries should be permitted; but Mr. President, such a policy as that could not be for long. It soon began to be realized that, unless revolution was to spread over the world, we had to supply the fundamental, elemental human needs of the peoples in Europe.

Mr. President, I think that while we have been discussing this war for a long time, many of us have failed to realize the fact that it is a widespread disturbance of the world. I referred to the fact on yesterday that there were at least three hundred and ten or three hundred and fifteen million people who were without responsible government and in a state of absolute revolution. I thought I had here the figures which I have compiled to show the number of people not only in the countries now in an actual state of revolution but the numbers of the inhabitants in all of those countries in which there is a profound unrest. Taking them all together, not counting the allies and the United States, more than 800,000,000 people, chiefly, I believe, because of the failure to satisfy the elemental human needs, are in countries in which there is at least a profound unrest if not actual revolution. I have taken the trouble to compile a statement showing the widespread nature of this disturbance.

But I have become diverted somewhat from what I wanted to say with reference to underproduction. The fundamental cause of this unrest is underproduction of the necessities and commodities of life; and the first thing to be done, so far as reconstruction is concerned, is to organize every nation for its utmost possible production of commodities and necessities. Of course, that means the prompt return of the troops now on the battle field; it means the redistribution of many of those at home who have taken the places of men who have gone to the front; it means the finding of employment for the men who come back from the front.

There is underproduction here, and this underproduction is causing misery and distress in many cases even in the families of men who are securing a very high nominal wage, for, after all, it is not the money wage which a man receives which determines the degree of comfort and pleasure which he shall enjoy, but it is the wage in commodities and necessities; so that a serious underproduction of commodities and necessities reduces the real wage regardless of what the nominal wage may be. The whole problem, I say, of the reconstruction period is as soon as possible to bring every nation by proper organization up to its full productive capacity. Of course, that is a question of employment.

How will this system which I propose operate so far as employment and unemployment are concerned? I said yesterday that there was no means by which the Employment Bureau of the Federal Department of Labor could function properly until it knew how many unemployed there were in the country and who they were; and I think I showed conclusively, although I did not go into the question exhaustively, that there were no means available by which the Employment Bureau of the Department of Labor could ascertain the number, names, and qualifications of those unemployed. Under the system which I propose the record card of every citizen would be placed upon a file in the Federal census office at the county seat of this county. In the same building there would also be a branch of the Federal Employment Bureau, and if any man in the county became unemployed, or if any woman who wanted employment should become unemployed because of the return of a soldier to take her position, all that would be necessary for that man or woman to do would be to take a card, which could be obtained from the postmaster, and upon the card write the name and number and drop it in the box; for instance, "Mary Smith, No. so-and-so, unemployed." That card would be received by the official in charge of the subdivision office at the county seat where the Federal Employment Bureau would be located, and the card would be transferred to the unemployment file; and in every county every citizen of the county who was unemployed would have his card upon the unemployment file. Of course, those cards would constitute the records of the local division of the Federal Employment Agency so far as the informational end might be concerned.

Mr. KENYON. Mr. President——

Mr. FRANCE. I yield to the Senator.

Mr. KENYON. While the Senator is on that question I wish to ask him does he know how many men are now out of employment in the United States? I will answer my own question, if the Senator will permit me.

Mr. FRANCE. I will be very glad to have some information on that point, because we have little information whatever on it which is accurate.

Mr. KENYON. Mr. Morrison, the secretary of the American Federation of Labor, testified to-day before the House Committee on Immigration, giving the figures as to the number of unemployed in the different cities, which I will say to the Senator is a constantly increasing number. I have the figures as to the different cities here. Altogether the number runs over 200,000 now unemployed in this country; yet no effort is being made anywhere, nothing is being done by Congress, to meet that situation. Has the Senator in his study of this matter and in his philosophy—because the Senator is a good deal of a philosopher—worked out any plan of taking care of that question in the immediate future?

Mr. FRANCE. I will say to the Senator, in reply to his inquiry, and by way of making an observation upon his most important contribution to this subject—and, of course, the Senator's contributions to this general subject are always most valuable, because he is one of the men in this body who is taking a particular interest in the great problem of reconstruction generally, in the problem of employment and unemployment, and in all problems which lie close to the heart of the people of this Republic—I will say to the Senator that I contemplate——

Mr. PAGE. Mr. President, one word before the Senator passes from that point. May I ask what plans, so far as the Senator from Maryland knows and so far as the Senator from Iowa knows, are being put forth to take care of nonemployment locally or by the States?

Mr. KENYON. I wish to get the view or knowledge of the Senator from Maryland on that subject. I have some knowledge about it myself, but I thought possibly the Senator from Maryland might have some additional knowledge.

Mr. FRANCE. I will tell the Senator what I have in mind; and if the Senator from Vermont will permit me to answer the question of the Senator from Iowa, I shall then be very glad to answer his question. I will say to the Senator from Iowa that immediately the census begins—and it could begin, in my judgment, in a very few weeks, because what I propose is to do on a national scale what Gen. Crowder did when he enrolled so quickly and so expeditiously millions of our men for the purpose of the draft law—as soon as the census work begins these cards will be written, and the moment a card is written for a man who is unemployed it will be put in the unemployment file of his census subdivision office; and at Washington we will then know exactly every morning, if we wish to know that quickly, by telegraphic communication just how many unemployed men there are in every county and legislative district in the United States, and also who they are and what qualifications they possess.

Mr. KENYON. Does the Senator's card system contemplate showing the particular work that these men are fitted to do?

Mr. FRANCE. Yes. I have passed over much that I would have said if time had permitted.

Mr. KENYON. There is plenty of time.

Mr. FRANCE. The card will be so filled out that it will give a complete record of the individual, his past occupation, his education, his trade. It will be, I may say, somewhat similar to the cards made out under the direction of the Provost Marshal General at the last registration of soldiers for the Army, which cards carried a very large amount of information as to the qualifications of the individual. Every card of an unemployed man which would be transferred to the unemployment file in the local subdivision office would tell exactly what the man's trade and qualifications were. If he were a farmer, it would be so noted; if he were a man who had two or three trades, that would be noted; and we would have accumulating, as soon as the system was put in operation in every subdivision census office of the country, the unemployment cards.

I want to say that that is very important, because it must be obvious to every Senator that at a time like this the rapid accumulation of unemployment cards upon the files of the Census Bureau—or the employment bureau, because that employment file would be the employment bureau, so far as the information concerning unemployment was concerned—would indicate a serious situation. I need hardly emphasize that it is most important that if those cards should be accumulating at any very great rate at a time like this it would be proof that something must be done to reduce the number of those unemployed; and there is the very essence of the whole matter. If we know what sort of people are unemployed, who they are, what their qualifications are, and where they are, then we can legislate intelligently as to finding them work to do.

Mr. WEEKS. Mr. President——

The PRESIDING OFFICER (Mr. MYERS in the chair). Does the Senator from Maryland yield to the Senator from Massachusetts?

Mr. FRANCE. If the Senator will permit me to answer the question of the Senator from Vermont, I will yield in a moment.

Mr. WEEKS. Yes; certainly.

Mr. FRANCE. So far as what is being done now is concerned, I would say that in my judgment nothing efficient is being done. In fact, as I said yesterday, referring to the President's farewell speech, I think there is a general disposition on the part of the administration to feel that these questions will work themselves out. Nothing, I think, is being done except an attempt to speed up the Federal employment bureaus which are now a part of the Department of Labor; and I would say that those employment bureaus are making an effort to solve this problem of unemployment, but they can not do it, because they have not the data so far as unemployment is concerned.

Mr. PAGE. But the point I want to bring to the attention of the Senator from Maryland is this: Is there not a work that may be linked up with the work on the part of the States, so that there may be not a duplication altogether? We know now that passing from the east to the west there is a zone, perhaps covering the Central States from east to west, where the number of unemployed is daily increasing.

Mr. FRANCE. Yes.

Mr. PAGE. On the other hand, so far as my own State is concerned I do not know that there is any unemployment there. If so, it has not come to the front, and we take care of it locally. Indeed, I would say that that matter would be taken care of locally in small States like Vermont; and the point is that there should be a coordination of work, so that there is not any more burden thrown upon the National Government than is necessary in order to produce good results from the local work of the States.

Mr. FRANCE. The Senator has raised some very interesting questions. Of course I feel that the problem of unemployment, for the very reason given by the Senator, is not a local problem. There are areas to-day in the United States where workers are needed. There are areas where workers are being dismissed. Now, if we had a Federal system which was rational and scientific, from the areas where there was a congestion those unemployed men could be taken to the areas where there was a dearth of workers, and a redistribution could take place which would be of benefit to all.

The theory of the Federal employment bureau is that this question of unemployment has ceased to be a local question and therefore that it must be dealt with by a national agency. I am not contending in this argument for the establishment of any new agencies, but for the application of scientific methods in the agencies which now exist—that is, the Federal employment bureaus.

Mr. PAGE. Do we not all agree that there should be a clearing house somewhere through which we may move to the different zones or the different localities where there is a surplus of work or a surplus of employees?

Mr. FRANCE. Yes; we do. I think the Senator and I are agreed that there should be such a clearing house, and that clearing house under my plan would by a scientifically and efficiently organized Federal employment bureau in the place of one which is inefficiently and unscientifically organized. I think the Senator and I are in agreement.

Mr. KENYON. Will the Senator right there, as he is right on this question, which is so interesting, permit the insertion and reading at this time of the figures given by Secretary Morrison to-day before the House committee as to unemployment right now in this country?

Mr. FRANCE. I should be very happy to have those introduced as bearing upon what I have to say.

Mr. KENYON. This is a list of the different cities and the unemployed in those cities.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

Los Angeles, Cal	8,000
Clifton, Ariz	650
New Britain, Conn	2,000
Wilmington, Del	None.
Chicago	75,000
Jacksonville, Fla	None.
Rockford, Ill	200
Fort Wayne, Ind	350
Louisville	2,900
New Orleans	20,000
Boston	20,000
Grand Rapids	5,000
St. Paul	8,000
St. Louis	15,000
Kansas City	2,000
Paterson, N. J	1,200
Trenton, N. J	2,500
New York City	20,000
Cincinnati	5,000
Cleveland	40,000
Portland, Oreg	9,000
Toledo	17,000
Youngstown, Ohio	5,000
McKeesport, Pa	600
Scranton	200
Aberdeen, Wash	3,000
Wheeling	750
Milwaukee	7,000
Superior, Wis	750

Mr. KENYON. My question was directed to the Senator not in any controversial spirit, because I am thoroughly in favor of what he is trying to do, and I am glad he is challenging the attention of the country and the Senate to his proposal; but that, I fear, is going to be too late. The reports to the Labor Department are that this unemployment is increasing every week. We have got to meet that question in some way in the immediate future. It seems to me the only way we can meet it is, in cooperation with the States, to do the necessary public works in times when labor is not in demand in industry.

I hope the Senator will address himself in his forceful way to this question, and try to awaken Congress out of its lethargy and apparent lack of vision and see what we are going to face. We are so busy taking care of all the affairs of the world that we as yet do not seem to have time to take care of the affairs of our own country.

Mr. FRANCE. I agree with the Senator, and I now yield with pleasure to the Senator from Massachusetts.

Mr. WEEKS. Mr. President, I am sorry that I have been in important committee meetings, so that I have not been able to be here to hear the Senator; but it seems to me, from the drift of what I have heard since I came in, that what he is advocating now is exactly what European countries did a year to two years ago. Certainly before the armistice, as early as last spring, in Great Britain every man who was in the army, or every man who was engaged in war work, was listed, card indexed; his occupation was included in the index; a note was made as to whether he could return to his former employment when the war was over; and every condition surrounding that man was in the hands of proper governmental authority, and arrangements had been made to give the man employment at the end of the war.

The Senator may recall that as long ago as last September I introduced in the Senate a resolution——

Mr. FRANCE. Does the Senator recall the date of it?

Mr. WEEKS. I should think the 25th of September I introduced in the Senate a resolution which is sleeping the sleep which knows no waking, apparently, in the Judiciary Committee, which provided for this suggested action and a great many other things. We as a Government—and I can not believe that the responsibility is on this side of the Chamber—are deliberately neglecting to prepare for the things which are inevitable. In other words, we are in this fatal condition in the way of preparedness for peace just as we were in preparedness for war; and while we have lost valuable time, unless the Senator from Maryland and other Senators and all the Senators stir up this matter now and some action is taken, we are going to have great distress in the United States, and distress that will be directly chargeable to the neglect of Congress.

Mr. FRANCE. Mr. President, I desire to say, in reply to the Senator from Massachusetts, that I am in entire agreement with him; and, indeed, during all of the time that I have been considering these amendments to the census bill, which I consider to be a step in the direction of solving some of these reconstruction problems, my mind has been recurring to the great reconstruction program outlined by the Senator from Massachusetts last September, a program the timeliness of which and the breadth and comprehensiveness of which was only one more evidence of what we have all come to realize who know him, that in the Senator from Massachusetts we have a great statesman who has vision, who can look forward as well as to history. It is regrettable—indeed, to me it seems inexcusable—that the great reconstruction program outlined by the distinguished Senator from Massachusetts [Mr. WEEKS] was referred to a committee and allowed to sleep in that committee, because there seems to be in this administration an utter blindness to the seriousness of the situation which is rapidly developing in this reconstruction period which is not now all ahead of us, but which is about us, for we are in the very midst of it. Of course, if affirmative action had been taken with reference to the constructive suggestions contained in that great program of reconstruction presented by the Senator from Massachusetts, it would not be necessary for me to be thus contending here for this measure, which I consider to be but one step—perhaps an ineffective and a small step, but at least some step—in the direction of some reconstruction work and a more effective and rational organization of the Nation.

Mr. WEEKS. Mr. President, if the Senator will permit me to interrupt him once more, I might have added some additional reasons for the particular action which he now desires taken.

I saw in the War Department very nearly three weeks ago a chart prepared by the Department of Labor relative to idleness in the United States, and that chart at that time showed that in 31 per cent of the industrial centers there was a surplus of labor; that there was a scarcity of labor in about 20 per cent of the places, and about a normal amount in 49 per cent. Now, since that time we have discharged more than 500,000 men from the Army. We have discharged a great many people who were engaged in war work. For instance, one arms company has discharged, at different points where it manufactures, something like 18,000 people, so that any figure which states that there are 200,000 idle men in this country is very much below the probable fact.

I have a letter this morning from Springfield, Mass., an industrial center, which states that there are in that city now, a place of 75,000 people, very nearly 400 unemployed soldiers. They have not even been paid the 30 days' additional pay which Congress contemplates giving them; and those men, in some cases, are in the condition of real suffering. And yet these men, who have rushed to the colors, are returning to their homes and finding themselves out of employment and with no prospect or no concerted means of giving them employment. I venture to believe that that condition exists all over the United States, and I believe as thoroughly as I can that every bit of it could have been avoided if any reasonable attempt had been made to make preparations for what was inevitable, and that was an armistice and peace.

Mr. FRANCE. I thank the Senator for the observation, and I think that his judgment upon this question is most valuable. I find myself in entire agreement with him in the opinion which he has expressed, that the 200,000 unemployed men referred to constitute but a fraction of all of those unemployed. Offhand, I should say that probably to-day in the country there are nearer a million to a million and a half persons who have recently been employed who are to-day unemployed, and this in the face of the situation to which I have alluded, demanding the utmost production of all the necessities and commodities of life in order that a serious world situation may be met.

Mr. President, I have attempted briefly to outline how this system would work practically. Of course, it is very difficult in a short time to give an adequate conception of such an extensive plan as this. I have quite a number of other observations to submit. I do not know what the plans of the chairman of the committee are with reference to the hour of adjournment to-day.

Mr. SHEPPARD. Mr. President——

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). Does the Senator from Maryland yield to the Senator from Texas?

Mr. FRANCE. I yield.

Mr. SHEPPARD. I have been very much impressed with the arguments of the Senator from Maryland and with his presentation of his very comprehensive amendments. I think that there are many meritorious features about them, and I am entirely willing to have them adopted by the Senate and go to conference, in order that they may be thoroughly studied. Therefore, I shall say that the amendments are accepted, and I hope the Senator will now offer them.

The PRESIDING OFFICER. If there is no objection, the amendments will be accepted.

Mr. FRANCE. I appreciate the acceptance by the chairman and the adoption by the Senate of these amendments; and, of course, I feel also that in view of this there will be no propriety in my detaining the Senate further in the discussion of the general problem of national and of world reconstruction. I have quite a mass of interesting data on the subject of the public health, on the subject of illiteracy in the United States, on the inefficiency of our systems of public education, on the subject of unemployment and of poverty, and some very interesting data also with reference to the conditions in the various countries of the world which I had thought of discussing, such as the conditions in Russia, in Africa, in Bulgaria, in Ireland, and in India, all of which should very properly be considered to be pertinent to this question of national and of world reconstruction. Inasmuch, however, as the Senator has accepted my amendments, I shall be very glad to yield the floor.

I hope, however, that the Senator will do all in his power in conference to secure a consideration of this question. It is,

I may say, a practical plan, a scientific plan, and one which I think all the members of the committee must realize has merit, and one which the experts in charge of the Census Bureau must look upon with some degree of interest. I want to say further that of course in offering these amendments I have not been casting any reflections upon the Census Committee, or upon the head of the Census Bureau, for whom I have the very highest regard. He is a man of ability and of great scientific attainments; but I realize that all changes in the census law are made slowly, and only after protracted effort and debate. The history of the census, to which I had intended referring at some length, shows this.

I hope that the Senator, when this matter goes to conference, will make a fight for these amendments. If, however, he can not persuade the conferees that all of these particular amendments should be added to the bill at this time—and I admit that there might be reasons why they should not be; personally I think they should be, but there might be valid arguments why it might seem to be somewhat revolutionary at this time to put all of these amendments upon this bill—I wish to suggest this to the chairman: I feel that if the conferees should refuse to adopt this whole plan, the Senator should at least make a most strenuous effort, as a member of the conference committee, to have some amendment added in the place of mine. If they should be rejected, which will provide that a commission of experts shall be appointed for the consideration of this whole matter which I have presented.

Mr. SHEPPARD. I wish to assure the Senator that his amendments will not only have thorough and earnest consideration at the hands of the conference committee, but that his last suggestions shall also have our most careful study. The conferees will be glad to have the Senator appear before them when we take up the question.

The PRESIDING OFFICER. Without objection, the amendments of the Senator from Maryland will be considered as agreed to. The Chair hears no objection.

The bill is in the Committee of the Whole, and still open to amendment. If there be no further amendment, the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

The PRESIDING OFFICER. The question is on concurring in the amendments made as in Committe of the Whole.

RECESS.

Mr. SHEPPARD. I move that the Senate take a recess until noon to-morrow.

The motion was agreed to; and (at 4 o'clock and 55 minutes p. m.) the Senate took a recess until to-morrow, Friday, January 17, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January 16, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We thank Thee, our Father in heaven, for the preservation of our lives; the opportunities spread out before us; for thought, reflection, accomplishments.

Help us to think clearly, act wisely, do justly, that with the tools Thou hast given us we may build for ourselves a character which will stand the test of time and eternity. In the Spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

THE LATE REPRESENTATIVE CHARLES MARTIN, OF ILLINOIS.

Mr. JOHN W. RAINEY. Mr. Speaker, I ask unanimous consent that Sunday, February 2, 1919, be set aside for memorial services on the life, character, and public services of Hon. CHARLES MARTIN, deceased, late a Member of this House from the State of Illinois.

The SPEAKER. The gentleman from Illinois [Mr. JOHN W. RAINEY] asks unanimous consent that Sunday, February 2, 1919, be set aside for memorializing his predecessor, the late Representative MARTIN, of Illinois. Is there objection?

There was no objection.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. BYRNS of Tennessee. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14078, the legislative, executive, and judicial appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the legislative, executive, and judicial appropriation bill, with Mr. ALEXANDER in the chair.

The Clerk read as follows:

Legislative reference: To enable the Librarian of Congress to employ competent persons to gather, classify, and make available, in translations, indexes, digests, compilations, and bulletins, and otherwise, data for or bearing upon legislation, and to render such data serviceable to Congress and committees and Members thereof, $30,000: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $5,000 per annum.

Mr. RANDALL. Mr. Chairman, I move to strike out the last word for the purpose of announcing that, through the courtesy of the United Press, I am able to state that the thirty-sixth State has ratified the prohibition amendment. My native State of Nebraska ratified the amendment this morning. I withdraw the pro forma amendment.

The Clerk read as follows:

Distribution of card indexes: For service in connection with distribution of card indexes and other publications of the Library: Chief of division, $3,000; chief assistant, $1,800; assistants—2 at $1,600 each, 3 at $1,500 each, 3 at $1,400 each, 4 at $1,200 each, 4 at $1,100 each, 4 at $1,000 each; for services of assistants at salaries less than $1,000 per annum and for piecework and work by the hour, $19,500, including not exceeding $500 for freight charges, expressage, traveling expenses connected with such distribution, and expenses of attendance at meetings when incurred on the written authority and direction of the Librarian, $49,400.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word, and ask the gentleman from Tennessee [Mr. BYRNS] to give me his attention for a moment. I had intended to ask him at the time we passed the appropriation for the Committee on Printing whether he had any information as to why such inferior paper is used in the printing of the CONGRESSIONAL RECORD. During the last few weeks the CONGRESSIONAL RECORD has been printed upon paper that would not be acceptable in any newspaper office in the country under ordinary circumstances, and yet I observe that publications of the Bureau of Information and of the various departments appear in the regular way on glazed paper, apparently in the usual form. The CONGRESSIONAL RECORD is a publication that ought to be preserved. Why is it printed upon such cheap paper at the present time?

Mr. BYRNS of Tennessee. Mr. Chairman, I have no information that I can give to the gentleman upon the subject. I refer the gentleman to the chairman of the Committee on Printing. As a matter of fact, the Committee on Printing controls the paper, as I understand it, that is used in the CONGRESSIONAL RECORD and for Congress, and has no control over the paper that is used in the departments. I can only give the gentleman my opinion in regard to the matter, and that would not be worth anything since I have no definite information.

Mr. MOORE of Pennsylvania. If the gentleman has no information I shall not pursue the subject further, but I would say that the CONGRESSIONAL RECORD is bound in permanent form and is preserved for future generations and for future Congresses. It ought to be preserved. It would be a great pity if the CONGRESSIONAL RECORD of to-day were to disintegrate because of the quality of the paper upon which it is printed. One of the big problems that will confront this Nation before long will be the preservation of its old records.

Mr. BYRNS of Tennessee. I assume that the permanent RECORD will be printed upon better paper. These daily RECORDS are not permanent, nor are they expected to be. I presume that the reason this kind of paper is used for the daily RECORD is because of the scarcity of paper and the endeavor to economize.

Mr. MOORE of Pennsylvania. The gentleman can not tell why it is that the Bureau of Public Information continues to put out its publications on glazed paper, while the CONGRESSIONAL RECORD is printed upon paper that would disgrace the average newspaper office?

Mr. BYRNS of Tennessee. I can not. As I stated, I understand the Committee on Printing has nothing to do with the character of paper used by any of the executive departments.

Mr. MOORE of Pennsylvania. I see that the chairman of the Committee on Printing has entered the Hall, and I ask whether he can explain why it is that the CONGRESSIONAL RECORD is printed on such abominable paper as is used at the present time.

Mr. BARNHART. Yes, Mr. Chairman, the chairman of the Committee on Printing can probably explain, but probably not to the satisfaction of the gentleman from Pennsylvania. The CONGRESSIONAL RECORD as daily produced is temporary; it is not permanent. Under the allowance of printing granted by the Committee on Appropriations for Congress some two years ago, the estimate then was based on the probability that the paper to be used in printing the CONGRESSIONAL RECORD would cost 4 cents a pound.

Between the time of the enactment of that appropriation bill in 1916 and the time of letting the contract in 1917 the cost of this paper had increased about 7 or 8 cents per pound. Another emergency arose, which was the inability of the mills to furnish book paper, for what reason the committee did not ascertain. It was given out that they were unable to furnish book and enameled papers, and therefore, in behalf of economy and in behalf of prompt service in the matter of getting the RECORD printed, we were compelled to take news print, and, so far as I am concerned, and my eyes are fairly good at my age, I have no difficulty in reading the temporary RECORD, but the permanent RECORD is made up of a lighter paper along the same lines that many of the publishers are resorting to, using paper of lighter weight for the reason that it does not incur so much bulk and saves money beside.

Mr. MOORE of Pennsylvania. It is strange to me that Henry Ford can obtain all the glazed paper that he wants for the publication of his paper, which has just appeared for the first time, or that Mr. George Creel can obtain all the glazed paper he wants for the publications which he is sending out by the millions, and this body can not. It is strange that all the great publishers can print their magazines on glazed paper when the Congress of the United States, which ought to preserve its permanent RECORDS, has to use paper which is not fit for an ordinary country newspaper office.

Mr. BARNHART. Well, that is a matter of opinion. The ordinary newspaper office does not use as good print paper as is used in the temporary RECORD, which is not intended for permanent use.

Mr. MOORE of Pennsylvania. Some of it is not as good as that, I admit, but I submit to the gentleman that the paper upon which the CONGRESSIONAL RECORD is printed now is not fit for official use and will dissolve in due course. Members of the House, to whom fifty-odd copies are allotted, are entitled to obtain RECORDS for permanent use if they desire to do so. The RECORD as it goes out to-day to our constituents is as cheap a publication as you will see in any newspaper office in the country. It is a disgrace to the Congress of the United States, and I respectfully submit to the gentleman that he should use his influence with the Committee on Printing or with the contractors or with Congress, if you please, to put the permanent RECORD of the United States Congress on paper that will not fall apart.

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

BOTANIC GARDEN.

For superintendent, $2,250.

Mr. AUSTIN. Mr. Chairman, I offer an amendment to increase the salary of the superintendent of the Botanic Garden to $3,250.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. AUSTIN: Page 27, line 23, strike out "$2,250" and insert "$3,250."

Mr. BYRNS of Tennessee. Mr. Chairman, I reserve the point of order on the amendment.

Mr. AUSTIN. Mr. Chairman, here is a great national botanical garden of a country representing more than 100,000,000 people, and this appropriation is wholly inadequate; it is unfair; it is unjust. We are carrying in this appropriation bill a salary for a clerk of $3,000, an assistant clerk of $2,220, and we are actually paying messengers in this bill $1,440, which is only $810 less than we are paying the superintendent of the Botanic Garden. We are making an appropriation of $3,600 for salary of the superintendent of the Library buildings and grounds, which is $1,350 more than we are paying the superintendent of the Botanic Garden. The superintendent in the Treasury Department, in the redemption bureau, national currency, is paid $3,500, and the superintendent of the Botanic Garden $2,250, or a difference of $1,250. Now, I know that there is no existing law and that this proposed amendment is subject to a point of order, but it is an inequality, and this underpay has stood here for many years, and the responsibility of this position should carry with it an increased compensation, and I do hope that my colleague from Tennessee [Mr. BYRNS] will give the House an opportunity to vote upon my proposed amendment. Now, I know all of these amendments have so far met with a point of order and have gone out, or the House given no opportunity, but if there is a case, an exceptional case, from the beginning to the end of this bill, it is this case; and while perhaps the members of the Committee on Appropriations have an understanding that they are to resist all increases, I do trust, in the interest of fair play, that an exception will be made in this case.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. AUSTIN. Certainly.

Mr. BYRNS of Tennessee. The superintendent of the Botanic Garden is an exceedingly efficient and competent man; there is no question about that. He gives very close attention to his duties and is a man of splendid qualifications for the place. I want to call the attention of the gentleman from Tennessee [Mr. AUSTIN] to this fact: His salary has been increased twice within the last two years. Two or three years ago his salary was $1,800. It was increased by $200 and then another $250, making a total of $450 given in the last two years. In addition to that, I want to call the attention of the gentleman to the fact that the superintendent of the Botanic Garden is given a house in which to live free of charge. He is also supplied free of charge with heat, fuel, and light, which, of course, should be taken into consideration in connection with his salary. Now, there is another fact. The committee has recommended to the House a provision creating a joint commission, which shall reclassify and readjust the salaries paid here in the District of Columbia. If that provision is accepted by the House and becomes a law, then the commission will take this salary under consideration in connection with other salaries, and if it is inequitable or insufficient, as the gentleman suggests, the joint commission will report an increase, and I hardly think it proper now, in view of the fact that this commission is to be appointed, to undertake to increase his salary here in this bill and——

Mr. AUSTIN. Let me say to the gentleman——

Mr. BYRNS of Tennessee (continuing). I shall have to insist upon my point of order.

Mr. AUSTIN. Let me say to the gentleman, in reply to his statement, of course, that was an extraordinary increase in this——

The CHAIRMAN. The time of the gentleman has expired.

Mr. AUSTIN. Mr. Chairman, I ask for an extension of two minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. AUSTIN. Of course, that was a remarkable increase in a salary, of $200 a year of an insufficiently paid Government official—from $1,800 to $2,000—and an additional advance of $400.

The gentleman has referred to the fact that the superintendent is furnished a house. I wish to say that I think that is an additional reason why his pay should be increased, in view of the fact that you are compelling him to live in that undesirable house. I do not believe that the increases already made will meet the superintendent's doctor bill in occupying that house; and I doubt whether there has been a month, and I am certain six months have never passed, when there has not been illness in that family. It is a very old house. It is a low, damp place, and you really ought to increase the superintendent's compensation and pay him something in addition for living in a house of that character. And I hope the gentleman will let this amendment be voted upon. If no point of order is made against the creation of his commission on reclassification, I am perfectly willing to let it remain. But the provision creating a commission is also subject to a point of order, and if we pass this provision now without increasing the salary and a point of order is sustained against the commission no relief will be granted even at a later day. The superintendent of the Botanic Garden is an exceptional man for that position and should receive an adequate salary.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I make the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. HAMLIN. Mr. Chairman, I move to strike out the last word.

I do this for the purpose of calling attention to what I regard as an exceptional performance on the part of the House yesterday.

Yesterday morning certain standing committees of this House were refused clerks during this session of the Congress on the theory that it was necessary in the interest of economy. I stated at that time that I had no complaint to make. I am making none now. I am only desiring to call attention to this somewhat incongruous action on the part of this House. These committees were refused clerks, as I say, in the interest of economy, so it was said; and the report of the Committee on Accounts seemed to receive the support of a large majority of the Members present at that time. Before the legislative day had expired, in fact within a few hours from that time, there was an amendment adopted to this bill giving each Member an extra clerk at a salary of $1,200 a year.

Seven standing committees of the House were denied clerks for this session of three months which will effect a saving to the Government of the magnificent sum of $2,625. This was done, it

was said, in the interest of economy, and yet within a few hours from that time these same economists, or some of them, at least, voted to pay out of the Treasury over one-half million of dollars a year for an extra clerk for themselves.

O Consistency, thou art a jewel.

Perhaps it is not generally known by the membership of the House that the chairmen of these expenditures committees, all but three of which were left out yesterday, have not been permitted to participate in the patronage of this House. Some three or four years ago the Democratic caucus met and took from the chairmen of these different expenditures committees all patronage on the part of this House, on the theory that they had patronage in the person of the clerks of their committees—their session clerks. Now, that was taken away yesterday.

I am going out of this Congress on the 4th of March. It makes absolutely no difference to me, but it seems to me that this House ought to be fair; it ought to be just; it ought, at least, to be consistent. At 1 o'clock on yesterday you refused these clerks to these committees because it was an unnecessary expense, you said, and, perchance, some chairmen of these committees might use these clerks to aid them in their personal work as Members of Congress, but at about 4:30 or 5 o'clock the same afternoon this same membership grew generous, forgot the interests of the Treasury, and added an additional burden of $522,000 a year on the Treasury to hire an extra clerk for each Member of the House. In doing that I realize that you have put in jeopardy the $2,000 you are allowed now for a clerk, because it certainly puts the whole matter back where it started, and it is all subject to a point of order if anybody cares to make it. Twelve hundred dollars a year is all that the permanent law allows for clerks to Members.

I only wanted to call your attention to these facts and to suggest that it seems to me, above everything else, the House ought to be fair, and it ought to be just, and it ought to be consistent. The situation in which you leave my friend from Oklahoma, who is chairman of one of these committees, and others similarly situated, is that with all the extra work piling on the Members of the House, as referred to yesterday, due to war conditions, leaves him and them without any assistance other than their one clerk. Perhaps it is right. I shall not worry about it.

Now, if the committee will permit me just a few minutes, as that is all I want to say on this subject, I want to discuss——

Mr. ROBBINS. Will the gentleman permit an interruption?

Mr. HAMLIN. Yes.

Mr. ROBBINS. The gentleman understands quite well that the increase of the salaries of clerks to Members is not permanently in this bill. It has got to be voted on by the House when it comes out of the Committee of the Whole, and in all probability will be rejected there, and I hope it will.

Mr. HAMLIN. That is true; and it is also subject to a point of order if anybody wants to make it.

Now, Mr. Chairman, I would like permission to say a few words, perhaps somewhat out of order——

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAMLIN. I ask that I may have five minutes more, Mr. Chairman.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to proceed for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. HAMLIN. Mr. Chairman, I have heard a great deal of criticism of the War Department recently. I am in sympathy with many of these criticisms, but I want to suggest to the membership of the House that even in these matters we ought to be charitable, we ought to be reasonable; we must be just. We ought to be fair in that as in everything else. It seems to me that we can not get away from the proposition that the War Department has recently put through one of the most tremendous undertakings in the history of the world. I undertake to say that no Nation in the world has ever equipped an Army such as we have equipped, supplied it with all the necessities, transported more than 2,000,000 of its soldiers 3,000 miles across the sea, and done it within the time the War Department has performed that task. We ought not to overlook that fact in our criticisms. It will stand as a monument to the War Department as long as this Government stands.

Again, I want to suggest that there have been mistakes made, of course. It is not within the possibilities of human nature not to have made some mistakes under these fortuitous circumstances. And I am not here to apologize for any of the mistakes that may have been made carelessly, certainly not purposely, but I am only asking that we be fair and just with the department.

There have come to my knowledge some matters that have not been pleasing and which seem to me to be subject to criticism.

Only within the last few days I got notice of the fact that a father living in my district was notified by the War Department that his son was killed in action on July 18, 1918. The father writes me that he has heard from the son several times since July 18. Consequently, evidently the War Department made a distressing error. It also came to my knowledge that while the father has been hearing from the son, the son has never heard from his father or from any of his family since last May.

The War Department was called upon by me under the circumstances to cable this son. In his letter to his father he asked the question, "Why can I not hear from you? Are you all dead? I have not heard a word from you since last May." Under those circumstances I asked The Adjutant General to cable to this boy, conveying to him the message that his folks were alive, and to get direct information from this boy as to his present condition. At first he declined to do it, but subsequently agreed that under the circumstances he would do it.

Now, for any of those carelessnesses, if they are due to carelessness, I have no kind of an apology. They ought to be criticized. They ought to improve. But the criticisms which, I fear, are sometimes made upon this floor for partisan purposes only are to be deprecated and should never be indulged in. And if anybody here believes that he is going to be able to get away with criticisms of that kind he is very much mistaken. He is not going to fool the boys, especially those who have been in the war. They are suspecting your motives already. I have a letter in my pocket here from a gentleman whom I know well, a lawyer, but an enlisted man in this Army, who also fought through the Spanish-American War, a very high-class man, but a Republican "from who laid the chunk." He is a personal friend of mine, but I have reason to believe that he never voted for me in his life because I was not on his ticket. He is that kind of a Republican. I am not at liberty to give his name, but I will show his letter to any gentleman who wants to see it. He is writing me on a business matter, but in his letter he says this:

As you well know, I have been, and am yet, a Republican. I haven't scratched a ticket for many years; but doubtless my party will make some desperate efforts to discredit the present administration, and especially the War Department, but you can take it from me, who has soldiered as an enlisted man through two wars—the Spanish-American and this one—that there is no comparison between the two. In the Spanish War we received no medical attention unless sick, and then but very little, as the death rate of that war shows. In this war we were watched close, examined once a week, whether sick or well. Our battalion of 600 men has had only one death, and that the result of accident. The enlisted men were all provided with plenty of bedding and cots to sleep on—an unheard of thing in the Spanish War. It was sleep on the ground or nothing. Result: But little rheumatism or fever contracted; and our food has been of the very best, well cooked, and plentiful.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. ROBBINS. Mr. Chairman, will the gentleman permit a question?

Mr. HAMLIN. Yes.

Mr. ROBBINS. Where did that man serve?

Mr. HAMLIN. His letter does not state, but I know that he did not have a swivel-chair job.

Mr. GILLETT. Mr. Chairman, in opposing the amendment offered by the gentleman from Missouri [Mr. HAMLIN], I wish to say that his argument about the needs of these committees on expenditures and his own committee does not at all appeal to me. I rather respect the gentleman, because he did not go before the Committee on Accounts and claim that his committee was going to be active. Personally, I do not believe any committees on expenditures are going to be active in this Congress, and I am afraid that that is a disposition which they never will exercise unless they belong to a party antagonistic to the administration.

I remember the gentleman's committee when, as he says, it was very active. I have a vague recollection of its results; and while I think, as the gentleman from Illinois [Mr. MANN] remarked yesterday, that undoubtedly in the next Congress these committees will be active, I hope they will, none of them, be active in such a narrow and partisan and unfair way as my recollection is of the results of the gentleman's committee before. But as a matter of fact every expenditures committee will always be inclined to shield abuses of its own administration, and I have no doubt the same pressure would influence a Republican committee when there was a Republican administration, although, of course, I do not think there would be so much to conceal then as there is now.

Mr. HAMLIN. Mr. Chairman, will the gentleman yield?

Mr. GILLETT. Certainly.

Mr. HAMLIN. I believe the gentleman has been a very honored and influential Member of this House for about 22 years, has he not?

Mr. GILLETT. I have been a Member longer than that.

Mr. HAMLIN. During the time that the Republican Party was in power in this House, which was practically all of that time except the last five years——

Mr. GILLETT. Ten years.

Mr. HAMLIN. We took possession in 1911.

Mr. GILLETT. Eight years, then.

Mr. HAMLIN. During all the time the Republican Party was in power, did not the gentleman's party give clerks to all these committees at every session of Congress?

Mr. GILLETT. I do not think so, but I do not remember.

Mr. HAMLIN. I think the RECORD will show that you did. And is it not true that the Committee on Expenditures in the State Department, at least—I do not speak for the others—did not having a single meeting, barring, perhaps, one session one day, during all the time the gentleman was a Member of this House, except at the time the committees grew active under the Democratic control?

Mr. GILLETT. I think, Mr. Chairman, very likely that is true, and I have always said that I do not believe that these committees will ever function except when they belong to the party opposite to the party in power.

I am not sure about these committee clerks. It may be that they did have them, but we all remember, when the Democratic Party came into power in this House eight years ago, they came out with a program of criticism of these committees, and said they were going to reform and not have these useless clerks. I remember that we all said on this side at the time that that sounded very well, but predicted it would not last very long, and we have all seen that platform of economy, which I believe was sincere at the time, gradually fade away.

Mr. HAMLIN. Mr. Chairman, will the gentleman yield again?

Mr. GILLETT. Yes.

Mr. HAMLIN. I think the gentleman is a little bit in error about the policy of the majority in control when we came into power. We did not say that we would not give clerks to standing committees, but that we would abolish useless committees, and my recollection is that we abolished either three or five.

Mr. GILLETT. You abolished a few, but you also cut down expenses and abolished salaries very creditably. I think it needed to be done; but, as I say, you have gradually lapsed right back into the bad habit of which, perhaps, you had an example before you.

Mr. HAMLIN. The bad example which the Republican Party had set.

Mr. GILLETT. Yes; I will agree that we had drifted into a condition of having committees which did not function and of having some unnecessary clerks, and I regret to see you on that side drifting back into that same condition. I am sorry that your high-flown professions have not been lived up to.

But, Mr. Chairman, what I was leading up to was that I think the best remedy for this is to have one permanent and active committee along the lines advocated by the gentleman from New York [Mr. MAGEE], a permanent committee which shall always consist of a majority opposed to the administration, so that there will be one committee on expenditures in this House which shall always have a partisan motive to criticize the administration and therefore will always be at least a constraining force on the administration, inasmuch as the administration will know that there is a body here which is always disposed to watch and criticize them; and I regret extremely that when in the last session we tried to have a committee on expenditures in the conduct of the war, of which a majority would be Democrats, and that side of the House as well as this side were, I think, disposed to favor it, a letter came from the President opposing it, and that side of the House, obedient to the request of the President, at once abandoned the project.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. HAMLIN. Mr. Chairman, I ask that the time of the gentleman be extended two minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that the time of the gentleman from Massachusetts be extended two minutes. Is there objection?

There was no objection.

Mr. HAMLIN. I want to make a suggestion to the gentleman from Massachusetts.

Mr. GILLETT. I shall be very glad to hear the gentleman's suggestion.

Mr. HAMLIN. I think I am going to agree with the gentleman's latter remarks very largely, and I make this suggestion: I know from experience that one reason why some of these expenditure committees have not been any more active than they have been is that the Committee on Appropriations very largely perform the work that the rules of the House contemplated would be done by these committees on expenditures in the various departments.

Mr. GILLETT. The Committee on Appropriations can not do it all. It is too absorbingly busy, but we do as much as we can, because these committees on expenditures in the various departments do not do it.

Mr. HAMLIN. Will the gentleman yield further?

Mr. GILLETT. I yield to the gentleman.

Mr. HAMLIN. I do not agree with the gentleman in the statement he has just made. The Committee on Appropriations does this work, and then the Committees on Expenditures feel that they are simply duplicating the work. Now, I believe, and have believed for a good while, that the best thing to do is to abolish these expenditures committees, and either have one committee on expenditures to cover the whole subject or else let the Committee on Appropriations do that work and hold them responsible for it. I do not believe you ought to have these committees unless you are going to equip them so that they may work if they choose to do so.

Mr. GILLETT. I am rather inclined to agree to the gentleman's proposition that perhaps one committee could take the place of all these various committees on expenditures, though I anticipate that in the next Congress, in revealing the extravagances and failures of the present administration, we will need them all.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WINGO. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Arkansas is recognized for five minutes.

Mr. WINGO. Mr. Chairman, I have no desire to discuss this question at any length. I am a member of one of the expenditure committees. My only object in rising is to correct the incorrect statement of the gentleman from Massachusetts [Mr. GILLETT] so far as it applies to me, with reference to the committee of which I am a member having been called off. It is not my fault that the committee of which I am a member has not discharged its duty, and it is not the fault altogether of the Democratic side either.

Mr. GILLETT. May I ask the gentleman what the committee is of which he is chairman?

Mr. WINGO. The Committee on Expenditures in the War Department.

I realize that this is hardly the time to discuss this question. It is too late to do anything in the few weeks left to this Congress. At some later date I will have something to say about it, and will put into the RECORD some correspondence which will show my position on the matter, and the statements made to me by gentlemen in authority on both sides of the aisle when I consulted them with reference to my committee discharging its duty.

It is unfortunate that we did not do one of two things, either put these committees to work or else abolish them.

When it is suggested that we put our committee to work, we are told that the appropriating committees are investigating these subjects, and then when you ask one of the appropriating committees to take up any specific item of expenditure that ought to be investigated you are immediately told that they are overwhelmed with work and that they have a hard time getting the supply bills in here on time, which is true.

The truth of the matter is these appropriating committees have all they can do to make the necessary investigation to show the need for the items that are called for in the pending estimates for future expenditures with no time to investigate past expenditures.

Mr. GILLETT. Will the gentleman yield?

Mr. WINGO. In just a moment. You ought to have expenditures committees engaged in the work of watching to see whether or not the appropriations have been properly expended. Then when the appropriating committees came to consider estimates for the future it would be of great assistance to them to have the facts collected and presented to them by the committee on expenditures in the various departments, showing how the same estimating officials have expended the funds appropriated upon the former estimates, which the appropriating committees were compelled to accept.

Mr. GILLETT. Now will the gentleman yield?

Mr. WINGO. I yield to the gentleman from Massachusetts.

Mr. GILLETT. I should like to know what the gentleman means by the House putting these committees to work. The House can not set them to work. A committee can go to work or not, as it pleases.

Mr. WINGO. Every time it has been suggested during my membership in this House, either on the floor or in private consultation, that we go to work, gentlemen on both sides very promptly give their judgment that we should not do it. At least, that has been my experience. I have been told that we better not do it, and that has not been told me by Democratic leaders alone but by Republican leaders as well. The only way to put them to work is to give them some authority. They have no authority. The Committee on Expenditures in the War Department has not a bit of authority to discharge the duties for which it is supposed to be appointed. What you ought to do is to give these expenditures committees authority to send for persons, books, and papers and allow them to make proper expenditures, and give them proper clerical assistance, and make them discharge their duties. If you do that, and they go about it in a legitimate way, not in a muckraking way, in a legitimate businesslike way, to check up expenditures, they could save millions of dollars every year and could assist Members of the House in considering appropriation bills and give them facts that would be valuable. The trouble has been in the past that they have been purely little committees that somebody might be made chairman of, but when it is suggested that we give them help then somebody raises a cry that some one else wants an extra stenographer. I hope that the party that is coming in power will either abolish them or else bring in resolutions at the beginning of each session that will give these committees power to send for books, persons, and papers, and that it will direct them to go to work, and if they need any further assistance then let them go before the Committee on Accounts; and if you do that and pursue an honest investigation, instead of a muckraking, partisan investigation, you will be able to save millions of dollars to the Treasury of the United States.

Mr. HAMLIN. Mr. Chairman, will the gentleman yield?

Mr. WINGO. Yes.

Mr. HAMLIN. My attention has just been called to the fact that prior to the Sixty-first Congress these committees were not only given clerks, whether they worked or not, but the clerks were paid $6 a day, or $180 a month. In the Sixty-first Congress the resolution was brought in cutting them down to $125 a month. So that while this House was under the control of the Republican Party these committees had clerks at $180 a month.

Mr. WINGO. I am not undertaking to go into the partisan phase of it. My object in rising was not to talk about investigating affairs in any department from a partisan standpoint, and it is one of the shames of this House that the only way we do treat these expenditure committees is either as patronage committees or as muck-raking committees. We ought to get away from that and put them to work in a nonpartisan, businesslike way. It is not my fault that the expenditures in the War Department were not checked up as the expenditures were made. If I had had my way, the Expenditure Committee, of which I am a member, would have discharged its duty. But my statements of facts, made not alone in letters urging action, not alone in consultation with those responsible, but in debate on this floor, were ignored. I have at all times urged action and have been ready, willing, and anxious for the committee to exercise its functions and to ask for authority to force production of persons, books, and papers and to sit anywhere.

Mr. MANN. Mr. Chairman, I think the gentleman from Arkansas [Mr. WINGO] is mistaken about these committees having power. The committees on expenditures have just as much power granted to them as the Committee on Appropriations to obtain testimony.

Mr. WINGO. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. WINGO. I will say that the gentleman himself is one of the authorities I gave when I took the question up. I consulted him and a couple of more gentleman upon that side, and I did not find a single parliamentarian on the floor of the House who did not think it was necessary for us to bring in a special resolution in order to enforce attendance of witnesses and production of books and papers. I may have misunderstood the gentleman, but I went to him for counsel on the matter.

Mr. MANN. I never have advised the gentleman, so far as I know, that it was necessary for him to bring in a special resolution. I have repeatedly stated to members of various committees on expenditures that they did have authority to send for anybody they pleased. They would not have authority to bring anybody in contempt without a resolution of the House. Neither has the Committee on Appropriations nor the Committee on Ways and Means. No committee of the House has any greater power over matters confided to it by the rules than have the committees on expenditures. Of course, if the Committee on Appropriations sends for some one and he refuses to come they have no way of enforcing the presence of such a person without obtaining authority from the House. If the Committee on Expenditures in the War Department sends for the Secretary of War and he declines to come, it could not force his attendance without obtaining authority from the House, but that authority would readily be granted to any committee which makes a proper request for the attendance of any officer of the Government or anyone else. Committees on expenditures have wide jurisdiction. I do not think it was desirable for the Committee on Expenditures in the War Department at the beginning of the war to commence to hamper the War Department in reference to expenditures. I am frank to say that now ,and I frankly said it at the time, to members of the Committee on Expenditures of the War Department. I do not think it was desirable to try to prevent the War Department from proceeding with the expenditure of money, sometimes regardless of rules, and I say sometimes regardless of law, but I think the committees can properly work without obtaining additional authority from Congress. When a committee wants to get special authority my observation has been that it has never had any trouble with the House.

Mr. CANNON. Mr. Chairman, I have listened to what the gentleman from Illinois [Mr. MANN] has said touching the power these respective committees have. They have just as much power as any other committee in the House. I call the attention of the gentleman to the fact that in the Forty-fourth Congress the Committee on Expenditures in the War Department had as its chairman the late Senator Blackburn, of Kentucky. It was a very lively committee. That is the committee that reported the resolution impeaching the Secretary of War.

The House impeached him and the Senate tried him. It is true that he was acquitted, but if the committees on expenditures see proper to do it they can do a great deal of work.

The Clerk read as follows:

For procuring manure, soil, tools, fuel, purchasing trees, shrubs, plants, and seeds; services, including skilled laborers and laborers at rates to be fixed by the superintendent; materials, and miscellaneous supplies; traveling expenses and per diem in lieu of subsistence of the superintendent and his assistants not to exceed $300; street car fares not exceeding $25; office equipment, and contingent expenses in connection with repairs and improvements to Botanic Gardens; exchange, care, and maintenance of motor-propelled delivery vehicles; purchase of periodicals not to exceed $50; all under the direction of the Joint Committee on the Library, $18,000.

Mr. SLOAN. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 28, line 15, after the word "vehicles" insert the words "removal of wall."

Mr. STAFFORD. Mr. Chairman, I reserve the point of order. I wish to say just a word or two. There is no question but that when the Grant Monument is completed and the bronze statue is placed on the marble pedestal that has been awaiting it these many years the present wall about the Botanic Garden will have to be removed. But the grounds of the Botanic Garden are in charge of the superintendent. The Mall, immediately to the west, is under the charge of the Superintendent of Public Buildings and Grounds. Provision is made in this bill for guards to supervise and police the Mall. If we should remove the wall we would have to make appropriation for it, and also would have to provide keepers or guards to police the grounds during the night. At the present time the gates are locked at sundown.

Quite frequently in the past has this subject of the removal of this fence been under consideration. It is rather ancient, I agree. It is similar in its design to that which surrounds the White House grounds. But until some definite plan has been determined as to its removal and as to whether the Botanic Garden should be removed to some more fitting place, I think we should not provide for the removal of the fence in this way. And therefore I make the point of order.

Mr. LINTHICUM. Will the gentleman yield?

Mr. STAFFORD. I will be glad to do so.

Mr. LINTHICUM. I would like to ask the gentleman whether he is informed why the monument is not completed, and how long it will be before it is completed?

Mr. STAFFORD. The marble pedestal has been completed, I believe, for five or six years, awaiting the erection of the equestrian bronze statue.

Mr. LINTHICUM. I wish to say that I have been here for eight years, and it has been just like that, except that one of those bronzes was put on there since I have been here.

Mr. STAFFORD. That is an instance of tempus fugit. I am surprised it has been so long. I remember, Mr. Chairman, when the authorization was made and the struggle was had on the floor of this House as to where we should locate the equestrian statue of Gen. Grant. Maybe the gentleman is correct that it was completed eight years ago. I can not give the gentleman any information as to that.

Mr. SLOAN. Mr. Chairman, inasmuch as the gentleman from Wisconsin is a student of legislation and of the history of legislation in this House, I desire to ask him if it is not a fact that the Congress of the United States some 9 or 10 years ago ordered that wall to be removed, and that that order or that legislation is still in force, and that the wall was not removed simply because we had an excellent though self-willed gentleman in charge of it, a man who was a lover of flowers but whose special choice was the thistle, which immediately indicates his nationality or, at least, his lineage? His name was William R. Smith, who came in charge of the garden in 1854, under the magnificent salary of $50 a month. One of his fads was that that wall under no circumstances should be removed, and although Congress by special act ordered him to remove it, when he died the wall, like the Star-Spangled Banner, "was still there." We have felt like respecting his memory for all these years, but not "over long."

I want to say something about this Smith. The one flower above all others that seems to bloom down there is the memory of Smith. One of the things he insisted on was that a man in order to obtain flowers should demonstrate that he knew of Robert Burns and could quote his poetry. There was an occasion when a high-stationed officeholder tried to obtain some flowers from the garden for some state event. Smith promised him the flowers. But to impress it upon him, the Senator said, "As Jimmy Burns said." "As Jimmy Burns said?" interjected Smith. "Why don't you talk about Tommy Alexander, Billy Bonaparte, or Charlie Christ? You get no flowers from the Botanic Garden." [Laughter.]

Is it not a fact that that law still exists?

Mr. STAFFORD. Mr. Chairman, I make the point of order.

Mr. MANN. Is it subject to a point of order?

Mr. STAFFORD. If, as the gentleman from Nebraska [Mr. SLOAN] states, there is a prior authorization of law, then it is not. But I assume, though I have no acquaintance with that act, it was an appropriation law, that expired with that year.

Mr. Chairman, I am rather authoritatively informed by the clerk of the Committee on Appropriations that it was an appropriation for the removal of the fence and not a direction for its removal. Therefore, it being merely an appropriation for its removal, it would not be considered permanent law.

I make the point of order.

The CHAIRMAN (Mr. HOUSTON). The Chair sustains the point of order.

The Clerk read as follows:

Office of the President: Secretary, $7,500; executive clerk, $5,000; chief clerk, $4,000; appointment clerk, $3,500; record clerk, $2,500; two expert stenographers, at $2,500 each; accounting and disbursing clerk, $2,500; two correspondents, at $2,500 each; clerks—two at $2,500 each, four at $2,000 each, six of class 4, two of class 3, four of class 2, three of class 1; messengers—three at $900 each, three at $840 each; three laborers at $720 each; in all, $78,580: *Provided*, That employees of the executive departments and other establishments of the executive branch of the Government may be detailed from time to time to the office of the President of the United States for such temporary assistance as may be necessary.

Mr. OVERSTREET. Mr. Chairman, to me one of the saddest and most unfortunate incidents of the great war was the sinking of the transport the ill-fated *Otranto*, off the coast of Scotland on the night of October 6, when several hundred of our brave young American boys went down to a watery grave, unknelled, uncoffined, and unsung. These brave young lads had almost reached the scene of war, where they hoped to share the honor and glory that awaited their comrades in arms. But Fate decreed otherwise. They had no chance to show to the world how brave they were. With unfaltering courage they walked out upon the decks of the stricken and sinking vessel and calmly faced their inevitable doom. They were boys, and in the language of a former distinguished Member of this House who has gone to his last reward, "Most of them when life was full of hope and all its tides were at their highest, grandest flow; just when the early sunbeams were falling on the steps of fame and flooding all life's landscape far into the dreamy, distant horizon; just at that age when all the nymphs were making diadems and garlands, weaving laurel wreaths before the eyes of young and eager nature—just then when death seemed most unnatural."

They were heroes as truly as those who were slain upon the field of battle, and we want their spirits to know that the memory of their heroism will be enshrined in our hearts so long as this Republic shall live. [Applause.]

Their untimely death to me is peculiarly sad, for half a hundred or more were from my district and 19 of those splendid boys came from my own county. All of the latter were my personal friends, and I loved them as my younger brothers.

A few weeks ago there appeared in the Sylvania Telephone, my home paper, an editorial describing the incident I have alluded to, and I will read it in my time:

A REAL HERO.

The great war has developed unnumbered heroes—on sea, on land, in the air—and when we think of the splendid and irresistible bravery of our boys and the magnificent heroism of the French and the unyielding courage of the British we are led to think of what the poet said of the combat on the plains of Troy, where if one could have viewed the whole battle field from above—

"The war's whole art with wonder had he seen
And counted heroes where he counted men."

But there is one gallant English officer whom our people here should remember with grateful hearts and whose heroic deed shines with peculiar luster to us, because he was the means of saving the lives of so many of our boys from this section. We refer to the lieutenant who commanded the destroyer that rescued so many of the soldiers from the ill-fated *Otranto*.

When the stricken transport was left alone to her doom in that wild and tempestuous sea this officer, regardless of his own safety and that of his boat and against the orders of the *Otranto's* captain, brought his little craft three times to the side of the larger vessel to rescue the men from their impending doom. When we remember that the wind was blowing a hurricane and that the waves were rolling nearly a hundred feet high we can form some idea perhaps of how perilous was the undertaking and how imminent the danger of destruction to the destroyer and all of her men.

But the lieutenant wavered not. With consummate skill his little boat was brought three times by the side of the sinking ship—sometimes far above her on the crest of a mighty wave and the next minute far below in the trough of the angry sea—and over 300 of our boys were saved from the cruel fate that overtook their comrades.

We don't know what his name is, though we hope some day to know, but he is a real hero, every inch of him, no matter who he is or where he came from.

[Applause.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

BUREAU OF EFFICIENCY.

To enable the Bureau of Efficiency, authorized by the urgent deficiency appropriation act approved February 28, 1916, to establish and maintain a system of efficiency ratings, to investigate administrative needs of the service relating to personnel in the several executive departments and independent establishments, required by the legislative, executive, and judicial appropriation acts for the fiscal years 1913 and 1914, respectively, and to investigate duplication of statistical and other work and methods of business in the various branches of the Government service; for purchase or exchange of equipment, supplies, stationery, books and periodicals, printing and binding, traveling expenses not exceeding $3,000, and street car fare not exceeding $50; in all, $125,000: *Provided*, That not more than nine persons shall be employed hereunder at a rate of compensation in excess of $3,000 per annum.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. MADDEN. I understand the Bureau of Efficiency is the bureau that has laid out the plans for adjusting the claims of the soldiers under the War Risk Bureau. If the efficiency of the War Risk Bureau is a sample of the knowledge and experience of the man who made the plans, then I am sorry to see an appropriation of $125,000 contained in this bill for the payment of those who are under his jurisdiction.

I understand that Mr. Brown, the head of the Bureau of Efficiency, last year was getting $5,000 and that without any authority of law he increased his own salary out of this lump-sum appropriation to $6,000. I do not see why we are making a lump-sum appropriation, why we do not specify the men, the positions, and the compensations to be paid to the men in this paragraph. There is no reason on earth why we should permit a man who is displaying so little knowledge in the matter of efficiency as the head of this bureau to fix the compensation of the men who are employed under him. There is no reason why he should be permitted to legislate an increased salary to himself without any knowledge on the part of the Congress.

Why, I understand that Mr. Brown not long ago, in the hearings before this committee, made the statement that I was interested in a scheme for the adjustment of a soldier's allotment and that the person to whom the allotment was made was morally unworthy. I assume that he meant to convey in his statement the idea that I was doing a thing that I had no right to do. Now, I wish to submit to the House this statement, that every letter that comes to me, either from the wife or the mother or the relative of a soldier who has made an allotment, is taken up by me on the statement made in the letter, and I submit the case to the bureau for adjustment on the assumption that the

bureau will make the necessary investigation and act in accordance with the law and the facts. I have no interest in anybody's claim except to see that the claim is properly adjudicated according to the facts and the law and the obligations of the Government, and I think it is a piece of impertinence on the part of Mr. Brown to come before one of the committees of the House, sitting in executive session, and make a statement such as I understand he made about me in connection with this case, about the merits of which I have no knowledge whatever, and then not have the courage to let the statement stand in the record. After he made it and it went into the stenographic record he struck it out, because he did not dare to let the statement stand.

I am unable to say just exactly what Mr. Brown said, but whatever he said it proved that he was impertinent and that he was going beyond all bounds of reason and decency.

Now, why did he make the statement? He said he made the statement because I had criticized the bureau. Am I to be subjected to innuendo, or is any other Member of this House to be subjected to innuendo, by a subordinate employee of the Government because we stand on the floor of the House and defend the rights of those whose sons fought to defend the flag? Are we to be criticized because we insist that efficiency shall be the standard by which we gauge the operations of the various executive departments?

Mr. RUCKER. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Are we to be subjected to criticism by men who are on the pay roll and have proved their own unworthiness by failure to perform the functions of the office to which they have been appointed simply because we criticize their inefficiency?

I submit that Mr. Brown, or any other employee of the Government, ought not to be permitted to do that, and I also wish to say in this connection right here that when Mr. Brown was before the Committee on Appropriations and made the statement he exceeded every sense of decency and propriety.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MADDEN. I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. MADDEN. The committee itself should have done me the courtesy to send for me and let me be present when Mr. Brown was making the statement. He would not dare to make a statement about me in the open light of day. He would not dare to let the statement that he made in executive session stand. He would not dare to criticize my integrity of purpose. He would not dare to make the statement that I ever appealed to the Bureau of War Risk Insurance, or to any other bureau, for anything that was not clean and decent and right and just and fair, and he only did it because he thought he was under cover of secrecy and that he would poison the mind of some member of the committee against me by saying what was not true.

I challenge Mr. Brown to make a statement in public that I ever, under any circumstances, either directly or indirectly—and I challenge anybody else not only in connection with the Government, but any man in America, to make the statement—that I have ever been identified with anything that was not clean and decent and right, and I resent not only the impudence but the arrogance of these men who are employed by the Government and who come here to plead for additional appropriations in order that they may increase their own salaries, criticizing Members of this House because they insist that the business of the Government and the allotments to widows of dead soldiers or the wives of wounded soldiers or soldiers who are still alive and not wounded are not given the attention which they ought to be given.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes; I yield.

Mr. LONGWORTH. I do not know whether I correctly understand just what statement was made by Mr. Brown that the gentleman has alluded to.

Mr. MADDEN. I do not know exactly what statement was made myself, except that Mr. Brown said I was interested in the case of an allotment made by a soldier to a woman about whose moral character there was some doubt, and that the address given by the soldier was said to be in a house about the moral standing of which there was at least grave doubt. I am not supposed to know where people live. I am not supposed to know whether they are of good moral character or not. I only know that a man is a soldier when he has enlisted in the Army. I only know that he is defending the American flag, and I only know that when he has taken the oath of allegiance to the flag and shoulders a rifle he is entitled to the same consideration as any other soldier; and if there is anything wrong with his character or with the character of those with whom he associates, that is not my business.

Mr. LONGWORTH. Where was this statement made?

Mr. MADDEN. In the Appropriations Committee.

Mr. LONGWORTH. Before the committee?

Mr. MADDEN. Yes.

Mr. LONGWORTH. Is it in the hearings?

Mr. MADDEN. No; Mr. Brown did not dare leave it in the hearings. He made the statement, it went into the stenographic record, and when the record was given to Mr. Brown for correction he struck it out.

Mr. LONGWORTH. It seems to me that is a very remarkable thing for a bureau chief to say of a Member of the House.

Mr. MADDEN. I think it is an outrage.

Mr. LONGWORTH. In what way did he claim the gentleman was interested?

Mr. MADDEN. I do not know the language he used.

Mr. BYRNS of Tennessee. I want to assure the gentleman—I think my recollection is perfectly clear about the matter—that Mr. Brown did not in his language reflect upon the gentleman in any way with reference to the case to which he refers, and there was not the slightest intimation that there was anything of the kind in his mind or that the gentleman knew anything about the character of the person to whom he referred.

Mr. MADDEN. Did Mr. Brown know anything about the character of the person?

Mr. BYRNS of Tennessee. The only statement he made was based upon the report of the investigators who had charge of the case.

Mr. MADDEN. I know; but why should Mr. Brown undertake to criticize me?

Mr. BYRNS of Tennessee. I want again to assure the gentleman that there was not the slightest criticism of him.

Mr. MADDEN. Did not Mr. Brown say that he raised the question in this case because I had criticized the Bureau of War Risk Insurance?

Mr. BYRNS of Tennessee. My recollection is that the matter came up in connection with the hearing of Mr. Brown in relation to the investigations made by the bureau as to these allotments and allowances, and he was proceeding to point out the necessity of such investigation and the wisdom of the law which required it. He made the statement that practically all of these allowances and allotments were made upon requests by the soldiers, and involved no fraud or intention to defraud, but that there were cases that had come to the attention of the bureau where there was a plain intention to defraud. I remember, for instance, that he referred to some case—I can not give the name because I do not remember it——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent that the gentleman have five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the time be extended five minutes. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. In one case a woman was drawing a double allotment and allowance on the plea that she was the wife of two different soldiers. Now, in connection with the gentleman's statement, I do recall that Mr. Brown referred to some case in Chicago in which a soldier had made a request for an allowance to supplement the allotment he had made in behalf of his wife, and the investigation disclosed that the address given by the soldier was a place of questionable repute; but Mr. Brown stated, according to my recollection, that the woman involved claimed that she did not live there, and they had no direct proof that she did, although the investigator reported that the address given was a place of that character; but I want again to assure the gentleman that not in the slightest degree did Mr. Brown reflect upon the gentleman from Illinois or intimate in any way that the gentleman had any knowledge of the facts, or had done more than call the attention of the bureau to the case.

Mr. MADDEN. I should like to ask the gentleman from Tennessee why should Mr. Brown call the attention of the committee to me in the case?

Mr. SWITZER. That is the point. Why was the gentleman's name brought into it?

Mr. BYRNS of Tennessee. The case happened to be mentioned among a number that Mr. Brown was calling attention to in order to show the necessity or importance of this investigation being made in order to strike from the list those cases where allowance checks were being sent out improperly. This case happened to be among others that he referred to.

Mr. MADDEN. Suppose that the neighborhood in which this woman was supposed to have lived was not a respectable neighborhood. Does that mean that the woman herself may not be respectable? Does that mean that the Bureau of War Risk Insurance is going to decide about the respectability of the neighborhood in which a soldier's wife lives before they decide in favor of granting the allotment?

Mr. BYRNS of Tennessee. As I said, Mr. Brown stated that the investigation simply showed that the address given by the soldier as the residence of his wife was a house of bad reputation, but that she claimed not to live there, and that they had no direct proof that she did live there, and I assume that the allowance is being paid now; but I submit to the gentleman that if a woman is living in a house of notorious repute——

Mr. MADDEN. I agree——

Mr. BYRNS of Tennessee. That undoubtedly the allowance should not be paid.

Mr. MADDEN. Mr. Chairman, the point I wish to make in connection with this is that Mr. Brown himself, as I understand it, said that he raised the question of my interest in the case, because I had had the courage to criticize the efficiency of the War Risk Bureau. If that is going to be the attitude of the War Risk Bureau, we will find out about it.

Mr. BYRNS of Tennessee. Mr. Brown is not connected with the War Risk Bureau.

Mr. MADDEN. He is the man who is working out the efficiency system of the War Risk Bureau, and if Mr. Brown is going to assume that attitude we will find out about Mr. Brown and about the War Risk Bureau. For one, I do not propose to permit Mr. Brown to criticize Members of the Congress of the United States when they call attention to cases that have not been settled, which ought to be settled. Mr. Brown is not going to be permitted to get away with that. We will call him before a committee and he will be compelled to tell what he knows in public, and we will make him tell it.

Mr. SLAYDEN. Mr. Chairman, I move to strike out the last two words. I was not in the Hall at the time the gentleman from Nebraska [Mr. SLOAN] made some observations a while ago expressing very proper impatience at the tardy completion of the Grant Monument. I myself have been puzzled by that, and I have investigated it from time to time since I have had anything to do with the Committee on the Library. I want to explain to the gentleman before I refer to the chairman of the Commission of Fine Arts, with whom I spoke about two days ago about this matter, that the Grant Monument was authorized before the Commission of Fine Arts was established. The artist who was doing the work—and he is doing a beautiful work, I think, and it will be a great ornament to the city—like nearly all artists with whom we have had dealings, took his own time in which to do his work. Probably that gives us better results. It is said that it does. They say so, and gentlemen who are more familiar with art and art's excellence than I am say so. We had a similar experience in the case of this beautiful pediment over the east wing of the Capitol. Mr. Bartlett, the artist, has done a great work, but he paid no attention, I may say, to the limitations of the statute as to time. I asked Mr. Moore, the chairman of the Commission of Fine Arts, two days ago what was the prospect for the early completion of the Grant Monument. He said it looked brighter; that now we could get what we have not been able to get for the last four years—the essential material for its completion.

Mr. SLOAN. It is the artist's invariable defense that art is long and time is fleeting?

Mr. SLAYDEN. Yes; I think so. I wanted to say this much because some gentlemen seem to think that the Fine Arts Commission controls that, or that the Committee on the Library has something more to do with it than they have. The delays, under the circumstances, were inevitable. The delay in the procurement of the material was due entirely to the war.

Mr. RUCKER. Mr. Chairman, I move to strike out all of line 5, page 30, including the word "that" and all of lines 6 and 7.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. RUCKER: Page 30, line 5, after the word "*Provided*," strike out the remainder of the paragraph.

Mr. RUCKER. Mr. Chairman, I desire to ask the chairman of the committee having this bill in charge a question. I note this paragraph appropriates $125,000 in a lump sum for the administrative work of the Bureau of——

A MEMBER. Efficiency.

Mr. RUCKER. Yes; Efficiency. I could not think of the word—we have had so little of it. What particular reason governed the committee in making a lump-sum appropriation in this case rather than appropriating for the officers and clerks in the usual way?

Mr. BYRNS of Tennessee. There never has been any other appropriation than a lump-sum appropriation for this bureau. It was a lump-sum appropriation when it was under the Civil Service Commission, and it was a lump-sum appropriation for this reason: The gentleman will appreciate the fact that when the Bureau of Efficiency is called on to investigate a particular bureau of the Government, it may need more help at one time than at another, and the appropriation necessarily had to be flexible, so that they can employ the needed number of accountants and experts when they need them, and when they do not need them they can dispense with them.

Mr. RUCKER. I concede that if there is use for the Bureau of Efficiency at all the gentleman's reply is a complete answer to my inquiry, but let me ask the gentleman from Tennessee another question. Was not an effort made a year ago, when this or a like bill was under consideration, to fix a specific salary for the chairman or the chief of this bureau at a certain sum?

Mr. BYRNS of Tennessee. There was a recommendation on the part of the committee that the salary of the chief of the bureau be made $5,000 a year. That was contained in the legislative bill, which was reported to the House at the last session. The gentleman will doubtless recall that that provision went out on a point of order.

Mr. RUCKER. Will the gentleman advise the committee what salary is received by Mr. Brown?

Mr. BYRNS of Tennessee. He is now being paid the sum of $6,000. The gentleman knows that this bureau has been placed especially under the President. Of course, Mr. Brown has no authority to fix his salary.

Mr. RUCKER. Who did fix his salary?

Mr. BYRNS of Tennessee. Or the salary of any other employee of the bureau. The President fixed the salary at $6,000, and he is now drawing that sum.

Mr. RUCKER. That is one instance in which I heartily and cordially disagree with the President. I am not disturbed about the question which agitated my friend from Illinois [Mr. MADDEN]. I do not think Mr. Brown could injure me very much in my district.

Mr. MADDEN. I am not talking about my district. I am talking about Mr. Brown's impudence.

Mr. RUCKER. If Mr. Brown should refer to my espousing the cause of some person who was of immoral character, even though he did not give the sex of that person, it would make no difference, for I am like Cæsar's wife—above suspicion. Impudence? Unquestionably it is impudent in the extreme—intolerable impudence, for any man to question the integrity of the acts of any Member of Congress in presenting to this House or to the bureau having these matters in charge any question involving the interests of any constituent.

Mr. Chairman, I made a motion to strike out this language with a view of following it with a motion to insert other language. I believe this House, after the experience which we have had, ought to legislate ourselves——

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. RUCKER. I will.

Mr. BYRNS of Tennessee. The gentleman has moved to strike out the language that the committee has inserted in this paragraph, which is the only limitation——

Mr. RUCKER. I want to put another limitation on it, though.

Mr. BYRNS of Tennessee. And the gentleman may make the mistake which was made a year ago, when the salary went out on the point of order. The amendment that the gentleman proposes to offer may not be adopted, and then we will have no limitation whatever.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RUCKER. I ask that my time be extended for five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none.

Mr. RUCKER. Let me ask the gentleman, would this language make the amendment subject to a point of order:

Provided, That no person employed hereunder shall receive a salary in excess of $5,000, and not more than nine persons at a rate of compensation in excess of $3,000.

Mr. BYRNS of Tennessee. I beg the gentleman's pardon——

Mr. RUCKER. Suppose the language in the bill was stricken out and this language inserted:

Provided, That no person employed hereunder shall receive a salary in excess of $5,000, and not more than nine persons at a rate of compensation in excess of $3,000.

Why would not that be a pretty good thing to do and a proper and fair limitation?

Mr. BYRNS of Tennessee. Well, the gentleman is asking me as to the merits of the proposition.

Mr. RUCKER. I am trying to get the gentleman committed.

Mr. BYRNS of Tennessee. I will say I do not think that would be a good thing to do, for this reason: The Chief of the Bureau of Efficiency is now receiving $6,000 a year——

Mr. RUCKER. And, according to the universal testimony of every Member who has thus far expressed himself, is $6,000 more than he is earning.

Mr. BYRNS of Tennessee. Well, without arguing that point that the gentleman makes, I think there can be a great deal said about the great service rendered by the Bureau of Efficiency in several particulars, as testified to by Internal Revenue Commissioner Roper, and I know the gentleman has the utmost confidence in Mr. Roper.

Mr. RUCKER. Absolutely so—no better or more efficient man in the public service.

Mr. BYRNS of Tennessee. He stated to the committee—and the gentleman will find it in the hearings—that Mr. Brown and his Efficiency Bureau have been of the greatest service to him in the organization of his bureau, and I can cite the gentleman to the Postmaster General——

Mr. RUCKER. I have no doubt that under the direction and with the skillful and intellectual management of Mr. Roper even Mr. Brown could improve old conditions in the Treasury Department, but we need Roper to make Brown efficient.

Mr. BYRNS of Tennessee. But waiving the efficiency of the Efficiency Bureau for a moment I do not think we ought to undertake to reduce his salary from $6,000 to $5,000 in this bill for this reason: Congress left the matter open in the last bill. Mr. Brown had no authority to fix his own salary, and I assume if he had such authority he would not have exercised it, because it was a rather delicate thing to do, but my opinion is—there can be no doubt about it—that the matter was presented to the President of the United States, and after such consideration as he thought necessary the salary of the Chief of Bureau of Efficiency was fixed at $6,000. Now, I do not think we ought to legislate here on the question of a salary as to what we may think of a particular individual filling that place. The salary ought to be fixed for the position, and if a man who holds the position now is not entitled to it or is not the proper man some one else ought to take the place.

Mr. RUCKER. The gentleman says we ought not to legislate on the question of a salary here. Where ought we to legislate upon it?

Mr. BYRNS of Tennessee. I qualified my statement by saying I did not think we ought to legislate upon the question of salary in this bill with sole reference to the individual to whom it is to be paid.

Mr. RUCKER. I concede that. Let me ask the gentleman. When you wrote in this bill the proviso "that not more than nine persons shall be employed hereunder at a rate of compensation in excess of $3,000 per annum" that means nine persons will draw not less than $3,000, and it also means that some of the nine will draw whatever sum they may see fit to place it at. I do not believe this Congress can escape responsibility in that way. I believe the gentlemen of the Appropriations Committee, with all the facilities they have for ascertaining the reasonable value of this service, ought to bring to the House a concrete proposition fixing the salary.

Mr. BYRNS of Tennessee. The gentleman will agree in this——

Mr. RUCKER. One moment. Under this law there is nothing to prevent somebody from fixing Mr. Brown's salary at $25,000. We ought to fix it in the bill. I will yield to the gentleman.

Mr. BYRNS of Tennessee. The gentleman refers to nine persons who may receive more than $3,000. I am quite sure the gentleman will agree that if this bureau performs the service which it is expected to perform that they will need a number of good men and expert accountants. Now, the gentleman knows you can not get an expert accountant for less than $3,000 and——

Mr. RUCKER. If they need an expert accountant in the Bureau of Efficiency, who is going to select him? Mr. Brown can not do it.

Mr. BYRNS of Tennessee. Mr. Brown chooses the employees.

Mr. RUCKER. I know; but I say he is not competent to choose an efficient man, if what we hear is true.

Mr. BYRNS of Tennessee. Now, the gentleman goes back to the question of the merits or the demerits of the chief of the bureau.

Mr. RUCKER. That is what we are dealing with.

Mr. BYRNS of Tennessee. That is a question I think the gentleman ought to take up with the President, who appoints him, because he agrees it is no attack upon the committee.

Mr. RUCKER. The gentleman knows the President could not consider the matter, and ought not to do so, but that Congress ought to fix the salary.

Mr. BYRNS of Tennessee. The President is responsible for the fact that Mr. Brown holds that position, and the President has fixed his salary at $6,000 a year.

Mr. RUCKER. I do not know about that. The gentleman is making a statement which, it seems to me, is in the nature of an accusation. I do not know about it. I do not know whether the President is responsible for it or not, but I can not think he is.

Mr. Chairman, I withdraw the motion I made, and now move to strike out the language read by the Clerk and insert——

The CHAIRMAN. The gentleman asks unanimous consent to withdraw his amendment.

Mr. RUCKER. I want to add to that amendment. It is the same thing. Strike out the language after the word "*Provided*" to the end of the paragraph and insert:

That no person employed hereunder shall receive a salary in excess of $5,000 and not more than nine persons at a rate of compensation in excess of $3,000 per annum

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. RUCKER moves, on page 30, line 5, after the word "*Provided*," to strike out the remainder of the paragraph and insert in lieu thereof the following: "That no person employed hereunder shall receive a salary in excess of $5,000 and not more than nine persons shall be employed hereunder at a rate of compensation in excess of $3,000 per annum.

Mr. BYRNS of Tennessee. Mr. Chairman, just a word. The only effect that amendment would have, if adopted, would be to reduce the salary of the Chief of the Bureau of Efficiency. He is now getting, as has been stated on the floor, $6,000. That salary has been fixed by the President, under whom this bureau has been directly placed. Now, I submit to these gentlemen who differ with me as to the merits of the services of Mr. Brown that we ought not in this bill to determine upon the salary or to measure a salary by the personality of the individual who holds that particular position. If Mr. Brown is not the proper man to be the Chief of the Bureau of Efficiency, he ought to be removed, undoubtedly, and the President has authority to remove him. And I am sure the President would give the fullest consideration to any gentleman, either on the floor or off the floor, who presented to him facts showing whether or not Mr. Brown was the proper man to be at the head of the bureau. But we ought to fix this salary, gentlemen, in accordance with the importance of the position and without reference to the individual who holds that position.

Now, he is getting $6,000. I think this Government can well afford to pay a man at the head of the Bureau of Efficiency $6,000 if he is capable and competent to perform the duties of that position, because there is no position where a man can render greater service to this Government than in connection with that bureau.

Mr. RUCKER. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. RUCKER. When did the President appoint Mr. Brown?

Mr. BYRNS of Tennessee. About three or four years ago.

Mr. RUCKER. About two or three years ago?

Mr. BYRNS of Tennessee. Three or four years ago. I do not know just when.

Mr. RUCKER. At the last session of this Congress the gentleman himself brought in a bill here providing for a $5,000 salary for Mr. Brown, and the President fixed his salary. Let me ask the gentleman another thing. What salary does Gen. Roper, the Commissioner of Internal Revenue, get?

Mr. BYRNS of Tennessee. Sixty-five hundred dollars; but the revenue bill contains a provision which will raise his salary to $10,000.

Mr. RUCKER. What are the chiefs of bureaus usually paid? Is it less than $6,000?

Mr. BYRNS of Tennessee. Some of them get less than $6,000.

Mr. RUCKER. Are there any that get as much as $6,000?

Mr. BYRNS of Tennessee. The Director of the Bureau of Standards——

Mr. RUCKER. But that is purely scientific work.

Mr. BYRNS of Tennessee (continuing). And the Chief of the Bureau of Foreign and Domestic Commerce and the Bureau of Engraving and Printing.

Mr. RUCKER. But a great many get less than $6,000?

Mr. BYRNS of Tennessee. A number get less than $6,000.

Mr. RUCKER. A year ago the gentleman thought that $5,000 was salary enough for the chief of this bureau. I think he was right then.

Mr. GARRETT of Tennessee. If the gentleman will yield, how long has Mr. Brown been in the service of this Efficiency Commission?

Mr. BYRNS of Tennessee. Ever since it was established. I do not recall just the year.

Mr. GARRETT of Tennessee. He was first appointed by President Taft, was he not, as a member of the commission?

Mr. BYRNS of Tennessee. No. He was appointed under the Civil Service Commission. This bureau was a division of the Civil Service Commission up until two or three years ago, and at that time Congress took it from the Civil Service Commission and placed it directly under the President.

Now, the gentleman from Missouri refers to the fact that the committee brought in a report a year ago fixing this salary at $5,000. That is true. But the estimate submitted to the committee was for $6,000. The committee determined to report $5,000. That went out upon a point of order. Then it became necessary for some one to fix Mr. Brown's salary, and since that time Mr. Brown has been drawing $6,000 by virtue of the action of the President.

Now, I want to repeat what I said, if the gentleman will permit me. The Bureau of Efficiency, as I could show if I had the time, has rendered material service, and I wish gentlemen here who have criticized the Bureau of Efficiency would take the time to investigate just what that bureau has done, and I wish they would confer with heads of the various bureaus and departments with which it has been connected for the past two or three years. Mr. Roper——

Mr. RAYBURN. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. RAYBURN. I have made an investigation of the Bureau of War Risk Insurance, I will say to the gentleman, inasmuch as I was very much interested in the administration of the law creating that bureau; and I went down to see Mr. Delanoy when I was there and tried to find out from him what was the matter, and I was spoken to by several people in the bureau about Mr. Brown's efficiency in that bureau. There are about 15 division chiefs in the Bureau of War Risk Insurance, and I went around to quite a number of them and told them that I was making an investigation there to see if I could find out what was the matter with the business of the bureau, why it was not carried on up to date, why letters were not answered, and why there seemed to be a lack of efficiency in the bureau. I told them that I had come there to see what they thought about it, in the light of their experience. They were experienced people. A great many of them came here and volunteered their services during the war. There are people down there getting $2,500 and $3,000 that in other business can command a much higher salary. In the case of every man who was the chief of a division in the Bureau of War Risk Insurance that I asked what the trouble was, the first word was "Brown!"

Mr. RUCKER. Mr. Chairman, will the gentleman allow me to make a statement right there?

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. RUCKER. Mr. Chairman, I ask that the gentleman may have five minutes more. I want to ask him a question.

Mr. BYRNS of Tennessee. Mr. Chairman, may I have five minutes more? I want to reply first to the gentleman from Texas [Mr. RAYBURN].

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. RUCKER. Then let me ask the gentleman a question.

Mr. BYRNS of Tennessee. I want to say, in response to the statement of the gentleman from Texas [Mr. RAYBURN] that it is one of the best evidences, to my mind, that Mr. Brown has been trying to do his duty. I recall what Gen. Bragg said about President Cleveland on one occasion, that he loved him because of the enemies he had made; and the very fact that chiefs of division are criticizing Mr. Brown is an evidence, to my mind, that he has been trying to accomplish something, even though he may have failed.

Now, in spite of that—in spite of what the chiefs of division have said concerning Mr. Brown—it is a notable fact that the Secretary of the Treasury has continued the services of his bureau down there as an aid to the Bureau of War Risk Insurance.

Mr. RUCKER. Oh, no.

Mr. BYRNS of Tennessee. And even recently, when Assistant Secretary Love resigned and the bureau was placed in the charge of Assistant Secretary Rowe, I am informed that Assistant Secretary Rowe wrote a letter to Mr. Brown requesting him to continue the service of his bureau in connection with the War Risk Insurance Bureau.

Now, I say, in spite of what some chief of division has said in criticism of Mr. Brown, the fact that the Secretary of the Treasury and the Assistant Secretary immediately in charge of that bureau has continued his services there is, to my mind, a sufficient answer. It is not particularly surprising that there may be some chief of division who criticizes Mr. Brown, and I dare say you might find some in other departments where the Bureau of Efficiency has been undertaking to perform service. I have no doubt that there may be some chief of division who possibly has not had some recommendation of his put into effect who has criticized Mr. Brown and the Bureau of Efficiency.

Mr. GARRETT of Tennessee. Very well. That criticism is probably well taken; but the fact remains that during the administration of Mr. Brown we could not get an answer to a letter for weeks. That has been my experience.

Mr. BYRNS of Tennessee. I take it that has been the condition in the Bureau of War Risk Insurance ever since it was organized.

Mr. RUCKER. Mr. Chairman, will the gentleman yield?

Mr. IGOE. When did Mr. Brown go in there to take charge of it?

Mr. BYRNS of Tennessee. He never did take charge of it until Mr. Delanoy resigned.

Mr. IGOE. I understand he has been in charge of it for a year.

Mr. BYRNS of Tennessee. At the time that Mr. Delanoy resigned, Mr. Love, the Assistant Secretary, who had had charge of the bureau since its organization and who knew what Mr. Brown and the Bureau of Efficiency had done in the War Risk Bureau, requested Mr. Brown to serve as acting director pending the appointment of a permanent director.

Mr. RUCKER. Mr. Chairman, will the gentleman yield now?

Mr. BYRNS of Tennessee. I yield to the gentleman.

Mr. RUCKER. Let me say to the gentleman that during the time that Mr. Brown was in the War Risk Insurance Bureau, in authority, as I have information which I think is reliable, an order was issued called "I. C. 145." Has the gentleman ever seen it?

Mr. BYRNS of Tennessee. I do not recall it.

Mr. RUCKER. And that order circulated among all the clerks and stenographers of that bureau, expressly on its face saying—and I want the gentleman to listen—that order expressly directing that no letter shall be answered in relation to checks for allowances or allotments. It said: "File them. If a second letter comes, answer that in a formal way."

Now, is that efficiency? That kind of efficiency that we have had there led to the fact—and I state this on my personal responsibility—led to the fact that a letter written to me, dated December 3, was mailed under the efficiency of that bureau on December 17 at 5.30 p. m. and reached me the next morning.

Mr. BYRNS of Tennessee. I do not want to get into a discussion of the Bureau of War Risk Insurance on this item, because it will be discussed when we reach the item for that bureau.

Mr. RUCKER. The gentleman sort of reprehends the clerks.

Mr. BYRNS of Tennessee. The gentleman is entirely mistaken about that.

Mr. RUCKER. Then I withdraw that remark.

Mr. RAYBURN. Mr. Chairman, I move to strike out the paragraph or anything else in order to get recognition.

The CHAIRMAN. The Chair does not understand the motion. The question is on the amendment offered by the gentleman from Missouri.

Mr. GARRETT of Tennessee. I ask unanimous consent that the gentleman from Texas [Mr. RAYBURN] have 10 minutes.

Mr. BYRNS of Tennessee. Mr. Chairman, I do not want to cut off anybody from discussing this bill, but we want to get through with this bill, if possible, to-night, and certainly to-morrow. We have an amendment pending here now which relates to the salaries of the Chief of the Bureau of Efficiency and nine others. I do not think we ought to drift off on a discussion of the War Risk Bureau, when, as a matter of fact, that subject will come up later on, with reference to the appropriation made for that bureau.

Mr. RAYBURN. Probably I would not have wanted recognition now if the gentleman had not been quite so vigorous in replying to me.

Mr. BYRNS of Tennessee. The gentleman started that by stating what a chief of division had said to him.

Mr. RAYBURN. Yes; and I am going to reply——

Mr. BYRNS of Tennessee. Mr. Chairman, I feel that gentlemen ought to confine themselves to the amendment. I promised, gentlemen, that I would insist on that, and I do not think we ought to take an hour now on the War Risk Insurance Bureau and then take up the subject again later on when we come to discuss the appropriation for it.

Mr. RAYBURN. I want to speak about Mr. Brown. He has been up for discussion here.

Mr. BYRNS of Tennessee. I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman asks unanimous consent that debate on this paragraph and all amendments thereto close in 10 minutes. Is there objection?

There was no objection.

Mr. RAYBURN. Mr. Chairman, I stated here a moment ago that after the Bureau of War Risk Insurance was organized I realized that they had a great big job, the biggest job in the Government, and for several months I felt that they ought to be entirely excused for not answering letters, as they had a great organization to carry on there. Finally, after the bureau had been in operation about 10 months, I had heard a great many things said here on the floor of the House that I thought probably were not justified; and I still think a great deal of the criticism that has been made of the Bureau of War Risk Insurance and the administration of the law has been made out of a misunderstanding of the law. But I went down to see the director, Mr. Delanoy, and asked him what was the matter. I said, "Have you got plenty of clerks down here?" He said, "We have got all the clerks that we need." Mr. Brown was present at that time. I said, "Then what is the matter with this bureau?" Mr. Delanoy did not say anything, but Mr. Brown said, "Just give us a little more time, and we are going to pull this bureau through." I went on with my investigation a little, and I found out that the Director of the Bureau of War Risk Insurance, Mr. Delanoy, was having nothing whatever to do with the direction of the bureau, but that it had been turned over practically bodily to Mr. Herbert Brown.

Mr. IGOE. When did Mr. Brown first go into the bureau?

Mr. RAYBURN. I think Mr. Brown has been in the bureau since last spring; I am not sure just how long.

Mr. IGOE. Was he not there in December, a year ago?

Mr. RAYBURN. He probably was.

Mr. IGOE. He certainly was.

Mr. RAYBURN. I found out also that a board of control or a consulting board had been formed with reference to the Bureau of War Risk Insurance, composed of men who met once or twice a week to consult about reforms in the Bureau of War Risk Insurance; and I found out that the Director of the Bureau of War Risk Insurance was not on that board at all. I found out by further investigation that all promotions or demotions and all appointments went not through the Director of the Bureau of War Risk Insurance but through Mr. Brown. I found out that the Director of the Bureau of War Risk Insurance had been absolutely stripped of all the authority that he should have had under the act.

Mr. McFADDEN. Will the gentleman tell us who was responsible for that?

Mr. RAYBURN. I am going to do it if I have the time, because I have a story that I want to tell. As I say, I found out that the Director of the Bureau of War Risk Insurance had been stripped of all the authority that he ever had or that he should have had. I called him and his main assistant together when Mr. Brown went out and said to them, "The Bureau of War Risk Insurance ought to be run from the inside and not from the outside. If you are big enough to run this bureau, you will either run it or resign." Mr. Delanoy resigned, and I fully believe that if he had been given a fair chance he would have pulled this bureau through. As I said a moment ago, I saw that the morale of the bureau was gone. The section chiefs did not know what to do. They did not know their right hands from their left hands. I went among them, several of them, and asked what was the matter—what had destroyed the morale of the bureau? They said they had suggestions to make, but they did not know to whom to make them; and they said that the director seemed to think he did not feel disposed to take up these matters. Now, these men are not job hunters. They are people who have come here—actuaries of great insurance companies, insurance men from all over the country who have been drawing great big salaries in the employ of private companies—men who have come here desirous of doing their best work for the Government, and practically every one of them is wanting to resign, and many of them are being begged to retain their positions. Every one of whom I consulted gave me the same answer, that Brown had disorganized this bureau from top to bottom.

I went to the then Acting Assistant Secretary of the Treasury, Mr. Love, from my own State, and told him what I thought was the matter with this bureau. I said to him, "Mr. Brown may be the best efficiency man in the country, and all that, but I never knew the time when a good efficiency man was necessarily a good executive, and I think that to put Mr. Brown in any kind of executive authority in the Bureau of War Risk Insurance was a tremendous mistake and a tremendous blunder."

The Assistant Secretary of the Treasury did not agree with me. He said that Mr. Brown had made a great reputation here as an efficiency man, and that he was going to pull that bureau through if given time.

Now, this is the sequel of that thing: Mr. Delanoy resigned. Mr. Brown stayed in there, but instead of conditions getting better under Mr. Brown's administration they got worse.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RUCKER. I ask unanimous consent that the gentleman may have five minutes more.

Mr. DYER. Ten minutes were allowed for debate on this amendment and the gentleman has used only five minutes.

Mr. BYRNS of Tennessee. The gentleman from Iowa [Mr. GOOD] asked me to yield to him the other five minutes.

The CHAIRMAN. The time for debate on this was fixed at 10 minutes.

Mr. MADDEN. I ask unanimous consent that we extend the time to 20 minutes instead of 10 minutes. I think this is important.

Mr. RAYBURN. I am very anxious to complete this statement.

The CHAIRMAN. Does the gentleman from Tennessee object?

Mr. BYRNS of Tennessee. Mr. Chairman, reserving the right to object, the gentleman from Texas is discussing the War Risk Insurance Bureau.

Mr. MADDEN. He is discussing Mr. Brown.

Mr. BYRNS of Tennessee. I hope the gentleman will defer his remarks until we reach that item, because I am sure he will want to discuss it then.

Mr. RAYBURN. I hope the gentleman will let me have five minutes more. I am right in the middle of the statement that I was making.

Mr. BYRNS of Tennessee. The gentleman will want to discuss the War Risk Bureau when we reach it.

Mr. RAYBURN. I hope to God the time is coming when there will be no excuse for discussing it.

The CHAIRMAN. Is there objection to the gentleman's continuing for five minutes?

There was no objection.

Mr. MANN. That is to be added to the time heretofore granted.

The CHAIRMAN. To be added to the time heretofore granted. Is there objection?

There was no objection.

Mr. RAYBURN. Mr. Chairman, at that, as I said, Mr. Delanoy had resigned. After I had this talk with the Assistant Secretary of the Treasury, and after he expressed his great appreciation of the work of Mr. Brown, Mr. Delanoy had resigned. Mr. Brown went on, not only in the capacity he was in, but he was appointed director pro tempore of the bureau. Conditions, as I say, did not get better, but they got worse every day. I do not blame Mr. Brown for going into the Bureau of War Risk Insurance. It was the greatest bureau of the Government, and if he could have pulled it through, it would probably have added greatly to his reputation, but, as I say, it got worse every day instead of better, until the condition, I am willing to admit, became most exasperating to anybody who had anything to do with the bureau. When the question of the appointment of another director came up, Col. Lindsley, who was in Europe and who had charge of this matter over there, and who had carried it on well, as he has carried on everything else that he has been connected with—and he is also a citizen of Dallas—was asked by Mr. McAdoo to come here and take charge of this bureau and pull it through. Col. Lindsley came to see me to my room in my hotel and told me that he had been offered this thing and that he was considering taking it. I said to him that there was a great opportunity in the Bureau of War Risk Insurance. I told him that there was great opportunity for him to destroy the credit that he had gained in Europe, that there was a great chance for him to

destroy all of the credit that he had ever gotten, justly, by putting over big organization heretofore, but there was also great opportunity for great service. I said to him, as I told the last Director of the War Risk Insurance Bureau, that the Bureau of War Risk Insurance ought to be run from the inside and not from the outside, and that if a man is not big enough as director of that bureau to run it, he ought to be discharged and some one put in his place. I then went on to detail to him what I thought was the matter, and went over the same conversation with him that I had had with the Assistant Secretary of the Treasury. He said that was most remarkable, for he had just had a talk with Mr. Brown that day, and he told me that Mr. Brown agreed at that time with the suggestions that I detailed that I had made to Mr. Love, that he ought never to have been put in an executive capacity in the Bureau of War Risk Insurance, and that he had been put in a false attitude—indicating thereby that he would like to be relieved of that; but not to my knowledge, before he made this great failure to put the bureau over, had he ever asked that any of the authority that has been placed in his hands be taken away.

I want to say this further. I believe the members of the committee before whom he has appeared will bear me out in this, that there is now in charge of the Bureau of War Risk Insurance a man who will pull that bureau through and bring it up to the high standard of efficiency it ought to have if he is let alone and is allowed to run that bureau from the inside instead of having it heckled from the outside. [Applause.]

Mr. BURNETT. Mr. Chairman, will the gentleman yield?

Mr. RAYBURN. Yes.

Mr. BURNETT. I want to say to the gentleman that I think I can note a great improvement in it already since Mr. Lindsley has taken charge.

Mr. McFADDEN. I understood that Mr. Brown is accountable now to the Assistant Secretary of the Treasury. Is he accountable to the Assistant Secretary of the Treasury or to Col. Lindsley?

Mr. RAYBURN. I do not know about that. Col. Lindsley, I think, has the correct idea. If he is in need of an efficiency man, if he thinks that some section of his bureau is not operating correctly and that the services of Mr. Brown in an advisory capacity might be of some value in making recommendations, he will employ him in that capacity.

Mr. McFADDEN. The reason I asked that is to ascertain whether there is still a divided authority or whether Col. Lindsley has complete authority.

Mr. RAYBURN. Col. Lindsley, I think, stated before the Committee on Rules the other day that he was entirely responsible.

Mr. McFADDEN. Some gentleman to-day said in debate that this efficiency expert was accountable to the Assistant Secretary of the Treasury as well.

Mr. RAYBURN. The head of the Bureau of Efficiency is no longer the head of the War Risk Insurance Bureau.

Mr. BYRNS of Tennessee. What I said was that the Bureau of War Risk Insurance was one of those bureaus in the Treasury Department which is under an Assistant Secretary of the Treasury. Of course, Col. Lindsley is responsible for the bureau, but each Assistant Secretary of the Treasury is assigned certain bureaus of the department and has general supervision of them all.

Mr. RAYBURN. I know enough about Col. Lindsley to know that when they take authority away from him he will quit the job.

Mr. GOOD. Mr. Chairman, I hold no brief for Mr. Brown. I do not approve of a great many things that have been done in the Bureau of War Risk Insurance. No one will claim that bureau was ever efficient, but that is not the question before us. I was not present in the committee room when the subcommittee had this matter under consideration and the occurrence took place about which the gentleman from Illinois [Mr. MADDEN] spoke this morning. I never heard of it until the gentleman referred to it this morning, but if Mr. Brown was guilty of some indiscretion in that regard, let us at least give him credit for having sense enough to strike it from his remarks and not have it printed, because I do not defend anyone—I do not care in what department he may be—who will come before one of the legislative branches and reflect upon the work of a Member of the House or the Senate. That is not within the province of any such official. Brown did the proper thing in striking such reference from his remarks. I do know that this bureau, operating under the President, has really accomplished some very good work. I do not know whether Mr. Brown is the man to be at the head of it or not. I have a high opinion of his ability, and I do know that you can not have a really efficient man who can go to officers as high as Secretaries and tell them how they must do things, how their offices should be efficiently conducted, unless you pay him a good salary.

The President fixed that salary of Mr. Brown. Congress refused to fix it, and the President, I suppose, fixed the salary only high enough to get a man whom he thought was big enough and able enough to conduct this work, and when I heard Mr. Roper, of the Internal Revenue Department, say that Mr. Brown had rendered wonderful assistance to him and his department I came to the conclusion that the President had made no mistake either in the selection of the man or the amount of his salary, for it really means something to win approval from a man like that, as efficient as Mr. Roper is.

Mr. MADDEN. Was not Brown in the service before the President became President?

Mr. GOOD. Mr. Brown, as you know, worked here under Mr. Tawney when he was chairman of the Committee on Appropriations. He had him investigating the question of insurance, and he made a report that was adopted by the House, and he has been doing the same character of efficiency work for a number of years for various departments of the Government. I have no doubt if he went out into private life he could get much more than $6,000 a year as an accountant, for he is an expert accountant of high standing.

Mr. MADDEN. He may be an expert accountant and not worth a cent as an efficiency man.

Mr. GOOD. I do not know about that. I do know that Mr. Brown and his Bureau of Efficiency went in the office of the Treasury and he sent to the reading room five or six men who were receiving salaries as high as $3,000 a year and none lower than $2,500; he sent them to the reading room; while he went into the office of the Treasury, where they had not been able for more than six months to strike a balance nearer than a million dollars, and effected there a degree of efficiency so that the next year the work in the office was brought up to date, and the next year the department dropped enough clerks so as to effect a saving of $100,000 in that department alone. That is the fact. Now, gentlemen, you talk about some of these war-risk matters and get all "het" up about it and charge all delays to Mr. Brown, but I want to say you can, acting upon these prejudiced claims, do a great injustice to the Government. Whenever a Government official or any branch of the Government is trying to work out efficiency we ought to help. I remember when Mr. Brown opposed the matter of transfer in the question of allotments to the Quartermaster General. Mr. Brown said to the War Department at that time that the proposed change would create confusion in the Department of War Risk Insurance and work a great hardship, both to the enlisted man and his dependents. He stood firm in the matter, and he fought it through, but he could not prevent the rule being adopted that the War Department wanted so that the Quartermaster General should make these allotments after the 1st of July. Now, Mr. Brown is accused of all the faults which resulted from this change, and which were clearly not through Mr. Brown's operation of the law, but in spite of all he could do in preventing this change.

Mr. IGOE. Will the gentleman yield for a question?

Mr. GOOD. Yes.

Mr. IGOE. Has the gentleman ever been able to find out who is responsible for the cutting off or the transfer of these allotments—has the gentleman ever been able to find that out?

Mr. GOOD. The War Department ordered that. There is absolutely no question about that.

Mr. IGOE. The War Department says the War Risk Insurance Bureau and they say the War Department, and I would like to find out who really did.

Mr. GOOD. The gentleman is in error, and if he will investigate he will find out that Mr. Brown at the time opposed it, and really went out of his way in opposing it when he was not director, and told the War Department just what would result if it did that thing.

Mr. MADDEN. He generally goes out of his way to do things.

Mr. IGOE. Gen. Lord says not, and I would like to know who really did it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUMPHREYS. The War Risk Insurance Bureau had no power to transfer?

Mr. GOOD. Not at all. I am sure the War Department will never claim that it did not demand this change.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment offered by the gentleman from Missouri.

Mr. LARSEN. Mr. Chairman, may the amendment be again reported?

The amendment was again reported.

The question was taken; and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. RUCKER) there were—ayes 18, noes 41.

Mr. MADDEN. Mr. Chairman, I make the point of order there is no quorum present.

The CHAIRMAN. The Chair will count. [After counting.] A hundred and five gentlemen are present, a quorum.

So the amendment was agreed to.

The Clerk read as follows:

CIVIL SERVICE COMMISSION.

Three commissioners, at $5,000 each; chief examiner, $3,500; secretary, $2,500; assistant chief examiner, $2,400; chiefs of divisions—one $2,400 (who shall act as assistant secretary), two at $2,000 each; certification clerk, $2,000; examiners—one $2,400, three at $2,000 each; six at $1,800 each; clerks—6 of class 4, 28 of class 3, 39 of class 2, 52 of class 1, 34 at $1,000 each, 22 at $900 each; messenger; assistant messenger; skilled laborer, $720; four messenger boys, at $420 each. Custodian force: Engineer, $840; general mechanic, $840; telephone-switchboard operator; two firemen; two watchmen; two elevator conductors, at $720 each; three laborers; four charwomen; in all, $291,020.

Mr. DYER. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. BYRNS of Tennessee. In what particular?

Mr. DYER. The gentleman proposes to increase the salaries of officials.

Mr. BYRNS of Tennessee. To what official does the gentleman refer?

Mr. DYER. To the commissioners, but there are several increases here.

Mr. BYRNS of Tennessee. If the gentleman will make his point of order to the particular portion of the paragraph to which it is addressed——

Mr. DYER. The whole paragraph is subject to the point of order. I reserve the point of order on the whole paragraph. Mr. Chairman, I do that for the purpose of calling to the attention of the committee that before we increase the salaries of members of the Civil Service Commission the House ought to know whether or not we are going to have some functioning on the part of the Civil Service Commission. Now, you gentlemen of the committee will agree that when we passed laws calling to the colors the men who are working in the departments, as well as other places in this country, that it was the understanding that if men gave up their positions and joined the Army or the Navy and did not claim exemption, as hundreds and thousands of them did here in the departments, that when those men returned from the Army with their honorable discharges they should be reinstated in their positions. Now, Mr. Chairman, that is not being done. The Civil Service Commission positions are being filled to-day, and when those men return here and want to go back to the positions that they had to give up to go into the service they find women, they find thousands of girls brought here from all parts of the country, and men who have been put in their positions, men who claimed exemption from service, who have entered the Government service in civilian capacity, and are filling the positions to-day, so that the men who went out to do military service and are now returning with honorable discharges find that they can not get their positions back.

Mr. STEVENSON. Will the gentleman yield?

Mr. DYER. I will.

Mr. STEVENSON. Does that apply, does the gentleman think, to the Postal Department?

Mr. DYER. I inquired of the Civil Service Commission, and asked if that was the rule, if they had any policy of putting men back in their position in the civil service who had had to resign to go to military duty, and they told me they were not necessarily putting these men back; that they were not required to put them back.

Mr. STEVENSON. I will state that I had an instance in which a man in my district was appointed under the civil service 10 days ago to take a rural free-delivery route, and to-day I have notice that a soldier who held it before he went had returned and therefore this man was discharged and the soldier was reinstated by the rule in the Post Office Department. That is the reason I asked you about that. I also had a conference to-day with the head of the Southern Railway, which is a quasi Government department, and he said they were reinstating every soldier that came back, and the ladies who were in there to hold their places were going to be discharged.

Mr. DYER. That may be true with reference to railroads; it may be true with reference to the heads of some divisions or departments; but it is not so with reference to the War Department, and it is not so in reference to some other departments. We are being asked to appropriate in this very bill, to which the chairman will agree, for the reemployment and continuation of employment of hundreds of women in the Navy Department, yeowomen, reservists, and where they are receiving more pay than women who have been working there in the civil service for years. And in addition to that, gentlemen, we have men in the naval service, and who are working up there in the Navy Department, men brought here from all over the country and put in there because they are efficient, because they are accountants, because they understand the work in the Bureau of Navigation, and those men are receiving $30 a month pay, while these girls are receiving $140 a month pay. And we can not get these men discharged from the naval service in order to go back home and accept positions that will pay them twice and four times as much.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DYER. Mr. Chairman, I ask unanimous consent for an extension of five minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to proceed for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. DYER. I yield.

Mr. BYRNS of Tennessee. I agree with the gentleman that when soldiers return and want their old positions they ought to be restored to them. But certainly my friend does not insist that the Civil Service Commission is responsible for the failure of these soldiers to secure these positions. It is a matter that rests with the department heads. The Civil Service Commission simply acts in this way: A department sends a notice to the commission that there is a vacancy and asks for a certification. The Civil Service Commission, under the law, can do nothing but certify a list of eligibles.

Mr. DYER. Will the gentleman give me a frank answer as to whether or not he is willing to put into this bill legislation or a proviso to the effect that all soldiers returning with an honorable discharge and seeking their positions back in the Government service that they gave up shall be reinstated?

Mr. BYRNS of Tennessee. Personally I would be very much in favor of a proposition of that sort.

Mr. DYER. Would the gentleman make a point of order against that?

Mr. BYRNS of Tennessee. I doubt that Congress, without any hearing, without consulting the heads of the departments, ought to put into law a provision of that sort, because I do not know just what effect it would have upon the service in the departments.

Mr. DYER. Does not the gentleman know——

Mr. BYRNS of Tennessee. I do not know how many places there are.

Mr. DYER. Does not the gentleman know what effect it will have upon the country as it is now to have men returning from military service and seeking their positions in the Government service being informed there is no vacancy; that their positions have been filled, and with girls and men working there who never rendered military service of any kind? I have had that experience. I know what I am talking about.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. DYER. I will.

Mr. LAGUARDIA. Is the gentleman aware that I introduced a bill as soon as we declared war covering this situation and that the bill was referred to the Committee on Military Affairs and is sleeping there? And the Committee on Civil Service Reform, of which I am ashamed to be a member, has never done anything.

Mr. DYER. The gentleman knows, and we all know, that the Committee on Military Affairs of this House is very inactive and negligent about such matters.

Mr. LAGUARDIA. The Committee on Reform in the Civil Service is dead.

Mr. CAMPBELL of Kansas. Was it not stated soon after the beginning of the war that these men would be restored to their places when they returned?

Mr. DYER. That was stated, and it was stated the country over, and these men who went to service and gave up their positions expected that. I heard it right here on the floor of this House. We have had Members get up and criticize the department heads for asking for exemption for men. The men working in the Government service were pointed to as slackers because their names appeared in this list. A lot of them would not take advantage of it. They had families, some of them, but they did not claim exemption and went into the service. They are coming back, and they are finding their positions filled not only with slackers but with thousands of women brought here from all over the country and who will not leave. The department heads are keeping them in preference—these men slackers and these girls—in preference to reinstating the soldiers of our country. It is not right, gentlemen; it is not just; and the Democratic Party, in charge of the Government, ought to be ashamed of itself, and this committee ought to be ashamed of itself, if it will not put a provision in this bill compelling the officials to put these men back.

Mr. BYRNS of Tennessee. The gentleman made a broad statement when he said that the departments are filled with slackers. Does not the gentleman know that the departments when these appointments were being made declined to appoint a man within the draft age to any of these places and that thousands of men resigned when they were called in the draft? And does not the gentleman admit that in his present contention that they should be restored?

Mr. DYER. Yes; but they are there by the thousands. And the heads of the departments sent in lists, and they have been published in the RECORD, of men for whom they have asked exemption.

There are thousands and thousands of them in the Government departments. There is no dispute about it. It is in the CONGRESSIONAL RECORD, published here in compliance with the resolution introduced by the gentleman from Illinois [Mr. MADDEN], and which was passed unanimously.

Mr. BYRNS of Tennessee. Oh, there were a number who were exempted under the law on the certification of one or two of the departments here.

Mr. DYER. One or two? Every department. There were thousands in every department, almost. Look at the War Department exemptions. Look at the exemptions in the Agricultural Department. Look at every one of them. Go and search the RECORD in reference to the resolution introduced by the gentleman from Illinois [Mr. MADDEN]. We got reports from each department.

Gentlemen, it is a shame and a burning disgrace, and if the Civil Service Commission is not helping us then I am opposed to increasing their pay. [Applause.]

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. IGOE. Mr. Chairman, the gentleman from New York [Mr. LAGUARDIA] states that he introduced a bill that was bottled up in the Committee on Military Affairs. I do not claim any particular credit for myself upon this question, but if the gentleman will examine the RECORD he will find that when the selective draft law was passed I offered an amendment along that line, and it was voted down by the House, so that the gentleman from New York need not criticize the Committee on Military Affairs especially, but he can criticize the whole membership of the House.

Now, I do not agree wholly with my colleague from Missouri [Mr. DYER], but he has touched upon a question of vital importance to the country. These men, not only those employed by the Government but those employed by private individuals and corporations, had good positions, most of them, when they entered the military service. Is the Government going to deny those people the right to have their positions again when they come back from the war? And if the Government denies them that right how can you expect private citizens and corporations in the country to live up to their promises and obligations in the matter?

We have all taken pride in the service flags that we have seen throughout the country, indicating the number of employees who have gone into the service, and employers have been proud to see how patriotic their men were. They have indicated by gold stars the men who will never return. We can do nothing for them, perhaps, except to honor their memory and service and care for those who were dependent or who would have been dependent upon them. Why should not the employers, led by the Government of the United States, have a service flag showing 100 per cent in giving employment to men who are now returning from the war and giving them the positions they left? [Applause.] They are the men who are entitled to them.

Of all the reconstruction problems we have the most immediate, the most pressing, the one we are face to face with right now, is that of unemployment, particularly of the men who are returning from the front, who are returning from the camps, who were taken from their positions by the legislation of this Congress to uphold the cause of their country. Can not the Congress and can not the Government lead the way for the private employers of the country and reinstate the men in the positions that are rightfully theirs?

I have had an instance of a Government employee who returned and who was told that they would try to find a place for him. After considerable delay they did find it, but it was only after much urging. I hope that my colleague from Missouri, when his party comes into control of the House, will also take care of the boys who were employed by this House and who went to the front and who may return when his party is in power. I happen to have two of them who were brought here from Missouri. [Applause.] I am looking to the Republicans upon that proposition to also take care of these two brave boys who have gone from their employment directly under the House of Representatives to fight our battles on the other side, both of whom are still there. [Applause.]

Now, Mr. Chairman and gentlemen, it is a serious question, and I hope that some committee of this House will write it into the law, as I believe it is now in the Postal Service, that men who left the Government service shall have their positions. I hope a movement will sweep over this country so that employers who proudly boasted of these men going to the front, and justly so, will just as proudly boast of the fact that they have given back to these men the positions they had before they went into the service. Let them have a service flag, with stars of a special color if you will, indicating that the men have now returned and have been reemployed.

Mr. ROBBINS. Mr. Chairman, will the gentleman yield for a question?

Mr. IGOE. I do.

Mr. ROBBINS. I had a constituent who was employed in the copyright division of the Library of Congress. He went to the front. He had been getting in the Copyright Division $82.50 a month, and when he came back he was offered a position in the basement, making up large packages for shipment out, at $40 a month.

The CHAIRMAN. The time of the gentleman from Missouri has expired. Does the gentleman from Missouri [Mr. DYER] reserve his point of order?

Mr. DYER. Yes.

Mr. SNYDER. The gentleman who has just spoken [Mr. IGOE] comes from a large manufacturing section of the country. I would like to ask him if he knows of any particular case where a manufacturer refused to take back a returning soldier?

Mr. IGOE. Yes. I saw a letter from a firm, a big firm, too, saying "Your position is open for 10 days and not thereafter."

Mr. SNYDER. Do you think there is anything unjust in that?

Mr. IGOE. I do; because if they do not take that man back he will practically be punished.

Mr. SNYDER. The gentleman evidently did not get my question. What I wanted to know was whether any large manufacturer or industry in his community had refused to take a soldier back on the pay roll after he made application for it?

Mr. IGOE. I know that statements have been written and made orally that they can not get their positions back.

Mr. SNYDER. I do not know of any particular case myself.

Mr. IGOE. I know what they are doing out in my city. The Employment Service of the United States has made a special effort to find employment for the soldiers and sailors and marines. If these men could get back their positions it would not be necessary to do that. I am glad the Government is doing it, and I am for it. I hope it will continue to do good work.

Mr. SNYDER. I agree with the gentleman most heartily.

Mr. IGOE. But I think we should set an example and show the way to private employers.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. O'SHAUNESSY. Mr. Chairman, I ask that the gentleman be given two minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. O'SHAUNESSY. I want to ask the gentleman if he proposed or introduced a bill some time ago to give returning soldiers their positions, which is absolutely just and with which I am in entire sympathy?

Mr. IGOE. Yes.

Mr. O'SHAUNESSY. Why not propose that as an amendment to this bill and let us do it now?

Mr. IGOE. It is not germane to this bill. It was germane to the draft bill, and the Members of this House should have set the example at that time. But they can do it at any time, and I hope it will be done.

Mr. O'SHAUNESSY. The time to do it is now.

Mr. IGOE. We ought to do it on one of these bills.

Mr. O'SHAUNESSY. This Government should set the example.

Mr. IGOE. That is the point I am trying to make. I do not say that there are positions for all these people, for changes have been made in business institutions since these men went away; but the Government ought to set the example, and corporations and private employers ought to follow the Government and do their best to place these men back where they were.

Mr. O'SHAUNESSY. If they do not, we may well be ashamed of our country. [Applause.]

Mr. SNYDER. Will the gentleman yield?

Mr. IGOE. I yield to the gentleman from New York.

Mr. SNYDER. It is a fact that the manufacturing concerns of this country have set the pace already in every instance, so far as I know, of taking the men back who come and present themselves for the positions that they left. It is a further fact that many of the soldiers who have returned have not presented themselves and have not come when sent for to take their positions back.

Mr. IGOE. Not so very many of them have had a chance to present themselves.

Mr. SNYDER. I disagree with the gentleman.

Mr. IGOE. If conditions are such that it is necessary to open employment bureaus now, what will happen when the rest of them come?

Mr. SNYDER. The difficulty we find in the manufacturing district I represent is that these boys who left positions and went away are not satisfied to come back and take the positions that they left. Most of them have a different viewpoint. They want something better, and it is difficult in some cases to give them that.

Mr. IGOE. Some people propose to give them arid lands and swamp lands and all that, which is good as far as it goes, but I think they want positions; I think they would like to get back the positions that they had.

Mr. MANN. Mr. Chairman, I hope the Government will be able to restore to their positions, or to good positions, all of the boys who come back from the war, and that private employers may be able to do the same thing; but, after all, these questions are practical. Here is a place in private employment. They must have somebody to fill the place. In many cases they could take the boy back now who is in the Army; but not being able to get him they are required to get somebody to fill the place now, and in many cases are required to assure the party who gets the place that he will be retained in the job. In spite of that, in spite of the fact that we are maintaining a very expensive bureau to seek employment, I have numerous statements from employers in Chicago and elsewhere asking that the War Department discharge some man who is of no use at all in the Army and let him come home and take a responsible place, but when they try to reach the responsible officers of the Army they might as well talk to a stone wall. If I write to the department about it, I get a form letter back. I suppose they print them in batches. If they do not, they waste lots of valuable time printing them individually. If you write to the commander of the man, usually you do not even get a form letter back. In many cases the commanders of the boys refuse to accept the applications. They have issued an order that if a man is asking for a discharge in order to be employed he must furnish three affidavits. Well, that is not so easy for the boy to do, especially if he is located here and his employer is located on the Pacific coast.

The Adjutant General's office and the Chief of Staff are absolutely callous. Their hides are thick as a walrus's. They have no desire to let boys out to take employment. They do not care whether when the boys come out they starve or get employment. They are utterly inhumane. There is no disposition on the part of the chief army officers to accommodate the boys who are in the Army who have employment awaiting them now to let them out, and in many cases employment that will not wait forever. In the readjustment which is going on, with the Government contracts taken away, many employers throughout the land have to figure on starting up their old businesses in the old way, and they need the men, and to all these cases the Army turns a cold shoulder and a deaf ear. They do not care. What they care about is to have Gen. March made a general. I am not interested to have Gen. March made a general of the Army, but I am interested that he should feel some responsibility to let men receive a discharge who want to go home who are now doing nothing in camp, and not give a general order up here which is not obeyed by a captain or a lieutenant. [Applause.]

Mr. BYRNS of Tennessee. Mr. Chairman, I call for the regular order.

Mr. GOOD. Will the gentleman withhold that for a minute?

Mr. HARDY. Will the gentleman allow me to make a few remarks?

The CHAIRMAN. Does the gentleman from Missouri insist on the point of order?

Mr. DYER. I reserve the point of order.

Mr. LaGUARDIA. Mr. Chairman, I have an amendment.

Mr. BYRNS of Tennessee. I call for the regular order.

The CHAIRMAN. The regular order is called for.

Mr. BYRNS of Tennessee. I do not want to cut off gentlemen, but we ought to get on with this bill, and I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes.

Mr. DOWELL. Mr. Chairman, reserving the right to object, I should like a little time.

Mr. BYRNS of Tennessee. How much time?

Mr. DOWELL. Five minutes.

Mr. BYRNS of Tennessee. Could not the gentleman get along with three minutes, or take the time on the next paragraph?

Mr. LaGUARDIA. I want a minute on my amendment.

Mr. DOWELL. I want to say a few words on the subject that is now being discussed.

Mr. GOOD. I should like one minute.

Mr. BYRNS of Tennessee. I ask unanimous consent that all debate on the pending amendment be closed in 10 minutes.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes. Is there objection?

There was no objection.

Mr. GOOD. Mr. Chairman, let me call the attention of the gentleman from Missouri [Mr. DYER] to the fact that we have in the employ of the Government about 650,000 civil service employees and that the Civil Service Commission must rate and keep tab on all these persons. The president of the commission receives $4,500 and the other members $4,000. We have increased the salary of all the commissioners, making it uniform at $5,000 a year. The civil service commissioners of New York State receive a salary of $5,000 each, of New York City $6,000, and of the city of Chicago $5,000 each. It seemed to the committee that this great commission, having charge of the ratings of 650,000 Government employees, ought to have as much salary as the civil service commissions of these States. That was the reason we made the increase.

Mr. HARDY. Mr. Chairman, I had no idea of making any remarks upon this subject, but the speech that was made a moment ago causes me not only to say a few words, but to ask permission to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HARDY. Mr. Chairman, from some of the speeches here one would think that the War Department treated every effort of Congressmen to aid their constituents with contempt. I have had many hundred letters from people in my district with regard to their sons in the Army, and I have taken these letters up with the War Department in its different official bureaus. I want to say that I have never had anything but courteous treatment and prompt attention paid to my requests, and I have never failed to get an answer and to get a discharge when I pursued the plain policy directed by the officers here in the War Department and presented a case warranting the action requested.

Mr. ROBBINS. How do you get them? Tell us how.

Mr. DOWELL. Will the gentleman sign some of my letters?

Mr. HARDY. I do not know the men I write to; there is nothing mysterious about it. I write to the officials, and they tell me what to do. Any other gentleman in this House can go to the same authority that I do and he will get a courteous answer is my belief, and I have never failed to get a courteous answer. But I warn gentlemen that if they expect just simply to send to the department a request for the discharge of any man and have him discharged because they ask it, they will be disappointed.

Mr. AYRES. Mr. Chairman, will the gentleman yield?

Mr. HARDY. Just yesterday a physician out here at Camp Humphreys asked to be discharged, stating that he was a physician in San Antonio. The commanding officer approved it. The application came to Washington, and amid the millions of papers it was not immediately taken charge of. He asked me to investigate this. I called up the proper officer and he said that he would look into the papers, and inside of three hours that man was ordered discharged. I have never failed to have courteous treatment. There is a good deal in the way you approach people. [Laughter on Republican side.] Yes; it is so with you. You let a man come to you in one manner and you will regard him, and another and you will ignore him.

Mr. FESS. Is that a policy to be followed by a Government official?

Mr. HARDY. I do not care who he is; he is a human being, and if you write an insolent letter, you are not likely to get a loving reply.

Mr. FESS. Are we to be suppliants, or can we demand justice?

Mr. HARDY. You need not be suppliants. If you will send a courteous request, it will be attended to, in my judgment.

Mr. FESS. Oh, no.

Mr. HARDY. I say, oh, yes! I have been no suppliant. I have notified the department of the facts existing, and every time they have paid heed and have been courteous and results have followed. I do not know what you gentlemen have done, or why you have done it, but with very little acquaintance with the men in the office, every petition that I have sent has been paid courteous regard to.

I have had brought to my attention a vast variety of requests that I secure the release of men in the Army, Marine Corps, and Navy. Several orders as to demobilization of our forces were issued shortly after the armistice was signed and copies were sent to every Senator and Congressman. I for one read these orders and instructed my secretary to follow the suggestions contained in them, and I expressed the belief that if we cooperated with the different branches of the service we would be of assistance to them and help them to accomplish a great deal, and at the same time help our boys.

Of course I, like other Congressmen, desired to serve my people, but I further appreciated the fact that these important branches of the Government were better trained to know the needs of the country than we; that is, with regard to discharges and future needs of the department.

The Surgeon General's department has had several requests from me in the matter of discharging physicians, and in every case I have received immediate and courteous replies and the cooperation of the officials here.

I know that certain rules for observance of those seeking discharge have been prescribed. I know that the officials here have been obliging in answering all questions asked them by letter or by telephone, and that by communicating with the department here I have been able to help those who have written me, in presenting their requests for discharge. My dealing in all matters with the War Department has been pleasant, but I do not believe they have done anything for me or at my request that they would not have done for any other Member of Congress under the same presentation of facts.

I sometimes found that the man asking for discharge had not made application through military channels. In such case my first action has been to advise the party to make his application and how to make it. Conditions probably exist in the military which we know nothing of, and I have always treated replies to my letters that were unfavorable to those interested as based on good reason and sound judgment. We can not know all the facts existing at the different camps. I deal fairly and frankly with the War Department, and all that I ask or desire in return is that they deal in like manner with me, and they have always done so. I could name many cases brought to the attention of the War Department not by mail alone but by telephone, which have been handled to the satisfaction of the people involved. Of course, the men who wish to be discharged had made formal application, and when the heads of the different departments here were convinced of the merits of each case the men were discharged. I insert also two letters received by me, which I think will be of interest to the people:

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
Washington, January 29, 1919.

Hon. RUFUS HARDY,
House of Representatives.

DEAR SIR: In response to your request therefor, I have prepared the following statement relative to the demobilization of the United States Army:

According to the latest available data, a total of 47,028 officers and 739,704 enlisted men were actually discharged from the military service between November 11, 1918, the date on which the armistice was signed, and January 11, 1919. The total number of troops designated for demobilization to date, including some 104,000 overseas troops which have already returned to the United States, is approximately 1,281,000.

Reports of the progress of British demobilization show that a total of 3,035 officers and 352,938 men were discharged from the service up to and including January 7, 1919. No accurate information on the demobilization of the French and Italian armies is available. During practically the same period, therefore, the ratios of demobilization among officers and enlisted men in the American and British armies have been more than 15 to 1 and 2 to 1, respectively.

Inasmuch as the French and American methods of demobilization vary markedly, it is impracticable to draw a comparison between the respective results attained in the two countries. When our soldiers are discharged they become actually separated from the service. In France, however, as the result of the system of universal military training which is there in effect, the men are demobilized in the same manner in which they are called into service, namely, by classes, or according to their respective ages, the oldest men being demobilized first. In this lies the conspicuous distinction between the results attained in the two countries, for the French soldier does not, as a consequence of the demobilization of his class, become actually separated from military service. He remains a part of the military establishment, though for the time being released from active duty, and must respond again should his class subsequently be recalled into service. There is, consequently, no necessity for physical examination and the preparation and issue of discharge papers in the case of the demobilized French soldier, but these and other routine matters must be carefully attended to before the American soldier can be duly and lawfully discharged from service. Hence it is plain that demobilization can proceed with much greater facility and far more rapidly in France than in the United States, and no just inference of unnecessary delay can be drawn, even though it prove that the demobilization of the French forces is being accomplished at a rate in excess of that prevailing in this country.

Very respectfully,

P. C. HARRIS,
The Adjutant General.

WAR DEPARTMENT,
OFFICE OF THE SURGEON GENERAL,
Washington, January 17, 1919.

Hon. RUFUS HARDY,
House of Representatives, Washington, D. C.

MY DEAR MR. HARDY: With reference to the visit of your secretary to my office this afternoon, I am very glad to give you the facts in regard to the difficulties the Medical Department is experiencing in the demobilization of the Army.

Numerous letters come to this office with the statement that the war is over and with urgent requests that certain officers and enlisted men be discharged from the Medical Department. It is to be hoped that the fighting part of this war is over, but we still have nearly 2,000,000 men in France and a great many thousands in our camps at home. We have 120,000 patients in our hospitals in France and something like 70,000 in the hospitals in the United States. The necessary personnel must be held in service to care for these sick soldiers. Since our troops went to France 44,000 patients have been returned to the United States; 33,000 of this number have been returned since the armistice was signed. More than 23,000 patients were returned during the month of December, and it is believed, from information received from France, that the December rate of returning patients will continue for the next three months. After that time only the sick and wounded incident to the command which may be left in France will be returned from month to month.

To meet the obligations of the Medical Department to care for the sick it is absolutely necessary for us to keep in service a sufficient personnel to run our hospitals, and in view of the large number of sick yet to come from France it is necessary for us to keep some surplus officers and men to meet the emergency in the future. If this provision is not made in advance, the department will find itself short of the necessary personnel to care for the sick and wounded and will justly be criticized for not giving the soldier the care he has been promised and which the people have a right to demand.

In order that you may know the department has not been slow in making discharges, I wish to state that from the time the armistice was signed to December 12, 9,331 have been discharged. Of this number 7,350 were medical officers, 1,124 dental surgeons, 383 veterinary surgeons, and 474 Sanitary Corps officers; 2,500 members of the Army Nurse Corps have also been discharged and returned to their civil occupations.

I sincerely trust this will give you the information you desire.

With cordial regards,

Very sincerely, yours,

M. W. IRELAND,
Surgeon General, United States Army.

Mr. DOWELL. Mr. Chairman, on the question to which the gentleman has just referred I want to call attention to a communication that I received this morning, a very courteous letter. A gentleman in my district has been imploring one of the officers to release a man necessary for him to open up his manufacturing business this spring. He submitted a long letter to the officer in which he begged the release of this man, and he received the following letter which he sent to me this morning and which I desire to read:

Your letter of January 9 at hand.

I thoroughly appreciate your position and trust you will be able to understand mine when I tell you that I am ordered to release men under certain rules, as follows:

(1) Those who are to resume studies in school, interrupted by their entrance in the Navy.

(2) Those having dependents who are suffering for necessities on account of their being in the service.

(3) Those who have personal business which is suffering by their absence, provided that their services can be spared.

Now, your Mr. ——— can be spared, but I do not see how any of the above rules apply to his case. I have no doubt that within the next 30 days there will be additional orders, and that they will probably include this man; but, of course, I have no definite knowledge to that effect.

Assuring you that I am desirous of doing everything I can in the premises, I am,

Yours, very truly.

If you would read the letter of this man asking the release of the young man from the service, you would believe certainly he is needed in the business. But that is not the question I desire to discuss. This officer states plainly and frankly that the young man "can be spared," but that he is absolutely helpless to let him go, in the face of the orders which he specifically sets out. There is no question about the need of the young man in the business. The letter of the officer clearly acknowledges that and apologizes in a way for not being able to do what he apparently knows should be done. All of the courteous letters he can write—as the gentleman suggests—can do no good. What is needed is some action.

We had all supposed the purpose of the order was to permit the release of men for industrial purposes. This officer is utterly unable to release him, as he states, though he "can be spared." In other words, this officer is holding a man in the service whom he does not need, while the manufacturer is calling for him in business and is desperately in need of his services. It is certainly plain that the order referred to by the officer is hopelessly wanting in its provisions to do what the department has given out it would do, to wit, release men from the service

needed in the industries, or the officer is hopelessly incompetent to construe properly the order.

But, in any event, the young man is still in the service and there is a vacancy in this industry that ought to be filled promptly.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. DOWELL. Yes.

Mr. FESS. I think the letter stated as the first condition those who wanted to resume school.

Mr. DOWELL. Yes.

Mr. FESS. In an application to release a son in whom I am considerably interested, the order of release was, first, those having dependents; second, those needed in essential business; and third, those desiring to resume school work. In my letter it was put last; in yours, first.

Mr. DOWELL. And that is only in the Navy. In the Army regulations they are not permitted, as I have been told by communication from that department, to release young men to continue their school work.

In this case the letter clearly indicates that the department is wholly unable to act or is wholly unable to construe its own orders. It is a reflection upon a department that makes these orders or upon the officers who are unable to construe them properly.

In any event, the letter clearly indicates total disregard for the business interests of the country. The men needed in these industries should be released promptly, and certainly when the departments acknowledge they are no longer needed there.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. LaGUARDIA. Mr. Chairman, I am not a poker player, but I will call a bluff every time it is made. I understood the gentleman to say he would be willing to accept an amendment, although not germane to this bill, providing for the reinstatement of all civil-service employees who have rendered service, and I am now going to offer such an amendment. I introduced a bill (H. R. 29086) which covers this situation exactly.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. LaGUARDIA. I can not yield.

Mr. BYRNS of Tennessee. The gentleman does not want to misquote me. I did not say I would accept it.

Mr. LaGUARDIA. I am not quoting the gentleman, but some gentleman on that side of the House. Now, there is so much talk here by gentlemen about reemployment, let us give a good example to the country; let us not blame the departments if the matter rests in our hands. Here is a chance to make good to these boys, and let us pass this amendment, so that every man who was in the Government employ will have his position when he comes home.

Mr. DYER. Mr. Chairman, I withdraw the point of order so the amendment may be offered.

Mr. DOWELL. May I ask unanimous consent to extend and revise my remarks?

The CHAIRMAN. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. LaGUARDIA: Page 32, line 6, insert the following paragraph:

"All civil-service employees who have been drafted or enlisted in the Army and Navy shall, upon being honorably discharged from the service, be reinstated to the position and pay held at the time of such enlistment or draft."

Mr. BYRNS of Tennessee. Mr. Chairman, I regret that I will have to make the point of order against the amendment.

The CHAIRMAN. The Clerk has not read the intervening paragraph yet.

Mr. DYER. I desire to offer an amendment.

Mr. LaGUARDIA. Has the Chair ruled?

The CHAIRMAN. The Clerk has not read the intervening paragraph yet.

Mr. LaGUARDIA. Then I withdraw my amendment for the time being.

Mr. DYER. Mr. Chairman, I desire to offer this amendment at the end of the paragraph, line 21, page 30, and it is only to give preference to these soldiers in the civil service.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. DYER: Page 30, line 21, after the end of paragraph, insert:

"Provided, That in the appointment of employees hereunder preference, if otherwise qualified, shall be given to all persons who were in the military service in the war with Germany and who have received an honorable discharge."

Mr. BYRNS of Tennessee. Mr. Chairman, I reserve a point of order, and I want to ask the gentleman this question: That is not the law now?

Mr. DYER. No; this is the law with reference to certain soldiers in the War of 1861–1865.

Mr. BYRNS of Tennessee. And also the Spanish-American War?

Mr. DYER. No.

Mr. BYRNS of Tennessee. Now, Mr. Chairman, I want to say, in explanation of the point of order I shall make, I think a matter of this importance should come from the proper committee having jurisdiction of it. I do not think here upon an appropriation bill we should undertake to enact legislation of that kind.

Mr. DYER. Will the gentleman permit?

Mr. BYRNS of Tennessee. The gentleman says it does not apply to the Spanish-American War. Why does not the gentleman introduce an amendment——

Mr. DYER. We have.

Mr. BYRNS of Tennessee. Putting legislation on the statute books applying to those soldiers?

Mr. DYER. Let me say to the gentleman, if the gentleman will give me his attention, several years ago we had in the legislative, executive, and judicial appropriation bill a similar provision to this enacted. The provision which I have presented has been presented in appropriation bills and it has been agreed to and has been the law. Of course, it only is the law for the year during the life of these appropriations, and it has been done in reference to all wars with soldiers except the present war with Germany. I am only trying to put them upon the status with the other soldiers. I will say to the gentleman that that is very reasonable and fair, and I——

Mr. BYRNS of Tennessee. I would very heartily support legislation of that kind if it comes before the House in the regular way of legislation, but I can not agree for it to be placed upon this appropriation bill, and certainly without receiving any consideration, and I therefore make the point of order.

Mr. DYER. There are precedents, many of them.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

For necessary traveling expenses, including those of examiners acting under the direction of the commission, and for expenses of examinations and investigations held elsewhere than at Washington, and including not exceeding $1,000 for expenses of attendance at meetings of public officials when specifically directed by the commission, $20,000.

Mr. LaGUARDIA. I now offer my amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. LaGUARDIA: Page 32, line 6, insert the following paragraph:

"All civil-service employees who have been drafted or enlisted in the Army and Navy shall, upon being honorably discharged from the service, be reinstated to the position and pay held at the time of such enlistment or draft."

Mr. BYRNS of Tennessee. I make the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

For Secretary of State, $12,000; Assistant Secretary, $5,000; Second and Third Assistant Secretaries, at $4,500 each; Director of the Consular Service, $4,500; Undersecretary of State, to be appointed by the President, by and with the advice and consent of the Senate, $7,500; officers to aid in important drafting work—5 at $4,500 each, 14 at $3,000 each, [illegible] at $2,500 each, to be appointed by the Secretary, any one of whom may be employed as chief of division of far eastern, Latin-American, near eastern, or European affairs, or upon other work in connection with foreign relations; assistant solicitors of the department, to be appointed by the Secretary—5 at $3,000 each, 2 at $2,500 each; chief clerk, who shall sign such official papers and documents as the Secretary may direct, $3,000; law clerks—1 at $2,500, 2 at $2,250 each, 3 at $2,000 each; law clerk and assistant, to be selected by the Secretary, to edit the laws of Congress and perform such other duties as may be required of them, at $2,500 and $1,800, respectively; chiefs of bureaus—2 at $2,250 each, 5 at $2,100 each; 2 translators, at $2,100 each; additional to Chief of Bureau of Accounts as disbursing clerk, $200; private secretary to the Secretary, $2,500; private secretary to the Undersecretary, $2,000; clerk to the Secretary, $1,800; clerks—27 of class 4, 30 of class 3, 40 of class 2, 63 of class 1 (2 of whom shall be telegraph operators), 40 at $1,000 each, 10 at $900 each; lithographer, $1,400; chief messenger, $1,000; 8 messengers; 27 assistant messengers; 4 messenger boys at $420 each; packer, $720; 7 laborers; 4 telephone-switchboard operators; chauffeur, $1,080; 10 charwomen; in all, $529,840.

Mr. FLOOD. Mr. Chairman, I move to strike out the last word to ask the chairman of the committee a question about this appropriation. I see there has been a considerable reduction in the appropriations to maintain the State Department. I want to ask the chairman if he has taken into consideration the fact that the work of the State Department will be very greatly increased as a result of the cessation of hostilities, that the Diplomatic Service will be largely increased and the Consular Service will be tremendously increased, and that these increases in the foreign service will greatly increase the work in the Department of State; that is, our officials here will have more work than they have ever had to do, more even than they have had to do during the war. I notice in the item next to be reached that the amount appropriated for the current year for temporary clerks

was $400,000. In this bill it has been reduced to $125,000, and I would like to ask the gentleman if his committee considered the fact of the increased work that will be imposed upon this department, and if, in view of the increased work, this appropriation is sufficient?

Mr. BYRNS of Tennessee. I will say to the gentleman, Mr. Chairman, that the committee did consider the increased work that will be devolved upon this department, and this particular paragraph just read contains a considerable increase rather than a decrease. The force is increased in the Department of State in this paragraph alone more than $78,000.

It was impossible when the hearings were had for those representing the State Department to know just what the amount of work would be in the department here during the next fiscal year. It is true at that time a considerable estimate had been submitted to the Committee on Foreign Affairs for an increase of the Consular Service. When this bill was marked up the consular bill had not been completed and the committee had no information as to just what the Committee on Foreign Affairs was going to do with the estimates submitted to them. But we assumed that the Committee on Foreign Affairs would make an increase of the consular representatives in foreign countries, and therefore we recommended this increase of more than $78,000 for drafting officers and other employees in the department here and recommended $125,000 to be used in the employment of additional clerks. I do not know, and I take it the gentleman from Virginia [Mr. FLOOD] does not know, and I doubt very much if those in charge of the State Department, efficient as they are, can tell now what they will need during the next fiscal year. We are passing from a war to a peace basis. As I said yesterday, none of the heads of these departments is able to speak with any definiteness or positiveness as to the amount of work they will have on hand. But one thing is certain, as the committee believed, that $125,000 for additional employees ought to be sufficient to carry the State Department until December, when a deficiency bill can be passed, assuming that they will have all the work that the State Department says they will have.

Now, if it be true that the Committee on Foreign Affairs has recommended so many consular agents, and naturally that will greatly increase the business here in the departments, and that they need more money, then the heads of the State Department can go before the Senate committee and make out their case in view of what the Committee on Foreign Affairs has done. But I feel under those circumstances, in view of the fact that the State Department can come before Congress next December, and then, having passed through four or five months of the fiscal year, can speak positively as to the amount of increased work which has devolved on the department, and what will be needed for the remainder of the fiscal year, we ought not to build up appropriations here by way of lump sums that may or may not be used. I think it is time to keep some of the money in the Treasury or in the hands of the people, so far as we can.

Mr. FLOOD. Mr. Chairman, I agree fully with the gentleman that now is the time Congress ought to economize, but now is not the time we ought to economize in a niggardly way with reference to the development of our foreign commerce, in the readjustment that is going to take place within the next few years. The gentleman says when these estimates were made the Department of State did not know what increase they would ask for their foreign service.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. FLOOD. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FLOOD. But that now the department does know, and when this bill goes before the Senate committee the department can go before that committee and ask for proper appropriations. That is a very satisfactory suggestion, because the department does now know, or will by that time know, how the foreign service is going to be increased. We all know that the Diplomatic Service is going to be largely increased. The bill that the Committee on Foreign Affairs reported provides for two additional ministers, one to Bulgaria and one to Serbia. There will be diplomatic representatives in what are now parts of Austria, parts of Russia, and parts of Turkey. How many we do not know. In all these places we will have to supply consuls. The bill provides for an addition of about 50 consuls, and for appropriations to keep them up, and that will necessitate an additional force of clerks in Washington.

The suggestion made by the gentleman that the Department of State could come back in December and get an appropriation in a deficiency bill would not be satisfactory, because this bill has cut the appropriation from $400,000 for these clerks to $125,000, and $125,000 would not sustain the clerical force of the Department of State from the 1st of July to the 1st of December. But, as I stated, I do think the suggestion, which I take it the gentleman and the other conferees on the part of the House would concur in, that the Senate committee, with more information than the House committee had, could make the necessary allowances for this purpose is satisfactory, and I am sure will be satisfactory to the Department of State.

Mr. STAFFORD. Mr. Chairman, unless the gentleman from Massachusetts [Mr. ROGERS] prefers to take the floor now, I would like to make a statement.

Mr. ROGERS. I will be glad to defer my reply until the gentleman has finished.

Mr. STAFFORD. Mr. Chairman, the committee in determining the amount of appropriation for the State Department in no wise sought to hamper its activities.

Shortly after the outbreak of the European war the State Department had certain additional burdens placed on it while our Government, as a neutral, was representing certain belligerent Governments, whereby the committee recognized the need for providing additional clerks. To meet that condition the committee carried for three years temporary appropriations, carrying, respectively, $54,000 and $72,000. This year that temporary force of clerks that has been provided for the past three years under two separate items was incorporated into the permanent statutory roll. On yesterday I directed attention in some brief remarks in general debate to the growing appropriations occasioned by the world war, and pointed out the increase of appropriations for the clerical force in the State Department. May I repeat the figures that I then gave?

In 1917 we appropriated for the State Department clerical force $321,000 on the statutory roll and $126,000 additional for these two temporary forces, or making an aggregate of $447,000. In 1918 that was increased by reason of a temporary appropriation to a total of $582,000. Now, we all recognize the war is over, but in this bill we have appropriated the total sum for the statutory force of $529,840, and granted to the department an additional temporary appropriation to provide for the increased work thrown upon it by reason of war activity of $125,000, or making a gross total of $654,840. In 1917 the gross total for this department was $447,000.

We are appropriating a gross total in this bill of more than 50 per cent greater than in 1917, or $654,840. There is an impression in some departments that with the increase of work it is necessary to multiply the clerical force to correspond proportionately with the increased work, and yet any person who has acquaintance with business in the slightest degree knows that many times the total activities of a business concern may multiply fourfold or tenfold and yet the clerical force required to perform that work may only need to be increased twofold.

Mr. FLOOD. I did not exactly understand how much the gentleman stated is carried in the current law for the employment of this temporary clerical force.

Mr. STAFFORD. One hundred and twenty-five thousand dollars.

Mr. FLOOD. I mean in the law of 1919.

Mr. STAFFORD. In 1919 we carried $200,000 and gave a deficiency in addition of $200,000.

Mr. FLOOD. Making $400,000?

Mr. STAFFORD. Yes; $400,000.

Mr. FLOOD. That you reduce to $125,000?

Mr. STAFFORD. Yes; we reduced that to $125,000, but we have transferred to the permanent statutory roll those temporary employees, totaling in the appropriation $126,000, which at the outbreak of the European war was intended merely for temporary employment, arising out of the exigencies occasioned by the war. We have made them a permanent part of the State Department. In three years by the appropriations to-day we have increased the total appropriation 50 per cent. The committee thought we were not hampering the State Department in its activities by providing so liberal an increase in its appropriation over that of three years ago.

Mr. FLOOD. You are reducing it over 30 per cent from what it is in the current year.

Mr. STAFFORD. Oh, no. When the war was at its peak the State Department was besieged with thousands of matters which will not come up in the fiscal year that we are now appropriating for.

Mr. FLOOD. I say you are decreasing the State Department's appropriation by over 30 per cent.

Mr. STAFFORD. Yes; because we are recognizing that those conditions are on the decline. They will not require so much clerical force when peace is established.

Mr. FLOOD. The State Department's work will be greater in peace times than it was during the war.

Mr. STAFFORD. The State Department officials came before us when we granted this $126,000 for the temporary roll, and it was stated that it was merely to provide for those conditions where the United States Government was acting as an intermediary neutral for certain belligerent governments. We are not assuming the responsibility of other governments which were imposed upon us at that time and which they could not perform. Our State Department is relieved of that work at this time.

Mr. ROGERS. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last two words.

Mr. ROGERS. Mr. Chairman, I would like to engage the attention of the gentleman from Tennessee [Mr. BYRNS]. In lines 10, 11, and 12 of page 32 there is an appropriation, "Undersecretary of State, to be appointed by the President, by and with the advice and consent of the Senate, $7,500." That officer, of course, is to be known under a new name. He has been known in the past as Counselor for the Department of State.

Mr. BYRNS of Tennessee. The gentleman is correct.

Mr. ROGERS. He receives a salary which in amount is second only to that of the Secretary of State himself within the department. Whenever the Secretary of State is absent, as at the present time, the Undersecretary acts as Secretary of State.

While the point is rather a small one, it strikes me that he ought to be mentioned second in the roster of employees of the department rather than fifth. In other words, why in reason or otherwise should he be postponed to a place after the Assistant Secretary of State at $5,000 and the Second and Third Assistant Secretaries at $4,500 each?

Mr. BYRNS of Tennessee. If the gentleman will offer that amendment I will be glad to accept it.

Mr. MANN. The law requires it.

Mr. BYRNS of Tennessee. The reason this position is named where it is now in the bill is that the law provided for the Assistant Secretaries. There was no law providing for an Undersecretary of State, but a law providing for a counselor.

Mr. ROGERS. I move, Mr. Chairman, to transfer the language "Undersecretary of State, to be appointed by the President, by and with the advice and consent of the Senate, $7,500," placing it prior to the words "Assistant Secretary, $5,000; and Second and Third Assistant Secretaries, $4,500 each; Director of the Consular Service, $4,500."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS: Page 32, line 10, transpose the following language: "Undersecretary of State, to be appointed by the President, by and with the advice and consent of the Senate, $7,500," in order that it will follow the language, "For Secretary of State, $12,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For temporary employees in the Department of State, $125,000: *Provided*, That not more than eight persons shall be employed hereunder at a rate of compensation exceeding $1,800 per annum.

Mr. DYER. Mr. Chairman, I desire to offer an amendment to this item, to which I crave the attention of the gentleman from Tennessee [Mr. BYRNS], and also his favorable attitude.

The CHAIRMAN. Where does the gentleman intend to offer the amendment?

Mr. DYER. Right at the end of the paragraph, where the Clerk read.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. DYER: Page 33, line 17, insert: "*Provided*, That no part of any appropriation herein shall be used unless all former Government employees who resigned to enter the military service in the war with Germany shall be reinstated on application to their former positions appropriated for herein, if they have received an honorable discharge and are qualified to perform the duties of the position."

Mr. BYRNS of Tennessee. However much sympathy I have with the object of the gentleman, I must make a point of order on that.

Mr. MANN. What is the point of order?

Mr. DYER. It is not subject to a point of order.

Mr. BYRNS of Tennessee. It is legislation upon an appropriation bill.

Mr. MANN. This is a pure limitation.

Mr. BYRNS of Tennessee. It starts out as a limitation, but winds up as a strict piece of legislation.

The CHAIRMAN. The Chair will hear the gentleman from Missouri on the point of order.

Mr. DYER. Mr. Chairman, I take it that is purely a limitation upon this appropriation. In other words, it does not require the appointment of anybody or the reinstatement of anybody unless men who were in the service and resigned to enter the military service are found to be competent and qualified in every respect. If that is so, and they make application for their positions for reinstatement, then they are to be reinstated, and to that extent only is it a limitation upon the amount appropriated for herein. It has been, in effect, considered in previous bills of that kind.

The CHAIRMAN. Does the gentleman from Tennessee want to be heard on the point of order?

Mr. BYRNS of Tennessee. I have only this to say, that while the amendment starts out as a limitation, it winds up by saying that the money shall not be used unless a specific or certain thing is done. It is not a limitation upon how the money shall be expended or anything of that kind, but it seeks to enact legislation directing that a certain specific thing be done, having no connection with the appropriation. I think it is subject to the objection that it is legislation, and therefore not authorized on an appropriation bill.

Mr. MANN. Mr. Chairman, we could put a provision in this bill if we wanted to that no part of the money appropriated herein shall be expended unless the people employed have green eyes; that is, so far as the point of order is concerned. The limitation as to the point of order is not a matter addressed to the discretion of Members of the House as to how they want to vote, or as to what limitation they want to put in. This is not a direction to any department of the Government to do anything which it can not now do. Under the guise of a limitation we can not put in a provision requiring a department to do a thing which under law it can not do, because that is a change of law; but the gentleman from Tennessee [Mr. BYRNS] will not contend that the departments of the Government do not now have the authority to reinstate these soldiers who come home with honorable discharges, and if they have that authority we can say as a matter of limitation that they shall not expend the money unless they exercise the authority which they have, because that does not change the law at all. That is purely a limitation on the appropriation as to whether it shall be expended or not.

The CHAIRMAN. The question, of course, is whether or not this is a limitation, or whether in addition to being a limitation it proposes legislation. Now, the rule, as the Chair understands it, is that while it is not in order to legislate as to the qualifications of the recipients of an appropriation, the House may specify that no part of an appropriation shall be paid to persons lacking certain qualifications.

On January 30, 1901, the Agricultural appropriation bill was under consideration in Committee of the Whole House on the state of the Union, and the Clerk had read the paragraph relating to agricultural colleges, when Mr. Charles B. Landis, of Indiana, proposed this amendment:

Provided, That no part of the appropriation shall be available for the Agricultural College of Utah until the Secretary of Agriculture shall be satisfied and shall so certify to the Secretary of the Treasury that no trustee, officer, instructor, or employee of said college is engaged in the practice of polygamy or polygamous relations.

Some debate having taken place, and Mr. WILLIAM H. KING, of Utah, having suggested a point of order, the Chairman said:

There are two reasons why the Chair would be inclined to overrule the point. In the first place, it comes rather late, and, in the second place, the amendment seems to be a limitation upon this appropriation.

The amendment having been agreed to, Mr. KING offered the following amendment:

And that no person shall be appointed a teacher or trustee in any of said colleges who has been engaged in any lynching, and until proof shall have been furnished, to the satisfaction of the Secretary of Agriculture, that such teacher or trustee has not been guilty of adultery or fornication.

Mr. Charles H. Grosvenor, of Ohio, made the point of order that the amendment was not in order.

The Chairman said:

Let the Chair state to the gentleman that the ruling on the other amendment was that that was a limitation upon the appropriation—providing that no part of this appropriation shall be paid to the agricultural college, in general terms, until it was ascertained that no teacher or trustee was a polygamist. That is a general statement of that amendment. That was a limitation upon the appropriation. Then comes this independent proposition involving legislation. * * * The Chair sustains the point of order.

Thereupon Mr. KING offered the following:

Provided, That no part of this appropriation shall be available for the Agricultural College of Indiana, or any other State or Territory, until the Secretary of Agriculture shall be satisfied and shall so certify to the Secretary of the Treasury, that no trustee, officer, instructor, or employee of said college is engaged in the practice of polygamy or polygamous relations or is guilty of adultery or fornication.

Mr. Grosvenor made the point of order against the amendment.

The Chairman overruled the point of order and held that the amendment was in order.

The Chair has read from Hinds' Precedents of the House of Representatives, Volume IV, section 3942.

The Chair is of the opinion that the question presented by the amendment is on all fours with the one presented in the precedent cited by the Chair. The point of order is overruled. The question is on agreeing to the amendment.

Mr. DYER. Mr. Chairman, I desire two or three minutes to explain the amendment to the committee.

Mr. CLARK of Florida. We understand it.

Mr. DYER. This amendment provides nothing except that the men who were in the civil service of the Government, who resigned to enter the military or naval service, if they return with honorable discharges and are physically and otherwise qualified to go back into their old positions, and they apply for them, shall be given their positions back. That is everything this amendment provides for, and it is nothing more nor less than we have told the people of the country that these men should have. The President of the United States, I am sure, and every Member of Congress who had anything to do with the selective draft, believed that the men who gave up their positions and were called out, either through the draft or by volunteering, and went into the military service, should not lose their positions because of that service. That is all this requires.

Mr. HUMPHREYS. Does the term "military service," in the opinion of the gentleman, include service in the Navy and in the Marine Corps?

Mr. DYER. It has been ruled that that includes service in all branches.

Mr. BYRNS of Tennessee. Will the gentleman read the amendment again?

Mr. DYER. The amendment reads:

Provided, That no part of any appropriation herein shall be used unless all former Government employees who resigned to enter the military service in the war with Germany shall be reinstated on application to their former positions appropriated for herein if they have received an honorable discharge and are qualified to perform the duties of the position.

Mr. GRAHAM of Illinois. Does the gentleman think that includes those who were taken in by operation of the draft?

Mr. DYER. Yes.

Mr. GRAHAM of Illinois. The language is "who resigned."

Mr. DYER. They all resigned when they entered the military service. There is no difference between them, whether they entered through the selective draft or in the other way.

Mr. GRAHAM of Illinois. Does the gentleman know as a matter of fact whether there were formal resignations in all cases?

Mr. DYER. I do not know as to that, but I think it is so construed that a man who enters the military service must resign. He can only be separated in one of two ways, by resignation or discharge.

Mr. ROGERS. Why not put in the word "left"?

Mr. GRAHAM of Illinois. I am afraid that you will get into trouble about that. Make the language "enlisted or was drafted."

Mr. DYER. I have no objection to such an amendment.

Mr. HUMPHREYS. The amendment says if they are "qualified." Does the gentleman mean by that physically qualified?

Mr. DYER. That means that the men are physically qualified to perform the duties.

Mr. HUMPHREYS. You do not say physically, and if you leave it simply that if they are qualified, then that leaves it at last to the department chief, who has to make the employment, who has to accept or reject them; and if he does not want them, he will say that they are not "qualified."

Mr. RAMSEYER. Are the departments refusing to take back these men?

Mr. DYER. Yes; in some instances.

Mr. JUUL. Mr. Chairman, I desire one moment to support this amendment for the following reason: I received to-day a communication from Rock Island, Ill. A man who was a first-class draftsman in Rock Island left the service of the Government and enlisted in the Navy. When he was returned to Illinois he proceeded to Rock Island to secure his old position. Instead of being installed in the position he formerly held at $1,690 per year he was assigned to laboring work at $2.50 a day. It seems mighty poor reward for a man who volunteered in the service of his country when he comes home to find himself reduced from a $1,690 a year position as a first-class draftsman to the position of a laborer at $2.50 a day, and given the alternative of accepting that latter position or walking the streets. I have had to-day a most pathetic appeal to do something on the floor of this House to see that men similarly situated are accorded different treatment. I most heartily support this amendment, and hope that it will pass.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Missouri.

Mr. DYER. Mr. Chairman, I understand the gentleman from Illinois desires to offer an amendment to it.

Mr. GRAHAM of Illinois. Mr. Chairman, I offer the following amendment to the amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. GRAHAM of Illinois: In the Dyer amendment strike out the following: "resigned to enter the military service," and insert in lieu thereof the following: "have been drafted or enlisted in the military or naval service of the United States."

Mr. EMERSON. Now let us have it reported as it will be if amended.

The CHAIRMAN. Without objection, the Clerk will report the amendment as amended.

The Clerk read as follows:

Page 33, line 17, insert the following:

"*Provided*, That no part of any appropriation herein shall be used unless all former Government employees who have been drafted or enlisted in the military or naval service of the United States in the war with Germany shall be reinstated on application to their former positions, appropriated for herein, if they have received an honorable discharge and are qualified to perform the duties of their office."

Mr. HUMPHREYS. Mr. Chairman, the amendment which the gentleman from Missouri offers provided that these men should be restored if they had entered the military service, and in response to a question from me he told me that the term "military service" covers service in the Navy, the Army, and the Marine Corps.

Mr. GRAHAM of Illinois. This is the military and naval service that is provided for now.

Mr. HUMPHREYS. If the term "military service" embraces service in the Navy and the Marine Corps, it ought to be left in the amendment in that way. If we, however, say military and naval service, I am not so sure but that may exclude service in the Marine Corps. If we use a general term, it takes in everything; and if we specify, it excludes everything else.

Mr. GRAHAM of Illinois. So far as I am concerned, if the term "military service" includes naval and Marine Corps service, I am content to strike out the words "and naval."

Mr. DYER. It does. There is no question about that.

Mr. GRAHAM of Illinois. Then I ask unanimous consent that the amendment may be modified by striking out the words "and naval."

The CHAIRMAN. Without objection it will be so ordered.

Mr. HUMPHREYS. Then I want to suggest this to the mover of the amendment, that we ought to put something there to indicate just what he means by the word "qualified."

Mr. DYER. I think we should leave it just as it is, because we do not want or expect the Government to take back anybody for the performance of duties in connection with the Government unless they are qualified; and this is plain enough; it shows the desire of Congress; it shows the intention, and there would never be any question about it. I do not think we ought to put in detail just what we mean by "qualified."

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. DYER. Yes.

Mr. BYRNS of Tennessee. I want to call the attention of the gentleman to what we are about to do, it seems to me from a close reading of this amendment, and I am sure the gentleman does not intend to do what I think this amendment will do if adopted. This amendment, if adopted, will prevent the employment of any of the appropriations made in this act until after the department has ascertained whether or not there are men either in the Army or Navy who have been discharged who want their positions back. The gentleman's amendment reads as follows:

Provided, That no part of any appropriation herein shall be used unless former Government employees who resigned to enter the military service in the war with Germany shall be reinstated on application to their former positions, appropriated for herein, if they have received an honorable discharge and are qualified to perform the duties of their position.

Mr. DYER. The gentleman will note it says "who have applied." It does not include anybody except those who have applied for their positions and been found qualified. We put that in specially so there will not be any trouble in that respect. They must make their application before there can be, of course, any consideration. It is only those who have applied who will be considered, and I am sure the gentleman will not find any difficulty in that respect.

Mr. BYRNS of Tennessee. When shall they apply, at what time? I have no objection to an amendment of this kind if it

is so framed as not to interfere with the service of the Government, but I think there is very serious question whether or not this amendment would not carry an appropriation.

Mr. DYER. I will say to the gentleman I am as anxious as the gentleman is that there shall be no difficulty in this respect, and pending the completion of this bill I am perfectly willing it might be submitted to anyone or it might be given all the consideration possible, and in the event there is any trouble about it we can take it up.

Mr. MANN. The gentleman from Missouri need not be alarmed. If we vote this provision in the bill, it will not stay in this shape when the bill becomes a law, but there will be a provision of the bill when it becomes a law providing that these men who are in the Army and who are honorably discharged shall have their positions back again, and that is subject to the point of order at this time. The gentleman in charge of the bill probably feels obliged to make the point of order, but if this provision goes into the bill temporarily I hope the gentleman from Tennessee will use his great intellect—and he has a great intellect—to put in the proper language to accomplish what we would like to accomplish now but can not because of the rule of the House.

The CHAIRMAN. The question is on the amendment to the amendment.

Mr. JUUL. If the chairman will pardon me, is this subject to a further amendment?

The CHAIRMAN. No.

Mr. JUUL. If I can obtain unanimous consent, I would wish——

The CHAIRMAN. The gentleman can not offer an amendment in the third degree. There is already an amendment to an amendment pending.

Mr. JUUL. I would say if we insert the words "and stand ready to accept employment" we would have the evil cured.

The CHAIRMAN. The question is on the amendment to the amendment offered by the gentleman from Illinois [Mr. GRAHAM].

The question was taken, and the amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment as amended.

The question was taken, and the amendment as amended was agreed to.

The Clerk read as follows:

No money appropriated by any other act shall be used during the fiscal year 1920 for employment and payment of personal service in the Department of State in the District of Columbia.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I moved to strike out the last word for the purpose of bringing up again, with the indulgence of the committee, the subject mentioned by my friend from Texas [Mr. HARDY]. In the first place, I want to congratulate the gentleman, and if I had my hat on I would take it off to him. I bow down to him on account of his accomplishment. One lone Democrat has been able to accomplish more in the way of discharge of soldiers than all of the Republican side put together, and all the efforts that they have been making. I wish I knew how the gentleman did it. There are a number of others on this side who would like to get the recipe in some way and find out how or through whom, where, or whereby it is done.

Mr. MILLER of Minnesota. We would like to get the formula.

Mr. GREEN of Iowa. Let me tell the gentleman what information I got when I called on the War Department some time ago. Perhaps about three weeks ago I went to see The Adjutant General in person in reference to this matter of discharges. I was told that absolutely nothing could be done here in Washington—absolutely nothing—and I am not the only one who has been told that same thing. I do not know whether by The Adjutant General or by whom——

Mr. HARDY. If the gentleman will permit, was the gentleman informed that if he should make application of the officer in command at the camp located it would be taken care of?

Mr. GREEN of Iowa. I was told that that was the proceeding that should be instituted. They did not tell me anything in reference to such efforts as the gentleman from Texas has been making. Now, do not think that I object to the efforts of the gentleman from Texas. On the contrary, more power to his arm! I wish he could get all of these drafted men discharged, and if he will come over to my office when he has not any other employment I will give him 50 or 100 more to work on, and I hope he will be as successful as he was with the others.

Mr. HARDY. Has the gentleman followed the directions given him?

Mr. GREEN of Iowa. Oh, yes. They applied, and their applications were left in some cases for two months without any consideration.

Mr. HARDY. Has the gentleman given all those facts to the officers here and not gotten any satisfaction at all?

Mr. GREEN of Iowa. I have gone to the officers and have gotten no result. I do not know what the gentleman calls satisfaction. I can not complain of being treated discourteously as far as that is concerned. I never have been treated otherwise than courteously by any officer of any standing.

Mr. HARDY. The gentleman has never been treated discourteously here.

Mr. GREEN of Iowa. No; as far as that is concerned, I have no complaint. Let me tell the gentleman another thing in reference to some of these efforts. I got a letter the other day saying it was discussed by the officers of a certain camp to whom these vouchers were presented that if there were any efforts made to use political influence, meaning anything a Congressman did to alleviate the needs of these men and the hardship of their situation, or any attempt to tell the department, or even writing the officers by writing what the facts were and the urgency of the case, that that would be marked up against the applicants and counted against their record in the future. I hope the gentleman will not get into that kind of trouble.

Mr. HARDY. I will state to the gentleman my recollection is that upon a little impudence in a letter by some man when taken to the department they have brought the fellow over the coals.

Mr. GREEN of Iowa. I am very glad to hear that——

Mr. HARDY. I think if attention was called to the fact that a commanding officer or anyone else replied in any other way but politely that——

Mr. GREEN of Iowa. The great trouble appears to be not that they do not reply politely, but often they do not reply at all. I never have received any replies that were not perfectly polite except one from a second lieutenant, and I took into consideration that it was from a boy who probably did not think how it sounded.

But it is the exception to find a lieutenant who is not courteous.

Mr. FAIRFIELD. I was just going to say that I have written to the commanding officers in the cantonments, and they will not give me a reply at all. They absolutely ignore any letter or suggestion I make.

Mr. CHARLES B. SMITH. I do not like to take up the gentleman's time, but I had an experience similar to the one that was mentioned, except that when I had received a statement from the commanding officer of the camp that the man would be punished if I interfered further I went to The Adjutant General and he sustained the commanding officer, and said that he was correct in stating that the soldier would be punished if he obtained congressional interference.

Mr. GREEN of Iowa. The trouble is the gentleman is not in the right locality. He is on the right side of the House, but something is wrong or he would be as successful as my friend from Texas. But the gentleman from Georgia has stated a case where he should have had the gentleman from Texas have the party "hauled over the coals." Congress employs all these men, both high and low, and it should not put up with such conduct, whether it be on the part of The Adjutant General or somebody lower down. But I would want to have all the facts in the case before I convicted The Adjutant General. I can readily understand that there might be improper interference. On the other hand, it is not improper to write the commanding officer what a Congressman knows with reference to a case, and an insolent reply should be punished. Members of Congress know more about the facts in these cases than anyone else. They know what the situation is with reference to these men and their dependents, and their recommendations ought to be considered.

Mr. OVERSTREET. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

The Clerk read as follows:

Office of the Secretary: Secretary of the Treasury, $12,000; assistant to the Secretary, $5,000; 3 Assistant Secretaries, at $5,000 each; 2 additional Assistant Secretaries, at $5,000 each, in accordance with the authority contained in the deficiency appropriation act approved October 6, 1917; clerk to the Secretary, $3,000; executive clerk, $2,400; stenographer, $1,800; 3 private secretaries, 1 to each Assistant Secretary, at $1,800 each; Government actuary, under control of the Treasury, $4,000; clerks—3 of class 4 (2 of whom shall act as private secretaries to the additional Assistant Secretaries authorized by the deficiency act of Oct. 6, 1917), 4 of class 3, 2 of class 2; chief messenger, $1,100; 2 assistant chief messengers, at $1,000 each; messengers—3 at $900 each, 5 at $840 each; in all, $78,200, or so much thereof as may be necessary.

Mr. SLOAN. Mr. Chairman, I move to strike out the last word. I do that for the purpose of calling attention to the salary of the Secretary of the Treasury, which has recently been pronounced insufficient for the then incumbent. Touching that proposition, I have no desire to say that it is any more than any occupant should have. I have a great regard for the present occupant of that position. What the Secretary is paid this $12,000 for is not for the purpose of creating a large expense to the country or causing a large expense of his own energy in developing and carrying out so-called policies not in harmony with the laws of the land as passed by Congress.

I read recently of the newly appointed Director General of the Railroads that his policy was to be the same policy as that of his predecessor. I understand it is the duty of a Secretary to carry out the policies outlined by the law-making body of the country and not those particular policies, beliefs, or doctrines derived from former prejudices, political beliefs, or directions of administration in conflict with the laws passed by Congress. We have recently been voting a large amount of long-time national indebtedness. Twenty-two billion dollars have been authorized and sixteen billions, roundly speaking, sold to the people. The people were called upon to buy that amount of bonds, and they responded. A large amount of that has been paid to maintain the Army, a considerable amount for the Navy, and generous sums for other purposes; but the largest single item—in fact, more than one-half of the amount realized from the sale of long-time bonds of this country—has been loaned to foreign countries. The amount now is something over $8,500,000,000, an enormous sum. It is nearly three times the amount of the total assets of the National Treasury, outside of the due bills that we have taken from these foreign countries. This amount in gold would load a train of cars 5½ miles long; each car with 50,000 avoirdupois pounds of gold in it. That would be more than one-half of the gold produced in the world in the last 500 years. Whether or not legislative authority of the countries borrowing was behind this paper is information that has never been vouchsafed to us. I do not charge that it has not been done; but the information has not come.

Mr. FAIRFIELD. Does the gentleman know whether or not there are any bonds held by us against the foreign nations for this debt?

Mr. SLOAN. Not a single long-time bond. Moreover, Secretary McAdoo who has just left the Cabinet was inquired of as to when these temporary certificates, or whatever you may see fit to call them, would be converted into long-time bonds as the American people expected. Yes; as the Congress said they should be converted. That is why I am talking about the policy of a national or a Cabinet officer. Some day we will have to settle whether the policies of an administration including Cabinet officers on the one hand or the Constitution adopted by the people and the laws of Congress on the other is the law of the land.

Mr. LONGWORTH. Will the gentleman yield?

Mr. SLOAN. I will.

Mr. LONGWORTH. It is only fair to say that Congress only made that definite provision in regard to the 3½ per cent issue and not in regard to those subsequent.

Mr. SLOAN. Only made it definite; yes. It was kept in a rather indefinite form in the later issues. But the gentleman, who is a member of the Ways and Means Committee, knows that the reason why it was left indefinite was because it was said to be inconvenient in the hurry of making these loans to convert them into the more formal loans called long-time loans, and a reasonable time and opportunity was given under the enactments to enable conversion to be conveniently made. There is authority for their conversion in all of the issues and that authority was practically a command. That authority has not been used, and the question is whether it will be used or not. Demand notes, such as were taken, were never considered and there was no proper authority for their being taken. The law speaks about converting these short-time loans before maturity. But demand notes are not short-time notes. They are no-time notes.

Mr. LONGWORTH. The gentleman is entirely right in saying that none of them have been converted, but Congress only provided that the three and one-half's should be converted, and has not definitely provided that the others should.

Mr. SLOAN. Oh, no; not definitely as to when the later loans should be converted.

Mr. SHERWOOD. I would like to ask how much of that money went to Russia?

Mr. SLOAN. I will give the figures. I do not have them right before me.

Mr. SHERWOOD. Do you recollect how much?

Mr. LONGWORTH. I think it is substantially $300,000,000. My recollection is that the Secretary told us that about $300,000,000 had been loaned to Russia.

Mr. SHERWOOD. Were the due bills given by the Kerensky government?

Mr. SLOAN. One hundred and eighty-seven million seven hundred and seventy-nine thousand dollars was loaned to Russia. A greater sum was authorized.

Mr. SHERWOOD. Was a due bill given by the Kerensky government?

Mr. SLOAN. I presume it was, and it was signed by the diplomat representing the Government of Russia when Kerensky was in power. That is as I understand it. I am not giving it as absolutely definite.

Here I give the amounts of our foreign loans at the beginning of the year. They have been considerably increased since then:

Great Britain	$3,945,000,000
Belgium	212,855,000
Cuba	15,000,000
Czecho-Slovak	7,000,000
France	2,436,427,000
Greece	39,554,000
Italy	1,210,000,000
Liberia	5,000,000
Roumania	6,666,666
Russia	187,729,750
Serbia	12,000,000
Total	8,464,542,416

Mr. JUUL. Mr. Chairman, will the gentleman pardon one more question?

Mr. SLOAN. Yes.

Mr. JUUL. As to the statement made here by the gentleman from Nebraska, is it not a fact that if we had interest-bearing coupon bonds of the nations borrowing the money, with the interest derived from those bonds they would be almost sufficient to pay the indebtedness of the new securities held in this country for bonds which we have issued ourselves?

Mr. SLOAN. They would meet a large portion of our indebtedness. That has been explained to the American people. Thirty million dollars was paid out as expense in issuing our bonds, which the people purchased. It has been explained in every hall in this country that we were loaning the money to the allies——

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. SLOAN. Mr. Chairman, I would like to have five minutes more.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. SLOAN. So that the boys, when they went and fought the battles of our country and came home, and in the course of 20 or 30 years had reached their maximum as wealth producers, they would not be forced into the position of having to pay the bonds as well as having won the war. So it was understood by the American people that these bonds taken from other countries would be the same practically as our bonds, remembering the distinction made by the gentleman from Ohio. The American people allowed those loans to be made upon this assumption that when the last war indebtedness due was demanded our foreign loans then due would pay them. Now, then, when the chairman of the Committee on Ways and Means asked the former Secretary of the Treasury about what was done about conversion, that official wrote as follows:

THE SECRETARY OF THE TREASURY,
Washington, November 5, 1918.

MY DEAR MR. KITCHIN: Your letter of the 28th ultimo has been duly received, asking for certain information regarding the conversion of the obligations of the allied Governments purchased under section 2 of the first liberty bond act into long-time obligations.

I take pleasure in advising you that none of the foreign obligations purchased pursuant to the authority of the first liberty bond act or the second liberty bond act or the acts amendatory thereof and supplemental thereto have been converted into long-time obligations, and no definite decision has been reached as to when, whether, or to what extent such conversion should be made.

If there ever was fine scorn sent from a Cabinet officer to the law-making body of this country, it is embodied in that letter. Reduced to an interrogatory, it is: What are you going to do about it?

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman pardon another question?

Mr. SLOAN. Yes.

Mr. GRAHAM of Illinois. Does the gentleman remember whether the English Government has ever presented this matter to the Parliament, or whether it has ever been presented to the French Congress for ratification in any way?

Mr. SLOAN. I do not know. I hold in my hand and will present for the RECORD a statement of England's estimated indebtedness, and there is no reference that any man can find to a dollar of indebtedness due from Great Britain to the American people. There is just one reference to an American loan; but that loan was made in 1916 and it refers, of course, to a loan secured by various securities sold in America, but it was not a loan made from the American Government.

Mr. GRAHAM of Illinois. Does the gentleman know whether these due bills or certificates which our Treasury Department holds as evidence of those debts are interest bearing or not?

Mr. SLOAN. I understand they are interest bearing and that interest has been paid upon them.

Mr. LONGWORTH. At the rate of 5 per cent.

Mr. SLOAN. But there is nothing except the authority that we gave them to collect the interest that we were to pay upon obligations of the same tenor and effect—our own obligations—which would relate to time and maturity and rate of interest and other essential elements, including gold standard of value of money payments, interest and principal.

Now, why the largest asset in the American Treasury—nearly three times, as I said before, all other assets in our Treasury—is not quoted in our daily report of the Treasury, and why our largest debtor, in the classification of its debts, said nothing specific about our loan I do not understand. I could find nothing in the Congressional Library more definite, nor could the men engaged in legislative research over there find any more definite statement in any recognized British work—anything showing what the amount of the American loan to the British Government was. I presume it is included somewhere in the various items of the statement, but where I can not locate.

I do not criticize that particularly, only it would seem that in the international bookkeeping these obligations should have been recognized and designated as, "The loan made Britain by the American Government amounts to so much," or to that effect.

Mr. FAIRFIELD. Mr. Chairman, will the gentleman yield?

Mr. SLOAN. Yes.

Mr. FAIRFIELD. Will the gentleman be kind enough to say as to the source of the statement he has there?

Mr. SLOAN. The statement I have was published in the official document issued under the direction of the President of the United States, known as the Official Bulletin, and heretofore under the immediate direction of one George Creel. The statement I here attach:

RECENT ESTIMATE OF BRITISH WAR DEBT ACCORDING TO THE LONDON ECONOMIST.

According to the London Economist (Sept. 28, 1918), the national debt of the United Kingdom shows the following growth since August 1, 1914:

[In millions of pounds.]

	Aug. 1, 1914.	Mar. 31, 1915.	Mar. 31, 1916.	Mar. 31, 1917.	Mar. 31, 1918.	Sept. 21, 1918.	Change since Aug. 1, 1914.
Funded debt	584.7	583.3	318.5	317.8	317.8	317.8	− 266.9
Term annuities	29.6	28.9	26.1	18.0	24.0	24.0	− 5.6
Unfunded debt:							
3½ per cent war stock	.....	349.1	52.8	62.7	62.7	62.7	+ 62.7
4½ per cent war stock	.....	.....	900.0	20.0	20.0	20.0	+ 20.0
4 and 5 per cent war stock	.....	.....	.....	1,962.4	2,073.0	2,034.4	+2,034.4
National war bonds	.....	.....	.....	.....	614.2	1,085.1	+1,085.1
Treasury bills	15.8	77.2	566.8	463.7	972.6	1,093.2	+1,077.7
Exchequer bonds	20.5	67.4	177.0	320.4	414.6	415.3	+ 394.8
War savings certificates	.....	.....	1.4	74.5	136.7	190.4	+ 190.4
War expenditure certificates	.....	.....	.....	23.6	22.9	7.4	+ 7.4
Other debt	.....	.....	9.2	316.5	936.9	1,189.2	+1,189.2
American loan	.....	.....	51.4	51.4	51.4	51.4	+ 51.4
Temporary advances	1.0	.....	19.8	217.5	192.2	328.8	+ 327.8
	653.3	1,105.0	2,133.1	3,854.4	5,539.0	6,809.7	+6,156.4
Other capital liabilities	57.2	57.0	56.7	52.2	51.2	51.0	− 6.2
Total liabilities	710.5	1,162.0	2,189.8	3,906.6	5,590.2	6,860.7	+6,150.2

Of the total war-time expenditure of £8,268,332,809, according to the Economist, £2,119,214,607, or 25.6 per cent, was met by revenue, and £6,149,118,202, or 74.4 per cent, by net borrowings. Expenditures include advances of the British Government to allies and dominions, which, according to official announcement (see London Statist, Aug. 3, 1918, p. 175), by the end of July, 1918, had reached a total of £1,610,500,000, composed of £1,275,500,000 advanced to the allies, of £208,000,000 advanced to dominions, and £126,500,000 of accrued interest, etc.

Loans to allies show the following distribution:

Russia	£568,000,000
France	402,000,000
Italy	313,000,000
Belgium, Serbia, Roumania, and Greece	119,000,000
	1,402,000,000

For the financial year 1918-19 it is estimated loans to allies will increase by £300,000,000, and loans to dominions by £50,000,000.

The CHAIRMAN. The time of the gentleman from Nebraska has again expired.

Mr. GREEN of Iowa. Mr. Chairman, I should like to have the gentleman's time extended five minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the time of the gentleman from Nebraska be extended five minutes. Is there objection?

There was no objection.

Mr. GREEN of Iowa. I would say to my friend from Nebraska that I do not think any legislative action has been taken by either the French or the British Governments. I read the Parliamentary Debates of the British Government and glance over the résumé of the acts of the French Government, being able to understand French sufficiently for that purpose, and I never have seen any mention that either of those Governments has taken any such legislative action. Of course, it is possible I might have overlooked it.

Mr. SLOAN. I have kept watch over that proposition as well as I could. I do not claim that the Treasury Department has failed to take an acknowledgment of the indebtedness of these various countries to this Government; but when we loaned more than half the proceeds of all our bond issues, which have been bought by people of the United States, and we as a Congress had definitely directed what should be done with the first loan and modified the statement for the other loans, as we were assured, simply as a matter of convenience for the Treasury to ultimately carry out the purpose and spirit of the loans, good faith demands a compliance of the direct mandate and implied direction.

It would be unfortunate and humiliating if every man who went before his people and asked them to stand by the Government and pledge their money and their credit for the purpose of winning the war and of relieving the boys who fought the war 20 or 30 years hence from having to pay for the prosecution of the war, to have the Treasurer of the United States say he does not know whether, or to what extent, or when there will be any compliance with the law passed by Congress.

The authority for the making of foreign loans is found in the first and second bond authorization acts, as follows:

First—

[Public, No. 3, 65th Cong.; H. R. 2762.]

An act to authorize an issue of bonds to meet expenditures for the national security and defense, and, for the purpose of assisting in the prosecution of the war, to extend credit to foreign governments, and for other purposes.

* * * * * * *

SEC. 2. That for the purpose of more effectually providing for the national security and defense and prosecuting the war by establishing credits in the United States for foreign governments, the Secretary of the Treasury, with the approval of the President, is hereby authorized, on behalf of the United States, to purchase, at par, from such foreign governments then engaged in war with the enemies of the United States, their obligations hereafter issued, bearing the same rate of interest and containing in their essentials the same terms and conditions as those of the United States issued under authority of this act; to enter into such arrangements as may be necessary or desirable for establishing such credits and for purchasing such obligations of foreign governments and for the subsequent payment thereof before maturity, but such arrangements shall provide that if any of the bonds of the United States issued and used for the purchase of such foreign obligations shall thereafter be converted into other bonds of the United States bearing a higher rate of interest than 3½ per cent per annum under the provisions of section 5 of this act, then and in that event the obligations of such foreign governments held by the United States shall be, by such foreign governments, converted in like manner and extent into obligations bearing the same rate of interest as the bonds of the United States issued under the provisions of section 5 of this act. For the purposes of this section there is appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $3,000,000,000, or so much thereof as may be necessary: *Provided*, That the authority granted by this section to the Secretary of the Treasury to purchase bonds from foreign governments, as aforesaid, shall cease upon the termination of the war between the United States and the Imperial German Government.

SEC. 3. That the Secretary of the Treasury, under such terms and conditions as he may prescribe, is hereby authorized to receive on or before maturity payment for any obligations of such foreign governments purchased on behalf of the United States, and to sell at not less than the purchase price any of such obligations and to apply the proceeds thereof, and any payments made by foreign governments on account of their said obligations to the redemption or purchase at not more than par and accrued interest of any bonds of the United States issued under authority of this act; and if such bonds are not available for this purpose the Secretary of the Treasury shall redeem or purchase any other outstanding interest-bearing obligations of the United States which may at such time be subject to call or which may be purchased at not more than par and accrued interest.

Second—

[Public, No. 43, 65th Cong.; H. R. 5901.]

An act to authorize an additional issue of bonds to meet expenditures for the national security and defense, and for the purpose of assisting in the prosecution of the war, to extend additional credit to foreign governments, and for other purposes.

* * * * * * *

SEC. 2. That for the purpose of more effectually providing for the national security and defense and prosecuting the war, the Secretary of the Treasury, with the approval of the President, is hereby authorized, on behalf of the United States, to establish credits with the United States for any foreign governments then engaged in war with the enemies

of the United States; and, to the extent of the credits so established from time to time, the Secretary of the Treasury is hereby authorized to purchase, at par, from such foreign governments, respectively, their several obligations hereafter issued, bearing such rate or rates of interest, maturing at such date or dates, not later than the bonds of the United States then last issued under the authority of this act, or of such act approved April 24, 1917, and containing such terms and conditions as the Secretary of the Treasury may from time to time determine, or to make advances to or for the account of any such foreign governments and to receive such obligations at par for the amount of any such advances; but the rate or rates of interest borne by any such obligations shall not be less than the highest rate borne by any bonds of the United States which, at the time of the acquisition thereof, shall have been issued under authority of said act approved April 24, 1917, or of this act, and any such obligations shall contain such provisions as the Secretary of the Treasury may from time to time determine for the conversion of a proportionate part of such obligations into obligations bearing a higher rate of interest if bonds of the United States issued under authority of this act shall be converted into other bonds of the United States bearing a higher rate of interest, but the rate of interest in such foreign obligations issued upon such conversion shall not be less than the highest rate of interest borne by such bonds of the United States; and the Secretary of the Treasury, with the approval of the President, is hereby authorized to enter into such arrangements from time to time with any such foreign governments as may be necessary or desirable for establishing such credits and for the payment of such obligations of foreign governments before maturity. For the purposes of this section there is appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $4,000,000,000, and in addition thereto the unexpended balance of the appropriations made by section 2 of said act approved April 24, 1917, or so much thereof as may be necessary: *Provided*, That the authority granted by this section to the Secretary of the Treasury to establish credits for foreign governments, as aforesaid, shall cease upon the termination of the war between the United States and the Imperial German Government.

SEC. 3. That the Secretary of the Treasury is hereby authorized, from time to time, to exercise in respect to any obligations of foreign governments acquired under authority of this act or of said act approved April 24, 1917, any privilege of conversion into obligations bearing interest at a higher rate provided for in or pursuant to this act or said act approved April 24, 1917, and to convert any short-time obligations of foreign governments which may have been purchased under the authority of this act or of said act approved April 24, 1917, into long-time obligations of such foreign governments, respectively, maturing not later than the bonds of the United States then last issued under the authority of this act or of said act approved April 24, 1917, as the case may be, and in such form and terms as the Secretary of Treasury may prescribe; but the rate or rates of interest borne by any such long-time obligations at the time of their acquisition shall not be less than the rate borne by the short-time obligations so converted into such long-time obligations; and, under such terms and conditions as he may from time to time prescribe, to receive payment, on or before maturity, of any obligations of such foreign governments acquired on behalf of the United States under authority of this act or of said act approved April 24, 1917, and, with the approval of the President, to sell any of such obligations (but not at less than the purchase price with accrued interest unless otherwise hereafter provided by law), and to apply the proceeds thereof, and any payments so received from foreign governments on account of the principal of their said obligations, to the redemption or purchase, at not more than par and accrued interest, of any bonds of the United States issued under authority of this act or of said act approved April 24, 1917; and if such bonds can not be so redeemed or purchased the Secretary of the Treasury shall redeem or purchase any other outstanding interest-bearing obligations of the United States which may at such time be subject to redemption or which can be purchased at not more than par and accrued interest.

It will be observed that under the first $3,000,000,000 in foreign loans were authorized. Under the second there was authority for four billions. In the later bills authorizations raised amounts for foreign loans to $10,000,000,000 total. No material change was made about terms of conversion.

Consideration of this matter has become important, because within 30 days it has been seriously suggested by prominent sentimentalists that these debts be forgiven and canceled. If such a course were seriously considered by Congress or the administration, there would be little market for another issue of United States bonds.

Quite recently it has been proposed that these evidences of indebtedness might be sold for ready money on the market and let the next generation pay the $10,000,000,000 coming due in 20 or 30 years. That would be equivalent to a guardian selling the securities of his ward to pay the guardian's own proper debt, hoping that the ward would forget, or at least forgive, the misapplication on settlement day.

Mr. JUUL. Will the gentleman yield?

Mr. SLOAN. Yes.

Mr. JUUL. If I have understood the remarkable speech of the gentleman correctly, the gentleman has practically stated here this afternoon that there is a doubt in his mind whether or not the gentlemen acting for these foreign governments had legislative authority back of them.

Mr. SLOAN. I am not emphasizing that particularly.

Mr. JUUL. I want the gentleman to state directly if he knows whether there was legislative authority back of the loans made by this country to these other foreign governments?

Mr. SLOAN. I do not know, because those who had charge of the loans, and to whose audience we were not admitted, have not given us that information. I have spoken of this not for idle criticism. The present Secretary of the Treasury has said to the country that the new bond issue of $5,000,000,000 was not to be a commercial one. That it is to be based upon an appeal to the patriotism of the people. It would seem to me that one of the best ways to go to the people asking for a loan of $5,000,000,000, not as a matter of investment, but as a matter of patriotism, would be to carry out in good faith the pledge made to the people of the United States and the pledge made to the 4,000,000 American soldiers now or heretofore in the service. It would seem to me that if they are talking about policies, it would be a very good time for our new Secretary of the Treasury, when this new bond issue is about to be made, to say to the American people, "I am going to carry out the pledge made to the American people. I am going to convert these sight drafts or due bills, or whatever they are, into long-time bonds, corresponding with the bonds that were sold to the American people," so that 20 or 30 years from now, when the bonds come due, the boys will say, 'Yes; we will pay them.' Congress in 1918 and 1919 provided a trust fund invested in foreign securities to pay these American securities when they came due. Use them for the purpose for which they were taken."

Mr. SHERWOOD. Do I understand the gentleman to say that more than one-half of the four issues of liberty bonds have been loaned abroad?

Mr. SLOAN. Yes.

Mr. SHERWOOD. Is that the gentleman's statement?

Mr. SLOAN. Something over $8,500,000,000 have been loaned abroad and about $16,000,000,000 liberty bonds have been sold.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. FOCHT. I ask unanimous consent that the gentleman have one minute more.

The CHAIRMAN. Unanimous consent is asked that the gentleman's time be extended one minute. Is there objection?

There was no objection.

Mr. FOCHT. In connection with the $8,000,000,000 which the gentleman says have been loaned to various European Governments, do I understand that there has not been a satisfactory accounting for it up to this time?

Mr. SLOAN. I have gone into details. I would leave the question as to "a satisfactory accounting" to the judgment of the House. It has not been satisfactory to me.

Mr. FOCHT. Is it not up to the Congress to call upon the authorities to see that there is an accounting?

Mr. SLOAN. I think Congress ought to rise to its duty in a number of respects, and this subject is one of them.

Mr. FOCHT. I am quite in accord with that view.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask the Clerk to read.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

To enable the Secretary of the Treasury to enforce the provisions of the act of March 23, 1910 (36 Stat., p. 241), when instituting inquiry into the solvency of bonding companies doing business with the Government, $5,000; the expense of each examination to be reimbursed by the bonding company examined.

Mr. WALSH. I desire to ask the chairman of the committee having charge of this measure if the purpose of this is to have the Government make an investigation of a bonding company with which it is transacting business?

Mr. BYRNS of Tennessee. Yes.

Mr. WALSH. As to its solvency, and then require the bonding company to pay the expense of the investigation?

Mr. BYRNS of Tennessee. It does that now under the law.

Mr. WALSH. This is new law in this bill, is it not?

Mr. BYRNS of Tennessee. The Government makes the investigation now under the law and the bonding company pays the expense of it.

Mr. WALSH. No; the part requiring the bonding company to reimburse the expense of such examination is new legislation. Does the gentleman contend that that is a wise policy for the Government?

Mr. BYRNS of Tennessee. Many of the bonding companies do quite a large business with the Government. They are very solicitous about securing that business. Now, it is necessary for the Government to make such investigations from time to time to determine whether or not they are solvent and their bonds are sufficient protection to the Government. The very fact that they do business with the Government, outside of the fees that they receive, is in itself worth a great deal to each company. My impression is that the law now provides that the bonding companies shall pay these expenses. I may be mistaken in that. It is being looked up so as to be certain.

Mr. WALSH. The effect of this legislation is substantially this: The bonding company seeking to do business with the

Government will come to some official and say, "We would like to furnish these bonds or underwrite this liability, and if you will send your experts to examine our books as to our solvency and give us this business, why we will pay all the expenses of the examination."

It would seem to me that if the Government is going to do business with a concern and conduct an examination as to the financial responsibility of the concern, that where the Government is making that examination for its own protection the Government ought to be able to pay for it.

Mr. BYRNS of Tennessee. Under the law every company doing a bonding business with the Government is required to file with the Secretary of the Treasury a statement, signed and sworn to by its president and secretary, showing its assets and liabilities. That report must be filed in the months of January, April, July, and October. Then the Secretary of the Treasury has the power and it is made his duty to revoke the authority of any such company to transact any new business under this act whenever, in his judgment, that company is not solvent or is conducting its business in violation of the act. I submit the only way the Secretary of the Treasury can determine whether or not the company is solvent is by an examination.

Mr. WALSH. Certainly.

Mr. BYRNS of Tennessee. And this provision here is simply to pay the initial expenses necessary to make these investigations from time to time. They are to be made only in case where from the report filed it is apparent some investigation should be made.

Mr. WALSH. But the bonding company is required to reimburse the expenses, that is to say, to pay for the examination. The Government might through this method do all of its business with one company.

Mr. GARNER. We want an examination of a particular company. We say, "It is very expensive, and we have no money to do it with, and therefore we will have but one company that we are doing business with, and we will decline to do business with another bonding company."

Mr. BYRNS of Tennessee. And, as the gentleman from Nebraska suggests, that is true in case of insurance companies.

Mr. WALSH. That is for the protection of the policyholders.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WALSH. Mr. Chairman, I still further reserve the point of order.

Mr. EMERSON. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. The gentleman from Massachusetts has the floor.

Mr. EMERSON. Is this agreeable to the insurance companies?

Mr. BYRNS of Tennessee. I have not consulted the insurance companies as to whether it is agreeable.

Mr. EMERSON. I did not know but that something happened before the committee that would indicate that.

Mr. BYRNS of Tennessee. This recommendation was made by the Treasury Department.

Mr. LOBECK. And there is no question that the insurance companies or the bonding companies are very willing to pay for the examination, to have their companies examined, so that the Government may know that they are reliable.

Mr. BYRNS of Tennessee. I am quite sure that they are willing to pay the expense.

Mr. WALSH. They are willing to pay for a certificate of good character issued by Uncle Sam.

Mr. LOBECK. Why should Uncle Sam pay for it?

Mr. WALSH. If the Government is going to require an investigation as to the solvency of a bonding company which is soliciting its business, the question is whether or not it would not be better for the Government to pay for the expense of that examination, rather than make the bonding company reimburse it. Would it not lead to more efficiency in the examination that is to be made?

Mr. BYRNS of Tennessee. I do not think so. I can not understand why it would have that effect.

Mr. GARD. Mr. Chairman, will the gentleman yield?

Mr. WALSH. Yes.

Mr. GARD. Why can not the Government issue its own bonds without all of this intervening process, providing for an examination and paying for it?

Mr. WALSH. I understand the Government is in the business of issuing bonds, though I do not know that they are bonds of this character.

Mr. GARD. I mean bonds for its employees, trust bonds.

Mr. FOSTER. The insurance companies do not want to go into that business.

Mr. LOBECK. The Government carries its own insurance.

Mr. WALSH. What is the explanation of the matter, taken in conjunction with the statute that the gentleman read?

Mr. BYRNS of Tennessee. It is put in here simply so that we may be certain that these companies are going to be examined from time to time, and that the Government will not stand to lose possibly hundreds of thousands of dollars by some company becoming insolvent.

Mr. WALSH. Of course the gentleman would not contend that simply because the Government has made an examination as to the solvency of the company, therefore it could not become insolvent.

Mr. BYRNS of Tennessee. Not at all, but I submit to the gentleman that if we are simply to take the statements filed during these months that I have named and make no investigation of the books of the company and their assets at any time, it is entirely possible that insolvent companies might be carrying bonds and that ultimately the Government might stand to lose many thousands of dollars in the case of some particular defalcation.

Mr. WALSH. Mr. Chairman, I withdraw the reservation of the point of order.

The Clerk read as follows:

Bureau of War Risk Insurance: For expenses of the Bureau of War Risk Insurance, as authorized by law: For salaries of the director and commissioners, and of such deputies, assistants, accountants, experts, clerks, and other employees in the District of Columbia, as the Secretary of the Treasury may deem necessary, $9,509,630; stationery and minor office supplies, $150,000; miscellaneous expenses, including telephones, telegrams, freight, express, foreign postage, not exceeding $100 for street car fares, and not exceeding $500 for law books, books of reference, and periodicals, $25,000; printing and binding, to be done at the Government Printing Office, and necessary printing of forms, etc., for use abroad may be done abroad, $125,000; furniture, equipment, and supplies, $175,000; traveling expenses (exclusive of field investigations), $5,000; salaries and expenses of employees engaged in field investigations and expenses of not more than eight temporary branch offices, $1,000,000; in all, $10,989,630: *Provided*, That all employees appropriated for by this paragraph shall be engaged exclusively on the work of the Bureau of War Risk Insurance during the fiscal year 1920.

Mr. WALSH. Mr. Chairman, I reserve the point of order on the paragraph.

Mr. GRAHAM of Illinois. Mr. Chairman, I move to strike out the last word.

Mr. BYRNS of Tennessee. But I understand that the gentleman from Massachusetts has reserved the point of order. Ought not that to be disposed of before the amendment is offered?

The CHAIRMAN. Does the gentleman from Massachusetts insist upon his point of order?

Mr. WALSH. I reserve the point of order. I reserve the point of order to the proviso for the purpose of making inquiry as to why you provide that none of the employees of this bureau may be discharged during the year 1920?

Mr. BYRNS of Tennessee. There is no such provision, I will say to the gentleman, as that.

Mr. WALSH. Well, it says, "*Provided*, That all employees appropriated for by this paragraph shall be engaged exclusively on the work of the Bureau of War Risk Insurance during the fiscal year 1920."

Mr. BYRNS of Tennessee. That was put on simply for the protection of the Treasury and this bureau as well. Here is a lump sum out of which these employees are paid. Now, we want to be sure that those who are employed out of that lump sum are employed upon the work of this War Risk Bureau, and not appointed to the War Risk Bureau roll and transferred to some other bureau of the Treasury Department.

Mr. WALSH. The gentleman wants to make sure that those employees down there are employed exclusively by the War Risk Bureau?

Mr. BYRNS of Tennessee. Yes.

Mr. WALSH. Does the gentleman think this is going to add to the efficiency of the bureau?

Mr. BYRNS of Tennessee. I hope it will. It will not detract from it.

Mr. WALSH. If they transfer about a thousand to some other department it will be the greatest move toward efficiency in the bureau that could be taken.

Mr. BYRNS of Tennessee. This provision will certainly subtract from some of the excuses we have heard here in the past as to the failure to pay allotments and allowances promptly, but whether it does that or not the gentleman can see this very clearly, if authority is given to employ persons out of this lump sum and they are put on the rolls of the bureau and then transferred to some other bureau of the Government, either the work of the bureau may be crippled or this fund may be used for other Government work. What the committee was trying to do was to see to it that the fund here appropriated is used exclusively for the work of the Bureau of War Risk Insurance, and not provide

a lump sum for half a dozen other bureaus in the Treasury Department.

Mr. WALSH. Has that practice prevailed during the past year?

Mr. BYRNS of Tennessee. Not in this bureau. A similar provision has been carried for a great number of years with reference to The Adjutant General's office in the War Department.

Mr. WALSH. There are half a dozen other bureaus here where there is no such proviso as that, and if nothing like that has occurred what was there to lead the committee to fear that a large number of these employees might be transferred? We are discharging employees; we are even inviting them to resign and holding out inducements that their traveling expenses will be paid to their homes when the measure that has been signed in a foreign land reaches this country by ocean steamship in the future.

Mr. BYRNS of Tennessee. The hearings disclose there were employees detailed out of the War Risk Bureau at the time these hearings were held whose salaries aggregate $25,840.

Mr. WALSH. To what branches were they detailed?

Mr. BYRNS of Tennessee. There were four or five to the office of the Assistant Secretary of the Treasury, Mr. Love, another one to the chief clerk of the Treasurer's office, another one to the Secretary's office, and still another to the office of the chief clerk, and two more to the office of Secretary Love, and one to the office of the Secretary.

Mr. WALSH. The Secretary and Mr. Love have both separated themselves from the service, have they not?

Mr. BYRNS of Tennessee. I know, but the positions still exist.

Mr. WALSH. It was not the position that caused the transfer; it was probably the men, and if those gentlemen have resigned, it is likely the new Secretary will not require the services of these men.

Mr. BYRNS of Tennessee. I hope not, but there can be no harm in this provision.

Mr. WALSH. The gentleman does not think these employees were transferred unnecessarily, and if they were not we do not want to prevent the Secretary of the Treasury from having these employees in the future if he needs them.

Mr. BYRNS of Tennessee. It has been the contention of the committee and the Congress for years that where a bureau needs employees they should come here through regular estimates and tell the Congress what the needs are, so Congress will be able to make the proper appropriations. We do not want to make an appropriation of $10,000,000 for employees in the Bureau of War Risk Insurance and have a number of them transferred to some other bureau of the department.

Mr. WALSH. The only number that have been transferred in amount aggregate some $25,000 in salary.

Mr. BYRNS of Tennessee. Twenty-five thousand eight hundred and forty dollars.

Mr. WALSH. And those were transferred to the Secretary's office and the Assistant Secretary who had charge of this particular bureau.

Mr. BYRNS of Tennessee. I will say to the gentleman there are six of them who have been transferred to the office of the chief clerk of the Treasury Department, and certainly he has nothing to do except in a general way with this bureau. There were eight of them transferred to the office of Assistant Secretary Love. Now, he is in charge of this bureau as Assistant Secretary, and, of course, I take it this provision would not affect him. There was one transferred to the office of Assistant Secretary Rowe and one to the Treasurer's office.

Mr. WALSH. Has the gentleman the figures here showing the number of employees in the War Risk Bureau and the average rate of compensation?

Mr. BYRNS of Tennessee. Yes; I think I have those facts. There are some 13,000, including those under contract. I can give the gentleman the exact number in a short time. There are over 9,000 on the rolls paid an annual salary and something over 4,000 who are employed under contract.

Mr. WALSH. Has the gentleman the average rate of compensation?

Mr. BYRNS of Tennessee. Yes; I have that. I can not tell the gentleman exactly the average rate, but my recollection is it is about $1,100 a year, or a little more.

Mr. WALSH. Are there not three classes of employees rather than two?

Mr. BYRNS of Tennessee. The gentleman will find a complete explanation on page 1008 of the hearings.

Mr. MADDEN. Why not put it in the RECORD, so as to let us have it?

Mr. WALSH. Mr. Chairman, this is clearly——

Mr. BYRNS of Tennessee. I find the average salary is $1,117.

Mr. WALSH. It is clearly a legislative provision upon this paragraph, and is not a limitation in any way that I can see.

Mr. BYRNS of Tennessee. It is a limitation, I will say to the gentleman, pure and simple.

Mr. WALSH. It is rather a requirement that the money shall be expended in a certain way. I will withdraw the reservation of the point of order.

Mr. GRAHAM of Illinois. Mr. Chairman, I move to strike out the last word.

Gentlemen, I have always contended that the Government can not conduct any business as efficiently as a private individual can. I do not believe the Government ought to engage in any kind of business unless it is absolutely necessary as a part of the police powers of the country or for the purpose of maintaining the morals or health of the people. In other words, I never have believed in any more government than was absolutely necessary to maintain the life, liberty, and pursuit of happiness of the people.

When the bill relative to the War Risk Insurance Bureau was proposed here it was stated that it was not the intention of the Government to go into the insurance business, but that on account of the fact that these men who are apt to go into the military service might be injured, and on account of the fact that their insurable value was to be taken away from them on their entrance into the Military Establishment, we ought to take the place of it by some adequate insurance. With this idea I was heartily in accord. It was then stated by those who were proponents of the bill that as soon as the men got out of the service, if they were able to get insurance in other places, it was the purpose of the Government to have them drop the insurance, and only carry those who could not get insured any place else. The manifest purpose of the War Risk Insurance Bureau or the Government now, so far as either seems to have any control over this, is to continue men in this insurance taking their insurance from the Government and continue the Government in the insurance business as to all those who now have policies with it. The hearings show, I understand, that about four million have embraced the provisions of this act and have made application and are now carrying insurance under its terms. And the War Risk Insurance Bureau in all its material that it publishes and puts out insists and urges that the men be asked to continue this governmental insurance.

Mr. FESS. Will the gentleman yield to an interruption?

Mr. GRAHAM of Illinois. Yes, I yield to a question.

Mr. FESS. The new director of the War Risk Insurance Bureau stated before the Rules Committee in the hearings that the Government, in his judgment, never would discontinue the insurance along this line.

Mr. GRAHAM of Illinois. So it is now the purpose, gentlemen, of the Government of the United States to embark in the insurance business on a large scale and to carry, if possible, a large insurance business, now totaling approximately 4,000,000 policyholders. We can not do it as we can do any other business, as efficiently and as economically as it can be done by those established agencies that have been doing this kind of business for years.

And in order to illustrate what I have stated here, I want to call your attention to the expense that is now connected with the running of this War Risk Insurance Bureau. I protested when this bill was up here, and when it was being passed, as did some others, that we ought to use the established machinery of the Pension Bureau, so far as it was possible, at that time having over 900 employees and something like 4,500 field examiners, for this purpose, but those who proposed the bill would not have anything to do with that bureau, and said it could not be done. We are now running this with approximately 4,000,000 policyholders, and I want you gentlemen on this committee to notice some comparisons that I shall make. We have at this time on the permanent roll of the War Risk Insurance Bureau 11,108 employees.

Mr. MADDEN. You have more than that.

Mr. GRAHAM of Illinois. I am talking about the permanent roll. It has 11,108 employees. I got these figures this morning from the director of the Bureau of War Risk Insurance himself, and I therefore presume they are authentic. You will observe that this bill carries appropriations of approximately $10,000,000 for this bureau for the next fiscal year. Do you know what the pay roll of the permanent employees is at present in this bureau? It is $12,702,600, exceeding the amount named in the bill by $2,000,000, just for the simple item of the permanent employees in the bureau.

Mr. MADDEN. How many temporary employees have they?

Mr. GRAHAM of Illinois. There are three classes, as were mentioned by the gentleman from Massachusetts a moment ago,

There are the permanent employees; the contract roll, so called; and the piece-rate roll. On the contract roll there are approximately 945 employees. On the piece-rate roll—that is, those who are brought in to work by the piece—there are 2,450 employees. The contract roll costs us per year $926,470, or about $1,000,000. The piece-rate roll, 2,450 employees, costs $1,567,306 a year. Or we have a total pay roll in Washington—and now I am not including the field operators or the class that is working out over the country making investigations or the New York office, but I am including simply the Washington employees—of $14,996,376.76, or approximately $15,000,000 a year for these men here in the city of Washington.

Now, there is no overhead charge in that; there is no office expense. There is nothing else. It costs us $15,000,000 a year to carry the pay roll of employees who are running this War Risk Insurance Bureau now, and they are handling, gentlemen, 4,000,000 claims. A large part of that work is taken away and is now being performed by the Quartermaster Department of the United States Army, namely, the allotment work.

Let me call your attention to what is being done by some of the life insurance companies of the country. I have no interest in these life insurance companies. I give this information directly as I get it from the presidents and secretaries of the various companies from whom I have obtained it. In September a year ago the New York Life was carrying a million policies. It had on its pay roll 1,683 employees, who were doing all that business. The Mutual Life Insurance Co., of New York, had 600,000 policies, and it had 2,000 employees. Now, notice these figures as to the Prudential. The Prudential Insurance Co. had 15,000,000 policyholders and had 28,000 field men, agents, solicitors, and all kinds of employees to handle those 15,000,000 policies.

Mr. HUMPHREYS. Twenty-eight thousand employees?

Mr. GRAHAM of Illinois. Yes; 28,000 employees to handle those 15,000,000 policies. Now, the Prudential policies, as I understand them, gentlemen, are policies where their collections are made largely monthly or weekly; that is, the great bulk of their business is conducted by the month, or in certain periods, and necessarily a great many field men or solicitors are necessary.

Now, how many employees did it take to run this business per million? The New York Life takes 1,683 employees to handle a million policies. The Mutual Life has about 2,200 employees, with 600,000 policies. The Prudential took 1,866 employees per million. If the Prudential Life could handle the bulk of business that is being handled by the War Risk Insurance Bureau, on the same proportion they would do it with 7,464 employees. Instead of 7,464 employees we have, approximately, as has been said here, 14,503 employees. In other words, in order to handle the business that we ought to handle with 7,464 employees we are using over 14,000 to do it.

Mr. RAYBURN. Mr. Chairman, will the gentleman yield there?

Mr. GRAHAM of Illinois. Yes.

Mr. RAYBURN. The gentleman wants to be fair. Surely the gentleman does not contend that we are carrying 14,000 employees to attend to simply the insurance features of the War Risk Insurance Bureau?

Mr. GRAHAM of Illinois. I mean that we are having that many men to carry on the business of 4,000,000 policyholders.

Mr. RAYBURN. In the Army?

Mr. GRAHAM of Illinois. Yes.

Mr. RAYBURN. Fourteen thousand people.

Mr. GRAHAM of Illinois. I said so. Does the gentleman doubt it?

Mr. RAYBURN. The gentleman surely does not want to convey the impression that in the insurance division of the War Risk Insurance Bureau there are 14,000 employees. The insurance division is not the largest division.

Mr. GRAHAM of Illinois. I understand it is the biggest end of the business.

Mr. RAYBURN. The gentleman must know that more than half of the employees in the War Risk Bureau are in the allotment and allowance divisions.

Mr. GRAHAM of Illinois. Let me answer the gentleman's question. I said there were 4,000,000 policyholders in the war-risk insurance business being handled by that bureau. The allotments and allowances and the insurance business, of course, is being done, but a large part of the allotments are being handled by the Quartermaster Department of the Army, and the work being done on the insurance policies is no greater than that which is being done by the Prudential or the New York Life or the New York Mutual.

Mr. BYRNS of Tennessee. The director stated that the insurance division has now only 2,400 employees.

Mr. GRAHAM of Illinois. I do not care what the director says. I know that the employees are there, and they are being hired and paid for, and I know that they have 4,000,000 policyholders in the Army and Navy to attend to. We know what their business is. We know it is to take care of the allowances and allotments and insurance.

Mr. RAYBURN. And compensation.

Mr. GRAHAM of Illinois. That is a small amount.

Mr. STEVENSON. Mr. Chairman, will the gentleman yield?

Mr. GRAHAM of Illinois. Yes.

Mr. STEVENSON. How many years has it taken the New York Life Insurance Co. to put a million policyholders on its books?

Mr. GRAHAM of Illinois. I can not say.

Mr. STEVENSON. Four million have been put on the books here. The New York Life Insurance Co. has been in business since 1850.

Mr. GRAHAM of Illinois. What has that to do with the proposition that I am now submitting, that it takes twice as many employees for us to do the same bulk of business as it would take a private institution?

Mr. STEVENSON. It has this to do with it: That if the New York Life Insurance Co. undertook to put 4,000,000 policyholders on its books in one year, it would have to largely increase its force, would it not?

Mr. GRAHAM of Illinois. I do not know about that.

Mr. RAYBURN. And the gentleman says that this life insurance company could do its business with 7,000 employees.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. GRAHAM of Illinois. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. RAYBURN. And the gentleman says this life insurance company can do the amount of business that the War Risk Insurance Bureau is doing with 7,400 clerks, when the statistics show that that bureau is doing it with 2,400 clerks.

Mr. GRAHAM of Illinois. The only difference between the gentleman from Texas and myself is that he is distinguishing the insurance end of this business from the other divisions of it.

Mr. RAYBURN. What has the New York Life to do with it?

Mr. GRAHAM of Illinois. I am talking not only about the New York Life, but also the New York Mutual and the New York Prudential.

Mr. RAYBURN. All the insurance companies in the United States have not got as much insurance in force as the Bureau of War Risk Insurance has. Has the gentleman counted it up to see how many men the life insurance companies have to transact their business?

Mr. GRAHAM of Illinois. I do not understand the gentleman's question.

Mr. RAYBURN. I say the Bureau of War Risk Insurance has 2,400 clerks, and it has more insurance in force than all the private companies in America. Has the gentleman gone into the question to see how many employees the private insurance companies of the United States have?

Mr. GRAHAM of Illinois. I am giving the gentleman the figures as given to me by the Bureau of War Risk Insurance, of the employees who handle the total business of that bureau.

Mr. RAYBURN. But the gentleman surely does not want to convey the impression that those 14,000 clerks are all in the insurance section of the War Risk Bureau?

Mr. GRAHAM of Illinois. I did not say so.

Mr. RAYBURN. I should hope the gentleman would not want to convey that impression.

Mr. GRAHAM of Illinois. What I have said is that there are 4,000,000 policyholders of the War Risk Insurance Bureau. Now, as a large amount of this work that is being done by the War Risk Insurance Bureau relates to allotments, there is a comparatively small amount of work to be done——

Mr. RAYBURN. By whom?

Mr. GRAHAM of Illinois. By the bureau.

Mr. RAYBURN. By what division of it?

Mr. GRAHAM of Illinois. The bureau itself. What I mean is that the bureau handles its work through these employees, and I do not know how they are divided.

Mr. RAYBURN. It has two or three million allotments which have to be handled each month.

Mr. GRAHAM of Illinois. The gentleman from Texas is taking a good deal of my time, but I want to answer him, if I can.

Mr. RAYBURN. The gentleman does not want to put himself in a false light.

Mr. GRAHAM of Illinois. I am not going to do so, and I do not propose to let the gentleman do it.

Mr. RAYBURN. To my mind the gentleman was creating a false impression, and I am sure he does not intend to do that.

Mr. GRAHAM of Illinois. I do not think so. I have contended that there are these 4,000,000 policyholders of the Government, whose work is being handled by 14,000 employees, and I have said, or tried to say, that the work that is being done as to these various policies is not any greater in the aggregate than is being done, for instance, by the Prudential Life Insurance Co. as to its various types of policyholders, some of whom have annuities, some of whose collections are taken monthly, and the bulk of whose business differs very much from that of a straight insurance company. And I believe that the Prudential Life Insurance Co., or some other company doing a regular life-insurance business, could do this business much more economically and efficiently than it is now being done by our War Risk Insurance Bureau.

Mr. TILSON. I wish to ask the gentleman from Texas if he thinks the amount of insurance in force is a fair measure of comparison, when the War Risk Insurance policies are largely for $10,000 each, a very large amount, as insurance policies go? Practically the same amount of work has to be done on a small industrial policy as on a large policy. On the other hand, has the gentleman taken into consideration the fact that a large number of the employees of the Prudential, for instance, are solicitors for the business of that company, whereas in this Government insurance there is no occasion for soliciting?

Mr. RAYBURN. The gentleman says that these war-risk insurance policies are for $10,000. Let me call the gentleman's attention to the fact that most of the insurance premiums in the United States are paid annually, whereas these war-risk insurance premiums are paid monthly.

Mr. TILSON. Yes; but the war-risk premiums do not have to be collected by solicitors.

Mr. RAYBURN. If you will divide each of these $10,000 policies by 12, it will give a fairer comparison of the relative amount of business.

Mr. EMERSON. The Prudential Insurance Co. collects weekly.

Mr. TILSON. Weekly or monthly——

Mr. RAYBURN. On all of its policies?

Mr. TILSON. Whereas the collections on the war-risk insurance policies are made from the pay rolls of the soldiers.

Mr. RAYBURN. Does the gentleman say that all the premiums of the Prudential Insurance Co. are collected weekly?

Mr. TILSON. Premiums for industrial insurance, which constitutes a very large portion of the total number of policies of the Prudential Insurance Co., are usually collected weekly or monthly.

Mr. GRAHAM of Illinois. Here is what I am trying to get at. I have already called attention to the great disproportion in the number of employees in this governmental bureau, as compared with the number engaged in other insurance work, and the thing I want to suggest to the members of this committee is whether this Congress is willing now to embark upon the insurance business or whether we want to encourage that sort of a proposition. I am entirely willing and glad to have the Government carry the insurance of these soldiers and sailors who come back who can not get insurance elsewhere. I think that is the thing for us to do. I am also glad to embark upon any scheme that will carry their insurance for a reasonable time, until it can be transferred to other agencies that can carry it; but I do not believe it is wise or practicable or good economics for us now to start upon the idea of a Government insurance company.

Mr. EMERSON. If this War Risk Insurance Bureau is abolished, what becomes of the men who have been injured in the war? How will they be taken care of? I want to get the gentleman's idea about that.

Mr. GRAHAM of Illinois. The men who are injured ought to be continued as insurable risks by the Government, because there is no other place for them to get their insurance. We pledged them that before we went to war.

Mr. EMERSON. I think that is right.

Mr. GRAHAM of Illinois. We want to make good our pledge.

The CHAIRMAN. The time of the gentleman has expired. The pro forma amendment is withdrawn. The Clerk will read.

Mr. BYRNS of Tennessee. Mr. Chairman, I want to make this statement in response to the gentleman and in explanation of this appropriation. This appropriation is $1,378,000 less than the estimate submitted and $181,370 less than the amount appropriated for the current year. The gentleman from Illinois [Mr. GRAHAM] has assumed in his remarks that practically all of the employees in the Bureau of War Risk Insurance are engaged in the insurance work. As a matter of fact, only about one-fourth, or less than one-fourth, of the employees at the present time are engaged in the insurance division of the War Risk Insurance Bureau.

Mr. GRAHAM of Illinois. What makes the gentleman think that I assume that?

Mr. BYRNS of Tennessee. That is what I understood the gentleman to say in his comparison of the number of employees here at the War Risk Insurance Bureau with the number of employees in the various insurance companies.

Mr. GRAHAM of Illinois. The gentleman misunderstood me; I did not so state at any time. In fact, I expressly disavowed that. I stated the number of men employed by the War Risk Insurance Bureau, and then I went on to develop the theory that this work they were doing in respect to these millions of policyholders was no greater in amount than was being done by the insurance companies. I did not intend to say, nor do I intend to say, that they are entirely in the insurance work.

Mr. BYRNS of Tennessee. I do not want to misquote the gentleman, but I understood the gentleman to say that by comparison with the insurance company to which he referred this work ought to be done with 7,000 employees here in the insurance division. As a matter of fact only 2,400 are so employed. I want to call the attention of the committee to this fact. Here are 4,000,000 policyholders. Twelve notices have to be sent out each year to each policyholder, one each month, and then the War Risk Bureau here collects the premium 12 times from each policyholder. If the policyholder fails to remit promptly, he is sent a second notice within 60 days, and then if he fails to remit he is sent another notice requiring in this notice that he shall furnish an affidavit as to his physical condition; and if I remember correctly, he is then sent still another notice before he is dropped from the rolls, because the policy does not lapse for six months after default.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. MANN. Does the War Risk Insurance Bureau require these soldiers to personally remit each month?

Mr. BYRNS of Tennessee. That is taken out of the pay of the soldier at the present time.

Mr. MANN. But the gentleman said they had to send a notice each month to each soldier and get the remittance from the soldier.

Mr. BYRNS of Tennessee. I was speaking with reference to the next fiscal year, for this appropriation applies to the next fiscal year, and at that time it is to be hoped that most of these men will have been discharged and will be in the civilian positions.

Mr. MANN. I hope so.

Mr. BYRNS of Tennessee. We all understand that as long as the soldier is in the Army or the Navy his premium is deducted from his pay, unless he has requested otherwise.

Mr. MANN. What use have they for 2,400 or 400 employees to do that?

Mr. BYRNS of Tennessee. I have just stated to the gentleman that these payments come in monthly. There are 4,000,000 of them. They necessarily require a great number of clerks to keep the audit and keep the record of these payments made by these soldiers and sailors.

The fact that they have 2,400 employees now does not mean that they are not going to need more during the next fiscal year, because necessarily that division will have to be increased to a considerable extent for the reasons I have just stated. In addition to that, under the law each soldier has a right to convert his policy whenever he chooses, and it is expected that a great many of these conversions will be requested and will take place during the next fiscal year. Examinations have to be made, investigations have to be made from time to time, and in addition to that there are quite a number of these employees in the War Risk Bureau who are employed in the allotment and allowance section. Of course that is going to be largely decreased, I hope, by July 1, but nevertheless there will be required a considerable number of employees during a portion of the next fiscal year.

Mr. MANN. The gentleman lands himself in this position, as far as this appropriation is concerned. He says that it requires no considerable clerical work to take care of the payments in the insurance part of it now, because that is a deduction from pay, but he says that will be decreased because men are discharged from the Army, and when they are discharged there are no further allotments and allowances to be taken care of. My colleague from Illinois called attention to the fact that you propose to appropriate, and in fact, have a force down there of 14,000 people employed in this department, and that while

the people are in the Army the war-risk insurance, as insurance, amounts to but little, and that after they are out of the Army the allowance and allotment will amount to nothing.

Mr. BYRNS of Tennessee. The gentleman was incorrect in his statement that there will be 14,000 employees, because the War Risk Bureau only estimates for the next fiscal year 9,101 employees, and the committee cut their estimate $1,378,000.

Mr. MANN. How much less is the appropriation next year than it is for the present year.

Mr. BYRNS of Tennessee. $181,370.

Mr. MANN. Less next year than in the current year; and you propose to reduce the clerical force from 14,000 to how many?

Mr. BYRNS of Tennessee. But the gentleman overlooks the fact that while it is $181,370 less than the appropriation for the current year, the Bureau of War Risk Insurance is asking for a deficiency for the remainder of this fiscal year to take care of these employees. They estimate for only 9,101 employees for the next fiscal year. The committee has cut their estimate $1,378,000, which applies not only to employees but to the work of investigation.

Mr. MANN. If the gentleman will pardon me, I do not know how many employees they need or how many they have, but I am in favor of giving them all that they ask for, because I think they are the ones to be held responsible. They are not attending to the insurance business properly; they are not attending to the allowance business properly; and they are not attending to the allotment business properly.

There is not one of these branches where the work is up to date or where any satisfaction can be obtained from the bureau in reference to any individual case.

Mr. BYRNS of Tennessee. I know there has been a great deal of dissatisfaction with the bureau. I certainly hold no brief for the bureau, because I have had a number of cases myself of which I have made serious complaint, but I am satisfied that the present director of the bureau, who comes very highly——

Mr. MANN. Talks good; but does he do anything?

Mr. BYRNS of Tennessee. He has not had an opportunity to show the gentleman and other Members of Congress just what he will do, but those who know him are satisfied that he is going to make good.

Mr. MANN. I received the same letter from him this morning that every Member of Congress did, asking when we had any complaints to make that we address it to him personally. Thereupon I wrote him a letter. I do not expect it would receive any attention at all if I did not make this remark. Now, I expect it will, but the other letters which will not be sent to him—I have scores of them—will not receive the attention of the War Risk Bureau. They are not attending to anything down there and have not been since he has been in, as far as my observation and experience goes.

Mr. BYRNS of Tennessee. He has only been in a week or so.

Mr. FOSTER. He has been in less than 30 days.

Mr. MANN. Thirty days is time to do something with 10,000——

Mr. FOSTER. He is doing something.

Mr. MANN. I will not say he is not, but it is being done for the Democratic side of the House; we have not observed any over here. The gentleman from Texas [Mr. HARDY] gets things done, but I can not get such things done.

Mr. FOSTER. The gentleman complained of Brown to-day, and he is a Republican, not a Democrat.

Mr. BYRNS of Tennessee. The gentleman from Illinois raises the question of what these employees who are now in the insurance division are doing. I want to read this, which will show just what kind of work they are accomplishing.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNS of Tennessee. I ask for two minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BYRNS of Tennessee (reading)—

Up to this time, these employees have been engaged chiefly in the preparation of the records of insurance taken by the four and a quarter million men in the Army and in the Navy who have applied for insurance. Indexes and premium-card records have been prepared and insurance certificates have been issued. While the men have been in the service the premiums, amounting now to about $24,000,000 a month, have been collected by the pay officers of the Army and Navy. With the return of the men to civil life, the collection of the premiums will have to be made by the insurance division, and this will mean mailing a premium notice each month to every man after his discharge if he continues his insurance, and recording the premium if he pays it, as well as sending follow-up notices to all persons who become delinquent in the payment of their premiums. An insurance policy will have to be issued in every case where the insured elects to change from the present term insurance to a standard form of policy. This work of conversion, of course, will not all be done in the fiscal year of 1920, but must be begun during the year and must be finished within five years from the termination of the war. It is safe to assume that for a long time to come there can be no reduction in the number of persons employed in the insurance division. On the other hand, it is probable that, even with the introduction of the best labor-saving devices available, some increase in the force will be necessary.

In making this recommendation for over $10,000,000 the committee was actuated by this purpose and this purpose alone. We wanted to give this Bureau of War Risk Insurance all the money that was necessary to do this work properly, so that it could not be said that they did not have sufficient employees to do the work of that bureau.

Mr. WALSH. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. WALSH. How many buildings is that bureau occupying at the present time?

Mr. BYRNS of Tennessee. They are occupying at the present time 15 buildings, and that has been offered as one of the reasons for the failure to promptly settle all cases.

Mr. WALSH. Does the gentleman expect them to move into the Arlington Building?

Mr. BYRNS of Tennessee. This bill provides that they shall have a place in that building as soon as completed.

Mr. WALSH. How soon will that building be completed?

Mr. BYRNS of Tennessee. The building, I understand, will be completed by February 1, or at least the main building. The annex will be completed some months later.

Mr. WALSH. Will that go a great ways toward relieving this opportunity for criticism?

Mr. BYRNS of Tennessee. Undoubtedly.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMITH of Michigan. I ask that the gentleman's time be extended for a few minutes—two minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SMITH of Michigan. Will the gentleman please explain how long the Government will carry these policies of $10,000 that are now held by soldiers after they are discharged?

Mr. BYRNS of Tennessee. The soldiers may convert their policies at any time for five years after their discharge.

Mr. RAYBURN. They are carried as long as the man lives.

Mr. SMITH of Michigan. What are they going to be converted into that requires the consent of some insurance company?

Mr. GARRETT of Tennessee. Oh, no. In the document room the gentleman can find a copy of the law. It does not require that they be converted with the consent of an insurance company. The Government carries the insurance under the law that was passed as long as the man lives.

Mr. SMITH of Michigan. That is what I wanted to find out—if they had that right. What is the rate? Is there an increase of the rate, or is it at the same rate?

Mr. GARRETT of Tennessee. The mortality tables—3½ per cent—with which the gentleman is perfectly familiar.

Mr. FESS. I would like to have the attention of the chairman of the committee for just a moment or two. These three divisions in the War Risk Insurance Bureau—compensation, allowance, and insurance—will not be perpetual, of course. The allotment and allowance divisions will stop as soon as the close of the war is officially announced.

Mr. BYRNS of Tennessee. As soon as the soldiers are discharged.

Mr. FESS. The compensation division might be taken care of by the Pension Department if Congress saw proper to transfer it. That would leave the insurance division a permanent bureau. My question, and it is in the best of faith, is: In the opinion of the chairman, what will be the number of men and women to take care of the insurance feature alone? Has the gentleman any figures on that at all?

Mr. BYRNS of Tennessee. I have not; and those appearing for the bureau at the hearings could not state definitely. All they could say was that it was going to require quite an increase over the present number of employees, growing out of the necessity of sending these notices and follow-up notices to which I have referred.

Mr. FESS. It will be an increase rather than a decrease?

Mr. BYRNS of Tennessee. It will be increased considerably.

Mr. FESS. As the gentleman knows, it is so difficult to detach anyone from the Government service that there will be all sorts of arguments that this person or that person should be retained, and it seems to me that is a fact we ought to consider pretty minutely.

Mr. BYRNS of Tennessee. I did not mean that the gentleman should understand me as saying that there would not subsequently be a decrease, but I was referring to the fiscal year 1920. There will be a considerable increase of employees required during that year, and perhaps the next year, until these policies are

all converted. After that, in all probability, the force can be reduced to a considerable extent.

Mr. FESS. My correspondence, as I am sure the gentleman's does, pertains much as to the allowance features. Mr. Lindsley frankly said before the Rules Committee that the War Risk Insurance Bureau had not very well functioned, admitted there was a lot of irregularity, and promised the committee there would be a reorganization, with the assurance that there would be better results. That is one reason why the committee felt that the new director should have plenty of time to indicate what reforms could be worked.

Mr. BYRNS of Tennessee. Will the gentleman yield for a statement right there that has not been made on the floor, and which I think should be made in justice to the former heads of the bureau? It was stated to the committee that the work in the allotment and allowance section, the sending out of the checks, was greatly delayed during the "flu" epidemic here in the city of Washington. A great percentage of the employees were away from the bureau for a considerable number of days. Then, in addition to that, they installed some addressograph machines in the bureau for addressing these checks, and the plates were defective; and owing to the great difficulty in securing material and getting competent expert men to do that work they were unable to supply those plates for a considerable length of time. Those things militated considerably against the prompt handling of the checks for allotments and allowances. The gentleman no doubt received a number of letters, as I did and as all Members of the House did, complaining that checks were two or three months behind during the fall. And that was the explanation given for this delay.

Mr. FESS. There was an immense amount of confusion in that section, as the gentleman knows. Checks were sent out that would be irregular and would have to be returned. And that would indicate there is quite a large force in the allotment and allowance section, and when that discontinues there ought to be a great reduction in the number of employees in this bureau.

Mr. BYRNS of Tennessee. That is all contemplated, and they will be considerably reduced during the next fiscal year. But those employees will be taken up in the increase necessary in the compensation division and insurance division.

Mr. FESS. So that with the discontinuance of the second section, we will not reduce the number of employees in the bureau materially?

Mr. BYRNS of Tennessee. Oh, yes; because there are now about 13,000 employees in these three different classes in the bureau. The estimates submitted only contemplated a little over 9,000 employees for the next fiscal year.

Mr. FESS. That would indicate that about 5,000 are taken out of this second section?

Mr. BYRNS of Tennessee. Not particularly that section, but it indicated that they were going to drop or expected to drop during the next fiscal year at least 4,000 employees.

Mr. FESS. I think the committee has quite a task on its hands in reducing the number of employees. I was lately talking with a man that had 300 men under him, and he said that he could get along with 30. I think such an error as that ought to be corrected, and I think if it was brought to the attention of the committee it would be corrected. The reason I have risen is not to attack the number but to indicate the difficulty of detaching from the roll any person when once put upon the roll. It seems to me we have got to use the knife somewhere.

Mr. BYRNS of Tennessee. I am frank to say that there is necessarily a great deal of uncertainty as to how many employees will be needed during the next fiscal year. Now, we did not have the advantage and opportunity of hearing the new director, because these hearings were held before he was appointed. But we felt we ought to be certain to allow a sufficient number so that there could not be any complaint during the next fiscal year concerning delays.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRAHAM of Illinois. Mr. Chairman, I ask that the gentleman have two minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Ohio have two minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. GRAHAM of Illinois. I notice the gentleman says 13,000 employees. Does not he agree with me that the number now is approximately 14,500, or does the gentleman have any accurate information as to the situation to-day?

Mr. BYRNS of Tennessee. Yes.

Mr. GRAHAM of Illinois. The director of the bureau, if the gentleman will yield further, gave me these figures this morning, giving 14,403 employees in the contract piece roll and the permanent and temporary rolls. Does the gentleman think that during the next fiscal year these employees that are engaged there will be increased or decreased?

Mr. BYRNS of Tennessee. They will be greatly decreased; necessarily so. As the Army demobilizes these employees will be decreased in number.

Now, the gentleman asked me as to the number of employees. Mr. Brown was asked—

Mr. Brown, how many employees are in the bureau at this time?

He replied:

We have approximately 13,000, including the permanent, temporary, and contract employees.

That is where I get my information.

Mr. GRAHAM of Illinois. The statement I have given was given me this morning. It was given by the telephone, but the person who gave it purported to be the director of the bureau, and I presume he was. He gave me those figures exactly as I have given them here.

Mr. BYRNS of Tennessee. This statement I have quoted was made on December 13.

Mr. SWITZER. Mr. Chairman, I want to disagree with this notion that the number of employees in this establishment will be decreased next year or the year following. Sight is lost of the fact that very few of the men who have gone into this war, the 4,000,000, have yet made application for pension. In the war-risk insurance law it is called "compensation." While you may get reduction of the allotment and allowance features, here comes the pension feature of the war-risk insurance act under title 3. Most of the soldiers will then be out of service, and it will not be easy then to collect these premiums, as it is now, by deducting from the pay of the soldiers. They will have to be notified. They can not be dropped out abruptly, and it will require more time in the collection of premiums and in the conversion of this great amount of life insurance into other forms and policies under the law, as contemplated.

So in my opinion it will be a long time, just as it has been in the Pension Bureau a number of years, before this force can be reduced; that is, if the force now employed is working efficiently. Necessarily for a number of years the force will have to be increased in the War Insurance Bureau rather than decreased.

I am one of the Members of Congress who opposed at the time of the passage of this law the taking away from the Pension Bureau of the business that properly belonged to that bureau and placing it in the War Risk Insurance Bureau. It seems to me that subsequent events have justified the wisdom of the contention of those who were opposed to ignoring the two pension committees of this House, when merely because the Secretary of the Treasury, who was then seeking work and seemed to be wanting other jobs, inasmuch as appointments did not come fast enough, issued a command to the Committee on Interstate and Foreign Commerce to reach into the Department of the Interior and take away from that department work that properly belonged to the Bureau of Pensions and placed it under the War Risk Insurance Bureau. The Secretary of the Treasury, through the Committee on Interstate and Foreign Commerce, reached into the War and Navy Departments and took away work that properly belonged to those departments and put it into the War Risk Insurance Bureau and concentrated all of this work under one head. I take it that the Secretary of the Treasury thought it would be popular then to be the head of this great bureau which was being created, but it seems since all this trouble has developed that he has taken a sudden notion to resign and go West.

Now, gentlemen, I refer you to the bill that has been introduced here by a Representative from Illinois, Mr. FULLER, who in a speech made last Saturday stated what I have no doubt is true, that all of the work that is being done and that will be done in the War Risk Insurance Bureau by reason of the passage of title 3 of the war-risk insurance act, the pension part of it, could all be done in the Pension Bureau practically by the force that is now employed there. If that is true, why not take away from the War Risk Insurance Bureau this work that should not have been given to it and transfer it to the Pension Bureau? Will it not save a great deal of money?

Mr. RAYBURN. How do you know that?

Mr. SWITZER. Here is a bureau whose machinery has been built up during the past 55 years.

Mr. RAYBURN. How do you know it would save money?

Mr. SWITZER. I have the statement of the gentleman from Illinois [Mr. FULLER], who is on the Committee on Invalid Pensions. You can read his speech. I have no doubt the Pension Bureau could take care of all the pension work that is being done to-day in the War Risk Insurance Bureau if that work were placed in the Pension Bureau.

Mr. RAYBURN. Oh, the Pension Office has been behind ever since I have been in Congress with the little work it has to do.

Mr. BYRNS of Tennessee. Does not the gentleman know that the Pension Bureau has been complaining to the Committee on Appropriations of the very fact that there was inserted in the bill a couple of years ago a provision preventing them from increasing their force and complaining that with their present force they have been unable to do their work?

Mr. SWITZER. Of course, there is no bureau that wants to drop any of its force. I understand that.

It has been stated here in this debate that we have been exceedingly liberal to the soldiers in the way of pensions. The great trouble in this Congress, I think, has been that we have stressed too much the importance of the insurance feature. I find that scarcely half of the soldiers, even after they get home from their service, know that they are entitled to a pension if they have been crippled or have received an injury.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. SWITZER. Mr. Chairman, I would like to have just two or three minutes longer.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. SWITZER. For some reason or other the matter of insurance has been impressed upon the minds of the soldiers, but nothing has been said to them about their right to have a pension if they become crippled or diseased.

Mr. RAYBURN. Let me ask the gentleman a question.

Mr. SWITZER. Very well.

Mr. RAYBURN. Neither the soldier nor any of his people has any claim on this compensation unless he is crippled. They have no interest it it unless he is hurt.

Mr. SWITZER. What I want to impress upon the members of this committee is that at this time, on account of this propaganda emphasizing the war-insurance feature, which has overshadowed everything else, neither the soldiers nor their families are aware of the fact that they are entitled to a pension. Their families seem to know nothing about it until long after they have received notice of the soldier's death. Now, it has been stated that we have been more liberal than any other Congress, I do not understand that we have been more liberal for these crippled and maimed soldiers. I believe there was an amendment made to the law offered by me giving a soldier who lost both hands, both feet, or both eyes $100 a month, the same as they received under the pension law that has been on the books for at least a decade. Now, as I understand it, for a total disability, under this law only $30 can be paid. What is the rating of the War Risk Insurance Bureau on a man who has lost an arm or a hand or a leg? Can the gentleman tell me? It could not be over $30 a month. And yet when the first million men enlisted or were drafted the law was this: For the loss of one hand or one foot, or being totally disabled in the same, the rate was $40 per month; for the loss of an arm at or below the elbow or a leg at or above the knee, or being totally disabled in the same the rate was $46 per month; for the loss of an arm at the shoulder joint or a leg at the hip joint, or so near the shoulder or hip joint, or where the same is in such a condition as to warrant the use of an artificial limb, the rate was $55 per month; for the loss of one hand and one foot, or being totally disabled in the same, the rate was $60 per month.

Now, in the pension law, at the time the first million men were enlisted or drafted, this was the rate of compensation to be paid for those specified losses. Yet, day by day we hear statements here that we have been more liberal to the maimed and disabled soldiers than past Congresses or other countries, and so forth.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

Auditing accounts of the Army in France: For salaries of employees in the offices of the Comptroller of the Treasury and Auditor for the War Department to audit accounts arising in connection with the Military Establishment abroad, including traveling expenses, per diem not exceeding $4 in lieu of subsistence for officers and employees absent from Washington, rent abroad, cablegrams and telegrams, printing, stationery, office equipment and exchange thereof, supplies, and all other necessary expenses, $375,000, of which not exceeding $75,000 may be expended in closing up during the fiscal year 1920 the work abroad now performed pursuant to the authority for auditing accounts abroad contained in section 12 of the act of September 24, 1917.

Mr. GRAHAM of Illinois. Mr. Chairman, I move to strike out the last word. I want to ask the chairman of the committee a question about this item at the bottom of page 44, for the offices of the Comptroller of the Treasury: How many auditors are there in France under this section? When I was going across to the other side this fall there were 14 auditors on the ship that I sailed on, who said they were engaged in this kind of work, and I would like to know how many men there are doing this sort of work over there.

Mr. BYRNS of Tennessee. About 175 in Paris now, I understand.

Mr. GRAHAM of Illinois. One hundred and seventy-five?

Mr. BYRNS of Tennessee. Yes.

Mr. GRAHAM of Illinois. These men are engaged in checking the vouchers that pass between the Treasury and the War Department?

Mr. BYRNS of Tennessee. They are there for the purpose of auditing the accounts of the War Department for supplies and other expenditures made in France.

Mr. GRAHAM of Illinois. Does the gentleman know about what their average salary is?

Mr. BYRNS of Tennessee. Yes; I do. Their salaries are placed at different amounts. Under the Comptroller of the Treasury there is an assistant comptroller, at $4,500; one chief clerk, at $300 per month; one expert accountant, at $250 per month; two expert accountants, at $200 per month each; one clerk, at $160 per month; one clerk, at $140 per month; two clerks, at $110 per month.

Then, there are 165 persons employed in the office of the Assistant Auditor for the War Department at Paris, at follows: One assistant auditor, $4,000; 1 chief clerk, at $250 per month; 1 expert accountant, at $250 per month; 1 clerk, at $200 per month; 1 clerk, at $160 per month; 9 clerks, at $150 per month; 20 clerks, at $135 per month; 78 clerks, at $125 per month; 25 clerks, at $110 per month; and 28 clerks, at $100 per month.

The CHAIRMAN. The clerk will read:

The Clerk read as follows:

OFFICE OF AUDITOR FOR NAVY DEPARTMENT: Auditor, $4,000; chief clerk and chief of division, $2,250; law clerk, $2,000; 2 chiefs of division, at $2,000 each; 2 assistant chiefs of division, at $2,000 each; clerks—27 of class 4, 45 of class 3, 45 of class 2, 65 of class 1, 35 at $1,000 each, 7 at $900 each; helper, $900; messenger; 2 assistant messengers; 3 laborers; messenger boy, $480; in all, $324,790.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. What is the desire of the chairman of the committee having the bill in charge as to running this evening?

Mr. BYRNS of Tennessee. The gentleman knows that we were disappointed about not being able to meet at 11 o'clock this morning, and, as we have not made much headway, I had hoped we might be able to run at least until 7 o'clock.

Mr. STAFFORD. Would it be agreeable to the gentleman to move to rise at 6.30, with the understanding that we will try to have an agreement that we may meet at 11 o'clock to-morrow morning?

Mr. BYRNS of Tennessee. Yes; if I can not do any better than that.

Mr. STAFFORD. I am informed that the gentleman stated that he would do even better than that under compulsion.

Mr. BYRNS of Tennessee. No; I will accept the suggestion of the gentleman from Wisconsin.

The Clerk read as follows:

Office of the Treasurer: Treasurer, $8,000; Assistant Treasurer, $3,000; Deputy Assistant Treasurer, $3,200; cashier, $3,600; assistant cashier, $3,000; chief clerk, $2,500; chiefs of divisions—2 at $3,000 each, 3 at $2,500 each; 3 assistant chiefs of divisions, at $2,250 each; vault clerk, $2,500; principal bookkeeper, $2,500; 2 tellers, at $2,500 each; assistant tellers—2 at $2,250 each, 3 at $2,000 each; 5 section chiefs, at $2,000 each; assistant bookkeepers—2 at $2,100 each, 2 at $2,000 each; interest teller, $2,000; vault clerk, bond division, $2,000; clerk for Treasurer, $1,800; coin clerk, $1,400; clerks—25 of class 4, 28 of class 3, 8 at $1,500 each, 32 of class 2, 8 at $1,300 each, 115 of class 1, 85 at $1,000 each, 45 at $900 each; expert counters—40 at $1,200 each, 10 at $1,100 each, 44 at $1,000 each, 90 at $900 each, 12 at $800 each, 26 at $720 each; 2 compositors and pressmen, at $1,600 each; addressograph operator, $1,400; 2 skilled laborers, at $1,200 each; silver piler, $1,000 and $200 additional while the office is held by the present incumbent; 14 messengers; 8 assistant messengers; 23 laborers; messenger boys—8 at $600 each, 14 at $480 each, 8 at $360 each; in all, $778,170.

Mr. GRAHAM of Illinois. Mr. Chairman, I move to strike out the last word. I want to ask about the language in line 22—"and $200 additional while the office is held by the present incumbent."

I assume there is some reason for that, and I would like to know what it is.

Mr. BYRNS of Tennessee. There is a reason for it. That is on account of the very great efficiency of a silver piler who has been employed in the Treasurer's office, for many, many years. It has been stated to the committee that he is a Swede, a man of very powerful build, who has worked very faithfully and efficiently for a number of years in that office.

Mr. GRAHAM of Illinois. This has been customary heretofore?

Mr. BYRNS of Tennessee. It has been carried for the last two or three years.

The Clerk read as follows:

Office of Commissioner of Internal Revenue: Commissioner, $6,500; deputy commissioners—2 at $4,000 each, 1 $3,600; chemists—chief $3,000, 1 $2,500; assistant chemists—2 at $1,800 each, 1 $1,600, 1 $1,400; heads of divisions—1 $3,500, 5 at $2,500 each, 5 at $2,250 each; 3 assistant heads of divisions, at $2,000 each; attorney, $3,000; law clerk $2,000; insurance expert, $2,000; railroad expert, $2,000; superintendent of stamp vault, $2,000; private secretary, $1,800; clerks—4 at $2,000 each, 52 of class 4, 60 of class 3, 98 of class 2, 83 of class 1, 76 at $1,000 each, 73 at $900 each; 11 messengers; 21 assistant messengers; 16 laborers; in all, $687,870.

Mr. SLOAN. Mr. Chairman, the reading of this paragraph suggests to me that this office will be, probably during the next fiscal year, somewhat modified perhaps by that which has occurred to-day. Nebraska, of which I represent one district, is the thirty-sixth State to ratify the amendment to the Constitution of the United States known as the prohibition amendment. Nebraska was the thirty-seventh State to enter this Union. Modest as it has always been, it did not desire to be the first to ratify it, but when it came to carrying any procedure of this kind over the top I am pleased to say that Nebraska did the turn.

Mr. GALLAGHER. What are they going to do with their corn out there?

Mr. SLOAN. Oh, Chicago men, I understand, have cultivated a great taste for johnnycakes, even above that for potatoes.

Mr. GALLAGHER. I think it will take a long time before johnnycake will satisfy them.

The Clerk read as follows:

Contingent expenses: For stationery, including tags, labels, and index cards printed in course of manufacture, for the Treasury Department and its several bureaus and offices, $90,000, and in addition thereto sums amounting to $216,400 shall be deducted from other appropriations made for the fiscal year 1920, as follows: Contingent expenses, Treasury Department, $5,000; contingent expenses, mint at Philadelphia, $700; contingent expenses, mint at San Francisco, $300; contingent expenses, mint at Denver, $300; contingent expenses, assay office at New York, $700; materials and miscellaneous expenses, Bureau of Engraving and Printing, $11,000; suppressing counterfeiting and other crimes, $700; Public Health Service, $3,500; Quarantine Service, $1,000; preventing the spread of epidemic diseases, $500; expenses of Coast Guard, $5,000; general expenses of public buildings, $6,000; collecting the revenue from customs, $66,700; collecting war revenue, $115,000; and said sums so deducted shall be credited to and constitute, together with the first-named sum of $90,000, the total appropriation for stationery for the Treasury Department and its several bureaus and offices, with the exception of field officers located in foreign countries, for the fiscal year 1920.

Mr. FESS. Mr. Chairman, I move to strike out the last word for the purpose of making an inquiry. In line 15, page 55, I find the following language: "General expenses of public buildings, $6,000." What is the reason for that item?

Mr. BYRNS of Tennessee. That is a transfer of an appropriation so that the stationery can be purchased through the bureau of printing and stationery in the Treasury Department. In other words, this paragraph here represents transfers from the various funds belonging to different Government activities in the department. The transfer is made in order that these purchases may be made through one central agency, the division of stationery and printing.

Mr. FESS. What I had in mind was whether there is not some overlapping here between one committee and another. There are so many items that it seems should not appear in this bill.

Mr. BYRNS of Tennessee. This is a transfer from the appropriation that is made in the sundry civil appropriation bill for public buildings. This does not carry any additional appropriation, but simply transfers this amount of money, $6,000, from the appropriation carried in the sundry civil appropriation bill, so that the supplies necessary may be purchased through this central agency.

Mr. FESS. There is no duplication?

Mr. BYRNS of Tennessee. None whatever.

The Clerk read as follows:

For operating expenses of the Treasury Department Annex, including fuel, electric current, ice, ash removal, repairs, and miscellaneous items, $15,000.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. Is this item for operating expenses of the Treasury Department Annex, for the new building in course of construction on Pennsylvania Avenue next to the Belasco Theater?

Mr. BYRNS of Tennessee. Yes.

Mr. WALSH. How did they compute the amount required for operating expenses on a building at this stage of its completion?

Mr. BYRNS of Tennessee. They take into consideration the number of square feet in the building, the number of rooms, and they figure on the amount of coal and electric current that will be necessary for the entire fiscal year, basing their estimates upon what is being consumed and has been consumed in buildings of similar size.

Mr. WALSH. Are there any additional employees provided for to go into that building?

Mr. BYRNS of Tennessee. Yes; but they are in a previous paragraph of the bill. This does not relate to any employees.

Mr. WALSH. Does the gentleman know when that building is to be completed?

Mr. BYRNS of Tennessee. I can not say to the gentleman definitely.

Mr. STAFFORD. If the gentleman will permit, it is stated by the supervising architect——

Mr. WALSH. We have not any supervising architect.

Mr. STAFFORD. Or the gentleman acting in that capacity, that they expected to have the building ready for completion about April or May 1 of this year. It is all under roof.

Mr. BYRNS of Tennessee. Certainly prior to the beginning of the next fiscal year.

Mr. WALSH. What department of the Treasury is to be in that building?

Mr. BYRNS of Tennessee. That has not been determined, so far as I have understood. I think it was originally intended that the Internal Revenue Service would go into that building. Whether that bureau will be actually placed in that building I do not know. I have heard different stories as to what bureaus are going in there.

Mr. WALSH. Would it not make a difference in the operating expenses of the building what department would go in there?

Mr. BYRNS of Tennessee. I think it would not, because they will all require the same amount of heat and the same amount of electricity and the same amount of ice.

Mr. WALSH. And this is based upon the entire year, so that it is expected that in the future they will be able to operate that annex building for $15,000 annually?

Mr. BYRNS of Tennessee. Their estimate was somewhat larger than this. I am reminded by the clerk that it was about $19,000, and the committee reduced it to $15,000, thinking that would be enough.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

For purchase of cards and tabulating equipment for use in auditing accounts and vouchers of the Postal Service, including exchange and repairs, $219,000, to be expended under the direction of the Auditor for the Post Office Department under rules and regulations to be prescribed by the Secretary of the Treasury: *Provided*, That not exceeding $39,400 may be expended for the rental of tabulating and card-sorting machines.

Mr. BYRNS of Tennessee. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. ALEXANDER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill H. R. 14078 had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, Mr. LITTLEPAGE was granted leave of absence for one week on account of illness in the family.

HOUR OF MEETING TO-MORROW.

Mr. BYRNS of Tennessee. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS.

Mr. SLOAN. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. SLOAN. For leave to revise and extend the speeches I made to-day.

The SPEAKER. The gentleman asks unanimous consent to revise and extend his speeches made to-day. Is there objection? [After a pause.] The Chair hears none.

ADJOURNMENT.

Mr. BYRNS of Tennessee. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 31 minutes p. m.) the House adjourned until to-morrow, Friday, January 17, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, requesting that funds be provided for the construction of the additional buildings for laboratory purposes and research work, etc., in connection with the Hygienic Laboratory, Public Health Service, Washington, D. C. (H. Doc. No. 1692); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Acting Secretary of Commerce, transmitting report of an accumulation of documents and files of papers which are not needed or useful in the transaction of the current business of the department and have no permanent value or historical interest, as shown by the statement transmitted herewith (H. Doc. No. 1693); to the Committee on the Disposition of Useless Executive Papers and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of Labor submitting a supplemental estimate of appropriation required for public printing and binding for the Department of Labor, fiscal year 1919 (H. Doc. No. 1694); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. JOHNSON of Kentucky, from the Committee on the District of Columbia, to which was referred the bill (H. R. 10979) to provide for the redistribution of general taxes and special assessments due and payable on real estate in the District of Columbia, in cases of subdivision or sales of land therein, reported the same without amendment, accompanied by a report (No. 937), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Miss RANKIN, from the Committee on the Public Lands, to which was referred the bill (H. R. 13350) to add certain lands to the Yellowstone National Park, reported the same without amendment, accompanied by a report (No. 938), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII:

Mr. JOHNSON of Kentucky, from the Committee on the District of Columbia, to which was referred the bill (H. R. 13646) providing for the disinterment and removal of the remains of the infant child, Norman Lee Molzahn, from the temporary burial site in the District of Columbia to a permanent burial place, reported the same with amendment, accompanied by a report (No. 936), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 6442) granting a pension to Martha A. Curtis; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 11111) granting a pension to Annie Elizabeth Clark; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 14532) to establish load lines for certain vessels; to the Committee on the Merchant Marine and Fisheries.

By Mr. TAGUE: A bill (H. R. 14533) to donate captured cannons to the city of Boston, in the Commonwealth of Massachusetts, for loan to the Bunker Hill Monument Association; to the Committee on Military Affairs.

By Mr. WHITE of Maine: A bill (H. R. 14534) authorizing the Secretary of War to donate to the town of Dixfield, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. McKINLEY: A bill (H. R. 14535) authorizing the Secretary of War to donate to the city of Pesotum, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ADOLPHUS P. NELSON: A bill (H. R. 14536) authorizing the Secretary of War to donate to the village of Eagle River, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14537) authorizing the Secretary of War to donate to the city of Medford, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14538) authorizing the Secretary of War to donate to the city of Hayward, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14539) authorizing the Secretary of War to donate to the city of Hurley, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HICKS: A bill (H. R. 14540) authorizing the Secretary of the Navy to transfer to the active list of the Navy certain reserve officers; to the Committee on Naval Affairs.

By Mr. CRISP: A bill (H. R. 14541) authorizing the Secretary of War to donate to the city of Ashburn, Ga., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KENNEDY of Rhode Island: A bill (H. R. 14542) authorizing the Secretary of War to donate to the town of Gloucester, R. I., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14543) authorizing the Secretary of War to donate to the town of Smithfield, R. I., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14544) authorizing the Secretary of War to donate to the town of Burrillville, R. I., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14545) authorizing the Secretary of War to donate to the town of North Smithfield, R. I., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14546) authorizing the Secretary of War to donate to the town of Lincoln, R. I., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14547) authorizing the Secretary of War to donate to the town of Cumberland, R. I., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14548) authorizing the Secretary of War to donate to the city of Pawtucket, R. I., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14549) authorizing the Secretary of War to donate to the city of Woonsocket, R. I., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14550) authorizing the Secretary of War to donate to the city of Central Falls, R. I., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TREADWAY: A bill (H. R. 14551) authorizing the Secretary of War to donate to the town of Huntington, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14552) authorizing the Secretary of War to donate to the town of Great Barrington, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14553) authorizing the Secretary of War to donate to the town of Lenox, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14554) authorizing the Secretary of War to donate to the town of Shelburne Falls, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CANDLER of Mississippi: A bill (H. R. 14555) granting the consent of Congress to the board of supervisors of Itawamba County, Miss., to construct a bridge across the Tombigbee River at Barrs Ferry, in said county; to the Committee on Interstate and Foreign Commerce.

By Mr. SANFORD: A bill (H. R. 14556) requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

By Mr. ESCH: A bill (H. R. 14557) authorizing the Secretary of War to donate to the village of Lone Rock, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HENRY T. RAINEY: A bill (H. R. 14558) authorizing the Secretary of War to donate to the town of Franklin, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MOTT: A bill (H. R. 14559) authorizing the Secretary of War to donate to the village of Carthage, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DENT (by request): A bill (H. R. 14560) to reorganize and increase the efficiency of the Regular Army; to the Committee on Military Affairs.

By Mr. ROGERS: A bill (H. R. 14561) to amend an act entitled "An act for the improvement of the foreign service" so as to provide a system of promotion of efficient secretaries in the Diplomatic Service to vacancies arising in the rank of minister; to the Committee on Foreign Affairs.

By Mr. WINSLOW: A bill (H. R. 14562) authorizing the Secretary of War to donate to the town of Douglas, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14563) authorizing the Secretary of War to donate to the town of Auburn, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14564) authorizing the Secretary of War to donate to the town of Upton, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14565) authorizing the Secretary of War to donate to the town of Sutton, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14566) authorizing the Secretary of War to donate to the town of Grafton, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14567) authorizing the Secretary of War to donate to the town of Hopedale, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14568) authorizing the Secretary of War to donate to the town of Mendon, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14569) authorizing the Secretary of War to donate to the town of Millbury, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14570) authorizing the Secretary of War to donate to the town of Millville, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14571) authorizing the Secretary of War to donate to the town of Shrewsbury, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HERSEY: A bill (H. R. 14572) authorizing the Secretary of War to donate to the town of Caribou, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. OVERMEYER: A bill (H. R. 14573) to authorize the exchange of the present Federal-building site at Fremont, Ohio, for a new site, etc.; to the Committee on Public Buildings and Grounds.

By Mr. O'SHAUNESSY: A bill (H. R. 14574) providing for reinstatement for soldiers, sailors, and marines to their former Government positions; to the Committee on Reform in the Civil Service.

By Mr. PRATT: A bill (H. R. 14575) to provide for the erection of a public building in the city of Bath, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. FERRIS: A bill (H. R. 14576) authorizing the Secretary of War to donate to the town of Chickasha, county of Grady, State of Oklahoma, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BURNETT: A bill (H. R. 14577) to expel and exclude from the United States certain undesirable aliens; to the Committee on Immigration and Naturalization.

By Mr. JONES: A bill (H. R. 14578) authorizing the Secretary of War to donate certain designated towns each one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DALE: A bill (H. R. 14579) donating two captured German cannons or field guns and carriages to the town of Brattleboro, Vt., for ornamental purposes; to the Committee on Military Affairs.

By Mr. HARRISON of Mississippi: A resolution (H. Res. 504) to make in order, in the consideration of the Diplomatic and Consular appropriation bill, provisions for embassies and consular buildings; to the Committee on Rules.

By Mr. CAMPBELL of Kansas: A resolution (H. Res. 505) proposing an investigation of casualties in the Thirty-fifth Division in the battle of the Argonne Forest; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CRAMTON: A bill (H. R. 14580) granting an increase of pension to George B. Crain; to the Committee on Invalid Pensions.

By Mr. CURRIE of Michigan: A bill (H. R. 14581) granting a pension to Margaret Donahue; to the Committee on Invalid Pensions.

By Mr. EMERSON: A bill (H. R. 14582) granting a pension to Esther F. Fiken; to the Committee on Invalid Pensions.

By Mr. SWITZER: A bill (H. R. 14583) granting a pension to David R. Evans; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Colorado: A bill (H. R. 14584) for the relief of the widow of Joseph C. Akin; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Petition of Parker Motor Truck Co., Milwaukee, Wis., advising an increase in zone rates on advertising; to the Committee on Ways and Means.

Also, petition of the Stowell Co., founders and manufacturers, asking for quick passage of Deut bill for validation of informal contracts; to the Committee on Labor.

Also, petition of employees of the Western Union Telegraph Co., protesting against the wage schedule adopted by Postmaster General Burleson; to the Committee on Labor.

Also, petition of Leroy D. Samuels, United States Weather Bureau, relating to the proposed increase in salary of Federal employees; to the Committee on Labor.

Also, petition of Ladies Catholic Benevolent Association, favoring the Baker bill granting recognition for nurses; to the Committee on Military Affairs.

By Mr. ESCH: Petition of Government employees at Milwaukee, Wis., requesting the passage of the salary increase provision of the legislative, executive, and judicial appropriation bill; to the Committee on Appropriations.

Also, resolutions adopted by 900 delegates in convention assembled at Baltimore, Md., recommending a league of nations; to the Committee on Foreign Affairs.

By Mr. HAMILTON of Michigan: Petition of Woman's Temperance Union of Allegan, Mich., asking support to ratify the national constitutional prohibition amendment; to the Committee on the Judiciary.

By Mr. SNOOK: Resolutions adopted by the committee from shops of Wabash Railroad and members of American Federation of Railroad Workers in Decatur, Ill., favoring continuance of Government control of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. SNYDER: Petition of pastor and members of the Methodist Episcopal Church of Oriskany Falls, N. Y., to prevent the emigration of brewers in the United States to China for the purpose of brewing in that country; to the Committee on Foreign Affairs.

By Mr. WINSLOW: Petition of mass meeting of citizens at Worcester, Mass., asking Congress to enforce the provisions of Federal Constitution in respect to invasion of Russia; to the Committee on Foreign Affairs.

Also, resolutions of Lithuanian residents of Worcester and Commonwealth of Massachusetts, relating to the persecution of people of Lithuania; to the Committee on Foreign Affairs.

SENATE.

FRIDAY, *January 17, 1919.*

(Legislative day of Tuesday, January 14, 1919.)

The Senate met at 12 o'clock noon, on the expiration of the recess.

Mr. SHEPPARD. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from Texas suggests the absence of a quorum, and the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Jones, Wash.	New	Smith, Ga.
Bankhead	Kellogg	Norris	Smith, S. C.
Beckham	Kendrick	Nugent	Smoot
Borah	Kenyon	Overman	Spencer
Culberson	King	Page	Sutherland
Curtis	Kirby	Penrose	Swanson
Fernald	Knox	Phelan	Thomas
Gay	Lewis	Pittman	Trammell
Gerry	Lodge	Poindexter	Underwood
Gronna	McCumber	Pollock	Vardaman
Harding	McKellar	Pomerene	Walsh
Henderson	McLean	Reed	Watson
Hollis	Martin, Va.	Sanisbury	Weeks
Johnson, S. Dak.	Moses	Sheppard	Williams
Jones, N. Mex.	Myers	Smith, Ariz.	Wolcott

Mr. McKELLAR. I wish to announce the absence of the senior Senator from Tennessee [Mr. SHIELDS] on account of illness. I will let this announcement stand for the day.

Mr. SUTHERLAND. My colleague, the senior Senator from West Virginia [Mr. GOFF], is absent on account of illness.

Mr. CURTIS. I desire to announce the absence of the Senator from Illinois [Mr. SHERMAN] on account of illness and the absence of the Senator from South Dakota [Mr. STERLING] on account of a death in his family.

Mr. KIRBY. I desire to announce that the Senator from Arkansas [Mr. ROBINSON] is detained on account of illness.

Mr. LEWIS. I wish to announce that the senior Senator from Oregon [Mr. CHAMBERLAIN], the Senator from Florida [Mr. FLETCHER], the Senator from Kentucky [Mr. MARTIN], and the Senator from Louisiana [Mr. RANSDELL] are detained on official business.

Mr. FERNALD. I desire to announce that the Senator from North Carolina [Mr. SIMMONS], the Senator from Wisconsin [Mr. LENROOT], and the Senator from New York [Mr. CALDER] are necessarily absent in committee.

The PRESIDENT pro tempore. Sixty Senators have answered to their names. There is a quorum present.

FOOD SUPPLIES FOR EUROPE.

Mr. MARTIN of Virginia. I ask the Senator from Texas to yield to me a moment that I may submit a report from the Committee on Appropriations.

Mr. SHEPPARD. Certainly.

Mr. MARTIN of Virginia. I report back favorably with amendments from the Committee on Appropriations the bill (H. R. 13708) providing for the relief of such populations in Europe and countries contiguous thereto outside of Germany as may be determined upon by the President as necessary. I wish to give notice in making this report that I have directed the clerk to place upon the desks of Senators copies of the hearings, and that immediately following the completion of the routine morning business to-morrow I shall ask the Senate to proceed to the consideration of the bill.

Mr. BORAH. May I ask what disposition is to be made of the bill? I could not hear the statement of the Senator from Virginia.

Mr. MARTIN of Virginia. I shall ask the Senate to-morrow at the completion of the routine morning business to proceed to the consideration of the bill.

Mr. KENYON. There was the right reserved in the committee by certain Senators, or by a certain Senator, to file a minority report on the bill. I do not know that it will be done, but if it is decided to submit such a report I can file it by to-morrow morning.

Mr. MARTIN of Virginia. I shall not ask that the bill be taken up before to-morrow morning.

Mr. KENYON. All right.

The PRESIDENT pro tempore. The bill will be placed on the calendar.

SENATOR FROM NORTH CAROLINA.

Mr. OVERMAN. Mr. President, I rise to a privileged matter. I present the credentials of my colleague [Mr. SIMMONS] for another term in the Senate. I ask that the credentials may be read and filed.

The credentials were read and ordered to be filed, as follows:

STATE OF NORTH CAROLINA,
EXECUTIVE DEPARTMENT

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 5th day of November, 1918, FURNIFOLD M. SIMMONS was duly chosen by the qualified electors of the State of North Carolina a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1919.

Witness his Excellency, our governor, Thomas Walter Bickett, and our seal hereto affixed at Raleigh, this the 11th day of January, in the year of our Lord 1919.

T. W. BICKETT, *Governor.*

By the governor:
[SEAL.] J. BRYAN GRIMES,

PETITIONS AND MEMORIALS.

Mr. FERNALD. I present resolutions adopted by the Chamber of Commerce of the city of Bangor, Me., urging the protection of the rights of investors in public utilities, and the further development and utilization of the water powers of the State of Maine, which I ask may be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

BANGOR CHAMBER OF COMMERCE,
Bangor, Me., January 15, 1919.

Hon. BERT M. FERNALD,
United States Senate, Washington, D. C.

DEAR SIR: Incosel find copy of letter, together with resolutions adopted by our chamber here. We shall be obliged if you will give these any publicity you can; also, if you will urge the National Chamber of Commerce to give what notice they can to them.

Yours, very truly,

JAMES Q. GUINAC, *President.*

BANGOR, ME., *January 9, 1919.*

SIRS: The Bangor Chamber of Commerce, is sending to you a copy of resolutions passed by them, beseech you to give immediate consideration of these questions. They also ask you to consider that future developments in the State of Maine are almost wholly dependent upon the development and utilization of the water powers of the State; that to make possible the full use of the present water developments and to justify further electric developments a proper consideration must be granted the investing public by the powers regulating such development and operation; that our governor, our legislature, our public utility commission be urged to consider the fact that for any well-regulated public utility it is their sworn duty to see that the rights of the investing public are properly safeguarded, and that for such well-regulated utility a return upon their investment sufficient to attract capital inside the State and from outside the State is justified; that the majority of citizens desire to see the resources of the State fully developed. May we ask you also to make known to us the result of any investigation you may make, to the end that a full education of the public in this question be obtained?

Respectfully,

BANGOR CHAMBER OF COMMERCE,
———, *President.*

Resolutions adopted by the Bangor Chamber of Commerce.

Whereas the Bangor Chamber of Commerce feels that the country is facing a grave condition in regard to public utilities; and

Whereas they feel that all citizens are vitally interested in the well-being of the public utilities; and

Whereas they feel that on their organization and on similar organizations throughout this entire country rests a grave responsibility in this regard; Now, therefore, be it

Resolved, That the Bangor Chamber of Commerce, realizing that their duty was to study the question, both in the State of Maine and elsewhere, and to make known to their members and to the citizens of this community the result of their study—

That as a result of such study the Bangor Chamber of Commerce finds that a substantial part of the funds of the savings banks is invested in bonds of public utilities; that the depositors of mutual savings banks are in reality part owners of every such investment; that the same is true of the life insurance companies, both as to investment and ownership; that the present and future well being of every community is directly dependent upon the successful running and further development of the public utilities operating in their locality; that every such community should be anxious to see that the conditions under which such public utilities are operating are such as to allow the companies sufficient revenue to properly protect the public from accidents, to keep their lines in good condition, to render efficient service to the public, to make further needed developments, and to safeguard the property ownership of the investing public.

The Bangor Chamber of Commerce feels that a much graver responsibility rests with the public-service commissions; that their sworn duty is to see that the public utilities are properly and efficiently run; that they are responsible for the credit, continuity, and general well-being of the public utilities; that every public-service commission should be upheld and backed where they have recognized such responsibility; that where commissions have not so recognized this duty the public should insist that they so do.

The Bangor Chamber of Commerce urges every board of trade in the State of Maine to at once start a study of this question; that they urge the National Chamber of Commerce at Washington to give space in The Nation's Business to this question; that the National Chamber of Commerce be asked to urge every member of the national association to study this question and to make known through publicity in the same channels the result of this study.

The Bangor Chamber of Commerce also urges the Bangor Rotary Club to take this up with their national association in the same manner. The Bangor Chamber of Commerce feels that an intelligent study of this question by the business men of the country, with a campaign of publicity as to the result of this study, will aid greatly in solving rightly this very grave problem.

BANGOR, ME., *January 6, 1919.*

Mr. LODGE presented resolutions adopted by the City Council of Cambridge, Mass., favoring the establishment of a league of nations, which were referred to the Committee on Foreign Relations.

Mr. FRELINGHUYSEN presented a petition of the Political Study Club, of Orange, N. J., praying for the submission of a Federal suffrage amendment to the Constitution of the United States, which was ordered to lie on the table.

He also presented a petition of the Catholic Club of Bernardsville, N. J., praying for the freedom of Ireland, which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Essex and Bergen Counties, in the State of New Jersey, praying for the enactment of legislation substituting the oath required of enlisted men for the oath required of officers, which was referred to the Committee on Military Affairs.

STATE, WAR, AND NAVY BUILDING (S. DOC. NO. 244).

Mr. SMITH of Arizona. From the Committee on Printing I present a report favorable to printing the report of the National Board of Fire Underwriters on the condition of the State, War, and Navy Building, transmitted by the Secretary of War in response to a resolution of the Senate, and I submit a resolution for that purpose. I ask unanimous consent for the present consideration of the resolution.

Mr. SHEPPARD. Will the resolution lead to any debate?

Mr. SMITH of Arizona. It will lead to only a word or two. The junior Senator from New York [Mr. CALDER] is interested in the subject and wishes to submit a few brief remarks. I will ask the Senator from New York if he proposes to take much time. If so, I will withdraw the resolution for the present.

Mr. CALDER. I will state that I shall take about five minutes.

Mr. SHEPPARD. I ask that the unfinished business be temporarily laid aside for this purpose.

The PRESIDENT pro tempore. Without objection, the unfinished business will be temporarily laid aside, and the Senate will proceed to the consideration of the resolution.

Mr. JONES of Washington. I think it ought to be read before consent is given.

Mr. SMITH of Arizona. I will withdraw it if it is to lead to debate.

Mr. JONES of Washington. Does not the Senator wish to have the resolution read?

Mr. SMITH of Arizona. It is in answer to a Senate resolution, recently passed, asking for information. The information came to the Senate, and under the rule it should be printed. I am asking that it be printed.

Mr. JONES of Washington. If under the rule it should be printed, what is the necessity for the adoption of the resolution?

Mr. SMITH of Arizona. I want to have the resolution passed to print the reports, together with the accompanying illustrations, which came in response to a resolution of the Senate.

Mr. JONES of Washington. I should like to have the resolution read. That is all I want.

The PRESIDENT pro tempore. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 413), as follows:

Resolved, That the reports of the National Board of Fire Underwriters on the condition of the State, War, and Navy Building, transmitted by the Secretary of War, in response to a resolution of the Senate (No. 271), be printed as a Senate document, together with the accompanying illustrations.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. CALDER. Mr. President, the reports of the National Board of Fire Underwriters were sent to the Senate by the War Department, as the result of a resolution of inquiry submitted by me some months ago. I think it very important that the report should be printed, and I earnestly request Members of the Senate to read it carefully.

I was prompted to offer the resolution through observing that a frame structure had been built in one of the inner courts of the State, War, and Navy Building, which I considered to be a very real fire hazard to that building. It is a structure which ought not to be permitted in any public or private building in America, and for the past year it has been a very great menace to that fine structure.

The report will show that the most important papers of our Government are lodged in that building—the original Declaration of Independence, the original Constitution of the United States, our important treaties with foreign countries, and other valuable State, War, and Navy documents.

I have repeatedly urged, Mr. President, that this frame building should be demolished. Only yesterday, without knowledge that this matter would be brought up to-day, I called at the War Department and again urged that it be taken down. If it had been erected in the inner court of any private building in the United States it would have been ordered demolished long ago.

I hope, as the result of the printing of this report, some action will be taken by the Committee on Public Buildings and Grounds of this body, insisting that this building be put in proper condition to safeguard the valuable documents of the country.

The resolution was passed.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CURTIS:

A bill (S. 5361) donating captured cannon and cannon balls to the University of Kansas, Lawrence, Kans.;

A bill (S. 5362) donating captured cannon and cannon balls to the city of Garnett, Kans.;

A bill (S. 5363) donating captured cannon and cannon balls to Ellsworth County, Kans.;

A bill (S. 5364) donating captured cannon and cannon balls to the city of McPherson, Kans.;

A bill (S. 5365) donating captured cannon and cannon balls to the city of Baxter Springs, Kans.; and

A bill (S. 5366) directing the Secretary of War to restore to their former rank 18 noncommissioned officers of the One hundred and thirty-ninth United States Infantry (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 5367) granting an increase of pension to Francis M. Ellis (with accompanying papers); to the Committee on Pensions.

By Mr. KIRBY:

A bill (S. 5368) authorizing the Postmaster General to cancel or readjust the screen-wagon contract of H. L. McFarlin, at Little Rock, Ark.; to the Committee on Post Offices and Post Roads.

By Mr. HENDERSON:

A bill (S. 5369) to provide for an increase of salary of the United States marshal for the district of Nevada; to the Committee on the Judiciary.

By Mr. WALSH:

A bill (S. 5370) granting a pension to Thomas Ryan; to the Committee on Pensions.

By Mr. REED:

A bill (S. 5371) for the relief of Roland S. Robbins; to the Committee on Claims.

By Mr. SUTHERLAND:

A joint resolution (S. J. Res. 212) directing The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

RIVER AND HARBOR APPROPRIATIONS.

Mr. PHELAN submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. WEEKS submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. FRELINGHUYSEN submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

WITHDRAWAL OF PAPERS—S. J. BATCHELDER.

On motion of Mr. CURTIS, it was

Ordered, That leave be granted to withdraw from the files of the Senate the papers accompanying the bill S. 1396, Sixty-fifth Congress, second session, granting a pension to S. J. Batchelder, no adverse report having been made thereon.

UTILIZATION OF WINE GRAPES.

Mr. PHELAN. I offer a resolution and ask that it be read and lie on the table.

The resolution (S. Res. 414) was read and ordered to lie on the table, as follows:

Resolved, That the Secretary of Agriculture be, and he is hereby, requested to investigate and furnish the Senate of the United States with information bearing upon the utilization of wine grapes for other purposes than the production of alcoholic beverages.

THE CENSUS.

Mr. SHEPPARD. I ask that the unfinished business be laid before the Senate.

The PRESIDENT pro tempore. The Chair lays the unfinished business before the Senate.

The Senate resumed the consideration of the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

The PRESIDENT pro tempore. The question is on concurring in the amendments made as in Committee of the Whole.

Mr. SMOOT. Mr. President, I understand that the chairman of the committee, the Senator from Texas [Mr. SHEPPARD], has accepted the amendment offered by the Senator from Maryland [Mr. FRANCE] to section 9; in other words, to strike out all of section 9 of the bill as it comes from the House and to insert a new section. To section 9 of the bill as it came from the House I offered an amendment placing the supervisors of the census under the civil-service act and rules. The acceptance of the amendment proposed by the Senator from Maryland prevents my amendment from having any force whatever, and as the section now before the Senate, as introduced by the Senator from Maryland, provides that the supervisors of the census shall be appointed by the President, by and with the advice and consent of the Senate, it becomes necessary that I shall offer an amendment in conformity with the amendment which I offered while the bill was before the Senate as in Committee of the Whole. I realize that that can only be done by unanimous consent. I was not aware that section 9 of the bill, as it was accepted by the chairman of the committee, had any provision in it relating to the appointment of supervisors. Therefore, Mr. President, I ask unanimous consent that I may be allowed to offer the same amendment to section 9 as the bill provides now, as it is in the Senate, which I offered while the bill was before the Senate as in Committee of the Whole.

Mr. SHEPPARD. I hope the unanimous consent asked by the Senator from Utah may be granted, in order that we may have a vote on the proposition.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Utah? The Chair hears none. The amendment proposed by the Senator from Utah will be stated.

The SECRETARY. After the word "appointed," on line 11 of the printed amendment of Mr. FRANCE, it is proposed to insert the words "in conformity with the civil-service act and rules."

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Utah.

Mr. SHEPPARD. I ask for the yeas and nays on the amendment.

Mr. SMOOT. Mr. President, before the vote is taken, may I complete the amendment which I desire to offer, so that one vote will answer for the entire amendment?

The PRESIDENT pro tempore. In the absence of objection, the Secretary will state the remainder of the amendment as proposed by the Senator from Utah.

The SECRETARY. It is also proposed, after the word "President," at the end of line 11 of the amendment of Mr. FRANCE, to insert the words "by and," so that it will read "by and with the advice and consent of the Senate"; and, after the word "Senate," on page 2, line 1, to insert the following proviso——

Mr. SMOOT. I will say, Mr. President, that I have modified the amendment in one respect, so as to make the proviso read:

Provided further, That said supervisors shall be selected from persons who have passed the necessary civil-service examinations.

That will complete my amendment.

Mr. SHEPPARD. Mr. President, I ask for the yeas and nays on the amendment proposed by the Senator from Utah.

The yeas and nays were ordered.

Mr. SMITH of Arizona. Mr. President, the pending question is not understood in the confusion in the Chamber. It has been impossible for any Senator to understand a word that has been said. Senators do not know what the question is, and I should like information before the call of the roll as to what we are to vote on.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Utah, which places the selection of these employees under the civil service. As the Chair understands, the same amendment was adopted by the Senate as in Committee of the Whole, but it was displaced by the adoption in the Committee of the Whole of the amendment of the Senator from Maryland [Mr. FRANCE] substituting a new section for section 9.

Mr. OVERMAN. Mr. President, as I understand, this amendment does not apply to all employees, but merely to supervisors.

Mr. SMOOT. It is merely as to supervisors.

The PRESIDENT pro tempore. The Chair can not hear what Senators are saying. Business will cease until order is restored in the Chamber. The Chair must ask Senators to take their seats and to cease conversation.

Mr. SMOOT. Mr. President, I desire to say to the Senator from Arizona that the amendment applies to the 400 supervisors who are provided for under the census bill.

Mr. SMITH of Arizona. Those 400 supervisors, as I understand, are to be called from the civil service?

Mr. SMOOT. They are to be appointed by the President from the persons who have passed the necessary civil-service examination.

Mr. SMITH of Arizona. No matter what branch of the civil service they happen to be in?

Mr. SMOOT. My amendment provides that they shall be selected from those who have passed the necessary civil-service examination and, of course, the Civil Service Commission will provide the rules for the passing of the required examination.

Mr. SMITH of Arizona. As I understand, then, the supervisors might be appointed from any branch of the civil service.

The PRESIDENT pro tempore. The yeas and nays have been ordered, and the Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. KENDRICK (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL], and therefore withhold my vote.

Mr. OVERMAN. I have a general pair with the senior Senator from Wyoming [Mr. WARREN]. I transfer that pair to the senior Senator from Oklahoma [Mr. GORE] and vote "nay."

The PRESIDENT pro tempore (when Mr. SAULSBURY's name was called). I have a general pair with the senior Senator from Rhode Island [Mr. COLT], which I transfer to the senior Senator from Nebraska [Mr. HITCHCOCK] and vote "nay."

Mr. SMITH of South Carolina (when his name was called). I have a general pair with the Senator from South Dakota [Mr. STERLING]. In his absence I withhold my vote.

The roll call was concluded.

Mr. CURTIS. I have a pair with the junior Senator from Georgia [Mr. HARDWICK], which I transfer to the junior Senator from New Jersey [Mr. BAIRD] and vote "yea."

Mr. FRELINGHUYSEN (after having voted in the affirmative). I should like to inquire whether the junior Senator from Montana [Mr. WALSH] has voted?

The PRESIDENT pro tempore. The junior Senator from Montana has not voted.

Mr. FRELINGHUYSEN. I have a general pair with the junior Senator from Montana. I transfer that pair to the senior Senator from Minnesota [Mr. NELSON] and will allow my vote to stand.

Mr. SMITH of Maryland (after having voted in the negative). I have a general pair with the senior Senator from Vermont [Mr. DILLINGHAM], who, I notice, is not present. I transfer that pair to the senior Senator from California [Mr. PHELAN] and will allow my vote to stand.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Illinois [Mr. SHERMAN] with the Senator from Kansas [Mr. THOMPSON];

The Senator from Michigan [Mr. TOWNSEND] with the Senator from Arkansas [Mr. ROBINSON]; and

The Senator from Pennsylvania [Mr. KNOX] with the Senator from Oregon [Mr. CHAMBERLAIN].

Mr. LEWIS. I wish to announce that the Senator from Oregon [Mr. CHAMBERLAIN] and the Senator from California [Mr. PHELAN] are detained on official business.

The result was announced—yeas 28, nays 40, as follows:

YEAS—28.

Borah	Hale	Lodge	Penrose
Calder	Harding	McCumber	Poindexter
Cummins	Johnson, Cal.	McLean	Smoot
Curtis	Jones, Wash.	Moses	Spencer
France	Kellogg	New	Wadsworth
Frelinghuysen	Kenyon	Norris	Watson
Gronna	Lenroot	Page	Weeks

NAYS—40.

Ashurst	Jones, N. Mex.	Pittman	Smith, Ga.
Bankhead	King	Pollock	Smith, Md.
Beckham	Kirby	Pomerene	Sutherland
Culberson	Lewis	Ransdell	Swanson
Fletcher	McKellar	Reed	Thomas
Gay	Martin, Ky.	Saulsbury	Trammell
Gerry	Martin, Va.	Shafroth	Underwood
Henderson	Myers	Sheppard	Vardaman
Hollis	Nugent	Simmons	Williams
Johnson, S. Dak.	Overman	Smith, Ariz.	Wolcott

NOT VOTING—28.

Baird	Goff	McNary	Smith, Mich.
Brandegee	Gore	Nelson	Smith, S. C.
Chamberlain	Hardwick	Owen	Sterling
Colt	Hitchcock	Phelan	Thompson
Dillingham	Kendrick	Robinson	Townsend
Fall	Knox	Sherman	Walsh
Fernald	La Follette	Shields	Warren

So Mr. SMOOT's amendment to the amendment was rejected.

PUBLICITY OF PEACE CONFERENCE PROCEEDINGS.

Mr. BORAH. Mr. President, I trust the Senator in charge of the census bill will pardon me for occupying the time of the Senate very briefly.

If the press reports from Versailles are correct, although I ought to say that all the press reports which come from that point begin by saying, "It is understood," or "It is supposed"—but if they be correct, the first point of the 14 points of the President is now up for consideration. I do not think that the Senate, a part of the treaty-making power, ought to permit it to pass without some consideration. I am perfectly aware that there are those who differ with me, but I regard it as one of the most vital propositions before the Congress, and we at least ought to permit it to be known that we are in full sympathy with the views of the American delegation with reference to publicity in the proceedings at Versailles.

I can not say, Mr. President, that it is a surprise that a movement has been inaugurated in favor of secrecy, and yet I had supposed from the announcements, not only in this country but in Europe, that more consideration would be given to the question than seems to have been given to it. It seems to have been disposed of without much discussion. I feel it is worthy of comment here.

When the President delivered his address to Congress upon the 8th of January, the first proposition looking to the permanent peace of the world read as follows:

Open covenants of peace, openly arrived at, after which there shall be no private international understandings of any kind, but diplomacy shall proceed always frankly and in the public view.

There can be no possible construction placed upon this language other than that it was intended to cover just such proceedings as are now being initiated at the peace conference.

Open covenants of peace—

Had the statement stopped there, it might be said that it was intended to cover the simple proposition of publishing the covenants of peace after they had been negotiated and concluded; but the President was careful to say:

Open covenants of peace, openly arrived at.

And the question now is whether or not that proposition is to be utterly discarded and disregarded in the proceedings at Versailles.

It would seem that they have practically concluded upon a program adverse to this proposition. I read a part of the article which appeared in yesterday's New York Times:

After all that has been promised concerning open discussion in the making of peace, steps were taken at to-day's session of the interallied conference which show that the whole intent is to keep the people of the world in the dark as to what is going on behind the closed doors of the Quai d'Orsay. The representatives of the five great powers adopted a resolution that nothing about their deliberation be disclosed except what was contained in the colorless daily communiqués.

Some of those connected with the conference construe the resolution as meaning that they are to be barred from seeing members of the press.

The whole spirit of the action taken is contrary in every respect to the assurances given to the American people, and already a feeling of discouragement and indignation is displayed among newspaper representatives from allied countries. The British correspondents made a formal protest, which was backed immediately by the American correspondents.

No disclosure has yet been made as to who was responsible for this amazing procedure, and I prefer to withhold a statement until I am more fully informed. The fact remains that the resolution must have been supported by the delegates of at least three powers, which shows how little the doctrine of open covenants, openly arrived at, prevails among those who are engaged in settling the destinies of the world.

Outside of this new and most serious cause for complaint the American correspondents feel that they are not getting a square deal in obtaining information from the American delegation. The daily conferences between the correspondents and members of the delegation are unproductive in every way, and the conclusion has been forced upon the correspondents that the only source of news concerning American participation in the peace negotiations is the President, who is inaccessible.

In spite of condemnation while the war was on of the secret methods prevailing at the Congress of Vienna, the conclusion is being forced upon observers here that this conference is the Congress of Vienna over again.

There is an Associated Press dispatch in this same paper, following that article, which I will ask to have inserted in the RECORD without reading.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

PARIS, *January 15, 1919.*

The question of whether the peace conference is to be secret or wholly open to the eyes and ears of the world, the settlement of which has been long awaited, was brought to a focus to-day when it was announced that an agreement had been made to confine the information given to the public to a daily official communiqué and that a gentleman's agreement prevailed among the delegates not to discuss or in any way give information of the meetings in the foreign office.

No written official announcement of this purpose was issued, but word was passed out to this effect, and it was followed by an explosion which quite drowned out the doings of the peace commissioners.

The understanding is that the American and British delegates opposed this decision, but that the French, Italians, and Japanese, voting together, prevailed.

The British newspaper correspondents immediately joined in a memorial of protest, which they put before Premier Lloyd George. The American newspaper correspondents united in what is virtually a round robin to President Wilson, in which they protested in measured terms against the decision, and reminded the President of that one of his 14 points which specifies "open covenants of peace, openly arrived at."

The memorial was before the President to-night, and there is every reason to believe that such a storm has been raised as will force the question before the meeting again before the actual sessions of the peace conference begin on Saturday morning.

The question of whether the meetings are to be open or closed has been smoldering for several days. It is associated with conditions which have surrounded the lack of method in making public what has actually been going on in conference for the last month. The American newspaper correspondents, of whom there are about 100 here to report the peace proceedings, have been received in daily audience by the American commissioners under the stipulated conditions that what was developed was solely for their guidance and not to be reported as bearing the stamp of authority or coming from the mission.

The American delegates are indignant at what they regard as a breach of faith on the part of some persons who were admitted to the informal discussions they have been holding daily with newspaper men. These conferences were inaugurated immediately after the delegates arrived in Paris to keep correspondents properly advised of developments further than that given in official communiqués.

At the outset it was stipulated that nothing communicated to the correspondents during these conferences should be credited to official sources, the restriction being so severe as to prohibit the customary intimations as to sources, so that whatever a correspondent elected to write should be stated on his own responsibility.

Despite this a statement of informative character, made by Secretary of State Lansing to the newspaper men, appeared in some French newspapers, directly or indirectly attributed to him. It was made more embarrassing to the American delegates because the publications appeared in newspapers opposed to the present French Government.

Because some statements, used in this manner, related to subjects like the denial of the plan to use American troops in Poland, which is understood to be favored by the Clemenceau government, but is opposed by the Socialists, the American delegates felt they were in danger of being involuntarily dragged into the complications of French factional political conflicts.

At the request of the American delegation the correspondents have undertaken to adopt disciplinary measures and to require a separate understanding from each of their number to observe restrictions imposed regarding news use of matters discussed at these conferences in order to prevent further complications and, perhaps, the termination of the present confidential relations between the delegates and the newspaper men.

Mr. BORAH. Mr. President, I observe by the press dispatches that the President has taken up this matter and that it may be reopened for consideration, and it is indicated in the press dispatches this morning that the ultimate result may be open sessions of the conference. It is by reason of this last item in the news that I felt disposed to say a word, because I should like to have the President know and to have the delegates representing this country at the conference know that the great majority of the American people expect that those proceedings shall be open and that all the details of substantial matters shall be made known as the congress proceeds in its deliberations.

Secret diplomacy has left the germ of conflict and of war in every great peace congress which has convened in the last 250 years. There has not been a single peace congress at which nations have met for the purpose of adjusting the troubles of any particular portion of the world but that there have been left for future contention, suspicion, prejudice, and feeling those things which resulted from secret negotiations and secret proceedings. If we are proposing to take a correct and accurate step toward permanent peace the people who fought and won this war must know the conditions upon which it is being settled. It will be a distinct discouragement, not only to the people of this country but, I venture to say, to the masses the world over, if at the first initiatory step the same old practice of absolute government is reinaugurated and readopted by a congress which comes together as a result of a fight to make the world safe for democracy.

I venture to read a paragraph from Lord Northcliffe, who, I presume, will not be considered as uninformed in regard to these matters or uninstructed as to the wisdom of the course proper here to be pursued. He says:

Nothing can be worse for the prospects of the coming conference than an atmosphere of secrecy and half truths. Yet up to the present there has been no official statement that the momentous meetings about to take place will be held in accordance with President Wilson's expressed views on the question of open diplomacy.

DAYS OF SECRET CONCLAVES GONE.

The days of secret conclaves are dead and gone. Clandestine assemblies are the harbingers of intrigue, suspicion, and possible deception. It would be intolerable that the fate of whole nations, great and small, should be decided in secret. Shall the destinies of millions of peoples in all quarters of the globe be left to the tender mercies of a comparative handful of delegates, against whose enactments there is no public appeal? Such would be mockery of that principle of self-determination of free nations which has been fought for and won in this war.

Labor, upon which the great losses of life during the war have mainly fallen, is alarmed at the prospect of great world plans being carried out without its knowledge. It is reported from London that the Labor Party has sent a strong protest to our Government, which so far has done nothing to allay public anxiety on the subject.

I ask leave also to have inserted in the RECORD an editorial from the Philadelphia Public Ledger.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

[From the Philadelphia Public Ledger, Nov. 14, 1918.]

OPEN THE DOORS OF THE PEACE CONFERENCE—CEMENT THE PEOPLE'S VICTORY WITH A PEOPLE'S PEACE—WILL PRESIDENT WILSON GO?

There is not an American who does not understand that our victory has been won and the tragic price paid solely that "government of the people, for the people, by the people, shall not perish from the earth." Every American soldier dead in France laid down his life for that purpose, sustained and comforted by our tacit pledge that we would make very sure that his supreme sacrifice was not in vain. He died—the soldiers of our allies died—to substitute democracy for autocracy as mankind's dominant method of government.

Henceforth the people rule—that is that healing message, if we have not all been deceived, that the winged Victory of this electric age carried round the world like a swifter Ariel after the armistice was signed. All the wicked, blinding, betraying, tyrannous treacheries of autocracy were swept away by the allied guns. Sinister plottings, secret intrigues, back-stairs bribes, and double-dealing diplomacy with its soft voice and its serpent's heart, all the subterranean methods of autocracy, buying and selling peoples like cattle or sending them to the shambles for quarrels they neither shared nor comprehended—all are to vanish at the dawn of this new day like the miasma of a fetid swamp.

The peoples of the world are to rule as the peoples of these United States rule; and the corner stone of popular rule everywhere is free and public discussion.

Would we think we had popular rule in America if the sessions of Congress were habitually secret?

There are secret sessions of the Senate for the discussion of our foreign relations, which only means that, when even a democratic people must do business with Governments who traffic in secrecy, that people can not always play its hand, face up, on the table. But matters appertaining strictly to the government of the people of the United States are commonly discussed in public, and all important decisions are taken in public. We would never dream of tolerating any other system. The legislature of a free people can not be a secret society, with tiled doors and publicity prohibited.

Neither can the legislature of an association—a wider United States—of free peoples. Publicity is the very breath of life of popular government.

There will assemble in Europe presently a legislature of free peoples. None others are to be admitted. No autocracy need apply. It will be termed a peace conference, but its business will be to legislate regarding the most fundamental matters affecting the future happiness, security, and prosperity of practically all the free peoples of the world.

SHALL IT SIT BEHIND CLOSED DOORS?

If it does, what becomes of President Wilson's spirited, repeated, and perfectly proper protests against the ancient evil of "secret diplomacy"? This peace conference, remember, will not act for a number of autocratic governments, scornfully ignoring their own peoples, bartering away their rights and fixing their destinies behind their backs. It will act for the peoples themselves, and its every decision must be ratified by these peoples if it is to stand. For the first time in history a great treaty of peace, intimately touching many nations and remaking the maps of three continents, will be written by the plain people of the world and not by their irresponsible rulers, with their retinues of devious diplomats and professional political panderers.

It goes wholly without saying that such a peace conference should be wide open to its masters and creators, the ruling democracies whose decrees it will register. It should be as open as Congress, as the public courts, as most parliaments of self-governing nations. Every session should be open. All the debates and deliberations should be public. We should not only know what it does but why it does it. Still more important, we should know in advance what it thinks of doing, so that we can protest, agree, suggest changes.

The suggestion comes from Washington that President Wilson may attend in person this peace conference of unprecedented import and endless possibilities. It is a proposal which will have the unanimous support of the allied world, and would make a special appeal to the forward thinkers, the war-weary toilers, the passionate believers in democracy, everywhere. They would feel that their foremost champion was at the peace table. They would fear the insertion of no autocratic or militaristic "joker" in the conditions on which the permanent banishment of war is to be built. Americans will favor the idea most warmly if they can be assured that the vitally important business of their own Government can be arranged for in the absence of the Chief Executive. They will not take very seriously any sentimental tradition against the President leaving American territory during his term of office. Where our soldiers have died for liberty is "American territory" forever. This world-war into which we have been drawn has weakened the boundaries of precedent; and, as John Wesley put it, made "the world our province."

If President Wilson attends the conference, and possibly presides at its sessions on the invitation of all the allies, there will surely be no question about the "open door." That is one of his firmest, soundest principles. He will never consent to do the people's business in matters of such paramount importance out of the hearing of the peoples affected. He will never participate in and perpetuate by a commanding precedent that hoary evil which has sown suffering throughout humanity for a thousand years—"secret diplomacy."

Nor will the people of this free country permit it, if they have the power to prevent it. In this regard, they will be unanimously "behind the President." We hope the President will go. We hope that he will persuade this first peace conference of victorious democracy to deliberate, debate, and make its momentous decisions in full daylight.

Mr. BORAH. Mr. President, it is the same old story. When the Vienna Congress met, or was about to meet, there was the fullest assurance that the proceedings would be open to the world. There was the fullest assurance of the widest and most humanitarian consideration of all matters relating to the public ends. But scarcely had they met in that famous city when Metternich began to urge the necessity of secrecy in their negotiations; and, master of diplomacy as he was, he finally succeeded in closing the doors of the Vienna Congress to the outside world. Every student of history knows that inside those doors were written the secret treaties over which the world has been waging war from time to time ever since. It is not too much to ask, in view of the sacrifices which have been made and the tremendous results depending upon the action of this congress, that the world at large shall know its proceedings, and that the doors shall be open to all the world.

Mr. WILLIAMS. Mr. President, I am glad to hear words of commendation for the President of the United States in the hard fight that he is making in Europe. I am glad that at least one voice has gone up on the other side of this Chamber to hold up his hands instead of pulling them down. He has a hard fight to make, not only in behalf of the publicity of negotiations but in behalf of a great many other things as well.

I note with a great deal of pleasure that the Senator mentions the fact that the two great English-speaking peoples have announced themselves in favor of making public the steps of negotiation as they go on. Of course, that does not mean that every private conversation between two or three men shall be published in the newspapers; but it does mean that everything arrived at, step by step, shall be communicated to the enlightened sense of the world.

I agree with the Senator from Idaho that there is nothing better calculated to keep the peace of the world than to let the intelligence of the world know what the diplomats of the world are doing. That is what President Wilson wants. That is what David Lloyd George wants. But the Senator ought not to be astonished at continental Europe after a thousand years of mistraining in regard to these things. Even republican France is a little bit doubtful about allowing all the steps of diplomatic procedure to go to the public.

The Senator must remember that they have not a public which they can trust, as we have and as the English have. They have some reason to be more distrustful of their public than we have. I have no doubt that before this is over—in a few days, indeed—all the substantial steps taken in that conference will be communicated to the public fully, and that we will overcome the continental distrust of its public. We have no distrust of ours, because it has proven itself worthy of trust for years and years. The British have no distrust of theirs; but the Senator and I both ought to remember that we have "to make allowances," as the darkies say, for people who are not situated as we are. So that I think you can deal with some degree of charity with the late decision which evidently was pronounced by the non-English-speaking races at the conference.

Wherever English goes, publicity may go. Wherever the language of Shakespeare and of Milton can go, men can trust one another to speak plainly, so that open negotiations can be effected.

But the Senator must remember that there is only one language of Shakespeare and Milton so far as he and I know, and that it is not true of all the other people in the world that they can trust their public so considerably as we can ours. I think it is about time we were coming to the conclusion that the time has arrived even with them, and I agree with the Senator; but the Senator must make allowances for the fact that they are slow to arrive at that conclusion because their past history has not justified it.

I am glad, indeed, that the Senator rose to uphold the hand of Woodrow Wilson in the rough tussle he is having in Europe, upon this particular question at any rate, and I hope that what he has said will have some effect in Paris, if it is read there. I do not know whether what he and I say here will be read there or not, but it might be. Perhaps the President might find it to his interest to quote it, and if he does I hope it will have some effect, especially upon the French. I do not understand the French position, because they, too, have arrived at a stage of civilization where they can trust their public if they will. Clemenceau can trust his public if he just has the courage to do it, and all the help we have got to have is his, and then we will make these proceedings public to the common conscience and common sense of the democratic world.

Mr. LEWIS. Mr. President, I make bold to offer a suggestion in accordance with the sentiment expressed by the Senator from Idaho [Mr. BORAH] and the Senator from Mississippi [Mr. WILLIAMS]. However, I view an aspect with more seriousness than seems to be at present in the mind of either of the able Senators—at least one that they have not expressed, if they feel it.

Mr. President, if there is any force of Europe or of any other nation sitting about the peace table which shall be able to overrule the President of the United States in his first effort of his first undertaking to obtain the first principle, merely publicity in the proceedings, I warn that force they will by their conduct reopen the conflict. They will precipitate anew more war; and, sir, it will be because every little nation aspiring to have its rights ascertained and declared, every people of that nation seeking to have their liberties acknowledged, will believe that that first move of enforced secrecy is with the object of defeating them; that its purpose in hiding the declaration, the deliberation, and the decision is to work a secret conclusion against their contentions. While such secrecy is pending these people will be the first out of that very suspicion suggested by the Senator from Mississippi—through the ignorance of people who, heretofore unacquainted with the methods of diplomacy and previously never trusted with its course, will suspect the object—and, as the Senator from Idaho most aptly expressed, those in Europe will at once conclude that all the promises that have heretofore been made on this subject at the very outset are decided to be ignored or betrayed. If that moment really comes, these lesser nations will not await the second decision. They will decide then and there that they shall protect themselves.

Remember, sir, their soldiers rest on arms. Their tents are filled with smoking explosives and their weapons are still the companions of these fighters. The purposes for which they went into this war will burn in their hearts and flame in their minds. We shall have another outbreak from these little people to protect themselves at once by obtaining possession of the disputed ground and premises which it claims, because they

will decide that this first move of secrecy is against them. They will conclude that however sincere the President was to protect them, yet his very first movement was circumvented and defeated by numerical majority on the one hand and the inheritance from the methods of the Congress of Vienna on the other.

Mr. President, for that reason let these people who would not hearken to the counsel of the President of the United States beware. The temper of the soldier in Europe—American, English, French, indeed of every nationality, waiting to be released, hoping to return to his home—is baffled, fancying himself deceived, is in a disposition that is not well to trifle with.

It was that returning soldier of the legions of Pompey, Cæsar, and Rome who, when he did return to Rome, burning under disappointment and believing that he had been tricked by the consuls, seized possession of the imperial country and visited upon that empire the devastation that 50 years did not remedy. It was that offended soldier under Napoleon, returning to France, who fancied he had been tricked by those who had been returned to government, who became the commune of France, property was destroyed, life was decimated, civilization was aflame, and a devastated form of all organized life was the only relic which the eyes of three generations could afterwards behold.

Therefore, sir, not only must these peace commissioners, whoever they are, understand that this body and this American people is behind the President of the United States in this his very first undertaking, but they will, sir, construe the movement of opposing him as the first proof of the enmity on the part of those who oppose him and evidence of their opposition to the purposes of America. From that moment every other step these commissioners will take will be under the cloud of suspicion and distrust from all people. Let them know it.

Mr. President, there is a second thought, however, which I beg to impose upon the consideration of my very able friend, the Senator from Idaho, and the Senate and ask consideration of it. As much as we would care to have the European commissioners understand that we are behind the President—and in this respect many Senators on the other side who have never yet spoken can be depended upon when the time comes to give him full support upon this phase, sir—as much as we may hope that the foreign commissioners may be impressed by our attitude, and as greatly as we felicitously dwell on the prospect of influencing them for their own conduct and for the success of their deliberations, let this other thought, however, be uppermost with us, I pray you. Woodrow Wilson, the President of the United States, has assured the people of the United States, not only in the declaration read by the Senator but in four speeches made yonder in Europe, speaking with the solemnity of his position, that the publicity of these proceedings shall be assured to the public of the United States; that the public of the United States shall know what transpires. He has assured you and the country that there shall be no censorship upon the cables, as far as we can prevent that; that there shall be no censorship upon the report of the proceedings, as far as we can prevent that.

Mr. President, it is the duty of the President of the United States to prove to the people of this country that he is keeping faith with the promise he made them. We can not permit the commissioners of Europe or any other power in the world to put President Wilson in the position where he may be charged with intentionally deceiving his own people or being unable to keep faith with them without betraying the source of the responsibility. We will let no delicacy growing out of past associations with either ally or enemy close our mouths to the full and complete explanation to America of whoever is the source which we will regard as either violating the faith we owe to our country or deceiving in their conduct the promise to the President of the United States.

If the President of the United States shall in this one material necessity of mere publicity to his own people of the thing he is doing in their behalf fail to keep that covenant, he will awaken suspicion in the hearts of all those in his own land and from that moment stand weakened in his place. He knows that. We know that.

Therefore, Mr. President, the very first and supreme duty, as I see it, is that we shall give him support in every way, that he may keep faith with his own people, that they may never have occasion to suspect the sincerity of his purpose or doubt the devotion of his duty.

For that reason, Mr. President, I happily, sir, concur in the sentiment of the Senator from Idaho; I rejoice in the gladness of the Senator from Mississippi; but I add other reasons of more solemn character, from my position, so that the President's word to his own country must be kept, and knowing him as we do, we feel that from him can come the expression of the just man of the Merchant of Venice:

> My word once given forth shall not be recalled,
> Shall I lay perjury to my soul? No; not for Venice.

Mr. JOHNSON of California. Mr. President, I want to add what little I can to what has been said by the Senator from Idaho [Mr. BORAH] so well of that which at the very outset of the peace negotiations becomes of transcendent importance. I wish to add one thought to what he has said, bringing home, it seems to me, more clearly, even though not in his forceful language expressed, just what this means.

In January, 1918, the President stated his 14 points. They have become since that time somewhat famous. Every nation on the face of the earth has accepted those 14 points of peace as laid down by the President of the United States, with the possible exception of one, into which we need not go at this time. In accepting those 14 points of peace which the spokesman of the United States gave to the world, the first was, as has been adverted to here again and again, "open covenants of peace, openly arrived at."

Yet at the very instant when the peace conference assembles in Europe the first of these covenants of peace accepted by every nation on the face of the earth is deliberately violated, and instead of open covenants of peace, openly arrived at, we are given, and the world is given, the same old deceptive secret diplomacy, and our only news is a communique, which we know from experience of the past four years is made merely to cover up what has been done, and which does not state at all the facts of what is transpiring.

So the matter becomes of importance, not only to the President there, and enlists all of us in his support, but it becomes of importance, too, to the whole Nation, which has accepted these 14 covenants concerning peace, the first of which in the very initial meeting of the peace conference is discarded.

So, Mr. President, I think if I had the power, if this sort of thing be persisted in for the next two or three days, some affirmative action should be taken by the Senate, something by which we may say affirmatively here that we insist, as a part of the treaty-making power, that there shall be open discussion, or at least information daily given out of all that is transpiring, that the truth shall be known to all our people.

There is another aspect of this thing that appeals to me, too. It is humiliating and it is irritating to me to have the President of the United States bottled up in any kind of conference. It is humiliating and it is irritating to me to have our President enmeshed in the entanglements of secret European diplomacy, and to have him sitting there as a member of a conference, with his lips sealed by agreement of the conference, and unable to say to the people of the United States and to the Government of the United States what is there transpiring, and compelled by vote of those sitting with him to refrain from communicating with our people. If the President shall fight his way through this peculiar entanglement and this mesh of secret diplomacy of Europe, I will be very glad to lend him such humble support and give him such cheer as can be given by one Member of this body.

It emphasizes, after all, in the last analysis, the necessity for what has been suggested upon this floor of an American policy, and an American policy respecting all that is transpiring across the water to-day. I hope that out of it will come one thing at least—a policy which will consider America first; that with the least possible delay the men in khaki who represent the United States across the sea will be brought home and brought home at the earliest possible moment. I hope that out of it, too, will come the determination on the part of the Senate and the Government of the United States to leave to other nations, the nations beyond the sea, the policing of the world hereafter, and that will give us the definite policy to bring home our troops, wherever they may be, as soon as our present obligations shall have been fulfilled.

THE CENSUS.

The Senate resumed the consideration of the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

The VICE PRESIDENT. The question is on concurring in the amendments made as in Committee of the Whole.

The amendments were concurred in.

Mr. SHEPPARD. There are some minor amendments that should be adopted. On page 12, line 11, between the word "of" and the word "census," insert the word "the."

The VICE PRESIDENT. Section 10 is out of the bill.

Mr. SHEPPARD. It is a minor correction, anyway.

The VICE PRESIDENT. It can be amended by the conferees.

Mr. SHEPPARD. It is an unimportant change, and doubtless will be attended to in conference. What other sections were amended by the France amendments?

The SECRETARY. Sections 1, 2, 8, 9, and 10.

Mr. SHEPPARD. In section 12, line 4, page 15, the word "provision" should be "provisions."

The VICE PRESIDENT. That amendment will be agreed to.

Mr. SHEPPARD. In section 15, line 3, the word "commission" is misspelled; the letters "1" and "s" should be transposed.

The VICE PRESIDENT. The amendment will be agreed to.

Mr. SHEPPARD. On page 22, in line 6, I move to strike out the word "or" before the word "clerk," the last word in the line.

The VICE PRESIDENT. The amendment will be agreed to, without objection.

Mr. SHEPPARD. In line 7, insert a comma after the word "employee."

The VICE PRESIDENT. The amendment will be agreed to, without objection.

Mr. SHEPPARD. That is all.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. SHEPPARD. I move that the Senate request a conference with the House on the bill and amendments and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. SHEPPARD, Mr. ASHURST, and Mr. LA FOLLETTE conferees on the part of the Senate.

SALARIES OF JUDGES.

Mr. OVERMAN. I move that the Senate proceed to the consideration of the bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

The motion was agreed to, and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the Judiciary with amendments.

Mr. JONES of Washington. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Johnson, S. Dak.	Myers	Smith, Ga.
Beckham	Jones, N. Mex.	New	Smoot
Borah	Jones, Wash.	Norris	Sutherland
Calder	Kellogg	Nugent	Swanson
Cummins	Kendrick	Overman	Thomas
Curtis	Kirby	Page	Trammell
Fletcher	Knox	Pearose	Underwood
Fornse	Lenroot	Pittman	Vardaman
Frelinghuysen	Lewis	Poindexter	Wadsworth
Gay	Lodge	Pollock	Warren
Gronna	McKellar	Pomerene	Watson
Hale	McLean	Ransdell	Weeks
Harding	McNary	Sanisbury	Wolcott
Henderson	Martin, Ky.	Sheppard	
Hertis	Martin, Va.	Simmons	
Johnson, Cal.	Moses	Smith, Ariz.	

Mr. SUTHERLAND. I desire to announce the absence of my colleague [Mr. GOFF] on account of illness.

Mr. THOMAS. The senior Senator from Missouri [Mr. REED] is necessarily absent.

The VICE PRESIDENT. Sixty-one Senators have answered to the roll call. There is a quorum present.

Mr. SMITH of Georgia. Mr. President, the pending bill, coming to us from the House of Representatives, has been carefully considered by the Judiciary Committee of the Senate and by a subcommittee of the Judiciary Committee. The bill was the subject of lengthy investigation by the Judiciary Committee of the other House before it was reported to the House.

For a long time it has been realized that the judges of our United States courts have been inadequately compensated for their services. There has been a general belief that there should be some increase in their salaries. The House Judiciary Committee reported a bill based upon the plan of making the minimum pay of the district court judge $6,500, with an increased salary based upon the population of the district, the minimum salary of the circuit court judge $7,500, with the maximum salary $1,000 in excess of the largest salary of the district court judge in the circuit. The House modified the bill, and made the salary of the district court judges $7,500 and of the circuit court judges $8,500. The subcommittee of the Judiciary Committee and the Judiciary Committee of the Senate have blended the House action and the action of the House Judiciary Committee. We have made the minimum salary of a district court judge $7,000, with a maximum of $9,000, and the minimum salary of a circuit court judge $8,000, with a maximum of $10,000, and we have provided that in districts of over a million and a half inhabitants there may be an increase of salary of the district judges to the maximum of $9,000, and we have placed the salary of the circuit court judges $1,000 beyond the salary of the district court judges. This is substantially the bill.

The House also increased the compensation of the judges of the Court of Claims. The Senate Judiciary Committee has increased, also, salaries of judges of the Supreme Court of the District of Columbia and judges of the Court of Appeals of the District.

The bill further provides a measure that it is believed will be very helpful to our Federal judiciary. Now, at 70 years of age, with 10 years of service, a district or circuit court judge can resign with full pay for the remainder of his life, but he is removed entirely from any class of work upon the bench. There have been many instances in which judges of both of those courts have felt entirely able to do nearly full work, but not quite full work, and they have hesitated about resigning, because they felt, though entitled to full compensation after resigning, that they wanted to do something; that they wanted to serve. This bill allows a judge who is entitled to resign, instead of resigning, to retire, and thereafter he may be assigned to work and can do all the work that his physical condition still makes it practicable for him to do.

Mr. WARREN. Mr. President, may I interrupt the Senator from Georgia?

Mr. SMITH of Georgia. Yes.

Mr. WARREN. The Senator from Georgia has explained that now at 70 years of age, after 10 years of service, a judge may retire and receive his full pay during the balance of his life. I understand that the bill provides that in the case of inability of a judge who has not retired and who is 70 years old there can be another judge appointed for his district; but I do not understand—and I will ask the Senator from Georgia to explain his idea of the matter—the intention of the bill, whether it is the intention to appoint, whether or no, another judge in a district before the sitting judge has retired, although he may be perfectly able and perfectly willing to do the work of his district.

Mr. SMITH of Georgia. That is not the intention at all, and that can not be done under the provisions of the bill.

Mr. WARREN. I concluded that under the language of the bill it could not be done unless it were done in a rather radical way.

Mr. SMITH of Georgia. It could not be done. The bill carefully guards that. Only when the judge is physically and mentally permanently unable to perform efficiently all the duties of his office can the additional judge be appointed unless the sitting judge voluntarily retires.

Mr. WARREN. I desire to ask the Senator, with his permission, a question on another branch of the subject. As I understand the bill—unintentionally, of course—I assume an injustice would be done to judges of the courts here in Washington. When it is undertaken to apply the rule of population and it gets into the millions, of course you have not suitable units of measurements. The consequence is that under this bill, if it is not amended, we are dooming those judges who have a very great deal of business to do, and especially as to the court of appeals, which I believe has one-third of the amount of all the business of all the circuits of the United States—we are dooming all of those to the minimum salary with no chance of advancement. Consequently, though they are doing more work than judges of the other courts, they will be getting far less salary. I think the Senator from Georgia must have observed that, and I trust when amendments are offered—I have one which I intend to offer—that they may be considered on their merits.

Mr. SMITH of Georgia. Mr. President, I think this question should be considered on its merits. I have been thinking about the provision with reference to the plan of compensation for the judges of the Supreme Court of the District of Columbia and the judges of the Court of Appeals of the District of Columbia, and I hardly think it meets the situation. The judges of the Supreme Court of the District are practically district judges and judges of the Court of Appeals of the District are practically circuit court judges. When we undertake to apply to them the population rule, it can not give them any increase beyond the minimum salary, and yet I believe it is true that the judges of the Supreme Court of the District of Columbia and the judges of the Court of Appeals of the District of Columbia do a vast amount of most important work. I shall be glad to listen to any amendment that is offered, and if my colleagues on

the Judiciary Committee who are upon the floor at that time do not object, I shall offer no objection.

I ask now that the bill be taken up for committee amendments, and as we reach section 3, which applies to the judges of the Supreme Court of the District of Columbia and the judges of the Court of Appeals of the District, I shall be glad to stop to hear amendments or substitutes from the floor of the Senate.

Mr. JONES of Washington. Mr. President, I wish to inquire if the Senator is asking unanimous consent that the committee amendments shall be first considered?

Mr. SMITH of Georgia. That is my request.

Mr. JONES of Washington. I can see a good reason why that should be done in the case of appropriation bills, but I do not think it ought to be done in the case of bills of this character. I have no amendment to offer myself, but I shall object to any unanimous consent requiring the disposition of committee amendments before any other amendment is considered.

Mr. SMITH of Georgia. Then, without the exclusion of other amendments, I ask that we proceed for the present to consider committee amendments.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary proceeded to read the bill.

The first amendment of the Committee on the Judiciary was, in section 1, page 1, line 6, after the word "amended," to insert the words "so as," so as to read:

That section 2 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, be, and the same hereby is, amended so as to read as follows:

The amendment was agreed to.

The next amendment was, on page 1, after line 6, to strike out:

"SEC. 2. Each of the district judges shall receive a salary of $7,500 a year, to be paid in monthly installments."

SEC. 2. That section 118 of the act aforesaid be, and the same is hereby, amended to read as follows:

"SEC. 118. There shall be in the second, seventh, and eighth circuits, respectively, four circuit judges; in the fourth circuit, two circuit judges; and in each of the other circuits, three circuit judges, to be appointed by the President, by and with the advice and consent of the Senate. They shall receive a salary of $8,500 a year each, payable monthly. Each circuit judge shall reside within his circuit. The circuit judges in each circuit shall be judges of the circuit court of appeals in that circuit, and it shall be the duty of each circuit judge in each circuit to sit as one of the judges of the circuit court of appeals in that circuit from time to time according to law: *Provided*, That nothing in this section shall be construed to prevent any circuit judge holding district court or otherwise, as provided for and authorized in other sections of this act."

And insert:

"SEC. 2. The salaries to be paid to the district judges shall be $7,000 per annum, except that in districts having a population of over 1,000,000 the district judge or each of the district judges appointed for those districts, respectively, shall receive annually additional compensation at the rate of $500 for each half million of population or part thereof in their respective districts in excess of the first 1,000,000, which additional compensation, as the same may be ascertained, as aforesaid, in the said several districts, respectively, together with said sum of $7,000, shall be the annual salary payable to the district judge or each of the district judges in such districts, respectively: *Provided, however*, That the salary of any district judge appointed for more than one district shall be determined on the basis of the aggregate population of the districts for which he is appointed. Such salaries shall be paid in equal monthly installments, beginning on the first day of the month next following the approval of this act, and the amount to be so paid in the several districts, under the provisions of this act, shall be ascertained by the Attorney General of the United States from the last Federal census and certified by him to the proper disbursing officer or officers. As soon after the 1st day of January next succeeding the taking of any future Federal census as may be practicable any changes in such salaries due to changes in population shall be ascertained and determined by the Attorney General of the United States and shall become effective on and after the 1st day of July next following: *Provided, however*, That at no time shall the salary of any district judge be diminished during his continuance in office, nor shall the salary of any district judge at any time exceed the sum of $9,000 a year."

Mr. THOMAS. Mr. President, there must have been, of course, some controlling reason actuating the committee in their recommendation of this section as a substitute for section 2 of the House bill; but I am unable, until I am better informed, to see any improvement which the proposed amendment makes over the House provision. Nor do I perceive the necessity of paying a district judge a higher salary because he lives in a district containing a population of more than a million, and thus regulating salaries on the basis of constituency or jurisdiction.

The State of Florida has two districts and, if I mistake not, three district judges. The State of Colorado, which is approximately equal in population to the State of Florida, having a population of approximately 1,000,000, has only one district judge. The work which the district judge of my State is necessarily required to do is very much greater than the work which is required in Florida, where the judicial force of the United States is at least double, and I think three times as large, and, as the Senator from Illinois [Mr. LEWIS] suggests to me, exclusive of admiralty business, it is probably very much in excess of the usual business which now goes to the Federal courts; but the judge of my district, its population at the last census being a trifle under a million, notwithstanding that fact, will receive the identical salary which each of the three judges in the State of Florida will receive.

In your own State, Mr. President [Mr. KENDRICK in the chair], the population is less than half a million. The district judge of the State of Wyoming has a large business. I think I may safely say that, in proportion to the population of the State, he has as extensive a business to transact as can be found in any district in the United States. Certainly that is true in times of peace.

Mr. WARREN. May I add to what the Senator says, that that particular district judge, notwithstanding the great amount of work he has to do, is called upon to serve in other courts—courts about, or, in case of illness, and so forth, in adjoining districts.

Mr. THOMAS. Yes; that is true. He is the oldest district judge in the ninth circuit. While all comparisons are invidious, and I will not say he is the best of all the district judges in that district, I certainly am justified in saying that he is the equal of any judge within the district, both in his capacity for work and his experience upon the bench and his ability to transact business. He occupies, therefore, a place in the district where, under the terms of this proposed amendment, his salary can not under any circumstances exceed the minimum fixed in the bill. I use that instance by way of illustration of my doubt as to whether population is a proper basis for establishing the salaries of district judges.

Another reflection along the same line is this: In many—I will not say most, but in many—of the districts of the United States where the population is in excess of 1,000,000, two judges are appointed for the district. The Senator from Arizona [Mr. SMITH] some time ago, I think, succeeded in securing the passage of a bill providing for an additional judge in his district. The Senator from California [Mr. PHELAN] introduced and succeeded in securing the passage of a bill increasing the number of district judges in the district of which San Francisco is the center.

So that this proposed amendment, I think, works unjustly in both ways. It fails to recognize the vast amount of business transacted in comparatively small districts—that is, small on the basis of population—and at the same time it rewards judges, regardless of their number, where the population of the district to which they are appointed exceeds 1,000,000.

Mr. SMITH of Arizona. Mr. President, will the Senator permit an interruption along the line on which he is now speaking?

Mr. THOMAS. Certainly.

Mr. SMITH of Arizona. It strikes me, as the Senator says, that the mere fact of population has very little to do with the labor of the court. Take Arizona, for instance. Recently the Senate passed a bill providing for another judge there on the ground that it is a physical impossibility for the present judge to transact the business in Arizona—a State as large as three of the ordinary Eastern States, and with courts held at four different places. From the 14th of last March—I have not the data before me, as I gave it to the Representative of Arizona in the House for use there—but, speaking generally, I should be willing to make the assertion that there are few, if any, Federal courts in the United States that transact the business that that court in my State is compelled to transact.

Mr. THOMAS. And that, too, since the State went for prohibition.

Mr. SMITH of Arizona. That is true, although the Federal courts have very little to do along that line, as the State courts have jurisdiction.

I had the exact history of the record; but suffice it to say that the judge on the bench had on the docket in March some 350 cases—law, equity, and criminal. He has sat for five years without one week's real recess, and from the 14th day of last March up to last November he had disposed of some 500 cases, sitting often day and night; and yet he now has on his docket something like 600 cases. The effort to get another judge to help out seems to create the impression that we are trying to get some Democrat appointed to an office, and that is what has met me here and met me in the House. There is nothing in it.

I do not want to take the Senator's time, if I am intruding on him.

Mr. THOMAS. Go right ahead.

Mr. SMITH of Arizona. We have been attempting to get an additional judge for Arizona, but we can not.

It strikes me that the House bill is infinitely better than the Senate substitute. It made the salary of every one of these dis-

trict judges $7,500 flat. That is little enough. The judge of my court has got to quit, or else he will simply ruin his health in an effort to keep the jails partly cleared, as well as he can, and save as much expense as possible to the Government.

That is the condition that the matter is in; and the flat $7,500, as the House bill provided, strikes me as infinitely better. Under the Senate committee amendment the mere fact that a million men live in a district is to give a man a thousand dollars more for presiding over the court, instead of estimating the amount of business that the judge has before him. The expense of living is just as high or higher where we have to travel from place to place in the West as it is anywhere in the East; and estimating it on the basis of a mere population that has no Federal business, and fixing the additional salary on that basis, seems to me without any reason whatever. If it were put on the basis of the business the court transacts, that might produce a good many suits that otherwise would not be brought; I appreciate that. Therefore, it seems to me, the Senator's criticism is exactly right, that the House bill, with a flat $7,500 salary, should not be objected to by anyone, with the amount of business that these courts have; and it strikes me that the House bill, without amendment, ought to be passed.

Mr. THOMAS. Mr. President, I think the position of the Senator from Arizona [Mr. SMITH] is justified by the facts which he has recited; but if the system of salaries for district judges proposed by this amendment be the sound one, the same principle should extend to the circuit court of appeals.

The eighth circuit, which comprises the State which I in part represent here, is the largest circuit in the United States, geographically; and while I am not able to state off-hand the population which is comprised in that circuit, it is certainly very large, and the business which is transacted by that circuit is greater than that of any other circuit in the country. That being so, and assuming that the population is larger, why should not each of the circuit judges for the eighth circuit receive a greater salary than will be paid to the circuit judges for, we will say, one of the southern or eastern districts—the second, third, or fourth?

There is surely a disparity in the populations of the circuits. There must be, in the nature of things, as there is geographically, and as there is also in the territory and the population of the United States judicial districts. So that the system is not symmetrical, it is not equitable, nor, in my judgment, is it consistent, unless the salaries to be paid to the circuit judges shall conform to and be regulated by the same basis.

I have the very highest opinion of the ability of the Senator having charge of the bill, and I know that he must have reasons which are conclusive to him, at least, for proposing these amendments to the House bill; but as far as I am able to judge until I am better informed, the House provision is far preferable, if we are to raise these salaries at all.

Mr. SMITH of Georgia. Mr. President, I can give to the Senate the reasons that influenced the subcommittee that investigated this question; and they are substantially the same reasons that influenced the Judiciary Committee of the House.

Take, as an illustration, the city of New York. We find our Federal judges there paid about half as much as the State court judges.

Mr. CALDER. Mr. President, if the Senator will permit me, one-third as much. We pay our supreme court judges $17,500 a year.

Mr. SMITH of Georgia. The Senator from New York suggests that they are paid one-third as much.

Mr. THOMAS. Mr. President, that is true of New York; but in Colorado the salaries of the district judges and the circuit judges are both larger than the salaries which we pay to the judges of our supreme court, and we only pay $4,000 a year to the judges of the district court.

Mr. SMITH of Georgia. Mr. President, I was wishing to indicate to the Senate the situation that confronted us, that led both of the Judiciary Committees to conclude that some recognition of salary based upon population was necessary.

Take the case in the city of New York, where the volume of business is immense, where the successful lawyer finds as a result of his efforts an income much larger than in smaller communities, and where the expenses of living are much greater. It was believed that some system ought to be adopted that would make it practicable to carry the salaries in New York, Philadelphia, Chicago, and a few other portions of the country, reasonably beyond the salaries in States like my own, or districts in which there are no large cities; and this plan of population was adopted. The House plan ran the salary of the circuit court judge up to $11,000, and the salary of the district court judge to $10,000. We restricted it so as to limit the circuit court judge to a thousand dollars less, and the district court judge to a thousand dollars less.

For a long time the same pay was not given to all of our district judges, or all of our circuit-court judges, before they became judges of the circuit court of appeals. The difference in volume of business and in the location was recognized, and the salaries varied. The salaries of our district attorneys now vary. The salaries of our collectors of internal revenue vary. So we felt that we were justified in following the view of the Judiciary Committee of the House, and, undertaking to make some provision by which in certain of the larger districts, where incomes were larger, where expenses of living were relatively somewhat larger than in the smaller districts, and the business larger, larger salaries should be paid.

Mr. CUMMINS. Mr. President, there is a great deal of reason in the suggestion made by the Senator from Georgia; but the trouble is that this standard does not accomplish his purpose altogether, or it accomplishes a good deal more than it. You take the district as a basis. Now, the same population in a State may be divided into two divisions. The judges do exactly the same business; they live under the same circumstances and in the same general community; yet in the one case the salary would be largely increased over the minimum, and in the other it would not be increased at all. That is the objection that I have to this standard.

Mr. SMITH of Georgia. Mr. President, I recognize the criticism which the Senator from Iowa places upon it. We do not submit this action without some doubt ourselves. We do not believe that we have certainly done the only thing that could be done; but we felt that we could, perhaps, come nearer obviating the difficulties in this way than in any other way. We felt that it was probably the best plan that we could suggest.

We raised the minimum salary of the district judge to $7,000, as against $6,500 in the original House bill. We stopped the maximum at $9,000, as against $10,000 in the House. We raised the minimum for the judge of the circuit court of appeals to $8,000, instead of $7,500. We stopped the maximum at $10,000. We undertook to raise a little at the bottom and trim off a little at the top in this plan, because we felt that the plan itself had defects in it.

Mr. CUMMINS. If the Senator will allow me just a moment more in order to exemplify what I have just stated, I should like to ask the Senator from Minnesota [Mr. KELLOGG] what effect this amendment would have upon the salary of the district judges in Minnesota. How much would the salary of a district judge in Minnesota be under the provisions of this law?

Mr. SMITH of Georgia. I can tell the Senator, unless the Senator from Minnesota has the figures.

Mr. CUMMINS. I did not know that the Senator from Georgia had the figures, or I would have asked him.

Mr. SMITH of Georgia. Yes; I think I have them here.

Mr. KELLOGG. Will the Senator give them? I will look and see if I have them.

Mr. SMITH of Georgia. My figures here give the district court judge in Minnesota $8,500 and the circuit court judge $9,500.

Mr. CUMMINS. Precisely. Now, Mr. President, that brings clearly to the attention of the Senate the disparity which I mentioned a few moments ago. Minnesota has one district, and therefore the salary of a district judge is determined by the population of the whole State. Iowa has two districts and has two districts judges only; and the salary of the district judges in my State would not be increased at all over the minimum under the operation of the proposed statute. So we would have the situation of two adjoining States—and they are about as nearly alike as two States could be—in which the district judges in one were receiving $8,500 and in the other $7,000.

Mr. SMITH of Georgia. But in one State you divide the State and have two judges, and in the other State the one judge does all the work.

Mr. CUMMINS. That is true; but there is not more than one district judge in Minnesota. There is not the same number of judges.

Mr. THOMAS. They all receive the increased salary.

Mr. CUMMINS. They all get an increased salary. I have no objection in the world to that; but you are proposing a plan here that will create the greatest possible discontent everywhere, because it is discriminating against judges without any reason.

Mr. THOMAS. The Senator might add that Minnesota has at least the same number of judges in the one district that Iowa has in the two districts. Under the operation of this law all the judges will get the increased salary, but neither of the Iowa judges will get anything more than the minimum, if the business in the two States and the population of the two States are practically identical.

Mr. CUMMINS. Minnesota has a little larger population than Iowa.

Mr. THOMAS. Not much.

Mr. CUMMINS. Not materially larger. In our State we divide into districts two million and a half people—into two districts two million and a half people—and the districts are so divided that they are about equal in population. So that in each district there are about 1,250,000 people, not enough in either district to entitle the district judge to any advance over the minimum compensation by reason of population, although the judges do their work and live under practically the same conditions.

Mr. SMITH of Georgia. I understand there is one district in Minnesota and there are two districts in Iowa.

Mr. CUMMINS. That is the way I understand it.

Mr. KELLOGG. Yes; there are one district and two judges in Minnesota.

Mr. CUMMINS. We have two districts and two judges.

Mr. KELLOGG. There are five divisions; but, as I recollect, those are divisions of the district. They hold court in five different places, and there are two judges of the district court.

Mr. WARREN. What is the population?

Mr. KELLOGG. The population is two million and a quarter or two million and a half.

Mr. SMITH of Georgia. I am obliged to recognize that there are inequalities in this bill, but I do not see how we could take care of the necessities for the larger salaries in the larger places except in this way, and we undertook to put it in the best shape we could along that line.

Mr. FLETCHER. May I ask the Senator if he knows of any other instance? I do not recall any other States that have only one district and one judge.

Mr. THOMAS. My State has only one district and one judge.

Mr. FLETCHER. Of course some States have more than one district, but I mean one district with more than one judge. I do not recall any others.

Mr. THOMAS. There are States having more than one district in which the number of judges exceed the number of districts.

Mr. HENDERSON. There is the same condition in Nevada as in Colorado.

Mr. FLETCHER. And in Nevada, Arizona, and New Mexico.

Mr. THOMAS. There are States that have more than one district in which the number of judges exceeds the number of districts and each of those judges under this bill notwithstanding population is entitled to the same salary.

Mr. FLETCHER. There are very few of those cases. I think there have been some proposals passed by the Senate but not yet passed by the House where additional judges are provided in some particular districts but there are very few of those cases and very few cases similar to the Minnesota case. It is almost impossible to make a bill that will fit all conditions. I believe it is true that if the Senate bill is passed it will not mean quite as large a draft on the Treasury as the bill passed by the House. I do not know whether the Senator from Georgia has figured that out exactly, but it is my impression that the committee did. I think if the Senate committee bill is passed it will not mean quite as large an increased expenditure in judges' salaries as the bill passed by the House would call for. In other words, if we make a minimum salary of $7,000 for district judges and only increase in those districts where the population and business increase, you will not pay out as much money for the salaries of district judges as you would if you made all the salaries for every district judge $7,500.

Mr. SMITH of Georgia. For district and circuit judges together the Senate committee bill appropriates a little more than the bill as passed by the House.

Mr. KELLOGG. I did not hear the Senator's remarks; there was so much noise in the Chamber. Will the Senator please repeat it?

Mr. SMITH of Georgia. For district and circuit judges combined the increase is a little more in the Senate committee bill.

Mr. KELLOGG. What is the increase? Is it not about $200,000 altogether?

Mr. SMITH of Georgia. The total increase in the bill as passed by the House is $189,000. The total increase by the Senate committee bill is $229,000. I will say again to Senators that it is a matter for them to determine. I believe from what I have heard from Senators that there is almost a unanimous view in the Senate that increases should take place. I have had so many Senators speak to me of their interest in this bill and their desire to support the increase of compensation for the judges that I feel sure the general principle of an increase will receive the cordial support of the Senate. Just what plan should be pursued is for you to decide. We give you the plan recommended by the Judiciary Committee of the House, modified as I have stated. The House itself desire to treat all the judges, without regard to territory, in exactly the same way. It is simply for the Senate to say which they prefer.

Mr. WILLIAMS. Mr. President, some one said many years ago—I do not remember just now who it was but I believe it was Edmund Burke—that the trouble with the English-speaking races is that they constitute a government of lawyers—lawyers in the legislative assemblies, lawyers making laws for lawyers' benefit, and lawyers fixing salaries for lawyers' benefit. Whoever may have said this, there is a great deal of truth in it. If you will look over the membership of the House of Representatives and of the Senate and of the House of Commons in Great Britain, you will find that a large majority of them are lawyers and they legislate in behalf of lawyers, as is perfectly natural.

So far as I can ascertain, this is a bill to increase the salaries of lawyers who have become judges, and who, having become judges, are sacrosanct and ought to be above criticism even as to the amount of money they are to be paid.

There is not any lack of lawyers in the United States who are hunting positions as Federal judges. A vacancy can not occur in a single State of the Union when there are not from 10 to 12 of the most prominent lawyers in the State seeking the position, desiring very honestly to have it for public purposes, not for the reason of the payment of the salary, but because they want to serve the public. They are always there.

I have had a man or two appointed as Federal judge, and the Senator from Georgia, too, has, I expect, although I do not know. I imagine we both had a great deal of difficulty in determining which one of the several men applying for the place we should recommend. They all wanted the position, and wanted it very badly. Men who vied with the Senator and with myself when we were attorneys in our practice—it did not take much to vie with me, but it took a great deal to vie with him—were seeking positions as Federal judges, and very glad to get them at the salaries already paid.

There is no reason in the world why the salaries should be raised. Senators tell me that at certain points in the United States certain Federal judges must decide a certain multitudinous number of cases for which they ought to be extraordinarily remunerated, and that there are other places where they decide a less number of cases for which they ought not to be extraordinarily remunerated. I find that a man can just do so much work in a day, no matter what he is—a judge or what not—and that he does not give himself extra hours on account of extra labor, either; that the average judge devotes about six hours a day in public to the public business, and if he is a very conscientious man he devotes more to it in private.

I am tired of government by lawyers, for lawyers, and for lawyers' payments and compensations. I do not speak with any antagonism. I am the son of a lawyer, the grandson of a lawyer, the great-grandson of a lawyer, the great-great-grandson of a lawyer, and a lawyer myself in a way—not, I thank God, in a commercial way. I never made so awfully much money out of it, because I did not want to go into that part of the practice that based itself purely upon commercial compensation.

I do not see any reason why these salaries should be increased. The lawyers, judging by the fact that they all want the places, do not see any reason for it. The men whom I have had appointed as judges and the men whom the Senator from Georgia has had appointed as judges did not see any particular reason for it, because they took the job at the old price and were very glad to get it. They summoned the whole family up that night and thanked God for the opportunity to take the place. I suppose the wife prayed and the children prayed, and all of them rendered thanks to God that they had gotten the position.

A lawyer with ermine on him is just simply a lawyer. We call him a judge, but we have not added anything to his consideration or his ability or his capacity. If he did not want to take the place as a Federal judge at $6,000 a year salary he need not have taken it. All he has to do is to let it alone.

By the way, the chief judges of the United States, men like Chief Justice Marshall and Story, were men who never quarreled about their salaries. Each one of them considered himself peculiarly blessed in having the salary which he had. There is not a line in all the autobiography and biography of Chief Justice Marshall complaining about the fact that he was not adequately compensated as a lawyer. He could not have made $2,500 a year in Virginia practicing law.

He never had made it in his entire life. Story could not have made $5,000 a year in Massachusetts practicing law, and never had made it in his entire life. Yet they were two of

the very best judges the United States ever had, and why? Principally because they never practiced law for money. The average lawyer who practices law for money and whose aim in his profession is to make money is not a good lawyer and will not make a good judge. He is merely a self-seeker. He is merely a fellow who wants money handed out to him, and if he is that sort of a fellow he will not make a good judge, whatever else he may make.

Old John B. Minor, of the University of Virginia, in my opinion was the greatest lawyer this country has seen in half a century. He scarcely made a living practicing law, because when a case came in to him the ethics of which he did not approve he turned it down. He educated more great lawyers than any man in America except Chancellor Kent, of New York. Kent, of New York, never made any immense amount of money practicing law, as the Senator from New York can testify, but Kent was a great judge, and he was a great judge for the reason John B. Minor was and Story was and Marshall was, to wit, because he had never looked to the law simply and solely as a method of making money.

Mr. President, I do not believe you are going to attract to the bench the best judges by increasing the salaries. I believe if you increase them high enough you will attract the money seeker, the moneygrubber, and the money lover, and whenever you get them on the bench you will have a bad judiciary.

Mr. MYERS. Mr. President, I send to the desk an amendment to the pending committee amendment and ask to have it read.

The SECRETARY. Amend by inserting, after the word "judges" at the end of line 16, page 2, the words "including the United States district judges for the Territory of Hawaii."

Mr. MYERS. Mr. President, this bill does not apply to United States district judges for the Territories of the United States. It applies only to United States district judges for districts on the mainland or in the United States proper. There are two United States district judges for the Territory of Hawaii. The salary of each is $6,000 per year. They are not appointed for life, as are the United States district judges in the United States proper. They are appointed for only six years.

I do not see any reason why the United States district judges for the Territories should not receive as much compensation as other United States district judges. The United States district judges for the district of Hawaii, as I say, serve only for six years, and in that respect are at a disadvantage with those United States district judges who serve for life or during good behavior. They have to go thousands of miles away from home and live in a strange land. The cost of living in Hawaii is even higher than it is on the mainland of the United States.

The United States district judges for the Territory of Hawaii are good judges and should receive as much compensation as the United States district judges on the mainland. Furthermore, I think the United States district judges in the different Territories should be paid something like the same compensation. The United States district judges for Alaska receive $7,500 per year. I can see no reason why United States district judges for the Territory of Alaska should receive more compensation than United States district judges for the Territory of Hawaii. There is no reason for it. When you come to reason, there can be no reason for it. The United States district judges for Hawaii should receive just as much compensation as those who serve in Alaska. Hawaii is as far away from the mainland of the United States; the cost of living is just as great, I am sure, in Hawaii as in Alaska.

There may be some difference of opinion among Senators as to the wisdom of this bill. There may be some difference of opinion as to the justification and advisability of enacting this proposed legislation and increasing the salaries of Federal judges; but, if we are going to do it at all, it seems to me we ought to do it equitably and fairly and not increase some and exclude others. It seems to me, if we are going to enact this legislation at all, it should be fairly and equitably framed and put upon a plane, so that all of the United States district judges shall be fairly treated and compensated somewhat alike. Then, when the bill is perfected in that way, it is a question for the Senate to decide whether or not the bill shall be enacted into law. I seek to perfect the bill in an equitable and fair way before the question of its final passage comes before the Senate.

I believe my amendment should be adopted. There is a population of about a half million people in Hawaii. This amendment to the committee amendment, if adopted, would give the United States district judges for the Territory of Hawaii a salary of just $7,000 per annum. It would fix their salaries at the minimum salary provided in this bill. It would give them the lowest salary provided by this bill for any United States district judge, and I think they are certainly worthy of that. They are good men and good judges and there can be no ground for discriminating against them. It is apparent they are discriminated against, though, when you remember that United States district judges for Alaska are given $7,500 a year. My amendment would pay the Hawaiian district judges of the United States $500 per year less than the United States district judges for the Territory of Alaska receive, and would give them the minimum that any United States district judge on the mainland would receive.

It seems to me the amendment should appeal to the Senate as being absolutely fair, just, and reasonable, and there should be no doubt of its adoption.

Mr. KELLOGG. Mr. President, I do not wish to take much of the Senate's time, but I am loath to allow the remarks of the Senator from Mississippi [Mr. WILLIAMS] to pass without at least attempting to answer them.

The Senator states that most of the Members of the House and Senate are lawyers, and therefore it looks to him like they are voting to increase the salaries of lawyers. Great as that argument may seem, I submit that we are not in the habit of putting men on the bench unless they are lawyers, and, of course, when we vote to increase their salaries we vote to increase the salaries of lawyers.

But beyond that, if it is an intimation or an insinuation that the lawyers of the Senate and the House of Representatives are seeking to increase these salaries for personal advantage or in the hope of some time occupying a place on the bench and getting the larger salaries, I am astonished that the Senator from Mississippi should make such an insinuation. The public men in both Houses of Congress and in the legislatures and in public life for more than 100 years have come from that great and honorable profession, and it is a slander upon them to say that they are voting to increase their own salaries.

Mr. President, of course lawyers can be found to occupy the judicial positions at the present salaries, such as they are, and I do not wish in any way to reflect upon the men who are occupying those positions, for the Federal judiciary has during the entire life of this Republic been of a very high grade, and the judges whom I have known, though many times serving for much less than their abilities would justify, are men of high character and ideals and possess eminent qualifications for their position.

But, Mr. President, because men can be procured to fill positions is no answer to the argument that they should be paid a fair salary consistent with the incomes of men of their profession, although I do not claim they should be paid any such amount as men of their profession of like ability can earn. I have no doubt that every office of justice of the peace in important cities could be filled by lawyers, but that is no argument to the effect that a justice of the peace would be suitable to sit upon the court of appeals bench.

Mr. President, it is a well-known fact, not only to lawyers but to everyone, that judges of the United States courts have not for many years been paid a salary commensurate with the very important positions they occupy, and it is becoming increasingly difficult in the large centers of population, where professional incomes are high, as well as in the villages and rural districts, to obtain the best men for appointment as United States judges. In the last few years judges have been resigning in the State of New York, because they simply could not live on the salaries which they there received.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER (Mr. GAY in the chair). Does the Senator from Minnesota yield to the Senator from Washington?

Mr. KELLOGG. I yield.

Mr. POINDEXTER. I have been informed by former Senator O'Gorman, of New York, that the justices of the peace and the police magistrates of New York City receive $8,000 a year, while the United States district judges only get $6,000 a year.

Mr. KELLOGG. I am not informed as to that, but the judges of the Supreme Court of the City of New York, which is the nisi prius court, get $17,500 a year, while the United States district judges get $6,000 a year.

Now, let us consider this fact. It is not solely a question of whether the man can buy the necessaries of life and can live on the salary that is now paid, but it is a question of paying salaries commensurate with the incomes of lawyers in the community; and no one will claim that any man who is qualified to sit upon the United States district court or upon the circuit court bench could not earn vastly more than the salary he is now paid or that it is proposed to pay in this bill.

Mr. WILLIAMS. Then why does he take the place?

Mr. KELLOGG. The Senator from Mississippi asks why judges take such places. It is because it now is, and always has been, a very honorable place, and it is to the honor of the profession that that is the fact.

Mr. WILLIAMS. That answers the question.

Mr. KELLOGG. But we should not force men to take those positions simply because of the honor involved, for it means that a poor man can not afford to do so, and the bench will be filled by rich men or by incompetents.

Mr. WILLIAMS. Will the Senator pardon me this interruption?

Mr. KELLOGG. I will.

Mr. WILLIAMS. If it be true that a man takes the place partially because of its compensation and partially because of its honor, and chiefly because of its honor, then why should we put it upon a mere monetary basis? Why should we not leave to the honor of the profession some of the ambition that Marshall, Kent, and Story had to figure in American history as great lawyers? Why should we reduce it to a mere dollars-and-cents standard? As I understand, the Senator from Minnesota says that these men take these places because of the honor in them. I can understand that; he can understand that; the Senator from Washington [Mr. POINDEXTER] can understand that. We will do much more for honor than we will for money.

Mr. KELLOGG. Mr. President, I will attempt to answer the Senator from Mississippi. It undoubtedly is a fact that a great many of the judges occupy the position because it is a position of honor and dignity, and I do not expect that we are going to pay a salary anywhere near what those men could earn in their profession; no one thinks of doing that.

Mr. WILLIAMS. Will the Senator pardon one more question?

Mr. KELLOGG. I have not yet answered the Senator's first question.

Mr. WILLIAMS. Then the Senator can answer the two questions at the same time. Suppose we undertook to pay the utmost salary that any lawyer in private practice could get, then would we not undertake to pay a dishonest salary for dishonest service to public corporations?

Mr. KELLOGG. Mr. President, no one thinks of paying a maximum salary equal to the income of many lawyers; but I should like to remind the Senator from Mississippi that there are a great many high-minded and able lawyers who are just as patriotic as is the Senator from Mississippi or any other Senator in this body, who have large incomes from legitimate and honorable business. No one expects to pay judges more than a small proportion of the income of such lawyers; but I do think that we should not leave the judges of the United States courts to be paid by honor alone. I do not wish only men to be selected for those positions who have made their fortunes. I like to see young men of ability who are poor and yet have the world before them given an opportunity to distinguish themselves upon the bench.

Manifestly the salaries of the district and circuit judges of this country are inadequate. Let me submit some figures. The eighth circuit, in which I have had the honor of practicing for over 40 years, contains 13 States, reaching from the Mississippi River to the Rocky Mountains and from the borders of this country on the north to the south to New Mexico. It has a population of almost 20,000,000; it has four United States circuit judges who sit in the court of appeals, and since the day that Justice Miller and Justice Brewer added luster to that bench it has been filled by lawyers of the highest ability, character, and standing. One of them to-day is upon the United States Supreme Court bench, having sat there many years. Judge Caldwell was well known as one of the great lawyers of this country, and Judge Miller in his day was ex officio circuit judge, representing the Supreme Court of the United States. To-day there are Judges Sanborn, Hook, Smith, and Stone. They are all men of ability and character. Judge Sanborn has been on that bench for more than a quarter of a century and is one of the great lawyers and judges of this country, his entire time and strength being given to a work of colossal magnitude. We are paying him only $7,000 a year, and he would have resigned but for the protest of the members of the bar of this country. I say that that is not fair.

Mr. President, the judiciary, State and Federal, is the corner stone and the foundation of law and order in this Republic. It sits between the legislative and the executive. Its powerful hand protects the citizen if the Executive, in the pursuit of his ambitions, seeks to usurp his powers; and it is the prerogative of the judge to decide whether the statutes that Congress pass conform with the Constitution and the Bill of Rights which were framed by our forefathers and which have been handed down to us through the generations. Nothing is more important to the protection of the citizen and to the stability of the Government than a high-minded, honorable, fearless judiciary.

I do not for a moment wish that we shall turn the bench into a money-grubbing profession. I say, to the honor of the bench of this country, that against its standing that charge can never be made; and the proposed increase here provided certainly will not render the judges of the United States liable to the charge of profiteering.

Mr. President, I am not particular whether the amendment of the Judiciary Committee be adopted or whether there be a flat increase applying to all the judges of the United States. I realize that there are objections to both systems. The House Judiciary Committee for the last year or two had under consideration, as the Senator from Georgia [Mr. SMITH] has stated, this plan, and they reported in favor of it. Then the House changed it to a flat salary basis. The Senate Judiciary subcommittee recommended a flat increase of salary, but the entire Judiciary Committee, considering the matter again, recommended the sliding scale, with a maximum and a minimum limitation.

Mr. SMITH of Arizona. Mr. President, will the Senator from Minnesota permit an interruption?

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Arizona?

Mr. KELLOGG. I yield to the Senator.

Mr. SMITH of Arizona. I should like to have the judgment of the Senator from Minnesota as to which, in his opinion, as the matter now stands, is the better legislation. My view of the bill leads me to feel that the House as it passed the bill came nearer to being absolutely fair all along the line. The plan of the House impresses me as being preferable to that of the bill as reported to the Senate. I have great confidence in the judgment of the Senator from Minnesota in the matter, and should be somewhat led by his mature judgment as to which of these plans is the better; but at present I am convinced that the bill as it came from the other House is much better than as now proposed to be amended by the Senate committee.

Mr. KELLOGG. Mr. President, I will try to answer the Senator from Arizona before I complete my remarks. I wish to state the two sides of the question as fairly as possible, and I shall be content whichever plan the Senate adopts. I think, however, that the salaries fixed in the House bill are not high enough. As I understand, they are $7,500 for district judges and $8,500 for circuit judges. I think those salaries should be higher.

Coming, now, to the question of which is the better plan, the one adopted by the other House or the one adopted by the Senate Judiciary Committee, reversing the position, as I understand, taken by the subcommittee of the Judiciary committee. I am not on the Judiciary Committee and therefore am not familiar with the arguments and statistics which were presented as to the various large centers of population, and I can only give my views in a general way. It is true, undoubtedly, that in New York, Philadelphia, Boston, Chicago, St. Louis, and other cities it is much more difficult to obtain high-grade lawyers to sit upon the district bench than it is in the country lawyers of equal ability.

I am a great believer in the country lawyer. I was born in the country, started to practice in a little country town in southern Minnesota, and traveled over the prairies of the West trying lawsuits, and I know that many, if not most, of the great lawyers of the United States have come from country towns. If you will look at the bar of the great cities to-day, you will find that they have drawn their brains largely from the country. I also know that a salary of six, seven, or eight thousand dollars a year in Iowa or Minnesota or in the Dakotas would be much more adequate than $10,000 in New York City or Washington, where rents are enormous and where the standard of professional incomes is very much higher.

Of course, a lawyer should not look exclusively to the money question, and the great lawyers of the country do not. It is a rule almost universal that the great lawyers of this country do not turn away clients any more than the great doctors do because they have no money; but it is not dishonorable for the great lawyers of the country to earn large incomes, any more than it is dishonorable for men engaged in business to make large incomes; it is honorable.

Mr. President, as I have stated, it is true that in the large cities it is more difficult to obtain professional men to sit upon the bench than in the country, and there is a reason for it. In my State we pay our district judges, our State trial judges, $1,500 more in St. Paul, Minneapolis, and Duluth than we pay them elsewhere in the State, and there has never been any ob-

jection to that. In the State of New York likewise the State judges get a great deal more—I think nearly twice as much—in the city of New York than they do up State, where I lived when I was a boy. On the other hand, it is also true, as stated by the Senator from Iowa, that there are discriminations in this system. I will admit that as between the State of Minnesota and the State of Iowa I do not think that the judges of the district courts ought to be paid any more in the State of Minnesota than in the State of Iowa, although possibly litigation is greater in Minnesota, owing to the enormous mining district which is situated principally in that State. There will be some discrimination and it can not be avoided. Even if we make a flat increase in salary, there will be discrimination; there is no doubt about that; and under such a plan the discrimination might be greater.

Take the judges of the circuit court of appeals. The circuit court of appeals of the eighth circuit embraces 13 States. There is no other court embracing anywhere near so large a number of States. It has the largest population by about 7,000,000 of any circuit in the United States. It has nearly 20,000,000 people, while the circuit with the next greatest population is the New York circuit, known as the second circuit, which has 12,500,000 people; next comes the Pennsylvania, or third circuit, which has twelve and a third million people; and then the seventh circuit, embracing Wisconsin, Illinois, and Indiana, which has 11,800,000 people. I ask to include the computation I hold in my hand at the end of my remarks, without reading.

The PRESIDING OFFICER. Without objection, permission is granted.

Mr. KELLOGG. Mr. President, under this bill the United States circuit judges of the court of appeals of the first circuit, embracing New England; of the second circuit, embracing Vermont, New York, and Connecticut; and of the third circuit, embracing Pennsylvania, New Jersey, and Delaware, will get the maximum salary of $10,000, which is certainly not more than adequate. The judges of the seventh circuit, embracing Wisconsin and Illinois and Indiana, in which the city of Chicago is situated, will also receive a salary of $10,000.

In the circuit of which Minnesota is a part, as I figure it—and I think I am correct—the maximum salary of the judges of the United States circuit court of appeals will be $9,500. I readily realize that when those judges sit in St. Paul, St. Louis, Denver, where litigation is perhaps heavier than in any other circuit in the United States, they ought to be paid as much as the judges of the circuit court of appeals in the New York circuit, but I am not going to object to the bill on that account, for I realize that we can not get exact equality, and, even if we provide a flat increase of salary, some judges in the country districts, where the business is light, will be paid really more than the judges in the big districts, where the business is heavy.

In the eighth circuit, during the life of the court, there have been more opinions filed than in any other court in the United States; the litigation has been of greater importance; it has involved a great section of the country traversed by railroads, embracing great cities and great mining and industrial interests, the principal iron mines and many of the other mineral industries of the country being situated within that circuit. Yet I am not going to object because the judges of that circuit under this bill will receive $500 a year less than the judges in the New York and other circuits, because I believe the committee has tried to make as fair a bill as possible. Personally, I am perfectly willing, if the Senate so desires, to have adopted the plan of a flat increase of salary.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Iowa?

Mr. KELLOGG. I yield.

Mr. CUMMINS. Does the Senator know of any reason why the committee should not have adopted the rule of population in the case of the circuits as well as in the case of the districts?

Mr. KELLOGG. No; I am not familiar with the statistics or the arguments before the committee. As I have said, I am not on the committee, and I have had only a very brief opportunity to look over the report of the committee and the bill. I repeat, it is a question of opinion as to which is the best method, and I am sure the chairman of the committee will be perfectly satisfied if either plan is adopted, provided a reasonable increase in the salaries of these judges is provided.

Mr. CUMMINS. Mr. President, I am just as much in favor of a fair increase in the compensation of United States judges as is the Senator in charge of the bill or the Senator from Minnesota, but I can tell the Senator why the rule of population was not adopted with respect to the circuit judges.

Mr. KELLOGG. I am not familiar with that.

Mr. CUMMINS. The committee was trying to provide, as was stated by the Senator from Georgia, the highest salary for United States judges in New York, Boston, Philadelphia, and Chicago, and the rule of population will do that in the case of district judges, but will not do it in the case of circuit judges. Therefore, another rule was adopted for ascertaining the compensation of circuit judges. I think the rule eminently unfair, not that I am not willing to give some compensation to the judges in New York, Boston, Philadelphia, and Chicago in excess of the general level of compensation, for I am. I recognize as perfectly valid some reasons, at any rate, that are given for higher salaries in those places. All of the judges want their salaries increased, of course, but this bill will bring about more heartburnings than we have ever seen in judicial circles.

I see the Senator from Michigan [Mr. TOWNSEND] sitting by me. The bill will not only create disparity between States, but between districts in the same State. A few moments ago I asked the Senator from Michigan what the effect of the bill would be in his State, and he told me that the result would be that the salary of the judge of the western district of Michigan would be $7,500, while the salary of the judge of the eastern district of Michigan would be $8,500, both of them men of the very highest character, both of them capable of great work, and one of them doing just as much work and just as important work as the other. I do not believe there is any justification for that kind of a rule.

Mr. KELLOGG. Mr. President, I can not answer the Senator as to specific salaries in the case of the various district judges of the country. I know, of course, that there is some discrimination between the judges of the circuit court of appeals. Of course, that could be removed by making a flat increase in the salaries of all judges of the circuit court of appeals to $10,000 a year, because undoubtedly in all the circuits the courts of appeal hold their meetings in more than one place. I presume that is true; they certainly do in the circuit where my home is.

So far as I know I have not heard of any objection by the judges themselves; naturally, perhaps, they would not raise objections; but I have heard from a good many judges who, while they realize that the bill probably does discriminate somewhat, yet on the whole they are satisfied, and some of those judges are in the big cities. Of course, however, I can not speak for the bench as a whole, and I realize what the Senator from Iowa has said that there is necessarily some discrimination.

APPENDIX.

MEMORANDUM RE H. R. 12001, JUDICIAL SALARY BILL.

Population of the nine judicial circuits of the United States.

STATES IN THE FIRST CIRCUIT.	
Maine	787,042
New Hampshire	448,274
Massachusetts	3,889,607
Rhode Island	648,984
Total	5,773,887
STATES IN SECOND CIRCUIT.	
Vermont	367,439
New York	10,833,795
Connecticut	1,307,163
Total	12,508,397
STATES IN THIRD CIRCUIT.	
Pennsylvania	8,936,091
New Jersey	3,146,547
Delaware	218,722
Total	12,301,360
STATES IN SEVENTH CIRCUIT.	
Wisconsin	2,580,800
Illinois	6,400,473
Indiana	2,872,842
Total	11,854,115
STATES IN EIGHTH CIRCUIT.	
North Dakota	817,554
Minnesota	2,378,128
South Dakota	753,897
Iowa	2,224,771
Missouri	3,467,401
Nebraska	1,369,627
Kansas	1,893,520
Arkansas	1,819,587
Oklahoma	2,465,402
Wyoming	195,791
Utah	463,431
Colorado	1,040,842
New Mexico	450,381
Total	19,283,332

N. B.—The foregoing figures have been obtained from the Census Bureau, and represent estimates of the population of the States mentioned on July 1, 1919, computed on a mathematical basis, being advanced from the last census statistics taken on April 15, 1910.

Mr. WILLIAMS. Mr. President, the salary of a Senator of the United States is $7,500 a year. A Senator of the United States is selected by the people of his State. His source of authority is of the very highest order. A judge of a Federal court is generally selected by some political influence, plus the President and the Attorney General. His source of authority is not of the very highest order. If a Senator does his duty, he does very much more work than a judge of a Federal court. Of course, if a Senator does not do his duty, he may do a good deal less than some judges of some Federal courts. He could not possibly, no matter how much he played, do less work than some other judges of some other Federal courts. There is no reason in the world why an officer of this Government—and the legislative branch of the Government coordinates with the judiciary—should be paid less than the judiciary, except upon the Supreme Court itself, which sits in judgment over both the judiciary and the legislative and the executive branches.

Suppose somebody came in here to-day and said that we ought to fix our salaries as Senators according to the population of our respective States, or according to their wealth, or according to their business. Would you pay a Senator from New York ten times as much as you pay a Senator from Minnesota? If you were guided by the population ratio, or by the wealth ratio, you would have to pay him at least that much more. Is there any sense in it? Are there any ethics in it? And I want to go back to the ethics of the situation.

I repeat now what I have said by innuendo, that if you attempt to pay men upon the Federal bench the salaries that unscrupulous lawyers can gain off the bench, then you have corrupted the bench; and when I say that, I do not mean scrupulous lawyers; I mean unscrupulous lawyers. Every time this question is presented for debate in this body or at the other wing of this Capitol men mention the immense salaries that certain lawyers are getting.

Mr. KELLOGG. Mr. President, if the Senator will permit me, did I mention the immense salaries that certain lawyers were getting?

Mr. WILLIAMS. The Senator did not mention any particular salary that any particular lawyer was getting; no.

Mr. KELLOGG. Did I mention any salaries at all?

Mr. WILLIAMS. But the Senator went on and mentioned the fact that the judges could not get as much as they could in private life.

Mr. KELLOGG. That is a mild statement of the position I took.

Mr. WILLIAMS. Yes. Now, what the Senator meant by that was that the judges could not get as much as some lawyers could get in private life. If he had referred to Chief Justice Marshall, or to Justice Kent, of New York, or to Story, they got a great deal more as salary than they ever earned as practitioners; but they did not get as much as a whole lot of other lawyers in their day got—the lawyers that took business that Kent or Story or Marshall would have scorned.

What about this basis of population with regard to salaries for judges? Are you going to give a Senator from Pennsylvania five times the salary that a Senator from Georgia gets? They do the same work, or are supposed to do it. Every judge of the appellate court and every circuit judge and every district judge of the United States has business enough to keep him busy all the time if he attends to his work. Why should you discriminate between them on account of the population behind them? And if it be true that you are discriminating, not on account of population, but on account of the number of cases, then why not increase the number of judges and let each judge have approximately the same business to perform and pay him the same salary?

But at the bottom of it all, Mr. President, there are, to me, the ethics of the situation. I deny, I scorn the proposition, that a man honored with a life tenure as an officer of the United States Government for the purpose of construing its laws ought to want or demand the same compensation that he would receive in private life. You would give up the position that you occupy to-day, and I would give up mine, for a position for life upon the Federal bench, and the Senator from Minnesota would give up his. Why? The honor, the dignity, the patriotism, the service, the life service of a true and honest man rendered to his country.

What is there in life after all except service—service which I render you, or you me, or which we both render the public? The balance of it is selfishness. You show me a lawyer who would not take a place upon the Federal bench for life at $6,000 a year rather than earn $15,000 in private life and I will show you a man that is crooked, in heart crooked, in soul crooked, in mind crooked, because he has at heart the idea that the amount of money that he can earn is of more worth to God and man than the amount of service that he can render.

Mr. SMITH of Arizona. Mr. President, in what little I have to say I shall not stop to answer anything that has been said about the legal profession by the Senator from Mississippi, for I do not know that it has anything to do with this case; but I have learned to-day for the first time, and from him, that the best way to get a good lawyer upon the bench is to get a man who never was able to make a living practicing that honorable profession; and the way to secure an absolutely perfect judge is not to allow him any salary at all. [Laughter.] That is idealistic in the highest degree, and as practical as real simon-pure idealists usually are.

I want to say that as far as this discussion has gone—and I am deeply interested in it, though not personally, any more than any other Senator here—I feel that we ought to accept the House bill. It shortens further debate on this question and gives, in my judgment, as good a law as we can possibly get out of the present condition. I do not think there was any justification in the Senate committee striking out the $7,500 placed in the House bill in section 2 and substituting $7,000 per annum as the minimum salary, and doing it, I imagine, on the ground of population of the district rather than on the labor to be performed by the judge. It so happens that there are many districts in the United States where $6,000 might be a sufficient salary, a fair compensation for the service rendered; and from what has just been said by the Senator from Mississippi, I would judge that inasmuch as little men were hunting big places, even with the smallest salaries, many of the judges with whom he is acquainted were getting much more than they ought to have, even at $5,000. In such cases the Federal courts in such States should be confined to not more than one district, and I will agree with the Senator to limit the salary to the value of the service rendered at any time that he will introduce a bill to that effect. Mr. President, no law of man was ever made or ever can be made that will insure exact justice to all concerned. In our limited conditions we can only try our best to approach that exact justice we all desire. Because a Mississippi judge has nothing to do and can regale himself and live in envious splendor on $6,000 a year is no reason that a busy and able public servant in my State should be worked to death on starving wages.

Take the judge of my district—Judge Sawtelle—an ornament to the bench, a man of the highest personal character, and a lawyer of exceptional ability, a man whose life is as clean as his mind is honest, and who is absolutely fearless in the performance of his duty. When comparatively a young man he quit a practice of twelve or fifteen thousand dollars a year to take the position of district judge at $6,000. Men have ambition, just as many of us started out, actuated by it, not as a money-getting matter but feeling that probably he could render such service to his country as to be honored and respected by his contemporaries and leave a name that his descendants would revere. Nevertheless the judge or the Senator must have something to live on. The judge can not educate his boys on his present salary and hold four terms of court in a State almost as big as Ohio, Indiana, and Illinois put together, going hundreds of miles from one court to another, six years on the bench now without a week's actual recess, trying cases at night, with a docket constantly growing, and disposing of something like 500 cases since last March, and he has 600 cases now on his docket. He has to do this, and he does it and is doing it simply because he can not possibly enjoy a recess with 100 or 200 people in jail awaiting trial.

We have asked for a second judge for that district. For the reasons that I indicated in the few words I said a while ago, that judge has not yet been granted. That bill, which passed the Senate, has not passed the House. They are trying to mix it up with politics. Politics has nothing to do with it. Telegrams or letters sent here to Members of the House and Senate by low and common ward politicians are unworthy of decent consideration at your hands. The judge of my district can not perform the duties of his office and keep his health, and no man living can do it. With possibly one or two exceptions, there is not in this Senate a man who works half the time that Judge Sawtelle works in Arizona upon the bench, and I know that his services to his country there are as great as the services of any one of us here; and yet the Senate has cut that salary down to $500 less than the House bill provided and largely increased the salary of judges doing less work, but serving in districts having a larger population.

There are ten cases coming before the Arizona district judge to where one case is heard in many other districts, especially in some States of the South and in the New England States. Unnecessary courts should be abolished and the remaining judges

given a fair pay for their highly specialized and valuable service. If there ever was a time when men of learning, men of courage, men of character, men of justice and patriotism, should occupy the bench it is now. Whatever may be said to the contrary, the courts of our country, with some disgraceful exceptions, have held the fairly balanced scales of justice. I have no patience with those who talk about "lawyer-made laws for benefit of lawyers." Show me in all the acts of Congress one single law justifying that scandal. Whenever you hear on the streets or in political or other gatherings some blatant orator deriding the laws of the land, the courts of justice, put him down as an enemy to decent government, an opponent of modern civilization, and in essence a traitor to the country his presence pollutes. We need on the bench the highest character of men that can be secured—men of learning, experience, wisdom, sound judgment, unafraid in performance of duty; but such men can not be had at salaries that will not educate their boys and girls and afford a home for the mother. My record shows my willingness to accord to every man who works with hand or brain a fair compensation for the labor performed.

Mr. TOWNSEND. Mr. President, I had assumed that every sober-minded Senator was in favor of increasing the salaries of Federal judges. I think we have all had knowledge of conditions in our own districts, so that we know something of the work that is done by and the duties that are required of a Federal judge.

With me, it is not a question as to how much these men could earn in private life. It is simply a matter of what it is right for the Government to pay its judicial servants. What ought the judges to receive as a minimum salary for the services which they render the country?

Considering what the States have done in the payment of their judges, it does not seem to me that the salaries of Federal judges, district and circuit, are high enough. I am, however, better pleased with the House provision than I am with the Senate amendment, although I would like to see the salaries still higher than those provided by the House. I would like to provide a flat salary of $8,000 for the judges. My reason for that, among others, is that every judge devotes his whole time to the duties of his office, and most of our judges are already overworked. Furthermore, they are frequently assigned in exchange with other judges in other circuits, and it frequently happens that a judge sits for months in a district outside of the one over which he presides.

For instance, a judge in Michigan is sometimes assigned to a circuit or district in New York City. He goes down there and serves, performs there the same duties that he performs at home, and the same duties that are performed by the local judge. It seems to me there can be no reason why men who do exactly the same work, and possibly in the same circuit during a portion of their term, should receive different salaries.

Therefore, Mr. President, without attempting to answer any of the arguments that have been made against raising the salaries, and without attempting to laud the judiciary, for which I have the very greatest respect, but coming back to my original proposition—namely, that most men who are familiar with the circumstances believe that the judges are not receiving enough—it seems to me the only questions for us to decide are how much shall be the minimum salary and whether the salary shall be graded according to population or whether it shall be the same for all.

I think the minimum ought to be $8,000, and I think every judge who is on the district bench should receive that salary. As for the circuit judges, I am not particular whether you make the salary $9,000 or $10,000; but, in my judgment, it ought to be the same for all. We pay Senators and Members of the House not according to the population of the States or districts which they represent but all receive the same, because they are supposed to perform the same duties and meet the same responsibilities.

Therefore, I shall feel that it is best to vote against the Senate amendment, with the hope that we can raise the House provision to $8,000 a year for district judges and $10,000 for circuit judges.

Mr. MYERS. Mr. President, the Senator from Texas [Mr. SHEPPARD] has taken an interest in the subject matter of the amendment to the committee amendment which I have just offered, to wit, the salaries of the United States district judges for the Territory of Hawaii. He has a communication on the subject from the Attorney General of the United States which he intended to present and ask to have read. As he is not present for the moment, I make the request for him. I send the communication to the desk, and ask that it be read.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., January 6, 1919.

Hon. MORRIS SHEPPARD,
United States Senate, Washington, D. C.

DEAR SENATOR: I acknowledge receipt of yours of the 4th, suggesting that the bill increasing the salaries of Federal judges be amended so as to include territorial judges.

I not only see no objection to the raising of these salaries, but believe it would be well to do so. Judges are almost universally underpaid in this country. As the bill referred to is now pending in the Senate, I suggest that you have it amended so as to carry out your views. It is very difficult for me to keep up with legislation of this character, and under existing conditions in my department it is hardly possible.

Yours, very truly,

T. W. GREGORY,
Attorney General.

Mr. SHEPPARD. Mr. President, I am very thankful to the Senator from Montana for having sent the letter to the desk. I was out of the Chamber temporarily, or else I would have sent it up myself.

I wish to say that the amendment strikes me as being eminently fair and eminently just, and I hope the Senator from Georgia will accept it.

Mr. SMITH of Georgia. Mr. President, I ask that the amendment of the Senator from Montana be read.

The VICE PRESIDENT. The Secretary will state the amendment to the amendment.

The SECRETARY. On page 2, at the end of line 16, after the word "judges," it is proposed to insert "including the United States district judges for the Territory of Hawaii."

Mr. UNDERWOOD. Mr. President, I desire to ask the Senator from Montana if he would object to amending that amendment by including Porto Rico? They are all on exactly the same basis.

Mr. MYERS. I do not know anything about the salary of the United States district judge for the Territory of Porto Rico. What is it—$6,000?

Mr. UNDERWOOD. I think he gets $5,000, but he does exactly the same class of service, and Porto Rico is on exactly the same basis of salary.

Mr. MYERS. No; I would have no objection to including Porto Rico.

Mr. HOLLIS. Mr. President, would the Senator object to withholding that amendment for the present and letting us see what is the fate of the amendment of the Senator from Montana?

Porto Rico is in the first circuit, the circuit in which I reside and where I practice law. If the amendment of the Senator from Montana should prevail I intended to offer an amendment putting in Porto Rico, but I should hate to hurt the Senator's amendment by coupling it with another one. I would rather have them separate.

Mr. UNDERWOOD. I have no desire to do so, and therefore I asked the Senator if he was willing to consent. As the Senator from New Hampshire intends to offer an amendment on the subject, I will not press my suggestion at this time.

Mr. THOMAS. Mr. President, I trust that Senators who want to enlarge the scope of this bill will not overlook Alaska.

Mr. MYERS. The United States district judge for the Territory of Alaska, I understand, receives $7,500 per year. I then simply ask for a vote on my amendment as I sent it to the desk, and as it reads now, applying to the Territory of Hawaii alone.

Mr. McKELLAR. Mr. President, I favor the legislation in this bill. I think it proper to increase the salaries of our Federal judges; but, like the Senator from Arizona [Mr. SMITH] and some others who have discussed this subject, I am inclined to think that the House bill is the better bill.

I doubt the wisdom of legislating according to population. I think it is rather unfair to the judges who do not live in the populous districts, who may have just as much work to do as those who do live in the populous districts, to pay them a different salary. I think it is wrong in principle. It is contrary to the policies along which we usually operate, and for that reason I hope very much that the Senator from Arizona will insist upon his motion to strike out section 2 as proposed by the committee and restore the provision of the House bill which increases the salaries to $7,500 a year for district judges, and to $8,500 a year for circuit judges.

I think these increases should be made. I think they should be uniform. I think we should treat all judges alike. Why, as we know, these judges constantly sit by interchange. Judges from my State frequently sit in Ohio, New York, and other more populous States. They would be sitting there and doing the work of their colleagues at a less salary under those circumstances.

The proposal of the committee is an unfair method of determining salaries, as it seems to me. I should like to see all treated equally and fairly alike, especially those in the same class. That is all I have to say about that. I think their salaries ought to be equalized. I will vote for the salaries as provided in the bill as passed by the House. I would much prefer that method of dealing with the question. The method provided in the committee amendment will be the cause of much complaint from the judges holding the same positions in the less populous districts and receiving less salaries. One other matter before I take my seat, Mr. President. I think the salaries of the supreme court judges of the District should be made the same as the salaries of district judges, and that the salaries of judges of the Court of Appeals of the District should be made the same as the salaries of the circuit judges. The work in each case corresponds, and the salaries should be arranged accordingly. This is only fair.

Mr. SMITH of Georgia. Mr. President, I call the attention of the Senator from Tennessee to the fact that when these judges are sent out of their districts away from their homes, they receive transportation and $10 per diem extra pay, which, in a way, if applied to the entire year, would amount to something like $3,000. This, of course, is some compensation to those judges from the smaller districts, who go to the larger districts to help attend to the business there.

I mention this simply to remind the Senate of the fact and to state again that I am not a partisan of either plan. They seem to be so nearly the same that I would be glad to have either. We only finally adopted the graduated scale, because we thought some substantial recognition should be made of the status in the big cities, and that in this way alone we could succeed in reaching it.

Mr. McKELLAR. Mr. President——

Mr. SMITH of Georgia. Just one word more and then I will yield the floor to the Senator. I mention again that the district attorneys receive different salaries in different districts, even in the same State, and United States marshals receive different salaries. The theory that everyone occupying a particular office must receive the same salary everywhere has not been followed. Indeed, until a few years ago the district judges in different parts of the United States received different salaries, just as in some of the States the nisi prius judges receive larger salaries in the large cities than they do in the rural districts. I have no doubt it is based upon the theory that to obtain the talent you want you ought to recognize the earning power of the person called to the particular position. You must consider the earning capacity of the person at the place where he is located and also the expense of living.

I deemed it due to the committee that I should say this much as presenting the line of thought which influenced the committee.

Mr. McKELLAR. Before the Senator takes his seat, may I ask him a question? Does not the Senator think the scale of difference, if I may call it that, between $7,500 and $9,000 is too small to be taken into consideration in the settlement of the salaries of these judges? In other words, take a lawyer from New York, who is about to be appointed to a judgeship, who has to give up a very large practice, does the Senator think it would make very much difference to him whether he received a salary of $7,500 or $9,000?

Mr. SMITH of Georgia. He might take the place without regard to the salary for the honor in the position and his desire to render the public a service, but the $2,000 would help substantially in meeting his expenses each year, even in New York, and even here in Washington.

Mr. SAULSBURY. Mr. President, it seems to me there is an improper distinction made in the payment of judges when it is based on population. I know something of the conditions in the eastern and northeastern sections of the country, and I think it is very proper that I should call the attention of the Senate to the condition in my own district. Of course, the judge in our district will get the smallest salary, on the basis of population. At the same time the judge in our district is sitting on the bench all over the populous State of Pennsylvania, helping the judges who are receiving the higher salary in Pennsylvania, possibly as high as the salary received by judges anywhere in the United States.

I fancy that in the three States, in the third circuit—New Jersey, Pennsylvania, and Delaware—and in all the districts of that circuit there arise as important cases, as complex questions for decision, and we need as good judges as anywhere else in the United States. Those judges practically divide up their work.

It seems to me a bit humiliating for a judge in one of the smaller districts to have to make out his per diem account, his traveling expenses, and things of that sort. So far as we are concerned in that section of the country, certainly in the third district, it seems to me, any distinction, while it may be a bit humiliating, is absolutely useless and uncalled for.

I shall vote for the House provision making them all equal, and I fancy that even in those districts where by reason of sparse population the judges would go on the smaller salaries, yet the judges in those districts having to travel long distances and put up with inconveniences are entitled to quite as much consideration as are the judges in thickly settled districts.

It seems to me the House provision, under the circumstances, is the best. I do not think there is any danger of overpaying our judges anywhere, certainly not in this portion of the country, where it is almost always a sacrifice to any lawyer who is fit to be a judge to go on the bench, so far as the pecuniary consideration is concerned.

I hope no distinction will be made in regard to population. I shall vote against it.

Mr. McKELLAR. Mr. President, a parliamentary inquiry. Is it in order now to move to strike out section 2 of the bill and insert section 2 as agreed to by the House?

The VICE PRESIDENT. It is not.

Mr. SMITH of Georgia. The parliamentary status is this——

The VICE PRESIDENT. It has been answered by the Chair.

Mr. SMITH of Georgia. I did not hear the Chair.

The VICE PRESIDENT. The Chair said it was not in order.

Mr. McKELLAR. I want to offer the amendment when it is in order.

The VICE PRESIDENT. The pending amendment is the amendment of the Senator from Montana [Mr. MYERS] to the amendment.

The amendment to the amendment was agreed to.

Mr. HOLLIS. Mr. President, the only district court not now on the same basis as the others is the district court of Porto Rico, which is in the first circuit. I am not acquainted with the judge. The Senator from Alabama [Mr. UNDERWOOD] tells me he is a fine judge and a fine man. I believe it is the temper of the Senate, if we can judge from the speeches, that all these judges should be put upon the same scale. I shall certainly vote for that, and hope it may be adopted.

In order that the court in Porto Rico may not be the only one left with a smaller salary, I move in the Senate Committee bill as amended, after the word "Hawaii," to insert the words "and Porto Rico."

The VICE PRESIDENT. The question is on the amendment of the Senator from New Hampshire to the amendment of the committee as amended.

Mr. BRANDEGEE. Mr. President, I think it is desirable, if it were possible, to put all the judges upon the same basis, but the question is how to do that. Paying all the judges the same salary does not do it, because the cost of living varies so tremendously in the different districts. I am not informed as to what the cost of living of the judge in Porto Rico will be, but it is perfectly evident that it costs the Federal judge in one of the large metropolitan cities of the country much more to live than it does the judge in a small community. I do not know that the increase of the compensation of judges in proportion to the population of the district would be a fair measure as indicating the difference in the cost of living. I do agree, however, that, as a general rule, the salaries of all of the Federal judges should be increased. I know personally of instances where various Federal judges have been compelled to resign their office because they could not meet their family expenses. It is perfectly evident that a Federal judge who happens to reside in a country village, who happens to own a farm or be in the neighborhood of farms, where a great deal of the products come from, and has a modest house, if his salary is increased to $9,000, say, and the judge in a metropolitan city is left at $9,000, the judge in the smaller locality has a great advantage. It is not what is paid the man, it is what he can save out of his salary, if anything, that indicates whether he is overpaid or not.

I am in some doubt whether to vote for the amendment reported by the Judiciary Committee of the Senate or the House provision. It is impossible in a place like New York for a judge to lease a proper residence for himself and family for less than six or seven thousand dollars a year, which leaves him nothing at all with which to support his family.

It is easy enough for people to talk about rascally lawyers being judges, and so forth. Of course, if there are such, the executive branch of the Government and the Senate that confirms them are responsible for such judges, but there is not one in a million whoever becomes a Federal judge who is an improper character. The judges should be paid proper salaries. There are many Federal judges to-day who, at the small amount paid them, six or seven thousand dollars, or whatever it may be, if they left the bench, would make $100,000 a year in the

locality where they are situated. They are simply detained upon the bench by the desire to occupy the honorable position afforded and by a feeling that they can render good service to their country.

I hope, whatever action the Senate takes, which will throw the matter into conference, that salaries at least as high as proposed by the House, and I hope higher, may finally be the outcome of this legislation. Ten thousand dollars a year would certainly not be excessive compensation for a circuit judge or a district judge of the United States.

It has been stated that in New York City the police magistrates get $12,000 a year, and the supreme court judges, who are not judges of the highest court in that State, get $17,500 a year; and the great United States Government, with tremendous questions coming before the Federal judiciary, pays its judges less than half what the judges get in the State of New York.

The VICE PRESIDENT. The question is on the amendment of the Senator from New Hampshire [Mr. HOLLIS] to the amendment.

The amendment to the amendment was agreed to.

The VICE PRESIDENT. The question is on the amendment of the committee as amended.

Mr. HOLLIS. Mr. President, a parliamentary inquiry. I do not understand from the way the bill is printed how far we are considering the Senate committee amendment.

The VICE PRESIDENT. We are considering the amendment on page 3, line 21.

Mr. HOLLIS. Why is not all in italics on pages 2, 3, and 4 a part of the amendment?

Mr. SMITH of Georgia. It is.

Mr. HOLLIS. But we have been considering it piecemeal. That is entirely satisfactory, if it is understood.

Mr. SMITH of Georgia. I think we have read the entire paragraph down to section 3.

Mr. THOMAS. I think we had better consider it section by section.

Mr. HOLLIS. I agree to that; but I want it understood, because I have an amendment to offer to section 4 when it is reached.

Mr. SMITH of Georgia. The apparent confusion about the sections is that section 2 contains certain sections of the Judicial Code, and from line 16, page 2, down to line 6, page 5, you have but one section.

The VICE PRESIDENT. The Chair is of the opinion that the vote first comes on this question: The original bill as it came from the House, down to line 15, on page 3. That is the part that the Senate committee amended. It undoubtedly goes to line 5, on page 5.

Mr. HOLLIS. Then the Senate committee amendment must be first perfected before the question of substitution arises. I desire to offer two amendments on page 4. I do this at the request of the Senator from Montana [Mr. WALSH] who has been obliged to leave the Chamber. The purpose of the amendment is to make sure that the judges of the old court of commerce shall be included with the other circuit judges. It will be recalled by the Senate that a few years ago the court of commerce, which handled appeals from the Interstate Commerce Commission, was abolished, but that the members of that court were continued as circuit judges and are now assigned to do circuit judge work in different parts of the country, and that they are doing it to the satisfaction of all concerned.

I think it is the intention of the Judiciary Committee to see that they are given the same increase in salary that other circuit judges get. In order to make that certain I will offer two amendments. On page 4 of the bill as printed, line 14, I move to strike out the word "the" before the word "circuit," and on the same page, line 19, after the word "appointed," I move to insert the words "or to which they may be assigned during the period of their assignment, respectively."

Mr. SMITH of Arizona. Will the Senator permit me to ask him a question?

Mr. HOLLIS. Certainly.

Mr. SMITH of Arizona. It will be moved by some one to strike out the whole Senate committee amendment, and I would suggest to the Senator the propriety of reserving his amendment until the vote is taken on whether this amendment to the whole section should be stricken out or not.

Mr. HOLLIS. In case the Senate committee amendment is adopted, which I think it will not be, it will be too late for my amendment. We must first perfect the part to be substituted before we vote on whether to substitute it, and I am endeavoring to perfect it in case we should be outvoted. I am quite sure that is the parliamentary situation.

Mr. SMITH of Arizona. Suppose we vote upon it, and after we put the amendment in we strike out section 2 as amended?

Mr. HOLLIS. My understanding is that if the Senate committee amendment as amended is adopted it will then be too late to offer further amendments to that amendment.

Mr. SMITH of Arizona. You could offer the amendment to the bill.

Mr. HOLLIS. I understand not.

Mr. SMITH of Arizona. As a separate section.

Mr. HOLLIS. I am supposing that the Senate committee amendment is adopted over our wish.

Mr. LODGE. May I ask the Senator from New Hampshire a question in regard to his amendment, with which I am in entire accord? Does not that need to be put into the original section also to perfect the text of the House bill?

Mr. HOLLIS. I am going to offer a similar amendment to take care of it before we vote on the substitute in the Senate. I intend to do that, but the phraseology will have to be different.

Mr. LODGE. It is desirable to perfect them both.

Mr. HOLLIS. I shall do that.

Mr. CUMMINS. Mr. President, I do not fully understand the amendment just offered by the Senator from New Hampshire. I wish he would explain it to me a little further.

Mr. HOLLIS. On page 4, line 14, at the beginning of the sentence, the words "The circuit judges shall receive" might be construed to mean the circuit judges who had been mentioned before. By striking out the word "the" all circuit judges are included, and that would include the judges who are now serving as circuit judges. Then their salary is to be dependent upon the salary allowed circuit judges in the circuit to which they happen to be assigned. For instance, if they are assigned to the New York circuit, they get the New York circuit pay. If they are assigned to some other circuit, they get the pay of that circuit. That is my understanding.

Mr. CUMMINS. The salary might be changed then from month to month or year to year.

Mr. HOLLIS. Yes; and that shows the inconsistency of it.

Mr. CUMMINS. Mr. President, a parliamentary inquiry. If the committee amendment is rejected, will the House text be open to amendment?

The VICE PRESIDENT. The Chair is not of that opinion. It is open to amendment now. It is open first to amendment. The rule is that where there is a motion to strike out and insert, the portion to be stricken out is open to amendment and the portion to be inserted is open to amendment, and the part to be stricken out is first open to amendment.

Mr. CUMMINS. I do not question the ruling of the Chair, but I am very anxious that those who have offered amendments to the committee amendment, the amendment relating to Hawaii and the amendment relating to Porto Rico and now relating to the four unassigned circuit judges, will offer their amendments also to the original text, so that we can have a fair vote as between the committee plan of adjusting salaries and the plan the House has adopted. I commend that to the Senators who have offered those amendments.

Mr. HOLLIS. I am quite sure the practice has been in the Senate for the past few years to hold that either the part to be inserted or the substitute may be amended at any time before the vote is taken.

The VICE PRESIDENT. There is no doubt about that. The only point is when two Senators are insisting upon an amendment, one to the original text and the other to the substitute, the amendment to the original text is first in order.

Mr. HOLLIS. That is my recollection about it.

The VICE PRESIDENT. There is no doubt about that. The Senator's amendment to the amendment is in order, and the question is on agreeing to it.

The amendment to the amendment was agreed to.

Mr. HOLLIS. I wish now to offer an amendment. On page 2, line 5, I move to strike out the word "they" and to insert "all circuit judges." That will have the effect of including the four circuit judges at large, so to speak.

The amendment to the amendment was agreed to.

Mr. HOLLIS. Now, to take care of Hawaii and Porto Rico in the original text, on page 1 of the bill as printed, line 7, after the word "judges," I move to insert "including the district judges of Porto Rico and Hawaii."

Mr. SMITH of Arizona. I do not know exactly the nature of the courts in Hawaii or Porto Rico. I know that under the Territorial law there was no such thing as a United States district court or a United States circuit court; but the appointee of the President exercised jurisdiction of the Federal and district courts, and they were at the same time the judges of courts of original jurisdiction under the Territorial law. If this is confined to district judges and they are not in fact district judges, it might show some little lack of investigation as far as we are concerned in passing the act.

Mr. THOMAS. I would suggest, then, to the Senator from New Hampshire, in view of what the Senator from Arizona has said, that his amendment be changed so as to read:

And the United States judges in Porto Rico and Hawaii.

If they are not district judges, certainly they are United States judges.

Mr. SMITH of Arizona. "Judges exercising Federal jurisdiction." It seems to me that might be better. They might be district judges for aught I know.

Mr. THOMAS. It all depends upon the phraseology of the act creating the Territories of Hawaii and Porto Rico.

Mr. SMITH of Arizona. Exactly.

Mr. HOLLIS. Following that suggestion, I will change the amendment. I move to insert after the word "judges" in the seventh line, page 1, the words "including judges in Porto Rico and Hawaii exercising Federal jurisdiction." I think that will cover it.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. KELLOGG. I move to amend by striking out on line 8, page 1, in the House text, the figures "$7,500" and inserting in lieu thereof "$9,000"; and by striking out in line 6, on page 2, in the House text, "$8,500" and inserting "$10,000."

The VICE PRESIDENT. The question is on the amendment of the Senator from Minnesota.

On a division, the amendment was agreed to.

Mr. THOMAS. Mr. President, I am not in favor of these increases at this time. I believe in paying the Federal judiciary well, but I am not prepared to support these increases now. If they are to be made, however, they should be uniformly made, and commensurate with the importance of the courts presided over by the judges to be affected by the bill.

I therefore propose an amendment. On page 5, I move to strike out lines 11, 12, 13, and 14 and to insert the following:

The Chief Justice of the Court of Appeals of the District of Columbia shall receive a salary of $10,000 a year, and each of the associate justices thereof the sum of $9,500 a year, payable monthly. One-half shall be paid from the revenues of the District of Columbia and one-half from the Treasury of the United States.

I have a memorandum which states——

The VICE PRESIDENT. The amendment is not in order.

Mr. THOMAS. Why not?

The VICE PRESIDENT. Because we are considering another amendment.

Mr. THOMAS. That is a very good reason. When the bill was taken up the Senator having charge of the bill asked unanimous consent to consider the amendments of the committee first.

The VICE PRESIDENT. That is true.

Mr. THOMAS. Objection was made, and consequently I do not understand that this amendment is not in order.

The VICE PRESIDENT. The present amendment the Senate is considering——

Mr. THOMAS. If the Chair will allow me another word, I accept the ruling of the Chair and will offer the amendment later.

The VICE PRESIDENT. The pending amendment ends at line 5, on page 5. The question is on the amendment of the committee as amended.

Mr. CUMMINS. Upon that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I have a pair with the junior Senator from Georgia [Mr. HARDWICK] which I transfer to the Senator from New Jersey [Mr. BAIRD] and vote "nay."

Mr. KNOX (when his name was called). I announce my pair with the senior Senator from Oregon [Mr. CHAMBERLAIN]. In his absence I withhold my vote.

Mr. SAULSBURY (when his name was called). I think my general pair, the senior Senator from Rhode Island [Mr. COLT], would vote as I am about to vote, but, out of an abundance of caution, I transfer my pair with that Senator to the senior Senator from Nebraska [Mr. HITCHCOCK] and will vote "nay."

Mr. SMITH of South Carolina (when his name was called). I have a general pair with the Senator from South Dakota [Mr. STERLING], and in view of his absence I withhold my vote.

Mr. SUTHERLAND (when his name was called). I inquire, Has the senior Senator from Kentucky [Mr. BECKHAM] voted?

The VICE PRESIDENT. He has not.

Mr. SUTHERLAND. I have a pair with that Senator, and he not being present I withhold my vote.

Mr. THOMAS (when his name was called). I transfer my pair with the senior Senator from North Dakota [Mr. MCCUMBER] to the Senator from Oklahoma [Mr. GORE] and vote "nay."

The roll call was concluded.

Mr. WATSON (after having voted in the negative). I have a general pair with the junior Senator from Delaware [Mr. WOLCOTT]. I transfer that pair to the senior Senator from New York [Mr. WADSWORTH] and will permit my vote to stand.

Mr. KELLOGG. I have a general pair with the Senator from North Carolina [Mr. SIMMONS], but I transfer that pair to the Senator from Maine [Mr. FERNALD] and vote "yea."

Mr. MCNARY. I desire to announce the absence of my colleague [Mr. CHAMBERLAIN] on account of official business.

Mr. BRANDEGEE. I am paired with the senior Senator from Tennessee [Mr. SHIELDS], and therefore withhold my vote.

Mr. SAULSBURY. I desire to announce that my colleague [Mr. WOLCOTT] is absent from the Senate this afternoon on official business.

Mr. FRELINGHUYSEN. I transfer my general pair with the junior Senator from Montana [Mr. WALSH] to the junior Senator from Missouri [Mr. SPENCER] and vote "yea."

Mr. LEWIS. I desire to announce that the Senator from California [Mr. PHELAN], the Senator from Oregon [Mr. CHAMBERLAIN], and the Senator from Montana [Mr. WALSH] are detained on official business.

Mr. MYERS (after having voted in the affirmative). I have a pair with the Senator from Connecticut [Mr. MCLEAN]. He seems not to have voted. I therefore transfer my pair with that Senator to the Senator from California [Mr. PHELAN] and will allow my vote to stand.

The result was announced—yeas 10, nays 45, as follows:

YEAS—10

Calder	Hale	Lewis	Smith, Ga.
Fletcher	Kellogg	Myers	
Frelinghuysen	King	Poindexter	

NAYS—45.

Ashurst	Jones, N. Mex.	Penrose	Swanson
Bankhead	Jones, Wash.	Pittman	Thomas
Cummins	Kirby	Pollock	Townsend
Curtis	La Follette	Pomerene	Trammell
France	Lodge	Ransdell	Underwood
Gay	McKellar	Reed	Warren
Gerry	McNary	Saulsbury	Watson
Harding	Martin, Ky.	Shafroth	Weeks
Henderson	Moses	Sheppard	Williams
Hollis	New	Smith, Ariz.	
Johnson, Cal.	Nugent	Smith, Mich.	
Johnson, S. Dak.	Page	Smoot	

NOT VOTING—41.

Baird	Gore	Nelson	Spencer
Beckham	Gronna	Norris	Sterling
Borah	Hardwick	Overman	Sutherland
Brandegee	Hitchcock	Owen	Thompson
Chamberlain	Kendrick	Phelan	Vardaman
Colt	Kenyon	Robinson	Wadsworth
Culberson	Knox	Sherman	Walsh
Dillingham	Lenroot	Shields	Wolcott
Fall	McCumber	Simmons	
Fernald	McLean	Smith, Md.	
Goff	Martin, Va	Smith, S. C.	

So the committee amendment as amended was rejected.

The VICE PRESIDENT. The Secretary will state the next committee amendment.

Mr. THOMAS. Mr. President, I now wish to renew the motion which I tried to make a few moments ago.

Mr. HENDERSON. Will the Senator from Colorado yield for just a moment?

Mr. THOMAS. I will.

Mr. HENDERSON. There is an amendment on the table which I had printed a few days ago which I think covers the matter the Senator from Colorado has in mind. If he will allow the Senate committee amendment to be read, and then permit my amendment to be stated, he will see how nearly my amendment conforms to the amendment which he intends to offer.

Mr. THOMAS. Very well.

The VICE PRESIDENT. The Secretary will state the committee amendment.

The SECRETARY. It is proposed by the Committee on the Judiciary to insert as a new section, on page 5, the following:

SEC. 3. That the judges of the Supreme Court of the District of Columbia shall receive salaries upon the same basis as salaries provided by this act to be paid to judges of district courts of the United States, and such salaries shall be paid as now provided by law.

The judges of the Court of Appeals of the District of Columbia shall receive salaries upon the same basis as the salaries provided by this act to be paid to judges of the circuit courts of appeals of the United States.

Mr. HENDERSON. If the Senator from Colorado will now allow the Secretary to read my proposed amendment to take the place of section 3, as reported by the committee, he will see how it conforms to his amendment.

Mr. THOMAS. I have no objection to that being done.

The VICE PRESIDENT. The amendment proposed by the Senator from Nevada to the amendment of the committee will be stated.

The SECRETARY. In lieu of the committee amendment just stated it is proposed to insert:

That the judges of the Supreme Court of the District of Columbia shall each receive an annual salary of $9,000, and the chief justice of said court shall be paid a salary of $9,500, said salaries to be paid as now provided by law.

The judges of the Court of Appeals of the District of Columbia shall each receive an annual salary of $10,000, and the chief justice of said court shall receive an annual salary of $10,500.

Mr. THOMAS. Mr. President, if the Senator from Nevada will consent to the substitution of $9,500 for $10,000 in the last clause of his amendment, I will not offer the amendment which I have in mind.

Mr. HENDERSON. I will accept that modification of the amendment, Mr. President.

Mr. THOMAS. Mr. President, for the information of the Senate, I ask that the memorandum which I send to the desk regarding the amendment be read. I desire to say before taking my seat that I think if this bill is to be enacted at all it should include the amendment offered by the Senator from Nevada. For the reasons heretofore stated, however, I shall vote against the bill.

Mr. WARREN. Mr. President, the amendment as now proposed to be amended comprehends the amendment which I had already submitted and had printed; and I shall be glad to support the amendment as now offered by the Senator from Nevada, with the modification proposed by the Senator from Colorado [Mr. THOMAS], which the Senator from Nevada has accepted. I trust the amendment will be adopted and that the bill containing it will pass.

The VICE PRESIDENT. The Senator from Colorado has asked that the memorandum which he has sent to the Secretary's desk be read. If there is no objection, it will be read. The Chair hears none.

The Secretary read as follows:

Memorandum. In re H. R. 12001, concerning the increase in the salaries of Federal judges in its relation to the courts of the District of Columbia.

THE BILL AMBIGUOUS.

The Senate Committee on the Judiciary have reported certain amendments to the above-mentioned bill which provide, in effect, that the justices of the "Court of Appeals of the District of Columbia shall receive salaries upon the same basis as the salaries provided by this act to be paid to judges of the Circuit Courts of Appeals of the United States."

This is ambiguous. The act declares that the circuit judges shall receive $1,000 in excess of the highest salary paid to any of the district judges of the districts comprised within the judicial circuit for which the circuit judges shall be appointed. But there is no district judge in the District of Columbia. How, then, can the salary to be paid to the justices of the Court of Appeals of the District of Columbia be measured?

DISCRIMINATION.

If we assume that the salary of the justices of the Court of Appeals of the District of Columbia is to be measured by the salary paid to the justices of the Supreme Court of the District, each would receive only $8,000 a year, while the salary to be paid under the bill to circuit judges in circuits not doing half the work that is done by the court of appeals in this district is $10,000 a year, as will appear in a minute.

THE WORK DONE.

Herewith is a statement showing the number of cases disposed of by the Court of Appeals of the District of Columbia during the 25 years of its existence, and the number of cases disposed of during the same period by the different circuit courts of appeals. This statement was prepared from the reports of the Attorneys General. It shows that the Court of Appeals of the District ranks third in the number of cases disposed of, yet the bill puts it lowest in point of salary.

To the suggestion that the number of cases disposed of by a court is not the correct criterion by which to judge the quantity of business done, because one case may take three weeks or a month to try, while another may be disposed of in a few hours, the answer is (a) that this is not true of appellate courts, for it is a rare thing for such courts to devote more than four hours to the hearing of a case; and (b) it is true of all trial courts. Five months were given to the trial of the Hutchins will case in the Supreme Court of the District of Columbia, six weeks to the trial of the Hammond-Sully case, and more than a week to the trial of the Goldill case.

Moreover, two of the circuit courts of appeals, for the judges of whom the bill provides $10,000 a year, have four judges, while the District Court of Appeals has only three. Furthermore, it is a matter of common knowledge amongst practitioners that practically every circuit court of appeals in the United States calls in district judges to assist, and that in some circuits it is a rare thing to find more than one circuit judge at a sitting. The court is usually made up of one circuit judge and two district judges, so that in practice nearly all of the circuit courts utilize the services of from 10 to 12 judges. When this is considered, it becomes apparent that the work done by the District Court of Appeals entitles it to be placed at the head and not at the foot of the column.

JURISDICTION.

The jurisdiction of the Court of Appeals of the District of Columbia is broader than that of any circuit court of appeals. It comprehends not only all Federal but also all State jurisdiction. Besides, the court has a special jurisdiction of appeals from the Patent Office and from the action of the Postmaster General in certain matters. The wide scope and practical importance of the court's jurisdiction are further indicated by the fact that it has power to control by mandamus or injunction the actions of the Secretary of the Treasury (Newman v. Moyers, 47 App. D. C., 102), the Secretary of the Interior (United States v. Hitchcock, 190 U. S., 316), and the Interstate Commerce Commission (United States v. Interstate Commerce Commission, 246 U. S., 638). This jurisdiction is often invoked, and at times affects property of great value in different parts of the country.

The decisions of the Court of Appeals of the District of Columbia are final in substantially the same class of cases as those in which the action of the circuit courts of appeals is final.

THE SALARY OF CHIEF JUSTICES.

Assuming that the bill places the salary of the justices of the District Court of Appeals at $8,000, it will raise each of the associate justices $1,000 and the chief justice only $500. When the court was formed, in 1893, 25 years ago, the salary of the associate justices was fixed at $6,000 per year and that of the chief justice at $6,500 (27 Stat., 434). In 1903, or 10 years afterwards, the salary of each of the associate justices was increased to $7,000 a year and that of the chief justice to $7,500 (32 Stat., 825). The salaries have remained at those figures ever since. The bill wipes out this distinction between the chief justice and associate justices and, as has been observed, raises the salary of the associate justices $1,000 a year, while that of the chief justice is raised only $500.

The chief justice of the Court of Claims, according to the bill, will continue to receive $500 in addition to the salary paid to the associate justices of that court.

The chief justice of the Supreme Court of the District of Columbia receives $500 more than any of his associates (39 Stat., 119).

The Chief Justice of the Supreme Court of the United States receives $500 more than any of his associates (32 Stat., 825).

This shows that it has been the legislative custom to pay a chief justice $500 more than his associates.

SUMMARIZATION.

To summarize, the cost of living in the District of Columbia is certainly as high as in any other place in the United States. The volume of business done by the Court of Appeals of the District of Columbia is more than that of any circuit court of appeals in the United States, save two. The jurisdiction of that court is more comprehensive than that of any circuit court of appeals, and the litigation which comes before it is as important as that with which any circuit court of appeals has to deal. Why, then, should not the salary of the justices of the District Court of Appeals be as high as that of the judges, for instance, of the third circuit or of the first circuit, where the business done is considerably less than in the District of Columbia, as shown by the statement attached hereto.

WHAT WOULD BE FAIR.

The average salary provided in the bill for judges of the circuit court of appeals, as shown by the attached statement, is a little less than $9,500. It would seem that the justices of the Court of Appeals of the District of Columbia should have at least that, and the chief justice $10,000, or $500 additional, as heretofore.

This could be accomplished by striking out lines 11, 12, 13, and 14, on page 5, and substituting therefor the following:

"The chief justice of the Court of Appeals of the District of Columbia shall receive a salary of $10,000 a year and each of the associate justices thereof the sum of $9,500 a year, payable monthly; one-half shall be paid from the revenues of the District of Columbia and one-half from the Treasury of the United States."

Number of cases disposed of by circuit courts of appeals and the Court of Appeals of the District of Columbia, 1893 to 1918, inclusive.

[Compiled from annual reports of the Attorney General.]

	Number of judges.	Cases disposed of 1893 to 1918, inclusive.	Proposed salaries.
Second circuit	4	6,193	$10,000
Eighth circuit	1	4,949	9,500
Court of Appeals, District of Columbia	3	4,402	8,000
Fifth circuit	3	3,179	8,500
Sixth circuit	3	3,091	9,500
Ninth circuit	3	2,955	8,500
Seventh circuit	4	2,613	10,000
Third circuit	3	2,342	10,000
Fourth circuit	2	1,611	8,500
First circuit	3	1,280	10,000

Court of Appeals, District of Columbia, organized in 1893.

The court opens its October term (1918) with 18 per cent more cases on the calendar than the highest previous year in its history.

Mr. SMITH of Georgia. Mr. President, I have this suggestion to make in reference to increasing the salaries of the judges of the Supreme Court and of the Court of Appeals of the District of Columbia. I am ready to accept for the committee an amendment making the salaries of the judges of the Supreme Court of the District of Columbia equal to the salaries of the judges of the district courts of the United States, the two classes of judges occupying very much the same position, and making the salaries of the judges of the Court of Appeals of the District the same as the salaries of the judges of the circuit courts of appeal. This could be done very easily by striking out in line 7 the word "upon," and striking out in line 8 the word "basis," and pursuing the same course in line 12, so that section 3 would then read:

SEC. 3. That the judges of the Supreme Court of the District of Columbia shall receive salaries the same as salaries provided by this act to be paid to judges of district courts of the United States, and such salaries shall be paid as now provided by law.

The judges of the Court of Appeals of the District of Columbia shall receive salaries the same as the salaries provided by this act to be paid to judges of the circuit courts of appeals of the United States.

Mr. HENDERSON. Mr. President, I am very glad to accept that amendment, and I will ask to be allowed to withdraw the amendment I have offered to section 3.

The VICE PRESIDENT. The question is on the amendment of the Senator from Georgia to the amendment reported by the committee.

Mr. WILLIAMS. Mr. President, I should like to ask the Senator in charge of the bill now much of an advance of salary will probably be involved as the provision stands now?

Mr. SMITH of Georgia. This modification involves no advance. It depends entirely——

Mr. LEWIS. It really operates as a reduction, does it not?

Mr. SMITH of Georgia. It depends entirely upon how section 118 is adopted. It simply puts the judges of the Supreme Court of the District of Columbia and the judges of the Court of Appeals of the District of Columbia upon the same basis as district judges and judges of the circuit courts of appeals, respectively. Where those salaries shall finally be left is another question; but I undertake to place the Supreme Court judges of the District, who are really United States district judges, under another name, and the judges of the Court of Appeals of the District, who are really judges of United States circuit courts of appeals under another name, on the same basis as all other district judges and judges of the circuit courts of appeals.

Mr. WILLIAMS. I should like to ask the Senator from Georgia if he thinks that the Supreme Court and Court of Appeals judges of the District of Columbia are upon the same basis as a matter of duty and as a matter of dignity with the other judges to whom he has referred?

Mr. SMITH of Georgia. Yes; I think so. The judges of the Supreme Court of the District have all the jurisdiction that is vested in a district judge of the United States, plus the local jurisdiction attaching to them as being charged with the duties ordinarily pertaining to a superior or district court judge of a State. The Court of Appeals of the District has all the jurisdiction of a circuit court of appeals of the United States, and a vast number of important cases come to that court growing out of governmental responsibilities attaching to citizens of the District of Columbia.

Mr. WILLIAMS. As I understand, then, this proposition involves no advance in salary.

Mr. SMITH of Georgia. Not unless the salaries of the other judges are advanced.

Mr. WILLIAMS. And that that proposition is to be later considered by the Senate?

Mr. SMITH of Georgia. That is still before the Senate.

Mr. WILLIAMS. It is to come up before the Senate for subsequent consideration.

Mr. WARREN. Mr. President, I wish to say that the Court of Appeals of the District of Columbia has not only the duties of the ordinary circuit court of appeals but it has a class of business peculiar to itself. It is also the only court to which patent business is referred in case of appeal from the Commissioner of Patents; and in the number of cases disposed of, according to the Report of the Attorney General, the Court of Appeals of the District of Columbia ranks third among the 9 or 10 circuits of the United States in the amount of business transacted—the number of cases adjudicated.

Mr. FLETCHER. Mr. President, the inquiry of the Senator from Mississippi [Mr. WILLIAMS] raises a question which I think is important now. I should like to ask whether or not section 1 and section 2 have been adopted as amended? I do not understand that any vote has been taken upon the adoption of those sections as they appear in the House bill as amended. The vote was taken upon the question of striking out the House provision and inserting in lieu thereof section 2, as proposed by the Senate committee amendment, and the amendment of the Senate committee was rejected. There were certain amendments, I believe, adopted to the House provision, but the provision as amended has not been voted on, as I understand.

The VICE PRESIDENT. We will vote on that when we get to a vote on the bill.

Mr. FLETCHER. Then, the status up to this time is that the salary of the district judges is to be fixed at $8,500 a year, as I understand, under the amendment of the Senator from Minnesota [Mr. KELLOGG].

Mr. KELLOGG. The salary of district judges is to be $9,000 and of circuit judges $10,000.

Mr. FLETCHER. That is worse and worse. I think that is a great mistake. I was expecting that the Chair would put the question on the adoption of that provision in the bill as amended.

The VICE PRESIDENT. The Chair did, and it was adopted.

Mr. FLETCHER. I thought the question was upon the substituting for the House provision the Senate committee amendment.

The VICE PRESIDENT. That was voted down.

Mr. FLETCHER. We refused to do that. But is there not a further question on whether or not section 2 as amended shall be agreed to?

The VICE PRESIDENT. It was amended before the Senate voted on the substitute. The Senate did vote on the amendment to make the salaries $9,000 and $10,000.

Mr. FLETCHER. I merely want it understood that I think a great mistake was made in doing that. I think it will tend to defeat the whole bill.

Mr. LODGE. Mr. President, I desire to offer an amendment.

The VICE PRESIDENT. Let us first dispose of the pending amendment.

Mr. LODGE. I beg pardon; I thought that it had been disposed of.

The VICE PRESIDENT. The amendment of the Senator from Georgia [Mr. SMITH] has not been agreed to. The question is on agreeing to section 3 as amended. Without objection, the amendment as amended is agreed to.

Mr. LODGE. I offer an amendment to be inserted on page 6, between lines 3 and 4.

The VICE PRESIDENT. There are two committee amendments prior to that, which the Secretary will state.

The SECRETARY. On page 5, line 15, it is proposed to change the number of the section from "3" to "4."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The SECRETARY. On page 5, line 16, after the word "amended," it is proposed to insert the words "so as."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. LODGE. I now ask that my amendment be stated.

The SECRETARY. On page 6, after line 3, it is proposed to insert a new section to be known as section 4½——

Mr. LODGE. The number can be changed if desired.

The SECRETARY. It is proposed to insert a new section, as follows:

SEC. 4½. That the presiding judge and the associate judges, respectively, of the United States Court of Customs Appeals shall receive salaries equal in amount to the salaries provided by this act to be paid the chief justice and other judges, respectively, of the Court of Claims, payable monthly from the Treasury.

Mr. POMERENE. Mr. President, may I ask the Senator what those salaries are now?

Mr. LODGE. The salaries now are $7,000.

Mr. POMERENE. I refer to the salaries of the judges of the Court of Claims.

Mr. LODGE. The salary of the judges of the Court of Claims at this time is $6,500, but that salary is raised by this bill to $7,500, and the salary of the chief justice to $8,000. The increase in the case of the Court of Customs Appeals is much smaller than in the case of the Court of Claims. The judges of the Court of Customs Appeals were originally paid, under the act creating that court, $10,000, which amount was reduced by a provision of the code to $7,000. The amendment I have offered simply puts them on the same basis as the judges of the Court of Claims.

Mr. POMERENE. I have no objection to the Senator's amendment, save that it was my understanding that when this court was first created it was planned to make the salary of those judges $10,000 a year.

Mr. LODGE. That was provided in the organic act creating the court.

Mr. POMERENE. That was done when the court was first created?

Mr. LODGE. Yes.

Mr. POMERENE. Then, afterwards, they were reduced in order to keep the salaries of the judges of that court on an equality with the salaries of the circuit judges?

Mr. LODGE. Yes.

Mr. POMERENE. The only objection I have to the Senator's amendment is that it seems to me, instead of making the salary of the judges of the Court of Customs Appeals to correspond with the salary of the judges of the Court of Claims, they should be made to harmonize with the salaries of the circuit judges as proposed in the amendment which we have just adopted.

Mr. UNDERWOOD. Mr. President, if the Senator will yield to me for a moment, I desire to say that I intend to offer an amendment to the bill, now that the other salaries have been

increased, to put the salaries of the judges of the Court of Claims on the same basis as the salaries of judges of the circuit courts. That is where they belong, and I intend to offer that amendment; but it properly comes in prior to this point in the bill.

Mr. LODGE. I am very glad the Senator is going to do that. I think the judges of the Court of Claims ought to be paid that salary.

Mr. HOLLIS. Mr. President, will the Senator permit me to make a suggestion?

Mr. UNDERWOOD. Yes.

Mr. HOLLIS. I think it is clear that the salary of the judges of the Court of Customs Appeals should be the same as the salary of the judges of the Court of Claims, and if the amendment of the Senator from Massachusetts should be voted on and adopted, then it would be in order to increase, if the Senate sees fit to do so, the salaries of the judges of the Court of Claims. So, I think the amendment of the Senator from Massachusetts should be voted on first.

Mr. UNDERWOOD. There is no conflict; I merely wanted to suggest that I was going to offer such an amendment.

Mr. LODGE. I am very glad the Senator is going to do so, for I think it ought to be done.

Mr. WILLIAMS. Mr. President, I understand that the Senator from Alabama bases his contention upon the fact that the other salaries have been raised. I do not understand that they have been. I understand that the committee has reported in favor of raising them.

Mr. UNDERWOOD. My phraseology was misleading. They have been raised as far as the text of the bill stands now, and that is as far as I desired to go in my statement.

Mr. WILLIAMS. I was afraid that expression might create a wrong impression upon the minds of the Members of the Senate. Of course, if these other salaries had been raised, then this salary perhaps ought to be raised; but they have not been raised, and I hope they will not be raised, and therefore the argument fails to the ground. It is like the little child that went out and thought it saw a dead chicken on the sidewalk, and said: "If it had been dead, mamma, I wonder who killed it?"

Mr. President, I do not see why everybody in the United States ought to be appealing to the Congress of the United States to-day for higher salaries and higher pay, at a time when every particle of patriotism there is in a human being ought to appeal to us to be satisfied with what we have, and not to seek anything more.

Of course, I understand the argument about a higher cost of living, and all that; but we have all had to meet that. People who did not have but $600 a year had to meet that. People who did not have but $1,000 a year had to meet the higher cost of living. All of us have had to do that. Why should these judges be promoted to $8,000, $9,000, $10,000 a year? What sacrosanct principle is it that makes them entitled to it?

I hope the Senate will not be misled by the argument that other salaries are going to be advanced into voting to advance certain salaries, because if the Senate acts upon that idea, then we will have a sort of a confederacy of interest. Every friend of every judge who wants his salary increased will be voting for it upon the theory that some other judge's salary is to be increased, and when you get through you have got a sort of a trust, a sort of a legislative-enactment trust, to bundle them all together, and then bundle them all up at the higher rates. It does seem to me that this is a time when the ordinary patriotic American citizen ought not to be asking for higher pay, but ought to be volunteering to serve for less pay, if necessary, or at least expressing his willingness to serve for the same pay.

I hope this amendment will not be adopted, because if it is it just adds five or six or seven Senators who are interested by friendship to the list of those who will be interested by other friendships in increasing salaries all along the line.

Mr. TRAMMELL. Mr. President, if I am correctly informed, the bill at present stands amended so as to provide a salary of $9,000 for the district judges and $10,000 for the circuit judges.

The VICE PRESIDENT. That is correct.

Mr. TRAMMELL. Mr. President, in my observation I have found that the Federal judgeship is almost always the coveted goal of the average lawyer, and of good lawyers, at the salaries that have been paid heretofore. In considering the question of increasing the salaries of the employees here in the District of Columbia, those carrying on the governmental work of the various departments, this body, as well as the one at the other end of the Capitol, has gone on record as being opposed to increasing salaries in excess of 10 per cent, and that has been limited to a maximum salary of $2,500. We think that when we come to deal with the average young man or young woman working for the Government here for the mere pittance of $1,000 or $1,200 a year—many of them merely eking out an existence, you may say—we must be so economical, we must so safeguard the interests of the taxpayers of this country, that we tell them that they must not receive an increase of more than 10 per cent; and if they are enjoying a remuneration in excess of $2,500 a year, then they can not participate in an increase at all.

I have a great deal of respect for the judiciary of this country. I appreciate and esteem the legal profession. I am not one of those that are given to criticizing the judiciary, or that would detract from the men who compose the legal profession. We have no more patriotic, no more intelligent, no more loyal class of citizens than the members of the bar of our country. But, Mr. President, I say that in dealing with them we should deal with them just as we do with every other Government employee. We should deal with them with that same fair hand of justice tempered neither by favoritism nor by prejudice, that we deal with others who are serving our Government, others who are being paid by the taxpayers of this country.

Mr. President, my sympathy and my feelings of interest may be aroused; I may become concerned and sympathize with the average employee who is making only $1,200 or $1,500 a year. When you talk about increasing and raising his salary, I realize at once that there is merit in the contention. When you talk about such a young man or young woman not having sufficient upon which to live, and not having sufficient to even furnish himself or herself with the necessities of life, I can understand that; but when you go to talking about officers receiving $6,000 and $7,500 per annum and allowed their expenses when they are traveling in different parts of their district and allowed their per diem for their hotel bills, with working quarters furnished free, being pauperized and objects of pity I can not quite appreciate the appeal for pity.

I have seen this question agitated before about raising the salaries of the judiciary. I have heard it proclaimed that by doing so you will increase efficiency upon the bench. I have seen the salaries increased, and I have seen the same judge who was sitting upon that same bench at the old salary occupying it again at the increased salary; and that is going to be true throughout this country.

Mr. WILLIAMS. Or an inferior judge succeeding him.

Mr. TRAMMELL. Very, very aptly put, Mr. President. I have sometimes seen an inferior judge succeeding him at the increased salary.

I do not think this is a very appropriate time to talk about increasing the salaries of those who are already getting sufficient remuneration to call to these positions of trust and honor and responsibility among the very best legal minds and talents of our country. Taking the bench of this country as a whole, it is composed of intelligent, patriotic, and efficient officials. It is only now and then we find a misfit. If increasing their salary is to be a benefit going directly to those occupying the bench at the time, there is no use of trimming our sails in order to make it appear that it is for the purpose of building up the efficiency or the dignity of the courts. It is not that. It is purely a matter of increasing the salaries of those who to-day are occupying these positions.

This body has passed a bill authorizing an additional judge in my State. You would not think there was any scarcity of splendid material to fill that office if you knew as much of the situation, and of the aspirants to it, as my colleague and myself know. There are a number of the best lawyers in the State who are anxious and willing to have the honor thrust upon them; and that is true throughout the country.

Mr. WILLIAMS. And, by the way, Mr. President, I should like to ask the Senator from Florida a question. Is it not a part of his experience that lawyers will frequently give up incomes, say, of $10,000 to take a position for life upon the Federal bench at $6,000, and are glad to do it, because $6,000 a year as a certainty and for life is so much better than a problematical $10,000?

Mr. TRAMMELL. Mr. President, the statement of the distinguished Senator from Mississippi is very correct. As I stated at the outset of my argument, my observation has been that a judgeship upon the Federal bench is the coveted goal of the average lawyer of the country; and it is not confined to two-by-four lawyers, but applies to our most distinguished and capable lawyers.

What is $6,000 or $7,000 a year in the way of salary? That comes absolutely without any expenditure upon the part of the judge who enjoys it. You take an attorney making $10,000 or $12,000 per annum, with his office force to maintain, with his traveling expenses and his hotel bills, and he is not making any more net income than the lawyer who occupies the bench and receives his $6,000 or $7,000 a year without any expenses to

pay. Do you think that the taxpayers of this country feel at this particular time, when they are already so heavily burdened, that you should increase the salaries of these judges so as to give them an income in excess of that of the lawyers making $10,000 or $12,000 a year in private practice? That is, it is equivalent to that as far as the net income is concerned. There is a wonderful difference between the gross amount of a lawyer's income and the net salary paid by the Government.

This bill now provides for $9,000 and $10,000 a year salary for district and circuit judges, respectively. I do not believe we should increase the salary to any such amount unless we are going to extend to every branch of this Government such magnanimity, such consideration for Government employees in other branches of the service.

Mr. WILLIAMS. Mr. President, I should like to ask the Senator from Florida one more question. Now that the people of the United States will probably have to help feed Belgium and Serbia and Roumania and northern France and Mesopotamia and Syria and Palestine, and later on perhaps even our enemies, Germany and Austria and Hungary, is this a time for men who love their country to be consenting, even, to receive increased salaries, when they already are getting enough to live on and to live comfortably?

Mr. TRAMMELL. Mr. President, I think the suggestions made by the Senator from Mississippi are very appropriate, and I feel myself that in the case of those who are receiving ample salaries at the present time it does not come with very good grace to seek an increase with the burdens upon our Republic at this time.

Take the judiciary of the States, Mr. President. A very large majority of the States only pay their circuit court judges salaries of $4,000 or $5,000 per annum. In my own State they receive a salary of $4,300 per annum, and are required to defray their own traveling expenses. You go to the supreme court—and I refer with pride to the Supreme Court of Florida, because we have none throughout this country that surpasses it or is its peer as a court composed of able, efficient, and well-trained lawyers—yet members of our supreme court receive the very small salary of $4,500 a year. I say "small." The members of the bar of that State do not seem to think so, if the question of the salary is the only thing that induces them to go upon the bench, because as each election rolls around you find various lawyers who are on the outside looking in, seeking to have the people of that State place them upon the supreme court bench at $4,500 a year. You go into the executive branch of the governments of the various States; I very hurriedly glanced over the list of the salaries paid by the different States, and I find that there are only about eight governors throughout the Union who receive compensations in excess of $7,000. Large States like New York, Illinois, Pennsylvania, Ohio, and a few others pay salaries in excess of $7,000 per annum, but a very large majority of the States fix salaries ranging from $4,000 to $6,000 and $7,000 per annum. I should say that the average would possibly be around five or six thousand dollars per annum.

Of course, I know it will be contended here that these judges do not save anything out of their salaries, and that may be true with some of them; but when you consider that the judge of a Federal court has his appointment handed to him upon a silver platter, as far as any expense connected with his procuring it is concerned, and when you consider that when he has served a certain length of time and reached a certain age he is retired to private life with his full salary, I think they are being pretty well paid at the present time. They at least have a good living and an assurance of comfort in old age.

We had up here before us on one occasion the matter of increasing from $10,000 to $12,000 the salary of certain officials connected with the Federal Government. I said at that time that I was not willing to lend my voice nor was I willing to join in the advocacy of increasing the larger salaries until we did justice by those who were drawing the smaller salaries. It is a rather peculiar thing. Very often you find a man who thinks that the official who is already well paid should have his salary increased; but when the day comes to deal with a raise for those receiving a smaller salary, some of those who championed raising the high salary turn topsy-turvy, take a slide upon the toboggan, do the acrobatic stunt, and you find them opposing raising the salary of the man who is getting twelve or fifteen or eighteen hundred dollars per year, because, as they claim, he is getting along very nicely and getting all he is worth.

The Senator from Mississippi [Mr. WILLIAMS] very wisely suggests that "to him that hath shall be given, and from him that hath not shall be taken away."

Mr. LEWIS. Mr. President, the Senator can not give the Senator from Mississippi credit for that. It is from St. Mark.

Mr. TRAMMELL. I give the Senator from Mississippi credit for his quotation. Whether or not he is exactly correct in the quotation does not make any particular difference. It fits very nicely indeed, and is a good guess. [Laughter.]

Mr. President, I am opposed to the bill in its present form, and hope that it will not be passed as amended, giving, as I stated before, at present, in the form in which it is amended, a salary of $9,000 to the district judges and $10,000 to the circuit judges. My opposition to this is not based upon any feeling other than that of the highest respect and consideration for the judiciary of the country. I realize that the judiciary is one of the great bulwarks of this country for our protection and defense, for the security of a civilized people, and that the judges should enjoy a reasonable salary; but I believe, when everything is considered and the present conditions of our country are taken into account, that it would not be right, it would not be justice to the taxpayers of this country, to increase the salaries up to nine and ten thousand dollars, as provided in this measure.

Mr. LODGE. Mr. President, I simply desire to call attention to the fact that the amendment which I have offered has nothing to do with rates. It simply puts one court, which I think should not have been omitted, on the same basis as the other court, whatever that basis may be.

The VICE PRESIDENT. The question is on the amendment of the Senator from Massachusetts.

Mr. SMITH of Georgia. I should like to have the amendment stated.

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. It is proposed to add a new section in the bill, on page 6, after line 3, as follows:

SEC. 3. That the presiding judge and the associate judges, respectively, of the United States Court of Customs Appeals shall receive salaries equal in amount to the salaries provided by this act to be paid the chief justice and other judges, respectively, of the Court of Claims, payable monthly from the Treasury.

Mr. SMITH of Georgia. Mr. President, there could be only one objection to this amendment. It would be that possibly the salary of this court ought to be fixed in a revenue bill, rather than in this judicial bill; but it was not considered in the revenue bill, and I shall not object to the amendment.

The VICE PRESIDENT. The question is on the amendment of the Senator from Massachusetts.

The amendment was agreed to.

Mr. UNDERWOOD. Mr. President, along the same line as the amendment just offered, to equalize the salaries upon the same basis that they were before the bill was amended, I move to strike out, on page 5, line 25, after the word "office," the words "The chief justice shall be entitled to receive," down to the end of that section, and to insert in lieu thereof the following:

The chief justice and the other judges of the Court of Claims shall receive salaries upon the same basis as salaries provided by this act to be paid to judges of the Circuit Court of Appeals of the United States.

The VICE PRESIDENT. The question is on the amendment of the Senator from Alabama.

The amendment was agreed to.

Mr. MYERS. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to insert a new section, after line 14, on page 5, as follows:

SEC. —. The salary of the chief justice of the Supreme Court of the Territory of Hawaii shall be $7,000 per annum, and that of the associate justices thereof shall be $6,500 per annum, and the salary of the several circuit judges of the Territory of Hawaii shall be $5,000 per annum.

Mr. MYERS. Mr. President, there are two sets of judges in the Territory of Hawaii. One set presides over matters of Federal jurisdiction, and the other set presides over matters of Territorial jurisdiction, to administer the laws enacted by the Territorial Legislature of Hawaii. All are paid by the United States. This amendment is to increase somewhat the salaries of the Territorial judges.

The judges of the Territorial courts of the Philippines receive the following salaries: The chief justice receives $8,000 per annum, and there are six associate judges receiving $7,500 each per annum. I have offered this amendment to increase the salaries of the Territorial judges of Hawaii to some extent, but not nearly so much as the salaries received by the judges of the Philippines.

I have here a memorial from the Bar Association of Hawaii, praying for an increase in salary for their Territorial judges, which I send to the desk and ask to have read. My amendment

does not increase the salaries of the Territorial judges in Hawaii as much as this memorial prays for. I did not see fit to ask so much as that, but it increases them somewhat.

I now ask to have the memorial read.

Mr. SMITH of Georgia. Mr. President, would not the Senator be satisfied to have it printed in the RECORD?

Mr. MYERS. No; I would not, Mr. President.

Mr. SMITH of Georgia. Mr. President, we can not afford to go beyond the district judges. I am utterly opposed to this amendment unless you want to kill the bill. If you expect to have any of these salaries increased you must be reasonable about it, or tolerably reasonable.

I think it was a mistake to put the circuit and district judges up to $9,000 or $10,000. I would be perfectly willing to have their salaries increased to that extent if I were the sole person to vote upon it, but I do not believe it is possible to pass those increases through the House.

Mr. MYERS. I ask that the memorial be read and then that the amendment be voted on.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

To the Senate and House of Representatives of the United States in Congress assembled:

The memorial of the Bar Association of the Hawaiian Islands respectfully presents this petition to the Congress of the United States, and your petitioners say as follows:

1. That Congress, by the act of Congress of May 27, 1910, section 8, Thirty-sixth Statutes at Large, page 443, fixed the annual salaries of the judges of the several courts of record of this Territory as follows: The chief justice of the supreme court at $6,000, the first and second associate justices of said court at $5,500 each, and the judges of the several circuit courts at $4,000 each.

2. That the Bar Association of the Hawaiian Islands, at its regular quarterly meeting held in Honolulu on the 27th day of February, A. D. 1918, unanimously adopted a resolution to petition the Congress of the United States to increase the salaries by an act of Congress, as follows: That the annual salary of the chief justice of the supreme court be increased to $8,000, the associate justices to $7,500, and the several circuit judges to $6,000; and this resolution was adopted after a thorough investigation.

3. That since the passage of the act of May 27, 1910, section 8, Thirty-sixth Statutes at Large, page 443, by the Congress of the United States, the cost of living in Hawaii has steadily advanced each year, and more particularly since the beginning of the present European war, and the salaries, as fixed by the said act, are wholly inadequate for the support of the several judges of the said courts in this Territory.

4. The dignity and requirements of the judges of our courts of record are such as to require them and each of them to expend their entire salaries, and most of them have been compelled to depend upon their private income to meet the expenses of living during their term of office. Since the declaration of war by the United States there has been a continuous increase in the cost of every article of use and consumption in Hawaii. Rents, boarding rates, clothing, food supplies, wages of servants, and every possible article which they are called upon to purchase have positively advanced in price, and the purchasing power, therefore, of these salaries has diminished to such an extent as to make it impossible for the judges to meet their current expenses and to maintain the dignity which their social position requires. In this connection it should not be overlooked that nearly everything they use from the material with which their homes are built to the articles of food upon their tables—barring a partial and inadequate local supply of meat, fish, and vegetables, has to be transported hither from the mainland of from New Zealand and Australia, and, in addition to the largely increased cost of these materials at the points of their production, the cost of their transportation hither has been many times multiplied as a result of the scarcity of shipping.

5. The present occupants of the several judicial positions command the respect and confidence of the bar of these islands, and of the commercial interests, and the people at large realize that the impartial administration of justice is paramount to all other considerations, and that the judges should receive such salaries so as to enable them to be independent, and it is also well known that many of the appointees, upon accepting the positions, made large sacrifices by giving up their lucrative law practice in response to a demand and request from the bar that they accept these positions.

6. The litigation in the Hawaiian Islands is of a varied and of a mixed character, and the several dockets of the several courts demonstrate that the judges are required to perform very laborious tasks and give their entire time to the several duties of their office; and most of the calendars in the several circuits can not be kept clear, because jury trials, as a rule, can not be shortened; and yet the judges have been ever zealous, and especially the present appointees, in trying to clear the docket.

7. The Bar Association of Hawaii can not too strongly present the facts in support of an increase in the salaries of the judges, and we are conversant with and know well that, in view of economic conditions here and for the reasons set out in this memorial, the salaries are wholly inadequate, and we therefore humbly pray for favorable action in the premises.

Attached to the memorial of this association in the form of a bill amending the act of May 27, 1910, section 8, Thirty-sixth Statutes at Large, page 443, and we pray that it may be introduced in the Senate and House of Representatives of the Congress of the United States.

THE BAR ASSOCIATION OF THE HAWAIIAN ISLANDS.

Dated at Honolulu this 15th day of March, A. D. 1918.

A bill to amend section 92 of the act approved April 30, 1900, entitled "An act to provide a government for the Territory of Hawaii," as amended by section 8 of chapter 258, Thirty-sixth statutes at Large, approved May 27, 1910.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled:

SECTION 1. That section 92 of the act approved April 30, 1900, entitled "An act to provide a government for the Territory of Hawaii," being chapter 339, Thirty-first Statutes at Large, as said section is amended in and by an act approved May 27, 1910, being section 8 of chapter 258, Thirty-sixth Statutes at Large, is hereby further amended so as to read as follows:

"SEC. 92. That the following officers shall receive the following annual salaries, to be paid by the United States: The governor, $7,000; the secretary of the Territory, $4,000; the chief justice of the supreme court of the Territory, $8,000; the associate justices of the supreme court, $7,500 each; the judges of the circuit courts, $6,000 each; the United States district attorney, $4,000; the United States marshal, $3,000. And the governor shall receive annually, in addition to his salary, the sum of $500 for stationery, postage, and incidentals; also his traveling expenses while absent from the capital on official business; and the sum of $2,000 annually for his private secretary."

SEC. 2. This act shall take effect and be in force from and after its approval.

Mr. SMITH of Georgia. Mr. President, I wish to warn Senators unless they wish to defeat the bill we must not add more matter of that kind. I hope the amendment will be rejected. It applies to an entirely different class of judicial officers. I wish to urge that we defeat this proposed amendment.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Montana.

The amendment was rejected.

Mr. ASHURST. I offer the following amendment.

The VICE PRESIDENT. It will be read.

The SECRETARY. It is proposed to add a new section as follows:

SEC. —. That the President of the United States be, and he is hereby, authorized and directed, by and with the advice and consent of the Senate, to appoint an additional judge of the district court of the United States for the southern district of Florida, who shall reside in said district, and whose compensation, duties, and powers shall be the same as now provided by law for the judge of said district.

That the President of the United States shall appoint, by and with the advice and consent of the Senate, an additional judge for the northern district of California, who shall reside in said district and shall possess the same qualifications and have the same powers and jurisdiction and receive the same salary now prescribed by law in respect of the present district judges therein.

That the President of the United States, by and with the advice and consent of the Senate, shall appoint two additional district judges for the northern judicial district of the State of Illinois, each of whom shall possess the same qualifications and have the same powers and jurisdiction as now prescribed by law in respect to the present judges for that district.

That the President of the United States shall appoint, by and with the advice and consent of the Senate, an additional judge for the district of Arizona, who shall reside in said district and shall possess the same qualifications and have the same powers and jurisdiction and receive the same salary now prescribed by law in respect of the present district judge therein.

That the clerk of the district court for the district of Arizona and the marshal and district attorney for said district shall perform the duties appertaining to their offices, respectively, for said court.

That the President of the United States shall appoint, by and with the advice and consent of the Senate, an additional district judge for the district of Montana, who shall reside in said district and shall possess the same qualifications and have the same powers and jurisdiction and receive the same salary now prescribed by law in respect of the present district judge therein.

That in case of disagreement in relation thereto between the judges of said district court the senior circuit judge of the ninth circuit shall make all rules for the transaction of the business of said court and all necessary orders for the division of the work and the assignment of cases for trial.

That the clerk of the district court for the district of Montana and the marshal and district attorney for said district shall perform the duties appertaining to their offices, respectively, for said court.

That the President of the United States shall by and with the advice and consent of the Senate, appoint an additional district judge for the western judicial district of the State of North Carolina, who shall reside in the said district and shall possess the same qualifications, have the same power and jurisdiction, and receive the same salary now prescribed by law in respect of the present district judge therein.

That whenever a vacancy shall occur in the office of the district judge for the western judicial district of the State of North Carolina senior in commission such vacancy shall not be filled, and thereafter there shall be but one district judge in said district.

That hereafter there shall be a district judge of the United States for the middle district of the State of Tennessee, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall possess the same qualifications and shall have the same powers and jurisdiction and receive the same compensation prescribed by law in respect to district judges of the United States: *Provided*, That the judge now acting for the eastern and middle districts of Tennessee shall continue to act in both said districts until a judge is appointed and qualified for the middle district as hereinafter provided.

That the district judge now holding office and acting for both said districts and his successors shall be assigned to and hereafter be the district judge for the eastern district in said State.

That the President of the United States, by and with the advice and consent of the Senate, shall appoint the district judge for the middle district in said State, who shall, as to all business and proceedings arising in said middle judicial district, possess and exercise all the powers conferred by existing law upon judges of the district courts of the United States, and who shall succeed to and possess the same powers and perform the same duties within the said middle judicial district as are now possessed and performed by the district judge acting for both said districts in said State.

That terms of court may be held at the places and in the manner now prescribed by law in the eastern judicial district by the judge of the middle district or in the middle judicial district by the judge of the eastern district, provided it is mutually agreed by and between the judges of each of said districts that the public interest demands it.

That hereafter there shall be for each of the two judicial districts in the State of Mississippi a district judge of the United States, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall possess the same qualifications and shall have the same powers and jurisdiction and receive the same compensation prescribed by law in respect to district judges of the United States:

Provided, That the judge now acting in both said districts shall continue to act in both said districts until a judge is appointed and qualified for the southern district as hereinafter provided.

That the district judge now holding office and acting for both said districts shall be assigned to and hereafter be the district judge for the northern district in said State.

That the President of the United States, by and with the advice and consent of the Senate, shall appoint the district judge for the southern district in said State, who shall, as to all business and proceedings arising in said southern judicial district, possess and exercise all the powers conferred by existing law upon judges of the district courts of the United States, and who shall succeed to and possess the same powers and perform the same duties within the said southern judicial district as are now possessed and performed by the district judge acting for both said districts in said State.

That terms of court may be held at the places and in the manner now prescribed by law in the southern judicial district by the judge of the northern district or in the northern judicial district by the judge of the southern district, provided it is mutually agreed by and between the judges of each of said districts that the public interest demands it.

That all laws and parts of laws so far as inconsistent with the provisions of this act are hereby repealed.

Mr. SMITH of Georgia. I wish to ask the Senator from Arizona if he is not willing to allow the amendment to be printed and go over.

Mr. ASHURST. Of course; but if we want to finish the bill to-night——

Mr. SMITH of Georgia. I do not think we can.

Mr. ASHURST. Now, let me say that the frowns of my friend will avail nothing. I have a right as a United States Senator to offer any amendment that I see fit.

Mr. SMITH of Georgia. Mr. President, I did not mean to question that.

Mr. ASHURST. I stand by my right to offer this amendment. It simply gives additional judges to those States that need them. The judges for the States of North Carolina, Tennessee, Illinois, California, Mississippi, Montana, and Arizona are very much overworked. In those States additional judges are needed. This amendment simply includes those bills that have passed this Senate during the Sixty-fifth Congress granting additional judges. The Judiciary Committee of the Senate considered the situation in these various States. It ascertained that the judge in Florida, in the southern district, was the most overworked judge in the United States. It ascertained that the district judge in Arizona was the next most overworked judge in the United States, and the next were the judges in Montana, Illinois, Tennessee, North Carolina, Mississippi, and California.

This amendment simply includes those bills which the Senate has already passed. The part of the amendment which relates to a new judge for the southern district of Florida passed the Senate February 6, 1918. The part of the amendment providing for a new judge in the northern district of California passed the Senate May 21, 1918. The bill providing for two new judges in the northern district of the State of Illinois passed the Senate May 21, 1918. The bill providing for an additional judge in the district of Arizona passed the Senate February 5, 1918. That part of the amendment providing for an additional judge for the district of Montana passed the Senate September 11, 1917.

That part of the amendment which provides for an additional judge in North Carolina passed the Senate May 16, 1918. That part of the amendment providing for a new judge in the State of Tennessee passed the Senate September 12, 1917, and that part of the amendment which provides for an additional judge in the State of Mississippi passed the Senate September 11, 1918.

I submit that the Senate seriously passed those bills, and I resent any suggestion of impatience or any suggestion that I ought not to be heard at this time.

The imperial State of California needs this additional judge, and Montana, Illinois, Arizona, Mississippi, North Carolina, and Tennessee need additional judges. I serve notice that I am not a State senator but a United States Senator, and if Georgia needs an additional judge, if in good faith Indiana needs a judge, why should we decline to grant it?

The Senate of the United States passed these bills which make up my amendment. Senators say, "Why do you not include my State in your amendment?" I did not do that because the Judiciary Committee of the Senate had not considered such bills. The amendment I have just presented is made up of those bills that have passed the Senate; in other words, it includes simply, solely, and only the bills that the Judiciary Committee of the Senate reported favorably after hearings that were voluminous, and which bills have passed the Senate.

Mr. WILLIAMS. Mr. President——

Mr. ASHURST. The Senator will pardon me. Senators must not grow impatient when a new and young Senator insists on having a right to be heard. I am in favor of this bill, even should my amendment fail. I have been a constant and, I believe, a just critic of some of our Federal judges, but I am glad to see the salaries of the Federal judges increased. In this day of Bolshevism, in this day when the I. W. W. is clamoring at your gate seeking to tear down your civilization, it will be the judges who are not afraid to enforce the law that will save our civilization of to-day.

Mr. WILLIAMS. Mr. President——

Mr. ASHURST. I will yield in a moment.

Mr. President, if the distinguished Senator in charge of the bill feels that my amendment, which includes only those bills that have passed the Senate, would imperil this bill, I will withdraw it. Does the Senator fear that my amendment would do that?

Mr. SMITH of Georgia. I am not prepared to say further than this: The subject was considered by the Judiciary Committee, and we determined that it would not do to undertake to attach these several bills to the pending bill lest it might jeopardize it. The Senator from Florida was present and suggested that the bill applicable to Florida be added, but it was finally agreed by the committee that in the opinion of the committee it was best not to undertake to attach any general legislation to the pending bill.

While I am on my feet I want to say to the Senator that when I found there were so many of them included in his amendment I thought it was a piece of humor.

Mr. ASHURST. A piece of humor! The Senator is a Member of the Judiciary Committee, which reported these bills which make up my amendment.

Mr. SMITH of Georgia. The Senator has given me the floor by asking me a question, and I am going to ask him to let me finish my answer.

Mr. ASHURST. I am at times a little humorous, and sometimes the Senator may intend to be, but I do not get off any humor in the Senate.

Mr. SMITH of Georgia. I did not suppose when there were so many of them that they were to be pressed at this time, and that is why I manifested some impatience. Of course, I recognize the right of the Senator to press them and press them just as long as he desires. I have no doubt I voted for every one of them, and if they can go through I do not object to their going through.

Mr. ASHURST. The Senator is on the Judiciary Committee and gave the committee the benefit of his vast experience as a lawyer and a statesman. He voted for each and every one of these bills, except one of them, which was ordered reported when he was not present. I now yield for a moment to the Senator from Mississippi.

Mr. WILLIAMS. I merely wanted to say this, Mr. President: I fully agree with the Senator from Arizona that it is better to increase the number of judges to take care of the business of the country than it is to increase the salaries of the judges who are already willingly serving at the present salary and whose places are being awaited by countless numbers of briefless attorneys or attorneys with briefs. I think, if we are going to pass this bill, it might be very well to put upon it additional judgeships. I think it would be infinitely better than increasing the salaries of the judges who are already willingly serving at their present salaries. Not one of them would resign if you gave him a $10,000 check to-morrow. But I was going to suggest that it is growing late, and, as the Senator in charge of the bill has some very important amendments pending that I would not be willing to have considered without a quorum, I was going to ask that we take a recess.

Mr. SMITH of Georgia. If the Senator from Arizona has finished, I move that the Senate take a recess——

Mr. ASHURST. I do not want to delay the progress of the bill. I think the bill should pass, but I believe the Senate should seriously consider my amendment. I want to give additional judges to those States that require them, and let me remind you that I think the Judiciary Committee of the Senate of the United States—I happen to be on it—is "some" body of men. There are CHARLES A. CULBERSON and ALBERT B. CUMMINS—I can name more who are able lawyers on the Judiciary Committee—HOKE SMITH, KNUTE NELSON, L. S. OVERMAN, and FRANK B. BRANDEGEE, and all the balance of them. The Judiciary Committee found, after hearings, that the State of California in good faith ought to have an additional judge; that in the State of Illinois the Federal courts are cluttered with business; that the same is true of Florida by reason of its proximity to Cuba; that the same is true of Arizona, with 300 miles of international border and hundreds upon hundreds of smuggling cases and the judge working harder than I ever want to work. The Arizona judge has had but four weeks' vacation in four years.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER (Mr. HOLLIS in the chair). Does the Senator from Arizona yield to the Senator from North Dakota?

Mr ASHURST. I yield; but first let me say that the Senate of the United States has passed every one of these bills and the Judiciary Committee was unanimous in its report on each one of the bills——

Mr. WILLIAMS. If the Senator will pardon me.

Mr. ASHURST. I yield to the Senator from Mississippi.

Mr. WILLIAMS. One of the bills passed the Senate three times.

Mr. ASHURST. I did not know that. That was the Mississippi case. I knew it had passed once.

Mr. GRONNA. I have a concurrent resolution here which, of course, would not settle this judicial question; but I think it would help to still the storm of Bolshevism, and I ask unanimous consent out of order to have it read. It is a concurrent resolution of the Legislature of North Dakota.

The PRESIDING OFFICER. Is there objection?

Mr. ASHURST. Not in my time, of course, and not in the middle of my remarks.

The PRESIDING OFFICER. The Chair understood the Senator from Arizona to yield for that purpose.

Mr. SMITH of Georgia. If it will suit the Senator from North Dakota to have it read to-morrow morning, I am quite anxious to move for a recess until 12 o'clock to-morrow.

Mr. GRONNA. It is very brief.

The PRESIDING OFFICER. Does the Senator from Arizona yield for the purpose of having it read?

Mr. ASHURST. I yield for no purpose whatever now.

The PRESIDING OFFICER. The Senator from Arizona declines to yield.

Mr. ASHURST. I will yield the floor in a moment to the Senator from North Dakota.

Mr. GRONNA. All right.

Mr. ASHURST. If I had not been interrupted I would have finished a long time ago. I fear that owing to the cluttered condition of legislation the various bills regarding these judges will not pass the other branch of Congress, and surely I do not need to remind the Senate that a bill must pass another branch of Congress before it becomes a law. I have been, I repent, a constant and severe, and yet I think truthful, critic of some of our Federal judges, and if time permitted I could point to instances where grave abuses have been perpetrated by some of the Federal judges, where injunctions against laboring men, especially, have been unjustly issued, improvidently issued; but that does not alter the fact that the Federal judges, as a rule, are clean, able, and courageous.

While now and then some judge falters in his duty, the record made in the recent war with Germany by our Federal judiciary is a record replete with courageous patriotism. Witness the splendid services of Judge Landis, of Illinois, and the decision of Judge Speer, of Georgia, on the question of the selective draft. His opinion has become a classic in our jurisprudence. I could name others, but time does not permit.

I made an argument before the Committee on the Judiciary with reference to the necessity for an additional judge in the State of Arizona, and very copious data were gathered by me relative to that matter. I should like to have permission to include it in the RECORD as part of my remarks.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

ADDITIONAL DISTRICT JUDGE IN ARIZONA.

SUBCOMMITTEE OF THE COMMITTEE ON THE JUDICIARY,
UNITED STATES SENATE,
Washington, D. C., Monday, December 10, 1917.

Hon. HENRY F. ASHURST, a Senator of the United States from the State of Arizona, to-day submitted the following memoranda and letters to the subcommittee—Messrs. FLETCHER (chairman), SHIELDS, and BRANDEGEE—appointed to consider his bill (S. 714) providing for an additional judge for the district of Arizona:

The text of the bill is as follows:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States shall appoint, by and with the advice and consent of the Senate, an additional judge for the district of Arizona, who shall reside in said district and shall possess the same qualifications and have the same powers and jurisdiction and receive the same salary now prescribed by law in respect of the present district judge therein.

"SEC. 2. That in case of disagreement in relation thereto between the judges of said district court the senior circuit judge of the ninth circuit shall make all rules for the transaction of the business of said court and all necessary orders for the division of the work and the assignment of cases for trial.

"SEC. 3. That the clerk of the district court for the district of Arizona and the marshal and district attorney for said district shall perform the duties appertaining to their offices, respectively, for said court."

The bill provides for the appointment of an additional judge for the district of Arizona. The United States district courts for the district of Arizona are overcrowded. It is utterly impossible for one judge properly to handle the business of the district. Notwithstanding the fact that the present judge has held regular sessions and rarely observed holidays, Sundays excepted, he has been unable to keep up with the constantly increasing calendars. The present judge has taken but two weeks' vacation in the past three and one-third years. Some of the facts showing the reason for the present overcrowded condition of the dockets are set forth as follows:

The estimated population for draft apportionment of Arizona is 409,203. (H. Doc. 64, 65th Cong., 1st sess., p. 9.) The area of the State is 113,956 square miles. The Indian population of Arizona (exclusively under the jurisdiction of the United States) is 44,436. (Report Committee on Indian Affairs, 1916, p. 73.)

A factor contributing to the increase of the business of the Federal court in Arizona is the large area of the State which is included within Indian, forest, and military reservations, and therefore subject to the exclusive jurisdiction of said court. The area which is involved in Indian, forest, and military reservations in Arizona equals 42 per cent of the total area of the State. This is a larger proportion exclusively within Federal control than any other State in the Union.

In order to exhibit a comparative analysis of the business transacted by the courts of the United States in Arizona and that disposed of in other States, statements have been compiled by the Department of Justice covering the northern and southern districts of Florida, Louisiana (eastern and western district), Mississippi (northern and southern districts), the States of Montana, Nevada, New Jersey, Utah, Wyoming, and Arizona. The comparisons are valuable as furnishing a reason for the passage of the bill:

Alabama has a Federal judge for every 767,092 of population and 17,332 square miles of area.

Maine has a Federal judge for its 767,638 of population and 33,040 square miles of area.

California has a Federal judge for every 712,068 of population and 39,577 square miles of area.

Texas has a Federal judge for every 868,742 of population and 53,179 square miles of area.

Arizona has one Federal judge for its 409,203 of population and 113,956 square miles of area.

CIVIL AND CRIMINAL CASES TRIED.

The district court of the United States for the district comprehended by the State of Arizona disposed of 286 cases in 1913; 340 in 1914; 269 in 1915; and 299 in 1916—1,203.

The district court of the United States for the northern district of Florida disposed of 111 cases in 1913; 181 in 1914; 168 in 1915; and 282 in 1916—742.

The United States courts for the southern district of Florida disposed of 493 cases in 1913; 391 in 1914; 347 in 1915; and 391 in 1916—1,622.

The United States courts for the eastern district of Louisiana disposed of cases as follows: 1913, 227; 1914, 397; 1915, 180; and 1916, 252—1,056.

The United States courts for the western district of Louisiana disposed of 109 cases in 1913; 130 in 1914; 196 in 1915; and 107 in 1916—542.

The United States courts for the northern district of Mississippi disposed of 242 cases in 1913; 357 in 1914; 226 in 1915; and 85 in 1916—910.

The United States courts for the southern district of the State of Mississippi disposed of 242 cases in 1913; 84 in 1914; 140 in 1915; and 125 in 1916—591.

The United States courts for the district comprehended by the State of Montana disposed of 300 cases in the year 1913; 276 in 1914; 312 in 1915; and 270 in 1916—1,158.

The United States courts for the district comprehended by the State of Nevada disposed of 96 cases in 1913; 109 in 1914; 221 in 1915; and 132 in 1916—558.

The United States court for the district comprehended by the State of New Jersey disposed of 409 cases in 1913; 380 in 1914; 591 in 1915; and 490 in 1916 (additional judge recently provided for)—1,870.

The United States courts for the district comprehended by the State of Utah disposed of 114 cases in 1913; 120 in 1914; 101 in 1915; and 91 in 1916—432.

The United States courts for the district comprehended by the State of Wyoming disposed of 142 cases in 1913; 85 in 1914; 98 in 1915; and 85 in 1916—410.

EXPENSES.

The costs of conducting said courts for the years mentioned were as follows:

District.	1913	1914	1915	1916
Arizona	$48,429.71	$56,321.02	$56,693.62	$57,536.68
Florida:				
Northern	15,472.17	21,093.60	26,327.01	26,117.74
Southern	25,844.98	32,370.54	33,274.79	38,057.81
Louisiana:				
Eastern	39,149.27	37,129.87	38,847.08	41,817.64
Western	17,345.16	20,850.34	21,006.82	24,773.12
Mississippi:				
Northern	29,858.10	28,852.43	25,031.72	22,393.02
Southern	28,934.98	31,734.28	29,222.79	25,691.22
Montana	54,098.17	52,121.99	45,743.61	43,745.45
Nevada	17,356.94	19,893.72	24,797.78	21,056.07
New Jersey	22,414.74	24,308.34	31,472.02	28,854.54
Utah	17,622.13	20,[illegible]	28,883.70	19,491.57
Wyoming	23,561.65	21,061.67	26,230.51	24,630.71

In explanation of the higher expense involved in the administration of the Federal courts in Arizona, as compared with other States, the provision for and the care of prisoners involves more expenditure for the upkeep and maintenance of prisoners, involves greater outlay for mileage of jurors, witnesses, and officers, because the distances are greater and the travel is more expensive. The main lines of railroad charge 3 cents and branch lines not less than 4 cents per mile. The transport of prisoners convicted of felony to Atlanta and Leavenworth Penitentiaries covers a distance of thousands of miles, in some cases reaching several hundred dollars per prisoner. Many Chinese deportation cases are also tried, as the border protected by this jurisdiction is several hundred miles. The actual distance covered by the southern boundary line of Arizona bordering upon Mexico, from Ogilvie Landing, in the southwestern corner of the State, to the Guadalupe Mountains, in the southeastern corner, is approximately 400 miles, a longer distance than is covered by any other division of the United States courts, whether in Texas or New Mexico, bordering upon the Republic of Mexico. The character of the country giving views of the border monuments marking the international boundary and characteristic scenes along that border are shown in Senate Document No. 247, Fifty-fifth Congress, second session, which covers the report of the International Boundary Commission fixing the boundary between the United States and the Republic of Mexico west of the Rio Grande River.

COMPARATIVE AREAS.

The area of the State of Arizona, comprising the district of Arizona, is equal to the approximate areas of Connecticut, Massachusetts, New Hampshire, Vermont, Maine, and New York. Its area is greater than all of New York, Pennsylvania, Maryland, and Delaware; or Illinois, Indiana, New Hampshire, and New Jersey combined. The figures which bear out this statement are shown in the following tables:

	Area in square miles.	
Arizona		113,956
Connecticut	4,965	
Massachusetts	8,266	
New Hampshire	9,341	
Vermont	9,564	
Maine	33,040	
New York	49,204	
Total	114,380	113,956
New York	49,204	
Pennsylvania	45,126	
Maryland	12,327	
Delaware	2,370	
Total	109,027	113,956
Illinois	56,665	
Indiana	36,354	
New Hampshire	9,341	
New Jersey	8,224	
Total	110,588	113,956

CLASSIFICATION OF BUSINESS TRANSACTED.

A complete synopsis of all cases which were commenced, terminated, and pending, whether civil, criminal, or equity, is shown in the next table following. This includes cases both civil and criminal to which the Government is not a party, and is for the four years from 1913 to 1916, both included. The percentages of each class of cases instituted of the total are shown in the last three columns. The statement is as follows:

District.	United States civil.	United States criminal.	Cases to which United States is not a party.	Per cent of total.		
				United States civil.	United States criminal.	Other.
Arizona	73	997	227	0.057	0.783	0.18
Florida:						
Southern	45	437	269	.06	.58	.36
Southern	367	439	891	.298	.23	.472
Louisiana:						
Eastern	132	351	809	.102	.272	.626
Western	129	199	226	.232	.36	.408
Mississippi:						
Northern	82	470	121	.02	.09	.39
Southern	64	339	391	.067	.46	.453
Montana	189	656	270	.17	.58	.25
Nevada	39	465	151	.06	.77	.17
New Jersey	347	631	1,244	.156	.283	.561
Utah	67	142	221	.156	.33	.514
Wyoming	66	170	152	.17	.43	.40

The above statement shows that Arizona Federal courts disposed of more criminal cases than any other division of the United States courts shown in the above table, and that a larger percentage of the cases were criminal prosecutions than in any other division of the courts enumerated, excepting the Federal courts for the State of Nevada, viz, Nevada, 77 per cent, and Arizona, 70.3 per cent. The major portion of the business transacted on the criminal dockets is for violation of the laws of the Government against contraband smuggling, in the protection of a border 400 miles in extent marked by few natural and no artificial barriers; and also cases involving the introduction of whisky into the Indian, military, or other Government reservations. The largest proportion of cases involving the introduction of whisky into the State and the reservations lies against nonresidents of the State who seek to introduce the liquor for the great profit involved, the State of Arizona now being prohibition territory, "bone dry." The smuggling of arms out of and the introduction of contraband into the jurisdiction give rise to many cases on the criminal docket, and these are against nonresidents almost exclusively.

In obedience to statute, court is held twice a year in four places, namely, Prescott, Phoenix, Tucson, and Globe. The distance by rail from Prescott to Globe is 497 miles. It will thus be observed that the distance between Prescott and Globe is about the distance from Washington to Cincinnati or from Washington to Portland, Me. Litigants and witnesses are frequently required to traverse the entire distance (497 miles) to reach the place where court is held, and court is held as directed by statute. In some instances a term is suspended at one place while the judge travels to another place upon its business, after dispatching which he returns to the former place, completes the business there, and then returns to the latter place and dispatches the business there. In this connection it should be remembered that a grand jury must be assembled in each place (twice a year. Thus it will be observed that the present judge convenes eight grand juries each year.

An inquiry was made by the Department of Justice, addressed to the United States judge and the United States attorney for the district of Arizona, as to the advisability of the proposed legislation. The recommendations of the judge and the United States attorney were strongly in favor of the enactment of this measure into law. Copies of their letters are hereto attached.

One-third of the copper produced in the United States is mined and smelted in the State of Arizona; its Indian population is greater than that of any other State excepting Oklahoma; and the area which is included within forest, Indian, and other reservations exclusively under the jurisdiction of the United States courts is larger than in any other State.

The necessity for the speedy passage of the bill (S. 714) is manifest. The following letters and statistics, from the Department of Justice, are submitted to the committee:

DEPARTMENT OF JUSTICE,
OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., April 17, 1917.

Hon. CHARLES A. CULBERSON,
Chairman Committee on the Judiciary, United States Senate.

MY DEAR SENATOR: Permit me to acknowledge receipt of your request of the 10th instant for information tending to show the desirability, or otherwise, of the legislation proposed in the bill (S. 714) providing for an additional judge for the district of Arizona.

In order to expedite this matter as much as possible I am inclosing herewith copies of letters received from the judge and district attorney for the district of Arizona, dated December 29, 1916, and January 12, 1917, respectively, expressing their views in connection with S. 7484, which provided for the division of the State of Arizona into two judicial districts. The information contained in these letters will indicate to your committee the business that is being transacted in the present district.

There are also inclosed herewith for further information copies of comparative statements made from the records of this department showing in detail the number of cases commenced and terminated in the district of Arizona during the last four years, the number of cases pending at the close of each fiscal year, and the relative increase or decrease in the number of cases terminated and commenced. In addition, the statements show the expense of conducting the court during said periods.

It is hoped that the information submitted will meet the requirements of your inquiry.

Very respectfully,

T. W. GREGORY,
Attorney General.

DEPARTMENT OF JUSTICE,
OFFICE OF UNITED STATES ATTORNEY,
DISTRICT OF ARIZONA,
Globe, Ariz., January 12, 1917.

The ATTORNEY GENERAL,
Washington, D. C.

SIR: I received your wire of December 29, 1916, directing me to furnish my opinion as to the desirableness, or otherwise, of proposed legislation to divide Arizona into two judicial districts, reply to which has been delayed by preparation for the present term now convening here.

The proposed legislation is, in my judgment, most desirable from many viewpoints. An examination of our monthly and term reports will readily disclose the amount of criminal business transacted by this court, but the full value of the work entailed can not be gathered from a mere inspection of these reports. Add to the criminal business the civil cases in which the United States is a party and the calendar of private civil litigation and it can be seen without serious question that the burden which Judge Sawtelle has to carry is inordinately heavy. That he has been able to dispatch the work, as indicated by the cases closed, can be accounted for only by a just tribute to his excessive application, entailing few days of rest and recreation, with the consequent inroad on his mental and physical vitality.

Withal he has not been able to give to many important matters the attention needed to dispose of them promptly and to the satisfaction of litigants. We have had several very important suits by the Government submitted during the past year and have only recently been able to obtain decrees in them. They involved intricate legal questions, to which the court, on account of the many terms intervening, could not with promptness address itself. That sufficient time was not available for consideration of cases submitted, as indicated by the fact that notwithstanding only eight terms a year are provided for in this district, the other months being, no doubt, intended for preparation and deliberation, we have had sessions of court in every one of the months of the past year—here at Globe in January, in February at Tucson, regular terms at Prescott, Phoenix, and Tucson in March, April, and May, respectively; the May term at Tucson was continued far into the month of June, necessitating the postponement of the regular June term here at Globe.

In July and August an adjourned term was held at Prescott to try equity cases, and September, October, November, and December were occupied with the regular terms at Prescott, Phoenix, and Tucson, the term at Tucson occupying nearly all of December and again necessitating the postponement of the regular term here until this month. An adjourned term is already called at Tucson for next month; the four regular terms will follow at the four places for holding court, with splendid chances for another summer session at Prescott to consider equity cases, which are invariably set at the foot of the calendar and the terms wholly occupied with jury cases.

On the question of the effect of the proposed legislation on the work of this office, it goes without argument that it would be appreciably lightened. I recognize the proneness of some officials to continually remind others of the awful pressure of official duties, and it is with some reluctance that I mention our work. It is quite true, though, that since assuming office about three years ago I have been compelled, in order to give proper attention to the work, to practically abandon all private practice, and never during my term have I had the satisfaction of feeling that I could leave the work for more than an occasional off day. In the three years I have taken but one vacation, which was last summer, when I was granted 12 days' leave and spent just one week on the coast.

Night work is the invariable rule during court sessions, being absolutely indispensable if the work is to be kept up to date, and, as has been noted, the sessions are not often intermittent. What I say in this connection applies equally to the assistants of the office, whose official work leaves them little time for private practice, and who are most faithful, devoted, and interested in their labors.

The State of Arizona is rapidly growing in population and in business enterprises; litigation of every description is increasing and will continue to increase, and the jurisdiction of the Federal court is sought on every conceivable occasion. While it is true that the work of this office could be distributed by the addition of several assistants and more clerical help, which has become a necessity, this would not solve the burdens of the court in any respect. Primarily, therefore, for the amelioration of his increasing labors, do I recommend the division, and I feel also that, because of the great area of Arizona and the great distance to be covered in attending to the business of the court, the best solution would be the creation of another district. The work of

each district would then be more centralized and accomplished with greater dispatch than now prevails. Most of the above reasons, together with others, are set forth in the resolution of the Arizona Bar Association, passed January 8, 1917, at Phoenix, Ariz., a copy of which I herewith inclose. I shall be pleased to furnish further specific data disclosed by our records if you desire, and shall be pleased to answer any specific questions which you may send to me.

Very sincerely, yours,

THOMAS A. FLYNN,
United States Attorney.

UNITED STATES DISTRICT COURT,
DISTRICT OF ARIZONA,
JUDGE'S CHAMBERS,
Tucson, Ariz., December 29, 1916.

The ATTORNEY GENERAL,
Washington, D. C.

SIR: Replying to your telegram of this date, in which you state, "Bill has been introduced to divide Arizona into two judicial districts. Please furnish your opinion as to desirableness or otherwise proposed legislation in as much detail as convenience will permit, stating facts on which same is based," will say it is my opinion that such legislation is not only desirable but absolutely necessary. It is utterly impossible for one judge properly to handle the business of the district. Notwithstanding the fact that I have held long sessions and rarely observed holidays, Sundays excepted, I have been unable to keep up with the constantly increasing calendars. I have taken just two weeks' vacation during the past three and one-third years.

Practically all of my time is occupied in the trial of causes, and written opinions are prepared only in rare instances. When prepared, I am compelled to remain in my chambers until late in the night. The number of cases removed from the State courts is constantly increasing. On account of the great number of criminal and civil jury cases, equity and bankruptcy cases can not within a reasonable time be heard and determined.

I have not available data which would enable me to give you the number of cases filed at each of the four places of holding terms of court in the district during the year 1916. More cases are disposed of at Tucson than at any other one place in the district. An examination of the calendar for the May term, 1916, at Tucson shows that there were then pending 149 criminal cases, 54 equity and law cases, and 18 bankruptcy cases, 95 of which were disposed of at said term; the calendar for the November term, 1916, at Tucson shows 109 criminal cases, 73 equity and law cases, and 13 bankruptcy cases; to date 73 of said cases have been disposed of, and the November term, 1916, is still in session, the Globe term having been postponed.

There are located within the State of Arizona a number of Indian reservations, national forests and national monuments, and a large military reservation. All suits or proceedings affecting the same or any thereof, and all crimes committed upon or within the boundaries thereof, are, of course, triable only in the Federal court. Many of these cases involve new questions which can not or should not be hastily determined. There is a great number of criminal cases arising under the internal revenue, immigration, and neutrality laws, particularly along the international line. The mining and smelting companies, railroad companies, public-service corporations, and other foreign corporations invariably invoke the jurisdiction of the Federal court.

I herewith inclose for your inspection copies of calendars for the May and November terms, respectively. As above stated, Tucson is only one of four of the places where terms of court are held.

In this connection I might add that the act of Congress approved October 3, 1913, provides that terms of court shall be held at Prescott on the first Monday in March and September, at Phoenix on the first Monday in April and October, at Tucson on the first Monday in May and November, and at Globe on the first Monday in June and December. The distance by rail from Prescott to Phoenix is 157 miles; from Phoenix to Tucson, 122 miles; from Tucson to Globe, 258 miles; and from Globe to Prescott, 497 miles.

In conclusion I wish to state that in my judgment the Government would save money by dividing the district. The Government now provides suitable accommodations for holding court at Prescott and Globe and no additional outlay therefor would be required.

The United States marshal for this district informs me that between December 1, 1915, and December 1, 1916, he paid for the feeding and maintaining of Federal prisoners the sum of $13,701.82. If the district court could hold monthly adjournments of the regular terms for the trial of criminal and civil causes, approximately 50 per cent of said amount—and perhaps an equal amount now paid to witnesses who are compelled to remain in attendance upon the court for days at a time awaiting call—could be saved.

The division of the district would not only save the Government money but would enable the court to administer justice without unnecessary delay.

Respectfully,

WM. H. SAWTELLE, *Judge.*

District of Arizona.

FISCAL YEAR 1916.

Cases.	Commenced.	Terminated.	Pending close of June 30, 1916.	Increase (+) or decrease (—) from preceding year. Commenced.	Increase (+) or decrease (—) from preceding year. Terminated.
United States civil cases	19	28	16	−9	+11
United States criminal cases	187	193	79	−93	−15
Cases to which United States is not a party	94	78	94	+28	+4
Total	280	299	189	−74	0

Expenses conducting courts:	
Departmental	$46,899.35
Courts	57,526.66
Total	104,395.92

District of Arizona—Continued.

FISCAL YEAR 1915.

Cases.	Commenced.	Terminated.	Pending close of June 30, 1915.	Increase (+) or decrease (—) from preceding year. Commenced.	Increase (+) or decrease (—) from preceding year. Terminated.
United States civil cases	28	17	25	+20	+11
United States criminal cases	260	208	85	−44	−95
Cases to which United States is not a party	71	44	74	+14	+4
Total	359	269	184	−10	−80

Expenses conducting courts:	
Departmental	$68,688.34
Courts	56,690.62
Total	125,378.96

FISCAL YEAR 1914.

Cases.	Commenced.	Terminated.	Pending close of June 30, 1914.	Increase (+) or decrease (—) from preceding year. Commenced.	Increase (+) or decrease (—) from preceding year. Terminated.
United States civil cases	8	6	14	−10	−14
United States criminal cases	304	303	32	+38	+38
Cases to which United States is not a party	57	40	47	+57	+39
Total	369	349	93	+85	+63

Expenses conducting courts:	
Departmental	$88,667.79
Courts	56,321.02
Total	144,988.81

FISCAL YEAR 1913.

Cases.	Commenced.	Terminated.	Pending close of June 30, 1913.	Increase (+) or decrease (—) from preceding year. Commenced.	Increase (+) or decrease (—) from preceding year. Terminated.
United States civil cases	18	20	14	+2	+1
United States criminal cases	266	265	31	+45	+24
Cases to which the United States is not a party	.....	1	.....	−1	+1
Total	284	286	45	+46	+26

Expenses conducting courts:	
Departmental	$89,054.12
Courts	48,429.71
Total	137,483.83

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Arizona.

Mr. THOMAS. Mr. President, I shall not detain the Senate more than a very short time if it desires to vote on the question. If I thought the enactment of this measure would imperil the bill, it might be an argument in favor of my vote for the amendment. I merely want to say that in my judgment we have plenty of judges now and we need no more.

Mr. ASHURST. May I interrupt my friend?

Mr. THOMAS. In just a moment.

The PRESIDING OFFICER. The Senator from Colorado declines to yield.

Mr. THOMAS. When we consider that in the island of Great Britain there are fewer judges to attend to the business of 45,000,000 people than there are in the single American State of Illinois, we at once perceive that the difficulty is not with the judges and with the number of courts, but with their manner of transacting business. If we could follow, as we ought to follow, the expeditious way in which legal business is transacted in the Kingdom of Great Britain we could afford to pay our judges a great deal more than we do, and we would transact more business, and the question of salary would not be so important. I yield now to the Senator from Arizona.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Arizona [Mr. ASHURST].

On a division, the amendment was rejected.

Mr. SMITH of Georgia. There are two amendments, verbal in their nature, which are still to be made. On page 7, line 17, the Senator from Iowa [Mr. CUMMINS] calls my attention to the fact that the language as used in one place is not clear. Therefore, after the word "so," in line 17, I move to strike out the words "entitled to resign or retire" and to substitute "retiring voluntarily, or whose mental or physical condition caused the President to appoint an additional judge."

Mr. CUMMINS. I ask that the Secretary state the amendment.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. On page 7, line 17, after the word "so," it is proposed to strike out the words "entitled to resign or retire" and insert "retiring voluntarily, or whose mental or physical condition caused the President to appoint an additional judge."

Mr. SMITH of Georgia. So that it will read:

And the judge so retiring voluntarily, or whose mental or physical condition caused the President to appoint an additional judge, shall be held and treated as junior in commission.

The PRESIDING OFFICER. The question is on agreeing to the amendment submitted by the Senator from Georgia.

The amendment was agreed to.

Mr. SMITH of Georgia. There are two other verbal amendments reported by the committee.

The PRESIDING OFFICER. The next amendment reported by the committee will be stated.

The SECRETARY. On page 7, line 24, after the word "court," it is proposed to insert the words "to be appointed by such judges."

The amendment was agreed to.

The next amendment reported by the Committee on the Judiciary was, on page 8, line 5, after the word "as," to strike out "herein," and in the same line, after the word "provided," to insert "in this section," so as to read:

Upon the death, resignation, or retirement of any circuit or district judge, so entitled to resign, following the appointment of any additional judge as provided in this section, the vacancy caused by such death, resignation, or retirement of the said judge so entitled to resign shall not be filled.

The amendment was agreed to.

The next amendment was, on page 8, to change the number of section 5 to section 6.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is still in the Senate as in Committee of the Whole and open to amendment.

Mr. ASHURST. Mr. President, the vote was so close on the amendment offered by me—being only 17 to 18—and so many Senators have importuned me to reserve the amendment, that I desire to give notice that I will ask for a separate vote on the amendment when the bill gets out of the Committee of the Whole into the Senate.

The PRESIDING OFFICER. The Senator from Arizona reserves the right to a separate vote on his amendment when the bill gets into the Senate.

Mr. CUMMINS. Mr. President, unless the Senator in charge of the bill does so, I wish to reserve for a separate vote in the Senate the amendment which proposes to advance the salaries of district judges to $9,000 and of circuit judges to $10,000. I think those figures are too high.

The PRESIDING OFFICER. The Senator from Iowa gives notice that the question of raising the salaries of the district and circuit judges will be reserved by him to be voted upon separately in the Senate.

The bill is before the Senate as in Committee of the Whole, and is still open to amendment.

Mr. JONES of Washington. Mr. President, may I ask the Senator in charge of the bill how long he expects to run this evening?

Mr. SMITH of Georgia. No longer, if Senators prefer to stop. If we wish a quorum to vote upon the amendments reserved it will be useless to go on to-night unless Senators are sent for. I move, Mr. President——

Mr. ASHURST and Mr. GRONNA addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Georgia yield; and if so, to whom?

Mr. SMITH of Georgia. I yield to the Senator from Arizona.

SENATOR FROM MICHIGAN.

Mr. ASHURST. At the request of the senior Senator from Ohio [Mr. POMERENE], chairman of the Committee on Privileges and Elections, who has just been called from the Chamber, and on his behalf, I offer the resolution which I send to the desk and ask that it be referred to the Committee on Privileges and Elections.

Mr. FRELINGHUYSEN. I ask that the resolution just submitted be read by title.

The PRESIDING OFFICER. Without objection, the resolution will be read.

The Secretary read the resolution (S. Res. 415), as follows:

Whereas a petition has been filed with the Senate of the United States by Mr. Henry Ford, of Michigan, contesting the election of Mr. Truman H. Newberry, of Michigan, as a Senator from the said State, and asking for the preservation and recount of the ballots, and the investigation of the unlawful expenditures of money alleged to have been made by and on behalf of the said Mr. Truman H. Newberry, and notice thereof has been given; and

Whereas information has been received to the effect that in certain localities within the State some of the ballots are being destroyed, and that others are likely to be destroyed unless they are taken possession of by the Senate for the purpose of preserving and recounting the same: Therefore be it

Resolved, That the said petition, and the papers and the documents accompanying the same, be, and they are hereby, referred to the Committee on Privileges and Elections for investigation and report thereon; and be it

Resolved further, That the said Committee on Privileges and Elections of the Senate, or any subcommittee thereof, be, and it is hereby, authorized and empowered to take possession of the ballots, poll books, tally sheets, and all other documents and records relating to the said election held for United States Senator in the State of Michigan on the 5th day of November, 1918, and that the Sergeant at Arms of the Senate be, and he is hereby, instructed to carry out the directions of the said Committee on Privileges and Elections, or any subcommittee thereof, in that behalf, and that the said committee on Privileges and Elections, or any subcommittee thereof, be, and it is hereby, directed to proceed with all convenient speed to take all necessary steps for the preservation of the said ballots, poll books, tally sheets, and other documents, and to recount the said ballots, and to take and preserve all evidence as to the various matters alleged in the said petition and notice, and of any alleged fraud, irregularity, and unlawful expenditure of money in the said election and primaries, and to the intimidation of voters, or other facts affecting the result of said election; and be it

Resolved further, That the Committee on Privileges and Elections, or any subcommittee thereof, be authorized to sit during the sessions of the Senate, and during any recess of the Senate, or of the Congress, to hold its sessions at such place or places as it shall deem most convenient for the purposes of the investigation; and to have full power to subpœna parties and witnesses, and to require the production of all papers, books, and documents, and other evidence relating to the said investigation; and to employ clerks and stenographers, at a cost not to exceed $1 per printed page, to take and make a record of all evidence taken and received by the committee; and to keep a record of its proceedings; and to have such evidence, records, and other matter required by the committee printed; and be it

Resolved further, That the Sergeant at Arms of the Senate and his deputy are hereby required to attend the said Committee on Privileges and Elections, or any subcommittee thereof, and to execute its directions; that the chairman or any member of the committee be, and is hereby, empowered to administer oaths; that each of the parties to said contest be entitled to representatives and attorneys at the recount and the taking of evidence; that all disputed ballots or records be preserved, so that final action may be had thereon by the full committee and the Senate; that the committee may appoint subcommittees of one or more members to represent the committee at the various places in the making of the recount and the taking of evidence, and the committee may appoint such supervisors of the recount as it may deem best; and that the committee may adopt and enforce such rules and regulations for the conduct of the recount and the taking of evidence as it may deem wise, not inconsistent with this resolution; and that the committee shall report to the Senate as early as may be, and from time to time, if it deems best, submit all the testimony and the result of the recount; and be it

Resolved further, That the expenses incurred in the carrying out of these resolutions shall be paid from the contingent fund of the Senate upon vouchers ordered by the committee, or any subcommittee thereof, and approved by the chairman of the committee.

WOMAN SUFFRAGE.

Mr. GRONNA. I ask to have printed in the RECORD a concurrent resolution adopted by the Sixteenth Legislative Assembly of the State of North Dakota.

There being no objection, the concurrent resolution was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
STATE OF NORTH DAKOTA,

To all to whom these presents shall come:

I, Thomas Hall, secretary of state for the State of North Dakota, do hereby set forth and certify, that the following is the full text and the whole thereof, of a certain concurrent resolution adopted by the Sixteenth Legislative Assembly of the State of North Dakota, on the 11th day of January, A. D. 1919.

Dated at the capitol in Bismarck, N. Dak., this 14th day of January, 1919.

THOMAS HALL,
Secretary of State.

Be it resolved by the Senate of the State of North Dakota, the House of Representatives concurring:

Whereas there is now pending before the Senate of the United States an amendment to the Federal Constitution, known as the Susan B. Anthony national suffrage amendment; and

Whereas the Legislative Assembly of the State of North Dakota believe that the same should be submitted to the States of this Union as an amendment to our Federal Constitution: Now, therefore, be it

Resolved, That the State of North Dakota, through its legislative assembly, does herewith respectfully petition and urge the National Senate of the United States to favorably consider and early approve the said Susan B. Anthony national suffrage amendment; and be it

Resolved, That the secretary of state be instructed to send a copy of these resolutions to the Senators and Representatives of the State of North Dakota in Congress.

RECESS.

Mr. SMITH of Georgia. I move that the Senate take a recess until to-morrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 25 minutes p. m.) the Senate took a recess until to-morrow, Saturday, January 18, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

FRIDAY, *January 17, 1919.*

The House, under its previous order, met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We wait upon Thee, O God, our Heavenly Father, for that light that never shone on sea or shore but which illumines the mind and purifies the heart. Help us to receive it now, that we may walk worthy of the vocation wherewith we are called this day and all the days of our life. In the spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 2021. An act providing for the addition of certain lands to the Sequoia National Park, Cal., and designating it the Roosevelt National Park, in honor of the late President Roosevelt.

The message also announced that the Vice President had appointed Mr. WEEKS and Mr. HOLLIS members of the joint select committee on the part of the Senate, as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Department of Commerce.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 2021. An act to add certain lands to the Sequoia National Park, Cal., and to change the name of said park to Roosevelt National Park; to the Committee on the Public Lands.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATIONS.

Mr. BYRNS of Tennessee. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14078, the legislative, executive, and judicial appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14078, with Mr. ALEXANDER in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For expenses of assessing and collecting the internal-revenue taxes, as provided by the "Revenue act of 1918," including the employment of the necessary officers, attorneys, experts, agents, accountants, inspectors, deputy collectors, clerks, janitors, and messengers in the District of Columbia and the several collections districts, to be appointed as provided by law, telegraph and telephone service, rental of quarters outside the District of Columbia, postage, freight, express, and other necessary miscellaneous expenses, and the purchase of such supplies, equipment, furniture, mechanical devices, printing, stationery, law books and books of reference, and such other articles as may be necessary for use in the District of Columbia and the several collection districts, $21,000,000: *Provided*, That not more than $500,000 of the total amount appropriated herein may be expended by the Commissioner of Internal Revenue for detecting and bringing to trial persons guilty of violating the internal-revenue laws or conniving at the same, including payments for information and detection of such violation.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I direct the attention of the chairman to the description of the revenue act, for which $21,000,000 is appropriated to collect the various revenues arising therefrom. It is described as the "Revenue act of 1918." I question whether that is the proper designation of the bill that is now pending in conference.

Mr. BYRNS of Tennessee. I understand that that act provides that the act may be referred to as the "Revenue act of 1918." That is the reason it so appears in this bill.

Mr. STAFFORD. If that act itself provides for its designation by this terminology, of course, it is a proper description.

Mr. BYRNS of Tennessee. The clerk of the committee informs me that that is the case.

Mr. STAFFORD. Then, I will withdraw the pro forma amendment.

The Clerk read as follows:

Restricting the sale of opium, etc.: For expenses to enforce the provisions of the act approved December 17, 1914, entitled "An act to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon, all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or cocoa leaves, their salts, derivatives, or preparations, and for other purposes," as amended by the "Revenue act of 1918," including the employment of agents, deputy collectors, inspectors, chemists, assistant chemists, clerks, and messengers in the field and in the Bureau of Internal Revenue in the District of Columbia, to be appointed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, and for the purchase of such supplies, equipment, mechanical devices, and other articles as may be necessary for use in the District of Columbia and the several collection districts, including not to exceed $4 per diem in lieu of subsistence, $750,000.

Mr. ROWE. Mr Chairman, I move to strike out the last word. I would like to ask, Mr. Chairman, unanimous consent for 10 minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent to speak for 10 minutes.

Mr. STAFFORD. Reserving the right to object, does the gentleman intend to discuss some matter connected with the bill?

Mr. ROWE. Not strictly connected with the bill, but connected with the appropriations we are making. I have not asked for any extra time on this bill or any other bill recently, and I would like 8 or 10 minutes.

Mr. BYRNS of Tennessee. I hesitate very much to enter an objection, but I want to call the attention of the gentleman to the fact that if we can finish this bill to-day or early to-morrow there will be another appropriation bill which will come on immediately, the Diplomatic and Consular appropriation bill, on which there will be considerable debate. If anyone now wishes to speak on this bill concerning matters extraneous to it, of course others will want the same opportunity.

Mr. EMERSON. Let the gentleman have the five minutes to which he is entitled, anyway.

Mr. MANN. I hope the gentleman from Tennessee will not make objection.

Mr. BYRNS of Tennessee. If it will not be treated as a precedent——

Mr. MANN. It will not be.

Mr. ROWE. I do not expect to be here to-morrow.

Mr. BYRNS of Tennessee. Very well. I did not understand that.

The CHAIRMAN. The gentleman from New York [Mr. ROWE] is recognized.

Mr. ROWE. Mr. Chairman and gentlemen, I feel that I should call the attention of the Members of the House to a matter which is not likely to come regularly before this body owing to the fact that the Merchant Marine and Fisheries Committee by unanimous action yesterday tabled House resolution 13159, a bill to authorize the purchase of all the high-power radio stations in the United States by the Secretary of the Navy and authorizing that department to carry on regular commercial business.

In the last session of Congress there was introduced a bill known as House resolution 19350, to regulate radio communications and to authorize the Secretary of the Navy to purchase a part of the radio stations belonging to private companies and situated within the United States. The bill was referred to the Merchant Marine and Fisheries Committee and extensive hearings were held during the month of January, 1917, when the Secretary of War, Commander Todd, and many of the representatives of the Navy and experts in radio appeared before the committee in favor of the bill and a large number appeared in opposition.

Among the members there was decided opposition, and the committee did not act on the measure.

About a month or six weeks ago there appeared reports in the papers that the Secretary of the Navy had purchased from the Marconi Co. their ship-to-shore business, including a large number of low-power stations on the Atlantic coast and the apparatus used on the ships equipped by the Marconi Co. When the bill 13159 introduced in this session was brought on for hearing before the Merchant Marine and Fisheries Committee, on December 12, the first witness in behalf of the measure was

the Secretary of the Navy, and he stated, in answer to interrogatories, that he has purchased the ship-to-shore business of the Marconi Co. and had paid therefor $1,450,000; and that he had purchased the Federal Telegraph Co. system, chiefly located on the Pacific coast, paying $1,600,000. On being questioned as to where he got the money and the authority for making these purchases, the Secretary of the Navy stated it was in the "naval appropriation bill," under the title of the "Bureau of Engineers"; and in answer to a further question, he said, "I do not think it was itemized; it has always been a general lump appropriation."

Mr. Chairman and gentleman of the House, many bills have been introduced in Congress during the past year intended to bring about Government ownership of some public utilities. So far as I know, not a single one of these bills has received favorable consideration in the House. When I voted at the last session for the naval appropriation bill I did not intend to authorize the Secretary of the Navy or anyone else to put this Government into the commercial radio business other than during the period of the war and for a reasonable time thereafter. The very fact that the bill advocated by the Secretary of the Navy in the last session of Congress looking to Government ownership of radio was not favorably reported from the committee having charge of it should, I believe, have been sufficient notice to the Secretary that the House was not favorable to such a proposition. I should not have spoken at this time except that I fear that the Secretary of the Navy may make further purchases unless the House gives positive notice that they do not intend to hand over the legislative branch of the Government to the executive department.

Mr. BURROUGHS. Would the gentleman permit a question?

Mr. ROWE. Certainly.

Mr. BURROUGHS. Does the gentleman hold that the Secretary of the Navy had no authority to purchase the ship-to-shore business of the Marconi Co.?

Mr. ROWE. I certainly do.

Mr. BURROUGHS. I agree with you. I am very much interested in what the gentleman has been saying. Inasmuch as he is a good lawyer, I will ask, Can the gentleman suggest a remedy?

Mr. ROWE. Yes; I think that this matter should be referred to the Attorney General to recover and put back in the Treasury of the United States the money paid to the Marconi Co. and the Federal Co.

When the United States declared war against Germany all the companies doing a wireless business in the United States and on shipboard turned their plants over to the Secretary of the Navy and he has been operating them ever since. There is no excuse that can be offered for the purchasing of these stations without the full authority of Congress.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The item under consideration is to authorize the Commissioner of Internal Revenue to enforce the act for the prevention of the sale and use of habit-forming drugs. In the act of this year $325,000 is appropriated for that service. The committee believed that it was necessary, in view of the many instances called to its attention of the increase in the number of addicts, to provide more than double the amount of the appropriation, so that the growing use of these habit-forming drugs could be checked and curtailed.

In this bill we vote two lump-sum appropriations—one of $21,000,000 and another of $4,288,000, or a total of all three appropriations of more than $26,000,000—to the Commissioner of Internal Revenue for the enforcement of the internal-revenue laws and the Harrison Antidrug Act.

Yesterday it was announced by the gentleman from California [Mr. RANDALL], and the papers of this morning and of last evening carry in bold headlines, that the national prohibitory amendment had been ratified by three-fourths of the States. It means that the National Government is going to be the police officer of the Nation; that instead of localities, small and large, seeking to enforce the State regulatory systems as to the sale of liquor that burden is to be thrown upon the National Government. Instances have been called to my attention where manufacturers are already advertising small stills for the private use of individuals in the making of alcoholic drinks for their individual use.

Mr. LAZARO. Mr. Chairman, will the gentleman yield for a question right now?

Mr. STAFFORD. I yield.

Mr. LAZARO. Has the gentleman any information that he could give the House on the results of the Harrison law—the difference between the number who used these drugs before and the number who are using them now?

Mr. STAFFORD. The gentleman from Illinois [Mr. HENRY T. RAINEY] has made that his special study, and I recall at the past session an occasion when he gave the House full information as to the growing number of addicts in the use of habit-forming drugs. The Commissioner of Internal Revenue, in the brief hearing had on this item, also testified that the tendency throughout the country is for habit-forming drugs to be more greatly used. But I am calling attention to the fact that if the national prohibition law is to be enforced the United States Government will become the police officer of the Nation.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield in that connection?

Mr. STAFFORD. Yes.

Mr. BANKHEAD. How does the gentleman draw the conclusion that the exclusive burden of enforcing the intrastate legislation would be upon the Federal Government?

Mr. STAFFORD. I draw that conclusion by reason of the condition existing in many of the Southern States, where they have had so-called prohibitory legislation. They have had their private stills there. There have been instances galore where the State laws have not been lived up to, but where the burden has been thrown upon the National Government to have the law enforced. The Commissioner of Internal Revenue in his testimony before our committee stated that even as to the enforcement of the prohibitory law in the District of Columbia the great burden of that work was thrown upon his office, not upon the local police officers or those connected with the administration of local affairs. This fact, judged by the history of the attempted prohibitory legislation in the several States where they have had feigned prohibition, shows that this work is to be imposed upon the National Government.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. Just one word more. No one can tell how large an appropriation will be required if the national prohibition law is to be enforced in communities where the sentiment is strongly opposed to that strict character of legislation.

Mr. HOLLINGSWORTH. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Ohio moves to strike out the last two words.

Mr. HOLLINGSWORTH. Mr. Chairman, apropos of the statement of the gentleman from Wisconsin that the announcement in the morning papers that on yesterday, January 16, 1919, the national prohibition amendment to the Constitution of the United States was formally ratified by the State of Nebraska, the thirty-sixth State required to complete its adoption as part of the organic law of the country, marks an epoch-making period in the life of the Republic and must take rank in history along with the Declaration of Independence, Lincoln's proclamation of freedom, the surrender at Appomattox, and the recent world victory of the American and allied armies over autocracy and absolutism in the world.

It is a moral triumph of immeasurable importance to future generations.

This House may well, therefore, to-day pause for a moment to congratulate itself on the vote of just one year and one month ago of 282 for and 128 against submitting the proposed amendment to the several States for ratification under the orderly forms provided by law.

With conscious pride, but wholly without personal prejudice against those who do not agree with me, I add to my remarks a brief quotation from the remarks I made in the House on that occasion:

I shall vote for the resolution. Therefore I only deem it necessary to explain to those friends who do not agree with me.

On the general subject of prohibition there is a decided difference of opinion in Ohio. The recent State vote on the subject was not decisive—at least was not sufficiently so to deter its friends from bringing up the subject again. But in the congressional district which for a time I have the honor of representing the majority for prohibition was large, as it was also at the previous election when the question was submitted to the voters, so that it might be said to be an instruction on this point to the district Congressman, even if he did not personally agree in sentiment.

Besides, while I have always tried to deal squarely and treat every law-abiding citizen with due respect, respecting the individual judgment of all men in my district, my own home environment, personal thought, and feelings have always been practically opposed to the use of intoxicants in any form.

Over 6,000,000 people have petitioned Congress for its submission, more than have ever before petitioned Congress on any subject.

What fair answer can be given for refusing their request for a vote on the subject? Can we say that the citizenship of the Republic is not to be trusted?

Besides, for me to refuse to so vote would be to stultify a long personal political and official record. As early as 1881, when a member of the Ohio Senate, as the journal of that year will show, I voted to submit the question of State-wide prohibition to the people of the State. The next year, 1882, as chairman of the Republican State convention at Columbus, in my opening address I personally favored prohibition,

although it was not then as popular as it is now. Freely recognizing during the thirty-odd years intervening since I thus began voting on the subject the right of everyone to exercise his own individual judgment in a political way, I have never sought to hide under a bushel my own record or views, public or private.

It is too late now to begin, if I wished; too late to dissemble even if a candidate for reelection, which I am not.

[Applause.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

The Commissioner of Internal Revenue shall submit to Congress on the first day of its next regular session a detailed statement showing the number, designation, and annual rate of compensation of the persons employed and the amounts expended for rent and other authorized purposes in the District of Columbia from the foregoing appropriations for the collection of internal revenue.

Mr. SEARS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Florida moves to strike out the last word.

Mr. SEARS. Mr. Chairman, in my time I would like to have a letter read, which I send to the Clerk's desk, and to offer an amendment, which will be pending, when we reach page 101, line 1, relating to the Bureau of Education.

Mr. STAFFORD. Of course, Mr. Chairman, I object to any request to have an amendment pending, for the future amendment of the bill.

Mr. SEARS. I trust that the gentleman from Wisconsin will not object. I am leaving to-day on the 2.25 train on account of sickness in the family, and I shall not be here at that time.

Mr. STAFFORD. Of course, under the circumstances, I will withdraw any objection that I might otherwise make.

The CHAIRMAN. Without objection, the Clerk will read the letter.

The Clerk read as follows:

DEPARTMENT OF THE INTERIOR,
BUREAU OF EDUCATION,
Washington, January 11, 1919.

Hon. J. W. SEARS,
House of Representatives, Washington, D. C.

MY DEAR Mr. SEARS: In response to your request for information in regard to needs of added appropriation for the work of health promotion and physical education in the Bureau of Education, I would say the facts are as follows:

1. At present there is only one man (myself) to handle this important and rapidly expanding work. I took charge of this work last February (1917). In 11 months the requests for advice and assistance, coming from all parts of the country, have more than tripled. These are now far beyond the physical ability of one man.

Two classes of requests are predominant and indicate clearly the lines of expansion.

(1) Requests for assistance in organizing health supervision of schools—field work.

(2) Requests for advice and, to a smaller extent, for practical assistance in organizing physical training in the schools—largely office work with some field work.

A third very urgent need is for a competent secretary-stenographer.

A fourth is a travel fund especially for this work.

2. The items would stack up as follows:

Salaries:	
Field organizer of school health supervision	$3,500
Organizer for physical training	3,500
Secretary-stenographer ($1,600)	1,800
Travel expenses	2,500
	11,300

3. The item in the appropriation bill involved is:

"For investigation and promotion of rural education, industrial education, physical education, and school hygiene, including personal services in the District of Columbia and elsewhere."

4. The $11,300 itemized above should be added to the amount of the current appropriation. It might be well to specify that this additional amount is to be used for physical education and school hygiene over and above the amount used this year for that purpose; and also that not less than $8,000 of this amount shall be used for personal services and expenses outside of the District of Columbia.

With this additional amount I can guarantee the effective operation of the plans for next year that we have discussed recently.

Yours, very truly,

W. S. SMALL,
In charge Division of School Hygiene and Physical Education, Bureau of Education.

Mr. SEARS. Mr. Chairman, I ask unanimous consent that the amendment be considered as pending when we reach page 101, line 1. I have requested the gentleman from Alabama [Mr. BANKHEAD] and the gentleman from Iowa [Mr. TOWNER] to try to be present and look after this amendment when we reach it.

Mr. MANN. What is the amendment?

Mr. SEARS. It provides for $11,300 additional.

Mr. MANN. An amendment in order to be pending must be offered.

Mr. SEARS. I ask that the amendment may be read.

The CHAIRMAN. Does the gentleman desire to have it considered as pending?

Mr. SEARS. Yes. In compliance with the suggestion of the gentleman from Illinois, I will ask that the amendment be read, and then I will make the request that it be considered as pending.

The CHAIRMAN. The Clerk will read the proposed amendment.

The Clerk read as follows:

Substitute for paragraph, page 101, lines 1 to 5:

"For investigation and promotion of rural education, industrial education, physical education, and school hygiene, including personal services in the District of Columbia and elsewhere, $61,300: *Provided*, That the increase, $11,300, shall be expended for physical education and school hygiene, over and above the amount of the current appropriation used for that purpose: *And provided further*, That not less than $8,000 of this additional appropriation shall be used for personal services and expenses outside of the District of Columbia, $61,300."

Mr. MANN. Now, where is the amendment to come in?

Mr. SEARS. On page 101, as a substitute for the first paragraph. It simply changes the appropriation from $50,000 to $61,300.

Mr. STAFFORD. What is the request of the gentleman?

Mr. SEARS. That that amendment be considered as pending when that page in the bill is reached.

Mr. STAFFORD. I have no objection, Mr. Chairman, to the request that the amendment shall be considered as pending, subject to a reservation of a point of order.

The CHAIRMAN. Reservation of a point of order is made by the gentleman from Wisconsin.

Mr. FOSTER. Does the gentleman expect to talk on this amendment when we reach it again?

Mr. SEARS. No. I shall not be here. I dislike to take up the time of the House, but I think I can truthfully say that no Member of the House has taken up less of the time than I.

Mr. STAFFORD. So say we all.

Mr. SEARS. Since I have been chairman of the Committee on Education I have tried to advance the best interests of the young people of my country. I must confess that I have found it hard to secure the passage of legislation along educational lines. When the new majority come in I sincerely trust that they will take a broader view of this question.

For 10 years before coming to Congress I was actively engaged in educational work, and I have yet to find one man, whether he is married and a father or whether he is a bachelor, who has objected to a single dollar appropriated for the purpose of bettering the conditions of the children of the United States. This small appropriation of $11,300 is asked for the great cause of child-welfare work. In my State much has been accomplished. There is much more to be done. The appropriation carried in this bill for the Bureau of Education is approximately $185,000. Yet I turn to the preceding page and find appropriated in this bill for the Patent Office $1,413,300 for the purpose of assisting the people of this country to secure patents. It is possible that when this amendment of a little over $11,000 is reached in the consideration of the bill some Member of the House may make a point of order, and perhaps the point of order may be sustained. But I sincerely trust that no Member of the House will make a point of order.

I believe the time is coming when, in addition to the Secretary of State, the Secretary of Labor, and the other members of the President's Cabinet, there will be created a great secretary of education, and that the education of the children of this country will take the place in national affairs to which it is entitled. Large appropriations and necessary appropriations are passed in this House—$500,000 for my own State—to eradicate citrus canker. Hundreds of thousands of dollars are spent annually for the purpose of controlling the gypsy moth, and thousands of dollars are spent to try to control the boll weevil and to protect the pig and raise it to the age when it can be called a hog. It is easy to get appropriations of hundreds of thousands of dollars for such purposes as these; but when it comes to the children of the United States Congress seems to take the attitude that we owe them nothing and that nothing should be appropriated. I sincerely trust that when this amendment comes up no Member of the House will raise the point of order, and that the amendment may be incorporated into the law.

Mr. BANKHEAD. Will the gentleman yield for a moment?

Mr. SEARS. I will.

Mr. BANKHEAD. I think it will be well for the gentleman to explain briefly the purpose for which this additional appropriation is to be used.

Mr. SEARS. The purpose is fully explained in the letter. The expenditure will be under the direction of Dr. Small, who has done and is doing a wonderful work. The main purpose is to improve the health of the children in the schools, and in that way make them more able to prosecute their studies regularly, and so more effectually to become useful citizens.

I wish I could be here when this amendment comes up, but perhaps I could add nothing to what I have already said. I will not take up the time of the House further, except to urge

sincerely that this amendment of only $11,000, for the benefit of the children of the country, may be incorporated in the bill.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

The Secretary of the Treasury is authorized and directed to discontinue the offices of the assistant treasurers at Baltimore, Boston, Chicago, Cincinnati, New Orleans, New York, Philadelphia, St. Louis, and San Francisco from and after July 1, 1919; and section 3595 of the Revised Statutes and all laws or parts of laws so far as they authorize the establishment and maintenance of offices of assistant treasurers in the cities enumerated are repealed from and after the said date.

Mr. RAKER. Mr. Chairman, I offer the following amendment.

Mr. DYER. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Missouri makes the point of order that there is no quorum present. The Chair will count. [After counting.] Thirty-five Members present, not a quorum. The Clerk will call the roll.

The Clerk proceeded to call the roll, when the following Members failed to answer to their names:

Ashbrook	Dunn	Key, Ohio	Ramseyer
Austin	Eagan	Kiess, Pa.	Reavis
Bacharach	Eagle	Knutson	Riordan
Beakes	Estopinal	Kreider	Robbins
Black	Fairchild, B. L.	LaGuardia	Roberts
Blackmon	Fairchild, G. W.	Langley	Rouse
Booher	Farr	Lee, Ga.	Rowland
Borland	Ferris	Lehlbach	Rubey
Bowers	Fess	Lesher	Russell
Brand	Flynn	Lever	Sabath
Britten	Focht	Littlepage	Sanders, Ind.
Brodbeck	Francis	London	Sanford
Browne	Fuller, Mass.	Lundeen	Saunders, Va.
Brumbaugh	Gallivan	Lunn	Schall
Buchanan	Garland	McClintic	Scully
Butler	Godwin, N. C.	McCormick	Sells
Byrnes, S. C.	Graham, Pa.	McCulloch	Shackleford
Caldwell	Gray, N. J	McKenzie	Sherley
Campbell, Pa.	Gregg	McLaughlin, Mich.	Siegel
Candler, Miss.	Griffin	McLaughlin, Pa.	Slayden
Cantrill	Hamill	Maher	Slemp
Carew	Hamilton, N. Y.	Miller, Minn.	Small
Carlin	Haskell	Mondell	Smith, C. B.
Carter, Mass.	Haugen	Morin	Smith, T. F.
Chandler, N. Y.	Heaton	Mott	Snell
Church	Heintz	Neely	Strong
Clark, Fla.	Helm	Nelson, J. M.	Sullivan
Claypool	Helvering	Nicholls, S. C.	Swift
Cleary	Hood	Norton	Templeton
Costello	Houston	Oliver, N. Y.	Thomas
Cox	Howard	O'Shaunessy	Vare
Crago	Husted	Padgett	Vestal
Curry, Cal.	Hutchinson	Park	Voigt
Davey	James	Parker, N. Y.	Waldow
Davis	Johnson, Ky.	Peters	Walker
Delaney	Johnson, S. Dak.	Platt	Walsh
Dempsey	Jones	Poll	Ward
Donovan	Kahn	Powers	Webb
Dooling	Kelley, Mich.	Pratt	White, Ohio
Drane	Kelly, Pa.	Price	Zihlman
Drukker	Kennedy, R. I.	Ramsey	

The committee rose; and the Speaker having resumed the chair, Mr. ALEXANDER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 14078, and finding itself without a quorum he had directed the roll to be called, when 267 Members answered to their names, a quorum, and he handed in the names of the absentees for printing in the Journal and RECORD.

The committee resumed its session.

The CHAIRMAN. The gentleman from California [Mr. RAKER] offers an amendment, which the Clerk will report.

Mr. LINTHICUM. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LINTHICUM. I did not make a point of order against the paragraph read on page 62, and I desire to do so, and also against the next paragraph, beginning with line 11.

Mr. BYRNS of Tennessee. Mr. Chairman, I submit that the gentleman is too late.

Mr. LINTHICUM. Mr. Chairman, surely I am not too late to make a point of order against the paragraph which has not yet been read, that beginning on line 11, page 62.

The CHAIRMAN. Under the rules the bill is being considered by paragraphs.

Mr. LINTHICUM. The point of order that no quorum was present was made, and the Chair sustained the point, and it was not possible for me to make the point of order.

The CHAIRMAN. The gentleman can not make the point of order against a paragraph which has not yet been read.

Mr. LINTHICUM. That is the parliamentary inquiry which I make. I want to make the point of order against the paragraph that has been read and also against that which has not been read, and I want to find out whether this is the time to make the point against the second paragraph.

The CHAIRMAN. The gentleman can make the point of order against the paragraph that has been read, but not against a paragraph that has not been read.

Mr. LINTHICUM. Then I make the point of order against the paragraph that has just been read.

Mr. BYRNS of Tennessee. Mr. Chairman, I make the point of order that the point of order comes too late. The paragraph was read and the gentleman from California [Mr. RAKER] was recognized to offer an amendment, and his amendment was actually sent to the Clerk's desk when the point of no quorum was made.

Mr. LINTHICUM. Mr. Chairman, I call the Chair's attention to the fact that the gentleman from California rose and offered his amendment immediately upon the conclusion of the reading of the paragraph, when the gentleman from Missouri [Mr. DYER] made the point of no quorum, and the Chair found that the committee was without a quorum.

The CHAIRMAN. That is correct.

Mr. LINTHICUM. Being without a quorum, I had no opportunity to make a point of order and no business has been transacted since that time.

Mr. BYRNS of Tennessee. The gentleman should have made his point of order before the amendment was offered.

Mr. LINTHICUM. I could not, because the gentleman from California was on his feet too quickly.

The CHAIRMAN. The Chair will recognize the gentleman from Maryland to make the point of order under the circumstances. The gentleman will state his point of order.

Mr. MOORE of Pennsylvania. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE of Pennsylvania. With respect to the Chair's recognition of the gentleman from Maryland to make the point of order, as a matter of fact did the Chair recognize the gentleman from California to make the motion to strike out?

The CHAIRMAN. The facts are these: The gentleman from California was recognized to offer an amendment to the first paragraph. At that point the gentleman from Missouri [Mr. DYER] made the point of order that there was no quorum present. The Chair ascertained that there was no quorum present, and ordered the roll to be called. Strictly speaking, perhaps the point of order may be held to come too late, but under the circumstances the Chair is not inclined to deny the gentleman from Maryland the privilege of making the point of order.

Mr. LINTHICUM. Mr. Chairman, the paragraph on page 62, which has been read, endeavors to do away with Subtreasuries in the various cities of this country, and it authorizes the Secretary of the Treasury to discontinue them. It also repeals section 3595 of the Revised Statutes of the United States. I know the claim will be made that this is in order under the Holman rule, because it reduces expenses. This paragraph, however, goes further and repeals the law under which these Subtreasuries are established. It authorizes the Secretary of the Treasury to create new offices, for which there is no law. He is not only authorized to create new officers with specific salaries, is authorized to appoint these respective officers, but legislation is also enacted for the discontinuance of these Subtreasuries. It will be noticed that it creates offices in the Treasury of the United States at Washington and that it creates offices in the Subtreasuries in the various cities; provides for bonds for these officers. A line of legislation is provided in this paragraph and the succeeding one. It may be said that this decreases this appropriation, but certainly a long line of legislation should not be enacted under the guise of coming within the Holman rule, where you decrease an appropriation and lessen expenses. It seems to me that the paragraph is clearly subject to the point of order because it creates new legislation, and they are endeavoring to hang it on the fact that appropriations are somewhat decreased. I make the point of order.

The CHAIRMAN. This whole question was thoroughly considered at the last session of Congress when this provision was up for consideration in Committee of the Whole, and the gentleman from Virginia, Judge SAUNDERS, was in the chair and made a ruling upon it.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the Chair indulge me for a moment.

The CHAIRMAN. Yes.

Mr. MOORE of Pennsylvania. Mr. Chairman, I am familiar with the ruling made last year, and assumed that the Chair would probably follow that decision, but before he rules upon the point made by the gentleman from Maryland, I would direct his attention to that feature of the second paragraph on page 62, which provides for an appropriation of $75,000 for certain purposes, which, if added to the expenses of making a transference of the existing offices, would mean an increase in expenditures rather than a decrease. The decision of the gentleman from Virginia [Mr. SAUNDERS] was based wholly upon the fact that there was an apparent reduction of expenditures, which would bring the paragraph within the Holman rule.

That does not appear to apply as pointedly at the present time as it did then.

Mr. LINTHICUM. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LINTHICUM. I want to say in reference to the argument made before the gentleman from Virginia [Mr. SAUNDERS] last year that it was in reference to the paragraph down to line 10, embracing that subject, but it did not include from line 10 on, the balance of page 62, and the two lines on page 63, and for that reason I argued the whole question.

The CHAIRMAN. The Chair can only consider the paragraph under consideration, and is clearly of opinion that under paragraph 2 of rule 21 it shall be in order to amend when an amendment is germane to the subject matter of the bill and shall retrench expenditures—the amendment is in order. The attention of the Chair has been called to the ruling made by the Chairman of the Committee of the Whole House on the state of the Union, Judge SAUNDERS of Virginia, when this bill was under consideration at the last session of Congress—Sixty-fifth Congress, second session, page 3226—and is of the opinion that that decision was sound, and, therefore, overrules the point of order.

The Clerk will report the amendment offered by the gentleman from California.

The Clerk read as follows:

Page 62, lines 2 to 10, strike out all of lines 2 to 10, both included, and insert in lieu thereof the following:

"Baltimore, office of assistant treasurer: Assistant treasurer, $4,500; cashier, $2,500; paying teller, $2,000; receiving teller, $1,900; exchange teller, $1,800; vault clerk, $1,800; clerks—2 at $1,600 each, 3 at $1,400 each, 3 at $1,200 each, 3 at 1,000 each; messenger, $840; 3 watchmen, at $720 each; in all, $31,300.

"Boston, office of assistant treasurer: Assistant treasurer, $5,000; cashier, $2,500; paying teller, $2,500; vault clerk, $2,000; receiving teller, $2,000; redemption teller, $1,800; clerks—1 $2,200, 5 at $1,600 each, 1 $1,500, 1 $1,400, 2 at $1,200 each, 3 at $1,100 each, 4 at $1,000 each; chief guard, $1,100; 3 watchmen at $850 each; laborer and guard, $720; 4 money counters and handlers for money-laundry machines, at $900 each; in all, $46,570.

"Chicago, office of assistant treasurer: Assistant treasurer, $5,000; cashier, $3,000; assistant cashier, $2,000; vault clerk, $2,250; paying teller, $2,500; assorting teller, $2,000; redemption teller, $2,000; change teller, $2,000; receiving teller, $2,000; 2 bookkeepers, at $1,500 each; clerks—1 $1,750, 1 $1,600, 9 at $1,500 each, 13 at $1,200 each; attendant for money laundry machines, $1,200; hall man, $1,100; messenger, $840; 3 watchmen, at $720 each; janitor, $720; 8 money counters and handlers for money-laundry machines, at $900 each; in all, $71,420.

"Cincinnati, office of assistant treasurer: Assistant treasurer, $4,500; cashier, $2,250; paying teller, $2,000; receiving teller, $1,800; vault clerk, $1,600; clerks—2 at $1,300 each, 4 at $1,200 each, 2 at $1,000 each; clerk and stenographer, $1,000; chief watchman, $840; 2 watchmen, at $720 each; in all, $24,830.

"New Orleans, office of assistant treasurer: Assistant treasurer, $4,500; cashier, $2,250; paying teller, $2,000; receiving teller, $2,000; vault clerk, $1,800; assorting teller, $1,200; clerks—1 $1,500, 5 at $1,200 each, 1 $1,000; typewriter and stenographer, $1,000; day watchman, $720; night watchman, $720; messenger, $600; 4 guards, at $720 each; in all, $28,170.

"New York, office of assistant treasurer: Assistant treasurer, $8,000; cashier, $4,200; assistant cashier, $3,600; chief clerk, $3,000; check pay division—chief $2,000, assistant chief, $2,000, bond clerk and assistant vault clerk $2,800, paying teller $3,000, assistant paying teller $2,250, receiving teller $2,800; redemption division—chief $2,700, assistant chief $2,250, vault and authorities clerk, $2,500; coin division—chief $2,700, assistant chief $2,000, paying teller $2,100; bookkeepers—chief $2,400, 2 at $2,000 each; clerks—1 $2,300, 2 at $2,000 each, 1 $1,900, 1 $1,800, 1 $1,700, 4 at $1,600 each, 7 at $1,500 each, 9 at $1,400 each, 5 at $1,300 each, 8 at $1,200 each, 1 $1,000; messengers—2 at $1,200 each, 5 at $900 each, 2 at $800 each; guards—chief $1,500, 1 $1,200, 4 at $1,000 each; superintendent of building, $1,800; engineers—chief $1,200, 2 at $1,050 each; 8 watchmen, at $720 each; 12 money counters and handlers for money laundry machines, at $900 each; in all, $150,460.

"Philadelphia, office of assistant treasurer: Assistant treasurer, $5,000; cashier, $2,500; paying teller, $2,250; coin teller, $2,000; vault clerk, $1,800; bookkeeper, $1,800; assorting teller, $1,800; receiving teller, $1,700; redemption teller, $1,600; clerks—1 $1,600, 2 at $1,500 each, 2 at $1,400 each, 1 $1,300, 5 at $1,200 each, 1 $1,000; chief guard, $1,100; 5 counters, at $900 each; 6 watchmen, at $720 each; 4 money counters and handlers for money laundry machines, at $900 each; in all, $49,770.

"St. Louis, office of assistant treasurer: Assistant treasurer, $4,500; cashier, $2,500; paying teller, $2,000; receiving teller, $1,800; change teller, $1,600; coin teller, $1,200; clerks—2 at $1,500 each, 5 at $1,200 each, 2 at $1,100 each, 3 at $1,000 each, 3 at $900 each; 2 watchmen, at $720 each; 2 janitors, at $660 each; guard, $720; in all, $33,860.

"San Francisco, office of assistant treasurer: Assistant treasurer, $4,500; cashier, who also acts as vault clerk, $2,800; bookkeeper, $2,000; paying teller, $2,400; receiving teller, $2,000; clerks—1 $2,000, 2 at $1,500 each, one $1,500; stenographer and typewriter, $1,200; messenger, $840; 4 watchmen, at $720 each; 2 guards, at $720 each; in all, $27,160."

Mr. STAFFORD. Mr. Chairman, I make the point of order that the amendment is not germane to the paragraph under consideration. The paragraph under consideration, which the Chair has held to be in order, provides merely for the discontinuance of the office of assistant treasurer at these respective places and refers to the section of the Revised Statutes which provides for the appointment of assistant treasurers at these respective places. I will not contend, Mr. Chairman, that it would not be in order, after action is had upon this amendment providing for the discontinuance of these respective offices, to offer as a separate paragraph that which is now offered by the gentleman from California, but to say that to a paragraph which seeks to abolish the office of assistant treasurers and refers to the section of the Revised Statute which merely provides for the appointment of assistant treasurers, it is possible to add an amendment providing for all the machinery for the administration of those respective offices, the Chair will see is not germane to the matter under consideration.

Mr. MOORE of Pennsylvania. Mr. Chairman, if the gentleman from Wisconsin is correct, which I think he is not, the law-making body would be put in this position, that whereas it enacts legislation which under the rules becomes existing law where parliamentary points are concerned, all that it would be necessary for any committee of the House to do would be to bring in an amendment that is germane to the Holman rule and thus prevent the law-making body from sustaining existing law. The situation here is this, that we are now operating under law made by Congress; that is to say, the existing law is literally that contained in the amendment offered by the gentleman from California. The Committee on Appropriations brings in an amendment which proposes to overthrow that law. Under a point of order debate is prevented on the question of retaining existing law, because the Holman rule is invoked. There is no way of sustaining existing law under this practice except it be that the Committee of the Whole have the privilege of discussing the merits of the proposition which the gentleman from California presents. What he has offered in lieu of the committee's tender is existing law. The gentleman from Wisconsin, if his point of order should be sustained, would prevent the House from standing by its own enactment.

Mr. MANN. Mr. Chairman, while I have personally been in favor of the abolishment of these offices, still as a matter of parliamentary law it seems to me the amendment offered by the gentleman from California is germane to the paragraph. Here is the question: Shall we continue or discontinue the Subtreasuries? Now, the House has the right to vote upon that proposition, whether we shall continue the Subtreasuries or whether we shall discontinue them. It is true the gentleman might have moved to strike out the word "dis" in "discontinue" and then strike out the latter part of the paragraph so that would continue; but after all, whether we shall continue is germane or whether we shall discontinue. Now, the gentleman offers an amendment to take the place of the discontinuance of the Subtreasuries, substantially providing that they shall be continued and providing for salaries for them. I do not see how it can be claimed that it is not germane for the House, if it prefers to continue the Subtreasuries, to vote directly upon the point whether it shall continue or discontinue in one vote instead of requiring the House to vote twice upon the proposition.

Mr. STAFFORD. If the Chair will indulge me further, Mr. Chairman, I respectfully contend that the question for decision by the Chair is whether in a separate bill brought into the House from the proper committee providing for the discontinuance of these offices of assistant treasurers in the language as found in this paragraph under consideration it would be in order to provide for all the machinery of the offices, which are in existence or which may not be in existence, for the management of those offices. If the Chair will observe closely, this paragraph provides only for offices of the assistant treasurer, and the section of the statute referred to provides for those officers only. May I be permitted to read that statute:

That there shall be assistant treasurers of the United States appointed from time to time by the President, by and with the advice and consent of the Senate, to serve for the term of four years, as follows—

Then giving the names of the places. It would not be in order, I contend, for any Member to arise and provide for a large number of officers other than of assistant treasurer and substitute that for the bill which is now under consideration before this committee as proposed in the amendment of the gentleman from California.

The CHAIRMAN. Right at that point. Does the amendment offered by the gentleman from California [Mr. RAKER] include any other appropriations than those authorized under existing law?

Mr. STAFFORD. It does not, Mr. Chairman.

The CHAIRMAN. Another thing. Does his amendment include anything else than in existing law?

Mr. STAFFORD. It is the same phraseology as the existing law. The question now is whether the assistant treasurers shall be continued, for the very reason that in the next paragraph there is provision made for the continuation of some of the officers, clerical and subclerical positions, as provided for

in the amendment of the gentleman from California. You reach the desired end by submitting to the House the question as to whether the office of the assistant treasurer shall be continued or not. It is within the privilege of any man here to move to strike out this paragraph. If that motion prevails, as I said in the beginning, it would be in order, then, for the gentleman from California [Mr. RAKER] to offer his amendment, either as one or separately, to provide for the continuance of these respective assistant treasurers. The question before the Chair is this, if a separate bill providing alone for the discontinuance of the office of assistant treasurer, whether it would be in order to provide for the continuation of all the machinery whereby those offices are conducted. I direct the Chair's attention to the fact that the subsequent section, section 3596, provides for the salaries of these assistant treasurers and the subsequent section provides for other authorizations for these assistant treasurers.

The one question that is before the committee under the paragraph under consideration is the continuance of the office of the assistant treasurers and not, Mr. Chairman, the help, clerical, and subclerical, that is connected with those offices. It is merely a question of abolishing the offices of the assistant treasurers as referred to in section 3595.

Mr. IGOE. Will the gentleman yield? Does not the paragraph also provide for the repeal of the law which authorizes the establishment and maintenance of offices of assistant treasurers?

Mr. STAFFORD. It does not.

Mr. IGOE. It certainly does.

Mr. STAFFORD. The section referred to merely provides for these assistant treasurers. I have the statute, and I have read it.

Mr. IGOE. The paragraph as you have reported it mentions the establishment and maintenance of the offices of the assistant treasurers.

Mr. STAFFORD. The question referred to, Mr. Chairman, the only question before the committee, is whether the offices of assistant treasurers shall be discontinued or not. The House may take a direct expression on that question on a motion to strike out, and, if it is stricken out, then I will say it will be in order for the gentleman from California [Mr. RAKER] to offer his amendment.

Mr. FOSTER. If the gentleman will permit, I am not for these Subtreasuries, but the gentleman states there is no authorization except for the subtreasurers. It has been only a few years ago when Congress, by an amendment from the Committee on Appropriations, legalized the salaries as then existing.

Mr. STAFFORD. If the gentleman will permit, I did not make that statement.

Mr. FOSTER. The gentleman talked about these subordinate offices. The next year they legalized all the offices then in existence, so that there was the machinery of the offices and the clerks, and a point of order would not be good on that.

Mr. STAFFORD. I have already stated three times in my argument that it would be in order to offer it as a separate item, not as a substitute for this provision. It is not germane to the paragraph under consideration.

Mr. MANN. As I understand my friend from Wisconsin [Mr. STAFFORD], his position is that it might be in order now to move to strike out the paragraph and insert the salaries of the subtreasurers. It is not in order to include with that amendment a provision for the salaries of the other officials of the Subtreasuries—clerks, accountants, counters, and so forth. It would be in order, in my judgment, if there was a legislative bill on the floor of the House, with a paragraph similar to the paragraph under consideration, to move to substitute for that provision a provision for salaries for the various officers of the Subtreasuries. This is not a legislative bill. This is an appropriation bill. It would not be in order on a legislative bill to make provision for the appropriations for these offices where it merely provided for the discontinuance of the subtreasurers. But this is an appropriation bill, where it is in order to make appropriations for the subtreasurers. And if we can provide the salaries for the subtreasurers in the amendment, it seems to me that we can go ahead and in the same provision provide for the salaries of the officers necessary to maintain the Subtreasuries.

Mr. FOSTER. I call my colleague's attention to the act of March 4, 1915, which says that the officers and employees of the United States whose salaries are therein appropriated for are established and shall continue from year to year to the extent that they shall be appropriated for by Congress. So we have made them permanent.

Mr. STAFFORD. There have been some additional ones added since that. I am not making that point. I wish to say that the Chair should be guided by the position that this is a legislative provision. If we are going to have any continuity of decision, it should be the same whether it is a legislative provision on an appropriation bill or if it is offered as a separate bill.

The CHAIRMAN. The Chair is ready to rule. The paragraph in question provides that—

The Secretary of the Treasury is authorized and directed to discontinue the offices of the assistant treasurers at Baltimore, Boston, Chicago, Cincinnati, New Orleans, New York, Philadelphia, St. Louis, and San Francisco from and after July 1, 1919; and section 3595 of the Revised Statutes and all laws or parts of laws, so far as they authorize the establishment and maintenance of offices of assistant treasurers in the cities enumerated, are repealed from and after the said date.

That provision or paragraph would be subject to a point of order as new legislation if it were not for the Holman rule, which provides that legislation may be incorporated in appropriation bills where it retrenches expenditures or decreases the whole amount covered by the bill. Manifestly, if these Subtreasuries are abolished, it would diminish expenditure. For that reason, under the Holman rule the paragraph is in order.

Now, the gentleman from California [Mr. RAKER] offers an amendment, the purport of which is to restore provisions for the subtreasurers and the other officers and employees in Subtreasuries, all now authorized by law.

We have on the one hand the proposition to abolish the Subtreasuries and on the other hand the proposition to make provision by appropriation for the continuance of the various offices named in this paragraph of the bill. It seems to the Chair that the amendment offered by the gentleman from California is germane to the subject matter of the paragraph. On the one hand the proposition is to abolish the Subtreasuries; on the other hand to make appropriations for the Subtreasuries now authorized by law. The point of order is overruled.

Mr. RAKER. Mr. Chairman, I want to suggest to the gentleman from Tennessee [Mr. BYRNS] that Messrs. LINTHICUM, COADY, GARD, IGOE, DUPRÉ, BENSON, and NOLAN each desires five minutes, and others.

Mr. MADDEN. I would like to have 10 minutes.

Mr. MOORE of Pennsylvania. I want 10 minutes.

Mr. RAKER. And the gentleman from Ohio [Mr. LONGWORTH] desires five minutes.

Mr. DUPRÉ. Is the gentleman including those who favor the proposition or only those against it?

Mr. RAKER. Both. I ask unanimous consent, Mr. Chairman, that we have an hour's debate on this amendment.

Mr. BYRNS of Tennessee. I would like to make it less if we can. I will say to the gentleman that this matter has been so thoroughly discussed heretofore that we should not take an hour now.

Mr. DUPRÉ. That is one of the reasons why I am surprised that the committee brought it in.

Mr. BYRNS of Tennessee. That may be so, but we should not take so much time on it now.

Mr. DUPRÉ. I am wondering why the committee did not bring in its old mileage proposition and add that to the bill. [Laughter.]

Mr. LINTHICUM. I would like to have 10 minutes.

Mr. BYRNS of Tennessee. The gentleman from California suggests an hour, and I assume that the gentleman from California will agree that that time be allotted by the chairman among those for and against the proposition.

Mr. LINTHICUM. I am not willing to consent to that.

Mr. MADDEN. I do not want gentlemen to understand that I am for this proposition.

Mr. RAKER. I ask, Mr. Chairman, that the time on this amendment be limited to an hour, the Chair to recognize alternately those for and against the amendment and divide the time equally.

Mr. LINTHICUM. That might be all right, but if we have got to divide the time equally between those for and against we might not get any time. I would like to know whether I can get some time.

Mr. MADDEN. Why not, if it is to be equally divided?

Mr. LINTHICUM. There may be more for the bill, and that would diminish our time.

Mr. BYRNS of Tennessee. Mr. Chairman, if the gentleman from Maryland has such a good proposition he ought certainly to be willing to submit it to the House without extended debate.

Mr. RAKER. I think it is fair, Mr. Chairman, to have the time equally divided.

Mr. LINTHICUM. I object.

The CHAIRMAN. The gentleman from Maryland objects.

Mr. RAKER. You will get cut out entirely if you do that.

Mr. BYRNS of Tennessee. If we can not agree to this proposition it is up to the House to decide.

Mr. MANN. I think we ought to proceed with this debate, if we are to be required to stay here until 10 o'clock to-night.

Mr. LINTHICUM. Mr. Chairman, I will withdraw my objection, so far as I am concerned.

The CHAIRMAN. The gentleman from California [Mr. RAKER] asks unanimous consent that the debate on this paragraph be limited to an hour, to be equally controlled by those for and against the amendment.

Mr. MANN. Recognition to be made by the Chair. The Member does not control any of the time.

The CHAIRMAN. One-half of the time to be used by those in favor of the bill and one-half by those opposed to the bill, and the time to be equally apportioned between them. Is there objection?

Mr. DYER. Mr. Chairman, may I ask a question? I want to reserve the right to object. I understand the Chair is to recognize gentlemen. I take it, of course, that the gentleman from Tennessee and the gentleman from California will make suggestions to the Chair.

Mr. MANN. No. The Chair will make his own suggestions.

Mr. RAKER. No. The Chair will do that himself.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The Chair would suggest that those for and those against get together and apportion the time and submit requests to the Chair.

Mr. RAKER. I want to state to the committee, Mr. Chairman, that it is moved to strike out all of the paragraphs on page 62 and the first two lines of page 63.

Mr. MOORE of Pennsylvania. The suggestion just made by the Chair was so unusual a one that I would like to ask if it is in accordance with the rule.

The CHAIRMAN. Oh, no. The Chair will guess. [Laughter.]

Mr. MOORE of Pennsylvania. I would like to inquire who the gentlemen are who are to get together to suggest this list to the Chair?

Mr. BURNETT. Mr. Chairman, I suggest that a caucus could be held in the elevator.

Mr. JUUL. Mr. Chairman, something might transpire here that would be of interest to the Members, and I would like to know what is going on. I can not hear what is going on.

The CHAIRMAN. One hour has been given to the discussion of this amendment. The Chair would like to have some suggestion about the time each Member will occupy.

Mr. IGOE. I will state that I will relieve the Chair of five minutes.

Mr. RAKER. I suggest that when the Chair recognizes a man in favor of the amendment he recognize him for five minutes and no longer.

Mr. MANN. That is all he can recognize him for.

Mr. RAKER. I think that is right.

The CHAIRMAN. The gentleman from California [Mr. RAKER] is recognized for five minutes.

Mr. RAKER. Mr. Chairman, the amendment is the language of the present law, No. 188, Sixty-fifth Congress. The purpose of the amendment is to reestablish or to keep these Subtreasuries in operation as they now are.

I want to call the attention of the committee to the hearings on this subject of the Independent Treasury, held on Wednesday, November 2, 1918, before the Committee on Appropriations, found at pages 411 to 415 of the hearings. As I read those hearings the only possible intimation is as to the reducing of the clerical force. That is found on page 411, and this significant statement appears, being found on page 415:

Mr. BYRNS. In the San Francisco office there is no change.

Mr. HUDDLESTON. No, sir.

Mr. BYRNS. Have you any information which would enable the committee to reduce that force?

Mr. HUDDLESTON. San Francisco asked for additional help, and for a time I think it was intended to recommend two additional clerks there, but upon further consideration the Secretary decided not to recommend an increase at this time.

The only evidence before the committee is that they need more assistance to do the actual, legitimate, necessary work in that office, and there is nothing to show that the force should be reduced.

Mr. BYRNS. Suppose the committee should decide to reduce the number of employees in some of these Subtreasuries, the work could be performed, could it not, by other agencies of the Government if it was reduced to such an extent as to interfere with the duties now being performed?

Mr. HUDDLESTON. If it was reduced to such an extent that the assistant treasurer would find it impossible to keep the work current, it would be necessary to have a portion of it transferred to Washington, if it were of a character which could not be performed by a Federal reserve bank, provided the Subtreasury and the Federal reserve bank were in the same cities.

Now, the reduction of the force would transfer the work to Washington, where the Treasury is already overburdened because of so much activity, so much need for space, so much need for help, where the clerks can not be properly housed and provided for. The building in San Francisco cost the Government over $500,000. It is well equipped, well provided for. I have here a statement that shows that if this work should be attempted to be transferred to the Federal reserve bank, it would cost 20 per cent more to perform it in the Federal reserve bank than it does in the Subtreasuries; and if they could not do it there, they would have to transfer it to the city of Washington. Now, there is no evidence taken before the committee that this should be reduced, but the man who appeared before the committee stated that the work would have to be transferred to Washington if that were done. Therefore it is evident that had there been any lack of necessity, if there had been any objection to any of these Subtreasuries, the committee would have heard it, and it would have been presented, and we would have it before the House now. But, to the contrary, the only evidence is affirmative that they should not even reduce the force; that the department had been of the opinion that they should increase it, but because of present conditions they thought they would house them a little closer and do a little more work by those who are there.

This is a statement in regard to the San Francisco Subtreasury:

TREASURY DEPARTMENT,
UNITED STATES SUBTREASURY,
San Francisco, Cal., January 11, 1919.

Hon. JOHN E. RAKER,
House Office Building, Washington, D. C.

DEAR FRIEND: According to the morning papers the appropriation bill reported to the House by the committee on yesterday made no provision for the maintenance of the nine Subtreasuries, other than the one in New York, so, as I take it, if the bill is finally passed in its present form there will be no appropriation for the Subtreasuries, other than the one in New York, for the next fiscal year.

It seems that this is the same old way by which it is hoped to abolish the Subtreasuries without direct legislation to that effect. I understand it is claimed by those opposed to the Subtreasuries that the work of the Subtreasuries can be performed by the Federal reserve banks. While this is true, it will require much remedial legislation before the Federal reserve banks are authorized to take over the work of the Subtreasuries, and it will cost the Government more to do the Subtreasury work in the Federal reserve banks than it now does to do it in the Subtreasuries, for the reason that the Federal reserve banks pay their employees much higher salaries.

During the past year I have held our little working force with a great deal of difficulty, because of higher wages held out to a portion of it by the Federal reserve bank here, and finally one of our best clerks resigned and accepted employment at the Federal reserve bank at an increase in wages of about 20 per cent; I then took the matter up with the directors of the Federal reserve bank, and asked them not to take any more of our employees, as we were working under fixed appropriation and could not compete with it or the other banks in the way of salaries.

In 1916 the San Francisco Subtreasury did the largest business in its history up to that time, but in 1917 and 1918 this business was more than doubled and discharged with practically the same working force.

The only two Subtreasuries that are housed in buildings owned by the Government are the ones located in New York and in San Francisco; this building cost with its vaults and lot, over one-half million dollars, and is suitable only for Subtreasury purposes. The Federal reserve bank here has acquired its own banking building; it has over 300 employees, and there is not enough floor space in this building for over 100 employees, if they were crowded as close together as possible, as you know it is only one story, with an alcove for the surveyor general's office.

Again, San Francisco is 3,000 miles from Washington, and this Subtreasury often represents the Comptroller of the Currency, the Treasurer of the United States, and the Secretary of the Treasury, as a matter of convenience, and because of the long distance and time required for transmission by mail.

Mr. SIMS, of Tennessee, who fought the Subtreasuries last session, wrote a friend of mine here that he thought an exception ought to be made of the San Francisco Subtreasury, because it was so far from Washington and the only one west of the Mississippi River.

I wish you would kindly take up this matter with the California Congressmen; also, kindly have sent me a copy of the appropriation bill as reported.

Very sincerely, yours,

WM. J. MCGEE.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. DYER. Mr. Chairman and gentlemen of the Committee, the distinguished gentleman from California [Mr. RAKER] was unable to find anything in the hearings upon the present bill pertaining to the Subtreasuries for the reason that no such hearings were had. This matter was considered in the hearings upon the bill a year ago, at which time it was very extensively considered. In those hearings, beginning at page 448, very complete statements are found, and they show that there is no necessity at this time for these Subtreasuries. It shows that there is every facility for doing the work in the Federal reserve banks.

Mr. BENSON. Will the gentleman yield?

Mr. DYER. No; I can not. I have only five minutes. In that session of Congress the bill went to the Senate with the Subtreasuries eliminated. In the Senate they were put back, and while I do not want to criticize the other body, yet I believe they were put back largely for the reason that the Senators of the dominent party make the recommendations of the subtreasurers. In other words, this is nothing more or less than a desire on the part of certain Senators and others to keep certain men in office. We are expending for the Subtreasuries over $900,000, and I know, and you who have given any consideration to this question know, that it is purely a waste of the public money; and when we are putting extraordinarily high taxes upon the people is it not time that we do something in defense of the people who pay the taxes? Simply because there are people who want to be upon the pay roll, shall we continue to vote for these useless and worthless offices? The present Secretary of the Treasury has been, and I am sure to-day is, in favor of abolishing these Subtreasuries. He has voted in this House upon more than one occasion to abolish these Subtreasuries as useless and needless, and in justice to ourselves we ought to vote to get rid of them.

I take this position, Mr. Chairman, notwithstanding the fact that my city and the district that I represent has in it one of these Subtreasuries. We have it there, and I know the situation. I have talked with bankers and business people in my city, and I know personally there is no need, there is no demand upon the part of the banking and business interests for the continuation of these Subtreasuries. We ought to determine now to put ourselves on record, as we have done before, in favor of abolishing some of the useless offices, and help to relieve the people of these unjust and burdensome taxes. The Committee on Appropriations last year considered this matter most thoroughly and completely. The situation was examined by men who understand these things, and they went into it. They considered it from every standpoint. They considered it from the standpoint of what part of this work the Treasury Department itself could do and what part the Federal reserve banks could do, and they recommended that they be abolished, and now that we have the opportunity again I hope we will do it by such a decisive vote that even those at the other end of the Capitol will not dare to again put back these offices purely, in my judgment, for the purpose of keeping some distinguished Democrats upon the pay roll. I hope we will concur with the recommendations of the committee.

Mr. IGOE. Mr. Chairman, if my colleague had read the hearings of last year before the Committee on Appropriations, he would have found that the department at that time recommended that these Subtreasuries be continued. Of course he himself claims that it is purely for the purpose of keeping somebody in office. I do not make any plea for that purpose, but I do say that an important agency of the Government like a Subtreasury should not be abolished without the recommendation of the department under which it comes. I do not know what the present Secretary of the Treasury would say, now that he is in office in the Treasury Department. I do know that last year the Assistant Secretary of the Treasury stated to the committee that the department is not ready to recommend that any of these Subtreasuries be abolished, and said that "to-day the position is that the Subtreasuries are performing more work than they have in recent years," and that "those in cities where the Federal reserve banks are located are being called upon to perform more work just because the Federal reserve banks are there." He added that nowhere in the world are Government funds turned over to a private institution, and that the Federal reserve banks are private institutions. I want to call the attention of the House, and especially of my good friend from Illinois [Mr. MADDEN] to the fact that the recommendation for the abolishment of these Subtreasuries does not come from the department, but comes from the Bureau of Efficiency, headed by Mr. Brown. He made the claim that it would result in a great saving. The strange thing about it is that the men who have been running the Treasury Department, after investigating that report, are unable to find that it will result in any saving whatsoever, and for the information of my friend from Illinois, who will assail this item in a few minutes, I desire to quote as follows from the Assistant Secretary of the Treasury:

I think that the estimate which the bureau makes, and which, by the way, it makes by way of estimate merely, as it says "we hazard a guess," or "we think it is possible," that a saving of $75,000 can be made is unsupported, so far as this report is concerned, by figures. I feel that the estimate is unwarranted. The best opinion that the Secretary is able to obtain is that the functions which the Subtreasuries are performing are being performed economically.

If the House wants to take the recommendation of the Efficiency Board, of course these will be abolished; and if they want to take the recommendations of the men who actually know something about the wants of the financial system of the country they will continue them. No proposition is submitted by the committee to take the place of these institutions, and there has not been presented in the hearings of this year the testimony of a single person connected either with the Government or with private business recommending that they be abolished. I submit that there will not be a saving of a single penny, because to provide vault space alone for the money that is contained in these treasuries would cost more than it costs now to pay the salaries of these people. Until the Treasury Department has worked out a careful plan and recommends that these Subtreasuries are to be abolished, I submit that this House ought to allow them to remain and appropriate for them for the coming year.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. IGOE. Yes.

Mr. MADDEN. Would the gentleman be willing to abolish them all except the vaults? He seems to think the vault space is all that is needed.

Mr. IGOE. No; there is other work necessary. Until the Government provides for taking over this work, I do not think this House ought to act. When the Treasury says they ought to be abolished, let us do it.

Mr. MADDEN. Mr. Chairman, when the Federal reserve act was passed it was distinctly understood that the Subtreasuries throughout the United States would be abolished. Everybody realized that the Federal reserve banks throughout the country were to be equipped to perform the functions of the Subtreasuries, and, as a matter of fact, the Subtreasuries, since the organization of the Federal reserve banks, have been an additional expense to the Government, which ought not to be continued. The mere fact that we organized the Federal reserve banks to perform all of the financial functions of the Government, and the organized banks in most of the places where we have Subtreasuries, should be sufficient argument in favor of abolishing the Subtreasuries. When an office is once created, it is the most difficult thing in the world to set it aside, and even though we now approve the report of this committee and abolish the Subtreasuries, I feel certain that when the bill goes to the Senate the Subtreasuries will be inserted again, because this is senatorial patronage, and a Senator never by any chance will let go of a job, if he can help it. There ought to be some means by which we can make the Government function along reasonable, decent business lines, and the abolishment of the Subtreasuries will certainly be a movement in that direction. We have one of these Subtreasuries in Chicago, but I have heard no one in Chicago say that it is necessary as a part of the Government activities, and even if some one did say so, I have long since reached the conclusion that the maintenance of these institutions is largely for the purpose of continuing patronage where some one has the power to appoint.

Mr. LONGWORTH. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. LONGWORTH. The gentleman then realizes, however, as suggested by the gentleman from Missouri, that the real author of this proposition is the gentleman whom he so vigorously criticized yesterday, the head of the Bureau of Efficiency?

Mr. MADDEN. I do not know about that. I shall say something about him a little later in the day.

Mr. LONGWORTH. I gathered from what the gentleman said yesterday that no recommendation he could make would be followed by the gentleman from Illinois, and he is the author of this proposition.

Mr. MADDEN. The gentleman does not quote me correctly on that; but, regardless of the recommendation made by Mr. Brown—in spite of the recommendation—I am in favor of the abolition of the Subtreasuries, and I am going to pay my respects to Mr. Brown on another topic later in the day.

Mr. RUCKER. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. RUCKER. I suggest to the gentleman from Ohio I do not understand Mr. Brown predicated his act of the suggestion of the removal of the Subtreasury from Chicago on account of the immorality of that city, or St. Louis, either?

Mr. MADDEN. Of course, I can not tell what his purpose was in making the recommendation; but in spite of the recommendation I am for the discontinuance of the Subtreasury in Chicago and in every other city in the United States, for I maintain we have all the equipment in the local Federal reserve banks to do the work that is necessary to be done for the Government of the United States.

Mr. LINTHICUM. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. LINTHICUM. But have you the legislation by which these reserve banks can take over this Subtreasury business?

Mr. MADDEN. Yes; we have the legislation, but we do not need the legislation. All we need to do is to close these places that are now performing an unnecessary function.

Mr. LINTHICUM. Is the gentleman positive about that?

Mr. MADDEN. And under the Federal reserve law we will find a way to do the thing that is necessary to be done to make this saving. The Federal reserve act is clear, and it was the intention when it was passed to include in its activities the work that is being done by these institutions that are an incubus on the body politic. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I have no interest in the politics of this situation, if there is any politics in it. The Subtreasury in the city of Philadelphia is an ancient and time-honored institution, which our business people would like to retain. I assume that reason holds with other gentlemen here defending the Subtreasuries in other cities. Last year it was proposed we should concentrate the Subtreasury business in one city. I opposed that proposition, and I oppose the proposition to-day of concentrating the business of the Subtreasuries at the Capital City. Last year it was New York City; this year it is Washington.

Mr. WALSH. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. WALSH. Is not it within the power of the President under existing law to discontinue them, if he sees fit, under the so-called Overman bill?

Mr. MOORE of Pennsylvania. It might be.

Mr. BARKLEY. That bill only applied to the period of the war.

Mr. MOORE of Pennsylvania. If the President agrees with the quondam Secretary of the Treasury, he would not be for the abolition of these Subtreasuries. I think the best witness we have had on this entire question was Mr. McAdoo, former Secretary of the Treasury. Last year when the question was up I read from the letter written by Mr. McAdoo, December 6, to the Speaker of the House of Representatives, in which he said what I would like gentlemen who are opposed to Subtreasuries to-day to bear in mind. I am quoting Mr. McAdoo:

> It will be seen that the cost of maintaining these institutions, treating the Subtreasury system as a whole, is only one one-hundredth of 1 per cent, approximately, on the total transactions involved, an insignificant sum compared with the business done, the importance of the service performed, and the convenience afforded to the public. Aside from New York, the cost of maintaining the other eight Subtreasuries is $247,416.85, which is a comparatively small sum to pay for the service and convenience they provide. If these institutions were abolished, the total cost of operating them would not be saved, as a counter expenditure by the office of the Treasurer in Washington resulting from the increased work that would be thrown upon that office would be entailed.

There you have it in a nutshell. Talk about the Holman rule, talk about retrenchment, talk about economy, and urge these reasons for the abolition of the Subtreasuries, and your Secretary of the Treasury tells you they are unfounded; that you simply transfer the expense from the maintenance of the Subtreasuries that exist to the maintenance of what will be equivalent to Subtreasuries somewhere else. Where? In New York or in Washington? Heaven forbid we should concentrate them in the city of Washington. We have had enough of concentration in the city of Washington. We have had enough of centralization of official life in Washington. I am for bringing no more clerks to Washington. I am not for creating any more offices with headquarters in Washington. I am for distributing what we now have. The business men of my city insist that the Subtreasury has been a useful institution, the banks insist that it has been useful, and the Federal reserve officers of my city have testified to the value of this Government agency.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LONGWORTH. Mr. Chairman, I believe I was to be recognized for five minutes, and the gentleman from Pennsylvania is making a very forceful speech; we are in exact agreement, and I ask that I may yield him my time of five minutes.

The CHAIRMAN. The gentleman's time will be extended for four minutes.

Mr. MOORE of Pennsylvania. I thank the gentleman from Ohio.

Here is a question which we are bound to consider sooner or later. It applies in this case. Take the war-risk insurance. What did we do? In the haste of war legislation we provided an establishment that was small at the beginning but that grew to such enormous proportions, with headquarters in Washington, that to-day no Member of Congress can intelligently and satisfactorily do business with that bureau. Its clerks overlap, its correspondence is lost, its records are missing, and great suffering results to the dependents of this Government through our soldier activities in every section of the country. Would it not have been better if, sitting deliberately as we are now, we had provided that this business be distributed where we could have facilitated the work of caring for the business of our more than 4,000,000 soldiers? Yet we have concentrated it all here in the Capital; and we would like to unscramble it, every one of us. We may yet be obliged to unscramble it. It may be necessary before we get through that the complaints that come from soldiers' families all over the United States, due to governmental incompetence here in Washington, shall be answered nearer home—in Chicago, in San Francisco, in St. Louis, in New Orleans, in St. Paul, in Philadelphia, in Baltimore, in New York, or a dozen other different cities, after the method of the Federal reserve districts.

You say that this is a matter of expense; that you are going to save the Government by abolishing these Subtreasuries. How are you going to do it? By increasing the power of the Federal reserve banks? Or are you going to bring these Subtreasury agents in these various cities down here to Washington and dump them along with the rest for whom we will have to provide housing accommodations? Is that the plan? I would rather have the views of the Secretary of the Treasury upon this subject. He has been for the retention of these agencies. The one voice, except those that may be political, that we have heard urging the abolition of these agencies comes from an Efficiency Bureau, which was denounced upon this floor yesterday in unmeasured terms by the gentleman from Illinois [Mr. MADDEN], who speaks to-day, unwittingly, I assume, in support of the head of the bureau whom he denounced yesterday.

Some one has taken the RECORD that I had upon my desk, and which I had marked. I desired to quote certain extracts from the statement of the Secretary of the Treasury, in which he insisted that there would be no economy in this proposition, in which he said there would be a great inconvenience to the public, and in which he urged the retention of the Subtreasuries in spite of the fact that he was at the head of the Federal reserve. I am compelled to make this quotation from memory, but I have not overstated it.

Mr. SISSON. Mr. Chairman, this proposition has been before us heretofore and has passed the House of Representatives. In the first place, as has been stated to the committee, when the Federal reserve bank bill was pending in this House, one of the reasons urged for the establishment of the Federal Reserve Banking System was that as soon as the system was established the Subtreasuries could be abolished, and that the money which is now tied up in the Subtreasuries could be put in the respective Federal reserve banks and there become a part of the United States deposits. When the matter was first presented to the former Secretary of the Treasury he stated that he did not have time to investigate it. And then, after he made some investigation, the Secretary of the Treasury stated that he did not want the Subtreasuries at that time abolished. We then asked the Efficiency Bureau in the next bill to investigate the matter and ascertain what real purpose, what real benefit, what real service the Subtreasuries were performing, and the report to us was that they were performing no function that could not be performed by the Federal reserve banks, and that the Federal reserve banks could perform it with but little expense to the Government.

Mr. LINTHICUM. Will the gentleman yield?

Mr. SISSON. I have but five minutes.

The fact is it would be handled by the Federal reserve banks as they would handle any other deposits, and the Federal reserve banks would always be glad to get the deposits, as other banks are glad to get deposits. For whatever may be said to you, gentlemen, about its not saving money is said without knowledge of the facts. It costs $463,000 to maintain these Subtreasuries. These Subtreasuries, as a rule, are located in cities where we already have a Federal reserve bank, and it seems to me a very bad and a very poor policy to keep locked up in the Subtreasury the money which could be available for use in the country if you placed it in a Federal reserve bank. Now, that is a stronger reason for abolishing the Subtreasury than even the expense. And yet you do not only save the $463,000 by abolishing the Subtreasuries. In getting money from the Subtreasuries for the Federal reserve banks it requires additional bookkeeping; that is, bookkeeping in addition to that of the Subtreasury in the Treasurer's office here in Washington. All of those employees could be dispensed with, and if you add that to the $463,000 it will make a net saving of

something more than $500,000 a year to the Treasury by abolishing the Subtreasuries. And no man has been able yet to mention any service the Subtreasury has been able to render that could not be rendered by the Federal reserve bank. When the present Secretary of the Treasury was chairman of the Committee on Banking and Currency, in presenting the bill, he urged that one reason for it was that it could serve a public purpose, in addition to the other services, in being able to deposit the money that was now in the Subtreasuries.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SISSON. I ask unanimous consent to proceed——

The CHAIRMAN. The time has been fixed.

Mr. BYRNS of Tennessee. I am perfectly willing to give the gentleman one minute of my time.

Mr. SISSON. The House has heretofore taken the position that it now takes, but when the matter was first presented by the committee the committee did not have all of the report and all of the facts as they now have them. And the committee again recommended to the House the abolishment of the Subtreasuries for two reasons: First, the saving of the $500,000, and, second, that it makes available without any additional expense or without any additional transfer the funds available as a deposit in the Federal reserve banks that are now locked up in the Subtreasuries throughout the United States.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COADY. Mr. Chairman, the gentlemen on the Committee on Appropriations could not possibly have selected a more inopportune time to bring in this provision abolishing the Subtreasuries of the United States. Since the signing of the armistice and the cessation of hostilities there has been a great curtailment in the munition factories and in the other factories engaged in war work, and as a consequence of it there are thousands of men walking the streets of our big cities out of work. In addition to that, Mr. Chairman, every day men in the Army and Navy are being demobilized, and although some of them are absorbed in the industries of the country, numbers of them are walking the streets of our cities and are idle in the country districts.

Why, then, Mr. Chairman, add to this great growing army of unemployed at this time by throwing out of employment 500 or 600 men now working in the Subtreasuries of this country—men who have grown gray in the service, men who have given the best years of their lives to the Federal service?

Now, I hear these gentlemen say that the Federal reserve banks have taken the place, or, rather, have taken over the functions, or should, rather, take over the functions of the Subtreasuries. They can not do it, Mr. Chairman. They have not the men to do it. They have not the equipment to do it. They have not the quarters in which to do it. In my own city of Baltimore, adjoining my own office, is located a branch of the Federal reserve bank. I frequently pass there in the evening, late in the evening, and I find the large force of clerks employed there working late in the night. They have not the time to take over the functions of these Subtreasuries.

Now, Mr. Chairman, some time ago I communicated with Mr. Leffingwell, one of the Assistant Secretaries of the Treasury, and he said to me it would be a calamity at this time to abolish these Subtreasuries. That has been the policy of the Treasury Department ever since I have been a Member of this House, and I know that that policy has not been changed.

Now, Mr. Chairman, this bill appropriates about half a million dollars——

The CHAIRMAN. The gentleman has occupied three minutes. His colleague expected to yield one minute of his time.

Mr. DUPRÉ. Mr. Chairman, I yield the two minutes allotted to me to the gentleman.

Mr. COADY. I thank the gentleman very much.

Now, Mr. Chairman, this bill contains a provision appropriating half a million dollars or more for the Department of Labor. That is as it should be. That money will be wisely and judiciously expended. A little later on we will have here for our consideration the Agricultural appropriation bill, which will carry millions of dollars for the benefit of the farmers of this country. That money, too, will be wisely and judiciously spent, and those appropriations should be made, and that bill will pass this House, very likely, without a dissenting vote.

Now, Mr. Chairman, the business and financial interests of the big cities, the men who have put millions of dollars into war work and charitable work, ask this body to continue the Subtreasury in the city of Baltimore and to appropriate for its continuance the sum of $31,500, not for their personal benefit, but to enable them to serve their customers, who furnish the money that makes the wheels of industry revolve and which gives employment to thousands of mechanics and laborers.

The work of the Baltimore Subtreasury has increased greatly in the past three years. In 1916 the receipts and disbursements there were over $227,000,000; in 1917 they were $314,308,732; and in 1918 they were $394,953,610.50. This vast volume of business was done at the small cost of $31,500, or less than one two-hundredths of 1 per cent.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. COADY. I ask unanimous consent, Mr. Chairman, to extend and revise my remarks.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. DUPRÉ. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DUPRÉ. In that connection, did that include the two minutes I yielded to the gentleman, and the minute which his colleague yielded?

The CHAIRMAN. He had used a minute over, and the gentleman from Louisiana yielded two minutes.

Mr. DUPRÉ. I think the Chair is a very rapid calculator. [Laughter.]

Mr. GOOD. Mr. Chairman, this matter involves half a million dollars, and there are only about a dozen Members present in the House. I make the point of no quorum.

The CHAIRMAN. The gentleman from Iowa makes the point of no quorum. The Chair will count. [After counting.] Fifty Members are present—no a quorum.

Mr. DUPRÉ. Mr. Chairman, I ask for tellers.

The CHAIRMAN. Tellers are not in order. Under the rules it is the duty of the Chair to call the roll.

Mr. DUPRÉ. I move that the committee do now rise.

The CHAIRMAN. The gentleman from Louisiana moves that the committee do now rise. The question is on agreeing to that motion.

The question was taken, and the Chairman announced that the "noes" appeared to have it.

Mr. FOSTER. I demand tellers, Mr. Chairman.

The CHAIRMAN. The gentleman from Illinois demands tellers. Those in favor of taking this vote by tellers will rise and stand until they are counted. [After counting.] Evidently a sufficient number have risen.

Tellers were ordered; and the Chair appointed Mr. BYRNS of Tennessee and Mr. DUPRÉ to act as tellers.

The CHAIRMAN. The question is on the motion of the gentleman from Louisiana that the committee rise.

The committee again divided; and the tellers reported—ayes 2, noes 60.

The CHAIRMAN. The committee declines to rise. A quorum is not present, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Ashbrook	Fairchild, G. W.	Kelly, Pa.	Reavis
Austin	Farr	Kennedy, R. I.	Riordan
Bacharach	Ferris	Key, Ohio	Robbins
Bankhead	Foss	Kiess, Pa.	Roberts
Blackmon	Flynn	Kinchelue	Rodenberg
Booher	Francis	Kinkaid	Rose
Borland	Fuller, Mass.	Knutson	Rouse
Bowers	Gallivan	Kreider	Rowland
Brand	Garland	LaGuardia	Russell
Britten	Glynn	Larsen	Sabath
Browne	Godwin, N. C	Lee, Ga.	Sanders, Ind.
Browning	Goodall	Lehlbach	Sanders, N. Y.
Brumbaugh	Gordon	Lever	Sanford
Burroughs	Graham, Pa.	Little	Saunders, Va.
Butler	Gray, N. J.	Littlepage	Scully
Caldwell	Green, Iowa	London	Sears
Campbell, Kans.	Gregg	Lundeen	Shackleford
Candler, Miss.	Griest	Lunn	Sherley
Cannon	Griffin	McClintic	Sherwood
Carew	Hamill	McCormick	Siegel
Carter, Mass.	Hamilton, Mich.	McCulloch	Slemp
Chandler, N. Y.	Hamilton, N. Y.	McLaughlin, Pa.	Slemp
Classon	Hamlin	Maher	Smith, Idaho
Cleary	Harrison, Miss.	Mondell	Smith, C. B.
Copley	Haskell	Morin	Smith, T. F.
Costello	Heflin	Mott	Snell
Cox	Heintz	Mudd	Snyder
Curry, Cal.	Helm	Neely	Steenerson
Davey	Helvering	Nicholls, S. C.	Stephens, Nebr.
Davis	Hood	Norton	Sterling
Delaney	Huddleston	Oliver, Ala.	Strong
Dempsey	Husted	Oliver, N. Y.	Sullivan
Donovan	Hutchinson	Park	Sumners
Dooling	Jacoway	Parker, N. Y.	Swift
Drane	James	Peters	Taylor, Ark.
Drukker	Johnson, Ky.	Powers	Taylor, Colo.
Dunn	Johnson, S. Dak.	Pratt	Templeton
Eagan	Kahn	Price	Thomas
Elliott	Kearns	Ramsey	Tinkham
Estopinal	Kelley, Mich.	Randall	Vare

Vestal	Wason	White, Ohio.	Zihlman
Walsh	Webb	Winslow	
Ward	Wheeler	Woods, Iowa	

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. ALEXANDER, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee having under consideration the legislative, executive, and judicial appropriation bill, H. R. 14078, found itself without a quorum, whereupon he caused the roll to be called, when 289 Members, a quorum, answered to their names, and he reported the names of the absentees to be printed in the Journal and RECORD.

The SPEAKER. A quorum is present. The committee will resume its session.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the legislative, executive, and judicial appropriation bill H. R. 14078, with Mr. ALEXANDER in the chair.

Mr. STAFFORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STAFFORD. How does the time now stand between the two sides?

The CHAIRMAN. There are 13 minutes remaining to the gentleman, and 9 minutes remaining to the other side.

Mr. BENSON. Mr. Chairman and gentlemen of the committee, I have not taken part in these debates that have been going on here for several years. I have understood that the argument was largely in favor of doing away with the Subtreasuries; but with due respect to the arguments that have been made here to-day, I do not think sufficient reason has been shown for doing away with the Subtreasuries of the United States at this time.

In the first place, the Secretary of the Treasury, in his last report, stated that he did not advise it. Secondly, the conditions brought about by the war have shown that the work of these Subtreasuries has increased tremendously.

Take, for instance, the Subtreasury in Baltimore. The daily reports show that whereas that Subtreasury had done a business of a million dollars a day the business of that Subtreasury has reached $10,000,000 in one day, and for the last six months it has averaged $5,000,000 a day. I submit seriously that an institution costing the United States Government $32,000 annually and handling a business of $5,000,000 a day would not be handling that money if it was not performing a useful function to the business of the United States, and particularly of that locality, and I understand the same condition exists with reference to the other Subtreasuries.

Gentlemen, I appreciate the argument that the Federal reserve banks might take over this work, but I respectfully submit that while it might have been understood and intended that the Federal reserve banks should do this work when the Federal reserve banks were organized, conditions at the present time, when the work of the Federal reserve banks has tremendously increased and when the work of these Subtreasuries has tremendously increased, make it at least doubtful whether we should do away with these Subtreasuries, unless we have some good reason stated by some one who can speak authoritatively, who can say that we will not be upsetting business and banking conditions by transferring all that business to the Federal reserve banks. While consolidation is frequently a good thing, I am inclined to believe you will find that you can carry it to a point where it ceases to be economy, and I believe in this case you will find that if you do away with the Subtreasuries of the United States you will increase expenditures in other departments and at the same time deprive the people of the local communities of the benefits of this privilege to which they have been accustomed for so many years.

Mr. EMERSON. Will the gentleman yield?

Mr. BENSON. I yield to the gentleman.

Mr. EMERSON. Just what functions do these Subtreasuries perform?

Mr. BENSON. The functions of the Subtreasuries are to take over the customs receipts, the money belonging to the United States Government. In addition, they exchange worn-out currency for good currency and they deliver to banks and individuals pay-roll money in large quantities. They carry part of the money that would otherwise have to be shipped to Washington, to be held in the Treasury of the United States in one locality. Instead of that, by the existence of these Subtreasuries it is scattered over the United States in these nine different cities. I do not pretend to be completely posted on the matter, but I do know that the people of our community use this institution and use it to an increasing extent; and the fact that it is used to an increasing extent shows that there is no other agency now available that suits the people quite so well as this suits them. If there were, this would not be used.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Chairman, I ask for recognition, and if I may do so I will yield two minutes of that time to the gentleman from New York [Mr. PLATT].

The CHAIRMAN. The Chair allotted five minutes to the gentleman from Wisconsin.

Mr. STAFFORD. I yield two minutes of that time to the gentleman from New York [Mr. PLATT].

Mr. PLATT. Mr. Chairman, when the Federal reserve act was passed in 1913 and the Federal reserve banks were organized in 1914 it was expected that they would do the business now done by the Subtreasuries. There is clearly no good reason why they should not, and, in fact, we had last year a very able report from the Bureau of Efficiency showing that the Subtreasuries have long outlived their real usefulness, that most of their original functions have been taken over already by the national banks and by the Federal reserve banks. Long ago they ceased to be the exclusive depositaries of the funds of the United States Government. We have been all of this time abolishing the Subtreasuries, chiefly because of the difficulty of abolishing a position or job once created. I spent last Monday three hours going through the Federal reserve bank in New York City. It is an enormous institution, located in the Equitable Building, spread up and down through the 36 floors of that great building. Its different departments are not on continuous floors, but wherever they could get space. An excellent location has been purchased on which, in time, the Federal reserve bank will have its own building. The Subtreasury of New York is in a fine old building where Washington took the oath of office as the first President of the United States. Perhaps it ought to be preserved as a monument of old days, but it is not serving any useful purpose to-day. That is to say, it is doing nothing that can not be done at much less expense by the Federal reserve bank. I made some definite inquiries on this subject and was entirely satisfied. Of course, in these days of liberty bonds and thrift stamps they are making such use of the Subtreasury as they can, and it is handling more business than usual, but its function as a part of the machinery of the Government is no longer necessary. In large measure it is simply a place of storage. Furthermore, to some extent the Subtreasuries are a detriment to the business of the country, because they are not banks. They take in coin and bullion and lock it up in their vaults, and nobody can borrow it. If that cash were in the Federal reserve banks it would become a basis of credit. The Subtreasuries are actually hampering business. They are out of date—long since out of date—and they ought to be abolished. Even without the Federal reserve banks we could get along without them; but with the Federal reserve banks, which were organized to take over their duties in part, there is no reason why we should keep them going. Anyone who will take the time to go through the Federal reserve banks and see what they are doing will be convinced of this in a very short time.

Mr. GARD. Mr. Chairman, it seems to me that the question of abolishing these Subtreasuries should be determined not by the possibly ill-considered report of an efficiency expert but by the men who have actual knowledge of conditions. Therefore, for the information of this committee, I read that which, to my mind, should be the controlling evidence regarding the use of these Subtreasuries. Secretary McAdoo, Secretary of the Treasury, the man who had these things in charge, said:

> It has been suggested that the Subtreasuries are merely conveniences and not necessities, and that their duties might well be performed entirely by the Treasury at Washington. This is in a sense true, but the cost of handling all the business from a common center in a country so extensive as the United States might be greater than the expense of the Subtreasury system, whereas the delay and inconvenience which the public would have to suffer might prove a very serious handicap upon business.

That is the statement of the man who had these Subtreasuries in charge and who had in charge the management of the general financial interests of the country. It has been said that at the time of the passage of the Federal reserve act there was in contemplation the abolition of the Subtreasuries and caring for their duties under the Federal reserve act. Clearly there was no action by the Secretary of the Treasury at that time—nor since—confirming that idea. In fact, the Treasury Department says this, and I take this from the testimony of Mr. Leffingwell:

> I have had a great deal to do with the Federal reserve banks, because they have been so active in conducting the fiscal agency operations of the Government in connection with the liberty loans, and I am sure they would expect to be reimbursed for this additional expense [subtreasury work]. Nor can I see any reason why they should not be.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARD. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by incorporating therein the statement of the Subtreasury at Cincinnati, Ohio.

The CHAIRMAN. Is there objection?

There was no objection.

The statement is as follows:

Statement for fiscal year ending June 30, 1918.

Balance on hand June 30, 1917		$35,930,027.43
Receipts on account of—		
New currency from Washington	$20,008,000.00	
New Federal reserve notes	7,680,000.00	
Transfer of funds	34,117,447.68	
Coin shipments	4,828,195.31	
Surplus postal funds	8,000,087.23	
Transfer of money-order funds	819,000.00	
Five per cent redemption fund	9,790,591.64	
Postal-savings fund	856,316.62	
Miscellaneous receipts	820,973.46	
Disbursing officers' accounts	4,544,826.71	
New coin from mints	2,397,160.00	
Gold certificates, series 1900, issued	120,000.00	
Railway Mail Service	1,131,820.47	
Federal Reserve Board gold settlement fund	34,985,150.00	
War-savings stamps	19,878,195.36	
Redemptions—		
Currency	15,445,096.00	
Gold coin	5,185,715.00	
Silver and minor coin	4,794,356.81	
Exchanges	9,488,810.75	
Total receipts		184,891,734.04
		220,821,770.47
Disbursements on account of—		
Clearing-house balances transferred to Federal Reserve Bank of Cleveland	10,854,425.15	
Treasury checks and warrants paid	42,554,611.65	
Disbursing officers' checks paid	4,749,045.65	
Interest checks and coupons paid	1,132,788.73	
War-risk insurance checks paid	973,834.59	
Postal-savings transfer draft	6,163.00	
Telegraphic transfers to banks	9,711,000.00	
Gold certificates, series 1900, redeemed	860,000.00	
War-savings stamps redeemed	201,277.16	
Miscellaneous	55.00	
Uncurrent coins and lightweight gold returned to mints	2,349,461.95	
Coin shipments to various banks	4,898,935.31	
Unfit national bank notes shipped to Washington	19,588,200.00	
Unfit United States currency shipped to Washington	40,129,000.00	
Redemptions	28,221,357.81	
Exchanges	9,488,810.75	
Total disbursements		175,718,966.75
		45,102,803.72
Gold certificates, series 1900, transferred to treasurer's general account		10,000.00
Balance on hand June 30, 1918		45,112,803.72
Total receipts		184,891,743.04
Total disbursements		175,718,966.75
Total business, 1917-18		360,610,709.79
Total business, 1916-17		247,876,236.85
Gain, 1917-18		112,734,472.94
Federal reserve notes received from comptroller to be held in trust for Federal Reserve Bank of Cleveland		29,400,000.00
Released to Federal Reserve Bank of Cleveland		17,880,000.00
Balance in custody		11,520,000.00
Combined total of debit and credit clearings		83,499,389.10
Total counterfeits detected		589.30

Statement for December, 1918.

Balance Nov. 30, 1918		$46,261,666.55
Receipts on account of—		
New currency from Washington	$1,388,000.00	
Transfer of funds	12,941,134.58	
Coin shipments	346,310.00	
Surplus postal funds	827,000.00	
Transfer of money-order funds	197,000.00	
5 per cent redemption fund	388,450.00	
Miscellaneous receipts	191,985.26	
Disbursing officers' receipts	553,578.45	
New coin from mints	335,500.00	
Gold-settlement fund	762,780.00	
War-savings stamps	4,147,000.00	
Railway Mail Service	239,900.00	
Redemptions:		
Currency	984,051.00	
Gold coin	503,277.50	
Silver and minor coin	331,325.00	
Exchanges	601,683.00	
Total receipts		24,649,574.79
		70,911,241.34
Disbursements on account of—		
Clearing-house balances transferred to Federal Reserve Bank of Cleveland	$6,842,076.62	
Treasury checks and warrants paid	5,965,595.80	
Interest checks and coupons paid	328,795.55	
War-risk insurance checks paid	172,393.80	
Disbursing officers' checks	538,323.77	
Telegraphic transfers to banks	67,000.00	
Unfit national bank notes shipped to Washington	1,220,000.00	
Unfit Federal reserve notes shipped to Washington	2,348,000.00	
Unfit currency shipped to Washington	1,501,000.00	
War-savings certificates redeemed	708,033.48	
Gold certificates, series 1900, redeemed	60,000.00	
Coin shipped to banks	351,748.00	
Redemptions	1,720,378.50	
Exchanges	601,683.00	
Total disbursements		$22,631,598.50
Balance Dec. 31, 1918		48,279,642.84
Total receipts		24,649,574.79
Total disbursements		22,631,598.50
Total volume business December, 1918		47,281,173.29
Total volume business December, 1917		29,887,236.87
Gain December, 1918		17,393,936.42
Combined total of debit and credit clearings		18,962,479.14
Counterfeits detected:		
United States note		5.00
Gold $2.50		2.50
Silver dollars		12.00
Halves		1.00
Quarters		.75
Nickel		.05

Gain over preceding year.

Business fiscal year—	
1915, $175,524,563.28	$13,148,072.14
1916, $182,447,999.61	6,923,436.33
1917, $247,876,236.85	65,428,237.24
1918, $360,610,709.79	112,734,472.94
Total business December, 1918	47,281,173.29
Total business December 1917	29,887,236.87
Gain December, 1918	17,393,936.42

Mr. STAFFORD. Mr. Chairman, the advocates of this ancient and obsolete system are driven as an excuse for its existence to point out that they were of use in the sale of liberty bonds, while every person knows that the whole burden of that campaign was thrown upon the Federal reserve banks, and there is not a particle of evidence that these Subtreasuries perform any useful function, except to the banks in the locality and vicinity where they are located.

Mr. GARD. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. No.

Mr. GARD. I just want to say that I just read that.

Mr. STAFFORD. They performed no useful purpose in the sale of these liberty bonds. Every other activity of the Subtreasuries referred to—the deposit of Government funds and the payment of checks and drafts and warrants, and they are about the only fiscal functions they are performing—is performed either by national banks or can be performed by the Federal reserve banks. Since we have established the Federal reserve system there is no warrant whatsoever for the continuance of certain of these Subtreasuries, except as is admitted by the advocates of them, that they are a convenience to the local banks. There is no question but they are a convenience to the banks where they are established for one purpose alone. It enables them to redeem their old bank notes, whereas banks situated at a distance from these Subtreasuries are obliged to pay the expressage. Here we have an institution that has grown hoary with age, and the only general purpose it serves is as a depository for some funds of the Government. The Federal reserve banks and the mints, the testimony before the committee shows, could take charge of these deposits.

Not only is there a saving of several hundred thousand dollars purposed by this amendment, but if we abolish them we rid ourselves of the demand from these centers where they are established coming to Congress for the establishment of new buildings.

It is admitted that in some of these cities the Subtreasuries are housed in buildings very old, and that they need new quarters. So that this means ultimately the saving of millions and millions of dollars. No argument has been advanced why the Subtreasury at Baltimore, 40 miles distant from Washington, should be continued, except that it is a convenience to the bankers of that locality. No argument is advanced why the Subtreasury at Philadelphia should be continued, except that it saves the banks of that city the expense of having their worn-out currency redeemed by saving the express charges. No one

can justify the continuance of the Subtreasury at Cincinnati. The objection of this whole system is that you are playing favorites for the benefit of the banks of certain localities. If you are going to continue them they should be established in larger centers, like Detroit, Cleveland, Pittsburgh, Minneapolis, but we not only have Federal reserve banks in the 12 regional cities, but we have established Federal reserve branch banks in the cities that I have named. There is no urgent need whatsoever why these Subtreasuries should be continued. It is a waste of public funds.

The CHAIRMAN. The gentleman from Massachusetts is recognized for two minutes.

Mr. TAGUE. Mr. Chairman, I realize that in two minutes it will be impossible to answer any of the statements made by those who are advocating the abolition of the Subtreasuries, and I hesitate, Mr. Chairman, to get into this debate other than to enter my protest on behalf of the business interests of my community against the abolishment of these Subtreasuries. I have listened to what the last speaker has said and I venture to predict, Mr. Chairman, that the Members of this House are willing to take the say-so of the men who control the Treasury of this country in preference to the gentleman from Wisconsin. There has been no word from the Secretary of the Treasury advocating the abolishment of the Subtreasuries of the country. There has been no demand from the Federal reserve banks of the country that they should take over this function of the financial business of the country. There has been no demand for the abolishment of these Subtreasuries except from one or two sources, and one especially that has been so severely criticized upon the floor of this House during the past two days. I am willing, Mr. Chairman, with my limited knowledge of the functions that they perform to take my word from those who know the existing conditions, namely, the Secretary of the Treasury and his representatives and the business men of the communities who are to-day protesting from every city in the country where these Subtreasuries are now established.

Mr. PLATT. Will the gentleman yield?

Mr. TAGUE. I do.

Mr. PLATT. Is not Boston so large a town that nobody cares whether the Subtreasury is kept there or abolished? I do not hear anybody in New York say anything about keeping the Subtreasury there.

Mr. TAGUE. I have yet to hear one voice——

Mr. PLATT. It is only small towns like Boston and Baltimore that are saying anything.

Mr. TAGUE. Well, if Boston were to spread out and take in all of the cities and towns within 25 miles of its center in the way the city of New York has, it would also show a population up in the millions.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOOD. Mr. Chairman, the functions of the Subtreasuries are three in number: First, to receive deposits; second, to pay Government checks; and, third, to sell Government bonds. These are the functions of the Subtreasuries of the United States. There are nine of them, only two west of the Mississippi River. When Mr. Glass, the present Secretary of the Treasury, was a Member of this House and brought in a bill that was finally enacted into law creating the great Federal Reserve System he said that the Federal Reserve System would perform all of the functions of the Subtreasuries, and that, if adopted, the Subtreasuries could all be abolished, and Mr. Glass is now the Secretary of the Treasury. Why do not you quote him instead of quoting Mr. McAdoo, who has ceased to have anything to do with that office? When these matters were before the House in former years Mr. Glass voted to abolish the Subtreasuries. I am surprised at my friend from Baltimore——

Mr. DUPRÉ. Will the gentleman yield for a question?

Mr. GOOD. No; I will not have the time.

Mr. DUPRÉ. I wish the gentleman would.

Mr. GOOD. I am surprised at the gentleman from Baltimore, representing a city only 40 miles distant, demanding the retention of their Subtreasury.

Mr. LINTHICUM. I want to know how the gentleman knows where it is?

Mr. GOOD. When the gentleman from Maryland [Mr. LINTHICUM] came before the Committee on Appropriations a year ago he was asked this question:

Mr. GOOD. If Baltimore had a Federal reserve bank, would the gentleman then think they should still have a Subtreasury?

Mr. LINTHICUM. I want to say this: That if Baltimore has a Federal reserve bank, and you are going to do away with the Subtreasuries and give the power which the Subtreasury now has to the Federal reserve banks, and do it in all the cities that have Federal reserve banks, I do not know that we would object.

And that is just what this bill does. Baltimore has a branch Federal reserve bank to-day, a big institution, performing all the functions of a Subtreasury, and now here the Representatives from Baltimore object. They object to what a year ago they said would be satisfactory. Why? They object on the same ground that they objected before the Committee on Appropriations two years ago, that the banks of Baltimore would have to pay the freight or the express on their subsidiary coin used by the business men of Baltimore in case the Subtreasury there was abolished. I make the suggestion to this House that if Baltimore is to have its coin sent free, then every city in the United States is entitled to the same privilege, and I want to commend to the House the statement made by the gentleman from Illinois, the minority leader, when Chicago was under fire two years ago and we attempted then to eliminate the Subtreasury at Chicago. This is what Mr. MANN said:

We ought to find nerve enough to abolish some of the useless offices now maintained by the Government, especially when we have created other offices to do the work which they now do.

If the Subtreasuries are to be retained, I hope this side of the House will not vote to retain them. Let that side of the House that went before the people on the proposition to do away with useless offices, the salaries of which they said drain the substance of the people—let that side of the House retain these useless offices. It has been admitted by the present Secretary of the Treasury that the Subtreasuries are useless. It has been admitted by every man who has studied the question that they are useless; and just as a few years ago we abolished a great many pension offices throughout the country and consolidated them at Washington—and since that time there has been no complaint, so far as the pensioner is concerned, in receiving his pension check in due time—which resulted in saving the Treasury a great deal of money, so now we will do the same thing here. Nobody deposits money in a Subtreasury to-day; nobody goes to the Subtreasury to-day to cash a check; no one purchased liberty bonds there. All of that is done by the national banks and the Federal reserve banks.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, how does the time stand?

The CHAIRMAN. The gentleman has four minutes, and all the time has expired on the other side.

Mr. BYRNS of Tennessee. Mr. Chairman and gentlemen of the committee, I do not care to take up the time of the committee in discussing the amendment now offered. It has been so thoroughly and fully discussed before this Congress at the last session that I am quite sure Members are prepared to vote upon the proposition.

Mr. DUPRÉ. Will the gentleman yield for a question?

Mr. BYRNS of Tennessee. Yes.

Mr. DUPRÉ. Was not there a difference between the proposition which was tendered to the last Congress and that tendered here in regard to the date of abolition?

Mr. BYRNS of Tennessee. I will answer the gentleman. When the Federal Reserve System was established every possible excuse for the existence of the Subtreasuries was taken away. There is not any question about that, gentlemen, and no man can read the hearings and reports that have been made and not satisfy himself as to the truth of that statement. Last year the committee recommended that these Subtreasuries be abolished, and, as the gentlemen from Louisiana [Mr. DUPRÉ] suggests, proposed to abolish them within a period of six months after the war had come to a close. But I submit, gentlemen, that that proposition was presented to the House simply to meet the objection of Assistant Secretary Leffingwell; and if you will read his testimony in the hearings at the last session of Congress you will find that the only real insistence that he made and the only real argument that he presented for the maintenance and continuance of these Subtreasuries was that they might be needed during the continuance of the war. The war is now over, to all intents and purposes.

Now, what is the reason for the existence of these Subtreasuries? You have heard these gentlemen from the cities where they are located, all diligent, capable, and able men; and, gentlemen, after all, the only real reason they have been able to present for the continuance of these Subtreasuries is that they will render some local convenience to the cities in which they are located.

That may be a good reason for those gentlemen who so ably represent these nine cities, but you who come from other sections of the country certainly are not under the same sort of obligation to vote out of the Treasury $500,000 simply to afford a convenience to these particular nine cities. That is the proposition, the plain proposition, that is presented to this committee.

Gentlemen, I submit there can be no good reason presented as to why these Subtreasuries should be continued any longer.

Mr. DUPRÉ. Why did the House yield, then, on the proposition?

Mr. BYRNS of Tennessee. The House yielded only after a continued and repeated session with the Senate, and only at the last moment, when it became evident that the entire legislative bill might fail unless the House did yield. There was another proposition which forced the conferees to yield. That was the fact that this House by a record vote had insisted and instructed the conferees to stand by the Borland amendment, and in order to carry out the will of the House as expressed by that record vote it was necessary for us to yield on this proposition.

Mr. DUPRÉ. Was there logrolling then?

Mr. BYRNS of Tennessee. No conference was ever held that there was not a spirit of give and take. Otherwise the two Houses never could get together on disputed propositions.

The CHAIRMAN. The time of the gentleman has expired. All debate on this amendment is now closed. The question is on the amendment offered by the gentleman from California [Mr. RAKER].

The question was taken; and the Chair announced that the noes seemed to have it.

Mr. LINTHICUM and Mr. DYER demanded a division.

The committee divided; and there were—ayes 36, noes 91.

So the amendment was rejected.

The Clerk read as follows:

For such expenses as the Secretary of the Treasury may authorize in connection with the discontinuance of the offices of assistant treasurers, including clerks and counters in the office of the Treasurer in the District of Columbia at rates of compensation not exceeding $1,800 per annum, salaries of custodians and other employees (at rates of compensation not exceeding $2,500 per annum) at such of the Subtreasury offices as the Secretary of the Treasury may deem necessary for the safekeeping of currency, coin, bullion, bonds, and other securities of the United States, $75,000: *Provided*, That the Secretary of the Treasury shall require the custodians or other responsible employees to give bond in such amount and with such surety as he shall deem adequate for the protection of the United States: *Provided further*, That no person employed under a statutory position on June 30, 1919, shall be paid a salary hereunder greater than the amount of such statutory compensation on the said date.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the paragraph.

Mr. MOORE of Pennsylvania. I make this motion for the purpose of vindicating the rights of the Committee of the Whole. If the point of order made by the gentleman from Wisconsin [Mr. STAFFORD] had been sustained a while ago, the point of order to the amendment of the gentleman from California, there would have been no possible way, except to strike out, for this main body of the House to have protected itself against the repeal of the existing law. If the Chair held, as he did hold when the point of order was made against the new paragraph, that the point of order was well taken, and then the Chair should rule in answer to the point of order made by the gentleman from Wisconsin [Mr. STAFFORD] that the amendment which proposed to reinstate existing law was not in order, there would have been no place to go with a proposition affecting existing law. All that would be necessary under such circumstances to override existing law would be for any committee of the House to decide in the secrecy of its committee room that the Holman rule justified it and bring in a bill to put the change into effect. The gentleman from Wisconsin made the point that there was a place to go and that a Member could move to strike out. And since no one made the point of order against the motion I now ask for a vote on the motion to strike out, since it is the last recourse in the Committee of the Whole.

The CHAIRMAN. The question is on the motion made by the gentleman from Pennsylvania to strike out the paragraph.

The question was taken, and the motion was rejected.

The Clerk read as follows:

For incidental and contingent expenses, including new machinery and repairs, wastage in the melting and refining department and in the coining department, and loss on sale of sweeps arising from the treatment of bullion and the manufacture of coin, $75,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman from Tennessee whether there is any information before the committee as to the purpose of the Government to establish a mint in Mexico?

Mr. BYRNS of Tennessee. No; we have received no such information.

Mr. MOORE of Pennsylvania. No suggestion that any mint should be established in our neighboring country?

Mr. BYRNS of Tennessee. No.

Mr. MOORE of Pennsylvania. I asked the question because it seems to me pertinent in view of the interest that is being taken by the Bureau of Information as to Mexico. Members of Congress, I presume, are favored, as some other citizens are, with communications from the Bureau of Information which show an unusual interest in Mexico. Yesterday some reference was made to the quality of paper on which the CONGRESSIONAL RECORD is printed. I took occasion to say that the paper upon which the RECORD is printed and sent out to those recipients of it who are on the lists of Members of Congress was a disgrace to the body and that the excuse that the cost of paper was high was a poor excuse in view of the fact that the Bureau of Information was sending out literature of all sorts in great volume on glazed paper superior to that upon which the CONGRESSIONAL RECORD was printed.

Now, the Bureau of Information has a good deal of influence at the White House. We have been told that it did not intend to come to Congress for any more money. The supposition is that it depends upon that $100,000,000 fund which Congress dedicated to the President some time ago for such use as he might see fit to make. But just why the Bureau of Information should publish a weekly news bulletin in Mexico has not yet been made clear. It may be another step toward creating a world democracy.

We have information that much literature, some of it commendatory of the administration, was dropped over the German lines during the war with a view to informing the democracy of Germany of American intentions. Now comes a "Weekly News Bulletin" from Mexico, under date of January 9, 1919, issued by George Creel, chairman, from the headquarters of the "Mexico section, Robert H. Murray, director; office, Filomeno Mata, 17 Apartado Postal 128 Ris," which indicates we have established a publication office down there.

Can anyone tell—can the chairman of the committee tell—why we are spending American money in this way, especially when there is such a fierce demand for economy, for the abolition of Subtreasuries, for the throwing of people out of employment in one section and concentrating them in another section? Can anyone tell why we are using a part of the President's $100,000,000 fund for the purpose of conducting a publicity service in Mexico? What sort of a propaganda is this? To what lengths do we go with the money of the people?

I thought possibly the chairman might tell us that this was the forerunner of the establishment of a Subtreasury in Mexico, or of a mint in Mexico, or an assay office in Mexico, or of some oil company's headquarters in Mexico. What is behind it?

Mr. MADDEN. There might be war in Mexico. You can not tell. [Laughter.]

Mr. MOORE of Pennsylvania. If the purpose is to stop a war with Mexico, well and good. We spent a lot of energy and money in marching into Mexico and out again, and then the President came in and asked us to appropriate $125,000,000 to pay the bill, and we appropriated it.

What kind of a proceeding is this new one? Why is it necessary for us to print a daily report of the proceedings of the legislative assembly in Mexico? Why is it necessary for us to print information respecting the operation of oil wells in Mexico? Why should the money of the people of the United States be spent printing a paper in Mexico when paper is so scarce in the United States that we have got to print the CONGRESSIONAL RECORD on stuff that falls to pieces when you pick it up?

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. I simply ask the question, Mr. Chairman. [Applause.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For incidental and contingent expenses, including rent of building, $5,700.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. MADDEN. I want to ask unanimous consent to proceed for 10 minutes out of order.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for 10 minutes out of order. Is there objection?

There was no objection.

Mr. MADDEN. Mr. Chairman, I think I owe to the House an explanation of the case that was called to the attention of the Committee on Appropriations by Mr. Brown, in which he said there was some doubt as to the morality of the location in which the woman resided, and I looked up the record on

file in my office in that case, and I find these to be the facts: The case referred to by Mr. Brown was that of Mrs. Amazonia Franklin, whose allotment matter I have been trying to get adjusted for months. After her husband went to the war she had to leave the place where they were living on account of the expense and the further fact that the Bureau of Insurance had not sent her any money. The allotment case was mixed up, on account of some technicality, and was referred to Chicago for special investigation. The investigators went to the address given in the papers relating to Mrs. Franklin's case, and they could not find her. They reported to the Bureau of War Risk Insurance that the house was a disorderly house. The fact of the matter is that it was a boarding house. This was merely a supposition on the part of the inspector who made the report. There was no proof that this house was disorderly, and absolutely nothing has ever been proved against Mrs. Franklin.

Mrs. Franklin later left this address, and, as far as I know, has ever since that time been the subject of charity on account of the negligence or failure of the Bureau of War Risk Insurance to adjust her claim, although I have a letter from them which I received several months ago, stating that Mrs. Franklin could look for a check from the Government within a week or 10 days, but up to this time she is still waiting, and has not had a dollar.

But aspersions have been cast upon her character by the Government investigators who ought, instead of doing that, to have furnished her with the funds necessary to keep her from starving and being the object of charity.

Now, Mr. Brown seemed to go a good distance out of his way to call this case to the attention of the Subcommittee on Appropriations in executive session, and incidentally to call attention to the fact that this was one of the cases for the settlement of which I was pleading, intending it to be inferred, I assume, that there was something wrong about the case. I happened to look Mr. Brown up since I spoke to the House yesterday, and I find that the Department of Justice has a good deal of information about Mr. Brown that would make very interesting reading. And in connection with that I may say that I may feel called upon to get the evidence which the Department of Justice has on file one of these days and present it to the House. But in the meantime, so as not to take up too much of the time of the House, I think I will give the House one of the first installments of the information I have and which is on file.

Mr. Brown is employing a woman by the name of Mrs. Johanna Schoenfeld, the wife of Dr. Schoenfeld, of the George Washington University, who is a pro-German from his toes to the top of his head. This woman is employed at a salary of $1,200 a year as assistant cook to help in the kitchen of the War Trade Board. Now, Mr. Brown, of course, has jurisdiction over the efficiency of the War Trade Board. This is the way he helps to make it efficient. She is using a Government automobile that comes up to her house about 10 o'clock every morning and takes her to her work, and takes her back about 4 o'clock and waits around until 5 or a little after and takes her back. This is the way he helps to make it efficient. The people in the neighborhood where she lives—at Thirty-fourth and Ordway Street—all understand this situation. I am not telling anything in executive session. I am not telling anything that the people in her neighborhood do not understand. This woman, before she got her house back from the occupants who had it, was living at Mr. Brown's house. Brown had a daughter in Germany at the outbreak of the war studying, and he used all kinds of means to get her back, and a man who came over on the same ship that she came on expressed the opinion that he would like to throw her overboard on account of the various pro-German expressions which she uttered.

The Department of Justice has a record of the activities of Dr. and Mrs. Schoenfeld. Mrs. Schoenfeld has two sons in the Consular Service who were never called for military duty. This is the woman who is employed through the influence of Mr. Brown as an assistant cook in the War Trade Board, at a salary of $1,200 a year, and the use of a Government automobile that comes after her to her house, takes her down to the War Trade Board, where she remains about an hour, and then takes her back, and then waits for her for another hour and takes her back again.

Mr. BARKLEY. Can the gentleman tell us whether the War Trade Board is running a boarding house?

Mr. MADDEN. They have some kind of a cafeterin, I believe, at which they supply food to those who are employed there.

There was a housewarming at the Schoenfeld house last night, and at 10 o'clock p. m. an official Government car was standing in front of the house, and a man in uniform is said to have been working in the kitchen. Mr. Brown, I understand, is the sponsor through whom Mrs. Schoenfeld is employed; and if the statements that I have made are thought by Mr. Brown not to be true I want Mr. Brown to invite me to produce the evidence, which is on file in the Department of Justice, not only in connection with this case but in connection with other activities of Mr. Brown during the war.

Mr. Brown is the last man who ought to be kept on the Government pay roll. He not only has proved himself by his actions as a citizen during the war to be unworthy, but by his work as a so-called efficiency expert to be unworthy.

Mr. McKENZIE. Will my colleague yield?

Mr. MADDEN. Yes.

Mr. McKENZIE. I desire to ask my colleague a question, not pertaining to this particular case, but there has been so much said about it that I think there ought to be a statement put in the RECORD. I want to ask my colleague if he understands the law to be that a wife or mother must have a certain standing of moral character to be passed upon by any official in the United States Government before she is entitled to an allotment or allowance under this law passed for her benefit?

Mr. MADDEN. My understanding is that the only thing that is required of them is that there shall be a soldier in the service of the country; that the soldier shall have made an allotment of his pay, that the allotment shall be in proper form, that it shall be made to the wife, or to the mother, or to some other reintive; that if it is made to the wife under the law it is obligatory upon the Government to pay the allotment, and also to accord the allowance, and that it is not the function of Mr. Brown or anyone else to discredit those who wear the uniform of their country, who defend the flag, that it is not the function of Mr. Brown or anyone else to disgrace or discredit the wife of a man wearing the uniform of his country; that it is no part of the business of Mr. Brown or anyone else connected with the Bureau of War Risk Insurance to discredit a mother who has given her boy to her country. If Mr. Brown had been one-half as patriotic as the man whose wife has been charged with living in a house the character of which he said was to say the least shady, there would be no such statement made by him. I maintain that everything Mr. Brown has done from the opening to the close of the war has been more pro-German than anything else, and that all his associates have been pro-German, and he above all men is the last who should come behind closed doors to a committee of this House and make any statement about the character of the wife of an American soldier.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, the gentleman from Illinois has made a very serious and a very severe attack on Mr. Brown.

Mr. MADDEN. I will make some more of them.

Mr. BYRNS of Tennessee. I hold no brief for Mr. Brown, but I do feel that we ought to be very careful before we take occasion upon the floor of this House to attack any citizen of this country who has not the privilege of appearing here and making his own defense. The gentleman takes umbrage because the War Risk Bureau has seen fit to make inquiries concerning the moral character of persons to whom allowance checks are sent. There are more than 4,000,000 on the rolls. These investigations are necessary under the law, and for my part I would not be willing to have the United States Government pay any amount out of the Treasury to any immoral woman as a contribution toward her support.

Mr. MADDEN. The gentleman is assuming that the case is one in which immorality has been shown. I maintain that it has not.

Mr. BYRNS of Tennessee. Oh, the gentleman is commenting on the case to which he refers. I am speaking generally. I know nothing of that case. I never heard the woman's name until the gentleman from Illinois read it here a moment ago, and if any publicity has been given to an attack made upon the woman to whom he has referred then it comes from the gentleman from Illinois, because there is no record of it in the committee, and her name has never been mentioned upon the floor of this House until the gentleman from Illinois mentioned it.

I repeat, I do not know the name of the woman; I do not know whether the gentleman from Illinois is mistaken or not in his reference to that particular case, although I am sure he thinks he is certain about it. But, as I was about to say, the Pension Bureau has always made an investigation concerning the moral character of the people who receive pensions at the hands of the Pension Bureau. I say that it is a correct policy. The War Risk Bureau has done nothing more than its duty in making investigations in this regard.

Mr. FIELDS. But the allotment part of this fund is not a pension; it is a part of the soldier's pay.

Mr. BYRNS of Tennessee. Oh, I am not referring to the allotment. If the gentleman had listened to me, he would know that I said allowance. Of course, a soldier has a right to do what he pleases with his own money.

Mr. MADDEN. I just want to ask the gentleman if he thinks there can be any justification for keeping a woman in a starving condition for months by failure to deliver the money they have collected out of the pay of her husband, the soldier.

Mr. BYRNS of Tennessee. I do not think there ought to be any greater delay than is absolutely necessary, and I am willing to state there have been a great many delays in a great many cases we have not been able to understand; and I dare say that if we are fair, if we would look into it, we would find that in many cases there is a good reason for at least a part of the delay. As was said yesterday, here are 4,000,000 cases in the hands of this War Risk Bureau, cases that came up not gradually, as in the case of insurance companies, but business that was dumped upon the bureau all at once. It was a stupendous job, and it is not surprising that in some of these cases possibly there have been delays.

The gentleman from Illinois [Mr. MADDEN] refers to some employee in the War Trade Board, and he seeks to hold Mr. Brown responsible for that. Mr. Brown has no connection with the War Trade Board. He has absolutely no authority there, either to put anybody on the rolls or to take anyone off the rolls. The Bureau of Efficiency has never been called in to investigate the War Trade Board; and even if it had been that fact would have given Mr. Brown no authority to employ anyone there. I suspect that the gentleman from Illinois has mixed up the Mr. Brown to whom he refers with some other Brown, possibly down there in the War Trade Board.

Mr. DUPRÉ. Then I take it Brown is in town. He seems to be.

Mr. BYRNS of Tennessee. He seems to be, from what has been said on the floor of this House in the last few days.

The CHAIRMAN. The time of the gentlemen from Tennessee has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. The gentleman refers to the fact that an automobile has been used to transport this employee, whose name I can not recall, to and from her home to the War Trade Board. Mr. Brown is not responsible for that. If that be true, and I am not questioning the fact that the gentleman from Illinois has received the information—though how true the information is I do not know—then some official ought to be held responsible for it. If the statement made as to the use of an automobile on yesterday evening is true, the fact ought to be shown and the official who is responsible for permitting the Government automobiles to be used for purposes of that kind ought to be exposed and such action taken as is proper in the case. But I submit, in all sincerity and in all kindness, to the gentleman from Illinois [Mr. MADDEN] that he ought not to permit his evident antipathy to Mr. Brown to impel him to make statements on the floor of the House which may and, I think, clearly do Mr. Brown a very grave injustice.

Mr. GOOD. As I recall, we have never given the Bureau of Efficiency an automobile, and that bureau has no automobile.

Mr. BYRNS of Tennessee. The gentleman is correct. The Bureau of Efficiency has no automobile, never has had one, and can not purchase one out of the appropriation carried in this bill. They have never asked for an automobile.

The Clerk read as follows:

Office of the Secretary: Secretary of War, $12,000; Assistant Secretary, $5,000; Second Assistant Secretary, $4,000; assistant and chief clerk, who shall sign such official papers and documents as the Secretary may direct, $4,000; private secretary to the Secretary, $2,500; clerk to the Secretary, $2,000; stenographer to the Secretary, $2,000; clerk to the Assistant Secretary, $2,400; assistant chief clerk, $2,400; disbursing clerk, $2,750; appointment clerk, $2,250; 4 chiefs of divisions, at $2,000 each; superintendent of buildings outside of State, War, and Navy Department Building, in addition to compensation as chief of division, $500; chief telegrapher, $1,800; clerks—6 of class 4, 7 of class 3, 15 of class 2, 20 of class 1, 5 at $1,000 each, 2 at $900 each; foreman, $1,200; carpenters—1 $1,200, 1 $1,080; chief messenger, $1,000; skilled laborer, $1,080; 6 messengers; 9 assistant messengers; 2 telephone switchboard operators; 8 laborers; 2 chauffeurs, at $840 each; in all, $151,380.

Mr. TILSON. Mr. Chairman, I move to strike out the last word for the purpose of getting some information from the gentleman in charge of the bill. Prior to April 6, 1918, there was provision made by law for a Secretary of War and an Assistant Secretary of War. In an act approved April 6, 1918, a Second Assistant Secretary of War and a Third Assistant Secretary of War were authorized. Yesterday the Secretary of War appeared before the committee, of which I am a member, and asked for the passage of a bill which contains, among other things, the following provision:

So much of an act of Congress approved April 6, 1918, as provides for the office of Second Assistant Secretary of War and Third Assistant Secretary of War is hereby repealed.

In the gentleman's bill to-day we find appropriations being made for the Secretary of War, an Assistant Secretary of War, and a Second Assistant Secretary of War. My query is, What is the basis that the gentleman used for his appropriation? If he used the old law, he should have included only a Secretary and an Assistant Secretary. If he used the present law, he should have put in a Secretary, an Assistant Secretary, a Second Assistant and a Third Assistant. If it is anticipated that the bill proposed by the Secretary of War on yesterday be passed, then he would not need to appropriate for the Second Assistant Secretary.

Mr. BYRNS of Tennessee. As the gentleman knows, the Committee on Appropriations in making these recommendations for appropriations tries to follow the law. The law provided for a Second and a Third Assistant Secretary of War, and the committee, following the law, was prepared to make that recommendation, but upon inquiry of the Secretary of War or of his office it was stated to the committee that they did not desire an appropriation for the Third Assistant Secretary of War, but that they did want an appropriation for the Second Assistant Secretary of War. That was the reason the committee dropped the Third Assistant.

Mr. TILSON. So the gentleman did not follow the law in the case?

Mr. BYRNS of Tennessee. No. We would have done so had we not been notified that they did not need a Third Assistant Secretary of War. Since they themselves said they did not need such an official, of course we did not recommend it. We did recommend a Second Assistant, because the law provides for him, and they told the committee they needed him. If they have stated to the gentleman's committee and have requested the passage of a bill abolishing the office of the Second Assistant Secretary, I shall offer no objection to an amendment which strikes that out of this bill.

Mr. TILSON. I hold in my hand a bill introduced on yesterday by Mr. DENT, by request—and by request in this case means by request of the War Department—the bill from which I read, which abolishes both the Second Assistant Secretary of War and Third Assistant Secretary of War.

Mr. BYRNS of Tennessee. Is that asked for at once or after a certain date, or is that based upon some reorganization of the Army?

Mr. TILSON. It is based upon the reorganization of the Army, but I am frank to say to the gentleman that there does not seem to be an immediate prospect of the bill becoming a law. Therefore I do not propose to strike out the provision that the gentleman has made in this bill, and I would be more inclined to move that he insert an appropriation for a Third Assistant Secretary of War, so as to comply with the law as it now stands.

Mr. BYRNS of Tennessee. This bill would have carried a provision for the Third Assistant Secretary of War, in accordance with the law, had not the committee been informed by the Secretary of War's office that they did not need such an official during the next fiscal year.

Mr. TILSON. Undoubtedly that statement is correct, and if they do not need such an official during the coming year, on the gentleman's statement, I think he would be justified in leaving it out.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

Mr. MASON. Mr. Chairman, I rise to move an amendment to the section under consideration by striking out the words "chief telegrapher," in line 21, page 67.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. MASON: Page 67, line 21, strike out the words "chief telegrapher, $1,800."

Mr. MASON. Mr. Chairman, it would seem from the news we get from the peace conference that we will have but little use for telegraphers. It seems that the main points demanded by the President of the United States, accepted by our allies and approved by our enemies, whereby we were to have open treaties made in an open way, has been abandoned in some way; and it has occurred to me that, a majority of the House belonging to the same political party of the President, and, in fact, every Member of Congress, either in the House or the Senate, standing back of him on that proposition, it would be wise for those in power to present a resolution to let these people know that the American people and the American Congress are backing the President in demanding no secret negotiations as

to our treaties of peace. [Applause.] As a matter of fact, the very first and strongest point made by the President, and made wisely, was to demand that if this war was won, and we sacrificed the blood of our sons, not only that he would stand for a permanent peace—and he is doing it—but that he would fight that thing which has brought war ever since war was invented; that the secret negotiations of kings, queens, emperors, and politicians all over the world should cease. The President of the United States has demanded it, we have accepted it, and to-day the people, the 100,000,000 of American people, are shocked with the idea of secrecy. We believe and the people know that if that is left open, so that the people can hear from day to day and hour to hour what our allies are demanding and what we are demanding, that there will not be so much of selfishness, that they will not make propositions each to the other that shall give them the right to govern people without their consent.

Now, Mr. Chairman, I suggest this in good faith: That if some one upon the majority side will give us an opportunity to stand back of the President I believe it will strengthen his hand so he can say to them that he has stood for these open negotiations; that it is the first point necessary that his constituents, 100,000,000 of people, are back of him in this demand; that we are going to put aside partisanship; and that we are going to stand on the threshold of the greatest opportunity that has come to us in all of this generation. If they will propose a resolution saying that the American people, who went into this war willingly and made these sacrifices, want to know what is being demanded, they want to know that the blood of their sons has been spent, not to put one flag of one nation over another, not that one empire may boast of having changed colonies from one empire to another, with a new master and a new flag—I say, if they will give us the chance to vote for a resolution, I do not believe there is a man in either branch of this Congress but who will stand back of the President and vote for the passage of such a resolution.

Mr. Chairman, I withdraw the formal amendment.

The CHAIRMAN. Without objection, the amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

Temporary employees: For the temporary employment of such additional force of clerks and other employees as in the judgment of the Secretary of War may be proper and necessary to the prompt, efficient, and accurate dispatch of official business in the War Department and its bureaus, to be allotted by the Secretary of War to such bureaus and offices as the exigencies of the existing situation may demand, $4,000,000: *Provided*, That the Secretary of War shall submit to Congress on the first day of its next regular session a statement showing by bureaus or offices the number and designation of the persons employed hereunder and the annual rate of compensation paid to each: *Provided further*, That no person shall be employed hereunder at a rate of compensation in excess of $5,000 per annum, not more than 5 persons shall be employed hereunder at a rate of compensation in excess of $2,400 per annum each, and not more than 25 persons shall be employed at a rate of compensation in excess of $1,800 per annum each: *Provided further*, That detailed estimates shall be submitted by the War Department in the annual Book of Estimates for the fiscal year 1921 for necessary services of the character provided for in this paragraph.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman in charge of the bill, and I would like to be brief about it, what is the special occasion of the increase of $6,000,000, an increase of 150 per cent in the allowance for temporary employees in the War Department. I believe the deficiency estimate, if I recall rightly, is $6,000,000 for the current year.

Mr. BYRNS of Tennessee. This is a reduction of some 75 per cent.

Mr. MANN. This is a reduction. I said increase. I meant reduction. What is the occasion of that, in view of the fact that you can not get anything done by the War Department, and they seem to be behind on everything?

Mr. BYRNS of Tennessee. Well, I do not think some of the bureaus are very far behind, or at least I have not found that to be the case. I have always found pretty prompt action in the office of The Adjutant General, for instance, and other bureaus.

Mr. MANN. I occasionally get a communication from The Adjutant General, generally a form letter, telling me to apply somewhere else for the information. Of course it is not very difficult to take care of correspondence on that basis.

Mr. BYRNS of Tennessee. There has been no delay of any great extent of which I am aware unless possibly it be in the payment of some of the allotments by the Quartermaster's office, and which is due, I take it, largely to the conditions which arose on account of the transfer from the Bureau of War Risk Insurance. I might say that the recommendation of $4,000,000 is based upon the estimate of $5,940,000 which was submitted by the Secretary of War in his revised estimate.

Mr. MANN. Did not the Secretary of War recently submit an estimate for $6,000,000 deficiency appropriation?

Mr. BYRNS of Tennessee. Yes.

Mr. MANN. In addition to the $10,000,000 that was carried last year?

Mr. BYRNS of Tennessee. Yes; and if that is granted it will make more than $16,000,000 that will be expended during the present fiscal year.

Mr. MANN. That is what I am trying to get at. Here is the Secretary of War who has an appropriation of over $10,000,000 now for temporary employment. He has asked for $6,000,000 more between now and June 30, and yet the gentlemen of the committee propose to reduce the entire allowance for the next fiscal year to $4,000,000. If the Secretary of War needs $6,000,000 between now and June 30, in addition to half of $10,000,000 already allowed, I should think that he would need more than $4,000,000 in the 12 months following June 30.

Mr. BYRNS of Tennessee. I may say to the gentleman that the revised estimates which were submitted to the committee were submitted on the basis of an army of 500,000 men, which officers who appeared before the committee stated it was hoped would be authorized by Congress.

Now, The Adjutant General has put on a great many additional employees recently. He has put on a thousand employees in the casualty division alone, and he is asking for another thousand employees in the casualty division. I understand there are about 3,500 employees in The Adjutant General's office at the present time, and he is asking for more in order to get out this information to which the gentleman refers as promptly as possible.

Mr. MANN. I have noticed there has been no great exodus of Government clerks from Washington such as we contemplated would happen when we passed the bill providing for their transportation expenses. We get printed reports every day or two from some department as to the number of men who have been employed and discharged within a recent period. I think the one I saw this morning came from the Department of Labor, which had over 10,000 employees, and the number employed during the last 30 days prior to the making of that report exceeded the number discharged. There have not been very many discharged from the Government service yet.

Mr. BYRNS of Tennessee. I confess I have been very much disappointed myself in the fact that there has not been any greater reduction in the force. I understand the War Department has reduced its force about 2,500 persons, and about a thousand of them have been reemployed in The Adjutant General's Office in the casualty division, to which I have just referred. There has been an increased demand for clerks in connection with the division of loans and currency in the Treasury Department and in the registrar's office, and possibly other bureaus which have to do with the auditing of accounts, and so forth.

Mr. MANN. Does the gentleman happen to know who has charge of the distribution of bonds subscribed for and paid for by soldiers in the Army?

Mr. BYRNS of Tennessee. The division of finance in the Quartermaster's office.

Mr. MANN. The gentleman knows there is very bitter complaint that bonds can not be obtained—bonds which have been fully paid for?

Mr. BYRNS of Tennessee. Yes. There has been some delay in sending some of those bonds out. I have had some cases called to my attention.

Mr. MANN. Mr. Chairman, I withdraw the pro forma amendment.

Mr. FOCHT. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, the discussion as to the salaries and the provision for their payment brings us to the revenue question, and I would like to call the attention of this committee to a communication I received from an important manufacturer in my district, and I hope, if there are members of the Ways and Means Committee present, that they will take note of what I am about to read. In fact, I take it for granted in pursuance of their duties and in their alertness and activities that they are familiar with this question, but it has seemed new to me, at least this later phase, and I hope the country also may take note. This is in reference to the leather trade. It says:

Some mail advices from England are not very encouraging regarding the possibility of the import embargo for leather being lifted there in the near future, and some parties state that it may be six months before this occurs, or possibly longer, but the general opinion here is that the embargo will continue until the British buying commission completes, which it is expected will be made before long.

Now, it seems that notwithstanding Uncle Sam has been the world's great benefactor, the great helper, with a mighty heart

that has poured out lavishly to the oppressed of the world the resources of this country, that we see here before the war is scarcely over, before the treaty of peace is signed, England preparing to take care of her trade. This is what my correspondent thinks about it. This is the voice of a layman. It is the voice of a man who has built up a great business under the encouragement of the beneficent laws of this country. You will have a great opportunity, my young friends [referring to Congressmen CAMPBELL and LONGWORTH], to display your talents in correcting this great evil, and seeing to it that the embargo is withdrawn. This is what the young gentleman thinks about it:

You will see from the inclosed underlined market letter that the English are putting their "silent tariff"—

Silent tariff! In these days of publicity so loudly proclaimed by our distinguished President that there is to be no more secrecy in the relations between the nations, that all cards must be upon the table, that there must be justice and equality everywhere, we see England putting on a "silent tariff" against American leather producers. They have a trust in the shape of a buying institution there, evidently. He says, further:

Their buying commission purchases collectively and unless one sells to them it is impossible to get a permit from the British Government to ship. It looks gloomy enough for leather-export business there at a profit.

It looks gloomy enough for the leather-export business, indeed, and our leather manufacturers may be compelled to finally close up and surrender to the alert Britishers.

Mr. MOORE of Pennsylvania. Does not the gentleman know that we have a War Trade Board in Washington that is supposed to take care of American interests in leather?

Mr. FOCHT. I have not found that they have accomplished anything, excepting that one of these boards put out of business hundreds of prosperous newspapers in the country, uselessly spent a lot of money, and tyrannized over those that survived.

Mr. MOORE of Pennsylvania. I will say to the gentleman that we do have a War Trade Board, whose chairman is now in Europe, probably in close juxtaposition to what is going on. The statement was made on the floor the other day that by reason of the activities of the United States to extend our trade in Russia a corporation had been formed——

Mr. FOCHT. That is Mr. McCormick.

Mr. MOORE of Pennsylvania. I mention no names.

Mr. FOCHT. Let us mention names. Let us have it all wide open, with "the cards on the table." That would be the right way and the popular way. [Laughter.]

Mr. MOORE of Pennsylvania. This gentleman is the head of the War Trade Board, and the War Trade Board, as I understand, has been working in cooperation with the British consuls in the United States.

Mr. FOCHT. Yes; and we should find out what those fellows have done with all this money while Great Britain built up her foreign trade and shut out American leather under her foxy "silent tariff" embargo policy.

Mr. MOORE of Pennsylvania. And they do not permit the people who contemplate shipping goods abroad to export goods or to get in touch with the world's markets without the consent of the War Trade Board.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. FOCHT. I have another matter relating to a different phase of the situation which I wish to refer to if the House will give me another minute or two or five.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask that the gentleman be permitted to proceed for five minutes more.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MOORE] asks unanimous consent that his colleague may proceed for five minutes more. Is there objection? There was no objection.

Mr. FOCHT. I thank my colleague. The gentleman from Illinois [Mr. MASON] has just amplified some questions here, and he always illuminates every subject he discusses. It should be remembered that there were some of us at least on the floor of this House who approached the war in what we thought was a statesmanlike way, and that was with caution, but we voted for war and sustained it throughout, and the war was won. The question has often been asked, Why did you vote for war? I will tell you why I voted for war. I believed then that there would be brought about a wider extension of human liberty in the world and a guaranty of future peace. That is the reason why I voted for war, and I hope I may not be disappointed.

Now, then, presuming that we are to have no more war, if we are going to abandon that method of settling disputes, then how is it to be brought about unless we disarm? Disarmament would at least indicate good intentions on the part of the nation. Another thought I wish to briefly call your attention to. Here I have a direct contradiction of that whole program of future peace. We may extend human liberty; it may become wide flung throughout the world; but, as to this much-vaunted guaranty of peace, does it look as if we were preparing for peace? Not only has the Secretary of the Navy called for the largest navy ever known in the world—and that does not look like approaching peace—but when we see a condition and a situation in Pennsylvania, such as the one I will describe here in the short time I have, it is evident that it is time for Congress, and for this Congress, to take note. I want to read this to you from a correspondent of mine. This letter is written from the progressive and booming town of Mount Union, Pa., where great munition works are located. My correspondent writes:

So long as war explosives are based on nitrates, I believe it would be a good thing for the United States to own some of the powder plants, to hold the equipment together. The Aetna plant here has a lot of very valuable, intricate equipment which I understand must be sold for scrap. The Japs had four men here a week ago to look over the plant, and offered some of the foremen enormous salaries for a two year contract to erect this plant in Japan, provided they bought it.

That is all. You may draw your own conclusions. Those who are in a position to act should do so, if we are going to have peace in the future. But it does not look to me as though it was going to be guaranteed by Japan, since they come here and want to buy this munition plant and erect it in their own country—not to make stockings, not to make shirts, but to make the things that kill people; and that makes, of course, for more war.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman state who is the writer of the letter?

Mr. FOCHT. Yes; Mr. E. M. Greene. He is a patriot and one of the best and most prominent business men in central Pennsylvania.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

Mr. FOCHT. Yes.

Mr. SLOAN. Has not the Government boosted the leather business enough by buying a million saddles when it has only 130,000 horses to put them on? Why do the leather men complain?

Mr. FOCHT. Because they have not had the opportunity to sell their leather or to export it, simply because England has monopolized the trade. If anything has been expended for that purpose it is up to those in charge of the department to explain what has become of the money. And possibly the saddles were bought and made in England, while American leather remained here on account of Great Britain's "silent" embargo against us.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. FOCHT. Yes.

Mr. GREENE of Vermont. Does the gentleman think a million and some odd saddles are enough to permit the putting of one saddle on the back of every hobby that this administration has been riding? [Laughter.]

Mr. FOCHT. Yes, possibly; but riding on to further party destruction. [Laughter.]

INTERESTING COMMENTARY ON POLITICAL METHODS.

[By A. Boyd Hamilton, in the Harrisburg Telegraph, Jan. 15, 1919.]

Publication of the table of the official vote of 1918 for congressional honors in the seventeenth, or "shoestring," district, as compiled by the return judges at Lewistown, affords an interesting commentary on the way the voters of the eight counties of the district regarded the war by Democratic National Chairman Vance C. McCormick, his newspapers, and his partisans and the horde of Federal officeholders against Congressman BEN FOCHT. In 1916 Congressman FOCHT, in a campaign marked by straight fighting on both sides, won over George A. Harris, the Fulton County cog of the Democratic machine, by 1,255. In 1918 Congressman FOCHT was assailed by McCormick with all the poison gas that could be assembled and opposed by Senator Scott S. Leiby, the personal hand-picked candidate of McCormick, to show the President that if the national chairman could not muster up a candidate for Congress in his "home" district he could elect one in the district "across the Susquehanna." The result was that FOCHT won by 5,414. This, too, in face of the fact that Leiby, in addition to having the McCormick nomination, was also the candidate of the Prohibitionists. In spite of the strenuous efforts of McCormick and his crew FOCHT carried every county except Fulton, and only lost that by 20 votes. FOCHT's total vote was 16,762 and Leiby's 11,348.

Another interesting fact in connection with McCormick's fight against FOCHT is that every one of the eight counties in the seventeenth elected a Republican legislator, even Fulton choosing an out-and-out Republican for the first time in years and the Democratic seat in Juniata being lost. In the whole seventeenth district the only surviving Democratic legislator is Leiby, who was elected by an accident in 1916.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last two words.

Mr. MOORE of Pennsylvania. Mr. Chairman, the gentleman from Illinois interrogated the gentleman from Tennessee [Mr. BYRNS] a while ago in regard to these temporary employees, for

whom $4,000,000 is requested. I rise to support the gentleman from Tennessee, who recommends this appropriation, because I am inclined to think the War Department needs more help. It needs help for various branches of the service—for ordnance, for aviation, and for one other department that we do not often discuss on this floor, namely, the Judge Advocate's Department.

A few days ago, when another bill was under discussion and the question of appropriation was up, I called attention to the fact that the report made by the Hon. Charles E. Hughes at the instance of the President, in the matter of the aircraft appropriation of $640,000,000, had contained a recommendation that one Col. Deeds be court-martialed for offenses against the proprieties in the matter of his connection with business concerns and business partners while he was holding the office of colonel and was in a position to get information in regard to contracts that were gradually using up the $640,000,000 for the expenditure of which a Senate committee reported that we had not secured a single fighting plane for use in the war upon the other side of the water.

The report of the Senate committee was an indictment of those who had in charge the expenditures of this $640,000,000 which we so cheerfully appropriated to further the war and to put our boys on the other side in a position to fight. The Senate committee said that the $640,000,000—enough to run this Government for a whole year before the war—had not produced a single fighting plane in France, and therefore our boys over there waiting to use these planes were twiddling their thumbs or swelling the casualty lists while gentlemen like Col. Deeds and others were testing the qualities of the Liberty motor, erecting plants, buying land, experimenting, and doing all sorts of things with our $640,000,000. The Hughes report, prepared at the instance of the President, who had appointed Justice Hughes when a great scandal was brewing with regard to the expenditure of this $640,000,000, suggested that Col. Deeds be court-martialed.

I referred to that the other day and also called attention to the report of the Attorney General, to whom the Hughes report had been referred, and said what was the fact, that the Attorney General, who is about to resign his office, backed up the Hughes report as to Col. Deeds and recommended his court-martial by the War Department. So that we had these representatives of the United States insisting that Col. Deeds be court-martialed for his participation in the use of that $640,000,000. That put it up to the War Department.

Mr. BYRNS of Tennessee. Did I understand the gentleman to say that we had no battle planes or aeroplanes in France?

Mr. MOORE of Pennsylvania. That was the report of the Senate committee that we had not one single fighting plane in France as the result of our expenditure of this $640,000,000.

Mr. BYRNS of Tennessee. What was the date of that report?

Mr. MOORE of Pennsylvania. That report was made by the Senate committee, headed by Senator THOMAS. Of course, I mean American-made fighting planes, or what the committee called "planes of attack." We had bought planes from France and England, and we are paying for them in the contracts that we validated the other day; but we did not have one single American-made fighting plane in France, according to this Senate report, although we had expended $640,000,000. I quoted from the report of January 8.

Mr. BYRNS of Tennessee. Then, there must be a later report, showing that we had aeroplanes there.

Mr. MOORE of Pennsylvania. This is an economical Government, and we are saving money now by abolishing Subtreasuries and things of that kind. I may have done Col. Deeds an injustice in calling attention to this matter and I may have done the War Department an injustice in referring to these reports, made at the instance of the President of the United States, who is now in France, but Mr. Justice Hughes and the Attorney General, now about to retire, certainly recommended that the derelictions, or at least, the improprieties, of Col. Deeds were such as to warrant his court-martial. We had appropriated the money and he had helped to spend it, and we had no American-made fighting planes in France, and these official appointees of the President insisted that Col. Deeds be court-martialed. The whole matter was referred to the Secretary of War, who now comes to us for more money for clerks to help out——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. I ask unanimous consent for two minutes more.

The CHAIRMAN. The gentleman from Pennsylvania asks that his time be extended two minutes. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. I think I ought to complete this statement in justice to the War Department, for I have undertaken to defend this appropriation of $4,000,000 to help the Secretary of War and the Judge Advocate General, who is sponsor for sending a great many young fellows to jail for 25 years for going home to see their mothers or something of that kind. The Judge Advocate General may need more clerks to help out, especially when men inclined to "pernicious activity," like Justice Hughes and the Attorney General, insist that some representative or agent or favorite of the Secretary of War be court-martialed. The very idea of Justice Hughes, at the instance of President Wilson, having the impertinence to bring in a report suggesting that one little colonel be court-martialed invites support for additional clerk hire in the Judge Advocate General's office. Why, when these reports went in and this court-martial was demanded, instead of the Secretary of War or the Judge Advocate General, who is the law officer down there, taking Col. Deeds by the neck, what did they do? For one thing, they or somebody else got up a dinner at which Col. Deeds was the chief guest of honor and at which they sang "For he's a jolly good fellow." And although we had spent $640,000,000 and had no American-made fighting planes in France in time for service, Col. Deeds said he did not think the American people, who will have to pay this $640,000,000, understood, as France and England understand, the "spiritual advantages" of the kind of work he had been doing.

Mr. BYRNS of Tennessee. Can the gentleman state who got up that dinner?

Mr. MOORE of Pennsylvania. I do not know who got up the dinner; but Assistant Secretary of War Crowell was there, Gen. Squier was there, and a number of Army officers were there, and they all appear to have been spellbound as Col. Deeds told them of "the spiritual advantages" of spending money the way it had been spent. He seemed to think we did not appreciate the value of the services of men of his kind.

Mr. MADDEN. European officers here refused to go to the dinner, did they not?

Mr. MOORE of Pennsylvania. I think some of them were there. But that is not the point. The Judge Advocate General has found Col. Deeds not guilty, and the Secretary of War has just made announcement of that fact, despite the report of Justice Hughes and the views of the Attorney General. So there is to be no court-martial.

Mr. FIELDS. Mr. Chairman, the report of the statistics branch of the General Staff of the Army shows that on November 11, 1918, the United States had manufactured, of the style DH-4 plane, 3,227, of which 1,885 had been shipped overseas. [Applause.] Of the combat Handley-Pages——

Mr. MOORE of Pennsylvania. That was the day the armistice was signed.

Mr. FIELDS. It does not mean that they were all shipped on that day.

Mr. MOORE of Pennsylvania. That does not controvert the statement that I have made.

Mr. FIELDS. This is the report of the number of planes that had been shipped at the time the armistice was signed.

Mr. MOORE of Pennsylvania. After the war had ended.

Mr. FIELDS. The report shows that we had shipped these planes prior to the signing of the armistice, the statement of the gentleman from Pennsylvania to the contrary notwithstanding.

Mr. MOORE of Pennsylvania. That was after the armistice had been signed.

Mr. FIELDS. Of course they were shipped before the armistice was signed.

Mr. MOORE of Pennsylvania. Were they bombing planes or battle planes, so called, or is this one of the reports made by our distinguished colleague from New York [Mr. CALDWELL], who kept us all so well informed about the progress of aircraft construction?

Mr. FIELDS. Now, I must proceed with the report. Of the combat Handley-Pages, 101, and 100 had been shipped overseas, making a total shipment overseas of 1,985.

Mr. MOORE of Pennsylvania. At what date?

Mr. FIELDS. The 11th of November.

Mr. MOORE of Pennsylvania. That was the day the armistice was signed.

Mr. FIELDS. Yes. That covers all shipments made by the department up to that time.

Mr. MOORE of Pennsylvania. Those were training planes, to prepare for the next war.

Mr. FIELDS. Now, taking the engines, of the combat Liberty engine, 13,574 were manufactured, of which 4,383 had been shipped overseas. Of the combat Hispano, we produced 469, and

245 of these were shipped overseas. Of the training, elementary, 10,586 were produced, none of which were shipped overseas. Of the training, advanced, 5,221 were produced, of which 200 had been shipped overseas, making the total shipment overseas of engines 4,828. [Applause.] This does not include 1,025 consigned to the allied governments.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. FIELDS. And, in addition to that, we secured 2,676 combat planes, equipped with engines, from all of the allied governments.

Mr. MOORE of Pennsylvania. Now, will the gentleman yield?

Mr. FIELDS. Yes.

Mr. MOORE of Pennsylvania. Were those planes built under the $640,000,000 appropriation or the subsequent appropriation of $800,000,000 which was passed to bolster up the $640,000,000?

Mr. FIELDS. I did not look into that phase of the question, but the figures that are disturbing the gentleman from Pennsylvania probably, and that have disturbed a good many others on that side of the House, are contained here in the fact that we did buy some planes from foreign manufacturers. While that is true, we shipped, as I stated, from this country 1,985 planes and 4,828 engines.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. We appropriated another $800,000,000 to accomplish that work.

Mr. FIELDS. And, in addition to that, the balance of the great amount we did manufacture, the figures of which I gave a moment ago, were in service training men in this country.

Mr. MOORE of Pennsylvania. How many of those got up to the fighting line?

Mr. FIELDS. The report does not show that.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. FIELDS. Yes.

Mr. LONGWORTH. Will the gentleman state, of his own knowledge or from any report that he has, that a single German aeroplane was destroyed by an American fighting aeroplane?

Mr. FIELDS. I think I can give the gentleman that right here.

Mr. BYRNS of Tennessee. Oh, I can state that. I have seen repeated statements in the newspapers, and one very distinguished officer from my home town of Nashville, Tenn.—Capt. Buford—has several to his credit.

Mr. LONGWORTH. Was his plane an American machine?

Mr. BYRNS of Tennessee. Capt. Buford was serving in the American Aviation Service.

Mr. LONGWORTH. Oh, yes; but was he in an American machine?

Mr. BYRNS of Tennessee. I, of course, can not tell that.

Mr. LONGWORTH. But that is the question that I asked.

Mr. BYRNS of Tennessee. I can not tell what kind of a machine he was driving, but he was driving a machine as an American soldier, and a splendid one at that.

Mr. LONGWORTH. Precisely, and so were many other brave soldiers; but if it is permitted under the rules of the House I will now wager a large red apple with either the gentleman from Tennessee [Mr. BYRNS] or the distinguished gentleman from Alabama [Mr. HEFLIN], the cheer leader on the Democratic side, that they can not prove that one single German plane was ever downed by an American fighter in an American plane.

Mr. BYRNS of Tennessee. Of course the gentleman is safe in making that bet now, if he expects it to be determined now, because I have not the facts.

Mr. LONGWORTH. I am asking for the facts.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. FIELDS. Mr. Chairman, I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. Is there objection?

Mr. MANN. Mr. Chairman, reserving the right to object, and I shall not object, I would ask the gentleman from Tennessee [Mr. BYRNS] whether he expects the House to stay here discussing these matters outside of the bill and then endeavor to keep the House in session until toward midnight to consider the bill itself?

Mr. BYRNS of Tennessee. Mr. Chairman, I submit to the gentleman that practically all of the talk, with the exception of this speech, that has been made here to-day outside of the bill has come from the gentleman's side of the Chamber.

Mr. MANN. Oh, not at all. Most of the talk has been on the other side of the Chamber. Of course most of it has been useless, but most of it has been on that side.

Mr. BYRNS of Tennessee. My memory is not that way.

Mr. MANN. Oh, it was the gentleman's side of the Chamber that precipitated an hour of debate here in which the gentleman agreed.

Mr. BYRNS of Tennessee. That was a matter in connection with the bill—the question of the Subtreasuries. I was speaking of matter that is not contained in this bill. I think the talk should be confined to the bill, and I have hesitated to make points of order on gentlemen, but if the House is willing I now serve notice that I am going to request gentlemen to confine themselves strictly to the paragraphs under consideration.

Mr. MANN. I asked the gentleman a question. He has not yet answered that, and he indulges in a tirade against this side of the House, which is unjustifiable, and that is whether he expects to keep the committee here to-night?

Mr. BYRNS of Tennessee. I expect to ask the committee to stay up into the evening if they will consent to do so because we have made very little progress with this bill, and I hope the gentleman will take that into consideration hereafter so we may make some progress.

Mr. FIELDS. Mr. Chairman, I have submitted a request for two additional minutes.

The CHAIRMAN. And that was granted.

Mr. FIELDS. The report also shows that the United States planes lost to the enemy number 271; enemy planes lost to the United States, 491, confirmed; and, in addition to that, 354 unconfirmed.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. FIELDS. Not just now. Which means there were not three persons able to make an affidavit that they knew of their own personal knowledge that these enemy planes were lost to the United States. The report therefore shows that there were 845 enemy planes lost to the United States, confirmed and unconfirmed, as against 271 lost by the United States, which shows a decided gain in favor of the United States.

Mr. GRAHAM of Illinois. Will the gentleman now yield?

Mr. FIELDS. Yes; I yield.

Mr. GRAHAM of Illinois. Does the gentleman know whether there were any American-bought planes ever delivered at the battle front?

Mr. FIELDS. I will yield to the gentleman from Virginia, Judge HARRISON.

Mr. HARRISON of Virginia. Mr. Chairman, I am prepared to say there was a statement made before the Committee on War Affairs by the War Council that there were a number of American-made planes manned by American fliers at the front at the time the armistice was signed.

Mr. GRAHAM of Illinois. Will the gentleman yield for a statement? I, myself, was at the American air base in France about the 16th of October. Up to that time about a thousand Liberty motors had been delivered adapted for bombing planes, but up to that time not a single combat plane had been delivered to the American base in France in the middle of October—not a single fighting plane. I was there and found that out myself.

Mr. HARRISON of Virginia. I have only the statement made before the Committee on Military Affairs by the War Council, at which were present the Secretary of War, or his Assistant Secretary of War, and somebody representing——

Mr. GRAHAM of Illinois. A thousand engines had been delivered at the time I was there which were adapted for bombing planes but not for pursuit planes.

Mr. FIELDS. But the main proposition is there were planes there belonging to America, paid for by American money, manned by American men; and there were nearly four times as many enemy planes lost to the United States as there were American planes lost to the enemy.

Mr. HARRISON of Virginia. That is, out of the $640,000,000 all the planes necessary for the protection of American troops were brought from the French and English manufacturers.

Mr. TILSON. Mr. Chairman, I ask unanimous consent for two minutes, as I think I can clear up this situation and stop the discussion.

Mr. BRYNS of Tennessee. I am not going to object to the two minutes, but I shall object to any further extension of time unless the discussion is confined to this bill.

Mr. TILSON. Mr. Chairman, there is some confusion here in regard to what a fighting plane is. Every plane that carries bombs or any other weapons that goes over the lines into enemy territory to participate in the fighting in any manner is a fighting plane in one sense of the word. We had a number of large planes, called bombing planes, made in America, that got up to the front before the end of the war.

Mr. HUMPHREYS. What does the gentleman call a number?

Mr. TILSON. Well, a small number; it will be only a guess, but as there were about 1,800 shipped from this country, my guess would be that about one-third of them reached the war zone, and some of our boys went over the line in our own planes. [Applause.] These were bombing planes, and not pursuit planes or what the French call chasse planes. My opinion is that if there were any German planes brought down by an American-made plane it was because some American bombing plane happened to get above the German plane and dropped a bomb on it. We had no planes of American make there that were suitable or able to contest with the swift-flying planes of Germany. All the planes that our fliers used in bringing down German planes were European-made combat or pursuit planes. The planes of this kind used most by our fliers were the French S. P. A. D. and Nieuport. Possibly some of the British Bristols were used.

Mr. LONGWORTH. In other words, there was never an American ace in an American plane?

Mr. TILSON. Not in an American-made aeroplane. We bought those planes abroad and our men flew them. Our men fought, so far as they fought in the air, in the speedy planes bought from France and Great Britain. This is where the confusion arises. There were American-made planes, but there were no pursuit planes, those planes with which one flier would go after another and bring him down with machine-gun fire.

Mr. HEFLIN. Those planes were bought and paid for out of American money.

Mr. TILSON. Yes. Not out of the $640,000,000, necessarily. Most of that sum was spent in this country in the attempt to develop the Liberty engine and the planes made in this country. A large amount, something over a billion, all told, in addition to the original $640,000,000, was spent in this country and abroad in connection with airplanes. The $640,000,000 that we first appropriated was largely expended in this country in trying to find out what engine and planes to build. These are the facts, so far as they go, which I believe can not be successfully challenged.

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

Adjutant General's Office: Chief clerk, $2,500; 10 chiefs of divisions, at $2,000 each; clerks—58 of class 4, 74 of class 3, 110 of class 2, 231 of class 1, 93 at $1,000 each; engineer, $1,400; assistant engineer, $900; 2 firemen; skilled mechanic, $1,000; 11 messengers; 61 assistant messengers; 4 watchmen; 21 laborers; in all, $852,540; all employees provided for by this paragraph for The Adjutant General's Office of the War Department shall be exclusively engaged on the work of this office for the fiscal year 1920.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee where he provides the sum for the temporary employees in the War Department located in Washington?

Mr. BYRNS of Tennessee. That is on page 68 of the bill.

Mr. MADDEN. Well, how much of this does it amount to?

Mr. BYRNS of Tennessee. Four million dollars.

Mr. MADDEN. That covers all employees?

Mr. BYRNS of Tennessee. That covers all the temporary employees.

Mr. MADDEN. That is what I want to know.

Mr. BYRNS of Tennessee. Of course the bill carries an appropriation for all the statutory, regular, permanent force.

Mr. MADDEN. I understand that. I was just wondering whether they were reducing the number of employees or not.

Mr. BYRNS of Tennessee. They are considerably reducing them. As explained before, they had a regular appropriation of $10,250,000, in round numbers. They are back now asking for a deficiency of something like $6,000,000, which, if allowed, would mean the expenditure of over $16,000,000 this fiscal year for these temporary employees. This recommendation is for only $4,000,000 during the next fiscal year. I will say to the gentleman I do not know whether it is going to be sufficient or not. Gen. Lord, who, by the way, is one of the most competent gentlemen I have ever listened to in a hearing, and who served as secretary to the Dingley Ways and Means Committee years ago, submitted this estimate. He does not think $4,000,000 is enough.

Mr. MADDEN. We had about 98,000 employees here due to the war; sixty thousand and odd employees more than we had during the time of peace. The understanding was that these additional people were going to be dismissed rather rapidly, but the last report I saw, two or three days ago, indicates that only 2,500 people have been dismissed so far; that is, the force has been reduced only 2,500. Now, does not the gentleman think that is rather slow?

Mr. BYRNS of Tennessee. I do not know. I admit very frankly it is not near so many as I had expected would have been released by this time. I had hoped they would make a greater reduction.

Mr. MADDEN. Well, I hope they will get into action and dispense with the unnecessary employees. I think it may be fairly said that you can go into any department of the Government at any hour of any day and can walk through from end to end and you will not find more than one person out of every hundred doing anything. And it seems to me that if there is no work for them to do they ought not to be kept on the pay roll. And I think notice should be served on the executive branches of the Government that we expect them to reduce the forces that were called here on account of the war, and that 2,500 dismissals or resignations since the signing of the armistice is not anything like the proportion of extra employees on the pay roll that ought to have been dispensed with.

Mr. HUMPHREYS. May I ask the gentleman a question about these extra employees?

Mr. BYRNS of Tennessee. Certainly.

Mr. HUMPHREYS. Are the young men who were at work in the departments here and when the war came on were given commissions as lieutenants and captains and what not, and continued in the departments, carried in this bill, or provision for them carried in this bill, or are they paid out of the military appropriation?

Mr. BYRNS of Tennessee. They are paid for out of the pay for the Army, carried in the military approprition bill.

Mr. HUMPHREYS. Then this $4,000,000 does not refer to them?

Mr. BYRNS of Tennessee. No. This applies to civilian employees.

The Clerk read as follows:

Office of Surgeon General: Chief clerk, $2,250; principal assistant librarian, $2,250; principal clerk, $2,000; chemist, $2,100; assistant chemist, $1,600; pathologist, $1,800; microscopist, $1,800; assistant librarian, $1,800; anatomist, $1,600; entomologist, $1,600; photographer, $1,500; 2 translators, at $1,800 each; clerks—14 of class 4, 13 of class 3, 26 of class 2, 36 of class 1, 13 at $1,000 each, 2 at $900 each; engineer, $1,400; skilled mechanic, $1,000; 2 messengers; 11 assistant messengers; 3 firemen; 3 watchmen; superintendent of building (Army Medical Museum and Library), $200; 6 laborers; 4 charwomen; in all, $185,740.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I was much surprised to receive a letter from the War Department that was not a form letter. I have a communication from the Surgeon General giving information to the House in reference to discharges from the Medical Corps that I would like to have read. It is a very courteous and informing letter.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

WAR DEPARTMENT,
OFFICE OF THE SURGEON GENERAL,
Washington, January 15, 1919.

Hon. JAMES R. MANN,
House of Representatives, Washington, D. C.

MY DEAR MR. MANN: I am very glad, through the opportunity given in your letter of January 11, to explain to you the difficulties the Medical Department is having in the demobilization of the Army on account of the very great number of requests for the release from service of personnel now attached to the department.

Just as soon as the armistice was signed the Medical Department laid out a plan of demobilization, which it has carried out in a perfectly consistent manner. The problems before the department are most difficult to handle and hard to explain to those not familiar with the facts.

While the troops in the United States are being demobilized as rapidly as possible, the sick are being returned from France in great numbers; 44,000 have been returned altogether and 33,000 of this number have been returned since the armistice was signed. Over 23,000 were returned in December, and we are informed that the December rate will be continued for at least the next three months. From that time on only sick and wounded will be returned incident to the command which may be held in France. To meet the obligations of the Medical Department to care for the sick it is absolutely necessary for us to keep in service a sufficient personnel to man our hospitals. It is also necessary for us to keep certain surplus officers for special service, for they will certainly be required before the sick and wounded are cared for, and if the necessary provision is not made in advance the department will surely be criticized for not giving the soldier the treatment to which he is entitled and which the people have a right to demand. Under the circumstances enumerated above it is perfectly possible for an officer to say that he is not busy at present and to believe his services can be dispensed with, but his retention in the service is for good and sufficient reasons, which I am sure you will approve.

I think you ought to know that since the armistice was signed the Medical Department has discharged and returned to civil life 9,336 officers. Of this number 7,350 were medical officers, 1,124 dental surgeons, 383 veterinary surgeons, and 477 Sanitary Corps officers; 2,500 members of the Army Nurse Corps have also been discharged and returned to their occupations in civil life.

With these statements, I sincerely trust the Medical Department will be held in your mind as having laid out a sane and sensible plan of demobilization.

I desire to assure you that letters such as you have written to the department will never be used to the injury of the officer involved.

With cordial regards,

Very sincerely, yours,

M. W. IRELAND,
Surgeon General United States Army.

The CHAIRMAN. Without objection, the Clerk will report the spelling of the word "Museum," page 71, line 12. In the bill as printed it is spelled "Musuem."

There was no objection.

Mr. GREEN of Iowa. Mr. Chairman, I wish to add just a word to what the gentleman from Illinois [Mr. MANN] has said with reference to the courtesy with which Members are treated by the Surgeon General and the personnel of his office. I think the universal testimony would be from the Members of the House that we have had no occasion to complain of any lack of courtesy there; and not only that, but the information which they have received was of the character which has just been described by the gentleman from Illinois [Mr. MANN], informing, instructive, and useful. That does not mean that Members always were able to obtain what they desired. On the contrary, they have often come away without obtaining it, but they have always been furnished with good reasons why the order could not be made. And this has extended, I think, clear down through the Surgeon General's Department, with some occasional lapses perhaps, owing to the fact that in so large an organization it would be impossible for perfect service to be rendered everywhere.

Mr. PLATT. If the gentleman will yield, I wish to say that the Surgeon General's office, in connection with the demobilization, made an order a while ago that men in the service over 50 years of age should be released. Apparently the theory on which that order was issued was that men over 50 would have more difficulty in reestablishing themselves in their practice at home than the younger men. Just exactly the opposite was true, I think. One or two cases came under my notice of men over 50 who wanted to stay in the service, but were not allowed to stay. They were rather enjoying the varied experience and new life they were leading in the service, and wanted to stay a while longer. But they were all let out. There, it seems to me, is one place where the Surgeon General's office rather overreached itself by acting on the wrong theory.

Mr. GREEN of Iowa. I will have to confess that when the Surgeon General's office made that order I thought it was an excellent one, founded on very substantial reasons. It may not have worked out perfectly in all cases. I think that is true with respect to most orders. Indeed, no order could be expected to work out perfectly in all cases.

Mr. PLATT. There may be cases where men over 50 did not want to stay, but if so, those were exceptional. I think they could reestablish themselves more easily in their home towns than could younger men, who had not got their practice so well together.

The CHAIRMAN. The pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

Public buildings and grounds.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Iowa moves to strike out the last word.

Mr. GREEN of Iowa. May I ask the chairman of the committee a question, in reference to the item of War Department expenses on page 72, that I overlooked? It is at the top of page 72, covering expenditures in the drafting department. It says that the amount shall not exceed $400,000. Can the gentleman tell us what the expenditures of this department were ordinarily in peace times, before the war? I was under the impression that it was not to exceed half of this, and I was in hope we would get somewhat nearer back to a peace basis with reference to such matters.

Mr. BYRNS of Tennessee. In 1917 the authorization was $140,000.

Mr. GREEN of Iowa. Of course, that was in war times.

Mr. BYRNS of Tennessee. That was the year beginning July 1, 1916, and extending up to July 1, 1917.

Mr. STAFFORD. We were not in the war in 1916.

Mr. BYRNS of Tennessee. One hundred and forty thousand dollars was the amount of the authorization.

Mr. GREEN of Iowa. The gentleman is right. That was an oversight of mine. This appropriation, of course, was made before the declaration of war, and was not made in view of the war. That escaped me for the moment.

Mr. TILSON. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Connecticut moves to strike out the last two words.

Mr. TILSON. I wish to ask a question of the chairman about the Militia Bureau. There seems to be the usual large appropriation for this bureau, which I had supposed to be now practically out of business. While the National Guard, formerly under the bureau, is all in the service and not under the bureau at all, what is the situation?

Mr. BYRNS of Tennessee. There have been a good many companies raised in the various States which have not participated in the war.

Mr. TILSON. There are only eight States in the Union that have any organizations of the National Guard left.

Mr. BYRNS of Tennessee. I think my State is one of them.

Mr. TILSON. Yes. The gentleman's State is one of them; but I repeat, that there are only eight States in the Union that have a remnant of the National Guard left.

Mr. BYRNS of Tennessee. It is expected by the Chief of Militia Affairs that there will be an increase in the National Guard in the various States.

Mr. TILSON. That is just the interesting point that I wished to bring out, the anticipations of the powers that be as to the activities that will take place under this bureau in the next fiscal year.

The CHAIRMAN. The pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

Navy Department Annex, near New York Avenue near Seventeenth Street NW.: Engineer, $1,200; 6 firemen; 5 elevator conductors, at $720 each; 7 watchmen; skilled laborer, $840; 7 laborers; attendant, $480; in all, $30,100.

Mr. BYRNS of Tennessee. Mr. Chairman, on page 76, line 15, after the word "annex," appears the word "near." That word has no business there, and I move that it be stricken from the bill.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BYRNS of Tennessee:

Page 76, line 15, after the word "annex," strike out the word "near."

The amendment was agreed to.

The Clerk read as follows:

Naval Observatory: Astronomer, $2,800; assistant astronomers—1 $2,400, 1 $2,000, 1 $1,800; assistant in department of nautical instruments, $1,600; clerks—1 of class 4, 1 of class 3, 2 of class 2, 2 of class 1; instrument maker, $1,500; electrician, $1,500; librarian, $1,800; assistants—3 at $1,600 each, 3 at $1,400 each, 2 at $1,200 each; stenographer and typewriter, $900; foreman and captain of the watch, $1,000; carpenter, $1,000; engineer, $1,200; 3 firemen; 6 watchmen; mechanic, $900; 9 laborers; in all, $52,820.

For miscellaneous computations, $5,000.

Mr. HUMPHREYS. Mr. Chairman, I move to strike out the last word, for the purpose of asking the chairman of the committee a question. I notice that about $100,000 is appropriated for the Naval Observatory, including the Nautical Almanac Office. Does the gentleman know what amount was appropriated last year?

Mr. BYRNS of Tennessee. I think it was about the same amount. I do not think there has been any increase. I will give the gentleman the exact figures.

Mr. HUMPHREYS. That is sufficient—about the same amount?

Mr. BYRNS of Tennessee. Yes.

Mr. HUMPHREYS. Several years ago there was a very interesting hearing before the gentleman's committee on the subject of the Naval Observatory. I think letters and statements were presented to the committee from the most noted astronomers throughout the country, as I recall, from all of the professors of astronomy in the various leading educational institutions in the country, all of them insisting that this bureau should be taken from under the Navy Department, and the fact was cited that more money is spent in maintaining this Naval Observatory than is expended on any other naval observatory in all the world, and that the observations of the astronomers, the scientific work of the astronomical observatory, aside from the mere timing, repairing, etc., of chronometers, had resulted in very little if any contribution to astronomical knowledge. A year ago I called attention to it again, and assuming that that would call the attention of the officials of the Naval Observatory to the fact, I read into the RECORD many of those same criticisms. After the first hearing no statement from the Naval Observatory or from the naval authorities was incorporated in the hearings to contradict or controvert either the statements or the positions taken by these scientific gentlemen. So far as I have been able to learn the Navy Department said nothing. I was wondering if this year the naval authorities undertook to give any justification or defense, or attempted to controvert the opinions that had been incorporated in the RECORD, from these scientific men throughout the country, all to the effect that this observatory ought to be taken out from under the Navy Department and placed under the Smithsonian Institution, in order that science might get the benefit of this very large expenditure of money.

Mr. BYRNS of Tennessee. I will say to the gentleman that the subject was not referred to in the hearings this year. I

Mr. TILSON. Well, a small number; it will be only a guess, but as there were about 1,800 shipped from this country, my guess would be that about one-third of them reached the war zone, and some of our boys went over the line in our own planes. [Applause.] These were bombing planes, and not pursuit planes or what the French call chasse planes. My opinion is that if there were any German planes brought down by an American-made plane it was because some American bombing plane happened to get above the German plane and dropped a bomb on it. We had no planes of American make there that were suitable or able to contest with the swift-flying planes of Germany. All the planes that our fliers used in bringing down German planes were European-made combat or pursuit planes. The planes of this kind used most by our fliers were the French S. P. A. D. and Nieuport. Possibly some of the British Bristols were used.

Mr. LONGWORTH. In other words, there was never an American ace in an American plane?

Mr. TILSON. Not in an American-made aeroplane. We bought those planes abroad and our men flew them. Our men fought, so far as they fought in the air, in the speedy planes bought from France and Great Britain. This is where the confusion arises. There were American-made planes, but there were no pursuit planes, those planes with which one flier would go after another and bring him down with machine-gun fire.

Mr. HEFLIN. Those planes were bought and paid for out of American money.

Mr. TILSON. Yes. Not out of the $640,000,000, necessarily. Most of that sum was spent in this country in the attempt to develop the Liberty engine and the planes made in this country. A large amount, something over a billion, all told, in addition to the original $640,000,000, was spent in this country and abroad in connection with airplanes. The $640,000,000 that we first appropriated was largely expended in this country in trying to find out what engine and planes to build. These are the facts, so far as they go, which I believe can not be successfully challenged.

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

Assistant General's Office: Chief clerk, $2,500; 10 chiefs of divisions, at $2,000 each; clerks—58 of class 4, 74 of class 3, 110 of class 2, 241 of class 1, 93 at $1,000 each; engineer, $1,400; assistant engineer, $900; 2 firemen; skilled mechanic, $1,000; 11 messengers; 61 assistant messengers; 4 watchmen; 21 laborers; in all, $852,540; all employees provided for by this paragraph for The Adjutant General's Office of the War Department shall be exclusively engaged on the work of this office for the fiscal year 1920.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee where he provides the sum for the temporary employees in the War Department located in Washington?

Mr. BYRNS of Tennessee. That is on page 68 of the bill.

Mr. MADDEN. Well, how much of this does it amount to?

Mr. BYRNS of Tennessee. Four million dollars.

Mr. MADDEN. That covers all employees?

Mr. BYRNS of Tennessee. That covers all the temporary employees.

Mr. MADDEN. That is what I want to know.

Mr. BYRNS of Tennessee. Of course the bill carries an appropriation for all the statutory, regular, permanent force.

Mr. MADDEN. I understand that. I was just wondering whether they were reducing the number of employees or not.

Mr. BYRNS of Tennessee. They are considerably reducing them. As explained before, they had a regular appropriation of $10,250,000, in round numbers. They are back now asking for a deficiency of something like $6,000,000, which, if allowed, would mean the expenditure of over $16,000,000 this fiscal year for these temporary employees. This recommendation is for only $4,000,000 during the next fiscal year. I will say to the gentleman I do not know whether it is going to be sufficient or not. Gen. Lord, who, by the way, is one of the most competent gentlemen I have ever listened to in a hearing, and who served as secretary to the Dingley Ways and Means Committee years ago, submitted this estimate. He does not think $4,000,000 is enough.

Mr. MADDEN. We had about 98,000 employees here due to the war; sixty thousand and odd employees more than we had during the time of peace. The understanding was that these additional people were going to be dismissed rather rapidly, but the last report I saw, two or three days ago, indicates that only 2,500 people have been dismissed so far; that is, the force has been reduced only 2,500. Now, does not the gentleman think that is rather slow?

Mr. BYRNS of Tennessee. I do not know. I admit very frankly it is not near so many as I had expected would have been released by this time. I had hoped they would make a greater reduction.

Mr. MADDEN. Well, I hope they will get into action and dispense with the unnecessary employees. I think it may be fairly said that you can go into any department of the Government at any hour of any day and can walk through from end to end and you will not find more than one person out of every hundred doing anything. And it seems to me that if there is no work for them to do they ought not to be kept on the pay roll. And I think notice should be served on the executive branches of the Government that we expect them to reduce the forces that were called here on account of the war, and that 2,500 dismissals or resignations since the signing of the armistice is not anything like the proportion of extra employees on the pay roll that ought to have been dispensed with.

Mr. HUMPHREYS. May I ask the gentleman a question about these extra employees?

Mr. BYRNS of Tennessee. Certainly.

Mr. HUMPHREYS. Are the young men who were at work in the departments here and when the war came on were given commissions as lieutenants and captains and what not, and continued in the departments, carried in this bill, or provision for them carried in this bill, or are they paid out of the military appropriation?

Mr. BYRNS of Tennessee. They are paid for out of the pay for the Army, carried in the military approprition bill.

Mr. HUMPHREYS. Then this $4,000,000 does not refer to them?

Mr. BYRNS of Tennessee. No. This applies to civilian employees.

The Clerk read as follows:

Office of Surgeon General: Chief clerk, $2,250; principal assistant librarian, $2,250; principal clerk, $2,000; chemist, $2,100; assistant chemist, $1,600; pathologist, $1,800; microscopist, $1,800; assistant librarian, $1,800; anatomist, $1,600; entomologist, $1,600; photographer, $1,500; 2 translators, at $1,800 each; clerks—14 of class 4, 13 of class 3, 26 of class 2, 30 of class 1, 13 at $1,000 each, 2 at $900 each; engineer, $1,400; skilled mechanic, $1,000; 2 messengers; 11 assistant messengers; 3 firemen; 3 watchmen; superintendent of building (Army Medical Museum and Library), $200; 6 laborers; 4 charwomen; in all, $185,740.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I was much surprised to receive a letter from the War Department that was not a form letter. I have a communication from the Surgeon General giving information to the House in reference to discharges from the Medical Corps that I would like to have read. It is a very courteous and informing letter.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

WAR DEPARTMENT,
OFFICE OF THE SURGEON GENERAL,
Washington, January 15, 1919.

Hon. JAMES R. MANN,
House of Representatives, Washington, D. C.

MY DEAR MR. MANN: I am very glad, through the opportunity given in your letter of January 11, to explain to you the difficulties the Medical Department is having in the demobilization of the Army on account of the very great number of requests for the release from service of personnel now attached to the department.

Just as soon as the armistice was signed the Medical Department laid out a plan of demobilization, which it has carried out in a perfectly consistent manner. The problems before the department are most difficult to handle and hard to explain to those not familiar with the facts.

While the troops in the United States are being demobilized as rapidly as possible, the sick are being returned from France in great numbers; 44,000 have been returned altogether and 33,000 of this number have been returned since the armistice was signed. Over 23,000 were returned in December, and we are informed that the December rate will be continued for at least the next three months. From that time on only sick and wounded will be returned incident to the command which may be held in France. To meet the obligations of the Medical Department to care for the sick it is absolutely necessary for us to keep in service a sufficient personnel to man our hospitals. It is also necessary for us to keep certain surplus officers for special service, for they will certainly be required before the sick and wounded are cared for, and if the necessary provision is not made in advance the department will surely be criticized for not giving the soldier the treatment to which he is entitled and which the people have a right to demand. Under the circumstances enumerated above it is perfectly possible for an officer to say that he is not busy at present and to believe his services can be dispensed with, but his retention in the service is for good and sufficient reasons, which I am sure you will approve.

I think you ought to know that since the armistice was signed the Medical Department has discharged and returned to civil life 9,336 officers. Of this number 7,350 were medical officers, 1,124 dental surgeons, 383 veterinary surgeons, and 477 Sanitary Corps officers; 2,500 members of the Army Nurse Corps have also been discharged and returned to their occupations in civil life.

With these statements, I sincerely trust the Medical Department will be held in your mind as having laid out a sane and sensible plan of demobilization.

I desire to assure you that letters such as you have written to the department will never be used to the injury of the officer involved.

With cordial regards,

Very sincerely, yours,

M. W. IRELAND,
Surgeon General United States Army.

The CHAIRMAN. Without objection, the Clerk will report the spelling of the word "Museum," page 71, line 12. In the bill as printed it is spelled "Musuem."

There was no objection.

Mr. GREEN of Iowa. Mr. Chairman, I wish to add just a word to what the gentleman from Illinois [Mr. MANN] has said with reference to the courtesy with which Members are treated by the Surgeon General and the personnel of his office. I think the universal testimony would be from the Members of the House that we have had no occasion to complain of any lack of courtesy there; and not only that, but the information which they have received was of the character which has just been described by the gentleman from Illinois [Mr. MANN], informing, instructive, and useful. That does not mean that Members always were able to obtain what they desired. On the contrary, they have often come away without obtaining it, but they have always been furnished with good reasons why the order could not be made. And this has extended, I think, clear down through the Surgeon General's Department, with some occasional lapses perhaps, owing to the fact that in so large an organization it would be impossible for perfect service to be rendered everywhere.

Mr. PLATT. If the gentleman will yield, I wish to say that the Surgeon General's office, in connection with the demobilization, made an order a while ago that men in the service over 50 years of age should be released. Apparently the theory on which that order was issued was that men over 50 would have more difficulty in reestablishing themselves in their practice at home than the younger men. Just exactly the opposite was true, I think. One or two cases came under my notice of men over 50 who wanted to stay in the service, but were not allowed to stay. They were rather enjoying the varied experience and new life they were leading in the service, and wanted to stay a while longer. But they were all let out. There, it seems to me, is one place where the Surgeon General's office rather overreached itself by acting on the wrong theory.

Mr. GREEN of Iowa. I will have to confess that when the Surgeon General's office made that order I thought it was an excellent one, founded on very substantial reasons. It may not have worked out perfectly in all cases. I think that is true with respect to most orders. Indeed, no order could be expected to work out perfectly in all cases.

Mr. PLATT. There may be cases where men over 50 did not want to stay, but if so, those were exceptional. I think they could reestablish themselves more easily in their home towns than could younger men, who had not got their practice so well together.

The CHAIRMAN. The pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

Public buildings and grounds.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Iowa moves to strike out the last word.

Mr. GREEN of Iowa. May I ask the chairman of the committee a question, in reference to the item of War Department expenses on page 72, that I overlooked? It is at the top of page 72, covering expenditures in the drafting department. It says that the amount shall not exceed $400,000. Can the gentleman tell us what the expenditures of this department were ordinarily in peace times, before the war? I was under the impression that it was not to exceed half of this, and I was in hope we would get somewhat nearer back to a peace basis with reference to such matters.

Mr. BYRNS of Tennessee. In 1917 the authorization was $140,000.

Mr. GREEN of Iowa. Of course, that was in war times.

Mr. BYRNS of Tennessee. That was the year beginning July 1, 1916, and extending up to July 1, 1917.

Mr. STAFFORD. We were not in the war in 1916.

Mr. BYRNS of Tennessee. One hundred and forty thousand dollars was the amount of the authorization.

Mr. GREEN of Iowa. The gentleman is right. That was an oversight of mine. This appropriation, of course, was made before the declaration of war, and was not made in view of the war. That escaped me for the moment.

Mr. TILSON. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Connecticut moves to strike out the last two words.

Mr. TILSON. I wish to ask a question of the chairman about the Militia Bureau. There seems to be the usual large appropriation for this bureau, which I had supposed to be now practically out of business. While the National Guard, formerly under the bureau, is all in the service and not under the bureau at all, what is the situation?

Mr. BYRNS of Tennessee. There have been a good many companies raised in the various States which have not participated in the war.

Mr. TILSON. There are only eight States in the Union that have any organizations of the National Guard left.

Mr. BYRNS of Tennessee. I think my State is one of them.

Mr. TILSON. Yes. The gentleman's State is one of them; but I repeat, that there are only eight States in the Union that have a remnant of the National Guard left.

Mr. BYRNS of Tennessee. It is expected by the Chief of Militia Affairs that there will be an increase in the National Guard in the various States.

Mr. TILSON. That is just the interesting point that I wished to bring out, the anticipations of the powers that be as to the activities that will take place under this bureau in the next fiscal year.

The CHAIRMAN. The pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

Navy Department Annex, near New York Avenue near Seventeenth Street NW.: Engineer, $1,200; 6 firemen; 5 elevator conductors, at $720 each; 7 watchmen; skilled laborer, $840; 7 laborers; attendant, $480; in all, $30,100.

Mr. BYRNS of Tennessee. Mr. Chairman, on page 76, line 15, after the word "annex," appears the word "near." That word has no business there, and I move that it be stricken from the bill.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BYRNS of Tennessee:

Page 76, line 15, after the word "annex," strike out the word "near."

The amendment was agreed to.

The Clerk read as follows:

Naval Observatory: Astronomer, $2,800; assistant astronomers—1 $2,400, 1 $2,000, 1 $1,800; assistant in department of nautical instruments, $1,600; clerks—1 of class 4, 1 of class 3, 2 of class 2, 2 of class 1; instrument maker, $1,500; electrician, $1,500; librarian, $1,800; assistants—3 at $1,600 each, 3 at $1,400 each, 2 at $1,200 each; stenographer and typewriter, $900; foreman and captain of the watch, $1,000; carpenter, $1,000; engineer, $1,200; 3 firemen; 6 watchmen; mechanic, $900; 9 laborers; in all, $52,820.

For miscellaneous computations, $5,000.

Mr. HUMPHREYS. Mr. Chairman, I move to strike out the last word, for the purpose of asking the chairman of the committee a question. I notice that about $100,000 is appropriated for the Naval Observatory, including the Nautical Almanac Office. Does the gentleman know what amount was appropriated last year?

Mr. BYRNS of Tennessee. I think it was about the same amount. I do not think there has been any increase. I will give the gentleman the exact figures.

Mr. HUMPHREYS. That is sufficient—about the same amount?

Mr. BYRNS of Tennessee. Yes.

Mr. HUMPHREYS. Several years ago there was a very interesting hearing before the gentleman's committee on the subject of the Naval Observatory. I think letters and statements were presented to the committee from the most noted astronomers throughout the country, as I recall, from all of the professors of astronomy in the various leading educational institutions in the country, all of them insisting that this bureau should be taken from under the Navy Department, and the fact was cited that more money is spent in maintaining this Naval Observatory than is expended on any other naval observatory in all the world, and that the observations of the astronomers, the scientific work of the astronomical observatory, aside from the mere timing, repairing, etc., of chronometers, had resulted in very little if any contribution to astronomical knowledge. A year ago I called attention to it again, and assuming that that would call the attention of the officials of the Naval Observatory to the fact, I read into the RECORD many of those same criticisms. After the first hearing no statement from the Naval Observatory or from the naval authorities was incorporated in the hearings to contradict or controvert either the statements or the positions taken by these scientific gentlemen. So far as I have been able to learn the Navy Department said nothing. I was wondering if this year the naval authorities undertook to give any justification or defense, or attempted to controvert the opinions that had been incorporated in the RECORD, from these scientific men throughout the country, all to the effect that this observatory ought to be taken out from under the Navy Department and placed under the Smithsonian Institution, in order that science might get the benefit of this very large expenditure of money.

Mr. BYRNS of Tennessee. I will say to the gentleman that the subject was not referred to in the hearings this year. I

recall the statement made by the gentleman a year ago when this bill was under consideration. The hearings to which the gentleman has referred were had some years ago, I think, and I am not familiar with them.

Mr. HUMPHREYS. They were held some years ago; and last year I again called the attention of the committee and of the Navy Department, and of such others as might chance to read the record, to the subject by reincorporating some of these statements, hoping that perhaps the Navy Department would give some reason why the observatory should be retained under that department.

Mr. GARNER. The way to attract their attention is to move to strike out the paragraph.

Mr. HUMPHREYS. I would not move to do that. I do not think it ought to be stricken out, though I did introduce a bill to have the observatory transferred to the Smithsonian Institution, where it belongs.

Mr. GARNER. I was not suggesting to the gentleman that he move to strike it out for any other purpose than to attract their attention. In that way I am sure he would attract the attention of those who are going to get the pay.

Mr. HUMPHREYS. I introduced a bill to have it transferred to the Smithsonian; but, of course, under the rules of the House that bill was referred to the Naval Affairs Committee; and thereby hangs a tale.

Mr. BYRNS of Tennessee. The gentleman understands that this Naval Observatory is engaged in timing, testing, and repairing chronometers?

Mr. HUMPHREYS. I understand that there are two small stations, one at Mare Island, Cal., and the other one in Washington. The one in Washington ought to be on the seacoast, because after they have adjusted these very delicate instruments they must be put on board a train and transported to a seaport in order to be placed on vessels. But that is a very small part of the expense of maintaining this observatory.

The CHAIRMAN. The time of the gentleman has expired. The Clerk will read.

The Clerk read as follows:

For investigation of rural education, industrial education, physical education, and school hygiene, including personal services in the District of Columbia and elsewhere, and no salary shall be paid hereunder in excess of $3,500 per annum, $50,000.

Mr. BYRNS of Tennessee. I think there is an amendment pending to this paragraph, offered by the gentleman from Florida [Mr. SEARS] earlier in the day.

The CHAIRMAN. The gentleman from Florida [Mr. SEARS] by unanimous consent offered the amendment, which was to be considered pending at this point. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. SEARS: Page 101, substitute for the paragraph, lines 1 to 5, inclusive, the following:

"For investigation and promotion of rural education, industrial education, physical education, and school hygiene, including personal services in the District of Columbia and elsewhere, $61,300: *Provided*, That the increase ($11,300) shall be expended for physical education and school hygiene over and above the amount of the current appropriation used for that purpose: *And provided further*, That not less than $6,000 of this additional appropriation shall be used for personal services and expenses outside of the District of Columbia, $61,300.

Mr. STAFFORD. Mr. Chairman, I make a point of order on the amendment, because it provides for activities not authorized by existing law.

For many years past the head of the Bureau of Education has been seeking to have the language changed so as to provide for the promotion of various activities. That would confer upon him official authority for work which he is not now authorized to perform.

I direct the attention of the Chairman to the fact that under existing law the phraseology is as carried in the bill, for investigation of rural education, industrial education, physical education. I have reserved the point of order on the paragraph as carried by the bill also, but there is no authorization whatsoever for promotion purposes. That is something outside of and distinct from any activity that the commissioner has heretofore performed.

The CHAIRMAN. The provision carried in the appropriation bill for the current fiscal year is for investigation of rural education, industrial education, school hygiene, including personal services in the District of Columbia and elsewhere. The Chair understands that the purposes for which the appropriation is carried in the appropriation for the current fiscal year are authoized by law.

Mr. STAFFORD. The item under consideration, if the Chair would permit, provides for investigational work, and it does not authorize promotional work. The chief of the bureau has been seeking for years to obtain authorization to provide for promotion, whereby he may be able to expend money in other lines than investigational work. The committee has not authorized that character of work, and the amendment now submitted carries that authorization. I make the point of order for that reason.

The CHAIRMAN. The point of order is sustained.

Mr. STAFFORD. I withdraw the reservation of the point of order on the paragraph in the bill.

The Clerk read as follows:

For investigation of kindergarten education, including personal services in the District of Columbia and elsewhere, $6,000: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $2,500 per annum.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. MOORE of Pennsylvania: Page 102, after line 13, insert the following new paragraph:

"For promoting the work of the home education division, $13,500."

Mr. STAFFORD. Mr. Chairman, on that I reserve the point of order.

Mr. MOORE of Pennsylvania. Mr. Chairman, I inquire of the gentleman from Tennessee [Mr. BYRNS] whether the Bureau of Education did not estimate for an appropriation for this purpose?

Mr. BYRNS of Tennessee. Yes; they submitted an estimate of $13,500.

Mr. MOORE of Pennsylvania. The estimate was submitted by the Commissioner of Education?

Mr. BYRNS of Tennessee. Yes.

Mr. MOORE of Pennsylvania. Mr. Chairman, there are a number of good women in this country who are interested in this work, and they have been cheerfully cooperating with the Commissioner of Education for a number of years, I think since 1913, in the distribution of helpful literature to mothers of the country, and particularly in the matter of home reorganization work. They have been laboring amongst the foreign born and with the less erudite of our American population, believing that it was necessary to aid the mothers of the land who may not otherwise be given that assistance in the care of children that would make for good citizenship. I have been impressed by the stories of the accomplishment of the Bureau of Education, cooperating with these volunteers. I think the work has been inspired very largely by what is known as the Mothers' Congress, an organization of women who meet annually and who have been dedicating their services to mothers through the instrumentality of the organization over which the Commissioner of Education presides. They have been distributing literature, especially with respect to child-welfare work and the care of babies. They have been doing what they could to place in the hands of mothers material for making the home better and for developing children.

They have issued pamphlets and delivered addresses in the matter of home study for boys and girls. They have done what they could to help bring children up right, and have given instruction in respect to the care of the homestead and matters particularly interesting to new settlers, who are at a loss for literature and information with regard to home economics. They have had home courses for the study of children, have distributed books suitable to children, and have aided them in their common-school courses.

My understanding was that the chairman of the subcommittee on appropriations was inclined to look with favor upon this proposition, more especially as these ladies during the first year of their activities, cooperating with the Commissioner of Education, were of direct aid to as many as 10,500 mothers in the United States who had children under 3 years of age, and many more each year since. In view of the voluntary services of these ladies, some of whom have been on the roll at a dollar a year to obtain a status to make their work more effective, I had hoped the point of order would not be pressed. The appropriation called for in the amendment is the amount recommended by the Commissioner of Education for this purpose.

The CHAIRMAN. Is it the gentleman's contention that this is authorized by law?

Mr. MOORE of Pennsylvania. No; it is new matter.

Mr. STAFFORD. Mr. Chairman, it was not my privilege to be present when the bill was marked up providing for the various appropriations for the Bureau of Education. Undoubtedly the Members who were then present had very good reason for not approving of the recommendation. Therefore I feel constrained to make the point of order, because it is a new activity.

The CHAIRMAN. The point of order is sustained.

Mr. MOORE of Pennsylvania. Mr. Chairman, by permission of the committee, I append herewith certain data with regard to this work:

ACTIVITIES AND ACCOMPLISHMENTS OF THE HOME EDUCATION DIVISION, SEPTEMBER 15, 1913–MAY 15, 1918.

ORGANIZATION.

During the 56 months of its existence there have been employed 1 secretary continuously at work, 6 stenographers at different periods, and 8 clerks temporarily, besides 2 volunteer workers.

The division has had 42 months of stenographic and 30 months of clerks' service. It was without stenographic service 10 months. The Bureau of Education furnished stenographic service 14 months.

During this period the stenographer was shared with the office of the National Congress of Mothers for 9 months, at which time 428 dictated letters were written for that office and some addressing of envelopes.

CORRESPONDENCE.

The following statement gives number of letters received and the number of dictated and form letters sent. A large number of book summaries are received daily, read, and acknowledged. Much correspondence is required in connection with these. This does not appear on this report. It requires most of the time of 1 clerk to read and send material requested daily.

Number of letters received—	
Sept. 15, 1913–July 1, 1914	3,366
July 1, 1914–July 1, 1915	14,280
July 1, 1915–July 1, 1916	13,743
July 1, 1916–July 1, 1917	22,238
July 1, 1917–May 1, 1918	6,909
Total letters received	50,536
Number of letters sent:	
Sept. 15, 1913–July 1, 1914	27,914
July 1, 1914–July 1, 1915—	
Typed	1,826
Form	41,000
July 1, 1915–July 1, 1916—	
Typed	3,902
Form	11,074
July 1, 1916–July 1, 1917—	
Typed	3,503
Form	66,075
July 1, 1917–May 1, 1918—	
Typed	4,357
Form	26,635
Total number of letters sent	186,286

CHILD-WELFARE WORK.

Of first importance is the effort to place in the hands of mothers material on the care and training of their children, especially the babies. The work began by securing names of cooperators from county superintendents. In 1913 there were sent in the names of 24,000 women; of these, 16,000, or 68 per cent of these women expressed themselves as willing to cooperate. Upon first request, 949 county superintendents responded with lists. At that time there were 2,700 county superintendents; 35 per cent answered. The second year 510 responded to a second request.

During the first year 10,500 mothers of children under 3 years of age received the bulletin on Care of the Baby.

During the first year the following requests were made:

Bulletins on home matters.

Literature for a population of Swedes, Cornish, German, Dutch, and Irish.

Material to better the home.

On home making and child nurture.

Home study for boys and girls.

Something to help them bring their children up right.

Literature on moral training.

Care of stock and homestead matters.

Care of silk.

Home courses of study for children.

Books suitable to children who have completed common-school course.

Literature on the beautifying of school inside and out.

Helps for bringing together the home and school.

Reading matter on plays and games.

Literature on care and training of children.

Outlines for programs of child study for child welfare.

Literature for formation of parent-teacher associations where there is no church, no society of any kind.

PUBLICATIONS SENT OUT FOR CHILD-WELFARE WORK.

Care of the Baby, Public Health Service.

Save the Babies, American Medical Association.

Care of the Baby, Normal and Industrial College, South Carolina.

Duty of Parents in Regard to Sex, National Congress of Mothers and Parent Teacher Associations.

Care of the Baby in Hot Weather, National Congress of Mothers and Parent Teacher Associations.

Reprint chapter on Home Education, commissioner's annual report, 1916.

Reading Course for Parents.

Circular letter No. 1, 1916, Problem of the Boy and Girl in the Home.

Circular letter No. 3, Problems of the Foreign Mother in the Home.

How to Select Food.

One Thousand Good Books for Children.

Statement of number of bulletins and publications sent.

Sept. 1, 1913–July 1, 1914 (Care of the Baby)	6,626
July 1, 1914–July 1, 1915	12,381
Reading courses	26,568
July 1, 1915–July, 1916	8,234
Reading courses	107,182
July 1, 1916–July 1, 1917	36,645
Reading courses	98,938
July 1, 1917–May 1, 1918	23,742
Reading courses	31,786
Total number of publications sent	352,102

HOME EDUCATION TOURS.

During the 1916 itinerary, three tours were made and meetings arranged by the division and three special collaborators visited one or more of the following cities: Leesburg, Fredericksburg, Danville, Bristol, and Abingdon, Va.; Asheville, Lincolnton, Wadesboro, and Greensboro, N. C.; Rock Hill, Florence, Columbia, Lancaster, and Charleston, S. C.; Augusta, Savannah, Atlanta, Macon, Milledgeville, Dallas, Marietta, and Fairy, Ga.; Tallahassee, Tampa, Miami, Eustis, Tavares, Avon Park, Clearwater, Clermont, St. Petersburg, Haines City, Montverde, Fort Pierce, and West Palm Beach, Fla.; Montgomery and Birmingham, Ala.; Columbus, Miss.; Chattanooga and Nashville, Tenn.

READING COURSES.

Ten reading courses have been issued. There is an enrollment of over 7,000 readers. One hundred and fifty-six have finished one or more courses and received the certificate. Several reprints of all the courses have been made. In the Cleveland High School 144 boys and girls have recently enrolled in the miscellaneous courses for boys and girls.

Reading circles have been formed and are alive, the most active of these is the Parents' Reading Circle, in Glendale, Cal.

Complete sets of reading courses have been sent to all libraries in the United States. Courses 1 and 2 were sent to all high schools.

In preparing these courses the following committees assisted: Courses 1, 2, 6, and 8, Prof. W. L. Phelps, Prof. C. Alphonso Smith, Prof. Charles E. Smith, and Prof. Richard Burton; course 10, Prof. W. H. Mace and Drs. Wilbur F. Gordy, Franklin L. Riley, and William Starr Myers; courses 7 and 9, Miss Mary R. Parkman.

Preparation of test questions has been by one or more of these assistants, with the addition of Miss Lucy Wheelock and Miss Mabel Thomas.

PROMOTION OF CLOSER COOPERATION OF HOME AND SCHOOL.

How to Organize Parent-Teacher Associations, sent to 2,703 school districts, National Congress of Mothers and Parent-Teacher Associations.

How the Parent-Teacher Associations Helps the Home, the School, and the Community, Mrs. Higgins, National Congress of Mothers and Parent Teacher Associations.

Suggestions for a program.

Circular letter No. 1, A Unique School Fair.

Keeping the Children in School.

Suggestions for War-time Activities of Parent-Teacher Associations.

Circular letter No. 1, 1918, Suggestions for Leisure Hours of Children.

Circular letter No. 3, 1918, the Des Moines Plan of Parent-Teacher Association.

Aims and Purposes of Education.

Study of Parent-Teacher Associations now being made.

QUESTIONNAIRES AND ADDRESSOGRAPH LIST OF PARENT-TEACHER ASSOCIATIONS.

Ten questionnaires have been sent out, largely in the effort to get lists of organizations. This has been difficult. An addressograph list of associations has been made, including about 4,000.

Through cooperation of National Council of Defense another effort is being made to get complete lists of organizations.

PUBLICITY GIVEN TO THE WORK AND READING COURSES.

Through the bureau's agency, through periodicals, newspapers, State and local librarians, high schools and teachers.

COOPERATION OF STATE AND LOCAL LIBRARIES.

All States having State or traveling libraries have cooperated to the fullest extent by arrangement with the division to furnish books to readers when necessary. Every library in the United States has received sets of all the reading courses.

ACTIVITIES OF DIVISION NOT ALREADY MENTIONED.

Preparation of charts for Pan-Pacific Exposition, monthly reports submitted to the commissioner and Mrs. Schoff, annual statements, home-education chapter in report of commissioner each year.

RECORD OF COOPERATION BY STATES.

There are 7,008 readers enrolled in the national reading circle, 2,120 counties cooperating, 77,185 cooperators' names sent by superintendents, 82,115 school districts reached through these women, 68,320 mothers of children under 3 years of age reached, 4,775 women willing to try to organize parent-teacher associations, 2,703 "How to organize" sent to cooperators, and 69,320 "Care of the baby" sent.

RECORD OF READERS IN THE NATIONAL READING CIRCLE.

Alabama, 67; Alaska, 2; Arizona, 37; Arkansas, 72; California, 477; Canada, 41; Colorado, 125; Canal Zone, 4; Connecticut, 114; China, 1; Delaware, 16; District of Columbia, 115; Florida, 57; France, 1; Georgia, 120; Hawaii, 7; Idaho, 49; Illinois, 205; Indiana, 144; Iowa, 244; Kansas, 176; Kentucky, 88; Louisiana, 91; Maine, 76; Maryland, 104; Massachusetts, 413; Michigan, 122; Minnesota, 169; Mississippi, 98; Missouri, 275; Montana, 81; Nebraska, 172; New Hampshire, 23; New Jersey, 346; New Mexico, 29; New York, 720; North Carolina, 72; North Dakota, 51; Ohio, 440; Oklahoma, 89; Oregon, 286; Pennsylvania, 522; Philippine Islands, 5; Rhode Island, 23; Porto Rico, 8; South Carolina, 35; South Dakota, 29; Tennessee, 69; Texas, 155; Utah, 29; Vermont, 19; Virginia, 125; Washington, 112; West Virginia, 67; Wisconsin, 93; Wyoming, 16; Nevada, 9.

The Clerk read as follows:

For judges of circuit courts, at $4,000 each, so much as may be necessary, for the fiscal year 1920.

Mr. TREADWAY. Mr. Chairman, I would like to inquire in reference to the judges of the circuit court of Hawaii why there is no number designated? It says, "at $4,000 each, so much as may be necessary for the fiscal year 1920." It seems to me to be a very indefinite item. I recall on visiting the islands some year and a half ago meeting a very large number of very agreeable gentlemen who were judges. I was wondering whether the number was unlimited who can be designated to serve in the Island of Hawaii.

Mr. BYRNS of Tennessee. They are limited in number by law, but there is no specific amount named here by way of appropriation. I understand that those judges where they are holding court away from their usual place of residence are entitled possibly to some per diem in lieu of subsistence and traveling expenses and that, of course, is an indefinite amount, depending upon the length of the term of the court, and so forth.

Mr. TREADWAY. I do not see if, as the gentleman says, the number is specified by law, why it would not be perfectly feasible to state in the item here what the appropriation is to be. This is a very indefinite item, and there is nothing similar to it in the bill, as far as I have seen.

Mr. BYRNS of Tennessee. I am frank to say to the gentleman that I can not tell him why the number has never been designated. All I can say is that they never have been named as to number in the appropriation bill.

Mr. STAFFORD. If the gentleman will permit, is not the explanation to be found in the fact that the Legislature of the Territory of Hawaii has authority to determine the number of these circuit judges, and if the legislature provides an additional number, of course that burden is thrown upon our Government and has to be paid?

Mr. TREADWAY. Let me ask the gentleman from Wisconsin whether or not these judges are not Federal judges and nominated and chosen from here? In other words, the item at the bottom of page 107 designates that there shall be a chief justice, two associate justices, in all, $28,000. That is a perfectly correct item. Then the next item reads:

For judges of circuit courts, at $4,000 each, so much as may be necessary, for the fiscal year 1920.

Now, is not there some provision of law under which the number of these circuit judges is specified? They are certainly appointed from this country, because I met gentlemen from various sections of this country there serving as judges—ex-Members of Congress and others.

Mr. STAFFORD. Did the gentleman mean those designated in the paragraph at the bottom of page 107—chief justice and two associate justices? Did he mean them?

Mr. TREADWAY. I think I did.

Mr. STAFFORD. I am not certain, but are they nominated by the President?

Mr. BYRNS of Tennessee. They are.

Mr. TREADWAY. I think it will be found they are nominated from this country and are residents of this country and sent to Hawaii to serve, and therefore it seems to me perfectly proper, if that statement is correct, that the number should be designated in the bill and the item carried as a specific amount.

Mr. BYRNS of Tennessee. They are named by the President and they are required to have had a certain amount of residence in Hawaii before they are eligible for appointment.

Mr. TREADWAY. I beg to differ with the gentleman on that score, because I was there and had the pleasure of meeting some of them who had recently come from the mainland.

Mr. LONGWORTH. Will the gentleman yield?

Mr. TREADWAY. I will.

Mr. LONGWORTH. I happen to know there was a gentleman there, a resident of Hawaii, who held one position——

Mr. TREADWAY. That is true; but others came from here.

Mr. BYRNS of Tennessee. I know an assistant district attorney was appointed from this country and sent from here, and subsequently there was a vacancy in the position of circuit judge, and he became an applicant, and the question arose as to whether or not he had been there a sufficient length of time, and whether he had really taken up his permanent residence there during the time he had served as assistant district attorney.

Mr. TREADWAY. Mr. Chairman, in view of the uncertainty, does not the chairman think it is proper to pass this item over and make further inquiry of the department to see whether or not a specific amount can not be carried in the bill?

Mr. BYRNS of Tennessee. I am perfectly willing to pass it over in order to get the facts.

Mr. TREADWAY. It seems to me we ought to have a little more information.

Mr. BYRNS of Tennessee. Perhaps the gentleman from Illinois could furnish light on the subject.

Mr. MANN. Mr. Chairman, I do not know the reason why the number should not be specified if anybody knows the number of the circuit judges. I think about the only place we carry the provision "so much as may be necessary," as the amount is entirely uncertain, is we make an appropriation for the retired Federal judges in that language, "so much as may be necessary." The law fixes the pay but does not fix the number, and, as they are rather elderly gentlemen to the young men of the House, and some of them pass away during the year, it has never been the custom to fix a specific amount of appropriation. How this came about originally, as to this particular item to which the gentleman from Massachusetts referred, I do not know, but I assume there was some question as to the number of judges who would be paid out there, and, as the law fixes the pay and, I think, now fixes the number of judges, it ought to be an easy matter to ascertain the amount, and, whichever way the appropriation is made, the amount that will be paid out will be the same.

Mr. TREADWAY. I think the suggestion of the chairman of the committee is advisable, that the matter be passed over for further information.

The CHAIRMAN. Without objection, it will be passed over without prejudice.

There was no objection.

The Clerk read as follows:

Office Postmaster General: Postmaster General, $12,000; chief clerk, including $500 as superintendent of buildings, $4,000; private secretary, $2,500; disbursing clerk, $2,250; appointment clerk, assistant to chief clerk, confidential clerk to Postmaster General, and chairman board of inspection, at $2,000 each; chief inspector, $4,000; chief clerk to chief inspector, $2,000; purchasing agent, $4,000; chief clerk to purchasing agent, $2,000; assistant attorneys—1 $2,750, 1 $2,500; 3 at $2,000 each; bond examiner, $2,500; law clerk, $1,800; clerks—110 of class 4, 166 of class 3, 259 of class 2, 297 of class 1, 138 at $1,000 each, 28 at $900 each; skilled draftsmen—1 $2,000, 3 at $1,800 each, 8 at $1,600 each, five at $1,400 each, 7 at $1,200 each; map mounter, $1,200; assistant map mounter, $1,000; blue printer, $900; assistant blue printer, $840; telegrapher, $1,400; typewriter repairer, $1,200; 3 telephone switchboard operators; 2 messengers in charge of mails, at $900 each; 29 messengers; 32 assistant messengers; captain of the watch, $1,200; additional to 3 watchmen acting as lieutenants of watchmen, at $120 each; 34 watchmen; 2 engineers, at $1,200 each; 9 assistant engineers, at $1,000 each; 2 blacksmiths or steam fitters, at $1,000 each; 3 oilers, at $840 each; 15 firemen; 29 elevator conductors, at $720 each; chief engineer, $1,600; assistant electricians—2 at $1,200 each, 3 at $1,000 each; 2 dynamo tenders, at $900 each; carpenters—1 $1,400, 3 at $1,000 each; awning maker, painter, and plumber, at $1,000 each; assistant plumber, $900; laborers—foreman $900, assistant foreman $840, 2 at $840 each, 76 at $720 each, 4 at $660 each; female laborers—1 $540, 3 at $500 each, 8 at $480 each; 38 charwomen; actual and necessary expenses of the purchasing agent while traveling on business of the department, $500; in all, $1,659,140.

Mr. WALSH. I would like to ask the chairman of the committee what is the need of the increase in the number of clerks here in the early part of this paragraph?

Mr. BYRNS of Tennessee. That represents an increase, I think, of about $30,000.

Mr. WALSH. It is quite an increase in the number of clerks, I take it, in one or two of the items.

Mr. BYRNS of Tennessee. Increased work has fallen on that department.

Mr. WALSH. Is that department here in Washington?

Mr. BYRNS of Tennessee. Yes.

Mr. WALSH. Is that due to taking over the cables or telegraphs?

Mr. BYRNS of Tennessee. It has no relation to the cables. But there has been a great increase in the work of the department here. As a matter of fact, there may be some question as to whether or not the department was really justified in having reduced the number of its employees so largely heretofore. But owing to the activities of the war and other reasons the work of the department has increased, in the Dead Letter Office, for one thing.

Mr. WALSH. That is on account of the return of letters from abroad?

Mr. BYRNS of Tennessee. And then in the work incident to thrift stamps and other activities.

Mr. WALSH. That is the reason for giving them extra clerks now——

Mr. BYRNS of Tennessee. Extra clerks.

Mr. WALSH (continuing). That possibly it was not good judgment to have dispensed with heretofore?

Mr. BYRNS of Tennessee. I think it is entirely possible that they were not altogether wise in reducing their clerical force to the extent it has been reduced. Of course, the gentleman will understand they have reduced the expenses of this department for clerical services something over $200,000, if my memory serves me correctly, and this only restores a small portion of the clerks that have been dropped heretofore.

Mr. WALSH. To the detriment of the service.

Mr. JUUL. Mr. Chairman, I desire to ask the chairman of the committee what is the duty of the captain of the watch, and lieutenants, and 34 watchmen? Where are they placed and what are they doing?

Mr. BYRNS of Tennessee. They are here in the Post Office Department Building, on Pennsylvania Avenue, and also in this general supply depot. I take it that some of them are located there, but largely they are in the main department building on Pennsylvania Avenue. They serve in three shifts.

Mr. JUUL. The gentleman thinks that 34 of them are not too many?

Mr. BYRNS of Tennessee. No; they are not. The gentleman will understand that these watchmen serve in three shifts, a watchman on duty all the time during the 24 hours, and it is necessary to maintain three shifts for that purpose.

Mr. JUUL. That is what I wanted to know.

The Clerk read as follows:

For publication of copies of the Official Postal Guide, $33,000; and the amounts received during the fiscal year 1920 from sales of the Official Postal Guide to the public may be used as a further appropriation for the publication of copies of such guide.

Mr. WALSH and Mr. STEENERSON rose.

Mr. STEENERSON. I was not going to inquire about that paragraph, but about the next one.

Mr. WALSH. I move to strike out the last word for the purpose of making an inquiry of the chairman of the committee as to why the Official Postal Guide is published in other than the Government Printing Office.

Mr. STAFFORD. Perhaps I might be able to give the gentleman the information by reason of my service on the Committee on the Post Office and Post Roads. For years the Official Postal Guide was printed under contract by a printer at Albany, N. Y.—Lyon by name, I believe. The Government had a very favorable contract with the printer, but the printer recouped himself for the very low price at which he furnished the guides for the use of the Government by the high price he charged the public. So the Postmaster General two or three years ago came before the Committee on the Post Office and Post Roads and asked that he be privileged to sell these guides to the public. As a result the public, instead of paying two or three dollars for the guides, are now receiving them for a much less amount—a little more than a dollar, I think. It is a relic of the old system of letting contracts for printing to outside agencies.

Mr. WALSH. Does the gentleman know whether or not the Government Printing Office is equipped to publish this guide?

Mr. STAFFORD. There is no question whatsoever that the Government Printing Office has the machinery to print it, but it is something more than that. The publisher, as I understand it, compiles the various data and also publishes throughout the year a monthly supplement, which at the end of the year is compiled into the next yearly Official Guide.

Mr. WALSH. I understood so. The inquiry I made was as to why it was published by an outside firm, a private establishment, instead of being published in the Government Printing Office.

Mr. STAFFORD. Just like the Gulf Stream. It got started that way and kept on going, and nothing has ever interfered to check the practice, so far as legislation is concerned.

Mr. WALSH. Does the gentleman know from his experience whether the Government is paying more than it would cost to publish this in the Government Printing Office?

Mr. STAFFORD. I would say the Government is paying much less, according to the testimony, as I recall it, of the Postmaster General before the Committee on the Post Office and Post Roads—much less.

Mr. WALSH. It is having published by outside publishers a public document which is costing the Government less than if it were printed in the Government Printing Office?

Mr. STAFFORD. That was the testimony before the Committee on the Post Office and Post Roads when this question was under consideration some years ago, when this new method of disposition to the public was decided upon.

Mr. WALSH. Does the gentleman know how many of these guides are available for free distribution under this arrangement?

Mr. STAFFORD. The Post Office Department receives so many copies, which are distributed one to every postmaster in the country, and also copies for distribution to the executive departments and their various agencies. But there are none, as I recall, for free distribution to the public. They are on sale to the public at the price of a little over a dollar.

Mr. WALSH. I want to thank the gentleman for the information.

The CHAIRMAN. The pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

For reimbursement of the Government Printing Office for the cost of furnishing steam for heating and electric current for lighting and power to the Post Office Department Building at Massachusetts Avenue and North Capitol Street, District of Columbia, $40,000, or so much thereof as may be necessary.

Mr. STEENERSON. Mr. Chairman, I reserve a point of order on that. I want to inquire of the gentleman in charge of the bill why that item is in this bill?

Mr. BYRNS of Tennessee. For this reason, I will say to the gentleman: The Government Printing Office has been furnishing the heat and light to the city post office up here near the Union Station, and no charge has been made on the Post Office Department for the expense so incurred. The Government Printing Office now insists that they ought to have some pay for this extra expense, and it is estimated to be about $40,000.

Mr. STEENERSON. But the post office of the city of Washington is a part of the Postal Service just as much as is the post office in Chicago, and the expense of lighting that post office is a part of the expense of the Postal Service generally. It is not a departmental expense. As I understand it, it is just as chargeable to the postal revenues as the expense of heating post offices in any other city, and therefore it ought to be appropriated for by the Committee on the Post Office and Post Roads.

Mr. STAFFORD. Does the gentleman maintain that the cost of maintenance, heating, and lighting of our Government buildings throughout the country is chargeable and paid out of the postal revenues of the Government?

Mr. STEENERSON. I believe it is as to most of them.

Mr. STAFFORD. Oh, no.

Mr. STEENERSON. We make an appropriation for the small offices, I know.

Mr. STAFFORD. We do not provide for the heating and lighting of any Government-owned building out of the postal revenues, but we do make an appropriation, such as I believe the gentleman from Minnesota refers to, for heating and lighting the smaller offices of the country, where they are in rented quarters.

Mr. STEENERSON. The gentleman is mistaken that they do not include some Government buildings, because that appropriation for rent and fuel and light is applicable to the second and third class post offices.

Mr. STAFFORD. Yes; where the offices are not in Government buildings, because, as the gentleman will find when he investigates, that item of appropriation is an allowance to the postmaster. It is not based at all on audited bills as to the amount of expenditures for light and heat. In fact, that appropriation, as the gentleman will recall, limits the amount that can be paid to any post office of the smaller class.

Now, the fact is, Mr. Chairman, the maintenance, heat, and light of all our Government-owned buildings is carried in the sundry civil appropriation bill. Here in the District of Columbia, where we had a joint post-office building and a department building, like the one that is down on Pennsylvania Avenue, the upkeep of that building is carried in this legislative appropriation bill, because it is a departmental building. So far as the new city post office is concerned, to which this item refers, it is not only a building for field purposes but also for departmental activities. It is a building used for combined field activity and departmental activity. But regardless of whether or not it is exclusively used for departmental purposes or for purposes of a field character, nevertheless the pay for the upkeep would have to come from the appropriations reported from the Committee on Appropriations. They are carried either in the sundry civil bill or in the legislative bill.

Mr. STEENERSON. The point I make is that it does not belong in this legislative bill.

Mr. STAFFORD. I am very glad to have the gentleman's later thought, but it does belong in this bill. It is rather late for the gentleman to make a point of order at this stage.

Mr. STEENERSON. I said I reserved a point of order.

Mr. STAFFORD. It is as pertinent to be carried in this bill as is the appropriation providing for the upkeep, maintenance, and heating and lighting of the Post Office Building on Pennsylvania Avenue, inasmuch as it is used for both postal and departmental purposes.

Mr. STEENERSON. I would say to the gentleman that it is my understanding that this is the city post office, and the department building is located down on Pennsylvania Avenue. I was unaware, until the gentleman from Wisconsin enlightened me, that this new building that was built for use as a city post office was used in any degree for departmental post-office purposes. I am surprised to hear that it is used in part for departmental purposes. I have not been down there for some time, and I did not know it.

Mr. STAFFORD. There are some divisions of the Railway Mail Service that are housed there which were formerly housed in the building on Pennsylvania Avenue.

Mr. STEENERSON. I formally stated I had reserved a point of order. Is that correct, Mr. Chairman?

The CHAIRMAN. The Chair did not understand that the gentleman reserved a point of order.

Mr. STEENERSON. Well, I simply wanted the information that the gentleman from Wisconsin has so generously contributed; and it seems to me, notwithstanding that information, the item ought not to be in this bill. We can not understand what the expense of keeping up our public buildings is when that expense is scattered in all these bills.

Mr. BYRNS of Tennessee. Suppose the gentleman is correct. I do not concede that for a moment. But suppose the gentleman is correct and we do not make this appropriation here and the Government Printing Office should stop furnishing heat and light to the city post-office building, what would happen?

Mr. STEENERSON. That would be a very cold and dark situation.

Mr. STAFFORD. We would have to use matches, as we did here the other night, and adjourn and stop business when the lights went out.

Mr. STEENERSON. I do not care anything about it, but I do not think it is properly in this bill. I do not think it ought to be here.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Office of the Secretary: Secretary of Commerce, $12,000; Assistant Secretary, $5,000; assistant to the Secretary, $2,750; private secretary to the Secretary, $2,500; confidential clerk to the Secretary, $1,800; private secretary to Assistant Secretary, $2,100; chief clerk and superintendent, $3,000; disbursing clerk, $3,000; chiefs of divisions—appointments $2,500, publications $2,500, supplies $2,100; assistant chief, division of publications, $2,000; clerks—10 of class 4, 9 of class 3, 13 of class 2, 20 of class 1, 14 at $1,000 each, 13 at $900 each; 2 telephone operators, at $720 each; messenger to the Secretary, $1,000; 5 messengers; 5 assistant messengers; 9 messenger boys, at $480 each; chief engineer and electrician, $1,400; assistant engineer, $1,000; skilled laborers—1, $1,000; 1 $900; 2 at $840 each; 5 at $720 each; 3 elevator conductors, at $720 each; 3 firemen; 16 laborers; cabinetmaker, $1,200; carpenter, $900; chief watchman, $900; 9 watchmen; 25 charwomen; in all, $196,050.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph. I notice that this provides for a Secretary, an Assistant Secretary, an assistant to the Secretary, a private secretary to the Secretary, a confidential clerk to the Secretary, a private secretary to the Assistant Secretary, and a messenger to the Secretary. This assistant to the Secretary seems to be a new position. What authority of law is there for that?

Mr. BYRNS of Tennessee. The gentleman knows that the Secretary of Commerce is a very busy man.

Mr. WALSH. If he is going to have many more assistants he will have to be a pretty busy man.

Mr. BYRNS of Tennessee. He submitted an estimate for an assistant at $3,500. The committee heard him very fully on the subject, and became convinced that he ought to have an assistant, and recommended an assistant's place at $2,750. This is to assist him in taking care of the work of the office and permitting him to give less attention to certain details that can be attended to by an assistant, so that he may give more of his attention to some of the larger matters which pertain to the office of the Secretary of Commerce.

Mr. WALSH. I know; but the Secretary of the Navy is a very busy man, and the Secretary of Agriculture is a very busy man.

Mr. BYRNS of Tennessee. The gentleman will find that he has quite a number of assistants, too.

Mr. WALSH. Who?

Mr. BYRNS of Tennessee. The Secretary of Agriculture.

Mr. WALSH. Yes; we provided for those by special legislation.

Mr. BYRNS of Tennessee. And the Secretary of the Navy has quite a number of assistants.

Mr. WALSH. Yes; he is given an Assistant Secretary and a private secretary, but apparently he has not a messenger. The Secretary of the Interior has an Assistant Secretary and a First Assistant Secretary. Now, the Secretary of Commerce is, as the gentleman says, a very busy man. He has many important bureaus under his jurisdiction; but in view of the sort of retrenchment that is pleasant to talk about sometimes, and to read about, it seems to me, unless there is some further reason than the gentleman has given for the necessity to create this position, that the Assistant Secretary, the private secretary to the Secretary, the confidential clerk to the Secretary, and the private secretary to the Assistant Secretary ought to be sufficient.

Mr. BYRNS of Tennessee. Let me read to the gentleman what the Secretary of Commerce had to say on this subject, because, of course, he can present his reasons much better than I can.

Mr. WALSH. I shall be glad to have the gentleman read it again. I have glanced over it.

Mr. BYRNS of Tennessee. Before I do that, the gentleman referred to the Secretary of the Interior. The Secretary of the Interior has a First Assistant and an Assistant Secretary.

Mr. WALSH. Yes.

Mr. BYRNS of Tennessee. There is only one Assistant Secretary in the Department of Commerce. Here is what the Secretary of Commerce had to say:

I think you must be aware, Mr. Chairman, that the pressure of work which has been on the War, Navy, and Treasury Departments is now falling on us. It is coming upon us so hard that I am obliged to keep four stenographers busy myself with my own personal mail. The assistant to the secretary, who is mentioned in the second line, is already at work, and has been at work for months. He was borrowed because we had no appropriation for him, and we were overwhelmed with work. We are pressed now beyond our power, and the work is getting greater all the time. With the aid of four or five assistants this morning I have had to still leave two-thirds of my mail untouched. I can only say that this assistant is to-day at work, borrowed from the Bureau of Foreign and Domestic Commerce, and he is most urgently required with the increasing and growing demand for his services. I do not know what I could do without him. In fact, I can not do the work without him at all. As to the clerical force, I may say that my force is working every night until 6 o'clock. I rarely leave my own office before that time, and I frequently have to carry my papers home with me in order to read them.

There are papers now on my desk at home that I have not been able to read at all. If I am called out of town I esteem it a blessing, since it affords me an opportunity to catch up with the reading of papers.

So I think, and the committee thought, that in view of the extra amount of work devolving upon the Secretary of Commerce, he ought to have an assistant to look after the details of his office and assist him with some of his correspondence.

Mr. WALSH. Still further reserving the point of order, did the committee make any inquiry as to the nature of this extra work that is piling in on the Department of Commerce at this particular time?

Mr. BYRNS of Tennessee. It is work that comes through the Bureau of Standards and work that comes through the Bureau of Foreign and Domestic Commerce. Then, again, during the next two or three years we are going to be taking the census.

Mr. WALSH. And we are going to make an appropriation for that, are we not?

Mr. BYRNS of Tennessee. Yes; but that will require a good deal of the time and attention of the Secretary of Commerce, because he is at the head of that department, and in the end is responsible for the taking of the census, although, of course, the work will be done by the Director of the Census. So that will increase his work necessarily to some extent. Then, of course, the gentleman knows that the Bureau of Foreign and Domestic Commerce is spreading out, and there is quite an increased appropriation carried in this bill for that bureau. Then the Bureau of Standards has increased wonderfully in the last few years.

Mr. WALSH. That increase of late years has been due very much to war activities.

Mr. BYRNS of Tennessee. A great deal of this activity has been in connection with the War and Navy Departments, but not altogether confined to that. I will say to the gentleman.

Mr. WALSH. I know the present Secretary of Commerce is a very competent, efficient, and hard-working official, and that he probably would not make this recommendation unless he felt that the efficiency of his department would be affected by the absence of an extra assistant. Having that knowledge, and being persuaded by the convincing statement of the gentleman from Tennessee, I will withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn, and the Clerk will read.

The Clerk read as follows:

Bureau of Census: For salaries and necessary expenses for preparing for, taking, compiling, and publishing the Fourteenth Census of the United States; for rent of office quarters outside the District of Columbia, alterations and repairs to buildings, construction of fireproof vaults, and for carrying on during the decennial census period all other work authorized and directed by law, including purchase, construction, and repair of card-punching, card-sorting, and card-tabulating machinery; experimental work in developing, improving, and constructing an integrating counter for use in statistical work; repairs to such machinery and other mechanical appliances; technical and mechanical services in connection therewith, and purchase, rental, construction, repair, and exchange of equipment and mechanical appliances; and including personal services in the District of Columbia and in the field, $15,000,000, to continue available until June 30, 1922: *Provided*, That the Secretary of Commerce is authorized, in his discretion, to suspend during the decennial census period such work of the Census Office, other than the Fourteenth Census, as he may deem advisable.

Mr. WALSH. Mr. Chairman, I reserve the point of order on the paragraph, and I think I shall make it. I do not quite understand why this provision should have been incorporated in this bill, striking out the personnel that has been heretofore carried in the legislative bill, and appropriating a lump sum, particularly when the legislation for the Fourteenth Census has just been sent to conference by the other branch of the Congress to-day.

Mr. BYRNS of Tennessee. Mr. Chairman, I do not think the point of order is well taken, because there is a law now on the statute books authorizing the taking of the census. The law passed 10 years ago provided for the taking of that census and of subsequent censuses.

Mr. WALSH. That is true; but there is no law on the statute books authorizing the wiping out of this personnel that

has been fixed by law and has been heretofore carried in the legislative bill, and appropriating a lump sum in this language, permitting the expenditure in this manner.

Mr. BYRNS of Tennessee. This does not undertake to eliminate the permanent force of the Census Bureau. I will say to the gentleman that in making this recommendation the committee has followed the course pursued 10 years ago, when $10,000,000 was appropriated in a lump sum, out of which the permanent employees were to be paid and also the temporary employees.

Mr. WALSH. I think the gentleman will find that 10 years ago the legislation was carried in the bill after the census bill proper had been enacted.

Mr. BYRNS of Tennessee. I am not so certain about that; but if that be true, it was probably due to the fact that perhaps there was no law at that time authorizing it. As I said to the gentleman, there is a law now on the statute books which not only authorizes the taking of the census but absolutely requires it.

Mr. WALSH. If that is so, what is the need of passing this Fourteenth Decennial Census bill that we spent days on and which has just passed the other body and has been by it sent to conference? If there is a law, what was the necessity of our passing another law?

Mr. BYRNS of Tennessee. I am not able to advise the gentleman, particularly as I am not on the Census Committee, but I take it that it was for the purpose of adding other activities.

Mr. WALSH. That could be done by amending the other law instead of passing a new census law in toto. If this paragraph is enacted and substituted in the legislative bill for the language carried last year, will the gentleman state what will become of the Director of the Census at $6,000 a year, 5 chief statisticians, and 20 clerks of class 4, and so forth.

Mr. BYRNS of Tennessee. If the bill now pending in conference——

Mr. FOSTER. It has not been sent to conference.

Mr. WALSH. The Senate has asked for a conference.

Mr. BYRNS of Tennessee. If that bill does not pass, then the Director of the Census would get $7,000 instead of $6,000 under the law that is now on the statute books, which provides that the Director of the Census shall receive $7,000, the private secretary to the director, $2,250, the assistant director, $5,000, the chief statisticians $3,000 each, the chief clerk $2,500, and so on. Of course when the bill that recently passed the Senate becomes a law it will supersede this, and I do not recall just what the salaries fixed in that are. I think the House fixed the same salary for the Director of the Census in that bill.

Mr. WALSH. Yes; we increased his salary.

Mr. BYRNS of Tennessee. No; we did not increase it; we left it at just what it was 10 years ago.

Mr. WALSH. But the gentleman will remember that the bill which has recently been passed by the other branch and on which they have asked for a conference was a bill providing for the Fourteenth Decennial Census, outlining the topics which should be included in that census. This is the permanent establishment that the legislative bill provides for—for the work of the bureau—when they are not engaged in the decennial census, and you are substituting a lump sum of $15,000,000 in the legislative bill for the personnel of a bureau which is now included in another bill, providing for the Fourteenth Decennial Census, which is not yet a law, and you are leaving the personnel, provided for in the last year's legislative bill, out of the question entirely, the number of clerks, and so forth, substituting something that is not authorized by law, because we have not yet passed the bill.

Mr. BYRNS of Tennessee. I beg the gentleman's pardon, it is authorized by law.

Mr. WALSH. I can not agree with the gentleman. There is no legislation authorizing the taking of the Fourteenth Decennial Census and authorizing the technical and mechanical services in connection therewith, the exchange of equipment, the construction of fireproof vaults, and for the repair of card-punching, card-sorting, card-tabulating machinery, experimental work, repairs to such machinery, and personal services in the District of Columbia and in the field. The law for the Thirteenth Census simply required that at the end of 10 years another census should be taken, but it did not restrict that department to the method or to the personnel used 10 years ago. We have provided for that in the bill which passed here weeks ago.

Mr. ASWELL. The Constitution requires it.

Mr. WALSH. The gentleman suggests that the Constitution requires it. Of course the Constitution requires it, but the Constitution does not provide for a director at $7,000 a year. The Constitution merely requires that the Congress shall enact legislation under which a census can be taken, and we are engaged upon that now, and yet when that legislation has not been enacted you wipe out the personnel of this office that has been carried in the legislative bill for years and substitute for that a lump-sum appropriation of $15,000,000, carrying various other authorizations.

Mr. BYRNS of Tennessee. The act of July 2, 1909, which I hold in my hand, provides that a census of the population, agriculture, manufacture, mines, and quarries of the United States shall be taken by the Director of the Census in the year 1910 and every 10 years thereafter. That is clearly authority for making the appropriation.

Mr. WALSH. It is not authority for building fireproof vaults and the other things contained in this paragraph.

Mr. STAFFORD. The gentleman will recall that in the committee I had difficulty in understanding the position taken by the chairman that if we voted this lump-sum appropriation that would not supersede the statutory roll that is provided under existing law. I have not been able to become convinced that if we appropriate a fund of $15,000,000 for taking the decennial census the statutory roll will not virtually be obliterated and that the Director of the Census will not have the privilege of placing in the various classes of clerks all whom he may see fit to appoint.

Mr. WALSH. At any salary.

Mr. STAFFORD. And at any salary. I really think if this provision is going to be retained we should provide the statutory roll as it exists in the present law and then provide the additional amount for the Fourteenth Decennial Census, otherwise there will be no statutory roll at the conclusion of the decennial period. I know that it is the purpose of the chairman to retain the present statutory roll, and if we wipe it out in this bill, as we do by making this lump-sum appropriation, there will be no statutory roll at the end of the present fiscal year.

Mr. BYRNS of Tennessee. Why, the gentleman knows that exactly this form of appropriation was made 10 years ago.

Mr. STAFFORD. By a separate act independent of the legislative, executive, and judicial appropriation bill.

Mr. BYRNS of Tennessee. The same act I hold in my hand, the same act obtains in reference to this census as the other.

Mr. STAFFORD. If the gentleman will permit, the legislative, executive, and judicial appropriation bill carried a statutory roll then. That act was supplemental to it and had to be taken in conjunction with it. That was a special act passed June 29, 1909, which provided for an appropriation of $10,000,000. I am in sympathy with the idea of appropriating a lump sum at the present time, but I do not think it is necessary, if we are going to retain the present statutory roll, to provide it in this bill, otherwise it is wiped out.

Mr. BYRNS of Tennessee. I differ with the gentleman in that respect. As a matter of fact I think that it was the desire of the committee that this special work that is being done by the census should be eliminated as far as possible during the decennial period and that those on the permanent roll should be employed in the conduct of the census.

Mr. STAFFORD. That was the idea; I was strongly in favor of that position.

Mr. BYRNS of Tennessee. And it seems now——

Mr. STAFFORD. But I do not believe that provision for these clerks should be abolished, and we are abolishing them now if we appropriate the lump sum for that purpose.

Mr. BYRNS of Tennessee. I submit to the gentleman they are not abolished by any means.

Mr. WALSH. Where is there any law continuing—where will there be any law continuing—these?

Mr. BYRNS of Tennessee. The law to which I have just referred.

Mr. WALSH. That does not set out any roll.

Mr. BYRNS of Tennessee. It says in addition to the force employed in the Census Office there shall be certain positions and then sets out those positions. Now, that is the law that is now on the statute books, and it will be the law until it is superseded or repealed by some other law. That law says that in addition to the force now employed in the Census Office there shall be the following additional positions.

Mr. WALSH. Yes; but if the gentleman will make inquiry will not he find that the——

Mr. ASWELL. Will the gentleman yield——

Mr. WALSH. Will the gentleman permit me to finish this question—that law of 10 years ago was passed before the act requiring these additional employees was passed.

Mr. BYRNS of Tennessee. I beg the gentleman's pardon.

Mr. WALSH. Was not the legislative, executive, and judicial bill of 10 years ago passed before the census bill was passed,

and did not the legislative bill of 10 years ago carry substantially this very paragraph which was in the legislative bill of last year but which is eliminated this year? It carried the statutory roll, but we passed the census bill and said in addition to the employees on the statutory roll contained in the legislative bill which was passed they should have these other employees and we appropriated $10,000,000 in a lump sum. Now, you are trying to pass the legislative bill first, as I think it ought to be, and I submit that we ought to carry the statutory roll, and then in passing the census bill it will say in addition to those carried in the legislative, executive, and judicial bill these other employees shall be——

Mr. BYRNS of Tennessee. Here is the effect of the gentleman's contention. If we were to do that——

Mr. WALSH. That is what we did 10 years ago.

Mr. BYRNS of Tennessee. What we are trying to do here by making this lump-sum appropriation is to get a force for the Director of the Census which will be mobile or elastic.

Mr. WALSH. That should be done in the census bill.

Mr. BYRNS of Tennessee. So that he can devote the services of those employed thereunder to the activities that he thinks most important. Now, if we undertake here to carry a force on our permanent roll and then to make a lump-sum appropriation, gentlemen will find that a great deal of work will be done in the Census Bureau in the next few years that might be eliminated while we are taking this census——

Mr. WALSH. No; that is the very thing——

Mr. ASWELL. Will the gentleman yield?

Mr. WALSH. I will.

Mr. ASWELL. Does the gentleman believe that it is clear that this bill provides for the decennial period only, and when that period expires the permanent law takes up the permanent roll again?

Mr. WALSH. The decennial period never expires. They will be working on the Fourteenth Census 15 years after we take it.

Mr. ASWELL. I call attention to this suggestion, too: If you include the roll as it has passed this House and the other branch already you would have to increase the appropriation $20,500,000 instead of $15,000,000.

Mr. WALSH. I appreciate the point the gentleman from Louisiana [Mr. ASWELL] makes, and I know he has given a great deal of thought to this matter, because the census bill came out of his committee and he had charge of it when it was under consideration here a month ago. But I would like to ask the gentleman from Tennessee [Mr. BYRNS] how matters would be complicated, and if they would not be in a way safeguarded if we inserted the paragraph in the legislative bill of last year in here under the Bureau of the Census and then followed it up by this language to which I am reserving the point of order?

Mr. BYRNS of Tennessee. I will say to the gentleman that I can not see the necessity of appropriating for the permanent roll specifically, and I am fearful if that was done there might be work that would be done in the Census Bureau during the next fiscal year that could very properly be eliminated and the entire force put upon this census work, so as to get results as quickly as possible. And certainly, in view of the act I have referred to and the additional act of March 6, 1902, which I hold in my hand, there can be no necessity for it.

Mr. WALSH. But if the gentleman will look at the legislative, executive, and judicial appropriation bill for 1909, the year the last census bill was passed, he will find, I think, that it carried the statutory roll.

Mr. STAFFORD. Will the gentleman yield?

Mr. BYRNS of Tennessee. But I want to direct the gentleman's attention to the fact that the language of the provision carrying the lump-sum appropriation of $15,000,000 carries a proviso that they shall not do any other work except as connected with the Fourteenth Decennial Census. So, if you incorporate the statutory roll there and then follow it up by this language you will see that they could not do extraneous work.

Mr. STAFFORD. Will the gentleman permit me, so that I may correct an error?

Mr. BYRNS of Tennessee. Yes.

Mr. STAFFORD. I think the chairman of the committee is correct in the position he took in the subcommittee that the statutory roll would remain intact at the end of the decennial period as it exists in the present legislative bill. Since I first took the floor I have sent for a copy of the bill as it passed the House. I wish to direct the attention of the committee to the following language, which rather corroborates that position.

Mr. WALSH. Before the gentleman proceeds, what would happen if we passed this and the bill the gentleman has in his hands fails and does not get out of conference? Where would you be then?

Mr. STAFFORD. Then the census would be taken under the act of 1909, providing for the last decennial census.

Mr. WALSH. Where would the statutory roll be?

Mr. STAFFORD. The statutory roll would be in the same position at the end of the decennial period as far as the bill is concerned that is pending at present in the two Houses, there is no question. May I read it?

SEC. 3. That during the decennial census period, and no longer, there may be employed in the Census Office, in addition to the force provided for by the legislative, executive, and judicial appropriation act for the fiscal year immediately preceding the decennial census, an assistant director.

It enumerates certain employees. Section 6 has this language:

That in addition to the force hereinbefore provided for and to that authorized by the legislative, executive, and judicial appropriation act for the fiscal year immediately preceding the decennial census period, there may be employed in the Census Office during the decennial census period, and no longer, as many clerks with salaries at the rates of $1,800—

And so forth.

Mr. WALSH. Does the gentleman know if that is in the bill the conference on which has been asked for?

Mr. STAFFORD. I have only a copy of the bill as it was reported to the Senate.

Mr. BYRNS of Tennessee. That provision will not be in conference, because there was no change made in that by the Senate.

The CHAIRMAN. The Chair sends to the gentleman a copy of the act under which the last census was taken. It might clear this matter up.

Mr. BYRNS of Tennessee. I will say to the gentleman that we are following exactly the practice that was followed 10 years ago. There is absolutely no difference in what this bill proposes to do and what was done 10 years ago.

Mr. WALSH. Ten years ago it was not carried in the legislative, executive, and judicial bill.

Mr. BYRNS of Tennessee. It was in a bill presented by the Appropriations Committee in a special act, dated June 29, after the legislative bill had probably been prepared. It was carried the next year, and the next year, in the legislative bill. The first act was passed in the Sixty-first Congress and was approved June 20, 1909, and it was a separate act, and was not a substitute for the statutory roll. The legislative, executive, and judicial appropriation bill for that year carried the employees, specifying the salaries and number of clerks, and so forth.

Mr. WALSH. Has the gentleman any objection to passing this paragraph over temporarily?

Mr. BYRNS of Tennessee. There was nothing in the legislative bill providing for the permanent roll for 1910.

Mr. WALSH. No; but it carried the usual number of employees specified, as it had for several years previous. Will the gentleman have any objection to passing this paragraph temporarily?

Mr. BYRNS of Tennessee. Well, I am willing to let it go if we can read the bill and get along some.

The CHAIRMAN. Without objection, this paragraph will be passed over temporarily. The Clerk will read.

The Clerk read as follows:

For all necessary expenses, including field investigations in the United States and abroad, purchase of documents, plans, specifications, manuscripts, and all other publications for the promotion of the commercial interests of the United States, exchange on official checks, and rent outside the District of Columbia, to further promote and develop the foreign and domestic commerce of the United States, $325,000, to be expended under the direction of the Secretary of Commerce: *Provided*, That not more than $50,000 of the foregoing sum shall be used for the expenses of branch offices: *Provided further*, That all moneys hereafter received by the Bureau of Foreign and Domestic Commerce in payment of photographic and other mechanical reproduction of special statistical compilations from its records shall be covered into the Treasury as a miscellaneous receipt.

Mr. WALSH. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee why this large increase in this item? It is $150,000 or $200,000.

Mr. BYRNS of Tennessee. That increase was recommended by the committee because the committee feels that there is absolutely nothing more important confronting the United States at this time than the extension of its foreign and domestic commerce. We felt that that was really a very slight increase when you take into consideration just what the conditions are at the present time and the necessity and importance of this Government doing just what other countries are doing.

Mr. WALSH. I agree thoroughly with the gentleman; and if that is the purpose of it I submit that it is not a sufficiently large increase. I am going to withdraw my pro forma amendment and move to strike out "$325,000" and insert "$500,000."

Mr. BYRNS of Tennessee. That is more than the Secretary of Commerce asked for.

Mr. WALSH. Then I will make it $400,000.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 119, line 4, strike out "$325,000" and insert "$400,000."

Mr. WALSH. Mr. Chairman, as the gentleman from Tennessee has indicated, the purpose of this appropriation is to seek to increase our foreign trade and to develop new markets, something which every one of the belligerent nations, I think, without exception, has already undertaken, and vast strides are being made on the part of France and Great Britain especially to develop markets in parts of the world where heretofore they have not had a very large commerce, although there are very few places where one of those nations has not heretofore had its agents.

Now, I submit that to increase this amount to half a million dollars, or to $400,000, the director having asked for $435,000, would not be money ill spent, and in the face of the cry for retrenchment it would be a wise thing to increase that appropriation, and to that extent hold out some encouragement to the business interests of the country that when peace comes we shall have made investigations and studies and surveys of the situations abroad whereby our industries and these men who are coming back to take part in the work of production may find markets for their goods and products. I trust you gentlemen will accept this slight increase of $75,000 which I offered as an amendment.

Mr. BYRNS of Tennessee. Mr. Chairman, I certainly concur with the gentleman as to the very great importance of this work, but I want to call the attention of the gentleman and also of the committee to the fact that we have increased the appropriation for this bureau possibly more by way of comparison than any other bureau in the Government. In other words, for the current year this bureau has had an appropriation of $554,120. We have recommended in this bill $910,510, or an increase of more than $376,000.

That is a very substantial increase, and I think it evidences the interest of the committee and of the House and their desire to see everything done that is possible to promote and develop our foreign commerce. This in itself is an increase from $125,000 to $325,000, or an increase of $200,000, a great deal more than double what this particular appropriation has been during the past. And the gentleman will observe that there are other appropriations in the bill for use by this Bureau of Foreign and Domestic Commerce. They have money for the Orient; they have money for South and Central America, and then they have commercial attachés.

Mr. WALSH. Yes. Will the gentleman yield?

Mr. BYRNS of Tennessee. I yield.

Mr. WALSH. Of course, the gentleman will admit that we could do more work and derive more benefit from the expenditure of $400,000 than we could from the expenditure of $125,000. This is not confined to the Orient or to South America, evidently, because those two places are mentioned in other paragraphs of the bill. This fund would be used in seeking information in other sections of the globe.

Now, it would seem to me, in view of conditions as we hope they may be after peace shall have come, that Congress ought at this time to say to the Nation: "We want to give you all the information we can get within reasonable bounds, and we are willing to appropriate generously for procuring information whereby we can provide means of stimulating our business and commercial activities and whereby we can furnish to the people who are producing things and who are going to make use of this vast merchant marine which we hope to have information as to what ports that merchant marine shall go to and carry the goods and engage in the commerce with parts of the world in which now the commercial interests of the United States are strangers." I trust the gentleman will see that $75,000 is not an extravagant increase in the appropriation.

Mr. STAFFORD. Mr. Chairman, will the gentleman permit an interruption?

Mr. WALSH. I yield to the gentleman.

Mr. STAFFORD. The estimate for this item is $435,000. Out of this item are paid eight district offices in this country which disseminate the information to be collected from the commercial agents who are traveling in foreign countries and from the commercial attachés. It was the intention and purpose of the Secretary of Commerce to establish 15 additional local offices in this country. We thought that there was no pressing need for the establishment of merely paid agencies in 15 cities additional to those already established at the principal commercial centers, and accordingly we placed a limitation on the expenditure of $50,000 that could be used in this country for the existing agencies. If we had provided for the establishment of these 15 agencies it would have required, perhaps, an appropriation of maybe $100,000 additional; but we have granted virtually the estimate of the Secretary of Commerce, as far as activities in foreign countries are concerned, by granting this appropriation of $325,000, when we placed that limitation of $50,000 that could be expended in this country for the maintenance of branch agencies. We have granted the department virtually every cent it asked for its activities in foreign fields. We did not grant the estimate for the establishment of 15 branch offices to be located throughout the country.

Mr. WALSH. Mr. Chairman, will the gentleman permit an interruption?

Mr. STAFFORD. Yes.

Mr. WALSH. Does the gentleman think that it would be a national calamity if in this one important respect you gave the department a little more than it asked for, as an indication of our interest and our generosity toward the commerce of this country in the event that peace shall have returned?

Mr. STAFFORD. Well, Mr. Chairman, after the gentleman has served on an appropriations committee he may realize that the department usually estimates for the full amount that it can possibly expend, and in this particular instance we have virtually granted their estimate for their activities outside of this country.

Mr. WALSH. I can not agree with that statement. They asked for $435,000, and you have given them $325,000, and you have said that only $50,000 of that can be expended for branch offices.

Mr. STAFFORD. At present there are eight branch offices located in this country.

Mr. WALSH. How about branch offices abroad?

Mr. STAFFORD. There is no limit on them.

Mr. WALSH. Not more than $50,000 shall be used for the expenses of branch offices. It does not say in this country. It says for branch offices. It might include branch offices abroad, and limit the expenditure for that. We ought to have 200 branch offices abroad, and we ought to have them established by this time.

Mr. STAFFORD. I think that was an oversight on the part of the committee. It was intended that that proviso should limit the expenditure for branch offices in the United States.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. WALSH].

The question being taken; on a division (demanded by Mr. WALSH) there were—ayes 2, noes 8.

Accordingly the amendment was rejected.

The clerk read as follows:

For technical investigations in cooperation with the industries upon fundamental problems involved in industrial development following the war, with a view to assisting in the permanent establishment of the new American industries developed during the war, including personal services in the District of Columbia and elsewhere, $50,000, to be available immediately.

Mr. BYRNS of Tennessee. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. ALEXANDER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the legislative, executive, and judicial appropriation bill, H. R. 14078, had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted—

To Mr. SEARS, indefinitely, on account of illness in his family (at the request of Mr. CLARK of Florida).

To Mr. SANDERS of Indiana, indefinitely, on account of illness (at the request of Mr. PURNELL).

To Mr. ROBBINS, for three days, on account of important business (at the request of Mr. ROSE).

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 4554. An act for the sale of isolated tracts of the public domain in Minnesota; to the Committee on the Public Lands.

HOUR OF MEETING TO-MORROW.

Mr. BYRNS of Tennessee. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow. Is there objection?

Mr. WALSH. Reserving the right to object, does the gentleman feel that it is necessary to meet at 11 o'clock to-morrow in order to conclude the consideration of this bill?

Mr. BYRNS of Tennessee. I do, Mr. Speaker. I think it is certainly best to do that, for this reason: The gentleman knows that the Census Bureau has been passed over. The gentleman from Colorado came to me this evening and asked that we might have liberal debate upon the salary proposition. Then there is provision for a joint commission that is going to create some discussion.

Mr. WALSH. A point of order will be made on that.

Mr. BYRNS of Tennessee. If a point of order is made it will go out, because it is clearly subject to a point of order; but if no point of order is made we may be here for several hours, and I think that the gentleman should agree to meet at 11 o'clock. Then we would be certain to get through with this bill in time to get a decent hot dinner, which we have not been able to do for several days.

Mr. WALSH. If we do meet at 11 o'clock, is it intended to take up anything else besides this bill?

Mr. BYRNS of Tennessee. I can not say.

Mr. WALSH. I think the House ought to know that.

The SPEAKER. The Chair will state that he will not recognize anybody for anything unless it is of pressing necessity.

Mr. WALSH. With that understanding, I will not object to meeting at 11 o'clock.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. BYRNS of Tennessee. I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 46 minutes p. m.) the House adjourned until Saturday, January 18, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, submitting supplemental estimates of appropriation required by the War Department for the fiscal year 1920 (H. Doc. No. 1695); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of War, transmitting estimates of claims for the relief of officers of the Engineer Corps of the Army, and for other purposes (H. Doc. No. 1696); to the Committee on Claims and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Miss RANKIN, from the Committee on the Public Lands, to which was referred the bill (S. 2715) to authorize an exchange of lands with the State of Montana in connection with Muddy Creek Reservoir site, Sun River project, and Nelson Reservoir site, Milk River project, and for other purposes, reported the same without amendment, accompanied by a report (No. 939), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. TILLMAN, from the Committee on Indian Affairs, to which was referred the bill (S. 4404) repealing that portion of the Indian appropriation act of March 1, 1907 (37 Stat. L., 1015, 1035), which relates to the disposal of the surplus unallotted lands within the Blackfeet Reservation, in Montana, reported the same with amendment, accompanied by a report (No. 940), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SUMNERS, from the Committee on the Judiciary, to which was referred the bill (S. 5300) providing for an increase of salary for the United States marshal and district attorney for the western district and for the United States district attorney for the eastern district of Louisiana, reported the same without amendment, accompanied by a report (No. 942), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FORDNEY, from the Committee on Banking and Currency, to which was referred the bill (H. R. 13500) to amend sections 7, 10, 11, and 25 of the Federal reserve act, and section 5172 of the Revised Statutes of the United States, reported the same without amendment, accompanied by a report (No. 944), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. ALEXANDER, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (S. 5102) to authorize the change of name of the steamer *Charlotte Gravemeyer Breitung* to *T. K. Maher*, reported the same without amendment, accompanied by a report (No. 941), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BLACKMON: A bill (H. R. 14585) authorizing the Secretary of War to donate to the city of Sylacauga, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14586) authorizing the Secretary of War to donate to the city of Clanton, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14587) authorizing the Secretary of War to donate to the city of Montevallo, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14588) authorizing the Secretary of War to donate to the city of Columbiana, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14589) authorizing the Secretary of War to donate to the city of Verbena, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14590) authorizing the Secretary of War to donate to the city of Marion Junction, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14591) authorizing the Secretary of War to donate to the city of Calera, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KNUTSON: A bill (H. R. 14592) granting a gratuity to members of the United States Army; to the Committee on Military Affairs.

Also, a bill (H. R. 14593) to donate two cannons of obsolete pattern to the city of Bemidji, in the State of Minnesota; to the Committee on Military Affairs.

Also, a bill (H. R. 14594) to donate two captured cannon or guns to the city of St. Cloud, in the State of Minnesota; to the Committee on Military Affairs.

Also, a bill (H. R. 14595) to donate two captured cannon or guns to the village of Long Prairie, in the State of Minnesota; to the Committee on Military Affairs.

Also, a bill (H. R. 14596) to donate two captured cannon or guns to the city of Little Falls, in the State of Minnesota; to the Committee on Military Affairs.

Also, a bill (H. R. 14597) to donate two captured cannon or guns to the village of Walker, in the State of Minnesota; to the Committee on Military Affairs.

Also, a bill (H. R. 14598) granting a gratuity to members of the United States Navy and Marine Corps; to the Committee on Naval Affairs.

By Mr. STINESS: A bill (H. R. 14599) authorizing the Secretary of War to donate to the town of Warwick, R. I., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14600) authorizing the Secretary of War to donate to the Varnum Continentals of East Greenwich, R. I., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BLACK: A bill (H. R. 14601) authorizing the Secretary of War to donate to John C. Burks Camp, United Confederate Veterans, Clarksville, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14602) to repeal section 7 of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917; to the Committee on the Judiciary.

By Mr. O'SHAUNESSY: A bill (H. R. 14603) authorizing the Secretary of War to donate to the city of Newport, R. I., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. RAKER: A bill (H. R. 14604) to secure and protect the rights of women citizens of the United States to vote for

Senators and Representatives in the Congress of the United States of America; to the Committee on Military Affairs.

By Mr. KETTNER: A bill (H. R. 14605) authorizing the Secretary of War to donate to the city of Holtville, Cal., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SNELL: A bill (H. R. 14606) authorizing the Secretary of War to deliver to the village of Elizabethtown, N. Y., one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14607) authorizing the Secretary of War to deliver to the village of Ticonderoga, for the use of old Fort Ticonderoga, in the State of New York, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14608) authorizing the Secretary of War to deliver to the village of Chateaugay, in the State of New York, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

By Mr. FULLER of Illinois: A bill (H. R. 14609) authorizing the Secretary of War to donate to the village of Winnebago, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14610) authorizing the Secretary of War to donate to the village of Roscoe, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14611) authorizing the Secretary of War to donate to the village of Kingston, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14612) authorizing the Secretary of War to donate to the village of Capron, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CHANDLER of Oklahoma: A bill (H. R. 14613) authorizing the Secretary of War to donate to the city of Miami, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14614) authorizing the Secretary of War to donate to the city of Pryor, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14615) authorizing the Secretary of War to donate to the city of Vinita, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14616) authorizing the Secretary of War to donate to the city of Nowata, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14617) authorizing the Secretary of War to donate to the city of Claremore, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14618) authorizing the Secretary of War to donate to the city of Bartlesville, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14619) authorizing the Secretary of War to donate to the city of Tulsa, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14620) authorizing the Secretary of War to donate to the city of Pawhuska, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14621) authorizing the Secretary of War to donate to the city of Pawnee, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14622) authorizing the Secretary of War to donate to the city of Delaware, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 14623) to expel and exclude from the United States aliens who, to escape military service, have withdrawn their declaration of intention to become citizens; to the Committee on Immigration and Naturalization.

By Mr. ELSTON: A bill (H. R. 14624) to eliminate private land holdings from General Grant National Park; to the Committee on the Public Lands.

By Mr. CHARLES B. SMITH: A bill (H. R. 14625) granting the consent of Congress to Oliver Cabana, jr.; Myron S. Hall; E. G. Connette; William F. MacGlashan; John H. Bradley; and M. A. Hurt to construct a bridge across Niagara River within or near the city limits of Buffalo, and for other purposes; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 14626) to create an aircraft board; to the Committee on Interstate and Foreign Commerce.

By Mr. LESHER: A bill (H. R. 14627) authorizing the Secretary of War to donate to the borough of Catawissa, county of Columbia, Pa., one cannon or fieldpiece captured from the enemy during the present war; to the Committee on Military Affairs.

Also, a bill (H. R. 14628) authorizing the Secretary of War to donate to the borough of Berwick, county of Columbia, Pa., one cannon or fieldpiece captured from the enemy during the present war; to the Committee on Military Affairs.

Also, a bill (H. R. 14629) authorizing the Secretary of War to donate to the borough of Northumberland, county of Northumberland, Pa., one cannon or fieldpiece captured from the enemy during the present war; to the Committee on Military Affairs.

Also, a bill (H. R. 14630) authorizing the Secretary of War to donate to the borough of Watsontown, county of Northumberland, Pa., one cannon or fieldpiece captured from the enemy during the present war; to the Committee on Military Affairs.

Also, a bill (H. R. 14631) authorizing the Secretary of War to donate to the borough of Mount Carmel, county of Northumberland, Pa., one cannon or fieldpiece captured from the enemy during the present war; to the Committee on Military Affairs.

Also, a bill (H. R. 14632) authorizing the Secretary of War to donate to the borough of Milton, county of Northumberland, Pa., one cannon or fieldpiece captured from the enemy during the present war; to the Committee on Military Affairs.

Also, a bill (H. R. 14633) authorizing the Secretary of War to donate to the borough of Shamokin, county of Northumberland, Pa., one cannon or fieldpiece captured from the enemy during the present war; to the Committee on Military Affairs.

Also, a bill (H. R. 14634) authorizing the Secretary of War to donate to the borough of Dushore, county of Sullivan, Pa., one cannon or fieldpiece captured from the enemy during the present war; to the Committee on Military Affairs.

By Mr. TAYLOR of Colorado: A bill (H. R. 14635) to authorize an exchange of lands within the Montezuma National Forest in the State of Colorado; to the Committee on the Public Lands.

By Mr. RAKER: A bill (H. R. 14636) authorizing the Secretary of War to donate to the city of Alturas, Cal., two German cannon or fieldpieces, with their accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 14637) authorizing the Secretary of War to donate to the city of Westwood, Cal., two German cannon or fieldpieces, with their accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 14638) authorizing the Secretary of War to donate to the city of Redding, Cal., two German cannon or fieldpieces, with their accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 14639) authorizing the Secretary of War to donate to the city of Red Bluff, Cal., two German cannon or fieldpieces, with their accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 14640) authorizing the Secretary of War to donate to the city of Yreka, Cal., two German cannon or fieldpieces, with their accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 14641) authorizing the Secretary of War to donate to the city of Nevada City, Cal., two German cannon or fieldpieces, with their accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 14642) authorizing the Secretary of War to donate to the city of Grass Valley, Cal., two German cannon or fieldpieces, with their accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 14643) authorizing the Secretary of War to donate to the city of Placerville, Cal., two German cannon or fieldpieces, with their accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 14644) authorizing the Secretary of War to donate to the city of Quincy, Cal., two German cannon or fieldpieces, with their accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 14645) authorizing the Secretary of War to donate to the city of Mariposa, Cal., two German cannon or fieldpieces, with their accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 14646) authorizing the Secretary of War to donate to the city of Susanville, Cal., two German cannon or fieldpieces, with their accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 14647) authorizing the Secretary of War to donate to the city of Jackson, Cal., two German cannon or fieldpieces, with their accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 14648) authorizing the Secretary of War to donate to the city of San Andreas, Cal., two German cannon or fieldpieces, with their accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 14649) authorizing the Secretary of War to donate to the city of Sonora, Cal., two German cannon or fieldpieces, with their accompaniments; to the Committee on Military Affairs.

By Mr. HOLLINGSWORTH: A bill (H. R. 14650) authorizing the Secretary of War to donate to the city of East Liverpool, Ohio, one German cannon or fieldpiece and one machine gun; to the Committee on Military Affairs.

By Mr. KRAUS: A bill (H. R. 14651) authorizing the Secretary of War to donate to the city of North Manchester, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14652) authorizing the Secretary of War to donate to the county of Miami, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PURNELL: A bill (H. R. 14653) authorizing the Secretary of War to donate to the town of New Richmond, county of Montgomery, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SIMS: A bill (H. R. 14654) authorizing the Secretary of War to donate to the cities and towns of Selmer, Henderson, Jackson, Lexington, Decaturville, Linden, Camden, Huntingdon, Paris, and Savannah, Tenn., each one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MORGAN: A bill (H. R. 14655) authorizing the Secretary of War to donate to the city of Alva, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14656) authorizing the Secretary of War to donate to the city of Woodward, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LANGLEY: A bill (H. R. 14657) authorizing the Secretary of War to donate to the city of McKee, Ky., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14658) authorizing the Secretary of War to donate to the city of Booneville, Ky., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14659) authorizing the Secretary of War to donate to the city of Whitesburg, Ky., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14660) authorizing the Secretary of War to donate to the city of Hazard, Ky., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14661) authorizing the Secretary of War to donate to the city of Hindman, Ky., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14662) authorizing the Secretary of War to donate to the city of Paintsville, Ky., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14663) authorizing the Secretary of War to donate to the city of Salyersville, Ky., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14664) authorizing the Secretary of War to donate to the city of Prestonsburg, Ky., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14665) authorizing the Secretary of War to donate to the city of Inez, Ky., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14666) authorizing the Secretary of War to donate to the city of Pikeville, Ky., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GOODWIN of Arkansas: Resolution (H. Res. 506) providing increased compensation to the official reporters of debates and to the assistant to the official reporters of debates; to the Committee on Accounts.

By Mr. EMERSON: Joint resolution (H. J. Res. 388) authorizing the Secretary of War to donate a large cannon to the city of Cleveland, Ohio; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND of Indiana: A bill (H. R. 14667) granting an increase of pension to George W. Lampkins; to the Committee on Invalid Pensions.

By Mr. DALLINGER: A bill (H. R. 14668) granting a pension to Maria Rice; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 14669) granting an increase of pension to Benjamin F. McKee; to the Committee on Pensions.

By Mr. KIESS of Pennsylvania: A bill (H. R. 14670) granting a pension to Mary A. Brace; to the Committee on Invalid Pensions.

By Mr. WEBB: A bill (H. R. 14671) granting a pension to Martha C. Eggers; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Petition of citizens of Milwaukee, Wis., relative to converting portion of T. N. T. plant at Ives, Wis., into a zoological garden; to the Committee on Ways and Means.

Also, resolutions unanimously adopted by 900 delegates in convention assembled on Saturday evening, January 11, 1919, at Baltimore, Md., with governor of Maryland presiding, supporting and approving President Wilson's high aims to secure a league of nations; to the Committee on Foreign Affairs.

By Mr. GALLIVAN: Resolution by the Lithuanian Women's Progressive Alliance of America, second district of Massachusetts, demanding release of all political and war prisoners; to the Committee on Military Affairs.

By Mr. KETTNER: Resolutions by Redlands Chamber of Commerce, Redlands, Cal., favoring the nationalization of highways; to the Committee on Roads.

By Mr. McKEOWN: Resolutions adopted by Kickapoo Lodge, No. 293, Brotherhood of Boiler Makers and Iron Ship Builders, of Shawnee, Okla., relating to Government control of railroads; to the Committee on Interstate and Foreign Commerce.

SENATE.

SATURDAY, *January 18, 1919.*

(Legislative day of Tuesday, January 14, 1919.)

The Senate met at 12 o'clock noon, on the expiration of the recess.

PETITIONS AND MEMORIALS.

Mr. CURTIS presented petitions of the Southern Railway Federated Trades Council, of Kansas City; of Dewey Lodge, No. 9, International Brotherhood of Boiler Makers, Iron Ship Builders, and Helpers of America, of Horton; of Prairie Lodge, No. 404, International Brotherhood of Boiler Makers, Iron Ship Builders, and Helpers of America, of Newton; of Local Lodge No. 751, Brotherhood of Railway Carmen, of Topeka; of the Industrial Council of Topeka; and of sundry citizens of Chanute, all in the State of Kansas, praying for the proposed extension of Federal control of railroads, which were referred to the Committee on Interstate Commerce.

He also presented a petition of the Grovier Produce Co., of Hutchinson, Kans., and a petition of sundry citizens of McPherson County, Kans., praying for the return to private ownership of the railroads of the country, which were referred to the Committee on Interstate Commerce.

Mr. TOWNSEND presented a petition of Local Grange No. 1566, Patrons of Husbandry, of Ann Arbor, Mich., and a petition of Celery City Lodge, No. 1087, Brotherhood of Railway Carmen of America, of Kalamazoo, Mich., praying for the proposed extension of Federal control of railroads, which were referred to the Committee on Interstate Commerce.

He also presented a memorial of sundry retail jewelers of Pontiac, Mich., remonstrating against the proposed increase of tax on jewelry in the pending revenue bill, which was ordered to lie on the table.

He also presented petitions of the Kiwanis Club, of Muskegon; of the Board of Education of Gladstone; and of the Study Club, of East Jordan, all in the State of Michigan, praying for the establishment of a department of education, which were referred to the Committee on Education and Labor.

He also presented a petition of the Michigan Business Woman's Association, of Bay City, Mich., praying for the enactment of legislation granting commissions to nurses, which was referred to the Committee on Military Affairs.

REPORTS OF COMMITTEE ON PUBLIC LANDS.

Mr. CHAMBERLAIN, from the Committee on Public Lands, to which was referred the bill (H. R. 8625) to accept from the Southern Oregon Co., a corporation organized under the laws of the State of Oregon, a reconveyance of the lands granted to the State of Oregon by the act approved March 3, 1869, entitled "An act granting lands to the State of Oregon to aid in the construction of a military wagon road from the navigable waters of Coos Bay to Roseburg, in said State, commonly known as the Coos Bay wagon-road grant, to provide for the disposition of said lands, and for other purposes," reported it without amendment and submitted a report (No. 650) thereon.

Mr. McNARY, from the Committee on Public Lands, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 12579. An act to grant to citizens of Malheur County, Oreg., the right to cut timber in the State of Idaho for agricultural, mining, or other domestic purposes, and to remove such timber to Malheur County, Oreg. (Rept. No. 649); and

H. R. 13042. An act providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act (Rept. No. 648).

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CURTIS:

A bill (S. 5372) donating captured cannon and cannon balls to the city of Ottawa, Kans.;

A bill (S. 5373) donating captured cannon and cannon balls to the city of Atchison, Kans.; and

A bill (S. 5374) donating captured cannon and cannon balls to the city of Newton, Kans.; to the Committee on Military Affairs.

A bill (S. 5375) granting a pension to Lydia J. Willis (with accompanying papers); to the Committee on Pensions.

By Mr. KENDRICK:

A bill (S. 5376) granting a pension to Edward S. Seay; to the Committee on Pensions.

By Mr. RANSDELL:

A bill (S. 5377) authorizing the Secretary of War to donate to the city of New Orleans, La., to be installed in the old historic Washington Artillery Hall, one German cannon or fieldpiece; and

A bill (S. 5378) authorizing the Secretary of War to donate to the city of Monroe, La., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SMITH of Arizona:

A bill (S. 5379) granting an increase of pension to Carrier Thompson (with accompanying papers); and

A bill (S. 5380) granting an increase of pension to James F. Duncan (with accompanying papers); to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 5381) granting an increase of pension to Floyd E. Driskel (with accompanying papers); and

A bill (S. 5382) granting a pension to John C. Cleveland (with accompanying papers); to the Committee on Pensions.

By Mr. McNARY:

A bill (S. 5383) granting a pension to Arabella Roberts;

A bill (S. 5384) granting an increase of pension to William Russell; and

A bill (S. 5385) granting an increase of pension to Bernard Krebs; to the Committee on Pensions.

By Mr. FERNALD:

A bill (S. 5386) granting a pension to Augustus M. Brown (with accompanying papers); to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 5387) granting an increase of pension to Alonzo J. Finch (with accompanying papers); to the Committee on Pensions.

By Mr. KING (by request):

A bill (S. 5388) to amend an act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916; to the Committee on Post Offices and Post Roads.

By Mr. JONES of New Mexico (for Mr. KENDRICK):

A joint resolution (S. J. Res. 213) relating to the fuel supply of the city of Casper, Wyo.; to the Committee on Public Lands.

RIVER AND HARBOR APPROPRIATIONS.

Mr. SHEPPARD submitted two amendments intended to be proposed by him to the river and harbor appropriation bill, which were referred to the Committee on Commerce and ordered to be printed.

Mr. McNARY submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

EMPLOYEES OF WAR DEPARTMENT.

Mr. JONES of Washington submitted the following resolution (S. Res. 416), which was read, considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of War be, and he is hereby, directed to report to the Senate the names of all former civil-service employees of the War Department in the District of Columbia who resigned and volunteered or were drafted into the Army and who have been discharged therefrom and applied for reinstatement to their former positions and not reinstated, and to state why they have not been reinstated under authority of the order of the President issued July 18, 1918.

COMMITTEE SERVICE.

On motion of Mr. WARREN, it was

Ordered, That the Senator from West Virginia [Mr. GORE] be relieved from further service as a member of the Committee on Conservation of Natural Resources, and that the Senator from Rhode Island [Mr. COLT] be assigned as chairman thereof; and

That the Senator from Michigan [Mr. SMITH] be relieved from further service as a member of the Committee on Industrial Expositions, and that the Senator from West Virginia [Mr. GORE] be assigned as chairman thereof.

SPEECH OF GOV. ALLEN, OF KANSAS.

Mr. CURTIS. Mr. President, I have a copy of the speech of Gov. Allen, of Kansas, in regard to the Thirty-fifth Division going into the Battle of the Argonne Forest with a lack of supplies and without adequate support by artillery and airplanes. I ask that it be noted in the RECORD and referred to the Committee on Military Affairs.

The VICE PRESIDENT. Is there objection to the request of the Senator from Kansas?

Mr. REED. Mr. President, before that goes in the RECORD I should like to know what is in that speech.

Mr. CURTIS. Mr. President, it is the speech of Gov. Allen, of Kansas, with reference to the Battle of the Argonne Forest and the fact that the men of the Thirty-fifth Division were sent into that battle unprepared and without supplies. I wish to have the speech referred to the Committee on Military Affairs, hoping that the committee will give some consideration to and investigate the charges made by Gov. Allen.

Mr. REED. Mr. President, I think it is all right to refer this matter to the Committee on Military Affairs, and after the committee have passed upon it, if they think it is a matter that ought to go into the RECORD, well and good; but it is now proposed to put in the RECORD the speech of a man who is not a Member of this body and not a Member of the other body.

Mr. CURTIS. I did not ask that it be printed in the RECORD; I asked that it be noted in the RECORD and referred to the Committee on Military Affairs.

Mr. REED. I misunderstood the request of the Senator. I have no objection in the world to that being done.

The VICE PRESIDENT. Without objection, the matter will be referred to the Committee on Military Affairs.

SALARIES OF JUDGES.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

Mr. SAULSBURY. Mr. President, yesterday afternoon in the consideration of the pending bill, which was then before the Senate, an amendment was adopted on the motion of the Senator from Minnesota [Mr. KELLOGG] increasing the salaries of the judges as provided in the bill by the House from $7,500 for district judges and $8,500 for circuit judges to $9,000 and $10,000, respectively. I voted for that amendment, because I think our judges, of all the people in Government service, should be well paid, and I know how insufficient, in my part of the country at least, the present salaries are.

I have consulted, however, with a number of friends of the bill who think as I do that the increase proposed by the amendment might be injurious to the passage of the bill and endanger its passage. For that reason I move to reconsider the vote by which the amendment offered by the Senator from Minnesota was agreed to.

Mr. KELLOGG. Mr. President, since that amendment was adopted the consensus of opinion of the Senate has been taken, and while I do not believe the amount is too high I think Senators generally feel that the amendment should be reconsidered. Under those circumstances rather than imperil the passage of the bill I have no objection to its reconsideration.

The VICE PRESIDENT. The question is on the motion to reconsider the vote by which the amendment was agreed to.

The motion to reconsider was agreed to.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was rejected.

Mr. SAULSBURY. Mr. President, I think there is some question as to whether we should leave the amounts named in the bill as sent from the House or whether they might be increased to $8,000 and $9,000, respectively, for district and circuit judges. I should like to have the chairman of the committee state whether he would object to increasing the salaries or whether he deems it advisable to increase the salaries to $8,000 and $9,000, respectively.

Mr. SMITH of Georgia. Personally, I would be glad to see the salaries increased to $8,000 and $9,000, but there is a dif-

ference of opinion whether, as a matter of policy with reference to the passage of the legislation, it would be best to retain the House figures or whether we ought to fix the salaries at $8,000 and $9,000. I am unable to give an opinion that would be of much value on that point. I am perfectly willing myself to vote for salaries of $8,000 and $9,000 and take it into conference, or I am willing to leave the salaries at $7,500 and $8,500 and send the bill back to the House without amendment in that respect.

Mr. SAULSBURY. I am inclined to yield my judgment in this matter to the Senator from Minnesota and the Senator from Georgia and therefore make no motion for an increase. If the Senator from Minnesota thinks it well to make a motion to increase the salaries to $8,000 and $9,000, I shall vote for that amendment.

Mr. KELLOGG. Mr. President, a parliamentary inquiry. Can that amendment be moved when the bill is in the Senate?

The VICE PRESIDENT. It can be.

Mr. KELLOGG. I do not wish to take the responsibility to advise the Senate what it should do in that regard. I made the other motion and I am willing that it should be taken up in the Senate.

Mr. JONES of Washington. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll and the following Senators answered to their names:

Ashurst	Johnson, Cal.	Myers	Smith, Md.
Bankhead	Johnson, S. Dak.	Nelson	Smith, Mich.
Calder	Jones, N. Mex.	New	Smith, S. C.
Chamberlain	Jones, Wash.	Nugent	Smoot
Colt	Kellogg	Overman	Sutherland
Culberson	Kenyon	Page	Swanson
Cummins	King	Pittman	Thomas
Curtis	Kirby	Poindexter	Townsend
Fernald	Knox	Pollock	Trammell
Freilinghuysen	La Follette	Pomerene	Underwood
Gay	Lenroot	Reed	Wadsworth
Hale	McKellar	Saulsbury	Walsh
Harding	McLean	Shafroth	Warren
Henderson	McNary	Sheppard	Watson
Hitchcock	Martin, Va.	Smith, Ariz.	Weeks
Hollis	Moses	Smith, Ga.	Williams

Mr. McKELLAR. I desire to announce the absence of the senior Senator from Tennessee [Mr. SHIELDS] on account of illness. I will let this announcement stand for the day.

Mr. KIRBY. I wish to announce the absence of the senior Senator from Arkansas [Mr. ROBINSON], who is detained on account of illness.

Mr. PITTMAN. I desire to announce that the Senator from Mississippi [Mr. VARDAMAN], the Senator from California [Mr. PHELAN], the Senator from Wyoming [Mr. KENDRICK], the Senator from Rhode Island [Mr. GERRY], and the Senator from Illinois [Mr. LEWIS] are detained on official business.

Mr. CURTIS. I wish to announce the absence of the Senator from Illinois [Mr. SHERMAN] on account of illness, and also of the Senator from South Dakota [Mr. STERLING] on account of a death in his family.

The VICE PRESIDENT. Sixty-four Senators have answered to the roll call. There is a quorum present. If there be no further amendment as in Committee of the Whole the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

The VICE PRESIDENT. The question is on concurring in the amendments made as in Committee of the Whole.

Mr. ASHURST. Mr. President, yesterday evening before adjournment I presented an amendment to the bill. I do not believe it has been printed in bill form, but it appears on page 1661 of the CONGRESSIONAL RECORD. There was no yea-and-nay vote, but the vote, on a division, was so close, and so many Senators have importuned me to renew the amendment in the Senate that I do so. I now ask that the amendment be read, and I desire to have a vote on the amendment.

The VICE PRESIDENT. Is there any objection to concurring in the amendments made as in Committee of the Whole?

Mr. ASHURST. I have no objection to concurring in those amendments.

Mr. JONES of Washington. My recollection is that there was an amendment placing the judges of Hawaii and Porto Rico on the same basis as the district judges in this country. I understand the provision as it now stands gives these judges a higher salary than the present United States judges of Alaska get. If that is true then I want to have the Alaskan judges put on the same basis as the others, because to my mind there is much more reason why they should get a higher salary than the judges of Porto Rico and Hawaii.

Mr. SMITH of Georgia. I did not hear to what judges the Senator refers.

Mr. JONES of Washington. My recollection is that an amendment was adopted placing the United States judges of Hawaii and Porto Rico on the same basis as the other judges. I wish to add an amendment to that amendment placing the judges of the Territory of Alaska on the same basis.

Mr. SMITH of Georgia. The amendment extended only to district judges, not to general judges.

Mr. JONES of Washington. That is all I want.

Mr. SMITH of Georgia. It was stated at the time that the judges in Alaska already receive $7,500.

Mr. JONES of Washington. No; I think the Senator is mistaken. I understand they receive $7,000.

Mr. MYERS rose.

Mr. JONES of Washington. The Senator from Montana, I think, can state what they receive.

Mr. MYERS. My information from authentic sources is that the United States district judges for the Territory of Alaska receive each a salary of $7,500 per year. I can not vouch for that statement, but I have been so informed. If, as the Senator from Washington says, the salary is $7,000 a year, then they are already on a pay basis where they will receive the minimum salary that the bill provides.

Mr. JONES of Washington. The minimum is $7,500, is it not?

Mr. MYERS. I must retract that statement because the Senate committee amendment to the bill was defeated yesterday. I overlooked that fact. The sum of $7,000 for the Alaskan judges is on a par with what would have been the minimum salary provision of the bill if the amendment of the Senate Committee on the Judiciary had been adopted, but it was defeated. Therefore, I withdraw my statement. I do not know how a salary of $7,500 per year would compare with the minimum salary provided by the bill in its present form.

Mr. JONES of Washington. I understand the minimum now in the bill is $7,500. I am not sure whether the judges of Alaska get $7,000 or $7,500; I have not had an opportunity to look it up; but I think they ought to be put on the same basis as the other judges.

Mr. MYERS. I can not speak with positive authority, and therefore I do not make a positive statement about the salaries of the Alaskan Federal judges.

Mr. JONES of Washington. I ask the Chair if it is in order at this time to propose an amendment to the amendment adopted in Committee of the Whole, or whether after the amendments made as in Committee of the Whole have been concurred in I can offer a new amendment?

The VICE PRESIDENT. In the opinion of the Chair, this is so muddled the bill had better go back to the Committee of the Whole.

Mr. CUMMINS. It is also an amendment to the House provision.

Mr. JONES of Washington. The Senator from Iowa suggests to me that the amendments, with reference to Porto Rico and Hawaii, was also made to the text of the bill, and so they are now a part of the House provision if it is adopted by the Senate.

The VICE PRESIDENT. Without objection, we will take the bill back to the Committee of the Whole, and it is now in order to insert "Alaska."

Mr. JONES of Washington. I move to insert "Alaska" after "Porto Rico and Hawaii."

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. The bill now reads as agreed to in Committee of the Whole.

SEC. 2. Each of the district judges, including the judges in Porto Rico and Hawaii, exercising Federal jurisdiction, shall receive a salary of $7,500 a year, to be paid in monthly installments.

It is now proposed to strike out the word "and," between "Porto Rico" and "Hawaii," and insert a comma, and after "Hawaii" to insert "and Alaska," so that it will read:

Each of the district judges, including the judges in Porto Rico, Hawaii, and Alaska, exercising Federal jurisdiction, shall receive a salary of $7,500 a year, to be paid in monthly installments.

Mr. SMITH of Georgia. The Senate has determined that Hawaii and Porto Rico should be included on the same basis as the other district judges. I think it no more than fair that Alaska should be included as well.

The VICE PRESIDENT. Without objection, the amendment of the Senator from Washington is agreed to. Are there further amendments to be offered as in Committee of the Whole?

Mr. CALDER. Mr. President, I voted yesterday for the amendment to the House text, and I believe that is the best solution of this problem.

The question has been raised here as to the salaries paid judges in different parts of the country. In my State the supreme court

judges residing and holding court in the city of New York are paid $17,500 a year, while the judges in that part of the State outside of the city of New York performing the same sort of service and with the same jurisdiction receive the sum of $10,000 a year. When the judges from districts outside of New York City sit in that city, as they do very often, they receive the same compensation that the city of New York judges do.

Mr. President, the difference in the pay of these judges comes from the fact that it costs a great deal more to live in the city of New York than in other parts of the State. In the city of New York we pay our police magistrates $8,000 a year, $2,000 a year more than we pay the United States district judges. We pay our municipal court judges, the judges who pass upon landlord and tenant cases and upon cases involving less than a thousand dollars, the sum of $8,000 a year. We pay our county judges, who pass on criminal cases almost entirely, $10,000 a year.

When a United States district judge comes to New York from another State to hold court, and we have them there nearly all the time, we allow them $10 a day additional and traveling expenses. So their pay while they are holding court in the city of New York is really more than it would be if they were at home, for at home they must take care of their own living expenses.

Why should compensation be higher in New York? There are many reasons, and the same idea is carried out in all sorts of business. I happened the other day to look up the wages paid carpenters in that city. I find that in that city a carpenter working eight hours receives $6.50 a day, while a carpenter in some other cities of New York State receives $5 a day, and in the smaller cities to the South and West they receive as low as $3 and $4 a day. These are the rates fixed by the labor union, all of these unions being attached to the American Federation.

So the labor unions of the country recognize the difference in cost of living in the larger cities.

I believe also that it is a fact, although I have not the record before me, that the judges in the larger cities, where they are constantly engaged, do more work than do the judges in the small communities, and that ought to entitle them to a larger compensation. But we get back, Mr. President, always to the fact that it costs more to live in the large cities; that is universally recognized throughout the land in every sort of business. For my part, I believe the Senate committee amendment should be agreed to.

Mr. SMITH of Michigan. Mr. President, I should like to ask the Senator from New York a question. Why not apply the same rule to Members of the Senate?

Mr. CALDER. Of course, representing in part the most populous State in the Union, I would hardly want to suggest that my pay should be more than that of the distinguished Senator from Michigan; but I will say to him, Mr. President, that, in a sense, that rule ought to apply, because, by reason of the fact that I represent a larger State, I have a great deal more business to attend to than have many other Senators, and I am compelled to-day, as do many judges in the larger communities, to pay out of my own pocket considerable money to provide for my own office force and to take care of the business of my State.

Mr. SMITH of Michigan. That would apply equally to Senators coming from smaller States; but I want to suggest to the Senator from New York that United States district judges from Michigan sit in the district courts of New York State. They are called there because of their ability, because of their fitness for those posts; and under the plan the Senator proposes one district judge would sit beside another district judge who was getting more pay, and for no reason in the world except that there was a greater population surrounding him than there happened to be surrounding the district judge from Michigan. How can the Senator reconcile such a distinction, when both judges are performing exactly the same service much of the time?

Mr. CALDER. There is much in what the Senator from Michigan says, Mr. President, but I would remind him that when the judges from Michigan come to New York—and we welcome them; the judges of his State are great judges and they perform their services very satisfactorily—the Government allows them $10 a day extra. That takes care of their living expenses while they are in New York; and it is a very attractive opportunity for them; they delight to come, and we are very glad to have them.

Mr. SMITH of Michigan. Mr. President, of course New York is a very attractive city, one of the green spots in the desert of Sahara; people like to go there, and in the next few months probably many people will go there who have not been in the habit of going there often, for various reasons; but, nevertheless, to make that kind of a distinction among jurists who are performing solemn duties and passing upon cases of very great importance—and the litigation in my State is of equal importance with the litigation which confronts the courts in New York; many of the questions are of the utmost importance, and we have on the bench in Michigan men of eminence and character—I think is very unfair, indeed. It is a false basis to make the compensation for judges depend upon the State or the district from which they come.

Mr. CALDER. Mr. President, I should have no objection to amending this bill so as to provide that when judges from Michigan or any other part of the country come to communities where the pay is higher that they should receive that higher pay. I have pointed out that we make the same distinction in my own State between judges living in different parts of that State. The supreme court judges in the rural sections receive $7,500 a year less than in New York City, but when they come to New York City to hold court they are allowed the same compensation as are judges who reside in New York City.

Mr. SMITH of Michigan. I want to say further, if the Vice President and the Senator from New York will permit me, that I have been in very great sympathy with the disposition of the State of New York to pay their jurists good salaries; I believe in that; they should be made independent of every other consideration in the performance of such duties as fall to their lot; but I can not agree with the Senator from New York and I am unable to view the situation as he does, that judges holding equally responsible positions in other sections of the country should be paid less than those who happen to live in the more populous regions.

Mr. CALDER. Mr. President, I regret exceedingly that I can not agree with the Senator from Michigan. But, aside from the Senate committee amendment, I hope that some legislation on this subject will be enacted. If the Senate amendment shall not be passed, then let us pass the House provision. That would be a step in the right direction. We are having a great deal of trouble in New York in securing good men for these places, though that condition may not exist in other parts of the country. Only last year one of the United States district judges in my own district resigned, and within the last four years two of the judges in the southern district of New York, which includes the old city of New York, resigned their places, and in these cases we had great difficulty in getting the right sort of men to fill the vacancies. When we pay a police magistrate in the city of New York $8,000, the municipal court judge $8,000, a county judge $10,000, a supreme court judge $17,500, and the United States district judge only $6,000, he having even a more important place than has the New York supreme court judge, then, indeed, you can understand the feeling on this subject in that city.

Mr. President, our State pays into the Federal Treasury very nearly one-third of all the taxes which are collected in the country. We are perfectly willing to contribute a little more toward what we believe to be the very excellent plan proposed in this measure, and I trust it will meet with the approval of the Senate.

The VICE PRESIDENT. The bill is still before the Senate as in Committee of the Whole and is still open to amendment.

Mr. ASHURST. Mr. President, the Senator in charge of the bill requests that I withhold my amendment at this time.

Mr. SMITH of Georgia. The Senator from Arizona has reserved his amendment in the Senate, and I have suggested to him that he might raise the question involved in his amendment after the bill has passed into the Senate.

Mr. ASHURST. That is correct.

Mr. HITCHCOCK. Mr. President, I want to ask a question for information from some member of the committee who can give it. There seems to be some doubt about it as the bill now stands. Does the chief justice of the Court of Claims receive more than do the members of that court?

Mr. SMITH of Georgia. I do not think he does.

The VICE PRESIDENT. The Chair understands the parliamentary situation to be that, so far as the Senator from Arizona is concerned, his amendment was defeated as in Committee of the Whole.

Mr. ASHURST. That is true; but I reserved the amendment so that there might be a separate vote on it.

The VICE PRESIDENT. There can be no reservation made. The Senator's amendment was defeated as in Committee of the Whole.

Mr. ASHURST. But not in the Senate.

The VICE PRESIDENT. The Senator can again offer the amendment when the bill gets into the Senate.

Mr. ASHURST. I thank the Chair.

Mr. SMITH of Georgia. What the Senator from Arizona did was to call attention to the fact that he desired to reserve the amendment in the Senate; and when the Senate concurs in all of the other amendments, that by unanimous consent his amendment should be voted on separately.

The VICE PRESIDENT. But when an amendment is defeated as in Committee of the Whole it ought to be understood that a vote can not be reserved on it in the Senate, for there is nothing on which to vote. The Senator may reoffer the amendment in the Senate, if he chooses to do so. The Senate has had the bill under consideration as in Committee of the Whole, and has made certain amendments thereto. The question is on concurring in the amendments made as in Committee of the Whole.

Mr. HITCHCOCK. Before that is done I want to ask why it is that no additional salary is given to the presiding judge in the Court of Appeals of the District of Columbia?

Mr. SMITH of Georgia. No additional salary is given to the presiding judge of any circuit court of appeals of the United States.

Mr. HITCHCOCK. There is no presiding judge in those courts.

Mr. SMITH of Georgia. Yes; there is a presiding judge. The senior judge is the presiding judge, and acts always as the presiding judge when present. We reached the conclusion that the Court of Appeals of the District of Columbia should be classified with the circuit courts of appeals throughout the United States; we are giving them the same treatment in connection with the increase of salary, and as there is no distinction between the presiding judge and the other judges of the circuit courts of appeals of the United States we saw no reason why a difference should exist between the chief justice and the other judges of the Court of Appeals of the District of Columbia.

Mr. HITCHCOCK. As I understand, there is no office called the "chief justice of the circuit court of appeals"; there is a practice under which the senior judge present at any time presides, but there is no chief justice.

Mr. SMITH of Georgia. No.

Mr. HITCHCOCK. In the Court of Appeals of the District of Columbia there is a chief justice. Furthermore, I understand that in the bill as it came from the House the chief justice of the Court of Claims was given $500 additional salary.

Mr. SMITH of Georgia. We have put that court also in the status of the circuit courts of appeals. As I understand, we have classified the judges of the Court of Claims with the judges of the circuit courts of appeals of the United States; we have classified the judges of the Court of Appeals of the District of Columbia with the circuit courts of appeals of the United States; we have classified the judges of the Supreme Court of the District of Columbia with the judges of the district courts of the United States; and, having taken that course, we have followed the practice throughout the United States of not discriminating as to the salaries between the presiding judge and the other members of the court.

Mr. HITCHCOCK. It is the intention, then, to harmonize the plan so as to equalize the salaries of the judges of the various courts?

Mr. SMITH of Georgia. That is correct.

Mr. HITCHCOCK. That is satisfactory to me. If it is done in one case, it should be done in all.

The VICE PRESIDENT. The question is on concurring in the amendments made as in Committee of the Whole.

The amendments were concurred in.

The VICE PRESIDENT. The bill is in the Senate and open to amendment.

Mr. ASHURST. Mr. President, it will be remembered that on last evening I offered an amendment, which does not appear to have been printed, except in the RECORD, where it will be found on page 1662. I will not ask that it be read; I believe I can make a statement that will be shorter and consume less time. Moreover, I feel that my argument or statement last night had more heat than light. So, if the Senate will be indulgent for two or three minutes, I will simply state the amendment.

Various bills have been introduced by different Senators proposing to provide for additional judges in States where the work was beyond the capacity of one particular judge. The first case that came before the Judiciary Committee was one from the State of New Jersey. The bill was referred to the Judiciary Committee; a favorable report was made; the bill passed the Senate, passed the House, and became a law. I was on the subcommittee that considered the New Jersey case and I recall distinctly that the courts of New Jersey were working far beyond the capacity that any man could work effectively, especially where serene thought is required.

Then came other bills of a similar character before the committee. One was a bill proposing to create an additional district judge in the State of Montana. The distinguished junior Senator from that State [Mr. WALSH] filed a very illuminating brief showing the necessity for an additional judge there. For the northern district of the State of California likewise an additional judge was provided; for the southern district of Florida an additional judge was provided, the judge of the court there being very much overworked by reason of the proximity of that district to Cuba, and hence frequent cases growing out of infractions of the customs laws—frequent cases of smuggling. In the case of Illinois two additional judges were provided for the northern district. In the case of Arizona there was also provided an additional judge. I will pause long enough to repeat what I said yesterday and what my colleague [Mr. SMITH of Arizona] said, that, with our 300 miles of Mexican border and many smuggling cases, 30,000 square miles of Indian reservations, and 18,000 square miles of forest reservations, the Federal court has many cases before it.

With reference to the State of North Carolina the western judicial district was found by the committee to require an additional judge. In the middle district of the State of Tennessee it was found that an additional judge was necessary; and in the State of Mississippi it was found that an additional judge was necessary.

So, Mr. President, each and every one of those bills passed the Senate, and my amendment is nothing more than a composition or gathering together of those bills which passed the Senate in the Sixty-fifth Congress providing for these additional judges. As I have said, the Judiciary Committee of the Senate considered all those bills. I was on one or two of the subcommittees, and I recall that in one of the cases—I have forgotten which one—the distinguished Senator from Connecticut [Mr. BRANDEGEE] was a member of the subcommittee, and the argument had not proceeded 50 minutes when the Senator said, "I am entirely convinced, and I will agree readily to a favorable report on this bill. The present judge should be afforded relief." That was substantially the situation with reference to all of the cases—in the Montana case, in the California case, the Arizona case, the Florida case, and all of them.

If this amendment imperils the bill seriously or jeopardizes the bill in any way, I do not expect it to be insisted upon; but I submit that the people of this country have a right to have speedy adjudication of their litigation, and if Federal judges are needed here or needed there the Senate should grant them.

I said yesterday—I do not know that it is entirely parliamentary, but I will repeat it—that owing to the cluttered condition of legislation in another branch of Congress, I very much fear that this needed legislation covering these eight individual cases will not be acted upon favorably unless they are included as an amendment to this bill. That implies no reflection upon any other branch of Congress, but it is a situation that is always before us at the close of Congress. That is all I have to say upon the subject, and I yield the floor.

Mr. McKELLAR. Mr. President, I am very much in favor of the amendment offered by the Senator from Arizona. The middle district of Tennessee is at present without a judge. Tennessee is divided into three grand divisions—the eastern, the middle, and the western divisions. The eastern district has a judge and the western district has a judge, but the middle district does not have a judge, the Federal court in that district being presided over by a judge of the eastern district—Judge Sanford. This is the largest district in the State. The judge of the western district is Judge McCall, who has more than he can do now, as was shown by the evidence before the committee.

The Federal business in the middle district of Tennessee has increased over 100 per cent since 1913. The court is away behind in its docket. The judge can not possibly do the work, and at the same time perform the judicial work in the eastern district, according to all the facts as they have been adduced before the Judiciary Committee of both branches of Congress.

The bill creating a new judge for the middle district of Tennessee was introduced by my colleague [Mr. SHIELDS] and brought before the committee of the Senate, which recommended its passage, and later on the Senate passed the bill. At the same time a like bill was introduced in the House. That bill was favorably recommended by the committee, and is now on the calendar of the House; but, in the press of business in the House, it is very doubtful whether it will be reached on the calendar. Most Senators probably will realize the parliamentary situation in the House from having served in that body, and they will know that at this late day it is almost impossible to get a bill of this kind through. The only reasonable opportunity that these bills have to become laws is for

them to be put on a bill of this kind. The Senate having passed all of the bills, I hope that it will agree that they may be placed as an amendment upon this bill, so that they may become laws at this session.

The only cost to the Government will be the salary of the judge. The court room is there. The district attorney, the marshal, and all the other officers of the court are already existing. There will be no expense except the salary of the judge.

In connection with the Tennessee case, Mr. President, there is a very excellent report filed by Mr. NEELY, an able and distinguished member of the Judiciary Committee of the House, which report I ask to have inserted as part of my remarks. I repeat that I hope the amendment of the Senator from Arizona will be agreed to.

The VICE PRESIDENT. Without objection, the report referred to by the Senator from Tennessee will be printed in the RECORD.

The report referred to is as follows:

The Committee on the Judiciary, to whom was referred the bill (S. 1836) to provide for the appointment of a district judge in the middle judicial district of the State of Tennessee, and for other purposes, having considered the same, report it to the House with the recommendation that it do pass.

The State of Tennessee is divided into the eastern, western, and middle judicial districts. The eastern and western districts each has a judge. The middle district being without a judge, court is therein held by Judge Sanford, of the eastern district. The last annual report of the Attorney General shows that, for the fiscal year 1917, there were in the middle district of Tennessee 102 cases pending, 191 commenced, and 159 terminated. During the fiscal year 1916 there were 51 cases pending in this district, and for several years immediately prior to 1916 there were pending an average of 50 to 60 cases per year. It thus appears that during the year 1917 there was an increase of almost 100 per cent in the number of pending cases over any year recently preceding 1917, and that the docket in the middle district is becoming congested at a rapid rate.

The following letter, written to Hon. JOSEPH W. BYRNS from Hon. Lee Douglass, United States attorney for the middle district of Tennessee (found at p. 9 of the record of the hearings in this matter), concisely sets forth the more material facts upon which the committee bases its recommendations in the premises:

COMMITTEE ON THE TERRITORIES,
HOUSE OF REPRESENTATIVES, UNITED STATES,
Washington, January 23, 1918.

Hon. JOSEPH W. BYRNS,
Washington, D. C.

DEAR SIR: I acknowledge your letter of January 3, in which you ask me to write you, giving information as to the present amount of business in the district court at Nashville and Cookeville, etc.

I am very glad, indeed, to give you this information, but before making any use of this letter I wish you would kindly get the permission of my superior, the Attorney General, which I am quite sure he would be glad to give.

On the occasion of the former attempted passage of the act to create a new judgeship for the middle district of Tennessee, I wrote a letter to the Attorney General which I understand was filed with the Judiciary Committee, and, inasmuch as portions of same were published in dispatches from Washington, I feel I am not violating any etiquette in inclosing you herewith a copy of this letter. You will notice that this letter is quite comprehensive and covers the matter fully up to June 23, 1916.

On page 2 of that letter you will notice that I inserted statistics from the published annual reports of the Attorney General showing the number of cases pending, commenced, and terminated in this district for the fiscal years 1913 and 1914, when my predecessor was in office, and for the fiscal years 1915 and 1916, during my administration. These statistics were as follows:

Fiscal year—	Pending.	Commenced.	Terminated.
1913	69	88	102
1914	55	117	124
1915	48	165	162
1916	51	264	213

You will note the increase in business in the fiscal years 1915 and 1916.

There has recently been published the Annual Report of the Attorney General for the year 1917. The statistics, as shown by this report for the fiscal year 1917 in the middle district of Tennessee, are as follows: Pending, 102; commenced, 191; terminated, 159.

You will see from this that the volume of business for the year ending June 30, 1917 (which was the fiscal year covered by the above), is substantially the same as the two preceding fiscal years, with this significant fact, that there were pending in 1917, 102 cases, whereas there were pending in 1916, 51 cases, and for the preceding years practically between 50 and 60 cases. In other words, the number of cases pending, due to continuances, etc., is over 100 per cent more than any preceding year.

I may say also that as the Attorney General's report was for the year ended June 30, 1917, it included but one term of court since the declaration of war, and that term was at Cookeville, and so shortly after the declaration of war that practically no cases growing out of a violation of the war statutes were ready for submission to the grand jury.

The espionage act, the selective-service act, the food-control bill, etc., have all been passed since the last term of court embraced in the Attorney General's report, and, of course, this report gives no record in the prosecutions under these various acts. These acts have served to largely increase the criminal business of the district court, which, as I said in my letter of June 23, and which was shown by the record, had steadily increased theretofore. While there was noticeable at the last term of court a small falling off in the number of prosecutions for bootlegging cases (carrying on the business of a retail liquor dealer without Government stamp), nevertheless this was more than offset by the number of prosecutions for violation of the Reed amendment. There were 23 cases at the last term for violation of this last mentioned statute, and considerable time was consumed in the trial of these cases. As long as Kentucky is wet and Tennessee is dry these prosecutions are going to be inevitable, for the profit in the illicit transportation of whisky is so great as to tempt many people to violate the law.

At the Cookeville term last April we found it necessary to hold court for the same time as that referred to in my letter of June 23, 1916, and in addition it was necessary for Judge Sanford to hold night sessions.

Of course I do not know, except by reference to the Attorney General's report, of the volume of business that devolves upon Judge Sanford in holding his terms of court in the eastern district at Chattanooga, Knoxville, and Greeneville. However, I think I can safely say, from what he has told me, that there has been no decrease in the volume of business at any of these places. An examination of the Attorney General's report shows, however, that my statement in my letter of June 23 still applies when applied to the present. The statement was that there were more criminal prosecutions pending, commenced, and terminated in either the middle or eastern district, presided over by Judge Sanford, than in the western district, presided over by Judge McCall. In other words, Judge Sanford, in his court, actually has more criminal business to dispose of in either one of his two districts than Judge McCall has in his entire district. The Attorney General's report for 1917 shows that in the eastern district there were pending 135 cases, there were commenced 153 cases, and there were terminated 170 cases. I have already shown the record of cases in the middle district. The Attorney General's report for 1917 shows that in the western district, presided over by Judge McCall, there were pending 47 cases, commenced 97 cases, and terminated 84 cases.

In regard to the civil business, I am only in position to speak authoritatively in regard to such civil cases as concern the Government. I believe this character of business is on the increase.

It is true, as you state, that Judge Sanford is a most conscientious judge in the performance of his duty and gives what might be called unusual time and attention to his duties, and I repeat what I said in my letter of June 23, that no one but a judge of his splendid ability and energy could have kept up the work of these two districts in anything like a satisfactory manner during the past two years.

Of course, Judge Sanford would wish to make his own statement about this matter, but I feel at liberty in saying that I have observed the strain which this work is putting upon him and know that it is almost a human impossibility for one man to do what he is trying to do, and I feel that he should have some relief. He has recently written me as follows:

"I can only say that I have been reluctantly driven to the conclusion, by the logic of the situation and the increased volume of business in the Federal courts, that it is impossible for one judge to keep up the work in the two districts with the promptness and thoroughness which the due administration of justice requires, and that, in my judgment, some measure of assistance in this work is required in the public interest."

With kindest regards, I am,
Very truly, yours,

LEE DOUGLAS,
United States Attorney.

It is a matter of common knowledge that, as a result of the war legislation recently enacted by Congress, the duties of every district judge have been multiplied and his labors enormously increased. While the facts as to the increase of business in the middle district of Tennessee by reason of the legislation last referred to are not available, it is nevertheless unquestionably true that the necessity for the appointment of a judge in this district is even more urgent than it was at the time the hearings in the premises were concluded, to wit, March 16, 1918.

Mr. WALSH. Mr. President, there is a great deal of merit in what has been said by the Senator from Tennessee [Mr. McKELLAR] and by the Senator from Arizona [Mr. ASHURST]. I should like to say a word with respect to the Montana bill. It has twice passed this body and has never had consideration from the other branch of Congress. Not only is the court entirely overburdened with work, but there is in the report which was made to this body a letter sent here by the judge of the district court, who, by the way, was not appointed during this administration and is not politically in harmony with the party now in power, who sets out that the bill, if enacted into law, would operate to save to the Government of the United States $50,000 a year in the administration of justice in the State of Montana. Accompanying the report there is a statement showing that it costs more to run the United States district court in the State of Montana than in any other State in the Union. It costs almost as much as it does in the largest district in the Territory of Alaska, and the plain reason is that witnesses and jurors and marshals have to travel enormous distances in order to make service of process and to reach the court; so that really that bill is a measure of economy. It does not involve an additional expenditure upon the part of the Government of the United States. It will result in a saving of money to the United States, estimated by the judge of the court to amount to at least $50,000 a year.

These considerations have usually been persuasive in this body, but we have never been able in the other branch of Congress to get the matter on the floor, for some reason or other—just exactly why, I have never been able very well to ascertain. It occurs to me that this body might very appropriately again express its earnest desire to have these additional judges appointed in the districts in which they seem so very necessary.

Mr. SMITH of Arizona. Mr. President, the only doubt I have about the amendment—having none on earth about its

merits—is the apprehension I entertain as to the effect its adoption might have on the ultimate passage of the bill.

I do not know the condition in the other States; but I am glad that the Senator from Montana [Mr. WALSH], as he usually does in any case, gets at the very bottom of it in a very short time. He has stated a condition in Montana that appeals to me, as it does to him, because exactly the same condition surrounds the court in my own State. It travels thousands of miles in holding court at four separate places. The marshal, with his writs, travels thousands of miles, and the same is true of the selection of jurors, and so forth; and we made the four districts in order to help out the Federal Government in the discharge of the duties of that court.

I have no doubt that in my State on an average there are 200 prisoners in jail at a time for violating some Federal law, on account, as was suggested by my colleague, of our proximity to Mexico, with 300 miles or more of border line—you know exactly what that means without further statement—thousands, yes, millions on millions of acres of land in Government reserves and in Indian reservations, every one of them with Federal jurisdiction, and that crowds the court to such an extent that I have no fear in saying that we have an average of 200 prisoners in jail all the time. That at $2 a day would be $400 a day; and as a matter of simple economy—not only of justice to those poor wretches who are in the jails, but as a matter of economy on the part of the Congress—there ought to be some relief given by the appointment of another judge in that State. It is not a question of the district or of its machinery, but it could afford that when the Government saves thousands of dollars a year by it. So that while my whole sympathy is in favor of the amendment, my only fear is, as is known to all of us who are interested in these different bills, in regard to the effect that its adoption might have upon the bill in the other House, where, unfortunately, they have mixed up mere partisan questions with it that are natural, but are very regrettable under such conditions as these.

Therefore I feel something like my colleague has suggested. I should like to see the amendment agreed to, and I should like to see the Senate keep the amendment on the bill if it can, and I should like the Senate conferees to do their best to keep it on the bill; but, in spite of my fears as to the result, I can not refuse my assent to the amendment.

Mr. KELLOGG. Mr. President, I hope the Senate will not adopt this amendment. The object is evident. It is said here that various separate bills have been passed by the Senate creating certain judges in various districts of the country, and they are pending in the House of Representatives. Now, in order to force the House of Representatives to pass those bills, we propose to tack them onto a bill fixing the salaries of the circuit and district judges in the District of Columbia, Alaska, Hawaii, and Porto Rico.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. KELLOGG. Yes.

Mr. McKELLAR. The Senator speaks of forcing the House to pass those bills. I think that is not exactly correct, for this reason: Those bills have all been reported favorably by the House committee, and no doubt will pass the House if, under the rules, they can come up. It is just a question of getting them up, and in this way they will be gotten up.

Mr. KELLOGG. That is forcing the House, then, to take them up.

I think these bills ought to be considered in the House of Representatives and in this Chamber on their own foundation. The practice of lumping a lot of bills together and tacking them onto some other bill is a bad practice, and it is not fair. This bill ought to pass on its merits and ought not to be connected up with the bill creating additional judgeships in various circuits and districts in the United States. That is not the way to legislate, and it will endanger the passage of this bill, and I hope the Senate will not start in on any such practice as that.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. KELLOGG. I yield.

Mr. LENROOT. I wish to correct the statement made by the Senator from Tennessee. I wish to assure the Senator that I know that there is determined opposition to some of these bills in the House.

Mr. McKELLAR. I do not mean to say that there is not opposition. There has been opposition to the bills all the time. I said that they had been favorably reported by the committee to the House.

Mr. KELLOGG. It might be that there should be a judge appointed in California and that there should not be a judge in some other district. It might be that there should be a judge in Pennsylvania and not in Minnesota. I do not think, however, that there is any claim for an additional judge in the latter State. But it is proposed here to take the whole, irrespective of the merits, and put them on this bill regulating the salaries of district and circuit judges of the United States and of Alaska, Porto Rico, and the District of Columbia.

Mr. McKELLAR. Mr. President, will the Senator yield again?

Mr. KELLOGG. I yield.

Mr. McKELLAR. Did not the Senator vote for these very bills that have passed the Senate?

Mr. KELLOGG. I do not remember whether I did or not. It does not make any difference. If I voted for every one of them and advocated every one of them, I would not put them on this bill, and I do not think it is good practice.

Mr. JOHNSON of South Dakota. Mr. President, I have been on my feet two or three times trying to ask a question that may guide me in my vote on this amendment.

I am not posted on judicial matters, but I should like to ask the Senator who introduced the amendment, or some one who knows, whether the establishment of these eight judges—I believe there are eight—in the different places will require an additional number of United States district attorneys and marshals and an entirely new set of machinery to handle the courts after the judges are appointed in case they should be? In other words, will these States be redistricted?

Mr. McKELLAR. If the Senator will permit me just to call attention to the condition of the Tennessee court—and I assume the condition is probably the same in other States, but I know this is true of Tennessee—there is a district attorney, a district court, a marshal, and all of the other clerks and employees of the court already in existence there. The only effect of the passage of this bill will be the appointment of the additional judge.

Mr. ASHURST. Mr. President, will the Senator yield to me? I need not say anything further, except to say that in answer to the question the Senator from Tennessee has given correct data. The bills do not create, nor intend nor propose to create, any additional marshals, clerks, or district attorneys.

Mr. SMITH of Arizona. And they create no new districts.

Mr. ASHURST. They create no new districts and no new officials except the judges—no new marshals, no new district attorneys, no new clerks.

Mr. McKELLAR. And the courts are already existing. The courthouse, the place of meeting of the court, is already in existence, and there will be no additional expense on account of it except for the judge.

Mr. JOHNSON of South Dakota. The purpose I had in asking the question was to ascertain whether these things would not naturally follow.

Mr. President, with that assurance I shall vote for the amendment, because from the showing made it seems to be a needed addition to the bill, but not with any intention of voting for the bill in its present form.

Mr. ASHURST. No, Mr. President, because, as has been stated, no new place, no new machinery, is proposed to be created; simply an additional judge.

Mr. McKELLAR. All the rest is in existence now. They have all the rest; it is just simply a judge from another district who sits in the court.

Mr. HOLLIS. Mr. President, I confess that I am always partial to any proposition that is put forward by my friend from Arizona. I believe I have always voted for every proposition he has presented to the Senate before this. I think he is always right on his fundamentals, and I have no doubt they need a new judge in Arizona, and I am glad the Senate has passed a bill providing for that; but we are interested in a bill to increase the salaries of the Federal judges throughout the United States and the Territories. I am afraid it would defeat the bill if this amendment were adopted, and in spite of my entire sympathy with the vigilant and intelligent Senator from Arizona on this very proposition, I feel obliged to vote against the amendment, and I hope it will fail.

Mr. SMITH of Georgia. Mr. President, I think I have supported in the Judiciary Committee all but one of these bills, and I was absent from the Judiciary Committee when that one was favorably acted upon. I think they are all right; but we passed upon each one separately, and the House is entitled to investigate each one of them separately, and pass upon it separately.

I am afraid that the adoption of this amendment would seriously endanger this bill, and for that reason I shall vote against it.

Mr. HITCHCOCK. Mr. President, I should like to ask the members of the committee how the bill can be endangered. It has to go to conference; and if there is danger of the defeat of the bill, that matter can be settled in conference. There is no reason why the Senate should not express its opinion on the bill.

Mr. SMITH of Georgia. Of course, if the Senate does not expect the conferees to stand out for this amendment, it would do no harm; but if we are going to go to conference and really insist upon it, I have not any real hope that the House would accept it.

Mr. McKELLAR. I think the Senator is mistaken in that. I think there will be a real hope of the House accepting the amendment. Their committees have passed upon all these bills favorably, and I do not see how it could possibly endanger the bills in any way whatsoever.

Mr. THOMAS. Mr. President, the Senator thinks, then, that the House would accept the amendment?

Mr. McKELLAR. I do.

Mr. THOMAS. Then I shall vote against it. [Laughter.]

Mr. LENROOT. Mr. President, knowing as I do something of the situation in the other body with reference to some of the bills that are included in this amendment, I feel that I ought to say that, in my judgment, if this amendment is adopted it will very seriously endanger the passage of this bill. There has always been a very considerable opposition in the other body to any increase at all in the salaries of Federal judges; and, in my judgment, if this amendment is adopted, even though it may be agreed upon by the conferees, the House will reject the conference report and the entire legislation will fail.

The VICE PRESIDENT. The question is on the amendment of the Senator from Arizona [Mr. ASHURST].

Mr. ASHURST. I respectfully request the yeas and nays on the amendment.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I have a pair with the junior Senator from Georgia [Mr. HARDWICK], which I transfer to the junior Senator from New Jersey [Mr. BAIRD] and vote "nay."

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. MARTIN]. In his absence I withhold my vote.

Mr. HENDERSON (when Mr. PHELAN's name was called). I desire to announce the absence of the Senator from California [Mr. PHELAN] on account of illness. If present he would vote "yea."

Mr. SMITH of Maryland (when his name was called). I have a general pair with the senior Senator from Vermont [Mr. DILLINGHAM]. In his absence I withhold my vote.

Mr. SMITH of South Carolina (when his name was called). I have a general pair with the Senator from South Dakota [Mr. STERLING]. He is not present, and not knowing how he would vote I will withhold my vote.

Mr. TOWNSEND (when his name was called). I transfer my pair with the senior Senator from Arkansas [Mr. ROBINSON] to the junior Senator from Missouri [Mr. SPENCER] and vote "nay."

Mr. WATSON (when his name was called). I have a general pair with the junior Senator from Delaware [Mr. WOLCOTT]. I am informed that if he were present he would vote as I shall vote, and therefore I vote. I vote "nay."

The roll call was concluded.

Mr. SMITH of South Carolina. I transfer my pair with the Senator from South Dakota [Mr. STERLING] to the Senator from California [Mr. PHELAN] and vote "yea."

Mr. MYERS (after having voted in the affirmative). Has the Senator from Connecticut [Mr. McLEAN] voted?

The VICE PRESIDENT. He has not.

Mr. MYERS. I have a pair with the Senator from Connecticut [Mr. McLEAN], which I transfer to the Senator from Louisiana [Mr. GAY] and allow my vote to stand.

Mr. CALDER (after having voted in the negative). Has the Senator from Rhode Island [Mr. GERRY] voted?

The VICE PRESIDENT. He has not.

Mr. CALDER. I have a general pair with that Senator and therefore withdraw my vote.

Mr. HOLLIS. I desire to announce that the Senator from Illinois [Mr. LEWIS] and the Senator from Louisiana [Mr. GAY] are detained on official business.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Illinois [Mr. SHERMAN] with the Senator from Kansas [Mr. THOMPSON]; and

The Senator from South Dakota [Mr. STERLING] with the Senator from South Carolina [Mr. SMITH].

The result was announced—yeas 26, nays 42, as follows:

YEAS—26.

Ashurst	Hitchcock	Myers	Smith, Ariz.
Beckham	Johnson, Cal.	Overman	Smith, S. C.
Chamberlain	Johnson, S. Dak.	Pollock	Trammell
Culberson	Jones, N. Mex.	Ransdell	Walsh
Cummins	Kirby	Reed	Williams
Fletcher	McKellar	Shafroth	
Henderson	McNary	Sheppard	

NAYS—42.

Bankhead	Jones, Wash.	New	Swanson
Borah	Kellogg	Nugent	Thomas
Colt	Kenyon	Page	Townsend
Curtis	King	Penrose	Underwood
Fernald	Knox	Poindexter	Vardaman
France	La Follette	Pomerene	Wadsworth
Gore	Lenroot	Saulsbury	Warren
Gronna	Lodge	Smith, Ga.	Watson
Hale	McCumber	Smith, Mich.	Weeks
Harding	Martin, Va.	Smoot	
Hollis	Nelson	Sutherland	

NOT VOTING—28.

Baird	Gerry	Moses	Shields
Brandegee	Goff	Norris	Simmons
Calder	Hardwick	Owen	Smith, Md.
Dillingham	Kendrick	Phelan	Spencer
Fall	Lewis	Pittman	Sterling
Frelinghuysen	McLean	Robinson	Thompson
Gay	Martin, Ky.	Sherman	Wolcott

So Mr. ASHURST's amendment was rejected.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The VICE PRESIDENT. Shall the bill pass?

Mr. TRAMMELL and Mr. NUGENT. I ask for the yeas and nays on the passage of the bill.

Mr. MARTIN of Virginia. Mr. President, I shall not detain the Senate five minutes. I simply desire to enter my protest against the passage of this bill. We have passed through a terrible war, and the resources of the country are taxed to the utmost. The cost of living has gone up so that almost every salaried man in the United States feels the trouble. In the distress which prevails, which has been brought about by the war, it does seem to me most unfortunate to undertake now to increase salaries.

But, Mr. President, if we are to increase salaries in the United States I appeal to Senators to begin at the bottom. There are people, as we all know, in this city and throughout the United States in the employment of the United States Government who find it almost impossible to get food and raiment with the salaries now paid them by the Government. They have all been appealing to the Congress for increases in salaries. The appeals come to me every day, and they are most touching in many instances. With due regard for the true interest of the entire country, I have been compelled, with rare exceptions, to turn a deaf ear to those appeals, but nobody will rise here in his seat and say that the judges of the United States are in any trouble about getting food and raiment with the salaries that are being paid them.

The judicial offices of the United States are more sought after, more desired, and more valuable than any other offices in the gift of the American people. There are few Members of Congress who would not resign the seat they hold to get a judicial appointment under the Federal Government. We have had many instances in recent years where able men in Congress have resigned to accept judicial appointments under the Federal Government. I say, without fear of successful contradiction, that the judicial offices of the United States are the most valuable, the most desirable, the most sought after that the Government can bestow upon any of its citizens.

In the name of reason, Senators, if you are going to increase salaries, is it right to begin at the top? You have not heard of any of the Federal judges resigning because the pay was not big enough, and you are not likely to do so. In my own State the judges of the supreme court get $4,500 a year. They are very able men. There is hardly one of them who would not be an ornament to the Supreme Court of the United States, and they are working for $4,500 a year, and do more work, in my opinion, than the average judge of a Federal court. In my own State I know the judges of our supreme court do many times the work that is done by the district and circuit judges.

I believe in a well-paid judiciary; if circumstances permitted, I would be willing to see their salaries increased, but I feel that they are the best-paid men in the employment of the United States Government, without a single exception, and it is a position more sought after than any other position that can be bestowed by the Government of the United States.

If we are going to increase salaries, is it right to commence with those who are most favored now by the Government, who do not know what the pinch of want is, who can enjoy every luxury, every comfort, and every pleasure without any serious difficulty? Do you not think we had better commence with those people who are feeling the sting of want, who find it difficult to live on the meager salaries now paid them by the Government of the United States?

I am amazed that the Senate of the United States should be disposed to add to the salaries of the most favored class of people in the United States, without a single exception, and that is what this bill does. I am absolutely opposed to commencing at the top. If we are going to raise salaries, in God's name let us begin at the bottom and begin where there is real want. Let us begin where there is real necessity for an increase and not begin by piling up additional salaries for the best-paid officials that the Government of the United States employs.

That is all I desire to say, Mr. President.

Mr. WILLIAMS. Mr. President, I am glad to hear the clarion voice of the Senator from Virginia, who happens at the same time to be the leader of the Democratic Party upon this floor, in such unmistakable terms as I have just heard. The excuse made for all this is the increase in the cost of living. Do Senators forget that the increase in the cost of living bears chiefly upon the taxpayer and not upon the Federal judge, not upon a Senator or Representative in Congress or governor? The increased cost of living renders the taxpayer less able to pay taxes, and war emergencies and the peace reconstruction emergencies render it all the more necessary that he should pay taxes. This is the time of all times that is the wrong time, and yet the time of all times when everybody comes up wanting to pull at the breast of the Treasury of the country in order to get something added to what he hitherto has been receiving.

The Senator from Virginia is exactly right. This bill with these provisions in it ought not to pass this body. This body can not go before the American people with a feeble increase of 10 per cent for the people who are getting $780 and $900 a year while it grants these increases to the men who are receiving not only enough to get food and raiment, as the Senator from Virginia says, but, in addition, sufficient to educate their children. When King Henry IV entered the capital of France he said that he wanted to see the day come when every peasant in France should have a fowl in his pot. The utmost any man looks for in this world is the day when everybody can buy food and raiment and educate his children in a respectable way.

Why should you increase the immense financial distances between men? There is not a man in the United States who would not rather be a Federal judge at $3,000 a year than to be a hod carrier at $6,000, if the hod carrier could get $6,000.

This is not demagogy. I do not think I have ever been a demagogue; I do not think I could be if I tried to cultivate the art. But you all know that men's compensation for their work in this world consists partly in money and partly in honor. Would I, for example, have been a Senator of the United States for the sake of the salary? A whole lot of you never would have been, although the salary was a big thing to me. What appealed to you to come here? It was the idea that your children and your children's children might point to the record and say you had been here in this august body representing a part of the legislative authority of this United States. A man takes pride in the fact that from the Continental Congress down to the present time his family has been represented upon the floor of the legislative body of the United States. Could you get any better men if you paid them $20,000 a year than you are getting now? No; you would get worse men. You would get men who would come here for the money, and the man who goes anywhere in the front line of battle or in the ranks of honor in this world for money is a bad representative of the American people.

You can not build up a good judiciary of men whose chief aspiration is an increase in salary. If that is a man's chief wish, then he ought to get off the bench at once and go to making money somewhere else without the honor. But if he prefers honor to money, he will stay where he is. If he prefers money to honor, he will resign, as so many have done from the State benches and some few from the Federal benches.

I tell you this whole idea that you can create ability by paying in cash is a lie. You could not have created John Marshall by giving him $20,000 a year, nor Judge Story, nor Chancellor Kent, nor Chief Justice Sharkey, of the State of Mississippi. There was not a day in the life of either one of those men when they would not rather have had the office with just enough to furnish them food and raiment than not to have had it at all. It was an honor to them, an honor to their children, an honor to their grandchildren, and an honor to their family all the time. The true aristocracy of the world consists in being able to point back to ancestors who performed public service. These Federal judges are members of the American aristocracy, as is every man who performs a high public service.

It is just as foolish to tell me you can get better judges by paying more money as it is to tell me you can get better Senators by paying more money. You would merely tempt every selfish moneygrubber in the world to run for the Senate, whether he was fit for it or not. If you pay him more money than he could make in his present occupation, he would give up that occupation because he could make more money by holding a seat in the United States Senate. You do not want to tempt men to public service merely with money. You want to give them enough money to carry off the dignity of the situation, and it does not require so awfully much dignity. You want to give them enough money so that out of the salary they can carry themselves and their families respectably in society. But it does not take so awfully much money to do that. John Marshall used to carry his paper parcels through the streets of the city and never considered it a disgrace. Such a thing would be considered a great disgrace in these days; at least it is in many cities, and I suppose it is here. As to carrying a basket or parcel with fish and chickens and oysters in it for the family to eat, that is beneath the dignity of any man now serving in a public place anywhere. He would rather be shot at than be seen performing that duty on the public streets. You can not create legal ability by paying cash for it. It has got to be there; and then, if it chooses to exploit itself as a lawyer, it can sell itself for cash, but you can not create it by giving it cash. How do you create judges? If you create them right, you find a man who has made the best lawyer in his district and you try to make a judge of him. He did not make the best lawyer in his district because some one had paid him money. Let me give you an example. I have gone out of the back door many a day to escape a client coming in the front door, because the practice of law bored me and the money did not interest me. It did, too; but I mean it did not interest me sufficiently to make me stay in.

Here is another man who loves the law. Take the Senator from Idaho [Mr. BORAH], for example. He loves a law point as I love a logical syllogism or a mathematical problem. It does not bore him; it interests him. The consequence has been that he has made a great lawyer. Do you suppose, if you were going to put him on the bench to-day, you could make him any better lawyer by giving him $10,000 a year instead of $7,500? I imagine you would make a worse lawyer of him, for you might give him a whole lot of luxurious habits that he now has not, and the luxury might lead to laziness, and laziness might lead to intellectual indolence, and intellectual indolence might finally lead to legal inefficiency. I am glad that the Senator from Virginia [Mr. MARTIN] made that little talk. It was the best thing I have heard in this Congress.

Mr. BORAH. Mr. President, I trust I have a sufficient and proper appreciation of the position of the judiciary in our Federal system. I have many times on this floor and elsewhere expressed my views in regard to it, and I have not in any sense modified those views. I also realize that all of the Federal judiciary is insufficiently paid, but I do not believe that it is so insufficiently paid as to justify this bill at this time, when we take into consideration the conditions which now confront us. I realize, of course, that there are men upon the bench who are making a sacrifice, who are not receiving what they would receive if they were in private practice; but if there is anyone in this country who is not making a sacrifice now in a financial way, I do not know who it is.

Business is embarrassed and business men are embarrassed; business men are suffering and business men will go to the wall, owing to the exceedingly great burden which has necessarily been laid upon us by reason of this war; and I do not believe that the Federal judiciary ought to be singled out and have their salaries increased, and I do not believe that the judges of the Federal judiciary, as a whole, expect it. I think that the great body of them are perfectly willing to submit to the situation which now confronts them until they, in common with all their countrymen, can enjoy a better condition of affairs.

I do not see, Mr. President, how it is possible for us to raise these salaries without raising salaries all along the line below these. I do not see what possible answer we can make to the requests which will come to us to raise salaries below this amount, for it comes right down to the question of what is necessary to sustain life and to clothe and to feed a family. There are any number of men in this country who are now serving the public at very much lower salaries than are being paid to the Federal judiciary, and if it is a question of living, if it is a question of clothing and of food and of the education of the family, what possible answer can we make to these men

when they ask for an increase of salary and point to the fact that we have increased the salaries of judges?

You are greatly in error, Senators, if you suppose that the request will not come. It will be here upon short notice; it is here now in a potential way, and we must face it. Are we in a position, therefore, to set the precedent and to establish the example of increasing salaries at this particular time, when everyone is sorely pressed by reason of financial conditions and by reason of heavy taxes? I do not think that we ought to do it, though I have just as high an appreciation of the Federal judiciary, I presume, as anyone could have, and I have just as high an appreciation of the character of the judges who occupy these places. I believe they are willing, and I believe they ought to be, to suffer with the rest until a better condition of affairs arises.

I have been in the Senate, Mr. President, for nearly 12 years. One of the first activities in which I was engaged in the Senate was in opposition to the raising of salaries. I have watched the program ever since. If we raise the salary of a class of officers to-day, to-morrow they point with full justification to the fact that that salary is unfair as compared with the salaries which we are paying to others, and there is no answer to it. Every man wants to be equitable; every man wants to be fair; and when some employees point to the fact that we have raised salaries here and there, and we refuse to raise their salaries, it is an argument which a Senator can not answer. The result of it is that this becomes a law of perpetual motion, and we are constantly increasing salaries regardless of circumstances and conditions which confront us. When employees come here with their $1,200, $1,500, $2,000, and $3,000 a year salaries and ask for an increase, and say, "We can not live on what we are now getting," what answer will we make when we have raised the salaries of those now receiving $6,000 and $7,000 because the officers receiving those salaries can not live upon them?

So, Mr. President, we are entering at this critical time, when people are being taxed beyond any conception of previous years, upon a program of raising salaries all along the line, if we are going to do justice to the entire situation. I know that the Federal judiciary is able; I know that it is patriotic; I know that it is devoted to the interests of this country; I know the judges are men of character and they will understand the situation. We should not ask that this precedent be established at this particular juncture of critical affairs.

Mr. SMITH of Georgia. Mr. President, I shall detain the Senate very briefly in saying a few words with reference to this bill. The district and circuit court judges of the United States are receiving the same salaries they have received for many years. Instead of this bill being a precedent for raising salaries, the precedent all along the line is that the salaries of others in similar positions have been raised, while the salaries of these officers have not. The salaries of the judges of the Supreme Court of the United States have been raised; the salaries of Cabinet officers have been raised; the salaries of assistant attorneys in the Department of Justice have been increased; and, all around, men engaged in the same class of work have had their salaries increased, while the Federal judges have not.

Mr. SMITH of Arizona. The Senator might also include Members of Congress.

Mr. SMITH of Georgia. Yes; and, as the Senator says, Members of Congress have had their salaries increased.

Mr. President, I am not generally in favor of increasing salaries; I believe in economy; but there is no class of men in the United States who carry more completely the lives, the liberties, and the property of the people than do our Federal judges. They are of the utmost importance to the people of this country. I believe that a United States court judge should be separated from the ordinary affairs of life even more than a Representative or a Senator, more than a Cabinet officer, more than a district attorney, or an assistant district attorney. The Federal judge can not practice law, no; he can not engage in business, no; he can not engage in trade, no; he can not form business associations without complicating his relations to the litigants in his court. He is put in the position where he must lay the making of money behind him and rely solely on his salary and such little savings as he may make from his salary and invest.

For a number of years past there has been a recognized view that the salaries of Federal judges ought to be increased, but no general plan was adopted. The Judiciary Committee of the House worked out with great care a plan and the House finally adopted one embodying an increase, but not an extravagant one. We were on the point in the Senate of doubling the increase given by the House; but, I am glad to say, this morning the Senate reconsidered its action and went back to the conservative figures given us by the House of Representatives. There was a very close vote in the House as to whether $7,500 and $8,500 or $8,000 and $9,000 should be the figures; but the almost overwhelming sentiment was that some increase was essential, and this bill finally passed by an overwhelming majority.

There are two other provisions in the bill of substantial importance. We have had district and circuit judges under our present system who passed the age of 70, but did not retire, because they felt that they were able to do something and that retirement and abandonment of all work meant mental and physical collapse. In this bill they are given the opportunity to retire, not to resign, but to continue to serve in judicial life to the extent of their physical capacity. I think that is a most valuable provision.

The bill also provides that if any judge, on account of physical or mental disability of a permanent character, can not perform efficiently all the duties of the office, then the President can appoint an additional judge. We have been embarrassed by this condition frequently heretofore, and this part of the bill perfects, in my opinion, our judicial system.

I trust that, as we have reached such progress in this proposed legislation, it will receive the indorsement of the Senate; and I submit the matter, so far as I am concerned, to your consideration.

Mr. FERNALD. Mr. President, I trust that I have sufficient respect for the dignity of the courts of the United States, and I do not presume to speak for any State save my own, but I realize that we are about to establish a precedent here that will be troublesome to the Senate in the future, and not the remote future—not next week or next year—but right now. We have selected a body of public servants who are receiving reasonable salaries, who are to-day receiving sufficient to care for themselves and their families and to educate their children, and are ignoring a large number of public officials who are not receiving sufficient to take care of their families and themselves. I consider it, sir, an outrage to take men occupying high position in the Government, now receiving reasonable compensation, and increase their salaries unless we go the whole length of the line.

In my State we have never been troubled to find men to fill the office of district judge, and I am frank to say, sir, that we have not a lawyer, to my knowledge, in the State of Maine who would not be glad to receive such an appointment to-day and now. I assume that the same condition exists all over New England and, perhaps, all over these United States.

I am opposed to this proposition. Now is a most inopportune time to begin to advance the salaries of high-paid officials. If we must begin, let us begin at the other end of the line. There is not a Senator here, I assume, who is not making some sacrifice. I know of many Senators on this floor who have left salaries much higher than they are receiving here in order that they may have the honor of a position in the United States Senate.

I am very much opposed to this proposition beginning at this end of the line. I can not understand by what legerdemain these officials have been selected, unless we go the whole length and increase the salaries of every other public official. I am of the firm conviction that there are many public officials who ought to have their salaries increased, who are receiving from $1,600 to $2,000, which is entirely inadequate to support their families; but if any class of people are to receive an increase in salaries, such increase should begin in a different class than those covered by this bill; and I wish to register my protest, as a business man and as a Senator from Maine, against this proposed increase.

Mr. REED. Mr. President, I have never been an advocate of high salaries when applied to what we ordinarily term "salaries," but I think I can show a consistent record in favor of the advocacy of pretty liberal wages to be paid to wage earners; but there have been some things said in opposition to this bill which lead me to ask the attention of the Senate for a few minutes.

In the first place, it is said that a good salary will not make a poor judge a good judge. Everybody in the world knows that. The statement was made that a good salary would not make a poor lawyer a good lawyer. The Senate of the United States did not need to be informed of that fact; but it is nevertheless true that, taken first and last, salaries have something to do with the question of whether good lawyers can be induced to leave their practices and devote their lives to the bench. Salaries may become so meager that the bench suffers in the quality

of its membership, or if it does not suffer the occupants of the bench are put to disadvantages that are unfair.

My friend from Maine [Mr. FERNALD]—who, I am sorry to see, has left the Chamber, and who is a business man—states that he can not see any business sense in this proposition to raise the salaries of Federal judges. If this were a business proposition pure and simple, we would not get the men who are on the Federal bench to serve for two or three times their salaries. This is not a business proposition. It is a proposition of what is fair and right and just and what is best for the people of the United States.

To begin with, no man ever ought to be appointed to the Federal bench unless he is a ripe and seasoned lawyer, a man who enjoys and who has been enjoying a large practice, because the only way we can really test out the ability of a lawyer to be a good judge is by his record made for many years in the courts of the land. If a man is an experienced lawyer and an able lawyer and a lawyer with a large practice, then when he enters upon the duties of the Federal bench he must make a very large financial sacrifice, for there are very few lawyers engaged in good practice in the cities of the land to-day who possess the abilities which ought to go upon the Federal bench but who are making a great deal more money than the salaries proposed. Indeed, they frequently make more money in one case than the salaries proposed.

So much for that phase of the question. There is another phase of it.

It of course is true that there are men who have such high regard for the judicial honor that they will make very great financial sacrifices and subject themselves to many great hardships in order to hold such a position; but I believe it to be true that, first and last, taking the whole question and looking at the years together, it will be found that the character of the new appointees upon the Federal bench will begin to disintegrate if we place the salary of a judge at a point where the occupant of the bench can not support his family, educate his family, and have a little money left for his wife and children to live upon when he ceases to occupy the bench.

If the salaries which are now paid were just salaries at the time they were fixed, then the proposed salary is certainly not excessive at this time, because the value of a dollar then was fully twice the value of a dollar to-day. Its purchasing power was fully twice as great at the time these salaries were fixed as that purchasing power is to-day. These Federal courts are becoming more and more important. Their jurisdiction has been vastly enlarged. Their influence upon the national life, because of this enlarged jurisdiction, is much greater than it was a few years ago; and in deciding this question nothing of the demagogic argument ought to considered. Justice should be done to the occupants of these high positions, and only justice.

Mr. President, I have in mind a case which perhaps may have influenced my judgment a good deal. A few months ago I got a $1,200 clerkship for the widow of a man who for nearly 20 years sat upon the supreme bench of one of the great Central States of the Union. He was paid a salary of $5,000. He was expected to maintain a respectable home and to perform those duties—social, public, or otherwise—which fall upon a judge; and they are many. He lived moderately, he had no bad habits, but he kept up the sort of a home which the people would like to have one of the justices of their supreme court keep up, and his little wife spent money moderately; and yet at the end of the year the $5,000 was gone. It does not go very far when men have to live on a certain plane; and this man, who served his State with distinction and was one of the greatest of the judges of that State, who practically devoted his life to public service—all the ripe years of his life—when he could have made from $50,000 to $100,000 a year in his practice, died and left his widow practically without anything. He had expended money in educating some children, which had been a heavy draft upon him; and his widow is here in Washington working for $1,200 a year at a position that she is not physically capable of holding.

It is all right to talk about sacrifice, and it is all right to talk about economy; but you can go too far in your cry for economy, and you can demand sacrifices to such an extent that you become unjust; you may injure the fiber and character of the men who will hereafter be appointed to these great positions. There are not many of them in the United States, after all. The draft upon the Public Treasury through this will not be great.

We are told that we are about to pass a bill appropriating $100,000,000 to be expended in foreign lands in charitable acts among people whom we do not even know, and we do not even know in what nations and countries it is to be expended. The interest on that $100,000,000, at the rate the United States has to pay, would be $4,500,000 a year. It would many times over pay these salaries and pay this increase. We shall probably pass that bill. I do not urge that as an argument, further than to call your attention to the fact that sometimes we open the bunghole with great liberality and at the same time put our thumb upon the spigot with a great deal of parsimony.

Mr. President, I believe that this bill as now drawn is a fair bill. I believe it ought to be passed. It is a poor time to demagogue a case.

Mr. McCUMBER. Mr. President, I think there is one suggestion that ought to be made here before the vote is cast upon this bill, and that is this, and it is simply in addition to the reasons that have been given against the raising of the judges' salaries:

First, in the Swayne trial here it was demonstrated that 50 per cent of the judges of the United States courts charged considerably more than the law actually allowed them when sitting in courts other than at their places of residence. For instance, the law provides that when a judge of a Federal court is called to sit in another court away from his home place or his own district he may charge as expenses the actual expenses, not exceeding $10 per day. In that case the fact developed that more than 50 per cent, as I remember, put in all their bills for $10 a day expenses, even though they might not have been more than three or four dollars per day; and there is considerable of this transferring from one point to another done in the country. I do not know whether or not that system is followed now as it was then, but I think it is. I know that it is followed in some courts, because I have looked over the reports that have been sent in, and have been informed that they have followed the rule, no matter what the expenses were, of charging $10 per day; so whatever profit of that kind there may be is in addition to their salary.

That is not the only way in which the judges have been favored. In the present revenue bill we relieve judges of the Federal courts of any payment of taxes whatever upon their salaries. Senators must pay their proportion of the taxes according to their incomes, whether upon their salaries alone or salaries combined with incomes from outside sources; but no judge of a Federal court, Supreme or district court, is compelled to pay one penny of taxes under the bill as it is now in conference, and, of course, there will be no change in that respect. It may not amount to more than $400 a year, but that is something of an addition, while everyone else must pay his full taxes. I have never agreed, and I do not agree to-day, with the constitutional objection that is urged that these salaries are not taxable, because I think they are taxable as income, and I have never agreed to the doctrine that levying a tax upon the salary of either the President or a Federal judge was diminishing his income during his incumbency in office.

Take into consideration, also, the fact that after reaching the age of 70 years the ordinary individual must still perform services for the support of his family, while the judge, after having reached that age, may withdraw from any work and his salary will go on during life.

Taking into consideration all of these matters, Mr. President, it does seem to me that it is decidedly unjust to the taxpayer, who must go down into his own pockets to meet these additional salaries, to ask him to pay not only the taxes from which you relieve the judges, but, in addition to that, to increase their salaries beyond what they are at the present time, which amount shall also be nontaxable.

Mr. JONES of Washington. Mr. President, it was suggested by the Senator in charge of the bill a short time ago that the salaries of others had been increased, including judges of the Supreme Court and other officials in high positions, and that these officers have not received any increase in salary. I may be mistaken, but I have a very distinct recollection that Congress has increased the salaries of these judges within the last 15 years. As I say, I may be mistaken in that, but I do not think I am; but, be that as it may, I do not believe that this is the time to increase these salaries. In normal times and under normal conditions I would vote for an increase in these salaries. But this is the time when everybody is called upon to make sacrifices; everybody is compelled to do it. I am sure that the judges of these courts will not object, in fact I am certain they will be glad to do their part in bearing the burden which this country must bear at this time as a result of the war.

As has been suggested by the Senator from North Dakota [Mr. McCUMBER], they have a life position. Not only that, but after service of a certain length of time or when they reach a certain age—and it is not a very great age either—they can retire and continue to draw the salary which the law has provided. Many of them prefer to stay on the bench and render service for the Government, but they are not compelled to do so. They do not have to worry anything about the future, so far as ample provision for a comfortable living is concerned, for

themselves and their families. That is a very important thing. I have no doubt it appeals to a great many when positions of this kind are to be filled.

Mr. President, we are having demands presented to the Government for increases of salaries upon the part of almost all the employees of the Government. There are a great many employees of the Government who, in my judgment, are not even reasonably well paid. There are employees in the District of Columbia who have appealed and are appealing to Congress for increases in their salaries. It is true they do not hold the high and responsible positions which these judges hold, but they are entitled to the reasonable comforts of life; they are entitled to have reasonably warm and reasonably good clothing; they are entitled to have a reasonable supply of food; and yet it is really a wonder to me, though it may not be to anybody else, how many of these people actually exist upon the salaries which they get.

If we are going to begin increasing salaries, I think we ought to begin where it is most needed; that is, where the actual necessities of existence require and demand it. If there were anything which at this time under these present conditions would induce me to vote for the passage of this bill, it would be that I would vote for it in the hope that if the Senate did pass it when these other requests came up it could not reject them or refuse them.

We provided an increase during the past year, under conditions everybody is familiar with, of $120 a year. It is common knowledge that it is proposed to continue this increase for another year and hold down other increases of salary. Of course, Mr. President, that is something, but it is not much. It is suggested here that the purchasing power of the dollar which is paid to these judges is not worth more than 50 per cent of what it was when they were appointed and when the salary was fixed. Grant that, Mr. President. The purchasing power of the dollar of the school-teacher in the District of Columbia who gets $750 a year is no greater than the purchasing power of the dollar which any judge or any other official receives. We do not propose to increase the salaries of the school-teachers—at least there does not seem to be very much prospect of it—and until we can take care of the actual necessities of those in the Government employ whose salary is not really sufficient to furnish them with the actual necessities and comforts of life I can not get the consent of my judgment to vote to increase the salaries of men who are now receiving that which certainly brings them a comfortable living and assures them a comfortable living during their entire lifetime.

I freely concede the important duties which these judges must perform and the responsibilities of the positions which they occupy, as well as the high standing, character, and ability which they should have, and I think it is entirely out of place to suggest in this argument that there is any Senator who does not appreciate that. We know that we want judges of the highest integrity and of the highest ability, but there is no suggestion here, there is no charge here that we have not that kind of a judiciary now.

It was suggested a moment ago that the judiciary might deteriorate. There is no charge that it is deteriorating.

These salaries have been in existence quite a good many years, and we have practically completed the war; it is practically over, and we hope that in the no distant future conditions will become normal. There has not been thus far any complaint; in fact, I have not heard any complaint by these judges, and as has already been said I do not think they would make any complaint. They are not asking for this increase now. In my judgment it really is an insult to them for us to propose to urge this increase under present conditions.

Mr. SMITH of Georgia. Will the Senator yield?

Mr. JONES of Washington. I yield.

Mr. SMITH of Georgia. A committee for the judges presented the matter very fully before the House Judiciary Committee, and the evidence is printed showing the necessity, as they see it, of these increases.

Mr. JONES of Washington. I am sorry to know that the judges have been working for this increase of salary.

Mr. SMITH of Georgia. I do not say that they have been working for it, and I hope the Senator will not oppose the bill on that ground.

Mr. JONES of Washington. I hope the judges have not done this. I hope I would have no justification to oppose it on that ground. I did not know they had sent a committee here to urge it. I am sorry if they have. I think that is one of the most reprehensible things that the judiciary could do, and I am satisfied that if that committee came here for the purpose of lobbying for this bill it does not reflect the sentiment, sense of propriety, and the patriotism of the great mass of the judiciary of this country.

Mr. SMITH of Georgia. I did not say a committee of judges was sent here.

Mr. JONES of Washington. I understood the Senator to say so.

Mr. SMITH of Georgia. Perhaps some of the judges were called, but the committee was a committee of the Bar Association. There was evidence, I think, from the judges, however, as to their financial condition and their expenses.

Mr. JONES of Washington. That makes it a little better. Of course, I knew that some of the Bar Association were urging this legislation. I am sorry they have done so at this time, but I am glad that the judiciary is exonerated from it. I hope that none of the judges have been down here talking to anybody with reference to an increase of salary during these times. I hope there is not a single judge occupying the bench who could so forget the real requirements of his position as to come to Congress or induce anybody to come to Congress to urge the increase of his salary at this time and under these conditions. I hope no judge has tacitly or openly approved the appearance here of any committee on his behalf. I wish they had openly opposed this bill at this time. They would be more highly thought of by the people had they done so.

As I said, I do not believe that the judiciary of the country would indorse anything of this kind or encourage anything of the kind.

I believe they would, in fact, repudiate it if it were brought to their attention. It may be that committees from bar associations and attorneys have come urging it. To do so, in my judgment, places the judiciary in a false light. They are just as patriotic men as there are in the country. They are just as loyal men as we have in the country. They are of the highest character, and they recognize the conditions that confront the people of this country. They are perfectly willing to bear their burdens in this hour of stress and trial. In my judgment they do not ask for this increased salary. They do not seek it, and we are but reflecting upon them when, in the face of all the demands from others throughout the country who need it much more, we propose to increase their salaries and not take care of those who are actually suffering for the necessities and comforts of life.

We fear Bolshevikism. We are warned against its growth and development, and ways and means are sought to stop it. Mr. President, things like this promote and foster Bolshevikism more than anything else in this or any other country. You will never stop the growth of Bolshevikism till you destroy the sense of injustice and discrimination that acts like this arouse.

Mr. JONES of New Mexico. Mr. President, a parliamentary inquiry. I should like to know whether it is possible at this parliamentary stage of the bill to move to strike out sections 2 and 3—I think they are—to strike out the sections increasing the salaries of the present judges?

The PRESIDING OFFICER (Mr. KNOX in the chair). The present occupant of the chair thinks, the bill having been read the third time and being on its passage, it is not open to amendment at this stage.

Mr. JONES of New Mexico. I was of that view myself, but I did not know whether it was the opinion of the Chair or not. I wish simply to say, then, that I am sorry the bill has reached this parliamentary stage. If a vote is taken on the bill as it now stands, I shall vote against it. I am not going to enter into a discussion at any length as to the reasons why, but I have been giving some little attention, in the last few days especially, to this question of the increase of wages. I am a member of a subcommittee that has under consideration now a bill to fix a minimum wage of $3 a day for Federal employees. Whether such a bill shall become a law or not of course I can not say, but I am greatly impressed with the necessity for some relief to those who receive only small compensation. If anything is to be done in that direction, I agree with various Senators who have expressed their views upon this bill that that is the place to begin.

I do not believe that we should increase these salaries now, and if the bill comes to a vote as it is now presented to the Senate I shall vote against it.

There are other provisions in the bill which seem to me to be very meritorious. The other provisions in the bill I have given some attention to for several years. In various districts in the United States there are conditions existing which will require and the public business demands that there shall be some relief, and such relief would be given by the other provisions of the bill. I would like very much to see those provisions become law. But if the question is put up to me whether I shall accept the bill as a whole or not, I shall vote against it. I do not know whether the Senator in charge of the bill desires to put it back into a parliamentary stage where the sole question of an increase in salaries shall be the issue or not, but in the present situation I shall vote against the bill.

Mr. NEW. Mr. President, I find myself in somewhat of an embarrassing position with reference to this bill. As a matter of fact, I have not only expected to vote for it but I have said in more than one instance that I intended to do so. I did fully expect to do so until within the last very few days.

I believe, as has been very well said by a number of Senators who favored this measure during the discussion of it, that the Federal judiciary is as a class underpaid. I think it has performed very great service for the country in the last few years, that we are beholden to it for great things in the not very distant past, and that we must look to it for perhaps still greater things in the days that are to come. I think the hope of this country lies very largely with the Federal judiciary. I believe that the salaries attached to it should be commensurate with the character and services and the position at the bar of the men who are going to occupy those places. I believe that none but the best of the profession should be appointed to the Federal bench, and as a rule I think that practice has been followed by the Presidents of both parties who have been charged with the responsibility of making these appointments.

As I said at the outset, I believe that as a class the Federal judges are underpaid. When I contemplate the situation in my own State and think of the man who occupies the Federal district bench there I am very sure that that is the case. He is a man who could earn several times in the practice of the law the salary he is now receiving as a judge of the Federal court. But financially he is a poor man, comparatively speaking, and he is making a great pecuniary sacrifice in staying where he is. I have recognized that fact. I realize if that is the case with him it is probably the case with many others.

But, Mr. President, within the last few days I have been impressed with the demands and the righteousness and justice of the demands that are made upon all of us here by many other classes of Federal employees. For instance, of the clerks and secretaries who represent the Senators in this body there is not one who is not underpaid, in so far as the Government is concerned. Every one of us knows that. There is more than one Senator on this floor who goes down into his private pocket, those who are happily able to do so, to piece out the inadequate salaries that are paid to these efficient secretaries and clerks by the Government of the United States.

We have increased the salaries of some by a pittance and only a pittance, and they are living here from hand to mouth, so to speak. Two girls came to my office yesterday afternoon who work in the Library here. They were respectable, nice-looking girls. One of them is receiving a salary of $50 a month, the other a salary of $60 a month. How they live here now in the city of Washington respectably, as their appearance indicated they certainly do, is just a little beyond my comprehension. I do not know how it is possible for them to do it.

Let me add, I have here on my desk a request in behalf of the Federal food and drug inspectors of the United States, something that has just been handed me. They want an increase of salary. I have letters this morning from half a dozen classes of public employees, post-office clerks, letter carriers, rural-route carriers, all asking for an increase, and so far as my opinion goes they are all of them deserving of it. The high cost of living and all that sort of thing has borne down most heavily upon the salaried men and women to-day. There has been no opportunity to increase their income, and their expenses have been added to to such an extent that it is most burdensome and oppressive, and I do not see how they get along at all. The whole business public is protesting against the enormous burden of taxation we are now inflicting upon them, and there is a general demand for conservatism in expenditures, and there is great reason for it. We can not reduce expenditures by raising salaries.

So, Mr. President, it becomes to my mind not a question of the deserts or merits of the case with reference to the Federal judiciary but the opportuneness of this request. At another time I would not only be willing to vote to increase the salaries of the Federal judiciary, but I would gladly do so. At this moment, Mr. President, I hesitate to do it, and I shall decline to do so solely because I feel that the time for it is inopportune.

The PRESIDING OFFICER. The question is on the passage of the bill.

Mr. JONES of Washington. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Chamberlain	Curtis	Gay
Beckham	Colt	Fernald	Gronna
Borah	Culberson	Franco	Hale
Calder	Cummins	Frelinghuysen	Harding
Henderson	Lodge	Penrose	Smith, S. C.
Hitchcock	McCumber	Poindexter	Smoot
Hollis	McKellar	Pollock	Sutherland
Johnson, Cal.	McLean	Pomerene	Swanson
Johnson, S. Dak.	McNary	Ransdell	Thomas
Jones, N. Mex.	Martin, Ky.	Reed	Trammell
Jones, Wash.	Martin, Va.	Saulsbury	Underwood
Kellogg	Moses	Shafroth	Vardaman
Kirby	Myers	Sheppard	Wadsworth
Knox	New	Simmons	Warren
La Follette	Nugent	Smith, Ariz.	
Lenroot	Overman	Smith, Ga.	
Lewis	Page	Smith, Md.	

The PRESIDING OFFICER. Sixty-five Senators have answered to their names. A quorum is present. The Senator from Florida [Mr. TRAMMELL] has demanded a yea-and-nay vote on the passage of the bill.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I have a pair with the junior Senator from Georgia [Mr. HARDWICK] and withhold my vote.

Mr. FRELINGHUYSEN (when his name was called). I have a general pair with the junior Senator from Montana [Mr. WALSH]. He is not present in the Chamber, and I therefore withhold my vote.

Mr. MCKELLAR (when his name was called). On this question I have a pair with the junior Senator from Utah [Mr. KING]. If I were at liberty to vote, I should vote "yea."

Mr. SMITH of Maryland (when his name was called). As I stated on the last vote taken, I have a general pair with the senior Senator from Vermont [Mr. DILLINGHAM]. In his absence, I withhold my vote.

Mr. SMITH of South Carolina (when his name was called). I have a general pair with the Senator from South Dakota [Mr. STERLING]. I transfer that pair to the Senator from California [Mr. PHELAN], and vote "nay."

Mr. TOWNSEND (when his name was called). Transferring the pair which I have with the senior Senator from Arkansas [Mr. ROBINSON] to the junior Senator from Missouri [Mr. SPENCER], I vote "yea."

The roll call was concluded.

Mr. HENDERSON. I desire to announce the temporary absence of the Senior Senator from Nevada [Mr. PITTMAN].

Mr. CALDER (after having voted in the affirmative). I have a general pair with the junior Senator from Rhode Island [Mr. GERRY], but upon this question I am permitted to vote. Therefore, I let my vote stand.

Mr. FRELINGHUYSEN. I have a general paid with the junior Senator from Montana [Mr. WALSH]. I transfer that pair to my colleague, the junior Senator from New Jersey [Mr. BAIRD], and vote "yea."

Mr. WATSON (after having voted in the negative). I have voted, but I find that my pair, the junior Senator from Delaware [Mr. WOLCOTT] is absent. Being unable to obtain a transfer of that pair, I withdraw my vote.

Mr. WARREN. I wish to announce the unavoidable absence of my colleague [Mr. KENDRICK]. He is paired with the Senator from New Mexico [Mr. FALL].

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS].

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Illinois [Mr. SHERMAN] with the Senator from Kansas [Mr. THOMPSON].

Mr. LEWIS. I wish to announce that the Senator from Montana [Mr. WALSH], the Senator from Rhode Island [Mr. GERRY], and the Senator from Nevada [Mr. PITTMAN] are detained on official business.

Mr. SUTHERLAND. I desire to announce that my colleague, the senior Senator from West Virginia [Mr. GOFF], is detained from the Senate by illness.

The result was announced—yeas 37, nays 32, as follows:

YEAS—37.

Ashurst	Hollis	Page	Smith, Mich.
Bankhead	Johnson, Cal	Penrose	Sutherland
Calder	Kellogg	Poindexter	Townsend
Colt	Knox	Pomerene	Underwood
Culberson	Lewis	Ransdell	Wadsworth
Cummins	Lodge	Reed	Warren
Fletcher	McLean	Saulsbury	Weeks
Frelinghuysen	Martin, Ky.	Simmons	
Gay	Nelson	Smith, Ariz.	
Henderson	Overman	Smith, Ga	

NAYS—32.

Beckham	Gronna	Jones, Wash.	McNary
Borah	Harding	Kirby	Martin, Va.
Chamberlain	Hitchcock	La Follette	Moses
Fernald	Johnson, S. Dak.	Lenroot	Myers
Franco	Jones, N. Mex.	McCumber	New

Norris	Shafroth	Smoot	Trammell
Nugent	Sheppard	Swanson	Vardaman
Pollock	Smith, S. C.	Thomas	Williams

NOT VOTING—27.

Baird	Gore	Owen	Spencer
Brandegee	Hale	Phelan	Sterling
Curtis	Hardwick	Pittman	Thompson
Dillingham	Kendrick	Robinson	Walsh
Fall	Kenyon	Sherman	Watson
Gerry	King	Shields	Wolcott
Goff	McKellar	Smith, Md	

So the bill was passed.

Mr. SMITH of Georgia. I move that the Senate request a conference with the House of Representatives on the bill and amendments, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Vice President appointed Mr. SMITH of Georgia, Mr. KING, Mr. WOLCOTT, Mr. BRANDEGEE, and Mr. COLT conferees upon the part of the Senate.

CONVEYANCE OF LAND TO PRINCETON, IND.

Mr. NEW. Mr. President, I move that the Senate proceed to the consideration of the bill (H. R. 10963) to convey a strip of land on the site of the Federal building at Princeton, Ind. I should like to say merely that this is a bill which it will not take one moment to consider. The bill is purely local in its character, and is to enable the city of Princeton, Ind., to open an alley in the rear of the post office. The passage of the bill is desired by the Government as well as by the city of Princeton.

The PRESIDING OFFICER. The question is on the motion of the Senator from Indiana.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to authorize the Secretary of the Treasury to convey, by quit-claim deed, to the city of Princeton, Ind., for the purpose of a public alley, and for no other purpose, all the right, title, and interest of the United States of America in and to a strip of land off the rear of the Federal building site in that city 5 feet in width to provide, in connection with land adjacent thereto, a 10-foot alley, and provides that the city of Princeton shall open the alley and improve and maintain it as other public alleys of the city are improved and maintained.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FOOD SUPPLIES FOR EUROPE.

Mr. MARTIN of Virginia. I ask unanimous consent for the present consideration of House bill 13708, making an appropriation for food relief in Europe.

The PRESIDING OFFICER (Mr. POMERENE in the chair). The Senator from Virginia asks unanimous consent for the present consideration of House bill 13708. Is there objection?

Mr. WATSON. What is the bill, Mr. President.

Mr. MARTIN of Virginia. It is a bill proposing to appropriate $100,000,000 for food for the suffering people in the famine districts of Europe

The PRESIDING OFFICER. Is there objection?

Mr. WADSWORTH. Mr. President, I do not intend to interpose an objection to the request of the Senator from Virginia. I anticipate, however, that it will, perhaps, take a little time to dispose of the measure which he has in mind, and I was about to ask recognition of the Chair—in fact, I did rise when the Senator from Virginia rose—that I might ask unanimous consent to have taken up for consideration House joint resolution 289, which I am certain can be passed in one or two minutes.

Mr. MARTIN of Virginia. I yield for that purpose.

NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS.

Mr. WADSWORTH. I ask unanimous consent for the present consideration of the joint resolution (H. J. Res. 289) for the appointment of four members of the Board of Managers of the National Home for Disabled Volunteer Soldiers.

The PRESIDING OFFICER. The Senator from New York asks unanimous consent fo. the present consideration of the joint resolution named by him. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which had been reported from the Committee on Military Affairs with amendments on page 1, line 3, after the word "That," to strike out the name "M. T. Dwyer" and to insert "George S. Wood"; and at the beginning of line 5 to strike out the name "Henry Hase" and to insert "Menander Dennett," so as to make the joint resolution read:

Resolved, etc., That George S. Wood, of Ohio; James S. Catherwood, of Illinois; John C. Nelson, of Indiana; and Menander Dennett, of Wisconsin, be, and they are hereby, appointed members of the Board of Managers of the National Home for Disabled Volunteer Soldiers of the United States, to succeed George H. Wood, of Ohio; James S. Catherwood, of Illinois; John C. Nelson, of Indiana; and John W. West, of Maine, whose terms of office expired April 21, 1918.

The amendments were agreed to.

Mr. WADSWORTH. Mr. President, one error has been made in the printing of the joint resolution, and I therefore move, in line 5, to strike out the name "Wisconsin" and to insert "Maine."

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

CALLING OF THE ROLL.

Mr. MARTIN of Virginia obtained the floor.

Mr. POINDEXTER. I suggest the absence of a quorum, Mr. President.

The PRESIDING OFFICER. The Senator from Washington suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, S. Dak.	McLean	Shafroth
Chamberlain	Jones, N. Mex	Martin, Ky.	Sheppard
Colt	Jones, Wash.	Martin, Va.	Smoot
Culberson	Kellogg	Myers	Swanson
Cummins	Kenyon	Nelson	Thomas
Curtis	King	Nugent	Townsend
Fletcher	Kirby	Overman	Trammell
Frelinghuysen	Knox	Page	Underwood
Gay	La Follette	Poindexter	Wadsworth
Henderson	Lenroot	Pollock	Watson
Hitchcock	Lodge	Pomerene	Williams
Hollis	McCumber	Saulsbury	

Mr. KIRBY. I announce the absence of the senior Senator from Arkansas [Mr. ROBINSON] on account of illness, and will ask that this announcement stand for the day.

Mr. CHAMBERLAIN. I desire to announce the absence of my colleague [Mr. MCNARY] on account of official business.

The PRESIDING OFFICER. Forty-seven Senators only have answered to their names. There is not a quorum present. The Secretary will call the names of the absent Senators.

The Secretary called the names of the absent Senators, and Mr. LEWIS, Mr. MCKELLAR, Mr. SMITH of Arizona, Mr. SMITH of Michigan, and Mr. WARREN answered to their names when called.

Mr. BANKHEAD, Mr. NEW, and Mr. SUTHERLAND entered the Chamber and answered to their names.

Mr. HENDERSON. I desire to announce the necessary absence of the senior Senator from Nevada [Mr. PITTMAN].

The PRESIDING OFFICER. Fifty-five Senators have answered to their names. There is a quorum present.

FOOD SUPPLIES FOR EUROPE.

Mr. MARTIN of Virginia. Mr. President, I renew my request for unanimous consent that the Senate proceed to the consideration of House bill 13708.

The PRESIDING OFFICER. The Senator from Virginia asks unanimous consent that the Senate proceed to the consideration of House bill 13708. Is there objection?

Mr. POINDEXTER. I object.

Mr. MARTIN of Virginia. I move that the Senate proceed to the consideration of the bill notwithstanding the objection.

The PRESIDING OFFICER. The question is on the motion of the Senator from Virginia that the Senate proceed to the consideration of House bill 13708, notwithstanding the objection.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 13708) providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary; which had been reported from the Committee on Appropriations with amendments on page 2, line 2, after the word "audited," to strike out the words "where practicable"; in line 3, after the word "Government," to strike out the words "are audited"; in line 7, after the word "receipts," to strike out the word "and"; and in the same line, after the word "expenditures," to insert "and an itemized statement for which expended," so as to make the bill read:

Be it enacted, etc., That for the participation by the Government of the United States in the furnishing of foodstuffs and other urgent supplies, and for the transportation, distribution, and administration thereof to such populations in Europe, and countries contiguous thereto, outside of Germany, as may be determined upon by the President from time to time as necessary, and for each and every purpose connected therewith, in the discretion of the President, there is appropriated out of any money in the Treasury not otherwise appropriated, $100,000,000, which may be used as a revolving fund until June 30, 1919, and which shall be audited in the same manner as other expenditures of the Government: *Provided*, That expenditures hereunder shall be reimbursed so far as possible by the Governments or subdivisions thereof or the peoples to whom relief is furnished: *Provided further*, That a report of

the receipts, expenditures, and an itemized statement for which expended under this appropriation shall be submitted to Congress not later than the first day of the next regular session.

The amendments were agreed to.

The PRESIDING OFFICER. The bill is before the Senate as in Committee of the Whole and open to amendment.

Mr. JONES of Washington and Mr. KENYON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington first addressed the Chair.

Mr. JONES of Washington. I was simply going to say that the Senator from Idaho [Mr. BORAH] I know is very much interested in this measure. I sent for him awhile ago, but he is not here. I had supposed there would be some discussion of the measure.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Iowa?

Mr. JONES of Washington. Yes.

Mr. KENYON. I will say to the Senator from Washington that there will be some discussion. I understood that the Senator from Virginia was going to explain the bill. I wish to make some few remarks against the bill, and I will make them now or after the Senator from Virginia concludes, as he may desire.

Mr. MARTIN of Virginia. It is a rather late hour in the afternoon now, and my idea was not to consume any time unless it was absolutely necessary. I was under the impression that this matter was of such public notoriety and of such great importance that every Senator understood it, but, in view of the suggestion made, while I am not going into details, I will, in a very few words, explain the purposes of the bill.

Mr. MYERS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Montana?

Mr. MARTIN of Virginia. I yield.

Mr. MYERS. I should like to ask the Senator a question. Under what section of the Constitution does the Senator contend that Congress has authority to raise money by taxation and give it away, practically as a gift, to foreign peoples?

Mr. MARTIN of Virginia. Mr. President, I do not think it is necessary to go into a constitutional argument this afternoon on this matter.

Mr. MYERS. If the Senator will pardon me, if there is any section of the Constitution authorizing it, I should like to have it cited to me.

Mr. MARTIN of Virginia. Similar action by the Government has been taken many, many times. I have a list of the precedents here.

Mr. MYERS. Where money has been appropriated to the people of foreign nations?

Mr. MARTIN of Virginia. To the people of foreign nations; yes.

Mr. MYERS. Have they not been loans to foreign nations?

Mr. MARTIN of Virginia. No; they have been donations to relieve the sufferings of citizens of foreign nations.

Mr. MYERS. I should like to hear some of the precedents.

Mr. MARTIN of Virginia. Mr. President, I have a list here; it is a long one, but I will read a few of the precedents, although I confess that I can hardly see that, in the presence of the starvation of millions of our friends in European countries, the Senate will be very much interested in hearing a constitutional argument. I have no doubt about the constitutional power of Congress to afford relief to these sufferers, and I have no doubt that Congress will do it. As I have said, it has been done many, many times. The last time was in 1909, when $800,000 was appropriated to relieve the sufferings of destitute people in Italy. The act making that appropriation provided:

> That to enable the President of the United States to procure and distribute among the suffering and destitute people of Italy such provisions, clothing, medicines, and other necessary articles, and to take such other steps as he shall deem advisable for the purpose of rescuing and succoring the people who are in peril and threatened with starvation, the sum of $800,000 is hereby appropriated out of any money in the Treasury not otherwise appropriated.
>
> In the execution of this act the President is requested to ask and obtain the approval of the Italian Government, and he is hereby authorized to employ any vessels of the United States Navy and to charter and employ any other suitable steamship or vessels.

That was the last precedent, having been made in 1909, appropriating $800,000, not to any government, but to relieve the suffering of destitute people in Italy.

The first precedent was in 1812, when $50,000 was appropriated for the relief of citizens of Venezuela who had suffered by an earthquake.

Again, in 1847, relief was given in an act from which I quote the following:

> The Secretary of the Navy be, and he is hereby, authorized to place at the disposal of Capt. George C. De Kay, of New Jersey, the U. S. S. *Macedonian*, for the purpose of transporting to the famishing poor of Ireland and Scotland such contributions as may be made for their relief.

Again in 1871, again in 1880, again in 1897, and again in 1898, in the case of Cuba, similar action was taken by Congress.

Mr. ASHURST. Mr. President, will the Senator yield for an interruption?

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Arizona?

Mr. MARTIN of Virginia. I yield.

Mr. ASHURST. I notice that the bill, in line 7, refers to "populations in Europe, and countries contiguous thereto, outside of Germany." Is it intended that the money or any part of it appropriated by this proposed act shall be used in feeding our enemies in Turkey, Bulgaria, and Austria-Hungary?

Mr. MARTIN of Virginia. It is not intended to use a dollar of this money for our enemies.

Mr. REED. Mr. President, may I ask in what countries it is to be used?

Mr. MARTIN of Virginia. The President's first telegram states the countries in which it will be used; but it is distinctly understood that it is not to be used for the relief of our enemies. If any food goes to Germany, it will go there by their purchasing it, not by any donation from the United States. We make no provision for Germany or for German citizens in this bill.

Mr. ASHURST. Mr. President, I am very much opposed to the appropriation of a single dollar for anybody in Germany, Turkey, Bulgaria, or Austria-Hungary; and if the statement is made that they are hungry or that they are suffering, our reply should be, "If there is a shortage of food supplies, your infamous warfare sank the food supplies to the bottom of the sea."

Mr. MARTIN of Virginia. The only question that would arise would be about Austria-Hungary, and the senior Senator from Massachusetts [Mr. LODGE] has an amendment which he will offer to make that clear. I am as much opposed as the Senator from Arizona can be to anything going to Germany or her allies or cobelligerents.

Mr. KING, Mr. WILLIAMS, and Mr. McKELLAR addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Virginia yield; and if so, to whom?

Mr. MARTIN of Virginia. I believe the Senator from Utah first addressed the Chair.

Mr. KING. I just want to suggest to the Senator from Arizona that he certainly did not mean that he would not support a proposition that involved expenditures in Turkey; that is, in Turkish territory. The Armenians are there, and hundreds of thousands of Greeks are there, many of whom are starving.

Mr. ASHURST. If the Senator will let me answer, of course I may not have been very fortunate in my expression. I meant subjects of Turkey, our late antagonist. I think, instead of feeding the Turk, the Ottoman Turk should have been put to the sword for his long list of crimes about a thousand years in length.

Mr. WATSON and Mr. WILLIAMS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Virginia yield; and if so, to whom?

Mr. MARTIN of Virginia. I think the Senator from Indiana first addressed the Chair.

Mr. WATSON. I simply wanted to suggest, in reply to what was said by the Senator from Arizona, that we have never been at war with Turkey, nor have we ever been at war with Bulgaria.

Mr. ASHURST. Mr. President, let me answer that, if the Senator pleases.

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Arizona?

Mr. WILLIAMS. Mr. President——

Mr. ASHURST. Just let me answer that one question. We may not technically have been at war with Turkey, but civilization has been at war with Turkey for about a thousand years.

Mr. KING. And we ought to have been.

Mr. ASHURST. And we ought to have been.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Mississippi?

Mr. MARTIN of Virginia. I do.

Mr. WILLIAMS. Mr. President, the line of demarcation seems to me to be very clear. It was expressed in the President's telegram, "The liberated peoples of Europe." That means northern France; it means Belgium; it means Serbia; and, although they were Turkish subjects, it also means Armenians, and Palestinians, and Syrians, and Poles, and Jugo-Slavs, if they need it, and Czecho-Slavs, if they need it. The

language of the President was "the liberated peoples"—the peoples that we, with our allies, together liberated.

The Senator from Indiana is perfectly right in saying that even technically we have never been at war with Turkey nor with Bulgaria; and, although technically, if we had been at war with either it might have included all of their subjects, yet it ought not morally to include those subjects who have been rebelling against Turkey and Bulgaria all the time—the Macedonians, for example, who have been trying to get rid of Bulgaria; the Jews in Palestine; the Arabs in Syria; the Greeks in Asia Minor and the Aegean Islands; the Armenians, who have been cruelly outraged in every way in the world in their mountains, over half of them killed, and the other half left starving. So that the language "the liberated peoples of Europe" seems to me to cover the whole situation. We can trust the men who are going to dispense this fund to see that it does not go to our enemies.

Mr. MARTIN of Virginia. There is absolutely no purpose to use any of this fund for the relief of our enemies.

Mr. WATSON. Mr. President, will the Senator yield to me for a question on the merits of the proposition?

Mr. MARTIN of Virginia. I yield.

Mr. WATSON. This is a gift, as I understand it.

Mr. MARTIN of Virginia. It is not. It is to be used, as far as possible, as a revolving fund. They are to take obligations and securities from all of the governments where it is used where they can possibly be gotten. There may be some few very distressing cases where it may have to go as charity, but they are very few. In the main, it is to be used as a revolving fund, and it is expected that it will ultimately be repaid to the United States.

Mr. WATSON. I should like to ask whether or not either England or France is contributing a like sum, or any other sum, to the same purpose?

Mr. MARTIN of Virginia. I will say to the Senator that England and France have been contributing already, liberally, in advance of this arrangement.

Mr. WATSON. To this purpose?

Mr. MARTIN of Virginia. To this purpose. In one instance there was a shipment of $3,000,000 worth of flour to these starving countries. The governments of each of the four leading countries—England, France, Italy, and the United States—appointed two members of what they call a supreme council of supplies and distribution, I think—that is near enough, anyhow—to take charge of this matter. They took up the matter and determined that it was urgently necessary to have $300,000,000 for this purpose. We are called on to contribute $100,000,000, and that is to be the basis of the fund to which these other nations are to contribute. Italy is not able to do her full proportion, but France and England and Italy will all do something to make up the $300,000,000 and add $200,000,000 to the $100,000,000 contributed by the United States.

Mr. WATSON. And is it understood that Mr. Hoover is to be in charge of the distribution of all of this fund?

Mr. MARTIN of Virginia. Mr. Hoover and Mr. Davis are at the head of this supreme council.

Mr. WILLIAMS. They represent America on it.

Mr. MARTIN of Virginia. No; they are at the head of the whole business.

Mr. WILLIAMS. I know it; but the other countries have representatives, too.

Mr. MARTIN of Virginia. Oh, the other countries each have representatives.

Mr. MYERS. Mr. President, may I ask the Senator from Virginia one other question?

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Montana?

Mr. MARTIN of Virginia. I yield.

Mr. MYERS. The Senator has cited some instances where money has been voted by Congress to the people of other nations. Was any obligation accepted from those nations in those instances for the repayment of the money, and was any of it repaid, or was it a donation?

Mr. MARTIN of Virginia. We could not well exact an obligation when we had not done anything. America has not contributed a dollar as yet.

Mr. MYERS. I say, in these previous instances, historical instances, years ago?

Mr. MARTIN of Virginia. Oh, no. Those sums were donated for the relief of those people.

Mr. MYERS. Was any obligation accepted from the foreign nations?

Mr. MARTIN of Virginia. None whatever.

Mr. MYERS. The money was never repaid?

Mr. MARTIN of Virginia. No. It was a donation to relieve starvation in those countries.

Mr. MYERS. The Senator has cited a number of instances of Congress giving away the people's money to the people of foreign countries, but he cites no section of the Constitution which gives authority for doing so.

I just want to say in this connection, if the Senator will permit me, in response to some questions that have been asked as to whom this money is to go to, that the cablegram from the President says that it is to go to the liberated peoples of Austria, Turkey, Poland, and western Russia, and I think in one of the other cablegrams that was exchanged Bulgaria was mentioned. Now, I do not know whom the President may mean by "the liberated peoples of Austria and Turkey." By "the liberated peoples of Turkey" he may mean the masses of the Turkish people. The Turkish Sultan has abdicated, as I understand, and the President may consider that the people of Turkey are thereby liberated. The Emperors of Austria and Germany have abdicated their thrones, and some people may consider that all the people of those two Empires are liberated from autocratic rule.

Mr. MARTIN of Virginia. The Senator may speculate as to what may be, but I tell him that we have the assurance of the President that none of this money is to go to the enemies of the United States or the allies.

Mr. MYERS. I do not see it anywhere.

Mr. MARTIN of Virginia. Oh, there are a great many cablegrams. I did not bring here every one of them that has come from the President. There is a file of them that high. [Indicating.] I did not think it was necessary.

Mr. MYERS. I should think that in a matter of this kind, where hearings were had, the committee would set forth in the printed report of the hearings all of the light on the subject and all of the communications on the subject.

Mr. MARTIN of Virginia. If the Senator will take the trouble to read the hearings he will find ample justification for the request.

Mr. MYERS. I have read the most of them, and I think it is not only a matter worthy of speculation but a matter worthy of the most specific and definite information, and I think the information contained in the hearings is very vague and unsatisfactory.

Mr. MARTIN of Virginia. Well, it may be my fault; but I say very frankly that I do not feel like being ingenious in trying to find a way not to relieve the suffering and death of millions of people who are our allies in Europe. They are dying by the thousands and by the tens of thousands, almost by the millions.

Mr. MYERS. Mr. President, will the Senator permit me just a minute? I agree with him if they are our allies.

Mr. MARTIN of Virginia. They are. I have assured the Senator of that. Not a dollar of this money will go to any people that have not been our allies.

Mr. MYERS. I can not find anything in the President's cablegrams to assure us of that.

Mr. MARTIN of Virginia. There is plenty of it there.

Mr. WILLIAMS. It says "the liberated peoples."

Mr. MYERS. But whom would he consider "the liberated peoples"?

Mr. WILLIAMS. Those that we have liberated.

Mr. MYERS. Does the Senator consider the people of Turkey liberated because the Sultan has abdicated?

Mr. WILLIAMS. I should speak of the Armenians and Syrians as being liberated from the rule of Turkey.

Mr. MARTIN of Virginia. Mr. President, the President's cablegram specifically states that not a dollar of this money is to go to our enemies. It is to relieve the suffering and starvation of those who have been fighting this battle in Europe with us and with our allies. Nobody contemplates using one dollar of it for any other purpose than purely to relieve the suffering and death of those who have stood in the battle line with us.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Utah?

Mr. MARTIN of Virginia. I do.

Mr. SMOOT. I want to call the Senator's attention to the fact that the object is to feed the poor, starving people, not only of those countries that were in the battle line, but in other countries also, as I understood the request. In other words, this relief is supposed to quiet the people in the countries in which bolshevism is rampant.

Mr. MYERS. Mr. President, may I ask the Senator a question?

Mr. SMOOT. Just wait until I get through.

Mr. MYERS. I should like to ask a question at this point.

Mr. SMOOT. The Senator from Virginia yielded to me, and I am making this statement in his time. I think part of this relief is to be used in Austria.

Mr. MARTIN of Virginia. Undoubtedly. The President says so in the cablegram I have in my hand.

Mr. SMOOT. Well, they were not fighting for us in the battle line.

Mr. MARTIN of Virginia. No; but they were allied with us. They were with us.

Mr. MYERS. I should like to know what people in Austria were allied with us in this war.

Mr. HITCHCOCK. Why, Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Nebraska?

Mr. MARTIN of Virginia. I do.

Mr. HITCHCOCK. The Bohemians contributed in large measure to the victory that has been won. The Czecho-Slovaks were technically Austrian subjects, but we went to all lengths to recognize them, and yet they were part of Austria, and so were the Poles part of Austria.

Mr. MYERS. They are not in Austria now. They have seceded from Austria.

Mr. HITCHCOCK. They are technically part of Austria until the peace conference remakes the map of Europe. They are the liberated peoples of Austria. The Czechs are, and so are the Poles. They are liberated from Germany, they are liberated from Austria, and they are liberated from Russia; and they have been known all through the correspondence and the discussion as "the liberated peoples."

Mr. MYERS. Mr. President, I will ask the Senator what people who were our allies have been liberated from Turkey and Bulgaria?

Mr. HITCHCOCK. The Armenians are technically liberated, and so are some of the Greeks.

Mr. MYERS. Are they liberated? When were they liberated?

Mr. HITCHCOCK. They are liberated in the sense that they are under some protection whereby the Turks have been compelled to stop their persecution of the Armenians; and under the terms of the armistice and undoubtedly at the peace table protection will be given for the Armenians as well as for the Poles and the Czecho-Slovaks and the Jugo-Slavs. They are known as the liberated peoples of those countries, and they have to some extent already a government of their own. The Polish Government has been established; the Czecho-Slovak Government has been established; and each of those Governments will be able to give to the United States either its securities, or possibly even money, to reimburse in part this revolving fund.

It seems to me that it is very clear that the money provided in this bill is intended to be used for the relief of those people who are now struggling into national existence.

Mr. VARDAMAN. Mr. President, will the Senator yield to me?

Mr. HITCHCOCK. I was only taking the time of the Senator from Virginia.

Mr. MARTIN of Virginia. I yield to the Senator.

Mr. VARDAMAN. I want to ask the Senator how long we are to keep this feeling going in order to preserve peace in Europe? War may break out again. If so, are we expected to continue to feed these people?

Mr. HITCHCOCK. We are not expected to do it at all; but we are now in the act of concluding the war, and as a measure of concluding the war it is important to give an element of permanency to the new governments of the liberated peoples, and food is more important at the present time than bullets. Food will do more than anything else to bring about order and bring about hope and bring about confidence in these struggling peoples who are trying to get upon their feet. I believe it is the cheapest possible expenditure of the war measures; and I certainly think there can be no criticism of the President for having adopted not only a humane but a wise measure to promote peace.

Mr. MARTIN of Virginia. Mr. President, Mr. SHERLEY, the chairman of the House Committee on Appropriations, and myself united in a cablegram to the President for information about this matter, and I will read his reply:

I can not too earnestly or solemnly urge upon the Congress the appropriation for which Mr. Hoover has asked for the administration of food relief. Food relief is now the key to the whole European situation and to the solution of peace. Bolshevism is steadily advancing westward, has overwhelmed Poland, and is poisoning Germany. It can not be stopped by force, but it can be stopped by food, and all the leaders with whom I am in conference agree that concerted action in this matter is of immediate and vital importance. The money will not be spent for food for Germany itself, because Germany can buy its food, but it will be spent for financing the movement of food to our real friends in Poland and to the people of the liberated units of the Austro-Hungarian Empire, and to our associates in the Balkans. I beg that you will present this matter with all possible urgency and force to the Congress. I do not see how we can find definite powers with whom to conclude peace unless this means of stemming the tide of anarchism be employed.

I have another cablegram, which was sent to the Secretary of State and sent to me by him:

Extended investigation and consideration of the food situation in certain parts of Europe disclose that especially the urban populations in certain areas are not only faced with absolute starvation during the coming winter, but that many of these populations are unable to find immediate resources with which to purchase their food. These regions have been so subjected to destruction by war, not only of their foodstuffs but of their financial resources and their power of production and export, that they are utterly incapable of finding any resources that can be converted into international exchange for food purchases. While the Secretary of the Treasury can accept obligations of certain Governments, and through these measures their situations can be cared for temporarily, there are still other areas through eastern and southern Europe where such arrangements can not be made. This applies more particularly to the liberated peoples of Austria, Turkey, Poland, and western Russia. In these countries freedom and government will slowly emerge from chaos, and require our every assistance.

The total shipments of foodstuffs from the United States to all parts of Europe during the next seven months will be likely to exceed one and one-half billion dollars, and from our abundance we can surely afford to offer succor to these countries destitute of resources or credit. The minimum sum upon which this work can be carried on for the next six months in the countries above mentioned will amount to at least $100,000,000 for such services and supplies as we can render, and even this sum contemplates the finding of resources by so much of the populations as can do so, and so much assistance as can be given by the allied Governments. The high mission of the American people to find a remedy for starvation and absolute anarchy renders it necessary that we should undertake the most liberal assistance to these destitute regions.

The situation is one of extreme urgency, for foodstuffs must be placed in certain localities within the next 15 or 30 days if human life and order are to be preserved. I therefore request that you should ask Congress to make available to me an immediate appropriation of $100,000,000 for the broad purpose of providing foodstuffs and other urgent supplies, for the transportation, distribution, and administration thereof to such populations in Europe, outside of Germany, as may be determined upon by me from time to time as necessary. I wish to appeal to the great sense of charity and good will of the American people toward the suffering and to place this act upon a primarily humanitarian basis of the first magnitude. While the sum of money is in itself large, it is so small compared to the expenditures we have undertaken in the hope of bettering the world that it becomes a mere pittance compared to the results that will be obtained from it and the lasting effect that will remain in the United States through an act of such broad humanity and statesmanlike influence.

There are many other communications here from Mr. Hoover and from the President; but the sum and substance of it all is that a large part of the people of those countries in Europe which have been friendly and are still friendly to the United States are in a destitute condition. They are without food. They are starving. The men and women, and particularly the children, are dying from starvation; and we are asked to contribute $100,000,000, which is to be used as far as possible as a revolving fund, and most of it, it is believed, will be returned to the United States ultimately. Doubtless there will have to be an extended credit in some of the countries involved. The question is simply whether or not the people of the United States are willing to advance this $100,000,000, and, if need be, give a reasonable part of it. Some of it will have to go as charity; but most of it will be returned and will be used as a revolving fund.

The President has presented this matter very strongly, and I have numerous cablegrams here from him, from Mr. Hoover, and from the American mission. I suppose that means our peace representatives. The cablegrams are signed "American mission."

The fact is that anarchy is prevailing there. In many places there is nobody to treat with. There is a practical necessity to rehabilitate these European countries with whom we must soon make a treaty, so that something may be done to stem the wave of bolshevism and anarchy that is following the path of war in Europe. The question is simply whether the United States is willing to make this contribution, with the expectation that almost all of it will ultimately be returned to this country.

Mr. TOWNSEND. Mr. President, may I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Michigan?

Mr. MARTIN of Virginia. I do.

Mr. TOWNSEND. Perhaps the Senator has explained this, and I did not hear it on account of the confusion. Do I understand that other nations in Europe are cooperating with the United States in this beneficiation?

Mr. MARTIN of Virginia. They are. England, France, Italy, and the United States have each appointed two commissioners to take charge of this matter. They are cooperating in providing this fund and distributing it to the suffering communities. They do not say exactly what the basis is, but the distinct arrangement is that they are to contribute along with the United States.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Utah?

Mr. MARTIN of Virginia. I do.

Mr. SMOOT. The first cablegram by the State Department states that it will take $350,000,000.

Mr. MARTIN of Virginia. Then they got it down to $300,000,000.

Mr. SMOOT. Then the last cablegram that came reduced that amount to $300,000,000. Upon that basis America is to contribute one-third and England and France and Italy are to divide the other two-thirds among themselves.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Idaho?

Mr. MARTIN of Virginia. I do.

Mr. BORAH. So far as these statements are concerned that it will take $300,000,000 or $350,000,000, it is just as much speculation on the part of those who sign the cablegram as it is upon our part who vote for this bill. This is just the beginning; that is all.

Mr. MARTIN of Virginia. Mr. President, I think the Senator is entirely mistaken. Men who went into these various countries made an estimate as to the amount that would be required. It is not such a guess as we would make here, but it is an estimate carefully prepared by experts who have been sent into all of these countries to get us information; and I am sure this will be the end of it. There is no expectation that we shall be called upon for any further sum. I have not the slightest idea that we shall be.

Mr. TOWNSEND. Mr. President, let me ask the Senator another question. He may have answered it before I came in. Is this money to be expended through a commission?

Mr. MARTIN of Virginia. It is.

Mr. TOWNSEND. And that is the commission of which Mr. Hoover is the head?

Mr. MARTIN of Virginia. He and Mr. Davis, from this country, are the head of that joint commission from the four allied countries.

Mr. TOWNSEND. And they have absolute authority as to its distribution?

Mr. MARTIN of Virginia. They will have absolute authority, under the direction of the President. The President is responsible for it. It is put under his authority. He delegates it to others, but he is responsible for it to the Congress. This bill provides that he shall account to Congress for it, and he ought to.

I will read another telegram:

The British are already furnishing from Army stocks food and clothing relief to Serbia and Syria; the Italians to south Austria; the British and French are advancing the money for transport Belgian relief. Allies are willing and anxious to do all they can, and have and will contribute to the full extent of their resources, but must be borne in mind that most of the food must be purchased in the United States, and American money would be used for such purchase and transportation.

Your 107 as to using this revolving fund. It would in effect be such a fund, but it must be borne in mind that it would ultimately be absorbed in giving credits possibly over long periods, to such peoples and institutions as our Treasury could not properly advance under the law, and some of it would be lost in sheer charity. This is not to replace Treasury advances to England, Belgium, France, Italy, Serbia, and Roumania Governments for the purchase of American food. The proposed appropriation would be entirely insufficient for these purposes. Might, however, later on be used to partially replace loans to Serbia and Roumania, but their urgent needs must in any event be cared for by the Treasury pending this appropriation. The matter is most urgent, and forms the foundation for any complete arrangement with the allies fixing their participation.

You see the exact per cent which these other countries are to furnish could not be gone into until it was known what we were going to appropriate. If we appropriate $100,000,000, it is a basis for determination as to what the others will contribute, but they are to make up $300,000,000.

There needs be great emphasis to all American officials and Congress that the armistice has left us large surplus of food, that if we are to dispose of it we are to give credits, and that as the Nation trying to put peace on high-level ideas on which we went into war, we can not be niggardly in the world's greatest problem to-day; that is, how to get food. I need not repeat that strong liberal relief is to-day the only hope of stemming the tide of bolshevism without the expenditure of lives and vast sums for military action. While it is urgently necessary to dispose of our surplus foods in order to relieve congestion and protect the producers from disaster and the consequent chaotic results, it is most fortunate for the saving of human lives that we have this surplus, and our country can not afford to fail to meet both emergencies.

Mr. KENYON. Mr. President, I stated yesterday when the chairman of the committee made his report that there would be a minority report filed in the matter. I expected then that it would be filed, but the Senator from Georgia [Mr. HARDWICK] has been confined to his home by sickness and the minority report has not been prepared. He and I had discussed the question of filing such report. I think having made that statement I perhaps owe a duty to the Senate to present the views at least partially that would have been presented in a minority report.

Mr. President, I know how unpopular it is to oppose any appeal for humanity. I think I am moved as much as anyone by appeals to aid suffering and distress, and there is suffering and distress in Europe. I have observed heretofore with what cheerful alacrity we are willing to vote charity out of other people's pockets. The fundamental objection to this whole matter is that we are compelling people in this country through taxation or bonds to give their money to a charity abroad. I say it is unpopular to oppose it. I know it is. I know it is unpopular in portions of my State, but I feel that the matter should be thoroughly discussed, so Congress may be fully advised in voting money for foreign charity.

We may as well be perfectly frank about these appropriation bills. Personally I shall be glad if we do not have to have an extra session, but I am not going to be a party to hurriedly passing appropriation bills through this body as we shall have to do in order to avoid an extra session. These appropriation bills will come over, I suppose, about the middle of February and that will necessitate that they must be immediately passed in order to avoid an extra session, but I serve notice now, as far as I am concerned, as a member of the Appropriations Committee, that the appropriation bills are going to have a very thorough investigation. I know no reason why the appropriation bills should originate in the House. There is no provision of the Constitution providing for that. We have been adjourning here from day to day and when we have been in session it has been chiefly listening to speeches. I do not know why we could not be working on the appropriation bills now. So much for that.

While there is hunger and dissatisfaction abroad and suffering, there is also suffering in this country. There are over 270,000 men out of employment in certain large centers in this country at this moment; and while I believe in aiding the suffering and distress abroad, I think we are rapidly approaching the time when we shall have to pay a little attention to our own country.

The reasons for this appropriation are indefinite. There are a number of telegrams—some from the President. I think one from Mr. Hoover, of the Food Administration, and one from the American mission. Coupling these with the testimony of Mr. Glasgow before the House committee and the Senate committee, it is difficult to get at the real reason for this appropriation. I shall, in my discussion, accept the President's reason for it. No study of the situation in Europe has come to us. They are all indefinite statements. Men who have visited different parts of Europe report to Mr. Hoover and Mr. Hoover in return must report to the President, and the President only knows of this as he gets it from Mr. Hoover.

This, perhaps, is a result of that secret diplomacy that is going on across the sea, which I believe the American people are strongly against and the sentiment of the Senate is strongly against. If I had my way about secret diplomacy I would wish that the President of the United States might serve notice upon those nations there that if they insist in their secret diplomacy against his point for open covenants he with his staff will return to this country and withdraw our Army from Europe and let Europe go ahead and take care of their business through their methods of secret diplomacy. I think that would end secret diplomacy. Strength to the President in his fight against secret diplomacy!

Under these telegrams we may well inquire, Is this money needed because of famine? Is it needed to assist in bringing about peace? Is it to assist in maintaining the prices of surplus products? I do not say that the latter is correct, but I do want to know. Mr. Hoover gets down in his telegram to the proposition that here is a great surplus of products. One telegram mentions pork products in the hands of the packers; further, that the people must be fed, and that we can maintain these steady standards of prices of pork products and at the same time feed those people, a consummation perhaps devoutly to be wished.

I only refer to that because I say this record calls upon us to expend $100,000,000, which when spent is gone. Do not let us think it is ever coming back. Let us not deceive ourselves about revolving funds. The bill merely provides that it may be a revolving fund. This amount is but a drop in the bucket if we are going to undertake to feed the people of Europe. How long are we to feed them? If we are going to keep on feeding them for months, well and good; let us face it and not deceive ourselves. When the next $100,000,000 comes along in 60 or 90

days let us not object to that if we are going to set this precedent now. If the world understands that this country is to feed all peoples, whether they work or not, we shall have a very busy time.

There is no arrangement shown by these dispatches with the allies, but there is some reference in the late telegrams which the Senator from Virginia has read of some $300,000,000 to be divided in some way. One of the other telegrams said: "It is believed that France and England and possibly Italy will unite in this work." They are just as much interested in this work as we are. Why should they not do their share. There ought to be before we appropriate this money, which the taxpayers of this country have to pay, some understanding, if it be appropriated, as to what we are going to do and what the other nations are going to do. Let us get out of the clouds and down to bedrock on this.

There was a statement in the Washington Times a few days ago, which appears in the committee hearings, which has not been denied, as to the real purpose of this appropriation, namely, that England has repudiated her contracts as to buying pork and has secured her meats from Argentina, and consequently there are great products of pork over there that can not be used, and, if lost, would very seriously interfere with the packers' profits as well as be a serious thing for those who need them.

There is no commission provided for the expenditure of this money. There is the organization of the Red Cross, with 5,000 agents in Europe, which has been diligent in feeding those people. They might be able to handle this fund. But, no, it is put in the hands, practically, of Mr. Hoover. I do not join for one instant in the onslaught upon Mr. Hoover. I think he has done a great work. The expenses of his bureau have been enormous—some $6,000,000 or $7,000,000. The expense of handling this fund in this way will be enormous. A commission would be far better than one man.

Gentlemen are already in Europe with retinues, stenographers, and complete office forces, arranging to take charge of these matters. It may be a good deal like the expenditure of missionary funds, where the cost is so great to get aid to the poor heathen. These are preliminary matters to my main objection.

The basis upon which I place my objection is that Congress has no right to take the money of the people by taxation and give it away in charity outside of this country. I do not feel at all certain that they can do so in this country, though an argument was made in the House in the Russian relief situation away back 18 years ago that while we could not do that for a situation in our own country, where the Constitution applied, we could do it as to a foreign country, because the Constitution did not apply there. That proposition was seriously urged by a very prominent lawyer in the House.

There has never been an appeal to the American people for any charity relating to this war to which they have not responded. If there had been an appeal to the American people for charity and they had not responded and people were starving over there, I think I should be willing to go beyond what I believe is our right under the doctrine that necessity knows no law, because it is pretty hard when there is a surplus of wheat or food in this world to think that people are starving. When we do that, however, and take property in taxes we are engaged in Bolshevikl legislation.

But if this matter were made an appeal to the American people there would not be any question about raising this money, and raising it very quickly, by private donations. There is an appeal now for Armenia of $40,000,000. That will be raised in this country speedily. Under this bill money can be used out of this fund for Armenia, and people who have been patriotic and liberal in raising that money for Armenia will be taxed again just the same.

If the Government is to do these things, why have any funds like the one for the relief of Armenia? Why not levy taxes for the Red Cross and the Young Men's Christian Association and the Knights of Columbus and the Jewish institutions, and every other matter of that sort? Why submit these appeals to the people? In fact, if we start taxation for any of these purposes, why not taxation for all? If it is urgent in one case, it is in the others.

The Senator from Virginia has cited some precedents. It is true we appropriated money to Italy. There may be other instances. I want to call his attention to another precedent. The people of this country raised a large amount of corn and oats in the Middle West in 1892 to send across to Russia, Russia was starving. The Senate passed a joint resolution appropriating $100,000 for the Government to charter boats and take these grains to the starving people of Russia. That resolution went to the House. The matter is very interesting as to the position taken by the Democrats of the House, on the fundamental democratic doctrine as there enunciated—that we had no right to tax the people of this country and give away what was secured in taxes to charity.

I am merely referring to this as an historic incident and not in any partisan way. I am not much of a partisan. If Senators had time to follow that debate in the House, and what little there was of debate in the Senate, they would find it, I think, of great interest. In the Senate, Senator HARRISON of Tennessee said:

> I shall not object to the present consideration of the joint resolution. It is a charity that is bound to command the respect of all intelligent and charitable people, but believing as I do that I, as a Senator, have no right to tax the people to put money in the Treasury to appropriate to this or any other charity, I shall feel bound to vote against the joint resolution.

There were only nine Senators who voted against it, but when the matter came to the House it received more consideration. Several times there was an attempt to secure unanimous consent for its consideration. It never was secured. The appeal of President Harrison to Congress for the relief of the starving people of Russia was placed in the RECORD. It was just as intense an appeal as is now made by the President.

Mr. Bryan, who is known as a Democrat of standing, made a speech on that question calling attention to the fact that on this same Democratic doctrine, when an effort was made to furnish food to the drought-stricken people of Nebraska, Congress denied it. Mr. Blount, of Georgia, discussed the legal phases of the matter, and Mr. Kilgore, of Texas, remarked that as we seemed to be trying to take care of all the people of the world we had better begin taking care of the people at home. A pertinent suggestion now.

A motion was made to strike out the appropriation of $100,000. Mind you, the Government was not paying for the grain. That had been donated by the people of Iowa, Nebraska, Illinois, and Minnesota, and all that was asked was $100,000 of public money to charter ships to take those grains to the starving people in Russia. Senators now in this body who were Members of the House at that time voted to strike out that $100,000, and it went out, and not one cent was appropriated by Congress for that purpose.

So in my contention that we have no right to do this I am supported by very distinguished precedents of the House of Representatives and almost the unanimous Democratic vote of that body. These matters will all be found in the CONGRESSIONAL RECORD, volume 23, Part I, pages 110 to 207.

Mr. President, there is another embarrassing thing about this beside the question of being against the appeals of humanity. I will go into my own pocket in proportion to what I have in this world just as deeply as any other Senator to give to any kind of a charity for humanity, and if my brother in the world is starving and women are hungry and little children are in distress they can have all I possess; but I am not willing to compel somebody else who may have a different view of his rights to give to charity if he does not want to do it.

Mr. KING. Mr. President, will the Senator yield?

Mr. KENYON. I yield to the Senator from Utah.

Mr. KING. May not the illustration or precedent to which the Senator invited our attention, where $100,000 was asked for the purpose of carrying foodstuffs to Russia, be distinguished from the present bar? May not the present appropriation rest upon a sounder basis than that of mere charity, if you say that it is necessary and proper as a war measure? To illustrate, we have been at war with Austria-Hungary. Austria-Hungary is now disintegrated, and upon the ruins of that empire there are being erected two or perhaps four independent governments. Unquestionably the prolongation of difficulties there depends largely upon whether or not the people have sufficient for their maintenance. If they are starving there will be unrest, internecine strife, revolution, and warfare. There might be a recrudescence upon the part of the people of that land against the allied Governments, all of which would necessitate our Government retaining troops in Europe for a longer period of time. The same may be true in a measure of Poland. There will be erected, it is to be hoped, a republic, the Republic of Poland. If there shall be war in Poland, if there shall be controversy between Germany and Poland or between the Bolshevikl and Poland, unquestionably that will require American troops to remain longer in Europe.

I suggest for the consideration of the Senator, without expressing any opinion one way or the other, may we not rest this appropriation upon the foundation that it is a war measure, that it conduces to peace and to facilitate the withdrawal of American troops from the Continent of Europe?

Mr. KENYON. Of course, the Senator knows we have loaned to the Czecho-Slovak Government, I think, $7,000,000. We have made no such loan to the Jugo-Slavs, because that government has not yet been established. We have loaned to Serbia $15,000,000, I think. If we loan to these Governments carrying on this work that is a different proposition. What the Senator says is true with reference to the Jugo-Slavs and Poland. Roumania has a Government, and we have loaned to Roumania. We have loaned to those nations as if there were no limit to our pocketbook. I have found no fault with it. It seems to be essential. It is time now to be sure of what we are doing, and the taxpayers of the country have a right to insist that we do know. It is easy to be generous with other people's money.

Mr. THOMAS. Does not the argument of the Senator tend to establish the proposition that those loans were beyond our power to make?

Mr. KENYON. I have thought a good deal about that. Those loans were made strictly during the time of war. The war is now over, according to the President's messages to Congress.

Mr. THOMAS. The armistice has been signed, but the war is technically still in existence.

Mr. KENYON. Yes; the war is technically still existing; that is true. Those loans were for strictly purposes of the war. This donation can not be in any way for the purposes of the war. I might ask the Senator from Colorado if he believes these loans were legal?

Mr. THOMAS. I have had some question about it.

Mr. KENYON. So have I; but it has been one of those things during war times which we were not going to question.

I started to say that in addition to this there is another embarrassment in opposing this measure. It is not a pleasant pursuit. I know it is not going to get anywhere. I suppose there will be very few votes against it. But the charge has been made that it is embarrassing to the President. I have tried to stand behind the President during this war and have realized that he was President and would be for the next two years. I have indulged in a good many eulogies of the wisdom and farsightedness of the President. I do not want to be placed in a position, and will not be, of embarrassing him in any way; but I do retain the right to speak my views on a matter of this kind, and I am willing to be lectured for not following the President by anyone except those who have voted against woman suffrage, when he stood up here and insisted that he needed that to make the war a success. I draw the line of criticism at any gentleman who did that.

The President in one of his messages speaks of stopping bolshevism. "This is necessary to stop bolshevism." I do not know whether if you feed them they can fight better or whether that is going to stop it, but I like his plan of stopping it by feeding them better than the plan of a distinguished Republican, who would stop it by shooting them. You will stop bolshevism not by feeding them, you will stop it by removing injustices, and that is the way you will stop it in this country. Make no mistake about that.

I want to know further how the other funds which we have been voting here with such cheerful alacrity have been expended. That is a reasonable request. The Fuel Administration has been paying out expenses at the rate of something like $58,000 a month. The Food Administration has had enormous expenses. The Creel bureau sends us in some kind of a statement from which nobody can figure out what has been expended or to whom. I say we have a right, if we are not going to be told just how this money is to be spent, to inquire how other funds which we have voted here have been spent.

I want to call attention to one thing that was brought up in the House the other day showing how some of it has been spent.

A very interesting corporation was organized in the State of Connecticut, called the War Trade Board of the United States Russian Bureau, Incorporated. I have here the articles of incorporation and a certificate of its incorporation. This was organized to help to feed and to help to transport food in Russia. The chairman of the Democratic National Committee was president of this corporation. I do not refer to that in any partisan sense nor do I attach any importance to the fact that the nephew of the Secretary of State was secretary and treasurer of this corporation. It is a wonderful corporation. Here are some of the things it can do. The name of the corporation is the War Trade Board of the United States Russian Bureau, Incorporated. I will only say in this connection that $5,000,000 of the funds which we voted to the President were set aside as available to this corporation.

The corporation is to be located in the town of Hartford, Conn.

The nature of the business to be transacted and the purposes to be promoted or carried out by said corporation are as follows:

1. To engage in the business of buying, selling, importing, and exporting goods, wares, and merchandise of every description, and any and all kinds of personal property, and to carry on a general mercantile and commercial business in any part of the world.

2. To engage in any and all kinds of manufacturing, and to acquire, hold, lease, and sell all lands, buildings, machinery and equipment, and all raw materials and supplies necessary to or useful in the conduct of any such business in any part of the world.

3. To search for, prospect, explore, purchase, lease, or otherwise acquire, own, develop, work, operate, sell, lease, mortgage, or otherwise dispose of any and all agricultural, grazing, timber, or other lands, mineral deposits, mines, mining properties, collieries, and quarries, and the products and by-products thereof, all in any part of the world.

Some corporation, this, to relieve Russia.

4. To cultivate, cut, mine, crush, smelt, concentrate, refine, treat, prepare for market, buy, sell, exchange, export, import, trade and deal in any and all agricultural products, timber and timber products, oil, petroleum, coal, iron, metals, phosphates, nitrates, minerals, precious stones, and materials and products and by products of all kinds, all in any part of the world.

5. To build, construct, complete, equip, purchase, lease, or otherwise acquire, hold, own, manage, operate, maintain, mortgage, sell, or otherwise dispose of hotels, apartment houses, boarding and lodging houses, restaurants, stores, shops, and places of public entertainment or amusement, all in any part of the world outside of the State of Connecticut.

The only thing they can not do is to operate barber shops, which is the greatest necessity among the Bolsheviki of Russia.

6. To build, construct, complete, equip, purchase, lease, or otherwise acquire, hold, own, manage, operate, maintain, mortgage, sell, or otherwise dispose of railways, telephone and telegraph systems, gas and electric light and power works, plants, and systems, and any other plants, machinery, or works for the production, manufacture, transmission, and distribution of light or energy of every nature and description, and to furnish and sell gas, electricity, steam, and any other kind of substance or energy used for lighting, heating, or power purposes, all in any part of the world outside of the State of Connecticut.

7. To build, construct, complete, equip, purchase, lease, or otherwise acquire, hold, own, maintain, operate, mortgage, sell, or otherwise dispose of, or turn to account, reservoirs, water powers, dams, flumes, watercourses, aqueducts, water rights, canals, irrigation systems, sewage, drainage and sanitary works, waterworks, and to furnish and sell water and water power, all in any part of the world outside of the State of Connecticut.

8. To promote, finance, build, construct, complete, equip, purchase, lease, or otherwise acquire, hold, own, operate, maintain, mortgage, sell, or otherwise dispose of wharves, piers, docks, bulkheads, dry docks, basins, tugs, floats, lighters, storehouses, warehouses, elevators, oil tanks, and other terminal facilities of all kinds, all in any part of the world outside of the State of Connecticut.

9. To build, equip, buy, own, lease, operate, and sell steamships, sailing vessels, and any and all other kinds of craft or instrumentalities used or to be used in the business of transporting freight or passengers upon water, and, in any part of the world outside of the State of Connecticut, to operate the same and engage in the transportation of or in the business of transporting freight or passengers.

What is the use of the Interstate Commerce Committee spending any time on the railroad question? This corporation can handle that except in Connecticut—

10. To take and receive upon deposit, as bailee, for safe-keeping and storage, jewelry, plate, money,

To help Russia—

specie, bullion, stocks, bonds, securities and valuable papers of any kind, and other valuable personal property, and to guarantee their safety, upon such terms and for such compensation as may be agreed upon by it and the respective bailors thereof, and to let out vaults, safes, and other receptacles, all in any part of the world outside of the State of Connecticut.

To help Russia.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Missouri?

Mr. KENYON. I yield.

Mr. REED. If Connecticut is going to discriminate in this matter, I think we ought to serve notice on the Senators from that State to come to the Chamber.

Mr. KENYON. They probably know about this. This document continues:

11. To make loans or advances, either ordinary or privileged, either with or without security, at such rates of interest as may be agreed upon between the corporation and the borrower, either for ordinary banking or commercial purposes or for the special purpose of facilitating mining, agricultural, and industrial operations and public utilities, all in any part of the world outside of the State of Connecticut.

12. Outside of the State of Connecticut, to act as fiscal or transfer agent of any Government, municipality, or body politic, or corporation, and in such capacity to receive and disburse money, transfer, register, and countersign certificates of stock, bonds, or other evidences of indebtedness.

Mr. LA FOLLETTE. In that connection I should like again to inquire how much of the money which has been appropriated by Congress has been turned over to this corporation?

Mr. KENYON. Five million dollars of the funds that we voted the President have been made available for this corporation. I do not mean to say that it has been spent, though some of it has been.

Mr. LA FOLLETTE. I should not think that that would be nearly enough to do all of those things.

Mr. KENYON. I do not think it will be enough. I think, perhaps, they may be anticipating more.

Mr. HITCHCOCK. Mr. President, does not the Senator from Iowa know, as a matter of fact, that the money will not be spent? I am rather amazed to have the Senator criticize this effort which was planned for a peaceful penetration of Russia, having for its purpose the bringing to the Russian people the

commodities they needed and were in dire distress for lack of, when the sole purpose of the corporation was simply to carry out a beneficent purpose of the Government to do those things.

Mr. KENYON. If that be true, I wonder why these articles of incorporation had to apply to any part of the world?

Mr. HITCHCOCK. Well, the Senator knows very well that lawyers drawing up articles of incorporation are sure to make them comprehensive enough to contemplate everything.

Mr. KENYON. I am sure that they did so in this case.

Mr. HITCHCOCK. What possible harm has come from that and what possible harm could come from it? It seems to me that the Senator is making a very unfair attack upon an administration which is confronted with the most stupendous difficulties. Some citizens of this country are objecting to a military penetration of Russia, and the Senator stands here now and criticizes the administration for having planned at one time, under the instruction of the President, a commercial penetration of Russia for the purpose of bringing relief to a country that was fairly weltering in distress and misery, many of whose social and political crimes were growing out of that misery, and that misery being availed of by the German enemy to organize the country against the United States and the allied nations. What possible good can come from taking up the time when this bill is before the Senate in criticizing that effort, which finally had to be abandoned?

Mr. KENYON. What relief did this corporation bring to Russia?

Mr. HITCHCOCK. The Senator from Iowa is very well aware of the strong sentiment in this country that if only the United States could become the instrument of bringing relief to the people of Russia—bringing them shoes and food and clothes and the things that they were without—it would be possible to bring the Russian people to sanity, and that it would be possible to save the Russian people from German domination. Now, the Senator from Iowa stands here and criticizes the Government for making the effort. What does the Senator propose? What has he proposed? One Senator on the other side of the Chamber criticizes the administration for resorting to military force of the mildest sort, and the Senator now stands here and criticizes the administration for resorting to peaceful means in an endeavor to save Russia.

Mr. KENYON. There is no use of getting excited about it. The Senator from Nebraska is throwing more light on this Russian corporation than we have heretofore had. It is very interesting to know why they did not carry out their plans when the money was put at their disposal. Why did they not save Russia, as the Senator has suggested? Why did they not get shoes to Russia? Why did they not get food to Russia? They had plenty of money to do it, but evidently they did not accomplish very much.

Perhaps it may be called criticizing, but I was simply reading the articles of incorporation, if that was a criticism. I do think the articles themselves are a criticism of any board standing for them.

Mr. THOMAS rose.

Mr. KENYON. Just a moment. I am saying that we have the right to an accounting of the way this money goes, and I shall stand here and urge that whenever I feel like doing so.

Mr. THOMAS. Mr. President, will the Senator from Iowa state the date of the articles of incorporation?

Mr. KENYON. The articles of incorporation are dated on the 6th day of November, 1918.

Mr. THOMAS. Just a few days before the armistice.

Mr. KENYON. Yes; that is true. The names of the incorporators are in the document, three men who it was stated before the committee were clerks and dummies.

Mr. FRANCE. Mr. President, I should like to ask the Senator from Iowa if he knows whether or not in the formation of this corporation the laws of Connecticut were violated, as the laws of the State of New York were violated very clearly, as the evidence before the subcommittee of the Public Buildings and Grounds showed, by the United States Housing Corporation in the manner in which it was incorporated?

Mr. KENYON. I do not know about violating the laws of the State of Connecticut; but I do believe, as a lawyer, that public funds appropriated for the use of the President can not be turned over to a private corporation.

Mr. THOMAS. Mr. President——

Mr. KENYON. I yield to the Senator from Colorado.

Mr. THOMAS. If the Senator from Iowa will permit me, I desire to say I think that these articles of incorporation were made under the laws of the State of Connecticut.

Mr. KENYON. They were.

Mr. THOMAS. And those laws provide those exceptions for general corporations which apply to the State of Connecticut.

Mr. KENYON. Yes.

Mr. THOMAS. Generally speaking, as to the corporations created under the laws of the State of New Jersey, under the statutes of the State it is provided that no railroads shall be built within the limits of the State under the provisions of incorporation; so there seems to be a compliance with the laws of the particular Commonwealth in both instances, the exceptions being due to the law and not to the intention or desire of the incorporators.

Mr. KENYON. The corporation was evidently incorporated under the laws of Connecticut, because of the broader power granted by the State of Connecticut, just as many corporations are incorporated in New Jersey.

Mr. THOMAS. What I am speaking about particularly is that corporations created under modern statutes in some of the States may comprise every pursuit on the face of the earth——

Mr. KENYON. I think that is true.

Mr. THOMAS. But for the protection of local corporations it is required that the exceptions be expressly stated.

Mr. KENYON. I think that is true; but the Senator does not understand, does he, that the statutes of Connecticut require that all of these things shall be put into the articles of incorporation?

Mr. THOMAS. They do not require that, no; but they permit it.

Mr. KENYON. They permit it, yes; but I see no reason for permitting it if nothing was to be done in this instance except as to Russia.

Mr. THOMAS. I see no reason for permitting it in any event.

Mr. KENYON. No.

Mr. REED. Mr. President, if the Senator from Iowa will pardon me, the question was raised that this incorporation was brought into being for the purpose of keeping down discontent in Russia. The articles of incorporation were filed in the month of November. Of course, there has been no substantial change in the Russian situation since the month of November, for, while the armistice was signed after the date of these articles of incorporation, nevertheless that armistice had very little to do with the Russian situation. If it was necessary to get relief into Russia at the time these articles were filed, it would seem to me the same physical conditions now exist there. What I am anxious to know is whether this incorporation is going on to meet the conditions and to supply the necessities or whether the corporation has been substantially abandoned, if the Senator from Iowa knows?

Mr. KENYON. I do not know. I have heard the chairman of the committee state that the corporation would be dissolved. That is all I know about it.

Mr. REED. Was the reason stated, if I may inquire?

Mr. KENYON. No; I think not. Perhaps the chairman of the committee can say why.

Mr. HITCHCOCK. Mr. President, a little history of the affair will clarify that very easily.

Mr. KENYON. Of course, I am perfectly willing that the Senator from Nebraska shall interrupt me for a question or for reasonable remarks, but——

Mr. HITCHCOCK. I will not impose on the Senator's time.

Mr. KENYON. I am about to conclude.

Mr. HITCHCOCK. The plan was initiated on the 5th of October, when the President issued an Executive order in which he said:

> By virtue of the authority vested in me by an act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes, approved July 1, 1918, appropriating the sum of $50,000,000 for the national security and defense, and for each and every purpose connected therewith, to be expended at the discretion of the President, I hereby set aside $5,000,000——

For this purpose. So that the act of the President took place when we were at war with Germany, and it was done under his power, given in the act of national defense for war purposes, that he sought to use this money for the commercial penetration of Russia, for the purpose of quieting Russia, and for the purpose of turning Russia into an ally in the war against Germany. It is very obvious that that purpose ceased when the armistice was signed a short time thereafter.

Mr. REED. Mr. President, if the Senator from Iowa will pardon a further interruption——

Mr. KENYON. Yes.

Mr. REED. Do I understand the Senator from Nebraska to mean—I am not asking this in any controversial manner at all; I want to get at the facts—that the real purpose here was to afford relief to suffering in Russia or was the real purpose to use this money so that the Russians would cease to be an ally of Germany?

Mr. HITCHCOCK. I take it it was to use the money for the purpose of converting Russia into friendly territory as against Germany. Germany was making use of the distress of Russia, which bred the Bolsheviki idea, and the Bolsheviki idea was

working for Germany's interests. The purpose was by this friendly penetration, by the sending of American products into Russia and the bringing of Russian products out of Russia in exchange for them, to promote trade and create a prosperity that could not come about from natural causes.

Mr. REED. And it was proposed to do that with $5,000,000?

Mr. HITCHCOCK. The work was to start with a fund of $5,000,000, which was to be a revolving fund.

Mr. REED. I do not speak by the card, and I do not believe that anybody does, unless it may be the Senator from Nebraska. All the statements I have ever heard made about the purpose of this corporation were to the effect that there was great suffering in Russia and that it was intended to relieve that suffering. That is the reason I asked the question a few moments ago whether the same physical conditions did not exist to-day in Russia substantially that existed when these articles of incorporation were filed?

Mr. HITCHCOCK. But we have come to the end of the war, substantially.

Mr. REED. Yes; but people are starving there; and is it not proposed to use a part of the $100,000,000 now proposed to be appropriated in parts of Russia, I should like to ask?

Mr. KENYON. It is; yes.

Mr. REED. So that it will not do to say that the necessity for this corporation has ceased if it ever existed. I am not complaining about it, however.

Mr. HITCHCOCK. The point I am making is that the President legitimately allocated this $5,000,000 out of the fund with which Congress provided him for the national defense. He felt that $5,000,000 used in Russia for the purpose of bringing relief and creating order and converting Russia to friendly territory would be well expended, better expended than if it were put into cannon and other purposes.

Mr. KENYON. I have not reflected at all upon the action of the President.

Mr. HITCHCOCK. I think the Senator has——

Mr. KENYON. I am simply showing how our money goes.

Mr. HITCHCOCK. The money has not gone.

Mr. KENYON. It is available for this corporation, and some of it has gone.

Mr. HITCHCOCK. I will say to the Senator that it has not been expended, because the armistice put a stop to the work.

Mr. KENYON. Will the Senator say that none of it has been expended?

Mr. MARTIN of Virginia. Mr. President, I will say to the Senator that $2,500 has been expended, and it is proposed now to dissolve the corporation.

Mr. KENYON. Why do they not go on in Russia and cure the troubles?

Mr. MARTIN of Virginia. They do not propose doing it through this agency. They have expended $2,500, and that is all they expect to expend, and they propose now to dissolve the corporation.

Mr. KENYON. Mr. President, I think I have said in relation to this Russian bureau as much as I wish to say, except that I ask to put into the RECORD the certificate of organization, showing the officers and directors.

The VICE PRESIDENT. Without objection, the certificate will be inserted into the RECORD.

The certificate referred to is as follows:

STATE OF CONNECTICUT,
OFFICE OF THE SECRETARY,

THE WAR TRADE BOARD OF UNITED STATES RUSSIAN BUREAU (INC.).

CERTIFICATE OF ORGANIZATION.

The undersigned, a majority of the directors of the War Trade Board of United States Russian Bureau (Inc.), located in the town of Hartford, hereby certify as follows:

First. That the amount of the authorized capital stock of said corporation subscribed for is 50,000 shares, being shares of capital stock amounting to $5,000,000, and being not less than the full amount of $5,000,000 with which the incorporators in the certificate of incorporation stated the company would begin business.

Second. That the amount paid thereon in cash is $5,000,000.

Third. That the amount paid thereon in property other than cash is nothing.

Fourth. That $100 has been paid upon each share subscribed for, excepting no shares.

Fifth. That the name, residence, and address of each of the original subscribers to said stock, with the number of shares subscribed for by each, are as follows:

NAME, RESIDENCE, POST-OFFICE ADDRESS, AND NUMBER OF SHARES.	
Vance C. McCormick, Harrisburg, Pa	1
J. Beaver White, Washington, D. C	1
Edwin F. Gay, Cambridge, Mass	1
Clarence M. Woolley, Washington, D. C	1
Albert Strauss, New York, N. Y	1
Alonzo E. Taylor, Washington, D. C	1
Thomas L. Chadbourne, Jr., New York	1
H. Starr Giddings, Bronxville, N. Y	1
Stoddard M. Stevens, Jr., Hackensack, N. J	1
Ralph Royall, New York, N. Y	1
Vance C. McCormick, chairman War Trade Board, Washington, D. C	49,990

Sixth. That the directors and officers of said corporation have been duly elected and that its by-laws have been adopted.

Seventh. The name, residence, and post-office address of each of the officers and directors of said corporation are as follows:

OFFICERS.

Name, residence, and post-office address:
President, Vance C. McCormick, Harrisburg, Pa.
Treasurer, John Foster Dulles, Washington, D. C.
Secretary, John Foster Dulles, Washington, D. C.

DIRECTORS.

Name, residence, and post-office address:
Vance C. McCormick, Harrisburg, Pa.
Thomas L. Chadbourne, Jr., New York, N. Y.
Albert Strauss, New York, N. Y.
Alonzo E. Taylor, Washington, D. C.
Clarence M. Woolley, Washington, D. C.
J. Beaver White, Washington, D. C.
Edwin F. Gay, Cambridge, Mass.

Eighth. The location of its principal office in this State is No. 11 Central Row, Hartford, and the name of the agent or person in charge thereof on whom process against it may be served is Lucius F. Robinson.

Dated at Washington, D. C., this 15th day of November, 1918.

EDWIN F. GAY,
J. BEAVER WHITE,
ALBERT STRAUSS,
ALONZO E. TAYLOR,
A Majority of the Directors.

DISTRICT OF COLUMBIA,
City of Washington, ss:

On November 13, 1918, personally appeared Edwin F. Gay, J. Beaver White, Albert Strauss, and Alonzo E. Taylor, signers of the foregoing certificate of organization, a majority of the directors of the War Trade Board of United States Russian Bureau (Inc.), and made oath to the truth of the same before me

[SEAL.] H. McILROY,
Notary Public, District of Columbia.

My commission expires August 9, 1923.

Approved December 2, 1918.

FREDERICK L. PERRY, *Secretary,*
By ELMER H. LOUNSBURY.

Mr. KENYON. I do not intend if matters of this character are brought to my attention in the future concerning methods in which money which we vote is being expended to hesitate at all in calling the attention of the Senate and of the country to them. I regard this corporation as nothing less than a scandal.

Under one of the dispatches of the President the question arises, which the Senator from Montana [Mr. MYERS] suggested, as to the use of this money to feed the liberated people of Austria, Turkey, Poland, and western Russia. I suppose the reference to the liberated people of Austria means the Czecho-Slovaks and the Jugo-Slavs.

A fund is now being raised in this country for Armenia. I have not very much enthusiasm for voting a tax upon the people of our country to keep alive at least that portion of Turkey which has massacred the Christians of Armenia and made the hills and plains of Armenia red with their blood. Of course, as to children and women, that is a different question. Nor am I so much concerned about Austria proper, except as to women and children. If there has to be any starving done in this world, I prefer to see Turkey and Germany and Austria and Bulgaria do the starving before the rest of the world has to starve. Would it not be well, Mr. President, to get around pretty soon to the question of taking care of our own country, or at least paying some attention to our own country. In our affection for the world let us not forget the people of the United States.

There are in this country at this time over 200,000 men out of employment; they will need help. And what of our soldiers? You can go to a hospital within the shadow almost of the Dome of this Capitol and find soldier boys who have been across the sea and who are back here now who have not had a cent of pay for seven or eight months. You can go to St. Elizabeths, a hospital for the insane, and find soldiers suffering from shell shock there in rooms with insane people because we have not money to provide, or at least have not provided, places for those soldiers. If you are going to do this humanitarian work throughout the world, I want us at least to begin at home on something that is not so much a humanitarian work as a work of justice, and not turn these soldiers out, as they are being turned out, with scarcely anything, and some of them without their pay. I want some of this money at least to go to the allotments of the mothers of this country who are being forgotten now the war is over. I have a letter from Sioux City, in my State, from the mother of a wounded boy brought back from France and now in the East who has not had any pay for seven or eight months, and she had to go around and peddle the vegetables she had accumulated in her cellar to get some money to send to him. In this great humanitarian cause of taking care of the whole world, let us pay some attention to getting things straightened out at home. Bolshevism abroad! Yes; if we can stop it let us stop it, and stop it by food if we must, but let us get at some of the causes in our own country that are creating discontent because of injustices.

Mr. President, I did not intend to take this much time, but I have been drawn from one thing to another. The main point I was making was that we do not have the right—though, of course, we can go ahead and act as is proposed regardless of law—to tax the people of this country for charity abroad; and, out of this confusion of telegrams, I accept the statement of the President that this is practically for the purposes of charity, at least a large portion of it. If it is for peace, then it must be that we are to take care of in some way or are to assist Germany with food. We want no peace by tribute. That is an unsettled question, and I do not know about it; the record before us does not show clearly.

Mr. HITCHCOCK rose.

Mr. KENYON. Does the Senator desire to interrupt me?

Mr. HITCHCOCK. I wish to ask the Senator whether he has changed his views on that subject?

Mr. KENYON. What subject?

Mr. HITCHCOCK. The expenditure of American money abroad.

Mr. KENYON. I suppose the Senator refers, or is about to refer, to a resolution introduced by me as to France?

Mr. HITCHCOCK. I remember hearing the Senator say on the floor of the Senate that he was in favor of giving to France all the money we had loaned to her.

Mr. KENYON. Yes.

Mr. HITCHCOCK. Which means hundreds of millions of dollars or thousands of millions of dollars.

Mr. KENYON. Yes; I introduced a resolution to that effect.

Mr. HITCHCOCK. And now the Senator objects to this expenditure that the President proposes.

Mr. KENYON. I introduced that resolution and spoke on it. If we should go back in the case of France to the time that France loaned us some money, part of which we never repaid, and figure the interest on that money down to this time, it would amount to an enormous sum, not so much, probably, as we have loaned to France, but at least to a considerable portion of it. That was in my mind, although I will say very frankly that, full of enthusiasm for France for what it had done for us in the past and what it had done in this war, I did favor cancelling that debt. That may seem inconsistent with my present position——

Mr. HITCHCOCK. I think the Senator's language was somewhat different from that. He did not qualify it as he does now.

Mr. KENYON. No; I think I did not.

Mr. HITCHCOCK. Or give any reason of that sort. Will the Senator permit me to quote what he said?

Mr. KENYON. Yes; it was a very good speech, I thought, at the time.

Mr. HITCHCOCK. The Senator then said:

> It is a great thing, Mr. President, to have part in saving a nation like France. I do not mean by that to have any part in getting back any territory to France. I do not believe we are carrying on war for that purpose; but, as a part of saving civilization, we are saving those poor people of France, and they look up to us as a poor, weak sister to a great, strong brother coming to save her. When this war is over, I have said before, and I reiterate it, I hope this great, rich Nation will say to poor, bleeding France: "Keep all of the money we have loaned you. We ask not for the return of a single dollar."

That was the view of the Senator in January a year ago.

Mr. KENYON. That is the way I felt at that time, and I think I probably gave the same figures that I have given here as to the amount of money that France had loaned to us. I still feel that way.

Mr. HITCHCOCK. Now, will the Senator tell us the difference between the proposal which he thought advisable then and the one he denounces now?

Mr. KENYON. It is not the same. The obligations that we owe to France are different from the obligations we owe to any nation on the face of the earth. I do not think we would have had a nation had it not been for France. That money loaned was for war—ammunition and guns to shoot the foes of America.

Mr. HITCHCOCK. The Senator did not base his position a year ago on the ground of obligation; he based it on the ground of saving civilization, saving the poor nation of France?

Mr. KENYON. Yes.

Mr. HITCHCOCK. What is the difference between saving those people and saving the starving people to whom the President refers?

Mr. BORAH. Turkey, for instance.

Mr. KENYON. I have given my reasons as best I can give them. I may appear inconsistent; but I feel entirely different about France than I do about the people of Turkey or the people of Austria, and I might, in any event, stretch my conscience more for the people of France than I would for the murderous Turks.

Mr. WARREN. May I ask the Senator a question?

Mr. KENYON. Yes.

Mr. WARREN. In connection with the proposal to present to France a cancellation of her indebtedness to us, did the Senator propose, first, to offset it by the very large amounts of money, many millions, that we owe to France, to take that out, and give them the balance, or did he propose to remit their entire indebtedness to us and that we pay them some hundreds of millions of dollars we owe them in addition?

Mr. KENYON. I am really surprised, Mr. President, that my speech attracted so much attention.

Mr. WARREN. The Senator's speeches always do.

Mr. KENYON. I thought at the time it was made there were not over one or two Senators in the Chamber. But I will say about France what I have heretofore said and stand by that proposition. I wish we could do it; I do not know that we can; and, if we make any appropriations of this kind, of course we can not. I have said before that the situation was different. That will not convince unwilling minds.

Mr. WARREN. Still the Senator does not answer the question that I asked him, namely, whether he thinks we should remit to France all that she owes us and still have to pay France many millions of dollars that we owe to her?

Mr. KENYON. No; I do not. I think I figured at that time that, including interest from the date of the loan on the part that we had not returned, it would amount at that time to nearly as much as France owed to us then. Now, what we owe to France arising out of this war I do not know, but I have heard it stated that it would nearly balance the debt she owes us; but as to that I have no specific information.

Mr. LODGE rose.

Mr. KENYON. I will say to the Senator from Massachusetts that I am through.

Mr. LODGE. I do not desire to interrupt the Senator.

Mr. KENYON. I would have concluded earlier had it not been for the questions asked me. I now yield the floor.

Mr. LODGE. Mr. President, I desire to offer two amendments in the same line. They are really one amendment in intent. I send them to the desk and ask to have them stated.

The VICE PRESIDENT. The Secretary will state the amendments.

The SECRETARY. On page 1, in line 7, after the word "thereto," it is proposed to insert the words "including the Armenians, Syrians, Greeks, and other Christian and Jewish populations of Asia Minor, now subjects of Turkey."

Also, on page 2, line 7, after the word "Germany," it is proposed to insert "German Austria, Hungary, Bulgaria, and Turkey."

Mr. LODGE. Mr. President, the purpose of that amendment is simply to define a little more closely the populations to whom this relief is to be extended.

I do not myself believe in extending aid to those countries which brought all of this misery on the world. I think we ought to save and help the people whom they have brought to this condition. As the bill stands, there is nothing to prevent this money being spent for the maintenance of the Turks. In that, I confess, even at the risk of seeming hard-hearted, I feel but slight interest. But I do want to see the Armenians, the Syrians, and the Greeks, who have all suffered from the Turkish rule, and suffered horribly, aided, and the Jewish and Christian populations of Palestine. I have worded the amendments so as to cover those two points, and also German Austria, Hungary, and Bulgaria, who stand in precisely the same position toward us that Germany does.

Mr. MARTIN of Virginia. Mr. President, I shall be glad to see the amendments adopted. I think they improve the bill.

The VICE PRESIDENT. The question is on the amendments offered by the Senator from Massachusetts.

The amendments were agreed to.

Mr. LODGE. Mr. President, I only want to say in conclusion that, of course, my object in seeking to have this amendment added to the bill is to improve, as I think, a measure for which I shall vote and which I think is absolutely necessary as a part of the work of carrying out the conclusion of this war.

Mr. BORAH. Mr. President, it is a thankless, and doubtless many will think a thoughtless, task to oppose the passage of this bill, but there are reasons why the bill in its present form and with the information which we have before us can not receive my support. I do not care to have the RECORD stand without some remarks of explanation.

There may be facts in existence which justify the passage of this bill, but this Congress has not got them. There may be the machinery and the plans by which this money can be carried effectively to Europe, so as to bring about a better condition of affairs in Europe and to stabilize Europe, but this Congress has not got them. There may be a sufficient and conclusive reason as to why this money should be appropriated, as a part, as the Senator from Massachusetts [Mr. LODGE] says, of the program of finishing up this war, but the Congress has not any such facts before it.

No one is responsible for the expenditure of this money and for the burden which will be placed upon the people of this country in gathering this money in the way of taxes save and except the Congress of the United States, which is wholly without the facts. We can not hold Mr. Hoover responsible, and neither can the people of this country hold Mr. Hoover responsible in any way for the expenditure of this money under the terms of this bill. It is a wide, latitudinous power given to him to expend $100,000,000 in what is said to be the regenerating of an entire Continent. We are entirely without information as to how it is to be made effective. We are wholly without facts as to where it is to go, except in a most general way—so general that it furnishes no information at all to you and to me; and yet we are the only people in this entire movement who are responsible to the taxpayers of this country.

I venture to say, Mr. President, that if a man stood at the head of a vast business institution that was authorized to take trust money and had trust funds in its possession and should be asked to transfer them to the use of a cause, however humanitarian and just it might be, with no more protection and no other safeguards than are authorized by this bill, when he was called upon to report upon these trust funds his defense would not be heard in a court of justice. The thing of which I complain, sir, is placing me, as a humble Member of this body, in a position where I must answer, as a Member of this body, to the taxpayers of the country, without giving me any information by which and by means whereof I can report to them at any time in my public career.

This fund is not ours, and there can be no more serious duty devolving upon the Congress of the United States right now than that of adding a further burden to the already harried and overburdened people of this country. The time has passed, Mr. President, when it is no longer a serious matter to appropriate large sums of money in this country. It may be that we are compelled, by reason of the circumstances which surround us and the environments which envelop us, to appropriate these sums of money, but we can only do it, sir, after the most thorough and complete investigation and after the fullest and most complete facts are before us so as to justify us not only in the law but in the court of conscience for having done so.

What reason could we assign if this money should be expended in a profitless way, in a fruitless way, or in territory of which we did not approve? What would be our remedy, and what response would we give to those whose money we had expended?

There is another reason which makes it impossible for me to support this bill. It is an unpleasant one to mention; nevertheless, it is here.

I recognize in Mr. Hoover a man of great ability. It is not my purpose, by anything which I shall say, to challenge his personal integrity; but his viewpoint of things is such that it makes it impossible for me to turn over a hundred million dollars to him to expend in Europe. For the last four weeks I have been making a pretty thorough study of the relationship of the Food Administration to the vast concerns of this country which control and dominate the food supply of this country; and I say here upon the floor, and I challenge successful contradiction, that three of the vast monopolies which control food in this country have, with relation to their commodities, directed and controlled the Food Administration since its organization. I do not mean by that to say, sir, that Mr. Hoover himself has received any personal or individual benefit by reason of that. I simply mean to say that his viewpoint is such that he permits those people to, in effect, fix their own prices and to arrange their own affairs to such an extent that it is a case of an individual dealing with himself in the transactions. I have been utterly amazed at the facts which show how these combines have influenced and controlled the situation.

It is well known, sir, that the meat packers of this country have been one of the great, powerful units in this matter of furnishing food. Now, sir, at a time when the people of this country are hungry, when our own people are suffering, when, according to the Associated Press dispatches a few days ago, hundreds of thousands of children in New York and Chicago and other great cities are not only kept out of school for want of clothes but are actually dying for want of food, when mothers are committing suicide because they can not respond to the lips that are begging for food, it is a fact, demonstrated over the signature of the meat packers themselves, that their profits under Mr. Hoover amounted to all the way from 20 to 40 per cent for the last two years. Shall I be called upon, under my oath as a Senator here, to turn over a hundred million dollars to feed the poor of Europe, when I am notified that out of that $100,000,000 those that control the food products of this country will ask, and probably receive, from 25 to 40 per cent profit on their investments?

They say "This is to be turned over to the President." Now, let us be honest and eliminate the President. We know that it is absolutely impossible for the President to know anything about the details of this expenditure. With the stupendous burdens resting upon his shoulders which are now there, with the difficulties which confront him, with the fearful task which is his, do we suppose for a moment that he will be familiar with a single detail in regard to this matter?

It is unfair to the situation and unjust to us to say that the President is responsible. He is not responsible. He will know nothing about it from the beginning to the end. We are responsible. We are the only ones who have the fearful power of drawing this money out of the pockets of the people. If I had the time, sir, I would undertake to show you that the facts are here which make you and me accomplices to the transaction which, if we vote this appropriation, will enable these vast concerns to get a very large portion of the taxes which we are voting.

Mr. WEEKS. Mr. President——

Mr. BORAH. Just a moment.

Now, Mr. President, I want my position to be understood. It may be necessary for us to feed the people of Europe. If the humanitarian call comes to us from Macedonia we can not refuse to listen; but, as a Senator, I am under obligations to know that those upon whom that task devolves are men who have such a viewpoint that they will not only save the starving people of Europe but that they will protect the taxpayers of the United States, because while we are a strong Government and a well-poised people do not forget that bolshevism is not confined to any nation.

I yield to the Senator from Massachusetts.

Mr. WEEKS. Mr. President, I wish to call the attention of the Senator from Idaho, in connection with the references he has just made to profits on capital and profits on food, to the fact that there is a vast difference between profits on capitalization and profits on the turnover of business. I do not think anybody contemplates or believes that 47 per cent, or 25 per cent, or 10 per cent profit has been made on the food to which the Senator has been referring. It may have been made on the capital of the corporations conducting that industry.

Mr. BORAH. Mr. President, there is a mysterious feature about the "turnover," which I confess the Senator from Massachusetts understands better than I do, and he may be correct; but I want it understood that these corporations which deal in nothing but food supplies, which have nothing to do with anything except that, which is an indispensable part of feeding the people of Europe and of this country, have realized under the administration of Mr. Hoover vaster profits than they have ever realized before in the history of their concerns. I will incorporate some figures later which will satisfy the Senator of the scandalous extortions of these companies from the people of this country. I do not want any man to operate a trust fund by my vote who thinks that those figures represent decency or honesty.

Mr. KENYON. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Iowa?

Mr. BORAH. I yield.

Mr. KENYON. I call the Senator's attention to the testimony now being taken before the Agricultural Committee on this question, in which Mr. Heney stated that Mr. Cotton, the eminent Wall Street lawyer, who had charge of the meat end of the packing bureau of Mr. Hoover, stated to him that the profits of the packers for 1917 had been nothing less than a scandal.

Mr. WADSWORTH. Mr. President, was not that before Mr. Hoover took charge?

Mr. KENYON. Mr. Hoover took charge, as I understand, in August of 1917. It was not limited to the time before that. He said for the year.

Mr. WADSWORTH. Was not the inference very clearly drawn that the profits were decreased after Mr. Hoover took charge?

Mr. KENYON. I think not.

Mr. WADSWORTH. I think that will be borne out by an examination of the record.

Mr. BORAH. Mr. President, I have here, and will ask to insert in the RECORD without reading, a portion of the reports of these concerns, taken from their own records, which seem to me a sufficient basis upon which men may reasonably argue as to what they received.

The VICE PRESIDENT. In the absence of objection, that order will be made.

Mr. BORAH. Mr. President, if the profits to which Mr. Heney referred have reference to a period prior to the actual entry of this country into the war, these reports show, and the statements are made, that those profits, instead of being decreased, have been augmented and enlarged. So, Mr. President, we need not stop here now to discuss the details of this matter as to the shades of profits, or as to when or how the profits are made. The sum total of the fact is that they have been realized during this time in a way that they have never been realized before.

A distinguished member of the Peace Commission, Mr. White, cabled to this country that we had on hand a large store of undistributed foods of different kinds, and that this would enable us to work off the supply at a stabilizing price. I wonder if Mr. White was familiar with the fact that the food supply to which he refers as being on hand and undistributed in this country is now in urgent demand by not thousands but by hundreds of thousands of people in our own country? It is not available, Mr. President, to introduce that kind of an argument in order to move the Congress, because the Congress knows that if any such supplies are on hand there is a ready demand for them in the United States.

But that is not a matter which is controlling with me. I know that $100,000,000 is just the beginning if we are going to stabilize Europe from the standpoint of feeding the people. The press dispatches already carry the information that not less than $250,000,000 or $400,000,000 will be necessary to make a reasonable start. Assuming that England and France do their portion, the three hundred and fifty million or four hundred million, we are already advised, is the beginning. Therefore I ask that the President put the distribution of this fund in the hands of those who have not only the ability but the viewpoint which will compel those who sell the food to share the sacrifice with those who pay the taxes.

Whatever may be the great ability of Mr. Hoover, there is one individual whom he does not know exists in this country, and that is the taxpayer. He seems to think that money comes like manna to the children of Israel from Heaven and not from the sweat and toil and sacrifice of the people. He has no conception of the existence of the taxpayer, and his distribution of foods is utterly regardless of his existence.

For these reasons, Mr. President, under the present circumstances, with no information, no restrictions, no safeguards, no directions, no limitations, we are turning over a hundred million dollars to be distributed and I can not indorse it. In the name of common honesty, of common fairness with those whom we represent, in the name of those who are now positively discouraged by reason of the taxes imposed upon them, to wit, the business men of this country, in the name of the poor, the prices of whose food will be raised by this bill, let us throw around the undertaking the ordinary safeguards of a sane transaction.

Mr. President, I have not argued the constitutional power. I do not think we have the power to appropriate money for any such use. But I have been here too long to hope to succeed in interposing a mere constitutional inhibition against a chance to appropriate $100,000,000. The odds against the Constitution are too great.

The packers' profits (five companies), as shown by the testimony of a Government expert who testified before the Committee on Agriculture.

1912	$18,715,000
1913	20,217,000
1914	22,108,000
1915	40,052,000
1916	60,759,000
1917	95,639,000

Armour & Co.'s profits taken from the same testimony.

(The percentage is based upon capital and surplus.)

		Per cent.
1912	$5,702,000	6
1913	6,158,000	6.1
1914	7,640,000	7.3
1915	11,156,000	10.2
1916	22,849,000	19.2
1917	27,137,000	19.8

[Article from Christian Science Monitor.]

CHICAGO, ILL.

The earning power of the smallest of the American meat packers in the present period appears a subject of interest, for one thing because the greatest food distributors in the world to-day are, naturally, more than ever before in the public eye; and then, again, because this packer, the Cudahy Packing Co., is the first of the "big five" to report on the first year under Government profit regulation. By earning power is taken to mean the total earnings of the company, that figure which the Food Administration regulation was set to limit, that amount on which the Federal war tax will be levied. By earning power, in short, is meant, in this connection, the total profit the company made in its dealings with the public.

This earning power of the smallest of the packers was shown in a previous article on the Cudahy annual report in these columns (Dec. 20, 1918) to be larger for 1918 than ever before. Sales of the company also were much larger than in the previous history of the Cudahy Co.

Now, it may be of interest to measure this earning power of the smallest packer against the capital stock, to show what this earning power is equivalent to in terms of the common stock.

The total Cudahy profits, as represented in the term "earning power" as here used, may be assumed to have been $6,000,000 in 1918. The company's net profit of $3,376,808.58, plus its big reserve of $2,785,412.78, set aside for "Federal income and war-profits taxes and contingencies," amounts to more than $6,000,000, but that round figure may well be taken as representative of the year's total profits or the company's earning power. The capitalization is $20,000,000, divided into $2,000,000 of 6 per cent preferred, $6,550,500 of 7 per cent preferred, and $11,449,500 of common stock. After paying the regular dividends on the preferred stock the $6,000,000 profit would represent an earning power of 47.4 per cent on the common stock.

Now, there were two stock dividends declared by the Cudahy Co. in the last three years prior to the end of the 1918 year. The first of these was in November of 1915, amounting to $2,000,000. The second came a year later, amounting to $2,724,750. Together they amounted to $4,724,750. If these two stock dividends be subtracted from the total of the capital stock, which, of course, they helped to bring to its present figure, this leaves a balance of common stock of $6,724,750. If the 1918 earning power of the company, namely, at the rate of $6,000,000, were to be computed on the common stock remaining after that portion representative of stock dividends were deducted, it would be equivalent to an earning power of 89 per cent.

Should it be remarked that it is unusual to compute earning power in the sense used against the common stock, because the common stock does not share in such earning power, but only in what remains after Federal taxes are paid, which makes a large deduction from gross earnings, it may be said that this is perfectly true as far as the stockholders are concerned, but the public may nevertheless be interested in such a comparison. Up to the last few years there were no large Federal taxes to make such deductions, and it is possible that within a few years more Federal taxes may be much smaller, in which case that much more of the total profits will go to the stockholders. The public, so students of the packing industry here pointed out, is naturally interested in the total profits packers make and what they may represent as measures against the ownership of the company, because the public makes those profits possible; because, one of these students has put it, "the consuming power of the public is the vital breath of this and every other great corporation."

As to what stockholders do get, after the big tax reserve has been subtracted from profits, leaving net profits of $3,376,808.58 to be computed against the capital stock, the rate of earning on the common stock is 24.44 per cent.

Then, again, as to the deduction of the amount of stock dividends from the total of common stock and the calculation of rate of return on the remainder, stock dividends have been a favorite device of big corporations to make their profit look small, and a word in general about the usual packer stock dividends will perhaps not be amiss.

A stock dividend represents capitalized profits. It represents money made by the company, over and above cash dividends paid, which remains in the business in the form of surplus, and of which stockholders are given ownership through the issue of so much new stock free to them. This new stock, of course, increases the company capitalization by that much. Since a concern's rate of earning is based on the company's capitalization, particularly on its common stock, given a fixed amount of profits, the rate of earning will appear high or low, according as the amount of the common stock is small or great. For instance, Morris & Co., another of the packers, still retains a capitalization of $3,000,000, though the business is worth many millions more than that and the company is considerably larger than the Cudahy company. If Morris & Co. made no more profit than Cudahy did in 1918, still it would show more than 100 per cent profit on its capital stock, though the smaller Cudahy company, with a larger capital stock, evidences a very much smaller rate of earning. Hence a stock dividend, by enlarging the amount of the divisor in the fraction, to wit, the capitalization, may have a decided influence on the aspect of profits.

If the two stock dividends of the Cudahy Co. previously referred to be deducted from the common stock, and the rate of return to stockholders be calculated on the basis of the 1918 "net profits"—that is to say, $3,376,808.58, the amount available for dividends and surplus after provision was made for war taxes, etc.—it is noted to be 41 per cent. The rate of return on the common, without the stock dividend deduction, has already been observed as 24.44 per cent.

Not every stock dividend may be subject to criticism, as, for instance, where a concern has been making reasonable profits and turning back a portion of them into the business, eventually to set up this portion of past reasonable profits into common stock. In the case of several of the meat-packer stock dividends and of the Standard Oil stock dividends, there has been a suspicion on the part of the public that the profit there reposing represented, in the aggregate, an undue amount.

The Cudahy Co. in 1918 showed the largest earning power, as heretofore defined, in its history. Its net profits were larger than in any previous year with the exception of 1917. The company has had some hard sledding in several past years. The Cudahy profit figures are of interest, now and for the future, in the view of local students of the industry, in regard to the Cudahy Co., and more particularly in regard to the earnings of the leaders of the "big five," whose sales and profits run much higher, indeed, than those of the last of the quintet.

TESTIMONY GIVEN BY FRANCIS J. HENEY BEFORE THE COMMITTEE, AN ATTORNEY SELECTED BY THE PRESIDENT TO MAKE AN EXAMINATION OF THE BUSINESS AFFAIRS OF THE PACKERS.

Mr. HENEY. I can summarize it by saying that the evidence gathered by the Federal Trade Commission convinced me that five large packers—Armour & Co., Swift & Co., Morris & Co., Wilson & Co. (Inc.), and Cudahy & Co.—have what is, in effect, a monopoly of the meat business of the United States, and have it so intrenched by similar control over other meat-producing countries that are tributary to the United States—I refer particularly to South America—that they are able to absolutely overturn the natural law of supply and demand in fixing the prices to the producers as well as in fixing the prices to the consumers.

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Senator GRONNA. I want to be pardoned for interrupting you, but we had hearings last year and the question of stock came up. The Federal Government, as you know, had taken control of the packing interests, and Mr. Cotton, of New York, a very able lawyer, was for us and he was asked the question how he arranged the profits for these concerns, and he made the broad statement that he based their

earnings upon the money borrowed; and I think it is very significant that we should understand all these things, because the consumers will know why meat is high.

Mr. HENEY. Senator, the regulation of the packers by Mr. Cotton is a joke. They made more money under the regulations than they made in 1917, and Mr. Cotton told me himself on two occasions that their profits in 1917 could only be described by the word "scandalous."

Senator GRONNA. I am very glad to hear you say that, Mr. Heney, because that was my belief, and I practically said it last winter.

Mr. HENEY. I proceeded in the beginning——

Senator KENYON. How did he happen to be appointed?

Mr. HENEY. I do not know, Senator, but he was selected by Mr. Hoover.

Mr. MYERS. Mr. President, I believe the pending bill has been so amended as to exclude from participation in the benefits of this proposed appropriation all of the people of Germany, German-Austria, Hungary, Bulgaria, and Turkey, and so as to make it specific that Armenia, the Czecho-Slavs, the Jugo-Slavs, and certain other peoples, may participate in the benefits thereof.

I am glad the bill has been so amended. Before it was amended I was bitterly and unspeakably opposed to its passage. Having been so amended, I do not regard it as so objectionable as it would be otherwise, but still I can not see my way clear to vote for it, and I shall vote against it, and I will give what I trust may be a brief statement of my reasons for so doing.

Before the bill was amended undoubtedly it was so worded that the money proposed to be appropriated might be spent for the benefit of the people of any nation on earth except the people of Germany. As the bill was originally worded the money, if appropriated, might be expended for the benefit of murderous Turks, Bulgarians, and Austrians—people who are murderers, thieves, rapists, cutthroats, fiends, and who waged a wicked, criminal, infamous warfare against civilization. There was nothing that I could find in the printed report of the hearings on the bill which would show either how the money was to be expended or to whom it was to go. Of course, it has been wisely restricted by the amendment which was offered by the Senator from Massachusetts [Mr. LODGE] and which has been adopted; but still I know of no constitutional authority for making this appropriation—for taxing the people of this country to raise money and giving it as a gift to the people of foreign countries—and I speak of this as a proposed gift, because I firmly believe at least nine-tenths of it will be a gift—an act of charity. I do not believe we will ever get the one-tenth part of it back. I think it is recognized that by far the greater part of it is intended to be a gift, and I know of no constitutional authority for taking hard-earned tax money, wrung from the struggling people of this country, and giving it away with a lavish hand to the people of foreign countries.

I subscribe very heartily to the doctrine enunciated on this floor last year by the very able and distinguished Senator from Pennsylvania [Mr. KNOX], who is deservedly recognized as high constitutional authority, when he said that, the Constitution having given Congress the power to declare war, Congress undoubtedly had the implied power to do anything necessary to win the war; that it would be an idle thing to give Congress the power to declare war without giving it also all power necessary to win that war. That is my belief, and I have acted on that theory during the entire period of our participation in the European war. I have had that theory in mind and supported it in every vote I have cast in voting on measures for the prosecution of the European war.

But the President has told us that the war has ended. On the 11th day of November the President appeared before Congress and said "the war thus comes to an end," and we know that so far as hostilities are concerned war is at an end; so I do not feel this can be considered as a war measure. I do not consider it a war measure. I do not believe there is a Senator in this presence who considers it a war measure.

We were never at war with Turkey. We were never at war with Bulgaria. We only declared war upon Germany and Austria. Theoretically, that war is in existence, because permanent peace has not been declared, but is there a Senator here who will arise now and say that the appropriation of this money is necessary for the winning of the war against Austria? Is there a Senator here who will arise and say that the enactment of this measure is necessary for the winning of the war against Germany? Is there a Senator here who will arise and say that unless we enact this measure there is danger that Austria will win this war against the United States? Is there a Senator here who will arise and say that unless we appropriate this money there is danger that Germany will defeat us in this war? No; there is not one who will do so. Then, if those are not facts, this is not a necessary war measure.

I can not find it in me; I can not find it in my conscience, my convictions, or my judgment to vote $100,000,000 of the money of the people of this country for the benefit of the people of foreign countries, when there is no apparent constitutional warrant for it, while the cost of comfortable living in this country is far beyond the reach of thousands of our own people, and when every hundred million dollars' worth of food that is taken out of this country and sent to the peoples of foreign countries, we all know, enhances the cost of living and makes the price of food rise still further in this country and puts the necessities of life still further beyond the reach of some of our own people.

A few days ago I read an article in a newspaper which stated that a poor woman in New York City, the mother of two children, found the price of milk was beyond her means and that she was unable to buy milk for her children. The poor woman, discouraged and disheartened, in the agony of her soul at the thought of her children suffering for the want of milk hurled herself out of a second-story window to the pavement beneath and killed herself. That is only an instance. It is only one instance of dire poverty and distress of thousands that exist in this country due to the high cost of living.

There will soon be great unemployment in this country, I believe. I am informed that in Butte, Mont., there are now 8,000 unemployed men and they know not where to go to obtain employment. There are thousands upon thousands of unemployed in other sections of the country and the list of unemployed is mounting higher every day. I believe we owe something to our own people. I believe we should consider our own to some extent. If the time comes in the near future when there are many thousands of people in this country out of employment and out of means, what are we going to do? Shall we turn loose the Federal Treasury for their benefit and make appropriations out of the Federal Treasury to support everybody who can not make a living in this country and in all the world? If we are going to stretch the Constitution at all, I believe in doing it in behalf of our own people first. Attend to our own first, and when there is no suffering here, when everybody's wants here have been supplied, then let us see to supplying the wants of needy peoples in Europe.

I suppose this bill will pass, but if so, it will set a precedent which will be bad. I believe it will rise to plague us in the future. I believe this is only the beginning, and the end is not anywhere in sight. I believe it will only be a short time until we will be called upon to appropriate another hundred million dollars for people in Europe. I believe in the near future we will be called upon to appropriate money for people in Germany, Austria, Hungary, Bulgaria, and Turkey—our enemies—in our undertaking to save the civilization of the world.

If I were to vote for this bill, I would consider that I was violating my oath of office and my duty to the people of America, and I can not conscientiously do it. I have very clear, conscientious objections against it.

There are other reasons why I can not see my way clear to vote for the bill. In the cablegrams which have been laid before the Senate committee and before the Senate in support of the appropriation provided for in the bill it is stated with emphasis that one of the objects of the bill, I may say the principal object, is to stem the tide of bolshevism in Europe; to keep the people of Austria, Bulgaria, Turkey, and Poland from becoming Bolshevists. Are we to hire people, with criminality in their hearts, to abstain from criminal acts? Are we to hire people to abstain from assaults upon organized society? Are we to hire people to abstain from assaulting civilization? Are we to hire people to be law-abiding? Are we to hire people not to be criminals? Are we with food to buy people to be good and not to commit crime? Are we to take the taxpayers' money and use it in buying the peace of the world? Is peace so dear that we must buy it? If so, the world has come to a sorry plight. The idea is repugnant to me and to my sense of right and fairness. I do not believe in yielding to the clamor of people that unless we feed them they will commit depredations, upset law and order. If we do it this year, we may have it to do next year.

If we are to do that, then we have thousands and thousands of I. W. W.'s, Bolshevists, and other anarchists in this country whom we might as well begin to hire to be good. We do not have to go away from home to do it. We might as well turn loose Debs and Mooney, Alexander Berkman and Emma Goldman. We might as well liberate the 100 I. W. W.'s who were convicted at Chicago a few weeks ago and put in the penitentiary. We might as well turn loose and free the 46 I. W. W.'s who were convicted a few days ago in a Federal court in California and sentenced to the penitentiary. We might as well say to all of them, "You do not need to go to the penitentiary; we will hire you to be good; we will keep you in idleness; we will give you food; we will give you everything you want."

That may be one way to stop I. W. W.ism. It may be one way to stop bolshevism. It may be one way to stop anarchy. But is it the proper and right way? Is it right to do it? Is it just to do it? Would it be justice to law-abiding, upright people, who stand for organized society and civilization, to tax them and take their money away from them by force and give it to the criminal minded to keep the latter from acts of criminal violence against organized society?

If we are going to embark on this then we might as well appropriate $100,000,000 to give to Lenine and Trotzky in Russia. I suppose we could for a short time stop bolshevism in Russia by giving them millions of dollars, by taking a shovel and scooping out to them millions of dollars of our taxpayers' money and saying, "We will support you in idleness; we will give you food." Suppose we could stop bolshevism in Russia that way. Would it be just and right to do it? Would it be just to the people who maintain organized society, who uphold civilization, who stand for law and order, and who pay the taxes, to take their money away from them by force and give it to the criminally minded who wave aloft the torch of incendiarism and hold a bowie knife at the throat of civilization?

I do not like the grounds upon which the proposed appropriation is asked. I decline to have the highwayman's dagger put at my heart to make me give up. I decline to have the murderer's bowie knife put at my throat to make me vote other people's money in order to keep them from indulging in criminal assaults upon the civilization of Europe. It is a wrong principle in my opinion. It is not founded on justice and right. I earnestly and sincerely protest against it.

In opposing this bill from a sense of duty I do so with all respect to the President of the United States. I know the President has asked for this appropriation, but I do not believe the Congress has been given sufficient specific, definite information to justify the Congress in making the appropriation. It is, at least, not sufficiently enlightening to me. I feel we should be very careful in such matters.

In all that I say I speak with the highest respect for the President of the United States, for whom I have warm regard, and in whose motives and good intentions I have every confidence. I know his high-minded ideals and the generous impulses of his heart. I know his intentions are good and in this matter I differ from him, with my present light, with the greatest respect. However, in this matter I have firm convictions of my own.

In the prosecution of this war it has been my fortune and honor to stand without exception, invariably and unwaveringly, behind the President of the United States in support of his measures. Not one thing for which he has ever asked in the prosecution of the war have I declined to vote for. With almost no exception of great consequence, it has been my pleasure to support all the policies of the President of the United States in time of peace, as well as war, up to this time. In peace and war almost invariably it has been my good fortune to view the issues which were presented to us as he viewed them. However, the President tells us the war has ended, and we all know it has practically ended. It is finally ended unless it should be renewed, and at this time I see no prospect of that. I know of none of our foes who have the power or the resources to renew the war and wage it afresh.

I have some very fixed, firm, and settled convictions about the policy to be pursued by us toward the people of the nations that waged a wicked, infamous, criminal warfare against civilization. I have some fixed, firm, and settled convictions about the policy to be pursued toward European peoples, now that peace has come. I have some fixed, firm, and settled convictions about my duty toward the American people, now that peace has come to the people of this country.

I know that we spent money with reckless prodigality during the prosecution of the war. Millions of dollars of money were doubtless spent in lavish, even extravagant, ways where they could have been expended more economically had there been no need for haste, but I had no serious objection to that. With me, it was anything to win the war. Winning the war was the paramount object with me in the dark days during which civilization trembled in the balance. The liberty of the world was at stake. With me, winning the war was above economy and above every other consideration. Now, however, that the days of actual, if not theoretical, peace have returned, I believe we ought to be rigidly careful about the expenditure of the people's money. I believe we ought to be seriously careful and thoughtful about the constitutionality of our appropriations. I believe we ought to be careful to remain within the bounds of prudence and constitutional safety, and that we ought to think first of the American people above all other peoples of the earth. I do not say that if it were properly, specifically, and definitely shown to the Congress that people of foreign lands who befriended us in this war, who stood steadfastly by our side in waging warfare for the preservation of civilization, who were our allies and our friends, were suffering for the necessities of life, starving, dying, I would not under any circumstances vote to appropriate money for them. But I am not willing to do it when confronted with the threat of a highwayman that "unless you feed us we will turn Bolsheviki and set the world afire." I will not do it under compulsion of any highwayman's threat. I will not do it to prevent bolshevism in Europe or in this country or in any other country on the face of the earth. I will not do it to hire people to desist from crime. When I do so it will be because I am convinced of the necessity, constitutionality, justice, and humanity thereof; not to keep people who have criminal instincts restrained from venting them.

Against this threat that unless the people of Europe are fed they will turn Bolshevists and make assaults upon the civilization of the world I simply stand by my ideals of right and civilization. I take my stand upon the side of law and order, and if right and civilization must go down before the assaults of criminals, anarchists, Bolshevists, I say let us go down standing for the right, standing by our colors, and with colors flying.

If the time ever comes in this country when there is room for only two political parties—one that stands for organized society and one that stands for anarchy—I shall take my stand with the one that stands for organized society and stay with it. I do not believe in compromise with crime. I will not yield to threats of people who have criminality in their hearts, who say that unless they have their way they will turn Bolshevists.

For these reasons I can not see my way clear to vote for this appropriation. I make this statement in order to make clear my views on the matter. I am a long way yet from being convinced of the necessity for and justification of this proposed appropriation. I think it is merely a beginning, that we will be called upon for other hundreds of millions of dollars, and that we should know more about what kind of a beginning we are making before we make the beginning, and should know more about where the end is to be. I must have more impelling and what I consider better reasons for the proposed appropriation before I can conscientiously give it my sanction.

MEMORIAL ADDRESSES ON THE LATE SENATOR HUGHES.

Mr. FRELINGHUYSEN. Mr. President, I give the following notice, which I ask the Secretary to read.

The Secretary read as follows:

That on Sunday, January 26 next, following the exercises in memory of the life, character, and public service of the late Senator BROUSSARD, the Senate will consider resolutions upon the life, character, and public service of WILLIAM HUGHES, late a Senator from the State of New Jersey.

The VICE PRESIDENT. The notice will be entered.

RECESS.

Mr. HOLLIS. Mr. President, notice has been given for memorial exercises in honor of the late Senator GALLINGER, of New Hampshire, and the late Senator BRADY, of Idaho, on to-morrow at 11 o'clock. I move that the Senate take a recess until that hour.

The motion was agreed to; and (at 5 o'clock and 20 minutes p. m.) the Senate took a recess until to-morrow, Sunday, January 19, 1919, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

SATURDAY, *January 18, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, our Father in heaven, for this moment in the day's proceedings; since the human heart is like that of a musical instrument, touched by a master hand it brings forth sweet melodies, rich, deep harmonies.

Touch our hearts, we beseech Thee, with the Holy Spirit, that they may respond in deep, full harmony to life and its far-reaching purposes, unperturbed by the discordant sounds around us; that we may fulfill our appointed mission, to the honor and glory of Thy Holy Name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed with amendments the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses, had requested a conference with the

House on the bill and amendments, and had appointed Mr. SHEPPARD, Mr. ASHURST, and Mr. LA FOLLETTE as the conferees on the part of the Senate.

THE LATE THEODORE ROOSEVELT.

The SPEAKER laid before the House the following communications:

DEPARTMENT OF STATE,
Washington, January 16, 1919.

The Hon. CHAMP CLARK,
Speaker of the House of Representatives.

SIR: I have the honor to inclose for the information of the House of Representatives a translation of a telegram addressed by the president of the House of Representatives of Cuba to the President of the House of Representatives of the United States, quoting a resolution adopted by the Cuban House of Representatives expressing its sympathy in view of the death of the late Theodore Roosevelt, former President of the United States. A copy of the telegram has been communicated to this department by the Cuban minister at this Capital.

I have the honor to be, sir,
Your obedient servant,

FRANK L. POLK,
Acting Secretary of State.

[Translation.]

HABANA.

To the PRESIDENT OF THE HOUSE OF REPRESENTATIVES,
Washington:

The House of Representatives, assembled in solemn and extraordinary session, has to-day unanimously agreed to enter in its journal the profound sorrow of the Cuban people on account of the death of Theodore Roosevelt, the best friend of Cuban independence and one of the greatest figures of modern times.

The house also voted to express to you that it shares with your illustrious body this immense misfortune and in order to associate itself with the feeling of sadness of the noble American people it expresses the wish that the memory of the illustrious Roosevelt may serve to cement more, if possible, the fraternal bonds which have united in glorious days the two peoples.

MIGUEL COYULA, *President.*

UNEMPLOYMENT.

Mr. COOPER of Ohio. Mr. Speaker, I ask unanimous consent to address the House for two minutes, in order that I may have a telegram read.

The SPEAKER. The gentleman from Ohio asks unanimous consent to address the House for two minutes. Is there objection?

There was no objection.

Mr. COOPER of Ohio. Mr. Speaker, in the edition of the Washington Post of yesterday, January 17, 1919, we see the headline "Bread line by May 1." Then follows a report of a statement made by Mr. Frank Morrison, secretary of the American Federation of Labor, in which he names various cities in the United States where there is a large list of unemployed men. Youngstown, Ohio, my home city, was one of those in which he said there were 5,000 unemployed men. I desire to have the following telegram read which I send to the desk.

The SPEAKER. Without objection, the Clerk will read the telegram in the time of the gentleman from Ohio.

There was no objection.

The Clerk read as follows:

YOUNGSTOWN, OHIO, *January 17, 1919.*

Hon. JOHN G. COOPER: Five thousand unemployed men would represent practically 10 per cent of working population, and such a condition positively does not exist in Youngstown, Ohio. Absolutely no foundation for statement of Morrison regarding this community. Fact of the matter is there was a temporary lay off by a local industry of about 2,500 men for a few days so as to readjust an operating division during transition from war to peace basis. All industries working practically on normal basis. Discharged soldiers, sailors, and marines being absorbed by industries and commercial organizations as fast as they return, according to applications. Urgently recommend this denial be referred to House Committee on Immigration.

FRED A. LABELLE,
Secretary Youngstown Chamber of Commerce.

Mr. COOPER of Ohio. Mr. Speaker, I am requested by the Youngstown Chamber of Commerce to present these facts to the House, as they believe the statement of Mr. Morrison has attracted a great deal of uncomplimentary comment regarding the industrial conditions at present in the city of Youngstown, Ohio.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. BYRNS of Tennessee. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14078, the legislative, executive, and judicial appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the legislative, executive, and judicial appropriation bill, with Mr. ALEXANDER in the chair.

The Clerk reported the title of the bill.

The Clerk read as follows:

Hereafter section 3709 of the Revised Statutes of the United States shall not be construed to apply to any purchase or service rendered for the Department of Commerce when the aggregate amount involved does not exceed the sum of $25.

Mr. EMERSON. Mr. Speaker, I move to strike out the last word. This bill carries something like $100,000,000. While it seems to be the tendency of legislative bodies to look after the interests of the tax spender more than the taxpayer, I desire to congratulate the chairman of this committee, Mr. BYRNS of Tennessee, and the ranking Republican on the committee, Mr. STAFFORD, both of whom are very amiable and agreeable and hard-working gentlemen, for the efforts they have made, and the efforts the entire committee have made, in holding down the appropriations in this bill.

The lack of food caused the bolshevism in Europe, but can not cause it in America, as we have the food.

Two things, however, may cause bolshevism here.

First. The high cost of living, which is caused partly by profiteering.

Second. Lack of employment.

Congress and the entire Government must devote its utmost energies to prevent this.

Frank Morrison, secretary of the American Federation of Labor, states that we will have bread lines in this country by May 1.

I think and hope he is wrong, but he may be right.

In time of opportunities we should prepare against bolshevism.

I will read the statement of Mr. Morrison:

BREAD LINES BY MAY 1—FRANK MORRISON GIVES LABOR SURVEY TO HOUSE COMMITTEE—OPPOSES MORE IMMIGRATION—WANTS IT PROHIBITED FOUR YEARS—LIST OF CITIES WHERE LARGE NUMBERS ARE UNEMPLOYED IS GIVEN—HOPES BUILDING WILL PICK UP IN THE SPRING AND TAKE SOME MEN

"When the men in the Army are demobilized," said Frank Morrison, secretary of the American Federation of Labor, yesterday before the House Immigration Committee, "we are going to have bread lines in every industrial center by May 1. After that date it is hoped that building will pick up and take some of the men."

Surveys of industrial conditions in many cities showing unemployment were presented by Mr. Morrison in urging legislation prohibiting immigration for four years. Labor leaders, he said, made the survey Tuesday at his request.

The estimated number of unemployed given by the survey included:

LIST OF THE CITIES.

Los Angeles, 8,000; New Britain, Conn., 2,000; Chicago, 75,000; Louisville, Ky., 2,900; New Orleans, 20,000; Boston, 20,000; Grand Rapids, 5,000; St. Paul, 8,000; St. Louis, 15,000; Kansas City, 2,000; Trenton, 2,500; New York City, 20,000; Cincinnati, 5,000; Cleveland, 40,000; Portland, Oreg., 9,000; Toledo, 17,000; Youngstown, 5,000; Aberdeen, Wash., 3,000; Milwaukee, 7,000.

Charleston, S. C., and Wilmington, Del., reported no unemployment; Jersey City said there was "no notable distress because of unemployment"; Newark, N. J., reports "five men for every job"; Duluth, Minn., reported a fair demand, and Jacksonville, Fla., that supply and demand were equal.

Millions of men were unemployed before the war, Mr. Morrison said, and the demand did not equal the supply until 3,000,000 had been called into the Army. Steel companies and packers, he declared, caused the oversupply by importing men to get cheap labor.

We must practice economy in all public expenditures, for I find that all legislative bodies pay too much attention to the tax spender and too little to the taxpayer.

The taxpayer seems to have no friend at court.

No one seems to consider that the taxpayer finally has to pay for all these bonds and taxes.

The idea seems to be spend, spend, spend, and let the taxpayer foot the bill.

The time has come when we must consider the rights of the taxpayer. It seems to be a standing joke that it costs the Government more to do anything than it would cost private parties.

There should be developed in this country a tendency toward economy, not toward extravagance; toward efficiency, not toward inefficiency; toward care and caution in the expenditure of public money, not toward shiftlessness.

The greatest question now confronting this country is reconstruction, and the most important feature of that reconstruction is the readjustment of industry, the discharge of soldiers in the Army, the employment of labor, the control of the food supply and the control of food prices, the handling of the transportation situation, so that we may prevent disorganization and depression.

We must demobilize the Army in such a way that we will assist industry as much as possible and disturb it as little as possible.

We must build up American trade abroad, extend American commerce, and, above all, not interfere with American industries that desire to extend their trade abroad.

We must devote more time to this country and conditions here and less to countries abroad. We must teach and practice Americanism. American ideas must always prevail here. We should as much as possible use American goods, and "Made in America" should be on everything we use.

It is estimated that before the United States entered this war there were not more than 300,000 bondholders in the country. The four liberty loan campaigns added nearly 30,000,000 more to that list; or, in other words, just so many more people in the United States have been taught the habit of saving.

We must protect these bondholders. We took 100 cents on the dollar from these bondholders for the bonds they purchased, but if they wanted to sell most of these issues they would have to sell them at less than par.

The last loan is now selling at about 95 cents on a dollar, and there should be some legislation of some kind that would bring these bonds to par, especially as we expect more liberty loans to be made and floated.

I will insert for the benefit of the House a statement concerning the price of liberty bonds:

LIBERTY BONDS.

[Quoted by Otis & Co.]

There are seven classes of liberty bonds on the stock exchange. When a higher rate liberty bond is issued in exchange for a lower, the bond issued in exchange has the same maturity and interest dates as the bond turned in.

In the table below first 4s are 4s which have been issued in exchange for 3½s. First 4¼s are 4¼s issued in exchange for 3½s or for first 4s. Second 4s are the original bonds of the second loan. Second 4¼s are 4¼s issued in exchange for second loan 4s. Third 4¼s are the third loan original bonds. Fourth 4¼ bonds are the fourth loan original bonds.

Accrued interest to time of sale or purchase in addition to these prices.

January 17.

	High.	Low.	Close.	Net change.
Liberty 3½s	$99.94	99.94	99.94	—.14
Liberty 1st 4s	92.60	92.50	92.50	+.10
Liberty 2d 4s	92.30	92.20	92.30	+.10
Liberty 1st 4¼s	98.10	98.10	98.10	—.18
Liberty 2d 4¼s	95.10	95.00	95.10	
Liberty 3d 4¼s	98.08	98.00	98.08	—.03
Liberty 4th 4¼s	98.08	98.00	98.04	—.05

	Callable.	Due.
Liberty 3½s	June 15, 1932	June 15, 1947
Liberty 1st 4s	do	Do.
Liberty 2d 4s	Nov. 15, 1927	Nov. 15, 1942
Liberty 1st 4¼s	June 15, 1932	June 15, 1947
Liberty 2d 4¼s	Nov. 15, 1927	Nov. 15, 1942
Liberty 3d 4¼s	(1)	Sept. 15, 1928
Liberty 4th 4¼s	Oct. 15, 1933	Oct. 15, 1938

[1] Not callable.

We should establish a merchant marine in some form in order that the ships we have built may be utilized to help build up American trade abroad.

We must give pensions to the soldiers who have fought the battles of the Republic in this war with Germany and take care of their widows, orphans, and dependents.

The soldiers who have been injured in battle or in the line of duty must be treated honorably and justly by this Government.

We must see to it that preference is given our soldiers in the matter of employment, especially as against those alien slackers who refused to do their bit toward the preservation of democracy and humanity. I would go as far as to make it a crime for any person, firm, or corporation to give preference of employment to an alien slacker as against a patriotic son of America.

Likewise, all aliens who served this country should be made citizens immediately upon being honorably discharged from the Army or Navy.

We finally will find that there can be no great success here industrially or internationally without a strong, healthy, and well-developed national life.

We do not compare our workmen with those of any other country. They are better paid, better fed, better clothed, better housed, better educated, and demand more for their families than the workmen of any other country in the world, and they do not ask these things as a matter of charity but they do ask the right to work and earn them.

Simply feeding an American workman does not satisfy him; he demands something more.

One of the most important things this Congress should do is to punish profiteering, which is the main cause of high prices in the matter of foodstuffs.

There may have been some small justification for high food prices during the war, but there is none now.

We produce more foodstuffs than we consume, and they should cost less because of that fact.

I will insert as a part of my remarks tables furnished by the Bureau of Markets, Department of Agriculture, which show that there is much more meat in cold storage than there was a year ago.

This is also true of other food products.

Congress can prevent this hoarding of food products in the cold-storage warehouses by legislation.

I introduced at the last session of Congress a bill fixing the price of cotton, and it caused a panic in the southern cotton market, because there was no justification of the high price of cotton at that time.

If Congress would show a disposition to regulate these cold-storage plants, the price of meat would drop instantly.

With the large number of people now out of employment, which will be augmented as spring approaches, there will have to be a great reduction in the prices of food products or many people in this country will be up against starvation.

Hunger and starvation have been the cause of the Bolshevism in Europe. Let us see to it that they do not cause it here.

We have set an example for the world in the matter of free government. We have set an example for the world in the matter of civilization. We have set an example for the world in the matter of charity. Let us now set an example for the world along the lines of industrial achievements.

I will now read from the Ohio Republican:

THE H. C. OF L.

The National Industrial Conference has reported that the cost of living between July, 1914, and November, 1918, has gone up from 65 to 70 per cent. The increase in the cost of food has been placed at 83 per cent; shelter, 20 per cent; clothing, 93 per cent; fuel and light, 55 per cent; sundries, 55 per cent.

For example, increases in the cost of woolen yarn goods ranged from 96.4 per cent for poplin to 131.5 per cent for serge. Then cotton ranged from 87.9 per cent for voile to 264.4 per cent for percale.

Men's and women's coats selling for $10 in 1914 cost from $19 to $20 in November, 1918, and suits retailing at $15 in 1914 showed an increase of about 75 per cent. Hosiery went up 90 to 95 per cent. Men's shoes at $3.50 in 1914 were frequently selling for $6 in 1918. Women's $3 shoes brought $5.75. Children's shoes doubtless advanced in similar proportion, although the report does not specify.

Such abnormal increases in cost must of necessity work hardships on all families save those which have shared largely in the prosperities of the war. It must be kept in mind that unless this war is different from all others, the period of inflated prosperity will be in time succeeded by a period of reaction and depression, which may or not reach panic conditions. Such periods will again affect the average family, and thus we find it being whipsawed by the high prices of a war prosperity in which it may or may not have shared, or by the hard times reaction in which it seldom avoids sharing.

The happiness and welfare of the American family is one of the basic objects of our Government. Unfortunately the average home is commonplace. It lacks all the glamour of great issues. It lacks all the enchantment which comes from distance. Its simple necessities secure no councils of the great, no royal banquets, no regal processions.

Yet it is apparent that the conditions of living in the United States call for the gravest, wisest, and most immediate consideration by the Government. The happiness and even the welfare of a nation may depend upon such prosaic things as the price of a beefsteak, the cost of a pair of children's shoes, the amount asked for a ton of coal. For a people to be happy they must be well nourished, reasonably clad, sheltered from the elements. * * *

The present Congress has lifted its voice affirmatively and patriotically, and properly so, to the requisitions of the President and Cabinet heads of the executive branch of our Government when called upon to furnish appropriations of money in unprecedented amounts never before heard of in the history of nations.

The American people likewise have responded patriotically to the flotations of liberty loans and have responded cheerfully, readily, and enthusiastically to the purchase of an amount aggregating $17,000,000,000, not because of any inducement for investment, but absolutely for the purpose of showing their determination to do all required of them to win the war. It can also be said that the same motive can be applied to the cashing into the Federal Treasury a sum reaching close to a billion more for war-savings certificates and thrift stamps.

The American people have been called upon to support the Red Cross and numerous other sources of donations, and where within the territorial limits of our great Republic has there not been a ready and most generous response?

We are a wealthy Nation; our people are the wealthiest in the world. Our great wealth is not brought to us in ships or any other process of transportation from foreign lands. Our leaders of industry and all those under their direction correctly contend, as we must all contend, that our great wealth is produced by the application of labor and capital to all the forces and resources which God and nature have so abundantly placed within our territorial limits.

The past 50 years of our existence has been one of industrial development exceeding all the previous years of our national life, and yet not until we became involved in the present European conflict did we fully realize the uncovered resources of the public domain. Neither did we realize the accomplishment of industrial activity to turn out in so short a time the vast amount of munitions of war, food, and inestimable supplies, not only for our own national defense but also to supply the needs of all our allies.

Captains of industry, backed up by the ready response of labor, produced these American-made goods from American products by American labor in American workshops over which flew the American flag, and the sustenance of this vast industrial army was produced by the American farmer from American soil.

The splendid teamwork of the manufacturers and their employees, brushing aside self-interest, and even in the whirl of many concessions to be made by the employer as to high remuneration and responded to by concessions of workmen, this magnificent cooperation demonstrated to the entire world the ability, intelligence, and the productiveness of our industrial institutions.

During the months of our active participation in the war our industrial activities have been strained, caused by the great haste with which results were to be accomplished, yet by confidence and unselfish cooperation, the elimination of conflict, our goods were produced and produced with such astonishing rapidity as to be almost beyond conception.

It is our duty to keep a friendly understanding between employer and employee, and thus prevent any friction unnecessarily between them.

This conflict has had a tendency of bringing men of all walks of life closer together. It has been the means of opening up and the development of many of our national resources.

It should bring to a larger extent a more equitable distribution of wealth and a higher wage scale for our workmen.

Congress has ungrudgingly opened up the public exchequer and allowed the executive branches to have their will.

Whether it has been wisely expended or not must be determined when the people through their Representatives in Congress demand an accounting.

However, I am at the moment more impressed with the difficulties arising by the imposition of the heavy burden of taxes to be levied for lifting the burden.

We have created the debt, now we must create the way to pay it. Do not lose sight of the burdens imposed upon the American people since this war began. We must consistently use and occupy every avenue of revenue that will relieve the taxpayer.

Our industries must keep their wheels and trip hammers in motion, and labor must keep up the high standard it has been capable of maintaining since the war commenced.

Our products must be marketed, but we must produce the products to be marketed.

It is evident during the days, weeks, months, and probably years of reconstruction our markets will supply the wants of the nations of Europe now undergoing reconstruction.

To meet the demands of our consumption and to encourage production, not only of long-established industries, but likewise those which have sprung into existence since the declaration of war against Germany, this Congress must build suitable barriers of protection. As has been well said, "When we have turned our backs to the sea and our faces to the land we have come into our own true inheritance and built up this great and fabulous wealth," and it can be said doubling itself every five years.

One of the channels for the production of revenue is the revision of the tariff that will consistently and reasonably protect, not only for the protection of industry but as a source of revenue income to assist in liquidating the debt incurred during the successful prosecution of this war.

I here insert as a part of my remarks a report from the United States Bureau of Markets.

Stocks of frozen poultry and frozen and cured meats on Jan. 1, 1919, with comparisons of the stocks on Jan. 1, 1919, and Jan. 1, 1918, by sections.

Section.	Reported for Jan. 1, 1919.		Comparison of stocks (includes total of all storages reporting) for both dates.			
	Storages reporting.	Pounds.	Storages reporting.	Jan. 1, 1918.	Jan. 1, 1919.	Increase (+) or decrease (—).
				Pounds.	*Pounds.*	*Per ct.*
Fowls:						
New England	26	2,579,621	29	553,172	667,401	+ 20.6
Middle Atlantic	55	5,645,208	51	2,332,507	5,602,624	+ 134.2
South Atlantic	14	466,397	13	113,267	310,963	+174.2
N. Central (E.)	42	10,071,335	37	8,050,994	9,719,790	+ 20.6
N. Central (W.)	46	5,118,957	44	1,922,235	5,017,196	+161.0
South Central	19	694,240	18	591,444	694,292	+ 38.5
Western (N.)	18	470,931	14	130,225	308,277	+136.7
Western (S.)	19	715,187	14	284,788	394,799	+ 38.5
Total	239	25,762,897	217	13,888,559	22,574,866	+ 62.6
Turkeys:						
New England	23	1,443,683	21	91,944	431,818	+ 369.7
Middle Atlantic	52	2,486,495	49	980,351	2,404,338	+ 152.1
South Atlantic	17	153,078	16	87,442	129,530	+ 48.1
N. Central (E.)	42	2,348,988	36	2,300,192	2,725,561	+ 1.1
N. Central (W.)	41	1,055,573	39	665,765	1,037,964	+ 55.9
South Central	23	790,246	23	463,292	790,296	+ 70.6
Western (N.)	21	155,632	15	86,941	148,660	+ 70.9
Western (S.)	27	473,819	21	248,416	331,229	+ 33.4
Total	248	8,677,474	220	4,744,231	7,489,168	+ 57.9
Miscellaneous poultry:						
New England	26	1,293,072	24	214,191	290,634	+ 35.7
Middle Atlantic	59	8,441,511	55	6,075,031	8,018,032	+ 32.1
South Atlantic	12	283,564	11	64,191	276,377	+ 330.2
N. Central (E.)	50	11,424,505	42	6,566,422	10,827,319	+ 64.9
N. Central (W.)	54	5,211,465	52	1,566,924	5,167,084	+ 229.7
South Central	24	576,261	23	486,618	570,013	+ 17.3
Western (N.)	21	372,095	18	271,949	336,477	+ 23.7
Western (S.)	25	331,916	22	142,527	267,090	+ 87.3
Total	271	27,934,389	246	15,397,993	25,754,026	+ 67.3
Total frozen poultry:						
New England	35	10,015,487	32	1,313,931	2,532,522	+ 92.7
Middle Atlantic	72	27,575,993	68	16,154,057	26,849,238	+ 66.2
South Atlantic	23	1,192,790	20	433,996	931,208	+ 115.3
N. Central (E.)	54	41,092,412	49	30,896,647	40,037,668	+ 29.6
N. Central (W.)	57	19,375,772	54	7,006,477	18,415,192	+ 162.1
South Central	30	3,448,692	30	1,962,020	3,409,282	+ 73.8
Western (N.)	31	1,367,115	23	625,249	1,048,195	+ 67.6
Western (S.)	33	2,461,720	27	923,279	1,463,324	+ 58.5
Total	334	106,917,291	303	59,905,593	94,686,529	+ 58.1
Broilers:						
New England	17	774,524	16	123,359	166,179	+ 34.7
Middle Atlantic	53	3,931,023	51	2,585,077	3,939,164	+ 51.6
South Atlantic	10	149,411	8	66,677	107,520	+ 14.6
N. Central (E.)	20	6,081,544	32	4,722,777	5,862,989	+ 24.1
N. Central (W.)	42	2,441,951	41	1,095,724	2,213,153	+102.0
South Central	17	955,930	17	382,379	955,933	+149.7
Western (N.)	11	165,930	8	41,421	141,016	+240.5
Western (S.)	21	610,513	17	191,627	310,954	+ 62.3
Total	210	15,080,535	190	9,205,040	13,677,287	+ 48.6
Roasters:						
New England	23	3,924,579	22	331,356	976,520	+194.7
Middle Atlantic	53	7,071,750	49	4,281,088	7,041,080	+ 65.3
South Atlantic	6	110,381	5	75,119	110,201	+ 46.9
N. Central (E.)	40	11,703,095	31	9,336,352	11,491,697	+ 23.1
N. Central (W.)	45	5,545,780	44	2,315,779	4,979,885	+115.5
South Central	13	399,631	11	138,363	399,634	+188.8
Western (N.)	13	202,485	9	94,733	123,735	+ 31.6
Western (S.)	20	334,365	16	55,926	158,749	+183.8
Total	213	29,292,020	192	16,658,735	25,194,672	+ 51.2
Frozen lamb and mutton:						
New England	21	1,326,818	21	998,025	1,326,818	+ 32.9
Middle Atlantic	57	4,129,637	51	2,418,814	3,773,295	+ 55.5
South Atlantic	12	189,655	12	86,125	189,655	+120.2
N. Central (E.)	35	3,478,352	30	1,359,930	3,309,062	+144.9
N. Central (W.)	36	2,061,623	30	706,588	1,972,920	+179.3
South Central	16	332,787	13	42,579	318,553	+648.3
Western (N.)	26	186,257	22	377,763	174,274	— 53.9
Western (S.)	23	538,949	21	238,623	532,629	+123.2
Total	228	12,254,538	200	6,219,298	11,537,112	+ 85.5
Frozen pork:						
New England	35	4,217,392	32	2,824,503	4,014,703	+ 42.1
Middle Atlantic	81	10,777,544	75	3,738,797	10,595,218	+183.4
South Atlantic	20	1,570,745	19	645,656	1,568,745	+143.3
N. Central (E.)	68	19,592,808	59	9,826,224	17,010,743	+ 72.9
N. Central (W.)	55	16,662,915	50	5,940,991	10,710,297	+ 79.7
South Central	29	3,308,682	26	1,500,676	2,496,887	+ 66.4
Western (N.)	27	1,993,617	27	3,261,600	1,930,617	— 41.7
Western (S.)	28	1,716,032	26	2,893,365	1,547,039	— 34.5
Total	343	59,854,765	314	30,192,103	49,853,969	+ 65.1
Dry salt pork:						
New England	20	16,936,093	20	8,931,957	17,936,093	+ 88.3
Middle Atlantic	75	11,144,226	70	8,299,149	10,945,249	+ 31.9
South Atlantic	52	5,234,232	51	4,241,883	5,049,044	+ 19.0
N. Central (E.)	111	138,814,516	104	99,976,995	123,735,445	+ 23.8
N. Central (W.)	70	161,088,759	67	101,343,153	160,626,231	+ 58.5
South Central	43	11,665,491	39	7,638,374	9,972,742	+ 30.6
Western (N.)	29	1,829,247	29	1,469,645	1,629,247	+ 9.4
Western (S.)	37	3,861,807	34	2,237,495	3,038,943	+ 35.9
Total	437	350,584,441	414	234,058,592	334,899,017	+ 43.0

—stocks of frozen poultry and frozen and cured meats, etc.—Continued

Section	Reported for Jan. 1, 1919.		Comparison of stocks (includes total of all storages reporting) for both dates.			
	Storages reporting.	Pounds.	Storages reporting.	Jan. 1, 1918.	Jan. 1, 1919.	Increase (+) or decrease (−)
Pickled pork:				Pounds.	Pounds.	Per ct.
New England	32	17,885,163	31	20,465,461	17,885,163	− 12.6
Middle Atlantic	120	26,048,566	115	18,646,220	26,010,916	+ 39.5
South Atlantic	44	6,488,361	42	5,468,348	6,453,535	+ 17.5
N. Central (E)	143	120,862,028	132	88,300,574	98,491,181	+ 11.5
N. Central (W)	75	103,245,223	70	90,221,394	103,165,208	+ 14.3
South Central	28	9,910,244	23	6,438,330	7,062,786	+ 9.7
Western (N)	32	7,112,214	32	5,583,493	7,112,214	+ 28.5
Western (S)	36	6,857,962	35	7,194,611	5,826,523	− 19.0
Total	510	298,409,761	482	242,205,401	274,006,526	+ 12.3
Lard:						
New England	31	10,056,231	30	6,398,198	9,823,671	+ 53.5
Middle Atlantic	121	8,590,230	116	3,630,851	8,470,868	+ 33.9
South Atlantic	49	1,584,564	46	962,948	1,497,360	+ 55.5
North Central (E)	147	44,463,039	140	22,197,312	44,372,304	+ 99.9
N. Central (W)	80	29,294,781	77	13,664,293	27,746,351	+ 103.1
South Central	41	3,016,505	35	1,628,399	2,635,101	+ 61.8
Western (N)	32	1,434,027	31	1,671,519	1,373,475	− 17.8
Western (S)	40	2,311,063	37	1,730,296	2,114,371	+ 22.2
Total	541	100,755,440	512	51,873,806	98,033,534	+ 89.0
Miscellaneous meats:						
New England	28	6,183,760	13	1,352,349	3,398,353	+151.3
Middle Atlantic	89	10,088,140	44	3,232,298	6,302,453	+ 95.0
South Atlantic	35	2,627,050	15	587,139	745,928	+ 38.9
N. Central (E)	103	52,214,238	87	14,295,184	23,066,163	+ 61.7
N. Central (W)	85	43,894,205	41	13,293,283	21,843,574	+ 64.3
South Central	33	5,475,113	19	932,881	1,769,749	+ 89.7
Western (N)	26	2,452,206	10	375,616	2,029,998	+440.4
Western (S)	33	5,027,777	17	977,202	2,839,449	+190.6
Total	412	127,942,489	226	34,955,952	61,995,595	+ 77.3

The Clerk read as follows:

For rent of buildings in the District of Columbia, $66,500: *Provided*, That the Secretary of Commerce is authorized, in his discretion, to enter into a contract for the lease for a period not to exceed five years with an option for a perion of five additional years, of the Commerce Building, now occupied by the Department of Commerce, at an annual rental not to exceed $65,500.

Mr. WALSH. Mr. Chairman, I reserve the point of order on the paragraph. Is it necessary, in view of the many buildings that have been erected for war purposes during the past months, to authorize the rental of a building for this department at $65,000 per year, when some of these other buildings will presumably be vacated by war bureaus in the near future?

Mr. BYRNS of Tennessee. I will say to the gentleman that it is not absolutely necessary, in so far as actual space is concerned, for I am satisfied from the statement made to the committee by the gentleman who was appointed to look into the question of space, that there will be available space, but the gentleman from Massachusetts knows that these buildings are temporary in character, and it is not expected that they will be occupied for an extended period of time. Here is the great Department of Commerce that is occupying a splendid office building on the corner of Nineteenth Street and Pennsylvania Avenue. The lease expires on June 30 of this year. Some disposition has to be made of that department, and the committee thought in view of the importance of the department and the fact that other departments of the Government are placed in buildings of a permanent character that it would hardly be in keeping with the dignity and importance of the department to place it in one of the temporary buildings.

Mr. WALSH. The gentleman would not urge that the dignity of a department would warrant——

Mr. BYRNS of Tennessee. I shall place it upon the ground of the very great importance of the department.

Mr. WALSH. Is the department any more important than the War Department and its various bureaus have been during the past two years?

Mr. BYRNS of Tennessee. By no means.

Mr. WALSH. Does the gentleman think any of those temporary buildings that have been erected for the War Department and the War Trade Board, and these other bureaus conducting war activities, will be torn down within the next five years?

Mr. BYRNS of Tennessee. I will say to the gentleman that the War Department and the Navy Department are now located in two new buildings on Potomac Park, but those buildings are not in the class to which I refer. Those buildings, as the gentleman knows, are of a permanent character.

Mr. WALSH. Erected temporarily?

Mr. BYRNS. As to just when they will be disposed of I do not know, but those are really up-to-date office buildings.

Mr. WALSH. How about the Munitions Building?

Mr. BYRNS of Tennessee. The War Trade Building is located down on Fifteenth Street on Government land, and that is a building of more or less durable character.

But the buildings to which I referred are such buildings as are located in Henry Park and Seaton Park and one or two buildings located on leased land near Potomac Park. Those buildings will last 5 or probably 10 years, but they are not of a permanent character.

Mr. WALSH. We have several permanent housing buildings for the activities of the Government during the last two years.

Mr. BYRNS of Tennessee. Yes; that is true, and it is expected that these buildings which are more permanent and more suitable will be used during the coming fiscal year, and this bill does not carry any appropriation for rent save this and two or three other items which apply to leases of the Government extending over a period of two or three years.

Mr. WALSH. If that is the case, some of these buildings which were erected for the war activities are of such character that they can be used by other departments of the Government when the need for them on the part of the war activities ceases. Why is it necessary to enter into a lease of five years; why can not you just continue this lease for one year, and perhaps during that time you will find one of these buildings which will be suitable and will come up to the requirements of the dignity and importance of this department?

Mr. BYRNS of Tennessee. The reason is I fear that it is very likely that the Secretary of Commerce could not possibly enter into his present arrangements for rent for that building if limited to a period of one year. I will say to the gentleman that when this building was first occupied by the Department of Commerce a more favorable lease was secured than had ever been secured for any up-to-date office building. The rent is about 39 cents a square foot. That is much less than is being paid for other buildings in Washington.

Mr. WALSH. That was before the profiteers were getting in their deadly work in the District. [Applause.]

Mr. BYRNS of Tennessee. Yes; that lease was made five years ago.

Mr. WALSH. Yes; and the profiteer did not begin to run amuck until after we declared war, and then the rents both for business purposes and dwelling purposes began to climb up.

Mr. BYRNS of Tennessee. But there were no special conditions five years ago which put rents up here in the city of Washington, and, I say to the gentleman, at that time a lease was entered into by the Secretary of Commerce which was more reasonable than any other lease made by the Government, so far as I know, for a building of this character and description.

Mr. WALSH. But in view of the fact and notwithstanding the fact that the Government has erected many buildings for war activities, some of which are of substantial character and sufficient to house this department, because it secured a very favorable lease five years ago we will disregard the facilities that the Government has erected, and give the owner or owners of this property a renewal of their lease for five years.

Mr. BYRNS of Tennessee. If this authority is not given to the Secretary of Commerce the best he can do will be to get one of these temporary wooden buildings here in the city of Washington. Now, I am told in the case of one or two of these buildings it has been necessary to shore them up and to make repairs of doors and windows, and I submit to the gentleman that a department of the importance of the Department of Commerce should not be placed in one of those buildings which necessarily are temporary in character. I may say to the gentleman that there is a strong sentiment in some quarters now that some of these buildings ought not to be occupied at all and that they ought to be torn down at once. I do not subscribe to that. I think they should be continued for a period of several years, or at least until the Government can make some other arrangement, because, in my judgment, the Government ought to house its own employees, but I believe in housing its own employees it ought to provide suitable office accommodations. Now, if this department, merely because its lease has expired, is required to take one of these temporary buildings of the character which I have described, why, then, we will do something for this department that we have not done with reference to any other department of the Government. This department occupies now in this building, I am informed, about 175,000 square feet. Now, I do not know whether they could get that much space in any one particular building or not. In addition, these buildings are liable to fire, they are not fireproof, and there are valuable records, for instance, of the Bureau of Foreign and Domestic Commerce, Steamboat Inspection, Navigation, and so forth, in the Department of Commerce, and it seems to me it would be very unwise to transfer those bureaus with those records into a building of that character.

Mr. WALSH. Well, we have had other important departments with valuable records—the War Risk Bureau, scattered around in 13 buildings, the Food Administration and Fuel Administration, and many bureaus of the War Department in those buildings, some of which are more than mere temporary buildings, some of them are on Government land, some of them in the near future, I think, will be likely to be vacated, will be standing idle. I do not know whether any of these will be required to be shored up or not; there are a lot of them it will be necessary, probably, to shore down and destroy. I think the gentleman will find upon inquiry there are some buildings out in the vicinity of the new War and Navy buildings that are of sufficient permanence in their construction which would be suitable for this very important department, and which have facilities for the storage of records and preserving them against fire and other dangers, and it seems to me we ought not to continue this policy of leasing these buildings when the Government has constructed buildings which are sufficiently large and convenient to house the other departments of the Government.

They answer for war purposes, and they were sufficiently permanent in character to house the War Department bureaus and other important bureaus, and it seems to me we ought to make use of them. And it would be cheaper, in my opinion, to continue these buildings and make repairs on them from time to time to add to their permanency of character and construction where they are on Government land and to have them as departmental buildings. I do not believe it is necessary to erect an ornamental structure for any particular department, such as has been done in the case of the Treasury Annex. Now, the Navy Building, we were given to understand, would be a temporary building, but it is more than temporary in its character of construction and it is a very plain building. There are no vast pillars of granite. It is a plain structure, with plenty of light, and I believe there will be plenty of room even in that building.

Mr. BYRNS of Tennessee. I am informed it is one of the most desirable Government office buildings in the city. But those two buildings to which the gentleman refers are occupied now entirely by the Navy Department and the War Department. The Navy Department has moved out of the War, State, and Navy Building altogether, with the exception of the office of the Secretary, the Assistant Secretary, and the library.

Mr. WALSH. They have gotten into that new building, and it requires eighteen guides to find them.

Mr. BYRNS of Tennessee. That building will be required for the most part by the Navy Department, but the building adjoining is used by the War Department, which will need additional space, and it is proposed to use such portion of the other building not needed by the Navy Department to take care of this additional space for the War Department. Mr. Dorr stated that he had had requests for 760,000 square feet.

Mr. WALSH. Who is he?

Mr. BYRNS of Tennessee. He is assistant director of munitions. I think that is his position, and he was especially selected by the Secretary of War to take under consideration the question of space in these various buildings which are under the jurisdiction of the War Department. Those requests not only came from the bureaus of the War Department now in rented buildings, but bureaus of the Treasury and other departments. He has allotted some of that space, and he will have an additional amount of space for further allotment. The Bureau of the Census will need a considerable amount of space. It is not proposed to rent a building for the Bureau of the Census, but to place it in one of the buildings down in Seaton Park.

Mr. WALSH. Where is that?

Mr. BYRNS of Tennessee. It is off of Sixth Street.

Mr. WALSH. Is that a fireproof building?

Mr. BYRNS of Tennessee. It is not a fireproof building, and the Director of the Census says that he will have to build a fireproof vault for the important census records, because the gentleman can realize that it would be very poor business to collect these records at great expense over the country and bring them here and put them in an inflammable building and have them destroyed overnight.

Mr. WALSH. Is it the gentleman's understanding from the information he has acquired that the activities of the War Department and the Navy Department in the future are to be such as to require the utilization of all the space in this new building that has been erected down on Potomac Park?

Mr. BYRNS of Tennessee. Both of those buildings; yes.

Mr. WALSH. And while we are going to demobilize the Army, we are not going to demobilize the clerical force of these two departments?

Mr. BYRNS of Tennessee. This bill reduces the rent of the Government more than $900,000. We absolutely cut out that large amount in the next fiscal year.

Mr. STAFFORD. Will the gentleman permit?

Mr. WALSH. Yes.

Mr. STAFFORD. I really believe it would be false economy in the administration of the Department of Commerce to compel them to remove from their present quarters at Nineteenth and Pennsylvania Avenue, a building that was designed especially for the activities of the department, and require them to be moved into various temporary buildings throughout the District.

As the chairman of the committee has said, the concrete buildings in Potomac Park will be utilized and will continue to be needed for the War and Navy Departments. The estimates in this bill for clerical services in the War Department are predicated upon the idea of a standing Army of 500,000 men. We read in the newspapers yesterday where Secretary of War Baker stated before the Committee on Military Affairs that at the present time he would not request the Congress to act upon a permanent policy as to the size of the standing Army during this term of Congress.

But in this bill the authorizations for clerks is predicated upon the idea of a standing Army of 500,000 men. With that as a basis, with a Navy that is going to surpass that of Great Britain, and with an Army of 500,000 men, the clerical force necessary to maintain those activities will need all the space in the concrete buildings in Potomac Park. Now, where is the Department of Commerce, which is now housed in a fireproof building, going to be housed? There are a lot of temporary buildings that sooner or later will have to be removed. I think the policy of the Government should be, as to those temporary buildings, to utilize them during their serviceable life—10 years perhaps—and when they reach that stage of depreciation that the cost of repair is greater than it is advisable to continue, then to discontinue them, and in the meantime provide for permanent modern office buildings, not ornate Government buildings.

To remove the activities of the Department of Commerce to these temporary buildings would cost the Government perhaps $60,000 to $75,000; but the damage to the service that would be wrought could only be estimated in hundreds of thousands of dollars. Now, as to this lease, the landlord here is not seeking to increase the rate, which was regarded as a reasonable rate five years ago, when this lease was first negotiated. When the war started and the Government was confronted with the necessity of getting additional buildings an attempt was made to have buildings erected by private contractors, but the rental asked by the backers of these projects was double what the Government had been paying for such character of buildings, such as those occupied by the Department of Justice, the Department of Labor, and the Department of Commerce. If the landlord had attempted to increase the rate on the plea that these buildings had actually gone up in value by reason of the increased cost of construction there might be some ground for the complaint now made; but with the landlord willing to enter into a lease for five years, with the option in the Government for a further lease for five years at the old rate, I can not see where there is any criticism justified in the department remaining in a structure exactly suited to its needs.

Mr. SHERWOOD. The gentleman says it was based on the idea that we should have an Army of 500,000 men. Who has authorized an Army of 500,000 men?

Mr. STAFFORD. There has been no congressional authorization of an Army of 500,000, but the War Department officials came before the committee and said that these estimates were based on the idea of a standing Army of 500,000 men.

Mr. WALSH. Oh, that is only temporary.

Mr. STAFFORD. The idea was that that was to be the permanent force. But that is a matter to be determined in the future. I say these estimates were predicated on the idea of having a force of 500,000 men in the next fiscal year.

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. LITTLE. Are they certain that that will give privates enough so that all the officers will have a job?

Mr. STAFFORD. I am not going into a discussion of the need of a standing Army of 500,000 men nor into the discussion of the tendency to have a large number of officers here in Washington, which has the effect of keeping a large number of clerks constantly on the pay roll of the Government.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. WALSH. I understand the gentleman says he did not want to discuss the proposition of an Army of 500,000 men, but, nevertheless, he is doing it. The gentleman is a hard-working member of the Committee on Appropriations——

Mr. STAFFORD. I decline to admit it.

Mr. WALSH. Does the gentleman contend that the Government has not now buildings which it has erected upon its own land of sufficient permanence and character which in the near future will probably be vacated because of the cessation of activities on the part of the bureaus and departments which now occupy them, which will not afford sufficient floor space and protection for the records of the Department of Commerce and its various bureaus?

Mr. STAFFORD. I do. The testimony before the committee shows that the President has appointed the Assistant Director of Munitions to make a survey of all the available space in Government-owned, temporary Government-owned buildings, and buildings erected by the Government on leased land, and he testifies that all that space will be called for by the present activities of the Government during the next fiscal year, without giving any consideration to the Department of Commerce in the housing of its present force other than the Bureau of the Census.

Mr. WALSH. The gentleman is familiar with the new War and Navy Building on Potomac Park and the Munitions Building, so called, is he not?

Mr. STAFFORD. Quite well.

Mr. WALSH. The gentleman has been in them, has he not?

Mr. STAFFORD. I have.

Mr. WALSH. And having his familiarity with those buildings in mind, will the gentleman state that during the next five years the Navy Department and the War Department in their activities will require the use and occupancy of each and every one of these entire buildings?

Mr. STAFFORD. I am very guarded in making a statement on this floor, because I do not wish to mislead any Member, much less the astute Member from Massachusetts.

Mr. WALSH. If the gentleman is going to answer my question, I will be satisfied to accept that adjective. [Laughter.]

Mr. STAFFORD. And in the next fiscal year all the Government buildings will be needed for activities other than those of the Department of Commerce, except those of the Bureau of the Census under that department.

Mr. WALSH. The gentleman from Wisconsin is fully aware that because of the war emergency the Government has erected a great number of buildings, some of them more permanent in character than others, and some of them will not be required for the activities for which they were erected, and they will either stand vacant or they will be used by some of these departments that will still want to continue their activities after the necessity for them has passed. Here is an opportunity to house the Department of Commerce in one of these buildings on Government land, which would save to the Government in the next five years some $300,000; and yet the gentleman states that because five years ago there was a landlord fair and just enough to make a reasonable rental rate to the Government, which he has sought to advance for a renewal of his lease, we should continue to lease that building for five years further. I think the truth is that the lease we made five years ago contained a clause giving the Government the option to renew it for five years at the same rental.

Mr. STAFFORD. If the gentleman will permit, two or three years ago, as I recall, the legislative bill carried an authorization for the Attorney General to enter into a contract for a lease of five years, and the Department of Labor for a similar lease, and it was my suggestion that there should be incorporated a provision giving the Government an option to extend it for another term of five years. That was after we had entered into a lease for the Department of Commerce. But the term of the Department of Commerce was, I believe, for a stated period of five years, without the option of a renewal. At my suggestion in the committee, the option was further incorporated in this authorization.

Permit me to say to the gentleman that these temporary buildings down on New York Avenue, just to the north of the concrete buildings in Potomac Park, are on leased land. I believe that by the terms the lease expires six months after the termination of the war. Certainly there is no provision there for renewal if the landlord does not wish to extend that privilege. Now, for us to move in a haphazard way and say to the Department of Commerce, "You shall find quarters in these temporary buildings, where the whole floor space is all preoccupied by various activities of the Government," would indeed be a short-sighted policy, would be a policy ruinous to the activities of the Department of Commerce.

Mr. WALSH. Mr. Chairman, still further reserving the point of order, it seems to me this is an unwise policy to pursue with reference to the utilization of buildings that have been erected by the Government upon its own land, and that here is a chance to make a reasonable saving——

Mr. STAFFORD. The gentleman is mistaken.

Mr. WALSH. In the removal of the Department of Commerce into one of these buildings. They are going to be compelled to use one of these buildings apparently for the Census Bureau, and they are going to put that bureau into a building that is apparently not fireproof, and that bureau will have to occupy that building for a considerable length of time. Now, you have erected a number of buildings on Government land, buildings of a sufficiently permanent character, and which can be made fireproof by the addition of fire guards and the installation of fireproof vaults, buildings which will not be removed probably within the next five years, because the gentleman intimates that they could very well remain there for 10 years, and during that time we could repair them and make them available; and if we are going to continue the policy of renting buildings year after year, when we have buildings of our own upon our own land, we might just as well consider that what we have expended for Government buildings has been an utter and sheer waste, outside of the temporary occupancy of those buildings for war bureaus in the conduct of their activities; and I submit that this is not the time to establish the precedent of renewing leases for privately owned buildings for a term of five years, with an option to renew them further for five additional years, no matter how important the department, because we have buildings at present which were erected for war purposes which can be vacated by the 1st of July, and the transfer could be effected by that time. I express serious doubt, whether we have the largest Navy in the world or whether we have a standing Army of 500,000 men, as has been outlined by the War Department officials to the Committee on Military Affairs during the last few years—whether they can in the proper conduct of these departments utilize the entire space of those two new buildings down on Potomac Park. What is going to be the need of the War Department to use the new Munitions Building, so called, simply because we have a standing Army of 500,000 men? Why, we had an Army of over 2,000,000 men on the other side of the water, and even then they did not use all the space in the buildings that they have and they vacated many rooms in the State, War, and Navy Building to which some of these bureaus can very well return. If we are going to keep this immense clerical force here in Washington to carry on these activities during the next five years, then, instead of using the temporary buildings, we will have to increase the rentals and you will have to build more temporary buildings. I submit that here is an opportunity where the Congress ought to indicate a desire on the part of these departments to make use of the Government's own property.

Mr. STAFFORD. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. STAFFORD. The legislative act of this year makes provision for rental of the Mills Building, the Lemon Building, and various other privately owned buildings. The committee this year absolutely withdrew the authorizations for these buildings, with the desire to force the activities now housed in those buildings to go into these temporary buildings. I believe there is only one instance where we have made provision for rental of private quarters, other than for the three privately owned buildings exclusively used by the three departments. It has been the policy of the committee to force the activities of the Government, so far as possible and practicable, into these temporary buildings. A survey is being made at the present time. That survey shows that it is absolutely impossible to house the Department of Commerce in the available space in the temporary buildings. Now, if in spite of that testimony the gentleman wishes to make a point of order and not to provide any housing for the Department of Commerce, it is his privilege so to do. If the committee had not given very careful consideration to this subject, we would be open to criticism, but we gave it as thorough consideration as was possible and adopted this policy.

Mr. WALSH. I see there is also a provision for rent of quarters for the Department of Justice of $7,000.

Mr. STAFFORD. That is where there is a lease in existence, where we are obligated to pay the rental, and the same for the Department of Labor. There are two cases where we have leases for five years, where we are obligated to pay. But in every instance where we could force the activities of any department into these Government-owned buildings, we did so by

cutting out the appropriation for the rental. Now that is the judgment of the subcommittee after a thorough consideration.

Mr. WALSH. Mr. Chairman, I withdraw the reservation of the point of order and offer an amendment: Page 135, line 6, strike out the word "five" and insert in place thereof the word "two," and strike out the words "with an option for a period of five additional years."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 135, line 6, strike out the word "five" and insert the word "two"; and in lines 6 and 7 strike out the following: "with an option for a period of five additional years."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken, and the amendment was rejected.

Mr. CAMPBELL of Kansas. Mr. Chairman, I move to strike out the last word, and I do it for the purpose of asking the chairman a question about the Bureau of Foreign and Domestic Commerce. I am informed that in that bureau there is maintained a quasi civil-service commission, well organized and officered, and at a great expense; that they hold examinations, or alleged examinations, frequently; and without giving information to the applicants as to the monetary qualifications that every representative as a commercial agent must have before receiving the appointment; that to hold these examinations they invite men to come from all over the country, at great expense, have the result of the examination pigeonholed and do nothing more about it. The appointments are said to be made from men who have the financial qualifications prescribed by the secretary; that it is stated by the secretary that men must have private means to be appointed, and that men without private means of from $5,000 to $10,000 a year of their own are not appointed. If this is so, why is a highly organized and expensive civil-service bureau maintained in that department for the purpose of holding these mock examinations? Is the sole purpose that of giving positions to this body of examiners?

Mr. MADDEN. Why, the use of any kind of a regulation, the gentleman must know, is to prevent the fellow from getting the job that they do not want to have it.

Mr. CAMPBELL of Kansas. Men are invited from all over the country to take these examinations, without having it first stated to them that they must have an income of from $5,000 to $10,000 a year, even though they be otherwise qualified.

Mr. BYRNS of Tennessee. Mr. Chairman, the commercial attachés and agents who are appointed for foreign service receive salaries, as I remember it, ranging from $3,500 to $8,000 a year. In addition to that they are given a subsistence of $5 a day. I agree that in some cases the amount allowed for subsistence may not be entirely sufficient, but I fail to understand that it is necessary for one to have a private income in order to accept one of these positions. I do not understand that is necessary, because the salaries range from $3,500 to $8,000 a year, outside of their subsistence.

Mr. CAMPBELL of Kansas. I have here a letter from a responsible man with respect to these examinations. He says:

In the case of the position of commercial agents, I have not only been reliably informed that the chief of the bureau has stated that men are required for this position who could draw on their private income to the extent of five or ten thousand dollars a year in order to maintain their positions, but I have a letter to this effect signed by Secretary Redfield.

That seems to be rather definite and conclusive upon the matter of requiring a financial qualification.

Mr. BYRNS of Tennessee. Mr. Chairman, I should be very much surprised if the information of the gentleman from Kansas is correct, because it has never been called to the attention of the committee. The Secretary of Commerce has insisted that the committee should raise the per diem for subsistence from $5 to $8 a day upon the ground that it is impossible for some of these agents in foreign fields to provide subsistence for $5. The committee has declined to do that, but it has never been stated in support of that proposition by the Secretary of Commerce that it had become necessary for him to choose from those who have private incomes.

Mr. CAMPBELL of Kansas. That question aside, is it necessary to maintain a bureau in the Department of Commerce for the purpose of making these examinations, a highly expensive bureau? Why not make these examinations through the regular Civil Service Commission?

Mr. BYRNS of Tennessee. That I would say to the gentleman would be impractical for the reason that these foreign agents are required to have peculiar qualifications. It was for that reason that the law was enacted that the Department of Commerce should appoint these agents after conducting an examination to determine their fitness and qualifications. These men have to be well versed in the language of the country to which they are assigned. They have to have the necessary business experience and training in order to enable them properly to perform the duties.

Mr. CAMPBELL of Kansas. The writer of this letter refers to a case of this kind:

In the case of one man who took the examination for special agent, who had studied the trade relations in certain South American countries, a man who has a wide knowledge of affairs in those countries, and speaks the language of these countries fluently, he was informed that, in the opinion of one of the officials of the bureau, his personal appearance did not measure up to the standards set by the bureau. In this connection I might mention that some of the men who have been selected and sent abroad to fill these positions, and probably selected without ever having been required to take the examination for the position as announced have been the butt of ridicule for travelers abroad, as, for example, one whose ability was evidently measured by the amount of whisky he could drink and another one who appeared immediately after his arrival in the Orient in the garb of a native.

These are the men who are passed by this examining commission in the Department of Commerce.

Mr. BYRNS of Tennessee. The gentleman does not think that a civil-service examination would necessarily prevent anything like that.

Mr. CAMPBELL of Kansas. But the gentleman stated that the idea was to select men peculiarly fitted for those positions.

Mr. BYRNS of Tennessee. That is the idea.

Mr. CAMPBELL of Kansas. And I am now calling attention to the peculiarly well-fitted men who have been selected by this highly organized commission.

Mr. BYRNS of Tennessee. That is the idea, I will say to the gentleman; and the Secretary of Commerce conducts an examination more rigid than any that could be possibly conducted by the Civil Service Commission.

Mr. CAMPBELL of Kansas. Why more rigid?

Mr. BYRNS of Tennessee. And the same policy is pursued in the State Department. Consular agents are not selected after a civil-service examination, but after an examination held by the department in order to determine their qualifications and fitness for the positions.

Mr. CAMPBELL of Kansas. Does the gentleman know the expense of maintaining this examining commission in the Department of Commerce?

Mr. BYRNS of Tennessee. There is none.

Mr CAMPBELL of Kansas. I see that the paragraph is not itemized.

Mr. BYRNS of Tennessee. I do not think there is any expense, because these examinations are held, as the gentleman has stated, both orally and written, and under the direct supervision of the Secretary of Commerce. In fact, he conducts the examination. There is no expense involved.

Mr. ROGERS. Mr. Chairman, replying to the suggestion of the gentleman from Tennessee [Mr. BYRNS], is it not a fact that the State Department must select consuls without the aid of the Civil Service Commission, because under the Constitution Congress would not have the power to direct the selection of consuls by civil-service examination, whereas in the Department of Commerce it is perfectly competent for us to direct that the selection be made under the Civil Service Commission?

Mr. BYRNS of Tennessee. I do not question the fact that Congress can dictate just how these appointments shall be made.

Mr. CAMPBELL of Kansas. Well, does not the gentleman from Tennessee think, in the interest of economy, we should provide that the consular agents and attachés should be examined by the Civil Service Commission rather than by an organization of men maintained in the Department of Commerce?

Mr. BYRNS of Tennessee. No; I do not, for two reasons: In the first place, there is no expense involved, and therefore the question of economy does not arise.

Mr. CAMPBELL of Kansas. I am informed there is expense.

Mr. BYRNS of Tennessee. And, in the second place, I am earnestly of the opinion that the examination which is now being conducted by the Department of Commerce in reference to those appointed to this service is one that is much more rigid and much more calculated to bring out the question of whether or not one is fitted properly to represent our Government in foreign countries, because, the gentleman will understand, particular care and attention should be given to the selection of these commercial agents in foreign countries, for much depends upon their tact and diplomacy——

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNS of Tennessee (continuing). As well as upon their business qualifications.

Mr. CAMPBELL of Kansas. Mr. Chairman, I ask unanimous consent that I may have five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FLOOD. Will the gentleman yield?

Mr. CAMPBELL of Kansas. I will.

Mr. FLOOD. Is it not a fact that in the written examination of these applicants for commercial attachés the Civil Service Commission has representatives upon the board?

Mr. CAMPBELL of Kansas. I have no information on that. I am asking what information the Committee on Appropriations has with reference to these examinations, which I am informed are conducted by the Department of Commerce at great expense.

Mr. FLOOD. They have similar examinations in the State Department.

Mr. BYRNS of Tennessee. I know, I will say to the gentleman from Virginia, since he has brought the question up, that the Civil Service Commission does have a representative who is on the examining board with the Secretary of Commerce and others.

Mr. CAMPBELL of Kansas. Will the gentleman have an inquiry made of the Secretary by telephone before we get through with this bill?

Mr. BYRNS of Tennessee. I shall be very glad to inform the gentleman later.

Mr. GOOD. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I do not believe that very much is expended in the matter to which the gentleman from Kansas has called attention. I think, however, that there is a lack of coordination between these two great departments, and that lack of coordination is costing the Government a great deal of money. For example, in 1915 the Secretary of Commerce received for the Bureau of Foreign and Domestic Commerce $225,000, and the State Department had for that purpose—that is, for clerk hire here in Washington as carried in the legislative bill—$352,260, making a combined appropriation of $577,260 for the same purpose. This year the State Department asks for $1,577,140 for clerks here in Washington as compared with a quarter of a million five years ago, and the Bureau of Foreign and Domestic Commerce asked for $1,324,000. Now, officials in the State Department came before the committee and said they could do all the work they are now doing and also that the Bureau of Foreign and Domestic Commerce were doing, and we asked why they did not get together and economize, and why the President did not enforce the provisions of the Overman Act and cut out this duplication. They gave us no real information and furnished no suggestions to aid the committee in any way to work out some economy.

Mr. CAMPBELL of Kansas. Then, why did not the committee force the consolidation?

Mr. GOOD. Well, the committee can not do that very well.

Mr. CAMPBELL of Kansas. Why not?

Mr. GOOD. It is easier said than done.

Mr. CAMPBELL of Kansas. Cut off the appropriation.

Mr. GOOD. That is still easier said than done. This is an executive function; it is not a legislative function. We can not do that without doing some harm perhaps to commerce.

Mr. CAMPBELL of Kansas. Simply order the transfer from one to the other and stop this duplication.

Mr. ROGERS. Will the gentleman yield?

Mr. GOOD. I will.

Mr. ROGERS. The Acting Secretary of State, when he appeared before the Committee on Foreign Affairs last month, said that he realized that there was this difficulty between the Department of Commerce and the Department of State and that the Department of Commerce and the Department of State ought to get together and that he proposed to see that they did get together, and his suggestion was that representatives of the two departments should come before the gentleman's own committee, the Committee on Appropriations, and thrash the thing out right there and there. Now, this does not look like the way to get at it. Does the gentleman know whether or not that is to be done?

Mr. GOOD. No; it has not been done, and I do not think it will be done, and it ought not to be done that way. We can not, in the nature of things, get all the information necessary so as not to do some injustice; but I took the floor simply to say that if the President did not do it and this department did not do it, that when they came before the House next year I proposed to oppose an appropriation in both instances until they did do it. I do not know who is right, but I know these departments ought to get together. We passed a law giving the President the power to coordinate and cut out these duplications of service, and if they do not get together the commercial interests can then point their finger to those two great departments and to the Executive as the reason why their appropriations may be in danger.

Mr. FLOOD. Will the gentleman yield for a question?

Mr. GOOD. Yes.

Mr. FLOOD. Did not Congress by its act create the commercial attachés?

Mr. GOOD. Yes.

Mr. FLOOD. And has not Congress——

Mr. GOOD. And Secretary of State Bryan came before us and said it was a pretty good thing. It was done with his acquiescence and consent, and, if I mistake not, at his request.

Mr. FLOOD. It was done by Congress and it has been carried by Congress every year, notwithstanding it is subject to the point of order, and the gentleman can not blame the Executive and can not blame the State Department; he has simply to blame the Committee on Appropriations for carrying this appropriation year after year—an item which is increased from year to year for these commercial attachés—which is subject to the point of order and which has not been made.

Mr. BYRNS of Tennessee. To perform a great service in the interests of commerce.

Mr. GOOD. The Secretary of State came before the committee and the Secretary of Commerce also came before the committee and asked for the legislation. These departments got what they asked for. Of course, Congress did not know these departments would, if given the new places they ask for, duplicate the work of each.

Mr. FLOOD. And the Secretary of State has not been before the committee for two or three years, has he?

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman from Virginia whether the appropriation is increased in this bill over that in the current law for the commercial attachés or the foreign-commerce work?

Mr. BYRNS of Tennessee. It is. I will say to the gentleman it is increased in the case of commercial attachés about $40,000, and in the case of the extension and promotion of our commerce generally about $300,000 or more. In other words, the total appropriation for this bureau carries something like $900,000. The appropriation for the current bill is about $550,000.

Mr. FLOOD. The appropriation for this bureau is merely the appropriation for the State Department.

Mr. BYRNS of Tennessee. No. How much does this bill carry?

Mr. FLOOD. For foreign service?

Mr. BYRNS of Tennessee. This is for foreign service distinctly.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] has the floor.

Mr. MANN. I have no objection to the gentlemen proceeding, but I would like to use my time just for a moment.

I made the inquiry because of an incident that recently occurred. A friend of mine in Chicago, a man of high reputation, was going, with his wife, to make a trip to Panama, and wanted to go on to South America; not directly in the interests of commerce, but any information that he would acquire would probably have been for the benefit of commerce. The State Department informed me that it would not grant him a passport unless a physician would certify that he wanted to make the trip to South America for his health. I replied to the department that doubtless he could get a certificate from a physician to that effect, but if he did we would all know it was false, because no man would go down through the Torrid Zone in South America for his health, from Chicago especially. And a passport was refused him. Now, upon what theory do we largely increase the appropriation in order to extend our commerce with South America, in one department, and then have another department of the Government refuse to permit a man to go there? It seems an oddity. And I make the inquiry so that the distinguished chairman of the Committee on Foreign Affairs may, if he will, and has the opportunity, give us the information as to what the regulation is and why it is, when the Diplomatic appropriation bill comes before the House. It seems to me utterly incongruous to largely increase the appropriations for foreign commerce and then refuse passports to reputable, high-charactered citizens to make a trip to South America, where there is no question involved about the war.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For rent of storage space outside the Commerce Building, $2,000.

Mr. LITTLE. Mr. Chairman, reserving the point of order that this is new legislation, I would like to ask a question or two of the chairman. What is it that is to be stored outside?

Mr. BYRNS of Tennessee. These are some records that have accumulated in the department. There is no place in which to store them. They are important, and it is very inadvisable to destroy them or permit them to become lost, and for that reason this provision is carried for $2,000 to provide a building where they may be stored.

Mr. LITTLE. In view of the fact that we have buildings around here to burn and that we are threatening to tear down, and which would required a great deal of money to tear down, does not the gentleman think it would be better if we would put this stuff in some building of the Government for which we would not have to pay rent?

Mr. BYRNS of Tennessee. That is one trouble with some of these buildings—they might burn; and, besides, those buildings are to be used for office purposes.

Mr. LITTLE. If I would undertake to find a vacant but useless building that is already belonging to the Government, would the committee be satisfied with that?

Mr. BYRNS of Tennessee. Here is the statement made with reference to this, which shows that it is a matter of economy to rent this space:

At the present time—

Says Dr. Havenner, who is chief clerk of the department—

we are very much congested in the Commerce Building. We have in there what might be called a good deal of dead storage, much of which is taking up office room, room for which we pay, including upkeep, probably 50 cents a foot. If we were given this item of $2,000, we could move a great part of this storage out to other places, and it would give us room in the Commerce Building for at least 75 additional clerks.

Then I asked him just what the records were, and he stated:

It consists of files and documents for all of the bureaus housed in the building, duplicate registers and enrollments for the Bureau of Navigation, census schedules from the First Census down to the last, Census Office cards that we can not destroy at this time, etc.

Then he was asked:

Have you any building in view?

He said:

No, sir; we have nothing in view at this time, but the limitation placed by statute upon the rent we will pay would be not to exceed 25 cents a foot for storage space. We are figuring that with $2,000 we ought to be able to get probably 10,000 square feet outside.

That is what they have done. They now have this building and these important records are stored in it.

Mr. LITTLE. I notice he speaks of it as "dead storage." Whose building is it into which this goes?

Mr. BYRNS of Tennessee. It is located at Twenty-sixth and E Streets NW.

Mr. LITTLE. It is the old brewery building, is it not?

Mr. BYRNS of Tennessee. It is called the Heurich Brewing Co.'s stables.

Mr. LITTLE. Is not most of this stuff, in fact, placed in practically fireproof boxes?

Mr. BYRNS of Tennessee. No.

Mr. LITTLE. Most of that stuff is.

I think, Mr. Chairman, in view of the fact that we have so much vacant space in these buildings of which we are going to tear a lot down, I feel it is my duty to make the point of order that this is new legislation.

The CHAIRMAN. What is the point of order?

Mr. LITTLE. That this is new legislation.

The CHAIRMAN. That it is not provided for by law?

Mr. BYRNS of Tennessee. Mr. Chairman, I will state that it is not subject to a point of order any more than the previous provision.

Mr. LITTLE. That would have been subject to a point of order if the point of order had been made.

Mr. BYRNS of Tennessee. The proviso, I submit, would have been subject to a point of order authorizing a lease of five years, but not for five years additional. But certainly there is every authority for Congress to make an appropriation to house one of the Government departments. Clearly that authority exists.

The CHAIRMAN. Has the Department of Commerce the authority under existing law to rent buildings for departmental purposes?

Mr. BYRNS of Tennessee. I was just saying, Mr. Chairman, that clearly there is a right on the part of Congress and authority under the law to make provision for the housing of the Government departments. Otherwise, we would be at the mercy of any Member who chose to make a point of order. If we have the right to provide for Government clerks, a right to provide for the personnel of the departments, certainly we have the right to provide a place for them to do their work and a place where the documents of the department can be stored.

Mr. LITTLE. I am not familiar with any statute that the Congress has enacted that authorizes us to rent a brewery to put some waste paper "dead storage" in. If the gentleman can put his finger on such a statute, that will be satisfactory to me. If not, I would like to have a ruling on the point of order.

The CHAIRMAN. The Chair would suggest that the Department of Commerce has been created by law and ought to have the right to provide for the housing of its employees and the storage of its papers; that is implied.

Mr. LITTLE. Yes; but you provide that there shall be a Committee on Woman Suffrage, and that implies the power to keep a clerk, but in fact it does not, according to the Chair's rulings. If you can imply a power of this kind from a statute such as you speak of, there is not a thing in the world you can not hitch on to this appropriation. There either is a law authorizing this or there is not, and I am going to put the Chair on record about it. The Chair can rule as he pleases, of course, but the facts remain.

The CHAIRMAN. It is the duty of the Chairman to follow the rules of the House.

Section 9 of the act establishing the Department of Commerce and Labor, approved February 14, 1903, provides that the Secretary shall be authorized to expend for the rental of appropriate quarters for accommodation of the department as Congress may, from time to time provide. The Chair overrules the point of order.

Mr. BYRNS of Tennessee. Mr. Chairman, the gentleman from Massachusetts [Mr. TREADWAY] raised a question yesterday with reference to Hawaiian circuit court judges, and we passed over the item in order that some information might be secured with reference to it. I ask unanimous consent that we return to that item now.

Mr. WINGO. Before the gentleman does that, I want to ask the gentleman what effort has been made and what is the program with reference to getting out of these apartment houses and high-class places into vacant buildings that we now have?

Mr. BYRNS of Tennessee. The Secretary of War has selected, in cooperation with the heads of other departments, Mr. Darr, to take into consideration the allotment of space in the temporary buildings that come under the jurisdiction of the War Department. This bill now under consideration cuts out more than $600,000 for rent paid this year for buildings in which Government departments are housed.

Mr. WINGO. How many apartment houses does this cut out?

Mr. BYRNS of Tennessee. I do not know that it cuts out any apartment houses, because I understand that those apartment houses were paid for out of lump sums carried in some of these Army appropriations.

Mr. WINGO. The gentleman thinks these apartment houses come within that classification?

Mr. BYRNS of Tennessee. Yes.

Mr. WINGO. They have had a great deal of space down there ever since this munitions building was first occupied—a great deal of vacant space.

Mr. BYRNS of Tennessee. Mr. Darr says he has requests for 761,000 square feet of space. This bill, if adopted as recommended by the committee, will provide that all of the governmental activities of the departments shall be housed in these temporary buildings so far as it is possible to do it, and we give the President the right to allot this space.

Mr. WINGO. They have had enough space at the munitions building to take care of all the activities they have and those of some other departments, too. There has never been a time when the munitions building has been full or anywhere near full, and it is a very fine building. You may call it a temporary building, but I do not think it is of a very temporary character.

Mr. BYRNS of Tennessee. What building is that?

Mr. WINGO. I mean the new War Department building. They have never filled up their space down there. One room down there has very nearly as much available space as this Chamber affords, about half as wide and about as long, and I noticed that only five persons were occupying it the other day, and they were not at all busy. There are vacant rooms all over that building. The War Department can not use all of it. Why not make some provision whereby some of these offices of the Treasury can go in there?

Mr. BYRNS of Tennessee. We did make provision for those activities. The department has had space in a great many private buildings in Washington, in the old Geological Survey Building on F Street, and in other places occupied by various bureaus, and those forces are now being transferred to the building to which the gentleman refers.

Mr. WINGO. That is the reason I am complaining. I have known all the time, upon personal investigation, that there has been space wasted in the munitions buildings, and yet they were paying high and exorbitant rents for other quarters, and it ought to be stopped. Our committee has said, "Hands off; leave that to the Committee on Appropriations." I would like to know what the Committee on Appropriations has done.

Mr. BYRNS of Tennessee. This bill does not go into effect until July 1 this year. The committee has absolutely cut off all rent which is being paid here by the Government in the city of Washington which heretofore has been carried in this bill,

with the exception of certain buildings that are now under lease by the Government for a period of years.

Mr. WINGO. Why does not the Government get a release, which they can do under the contract? There is a demand for all these buildings. The Government could utilize the vacant space in its own buildings.

Mr. BYRNS of Tennessee. I do not think these leases provide for cancellation simply because one party may not desire to continue the use of the building.

Mr. WINGO. But other people have found persons who are glad to take the leases over. Take the Southern Building, for example. There never was any excuse for the Government going into that building. Three or four different tenants have been in there in the past year or two. They can sell their lease at a premium in a lot of these high-class buildings.

Mr. BYRNS of Tennessee. I think where that is true it ought to be done, undoubtedly. I think the gentleman is clearly correct. But the gentleman will understand that on this bill, which goes into effect next July, we can not handle that situation.

Mr. WINGO. If you can not handle it, why can you not? You say to the Expenditures Committee that they must not butt in, that the Committee on Appropriations can do that; but when we ask the Appropriations Committee to do it on this bill they say, "This is for the next fiscal year, and we can not do anything."

Mr. BYRNS of Tennessee. Oh, no; if the gentleman will read the hearings this year he will find that the committee went into it very fully.

Mr. WINGO. I do not find where they have cured the evil I am complaining of.

Mr. BYRNS of Tennessee. I refer the gentleman to section 9 of this bill.

Mr. WINGO. I have read that section.

Mr. LITTLE. Mr. Chairman, I have an amendment which I wish to offer.

Mr. BYRNS of Tennessee. I have a request for unanimous consent to return to page 108.

Mr. CRISP. Will the gentleman from Tennessee yield to me for a question?

Mr. BYRNS of Tennessee. Yes.

The CHAIRMAN. Let the Chairman first state the request of the gentleman from Tennessee. He asks unanimous consent to return to the first paragraph on page 108. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. I want to state to the gentleman from Massachusetts that I have investigated the matter, and I find that the Hawaiian Territorial law provides that the Territorial legislature may designate the number of courts in Hawaii and also the number of judges to administer those courts. There are now five circuit courts in Hawaii, three judges who preside in the first circuit and one each in the other four circuits, making a total of seven circuit judges. The act specifically names the number who shall constitute the supreme court, and for that reason they are specially set forth here in this bill; but inasmuch as the act leaves it to the Territorial legislature to designate the number of circuit judges this bill has never sought to carry the exact number. The appropriation, of course, can be utilized only for the purpose of paying those who are legally appointed.

Mr. TREADWAY. Then I understand the gentleman to say that this is the same phraseology that has been carried year after year for this appropriation?

Mr. BYRNS of Tennessee. Exactly the same.

Mr. TREADWAY. And that the only uncertainty is the number of judges who may be designated by the Legislature of Hawaii to fill the various circuits.

Mr. BYRNS of Tennessee. That is correct. These circuit judges are appointed by the President, and the laws require that they shall be citizens of the Territory when appointed.

Mr. CRISP. Will the gentleman from Tennessee yield for a question?

Mr. BYRNS of Tennessee. Yes.

Mr. CRISP. The gentleman stated a moment ago, in answer to the gentleman from Arkansas [Mr. WINGO], that this bill saved $600,000 rent. I would like to know how much the bill carries now for rent in the District of Columbia.

Mr. BYRNS of Tennessee. Something over $200,000. I will tell the gentleman exactly in a moment.

Mr. TREADWAY. May I ask the chairman of the Committee on Appropriations one more question in relation to the judges in Hawaii?

Mr. BYRNS of Tennessee. If I may answer the question of the gentleman from Georgia first, then I will yield to the gentleman. This bill eliminates in rent here in the District of Columbia $613,020.88. It carries for rent the sum of $208,004.12.

Mr. WINGO. Will the gentleman yield for another question in that connection?

Mr. BYRNS of Tennessee. Yes.

Mr. WINGO. The provision of section 9 to which the gentleman refers contains this provision:

> Appropriations for rent of office space contained in this or any other act, for the fiscal year 1920, except for space under lease for a term of years expiring after June 30, 1919, shall be available only for obligation for rental of such office space in the District of Columbia as may be determined by the President to be necessary in addition to the space available in Government-owned buildings.

The exception contained in that provision lets through the very abuses that I want to stop. I do not know how the language could be framed, but the committee ought to be able to devise some way by which they can compel these departments to cancel the leases they have in expensive office buildings at a time when they can find plenty of persons to take the leases off their hands, and when the owners of the buildings would be glad to cancel their leases because they can get a higher rental, and these different bureaus ought to be put into the office buildings that the Government owns.

Mr. BYRNS of Tennessee. If the gentleman can offer any more specific language, we would be glad to have the gentleman offer an amendment to that effect. This leaves the proposition with the President of the United States.

Mr. WINGO. For everything except what you have got under lease.

Mr. BYRNS of Tennessee. Certainly the United States Government, merely because Congress has the power to do it, ought not to abrogate a contract that it has made.

Mr. WINGO. I am not advocating the abrogating of contracts.

Mr. BYRNS of Tennessee. When we have leases upon buildings here in the District of Columbia which extend to 1921, 1922, and 1923, in some instances, certainly the United States Government should in good faith carry out its contracts.

Mr. WINGO. Nobody has proposed that it shall abrogate those contracts. I move to strike out the last word.

Mr. LITTLE. Mr. Chairman, it seems to be hard for me to get the floor here to offer my amendment.

Mr. WINGO. I yield to the gentleman from Kansas.

The CHAIRMAN. The gentleman from Kansas is recognized.

Mr. LITTLE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Kansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

> Amendment offered by Mr. LITTLE: Page 135, strike out lines 10 and 11.

Mr. BYRNS of Tennessee. I make the point of order that we have passed that paragraph.

Mr. LITTLE. No; we have not.

The CHAIRMAN. The point of order is overruled. Does the gentleman from Kansas desire to debate his amendment?

Mr. LITTLE. Certainly.

The CHAIRMAN. The gentleman from Kansas is recognized for five minutes.

Mr. LITTLE. Mr. Chairman, here is a splendid chance for Congress to save a little of the people's money. An immense amount of money is allowed to dribble away by just such small items as this. Here is an appropriation of $2,000 for the rent of storage space outside the Commerce Building. Every man on this floor knows perfectly well that the Government has ample room in this town to store away any documents that it has anywhere.

Mr. DYER. Will the gentleman yield?

Mr. LITTLE. Not now.

Mr. DYER. The gentleman makes the statement that everybody knows this. I do not know it.

Mr. LITTLE. Mr. Chairman, I will take the gentleman by the hand and lead him to them, if it will help him. Everyone knows that you have plenty of empty buildings, and the gentleman from Arkansas [Mr. WINGO] has given the example of the Munitions Building. What excuse is there for spending $2,000 for putting away a lot of dead stuff, as they said themselves in their report, when you can save that money and put it in people's pockets, where it belongs, and put the stuff in some building you threaten to tear down because you do not need it? If such a thing should happen in private business, the man who did it would, of course, be discharged. The Military Committee knocked in the head of the barrel and asked everybody to help themselves and now the Appropriations Committee want it to dribble out at the spigot, a little $2,000 stream. There is no sense or justice or equity in it. There are buildings around here to burn, places crying for somebody to fill them, and yet you want to spend $2,000 taking care of some old brewery.

Mr. DYER. Oh!

Mr. LITTLE. The gentleman from Missouri says "Oh!" I can well understand why he says that, but I could show him buildings where all this stuff could be stored. This is a plain, ordinary matter. The only question is whether you want to waste $2,000 or whether you want to save $2,000 to the taxpayers. This money does not grow on trees. People have to pay it and have to work hard to pay it.

Mr. BYRNS of Tennessee. Does the gentleman know just how much it would cost the Government to move this stored material?

Mr. LITTLE. I expect that it would cost $50.

Mr. BYRNS of Tennessee. I expect that it would cost the full amount of this appropriation.

Mr. LITTLE. Then $2,000 would cover it and that would be the end of the rent.

Mr. BYRNS of Tennessee. Is it the gentleman's idea that these buildings in Seaton and Henry Parks, and on privately owned land down here in Potomac Park, are going to be maintained indefinitely for a great period of years in the future, or that in the course of a very few years they will be torn down?

Mr. LITTLE. I suppose such of these buildings as are fit for storage will be maintained as long as we have the stuff like this to put in them, and as far as spending $2,000 to move the papers is concerned, it could only be spent on the theory of and by the same men who suggested this $2,000. Nobody else would spend that much money on it. These files never will be used. Put them in some Government building you threaten to tear down and save the cost of dismantling them and save $2,000 a year indefinitely. There is enough of spending without this. It will come in handy some pay day.

Mr. STAFFORD. Mr. Chairman, I fear that my good, dry friend from Kansas——

Mr. LITTLE. Not any drier than you are now.

Mr. STAFFORD. Oh, but I have a stock in store, and I do not think the gentleman will publicly announce that he has any. [Laughter.] I fear, as I was about to say, that he has some prejudice to this building that was formerly utilized for the brewing of beer, and is now utilized by the Department of Commerce for storing its old useless files and papers. Anyone who is acquainted with the character of the construction of the temporary buildings in Henry Park and on the leased land to the north of the concrete buildings in Potomac Park that the War and Navy Departments occupy, knows that that character of construction is not suited for storage purposes. In fact, the testimony shows that many of these buildings will have to be repaired because they were erected with green lumber under the exigency of war.

Mr. WINGO. The gentleman does not say that the Munitions Building is erected out of green lumber.

Mr. STAFFORD. Oh, that is a concrete building; but all of the other buildings in Henry Park have been erected out of green lumber, from the first $2,000,000 that was appropriated for the construction of buildings in Henry Park, in October following the declaration of war.

Mr. WINGO. How long do these experts figure it will take for the defects to appear by reason of green lumber construction?

Mr. STAFFORD. Whether green lumber or seasoned lumber was used the fact is that they are temporary buildings in Henry Park, other than the Munitions Building, which is erected of concrete, and they are unsuitable for storage purposes. As a matter of fact, the Census Office is contemplating taking possession of the Munitions Building, and even there they will have to put in some solid foundations to provide for the machinery that will be needed in operating the various punching and registering machines.

As was suggested by the chairman of the committee, it would be indeed false economy not to continue $2,000 as rental for storage in a building that can support heavy weights of paper, the removal of which would result in the cost of many thousand dollars. Certainly the Secretary of Commerce, who is asking for the space, would not go to these quarters for storage purpose unless he thought it was an economical proposition. We pay only 25 cents a square foot for the use of this abandoned brewery, and the gentleman's proposition is to utilize space in a modern concrete building worth 50 to 75 cents, and where the Government is paying in private office buildings as high as $1.25 a square foot. It is false economy that is being advocated by the gentleman from Kansas.

Mr. LITTLE. How does it happen that this end of the Committee on Appropriations says this is a very valuable concrete building and that the other gentleman on the Appropriations Committee tells us that there are not any buildings fit to put this stuff into? The gentlemen ought to get together.

Mr. STAFFORD. If the gentleman had read the hearings and was acquainted with the character of construction of the respective buildings he would not ask that question, because there are temporary buildings of wooden construction and there are so-called temporary buildings of concrete construction. Those of concrete construction are admittedly strong enough for storage purposes, but they are designed especially for office purposes and their space is worth to the Government to-day from 50 cents to 75 cents and $1 a square foot, and the gentleman wishes to utilize that for storage purposes instead of paying 25 cents a square foot for this.

Mr. LITTLE. How did the gentleman from Tennessee get the idea that the Government had no space to put it in that was fit to hold it? Why did not the gentleman give the information before?

Mr. STAFFORD. I have now given the gentleman information, if he sees fits to withdraw the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

> Commissioners of conciliation: To enable the Secretary of Labor to exercise the authority vested in him by section 8 of the act creating the Department of Labor, and to appoint commissioners of conciliation, for per diem in lieu of subsistence at not exceeding $4, traveling expenses, and not to exceed $12,000 for personal services in the District of Columbia, $175,000.,

Mr. DYER. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman from Tennessee a question. In lines 9 and 10, where it provides for the appointment of commissioners of conciliation, for per diem in lieu of subsistence at not exceeding $4, and so forth, can the gentleman tell me what these commissioners receive outside of the $4?

Mr. BYRNS of Tennessee. They receive a per diem salary which amounts to from $8 to $15 per day—between those figures.

Mr. DYER. In other words, the Secretary can make it $8 or $15?

Mr. BYRNS of Tennessee. Yes.

Mr. DYER. My understanding is that he makes it $15, and they get $4 besides, which makes it $19. Is that correct?

Mr. BYRNS of Tennessee. Yes; they get $4 for subsistence; but I will say to the gentleman that most of them receive between $8 and $10 a day. There are only two who have received $15 a day. There are 14 receiving $11—I am speaking for the fiscal year 1918—17 who receive $10 a day, and 2 who receive $8.

Mr. DYER. And they get $4 in addition to that?

Mr. BYRNS of Tennessee. For subsistence.

Mr. DYER. Does the gentleman know how much will be expended in the current law for this class of work?

Mr. BYRNS of Tennessee. Well, there was expended for the fiscal year 1918 a total of $173,584.52.

Mr. DYER. That was the appropriation, practically?

Mr. BYRNS of Tennessee. Yes. Now, the estimate for the next fiscal year was $250,000, and the committee has cut it down to $175,000.

Mr. DYER. I think, Mr. Chairman, the committee has acted very wisely in cutting it down; in fact, it ought to be cut down considerably yet. My understanding is that these commissioners at the present time and probably for the last two years have been selected without much regard to their qualifications or their knowledge of labor questions or of settling labor disputes. In the main, as I understand it, they have been men who have held public office in the past, including ex-Members of Congress, who when they have been retired by the people have gone to the Department of Labor and been put on the pay roll to receive all the way from $11 up to $19, as stated by the gentleman from Tennessee—men some of whom in private life can earn about $2.50 to $3 or $4 a day. Those are the class of men that in some instances the Department of Labor has been appointing to these positions. What they have accomplished, if the records and facts could be laid before the House, in settling disputes shows that they have not even earned $2.50 a day, whereas the department pays these exorbitant salaries for no other purpose, as a general thing, than to put upon the pay roll men who have been relieved by the people.

Mr. MANN. Will the gentleman yield for a question?

Mr. DYER. I will.

Mr. MANN. Does not the gentleman from Missouri think that the appropriation ought to be largely increased in view of the fact there will be so many retired Members from the Democratic side of the House, in order to do in the future as they have done in the past—take care of those retired Members in this department?

Mr. DYER. I will say to the gentleman that is evident from the recent election and from what will probably happen from time to time. There ought to be something, Mr. Chairman, by

which this committee could check up these expenses. The people are being taxed up to the very limit. The new revenue bill which will become a law shortly is increasing the taxes and burdens upon the people to keep in office men that have been appointed to soft jobs by this Bureau of Conciliation. They do not know how to settle any disputes; very few of them know anything about labor conditions. They have been in Congress, some of them, and have held other offices in various places, but they have not any knowledge, as a general proposition, of labor. They do not settle labor disputes, but, in the main, these men have been appointed because they have been recommended by Democratic politicians and not by labor organizations of repute or by capital and business interests. Both sides are entitled to have competent men act as conciliators, not only capital and business interests but the labor interests as well.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNS of Tennessee. May I submit a request for unanimous consent to close debate?

Mr. NOLAN. I would like to have a few minutes on this; I have not taken up the time of the committee on this bill, and I would like to be recognized for five minutes.

Mr. LITTLE. I would like to have five minutes on this, as this matter is important to my district.

Mr. BYRNS of Tennessee. On this bill?

Mr. LITTLE. Yes.

Mr. FAIRFIELD, Mr. KEATING, and Mr. SNYDER also rose.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask unanimous consent that all debate upon the pending paragraph and all amendments thereto close in 27 minutes, 2 minutes for myself and the rest to be distributed among the gentlemen who have arisen.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that all debate on this paragraph and amendments thereto close in 27 minutes, 2 minutes for himself and the other 25 minutes to be distributed between the gentlemen who have arisen—Mr. NOLAN, Mr. SNYDER, Mr. LITTLE, Mr. KEATING, and Mr. FAIRFIELD. Is there objection? [After a pause.] The Chair hears none.

Mr. NOLAN. Mr. Chairman, I am very much surprised at the lack of information displayed by the gentleman from Missouri [Mr. DYER] regarding the activities of the Division of Conciliation in the Department of Labor. I think the work of this bureau is of too much importance to the people of this country, both capital and labor, to make it a partisan question. Now, the gentleman, in the first place, did not know a thing about the compensation of these men or he would not make this statement here.

Mr. DYER. Does the gentleman know?

Mr. NOLAN. I do, and I am going to say what I know.

Mr. DYER. Did not the gentleman from Tennessee state the fact?

Mr. NOLAN. I am going to state what are the facts.

Mr. DYER. The chairman has already stated them.

Mr. NOLAN. The general pay of conciliators is $10 per diem and $4 for expenses, railroad fare and berths.

They get $14 a day; in other words, for traveling from one end of this country to the other and settling industrial disputes, and it is the only agency we have here in connection with the Government that has been successful during the war in curbing industrial disputes and troubles. The War Labor Board requires months to take up an individual case, but prior to their taking it up the Department of Labor is compelled to do it, and the machinery of the Division of Conciliation is put into motion; and it is only where they can not settle a dispute that the War Labor Board has been asked to act, both during the war and since the armistice has been signed.

I do not know how many ex-Members of Congress are employed, but I know one or two ex-Members of Congress that have done some very important work in connection with our war activities in this very Division of Conciliation. And I know this, that all the men that are employed are not Democrats by any means. If there is one division under the present administration where Democrats and Republicans and Progressives and others are treated alike, it is in the Division of Conciliation of the Department of Labor, and they have done more to prevent industrial disputes and industrial strife and they have settled more disputes in an industrial way than any other agency we have had either in our National or State Governments.

This is a very useful bureau. If you want to center your attack in a partisan way and do it successfully, pick out some other division or bureau. I want to see this bureau made effective, and more effective. It is one of the best agencies we have to bring about industrial peace between employer and employee.

And, Mr. Chairman, I think this bureau, instead of being criticized, ought to be given all the credit which is due it. It has settled thousands and thousands of disputes both before they took place and after they had gotten started. I think it is ill-timed, especially now when we have a situation in this country that borders on bolshevism, that shows a period of industrial unrest, possibly a period of unemployment coming upon us, to criticize and pick out for our abuse the one agency that is doing more to curb bolshevism and I. W. Wism than any other agency we have in this Federal Government.

The CHAIRMAN. The gentleman from Indiana [Mr. FAIRFIELD] is recognized.

Mr. FAIRFIELD. Mr. Chairman, I know of no function at this time that is more important than the function of a conciliation bureau. I was interested in the arraignment of the bureau by the gentleman from Missouri [Mr. DYER]. I confess that I should be very glad if we had more definite knowledge of the personnel of the bureau. I should be very glad, too, if we had a more accurate knowledge with regard to what the bureau has accomplished. But whether or not it has been as effective as it ought to be, my own judgment is that where a conciliation bureau is maintained, so that immediately when there is difficulty in a district and men who are acquainted with the conditions sent there, without waiting for the formality of the gathering of a commission and going through all of the delay that is incident to the bringing together of a commission, there is no more economical way in which to do it than by giving the Department of Labor this power.

If it has not been done honestly, it ought to be done honestly; and I do not know that just because a man has been in Congress he is therefore necessarily incapacitated for any effective service in matters of this kind if he has had experience along those lines. Anyone looking forward to the congestion in the labor market is concerned as to what may arise within the next year. I confess that I am apprehensive of the conditions that may arise in this country, and being apprehensive I think it would be unwise for us without full knowledge, without having investigated the personnel of the men who are engaged in this work, without any knowledge as to how effective they have been, except from general statements, it would be very unwise for us to assail this department by cutting down this appropriation.

Ordinarily it is wise in stress of circumstances such as we have to reduce at every point unnecessary expenses. But I do not believe that this item is an item that should be picked out, unless some man can stand here and show definitely and absolutely that it has been purely a partisan organization, not run with efficiency, but run in the interest of the Democratic Party. I confess until I should be convinced of that fact I would be loath to assail it.

Mr. SNYDER. Mr. Chairman and gentlemen of the committee, if there is one division of the Department of Labor that has done what you might call excellent work in the last year and a half, it is this conciliation section. I am not familiar with the amount of money that is paid per diem to these conciliators, but on several occasions I have come in personal contact with them, and in each case the matter in question has been handled promptly; and usually when it seemed that a great difficulty would take place in a few days it has been overcome without a strike, which is the most important element in anticipated labor trouble at any time. So, in my judgment, in view of conditions that may arise in this country within the next year or two, and judging from the experience of the past, instead of reducing we ought to maintain what they ask for and, if necessary, give them more. So I favor leaving this item just as it is, without regard to who is employed, whether he might be an ex-Congressman or somebody else, so long as work is performed that is equal to that which has been done by this section in the last 18 months.

What I want to speak about particularly does not seem to be covered by this section. That is the employment bureaus that have been started throughout the country by the Labor Department. These bureaus can do excellent work at this time if they will. There is serious complaint being made to me with regard to their management, however. Of course, it is to be expected that the employment agent in such bureau would be a labor man, but it is also to be expected that he will mete out absolute justice to the men who make application for work, whether they may be union men or whether they may be nonunion men.

One of my experiences is that complaints are being made that the agent will say to the applicant, "Have you got a card?" and if he has not a card the agent has no use for him. So concerns in a community that have had a strike, say, and have gone up against labor organizations and have what they call won out by having beaten the union, and have continued to exist, are being militated against by reason of the fact I have mentioned. And while I am in favor of continuing these bureaus

throughout the country at this time, I think that the Labor Department ought to be more careful in the selection of their men and they ought to be very particular in the orders they send out, so that any man who goes to one of those bureaus should have at least the same kind of treatment; that is, each man should have exactly the same kind of treatment, whether he belongs to a union or whether he does not.

Mr. NOLAN. Will the gentleman yield?

Mr. SNYDER. Yes.

Mr. NOLAN. Is the gentleman aware of the fact that for some months past the Employment Service of the United States has turned over to the various State councils of defense or State employment bureaus the conduct of the employment service in the various States?

Mr. SNYDER. I am not aware of that, but I am aware of the fact that——

Mr. NOLAN. And that in the State of New York the New York authorities are cooperating with their own agencies and the Federal Government in sharing in the expense, but all the employment agents in the State of New York are under the control of the State government directly.

Mr. SNYDER. All I want to warn the Labor Department about here at this time is that, without regard to whether a man is union or nonunion, the Government or the State is paying for this service, and every man in the State should have exactly the same treatment when he is looking for a job. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. KEATING. Mr. Chairman, the attack made upon this bureau of the Department of Labor by the gentleman from Missouri [Mr. DYER] is a most amazing one. He tells the House that the Bureau of Conciliation is maintained for the purpose of affording a refuge for Democrats who lose out in races for Congress. One would imagine that before a responsible and distinguished Member of this House made that assertion concerning the management of an important bureau of the Government he would endeavor to verify his facts.

Mr. DYER. If the gentleman will yield, I will give him some facts.

Mr. KEATING. The gentleman could very readily have secured the facts.

Mr. DYER. I have them now.

Mr. KEATING. All that would have been necessary would have been to consult the hearings before the Committee on Appropriations. On page 977 is a complete list of the commissioners employed by the bureau, with a statement of their former activities, and out of the 37 just 2 are ex-Members of Congress. One is a Republican, a distinguished Republican, the friend of James G. Blaine, minister to Ecuador by virtue of an appointment received from James G. Blaine. The other is a Democrat from the gentleman's own district, and the only thing I know of that can be brought against that gentleman is that he had the temerity to bring a contest on the floor of this House against the gentleman from Missouri.

Mr. DYER. Mr. Chairman, will the gentleman yield there?

Mr. KEATING. Yes.

Mr. DYER. The gentleman is mistaken. There is no truth in that statement. The gentleman refers to Mr. Patrick F. Gill.

Mr. KEATING. This is the same Gill.

Mr. DYER. No, sir. He is a personal friend of mine.

Mr. KEATING. It is my mistake. I accept the gentleman's statement. Those are the only two Members of Congress who appear on this list. If the gentleman knows of any other ex-Members of Congress, he should submit their names or else withdraw the charge he has made.

Now, as to the work of this bureau, Mr. Kerwin appeared before the Committee on Appropriations and testified—and there is not anything to contradict this assertion—that between April 6, 1917, up to and including the day of the signing of the armistice, November 11, the Division of Conciliation handled 2,439 cases, involving 4,000,000 workers. That is the work that this Bureau of Conciliation has performed, and it is a most important work, perhaps the most important work performed by the Department of Labor.

Now, as to the qualifications of the men who have acted as conciliators, I have had some experience in my home State. We had a great industrial disturbance there. The Department of Labor selected as one of the conciliators Verner Z. Reed, one of the most substantial business men in our State, and a Republican, and Mr. Reed gave his time to the work.

As another conciliator they selected Judge Musser, the former chief justice of the supreme court of the State, a Democrat, and he gave his services. I do not know how much they received, but if they received $15 a day and $4 for subsistence they would not have been properly compensated. They settled a great strike in Colorado, and the settlement of that strike was worth hundreds of thousands, if not millions, of dollars to the people of Colorado.

Upon the pay roll of this department there are just two men drawing $15 a day. One was the former president of the Kentucky Coal Operators' Association, who probably would not enter private employment for $50,000 a year, and the other is the labor commissioner of the State of Texas, and those two men are charged with the important work of maintaining industrial peace in the State of Arizona, sent there representing the President's Mediation Commission; and they are not only charged with that task, but they have performed that task, and during all the period of the war you had no trouble in Arizona, largely because of the efforts of those two gentlemen.

Yet the gentleman from Missouri charges that this bureau was made a refuge for ex-Members of Congress. I think the gentleman owes it to himself, and I am sure he owes it to this House and to the Department of Labor, to withdraw a charge which is without foundation.

Mr. LITTLE. Mr. Chairman, an ancient maxim says—

For forms of government let fools contest;
That which is best administered is best.

There is some truth in that, and I think it might apply to this very matter. The theory upon which it is founded is beyond question admirable. We ought to sustain it and improve it. I think possibly it might be improved a little by careful selection. I think I know personally of one instance where a trouble of importance was very materially assisted in its determination by these conciliators. I never was involved in the matter, but I understand that that was the fact.

On the other hand, I regret to say that my attention was challenged to another instance in which a gentleman from this bureau or from some similar institution—at this lapse of time I can not exactly be sure—was concerned, but just before the campaign he appeared and went from factory to factory, I am told, taking an active part in the election. The results were such that I had no cause to complain, but I do not think the idea would be a good one to follow out. Of course I know that it is not the intention of the law that should be done, but is there anything in the law that would tend to prevent that?

Mr. BYRNS of Tennessee. I would say to the gentleman that these conciliators are appointed without respect to what party they belong to.

Mr. LITTLE. Is there anything in the statute in regard to that?

Mr. BYRNS of Tennessee. There is nothing of that kind. There is nothing partisan in the service rendered by these men as conciliators.

Mr. LITTLE. Well, there was something partisan in the case I mention.

Mr. BYRNS of Tennessee. I am quite sure if it were called to the attention of the Secretary of Labor it would have been stopped.

Mr. LITTLE. That is what I rose to inquire about. The Secretary of Labor is the proper person to request attention to such a matter, is he?

Mr. BYRNS of Tennessee. Yes.

Mr. LITTLE. It was not my purpose to call attention to it now. The results in that case were perfectly satisfactory to me. If they kept on in that way and we had the same results, I would not object. [Laughter.]

But since I have the question answered, I trust that there may be some way of impressing upon the department the advisability of explaining to all these gentlemen that their labors are not of a political character, and that they are not sent into districts to interfere with the local situation. The people in most of the districts are quite competent to get along without outside advice, anyway; I know they are in the district I have the honor to represent. I am sure of that. But I want to add this word, that I am highly impressed with the utility of this commission, and I am sure everybody wants to secure the results that it attempts to reach. I think it should be encouraged and upheld, and I hope that in the meantime the Secretary fully understands that it is not a political matter at all, and instructs his representatives accordingly.

Mr. BYRNS of Tennessee. I want to consume the two minutes of my time in order to furnish the gentleman from Kansas some information that he called for a moment ago with reference to the examinations that were held for commercial attachés and special agents. These officials are required first to pass a written examination. Then those who pass that competitive written examination are called to Washington for the purpose of standing an oral examination before a board consist-

ling of the Secretary of State, the Secretary of Commerce, the Chief of the Bureau of Foreign and Domestic Commerce, and two chiefs of division of the Bureau of Foreign and Domestic Commerce, and also a representative from the Civil Service Commission. If they pass the oral examination, then they are appointed in the order of their percentage; in other words, those who make the highest percentage are appointed. There is first a competitive written examination.

Mr. CAMPBELL of Kansas. Held by whom?

Mr. BYRNS of Tennessee. That is not necessarily held here in Washington. It is held under the auspices of the Civil Service Commission.

Mr. CAMPBELL of Kansas. The Civil Service Commission holds that examination?

Mr. BYRNS of Tennessee. Yes. If they pass that, they are called here to Washington for the purpose of standing this oral examination.

Mr. CAMPBELL of Kansas. What does the gentleman say with respect to the requirements of appointees to these positions?

Mr. BYRNS of Tennessee. I understand that there are no financial requirements whatever. There is no question or inquiry made as to whether those appointed have a private income, nor is there any necessity for it, since they get salaries ranging from $3,500 to $8,000 a year and are also provided $4 a day for subsistence when traveling. Then I want to say in addition that there is no expense incurred whatever in so far as these examinations are concerned, because the members of the board serve without compensation. That is the only method by which a commercial attaché or a special commercial agent can be appointed.

Mr. CAMPBELL of Kansas. Are consular agents appointed through a similar examination?

Mr. BYRNS of Tennessee. They are appointed under an examination held by the State Department which is similar to this. I understand the Secretary of Commerce has adopted the same policy with reference to his foreign appointments that has been followed for many years by the State Department in the appointment of consular agents.

Mr. FAIRFIELD. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. FAIRFIELD. Do I understand that these men receive pay throughout the year, whether engaged in conciliation work or not?

Mr. BYRNS of Tennessee. The gentleman is now referring to the Board of Conciliation.

Mr. FAIRFIELD. Yes.

Mr. BYRNS of Tennessee. No; they do not. They are paid only for such time as they actually serve.

The Clerk read as follows:

For per diem in lieu of subsistence of special agents and employees, and for their transportation; experts and temporary assistance for field service outside of the District of Columbia, to be paid at the rate of not exceeding $8 per day; temporary statistical clerks, stenographers, and typewriters in the District of Columbia, to be selected from civil-service registers and to be paid at the rate of not exceeding $100 per month, the same person to be employed for not more than six consecutive months, the total expenditure for such temporary clerical assistance in the District of Columbia not to exceed $6,000; traveling expenses of officers and employees, purchase of reports and materials for reports and bulletins of the Bureau of Labor Statistics, and for subvention to "International Association for Labor Legislation," and necessary expenses connected with representation of the United States Government therein, $80,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word in order to ask the gentleman from Tennessee why the committee took the lid off the subsistence per diem in this item? In the items for commissioners of conciliation you put the lid on at $4 a day for subsistence, but in the item for special agents and employees you take the lid off entirely.

Mr. BYRNS of Tennessee. That is covered, I will say, by the general law.

Mr. MANN. It is in the current appropriation law. Why is it required in one case and not in the other? Certainly the commissioners of conciliation are entitled to as high a rate for subsistence as special agents and employees.

Mr. BYRNS of Tennessee. I do not think that it is required to be stated in this bill in any case. It is mere surplusage wherever it has occurred, because the general law on the subject provides for a per diem rate of allowance not exceeding $4 in lieu of subsistence, and they can not exceed that in any event.

Mr. MANN. That is what I understood. Why do you put it in at one place and take it out in the other?

Mr. BYRNS of Tennessee. As I stated to the gentleman, I do not think it is necessary to carry it in this bill. It is surplusage wherever it occurs. It could very properly and safely be stricken out.

The Clerk read as follows:

Children's Bureau: Chief, $5,000; assistant chief, $2,400; experts—one on sanitation, $2,880, industrial $2,000, social service $2,000, statistical $2,000; administrative clerk, $2,000; editor, $2,000; special agents—1 $1,800, 4 at $1,600 each, 10 at $1,400 each, 12 at $1,200 each; private secretary to chief of bureau, $1,500; clerks—2 of class 4, 4 of class 3, 4 of class 2, 17 of class 1, 10 at $1,000 each; copyist; messenger: in all, $106,040.

Miss RANKIN. Mr. Chairman, I want to ask the chairman of the committee why it is that the editor in the Bureau of Labor Statistics is paid $2,500 a year, and the editor in the Children's Bureau $2,000, and why the secretary to the commissioner in the Bureau of Immigration is paid $1,800 a year, while the secretary in the Children's Bureau is paid $1,500?

Mr. BYRNS of Tennessee. Mr. Chairman, the lady from Montana will find those inequalities of salaries running entirely through this bill, and I may say that is one reason that influenced the committee in recommending in this bill the creation of a joint commission to take into consideration the reclassification and readjustment of salaries, so as to place them upon a more uniform basis. Of course, I do not know, but I assume that the editor in the Bureau of Labor Statistics has possibly a great deal more to do than has the editor under the Children's Bureau, because it is a much larger bureau and covers a much larger range of subjects. Their publications are decidedly more numerous, and I fancy that the work performed by one is much greater than the work performed by the other.

Miss RANKIN. Was that taken into consideration when these items were inserted?

Mr. BYRNS of Tennessee. No; that was not taken into consideration. If the lady from Montana will examine the law, I think she will find that the law fixes the salary of the editor in the Children's Bureau at the sum named, and we have allowed for these salaries exactly what was asked by the Chief of the Children's Bureau.

Miss RANKIN. Does it fix the salary for the secretary to the Chief of the Bureau of Immigration? That salary is fixed at $1,800.

Mr. BYRNS of Tennessee. That has been fixed heretofore in appropriation bills, and has been carried for a great many years.

Miss RANKIN. The secretary to the Chief of the Children's Bureau has a salary of $1,500.

Mr. BYRNS of Tennessee. That is true, but the Bureau of Immigration is also a much larger bureau than is the Children's Bureau. This bill carries for the salary of the private secretary exactly what was asked.

Miss RANKIN. How does the gentleman mean?

Mr. BYRNS of Tennessee. If the lady from Montana will look at other provisions in the bill, she will find that there are a great number of private secretaries to chiefs of bureaus who receive no more than $1,500 and some of them receive less, and I have in mind one position of a private secretary, carried for the first time in this bill, the secretary to the Chief of the Steamboat-Inspection Service. That was fixed at $1,500, and that is a very important and a very busy bureau also, particularly at this time.

Mr. STAFFORD. Mr. Chairman, I do not know whether the chairman directed the attention of the lady from Montana to the fact that the salaries paid the editor and the private secretary in the Children's Bureau, as carried in the bill, are the amounts recommended by the head of the bureau. Of course, our committee had nothing to do except to grant her request. We did not seek to reduce those amounts. The position of editor is new, and we carried it at exactly the same salary as the head of the bureau requested to be paid to the person filling that position.

Miss RANKIN. Well, I just asked for information, as there seemed to be a discrepancy.

Mr. STAFFORD. I did not want to have the impression go abroad that we were discriminating against the fair ladies who comprise the personnel of the Children's Bureau.

Miss RANKIN. I thank you.

The Clerk read as follows:

Hereafter section 3709 of the Revised Statutes of the United States shall not be construed to apply to any purchase or service rendered for the Department of Labor when the aggregate amount involved does not exceed the sum of $25.

Mr. MANN. Mr. Chairman, I reserve a point of order. I had intended to raise the question when the same item appeared under the Department of Commerce, but my attention was diverted at that time. Why is it proposed to put into the permanent statute a provision that as to those two departments of the Government they are entirely outside of the law in reference to the purchase of supplies by advertisement where the purchase amounts to only $25 in a particular case? In other words,

here is a department that may purchase $10,000 worth of stuff in $25 items, if it wishes to do so, without advertising. Now, the law as it stands authorizes the purchase without advertising whenever an emergency exists. Why should we grant to these departments the right to purchase without advertising as a matter of permanent law, which right, so far as I know, does not apply to the other departments, nithough I might be mistaken about that?

Mr. BYRNS of Tennessee. My understanding is most all of the other departments have authority to purchase without the necessity of taking bids, some of them to an amount as high as $50.

Mr. MANN. There are some provisions as to various branches of the service. The Lighthouse Service—and I think the Revenue-Marine Service, probably—which has boats and has to purchase very quickly at times certain things, is authorized to purchase within a certain limit and then required to make a thorough report to Congress of every purchase which it makes; but this is absolutely taking the lid off, because if a man wants to—I do not think the head of a department would want to do so—but if some man wants to purchase without advertising, all he needs to do is to buy something every day in the amount of $25; that is a complete transaction and would apply to all small things.

Mr. BYRNS of Tennessee. Well, the Geological Survey and the Reclamation Service have that authority now, and I understand the Department of Agriculture has that authority also.

Mr. MANN. Very likely some of these departments with branches where they are off in the country at some place where they work and not very available to the market have the authority to make purchases without advertising. They frequently have to telegraph for something, and while they could do that under the general law it is a little more convenient to have the power not to have to make a statement that it is an emergency in each case, but this department is not of that character so far as I know.

Mr. BYRNS of Tennessee. The District government has the same authority, and this department has some large bureaus, like the Bureau of Naturalization, the Bureau of Immigration, where it is necessary to make these small purchases from time to time, and the committee felt it was requiring a needless waste of time and frequently a very great inconvenience and some expense where these small amounts of supplies are necessary to require them to go through the regular formula of making advertisements.

Mr. MANN. Well, the bulk of these supplies are purchased through this supply committee, or does that still exist; I was away for a while?

Mr. BYRNS of Tennessee. That still exists, yes; and most of them are purchased through the General Supply Committee.

Mr. MANN. Well, Mr. Chairman, I have great hesitation about it and a good deal of doubt, but I will withdraw the point of order.

The CHAIRMAN. The gentleman withdraws the point of order.

The Clerk read as follows:

Rent: For rent of buildings and parts of buildings in the District of Columbia for the use of the Department of Labor, $24,000.

Mr. BYRNS of Tennessee. Mr. Chairman, on yesterday we passed over the item relating to the Bureau of the Census, and I ask unanimous consent to return to that item, which is found on pages 117 and 118. The gentleman from Massachusetts has reserved the point of order.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. STAFFORD. Mr. Chairman, before the gentleman from Massachusetts was called out of the Chamber to attend a hearing in the investigation of the Security League of America he authorized me to say that when this paragraph was returned to that I would withdraw the point of order. The reason why he asked to have the paragraph passed over last evening was to examine the legislative appropriation act for the years 1910 and 1911, to see whether any provision was carried for the statutory roll for those years. It appears that in the appropriations following the decennial period for the taking of the Thirteenth Census that no statutory roll was carried, and therefore he desired me to withdraw the reservation of the point of order.

Mr. MANN. Will the gentleman yield?

Mr. STAFFORD. I will.

Mr. MANN. Does the gentleman know whether the expenses of the previous census were carried in the legislative bill or in the sundry civil appropriation bill?

Mr. STAFFORD. The large appropriation of $10,000,000 was carried in a special act. The gentleman will recall that President Roosevelt vetoed the first act Congress passed providing for the taking of the Thirteenth decennial census, and it was during the special session of Congress, convened in the instance of President Taft, that in the latter days of the fiscal year a bill was passed carrying $10,000,000 of appropriations, reported, I believe, from the Committee on Appropriations.

Mr. MANN. Well, really, on first blush, I should think the extraordinary expenses of the Bureau of the Census would naturally be carried in the sundry civil bill.

Mr. STAFFORD. No; if the gentleman will permit, in addition to the $10,000,000 which was authorized by that act in the legislative appropriation act for 1911, an appropriation of $2,000,000 was carried for this purpose, and again in the legislative appropriation act for the year 1912 an appropriation of two and a half million was carried, so the appropriations have been heretofore carried in the legislative, executive, and judicial appropriation acts.

The CHAIRMAN. The point of order is withdrawn, and the Clerk will read.

The Clerk read as follows:

Retired judges: For salaries of judges retired under section 260 of the Judicial Code (36 Stat. L., 1161), so much as may be necessary for the fiscal year 1920.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I would like to ask a question or make a remark. I notice the other day that the Senate passed a bill to change the name of a great national park to "Roosevelt National Park." Similar bills have been introduced in the House. At the same time along comes a committee which abolishes, as far as the statute is concerned, a reference to the city named after the Father of his Country. I had supposed I lived in the city of Washington while I attended Congress. Whether there is a legal description of the city or not I do not undertake to say. The post office is "Washington" and the city is "Washington," but the Committee on Appropriations has forgotten "Washington" and abolished the "city of Washington," although they found no difficulty for many years in expending an appropriation providing for personal help in or at the "city of Washington, in the District of Columbia." The Committee on Appropriations found a newspaper article somewhere or acquired information in some other way that there was no legal description of the city of Washington, and they leave it out everywhere in this bill and simply put in "District of Columbia." I think that is a reflection upon the country. Here is the Capital of the Nation, named after the first President, the Father of his Country, and without having said a word to the House in explanation of it the committee eliminates "Washington," apparently forgetful of the history of the country. And I do not know, but I suppose some day some sort of a committee might exist that will forget that there was such a thing as the "Roosevelt National Park."

Mr. BYRNS of Tennessee. The gentleman will recall that the question was first raised by the distinguished chairman of the Committee on the District of Columbia, the gentleman from Kentucky [Mr. JOHNSON], who insisted that under the law there is really no city of Washington. He insisted that the law designated the seat of Government in the District of Columbia and not in the city of Washington.

Mr. MANN. That does not make any difference. That is no reason why the Committee on Appropriations should follow that course.

Mr. BYRNS of Tennessee. And he called it to the attention of the President, and the President dates his proclamations from the District of Columbia.

Mr. MANN. I think he dates them at the White House. If he leaves out "the city of Washington" he makes a mistake. I think it is a disgrace to the legislators and the Executive to undertake to say that they can not describe anything as being done at the city of Washington, when all the mail they get is addressed to the city of Washington; when they maintain a post office in charge of the mail for the city of Washington; when everyone in the world, nearly, knows where the city of Washington is, except it may be legislators who are living in Washington, and the President, who just at present is absent from Washington, but cables to it every day.

Mr. BYRNS of Tennessee. The gentleman knows that the law provides that clerks can not be detailed from the outside to serve here in the District of Columbia. In other words, it is necessary for the appropriation bill to specifically provide for the employment of these clerks "within the District of Columbia" in order to comply with the law.

Mr. MANN. I know that the appropriation laws for years had carried the language "in Washington, the District of Columbia," and nobody has ever had any trouble about the expenditure

of that money. No payment has even been stopped on the ground that that did not correctly describe a locality, because it does correctly describe a locality. Everybody knows it except this distinguished Subcommittee on Appropriations.

Mr. HUMPHREYS. Mr. Chairman, may I ask the gentleman a question?

The CHAIRMAN. The time of the gentleman from Illinois [Mr. MANN] has expired.

Mr. HUMPHREYS. I move to strike out the last word.

I understand the President does not date his proclamations from Washington City, but they are dated "The White House."

Mr. BYRNS of Tennessee. "White House, District of Columbia."

Mr. HUMPHREYS. My understanding is that the house in which the President lives is commonly called the "White House." It was always officially designated as the "Executive Mansion" until President Roosevelt became President, and he then called it the "White House," and had stationery printed with "White House" on it, although there was no act of Congress calling it the "White House." Is that correct?

Mr. BYRNS of Tennessee. I know of none.

Mr. HUMPHREYS. Well, there does not seem to be very much more law for calling it "White House" than there would be for "Washington City."

Mr. BYRNS of Tennessee. I think the gentleman is correct in his statement that the law calls it "Executive Mansion."

Mr. MANN. There was no act of Congress.

Mr. HUMPHREYS. Mr. Roosevelt said when he was President that he refused to call it the "Executive Mansion" because there are 48 other executive mansions in the United States, and therefore he called it "White House" and had it so put on his stationery. I am glad that official designation of it is accepted, even if it is not in the statute, and even if we do drop "Washington," although it is in the statute.

Mr. LONGWORTH. How long has the name Washington been dropped?

Mr. HUMPHREYS. I did not know it had been dropped at all until the gentleman from Illinois [Mr. MANN] mentioned the fact.

Mr. LONGWORTH. It has been very recent, has it not?

Mr. HUMPHREYS. I do not know. I refer the gentleman from Ohio to the gentleman from Illinois.

Mr. KEARNS. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. KEARNS. About a year ago, I remember, in a discussion on the floor of the House here the gentleman from Kentucky [Mr. JOHNSON] stated that he had taken up the matter with the President and informed him that there was no such thing in the law as the "city of Washington," but it was the "District of Columbia," and the President said he would use the words "White House, District of Columbia."

Mr. HUMPHREYS. There is just as much authority of law for saying "city of Washington" as there is for saying "The White House."

Mr. LONGWORTH. I know that the President has abolished many other institutions, but I did not know that he had abolished the city of Washington. [Laughter.]

Mr. BYRNS of Tennessee. Gentlemen, of course, may indulge in such pleasant criticism as they see fit, but the subcommittee was following the House, which, on the motion of the gentleman from Kentucky, in a number of instances, in the last legislative appropriation, where the words "city of Washington" occurred, struck out the words "city of Washington" and inserted "District of Columbia."

Mr. MANN. The law in many cases specifically names the city of Washington.

Mr. BYRNS of Tennessee. Perhaps not in all, but in a number of cases the gentleman from Kentucky moved to strike out "city of Washington" and insert "District of Columbia," and the House adopted the motion, so that the committee was simply following the instructions of the House, given at the last session.

Mr. MANN. I was not here. I did not know. I suppose there was nobody else in the Chamber when it was done, probably. [Laughter.] Certainly it is a disgrace to Congress to say that we can not refer to the city of Washington as the "city of Washington." We all know that it is here. The Post Office Department can tell you that, although they do not know much about location, unless you put on "District of Columbia" or the State. I think it is disgraceful for our country to say that in the lapse of years we have forgotten the name of George Washington. I know that we have forgotten a great many of his precepts, or discarded them, but, in addition, to forget his name, I think, is going too far.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Court of Customs Appeals: Presiding judge and 4 associate judges, at $7,000 each; marshal, $3,000; clerk, $3,500; assistant clerk, $2,000; 5 stenographic clerks, at $1,600 each; stenographic reporter, $2,500; messenger, $840; in all, $54,340.

Mr. LONGWORTH. Mr. Chairman, it may be improper nowadays to use the designation "Washington" as the city where Members of Congress are to be addressed, but I received a letter this morning directed to me at Washington, and the trouble in it seems to be not that it is difficult to receive letters at Washington but that it is difficult to receive letters at Philadelphia. I ask that this letter be read in my time.

The Clerk read as follows:

CINCINNATI, OHIO, *January 15, 1919.*

Congressman NICHOLAS LONGWORTH,
Washington, D. C.

DEAR SIR: It was with interest I read the article in Saturday's issue of the Cincinnati Commercial Tribune with regard to the "mountains of undelivered mail for the soldiers," etc., and showing an effort on the part of the American postal authorities to fix the blame on the people "over there." But the question which I should like to see agitated is the fixing of the blame for the almost criminal inefficiency in the delivery of mail to sailors in our home ports. Let me state my case:

On July 2 my son, E. P. Romaine, was assigned to a ship, the U. S. S. *Mercury*, in Philadelphia Harbor. Some days later the ship was sent to New York to await convoy. There it lay until July 13 or 14, so I have since learned; then went overseas to St. Nazaire; remained there a short time, probably 10 days or more, and returned to Philadelphia about the middle of September. From the day my son went on shipboard, July 2, although the ship lay in port many days, until he returned to Philadelphia in September not one letter of all those I wrote him reached him. On the last of September he again went abroad, returning on November 19. The conditions with regard to mail were as bad as before, nay worse. For upon returning to harbor he failed to receive a number of my letters, and those he did receive came dribbling in a few at a time in anything but the logical order, as No. 13, then 6, then 15, 7, 8, 14, 5, etc.

All of the above is bad enough, but the worst is what follows: On December 2 I mailed a Christmas box and package to my son. As a matter of fact, it takes 18 hours to go to Philadelphia from Cincinnati on the train. At the time of his sailing, December 6, he had not received either of those packages. Both packages had been insured. I wrote on December 10 to the postmaster at Philadelphia, inclosing 60 cents in stamps and asked him to please return the packages, as I did not want them to lie around the post office awaiting the return of the ship for two reasons: One was, the foodstuffs were perishable, and the other was that one package contained a watch which would be safer here than there. On December 12 Mr. John Thornton replied that he would investigate. I wrote again on December 18 asking that he at least return the 60 cents. I received a letter from him on December 20 stating that he had been unable to trace the packages and advising me to write to the Cincinnati post office, but not returning the aforesaid money. I had already written the full particulars to the Cincinnati postmaster on December 18, and up to date, January 14, I have received no answer.

I am a widow. I have cheerfully and gladly given two sons to the service of my country just at the time when they were getting able to provide for me. They were not dragged off to war, but enlisted. They went not from a spirit of adventure, but with a high and noble ideal of service in their hearts, and the gratitude of the Government they serve is manifested by such indifference and inefficiency as this.

Trusting that Congress may succeed in "fixing the blame," I am, my dear sir,

Most respectfully, CORA M. ROMAINE.

Mr. LONGWORTH. Mr. Chairman, I submit that for the RECORD without comment.

Mr. CAMPBELL of Kansas. Mr. Chairman, I rise in opposition to the motion of the gentleman from Ohio, and in reply ask the Clerk to read the letter which I now send to the Clerk's desk.

The CHAIRMAN. The Clerk will read.

Mr. BLACK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BLACK. Does it require unanimous consent to have letters of this sort read at this time?

The CHAIRMAN. It does to have them read by the Clerk.

Mr. CAMPBELL of Kansas. I ask that it be read in my time.

Mr. BLACK. I make the point of order that it is out of order on this bill.

The CHAIRMAN. The gentleman from Texas objects to its being read by the Clerk.

Mr. CAMPBELL of Kansas. Can I not read it in my own time?

Mr. CRISP. Mr. Chairman, I think the rule provides that no paper can be read at the Clerk's desk, except one that the House is called upon to vote on, when objection is made, unless the House requires it by a vote.

Mr. BLACK. I wish to change my objection to a reservation of objection and I will not press my objection at this time, but I want to make this statement: I do not think the reading of individual complaints of this kind during the discussion of a bill which has no relevancy to the subject accomplishes any useful purpose. Of course, instances of bad mail delivery to our soldiers and sailors are deeply to be regretted. We will all agree to that. My experience is that the Post Office Department is always ready and willing to investigate complaints of the kind

that can properly be charged to its jurisdiction. The mail delivery of our soldiers in France has been under the control of the military authorities, and complaints along that line can be properly addressed to them. Members who do not agree to much of the criticism that is frequently voiced on the other side of the House could just as equitably take the time of the House in making a reply; at least could as well afford to do it from the standpoint of justice and fair play, and much of the time of the House would be spent in discussing matters extraneous to the bill under consideration. These instances are, of course, to be regretted, but I think there is a better way to reach whatever trouble there is. I do not object in this instance.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

MOLINE, KANS., *January 13, 1919.*

Hon. P. P. CAMPBELL,
House of Representatives, Washington, D. C.

DEAR SIR: Believing that you have the interest of the people at heart, and especially the boys who fought and suffered in the great war, I am appealing to you in behalf of my son, Corpl. Glen R. Sawyer, Company I, One hundred and thirty-seventh Infantry, Thirty-fifth Division.

Shortly after war was declared on Germany, at the age of 20, he enlisted in the National Guard at Manhattan, where he was attending college. This company was afterwards drafted into Regular service and his company was thrown with the Wichita company and labeled Company I of the now famous One hundred and thirty-seventh, an all-Kansas regiment, which has been cited for their bravery and deeds of valor at the bloody and nerve-racking battle of the Argonne forest.

On the morning of September 29 my boy was wounded in his left foot by a machine-gun bullet and his right leg by a piece of shrapnel, and about an hour afterwards, while he was trying to crawl back to the first-aid station, he was gassed. After he was wounded and ordered one of his men to take his squad and lead them on he has never (up to December 15, when his last letter was written) seen a familiar face nor learned the fate of the rest of his comrades, nor had a single message from loved ones at home. To add to his misery, his lonesomeness, and the very pleasant thought that he will always be a cripple is the fact that he is also without money—has not been paid but once since last March, and most of that had been taken up by payments on liberty bonds and his insurance—and I know of no way that I can send him money, letter, or cable, and am appealing to you for help. One lady here paid $14 for a cable to her wounded boy in France, but he never received the message. The people throughout the country have given up all the money, all the food, and all the men the Government has asked for, and I know that any Kansas farmer has ingenuity enough about him, if he had plenty of men and money at his command, to perfect a system whereby wounded soldiers could get their mail with very little delay. My boy did not enter this war for money considerations, but for home, for country, and for our old flag, and if the Government will send him home we will be glad to relieve it from all responsibility and take care of our boy ourselves, but we don't want him to die in France because he feels that Government and friends alike have forsaken him. Our last letter from him was written December 15, at Base Hospital No. 119, at St. Nazaire, France, where he had been nearly a month waiting to be sent home, and if the President and his wife have not been shopping lately, nor if some of his colored servants haven't been saying some cute things, so that you can get a cablegram through, I want you to find out if my boy is still there; and if he is, get him word that all is well at home and cable him some money; also wire Miss Harriet E. Stanley, No. 257 West Seventy-third Street, New York, if he has arrived there yet, as she is watching for him, and he has had plenty of time to arrive since his last letter.

Now, Mr. CAMPBELL, I know that you haven't the time to bother with this yourself, but for the love of humanity have some one to look after this under your direction and draw on me for all expenses through the Moline National Bank. I am not rich, neither am I what you would call well to do, but, if necessary, I will give a thousand dollars to relieve my boy's mind. He says that he feels just like Robinson Crusoe did when cast on an uninhabited island with no knowledge of what became of friends and home. My boy has given up his education, home, love, and money for his country. He has never complained, found fault, or written a single discouraging or blue letter home, but that shows the kind of stuff the Thirty-fifth Division is composed of.

Thanking you from the bottom of my heart and assuring you that I will do my very best to repay you in the future for any and all your efforts for my boy, I am,

Yours, truly,

E. E. SAWYER.

Mr. CAMPBELL of Kansas. Mr. Chairman, I could get no information whatever from the War Department. I then went to the Red Cross, and this morning through their assistance have cabled this young man $60 and the news that his parents were still thinking of him. [Applause.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. That the pay of telephone switchboard operators, assistant messengers, firemen, watchmen, laborers, and charwomen provided for in this act, except those employed in mints and assay offices, unless otherwise specially stated, shall be as follows: For telephone-switchboard operators, assistant messengers, firemen, and watchmen, at the rate of $720 per annum each; for laborers, at the rate of $660 per annum each; assistant telephone-switchboard operators, at the rate of $600 each, and for charwomen, at the rate of $240 per annum each.

Mr. DYER. Mr. Chairman, I move to strike out the last word. I should like to ask the gentleman from Tennessee [Mr. BYRNS] if the $120 increase proposed in this bill will apply to those employees mentioned in section 2 which has just been read?

Mr. BYRNS of Tennessee. Yes.

Mr. DYER. Does it include the charwomen?

Mr. BYRNS of Tennessee. They get the increase up to 30 per cent of the salary which they receive.

Mr. DYER. The telephone operators and others will get the full amount?

Mr. BYRNS of Tennessee. They will get the full amount.

The Clerk read as follows:

SEC. 6. That all civilian employees of the Governments of the United States and the District of Columbia who receive a total of compensation at the rate of $2,500 per annum or less, except as otherwise provided in this section shall receive, during the fiscal year ending June 30, 1920, additional compensation at the rate of $120 per annum: *Provided*, That such employees as receive a total of annual compensation at a rate more than $2,500 and less than $2,620 shall receive additional compensation at such rate per annum as may be necessary to make their salaries, plus their additional compensation, at the rate of $2,620 per annum, and no employee shall receive additional compensation under this section at a rate which is more than 30 per cent of the rate of the total annual compensation received by such employee: *Provided further*, That the increased compensation at the rate of $120 per annum for the fiscal year ending June 30, 1919, shall not be computed as salary in construing this section: *Provided further*, That where an employee in the service on June 30, 1918, has received during the fiscal year 1919, or shall receive during the fiscal year 1920 an increase of salary at a rate in excess of $200 per annum, or where an employee whether previously in the service or not has entered the service since June 30, 1918, whether such employee has received an increase in salary or not, such employees shall be granted the increased compensation provided herein only when and upon the certification of the person in the legislative branch or the head of the department or establishment employing such persons of the ability and qualifications personal to such employees as would justify such increased compensation: *Provided further*, That the increased compensation provided in this section to employees whose pay is adjusted from time to time through wage boards or similar authority shall be taken into consideration by such wage boards or similar authority in adjusting the pay of such employees.

The provisions of this section shall not apply to the following: Employees paid from the postal revenues and sums which may be advanced from the Treasury to meet deficiencies in the postal revenues; employees of the Panama Canal on the Canal Zone; employees of the Alaskan Engineering Commission in Alaska; employees paid from lump-sum appropriations in bureaus, divisions, commissions, or any other governmental agencies or employments created by law since January 1, 1916; employees whose duties require only a portion of their time, except charwomen, who shall be included; employees whose services are utilized for brief periods at intervals; persons employed by or through corporations, firms, or individuals acting for or on behalf of or as agents of the United States or any department or independent establishment of the Government of the United States in connection with construction work or the operation of plants; employees who receive a part of their pay from any outside sources under cooperative arrangements with the Government of the United States or the District of Columbia; employees who serve voluntarily or receive only a nominal compensation, and employees who may be provided with special allowances because of their service in foreign countries. The provisions of this section shall not apply to employees of the railroads taken over by the United States, and nothing contained herein shall be deemed a recognition of the employees of such railroads as employees of the United States.

Section 6 of the legislative, executive, and judicial appropriation act approved May 10, 1916, as amended by the naval appropriation act approved August 29, 1916, shall not operate to prevent anyone from receiving the additional compensation provided in this section who otherwise is entitled to receive the same.

Such employees as are engaged on piecework, by the hour, or at per diem rates, if otherwise entitled to receive the additional compensation shall receive the same at the rate to which they are entitled in this section when their fixed rate of pay for the regular working hours and on the basis of 313 days in the said fiscal year would amount to $2,500 or less: *Provided*, That this method of computation shall not apply to any per diem employees regularly paid a per diem for every day in the year.

So much as may be necessary to pay the additional compensation provided in this section to employees of the Government of the United States is appropriated out of any money in the Treasury not otherwise appropriated.

So much as may be necessary to pay the increased compensation provided in this section to employees of the government of the District of Columbia is appropriated, one-half out of any money in the Treasury not otherwise appropriated and one-half out of the revenues of the District of Columbia, except to employees of the Washington Aqueduct and the water department, which shall be paid entirely from the revenues of the water department.

So much as may be necessary to pay the increased compensation provided in this section to persons employed under trust funds who may be construed to be employees of the Government of the United States or of the District of Columbia is authorized to be paid, respectively, from such trust funds.

Reports shall be submitted to Congress on the first day of the next regular session showing for the first four months of the fiscal year the average number of employees in each department, bureau, office, or establishment receiving the increased compensation at the rate of $120 per annum and the average number by grades receiving the same at each other rate.

During the reading of the foregoing—

Mr. KEATING. Mr. Chairman, I have an amendment which I desire to offer.

Mr. BYRNS of Tennessee. As we are now reading section 6, I ask if amendments should not be withheld until we complete the section?

The CHAIRMAN. This is a general appropriation bill, and is being read by paragraphs.

Mr. BYRNS of Tennessee. Then I ask unanimous consent that the entire section be read, and that it be then in order to offer amendments or to make any points of order.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the paragraph may be read, after which

amendments or points of order may be made to any part of the section. Is there objection?

There was no objection.

The Clerk resumed and completed the reading of the foregoing.

Mr. KEATING. Mr. Chairman, on page 146, line 18, I move to strike out "$120" and insert "$360."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. KEATING: Page 146, line 18, strike out "$120" and insert "$360."

Mr. KEATING. Mr. Chairman, several gentlemen have expressed a desire to speak on this amendment. I am wondering if it would not save time to make some sort of an arrangement now.

Mr. BYRNS of Tennessee. I was just going to ask the gentleman from Colorado if we could not agree upon, say, 30 minutes' discussion?

Mr. MASON. I would like 10 minutes, and I would not want to agree to any time which would not give me that opportunity.

Mr. BYRNS of Tennessee. I think the gentleman can get his time under an agreement. It seems to me it would be more in line with what the Members generally desire if we could come to some agreement now, limiting the debate, and I hope we can agree upon some reasonable time.

Mr. KEATING. Say half an hour for our side of the proposition.

Mr. BYRNS of Tennessee. It seems to me we ought to close this debate in less than an hour. I would suggest to the gentleman 20 minutes on a side. I do not know how many desire to oppose the amendment.

Mr. BLACK. I should like to have five minutes in opposition.

Mr. BYRNS of Tennessee. I think the time ought to be equally divided between those who are for and those who are against the amendment.

Mr. MASON. I do not want to consent to any agreement unless I can have 10 minutes.

Mr. DYER. Unless there is some agreement arrived at, any Member can move to close the debate after 10 minutes.

Mr. MADDEN. Why not submit it as a part of the request that my colleague [Mr. MASON] shall have 10 minutes?

Mr. BYRNS of Tennessee. I think this is practically the only remaining contested portion of the bill, and the gentleman from Colorado has suggested that 30 minutes will be sufficient for those who favor his amendment. I therefore ask unanimous consent that all debate upon this section and all amendments thereto close in one hour, the time to be allotted by the Chair evenly between those who are for and those who are against the amendment.

The CHAIRMAN. The gentleman from Illinois [Mr. MASON] desires 10 minutes.

Mr. BYRNS of Tennessee. I do not object to that.

Mr. MADDEN. I ask that out of the hour the gentleman from Illinois [Mr. MASON] be given 10 minutes.

Mr. HUMPHREYS. On which side?

Mr. MASON. I am in favor of the amendment.

The CHAIRMAN. The gentleman from Tennessee [Mr. BYRNS] asks unanimous consent that debate on this section and all amendments thereto close in one hour, one-half the time to be given to those who are in favor of the pending amendment and one-half the time to those who are opposed, and that the gentleman from Illinois [Mr. MASON] have 10 minutes of that time.

Mr. BYRNS of Tennessee. And the debate to be confined to the subject matter of the amendment.

Mr. GALLAGHER. Reserving the right to object, I should like to have five minutes.

Mr. MADDEN. The gentleman can get the Chair to put his name down.

Mr. BLACK. I do not know whether my name is on the list or not, but I hope it is.

Mr. GALLAGHER. I should like to have the Chair put my name down for five minutes.

Mr. NOLAN. I should like to be recognized for five minutes in favor of the amendment.

Mr. BYRNS of Tennessee. Let us have the request submitted, Mr. Chairman.

The CHAIRMAN. Can not gentlemen indicate to the Chair who is to have the time? The Chair thinks an hour will cover all the allowances, but he is not sure.

Mr. AUSTIN. Reserving the right to object, I suggest that we make it an hour and a half.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee which has been stated by the Chair?

There was no objection.

Mr. MASON rose.

The CHAIRMAN. The gentleman from Colorado [Mr. KEATING] is entitled to recognition.

Mr. KEATING. Mr. Chairman, I yield the floor to the gentleman from Illinois [Mr. MASON].

Mr. MASON. Mr. Chairman, I desire to speak of the particular locality where I live and the amount of money that is paid to Federal employees there. The pay of the charwomen and the laborers, the elevator men and watchmen in the Federal building in the city of Chicago is so low as to amount to an absolute disgrace to the Government of the United States. Case after case of charity is found among the people who are employed by the United States Government. The assistant custodian of the building has been obliged to advertise, and to do it at his own expense, for help, so many of the employees have left. Sometimes 15 or 20 people reply, but none will take the employment. The charwomen are getting as low as about $27 a month. Let me call your attention to one case, that of Estelle Austin, who died in an infirmary from tuberculosis one year ago. One of the internes called at the custodian's office afterwards and informed the assistant that the woman contracted the disease because of not receiving proper nourishment, stating that it was a crime to have anyone work for the wages the Government was paying. She had herself and her father to support. Her pay I think was about $27 a month.

I have here before me a petition, which with the permission of the committee I shall insert at this point in my remarks:

To the United States Senate and House of Representatives:

We, the undersigned, desire to call the attention of your honorable body to the condition of salaries in the custodian service of the Federal Building, Chicago.

Elevator men are receiving only a paltry $60 per month, and as a result most of the former reliable force has left and now the personnel is constantly changing, a dangerous and annoying condition. For $60 a month watchmen guarding the building are expected to work seven days a week and buy their uniforms. The laborers and charwomen are in a similar, deplorable condition.

There is now a resolution before the House to grant an increase of $1 per day to these employees pending the reorganization of the Federal service, and it is our earnest plea that such increase be given, in order to meet in part the very great increase in the cost of necessities, and that Federal employees may enjoy at least a "living wage."

Respectfully submitted.

Kenesaw M. Landis, Arthur L. Sanborn, Geo. A. Carpenter, judges of the district court; Peter Newton, secretary Civil Service Commission; Chas. Schirmer, examiner Railway Mail Service; J. E. Mansfield, examiner Railway Mail Service; Ed. H. Hodgetts, inspector railway mail cars; C. H. Otis, chief examiner Railway Mail Service; Thomas I. Porter, chief United States Secret Service; Reed Hanna, chief pension examiner; Frank Shoenfield, chief clerk Railway Mail Service; Benj. F. Carle, chief clerk Railway Mail Service; W. H. Wagner, chief examiner naturalization service; Frederick W. Weber, assistant chief examiner naturalization service; Jno. H. Hubbard, jr., superintendent money-order division (post office); Julius A. Smitanka, collector internal revenue; Walter Greenwood, boiler inspector; Peter Larson, boiler inspector; William Nicholas, chief boiler inspector; Paul Hermes, Treasury agent; Henry J. Cox, weather forecaster; Lewis F. Maser, United States commissioner; Joseph P. Ryan, chief deputy marshal; Charles L. Mitchell, assistant weather forecaster; Arthur E. Clausson, clerk United States court; John H. E. Jamar, clerk United States court; J. V. Shoemaker, clerk United States court; J. E. Fay, clerk United States court; John Felker, clerk United States court; Thomas I. Sell, clerk United States court; C. B. Morrison, master in chancery; P. J. Barry, acting superintendent bureau of investigation; James P. Rooney, special agent bureau of investigation; D. F. Crowly, assistant superintendent Railway Mail Service; D. H. Galbraith, superintendent of mails; Jno. M. Hubbard, assistant postmaster; Frank Boswell, assistant United States attorney; John H. Lally, assistant United States attorney; E. J. Whitty, assistant United States attorney; John R. Boddie, assistant United States attorney; Charles F. Clyne, United States attorney; Joseph B. Flemming, United States attorney.

Think of a man having to support a family, buying his own uniform, trying to educate a family on $60 a month! The condition of that building is simply a disgrace to the Government of the United States because of niggardly, miserable salaries that are being paid there. A comparison with the pay for the same sort of labor in the City Hall in Chicago would show a very great difference in the wages paid by the city and those paid by the Government. I do not want to encumber the RECORD by inserting all of the letters which I hold in my hand, but my colleagues can see what a number I have. They are letters of men who have resigned from the work simply because they could not live upon the wages paid. To be an employee of the Government of the United States should add some dignity to the employment; but just think of the conditions, when in some cases they are dependent upon the county agents to eke out a living, while doing service for the Government of the United States.

Mr. Chairman, I reserve the remainder of my time.

The CHAIRMAN. The gentleman from Illinois has consumed five minutes.

Mr. MASON. Mr. Chairman, I hold in my hands 150 letters addressed to Rivers McNeill, custodian, most of them resigning their positions, each one giving as a reason that they could not live on their pay, some of them saying they declined the appointment, and in every case do so on account of poor pay. I insert here rates paid by the custodian of the City Hall, Chicago, and a resolution showing pay of some work in Government building:

Rates of pay prevailing in the custodian service of the city hall, Chicago, Ill.

Designation.	Compensation per month.	Number of hours worked.	Remarks.
Charwomen	$80.00	54	No Sunday work.
Laborers or janitors:			
First year	80.00	7	Do.
After 2 years	85.00	7	Do.
Window washers	90.00	8	Do.
Elevator conductors	100.00	8	And are furnished 2 suits and 2 shirts every year
Elevator starters	125.00	8	Also furnished suits.
Coal passers	105.00	.....	
Firemen	120.00	.....	
Assistant engineers, 2d class	150.00	.....	

Whereas Delegates Charles F. Nagl, Luther C. Steward, and E. J. Newmyer, of the National Federation of Federal Employees, have introduced resolution No. 87 at the convention of the American Federation of Labor held at St. Paul, Minn.; and

Whereas said resolution was prompted by the extremely poor wages now being paid to employees in the Custodian Service in the 1,200 Federal buildings all over the country as shown by the following table:

	Per month.
Charwomen	$27.08
Laborers	55.00
Window washers	55.00
Elevator conductors	60.00
Marble cleaners	60.00
Watchmen	60.00
Cabinetmakers	65.00
Oilers	70.00
Stenographers	75.00
Engineer helpers	83.33
Foremen	83.33

Plus a monthly increase of $8.12 to charwomen and $10 to all other employees granted by Congress for the fiscal year beginning July 1, 1918, and ending June 30, 1919; and

Whereas readjustments in wages have been made in practically every other department in the Government service except in the Custodian Service, where no heed is given to the appeal of those employees for some aid to meet the ever-increasing high cost of living; and

Whereas this discrimination results in inconsistencies in the rates of pay for employees in the Government service doing the same kind of work and working side by side, and fosters dissatisfaction and inefficiency on the part of the lower-paid employees; for instance, laborers in the post office receive $1,038 per annum, while the compensation for laborers in the Custodian Service, whose work is harder and more hazardous, is only $780 per annum; and

Whereas said resolution No. 87 was referred to the committee on executive council's report, who concurred in the cause prompting that resolution and approved the object desired and recommended that the executive council of the American Federation of Labor use all methods and means deemed advisable by them to accomplish that purpose, and this report by the committee was adopted; and

Whereas in view of the lack of results and no report of their actions being submitted by the said executive council, it seems that no action was yet taken by them to obtain relief for the underpaid employees in the Custodian Service of the United States, who find it harder every day to support their families decently and to provide for them comforts necessary to life on the meager wages now being paid to them.

Mr. AUSTIN. Mr. Chairman, for 10 years I have been an advocate in this House for readjustment, reclassification, and equalization of salaries. I had hoped to see the time come before my departure when these inequalities which have stood for half a century or more would be removed. In the last appropriation bill an increase of $10 a month was added. The Committee on Appropriation's proposition now is to continue for another year the $120 and create a commission to study the question and report legislation to the next Congress. I know that the membership of the House has an open mind upon this question. All seek and desire to do right and justice, not only to the Government but to every employee from the humblest to the highest. In no section of the Republic are living conditions more trying or more expensive than they are in the city of Washington. We require and expect of the Government officials that they will be a credit, not only to themselves but to the great Government they are serving so well and so faithfully.

In the daily Times of this city two days ago appeared an editorial carrying a letter from a mother whose husband is an employee of this Government. I desire to have the Clerk read that letter in my time. It is an appeal which ought to reach the heart and conscience of every man who sits on the floor of this House. All that I ask of my colleagues in the consideration of this proposition and in casting this vote is to place themselves in the position of the Government employee in the city of Washington. This is an appeal from those who render the highest possible clerical service in all this country. Every one of us is a daily witness to the creditable and efficient manner in which the public business is transacted. It is done so thoroughly, so efficiently, it is certainly worthy of the most careful consideration when we are to pass upon a just and fair compensation for those who perform it.

Mr. Chairman, I ask the Clerk to read the letter carried in the editorial which I send to the desk.

The Clerk read as follows:

I am the wife of a Federal employee who receives the large sum of $720 per annum, and also the mother of seven dependent children.

I would like to rear my children to be honest and respectable citizens, but how in the name of God can I do it with such starvation wages? As a rule, the poor man has a large family, and it is the poor man that contributes the majority of soldiers and sailors to his country. Uncle Sam expects his soldiers to be strong and brave, but I would like to ask some of those Congressmen how they expect the future soldiers and sailors to be strong and brave when in their infancy they are underfed and deprived of the necessities of life.

Mr. BLACK. Mr. Chairman, I expect to support the recommendation of the committee, as it is already written in this bill to grant salary increases of $120 to all of those Government employees who receive $2,500 or less, except certain enumerated exceptions which have been provided for in other bills, such as postal employees. I think my record of votes in the House on these propositions of salary increase is reasonably consistent. Wherever I have thought the increases proposed were reasonable and justified by the services to be performed, I have supported them. Wherever I have thought the increases were unreasonable and not justified, I have voted against them. At the present session I voted against the proposition to increase the salaries of the Federal judges. I did not do so because of any lack of respect for the Federal judiciary, nor because of any undervaluing of their work, but I voted against the proposed increases because I believed the salary which they now receive is a good one and is ample to support themselves and their families in comfort. And I want to pause right here long enough to speak about a matter of criticism which I have recently observed in the press and elsewhere with reference to the salary of $12,000 paid to our Cabinet officers. Most of the printed discussion which I have seen in the papers was in advocacy of increasing the amount.

I do not agree to that proposition. I think that one of the things most needed in the United States to-day among our rich and well to do is to get back to the old-fashioned simplicity of living which used to be the rule to a much greater extent than it is to-day. I do not know of anything in our modern life which I think is more productive of much of the discontent which exists in the world to-day than the luxury and extravagance which has grown up in the mode of living among some of our rich and well to do. We need to get back to the simple life. The United States, least of all nations in the world, can afford to tolerate caste or class distinction, and I know of nothing that will remove it more quickly and more effectually than simple and modest standards of living among all classes of our people. I merely say this in passing with reference to a condition which may well arrest our thoughtful attention.

Now, back to the question of this salary-increase proposition. It is one of the laws of economics that in a period of war inflation that prices of commodities rise much more rapidly than do wages and salaries, and when that period of war inflation has passed the reverse is true and the prices of commodities fall more rapidly than wages and salaries. Of course, there are some exceptions, but this is undoubtedly the rule. It is well that it should be so, because it is one of nature's evening-up processes of adjusting the equities between the different classes of workers. Now, every sensible man knows that we have been passing through a period of unprecedented war inflation. The prices of commodities have risen rapidly and many of them to very high figures. But it is also undoubtedly true that the period of war inflation has reached its crest, and that there will be a fall in the prices of commodities, and this fall will increase the purchasing power of the dollar and thereby increase the value of the wage. This will within itself amount to an increase in wages in so far as its effect is concerned. Therefore, in view of the facts, present and prospective, and in view of the need for at least a reasonable amount of economy in Government expenditures, I will support the recommendation of the committee to increase these salaries $120 per annum rather than the amendment now proposed to make the increase $360 per annum.

Mr. LAZARO. Will the gentleman yield?

Mr. BLACK. Yes; I will yield.

Mr. LAZARO. In view of the fact that so much territory that was devoted to production has been converted into——

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLACK. My time has expired, and I regret that I will be unable to answer the question which the gentleman was about to propound.

Mr. NOLAN. Mr. Chairman, my colleague from Idaho [Mr. SMITH], if he were here, would be in favor of this amendment. Unfortunately he has been sick for the last two days, and he asked me to have incorporated in the RECORD a letter received from the president of the United States Civil Service Commission and some statistics which he received from the Housing and Health Division of the War Department regarding the appointments and separations from the civil service from the month of March, 1918, to the month of December, inclusive, showing a total of 75,588 appointments and 40,718 separations. Out of the 75,588 employees who came here, 40,718 were dissatisfied and returned to their homes, or approximately that number, figuring those who had been here prior to March of last year, who had separated themselves also. I desire to have that incorporated in the RECORD along with the letter to Mr. SMITH, who would have supported this amendment.

The letter and statement referred to are as follows:

UNITED STATES CIVIL SERVICE COMMISSION.
Washington, D. C., January 15, 1919.

Hon. ADDISON T. SMITH,
House of Representatives.

MY DEAR MR. SMITH: I inclose herewith a statement showing by months the number of appointments to and separations from the Government service in Washington from March to December, 1918, inclusive. This information was prepared by the Housing and Health Division of the War Department from reports of the several departments and independent establishments. The information was not prepared for the earlier months of the year.

There has been much discussion of the inadequacy of salaries paid by the Government, but dissatisfaction with pay received is only one of a number of reasons for resignation from the Government service.

Very respectfully,

JOHN A. MCILHENNY, *President.*

Statement of appointments to and separations from the Government service, by months, from March to December, 1918, inclusive, prepared by the Housing and Health Division of the War Department.

Month.	Appointments.	Separations.	Increase.	Decrease.
March	6,567	2,450	4,117	.....
April	7,529	3,046	4,483	.....
May	6,272	3,251	3,021	.....
June	8,233	3,908	4,325	.....
July	8,706	3,069	5,637	.....
August	8,075	3,736	4,339	.....
September	10,946	5,294	5,652	.....
October	10,432	6,189	4,243	.....
November	5,525	4,755	770	.....
December	3,276	4,993	.....	1,717
	75,588	40,718	.....	.....

Mr. NOLAN. Now, Mr. Chairman, I want to call the attention of the Congress to the way we have been treating the employees under our care compared with the way that the employees of the Government under the care and jurisdiction of the various boards created by Congress who have jurisdiction over wages and salaries are treated. The Railroad Wage Board, the Wage Adjustment Board, and the War Labor Board have been active in taking up the question of wages of the employees of the Government of the United States and those employed by contractors on contracts with the Government of the United States, and in many instances the War Labor Board has adjudicated disputes between the employer and the employee in private industry. Now, take the case of the Railroad Wage Board. The Railroad Wage Board gave exhaustive study to the condition of the railroad wages of this country and gave an increase to every man in the employ of the railroads of this country receiving $3,000 a year and less, giving the largest increase to the poorest-paid employee. The Wage Adjustment Board, the Emergency Fleet Corporation, adjusted wages, and in this instance and in the case of the War Labor Board they based their findings upon the increased cost of living. Now look at the difference between the boards, the institutions created by Congress to deal with employees, and Congress itself. You give a flat increase of $10 per month to both the lowest-paid employee and those receiving salaries up to and including $2,500 per annum.

This committee has given no consideration whatever to the actual increase in cost of living of Government employees, whereas the increases allowed by the Wage Adjustment Board, the Railroad Wage Board, and the War Labor Board have been based on increased prices. This is the only fair way to treat this wage and salary question, and if we were as just as our wage boards and commissioners we would be paying a great deal more money to the Government workers than the amendment of the gentleman from Colorado provides for.

Mr. SISSON. Mr. Chairman——

The CHAIRMAN. The gentleman from Mississippi is recognized for four minutes.

Mr. SISSON. Mr. Chairman, I wish the members of the committee would stop and consider one minute what this amendment means. This bill carries in round figures about $90,000,000. This amendment will add in the neighborhood of $40,000,000 to this bill.

Mr. MOORE of Pennsylvania. What?

Mr. SISSON. About $40,000,000, making the legislative, executive, and judicial appropriation bill about $136,000,000 instead of $90,000,000. Now, the next session you gentleman are going to have control of the House. This is a most radical increase in salaries. The purpose of the committee a year ago in putting the $120 increase into the bill was for the purpose of taking care of the physical increase in the cost of food.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. SISSON. I have only four minutes.

Mr. MOORE of Pennsylvania. I only wanted to know if the gentleman referred to the $120 amendment or the $360 amendment.

Mr. SISSON. The $360 amendment.

Mr. MOORE of Pennsylvania. And that carried $40,000,000 increase?

Mr. SISSON. Yes; more than the present bill. Now, there is objection made to the fact that everybody gets the $120 increase, but the percentage of the increase on the lower-paid salaries is very much greater than on the higher-paid salaries. Now, it is a most difficult matter to adjust salaries. If you were to undertake to adjust salaries in all the departments of the Government you have got a man's job for at least a year; and the great difficulty in adjusting salaries is, first, to determine the character of the work done by the employee, and even then you ought to know something about the efficiency of the employee. We have no proper efficiency system in this Government. Now, this $120 is a gratuity.

I am going to call your attention to one fact: This bill will carry $300 increase for the teachers of the District of Columbia, and yet the basic salary of the teachers' pay in the bill that just passed the House is higher—the basic salary of the teachers in the graded school—than in any other city in the United States; and, when you add to it the longevity pay, they are the best paid school-teachers in the United States, irrespective of whether you complain about low-paid or high-paid teachers. I have now in my office reports on 20 or 30 cities and from the State superintendents in which they give the basic salary. The city of Philadelphia, in the high-school grades, pays a little better salary than the District of Columbia. In the city of Chicago, in the higher grades, they pay a little better salary than in the District of Columbia; but in what is the graded-school districts the higher salary, irrespective of the regular longevity increase, is paid in the District of Columbia; and if you take the employees in the District of Columbia and compare them with like employees of all the city governments in the United States the average pay and the base pay are higher for like work than in any city in the United States. You may take the clerk hire here and the clerk hire in the city of New York, and in the city of Philadelphia, and in the city of Chicago, and for like work we are paying a higher wage in the District of Columbia now than they pay there; and this committee, in view of the fact that there was a congested condition of population here, in view of the fact that there was a condition here which did not prevail in other cities, notwithstanding the fact that they were getting a higher average pay than other cities, added $120, which would cost some $17,000,000 for the employees of this Government. Gentlemen, you had best think before you thoughtlessly adopt the $360. I hope you will vote it down.

Mr. GALLAGHER. Mr. Chairman, before it is decided that what the gentleman says is a fact I think it would be well to look up a few of the statistics regarding not only the pay of teachers but the pay of Government employees everywhere——

Mr. SISSON. I have.

Mr. GALLAGHER. Of Government employees particularly. Now, we were very charitably disposed in the early part of this week, and we voted $100,000,000 to take care of the poor in the Old World, and I was in favor of it. Now, I am one of those who believe that charity should begin at home just the same, and if it is anywhere necessary to do charity I think it is among the poorly paid Government employees of the United States, regardless of what they get or what you propose to give them.

My colleague from Illinois [Mr. MASON] referred to a condition in Chicago. How can a man in a big city who has a family and gets only $60 a month live upon that amount and support his family? And I would like to know by what kind of reasoning they can be said to be getting good pay. Now, I have a copy of

the petition that the gentleman from Illinois [Mr. MASON] called your attention to, and I wish to say that they are having the most difficult time to retain people in the Government service in order to do the work that is necessary in the Federal Building at Chicago. It is one of the greatest Government buildings in the country—not the kind of a building that it ought to be; it is a makeshift. The conditions in that building under which these people work are simply deplorable. Now, I am in favor of being half decent, at least, with the employees of the Government. We passed a bill here the other day for $27,000,000 for the improvement of rivers and harbors—rivers where there is no commerce at all. I did not hear any very great amount of opposition to that bill. That is a waste of money. But whenever there is a proposition here to raise the pay of an employee I have noticed ever since I have been a Member of Congress, when we want to raise wages, there are always people anxious for the time to oppose any such proposition. I hope the amendment will pass.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, Governments, as a rule, rarely pay high salaries, and ought not to do so. The pay is certain. There is no danger of bankruptcy. But while the Government ought not to pay high salaries, a Government which can exist at all ought to be able to do justice to its employees, to the men who work for it. We have been lavish in expenditures of money in many directions, frequently when I was in opposition to the proposition. Can we now afford not to increase the salary, but to refuse to do justice, to the employees of the Government? Everywhere throughout the land in private employment men and women have received an advance in pay much more in proportion than is proposed by the pending amendment—a demand that came and a demand that was conceded because of the great increase in the cost of actual living. It would not perhaps be the best time now to fix permanent salaries of Government employees, because we all hope that the cost of living will be reduced, though I do not apprehend that it will go back to where it was before the war in years to come, if it ever does. We can afford, inasmuch as we are a great Government, to pay living wages to the men and women who work for the Government. We can not afford to pay starving wages to them. It is not right to ask it. It is not right to expect it. It is no answer to say that these men can leave the employ of the Government. The question is, Can the Government itself afford to be just in its dealings with those who work for it? I think the Government can afford to be just, as I think private employers are forced and compelled by circumstances to be just. These people will not lay up great supplies of money even with the increase that is proposed here. But they ought to receive pay enough to give them decent living, allow them to have children, and provide some education for their children. I think we can afford to be economical in many directions, but not by starvation wages to those who work for and really maintain the work of the Government itself. [Applause.]

Mr. WOOD of Indiana. Mr. Chairman and gentlemen, the gentleman from Texas [Mr. BLACK] said the thing to do was to go back to the simple life. I dare say, the Government employees that are receiving $60 or $75 a month would like to see the gentleman from Texas or some one else with mighty power wave his magic wand and bring them back to the simple life. Bring them back to the days——

Mr. BLACK. Mr. Chairman, will the gentleman yield for a question?

Mr. WOOD of Indiana. I have only two minutes. I wish I could yield, but I can not. Take the things that the poor man has to buy—the man who is working for the Government at $60 or $75 a month—to keep his soul and body together and to keep the soul and body of his family together. He has to pay 85 cents a dozen for eggs. All character of vegetables have increased in price from 200 to 400 per cent. Take the case of a family such as that spoken of by the gentleman from Tennessee, consisting of a wife with seven little children, where the wife can not get enough for one day's wage of her husband to enable her to give to each of her children a bite of meat.

That is the condition that is confronting us now, a condition not brought about by these men and women working for these wages, which would seem ample in ordinary times when we were back in the simple life. Yet we see this spectacle to-day in the case of people working on salary, clerks and people under Government employ, who are the poorest paid people in all the United States. The average section hand on a railroad to-day is getting $60 a month. A car knocker, whose business it is to sound the wheels when the train rolls into the station to see whether the wheels are safe or not, gets $150 a month. The average jack-leg carpenter gets $8 a day. Your Government clerks get only $60 a month—the same as they got before we entered into this war and before the present high prices of commodities obtained. Something must be done in common justice, in common humanity, to relieve this situation. [Applause.]

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. MASON. Mr. Chairman, I have remaining of my time five minutes. I yield one-half of that to the gentleman from New York [Mr. SNYDER].

Mr. GOOD. Mr. Chairman, I ask unanimous consent that the time allotted for the debate be extended 30 minutes, one-half for and one-half against.

Mr. NOLAN. Mr. Chairman, reserving the right to object, I was very much interested in this amendment, yet I had to keep my time down to three minutes.

The CHAIRMAN. Is there objection?

Mr. BARKLEY. I object.

The CHAIRMAN. The gentleman from Kentucky objects. The gentleman from New York [Mr. SNYDER] is recognized for two minutes and a half.

Mr. SNYDER. Mr. Chairman, in my judgment there is justification for this increase from $120 to $360 which has been asked for. I have in mind an increase that has taken place in a manufactory which manufactured during the war period a semiessential. The average wage rate in that factory, including men, women, and children, during April, 1917, was $17.71 per week, some getting more and some less, or $939.92 per annum, whereas in December last, December 28 of last year, 1918, the average weekly rate for every man, woman, and child was $27.61, or $1,425.72, or an average increase per annum of $494.80.

This proposed increase here, in my judgment, is not more than any employee of the Government should have had to compensate for the difference between the high cost of living at this time and the cost of living previous to the war.

Of course, I am in hope, as every one else is, that during the period that we are now legislating for the necessities will decrease in cost to some extent, and while I shall support the $360 proposition, yet, in view of the great possibility, in my judgment, of a decrease in the cost of living during the period that we are legislating for, I would prefer to vote for an amendment that would provide for an increase of $240 instead of $360.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. STAFFORD. Mr. Chairman, there is no question but that there are some inequalities in the pay of some of our Government employees, but a survey had a year ago as to the comparative salaries of those in civil employment with those in public employment, so far as the clerical force was concerned, showed that, notwithstanding the shortage of labor and the mounting prices in civil employment, which were at the peak, yet the Government salaries were greater than those paid in private employment. Yet on top of that the committee came in here and recommended an appropriation of $120. Now it is sought, because of this organized effort on the part of Federal employees throughout the country, to raise that to $360.

The Commissioner of Internal Revenue has at his disposal in this bill $21,000,000 for the collection of internal revenue. In the last year, under the authority vested in him, he has revised the pay of all those officials, ranging from $1,400 up to $2,500 and above. You plan to give the stenographers in the District here, who are receiving $1,200 or $1,400, more than is being paid in private employment, where they are obliged to work with greater intensity and where they are not allowed 30 days' leave, an increase of salary of $360, amounting to a total drain on the Treasury of $28,000,000.

Oh, it is easy enough to come and ask for this great increase, but if you vote it you will never withdraw from it, because it will be there always to haunt you.

Now, we are providing for a commission here to equalize salaries. For years in the Committee on Appropriations I have been seeking to raise the salaries of the lower-paid officials, those receiving $720 and $840, but my efforts have been unavailing. This year the effort failed by a tie vote. I want to see those salaries raised, but I protest against the unfair method that is being adopted by the organized employees of the country in trying to raid the Treasury now by asking for a higher allowance, when it is admitted that the cost of living will go down. No one who has studied this question can deny but that the Government is a better employer than private employers. No one can deny that in these clerical positions we pay more than private employers.

Oh, true, we pay the charwomen $240 or $320 for two hours' work a day. They have other employment. True, we voted to the postal employees $200 increase. Those employees are persons employed out in the field, who are, in most cases, married; but the great majority of the employees provided for in

this bill are single persons, receiving on an average $1,200 a year, and now you propose in one fell swoop to raid the Treasury to the extent of $28,000,000 just because they have become organized. If we are going into Government ownership of railroads and other public utilities, let us here and now establish the record that we will not be stampeded by raids on the Treasury by organizations of Federal employees merely writing to us and asking increased salaries when they are being paid more than private employees, and who are only too glad to retain their Government positions because they are easier and better paid than those in private employment. They do not resign from the Government service, and there is no better proof of the fact that their salaries are better than those in private employment, when there were plenty of opportunities for employment under private employment, than the fact that they did not resign.

Mr. MASON. Mr. Chairman, how much time have I?

The CHAIRMAN. Two minutes and a half.

Mr. MASON. I want to say to the gentleman that he is mistaken and that these Government employees do resign, and that I hold in my hand here a pile of letters written by men working for $60 a month who left those places to get $5 and $6 a day. They do resign; and their resignations impair not only the credit and good standing of your Government, but they impair the service; they impair the sanitation; they impair the care of the public buildings of this country.

Mr. STAFFORD. Will the gentleman yield? Is there an official who states that they impair the Government efficiency? Can the gentleman cite one instance where any Government official makes that charge?

Mr. MASON. I can if you will give me the time; I can not in a minute and a half. But I say that in the city of Chicago the Federal building there is not being properly cared for. I do not intend to burden the RECORD with all these letters of resignation, but I ask leave to make a synopsis of them. It is not true that for the same service the Government is paying as much as private employers in the city of Chicago. Elevator men there in private employment are getting from 50 to 75 and 100 per cent more than they are getting from the Government of the United States and they do resign, and in a way that throws discredit upon the Government of the United States. I understood that the charwomen worked more than two hours a day for $27 a month; but in the great city of Chicago they have got to pay their car fare, they have got to go at a particular time to do that work, and it is a fact that we are impairing the service and discrediting the good name of the Government of the United States.

PERSONAL EXPERIENCE LETTERS, CUSTODIAN SERVICE.

[Extracts.]

"I am employed at a salary of $55 per month. I have a wife and two children dependent upon me for support and am compelled to deprive myself and family of all amusements or recreation. My wife is compelled to work in order to make both ends meet."

"I have a wife, three children, and a mother to support. I have to work after office hours, because $60 per month is not enough to keep my family in health. When I think of what we passed through last winter, I could wish that God would take my children out of their suffering rather than stand by helpless."

"The salary which I am receiving as charwoman does not bear my expenses, and therefore I am compelled to do other work to support myself and three children."

"I am employed at a salary of $660 per annum. I am compelled to seek work on the outside in order to make both ends meet. Amusements are out of the question. Should I become ill I do not know what would become of my family, because it is absolutely impossible for me to lay aside one cent for any contingency."

"I am employed at a salary of $60.60 per month and have to do outside work in order to meet my expenses, and they are getting worse. And my wife has to work in order that she may help clothe herself and our child."

"I am a single man endeavoring to take care of my parents, who are becoming feeble with age, and I am unable to live off my present salary of $60 per month. I am, therefore, forced to seek evening employment, which prevents me from taking rest after the completion of one job."

"I only get $60.50 a month and have five in the family. My wife has to do laundry work to help when she is able, and after putting in a day's work at the post office I have to hunt other work in order to get by."

"My small salary of $840 per annum is not sufficient to support my family. In order to make both ends meet, I have been compelled to work from 6.30 a. m. to 8.30 p. m. I am compelled to live in the country at a disadvantage in order to cultivate a few acres of land and raise some chickens. This all means hardship, and even using these means it is a struggle to live. I never know what a day's pleasure or holiday is, for it is work all the time to meet the necessities of life."

"During the last three years I have rented a small farm and begin the day at 4.30 and work until about 7 a. m. and then leave my home for the city, and on returning home in the evening I begin again and work until about 9 o'clock and sometimes 10 o'clock at night, and take all of my 14 days' holiday to work on the farm."

"Employed as messenger at $840 per annum. I have a wife and five little children, and find the compensation inadequate for the support of my family, even with the utmost economy, and am obliged to seek work at night. Our compensation has not been increased for many years."

"My salary as charwoman is $25 a month. I have to seek employment outside in order to take care of myself and blind daughter."

(Another employee in the same service writes that his salary being insufficient to support himself and his wife and children, he is obliged to gather rags after office hours when he should be resting.)

"I am employed in the United States public stores, and have not only been forced to do outside work at night in order to live but I have been compelled to take my 15-year-old boy out of school in an effort to keep up, and then I am unable to do so on my present salary of $70 per month, with a bonus of $10 for this year only. I have a wife and three children under 10 years of age, and in keeping with American citizenship it is necessary that I keep my children looking decent and respectable, have a comfortable home, keep them comfortably clad during the winter, and give them an education, if for no other purpose than becoming good American citizens, that they may not of necessity become a burden on us or our country. Could you do this with the above salary? Furthermore, I was compelled to utilize the 14 days given me this year as annual leave to work in a packing house at $4 per day. Is it possible that an individual who works for the United States Government has to go outside to take extra work because of the inadequate salary paid by the Government, and also keep his children out of school (which in itself is a disgrace to the Government) in order to earn the necessaries of life?

"Gentlemen, can you tell me how the standard of American citizenship can be attained at the present cost of commodities on a wage of $70 per month? And how I am to call in a doctor in case of necessity at $3 or $5 a visit?"

Mr. LANGLEY. Mr. Chairman, I am glad to have the privilege of casting my vote for such a just and righteous measure as this is. I know from my own experience as a former employee of the executive branch of the Government what conditions in the departments have been and what they are to-day. I would gladly vote to make the increase even larger than this amendment proposes in——

Mr. GORDON. Will the gentleman yield?

Mr. LANGLEY. No; I can not, as I only have a moment or two.

Mr. GORDON. How much does he think this increase ought to be, if it is too small?

Mr. LANGLEY. I had not finished the sentence. What I had in mind to say was that I would vote even for a larger increase than is proposed in the cases of persons who are in the lower salary grades. There is where the privation really exists. I wish I had time, Mr. Chairman, to state my views more elaborately on these matters to the committee, but since I have not I ask unanimous consent that I may extend my remarks in the RECORD for that purpose.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. SHERLEY. Mr. Chairman and gentlemen of the House, I think it is well not to be swept off our feet touching certain conditions that may need pronounced remedying, to which the gentleman from Illinois [Mr. MASON] has referred, and in order to deal with such a situation we ought not to deal with a great many others that do not present anything like the equities that may exist in regard to the cases he speaks of. Now, if you want to increase the compensation of the employees of public buildings over the country the place to do that is in the sundry civil bill when you get to the item that makes provision for the care and maintenance of those buildings; but a desire to deal with that situation is no reason why you should now vote to increase the pay of a great many clerical people who are getting more money than is being paid for the same sort of work out in civil life; and it is not wise for us here to be swept off our feet at the expense of the Treasury to the extent of something like $30,000,000 or more by these special pleas. [Applause.]

Mr. KEATING. Mr. Chairman, I am sure the Members of the House will not be swept off their feet either by the arguments for or against this amendment. They will not be swept off their feet by the charge that these Government positions are so desirable that no one ever resigns a Government job, when the gentleman from California [Mr. NOLAN] has just quoted figures to show that here in the city of Washington there were 75,000 appointments and 40,000 resignations in the period of a year.

Mr. NOLAN. In less than a year.

Mr. KEATING. In less than a year. That shows how desirable these Government jobs are considered. And yet gentlemen tell you that there is a great scramble for these places.

Mr. STAFFORD. Will the gentleman yield?

Mr. KEATING. No. The gentleman could have quoted these figures when he had the floor. He is perfectly familiar with them.

Now, my friends, this bonus is asked to compensate Government employees for a condition that we know exists, to wit, an increase in the cost of living. It is not necessary to submit statistics. Every man within the sound of my voice knows that since the beginning of the European war there has been an increase in the cost of the necessaries of life of at least 100 per cent, and that the Government clerk who was getting $1,200 a year at the beginning of the European war is now, so far as purchasing power is concerned, receiving only $600 a year. Within the last year there has been an increase of 18 per cent in the cost of living and prices are still going up.

It is also true that the Government of the United States, dealing with other employees, with those who are on the railroads of this country and in the shipyards of the country, through the War Labor Board, has granted awards on account of the increase in the cost of living that make this proposal seem small indeed. All we are asking you to do is to treat the clerical employees of this Government with the same generosity and the same justice that has been accorded to other employees of the Government.

I hope, Mr. Chairman, that the amendment will be adopted, because it only does substantial justice to the employees of this Government, and it will add immeasurably to the efficiency of our service.

Mr. GOOD. Mr. Chairman, I am sure we do not want to do injustice to the men and women who are engaged in the Government service. Neither do we want to do injustice to the Treasury of the United States. Let us stop a minute and see what it is contemplated to do. We have passed an appropriation bill for the Post Office Department, and in that have given an increase of $200 to the men who work outside of the city of Washington, but for the 90,000 Government employees in Washington you propose to give an increase of $360 a year. The statute fixes the pay of common laborers at $660 a year. We give them 7 legal holidays with pay. We give them 60 days vacation every year with pay. In addition to Sundays and these vacations, you propose now to fix the standard here for common laborers, the commonest laborer, at $1,020 a year. I say that any man who votes for that and then hires a man in his own employment and pays less than that is a different kind of individual than I think sits on the floor of the House. You propose to pay charwomen by this measure $440 a year for three hours' work, at a maximum, per day; and any Member of the House who will vote for this proposition and then employ in his own home one of these same charwomen and pay her less than that is unworthy to sit here on the floor of the House. Let us be fair. Let us treat the Treasury with the same consideration that we treat our own pocketbooks. The standard we fix to-day must be the standard that the business men of the country must adopt. When the committee was considering this matter a girl from one of the congressional districts represented by one of the members of the subcommittee, who came here at $1,200 a year, paid out of a lump-sum appropriation in the War Department, and whose salary was increased to $1,400 a year, was notified that her services were no longer necessary. She came and asked this Member to get her a job in Washington, and said she would take $1,000 a year, for that was more than she was getting at home; and yet this amendment would give her and thousands similarly situated $1,750 per year. Let us think of the Treasury. The Agriculture Department says that next year the guaranteed price on wheat will cost the Treasury $1,000,000,000, which means, if they are to be relied upon, that the price of all food must come down during the period for which we are making this appropriation. Let us make this appropriation in fairness to the employee, but for God's sake let us think something of the Treasury of the United States at the same time, and let us remember that you and your constituents will be called upon to supply with funds, to buy bonds, to make good the amount that you are voting out to-day. Let us be fair to all of them. I wish we could go into this matter; I wish we might take the time to consider it, so that we could see that the committee has been fair, absolutely fair, to these employees of the Government; and in order to be sure that we were fair we provided for a commission that would go into this whole question and then in a broad way, without taking dictation from any source, determine what was a fair wage for all of these employees in the various departments, and upon that report base legislation that would be absolutely fair to all of our people, both the Government and those who work for it.

Mr. GORDON. When does the increase provided for in this bill go into effect?

Mr. GOOD. It is for the fiscal year beginning July 1 next.

Mr. GORDON. Ending July 1, 1920.

Mr. GOOD. Yes.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I hope we will look at the proposition presented to the committee in a fair way, with regard not only to the employees of the Federal Government but also the taxpayers who have to foot the bills. I have noticed that in the remarks of these gentlemen who have appeared in support of this amendment not a single reference has been made to the taxpayer whom they represent on the floor of this House. Here is a proposition that contemplates adding $50,000,000 to the expenses of the Government by way of a bonus to the Federal employees at a time when the people of this country are being taxed billions of dollars to pay the expenses of the war in which we have been engaged, and the interest upon the bonds which have been issued during that war. We are asked to add $50,000,000 to this bill as a bonus at a time when the revenue bill is now pending in conference, which proposes to tax the people $6,000,000,000 for the next fiscal year in order to meet the expenses of your Government, and in addition to that we are confronted with the necessity of issuing four or five billion dollars in bonds to make up the deficiency. It is time to call a halt; it is time to take into consideration those back home, who will be required to pay the appropriation you are proposing to make. The question is going to be asked of you when you get back home whether or not you gave them due consideration in these matters.

What are the facts? A year ago this proposition was before the House. It was given a thorough consideration. There was thorough argument made upon the proposition, and the House by vote during war times fixed the bonus at $120 a year. That, I repeat, was during war times, at a time when the expense of living was certainly higher than it can possibly be during the next fiscal year. You are now asked to fix the bonus at $360 a year, or three times the former amount, in peace times, during the fiscal year 1920, during which no man on the floor of this House will say the cost of living will be greater than it has been during the present year.

What are you going to tell the people you represent back home when you are confronted with the proposition that you voted to increase that bonus during peace times? How can you explain such a position when you declined to make any such increase during war times? How, under such circumstances, can you justify your action in increasing the Government expenditures $50,000,000? Now, gentlemen have referred to the fact and they have commented upon the small amount paid to certain employees of the Federal Government. I am in favor of this Government giving a fair compensation and a living wage to everyone whom it employs. I want the United States Government to be a model employer, and I believe the facts will show that in many respects it is a model employer, although, as stated, some of the lower-paid employees——

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNS of Tennessee. I understood the gentleman from Kentucky yielded me his time.

Mr. BARKLEY. I yielded to the gentleman the time which was allotted to me.

Mr. GARRETT of Texas. Mr. Chairman, I will also yield the gentleman what time I have.

The CHAIRMAN. The gentleman is recognized for eight additional minutes.

Mr. BYRNS of Tennessee. Gentlemen have spoken of the $80 and $70 employee. I want to say to you that this amendment offered by the gentleman from Colorado does not take care of him. It takes care of the man who gets $1,200 and more, for he is the only employee under this amendment who will draw the whole $360. The man who gets $2,500 will get $2,860 if this amendment be adopted; the man who gets $1,800 will get $2,160; but the little man, the man whom you and I would like to see helped, does not get the $360 under this amendment offered by the gentleman from Colorado.

Mr. MASON. Will the gentleman yield?

Mr. BYRNS of Tennessee. I do.

Mr. MASON. I ask for information. It does include charwomen who get $27 a month now?

Mr. BYRNS of Tennessee. They do not get the whole amount of $360 under this amendment that is before the committee.

Mr. MADDEN. Will the gentleman yield? Does not this bill provide that no person under this clause shall get more than 30 per cent in addition to their present salary?

Mr. BYRNS of Tennessee. That is the provision to which I alluded.

Mr. MADDEN. So that a charwoman who gets $240 now will only get 30 per cent of that $240, or $72 additional?

Mr. BYRNS of Tennessee. Or $6 a month, just what she is getting to-day and will continue to get during the next fiscal year.

Mr. MASON. Then it does include charwomen?

Mr. MANN. Will the gentleman yield?

Mr. BYRNS of Tennessee. I do.

Mr. MANN. Under the form of the bill would it not be necessary to make first an amendment to the amendment offered by the gentleman from Colorado before amending the other provision?

Mr. BYRNS of Tennessee. I do not know what is in the mind of the gentleman from Colorado; I only know what he has offered here to this committee, and I know that he could have included charwomen and the man getting $60 or $70 a month in the same amendment if he had desired to do so; but what I am calling attention now to is——

Mr. KEATING. Will the gentleman yield?

Mr. BYRNS of Tennessee (continuing). Is the fact that if we adopt this amendment you are voting to give the man who gets $2,000 and $2,500 $360 extra and you are not taking care of the smaller paid employee to whom the gentleman from Tennessee and others have alluded.

Mr. MANN. Will the gentleman yield again——

Mr. BYRNS of Tennessee. No; I can not yield. I want to say, Mr. Chairman, that your committee gave this matter very serious consideration. We had hearings upon it, we considered it from every angle, and we felt for the reasons which have been stated here upon this floor, and the fact that during the next fiscal year the cost of living can not possibly be more than it has been during war times, that we would not be justified in reporting to this House a flat provision greater than that which has been carried in war times and which would increase the expenditure of the people $50,000,000. Now, your committee realize that salaries here in the city of Washington are in many respects——

Mr. AUSTIN. Will the gentleman yield?

Mr. BYRNS of Tennessee. I can not yield. Just let me get through. I do not wish to be discourteous but I will be through in a few minutes. Your committee realize that there are many inequalities in the salaries paid by the Federal Government. Your committee realize that some of these salaries may be too small, but I want to ask whether you are going to give this proposed increase and raise those who are getting the larger salaries on the plea that you are trying to help the little fellow. What your committee propose, and what I hope will be adopted by this House, is a joint commission which will take into consideration this whole proposition and after giving it full consideration report to the House as to what salaries should be allowed these employees, not only to those getting these larger sums, but particularly to those who are getting the smaller amounts.

Mr. AUSTIN. May I ask my colleague a question now?

Mr. BYRNS of Tennessee. I yield.

Mr. AUSTIN. Does not the gentleman think in all fairness that a Member of this House who voted to increase his own secretary's salary $1,200 should vote for this amendment?

Mr. BYRNS of Tennessee. I can only say to the gentleman I did not vote to increase my secretary——

Mr. AUSTIN. The gentleman did not answer my question.

Mr. BYRNS of Tennessee. And more than that, I want to say that those gentlemen who voted to increase the compensation for clerk hire did not do so, as I understand it, with a view of increasing the secretary they have now, but they did so with a view of providing for an additional stenographer. And they say that $1,200 a year is sufficient for a stenographer, and if $1,200 is sufficient to pay for a busy stenographer, who works all hours of the day here at the Capitol, then I want to ask the gentlemen why they think stenographers in the departments, who get, as the gentleman from Iowa said, 7 days holiday, 60 days leave on full pay, and Sundays, are entitled to more. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. O'SHAUNESSY. Mr. Chairman, I desire to offer an amendment to the amendment, if it is now in order.

The CHAIRMAN. Very well.

Mr. O'SHAUNESSY. By substituting the figures "$240" for "$360."

The CHAIRMAN. The gentleman from Rhode Island offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Amendment to the amendment offered by Mr. O'SHAUNESSY: Strike out the figures "$360" and insert in lieu thereof "$240."

Mr. MANN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. If this amendment to the amendment should be defeated and the original amendment should be defeated, would it then be in order to offer as an amendment to the original text of the bill to strike out and insert $240?

The CHAIRMAN. In the opinion of the Chair it would be.

Mr. GARRETT of Tennessee. Mr. Chairman——

The CHAIRMAN. The question is on the amendment to the amendment.

Mr. GARRETT of Tennessee. Mr. Chairman, upon the proposition of the parliamentary inquiry just submitted by the gentleman from Illinois [Mr. MANN] I understood——

The CHAIRMAN. The proposition submitted, as understood by the Chair, is that the amendment offered by the gentleman from Colorado [Mr. KEATING] increases the amount from $120 to $360. The gentleman from Rhode Island [Mr. O'SHAUNESSY] offers an amendment reducing that sum to $240—an amendment to the amendment. The inquiry of the gentleman from Illinois [Mr. MANN] was if the amendment and the amendment to the amendment were defeated would it be in order to offer an amendment fixing the amount at $240.

Mr. MANN. The Chair was right.

Mr. GARRETT of Tennessee. If the $240 proposition is defeated, and then the $360 proposition is defeated, will it be in order to again offer the $240 proposition?

The CHAIRMAN. In the opinion of the Chair it would be in order.

Mr. GARRETT of Tennessee. Although it has been voted on one time?

Mr. MANN. But under different conditions.

The CHAIRMAN. The Chair thinks it would be in order. The question is on the amendment to the amendment, offered by the gentleman from Rhode Island [Mr. O'SHAUNESSY].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. O'SHAUNESSY. I ask for a division, Mr. Chairman.

The committee divided; and there were—ayes 33, noes 91.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question is now on the amendment offered by the gentleman from Colorado [Mr. KEATING].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. KEATING. Division, Mr. Chairman.

The committee divided; and there were—ayes 60, noes 78.

Mr. KEATING. Mr. Chairman, I ask for tellers.

Tellers were ordered, and Mr. BYRNS of Tennessee and Mr. KEATING took their places as tellers.

The committee again divided; and there were—ayes 67, noes 93.

So the amendment was rejected.

Mr. NOLAN. Mr. Chairman, I move to strike out "$120," on line 18, and insert "$240."

The CHAIRMAN. The Clerk will report the amendment.

Mr. MADDEN. Mr. Chairman, I would like to have five minutes on that amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 146, line 18, strike out "$120" and insert "$240."

Mr. BYRNS of Tennessee. Mr. Chairman, I make the point of order against that amendment on the ground that the committee has already voted on it and rejected it.

Mr. DUPRÉ. The answer of the Chairman to the parliamentary inquiry was exactly to the contrary.

Mr. BYRNS of Tennessee. Mr. Chairman, if this amendment is in order, there is no limit as to the number of times it can be offered.

Mr. DUPRÉ. The Chair has already held that it would be in order.

Mr. BYRNS of Tennessee. I am not asking my good friend from Louisiana.

Mr. DUPRÉ. The Chair could not mislead the House in that way.

Mr. MANN. The gentleman from Tennessee [Mr. BYRNS] is one of the ablest men on appropriations who ever sat in the House, but when it comes to parliamentary law he is not so great. The proposition was not whether you would substitute $240 for $120, but whether you would substitute $240 for $360. Now, the House might have a very different idea between substituting $240 for $360 and substituting $240 for $120.

The two propositions are entirely distinct. And if the gentleman's point of order is well taken the result would be that the committee would be given no opportunity of voting directly on the particular proposition if it wanted to vote $240 in preference to $360.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] propounded the inquiry to the Chair, if it would be in order if the amendment offered by the gentleman from Rhode Island [Mr. O'SHAUNESSY] to the amendment offered by the gentleman from Colorado [Mr. KEATING] were defeated, and the amendment offered by the gentleman from Colorado [Mr. KEATING] were defeated, to offer an amendment to the original text of the bill, increasing the rate of compensation from $120 to $240. The Chair answered it would be in order to do so. The amendment offered by Mr. O'SHAUNESSY was to substitute $240 for $360, and the sense of the committee was taken on the proposition substituting $240 for $360, and the latter proposition was defeated, but the sense of the committee on the direct proposition, to increase the pay of Government employees $240 instead of $120, as proposed in the bill, has not been taken, hence the Chair is of opinion that the amendment offered by the gentleman from California [Mr. NOLAN] is in order.

Mr. MADDEN. Mr. Chairman, I would like to be heard for five minutes on that. I ask unanimous consent.

The CHAIRMAN. All time on the pending amendment and all amendments to this section was limited to one hour, and the time is exhausted.

Mr. MADDEN. I ask unanimous consent for five minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent for five minutes. Is there objection?

Mr. BARKLEY. I dislike to do so, but I will have to object.

The CHAIRMAN. The gentleman from Kentucky objects.

The question is on the amendment offered by the gentleman from California [Mr. NOLAN].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. NOLAN and Mr. O'SHAUNESSY demanded a division.

The CHAIRMAN. A division is called for.

The committee divided; and there were—ayes 87, noes 73.

Mr. BYRNS of Tennessee. I ask for tellers, Mr. Chairman.

The CHAIRMAN. The gentleman from Tennessee demands tellers.

Tellers were ordered, and the Chairman appointed Mr. BYRNS of Tennessee and Mr. NOLAN to act as tellers.

The CHAIRMAN. The question is on agreeing to the Nolan amendment.

The committee again divided; and the tellers reported—ayes 94, noes 79.

So the amendment was agreed to.

Mr. NOLAN. Mr. Chairman, I have another amendment.

Mr. SHERLEY rose.

The CHAIRMAN. The gentleman from Kentucky is recognized.

Mr. SHERLEY. Mr. Chairman, I move to amend line 25, page 146, by striking out the word "thirty" and substituting the word "sixty." I want to speak to the amendment after it is reported.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Kentucky.

The Clerk read as follows:

Amendment offered by Mr. SHERLEY: On line 25, page 146, strike out the word "thirty" and insert the word "sixty."

Mr. SHERLEY. Mr. Chairman, with the permission of the committee, I wish to say that the effect of this amendment is simply to make consistent the paragraph so as not to penalize the poorer-paid employees. The committee has just voted to give to the employees a bonus of $240, speaking by and large. As the act was presented by the committee it would have prohibited any bonus that was in excess of 30 per cent, so that although the total amount for the higher-paid employees had been doubled, the effect for the lower-paid employees would be to leave them in just the same situation as they were in. I believe the House, if it wants to increase the pay, wants particularly to increase the pay of the poorer and lower-paid people. Therefore I offer this amendment.

Mr. MANN. I am glad the committee has waked up.

Mr. NOLAN. Would it not have suited better if you had inserted on line 24 the words "who is receiving in excess of $1,000"?

Mr. SHERLEY. No; because there are some instances in which you would not want to make the total increase $240, due to the fact that the employees do not devote their entire time to the work. If this is agreed to, in order not to break the curve, where the figures "$2,620" occur I wish to offer an amendment to make it appear "$2,740."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. KINCHELOE. Mr. Chairman, might I ask a question of the chairman, if he will permit me?

Mr. SHERLEY. Very well.

Mr. KINCHELOE. Suppose the House would adopt the original $120 raise. What shape would that leave the language in?

Mr. SHERLEY. If the House wanted to be consistent, it would vote down the second amendment which has been offered and put the bill back to its former situation. There is no difficulty in the House dealing with the matter, but I take it that the Committee of the Whole having expressed its opinion, it is the duty of those in charge of the bill to undertake to perfect it in accordance with the will of the Committee of the Whole, and that is what I am trying to do. [Applause.]

I offer on page 146, line 20, to strike out the figures "$2,620" and substitute "$2,740," and with the permission of the House I will make at the same time the same amendment in line 23.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SHERLEY: On page 146, line 20, strike out the figures "$2,620" and insert "$2,740," and in line 23, same page, strike out "$2,620" and insert "$2,740."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Kentucky.

The amendment was agreed to.

Mr. SHERLEY. On page 150, in line 13, I move to strike out the figures "$120" and insert "$240."

Mr. MANN. Page 147?

Mr. SHERLEY. No; that page relates to the $120 compensation in the previous act, the existing law, and ought not to be changed. But the one on page 150, line 13, I move to strike out "$120" and insert "$240."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SHERLEY: Page 150, line 13, strike out the figures "$120" and insert "$240."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MANN. Mr. Chairman, how about line 9, on page 127?

Mr. SHERLEY. That $200 relates to a different proposition entirely. It is not a question of rate of compensation, but it applies to persons who shall receive the compensation.

Mr. MANN. Very well.

Mr. BLACK. Mr. Chairman, I have an amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Texas.

The Clerk read as follows:

Amendment offered by Mr. BLACK: Page 148, line 21, after the word "railroads," insert the following language: "telegraph, telephone, marine cable, or radio system or systems," and on line 23 of the same page after the word "railroads," insert the following language "telegraph, telephone, marine cable, or radio system or systems," so that the provision as amended will read:

"The provisions of this section shall not apply to the employees of the railroads, telegraph, telephone, marine cable, or radio system or systems taken over by the United States, and nothing contained herein shall be deemed a recognition of the employees of such railroads, telegraphs, telephone, marine cable, or radio system or systems as employees of the United States."

Mr. BLACK. Mr. Chairman, I ask unanimous consent to modify that amendment by adding the words "express companies" before the word "telegraph" in the amendment in both the places where it occurs.

I do not think it is necessary to discuss the amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Modify the amendment by inserting before the word "telegraph," in both cases, the words "express companies."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. BLACK].

The amendment was agreed to.

The Clerk read as follows:

SEC. 7. That the heads of the several executive departments and other responsible officials, in expending appropriations contained in this act, so far as possible shall purchase material, supplies, and equipment, when needed and funds are available, from other services of the Government possessing material, supplies, and equipment no longer required because of the cessation of war activities. It shall be the duty of the heads of the several executive departments and other officials, before purchasing any of the articles described herein, to ascertain from the other services of the Government whether they have articles of the character described that are serviceable. And articles purchased by one service from another, if the same have not been used, shall be paid for at a reasonable price not to exceed actual cost, and if the same have been used, at a reasonable price based upon length of usage. The various services of the Government are authorized to sell such articles under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as a miscellaneous receipt.

Mr. FORDNEY. Mr. Chairman——

Mr. BYRNS of Tennessee. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment: On page 151, line 9, after the word "receipt," insert the following:

"*Provided*, That this section shall not be construed to amend, alter, or repeal the Executive order of December 3, 1918, concerning the transfer of office material, supplies, and equipment in the District of Columbia falling into disuse because of the cessation of war activities."

Mr. BYRNS of Tennessee. Mr. Chairman, on December 3, 1918, the President issued an Executive order providing that all the excess materials, supplies, and equipment in the various departments of the Government here in Washington should be turned over to the General Supply Committee, and that departments needing additional office material and supplies should purchase through this General Supply Committee. Now, it has been thought that the provision as written in the bill might serve to repeal the Executive order and that these departments might feel authorized to purchase through the machinery of the department rather than through the General Supply Committee. This amendment is offered in order to guarantee that these purchases shall be made through the General Supply Committee appointed by law.

Mr. RAKER. I understand that these supplies are on hand and that there is much of this material. Will this bill provide a means by which the other departments which need supplies shall take what is on hand rather than go out and buy new material?

Mr. BYRNS of Tennessee. That is the object of the section and was the object of the order of the President issued on December 3.

Mr. RAKER. When one department gets through with the material that it has on hand, is there any objection to taking care of it until the other department takes charge of it? For instance, down here at Sixth and B Streets, in the Ordnance Department, there is a good deal of material that for the last month or two has not been used in the way of desks and filing cases. Those things are needed in other departments, and they ought to be turned over without selling them at half or one-third price.

Mr. BYRNS of Tennessee. The gentleman is clearly correct, and that is the object of this provision.

Mr. RAKER. I am very glad the gentleman has placed it in this bill. It is fine. It will save the Government a million dollars.

Mr. FORDNEY. Mr. Chairman, I hope I may be permitted to divert from the subject before the House for a few minutes. Yesterday morning's Washington Post contained a statement made by Mr. Morrison, secretary of the American Federation of Labor, before the Committee on Immigration, in which it is said that there are a certain number of unemployed men about the country. He gave the number unemployed in various cities. Among others he named the city of Aberdeen, Wash., where he is quoted as saying there were 3,000 unemployed laborers. I was under the impression that Mr. Morrison was in error. I happen to be president of a logging company with headquarters in Aberdeen, Wash. I wired to a gentleman in Aberdeen to know as to the correctness of that statement made by Mr. Morrison, and I will ask the Clerk to read a telegram which I received in answer to a question that I asked as to the correctness of the statement. I set forth in detail exactly what Mr. Morrison said.

The Clerk read as follows:

J. W. FORDNEY. ABERDEEN, WASH., *January 17, 1919.*

100 House Office Building, Washington, D. C.:

Several mills down for repairs; several running nights. Camps not in full operation yet. This is only temporary. Have interviewed the principal banker, the largest logger, the manager of the largest shipyard, and other large employers of labor, also the chief of police, and the concensus of their opinions is that there is employment here now for all men that are available, and that a normal resumption of the lumber industry will develop a shortage of 1,000 men in this district. Our own operation is short-handed, though we have some of the finest camps ever built and are complying with the rates fixed by the spruce production division, ranging from 50 cents to $1 per hour for an eight-hour day. The metal trades union, representing about eleven hundred men, are on strike at shipyards. They are demanding $8 for mechanics, $6 for helpers, and $3.50 for laborers. They should not be considered as unemployed.

WALTER L. STOUTE.

Mr. FORDNEY. Gentlemen, Mr. Stoute is superintendent of the company of which I am president. That telegram states that we are paying from 50 cents to $1 per hour for an eight-hour day's work. That means that section hands on the railroad are receiving $4 a day for an eight-hour day. Other labor in the camps is receiving as high as $8 a day for an eight-hour day. When Mr. Morrison states that there is a surplus of labor in the country for which employment can not be found he misstates facts, if he made that statement. There is employment for every man who wants employment to-day anywhere about the country wherever I have information on that subject.

Mr. RAKER. Will the gentleman yield?

Mr. FORDNEY. I will.

Mr. RAKER. I was present as one of the members of that committee when Mr. Morrison made that statement; and he made this further statement, that a great many concerns, particularly the packing houses and others, claimed that there was not a shortage of labor unless there were four or five men standing at the gate waiting for one man's job.

Mr. FORDNEY. Let me tell you where there is a shortage. Go down on Fifteenth Street this afternoon, and in front of Keith's Theater you will find people standing in line for 100 feet outside of the door waiting for an opportunity to buy a ticket to the theater. There is a shortage of seats in amusement places. There is no shortage of employment for men in this country at this time.

Mr. GARNER. We have just voted an increase of salary so that those people can buy additional tickets.

Mr. FORDNEY. Oh, I am in favor of good salaries and have always paid them all of my life, and I am a workingman myself. There is no shortage of labor. There were American casualties in this war to the extent of about 500,000 men, when the truth is known. That number of Americans have been killed or wounded and put out of commission in this war. To take 500,000 men out of this country, as the war has done, who will be unable hereafter to fill the position of an able-bodied man, with yet more than 2,000,000 men in the Army, and then to make the statement that there is a shortage of employment for labor in this country is to make a statement that is not true. Mr. Morrison's information is wrong.

Mr. MASON. May I ask the gentleman whether it is not true that in the building trades in great cities like Chicago there is a large number of unemployed men?

Mr. FORDNEY. This morning, in my office, I asked an employer of labor, who is a Chicago contractor, about that, and he said that with a fine-tooth comb you can not find unemployed men in Chicago. That is my information this morning. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee.

The amendment was agreed to.

The Clerk read as follows:

SEC. 8. That a joint commission is created to be known as the "joint commission on reclassification of salaries," which shall consist of five Senators, who will be Members of the Sixty-sixth Congress, to be appointed by the President of the Senate, and five Representatives, who will be Members of the Sixty-sixth Congress, to be appointed by the Speaker. Vacancies occurring in the membership of the commission shall be filled in the same manner as the original appointments.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order.

Mr. WALSH. Mr. Chairman, I make the point of order.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask unanimous consent that the entire section may be read, and that at the end of the reading of the section amendments for reservation of points of order may be made.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the entire section be read at this time. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. Mr. Chairman, I make the same request with reference to section 9, in order that it may not be necessary to do it at that time.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk read as follows:

It shall be the duty of the commission to investigate the rates of compensation paid to civilian employees by the municipal government and the various executive departments and other governmental establishments in the District of Columbia, except the navy yard and the Postal Service, and report, by bill or otherwise, as soon as practicable what reclassification and readjustment of compensation should be made so as to provide uniform and equitable pay for the same character of employment throughout the District of Columbia in the services enumerated.

The commission is authorized to sit during the sessions or recess of Congress, to send for persons and papers, to administer oaths, to summon and compel the attendance of witnesses, and to employ such personal services and incur such expenses as may be necessary to carry out the purposes of this section.

The heads of the various governmental services and the Commissioners of the District of Columbia shall furnish office space and equipment, detail officers and employees, furnish data and information, and make investigations whenever requested by the commission in connection with the purposes of this section.

For payment of the expenses authorized to be incurred there is appropriated $50,000, or so much thereof as may be necessary, to be available immediately and to be disbursed upon vouchers approved by the commission, which approval shall be conclusive upon the accounting officers of the Treasury Department.

Mr. WALSH. Mr. Chairman, I make the point of order.

Mr. BYRNS of Tennessee. Mr. Chairman, I hope the gentleman will reserve it for a moment.

Mr. WALSH. I intend to make the point of order, but I shall reserve it for a moment.

Mr. BYRNS of Tennessee. Mr. Chairman, a similar provision to this was adopted on the Post Office appropriation bill with reference to postal employees. It went through without a point of order being made against it. I hope the gentleman will not make the point of order now, because it has been stated here on the floor of the House, and it is true, that there are a number of employees here in the District of Columbia who are getting very small salaries, while there are other employees who are getting salaries that are larger than is being paid for similar clerical services in other departments. In short, there is the greatest inequity, the greatest want of uniformity, running through all of the departments with reference to salaries. I think the next Congress can, after a report is made by a commission consisting of five Senators and five Representatives, pass through here some legislation which will correct these inequalities and do justice to these employees. Members have said on the floor that Government employees are not receiving now the amount of money that is being paid in private employment. That I do not admit; but if it is true, then it can be corrected upon a proper report. I trust the gentleman will not make the point of order, but will permit it to go through, just as he did with reference to the Post Office appropriation bill. I regard this as very important. Let us get the facts and then do the right thing both by the Government and its employees.

Mr. WALSH. Mr. Chairman, I agree with the gentleman that the next Congress, I think, will be able to correct inequities much better than the present Congress, but it will not need a joint commission to furnish information in order that it may do so. The gentleman refers to the Post Office appropriation bill. No one could make a point of order on that bill. One afternoon here when there were very few people present, before any of us knew what was in the Post Office appropriation bill, unanimous consent was granted that everything in the bill should be considered in order notwithstanding the rules of the House. We have just corrected inequities in salaries, at least that was the argument made by those advocating the $240 increase, and we are not going to further correct those inequities by having a joint commission comprised of five Members of the House and five Members of the other body to report during the next Congress. For all we know, before they get a chance to organize we may be back here at work on the regular work of the Sixty-sixth Congress. I submit to the gentleman that to expend $50,000 in addition to the great amount of money that will have to be appropriated to carry this $240 increase will not be worth the candle. I make the point of order.

Mr. AUSTIN. Mr. Chairman, I ask the gentleman to withhold it for a moment.

Mr. WALSH. No; I make the point of order.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

SEC. 9. That the temporary office buildings erected in the District of Columbia for use of the various branches of the Government in connection with the prosecution of the war shall not be removed except as authorized by law, and their care, maintenance, and protection shall be under the direction and supervision of the Superintendent of the State, War, and Navy Department Building.

Space in said temporary buildings and space available for office purposes in other Government buildings, owned or leased, in the District of Columbia shall be allotted and assigned, upon order of the President, in such manner as to provide for their maximum economic use by Federal activities only, with a view to removing as soon as possible from rented quarters all services that can be housed in the Government-owned buildings.

Appropriations for rent of office space, contained in this or any other act, for the fiscal year 1920, except for space under lease for a term of years expiring after June 30, 1919, shall be available only for obligation for rental of such office space in the District of Columbia as may be determined by the President to be necessary in addition to the space available in Government-owned buildings.

Appropriations or allotments for rent, and for the care, protection, maintenance, and repair of rented quarters, after allowing for the payment of outstanding obligations, shall be covered into the Treasury immediately upon the housing of the respective services in Government-owned buildings for which funds are available for such expenses.

Mr. MANN. Mr. Chairman, I make the point of order on the paragraph.

Mr. BYRNS of Tennessee. Mr. Chairman, it is subject to the point of order, and I take there is nothing that I can say to the gentleman to induce him to withdraw his point of order?

Mr. MANN. I am willing to reserve it for a moment, but I will say that I am unalterably opposed to keeping these temporary buildings in the parks where the Government has stolen space that ought to be devoted to park purposes. Here is a provision that they can not be removed except as authorized by law. That means that they will be there until they fall down.

Mr. BYRNS of Tennessee. Does not the gentleman think Congress ought to have some authority?

Mr. MANN. Yes; I do.

Mr. BYRNS of Tennessee. As to when they shall be removed?

Mr. MANN. Oh, I think they ought to be removed at the earliest possible moment, as far as I am concerned. I do not think the difficulty will be in keeping them there; I think the difficulty will be ever to get them removed. Now, the gentleman proposes to put in permanent legislation a provision that those buildings shall not be moved. Why, I remember the fight there was here for years to get the Pennsylvania Avenue station off the Mall, and various other fights. I went through one in Chicago with my colleague here to get the old temporary post office off the lake front and the old exposition buildings, and year after year that fight continued before they were gotten off, and it will be difficult enough to get them off here. Now, to say by way of legislation that after a building has fallen down that you can not change it merely through making an appropriation to remove it is, to my mind, contrary to what ought to be done.

Mr. BYRNS of Tennessee. Is that the only paragraph in this section to which the gentleman has serious objection?

Mr. MANN. I think it is one of the paragraphs.

Mr. GOOD. I will submit to the gentleman that if he will offer a new section there to read, "That the care, maintenance, and protection of the temporary buildings erected in the District of Columbia shall be under the direction and supervision of the superintendent of the State, War, and Navy Building," and then following——

Mr. MANN. I have no objection, as far as I am concerned.

Mr. BYRNS of Tennessee. Will this meet the objection of the gentleman from Illinois, to strike out the language on page 153, line 1, reading as follows: "Not to be removed except as authorized by law, and their care, maintenance, and protection"——

Mr. MANN. My objection is to the language, "shall not be removed except as authorized by law." I know, as I say, how difficult it is to get laws passed.

Mr. BYRNS of Tennessee. Then, Mr. Chairman, I understand the Chair sustains the point of order?

The CHAIRMAN. The Chair understood the gentleman to withhold the point of order.

Mr. BYRNS of Tennessee. I understood the gentleman from Illinois to insist upon the point of order, and I was about to offer an amendment.

Mr. STAFFORD. If the gentleman will permit, may I suggest it has been already called to the attention of the gentleman by my colleague, the gentleman from Iowa [Mr. GOOD], that if he will transpose the language so it will read, "That the care, maintenance, and protection of the temporary office buildings erected in the District of Columbia for use of the various branches of the Government in connection with the prosecution of the war shall be under the supervision of the Superintendent of the State, War, and Navy Building"——

Mr. BYRNS of Tennessee. That is the amendment I propose to offer.

Mr. STAFFORD. I beg the gentleman's pardon.

The CHAIRMAN. The point of order of the gentleman from Illinois is sustained.

Mr. BYRNS of Tennessee. Mr. Chairman, I offer an amendment for a new section 9, to read as follows: "That the care, maintenance, and protection of the temporary office buildings erected in the District of Columbia for use of the various branches of the Government in connection with the prosecution of the war shall be under the direction and supervision of the superintendent of the State, War, and Navy Department Building," and the remainder of the language as it appears in the section of the bill.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. BYRNS of Tennessee offers an amendment as a new section, on page 152, to read as follows:

"SEC. 9. That the care, maintenance, and protection of the temporary office buildings erected in the District of Columbia for use of the various branches of the Government in connection with the prosecution of the war shall be under the direction and supervision of the superintendent of the State, War, and Navy Department Building."

Mr. WALSH. Mr. Chairman, I reserve a point of order. Does the gentleman think that the adoption of this amendment will at all expedite the disposition of these buildings and the return of the sites upon which they are located to their former state?

Mr. BYRNS of Tennessee. It will certainly not deter the return and removal of the buildings in any sense. That is what

the committee was trying to do, so far as the original section was concerned, to leave the matter altogether with a future Congress as to whether or not they should be removed. This, however, I will say to the gentleman, I think especially necessary, since some one ought to be put in charge of those buildings. They are there, and if they are vacated some one ought to have the care of them. The Food and Fuel Administrations, and I hope a great many of the employees of the Ordnance and other branches of the War Department in Henry Park, are going to be relieved of their duties very shortly, and those buildings will be left there with no one to look after them.

Mr. WALSH. It seems to me the proposition ought to be taken care of by Congress by specifying when those buildings shall be removed and then compel the occupants of the various departments to get out before that date. If you are going to leave the care of them to somebody's jurisdiction they will use that fact that they are under their care for an excuse and reason for never consenting that they should be vacated or that those buildings should be removed and taken down.

Mr. BYRNS of Tennessee. Now, the gentleman presented a very forceful argument this morning in favor of the Department of Commerce occupying some of these buildings.

Mr. WALSH. Yes.

Mr. BYRNS of Tennessee. The gentleman insisted very strenuously that those buildings ought to be occupied by Government employees——

Mr. STAFFORD. That was this morning; this is this afternoon.

Mr. WALSH. Yes.

Mr. BYRNS of Tennessee. I submit that, with all deference to consistency, the gentleman ought not to object to placing the superintendent of the State, War, and Navy Department Building in charge of those buildings, so that in those buildings, which will be occupied by certain bureaus of the Government, some one will have authority to see that they are properly taken care of and preserved, and I think this is true also of buildings which will be vacated until they are actually removed, for certainly the Government would not want to turn them loose without anyone vested with authority to look after them.

Mr. WALSH. Yes; it is true. The gentleman is correct. I was in favor of the Department of Commerce occupying one of these buildings; but now the gentleman wants to place a building that is not occupied by any Government department under the jurisdiction of the War Department.

Mr. BYRNS of Tennessee. Oh, no.

Mr. WALSH. The superintendent of the State, War, and Navy Building. And that will be used as a reason and excuse for neither removing the building nor disposing of it or having it occupied by any other Government department. The way to handle this thing is for Congress to decide what shall be done with these buildings and to fix the date when they shall be vacated and removed.

Mr. BYRNS of Tennessee. I am not disposed to dispute that point with the gentleman; but Congress will be in session, and Congress can very easily determine when it wants these buildings removed; but in the meantime here are the two buildings in Potomac Park occupied by the Navy Department and the War Department.

Mr. WALSH. Who is taking care of them now?

Mr. BYRNS of Tennessee. The superintendent of the State, War, and Navy Department Building.

Mr. WALSH. There is no authority of law for that.

Mr. BYRNS of Tennessee. He is taking care of them while the War and Navy Departments are occupying those buildings. Take the War Trade Board Building, which is located on Government land, a two or three story building, between Fourteenth and Fifteenth Streets, near the Mall. Some one ought to be placed in charge of that building. It does not mean any extra expense; it does not increase the salary of the superintendent of the State, War, and Navy Department Building, and certainly some one ought to be vested with taking charge of the property of the Government. I hope the gentleman will not object.

Mr. WALSH. I make the point of order, Mr. Chairman.

The CHAIRMAN. The point of order is sustained.

Mr. BYRNS of Tennessee. Mr. Chairman, I move that the committee do now rise.

Mr. GALLAGHER. Mr. Chairman, I ask unanimous consent to go back to page 39 for the purpose of offering a short amendment.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to return to page 39 for the purpose of offering an amendment. Is there objection?

Mr. MANN. We can not hear what it was.

Mr. GALLAGHER. I want to go back to page 39 for the purpose of offering a short amendment.

Mr. STAFFORD. Mr. Chairman, let the amendment be first reported before consent is given.

Mr. GALLAGHER. On line 17, page 39, I wish to move to change the word "section" to "division" and to add after "chief, $2,250," "assistant chief, $1,800."

Mr. STAFFORD. Mr. Chairman, I wish to say that that question was under consideration before the subcommittee and that committee decided not to allow it. Therefore I object.

Mr. BYRNS of Tennessee. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. WINGO. Mr. Chairman, I want to offer an amendment at the end of the bill.

Mr. BYRNS of Tennessee. Mr. Chairman, I yield to the gentleman from Arkansas.

Mr. WINGO. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Arkansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. WINGO offers an amendment as follows: At the end of the bill insert:

"*Provided*, That in the case of space under lease for a term of years no appropriation shall be available until the head of the department in each case shall certify in writing that he has made every proper effort to sublet or procure a cancellation by mutual consent where it is possible to procure space in Government-owned buildings or rent other suitable space at a lower rental than that covered by existing laws."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the amendment.

Mr. WINGO. Mr. Chairman, I ask unanimous consent to insert the words "for rent."

The CHAIRMAN. At what point?

Mr. WINGO. After the words "no appropriation shall be available."

Mr. STAFFORD. Mr. Chairman, this is too important a subject to be considered at this late hour. The subcommittee on appropriations has given very thorough consideration to the question of rental of occupied quarters, and therefore I make the point of order.

Mr. WINGO. On what ground?

Mr. STAFFORD. The point of order, first, is that it is not offered in the proper place in the bill.

Mr. WINGO. Mr. Chairman, I would like to be heard.

The CHAIRMAN. The point of order is sustained.

Mr. WINGO. Mr. Chairman, I would like to be heard on the point of order. It is plainly a limitation upon expenditure.

The CHAIRMAN. The Chair thinks that it is entirely speculative as to whether it would be a saving or additional expense.

Mr. WINGO. It is a limitation on the expenditure. It is the very amendment the chairman of the committee challenged me to offer.

Mr. BYRNS of Tennessee. Oh, no. I did not make any challenge to the gentleman. I would not do a thing like that.

The CHAIRMAN. The question is whether or not it results in the reduction of expense.

Mr. WINGO. It says the appropriation shall not be available except in certain cases, which in itself, on the face of the amendment, reduces the amount of the expenditure in this item.

The CHAIRMAN. The Chair does not feel called upon to speculate on a question like that in ruling on a point of order.

Mr. WINGO. I simply ask the Chair to read the amendment. On its face it provides for a reduction of the sum to be expended.

Mr. BYRNS of Tennessee. The Chair can not tell whether there will be a reduction or not. No one can tell—not even the gentleman from Arkansas—whether there will be a reduction.

Mr. WINGO. I would like to start even a tendency to stop these extravagant rentals.

Mr. BYRNS of Tennessee. You would not have anyone to take care of the buildings. What would you do about that?

The CHAIRMAN. The Clerk will again report the amendment.

The amendment was again read.

Mr. STAFFORD. Mr. Chairman, I make the point of order that the amendment is not offered at the proper place in the bill. It applies to every item relating to rental, and it is a fundamental principle of the House that in the committee, in considering appropriation bills, that when a provision to which an amendment would be in order is passed you can not at

the end of a bill bring up matter that has formerly been considered.

Mr. WINGO. I want to submit this to the Chair: The last thing to which I offered an amendment was a provision relating to rental. All through the bill you find provisions relating to rent. This provision of mine goes to every provision in the bill regarding rent, and requires, wherever possible, that a reduction shall be made in the rent.

The CHAIRMAN. The Chair made his ruling predicated on the Holman rule, assuming that the gentleman offered his amendment under the Holman rule on the ground that it would result in the reduction of expenditure. Construing the Holman rule Mr. Hay, as Chairman of the Committee of the Whole, held:

To be within the Holman rule, the reduction of expenditures must appear as a necessary result of the legislative provision sought to be incorporated.

That ruling was made on January 30, 1915, at the third session of the Sixty-third Congress, page 2748 of the CONGRESSIONAL RECORD. In Hinds' Precedents, volume 4, section 3887, page 591, it is held that an amendment—

must not be merely speculative, but must appear on the face of the bill.

The point of order is sustained.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask unanimous consent that the Clerk may be permitted to correct totals in the bill wherever necessary.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the Clerk be permitted to correct totals in the bill wherever necessary. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Tennessee moves that the committee do now rise. The question is on agreeing to that motion.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. ALEXANDER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. BYRNS of Tennessee. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The SPEAKER. The gentleman from Tennessee moves the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. MADDEN. Mr. Speaker, I demand a separate vote on the so-called clerk-hire amendment.

The SPEAKER. The gentleman from Illinois demands a separate vote on the amendment regarding clerk hire.

Mr. BYRNS of Tennessee. I ask for a separate vote on the amendment of the gentleman from California [Mr. NOLAN] to section 6, and on the amendments of the gentleman from Kentucky [Mr. SHERLEY], which were offered to perfect the section after the adoption of the Nolan amendment.

The SPEAKER. Does anybody else demand a separate vote?

Mr. SISSON. Mr. Speaker, on the so-called clerk-hire amendment there are two amendments.

Mr. MANN. No; there is only one.

Mr. SISSON. One fixes the amount at $3,200, with a proviso.

Mr. MANN. There is only one amendment.

Mr. CAMPBELL of Kansas. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The Chair will let the gentleman from Kansas have his right. Without objection, as to other amendments than those indicated, the Chair will put them in gross. The question is on agreeing to the other amendments.

The other amendments were agreed to.

The SPEAKER. The gentleman from Kansas raises the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and ninety-eight gentlemen are present—not a quorum. The Clerk will call the roll, the Doorkeeper will close the doors, and the Sergeant at Arms will notify the absentees.

Mr. CRISP. Mr. Speaker, will the Chair kindly state what amendment we will vote on?

The SPEAKER. On the amendments in gross which were not segregated.

Mr. MANN. The Speaker announced that those amendments were agreed to. Then the point of order was made that there was not a quorum present.

The SPEAKER. The Speaker announced what?

Mr. MANN. That the amendments not segregated were agreed to.

The SPEAKER. But the gentleman from Kansas made the point of no quorum.

Mr. MANN. He did not make the point of no quorum on that vote.

Mr. CAMPBELL of Kansas. My point of no quorum was made before that question was put to the House, and not upon that question.

The SPEAKER. What is it that the gentleman wants the yeas and nays upon?

Mr. STAFFORD. He does not wish the yeas and nays. He wants a quorum here.

Mr. BYRNS of Tennessee. Mr. Speaker, I move a call of the House.

The SPEAKER. The Clerk will call the roll. Those in favor of adopting the amendments in gross will answer "yea": those opposed will answer "nay."

The question was taken; and there were—yeas 288, nays 0, answered "present" 2, not voting 140, as follows:

YEAS—288.

Alexander	Elston	Kettner	Rayburn
Almon	Esch	Kincheloe	Reavis
Anderson	Essen	King	Reed
Anthony	Fairchild, G. W.	Kinkaid	Robinson
Asswell	Fairfield	Kitchin	Rucker
Austin	Ferris	Knutson	Rogers
Baer	Fields	Kraus	Romjue
Bankhead	Fisher	La Follette	Rose
Barkley	Flood	Lampert	Rouse
Barnhart	Fordney	Langley	Rowe
Beakes	Foss	Larsen	Ruby
Bell	Foster	Lazaro	Sanders, La.
Birch	Frear	Lee, Ga.	Saunders, Va.
Black	Freeman	Lehlbach	Schall
Bland, Ind	French	Lesher	Scott, Iowa
Bland, Va.	Fuller, Ill.	Lever	Scott, Mich.
Blanton	Gallagher	Linthicum	Sells
Brand	Gandy	Little	Shattenberger
Browne	Gard	Lobeck	Shelley
Buchanan	Garner	Lonergan	Sherwood
Burnett	Garrett, Tenn.	Longworth	Sims
Burroughs	Garrett, Tex.	Luffin	Sinnott
Byrnes, S. C.	Gillett	McAndrews	Sisson
Byrns, Tenn.	Glynn	McArthur	Slayden
Campbell, Kans.	Good	McFadden	Sloan
Campbell, Pa.	Goodall	McKenzie	Smith, Mich.
Canon	Goodwin, Ark.	McKeown	Snook
Cantrill	Gould	McKinley	Snyder
Caraway	Graham, Ill.	McLaughlin, Mich.	Stafford
Carter, Okla.	Gray, Ala.	McLemore	Steagall
Cary	Green, Iowa	Madden	Stephens
Chandler, N. Y.	Greene, Mass.	Magee	Stephens, Nebr.
Chandler, Okla.	Greene, Vt.	Mann	Stevenson
Church	Griffin	Mansfield	Stiness
Clark, Pa.	Hadley	Mapes	Sweet
Classon	Hamilton, Mich.	Martin	Switzer
Claypool	Hamlin	Mason	Tague
Coady	Harrison, Miss.	Mays	Taylor, Colo.
Collier	Harrison, Va.	Merritt	Temple
Connally, Tex.	Hastings	Miller, Minn.	Thompson
Connelly, Kans.	Hauger	Miller, Wash.	Tillman
Cooper, Ohio	Hawley	Monkell	Tilson
Cooper, W. Va.	Hayden	Montague	Timberlake
Cooper, Wis.	Hayes	Moon	Van Dyke
Copley	Heaton	Moore, Pa.	Venable
Crago	Helgesen	Morgan	Vestal
Cramton	Hensley	Mott	Vinson
Crisp	Hersey	Nedf	Volstead
Crosser	Hicks	Nelson, A. P.	Walker
Currie, Mich.	Hillard	Nelson, Mich.	Walsh
Curry, Cal.	Hollingsworth	Nolan	Walton
Dale	Houston	Oldfield	Ward
Dallinger	Howard	Oliver, Ala.	Watson
Davis	Huddleston	Osborne	Weaver
Decker	Hull, Iowa	O'Shaunessy	Watson, Pa.
Denison	Hull, Tenn.	Overstreet	Watson, Va.
Denton	Humphreys	Padgett	Welling
Dickinson	Igoe	Parker, N. J.	Welty
Dies	Ireland	Phelan	Whaley
Dillon	Jacoway	Platt	Wheeler
Dixon	James	Polk	White, Me.
Dominick	Johnson, S. Dak.	Pou	Williams
Doolittle	Johnson, Wash.	Powers	Wilson, La.
Doremus	Jones	Purnell	Wilson, Tex.
Doughton	Juul	Quin	Winge
Dowell	Kahn	Ragsdale	Winslow
Dupré	Kearns	Rainey, H. T.	Wood, Ind.
Dyer	Keating	Rainey, J. W.	Woods, Iowa
Eagan	Kehoe	Raker	Woodyard
Eagle	Kelley, Mich.	Ramseyer	Wright
Elliott	Kelly, Pa.	Randall	Young, N. Dak.
Ellsworth	Kennedy, Iowa	Reeder	

ANSWERED "PRESENT"—2.

Emerson. Treadway.

NOT VOTING—140.

Ashbrook	Beshlin	Bowers	Brumbaugh
Ayres	Blackmon	Britten	Butler
Bacharach	Bohber	Brodbeck	Caldwell
Benson	Borland	Browning	Candler, Miss.

Carew	Godwin, N. C.	McLaughlin, Pa.	Shackleford
Carlin	Gordon	Maher	Shouse
Carter, Mass.	Graham, Pa.	Moores, Ind.	Siegel
Clark, Fla.	Gray, N. J.	Morin	Slemp
Cleary	Gregg	Mudd	Small
Costello	Griest	Nelson, J. M.	Smith, Idaho
Cox	Hamill	Nicholls, S. C.	Smith, C. B.
Darrow	Hamilton, N. Y.	Norton	Smith, T. F.
Davey	Hardy	Oliver, N. Y.	Snell
Delaney	Haskell	Olney	Stedman
Dempsey	Heintz	Overmyer	Steele
Dent	Helm	Paige	Stephens, Miss.
Dewalt	Helvering	Park	Sterling
Dill	Holland	Parker, N. Y.	Strong
Donovan	Hood	Peters	Sullivan
Dooling	Husted	Porter	Sumners
Drane	Hutchinson	Pratt	Swift
Drukker	Johnson, Ky.	Price	Taylor, Ark.
Dunn	Kennedy, R. I.	Ramsey	Templeton
Edmonds	Key, Ohio	Riordan	Thomas
Estopinal	Kiess, Pa.	Robbins	Tinkham
Evans	Kreider	Roberts	Towner
Fairchild, B. L.	LaGuardia	Rowland	Vare
Farr	Lea, Cal.	Rucker	Waldow
Fess	Littlepage	Russell	Weaver
Flynn	London	Sabath	Webb
Focht	Lundeen	Sanders, Ind.	White, Ohio
Francis	Lunn	Sanders, N. Y.	Wilson, Ill.
Fuller, Mass.	McClintic	Sanford	Wise
Gallivan	McCormick	Scully	Young, Tex.
Garland	McCulloch	Sears	Zihlman

So the other amendments were agreed to in gross.

The Clerk announced the following pairs:

Until further notice:

Mr. MAHER with Mr. MOORES of Indiana.

Mr. OLIVER of New York with Mr. MUDD.

Mr. OLNEY with Mr. PAIGE.

Mr. PARK with Mr. PETERS.

Mr. PRICE with Mr. RAMSEY.

Mr. SABATH with Mr. SANDERS of New York.

Mr. SEARS with Mr. SANDFORD.

Mr. SHOUSE with Mr. SIEGEL.

Mr. SMALL with Mr. SMITH of Idaho.

Mr. C. B. SMITH with Mr. FULLER of Massachusetts.

Mr. T. F. SMITH with Mr. TINKHAM.

Mr. SULLIVAN with Mr. HAMILTON of New York.

Mr. WEBB with Mr. GARLAND.

Mr. BRUMBAUGH with Mr. BRITTEN.

Mr. LEA of California with Mr. ZIHLMAN.

Mr. BOOHER with Mr. TREADWAY.

Mr. SCULLY with Mr. COSTELLO.

Mr. ESTOPINAL with Mr. EMERSON.

Mr. WHITE of Ohio with Mr. NORTON.

Mr. NICHOLLS of South Carolina with Mr. DUNN.

Mr. RIORDAN with Mr. BACHARACH.

Mr. ASHBROOK with Mr. PARKER of New York.

Mr. HOLLAND with Mr. BROWNING.

Mr. HAMILL with Mr. HUTCHINSON.

Mr. BLACKMON with Mr. STRONG.

Mr. BENSON with Mr. HUSTED.

Mr. STEELE with Mr. BUTLER.

Mr. CLARK of Florida with Mr. DARROW.

Mr. GALLIVAN with Mr. EDMONDS.

Mr. HELVERING with Mr. FARR.

Mr. HELM with Mr. HASKELL.

Mr. LITTLEPAGE with Mr. KENNEDY of Rhode Island.

Mr. LUNN with Mr. KIESS of Pennsylvania.

Mr. MCCLINTIC with Mr. LAGUARDIA.

The result of the vote was announced as above recorded.

A quorum being present, the doors were opened.

Mr. BAER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the new raise in the railroad rates.

The SPEAKER. The gentleman from North Dakota asks unanimous consent to extend his remarks in the RECORD upon the railroad rates. Is there objection?

Mr. WALSH. Mr. Speaker, I object for the present. That ought to be done after this legislation is passed.

The SPEAKER. The Clerk will report the first of these amendments.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: On page 19, after line 12, insert the following:

"Clerk hire, Members and Delegates: To pay each Member, Delegate, and Resident Commissioner for clerk hire necessarily employed by him in the discharge of his official and representative duties, $2,000 per annum, in monthly installments, $880,000, or so much thereof as may be necessary."

Amendment to the amendment——

Mr. MANN. Mr. Speaker, that was not the amendment. The Clerk has not reported the amendment correctly. There is but one amendment reported from the Committee of the Whole to the House.

The SPEAKER. The gentleman is correct.

Mr. MANN. The committee adopted two amendments, but they are to be reported as one amendment.

The SPEAKER. Give the Clerk a chance to read it.

Mr. MANN. But he commenced wrong.

The SPEAKER. That is true, but he can correct it. The Clerk will report the amendment.

The Clerk read as follows:

After line 12, on page 19, insert:

"Clerk hire, Members and Delegates: For clerk hire of each Member, Delegate, and Resident Commissioner for clerk hire necessarily employed by him in the discharge of his official and representative duties, $3,200 per annum, in monthly installments, $880,000, or so much thereof as may be necessary."

Mr. MANN. Mr. Speaker, that was corrected to $1,408,000.

Mr. STAFFORD. No vote was ever taken on that.

Mr. GARRETT of Tennessee. Let us see. Had we not better take the Clerk's report rather than a statement from the floor. Does not the gentleman think that is fair?

Mr. MANN. Certainly, but the Clerk was directed to put in the correct amount, and I got the correct amount from the other clerk then doing the work.

Mr. GARRETT of Tennessee. Unanimous consent was given to correct the totals?

Mr. MANN. Oh, no.

Mr. GARD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARD. If this amendment be not agreed to, will it then be in order to offer a motion to recommit, restoring the language of the bill as reported by the committee?

Mr. GARRETT of Tennessee. Undoubtedly.

The SPEAKER. You can put anything in a motion to recommit that is not subject to the point of order. The Clerk will finish reading the amendment.

The Clerk read as follows:

$1,408,000, or so much thereof as may be necessary: *Provided*, That no part thereof shall be paid to any Member, Delegate, or Resident Commissioner.

Mr. HUMPHREYS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HUMPHREYS. If this amendment should be voted down, what provision would there be then in the bill for the pay of clerk hire to Members?

The SPEAKER. That is not a parliamentary inquiry. That is a judicial inquiry.

Mr. GARD. Mr. Speaker, will the gentleman yield to me?

[Cries of "Regular order."]

Mr. HUMPHREYS. It is a question of what would be the status of the bill if it was stricken out.

Mr. SISSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SISSON. The amendment as it now stands has two substantive propositions in it, and while it was an amendment adopted to the Stafford amendment, there were two substantive propositions. In the House can a vote be had on the two propositions?

Mr. HUMPHREYS. What two propositions?

The SPEAKER. Certainly they can have a vote on the two propositions, if one of them modifies the other.

Mr. SISSON. What I rose for is to inquire if it is divisible; and if so, I want to ask for a separate vote on the so-called Good amendment to the Stafford amendment or to the amendment increasing it to $3,200.

Mr. HUMPHREYS. Mr. Speaker, there is only one amendment here. There are two propositions contained in it; first, that it appropriates $3,200, and next the proviso that this money shall not be paid to the Member, Delegate, or Resident Commissioner. In the Committee of the Whole, in the orderly process of forming the amendment, amendments to the amendment were agreed to; but as finally completed there was but one amendment. That amendment was to appropriate $3,200 for the pay of clerks to Members with the proviso that it should not, however, be paid directly to the Member. I submit you can not go back and have a separate vote in the House on an amendment to an amendment in Committee of the Whole or on the various amendments which might have been offered perfecting that amendment in Committee of the Whole.

Mr. SISSON. Mr. Speaker, I do not concede that necessarily determines whether there are two substantive propositions in the amendment, because in the Committee of the Whole unquestionably if it had been offered as one you could have divided the question. The test, it seems to me, here is, have you two substantive propositions, although both those propositions might have been added as separate votes in Committee of the Whole to one amendment, and thereby to be called one amendment in the House. In the amendment there are two substantive propositions.

The SPEAKER. What are they?

Mr. SISSON. First, fixing the amount at $3,200, and second, that the money shall not be paid to the Member himself.

Now, I want a separate vote on these two propositions.

The SPEAKER. Now, that second proposition is simply a modification of the first proposition, is it not?

Mr. SISSON. It is not only a modification, but it is so substantive that a man might be willing to vote for the amendment without the proposition, but unwilling to vote for it with it. That is all I desire to say, Mr. Speaker.

Mr. MANN. Mr. Speaker, the rule is that on the demand of any Member before the question is put the question shall be divided if it includes propositions so distinct in substance that if one be taken away a substantive proposition shall remain. My recollection is that this must apply to each of the propositions, that either one being taken away a substantive proposition must remain upon which action can be taken by the House. In other words, where an amendment is proposed containing two propositions where the House may reject one of them and then might agree to the other having a substantive proposition the amendment is divisible, but that is plainly not this case. The House can not adopt this provision which the gentleman seeks to have voted upon separately and make any sense, "*Provided*, That no part thereof shall be paid to any Member, Delegate, or Resident Commissioner." I will not say can not, because the House could agree to it; but it means nothing. It is not a substantive proposition by itself. It must, if agreed to by the House, come in with the main proposition making an appropriation and instead of being a substantive proposition it is a subsidiary proposition to the main proposition.

Mr. SISSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SISSON. With the amendment offered as it is, it is extremely doubtful whether any money could be paid out under this amendment at all, but it is a substantive proposition to be voted upon in the order in which amendments shall be voted upon in the House. If it is voted down then the $3,200 is voted directly to the Member.

The SPEAKER. Let me ask the gentleman a question. Suppose the House were to vote down the first proposition and vote in the last proposition. Would there be any sense at all in the amendment?

Mr. SISSON. Absolutely not; and therefore I do not believe the House would do anything like that.

The SPEAKER. The Chair knows, but the House can do what it pleases.

Mr. SISSON. But I do not believe it will do anything as foolish as that.

The SPEAKER. It is not divisible.

Mr. MADDEN. Mr. Chairman, I demand the yeas and nays on the amendment.

Mr. WATKINS. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. WATKINS. If I may be permitted to answer that question——

The SPEAKER. The Chair has already answered it. The gentleman from Illinois [Mr. MADDEN] demands the yeas and nays on this amendment.

Mr. MANN. Mr. Speaker, I would like to make a unanimous-consent request. I do not know whether there will be any objection to it, but the word "hire" appears in this amendment twice. I ask unanimous consent that the amendment be amended by striking out the word "hire" where it appears the second time.

The SPEAKER. The gentleman from Illinois asks to strike out the word "hire" where it appears the second time. Is there objection? [After a pause.] The Chair hears none. The question is on ordering the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 150, nays 146, answered "present" 7, not voting 127, as follows:

YEAS—150.

Anderson	Chandler, Okla.	Dyer	Good
Anthony	Clark, Pa.	Eagan	Goodall
Aswell	Coady	Elliott	Goodwin, Ark.
Austin	Connally, Tex.	Ellsworth	Gould
Baer	Cooper, Ohio	Esson	Greene, Mass.
Bankhead	Cooper, W. Va.	Fairchild, G. W.	Greene, Vt.
Birch	Copley	Fairfield	Hadley
Bland, Ind.	Crago	Ferris	Harrison, Miss.
Burnett	Curry, Cal.	Fields	Harrison, Va.
Burroughs	Dale	Fisher	Hastings
Campbell, Kans.	Dallinger	Fordney	Hawley
Campbell, Pa.	Davis	French	Hayden
Cantrill	Denison	Gallagher	Hayes
Caraway	Dill	Gandy	Hersey
Carter, Okla.	Dupré	Garrett, Tenn.	Hicks
Hilliard	Little	Pou	Tillman
Howard	Lonergan	Powers	Tilson
Humphreys	Lufkin	Purnell	Timberlake
Igoe	McAndrews	Rainey, J. W.	Van Dyke
Ireland	McArthur	Raker	Vestal
Jacoway	McFadden	Randall	Vinson
Johnson, S. Dak.	McKeown	Rankin	Walker
Johnson, Wash.	McKinley	Reed	Walton
Kahn	McLaughlin, Mich.	Roberts	Ward
Kearns	McLemore	Rodenberg	Wason
Kehoe	Mann	Rouse	Watson, Pa.
Kelley, Mich.	Mansfield	Rowe	Weaver
Kettner	Martin	Ruby	Whaley
Kincheloe	Mason	Rucker	Wheeler
King	Mays	Sanders, La.	White, Me.
Knutson	Miller, Minn.	Schall	Wilson, Tex.
Langley	Mondell	Scott, Iowa	Wingo
Larsen	Mott	Sinnott	Winslow
Lazaro	Neely	Snyder	Wood, Ind.
Lee, Ga.	Nolan	Stevenson	Woodyard
Lehlbach	Oldfield	Stiness	Young, N. Dak.
Lesher	O'Shaunessy	Tague	
Linthicum	Phelan	Temple	

NAYS—146.

Alexander	Foss	Lever	Shallenberger
Almon	Foster	Lobeck	Shelley
Barkley	Frear	Longworth	Sherwood
Barnhart	Freeman	McKenzie	Sims
Beakes	Fuller, Ill.	Madden	Sisson
Bell	Gard	Magee	Slayden
Black	Garner	Mapes	Sloan
Bland, Va.	Garrett, Tex.	Merritt	Small
Blanton	Gillett	Miller, Wash.	Smith, Mich.
Brand	Glynn	Montague	Snook
Browne	Gordon	Moon	Stafford
Byrnes, S. C.	Graham, Ill.	Moore, Pa.	Steagall
Byrns, Tenn.	Gray, Ala.	Morgan	Steenerson
Cannon	Green, Iowa	Nelson, A. P.	Stephens, Miss.
Classon	Griffin	Nelson, J. M.	Stephens, Nebr.
Claypool	Hamlin	Nichols, Mich.	Sumners
Collier	Hardy	Oliver, Ala.	Sweet
Connelly, Kans.	Hauger	Osborne	Switzer
Cooper, Wis.	Heflin	Overstreet	Taylor, Colo.
Cramton	Hensley	Padgett	Thompson
Crisp	Hollingsworth	Paige	Tinkham
Crosser	Houston	Parker, N. J.	Tonable
Currie, Mich.	Huddleston	Platt	Voigt
Decker	Hull, Iowa	Polk	Volstead
Denton	Hull, Tenn.	Quin	Walsh
Dickinson	James	Ragsdale	Watkins
Dies	Jones	Rainey, H. T.	Watson, Va.
Dillon	Juul	Ramseyer	Welling
Dixon	Keating	Rayburn	Welty
Doolittle	Kelly, Pa.	Robinson	Williams
Doremus	Kennedy, Iowa	Rogers	Wilson, La.
Doughton	Key, Ohio	Romjue	Wise
Dowell	Kinkaid	Rose	Woods, Iowa
Eagle	Kitchin	Sanders, N. Y.	Wright
Elston	Kraus	Saunders, Va.	Young, Tex.
Esch	La Follette	Scott, Mich.	
Flood	Lampert	Sells	

ANSWERED "PRESENT"—7.

Buchanan	Dominick	Heaton	Treadway
Cary	Emerson	Reavis	

NOT VOTING—127.

Ashbrook	Dooling	Johnson, Ky.	Rowland
Ayres	Drane	Kennedy, R. I.	Russell
Bacharach	Drukker	Kiess, Pa.	Sabath
Benson	Dunn	Kreider	Sanders, Ind.
Boehlin	Edmonds	LaGuardia	Sanford
Blackmon	Estopinal	Lea, Cal.	Scully
Booher	Evans	Littlepage	Sears
Borland	Fairchild, B. L.	London	Shackleford
Bowers	Farr	Lundeen	Shouse
Britten	Fess	Lunn	Siegel
Brodbeck	Flynn	McClintic	Slemp
Browning	Focht	McCormick	Smith, Idaho
Brumbaugh	Francis	McCulloch	Smith, C. B.
Butler	Fuller, Mass.	McLaughlin, Pa.	Smith, T. F.
Caldwell	Gallivan	Maher	Snell
Candler, Miss.	Garland	Moores, Ind.	Stedman
Carew	Godwin, N. C.	Morin	Steele
Carlin	Graham, Pa.	Mudd	Sterling
Carter, Mass.	Gray, N. J.	Nicholls, S. C.	Strong
Chandler, N. Y.	Gregg	Norton	Sullivan
Church	Griest	Oliver, N. Y.	Swift
Clark, Fla.	Hamill	Olney	Taylor, Ark.
Cleary	Hamilton, Mich.	Overmyer	Templeton
Costello	Hamilton, N. Y.	Park	Thomas
Cox	Haskell	Parker, N. Y.	Towner
Darrow	Heintz	Peters	Vare
Davey	Helm	Porter	Waldow
Delaney	Helvering	Pratt	Webb
Dempsey	Holland	Price	White, Ohio
Dent	Hood	Ramsey	Wilson, Ill.
Dewalt	Husted	Riordan	Zihlman
Donovan	Hutchinson	Robbins	

So the amendment was agreed to.

The Clerk announced the following additional pairs:

On this vote:

Mr. NICHOLLS of South Carolina (for) with Mr. DOMINICK (against).

Mr. SMITH of Idaho (for) with Mr. REAVIS (against).

Mr. SNELL (for) with Mr. HAMILTON of Michigan (against).

Until further notice:

Mr. SABATH with Mr. DUNN.

Mr. THOMAS F. SMITH with Mr. HEATON.

Mr. EMERSON. Mr. Speaker, I am paired with the gentleman from Louisiana, Mr. ESTOPINAL. I answered "present," but if I were not paired I would vote "nay."

Mr. DOMINICK. Mr. Speaker, I am paired with the gentleman from South Carolina, Mr. NICHOLLS. If he were present he would vote "yea" and I would vote "nay." I am recorded as "present." I want my pair fixed properly.

The result of the vote was announced as above recorded.

Mr. MANN. Mr. Speaker, I think on a matter of this sort, where it is so close, involving the membership of the House, there ought to be a recapitulation.

The SPEAKER. I think the gentleman is entitled to his recapitulation. The Clerk will recapitulate the vote.

The vote was recapitulated, and the result found as above recorded.

Mr. MADDEN. Mr. Speaker, I understood the Clerk to read the name of Mr. EMERSON as answering "present." I understood him, though I am not clear about it, to come to the desk and change his vote from "present" to "nay." Am I right about that?

Mr. EMERSON. I stated that I was paired with the gentleman from Louisiana, Mr. ESTOPINAL, but if I had not been paired I would have voted "nay."

The SPEAKER. The Clerk will report the next amendment.

Mr. MANN. Mr. Speaker, there are two amendments to section 7, if that is the number of the section.

Mr. BYRNS of Tennessee. There are more than two, I think.

The SPEAKER. There were three that were asked to be voted on separately. The Clerk will report the Nolan amendment.

Mr. MANN. Mr. Speaker, I ask that all of those amendments to that section be voted on together.

Mr. BYRNS of Tennessee. I will say, if the gentleman from Illinois [Mr. MANN] will permit, that if the House will vote down or vote up the Nolan amendment, the other two amendments will follow, I think.

Mr. MANN. I think it is proper they should go together.

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks unanimous consent that all these amendments on this subject be voted on together. Is there objection?

Mr. HENRY T. RAINEY. I object.

The SPEAKER. The Clerk will report the Nolan amendment.

The Clerk read as follows:

Nolan amendment: Page 146, line 18, strike out "$120" and insert in lieu thereof "$240."

The SPEAKER. The question is on the Nolan amendment.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. BYRNS of Tennessee. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 202, nays 81, answered "present" 3, not voting 144, as follows:

YEAS—202.

Anderson	Elliott	Humphreys	Magee
Anthony	Ellsworth	Igoe	Mann
Aswell	Elston	Ireland	Mapes
Austin	Essen	Jacoway	Martin
Baer	Fairchild, G. W.	James	Mason
Bankhead	Fairfield	Johnson, S. Dak.	Mays
Birch	Ferris	Johnson, Wash.	Merritt
Bland, Ind.	Fields	Juul	Miller, Minn.
Browne	Fisher	Kearns	Miller, Wash
Burroughs	Fordney	Keating	Mondell
Campbell, Kans.	Foss	Kehoe	Moore, Pa.
Campbell, Pa.	Frear	Kelley, Mich	Morgan
Cantrill	Freeman	Kelly, Pa.	Mott
Caraway	French	Kettner	Neely
Carter, Okla.	Fuller, Ill	Key, Ohio	Nelson, A. P.
Cary	Gallagher	King	Nelson, J. M.
Chandler, Okla.	Gandy	Kinkaid	Nichols, Mich
Church	Glynn	Knutson	Nolan
Clark, Fla.	Goodall	La Follette	Oldfield
Classon	Goodwin, Ark.	Lampert	Osborne
Coady	Good	Langley	O'Shaunessy
Cooper, Ohio	Graham, Ill.	Lazaro	Overstreet
Cooper, W. Va	Gray, Ala.	Lea, Cal.	Paige
Cooper, Wis.	Green, Iowa	Lehlbach	Parker, N. J.
Copley	Greene, Mass	Lesher	Phelan
Crago	Griffin	Linthicum	Platt
Cramton	Hadley	Little	Polk
Crosser	Harrison, Miss.	Lobeck	Pou
Currie, Mich	Hastings	Lonergan	Powers
Curry, Cal.	Hausen	Longworth	Purnell
Dallinger	Hawley	Lufkin	Rainey, J. W.
Davis	Hayden	McAndrews	Raker
Dill	Hayes	McArthur	Ramseyer
Dillon	Hersey	McFadden	Randall
Doughton	Hicks	McKeown	Rankin
Dowell	Hilliard	McKinley	Reavis
Dupre	Hollingsworth	McLaughlin, Mich.	Roberts
Dyer	Hushbeston	McLemore	Rodenberg
Eagan	Hull, Iowa	Madden	Rogers
Ross	Steenerson	Van Dyke	Whaler
Rubey	Stephens, Nebr	Vestal	Wheeler
Sanders, La.	Stiness	Volk	White, Me.
Schall	Sweet	Volstead	Williams
Scott, Iowa	Switzer	Walker	Wingo
Scott, Mich.	Tague	Walsh	Winslow
Sells	Taylor, Colo.	Walton	Wood, Ind.
Sims	Temple	Ward	Woods, Iowa
Sinnott	Tillman	Watson	Woodyard
Sloan	Tilson	Watkins	Young, N. Dak.
Smith, Mich.	Timberlake	Watson, Pa	
Snyder	Tinkham	Weaver	

NAYS—81.

Alexander	Dominick	Kraus	Small
Almon	Doughton	Larsen	Snook
Barkley	Eagle	Lee, Ga.	Stafford
Barnhart	Esch	Lever	Steagall
Beakes	Flood	Mansfield	Stephens, Miss.
Bell	Foster	Montague	Stevenson
Black	Gard	Moon	Summers
Bland, Va.	Garner	Oliver, Ala	Thompson
Blanton	Garrett, Tenn.	Padgett	Venable
Buchanan	Garrett, Tex	Quin	Vinson
Burnett	Gillett	Ragsdale	Watson, Va.
Byrnes, S. C.	Good	Rainey, H. T.	Welling
Byrns, Tenn.	Gordon	Robinson	Welty
Cannon	Greene, Vt	Romjue	Wilson, La.
Collier	Hardy	Sanders, N. Y.	Wilson, Tex.
Connally, Tex.	Hensley	Saunders, Va.	Wise
Crisp	Houston	Shallenberger	Wright
Dale	Hull, Tenn	Sherley	Young, Tex.
Decker	Jones	Sherwood	
Dickinson	Kincheloe	Sisson	
Dixon	Kitchin	Slayden	

ANSWERED "PRESENT"—3.

Emerson	Heaton	Treadway

NOT VOTING—144.

Ashbrook	Donovan	Husted	Riordan
Ayres	Dooling	Hutchinson	Robbins
Bacharach	Doremus	Johnson, Ky.	Rouse
Benson	Drane	Kahn	Rowe
Boehlin	Drukker	Kennedy, Iowa	Rowland
Blackmon	Dunn	Kennedy, R. I.	Rucker
Booker	Edmonds	Kless, Pa.	Russell
Borland	Estopinal	Kreider	Sabath
Bowers	Evans	Lafferty	Sanders, Ind.
Brand	Fairchild, B. L.	Littlepage	Sanford
Britten	Farr	London	Scully
Brodbeck	Fess	Lundeen	Sears
Browning	Flynn	Lunn	Shackleford
Brumbaugh	Focht	McClintic	Shouse
Butler	Francis	McCormick	Siegel
Caldwell	Fuller, Mass.	McCulloch	Slemp
Candler, Miss	Gallivan	McKenzie	Smith, Idaho
Carew	Garland	McLaughlin, Pa	Smith, C. B.
Carlin	Godwin, N. C.	Maher	Smith, T. F.
Carter, Mass	Graham, Pa.	Moores, Ind.	Snell
Chandler, N. Y.	Gray, N. J.	Morin	Stedman
Clark, Fla.	Greene	Mudd	Steele
Claypool	Griest	Nicholls, S. C.	Sterling
Cleary	Hamill	Norton	Strong
Connelly, Kans	Hamilton, Mich.	Oliver, N. Y	Sullivan
Costello	Hamilton, N. Y.	Olney	Swift
Cox	Hamlin	Overmyer	Taylor, Ark.
Darrow	Harrison, Va	Park	Templeton
Davey	Haskell	Parker, N. Y	Thomas
Delaney	Heflin	Peters	Towner
Dempsey	Heintz	Porter	Vare
Denison	Helm	Pratt	Waldow
Dent	Helvering	Price	Webb
Denton	Holland	Ramsey	White, Ohio
Dewalt	Hood	Rayburn	Wilson, Ill.
Dies	Howard	Reed	Zihlman

So the amendment was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. NICHOLLS of South Carolina with Mr. SNELL.

Mr. HAMLIN with Mr. HAMILTON of Michigan.

Mr. MAHER with Mr. SMITH of Idaho.

Mr. DELANEY with Mr. REED.

Mr. TREADWAY. Mr. Speaker, I voted "aye." I am paired with the gentleman from Missouri, Mr. BOOHER, and I wish to withdraw my vote of "aye" and vote "present."

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. TREADWAY, and he answered "Present."

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Sherley amendment: On page 146, in lines 20 and 23, strike out "$2,620" and insert "$2,740," and on page 146, line 25, strike out "30" and insert "60," and on page 150, line 13, strike out "$120" and insert "$140."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, and was read the third time.

Mr. GARD. Mr. Speaker, I desire to offer a motion to recommit.

The SPEAKER. The gentleman will send it up. Is the gentleman opposed to the bill?

Mr. GARD. Yes, sir.

The SPEAKER. The Clerk will report the gentleman's motion.

The Clerk read as follows:

Mr. GARD moves to recommit the bill to the Committee on Appropriations, with instructions to report the same back to the House forthwith with the following amendment: On page 19, line 13, strike out the language of the Stafford amendment as amended and insert in lieu thereof the following:

"Clerk hire, Members and Delegates: To pay each Member, Delegate, and Resident Commissioner for clerk hire necessarily employed by him in the discharge of his official and representative duties, $2,000 per annum, in monthly installments, $880,000 or so much thereof as may be necessary, and Representatives and Delegates elect to Congress whose credentials in due form of law have been duly filed with the Clerk of the House of Representatives, in accordance with the provisions of section 31 of the Revised Statutes of the United States shall be entitled to payment under this appropriation."

Mr. MANN. Mr. Speaker, I make a point of order against that amendment.

The SPEAKER. The point of order is sustained.

Mr. WINGO. Mr. Speaker, I wish to offer a motion.

Mr. GARD. What point of order was made by the gentleman from Illinois?

Mr. MANN. The point of order was that the amendment proposed to strike out the amendment to which the House has just agreed.

Mr. GARD. The object of the motion to recommit was confined to a part only of the action of the House and not to the entire language of the amendment.

The SPEAKER. The Chair knows; but the gentleman's motion to recommit in the nature of an amendment or instruction would repeal the Stafford amendment that has just been put into the bill by a vote of the House.

Mr. GARD. Only a part.

The SPEAKER. I do not know. If it is bad in part, it is bad in the whole. The question is on the passage of the bill.

Mr. WINGO. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Arkansas rise?

Mr. WINGO. To offer a motion to recommit.

The SPEAKER. The gentleman will send it up.

Mr. WINGO. I move to recommit the bill to the Committee on Appropriations.

The SPEAKER. The question is on the motion to recommit.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. WINGO. I ask for a division.

The SPEAKER. The gentleman from Arkansas demands a division.

The House divided; and there were—ayes 14, noes 122.

So the motion was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. BYRNS of Tennessee, a motion to reconsider the vote whereby the bill was passed was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. HAMILTON of Michigan, for the day, on account of sickness.

To Mr. SMITH of Idaho (at the request of Mr. FRENCH), for the day, on account of illness.

CENSUS BILL.

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent that we take the census bill from the Speaker's table, disagree to the Senate amendments thereto, and agree to the request for a conference.

The SPEAKER. The Clerk will report it.

Mr. STAFFORD. At this late hour, Mr. Speaker, I think it should go over until Monday.

The SPEAKER. Does the gentleman object?

Mr. STAFFORD. I do at this late hour.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 25 minutes p. m.) the House adjourned until to-morrow, Sunday, January 19, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Navy submitting supplemental estimates of appropriation required by the Navy Department for the fiscal year 1919 (H. Doc. No. 1697); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting deficiency estimates of appropriations required for the fiscal year ending June 30, 1919, by the Public Health Service (H. Doc. No. 1698); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting a detailed statement of the refunds of customs duties, etc., for the fiscal year ended June 30, 1918, as required by paragraph Y, section III, of the tariff act of October 3, 1913 (H. Doc. No. 1699); to the Committee on Ways and Means and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting a list of judgments rendered by the Court of Claims which have been presented to the Treasury Department and require an appropriation for their payment (H. Doc. No. 1700); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting record of judgment of the United States District Court for the Eastern District of Louisiana regarding claim of owners of steamship *Esparta* (H. Doc. No. 1701); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Secretary of the Treasury, transmitting a list of judgments rendered against the Government by the district courts of the United States which require an appropriation for their payment (H. Doc. No. 1702); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. CARTER of Oklahoma, from the Committee on Indian Affairs, to which was referred the bill (H. R. 14746) making appropriation for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920, reported the same without amendment, accompanied by a report (No. 945), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CANTRILL: A bill (H. R. 14672) authorizing the Secretary of War to donate to the University of Kentucky, Lexington, Ky., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. LANGLEY: A bill (H. R. 14673) to require the Secretary of War and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

By Mr. WICKERSHAM: A bill (H. R. 14674) to increase the limit of cost for the construction of the United States public building authorized at Juneau, Alaska; to the Committee on Public Buildings and Grounds.

By Mr. HOLLINGSWORTH: A bill (H. R. 14675) authorizing the Secretary of War to donate to the city of Martins Ferry, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GOODALL: A bill (H. R. 14676) authorizing the Secretary of War to donate to the town of Sanford, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. AYRES: A bill (H. R. 14677) authorizing the Secretary of War to donate to the city of Wellington, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14678) authorizing the Secretary of War to donate to the city of Caldwell, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14679) authorizing the Secretary of War to donate to the city of Conway Springs, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14680) authorizing the Secretary of War to donate to the city of Halstead, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CLARK of Pennsylvania: A bill (H. R. 14681) authorizing the Secretary of War to donate to the city of Corry, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14682) authorizing the Secretary of War to donate to the city of Meadville, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HICKS: A bill (H. R. 14683) authorizing the Secretary of War to donate to the village of New Hyde Park, in the State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WATSON of Pennsylvania: A bill (H. R. 14684) authorizing the Secretary of War to donate to the borough of Langhorne, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SUMNERS: A bill (H. R. 14685) for the erection of a public building at Dallas, Tex., and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. MANN: A bill (H. R. 14686) authorizing the Secretary of War to donate to the city of Chicago, Cook County, Ill., one German cannon or fieldpiece, to be placed in West Pullman Park; to the Committee on Military Affairs.

By Mr. KENNEDY of Rhode Island: A bill (H. R. 14687) authorizing the Secretary of War to donate to the city of Providence, R. I., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. GEORGE W. FAIRCHILD: A bill (H. R. 14688) authorizing the Secretary of War to donate to the city of Binghamton, N. Y., one German cannon or fieldpiece, to be placed in the city park; to the Committee on Military Affairs.

By Mr. ADOLPHUS P. NELSON: A bill (H. R. 14689) authorizing the Secretary of War to donate to the village of Shell Lake, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. RANDALL: A bill (H. R. 14690) authorizing the Secretary of War to donate to cities in California captured German cannon, fieldpieces, and war trophies; to the Committee on Military Affairs.

By Mr. KELLY of Pennsylvania: A bill (H. R. 14691) authorizing the Secretary of War to donate to the borough of Elizabeth, in the State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KNUTSON: A bill (H. R. 14692) authorizing the Secretary of War to donate to the city of Brainerd, Minn., two cannons or fieldpieces of obsolete pattern used in the world war; to the Committee on Military Affairs.

By Mr. HAWLEY: A bill (H. R. 14693) authorizing the Secretary of War to donate to the city of Grants Pass, county of Josephine, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14694) authorizing the Secretary of War to donate to the city of Roseburg, Douglas County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14695) authorizing the Secretary of War to donate to the city of Eugene, county of Lane, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14696) authorizing the Secretary of War to donate to the city of Albany, county of Linn, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14697) authorizing the Secretary of War to donate to the city of Salem, Marion County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14698) authorizing the Secretary of War to donate to the city of Oregon City, Clackamas County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14699) authorizing the Secretary of War to donate to the city of Jacksonville, Jackson County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14700) authorizing the Secretary of War to donate to the city of Astoria, Clatsop County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14701) authorizing the Secretary of War to donate to the city of St. Helens, Columbia County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14702) authorizing the Secretary of War to donate to the city of Hillsboro, Washington County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14703) authorizing the Secretary of War to donate to the city of McMinnville, Yamhill County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14704) authorizing the Secretary of War to donate to the city of Dallas, Polk County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14705) authorizing the Secretary of War to donate to the city of Corvallis, Benton County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14706) authorizing the Secretary of War to donate to the city of Tillamook, Tillamook County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14707) authorizing the Secretary of War to donate to the city of Toledo, Lincoln County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14708) authorizing the Secretary of War to donate to the city of Coquille, Coos County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14709) authorizing the Secretary of War to donate to the city of Marshfield, Coos County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14710) authorizing the Secretary of War to donate to the city of Gold Beach, Curry County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14711) authorizing the Secretary of War to donate to the city of Medford, Jackson County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14712) authorizing the Secretary of War to donate to the city of Ashland, Jackson County, in the State of Oregon, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. VESTAL: A bill (H. R. 14713) authorizing the Secretary of War to donate to the city of Elwood, county of Madison, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14714) authorizing the Secretary of War to donate to the city of Winchester, county of Randolph, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14715) authorizing the Secretary of War to donate to the city of Anderson, county of Madison, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14716) authorizing the Secretary of War to donate to the city of Muncie, county of Delaware, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14717) authorizing the Secretary of War to donate to the city of Decatur, county of Adams, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14718) authorizing the Secretary of War to donate to the city of Portland, county of Jay, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14719) authorizing the Secretary of War to donate to the city of Bluffton, county of Wells, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HAYDEN: A bill (H. R. 14720) to amend section 852, Revised Statutes of the United States, relating to jurors' fees; to the Committee on the Judiciary.

By Mr. VESTAL: A bill (H. R. 14721) authorizing the Secretary of War to donate to Union City, county of Randolph, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14722) authorizing the Secretary of War to donate to the city of Dunkirk, county of Jay, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GOULD: A bill (H. R. 14723) authorizing the Secretary of War to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

By Mr. BYRNES of South Carolina: A bill (H. R. 14724) authorizing the Secretary of War to donate to the city of Barnwell, S. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KENNEDY of Iowa: A bill (H. R. 14725) authorizing the Secretary of War to donate to the city of Keokuk, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GOULD: A bill (H. R. 14726) authorizing the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Naval Affairs.

By Mr. FAIRFIELD: A bill (H. R. 14727) authorizing the Secretary of War to donate to the city of Auburn, county of De Kalb, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14728) authorizing the Secretary of War to donate to the city of Angola, county of Steuben, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14729) authorizing the Secretary of War to donate to the Scipio Cemetery, county of Allen, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14730) authorizing the Secretary of War to donate to the city of Columbia City, county of Whitley, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14731) authorizing the Secretary of War to donate to the city of Lagrange, county of Lagrange, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14732) authorizing the Secretary of War to donate to the city of Albion, county of Noble, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14733) authorizing the Secretary of War to donate to the city of Ligonier, county of Noble, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14734) authorizing the Secretary of War to donate to the city of Fort Wayne, county of Allen, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. STEVENSON: A bill (H. R. 14735) to increase the cost of the public building at Lancaster, S. C.; to the Committee on Public Buildings and Grounds.

By Mr. CALDWELL: A bill (H. R. 14736) authorizing the Secretary of War to donate to Public School No. 87, Middle Village, Long Island, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FRENCH: A bill (H. R. 14737) to relieve Congress from the adjudication of private claims against the Government; to the Committee on the Judiciary.

By Mr. JAMES: A bill (H. R. 14738) authorizing the Secretary of War to donate to the city of Marquette, county of Marquette, State of Michigan, to be placed in Presque Isle Park, in the city of Marquette, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MORGAN: A bill (H. R. 14739) authorizing the Secretary of War to donate to the city of Enid, State of Oklahoma, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LANGLEY: A bill (H. R. 14740) to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, and an act in amendment thereto, approved October 6, 1917; to the Committee on Interstate and Foreign Commerce.

By Mr. CARTER: A bill (H. R. 14746) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various tribes of Indians, and for other purposes, for the fiscal year ending June 30, 1920; to the Committee of the Whole House on the state of the Union.

By Mr. FLOOD: A bill (H. R. 14747) authorizing the Secretary of War to donate to the town of Newcastle, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GOULD: Resolution (H. Res. 507) directing the United States Food Administration to furnish the House of Representatives with certain information; to the Committee on Agriculture.

By Mr. GALLIVAN: Joint resolution (H. J. Res. 390) requesting the Secretary of War to furnish to Congress the records of the Graves Registration Service of the American Expeditionary Forces in Europe; to the Committee on Military Affairs.

By Mr. MONDELL: Joint resolution (H. J. Res. 391) relating to the fuel supply of the city of Casper, Wyo.; to the Committee on the Public Lands.

By Mr. SIMS: Joint resolution (H. J. Res. 392) authorizing and directing the accounting officers of the Treasury Department to allow credit to the disbursing clerk of the Bureau of War Risk Insurance in certain cases; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND of Indiana: A bill (H. R. 14741) granting a pension to Sarah E. Dillon; to the Committee on Invalid Pensions.

By Mr. FAIRFIELD: A bill (H. R. 14742) granting an increase of pension to Jacob Cribbs; to the Committee on Invalid Pensions.

By Mr. GOODALL: A bill (H. R. 14743) granting an increase of pension to Charles F. Smith; to the Committee on Invalid Pensions.

By Mr. MILLER of Washington: A bill (H. R. 14744) granting a pension to Lone Thompson; to the Committee on Pensions.

Also, a bill (H. R. 14745) granting an increase of pension to Edward M. Simmons; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANTHONY: Petition of Flora Rose Corner and others, of Topeka, Kans., requesting repeal of the postal zone rate law; to the Committee on Ways and Means.

By Mr. CARY: Petition of Theater Managers' Association, Milwaukee, Wis., protesting against the proposed doubling of theater admission tax; to the Committee on Ways and Means.

Also, petition of Sherman Brown, manager of Davidson Theater, Milwaukee, Wis., protesting against the increase of the present tax on theater admission; to the Committee on Ways and Means.

By Mr. DALLINGER: Resolution of City Council of Cambridge, Mass., favoring league of nations; to the Committee on Foreign Affairs.

By Mr. EMERSON: Resolutions of the Health and Old Age Insurance Commission of Ohio, urging the conversion of war-savings stamps into annuities; to the Committee on Ways and Means.

By Mr. HAMILTON: Resolutions of Wayland Ladies' Literary Club, urging support of Senate bill 4987; to the Committee on Education.

By Mr. HOLLINGSWORTH: Memorial of State Veterinary Medical Association of Ohio, favoring increased efficiency and salaries for Bureau of Animal Industry; to the Committee on Agriculture.

By Mr. McKINLEY: Resolutions of Dewitt County Farm Bureau, Clinton, Ill., urging United States Department of Agriculture to keep sun time the coming season, as it helps to increase food production; to the Committee on Agriculture.

By Mr. POLK: Resolutions of Chamber of Commerce of Wilmington, Del., on Federal control of the wire system of the country; to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Parent-Teacher Association of Selbyville, Del., relative to Senate bill 4987; to the Committee on Education.

Also, resolutions of New Century Club of Wilmington, Del., relative to Senate bill 4987; to the Committee on Education.

By Mr. SMITH of Michigan: Resolution of A. H. Crane, secretary Brotherhood Railway Carmen of America, favoring Government control of railroads and other public utilities; to the Committee on Interstate and Foreign Commerce.

Also, resolution of Ellery J. Rundle, of Marshall, Mich., favoring Government control of railroads according to Mr. McAdoo's plan; to the Committee on Interstate and Foreign Commerce.

Also, petition of J. Bolen and 149 citizens of Kalamazoo, Mich., favoring Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of T. J. Barker, cashier Warden Grocery Co., of Kalamazoo, Mich., protesting against postage rates; to the Committee on Ways and Means.

By Mr. SNOOK: Resolutions adopted by the State Veterinary Medical Association of Ohio, favoring an increase in salary of members of the organization of the Bureau of Animal Industry, and also favoring a permanent and increased appropriation for carrying on the investigation of hog cholera; to the Committee on Agriculture.

By Mr. TAGUE: Resolutions adopted by the Lithuanian residents of the city of Worcester, Mass., asking that negotiations be opened looking to the improvement in the means of communication between them and the people now in Lithuania and the Lithuanian Government; to the Committee on Foreign Affairs.

Also, telegrams from several citizens of Boston, Mass., protesting against the proposed tax to be levied on theater tickets under the pending revenue bill; to the Committee on Ways and Means.

SENATE.

SUNDAY, *January 19, 1919.*

(Legislative day of Tuesday, Jan. 14, 1919.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

MEMORIAL ADDRESSES ON THE LATE SENATOR GALLINGER.

Mr. HOLLIS. Mr. President, I offer the following resolutions and move their adoption.

The VICE PRESIDENT. The resolutions will be read.

The resolutions (S. Res. 417) were read, considered by unanimous consent, and unanimously agreed to as follows:

Resolved, That the Senate expresses its profound sorrow in the death of the Hon. JACOB H. GALLINGER, late a Senator from the State of New Hampshire.

Resolved, That as a mark of respect to the memory of the deceased the Senate, in pursuance of an order heretofore made, assembles to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Mr. HOLLIS. Mr. President, my late distinguished colleague, the Hon. JACOB HAROLD GALLINGER, was the leader of his party in the Senate and the veteran of this body by two full years in point of continuous service. He entered the Senate March 4, 1891, serving without a break to the day of his death, August 17, 1918, a period of 27 years.

Senator GALLINGER began his political career in the New Hampshire Legislature in 1872, serving there for several terms, and later three terms in the State senate, where he was twice president. He was a Member of the National Congress for two terms before he entered the United States Senate. For many years he was chairman of the Republican State committee in New Hampshire.

The duties of these various offices he discharged with industry, intelligence, and dignity. He leaned toward the formal in his conduct of public business, but he was delightfully informal, genial, and kindly in his own home and among his friends. He was ever ready to perform favors for friend or foe. He was of an optimistic temperament, wholesome, sane, uniformly cheerful and courteous. It is delightful to one who has been his persistent political adversary from his home ward to the forum of the Senate to be able to accord to him, without reservation, so much of praise.

His character and his attitude toward public questions were conventional and consistent. One who had followed his course for a few years could foretell with certainty how he would vote on any matter of importance. He was sure not to be "the first by whom the new is tried," and he was always among "the last to lay the old aside."

Senator GALLINGER was a natural conservative. Hard work and persistent effort had lifted him from lowly circumstances to a position of power and influence among his fellows. The game of life was played in his generation according to his tastes and inclinations. He believed that any man of average intelligence could get on in the world if he would be sober, industrious, and thrifty. He did not believe that the country nor the Government owed any man more than this opportunity.

I think Senator GALLINGER was frankly puzzled at the era of change and reform in which he spent his declining years. I used to see him in the Senate gazing at some colleague whom he believed to be honest, wondering how any intelligent man could utter such foolishness.

More than once he has said to me in substance: "I suppose you young chaps consider me very old-fashioned. Perhaps I am. But things look to me now as they have all my life. I believe I am right, and I shall stick it out if I have to stand alone."

His long and elevated allegiance to prohibition and woman suffrage testify to his courage and independence. I sincerely believe that the inevitable adoption of Federal amendments on these subjects was hastened several years by his advocacy and support. In these two respects he departed from conventionalism and conservatism and became progressive and radical. I think he delighted in thus straying occasionally from the beaten conservative path and plucking a few nosegays from Bohemian fields. Most of his political associates were opposed to prohibition, and nearly all of them abhorred woman suffrage, particularly in the early days. But he never faltered.

The name of my late colleague has been familiar to me from boyhood. All my life he has been a leading citizen of my native city. I remember hearing my father speak of him in 1876, when I was only 7, and my father and Dr. GALLINGER, as he was then known, were members of the New Hampshire constitutional convention. His children were my playmates and schoolmates, and his daughter sat beside me during our first year in the Concord High School.

Dr. GALLINGER enjoyed a good practice as a physician in the best circles of Concord before he entered Congress, in the days when a physician was not a specialist, but an all-around general practitioner, family adviser, and friend. My townsmen referred to him to the last as "Doctor" GALLINGER, feeling in some way that that appellation was less formal than that of "Senator."

He was always prominent in advancing the cause of our city and our State. In the old days there were perennial contests in the State legislature and before the courts between the Concord Railroad and the Boston & Maine Railroad, which was then called a "foreigner." Dr. GALLINGER and my father always worked together for the interests of the Concord road against the foreign invader. And it was characteristic of Senator GALLINGER that he continued those early friendships and affiliations throughout his life. He had a great gift in the way of staunchness and loyalty to his friends.

Senator GALLINGER was a tireless worker and had little patience with those who were lazy or inattentive. For 20 years I tested his skill in political campaigns, and I never knew it to fail. No detail was overlooked. He kept track of every absent voter and found time to take a friendly interest in promising young men of both parties just approaching their majority. The Democratic Party won no important victories in New Hampshire until he retired as chairman of the Republican State Committee in 1908.

My relations with my colleague were always cordial in private life. In the Senate we usually voted against each other, but we never clashed in debate after the tariff contest of 1913. We found many opportunities to reciprocate favors, and we never hesitated to confer on matters in which our constituents were interested.

I can testify with authority to the universal esteem in which my late colleague was held by Senators on this side of the Chamber. I leave it to those who were associated with him long years in the Senate to speak of his services here. I have tried merely to outline his many fine qualities as observed by a political antagonist of a younger generation who knew him as a good neighbor, a kind parent, a devoted husband, and an exemplary citizen.

New Hampshire mourns his loss.

Mr. LODGE. Mr. President, "the man who was one of us has put on the garment of Eternity and become radiant and triumphant; the present is all at once the past; Hope is suddenly cut away and only the backward vistas of Memory remain, shone over by a light that proceeds not from this earthly sun."

"This is a transition out of visible Time into invisible Eternity."

And the questions which arise as we mourn for the friend who has gone and strive to do him honor are two: What did he do in the life that was granted him among the generation and in the times where his lot was cast; and the greater question, How did he live his life? What a man was is ever more important than what he did. Without misgiving we can ask and answer both questions in the case of Senator GALLINGER. A long life closing with all that should accompany old age, "honor, love, obedience, troops of friends." A life beginning with the earnest pursuit and crowding activities of a noble profession and then passing to many years of devoted public service lasting longer than the lifetime of a generation of men.

For more than 27 years he has served his State and his country in the Senate of the United States. A great trust this and finely executed. No more faithful public servant ever sat in the great body of which he was so long an honored member. His diligence and industry never flagged. He passed daily from the committee room, where most of the hard work—never

seen or comprehended fully by the public—is done, to the floor of the Senate to continue his labors there. He was preeminently a good legislator. No measure that interested him, and very few escaped his watchful eye, went through without some improving touch from his skillful hand whenever improvement was needed. He became a very able parliamentarian, although not bred to the law, and was always master of the business of the Senate. He was a strong and effective debater, and upon the subjects which he made peculiarly his own, when he spoke at length it was always with force, with thorough knowledge, and with clear coordination of all parts of his subject and all phases of the argument. His career was one of real benefit and wide-reaching usefulness to his fellow men and of ever-growing distinction until he became and securely held a high eminence as one of the best known and most trusted statesmen of the Republic. The words "ever growing" can be accurately used in regard to Senator GALLINGER, for his mental and bodily strength until two years ago was never abated. He had reached his eightieth year before he had the severe illness which gave the first indication of his advanced age. Even then after his recovery, when he returned to his work, he labored as before and his wise counsel and strong but kindly influence were as potent as ever. Never for a moment did he lag superfluous upon the stage or through disease or weakness fail in any duty.

He had the respect, the confidence, and the affection of his fellow Senators on both sides of the Chamber to a degree rarely equaled. This was not owing to any arts practiced for popularity; still less to being all things to all men, which was impossible to him. It was wholly due to his character, to the quality of the man. In other words, to what he was, the second and the greater touchstone, and this proved him to be current gold indeed. He was a man of strong character and rigid honesty alike in thought, in word, and in action. He had strong likes and dislikes, deep-rooted convictions, and entire courage, and these are the qualities which in the long run always command respect; and if they are allied as they were in him with great kindness, a most genuine modesty, keen sympathy, and a real tenderheartedness for all who sorrow or are heavy laden, affection is sure to follow close upon respect. He was a good man—highest praise of all—never prim or prudish or intolerant, incapable of hypocrisy, and yet always a good man without casuistry or debate and without spot or blemish upon which envy, hatred, or malice could lay a pain-giving touch. He had many a hard-fought contest and he never asked quarter or shrank from striking a hard blow for the truth as he saw it, but about himself he never had anything to explain. His life was an open book and he guarded no secrets.

Many heavy sorrows came to him, and he felt them deeply, but he met them bravely and went on with his public work unrelaxing and undaunted.

So death came to him with the harness on his back, as he would have wished—came to him when he was filled with overpowering, yearning anxiety for his beloved country in the hour of extreme stress and trial. Those who knew him, those who were with him in all his daily work, will miss him sadly. To those nearest and dearest to him he is an irreparable loss. But for him all is well. In the fulness of his years, loved and honored by his friends and countrymen, with but little suffering he has come to the inevitable end. With all truth and with devout and tender feeling we may repeat the beautiful words:

> Well done, thou good and faithful servant, enter thou into the joy of thy Lord.

Mr. WARREN. Mr. President, we have assembled to-day to pay tribute to the memory of our late and much-beloved colleague, JACOB HAROLD GALLINGER, who was one of the many great men the State of New Hampshire has produced, and one of the most useful statesmen this body has known.

Other Senators, who feel his loss no more keenly than I do, will doubtless recount better than I can the many interesting facts that concerned his long career of honorable public service. Therefore, I shall speak but briefly regarding those facts.

JACOB H. GALLINGER was born on a Canadian farm and was one of a large family of children. In his youth he learned the printer's trade and later studied medicine, and was graduated in that profession, which he followed until he entered Congress as a Member of the House of Representatives in 1885. He served in the House throughout two Congresses, the Forty-ninth and Fiftieth, declined renomination for election to the Fifty-first Congress, and came to the Senate in the Fifty-second Congress, his term commencing March 4, 1891.

My own service in the United States Senate commenced three months prior to that time, so I was one of those permitted to welcome him when he came. But, alas, it has been more than a decade since the last one of all the others of the then sitting Members of this body passed out of service here. Senator GALLINGER served continuously from his first entrance into the Senate until his death, while my fate was to retire for one Congress. So the Senator had had, in fact, a considerably longer service at the time of his death than any of the remaining Members.

It was the privilege of several of us here to have known Senator GALLINGER during a large part of his 33 years' service in Congress, and I am certain that not one of his former colleagues who have outlived him, whether his acquaintanceship was for a longer or shorter period, will gainsay my statement that Senator GALLINGER was one of the most lovable, faithful, and courteous men we have had with us in this close association of the Senate Chamber, which gives men opportunity to know each other most intimately and to observe at close range each other's human weaknesses as well as strength.

In that connection I am reminded of the words of the essayist, Emerson, who said that "Other men are lenses through which we read our own minds." That idea becomes real to us as we gather here each day and look into the lenses for the thoughts of our fellow Senators and the reflections of our own thoughts. And most of us will recall the many times we have consulted with our friend who has left us, as we have endeavored to inform ourselves and to adjust our own minds.

I have never known Senator GALLINGER to shirk a duty or responsibility. On the contrary, I have known him to be present here and engaged in burdensome tasks when his strength was not equal to the demands made upon it.

We were fellow members of several committees during our many years of service together; but our longest and closest association was as comembers of the Committee on Appropriations, covering a period of 15 years. There it was especially noticeable that the successive chairmen and members alike had the greatest respect for Senator GALLINGER's sound judgment and keen common sense regarding matters of legislation—partially inherent and partially acquired by long experience and strict attention to his public duties. He could always be relied upon as a sort of anchor when either parsimony or extravagance threatened to upset things somewhat for the time being.

His long service as member and for many years as chairman of the Committee on the District of Columbia enabled him to contribute to the Appropriations Committee assistance of inestimable value in connection with the ofttimes difficult matters that surround District appropriations. Incidentally, his fairness in dealing with District matters, his willingness to give all factions respectful hearing in cases of dispute, endeared him to the hearts of all District residents who are interested in the legislative and administrative affairs of this city.

While attending strictly to his duties as a legislator, our good friend who has gone beyond did not lose interest in his earlier profession of medicine and surgery. His older friends habitually addressed him as "Doctor GALLINGER"; hospitals were aided by him and named for him; and my belief is that he took great pride in the title and profession.

For many years I have known in what high esteem Senator GALLINGER has been held by all those in the humbler walks of life who have had occasion to consult him about their business and personal affairs. Their verdict has been universal regarding his never-failing kindliness and generosity.

Indeed, we shall never know a kindlier man and friend—and when we speak of him as a consistent, loyal friend, which he was, we give him the highest title we can possibly bestow.

> Fast as the rolling seasons bring
> The hour of fate to those we love,
> Each pearl that leaves the broken string
> Is set in Friendship's crown above.
> As narrower grows the earthly chain,
> The circle widens in the sky;
> These are our treasures that remain,
> But those are stars that beam on high.

Mr. SMITH of Georgia. Mr. President, I wish to speak of Senator GALLINGER just as I saw him and knew him and miss him in this Chamber. I knew him and closely observed him here for seven years. At first, Senator GALLINGER was the leader of his party in the majority, and for the last six years he was still the leader of his party while it was in the minority. During the entire time he was earnest, watchful, and vigilant. No Senator was more constant in attendance or readier to handle any question which came before the Senate. He was master of the Senate rules of procedure and a stickler for their observance. While an intense believer in his party, he was broadly patriotic, and no one could fairly watch his course without knowing that his great purpose was to serve his country.

He spoke without display, but with perfect clearness and persuasive logic, and he rarely failed to win the Senate for the

side he advocated. His line of thought always showed a purpose to build up and not to pull down. He preferred to praise, not to criticize. He believed in his country; he had confidence in our institutions; he loved his fellow countrymen; he loved to see the best side of everything and everybody. He was an optimist, full of hope and confidence, though anxiously thoughtful of the future. He was kind and gentle and courteous. It was a pleasure to be with him.

Senator GALLINGER was among the foremost of his associates in his work and in their esteem. We cherish his memory. There is much in his record that we may emulate, and not the least his devotion to the Senate and to its constitutional responsibilities, for the disregard or neglect of which he deeply grieved.

Mr. NELSON. Mr. President, I first became acquainted with Senator GALLINGER in 1885, and was associated with him in the House of Representatives in the Forty-ninth and Fiftieth Congresses, of which we were both Members. Our acquaintance ripened into a close friendship, which continued to the day of his death. Neither of us could at that time foresee what the future had in store for us or that we would be associates in the United States Senate for nearly 24 years.

On this occasion I can only undertake to give a brief outline of his noble career and great energy and activity in the public service. He was born on Canadian soil and of German ancestry on the father's side, but in his later childhood or early youth he came to the United States to remain with us the rest of his days. He was not born in the lap of luxury, and his early days were those of struggle, work, and hardship. He, however, managed to acquire a good academic education, meanwhile working for a short time at the trade of a printer.

Shortly after completing his career at the academy, he took up the study of medicine and surgery at the Cincinnati Medical Institute, from which he graduated in his twenty-second year. Shortly after this he settled at Concord, N. H., which became his permanent home, and entered upon the practice of medicine and surgery, in which he was very successful.

A broader and more enchanting field of activity and usefulness, however, soon attracted his attention and aspirations. By his own inclination, and at the instance of his fellow citizens, he entered the political arena and was elected to the State legislature in 1871. He served for several years in both the house and the senate, and during a part of the time was presiding officer of the senate.

After the expiration of his service in the State senate, he was in 1884 elected a Member of the House of Representatives in the Congress of the United States, and reelected in 1886. In 1888 he declined reelection. He entered the House as an experienced and well-equipped legislator and soon took an active part and became prominent in the proceedings of that body. He was a good debater and an active and energetic committee member, and kept good track of the diversified field of legislation. Had he remained longer a Member of the House, he would undoubtedly have soon taken a front rank and become one of the leaders of that body—a leadership that does not come through favor, but through real worth, ability, and fitness.

On March 4, 1891, he entered the Senate, as an experienced and trained legislator, well versed in public affairs; and he continued as a member of this body until the day of his death, August 17, 1918, when he passed away peacefully near his home in the State he had so long faithfully served, in the eighty-second year of his age, after a service of more than 27 years in the Senate.

Those who are familiar with the work of the Senate know that Senators, so far as their activity as legislators is concerned, may well be grouped into three classes, namely: Those who seldom attend committee meetings and give little attention to the routine work of the Senate, but who participate in the debates and frequently, on occasion, deliver eloquent and instructive speeches on public questions. Then there is another class, who are faithful attendants of the meetings of the committees of which they are members and do much hard and quiet work in formulating legislative measures, but who take little or no part in the debates and seldom deliver any set speeches. And there is also a third class, who are active and energetic in committee work, give constant attention to the proceedings in the Senate, and actively participate in the debates, rather for elucidation and instruction than for display of mere eloquence.

Senator GALLINGER belonged to this third class. He was a most active, energetic, and industrious committee member, constant in attendance and persistent in work. I, as an associate of his for many years on one of the important committees of the Senate, bear witness at first-hand to this fact. He was not only faithful in his committee work, but he was also a faithful attendant of the sessions of the Senate and kept a close watch of, and was in constant touch with, all important measures on the calendar.

But, beside all this, he was a most excellent, ready, keen, and instructive debater, who always elucidated and made clear the subject to which he addressed himself. His aim was to help—to shed light, rather than darkness. He was always earnest and sincere, and this served to add force to his remarks. He was decided and clear and never equivocating or misleading. The public welfare as he saw it—and as a rule he always saw it aright—was his constant aim and lodestar. It was the compass that guided him through his manifold and diversified activities.

He was an ardent protectionist, who never faltered or equivocated. To him it seemed one of the chief mainsprings of our industrial life; and he was as ready to aid the farmer, the lumberman, and the miner of the great West as the manufacturer of New England. His shield of protection was country wide, and wherever needed he stood ready to invoke it.

He labored ardently and long, in season and out of season, to rehabilitate, build up, and enlarge our weak and feeble merchant marine, and had his plan been adopted by Congress when proposed our country would at the outbreak of the great war at least have had some shipping which it could call its own and would not have been entirely at the mercy of other countries. We might have had some swift ocean carriers of our own to carry our troops and supplies to Europe. The subsidies he proposed, which were then so vigorously opposed, seem picayunish and Lilliputian when compared with what has so lavishly been expended under the direction of the Shipping Board during the last two years. Millions have now been expended in lieu of the dollars his plan involved, and we should have had a superior class of ships, too, under his plan.

He took a deep and active interest in developing, enlarging, and beautifying the city of Washington. It was his ambition that the Capital of our Nation should rank and hold its place among the finest and best of all the world.

His activity, however, was not confined to the specific subjects to which I have referred, though these engrossed much of his time. He paid strict attention to the general course of legislation. All important matters of legislation had his watchful care and attention, and he was never at a loss in debating and discussing such measures. Some Senators are content to devote most of their attention to a single subject of importance, but he, while he had his specialties, was not anchored to these exclusively. He took in and devoted his attention to the entire range of pending measures. He was always on the lookout for what he conceived to be mischievous and dangerous measures, and for these he had no mercy and never hesitated to impale them or to point out their dangerous character.

Like many of us, he had at times his trials to contend with. His early life was a time of struggle and trial, but his trials seemed only to increase his zest for work and never ruffled the equanimity of his temper. He was a loyal friend and a genial companion—kind, considerate, and helpful to his associates.

After more than 45 years in the public service, he died comparatively a poor man, but with an untarnishable record and with the love of the people he had so long served. His epitaph will not be like that of some of our modern millionaires, whose record in brief is this:

He was born poor, but by hard work and rigid economy he accumulated several millions. A small portion of this he gave to charity; the balance all went to his family.

A barren life such as this—barren in all but the devotion to Mammon—was not the life of Senator GALLINGER, and fortunately it is not the life, as a rule, of our public men. New England has had many great Senators in this body, but I doubt whether she has had a more useful one than Senator GALLINGER.

Mr. SMOOT. Mr. President, in the death of the late Senator JACOB H. GALLINGER New Hampshire lost her foremost and best beloved citizen and the country one of its safest and most esteemed statesmen. He was honest and brave, learned and sagacious, true and patriotic, and his death leaves a vacancy in the Senate which can hardly be filled. He will be missed more and more as the years go by. He was a perfect gentleman; a man of constructive ability, of the strictest integrity and unquestioned honor. He was a lover of justice, a fair opponent. He was courteous always in his treatment of those who differed with him. So great has been the implicit confidence of the people of New Hampshire in his wisdom and judgment, so profound was their admiration for his statesmanship, so loyal for his blameless character, that they elected him to represent them in the House of Representatives for two terms, and elected him as their Senator for a continuous service of 30 years.

Senator GALLINGER was a man of wonderful perspective, and his mental horizon was not limited by local conditions or partisan convictions. He took a deep interest in everything that benefited the whole country, and he watched with pride and satisfaction its progress, its achievements, its successes, its industrial and educational advancement. He believed in law and order, and was ever the defender and often the author of legislation the object of which was to make the people of this country happy, contented, and prosperous.

When Senator GALLINGER left the Senate for his home in New Hampshire a short time before the close of the last session of Congress, I felt that he never would return. He was a sick man at the time, and he knew it; but his indomitable will would not allow him to think so, or that his death was near. He expressed the opinion to me that a short time on his farm in New Hampshire would be the means of his securing the needed rest. The announcement of his death was no surprise to me. He was my friend, and my association with him constitutes one of the most pleasant features of my public life. He enjoyed the confidence and esteem of the members of the Senate irrespective of political affiliation. In debate he was always frank, cordial, and courteous. He was simple and direct in thought and action. He was truthful and entirely free from that moral cowardice which breeds deception. Some Senators realize, but few outside the Senate fully appreciate, how great a service he rendered the Nation.

Senator GALLINGER was always a sterling defender of any cause which he espoused, never thinking whether its advocacy would inure to his personal advantage or not. He was modest and unassuming, as every Senator will testify. He sought in his legislative career to check illegal and extravagant expenditures, and to reduce taxation, to encourage manufacture, and the building of an American merchant marine.

I know there often came to our departed friend times of disappointment, times of discouragement, and times when he would have given the richest things he possessed to have received the assurance of the appreciation of his fellow men that has been expressed so freely here to-day. There may be erected to his memory monuments of marble. In this way his name may be kept fresh in the memory of the few. But the statements made to-day tell, as cold stone can never tell, of the things for which he was honored, respected, and loved, and which made him great in the estimation of all who knew him. The regard of one's fellow men is a reward that must be earned, and happy, indeed, is he who gains it; and few there are who gain it in a degree and in a measure so universal and with so many people as did the late Senator GALLINGER.

In halls of State he stood for many years
Like fabled Knight, his visage all aglow,
Receiving, giving, sternly, blow for blow,
Champion for right! But from Eternity's far shore
Thy spirit will return to join the strife no more.
Rest, citizen, statesman, rest, thy troubled life is o'er.

Mr. President, if we could but force our vision through the thin veil that separates this life from the greater life beyond, we would not look upon death with that degree of dread which is so common to mankind. To me death is but the passing from our present existence to a more perfect and active one. What a fortunate thing it would be if our lives were such that with the cable of hope intertwined with faith and charity we could, with properly attuned ears, receive from the Master now and then the message we are all striving for: "All is well."

The VICE PRESIDENT. The Chair is informed that the Senator from Arizona [Mr. SMITH], who is next on the list of speakers, is confined to his room by illness.

Mr. WEEKS. Mr. President, other Senators have given or will give the salient facts relating to the long and distinguished career of Senator GALLINGER, and I shall not duplicate that general statement; but I can not refrain from taking a brief part in the services on this occasion.

Senator GALLINGER represented my native State in Congress for more than twice as many years as any other man in the history of New Hampshire. That long service, and the fact that our views very largely coincided on public questions, brought me into close relationship with him and gave me an insight into his practices and policies perhaps as great as that of other Senators who have served with him for more years.

Senator GALLINGER was a strong party man—a political course which, in my judgment, is the soundest from every standpoint of good government. He recognized that this Government is best conducted only when there are two strong and nearly evenly divided political parties, and that any variation from that policy tends toward personal or individual government. Personal or individual government lessens stability and destroys that responsibility which can only exist with organization. It is true that men who believed as he did and as I do, in such fundamental matters, very frequently find themselves in the position of not approving in all details what their own party for the moment may advocate; and yet they realize, as he did with great broadness and saneness, the desirability of concerted and consistent political action.

Senator GALLINGER was a most industrious man up to the day of his final sickness. Very few men in the Senate gave more detailed attention to the duties of their work than he. The records of Congress will show that up to July 1, 1918, there were few important questions before the Senate which he did not debate with intelligence, and his thorough knowledge of the questions of the day always commanded the respect and admiration of his colleagues. He had an expert knowledge of many of the great public questions affecting the welfare of our Nation equaled by but few legislators in recent years. No man had a clearer conception of a protective tariff or was of firmer belief in that doctrine than Senator GALLINGER. He was one of its most earnest and effective advocates for many years, and his faith in the value of that policy never weakened.

No man in Congress had a more intimate knowledge of the requirements of our country in relation to a merchant marine. He discussed that question many times, covering the entire ground with such thoroughness that it is difficult to add to the arguments he made in favor of a merchant-marine subsidy.

His knowledge of naval affairs and his hearty advocacy of an effective navy were well known, and Senator GALLINGER was a potent influence in bringing that arm of our military service to the high standard of efficiency which enabled it to make possible its great record in the recent war with Germany.

These are but a few examples of his broad knowledge and thorough equipment as a Senator. Most men who have passed the threescore-and-ten mark have lessened their activities, either for physical or for other reasons. There was no failure on the part of Senator GALLINGER to continue his active interest and participation in public affairs long after that period. Indeed, his mental and physical faculties were available until the end.

His was a most friendly, wholesome, and cordial character, helpful to others, genial in his personal relationships, and particularly generous in his attitude toward his fellow men. I can bear witness to these admirable qualities, for from the day I came into the Senate he took an interest in me which was both fatherly and brotherly, and which aided me materially in my efforts to become a relatively useful member of this body.

No State in the Union has been represented in Congress with greater devotion than was New Hampshire by Senator GALLINGER during his long service. He was jealous of everything pertaining to the welfare of his State; and although his service in Congress made him well known to everyone in New Hampshire, I do not believe the people he served so faithfully and well can quite appreciate the keen personal interest he took in them and their affairs.

It is frequently said in a somewhat perfunctory way that this man or that man can not be well spared from the public service. There of us who have served in Washington for many years know that the average man—in fact, substantially all men—although they may have been useful and even brilliant legislators, drop out without so much as causing a ripple on the surface of congressional life. That is not true, however, of Senator GALLINGER. He was the admired and trusted leader of his party, and those younger in service and younger in years had long trusted that leadership and depended on his sound advice and calm judgment.

I can not express how strongly I regret his passing not only from my own personal but from the public standpoint. If ever a man earned the reward "Well done, thou good and faithful servant," Senator GALLINGER did; and I am sure that sentence expresses the sentiments of his associates in the Senate, all those who knew him, and those represented by him.

Mr. THOMAS. Mr. President, for some time before I became a member of the Senate my sentiment toward Senator GALLINGER was distinctly antagonistic. I had met him casually some 19 years ago. The basis for the feeling which I entertained was the occasional appearance of public criticisms reflecting upon his public service, the principles upon which he acted and the views he entertained upon prime matters of public concern. To me they were the antithesis of everything which I professed and which seemed essential to the ordered and healthy progress of the Nation. In this mental attitude I entered the Senate Chamber.

Senator GALLINGER was the Presiding Officer of the Senate at that time. He administered the oath of office to me, and on that afternoon he called upon me in the offices which had been

assigned to me in the building across the way. He spent some half or three-quarters of an hour in exchange of personal reminiscences and courtesies, during the visit giving me much valuable information regarding the details of a Senator's life, for which I felt and expressed my sense of appreciation. Upon parting he expressed his gratification that I had become one of his colleagues, and desired me to call upon him at any time he could be of service. To say that my feeling of mistrust was dissipated by this kindly interest in my behalf is but to feebly express the entire change of sentiment which his kindly and genial companionship impelled.

I took occasion shortly afterwards to express to him my regret that I had formed a hasty judgment of his character and standing upon secondary evidence, which my experience at the bar should have warned me against, and to express the hope that our relations as long as we were here together should be as kindly and as cordial as they had begun; and they were, Mr. President, from that hour to the hour of his death, those of a close, congenial, and affectionate friendship.

Senator GALLINGER stood for many things which I did not approve, and I stood for many things which he could not approve; and it is the close and intimate contact with men like Senator GALLINGER that induces, or should induce, men to modify their judgments of each other and also their convictions of the soundness of their own views; for, after all, however sincere our sentiments and convictions, it is human to err and imperfection is characteristic of all judgments.

Senator GALLINGER was a conservative statesman. He had that rarest of virtues in these days—a moral courage which made it impossible for him to be neutral upon any position, and impelled him to inform the world of his sentiments upon every question confronting him in his capacity as a United States Senator; yet mingled with his conservatism were elements of a progressive nature that were in decided contrast to his general views. The Senator from New Hampshire [Mr. HOLLIS], his former colleague, has directed attention to his championship of the two great liberal issues of prohibition and woman suffrage. He was as earnest and constant in his devotion to these as in his advocacy of or opposition to every proposition which his judgment commended or condemned. It is not an unusual contrast, Mr. President, but in a man of such sterling integrity of conviction it does afford some basis for speculation that views which seem so diametrically opposed to each other should have found in him a common champion.

Senator GALLINGER combined with his sturdiness of conviction, his practice of participating in every important discussion as an ardent and vigorous contestant, all the sterling qualities of a true and perfect gentleman. We have had, during the six years that I have been a member of the Senate, a number of sharply controverted issues and discussions, generating much heated debate and occasionally disturbing the serenity of our proceedings, but he was always considerate of his colleagues and mindful of the limitations of debate.

As his party's leader he bore himself courageously and well, yet I can recall the utterance of not a single sentence, not a single reflection, that left in the mind and heart of any associate a moment's bitterness or pain. That, Mr. President, was the distinguishing characteristic of Senator GALLINGER—his ability to participate in most earnest and strenuous discussion at all times consistent with the highest courtesy. These elements rarely blend together at all times. When they do they should command, as they always must, the instinctive and enduring tribute of affection and of friendship.

Senator GALLINGER served his country for many years, and at the ripe age of 81 passed from this sphere of usefulness into a well-earned eternal rest. I trust, Mr. President, that those who survive us may be inspired with the same sentiments of regret and affection for us when we, "like streaks of morning cloud, shall have melted into the infinite azure of the past."

Mr. MOSES. Mr. President, others, from the standpoint of their association with him here, have spoken, and properly, of Senator GALLINGER as a figure in the life of the Nation; of his long service in this Chamber; of the part that he played for so many years in shaping the legislation of the country; of his work in forming the policies of his party; and, through that party's long-continued dominance and his own preeminent position in it, of his share in making the political history of the United States during the past generation. I may not claim the privilege of speaking of him thus. My knowledge of his public life was taken in perspective, because the hopes which I had had and which he, in some measure, I am sure, shared with me, of sitting here as his colleague, never came to fruition. And, Mr. President, it is perhaps not out of place that I should add that I feel myself humbled as I think of myself as his successor.

I was a lad when I first knew Senator GALLINGER, and he had not yet come to his later national fame. He was a physician of merited repute, and such leisure as his busy professional life afforded was spent upon the old estate in the historic town of Salisbury—the home of the Websters—in the ample and hospitable old house to which he turned so lovingly in his last stricken days and from which he went the week before his death. My father was a preacher in the neighboring town of Franklin, and on Sunday afternoons he ministered to the diminishing flock which still clung to the ancient temple of colonial faith among the Salisbury hills. As a boy I used to drive there with him as he went to carry his message, and there I first met Senator GALLINGER, whose magnetic personality made an impression upon my youthful mind which later association strengthened and confirmed. From then to the day of his death I was privileged to know him; for the last quarter century of his life to know him intimately; to be associated with him in such of his public affairs as related to the State of New Hampshire or which had their theater of action there; to receive from him confidences such as I have been vain enough to think he gave to few, if any, others; to be with him in times of trial; to share with him his many moments of triumph; to stand beside him in seasons of his grief; and to offer to him all that an ardent and affectionate discipleship could give to a leader.

In consequence, Mr. President, I shall seek to speak of Senator GALLINGER to-day not as a public man, not as a legislator, not as leader of his party in this Chamber and elsewhere, but as a friend.

Nevertheless, it is impossible to view Senator GALLINGER's life in any aspect without taking into the account his public career, which covered nearly half of all his years and which occupied the greater part of the long span from the day of his majority to the day of his death.

When I first knew the Senator he was at the very beginning of his national career. He had served with such distinction in the lower house of the New Hampshire Legislature as to merit his promotion to the State senate, where he was made president of that body. He had conducted successfully, in behalf of a friend, the most prolonged and most bitterly contested struggle for a nomination to the governorship which our party in New Hampshire had ever known; and he had followed that task with equally successful leadership in the election campaign, where, as chairman of the Republican State committee, he wrested victory almost from the jaws of defeat. This achievement had clearly marked him out for further advancement in public life; and he was then in the midst of his first campaign for nomination to Congress—a canvass in which he was confronted by one of the most adroit and resourceful of New Hampshire Republicans, who was supported almost unanimously by the legal profession, to which he belonged, and who, by tactical considerations and by capable service for the party and in office, seemed inevitably destined to win. In that canvass Senator GALLINGER's skill as a political manager was displayed, I have often thought, as never before nor since; and following his nomination he again took the chairmanship of the State committee and carried himself and his whole ticket through to victory.

He entered Congress with the first Cleveland administration. His party was in the minority, but he took his place with the constitutional opposition which our political system provides, and his genius for leadership found immediate opportunity for expression. He took a prominent part in debate, and his vigorous speeches found wide distribution as campaign documents. His second nomination to the House of Representatives came to him without opposition; and again in the chairmanship of the State committee he had the honor of carrying his party to victory in the election. The impression which he had made during his first term was heightened by the activities of his second to such an extent that a serious movement arose in New Hampshire to overthrow the then existing doctrine of rotation in Congress, which limited our Members of Congress to two terms, and to give to him a third nomination by acclamation. Committed, as he felt himself to be, to the existing order, he checked this movement and announced his candidacy for the United States Senate.

That canvass marked the only defeat which Senator GALLINGER's political career has known. His opponent's triumph in the legislative caucus was of such proportions that many observers believed that Senator GALLINGER's political career was ended. But their judgment was formulated without knowledge of the man. He at once announced his candidacy for the senatorial seat to become vacant two years hence; and, freed from the restraints of office and beginning the effort—never wholly accomplished—of shaking himself free from the demands of his professional occupation, he devoted himself to organizing for the contest which lay ahead of him. Against him were

arrayed the sitting Senator, one of the most popular of our ex-governors, and others of lesser consequence in the political field. Around Senator GALLINGER were gathered the friends whom he had made in public and private life, and dominating the whole of his canvass was his own inspiring and forceful leadership. He won the nomination, and the election followed in due course.

His early days in this Chamber were affected by differences with his colleague, which arose out of the intensity with which the Senator's first campaign for the Senate had been conducted. The result, I am sure, was a period of stress for both of them, and I know that the reconciliation which was later effected brought equal satisfaction to the two Senators and to their host of friends in New Hampshire.

Following Mr. Chandler's retirement from the Senate Senator GALLINGER's supremacy in New Hampshire became unquestioned. Two reelections came to him by unanimity, and another was won by a secure margin. This contest was the Senator's sunset campaign. He was in his seventy-eighth year; he was running for the first time in a primary and in a popular election of a Senator; he was seeking a fifth term; and it was at a time, within easy recollection, of the Republican division of two years before. His opponent was young, but no younger in spirit than his antagonist; he was active in the canvass, but no more so than his seasoned opponent; he was vigorous and plausible on the stump, but he was unable to match the reasoned arguments of the Old Man Eloquent.

This campaign, Mr. President, brought Senator GALLINGER to new relations with his people, or, to speak more accurately, into renewed relations with them, such as he had not sustained since his second campaign for Congress nearly 30 years before. And it became immediately evident that neither his powers nor his charm had diminished. In that canvass, Mr. President, I was privileged to speak with Senator GALLINGER more frequently than any other of his coadjutors in the campaign, and as we rode, each day and night, from place to place, I think I found a deeper insight into his character than I had before possessed.

His alert mind was keen to seize upon each detail of the trying canvass; his marvelous memory proved an inexhaustible storehouse of opportune citation when confronted with what otherwise might have been a troublesome problem; his unfailing good humor was proof against all annoyances and was no inconsiderable factor in smoothing out the rough places in the journey to success. And when the victory had been won, his great heart not only awarded to each who had assisted him his merited portion of praise, but with characteristic magnanimity it shut out the memory of the injuries which had been sought against him.

He began his last term here with fond expectation of following it to its allotted end. But its cares burdened his strength. He was unremitting always in his attendance here, and his tireless industry never flagged. His serenity of spirit was rarely disturbed to outward appearance, but it was evident that he was greatly perplexed by the national problems which the war had brought. Twice within his last year he came face to face with death; and it was only his iron constitution, preserved by his clean life, that enabled him to come from his chamber of convalescence to the Capitol in order to vote for the declaration of war and to take up his work as a Senator in a war Congress.

How well he did that work has been attested here to-day by those who saw it. How reluctantly he laid it down, I can testify, for I saw him on the day before he left Washington for the last time, and his mind, though looking forward to the healing days which he hoped to pass in the New Hampshire hills, nevertheless looked beyond them to the days of restored strength, when he would be back here again at the tasks which he knew so well and performed so perfectly. But it was not to be. His sturdy figure belied the weakness which his prolonged and excessive devotion to duty had brought upon him, and he left this Chamber, the scene of his labors, and this city, where there arise on every hand so many evidences of his forethought and taste, never to return. And I venture to believe, Mr. President, that nowhere outside of his own State of New Hampshire will there be found those who will mourn Senator GALLINGER more sincerely than in the city of Washington, whose people knew him for years as the painstaking and alert chairman of the Senate Committee on the District of Columbia.

Turning to contemplate Senator GALLINGER in the friendly relationship which I am pleased to think so long subsisted between him and me, words elude me as I try to express how much my association with him has meant to me and how much his death means to me now. Deprived of the further benefit of his companionship and inspiration in the flesh, I still love to believe that I retain my connection with him in the spirit, and that my recollection of him will in some measure afford to me the counsel which I never sought of him in vain.

In his last years, Mr. President, Senator GALLINGER drank deeply of the waters of bitterness. His younger daughter was taken from him in the days when her charming matronhood gave promise of happy years to come; the wife of his youth, who had shared with him so many of the years of his distinction, died, instantly, at his side; his oldest son fell dead just as he and his father were returning from a happy journey abroad; and his last-born, in whom centered great hopes for the continuance of the Gallinger name in the profession which the father had so adorned, was tragically taken away. A less robust spirit would have been crushed by all this. There were left to him, however, the sweet solace of filial affection from his surviving daughter and the care of a devoted sister, and to these were added the heightened solicitude of the friends who were now bound to him by stronger bonds than ever. His own serene Christian spirit was no small factor in making the close of his life calm and beautiful; and he died in the fullness of years and of honors, and all that we say here to-day will be reechoed in the hearts of the thousands who knew and loved him.

At the risk, Mr. President, of running counter to the opinions which some have expressed here to-day, I venture to say that Senator GALLINGER did not die as he had wished. In spite of his advanced years, he had reason to think, because of his heredity, that his life still would extend no inconsiderable span. And I know from his own lips that he had looked forward to a time when he could lay down the responsibilities of the Senatorship and take his place in retirement as an elder statesman, viewing and commenting upon the public life of the Nation as the years of his experience would warrant. But, Mr. President, this was not to be. His life was destined to have no evening. He went out while it was yet day and with his labors yet upon him. He went from his work direct to his reward.

And after all, Mr. President, it was fitting that this should be so, and that the old warrior should not have laid off his armor. The memory of Senator GALLINGER inactive would be a strange picture in the minds of those who knew him; and his death in the harness preserves to us his image as he was—earnest, energetic, industrious, and always helpful.

Senator GALLINGER's years were many, but his spirit was always young; and it renewed itself with fresh companionship as his earlier associates fell by his side in his long busy march through life. Around him in New Hampshire in his later years had gathered an ardent group of younger friends who delighted in both his leadership and his companionship. To us he was always "The Chief," and we hailed him thus with respectful affection. He went from us when he was at the height of his years and influence here, and at the moment when his busy mind was active in planning for the hope of his heart so soon to be fulfilled in the restoration of his party to power. And so we saw him in those last days still as "The Chief." And, Mr. President, it is as "The Chief" that we shall ever think and ever love to think of him.

MEMORIAL ADDRESSES ON THE LATE SENATOR BRADY.

Mr. BORAH. Mr. President, I offer the resolutions which I send to the desk.

The VICE-PRESIDENT. The resolutions will be read.

The resolutions (S. Res. 418) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate expresses its profound sorrow in the death of the Hon. JAMES H. BRADY, late a Senator from the State of Idaho.

Resolved, That as a mark of respect to the memory of the deceased the Senate, in pursuance of an order heretofore made, assembles to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Mr. BORAH. Mr. President, Hon. JAMES H. BRADY, late Senator from the State of Idaho, was born in the State of Pennsylvania July 12, 1862. When yet a child he went West with his parents and located in the State of Kansas. His experience was that of most young men coming into the West and seeking for better things. He was educated at the public schools, taught school for several years, afterwards attended the Leavenworth Normal College. He became interested in the newspaper business and afterwards engaged in the real estate business. He moved to Idaho in 1895, where he immediately took an important place in the industrial affairs of the State, giving his attention particularly to the development of irrigation projects, farming, the development of power sites, and banking. He was very successful as a business man and came to be a man of wealth, as men of wealth are measured in that

part of the country. He was active in business affairs and very successful in all business matters up to the time of his death.

He became interested in politics shortly after his coming into the State and at once took the position of a leader in the Republican Party. He was a delegate to the Republican National convention in 1900 and 1908; chairman of the Republican State central committee of Idaho from 1904 to 1908. He received the entire vote of the Republican convention for governor of the State of Idaho in the fall of 1908 and was elected governor November 3 of that year. During that time he also acted as president of the Trans-Mississippi Commercial Congress. When Senator Weldon B. Heyburn died Mr. BRADY was elected, January 24, 1913, to fill out the unexpired term. He was reelected by the vote of his people November 3, 1914.

Mr. President, as governor of the State, Mr. BRADY devoted his talents particularly to the organization of those departments of our State government which have to do with what might be called the business interests of the State. In fact, under our constitution and under our State organization the governor of the State becomes, in a large measure, the business manager or director of the State; and Senator BRADY devoted his time particularly to the concrete questions which had to do with the development and growth of his State. He did not shirk, either in time or with reference to his personal expenditure, taking care of those things which had to do with the development of our undeveloped resources and inviting citizens from different parts of the country to share with us in the development of those resources.

Senator BRADY was a successful business man, painstaking, thorough, and of untiring industry. He was always generous with his means. It is safe to say that no deserving charity, no needy individual, was ever turned away without some assistance or some help. He gave continuously and generously to all things which had to do with the betterment of society and to augmenting the happiness of his fellows. When he came to the Senate he gave to the public the same untiring energy, the same close, conscientious study and consideration of public questions that he had given to his private affairs. He seemed to transfer all his energy and ability and business training to the service of his State and the Government. His attention to duty, his close application to public affairs, even after he was informed of his shattered health, was a matter of comment by his colleagues and of anxiety to his friends. He was not willing to take his needed rest. He felt that his duty was here in the Senate, and faithfully he remained at his post until actually confined through broken health to his room at home. Genial, always considerate of his colleagues, broad-minded, and generous-hearted, he was respected by all who knew him.

When the war came, Mr. President, no one in this Chamber gave more undivided support to the great conflict in which we were engaged than did Senator BRADY. It will always, perhaps, be a matter of debate in the minds of Senators as to just what their duty is toward the executive department of the Government in time of conflict. Some may entertain the opinion that they should still exercise their independent judgment with reference to matters which touch, directly or indirectly, the prosecution of the war. Others feel it more their duty to yield to the suggestions of the Commander in Chief of the Army and the Navy. That matter is not a subject of debate here and now, but it is safe to say that Senator BRADY concluded that it was his duty to follow the Commander in Chief, and, without hesitation, he did so in all instances which had to do with the support of the late war.

His death was a peculiarly sad one. Just entering upon his second term as Senator, while yet a comparatively young man, with a beautiful and happy home, the future seemed full of promise. But it was at this time that the dread summons came, and he, responding with the same cheerfulness, the same uncomplaining fortitude, went with the silent messenger to the undiscovered country.

Mr. THOMAS. Mr. President, my acquaintance with the late Senator BRADY began after his entry into this body. He was assigned to the Committee on Military Affairs, of which I was a member, and our duties upon that committee naturally brought us into close and continued contact. Senator BRADY gave to the duties of that committee his undivided attention. He endeavored to familiarize himself with the military code and with regulations and recommendations of the War Department, that the service he rendered in the consideration both of recommendations and of bills referred to the committee might reflect the ripe fruits of a successful business experience upon full knowledge of the subject involved.

Some of us are prone at times to be lax in the discharge of our committee duties, feeling that others will bear the burden and that personal attention is not therefore a matter of mandatory importance. Senator BRADY never so felt nor acted. Others might be absent from the meetings of the committee; others might, for many reasons, be unacquainted or unfamiliar with its work and with the character and purpose of the bills referred to it for consideration, but Senator BRADY never. He was always in his seat and always vigilant and active both in attention and in inquiry.

His talents were not of the brilliant variety; they were solid, practical, substantial, and if it be true, as Macaulay says, that genius is but another name for a capacity for hard work and unremitting labor, then Senator BRADY was a genius.

He was finding himself, so to speak, when the summons came. Until the declaration of the existence of a state of war with Germany, Senator BRADY's participation in debate upon the floor was intermittent and fitful. I observed that he was self-conscious and seemed to speak under the restraint of new surroundings. This, however, was disappearing, and he took part in the discussion of affairs connected with the War Department with a continually growing confidence in himself, based largely upon his familiarity with the work in hand and with the subject requiring consideration and upon the exercise of faculties which had outgrown the limitations of novel environment and a critical audience.

Bringing to bear upon the duties of the Senate the best faculties with which a Senator is endowed is the highest possible service to himself and to the country. Measured by that standard, Senator BRADY was one of the most useful Members of this body. He was industrious, vigilant, painstaking, and conscientious. He loved his country and his State, appreciated the dignity and the duties of the high position which his people had conferred upon him, and reflected credit upon them and upon himself so long as he spoke for them and for the Nation.

Mr. CHAMBERLAIN. Mr. President, my first intimate acquaintance with and friendship for Senator BRADY commenced when he entered the Senate and later became a member of the Military Affairs Committee and of the Committee on Agriculture and Forestry. Both of us took a deep interest in those committees, because the work that came to both had much to do with the development of the western portion of the country.

As has been said by the Senator from Colorado [Mr. THOMAS], Senator BRADY's course in the Military Affairs Committee was marked by his attention to every duty that devolved upon him, and the same may be said with reference to the other great committee of which he was a member, namely, the Committee on Agriculture and Forestry. While it has often been the case that many Senators pay little attention to the important duties which devolve upon committees, this can not be said of him in reference to his attendance upon and work with the committees of the Senate of which he was a member, and particularly the committees to which I have referred. He was always on hand; he always had strong opinions upon all of the matters that came before the Senate and its committees, and dared express them whenever it became his duty to do so.

Mr. President, if I were to speak of that which characterized him most strongly in the Military Affairs Committee, I would say it was his distinct Americanism. Before America entered into the war but after the first gun had been fired in Europe, he had begun to feel, as many of us did, that America must eventually become involved, and he believed in following a course in that committee that would place America in a proper position of preparation and defense if she did become involved. He felt not only that the Army ought to be properly reorganized, but he felt that the young men of America ought to be so trained that if it did become necessary to draw upon the body of citizenship for the young men who were to fight the battles of America there would be created a reservoir from which they could be drawn. The correctness of his opinion, Mr. President, was fortified by subsequent events. America did become involved; and America did have to draw, not from a prepared body of young men as he and others of us of the committee would have had it, but from a selected body of young men under the draft law to fill the armies which were to fight the battles of our country.

Senator BRADY stood not only for universal military training, Mr. President, when it was very unpopular to take that position, but he stood as well for another great act which when he first became an advocate of it was also unpopular, and that was the selective-service law. Whatever was necessary to be done with reference to these two measures and whatever was necessary to be done in order to raise an efficient and an effective army he stood for.

As his colleague the Senator from Idaho [Mr. BORAH] stated a while ago, he sometimes hesitatingly surrendered his own judgment as to what was best to be done for fear that by antagonizing the wishes of the Commander in Chief of the Army and Navy he might by such course in some way impair the efficiency of his own country in a war which probably meant its life or death. He thoroughly believed that it was America's duty to play the part which she did play and to lend the assistance which she did lend to win the war which followed. He talked with me many times about this and was always active in doing whatever seemed necessary to raise an efficient fighting force.

Another strong and distinguished characteristic of Senator BRADY, Mr. President, was his devotion to the West and to his State and its interests. He favored the development of the resources of the West, and was always vigilant to do whatever was most conducive to the promotion of those interests and to the advancement of the States of the West amongst the States of the Union. His attention to duty in this regard was, as has been said by others, marked in every way because he was always present in committees and in the Senate to do whatever was necessary to that end.

He was a lovable, chivalrous, and generous soul, and all of us who came in close contact with him found that he was a man of kindly heart and gentleness of disposition; but with it all, Mr. President, there was a firmness about him which made it easy for him to say "yes" or "no" as his duty directed. Even, sometimes, at the expense of offending one who differed from him, he hesitated not at any time to do his duty.

In his death not only the Senate but his State and the Nation have lost a splendid and a useful citizen and public servant. Duty to him was his all-absorbing passion, and—

> He worked attended
> By a strong-aiding champion—conscience—

bringing to his work the strong common sense of a faithful, honest man.

Mr. SMOOT. Mr. President, how uncertain life is! We are here to-day, and to-morrow we pass to the Great Beyond; and no matter what position or station in life we occupy, the world moves on with scarcely a ripple, the ranks close up, and the struggle for advancement and existence continues.

A comparatively short time before the death of the late Senator JAMES H. BRADY, even his closest friends thought he had long years of active service ahead of him. If I had been asked who, among all the Senators, would be most likely to live a quarter of a century longer, I would have named among the first half dozen Senator BRADY.

We have in his death another evidence that in the very presence of life there is death. It is fitting upon occasions of this character that we turn from the turmoil of civil duties to consider the work of the reaper Death. These are times of solemnity and bereavement, and language can not portray the emotions of the soul; yet, on the other hand, they teach us the lesson that there is an overruling Power directing the lives of men and nations. They teach us that no man can justly glory in his strength, or stretch forth his hand and stay the sentence of death, or defy the dread summons to join the innumerable hosts whose way lies through the portals of the tomb. They remind us that no man can tell the day or the hour when his earthly estate shall be closed and an account asked for of the deeds done in the body.

Senator BRADY has passed away, but his works live after him. His body now lies in the grave, but the influence of the life of a good, brave, honorable man remains as a legacy to us and his loved ones. The teaching of faith, the consolation of religion, our inborn conviction of immortality, may temper the sorrow of those who loved him; but the wound inflicted by his early call to a better life can only be completely healed by an assurance that they will meet him face to face when their summons to the great beyond is received.

The people of Idaho honored and trusted him, and he was always faithful to their interest. They greatly respected him, and he gave them his personal affection in return. He won their support by his fidelity to duty. His public record is one of which his family and friends may be justly proud. He died in the midst of his labors and his honors, at the very moment of his largest usefulness in the world.

The character of such a man is not an accident. It illustrates not only the principles of American life, but the benevolent working of the laws under which the progress of society is made sure. He made his own way in life, and whatever success was attained by him came through a constant and ever steady application of the best that was in him, always having the goal of his ambitions in sight. We lose much in his death, but those nearer and dearer lose more. I can simply say that the tenderness and solicitude which he evidenced for his friends and loved ones were worthy of a son of God. May the peace and consolation of the Divine Master ever bless and comfort those who are left to mourn.

Mr. POMERENE. Mr. President, on occasions such as this we realize the emptiness of words when we try to give voice to the sentiments of the heart. As we meet the friends and family of a deceased associate whom we loved, about all we can do is to extend a hand in silent sympathy and breathe a prayer that the God above may lighten the burden and solace the hearts of the bereaved.

I would prefer to sit silently by and listen to the words of others who speak in eulogy; but it would be doing violence to my feelings if I failed to say a word of appreciation for an associate and a friend whom I have learned to love and esteem.

Born in Pennsylvania, educated in Kansas, school-teacher, editor, business man, one of the high counselors of his party, governor of his adopted State, and later a Senator in this Chamber, the career of Hon. JAMES H. BRADY was typically American.

Senator BRADY was one of the working Members of this body. He had not been here long until his colleagues who had not had the pleasure of his acquaintance in his earlier life began to recognize in him that sound business capacity which was so well known among his constituents, and which had persuaded them to confer upon him the highest honors within their gift, both in party and State councils.

His work here in the Senate was by no means limited to those subjects which concerned the great West, but it is only fair to say that they were first in his heart's affections. This was not because he did not take an interest in the welfare of the entire country, for he had an abiding faith in its destiny and its greatness, but because he saw the tremendous natural resources of the great West, saw them going to waste, or, at least, not being utilized for the benefit of mankind. He yearned to make the western region blossom as the rose; and I confess I sympathized with him then and I sympathize now with the Senators of the undeveloped States of the West in their ambitions to make their resources serve mankind, and to do it now. It is all very well to have an eye for the good of generations yet unborn, but they will be the more benefited if the present generation shall hand to their unborn children these resources in a state of development rather than in a state of nature.

Senator BRADY realized this very fully, and hence his abiding interest in this great section of the country.

And now, when our victorious soldiers are returning from the field of battle, or from the cantonments, where they have been in training for the defense of the world's civilization, the duty rests upon the Government to give them their opportunity for life's great work, and the Congress ought to give more thought to the resources of the great West and their development, as well as their reasonable conservation. The God of nature gave us these resources for the benefit of man. They were not intended to be wrapped in a napkin and laid away.

If Senator BRADY were here to-day his colleagues who served with him know with what intensity of purpose he would have devoted his time and talents to this work not only that our brave soldiers might be benefited thereby but that all mankind could be prospered. He who serves the present also serves the future, and he who seeks to so dispose of nature's bounty as to serve the future at the expense of the present serves neither. This is a day for practical men, and not for dreamers; and Senator BRADY was a practical man.

When Senator BRADY first came to the Senate he was not given much to speech making; but after a time, and as he became more familiar with his surroundings, "and of the fullness of his heart," he spoke more frequently. While we would not class him as an eloquent speaker, he was always well equipped with his facts and expressed himself fluently, clearly, and convincingly.

His colleagues were always glad to have the benefit of his suggestions on any subject; and if they did not always agree with him, they respected his views on any legislative problem. And who did not like him as a friend and associate? Always genial and gracious, always kindly and generous, always ready to lend a helping hand in any worthy cause, always of even temper. No one who knew him could think of his doing an unmanly thing, or of uttering a harsh word toward his fellow men.

The world is the better for his having lived. All who were privileged to know him regret his untimely taking off.

Peace to his ashes!

Mr. PAGE. Mr. President, I deem it a privilege to have this opportunity to add my humble tribute of esteem and affection to the memory of our honored colleague, Senator BRADY.

Although born in Pennsylvania and educated in Kansas, Senator BRADY was distinctively of that type of forceful, constructive business men who were developed by the environment peculiar to our Far West in the latter part of the last century.

In the last decade of the nineteenth century Idaho was conspicuously a mining State. The census of 1890 gives us this notable fact—that in this Commonwealth, whose entire taxable valuation was $31,000,000, there was produced in a single year more than half that value of lead, silver, and gold. To-day Idaho is a flourishing agricultural State; and it is perhaps in the impetus he gave to her growth along these lines that Senator BRADY made his most important contribution to her welfare. His natural instincts as a farmer, combined with his great and forceful ability as an irrigationist, gave him a broad and ambitious conception of what Idaho might become agriculturally.

Senator BRADY was a constructor, a builder—the very spirit of the practical. At the same time he had a vision, and in the vast development of his great irrigation projects his vision was realized. He indeed caused two blades of grass to grow where but one—nay, perhaps none—grew before.

Senator BRADY brought to the United States Senate the results of a rich practical experience, coupled with an energy and enthusiasm rarely excelled in our public men.

I first knew Senator BRADY by close association when in 1913 he became a member of the Committee on Agriculture and Forestry. He promptly took up his work on that great committee with sagacity and diligence, and brought to bear upon its labors that practical mind and sound judgment which soon made him one of the leading figures in the consideration of matters connected with that very important committee. I early came to learn that whenever Senator BRADY expressed an opinion on the committee's deliberations a valuable contribution had been made.

My personal relations with Senator BRADY were always most pleasant. There was a very lovable side to his character, a cheerful courtesy and a kindness of heart which greatly endeared him to those who were permitted to enjoy a more intimate association with him.

One of the most beautiful of Washington's many beautiful homes was that of the late Senator Nixon. After Senator Nixon's death Senator BRADY purchased the Nixon estate and beautified and improved it until it was among the most attractive in Washington. Here Senator BRADY delighted to bring his friends to enjoy that cordial hospitality over which his charming wife presided so graciously.

His colleagues in the Senate have lost a wise counselor and colaborer and a genial friend. An excellent governor has passed on; and in Senator BRADY's death the Nation, as well as Idaho, has suffered an irreparable loss.

Mr. HOLLIS. Mr. President, because of the absence of the junior Senator from Idaho [Mr. NUGENT], on account of illness, I am quite willing to close the services by saying a few words of appreciation of our late colleague, Senator BRADY.

If, as we love to think, the United States excels the older civilization in point of strength and efficiency, it is because of the all-round character of her leading citizens. In the older countries men are prone to live their lives in the places where they were born, surrounded by the traditions and hampered by the prejudices of their native districts.

In the lives of the two Senators whom we have eulogized here to-day we can not fail to be struck by the change and variety that came into their lives. Senator GALLINGER was born in Canada and came to the United States and lived most of his life in New Hampshire. He began as a printer; he became a physician; then a public man and a distinguished Senator. Senator BRADY was born in Pennsylvania and moved westward with the Star of Empire. He taught school; he was a printer; he became a banker and a business man.

As long as the United States of America can produce men of this sort, men who are willing to sacrifice their time and their ease to serve the Nation thoroughly and well, we need not fear for its future.

There was a breeziness and freshness and rugged quality about Senator BRADY that always reminded me of the West, where I myself began life at the age of 17 years.

I was not on any committee with Senator BRADY and I had no close association with him until he became a member of the joint statutory committee of the two Houses with reference to the subject of rural credits. I was surprised to find what a diligent, intelligent, and active man Senator BRADY was on committee work. We were doing our best to handle a very great subject. I came from the East, where I had little hope that the rural credits bill would be of benefit. Senator BRADY came from the West, where he expected it to be of great benefit. I was the more radical of the two and believed more in Government aid than Senator BRADY did. He brought to that work the experience and conservatism of a banker. Wherever we clashed it was the conservative East in the form of a radical against the radical West in the form of a conservative. But we were always able to harmonize our differences and we finally met on common ground and supported the same measure to the end.

I can very earnestly and sincerely pay my tribute to Senator BRADY as one of the finest products of our American civilization that it has ever been my pleasure to meet.

Mr. President, as a further mark of respect to the memory of the deceased Senators, I move that the Senate do now adjourn.

The motion was unanimously agreed to, and (at 1 o'clock p. m.) the Senate adjourned until to-morrow, Monday, January 20, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SUNDAY, *January 19, 1919.*

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore [Mr. CANNON].

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father in Heaven, we thank Thee that the deeds of man are automatically recorded in the tissues of his soul, that the final result is the character which he builds for himself.

Some men work to live, others live to work. The former are eye servants. The latter are heroes and work for the betterment of mankind, in the community, the State, the Nation, the world. Such men are admired, respected, and loved by all with whom they come in contact.

We are here to-day in memory of two who have placed themselves on the roll of honor, to record on the pages of history their life, character, and public service; that they may live as beacon lights to guide us and future generations, to emulate their virtues, so that when we pass from this life men will rise up and call us blessed.

They are gone. Their works live. We mourn their going, but look forward with bright anticipations to the life eternal. Let this comfort us and their dear ones until Thou shalt call us to join them in the realms of the larger life where peace and happiness shall reign supreme; and everlasting praise be Thine, through the world's Great Exemplar. Amen.

THE JOURNAL.

The SPEAKER pro tempore. The Clerk will read the Journal.

Mr. FOSS. Mr. Speaker, I ask unanimous consent that the reading of the Journal be dispensed with on this occasion.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that the reading of the Journal be dispensed with. Is there objection? [After a pause.] The Chair hears none.

The Clerk will report the special order for to-day.

The Clerk read as follows:

On motion of Mr. CANNON, by unanimous consent,

Ordered, That Sunday, January 19, 1919, be set apart for addresses upon the life, character, and public services of Hon. JOHN A. STERLING, late a Representative from the State of Illinois.

On motion of Mr. BURROUGHS, by unanimous consent,

Ordered, That Sunday, January 19, 1919, be set apart for addresses upon the life, character, and public services of Hon. JACOB H. GALLINGER, late a Senator from the State of New Hampshire.

EULOGIES ON THE LATE REPRESENTATIVE JOHN A. STERLING.

Mr. FOSS. Mr. Speaker, I offer the following resolutions, which I send to the Clerk's desk.

The SPEAKER pro tempore. The gentleman from Illinois offers the following resolutions, which the Clerk will report.

The Clerk read as follows:

House resolution 510.

Resolved, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. JOHN A. STERLING, late a Member of this House from the State of Illinois.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of the exercises of this day, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The SPEAKER pro tempore. The question is on agreeing to the resolutions.

The question was taken and the resolutions were unanimously agreed to.

Mr. FOSS. Mr. Speaker, on October 17 last my colleague, JOHN A. STERLING, Representative from the seventeenth congressional district of Illinois, suddenly departed this life as the result of an automobile accident while on a visit to his home and district, and we, his friends, are gathered here on this occasion to testify to his worth and character.

Congressman STERLING lived only a few moments after the accident occurred, but during that time showed his unselfishness and consideration of others in insisting that his rescuers should go to the aid of those who were with him in the accident and who were not injured as much as himself. While one of them was trying to assist him he said, "Never mind me. Look after the others." And this thoughtful expression on his part recalls to my mind the last words of the late President McKinley who in his dying hour was so solicitous of those around him.

JOHN ALLAN STERLING had an eventful career and left a name which will long be remembered, not only by those whom he especially served as Congressman, but also by his State and country at large. He was born on a farm in Leroy, McLean County, Ill. He attended the public schools and was graduated from the Illinois Wesleyan University in the class of 1881. While attending this institution he was a teacher in the public schools and upon his graduation became superintendent of schools in Lexington in an adjoining county.

Subsequently he took up the study of law and was admitted to the bar of Illinois in 1884. He formed a partnership with a classmate of his, Mr. Sain Welty, which continued until his partner was elected judge of the circuit court. Later he organized a firm which was considered one of the ablest in central Illinois, and was in active practice until his death. In 1892 he was elected State attorney for McLean County and held that position for four years. In 1902 he was elected to the Fifty-eighth Congress and was a Member of all the succeeding Congresses, including the present, with the exception of the Sixty-third Congress. During his first term he was a member of the Committees on Territories and Elections. In his second term he was assigned to the Committee on the Judiciary. In the Sixty-fourth Congress he became a member of the Committee on Interstate and Foreign Commerce and in the Sixty-fifth Congress a member of the Committee on Ways and Means. He therefore had assignments upon three of the most important, if not the most important committees, of the House of Representatives, and in all those positions he won the confidence of the House and found the opportunity for demonstrating his ability and statesmanship.

He was recognized as one of the leading lawyers of the State. Judge Welty, his former law partner, has said:

I knew him as no other lawyer in the city (Bloomington) knew him, and I can say that my opinion of his legal ability was always one of admiration. Perhaps there has been no other lawyer in our generation at this bar who undertook his cases with more painstaking care and thoroughness. No case was a trivial one for him. He prepared himself on the law and the facts with an earnestness and sincerity which spared no efforts. As a trial lawyer he had few peers. He impressed the jury with his evident seriousness and belief in the justice of his cause. The Bloomington bar will have reason long to remember JOHN A. STERLING as one of its greatest lights.

I think I can justly say that Congressman STERLING was recognized by this body as one of its ablest lawyers, and he demonstrated it on more than one occasion in the consideration of legal questions. I can recall a number of instances, but one in particular during the impeachment of a Federal Judge before the Senate some years ago, when it was remarked by many Senators that his presentation of the case was one of the strongest ever made before that body.

As a man he won the respect of all who came in association with him. He was of modest demeanor, gentle in his manner, considerate of the feelings of others, and unselfish to a marked degree. His was a kindly nature which radiated and permeated those around him. He was a man who did not seek the limelight, nor was he always forcing himself to the front, but one whose ability commanded attention and was so evident that many eagerly sought his advice and gave due recognition to his worth.

He was a man who did not give his confidence to everyone, but only upon long acquaintance and close association. He was slow in forming his opinions and after study and consideration came to a conclusion which was marked by deep thought, keen perception, and steadfastness of purpose; and when he arrived at that conclusion he was unshaken, but with great sincerity, born of conviction, he impressed it upon the minds of those around him. Having once taken his position on any question he was firm as a rock to the cause which he advocated, and nothing could move him from his position. He was naturally conservative in thought and action. He was no demagogue, nor did he appeal to the galleries, nor was he striving for headlines in the public press. He had contempt for the superficial and sensational which seeks publicity simply for the sake of it and gives the impression to the people of a character which does not exist. Reputation and character are two different things; reputation is what the world thinks of you and character is what you really are. JOHN STERLING never sought reputation, but he established a character of such breadth and power as will be known and revered for years to come.

His distinguishing characteristic might be said to be that of intense sincerity—sincerity in thought, in action, and in purpose. There was nothing of duplicity in him. He was never found sitting on the fence—he was either on one side or the other. He never tried to ride two horses. He never gave his support to a man or a cause but what he was true to the end. He was at all times what his name expressed—sterling—and on this account gripped his friends with bands of steel. He was one of the manliest, truest, gentlest, noblest men I ever knew.

Every position that he held in life he filled with ability, courage, and honor, and there is no office in the gift of the American people to which he might have been called if he had lived which he could not have filled with signal distinction. He would have made an able governor, a distinguished Senator, a splendid Speaker of this House, and the great interests of our Nation could have been safely entrusted in his hands as its President.

We mourn him to-day as our colleague and associate, one of the ablest Representatives that Illinois ever sent to this body, a great lawyer, a wise counselor, a true patriot and statesman, and we extend out heartfelt sympathy to those who knew him better than we, in the holiest of all circles, around the fireside and in the home.

Mr. FORDNEY. Mr. Speaker, the State of Illinois has long recognized the fact that in honoring its faithful Representatives by giving them length of service it promotes its own well-being. There are present here to-day conspicuous examples of this on both sides of the House. First of all on the roll of long service comes JOSEPH GURNEY CANNON, Nestor of legislators, with an unrivaled record, having to his credit the greatest length of service of any man who ever sat in either House, and probably the most experienced legislator in the whole world; who practiced law when Lincoln was district attorney of Sangamon County, Ill., who heard the Lincoln-Douglas debates in 1858, and who began his national career in 1860 as a delegate to the convention at Chicago that nominated Lincoln for the Presidency.

Next in length of service from Illinois in this House comes JAMES R. MANN, with eleven continuous terms to his credit; then GEORGE E. FOSS, also with eleven terms; then HENRY T. RAINEY, with eight terms, and WILLIAM A. ROBINSON, with a like number; MARTIN B. MADDEN, CHARLES E. FULLER, and WILLIAM W. WILSON, with seven terms each. And our dead brother JOHN A. STERLING, whose memory we honor to-day, was also seven times elected a Member of the House. If he had served here only a term or two neither we nor the country would have known how great a man he was for his qualities were of the kind that time alone can exhibit in their full degree. He came here with the learning of the schoolmaster and the experience of the State's attorney; but he was a quiet man, and in his first session here did not take any part in the debates on the floor of the House; and as no committees were appointed in that session except the two or three that had to do with the special business for which the session was called, we did not have the usual chance to measure him across the committee table. In the second session he was appointed a member of the Committee on Elections No. 3 and the Committee on the Territories; and the first public word he said was in a contested election case. The first sentence he ever spoke on this floor was eminently characteristic of the man. He said:

Mr. Speaker, it seems to me that this discussion ought to be confined to the questions that are made in this record. The remarks made by the gentleman from Iowa have not been based to any extent upon the record that was before this committee and is now before this House. I can not understand what the platform which the gentleman read has to do with the question that this House has to decide.

That remark was typical of the processes of Mr. STERLING's mind. He could not understand why anyone should ever seek to becloud a question or sidestep a duty. When he had studied a question and had made up his mind what ought to be done, there was for him only one thing to do, and that was to go where his judgment and conscience led and go by the shortest possible route. He was a man of strong friendships, but he never let a personal friendship interfere with his judgment in the discharge of his duty or with the process by which he made up his mind that one side of a question was right and the other

side was wrong. Over and over again, in his speeches in this House, he urged Members not to be swayed by sympathy or prejudice or by the consideration of outside matters. To him every question was a simple one, because he first stripped it of all the husks, he cracked the shell, and when he had finished his statement of a question there was nothing left except the one plain thing to be decided. He did not speak often, but when he did he threw a searchlight on the subject.

This being the quality of the man, it was inevitable that he should grow in the esteem of his fellow Members; and the longer he was here the more important were the duties placed on his shoulders. His services on the Elections Committee proved him to be a strong lawyer; and naturally enough he had not been here long before he was chosen a member of the Committee on the Judiciary, in which capacity he did some of his best work. Then he was selected to serve on the Committtee on Interstate and Foreign Commerce, taking an active part in the enormous tasks that have confronted that committee; and finally he became a member of the great Committee on Ways and Means. No committtee of Congress has ever had before it such important matters as have come before this committee in recent years. And in this work Mr. STERLING took an increasingly conspicuous part. He was a strong believer in the doctrine of the protection of the industries of this country from the attacks of competitors who by cheap labor would destroy the comfort of the American workman's home; and in his speeches and in the committee he never let anyone have a moment's doubt as to where he stood on that subject. He was for his country always. Such men make a nation invincible. He was strong, he thought in a straight line, he was loyal to his friends and to his duty. He hated claptrap of every kind, and he left this House and this country better for having served here with us.

The treasure of a husband's or a wife's affection, like the grace of God, is given—not bought. Gold it powerful. It can sweep down forests, raise cities, build great structures, and decorate and beautify homes. It can collect armies, and inspire awe and fear, but wealth can not purchase love.

If any one has failed to estimate the affection of a true-hearted husband or a wife they will be likely to discover the value in the loss—when that heart that loved them is stilled by death.

Death comes to us all—no sex is spared, no age exempt, the black and the white, the rich and the poor, the weak and the strong—all must die.

No matter what may be our station in this life we must die, and when death comes to us all men are equal. As in the chess-play, so long as the game is playing, all the men stand in their rank or order, and are respected according to their places—first the king, then the queen, then the bishops, then the knights, and last of all the common soldiers. But when once the game is ended they are all tumbled into a bag, and often the king is lowest and the common soldier uppermost. So it is with us in this life. The world is a huge theater or stage wherein some play the part of a king, some a bishop, another that of a humble citizen, but death sends them all alike to the grave. Death comes equally to us all, and makes us all equal when it comes. Such is life.

JOHN A. STERLING was of sterling character, a fond and loving father and husband, a valuable addition to any community. He lived a good life, fought the battle honorably and nobly. He left behind him a loving wife and affectionate children and an army of friends. Let us ever pray that his soul may rest in peace.

Mr. HENRY T. RAINEY. Mr. Speaker, we are assembled here to-day for the purpose of doing honor to the memory of our friend and colleague. It is difficult for those of us who knew JOHN A. STERLING best to realize that he has left the places which knew him here and has sailed away over the mystic sea to an unknown shore. May we not hope that he has gone to meet those of his friends who have made the journey ahead of him. He was a strong, forceful, manly man of action, discharging in all the emergencies of this life his full duty. He served upon the great committees of this House during his nearly 14 years of service here. It is difficult to realize that this historic Chamber, which has echoed so often to his forceful oratory, will know him no more. I was particularly associated with him during the entire period of his service here, although we sat on opposite sides of this aisle. We were affiliated always with parties which stood upon different political platforms, but I have never known partisanship to interfere in any way with his ideals of duty.

His counsel was sought always by the leaders of the Nation. During his public career it can be said of him that he walked with the great of his country, but he never for one moment forgot the common touch. His sympathies were of that broad and generous character which kept him during his career closely in touch with the people of the State he represented here and the great common people of this Nation. During the latter part of his service here he served on the great Ways and Means Committee of the House, and during the long hours of every workday on that committee, while engaged in the preparation of the greatest revenue bills ever submitted to any Congress, he sat at the table performing his full share of the labor honestly and conscientiously, at all times living up to his high ideals. His life was never a life of mere ease or pleasure, but always a life of hard work, the hardest kind of work, and the victory he sought was the reward which comes after the most exacting mental labor.

In the prime of life, when for him the sun was still high in the heavens, with his mental and his physical powers unimpaired, he passed suddenly away from this earth through the shadows to the sunshine of the life which awaited him beyond the grave. He will be missed in the community where he lived. He will be missed as few men are missed in the great State he served here so long, so faithfully, and so well, and he will be missed by those of us who were associated with him in his work here during all the remaining years which are ours upon this earth. A manly man has gone.

The manly man in the country's need, and the moment's need, forsooth,
With a heart that beats to the pulsing tread of the allied leagues of truth;
The world is his, and it waits for him, and it leaps to hear the ring
Of the blows he strikes and the wheels he turns and the hammer he dares to swing;
It likes the forward look in his face, the poise of his noble head,
And the onward lunge of his tireless will and the sweep of his dauntless tread.

Mr. MASON. Mr. Speaker, at this moment I hardly feel I can do the subject justice. There was about JOHN STERLING something that once having learned we could never forget. My colleague [Mr. FOSS], I think, suggested how appropriate was his name, for if in my long career I have met one man who was truly sterling in all of the things that make for character it was our colleague JOHN STERLING, in whose honor we are here to-day. He was a quiet man. I was told some years ago that he was a man who lacked a sense of humor but after acquaintance with him I found that he had that priceless jewel of a love of fun and humor that did not display itself as it does with most of us, but he loved the quaint, the curious, and the ridiculous as a part of his mental exercises, although only those who knew him well appreciated that particular characteristic.

He was one of the most reliable and the most "unafraid" of our associates here in Washington. We used to call him the "Old Reliable" because we knew when we went to him for advice he would not follow the old suggestion that, when you are asked to give advice, always find out what is needed and then give it to them.

JOHN STERLING had the courage to talk squarely with his friends, and he gave no advice to please those with whom he was advising. I have never known him in all of his career to vote or play the part of a coward or a demagogue. He had analyzed to himself, had satisfied his own conscience, that this was the right vote to give, and he gave it, being prepared to take the consequences, whatever they might be.

He was unafraid in the trial of a case. I have been told by men who tried cases with him that he learned the great knack of being able to "fight without quarreling." He stood by his clients at the bar without quarreling with the other members of the bar with whom he was in contest.

He gave his votes here, and, as my colleague from Michigan [Mr. FORDNEY] has said, he fought for those principles he believed in; but in his fighting, as my distinguished colleague from Illinois [Mr. HENRY T. RAINEY] has said, he was big enough to fight but too big to quarrel.

I have chosen, Mr. Speaker, to read a few words that were delivered by Col. Ingersoll at the grave of his brother:

The loved and loving brother, husband, father, friend, died where manhood's morning almost touches noon and while the shadows still were falling toward the West. He had not passed on life's highway the stone that marks the highest point, but being weary for a moment he laid down by the wayside, and, using his burden for a pillow, fell into that dreamless sleep that kisses down his eyelids still. While yet in love with life and rapture with the world, he passed to silence and pathetic dust. Yet, after all, it may be best, just in the happiest, sunniest hour of all the voyage, while eager winds are kissing every sail, to dash against the unseen rock, and in an instant hear the billows roar a sunken ship. For, whether in mid-sea or among the breakers of the farther shore, a wreck must mark at last the end of each and all. And every life, no matter if its every hour is rich with love and every moment jeweled with a joy, will, at its close, become a tragedy as sad and deep and dark as can be woven of warp and woof of mystery and death.

This brave and tender man in every storm of life was oak and rock, but in the sunshine he was vine and flower. He was the friend of all heroic souls. He climbed the heights and left all superstitions far below, while on his forehead fell the golden dawning of a grander day. He loved the beautiful, and was with color, form, and music touched to tears. He sided with the weak, and with a willing hand gave alms; with loyal heart and with the purest hand he faithfully discharged all public trusts. He was a worshipper of liberty and a friend of the oppressed. A thousand times I have heard him quote the words, "For justice all place a temple and all season summer." He believed that happiness was the only good, reason the only touch, justice the only worshipper, humanity the only religion, and love the priest.

Of course, Mr. Speaker, we do not agree with Col. Ingersoll that "Life is a barren vale between the cold and barren peaks of two eternities." Of course, every man who has had one friend, who has had one woman to love him, and children to caress him, does not agree with Col. Ingersoll that "Life is a barren plane," but a plane with barren spots; but the oasis comes whenever we meet a friend and find an opportunity to be of use and service.

We strive in vain—
Says Col. Ingersoll—
to look beyond the heights. We cry aloud, and the only answer is the echo of our wailing cry. From the voiceless lips of the unreplying dead there comes no word; but in the night of death hope sees a star and listening love can hear the rustle of a wing.

We can say of JOHN STERLING that there was no gentler, stronger, manlier man.

Mr. Speaker, I know at times, and sometimes on occasions of this kind, we dwell upon the things hoped for. Putting aside all other questions and using only that means that logic gives to us, is not the hope of the immortal life a reasonable hope? Nothing can be destroyed in the workshop of God. Though we burn the book, it is not destroyed. Everything that went to make this book is still in existence. The form of JOHN STERLING, silent, cold, returns to dust, yet everything that went to make his physical body is still in the workshop of God Almighty, for He is jealous of those things that come from His hand. And if it is true, and we know it is true, that no thing that we can understand with the human mind can be destroyed, can it be possible that unselfish love—can it be possible that character, industry, love of service, patriotism, all of those things that went to make a manly man like JOHN STERLING, are to be lost and blown out like the candle, while the meaner things, the dust and the ashes, are saved?

Oh, Mr. Speaker, the faith is a reasonable faith, and in contemplating that we find a poverty of words. We can only know when we reach the rapt and hopeful thought that unselfish love can not die, that words can not picture what our faith calls for and, finding the poverty of words, we say with Father Ryan:

Far out on the sea there are billows that never will break on the beach.
I have heard songs in the silence that never will float into speech.
And I have dreamed dreams in the valley too lofty for language to reach.

Mr. SHERWOOD. Mr. Speaker, the untimely death of the late Hon. JOHN STERLING, of Illinois, is a distinct loss to his district, his State, and the Nation. He was taken off in the prime of his manhood and in the full ripeness of his congressional career. I was housed with him in the same hotel during his entire service and knew him as well as any Member outside his home State. As a lawyer he ranked high, and his industry, his ability, his integrity, and fidelity to every trust gave him a status the equal of any Member from any State in this historic Chamber. His sketch in the Congressional Directory is brief and unpretentious. We have never had in this country too many men of heart and brains and morals and courage in public life, and at no period in our history have men of this type been more needed than now. No time in our history has there ever been a more urgent demand for just men of courage, patriotism, and ability on the floor of Congress.

It was our own poet of patriotism, Fitz-Greene Halleck, who wrote, in Marco Bozzaris, this pathetic and heartrending couplet:

Come to the bridal chamber, Death!
Come to the mother when she feels
For the first time her first-born's breath!
And thou art terrible!

But more terrible is the loss of a fully equipped man, mentally and morally, because his loss is not only to the family, the wife, the children, but to the State. The one loss to the other is as the rosebud compared with the full-blown rose, grown fragrant and beautiful in God's sunshine. And the example of a well-rounded man, of power and influence for the good of his fellowman, does not attach to the newborn child.

One of the greatest of Athenian philosophers said:

Most of all, fellow citizens, if your sons ask whose example they shall imitate, what will you say? For you know well it is not the music, nor the gymnasium, nor the schools that mold young men. It is much more—the public proclamation, the public example. If you take one whose life has no high purpose and crown him in the theater, every boy who sees it is corrupted. Beware, therefore, Athenians, remembering posterity will rejudge your judgment and that the character of a city is determined by the character of the men it crowns.

Two thousand years have elapsed since this classic was uttered, and it is still vital and valuable. The hope and ambition of our young men of to-day is fostered and fed by the character of the men the people of this Republic send into our highest legislative body. Mr. STERLING's example is a potent teacher to the young men of his district and his State. Example teaches without a tongue. It is silent, but its action for good is more forcible than words, however eloquent. Mr. STERLING has left no enemy on either side of this House. His life, his character, his career will always be a grateful memory to his family, his kindred, and his colleagues.

It is not the length of years that we live or the length of our service on this floor that measures our value to our constituents and the country. Mr. STERLING lived 61 years and served almost 14 years in Congress, or nine years longer than the average official life of a Congressman. In the 50 years following the great Civil War the average official life was less than six years.

While Mr. STERLING had before him many more years of valuable service in the ordinary contingencies of human life, he lived long enough to make an enduring record of valuable service and achieve an honorable name. He has left to his family, his kindred, and his State a record of achievements that should fill their hearts with pride and mellow the acute sorrow over his untimely death. And there is a deeper consolation, told with so much pathos by Longfellow:

There is no death; what seems so is transition;
This life of mortal breath
Is but a suburb of the life elysian,
Whose portal we call death.

Mr. WHEELER. Mr. Speaker, when JOHN A. STERLING passed to the great beyond this Nation lost a man of immeasurable value at a time when his services were most needed.

He was not given to making a brilliant and startling display of his genius, but he was practical, level-headed, and wise on all questions pertaining to the Nation's welfare.

Illinois has lost one of its most capable Representatives. So highly was he esteemed by the people of our State had he lived he would undoubtedly have been called to higher honors.

As his friend I sustained a great personal loss. His quiet gentleness of manner, his unfailing courtesy, and his thoughtfulness remained with him to the end, and his last words and his last acts were for the comfort of his companions who were injured. For he in his last moments said: "Take care of the others first"; and while they were receiving attention his soul returned to his God.

Although he has gone, his memory lives, an inspiration to all who knew and loved him. May his example inspire us to emulate his kind, manly spirit!

Mr. MADDEN. Mr. Speaker, any words that I may be able to utter will, of course, be inadequate to express the feeling that I have with respect to our deceased colleague. JOHN STERLING was among America's most conspicuous men. His life and work were such as not only to attract men to him, but to attract the confidence of the country in the man.

His most conspicuous public service here, as I believe, was his prosecution of Judge Archbold, who was impeached for misdemeanors in office. His presentation of that case before the Senate of the United States was said to be the clearest, most forceful legal argument that has ever been made by any lawyer in any case in America. His action in this case called him specially to the attention of the Nation, and it established for JOHN STERLING a national reputation as a lawyer which no other act could have brought to him. Every man in the case, those who were opposed to the prosecution and those who were for the prosecution, admitted that JOHN STERLING knew more about the law in the case and presented the ablest arguments in the case of any man connected with the case, and in my opinion, as a matter of fact, it was his untiring work in delving into the facts and the law which enabled the country to rid itself of Judge Archbold.

JOHN STERLING served his country in what I believe to be the most momentous period of its history. He was here when the great war began in Europe. He was here during all the period of the formation of public opinion in America in connection with that war. He was here at the time when men's souls were tried, when their patriotism was tested, when men were proved either to be American or otherwise by their actions. There never was any doubt about JOHN STERLING's Americanism or patriotism. He was an American through and through. He believed in preserving every right of his country, in the preser-

vation of the national honor, in the perpetuity of the Nation's institutions, and he not only stood for a declaration of war against Germany, but when war was declared he gave his son in defense of the flag. He was not only a patriot himself, and proved that by his own actions, but he was proud that he had a son that could be given to defend the institutions of his country.

He was a courageous man. He was modest. He was unassuming. But he never lacked the courage of his convictions. I recall on one occasion here, when the Clayton antitrust law was under consideration, he as a member of the Committee on the Judiciary stood boldly for American rights, for one citizenship, for one flag, for one code of laws, for the principle that every man should stand equal before the law. He displayed a courage during the consideration of that bill that few men on this floor displayed. He not only displayed courage, but he displayed knowledge of the pending legislation which no other man on the floor possessed.

JOHN STERLING was quiet and unassuming, but his friendship was something to be sought. Once attained, you might be certain, if you justified it, to continue to retain it. He lived a life of great usefulness. His life can well be emulated by the children of the generations yet to come. The things that JOHN STERLING did during life will continue to live, now that he is gone. Men like JOHN STERLING do not die. Their work continues to keep them before the minds of the youth that follow. Though we all regret to miss him in our daily contact in life, yet we are proud that the Nation gave JOHN STERLING to his country, and that during his public service he gave to the country the best there was in him.

His family, of course, will miss daily contact with him. They will mourn his death. But they will have the consciousness that some day they, too, will pass beyond and meet him under better circumstances; for we who believe in a future must continue to hope that the end of life here is not the end of our association with those we love. And while we may mourn and sympathize with the family of JOHN STERLING, yet, after all, death is just as natural as life; and while we rejoice at life and birth, and mourn at death, there is no reason why mourning should exist on account of our passing away. For one I simply wish to express my pride and my joy that JOHN STERLING's life was one in the whole, I may say, given to the Nation while he lived, and what he did and what he said will continue to live; and I am happy in the thought that we who associated with him during life may hope to associate with him again when we reach the other side.

Mr. GRAHAM of Illinois. Mr. Speaker, I did not know Hon. JOHN A. STERLING personally until I came here as a Member of the present Congress, although I knew of him by reputation in my State. In Illinois there were but few who had any knowledge of public affairs who did not know of his public life and works and who did not highly regard him. While I, by the short period of my service here, was not able to judge of the worth of JOHN A. STERLING as others who speak here, men who have served with him for years, yet I did form a lasting impression of him from observing him and his work as a Representative. I presume the new Member, who sits through the sessions with but few other duties to perform except to observe the proceedings, forms a more vivid impression of the men who carry on the important work of the House than do those who have been for years associated with these men. I observed early that when JOHN A. STERLING spoke on any subject he had an attentive and thoughtful audience. I observed that those who spoke of him spoke of him as a sincere man and a plain, logical, and exact thinker.

He was extremely considerate of the opinions of others and was willing to listen at all times to the suggestions of any Member, whether he was of years of experience or of few days in the public service. So far as I could observe, there was no division of sentiment among the Members of his own delegation as to his superlative ability as a legislator and a man, and I have no doubt this was the common feeling of the Members of the House, irrespective of party.

I was not in the country when JOHN A. STERLING died. I did not know of the fact until I returned to this country. Immediately upon my return I saw an American paper, and in this paper observed a mention of the late Representative JOHN A. STERLING, from Illinois. I can not express to you the distinct shock this was to me. I had come to regard my colleague, Mr. STERLING, as an institution, almost, and to find that he, with his wonderful mind, was gone was almost inconceivable. In this time of great questions and when world problems are being solved we needed men like JOHN A. STERLING, men of logical minds, minds that drive through the fog and straight to their objects, minds that disregard the chaff and seek only the wheat that is the harvest.

There is to-day so much of uncertainty, so much to perplex those who must legislate for the country, and there are so few minds that process regularly in times of mighty stress and emotion, that to lose one of these minds is a distinct and positive loss to mankind. Such a mind, and such a personality, my colleagues, we have lost.

There is not much of intimate knowledge that I can say of our departed colleague, for I was not his intimate friend. But I do want to pay my humble tribute, now and here, to the memory of this man from my State. We have had few of his kind. In his life he honored his own State of Illinois, dignified the House of Representatives in which he served, and was a credit to the country which he loved so well.

But the good things JOHN A. STERLING did will not die. May we not rather agree with the poet:

I shot an arrow into the air,
It fell to earth, I knew not where;
For, so swiftly it flew, the sight
Could not follow it in its flight.

I breathed a song into the air,
It fell to earth, I knew not where;
For who has sight so keen and strong,
That it can follow the flight of song?

Long, long afterward, in an oak,
I found the arrow, still unbroke;
And the song, from beginning to end,
I found again in the heart of a friend.

Mr. PARKER of New Jersey. Mr. Speaker, no one could know JOHN A. STERLING without feeling that his growth here was remarkable for its strength, its simplicity, and its rounded character. Some men who come here are not so strong afterwards as when they first came, but any man who works hard must grow. The danger is that he may grow in one direction, to be a politician, to excel in the tricks of the trade, or in mere tricks of oratory, and to put success above the principles upon which it should be founded. It is hard here in all the changes and chances of politics to remain absolutely simple, absolutely true, and strong enough to be willing when the occasion comes to speak your mind as you think you ought to speak it. But such a man was JOHN A. STERLING. He grew like an oak in all directions, the roots reaching out constantly into more knowledge and the branches sturdily meeting and breasting any wind or any storm. He grew because as a lawyer and statesman his opinions and actions were founded on a wonderful common sense, upon a wonderful knowledge of the common law, and upon a most uncommon honesty and absolute courage.

I knew him best in the Sixty-first Congress. We had served together on the Committee on the Judiciary, but in that particular Congress I had the privilege of putting him at the head of a subcommittee that was practically a committee; we then for the first time divided the work of the Committee on the Judiciary between three great subcommittees so that one took bills relating to law, another took bills relating to practice, while all the difficult bills as to organization of the courts, when there shall be new judges, what shape the courts shall take in each particular district and their constitutions, were referred to one of these great subcommittees of seven members which was presided over by JOHN A. STERLING; all these matters were in his hands. And I feel it my duty to speak for the courage, the sense of justice, and the consideratenes with which these difficult questions were arranged and settled by him during those two years.

I have but one other matter to call to the remembrance of the House. It was only recently that the Committee on Ways and Means reported and passed a great bill for raising revenue. It took new lines. It went upon the lines of taking wealth wherever you could find it. We all voted for it, because we are meeting the greatest emergency that this country has ever met in all the centuries, but JOHN A. STERLING, in his quiet, considerate, and therefore absolutely inoffensive way, while supporting that bill, had the courage upon this floor to say he would have preferred a bill which would have been more even and just to all. His proposition was that a single per cent of tax placed upon every sale that was made in this country would have brought in some three billions of dollars. I do not mention this as a matter of discussion. I do mention it as showing the absolute independence, the courage, and justice of the man. He sought always what was right. He was not afraid to say what he thought, no matter how much that might be misrepresented.

We have lost a friend. A tree can not be torn up that has put out its roots in every direction, that has thrown out its branches under the shade of which we have sat—a tree that has intertwined itself with our lives—that sort of a man can not

be lost without a wrench that is hard and makes it seem almost unfair and wrong to analyze the character, but in this case no analysis can do harm, for there is not one of us who could put his finger upon anything that was petty or mean in his character.

At this point Mr. WALSH assumed the chair as Speaker pro tempore.

Mr. FOSS. Mr. Speaker, there are some Members who are unavoidably absent and some present who have been unable to prepare tributes to the memory of Mr. STERLING. Therefore, on behalf of them I ask unanimous consent that permission may be granted to them to extend their remarks in the RECORD.

The SPEAKER pro tempore. Without objection, it will be so ordered.

There was no objection.

The SPEAKER pro tempore. The Clerk will report the resolution setting aside a time for tributes to the memory of Senator GALLINGER.

The Clerk read as follows:

On motion of Mr. BURROUGHS, by unanimous consent, *Ordered*, That Sunday, January 19, 1919, be set apart for addresses upon the life, character, and public services of Hon. JACOB H. GALLINGER, late a Senator from the State of New Hampshire.

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Hampshire [Mr. WASON].

Mr. WASON. Mr. Speaker, I offer the following resolution, which I send to the Clerk's desk.

The SPEAKER pro tempore. The Clerk will report it.

The Clerk read as follows:

House resolution 508.

Resolved, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. JACOB H. GALLINGER, late a Senator of the United States from the State of New Hampshire.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of the exercises of this day, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The SPEAKER pro tempore. The question is on agreeing to the resolutions.

The question was taken, and the resolutions were agreed to.

The SPEAKER pro tempore. The gentleman from New Hampshire [Mr. WASON] is recognized.

Mr. WASON. Mr. Speaker, one of my colleagues is very anxious to get away, and I will yield the first place to the gentleman from Michigan [Mr. FORDNEY] and follow him.

The SPEAKER pro tempore. The gentleman from Michigan is recognized.

Mr. FORDNEY. Mr. Speaker, there is a world of meaning in that fine old Greek word "eulogy"—the speaking of good words about a man. For years we see him going about his daily duties, performing them with honor to himself and benefit to those whom he serves. We say little or nothing about it, though the consciousness of his presence and his work may be in our minds every day. Then there comes a time when his place is vacant, and we realize what he then was by what he now is not. It is fitting that, before we ourselves are gone, we put in enduring words, so that as long as ink and paper last men may read, our estimate and appreciation of our distinguished fellow servant, who, when he died, was the oldest Member in service in the Senate.

JACOB H. GALLINGER was one of the adopted sons of this Republic, coming to us, like the late Senator McMillan of Michigan, from our sister commonwealth of Canada. It is a curious coincidence that these two great men, who have done more than almost any others to beautify this city of Washington, were both born in that friendly country at our north. Each of them served for many years as chairman of the Senate Committee on the District of Columbia, and each believed that, as Congress is the special guardian of the District, it should be cared for and developed as befits the Capital of the greatest nation on earth.

Canada has sent many of her sons to the United States. Though born under a so-called monarchy, their ideas of self-government are the same as ours. The majestic forests and shining lakes of Canada are like those of our own Northern States, and the people of both nations breathe the same glorious air of liberty, and both have the same love and respect for law and order. Our boys and theirs have fought side by side in France for the preservation of civilization. Boston is as much the metropolis of eastern Canada as it is of New England. The pine of Michigan was largely cut by the sons of Ontario and New Brunswick and Quebec. Thousands of farmers of Iowa and the Dakotas have sought homes in the valleys of the Saskatchewan. And the names of James McMillan of Michigan and JACOB H. GALLINGER of New Hampshire, conspicuous on the roll of the United States Senate, are proof, if proof were needed, that the frontier between Canada and our own country is scarcely more a separation of common aims and purposes than are the boundaries between our own States.

The greatest danger that confronts the world at this moment is not imperialism, but the horrid irresponsibility that sometimes sneaks under the name of the I. W. W., but now is sweeping through unhappy Russia and defeated Germany under the name of the Bolsheviki. The English-speaking race is and will always be the bulwark of the world against anarchy in every form; and in the contests of the future, Canada and the United States will stand side by side solidly against all movements that threaten the safety of society, as so many of her sons stand shoulder to shoulder with us in all the varied interests and activities of modern life.

Others have told the House of the wonderful versatility and industry of Senator GALLINGER in the affairs of his adopted State and of the Nation and in international affairs. He was eminent in his profession, that of medicine, before a public career claimed his time completely. To enumerate even the titles of the different public positions he held would take too long.

He was one of the leaders of his State, of his party, and of his time. Here in Washington he was known as a man who appreciated the needs of the city, and recognized that it is the Capital of our beloved country, wholly dependent upon and at the mercy of Congress, therefore to be protected and developed and beautified as befits the dignity of the great people of whose government it is the official home. It is interesting to see what was the incident that caused Senator GALLINGER to begin to show a friendly interest in District of Columbia affairs. During his first senatorial term, in 1891, he received a letter from the secretary of Harvard College, voicing a complaint that the high schools of the District were not then able to prepare students to pass the admission examination to Harvard. Senator GALLINGER offered a resolution of inquiry concerning the matter, and that was the beginning of nearly 30 years of championship of the rights of the District. At that time Senator McMillan was chairman of the Committee on the District of Columbia, but on his death Mr. GALLINGER was chosen by the Senate for that position.

In 1911 a banquet was given by citizens of the District at which Senator GALLINGER was the guest of honor, and he was there presented with a loving cup by the Chamber of Commerce; a gold watch and chain from the Board of Trade; a basket of American Beauty roses from the teachers of the public schools; a silver pitcher from the Plate Printers' Union; and a silver desk set from the American Civic Association. Among the visible monuments of his chairmanship are the great Washington Terminal, the filtration plant which gives clear water to this city, the new sewer system, the District Building, the highway Potomac River Bridge, the beautiful Connecticut Avenue Bridge, the Anacostia Bridge, the Massachusetts Avenue Bridge, and great developments of the parks and schools, among the latter the Business High and McKinley Manual Training Schools; and there are even more important tangible benefits that are the results of his tireless interest. At that dinner President Taft was one of the speakers, and this brief tribute can not be concluded better than by a quotation from his remarks on that occasion. He said:

There is a class of legislators who favor legislation because of the good that it is going to do when it is enforced, and there is another class who are in favor of legislation wholly without regard to what it is going to accomplish as an enforced law, but who take an interest simply because of the votes that the advocacy of the law is going to give them. Now Senator GALLINGER belongs to the former class.

They have in New England what they call safe men. By that they mean men who, from their youth up, feel charged with the responsibility of looking out for the community in which they live; first the village, then the town, then it may be the county, then the State, and finally the Nation. They seem to be able by what they do to impress the people with the idea that if they are given a public trust they will regard it as a trust for the people, and can themselves be trusted as safe men for the people to put in power. Now that is the kind of man that Senator GALLINGER is, and that is the reason for his hold on the State of New Hampshire.

Senator GALLINGER started in life as a poor boy, spending some time as a typesetter in a printing office. He finally obtained an education and then rose to the high position occupied so long by him—abundant proof of the worth of the man. Those who knew him best loved him best. He was courageous; he was honest; he was a true gentleman.

When you have found a man, you have found a gentleman. A gentleman is a man who is gentle. Titles, graceful accomplishments, superior culture, princely wealth, great talents, genius, do not constitute a man with sufficient attributes to make a gentleman. He may be awkward, angular, homely, or poor, and yet belong to that class known as gentleman. His face may be bronzed, his hand may be huge and hard, his vest patched, like Joseph's coat of many colors, and he may still be a true gentleman. The dandy is a dry-goods sign, and not a gentleman, for he depends upon dress, and not upon his honor and virtue, to carry him into society. The man who has no money is poor; he who has nothing but money is poorer, and he is not a gentleman.

A gentleman is careful to have thoughts and sentiments worthy of him, as virtue raises the dignity of a man, while vice degrades him. True greatness lies in the heart; it must be elevated by aspiring to great things. Others may attract us through the splendor of some special faculty, or the eminence of some special virtue; but in a gentleman it is the whole individual we admire and love. A true gentleman is one whose nature has been fashioned after the highest models. His qualities depend, not upon fashion or manners, but upon moral worth—not upon personal possessions, but upon personal qualities.

A true gentleman has a keen sense of honor. His standard of probity in word and action is high. He does not shuffle or prevaricate, dodge or skulk; but he is honest, upright, and straightforward. When he says Yes, it is a law; and he dares to say the valiant No at the fitting season. A gentleman will not be bribed; only the low-minded and unprincipled will sell themselves to those who are interested in buying them.

The poor boy may be a true gentleman—in spirit and in daily life. He may be honest, truthful, upright, polite, courageous, self-respecting, and self-helping—that is, be a true gentleman. Such was Senator GALLINGER.

A man's mental powers must be cultivated. The full measure of all the powers necessary to make a man are no more character than a handful of seeds is an orchard of fruits. Plant the seeds and tend them well, and they will make an orchard. Cultivate the powers and harmonize them well, and they will make a noble character. "The germ is not the tree, the acorn is not the oak, neither is the mind a character. The mind is the garden, the character is the fruit; the mind is the white page, the character is the writing we put upon it; the mind is the shop, the counting room, the character is the profits on the trade. Large profits are made from quick sales and small percentages; so great character is made from many little acts and efforts." A dollar is composed of a thousand mills; so is a character composed of a thousand thoughts and acts. Character is formed by a course of actions, and not actions by character. A person can have no character before he has had actions. Though an action be ever so glorious in itself, it ought not to pass for great if it be not the effect of wisdom and good design. Great nations carry their glory with them as the ruby wears its colors. Whatever be your condition, keep in view the whole of your existence. Senator GALLINGER was a man of Character—a Christian man. He was a brave man; he was powerful; he had the courage of convictions and to express them at all times.

Frail man comes into the world crying, cries on through life, and is always seeking after some desired thing which he imagines is labeled happiness or is mourning over some loss which makes him miserable; a restless mortal with an immortal soul, which requires something more than earth can give to satisfy its lofty desires; a soul that hails death as a welcome messenger to deliver it from its ever-changing, ever-decaying prison house of clay, called man, on which time wages a perpetual war; whitening his locks, furrowing his cheeks, stealing his ivory, paralyzing his muscles, poisoning his blood, battering his whole citadel, deranging the whole machinery of his life, and wasting his mental powers, until he becomes twice a child, and then delivers him over to his last and best friend, death, who breaks the carnal bondage, sets the spirit free, opening the door of immortal happiness, returning the soul to its own original and glorious home, to go no more out forever.

We at death leave one place to go to another; if godly, we depart from our place here on earth and go to our place in heaven; we depart from our friends on earth and go to our friends in heaven; we depart from the valley of tears and go to the mount of joy; we depart from the business of life here and go to a heavenly paradise. Who would be unwilling to exchange a Sodom for a Zion? Who would be unwilling to exchange misery for a haven of rest?

When these hands of ours shall be pulseless and cold and motionless as the grave wherein they lie; when the damp, dewy vapors shall replace this sensible, warm motion, and death shall spread our couch and weave our shrouds; when the winding sheet shall be our sole vesture, and the close-sealed sepulcher our only home, and we shall have no familiar companions, no rejoicing friends, let us hope that our souls may recline in the bosom of God.

Life! we've been long together
Through pleasant and through cloudy weather;
'Tis hard to part when friends are dear;
Perhaps 'twill cost a sigh, a tear;
Then steal away, give little warning,
Choose thine own time;
Say not "Good night," but in some brighter clime
Bid me "Good morning."

The SPEAKER pro tempore. The gentleman from California [Mr. KAHN] is recognized.

Mr. KAHN. Mr. Speaker, in the present Congress the Grim Reaper has been wielding his scythe with relentless vigor. He has been impartial, too, in choosing his victims. Youth and old age alike have succumbed to his irresistible stroke.

Among those who have fallen none was more highly esteemed by his associates than the lamented Senator from New Hampshire, JACOB H. GALLINGER. He had served his country long and faithfully in the House as well as in the Senate. He was one of the old school of statesmen in public life. He was a thoroughgoing partisan. But he was always impartial and fair and just even in his partisanship. Above all else, he was a thoroughgoing American who loved his country with patriotic devotion. He did not believe that he was stronger nor better than his party. To him party creed demanded that all differences as to policies should be thrashed out in the party council. Therein again he showed himself as belonging to the old school. He did not believe in that course, so often followed by some latter-day politicians, of fighting his party associates and denouncing the party organization because an overwhelming majority of his associates did not come to his way of thinking. He always was ready to compromise differences within the ranks and in the fold rather than engage in party quarrels. He realized that our Government had grown strong and great by reason of the readiness of the leaders of the past to compromise their differences.

He knew that this Government from the first has developed as a great Nation because men of patriotism and loyalty and devotion to the cause of the Republic have been willing to modify their personal views in order that all could agree on the policies to be followed for the welfare of this American Commonwealth. He knew that it was thus in the Constitutional Convention that framed our historic fundamental law. He knew that it was thus with reference to the location of this very Capital, which he as chairman of the Senate Committee on the District of Columbia did so much to improve and beautify. He knew that it was thus down the long years of the formative period of our country's history. Senator GALLINGER was loyal to these traditions of the past, and we honor him for his sturdy stand on the great questions that arose during the many years he was a Member of the Senate of the United States.

At the time he entered that historic body there were many old customs that marked the relationship between Members of the House and the Senate that seem to have fallen into innocuous desuetude. It was customary in the old days for the Senators to leave their cards upon the desks of the Members of the House from their respective States on the opening day of the new session. It was customary for the Members of the House to call personally upon the President of the United States and the Senators from their State as soon as possible after arriving in Washington in order to pay their respects.

It was customary even among the wives of the Members of Congress for the new Members' wives to call upon the wives of all the Members who had served longer in Congress than their own husbands, and especially was this true with regard to the wives of the Members from one's own State. These little social amenities and courtesies added something of pleasure to the dull routine of congressional life here in Washington, but these customs are rapidly disappearing. In fact, they had disappeared almost entirely in the closing years of Senator GALLINGER's life. Whether the Capital or the country has gained by breaking away from the old forms and traditions I do not know, but the fact remains that in the old days Republicans and Democrats were much more apt to see something of each other's social side than they do under present-day conditions.

Senator GALLINGER, toward the close of his life, suffered many hard blows at the hands of fate. Many of his dear ones were removed from him by death. I lived at the same hotel as he when some of these blows fell. I know how deeply his life was affected by the losses he sustained. But he toiled on unceasingly for the welfare of his country.

He participated actively in all the important legislation that has been written on the statute books of our country in the last quarter of a century. But he was especially interested in the rehabilitation of our merchant marine. Coming from New Hampshire, he doubtlessly remembered how the enormous fleet of New England clipper ships carried the American flag into almost every important port on the seven seas. He remembered how they had built up the commerce of the United States in the first half of the nineteenth century. Doubtlessly he hoped that such a condition might be reestablished under wise and helpful legislation enacted by Congress. But, alas, his hopes in that direction were doomed to disappointment. Whether those who are left behind will be able to follow his farsighted vision remains to be seen.

To-day we are met to pay a last tribute of respect to his memory. His genial presence is missed by all of his associates in either branch of Congress. Such men as he who serve their country well and faithfully are always missed when they pass to that bourn whence no traveler ever returns. In this hour we say from the depths of our hearts, Good friend, faithful public servant, thoroughgoing American, hail and farewell!

Mr. WASON. Mr. Speaker, it is with sorrow that it becomes my duty at this time to speak of the life and character of the late Senator GALLINGER, an honored resident of my congressional district for more than a half century. JACOB HAROLD GALLINGER was born on a farm near Cornwall, Canada, March 28, 1837. He was one of 12 children. His parents were without financial means. During his early boyhood he walked to the log schoolhouse, a mile and a half from home, where he was taught to read, write, and do sums in arithmetic. At the age of 11 years he was indentured to the village editor, and three years later finished his apprenticeship with him. His wages the first year were $8, board, and lodging; the second year he received $24, board, and lodging, and the third and last year of his apprenticeship he received $60, board, and lodging. He was then qualified as a journeyman printer. He then went to Ogdensburg, N. Y., where he worked as a journeyman printer. While employed setting type in the office of the St. Lawrence Republican in Ogdensburg, he received a letter from a cousin, a professor in a medical college in Cincinnati, Ohio, advising him to become a doctor. The suggestion was accepted. He started for Cincinnati and arrived there with $100 in his pocket, which was all of his worldly possessions, $60 of which was paid at once for a course of medical lectures. He and two other students rented two rooms, where they cooked their meals and slept. He immediately found employment on the Cincinnati Gazette, first setting type, then reading proof, and later reporting shipping news along the river and court news over in Covington, Ky.

Thus the young man worked diligently to earn a livelihood and pay his way at the medical school. Each day's work engaged his attention from 8 o'clock in the morning until 12 or 1 o'clock the next morning, attending medical lectures and performing his work upon the newspaper.

He graduated with honors from the medical school in 1858. After that he was abroad two years and pursued further the study of medicine and surgery. Returning to the United States, he located in Concord, N. H., and began the practice of his profession, which he pursued in that city and the surrounding country for 23 years. His robust physique, which had served him so well during his stay in Cincinnati, continued to permit him during the years of the active practice of his profession to travel day and night making his calls to relieve the sufferings and ills of his patients; his patrons and clientele took him miles into the country at all times of the day and night. I have heard him say that often he had been called out from his house a half dozen times between supper and breakfast, many times for trips into the country.

He was soon recognized as a leader in his profession. His skill, his cheerful word and manner, and his magnetic presence contributed to his personal advantage and made friends for him which lasted for life. Dr. GALLINGER's professional practice was not confined to the territorial limits of the city of Concord or the county of Merrimack, in which he lived, but extended to people living in towns and parishes in bordering States. His reputation and standing as a physician and surgeon will be preserved in the hearts of the generation that knew him as steadfastly as the granite rock in the mountain side of our State.

While pursuing diligently the practice of his profession, which he loved and honored, some of his friends nominated him as a candidate for the office of moderator in the fourth ward of the city of Concord; the remuneration for that service was $5. He served one term and declined a reelection to that distinguished honor. It marked, however, the beginning of a political career. Soon after his precinct elected him as their representative in the house of representatives of the State legislature, and he served his precinct well and faithfully in that branch in 1872 and 1873, and later in 1891. The same precinct elected him as its member to the State constitutional convention of 1876. Dr. GALLINGER's ability and fidelity to service in this branch of the legislature was particularly noticeable. The senatorial district in which he lived elected him a member of the State senate in 1878, 1879, and 1880, and that body selected him as its presiding officer twice, for the years 1879 and 1880.

During the years 1879 and 1880 Dr. GALLINGER held the office, by appointment of the governor of New Hampshire, of surgeon general of the State National Guard, with the rank of brigadier general.

Early in life Senator GALLINGER became affiliated with the Republican Party; its principles appealed to him. The Republican State committee urged him to accept the important and onerous position as chairman. He yielded to the request, and from 1882 to 1890 performed the duties of that office with satisfaction to all. When he resigned many regrets were expressed and his resignation was reluctantly accepted. Again, in 1898, the Republican State committee appealed to him to accept the chairmanship, and after eight years' absence from that place he accepted and continued in that position until 1908, when he resigned. In discharging the duties of this office Senator GALLINGER impressed those who came in contact with him with his industry and ability to master details as well as broad questions of policy, and his term of service in that capacity was successful and longer than any other man in the history of our party in the State.

Our people elected him a delegate to represent them in the Republican National Convention of 1888, 1900, 1904, and 1908, and he was chosen by the delegation as its chairman for each of those conventions. Thus it will be noted that the people of New Hampshire had unbounded confidence in his integrity, his ability, and his adaptability to represent them in various capacities.

Such, briefly, are the historical facts that speak volumes in behalf of the esteem in which Senator GALLINGER was held by the Republicans of the Granite State. His life was active in doing good for others and closely interwoven with the history of our State for more than half a century. But this is not all; the people of New Hampshire recognized that Senator GALLINGER's activities and ability should not be confined to the local activities of the State. In 1884 he was elected a Representative in Congress from the second congressional district, and reelected in 1886, and declined a renomination and reelection in 1888. Thus, it will be seen from the 4th of March, 1885, until the 4th of March, 1889, he was called upon to serve his people in a larger and broader sphere in the Halls of Congress. During his two terms his services attracted Nation-wide attention. After declining a reelection, in 1888, to Congress, he intended to return to the city of Concord and pursue the practice of his profession, but it was impossible; men from all parts of the State sought his advice on public questions. In 1891 he was elected to the United States Senate, his term of service beginning March 4; he was reelected in 1897, 1903, 1909, and in 1914, the latter election being by popular vote. He served continuously as Senator from March 4, 1891, until the 17th day of August, 1918, the date of his death; his services as our representative in the House and Senate covering a period of 31 years 5 months and 13 days, more than a quarter of a century, in the highest legislative body of our land, being the dean of the Senate in point of continuous service.

A notable characteristic of Senator GALLINGER was his clear vision into the future—I might say, anticipated the advent of questions that were to become momentous public issues. To illustrate: He early espoused the cause of prohibition; calmly, consistently, and courageously advocated the same on all proper occasions; through his long public career he never wavered, and had his life been prolonged six months he would have seen our country adopt his views thereon.

Many years ago he became an advocate of equal suffrage for women, at a time when he was almost a pioneer in that belief; yet he lived to see it one of the great problems confronting the American people and the peoples of the Old World. When he first espoused the cause in favor of these far-reaching principles he displayed courage that was characteristic of the man. Many of his friends felt and advised him that it was unwise for him to continue to advise the public of his belief in the cause; many were emphatic, and told him that it would injure him politically, yet he continued not heeding their advice; in his subsequent candidacies he received the sincere and active support of many men who disagreed with him on one or both

of these issues, due, as I believe, to the fact that they admired his candor, his sincerity, and his wisdom.

Senator GALLINGER early espoused the cause of the veterans of the Civil War; in his national activities in Congress assisted with force and power every worthy case that was presented to him. In the Senate for many years he was chairman of the committee that considered general and special legislation relating to pensions. The candor and sympathetic spirit with which he administered justice in these classes of legislation made him an honored friend by our surviving heroes of that conflict.

To recount the legislative career of Senator GALLINGER would require a volume, and his wisdom as a public servant well merits a fulsome biography. His extraordinary ability as a legislator is the more remarkable for the reason that he was educated for the medical profession. Most public servants and statesmen select one great measure on which to focus their energies; most of them have a pet measure with which to occupy their time when momentous issues do not hold the center of the stage. Not so with Senator GALLINGER. He was ever alert to the needs of his State and country; his information and foresight upon large public questions seemed almost boundless. The tariff, the establishment of an adequate merchant marine, the enlargement of our Navy, the extension of our system of education, measures relating to health, and the development and beautification of our National Capital found in him an earnest and forceful advocate.

Let me briefly recall his beneficial services and advice in behalf of the development and making the city of Washington, our Nation's Capital, one of the most beautiful among all the capitals of the world. When he entered the United States Senate he was appointed a member of the Committee on the District of Columbia, serving thereon for more than 20 years, the latter half of his services being chairman of the committee. This work was agreeable to him; he enjoyed the vast opportunities presented; he visioned the needs of the National Capital early in his service and began systematically to bring about many needed reforms and improvements. The cool streams and forest glades of Rock Creek Park owe their improvement and conservation to his efforts. The beautiful memorial to the late President Lincoln, known as the Lincoln Memorial; the Connecticut Avenue highway bridge; the highway bridge across the Potomac; Piney Branch bridge on Sixteenth Street; and the Massachusetts Avenue bridge will be silent and perpetual monuments of his foresight and efforts.

He was active and earnest in the promotion and establishment of a filtration plant to improve the drinking water furnished by the water system of the city, and at the time of his death a half million people there were enjoying the benefit of that needed improvement.

The Zoological Park, with 170 acres, is additional evidence of his wisdom and energy. One of the finest testimonials to his sense of civic beauty was the improvement and establishment of Potomac Park and the construction of the beautiful driveways thereon, and the development of the plan for improvements of that portion of the city lying between the Capitol Building and the westerly portion of the Potomac Drive, so called.

During his entire service in the Senate he was particularly active and aided in the improvement of the educational system and of the school buildings and surroundings of the District. His efforts were so noticeable and so well directed that he was familiarly referred to by the people residing in the National Capital as the "Mayor of Washington." His attention was early in his service directed to the hospital conditions of the District, and one of the last and much-needed improvements was the new municipal hospital that he urged, and largely by his influence and patience was finally authorized. It is now being constructed on the extension of Massachusetts Avenue. As a fitting token of the appreciation and esteem of his untiring energy and efforts in causing the same to be established and constructed, it has been named and is now known as the Gallinger Hospital. When completed and ready for occupancy, the million-dollar structure will stand for centuries a silent and eloquent tribute to the memory and distinguished services of the man whose name it bears.

Senator GALLINGER was particularly honored on his seventy-fourth birthday, March 28, 1911. His friends in Washington arranged a banquet in his honor at the New Willard Hotel and 500 persons attended. Among those in attendance was the President of the United States, Cabinet officers, ambassadors, Members of the Supreme Court, Senators, Congressmen, and prominent citizens of the District of Columbia and from other parts of the country. It was a notable gathering, a tribute seldom paid to a living man. The decorations were exquisite. Enthusiasm for Senator GALLINGER, the guest of the evening, was unbounded, as shown by the incidents during the dinner. Permit me to refer to one—the waiters marched into the banquet hall with letters on their trays that spelled "Gallinger." As the party saw the name they arose from their seats, cheering and waiving their napkins in the air; the orchestra struck up "What is the matter with father," and the diners caught the sentiment instantly and sang—substituting the word "Gallinger" for "father," ending with the enthusiastic "He's all right." The speakers dwelt at length upon the wisdom, judgment, patience, and successful efforts of Senator GALLINGER in his efforts to improve and beautify the National Capital.

President Taft said:

> You could not use the function of a dinner for a better or higher purpose than to testify your gratitude and that of all good citizens of the United States to a servant and a Senator who does things because they are to do good to the people.

The chairman of the District Commissioners, Mr. Rudolph, speaking of the Senator, said:

> He has with untiring devotion studied our needs and problems, and with wisdom and courage never failed to advocate and press such measures as would aid in making this the greatest city of the world.

A former District Commissioner, Mr. Macfarland, said:

> I can testify that the unexampled appropriations and legislation obtained for the District of Columbia were due more to you [Mr. GALLINGER] than to any other one man in Congress.

The Yankee poet wished that he might live in a house by the side of the road and be a friend to man. "Officially as well as personally you have lived that way."

Gen. Harries said:

> The good works done by Senator GALLINGER and of the evils he has checked there is not, nor can be, any catalogue.

Capt. James F. Oyster said:

> The people of Washington are thankful to the people of his State for sending him here.

The life of Senator GALLINGER, replete with beneficial duties for mankind and for his adopted State and country, adds another name to the long list of statesmen, residents of New Hampshire, during the preceding century and a half.

Senator GALLINGER was a self-made man in every respect; his push and perseverance exhibited in early life enabled him to get his education; that education laid the foundation for his future life of activity and usefulness. The habits thus formed in his boyhood days were retained throughout his busy life until his death. Day by day, month by month, in the execution of life's responsibilities he progressed and advanced; he was not satisfied until he had reached the highest pinnacle of understanding of each and every effort before him. He was endowed with a robust constitution and a wonderful power of endurance, which served him well during his fourscore years of life. He was a courteous man, an affable man, a sincere man, a man with strong convictions, tender-hearted, and his sympathies were with the downtrodden and the oppressed. There was no deception or sham in his nature; he abhorred them. He easily made friends and retained them, and was ever enlarging his circle of friends and admirers. These attributes were a part of his nature from early manhood until life's end. He was a public speaker, possessing great convincing power and force; his reasoning was logical, sound, and clear; he possessed the ability to sway his hearers by sincere, logical, and forceful explanations of his subject.

For many years when the Senator became weary and tired by close application to the arduous duties required of him in Congress, or when Congress was not in session, he intensely enjoyed a visit to his country home, known as "The Poplars," a picturesque farm and buildings in the town of Salisbury, N. H., situated on an elevation just east of Kearsarge Mountain. There, among the rare flowers which he grew and was very fond of, and beneath the beautiful shade trees overlooking the green fields and pasture and timberland of his estate, he communed with nature and, lulled to rest and sleep by the music of the song birds and the chattering of the squirrels, his weary and overburdened constitution would revive, his energy return, and with renewed vigor he would resume the responsibilities of public life. It was here that he spent many pleasant days and enjoyed needed relaxation from busy life. It was here that he was resting and enjoying life when he became ill and answered the summons of the Great Master. The news of his death was received by the public with sadness and grief by his colleagues and the people in the National Capital and by the people of his adopted State. The activities of the city of Concord, the capital of our State, were recessed and public and private buildings were draped in mourning as the last rites were performed. The church was inadequate to accommodate the throng of people who came from afar and near and by their presence expressed their love, admiration, and profound respect for the man of remarkable age whose noble deeds for humanity, covering a period of more than a half century, will be tenderly

remembered and often recalled and referred to by future generations.

> Cold in the dust the perished heart may lie,
> But that which warmed it once can never die.

Mr. MADDEN. Mr. Speaker, it was my privilege, and I deem it a high privilege, to know Senator GALLINGER for 30 years and I was always proud during all of that period to be able to call him my friend. I was proud of Senator GALLINGER not only as a man but as a public functionary. Senator GALLINGER had a singleness of purpose in his public work. He was interested only in the welfare of the Nation. He had no private ax to grind, if I may so speak. He was constantly in search of methods to improve the condition of our people. He had fine courage, ability, and genius to serve the Government's needs. He was a true statesman. He recognized the fact that a public official was the servant of the people. He saw that public office was simply an opportunity to serve. He realized that the more nearly one came to serving the people and advancing and promoting their welfare the more nearly he would come to ameliorating conditions that needed improvement.

Senator GALLINGER had a disposition as gentle as a girl. He was sweet, courteous, refined, attractive, magnetic, always approachable, and yet he had strength of character that marked him in a conspicuous way among his associates in public life. He was afraid of nothing. He had the courage to speak; he had opinions, and he was not afraid to express them. He shaped the legislation of the Nation calculated to be of advantage to the generations of the future as much as did any other one man who occupied a high public place either in the House or in the Senate. He was constantly alert to the need of America's expanding commerce, and in season and out of season he worked tirelessly to accomplish that object. He believed that America should stand on a basis of equality in its merchant shipping with any other nation in the world, and he never lost an opportunity to advocate legislation to that end. He saw the need as few men did of protecting the American market for the American people. He believed in the protection of American industry. He believed that the productions of labor from European markets should not be permitted to enter American ports for free distribution among the American people. He believed that the best way to preserve prosperity in America was to protect America against the invasion of European-made products without the payment of a license fee at the port of entrance. He saw the need of preserving American honor in the conflict which is now happily closed. He stood as one of America's foremost advocates for America's entry into the war. He believed that every assistance possible and necessary should be given to the Commander in Chief to enable him to accomplish victory. He believed that the only way you could raise a successful army was by conscription, and his words and votes are recorded in the records of the Congress of the United States in favor of the advancement of every American measure.

To his genius and his courage and his foresight and his untiring devotion and his unselfish work is due more than any other man in history the development of this beautiful city as the Capital of the Nation. I can recall sitting on conferences with him when his heart went out to the suffering poor who had no place to go, no money to pay their doctor's bill, and how he insisted on provision being made for their care in the hospitals of this city. I can see him now pleading for greater opportunities for education for the children of this city and of the country, for the building of our public institutions of learning, for proper compensation for the teachers of this great community. I can see him pleading for them on the theory that they were making greater sacrifices than any other class of our citizens. I can see him pleading for their future welfare by increasing their compensation to a point where they could have a decent livelihood. I can see him looking into the future of the Nation by providing legislation that would mean better conditions for everyone hereafter.

I saw him pass away from the activities of this life, and I believe I can see him now or hear his voice in a better land beyond. I believe that we can communicate with men like JACOB GALLINGER, dead to life though they may be; for men like JACOB GALLINGER never die. Their life work still lives; still goes on. Their life work must be an inspiration to those of us who yet remain and those who are yet to come. And if we can but have at the head of the Nation in the generations that are to come men of the patriotic promptings that JACOB GALLINGER possessed, the future of America is safe. We need men of this type at the head of our Government affairs. We need men of unselfish devotion; men who have no personal ambitions except to serve their country. I believe that if the men who are here to-day and who are to follow in the control of the Government of the United States shall but walk in the footsteps of JACOB H. GALLINGER while he acted as a Member of this House and a Member of the Senate, the days for America in the generations, yea, in the centuries, yet to come are safe, and that America will stand before the nations of the world forever to exemplify the life and the strength of this the greatest of all Republics now or yet to come.

Mr. GALLAGHER. Mr. Speaker, the late Senator from the State of New Hampshire, JACOB H. GALLINGER, was a great and good man, and entitled to the confidence and respect of his fellow men, which he held throughout the whole period of his public life.

Born on a farm just outside of the northern limits of Cornwall, Canada, he determined when but a boy to select for himself a career of usefulness. Being one of a family of 12 children, he, of necessity, had to start out quite early to make his way in the world. He became an apprentice to the printing trade, and it was while working as a printer that he determined to fit himself for a profession. He studied medicine at the Medical Institute at Cincinnati, Ohio, and was graduated at the head of his class with the highest honors in 1858. After a time spent in travel and study, in 1861 he settled in Concord to follow the profession of medicine and surgery. I knew Dr. GALLINGER perhaps longer than any other man in Congress. It was as a practitioner that I first knew him. As a boy in Concord, the city of my birth, I remember him as a successful physician. His practice was not merely local, his services were in demand for advice and consultation by the profession throughout the State. He became widely known and made lasting friends wherever he went, long before he held public office. His industry did not stop with the performance of his arduous duties as a physician; he obtained recognition as a writer of unusual ability, and was a contributor to medical literature. His articles published in the newspapers relating to public questions attracted wide and deserved popular attention.

In politics he was a Republican and a strong party man from the start. Because of his great interest in public affairs he was chosen in 1872 a member of the State legislature, where he served with distinction. In 1876 he was elected a member of the State constitutional convention and advocated a number of important amendments, which were ratified by the people. He rendered valuable service in the State senate, was chosen its presiding officer, and for many years was chairman of the Republican State Committee. Because of his great ability and untiring efforts in behalf of the people he was elected to represent his district in the Forty-ninth and Fiftieth Congresses, and on March 4, 1891, was elevated to a seat in the Senate of the United States.

He did not receive this great honor without passing through the severest political contests and the strongest personal opposition which can come to men holding high office or remaining long in public life. He encountered and overcame obstacles and conquered his opponents through his dominant courage. There was no citizen of the State, no matter how humble, who did not feel free to call upon the Senator for assistance. His services were always freely and willingly given, and because of the affection in which he was held by his home folks they returned him to Congress repeatedly, where he won the esteem and admiration of his colleagues by his eminent service in both branches of the National Legislature. Through perseverance, self-reliance, and great natural ability he advanced in influence and power until he achieved the distinction of being chosen the leader of his party in the upper House of Congress.

It can be stated truthfully that during his long public career he was a genuine and untiring public servant. From 1891 to the time of his death he remained continuously in the Senate, having served for a longer period of time than any other Senator from New Hampshire. Because of his great knowledge of governmental affairs his counsel was always sought on public questions which were subjects for legislation. His advice was desired equally on problems and policies in which his party was concerned both in Congress and at State and National conventions. As a man of sound logic, his judgment was ever desired and always valued. He was a conspicuous figure in Republican politics for nearly half of a century.

As the minority leader of the Senate, he showed superior qualities as a parliamentarian. Ready and powerful in debate, he took an active part in the solution of the great problems of government during all the period of his service in both Houses of Congress. He bore no ill will toward those who opposed him and enjoyed the respect equally of political friend and foe. Always kindly and sympathetic and with a high sense of personal honor, a promise given to a colleague was with him a compact to be carried out with strict fidelity. In the late

war he gave unswerving support to the President in every measure having for its purpose the successful termination of the conflict.

I was one of a committee appointed by the Speaker to attend the funeral of Senator GALLINGER at Concord. The exceptional honor paid to his memory on that occasion by the officials of his State is worthy of note. As an extraordinary evidence of the respect and veneration in which he was held, his remains were taken to the Capitol Building, there to lie in state, that the people of the city and of the Commonwealth he so long and honorably represented might pay their final tribute to him. Only once before was a similar mark of respect shown to a citizen of New Hampshire, and that was on the occasion of the death of a former President of the United States, Franklin Pierce. From all over the old Granite State and from many sections of the country sorrowing friends attended the last exercises over the body of the departed statesman.

Senator GALLINGER's life was unique in many particulars. Despite his great age, he reached the zenith of his power and popularity when he was called to his last reward. In all the history of our public men few served in Congress for so long a period as Senator GALLINGER, and it is doubtful if any departed leaving a greater good will than did the Senator from New Hampshire. The annoyances and difficulties incident to a public career did not corrode his nature or alter his kindly disposition. He remained to the end of his industrious and distinguished career the same courteous gentleman I first knew as a young physician in Concord. Dr. GALLINGER went out of this life with a consciousness of duty well and faithfully performed and with the lasting friendship of his colleagues and associates; he closed his long and splendid career possessing the confidence, respect, and admiration of the entire Nation.

Mr. SHERWOOD. Mr. Speaker, as a plain citizen of the Republic, Senator GALLINGER was well worth knowing. Aside from his wide knowledge of public men and affairs of government, he had an alluring personality. He was gifted with delightful social qualities and a rare sense of humor, without which, to quote the specious words of Richard La Gallienne, "the heart of humanity had long since broken."

I knew Senator GALLINGER well; was associated with him for four months in 1912 in the prolonged contest of the conferees of the Senate and House on my dollar-a-day pension bill; again, at two famous banquets in this Capital in honor of the eightieth and eighty-second birthdays of the Hon. JOSEPH G. CANNON, of Illinois. Of the 12 present at the last banquet, May 7, 1918, Senator GALLINGER was one of the octogenarians. Like a majority of our public men of enduring fame, Senator GALLINGER was the sole architect of his remarkable public career. It is history that a majority of our most successful and longest enduring public men were born poor and started life without the advantages of a liberal or college education.

Gen. Andrew Jackson, born of a North Carolina farm laborer, with no opportunities for an education, was the commander of a volunteer army, winner of the only land battle in the war of 1812, twice President of the United States, in 1828 and 1832, always on the firing line in war, and leaving an honorable and enduring record in peace. Henry Clay, born poor, self-educated, self-made, was the foremost orator and statesman of a whole generation of public men. Abraham Lincoln, born in a Kentucky log cabin, who never saw the inside of a university and who learned to read books at night by the light of a pine-knot fire, became the guiding hand in the grandest epoch-making era of all civilization. His oration on the battle field of Gettysburg is the most inspiring and glorious classic of all languages.

I know of Senator GALLINGER's boyhood days, and of his early manhood struggles to win recognition and honor in the battle of life. His record in the New Hampshire Legislature, in the National House of Representatives, and in the Senate, covering 47 years of continuous service, has never been equaled by any public man that New England ever honored with a public trust. And his career differs from that of any public man of continental fame of New England birth in that he died in office in the full favor and affection of the people of his State, and not a disappointed man like Daniel Webster, another great son of New Hampshire, or James G. Blaine, of Maine, or Henry Clay, of Kentucky. Even Charles Sumner, ranking among the first of New England's great sons, was officially criticized in a resolution by the Legislature of Massachusetts, and died a disappointed man.

While New Hampshire is one of the smallest States in the Union in area and population, ranking as the fourteenth in population, it not only furnished in Daniel Webster the foremost orator and statesman of the ante-bellum period, but during the Civil War a private soldier—Walter Kettridge—who composed by the light of a bivouac fire the finest and most pathetic lyric song of the entire war—"Tenting To-night on the Old Camp Ground."

And New Hampshire also was the birthplace and home of the greatest family of patriotic singers ever known in the United States. I refer to the famous Hutchinson family. It is among my earliest and most enduring memories that I heard these singers of thrilling lyrics in 1845, when as a barefoot boy, in the open air one starlit night, to the accompaniment of the bells, I heard these soul-inspiring songs. Sixteen years later the same family sang the patriotic songs of the Civil War around the gleaming bivouac fires of the Army of the Potomac.

We should not let this occasion pass without gathering some lesson of value to the living, especially to the young men of to-day who, like our departed friend in his boyhood, are struggling against what seems adverse fate. The brightest gleam of hope for the poor young men of to-day is in the knowledge that the greatest men who have ever served or shone in the high places of power in this Republic have been, like Senator GALLINGER, of humble birth and limited opportunities in boyhood.

I am not here to decry a college education. I believe there is some merit in one couplet of an old English poet:

> 'Tis education forms the common mind;
> Just as the twig is bent, the tree's inclined.

But we have many notable instances in our history of too much cultivation of the common mind, where this excessive cultivation, like the long cultivation of the old tobacco lands of Virginia, has exhausted all the original substance of the soil. It sometimes happens that too much acquired book knowledge drives out all intuitive perception or original thought. Hence we have many notable instances where the robust mind of a robust man, who is compelled to graduate in the school of hard knocks and common sense, proves the most successful citizen or public official.

And let us here in this historic Chamber reconsecrate ourselves to that patriotism that was always so fervently typified in our dead friend, a statesman whose association and friendship added to our joys of living, and whose character and example gave us hope for higher ideals in government.

> Such graves as his are pilgrim shrines,
> Shrines to no code or creed confined—
> The Delphian vales, the Palestines,
> The Meccas of the mind.

Mr. GREENE of Massachusetts. Mr. Speaker, Senator GALLINGER became a member of the United States Senate seven years before I became a Member of this House. I never met him until I met him in this Capitol. I had read of him so much in the New England newspapers that I felt acquainted with him even before I met him here. He had a very remarkable career, as I knew it by an intimate knowledge of what occurred in his life as recorded faithfully in the papers, which then kept full account of New England movements and New England public men.

Coming to this House in 1898, I was assigned by Speaker Reed to the Committee on the Merchant Marine and Fisheries, and I have served on that committee continuously since I have been a Member of the House.

A few years ago when committee appointments were desired on the Republican side of the House I had one or two other committee assignments which I voluntarily surrendered to accommodate some of my colleagues who desired to be recognized, and since that time I have devoted my whole attention to the work of that committee, of which I was chairman three and one-half years, and thus I was brought in close contact with Senator GALLINGER, as he was a member of the Committee on Commerce in the Senate of the United States. He was concerned in everything that related to advantage for the American merchant marine. He was a firm believer in retaining for the American-owned vessels and American-commanded vessels the right and privilege of our coastwise trade. That, I think, was one of his strongest contentions. And I learned from him many years ago of the advantages that would come from such a course. Since I have been here there has been considerable contention in the committee of which I have been a member toward relaxing that restriction and allowing the coastwise trade to be entered into by foreign-built vessels.

We talk sometimes of maintaining great armies and great navies in order that our honor may be preserved. I have always believed in keeping the Nation strong. There is no stronger element for the preservation of the American Nation than the preservation of the coastwise trade for American-built and American-commanded vessels, for the reason that if any enemy approached our coast, either on the Atlantic or the Pacific, if the vessels of the coastwise trade were manned by

American seamen and the vessels were commanded by American officers, then we had a coast guard in addition to our Navy which would detect at any time the approach of an enemy coming to attack our coast. For that reason he and I agreed we would be entirely unwise to admit foreign-owned, foreign-built, or foreign-manned vessels to the coastwise trade.

He was very much interested in the establishment of foreign trade. He believed in building up a great merchant marine. I was a firm believer in that policy myself before I became a Member of this House, and I have been a very much stronger advocate since I have been here than I ever was before. I believe that we should long ago have made every effort to upbuild our American merchant marine, and if we had performed that duty we should have been very much better prepared for war than we were because of so many years' delay in not attending to that great essential of supremacy upon the seas.

Arguments were brought to bear in a great many instances in regard to the lack of necessity for providing an American merchant marine. One of them was that other nations could carry our products cheaper than we could carry them ourselves; and consequently, if we wanted to keep transportation we must not encourage an American merchant marine, which would be more costly, but to maintain the facilities which we then enjoyed would be very much cheaper.

Senator GALLINGER and others persistently fought against what we believed was a false idea. And since we have been in war one great fact has been revealed, and that is that some men who were away from the seacoast and who contended that the price of their products would be favorably affected by the reduction in freight rates have been convinced since the recent war that prices of the products of the farm were made on this side of the water and the freight was added to the cost, whatever it might be, and the purchasers paid the freight.

Senator GALLINGER's career was certainly very remarkable. He was not a native of the United States, but he was every inch a typical American.

The dividing line between British North America and the United States it would be hard to define. I have many constituents who were born in the same country where Senator GALLINGER was born and who came and settled amongst us in this country, and they are amongst the strongest adherents of our national cause to-day, equal in their belief in and their devotion to the American Nation with those who are natives to the soil.

I have been looking somewhat over Senator GALLINGER's career in public life, in the State of New Hampshire in the Senate, in the constitutional convention, and also his career in this House, where he served for two terms with honor to himself and credit to his State, and also in the Senate of the United States, where he served from 1891 up to the day of his departure to another life. His public career was purely unselfish. He held a high position among the public men of his generation.

He was no timeserver. He was not a man who failed to take a stand on any public question. He was radically a Republican, but he was broad enough to see very much beyond simply the party line. A gentleman said to me, "You are not going to call Senator GALLINGER a Progressive?" I said, "No, not in a political sense." I would not call him a "Progressive," because he never had a tincture of progressivism in political theory, but he was progressive in every act of his career. He was an advanced thinker and an advanced doer of great things. He never was backward in anything that he undertook. He put himself forward and served his country at every opportunity.

Allusion has been made by some of the Members who have preceded me to his great work in the United States Senate in behalf of the District of Columbia. I think he was one of the foremost friends of this much-neglected part of our country when it comes to questions of legislation.

He was persistent and foremost during all of his career in endeavoring to secure justice to the people of this most important part of our country, who have no representative in either branch of the Congress. He was interested in everything that meant for the public advancement here, both in regard to public health and in regard to public education. He was a trustee of the George Washington University of this city, a very useful institution. I happen to have a son who was a graduate from the law department of that university, and I frequently talked with Senator GALLINGER in regard to the interests of the university after my son became connected with it, and I found him very broad in all his views in regard to education.

My education was limited in early life, and I have always regretted that I did not then value the advantage which a good education affords; but I want to say, for the encouragement of the youth of to-day, that if any young man does not obtain the education that he thinks he ought to have he ought to take the example of a man like the late Senator GALLINGER, who took advantage of every opportunity that was presented to him; although his educational facilities were not as great as those of some of the young men of to-day, he patiently and persistently pursued the task set before him. He had great natural abilities, and he acquired a wide knowledge of every subject that he undertook to enter upon, and it should be a matter of encouragement to the rising generation to appreciate the opportunities that our country affords. No other country on the face of the earth affords any such opportunities.

Whatever may be concluded in the settlement of the great controversy between other nations through which we have recently passed, whatever may be the final settlement of the great questions that will arise from that conflict, the United States will certainly be one of the foremost of all nations in bringing about a proper settlement of the great problems that will be considered at the peace conference now in session. Senator GALLINGER wrote me a letter in 1915, inclosing to me a bill prepared by himself, and I laid it aside where I could put my hand on it at any time, not then thinking that I would have occasion to refer to it on such an occasion as this. But it has come to my mind that perhaps I ought to refer to it. It is a measure that he introduced in the Senate of the United States on December 7, 1915, entitled "A bill to encourage American shipbuilding and navigation, to establish American ocean mail lines, to increase the naval reserve, and to promote the commerce of the United States."

I have looked that bill over with a great deal of interest. It provided means which if enacted into law might have built up the American merchant marine. It was a method which I long believed in, and which I had tried several times during my membership in this House to have the House favorably consider. Once my party associates succeeded in getting it through this House by a very small margin, but the bill failed in the Senate by reason of the adjournment of a session of the Congress before action could be had. At a subsequent time the Senate passed a bill of that nature, and it came over to this House, but failed of enactment here by one vote. Senator GALLINGER at that time introduced the bill in the Senate, and I very gladly voted for it and worked for it here. I believed in that method of upbuilding a merchant marine rather than by a wasteful expenditure of money.

We have now what is called an American merchant marine established. It has been rather a costly experiment. Enough money was placed by the Congress to the credit of the Shipping Board, nearly $4,000,000,000, to construct 10 Panama Canals, and notwithstanding that vast sum was granted there was only a limited number of vessels that were available to help us win the war. We won the war in spite of our lack of an American merchant marine.

And though we may have failed in some respects, we have undoubtedly prepared the way for future Congresses to provide an American merchant marine. Recently I noticed that the president of the Shipping Board was busy across the water preparing for the establishment of our foreign trade; but before they can get American shipping in shape to compete with the shipping interests abroad we shall have to wipe out at least $1,000,000,000, and I fear we shall be compelled to wipe out a second billion of dollars before we can successfully meet the competition with the nations which have been for so long a period of years taking care of their merchant marine, while we, as a Nation, have slumbered.

Senator GALLINGER was a member of the Merchant Marine Commission which visited important shipping ports in our own country and subsequently visited foreign countries investigating the necessity of the United States having a merchant marine and to ascertain what hindrances existed there to reestablishing our foreign trade. Senator GALLINGER submitted an elaborate report. Gen. GROSVENOR, of Ohio, late a Member of this House, was a member of that commission, as was also Senator LODGE, who became the successor of Senator GALLINGER as the leader in the Senate. They made a very full investigation. Their reports are a matter of record in the Library of Congress and they showed a great deal of interest in this all-pervading subject which I believe will be interesting and helpful for the Congress in the months that are to confront us in the near future.

I regret very much we can not have the advantage of Senator GALLINGER's presence to help us to solve this great shipping problem, but, as I have stated, his work during his life will be helpful in the solution thereof.

Allusion was made by the gentleman who preceded me to a luncheon that those of our membership who have passed three score years and ten in this House have been invited to participate for the third time. Senator GALLINGER was present last year at the last anniversary of the birth of Hon. JOSEPH G. CANNON

on May 7, 1918. Several Members who were present at the first and subsequent luncheons have passed away. Senator GALLINGER was present there last year, and from his appearance then all who participated therein expected that we should have the pleasure of his presence for another gathering when the next anniversary of the birth of Mr. CANNON should occur. But Senator GALLINGER has gone to that bourne from which no traveler ever returns. We appreciate the great work he did, we recognize the record he made here, and we admire his breadth of character, his engaging personality, and we appreciate also his ability and faithfulness in every work in which he engaged. I was appointed a member of the committee which attended the funeral of the late Senator. His body was carried to the capitol building in the city of Concord and there laid in state. At the church where the funeral exercises were held Senator LODGE delivered an eloquent and fitting eulogy on the life, character, and public services of the late Senator, his former associate and personal friend.

Mr. MONDELL. Mr. Speaker, it was my good fortune to know JACOB HAROLD GALLINGER for nearly a quarter of a century. While our acquaintance and association was not particularly intimate it was of such a character—personal, social, and official—as to enable me to form an intelligent opinion of him and was the foundation of a sincere appreciation of and respect and regard for this distinguished man who for so many years ably represented the Commonwealth of New Hampshire in the Congress of the United States.

That JACOB HAROLD GALLINGER was a great and good man was eloquently and conclusively demonstrated by the fact of the long period of his exalted public service and the number and variety of the distinguished honors and heavy responsibilities placed and conferred upon him during the many years of his active life. No man who did not possess the virtues and endowments of honesty, courage, industry, and ability in a marked and unusual degree could for so long a period of time have retained the affection, confidence, and support of the sane, sensible, and discerning people of the Commonwealth of New Hampshire.

We are reminded by Holy Writ that there is a difference in the quality of glory celestial and terrestrial. Every light that shines to illuminate the physical, the moral, the spiritual pathways of men has its own individual and peculiar virtues. Each has its particular mission for good and each differs from the other in the character of the helpful influence and impression it exerts and creates.

Out of the many helpful, stimulating, and illuminating qualities of the character of our departed friend, two in particular challenged my attention and won my admiration—his steadfastness and his modesty. These are not essential attributes of greatness; in fact they are qualities that have been sadly lacking in the character of some truly great men. The possession of these qualities, however, serve to accentuate other great qualities of heart and mind, and the possession of them brings to their possessor, who is otherwise distinguished, not only the appreciation of his great qualities but the added tribute of unqualified respect and sincere personal affection and regard.

Take him all in all, JACOB HAROLD GALLINGER possessed the kind of character we might wish for our best beloved and dearest friend. The honors that came to him will be long remembered and cherished as a valuable possession of memory by friend and relative, but, after all, that which really counts and will form the most precious heritage of memory will be the praiseworthy way in which he accepted and bore these honors; the modesty, the fidelity, and the wisdom with which he discharged the responsibilities which those honors brought. His earthly work is finished, but the beneficial effect of his work and accomplishments will long continue; above all, the influence of his character, of the great and worthy qualities of his mind and heart, has become a part of the immortal, helpful, moral forces of the universe.

Mr. CAMPBELL of Kansas. Mr. Speaker, it is a privilege to have known men of the generation in which Senator GALLINGER was a great leader. The generation that is passing with Senator GALLINGER has contributed more to mankind than any generation that preceded it in the history of civilization. No other generation has seen such progress for the welfare of mankind as this generation has seen. This progress has been largely the result of the high purpose and constructive statesmanship of the men whom that generation selected for their leaders. Men of mediocre ability were not sent to the front lines for action by that virile generation of great men. Mark the achievements. When Senator GALLINGER came he found matters much as they had been for centuries. The progress of civilization had been slow and marked by few milestones. Men and women were still carding, spinning, and weaving by hand. They drove their flocks and herds for miles to market.

They tilled their soil and sowed their grain and garnered their harvests with simple implements. Financial and fiscal systems were unstable and inefficient. Economic policies ministered only at short intervals to the welfare of the people statesmen sought to serve.

Senator GALLINGER's generation of statesmen have led the civilization of the world in the reformation of all of those things. He was a part of that great constructive statesmanship. He saw the rapid advance that was made from the spinning wheel and the loom to the finished machinery and great factories of to-day that minister to the necessities and welfare of mankind. He saw and was part of the statesmanship that adjusted finances and economic policies of this Nation so that industry, finance, and commerce were stabilized.

It is a privilege to have known such a man. Death was kind to him in that it delayed the day of its visit to him until it found him in the ripeness of his years yet in full possession of all those qualities of heart and brain that fit their possessor for usefulness to mankind. He was yet in the possession of all his faculties in a high degree, was still the leader of men, yea indeed the leader in the Senate of the United States, the greatest legislative body of its kind in his day in the world. It was his privilege to be taken from life during his leadership of that great body.

What a mysterious messenger after all is Death. It comes, removes its victim from place of leadership as well as from place of little note and yet does not disturb the world in its progress. The morning after Senator GALLINGER's death the affairs of the world went on. The Senate and this House paused awhile with bowed heads and paid a tribute to his memory and then resumed under other leadership the work from which he had been taken.

Senator GALLINGER's place will be filled by other men. Few, however, will take to public life and to positions of leadership, the higher order of constructive statesmanship, that he possessed in so rare a degree. He was modest and patient. He respected those who differed with him. I saw him for four months in almost daily sessions of a conference with a conferee who would not sign the conference report. After opening the conference Senator GALLINGER would say, "Are the conferees ready to sign the conference report?" One would answer in the negative. Senator GALLINGER would say, "The conference is adjourned until Thursday." A rare patience, a patience that finally brought a unanimous report.

His life was full of years and honors when he left life to solve the mystery of death. May we have more like him in the days to come when we need them.

Mr. AUSTIN. Mr. Speaker, it is well that we should on this beautiful Sabbath Day pause to pay just tribute to the character and memory of JACOB HAROLD GALLINGER, New Hampshire's foremost citizen, who has peacefully passed to the great beyond after a life full of usefulness, not only to the State which was proud to honor him, but the great Republic he served so long and well.

His record is a prominent part in the legislative proceedings and achievements of the American Congress for more than a quarter of a century. His words and deeds are recorded in the enduring records of the greatest legislative body in the world and during the most important period in the history of the Nation. When Senator GALLINGER was a Member of the lower House of Congress, one of Ohio's illustrious statesmen, John Sherman, was the President pro tempore of the Senate, along with the brilliant John J. Ingalls, from Kansas, who also presided over the Senate during a part of that period, while that able son of Kentucky, John G. Carlisle, was serving as Speaker of this House. While a Member of the Senate the Speakers of the House were John G. Carlisle, of Kentucky, Thomas B. Reed, of Maine, Charles F. Crisp, of Georgia, David B. Henderson, of Iowa, JOSEPH G. CANNON, of Illinois, and CHAMP CLARK, of Missouri.

During Senator GALLINGER's long, faithful, and conspicuous service in the upper House of Congress, the White House was occupied by Harrison, Cleveland, McKinley, Roosevelt, Taft, and Wilson.

What a long, great, and honorable career of fidelity and usefulness! He served in both branches of the New Hampshire Legislature for six terms, was the presiding officer of the State senate, an influential member of the constitutional convention, the surgeon general of the State National Guard, four years of activity in the House of Representatives of the American Congress, to be followed by the people of the State in a promotion to membership in the United States Senate, covering a period of 27 years, or until he was called to his great and final reward.

Through this long period of his official career he was rendering invaluable service to the Republican Party which had honored and trusted him and whose principles he cherished and loved to serve and promote. He was chairman of the Republican State committee 18 years; member of the Republican national executive committee, delegate to four Republican national conventions, chairman of the Republican senatorial committee, and chairman of the joint caucus of Republican Senators and Members of the House here in the Capitol for the past 10 years. He was an able and impartial President pro tempore of the United States Senate during the Sixty-second Congress.

For a moment consider the great and vital legislative questions to which his name was linked: Chairman of the Merchant Marine Commission, vice chairman of the National Waterways Commission, and member of the National Forest Reservation Commission. At the time of his death he was the chairman of the conference of the minority and an influential member of the Committee on Appropriations, Finance, Manufactures, Pacific Railroads, Printing, and Rules.

His many speeches favoring a Merchant Marine and a Protective Tariff are among the strongest, most convincing and unanswerable to be found in the great debates in Congress during the past quarter of a century. His constant and unceasing work for Washington city and the District of Columbia entitle him to the lasting gratitude of the people of the Capital city and every American who is proud of the official home of the Republic.

Senator GALLINGER was intensely an American. The business men trusted him for he believed in promoting and safeguarding the commercial and industrial interests of the country. He never waivered in his advocacy and support of legislation to insure the prosperity and happiness of our great army of industrial workers. He was not unmindful of the old heroes whose courage and valor saved the Union, and legislation for them, their widows, and dependent children received his earnest support. No one in the Congress was more anxious or earnest in aiding in providing needed legislation for our successful prosecution of the great world war. Measures for the welfare and safety of the Republic, for the social, moral, civic, material, intellectual, and patriotic improvement and development of all the people ever found in him an earnest and enthusiastic champion.

Senator GALLINGER was absolutely free from pretense and an utter stranger to hypocrisy. He was open, manly, genial, kind, and could always and under all circumstances be trusted and relied upon to the limit. He was devoted to friends, faithful to constituents, true to party, and loyal to country. The noble deeds to his credit, the splendid example he left, his untarnished name, are precious legacies more enduring and valuable than wealth or rank.

Our families lived beneath the same roof 30 long years ago in this city. He was my esteemed and valued friend and I had every reason to honor, respect, and love him for his unfailing interest and friendship for me and mine.

Mr. Speaker, I offer my simple but heartfelt tribute to the memory of New Hampshire's great and illustrious son, whose private and official deeds will be long remembered and cherished and whose public achievements will not be forgotten by the grateful people of the Republic.

Mr. BURROUGHS. Mr. Speaker, in the death of Senator GALLINGER, at Franklin, N. H., in the eighty-second year of his age, on August 17, 1918, New Hampshire lost her most distinguished and influential public servant and the country at large a leader and statesman who had contributed richly to the national welfare.

Three times elected to membership in each branch of the New Hampshire Legislature; a delegate and chairman of the delegation from his State to at least four Republican national conventions; a member of the New Hampshire constitutional convention in 1876, in which body he took a prominent part in formulating amendments which were later submitted to and adopted by the people of his State; a Member of this House in the Forty-ninth and Fiftieth Congresses, where he early took high rank as an intelligent legislator and forceful debater; and a Senator of the United States continuously for more than 27 years, from March 4, 1891, to the date of his death, it may truly be said of Senator GALLINGER that he gave himself wholly and unreservedly to the service of his country. In spite of failing physical powers in recent years, his strength of mind, his grasp of intricate questions, his quickness and acuteness of perception, remained undiminished to the last, and enabled him almost to the day of his death to perform a literally prodigious amount of effective labor.

At no time in his long and highly honorable public career was his service more highly useful to his State and to the Nation than at the second session of the Sixty-fifth Congress, just closed, when, with the country at war, and himself the leader of his party on the floor of the Senate, he was present almost every day and took an active part in the discussion of all important questions.

He died in harness, as he would have wished to die. He died as serenely and bravely as he lived.

JACOB HAROLD GALLINGER was a fine example of what we often speak of as the "self-made man." Born on a farm in Cornwall, Ontario, Canada, March 28, 1837, receiving the advantages of a common school and an academic education, he started life as a printer. He served his time as an apprentice and became a member of the Union of Journeymen Printers. Later in life he took great pride in the fact that he was a member of organized labor, and the Typographical Union and Plate Printers' Union of Washington, D. C., counted him among their stanchest friends. One of the principal addresses at the great birthday banquet given in his honor by the Chamber of Commerce and the citizens of the District of Columbia in 1911 was delivered by the president of one of the local unions, who presented him with a large silver pitcher in token of the esteem in which he was held by the members of the profession in Washington.

He studied medicine in Cincinnati, Ohio, where he graduated at the head of his class. I, myself, have often heard him speak of the privations and sacrifices made necessary for him by those years of preparation. Well do I remember him 35 years ago, riding day and night in all sorts of weather ministering to the sick throughout the whole country for miles around his home at Concord, N. H., for he was then known as one of the most successful physicians in that locality.

He knew from boyhood the meaning of hard work; long hours had no terrors for him. It was for this reason, I suppose, that he seemed to have scant sympathy with those who in recent times are continually emphasizing the idea that destitution and pauperism and all other ills that flesh is heir to are primarily due to existing conditions of civilized society. Was it not under these same conditions that he had started from the bottom and climbed to the top? Why then tear down, why overturn, why revolutionize?

Admitting always there is a great deal in the present organization of society which might be improved by well-considered legislation, he held strongly to the belief that the chief cause of suffering and distress in the world is found not so much in social as in economic conditions and failings and defects in the individual. He put emphasis upon the duties and responsibilities of the citizen rather more than upon his rights, and if at times he seemed to some of us to put undue stress on the part which individualism must fulfill in our time we must always remember that he was brought up under the influence of the school of the earlier economists, whose fundamental assumption was that free competition involving freedom of contract and individual liberty was universal and all beneficent.

Throughout his whole public career Senator GALLINGER maintained a firm belief in the wisdom of a protective tariff policy. Indeed, this may truly be said to have been the cornerstone of his whole political philosophy. No statesman of his day had studied this question more thoroughly or had a broader comprehension of its meaning.—For more than a quarter of a century no man in either branch of Congress was a more earnest, consistent, and forceful advocate of this doctrine. I have before me as I speak a pamphlet containing a speech by him in the Senate on May 16, 17, and 19, 1894. It is entitled "American Tariffs from Plymouth Rock to McKinley." It was later printed and widely distributed throughout the country by the American Protective Tariff League. It purports to be, as indeed it is, a most exhaustive analysis of the arguments both for and against a protective tariff, together with a complete survey of our tariff history from the earliest times. In clearness of statement, wealth of illustration, and comprehensive grasp and treatment of subject-matter, it is to my mind the strongest, as it is altogether the most illuminating, speech on the tariff question that I have ever read.

If any man in the public life of America ever lived to see a position that he had taken thoroughly justified by subsequent events, that man was Senator GALLINGER, with reference to our merchant marine.

For years his voice, with that of his friend, Senator FRYE of Maine, rang out almost alone in the Congress of the United States in eloquent and vigorous protest against the short-sighted and un-American policy under which our flag, once

known and honored in every port of the world, had practically disappeared in the foreign commerce of the United States. Again and again he brought home to the American people the incontrovertible facts of history in connection with this subject. He reminded us that once we were masters of the seas, that until after the middle of the 19th century our maritime power was preeminently successful, that then we faced inland and turned our energies and attention to the conquest of our continent—we felled our forest, fenced our fields, broke our prairies, built our highways and railroads, bridged our streams, tunneled our mountains, harnessed our water power, and exploited our mines, built our cities and became the greatest agricultural and industrial country of the world, leaving to other nations the task of carrying our products across the seas. At the outbreak of the Civil War we had two and a half millions of tonnage. By 1881 this had been reduced to a little more than one million and it had not increased at the outbreak of the recent war. Our Navy had greatly increased but our merchant marine had remained undeveloped. Our shipyards had been closed and the shipwrights had turned their energies in other directions.

As chairman of the Merchant Marine Commission appointed under authority of Congress in 1904, Senator GALLINGER spent months taking testimony in all parts of the country—on the coasts of the North and South Atlantic, the Great Lakes, the Pacific, and the Gulf of Mexico. He prepared a very comprehensive and elaborate report embodying the conclusions of the commission which he, as its chairman, submitted to the Senate at the opening of the third session of the Fifty-eighth Congress. This report is at once a masterpiece of sustained argument and a powerful appeal to the patriotic spirit of the American people. It is but a simple statement of truth to say that if the recommendations therein contained had found expression in the legislation suggested and which Senator GALLINGER later introduced in the Senate and strongly advocated America would not have found herself in the humiliating and defenseless position on the seas that characterized her entrance into the European war.

As no man in the history of our State ever represented her in Congress for so long a period, so it may also truthfully be said that no man ever served New Hampshire in any capacity with a greater industry, loyalty, or devotion than Senator GALLINGER. Nothing that affected the State, its institutions, or its people in any degree was too trivial to receive his painstaking and earnest consideration. Any enterprise that seemed to him to be in the interest of New Hampshire was sure to receive his strong and loyal support. I suppose, for instance, that no man in our public life had done more than he to improve our beautiful harbor at Portsmouth and the navy yard located at the same place. Indeed, one of the very last acts of Senator GALLINGER'S official life was to move an amendment to the naval bill in the Senate providing for an additional dry dock at the Portsmouth Navy Yard.

Some one has said that all associated action among men exhibits an inevitable conflict between the idea of combined efficiency and the idea of individual freedom. Neither can prevail without some sacrifice of the other. The difference is temperamental and the two types of character are hard to reconcile.

Senator GALLINGER belonged to the type which seeks efficiency by the law of its nature. All of his instincts were for order, discipline, intelligent direction, voluntary subordination to a common purpose. That explains, in my judgment, why in politics, from first to last, he was always for party organization and party responsibility. Certainly he was always a staunch party man. He had the capacity for sympathetic appreciation of the feelings and motives of others and that, as we all know, is what makes associated action easy. He thought much of the common cause in which he was enlisted and little of his own advantage. He was simple and direct in thought and action and frank and truthful and entirely free from that cowardice which breeds deception.

Personally, he was one of the most lovable men I have ever known—a loyal friend and charming companion and an affectionate husband and father. His sympathies were broad and generous. He was fond of music and flowers and literature and the companionship of little children. He loved the fields and hills and woods, and through most of his active career found greatest relaxation and rest in the "house by the side of the road," on the little Salisbury farm. There he took the keenest pleasure in the management and betterment of his property. Only last year he drove a deep artesian well on this farm and set out a large number of young apple trees of a special variety that he had been at great pains to secure in a western State. He fully expected to "round out a century," as he expressed it, and watch his new orchard in its development. His motto throughout life seemed to be "Act as if you were to live forever—live as if you were to die to-morrow." Sorrow came to him, but he met it manfully. It neither embittered nor crushed him. He was a popular type of the American optimist, imparting confidence and enthusiasm to all who came within the influence of his delightful personality. His course was a steadfast and consistent one throughout his whole public career. His convictions were strong and he held them strongly.

I think it was James A. Garfield who said in substance that in the minds of most men the kingdom of opinion is divided into three territories—the territory of yes, the territory of no, and a broad unexplored middle ground of doubt. That middle ground in the mind of Senator GALLINGER was very narrow. Nearly all his territory was occupied by positive convictions. On most questions his mind was made up more completely than that of almost any man I have ever known.

On his 81st birthday he said in the Senate, in the course of some remarks appropriate to the occasion:

> I have had no controversy during the 27 years of my membership in the Senate with any Senator that lasted overnight.

This would explain why, although from first to last as I have stated, he was a strong party man, Senator GALLINGER had the warm friendship and even affection of men long associated with him in Congress who differed radically with him in political belief. As illustrating what I have just said, I want to quote a few words from some remarks made by Mr. WILLIAMS of Mississippi, a prominent Democratic Senator, on the occasion of Senator GALLINGER'S 81st birthday.

Senator WILLIAMS said:

> I have never known a sweeter person, a man who was more of a real man, honest, true, faithful, and brave in the entertainment and expression of opinion, than the Senator from New Hampshire. When a partially reconstructed rebel can say that about a down-east Yankee, that ought to go pretty far.
>
> I have served with him on committees. I have served with him in this body, and I have never yet seen the day, as far apart as he and I were and are politically, when a statement of his about a matter of fact did not carry with me absolute verity, not verisimilitude, as statements of that sort coming from Representatives and Senators generally do, but absolute verity. I would no more doubt his word, I would no more doubt his integrity, intellectual or moral, than I would doubt my own.
>
> Mr. President, my temperament is such that I either love men or hate them; nobody is indifferent to me. I hate men when I hate them because I think they are untrue. I think they are insincere. I think that they camouflage; and I love men when I love them because I think they are true and do not camouflage and are not insincere. I love an open enemy who fights me to the hilt of the dagger very much more than I love a fellow with velvet gloves who seeks an aperture under my fifth rib without advising me beforehand that he is going to seek it. I think that Senator GALLINGER falls within the lines of the people whom I love and whom I have a right to love and do love, because they are honest and because I try to be honest."

The accident of birth in another country precluded him from aspirations to the highest honors in the land of his adoption, but for several years he had been the acknowledged leader of his party in the Senate, where he had met the exacting duties of this high and responsible position with dignity, distinction, and to the general satisfaction of his associates in that body.

Although born in Canada and on his father's side of German parentage, never was there so much as a whisper of suspicion of his thorough-going and stalwart Americanism. Indeed, it was that spirit that seemed to give motive and inspiration to his whole public career. Always his argument for a protective tariff came back to the fundamental proposition that the American wage scale and American standards of living must at all hazards be maintained. It was the same in regard to the merchant marine. His whole being seemed to revolt at the idea of America remaining for another moment in a humiliating position of dependence upon foreign governments and foreign shipowners in our overseas trade. Although never a "jingo" in any sense of the word, he was not a pacifist as the term is now understood. He hated war, as I believe most right-minded men do, but that did not carry him to the extent of being willing to go to any length or pay any price in order to maintain peace. He stood for a policy of reasonable preparedness long before the European war broke out. It was in no spirit of enthusiasm, but rather with sorrow, because he saw no other honorable course, that he voted for the declaration of war with Germany. After the war came, no man in either branch of Congress stood more stoutly than he for its vigorous prosecution to complete victory.

It was due in no small degree to his wise counsel and leadership that throughout the war his party in Congress gave loyal and whole-hearted support to the Government upon all war measures. Had he lived to see that glad November morning, when once again across the darkened skies shot the bright rays of coming peace, there would have been no man within the confines of this great Republic whose heart would have leaped with greater joy than his at the happy consummation.

There are many phases of his life and public service of which I would like to speak, especially of his zealous and painstaking efforts for the upbuilding, beautifying, and civic betterment of

this capital city, whose citizens of all classes had come to have for him a genuine and true affection; of his unflagging interest in and valuable service to the Union soldiers—veterans of the Civil War—with whom his name is a household word from one end of the land to the other; of his sincere belief in and strong advocacy of prohibition and equal suffrage in days when these causes were less popular and it took more courage to stand for them than now. But I will not say more. Most of these subjects have already been covered, and all, I am sure, will be covered by other speakers, who have had the advantage of a more intimate association than I with Senator GALLINGER during the many years of his congressional career.

Reviewing his life and summing up his qualities, I know of no words that may more fittingly be applied to him than those he himself spoke on a similar occasion of his long-time friend, Hon. James S. Sherman, former Vice President of the United States:

> He was in the truest sense a patriot, loving his country and its institutions, and devoted to the happiness and welfare of all classes of its people. He was broad minded and large hearted, incapable of a meanness, and filled with sympathy and love for his fellows. Such a life surely did not end when death came. Rather let us believe that it was the beginning of a higher and better existence, and that the earthly activities of our friend were but the prelude to a life of greater beauty, of grander aspirations, and of nobler achievements.

It seems to me that the philosophy of Senator GALLINGER'S life is nowhere better expressed than in the beautiful lines of Henry Van Dyke:

> Let me but live my life from year to year
> With forward face and unreluctant soul,
> Not hastening to, nor turning from, the goal;
> Not mourning for the things that disappear
> In the dim past, nor holding back in fear
> From what the future veils; but with a whole
> And happy heart, that pays its toll
> To Youth and Age, and travels on with cheer.
> So let the way wind up the hill or down,
> Through rough or smooth, the journey will be joy;
> Still seeking what I sought when but a boy,
> New friendship, high adventure, and a crown.
> I shall grow old, but never lose life's zest,
> Because the road's last turn will be the best.

Mr. WOODS of Iowa. Mr. Speaker, in speaking to the resolution offered I feel that I voice the sentiment of the great liberty-loving people of the Central West in saying that they regret deeply the death of Senator GALLINGER and are united in honoring his memory.

Senator GALLINGER served well the people of his State. He did more, he served the people of every State in the Union. He founded that service on truth, righteousness, and a belief in equal treatment to all. His simple faith knew no distinction between the lofty and the lowly. He was the Republican leader of the Senate, not for New England only, but for the entire country as well. His counsel was keeping his party free alike from the snare of government by centralized autocratic bureaucracy and the delusion of anarchy inspired by the belief that liberty and rights of citizens can be protected without government.

By training and experience Senator GALLINGER was especially fitted to render impartial and unprejudiced public service. The 81 years he lived spanned the interval between a Nation staggering under the menace of disunion and a Nation mighty in the perfect unity and singleness of purpose which he helped to maintain.

During that interval he toiled to harmonize the discordant elements among the people of his country. He was not one of those who made patriotism an excuse for brutal excesses or arbitrary tyranny. Patriotism with him meant greater love of home, greater love of humanity and the ultimate brotherhood of man. It is therefore peculiarly fitting that on this Sabbath day we rest from our legislative work to do him honor.

Senator GALLINGER stood apart from those who believe that government can do no wrong, and while in other countries that element has decreased in recent years, in our own country their numbers have increased. They are dangerous in any country, and if predominant will destroy any form of government where the people rule. They may leave the shadow, but the substance of self-government—individual liberty and the rights of citizens—will be gradually lost.

The greatest public officials are true servants of the people, faithful to that ideal. They do not ride the wave of thoughtless popular approval, but steadfastly pursue that course which serves the permanent interests of all. Senator GALLINGER stood firmly for the inalienable sovereignty of the people and their inherent rights. He was conspicuous in abiding by the principle that government should exist for the sake of the people and not the people for the sake of the government, and that the holders of capital also should be wage earners and wage earners holders of capital.

Success crowned his public career, a success that is shared by every citizen of the United States, because it was founded on service for others. Believing that public office was merely a greater opportunity for larger service to the people, Senator GALLINGER was a leader to be loved and trusted. It is through the influence of such men that representative government, that liberty, that freedom of speech and press are maintained.

He believed that the producers of the world's wealth, not the spenders and manipulators of wealth, should direct the conduct of national affairs. He lived and worked to conserve and improve the political, economic, and social structure of the Nation. Always he opposed unbridled license, and with strength and patience fought to maintain the liberty of the people under the Constitution.

His final resting place is in the hills of New Hampshire that he loved, and ever will be held in tender memory and respect not only by those who knew him as a neighbor and friend but also by a Nation which knows the impress of his strength of character, his magnanimity, his self-control, and his fidelity to high principle and duty throughout a lifelong public career.

EXTENSION OF REMARKS.

Mr. BURROUGHS. Mr. Speaker, in view of the fact that several gentlemen wished to have an opportunity to speak today, but for some reason or another were unable to be here, I ask unanimous consent that they have leave to extend their remarks in the RECORD.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

ADJOURNMENT.

Therefore, in accordance with the resolution heretofore adopted, the House (at 4 o'clock and 30 minutes p. m.) adjourned until Monday, January 20, 1919, at 12 o'clock noon.

SENATE.

MONDAY, *January 20, 1919.*

The Chaplain, the Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we thank Thee that in this great spiritual empire we have learned to think of national values in terms of Thy law, that that which is dear to us is related to Thy kingdom, and that the goal of our national life is the establishment of the kingdom of truth and righteousness among men. As we come again to address ourselves to the tasks of the day we invoke Thy blessing, that the spirit of God may guide us in the discharge of the duties of the day, and that at its close we may have the comfortable satisfaction of having fulfilled God's will in us. We ask now Thy blessing. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Tuesday, January 14, 1919, when, on request of Mr. SHEPPARD and by unanimous consent, the further reading was dispensed with, and the Journal was approved.

SENATOR FROM COLORADO.

Mr. THOMAS. Mr. President, I have received and have been requested to present the credentials of the Senator elect from the State of Colorado.

The credentials were read and ordered to be filed, as follows:

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 5th day of November, 1918, LAWRENCE C. PHIPPS was duly chosen by the qualified electors of the State of Colorado a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th of March, 1919.

Witness: His Excellency, our Gov. Gunter, and our seal hereto affixed at Denver, this 31st day of December, in the year of our Lord 1918.

JULIUS C. GUNTER,
Governor.

By the governor:
[SEAL.]

JAMES R. NOLAND,
Recording of Secretary.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed a bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, in which it requested the concurrence of the Senate.

The message also transmitted to the Senate resolutions of the House on the life, character, and public services of Hon.

JACOB H. GALLINGER, late a Senator from the State of New Hampshire.

The message further transmitted to the Senate resolutions of the House on the life, character, and public services of Hon. JOHN A. STERLING, late a Representative from the State of Illinois.

PETITIONS AND MEMORIALS.

Mr. CALDER. I present a memorial of the Legislature of the State of New York addressed to the Senate of the United States, touching Federal woman suffrage. I ask that it be printed in the RECORD.

The memorial is as follows:

STATE OF NEW YORK,
IN SENATE,
Albany, January 13, 1919.

Whereas the women's suffrage amendment has long been pending before the United States Senate; and
Whereas this amendment has been passed by the House of Representatives; and
Whereas by an overwhelming majority the citizens of New York State have enfranchised New York State women; and
Whereas the women of the United States have rendered devoted and patriotic service during the trying period of the war; and
Whereas the great governmental industrial, and social progress before this country is of the deepest interest to women citizens as well as to men: Therefore be it:

Resolved (if the assembly concur), That we urge the two United States Senators from New York State to do everything in their power to secure the passage of the Federal amendment in the Senate; and

We furthermore express our earnest hope that the United States Senate as a body will give the two-thirds vote necessary to pass the Federal amendment for ratification by the various State legislatures at once.

By order of the senate:

ERNEST A. FAY, *Clerk.*

In assembly, January 15, 1919. Concurred in without amendment.
By order of the assembly:

FRED W. HAMMOND, *Clerk.*

Mr. CALDER. I also present a petition of the Traffic Club of New York, urging the early return of the transportation systems of the country to the control and management of their owners. I move that it be referred to the Committee on Interstate Commerce.

The motion was agreed to.

Mr. KIRBY. I present a memorial of the General Assembly of the State of Arkansas, asking the Senate and House to pass the Federal amendment permitting woman suffrage. This resolution was passed by unanimous vote by the two houses of the Arkansas Legislature and shows the unanimity of sentiment there. I ask that it be printed in the RECORD.

The memorial is as follows:

Whereas the Federal amendment for woman suffrage has passed the lower House of Congress and is pending in the Senate; and
Whereas President Wilson, in a notable address, urged the Senate to pass this measure as an essential part of the great program of world democracy and in recognition of the signal services rendered by women throughout the war; and
Whereas we recognize the right, justice, and expediency of this measure: Therefore be it

Resolved, That the Senate of the Forty-second General Assembly of the State of Arkansas, in regular session assembled, memorialize the United States Senate to pass the Federal amendment for woman suffrage at once, that the several legislatures now in session may be given the opportunity to ratify the same.

Resolved further, That a copy of these resolutions be sent to Senators ROBINSON and KIRBY, with the request that they be read into the RECORD.

Mr. STERLING. I present a Senate concurrent resolution of the Legislature of South Dakota relating to the enactment of the woman suffrage amendment. I ask that it may be printed in the RECORD.

The resolution is as follows:

CERTIFICATE.

UNITED STATES OF AMERICA,
STATE OF SOUTH DAKOTA,
SECRETARY'S OFFICE.

I, C. A. Burkhart, secretary of state, do hereby certify that the annexed senate concurrent resolution was duly passed by the Sixteenth Session of the Legislature of the State of South Dakota.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota, at the city of Pierre, January 13, 1919.

[SEAL.] C. A. BURKHART,
Secretary of State.

Senate concurrent resolution.

Be it resolved by the Senate of the State of South Dakota (the House of Representatives concurring), Believing that the staunch patriotism and indispensable services of our mothers, wives, and daughters during the prosecution of the war entitles these noble women to all the rights and privileges a grateful country can bestow, we urgently request the Senate of the United States to immediately adopt the national suffrage amendment; be it further

Resolved, That copies of this resolution be sent to the Hon. THOMAS STERLING and to the Hon. EDWIN S. JOHNSON, with the request that it be read into the CONGRESSIONAL RECORD.

Mr. STERLING. I also present resolutions and a memorial of the Farmers' Equity Union Creamery and Mercantile Exchange, covering a number of subjects, such as the President's efforts to prevent future wars, cooperation with the Food Administration, and relating also to Federal railroad control for the period of five years. I ask that the resolutions be printed in the RECORD and referred to the Committee on Interstate Commerce.

There being no objection, the resolutions were referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

Resolutions and memorial adopted by the Farmers' Equity Union Creamery and Mercantile Exchange in convention assembled at Aberdeen, S. Dak., January 14 and 15, 1919:

We, the resolution committee, beg to report the following resolutions:

Whereas we realize that our beloved President is engaged in the most momentous undertaking in all history, we pledge to him our undivided support, especially in his effort to prevent future wars.

To the Food Administration and the Government reconstruction work we continue to offer our full cooperation.

We believe that Congress should try to relieve the uncertainty existing between Federal and State laws, whereby both State and Federal antidiscrimination laws become a partial failure.

Whereas the United States Government has taken over and now has control of the operation of the railways; and

Whereas we believe such action to be to the advantage of the Nation and to the producers therein, from both a military and economic standpoint: Therefore be it

Resolved, That we heartily indorse the recommendation of the Director General of Railways that railways, telegraph and express companies remain under Federal control for five years, so a fair test may be given Government control and also for the steadying effect it will have upon the industrial fabric of the Nation during reconstruction.

H. A. MELGAARD,
R. C. CHRISTENSEN,
GEO. N. MILLER,
Committee.

—

Whereas the people have passed the constitutional amendments, we pledge our undivided support in developing them.

Whereas the constitutional amendment relative to state assuming control of the possibilities of the Missouri River for power was carried at the last general election—

Resolved, That we approve and favor a survey to determine the feasibility of the development of the Missouri River, and in the event such development appears feasible the development thereof by joint action of the Federal Government and the several States through which the Missouri River flows, to the end that the ownership, control, and operation shall be retained by the governments so cooperating.

H. A. MELGAARD,
R. C. CHRISTENSEN,
GEO. N. MILLER,
Committee.

Mr. NELSON presented telegrams in the nature of petitions from sundry citizens of St. Paul, White Earth, and Duluth, all in the State of Minnesota, praying for an increase in the salaries of Federal employees, which were referred to the Committee on Appropriations.

Mr. LODGE presented a petition of Local Division No. 19, Ancient Order of Hibernians, of Middlesex County, Mass., praying for the freedom of Ireland, which was referred to the Committee on Foreign Relations.

Mr. THOMPSON presented petitions of Local Lodge No. 610, International Brotherhood of Boiler Makers, Iron Ship Builders and Helpers of America, of Kansas City; of Local Lodge No. 24, International Association of Machinists, of Topeka; of Walnut Valley Lodge, No. 420, Brotherhood of International Boiler Makers, Iron Ship Builders and Helpers of America, of Arkansas City; of Local Lodge No. 340, International Brotherhood of Boiler Makers, Iron Ship Builders and Helpers of America, of Herington; of Local Lodge No. 277, International Brotherhood of Railway Carmen of America, of Parsons; of the Federation of the Mechanical Department of the Santa Fe Railway, of Kansas City; of Local Lodge No. 184, Brotherhood of Railway Clerks, of Pittsburg; and of Local Lodge No. 370, International Brotherhood of Boiler Makers, Iron Ship Builders and Helpers of America, of Emporia, all in the State of Kansas, praying for the proposed extension of Federal control of railroads, which were referred to the Committee on Interstate Commerce.

He also presented a petition of System Council, No. 32, International Brotherhood of Blacksmiths and Helpers, of Topeka, Kans., praying for the proposed extension of Federal control of railroads and telegraph and telephone lines, which was referred to the Committee on Interstate Commerce.

CLAIM OF MARCUS P. NORTON.

Mr. TOWNSEND, from the Committee on Post Offices and Post Roads, to which was referred the bill (S. 127) for the adjudication and determination of the claims arising under joint resolution of July 14, 1870, authorizing the Postmaster General to continue in use in the Postal Service Marcus P. Norton's combined postmarking and stamp-canceling hand stamp patents, or otherwise, reported it without amendment and submitted a report (No. 653) thereon.

PUBLIC BUILDING AT ELDORADO, KANS.

Mr. CURTIS. From the Committee on Public Buildings and Grounds I report back favorably without amendment the bill (H. R. 12881) to increase the cost of the public building at Eldorado, Kans., and I submit a report (No. 652) thereon. The bill merely authorizes an increase in the limit of cost of the public building at Eldorado, Kans., by $35,000. The population of Eldorado has grown from 3,500, when the original bill was passed, to 18,000. I ask unanimous consent for the immediate consideration of the bill.

The VICE PRESIDENT. Is there any objection?

Mr. SHEPPARD. What is the request?

Mr. CURTIS. I ask unanimous consent for the immediate consideration of the bill reported from the Committee on Public Buildings and Grounds. It proposes to increase the limit of cost of the public building at Eldorado, Kans., by $35,000. As I have said, the town has increased in population from 3,500, when the original bill was passed, to 18,000 now. The bill is recommended by the department and has been unanimously reported by the committee.

Mr. SHEPPARD. I have no objection to the bill; but I gave notice last week that I would object to any variation of the regular order on Calendar Monday. Inasmuch, however, as I did not object to taking up the potash question, I shall make an exception in the case of the Senator from Kansas, and also in the case of the Senator from Nevada [Mr. HENDERSON], but after that I shall endeavor to enforce the rule.

The VICE PRESIDENT. Is there objection to the consideration of the bill reported by the Senator from Kansas?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That section 4 of the act of Congress approved March 4, 1913, authorizing and directing the Secretary of the Treasury to contract for the acquisition by purchase or otherwise of a site and to contract for the erection and completion thereon of a suitable building, including fireproof vaults, heating and ventilating apparatus, and approaches, complete, for the use and accommodation of the United States post office and other Government offices at Eldorado, Kans., be and the same is hereby, amended so as to increase the limit of cost for said building from $60,000 to $95,000.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MINING CLAIMS IN ALASKA.

Mr. HENDERSON. From the Committee on Mines and Mining I report back favorably, with amendments, the joint resolution (S. J. Res. 198) to suspend the doing of assessment work on mining claims in Alaska for the years 1917, 1918, 1919, and 1920, and extending to that Territory the provisions of public resolution No. 10, Sixty-fifth Congress, approved July 17, 1917, and public resolution No. 12, Sixty-fifth Congress, approved October 5, 1917, and for other purposes, and I submit a report (No. 651) thereon. I ask unanimous consent for the immediate consideration of the joint resolution.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The amendments were, on page 1, line 7, after the word "seventeen," to insert "and amendments thereto"; on page 2, line 2, after the word "eighteen," to insert "and"; in line 3, after the word "nineteen," where it occurs the first time, to strike out "and nineteen hundred and twenty"; and in line 15, after the word "seventeen," to insert "and amendments thereto," so as to make the joint resolution read:

Resolved, etc., That the provisions of public resolution No. 10, Sixty-fifth Congress, approved July 17, 1917, and the provisions of public resolution No. 12, Sixty-fifth Congress, approved October 5, 1917, and amendments thereto, be, and they are hereby, extended to the Territory of Alaska. The laws requiring assessment work to be made upon mining claims in the Territory of Alaska for the years 1917, 1918, and 1919 are hereby suspended for such period; and no forfeiture or relocation of any mining claim or mining location in said Territory shall be permitted or adjudged for failure to do or have done the annual assessment work thereon for either of said years; and no mining claim or location therein shall be held to be forfeited or subject to relocation for any failure to have done the annual assessment work thereon where the owner or anyone for him complied with the provisions of public resolution No. 10, Sixty-fifth Congress, approved July 17, 1917, or public resolution No. 12, Sixty-fifth Congress, approved October 5, 1917, and amendments thereto.

The amendments were agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A joint resolution to suspend the legal requirements of assessment work on mining claims in Alaska for the years 1917, 1918, and 1919, and extending to that Territory the provisions of public resolution No. 10, Sixty-fifth Congress, approved July 17, 1917, and public resolution No. 12, Sixty-fifth Congress, approved October 5, 1917, as amended, and for other purposes."

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NELSON:

A bill (S. 5389) authorizing the Secretary of War to donate to the municipalities of Alexandria, Elbow Lake, Fairfax, and Gibbon, in the State of Minnesota, captured German cannon, cannon balls or shells, and gun carriages, condemned United States cannon, cannon balls or shells, and gun carriages; to the Committee on Military Affairs.

By Mr. THOMPSON:

A bill (S. 5390) granting a pension to James Green (with accompanying papers); to the Committee on Pensions.

By Mr. HALE:

A bill (S. 5391) authorizing the Secretary of War to donate to the city of Portland, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KING:

A bill (S. 5392) to fix the price at which wool held by the Quartermaster General of the Army may be sold; to the Committee on Military Affairs.

By Mr. SHERMAN:

A bill (S. 5393) granting a pension to James D. Davis; to the Committee on Pensions.

RIVER AND HARBOR APPROPRIATIONS.

Mr. LENROOT submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. JONES of Washington submitted an amendment proposing to give the consent of Congress for the removal of restrictions on alienation of Indian lands by the Legislature of the State of Washington pursuant to treaties with the Indians of Washington, intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. KING submitted an amendment providing that all honorably discharged soldiers and sailors shall be included in the promotion of training and instruction by the public schools authorized by subdivision 9 of section 1 of the act of May 9, 1918, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

PUBLICITY OF DEPARTMENTAL ACTIVITIES.

Mr. SHERMAN. I offer the resolution which I send to the desk, which I ask to have read and referred to the Committee on Printing.

The resolution (S. Res. 419) was read and referred to the Committee on Printing, as follows:

Resolved, That the newspapers, magazines, and other instrumentalities of a free press serve adequately all publicity purposes in the transmission of news and its communication to the public; that the practice which has developed of various Government departments of publishing what is in effect a newspaper or a periodical which ostensibly reports to the public news from that department has become a system of promoting various economic proposals, schemes for extending the power of the department or bureau concerned, and securing increased appropriations; it is a menace to the free press of the country, a burden to the taxpayer thereof, and serves no useful purpose in promoting efficient, economic, or sound principles of government.

Resolved further, That the Senate Committee on Printing be, and is hereby, directed to investigate the number of such periodicals or papers published by the departments, bureaus, boards, and commissions, the number of persons employed therein, and the estimated cost of the same, and report such matter to the Senate for its further consideration.

ADDRESSES AT OPENING OF PEACE CONFERENCE.

Mr. FLETCHER submitted the following resolution (S. Res. 420), which was read and referred to the Committee on Printing:

Resolved, That the following be printed as a public document, to wit:

(1) Address by President Raymond Poincare, of France, at the opening session of the peace conference in Paris January 18, 1919.

(2) Address of Woodrow Wilson, President of the United States of America.

(3) Address of David Lloyd George, prime minister of Great Britain.

(4) Address of Baron Sonnino, foreign minister of Italy.

(5) Address of Georges Clemenceau, premier of France, accepting the presidency of the council

BOARD OF VISITORS TO NAVAL ACADEMY.

The VICE PRESIDENT. In accordance with the statute in such cases made and provided, the Chair appoints the Senator from Maryland [Mr. SMITH], the Senator from Utah [Mr. KING], the Senator from Washington [Mr. POINDEXTER], and the Senator from Maine [Mr. HALE] members of the Board of Visitors on the part of the Senate to visit the Naval Academy, Annapolis, Md.

CONSCRIPTION OF SOLDIERS.

Mr. SHERMAN. Mr. President, I present a communication from Hannis Taylor, of Washington, D. C., an inquiry on the writ of habeas corpus, whether it has been practically suspended or not. I should like to have the two papers printed at length but not read. I consider it a very material inquiry under present conditions.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *January 8, 1919.*

Hon. LAWRENCE Y. SHERMAN,
Washington, D. C.

DEAR SENATOR: It is a comfort to me to know that you feel a deep concern for our suffering soldiers now employed on police duty in Russia. There will soon be an imperious demand from the American people that all conscripted soldiers so employed anywhere in Europe be returned immediately to their homes. The last notable outcry of the fearless and lamented Col. Roosevelt gave eloquent expression to that demand. Would not the desired end be greatly advanced if the fact could be emphasized that all of our conscripted soldiers now in Europe are held there in open violation of section 8, Article I, of the Constitution?

I inclose an open letter to the Secretary of War, giving my reasons for that conclusion, which a censored press is withholding from the American people, who have a right, at least, to read and consider it. As our CONGRESSIONAL RECORD is now our only uncensored journal, will you be good enough to have that open letter, together with this, inserted in the RECORD. In that way you will be relieved entirely of any responsibility for any views I have expressed. I simply ask that the American people be given a chance to consider a matter in which the hearts and homes of many of them are deeply involved.

The Robert Cox referred to in the open letter is a young man taken by conscription from the ranks of our laboring people, who has not been heard from since March 28, 1918. His anxious father and mother have written continuously without results to the address given to them by The Adjutant General's office. I inclose four letters returned to them because their son could not be found at the address so given. To my urgent letter to the Secretary of War, dated December 21, 1918, no reply whatever has been made. Will you be good enough to aid me in the effort to ascertain from the War Department whether Robert Cox is living or dead, so that his father and mother may know the truth. With great respect,

Sincerely, yours,

HANNIS TAYLOR.

CONSCRIPTION OF OUR LABORING MASSES FOR SERVICE ABROAD MUST END AT ONCE AND FOREVER.

Prior to the present war both the English and American constitutions were able to protect the laboring masses against a conscription that drags them to foreign battle fields, where they must fight and die far from home. At the end of the first and only suspension of the immunity that has ever occurred in Great Britain, its prime minister has been forced to covenant at the polls that the experiment shall never be repeated there. At the end of our first and only suspension of the immunity, so costly in life and treasure, our laboring masses now demand that the experiment shall never be repeated here. The peace of the world can never be reestablished until conscription is limited, as our Constitution provides, to home defense. In that way the assembling of great armies on foreign soils will be made impossible; in that way will end all robbing as to the empty dream called the league of nations, ridiculed and abandoned by all sound thinkers as a chimera since it was first definitely formulated by the Abbé St. Pierre in 1713.

AN OPEN LETTER TO THE SECRETARY OF WAR.

In the matter of Robert Cox, a member of the National Militia (unlawfully styled the National Army), who, after having been lawfully conscripted for home defense, was unlawfully and secretly transported by the War Department from Camp Funston, in the State of Kansas, to the battle fields of Europe, at a time when he was being held for trial in the Supreme Court of the United States under the sacred writ of habeas corpus.

WASHINGTON, D. C., *December 21, 1918.*

Hon. NEWTON D. BAKER,
Secretary of War.

SIR: The caption of this letter will remind you at once of the gravest and most far-reaching violation of the sacred writ of habeas corpus that has ever occurred in the history of English and American law since the passage of the habeas corpus act of 1679 (31 Car. II, ch. 2), entitled "An act for the better securing the liberty of the subject, and for the prevention of imprisonments beyond seas." That grave statement is intended to emphasize the fact that the unlawful transportation of Robert Cox by the military power beyond the territorial limits of the United States to European battle fields, while he was waiting for a hearing in the Supreme Court under a writ of habeas corpus, deprived that court of all jurisdiction to decide said cause, and of all power to uphold the ancient constitutional immunity from service abroad upon which the lives and limbs of hundreds of thousands of American citizens (since forced to die and suffer wounds in foreign lands) then depended.

You may be under the erroneous impression that on May 6, 1918, in a certain paper read by his honor, the Chief Justice, the Supreme Court of the United States passed adversely upon the contention of Robert Cox that section 8, Article I, of the Constitution, under which he was lawfully conscripted for home defense, expressly exempted him from military service beyond the territorial limits of the United States. No such judgment was rendered, either in law or in fact, for the simple and conclusive reason that for at least six weeks before May 6, 1918, said court had lost all jurisdiction over the person of said Cox by reason of his unlawful and secret transportation by the military power to the battle fields of France, where he was then held by such power when his case was called for hearing in said court. Fortunately you can be no possible controversy as to these facts, because after said cause had been called for hearing, such facts were confessed in open court, in the presence of the nine justices, by the Solicitor General, after they had been stated to the court by the counsel for said Cox. The statement has been made that the transportation of said Cox beyond the jurisdiction of said court was secret, because his family, his counsel, and the court itself, so far as we know, were all kept in profound ignorance of the same until a post card was received from him from France announcing his arrival there.

From the foundation of the Supreme Court the elementary principle has been asserted in endless forms that as a court of limited and defined powers it can not pronounce judgment in any case over which it has no jurisdiction. It is equally well settled that no judgment can be rendered in any case, once before it, after the court has, by subsequent events, lost jurisdiction of it. In Mills v. Green (159 U. S., 651) the court said: "The duty of this court, as of every other judicial tribunal, is to decide actual controversies by a judgment which can be carried into effect and not to give opinions upon moot questions or abstract propositions or to declare principles or rules of law which can not affect the matter in issue in the case before it. It necessarily follows that when, pending an appeal from the judgment of the lower court, and without any fault of the defendant, an event occurs which renders it impossible for this court, if it should decide the case in favor of the plaintiff, to grant him any effectual relief whatever the court will not proceed to a formal judgment, but will dismiss the appeal."

Without any fault upon the part of Robert Cox, he had been secretly and unlawfully removed by the military power from the custody of said court while he was being held under the sacred writ of habeas corpus for a hearing therein. At the time his case was called for trial, and on May 6, 1918, when his honor, the Chief Justice, read from the bench a certain paper, purporting to be a judgment wiping out the ancient constitutional immunity from service abroad set up by said Cox, he was in the custody of the American Army in France, entirely beyond the jurisdiction and process of said court. If the court had decided in his favor it would have been entirely powerless to enforce its decree against the military power in France then holding the petitioner for the writ in that country in open and flagrant contempt of its jurisdiction.

As it appears from its own decisions, in a form too clear for cavil, quibble, or question, that the Supreme Court has rendered no judgment adverse to the ancient constitutional immunity from service abroad set up by Robert Cox, the fact remains that such ancient immunity still stands unimpaired as a part of the fundamental law. After such immunity had endured for a thousand years, as a corner stone of the English constitution, it was incorporated into our own as a part of section 8, Article I, of the Constitution of 1789, a fact fixed by Martin v. Mott (12 Wheat., 19), a case never questioned or overruled. When during the War of 1812 an appeal was made to Congress to connive at the destruction of the immunity in question, in order that our National Militia might be taken over into Canada, the conspiracy was crushed by Daniel Webster in an immortal oration in which he declared that the death of any American citizen who might be forced by conscription to die abroad would be "murder."

When a more recent attempt was made by men disloyal to the Constitution to assail the immunity in question in order to force American citizens by conscription to render military service in Cuba and the Philippines, President Taft, with Attorney General George W. Wickersham at his side, stood forth manfully as a defender of the ancient immunity. Through their joint efforts the attempt to force American citizens to render military service in either of those islands was trampled under foot. In an official opinion delivered under his solemn oath of office on February 17, 1912, that Attorney General Wickersham, a sound lawyer, declared that "Congress can not by its own enactment enlarge the power conferred upon it by the Constitution; and if this provision were construed to authorize Congress to use the Organized Militia for any other than the three purposes specified, it would be unconstitutional."

Mr. Secretary, if Congress has no power to authorize the President, as Commander in Chief, or you as Secretary of War, to send a single member of the conscripted National Militia to foreign battle fields, certainly neither of you can do so in open defiance of section 8, Article I, as construed in Martin against Mott, declared by Attorney General Wickersham to be the "law of the land." Since February 17, 1912, his sound and unanswerable opinion in favor of the immunity in question, unshaken by his pitiful attempts at recantation, has been and is to-day the law of the Department of Justice. As such it was solemnly recognized and affirmed by President Wilson in four speeches delivered in January and February, 1916. I have them in print before me. Thus the ancient immunity from service abroad upon which the case of Robert Cox depended was solemnly affirmed down to 1916 by the Supreme Court of the United States, by Daniel Webster, by President Taft, and Attorney General Wickersham and by President Wilson himself through all the solemn sanctions recognized by honorable men who respect what Mr. Grote has called "constitutional morality." Even Gen. Leonard Wood, the defendant in the case of Robert Cox, published in 1916 a book entitled "Our Military History, Its Facts and Fallacies," in which he vigorously defends the immunity from service abroad upon which Cox's case depended. It is a sad thing to see the passions of war deprive men in high places of their reason.

Frankness requires that we should thus impress upon you what is to-day the "law of the land" upon this all-important subject, because it will be our duty, as counsel for Robert Cox, to present to this Congress and to the next, if necessary, this statement of his case, to the end that a thorough investigation may be made by that body, which will settle the fact that not only Robert Cox but all other conscripted members of the National Militia now held in military bondage in foreign lands are held there and their lives jeopardized there, in open and flagrant violation of the Constitution of the United States. You have no judicial decision, no authority from Congress, no authority from the American people in the form of law which authorizes you to hold a single member of the National Militia for a single day beyond the territorial limits of the United States. The cruel exposure of our National Militia to the horrors of a Russian winter, if they shall be there employed in police duty, will be without the shadow of legality. We protest against the employment of Robert Cox in any such service. At this critical moment in the world's history, when the prime minister of England has been forced at the polls to promise the laboring masses of that country to reestablish at once the ancient immunity from military service abroad, is

it not high time for a like guaranty to be given to the laboring masses from whose ranks, as you well know, the bulk of our conscripts has been drawn. The new-fangled and revolutionary idea that raw and untrained citizen soldiers may be dragged from their homes to die on foreign battle fields in quarrels only indirectly their own has always been condemned, as we have said already, both by the English and American Constitutions.

The unauthorized transportation by the executive power of our conscripted National Militia to the battle fields of Europe, in defiance of section 8, Article I, of the Constitution, will stand out in the time to come as the most stupendous act of illegality in all history.

When our honored Supreme Court, in the Conscription cases, delivered a wise and just judgment, settling the fact that all citizens of lawful age may be conscripted by Congress, under section 8, Article I, for home defense, the defensive military power of this Republic was greatly strengthened, with the cordial approval of all patriotic and law-loving men. But when in the subsequent case of Robert Cox its hand was stayed through a lack of jurisdiction, as it attempted to sweep away the ancient and firmly settled immunity of the National Militia from service abroad, who can doubt that the Constitution was shielded by Providence from what would have been a mortal wound. If any doubt has heretofore existed on that point, the recent reestablishment of the ancient immunity in the land of its birth—from which we borrowed it—and the repudiation by "responsible English statesmen" of the deadly experiment that followed its abolition, should warn all of our rulers that no second attempt to abolish it must be made here, except by the process of amendment which the Constitution provides. This sacred immunity can not be abolished by the executive power; it can not be abolished by the judicial power, nor by both acting in concert. The right of abolition has never been delegated; it belongs to the American people alone.

As a responsible statesman specially charged with the guardianship of our military system, you must know, Mr. Secretary, that the burning question of the hour soon will be this: Shall our conscripted National Militia be detained indefinitely in Europe, in defiance of the Constitution, as a police force to hold in bondage the new-born democracies whose growth we are supposed to promote? If the life of one or more of such democracies shall be threatened with ruin through the imposition of such enormous indemnities as will shock the conscience of our Christian civilization, are American citizen-soldiers from the banks of the Hudson, the Ohio, and the Mississippi to be made the tax gatherers of such exactions in which we have no share? Upon that question of questions our future relations to European politics now depends. If we will only accept the prime minister of England's wise and patriotic declaration that service abroad by conscription is at end, the dawn will begin to break, the repudiated Monroe doctrine, so honored by our fathers, will be reestablished, and our Republic rescued from the "Cesarian mania" that has nearly taken its life.

The startling outcome of the great war is the complete overthrow of the concert of Europe which for nearly three centuries has guarded the European balance of power. Out of its ruins has risen already a perfectly organized league of nations, the only one that will be created, a new world alliance composed of the British Empire and its allies (not ours)—France, Italy, and Japan—whose irresistible sea power now encircles the earth. Collier's Weekly says: "That August day, 1914, when the war broke out, the British Navy had a tonnage of 2,500,000 and a personnel of 145,000 officers and men. To-day it has a tonnage (including the auxiliary fleet) of 8,000,000 and a personnel of almost 500,000. This does not include the mercantile marine or patrol vessels, mine sweepers, etc., in the auxiliary fleet. There are 50,000 men serving in these." In addition, the British Empire holds in its hands the surrendered German fleet, the German colonies, and the long-coveted Dardanelles, besides the Suez Canal and a kind of overlordship over our own Panama Canal, which can be defended only by sea power. When to all that is added the combined sea power of her allies—France, Italy, and Japan—she is not only the mistress of the seas but the empress of the world in a way in which no world power has ever been since the fall of the Roman Empire.

With such a mighty combination against us, with which we are not in alliance, the Secretary of the Navy and yourself are performing a highly patriotic duty in providing for the national defense. Under the heading "The Postwar Budget" the Washington Post has said: "The War Department asks for $2,556,000,000 with which to bring the Army home from Europe and to maintain such a force in Europe as conditions render necessary, in addition to providing fortifications and other features of the Military Establishment. The Navy Department asks for $2,656,000,000, a large portion of which is for the purpose of building up the great Navy which it is proposed that the United States shall maintain. The big navy program was given unqualified indorsement by the President in his address to Congress."

The imminence of the peril has just been confessed by the confidential adviser and official mouthpiece of the President, Senator JAMES HAMILTON LEWIS, who, after stating that Germany "can not in 50 years have a new navy that can oppose Britain," makes an urgent public appeal for an independent American Navy that can compete with that of England on equal terms. Every schoolboy must now understand that the overthrow of Germany—our only real bulwark against Great Britain—will impose upon us an annual burden of at least two thousand millions as a defense fund against the new and imperial mistress of the world. The appalling situation can not longer be concealed from the American people by the "smoke screen" called "the league of nations."

Our naval and military experts perfectly understand that until the concert of Europe can be reestablished we must bear alone the crushing burden of defense against the world-encircling sea power of the British Empire, which never gives up anything, never yields anything except to superior force. With the central empires, Russia, and Turkey eliminated, with France, Italy, and Japan as her allies, the triumphant and defiant mistress of the world now beholds us without an ally, and with a tremendous debt contracted largely for her salvation. Such is the outcome of our first brilliant experiment in world diplomacy. Let us not forget that Cicero said that "supreme power belongs to him who gains the command of the sea."

Thus the great war has lifted us to a perilous eminence—we are to be the greatest tax-bearing nation on earth. Instead of an annual expenditure of $1,000,000,000 we must now provide an annual expenditure of at least $5,000,000,000 if the Secretary of the Navy and yourself are to be upheld. Under such conditions is it not wise for us to withdraw at once from Europe our entire national militia, including Robert Cox, so that they may be used, if necessary, for home defense? Can we with prudence further weaken our financial resources—our only real hope—by lending another dollar to the European powers already united in a European league of nations whose secret conferences have settled in advance every serious question upon which the peace congress will be called upon to pass? If we go on dreaming and giving, will not the statesmen of Downing Street soon feel that they are dealing with children who can be satisfied with sweetmeats and a few bouquets?

We perfectly understand the danger incurred by any American citizen who dares to defend American interests when they conflict with those of the Holy Alliance, whose unofficial envoys swarm in this Capital, and whose propaganda largely controls public opinion through a powerful section of the American press pledged to its interests. For defending the sacred clause of the Constitution involved in the case of Robert Cox we were denounced and hounded by certain disloyal men who dare to contend that it is a crime even to defend the Constitution of the United States whenever it happens to conflict with foreign and imperial interests. But since conscription for service abroad—the corner stone of the Prussian military system, invented in Germany by Scharnhaus and denounced by Mr. Lloyd George—is soon to be branded as a menace to the peace of the world by the coming peace congress, possibly the foreign propaganda may permit it to be mentioned unfavorably in the United States, by whose Constitution it has always been bitterly condemned and expressly prohibited.

In conclusion, permit us to present to you a copy of a letter from the father of Robert Cox, a coal miner of Missouri, who does not know whether his boy is living or dead. If he has perished, certainly his family are entitled to know the fact. His father says in his letter that neither his mother nor himself have been able to hear from their son since the 28th of March, 1918. "We have repeatedly written to him, writing each week, some of which are returned to us, others not." The father also desires to know whether his son "is carrying effective war insurance."

Will you be good enough to answer these questions at an early day, so that these poor laboring people may know the fate of their son?

With profound respect, Mr. Secretary, your obedient servants,

HANNIS TAYLOR,
JOSEPH E. BLACK,
Counsel for Robert Cox.

VIEWS OF JEFFERSON STANLEY.

Mr. GRONNA. I have a letter from a citizen and old soldier in my State, which I wish to have read.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The Secretary read as follows:

LET THEM COME HOME.

MILNOR, N. DAK., *January 6, 1919.*

MY DEAR SENATOR: My son and a neighbor canvassed Sydna for the last Red Cross drive, and while so doing asked the opinion of the voters as to compulsory military training. The unanimous answer was "No; we don't want it."

I am a "vet" of the Civil War. I have three boys in this war: one was proprietor of a horse ranch in Canada. He was compelled to turn over his stock to irresponsible parties and will lose one-half. Another was fireman on the G. N. R. R., receiving not less than $125 per month. The youngest enlisted in the Marines and was in every fight from the Marne to the finish. He has two medals as expert rifleman; he did duty as a sniper and was in charge of a machine gun when wounded. The last day but one before hostilities ceased his company was in it bad. The captain called for volunteers to hold the line while he could re-form the company. Robert and seven other machine-gun men stepped to the front. They held the line all right, and the fight was won for the United States Marines, for which the whole eight were lined up and a French general, after kissing each on both cheeks, pinned the French cross of honor on the lapels of their coats. My son received three wounds, but stayed and worked his gun until the captain, seeing his wound, ordered him to the rear. He is all right now and will be home soon, but will not have much use of his left hand.

I am not writing this to boost my boys. They are only just fair samples of all the boys over there.

I do not favor intervention in Russian affairs. They listened to German propaganda and lay down when most needed. Now let them help themselves as best they can.

Let the boys come home.

Very respectfully,

JEFFERSON STANLEY.

ADDRESSES AT OPENING OF PEACE CONFERENCE.

Mr. McKELLAR. On Saturday in opening the peace conference in Paris President Poincare made a very important speech, it seems to me, that referred, in part, to the league of nations. This is a splendid speech, well worthy of being preserved in the RECORD. I ask unanimous consent to have that speech printed in the RECORD, together with the replies by Monsieur Clemenceau, President Wilson, and Mr. Lloyd George. I would ask that Mr. Orlando's speech be printed, too, but I have been unable to find a copy of it. That minister made a speech on the same occasion along similar lines with the others. The French President shows very conclusively that there is a spirit of cooperation among our peace delegates and as well shows that President Wilson's proposals have virtually been, tentatively at least, agreed upon by the representatives of the great powers. Mr. Clemenceau's speech indicates that his opposition to the league has been withdrawn. The silence of the others shows, as I believe, a substantial agreement on all these proposals of our President.

The VICE PRESIDENT. Is there objection?

Mr. SMOOT. I could not hear the request of the Senator from Tennessee. Will the Senator state again what his request was?

Mr. McKELLAR. The request was to print in the RECORD, without reading, a short address from President Poincare, together with the replies of President Wilson, Monsieur Clemenceau, and Mr. Lloyd George. They are all very short.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

AMERICA'S SUPREME JUDGMENT.

"The intervention of the United States was something more, something greater, than a great political and military event. It was a supreme judgment passed at the bar of history by the lofty conscience of a free people and their Chief Magistrate on the enormous responsibilities incurred in the frightful conflict which was lacerating humanity." (From President Poincare's address at opening of the peace congress.)

ENEMIES SEEK IN VAIN TO SPLIT ALLIED UNITY, SAYS M. POINCARE.

PARIS, *January 18.*

President Poincare's speech at the opening of the peace conference was as follows:

"Gentlemen, France greets and thanks you for having chosen as the seat of your labors the city which for more than four years the enemy had made his principal military objective, and of which the valor of the allied armies has victoriously defended against increasingly renewed offensives.

"Permit me to see in your decision the homage of all the nations that you represent toward a country which more than any other has endured the sufferings of war, of which entire Provinces have been transformed into a vast battle field, and have been systematically laid waste by the invader, and which has paid the human tribute in death.

GERMANY'S GUILT PROVED.

"France has borne these enormous sacrifices although she had not the slightest responsibility for the frightful catastrophe which has overwhelmed the universe. And at the moment when the cycle of horror is ending, all the powers whose delegates are assembled here may acquit themselves of any share in the crime which has resulted in so unprecedented a disaster. What gives you the authority to establish a peace of justice is the fact that none of the peoples of whom you are the delegates has had any part in the injustice. Humanity can place confidence in you because you are not among those who have outraged the rights of humanity.

"There is no need of further information or for special inquiries into the origin of the drama which has just shaken the world. The truth, bathed in blood, has already escaped from the imperial archives. The premeditated character of the trap is to-day clearly proved.

"In the hope of conquering first the hegemony of Europe and next the mastery of the world, the central empires, bound together by a secret plot, found the most abominable of pretexts for trying to crush Serbia and force their way to the East. At the same time they disowned the most solemn undertakings in order to crush Belgium and force their way into the heart of France.

CALLS OUTRAGES UNFORGETTABLE.

"These are the two unforgettable outrages which opened the way to aggression. The combined efforts of Great Britain, France, and Russia were exerted against that man-made arrogance.

"If after long vicissitudes those who wished to reign by the sword have perished by the sword, they have only themselves to blame. They have been destroyed by their own blindness.

"What could be more significant than the shameful bargains they attempted to offer to Great Britain and France at the end of July, 1914, when to Great Britain they suggested: 'Allow us to attack France on land and we will not enter the channel,' and when they instructed their ambassador to say to France: 'We will only accept a declaration of neutrality on your part if you surrender to us Briey, Toul, and Verdun.' It is in the light of these things, gentlemen, that all the conclusions you will have to draw from the war will take shape.

"Your nations entered the war successively, but came one and all to the help of threatened right. Like Germany, Great Britain had guaranteed the independence of Belgium. Germany sought to crush Belgium. Great Britain and France both swore to save her.

"Thus, from the very beginning of hostilities there came into conflict the two ideas which for 50 months were to struggle for the dominion of the world—the idea of sovereign force which accepts neither control nor check, and the idea of justice, which depends on the sword only to prevent or repress the abuse of strength.

"Faithfully supported by her dominions and her colonies, Great Britain decided that she could not remain aloof from a struggle in which the fate of every country was involved. She has made, and her dominions and colonies have made with her, prodigious efforts to prevent the war from ending in the triumph of the spirit of conquest and the destruction of right.

"Japan, in her turn, only decided to take up arms out of loyalty to Great Britain, her great ally, and from the consciousness of the danger in which both Asia and Europe would have stood of the hegemony of which the Germanic Empires dreamed.

ITALY AIDING THE OPPRESSED.

"Italy, who from the first had refused to lend a helping hand to German ambition, arose against an age-long foe only to answer the call of oppressed populations and to destroy at the cost of her blood the artificial political combination which took no account of human liberty.

"Roumania resolved to fight only to realize that national unity which was opposed by the same powers of arbitrary force. Abandoned, betrayed, and strangled, she had to submit to an abominable treaty, the revision of which you will exact.

"Greece, whom the enemy for many months tried to turn from her traditions and destinies, raised an army only to escape attempts at domination of which she felt the growing threat.

"Portugal, China, and Siam abandoned neutrality only to escape the strangling pressure of the central powers.

"Thus it was the extent of German ambitions that brought so many peoples, great and small, to align themselves against the same adversary. And what shall I say of the solemn resolutions taken by the United States in the spring of 1917, under the auspices of its illustrious President, Mr. Wilson, whom I am happy to greet here in the name of grateful France, and if you will allow me to say so, gentlemen, in the name of all the nations represented in this room.

JUDGMENT PASSED BY AMERICA.

"What shall I say of the many other American powers which either declared themselves against Germany—Brazil, Cuba, Panama, Guatemala, Nicaragua, Haiti, Honduras—or at least broke off diplomatic relations—Bolivia, Peru, Ecuador, Uruguay. From the north to the south the New World arose with indignation when it saw the Empires of central Europe, after having let loose the war without provocation and without excuse, carry it on with fire, pillage, and the massacre of inoffensive beings.

"The intervention of the United States was something more, something greater than a great political and military event. It was a supreme judgment passed at the bar of history by the lofty conscience of a free people and their Chief Magistrate on the enormous responsibilities incurred in the frightful conflict which was lacerating humanity.

"It was not only to protect itself from the audacious aims of German megalomania that the United States equipped fleets and created immense armies, but also and above all to defend an ideal of liberty over which it saw the huge shadow of the imperial eagle encroaching further every day. America, the daughter of Europe, crossed the ocean to rescue her mother from the humiliation of thraldom and to save civilization.

HUN DEBASED EVEN RELIGION.

"The American people wished to put an end to the greatest scandal that has ever sullied the annals of mankind. Autocratic governments, having prepared in the secrecy of the chancelleries and the general staffs a mad program of universal dominion, let loose their packs at the time fixed by their genius for intrigue and sounded the horns for the chase, ordering science (at the very time it was beginning to abolish distances, to bring men closer together, and make life sweeter) to leave the bright sky toward which it was soaring and to place itself submissively at the service of violence; debasing the religious idea to the extent of making God the complacent auxiliary of their passions and the accomplice of their crimes—in short, counting as naught the traditions and wills of peoples, the lives of citizens, the honor of women, and all those principles of public and private morality which we for our part have endeavored to keep unaltered throughout the war and which neither nations nor individuals can repudiate or disregard with impunity.

"While the conflict was gradually extending over the entire surface of the earth, the clanking of chains was heard here and there and captive nationalities from the depths of their age-long jails cried out to us for help. Yes, more, they escaped to come to our aid.

OLD RACES REBORN.

"Poland came to life again and sent us troops. The Czecho-Slovaks won their right to independence in Siberia, in France, and in Italy. The Jugoslavs, the Armenians, the Syrians and Levantines, the Arabs, all the victims, long helpless or resigned, of the historic deeds of injustice; all the martyrs of the past, all the outraged in conscience, all the strangled in liberty, viewed the clash of arms and turned to us as their natural defenders.

"The war gradually attained the fullness of its first significance and became in the full sense of the term a crusade of humanity for right, and if anything can console us, in part at least, for the losses we have suffered, it is assuredly the thought that our victory also is the victory of right. This victory is complete, for the enemy only asked for the armistice to escape from an irretrievable military disaster.

"In the interest of justice and peace it now rests with you to reap from this victory its full fruits. In order to carry out this immense task you have decided to admit at first only the allied or associated powers, and, in so far as their interests are involved in the debates, the nations which remained neutral.

MUST PRESERVE SOLIDARITY.

"You have thought that the terms of peace ought to be settled among ourselves before they are communicated to those against whom we have fought the good fight. The solidarity which has united us during the war and has enabled us to win military success ought to remain unimpaired during the negotiations for and after the signing of the treaty.

"It is not only the Governments but free peoples who are represented here. To the test of danger they have learned to know and help one another. They want their intimacy of yesterday to assure the peace of to-morrow. Vainly would our enemies seek to divide us. If they have not yet renounced their customary maneuvers, they will soon find that they are meeting to-day, as during hostilities, a homogeneous block, which nothing will be able to disintegrate. Even before the armistice you reached that necessary unity under the aid of the lofty moral and political truths of which President Wilson has nobly made himself the interpreter, and in the light of these truths you intend to accomplish your mission.

JUSTICE ALONE SOUGHT.

"You will, therefore, seek nothing but justice—justice that has no favorites, justice in territorial problems, justice in financial problems, justice in economic problems. But justice is not inert, it does not submit to injustice. What it demands, first, when it has been violated, are restitution and reparation for the peoples and individuals who have been despoiled or maltreated. In formulating this lawful claim it obeys neither hatred nor an instinctive or thoughtless desire for reprisals. It pursues a twofold object—to render to each his due, and not to encourage crime through leaving it unpunished.

"What justice also demands, inspired by the same feeling, is the punishment of the guilty and effective guaranties against an active return of the spirit by which they are prompted, and it is logical to demand that these guaranties should be given, above all, to the nations that have been and might again be most exposed to aggression or threat, to those who have many times stood in danger of being submerged by the periodic tide of the same invasion.

DREAMS OF CONQUEST ENDED.

"What justice banishes is the dream of conquest and imperialism, contempt for national will, the arbitrary exchange of Provinces between States, as though peoples were but articles of furniture or pawns in a game. The time is no more when diplomatists could meet to redraw with authority the map of the empires on the corner of a table. If you are to remake the map of the world, it is in the name of the peoples, and one condition is that you shall faithfully interpret their thoughts and respect the right of nations, small and great, to dispose of themselves, and to reconcile with this the equally sacred right of ethnical and religious minorities—a formidable task which science and history, your two advisers, will contribute to assist and facilitate.

"You will naturally strive to secure the material and moral means of subsistence for all those peoples who are constituted or reconstituted into States; for those who wish to unite themselves to their neighbors; for those who divide themselves into separate units; for those who reorganize themselves; for those who divide themselves according to their regained traditions; and, lastly, for all those who see freedom you have already sanctioned or are about to sanction. You will not call them into existence only to sentence them to death immediately because you would like your work in this, as in all other matters, to be fruitful and lasting.

WILL FORM NATIONS' LEAGUE.

"While introducing into the world as much harmony as possible you will, in conformity with the fourteenth of the propositions unanimously adopted by the great allied powers, establish a general league of nations which will be the supreme guaranty against any fresh assault upon the right of peoples. You do not intend this international association to be directed against anybody in the future. It will not, of a set purpose, shut out anybody, but, having been organized by the nations that have sacrificed themselves in the defense of right, it will receive from them its statutes and fundamental rules.

"It will lay down conditions concerning present or future adherence and, as it is to have for its essential aim the prevention as far as possible of the renewals of wars, it will, above all, seek to gain respect for the peace which you will have established and will find it the less difficult to maintain in proportion, as this peace will in itself imply the greater realities of justice and safer guaranties of stability.

ANNIVERSARY OF HUN EMPIRE.

"By establishing this new order of things you will meet the aspirations of humanity, which, after the frightful convulsions of the blood-stained years, ardently wishes to feel itself protected by a union of free people against the ever-possible revival of primitive savagery. An immortal glory will attach to the names of the nations and the men who have desired to cooperate in this grand work in faith and brotherhood and who have taken the pains to eliminate from the future peace causes of disturbance and instability.

"This very day, 48 years ago, on the 18th of January, 1871, the German Empire was proclaimed by an army of invasion in the chateau at Versailles. It was consecrated by the theft of two French Provinces. It was thus a violation from its origin, and, by the fault of its founders, it was born in injustice. It has ended in oblivion.

"You are assembled in order to repair the evil that has been done and to prevent a recurrence of it. You hold in your hands the future of the world. I leave you, gentlemen, to your grave deliberations and declare the conference of Paris open."

THE LEAGUE OF NATIONS.

President Poincare and Premier Clemenceau, in their speeches at the opening of the peace congress yesterday, both referred to President Wilson's proposed league of nations, as follows:

PRESIDENT POINCARE.

"While introducing into the world as much harmony as possible you will, in conformity with the fourteenth of the propositions unanimously adopted by the great allied powers, establish a general league of nations which will be the supreme guaranty against any fresh assault upon the rights of peoples. You do not intend this international association to be directed against anybody in the future. It will not, of a set purpose, shut out anybody, but having been organized by the nations that have sacrificed themselves in the defense of right, it will receive from them its statutes and fundamental rules."

PREMIER CLEMENCEAU.

"All else must be subordinated to the necessity of a closer and closer union among the nations who have taken part in this great war and to the necessity of remaining friends. For the league of nations is here. It is yourself. It is for you to make it live, and to make it live we must have it really in our hearts.

"As I told President Wilson a few days ago there is no sacrifice that I am not willing to make in order to accomplish this, and I do not doubt that you all have the same sentiment. We will make these sacrifices, but on the condition that we endeavor impartially to conciliate interests apparently contradictory, on the higher plane of a greater, happier, and better humanity."

WILSON PRAISES CLEMENCEAU, MOVING ELECTION; PREMIER, ACCEPTING, PLEADS FOR A CLOSER UNION.

PARIS, *January 18.*

In his speech at the opening of the peace conference to-day, proposing Premier Clemenceau for the permanent chairmanship, President Wilson said:

"Mr. Chairman, it gives me great pleasure to propose as permanent chairman of the conference Mr. Clemenceau, the president of the council.

"I would do this as a matter of custom. I would do this as a tribute to the French Republic. But I wish to do it as something more than that. I wish to do it as a tribute to the man.

"France deserves the precedence not only because we are meeting at her capital, and because she has undergone some of the most tragical suffering of the war, but also because her capital, her ancient and beautiful capital, has so often been the center of conferences of this sort, on which the fortunes of large parts of the world turned.

"It is a very delightful thought that the history of the world, which has so often centered here, will now be crowned by the achievements of this conference—because there is a sense in which this is the supreme conference of the history of mankind.

"More nations are represented here than were ever represented in such a conference before. The fortunes of all peoples are involved. A great war is ended, which seemed about to bring a universal cataclysm. The danger is passed. A victory has

been won for mankind, and it is delightful that we should be able to record these great results in this place.

"But it is more delightful to honor France, because we can honor her in the person of so distinguished a servant. We have all felt in our participation in the struggles of this war the fine steadfastness which characterized the leadership of the French in the hands of Mr. Clemenceau. We have learned to admire him, and those of us who have been associated with him have acquired a genuine affection for him.

"Moreover, those of us who have been in these recent days in constant consultation with him know how warmly his purpose is set toward the goal of achievement to which all our faces are turned. He feels as we feel, as I have no doubt everybody in this room feels, that we are trusted to do a great thing, to do it in the highest spirit of friendship and accommodation, and to do it as promptly as possible in order that the hearts of men may have fear lifted from them, and that they may return to those purposes of life which will bring them happiness and contentment and prosperity.

"Knowing his brotherhood of heart in these great matters, it affords me a personal pleasure to propose that Mr. Clemenceau shall be the permanent chairman of this conference."

SUCCESS IMPOSSIBLE UNLESS ALL STAY UNITED, CLEMENCEAU WARNS.

PARIS, *January 18.*

Premier Clemenceau at to-day's peace conference spoke as follows:

"You would not expect me to keep silence after what the two eminent statesmen, who have just spoken, have said. I can not help expressing my great, my profound gratitude to the illustrious President of the United States, to the prime minister of Great Britain, and to Baron Sonnino for the words I have just heard from their lips.

"Long ago, when I was young, as Mr. Lloyd George has recalled to you, when I was traveling in America and in England I always heard the French reproached for an excess of courtesy, which sometimes went beyond the truth. As I listened to the American statesman and to the English statesman I wondered whether they had not caught in Paris our national disease of courtesy. Nevertheless, gentlemen, I must say that my election is necessarily due to the old international tradition of courtesy to the country which has the honor to receive the peace conference in its capital.

TOUCHED BY FRIENDSHIP.

"I wish also to say that this testimony of friendship, if they will allow me the word, on the part of President Wilson and Mr. Lloyd George in particular, has touched me deeply, because I see in it a new strength for all three of us to accomplish with the cooperation of the entire conference the arduous work which is intrusted to us. I gather from it a new confidence in the success of our efforts.

"President Wilson has special authority to say that this is the first time in fact that the world has ever seen assembled together a delegation of all the civilized nations of the earth.

"The greater the bloody catastrophe which has devastated and ruined one of the richest parts of France, the greater and more splendid must be the reparation—not only the material reparation, the vulgar reparation, if I dare speak so, which is due all of us, but the higher and nobler reparation of the new institution which we will try to establish in order that nations may at length escape from the fatal embrace of ruinous wars which destroy everything, heap up ruins, terrorize the populace, and prevent them from going freely about their work for fear of enemies which may rise up from one day to the next.

MUST HAVE CLEAR IDEAS.

"It is a great, splendid, and noble ambition which has come to all of us. It is desirable that success should crown our efforts. This can not take place unless we all have firmly fixed and clearly determined ideas on what we wish to do.

"I said in the chamber a few days ago, and I wish to repeat here, that success is not possible unless we remain firmly united. We have come together as friends; we must leave this hall as friends.

"That, gentlemen, is the first thought that comes to me. All else must be subordinated to the necessity of a closer and closer union among the nations who have taken part in this great war and to the necessity of remaining friends. For the league of nations is here. It is yourself. It is for you to make it live, and to make it live we must have it really in our hearts.

WILLING TO SACRIFICE.

"As I told President Wilson a few days ago, there is no sacrifice that I am not willing to make in order to accomplish this, and I do not doubt that you all have the same sentiment. We will make these sacrifices, but on the condition that we endeavor impartially to conciliate interests apparently contradictory on the higher plane of a greater, happier, and better humanity.

"That, gentlemen, is what I had to say to you. I am touched beyond words at the evidence of good will and friendship which you show me.

"The program of this conference has been laid down by President Wilson. It is no longer the peace of a more or less vast territory, no longer the peace of continents; it is the peace of nations that is to be made. This program is sufficient in itself. There is no superfluous word. Let us try to act swiftly and well."

LLOYD GEORGE CALLS CLEMENCEAU "GRAND YOUNG MAN OF EUROPE."

PARIS *January 18.*

Following is the address of the British prime minister, Mr. Lloyd George, at the opening session of the peace conference:

"I count it not merely a pleasure but a great privilege that I should be expected, on behalf of the British Empire delegates, to support the motion of President Wilson. I do so for this reason which he has so eloquently given expression to, as a tribute to the man. When I was a schoolboy Mr. Clemenceau was a compelling and a conspicuous figure in the politics of his native land and his fame had extended far beyond the bounds of France.

IS "GRAND YOUNG MAN."

"Were it not for that undoubted fact, Mr. President, I should have treated as a legend the common report of your years. I have attended many conferences with Mr. Clemenceau, and in them all the most vigorous, the most enduring, and the most youthful figure there has been that of Mr. Clemenceau. He has had the youthfulness; he has had the hopefulness and the fearlessness of youth. He is, indeed, the 'grand young man' of France, and I am proud to stand here to propose that he should take the chair in this great conference that is to settle the peace of the world.

"I know of none better qualified, or as well qualified, to occupy this chair than Mr. Clemenceau. And I speak from my experience in its claim. He and I have not always agreed. We have very often agreed. We have sometimes disagreed, and we have always expressed our disagreements very emphatically, because we are ourselves.

NO WASTE OF TIME.

"But although there will be delays, and inevitable delays, in the signing of peace, due to the inherent difficulties of what we have to settle, I will guarantee, from my knowledge of Mr. Clemenceau, that there will be no waste of time. And that is important.

"The world is thirsting and hungering for peace. There are millions of people who want to get back to the world work of peace. And the fact that Mr. Clemenceau is in the chair will be proof that they will get there without any delays, except the difficulties which are essential in what we have to perform. He is one of the great speakers of the world. But no one knows better than he that the best speaking is that which impels beneficent actions.

EMBODIES FRENCH HEROISM.

"I have another reason. During the dark days we have passed through his courage, his unfailing courtesy, his untiring energy, his inspiration have helped the allies through to triumph, and I know of no one to whom that victory is more attributable than the man who sits in this chair. In his own person, more than any living man, he represents the heroism, he represents the genius of the indomitable people of his land.

"And for these reasons I count it a privilege that I should be expected to second this motion."

HOUSE BILL REFERRED.

H. R. 14078. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

SUPPLIES OF POTASH.

Mr. HITCHCOCK. Mr. President, I ask to have printed in the RECORD a short article from the Journal of Commerce of New York, published January 17, entitled "To permit no Alsace potash exportation." I wish to say in reference to this matter that some time ago it was stated in the public press in the shape of a cablegram from Paris that Mr. Hurley had announced that he had made arrangements under which potash was to be shipped from Alsace-Lorraine to the United States at an early date. This statement, which I felt at the time to be entirely erroneous, has done a great deal of damage, because it has put a stop to the purchase of potash made in the United States,

which should have been purchased by the fertilizer companies and should go into the fertilizers to be used this season.

This article from the Journal of Commerce is short, and I am going to take the liberty of reading it:

[From the Journal of Commerce, Jan. 17, 1919.]

TO PERMIT NO ALSACE POTASH EXPORTATION—OUTPUT TO BE USED TO RESTORE FERTILITY OF FRENCH SOIL.

Absolutely no export shipments of potash will be permitted to leave the Alsatian potash fields for the next two or three years at least, according to authoritative information reaching Government officials here to-night from sources close to the French Government. French farms and fields are in such serious need for fertilizer, it was said, that the entire output of the potash fields now under French control will be used to restore the fertility of French soil.

Together with the protection from this source that will be afforded the newly started potash industry in this country, Government officials to-night declared that Prof. Taussig, of the Tariff Commission, now is engaged in drafting a bill to be presented to Congress giving such newly started industries high-tariff protection until they have developed to meet foreign competition in American and foreign markets. This bill, it is understood, will include potash, manganese, nitrate, and similar products which the country heretofore has been importing to meet domestic requirements

I wish to say that I do not indorse the idea that Congress should pass high-protective tariff legislation for the benefit of the potash industry. That is a question that has got to be considered on its merits subsequently. But I did protest at the time, and I renew my protest now, that after Government agencies have fostered the development of potash industries during the war and have, as a result of their activities, induced potash manufacturers to enlarge their plants until at the present time there are on storage in the United States nearly 100,000 tons of potash, it would be bad faith upon the part of the Government, either through Mr. Hurley or anybody else, to hasten the importation of potash from Alsace-Lorraine at this time in order to destroy the market for the American product that has been built up under Government patronage.

I ask to have this article go in the RECORD for the purpose of verifying the statement I made on the floor of the Senate the other day that no potash from Alsace-Lorraine and no potash from Germany can be brought into this country in time to be used in the fertilizers for the present season.

I am going to ask to have inserted in the RECORD also, without reading, a letter from the National Fertilizer Association, in which the president admits that foreign potash can not be brought into this country at this time.

THE NATIONAL FERTILIZER ASSOCIATION,
Baltimore, January 10, 1919.

Hon. G. M. HITCHCOCK,
United States Senate.

MY DEAR SENATOR: I note in the CONGRESSIONAL RECORD, page 935, a copy of a telegram to you from the Nebraska Potash Producers Association and a report of your statement to the Senate, from which I find that you are under the impression that the fertilizer companies are refusing to buy potash in the hope of being able to import potash from Europe to put into fertilizers for the coming spring season.

In the December 19 issue of the Manufacturers Record there was published a letter addressed by the editor of the publication to Hon. Franklin K. Lane, Secretary of the Interior Department, in which the editor made a very venomous attack on the fertilizer industry, the contents of which are without foundation and apparently without a proper understanding of the situation.

The fertilizer manufacturers have been cooperating with the Nebraska producers and other potash producers throughout the country and are making every possible effort to dispose of the increased production of potash in this country. We have felt absolutely certain that there was no possibility of bringing any potash from Europe in time for its use in fertilizers for the coming spring and were very much surprised recently at a statement made by Chairman Hurley, of the Shipping Board, through the Associated Press, that he expected to bring to America immediately a very large tonnage of potash from France. We still believe, however, that the position taken by the War Trade Board that no potash would be imported in time for this spring will be carried through, and the fertilizer manufacturers have made their purchases accordingly; but the publicity given Mr. Hurley's statement has resulted in the farmers holding up their orders to such an extent that very little fertilizer is moving. They believe that this potash will come on the market at a very low price and reduce their cost of fertilizer. Unless they are given to understand definitely that there will be no potash from Europe, I am doubtful whether the usual tonnage of fertilizer can be shipped in time for this spring's crops.

I have addressed a reply to the editor of the Manufacturers Record, copy of which I have sent to Secretary Lane, and I am taking the liberty of attaching a copy of it to this letter with the hope that you will have time to read it.

In this letter I have endeavored to set forth the position of the fertilizer manufacturers as clearly as possible.

We are urging increased use of potash in our propaganda and advertising, but if the farmers will not buy it, the manufacturers can not be expected to buy it from the producers.

I feel very confident that if you will take this matter up with the Nebraska producers, they will prove to you that they are satisfied with the cooperation they are receiving from the fertilizer manufacturers throughout the country.

Yours, very truly,

W. D. HUNTINGTON, *President.*

Mr. SHAFROTH. Mr. President, I should like to state to the Senator from Nebraska that I have received several telegrams from persons relating to this matter apprehending that Mr. Hurley would endeavor to get the Alsace-Lorraine potash here. They are very much exercised over it, and it does seem to me it would be an injustice to permit that to be done.

Mr. HITCHCOCK. I will say that I have investigated the matter, and I have even used the cables for the purpose; and I feel absolutely warranted in saying that no potash can come into this country; that France is now levying upon all the potash in Alsace-Lorraine, and is selling it to agricultural interests and to the fertilizer interests of France in carload lots at rates that the Government has fixed, which are rather high rates for the present; that France will consume all that potash; and that the effort of the fertilizer companies to abstain from the purchase of American potash will prove a vain one; that they will be compelled to buy the American potash if they satisfy the agricultural needs.

I am aware that a meeting is to be held in New York next week for the purpose of attempting to arrange for securing potash from Alsace-Lorraine, and I simply want in this public way to renew the statement I made some two or three weeks ago on the floor of the Senate that it will be impossible to secure Alsace-Lorraine potash this year, and that all attempts and representations held out to the agricultural interests that it will come in here are delusive and will simply result in disappointment and perhaps in imposition.

Mr. PITTMAN. Mr. President, right in this connection I think it well to have a telegram read on this very subject as a part of my remarks. The telegram is addressed to the chairman of the Public Lands Committee, the Senator from Montana [Mr. MYERS]. It is a copy of the telegram.

The VICE PRESIDENT. It will be read.

The Secretary read as follows:

JANUARY 17, 1919.

War Trade Board declare trade open between Alsace and America, and Hurley proposes bring half a million tons of Alsatian potash in ballast in Government ships. Alsatian mines not damaged; can commence production immediately. American potash can not compete with low priced potash at present. Reported that Interior Department recommends bill providing $10,000,000 national corporation to purchase domestic potash at fair profit to producers as a temporary measure for a period sufficient to allow producers to amortize plants and enable completion later without assistance. Consumers should be obliged to purchase all domestic potash at Government price before buying foreign potash. Please urge passage of this bill or some action by the Government to protect American producers. Over $10,000,000 has been invested in Pacific coast potash plants alone practically at the Government's request. Expect to reach Washington about February 6.

Mr. PITTMAN. Mr. President, I have been led to believe from a study of the potash question that this country requires about 500,000 tons of potash annually. This country in the past has produced only about 20,000 tons of potash annually. I am surprised at two statements of the Senator from Nebraska, one that 100,000 tons of potash are in storage, not being used, considering the demand, and the other that we are capable in any way of supplying the demands for this country of 500,000 tons. I do not understand when there is a demand for 500,000 tons how there can be 100,000 tons in storage.

Mr. HITCHCOCK. Undoubtedly this country, like the countries of Europe, during the war has been subjected to a sort of potash starvation, but the fact is absolutely as I have stated it to the Senate. Nearly 100,000 tons of potash have been produced and are now stored, and the fertilizer companies of the United States under what has seemed to be an agreement among themselves have refused even to bid upon it or to offer anything for it. It is very evident that Mr. Hurley's activities in France and his telegram to this country are more in the interest of the fertilizer companies than they are in behalf of the agricultural interests. I have not any doubt that Mr. Hurley has exerted himself to secure this potash, and the telegram which was sent over to this country was intended to fortify the fertilizer companies in their refusal to buy American potash, but I again aver that the American-made potash is the only potash which the fertilizer companies will be able to secure this year, and the simple reason is that France will require all the potash that Alsace-Lorraine can produce for this season.

Mr. PITTMAN. Mr. President, potash was selling at about from $35 to $40 a ton prior to the war. I should like to know if the Senator from Nebraska can tell us at what price this hundred thousand tons of potash is held?

Mr. HITCHCOCK. My impression is that potash has been selling at over $200 a ton. I will say that this potash was produced by the most expensive labor during the war. The plants have been built by purchasing machinery at two, three, and even four times the ordinary cost; the pipes that have been used have been purchased at an enormous price. Under Government stimulation labor has been paid two or three times the ordinary price in order to produce this potash for agricultural purposes in the United States.

Mr. PITTMAN. Mr. President, I am deeply interested in the production of potash, and I realize that the Government,

through its bureaus, has stimulated the production of potash at an enormous expense; but justice must be done in those particulars. I do not think, however, that the Senator from Nebraska [Mr. HITCHCOCK] is justified in intimating that Mr. Hurley has a deeper interest in the producers of fertilizers than he has in anything else in this matter. The additional price that fertilizer companies must pay for potash will be transferred to the consumer of potash. It is a very difficult thing for some farmers to pay from $200 to $300 a ton for potash in fertilizer form and use it at all.

Mr. KING. They can not afford to do so.

Mr. PITTMAN. If the farmers of this country who require potash can obtain it anywhere at from $30 to $40 a ton and 500,000 tons a year are needed and this country can only produce 100,000 tons a year, it is the duty of this Government to assist the farmers in obtaining that potash. I think it is wrong to surround this 100,000 tons of accumulated potash with a tariff wall, or an embargo wall, or anything else that requires the producers of the country to pay any price that the owners of that 100,000 tons of potash may demand. That is exactly what we are up against.

Mr. HITCHCOCK. Mr. President, I hope the Senator from Nevada has not understood me as either favoring a tariff or an embargo for that purpose. What I sought to say was that an attempt to represent to the American public that we were going to get potash from Alsace-Lorraine, when we are not going to get it, is not right. It has been absolutely demonstrated through governmental agencies that we are not to receive any potash from Alsace-Lorraine in time to be used for the present season, and I am making this public statement for the purpose of bringing pressure to bear on the fertilizer companies to act upon that information and not to attempt to delude the agricultural interests with the idea that they are going to get potash from Alsace-Lorraine, when they are not going to get it this season, and I know it. They are not going to get it because we put on an embargo or because we propose a tariff—for I propose neither—but they are not going to get it because France absolutely requires that potash. I am only speaking here in the interest of truth.

Mr. PITTMAN. I do not think there is any more serious thing facing the economic world to-day than the lack of potash for fertilizer. All who have given the question any study know that the crop production of this country has been materially affected by the lack of potash. The cotton crop in many places has been absolutely destroyed by the lack of potash. There is no other fertilizer that will take its place.

Mr. HITCHCOCK. The Senator from Nevada is entirely correct; and it was for that reason, while war was on and we could obtain no potash, that these governmental agencies of the country and the potash users urged the manufacturers of potash to invest their money. They did so invest their money; and in my State at the present time more than one-half the potash of the United States is produced by money which has been invested by 5,000 stockholders in Nebraska, who are likely to be ruined by this refusal of the fertilizer companies to purchase this great store of potash which has been accumulated. I feel that it is simply an attempt to delude the agricultural interests with the idea that we are going to get something from Europe which we are not going to get.

Mr. PITTMAN. Mr. President, there is no use of deluding the farmers of this country any more than there is a necessity of deluding the manufacturers of the country. The farmers of the country might as well know now definitely that they can not obtain the potash which they need from the home production of potash. The home production of potash in the United States to-day is not 10,000 tons a month, and the demand for potash for agricultural purposes alone before the war was 400,000 tons a year.

Mr. SMITH of Georgia. Mr. President, the Senator from Nevada gave a good deal of attention last year to the study of potash development in the West, and I am sure that at least one measure which he championed was with a view of opening up the development of potash. Has anything been accomplished in that line which the Senator could mention?

Mr. PITTMAN. Mr. President, there is a tremendous lake of potash in California. The deposit is so constituted that it may be worked very deeply. The testimony of experts is that it may be worked in competition with German potash. The bill to which the Senator from Georgia refers was passed by Congress long ago, but I regret to say that delays occurring elsewhere have prevented any material production of potash from that source. I am not discussing why potash has not been produced; but I tell you now that we are not producing 10,000 tons of potash per month in the United States, and that can not meet the demand for 400,000 tons per annum which exists.

Mr. HITCHCOCK. Mr. President, I do not doubt that the American production of potash at this time is not so large as the demand will be in the future, and I have said that the American potash is all the potash that is available. I am rather disposed to challenge the figures that we are not producing 10,000 tons of potash a month. My information is that the accumulation of the year 1918 in potash production is now 100,000 tons in addition to what has already been sold.

Mr. PITTMAN. Mr. President, I have the statement of Mr. Hurley himself. I have not attempted to check it, but under that the production of potash is not in excess of 10,000 tons of oxide of potash per month. I have every reason to believe that that is the fact. I know of no great production of potash in the United States. There are a few little potash lakes in Nebraska which are producing some potash, and we are getting from alunite some potash in Utah and other places, but it is a small production to meet the demands. What I am getting at is that, instead of Mr. Hurley being criticized for an effort to get Alsatian potash over here, the necessity of the case not only ought to be presented to Mr. Hurley but should also be presented to the French Government. The French Government and other European countries are depending very largely on this country for food, and that food supply is going to be materially reduced unless we can get a large quantity of potash now, without any delay whatever.

I desire to refer to another branch of this question. I do not know how many potash concerns have been induced to go into the business through representations of the Government, but I am satisfied that the one which produced the 100,000 tons did not go in because of representations by the Government, but went into the business when potash went to $315 a ton. I venture to say—and I do not think anyone will contradict me—that that institution started without any capital to speak of and has made a million dollars since that time. There are possibly some institutions which have been induced to start because of governmental representations, and the Government is indebted to them morally, if not legally, to a certain extent, not only in connection with the production of potash but of manganese and many other articles. It is the intention, however, as I understand, to take care of those concerns through the Bureau of Mines bill—to take care of them by settling the contracts, as the effort is being made to settle all war contracts; but 90 per cent, in my opinion, of the potash producers of to-day are not entitled to a cent from the Government.

So far as maintaining a production and supply of potash throughout the West is concerned, I agree with the Senator about that. It would be wise if we could stimulate production in this country so that we would have an adequate supply of potash in case of war, in case we were cut off from potash as we were cut off from potash during the late war; but I do not think that the way to do it is to stop the introduction of potash into this country at a time when it is impossible for this country to supply it, no matter what laws we may pass. I do not think it is right, either, to take any steps that will allow the 100,000 tons of stored potash to be sold at an absolutely unreasonable profit.

Mr. SHEPPARD. Mr. President, I call for the regular order.

RETENTION OF UNIFORMS.

Mr. CHAMBERLAIN. Mr. President, I should like to ask unanimous consent of the Senate for the immediate consideration of a bill that is of a good deal of importance to the young men who are being discharged from the Army. I refer to the bill allowing them to retain their uniforms. I do not think it will lead to discussion.

Mr. SMOOT. Can we not reach it on the calendar in regular order?

Mr. CHAMBERLAIN. If we are going to take up the calendar, I withdraw the request.

THE CALENDAR.

The VICE PRESIDENT. The calendar under Rule VIII is in order.

The first business on the calendar was the joint resolution (S. J. Res. 39) to appropriate $3,000,000 to enable the Secretary of Agriculture to prosecute the work of eradicating the southern cattle tick.

Mr. SMOOT. Let that go over, Mr. President.

The VICE PRESIDENT. The joint resolution will be passed over.

The joint resolution (S. J. Res. 53) authorizing the President to appoint two additional Assistant Secretaries of Agriculture, and for other purposes, was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 1725) to stimulate the production of food upon private and public lands within reclamation projects, and for other purposes, was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The resolution (S. Res. 91) extending the authority of and provision for the committee appointed under Senate resolution 92, Sixty-third Congress, first session, to investigate the charges of alleged attempts to influence legislation was announced as next in order.

Mr. NELSON. Let that go over.

The VICE PRESIDENT. The resolution will be passed over.

EAST ST. LOUIS, ILL., RIOTS.

The concurrent resolution (S. Con. Res. 10) authorizing the appointment of a joint committee to investigate the causes of the recent riots in East St. Louis, Ill., and to report thereon, was announced as next in order.

Mr. SMOOT. Let that go over.

Mr. SHERMAN. Mr. President, I think the House has fully investigated the subject of these riots, and I believe the concurrent resolution ought to be indefinitely postponed.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the concurrent resolution will be indefinitely postponed.

WOMAN SUFFRAGE.

The joint resolution (H. J. Res. 200) proposing an amendment to the Constitution of the United States extending the right of suffrage to women was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The joint resolution will be passed over.

ELECTION OF PRESIDENT AND VICE PRESIDENT.

The joint resolution (S. J. Res. 12) proposing an amendment to the Constitution of the United States providing for the election of President and Vice President without the intervention of the electoral college, establishing their term of office from the third Tuesday of January following their election, and fixing the time when the terms of Senators and Representatives shall begin was announced as next in order.

The VICE PRESIDENT. The joint resolution is adversely reported. The question is on its indefinite postponement.

The joint resolution was indefinitely postponed.

BILLS PASSED OVER.

The bill (S. 23) granting to the State of Nevada 7,000,000 acres of land in said State for the use and benefit of the public schools of Nevada and the State University of the State of Nevada was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (S. J. Res. 90) proposing an amendment to the Constitution of the United States was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 3311) to increase and expedite the supply of munitions of war was announced as next in order.

Mr. CHAMBERLAIN. I ask that that be passed over, Mr. President.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1795) to relieve Congress from the adjudication of private claims against the Government was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 951) to provide for the sinking of artesian wells, and for other purposes, was announced as next in order.

Mr. SMOOT. Mr. President, the Senator from Wisconsin [Mr. LENROOT], I think, is interested in that bill. He is out of the Chamber, and therefore I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

RECLAMATION OF ARID AND SWAMP LANDS.

The bill (S. 758) to increase the productive agricultural area of the United States by the reclamation of arid and swamp lands was announced as next in order.

Mr. HITCHCOCK. Let that go over, Mr. President.

Mr. CHAMBERLAIN. Mr. President, does the Senator from Nebraska insist upon his objection?

Mr. HITCHCOCK. No; but I should like to hear an explanation of the bill.

Mr. CHAMBERLAIN. It is a bill that has been pending on the calendar for a long while and the passage of which has been recommended by the Secretary of the Interior. It is intended to aid in the reclamation not only of arid and semiarid lands but of swamp lands in the South as well. At a time when such an effort is being made to restore lands for settlement and cultivation by the young men who are returning from Europe, it seems to me very important that the bill should be considered and disposed of at this time.

Mr. KING. Mr. President, will the Senator yield?

Mr. CHAMBERLAIN. Certainly.

Mr. KING. In view of the fact that the Interior Department contemplates reporting at an early date, in harmony with the wishes of many Senators and Congressmen, a bill to make provision for the reclamation of the arid lands of the West and the reclamation of swamp lands, and a large appropriation—perhaps $100,000,000—to provide homes for returning soldiers and sailors, would it not be better to consider this bill in connection with that or to consider that measure in connection with this? In other words, will they not parallel if not duplicate each other in a measure?

Mr. CHAMBERLAIN. Mr. President, I do not think there is much danger of that. This bill has been on the calendar since November, 1917, if I mistake not. At least it has been on the calendar a great many months, and in the last analysis it does not take any money out of the Federal Treasury.

Mr. SMOOT. Mr. President, if this bill becomes a law, I do not think we will have any more money in our reclamation fund to go on with the reclamation projects of the West. This would be the last law on the subject, and if we undertake here to take $10,000,000 out of the reclamation fund we might just as well conclude now that there will be nothing from that fund to develop the projects that are under way in the West at the present time. I understand that comprehensive plans are under way, and will be reported to Congress in a very short time, for the reclamation of these swamp and arid lands; and I believe that a bill of this kind would simply be in conflict with those plans. The subject matter ought to be covered in a broad way. I am positive that that sort of legislation is under way in the Interior Department. I believe that it will meet the views of the Congress, and instead of having a piecemeal proposition it will be a complete system.

For that reason, Mr. President, I hope no action will be taken on this bill at this time.

Mr. CHAMBERLAIN. Mr. President, the Senator from Utah objected to the consideration of this bill before there was any suggestion of a comprehensive plan for the reclamation of arid and semiarid lands and the reclamation of swamp lands; so I think possibly the Senator has at heart some other objection than the one he is insisting upon.

Of course, I see a disposition upon the part of some of the Senators to object to this, Mr. President; but there are millions of acres of land to which attention has been called by the Secretary of the Interior in the Southern States, particularly in Louisiana and portions of Mississippi and along the Gulf of Mexico, that can be reclaimed just as well as not. The Southern States have never had any benefit from the reclamation fund, and have never asked it. Here is a proposition that does not ask for the appropriation by the Government of any funds whatsoever. I am not going to insist on it if Senators want to turn it down by an objection. I have not been very urgent about it in the past, but it seems to me that it ought to be taken up and disposed of; and I am going to read just a few lines from Secretary Lane's report on this bill. It will be found attached to the calendar number in the bound books that the Senators have on their desks. He says:

> The purpose and the plan worked out in the bill has my hearty indorsement. The bill provides for extending the reclamation of irrigable lands in the arid and semiarid regions, and will also provide for the drainage and reclamation of water-logged lands in the said regions, as well as drainage in other parts of the country. Under the plan proposed in the bill these results will be accomplished in all probability without drawing upon the public funds.

That is what I am calling attention to. The Senator suggests that if this bill is passed there will be no more money appropriated for the reclamation of arid lands in the West. I say that it will aid in the reclamation of arid and semiarid lands in the West.

Mr. KING. Mr. President, will the Senator yield?

Mr. CHAMBERLAIN. Yes; I yield.

Mr. KING. I ask the Senator if the statement which he has just made—namely, that if this bill passes it will draw upon the reclamation fund—would not result in taking funds which have been provided by Congress for the purpose of developing the arid lands of the West and placing them at the disposal of the Secretary of the Interior for disposition in the Southern States or upon private lands in other parts of the Union?

Mr. CHAMBERLAIN. But this provides for a fund to reimburse the moneys which are temporarily taken from the reclamation fund. Let me call the attention of the Senator to a further extract from Secretary Lane's report:

> There is little likelihood of default in the payment of the principal and interest on the district bonds upon which the certificates of indebtedness are based. This seems so for the reason that the works will be constructed by the United States and paid for by the beneficiaries at cost, and they will doubtless be able to meet the comparatively light charges, on account of the long-time bonds to be issued by the districts, and for these same reasons the investing public will have confidence in the feasibility and success of the plan, so that I feel reasonably sure that the certificates of indebtedness will be freely purchased by the public.

So that while money is temporarily drawn from the reclamation fund it is not a permanent withdrawal, and in my opinion it will have a more beneficial effect toward reclaiming lands than even the reclamation act itself. But if there is a disposition to object to it, to await some future plans of the Secretary of the Interior—and he has at no time intimated that he intends to present a plan that is in conflict with this—I am not going to insist on it in view of that feeling.

Mr. THOMAS. Mr. President, I am in very deep sympathy with the purposes sought to be effected by the enactment of this bill. I want to see something of the kind enacted at an early date; and if this measure did not embrace the proposition of diverting the reclamation fund, or part of it, from the purposes to which it was devoted by law, I would support it cheerfully, notwithstanding it calls for a large appropriation. But when the reclamation law was passed it was passed upon the express condition and understanding that the funds derived from the sale of public lands within these areas should be utilized for that purpose, and for that purpose only; and I do not think I overstate the situation when I say that but for that arrangement the reclamation act never could have commanded a majority in either House.

That fund is charged by law with a trust, and that trust was made a condition to the enactment of the bill. If, now, we legislate in such wise as to divert that fund even temporarily from the purposes to which it is devoted, I think it is to some extent bad faith exhibited and effected through subsequent legislation.

If the Senator will amend the bill so as to provide for obtaining the money necessary for this purpose from other sources, I will support it; but I do not feel at liberty, under the circumstances, to favor a measure which treats a fund charged with a trust in the manner that it is proposed to be treated here. Of course, in saying that, I am aware of the fact that the bill has the approval of the Secretary of the Interior, and that it is presented here by my friend, the Senator from Oregon, doubtless upon the assumption that this law, too, can be enacted only by utilizing the fund which it proposes to apply to the purposes of the bill.

Mr. WILLIAMS. Mr. President, I doubt whether anybody has sufficient ingenuity to discover why the United States Government ought, at the expense of the general taxpayers, to put water on land without admitting at the same time an equal right to take water off of land.

Mr. THOMAS. There is no doubt about that.

Mr. WILLIAMS. Now, if that be true—and the Senator from Colorado says there is no doubt about it—then it seems to me that this fund for the purpose of the reclamation of land, whether by putting water on it or by taking water off of it, whichever might be needed, ought to be a common fund in the interest of the entire people of the United States. It ought not to be a selfish, sectional fund, in the interest of one section. As far as I am personally concerned, I have always somewhat doubted the right to do either, and I think the Supreme Court of the United States virtually decided that the Government did not have a right to do either; but Congress has been doing it. It has been doing it every year. If you are going to run the plow with the right hand, there is no reason why you should not run it with both hands. The plow will be steadier, I am sure, in the furrow.

In Louisiana especially, in Arkansas to a little less degree, and in Mississippi to a yet somewhat less degree there are immense areas of lands of the highest fertility, equal to the very valley of the Nile itself——

Mr. CHAMBERLAIN. Mr. President, may I make a suggestion to the Senator? This bill is fairer in one respect than any other bill that we have had for the consideration of Congress, in that it provides for the organization of districts in overflowed and in semiarid regions, and the people themselves eventually pay the money.

Mr. WILLIAMS. Yes; and while that might be logically an objection to the bill, upon the ground that it does not put the man with too much water on the same footing with the man with too little water, it is still an argument practically in favor of the passage of the bill, because it costs the taxpayers less money in the long run. The real truth is that both of them ought to have been put upon the same footing at the very beginning. A man with too much water has just as much right to have it taken off at the general expense as the man with too little water has a right to have it put on at the general expense. I have always had my doubts whether the general expense ought to have borne either; but you have started out in that direction, and it has been going in that direction.

As the Senator from Oregon says, this bill goes a step or two beyond what justice and equity require, because it establishes a sort of revolving fund as to these lands that are going to be reclaimed by taking the water off of them, whereas all of us know that the so-called revolving fund for irrigated land is purely a matter of imagination.

Mr. THOMAS. It is the same fund.

Mr. WILLIAMS. I understand that; but that part of it which goes to reclamation by taking the water off will be paid back. That part of it which goes to reclamation by putting water on will never be paid back, as you and I both know.

Mr. THOMAS. I do not think either of them will be.

Mr. WILLIAMS. I think it will be because the bill undoubtedly fixes the machinery whereby it will be paid back.

The VICE PRESIDENT. Is there objection to the consideration of the bill.

Mr. TRAMMELL. Mr. President, I am very reluctant to oppose the passage of this measure at this time, but I am heartily in sympathy with the view expressed by some other Senators that the subject should be considered as a whole. We know from the history of the reclamation of the arid lands of the West that that particular section of the country has enjoyed exclusively the bounty of the Federal Government. Up to the present time there has not been a disposition to grant assistance to reclaim the swamp and overflowed lands, but at present there seems to be a ray of hope that the Government will deal justly and equally with all the lands throughout the country which require reclamation and that the overflowed lands will be included as well as the arid lands of the West.

Far be it from me, Mr. President, to object to the reclamation of the arid lands of the West, but I feel in justice that we should have a general measure which will include the swamp and overflowed lands. Take my own State. We have there a vast territory of approximately 4,000,000 acres of rich and productive land.

Mr. PITTMAN. Has the Senator any plan by which the Government could develop State lands? I assume that, being swamp lands, they are nearly all State lands now.

Mr. TRAMMELL. Of the swamp lands, possibly 40 per cent are State lands.

Mr. PITTMAN. There is no plan by which the Government can develop State lands.

Mr. TRAMMELL. There is no plan now, but we might work out a plan. The swamp and overflowed lands of the State are, in a large measure, in a particular territory known as the Everglades of Florida. The State government owns about one and one-half million acres of the land in that territory and private individuals own two and one-half million acres. That is about the way in which the ownership is divided at the present time.

Mr. THOMAS. May I ask the Senator if the private ownership is not due to arrangements and contracts between the Government and the owners for the drainage and reclamation of the lands?

Mr. TRAMMELL. We have never had any arrangements of that kind up to the present time.

Mr. THOMAS. I had some clients in the Senator's State some years ago, who had purchased a very large tract of land from the State, and the contract provided that the consideration for the land should be used by the State authorities for the purpose of drainage.

Mr. TRAMMELL. That statement is correct with regard to some of the sales in the early inception of the reclamation project in Florida upon what is known as the Everglades territory. The land board having charge of State lands did agree that the proceeds from certain land sales should be used for the purpose of drainage and reclamation, and that has been done. We have there a vast territory of about 4,000,000 acres of land, which is in process of reclamation at the present time, and there is no more productive or valuable land in the United States when once reclaimed. The Everglades of Florida, the immense drainage district of which I am speaking, is not a swamp, as is commonly supposed throughout the country.

In my boyhood in studying geography I formed the impression that it was an impenetrable swamp, where you could scarcely make your way through the jungle; but later on, when the reclamation project was agitated and we became better informed in Florida, we found that, instead of its being a swamp, this 4,000,000 acres of land is a vast open territory resembling very largely a water-covered prairie, and instead of being swamp land, requiring enormous expense for clearing, we have there an open territory where if you once take the water off the land you can prepare it for cultivation for the small sum of from three to six or eight dollars per acre, depending more or less upon the location.

Mr. KING. Mr. President, will the Senator yield to me?

Mr. TRAMMELL. Certainly.

Mr. KING. Is the title to the land the Senator is now describing in the State or in the Federal Government?

Mr. TRAMMELL. About 1,500,000 acres of it belong to the State and about 2,500,000 acres belong to private individuals.

Mr. SMITH of Arizona. It belongs either to the State or to private individuals?

Mr. TRAMMELL. Yes.

Mr. KING. Will the Senator indicate what warrant there is for the utilization of the taxes collected for Federal purposes for the reclamation of private lands and lands owned by the State of Florida?

Mr. TRAMMELL. You have the property as security, just as you have when the Federal Government contributes funds for the reclamation of arid lands.

Mr. KING. If the Senator will pardon me——

Mr. TRAMMELL. You have the land as security.

Mr. KING. The arid lands of the West that have been reclaimed belong to the Government of the United States, and the only way by which the land could be sold—and that was the theory upon which the legislation was warranted, as I understand it—was to develop those lands; that is to say, put water on them. The lands were absolutely valueless unless there was water for their irrigation, and the Government, in order to sell the land as well as to furnish homes for citizens who desired homes, made an appropriation in the shape of a revolving fund which has been utilized for the construction of reservoirs and irrigation systems in order to irrigate the land. It is clear that there is a distinction between lands owned by the Government itself and lands owned by States and by private individuals. Speaking for myself, I see no authority whatever on the part of the Federal Government to take money out of the Treasury to develop private lands.

Mr. WILLIAMS. Will the Senator pardon an interruption there?

Mr. KING. Yes.

Mr. WILLIAMS. Unfortunately for his logic, the facts do not accord with his statement. The State of Texas, for example, has received its share of moneys to develop arid lands, and the State of Texas owned every acre; the Federal Government owned none of it.

Mr. KING. I think the Senator is in error. The State of Texas has not received a single dollar, and my advices are that no State has received any money, but the money has been expended for the purpose of reclaiming the lands belonging to the Government of the United States.

Mr. WILLIAMS. I am relying merely on my memory, but if in the House of Representatives some 15 years ago an amendment did not go on one of the irrigation bills to include Texas, then I am very much mistaken.

Mr. SMITH of Arizona. The Senator is mistaken.

Mr. THOMAS. It went on there, but it never became a law.

The VICE PRESIDENT. The Senator from Florida has had 5 minutes, and the debate has taken 10. The question is, Are you going to send the bill over?

Mr. SMITH of Arizona. I object, if that will end the debate.

Mr. THOMAS. I shall object.

The VICE PRESIDENT. Objection is made, and the bill goes over. This is Calendar Monday, and it was supposed to be for the purpose of disposing of the calendar, not engaging in general discussion.

BILLS PASSED OVER.

The next business on the calendar was the joint resolution (S. J. Res. 132) to amend section 14 of the food-control act by increasing the guaranteed minimum price of wheat for the crop of 1918 from $2 to $2.50 a bushel.

Mr. KING. Let that go over.

The VICE PRESIDENT. It will go over.

The bill (S. 4185) to require the Commissioner of Education to devise methods and promote plans for the elimination of adult illiteracy in the United States was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The bill will go over.

The bill (S. 3899) to repeal the sixth section of an act approved July 12, 1882, entitled "An act to enable national banking associations to extend their corporate existence, and for other purposes," was announced as next in order.

Mr. SMOOT and Mr. KING. Let the bill go over.

The VICE PRESIDENT. It will go over.

The bill (H. R. 10691) to amend section 5200 of the Revised Statutes as amended was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. It will go over.

The bill (S. 3893) to amend and reenact section 5239, Revised Statutes of the United States, was announced as next in order.

Mr. SMOOT. I ask that this and all the bills down to and including Order of Business 345, Senate bill 3904, be passed over.

The VICE PRESIDENT. They will be passed over.

The next business on the calendar was Senate resolution 229, to request the Committee on Foreign Relations, to which was referred Senate joint resolution 145, to give said resolution early consideration and report to the Senate thereon.

Mr. PITTMAN. Let that go over.

The VICE PRESIDENT. It will go over.

The bill (S. 3907) to provide for the consolidation of national banking associations was announced as next in order.

Mr. SMOOT. Let that go over, and also the next order of business, Senate bill 4426.

The VICE PRESIDENT. The bills will be passed over.

PINEY BRANCH ROAD.

The bill (S. 3172) to provide for the abandonment of Piney Branch Road, between Allison Street and Buchanan Street NW., in the District of Columbia, was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columbia with an amendment, in line 5, after the word "Street," to insert the words "for traffic," so as to make the bill read:

> *Be it enacted, etc.*, That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed, upon the opening of Buchanan Street for traffic between Piney Branch Road and Sixteenth Street NW., in the District of Columbia, to abandon as a public highway that part of Piney Branch Road lying between the north line of Allison Street and the south line of Buchanan Street, and the title to the land contained in said abandoned part of road shall revert to the owners of the land abutting thereon.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The VICE PRESIDENT. The Committee on the District of Columbia report to strike out the preamble. Without objection, the preamble will be stricken out.

PUBLIC AND NATIONAL FOREST LANDS IN ARIZONA.

The bill (S. 3914) authorizing a right of way for the transportation of water for improvement of grazing and development of the live-stock industry upon public and national forest lands in Arizona was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands, with amendments.

The first amendment was, in section 1, page 1, line 5, after the word "firm," to strike out the word "person" and insert "citizen"; in the same line, after "association," to insert "of citizens"; and in the same line after the word "corporation," to insert "of the United States"; on page 2, line 10, after the word "*Provided*," to strike out "That said approval of the Secretary of the Interior shall be given within or through any national forest only upon such conditions and stipulations as the Secretary of Agriculture may require," and insert "That said approval of the Secretary of the Interior shall not be given within or through any national forest, except with the approval of the Secretary of Agriculture and under such conditions and stipulations as the latter may require for the fullest utilization and proper administration of the national forest, and such approval may be withheld whenever, in the opinion of the Secretary of Agriculture, it would not be to the best interests of the national forests," so as to make the section read:

> That, subject to the approval of the Secretary of the Interior, as hereinafter provided, there are hereby granted to any firm, citizen, association of citizens, or corporation of the United States engaged in the live-stock industry in the State of Arizona, easements and rights of way in and over national forests, public lands, and reservations of the United States, surveyed or unsurveyed, in said State of Arizona for reservoirs, canals, pipe lines, flumes, tunnels, or other water conduits and waterworks and appurtenances, for the purpose of furnishing water to live stock and for other beneficial purposes connected with the live-stock industry. Upon the filing by the grantee of maps and other pertinent data showing the location and character of such easements and rights of way, and the approval thereof by the said Secretary, all lands, whether surveyed or unsurveyed, in or over which such ease-

ments and rights of way shall extend, shall be disposed of subject to such easements and rights of way: *Provided*, That said approval of the Secretary of the Interior shall not be given within or through any national forest except with the approval of the Secretary of Agriculture and under such conditions and stipulations as the latter may require for the fullest utilization and proper administration, etc.

The amendment was agreed to.

The next amendment was, in section 2, page 2, line 24, after the word "after," to insert "a date to be fixed by the Secretary of the Interior and not exceeding"; and on page 3, line 1, after the word "of," to strike out "this act" and insert "approval of the Secretary of the Interior," so as to make the section read:

SEC. 2. That the grant herein authorized shall be upon the express condition that from and after a date to be fixed by the Secretary of the Interior and not exceeding 50 years from the date of approval of the Secretary of the Interior the United States shall have the right to take over the easements and rights of way herein granted and any other property of grantees dependent in whole or in part for its usefulness upon such easements and rights of way, and upon condition that it shall pay, before taking possession, the reasonable value of all property taken over, including structures and fixtures acquired, erected, or placed upon the lands and included in the water plant, such reasonable value to be determined by the Secretary of the Interior: *Provided*, That such reasonable value shall not include or be construed to mean or be affected by the value of the franchise, good will, or profits to be earned on pending contracts or any other intangible element.

The amendment was agreed to.

The next amendment was to strike out, in section 3, the following words:

That if any grantee shall fail to construct such reservoirs and water conduits within five years from and after the date of this act, or thereafter shall fail to utilize and maintain the same for any continuous period of five years, the grant may be forfeited by appropriate proceedings in the United States district court for the district in which such property or some part thereof is attached.

And to insert:

That all or any part of such rights of way shall be forfeited and annulled by the Secretary of the Interior upon proper finding by the head of the department having jurisdiction over the land, of failure to complete construction within five years, or for nonuse for a period of two years.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ETHEL PROCTOR.

The bill (S. 3258) for the relief of Ethel Proctor was announced as next in order.

Mr. KING. I see that the Senator from Michigan [Mr. SMITH] is here. Before consenting to the consideration of the bill I should like to hear an explanation of it.

Mr. SMITH of Michigan. The truth is that the committee, after reducing the bill more than one-half, concluded to vote to the widow of Mr. Proctor, who was one of the early sanitary engineers of the Panama Canal, the sum of $2,100. Mr. Proctor, according to the chief of the sanitary experts down there, from 1912 up to the time of his death was a very efficient man. In the streams and marshes, and so forth, he was really a martyr to that work, and his life was given to his country in that service.

Mr. THOMAS. Will the Senator from Michigan yield?

Mr. SMITH of Michigan. Yes.

Mr. THOMAS. I am opposed, as the Senator knows, to the granting of pensions except in meritorious cases. I have read the report accompanying the bill, and I think it is one of the most meritorious instances that has ever come before the Senate.

Mr. SMITH of Michigan. I am obliged to the Senator. I do not think I need say anything more about it. It is an exceptionally meritorious case.

Mr. SMOOT. I have no doubt that the reduction of the amount asked, from $5,000 to $2,100, is in conformity with the rule of the Senate, and not only the rule of the Senate but the law that a year's salary shall be paid to one dying while in the employ of the Government in the Canal Zone. I suppose Mr. Proctor received $2,100 a year when he was working on the Canal Zone.

Mr. SMITH of Michigan. The Senator is correct.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Claims with an amendment, on line 7, to strike out "$5,000" and insert "$2,100," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to Ethel Proctor, widow of Almon R. Proctor, the sum of $2,100 to compensate her for the death of her husband on June 26, 1912, due to malarial poisoning contracted while in the discharge of his duty as sanitary inspector on the Panama Canal in the employ of the Isthmian Canal Commission.

The amendment was agreed to.

The bill was reported to the Senate, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (S. 3280) to remove the charge of desertion from the record of Wilbur F. Lawton was next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. It will go over.

The bill (S. 4459) to amend an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, was announced as next in order.

Mr. CHAMBERLAIN. That may go over temporarily.

The VICE PRESIDENT. It will go over.

Senate resolution 249, to print the article entitled "The Electoral College and Presidential Suffrage" as a Senate document, was announced as next in order.

Mr. FLETCHER. Let that go over.

The VICE PRESIDENT. It will go over.

The bill (S. 2923) for the relief of the Philippine Scouts was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. It will go over.

The bill (S. 4221) for the relief of private owners of lands within or near the Bitterroot National Forest, Mont., was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. It will go over.

WAR COLLEGE LIBRARY.

The bill (S. 4366) to amend section 5 of an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1914, and for other purposes," approved June 23, 1913 (38 Stats. L., p. 475), was announced as next in order.

Mr. SMOOT. I notice that there is no report filed with this bill. If there is no one very deeply interested in it, I should like to have it go over until I can get the report.

Mr. FLETCHER. The Senator will find a report with the bill.

Mr. SMOOT. I will say to the Senator that on my calendar there is no report filed with the bill. I ask the Secretary if there is a report accompanying the bill?

The SECRETARY. Report No. 481.

Mr. SMOOT. Let the bill go over.

The VICE PRESIDENT. The bill will go over.

Mr. FLETCHER. Mr. President, with the permission of the Senate, before we pass from the consideration of Senate bill 4366, I desire to say it seems that the War College is one of the depository libraries, and that it is getting a vast amount of documents with no place to put them. This legislation is simply to relieve them of that burden and allow them to transfer the documents. The War Department states:

It would seem that the librarian should be authorized by act of Congress to return such public documents to the superintendent of documents as do not fall within the scope of the collection of the library.

This measure is to enable these libraries to get rid of a lot of stuff which they can not use.

Mr. SMOOT. I was wondering whether or not "the stuff" which it is proposed to authorize them to return is worth the postage which will be required to carry it from where it is to-day back to Washington.

Mr. FLETCHER. This applies to the War College right here in Washington, as I take it.

Mr. SMOOT. It is at the War College?

Mr. FLETCHER. Yes; it is at the War College.

Mr. SMOOT. The only addition there is in reference to the librarian.

Mr. FLETCHER. Well, it will not hurt for the bill to go over, anyway, and I will get a copy of the report.

JOHN H. ARMSTRONG.

The bill (S. 3289) to remove the charge of desertion from the military record of John H. Armstrong was announced as next in order.

Mr. THOMAS. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill goes over.

ADDITIONAL PROBATION OFFICER FOR THE DISTRICT.

The bill (H. R. 10891) to amend and reenact an act for the establishment of a probation system for the District of Columbia was announced as next in order.

Mr. KING. Let that bill go over, Mr. President.

Mr. POMERENE. I hope the Senator from Utah will withdraw his objection for a moment.

Mr. KING. I will withhold the objection for a moment.

Mr. POMERENE. The chairman of the Committee on the District of Columbia [Mr. SMITH of Maryland] has sent word to me that he is very anxious to have this bill passed. I may say, in explanation of it, that the only respect in which it proposes to change the present law is that in the police court of the District the probation work has become so extensive that they need an additional assistant probation officer and also a stenographer and typewriter. This bill provides for two assistant probation officers instead of one, as heretofore, at a salary of $1,200, and for a stenographer at a salary of $1,200. I think from what I have learned that the legislation is very much needed.

Mr. KING. I should like to ask the Senator from Ohio what number of employees now has the probation department of the police court?

Mr. POMERENE. I am not able to answer that; but allow me to say, as shedding some light upon the matter, that I am advised that there are a number of public-spirited women in the District of Columbia who are now voluntarily acting without compensation as probation officers. The work, however, has become so extended that they are not able to attend to it, and they are asking for this legislation.

Mr. KING. Mr. President, I shall not object to the consideration of the bill, but I should like to know the personnel of this bureau or agency of the municipality. There is a disposition to increase the number of officers in all departments and bureaus and agencies of the Government, and it will always be found that those who are filling these positions find some excuse or pretext for an augmentation of salaries and an increase in the number to be added to the department or agency of the municipality.

Mr. POMERENE. I realize the tendency in that direction, but I think we all agree that here in the city of Washington there has been a very large increase in population during the last year or two. I think that reason, if no other, would to some extent explain the need for additional officers.

Mr. SMOOT. The only reason for the additional help proposed to be provided by this bill is that there is a great increase in the population of the District at the present time?

Mr. POMERENE. I think that that is the reason for it; yes.

Mr. SMOOT. I thought, of course, that that was the reason for it. It seems to me when normal conditions return here we ought to go back to the number of officers we have to-day. There is nothing, however, in this bill proposing to limit the appointment of these officials.

Mr. POMERENE. Mr. President, there is force in the Senator's suggestion, but allow me to say that if it develops later on that this additional assistant is not needed we can change the law, and I shall certainly be very glad to have it changed if later it is found that it is not necessary.

Mr. SMOOT. Mr. President, I simply want to say that I am not going to object to the consideration of the bill, but to get a person off the statutory roll is something that very seldom ever happens in the history of the United States. I am afraid if they go on the roll they will remain there forever and ever hereafter.

Mr. KING. I shall ask leave to amend the bill by making it expire by limitation in one year. I will not consent to the consideration of the bill unless it shall be agreed that that amendment shall be made to it.

Mr. POMERENE. I have not sufficient information at hand to even suggest to the Senator from Utah that this legislation should be continued, but if what he suggests is an objection I shall accept the amendment for the present with that understanding. I think I ought to say that I understand that the House committee went into this subject very fully, and if the amendment does not meet their approval the matter can be worked out in conference.

Mr. KING. But with the information furnished us I should not feel like making this a permanent addition to the personnel of that agency. I shall, therefore, ask that the bill be amended limiting its operation to one year.

Mr. POMERENE. Will the Senator from Utah suggest where such an amendment should be inserted?

Mr. KING. I have not a copy of the bill before me.

Mr. FLETCHER. It appears, Mr. President, from the report on the bill that at present the paid official personnel consists of one probation officer and one assistant probation officer. So it seems as if they need this assistant permanently. I do not very well see how they can perform all the duties which devolve upon them. I shall not object to the amendment, however, but I am inclined to think that this provision should be made permanent.

Mr. KING. The bill is so intertwined with the existing statute that it is very difficult to amend it. I suggest to the Senator that he allow the bill to be passed over to give me an opportunity to examine it and prepare the necessary amendment.

Mr. POMERENE. And we can take it up a little later?

Mr. KING. Yes. I ask that the bill go over.

Mr. POMERENE. I can give the Senator a little information which I find in the report as to the amount of business transacted. The judges of the police court of the District of Columbia, under date of March 21, 1918, sent a letter to the chairman of the District Committee of the House, in which they say, among other things:

Last year the police court collected in fines the sum of $165,554.83; There were 35,645 persons arrested and charged with offenses in court; 18,461 paid fines and 7,559 were committed to jail in default of the payment of fines. There were 9,612 cases of public intoxication, 6,276 being white persons and 3,336 colored.

The court released on probation 1,927 persons.

That is quite a little army for one probation officer and his assistant to look after. I am willing, however, that the bill shall be passed over temporarily.

Mr. FLETCHER. May I suggest that in line 9, page 2, if the Senator from Utah desires to insist upon the amendment of the bill, that it be amended by inserting, after the words "per annum," the words "for one year," so that it would read: "and one stenographer and typist at a salary of $1,200 per annum for one year"?

Mr. KING. I accept the suggestion of the Senator from Florida as the amendment to be offered.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 2, line 9, after the words "per annum," it is proposed to insert the words "for one year," so as to read:

One stenographer and typist at a salary of $1,200 per annum for one year.

Mr. POMERENE. Then another amendment should be made before that with reference to the two assistant probation officers at a salary of $1,200 each. Did the Senator from Florida suggest an amendment there?

Mr. FLETCHER. I did not notice that.

Mr. KING. I think perhaps it will be better to adhere to my suggestion and pass the bill over for the present.

Mr. POMERENE. Very well; and I will call it up later.

The VICE PRESIDENT. The bill will be passed over.

BILL PASSED OVER.

The bill (S. 3379) to authorize the Secretary of the Interior to exchange public coal lands for private coal lands in certain cases was announced as next in order.

Mr. SMOOT. I ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

HIGHWAY TO NATIONAL MONUMENTS.

The bill (S. 4439) to provide for the survey of a national highway connecting certain national monuments in the States of Utah, Arizona, and New Mexico was considered as in Committee of the Whole. It directs the Secretary of Agriculture to survey and examine a feasible route or routes for a national highway which shall connect the Mukuntweap National Monument, the Grand Canyon National Monument, the Mesa Verde National Park, the Rainbow Bridge National Monument, and the Natural Bridges National Monument, in the States of Utah, Arizona, and New Mexico, and provides that upon completion of the survey the Secretary of Agriculture shall make a report on the subject to the Congress. And to carry out the provisions of the bill there is appropriated the sum of $20,000, or as much thereof as may be necessary.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SCHOOL LANDS IN OREGON.

The bill (S. 2494) to provide for the exchange with the State of Oregon of certain school lands and indemnity rights within the national forests of that State for an equal area of national forest land was considered as in Committee of the Whole. It authorizes the State of Oregon to select, with the approval of the Secretary of Agriculture, a compact body of not to exceed 40,000 acres of unappropriated nonmineral land within townships 10 and 11 south, ranges 5 and 6 east, Willamette meridian, in the Santiam National Forest, Oreg., to be maintained as a State forest, to secure its highest permanent usefulness to the State of Oregon, and particularly to the common schools to which its resources are devoted, and to State forestry demonstration and education, and authorizes the Secretary of the Interior to grant and convey the selection to the State of Oregon for the purposes hereinbefore mentioned. In exchange for the selected lands the State shall reconvey and relinquish to the United States a good and sufficient title to an approximately equal area

of unencumbered sections 16 and 36, or parts thereof, of substantial forest values satisfactory to the Secretary of Agriculture, within the national forests of Oregon, granted to said State, or indemnity rights within such national forests to which the State is entitled therefor, and the lands reconveyed and relinquished as base lands shall immediately become parts of the national forest in which they are situated. The lands conveyed to the State shall be at all times subject to use by the United States for the construction, maintenance, and operation of roads, trails, telephone or telegraph lines needed in the administration of the contiguous national forest areas.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RETENTION OF UNIFORMS.

Mr. CHAMBERLAIN. Mr. President, I hope Senators will allow the Senate to take up at this time the bill with reference to the retention by discharged soldiers of their uniforms. I ask unanimous consent for the immediate consideration of the bill (H. R. 13365) permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment, and to wear the same under certain conditions.

Mr. President, the reason for asking for the immediate consideration of this bill is that these young men are going home now with the understanding that they will have to surrender their uniforms.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. POINDEXTER. Mr. President, I should like to ask the Senator from Oregon what is the status of the legislation which has been suggested for the payment of a month's salary to the soldiers as they are discharged?

Mr. CHAMBERLAIN. Mr. President, I was going to suggest as an amendment to this bill the amendment which was embodied in the revenue bill, which, I understand, is the amendment to which the Senator from Washington refers.

Mr. POINDEXTER. I was going to suggest that amendment, but I will be very glad if the Senator will suggest it. It struck me as being an opportunity to get some action upon that matter in circumstances which are more or less aggravated.

Mr. CHAMBERLAIN. The amendment which was attached to the revenue bill was as follows:

That all officers and enlisted personnel of the Army, Navy, and Marine Corps, serving the United States in the war against Germany, who have been honorably discharged from the service since November 11, 1918, or who may hereafter be honorably discharged, shall be paid one month's salary in addition to the regular pay heretofore authorized.

Mr. FLETCHER. That amendment is in conference now, and I do not see anything to be gained by putting it on this bill. This is a House bill, and I wish we might pass it just exactly as it is so as to conclude the subject matter of this bill. I do not think we would make much headway by putting an amendment on this bill and having it go to conference. The revenue bill will undoubtedly pass eventually, and I do not believe there is any objection to the amendment referred to by the Senator from Oregon remaining on that bill.

Mr. SMOOT. Mr. President, I will say to the Senator that I have not any doubt the conferees on the revenue bill will agree to the amendment to that bill to which reference has been made. That being the case, I doubt the wisdom of putting another amendment to the same effect upon this bill at this time.

Mr. KING. If the amendment be added to this bill, it will send the bill to conference.

Mr. POINDEXTER. Mr. President, probably the suggestion of the Senator from Florida is a wise one, in view of the statement that this legislation will probably be agreed to by the conferees on the revenue bill; but I should like to say a word, to the effect that an important feature of this proposition is the need for prompt action. The need for this relief is now greater than it will be at any other time. The soldiers are being very rapidly discharged. Some soldiers can take care of themselves under any circumstances, and we hear no complaint from them; but soldiers come from the body of the people and represent all the varying types and conditions of men, and a great many of them, through causes sometimes over which they have no control whatever, and sometimes through the fault of the War Department in failing to pay them their salaries, in some cases salaries being delinquent for five or six months, are discharged from the Army with no funds whatever, and furnished the bare means of transportation back to some point which frequently is not their home. I know of cases where young men who had lived on the Pacific coast were sent back to Chicago because they happened to be enlisted in Chicago, 1,500 miles from home, without any money. That is discreditable to the Government, and it ought to be remedied as soon as possible.

Mr. JONES of Washington. Mr. President, I understand that unanimous consent has been given to have the bill considered. Is that correct?

The VICE PRESIDENT. There was no objection to the consideration of the bill.

Mr. JONES of Washington. I desire to offer an amendment in the nature of an additional section.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to add at the end of the bill a new section, as follows:

SEC. 4. That section 126 of an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," be amended to read as follows:

"SEC. 126. That an enlisted man discharged from the Army, Navy, or Marine Corps service, except by way of punishment for an offense, shall receive 5 cents per mile from the place of his discharge to his actual bona fide home or residence, or original muster into the service, at his option: *Provided*, That for sea travel on discharge, transportation and subsistence only shall be furnished to enlisted men."

Mr. SMOOT. Mr. President, I should like to ask the Senator if that is not the practice to-day?

Mr. JONES of Washington. No; not quite. The law to-day is to pay three and a half cents a mile to men discharged from the Army, and 4 cents a mile to those discharged from the Navy. I think, however, this is paid only to the place of their muster in. They do not have the option of going to their homes, as suggested by my colleague a moment ago. It meets that situation.

Mr. POINDEXTER. Mr. President, my colleague is entirely correct in that statement, as I have it from the War Department authoritatively.

Mr. SHEPPARD. I know of some Texas soldiers who were ordered to San Francisco to be mustered out, when they could have been mustered out in Texas and would have preferred to have had that done.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Washington.

The amendment was agreed to.

Mr. CHAMBERLAIN. Mr. President, I am going to offer the amendment that was attached to the revenue bill. I have no desire to claim the authorship of the amendment which was added to that bill. I think it was proposed by the Senator from Florida [Mr. TRAMMELL], and he is entitled to any credit there may be for it; but I suggest it as an amendment to this bill, first, because I think it will hasten its enactment, and, second, because I think it is a very bad plan to put a lot of military legislation in revenue bills and in appropriation bills.

Mr. SMOOT. As long as this bill now has to go to conference anyhow, I see no particular objection.

Mr. CHAMBERLAIN. There have been amendments attached as riders to appropriation bills seriously affecting the Army, some of which I might call attention to, but I am not going to do it now, and some of which would not have been made permanent statutes except for the fact that they went in as riders to appropriation bills. I think the proper place to have this amendment is in the present bill. I therefore offer it as an amendment.

The VICE PRESIDENT. The amendment offered by the Senator from Oregon will be read.

The SECRETARY. Add as a new section the following:

SEC. —. That all officers and enlisted personnel of the Army, Navy, and Marine Corps serving the United States in the war against Germany who have been honorably discharged from the service since November 11, 1918, or who may hereafter be honorably discharged shall be paid one month's salary in addition to the regular pay heretofore authorized.

Mr. TRAMMELL. Mr. President, I should like to see the amendment adopted that has been offered by the Senator from Oregon. I feel confident that it can not delay the matter. It will probably expedite the enactment into law of this provision, and will give relief to the soldiers at a time when a great many of them are sorely in need of it.

I hope, as I say, that the amendment will be adopted.

Mr. JONES of Washington. The only question I have about it is that I should like to see a little bit more than 30 days' pay given; but it might delay and endanger the passage of this bill, and so I shall not offer that amendment. What I fear, however, is that when we adopt the 30 days' provision we will never give any additional pay. I doubt if 30 days' pay is enough.

The VICE PRESIDENT. The question is on the amendment of the Senator from Oregon.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ENLISTMENT IN REGULAR ARMY.

Mr. CHAMBERLAIN. Mr. President, there is one other bill on the calendar that is of a good deal of importance to the Military Establishment at this time, and I ask unanimous consent that it may be considered. It is Senate bill 5279, to authorize the resumption of voluntary enlistment in the Regular Army, and for other purposes. It is to remove restrictions against voluntary enlistments, which were practically abolished by the act of May 18, 1917.

The VICE PRESIDENT. The Senator from Oregon asks unanimous consent for the present consideration of a bill the title of which will be stated by the Secretary.

The SECRETARY. A bill (S. 5279) to authorize the resumption of voluntary enlistment in the Regular Army, and for other purposes.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill which was read, as follows:

Be it enacted, etc., That so much of sections 7 and 14 of the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, as impose restrictions upon enlistments in the Regular Army, are hereby repealed in so far as they apply to enlistments and reenlistments in the Regular Army after the date of approval of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF FEDERAL RESERVE ACT.

Mr. HITCHCOCK. I ask unanimous consent for the present consideration of Senate bill 5236, to amend sections 7, 10, and 11 of the Federal reserve act, and section 5172, Revised Statutes of the United States.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Banking and Currency with amendments.

The VICE PRESIDENT. The bill has been read. The amendments of the committee will be stated.

The first amendment was, on page 2, after line 9, strike out:

SEC. 2. That that part of section 10 of the Federal reserve act which reads as follows: "The members of said board, the Secretary of the Treasury, the Assistant Secretaries of the Treasury, and the Comptroller of the Currency shall be ineligible during the time they are in office and for two years thereafter to hold any office, position, or employment in any member bank," be amended to read as follows:

"The Secretary of the Treasury, the Assistant Secretaries of the Treasury, and the Comptroller of the Currency shall be ineligible during the time they are in office and for two years thereafter to hold any office, position, or employment in any member bank. The members of the Federal Reserve Board shall be ineligible during the time they are in office or during the term for which they were appointed to hold any office, position, or employment in any member bank."

The amendment was agreed to.

The next amendment was, on page 3, line 3, to change the number of the section from "3" to "2."

The amendment was agreed to.

The next amendment was, on page 3, line 9, after the word "power," to insert "from time to time by general ruling covering all districts alike," so as to read:

SEC. 2. That section 11 of the Federal reserve act as amended by the act of September 7, 1916, be further amended by striking out the whole of subsection (m) and by substituting therefor a subsection to read as follows:

"(m) Upon the affirmative vote of not less than five of its members the Federal Reserve Board shall have power from time to time by general ruling covering all districts alike to permit Federal reserve banks to discount for any member bank notes, drafts, or bills of exchange bearing the signature or indorsement of any one borrower in excess of the amount permitted by section 9 and section 13 of this act, but in no case to exceed 20 per cent of the member bank's capital and surplus.

The amendment was agreed to.

The next amendment was, on page 3, line 20, after the words "United States," to strike out "issued since April 24, 1917," so as to read:

Provided, however, That all such notes, drafts, or bills of exchange discounted for any member bank in excess of the amount permitted under such sections shall be secured by not less than a like face amount of bonds of the United States or certificates of indebtedness of the United States.

Mr. HITCHCOCK. Mr. President, I ought to say that the committee, at a subsequent conference, regretted the adoption of that amendment which struck out the words "issued since April 24, 1917," but it was not in position to take any formal action on the matter. I should like to have that amendment submitted for a vote of the Senate.

The inclusion of the words "issued since April 24, 1917," means that the privilege of using United States bonds as security for this purpose is limited to liberty bonds issued since we went into the war; and it was intended by the Federal Reserve Board to limit them to the use of those bonds for two reasons:

First, the 2 per cent bonds are not available. They are generally held by banks. Secondly, most of the liberty bonds are now selling at a considerable discount—94, 93, or something like that—and by making them desirable for purposes of security it was thought that the demand for them might be strengthened. Therefore the Federal Reserve Board desired to mention them specifically here by limiting the use of bonds for security purposes to liberty bonds.

I do not feel authorized to move to strike out that amendment, but I regret that the committee took that action. It was done rather hastily.

Mr. SHAFROTH. Mr. President, I hope that amendment of the committee will not be agreed to. The explanation which the Senator from Nebraska has given shows that the object of this section is to make a special demand for the new liberty loan issue that is to be made in April; and by reason of that fact, by limiting the right here to the bonds that are issued after April 24, it gives that right. The Secretary of the Treasury and also Gov. Harding, of the Federal reserve bank, both assert that the very object and purpose is to make this aid and assist in floating the new liberty loan; and I will state that I propose to offer an amendment, following this, which will limit the provisions of the section to December 31, 1919.

Mr. POMERENE. Mr. President, to what section is that offered?

Mr. SHAFROTH. The amendment which I am going to propose?

Mr. POMERENE. Yes.

Mr. SHAFROTH. It is to come in at the end of line 22 on page 3. They do not want to make the provisions of this bill applicable for all time. It is not a permanent matter; but they do want these bonds that can be hypothecated for the purpose of acting as security limited to the bonds issued after the beginning of the war, and they want the provisions of the act confined to the date of December 31, 1919.

Mr. HITCHCOCK. Mr. President, in order to get this matter before the Senate, I ask that the committee amendment may be submitted to a vote.

Mr. POMERENE. Mr. President, if I had been in the Chamber when this bill was called up I should have objected to its consideration at this time. I can not get the consent of my judgment to the increase to 20 per cent. I think it is vicious banking; and I say that with all due respect to the very eminent gentlemen who are members of this committee and favor it, as well as with all due respect to the Federal Reserve Board. I think it is wrong.

Mr. SHAFROTH. Mr. President, does the Senator refer to the fact of increasing the amount which can be discounted to 20 per cent instead of 10 per cent?

Mr. POMERENE. That is the fact to which I refer.

Mr. SHAFROTH. Does the Senator understand that a national bank already has power to lend money to the extent of 20 per cent?

Mr. POMERENE. Oh, yes, Mr. President. We had that matter up before the Senate some time ago, and I objected very strenuously to it at that time; and that is not in the law because of my support of it. I think we did the wrong thing then, and I do not propose by any vote of mine to extend that wrong any further. These bonds can be marketed if it is desirable; and it is not necessary to load up these banks with all of those securities, thereby increasing the amount of the indebtedness of a given member bank to the Federal reserve bank.

The argument was made, when the amendment to the national banking law was before the Senate, that particularly in the South they needed a greater line of credit; that it was necessary that 20 per cent of the capital stock and the surplus should be loaned to individuals as they would come in, and so forth; otherwise they could not do business. My answer to that suggestion is that if a man deserves credit equal to 20 per cent of the capital and surplus there are in every community two or more banks, and if his credit is sufficiently good he can go to one bank and get 10 per cent of its capital and surplus, and he can go to another bank and get 10 per cent of its capital and surplus. It is not necessary that he shall get into one bank to do these things.

Bank failures are not due to a great number of loans to a great number of individuals, no matter how careless the cashier may be in extending some of those loans; but bank failures come from loaning large sums of money to a few people. Never with my vote will I consent to allowing one borrower to have 20 per cent of the capital and surplus of a bank; neither will I facilitate that bank in getting credit to the extent of allowing it

to go to the Federal reserve bank with these securities and get the 20 per cent.

I do not know that I could make myself clearer than I have in this brief statement. It represents my view about the matter. Perhaps I feel a little too keenly on this subject. At one time, years ago, I was made a victim of just that kind of banking. I think I know something about it, and there is not any man or any half-dozen men that can come in here, after the experience I have had, and tell me that that is good banking. I know better.

Mr. SHAFROTH. Mr. President, the Senator may be able to go to two banks and get 10 per cent of the capital and surplus of both of those banks, but I will warrant that there is not one man out of a hundred that can do it. A man's banking transactions are generally confined to one bank, and the confidence which he establishes is with the officers of that bank.

Mr. POMERENE. Yes, Mr. President; and it is the confidence between the officers of that bank and that borrower that robs communities.

Mr. SHAFROTH. Oh, yes; but you could not have any successful banking at all unless you had confidence between the officers of the bank and its depositors.

Mr. President, one of the difficulties in the way is that the laws of the various States prescribe various amounts that the State banks can loan, even in excess of 20 per cent of the capital and surplus of the bank. In other words, there are some banks that have no limitation whatever. Other banks are permitted to loan as high as 30 per cent, and that is one of the reasons why the State banks do not come into the national system. It is because under the national system 10 per cent is all that can be loaned to one man of the capital and surplus. Now, it seems to me that inasmuch as the member bank has a right now to borrow 20 per cent, and this law simply attempts to extend the right of the bank to discount that paper at the Federal reserve bank, when you take away that power you are crippling the national bank itself.

If this were simply a question of extending this matter from the beginning, the argument of the Senator would have more force; but when the member bank has the power to borrow to the extent of 20 per cent it does seem to me that to deprive the member bank of the ability to go to the reserve bank and discount that paper is impairing the banking facilities of the national banks and consequently also of any State bank that might want to come into the system.

Mr. McLEAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Connecticut?

Mr. SHAFROTH. I yield to the Senator.

Mr. McLEAN. I should like to call the attention of the Senator from Ohio to the fact that the laws of the State of Ohio permit a State bank to loan to any single person or corporation an amount equal to 20 per cent of the capital and surplus. The Senator knows that the capital and surplus bear very slight relation to the lending power of a bank.

Mr. POMERENE. Mr. President, it was just one of those institutions that I referred to a while ago in my own experience. The fact that a thing happens in Ohio is prima facie evidence that it is right, but it is not always conclusive evidence.

Mr. McLEAN. It so happens that the average throughout the Union exceeds 20 per cent. In New York it is 25 per cent. In all the large States it is over 20 per cent, from 20 to 30 per cent, and the Senator knows that the capital and surplus bear but slight relation to the lending power of a bank. I know banks with $200,000 capital that lend over $13,000,000. The lending capacity of a bank depends largely upon its cash deposits.

Mr. POMERENE. That is true, but that is the exception to the rule.

Mr. HITCHCOCK. Mr. President——

The VICE PRESIDENT. The hour of 2 o'clock has arrived. Some weeks since the Chair made an erroneous ruling. The Chair held that the unfinished business was not to be laid down at 2 o'clock on Calendar Monday. On a further examination of the rule the Chair reverses his ruling and lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 13708) providing for the relief of such populations in Europe and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary.

Mr. HITCHCOCK. I ask the Senator from Virginia to permit the unfinished business to be laid aside for a few minutes, so that we may finish the consideration of this bill.

Mr. MARTIN of Virginia. I am willing to have it laid aside for a few minutes only, but if there is to be any extended debate I shall ask to have the unfinished business proceeded with.

Mr. PENROSE. I sincerely hope the Senator from Virginia will insist on keeping the unfinished business before the Senate. I have some amendments to offer, and I have been waiting for a long while to get a chance to present them.

Mr. HITCHCOCK. I will say that I will abandon the effort if it takes more than a few minutes.

Mr. PENROSE. All right.

Mr. HITCHCOCK. This is really an emergency bill.

Mr. PENROSE. So is the unfinished business.

Mr. HITCHCOCK. I have had it up for the second time. I want to say that this general provision here is really one which should have been looked after when the law was changed last September. The banks are still restricted to the 10 per cent loan in almost all cases. They are only allowed to advance as much as 20 per cent of their capital and surplus in these cases: First, when it refers to the discount of bills of exchange drawn in good faith against the national exchange; second, the discount of commercial or business paper actually owned by the person, company, or corporation or firm negotiating the same; and, third, the purchase for discount of any note or notes secured by not less than a like amount of United States bonds issued since April 24, 1917. The banks can make loans under those circumstances. All that this section does is to provide that when they make such loans under the authority of Congress the Federal reserve banks shall be permitted to discount paper. It certainly is not just and reasonable to permit banks to carry these loans and then compel them to hold them in their vaults like corpses, unable to use them and vitalize them. If it was at all desirable that they should be permitted to make loans under those circumstances, they ought to be allowed to use them for the purpose of discounts with the Federal reserve banks.

Mr. POMERENE. In answer to the argument just made by the distinguished Senator from Nebraska, we were advised that the law we did pass was to prevent corpses from getting into member banks.

Mr. HITCHCOCK. I have not anything further to say. The question is before the Senate, and I do not want to impose on the time of the Senator from Virginia. I therefore ask the Chair to submit to a vote the recommendation of the committee.

The PRESIDING OFFICER (Mr. ASHURST in the chair). The question is on agreeing to the amendment of the committee.

Mr. HITCHCOCK. I think the amendment should be voted down.

Mr. SMOOT. The statement has been made here that striking out the words "issued since April 24, 1917," would limit the bonds only to liberty bonds. That is not the case. There have been other bonds, farm-loan bonds, issued since that time.

Mr. HITCHCOCK. I am assuming that.

Mr. SMOOT. If you are going to deliberately limit it to liberty bonds, why not insert the word "liberty" after the word "of" and before the word "bonds," in line 20, so that it will read: "not less than a like face amount of liberty bonds of the United States"?

Mr. HITCHCOCK. The other issue of bonds is a small and negligible matter, and I hope the Senator will not bring that up. We are anxious to get the bill through now. The purpose is to dispense with a market for liberty bonds.

Mr. SMOOT. I understand that perfectly well.

Mr. HITCHCOCK. The other issue of bonds is small and negligible. I ask that the question be submitted to the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was rejected.

Mr. SHAFROTH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Colorado?

Mr. HITCHCOCK. I yield.

Mr. SHAFROTH. I desire to offer an amendment. In line 22, page 3, I wish to add, after the words "United States," the following:

> The provisions of this section shall not be operative after December 31, 1919.

Mr. HITCHCOCK. I will say that is entirely acceptable to myself and other members of the committee. This is only intended to bridge over the present year so as not to strengthen the market for the liberty bonds.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Colorado.

Mr. SMOOT. Let it be read.

The SECRETARY. On page 3, line 22, after the words "United States," insert the words:

> The provisions of this section shall not be operative after December 31, 1919.

Mr. SMOOT. It ought to be preceded by the words "*Provided further.*"

Mr. SHAFROTH. I will insert the words "*Provided further.*"

The PRESIDING OFFICER. The amendment will be so modified. The question is on agreeing to the amendment as modified.

The amendment as modified was agreed to.

The PRESIDING OFFICER. The next amendment of the Committee on Banking and Currency will be stated.

The SECRETARY. On page 3, line 23, after the word "SEC.," change "4" to "3."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FOOD SUPPLIES FOR EUROPE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13708) providing for the relief of such populations in Europe and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary.

Mr. PENROSE. Mr. President——

Mr. SMITH of Michigan. I make the point of no quorum.

Mr. PENROSE. I yield to the Senator from Michigan to raise the point of no quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, S. Dak.	Myers	Smith, Ga.
Bankhead	Jones, N. Mex.	Nelson	Smith, Md.
Beckham	Jones, Wash.	New	Smith, Mich.
Borah	Kellogg	Norris	Smith, S. C.
Calder	Kenyon	Overman	Smoot
Chamberlain	King	Page	Spencer
Colt	Kirby	Penrose	Sterling
Culberson	Knox	Pittman	Swanson
Cummins	La Follette	Poindexter	Thomas
France	Lenroot	Pollock	Townsend
Gay	Lewis	Pomerene	Trammell
Hale	Lodge	Ransdell	Underwood
Harding	McCumber	Reed	Vardaman
Hardwick	McKellar	Saulsbury	Wadsworth
Henderson	McLean	Shafroth	Walsh
Hitchcock	McNary	Sheppard	Weeks
Hollis	Martin, Va.	Sherman	Williams
Johnson, Cal.	Moses	Smith, Ariz.	

Mr. HENDERSON. I wish to announce the absence of the junior Senator from Idaho [Mr. NUGENT] on account of illness. I ask that this announcement may stand for the day.

Mr. McKELLAR. I desire to announce that the senior Senator from Tennessee [Mr. SHIELDS] is detained by illness. I ask that this announcement may stand for the day.

Mr. KIRBY. I wish to announce the unavoidable absence of the senior Senator from Arkansas [Mr. ROBINSON], occasioned by illness.

Mr. LEWIS. I desire to announce that the Senator from California [Mr. PHELAN] is necessarily detained by illness.

The PRESIDING OFFICER. Seventy-one Senators have answered to their names. There is a quorum present.

Mr. PENROSE. Mr. President, I think the taxpayers of the United States will be greatly astonished when they read in the morning papers that the Department of Agriculture is now at work framing a bill soon to be presented to Congress appropriating $1,250,000,000 to be used by the Food Administration in purchasing from the farmers the 1919 wheat crop at $2.26 a bushel. This remarkable situation, created by Mr. Hoover while he was in charge of the Food Administration of the United States, carries its own lesson as to the wisdom of the economic methods adopted by the Government during the war. Before I offer an amendment which I intend to propose to the pending bill I will ask the Secretary to read the article entitled "The Wheat Problem."

The PRESIDING OFFICER. If there is no objection, the Secretary will read as requested.

The Secretary read as follows:

[From the Washington Post, Jan. 20, 1919.]

THE WHEAT PROBLEM.

It is stated that the Department of Agriculture is now at work framing a bill, soon to be presented to Congress, appropriating $1,250,000,000 to be used by the Food Administration in purchasing from the farmers the 1919 wheat crop at $2.26 a bushel, the price guaranteed by the Government. It is proposed to sell this wheat to the public at the ruling market price, leaving the Government to stand the financial loss involved.

War involves many sacrifices, and the tremendous loss which the Government seems certain to sustain in its wheat deal is one of them. The agricultural interests of the country show no disposition to accept the sacrifice themselves, consequently there is no course for the Government to pursue other than to keep its word to purchase all wheat raised next year at the price stated. The appropriation proposed, all of which may be wiped out in the transaction, imposes a charge of $12.50 per capita upon the entire population of the country.

In accepting its responsibility for supplying food to the allies during the war the United States last year made a definite compact with the agricultural interests to buy the entire crop, as was done in 1918, at the same guaranteed price. This action was considered necessary in order to stimulate the planting of additional acreage in wheat. Production could only be increased by giving this guaranty, and the Government was obliged to proceed upon the theory that the war would last over into 1919 and perhaps longer. France, England, and Italy were taking all the wheat available in this country, without questioning the price, and would continue to do so for the period of the war.

Unfortunately for our Treasury, this Government had no agreement with its allies to continue the purchase of wheat at a specific price after the cessation of hostilities, and as a result they are now buying their wheat from Argentina and Australia, where it can be purchased at little more than half the price which the farmer receives for it in America. The wheat of the Argentine and Australia, while produced in plenteous supply, was not available during the war because of a lack of shipping, but the moment the armistice was signed England and France sent ships post haste to those countries to bring back cargoes of wheat, and now are taking from the United States only the quantity needed above that which they can secure from the south.

Thus the United States, loyal food purveyor to a stricken world, is left "holding the bag." Her word has been passed to the producers of wheat at home, and it must be kept. Contracts for steel, coal, transport, munitions, clothing, and many other items required by the war have been canceled by a stroke of the pen, but to date there has come no proposal to cancel the agreement made with the agricultural interests, nor has there been any proposal from the latter to compromise the agreement. Instead the Nation must pay either by the plan of buying at the Government price and selling at the market price, thus reducing the cost of living materially, or permitting the Government price to rule here, and thus sustaining the price of flour, bread, and other important and necessary items of living. In the end the public must pay. The farmer must have his price.

Far be it for the Government of the United States to stoop to a policy of repudiation. Its word is as good as its engraved bond. But one can not refrain from speculating why one Government contract is subject to cancellation and adjustment while another must be carried out to the letter.

Mr. PENROSE. Now, Mr. President, as some measure of relief to this unfortunate situation and in order to prevent persons under the direction of the President favoring this Argentine product or any other foreign article, while the American Government is being loaded up with wheat at a fixed price, I offer the following amendment to line 4, on page 2, which I will ask the Secretary to read.

Mr. MARTIN of Virginia. Let me ask the Senator from Pennsylvania if he did not vote to fix the price of wheat at $2.50 a bushel?

Mr. PENROSE. I voted to make it $2.50 because I thought as long as the Government was engaged in the economic policy of fixing the price of wheat it ought to fix it at an adequate figure.

Mr. MARTIN of Virginia. You wanted to make it as big as possible?

Mr. PENROSE. Yes; I do not believe in price fixing, but I believe in a fair price if the price is to be fixed. I ask the Secretary to read the first amendment.

The PRESIDING OFFICER. It will be read.

The SECRETARY. On page 2, line 4, after the word "hereunder," insert "shall be used for the purchase of American wheat at the price guaranteed by the Government, and the preference in the purchase of other supplies shall, so far as reasonably possible, be in favor of American products."

Mr. PENROSE. Mr. President, it seems to me the amendment speaks for itself. According to the figures read by the Secretary, the American Government is likely to be responsible for $1,200,000,000 worth of wheat at the guaranteed price, and it may be that if the price of wheat keeps going down by reason of the foreign competition, which is coming into the world market by reason of the restoration of tonnage available for wheat conveyance, the price may go still further down. If we are to expend this $100,000,000 for purposes which, to my mind, have in no way been made clear, except the time-worn argument that they are required on account of the war, I think the Government might be relieved very consistently and properly of the enormous stores which they are compelled to take into their hands. I would be glad to hear what possible objection the Senator from Virginia can have to the amendment.

Mr. MARTIN of Virginia. Mr. President, I have a telegram from the American Mission at Paris, which states that—

> Allies are willing and anxious to do all they can, and have and will contribute to the full extent of their resources, but it must be borne in mind that most of the food must be purchased in the United States, and American money would be used for such purchase and transportation.

So here is a declaration in advance of the purpose to buy most of this food in the American market.

Mr. PENROSE. I should like to ask the Senator who makes that statement?

Mr. MARTIN of Virginia. This is signed "Hoover, American Mission."

Mr. PENROSE. We have had Mr. Hoover's promises before.

Mr. GORE and others addressed the Chair.

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from Pennsylvania yield, and if so, to whom?

Mr. PENROSE. I yield to the Senator from Oklahoma.

Mr. GORE. I should like to say in this connection, in view of this cablegram from Mr. Hoover, we had a witness, Mr. Taliaferro, before the Committee on Agriculture this morning who is vice president of the Hammond Standish Packing Co., of Detroit, and he told us that Mr. Hoover was in Europe now and that this $100,000,000, or a great deal of it, was to be used in stabilizing the price of packing-house products, so that the packers could dispose of the stocks they have on hand and obviate a loss.

Mr. PENROSE. I should like to ask the Senator from Virginia if he or any Senator here present knows whether Mr. Hoover is an American citizen and ever voted in this country in his life?

Mr. MARTIN of Virginia. I do not propose to be drawn into such an irrelevant discussion as that. I do not know anything about Mr. Hoover's citizenship. I have no doubt myself that he is a citizen of this country, but I have not been a detective upon his tracks and I am not posted about his career. I do not know of what country he is a citizen, but I have no doubt myself he is a citizen of the United States.

Mr. PENROSE. He abused the high office which he holds informally by advising the American people to support the Democratic Party in the last election, and in that way, in my opinion, insulted every Republican in the country, after having been intrusted with these enormous powers, to get into a political campaign. I do not believe he is a citizen of the United States. He has spent the greater part of his life in England. He may perchance have been born here; I do not know. It is bad enough to have a man called upon to administer this enormous fund and the enormous funds which he has already administered who has taken no oath of office and whose allegiance even is in doubt, in the opinion of many citizens; as to whether he is not at bottom really an Englishman and not an American.

I intend to offer an amendment when the pending amendment is disposed of to provide that this vast expenditure shall be defrayed in an orderly, legal way by commissioners appointed by the President, confirmed by the Senate, and receiving a salary, after having taken the oath of office to support the Constitution of the United States.

Mr. THOMAS. I should like to ask the Senator whether I am correct in understanding his statement that he voted for the Gore amendment which fixed the price of wheat at $2.50 a bushel?

Mr. PENROSE. My position was plain at the time, and I have no objection to explaining it now.

Mr. GORE. Mr. President——

Mr. PENROSE. The Senator will allow me a word, and he can explain in a minute.

Mr. GORE. That was last year's crop and not this year's.

Mr. PENROSE. I was against price fixing during the war. I believe it did more harm than good all along the line. Had the war continued another year it would have led to general economic demoralization. But when it was evident that prices were to be fixed, I favored a price that, in my opinion, was fair and adequate. That was my position, and I think——

Mr. THOMAS. Does the Senator know what the added price to the Government guaranty would have been if the Gore amendment had been passed?

Mr. PENROSE. If we had not fixed the price, in my opinion, the price of wheat would have been more than the guaranteed price.

Mr. GORE. I should like to say at this point to the Senator from Colorado that the price of $2.50 for wheat applied to the crop harvested in 1918. It has no relation, either direct or indirect, to the harvest of 1919. No amendment was offered as to the crop of 1919, and the Senate never voted upon that proposition. That was done by the President of the United States alone upon his responsibility under section 14 of the so-called food-control act. The Senate did not express any opinion as to what the price for the 1919 crop should be.

Mr. KELLOGG. I wish to ask the Senator from Oklahoma if it is not a fact that the bill which passed Congress provided for a guaranty of $2 a bushel only for the year 1918?

Mr. GORE. For the year 1918.

Mr. KELLOGG. No bill passed Congress providing for $2.50 a bushel for 1919.

Mr. GORE. No, sir; it did not.

Mr. KELLOGG. The bill, as I understand it, authorized the President, if in his opinion it was necessary to encourage production, to make a guaranty, but the bill itself provided that the guaranty for 1918 should be not less than $2 per bushel.

Mr. GORE. Not less than $2 per bushel.

Mr. KELLOGG. As a matter of fact, the President fixed the price for that year at $2.20 a bushel at the primary market.

Mr. GORE. Congress did not project the law in expressing prices further into the future than 1918.

Mr. KELLOGG. Then in 1918, in September, before the sowing of the crop, the President published a proclamation fixing the price for 1919 at $2.26 at the highest primary market and graded down from that.

Mr. GORE. Yes; September 2.

Mr. McCUMBER. Mr. President, inasmuch as the article has been read into the RECORD indicating a blanket loss of $1,200,000,000 to the American people by reason of the guaranty of the price of wheat, I should like to ask the Senator from Pennsylvania or the Senator from Virginia what would be the price of wheat to-day without that guaranty? How do you figure your losses, and if you figure your losses at all what are you going to allow for the losses of the farmer below the market price in 1918 to meet the excess that he would receive by reason of the guaranty of 1919? In other words, taking his crops of 1918 and 1919 together, would he have received more by reason of this guaranty, or would he have received more for the entire crop of the two years if we had allowed the crop to be sold at the guaranteed price? I do not want anyone to forget for a single moment that the farmer lost a dollar a bushel on his grain in 1918. I say that that has not been made up even by the guaranty of 1919. So the abominable criticism of the farmer's attitude as compared with the attitude of other lines of business does not seem to me to be warranted, for let us remember right here that we were engaged in a war in September, 1918. We did not know what the future would be in 1919. We might be engaged in a war during all of this year, and we prepared for the future by guaranteeing a price that would assure the utmost number of bushels that could possibly be produced. Now you criticize us because it might have been a little less.

Are you criticizing the Government in any way for the $500,000,000 that it is going to lose on the railroads this year by reason of increasing the price of freight and for carrying passengers? If you criticize the price fixed for the farmer's product, $1,200,000,000 even, have you not raised the price of everything that he must purchase with that product by reason of raising the prices of labor throughout the country, with that $1,200,000,000? Have you not raised it more than $3,000,000,000, compared to the price of the things that the farmer must buy, taking the country as a whole?

We paid enormous prices for places at which to build ships—three or four times, probably, what the land could otherwise have been purchased for. We paid at least some three to five times what it would have cost in peace periods to build our shipways. Now they are of no use to us, but they are going to cost the country billions of dollars. Are you criticizing the Government because the Government proceeded to pay those enormous sums?

Mr. MARTIN of Virginia. Mr. President, I did not expect to yield the floor for the remainder of the day.

Mr. McCUMBER. No; but I expected the Senator would yield the floor until at least one side of this proposition could be presented even briefly, and that is the farmer's side of the question.

Mr. MARTIN of Virginia. The only criticism that has been made was the speech delivered by the Senator from Pennsylvania [Mr. PENROSE], who criticized maintaining the price of wheat at $2.26 a bushel.

Mr. PENROSE. Mr. President, I hope that the Senator from North Dakota [Mr. McCUMBER] does not think that I have been criticizing the farmer for getting a fair price for his wheat.

Mr. McCUMBER. No, I do not; but I criticize and I resent the article which the Senator put in the RECORD, which seemed to indicate that the farmer was the only person who had been benefited by this war, and that, therefore, he is receiving more than his just due.

Mr. PENROSE. Of course, if the Senator from Virginia will permit me, a price was fixed on copper, on wages, on railroad transportation, and on a number of other things, which I think was wrong economically, and was a wrong economic method. I saw nothing while we were in the war to cause us to interfere very materially with the course of trade and normal conditions, but that is over.

While I am on my feet, I want to remind the Senator from Virginia [Mr. MARTIN], in the first place, I voted against the food-control bill on the floor of the Senate. I was one of five or six Senators who voted against that bill, and it has been a very gratifying vote for me to refer to since the bill was passed when I have been visited by many hundred people from

Pennsylvania—I may say many thousands—who have been subjected to harassment and vexation and utter failure to get any satisfaction from the Food Department concerning their very many grievances.

Mr. MARTIN of Virginia. Mr. President, as I understand, the Senator from North Dakota [Mr. McCUMBER] was aiming his criticism at an article in a Washington newspaper. There is nothing that has been said on the floor of the Senate to invite his attack.

Mr. McCUMBER. I simply want to indicate that when the Government has ordered 27,000,000 undershirts, which it has now on hand, on which there will be an entire loss, there ought not to be criticism of the farmer because he will receive a portion of what the Government compelled him to lose in 1918.

Mr. MARTIN of Virginia. But, Mr. President, no one on the floor of the Senate has criticized the farmer; I have not heard one criticism of the farmer or of the price of wheat. The only criticism has been made in an article in a Washington newspaper, and I understand now that the Senator from North Dakota is making a criticism on the article in that paper. Certainly I do not take his criticism to myself, for I have not said a word on the subject. The Senator looked over this way very intently at me as if he were about to make an attack on me for something, but I could not imagine what it was for.

Mr. McCUMBER. The Senator from Virginia was so generous and his countenance was so smiling that he invited my glance in that direction.

Mr. MARTIN of Virginia. This is the first time my countenance has arrested attention here, so far as I know. I am obliged to the Senator.

The Senator from Pennsylvania [Mr. PENROSE], who tried to put the price of wheat at $2.50, has seemed to me to be the only man making the attack. He is making an attack on $2.26 wheat, although he tried to put it at $2.50. I have no brief to defend either position. It is entirely irrelevant to the question before the Senate.

But addressing myself for just a very few moments to the amendment offered by the Senator from Pennsylvania, it seems that he wants to do an act of charity or of generosity accompanied with a condition of profiteering. He is willing to appease hunger and stay the ravages of death as an act of benevolence and charity, provided he can make some money out of it. In the ultimate analysis that is what the Senator's position is, and that is all there is in it. He wants to make this appropriation provided he can get a certain price for wheat. I think it is a very ungenerous act to do. We are told that it is expected to spend this money in the United States, and I should be very glad to see that done; but for my part I am unwilling to put that condition on this donation, on this charity, on this benevolent act—to put on it a condition that we must make some money out of it or we will not do it. That is, as I understand it, the position of the Senator from Pennsylvania.

Mr. PENROSE. If the Senator will permit me, I think he fails to grasp the situation. As I understand, the Government must take up all this wheat at $2.26 a bushel. Having it in its possession, I very modestly suggest, to relieve the expenditure of the Treasury in some small amount, that we put this wheat through this revolving fund, and send it over to Europe.

Mr. BORAH. Mr. President, may I make a suggestion?

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Idaho?

Mr. MARTIN of Virginia. I yield.

Mr. BORAH. It seems to me that the Senator from Pennsylvania, and possibly the Senator from Virginia, overlook the fact that if we purchase all of this $100,000,000 worth of goods in this country it is going to weigh very heavily on and embarrass very much the people of this country, who are in great need of food. One of the great necessities now in large portions of the country is the very material which it is now proposed to send to Europe. While I have no doubt that a large portion of it will be purchased here, I say that by every million dollars' worth of goods that you purchase in this country you are going to raise the price just that much higher to those who are now unable to buy the necessaries of life.

Mr. MARTIN of Virginia. There is no doubt about the fact that this $100,000,000 would be a mere bagatelle in taking up the surplus foodstuffs the United States now has on its hands.

Mr. BORAH. Mr. President, the Senator from Virginia talks about the surplus foodstuffs. Where are they? In whose possession and control are they? We are informed by the press dispatches that riots have already begun in cities where people are demanding wages and demanding bread. Where is this food which is a surplus? It is in the hands of a very few people. It has been gathered up and is now being held while the people are in need of it.

Mr. MARTIN of Virginia. Statisticians all say there is a large surplus of foodstuffs in this country—wheat, corn, fats of all kinds, bacon and pork, and lard and oils—that all foodstuffs are abundant in this country.

Mr. BORAH. Well, Mr. President, it is an inexplicable situation, if that be true, because if there is an abundance, a surplus, why, in the name of all the gods at once, are the prices such as they are in this country at the present time?

Mr. MARTIN of Virginia. One reason is that the Government has fixed $2.26 for wheat.

Mr. BORAH. The Government has not fixed prices except as to two or three articles.

Mr. LODGE. It has fixed the price of wheat.

Mr. BORAH. We are not discussing the price of wheat alone. There is a vast amount of foodstuffs in this country other than wheat. I know, and other Senators here know, where these vast food supplies and reservoirs of food are. They are not within the reach of the masses of the people of this country; and when you purchase these food supplies in this country you are not benefiting anyone in the way of the masses of the people at all; you are only raising their prices and disparaging their situation, rather than benefiting it.

Mr. PENROSE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia further yield, and, if so, to whom?

Mr. MARTIN of Virginia. I yield to the Senator from Pennsylvania.

Mr. PENROSE. It seems to me that the Senator from Idaho does not grasp the point which I have in my mind.

Mr. BORAH. I may not grasp the point the Senator had in his mind, but I grasped the point I had in my mind.

Mr. PENROSE. I understood the Senator's point to be as to the price fixing for wheat, that the consumer can not get wheat below $2.26 a bushel, because if wheat sinks below that point the Government comes in and takes it. Senators from States where wheat-growing is more a specialty than it is in Pennsylvania—although that is a great wheat-growing State—who may be more familiar with the matter, some of my colleagues in my neighborhood, say I am entirely right. In that case the consumer is not hurt in America by having the Government relieved of some of the surplus wheat. That there is a surplus I take to be granted, because the Department of Agriculture is preparing a bill carrying this enormous sum—$1,200,000,000—to take up the wheat, and the newspaper article I referred to states that the restoration of tonnage suitable for the conveyance of wheat has brought so much wheat into the market that its price is rapidly dropping.

Mr. REED, Mr. ASHURST, and Mr. KELLOGG addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Virginia yield; and if so, to whom?

Mr. MARTIN of Virginia. I think the Senator from Missouri first addressed the Chair, and I yield to him; but I hope Senators will not make long speeches while I have the floor, though I shall be glad to yield for any reasonable question or suggestion.

Mr. ASHURST. I beg the Senator's pardon. I thought he had yielded the floor. I desire recognition for two or three minutes in my own right, as I am compelled to leave the Chamber.

The PRESIDING OFFICER. The Chair will recognize the Senator from Arizona when the Senator from Virginia yields the floor.

Mr. REED. Mr. President, I rose to ask a question. The Senator from Idaho [Mr. BORAH] inquired where these reservoirs of food were. Is it not a fact that the statement has been made that the meats or fats necessary to supply Europe are already on hand in enormous quantities. I am asking the Senator if that is not the case? Has not that statement been made to the committee?

Mr. MARTIN of Virginia. I understand there is a very large surplus of meat.

Mr. REED. And those fats are in the hands of the packers, are they not?

Mr. MARTIN of Virginia. I presume the bulk of them are in the hands of the packers; I do not know.

Mr. REED. My recollection is that the statement was made that there are $50,000,000 worth—perhaps the Senator has the figures——

Mr. MARTIN of Virginia. No; I have not.

Mr. REED. My recollection is—and I hesitate to use the figures, because I did not charge my mind especially with them—that there are $50,000,000 worth of fats on hand.

Mr. BORAH. Mr. President, the Senator from Missouri is about correct. I have the statement here somewhere.

Mr. REED. If that is true, then will the Senator permit me to say in his time that the benefit of the market which is to be made would not go to the farmer, for the farmer has already parted with the hogs out of which the fats are made, but it would go to the packers, and of course the tendency would be to keep up the retail price on similar products in this country? If the packers have $50,000,000 worth of fats on hand, it may explain why bacon is 50 cents a pound, which I think is about the price in Washington to-day.

Mr. LODGE. Mr. President, may I ask a question simply for information?

The PRESIDING OFFICER. Does the Senator from Virginia yield?

Mr. MARTIN of Virginia. I yield to the Senator from Massachusetts.

Mr. LODGE. The question of wheat, I think, is fairly clear, because that was a fixation of price by law; but were not prices fixed by the Food Administration on fats, meats, and other articles? I do not mean by law, but by agreement, as it was called?

Mr. REED. If the Senator from Virginia will pardon me, there was no price fixed even on wheat.

Mr. LODGE. Not strictly, but there was a minimum fixed.

Mr. REED. The law guaranteed a minimum price—

Mr. LODGE. That is what I should have stated.

Mr. REED. Of, I think, $2 a bushel. Is not that correct?

Mr. GORE. Yes; that was for the year 1918.

Mr. LODGE. That is correct; I stated it inexactly, but I know what was done.

Mr. REED. And the Government has not guaranteed anything for the year 1919, has it?

Mr. GORE. The President has, but Congress has not.

Mr. LODGE. Yes; there is no legal guaranty on wheat now.

Mr. GORE. Mr. President, it amounts to a legal guaranty. I will say to the Senator from Missouri that the President, on September 2 last, issued a proclamation guaranteeing, under the law, the price of $2.26 for the crop of 1919. The President had authority to issue such a proclamation, and it amounts to a binding obligation, I think, upon the Government.

Mr. REED. Much as I have tried to keep track of the colors of this kaleidoscope, I have not been able to follow them all. The fact about the pork question, as I gather from the evidence that has been submitted from time to time, is that Mr. Hoover called in the packers and arranged with the packers the price they would pay the farmer, arranged with the packers the price at which they were to sell to the retailers, and arranged with the packers the profits they were to take. As a result of that, the farmers were at one time pretty much in rebellion about the prices they were getting, and the people have been in rebellion. I think, all the time about the prices they have been compelled to pay; but the packer, according to the report filed here by the Federal Trade Commission, if he be not complacent, ought to be, because his profits have been simply astounding. So that we may as well understand that the market that will be made for pork under this provision, will be a market made for that pork which has left the hands of the farmer and which is in the hands of the packers.

Mr. GORE and Mr. ASHURST addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Virginia yield; and if so, to whom?

Mr. MARTIN of Virginia. I yield to the Senator from Oklahoma for a question, but I am not through.

Mr. GORE. I am uncertain whether the Senator from Missouri was in the Chamber when I made a statement a few moments ago.

Mr. REED. I was not in the Chamber at that time; I have just come in.

Mr. GORE. It related to that point. I may say that Mr. Taliaferro, who appeared before the Committee on Agriculture this morning, the vice president of the Hammond-Standish Packing House Co., of Detroit, stated that England has imported a great deal of salted meat, which was not grateful to the appetite of the English people; that they were now not willing to consume it and would not consume it; that it was the purpose to sell this salted meat to the people of southern Europe, to whom it was palatable and who use it. I think, in cooking vegetables; and that the English, by disposing of this surplus supply of salted meat on hand, would create a market in England for more palatable meat.

He also stated that this $100,000,000, he understood, was to be used by Mr. Hoover in creating a market in Europe for packing-house products and stabilizing prices of packing-house products so as to protect the packers of this country against loss. That is the substance of what he said. I ask permission to print in the RECORD an extract from Mr. Taliaferro's statement upon that point.

Mr. JOHNSON of California. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from California?

Mr. MARTIN of Virginia. I will for a reasonable time; but I do not wish to stand here all evening.

Mr. JOHNSON of California. It was difficult for us to hear the latter part of the statement of the Senator from Oklahoma as to the uses to which this $100,000,000 were to be put. The Senator's head was turned away from this side of the Chamber, so that we were unable to hear him distinctly; and, with the permission of the Senator from Virginia, may I ask if the Senator from Oklahoma will again state what the understanding or agreement is as to how this money is to be spent?

Mr. GORE. I will say that a portion of it, according to the testimony of the witness who appeared before the Agricultural Committee this morning, was to be used in stabilizing the market, creating a market for packing-house products, and to stabilize the price of those products, so as to protect the packing houses against a loss as to the meat supply which they have on hand, manufactured from hogs which they purchased at 17½ cents.

Mr. THOMAS. By what authority did he speak?

Mr. JOHNSON of California. Who was the witness?

Mr. GORE. His name is Thomas W. Taliaferro, and he is vice president and general manager of the Hammond-Standish Packing Co., of Detroit, Mich. I have requested permission to have printed a portion of his statement covering this proposition in order that he may be allowed to speak for himself and in order that the exact statement may be furnished to the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The statement referred to is as follows:

[Excerpt from statement of Thomas W. Taliaferro, vice president and general manager of Hammond-Standish Co., of Detroit, before Senate Committee on Agriculture and Forestry January 20, 1919.]

Senator KENYON. You would not be in favor of the Government operating the packing houses even if it bought the business?

Mr. TALIAFERRO. Would I? I would not have anything to say about it. It would not change the principle of the thing.

Senator KENYON. No.

Mr. TALIAFERRO. But I would suggest right there, Senator, that if the Government has any idea of that kind they better wait until they bury the white elephant of the wheat crop of 1920 before they start to work on the packing business, because when they bury that elephant they will not want any more in the shape of the packing business.

Senator KENYON. There are some white elephants on the railroad question, are there not?

Mr. TALIAFERRO. Not only there, but there is a Hog Island and some others that I can mention, which I do not mention—which I do not mention here—and, gentlemen, if you please, I will just finish my statement. There is only a short way to go.

To my mind this bill means ultimate Government ownership and nothing else, and if the Government wants our business, let it take it now, while it is alive and progressive and has an efficient organization, and pay us a fair value for it, and not handicap, disorganize, and rupture it, and then take it as a wreck of its former self.

I know what trying to operate under license would mean, and I want none of it. My business is legitimate and necessary for the country, and I want to run it in my own way, like every other free American citizen operates his business. Why should we have such restrictions thrown around us that would brand us as lawbreakers, either stated or implied?

We are not parties to any agreement in buying our live stock or selling our products.

In conclusion, I wish to emphasize that among all of the essential elements entering into the winning of the war the supplying of meats is the only one that will not cost the Government immense sums of money in burying the white elephant of incompleted contracts and necessarily wasteful methods brought about by haste. The packers supplied the necessary food often on a cost-plus basis instead of a cost plus basis, but you have had no complaint from them. This is patriotism, pure and simple—patting ourselves on the back—and I hope this honorable committee will unite in saying to our industry, "Well done, good and faithful servant, enter into the joys of your reward," and breathe the air of freedom like the nations of Europe whom you helped to liberate.

I am now ready gentlemen, to answer any questions you want to ask.

Senator KENYON. How has the license of the Food Administration worked in your business?

Mr. TALIAFERRO. Has it worked?

Senator KENYON. Yes.

Mr. TALIAFERRO. So far I have no objections. If the present price is maintained and there are not sufficiency of orders forthcoming, the packers are going to be compelled to stand the biggest loss, in my estimation, that they ever stood, and probably a great many of them will be seriously crippled.

Senator KENYON. Just what do you mean by that? Are there great quantities of meat products in the cold-storage houses now?

Mr. TALIAFERRO. At the present time the products, while ample, are pretty well taken care of by allied orders.

Senator KENYON. Do you know anything about the statements made in the paper here the other night that the allies had repudiated their contracts for pork, or their agreement as to pork, and were getting their meat from the Argentine?

Mr. TALIAFERRO. Senator, the British Government is the one you refer to?

Senator KENYON. Yes; that is the Government I refer to.

Mr. TALIAFERRO. They have an enormous stock of meats on hand, primarily caused not by their buying, but having stored last summer, when the dangers of transportation were adrift, a large quantity of meat in salt, which usually would be shipped in borax, accumulating in England meats just because it was meats, with the idea of having it carry as long as possible without refrigeration. This produced a very salty article, and if there is anything in the world that the Englishman dislikes it is a salty piece of bacon, and he will not eat it. But under the stress of war conditions he might possibly have been forced to eat it. However, now that the armistice has been signed, he feels very differently about it, and he will not eat it. And in connection with a great many laboring men being thrown out of positions and their buying power restricted, they have stopped eating it, and the consumption, as I understand it, in December in Great Britain was only about 16,000 tons.

The CHAIRMAN. It ought to have been what?

Mr. TALIAFERRO. About 48,000 or 50,000 tons to be normal.

The CHAIRMAN. Of what sorts of meat?

Mr. TALIAFERRO. Of bacon; that is, of hog meats.

The CHAIRMAN. It looks to me like that would create an extraordinary demand for saltless meat.

Mr. TALIAFERRO. Yes; but their stocks over there are largely undesirable meats for English outlet, and that lessens the demand and keeps these enormous stocks going into the avenues of distribution.

Senator NORRIS. If their stock consists of meat they can not eat, would that not create a greater demand here for meat they could eat?

Mr. TALIAFERRO. The Food Administration in their endeavor to increase production and to conserve the supply did everything possible to curtail the domestic consumption, so as to make these stocks available. The armistice being signed at least 6 months or, perhaps, 12 months earlier than the most ardent patriot expected has produced a condition that is very critical, because we had gone ahead and built and worked for something that we expected to happen in the future, but it has happened right away.

The CHAIRMAN. I do not see this point, Mr. Taliaferro. You say they find, the war being over, that they have got a lot of meat on hand that they would have to keep if the war had continued?

Mr. TALIAFERRO. They would have had to have eaten.

The CHAIRMAN. But that they will not eat now. So this deadhead stuff that they have on hand there which they will not eat and you could not sell looks to me like, to the extent they can not eat it, there would be a demand for more meat.

Mr. TALIAFERRO. But the British Government, owning this meat, will not increase their further orders until this supply is reduced and their facilities enlarged.

The CHAIRMAN. They are trying to force them to eat it?

Mr. TALIAFERRO. They are trying to force them to eat it; they have got to force it, in self-preservation.

Senator NORRIS. Do you think they will keep on that way until the people of England are forced and do eat that meat that they do not want?

Mr. TALIAFERRO. Gradually that will happen. But between now and the time it does something is going to happen to us.

Senator GORE. They want to take care of the $100,000,000 that is to be sent there as far as they can?

Mr. TALIAFERRO. I understand that is a part of the use England makes of that $100,000,000 revolving fund.

The CHAIRMAN. They are going to give these folks meat that they can not eat?

Mr. TALIAFERRO. I understand they are going to relieve themselves of part of it.

Senator KENYON. Are we going to buy part of it?

Mr. TALIAFERRO. No. This meat, while salty, is perfectly agreeable and highly prized by southern European nations. They like their meat salty, because they boil it with vegetables.

Senator NORRIS. This meat could be sent to Italy?

Mr. TALIAFERRO. And the Czechs.

Senator NORRIS. And the Czecho-Slovacs, and it would be very acceptable to them?

Mr. TALIAFERRO. Most certainly, but they have not the money.

The CHAIRMAN. And England would send it to those people instead of forcing it down the throats of their own people?

Mr. TALIAFERRO. They have not the money. These people have something to eat, and they have not the money with which to buy it, and we have the meat and we do not want to send it without the money.

The CHAIRMAN. You have the meat and money both?

Mr. TALIAFERRO. Exactly so.

Senator KENYON. And we are to send them the money to buy the meat?

Mr. TALIAFERRO. Sending them the money to buy the meat; we have been doing that right along.

Senator NORRIS. They have not the money, but want to buy this salty meat, and we are to send them the money to buy it with?

Mr. TALIAFERRO. They have not the credit.

Senator NORRIS. Who is going to buy this?

Mr. TALIAFERRO. I understand from the newspapers that Mr. Hoover is making some arrangements, of the details of which I am not advised.

The CHAIRMAN. Do you know anything about the ration of meat and bread he is furnishing these people?

Mr. TALIAFERRO. No, Senator; I do not.

Senator GRONNA. In reality there is an oversupply of meats at the present time?

Mr. TALIAFERRO. There is an oversupply immediately available for the amount of consumption that is apparent.

Senator KENYON. And if we do not get rid of that oversupply the packers are going to be in a bad way?

Mr. TALIAFERRO. They are going to be compelled to stop. We are only operating in one door and carrying it out the other. If any link of that chain is broken, the weakest one, the whole thing stops.

Senator GRONNA. Has that oversupply caused any change in prices?

Mr. TALIAFERRO. Has it made any change in prices?

Senator GRONNA. Yes.

Mr. TALIAFERRO. Not yet, Senator; but it is likely to make an awful change in prices if the outlet is stopped. If you dam the river up at its outlet instead of its source, you are going to have trouble.

The CHAIRMAN. You figure if this meat can be used and disposed of to the southeastern Europeans that that demand will relieve this congestion of meat and it will enable the packers to keep running and supply the demand for fresh meat in England?

Mr. TALIAFERRO. It will; that is the secret of the whole thing, Senator, that the continuity of events must not be interrupted in any one particular, not from the producer on the farm to the consumer in Europe.

Senator KENYON. If they did not get the consumer in Europe and these products were thrown upon the market the consumer would get meat a little cheaper, would he not?

Mr. TALIAFERRO. He certainly would.

Senator KENYON. But you think it would make a smash among the packers?

Mr. TALIAFERRO. It would make a smash among the producers and packers, too.

Senator KENYON. Both together?

Mr. TALIAFERRO. You can not pare that potato without taking off something from each fellow. Everyone will have to suffer if that happens. The apparent suffering will be, of course, on the man who owns the biggest amount of product, which will be the packer. The packer has no guaranty that this stuff he is paying 17½ cents for is going to be taken off his hands. There is no guaranty. The Food Administration has not given us a guaranty on that. They have just told us, "Go ahead. You are a patriotic bunch of fellows, and pack these hogs on the basis of 17½, and we are going to get orders for you." But they do not give us any insurance policy.

The CHAIRMAN. Mr. Hoover was instrumental in giving those assurances?

Mr. TALIAFERRO. I want to say one thing for Mr. Hoover; that I have been under him—in connection with the license—and I have seen that gentleman under the most adverse circumstances, the most trying circumstances, and I want to say that he is one of the grandest men I know of; that he has done more good to the producers of this country than any other man in the country.

The CHAIRMAN. The packers pretty generally agree in that opinion?

Mr. TALIAFERRO. I do not know. They know worth when they see it.

Senator KENYON. Was meat and money the only things he talked over with the packers?

Mr. TALIAFERRO. It has all been a matter of our risking our money against their promise of their ability to relieve us of the product.

Senator KENYON. Do you not think now, with Mr. Hoover over there insisting on this $100,000,000, that he is keeping faith with you?

Mr. TALIAFERRO. I certainly do, or I would not be buying hogs; and I will go the limit on what he says, and that is the reason I am spending my good money on hogs. I know I will lose a lot of money on it if anything should slip.

The CHAIRMAN. You do not think there is any "white elephant" thrown out to the packers in the way of a guaranty?

Mr. TALIAFERRO. They have not guaranteed us.

The CHAIRMAN. But they let you make 9 and 15 per cent.

Mr. TALIAFERRO. They let us make 1 per cent; that is what they let us make.

The CHAIRMAN. On what?

Mr. TALIAFERRO. On our business.

The CHAIRMAN. On your turnover?

Mr. TALIAFERRO. On our turnover.

The CHAIRMAN. What did you make on your capital stock last year?

Mr. TALIAFERRO. We made $117,000, is what we made on $21,000,000 worth of business.

The CHAIRMAN. I do not mean that. The $21,000,000 is not the point of my inquiry. What is the amount of your capital stock?

Mr. TALIAFERRO. Our capital stock is $884,000.

The CHAIRMAN. And you made $117,000 on it?

Mr. TALIAFERRO. Yes; and an odd $3,000,000 you want to figure in.

Senator GRONNA. That $117,000 was net profit?

Mr. TALIAFERRO. That is net; yes, sir; and if it had been much less there would not have been any net. I was saying that we did $21,000,000 worth of business and only made $100,000.

Senator GRONNA. That is more than 12 per cent.

Mr. TALIAFERRO. On what?

Senator GRONNA. On $800,000 capital stock.

Mr. TALIAFERRO. But you must take my borrowed money in with it.

Senator GRONNA. After you pay interest. You have paid the interest. That is all figured in. You were saying here that that is net?

Mr. TALIAFERRO. After paying interest on borrowed money.

Senator GRONNA. Certainly.

Mr. TALIAFERRO. Why, sure.

Senator GRONNA. That is all taken into consideration.

Mr. TALIAFERRO. I pay wages, too, do I not, Senator?

Senator NORRIS. But you do not pay the wages out of the 12 per cent; but after paying the wages you had left 12 per cent.

Mr. TALIAFERRO. No; I would have been paying laborers wages yet if I had tried that.

Senator GRONNA. Are the income taxes included, and you still have $117,000 net?

Mr. TALIAFERRO. I think our actual——

Senator GRONNA. I mean after the income taxes have been paid.

Mr. TALIAFERRO. Twenty-five thousand dollars income taxes are to be paid.

Senator GRONNA. I think that is a very fair question. I would like to know if the income taxes are included in expenses, after paying which it leaves you $117,000?

Mr. TALIAFERRO. It was not included in expenses, but written off as reserve.

Senator GRONNA. That is the same thing.

The CHAIRMAN. A hundred and how many thousands?

Mr. TALIAFERRO. Let me give you the actual figures, as long as we are getting down to it. This is our 1918 statement—$117,000, as near as I can remember.

The CHAIRMAN. Does that include or exclude income tax and your war or excess-profits tax?

Mr. TALIAFERRO. That figures what we carried to our surplus account.

Senator WADSWORTH. Taxes paid?

Mr. TALIAFERRO. Taxes paid.

The CHAIRMAN. How much was your corporation income tax?

Mr. TALIAFERRO. Income tax—we do not know yet, but probably in the neighborhood of $25,000.

The CHAIRMAN. And your excess or war-profits tax will be how much?

Mr. TALIAFERRO. I do not know. We only wrote off $25,000 to cover our war-profits taxes; there will not be any profit tax.

Senator NORRIS. That means you set aside $25,000 to pay those taxes, and after you had done that you had 12 per cent?

Mr. TALIAFERRO. Oh, no; I said we had a little over 1 per cent on the business we did.

Senator NORRIS. On the capital stock. I'm talking about.

Mr. TALIAFERRO. On our capital stock?

Senator NORRIS. Yes. After you had set aside the $25,000 to pay taxes, you still had $117,000 net profit. Was that it?

Mr. TALIAFERRO. We carried to surplus about $117,000.

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Senator KENYON. When this matter occurred that you speak of with Britain, did you packers have a meeting with Mr. Hoover about it, along in October last?

Mr. TALIAFERRO. We have had a number of meetings with him, Senator.

Senator KENYON. Did you not have one meeting with him to talk over that matter of large pork products on hand in connection with Britain?

Mr. TALIAFERRO. Yes; we had.

Senator KENYON. That meeting was in October last, was it not?

Mr. TALIAFERRO. Yes.

Senator KENYON. And did Mr. Hoover at that time tell you he would do what he could to stabilize the situation?

Mr. TALIAFERRO. He always has taken that position.

Senator KENYON. And when he went abroad, did you understand he was going to try to work out some plan to do that?

Mr. TALIAFERRO. I did not know of that meeting that he intended to go abroad, but I afterwards understood from the papers that he was abroad, and from the reports in the trade that he had gone abroad.

Senator KENYON. That question was discussed at that meeting?

Mr. TALIAFERRO. The question which was discussed at that meeting was the available number of orders in pounds that might be forthcoming.

Senator KENYON. From abroad?

Mr. TALIAFERRO. From abroad, to counterbalance the expected receipts of hogs, which would probably be about 25 or 30 per cent, as we figure, increase over last year.

Senator KENYON. And this question of keeping faith with the packers on the prices they have paid for hogs, that was discussed?

Mr. TALIAFERRO. Being paid?

Senator KENYON. If there was not some way to dispose of the products, the packers would have these products and lose great amounts of money?

Mr. TALIAFERRO. Oh, surely; that was the basis on which the discussion rested.

Senator KENYON. Who was present at that meeting?

Mr. TALIAFERRO. Well, there were representatives of the different packing houses, I suppose 25 or 30 or maybe 40, and about 25 representatives from the producers or producers' committees, or something on that order; ex-Gov. Stuart was one.

Senator KENYON. What committee did he represent?

Mr. TALIAFERRO. I think he is a sort of chairman of the agricultural advisory committee.

Senator KENYON. Was any plan decided on at that time?

Mr. TALIAFERRO. Yes; it was agreed that the prices of hogs, as far as possible, would be maintained, I think at 17½ cents basis. I think that is the meeting at which we agreed that if we had these orders we would be able and would pay 17½.

Senator KENYON. What was the discussion at that meeting about the nation of Great Britain?

Mr. TALIAFERRO. At that meeting, Britain as I remember now, had in hand a very heavy order for provisions; I think in the neighborhood of 179,000 tons.

Senator KENYON. Of meat?

Mr. TALIAFERRO. Of meat and lard; that is, they had that at that time and did later place it.

Senator KENYON. What I asked you about was this: I understood you to say there was a discussion of Britain's action as to canceling contracts for pork. Was there anything about that?

Mr. TALIAFERRO. Britain, to my knowledge, has never gone back on or canceled a contract since that Government was established, and it never will.

Senator KENYON. You misunderstood me a while ago or I misunderstood you. I understood you had a meeting because of this situation that had arisen over cancellation of contracts. I do not know whether they canceled contracts. I share in your estimation of Britain.

Mr. TALIAFERRO. No, Senator, they did not cancel any contracts, but they said at that meeting they expected the orders would continue. We had been operating on that basis, and the operations fell off.

Senator KENYON. I saw in the paper that they were canceling contracts.

Mr. TALIAFERRO. The paper was wrong.

Senator KENYON. They expected to keep on ordering?

Mr. TALIAFERRO. They expected; I feel sure they honestly expected to have these additional orders.

The CHAIRMAN. But simply did not make contracts that you expected they would make?

(No response.)

Senator KENYON. There were no contracts broken. I do not think Britain is breaking any contracts.

Mr. TALIAFERRO. Britain would not break contracts.

Senator KENYON. That situation has arisen now, with all this surplus, and you must find a market for your surplus?

Mr. TALIAFERRO. We have to have a market for our surplus.

Senator KENYON. And this $100,000,000 will help to find a market for your surplus?

Mr. TALIAFERRO. $100,000,000 does not go very far. That is a revolving fund, and therefore it merely takes up the slack between the producer and the consumer—between the packer and the man who eats the meat in Europe. That revolving fund can be used over and over again as long as it only covers the slack between the packer and consumption there.

Senator KENYON. Of course, it can be used longer as a revolving fund than if it is absolutely given away.

Mr. TALIAFERRO. And if it is used as a revolving fund I should say it would help the situation very much.

Senator KENYON. It would not help very far if given away.

Mr. TALIAFERRO. It would not help very far if given away and no returns came back from it. But my understanding is that it is being used as a revolving fund; the meat goes to the people, and they in turn will present securities or money value that can be cashed or used again in getting more supplies.

Senator KENYON. Where did you get that understanding?

Mr. TALIAFERRO. It is my own personal understanding. That is what I naturally would understand or figure that if I had anything to do with it; that is, that would probably fit the case.

The CHAIRMAN. That will let you out on your 17½-cent contracts?

Mr. TALIAFERRO. We have an agreement to pay 17½ cents for hogs, and other markets in proportion to that, until the 1st of February.

The CHAIRMAN. And that will take care of the stocks which you have on hand which you purchased on that basis, and also take care of the producers which are selling in the meantime?

Mr. TALIAFERRO. Yes; to a large extent. I do not think it will do it, but it will act as an insurance policy for a large percentage of the profits that to-day has been put down under the 17½ cents.

The CHAIRMAN. If this were a larger revolving fund, it might be able to keep the prices of flour up so as to obviate this "white elephant"?

Mr. TALIAFERRO. Oh, no. You would have to have a revolving fund of a billion dollars.

The CHAIRMAN. That is too big a white elephant.

Mr. TALIAFERRO. There is not any place around here where you can bury it.

The CHAIRMAN. That white elephant crept in because of violation of fundamental laws of supply and demand?

Mr. TALIAFERRO. That crept in because you signed the armistice the 17th of November instead of the 17th of next July.

The CHAIRMAN. And if you have to jump that much, it is not very good economy after all.

Mr. TALIAFERRO. It is not anybody's fault, and I had rather see the Government pay it than not to have the wheat if we needed it.

The CHAIRMAN. I will not go into that, but we might have obviated it if we had let the people get what their wheat was worth in 1917 and 1918 and let them get what it is worth this year.

Mr. TALIAFERRO. We did not know what wheat would be worth to us. Wheat is worth a whole lot to a man who is starving; and if our armies over there needed wheat I would be in favor of giving it to them if it cost $10 to raise it and give it to them.

The CHAIRMAN. The farmers would raise it at $10.

Mr. TALIAFERRO. And would not think he got enough for it if he got $10.

The CHAIRMAN. I think the farmer has been about as conservative as the packers or anybody else in estimating their receipts.

Mr. TALIAFERRO. They are the best posted men in this country to-day. They do not need anybody to help them.

Mr. GORE. I also ask permission to have inserted in the RECORD an article from the Washington Times of the same import.

The PRESIDING OFFICER. Without objection, it is so ordered.

The article referred to is as follows:

REAL REASONS WHY PRESIDENT ASKS PASSAGE OF FOOD BILL.

The real reasons for the insistence by President Wilson on the immediate passage of the appropriation of $100,000,000 for food for Europe became apparent to-day, when the following facts were learned:

1. There are 36 cargoes of food of a value of $55,000,000 already in Europe or on the way, and not one pound of them can be used until the United States Treasury has sufficient guaranty that all the shipments will be paid for.

2. Great Britain, whose contracts have been in large part the basis of Government fixed prices for pork products in this country, has suddenly and unexpectedly suspended all orders which were scheduled for January shipment.

To throw all this pork on the American market would ruin all but the strongest packing houses.

WOULD AVOID UNREST.

The real reasons for the Presidents' insistence are to avoid the spread of unrest in starving Europe by providing food and to avert an industrial and financial disturbance in the United States by furnishing an outlet for the immense store of pork products now in hand.

Members of both House and Senate have been demanding more explicit instructions regarding the President's request. They have been unable to understand why the President has been so insistent and why he wanted the appropriation rushed through Congress and made immediately available.

If the Senate agrees to the hundred million appropriation—it has passed the House—the President will use more than half the amount in saving the 36 shiploads of food already available and will not have to await the shipment of other cargoes from this country.

Right in the shadows of the warehouses, bulging with their stores and the docks groaning under the weight of their fresh food supplies from America, tens of millions of men, women, and children who survived the war are to-day facing death or disease from starvation and their governments are facing demoralization before the mad onrush of the Bolshevik.

LARGE SHIPMENTS READY.

On this side 500,000,000 pounds of pork and pork products are ready for shipment; so much meat has piled up at many important Atlantic ports that an embargo has been necessary to prevent further congestion.

When word was flashed over the wires to the packing industry that England had failed to "come through" and make good on her orders, 50 representative meat packers from all parts of the country hurried to Washington for conferences with the Food Administration officials.

Last October they entered into a gentlemen's agreement with the Government to maintain a minimum price of 17½ cents a pound for hogs.

The farmers had been appealed to through every known medium to raise more hogs, both from patriotic and monetary motives.

WILL MAINTAIN PRICE.

In establishing a high price the Food Administration, the Department of Agriculture, and the packers offered a bonus to increase production. Now that the farmer has gone ahead with what amounted to a guaranty by the Government of an extra reward and raised more porkers than this country had ever before had, this Government is going to try to maintain the price.

The packers, through their official organ, the National Provisioner, say that "it has been suggested that it is to the financial advantage of Great Britain to allow matters to lag a trifle. As stocks pile up in this country the tendency will be toward a price break in order to avoid loss."

"It is a question of honor," they point out, "and it is believed that the British will 'come through' and make good on their orders."

When the packers agreed to maintain the 17½-cent minimum price for the month of January, it was with the understanding that there would be Government and foreign orders sufficient to make it possible for them to pay that price and still do business.

The foreign orders failed to develop when England announced she wanted no more American pork products, but would raise her own.

PACKERS SEE CRISIS.

The packers foresaw that unless Government assistance was forthcoming ruin stared them in the face; institutions in which they held securities would go down with them; small packers would be forced out of business; pork products would glut the market and would have to be sold at a loss; other meat products would automatically drop and a financial crisis would be on.

Minimum prices fixed by the Government were not binding, but under the circumstances the acceptance of them by the packers made them operative and almost as effective as if they had been binding. The same prices were also effective in all the allied nations, since they were based on a scheme through which the world's pork supply was jobbed.

The high Government official mentioned above, who, because of his position, asks that his name be withheld, holds that the present situation is brought about as a result of what he calls "the old-time selfish English commercialism."

SEES BRITISH COMPETITION.

He said that, in effect, it means that English commercialism is coming to the fore to repudiate a pledge of honor and to say to the United States, "We will not abide by your food rules—we will fix our own prices—we will reap our own profits—we will be your competitor."

"German commercialism wrecked Germany," the Government official declared. "It was selfish; it was rotten; it was too much for this age. It had the German people fooled.

"We are now having to deal with a brand of commercialism that is worse than Germany ever dreamed of; it is English commercialism. You may go back as far in her history as you like and you will find it.

"Mr. Hoover is having the very devil of a time over there trying to make England carry her end of the burden and play fair. We can only hope that she will come around shortly.

"There are now 36 shiploads of food supplies either already docked or about to be docked in European ports, but not a pound of them can be used to relieve the millions of starving people over there unless financial arrangements are made to satisfy the demands of the United States Treasury.

SAYS ENGLAND LAID DOWN.

"England has laid down on her agreement to take certain shipments of pork products. Much of the shipment in question is pork and pork products. It was sent over under the assumption that England would continue to make good her orders.

"These 36 shiploads of food represent $55,000,000. The President is familiar with the situation.

"It was this, among other things, that caused the President to be so insistent in getting an appropriation of $100,000,000 for immediate relief in the allied countries. The food is already over there. He needs the money to pay for it before it can be distributed."

At no time since America first cast her lot with the allies, the Government official declared, has coordination between England and America in regard to food been more urgent.

During the past year England has taken from this country double the amount of pork products of France and Italy combined.

If Serbia, Poland, Armenia, and some of the other weaker nations had some sort of organized government machinery with which to handle credits, much of the record-breaking pork supply of this country could be cared for, the official said.

WHITE SENSED GRAVITY.

Henry White, member of the American peace delegation, apparently sensed the gravity of the situation when he sent a cable message to Congress voicing the same sentiments expressed in the cable appeal of the President. Among other things Mr. White's message said:

"Aside from the stoppage of bolshevism, I understand there is in the United States considerable surplus of food accumulated at high prices, maintenance whereof guaranteed by our Government or assurance under its auspices, and it is necessary to dispose of this surplus in order to relieve warehouses and financial facilities as well as prevent serious fall in prices, with radical break in market, which would cost our country more than the appropriation asked for.

PACKERS IN WASHINGTON.

Under the caption, "Meat-export embargo disturbs the trade," the National Provisioner, official organ of the American Meat Packers' Association, carries the following article in its issue of January 11:

"Some 50 representative meat packers from all parts of the country having interest in export orders met with Food Administration officials in Washington on Wednesday of this week to discuss the congestion in the export situation caused by the stoppage of British shipments.

"When the packers agreed to a continuation of the 17½-cent minimum price on hogs for the month of January, it was with the understanding that there would be Government and foreign orders sufficient to make it possible for packers to pay the 17½-cent minimum price and still do business. Continuation of high live prices, asked as a means of satisfying the producers, was to be made possible by Government and allied support in the export market so as to make operations possible.

"The foreign orders promised for January have not developed, and meats packed on this expectation have piled up at Boston, New York, and Philadelphia awaiting shipping instructions until the congestion reached the point where the Railroad Administration declared an embargo on such shipments by rail to these ports.

"The situation became critical, and the packers' committee went to Washington to confer with the authorities. At the Wednesday conference, with about 50 packers present, Mr. Snyder, for the Food Administration, explained that his office had recently received word from the British food ministry in the United States to the effect that all orders for pork products for which Great Britain was responsible and which were scheduled for January shipping had been suspended.

SMALL VOLUME OF ORDERS.

"As a result there are definite orders on hand for January covering but 89,000,000 pounds of pork products, against which the packers are offering 500,000,000 pounds. In addition to the definite orders on hand the Food Administration believes that the foreign buyers will actually take during January enough more to bring the total up to 473,500,000 pounds.

"In commenting on the present situation Mr. Snyder said he firmly believed that the potential demand for our pork products in Europe was greatly in excess of the domestic supply.

"He stated that many of the foreign nations, especially the smaller nations, are in bad shape financially. This does not include Great Britain, France—which has a credit balance in this country—and Italy, which has a credit balance in that country.

"Holland's finances are satisfactory, but she has not yet satisfied the allies as to her intention to observe the regulations governing resales to enemy firms. Even now, in advance of the peace congress, the matter of an exchange of commodities with Germany is under discussion, potash probably being the material with which she will obtain food during the coming winter.

"Food Administration officials made no secret of their disturbance at the action of the British authorities. They have drafted a letter to the British food ministry in the United States, which will be cabled to London, and may ask Mr. Hoover to reenforce their action by cabling him the sense of this meeting.

SUGGEST PACKERS COMBINE.

"They have suggested that packers take joint action under the Webb bill, in manner similar to that recently taken by the textile industry. The wool and cotton men, acting together, have sent a man to Europe to act for them collectively.

"To complicate matters, the War Trade Board on Wednesday put on the free list four Scandinavian neutrals. This may tend to demoralize the market, and an effort will be made to have licenses so worded as to protect the market and the allotment packers who have been cooperating with the Government.

"Food Administration officials admitted that the packers as a whole had made less than the 9 per cent permitted them under the Government regulation of their profits; that there was available sufficient shipping space to handle the full amount of meat; and that while there was probably ample freezer space available, there would be even more as soon as beef commenced to move more rapidly.

"It has been suggested that it is to the financial advantage of Great Britain to allow matters to lag a trifle. As stocks pile up in this country the tendency will be toward a price break in order to avoid loss. It is a question of honor, however, and it is believed that the British will 'come through' and make good on their orders. It is believed that the next 10 days will see a change for the better in the situation, and that everything will be all right before the first of next month. Already slight relief has been given by allotment orders from the new European relief commission. The total is small, however.

"Packers who spoke on the subject stated that adequate relief must soon be given or they would be forced to greatly reduce killing. They mentioned the bad effect on export trade of the Atlantic seaboard tie-up, and asked that the Government be requested to hold out for giving American packers the advantage of freedom among neutrals of the right of resale.

"It was evident that all the packers were ready to 'go the limit' to help the Government and to keep their word on the hog-price matter, but that they also expected the Government to protect them to the extent of promises made, on the basis of which they had undertaken to operate."

Mr. MARTIN of Virginia. Mr. President, nobody on earth has any right to say that any part of this money is to be used to stabilize the market anywhere. The bill speaks for itself.

Mr. NEW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Indiana?

Mr. MARTIN of Virginia. I will yield for a question.

Mr. NEW. It is not a question, but I shall not intrude long on the time of the Senator. As I understand, the question before the Senate is the amendment offered by the Senator from Pennsylvania [Mr. PENROSE], and in that connection the Senator from Virginia either read or caused to be read a statement by Mr. Hoover to the effect that the money to be expended for food supplies is to be spent in the United States, at least I so understood. Mr. President, that prompts the retort that that is only the word of the gentleman giving it and is bound by no legal obligation or anything of that sort; it may be set aside or broken in a moment. I do not mean to reflect on him. He no doubt intends to keep his word.

But if it is the purpose or wish of the Senate that that point should be safeguarded and that the money should be spent in the United States, it is very much better to trust to the substance of the law than to the shadow of a promise. I recall, as every other Senator here does, I presume, that in the early days of the bond issues we were told by the War Department and by the Treasury Department that every dollar that was raised from the early liberty loan was to be spent in the United States for munitions, ammunition, explosives, and articles of a similar kind. At the direction of the Treasury officials and the War Department officials I went out, as nearly every other Member of this body did, I presume, and said to the people to whom we were undertaking to sell those bonds that the money was to be spent in the United States. It is a matter of common knowledge that a great proportion of it has been spent abroad; that supplies were bought in England, France, and all the countries of Europe, except those with whom we were at war, to the amount of hundreds of millions of dollars. I have no doubt that it was the intention of the authorities at that time that that money should be spent in the United States, but it was not so spent; and there is no more reason why this guaranty now given by Mr. Hoover should hold good than there was that the guaranty given by the Treasury authorities and the War Department authorities in those days should hold good.

Mr. MARTIN of Virginia. Mr. President, the extract which I read stated—I will read it again—

> Allies are willing and anxious to do all they can, and have and will contribute to the full extent of their resources, but it must be borne in mind that most of the food must be purchased in the United States, and American money would be used for such purchase and transportation.

Now, as to meat foodstuffs, I do not know of any place in the world where there is a surplus except in the United States. There are other places where wheat may be procured, but we have a large surplus of meat products.

Mr. PENROSE. Do I understand the Senator to accept my amendment?

Mr. MARTIN of Virginia. I do not; I have not indicated such a purpose, and I can not imagine why the Senator should conjure up in his imagination any such idea. I have not alluded to it.

Mr. PENROSE. I thought it was so closely in harmony with the persuasive utterances of Mr. Hoover that the Senator would cheerfully accept it.

Mr. MARTIN of Virginia. I do not accept it. The Senate can do with it as it sees fit. So far as I am personally concerned, I am unwilling to do an act of charity or benevolence in the attempt to save starving people from death, and accompany it with the statement that if we act at all we must make a profit out of the transaction. I say it would be unfortunate for the Senate of the United States to attach a profiteering condition to a donation to save starving people.

Mr. PENROSE. Mr. President, one more word and I will not interrupt the Senator further. How does it make it a profiteering arrangement to require that wheat, which the Government is compelled to buy at $2.26 a bushel, shall be bought by this revolving fund if any wheat is needed to send to Europe?

Mr. MARTIN of Virginia. They may be able to get it cheaper elsewhere; and I say it is profiteering when you fix an arbitrary price. I do not know whether it can be purchased any cheaper or not; I do not know whether they will come here for it or not; I hope they will. I believe this market affords the best opportunity for them not only to buy meat stuffs but breadstuffs.

Mr. CURTIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Kansas?

Mr. MARTIN of Virginia. I yield.

Mr. CURTIS. May I suggest that Mr. Glasgow testified that the grain corporation of the United States Government had 143,000,000 bushels of wheat on hand now?

Mr. MARTIN of Virginia. I remember that; and I have stated that there was a very large amount of wheat in the elevators and granaries held and owned by the Government of the United States for which they paid $2.26 a bushel.

Mr. PENROSE. What objection is there to sending that wheat to these sufferers in Europe?

Mr. MARTIN of Virginia. I am very willing to have them come here and buy it, but I am not willing to say, "I will donate something to save you from starving, provided you will buy my wheat at prices greater than you can get it for from other people."

Mr. PENROSE. The Senator does not mean to express the idea that we are really going to be paid for these foodstuffs?

Mr. MARTIN of Virginia. I have not any doubt of it, with very slight exceptions. The amount appropriated is to be used as a revolving fund. Some little of it will be lost, used in charity, but for the great bulk of it we will have the obligations of foreign countries, and we will get the money back. The Senator, however, wants not only to get the money back, but he wants to be assured of getting a profit; he wants to do a profiteering business. I thought war profiteering was not in much favor among the people of this country, but the Senator is holding on to it with great tenacity, and he wants to donate money to relieve people from starvation, provided they will pay him a big profit.

Mr. PENROSE. Mr. President, will the Senator permit me?

Mr. MARTIN of Virginia. I yield to the Senator.

Mr. PENROSE. Will the Senator accept my amendment if I restrict it to those supplies for which the Government of the United States is not repaid?

Mr. MARTIN of Virginia. I do not think any such amendment as that ought to go in the bill. It might all be repaid; I do not know what part will be repaid, but we are assured that most of it will be repaid. There will be some little loss in charity—that is the information we have on the subject—but I think we ought to do it freely, generously, and voluntarily. If we are going to relieve these people from starvation, we should take the foodstuffs and hand them to them, and the governments under which they live can repay it if they desire to do so; but I am not willing to put them on terms to pay any particular price for any commodity which we are to sell.

Mr. ASHURST. Mr. President, I wish to say at the outset that I have no sympathy whatever with the assaults that are now being made on Mr. Hoover. He may be a Republican, he may be a Democrat; I care very little about that. I think he is a citizen of the United States; and if he is, the United States may well be proud of him. But he is a citizen of humanity; he is a citizen of the world.

I expect to vote for this bill. I regard it as simply an act of charity. If we pass this bill it will be simply a ladling out of bounty and charity to distressed people.

The distinguished Senator from New Hampshire [Mr. HOLLIS], who has just returned after a sojourn of some months in Europe, and who attended the sessions of the interallied council on finance, who handled the subject of foreign loans and rendered great service to this country and to the allies, said in his statement before the Committee on Appropriations:

> I consider that Bolshevism is like a boil on a diseased system. It indicates something wrong.

Mr. President, that is true. Bolshevism is a boil that should not be nourished but should be lanced. The so-called Lodge amendment to this bill has improved it immensely. I am opposed to feeding anything but hot lead to murderous Bolshevists, anarchists, and others who seek to destroy the civilization which has been built up on this earth after so many sacrifices and so much painful labor. I would not vote for this bill if I thought one dollar of the money appropriated by it would be spent among those brutal Germans who sank to the bottom of the ocean millions of tons of foodstuffs. Consider that the Bolshevists, so I am told on responsible authority, allowed 4,000,000 pounds of meat at one point to spoil because they were too lazy and indolent and trifling even to bring it in where it would not be contaminated and ruined. Talk to me about feeding Bolshevists that have not energy and nerve and industry enough to save the foodstuffs they already have!

With perfect respect to the eminent chairman of the committee who reported the bill, the Senator from Virginia [Mr. MARTIN], I think all this talk to the effect that we are going to get back every dollar of this appropriation is without foundation. In my judgment not a dollar of it will be paid back. It is a charity, a bounty, a gift. But better no charity, better no bounty given at all, than that given grudgingly. People do not appreciate that hospitality which is grudgingly extended.

I repeat, while I am for the bill I am under no delusions in regard to it. There are no rainbows in my spectacles. I know that this is for charity; and as such, in view of the perilous position in which the world now is, I am inclined to favor the bill. But, Mr. President, while charity is a beautiful thing, while mercy is a beautiful thing, charity and mercy do not build governments nor make a people strong and great. It is justice that does that. It would not be justice, it would not even be real charity, to feed the peoples in the former German Empire. It would neither be justice nor charity to feed the Ottoman Turks; neither justice nor charity to feed any of those within the recent Austro-Hungarian Empire. Do you think I am going to vote a dollar of American money to feed a Bulgarian, who if he comes to our shores will come to destroy and not to enjoy our institutions?

While we are doing charity I am going to assist, in so far as my vote is concerned, on the main bill, and I shall vote for the bill even if my amendment is defeated. Let us also do justice, which is better than charity. Justice will build governments. Justice will sustain governments. Over in Europe now there are 1,800,000 American soldiers. How long they will be kept there, inscrutable fate can not tell. Even she does not know; but they are there. They should be brought home at once. The Army here is being demobilized; bring home our overseas troops. The young Americans who hurled back the Hunnish brute and rescued us from the sword of the Turk and from the infamy and the atrocity of the Bulgar and from the Magyar should have justice. So, Mr. President, while we are dipping our hands into the Treasury and ladling out charity to those who do not understand our institutions here, who do not understand civil liberty, let us do justice to those whose valor and energies have preserved civilization.

Here is an amendment which I am going to propose, and I hope it will be adopted, viz:

> Add a new section, as follows:
>
> That every soldier, sailor, and marine in the Army and the Navy of the United States, upon receiving an honorable discharge, shall be entitled to keep and retain as his own property the uniform and overcoat and other articles of apparel he is wearing at the time of his discharge, and that no debit nor charge whatever against him shall be entered by reason of his so retaining such uniform, overcoat, and other apparel.

The next item will call for an expenditure of about $360,000,000. But are you going to pause in doing true justice; are you going to vote $100,000,000 for charity but nothing for justice? To resume:

> And there shall be paid to every soldier, sailor, and marine full pay for 90 days next ensuing after the date of his honorable discharge.

We would not have any charity to dispense; we would not have any Treasury from which to draw; we would not have any schools or churches; we would not have any ships or

harbors, or temples of learning, or temples of religion, or homes, or aught else to make life worthy had it not been for the valor and the sacrifice of these American soldiers, who gave up the opportunities of civil life, who gave up their gainful occupations, and by their strength saved this Nation so that it might have food to dispense to other peoples.

It seems to me therefore that while mercy and charity are beautiful attributes, wonderful things, that go to help sustain a liberty-loving country, the main question is lost sight of. The soldiers who helped us, the soldiers who themselves preserved our liberties, who made it possible that we could be charitable, bountiful, and magnanimous to other nations, are being entirely overlooked, just as a Chinese gambler on the Pacific coast would overlook a "white chip," if you know what that means.

So I will ask for the yeas and nays upon this amendment.

I had it in mind to offer an amendment providing for six months' pay to every soldier, but that would be too heavy a drain upon the Treasury at this particular time, although it would be nearer justice to the soldier.

Mr. President, that constitutes all that I have to say upon this subject. At the proper time I will offer the amendment; and I ask now that it may be printed for the discussion of the Members.

The PRESIDING OFFICER (Mr. KING in the chair). The Senator from Arizona offers an amendment which will be stated.

Mr. ASHURST. I just tender it, and ask that it may be printed, Mr. President. I will offer it later.

The PRESIDING OFFICER. Does the Senator offer it as an amendment to the pending bill?

Mr. ASHURST. No; I understand that I can not offer it now. I simply tender it, and ask that it may be printed; and at an early time I will offer the amendment.

Mr. THOMAS. Mr. President, for the purpose of removing any uncertainty regarding the President's price-fixing order of February 21 of last year, let me read the concluding sentence of the order:

> The sums thus determined and fixed are guaranteed by the Government of the United States at the respective principal primary markets of the United States above mentioned to every producer of wheat of any grade so established under the United States grain-standards act, upon the condition that said wheat is harvested in the United States during the year 1918 and offered for sale before the 1st day of June, 1919, to such agent or employee of the United States, or other person, as may be hereafter designated, at any one of the above-mentioned cities, which are, for the purposes of this act, hereby declared to be the principal primary markets of the United States, and provided that such producer complies with all regulations which may be hereafter promulgated in regard to such guaranty by the President of the United States.

From which it will be seen that this guaranty applies to the crop of 1918 if it is marketed by the 1st day of June next, and to that only.

Mr. LEWIS. Mr. President, I direct the Senate's attention for a few minutes to a phase of this measure which I fear we are overlooking, or failing to contemplate, because of the many conflicting collateral questions which have been intruded upon the measure.

This bill has been explained with fullness by the able chairman of the Appropriations Committee. He does not need the aid of anyone; but in my opinion its passage, as well as its understanding, has been very much embarrassed by the viewpoint expressed by Senators, gathered from prejudices they entertain upon phases of government that are no part, as I see it, of this measure, and which I fear, unless we are cautious, will greatly embarrass the passage of the bill and tend to bring about a result that is not in the intention of any Senator here, by paying heed at this time to these collateral matters which I regard as foreign to the measure.

Let me be specific. Senators object to the measure upon the ground that it may be administered by Mr. Hoover, against whom certain Senators have a stated prejudice. Other Senators object to the bill because it will result in the purchase of supplies now held by packers; such is their apprehension; that may or may not be true. Other Senators object to the bill because they think that in some manner some of its benefits or benefactions may filtrate to those whom they do not wish to be the objects of our generosity. Each of these Senators conceives his particular objection as sufficient to cause him to oppose the bill.

Mr. President, this is a measure brought in here to feed the hungry. It is brought in to relieve distress. It is proposed upon the ground of another exhibition on the part of the United States of its generosity to the needy of the earth. We are either for that purpose or we are against it. We either wish to grant this bounty or we do not. If motives purely collateral, touching other subjects foreign to the measure, are to control us, then our decision in the final result is influenced by anything else and everything else than that which the bill is intended for, and our vote will be inscribed against ourselves when it in no wise has expressed our viewpoint or our conviction upon the merits of the measure itself.

Of course, to the sense of charity of any human being a hungry person appeals keenly; and when we see from the press reports that there are millions in distress and dying in the panic of starvation, amidst all the chill of coming winter and all the indescribable devastation that must be upon these people and yet to come, our sympathies are immediately aroused. We can say, with the observation in King Lear:

> Poor naked wretches, whereso'er you are,
> That bide the pelting of this pitiless storm,
> How shall your houseless heads and unfed sides,
> Your loop'd and window'd raggedness, defend you
> From seasons such as these?

But, Mr. President, what I wish to impose upon the Senate, if I may, is this thought, that whether it is our charity which inclines us kindly to the support of the measure or personal objections to certain administrative features of our Government that shall induce us to oppose it, I beseech you to count the result; and here is where I impose upon your attention, I trust for a minute, and I ask your attention.

First, I ask the attention of the Senate to the fact that the President of the United States has requested this appropriation. He is on the ground. He must know why he asks it. He must know, my fellow Senators, some reason why he feels that this Government will be compensated in yielding to his request, either by compensation bodily, in the manner explained by the Senator from Virginia, or by compensation spiritually.

Now, Mr. President, suppose for all these collateral reasons you defeat this measure. I invite you to the thought that this is the first request made by the President of the United States since he sat at the peace conference for anything that he regarded as essential for harmonizing those frictions which are flashing through that conference. It is the first request that has been made for anything which in his judgment will bring about a concord of circumstances and contribute to the object you all have in view—a speedy peace and an early tranquillity of those nations.

Now, Senators, let us assume that the different objections presented by eminent Senators, sincere as they were, on different collateral phases of the bill shall prevail and that there shall be enough votes to defeat the measure—before the world how do you stand?

First, that the very first request made by the President, partaking of no partisan attitude—for that can always be understood abroad—is defeated, with all the discouragement that at once attends it and all the misconception and misconstruction that would follow it.

Second, Senators, you would have before the world the fact that it was the Senate—the United States Senate—which defeated the measure, after the House had passed it, and you would give license to those who have been misrepresenting the Senate in different parts of the world with the accusation that it was only biding its time to defeat anything the President of the United States should inaugurate in connection with the peace conference.

Thus a humane object, having no purpose whatever of a partisan nature, being advocated or opposed in no wise by Senators upon the basis of any partisan distinction, would be beaten upon these collateral issues, leaving the construction to follow that in this Senate, which was accused of opposing anything the President would undertake, in the very first request he makes he is defeated and discredited, when such was not your intention. If one of you has that intention, it is your privilege. You would have the right, if you felt justified in it; but in these different collateral matters that are being presented you are being allured to an object that I am sure is not within your views.

Now, Senators, a second phase of this matter, which will conclude the liberty I take with you.

The President of the United States must contemplate that by granting this measure we shall be able to feed those people who, in their hunger and in their distress, are in a condition of mind irresponsible for their own conduct. He must feel that the granting of this measure would compose these people and would bring about the harmony which you all desire.

Senators, should we defeat this measure, contemplate with me a thought I beg to suggest, as my own, of course. It may be at variance with yours.

Every one of the small nationalities which are in distress and hunger, as described by the eminent chairman when he opened the debate upon this bill, will be at once told that our defeat was to turn against them. They will see that the very first

cull of theirs was disobeyed, their very first need ignored. These people, remember, Senators, turned against the Government under which they were and at the command of the President of the United States revolted and sought to set up for themselves a government of liberty and freedom; and for that they starved. They became, at our command, revolting agencies against the imperial kings who were oppressing them. But, while oppressed in liberty, they still had a method of getting bread. Then the imperial masters will summon these to behold the spectacle that we invited them, under the cry of "Come unto Me, all ye that are weary and heavy laden and I will give you rest," to hunger and starve them after we had brought them to the point of their distress where they could not aid themselves. Then, Senators, as I see it, in such a desperation they will turn upon the occasion, and the very first they will rend will be your soldiers—not in enmity against America but in opposition to the world of affairs.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Missouri?

Mr. LEWIS. Yes.

Mr. REED. Does the Senator from Illinois really mean to tell the Senate that if they do not give this $100,000,000 to feed these people they will rise against the American soldiers?

Mr. LEWIS. Mr. President, the Senator from Illinois may sometimes be perplexing in his observations, but he is usually clear in his intentions. My observations were just the reverse of that. I did not say that if we did not give them the money they would rise against the American soldier. I said, to the contrary, that one of the very first things that they would rend would be the American soldier, not because they would desire to assail him but because, in their temper and distress, their opposition and their resentment would be against the world; and if the Senator will but be patient for a second while I conclude the sentence he will see exactly my full meaning. It is this: They will then turn, Mr. President, against every organization of government that is around them. They will become a part of the agencies of confusion and destruction. It will become necessary then for the American soldier to be called, together with other soldiers, to maintain order. He will be invoked to remain in his present position to accomplish this object. In doing that he is at once confronted by this crazed mob of human beings whom he must seek to suppress or to compose, quite as our soldiers in Russia have been called to the very same kind of undertaking; and, not with an intention to injure him, behold our soldier detained in Europe for two more years or for one more year or for six more months—aye, indeed, for one more month—longer than necessary, and himself and his life hazarded because of these consequences which would follow from these now discouraged men in despair and hopelessness.

That, I answer the able Senator from Missouri, is the position I assert.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois further yield to the Senator from Missouri?

Mr. LEWIS. I do.

Mr. REED. I am glad the Senator made the explanation he did, because, if I heard him correctly, he certainly did say that unless this food was furnished to these people they would be the first to rend the American soldier; but I think he ought to modify his second statement. The effect of his second statement is that unless these people get this money they are going to turn against all law and all government and become a sort of international banditti. If they are that kind of people, they are not worthy of our charity.

Mr. LEWIS. Mr. President, while the Senator from Illinois thanks the Senator from Missouri for the suggestions that come from a source such as we know the Senator to be—able and thoughtful—nevertheless, he can not qualify his observation. I mean what I said, and I said what I mean. It is this—not, as the able and eminent Senator seems to construe, that such will be the result if we do not give them this money, for I made no such assertion; but I said if they were not fed and in their hunger and in their distress they lost the responsibility which men invariably lose when hungered and hopeless and in despair, they would then become a force against all organized society and every form of mankind; and among those who would first suffer from the effects of that, if this bill were beaten for other objects than the intention to do so—beaten because of these different collateral matters and collateral contentions which eminent Senators have urged against the measure—I do say, sir, it would mean, in the final end, that the soldiers of America would be kept there in Europe to help repress this disorder, to overcome this anarchy, and, sir, in order to accomplish the purposes of peace we would be keeping our own soldiers in Europe for a time far beyond our intentions and in the meantime jeopardizing their health, their comfort, and their lives. Therefore, Mr. President, I besought the eminent Senators to contemplate what would be the result of their action if they should defeat the bill because of these collateral objections; and the query of the eminent Senator from Missouri is a complete proof of the assertion I made and that he has contemplated that these things could arise from the defeat of the bill if he or other Senators for other reasons vote against the bill, not intending at the time that any such result should follow.

Mr. President, I have assumed to point out two things, and on those two things I rest the imposition the Senate has kindly allowed me to put upon it:

First, the effect upon the President of the United States and his undertaking there, should he be defeated, with no intention on your part to do so and no desire on your part to do so, the effect of the construction would weaken him in every other form of mediation, consideration, or deliberation which for the balance of the time would occupy him. No editorials of writers, no speeches from spokesmen, no asseverations from American patriots, however much they supported him, would be of any avail against the very first act on the very first request at his very first sitting at the peace conference.

I state the last, and then I conclude.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Colorado?

Mr. LEWIS. I yield.

Mr. THOMAS. I think the Senator is mistaken with regard to the date of this request. The President cabled the substance of his request while in Italy, I think, the day after his arrival in Rome. It was not a request either accompanying or resulting from the first meeting of the peace conference.

Mr. LEWIS. The able Senator probably has been too busy, and I know how industrious he is, to recognize that the peace conference assembled on Saturday for the first time and is now in orderly procession; and if we defeat this now, known to be his first request to the Congress, it would be that the defeat comes to him as the very first act on the part of the United States Senate or the Congress—the Senate, I must insist, the House having passed the bill—as the very first act after he sits in the deliberations of the conference.

Mr. THOMAS. But it was merely a repetition of a request he previously made. It was transmitted to the chairman of the Committee on Appropriations of the Senate, the Senator from Virginia [Mr. MARTIN], by the President the day after his arrival in Rome.

Mr. LEWIS. That may be, but may I call my able friend's attention that in the last few days the President has sent cables and members of the American Commission have sent cables and now Mr. Hoover sends cables, and they ask and request all of you, and they are now sitting watching you with their eyes to see what will be done with it.

Mr. SMITH of Michigan. Mr. President——

Mr. LEWIS. I yield to the Senator from Michigan.

Mr. SMITH of Michigan. Does the Senator from Illinois know whether this purpose of the President is a part of the plan emanating from the peace conference? Does he know whether other States have decided to participate in this arrangement, or is it to be an exclusively American function?

Mr. LEWIS. I am compelled to answer the Senator by saying there has been read here by the chairman and also the report discloses that this is a cooperation. The measure here, I will say to the able Senator from Michigan, is a mere contribution on our part in cooperation with the other nations, and they have designated that they will not only contribute but this morning evidence comes to us of the relative amounts. Therefore I say to the Senator that I deduce from that that this is a demand of the peace conference, or those who sit around the peace conference, for the purpose of feeding the hungry to compose their differences in order to facilitate the ultimate peace we all hope for. Such is my deduction, such is my belief, and it is because of such I assume to present to the Senate my views.

Now, Mr. President, because of this may I beseech able Senators to contemplate the effect of their action upon the final results if they should not yield, and, even conceding the objections they urge to be well founded, that they should be urged at some other place than at this particular time; and I invite them, though the position be well taken, it is better for a little wrong that we might do a great good.

This measure, sir, I tender is for American humanity, for American peace, for the preservation of American interests as well, sir, as for European charity.

Mr. JOHNSON of South Dakota. Mr. President, I expect to vote for this legislation, and I wish as briefly as I can to state my reasons for so doing.

First and foremost, I want to read as a part of my remarks a telegram from the President of the United States, which appeared in the RECORD last Saturday, to the chairman of the Senate Committee on Appropriations [Mr. MARTIN] and the chairman of the House Committee on Appropriations [Mr. SHERLEY]. I do this for the reason it appears to me that the President feels that it is almost necessary to have this appropriation go through. I read:

PARIS, *January 11, 1919.*

TUMULTY,
The White House, Washington:

Please convey following confidential message to Senator MARTIN and Congressman SWAGAR SHERLEY:

"I can not too earnestly or solemnly urge upon the Congress the appropriation for which Mr. Hoover has asked for the administration of food relief. Food relief is now the key to the whole European situation and to the solution of peace. Bolshevism is steadily advancing westward, has overwhelmed Poland, and is poisoning Germany. It can not be stopped by force, but it can be stopped by food, and all the leaders with whom I am in conference agree that concerted action in this matter is of immediate and vital importance. The money will not be spent for food for Germany itself, because Germany can buy its food, but it will be spent for financing the movement of food to our real friends in Poland and to the people of the liberated units of the Austro-Hungarian Empire, and to our associates in the Balkans. I beg that you will present this matter with all possible urgency and force to the Congress. I do not see how we can find definite powers with whom to conclude peace unless this means of stemming the tide of anarchism be employed."

WOODROW WILSON.

Mr. President, this cablegram is the basis of my reasons for supporting this measure. I do not know what the conditions are in Europe, nor do I think anyone here knows. Perhaps the members of the Committee on Foreign Relations are the best posted, but I do know that we have a commission selected and in attendance at the peace conference at Versailles, now in session, and that the President of the United States is at that conference. I further know that the President and each member of the commission representing the United States ought to be in a position to give us information upon which we could act. I do not believe there is a man in this body who would stand up and say that the President of the United States would cable that this appropriation of $100,000,000 for the purpose as stated is vital and necessary, and in his opinion the only way in which peace could be brought about, unless he really thought so. This being true, tell us, then, what we could do except to support this legislation.

Mr. President, there is another phase to this question, and that concerns the condition of our country to-day, with Bolshevism overrunning Europe, which the President in his cablegram Saturday tells us is true. We know conditions in this country now are not such as we would like to see. We will soon have among us many idle men. We have now, according to the best authorities, 350,000 idle men in 19 cities. There is an organization in the State of New York which tells us there are 100,000 uniformed men now out of employment.

Mr. HARDWICK. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Georgia?

Mr. JOHNSON of South Dakota. Certainly.

Mr. HARDWICK. If we have three hundred and some odd thousand unemployed men in this country had we better not give them a little bread and a little money before we send this to Europe? [Applause in one of the galleries.]

The PRESIDING OFFICER. The Sergeant at Arms will remove the person from the gallery who made the demonstration.

Mr. SMITH of Michigan. If the Senator from South Dakota will pardon me, I think, Mr. President, that is a very thoughtless expression. I thought I saw the man who did it. I think he had on him the uniform of his country. I do not believe that he intended to offend the Senate. I hope the Chair will extend that leniency for which he is noted and not remove the offender for the first offense.

Mr. JOHNSON of South Dakota. I trust he will, too.

The PRESIDING OFFICER. There has been considerable noise in the galleries, disturbing Senators who were attempting to speak.

Mr. LEWIS. May I invite your attention, sir, that possibly the occupants of the Senate galleries have not been advised lately that our rules forbid applause, while permitted in the House? Perhaps the spectator may have misunderstood and assumed that the same privilege prevails here as in the House. If the Presiding Officer will be so kind as to suggest to him our rules, I think we will not have another violation of them.

Mr. LENROOT. Mr. President, I merely wish to correct the statement of the Senator from Illinois. The House rules do not permit applause.

Mr. LEWIS. When I was a Member of the House I never knew any rule which prevented it.

Mr. SMITH of Michigan. The House rule applies with reference to the occupants of the galleries, but they have no control over their own Members.

The PRESIDING OFFICER. In view of the fact that the Senate is considering a matter which appeals to the charity not only of Senators but of the world, and in view of the appeal made by the distinguished Senator from Michigan, the Chair will exhibit the same charity, and request the Sergeant at Arms to instruct the offender not to repeat the offense upon the penalty of being removed from the gallery. The Senator from South Dakota will proceed.

Mr. McCUMBER. Will the Senator yield to me?

Mr. JOHNSON of South Dakota. I yield.

Mr. McCUMBER. I understand from the Senator there are several hundred thousand unemployed people in some of our large cities. Does the Senator know whether there is a demand in those cities for labor?

Mr. JOHNSON of South Dakota. I do not.

Mr. McCUMBER. I predicate my question upon what I have seen in all of the papers of New York, Washington, and every other city. You will find 20 applications for persons to be employed where you will find one who asks for employment. It may be true that there is a lack of employment, but I think the Senator will find the lack of employment grows out of the fact that wages are now so enormously high that no business can afford to pay the prices. If these men will go back to work at reasonable prices, they will find that there is plenty of employment in the United States.

In my own State, and undoubtedly in the Senator's State, the same is true, because they are adjoining States, we are making application every day to get young men discharged from the Army—men with families at home who can not hire help anywhere and who have nobody to take care of their stock except the women and little children. I think if we would discharge a great many of those people from the Army there would be employment very quickly for them.

Mr. BORAH. Mr. President, the statement of the Senator from North Dakota [Mr. McCUMBER] that there is necessity for labor in some agricultural States of the West and no one there to take up the work which we have is true. But, Mr. President, that does not meet the situation which now exists in some of the cities. People who are congregated and congested in the great centers of population can not get to those places and they can not perform the services that are there desired in the far West.

But what I call particular attention to is that the Senator says "if these men will go back to work at a reasonable wage." What is a reasonable wage in view of the prices of products in this country now? I do not myself know how what was called a reasonable wage prior to the war would furnish a basis for the existence of a man upon present prices. I do not know how he would keep his children clothed and his family fed upon what was called a reasonable wage at that time.

Mr. McCUMBER. If the Senator from Idaho will allow me, I think he is falling into the error that every time the increased cost of labor sends up the price of the product of that labor you must then increase the price of labor again to meet the increased product of his labor, and when that goes up higher you must increase the price of the labor again to meet the higher cost of living, because as a matter of fact while before the war, taking ordinary products, the labor and the raw material were about 50-50, there are now in most cases more than 85 per cent representing labor, which shows that the raw material has not gone up anywhere to the extent that labor has. Therefore labor has added very much more than any other thing to the present cost of living.

Out in my own State we raise sheep. We were unable to get men to take care of them for five and six dollars a day at any place during the fall of the year. The Senator knows that. He knows the conditions in his own State. In our own State there is a big demand for labor. I was talking with a manufacturer of cars the other day. In one of the great cities where there has been a surplus of labor he informed me he would probably have to shut down in a short time, simply because the price of labor was so high he could not continue the business. When you come to paying $6, $7, $8, or $10 a day for the most ordinary labor the business of the country will not stand it. They can not go on at that rate. The present prices of products are so immensely high that in a short time you can not go on with your business. If a brick is to cost 10 cents you can probably build, but if your labor is so high that the brick costs a dollar you can not build.

Mr. BORAH. As I understand the logic of the Senator, reduced to a simple proposition it is that the high prices with which the world is now cursed are due to labor.

Mr. McCUMBER. I said the labor price had increased enormously beyond the increase of raw material in the proportion of the cost of the finished product, and that fact the statistics show.

Mr. BORAH. The Senator will agree that with the proposition the labor must at this time have a wage commensurate with and upon the basis of the high cost of living.

Mr. McCUMBER. Yes; but if you send the cost of living through labor so enormously high that you immediately paralyze business you are bound to have in the end a reduction in the price of labor, because there will be no business to employ labor, and that is what we are suffering from to-day more than anything else. We are suffering from the fact that with the present prices of labor in our cities a great many businesses can not run and produce as they did before the war.

Mr. BORAH. Certainly not, at the same price.

Mr. McCUMBER. They can not afford it.

Mr. BORAH. But the Senator does not expect labor prices to go back under present condition to labor prices before the war.

Mr. McCUMBER. Certainly not. I expect them all to conform to a new condition. I do not expect ordinary labor to hold up to $6 and $8 and $10 a day when the business of the country can not stand it. I think they will reach an adjustment in time, but the point I want to make is that there is employment for those who want to really get employment in the country at living wages.

Mr. JOHNSON of South Dakota. Mr. President, answering first the Senator from Georgia [Mr. HARDWICK], who has now left the Chamber, I believe the Government is making all possible arrangements to take care of the hungry and needy in our own country, if such conditions are found to exist. There was an amendment introduced in the Senate to-day by Senator ASHURST, of Arizona, providing for three months' pay for all discharged soldiers, which, I think, will become a part of this bill; if not, it will become a law before this Congress adjourns. The Senator from North Dakota [Mr. McCUMBER] has stated the real situation in the western part of the country. In the Senator's State and in my own State of South Dakota there is now and has been a shortage of labor all the time. It is impossible for the farmers to pay the prices which have been asked without losing money by the proposition, but they have been compelled to do it.

With regard to the statements which I made, I saw it published in one of the daily papers here in Washington a day or two ago as coming from the secretary of a labor organization, if only applied, as I said, to 19 cities. The statement was that 350,000 men were out of employment in the United States in the 19 cities.

The purpose which I have, or one of the purposes in voting for this resolution, is to stop bolshevism in Europe, because as it spreads there it will come here, and we know, and every other man knows, that want and hunger, as we understand the terms, make a criminal out of any man. This is the phase of the subject to which I allude. It would make a criminal out of any Senator in this body if it became necessary for the protection of his life and the lives of the members of his family that he do acts along criminal lines. The passage of this legislation, as I see it, will go a long way toward the prevention of the deplorable conditions now existing in the greater part of Europe to-day, and indirectly it will be a great benefit to the United States, for the reason that bolshevism in Europe, unless checked, will spread all over the world. Mr. President, stranger things have happened than that Europe might ultimately be destroyed by this class of people.

Again, Mr. President, this item of $100,000,000 is an immense sum of money to me, but it would be a small thing to the country if you compare it with the possibility of another war. This sum would just about carry on the war for three days in the same proportion that it cost the country in the present war during the past year.

Permit me to say this, and then I will conclude my remarks. I believe the United States owes a great moral obligation to all her allies. We should stay by them until this war is actually ended and this great peril to the safety of the world is stamped out. How can any man reason that the war has actually ended when we are fighting in Russia the very armies which were created by the Kaiser of Germany and commanded by German officers now? We are fighting the same forces there to-day. The war has not ended and can not end as long as our boys remain in Russia to accomplish the purpose for which they are sent. The passage of this measure will give them encouragement. It is not a question of going into Russia. We are already there. Do not you think we owe the people of Russia a great debt? From the best information we can gather their losses are nearly 10,000,000 men in the war for freedom. It seems to me that we with our allies should stand together and assist these unfortunate people until they can establish a government of their own, which will be looked upon by the civilized nations of the world as a government which can be recognized.

The whole of southern Europe, the Balkan States, Poland, and the various Slavic States are a part or should be a part of the liberated people which this legislation is proposed to benefit. I do not believe this appropriation will be a gift or donation, as has been expressed on the floor. We have two or three Governments of these liberated people already in existence, and I believe they will repay to the Government of the United States their proportion of this money, as far as they can, and I have no doubt that all will eventually do so.

I think it is our duty, just as it was our duty to send troops into these countries to help liberate the world, to keep at least our moral and monetary influence there and help them establish the governments which we encouraged them to hope for in the democracy of the world. I have voted for and willingly given my support to all war measures since we have been in the war. I have cast votes which if a man had asked me two years ago to cast I would have thought him crazy, but I have "followed the flag"; I have voted for each and every war measure presented to the Senate thought necessary by the War Department.

I am confident if we show good faith toward our allies we should continue to give our moral support to each of them and extend financial credit as far as we can until the treaties of peace are signed and governments are established of recognized stability.

The prompt passage of this legislation by the Senate will show the people of Europe that we are willing to do our share in bringing to a final and successful conclusion the principles for which we have fought. Nothing less than this would show good faith. Nothing less would be our duty.

Mr. SHERMAN. One difficulty, I find, Mr. President, in supporting the measure unless it shall be very materially amended is the obligation which it imposes upon us in addition to those known to be necessary to assume between now and the end of the next fiscal year. In April, we are informed, a bond issue will again be offered of $6,000,000,000. I learn from a communication from a Cabinet officer that we will be expected to contribute $1,500,000,000 to a fund to establish credits for the allies in this country.

Under the existing law—

This Cabinet member says—

> credit must be established by the Secretary of the Treasury, with the approval of the President, only for the purpose of national security and defense and the prosecution of the war in favor of the Governments engaged in war with the enemies of the United States, and the authority to establish such credit ceases upon the termination of the war.

He asks, therefore, for additional legislation which shall authorize the establishment of $1,500,000,000 of credit to enable the allies to purchase material and readjust their conditions by having access to that material not only in our own market, but to transport it when manufactured abroad for the purpose of building up their own industrial affairs.

This would make, if it were followed, a draft upon our financial resources of $7,500,000,000. With the $100,000,000 provided in this appropriation, it would increase it to $7,600,000,000. These, however, are only merely somewhat large drops in the bucket. Our annual appropriations will exceed that many times. Our tax levies will be required to meet all these appropriations, just how much no one is able to accurately compute at this time.

In addition to these obligations, we have our own burdens to carry. There are enormous private charities in this country administered by the Red Cross, by the Young Men's Christian Association, and by other organizations for the relief of various nationalities of the devastated countries. Every Senator in this Chamber knows how heavy those demands are upon his private resources. Scarcely a mail is delivered at the office of any Senator which does not bring one or more requests for help to some of our domestic charities, all of which are of a very meritorious character.

This $100,000,000 will be administered by the head of the Food Administration now abroad. With great respect to Mr. Hoover, I do not believe that he understands very well the difficulties of production. His problem has been that of the distribution for many years, beginning with 1914 or 1915. His efforts have been confined to relieving worthy objects of charity or of help from national appropriations or private funds out of the supplies furnished him.

Mr. Hoover is not a factor in the production of any of the supplies. He asked for the $100,000,000 through the voice of our absent Executive. The $100,000,000 will come out of the Public Treasury. It will be provided in the form of credits to

be taken abroad. If the bill should be enacted into law the amendment of the Senator from Pennsylvania [Mr. PENROSE] ought to be adopted, because it will tend to support our own market, not necessarily to keep up prices—that has been attended to by governmental authorities in other channels—but at least it will give some relief to our own market. Without this amendment there will be no limitation upon where this fund shall be expended. It may be all or part of it expended in South America for food, grains, and meat. I understand it is to be pooled with something like $300,000,000 in the hands of the allied nations. Possibly some of this fund, or a considerable part of it, might be spent in Australia to relieve the wheat market in that country.

That leads me to remark that we are now beginning to harvest what we sowed. We undertook to interfere with the natural laws of the market several years ago.

We undertook to fix prices by Government action. In some instances it was done by an act of Congress; in others by the interferences of various boards and bureaus, by their acts regulating the activities of what ordinarily is private business. At any rate, the Government now finds itself in a position where it is likely to be called on to maintain the prices it has fixed or to meet the contracts which it is at least morally bound to keep with the producers.

This is unofficial; I do not know whether any department would verify it or not; but I state that it is a market condition that imports of wheat into this country have been denied at the Pacific coast ports. No wheat can be brought into this market from Australia. I doubt whether imports of wheat can be brought into our markets from South America. This is for the evident purpose of keeping the price of wheat in the United States market at its present figure. The Government, having undertaken to guarantee prices, suddenly finds, with the end of the war, with a very large production of wheat in the United States, with fair crops abroad in such areas as are not under the control of military forces, that we are likely to have in world markets a reduction of present wheat prices. In order to prevent this decrease in the wheat prices, and consequent losses, the United States, if it has not actually prohibited as a war measure, at least is discouraging the importation of wheat from both Australia and South America. My information is that cargoes have been denied admission in the event they should be brought from Australia to the Pacific coast ports. This is for the purpose of supporting the market; it is that wheat prices may remain as they are.

The PRESIDING OFFICER (Mr. KIRBY in the chair) rapped with his gavel.

Mr. SHERMAN. Mr. President, I shall not follow the practice of my colleague to cease talking when others are at the same time talking in the Chamber, because it is a matter of indifference to the Senator occupying the floor at this time. It does not disturb me at all. If it be agreeable to other Senators, I am very glad that all of us may be busy at the same time. So if others desire to carry on conversation, so far as the junior Senator from Illinois is involved in it, the Chair need not call such Senators to order unless he feels that it is due to the dignity of the Chair or of this Chamber so to do.

The object of preventing imports of wheat is to support the price of wheat on the market, as I have suggested, Mr. President.

I am told further—and these matters of information I get from dealers in both flour and wheat at various points in the United States—for instance, in New York it is reported that the flour market is overstocked; that prices ordinarily would fall; that they would fall for the same reason that wheat prices would fall, but the Government is controlling the distribution of flour just as it controls the distribution of wheat, and is keeping up prices to millions of consumers. With matters in that condition neither wheat nor flour will be permitted to decrease in price; and if the Government can keep the wheat price up, it will do so as long as the Government itself is liable for the $2.26 a bushel. It is rather a novel way for a purchaser who is "long" on the market to protect himself by keeping everything else out of the market, so that the price shall remain at the purchase figures or at a higher figure until he unloads.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Minnesota?

Mr. SHERMAN. Yes, sir.

Mr. KELLOGG. Does not the Senator from Illinois think that it would be of more benefit to all the American people if the Government bought the crop of wheat for 1919 at the guaranteed price, which has already been made, and sold it in the market at the price in the general markets of the world, so that the American people would have the benefit of the same market that the people of other countries have? The guaranteed price was, I understand, made because of the small crop of 1916 to induce the largest possible production of wheat in order to carry on the war and feed the armies and nations of Europe in order to sustain our cause.

The President, under his power, fixed the price of wheat last September for 1919. Now that the war has closed and the Government has got to carry out the guaranty, would it not be better to buy the wheat and sell it in the market so that all the people may have the benefit?

Mr. SHERMAN. I think it would, Mr. President. I will say, in response to the Senator's inquiry, that I think the better way is for the Government to act as a private person who has overbought on the market would act if he has the means, and the Government has. He either must do that in private business or he must become bankrupt. The better way is to settle, if the Government has the money, and assuming now that it will be provided, the satisfactory way would be for the Government to go out in the market for the 1,017,000,000 bushels of wheat, which is the estimated crop, buy that, pay for it out of the Treasury, and then sell it for the best market price that can be obtained.

Mr. KELLOGG. In order to do that, I presume we shall have to have some legislation of Congress.

Mr. SHERMAN. Yes, sir; undoubtedly that would be required.

Mr. KELLOGG. And we should have that because that crop will begin to be marketed in July of the present year. I think that is the best course to pursue, but I do not think we ought to compel the people of this country—all the people, those who are able and those who are not able—to pay the war prices simply because the Government made the guaranty.

Mr. SHERMAN. I am in accord with the Senator from Minnesota on that question; but the policy of the Government, manifested through the bureaus having authority, seems to be to the contrary. Their purposes seem to be to keep both wheat and wheat products at a figure that will protect the Government from loss. When the Government adopts a policy and carries it out, until the future wheat crop of 1919 is disposed of it must necessarily be at the cost of the consumer of the product, and higher prices.

Mr. KELLOGG. I am loath again to interrupt the Senator.

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Minnesota?

Mr. SHERMAN. Yes, sir.

Mr. KELLOGG. So far as this year's crop is concerned, which will be marketed under the Government guaranty, some legislation will be necessary in order to authorize the Food Commission to sell it at the market price and take the loss. That legislation, it seems to me, the Food Administration must have, and I take it that the present plan of selling at a price based upon the Government guaranteed price must be changed by Congress.

Mr. SHERMAN. I have no doubt of that. Congress must accept its share of the responsibility.

I remember when Senators voted here, it was argued that there ought to be a guaranty on wheat prices in order to stimulate production. The argument was adopted, "It is an artificial stimulus, it is true; but the conditions are artificial." The war conditions being abnormal, as they were, Congress deemed itself justified in making that guaranteed price. That is illustrative of the finite wisdom of mankind. Before we get through we shall have more of that, but this illustrates, so far as we have traveled, the utter unreliability of human judgment when men begin to interfere with markets. The Senate, the House, and the executive department undertook to perform a task that the business men—the producers and the distributors of a hundred million people—were carrying. We shouldered that burden. I think it was a shortsighted policy. I voted for some of it. It was a war policy, and I am willing now to vote for appropriations to buy the wheat or to change the price and to pocket the loss. We had better do that than to keep up the price of wheat and its resulting products in the Atlantic seaboard towns or to millions of private consumers. I agree with the Senator from Minnesota [Mr. KELLOGG] on the course to be followed by Congress.

All these cities must live between now and next spring. The food-producing centers can take care of themselves. There is no immediate danger of starvation there. Private charity will take care of Chicago; St. Louis will take care of herself and will feed her suffering poor; so will every other western city in the great producing areas of this country. It is other parts of the United States to which our attention must be directed; it is other parts of the world where the necessary food supplies must be had.

We now reach the point where we have not only the present crop, but the future crop must be taken care of. Additional legislation will be required for the Food Administration to meet the emergency. As a help toward mitigating that emergency and its rigors, the amendment offered by the Senator from Pennsylvania [Mr. PENROSE] to this bill has been prepared and submitted. It will to some degree help solve the problem in the proportion that $100,000,000 bears in its relation to the whole number of hundreds of millions of dollars required to handle the grain crop from the producer until it reaches the consumer.

Before we finish this problem, Mr. President, we will be made painfully aware of an elementary fact in all perishable production, to which wheat belongs and to which most foodstuffs belong, in that there is a recognized limit in preserving it. From the time that a bushel of wheat is a potential article of merchandise in the field by being placed in the soil by the farmer until it finally passes into the kitchen of the consumer or into a loaf of bread or some of its by-products, somebody must own the crop.

There is no derelict in food; it is not floating around on the market subject to any taker that comes along. Every bushel of wheat, from the time the seed is put into the ground until it passes into the human system as food, must be owned by somebody. In the beginning a vast number of farmers in this country—wheat raisers—own it. They keep what they need for their own uses. Their surplus passes into the hands of others. The grain movement is very well known. In the earlier part of the thrashing season a certain portion of it moves into the market almost from the machine; another portion of it goes to the producers' bins, and stays there, they selling it as their needs require or in response to the favorable figure that attracts it out of the bin into the general market. However, when it leaves the producers' hands it must pass into the hands of the purchaser at the elevator, whether it be a large or a small elevator. Somebody must carry it; somebody must own it. The Government undertook to own the wheat crop of the United States and relieve the general purchasing public of that problem. It ran a corner for the supposed public good. Now, we must keep the Government's promise or we must do what the Government can always do, refuse to meet its obligation, and that is not to be tolerated for a moment.

We understand now who takes the loss. This loss, which eventually must come out of the Treasury, in ordinary times, Mr. President, is distributed among hundreds and thousands of people. It is distributed amongst the farmers, amongst the grain buyers, the elevator men, the millers, and everybody who acts as an intermediary between the producer and the consumer. When it is distributed amongst millions of people only a comparatively few are bankrupted; the rest of them pocket their losses, which are of such a character that they can afford to lose, although in the aggregate the amount runs into an immense sum of money. In this instance, however, a single purchaser last September undertook to take the entire wheat crop—that is what it amounted to—and guaranteed a price of $2.26 a bushel, and when it did so it visualized on the market the problem of owning the wheat until it passes from the producer into the ordinary channels of consumption. These private intermediary holders, in normal times most of whom are looked upon with a hostile eye, the grain exchanges of the country, the great elevator systems at the terminal markets, most of whom are under fire nearly all of their lives and always are the subject of invidious criticism—these institutions, the elevators, the millmen, with their elevators, those who act as distributors, are the ones who carry the risk and own the wheat crop from the time it leaves the farmer or the producer until it passes to the consumers of the country.

The Government has legislated against grain exchanges. It has taxed them to death; it has made burdensome the transfer of property; it has taxed sales; it has laid its hand upon transactions for future delivery, almost stigmatizing them, per se, as gambling; and in various ways it has manifested its displeasure with those who handle the wheat crop, who own it in the intermediary stage between the producer and the consumer and themselves carry the risk. The Government and the people are now having visualized to them the problem, divided, it is true, among many hands, of carrying the wheat crop and the incidental risk of the ownership of that wheat crop. Future sales have been taxed almost out of existence; future deliveries have been regarded as little short of gambling in all of the foodstuffs under consideration—wheat and its by-products, rye, barley, and meats of every description—yet, Mr. President, the committee on cotton distribution of the War Industries Board sent the following telegram on December 9, 1918, to the presidents of the New York and New Orleans cotton exchanges—I read from the Official Bulletin of December 12, 1918:

> Please read from the rostrum of your exchange before the opening Monday morning, post on the bulletin board, and send to each member firm carrying contracts the following notice:
>
> "The prohibition of foreign and speculative short selling of contracts on the New York and New Orleans cotton exchanges ordered by the committee on cotton distribution on November 13 was an emergency measure.
>
> "The conditions that existed following the signing of the armistice have been relieved and the emergency has passed.
>
> "Our Government having made trade agreements with neutral nations, the export of cotton to all but enemy countries is now assured.
>
> "Available tonnage in sufficient quantity to allow of exports fully 50 per cent in excess of last season's shipments is more than probable.
>
> "The requirements of spinners and manufacturers can now be bought and moved without war-time restrictions.
>
> "Confidence is restored, and under the circumstances the restrictions placed on the New York and New Orleans cotton exchanges on November 13 are hereby removed."

What restrictions? Restrictions on short selling. What is "short selling"? It is selling something that you do not have at the present time, but which you have confidence that you can get in the market at a price that will be fairly remunerative to you, and you are willing to take the risk. That is allowed in the case of cotton, but short selling in wheat is stigmatized as a crime. My constituents in Chicago can not so go on the board of trade without practically laying themselves open to prosecution.

It is the fact, Mr. President, that we have not taken a sane view of actual business operations on the market that has led to the toils in which we now find ourselves; and before we finish we will discover that if the Government undertakes to preserve an artificial price level for wheat and wheat products it will draw from the pockets of the consumers all of the difference between the artificial level and the normal market price that does prevail or will prevail in other markets. There is no escape from that; and, as the Senator from Idaho [Mr. BORAH] stated awhile ago, it will be at the expense of those who can ill afford to pay it if the Government continues keeping up the price and making consumers stand it.

I have from a broker in Chicago a report on wheat and flour conditions in New York City. A large surplus exists there, but the Government keeps its finger on the dealer, and refuses to permit sales to be made. There is the grain corporation of which Julius Barnes is the head—a very competent man in the wheat market—which practically is the great purchaser and controller of wheat and wheat products in the United States, both for the domestic and for export trade. We can have no lowering of wheat prices so long as the Government interferes. Flour must remain at its present prices, wheat must remain at its present prices, until the Government takes its hand off the market and permits the natural laws of trade once more to resume their operation.

Mr. President, this $100,000,000 will be placed in hands outside of those of the President. Many other things have been placed in the hands of the President. I have no doubt that the very capable chairman of the Committee on Appropriations [Mr. MARTIN of Virginia], who has supported this measure and explained its provisions with great lucidity, has the utmost faith in the capacity of the President to choose agents who will properly spend this money. I have that faith to a more limited degree. I am reminded that the President can not attend to all of these matters himself; that is beyond the capacity of any human mind; so he chooses agents for the expenditure. He will choose Mr. Hoover in Europe, and has done so, and probably Mr. Hoover will select his own help.

The President did so in the matter of aeroplane construction, the appropriations of $640,000,000 for which have never yet been satisfactorily accounted for. Mr. Hughes, in his report, recommended the court-martial of certain gentlemen, and the report of the Committee on Military Affairs, without passing upon the merely civil liability, found many things that were not in accord with good business. The President recommended in advance that such of them as by Mr. Hughes's report were found subject to court-martial be exonerated, and the War Department very recently, in a publication in the Official Bulletin, made the same recommendation, and a number of pages are occupied with reasons why these aeroplane officials should be released from all liability. I do not hold the President directly responsible for this miscarriage of justice. I do hold him responsible, however, for the agents whom he selected and who made such a thing possible. In this instance he has selected Mr. Hoover. Whom Mr. Hoover will select to spend the money in Europe I do not know.

Say that $300,000,000 will be furnished by the allied nations, making a joint fund of $400,000,000. In all human probability, the allies will have the major influence in the distribution of

that fund. Are we at war with Russia? Notwithstanding that we have forces about the Arctic Circle, on the Murman coast, and about Archangel, we are told that we are not at war with that nation. We are not at war with Russia technically; but in fact the military status is that of war, and there is no escape from that conclusion.

We are at war with the Bolshevist government of Russia, if it can be dignified by the name of a government; however, technically we are at peace. I remember that only last winter, not yet a year ago, the President sent his telegram of congratulations to the Soviet congress in Russia. Who are they? Mr. Trotsky, Mr. Lenine, and the military authorities whom they had brought out of various places where they had been in hiding for some time to take charge of the Bolshevist army. There never was such a ragged, tatterdemalion crew seen in all history from the time when Walter the Penniless led the forerunners of the crusaders centuries ago. It is a criminal movement. The I. W. W's in this country are mere suckling babes in destruction, disorder, and bloodshed compared with this government in Russia.

Technically we are at peace. We are told that they are starving. I have no doubt of it. Who is to blame? Some say the Czar. Some say the German. Some say the Bolshevist. It is enough to know that there is no food there. Production has ceased. When industrial concerns were taken by the Bolshevist government all the skilled workmen that had any brains were marked for slaughter. A Bolshevist decree took all land in Russia from its owners and gave it to the ignorant idle and the agitator. They were to produce food. They never work. The result is famine. Everybody that knew anything of the science of government was on the proscribed list. Every banker that had a dollar was a public enemy. Every man that had any sense and preached any restraint upon human passions became a victim. With such a government, which placed a premium upon the most unholy of human passions, an organized band of criminals, the peasants of Russia remaining on land had ceased to raise food in every place where they could be reached by this criminal element from the larger cities of this unhappy country. As soon as animals were produced to the food stage or crops were coming out of the ground or truck gardens had any human food in sight, it was taken from them. If any worthless money was offered, if they refused to take it, a bludgeon and dagger was legal tender in all Russia, and is yet.

Is it any wonder that the peasants of Russia have ceased to produce, that their flocks are scattered, that their food granaries, that their great cattle ranges that were left in the Ukraine country and in Siberia have passed into hands where the Bolshevist government can not go? All of the country subject to their jurisdiction is a vast wilderness, weltering in the blood of the victims that might raise food and produce supplies to support the people.

What are we to do? Feed the disturbers and their dupes by loading the American taxpayer with this $100,000,000. Keep up the price in New York and in Chicago. We will not starve out in the country. We will take care of our poor in the townships and in the villages and in the cities up to 100,000; and in the larger cities in the food-producing area—Chicago, St. Louis, Kansas City, and elsewhere—we will take care of the poor there. There may be some shortage of supplies, but they will go through until next spring, and there will be no starvation in that country. But in the other areas, where there is not enough produced to feed the people, you must draw upon those supplies. Every ton of food sent out of our own country into Russia spells suffering for the children and the women in the Atlantic coast cities and elsewhere where the food production is not sufficient to supply the population of that country. That is what it means. There is no escape from it.

Mr. Hoover will have charge of the fund. We are not at war with Russia. Technically they will be entitled to a share. We have a small force in northern Russia, not enough to preserve peace in the affected areas where starvation is threatening. The only way to keep any part of the $100,000,000 away from the Bolshevist vermin is to have on hand enough of the army and navy of the allies and this country to distribute it to the worthy at the point of a bayonet. Otherwise the deluded followers of the admitted self-constituted vermin and vagabonds that constitute that Government will seize the supplies we send to that country and appropriate them to their own use and let the bourgeoise starve. Every Bolshevist is an able consumer. It is as a producer he lags in the human procession. He will be present when food is visible.

His, Mr. Trotsky says, is "the government of the proletariat." "The proletariat" means every vagabond and criminal and tramp and worthless idler who has infested Russia for the last 25 years who has the breath of life in him to-day. We have no guarantee here that part of this $100,000,000 will not be used for that noble band of ultimate consumers.

Here is Mr. Hoover's statement, of date January 7, 1919:

> Our reports show specifically—
>
> Speaking of the need of food supplies to be purchased by the hundred million dollars—
>
> Finland, that food is practically exhausted in cities; that while many of the peasants have some bread, other sections are mixing large amount of straw. They are exhausted of fats, meats, sugar, and need help to prevent a renewed rise of Bolshevism.

No mortal in this Chamber knows the actual conditions in Finland. The department is somewhat limited in its information vouchsafed to us. Portions of Finland are in control of the Bolshevists. The allies or United States military and naval forces do not control the distribution of food in that territory, except in certain limited places, I believe.

Mr. Hoover continues in another paragraph:

> Baltic States, food may last one or two months on much reduced scale. They sent deputation to our minister in Stockholm imploring food.

Here, at least, are two areas within Russia that Mr. Hoover specifically proposes to make the beneficiaries of a part of the $100,000,000 fund. How much farther he will extend it no one can say; but if supplies be sent to Petrograd, or to some of the interior Russian cities that are in control of the Bolshevists, when we have once passed the bill in its present form we are without remedy. Part of our proceeds go into their hands. If the Bolshevists take it by force of arms and keep it from reaching the worthy objects of charity in that country, there is no relief. An amendment at least ought to be adopted that will prevent its going to any point in Russia where the military forces of the allies and the United States will not control absolutely the disposition of the relief.

The Government now is engaged—it has been adverted to several times—in keeping up the price of wheat in order to avoid the draft upon the Treasury which otherwise would result from the redemption of its promise. What about all the rest of the public, engaged in various lines of production? There have been constant investigations here of the Union Stockyards companies for some time. Investigations have been on for some time of the packers—the so-called larger packers. There are many packers in the United States, but the investigation is addressed chiefly to the five large packers in Chicago. Notwithstanding they take up from 35 to 40 per cent only of all the food-producing animals in the United States, they are made the objects of the investigation; and much criticism has appeared for many years of them and their methods of transacting business.

By turning to the market reports I find that the price of hogs on the hoof is maintained at $17.50 per hundred. Cattle prices run from $17 to $19.75 a hundred. Those are not the prices made by the packers They are the prices the packers pay to the owners of the live stock. They are not the prices made by the United States alone, although there is a guaranteed price that shall not fall below $17.50 on hogs. When it goes above that figure it is the price made by the general market and measured by the demand and market conditions generally throughout the country and the world. The packers to-day are loaded up with high-priced stock, bought at $17.50 to $18.50 a hundred for hogs, and from $17 to $20 a hundred for beef on the hoof. Their inventory values are based on the cost price of the live animal. They are literally carrying hundreds of millions of dollars of inventory values at high prices for the stock. Who guarantees to them that the prices may not fall? Nobody. The packers must go out upon the open market and sell their product. There is no guaranty by the Government of anything corresponding to $2.26 a bushel for wheat.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER (Mr. TRAMMELL in the chair). Does the Senator from Illinois yield to the Senator from North Dakota?

Mr. SHERMAN. I yield; yes, sir.

Mr. GRONNA. Undoubtedly the Senator is correct in his statement that there is no law providing for any guaranty to the packers; but I am sure he will not say that the packers do not have an understanding with certain officials of the Government as to what they shall pay, nor that they do not have an understanding that they will be allowed to sell these products so as not to sustain a loss. We have had such testimony before the Committee on Agriculture and Forestry very recently; and I will say to the Senator that to-day the packers were instructed to pay 17½ cents for hogs, of course with only a gentleman's agreement that the Government, or certain Government officials—Food Administration officials, of course—would see to it

that no loss would be sustained. Is the Senator aware of that fact?

Mr. SHERMAN. I am, and have been for a long time. If the Senator is through with the inquiry, I will make some comment on it.

Hog prices are fixed, as stated, at $17.50 by the express consent of the Food Administration. The Food Administration—I do not know what particular officer; at one time Mr. Cotton, at another time somebody else, but acting with the advice and consent of Mr. Hoover—made a $17.50 rate on hogs. Certain understandings were arrived at on cattle. They were to pay not less than so much. The avowed purpose of these minimum prices was to stimulate, as it did in the case of the wheat producer, the production of meat-producing animals. It was to get a great crop of hogs moving on into the packing-house centers, in order that the allies' armies and ours might be victualed. The commissary was calling for large contracts. There was, after 1916 and 1917 and before we entered the war, when our markets had supplied the allies with meats, a coming crisis in the hog and cattle production. The Government, I think wisely, in view at that time of the existing emergency, made a minimum price on live stock, just as they made a $2.26 guaranteed minimum price on wheat. They did it in order to induce the farmer and live-stock raiser to raise cattle and hogs, and furnish the basis of the commissary for this country and our allies.

The Senator again alludes to the fact—and it is true—that the packers were guaranteed, or were given to understand by a gentlemen's agreement, that they would suffer no loss in paying this minimum price, or whatever price should be thereafter fixed. It is a scale that is not absolutely binding. The Government can change it at pleasure, but it has not seen fit to do so up to this time. There was this gentlemen's agreement that when they sold their product on the market it would not be at a loss. The edible portion of cattle and hogs netted to the packers 9 per cent on the capital invested. That was the limitation made by the same Food Administration officers upon the profit of the packers on meat supplies. That is true also. They have confined themselves within the 9 per cent on the capital invested.

Mr. GRONNA. Mr. President——

Mr. SHERMAN. I yield.

Mr. GRONNA. I am sure the Senator will agree with me that this profit was not only upon the capital invested, but upon the surplus, upon all money borrowed, and upon all bonds. We have the absolute proof that it was not only upon the capital invested, but upon all money borrowed.

Mr. SHERMAN. I have no doubt of it, and I have always understood, in every business enterprise that I have had anything to do with, that surplus available for dividends, not passed to dividend account and distributed to shareholders, and money derived from bond issues, all passing into the treasurer's hands and being held there, as well as capital stock and money borrowed upon the corporation's promissory notes at the bank, are capital invested in the trade or business.

I happen to have in mind the fact that there is money borrowed at the banks by one packer alone to the extent of more than $150,000,000, secured by collateral. That $150,000,000 was used in the Union Stockyards in Chicago to buy daily the cattle and hogs and sheep that came in, seeking a market at that point. Study the purchases of stock at these points, Mr. President. It will be seen that from 40 to 45 per cent and sometimes 50 per cent of the entire arrivals of live stock are bought by the small packers and not by the five large ones. The Brennan Packing Co., the Anglo Packing Co., the Hammond Packing Co., the Kingan Packing Co.—an Iowa concern originally—and many others are all of them known as the smaller packers.

When we refer to invested capital it is not merely the capital stock of the company at the time of incorporation. I know that certain gentlemen have had it appear otherwise. I am keeping in mind the fact that the Federal Trade Commission, Mr. President, in the case of one packing company in Chicago, accused them of making grossly abnormal profits on their sales on a $3,000,000 capitalization.

That $3,000,000 was the original capitalization of the company years ago, when the father of the sons who are now running the business was living. There was a pride in the father's management of the business, neither to water nor to capitalize the concern beyond the $3,000,000. Its credit was good. When it wanted more money, it went to the banks and borrowed it. It issued its promissory notes. Sometimes it issued its bonds; but it kept its credit good, so that it was never lacking for money. To-day its capitalization is still $3,000,000. That is the stock capitalization, but the actual capital invested in the business the last time I examined figures runs up to over $175,000,000—its surplus undistributed in dividends, its money derived from bonds, its money derived from short-time notes, borrowed from the banks, and all of it passed to its credit and accounted for as invested capital.

The Swifts years ago, when the senior Swift was alive, were under a conservative management. He died and left the business to his sons. The family and other shareholders run the business. The senior Morris did the same thing. Edward Morris became the head of the business after his father's death and managed it until his death. There is not a dollar of watered stock in the original capital of either of those concerns or the other packers. They have borrowed since the war came literally millions of dollars to meet the great obligations that they have undertaken, on behalf of the Government, to furnish the commissary of the Army and the Navy with the necessary meat supplies.

Philip Armour founded the house of Armour & Co. He died some years ago, and Ogden Armour became the head of the packing business. To-day its securities are quoted and sold upon the stock market. They are listed in the great stock exchanges of the country. They, like the other large packers, furnish their treasury with the necessary cash to meet emergencies, with the rise and fall of markets and with great war contracts assumed, by going to the banks and borrowing money. More than that, they issue their promissory notes, which pass into the hands of note brokers, and are sold in the market outside of the banks. That is a recognized process of raising money; and all of these means have been employed during the war, or since they have assumed these contracts.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from North Dakota?

Mr. SHERMAN. I yield.

Mr. GRONNA. I do not want the Senator from Illinois to misunderstand me. I was not criticizing the packers in saying that they water their stock. I think they are very sound institutions. I was simply going to call the attention of my good friend from Illinois to the treatment accorded those people by Mr. Hoover and by the Food Administration.

If the testimony given to the committee of which I have the honor to be a member is false, then of course the statement which I am about to make is also false. But the statement has been made to the committee that never in the history of the packing industry have they made as much profit as they have made under the control of the Food Administration. The expert accountant who was before the committee on last Saturday stated the net profits of just one concern alone—Swift & Co.—after setting aside a sufficient amount of money for income tax and for excess-profits tax, was $47,000,000, whereas in ordinary times, in normal times, and before they were under the control of the Government, their profits never exceeded $6,000,000. I simply wanted to call the attention of the Senate to the fact that under Mr. Hoover or under the Food Administration control the packers have been treated very liberally.

The Senator is right in assuming that these men have borrowed large sums of money. That is true. That has been stated to us. One concern alone has at times borrowed $150,000,000, but the more they borrow, I want to say, the more profit they make, because they can borrow at 5 per cent and they are allowed to make 9 per cent profit.

Mr. SHERMAN. How much is Mr. Ford allowed to make on the Eagle submarine chasers?

Mr. GRONNA. I can not speak for Mr. Ford.

Mr. SHERMAN. He is allowed to make 10 per cent, to begin with, and then has had advances of $3,500,000 from the Government Treasury over here on the hill in order to start him in business. He and his son Edsel had to have Government help and got it, and got their 10 per cent profits, and the packers get 9 per cent on the volume of business. In the five largest packing houses in Chicago on every dollar turned over their per cent of profit is the lowest ever known. I will give the figures here. This is their per cent on each dollar of the volume of business.

Mr. GRONNA. Mr. President, I do not dispute that, but I want to say to the Senator that their per cent for the last year was 300 per cent larger than it ever had been in the history of the packing industry.

Mr. SHERMAN. Grant it; the increased volume of business handled by the packers every 12 months is much greater than that. That is the reason.

I will say further that the per cent of profit by the packers on each dollar's worth of volume of business of the five largest packers is less than the per cent of profit of the smaller packers. The smaller packers of the country, who absorb all the live stock purchased during the 12 months at the great primary markets of the country, except that taken by the five large packers, are making more profits on volume of business done

than the large packers themselves. I expect when the question comes up to go into this, but not on this measure, because it is foreign to the investigation of this matter and I wish to conclude this evening. The Senator from North Dakota [Mr. GRONNA] is correct. He has the advantage of a practical working knowledge of markets, and places the responsibility for prices and profits on the Government officers, to whom it belongs.

Mr. WARREN. Mr. President, perhaps the Senator may have given the figures before; but why not give us the percentage of profit on the total output of the packers?

Mr. SHERMAN. I think it is about 1.80 per cent; but that is subject to correction.

Mr. WARREN. I remember that it is something less than 2 per cent.

Mr. SHERMAN. It is under 2 per cent and is less than at any other time in the history of the packers, the volume of their business considered.

The volume of business is very much greater than it is in normal times, as a matter of course. I only refer to the 9 per cent profit of the packers in order to show that they have not been treated as well even as other industries during the war. They have been limited in their profits.

Another thing that is literally true, and which I hope will be given to the committees having these multitudinous investigations on hand—the Interstate Commerce Committee and the Committee on Agriculture—is that the packers will buy a beef steer at the yards, slaughter it, take all the edible portion out, and sell it back to the same live-stock owner for less than they paid him for the steer. I have heard this challenged as an impossibility, but it is literally correct. There is no small packer who can do it. They make enough out of the other parts of the steer. I suppose the committee will pursue that in detail. I hope they will. The leather, the horns, the bones, the hair, the sinews, the muscles that are not available for meat purposes are converted into merchandise.

The odds and ends of clippings are converted into tankage and made food for swine. Nearly all the harmony that bursts from the magnificent orchestras in the places of amusement in Washington comes from the entrails of animals slaughtered at the stockyards. The harmonious catgut fretted by the fingers of every dilettante in this country comes from the bowels of some of the animals that furnish the edible part of the meat to the Army and to the private consumer. There is a profit made on that. But the fiddle-string industry is open to everybody who wants to follow it. There is no trust. Anybody who knows how to make them can do so. I have not heard of any investigation of that in the committee as yet. It is so with everything else.

I find some criticism in the Federal Trade Commission about the dividends paid by the Central Leather Co. It is said that some of the packers are large stockholders in that company. Regulate it? I have no objection to regulating it. I will vote almost to the limit for regulation of all the large concerns in my immediate constituency. I have no feeling in the matter. I can not have any prejudice for them. I will not permit myself to have any prejudice against them simply because they are large. I do not wish now to discuss that question, but I am growing infinitely weary of the attacks upon the packers. I propose to defend them in this body sufficiently to see that they have justice done to them. I propose to vote for all reasonable regulation of the packers and all the publicity possible connected with their business. I do not know of anything in this country recently, or within the last 15 years, that has had more publicity, with investigation heaped upon investigation, committee investigations one after the other, in State legislatures, in the House, and in the Senate, prosecutions upon indictments by grand juries, findings, ex parte and otherwise, of various public officials, followed by that of the Trade Commission, until I have come to the conclusion it is time that these enterprises have justice done to them in like manner as the small ones. I will take that up when the report of the committee is before the Senate in the proper way, at due length for whatever the merits of the case may justify.

But, Mr. President, speaking of dividends upon profits, referred to only inferentially and only incidentally as a part of this discussion, the United States Steel Co., the Inland Steel Co., the various subsidiary concerns handling iron and steel products, leather concerns, companies handling boots, shoes, Cavalry saddles, and all the military paraphernalia made from leather have paid substantial dividends. Woolen companies manufacturing woolen fabrics have paid large dividends. Cotton spinners and other factories fabricating cloth have paid large dividends. Telephone companies have paid dividends, and the cable companies have done likewise.

I wish to take time by the forelock now and say that Theodore N. Vail, who is Mr. Burleson's assistant, is more interested in unloading the American Telegraph & Telephone Co. upon the United States than he is in the ultimate effect it will have upon the morale of the American people after it is done. He is interested in and has been interested in this scheme for several years, and Mr. Burleson knows it. He is a Bolshevist in the telephone, telegraph, and cable world in disguise. He ought not to sail in Washington under any false colors. His views are generally known. He believes in Government ownership for the American Telegraph & Telephone Co., because it is the best prospect of unloading that he sees in the immediate future. The public have not taken very kindly to telephone stock concerned in that investment, and so he sees a possible purchaser in the Government. That is the reason why he and Mr. Burleson have found themselves to be kindred spirits and are engaged in a common enterprise, though from entirely different motives. Mr. Vail undertook to gather in all forms of wire communication on land and sea into his company. He failed. He now, with Burleson, is trying the same thing in the name of the Government.

President Wilson in his cable message the other day said:

> Bolshevism is steadily advancing westward from Russia. It is poisoning Germany. It can not be stopped by force, but it can be stopped by food, and all the leaders with whom I am in conference agree that concerted action in this matter is of immediate and vital importance.

I do not propose, for my part, to feed the organized crime of any country in order to stop its advance. Part of this money, under the existing form of the bill, will go to these people. There is only one cure for Bolshevism, and that is military force. It is the same kind of force they use, and like must meet like.

Feed them? They have exhausted themselves, just as the German exhausted himself trying to murder and rob his neighbors. They now find themselves in a starving condition. Their victims, if they can be reached, ought to be the object of our national charity; but to put food in the area where such bloodthirsty vagrants can seize it will only be to nourish and strengthen their arms to destroy our forces now in the vicinity of Archangel.

This is a harsh law, but they are reaping as they sowed. Before one dollar of this be voted to that element or put in a place where it is possible they may seize it they who have brought such calamity on Russia ought to die by the pangs of famine. They have brought that harsh judgment upon themselves by their violence, the disorder they have created, and the crimes they have committed.

Mr. PENROSE. Mr. President, at the suggestion of some Senators in my vicinity I have modified my amendment and I will ask the chairman of the committee to accept it, in order that it may go to conference for consideration there.

I realize that perhaps the original amendment is rather loosely drawn and is subject to a good deal of misconstruction and misunderstanding. I only wanted to draw attention to the point that if the United States Government, by reason of price fixing, had a large surplus on hand in storehouses it was only reasonable that their contribution of wheat should come from this wheat already in their custody. I will therefore modify the amendment so as to read as follows:

> *And provided further*, That so far as said fund shall be expended for the purchase of wheat to be donated, preference shall be given to grain grown in the United States.

Mr. MARTIN of Virginia. Mr. President, without meaning to indicate that I am in accord with that amendment, I am very willing that it may be adopted and go to conference.

Mr. PENROSE. I will offer it as a substitute, then, to go to conference.

Mr. THOMAS. Mr. President, until I inquire into the amendment somewhat further, I shall object to it. I may not do so to-morrow.

Mr. PENROSE. I will offer it as a substitute, then, and let it be printed.

The PRESIDING OFFICER (Mr. TRAMMELL in the chair). The amendment is offered as a substitute and will be printed.

Mr. REED. Mr. President, may it be stated from the desk? The Senator read it, but where I sat it was impossible to quite hear it. I should like to have it read.

The PRESIDING OFFICER. The request is made that the amendment may be stated by the Secretary. The Secretary will state the amendment.

The SECRETARY. On page 2, line 10, after the word "session," it is proposed to insert:

> *And provided further*, That so far as said fund shall be expended for the purchase of wheat to be donated, preference shall be given to grain grown in the United States.

Mr. THOMAS. Mr. President, I will withdraw my objection.

Mr. PENROSE. Very well. I do not wish to delay the bill. Then, as I understand, the amendment is accepted by the chairman of the committee.

Mr. MARTIN of Virginia. I am very willing that it be accepted, but I do not wish to be misunderstood as expressing myself in accord with it. It shall go to conference, however.

Mr. PENROSE. I understand.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Pennsylvania, as modified.

The amendment as modified was agreed to.

Mr. MARTIN of Virginia. Mr. President, I move that the Senate take a recess until 11 o'clock to-morrow morning.

Mr. POMERENE. Will the Senator withhold the motion for a few moments?

Mr. MARTIN of Virginia. Certainly.

SENATOR FROM MICHIGAN.

Mr. POMERENE. Mr. President, I rise to a question of personal privilege. I send to the desk and ask that the Secretary read three paragraphs which I have marked with a pencil. If Senators desire the whole article read, I would prefer to have it so read. It relates to the proceedings pending before the Committee on Privileges and Elections in connection with the Michigan senatorial contest. I ask that it may be read as I have indicated, and after it is read I shall have a brief statement to make.

The PRESIDING OFFICER (Mr. GAY in the chair). The Secretary will read as requested.

The Secretary read the three paragraphs which appear below.

Mr. POMERENE. Mr. President, the Secretary, at my suggestion, has read only a portion of the article. I ask that the whole article, including the headlines, be printed in the RECORD.

The PRESIDING OFFICER. Without objection, that will be done.

The article referred to is as follows:

FORD MEN TRY TRICK INQUIRY—POMERENE ATTEMPTS TO SMUGGLE PROBE RESOLUTION THROUGH DESERTED SENATE—SOLITARY REPUBLICAN HALTS SNAP ACTION—NEWBERRY FORCES PLEDGE ALL AID TO PRESERVE EVIDENCE IN PRIMARY FIGHT.

[From the Washington bureau of the Detroit Free Press.]

WASHINGTON, *January 17.*

Two examples came to light to-day in Washington of the lengths to which the Democratic Party, or some of its members, are prepared to go to overrule the verdict of the Michigan voters in electing Truman H. Newberry to the Senate.

Just before the Senate adjourned this afternoon Senator POMERENE, of Ohio, Democratic chairman of the Committee on Privileges and Elections, rose in the Chamber, which was almost deserted, and offered a resolution, which he tried to smuggle through and to have passed without reading. It happened that Senator FRELINGHUYSEN, Republican, from New Jersey, was listening, and he promptly demanded that the resolution be read, and upon hearing it objected to its consideration, thus sending it over for the day. It was thereupon referred to the Committee on Privileges and Elections.

Both Senators SMITH and TOWNSEND had left the Chamber before the Ohio chairman made his move. In fact, hardly a handful of Senators were on hand, and but for the faithfulness of Senator FRELINGHUYSEN the resolution would have been adopted.

WOULD GIVE FULL POWER.

The resolution gives authority to the Committee on Privileges and Elections, or any subcommittee thereof, to take possession of all ballots, poll books, tally sheets, and other documents and records connected with the Michigan senatorial election, and directs the committee or a subcommittee thereof to proceed with all convenient speed to take all necessary steps for the preservation of evidence as to the various matters alleged in the petition of Henry Ford and of any alleged fraud, irregularity, and unlawful expenditure of money in the election and primary, and as to intimidation of voters and other facts affecting the result of the election.

The committee or subcommittee is authorized to sit during the sessions of the Senate or during any recess of the Senate or of Congress, at any place and time, and to exercise the usual powers of congressional probing committees in the way of authority to compel testimony. It would also take possession of and hold disputed ballots.

A preamble sets forth that information has been received that in certain localities in Michigan some of the ballots are being destroyed and others likely to be destroyed "unless they are taken possession of by the Senate for the purpose of preserving and recounting the same."

POMERENE ACTS ALONE.

Chairman POMERENE's action in thus attempting to smuggle through the resolution was taken without authority from his committee, which met this morning and adjourned until to-morrow morning after hearing counsel for both parties to the contest. It will come as a surprise to members of the committee, both Republican and Democratic, as they supposed when they left the committee room that the matter was put over until the morning session and nothing would be done in regard to it.

The prediction is made to-night that POMERENE's course will tend to alienate his Democratic colleagues on the committee and will further diminish the chances of getting action by the present Senate, a majority of the committee having heretofore voted that the contest did not come within the jurisdiction of this session.

The other action that disclosed the determination of the Ford supporters to snatch every advantage, fair and unfair, in behalf of their candidate, was taken by Alfred Lucking at the hearing before the committee this morning.

The hearing was held under a resolution adopted by the committee last Wednesday by which an invitation was extended to the parties and their counsel to appear to-day and confer upon means of proving the evidence relating to the election.

LUCKING MAKES A SPEECH.

This was all the invitation included, but as soon as he got an opportunity to speak Lucking started on a lengthy harangue dealing with every detail of the reiterated allegations of fraud and intimidation and proceeded to make a fiery speech about everything conceivable except the preservation of the ballots.

The purpose of his proceeding became evident soon. A manifold copy of his speech was sent to the Senate press gallery and put at the disposal of newspaper correspondents with the plan that it would thus get nation-wide circulation and the Ford allegations would find a hearing everywhere.

H. E. Bodman, of Detroit, counsel for Newberry, followed the Lucking outburst with a flat-footed denial of every allegation of fraud or impropriety in the election. He told the committee that he did not intend to do more than deny them at this stage of the matter, as they were not properly before the committee under the resolution which called the meeting, but that at the proper time the charges that have been given such widespread circulation would be fully met and refuted in every detail.

NEWBERRY TO AID PROBE.

The matter before the committee, he said, was the best method of preserving the ballots, and in this Newberry supporters were ready to aid in every way possible. It is a subject, he contended, solely within the field of the legislature of the State. A bill is being put through the legislature as speedily as possible for the purpose and the governor will sign it as soon as it is passed. The ballots have been destroyed in three cities already, Marquette, Port Huron, and Saginaw. In two of these cities elections were held in December and the boxes were needed, while in the other the election officials followed the usual procedure under the law of the State.

"Mr. Ford had publicly declared that he would not seek a recount, and there was no reason for doing otherwise than is always done in the State with election ballots," said Mr. Bodman.

The committee voted to have its meetings open to the public hereafter and adjourned until to-morrow morning. Afterwards Chairman POMERENE made his effort to get snap judgment in the Senate.

It developed during the hearing this morning that one of the cities where the ballots were destroyed, Saginaw, was carried by Ford in the election. The fact furnished a curious commentary on the heated accusations of Lucking that the destruction of ballots was a partisan trick.

Mr. POMERENE. Mr. President, in view of the statements made in this article, I desire to make a brief statement.

The resolution was prepared by myself, I think either Saturday or perhaps Monday preceding the Thursday on which we had a meeting with regard to this contest. On January 14, which was last Tuesday, there was a meeting of the committee. I had instructed the clerk of the committee to prepare copies of the resolution and lay them before the members of the committee. I am told they were on the table at that time. On Tuesday, instead of taking any action, the Senator from Missouri [Mr. REED] introduced the following resolution in the committee, which was adopted:

Resolved, That the Hon. Henry Ford and the Hon. Truman H. Newberry, either in person or by their attorneys, be invited to appear before the committee on Friday, January 17, 1919, at 10.30 o'clock a. m. to advise with the committee relative to the steps necessary to be taken to preserve the evidence in the election contest of the said Henry Ford.

We then adjourned to meet on Friday at 10.30 o'clock. At that time copies of this resolution, which is now known as Senate resolution 415, were on the table before each member of that committee. After a conference, lasting for perhaps an hour or an hour and a half, the committee recessed until the afternoon. In the afternoon we again recessed until Saturday morning. Meanwhile, in order that this resolution might be formally before the committee, I decided that I would offer the resolution in the Senate and ask to have it referred to the committee.

On Friday evening, because of engagements I had at my office, I was not able to be in the Chamber. I thereupon asked my colleague on the committee, the Senator from Arizona [Mr. ASHURST], to offer this resolution for me. The RECORD for January 17, page 1607, shows this:

Mr. ASHURST. At the request of the senior Senator from Ohio [Mr. POMERENE], chairman of the Committee on Privileges and Elections, who is just been called from the Chamber, and on his behalf, I offer the resolution which I send to the desk and ask that it be referred to the Committee on Privileges and Elections.

Mr. FRELINGHUYSEN. I ask that the resolution just submitted be read by title.

The PRESIDING OFFICER. Without objection, the resolution will be read.

Though the RECORD itself does does not show it, the Journal shows this:

Mr. ASHURST (for Mr. POMERENE) submitted the following resolution, which was referred to the Committee on Privileges and Elections.

The article from this paper says that I rose, that I presented the resolution, and that I tried to smuggle it through the Senate in the absence of the Senators from Michigan.

I submit that the young man who wrote that article is not fit to associate with newspaper men. I submit further that if any newspaper published that article knowing the facts that paper is not fit to circulate. My belief is that, if this be a reputable paper, when it finds out what the facts are, if it

does not know them now, it will make a retraction, will apologize for this article, and will dismiss that young man from its service.

I felt that I owed this statement to the Senate.

Mr. TOWNSEND. Mr. President, on the evening that this resolution was introduced for the Senator from Ohio [Mr. POMERENE] by the Senator from Arizona [Mr. ASHURST] I had just left the Senate Chamber a few minutes before. I received a telephone call from some one telling me that such a resolution had been introduced; that immediate consideration had been asked for it, but that Senator FRELINGHUYSEN had requested that it be read, and that the matter went over.

I was also informed that a copy of the resolution would be sent up to my room in a short time. Meanwhile I called up the Senator from New Jersey, and he stated to me the exact facts as the RECORD discloses them. So, of course, the statement of the Senator from Ohio is absolutely correct. There was no foundation of fact for the statement that any unusual or improper methods were employed by the Senator from Ohio, but, as I say, that was not the first report that came to me. How the misunderstanding arose I do not know. I do not believe that it was intentional.

Mr. POMERENE. Mr. President, I am very much obliged to the junior Senator from Michigan for making that statement. The facts are as I have given them, and that is all I care to say on the subject at this time.

RECESS.

Mr. MARTIN of Virginia. I move that the Senate take a recess until 11 o'clock a. m. to-morrow.

The motion was agreed to; and (at 5 o'clock and 25 minutes p. m.) the Senate took a recess until to-morrow, Tuesday, January 21, 1919, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

MONDAY, *January 20, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite Spirit, Thy divine influence guided our fathers in the formation of our Republic, which, through all the vicissitudes of the past, has grown strong and prosperous. Its gates have been thrown wide open for the depressed and downtrodden of all peoples. We have received all comers and made them welcome.

But a class have grown up among us and become a menace to good government, and are seeking by nefarious methods to undermine the sacred principles we love; and we pray that they may be given to understand by our authorities that they are not wanted in this country; that the American flag is the only flag that we recognize and hold sacred.

If they can not conform to our methods, our Government, then, in God's name, let them depart from among us that we may continue to live in peace and prosperity. In Christ's name. Amen.

The Journal of the proceedings of Saturday, January 18, 1919, and of Sunday, January 19, 1919, was read and approved.

THE CENSUS.

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the census bill, disagree to the amendments of the Senate, and agree to the conference asked for by the Senate.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to take from the Speaker's table the census bill, of which the Clerk will report the title.

The Clerk read the title of the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

The SPEAKER. The gentleman from Tennesse asks unanimous consent to disagree to the Senate amendments and agree to the request for a conference.

Mr. MANN. Mr. Speaker, reserving the right to object, personally I have not examined the Senate amendments, but I heard that the Senate had incorporated an amendment providing for the selection of census employees through the Civil Service Commission under the merit system. Is that correct?

Mr. HOUSTON. I think a large number of them are to be selected in that way, in accordance with the amendment adopted by the Senate. It provides that the supervisors shall be appointed upon civil-service examination.

Mr. MANN. Is it just the supervisors?

Mr. HOUSTON. It does not apply to the enumerators. Perhaps most of the other employees are to be selected under the civil-service rules.

Mr. MANN. I have not read the amendment in the RECORD, and I think the bill has not yet been printed in the House.

Mr. STAFFORD. The bill has been printed with the Senate amendments numbered.

Mr. MANN. Then it has come in this morning. I have not seen it.

Mr. STAFFORD. I will say for the information of the gentleman that the civil-service requirement in the amendment added by the Senate provides only for the additional clerks and employees provided by section 6, which refers to the clerical force required in the compilation of the census and not to the field force.

Mr. HOUSTON. As I understand it, it applies to the supervisors, but not to the enumerators.

Mr. STAFFORD. I got this bill only this morning. I have the bill before me. As I read it, it applies merely to the clerical force and not to the field force.

Mr. MANN. I am under the impression that the Senate agreed to an amendment providing for the appointment of supervisors by the President, to be confirmed by the Senate. I am not sure——

Mr. HOUSTON. Also, with a proviso that it shall be after they have taken a civil-service examination.

Mr. MANN. I really can not see, if they are to be appointed by a civil-service examination, why they need to be named by the President and confirmed by the Senate. Did the House bill, as it passed the House, contain any provision for the appointment of the census clerks through the Civil Service Commission?

Mr. HOUSTON. All of them, as I understand it.

Mr. STAFFORD. I beg the gentleman's pardon.

Mr. HOUSTON. I was not here when that bill passed, but as it was reported to the House it contained that provision.

Mr. STAFFORD. The gentleman from Kentucky [Mr. HELM] was in charge of the bill when it passed the House.

Mr. HOUSTON. Yes.

Mr. STAFFORD. A strong effort was made at that time to bring them within the civil-service requirements of existing law. That effort was resisted by the other side and was unsuccessful.

Mr. MANN. Mr. Speaker, I have no objection to the census bill going to conference as soon as possible, but I think the House is entitled to a vote upon this provision in the Senate amendment, that these clerks in the Census Office shall be selected through the merit system and not as a political propaganda.

Mr. LANGLEY. That is right.

Mr. MANN. I am perfectly willing that the vote upon that proposition shall be taken at any reasonable time; and if the gentleman from Tennessee will agree that the House conferees will either agree to the substance of the amendment, or bring that particular amendment back to the House for a vote upon it, I have no objection to the bill going to conference.

Mr. GARRETT of Tennessee. That request applies just to the office force, as I understand it, and not to the field force?

Mr. MANN. I do not know just what the Senate amendment is.

Mr. GARRETT of Tennessee. It does not apply to the field force.

Mr. MANN. I do not know what the Senate amendment covers, but what I have in mind is the office force.

Mr. MADDEN. In other words, the gentleman does not want that foreclosed.

Mr. HOUSTON. Mr. Speaker, if the conferees fail to reach an agreement on that—or, in any event, I can not see any objection to having a separate vote on that question, so far as applies to this office force.

Mr. MANN. I did not hear the gentleman.

Mr. HOUSTON. I can see no objection to a separate vote upon that proposition with regard to the office force.

Mr. MANN. Of course there can be no reason why there should be an objection to it, but will there be an opportunity for a separate vote?

Mr. HOUSTON. It strikes me as a little premature to ask for a separate vote now, although I have no objection to a separate vote.

Mr. MANN. If it is premature, then I will ask the gentleman to let this go over until to-morrow morning.

Mr. MADDEN. If there is no agreement on that, we will not let this bill go to conference.

Mr. FOSTER. I think the gentleman will find, on page 10 of the bill, that it is amendment 25 which provides how the addi-

tional clerks as provided for in section 6 shall be selected, and all of them are under the civil service.

Mr. STAFFORD. Mr. Speaker, the amendments the gentleman from Illinois [Mr. MANN] has in mind are amendments numbered 13 and 14.

Mr. FOSTER. I am talking about amendment No. 25.

Mr. STAFFORD. I am referring to the amendments of the Senate under which the Director of the Census, so far as the employment of additional clerks is necessary, shall be required to take them from those who have taken the civil-service examination. I am fully acquainted with the amendments suggested by the gentleman.

Mr. FOSTER. I shall read the language, just what it says. It is very plain.

Mr. STAFFORD. But suppose there should not be sufficient clerks upon the existing roll; then he would necessarily be privileged to appoint those outside of the civil service.

Mr. FOSTER. Oh, no.

Mr. STAFFORD. Unless the Senate amendment be agreed to.

Mr. FOSTER. It does not provide anything of that kind.

Mr. MANN. Mr. Speaker, the bill as it passed the House provided that additional clerks and other employees provided by section 6 shall be subject to special test examinations as the Director of the Census may prescribe. The Senate amendment provides that it shall be done subject to the approval of the United States Civil Service Commission, and then it provides in Senate amendment No. 14 that the selections therefrom shall be made by the Director of the Census in the order of rating. I do not know that it cuts any particular figure.

Mr. STAFFORD. I understood from the gentleman that that additional legislation of the Senate, to which the gentleman from Tennessee [Mr. HOUSTON] is not opposed, brings them all under the civil service.

Mr. MANN. Mr. Speaker, I wish the gentleman would postpone his request until to-morrow morning, when I think we will all be prepared.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee.

Mr. HOUSTON. Mr. Speaker, I shall agree to the gentleman's request and postpone it until to-morrow morning.

The SPEAKER. The gentleman from Tennessee withdraws his request.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed, with amendments, bill of the following title, had requested conference with the House on the bill and amendments, and had appointed Mr. SMITH of Georgia, Mr. KING, Mr. WOLCOTT, Mr. BRANDEGEE, and Mr. COLT as the conferees on the part of the Senate:

H. R. 12201. An act to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

The message also announced that the Senate had passed, without amendment, bill of the following title:

H. R. 10953. An act to convey a strip of land on the site of the Federal building at Princeton, Ind.

The message also announced that the Senate had passed, with amendments, joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

H. J. Res. 289. Joint resolution for the appointment of four members of the Board of Managers of the National Home for Disabled Volunteer Soldiers.

The message also announced that the Senate had passed the following resolutions:

Resolved, That the Senate expresses its profound sorrow in the death of the Hon. JACOB H. GALLINGER, late a Senator from the State of New Hampshire.

Resolved, That as a mark of respect to the memory of the deceased the Senate, in pursuance of an order heretofore made, assembles to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Also, the following:

Resolved, That the Senate expresses its profound sorrow in the death of the Hon. JAMES H. BRADY, late a Senator from the State of Idaho.

Resolved, That as a mark of respect to the memory of the deceased the Senate, in pursuance of an order heretofore made, assembles to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased Senators the Senate do now adjourn.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary of War be, and he is hereby, directed to report to the Senate the names of all former civil-service employees of the War Department in the District of Columbia who resigned and volunteered or were drafted into the Army and who have been discharged therefrom and applied for reinstatement to their former positions and not reinstated, and to state why they have not been reinstated under authority of the order of the President issued July 18, 1918.

INDIAN APPROPRIATION BILL.

Mr. CARTER of Oklahoma, by direction of the Committee on Indian Affairs, reported the bill (H. R. 14746; H. Rept. 945) making appropriations for current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920, which was read a first and second time and, with the accompanying papers, referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. MANN. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Illinois reserves all points of order.

SOLDIERS' MAIL.

Mr. MILLER of Washington. Mr. Speaker, I ask unanimous consent to address the House for two minutes, and in my time to have read a letter respecting the mail for wounded soldiers.

The SPEAKER. The gentleman from Washington asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. MILLER of Washington. Mr. Speaker, I send to the desk a letter to have read by the Clerk.

The SPEAKER. Without objection, the Clerk will read.

There was no objection, and the Clerk read as follows:

SEATTLE, WASH., *January 8, 1919.*

Congressman JOHN F. MILLER,
Washington, D. C.

MY DEAR CONGRESSMAN: As Congressman from this State, I am taking up with you certain matters in connection with soldiers' mail, overseas forces.

I believe if enough pressure is brought there will be a betterment of conditions. I am inclosing you herewith an envelope, returned to me, in which I wrote to my son in France on August 30. This letter was returned to me January 6.

My son was wounded in the St. Mihiel drive September 12, was released from the hospital October 1, went into battle on the 5th of October, and was again wounded and sent to the hospital. On November 30 he had not yet rejoined his company, due to the fact that his company had gone into Germany.

You can see by the inclosed envelope, which is one of 10 returned to me to-day, that his mail is being returned with the notations that he has been wounded. On November 29 he had had no pay since August and no mail since August, and presumably will not get any more of my letters, as they are being returned to this country. So much for that case.

Another case, that of Private Earl Smith, who left Seattle with the One hundred and sixty-first Infantry, has not received one letter of communication from his parents since last February—11 months. He was wounded at Soissons on the 18th of July, transferred from various hospitals, finally reaching debarkation hospital No. 3, New York City, about December 10. He is on the second floor, ward 3.

His people have written him several times, telegraphed him, and telegraphed money to him, but under date of December 31 he wrote his people that he had received no money since he was wounded in July and had received no letter or communication of any kind from them.

I have two other equally flagrant cases, where the boys were wounded in the battle of Cantigney on May 28, and they have received no pay or mail since that time, and are now returned to the United States for demobilization—still no pay.

If there is anything you can do to remedy this condition, I am sure your constituents will appreciate it.

Yours, very truly,
CHAS. M. DIAL.

P. S.—While it is true this boy was wounded, can you tell me why he and other boys, because of their wounds, should be penalized by having their pay stopped and all of their mail withheld from them?

Mr. MILLER of Washington. Mr. Speaker, I ask unanimous consent to proceed for one minute more.

The SPEAKER. Is there objection?

There was no objection.

Mr. MILLER of Washington. Mr. Speaker, I would like to ask the chairman of the Committee on Military Affairs, or any member of that committee who is present this morning, if there is any promise of any betterment in the mail service to soldiers, and particularly wounded soldiers, and whether there is any promise of betterment in the payment of wounded soldiers. I would like to hear from any member of the committee, if there is any present, if there is any promise of betterment in this service, or, for that matter, from any other Member of the House.

Mr. MANN. Mr. Speaker, the gentleman from Washington will recall that the Committee on Military Affairs is probably in session this morning on the appropriation bill, which accounts for no member of that committee being present.

Mr. MILLER of Washington. Then I would like to inquire of any other Member of the House if there is any promise of betterment in this matter.

The SPEAKER. The time of the gentleman from Washington has expired.

EXTENSION OF REMARKS.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent to print in the RECORD a report of a special committee in the Pension Department, indicating those companies of rangers and Indian fighters in Texas who come within the provisions of the act of March 4, 1917. It is a matter in which over 1,000 applicants are interested.

The SPEAKER. The gentleman from Texas asks unanimous consent to print in the RECORD a special report from the Pension Department. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, is it a voluminous report?

Mr. BLANTON. No; not voluminous. It affects the rights of over 1,000 applicants, who are old residents of Texas, who performed services on the frontier fighting Indians.

Mr. STAFFORD. Of how many pages does it consist?

Mr. BLANTON. It is strung out in a single column over a number of pages, but in the RECORD, I presume, it would cover only a few pages of the RECORD.

The SPEAKER. Is there objection?

Mr. LITTLE. Mr. Speaker, reserving the right to object, what is the purpose of printing it?

Mr. BLANTON. It will save a great deal of correspondence on the part of the 18 Members of Congress from the State of Texas, who are frequently called upon to answer requests from these people who are interested in this matter. Many of them are not entitled to pensions. This report would indicate to them immediately that they are not entitled to pensions, and it would tend to stop further correspondence and further hope in the matter.

Mr. LITTLE. Then, it is a matter of convenience to the gentleman and his constituents?

Mr. BLANTON. It is a matter of importance to all of the Members from Texas and their constituents.

The SPEAKER. Is there objection?

There was no objection.

Mr. LANGLEY. Mr. Speaker, I was ill in the hospital at the time the river and harbor appropriation bill and the $100,000,000 food emergency bill were passed in the House. I ask unanimous consent to extend my remarks in the RECORD upon those two measures.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to extend his remarks in the RECORD upon the river and harbor appropriation bill and the emergency food bill. Is there objection?

There was no objection.

CALENDAR FOR UNANIMOUS CONSENT.

The SPEAKER. The Clerk will call the first bill on the calendar.

AGRICULTURAL ENTRIES ON COAL LANDS IN ALASKA.

The first business in order on the Calendar for Unanimous Consent was the bill (S. 95) to provide for agricultural entries on coal lands in Alaska.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I do not know whether anyone from the Committee on Public Lands wants to be heard on this bill, but I would like to ask the Delegate from Alaska whether, in his opinion, this bill ought to pass at this time?

Mr. WICKERSHAM. My opinion is that it ought not. I am very much opposed to this class of legislation for Alaska, and certainly am opposed to it until I can have an opportunity to be heard upon it before the committee.

Mr. MANN. Well, for the present, I object.

The SPEAKER. The gentleman objects, and the bill goes off.

AMENDMENT TO ESPIONAGE ACT.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 9094) to amend section 1 of Title VIII of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I have examined this bill. I suppose it was introduced and reported purely as a war measure. What is the special necessity for this provision now when we are about, let us hope, to have peace?

Mr. GARD. Mr. Speaker, I do not know the object of the introduction of the bill, which, I think, was introduced by the chairman of the committee, but it was considered by the committee and reported by me as part of the regular business of the committee, and the Department of State stated that it is not confined in its utility to a war measure, but that it is necessary as an amendment to the existing statute protecting applications made to the State Department, protecting the State Department against fraud which may be perpetrated upon it, and that in that sense it is not a war measure.

Mr. MANN. Well, it was introduced January 22, 1918, and reported June 18, 1918. The dates in the subject matter will show it was introduced and reported as a war measure.

Mr. GARD. It was introduced during the time we were actively at war; yes.

Mr. MANN. It provides, among other things—

whoever shall willfully and knowingly present to the Department of State such false or untrue statement, with intent to influence its action with respect to the protection of such person or concern—

And so forth—

shall be fined or imprisoned.

That is the amendment.

Mr. GARD. That is the only amendment to it, the gentleman knows.

Mr. MANN. Well, here is a penal offense in time of peace for a man who presents an untrue statement. He does not have to swear to it. He may be absolutely innocent and may not know the statement is untrue and may believe it to be true. And he is not under oath.

Mr. GARD. Oh, no, the gentleman is mistaken about that. If he reads the language of the amendment, he will see whoever shall willfully and knowingly present to the Department of State, and so forth.

Mr. MANN. Gentlemen frequently willfully and knowingly present documents to the Department of State. The law has frequently been construed. All it requires is that he knowingly presents it.

Mr. GARD. Well, "willfully" is construed as meaning purposely.

Mr. MANN. Well, I purposely present it; I willfully present it, but I do not know it is false; but suppose I do know it is false, are they going to send me to the penitentiary and leave that as a matter of proof to know whether I knew it was false or not? They have to prove it is false, and the presumption will be I presented it not knowing it was false. The presumption is in this House that when a man introduces a bill he knows what is in it, but we all know that of a very large share of the bills which are presented by Members they do not know what is in them, but they introduce them at the request of some people in whom they believe, and do not pretend to be responsible for everything in the bill.

Mr. GARD. The bill is introduced at the request of the State Department, as the gentleman knows.

Mr. MANN. As this bill was?

Mr. GARD. Yes; I am frank to say that.

Mr. MANN. That is the case with many bills.

Mr. GARD. A considerable number are since the department necessarily must know the weakness of the law.

Mr. MANN. This bill was willfully and knowingly introduced in the House, in the language of the amendment, but the gentleman who introduced it is perhaps unable to give careful examination of the bill before he introduces it because he probably introduces it merely at the suggestion and request of the State Department in order to have it printed and up for consideration. I think we go a long ways. Here is a propaganda going on now in reference to the payment by this Government of a large sum of money to the Republic Colombia. A great many statements are being made on both sides of the question endeavoring to influence the State Department and also the Congress upon the subject. A great many of those statements are falsehoods because they are directly contradictory of each other. They can not all be true yet it is proposed, in order to prevent men endeavoring to get their rights or what they claim are their rights, that if they make a statement that is not true they shall not only be subject to the ordinary penalties of perjury but they shall be subject to an additional offense, a penitentiary offense. Now, I can understand why as a war measure we might want to prevent false statements concerning the war or the relationship with the allies being presented to the State Department, but as a permanent policy of the Government, while I do not believe in presenting false statements to the State Department, I doubt very much the

desirability of fining or imprisoning a man because he has done something of that sort which he may have thought was true and which he did in good faith.

The SPEAKER. Is there objection?

Mr. MANN. I ask to have the bill passed over——

Mr. GARD. Does the gentleman desire to offer any amendment?

Mr. MANN. I have not given it sufficient consideration to offer an amendment, I will say to the gentleman.

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, there is a growing sentiment in this country, especially since the armistice was signed, favoring the repeal of many of the restrictive measures that were passed during the war. I find that a great many business men are complaining that it is almost impossible for them to do business in competition with their foreign competitors because of conditions that we imposed upon them while the war was in progress. I find a great many individuals are complaining that they are not free in this country—which is supposed to be a country of freemen—to give utterance to their thoughts and beliefs within ordinarily legitimate lines because of many of the acts that we passed to safeguard this country during the war. It seems to me the time has come when rather than increase these restrictions we should begin to repeal them. And I, for one, intend to watch this kind of legislation so far as I am able while in the House, with a view to checking any more acts that will hamstring the business man and deny the individual the ordinary peace-time privileges of citizens of the United States.

Mr. GARD. Will the gentleman pardon an interruption?

Mr. MOORE of Pennsylvania. Yes.

Mr. GARD. This is not such a question. This is a law that has been on the statute books for a long time.

Mr. MOORE of Pennsylvania. Since the gentleman is more familiar with this law than I am, I would like to ask him a question. It appears that anyone who makes false statements to the State Department, as provided in this amendment, would be subject to a fine of $5,000 and imprisonment of not more than five years, or both. Who is to determine whether the statement is willfully or knowingly false?

Mr. GARD. The case would be submitted to a jury, and the jury would determine, under the instructions of a court, whether it is false or willfully or knowingly presented. I would say to the gentleman that I have no objections, if the gentleman thinks it would be better, to provide an amendment in the bill that whoever shall willfully and knowingly present to the State Department such false and untrue statements, knowing the same to be false and untrue, to tend to influence action——

Mr. MOORE of Pennsylvania. I want to protect no man who makes a willfully false statement for the purpose of deceiving the State Department, but I am frank to say to the gentleman, having watched this matter somewhat carefully and referring to the particular case to which the gentleman from Illinois [Mr. MANN] referred a little while ago, that of a certain propaganda, that I am inclined to believe that many of these false statements that seem to annoy the State Department do not come from the people of the United States, but come largely from people outside of the United States who have designs upon the United States, and I do not feel that we ought to legislate in favor of those people. Take the particular instance to which the gentleman from Illinois [Mr. MANN] has referred, where it is possible false statements might be made not necessarily by citizens of the United States, but by those who are representative of foreign countries who are acting within the United States and who are seeking to get money from the United States.

Mr. GARD. This bill, as the gentleman knows, requires a statement to be under oath before a person authorized and empowered to administer oaths.

Mr. MANN. I would like to ask the gentleman why the laws against perjury do not apply to those cases? I know what the existing law is in reference to this matter. Why does not the law against perjury and providing the penalties for perjury apply to a man who knowingly swears to a falsehood and then presents the paper to the State Department?

Mr. GARD. I do not believe there is any statute that provides for punishment for perjury in a case such as this. I am frank to say I have not examined into it with that object in view, but I do not believe the perjury statute would apply to the case. It refers to a statement made willfully and knowingly under oath—a false statement. It is intended to protect the State Department against the imposition of such false statements knowingly made.

Mr. MOORE of Pennsylvania. Does the gentleman know of any case in point that provoked the suggestion for this new legislation?

Mr. GARD. I know that in the statement given by the Secretary of State it says this:

There appears to be no provisions in the Federal Penal Code defining as an offense the making of false representations under oath to the Secretary of State under circumstances of the character indicated in the proposed amendment. It will be observed therefore that, at the present time, persons may with impunity submit false oaths to this department for the purpose of obtaining assistance and protection to which they are not properly entitled. As such assistance and protection often entails negotiations with foreign Governments, it is important to determine with precision the facts of the particular cases involved, and as the department must in a great measure rely upon the affidavits of the parties in interest, you will readily perceive that it is very desirable that the making of false affidavits in such cases should be prevented, so far as possible, by severe penalties, rather than be left to be regulated, as is now the case, merely by the moral sense of right of the affiants, whose personal interests in most instances are involved.

Mr. MOORE of Pennsylvania. I submit to the gentleman there is absolutely nothing in that statement that has any relevancy to war problems at all. This is a proposition——

Mr. GARD. I have been trying to state that it is not a war problem——

Mr. MOORE of Pennsylvania. Why amend an espionage act that sooner or later may be repealed? Why not bring that in as new legislation, to be considered on its merits at the proper time? I am frank to say to the gentleman that I expect there will be a demand for the repeal of the espionage act. Why add to the difficulties already encountered under that act, which may be repealed shortly, by the introduction of general legislation, to apply in peace times and which may be meritorious from that point of view?

I submit to the gentleman that I shall object to unanimous consent. However, I do not want to interfere with the discussion.

Mr. MANN. The statement of the State Department, as read by the gentleman, may be correct. It may be assumed that the State Department is correct. Yet it is a startling statement to say that a man who willfully commits perjury in filing papers with the State Department can not be punished for perjury because legally it is not perjury. If a man swears falsely to an affidavit to get anything out of any other department of the Government, he is subject to the pain of perjury. But according to the State Department you can file any old paper with that department, swear to anything if it is to go to the State Department, and that is not perjury. Well, if that is true, it ought to be corrected. I know that is what the State Department says. If the State Department could be punished for all the misinformation that comes from that department, they would all be in jail.

Mr. STAFFORD. Will the gentleman yield?

Mr. GARD. I will.

Mr. STAFFORD. The letter from the Department of State goes on to show that many of these claims presented to the State Department are from foreign corporations, and that there are no means whatsoever for reaching those foreign corporations after the State Department has been duped by the presentation of their claims. Though it is an American corporation, the membership is largely composed of aliens, and there is no opportunity whereby the State Department can reach the real parties who have been instrumental in deceiving the State Department in taking action in presenting a claim against a foreign government.

This bill is intended to protect the State Department, so that when it uses its good offices to present a claim against Mexico or any other foreign government it may be certain that the information is true and not false. That is shown on the second page, as the gentleman is well aware.

Mr. GARD. That is unquestionably the object of the bill.

Mr. TOWNER. Reserving the right to object, Mr. Speaker, I want to call the attention of the gentleman in charge of the bill to the language of the amendment at the top of page 3. I think perhaps what was intended by the committee on that amendment was to fix a penalty for the presentation by any person of a paper, the contents of which the person presenting same knew to be false. That is not what this amendment now reads to me.

Mr. GARD. Does the gentleman have in mind an amendment providing that it was known to be false?

Mr. TOWNER. Yes.

Mr. GARD. I have no objection to that.

Mr. TOWNER. Because that is the very proposition involved. A client engaged in a lawsuit should not be made responsible in perjury for the false statements of a witness in his behalf. He might be guilty of subornation of perjury if he endeavored to get him to testify to facts he knew to be false. This amendment just now reads, "or whoever shall willfully and knowingly present to the Department of State such false or untrue statement with intent to influence its action with respect to the protection of such persons or concerns." Of course, a man might willfully and knowingly present a statement of somebody else to the department with or without knowledge of its contents; but before he can be convicted it should be shown that he not only knowingly presented it but had knowledge of the fact that the affidavit was untrue. That, no doubt, is what was intended.

Mr. GARD. As I said to the gentleman before, I have no objection to incorporating that language in the amendment. I think that that language in the amendment to the bill is safeguarded, and the Department of State is protected in its very proper desire to afford all assistance possible to American citizens and corporations and everyone else having business with the State Department. If the bill can be proceeded with. I am frank to say that I shall be glad to offer the amendment suggested by the gentleman from Iowa, and other amendments.

The SPEAKER. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Speaker, I object.

The SPEAKER. The gentleman from Pennsylvania objects.

BRIDGE ACROSS THE MISSISSIPPI RIVER, NEW ORLEANS, LA.

Mr. DUPRÉ. Mr. Speaker, I ask unanimous consent to take up for consideration the bill (H. R. 13143) extending the time for the construction of a bridge across the Mississippi River at or near the city of New Orleans, La.

I will state that it extends by two and five years the time for the construction of a bridge or tunnel across the Mississippi River at New Orleans. It was approved by the War Department and comes from the Committee on Interstate and Foreign Commerce with a favorable report.

The SPEAKER. The Clerk will report it.

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, I believe this bill is on the Calendar for Unanimous Consent.

Mr. DUPRÉ. Yes.

Mr. STAFFORD. What is the special reason at this early hour for taking it up out of its regular course?

Mr. DUPRÉ. I have intended to call it up for some time, and I deferred calling it up when the appropriation bills were before the House so as not to interfere with the procedure. I do not know whether this bill will be reached or not to-day, but the people behind it are pressing me to get it passed. It will not take more than a minute to pass it if we reach it.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

A bill (H. R. 13143) extending the time for the construction of a bridge across the Mississippi River at or near the city of New Orleans, La.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, I wish to inquire of the gentleman who introduced the bill whether under the original act—this bill seeks to extend the time for commencing and completing the work—authorization is carried for the construction of a tunnel or tunnels under the river?

Mr. DUPRÉ. Yes, sir. The original act was drawn in that way by the direction and at the suggestion of the Secretary of War. The present bill, as the gentleman will note if the gentleman has the bill before him, states the exact situation as it was in the original legislation. I did not think it is necessary to go into all the details. The War Department, however, insisted on all these amendments, which are merely verbiage.

Mr. STAFFORD. I will state to the gentleman that I have no objection.

The SPEAKER. The gentleman withdraws his objection. The Clerk will report the bill in full.

The Clerk read as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by the act of Congress approved August 8, 1916, to be built at or near the city of New Orleans, La., by the city of New Orleans, are hereby extended to two and five years, respectively, from the date of the approval of this act.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Amend the title so as to read: "A bill extending the time for the construction of a bridge across the Mississippi River near and above the city of New Orleans, La., or for the construction of a tunnel or tunnels under said river in lieu of said bridge."

With committee amendments, as follows:

On page 1, line 6, strike out the words "at or" and insert the words "across the Mississippi River."

After the word "near," in line 6, page 1, insert the words "and above."

And at the end of line 7, after the words "New Orleans," insert the words "or for constructing a tunnel or tunnels under said river in lieu of the bridge."

Amend the title.

The SPEAKER. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. DUPRÉ. Mr. Speaker, the title should be amended.

The SPEAKER. Without objection, the title will be amended in accordance with the text.

There was no objection.

On motion of Mr. DUPRÉ, a motion to reconsider the vote whereby the bill was passed was laid on the table.

AMENDMENT TO ESPIONAGE ACT.

Mr. GARD. Mr. Speaker, I ask unanimous consent that the bill H. R. 9094, to which objection was made by the gentleman from Pennsylvania [Mr. MOORE], may be permitted to retain its place on the Calendar for Unanimous Consent.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the bill referred to retain its place on the Calendar. Is there objection?

There was no objection.

RIGHT TO CUT TIMBER FOR AGRICULTURAL PURPOSES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13056) to grant to citizens of Modoc County, Cal., the right to cut timber in the State of Nevada for agricultural, mining, or other domestic purposes, and to remove such timber to Modoc County, Cal.

The Clerk read the title of the bill.

The SPEAKER. Is there objection.

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from California asks unanimous consent that this bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That section 8 of an act entitled "An act to repeal the timber-culture laws, and for other purposes," approved March 3, 1891, chapter 561, as amended by an act approved March 3, 1891, chapter 559, page 1093, volume 26, United States Statutes at Large, be, and the same is hereby, amended by adding thereto the following:

"That it shall be lawful for the Secretary of the Interior to grant permits under the provisions of the eighth section of the act of March 3, 1891, to citizens of Modoc County, Cal., to cut timber in the State of Nevada for agricultural, mining, or other domestic purposes, and to remove the timber so cut to Modoc County, State of California."

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. RAKER, a motion to reconsider the vote by which the bill was passed was laid on the table.

LANDS AT YELLOWSTONE, MONT., FOR HOTEL PURPOSES.

The next bill on the Calendar for Unanimous Consent was the bill (S. 41) to authorize the sale of certain lands at or near Yellowstone, Mont., for hotel and other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, I will ask the gentleman from Montana [Mr. EVANS] is there any other land at the entrance to Yellowstone National Park which is owned in fee by any private corporation or individual?

Mr. EVANS. I doubt if there is any land other than that owned by the railroad company there. This is through a forest reserve.

Mr. STAFFORD. Why should we grant this preferential right to the railroad company when other individuals can not secure title to Government land in that neighborhood? It grants a virtual monopoly to the railroad company for the purpose of erecting and managing a hotel there.

Mr. EVANS. The railroad company is transporting and taking care of people there at the entrance to the park. There is no other way in which people can be taken care of unless somebody is given the opportunity, and neither the railroad company nor anybody else wants to spend several hundred thousand dollars in putting up a hotel there on other people's land. The land is in the forest reserve. It is of no particular value. Although it is to be sold to the railroad company at the rate of $25 an acre, I dare say it is not worth $2.50 an acre.

This bill was sent to me by the Secretary of the Interior. The purpose of it is to accommodate the people who travel through the park.

Mr. STAFFORD. It is just the fact that it may create a monopoly——

Mr. EVANS. I think not. The hotel is to be conducted under the control of the Secretary of the Interior, as all the park hotels are.

Mr. MANN. I think it is all right.

Mr. STAFFORD. Mr. Speaker, I withdraw the reservation of the objection.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. EVANS. I ask unanimous consent that this bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that this bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The bill was read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized to sell and convey to Oregon Short Line Railroad Co., a corporation organized under the laws of the State of Utah and authorized to do business in the State of Montana, its successors and assigns, for hotel and other purposes, and at a price to be fixed by appraisement at not less than $25 per acre, and under such terms, conditions, and regulations as the Secretary of the Interior may prescribe, the following-described lands, situated in Gallatin County, Mont.: Lot 3 and the northeast ¼ of the southwest ¼ of section 34, in township 13 south, of range 5 east, Montana principal meridian, including the area at present covered by the right of way for the wye tracks of said Oregon Short Line Railroad Co.; also all that portion of the southeast ¼ of the northwest ¼ of said section 34 lying south of the right of way and station grounds of said company, the entire tract above described consisting of 88.02 acres; the right of way and station grounds of said Oregon Short Line Railroad Co. and the right of way for the wye tracks of said company being designated in the filing map of the Yellowstone Park Railroad Co. filed with the Secretary of the Interior, the land described being within the boundaries of the Madison National Forest: *Provided, however*, That any hotel erected on said lands shall be operated by the said Oregon Short Line Railroad Co., or its successors in interest, under such rules and regulations as the Secretary of the Interior may prescribe for the conduct and operation of hotels within the Yellowstone National Park.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. EVANS, a motion to reconsider the vote by which the bill was passed was laid on the table.

SETTLERS ON CERTAIN RAILROAD LANDS IN MONTANA.

The next business on the Calendar for Unanimous Consent was the bill (S. 935) for the relief of settlers on certain railroad lands in Montana.

The Clerk read the title of the bill.

Mr. EVANS. Mr. Speaker, I have conferred with some gentlemen who are interested in this bill, and, so far as they are concerned, it has been agreed that the bill may be passed over and retain its place on the calendar.

The SPEAKER. The gentleman asks unanimous consent that this bill be passed over without prejudice and retain its place on the calendar. Is there objection?

Mr. FOSTER. These bills ought to go to the foot of the calendar. It seems to me unfair to other members to pass over bills and leave them on the calendar to be called ahead of other bills all the time.

The SPEAKER. The gentleman from Illinois [Mr. FOSTER] asks unanimous consent that this bill go to the foot of the calendar. Is there objection?

There was no objection.

LEAVE OF ABSENCE FOR HOMESTEAD ENTRYMEN.

The next business on the Calendar for Unanimous Consent was the bill (S. 2552) to provide for a leave of absence for homestead entrymen in one or two periods and for longer times.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, as I recall, this bill provides for dividing the time of annual absence of homestead entrymen into more than one period?

Mr. TAYLOR of Colorado. The present homestead law requires seven months' actual residence and allows five months' leave of absence in each year on every homestead claim. A year or so ago we passed a law allowing that five months' leave of absence to be in either one or two times.

Mr. MANN. I remember the law, and I remember the facts.

Mr. TAYLOR of Colorado. Allowing the entryman to divide the five months' leave of absence into two parts if he so desires.

Mr. MANN. This bill allows "for climatic reasons only" a reduction of the time for residence from seven months to six months in each year.

Mr. TAYLOR of Colorado. It provides for six months' leave of absence and six months' residence instead of seven in any one year, and extends the time of homestead residence period before final proof from three years to four; in other words, requiring 24 months of actual residence, whereas the present law requires only 21 months' actual residence, extended over three years, before a man can prove up and obtain patent. This bill only applies to homestead claims located in high altitudes in the mountainous West. In the extreme higher altitudes this bill allows seven months' leave of absence and only requires five months' actual residence each year, but requires the homesteader to put in five years' time and 25 months' actual residence on his claim before he can prove up and obtain a patent. So that while this bill may be looked upon as a relief measure, as a matter of fact it is a very harsh relief measure. It penalizes a man for his misfortune. It makes him live either four or five years on his claim instead of three years before patent can be obtained, and requires either 24 or 25 months' actual residence instead of 21 months, as the present law provides.

No man will ever avail himself of the provisions of this bill unless the deep snows of the mountains drive him to it. But, nevertheless, there are thousands of places in the Rocky Mountains where even these unnecessarily harsh provisions will be a godsend to a poor man and his family who are trying to make a home.

Mr. MANN. Where is there a place in the West where people can take up homesteads, where the climatic conditions are such as to forbid a man living on the land more than six months in a year?

Mr. TAYLOR of Colorado. All over the mountainous portions of the West, where the land is from 7,000 or 8,000 to 10,000 or 11,000 feet altitude, the snow is so deep that they need this relief. Within a few miles of my own home town the snow at this time is probably 8 or 10 feet deep.

Mr. MANN. Oh, yes; but this is not the time when the homesteaders live on the land.

Mr. TAYLOR of Colorado. The idea is this: The snow commences to fall in September or October and does not go off until June, and there are not seven working months on the land in a year, and there is no use compelling a man, as the law now does, to stay up there seven months each year. When the deep snows commence they want to take their families and stock and go down to a lower altitude and get out of the snow.

Mr. MANN. With leave to stay away five months, they are not required to be there at this time of the year.

Mr. TAYLOR of Colorado. No; but they are required to be there seven months in the year, and that is about two months longer than they can do any good by staying up there. They can not get up on their claims to do any work before late in May or June, and there is no use compelling a man who is trying to open up and improve a claim, to make a home, to stay there in deep snow when he can not do anything.

Mr. MANN. Yes; but not in this month—not in the middle of winter.

Mr. TAYLOR of Colorado. They can not practically or usefully put in seven months in the year up there, during the first three or four years, while they are clearing, breaking, fencing, building, and trying to prepare a home, before they get title to their land. Afterwards, when they get well settled, they may and often do live up there all the year around.

Mr. MANN. How early in the season can they get up there? When does the snow melt?

Mr. TAYLOR of Colorado. Along in June; usually from about the middle of May to the middle of June, depending on the altitude. It varies somewhat.

Mr. MANN. Yet the gentleman proposes to have a homestead.

Mr. TAYLOR of Colorado. Yes; there will be thousands of them that will ultimately make good homes. That is the richest soil in the world in those mountain parks.

Mr. MANN. Where the snow does not melt until June.

Mr. TAYLOR of Colorado. There are thousands and thousands of places throughout the higher latitudes all over the West where there are splendid little parks, from eight to ten thousand feet high, where the snow gets from 10 to 15 feet deep in the wintertime.

Mr. MANN. Oh, yes; I have been out there on the mountains where there is plenty of snow in August, and have stayed the year round, but what has that to do with the homestead question?

Mr. TAYLOR of Colorado. After these settlers get their claims cleared of scrub trees and brush and rock, and get the land broke and leveled and seeded in hay, and get the land fenced and build a good house and suitable barns and sheds for taking care of their stock they can then live up there on these claims longer and probably live there the year round. But that requires many years of most awfully hard work, and while they are improving their land, and establishing a home, and

getting the ground under cultivation so that they can raise some timothy hay or rye, or fall wheat, something for themselves and their stock to live on, they can not go up there any earlier than about the 1st of June, and they have actually got to get out of there by about the middle of October or the 1st of November at the outside.

Mr. MANN. It would be a pretty short time in which to raise much of a crop if the snow did not melt until late in June and they had to leave there late in September.

Mr. TAYLOR of Colorado. As the gentleman knows, it does not melt until August in some places.

Mr. MANN. I know it does not, but I have not heard that they raise much rye or timothy in those places where the snow does not melt until August and commences to fall again in September.

Mr. GARD. Possibly they do not raise the rye from the ground.

Mr. MANN. Oh, out there they have to.

Mr. TAYLOR of Colorado. I do not know whether the House knows it or not, but as fine timothy hay as there is in the world can be raised clear up practically to the timber line, 11,000 feet high, hay as tall as your head.

Mr. MANN. The House does not know it, and notwithstanding the gentleman's assertion I doubt that the House knows it now.

Mr. TAYLOR of Colorado. The House can know it. Anyone can find out. I know what I am talking about. I have lived there for nearly 40 years. The whole question before the House is whether or not you are in favor of encouraging homestead settlements in the West. If so, for Heaven's sake let us relieve the back-breaking and heartbreaking burdens of the settlers and enact some fair, common-sense conditions under which they can take up these rough and rugged, barren and worthless lands and by years and years of toil and privations transform them into productive American homes. When we begrudgingly extend the time from 21 to 24 months for the privilege of a six months' leave of absence, and harshly extend it from 21 months to 25 months for permission of a seven months' leave of absence, it seems to me that no fair-minded man can object to this bill. Because, I repeat, the settler is compelled to put in a five-year period if he only lives on his claim five months each year, and a four-year period instead of a three if he only puts in six months each year on his claim.

Mr. MANN. Everyone here is in favor of doing anything that is practical or beneficial to the bona fide homesteader, but the question is whether the people who live in the towns and villages and cities of these western countries shall be permitted to nominally take up homesteads which they do not even pretend to be on for six or seven months of the year, and are not actually on except to go up there and look at it for a few months in the summer.

Mr. TAYLOR of Colorado. I am sure the gentleman has gotten some misinformation.

Mr. MANN. I am sure that I have some real information.

Mr. TAYLOR of Colorado. Oh, no. There may some time have been a few such cases. We hear of those things here in Washington. Nobody ever hears of them in that country. They are about as unlike, absurd, and ridiculous as the representations of the wild and woolly West that we see in the eastern movies. Those things do not happen any more in our country.

Mr. MANN. Oh, yes; that is where I always heard of them. I have tramped a good deal over Colorado, and that is where I heard about these things, where everyone jests about it.

Mr. TAYLOR of Colorado. That was many years ago. I hope you will come out there again.

The SPEAKER. Is there objection?

Mr. GARD. Mr. Speaker, reserving the right to object, of what value is a homestead in one of these parks in which nobody can live for six or seven months of the year? What sort of a homestead is that?

Mr. TAYLOR of Colorado. They make a good stock-raising homestead. There are hundreds of good stock ranches and homes now all through the North Park, the South Park, and the Middle Park of Colorado and hundreds of other smaller parks, notwithstanding they are very high and cold and the snow usually gets very deep in the wintertime and the summers are very short and cool.

Mr. GARD. Is there any stock raised up there, except polar bears?

Mr. TAYLOR of Colorado. Yes, sir; and I want to tell this House that the cattle that are raised at from seven to ten thousand feet altitude tops the markets at Chicago, Kansas City, Omaha, and Denver. They are the best stock in the world. The Whitefaces, the Herefords that we raise in Gunnison and several other counties in Colorado take the premium, the blue ribbons, on all the markets—raised at those altitudes and in that rigorous climate of the mountains.

Mr. GARD. Does this bill have for its purpose the bona fide establishment of homesteads or does it have for its purpose the fact that some one wants a summer home up in the mountains?

Mr. TAYLOR of Colorado. My dear sir, we Members from the West are not here encouraging fake homesteads nor pretended homesteads. We are trying to get sane, practical laws, to make it possible for people in good faith to make their permanent homes among us and help upbuild that great western empire. What the West needs is more people, more homes, more land under cultivation, more development of our boundless resources.

Mr. GARD. I am asking for information. I am in favor of anyone who wants to go into a new territory and establish a homestead.

Mr. TAYLOR of Colorado. If the House would be more liberal to the homesteaders, and would pay a little attention to the recommendations and appeals of us people who live out there, we would have tens of thousands more homes in the West than we have at the present time. Eastern, narrow, impractical conservation can never develop the West. I have for 10 years been appealing to this House to cease treating the West as an unruly stepchild, and to stop useless and harassing restrictions and let us grow. We have not developed the way we should, and our principal obstacles have been the attitude of Congress and the narrow, technical spirit in which the public-land laws have been administered during the past 15 years. But notwithstanding these terrific handicaps against us I confidently believe that, considering our population, our very limited and meager means, our entire lack of Federal aid in cantonments, munitions plants, and other resources that were poured into the lap of the old and rich East, North, and South, that history will record that we of the arid West heroically rendered greater services and sacrifices than any other portion of our Republic.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the act entitled "An act to provide for leave of absence for homestead entrymen in one or two periods," approved August 22, 1914, be, and hereby is, amended to read as follows:

"That the entryman mentioned in section 2291 of Revised Statutes of the United States, as amended by the act of June 6, 1912, Thirty-seventh Statutes, 123, upon filing in the local land office notice of the beginning of such absence at his option shall be entitled to a leave of absence in one or two continuous periods, not exceeding in the aggregate five months in each year after establishing residence: *Provided*, That the register and receiver of the local land office under rules and regulations made by the Commissioner of the General Land Office may, upon proper showing, upon application of the homesteader, and only for climatic conditions, which makes residence on the homestead for seven months in each year a hardship, reduce the term of residence to not more than six months in each year, over a period of four years, or to not more than five months each year over a period of five years, but the total residence required shall in no event exceed 25 months, not less than 5 of which shall be in each year; proof to be made within five years after entry; and upon the termination of such absence, in each period, the entryman shall file a notice of such termination in the local land office; but in case of commutation the 14 months' actual residence, as now required by law, must be shown, and the person commuting be at the time a citizen of the United States."

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. TAYLOR of Colorado, a motion to reconsider the vote by which the bill passed was laid on the table.

RESTORATION AND RESERVATION OF CERTAIN PUBLIC LANDS.

The next business in order on the Private Calendar was the bill (H. R. 10612) to restore to the public domain certain lands heretofore reserved for a bird-reservation in Siskiyou and Modoc Counties, Cal., and Klamath County, Oreg., and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, I object.

Mr. RAKER. Mr. Speaker, will the gentleman withhold his objection for a moment?

Mr. STAFFORD. I will be glad to do so if the other Members of the House wish me to do so.

Mr. RAKER. Mr. Speaker, this bill involves about 54,000 acres of land that has been withdrawn for a bird reserve. Now, of that land 27,000 acres are in California and 27,000 acres in Oregon. The line goes through the center of the tract. Of those 27,000 acres in Oregon, about 20,000 is what is known

as marsh land in private ownership; the other 7,000 is public land. Now, the 27,000 acres in Siskiyou County, Cal., is public land, except a small tract. The land is entirely agricultural land. The State of Oregon passed an act ceding this land to the Government of the United States. The State of California passed an act ceding the land to the Government. The Government accepted the cession, as will be found in the act on page 9 of the report. The Reclamation Service then withdrew the land from all entry under the first form of withdrawal. They proceeded to do work in connection with this to an extent of an expenditure of about $283,000. They then to some extent abandoned the work, and the land is still held and can not be disposed of. This is the only method by which the Government can have returned to it, and which will be returned to it, this $283,000, and at the same time the land will be open for homesteads after an examination is made by the department.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. RAKER. I yield.

Mr. STAFFORD. When this bill was formerly on the Unanimous Consent Calendar I then directed attention to the section to which I had most objection; that is, section 5——

Mr. RAKER. Yes.

Mr. STAFFORD. Granting a preferential right of entry to members of a voluntary association entering upon this land. It has been called to my attention that persons connected with the association were soliciting membership at a certain fixed amount, under the promise that they would be entitled to preferential homestead entry.

Mr. RAKER. I think that is a mistake.

Mr. STAFFORD. I saw the letter myself which justifies the assertion.

Mr. RAKER. I saw the same letter and got the correspondence and the party asked what the expense would be that had been occasioned by virtue of obtaining the contract for various work done there so as to make this land susceptible of use.

Mr. STAFFORD. Does the gentleman believe it is a good practice to allow a voluntary association of men to form themselves together so as to allow those men, and those men alone, to be given preferential entry on some Government land that is opened to public entry?

Mr. RAKER. That does not apply in the condition as presented. The land would have been none of it used. Now, after this was done—I hope the House will hear me just a moment—while the land had been ceded to the Government and had been accepted and had been withdrawn from all form of entry by the department, the railroad came along and wanted to build across this land, and they were given the right to build across the land on condition that they would build a dike and embankment and opening over the river, so if the department saw fit it might place in gates. That was done, and instead of the land being not susceptible to agriculture, as reported heretofore, it turns out to be some of the most valuable land in the country. The evidence has all been presented showing that fact. Now, we reserved enough land for the bird reserve. The matter has been taken up fully with the Biological Survey and the Department of the Interior and the General Land Office, and this bill protects all the land and all the water front so that the birds may be protected.

Mr. STAFFORD. But it does not protect the public, and that is the trouble with it, that it does not give the public an equal right to make entry upon that land.

Mr. RAKER. Now, the gentleman makes that statement, but in all due deference to the gentleman I must respectfully say, and kindly, that he is entirely mistaken. The facts are that the public will lose the money that has been expended and the land will lie there idle unless legislation be enacted for its use. The Secretary of the Interior has reported favorably on the bill repeatedly, and the Secretary of Agriculture has reported favorably on the bill and the contract which is in this report made by the Water Users' Association of Oregon with the marsh owners of the land there was made pending this legislation, and by reason of this association getting every man together and having these owners surrounding the land waive their riparian rights; otherwise this entire tract of 54,000 acres of land would lie covered with water, unused except for a pelican pond and shitepokes and blue cranes, instead of a place where men could go and produce something for this country. Now, that contract was entered into——

The SPEAKER. Is there objection?

Mr. STAFFORD. I object.

Mr. RAKER. I ask unanimous consent that the bill remain on the calendar.

The SPEAKER. The gentleman asks unanimous consent that the bill go to the foot of the calendar. Is there objection?

Mr. STAFFORD. I object.

The SPEAKER. The gentleman from Wisconsin objects.

PERSONNEL OF THE COAST GUARD.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 6979) to regulate the personnel of the Coast Guard.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, this bill has already been provided for in the naval appropriation act, and I object.

The SPEAKER. The gentleman from Wisconsin objects, and the bill goes off the calendar.

The Clerk will report the next bill.

METALLIFEROUS MINERALS ON INDIAN RESERVATIONS.

The next business on the Calendar for Unanimous Consent was the bill (S. 385) to authorize mining for metalliferous minerals on Indian reservations.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, this is an old friend. I do not know how many times we have objected to it.

Mr. HAYDEN. This bill is the same measure that passed the House by unanimous consent in the last Congress with certain amendments adopted by the Senate in the present Congress. It has passed the Senate and is now before the House.

Mr. MANN. I think it had better go over.

Mr. HAYDEN. Mr. Speaker, this bill has been on the calendar of the House since the 1st day of last July. It is made up of applicable sections taken from the water-power bill and the oil-leasing bill, which have passed the House three times. Every provision has been thoroughly discussed by the House. I am very anxious, indeed, to have it pass.

The SPEAKER. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects, and the bill goes from the calendar. The Clerk will report the next bill.

OLD CUSTOMHOUSE AT KENNEBUNK PORT, ME.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 4283) authorizing the donation of the land and building at Kennebunk Port, Me., known as "the old customhouse," to the town of Kennebunk Port, Me.

Mr. GARD. Reserving the right to object——

Mr. STAFFORD. I object.

The SPEAKER. The gentleman from Ohio [Mr. GARD] objects.

Mr. GARD. The gentleman from Wisconsin [Mr. STAFFORD] objected.

The SPEAKER. The gentleman from Wisconsin [Mr. STAFFORD] objects, and the bill goes off the calendar.

COMMITTEE FOR RELIEF IN THE NEAR EAST.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12635) to incorporate the American committee for relief in the Near East.

The SPEAKER. Was not that bill passed in the House?

Mr. FOSTER. No.

Mr. GARD. Reserving the right to object, the bill for this incorporation was submitted quite recently upon a request for unanimous consent and was objected to, and the bill is now before the Committee on the Judiciary in the House of Representatives, with a hearing arranged in subcommittee for tomorrow morning. I therefore object to the present consideration of it.

The SPEAKER. The gentleman from Ohio objects.

LOCK AND DAM IN OLD RIVER, TEX.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 7362) to authorize construction of a lock and dam in Old River, in the State of Texas, and the making of improvements enabling the passage of fresh water from a portion of Trinity River, above the mouth of Old River, into Old River above such lock and dam, and for the protection of rice crops against salt water.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. WALSH. Mr. Speaker, reserving the right to object, can the gentleman inform the House if this contemplates creating a situation there where later it might require a Federal appropriation?

Mr. RAYBURN. No. The only purpose of this bill, I will state to the gentleman, is that this salt water backs up over these rice crops and destroys them——

Mr. WALSH. Utterly destroys them?

Mr. RAYBURN. Yes.

Mr. WALSH. But this permits the construction of a lock and dam, not to control the salt water, but to permit the fresh water to pursue its course?

Now, in the construction of this lock and dam and in the operation of them, will it in any way divert or hold back this

fresh water and create a condition there which ultimately will require a Federal appropriation?

Mr. RAYBURN. Well, I think not. I would not be for it if I thought it did, and if that comes up I shall take the same position I take now.

Mr. WALSH. The gentleman thinks the legislation is safeguarded in that respect?

Mr. RAYBURN. I do.

Mr. WALSH. I withdraw my reservation.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted for the Old River Irrigation district of Chambers County, of the State of Texas, and Old River Rice Irrigation Co., of Chambers County, of the State of Texas, or either of them, to construct a lock and dam in Old River at some suitable point, to be approved by the Secretary of War, and to make a cut or canal at the head of Pickett Bayou into Trinity River and dredge out and deepen the natural shoaled channel between Pickett Bayou and Old River, subject in each respect to the approval of the Secretary of War: *Provided*, That said lock and dam and other alterations shall be made and maintained wholly without expense to this Government and in accordance with plans and specifications approved by the Chief of Engineers and the Secretary of War: *Provided, further*, That no toll shall be imposed at any time for the passage of any craft through said lock or through said canals or cuts: *And provided, further*, That the operation and care of said lock and dam, with funds provided by the district, may, in the discretion of the Secretary of War, be assigned to the Engineer officer of the United States Army in charge of the locality.

SEC. 2. That this act shall be null and void unless the privilege hereby granted shall be availed of within two years from the date hereof: *Provided*, That no dam constructed under the consent hereby granted shall be used to develop water power nor to generate electricity, but the use of all the improvements to be constructed shall be limited to irrigation.

SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Also the following committee amendments were read:

Page 1, line 4, after the word "River," strike out the words "irrigation district of Chambers County, of the State of Texas, and Old River rice irrigation."

After the word "Company," in line 5, page 1, strike out the words "of Chambers County."

After the word "Texas," in line 6, on page 1, strike out the words "or either of them."

On page 2, line 6, strike out, at the beginning of the line, the word "and," and after the word "maintained," insert the words "and operated."

And at the end of line 6, page 2, strike out the words "this Government," and insert the words "the United States."

Page 2, line 11, after the word "cuts," strike out the remainder of the paragraph.

The SPEAKER. The question is on agreeing to the committee amendments.

The question was taken, and the amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. RAYBURN, a motion to reconsider the vote by which the bill was passed was laid on the table.

NATIONAL LINCOLN-DOUGLAS SANATORIUM, DENVER, COLO.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 11368) to authorize the Secretary of the Interior to issue patent in fee simple to the National Lincoln-Douglas Sanatorium & Consumptive Hospital Association (Inc.), of Denver, Colo., for a certain described tract of land.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, before consent is given, I raise the point of order that this is a private bill and should be on the Private Calendar. It is a bill providing for a grant of land to a private corporation, the same as a grant of land to a private individual.

Mr. TIMBERLAKE. Mr. Speaker, this bill was on the Private Calendar first, and by direction it was transferred to the Calendar for Unanimous Consent, inasmuch as it had to do with the transfer of public land.

Mr. STAFFORD. Mr. Speaker, there are any number of bills on the Private Calendar which provide for the grant of public land to private individuals. They are private in their character. This is a bill not to a municipality but to a private corporation. The mere fact that it is a corporation does not destroy the fact that it is a private bill. You can not make fish of one and flesh of another.

Mr. MANN. It was transferred to the Union Calendar.

Mr. STAFFORD. If it was transferred, it was so transferred erroneously.

Mr. MANN. That does not make any difference whether it was transferred erroneously or not. The question is whether it was transferred by order of the House.

Mr. STAFFORD. Of course, the question is a question of order.

Mr. MANN. If it was done by order of the House, it does not make any difference.

Mr. STAFFORD. It does make a considerable difference.

Mr. MANN. This bill was reported December 12, 1918, and committed to the Committee of the Whole House and placed on the Private Calendar, No. 149. Subsequently it was transferred to the Union Calendar. I do not remember about it, but I take it it was by consent or order of the House; and if it was transferred by order of the House to the Union Calendar then it is in order on the Calendar for Unanimous Consent.

Mr. STAFFORD. Oh, yes; but I am now raising a question of order. The logic and position of the gentleman from Illinois is this, That if a bill is transferred from the Private Calendar to the Public Calendar, even erroneously, it is beyond the control of the Speaker to correct it, to assign it to the proper calendar. But supposing the bill had been transferred to the House Calendar, and the bill should have been on the Union Calendar, and when it was called to the attention of the Speaker that it was a bill that should properly be on the Union Calendar, does the gentleman mean to contend that even though it had been transferred from the Private Calendar to the House Calendar it would be beyond the right of the Speaker to refer it to the Union Calendar? I am raising the question of order that it is a Private Calendar bill.

Mr. MANN. Mr. Speaker, I do not remember what the facts are, but if the House transferred it to the Union Calendar from the Private Calendar the Speaker has no more control over it than the gentleman from Wisconsin has.

The SPEAKER. The Speaker has not.

Mr. STAFFORD. Then I object, Mr. Speaker.

The SPEAKER. I do not remember a thing in the world about this reference, but the presumption is that what ought to have been done touching it was done. Without taking up the time of the House to look into it, the presumption is that the House transferred it, and if the House did transfer it the Speaker has no more right to change the reference than anybody else.

Mr. TIMBERLAKE. Mr. Speaker, that is the case.

Mr. STAFFORD. I have no objection to the bill going over for two weeks.

The SPEAKER. Is there objection?

There was no objection.

Mr. TIMBERLAKE. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

The SPEAKER. The gentleman from Colorado asks unanimous consent that this bill go to the foot of the calendar without prejudice. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the next one.

GRAND CANYON NATIONAL PARK.

The next business in order on the Calendar for Unanimous Consent was the bill (S. 390) to establish the Grand Canyon National Park, in the State of Arizona.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, this is a very important bill. I may say to the gentleman from Arizona [Mr. HAYDEN] that I am in sympathy with the purpose of providing that the Grand Canyon public monument be converted into a national park. There are some provisions, however, in the bill that I wish to make special inquiry about. They relate specifically to the grant of authority to the Secretary of the Interior for a right of way for a railroad through the canyon. I question the propriety of granting to the Secretary of the Interior the right to mar the landscape of that grand canyon by granting a right of way to a railway company to enter the national park.

Mr. HAYDEN. I do not believe that any Secretary of the Interior, whoever he might be, would ever do anything of that kind. On the other hand, the Grand Canyon ought to be accessible to the public. It can now be reached from the south by a branch line constructed by the Santa Fe Railroad Co. up to the rim of the canyon, but is not accessible from the north. It has been proposed for some time that a railroad be constructed from Utah to the north side, which would present possibly a more wonderful view than from the south side. If that is done, permission will have to be given by the Secretary of the Interior for the construction of a railroad to the canyon rim from that side. In that case the railroad would be within a mile or so from the canyon before the park limits are reached. Of course, the gentleman would want the canyon to be accessible from every possible point to the people of the United States.

Mr. STAFFORD. Then the gentleman does not think that it would be within the realm of possibility, or—I would not put

it that strong—of probability for a railroad to go into the canyon proper and mar the scenic beauties of the canyon?

Mr. HAYDEN. It is impossible to construct a railroad into the canyon on account of the sheer drop of the walls on each side.

Mr. STAFFORD. The only point would be to grant permission to a railroad to reach the rim of the canyon?

Mr. HAYDEN. Exactly so.

Mr. STAFFORD. I wish to inquire further as to the need of granting authority for irrigation and reclamation projects, such as is conferred by this bill in the canyon proper.

Mr. HAYDEN. The provision contained in the bill would authorize the Secretary of the Interior, when consistent with the primary purposes of the park—that is, not to impair its scenic beauty—to allow storage reservoirs to be constructed for conserving the water of the Colorado River for irrigation purposes. I understand that there are in the canyon a number of reservoir sites where it is proposed in time to come, when full utilization is made of that stream, to build reservoirs for the storage of water. If that can be done without disturbing the primary purpose of the park, there is authority in this bill to do so.

Mr. STAFFORD. Would the gentleman have any objection to a provision in this bill limiting the amount of the appropriation that may be passed by Congress for the maintenance, supervision, or improvement of the park?

Mr. HAYDEN. I will say to the gentleman that such a limitation exists only as to one national park, and a strenuous effort is being made at the present time to remove that very limitation. I do not see why the Grand Canyon should be discriminated against, when all save one other park are without limitations as to the amount of appropriations. I think that matter can very safely be left in the hands of the Committee on Appropriations from year to year. They will have before them the amount of the receipts from the park, and can, in view of the receipts, provide whatever is necessary. I myself could not suggest what a reasonable limit would be, because I do not know what the probable receipts from this park would be. As I say, I do not see why Congress should discriminate against this park, which is one of the great wonders of the world, more than equal to the Yosemite, the Glacier Park, or any other.

Mr. STAFFORD. If the gentleman will permit, my information is that all the receipts arising out of the use of national parks are used by the park authorities for public improvements in the parks.

Mr. HAYDEN. That was formerly true; but by a provision contained in a recent appropriation act it was provided that all such receipts shall be covered into the Treasury as miscellaneous receipts. The gentleman from Wisconsin will note that in section 3 of this bill as it passed the Senate provision is made—

SEC. 3. That the proceeds of leases and other revenues that may be derived from any source connected with said park shall be expended under the direction of the Secretary of the Interior in the administration, maintenance, and improvement of the park.

But the House Committee on the Public Lands deliberately struck out that provision, so that this park will be like all other parks in that the receipts derived from it will be covered into the Treasury, and any future appropriation for this park will be subject to the scrutiny of the Committee on Appropriations.

Mr. STAFFORD. There is one provision here which deserves the serious consideration of the House before we create a national park of this great wonderland, and that is the provision permitting the county of Coconino to continue to levy and collect tolls over the Bright Angel Toll Road and Trail. I question seriously whether we should create a national park subject to the right of a county government to levy any tolls that it may see fit to impose upon all who may wish to see the beauties of that park.

Mr. HAYDEN. But the gentleman will concede that it is beyond the power of Congress to destroy any property rights which the county of Coconino now possesses.

Mr. STAFFORD. I fully agree to that, and I think there ought to be some provision whereby the Government could take over such private rights, so that the travel there would be free from the imposition of any unreasonable tolls.

Mr. HAYDEN. The bill provides, in lines 19 to 23, on page 8:

And the Secretary of the Interior is hereby authorized to negotiate with the said county of Coconino for the purchase of said Bright Angel Toll Road and Trail and all rights therein, and report to Congress at as early a date as possible the terms upon which the property can be procured.

If this bill passes the Secretary will undoubtedly do that. He will come to Congress next year and say, "For a certain sum of money we can acquire this property." If that sum is not satisfactory, I will join the gentleman in authorizing condemnation proceedings to take it over.

Mr. STAFFORD. I wish I were to be here to join with the gentleman in that, but unfortunately I shall not be here to aid the gentleman in that commendable effort.

Mr. HAYDEN. I have no doubt but that the county and the Secretary can come to an amicable agreement. I thoroughly agree with the gentleman that all the trails and roads in the park should be under Government control.

Mr. STAFFORD. Does the gentleman know what is the probable disposition of the authorities of the county of Coconino toward retaining the absolute right that they now possess to levy tolls upon those who use this, the only trail which can be used by those who desire to see the canyon?

Mr. HAYDEN. I will tell the gentleman all I know about that, very briefly. The Bright Angel trail was originally constructed by a private individual. After some years the county sued the individual, alleging that his right to operate the trail and collect the tolls had ceased. The county won the suit. It now maintains and operates the trail and collects the tolls. That is the situation at the present time. I imagine the county authorities would be glad enough to dispose of this trail at any figure which would pay no more than the fair value of the property.

Mr. STAFFORD. Can the gentleman give any assurances that they will be willing to transfer to the National Government their rights to this Bright Angel trail?

Mr. HAYDEN. Knowing the supervisors of that county as I do, I think it is safe to say that they have no desire to compel the Government to pay any unreasonable amount; but if they do attempt it I shall do my best to see that authority is granted to the Secretary of the Interior to condemn and take over their rights.

Mr. STAFFORD. That is my most serious objection to the bill, and upon the promise of the gentleman to continue his best efforts in the future, when I will be in some other place outside of this Chamber, I will withdraw any objection that I have to the bill.

The SPEAKER. Is there objection?

Mr. ANTHONY. Reserving the right to object, I should like to say to the gentleman from Arizona [Mr. HAYDEN] that unquestionably the Grand Canyon of Arizona, which is one of the greatest wonders of the world, should be a national park, but as I take it, one of the objects of this bill is to make it accessible to the people.

Mr. HAYDEN. Certainly.

Mr. ANTHONY. I should like to ask the gentleman why it is that ever since our railroads have been under the control of the Government, and especially in the past few months, the Grand Canyon has been made practically inaccessible to the American people who are traveling back and forth across the continent? As I understand it, the Railroad Administration has issued regulations preventing people from visiting the Grand Canyon, except to a limited number of tickets. What is the object of the Railroad Administration in doing that?

Mr. HAYDEN. I have no knowledge on that subject, and no complaint has been made to me that any such thing was being done.

Mr. ANTHONY. Complaint has been made by people who are interested in the development of the Grand Canyon, and I was unable to offer any excuse for the curtailment of such privileges, and it would seem to me that people of Arizona should take notice of that action of the Railroad Administration.

Mr. HAYDEN. This is the first intimation that I have had of any such thing, and I shall certainly make inquiry of the Railroad Administration in regard to the matter.

The SPEAKER. Is there objection?

There was no objection.

Mr. HAYDEN. Mr. Speaker, I ask unanimous consent to consider this bill in the House as in Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby reserved and withdrawn from settlement, occupancy, or disposal under the laws of the United States and dedicated and set apart as a public park for the benefit and enjoyment of the people, under the name of the "Grand Canyon National Park," the tract of land in the State of Arizona particularly described by and included within metes and bounds as follows, to wit:

Beginning at a point which is the northeast corner of township 30 north, range 1 east, of the Gila and Salt River meridian, Arizona; thence west on township line between townships 30 and 31 north, range 1 east, to section corner common to sections 1 and 2, township 30 north, range 1 east, and 35 and 36, township 31 north, range 1 east; thence north on section lines to the intersection with Tobocobya Spring Rowe Well Road; thence northwesterly along the southwesterly side of said Tobocobya Spring Rowe Well Road, through townships 31 and 32 north, ranges 1 east and 1 and 2 west, to its intersection with the section line between sections 9 and 16 in township 32 north, range 2 west; thence west along the section lines through townships 32 north, ranges 2 and 3 west, to its intersection with upper westerly rim of Cataract Canyon; thence northwesterly along upper rim of Cataract Canyon to its intersection with range line, township 33 north, between ranges 4 and 5 west; thence north on said range line, townships 33 and 34 north, ranges 4 and 5 west, to north bank of the Colorado River; thence northeasterly along the north bank of the Colorado River to junction with Tapeats Creek; thence easterly along north bank of Tapeats Creek to junction with Spring Creek; thence easterly along the north bank of Spring Creek to its intersection with Gila and Salt River meridian, township 34 north, between ranges 1 east and 1 west and between section 6, township 34 north, range 1 east, and section 1, township 34 north, range 1 west; thence south on range line between ranges 1 east and 1 west to section corner common to sections 7 and 18, township 34 north, range 1 east, and sections 12 and 13, township 34 north, range 1 west; thence east on section lines to section corner common to sections 7, 8, 17, and 18, township 34 north, range 2 east; thence south on section lines to township line between townships 33 and 34 north, range 2 east, at section corner common to sections 31 and 32, township 34 north, range 2 east and sections 5 and 6, township 33 north, range 2 east; thence east on township line to section corner common to sections 31 and 32, township 34 north, range 3 east, and sections 5 and 6, township 33 north, range 3 east; thence south on section lines to section corner common to sections 17, 18, 19, and 20, township 33 north, range 3 east; thence east on section lines to section corner common to sections 13, 14, 23, and 24, township 33 north, range 3 east; thence north on section lines to section corner common to sections 1, 2, 11, and 12, township 33 north, range 3 east; thence east on section lines to the intersection with upper rim of Grand Canyon; thence northerly along said upper rim of Grand Canyon to main hydrographic divide north of Nankoweap Creek; thence easterly along the said hydrographic divide to its intersection with the Colorado River, approximately at the mouth of Nankoweap Creek; thence easterly across the Colorado River and up the hydrographic divide nearest the junction of Nankoweap Creek and Colorado River to a point on the upper east rim of the Grand Canyon; thence by shortest route to an intersection with range line, townships 33 and 34 north, between ranges 5 and 6 east; thence south on said range line, between ranges 5 and 6 east, to section corner common to sections 18 and 19, township 33 north, range 6 east, and sections 13 and 24, township 33 north, range 5 east; thence east on section lines to section corner common to sections 16, 17, 20, and 21, township 33 north, range 6 east; thence south on section lines to section corner common to sections 8, 9, 16, and 17, township 31 north, range 6 east; thence west on section line to section corner common to sections 7, 8, 17, and 18, township 31 north, range 6 east; thence south on section lines to township line between townships 30 and 31 north at section corner common to sections 31 and 32, township 31 north, range 6 east, and sections 5 and 6, township 30 north, range 6 east; thence west on township line to section corner common to sections 34 and 35, township 31 north, range 5 east, and sections 2 and 3, township 30 north, range 5 east; thence south on section line to section corner common to sections 3, 4, 9, and 10, township 30 north, range 5 east; thence west on section lines to range line, township 30 north, between ranges 4 and 5 east, at section corner common to sections 6 and 7, township 30 north, range 5 east, and 1 and 12, township 30 north, range 4 east; thence south on range line, township 30 north, between ranges 4 and 5 east, to section corner common to sections 7 and 18, township 30 north, range 5 east, and sections 12 and 13, township 30 north, range 4 east; thence west on section line to section corner common to sections 11, 12, 13, and 14, township 30 north, range 4 east; thence south on section line to section corner common to sections 13, 14, 23, and 24, township 30 north, range 4 east; thence west on section lines to section corner common to sections 15, 16, 21, and 22, township 30 north, range 4 east; thence south on section line to section corner common to sections 21, 22, 27, and 28, township 30 north, range 4 east; thence west on section lines to range line, township 30 north, between ranges 3 and 4 east, at section corner common to sections 19 and 30, township 30 north, range 4 east, and sections 24 and 25, township 30 north, range 3 east; thence north on range line to section corner common to sections 18 and 19, township 30 north, range 4 east, and sections 13 and 24, township 30 north, range 3 east; thence west on section lines to section corner common to sections 14, 15, 22, and 23, township 30 north, range 3 east; thence north on section line to section corner common to sections 10, 11, 14, and 15, township 30 north, range 3 east; thence west on section lines to range line at section corner common to sections 7 and 18, township 30 north, range 3 east, and sections 12 and 13, township 30 north, range 2 east; thence north on range line to section corner common to sections 6 and 7, township 30 north, range 3 east, and sections 1 and 12, township 30 north, range 2 east; thence west on section line to section corner common to sections 1, 2, 11, and 12, township 30 north, range 2 east; thence north on section line to township line at section corner common to sections 35 and 36, township 31 north, range 2 east, and sections 1 and 2, township 30 north, range 2 east; thence west on township line to the northeast corner of township 30 north, range 1 east, the place of beginning.

SEC. 2. That the administration, protection, and promotion of said Grand Canyon National Park shall be exercised, under the direction of the Secretary of the Interior, by the National Park Service, subject to the provisions of the act of August 25, 1916, entitled "An act to establish a National Park Service, and for other purposes": *Provided*, That all concessions for hotels, camps, transportation, and other privileges of every kind and nature for the accommodation or entertainment of visitors shall be let at public bidding to the best and most responsible bidder.

SEC. 3. That the proceeds of leases and other revenues that may be derived from any source connected with said park shall be expended under the direction of the Secretary of the Interior in the administration, maintenance, and improvement of the park.

SEC. 4. That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States, whether for homestead, mineral, right of way, or any other purpose whatsoever, or shall affect the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land, and nothing herein contained shall affect, diminish, or impair the right and authority of the county of Coconino, in the State of Arizona, to levy and collect tolls for the passage of live stock over and upon the Bright Angel Toll Road and Trail, and the Secretary of the Interior is hereby authorized to negotiate with the said county of Coconino for the purchase of said Bright Angel Toll Road and Trail and all rights therein, and report to Congress at as early a date as possible the terms upon which the property can be procured.

SEC. 5. That whenever consistent with the primary purposes of said park the act of February 15, 1901, applicable to the location of rights of way in certain national parks and the national forests for irrigation and other purposes, and subsequent acts shall be and remain applicable to the lands included within the park.

SEC. 6. That whenever consistent with the primary purposes of said park, the Secretary of the Interior is authorized, under general regulations to be prescribed by him, to permit the prospecting, development, and utilization of the mineral resources of said park upon such terms and for specified periods, or otherwise, as he may deem to be for the best interests of the United States.

SEC. 7. That, whenever consistent with the primary purposes of said park, the Secretary of the Interior is authorized to permit the utilization of areas therein which may be necessary for the development and maintenance of a Government reclamation project.

SEC. 8. That where privately owned lands within the said park lie within 300 feet of the rim of the Grand Canyon no building, tent, fence, or other structure shall be erected on the park lands lying between said privately owned lands and the rim.

With the following committee amendments:

Page 2, line 7, after the word "road," insert "passing and in relation to the United States Geological Survey bench marked 'Canyon' and numbered 6340, 6372, 6412, 6302, 6144, and 6129."

Page 2, line 18, after the word "canyon," insert "crossing Hualapai Canyon and continuing northwesterly along said upper rim."

Page 5, lines 11 and 12, after the word "sections," strike out the words "three, four, nine, and ten" and insert in lieu thereof "two, three, ten, and eleven."

Page 7, line 21, strike out all of section 3 and insert as a new section the following:

"SEC. 3. That nothing herein contained shall affect the rights of the Havasupai Tribe of Indians to the use and occupancy of the bottom lands of the Canyon of Cataract Creek as described in the Executive order of March 31, 1882, and the Secretary of the Interior is hereby authorized, in his discretion, to permit individual members of said tribe to use and occupy other tracts of land within said park for agricultural purposes."

Page 9, lines 5, 6, 7, and 8, insert the following: "The Secretary of the Interior may, in his discretion and upon such conditions as he may deem proper, grant easements or rights of way for railroads upon or across the park."

Page 10, at the end of the bill, insert as a new section the following:

"SEC. 9. The Executive order of January 11, 1908, creating the Grand Canyon National Monument, is hereby revoked and repealed, and such parts of the Grand Canyon National Game Preserve designated under authority of the act of Congress approved June 29, 1906, entitled 'An act for the protection of wild animals in the Grand Canyon Forest Reserve,' as are by this act included with the Grand Canyon National Park, are hereby excluded and eliminated from said game preserve."

The SPEAKER pro tempore (Mr. RAKER). The question is on the committee amendments en gross, if there is no objection.

Mr. MADDEN. Mr. Speaker, I would like to inquire from some one, if I may, whether it is thought to be wise to permit the Secretary of the Interior, in his discretion, to grant easements or rights of way for railroads on or across the park? It seems to me that is giving pretty wide discretion to the Secretary of the Interior.

The SPEAKER pro tempore. That question was raised before, and if there is any objection the Chair will have the vote on the amendments separately.

Mr. MADDEN. There is going to be objection.

The SPEAKER pro tempore. The Clerk will report the first amendment.

The Clerk read as follows:

Page 2, line 7, after the word "road" insert ", passing and in relation to United States Geological Survey bench marks stamped 'Canyon' and numbered 6340, 6235, 6372, 6412, 6302, 6144, and 6129."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

Page 2, line 18, after the word "Canyon," insert "crossing Hualapai Canyon and continuing northwesterly along said upper rim."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Page 5, line 11, after the word "sections," strike out "3, 4, 9, and 10" and insert "2, 3, 10, and 11."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Page 7, strike out all of lines 21, 22, 23, 24, and 25, being section 3, and insert as a new section the following:

"SEC. 3. That nothing herein contained shall affect the rights of the Havasupai Tribe of Indians to the use and occupancy of the bottom lands of the Canyon of Cataract Creek as described in the Executive order of March 31, 1882, and the Secretary of the Interior is hereby authorized, in his discretion, to permit individual members of said tribe to use and occupy other tracts of land within said park for agricultural purposes."

Mr. TREADWAY. Mr. Speaker, I would like to ask the gentleman in charge of the bill a question in reference to section 2. Beginning on line 16, page 7, we find the proviso:

Provided, That all concessions for hotels, camps, transportation, and other privileges of every kind and nature for the accommodation or entertainment of visitors shall be let at public bidding to the best and most responsible bidder.

I take it that is not the provision appearing in the general act regarding national parks, above referred to, in the same section; that this is a special item for this particular canyon in establishing it as a national park. The inquiry that came to me is this: I would like to ask the gentleman about whether or not selling these privileges to the highest bidder at auction does not open up the possibility of abuse so far as charges that may be made the public are concerned? I have visited the canyon, as many of us, of course, have, and have greatly enjoyed its beautiful natural wonders. It seems to me we ought to do everything possible to protect the public in not being excessively charged for the privileges of the canyon. If a contractor bids high for the privilege of the various concessions, he must naturally make his rates to his patrons in proportion.

Mr. HAYDEN. If the gentleman will read the proviso again, he will see that it does not say that the contract shall be let to the higest bidder but to the best and most responsible bidder.

Mr. TREADWAY. That is true; but you are aiming to get the highest price possible from the bidder. If two men of equal responsibility are bidding, the one who bids the highest would get the contract, and you are not protecting the patrons of the park in respect to the rates that the successful bidder shall be allowed to charge for any of the sight-seeing privileges. It seems to me you are establishing a monopoly there, simply from the fact that you want to get all you can for the Government. Of course the Government does not desire to commercialize the canyon.

Mr. HAYDEN. My recollection is that, when this legislation was reported from the Senate committee, it provided that concessions should be let to the highest bidder, and the Senate changed it to the best and most responsible bidder.

Mr. TREADWAY. That is a good change.

Mr. HAYDEN. Leaving it in the discretion of the National Park Service to decide which bidder is the best and most responsible.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

Mr. HAYDEN. Mr. Speaker, I ask for recognition. The National Park Service will be able to give the public better accommodations by having the best and most responsible bidder render the service rather than the highest bidder.

Mr. TREADWAY. Let me ask the gentleman this: In the other national parks that arrange for sight-seers what is the method of allowing private enterprise to sell privileges or take people around or entertain them at the hotels and that sort of thing; in other words, what is the occasion of putting in the proviso at all if the park is to be under the government of a commission or the Secretary of the Interior?

Mr. HAYDEN. I do not think that this proviso adds to or takes away in the least from the authority that the National Park Service has over other parks. If they decide at the Glacier National Park, for instance, that to grant a large hotel concession to one person would insure better accommodations for the public than by allowing several smaller hotels to be built, they have authority to do so, and they do. Upon the contrary, if they believe that better service can be rendered through three or four hotel concessions, they have authority to issue any number of permits. This proviso is unnecessary in one way, because it adds to or takes away no authority that the National Park Service now has. It is a mere reiteration of permission to do what they now have authority to do.

Mr. TREADWAY. It does do this without question: It enables them to obtain the highest possible price from responsible people——

Mr. HAYDEN. No; it does not.

Mr. TREADWAY. Now, the high man, in the natural course of things, must get his money back.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HAYDEN. Mr. Speaker, I ask to be recognized for five minutes.

The SPEAKER pro tempore. Is there objection. [After a pause.] The Chair hears none.

Mr. HAYDEN. I am sure that if the gentleman will again read this proviso he will see that there is nothing in it which compels the National Park Service to accept the highest bid or which would induce the bidder to offer a higher rate than otherwise. The question is whether he is the best and most responsible bidder. Now, the best bidder is the man who can render the best service to the public. His responsibility is dependent upon his financial ability to carry out any agreement he might make. There is nothing in this proviso which compels a high bid. If it said "the highest bidder," as was the language originally reported to the Senate, it would do that, but the Senate deliberately struck out the term "highest bidder" and said "best and most responsible," believing that change to be in the interest of the public.

Mr. TILSON. Will the gentleman yield?

Mr. HAYDEN. With pleasure.

Mr. TILSON. If that is the intention, does it not seem that there ought to be language placed in the proviso that would state what is the ground for determining the best bidder?

Mr. HAYDEN. Well, the best bidder at one place might not be the best at another. We must not take away the discretion of the National Park Service.

Mr. TILSON. In the gentleman's opinion, if one man offered $1,000 and another man $500 for the privilege, the $1,000 man might be turned down, and the $500 man accepted because he would agree to make more reasonable concessions——

Mr. HAYDEN. To the public; yes.

Mr. TILSON. That would be the policy?

Mr. HAYDEN. Yes, sir.

Mr. TILSON. Is it the policy with the other national parks?

Mr. HAYDEN. Yes. There have been many complaints by men saying, "I will bid twice as much if you will give a certain concession to me." The National Park Service has replied, "No; the present concessionaire is rendering splendid service and affording proper accommodations for the public. There is not room in this place for two of you in the same line of business, and we will not displace one who is treating the public fairly."

Mr. TREADWAY. May I ask if that condition to which the chairman refers is provided for in the general act, namely, the act of August 25, 1916, entitled "An act to establish a national park service, and for other purposes," why have this proviso in the bill at all? Why not let this park take its place in exactly the same way as all the other national parks do under that act?

Mr. HAYDEN. As I stated to the gentleman, that is exactly what this proviso does.

Mr. TREADWAY. Then I move to strike out the proviso.

Mr. HAYDEN. My only objection to striking it out is that I want as little difference as possible with the Senate.

Mr. TREADWAY. I see the gentleman's attitude, and it does strike me I can not see personally any reason why this particular park should have a different condition to be carried out than the other national parks where this service is being performed.

Mr. HAYDEN. This proviso merely states that the national park service may do at this park what they are doing at all the other national parks at the present time. It does not place the Grand Canyon Park in any different status.

Mr. TREADWAY. I do not think it will make any trouble in securing an agreement with the Senate conferees——

Mr. HAYDEN. But I do not want the bill to go to conference if I can avoid it.

Mr. TREADWAY. If it is only to go to conference as to this one amendment, I shall not insist on it.

Mr. HAYDEN. I have been told by gentlemen interested in this bill in another body that they would agree to all of the House committee amendments. I have not talked with them about the amendment of the gentleman from Massachusetts, and that is my objection to having it go in the bill.

The SPEAKER pro tempore. The time of the gentleman has expired.

The question was taken, and the committee amendment was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment.

The Clerk read as follows:

Page 9, after line 4, insert the following:

"The Secretary of the Interior may, in his discretion and upon such conditions as he may deem proper, grant easements or rights of way for railroads upon or across the park."

Mr. MADDEN. Mr. Speaker, just a moment; I would like to know why the Secretary of the Interior is granted this wide discretion? Why can not it be possible for the House and the Senate to determine that question when it shall arise?

Mr. HAYDEN. The idea embodied in the provision to which the gentleman from Illinois refers was taken from the act to establish the Rocky Mountain National Park, approved January 26, 1915, which reads as follows:

The Secretary of the Interior may, in his discretion and upon such conditions as he may deem wise, grant easements or rights of way for steam, electric, or similar transportation upon or across the park.

I will state to the gentleman the prospects so far as any railroad construction in Grand Canyon National Park is concerned. There is now a Santa Fe branch line which enters the edge of the proposed park from the south, and it is very desirable that a railroad be built into this new park from the north, so people can conveniently arrive on the other side of the canyon to view it from that angle.

There is a considerable body of timber in the Kaibab National Forest, to the north of the Grand Canyon. There have been tentative offers to purchase this timber from the Forest Service at different times. If that timber could be sold it would induce the construction of a railroad, combined with the possibility of carrying tourists to and from this park. And, of course, we are all anxious to have as many people visit the Grand Canyon as possible. This park will be under the exclusive jurisdiction of the Secretary of the Interior. No Secretary of the Interior would think of permitting any railroad to be constructed that would in any way injure the scenic beauties of the Grand Canyon, but, on the other hand, he would undoubtedly favor the construction of railroads for the convenience of the public. He has now the right to grant rights of way on the public domain. The Committee on the Public Lands thought it would be entirely proper to give him the same authority within this park.

Mr. MADDEN. I do not see any reason why we should grant him authority to authorize the construction of railroads. Why should we not reserve that authority to ourselves?

Mr. HAYDEN. If the gentleman can conceive of any injury to the public by granting him this authority——

Mr. MADDEN. Nobody ever can tell. What we can tell is that we relinquish jurisdiction of it, and we are placing it in the hands of one man, who does not have to consult anybody.

Mr. HAYDEN. We are placing the administration of the whole park in his hands.

Mr. MADDEN. I understand that. We are placing the management in his hands, and that is a perfectly proper thing to do. When it comes to the question of authorizing the granting of a franchise, or for the Secretary of the Interior to permit a railroad to be constructed somewhere, that is quite a different proposition. It seems to me the people's representatives ought to reserve some of the legislation to themselves and act upon the merits of the case when it comes up.

Mr. HAYDEN. If I had the least doubt in the world that any Secretary of the Interior would permit the scenery of that canyon to be destroyed by a railroad, I would be the first to object.

Mr. MADDEN. It is a question of granting blank authority to an individual to do something which belongs to the Congress of the United States to do.

Mr. HAYDEN. The Congress of the United States used to insist that its consent be obtained every time a railroad was to be built across an Indian reservation, and other important public business was delayed many times to pass such bills. But finally Congress decided to turn over all such matters to the Secretary of the Interior, who looks after the welfare of the Indians and guards their rights. We now propose to place the administration of this park in the hands of the Secretary of the Interior, directing him to take care of it and to make it accessible to the public. If there should be an opportunity to build a railroad in order to make it possible for more people to look at the wonders and the glories of the Grand Canyon, we should give the Secretary authority to grant the necessary rights of way. It is exactly in line with his other duties in connection with the proper administration of the park.

Mr. MADDEN. I realize that so far as the park is concerned that may be true, but this does not confine the discretion of the Secretary of the Interior to granting the right of a railway to be constructed up to the park in order that people may be able to see it. It gives him the right to grant any easements or rights of way on or across the park; that is, to go any place.

Mr. HAYDEN. If the gentleman has been to the Grand Canyon, he knows a railroad can not get very far beyond the rim of it.

Mr. MADDEN. It would go across the public domain. And why should we want to give other authority if he has authority now?

Mr. Speaker, I move to strike the amendment out.

The SPEAKER pro tempore (Mr. RAKER). The question before the House is the committee amendment.

The question was taken, and the Speaker pro tempore announced that the noes appeared to have it.

Mr. HAYDEN. I ask for a division, Mr. Speaker.

The House divided, and there were—ayes 18, noes 7.

So the amendment was agreed to.

Mr. MADDEN. Mr. Speaker, I would like to call the attention of the country to the fact that we have 25 Members present when an important bill is under consideration to give the Secretary of the Interior absolute control over public lands and to give him the right to grant anything he wants to a railroad.

The SPEAKER pro tempore. The Clerk will report the next committee amendment.

The Clerk read as follows:

Add at the end of the bill a new section, as follows:

"SEC. 9. The Executive order of January 11, 1908, creating the Grand Canyon National Monument, is hereby revoked and repealed, and such parts of the Grand Canyon National Game Preserve designated under authority of the act of Congress approved June 29, 1906, entitled 'An act for the protection of wild animals in the Grand Canyon Forest Reserve,' as are by this act included with the Grand Canyon National Park are hereby excluded and eliminated from said game preserve."

The SPEAKER pro tempore. The question is on the committee amendment.

Mr. MADDEN. I would like to know what the Executive order is that is repealed.

Mr. HAYDEN. If the gentleman will look at the report of the Committee on the Public Lands he will see that all the Executive orders are printed in full.

Mr. MADDEN. We do not have an opportunity to read them when they are brought up here quickly.

Mr. HAYDEN. The Executive order of January 11, 1908, creating the Grand Canyon National Monument, was signed by President Roosevelt under authority of the national-monument act, reserving the land now included in this park as a national monument. That was no doubt a very wise act on his part, but now the time has come when this area should be changed from a monument to a park, in conformity with the new policy of Congress. The Grand Canyon game preserve was likewise created to cover a considerable area of the same country. The reserve itself, outside the park, will not be disturbed by the passage of this bill, but the area to be included within the national park is excluded from the game-preserve park, for the reason that the game preserve is administered by the Secretary of Agriculture, while the park is administered by the Secretary of the Interior. We thus avoid a conflict of jurisdiction between the two Secretaries.

Mr. MADDEN. Will the gentleman yield for a question there?

Mr. HAYDEN. Certainly.

Mr. MADDEN. Now, for example, I have a farm and there is some game during some parts of the year on that farm, and that farm is supposed to be managed by me or somebody for me. Yet the game laws apply to the farm.

Is there any more reason why the law should be repealed as to the land that is controlled by the Secretary of the Interior than there is that the law should be repealed as to land that is controlled by some individual that owns the title to it? It seems to me that the game laws should remain intact, regardless of whether the land is under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture or anybody else.

Mr. HAYDEN. As I said before, the game preserve outside of the national park is not disturbed. The National Park Service act forbids the killing of all game in the national parks. Its provisions are just as stringent as the national game-preserve law.

Mr. MADDEN. We ought not to repeal any of the laws that we have.

Mr. HAYDEN. This provision of the bill is to avoid duplication of administration over the same area of land.

Mr. MADDEN. I must protest against the repeal of this section of the game law for any such reason as the gentleman from Arizona gives.

Mr. HAYDEN. If this section is not enacted, we will have one proclamation creating a game preserve and another proclamation creating a national monument and still another act creating a national park, all superimposed on the same territory. I am trying to eliminate the previous withdrawals covering the area described in this bill, so that it will be nothing but a national park under the jurisdiction of the Secretary of the Interior. The Grand Canyon should be on the same footing as any other national park, with all of these previous incumbrances removed. They were very proper in their time, but their usefulness has passed when Congress makes this a national park.

Mr. MADDEN. But there are two propositions here. One is to repeal that section of the Executive order which provides for a national monument and another is to repeal that section of an Executive order which provides for a game preserve in the park. They are two different propositions entirely. I am

entirely willing, and I think it may be wise, to repeal that section of the Executive order which provides for a national monument, because we are already providing for the national monument when we are organizing the park. I do not think it is wise to repeal the game-law section.

Mr. HAYDEN. The minute the game-preserve law is repealed the provisions of the National Park Service law, the general law covering all national parks, comes into effect, and that law provides that no game shall be hunted or killed in any national park. All the game will be fully protected, just as it is in the Yosemite Valley, the Yellowstone, or any other national park in the United States. I simply desire to have but one law in effect directing that no game shall be killed in this park. It is neither necessary nor wise to have one law under the administration of the Secretary of the Interior and another law under the administration of the Secretary of Agriculture to accomplish the single purpose of protecting the game within the Grand Canyon National Park.

Mr. MADDEN. There would be no sense in putting it under two jurisdictions.

Mr. HAYDEN. Exactly. That is all I seek to avoid.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill as amended.

The Senate bill as amended was ordered to be read a third time, and was read the third time.

Mr. GRAHAM of Illinois. Mr. Speaker, I want to ask the gentleman from Arizona [Mr. HAYDEN] some questions about this bill. There is a tribe of Indians in this park called the Hopi Indians?

Mr. HAYDEN. No. The Havasupai Indians live in Cataract Canyon.

Mr. GRAHAM of Illinois. They are covered by section 3 of the bill?

Mr. HAYDEN. Yes, sir.

Mr. GRAHAM of Illinois. I observe in section 4 that it is the purpose to purchase from the county in which this park is located, the county of Coconino, the Bright Angel Toll Road and Trail?

Mr. HAYDEN. Yes, sir.

Mr. GRAHAM of Illinois. It occurred to me that perhaps, in view of the fact that this was being made into a national park, some arrangement would be made by which the county would contribute this trail gratuitously.

Mr. HAYDEN. It is shown in the report that in the last five years Coconino County had receipts of about $20,000 from the Bright Angel Trail and expenditures of about $10,000. That is, the income each year is about $4,000 and the outgo about $2,000. The county makes a profit of about $2,000 a year out of the trail, so that if it was condemned they could not get a very large sum for it. The county acquired this trail as the result of litigation about five years and has obtained the revenue from it since that time.

Mr. GRAHAM of Illinois. Is this trail managed entirely by the county or is it managed by the hotel companies?

Mr. HAYDEN. It is managed by the county. The county appoints a caretaker, whose duty it is to see that the trail is kept in good condition and that the revenues are collected. He receives about $4,000 and spends about $2,000. He turns over about $2,000 to the county.

Mr. GRAHAM of Illinois. Section 8 of the bill provides that "where privately owned lands within the said park lie within 300 feet of the rim of the Grand Canyon no building, tent, fence, or other structure shall be erected on the park lands lying between said privately owned land and the rim." I presume that this is to protect the hotel company or anyone owning the land from the liability of anyone getting in front of the hotel company?

Mr. HAYDEN. This was done at the request of the owner of the Grand View Hotel. He thought that he controlled the rim of the canyon, but when a survey was made it was found that there was a strip of about 150 feet wide between his land and the rim. He feared that some structure might be put up which would obstruct the view from the hotel.

The SPEAKER pro tempore. All this discussion is by unanimous consent and out of order.

Mr. HAYDEN. I would be glad to give all the information to the gentleman from Illinois that I can.

The SPEAKER pro tempore. The Chair knows; but the question is on the passage of the bill. The gentleman from Illinois [Mr. GRAHAM] can proceed for five minutes if he gets unanimous consent.

Mr. GRAHAM of Illinois. I understood, Mr. Speaker, I had the right to discuss the bill.

The SPEAKER pro tempore. Not without the consent of the House.

Mr. STAFFORD. The previous question has not been ordered, Mr. Speaker, on the passage of this bill.

The SPEAKER pro tempore. Does the gentleman from Illinois want to be heard?

Mr. GRAHAM of Illinois. Yes. I ask unanimous consent that I may proceed for five minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. GRAHAM of Illinois. I would like to ask the gentleman how much of this land is privately owned? What I am trying to get at is whether this section will create a monopoly in any set of individuals to control the rim of that canyon.

Mr. HAYDEN. No. If you will notice on page 7 of the report on this bill, there are 613,120 acres of land within the park, and only 391 acres are privately owned.

Mr. GRAHAM of Illinois. Do you know how much land there is between the El Tovar Hotel and Grand View that is privately owned?

Mr. HAYDEN. There is no privately owned land on the rim between El Tovar and Grand View. I do not know of any private holdings on the rim east of El Tovar, except the Grand View property itself, and a small acreage that belongs to Mr. Martin Buggelin. Those are the only places, so far as I know, along the whole rim for miles.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. HAYDEN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER pro tempore. The Clerk will report the next bill.

WATER SUPPLIES OF OREGON CITY, DALLAS, AND CORVALLIS, OREG.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12770) to reserve as part of the Oregon and Siuslaw National Forests in Oregon certain lands that were revested in the United States pursuant to the decision of the Supreme Court of the United States in the case of the Oregon & California Railroad Co. against the United States.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, there are on the calendar two bills of similar import, providing for the purchase of land by the municipalities themselves needed for the protection of the water supply of the municipalities referred to in those bills. This bill seeks to have that burden thrown upon the National Government by transferring the land and making it a part of the forest reserve. I wish the gentleman would explain the reason why in some instances the municipalities are willing to purchase this land for the protection of their own water supply and in other instances you want to throw the burden on the National Government.

Mr. HAWLEY. The distinction between this bill and the two that follow is this: The one immediately following, for the city of Myrtle Point, Oreg., relates to a very small acreage of land, which is mostly agricultural in character and is to be purchased from the Government at $2.50 an acre under terms similar to those provided in the Oregon & California land-grant act, just as private individuals can purchase it. The one following that, for the city of McMinnville, is practically on the same basis. The land is mostly agricultural, covered over with small growths. The city will be authorized to purchase the land and acquire title by paying $2.50 an acre for the agricultural land and for whatever timber may be on any of it at the appraised price. But the gentleman has undoubtedly read the report on the bill which we are now considering, and knows that, with the amount of timber on the lands described in this bill, it would be impossible for the city at the present time to buy the lands. They are unable now to provide the money. This transfers these lands to the national forests, so that their water supply will not be diminished. The land still remains under the control of Congress. The city of Corvallis is the site of the Oregon State Agricultural College, which has from 2,000 to 2,500 students every year. The water supply for the city and the college comes from sources about 12 miles away, on the western side of Mount Chintimini. If the lands which it is proposed to transfer to the national forest are cut over, the streams that supply the city and the college with water for domestic purposes will dry up, and the city has no other sources

of supply from which to obtain mountain water fresh and clean for its population and for the agricultural college.

Mr. STAFFORD. How far distant are these lands from the respective forest reserves? Are they contiguous to the forest reserves?

Mr. HAWLEY. No; they are not contiguous to the forest reserves. The area is for the protection of the water supply of the city of Corvallis and is about 1,400 acres. The agricultural college there maintains a school of forestry. The superintendent of that school, Prof. Peavey, was formerly in the Forest Service. If this land is transferred, he, with the college and the city authorities, will undertake the supervision of it under the direction of the Forest Service.

Mr. STAFFORD. On the pay roll of the Government of the United States?

Mr. HAWLEY. No; on their own pay roll. He will use it for the study of forestry and of forest protection.

Mr. STAFFORD. Has there been any tentative agreement embodying that idea?

Mr. HAWLEY. No; I do not think the Forest Service and the school have entered into any formal agreement, but they have told me that that is the intention.

Mr. STAFFORD. Who told you?

Mr. HAWLEY. Prof. Peavey and the water commissioners, who have taken up the question with the school authorities.

Mr. STAFFORD. They have expressed their willingness as to this land, distant 8 and 11 miles from the nearest border of the existing Siuslaw National Park, to undertake supervision of it without charge to the Federal Treasury.

Mr. HAWLEY. Yes. They have been policing it already in order to prevent fires breaking out which would destroy their water supply, and they will continue to do that under an arrangement with the city.

The larger portion of this land becomes a part of the Oregon National Forest for the protection of the water supply of Oregon City. This bill is based on a precedent by which a much larger area of land was transferred to the Oregon National Forest in order to protect the water supply of the city of Portland. That bill has already been passed by the House and Senate and has become a law.

Mr. STAFFORD. I withdraw my reservation of objection.

Mr. FOSTER. I reserve the right to object.

Mr. GARD. I reserve the right to object.

Mr. FOSTER. I want to inquire about this land. As I understand, these lands were to be paid to the railroad company at the rate of $2.50 an acre?

Mr. HAWLEY. Yes.

Mr. FOSTER. I call to mind the fact that the Government paid back taxes to these counties. Now, what becomes of that money that the Government has paid in back taxes? Suppose you sell it to these people for $2.50 an acre. As I understand, the Government will be out all the taxes that it has paid.

Mr. HAWLEY. These small areas will become a part of the national forests and still be the property of the Government.

Mr. FOSTER. Does the gentleman think it is right for the State of Oregon to get all the money?

Mr. SINNOTT. The Government is not out anything for the taxes. The Government is reimbursed for any taxes it may pay out of the sale of the land.

Mr. HAWLEY. The Government will not lose any taxes which it has paid, because the sale of the entire acreage will reimburse the Government for all moneys paid the railroad company for taxes paid to the counties, as well as for all other expenses incurred and will leave a goodly sum in the possession of the Government.

Mr. FOSTER. At $2.50 an acre?

Mr. HAWLEY. The sale of the timber and the land will yield a net return to the Government of a considerable sum of money.

Mr. FOSTER. Oh, well, the Government sells for $2.50 an acre. They pay the railroad $2.50 an acre. Where does the Government come in, where does it get out of it with the back taxes?

Mr. HAWLEY. The Government recovers the money that it pays to the railroad and for the accrued taxes through the sale of the entire tract, which covers many thousands of acres and hundreds of millions of feet of timber.

Mr. FOSTER. The State in which the land is located got practically all of the money, the Government paid the advances, and the Government got but little, as we all know.

Mr. HAWLEY. I beg to differ with the gentleman.

Mr. FOSTER. After the Government has paid $2.50 to the railroad company and then sells the land for $2.50 and they have had to pay all of the taxes that have accumulated for years, I can not get it through my head where the Government comes out.

Mr. HAWLEY. The gentleman is referring to some particular acreage and not to the general tract?

Mr. FOSTER. I am referring to this particular tract or any other that may come in under the same conditions.

Mr. HAWLEY. Take the lands in Benton County. There are many thousands of acres of the O. & C. land. On its recapture by the Government, the Government is to pay $2.50 to the railroad company and back taxes to the county; and when it sells that land and the timber it will get a great deal more than it will have paid to the railroad company and the county in back taxes, and will have a large profit left for itself.

Mr. FOSTER. But the Government practically gets nothing.

Mr. HAWLEY. I again beg to differ with the gentleman.

Mr. FOSTER. In a bill that was passed we tried to get the Government something, but could not.

The SPEAKER pro tempore. Is there objection?

Mr. FOSTER. Mr. Speaker, I still reserve the right to object.

Mr. HAWLEY. The gentleman will remember that the Government gets 10 per cent, and in addition to that amount a further 40 per cent for the reclamation fund. The Government gets half of the proceeds obtained from the sale of these lands.

Mr. FOSTER. The Government put up all of the money to pay all of the back taxes and the expenses when they took back these lands. After dividing it and giving to the counties and the cities and anybody else out there that wanted anything, they then had the magnanimity to let the Government take 10 per cent.

Mr. HAWLEY. And 40 per cent that goes into the reclamation fund.

Mr. FOSTER. It all went to the benefit of the country out there.

Mr. HAWLEY. Not for the area in which these lands are, because there is no reclamation project in that section.

Mr. FOSTER. After you have given the railroad company $2.50 and sold the land for $2.50, how does the Government get anything?

Mr. MADDEN. The question is whether or not they will not sell them for more than $2.50.

Mr. FOSTER. But the bill provides for the sale of them at $2.50.

Mr. HAWLEY. The bill provides that the Government shall sell the agricultural lands for $2.50, the timber at an appraised value, and then, after the timber is removed, it shall sell that land for $2.50. The Government will receive a large amount of money. The counties get 25 per cent, the State 25 per cent, the Government gets 40 per cent for its reclamation fund, and 10 per cent for the Treasury as the land is sold.

Mr. FOSTER. Oh, the gentleman ought not to talk about the 40 per cent for the reclamation fund, because that is not for the benefit of the Federal Government, so far as going into the Treasury is concerned.

Mr. HAWLEY. There is no reclamation project in any part of the land where the lands included in the bill are situated.

Mr. MADDEN. Let us understand it. Suppose, for example, the Government has already paid $2.50 an acre for the land it got from the railroad companies and then is required to sell the land for $2.50, then required to give 25 per cent to the county and 25 per cent to the State and take 40 per cent for the reclamation and 10 per cent for itself, how much will it have left?

Mr. HAWLEY. But the gentleman has left out the most valuable asset, namely, the timber. The value of the land itself is a comparatively small item. The great value is in the timber.

The SPEAKER pro tempore. Is there objection?

Mr. FOSTER. Mr. Speaker, I think we would better go into this a little bit more before we permit this to be passed. I ask unanimous consent that it go over until the next day for unanimous consent—to go to the foot of the calendar.

Mr. GARD. Mr. Speaker, reserving the right to object, I desire to ask the gentleman a question. I gather from the statement of the gentleman that it is the purpose to put this land back into the control of the Government for the protection of cities, temporarily, until they can buy the land.

Mr. HAWLEY. I do not know that they will ever buy it. It is included in the forest reserves for the protection of the water supply at the cities. The Government can change by legislation that status at any time. It may be that later the cities will be in a position to purchase it. I said "temporarily," because it is not a final and absolute disposal of the land. Meanwhile the Government will own the land and timber. It still remains the property of the Government.

Mr. GARD. The purpose is to develop it for the cities, because the Government does not want to spend the required amount of money now?

Mr. HAWLEY. It puts these areas into the forests named for the protection of the water supply of these cities. It is

legislation that Congress may change at any time, and if the Congress later on thinks the cities ought to buy it, when they are better able to do so, the Congress can deal with that alternative.

Mr. GARD. Mr. Speaker, I object.

Mr. MADDEN. Does the gentleman think that the water supply is vital?

The SPEAKER pro tempore. Objection is heard.

Mr. HAWLEY. The water supply is absolutely vital. Mr. Speaker, I ask unanimous consent that this bill go to the foot of the calendar.

The SPEAKER pro tempore. The gentleman from Oregon asks unanimous consent that the bill remain on the calendar, to go to the foot thereof. Is there objection?

There was no objection.

PURCHASE OF LAND BY CITY OF MYRTLE POINT, OREG.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13019) to authorize the purchase by the city of Myrtle Point, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916.

The SPEAKER pro tempore. Is there objection?

Mr. FOSTER. Mr. Speaker, I ask unanimous consent that this bill be passed over and go to the foot of the calendar.

Mr. HAWLEY. I do not see why that should be done.

Mr. FOSTER. If there is going to be any controversy about it, I object to its consideration.

Mr. HAWLEY. Will not the gentleman reserve his objection?

Mr. FOSTER. No; I will not reserve it, because I have looked the matter over.

Mr. HAWLEY. Will the gentleman not permit me to make a statement of two minutes?

Mr. FOSTER. Very well, I reserve my objection for that purpose.

Mr. HAWLEY. This bill provides for the purchase by the city of Myrtle Point, Oreg., of the land described in the bill. Under the act disposing of the Oregon & California grant the lands were to be sold for $2.50 an acre if classified as agricultural. The timber on the remainder was to be appraised and sold at the appraised price. Then when the timber was removed the land was to be sold at $2.50 an acre. All this bill does is to give to the city of Myrtle Point the right to buy as other purchasers can buy now.

Mr. JOHNSON of Washington. Buy the land and not the timber?

Mr. HAWLEY. Buy the land and timber. They will pay for both the land and the timber at the appraised price. It authorizes an immediate sale for this land and puts the money at once in the Treasury.

Mr. EMERSON. Why does the city have to have this privilege?

Mr. HAWLEY. Because the Oregon & California land-grant act provides that the land can be sold to individuals only.

Mr. STAFFORD. I believe the committee has amended the bill so that the city will be not only obliged to pay the appraised value of the timber, but also the value of the timberland at $2.50 an acre.

Mr. HAWLEY. Yes.

Mr. STAFFORD. As the bill was introduced the city was only obligated to pay $2.50 per acre for the classified agricultural land and the appraised value of the timber on the other land.

Mr. HAWLEY. Yes.

Mr. STAFFORD. But the committee thought it was advisable not only to have them pay $2.50 an acre for the classified agricultural land and the appraised value of the timber, but $2.50 per acre for the timberland in addition to the appraised value of the timber.

Mr. HAWLEY. The gentleman is right. He has stated the situation correctly.

Mr. STAFFORD. This bill is entirely different from the previous bill——

Mr. HAWLEY. Entirely.

Mr. STAFFORD. This bill not only gives protection to this city's water supply but also recoups the National Government by compelling the city to pay to the National Government——

Mr. HAWLEY. Just as much as any others would pay, and it makes an immediate sale. I trust the gentleman will not insist upon his objection.

Mr. FOSTER. I do not believe I shall object to this, although I want to say this land grant out in Oregon has been very unfair, it seems to me, to the Federal Government in all its transactions, and I think we ought to scrutinize very carefully any of these bills in reference——

Mr. HAWLEY. If the gentleman will permit——

Mr. FOSTER. I shall object if the gentleman is going to interrupt me—I say we ought to scrutinize these bills when they come here with a great deal of care. This bill, of course, is to protect the water supply of Myrtle Point. That is one of the determining factors in this legislation, and I shall not object to this and shall let it go.

The SPEAKER. Is there objection?

Mr. GARD. Mr. Speaker, reserving the right to object, I desire to ask the gentleman from Oregon if this bill carries a purchase price of $2.50 per acre? Is that right?

Mr. HAWLEY. Yes; that is for the land classified as agricultural, and that is the same price that it is now being sold for.

Mr. GARD. And also provides the appraised price for the timber?

Mr. HAWLEY. Yes; that is the same as the present law.

Mr. GARD. What is the authority for the appraisal of the timber at the present time?

Mr. HAWLEY. That is done by the Secretary of the Interior. The land, I think, has already been classified and the timber has been cruised and an appraised valuation set on it.

Mr. GARD. How much is that, does the gentleman know?

Mr. HAWLEY. That I do not know. It is in the hands of the Department of the Interior and they fix it at the current price in the locality.

Mr. GARD. The gentleman can not inform us how much the appraised price of the timber is where the land——

Mr. HAWLEY. I know the land is $2.50 an acre; that is fixed in the act.

Mr. GARD. For how many acres—a quarter of a section?

Mr. HAWLEY. It will be about 120 acres. It is sold to the city of Myrtle Point just as the Secretary would sell to a private individual. That is the change it makes in the law, that the city will be authorized to buy it just as a private individual can purchase it.

Mr. GARD. In the law in this bill and the succeeding one the changes are merely such as to permit the cities to buy so as to protect their water supply?

Mr. HAWLEY. The gentleman is correct.

Mr. GARD. I shall not object to that.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. HAWLEY. Mr. Speaker, I ask that the bill be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior shall be, and is hereby, authorized to issue a patent to the city of Myrtle Point, Oreg., for the following described lands, being a part of the lands revested in the United States by the act of Congress enacted June 9, 1916 (39 Stat., p. 218), to wit: The southeast quarter of the southeast quarter of section 11, the east half of the southwest quarter of the southeast quarter of section 11, and the north half of the northwest quarter of the northwest quarter of section 13, all in township 29 south, range 12 west, of the Willamette meridian, in the State of Oregon; on condition that the said city shall pay to the United States, when said lands are subject to disposition under said act of revestment, the sum of $2.50 per acre for all of said lands that may be classified as agricultural, and the reasonable appraised price of the timber on all such lands as may be classified as timberlands.

SEC. 2. That the Secretary of the Interior shall prescribe all necessary regulations to carry into effect the foregoing provisions of this act.

The committee amendments were read, as follows:

Page 2, line 2, strike out "the southeast quarter" and insert "south half."

The question was taken, and the amendment was agreed to.

Page 2, line 8, after the word "city," insert the word "first."

The question was taken, and the amendment was agreed to.

Page 2, lines 10 and 11, strike out the words "that may be classified as agricultural."

The question was taken, and the amendment was agreed to.

Page 2, line 11, after the word "the," strike out the word "reasonable."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HAWLEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

PURCHASE OF LANDS BY CITY OF M'MINNVILLE, OREG.

The next business in order on the Calendar for Unanimous Consent was the bill (S. 2784) to authorize the purchase by the city of McMinnville, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I notice in reading the letter of the Acting Secretary of the Interior the bill as it was originally reported contained even-

numbered sections. Has that been corrected in the bill as it now stands?

Mr. HAWLEY. The bill as reported by the Committee on the Public Lands I am sure conforms to the recommendations of the department.

Mr. STAFFORD. Then the gentleman can not give any positive assurance whether only odd-numbered sections are included in the bill?

Mr. HAWLEY. I think there are no even-numbered sections included in the bill.

Mr. STAFFORD. I withdraw the reservation of objection.

The SPEAKER. Is there objection?

Mr. GARD. Reserving the right to object, and pursuing the same line of inquiry as the gentleman from Wisconsin, can the gentleman inform us whether, when this bill was presented, as it was, to the Secretary of the Interior, the Acting Secretary of the Interior found that certain lands were not in this Oregon & California Railroad grant and should not be included in the present bill? Does the bill rectify it?

Mr. HAWLEY. I will say to the gentleman that I have scrutinized the bill a moment ago, and observed no even-numbered sections in the bill.

Mr. GARD. Would the gentleman mind passing it now, so that he can get the information? It would not be proper to include lands that were the property of the California & Oregon Railroad Co.

Mr. HAWLEY. I think I can assure the gentleman now just as certainly as a little later that there are no even-numbered sections included in the bill as it was reported by the committee.

Mr. GARD. There is no amendment in the bill that I can see.

Mr. STAFFORD. Still under reservation of objection, am I to infer that the language of the Acting Secretary, directing attention to the fact that the bill then submitted to him contained even-numbered sections which were not in the grant of the Oregon & California Railroad grant, is covered by the following:

Your committee, however, is advised that all of said lands are included in existing homestead entries which have not yet passed to patent.

Mr. HAWLEY. That matter was very thoroughly investigated by the Commissioner of the General Land Office at my request. There was only one homestead entry in these lands which had not lapsed, and that was erroneously placed on an 80-acre tract alleged to be in an odd-numbered section, whereas it was really in an even-numbered section.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior shall be, and is hereby, authorized to issue a patent to the city of McMinnville, Oreg., for the following-described lands, being a part of the land revested in the United States by the act of Congress enacted June 9, 1916 (39 Stats., p. 218), to wit: The north half of section 13, township 3 south, range 6 west; north half southeast quarter of section 13, township 3 south, range 6 west; southeast quarter of section 13, township 3 south, range 6 west; southeast quarter southwest quarter of section 11, township 3 south, range 6 west; north half northeast quarter of section 11, township 3 south, range 6 west; northwest quarter of section 11, township 3 south, range 6 west; southeast quarter southeast quarter of section 3, township 3 south, range 6 west; northwest quarter southeast quarter of section 3, township 3 south, range 6 west; north half southwest quarter of section 3, township 3 south, range 6 west; southwest quarter southwest quarter of section 3, township 3 south, range 6 west; southwest quarter northwest quarter of section 3, township 3 south, range 6 west; on condition that the said city shall pay to the United States, when said lands are subject to disposition under said act of revestment, the sum of $2.50 per acre for all of said lands that may be classified as agricultural, and the reasonable appraised price of the timber on all such lands as may be classified as timberlands.

SEC. 2. That the Secretary of the Interior shall prescribe all necessary regulations to carry into effect the foregoing provisions of this act.

Also the following committee amendments were read:

Page 2, line 22, after the word "lands," strike out "that may be classified as agricultural."

Page 2, line 23, after the word "the" where it occurs the first time, strike out the word "reasonable."

Page 2, line 19, after the word "shall," insert the word "first."

The SPEAKER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. SINNOTT, a motion to reconsider the vote by which the bill was passed was laid on the table.

LANDS IN SOUTH DAKOTA FOR CEMETERY PURPOSES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12082) authorizing the sale of certain lands in South Dakota for cemetery purposes.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. STAFFORD. Reserving the right to object, what is the special need of having this authorization when the department has authority to grant the right to certain classes of associations?

Mr. GANDY. The Secretary decided that under the construction of the act he did not have authority to sell for cemetery purposes, and I may say that was ascertained after that land had been, as it is now being, used for cemetery purposes.

Mr. STAFFORD. The land is now being used for cemetery purposes?

Mr. GANDY. Yes.

Mr. STAFFORD. I withdraw the reservation of objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. GANDY. Mr. Speaker, I ask unanimous consent to have the bill considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman asks unanimous consent to have the bill considered in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to sell and convey to the White River Cemetery Co., for cemetery purposes, for a price not less than the appraised value thereof, a 10-acre tract within the former Rosebud Indian Reservation in Mellette County, S. Dak., described as the northeast quarter of the southeast quarter of the northeast quarter of section 34, township 42 north, range 29 west, sixth principal meridian, or such part thereof as may be required: *Provided, however*, That the tract conveyed shall be described in terms of the legal survey, the consideration to be paid to the superintendent of the Rosebud Reservation, to be deposited in the Treasury of the United States to the credit of the Rosebud Indians.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. GANDY, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS MISSOURI RIVER, CHAMBERLAIN, S. DAK.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13004) extending the time for commencing construction of bridge and for maintenance of pontoon and pile bridge by the Chicago, Milwaukee & St. Paul Railway Co. across the Missouri River at or near Chamberlain, S. Dak., and providing additional requirements for bridge to be constructed.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, I recall when the original bill, which this bill seeks to amend, was under consideration, I recall the attempt that was made to force the Chicago, Milwaukee & St. Paul Railway Co. to build a bridge across the Missouri River at Chamberlain. Now, I understand that the work has not been performed, because of conditions arising during the war. This bill seeks to extend the time in which that work may be undertaken and completed.

Mr. GANDY. I may say to the gentleman that the company tried to comply with the act of April 28, 1916, but the division of capital expenditures of the Railroad Administration declined to approve the expenditure of as much money as that would entail, and the War Industries Board refused to permit the company to purchase the steel that was necessary for it. In its effort to remedy the situation, which called forth the act of April 28, 1916, the railroad company purchased two second-hand steel spans that were taken out at Kansas City, where a double-track bridge took the place of a single-track bridge. These spans are each 300 feet in length, and with the 200-foot pontoon draw makes 800 feet of clearance across the channel. They are at this time erecting those two steel spans and putting in the new pontoon draw.

Mr. STAFFORD. The work, then, is really beginning under the new authorization?

Mr. GANDY. They had to begin it because the flood took the old bridge all out.

Mr. STAFFORD. As I understand it, before Congress passed the bill they declined to put in a permanent structure, but awaited the subsiding of the freshet each year, and put in a pontoon?

Mr. GANDY. Yes. This measure has the approval of the Chief of Engineers of the War Department and the Federal

manager of the Chicago, Milwaukee & St. Paul Railroad, and it carries the provision that if the construction that is contemplated under this bill is not sufficient to provide for continuous railroad traffic, the Secretary of War may order such changes or additions as are necessary.

Mr. STAFFORD. Then section 3, found on page 2, lines 17 to 23, is merely authorization to continue the present temporary bridge, and has no reference whatsoever to this bridge with the long span?

Mr. GANDY. Section 3 has no reference to that. Section 2 has reference to work that is now being done there.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the time for commencing the construction of the bridge authorized by section 1 of the act of Congress approved April 28, 1916, is hereby extended one year, or until April 28, 1919.

SEC. 3. That if the new bridge built under the provisions of said act shall be found, in the judgment of the Secretary of War, to be so constructed that it does not reasonably meet the requirements for continuous railroad traffic, then and in such event the Secretary of War may order such changes made as in his judgment may be necessary to make said bridge meet the reasonable requirements for uninterrupted railroad traffic; all the privileges herein conferred and the right to maintain any bridge built hereunder shall cease and determine unless such changes as the Secretary of War shall direct shall be commenced within six months and complete within two years next following such notice.

SEC. 2. That the time during which the Chicago, Milwaukee & St. Paul Railway Co. was authorized to maintain its pontoon and pile bridge across the Missouri River at or near Chamberlain, S. Dak., by section 2 of the said act of April 28, 1916, is hereby extended for one year from date of approval hereof.

With committee amendments as follows:

Line 3, page 1, after the word "commencing" insert "and completing," and change the word "time" to "times."

Line 6, page 1, strike out the word "is" and insert the word "are."

Line 6, page 1, commencing with and including the word "one," strike out the remainder of the section and insert in lieu thereof "two and five years, respectively, from April 28, 1917."

Line 3, page 2, strike out the word "new."

Line 7, page 2, after the word "continuous," insert the words "and uninterrupted."

Line 7, page 2, strike out the words "the Secretary of War" and insert in lieu thereof "he."

Line 8, page 2, strike out the word "made."

Line 9, page 2, strike out the words "the reasonable" and insert in lieu thereof the word "such."

Line 10, page 2, after the word "requirements" insert a period.

Line 10, page 2, strike out the words "for uninterrupted railroad traffic," and capitalize the first letter of the word "all."

Line 12, page 2, strike out the word "any" and insert the word "the," and after the word "bridge" insert the words "to be."

Line 14, page 2, change the word "complete" to "completed."

Line 15, page 2, strike out the words "such notice" and insert in lieu thereof the words "the date of service of such order."

Line 17, page 2, strike out "2" and insert "3."

Add a new section as follows:

"SEC. 4. That the right to alter, amend, or repeal this act is hereby expressly reserved."

Amend the title to read as follows:

"A bill extending the time for construction of a bridge and for the maintenance of a pontoon and pile bridge by the Chicago, Milwaukee & St. Paul Railway Co. across the Missouri River at or near Chamberlain, S. Dak., and providing additional requirements for the bridge to be constructed."

The SPEAKER. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER. Without objection, the title will be so amended to conform to the text.

There was no objection.

On motion of Mr. GANDY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

AMENDMENT OF WAR RISK INSURANCE ACT.

Mr. RAYBURN. Mr. Speaker, I move to suspend the rules and take up and pass the bill H. R. 13273, with a committee amendment.

The SPEAKER. The Clerk will report it.

Mr. STAFFORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STAFFORD. I inquire for the benefit of the membership of the House whether there will be any further calls from the Calendar for Unanimous Consent to-day?

The SPEAKER. It depends on these suspensions. There are two or three bills that ought to be considered and passed in the interest of public business. The Clerk will report the bill.

Mr. STAFFORD. Will the gentleman give the number on the calendar?

Mr. RAYBURN. Union Calendar 325.

The Clerk read the title of the bill, as follows:

A bill (H. R. 13273) to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, and an act in amendment thereto approved October 6, 1917.

The SPEAKER. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That the act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department" be, and is hereby, amended by adding the following new paragraph to section 210 of Article II of the said act:

"*Provided, however*, That whenever the commissioner shall by further investigation or reinvestigation modify the existing award, no reimbursement from the person receiving an allowance shall be required for allotments and allowances already paid nor shall any deductions be made from allotments and allowances to be paid in the future for any change in award made in previous allotments and allowances, except where it is conclusively shown that the person receiving the allowance does not bear the relationship to the enlisted man which is required by the act and except in cases of manifest fraud."

The SPEAKER. Did the gentleman from South Dakota say something about an amendment?

Mr. RAYBURN. Yes. There is a committee amendment.

The SPEAKER. The gentleman from Texas moves to suspend the rules and pass this bill, together with the amendment. Is a second demanded?

Mr. STAFFORD. I demand a second.

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Texas asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

Mr. RAYBURN. Mr. Speaker, I think about as good a statement as can be made about this bill is contained in a report made by the Secretary of the Treasury. I will ask that the Clerk read that in my time.

The Clerk read as follows:

TREASURY DEPARTMENT,
Washington, January 7, 1919.

MY DEAR CONGRESSMAN: In compliance with your request I have the honor to submit the views of the Treasury Department on H. R. 13273, introduced by Mr. TREADWAY.

This bill provides that when an award of allotment or family allowance is modified no reimbursement shall be required or future deduction made for moneys previously paid on the award. This bill goes straight to the heart of a matter which has given the Bureau of War Risk Insurance great concern. The war-risk insurance act, as it was originally passed and now stands, requires the bureau to make an investigation of each claim for family allowance. It was plain that if, at the beginning of the bureau's operations, no awards were to be made until the investigations could be completed, the very purpose of the allotment and family allowance features of the act would be practically defeated, for the investigations would take months, whereas the allotments and allowances were needed at once. Accordingly, the bureau decided to take the statements of the enlisted men as prima facie true and to make immediate awards on the basis of such statements. The bureau took this step advisedly, knowing full well that through erroneous statements or otherwise many awards would be made to persons who were not entitled to them. But the bureau felt bound to send the funds to the families of soldiers as rapidly as possible, trusting to the investigations to enable the bureau to detect and stop all awards that should not have been made.

The investigations have shown a large number of awards which should never have been made. The awards, of course, have been stopped. Upon stopping the awards, however, the bureau was confronted with the question whether it should attempt to recover the moneys erroneously paid. Deeming that it should exercise scrupulous regard as to the disbursements of public moneys, the bureau felt that it should, in so far as possible, recover the amount which should not have been originally paid out and consequently has asked for a refund. It has not been pleasant for the bureau to pursue this course, and it has done so only because of its conception of the duty laid upon it.

The bill introduced by Mr. TREADWAY will, if adopted, relieve the bureau of this duty. Subject to one modification, it meets the approval of the Treasury Department. This modification is that the bill should be so modified as to permit the bureau to recover in what may be called the flagrant cases. Among such cases may be mentioned the payment of family allowance to a former wife divorced who has remarried, or the payment of family allowance to a woman to whom the enlisted man was never married and with whom he had no legitimate relationship.

It is suggested, therefore, that the following clause be added at the end of the bill: "except where it is conclusively shown that the person receiving the allowance does not bear the relationship to the enlisted man which is required by the act."

With this modification incorporated in the bill, the Treasury Department recommends its prompt adoption.

Sincerely, yours,

CARTER GLASS,
Secretary.

Hon. THETUS W. SIMS,
Chairman Committee on Interstate and Foreign Commerce,
House of Representatives.

Mr. RAYBURN. Mr. Speaker, I reserve my time.

Mr. STAFFORD. I yield five minutes to the gentleman from Missouri [Mr. IGOE].

Mr. IGOE. Mr. Speaker, I want first to ask the gentleman in charge of the bill why it was that the committee did not make some provision for continuing payments on these allowances that have been discontinued? As I understand this bill,

it provides that no reimbursement shall be exacted from persons who have received allowances except in cases of fraud. Now, what I have in mind is this: As I understand it, there are some 70,000 cases where allowances have been canceled under the authority of this section which is now sought to be amended. The bureau has arbitrarily, it seems to me, taken that action. Statements have been made that in many instances the action of the bureau has been based on responses given by the beneficiaries. I have had complaints that where a boy has made an allotment and an allowance was granted the bureau has assumed to say that the income of the family is sufficient, and regardless of the peculiar conditions that may exist the allowance has been discontinued. Now, as I understand it this bill provides that if there has been no fraud the bureau shall not recoup what has been paid to the beneficiaries by keeping it out of future allotments. Take, for instance, a case where a boy is over on the other side and the family have been receiving this allowance and the allotment of the boy, and they have been cut off, and the contribution of the boy before he went into the service was $25, $35, or $40 a month. Is the committee going to make no provision for reinstating those allotments?

Mr. RAYBURN. No; and I do not think we should.

Mr. IGOE. When this insurance law was passed the statement went out that where the contribution of the boy was $35 a month and the parents were dependent upon it, if the boy allotted $15 the Government would add $20. If there were two parents and the boy contributed $35, he could get an allowance for each of those parents. The committee may say now, a year or more after that bill was passed, that that was not the intention, but the law says that if those parents were wholly or partly dependent upon this soldier they should be entitled to this allowance. Now, I have had cases brought to my attention—I have not the letters here, but I wish I could put some of them into the RECORD—where there are several children, and a father and mother perhaps, and because some answers have been made to the bureau which did not satisfy them these allowances have been cut off. This takes care of cases where they are asked to refund money and will relieve them of the obligation to refund; but how in the world are those people going to get along when they need this money? I know it was repeatedly stated that if the contributions were $25 or $35 a month they would go on.

Mr. RAYBURN. The gentleman must understand that that is what we say yet, but the question of dependency must arise.

Mr. IGOE. Yes; "partly or wholly dependent."

Mr. JOHNSON of Washington. In other words, it does not run to absolute pauperism.

Mr. IGOE. It does not run to absolute pauperism and never was so intended.

Mr. JOHNSON of Washington. Of course not.

Mr. IGOE. Now, here is the situation: They undertake to say that when the boy was contributing $35 a month, that was board. Well, anybody who has lived in a district such as mine, in a city, knows that where there are several children at home contributing to the support of the family that $35 a month is not board. When that boy left to go into the Army, to go across to France to fight for his country, the expenses of the family went on almost the same. They were keeping a home for him to return to, and they were paying just as much for rent, light, and fuel. The other children at home had to be educated, and the loss to the family was almost the entire $35. I have offered an amendment in the form of a separate bill, which I would offer now if it were permissible. I hope the House will be given an opportunity to fully consider this important matter.

The SPEAKER. The time of the gentleman has expired.

Mr. IGOE. I ask leave to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. STAFFORD. Mr. Speaker, I ask to be notified when I have used five minutes. So careless was the administration of the Bureau of War Risk Insurance in the allotments of Government money to persons who had no right to the same that the bureau for months past has been recovering monthly the enormous amount of $500,000 of payments from persons who were not entitled under the law to receive them. There would not be much criticism from any person in this House of the proposition to prevent the Government from trying to recoup itself for any allotments or allowances where it would be a hardship on the persons entitled to some allowance. But where the Government has paid money under obvious mistakes and no distress would follow its repayment, I claim there ought to be some provision for getting the money back. I have heard of cases where a wife has received double allowances, and has knowingly accepted them, though fraud was wanting in receiving it, but there is no provision in this bill whereby that money can be obtained from that person no matter what her financial condition may be. This bill absolutely protects those who are in affluence—a wife with property, who under the war-risk law was entitled to a certain allotment allowance. If she received double the amount by mistake of the bureau, the Government is barred from recovering that back. I do not think the gentleman who reports this bill intends to block the Government from recovering money under such circumstances, and yet that would be the effect of this bill. This is the first time this bill has been presented for consideration. No opportunity whatsoever is given for amendment under suspension of the rules. Oh, the gentleman can bring in these bills which will perpetuate these injustices on the Government—these unjust limitations on the Government—whereby it can not be reimbursed for money wrongfully paid.

As I said a moment ago, no one wishes to punish any allottee for money paid through the mistake of the Government that was received in good faith and used, if those people can not reimburse the Government. But this bill goes further than that. As originally introduced by the gentleman from Massachusetts [Mr. TREADWAY], the Government would not even have the right to recover the money that was obtained by fraud. And even the Secretary of the Treasury, in the amendment he recommended, did not seek to cover that case. The only case he recommended was where it was conclusively shown that the person receiving the allowance did not bear the relationship to the enlisted man which is required by the act. I had hoped there would be some opportunity given in the consideration of the bill, which involves a saving maybe of hundreds of thousands of dollars, for an amendment which would do no hardship to the people who received the money, but which would protect the Government in cases of innocent mistake. No such provision is made and no opportunity to amend it is permitted.

Mr. GOOD. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. GOOD. Is there any statement as to how much is involved in this question?

Mr. STAFFORD. No. There is no statement, although before the legislative committee the head of the bureau testified that they were recovering $500,000 from those who received this money who were not entitled to it under the law. As I said a moment ago, there is no desire upon the part of any Member here to cause hardship by withholding allotments and allowances from needy people, but there should be some provision in the bill whereby the Government could recover payment of money unlawfully paid where no hardship would result in demanding its return.

Mr. RAYBURN. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Speaker, I have a good deal of sympathy with the attitude of the gentleman from Wisconsin [Mr. STAFFORD] in his desire to protect the Treasury. I think, however, in considering the argument that he has made that we should take into account these thousands of reexaminations that have been made, the applications having already gone out over the country. People situated as he describes, not needing the allowance, I should suppose would come under the description of having secured the money, possibly, by fraud or by misrepresentation. There is a very marked distinction between the allotment and allowance features, and his description of these cases covers those who may not have needed the allowance at any stage of the procedure. Therefore I presume it would be within the range of fraud.

Mr. TAYLOR of Colorado. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. TAYLOR of Colorado. Who determines whether or not it is a worthy case?

Mr. TREADWAY. Section 210 of the original act provides that the bureau shall make examination and reexamination, or, in the language of the act, "shall investigate and reinvestigate" and modify the award, and this condition we are endeavoring to correct in this bill.

Mr. TAYLOR of Colorado. Those examinations are made by local appointees, suggested by somebody, some 90,000 of them throughout the United States.

Mr. TREADWAY. Yes; and questionnaires sent out—all sorts of methods.

Mr. TAYLOR of Colorado. And those investigators are local people who go and size up a family in an ex parte and perfunctory way and decide in their own mind whether or not they ought to have the allotment. What defense has the boy who is fighting for his country over in Europe against these sneak investi-

cations? What protection has he against some one who just arbitrarily, possibly because of some neighborhood or family enmity, or something of that kind, can make a report that it should not be paid; that the boy did not contribute that much, and that therefore they ought not to have it, when he does not know anything about it, and his investigation is not corroborated by anyone, but is purely his personal feeling? Has that boy any redress or have those parents any redress or any recourse?

Mr. TREADWAY. Not the slightest.

Mr. TAYLOR of Colorado. I have had some complaints where I think an injustice has been done through the sending out of that kind of reports, without any opportunity of defending against them, when the boy is fighting at the front and the mother needs the money at home, and some fellow who is staying at home makes this report and cuts off and seriously injures the family. I do not like to see an irresponsible fellow of that sort be made an inquisitor and a court of last resort. I think some of them have been swelling up too much and swaggering around as "Government agents."

Mr. TREADWAY. The gentleman from Colorado is correct, and so far as I am concerned I would rather take the statement of the boy and his mother as to whether they need the money than the statement of some jealous neighbor.

Mr. TAYLOR of Colorado. That is the way I feel about it. There seems to be no special qualification for these so-called investigators, and while I presume most of them are fair-minded good citizens I think some of them ought to be investigated and eliminated.

Mr. ANDERSON. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. ANDERSON. There are cases in which allotments and allowances have been paid twice. There are cases in which they have been paid erroneously. Would this proposition correct that?

Mr. TREADWAY. It would not. Those are mistakes of the bureau which can readily be corrected where it is absolutely a mistake. There is no question but that this description in the phraseology of the bill would not protect the persons having received two payments of an allotment. That matter came up before the committee, and I think the gentleman from Texas will agree with me that that situation was described to the committee.

Mr. KING. There are a number of cases of this character. Allowances have been paid, and the bureau have discovered or think they have discovered that there was no reason for the payment, and then they have asked people to send the money back. In many cases those people have borrowed the money and have sent it back to the bureau. Is there any provision in the bill whereby that money may be paid back to them if it is found that they are entitled to it under this bill?

Mr. TREADWAY. I wish there might be, under the discretion of the bureau and the Secretary.

Mr. KING. Could not there be a short amendment incorporated in this bill?

Mr. TREADWAY. I doubt if we ought to incorporate it in the act, in view of the fact the Treasury Department has said it should live up to the actual phraseology of the original law. We are endeavoring to stop just that procedure in the future. I have no doubt the statement of the gentleman from Illinois is correct, that there have been paid back into the Treasury many thousands of dollars, and I personally think a great deal of it very likely ought not to have been paid back. I have numerous letters——

Mr. JOHNSON of Washington. Brought back by a form of coercion.

Mr. TREADWAY. There is a certain amount of coercion coming to men living far off—take the territory of the gentleman from Washington and my own, for instance—in that any official letter from the Government carries with it a certain weight and authority.

Mr. JOHNSON of Washington. And the fear of those parents that it will be taken out of the pay of the soldier.

The SPEAKER. The time of the gentleman has expired.

Mr. RAYBURN. I yield the gentleman three minutes more.

Mr. TREADWAY. I thank the gentleman. The hardship that has come under the interpretation of the law now in force is this, that it does come directly out of the pay of the soldier. In other words, the notice that the department sends out directing a refund says, "We are taking out of your allotment for the months of November and December $15 for each month." That is the man's own pay for his services as a soldier. Let me read just a line bearing on this very subject from a letter I received this morning:

> If they do not want to give the allowance, why am I deprived of the allotment?

That is the actual situation, that hundreds of these cases have been carried through by the department looking to a retention of the soldier's own pay, which he had the right to ask for, and not as an allotment to his relatives at all, that he did not expect was going to carry with it an allowance. There has been endless hardship resulting from the enforcement of this law, and I think the letter of the Secretary of the Treasury absolutely states the case that the department must obey the phraseology of the law, that it is very difficult for them to have such a large amount as proposed by this bill. It seems to me we ought to have passed this amendment to the war-risk act some time ago in order to stop this very return into the Treasury of cases where hardship would result in asking families to reimburse the Government. It is not in accordance with the war-risk act to have these reimbursements made, and I maintain that we should hasten this change in the law in order to prevent the continuation of these instances that carry not only hardships to the recipients but also in many instances a feeling to the parents, as you and I have received letters to show the feeling, that there has been some fraud performed by their soldier boy. No such insinuation as that ought to be carried in the minds of the parents of the boys who have been in our service, and therefore I trust that the House will hastily pass this measure. [Applause.] I yield back what remaining time I have.

The SPEAKER. The time of the gentleman has expired.

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on suspending the rules and passing the bill.

The question was taken, and (in the opinion of the Speaker two-thirds having voted in favor thereof) the rules were suspended, and the bill was passed.

BATTLE MOUNTAIN SANITARIUM.

Mr. GANDY. Mr. Speaker, I move to suspend the rules and pass the bill which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 13440) transferring jurisdiction and control over Battle Mountain Sanitarium of the National Home for Disabled Volunteer Soldiers from the Board of Managers of the National Home for Disabled Volunteer Soldiers to the Secretary of War for use for Army hospital purposes for the period covered by the exigencies growing out of the present war.

Be it enacted, etc., That jurisdiction and control over Battle Mountain Sanitarium of the National Home for Disabled Volunteer Soldiers, located at Hot Springs, S. Dak., be, and the same hereby is, transferred for the period covered by the exigencies growing out of the present war from the Board of Managers of the National Home for Disabled Volunteer Soldiers to the Secretary of War for use by the Medical Department of the Army for hospital purposes.

SEC. 2. That upon the passage of the exigencies growing out of the present war, or as soon thereafter as may be practicable, the Secretary of War shall cause said sanitarium to be vacated by the Medical Department of the Army, and thereupon jurisdiction and control over said sanitarium shall revert to said Board of Managers of the National Home for Disabled Volunteer Soldiers.

SEC. 3. That the various items of appropriations heretofore or hereafter made for the support, maintenance, and other necessary expenses of said Battle Mountain Sanitarium of the National Home for Disabled Volunteer Soldiers be, and they hereby are, made available for payment of the cost of the transfer of the members of said sanitarium to other branches of the national home and for the transfer of any property found to be necessary to transfer therefrom to other branches of the national home and for the support of the branches to which said members are transferred to the extent of the allotments thereof made by said board of managers in consideration of and in the amount of an extra expense incurred by reason of said transfers and for the retransfer from said branches to said Battle Mountain Sanitarium of the persons and property transferred as aforesaid at such time as jurisdiction and control over said Battle Mountain Sanitarium shall be reinvested in said board of managers in accordance with the provisions of section 2 of this act.

The SPEAKER. Is a second demanded?

Mr. SLOAN. Mr. Speaker, I demand a second.

Mr. GANDY. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. Is there objection?

Mr. SLOAN. Mr. Speaker, I object.

The SPEAKER. The gentleman objects.

Mr. SLOAN. I withdraw the objection.

The SPEAKER. The gentleman withdraws his objection.

Mr. SLOAN. And I suggest there is not a quorum present. I make the point of no quorum.

The SPEAKER. The Chair will ask the gentleman from South Dakota to withdraw temporarily his bill so as to enable the House to pass one more of these unanimous-consent bills.

Mr. GANDY. So I do not lose my rights in the premises.

The SPEAKER. The Clerk will report the next bill.

Mr. CRISP. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CRISP. What became of the point of no quorum?

The SPEAKER. The gentleman withdraws that temporarily at the request of the Chair. [Laughter.]

Mr. STAFFORD. On the condition the bill will not be called up to-day?

The SPEAKER. No; it will be called up as soon as we pass this unanimous-consent bill. [Laughter.] The Clerk will report the next bill on the calendar.

ADDITIONAL DISTRICT JUDGE IN TENNESSEE.

The Clerk read as follows:

A bill (S. 1836) to provide for the appointment of a district judge in the middle judicial district of the State of Tennessee, and for other purposes.

The SPEAKER. Is there objection?

Mr. VOLSTEAD. Mr. Speaker, I object.

Mr. HOUSTON. Mr. Speaker, I hope the gentleman will reserve his objection until I make a statement.

Mr. VOLSTEAD. I reserve it.

Mr. HOUSTON. Mr. Speaker, I simply want to call the attention of the House to a statement made by the Federal judge who is holding court in middle Tennessee and also in east Tennessee, in the two judicial districts. In a letter to my colleague, Mr. FISHER, after setting forth the state of the docket and the amount of work involved there, he says:

> As you will see, the situation is one in which I am working under constant strain and under the pressure of accumulated work; a very disadvantageous condition for good work. I have also been unable to go to Cincinnati to sit on the circuit court of appeals, as requested by Judge Warrington. Without outside assistance, it would be plainly impossible for me to keep up the work; and even with such assistance, it takes all my time and energies and does not enable me to keep up with the work on schedule time. In short, the experience of the last year or two has deepened my conviction, previously expressed, that it is impossible for one judge to keep up the work in the two districts with the promptness and thoroughness which the due administration of justice requires, and to force me, reluctantly, to the conclusion that, in my judgment, some measure of permanent assistance in this work is required in the public interest.
>
> I had hoped that with the cessation of the war and the enactment of Federal prohibition, there might be a lightening in the criminal dockets of the courts, but in view of the legislation which it is announced is to be brought forward in Congress in reference to the enforcement, through the Federal courts, of the prohibitory legislation of Congress and the provisions of the constitutional amendment just ratified, I think now that this expectation was probably not well founded, and that, on the contrary, with the additional Federal legislation which will probably result both in connection with national prohibition and the other problems of readjustment to peace conditions, the normal work in the Federal courts on the criminal side alone will not be permanently decreased, but, on the contrary, will probably be permanently increased; and that with the general resumption of the civil litigation in the Federal courts following peace, there will be in the near future considerably more litigation in both districts, both civil and criminal, than before the war; and that the task of promptly and efficiently keeping up the work in the two districts by one judge will be made increasingly difficult, and continue to be, as it now is, impossible.

This is signed by Judge Edward T. Sanford.

The SPEAKER. Does the gentleman from Minnesota [Mr. VOLSTEAD] adhere to his objection?

Mr. VOLSTEAD. I object.

Mr. HOUSTON. Mr. Speaker, I ask that it may go to the foot of the calendar without prejudice.

The SPEAKER. Without objection, it will go to the foot of the calendar.

Mr. VOLSTEAD. I object.

The SPEAKER. The gentleman from Minnesota objects, and the bill is stricken from the calendar.

BATTLE MOUNTAIN SANITARIUM.

The SPEAKER. The gentleman from Nebraska [Mr. SLOAN] makes the point that there is no quorum present. The Chair will count. [After counting.] Evidently there is not.

Mr. GANDY. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The roll was called, and the following Members failed to answer to their names:

Anthony	Church	Fairfield	Haskell
Ashbrook	Coady	Farr	Haugen
Austin	Copley	Ferris	Hayes
Ayres	Costello	Fields	Heaton
Bacharach	Cox	Flynn	Heintz
Beshlin	Crosser	Focht	Helm
Black	Dale	Francis	Helvering
Blackmon	Delaney	Freeman	Hood
Booher	Dempsey	Fuller, Mass.	Howard
Borland	Dent	Glynn	Hutchinson
Bowers	Dewalt	Godwin, N. C.	Jacoway
Britten	Dominick	Goodall	James
Brodbeck	Donovan	Graham, Pa.	Johnson, Ky.
Browne	Dooling	Gray, N. J.	Kahn
Brumbaugh	Doremus	Greene, Vt.	Kennedy, R. I.
Caldwell	Drane	Gregg	Key, Ohio
Candler, Miss.	Drukker	Griest	Kiess, Pa.
Cantrill	Dunn	Hadley	Kitchin
Caraway	Eagan	Hamill	Kreider
Carew	Edmonds	Hamilton, Mich.	La Follette
Carter, Mass.	Esch	Hamilton, N. Y.	LaGuardia
Chandler, N. Y.	Estopinal	Harrison, Miss.	Lampert
Chandler, Okla.	Fairchild, Geo. W.	Harrison, Va.	Lever
Littlepage	Overmyer	Sanders, La.	Sullivan
Lunn	Paige	Sanford	Swift
McClintic	Park	Saunders, Va.	Tague
McCulloch	Parker, N. Y.	Scully	Taylor, Ark.
McKenzie	Pratt	Sears	Templeton
McLaughlin, Pa.	Price	Sells	Thomas
Maher	Ramsey	Shackleford	Thompson
Mann	Reavis	Shallenberger	Vare
Moon	Riordan	Sherley	Vestal
Morin	Robbins	Siegel	Waldow
Mudd	Roberts	Sims	Walker
Nelson, A. P.	Rouse	Sloup	Walsh
Nelson, J. M.	Rowe	Smith, Idaho	Welsh
Nicholls, S. C.	Rowland	Smith, Chas. B.	White, Ohio
Norton	Rucker	Smith, Thos. F.	Wilson, Ill.
Oliver, Ala.	Russell	Stephens, Nebr.	Winslow
Oliver, N. Y.	Saloth	Sterling	Wise
Olney	Sanders, Ind.	Strong	Woods, Iowa

The SPEAKER. On this vote 265 Members have answered to their names, a quorum.

Mr. GANDY. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors. The Chair appoints the gentleman from South Dakota [Mr. GANDY] and the gentleman from Nebraska [Mr. SLOAN] as tellers.

Mr. GANDY. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. The gentleman from South Dakota asks unanimous consent that a second may be considered as ordered. Is there objection?

Mr. SLOAN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Nebraska objects, and the Chair appoints the gentleman from South Dakota [Mr. GANDY] and the gentleman from Nebraska [Mr. SLOAN] as tellers.

Mr. GANDY and Mr. SLOAN took their places as tellers.

The House divided; and the tellers reported—ayes 97, noes 45.

So a second was considered as ordered.

The SPEAKER. The gentleman from South Dakota [Mr. GANDY] and the gentleman from Nebraska [Mr. SLOAN] have 20 minutes apiece.

Mr. GANDY. Mr. Speaker, this bill provides for the transfer temporarily of Battle Mountain Sanitarium at Hot Springs, S. Dak., from the Board of Managers of the National Home for Disabled Volunteer Soldiers to the Secretary of War for use for Army hospital purposes. It follows identically the same language, with one exception, of the bill which this House and the Senate passed and which became a law some time early last fall transferring the Southern Branch Soldiers' Home at Hampton, Va., to the Army for use as an Army hospital. The one exception is that that bill provided that the Hampton home should be transferred for the duration of the war and this bill provides that the home at Hot Springs, S. Dak., shall be transferred during the exigencies growing out of the present war.

In order that the House may thoroughly understand the situation, I want to say that the Surgeon General first asked of the Board of Managers of the National Soldiers' Home whether they would entertain a suggestion or request to transfer this institution, and the board said it would. A committee from the Surgeon General's office went out and inspected the institution and made due report to the Surgeon General and to the General Staff. The Surgeon General then requested of the Secretary of War authority, so far as the War Department was concerned, to take over the institution. The Secretary of War approved that request, and then I introduced the bill in the House.

Mr. SHERWOOD. Mr. Speaker, will the gentleman yield?

Mr. GANDY. Yes.

Mr. SHERWOOD. I would like to ask the gentleman a question.

Mr. GANDY. Yes.

Mr. SHERWOOD. Is this to be a measure of economy?

Mr. GANDY. I so understand it.

Mr. SHERWOOD. Do you think it would be economy to take these soldiers, landed on the Atlantic coast, and transfer them for 1,600 miles to the hospital?

Mr. GANDY. The Surgeon General's office is undertaking——

Mr. SHERWOOD. I do not care what the Surgeon General's office undertakes. What I want to know is what the gentleman thinks of this. That was not established as a home but as a sanitarium.

Mr. GANDY. I think it is a matter of economy. I have here a certified copy of a letter, under date of November 23, from the board of managers to the Surgeon General, in which it is stated—

> If the Medical Department of the United States Army desires the use of Battle Mountain Sanitarium for hospital purposes, the board of managers will gladly cooperate in having the same transferred as soon as the members can be transferred to other homes. There is space in other

branches of the home where the members could be comfortably cared for. Possibly there would be some members who would be physically unable to stand the journey and who would have to be left at the branch to be cared for by the incoming administration.

Mr. DYER. Mr. Speaker, will the gentleman yield?

Mr. GANDY. Yes.

Mr. DYER. The gentleman says some of them might be left there. Under the bill would the Surgeon General be compelled to leave any there or would he have them all removed?

Mr. GANDY. I will say that in the case of the Hampton branch home—and then I will answer the gentleman's question—it was found that 43 members ought not to be removed. Those members of the Hampton home were left at that institution and are now being cared for there by the staff of the institution under the Surgeon General's office, and the Surgeon General has given his word to the Board of Managers of the National Soldiers' Home that these members at Battle Mountain Sanitarium, who ough not to be removed for physical reasons, shall be left there.

I want to call to the attention of this House the record of the transfer of men from the Hampton home. Two hundred and fifty hospital patients were transferred and 300 other members of the home. They were taken in sleeping cars from Hampton to Johnson City, Tenn., where space was available in another soldiers' home branch. Forty-three were left at Hampton. Of the 550 who were transferred, including 250 hospital patients, not one death occurred en route, and at the end of 30 days, when the Soldiers' Home Board made its inspection at Johnson City, Tenn., there had been then but one death in the 550 transferred, a death rate which was below the usual death rate for men of that age.

On Friday of last week, in response to my telegram, the chief surgeon and acting governor of Battle Mountain Sanitarium wired me that there were on that day 330 members of the home at the sanitarium; that 215 are Civil War veterans, 87 are Spanish-American War veterans, and 29 are veterans of other wars, and that in his judgment there are only 37 who ought not to be moved. That is the statement of the chief surgeon of the institution.

Then I want to call to the attention of the House the fact that less than a mile across the canyon from this institution there is a magnificent State soldiers' home, in which on the same day that the Surgeon General sent me that information the superintendent of the State home wired me that he then had 74 vacant beds there. The governor of the State wired me that in addition to those who are physically unable to stand the trip and who it is proposed to leave there, if there are others who, because of peculiar climatic conditions might wish to stay in that locality, arrangements could be made with the State soldiers' home board that would permit them to go less than a mile across the canyon and be maintained in the State home.

Mr. CRISP. Mr. Speaker, will the gentleman yield?

Mr. GANDY. Yes.

Mr. CRISP. Will the gentleman state how many patients this hospital will accommodate—how many beds?

Mr. GANDY. On the War Department's rating, this institution will accommodate 600.

Mr. CAMPBELL of Kansas. Mr. Speaker, will the gentleman yield for a question?

Mr. GANDY. Yes.

Mr. CAMPBELL of Kansas. What would be the objection to having those other beds filled up by returning soldiers who are wounded and ought to be treated there under the present management, and leave the men there who are there?

Mr. GANDY. I will say to the gentleman from Kansas that that is a matter of policy that might be worked out.

Mr. CAMPBELL of Kansas. Then this bill would not be necessary.

Mr. GANDY. The institution is under civilian control. The transfer contemplated is a military proposition. In the emergency, with thousands of young men coming back from overseas who need care in an institution such as this, with the knowledge given me by the Soldiers' Home Board that in their home at Danville, Ill., they have to-day almost a thousand vacant beds, and the knowledge that every man who physically ought to stay will be kept there, I say to you, gentlemen of the House, this institution ought to be made available immediately for use as an Army hospital. While it is true that the veterans of former wars deserve the best at the hands of the Nation, yet I am satisfied that there are mighty few old soldiers who would not willingly and cheerfully inconvenience themselves to help make a place that sick and wounded soldiers of this war may be cared for. The soldiers' homes are not nearly filled to capacity, and just now when there are so many young veterans who need hospital facilities and care, a temporary consolidation will make available at Battle Mountain Sanitarium several hundred beds.

Mr. MILLER of Washington. Mr. Speaker, will the gentleman yield?

Mr. GANDY. I do.

Mr. MILLER of Washington. What do the old soldiers themselves say about this?

Mr. GANDY. I was at the Hot Springs after information of this proposed change had been printed in many newspapers in South Dakota and adjoining States, when it had been known for some time that such a transfer was proposed and after officials of the Surgeon General's office had visited the institution. Not one member of the sanitarium to me offered any objection. I have had numerous letters from members saying that in the temporary emergency they are perfectly willing to be inconvenienced by being taken to some other soldiers' home.

Mr. MILLER of Washington. Will the gentleman yield for another question?

Mr. GANDY. Yes.

Mr. MILLER of Washington. What is the gentleman's impression as to the majority of the old soldiers there? Is there practically any opposition to this bill being passed?

Mr. GANDY. I want to be perfectly frank with the gentleman. I have understood in the last few days that there is. This institution has cost the Government complete something in excess of $2,000,000. Out in that great stretch of territory the Surgeon General's office must find a hospital somewhere. If they do not use this, then there must be bought, leased, or built some other institution.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. GANDY. Yes.

Mr. GREEN of Iowa. I was under the impression that this hospital was particularly adapted for the treatment of special diseases, on account of the hot springs there, and that old soldiers were sent there on that account. Is that the case?

Mr. GANDY. Well, that is true; that there are hot springs there that have medicinal qualities. Yet this institution has been conducted on the same basis as other soldiers' homes, and men go there the same as they go to the Danville Home.

Mr. RAMSEYER. Will the gentleman yield?

Mr. GANDY. For a very brief question.

Mr. RAMSEYER. How many old soldiers are there there at the present time?

Mr. GANDY. Three hundred and thirty on Friday.

Mr. ANDERSON. What is the capacity of the hospital?

Mr. GANDY. On the War Department space rating the capacity is about 600. By glassing in the big verandas there the Surgeon General estimates that he can take care of about 1,000 at the institution.

Mr. Speaker, I reserve the remainder of my time.

The SPEAKER. The gentleman reserves 10 minutes.

Mr. SLOAN. Mr. Speaker, I oppose this measure, not because I do not desire the home-coming soldiers to have all the privileges of efficient and proper hospital treatment, because perhaps I have as great a personal interest in that line as any man on this floor; but I do object to it as a matter of good faith to those who have the prior right of occupancy exclusive under the law, but which they do not claim nor do I for them. This institution was constructed in 1902 upon the strenuous advocacy of the Members of the House and Senate from the State of South Dakota and that region. Congress insisted that the volunteer soldiers of the United States should have, not a new soldiers' home alone, because there were several, but that they should have a sanitarium which they could call their own and where they could go when they should be afflicted with particular diseases incident to the advanced life of the old volunteer soldiers.

I shall put in the RECORD, if I am given the privilege, portions of the reports made by the House and the Senate Military Affairs Committees of the Fifty-seventh Congress, showing why this particular place of all places in the United States should be selected for an old soldiers' sanitarium—a volunteer soldiers' sanitarium. The purpose was that it should not be under the control of the War Department, because the volunteer soldiers, not only of the Civil War but of the Spanish-American War, have had some very definite opinions about the War Department's control of their declining years, their sickness, and afflictions. And so now, with little notice being given, the public knowing very little about it, this bill was sprung upon the floor the other day.

True, it was reported by the Committee on Military Affairs. That Committee on Military Affairs, I am satisfied, did not call on any of the Members of the House. That committee did not hear from those who would naturally be expected to object. I find the statement in the letter of the Secretary of War here

saying that the Board of Managers of the Soldiers' Home were in favor of this measure. On the floor of this House the man oldest in service on the board of managers, speaking to me this morning, said, "They," meaning the board, "said they had not any objections, but I have not seen any evidence that they favored this bill." But whether they did favor it or not, and whether there is one soldier there or 500, the Congress of the United States can not afford to say to the volunteer soldiers of the Civil War, those who had an established home there on account of the special curative and healing qualities of the waters, that because there are other soldiers coming these old soldiers shall be evicted. It is not a question of giving treatment there to the soldiers who are coming, because I would have no objection to that, and neither, as I understand, would the members of that sanitarium have any objection to the wounded or sick soldiers coming from overseas being admitted there and receiving such treatment as might be available. But there is a great deal of difference between obtaining and enjoying the hospitality of a home, whether it is a soldiers' home or a private home, and always playing the part of a guest, and the other course of kicking out the owner after you have been admitted. I think it is the wren among birds which, after becoming a guest, finding there is to be too little room for guest and host at the same time, sends the other bird to Danville or elsewhere.

Senate Report No. 129, Military Affairs Committee, of the Fifty-seventh Congress, 1902, adopted a report entitled "Senate Report No. 1077 of the Fifty-sixth Congress," which in turn adopted Senate Report No. 1085, Fifty-fourth Congress, from which I quote, as follows:

As is expressed in its title, this measure provides for the erection of a branch of the National Home for Disabled Volunteer Soldiers at the city of Hot Springs, State of South Dakota. It is a location possessing advantages that can not elsewhere be acquired—advantages provided by nature, and so rare in their combination that they are duplicated in only a few instances the world over. From the surrounding hills come forth unfailing streams of water, medicated and tempered in the great laboratory of subterranean earth, endowed with health-giving properties in relative proportions so exact that man, with all the skill that scientific knowledge imparts, may strive in vain to improve upon, and at last can only imitate. It is the product of centuries of processes—a part of the grand scheme of nature, which, in preparing the earth for man's habitation, made provision also to combat the ills to which man has fallen heir.

As a site for the proposed home the citizens of Hot Springs agree to donate ground sufficient for all the needs of the home and to give a deed of perpetual lease of one or more of the medicinal hot springs which there abound. Under the provisions of the bill both the home site and the spring or springs are to be selected by the Board of Managers of the National Home for Disabled Volunteer Soldiers, the donors of the property agreeing to abide by the choice of that organization. It is also provided that the Board of Managers are to have exclusive jurisdiction over the property.

* * * * * * * *

(3) That the medicinal water at Hot Springs, S. Dak., is a curative agent for ailments most common among ex-soldiers, experience having demonstrated this to the satisfaction of the officials who have watched the effect in a stated number of cases there subjected to experimental treatment.

* * * * * * * *

Regarding the curative properties of the medicinal waters of the Hot Springs your committee desires to speak at length. These springs were the resort of the Indians long before the white man found his way into the jealously guarded realm of the Black Hill's country, and were considered by the aborigines as a panacea for all diseases. Their fame had penetrated the confines of civilization long before the advancing wave of white settlement had swept back the line of opposition and driven the Indians from their last rallying point. As soon as the Anglo-Saxon had possessed himself of this long-contested ground, business methods began to be applied to the medicinal springs. They were made available to the public, their properties ascertained, and their curative qualities proclaimed. An extensive hotel was erected, baths constructed, and conveniences for the sick provided. In 1879 the State of South Dakota located and erected a soldiers' home at Hot Springs, and it is now a large institution, filled with veterans of the late war who reside in South Dakota. The waters of the springs have been thoroughly tested, and in every instance have been found efficacious.

Official evidence of important facts in connection with these springs comes to your committee in the form of a report from Assistant Inspector General Averell, who says:

* * * * * * * *

"The unusual number of members discharged from the State home during the year by reason of their recovery from the disabilities which had entitled them to its care and benefits first attracted my attention, and subsequently the results of the remarkable test made last year, 1893, upon 30 disabled men selected and sent from the western branch of the National Home have induced my belief in the efficacy of the waters of the Hot Springs for rheumatism, sciatica, spinal irritation, and nervous prostration."

* * * * * * * *

WM. W. AVERELL, U. S. A.,
Assistant Inspector General,
National Home for Disabled Volunteer Soldiers.

Gen. JOHN C. BLACK,
Chairman Subcommittee on Soldiers' Homes, etc.

* * * * * * * *

Commandant Lucas, of the South Dakota Soldiers' Home, located at Hot Springs, in report to Assistant Inspector Gen. Averell, says:

"After a careful observation of the results in the treatment of our sixty-odd veterans for severe and desperate cases of rheumatism, I am constrained to say that I have no longer doubts about the curative properties of the waters. Every case that has been treated in the home (not an exception) has resulted in a perfect cure, or the patient is approaching it. These results I regard as little less than miraculous, when the enfeebled and broken-down condition of these men is taken into account. The waters are equally good and effective in treating cases of indigestion, scrofula, and all skin or cutaneous diseases."

The Hot Springs of South Dakota are located in the mountainous western end of the State—a region abounding in delightful scenery and all the health-giving influences of nature in the rough. No more charming surroundings can be found at any of the health resorts of the world. These springs lie within the boundaries of Fall River County, and about them has accumulated a community of a couple of thousand people, incorporated as a city of the second class. Its buildings are constructed with a generous display of architectural skill and taste. The city can be reached over two lines of railway. Its altitude is 3,400 feet above sea level. The atmosphere of that region is dry and bracing. Lying in a sheltered valley it is protected from winter's rigors, and it is altogether a most satisfactory abiding place for invalids or for those in search of recreation.

Further quoting House Report No. 623, Military Affairs Committee, Fifty-seventh Congress (1902), I present the following:

The purpose of the bill is to provide a national sanitarium in connection with the National Home, where all soldiers suffering from rheumatism, sciatica, nervous prostration, and kindred troubles may be treated and cared for, thus relieving the crowded condition of the various branches of the home. It is believed that hundreds so afflicted may be permanently cured and many more relieved of severe pain and suffering.

This bill is identical in form with H. R. 2907 of the Fifty-sixth Congress, upon which this committee made a favorable report to the House on February 28, 1900. The report set forth at length the merits of this bill, and is adopted as a part of this present report. The conditions since the date of our former report have emphasized the necessity for this legislation.

* * * * * * * *

The prevalence of disease among the members of the home, particularly rheumatic troubles, has caused the Board of Managers to investigate for several years a means of affording relief. During the year 1901, 1,025 members of the Western Branch alone were afflicted with rheumatism in its various forms and 407 in the Northwestern Branch, at Milwaukee, Wis. Attention was early called to Hot Springs, S. Dak., by reason of the many remarkable cures of people seeking the benefits of the medicinal springs at that place. An official test was made in 1893 by Gen. W. W. Averell, assistant inspector general of the National Home, by direction of the Board of Managers. Thirty members of the Western Branch were taken from Leavenworth to Hot Springs and kept there a period of 60 days. The most serious cases were selected. At the end of that period 44 per cent of those treated for rheumatism were pronounced entirely cured and the balance very much benefited. Dr. R. D. Jennings, surgeon in charge of the test, in his official report said:

"As will be seen, almost every man was afflicted with rheumatic or nervous troubles, the same being cured in almost every instance. I am satisfied that a careful inspection by the medical board on the return of the men will bear me out in saying that, all things considered—age of patients, shattered constitutions of some of them, variety and complication of diseases, and the chronic nature of all—the result of this test, as shown by detailed report, is in every substantial sense highly satisfactory. A realization of all the claims put forth by the promoters of this experiment as to the virtues of the waters and climate of Hot Springs, S. Dak., and the desirability of this place for the location of a United States sanitarium for the treatment of such chronic disease as most usually affect the old soldier is fulfilled."

The unequivocal indorsement of the hot waters, climate, and healthful location of Hot Springs by Gen. Averell was not made hastily or on limited information. He has inspected the State Home located there seven times, and carefully examined every claim made for the efficacy of the waters in cases of rheumatism and other diseases prevalent among the veterans.

Your committee believes the measure is highly meritorious, and that the establishment of such an institution would prove of the highest benefit to the diseased and enfeebled veterans, and especially to those disabled with rheumatism and kindred ailments.

* * * * * * * *

Resolutions adopted at the national encampment, September, 1898, by the Grand Army of the Republic, requesting Congress to locate a branch soldiers' home at Hot Springs, S. Dak., to be known as the sanitarium of the national system.

Whereas the people of the United States, through their State and national legislatures, have met with matchless kindness and generosity the matchless victories won in their interests by the sailors and soldiers of the war for the suppression of the slaveholders' rebellion; and

Whereas this recognition, in part, of great and arduous deeds accomplished by the veterans of 1861–1865 has been in providing a system of homes for the disabled and decrepit sailor and soldier; and

Whereas rheumatism and nervous troubles are those which chiefly afflict these old heroes and necessitate their entrance in the homes; and

Whereas the directors of the national homes made a test of great severity of the virtue of the waters of the hot springs located in the city of Hot Springs, S. Dak., as a cure for such ailments by sending there for treatment a carload of soldiers in the worst and most stubborn stages of rheumatism and kindred ills; and

Whereas said test was so entirely successful that Gen. Averell, a director and inspector general of the national board of directors for the national homes, who had personal supervision of the test being made, reported to the full board that the waters of Hot Springs, S. Dak., contained the medicinal properties that were, in their application, a practical cure for persons so afflicted, and that the per cent of cures effected based on the number of occupants of the several homes of the country showed that the cost of a national sanitarium at Hot Springs would be met by the numbers of men that would be healed and sent to their homes, and the public thereby relieved from further expense in their care; and

Whereas the system of National and State homes can not be completed nor brought to that state of perfection not only demanded, but within easy reach without the utilization of the healing properties of these waters through the means of a large and commodious sanitarium where our comrades can be properly treated and cared for and restored to their health and homes; and

Whereas the greater the number of the homes for those who seek their advantages and the greater the number of the occupants thereof, the greater the necessity for the sanitarium at Hot Springs, S. Dak., the erection of which home is not so important for the shelter of the

soldiers' bodies as for relieving their pains and healing the ailments with which they are afflicted, as, upon the testimony of the highest authority, they can not be relieved or healed elsewhere: Therefore be it

Resolved, By the Grand Army of the Republic, in national camp assembled, that our representatives in Congress are hereby respectfully, but earnestly, urged to support the bill now pending providing for the location of a branch soldiers' home at Hot Springs, S. Dak., to be equipped for and known as the sanitarium for the system of soldiers' and sailors' homes throughout the country.

And be it further resolved, That the commander in chief of the Grand Army of the Republic is hereby authorized and directed to appoint a committee of seven comrades, whose duty it shall be to wait upon Congress and present in proper form and manner the merits of the proposition in the foregoing resolutions.

Mr. GORDON. The Government of the United States owns this home and has paid $2,000,000 for it; and these old soldiers are given permission to remain there, those who do not wish to be removed.

Mr. SLOAN. They are not given such permission in this bill, and there is not the faintest suggestion that they have any right there.

Mr. GORDON. Do you challenge the statement of Mr. GANDY on that subject?

Mr. SLOAN. I do if he says what your question implies. It is not in the bill, and I can read the English language.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. SLOAN. Yes.

Mr. MOORE of Pennsylvania. My impression is that we created this board of managers for soldiers' homes in order that the managers might be in sympathy with the members of the homes. That was the purpose of it originally.

This bill would transfer that sympathetic supervision from the home managers, many of whom were comrades of the old soldiers, to those directly attached to the United States Army?

Mr. SLOAN. That is quite true. I desire to say that Clarendon E. Adams, commander in chief of the Grand Army of the Republic, in a telegram to me, denounces this bill as infamous. The department commander of the Grand Army of my State, Hon. J. S. Hoagland, uses stronger terms, as follows:

If it is the desire of the author of the bill, known as the Gandy bill, to kill off quickly our comrades now at Battle Mountain Sanitarium, such a move, if adopted by Congress, will be very effective to that end. Nearly all of the comrades at such sanitarium are there because of some organic trouble afflicting them. God will never forgive a Member of Congress who will support such a measure.

Dr. F. Brothers, of Beatrice, Nebr., a Grand Army of the Republic man in whom I have the utmost confidence, at present in this home, says that 90 per cent of the soldiers up there are opposed to this measure. To say at this time to the soldiers of the old war, located as they are in a home established for them, that they shall be taken from that home, not for the period of the war, as was done in the Hampton case, but for the period of the exigencies growing out of the war, which would mean that a soldier brought in would stay there as long as he lived under the terms of this bill if the War Department saw fit.

I read the report of the Secretary of War. His letter is there, and I want every warm-blooded man in this House to read it and ponder over it. Not a suggestion is given as to any consideration for the old Volunteer soldier. If he thought the veterans were opposed to it, he gave that fact no comment. If he considered that they favored it, there was no commendation for their extraordinary generosity. Every part of it reads as if the man who wrote it would spit icicles and breathe liquid air.

Mr. JOHNSON of South Dakota. Is it not conceded that practically every soldiers' home in the United States is being conducted at 50 per cent capacity?

Mr. SLOAN. Whether that is true or not, if you want to distribute these sick or wounded soldiers in the sanitariums of the United States take them to sanitariums and homes and fill up the beds, but leave the sanitarium as it is. The grizzled veterans of 1861 to 1865 would welcome the returning heroes of 1917 to 1919. I know that my two surviving sons, grandsons of a veteran, would be ready to tolerate their veteran grandfather's presence in his own home.

Mr. JOHNSON of South Dakota. Mr. Speaker, will the gentleman yield again?

Mr. SLOAN. Yes.

Mr. JOHNSON of South Dakota. Would the gentleman advise that all of these soldiers' homes in the United States be run at half capacity for the veterans of other wars, and that the United States then proceed to build another large number of homes?

Mr. SLOAN. That is entirely beside the question. Fill up all of them. Fill up this sanitarium, if you will, but leave the old boys in their sanitarium home and in charge. I now yield five minutes to the gentleman from Ohio [Gen. SHERWOOD].

Mr. SHERWOOD. Mr. Speaker, almost uniformly I vote with my committee on all these public questions, but I am a member of the Grand Army of the Republic. I know that the Grand Army of the Republic is opposed to this bill. First, I do not believe that this Battle Mountain institution was established as a home. It was established as a sanitarium, because of the curative qualities of the water located there, and not as a home. I have here an editorial from the organ of the Grand Army of the Republic, which will appear in the paper this week, against this bill. As a measure of economy I do not believe the bill ought to pass for this reason: All of the soldiers that come from across the seas, a distance of 3,000 miles, are landed on the seacoast, and as a humane proposition I do not believe that we ought to transport those woundest and disabled soldiers 1,600 miles inland to a place where they have very severe winters, especially the soldiers that come from the South. The editorial to which I refer is as follows:

AT ITS OLD TRICKS.

The Board of Managers of the National Soldiers' Home is at its old tricks of bringing severe discomforts to the veterans in the homes. Following hard upon the outrageous transfer of the veterans at the Hampton home to the high, cold mountains of East Tennessee, a scheme has been started to oust the rheumatics, consumptives, and neurotics and other invalids at the Battle Mountain Sanitarium into other homes, where they can not have the great benefits of the climate and waters of the South Dakota Sanitarium.

The War Department was much pressed for room in which to accommodate the returning soldiers, so had evolved the astounding plan to dispossess veterans of the Civil War of their especial sanitarium home. The resolution was promptly objected to by Representative SLOAN, of Nebraska, and went over for further consideration.

It is more than hinted that there is a strong real estate syndicate back of this movement. A fine hotel has been built at Battle Mountain, which is now owned by a syndicate, and it is assumed that the syndicate wants to make a social center of Battle Mountain, which will bring a flood of tourists, and consequent great profits, to the hotel and real estate men.

In the first place, this is a breach of faith. The Grand Army of the Republic, with Past Commander H. E. Palmer, of Nebraska, as the moving spirit, succeeded in getting a hospital established at Battle Mountain for the institutional treatment of rheumatism and other diseases incident to old age and disability. This expectation has been abundantly confirmed by the benefits received by the veterans who have gone thither. They are almost unanimously strong in their praises of how they have improved by the water, climate, and excellent treatment. To scatter these ailing old men to other homes would be an intolerable hardship and shorten their lives. We had an example of this in the recent transfer of the inmates of the Soldiers' Home at Hampton to the mountain home in East Tennessee.

The transfer was plotted by the National Board of Managers and carried out with a heartless disregard of the comfort and wishes of the unfortunate members of the home. Hampton was specifically dedicated to the aged veterans of the wars of the Republic, and they found much comfort there. It has the mildest climate of any of the soldiers' homes. On the other hand, the isothermal line of Harrisburg extends down toward Chattanooga, and the mountains of east Tennessee are about as cold as those of central Pennsylvania. The daily weather reports show this. The slightest regard for the comfort of the inmates was shown in the transfer. They had to hang around for hours after they had been ordered to get ready and assemble before the train was ready for them, and then they were packed into untidy tourist's cars with only a meager supply of food, and had another long wait in Richmond before they started on their tiresome journey to east Tennessee.

Judging from the Hampton experience, what can be expected when the poor rheumatics and asthmatics of Battle Mountain shall be transferred to the Danville Soldiers' Home?

The wrong of disturbing the veterans who had found the mild climate of Hampton so conducive to longevity is emphasized by the circumstances of the great Chamberlain Hotel. The Chamberlain Hotel is built on Government ground, and is a luxurious midway stopping place for the wealthy of New York, Boston, and Philadelphia in their flight to Florida from the oncoming winter, and again in the spring when they return North. These men were not disturbed by the exigencies of the war, nor the Chamberlain Hotel commandeered for a hospital. Only the poor old veterans were dislodged.

The soldiers' home at Hampton will greatly enhance the attractions of Old Point Comfort as a social center when converted to an Army hospital. Thousands of officers will be sent there for recuperation, which will add much to the gaiety of the season at the Chamberlain and furnish acceptable beaux for the young society belles who congregate there. The Government has an abundance of ground at Old Point Comfort upon which it could have erected hospitals the same as the rushed-up buildings in Washington. This was the natural course if the Government did not wish to commandeer the luxurious apartments of the Chamberlain for a hospital.

So far as I can learn—and I have some information about the sentiment of the Grand Army—they are opposed to taking these old veterans, staggering to a near-by grave, from the place where they have been getting special treatment, and transferring them some place else, nobody seems to know where. [Applause.]

Mr. SLOAN. Mr. Speaker, I yield two minutes to the gentleman from California [Mr. OSBORNE].

Mr. OSBORNE. Mr. Speaker, on the part of the veterans of the Civil War and of the Spanish War, I am sure that I can truthfully say there is nothing that this Nation can do for its returning soldiers that they will not approve and ratify. In this case this sanitarium was established for the rheumatics, the neurotics, the consumptives, and those veterans of our armies having special diseases who might be treated advantageously at these hot springs. The springs are the great

feature of this sanitarium. There are more than 300 such crippled veterans at this Battle Mountain Sanitarium.

Mr. Speaker, I have voted for every facility for the soldiers of this war and for its successful conduct. I have voted for those measures under which it is possible now for the Government of the United States to establish hospitals wherever they are needed and such character of hospitals as are needed. I believe that the Medical Department of the Army can utilize the unused beds of these institutions, the national soldiers' homes, for the soldiers of this war and that they should do so. But is the United States so poor—so poor in patriotism and so poor in money—that in order to obtain hospital room for the soldiers coming back it is necessary to eject from their homes, provided by a grateful people, the soldiers of 50 years ago? [Cries of "No!"] Shall we remove from the Battle Mountain Sanitarium those cripples of the Spanish War who are hobbling around the hot springs?

Mr. Speaker, the idea is repulsive. Let us look forward 50 years from now. Another war may come. Will those who succeed us in the Congress of that day say to the men who may go there as a result of the misfortunes of the recent war and who will then be a half century older: "You have got to get out of here and spend the last few years of your lives in other and strange places"? I say no. [Applause.]

Mr. SLOAN. Mr. Speaker, I yield two minutes to the gentleman from Ohio [Mr. HOLLINGSWORTH].

Mr. HOLLINGSWORTH. Mr. Speaker, as a member of the Committee on Public Buildings and Grounds I have voted in committee for every proposition or request of any department of this Government, and they have necessarily been numerous, especially the Medical Department, seeking or asking for increased hospital facilities to treat and restore to health the young heroes of the present war, and I shall continue to do so with heart and soul, but, Lord help me, I can not and will not vote to take from my comrades of 1861 to 1865 the comforts that this great Government has provided especially for them. The Battle Mountain Sanitarium is not a hospital; it is a place of comfort and care, expressly assigned to disabled volunteer soldiers whose disabilities, usually old age, are beyond medical cure. That is all I care to say about it. [Applause.]

Mr. SLOAN. Mr. Speaker, I yield three minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Speaker, I have the facts that have been written to me from the Battle Mountain Sanitarium by an inmate there who comes from Ohio. He says:

We have 280 Civil War boys here and 75 Spanish War boys, a total of about 400 and a capacity of a little over 500.

Mr. GARD. Mr. Speaker, will the gentleman yield to me right there?

Mr. FESS. I might say to my colleague that my informant says that 280 of the inmates are from the Civil War and 75 from the Spanish War, and then, counting the employees, the total amounts to 400—if the gentleman had mathematics in mind.

Mr. GARD. I did not have in mind mathematics, but the gentleman used the word "inmate." They are not inmates; they are members of the National Home for Volunteer Soldiers.

Mr. FESS. I was not using the term "inmates" in the legal sense the gentleman has in mind, and I accept the correction. I ought not to have made the statement in that way. The average age of the men, according to the statement of my informant, is 76, and they are invalids. He further states that it seems cruel to these invalided soldiers "to take these old men out of here at the peril of their lives, if the Congress could know the real purpose." He appeals to me as a Civil War soldier to ask Congress "to look into the cause for wanting to shorten the lives of the old boys of 61 to 65."

The proposition here is to remove these invalided soldiers from the positions of comfort secured for them by the Government to make room for others who must be cared for, and can be cared for, in places other than this particular place, and I remind my colleagues that everyone realizes that in the stress of this present war we are apt to forget our duty to the Civil War veterans, whose numbers are growing less daily, and the old soldier is constantly being reminded that there is no place for him any more in the sympathies of the people of the Republic for whose life he fought and suffered. Even the benefactions established by the Government of the Nation to relieve his concern in his last days, such as this sanitarium, must now be taken from him. I for one am ready to vote every facility to take care of the present soldiers in the present war, in whose care we will all share, because many of us have sons in the war, and all of us have friends, but I shall refuse to say to the country that I have lost my sympathy for the Civil War veterans, and on the claim of economy or other needless ground will vote to exclude them from their home to make room for other soldiers of other wars. We can take care of them in a different way without taking the comforts of those veterans of the Civil War, and I shall therefore vote against the bill. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. SLOAN. Mr. Speaker, I understand the gentleman has only one more speech.

Mr. GANDY. Yes.

Mr. SLOAN. Mr. Speaker, I yield the balance of my time to the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Speaker, I am sure that nothing except absolute necessity would bring anyone to support this cruel proposition. When you come to think about taking away the home that the Government gave the 330 old veterans of the Union Army, now averaging 76 years of age, and scattering them over this country to find another home, I can think of hardly anything more pathetic. I can not believe that the soldiers of the splendid armies that we have enlisted in this war can desire to do such a cruel thing as that. I know that the people of the United States will give, and I know that every man on both sides of this House will give, every dollar necessary to furnish all the hospital facilities that may be needed for the boys who come back incapacitated, injured, wounded, or diseased because of their services in this war, but that does not require us to be guilty of this almost supreme act of cruelty and injustice to the old soldiers of the Civil War. Why, gentlemen, I am surprised that men could for a moment entertain it. Why, gentlemen here who presented this bill say that this bill is for the purpose of removing these soldiers and finding them another good place, but they do not tell us where, they do not tell us how, they do not tell us under what circumstances these good places are to be found.

Mr. GANDY. Will the gentleman yield?

Mr. TOWNER. I yield.

Mr. GANDY. I did say in my opening statement that the soldiers' home board have almost a thousand vacant beds in the soldiers' home at Danville, Ill., that they expect in part to utilize.

Mr. TOWNER. I do not know whether that statement is justified or not; I do not mean to impugn the gentleman's statement.

Mr. GANDY. I want to say——

Mr. TOWNER. I have not any testimony of that kind, and the gentleman knows very well that it is impossible to remove these men and make them satisfied with the removal. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. GANDY. Mr. Speaker, I yield such time as the gentleman may desire to my colleague from South Dakota [Mr. JOHNSON]. [Applause.]

Mr. JOHNSON of South Dakota. Mr. Speaker and gentlemen of the House, I regret very much that any talk of disagreement between the veterans of any war which has been conducted by the United States is to creep into the discussion of this bill, because I know well and can speak with authority when I say that any injustice that was contemplated or about to be committed toward any of the veterans of any previous war would be resented by the veterans of this war more than by any other portion of the citizens of the United States. [Applause.] There is no attempt being made in this bill to perpetrate any act of cruelty toward any individual or veteran of any war. The facts are these: In the United States at the present time we have many soldiers' homes and sanatoriums. None of them are running to capacity. It is necessary to consolidate into these hospitals the veterans of different wars because you can not take the veteran of 80 years of age and place him in the same home or sanatorium with the 20-year boy who comes back a veteran of this war. You can not unite youth and age. They desire different things; they desire different food; they need different treatment; and all the War Department desires to do, that the board of managers desire to do, is to separate these men, send them to good, clean, decent institutions, to treat them as they should be treated. I indorse the statements which were made by my colleague from South Dakota [Mr. GANDY], because I believe that they can be verified from the record. One question was asked the gentleman from South Dakota [Mr. GANDY], which is answered by the letter from the Secretary of War where he says:

The managers of the home have expressed a desire to transfer it to the Medical Department for war purposes, and the Medical Department has caused an inspection to be made thereof and desires it for more or less permanent use as a general hospital. The only expense will be that required for maintenance on account of tear, wear, and c[illegible]

I want to say to you now that coming back on the transports you will find thousands and thousands of men who have been gassed, and they require different treatment and a different climate than the veterans of the Civil War or the other men who

have been wounded in the war which we think has just ended, and I believe that the climate of the Northwest or the climate of Arizona or New Mexico is the one that will afford them the best opportunity for the cure that they need in order that they can again become useful citizens of this country.

You can not send them to a hospital with the veterans of other wars. And the matter brings itself down to plain, common, ordinary sense: Will we utilize the hospitals that we have, treat every veteran of every war exactly as he should be treated, or shall we allow these hospitals to run at half capacity and then spend millions of dollars in the building, equipment, and maintenance of new ones?

Mr. EMERSON. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Certainly.

Mr. EMERSON. It seems to me our responsibility in this matter comes to this point: If those old soldiers were sent to this sanitarium, or whatever you call it, because of certain diseases from which they were suffering, they would be benefited by that climate. If that is true, they should remain there. If it is not true, it is another question.

Mr. JOHNSON of South Dakota. I will state that immediately across the canyon from this home is the State soldiers' home, where we have the same conditions and, in my opinion, a better home than the Government home, with space for 74 of them. The Medical Department has agreed that 37 of these men, perhaps, should be left at this sanitarium. They must be left at the Battle Mountain Sanitarium. At least 74 of them can be and will be accommodated at Government expense in the South Dakota home for a sanitarium.

Mr. HOLLINGSWORTH. Will the gentleman yield?

The SPEAKER. Will the gentleman from South Dakota yield to the gentleman from Ohio?

Mr. JOHNSON of South Dakota. I will.

Mr. HOLLINGSWORTH. I desire to ask this question. You have stated in effect that old men and young men can not be kept together. The Grand Army of the Republic in a sense has looked upon the members of the present Army as their sons. Do you know of any reason why a father can not be associated with his sons? [Applause.]

Mr. JOHNSON of South Dakota. I do not, sir; and the cases are not analogous. I would call the gentleman's attention to the fact that these men that are coming back must be maintained in some institution with discipline, while we do not and will not discipline the men who fought in that great war where you took your great part, sir.

Mr. HOLLINGSWORTH. If they need discipline, they ought not to be in a hospital, in my judgment.

Mr. JOHNSON of South Dakota. I am stating only the fact as to what is necessary.

Mr. DYER. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I will.

Mr. DYER. The soldiers of whom he speaks, of the present war, have not been discharged and will not be discharged or sent to their homes probably until they are cured.

Mr. JOHNSON of South Dakota. Certainly not. They are still in the military service and must be under military discipline, while we have removed every vestige of military discipline from the sanitariums where the veterans of the Civil War are kept. They have fought their fight, and we have no desire to impose any manner of hardship upon them.

Mr. Speaker, I reserve the balance of my time. [Applause.]

The SPEAKER. The question is on suspending the rules and passing this bill.

The question was taken, and the Speaker announced that in the opinion of the Chair two-thirds had voted in the affirmative.

Mr. SLOAN. Mr. Speaker, I ask for a division.

Mr. HOLLINGSWORTH. The yeas and nays, Mr. Speaker.

The House divided; and there were—ayes 81, noes 56.

Mr. GANDY. Mr. Speaker, I ask for the yeas and nays.

Mr. HEFLIN. I make the point of no quorum, Mr. Speaker.

The SPEAKER. It is an automatic call. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken, and there were—yeas 161, nays 92, answered "present" 3, not voting 174, as follows:

YEAS—161.

Aldrich	Black	Claypool	Dale
Almon	Bland, Va.	Cleary	Dill
Anderson	Blanton	Connally, Tex	Dillon
Aswell	Brand	Connolly, Kans	Dixon
Ayres	Burnett	Crago	Doolittle
Bacon	Byrns, S. C.	Crisp	Doughton
Barkley	Byrns, Tenn	Currie, Mich	Dupre
Barnhart	Campbell, Pa	Dallinger	Dyer
Beakes	Caraway	Davey	Eagle
Beck	Carlin	Dent	Ellsworth
Bell	Carter, Okla	Denton	Elston
Benson	Clark, Fla.	Dickinson	Evans
Ferris	Hull, Tenn.	Oldfield	Steele
Fisher	Humphreys	Oliver, Ala.	Stephens, Miss.
Flood	Husted	O'Shaunessy	Stevenson
Foster	Igoe	Overstreet	Summers
Gallivan	Johnson, S. Dak	Phelan	Taylor, Colo.
Gandy	Jones	Polk	Tillman
Gard	Kehoe	Porter	Tilson
Garland	Kettner	Quin	Tinkham
Garner	Kincheloe	Ragsdale	Venable
Garrett, Tenn	Lea, Cal	Rainey, H. T.	Vinson
Garrett, Tex	Lesher	Rainey, J. W	Walsh
Gilbert	London	Raker	Watkins
Good	Lonergan	Randall	Watson, Va.
Goodwin, Ark.	Lufkin	Rayburn	Weaver
Gordon	Lundeen	Robinson	Welling
Gould	McAndrews	Rogers	Welty
Gray, Ala	McFadden	Romjue	Whaley
Greene, Vt	McKenzie	Ruley	White, Me.
Hardy	McKeown	Sanders, N. Y	Williams
Hastings	McLemore	Scott, Mich.	Wilson, La.
Hayden	Madden	Shouse	Wilson, Tex.
Heflin	Mansfield	Sims	Wings
Hensley	Martin	Sisson	Wright
Hilliard	Mays	Slayden	Young, N. Dak.
Holland	Merritt	Small	Young, Tex.
Houston	Montague	Snell	Zihlman
Howard	Moon	Snook	
Huddleston	Moores, Ind	Stafford	
Hull, Iowa	Neely	Steagall	

NAYS—92.

Brown	Fuller, Ill.	Lampert	Rankin
Browning	Gillett	Langley	Reed
Burroughs	Graham, Ill.	Lehlbach	Rose
Campbell, Kans	Green, Iowa	Little	Schall
Cannon	Greene, Mass.	Lobeck	Scott, Iowa
Clark, Pa	Hangen	McKinley	Sells
Cooper, Ohio	Hawley	McLaughlin, Mich.	Sherwood
Cooper, W. Va.	Hersey	Magee	Sinnott
Cooper, Wis.	Hicks	Mapes	Sloan
Cramton	Hollingsworth	Mason	Smith, Mich.
Curry, Cal	Ireland	Miller, Wash	Snyder
Farrow	Johnson, Wash.	Moore, Pa	Steenerson
Davis	Juul	Morgan	Stiness
Denison	Kearns	Mott	Sweet
Elliott	Keating	Nelson, A. P.	Switzer
Esch	Kelley, Mich	Nichols, Mich	Temple
Essen	Kelly, Pa.	Nolan	Timberlake
Fairchild, B. L.	Kennedy, Iowa	Osborne	Towner
Fairfield	King	Parker, N. J.	Vestal
Fess	Kinkaid	Peters	Volstead
Fordney	Knutson	Platt	Watson
Foss	Kraus	Purnell	Wheeler
Frear	La Follette	Ramseyer	Wood, Ind.

ANSWERED "PRESENT" 3.

Emerson	Harrison, Miss.	Treadway

NOT VOTING—174.

Anthony	Dunn	LaGuardia	Russell
Ashbrook	Eagan	Larsen	Sabath
Austin	Edmonds	Lazaro	Sanders, Ind.
Bachmann	Estopinal	Lee, Ga.	Sanders, La.
Bankhead	Fairfield, C. W.	Lever	Safford
Birch	Farr	Linthicum	Saunders, Va.
Blackmon	Fields	Littlepage	Scully
Bland, Ind	Flynn	Longworth	Sears
Booher	Focht	Lunn	Shackleford
Borland	Francis	McArthur	Shallenberger
Bowers	Frear	McClintic	Shelley
Britten	Freeman	McCormick	Siegel
Brodbeck	Fuller, Mass	McCulloch	Slemp
Buchanan	Gallagher	McLaughlin, Pa.	Smith, Idaho
Butler	Godwin, N. C	Maher	Smith, C. B.
Caldwell	Goodall	Mann	Smith, T. F.
Candler, Miss	Graham, Pa	Miller, Minn.	Steenerson
Cantrill	Gregg	Mondell	Stephens, Nebr.
Carew	Griest	Morin	Sterling
Carter, Mass.	Griffin	Mudd	Strong
Cary	Hadley	Nelson, J. M.	Sullivan
Chandler, N. Y.	Hamill	Nicholls, S. C	Swift
Chandler, Okla	Hamilton, Mich	Norton	Tague
Church	Hamilton, N. Y.	Oliver, N. Y	Taylor, Ark.
Classon	Hamlin	Olney	Templeton
Coady	Harrison, Va	Overmyer	Thomas
Collier	Haskell	Padgett	Thompson
Copley	Hayes	Paige	Van Dyke
Costello	Heaton	Parker, N. Y	Vare
Cox	Heintz	Pou	Volpt
Crosser	Helm	Powers	Walsh
Dale	Helvering	Pratt	Walton
Decker	Hood	Price	Ward
Delaney	Hutchinson	Ramsey	Watson, Pa.
Dempsey	Jacoway	Reavis	Webb
Dewalt	James	Riordan	White, Ohio
Dominick	Johnson, Ky	Robbins	Wilson, Ill
Donovan	Kahn	Roberts	Winslow
Dowling	Kennedy, R. I	Rodenberg	Wise
Doremus	Key, Ohio	Rouse	Woods, Iowa
Dupont	Kiess, Pa.	Rowe	Woodyard
Drane	Kitchin	Rowland	
Drukker	Kreider	Rucker	

So, two-thirds not having voted in favor thereof, the motion to suspend the rules and pass the bill was rejected.

The Clerk announced the following additional pairs:

Until further notice:

Mr. BOOHER with Mr. TREADWAY.

Mr. SCULLY with Mr. COSTELLO.

Mr. ESTOPINAL with Mr. EMERSON.

Mr. WHITE of Ohio with Mr. NORTON.

Mr. NICHOLLS of South Carolina with Mr. DUNN.

Mr. RIORDAN with Mr. BACHARACH.

Mr. ASHBROOK with Mr. PARKER of New York.

Mr. HAMILL with Mr. HUTCHINSON.

Mr. BLACKMON with Mr. STRONG.

Mr. OLIVER of New York with Mr. BUTLER.

Mr. MAHER with Mr. SMITH of Idaho.

Mr. SIMS with Mr. WINSLOW.

Mr. EAGAN with Mr. HADLEY.

Mr. HARRISON of Mississippi with Mr. REAVIS.

Mr. CALDWELL with Mr. EDMONDS.

Mr. HELVERING with Mr. FARR.

Mr. HELM with Mr. HASKELL.

Mr. LITTLEPAGE with Mr. KENNEDY of Rhode Island.

Mr. LUNN with Mr. KIESS of Pennsylvania.

Mr. MCCLINTIC with Mr. LAGUARDIA.

Mr. PRICE with Mr. MUDD.

Mr. OLNEY with Mr. PAIGE.

Mr. PARK with Mr. RAMSEY.

Mr. SABATH with Mr. SANDERS of Indiana.

Mr. SEARS with Mr. SANFORD.

Mr. CHARLES B. SMITH with Mr. FULLER of Massachusetts.

Mr. THOMAS F. SMITH with Mr. HAYES.

Mr. SULLIVAN with Mr. HAMILTON of New York.

Mr. WEBB with Mr. AUSTIN.

Mr. BRUMBAUGH with Mr. BRITTEN.

Mr. HAMLIN with Mr. HAMILTON of Michigan.

Mr. COADY with Mr. RODENBERG.

Mr. DONOVAN with Mr. DALE.

Mr. FIELDS with Mr. DOWELL.

Mr. GALLAGHER with Mr. GRIEST.

Mr. HARRISON of Virginia with Mr. KREIDER.

Mr. JACOWAY with Mr. KAHN.

Mr. PADGETT with Mr. ROWE.

Mr. POU with Mr. SIEGEL.

Mr. TAGUE with Mr. WARD.

Mr. WALTON with Mr. WOODYARD.

Mr. HARRISON of Mississippi. Mr. Speaker, how am I recorded?

The SPEAKER. In the affirmative.

Mr. HARRISON of Mississippi. Did the gentleman from Nebraska, Mr. REAVIS, vote?

The SPEAKER. He did not.

Mr. HARRISON of Mississippi. I have a pair with him. I desire to withdraw my vote of "yea" and vote "present."

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. HARRISON of Mississippi, and he answered "Present."

The result of the vote was announced as above recorded.

RESTORATION OF CERTAIN PUBLIC LANDS.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that the bill H. R. 10612, No. 226 on the Calendar for Unanimous Consent, remain on that calendar and go to the foot. I spoke to the gentleman who objected, and he does not now object to it.

Mr. MADDEN. I object.

The SPEAKER. The gentleman from Illinois objects.

The Chair lays before the House the following personal requests.

Mr. RAKER. One moment, Mr. Speaker; there is no objection to this.

The SPEAKER. The gentleman from Illinois [Mr. MADDEN] objected.

Mr. MADDEN. Mr. Speaker, I will withdraw the objection.

The SPEAKER. What is the gentleman's request?

Mr. RAKER. That the bill H. R. 10612, No. 226 on the Calendar for Unanimous Consent, be put back at the foot of the calendar.

Mr. WALSH. To be restored to the calendar?

Mr. RAKER. Yes; restored to the calendar.

The SPEAKER. The gentleman from California asks unanimous consent that the bill H. R. 10612 be restored to the Calendar for Unanimous Consent and placed at the foot of it. Is there objection?

Mr. GARD. What is the title?

The SPEAKER. It is a bird bill. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. HAMILTON of Michigan, for the day, on account of sickness;

To Mr. MUDD, for 10 days, on account of sickness; and

To Mr. HADLEY (at the request of Mr. JOHNSON of Washington), indefinitely, on account of the serious illness of a member of his family.

HOUR OF MEETING TO-MORROW—11 O'CLOCK A. M.

Mr. HENRY T. RAINEY rose.

The SPEAKER. For what purpose does the gentleman from Illinois rise?

Mr. HENRY T. RAINEY. To ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from Illinois asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning. Is there objection?

Mr. WALSH. Reserving the right to object, Mr. Speaker, can the gentleman state what measure will be taken up to-morrow?

Mr. HENRY T. RAINEY. The Diplomatic and Consular appropriation bill.

Mr. WALSH. And is it intended to complete the consideration of that bill to-morrow?

Mr. HENRY T. RAINEY. I understand that bill is ready to come up to-morrow.

The SPEAKER. It is the Diplomatic and Consular appropriation bill.

Mr. WALSH. Does the gentleman know if it is intended to complete the consideration of that bill?

Mr. HENRY T. RAINEY. I could not answer that.

Mr. CARTER of Oklahoma. Mr. Speaker, if the gentleman will permit me, I will say that in conversation with the chairman of that committee [Mr. FLOOD] he told me he did not think it could be completed in one day.

Mr. HENRY T. RAINEY. He expects to complete general debate to-morrow.

The SPEAKER. Is there objection?

There was no objection.

METAL MINING ON INDIAN RESERVATIONS.

Mr. HAYDEN. Mr. Speaker, I move that the rules be suspended and that the bill (S. 385) to authorize mining for metalliferous minerals on Indian reservations be passed, as reported by the Committee on Indian Affairs.

Mr. STAFFORD. I make the point of order, Mr. Speaker, that there is no quorum present.

The SPEAKER. The gentleman from Wisconsin makes the point of order that there is no quorum present.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 25 minutes p. m.) the House adjourned, pursuant to the order previously made, until to-morrow, Tuesday, January 21, 1919, at 11 o'clock a. m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. CLARK of Florida, from the Committee on Public Buildings and Grounds, to which was referred the bill (S. 3384) to amend the public-building act approved March 4, 1913, reported the same without amendment, accompanied by a report (No. 949), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (H. R. 13913) providing for the sale of abandoned customs boarding stations, New Orleans, La., reported the same without amendment, accompanied by a report (No. 950), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (H. R. 13911) providing for the transfer of a portion of the old public-building site at Baltimore, Md., reported the same without amendment, accompanied by a report (No. 951), which said bill and report were referred to the Private Calendar.

Mr. WINSLOW, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13561) for the construction of a bridge across the St. John River between Madawaska, Me., and Edmunston, Province of Brunswick, Canada, reported the same with amendments, accompanied by a report (No. 952), which said bill and report were referred to the House Calendar.

Mr. DEWALT, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13648) granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Millvale borough, in the county of Allegheny, Pa., reported the same without amendment, accompanied by a

report (No. 953), which said bill and report were referred to the House Calendar.

Mr. DILLON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13915) granting the consent of Congress to Wenatchee-Beebe Orchard Co. to construct a bridge across the Columbia River at or within 4 miles northerly from the town of Chelan Falls, in the State of Washington, reported the same without amendment, accompanied by a report (No. 954), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. KEY of Ohio, from the Committee on Pensions, to which was referred the bill (H. R. 13879) granting a pension to Edith Carow Roosevelt, reported the same without amendment, accompanied by a report (No. 946), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GREGG: A bill (H. R. 14748) authorizing the Secretary of War to donate to the towns of Galveston, Tex., Liberty, Tex., and Palestine, Tex., each one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MERRITT: A bill (H. R. 14749) authorizing the Secretary of War to donate to Georgetown, in the State of Connecticut, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. RAMSEY: A bill (H. R. 14750) authorizing the Secretary of War to donate to the borough of Carlstadt, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WELLING: A bill (H. R. 14751) requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

By Mr. RAMSEYER: A bill (H. R. 14752) authorizing the Secretary of War to donate to the city of Montezuma, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14753) authorizing the Secretary of War to donate to the city of Colfax, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14754) authorizing the Secretary of War to donate to the city of Sigourney, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14755) authorizing the Secretary of War to donate to the city of Bloomfield, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14756) authorizing the Secretary of War to donate to the city of Newton, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14757) authorizing the Secretary of War to donate to the city of New Sharon, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14758) authorizing the Secretary of War to donate to the city of Oskaloosa, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14759) authorizing the Secretary of War to donate to the city of What Cheer, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14760) authorizing the Secretary of War to donate to the city of Ottumwa, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14761) authorizing the Secretary of War to donate to the city of Albia, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14762) authorizing the Secretary of War to donate to the city of Grinnell, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ESCH: A bill (H. R. 14763) authorizing the Secretary of War to donate to the village of Norwalk, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MONDELL: A bill (H. R. 14764) authorizing the Secretary of War to donate to the town of Powell, Wyo., one piece of artillery or like trophy captured or obtained from the enemy during or at the close of the war with Germany and Austria; to the Committee on Military Affairs.

Also, a bill (H. R. 14765) authorizing the Secretary of War to donate to the town of Newcastle, Wyo., one piece of artillery or like trophy captured or obtained from the enemy during or at the close of the war with Germany and Austria; to the Committee on Military Affairs.

Also, a bill (H. R. 14766) authorizing the Secretary of War to donate to the town of Kemmerer, Wyo., one piece of artillery or like trophy captured or obtained from the enemy during or at the close of the war with Germany and Austria; to the Committee on Military Affairs.

Also, a bill (H. R. 14767) authorizing the Secretary of War to donate to the town of Cody, Wyo., one piece of artillery or like trophy captured or obtained from the enemy during or at the close of the war with Germany and Austria; to the Committee on Military Affairs.

By Mr. CARY: A bill (H. R. 14768) authorizing the Secretary of War to donate to the city of Milwaukee, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14769) authorizing the Secretary of War to donate to the city of Cudahy, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14770) authorizing the Secretary of War to donate to the city of West Allis, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14771) authorizing the Secretary of War to donate to the city of Wauwatosa, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14772) authorizing the Secretary of War to donate to the county of Milwaukee, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14773) authorizing the Secretary of War to donate to the city of South Milwaukee, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BURNETT: A bill (H. R. 14774) to prohibit immigration for a period of four years and to restrict immigration thereafter; to the Committee on Immigration and Naturalization.

By Mr. HADLEY: A bill (H. R. 14775) granting the consent of Congress to the removal of restrictions on alienation of Indian lands by the Legislature of the State of Washington, pursuant to the treaties with the Indians of Washington; to the Committee on Indian Affairs.

By Mr. GOOD: A bill (H. R. 14776) authorizing the Secretary of War to donate to the town of Vinton, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14777) authorizing the Secretary of War to donate to the town of Grundy Center, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14778) authorizing the Secretary of War to donate to the town of Springville, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14779) authorizing the Secretary of War to donate to the town of Belle Plaine, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WELTY: A bill (H. R. 14780) authorizing the Secretary of War to donate to the Memorial Commission of Fort Amanda, Allen County, Ohio, four German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14781) authorizing the Secretary of War to donate to the city of Lima, Allen County, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14782) authorizing the Secretary of War to donate to the village of Anna, Shelby County, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14783) to donate a captured cannon or gun to the village of Yorkshire, Ohio; to the Committee on Military Affairs.

By Mr. HUTCHINSON: A bill (H. R. 14784) donating a captured German cannon or fieldpiece to the borough of Bernardsville, N. J., for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14785) donating a captured German cannon or fieldpiece to the borough of Bound Brook, N. J., for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14786) donating a captured German cannon or fieldpiece to the borough of Flemington, N. J., for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14787) donating a captured German cannon or fieldpiece to the borough of Princeton, N. J., for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14788) donating a captured German cannon or fieldpiece to the borough of Hightstown, N. J., for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14789) donating a captured German cannon or fieldpiece to the city of Trenton, N. J., for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14790) donating a captured German cannon or fieldpiece to the city of Lambertville, N. J., for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14791) donating a captured German cannon or fieldpiece to the city of Somerville, N. J., for decorative and patriotic purposes; to the Committee on Military Affairs.

By Mr. WHITE of Maine: A bill (H. R. 14792) authorizing the Secretary of War to donate to the town of Rangeley, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PURNELL: A bill (H. R. 14793) authorizing the Secretary of War to donate to the town of Sheridan, county of Hamilton, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MILLER of Washington: A bill (H. R. 14794) authorizing the Secretary of War to donate to the city of Seattle, Wash., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14795) authorizing the Secretary of War to donate to the city of Port Orchard, Wash., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14796) authorizing the Secretary of War to donate to the city of Charleston, Wash., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14797) authorizing the Secretary of War to donate to the city of Bremerton, Wash., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. RAMSEYER (by request): A bill (H. R. 14798) to provide for the creation of Federal railroad companies, to establish a more effective supervision of railroads in the United States, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STEENERSON: A bill (H. R. 14799) authorizing the Secretary of War to donate to the city of Barnesville, Clay County, Minn., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HENRY T. RAINEY: A bill (H. R. 14800) authorizing the Secretary of War to donate to the town of Barry, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WALTON: A bill (H. R. 14801) authorizing the Secretary of War to donate to the city of Raton, N. Mex., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GARRETT of Tennessee: Joint resolution (H. J. Res. 393) authorizing the appointment and sending of a commission to Porto Rico to study its industrial and economic conditions, and for other purposes; to the Committee on Insular Affairs.

By Mr. RAKER: Resolution (H. Res. 500) for the consideration of S. 3646; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FULLER of Illinois: A bill (H. R. 14802) granting an increase of pension to Herbert A. York; to the Committee on Invalid Pensions.

By Mr. HAMILTON of Michigan: A bill (H. R. 14803) granting an increase of pension to William H. Randall; to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 14804) granting an increase of pension to Amas Sangfield; to the Committee on Invalid Pensions.

By Mr. KEY of Ohio: A bill (H. R. 14805) granting a pension to Irven P. Cammarn; to the Committee on Pensions.

By Mr. KINKAID: A bill (H. R. 14806) for the relief of Jacob Byers, alias Jacob Myers; to the Committee on Military Affairs.

By Mr. LANGLEY: A bill (H. R. 14807) granting an increase of pension to Joseph Davidson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14808) granting an increase of pension to Ambrose White; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14809) granting an increase of pension to Francis M. Risner; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 14810) granting a pension to Mary J. Darling; to the Committee on Pensions.

Also, a bill (H. R. 14811) granting an increase of pension to Arthur E. Gilligan; to the Committee on Invalid Pensions.

By Mr. SWIFT: A bill (H. R. 14812) for the relief of Frances E. Martin; to the Committee on Claims.

Also, a bill (H. R. 14813) granting a pension to Mary Watson Smith Maher; to the Committee on Pensions.

Also, a bill (H. R. 14814) granting a pension to George Roeder; to the Committee on Invalid Pensions.

By Mr. VOIGT: A bill (H. R. 14815) granting a pension to Christine Neubert; to the Committee on Pensions.

By Mr. WALTON: A bill (H. R. 14816) for the relief of the El Paso Bridge & Iron Co. of El Paso, Tex.; to the Committee on Claims.

By Mr. LANGLEY: A bill (H. R. 14817) granting an increase of pension to Robert Damron; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Resolution of the Twentieth Century Topic Club, of Wauwatosa, Wis., indorsing resolution adopted at board meeting of National League for Woman's Service, favoring the Lewis-Raker bill; to the Committee on Military Affairs.

By Mr. JAMES: Resolutions of Jugo-Slavs of Calumet, Mich., relating to boundary and government of Jugo-Slav state; to the Committee on Foreign Affairs.

By Mr. KRAUS: Petition of sundry citizens of Peru, Ind., in favor of Government control and ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. KELLY of Pennsylvania: Petition of Commercial Telegraphers of Pittsburgh, Pa., favoring adjustment of wages by United States Telephone and Telegraph Administration; to the Committee on Labor.

By Mr. LESHER: Resolutions adopted by the Order of Railroad Telegraphers at Sunbury, Pa., urging Government control of railroads for ensuing five years; to the Committee on Interstate and Foreign Commerce.

By Mr. POLK: Resolution of Kent and Sussex Counties (Del.) Teachers' Institute, favoring Senate bill 4987; to the Committee on Education.

By Mr. RAKER: Resolution by Theatrical Federation of San Francisco, protesting against an increased tax on admission tickets; to the Committee on Ways and Means.

Also, resolution by Central Labor Council of Alameda County, Cal., opposing granting contracts to China and Japan; to the Committee on Foreign Affairs.

Also, resolutions by the Orpheum Theater & Realty Co., of San Francisco, protesting against an increased tax on admission tickets; to the Committee on Ways and Means.

Also, resolutions by the Locomobile Co. of America, protesting against the proposed tax on trucks; to the Committee on Ways and Means.

SENATE.

TUESDAY, *January 21, 1919.*

(Legislative day of Monday, January 20, 1919.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

FOOD SUPPLIES FOR EUROPE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13708) providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary.

Mr. HARDWICK. Mr. President, I intend as a member of the committee that reported the bill to make some observations in opposition to it.

Mr. LODGE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, S. Dak.	Martin, Va.	Spencer
Beckham	Jones, Wash.	Myers	Townsend
Chamberlain	Kellogg	New	Trammell
Colt	Kirby	Nugent	Wadsworth
Frelinghuysen	La Follette	Pittman	Walsh
Gay	Lodge	Poindexter	Warren
Gerry	McKellar	Sheppard	
Hale	McLean	Smith, Ga.	
Hardwick	McNary	Smith, S. C.	

Mr. KIRBY. I announce the unavoidable absence of the senior Senator from Arkansas [Mr. ROBINSON], who is detained by illness.

Mr. McKELLAR. My colleague, the senior Senator from Tennessee [Mr. SHIELDS], is absent on account of illness.

The VICE PRESIDENT. Thirty-three Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. HENDERSON, Mr. HOLLIS, Mr. JOHNSON of California, Mr. MOSES, Mr. POLLOCK, Mr. POMERENE, Mr. UNDERWOOD, Mr. VARDAMAN, and Mr. WATSON answered to their names when called.

Mr. CUMMINS and Mr. RANSDELL entered the Chamber and answered to their names.

Mr. RANSDELL. I was requested to announce the absence of the Senator from Florida [Mr. FLETCHER] on official business.

Mr. LENROOT and Mr. CURTIS entered the Chamber and answered to their names.

Mr. CURTIS. I desire to announce the absence of the Senator from West Virginia [Mr. SUTHERLAND] on account of illness in his family.

Mr. SIMMONS, Mr. KING, Mr. SMOOT, Mr. MCCUMBER, Mr. HARDING, Mr. BORAH, Mr. SAULSBURY, and Mr. MARTIN of Kentucky entered the Chamber and answered to their names.

Mr. SAULSBURY. I desire to announce that the Senator from Colorado [Mr. THOMAS], the Senator from Maryland [Mr. SMITH], and the Senator from California [Mr. PHELAN] are detained by illness.

The VICE PRESIDENT. Fifty-four Senators have answered to the roll call. There is a quorum present. The Senator from Georgia will proceed.

Mr. HARDWICK. Mr. President, as I was remarking, as a member of the committee that reported the bill, I feel it my duty to make some observations against it, and I want to crave the indulgence of the Senate during this discharge of probably the last important function I shall render as a Member of this body.

Involved in the consideration of this proposition are so many issues preceding the war, or our entrance into it, involving our own conduct in the war and involving the conclusion of a peace, that I can not, according to my point of view, discuss the pending measure without some latitude of debate.

If I had believed, as other Senators doubtless did, that this country entered the European war in order to democratize the world, or in order to make the world safe for democracy, or for any other high-sounding platitudinal reason such as that, it might be that I could convince myself that I ought to support this measure, but knowing that when impartial history is written the verdict can be nothing else on earth except the sheer, cold, naked truth that we entered the war for one reason and for one reason alone, namely, because the American flag was fired upon and American citizens were murdered upon the high seas, I can not lend my support to a proposition of this kind, so violative of fundamental American principles, so unwarranted from the standpoint of future evils that it will breed, and so indefensible from the standpoint that we are supposed to be honest custodians of the money of the taxpayers of this Republic.

Mr. President, why did we enter this war? I call the attention of the Members of this body to the fact that on August 19, 1914, soon after the European war had begun, the President of the United States proclaimed the strict and impartial neutrality of this country in a most remarkable state document. I can not at this moment lay my hands on the exact words of the proclamation, but its substance was that this country had nothing whatever to do with the struggle then beginning in Europe, that its causes were foreign to our interests and to our people, and the American people, drawn from many sources, were advised to keep strictly neutral in the matter and to avoid taking sides even in a conversational way in any passionate manner.

Again, in his second annual message to the Congress of the United States delivered December 8, 1914, five months after the war had begun, the President gave expression to a similar sentiment. He said:

> We are at peace with all the world. No one who speaks counsel based on fact or drawn from a just and candid interpretation of realities can say that there is any reason to fear that from any quarter our independence or the integrity of our territory is threatened. Dread of the power of any other nation we are incapable of. We are not jealous of rivalry in the fields of commerce or of any other peaceful achievement. We mean to live our own lives as we will; but we mean also to let live. We are, indeed, a true friend to all the nations of the world, because we threaten none, covet the possessions of none, desire the overthrow of none. Our friendship can be accepted and is accepted without reservation, because it is offered in a spirit and for a purpose which no one need ever question or suspect. Therein lies our greatness. We are champions of peace and of concord. And we should be very jealous of this distinction which we have sought to earn. Just now we should be particularly jealous of it, because it is our dearest present hope that this character and reputation may presently, in God's providence, bring us an opportunity such as has seldom been vouchsafed any nation, the opportunity to counsel and obtain peace in the world and reconciliation and a healing settlement of many a matter that has cooled and interrupted the friendship of nations. This is the time above all others when we should wish and resolve to keep our strength by self-possession, our influence by preserving our ancient principles of action.

After discussing the military policy, the proposition for a general enforced service, the President said:

> More than this—
>
> That is, the volunteer system—
>
> More than this carries with it a reversal of the whole history and character of our polity. More than this, proposed at this time, permit me to say, would mean merely that we had lost our self-possession, that we had been thrown off our balance by a war with which we have nothing to do, whose causes can not touch us, whose very existence affords us opportunities of friendship and disinterested service which should make us ashamed of any thought of hostility or fearful preparation for trouble.

Again, in a speech delivered at Des Moines, Iowa, on February 1, 1916, President Wilson used this language:

> On the one hand there is a considerable body of men who are trying to stir the very sort of excitement in this country upon which every true, well-balanced American ought to frown. There are actually men in America who are preaching war, who are preaching the duty of the United States to do what it never would before, seek entanglement in the controversies which have arisen on the other side of the water—abandon its habitual and traditional policy and deliberately engage in the conflict which is now engulfing the rest of the world.

In that same speech he gave expression to this sentiment:

> Every nation now engaged in the titanic struggle on the other side of the water believes, with an intensity of conviction that can not be exaggerated, that it is fighting for its rights, and in most instances that it is fighting for its life; and we must not be too critical of the men who lead those nations.

Such, Mr. President, truly and accurately voiced by the President of the United States, was the real policy of this country defined to be neutrality in accordance with its settled principles and in accordance with its unbroken practices in matters of this sort, and such, Mr. President, remained the policy of this country until dishonor of the American flag and a destruction of life of American citizens forced its abandonment. Let me proceed now to prove that proposition.

The time came when Germany's announced intention to resume an unrestricted submarine warfare; forced, and properly forced, let me say, in my opinion, a severance of our diplomatic relations with that country. In announcing that fact to Congress, Mr. Wilson said on February 3, 1917, addressing both Houses of Congress:

> I can not bring myself to believe that they—
>
> Referring to the men who were administering the German Government—
>
> I can not bring myself to believe that they will, indeed, pay no regard to the ancient friendship between their people and our own, or to the solemn obligations which have exchanged between them and destroy American ships and take the lives of American citizens in the willful prosecution of the ruthless naval program they have announced their intention to adopt. Only actual overt acts on their part can make me believe it even now.

Again, when it proved unfortunately true that the Germans had committed the overt acts in question, had sunk three peaceful and peaceable American ships, two of which were not even within the war zone declared by the German Government, and all three of which were returning to this country empty and in ballast, President Wilson again addressed the American Congress, urging a declaration of war. I read now from what he then said:

> Just because we fight without rancor and without selfish object, seeking nothing for ourselves but what we shall wish to share with all free peoples—
>
> That is, the freedom of the seas and the rights of neutral peoples—
>
> we shall, I feel confident, conduct our operations as belligerents without passion and ourselves observe with proud punctilio the principles of right and of fair play we profess to be fighting for.
>
> I have said nothing of the governments allied with the Imperial Government of Germany, because they have not made war upon us or challenged us to defend our right and our honor. The Austro-Hungarian Government has, indeed, avowed its unqualified indorsement and acceptance of the reckless and lawless submarine warfare adopted now without disguise by the Imperial German Government, and it has therefore not been possible for this Government to receive Count Tarnowski, the ambassador recently accredited to this Government by the Imperial and Royal Government of Austria-Hungary; but that Government has not actually engaged in warfare against citizens of the United States on the seas, and I take the liberty, for the present at least, of postponing a discussion of our relations with the authorities at Vienna. We enter this war—
>
> Mark it, Senators—
>
> only where we are clearly forced into it, because there are no other means of defending our rights

Mr. President, in spite of recent occurrences, it still remains written in the organic law of the Republic, the old and much-abused Constitution, that the power to declare war rests in the Congress of the United States and in it alone. Therefore, it becomes a matter of some importance to all men who profess to believe in any of the ancient principles what purpose the Congress had in view, what the object with which Congress went to war was.

I want to call attention to the fact that the joint resolution of April 6, 1917, by which this Congress declared war on Germany is couched in the following language:

> Whereas the Imperial German Government has committed repeated acts of war against the Government and the people of the United States of America; Therefore be it
>
> *Resolved, etc.*, That the state of war between the United States and the Imperial German Government which has thus been thrust upon the United States is hereby formally declared; and that the President be, and he is hereby, authorized and directed to employ the entire naval and military forces of the United States and the resources of the Government to carry on war against the Imperial German Government; and to bring the conflict to a successful termination all of the resources of the country are hereby pledged by the Congress of the United States.

Senators, when the prejudices and passions of this hour shall have passed away and when impartial history is written no candid or thoughtful man who has the slightest regard for the truth will ever again insist that this country entered this war to democratize the world or to make the world safe for democracy; that it entered this war for any reason on earth except that the German navy, acting under orders of the German Government, fired upon the American flag and murdered American citizens upon the high seas.

That was reason enough, and, for my part, I voted for that war unhesitatingly, just as I should have voted with no greater hesitation for war against England, or France, or Brazil, or Mexico, or any other power on the face of the earth, in Europe, Asia, or Africa, which, on the high seas, had fired on the American flag and murdered American citizens.

Now, the Senate, or those Senators who have kindly followed me so far in my argument, will, I think, be forced to concede in their own minds, at least, no matter what their votes may represent, that we did not enter this war for any other purpose except to vindicate American honor and to establish American rights. I say very frankly to the Senate that the only council table at which I wish to see the United States of America represented to-day is a council table at which full reparation shall be exacted for American wrongs and full guaranties required for American rights in the future.

So far as I am concerned, at least, I have not abandoned my belief in the ancient traditions of this country; so far as I am concerned, at least, I still believe that this country ought not to have entangling alliances in Europe; so far as I am concerned, Senators, if I were a Member of this body when the question came to be voted on here, I would stand here until I rotted before I would ever vote for a treaty that bound the United States of America to guarantee a single European boundary line or to guarantee the permanency or stability of any country that may be created by the peace congress now sitting in Paris.

Mr. KING. Mr. President, will the Senator yield?

Mr. HARDWICK. I will.

Mr. KING. The Senator has noted, doubtless, that the dispatches indicate the abandonment of a view alleged at an earlier day to have been entertained by some that a supernation would be created which would take from this Nation some of its sovereign powers and which doubtless would impose upon us an obligation to do some of the things to which the Senator has just adverted.

Mr. HARDWICK. I thank the Senator. The Senator from Georgia has noted that with very great gratification. It is utterly impossible until the millenium shall arrive to create a league of nations to enforce peace unless we are to depart from nationalism and enter into the field of internationalism. Every nation must retain its own sovereign power. It is quite probable, however, I believe, that a strong agreement between all the parties signatory to this agreement that they will, so far as possible, arbitrate their differences with each other and with the remainder of the world, and the putting around such an agreement of every atom of moral force that the parties signatory can impose will have a great, powerful, and beneficent effect on the future of the world and may promote, or help to promote, the cause of peace in the decades that are yet to come. Beyond that nothing is possible; beyond that everything is foolish and absurd; and, for one, so long as I have a right to lift my voice in this Chamber, it shall not go out undisputed to the world that the only idea in America is that something more Utopian and less practicable than that is possible.

Mr. President, in view of what has actually happened in this country, it is impossible for me to understand the position now assumed and the position that has been taken in the past years, certainly since the time when we actually entered this war, not only by our President but by others high in authority in this country. If it be true that we entered the war to democratize the world, if it be true that we entered the war to make the world safe for democracy, if it be true that we entered the war because Germany was threatening our independence along with that of the remainder of the world, then I say deliberately to the American people that the United States of America acted the part of a laggard and a slacker every day since Belgian neutrality was first violated and this atrocious scheme began to work. If I had believed that, I would not have hesitated for a single moment to have declared war on Germany before she committed any overt act upon us or upon our people, even before the *Lusitania* was sunk, before she did anything except to begin the prosecution of what is now called "her nefarious scheme to subjugate the world." I did not believe it, and the people of this country did not believe it, because it has not been so many months since the majority of them reelected Mr. Wilson President of the United States on the single proposition that he kept us out of war.

I repeat, Mr. President, that in view of what has actually happended and the actual official record, it is remarkable to me to observe some of the positions that are now taken and that pass amongst loosely informed people abroad and in this country as the real, accurate, official position of America. Particularly, Mr. President, I have in mind a speech delivered by President Wilson at the entertainment given him by the city government of Paris at the Hotel de Ville a few weeks ago. President Wilson said this:

> I beg that you will not suppose that because a wide ocean separated us in space we were not in effect eye witnesses of the shameful ruin that was wrought and the cruel and unnecessary suffering that were brought upon you. These sufferings have filled our hearts with indignation—

I do not take issue with him on that part of his speech, of course—

> We know not only what they were, but we know what they signified, and our hearts were touched to the quick by them, our imaginations filled with the whole picture of what France and Belgium in particular had experienced.
>
> When the United States entered the war, therefore, they entered it not only because they were moved by a conviction that the purposes of the central empires were wrong and must be resisted by men everywhere who loved liberty and the right, but also because the illicit ambitions which they were entertaining and attempting to realize had led to the practices which shocked our hearts as much as they offended our principles.

Mr. President, if the President were right in describing that as the position and the view of the American people, I wish to say that he indicts the people of America for a shameful species of slackerism, because years after the sufferings of Belgium and of France had actually happened the President was still saying that he knew nothing about the causes of this quarrel, had nothing to do with them; that we ought to stay out; and that it was not, as he put it, and as the Congress put it, until the Imperial Government of Germany committed an actual overt act against our flag and our people that we were forced to recognize a state of war that they had thrust upon us.

It is very important to draw these distinctions in view of the pending proposition, because if it be really true that the purpose of the American people in entering this war was to democracize the world, then, of course, I rather think that there might be some moral obligation, at least, to pay the way in cash for that sort of a proceeding.

It is most surprising that men should now entertain a view of that kind, although they once entertained and once expressed on the most solemn occasions and in the most solemn manner precisely the opposite view, and should now insist that that has become the duty of this country to send its money by untold millions to foreign lands in order to help create a democracy, which they afterwards hope to make safe for the world.

Mr. President, the most explicit statement of the reasons for which this money is asked will be found in the cablegram sent by President Wilson to his secretary, Mr. Tumulty, under date of January 11, 1919. Let me say that somehow or other it smacks just a little too much of the habits and customs and proceedings of royalty, according to my way of thinking, that this particular cablegram, conveying instructions to the Congress, should have been sent indirectly by our absent liege to his private secretary.

The telegram reads as follows:

PARIS, *January 11, 1919.*

TUMULTY.

The White House, Washington:

Please convey following confidential message to Senator MARTIN and Congressman SWAGAR SHERLEY—

Here is the message:

> I can not too earnestly or solemnly urge upon the Congress the appropriation for which Mr. Hoover has asked for the administration of food relief. Food relief is now the key to the whole European situation and to the solution of peaces. Bolshevism is steadily advancing westward, has overwhelmed Poland, and is poisoning Germany. It can not be stopped by force, but it can be stopped by food, and all the leaders with whom I am in conference agree that concerted action in this matter is of immediate and vital importance. The money will not be spent for food for Germany itself, because Germany can buy its food, but it will be spent for financing the movement of food to

our real friends in Poland and to the people of the liberated units of the Austro-Hungarian Empire, and to our associates in the Balkans. I beg that you will present this matter with all possible urgency and force to the Congress. I do not see how we can find definite powers with whom to conclude peace unless this means of stemming the tide of anarchism be employed.

WOODROW WILSON.

Mr. President, for one, and so far as America, at least, is concerned, I can not accept the view that having conquered a peace it is now necessary for us to proceed to buy a peace, and that this measure can either be advocated or defended on the theory or hypothesis that this is a war measure; that we have got to give these people whom we have conquered and who have surrendered to us a hundred million dollars to keep them from fighting us some more. If I thought that I would rather continue the war until we had them in a condition where they were not in any position to make any such demand as that, where they would be forced to concede what I thought they had already conceded—that they were conquered in this war and had to accept the terms we imposed.

It is therefore impossible for me to support this proposition on the ground that it is necessary for us to give them a hundred million dollars, after we have beaten them, in order to get them to conclude the peace for which they sued. Nor do I believe that it is necessary to appropriate this money in order to set up buffer States around Germany. I do not believe Germany is any such menace now, and I doubt if it ever has been any such menace, to the future independence of the world. It looks to me like the separatist movement in Germany has gained uncheckable force, and that probably the German Empire will be separated into many smaller States. If so, there will be no danger whatever of any war that any one of those States might wage against the balance of the world.

Mr. President, I can not think that it is right for us to send this money as a matter of charity, and I will tell the Senate why.

We must realize, Senators, that this is a mere drop in the bucket. As one of my neighbors suggests, if these people get hungry again they will want more money, and if they get hungry still more they will want still more money; and I imagine the oftener we yield to demands of that sort the more certain future demands of that character are to be repeated upon us. It is only the beginning; and the remarkable part about it is that we, who went into this war simply and solely because our flag was fired upon and American citizens were murdered upon the high seas, and who have no connection with—or ought not to have, at least—and no concern in the internal affairs of Europe, are to be called upon to bear the brunt of this proceeding over there.

I heard with care and interest the gentlemen who presented this proposition to the committee, Mr. Hoover's counsel—I think his name was Mr. Glasgow—and some other gentleman, and the Secretary of the Treasury, who lent his presence there, although he said very little.

These gentlemen said—we pinned them down to the point—that France and England had agreed to participate in this movement. We begged them to tell us how much they had agreed to contribute. They did not know. They said that Italy would do the best she could, they hoped, but she was not definitely committed. "Well," we said, "why should they not say in advance what the amount of their contribution is, before we make ours?" They said, "Well, that would not do; that would be casting some sort of a reflection on the good faith of these countries," and that we must come forward first and contribute our $100,000,000 before we even asked them how much they would give. Now, that is the plain truth about what happened and what was testified before the committee by these gentlemen.

Senators, that is an unbusinesslike way to go at it. These people over there on the ground, on the Continent of Europe and adjacent to it, certainly owe the first obligation, if anybody owes an obligation, in respect to a matter of this sort; and I think the cart is put decidedly and distinctly before the horse when we are compelled, by cable orders from over there, to say first the amount of our appropriation and to make first the actual appropriation from the Treasury itself. No one of them has taken any official action about it, and no one of them has even presented to its congress or its parliament the proposition in an official form asking for the granting of money from the public treasury.

Besides, if it be charity, Mr. President—and few men have had harder experiences in the world than I have had, and I believe there is no man in this Senate whose heart is touched more quickly and more deeply than mine is by that appeal, from whatever part of this world it comes—if it be charity, then I insist that charity begins at home. I would not be willing to vote a single dollar out of the Treasury of the United States to send to Europe or Asia Minor or anywhere else on this earth as long as there was a single suffering child in this country that needed food or needed help, as long as there was a single individual in this country, no matter whether his condition resulted from his own fault or not—and that is true over there, too—who was hungry and could not get food, who was starving and could not be relieved; and it is a fact that in all the great cities of the country, even in the most prosperous years, our people here in America starve by the thousands—usually, I admit, because of their own faults and vices.

Why, it is not so long ago since the secretary of a great committee in New York, our greatest city—I think it was only yesterday or day before yesterday—reported that in that city thousands and thousands of children died every single year, and he stated 30,000, I think—I do not want to state that certainly, because I do not remember the exact figures—as the number that had died this past year for lack of proper nutrition. I think, if we are going into this charity business, we had better send some of that money up there to relieve those poor little children who are dying from lack of nutrition.

Mr. VARDAMAN. Mr. President, will the Senator pardon me just a moment?

Mr. HARDWICK. I yield to the Senator.

Mr. VARDAMAN. I should like to have the Senator indicate what answer the Congress of the United States could make to the American people, hundreds and thousands of them, who are suffering for the necessaries of life, if they should come to Congress and ask for an appropriation of a hundred million dollars to ameliorate their suffering.

Only a few days ago I read in the public prints the account of a thousand or fifteen hundred men, including 400 recently discharged American soldiers, who called upon the mayor of the city of Boston—one of the richest and greatest cities in this Republic—demanding employment, demanding that they be given some means by which they might provide their wives and children with the vital necessaries of life. What are you going to do with appeals of that character if this money is to be sent to Europe? I grant that it may be sent there for the purpose of ameliorating human suffering—suffering that touches me very deeply—but I agree with the Senator from Georgia that charity begins at home, and until we take care of our own people I think we had better be careful about how we levy taxes upon these people for the purpose of raising money to meet the emergency there.

Mr. HARDWICK. Mr. President, I thank the Senator for the suggestion; and I had intended before I concluded these remarks to cover fully that phase of the question, or at least to do so as fully as I am capable of doing so.

This is not put by the President on the ground of charity, however. It is a political proposition, to check the spread of Bolshevism in Europe.

Mr. President, how long will it be before we shall be treated to a similar demand in this country? We have to-day our American Bolsheviki. I think Members of this body are pretty well agreed that the Industrial Workers of the World are in close alliance with the Bolsheviki, and practically represent and typify the same sentiments and the same movements; and yet we have not treated our American Bolsheviki in that spirit during this struggle.

Mr. VARDAMAN. We shoot them.

Mr. HARDWICK. We have shot them and jailed them and done a few other necessary things, I think, in order to keep them right and keep them within the bounds of the law; but we are to employ different methods in Europe toward foreign Bolsheviki.

Senators, I predict now—and I believe I can see it with the clearness of a vision that is almost prophetic in these closing hours of my service—that once you grant this demand on the ground upon which it is based, the time is not far distant, in the industrial throes that will accompany and follow reconstruction, when a similar demand will be made on you by American Bolsheviki here at home.

Mr. KING. Mr. President, will the Senator yield?

Mr. HARDWICK. I yield to the Senator, with pleasure.

Mr. KING. Mr. President, I have listened with a great deal of interest to what the Senator has said, and I assent to some of the views to which he has given expression. To others of his views I can not assent. I think the statement of the Senator, as I interpreted that statement, that the President sought this appropriation for the purpose of stemming bolshevism, and the subsequent statement of the Senator, as I interpreted it, that the money was to be given to the Bolsheviks, is scarcely warranted from the attitude of the President. Let me say that if I thought the President of the United States would give one single penny of this $100,000,000 to the murderous scoundrels

known as the Bolsheviks, who are trying to destroy all forms of government and by assassination and terror and unspeakable atrocities are seeking the destruction of millions of the Russian people, I would never vote for the appropriation.

As I understand the position of the President it is that the expenditure of this money in certain sections of Europe where there is poverty and want will enable the people who are not Bolsheviks to resist the advances of Bolshevism, to erect stable governments which will aid the purposes of the war upon which we entered, and more quickly terminate it, and enable the belligerent nations to conclude peace and pacify Europe. The accomplishment of these ends will enable us to bring back much sooner our troops to our own shores.

I think this appropriation can be justified, not upon the ground of charity, but upon the ground of its being a war necessity. It is costing the United States perhaps $100,000,000 a week—these figures are a hasty guess and may be much too high, but at any rate an enormous figure—to maintain our Army there in Europe. If this expenditure of $100,000,000 will return our soldiers to the United States 10 days sooner we will be fully compensated. It is my opinion that the expenditure of this $100,000,000 for war purposes—that is, in feeding peoples and equipping those who are fighting Bolshevism and Germany and German intrigue—the situation in central Europe will so improve that we may be enabled thereby to return our soldiers to the United States weeks if not months sooner than otherwise would be the case.

Mr. HARDWICK. Mr. President, answering the suggestion made by the Senator from Utah, permit me to say that I did not intend—and I hope the Senator will not so understand it—to put the President of the United States in any attitude. I merely read the exact language of his cablegram to the chairman of the Committee on Appropriations. If the Senator desires me to do it, I will repeat that language.

Mr. KING. Pardon me; I remember the language very well.

Mr. HARDWICK. I will not repeat it, then. The President says it is to check the spread of Bolshevism. It is to be sent to Russia. The act authorizes it.

Mr. KING. Speaking for myself, I wish some of it were to be sent to Russia and given to Admiral Colchak and to the Czecho-Slovaks, who are in the eastern part of Russia and the western part of Siberia, in order, first, to protect the Czecho-Slovaks and the Russian armies who are our allies, and also to destroy Bolshevism, or destroy its further advance to the east, and to that extent more quickly pacify Europe. Of course, I have in mind the fact that the Bolshevist military forces are in part German, Austrian, Hungarian, and Chinese mercenaries and bands of criminals, all of whom are enemies of the United States and the allied powers.

Mr. HARDWICK. If sent to Russia there is no man so wise when sent to distribute this relief who would know whether it was given to a Bolshevist or not. The Senator, expressing a desire that it should be sent there, would find that in all human probability and without any fault of administration millions of this money would go to the very people to whom he said he would not give a penny. But it is to appropriate money to check the spread of Bolshevism in Europe, and that is what the President said.

Now, when reconstruction comes in this country, when conditions here are met, when readjustment takes place, what will happen? Unless prices go down the average American citizen, particularly in cities and towns, will not be able to live; he can not earn an honest living. The clerks and smaller salaried people in all the towns and cities to-day are struggling under an overwhelming load of debt. Prices can not go down unless to some extent, at least, the cost of labor goes down with them. We had just as well face this question like men. We know that. When it happens you will have not only the Industrial Workers of the World, but the American Federation of Labor, in all probability, and its kindred and allied forces—because we have already been given official notice of that fact by its leader, Mr. Gompers—arrayed in a death struggle against the Government and against the balance of the country. They say that under no circumstances shall the price of wages go down.

In time industrial unrest, troubles of all sorts, will bring financial suffering in this country, just as certain as to-morrow's sun shall rise again and set. When that day comes it will be difficult for the Senator from Utah or any other Senator in this body who supports this proposition, no matter what reason he gives for it, to escape the overwhelming, powerful point that, having sent millions to people who are suffering in Europe, you are now unwilling to spend millions upon your own suffering people in this country.

I do not agree with the suggestion of my friend from Utah that we will save a great deal of money, because we will get our forces home sooner if we vote this money and stabilize things, because, as I see it, and I hope it will be the policy of this Government and this country, our soldiers are not to be employed and ought not to be employed in policing Europe, now that peace has come.

Mr. KING. Will the Senator yield?

Mr. HARDWICK. I yield.

Mr. KING. The Senator stated in the beginning of his remarks, and very properly, too, that he thought or hoped that there might be some agreement—that was his expression—that would reduce the possibilities of war and permit arbitration in certain matters.

Mr. HARDWICK. Yes; I said that.

Mr. KING. In justiciable matters, I suppose. The Senator also said that we should have guaranties, that we should at the peace table insist upon reparation or indemnity for certain wrongs which we had received and guaranties at the hands of Germany. Of course the Senator expects that other nations, our allies, will demand——

Mr. HARDWICK. If the Senator will pardon me, we have had no allies in this war.

Mr. KING. I recognize those people with whom we have been fighting as our allies, but if the Senator does not like the word "allies" I will say those with whom we have been associated in this great war.

Mr. HARDWICK. That is better.

Mr. KING. As I was about to say, the Senator must recognize that those with whom we have been associated are entitled likewise to demand guaranties at the hands of the central empires, guaranties of peace, guaranties of indemnity, guaranties that whatever is exacted to be done shall be performed. Manifestly we can not scuttle out of Europe now; that we must remain there at least until the terms of peace have been signed and it becomes manifest that the guaranties demanded shall be complied with.

Mr. HARDWICK. Let me say to the Senator from Utah that our own splendid response to the demands the situation put upon us has demonstrated our ability to defend our rights on the high seas so thoroughly to all the world and to avenge the wrongs committed against our people that we have furnished our own best guaranty against the repetition of any such conduct on the part of any nation on earth. No guaranty which could come from a mere agreement in writing would be one-half, yea, one-thousandth, part so potent a guaranty as that which comes from the fact that the nations of the earth know now at least that we are able to protect and maintain and assert our rights. So far as guaranties that France will get back Alsace-Lorraine and that Italy shall receive territory from the Austrian powers or anything of that sort is concerned, if it is done anywhere in Europe, I have no part or parcel in transactions of that sort myself.

Mr. KING. Will the Senator yield?

Mr. HARDWICK. I yield.

Mr. KING. The Senator knows we can not negotiate peace with Germany and with Austria until there are governments there with whom we can deal and which, at least for the time being, are competent to discharge national and international obligations. Certainly it would not be the honorable thing for this Nation and those with whom it has been associated to destroy Germany, to destroy Austria, and to leave them in a weltering mass, while the former sit around the peace table and impose terms that they are not, because they have no government, competent to discharge. It is our duty, it seems to me, to stay sufficiently long in Europe to end the war and negotiate a treaty of peace with governments de jure or de facto, governments with whom we can deal and from whom we may demand guaranties and indemnities.

Mr. HARDWICK. If I could accept the rather loose statements of my friend—and I characterize them in that way with all good temper—perhaps I could feel some of the same sentiments he has just expressed. But the fact is there are de facto governments at least, and probably de jure governments, in Germany and Austria-Hungary. The fact is they are so much governments that we have accepted their assent to the armistice terms and to an amendment of the armistice terms. The fact is further that the Senator from Utah is not asked to give this money to German or Austrian people. In fact, Senators on this floor have expressed the sentiment that they would not vote for it if a single penny of it went to Germany or Austria. So it seems to me the Senator's position is utterly untenable from every point of view.

This can not be regarded as a war appropriation. I would hate to say on the floor of this body on this occasion, that has something of solemnity in it to me, what I think the real purpose of this appropriation is; but whatever its purpose, whether it is world politics we are called upon to play with a campaign fund of this kind or whether it is charity for the Bolsheviki or to check Bolshevism, or whether for final peace that we have led our people to believe we have conquered, I can find no excuse from my point of view to support it.

Mr. President, I admit, nay, I take pride in the fact, that I am somewhat old-fashioned in my views about government. It may be said, and said with some degree of truth, that I belong to a somewhat old-fashioned southern school. I believe in a written Constitution. I believe in a strict interpretation of it. I believe in a government of delegated powers. I believe in the dual system of our Government. I believe in the great doctrine of local self-government. I believe that Washington and Jefferson, and all of the fathers of the Republic, were right when they builded and that they builded aright, and I believe that unless we leave and abandon this mad saturnalia of imperialism and autocracy here at home and return to the ancient principles of our fathers there will be no safety nor happiness for the people of this Republic.

The Senator from Virginia [Mr. MARTIN] in opening this debate pointed out the fact that on six or seven different occasions the Government of the United States in the face of great national calamity abroad, and of great disturbances here once or twice, I think, has contributed money out of the Public Treasury that belongs to the taxpayers of the United States to relieve human suffering. Mr. President, it is needless for me to say that on no one of those occasions, since my service of 16 years in the Congress of the United States has continued, have I ever given my assent to the soundness or correctness of that view.

To-day, when I am perfectly disinterested and when I have no motive on this earth to serve except that of truth as I see it, to help the American people and the American Senate, if I can, to the limit of my poor power, I would say that if I had ever supported such a proposition I had erred and erred grievously, because, while charity is all right, charity ought not to be indulged in by the Federal Government under any circumstances. The local governments can do it under forms of law through their poorhouses and poor rates, and through their intimate acquaintance with persons and individuals enable local administrators to deal out relief which suffering humanity requires with discrimination; but for the Federal Government to embark on an enterprise of that character is foreign to the purpose for which it is created and can never lead to anything but mischievous results.

If we are going to contribute the money of the taxpayers of this country by the hundreds of millions of dollars to relieve organized Bolshevism in Europe, or calamity anywhere else on this earth, then we are forcing the men of substance of this country, through the machinery of taxation, to give their money in charity instead of letting them exercise their own option about it. It is not a proper function of the Government to do it. Charity begins at home. If we ought to appropriate to relieve human suffering and take the charity proposition abroad, whoever again in this body can withstand the cry that we are bound by every law of fairness and justice to our own to first relieve the human suffering in this land of ours? Who can dispute it? Who can withstand it? Who can deny it? Who can resist it?

When we do it we have surrendered the very citadel of individualism to socialists and to anarchists and to the Bolsheviki. When we say that men who have labored and toiled and denied themselves in order to accumulate substance and to insure happiness for their families shall be compelled under forms of law and by the machinery of the Federal Government to give up their plenty to those who have not, you have at last reached the era of a common state and of a pot into which every man's assets are thrown, that are advocated by those very people whom you say you are fighting.

Mr. KING. Will the Senator yield?

Mr. HARDWICK. I yield.

Mr. KING. If I vote for this $100,000,000 appropriation, I shall do so very reluctantly, but if it were to be rested upon the ground of a charity I should not vote for it. I share the views of the distinguished Senator from Georgia. If it can not be based upon the ground that it is necessary for war purposes and as a necessary means for terminating the war and thus sooner returning our soldiers, then, in my view, it can not rest upon any ground that is defensible.

Mr. HARDWICK. I thank the Senator for that statement. It not confirms the high opinion I have for both his intelligence and his integrity.

Mr. President, I have undertaken to give to the Senate at greater length than I expected the reasons which led me to oppose this proposition. Permit me now for about 5 or 10 minutes at the outside to say a few words that are more or less personal in concluding what shall probably be, as far as I can now see, my last address of any length to this body, at the conclusion of a public service of 16 years in the Congress of the United States.

During the troublesome war period from which we are emerging I have had many serious and grievous differences of opinion with a majority of my associates on this floor and with distinguished officials of the Government outside of this Chamber. When we entered the war I believed with all the fervor and strength of my nature that a democracy could fight a great war without surrendering its cardinal and fundamental principles. I believed that free government could wage a great war as successfully as a despotic and autocratic power could. Therefore I was unable, with the utmost love of this country in my heart, to support such propositions as an enforced military service across the sea. I believe that our people under the volunteer system would have given to the flag and to the country an ample support, and I knew that if we had the same percentage of volunteers in this country that Canada furnished and that Australia furnished we should in less than three years raise an army of 5,000,000 Americans to defend the honor and the flag of this country.

Other Senators felt otherwise and still feel otherwise on this question. With them I have no quarrel, because their view is just as honest as mine. It is merely an honest difference of opinion. I believe with all the force and fervor and power of my nature that it was unnecessary to undertake to write price control into the statute and to have food control in this country, and I therefore opposed those propositions. While I do not like to put myself in the invidious position of saying "I told you so," I do say when you come to pay the bills for 1920 wheat you will wonder if it would not have been better to rely on our laws against forestalling trade, engrossing, and profiteering, to provide millions, if necessary, for the enforcement of those laws, and to strengthen them to the utmost limit of the power that resided in the Congress of the United States for that purpose, rather than undertake to reverse every economic law, to undo every economic principle, and to fly in the face of every economic truth established by the history of the world.

Mr. President, I have some feeling upon this question. It is not personal. It is wholly impersonal. Whatever my career in this body has been, no living man can truthfully say it has not been an honest one; that it has not been an open one; that it has not been a frank one; that it has not been a fearless one. I have felt that I have stood for great American principles. I have felt that I stood for great American fundamentals. I have felt that the fathers of this Republic builded aright when they laid its foundations on what I regard as principles of eternal truth, and I pray that the Senators who will remain here after I have gone, and who are to meet the responsibilities of a new and, if possible, graver hour when this period of reconstruction shall come, will return once more to the ancient principles of the fathers, for therein lies the only hope of honor, safety, and happiness for the people of this Republic, that we all love.

Mr. PENROSE. I submit the following amendment to the pending bill, to which I earnestly invite the attention of the Senator from Virginia having the bill in charge. If he would accept this amendment, it would make it comparatively easy, in my opinion, to get a reasonably unanimous support for the measure.

The chief opposition to the measure is the lack of information which the Senate has as to the needs or the purposes of this very large appropriation, just about the time when the slogan appeared to be "retrenchment and economy," and the loose, irresponsible, and nebulous way in which it is to be administered.

I offer this amendment as a further proviso, at the end of line 10, page 2 of the bill, and I ask the Secretary to read it.

The VICE PRESIDENT. The amendment will be read.

The SECRETARY. After the words "already adopted," at line 10, page 2, insert the following additional proviso:

And provided further, That the President shall appoint, by and with the advice and consent of the Senate, three commissioners, who shall receive an annual salary of $10,000 and traveling expenses, to administer and defray all expenditures authorized by this act, under the direction of the President.

Mr. PENROSE. Mr. President, no Senator, I take it, has any objection to making an appropriation for any amount to be expended by the President if the President actually superintended

the expenditure. But such is not the case, and can not be the case. It is impossible for the President to attend to the many matters he has undertaken to do and superintend the distribution of these funds. During the war period we made such appropriations, and what was the result? We had the delegation of the presidential power reposed in the hands of unknown and irresponsible autocrats, holding no obligation of an official oath to the Government, with no defined power and status, and expending millions of dollars. Hence the aeroplane scandal; hence the universal complaint against the fuel autocracy and the food autocracy.

These abuses and evils, Mr. President, were tolerated during the war, when every patriotic citizen was willing to send his son to Europe to make the supreme sacrifice, if need be, and to the limit of his ability not only to pay the taxes but to subscribe to the liberty loans. We are drawing rapidly, I hope, into a condition of peace, the Army is being gradually disbanded, and why should we not again proceed to administer the affairs of the Government in an orderly way?

I shall not discuss the qualifications of Mr. Hoover, but he certainly has no relation to the American Government or no official status to arouse any degree of confidence as to how he shall expend this money. How can he be called to account for it? He may never return to the United States. He has been living in England all his life; he owns a palatial establishment there; and more than likely, with the close of the war, he will resume his residence in that island among those congenial foreign surroundings. His name was never sent to the Senate as food administrator.

Mr. President, I do not exaggerate when I state that among the tens of thousands of business men in Pennsylvania, retail merchants in every trade, dealers and jobbers in every commodity, there is a universal outcry of dissent against the administration of the Food Department during the war period. Vexatious and harassing rules and regulations were issued continually, only to be revoked within a week or ten days, on account of their very absurdity. I know what I am talking about when I state that not only in Pennsylvania but from the Atlantic to the Pacific Ocean the condemnation is universal.

If this amendment is accepted by the Senator from Virginia [Mr. MARTIN] and is adopted by the Senate, I believe that nearly every Senator can afford to vote for this bill. I have no information as to whether this appropriation is needed or not. I talked to a Member of the other House yesterday who has been three weeks in Belgium and who is a careful observer. He told me that food was abundant in Belgium and that the prices were not very much higher than they are at the average hotel in New York City or in Washington, probably not so high as in some of the hotels in Washington.

Just how the money is to be applied we are entirely in the dark about. However, I will not argue that point. I am willing to trust the President, who has by wireless telegraphy in some vague way informed the Congress that the money is needed and can be profitably spent; but I do object, Mr. President, to having a nonresident of the United States, who may never return to this country again, to be within reach of a subpœna of Congress—and there will be subpœnas after the 4th of March, Mr. President, issued to the heads of departments—made the trustee of this fund.

I have no sympathy with the proposition that the money shall be expended by some international agency. I have not, Mr. President, made a sufficient advance in the direction of a league of nations to feel that the money of the American taxpayer should be spent by anybody but American officials; and I have no sympathy with the proposition that it is to be expended under the authority of delegates from England, France, and Italy, and, for aught I know, from Siam and Montenegro, under the sympathetic supervision of Mr. Hoover, who can hardly claim to be an American and who may never return to this country.

That is what the American people criticize. My mail is laden every morning—and in the last three or four days it is beginning to rise in quite a strong tide—with expressions of sentiment against the pending revenue bill. People argue, Why should the taxpayer have these enormous and burdensome taxes, which threaten the stagnation of industry, if not its paralysis, imposed upon them if we are to indulge in every absurdity that enters the brain of the theorist and the impractical bureaucrat? If there is starvation in Europe, this hundred million dollars will be but a drop in the bucket; if there is no starvation there, it is simply an appropriation to bolster up and exploit the activities of Mr. Hoover and of some other unauthorized agencies.

In my opinion, Mr. President, within a not unreasonable time there will be sufficient food in Europe for the populations there, except in those countries where the Bolshevik spirit prevails, where lawlessness and riot abound, and where the people are too demoralized and lazy to take advantage of the resources of the country, and the quickest way to cure that condition is to let it run its course.

I think the amendment, Mr. President, speaks so entirely for itself that I shall not detain the Senate by speaking at any length. The fact remains that, notwithstanding we have no information concerning the necessity of this appropriation, notwithstanding the fact that it is only the forerunner of hundreds of millions of dollars more that are coming along for a lot of fantastic projects, I still would be willing to vote for the measure—and I believe a considerable number of other Senators would be willing to vote for it—if it is safeguarded in some way along legitimate lines. Therefore I sincerely hope, in the interest of the measure itself, that the Senator from Virginia will accept this amendment.

Mr. HOLLIS. Mr. President, there are several ways of opposing a bill in the United States Senate. One is by a frontal attack; one is by a flank attack; and one is by poison gas. I refer to poison gas because the distinguished Senator from Pennsylvania [Mr. PENROSE], who honors us with his presence here to-day for a few moments, has referred to the subpœnas that will be issued after the 4th of March. I believe subpœnas will be issued. I know subpœnas have already been issued for Mr. Hoover, and that Mr. Hoover has already testified at considerable length before a distinguished committee of the Senate.

The flank attacks that are made by amendments to measures pending here are sometimes made by friends of the measures. We had an instance only last week, when the salaries of judges in the Federal courts were placed by their friends so high that the passage of the bill would not have been secured had they not been reduced.

Frontal attacks I have no objection to, and I am certain that when this bill comes to a vote on the merits it will be successful. Personally I was very sorry when the amendment, offered with the highest motives, by the distinguished Senator from Massachusetts [Mr. LODGE] was adopted, for I can not myself see the difference between feeding a starving enemy after the war is over and feeding a starving friend. The Germans are referred to, and justly so, in terms of the bitterest hate. They are called murderers and poisoners and violators of women. The charges are true; but there have been men who have been guilty of those things in the United States, who have been duly convicted by juries, and who have been executed; but we do not starve such men. We feed them; and, as the Senator from Ohio [Mr. POMERENE] suggests, we do not starve their families. We feed them, and then put them to death in as dignified a way as the law can invent.

I was on the Argonne front when the armistice went into effect. I heard the last guns fired there. I went out with the commanding general when the dead were still lying on the ground, and we met——

Mr. PENROSE. Mr. President——

Mr. HOLLIS. I decline to yield.

Mr. PENROSE. The Senator just made a misstatement about me, and I did not know whether he cared to have it contradicted.

Mr. HOLLIS. Well, the Senator can contradict it in his own time.

Mr. PENROSE. I will take the opportunity to do so.

Mr. HOLLIS. I decline to yield at this time.

We met 200 German prisoners being brought in from the front. These were the murderers and the poisoners and the violators, if such they be; but those men were not starved to death; those men were fed and fed liberally; they were probably fed better than they had been fed for weeks.

If Germans are to starve it will not be the men who are responsible for this war. The men who are responsible for the war and its infamies are getting well fed three times a day, and they have been well fed all through the war. The ones who are to starve are the poor people who were misguided and misled, the people who have suffered, the people whose families have been in poverty, and whose brothers and fathers and sons have been killed because of the misguiding on the part of those responsible for the war. I am, therefore, sorry that the amendment offered by the Senator from Massachusetts, and accepted, was put upon the bill, because I can clearly see that money expended even in Germany might do very much to put down the rising terror of Bolshevism and to bring the war to an earlier conclusion.

There have been several interallied councils in Europe during the past few months. There have been councils on finance, on shipping, on food, on war trade, on war industries, munitions, and war operations. It was not until we had a supreme interallied council on war operations that the war was brought to a successful close. After the armistice was signed these various interallied councils for the conduct of the fighting came

to an end and a single supreme council on relief and supplies was created. The President of the United States appointed two members to represent this country on that council. France, England, and Italy also appointed members to that supreme council. England appointed Lord Reading, the ambassador to the United States, and one of the greatest, most efficient, and most trusted of English statesmen. The other English member was Sir John Beale, about whom I do not know. France appointed M. Clementel, the minister of commerce, one of the leading members of the Clemenceau cabinet. The second member was M. Viligrain, whom I do not know. I have forgotten the names of the Italian members; but the two members appointed by the President were Mr. Hoover and Mr. Davis.

There has been considerable difference of opinion in the Senate about Mr. Hoover. I never met Mr. Hoover personally until last July when he was in England. I think it is safe to say that there is no American who enjoys more the confidence of the people of Europe than does Mr. Hoover. In this country Mr. Hoover has done a great work. I think it may be subject to some just criticism, but Mr. Hoover has succeeded in making economy fashionable in the United States; he has got the people to save food voluntarily, without compulsion; and I think the people of America will have confidence that Mr. Hoover will spend this money properly and justly. I do not apologize for Mr. Hoover, and he needs no defense from me.

I do know intimately Mr. Norman H. Davis, the other man appointed by President Wilson. Mr. Davis is a native of Tennessee, and his brother was elected a Member of Congress from Tennessee in the last election. Mr. Davis is a prominent banker in this country, and he is known to prominent bankers all over the world. He has been working in the Treasury Department for the last 16 months as an expert on foreign exchange and foreign loans. He went to Spain in the month of August as special financial commissioner from the United States to arrange a loan in order to bring the Spanish rate of exchange back as nearly as possible to normal. He borrowed 250,000,000 pesetas from the Spanish banks at 5½ per cent. The Bank of England tried to borrow pesetas in Spain a year ago next spring and failed. The French borrowed money there, paid 8½ per cent, and took one-third of it in wine and fruit, which they did not need. After Mr. Davis succeeded in making this loan in Spain Lord Cunliffe, the president of the Bank of England, stated it was the best piece of financial work that has been done in Europe since the war began. Mr. Davis is a trusted representative of the United States Treasury. I do not know the facts about it, but I think he was appointed purposely so that our money would be carefully safeguarded.

I am aware that there has been a feeling among some of the Senators that our public men in Europe were somewhat free in their expenditures. There may be some justice in those charges in some cases; but when a great war is on you can not be too particular about expenditures. War is a most extravagant and expensive business at best. I do not think Mr. Hoover would be unduly extravagant with this money, but I know that, so long as Mr. Davis is associated with him, the money will be wisely and humanely disposed of.

There is great necessity for food in central Europe. As soon as the war was over it was found that one of the controlling causes for bringing about the armistice was the lack of food in Germany, in Austria, and in the surrounding countries. The armistice was signed, and the cry went up all over Europe that people were starving. What was this country to do in that condition? The President told Mr. Hoover to furnish food. Mr. Hoover was informed that in Vienna there was money available so that he could sell wheat that belonged to the food corporation. He did not trust to that report but sent an agent immediately, at some risk to his life, and the agent reported that the statement was not true; that they could not pay for it. There was no money at the disposal of our President or our Government with which to buy food to send them.

England and France work on a different basis. They have money at their disposal for emergencies. The Cabinet has money that it can spend, and it had money to spend at that time. Mr. Hoover's position was that so long as 80 per cent of the food was coming from the United States, the United States should have the control and direction of where the food was to go; but it appeared that France and England were the only Governments at that time that had money to furnish to pay for this food, and it appeared that England was in control of the ships that must be used to send the food to Europe. So a cooperative plan was worked out, and Mr. Hoover was invited to become the director general of the Interallied council. Whether Mr. Hoover be worthy or unworthy, our associates in Europe believe that he is worthy, and with any other representative on that council it is sure that the director general would not be an American; that is, I feel confident of that.

I have talked with those who have informed themselves about the wheat supply, and I am satisfied that there is a very large surplus of wheat now in the world. It has not been possible to bring the wheat from Australia or in large quantities from the Argentine during the war. Wheat in Australia has been rotting, has been spoiling. It is practically worthless because of lack of transportation. As the English send the Australian soldiers home they will bring back wheat as a return cargo. I can not see why the price of wheat will not drop sharply as soon as that wheat begins to come into the market. At present we can sell to our allies American wheat at the prevailing prices, before the Australian and the Argentine wheat gets to Europe in large quantities. I feel that it would be a mistake on the economic side not to take advantage of selling our wheat in Europe at present prices in as large quantities as we can. In that view of the matter this is not all outlay. There are some savings.

We are now obliged to pay the farmers of America $2.26 a bushel for all the wheat they raise this year. I do not know the figures, but I am satisfied that when the wheat is turned in to the Government and we buy it next year there will not be roofs enough for us to put it under. It will have to lie out in the open and spoil. I believe it is a good financial proposition to sell this wheat to Europe now, at the prices that prevail, rather than to keep it at home, allow other wheat to go in from the Argentine and from Australia, and the Government have to make up the difference to our farmers, as they are pledged to do.

I believe this amendment is offered with a view to delay and with a view to humiliating the President of the United States. The President went to Europe, and many people were opposed to his going. I myself had some doubts about the wisdom of it; but after I saw the reception that he received in Paris, after I saw the very large influence that his personal presence gave to the United States, I had no further doubts. He is on the spot. He knows whether or not suffering people are to be fed. I have no doubt it is intolerable to him, as it is intolerable to me, to think of a surplus of wheat in this country and starving mouths in Europe and not do his utmost to bring those two together. No humane man can stand out against that. My heart is touched, as much as that of the Senator from Georgia, when I think of people starving in this country. I believe there will be propositions in this Senate to relieve starvation in this country before the spring is over; and I hope they will come up before my term ends, so that I can vote for them, because I am that sort of a radical. I do not believe it is ever excusable to allow anyone to starve in the United States of America; and I hope the time will come when no one ever will be permitted to starve anywhere in the world, friend or enemy.

Other countries are not waiting for their parliaments to vote these supplies. Other countries are not waiting for commissioners to be appointed and ratified by senates or parliaments. The organization is already perfected. Mr. Hoover and Mr. Davis are on the ground, and have been on the ground for weeks and months. They have their plans started. They are already feeding some starving people. We have all had some experience with the ratification of appointments by the President of the United States; and if this amendment should be adopted, and the President should appoint these men immediately, I have no confidence that the nominations would be acted upon within weeks, and meanwhile hundreds of people are starving while we talk about this bill. I do not know their names, I do not know just where they live, but I am satisfied of that. This proposition to have commissioners appointed by the President and ratified by the Senate is not made, I fear, in the interest of facilitating the feeding of people in Europe or even in the interest of economy.

I think I have covered all the points that I intended to cover. Now, if I may yield to the Senator from Pennsylvania, I shall be very glad to right any injustice or make any explanation.

Mr. PENROSE. Mr. President, I shall claim the floor in my own right when the Senator is through.

Mr. HOLLIS. I yield the floor.

Mr. PENROSE. Mr. President, the Senator from New Hampshire has adopted an attitude toward the brief remarks I made which is only excusable on account of the fact that he has not been in the Senate for nearly half a year, and therefore can not be supposed to be in any close touch with the temper of the Senate or of the American people on many of these questions. He has been going as a tourist over the battle fields and through the ancient towns of Europe, and I hope has been enjoying himself while he has been on that visit. During that time, Mr. President, I have been in Washington every day, not missing a single day, working very hard from 9 or 10 o'clock in the morning until 6 or 7 o'clock in the evening, on the revenue bill and other measures, in committee and on the floor of the Senate; and it is only the Senator's ignorance, due to his absence, that

justifies him in making that slighting reference to the fact that I am only here for a few moments to-day.

I do not know whether the Senator considers a legitimate investigation, free from malice and prompted only by patriotism, as partaking of the qualities of poison gas or not. I do not know whether he views with any apprehension an investigation of that colossal scandal, the squandering of six or seven hundred millions of dollars in the aeroplane transaction. I do not know whether or not he would like to cover up that transaction and have the American people forget it. Is he afraid to turn on the light? Does he brand a legitimate investigation, free from malice and prompted only by patriotism and a desire to bring the guilty to justice, as partaking of the methods of those who use poison gas? I fear, Mr. President, if that is his view, he would like to suppress investigation of the $700,000,000 scandal in the aeroplane transaction.

The Senator may have heard when he was in Europe how Pittsburgh soldiers were ordered over the top and slain in battle, never having had a rifle in their hands until the morning when they were ordered to advance upon the enemy. Does he call an investigation, when those in power are able to make it, of the reason why those brave boys never shot a rifle in their lives until they walked up to slaughter, where the Germans killed three Americans to one of their own who fell. Does he call a legitimate investigation of that gross inefficiency of the War Department partaking of the methods of poison gas? If he does, I fear that he also wants to suppress any investigation of inefficiency which resulted in the delay of the war, its continuation, and the slaughter of thousands of Americans unnecessarily. I do not know what he means by his suggestion, but I, for one, know that when the Pittsburgh soldiers return to this country they will demand to know the reason why they were ordered over the top practically without rifles, because they had never shot a rifle until ordered to the charge.

Does the Senator wish to suppress, and brand it as partaking of the nature or the methods of poison gas, the investigation of the Ford ships, which every shipbuilder in America pronounces to be failures and hardly capable of keeping afloat upon the ocean, an investigation now being conducted by the Naval Affairs Committee? Does he brand that legitimate investigation, conducted under Democratic auspices, as partaking of the methods of poison gas? Perhaps he also wants to protect Mr. Ford in the questionable transactions involved in the construction of these vessels.

Does the Senator brand the investigation of Hog Island, with its extraordinary and colossal extravagance, and the very mysterious discrepancies between estimates and expenditures, running away into the millions, as partaking of the methods of those whose use poison gas, or does he want to suppress any investigation of the malefactors, if there be any, involved in the Hog Island transaction?

I do not know what the Senator means by branding investigations universally demanded by the American people, and as inevitable as the sunrise, as partaking of such methods, unless he secretly has friends to protect.

The Senator says this amendment is aimed to humiliate the President and to delay the relief of the sufferers in Europe. Mr. President, the President can send his nominations by wireless communication to the Senate to-morrow, and I have no doubt the nominations will be confirmed on the same day. I do not understand that any Senator is particular as to the personnel of the commission; but I only have in mind, as far as I am concerned, the desire to have the money spent in an orderly way by commissioners or other officials who will be responsible to Congress and within the reach of Congress. A hundred million dollars, Mr. President, is no little sum; and if the generosity of the American people prompts them to give it for the relief of the people in Europe, my only desire is to have it spent in a legal and an orderly way, and not by men who are half foreigners and who may never return to the United States.

It is no argument to my mind that any other commissioner than Mr. Hoover would not be selected as chairman of the international commission. Let them select whatever chairman they may desire, but let America's contribution be distributed on behalf of America by Americans and according to America's constitutional and legal methods.

Mr. HOLLIS. Mr. President, I see that I owe no apology whatever to the Senator from Pennsylvania. I rather owe him admiration, encomium, for his skill in the very form of attack to which I directed attention.

I have not tried to shield anybody. The Democratic administration has not tried to shield anybody. Mr. Hoover has been investigated. The airplane scandal, to which the Senator refers, has been investigated. The Hog Island Shipbuilding Co. has been investigated. Everything has been investigated; and it is one of the cruel things to one who returns from Europe, where America has been given very large credit for winning the great war, the greatest the world has ever seen, where American soldiers have proved their bravery on field after field, and have gone up against the guns not always as well supplied as I wish they had been.

There will not be any attempt to shield anyone. There has been no attempt to shield anyone. The various things that the Senator has mentioned have already been investigated, and adverse reports have been returned by Democrats in some of those cases.

Mr. NEW. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New Hampshire yield to the Senator from Indiana?

Mr. HOLLIS. I do.

Mr. NEW. The Senator from New Hampshire says that the aircraft matter has been investigated. True. I am reminded that certain recommendations were made by Mr. Hughes, for instance, who made that examination at the request of the President. Those recommendations made by Mr. Hughes included one that a court-martial should be instituted, and should make investigations involving the conduct of certain individuals. I should like to ask the Senator if it is not true not only that that court-martial never was instituted but that the persons referred to were pardoned in advance of hearings, or acquitted, at least, in advance of hearings, by the official action of the Secretary of War?

Mr. HOLLIS. I think part of what the Senator says may be true. I am not informed as to whether it is all true or not. A report was made by Mr. Hughes, a very distinguished Republican. Whether or not the Democratic administration saw fit to carry out all of those recommendations I do not know. I should not be surprised if they had seen fit not to carry out some of them. My reference was to the threat contained in the speech of the distinguished Senator from Pennsylvania that they wanted a man to spend this money in the United States who would be subject to a subpoena after the 4th day of March. I will say, for the benefit of those Senators who do not know it, that it looks as if the Republican Party will have control of both branches of the Congress after the 4th of March; and if they succeed in forcing an extra session they probably will go to investigating very thoroughly; and if they do, and if they achieve their object, America will lose a very large part of the credit she now has all over the world for performing a very large thing in a very large, creditable, and efficient way.

Mr. JOHNSON of California. Mr. President, my first reaction upon reading this bill was quite persuasive. To take from our store and feed the world's hungry, to alleviate distress and want, to succor those who were suffering, and generally to be the good Samaritan to all on earth, appealed to every instinct of charity and benevolence. But as the debate proceeded and explanations which did not explain were offered by those supporting the measure, and finally when we were told, as we were yesterday, with the same old warnings with which we became familiar during the war, that we must pass this bill because it was demanded, and dare not do otherwise because we were requested, it seemed to me that the position originally presented was somewhat modified. It seems as if now, after the war, the same old push-button methods of legislation, with the same old rubber-stamp approval by Congress, are to be invoked, just as they were invoked during the time of stress and the time of crisis in our country's history. And then, when yesterday I heard the statement of the Senator from Oklahoma [Mr. GORE], who presides over the Agricultural Committee, and when I heard that statement in unqualified terms tell some of the purposes of this bill as detailed in testimony before the Agricultural Committee, the sentimental aspect of the measure was changed, the tugging at my heartstrings by appeals to feed the hungry of the world ceased.

In order that I may preserve it and that I may reiterate it, I read what the Senator from Oklahoma yesterday solemnly declared upon this floor in respect to this measure. I know naught of the facts except such as then in open session were presented, but this is what he said:

> I may say that Mr. Taliaferro, who appeared before the Committee on Agriculture this morning, the vice president of the Hammond-Standish Packing House Co., of Detroit, stated that England has imported a great deal of salted meat, which was not grateful to the appetite of the English people; that they were now not willing to consume it and would not consume it; that it was the purpose to sell this salted meat to the people of southern Europe, to whom it was palatable and who use it. I think, in cooking vegetables; and that the English, by disposing of this surplus supply of salted meat on hand, would create a market in England for more palatable meat.
>
> He also stated that this $100,000,000, he understood, was to be used by Mr. Hoover in creating a market in Europe for packing-house products and stabilizing prices of packing-house products so as to protect the packers of this country against loss. That is the substance of what he said.

And then the Senator from Oklahoma put in the RECORD the testimony of Mr. Taliaferro, found at page 1746 of the RECORD, and to which I invite the attention of this body.

Mr. JONES of New Mexico. Mr. President——

The PRESIDENT pro tempore. Does the Senator from California yield to the Senator from New Mexico?

Mr. JOHNSON of California. I yield to the Senator.

Mr. JONES of New Mexico. The Senator has just referred to the assertion that Mr. Hoover is undertaking to protect the packing houses on account of the products which they have purchased and which they hope to supply to the European countries. I should like to inquire if the Senator has investigated the question as to the policy which has previously been adopted of increasing the food products of this country, and especially the meat products of this country?

Mr. JOHNSON of California. Mr. President, in reply to the Senator I will say I have read what was stated by the chairman of the Agricultural Committee upon the floor of the Senate yesterday. Beyond the facts that he related I have not investigated the subject, and I know nothing concerning it. I was reciting what he then related.

Mr. JONES of New Mexico. I think this is an illustration of the evil which comes from statements that are partly true. It is well known that in order to increase the pork products of this country a price for live hogs in the general market of the country was practically fixed by agreement, and that in order to enable the farmers of the country to increase the pork product at a reasonable cost and to increase the production of pork it was necessary to do that very thing. So the price of live pork was fixed at 17½ cents a pound, and that price yet prevails.

Mr. JOHNSON of California. Mr. President, I am perfectly willing to yield to the Senator for anything in the nature of a question, but I do not desire to yield for the presentation of an argument or a speech by the Senator.

Mr. JONES of New Mexico. Then I shall propound my question. If that be true, is it not wisdom for Mr. Hoover to undertake to maintain that price and to sell those products at that price and thus prevent any loss to the United States Treasury?

Mr. JOHNSON of California. If the Senator propounds to me a query as to whether or not it is a good thing to vote $100,000,000 under the pretense of relieving starving people for the purpose of increasing prices for packers, I answer him unqualifiedly no. If he challenges the facts related by the chairman of the Agricultural Committee, I must leave him and that chairman to determine just exactly what the truth of the situation may be. Yesterday it was stated upon this floor, and the remarks of the chairman of the Agricultural Committee were not challenged at all, and my remarks to-day related to exactly what he said then and nothing more.

Mr. President, during the war I voted for many things upon the theory that those in command said that they were necessary for the successful prosecution of the war. I was very glad to do that in every instance where the Commander in Chief thus conveyed his views to us, and I have no apology to make for having pursued that course during the prosecution of the war.

But, Mr. President, the war is ended, as the President has told us on three different occasions. No longer is it necessary upon the mere statement that something is desired to pass legislation without the usual safeguards and without the usual information; and, so far as I am concerned, I shall not, upon the mere ipse dixit of any official, no matter who he is, hereafter vote for legislation without a full disclosure of its purposes and of all the facts upon which it rests and a full knowledge of every detail concerning it.

Mr. President, in Europe to-day we are creating a multitude of small nations, the very names of which not five Members upon this floor had ever heard before we entered the war. To-day we are building Esthonia and Ukrainia and Lavonia and Lithuania and creating a new Poland and Finland, a Jugo-Slavia, and a Czecho-Slavia, a Syria, an Albania, a Montenegro, an Armenia, and various other nations, the props of all of which we are told are to be in the future American bayonets.

While building castles in the air in Europe, Mr. President, let us make firm the foundation of our house at home.

Mr. PENROSE. Mr. President——

Mr. JOHNSON of California. I yield to the Senator.

Mr. PENROSE. In the very interesting list the Senator from California gave, I regret very much that he made an omission, and in order that no feelings shall be hurt in international relations, I would suggest that he include the Sultan of Hejas.

Mr. JOHNSON of California. By accident I omitted that particularly interesting race, and doubtless others have escaped me.

Mr. PENROSE. That potentate ought not to be overlooked, because it might lead to an interruption in the amity of nations and the concert of humanity.

Mr. JOHNSON of California. Quite so. It will be necessary for us to maintain that nation—I dare not pronounce it—with American bayonets, too.

I suggest that while we are building these castles in the air in Europe we make our foundation at home firm. Must our whole thought, our whole energy—indeed, our great resources—from now be devoted to Europe and perhaps Asia?

I insist, Mr. President, that it is time for an American policy. It is time for an American policy, for American business, for America's social life, for America's economic life. It is time for an American policy for American boys and American soldiers.

On Saturday evening last I listened to the perfervid orations here in behalf of this bill, all of which made appeals to our sympathy, appeals to our charity, and appeals to our benevolence. While I was listening to the eloquent gentleman then speaking in behalf of this bill, I had before me a copy of the Washington Times of that evening which described 300 American soldiers in Boston, Mass., just discharged, marching down the streets of Boston to the office of the mayor of that city and begging for employment there. I recalled the press dispatch of that week from the city of Seattle where the miserable I. W. W.'s were engaged in a demonstration which was dispersed by the police, and where after the dispersing of that demonstration it was found that among the outcast I. W. W.'s were soldiers and sailors of the United States who were being fed by the I. W. W.'s, and who were without resources or money or food. I recalled that only a brief period ago Frank Morrison, of the American Federation of Labor, said that by May next we would have in this country bread lines.

As I recalled all these things during the debate upon this bill, and as I remembered that we were asked to pay $100,000,000 to those abroad who might require food, I thought of America at this time and of the cloud on the horizon which is perhaps no bigger than a hand to-day, the cloud of unemployment which may in the next few months swiftly engulf this country and present an issue such as never before has been brought to our door.

So it is, Mr. President, that I ask for an American policy. Before we start on this tremendous enterprise of feeding indefinitely, in a manner not described, upon facts which we do not know, all the peoples of Europe I would ask something that would provide for the men who made the fight abroad, the men who come home to be demobilized, and who in this country to-day after the struggle and after bearing the burden and making the sacrifice find themselves without employment.

Remember, Mr. President, we took the jobs of these men by force. We took them when they did not wish to go, by the inexorable draft law and by the strong arm of the Government. We took them forcibly from their very jobs, and now we leave them jobless after they have borne our burden and bravely done their part.

The peculiar psychology of war is still with it. We yet see red. Our intellects are absorbed and overwhelmed with battle fields and the countries wherein the strife has been fought or where it has been most intimately felt. We are apparently blind to passing events, to crying necessities in our midst. We have been afflicted so long with a mental farsightedness that we are unable to discern what is immediately before us. But unless we readjust our vision, unless we clearly perceive and hasten to remedy what appears with portent in our country, our people will pay the price of our remissness. To-day it may appear as but a small threatening cloud of unemployment, but with each passing day it is ever increasing, and were we wise we would prevent the breaking of the storm.

On January 10 we were told in the testimony before the Committee on Education and Labor of the Senate, by William E. Leiserson, chief of the Labor Department's administration bureau, and other witnesses, that unemployment in American industrial centers had steadily increased during the last four or five weeks because of the actual cessation of industry. "All industries are apparently holding off to await the trend of prices." L. K. Frank, of the Labor Department, stated: "Employers think labor prices should be reduced, but are afraid on account of unrest and strikes to cut wages. On the other hand, buyers are holding off purchasing, expecting price reduction. The effect is cumulative."

The Iron Age in a recent number puts it: "Consumer and producer are each settling down to a contest to tire out each other." In the steel and the iron trade, in the woolen and cotton mills, among the shoe manufacturers, as well as the copper industries, activity is slackening. When orders on the books are completed industry will slow down even more rapidly. Manufacturers and other users of raw materials will not purchase at present prices, fearing ruin if prices go lower.

Only a fraction of our armies have been demobilized. I listened yesterday to the astounding figures given by the Senator from South Dakota [Mr. JOHNSON] of the number of unemployed at present. With business shackled, with a taxation positively crippling it, with its timidity and fear of the future, we may well shudder at the possibilities of unemployment in the near future.

Can we not see these things, or has war set us upon the clouds, where with iridescent dreams we are dazzled with the brilliancy of the distant rainbow? The solution may be difficult, but we can at least make the immediate endeavor. And our first duty, our first appropriation, our sustained and united effort, should be devoted not to increasing by $100,000,000 the burdens of our business but by devoting every ounce and every dollar to relieving our own.

Mr. WEEKS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from California yield to the Senator from Massachusetts?

Mr. JOHNSON of California. I yield.

Mr. WEEKS. I call to the attention of the Senator from California that what he is now suggesting was attempted as long ago as last September, not as early as it should have been done, but a definite proposition was then introduced and submitted to the Senate and is now resting in the Committee on the Judiciary to provide work for the demobilized soldiers and the demobilized war workers.

Mr. JOHNSON of California. If there is a proposition which in its essence presents a solution of this difficult problem it should be on the floor of the Senate to-day, and the appropriation that is necessary to carry it into effect should be passed before we undertake to feed all the peoples of the world, or before we undertake to tax our own people in any definite fashion for a purpose that is not wholly disclosed, and concerning which the facts are lacking. Our business is entitled to nothing less than that, and duty and obligation demand from us that these men who across the sea have performed their task and done their duty shall be taken care of.

Mr. President, I repeat I want first an American policy for American boys and for the land in which we live, and when that policy shall have been adopted and shall have been passed and put in operation, I will join you in any appropriation that you want for anything in Esthonia and Lavonia. I will join you in any relief measures that you may desire for Lithuania and Finland. I will join you, then, in any act that you may think necesary for the future of the world or for aiding Poland or for aiding Ukraine or any other nation we expect to erect in the present peace conference.

But, Mr. President, the soldier who has looked into the muzzle of a machine gun must not be compelled to look into an empty dinner pail.

Mr. POINDEXTER obtained the floor.

Mr. HOLLIS. Will the Senator yield to me long enough to answer the query put to me?

Mr. POINDEXTER. I will conclude in a very short time, and give the Senator then an opportunity to answer it.

The PRESIDENT pro tempore. The Senator from Washington declines to yield.

Mr. POINDEXTER. Mr. President, a great many of the essential facts with which we are to deal in voting upon this bill have been illuminated by the debate which has just taken place. The uncertainty of the information as to the conditions in Europe upon which we are asked to vote out of the Treasury of the United States $100,000,000 I thought was illustrated by the remark of the Senator from New Hampshire [Mr. HOLLIS], who returned recently from Europe, occupying a position which is claimed by the advocates of this bill to be one of authority on account of the opportunities of observation which he has had, who tells us that he does not know where the people live who need food in Europe, but that he is satisfied there are such people somewhere. That is the extent of the information which we have from the Senator from New Hampshire, just from the countries which are supposed to be relieved by this bill.

Various purposes and grounds upon which this appropriation is asked have been stated. The distinguished Senator from California [Mr. JOHNSON] has just called attention, as I am glad he did, to the significance of the statement made on the floor of the Senate yesterday afternoon by the Senator from Oklahoma [Mr. GORE] as to the responsible testimony which was given before the Committee on Agriculture that the purpose of this appropriation is to stabilize the ment market. To corroborate the assertion of the witness before the Committee on Agriculture I wish to call another witness, a witness whose name has frequently been used in this debate, Mr. Hoover, as to the purposes which he has in view in asking and urging Congress to put into his hands to be expended in his discretion $100,000,000 of the public funds, not to be voluntarily contributed by the people, but to be appropriated by the Congress out of taxes to be collected from the people.

In a telegram which was inserted in the RECORD by the eminent Senator from Virginia [Mr. MARTIN] who has charge of this bill, and under whose chairmanship of the Committee on Appropriations it was favorably reported to the Senate, Mr. Hoover says as follows, as the telegram appears on page 1657 of the CONGRESSIONAL RECORD of January 18, 1919:

> I need not repeat that strong liberal relief is to-day the only hope of stemming the tide of Bolshevism without the expenditure of lives and vast sums for military action. While it is urgently necessary to dispose of our surplus foods in order to relieve congestion and protect the producers from disaster and the consequent chaotic results—

That is the purpose, as stated by Mr. Hoover. The Senator from New Hampshire [Mr. HOLLIS] added corroborative testimony a few moments ago when he said that it was a wise policy which would be subserved by the passage of this bill to expend this money buying American wheat and maintaining the wheat market before the wheat of Australia was put upon the market to lower the price.

Mr. HOLLIS. Mr. President——

Mr. POINDEXTER. Just a moment. The Senator from New Mexico [Mr. JONES] corroborated that view of the purpose of this appropriation in his statement upon the floor of the Senate a few moments ago—that it was a good policy for this country to use this money along the lines referred to by the witness cited by the Senator from Oklahoma [Mr. GORE] to maintain the market in hogs.

Mr. HOLLIS. Will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from New Hampshire?

Mr. POINDEXTER. I yield to the Senator from New Hampshire for a question.

Mr. HOLLIS. Did not the distinguished Senator understand me to say not that I believed the price of wheat should be maintained but that we should sell as much of it in Europe as we can while the present high prices continue? I wish to say I do not believe in maintaining the price of wheat. I do not think it should be done. It should come down as soon as possible, and the Government should stand the loss, which would come out of the taxpayers and not out of the consumers.

Mr. POINDEXTER. The Senator advocated the passage of this bill appropriating $100,000,000 in order to buy wheat, and stated it was a good policy to do that in order that the Government might be enabled to live up to the pledge which it had given of $2.26 a bushel. So he is advocating the appropriation out of the Public Treasury of the people's money in order to keep the people from losing money on the price of wheat. It is a good deal like the remedy for the shortage of fuel last winter when, in order to solve the problem of the shortage of fuel, the Government made an order that we should not use any fuel so far as the manufacturers were concerned.

Mr. HOLLIS. The argument was that we are not spending all the money. The proposition is that our associates over there will spend two or three times as much as we do, and therefore in that proportion it will be cheaper for us to sell as much wheat in Europe at present prices as long as we do not pay for it all.

Mr. POINDEXTER. So says the Senator from New Mexico [Mr. JONES]. He proposes, in order that we shall not lose anything in the United States on hogs, that we shall appropriate $100,000,000 out of the Public Treasury to buy hogs.

Mr. JONES of New Mexico. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from New Mexico?

Mr. POINDEXTER. I yield for a question.

Mr. JONES of New Mexico. I think the Senator misconstrued the purpose of my colloquy with the Senator from California [Mr. JOHNSON]. The Senator would undoubtedly have left the impression that this money was to be used for the purpose of aiding the packers of the country. I simply wanted to call attention to the fact that the prices which the packers have been receiving and are yet to receive have been fixed by previous conditions, and for the purpose of increasing the food products of the country, and it was not simply to maintain something which should follow in the future, but to meet a condition which is already existing by reason of previous action.

Mr. POINDEXTER. I can not yield for the Senator to discuss the question at length. I am very glad to have him correct any misapprehension which I may have had, but I think his

present statement is substantially the same as the one which he made before and which I quoted. He referred to present conditions of the meat market as affected by the price which the farmers had been encouraged to hope they would get for hogs, and urged in favor of this appropriation that it would tend toward maintaining at the prices which had heretofore been fixed the market price of hogs.

The Senator from Illinois [Mr. LEWIS] on yesterday argued very elaborately in support of this measure with his usual dramatic force, and one would have been deeply impressed with the weight of the conclusions which had been arrived at by such a distinguished Senator upon a matter of such great importance, if it were not for the rather strange circumstance that the distinguished Senator from Illinois has heretofore publicly announced in effect—I will quote his own words in a moment—that he is not guided in the recommendations which he makes upon the floor of the Senate nor the vote which he casts as a representative of the imperial State of Illinois by his conscience and his judgment, by the determination of whether a measure is wise or foolish, or whether it is right or wrong, but he is guided in these matters as a Senator of the United States by what the President wishes.

The Senator from Illinois took an oath at that desk to support the Constitution of the United States, and yet on October 17——

Mr. JONES of Washington. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to his colleague?

Mr. POINDEXTER. I do.

Mr. JONES of Washington. Has my colleague overlooked the fact that the Senator from Illinois stated sometime ago that the Constitution was obsolete?

Mr. POINDEXTER. I had overlooked that fact. I suppose the Constitution is obsolete in face of the fealty of the Senator from Illinois and his unfaltering attachment to the wishes of another man as determining his action in the high position which he occupies.

On the 17th of October last the Senator from Illinois not only declared that view as a rule of action but he introduced a resolution in the Senate in which he proposed that the Senate itself should be governed not by its conscience and its judgment and the Constitution of the United States, not by a determination to support some known and expressed views or principles or policy of the President, but that it should announce and resolve that it should be guided in the future by whatever course the President might request it to take. The language of the resolution is "whatever methods he may employ" the Senate indorses and approves; "and indorses such determination as he shall reach as to the manner best calculated to preserve the dignity of the Nation."

It is inevitable, in the face of that rule of action which the Senator from Illinois has announced, that the influence of his conclusions as announced upon the floor of the Senate should be somewhat weakened as compared with what they would be if they expressed his own personal judgment.

Various grounds have been given for this proposed legislation. The President says, in one of the telegrams which have been introduced into the RECORD, that it is to stop the march of Bolshevism; to quote his exact words, he says:

Bolshevism can not be stopped by force, but it can be stopped by food.

It has been asserted by some that the request for this enormous appropriation was not for charity, that it was not based upon an act of humanitarianism. In that they differ from the President as to the purposes and grounds upon which he asks that the appropriation be made. For, in addition to using food instead of force to check the march of Bolshevism, with its savagery and destruction, the President states that he wants primarily, first of all, to put it as a great humanitarian act.

I therefore request—

The President states in the telegram introduced by the Senator from Virginia [Mr. MARTIN]—

I therefore request that you should ask Congress to make available to me an immediate appropriation of $100,000,000 for the broad purpose of providing foodstuffs and other urgent supplies, for the transportation, distribution, and administration thereof to such populations in Europe outside of Germany as may be determined upon by me from time to time as necessary. I wish to appeal to the great sense of charity—

Not for the conduct of the war, not under the war powers of Congress, but as a great act of charity—

and good will of the American people toward the suffering and to place this act upon a primarily humanitarian basis of the first magnitude.

There is the ground and purpose as stated by the President, who is the official initiating this movement to appropriate this money.

The Senator from New Hampshire [Mr. HOLLIS] further illustrated that purpose in his statement a moment ago upon the floor that if he knew that there were starving people in Europe and there were surplus stores of wheat in the United States it would appeal to the impulses of his heart to relieve their need. That is a very noble impulse; that is an impulse which I am sure would be shared by every Member of this body and by practically the entire American people, that they should feel that those who are suffering for the primary necessities of life should find relief. The President's idealism, his appeal that this appropriation should be put primarily upon the great basis of a humanitarian act is creditable to him, but let me call the attention of the Senator from New Hampshire and of the Senate to this, which seems to me ought to be one of the fundamental considerations in an act of charity, of the giving of money, that one should be careful to gratify his charitable impulses from his own funds and not from somebody else's pocket. I do not think that the Senator from New Hampshire nor myself, nor even the President of the United States, ought to be given authority to gratify our feelings of pity out of funds to which we paid but a small, if any, contribution, but which were raised by levying burdens upon the masses of the people.

If a man occupies a position of trust, he is prohibited under the law and in all good policy from dealing as trustee with himself in his individual right. The reason of that is that, of course, he would not have the same interest in the preservation of property and of money belonging to somebody else that he would have in the preservation of his own; that however honest he might deem himself to be, his discretion and judgment as trustee would be overcome by his personal interest. So it is that the powers of government are limited to those which are provided in the Constitution and the laws, and there is no right nor jurisdiction in the President nor in the Senate to go outside of the Constitution in order to do charity throughout the world, for they are dealing with funds which do not belong to those officials, but which belong to the people. You have got no right to take them out of the Treasury for the purposes stated by the Senator from New Hampshire, by the Senator from New Mexico, by the President, or by Mr. Hoover, either to stabilize the wheat market or to do an act of charity to some unknown people, as to whom the Senator from New Hampshire says he does not know where they live.

Mr. President, this is not the first occasion when I have seen officials in high places attempting to gratify their principles of generosity at the expense of somebody else. The Government is a trustee. In our capacity here as Senators we are acting as trustees of the public funds. A few years ago the President came before Congress and asked us to do a great act of generosity. How? Not by contributing anything from his or from our estates, but by surrendering to the other nations of the world the special privileges which the American people owned in a great public work they had constructed at their own expense and for their own benefit—the Panama Canal. He urged us then, regardless of obligations but in a spirit of generosity, to be liberal in the grant of the public favor.

We did not have any right to do that. We had no right to dispose of a material interest of the American people in order to be generous to the foreign nations of the world. The Panama Canal belonged to the American people, and while the President succeeded under the spirit of subserviency similar to that which was expressed in the resolution which I read of the Senator from Illinois, in having the act repealed that had been placed upon the statute books exempting American vessels from paying tolls in the Panama Canal, I want to say that it is still an issue, and that the American people yet will reclaim the right to the use of the Panama Canal to the fullest extent of which it is capable of being used for the special benefit of the American people, who constructed it and who own it.

It is not very long, Mr. President, since the proposition was made to Congress that we should reach into the Public Treasury, take out $25,000,000, and pay it to the Republic of Colombia, in order to secure the friendship of that country. The argument was then made upon the floor of the Senate that if we did not do it they would not be our friends. It was an effort to buy the good will of a people.

At about the same time we had a measure here to surrender the Philippine Islands, because some other nation might make trouble with us about the Philippine Islands if we did not surrender them. It is a very easy way, of course, to dispose of trouble, to yield to all demands and to surrender territories which have been attached to us through a generation of close and intimate relationship, but if we should continue that way of settling our troubles, by giving up one interest to this nation and another interest to that nation, appropriating $25,000,000

here and $100,000,000 there, in order that we might in that way avoid trouble, ultimately we would get to a point where the United States would have nothing left, and there would be no interest or property about which any trouble could arise.

We are much more apt to avoid trouble, much more apt to maintain the respect and good will of the people of the world if we maintain our own self-respect. The greatest act of humanitarianism that the American Government can do for the people of the world is to maintain the power, the sovereignty, the prosperity, and the opportunity of the American Republic.

I am opposed, Mr. President, to this $100,000,000 appropriation to relieve indiscriminate, unknown, and undesignated populations of Europe. It is simply another step in the policy of involvement and entanglement in the racial difficulties and petty disputes with which Europe for a thousand years has been wrecked, and with which the leading nations of Europe are better fitted to deal than we, far remote as our country is from the scene of those troubles.

We have great allies in Europe; they are our allies, or ought to be, however much the President may insist upon calling them merely "associates." They are allies in fact; they are allies in the affections of their several peoples; they are allies by common sacrifices for a common purpose in maintaining the liberty of the world. England and France are intelligent, their Governments are as well informed of conditions in Europe as we are, and instead of the United States undertaking to cross the Atlantic Ocean and to assume control, the hegemony and the leadership, in European and Asiatic affairs the proper policy of this Government should be to say to those great, intelligent, benign, civilized allies, "We will follow your leadership in European affairs"; and then they will follow ours in American affairs.

Mr. President, in all the debate that has taken place upon this bill there has not been presented here any request from France or Great Britain that we should contribute to this fund. If they want it they would ask for it. I have information from our soldiers who have entered Germany and are now occupying castles and fortresses on the Rhine, that they have found conditions in Germany far superior to those in France and Belgium. Yet, Mr. President, I wish to assert upon my own responsibility that one of the purposes for which this $100,000,000 is asked is the relief not of Russia nor of Poland but of Germany.

I say nothing in criticism of Mr. Hoover, because it really has no bearing upon the decision of this question; it is simply dragging in an irrelevant matter, which would necessarily complicate the issue. I am not saying whether he was right or whether he was wrong, but the Senate is entitled to know the facts before it acts upon a matter which is great in the amount of money involved and still greater in the policies to which it will commit the United States, and the increased obligations which will be fastened upon us in the administration of the expenditure of this money. When Mr. Hoover, under whom the money is to be spent, left the United States, the one obsession that he had was to get food into Germany. The President in effect announced that policy publicly not long ago, when his statement appeared in the newspapers that Germany would not get food unless she maintained order. That is equivalent to saying that upon certain conditions we would feed Germany.

This bill has been amended and guarded ostensibly to prevent any of the food to be purchased with this $100,000,000 from going into Germany; but those provisions, Mr. President, amount to no more than the ink upon the paper so far as preventing the sending of this food to Germany is concerned, if the President and Mr. Hoover intend to carry out the determination which they both had when they sailed for Europe.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER (Mr. HENDERSON in the chair). Does the Senator from Washington yield to the Senator from North Dakota?

Mr. POINDEXTER. I yield.

Mr. GRONNA. I gather the impression that it is the Senator's understanding that this $100,000,000 will be used for the purchase of food to be given to the people of Europe. If the Senator will allow me, I have a different understanding than that. I will say to the Senator that we had a witness before our committee this morning who stated that he was a member of the commission that went to Europe, that he was in all the conferences with Mr. Hoover and Mr. Hurley and with the allies, and that it was Mr. Hoover's idea that this money should be used in purchasing food to be sold for cash. But the Senator is correct in assuming that it would be sold not only to the allied but also to the enemy countries. The witness was asked specifically as to what the understanding was as to Mr. Hoover, Mr. Hurley, and the allies, and he stated very plainly—and I think the Senator from Iowa [Mr. KENYON] will bear me out in this statement—that it was thought the best way to stop anarchy and Bolshevism, even in the enemy countries—and Germany was mentioned—was to permit food to go into those countries.

Mr. POINDEXTER. I am very much obliged to the Senator for that suggestion. It was stated by persons in authority in connection with this matter some time ago, when it was first suggested that it might be necessary. It seemed at that time to be a far-fetched proposition, as to hope of accomplishment, to ask Congress to appropriate money to feed Germany, in view of the records of the last four years. It was stated at that time that if these parties were enabled to get food into contiguous countries, such as Holland, Sweden, and Switzerland, then the getting of it into Germany would take care of itself. That is one way by which the limitations placed upon this bill can easily be, and undoubtedly will be, avoided. Another way by which these limitations can be, and undoubtedly will be, rendered entirely nugatory is to comply literally with the prohibition against shipping any food purchased with this money into Germany; but, of course, the food purchased with this money will take the place of an equal amount of food already in Europe, which can be shipped into Germany and this food put in its place. That is a well-known expedient which was used by neutral countries during the early part of the war, who were supplying Germany with a great amount of foodstuffs while literally complying with the terms of the British blockade.

Mr. President, knowing those circumstances, knowing the President's determination—and those who know the President know that the word "determination" is a good word to use, because when he has arrived at a conclusion he is set in his opinion—knowing that he proposed—and I have no reason to believe that he has changed his mind—notwithstanding the objection of some, to see that Germany is fed, I am opposed to that, and consequently I am opposed to this bill.

I recollect that when Germany occupied Belgium and was under the obligation of every belligerent which occupies a conquered country in war to feed the conquered people, Germany not only did not feed Belgium, but when the generous people of the United States, coming to their relief, not out of the Public Treasury, but out of donations to the Belgian relief fund and through the Red Cross, sent food to that population which Germany evidently was endeavoring to exterminate, Germany even went to the extent of sinking the relief ships to prevent the population of Belgium from being relieved, and submitted them to the torture of slow starvation, of deportation of their men and women into Germany, where, though starving, they were overworked, so that the most of them never returned to their native country, Germany evidently having the purpose, perhaps never before conceived by the government of a supposedly civilized nation, to exterminate a whole people. That we now, without any more knowledge than we have as to the exigencies of the German population, should appropriate money, which we have no constitutional authority to appropriate, and which, according to all the evidence we have, is going into Germany, it seems to me ought not to receive the support of any considerable number of Senators.

Mr. President, I am in favor of the United States living up to its obligations in this war to the last letter. We should see that this war is properly finished; we should maintain in Europe some troops—I do not think it will require many—until the peace terms are agreed upon and the readjustment is effected. That consummation should be accomplished as early as possible, and, when it is accomplished, we should withdraw our troops from Europe and leave Europe to itself. The policy of this Government should be to extricate itself as rapidly as possible from the problems with which it has to deal growing out of this war. Our soldiers have performed their function. They have played their part in winning the war. They want to come home, and they ought to be allowed to come home just as fast as they can be transported.

To say, Mr. President, that we should set up a certain boundary line between Italy and Jugo-Slavonia or a certain boundary for Poland, giving Poland access to the sea—with all of which I sympathize and for which I am willing to vote so far as the making of terms of peace is concerned—but to say that, after that has been accomplished and the various nationalities of the Balkans have been redistributed under governments which are to grow out of the peace conference, the United States is going to guarantee those conditions to remain there permanently, and is to be called upon from year to year to send troops to Europe to see that the conditions that are established by the peace conference are maintained, is a false policy and one which would menace the perpetuity of our institutions.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Utah?

Mr. POINDEXTER. I yield to the Senator from Utah.

Mr. KING. Has anything authoritative come from our representatives at the peace conference indicative of a purpose upon their part so to pledge the future of the United States—that is, commit it to a policy that would compel this Nation to guarantee the territorial integrity of nations that may be set up as the result of the breaking up of central Europe?

Mr. POINDEXTER. I have not seen any declaration on that subject from Col. House, who seems to be the chief mentor in such matters; and, as a matter of fact, I have not seen any declaration as to the views of any member of our peace delegation, except the President of the United States; and the President of the United States in times past, whatever interpretation may be given to his most recent utterances on the subject of a league of nations, has declared in favor of a league of nations with jurisdiction and with physical power to enforce peace all over the world—in Europe, in Asia, and in Africa.

Mr. KING. If the Senator will pardon me, I do not think the language uttered by the President is susceptible of the broad construction which has just been placed upon it by the Senator from Washington.

Mr. POINDEXTER. The President, I know, used the word "power." He said it should be a league with power to enforce its decrees.

Mr. KING. But I was about to inquire of the Senator if it is not his desire, and the desire of the American people generally, as well as the Christian people generally throughout the world, that so far as possible some agreement or some understanding may be reached that will minimize the chances of war in the future and provide some arbitral tribunal by which at least justiciable controversies may be settled?

Mr. POINDEXTER. Oh, yes; I think so; but that is an utterly different proposition from a league of nations to enforce peace as proposed by Mr. Taft and his society. I hope at some future time, if it should be pertinent, to discuss at greater length that question and the great organizations which are promoting leagues of so-called independent nations. I noticed the other day a full-page advertisement in a paper in this city, signed by a very curious variety of people, ranging all the way from great New York international bankers to Chicago settlement workers, excellent ladies like Miss Jane Addams and Miss Julia Lathrop, who have been largely engaged in and devoted to the useful work of looking after poor children, now engaged in framing and publishing authoritatively a constitution of government for the world. They, along with Mr. Jacob H. Schiff, Mr. Norman Hapgood, and others, not only say that this government of the world should have an army and a navy, but that it should have a legislature, and that in its fundamentals it should occupy toward the nations of the world the situation which the Federal Union occupies toward the States of the United States. The Senator need not deceive himself. Back of this phrase, "the league of nations to enforce peace," there is, in the minds of its advocates, the surrender of the sovereignty of this country.

Mr. KING. Mr. President, in our own country for many years, and particularly since the days of William Ladd in 1842, there have been many very eminent men and women who have earnestly advocated the plan of a league of nations. I have no doubt that ex-President Taft and a large number of people in this country to-day are very anxious to have a league of nations organized. In this class are men like Prof. Minor, who has recently written a very interesting book upon this subject. He seems to be in favor of a supernation, a nation with a constitution which is formed as a result of the delegation of sovereign power by other nations.

What I was about to say, however, was this: I do not think the Senator is warranted in stating that President Wilson or any of the peace representatives of this country are committed to any plan or have advocated any plan calling for the abdication or the surrender by this Government of any of the rights of sovereignty. I do not believe that the American people would be willing to have this Nation surrender these sovereign powers which are essential to constitute it a nation, among them being the power to declare war and to make peace, and submit to a league of nations the question of determining what the Monroe doctrine is and how it shall be enforced or questions affecting its honor and affecting territorial integrity. But that President Wilson and other men and women in this country who are thinking along the lines of progress and civilization desire, if possible, the formulation of some plan that will minimize the possibilities of war in the future we must concede; and to that extent we must applaud them, and applaud any sincere effort——

Mr. POINDEXTER. I can not yield to the Senator for an extended address.

Mr. KING. I am through with what I rose to interrogate the Senator about. I only wish to say that we must applaud them for those efforts and wish them Godspeed in their attempts to establish peace and prevent the recurrence of wars.

Mr. POINDEXTER. I do not applaud the President in his efforts to form a supergovernment of the world, which he undoubtedly has proposed. I agree with the Senator from Utah that he has announced no detailed plan, and that is one of the remarkable features of his attitude. He draws outlines only. I notice that when he reached Paris it was reported, and very plausibly stated—whether it was true or not, it might have been true—that Mr. Georges Clemenceau, the French premier, asked him for his plan, what kind of a league of nations this was—I am just paraphrasing the language—that he had been advocating so long, and the President said he did not have any; and you can imagine the surprise of the French premier at the President's answer, and yet that undoubtedly is true. It is characteristic of the President not to have plans but to indulge in generalities.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from North Dakota?

Mr. POINDEXTER. I yield to the Senator from North Dakota.

Mr. McCUMBER. Just before the interruption by the Senator from Utah, the Senator from Washington was discussing what I consider a very vital question in connection with this agreement, and I am impelled to ask this question from the conclusions that he seemed to draw from his discussion. It is this:

The Senator says that he would approve of a treaty that should provide for the construction of new nations of the Jugo-Slavs and the Czecho-Slovaks and the Poles, this barrier around Germany, but that he does not approve of any policy on the part of this Government of sending its soldiers there to sustain those governments after they have been created. Without some one sustaining them, I should like to ask the Senator how long he believes that Poland would last against the aggressions of a new Germany or a reborn Russia? How will you defend them after you have placed them on their feet unless you do it with the armies of the nations that put them on their feet? And how can we avoid our share of sustaining them, for at least a reasonable length of time, together with our allies?

Mr. POINDEXTER. Mr. President, the question of the Senator from North Dakota presents very succinctly the problem of our future relations with Europe. I infer from the Senator's question that his opinion is that when we have established an independent Poland—which I think ought to be established in this peace conference, because it could not stand alone against the aggressions, perhaps, of either Russia or Germany, those who have partitioned it and committed this governmental and international crime of the ages, the partitioning of a nation as you would carve a turkey upon the table, because it could not stand alone against those same powers that had rended it in three parts in the years gone by—he would have the United States send its Army and its Navy to Europe to maintain the independence of Poland.

If he asks me if I am in favor of that, I say no; I am not in favor of it, and I say no, whether independent Poland, however desirable it may be, and however the American people may love liberty, lasts but one year or for a hundred years. The United States can do more for Poland and for the world by preserving our liberties, our peculiar ideals and traditions upon this continent, affording a refuge in the future as we have in the past for the Poles and for others, with such restrictions as the times may call for upon immigration, than we can by involving ourselves in perpetual war in the name of peace. That is what it would be.

Man, whether in a league of nations or whether under the principles of nationality, is in a natural state of war. We are warring here in our several communities constantly. We go out with force every day and arrest some man who is making war on his neighbor and punish him for it. The very terms which the advocates of this league of nations use imply going to war when necessary. The distinguished Senator from Mississippi [Mr. WILLIAMS], who sits by me, is one of the most convincing advocates of such a league; and it has surprised me, knowing the traditions under which he has been bred and his devotion to the principles of national self-government, and the independence and liberty of this country, and his descent from revolutionary stock. For when he proposes that there shall be a league of nations with military power to enforce peace, the enforcement of peace with military power is war.

Mr. McCUMBER. Mr. President, the Senator thinks, then, that these children, these new nations created by our allies

and ourselves through a formal declaration that was made more than a year ago, and approved by this country, should, the moment they are placed upon their feet, be left as you would leave a child at the den of a tiger, to be devoured——

Mr. POINDEXTER. Not at all.

Mr. McCUMBER. Without protection, without a determination to make good our declaration that these nations should exist?

Mr. POINDEXTER. Not at all.

Mr. McCUMBER. How can we possibly escape our duty to perform our part in maintaining the territorial and sovereign integrity of those nations at least until such time as they can stand upon their own feet?

Mr. POINDEXTER. I think I can answer the Senator's question. I would not leave such a nation to be a prey to these enemies on all sides. What I said was that I would not favor the United States sending its Army and its Navy there to maintain its independence. But we are dealing not with the Continent of Europe but with the world. The policy for the United States should be to say to our great allies in Europe: "As to Europe, we follow your leadership. We will give you our moral support, as we have given you our material support in this great war. We have done some part, at least, in the great achievement of preserving liberty; but we will leave to you—to England, to France, to Italy—the duty of policing Europe. We will perform the duty, under the Monroe doctrine, of preserving peace in the New World."

Why should the United States, one of the youngest of the nations, undertake to assume the leadership in preserving peace and establishing the conditions of the Old World as well as of the New World? Do you not think we will have done our part if we take care of this great hemisphere and see that there are maintained here law, order, liberty, and opportunity? Is not that enough? What more can you expect us to do?

Mr. President, I have a strong suspicion, which amounts to a belief, that the great powers of Europe allied with us in the maintenance of civilization, our allies in this war, not only are not anxious for us to attempt to share in the affairs of Europe, certainly not that we should undertake to dominate those affairs, but that they resent it. I think, if I may be bold enough to say so, that America has not exhibited a high order of diplomacy in Paris. I think we have offended the refined sensibilities of those highly intelligent and polished people. We have offended them by making appeals to political parties in their country, as we would be offended if Lloyd George or Clemenceau should come to the United States and take up with our Government the question of restoring order and security in Mexico, and if, because the Government of the United States did not agree with them as to the policies which they proposed, they should go out over the country and take it up over the heads of the Government with the American people. If they did that, we would resent it. They resent what we have done; and it has created underneath the surface a breach between those allies whose greatest purpose should be to draw closer together in friendship and amity and for the salvation of the world.

Talk about a league of nations! We have to-day, or could have if we would cultivate it, such a league of nations that has accomplished the greatest enforcement of peace that the President has ever dreamed of. They enforced peace against the armed hordes of Germany. They enforced peace against the greatest military power that was ever organized since the sun began to make its circles in the universe. We ought to cherish not a league but an entente; not a supergovernment but a friendly comity of nations based—as a distinguished British author said in this city in a speech which I had the privilege of hearing a few weeks ago—upon nothing more than common sense and good will.

Can we not act with common sense in our dealings with our allies, to abandon a little of the abstract and adopt a little more of the concrete, to get down from the general and place our feet upon the specific? Can we not cultivate in our dealings with our allies good will—nay, more, affection? I do not think there is a tie between man and woman that is stronger or sweeter than the love that the soldier feels for his comrades at the front, fighting a common enemy, sharing in the hardships of the trenches, in the dangers of the battle. That is the affection which has existed, and which, if we exercise common sense and good will, will continue to exist between the great Anglo-Saxon confederation and their friend who upheld civilization for a thousand years with the beacon light of leadership—the great French nation—and also Italy, the mother of modern culture. What more league of nations do you want than that? When we have at our feet priceless jewels that have proven their worth why should we go wandering off across the world looking for a pot of gold at the foot of the rainbow, chasing dreams? Why should we seek other league of nations when we have the best and bravest league of nations that the world has ever seen and which we are likely to cast away in seeking for something unreal?

Mr. President, I did not expect to speak on these subjects in saying what I had to say in opposition to this bill, misnamed an appropriation bill. It ought to be called a misappropriation bill—a bill for the misappropriation of $100,000,000. So long as I have been diverted to this subject I may say a word with reference to the duty and the wisdom of cherishing as something precious the good will of France, Italy, Great Britain, and the United States for each other and of avoiding an estrangement between them. The blessings to mankind that came from the vision of Patrick Henry, the first great leader in the movement for independence, from the achievements of Washington and his mighty colaborers in the cause of liberty, the free institutions and equal opportunities of America, impose a special responsibility upon those to whom in this generation they have been committed.

Even before our peace delegation arrived in France there were sent out statements that "if England did not do so and so," with a tone of swagger and threat, "we would do so and so." The English papers printed and commented upon it with such restraint as their politeness impelled them to exercise. It was stated that if England would not agree to the "freedom of the seas" we would build a Navy bigger than England's—a swashbuckling proposition at the same time that we were advocating disarmament. The inconsistency of this attitude is immaterial to the purpose for which I mention it. Disarmament and a Navy greater than England's! I will pass that by. But what I regret, and what the American people ought to feel sorry for, is the effort to create a military rivalry, or at least that which tends to create bad feeling, between ourselves and our great ally, whose navy and army have saved us from the aggressions and the despotism of Germany.

In the testimony before the Naval Affairs Committee of the House this same sort of diplomacy was manifested, where it was plainly intimated by authoritative witnesses that this proposition for a paper Navy was to aid the President in meeting the objections of England to his policy of so-called "freedom of the seas." I say "paper" Navy, because it is beyond our means of construction in the time mentioned for the program. It could only be interpreted as a threat and not as a practical proposition, especially as we are even behind in actual construction of the authorizations already made. Instead of seeking ideal and universal leagues, it would be better diplomacy to cultivate the existing league of friendship and affection with France and Great Britain.

We do not know just what is going on in Europe, Mr. President. My own opinion is, and I think, at heart, it is shared by the leaders of the party in power in the Senate, if they would assert their personal convictions, that we should proceed as rapidly as we can not only to demobilize the Army but to demobilize the civil structure which we have built up for war purposes. The Committee on Public Information and its army of censors should be demobilized as quickly as possible. The Shipping Board, as to many of its activities, should be reduced to a peace basis at once.

The other day, when the French Government asked permits for contracts for 2,000,000 tons of ships in American shipyards, the Shipping Board refused to allow American shipyards to take that business, thus turning away one of the most desirable industries in the world—one of the most beneficial employments at a time when we needed work for idle men. Mr. Hurley, on his mission to France, declared that shipyards in America would not be allowed to accept contracts for France, when the true policy of this Government should be to welcome employment for our men and opportunity to reestablish on a permanent basis the great shipbuilding industry, in which we once excelled, as an essential accessory of a mercantile marine and of the great Navy which our far-flung interests, east and west, will require.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Missouri?

Mr. POINDEXTER. I yield to the Senator.

Mr. REED. If the statement made by the Senator from Washington is correct, and, of course, he believes it to be correct, and I do not challenge it, because I saw something of a similar nature in the papers——

Mr. POINDEXTER. If the Senator will allow me, I have in my desk an official report of the Shipping Board containing it.

Mr. REED. If that is the case, and it must be the case after the statement of the Senator, it seems to me that much of

the complaint of the Senator from California [Mr. JOHNSON] about the unemployment of men might be met by taking the leading strings off of business so far as they have been applied. I can not see why we should have men seeking employment and at the same time have men refusing to allow the shipyards of America to build ships. It seems to me the Senator has mentioned a point which is worthy of very great consideration.

Mr. POINDEXTER. Mr. President, it is entirely incidental, but here is the report contained in Senate Document No. 334, of this Congress, this session, dated January 9, 1919:

War-time restrictions upon construction of wooden ships in American yards for foreign account were removed by the Shipping Board on December 6, 1918.

I will say, incidentally, that before that restriction was removed—note that the date on which it was removed was December 6—thirty-five million dollars' worth of business in the construction of wood ships, refused a permit in the United States, went to Canada. Now, as to steel ships, in corroboration of the assertion I made:

Second. On the same day war-time restrictions upon the construction of steel ships in American yards for domestic account were removed, but the restrictions upon such construction for foreign account have not been removed.

The authoritative information which I have is that France is willing to place contracts for 2,000,000 tons of steel ships in American yards if the Shipping Board, which we have maintained at so much expense, will allow them to do so. As a primary step in reconstruction we should at once take from the Shipping Board all capacity to inflict such industrial injury upon us.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to his colleague?

Mr. POINDEXTER. I yield.

Mr. JONES of Washington. The Senator has anticipated in a way some remarks I had prepared to submit to the Senate in a day or two. I think it very opportune, however, in connection with what he has said for me to call attention to the real reason why our shipyards have not been open to the construction of steel ships on foreign account. The Shipping Board give the reason for it in their report on a resolution which I introduced, and I desire to bring it out very clearly. The Shipping Board, that is, the members of the Shipping Board who are here, are in favor of removing this restriction. They are in favor of allowing persons to build steel ships for foreign account in this country without getting permits from the Shipping Board. This is made clear in a letter sent to the Committee on Commerce a day or two ago by the acting chairman of this board in reporting upon the bill which I introduced to permit the construction of these ships without getting such permits. The letter is signed by John A. Donald, the acting chairman of the Shipping Board, and this is what he says:

I may say that ever since the signing of the armistice the board has been constantly giving its interested attention to the subject fixed upon by this bill. Those of us who are here are quite firmly of the conviction that permission should be granted to American yards for the construction therein of vessels for approved foreign account.

Then he goes on to say, showing why the board can not do what he thinks ought to be done:

On the same day war-time restrictions upon the construction of steel ships in American yards for domestic account were removed, but the restriction upon such construction for foreign account has not been removed. This restriction remains in force temporarily by direction of the President, whose delegate the Shipping Board is in the exercise of his authority.

Mr. POINDEXTER. I thank the Senator for that information. That policy, from a standpoint of business ability, is equal to the strategy of the Shipping Board in solving the question of the high cost of ships by striking off their books $1,250,000,000 of cost. That is one of the most masterly financial achievements I have ever known.

Mr. President, I started to say that I am in favor of demobilizing as rapidly as possible this vast structure of war power—the National Council of Defense, the War Trade Board, the War Industries Board, the Committee on Public Information, the censorship, the Food Commission, the Fuel Commission, the Railroad, Cable, Telephone, and Telegraph Administrations, and the repeal of the Overman bill. All need for that vast war structure has passed.

The other day I received a letter from a constituent in Spokane inclosing a request that came from the Committee on Public Information, asking for subscription to the Official Bulletin. There should be no official gazette in the United States. Publishing a newspaper is no proper function of the Government in time of peace. The inevitable tendency of such a bulletin is to bolster up its employers, who are the administration in power.

We do not know the situation in Europe to-day because of the censorship. The United States ought to be contributing its influence in the situation toward the dissemination of news, toward the spreading of light, not toward its suppression. And yet a part of the American equipment is an elaborate censorship.

The discussion which has taken place in the Senate to-day illustrates the evils of that sort of suppression of information. We do not know where the populations are, as the Senator from New Hampshire [Mr. HOLLIS] admits, that will be relieved by this $100,000,000. Yet I find, Mr. President, a publication under date of January 17, which bears every evidence of reliability and accuracy, that indicates to some extent the proposition which I stated a moment ago, that directly or indirectly food which would be released, whether that which is purchased or that which is substituted for it, under this appropriation is going to Germany. The American people will not approve—after the losses which they have suffered and the sacrifices which they have made, in a war which was wantonly forced upon them, a war which was deliberately launched upon the world by Germany, which is in a better condition to-day than any other country in Europe—the imposition of this tax to give more food to the German people, who had no sympathy for the starving children of Belgium:

STOCKHOLM, SWEDEN, *January 17.*

Ira Nelson Morris, American minister to Sweden, has just received a cable from Herbert C. Hoover in Paris that is likely to cause the shipment of food to be distributed among the sick and poor in Germany soon. Just before Christmas Prince Carl asked Mr. Morris, on behalf of the Swedish Red Cross, if permission could be obtained for the Swedish Red Cross to take food into Germany. Assent, on conditions that probably will be accepted, is now given.

The cable reads:

"If the Swedish Red Cross desires to purchase foodstuffs for distribution in Germany, particularly pork—

You see, they are arranging to keep up the market for pork, of which the Senator from New Mexico [Mr. JONES] spoke—

we can arrange to sell them a quantity of meat and cereals at once from the stocks we are shipping in bond to Holland, and will take steps to secure a relaxation of the restrictions.—Hoover."

It was some six weeks or two months ago that I received the information that food was to be gotten into Germany by sending it into neutral countries surrounding Germany. This dispatch of January 17 bears out that information and shows that the purpose is being accomplished.

I have looked all through the Constitution of the United States to see if I could find there any authority for this appropriation. There is not in the Constitution any authority to appropriate money for a humanitarian purpose in Europe. The people of Europe are not as bad off as might be thought from the impassioned appeals we hear for their relief; but even if they were, let those who seek to relieve their wants relieve them from their own pockets and not from somebody else's pockets. There are a great many people in this country who might not want to contribute money out of their hard earnings for charity in Europe.

I ask, Senators, as trustees of the American people, do you want to compel them to do it? It is the same as compulsion by force of arms, because ultimately it is a gun that is behind the act. The Army and Navy, the militia, and the marshals of the United States are behind the enforcement of this bill, if we pass it, to take from our people $100,000,000 and bestow it for charity in Europe. We have not any authority to do that.

The only legal ground upon which it has been placed is the claim that it is a war power. I do not think it is fair to ourselves to make any such excuse as that. We know it is not for the prosecution of the war. We know that there is no menace of actual war against us in Europe, nor prospect of any, and that a mere nominal state of war exists.

The President says you can not stop Bolshevism by force, but you can stop it by food. On the contrary, it is probable that it can only be stopped by force; but the United States is under no obligation and has no authority to suppress internal Bolshevism in Europe. The Bolsheviki are madmen and they will destroy food, as it is their declared purpose to destroy other forms of property, as well as life itself. They are engaged in an orgy of loot and rapine, and in Russia, at least, will soon subside from their exhaustion and many of them will perish in their own destruction. The Bolshevists have announced that they purpose not to feed the people of Poland but to exterminate them.

Some Bolshevists got into the American Army and refused to obey military orders, and when put in the guardhouse went on a hunger strike. They were not seeking food nor was their Bolshevism due to lack of food. It was mere natural depravity and pro-Germanism masquerading in the guise of pacifism.

You can not stop Bolshevists with food. I think the President is mistaken when he says you can not stop them by force. Bolshevists believe in force and respect it. That is the only thing they do believe in or respect. They are direct actionists.

Bolshevists have made war in the United States not only by sabotage but by undertaking to defeat the administration of law. There is a man in jail in San Francisco now who goes by the name of Mooney. He was convicted in due process of law of placing a suit case filled with dynamite at the corner of a street while a preparedness parade was passing, with a timed fuse that exploded the dynamite at a certain moment. It killed 10 people and grievously wounded thirty-odd others. He was defended in court by able counsel. A committee, which was appointed by the President of the United States, composed very largely of men connected with labor unions and so not prejudiced against labor, investigated the case, and in a report which I read in part to the Senate on a previous occasion reported that this man was what I interpret to be a professional murderer; that is, they reported that he believed in direct action, which means dynamite, destruction, force, for the settlement of political questions.

The Bolshevists, for whose relief we propose to appropriate $100,000,000, have made an attack upon the processes of the courts of California, and the President, just as he did when he asked us to give up our rights in the Panama Canal to aid him in the adjustment of our foreign relations, asked the governor of California to set aside the decrees of the courts of that State and grant a new trial to this professional murderer because of a foreign agitation and demand made by the Bolshevists of Russia.

As I said before, if we yield to them, and continue to yield to that sort of demand, we will have in the course of time no law, no order, no canal, no property, no security, no opportunity, no liberty in the United States.

Mr. President, strange as it may seem, a section of the Constitution is a news item nowadays. It is an almost forgotten instrument. The tenth amendment to the Constitution of the United States is as follows:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

There is no power to relieve the wants of Europe unless it is expressly stated in the Constitution as among the powers of Congress. There is no such statement. Congress has only those enumerated powers with which the Senate is entirely familiar, and this is not one of them.

Mr. LENROOT. Mr. President——

The PRESIDING OFFICER. Will the Senator from Washington yield to the Senator from Wisconsin?

Mr. POINDEXTER. I yield.

Mr. LENROOT. If this appropriation would in fact promote the welfare of the American people there, would there not be some constitutional authority for it?

Mr. POINDEXTER. No; I do not agree to that construction. Under such a construction all the specific provisions of the Constitution would become perfectly meaningless. There would be little occasion to have a constitution at all if the only limitation of government was the "general welfare" of the United States.

Mr. LENROOT. I will ask the Senator from Washington if he does not recognize the distinction between legislation restricting rights of the citizens and legislation making appropriations, and whether it is not a distinction well recognized by numberless decisions of the Supreme Court?

Mr. POINDEXTER. That is rather irrelevant, it seems to me, to the specific question here. Whatever might be the importance of that distinction, certainly the right of a citizen is restricted if you take money out of his pocket and appropriate it to be sent to Europe. There can not be any power in Congress that is more important or substantial in its effect, not only upon rights of the individual but the country as well, than the appropriation of money. One of the important rights of citizenship is the property right—the right not to be taxed except for specific purposes, upon which Congress is authorized to act. There can not be anything more substantially affecting his rights than appropriation acts.

Mr. LENROOT. Then, may I ask the Senator another question? Where does the Senator find authority in Congress to appropriate money to eradicate the hog cholera, for instance, in the States?

Mr. POINDEXTER. I have never introduced a bill to eradicate hog cholera. One advantage that such an act has is that it would apply, as stated by the Senator, in the United States instead of to Europe; and Europe is a great, wealthy, powerful part of the world, and in my opinion, now that the war is won, is fully able to take care of itself.

Great Britain, with her new colonies and possessions she has acquired—great Provinces in Asia and Africa, full of natural resources and wealth—with the reestablishment of commercial relations between herself and her independent dominions, such as Australia and Canada, is more powerful, more wealthy, more able to take care of the problems which shall arise in her neighborhood than ever before.

France has been very fortunate in having a number of statesmen generals, and one of them is the great general who formulated the terms of peace for Bulgaria, who, after he had acquired military supremacy over that enemy, showed his statesmanship on every line that was written; and another one is the immortal Ferdinand Foch. I noticed the other day that Marshal Foch stated that hereafter the "watch on the Rhine" would be kept by France, and that hereafter France would be protected by her natural frontier. Alsace and Lorraine have been returned to her. She undoubtedly will administer a free and benevolent government over Syria and perhaps a part of the African colonies which have been taken from Germany.

There is no doubt that France—with one hand upon the Mediterranean, another on the North Sea, open to the Atlantic; with her resources drawn from every quarter of the globe, her territories vastly increased by great principalities—will be richer and more powerful, more able to meet the demands of Europe than she has ever been before.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Idaho?

Mr. POINDEXTER. I yield to the Senator from Idaho.

Mr. BORAH. If we appropriate money from the Treasury of the United States for the purpose of feeding the people of Europe in order to eliminate Bolshevism or to restrain its spread, may we not just as appropriately, and perhaps more wisely, appropriate money from the United States Treasury for the purpose of establishing schools and educational systems in Europe in order to eliminate it from their minds and have a complete European educational system conducted by the United States in order to prevent the spread of that theory or that doctrine which we claim to be inimical to the United States?

Mr. POINDEXTER. I think that that is a very illuminating suggestion of the Senator from Idaho. I should like to ask the Senator from Idaho, not to prolong the discussion, but knowing his reputation as a lawyer and to get the benefit of his opinion, whether he thinks that it is proper to bestow charity upon the people of Europe, whether it is within the power of the Congress?

Mr. BORAH. No, Mr. President; I do not; but I did not argue that question for the reason that I have been here too long to interpose a constitutional objection to the desire to appropriate a hundred million dollars. The odds are too great against the Constitution.

Mr. POINDEXTER. I agree with the Senator from Idaho, if we are appropriating it for ourselves or if it is to be expended in our own communities, but I am more hopeful when it comes to sending it across the Atlantic Ocean.

Mr. BORAH. I congratulate the Senator upon his courage, and I shall not criticize him.

Mr. POINDEXTER. Mr. President, I should like before this matter is disposed of to hear the Senator from Virginia or somebody who, at the behest of the President—for the President is the moving influence that is bringing this legislation forth; it is not the Senator from Virginia; it is the President; he is the advocate, the originator, the instigator of this appropriation of a hundred million dollars—I should like to have the Senator from Virginia before he asks the Senate to vote on this bill to tell us and to tell the American people what sort of taxes he is going to propose to levy on the American people to raise this hundred million dollars, which is obviously beyond the program of expenditures which we have prepared for. Where are you going to get it? Where is this $100,000,000 coming from? It is rather curious that we are hastening to expend the money, without having given a moment's consideration as to what class of our people, what form of industry or wealth, is to bear the burden.

Mr. President, if we are to tax the American people $100,000,000, instead of going outside of the legitimate field of the destinies and fortunes of the American Republic and involving ourselves in the intricate affairs of Europe, let us take the $100,000,000 and relieve the pressing wants of the American soldiers who are being discharged from day to day without

funds and without employment. It would go a long way in that direction. It would give a month's salary to 3,000,000 soldiers.

More than that, if we are to levy this extra tax upon industry or upon consumption, instead of sending it across the Atlantic Ocean to unknown lands and to unknown peoples, when the leaders of our allies have not asked for it—instead of doing that, why not devote it to the program of the reclamation of the arid lands of the United States, and give farms to the returning soldiers, on which they may make their homes and raise their families in peace and prosperity, if they desire to make their living from the soil; to make the desert fertile; to increase the productive resources of the Nation?

Mr. President, this $100,000,000 which it is proposed to take from the Public Treasury and send to Europe would build a hard-surfaced road for military and commercial uses, and especially for the benefit of the rural communities, increasing the comfort and prosperity of farmers and of our country communities, from north to south along the Atlantic coast; from the East to the West, along the Gulf and the Mexican border, to the Pacific Ocean; and then along the Pacific coast to the Canadian line, and from there to New York City. If we are so free with the money that is in the Treasury, why not take it and use it for one of these great purposes, not only for the benefit of those now here but offering here greater opportunities for desirable immigrants from other lands?

Mr. President, instead of spending $100,000,000 of the American people to conclude terms of peace, we ought to be collecting something like $25,000,000,000 or $30,000,000,000 from Germany to repay us for the cost of the war which she forced upon the world. France is going to have an indemnity—not only reparation, but restitution; not only the return of stolen property, but the payment of the expense which she has been compelled to make in fighting for her life; England is going to have an indemnity and reparation for the cost of the war; Belgium is going to have an indemnity; but the United States, I am very much afraid, under the leadership which is now in power, is going to be presented with a treaty which will give us no indemnity.

It is said by them that we must walk upon a high plane of idealism. Why, there is no idealism, Mr. President, that is worthy of the admiration of mankind that is not based upon a sound material foundation. When we have expended of our goods to develop an Army and Navy and transport them to Europe to fight the battle of civilization, the country which forced the world into that war should be compelled to make restitution.

I want to say to the Democratic administration that if it presents to the Senate a treaty which provides indemnity for our allies, but no indemnity for our own people, the administration will have to meet that issue before the American people. But, unfortunately, while they may punish the administration, it will be too late to recover the indemnity to which they are entitled.

Mr. President, this measure is unconstitutional. It is unwarranted by the situation which exists in Europe. If there is a condition there that needs relief, Europe is fully able to care for it. The purpose and policy of the United States should be to conclude peace, to withdraw from Europe, and live hereafter in peace and amity with that continent, but to leave to the Old World the solution of those problems which are peculiar to that hemisphere, while we endeavor to perform our neglected duties in this.

Mr. HOLLIS. Mr. President, I desire to put in the RECORD a matter that was brought out a short time ago. The distinguished Senator from Pennsylvania [Mr. PENROSE] asked me if I wished to suppress certain facts. I assured him that I did not, and called his attention to the fact that all the matters he had referred to which needed investigation had already been investigated not only by Democrats but by leading Republicans. The Senator from Indiana [Mr. NEW] then asked me what had become of the recommendation of Judge Hughes that a certain officer engaged in aeroplane production—Col. Deeds—should be court-martialed. I told the distinguished Senator what was true, that I did not know; but since then I have been informed that the recommendation of Judge Hughes was referred by the Secretary of War to the Judge Advocate General's department; that the Judge Advocate General had referred the charges to a board of three distinguished judge advocates general—Messrs. Millar, Tucker, and Keedy. They have recently filed their report, in which they say they have fully investigated the evidence submitted by Judge Hughes, which was submitted to him, and that which was submitted by others, and say:

6. The conclusion of this office is, therefore, that Col. Edward A. Deeds should not be tried by court-martial on account of any of the transactions discussed in this memorandum.

In submitting that information I do not pass upon the evidence or on the correctness of the judgment. I merely call attention to the fact that the matter was submitted to the law department of the War Department, who have considered it, and have made a report that court-martial proceedings should not be instituted.

Mr. WEEKS obtained the floor.

Mr. LEWIS. Mr. President, will the Senator from Massachusetts yield to me to make the suggestion of the absence of a quorum? I desire a fuller attendance of the Senate to hear the Senator from Massachusetts.

Mr. WEEKS. If the Senator desires to do so, I will yield, although I have an engagement which makes me anxious to conclude my remarks. I am not going to speak long.

Mr. LEWIS. Then I will postpone the suggestion for the moment, yielding to the wishes of the Senator from Massachusetts.

Mr. WEEKS. Mr. President, I shall not occupy very much of the time of the Senate in discussing this measure, because, if there is not some curtailment of debate here, the starving people of Europe will have starved before we take action.

Before saying what I have in mind to say, I wish to suggest to the Senator from New Hampshire [Mr. HOLLIS] that while the explanation he has just offered relative to the investigation of the airplane situation may be satisfactory to the War Department it can not possibly be satisfactory to the people of this country. There is no doubt that a large amount of money was wasted in the airplane program. That investigation was made by a man who, perhaps, is the most competent analyzer in this country, and he, an ex-Justice of the Supreme Court, as a result of his examinations recommended that one man be court-martialed and severely criticized others. I think it would have been a matter of good policy as well as judgment for the War Department to have carried out that recommendation, so that there might at least have been one demonstration that an effort was to be made to punish those responsible for such careless and wasteful expenditures.

Now, Mr. President, I wish to confess that I have not entirely satisfied my own mind about the entire worthiness of this appropriation, but I have decided to give it my support. There have been many questions discussed on the floor of the Senate which may or may not have some bearing on it; at any rate some of them have, and, by a stretch of construction, all of them may have; but I do not think many of them should have been raised in opposition to this particular appropriation. I wish, however, to refer to one or two of them, because I think they have some pertinency.

The Senator from California [Mr. JOHNSON] this afternoon, in his forceful way, was expressing the feeling that we have some responsibility to our returned soldiers; that they should certainly be provided with work, even if we have to neglect the suffering people of Europe. I entirely agree with him in that statement; and, of course, we are going to provide for those men in some way at some time somehow. The trouble is that the paper work of the War Department has entirely broken down so far as the payment of our soldiers is concerned. There are innumerable men on the other side wearing the khaki who have not received any pay since they have been in the service. There are tens of thousands of them who have not had a cent of pay since last July, when the system of paying dependents was changed. Those men are coming back to this country in great numbers without any money in their pockets, many of them without any places of employment; and it is not surprising that some of them are suffering.

I suggested to the Senator from California that if the policy suggested last fall had been followed possibly these men might have been provided for, and I wish to call the attention of the Senate for a moment to that policy. I refer to the resolution I introduced in the Senate on the 27th of September, 1918, and which related, among other things, to the question of labor. I was led to introduce the resolution because I knew that European Governments were and had been for substantially a year making careful preparation not only in connection with matters relating to labor but in connection with every other question developed during the prosecution of the war. They have made pretty circumspect plans for taking care of their returned soldiers, discharged war workers, and others who have been connected with the various war employments.

In this resolution article 1 related to the labor problem, and it included:

Unemployment which may follow the war; utilization of discharged soldiers and sailors in civil employments; conciliation and arbitration of labor disputes; the relation of men and women in similar employments; substitution of female employees for male, and vice versa; feasibility of organizing permanent employment agencies; requirements

for labor after the war, both in agricultural and industrial occupations; distribution of labor; employment of surplus labor on public works of which the construction or completion has been suspended due to the war.

That resolution was referred to the Judiciary Committee. It will be seen that it covered every phase of the labor question, and even then, although it was probably too late, if we had gone consistently to work and provided for the construction of public works, or in other ways, these men might have had employment awaiting them upon their discharge from the service.

Within two or three days another resolution, somewhat in the same form but fundamentally different, was presented to the Senate by the Senator from North Carolina [Mr. OVERMAN]. Both of those resolutions, the latter a substitute for the one I introduced, have been lying in the committee ever since. They were referred to a subcommittee, but there has been no possibility, I am told by members of that subcommittee, of getting them considered. No meeting of the subcommittee has been called for weeks, although during the last three or four weeks practically every day attempts have been made to get a hearing on these resolutions. In other words, in relation to the men who have been our defenders and in every question relating to after-war conditions we are drifting in exactly the same way we drifted before the war. We are no better prepared—in fact, not as well prepared—for peace as we were for war when it was declared. I say that because I want it distinctly understood that if reasonable prudence had been used, in my judgment we could have provided for and prevented some of the conditions very properly called to the attention of the Senate this afternoon by the Senator from California.

One of the questions bearing on this whole subject which disturbs me quite as much as any other is the old question of our financial obligations. Anybody who has given that subject any thought must have a great deal of solicitude about our financial future. We have become involved in an indebtedness twenty-five times greater than that we had at the beginning of the war, and we have reached a point where, if we do not issue bonds in time of profound peace to carry on this Government, it will be necessary for us in the future to levy even heavier taxes than those proposed for this year. The situation is such that economy is absolutely necessary wherever it can be practiced; and Members of the Senate must keep that fact in mind in considering appropriations.

We are not getting back to peace conditions as rapidly as we ought to. There are more than 400,000 men in the Navy to-day, and practically all the ships in commission during the war are still in commission. If we had the figures before us, I think we would find that the expenses for the Navy have only been lessened in a slight degree since the end of the war. There are some reasons, to be sure, for not discharging more men. There is the desirability and necessity of manning the German transports to bring back our soldiers from the other side, and there are other reasons; but what should be done is to bring the Navy and every other activity of our military, naval, and civil establishments at once down to a normal and reasonable basis, or else we will have great difficulties with our financial situation. When we add $100,000,000 to that difficulty, it should make any sane and reasonable man stop to consider whether or not we can properly afford it.

There have been criticisms made of Mr. Hoover and others associated with him. My own judgment is that, however much Mr. Hoover may be criticized for his relations with packing establishments and others, in the final analysis the packers were the only people from whom he could make the purchases necessary. Moreover, he went into a new place, a most difficult and important place, and after two years' administration of that office he has escaped with a minimum of criticism, and I think, probably, more criticism than he has deserved. It was almost a hopeless undertaking, in my opinion, to conduct the great untried operations in which he was involved without some degree of criticism; but if I were turning to-day, so far as I personally am concerned, to find a man in this country to put in charge of a great food-distribution work like the one proposed in Europe, he is the first man to whom I would give consideration. Moreover, it must be remembered by those opposed to this legislation that this activity is already under way on the other side; that the interallied committee or commission is conducting this service; and that Mr. Hoover and Mr. Davis are there on the ground. They have all the information before them which is obtainable, and they are ready to carry out this work at once and do so, I think, as wisely as it could be carried out by any man.

It has been suggested that this is charity; and Senators have urged that we should obtain some kind of an evidence of indebtedness from the countries where this food is to be distributed. I assume, of course, that that will be done in every country where there is an organized government. I presume there will be food distributed in countries where there are no organized governments; and yet, even in that case, I believe that evidence can be obtained that the food has been sent there and distributed, and if a responsible government is ever organized, that government will recognize its indebtedness for the food furnished its citizens. I think we may look forward with confidence in the end to getting back the major part, if not all, of this appropriation. I do not think it is an entire loss. It may be prudent to charge it off, but that there will be a comeback I have not the slightest doubt.

The real question, Mr. President, is what is the real situation in Europe, and what are we going to do to help complete the negotiations necessary to end the war? The war is not over yet. We have not made peace. We have a great army of nearly 2,000,000 men on the other side. We want to get those men back home; and it may be decided by those in better position to know than most of us that it is not safe to bring those men back until a definite peace has been made. I want to see every soldier wearing the American uniform return to this country as rapidly as possible. I do not want him delayed because of the necessary expenditure of $100,000,000. This entire expenditure would be only $50 apiece for those 2,000,000 men to get them home. Every mother and father and family, as well as every man on the other side, is insistent that they get back as quickly as possible; and if this will help in any degree to bring about a sound condition in Europe which will expedite a justifiable peace, then there is ample reason for our making the appropriation.

That there are starving people over there goes almost without saying. I do not think anybody knows exactly about the conditions in most of the countries in the central part of Europe. If the information were obtainable, I think it would be found, for example, that there is food enough in Russia. The difficulty is the distribution of the food; and then the question may arise, How are we going to distribute food if it can not be done under present conditions? And I have no answer to that question. I do not know; but, in any case, we should use every effort to distribute the food that is in Russia in that country. I have a feeling, however, that in Poland and that section of Europe there is the greatest distress; and one of the things that must come out of this peace treaty is the creation of a government between Germany and the East strong enough to present an effective barrier to the activities of the German nation in that direction.

It has been said here to-day, I think by the Senator from Washington [Mr. POINDEXTER], for example, that the Bolshevist can not be cured by giving him food; that he would destroy food; that that is his disposition; that is what he wants to do; and I think probably the Senator is right. He can not utter any sentences too strong for me in his condemnation of the Bolshevist movement; and yet we want to prevent other men from becoming Bolshevists. When a man has an empty stomach he listens to that kind of reasoning much more readily than he does under other conditions. There are great numbers of people in Europe, in my judgment, who will readily listen to that argument unless somebody comes to their relief and gets them into a physical condition which will stimulate a sane and reasonable mental condition.

I do not know about our allies; I do not know about the food conditions in France and Italy; but, in my judgment, no part of this proposed expenditure should be made until a firm arrangement has been entered into by the President with our allies for them to do their part. It is estimated that $350,000,000, in the form of a revolving fund, will be necessary to carry out what is now contemplated. If that is true, then $100,000,000 would be about our share; but no part of that $100,000,000, in my judgment, should be expended until an agreement has been made with the other nations, whose interest in the desirability of carrying out this enterprise is quite as important as ours, to do their part.

I doubt very much the practicability of putting that in the bill, and therefore I suggested in the Committee on Appropriations that that view should be expressed to the President by the chairman of the committee, and I assume that that will or has been done. He certainly should be advised that we do not want to be put in the position of being considered as having an exhaustless Treasury, even by those who have been and are our friends; but in this matter everybody should do his share, based on his own interests and on the necessities of the situation.

When we take the whole question by and large, when we consider that the President is on the other side representing the United States, when he is on the ground and knows the situation, when he is presumably going to make every effort to

bring about a just peace, I think we are rather in duty bound to take one more of these steps which have always been accompanied by the "trust me" statement since the beginning of the war. I do not wonder that Senators are irritated by the situation. I do not wonder that they hesitate about doing it when they think of all the arguments which may be made against it; but I do think that there is ample reason in this case, considering our situation in Europe—the fact that the war is not over, the fact that we want to get our soldiers home as speedily as possible—for our supporting this appropriation, and as far as I am concerned I have concluded to follow that course.

Mr. HARDING. Mr. President, I have been quite reluctant to inject myself into the discussion of the pending measure, because I have a very abiding conviction that the world is already suffering from too much talk; but I am in such a state of hesitancy about my vote on this bill that I thought perhaps if I ventured some remarks about the motives which are impelling me I might arrive at a decision for myself.

I very much doubt whether there is a Senator on this floor who cordially approves of this measure, and at the same time I doubt if there is a Senator on the floor who, from any partisan motive or any hostility to the war administration, wishes to vote against it. Frankly, I am finding difficulty to know what I ought to do.

I do not think an ideal is any less commendable or less admirable if it is one of old creation, if it has been borrowed or re-created or commandeered or conscripted or capitalized; but I do think, Senators, that just now there is an excess of idealism in the politics of the world and not enough of the practical. I would not have a civilization without idealism. I would not want a republic without impelling and inspiring ideals, but I should like for a little while to see the American Republic following the lines of common-sense practicality. I was moved to this thought this morning when the Senator from Utah [Mr. KING] was engaged in a colloquy with one of the Senators on the other side of the Chamber, when he suggested that the passage of this bill would so expedite the return of the American armies from Europe that we would probably save the sum involved by hastening the return of our soldiers only three days.

Why, Mr. President, if expedition of the return of our soldiers will save $100,000,000 in three days or a week, the practical course long since would have been to have driven through a treaty of peace and saved five times that sum already. The difficulty about the situation is that in our committal to the ideal, in this wandering in a maze of dreams, we have forgotten the practical things; we have gotten far adrift on the reasons why we went to war, and it is a curious illustration of one of the inherent weaknesses of popular government.

I talked to a soldier the other day, a very intelligent returned soldier, and I asked him, without irony in my speech, if he was not rejoiced at the American triumph and the victorious fight he had made for the President's 14 points of peace; and, like the practical fellow that he was, he said, "Hell, no! I don't even know what they are."

I said, "Why, it is the impression that you were fighting to carry out the ideals of the Chief Executive." He said, "My dear sir, of all the soldiers I know upon the battle fields of France, every mother's son of them was fighting to whip Germany, and, by the eternal, we did it, and we are glad!"

The point I want to make, Mr. President, is that we proclaimed to the world that we were making a war for democracy, and we never would have proclaimed it for a single minute if it had not been for the politics of the moment, when most men in public life were fearful of offending the so-called German vote in the United States of America; and instead of announcing that we were making war on Germany, which had trespassed upon American national rights, we made the excuse that we were making war for democracy, and it has been a lie from the beginning. America never would have gone to war except to battle in defense of American national rights, and there was not another real reason for our going to war; but out of this misstated reason for entering the war we have builded up these idealistic dreams, and then, after bringing about a triumphant cessation of hostilities, instead of clinching the victory won, we have gone on in a maze of idealism and growing delay, and the end is not yet.

I have no objection, Senators, to some form of conception or creation or combination which shall help to guarantee the continued and abiding peace of the world. I am not finding fault with the Chief Executive for his conspicuous and persistent part in seeking this new status of civilized guaranties. I hope he can bring about something of the kind, if he can, without the surrender of our national sovereignty. I do not agree with him in his notions of a new internationalism paralyzed by socialism. I do not agree with him in sowing the seeds he has of a modified and magnified democracy throughout the world. I do not hesitate to say that I think the world to-day, trembling under the menace of Bolshevism, owes a very large part of that growing menace to the policies and utterances of the Chief Executive of the United States.

But I did not mean to discuss that. I rose mainly to make an inquiry. I want to know from the Senator in charge of the bill, and I ask it in very great respect: Is this a measure of war? Is this a measure carrying out a compact with the nations with whom we have been allied in war and are now allied in seeking peace, or is this an American charity? I ask the Senator from Virginia, because I really wish to know.

Mr. MARTIN of Virginia. Mr. President, as I understand, it is an American charity, but an American charity which will largely bring about the consummation of peace. The communications which have come here from the President of the United States have said that there was a rebellious and anarchistic spirit abroad in Europe, which could not be easily conquered by arms, but could be quieted by food.

In other words, Mr. President, it is impossible to treat for peace with governments whose populations are starving. People who are suffering from hunger are in no condition to make peace. They are ready for riot, disorder, and violence; and because of that want of food Bolshevism has taken a hold in Europe which is alarming the entire European countries and alarming our President. In his communication, while he puts it essentially on the ground of relieving suffering and stopping starvation among the people who have been our friends in this war, which we hope is now approaching its final conclusion, while we are intending to relieve them from starvation, the argument is made that in doing that great charity we at the same time will consummate the peace for which we have been fighting, and which we have almost completely accomplished. The finishing feature of the contest in which we have been engaged for about 18 months is the peace treaties, and we must have better order in certain European countries than exists there now before we can negotiate final treaties of peace.

So, to answer the question in a few words, this is essentially a charity. It is intended to save the suffering people in Europe from starvation; but the argument is made in addition that in relieving them from starvation we will consummate the peace which we all desire.

Mr. BORAH. Mr. President, would it interrupt the Senator if I made an observation at this point?

Mr. HARDING. Not at all.

Mr. BORAH. The Senator from Virginia says this is for the purpose of consummating peace—with the enemy, I presume. We are not making peace with anyone else; and yet we have the specific understanding that not a dollar of this money is to be permitted to reach those with whom we are obligated to make peace or with whom we have been at war. Now, the fact is that it has nothing at all to do with the question of making peace, and the President's cablegrams can not be so construed. It is argued that the friendly peoples in Europe are so unsettled and so unstabilized that governments can not be set up there, or can not be arranged for, until they are fed; and the basic principle is that we propose to feed Europe into a state of stability.

Mr. MARTIN of Virginia. Mr. President, I will read a few lines from the cablegram received from the President:

> Bolshevism is steadily advancing westward, has overwhelmed Poland, and is poisoning Germany. It can not be stopped by force, but it can be stopped by food, and all the leaders with whom I am in conference agree that concerted action in this matter is of immediate and vital importance.

That is a part of it. I do not want to take the time to read it all. That is a part of a cablegram from the President. There are people that we expect to unite in these treaties of peace that were not active belligerents in the war, but in order to restore peace and good will among the European countries, the good will which will perpetuate peace, it is necessary to have parties to that treaty who were not on the battle line; and it is believed that it is vitally important, in order to consummate that purpose, that starvation should be stopped in these European countries.

Mr. WILLIAMS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Mississippi?

Mr. HARDING. I do.

Mr. WILLIAMS. I want to say that it is not of any very great material importance whether we get the consent of Germany and of German Austria to a treaty of peace or not. We can take it for granted that they are going to give their consent, because they have acknowledged themselves whipped, and that is the end of it. The President, in talking about stabilizing conditions so that we may have peoples with whom we could

deal, spoke, in the very language of his message, of "the liberated peoples of Europe," excluding the peoples of Germany and of German Austria.

You can not arrive at any ultimate conclusion so long as Bolshevism is controlling either Poland or Russia. You can not arrive at any ultimate conclusion founded upon reason so long as Armenians and Syrians and Jews and Arabs are starving in Asia Minor. In short, Mr. President, you can not talk to nor reason with a hungry stomach.

I heard somebody this morning say—I think it was the Senator from Washington [Mr. POINDEXTER]—that he disagreed with the President, and that he thought the only way to whip bolshevism was to shoot it to death, and that you could not feed it to death. Perhaps you can not feed Bolshevism to death, but you can feed the receptivity to Bolshevistic doctrines to death; and the only danger about Bolshevistic or anarchistic or nihilistic doctrines anywhere in the world is that they are directed to the mind of a man whose stomach is hungry and whose reason is inactive. If the Senator from Idaho were starving or I, either one, a man would have a mighty slow time reasoning with us, because we would be hunting something to eat.

Now, what the President means is that he wants to give this food to the liberated peoples over there. Who are they? The Poles, the Czecho-Slovaks, the Jugo-Slavs, the inhabitants of northwestern France, the inhabitants of Belgium, the inhabitants of Serbia, and all of these people who have not been our real enemies, although they have been component parts or conquered territory of our enemy during this war; and any Senator is very much mistaken who thinks that at the present price of ammunition it is cheaper to kill a man than it is to feed him.

Mr. HARDING. Mr. President, if the Senator from Mississippi is correct and this fund is to relieve the liberated peoples of Europe, and we were sincere in our proclamation against autocracy, then we ought to apply this fund to the relief of the liberated peoples of Austria-Hungary and the German Empire. If the Senator from Virginia is correct and this bill is in the main a bounty of American generosity in a charitable intent——

Mr. MARTIN of Virginia. Mr. President, I perhaps did not make myself fully understood. It is a charity for the time being, but my impression and belief is that the major part of it, nearly all of it, will be returned. It is to be advanced to those people to relieve their suffering until they can support themselves, and it is confidently expected that nearly all of it will be returned.

Mr. HARDING. I am sure I have not misunderstood the Senator, but I do not wish to contend for a moment concerning the return of the money. If we were granting a charity, I should very much hesitate to grant it with a snarl on my lips.

Mr. President, I can not vote for this measure as a manifestation of American generosity and charity with the limitations which have been put in the bill. I was ready to go as far as any man on this floor in any measure of starvation aimed at the peoples of Germany and Austria so long as we were at war, but when the war is ended and out of the fullness of the American charity we mean to aid in feeding the suffering and starving of the world I would despise myself if I were not content to grant from our stores to the starving of Germany and Austria as well as the Bolsheviki in Russia who betrayed the allied nations in the war.

Mr. President, through somebody's advocacy—and I am not seeking to take issue with any on this side of the floor or the other—we have written into this bill a prohibition of relief in Bulgaria and in Turkey, with which nations we have at no time formally been at war. If we are going to indulge in mercy and help a suffering people out of the abundance of the American storehouse, I want somebody to tell me why the starving mouth in Germany and Austria should not be administered to as well as that in Bulgaria and in Turkey.

Mr. MARTIN of Virginia and Mr. WILLIAMS addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Ohio yield; and if so, to whom?

Mr. HARDING. I am very willing to be interrupted, and I yield first to the Senator from Virginia.

Mr. MARTIN of Virginia. Germany is not suffering for food. The President in one of his cablegrams says that none of it is to be used in Germany. He says Germany has plenty of money to buy the food she needs.

Mr. PENROSE. Then why prohibit it?

Mr. HARDING. I yield to the Senator from Mississippi.

Mr. WILLIAMS. It is useless for me to answer the question, because the Senator from Virginia has done it. Starvation does not exist amongst our enemies. It exists among the liberated people who were subject to the tyranny of our enemies.

Mr. HARDING. Then will the Senator from Mississippi or the Senator from Virginia tell me why we have written into the bill a prohibition of the use of any of this fund in Germany or Bulgaria or Turkey or Austria-Hungary?

Mr. WILLIAMS. Do you mean the German part of Austria-Hungary? Hungary has a surplus of food right now.

Mr. PENROSE. Then why prohibit it?

Mr. HARDING. I ask the Secretary to read the amendment which has been inserted in the bill.

The PRESIDENT pro tempore. Without objection, the Secretary will read as requested.

The SECRETARY. On page 1, beginning at line 3, the bill reads:

> That for the participation by the Government of the United States in the furnishing of foodstuffs and other urgent supplies, and for the transportation, distribution, and administration thereof to such populations in Europe and countries contiguous thereto.

After "thereto" have been added the words:

> including the Armenians, Syrians, Greeks, and other Christian and Jewish populations of Asia-Minor now subject to Turkey.

Then the bill reads, "outside of Germany," and after the words "outside of Germany" there has been inserted "German Austria-Hungary, Bulgaria, and Turkey."

Mr. WILLIAMS. I confess to the Senator that I did not know the words "German Austria-Hungary, Bulgaria, and Turkey" had been inserted, and I suppose the object of the Senate in inserting them was to include the liberated peoples who were subject to the central empires and not our enemies.

Mr. HARDING. The point I wish to make clear is that the war is one thing and that charity bestowed upon starving humanity is another thing. If we are to reach into the abundance of the American stores, let us not strain the qualities of American generosity and charity. If the measure is not of charity and is a war necessity, with which we are in agreement with the chief nations with whom we have been associated in the war, namely, Great Britain and France, why was it not feasible and practical to found the bill on the coordinated action of these nations, each bearing their burden in the matter? I think there would have been no hesitancy then to promptly place this sum at the disposal of the American peace commission abroad or the commission representing the allied nations. It appears to be a sum indiscriminately passed out to stay the tide of bolshevism.

I wish to put into the RECORD now my own conviction that you can not buy permanent tranquillity with cash or food anywhere in the world, and you can not stabilize the world with the breath of charity, and you can not shower the world with gold and harvest contentment therefrom, because every experiment of that kind which has ever been made calls for the renewal of the shower; and you can not reach practical results through an avenue of dreams. There is no rhetorical route to the reestablishment of normal conditions in the world. Quite as important as the adoption of the practical is the understanding at what convictions the world has arrived concerning our present-day civilization.

Mr. President, there has been much proclamation about the destruction of class rule in the world, and it is very manifest that autocracy is passing from its place in the domination of human affairs; but I want to know if we are going to encourage the drift to the establishment of another class rule in this new civilization which is to come. Little is gained, in my judgment, if you destroy the rule of one class and substitute another. I make bold to say it now, though there are mighty few men seemingly willing to say it, that you can not have popular government dictated by the might or force of physical numbers.

It will fail anywhere on the earth where it is ever attempted, and the man who proposes to substitute for deliberate and intelligent public opinion, who proposes to substitute for character and discipline and thrift and industry and intelligent understanding, the rule of mere physical might will bring on the wreck of the world's civilization. The trouble is that in this uncertain pursuit of modern idealism we are adrift in that direction.

I am not imputing to the President of the United States in his trip abroad any questionable motive. Mr. President, I have never been one to criticize the trip abroad of the President. I am only criticizing the lack of practicality in his journey to Europe. If as the Chief Executive of the United States; if as the premier of the United States, as he has chosen to appoint himself; or if as the chairman of the American peace commission, President Wilson had chosen to go abroad to expedite a treaty of peace which ended the war with Germany, I should have been content to say "Amen"; and if following the formulation of such a compact of peace the President had chosen to

make a triumphal tour of Europe and receive the laudation and acclaim which is reasonably and justly his, I believe I would have rejoiced as an American, because there is neither envy nor jealousy in my soul.

The practical thing to have done would have been to go to Europe and hasten the treaty of peace that finally and formally ends the war with Germany. My criticism is that in chasing his dreams of the ideal he has neglected the more essential, and in pursuing the ideal abroad he has neglected the necessary practical things at home here in the United States so essential to our own welfare.

Mr. President, much has been said about the return of the soldiers and about the restoration of the men at arms to their rightful places in the ranks of peace. I know not whether it is true that there are so many returning soldiers seeking their old positions in vain. In many respects that is to me an unbelievable thing. I think I know the spirit of the average American employer, and I know it was a well-adopted policy that those who went from the ranks of the shop to the Army should find their places awaiting them on their return, and I know that those places would be awaiting the return of the soldiers if the Government of the United States would only fix its policy for peace instead of wandering on in a state of uncertainty.

Mr. President, we have been infinitely more neglectful in preparing for the obligations of peace than we were in preparing for the duties of war. There are industrial institutions in the United States to-day that do not have the faintest idea which way to turn because we are lacking in a policy for peace, lacking in plans for readjustment.

I was in a great manufacturing institution the other day which had never sought a single war contract, the services of which essentially were commandeered by the Government, though I ought to say that it willingly gave its services for war production. After the armistice was signed, very properly the production of war materials in that factory ceased, whereupon the managers of this institution asked for the department only to say to them what they might do with the materials that were cluttering up the floors of their workshop and let them return to their own pursuits. Though that was nearly eight weeks ago, there has not been a decision to this day. The wheels of that industry are paralyzed by the failure of the United States Government to fix the policy, and many of the men who ought to be employed in the activities of that industrial institution in normal activities are held out of work. Why? Because of the unwillingness of the industrial institution? No; it is because of the inaction and indecision of the War Department at Washington.

Then there is another thing, and I am speaking of it, Senators, not to indulge in a series of critical utterances; but I am seeking to show you that there is a practical side and a practical work to do, and somebody ought to be doing it, doing it now, in the absence of the President, with his approval and commendation and consent.

The other day I read a very important utterance from a member of the President's Cabinet, saying that it was unthinkable that there should be any change in the rate of wages paid. Senators, the public official who makes that statement and at the same time cries out for a reduced cost of living is a demagogue in the widest terms that can be named, because you can not reduce the cost of living and maintain the present standard of American wages.

I am just as much in favor of a high standard of wages as any man on this floor. I think the war will have been in vain if we go back to old conditions that existed heretofore. Nay, more, I think the war will have been in vain and our civilization will have failed to meet the new world conditions if we do not have the conscience and the courage and the cooperation to reach a state where henceforth there is a fairer division of the profits of production. If you do not do it, you will have more Bolshevism in the United States of America than there is in the great, pathetic land of Russia.

But the difficulty is that you have men in public life—under the temptations of popular government and popular appeal—proclaiming to maintain war conditions. In all the Republic there is not a man with an ounce of common sense who believes they can be maintained. They can not be. The business of the country is asking for a policy which will enable it to go on with the necessary readjustment.

Speaking of practical things, you are proposing here to spend $100,000,000 only of American money. In the nations enumerated for relief there are 100,000,000 people and more. The proposed appropriation is $1 each. How far do you think you will get in actual relief with $1 each or $2 each when in the United States of America we are complaining about the inability to live when labor is getting a dollar an hour? It is time to be practical and honest with ourselves.

I was very much impressed by the remarks of the Senator from California [Mr. JOHNSON] asking for an American policy and an American decision. I do not subscribe to much that has been said about aloofness from entangling alliances in the Old World. I think the time has come when we can not wholly hold ourselves aloof. But I want to say to you, Senators, we can fix an American policy for our activities at home. Why is not somebody giving a thought and proposing a means for practical progress for ourselves?

Not very many men will say it, it is not very popular to say it, but we have taxed in this country the big industrial undertakings until they are almost paralyzed. The men who never produce little understand the burden they are putting on the producer. Why would it not be well as a practical thing, instead of giving so much thought to the expenditure of $100,000,000, to secure some practical means of relief for those who are bearing the burdens of American taxes? We want to encourage, not stop the wheels. Why would it not be feasible, for instance, to take the $9,000,000,000 owed to us by the nations allied with us in war, either directly or indirectly—nearly $9,000,000,000 in round numbers; let me put it at $8,000,000,000 to be sure—the $8,000,000,000 that we have loaned to nations who declared war on the central empires of Europe—why would it not be a practical thing to take this indebtedness of the other nations and turn it into negotiable bonds and sell them to the people of the United States, and in that way relieve the burden which you are putting upon the backs of the manufacturers and the great industrial institutions of this country?

America needs a policy. America needs some reconstruction work at home. America needs an understanding as to what our policy is going to be. Nay, more, America needs, above everything else, an understanding that orderly government is the first essential in the world.

I do not forget, Senators, that in high places in this country, both executive and legislative, we preached the gospel of revolution in the central empires of Europe. We were so eager to make war on constituted authority that we proclaimed revolution as one of the greatest essentials to bring about peace and tranquillity in the world. You lighted a fire then that it is difficult to put out now. If I had to choose for myself between hateful autocracy on the one hand or destroying anarchy and its democracy on the other, if there is no righteous mean between these two hateful extremes, I choose autocracy. We have been encouraging the lighting of the fires of revolution throughout the world without counting the possible cost to ourselves.

In substance, then, what am I seeking to argue? That we stop the futile chasing of ideals—not putting them aside entirely—and hasten the work of bringing about an accepted peace, so that those who are responsible for policies and administration of law in this Republic can turn the attention of our people to the pursuits of peace and restoration and reconstruction. When we have gotten our forces again at work we can stay the march of Bolshevism by appeals to deliberate American understanding.

The man who expects to stop that wave by yielding from the wealth of the world, by feeding temporarily, is chasing a rainbow that has no end. The man who expects by the preachment or the application of charity or through some new and impossible combination that the world has tried again and again without avail, and by that means to bring the world to tranquillity, is marching and shouting in vain.

The big thing to do, Senators, is to get ourselves out of the entanglement into which we went in defense of our American rights, stop this perfectly indefensible discussion about fighting for democracy and the creation of new governments throughout the world, and let us understand that we were fighting for American national rights and to maintain our American civilization. If you do not do it, if you do not get America adjusted to paths of peace within the next 90 days, you will be seeking means of stopping the flame in this country instead of feeding the starving who are contributing to the ranks of Bolshevism in the Old World.

Mr. President, I subscribe to the doctrine enunciated by the Senator from California. Let us have an American policy. Let us devote ourselves to American problems. We can not expect to hold wholly aloof, but we are not half so much concerned about the affairs of Europe as we sometimes pretend to be. It is notoriously true that at the very time we were proclaiming our anxiety about France having the restoration of Alsace and Lorraine—and I for one meant it truly—there were those who were in authority to speak who said privately we were not concerned and never expected to have a part in handing back that territory to the Republic of France.

We concern ourselves about open diplomacy and square dealing and frankness with the world, when the truth is that we are proposing a great Navy and we are proposing to build a limitless merchant marine, merely to paint the scenery for negotiations with the other nations of the earth.

Mr. President, I want to cry out again and again for practical things. I read only this morning that we are building $3,000,000,000 worth of ships at prices necessarily contracted in the emergency of war; we are building them at from $200 to $250 per dead-weight ton, and we are going on now laying keels day after day, proposing to build $2,000,000,000 worth more after the crisis is passed, and while we are so building the head of the United States Shipping Board is proclaiming to the world that we must write off a billion dollars—and practical shipping men say that that is not enough—to permit profitable operation.

Where are we going? What is to be the end? Where is the magic source in this wonderful Treasury that you can spend one, two, three, four, five billion dollars, write it off with a sweep of the pen, and still propose to go on, and do it as a camouflage, let me say, to aid in our negotiations for a favorable compact with the nations of the earth?

Mr. President, if I had my way, and if Congress had the courage on its own initiative, if we had for a moment any confidence in our own convictions, we would say "not another ship at war prices." We ought to say it. Let us finish what we have begun; let us keep our yards and make them a reservoir of employment for the readjustment; let us build ships and use the unemployed, if necessary, to bring about an easy readjustment; but let us not go on at war prices, with enormous profits to the contractors and unnecessary and unfair prices to the laborer. I say it deliberately, Mr. President. It is not fair in American shipyards to pay a wage from 50 to 75 per cent more than we pay in thousands of industrial employments throughout the United States, where the men at work were content to follow their normal pursuits in order to maintain the needed trend of American activities.

Mr. REED. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Missouri?

Mr. HARDING. I yield.

Mr. REED. In order that I may be sure that I understood the remark of the Senator I desire to ask, Does the Senator understand that any new contracts for ships have been let since the armistice was signed?

Mr. HARDING. No, Mr. President. What I meant to have said was that there are thousands of ships contracted for under the war emergency for which the keels have not yet been laid, for many of which, perhaps, the material is not even yet on the way to the yard.

Mr. REED. The Senator's view, I take it, is that as to those contracts which have not been well started, the work ought to be stopped on the ships in the same manner that work has been stopped by the War Department in the production of war materials?

Mr. HARDING. Precisely so.

Mr. President, I found no fault with the building of ships at a very costly figure to meet the war emergency. We had to have ships, else the Republic failed in its cause in the war. I found no fault with the costly struggle for tonnage. I did not grieve that we paid almost what anybody asked; I did not grieve that labor came in again and again with its demands. I only say it is unfair to the great rank and file of labor throughout the United States to continue our war-time activities in the shipyards at the present rate of compensation.

I would use the shipyards as a means of employment, with a readjusted wage. I would not stop our activities to build up a great merchant marine; but, Mr. President, it is futile to build a merchant marine without a policy for its maintenance and operation, and we have not yet reached that policy. I am sorry to say——

Mr. FLETCHER. Mr. President——

Mr. HARDING. I will yield to the Senator in just a moment. Let me add that no sooner had the war ended than Great Britain, whom we well might pattern after as a maritime nation, was ready to release her ships to go seeking and bearing the commerce of the world. We have done nothing of that sort.

Mr. President, if I could fix the policy I would have these scores, yea, these hundreds, of new shipyards in the United States employ American labor at the top price possible to private operation in building ships for the world. What boots it, what advantage is there to us to have the greatest merchant marine in the world, if, under this new idealism, we are to have a compact of nations in the international relationship where there is no competition or no seeking of national eminence, no seeking of American triumph?

Why, it was our Secretary of Commerce who admonished American industry to seek no trade abroad until the world should find itself in a state of comfortable readjustment. If that is the policy I ask why build ships to seek to carry American trade?

Now I yield to the Senator from Florida.

Mr. FLETCHER. Mr. President, what I was going to suggest to the Senator was that it appears that by the devastations of submarines the United Kingdom lost some 8,000,000 tons of shipping and incurred about a million tons of marine loss by mines, and so forth. Great Britain failed to construct ships during the war as she had been doing in previous years, so that she is very short of anything like an adequate merchant marine at the present time. She has not perhaps one-third of the merchant navy that she requires for her own business. She recognizes that it is the opportunity of the age for her competitors in foreign markets to build up a mercantile marine that would supply their own needs in the years to come, and in some measure perhaps cut off some of her own shipping business. Great Britain recognizes that the sensible thing to do—not by way of taking advantage of any other nation or anything of that sort—but that the sensible thing to do for any nation that wants to take its proper place on the seas, that aspires to become in any way a maritime power, is to build ships.

I hope the Senator from Ohio does not mean to contend that we ought to discontinue the construction of ships because wages are high or because it is expensive. That is certainly not the policy of Great Britain. The Senator commends the United Kingdom for its wise course in the past. She had 10,000 vessels flying her flag in every part of the world, and was carrying at least 60 per cent of the world's trade when the war began and 92 per cent of her own trade. The Senator from Ohio commends her course, her genius, her skill, and her wisdom. Great Britain is not failing to build ships now, even at the present prices. If the Senator from Ohio will permit me to extend this interruption just a moment longer, I desire to say I have before me a statement made by the Right Hon. Lord Inchcape, chairman of the Peninsular & Oriental Steam Navigation Co. Addressing the stockholders at a recent meeting, he said:

> Meanwhile we must go on replenishing our fleet, even at the present high prices. We have arranged for the construction of two large mail and passenger ships with Messrs. Harland & Wolff and have contracted for three steamers with the Messrs. Caird and made provisional arrangements to secure berths with other builders.

That refers merely to one shipping concern. I happened to make a note of that address when I read it last night. It shows that every one of these lines in Great Britain is proceeding to build ships to-day to as great an extent as ever, and more than ever, in fact, in spite of the high prices. Should we not pursue the same course?

Mr. VARDAMAN. Mr. President, will the Senator from Ohio permit the Senator from Florida to state the difference between the cost of the English ships and the American ships?

Mr. HARDING. I will venture to state it for him.

Mr. President, I had not thought to go into a detailed discussion of the shipping problem, because I am getting far adrift from the line I intended to follow; but I must reply to the Senator from Florida to this extent: I do not want a cessation of shipbuilding activities; I would have them accelerated and magnified; but I do not want to build ships for the merchant marine of the United States of America at from three to four times the normal cost; yea, at nearly three times the cost for which England is building ships under war conditions. It has been very well established that England's shipbuilding activities are being carried on now at a cost of $90 per ton, while in the United States of America, in our shipyards under war pressure, we are paying from $220 to $250 per ton. I think it is perfect folly to spend billions of money out of the Public Treasury of the United States to build ships at from two to three or four times the normal cost after the war emergency has passed. We had better suspend the contracts and let the yards dip into the shipbuilding enterprise on their own account when the world is in fact calling for ships.

Mr. FLETCHER. Mr. President, may I ask the Senator from Ohio to allow me to quote from a report of the Shipping Board as to the cost of construction abroad? In a recent report filed January 9 they say:

> Such information about British construction for foreign account as comes to the Shipping Board is circumstantial and unofficial. For example, it is reported that British shipbuilders are offering to construct steel vessels for French and Italian account at prices said to range between $190 to $125 a dead-weight ton, according to whether the vessels are to be delivered in the immediate or distant future.

Mr. HARDING. Will the Senator state from whose testimony he is reading?

Mr. FLETCHER. This report is signed by the acting chairman of the Shipping Board, John A. Donald. It is in response to a Senate resolution, and was filed January 9, 1919.

Mr. HARDING. I am aware that the statement has been officially or semiofficially made that Great Britain is paying $90 per ton for the construction of ships.

Mr. NELSON. The price the Senator has quoted for American ships does not include overhead charges.

Mr. HARDING. The Senator from Minnesota suggests that the prices I have quoted, referring to our own ships, do not include overhead expenses. I am prepared to say the statement in reference to the cost of British-built ships is not correct; that the highest price Great Britain has paid for shipbuilding at any period during the war is $90 per ton, and I challenge any authority to contradict the statement I have just made.

Mr. REED. Mr. President, I call the Senator's attention to the fact stated in this report:

> Such information about the British construction for foreign account—
>
> For foreign account—
>
> as comes to the Shipping Board is circumstantial and unofficial.

I call the Senator's attention to the fact, first, that it is circumstantial and unofficial; and, second, that it relates not to the price which Great Britain is paying for building her own ships in her own yards, but the price of the ships she is building for foreign account.

Mr. HARDING. The Senator's statement is entirely in accord with that which I have made. But, Mr. President, even were these things not so, even were there not this marked difference in cost between ships built under war emergencies in the United States and in times of peace, it would be perfect folly to proceed with this enormous war-time construction when we are as yet without a policy for the successful operation of the ships when built, and when there is not a man in connection with the shipping authorities of the United States Government who believes that a single vessel can be maintained in operation except through the aid of a Government subsidy.

Mr. WILLIAMS. Mr. President, I should like to ask the Senator a question.

Mr. HARDING. If it is only a question, I yield.

Mr. WILLIAMS. Even independently of a subsidy for operation, how could a ship that cost $250 a ton live in competition upon the mere basis of earning interest upon the original cost with a ship that cost even $190 a ton?

Mr. HARDING. It could not; and I wish to say to the Senator from Mississippi that I cordially——

Mr. WILLIAMS. Then why build dead-weight?

Mr. HARDING. I cordially agree with the Senator that we ought to write off much of the war cost, and I will find no fault thereat. I only complain of the lack of practicability of going on now after the war emergency has passed to build at war-time prices.

Mr. WILLIAMS. I am not disagreeing with the Senator. I am agreeing with him this far, that if you find that it costs you $250 to build a ship, and at the highest estimate it costs somebody else $190——

Mr. HARDING. No; $90.

Mr. WILLIAMS. Or $90—I stated the highest estimate—you simply can not compete with that other man in operating your ship if you are going to be paid the same rate of interest upon your plant. If we are going into this business anyhow, with the idea of taxing all the people of the United States, its wheat farmers and its cotton planters, in order to keep up the operation, we are deliberately building up a system to be paid for at the expense of the taxpayer, and giving only the same rate of profit to the producer.

Mr. HARDING. The Senator and I are in perfect accord, and I invite his voice——

Mr. WILLIAMS. Then another idea struck me that does not strike the Senator from Ohio. It never struck me that it made the slightest difference to me who carried my cotton to Timbuctoo, provided it was carried for a sufficiently low rate.

Mr. CHAMBERLAIN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Oregon?

Mr. HARDING. Certainly.

Mr. CHAMBERLAIN. The Senator suggests that all of these contracts for wooden ships ought to be canceled, and he speaks particularly of those that are not on the ways. The Senator would not advise the cancellation of a contract for building a ship where, although it might not be on the ways, the lumber entering into its construction had been manufactured and was in the lumber yards ready for delivery, would he?

Mr. HARDING. Yes; I would. I would sell the lumber on the ground. I would dispose of it to the shipbuilder at a sacrifice and let him build ships on his own account.

Mr. WILLIAMS. Sell the lumber and charge up the loss to profit and loss.

Mr. HARDING. Exactly so. That is precisely what I would do with every ship which is not in process of construction.

Mr. CHAMBERLAIN. I differ radically from the Senator in regard to that, because, take it in the Northwest, where at least 10,000 men were engaged in the construction of wooden ships, the Shipping Board, or the Emergency Fleet Corporation, has canceled contracts for at least 40 or 50 ships where the lumber for them had been manufactured, although the ships were not on the ways. The result has been not only great distress among the laboring people—it has released about 10,000 shipbuilders—but it has practically put some of the lumber yards into bankruptcy.

Mr. HARDING. Mr. President, I will say to the Senator from Oregon, with whom I am sorry to be in disagreement, that there is not any remedy for that sort of thing. The American shipyards are filled with workmen from all sections of the country, some of whom left their normal pursuits because of the higher compensation they received, not a few of whom sought the shipyards as a means of avoiding military service; so it is a very natural thing that the shipyards on the east and west coasts, and probably on the southern coasts, are filled with workingmen, where the wage was at the very top notch because of war conditions and exemption from military service and fortunate conditions generally. You can not hope to have readjustments without some hardships.

Mr. President, there are no readjustments following a war that are free from hardships. They will come for the men who wear the uniform, they will come for the American home, they will come for the American employer. No one is free from the trials and denials and losses and distresses that attend the enormous readjustment which follows a war. It is perfect folly to think of such a thing.

And now, Mr. President, having detained the Senate much longer than I thought to do when I rose to my feet, let me say one thing more.

There is a lack of practical procedure. Six months ago there was proposed to this body a responsible plan for readjustment and reconstruction. Instead of accepting the advice or suggestions of the Senate, the Executive frowned upon them and said, "No; I have a plan for reconstruction and readjustment," and the proposals of those of us in the Senate, thought out by many capable and very earnest men dealing with the subject, were turned down. The Executive program was at least accepted by inference; and without a single move toward establishing conditions helpful to reconstruction the President went abroad, and a finger has not been lifted to this day. That is why we are drifting into chaos in the United States. That is why I am making an appeal to the Senate to-day to put aside for a little while the pursuit of the ideal and get down to practical things for the relief of the American Republic.

Mr. CUMMINS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Iowa?

Mr. HARDING. I do.

Mr. CUMMINS. The Senator from Ohio, if he will permit me, is not quite accurate with regard to the suggestions for reconstruction. The President proposed—I assume he proposed through the bill introduced by the Senator from North Carolina—that a commission be appointed to take into consideration these very vital problems. The Senator from Massachusetts [Mr. WEEKS] introduced a resolution which looked to the appointment of joint legislative committees covering the same subject. The Republican conference took into its consideration the resolution offered by the Senator from Massachusetts. It was modified somewhat, though not essentially, and in its modified form I had the honor of introducing it into the Senate. It was referred to the Committee on the Judiciary. The bill introduced by the Senator from North Carolina had been referred to the Committee on the Judiciary. The bill and the resolution were referred by the full committee to a subcommittee, and there they have remained without attention or action.

I say, without the least reflection upon the chairman of that subcommittee, that I have been industriously endeavoring from that time until now to secure a meeting of the subcommittee for the consideration of those two propositions, which differed only in the procedure—the one contemplated an administrative commission and the other contemplated legislative committees—and I have been unable to secure a meeting of the subcommittee. The Senator from North Carolina is not here, and I ought to say

in his defense that one of the reasons that he has given for the failure of the subcommittee to meet is that he, as chairman of this German propaganda committee, has been busily engaged in that work. But three weeks ago, four weeks ago, we ought to have had a meeting of the subcommittee, and we ought to have made some report, and the Judiciary Committee ought to have taken some action upon it, and the Senate ought to have the subject before it now. Indeed, it ought to have had it before it long ago.

I rose simply to correct what I thought was an inaccuracy in the statement of the Senator from Ohio when he said that the proposition of the President had been accepted and that he thereafter abandoned it. The truth is that it is before the Judiciary Committee; and I very much hope that as soon as the subcommittee can find an opportunity to do it we will take up that subject and dispose of it. I agree with the Senator from Ohio that there is nothing so imperative at this moment as to reach a conclusion with regard to the things we ought to do after the war.

Mr. HARDING. Mr. President, I am very glad to have the interruption of the Senator from Iowa, and I am very glad to be corrected in any error I have made in stating the reasons for inactivity in a reconstruction program; but I am only assuming that the things I have thought to have been done are soon to be done, whenever the committee does meet. I know nothing practical has been done.

Mr. President, I realize that the Senate is weary, and I am disposed to apologize. I have been saying these things because I can not vote for the pending measure as an offering of American charity, if we are going to do it with the limitations and conditions proposed by my distinguished friend, the Senator from Pennsylvania [Mr. PENROSE], and also by our distinguished floor leader on this side of the Chamber [Mr. LODGE]. I do not want any string to the generosity of the Republic if I am going to vote $100,000,000 as a mark of generosity or charity; and, on the other hand, if this measure is presented in fulfillment of an agreement between Great Britain and France and the United States of America, I am ready to vote without a moment's hesitation if we have that mark of agreement or indication of agreement in the pending measure. But I do not want to be put in the attitude of voting away $100,000,000 of American money at the mere behest of the President, no matter how lofty his motives may be. I do not want to seem to be in the attitude of nagging or criticizing him. No one wishes him greater achievement in Europe in this most extraordinary visit than I do. I would be sorry, partisan that I am, if the President should come home in a state of humiliation. Perhaps it would not be serious if none were greater than his disappointment over peace point No. 1. That is example of the trouble with the idealist. He proclaims something splendid without thinking of the practical side. I knew that you could not have perfectly open negotiation, and you know you can not. The pity was that we committed ourselves to it unalterably before we learned the practical side of the situation.

I should like to vote for a measure which has the judgment and the conscience of the Senate back of it; but if we are going to do this, let us eliminate from the bill the restrictions tying the hands of the committee or the commission on the one hand or limiting the bounds of our generosity on the other. Maybe I have not enough of hate in my heart. Sometimes I think I am lacking in one of the essential attributes of a real human being because I can not hate; but if I am going to give of my bounty to the starving of the world I know neither nationality, creed, nor previous commitment to this very hour. I want it to be as broad as the humanity and justice for which this Republic stands.

One word more, Mr. President. I give notice now that if I give my sanction to the pending measures, which I doubt if I can, it is the last that I am going to give in the name of war or war necessity or war exigencies at Executive behest, because the war is ended and peace ought to be negotiated now. I refuse from this day on to be called upon to vote for any measure for the promotion of American success in the world war, because the triumph is recorded. I want a little more attention to the preservation of things at home. Senators, those of you who are good enough to listen to me, know that this Republic is founded on civil liberty, written for the first time in the history of the world into the American Constitution. On civil liberty you built the temples, religious liberty and human liberty, and the tendency of the hour is to strike at civil liberty and its guaranties. If this Republic is not committed in good conscience to the preservation of civil liberty and the maintenance of orderly government, our civilization has failed, and I warn you this war has been fought in vain to destroy autocracy and the menace of power such as Germany exercised before the war began. And the measureless sacrifice has been in vain, because the whole fabric of civilization will be torn asunder and humanity will have gone back five centuries instead of marching ahead, as it ought, with the soul of liberty aflame.

Mr. CHAMBERLAIN. Mr. President, I do not rise for the purpose of making a speech; but in view of the statement of the Senator from Ohio [Mr. HARDING] that he did not intend to vote for any measure in future as a war-emergency matter, I am going to call his attention to a telegram received by me from Oregon this morning, and he may later be placed in a position where application will be made for appropriations that are distinctly war-emergency matters.

I have received the telegram which I send to the desk and ask to have read, and after its reading I desire to make a very brief statement about it.

The PRESIDENT pro tempore. Without objection, the telegram will be read.

The Secretary read as follows:

PORTLAND, OREG., *January 19, 1919.*

Hon. GEORGE E. CHAMBERLAIN,
Senate Chamber, Washington, D. C.:

The situation of many of the discharged soldiers reaching this State is so unfortunate and the lack of employment is so serious that the legislature on Thursday passed an emergency measure creating a commission for the relief of discharged soldiers and sailors and appropriating $100,000 for this purpose. At the request of the legislature the highway commission will immediately arrange to put 1,000 men to work on force account, giving preference to the returned Oregon soldiers and sailors. The feeling of the people of this State is very pronounced that it is the duty of Congress to enact legislation that will make full and adequate provision for our discharged soldiers and sailors covering the period of time that will enable them to secure positions and resume their usual occupations, and I can not too strongly urge upon you the wisdom of exerting your great influence to secure the passage of such legislation.

W. B. AYER,
Chairman Soldiers and Sailors Commission.

Mr. CHAMBERLAIN. That telegram is signed by one of our best and most disinterested citizens. He represented the Food Administration in Oregon during the whole period of the administration of the food law.

There is a condition, Mr. President, that has been brought about largely by this war emergency. There were at least 30,000 men who were engaged in spruce production under the direction of the War Department, and when the armistice was signed that whole production ceased, with the result that 30,000 men were immediately turned loose, to be absorbed by a small community. On the heels of that the Emergency Fleet Corporation canceled the contracts in Oregon and Washington for nearly 50 wooden ships, which turned loose on the community another 10,000 men engaged in ship construction, and, in addition to that, innumerable laborers in lumber yards of the Northwest.

Mr. President, the result of this governmental action, and I have no criticism to make of it particularly, is that the young men who are going back to those States must inevitably suffer. They are suffering, and not only the young soldiers but the laboring people of our community. All efforts to secure relief from the Shipping Board——

Mr. HARDING. May I interrupt the Senator?

Mr. CHAMBERLAIN. I yield.

Mr. HARDING. I wish to ask the Senator from Oregon if it would not relieve the situation, as far as the shipyards are concerned, if the Shipping Board would take off the ban and permit the shipyards to build by private contract.

Mr. CHAMBERLAIN. I think probably that is true; I understand they are not even building for foreign account. But the point I desire to make is that the Oregon Legislature has appropriated $100,000, not as a charity, but for the purpose of finding employment for these young men in highway construction. We have got to do something of that kind, because Oregon is not the only State affected. It will reach down into every State in this Union, and you will have applications to the legislatures to pass appropriation bills and to Congress to assist in their relief. They do not ask this as a charity.

I have introduced in the Senate of the United States, and there is now pending before the proper committee, a highway construction measure. These young men have been living out of doors for the past year or more, and there is no better way to improve the country and the condition of these young men than to have the Government itself engage in the construction of interstate roads.

Mr. VARDAMAN. Will the Senator from Oregon permit me to suggest to him that the emergency which he has just been discussing might be met if Congress would provide additional pay to the soldiers for six months? That would enable them to find work without having the States make appropriations for new roads for that purpose. That would be an inexpensive and easy settlement of a difficult problem, it seems to me.

Mr. CHAMBERLAIN. These young men do not ask charity. They want work. That is what they are asking in Oregon, and that is what the legislature proposes to give them. I think many of the men who are returning now would resent the giving to them of anything in the way of charity. They want work in Oregon, and they will want it in other States of the Union.

I put that telegram in the RECORD in order that Congress may begin to realize the situation that has already begun in the Northwest, one of the most prosperous sections of the United States.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the following bills:

S. 41. An act to authorize the sale of certain lands at or near Yellowstone, Mont., for hotel and other purposes; and

S. 2552. An act to provide for a leave of absence for homestead entrymen in one or two periods, and for longer times.

The message also announced that the House had passed the bill (S. 2784) to authorize the purchase by the city of McMinnville, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 390) to establish the Grand Canyon National Park in the State of Arizona, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House agrees to the amendment of the Senate to the bill (H. R. 11948) granting the consent of Congress to the Great Southern Lumber Co., a corporation of the State of Pennsylvania, doing business in the State of Mississippi, to construct a bridge across Pearl River at or near the north line of section 22, township 8 north, range 21 west, west of the basis meridian, in the land district east of Pearl River, in the State of Mississippi.

The message further announced that the House disagrees to the amendments of the Senate to the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HOUSTON, Mr. ASWELL, and Mr. NICHOLS of Michigan managers at the conference on the part of the House.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 7362. An act to authorize construction of a lock and dam in Old River, in the State of Texas, and the making of improvements enabling the passage of fresh water from a portion of Trinity River above the mouth of Old River into Old River above such lock and dam, and for the protection of rice crops against salt water;

H. R. 12082. An act authorizing the sale of certain lands in South Dakota for cemetery purposes;

H. R. 13004. An act extending the time for construction of a bridge and for the maintenance of a pontoon and pile bridge by the Chicago, Milwaukee & St. Paul Railway Co. across the Missouri River at or near Chamberlain, S. Dak., and providing additional requirements for the bridge to be constructed;

H. R. 13019. An act to authorize the purchase by the city of Myrtle Point, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916;

H. R. 13056. An act to grant to citizens of Modoc County, Cal., the right to cut timber in the State of Nevada for agricultural, mining, or other domestic purposes, and to remove such timber to Modoc County, Cal.;

H. R. 13143. An act extending the time for the construction of a bridge across the Mississippi River near and above the city of New Orleans, La., or for the construction of a tunnel or tunnels under said river in lieu of said bridge; and

H. R. 13273. An act to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, and an act in amendment thereto approved October 6, 1917.

PETITIONS AND MEMORIALS.

Mr. TOWNSEND presented resolutions adopted by the Board of Supervisors of Medford County, Mich., favoring the early recall of soldiers residents of that county, which were referred to the Committee on Military Affairs.

He also presented a petition of sundry citizens of St. Clair County, Mich., praying for the proposed five-year extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

He also presented a petition of Ponoma Grange No. 66, Patrons of Husbandry, of Sault Ste. Marie, Mich., and a petition of the Sunday school board of the Central Methodist Church, of Sault Ste. Marie, Mich., praying for the establishment of a department of education, which were referred to the Committee on Education and Labor.

He also presented a resolution adopted by the Michigan State Board of Registration of Nurses, praying for the enactment of legislation granting commissions to Army nurses, which was referred to the Committee on Military Affairs.

He also presented a memorial of Local Union No. 297, United Brotherhood of Carpenters and Joiners, of Kalamazoo, Mich., remonstrating against making permanent the Federal Employment Agency, which was referred to the Committee on Education and Labor.

He also presented a petition of Local Union No. 127, United Automobile, Aircraft, and Vehicle Workers of America, of Detroit, Mich., praying that American soldiers and sailors be withdrawn from Russian territory, which was referred to the Committee on Military Affairs.

Mr. COLT presented resolutions adopted by the Board of Aldermen of Newport, R. I., relative to the housing of Government employees at Narragansett Bay, R. I., etc., which were referred to the Committee on Public Buildings and Grounds.

REPORTS OF COMMITTEES.

Mr. CHAMBERLAIN, from the Committee on Military Affairs, to which was referred the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, reported it with an amendment.

Mr. WADSWORTH, from the Committee on Claims, to which was referred the bill (S. 978) for the relief of Watson B. Dickerman, administrator for the estate of Charles Backman, deceased, reported it without amendment and submitted a report (No. 654) thereon.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 5394) requiring the Secretary of War to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

A bill (S. 5395) requiring the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Naval Affairs.

By Mr. PENROSE:

A bill (S. 5396) to reclassify the salaries of employees above the clerical grades in post offices of the first and second class; to the Committee on Post Offices and Post Roads.

By Mr. KENYON:

A bill (S. 5397) to provide for the commencement or prosecution of public works in order to provide increased opportunities for employment during the period of demobilization and industrial readjustment, and for other purposes; to the Committee on Education and Labor.

By Mr. POMERENE:

A bill (S. 5398) to amend an act entitled "An act to regulate commerce, approved February 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission, approved June 29, 1906"; to the Committee on Interstate Commerce.

By Mr. COLT:

A bill (S. 5399) granting a pension to Sarah C. Hale; to the Committee on Pensions.

By Mr. MARTIN of Kentucky:

A bill (S. 5400) donating captured cannon and cannon balls to the University of Kentucky, Lexington, Ky.; to the Committee on Military Affairs.

By Mr. RANSDELL:

A bill (S. 5401) authorizing the Secretary of War to donate to Tulane University, New Orleans, La., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LEWIS:

A bill (S. 5402) increasing the pay of printers, pressmen, and bookbinders employed in the Government Printing Office, and for other purposes; to the Committee on Printing.

By Mr. WADSWORTH:

A bill (S. 5403) directing the Secretary of War and the Secretary of the Navy to furnish to the adjutants general of the several States the records of the men of those States who served in the Army, Navy, or Marine Corps during the war between the United States and Germany; to the Committee on Military Affairs.

By Mr. SIMMONS:

A joint resolution (S. J. Res. 214) authorizing and directing the accounting officers of the Treasury to allow credit to the disbursing clerk of the Bureau of War Risk Insurance in certain cases; to the Committee on Finance.

By Mr. RANSDELL:

A joint resolution (S. J. Res. 215) directing the United States Coast Guard to resume its operations under the Treasury Department; to the Committee on Commerce.

GOVERNMENT CONTRACTS.

Mr. HENDERSON submitted an amendment intended to be proposed by him to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, which was ordered to lie on the table and be printed.

ADDRESS BY A. MITCHELL PALMER.

Mr. SMITH of Arizona submitted the following resolution (S. Res. 421), which was referred to the Committee on Printing:

Resolved, That the address delivered by Hon. A. Mitchell Palmer, Alien Property Custodian, before the New York Bar Association December 10, 1918, be printed as a Senate document.

HOUSE BILLS REFERRED.

H. R. 13273. An act to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, and an act in amendment thereto approved October 6, 1917, was read twice by its title and referred to the Committee on Finance.

The following bills were severally read twice by their titles and referred to the Committee on Commerce:

H. R. 7362. An act to authorize construction of a lock and dam in Old River, in the State of Texas, and the making of improvements enabling the passage of fresh water from a portion of Trinity River above the mouth of Old River into Old River above such lock and dam, and for the protection of rice crops against salt water;

H. R. 13004. An act extending the time for construction of a bridge and for the maintenance of a pontoon and pile bridge by the Chicago, Milwaukee & St. Paul Railway Co. across the Missouri River at or near Chamberlain, S. Dak., and providing additional requirements for the bridge to be constructed; and

H. R. 13143. An act extending the time for the construction of a bridge across the Mississippi River near and above the city of New Orleans, La., or for the construction of a tunnel or tunnels under said river in lieu of said bridge.

The following bills were severally read twice by their titles and referred to the Committee on Public Lands:

H. R. 12082. An act authorizing the sale of certain lands in South Dakota for cemetery purposes;

H. R. 13019. An act to authorize the purchase by the city of Myrtle Point, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916; and

H. R. 13056. An act to grant to citizens of Modoc County, Cal., the right to cut timber in the State of Nevada for agricultural, mining, or other domestic purposes, and to remove such timber to Modoc County, Cal.

GRAND CANYON NATIONAL PARK, ARIZ.

The PRESIDENT pro tempore laid before the Senate the amendments of the House to the bill (S. 390) to establish the Grand Canyon National Park in the State of Arizona, which were, on page 2, line 4, after "road," to insert ", passing and in relation to United States Geological Survey bench marks stamped 'Canyon' and numbered 6340, 6235, 6372, 6412, 6302, 6144, and 6129"; on page 2, line 12, after "Canyon," to insert ", crossing Hualapai Canyon and continuing northwesterly along said upper rim"; on page 5, line 4, to strike out "3, 4, 9, and 10" and insert "2, 3, 10, and 11"; on page 7, to strike out lines 14 to 18, inclusive, and insert:

SEC. 3. That nothing herein contained shall affect the rights of the Havasupai Tribe of Indians to the use and occupancy of the bottom lands of the Canyon of Cataract Creek as described in the Executive order of March 31, 1882, and the Secretary of the Interior is hereby authorized, in his discretion, to permit individual members of said tribe to use and occupy other tracts of land within said park for agricultural purposes.

On page 8, line 14, after "Park," to insert "the Secretary of the Interior may, in his discretion and upon such conditions as he may deem proper, grant easements or rights of way for railroads upon or across the park"; and on page 9, after line 7, to insert:

SEC. 9. The Executive order of January 11, 1908, creating the Grand Canyon National Monument, is hereby revoked and repealed, and such parts of the Grand Canyon National Game Preserve, designated under authority of the act of Congress, approved June 29, 1906, entitled "An act for the protection of wild animals in the Grand Canyon Forest Reserve," as are by this act included with the Grand Canyon National Park are hereby excluded and eliminated from said game preserve.

Mr. ASHURST. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

AMERICAN EXPEDITIONARY FORCE.

Mr. WADSWORTH. Mr. President, I desire to state that on Thursday at the conclusion of morning business I shall seek an opportunity to address the Senate on the American Expeditionary Force.

SENATOR FROM MICHIGAN.

Mr. POMERENE. I desire to present from the Committee on Privileges and Elections a favorable report upon Senate resolution 415 and to ask that it be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. LODGE. I object to the report. It is out of order. It is morning business.

The PRESIDENT pro tempore. Objection is made.

Mr. POMERENE. Permit me to observe that I can readily distinguish courtesy from discourtesy. I find that one matter is presented and no objection is made, and then an objection is made to another report on the ground that it interferes with the custom of the Senate.

Mr. LODGE. Mr. President, I made objection to this report because I think it is improperly made, to begin with, and it is a very different character of report. There is no question of courtesy or discourtesy about it.

Mr. KNOX. I may say that an additional reason why the objection of the Senator from Massachusetts should have been made in this case is that this report comes from a meeting of the committee held this afternoon against the protest of some of the members of the committee and against the rules of the Senate which prohibit the holding of a meeting of a committee during the sessions of the Senate and against the objection of members.

Mr. POMERENE. Permit me to say that at this session of the committee there were 11 present out of the 15 members of the committee. Objection was made by two members of the committee on technical grounds that I shall discuss at the proper time.

RECESS.

Mr. MARTIN of Virginia. I move that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 5 o'clock and 5 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, January 22, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *January 21, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Oh, Thou Infinite Spirit, above all, through all, and in us all, a potent influence, the inspiration of all that is truly noble, give to all, especially those who hold influential positions in our Government, great thought and impel them to great acts, that the genius of our Republic may more and more obtain, till truth and right, justice and liberty shall reign supreme and brotherly love prevail everywhere. In the name and spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

BRIDGE ACROSS PEARL RIVER, MISS.

Mr. SANDERS of Louisiana. Mr. Speaker, I ask to take from the Speaker's table the bill H. R. 11948, for the purpose of concurring in a Senate amendment.

The SPEAKER. The Chair lays before the House the bill with the Senate amendments. The Clerk will report the bill by title.

The Clerk read the title of the bill (H. R. 11948) granting the consent of Congress to the Great Southern Lumber Co., a corporation of the State of Pennsylvania, doing business in the State of Mississippi, to construct a bridge across Pearl River at or near the north line of section 22, township 8 north, range 21 west, west of the basis meridian, in the land district east of Pearl River, in the State of Mississippi.

The SPEAKER. The Clerk will report the Senate amendment.

The Clerk read as follows:

Page 1, line 11, strike out the word "and."

The SPEAKER. The question is on concurring in the Senate amendment.

The Senate amendment was concurred in.

THE CENSUS.

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses, to disagree to the Senate amendments, and agree to the request of the Senate for a conference.

The SPEAKER. The Clerk will report the bill.

The Clerk read the title of the bill.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to take this bill from the Speaker's table, disagree to the Senate amendments, and agree to the conference asked by the Senate. Is there objection?

Mr. ELLSWORTH. Mr. Speaker, reserving the right to object, I am interested in having consideration by the House of Senate amendment No. 12, which provides—

That after the passage of this act preference shall be given to honorably discharged soldiers, sailors, and marines, and widows of such, in making appointments to clerical and other positions in the executive departments and in independent governmental establishments.

The SPEAKER. What does the gentleman from Tennessee say about that?

Mr. HOUSTON. I am willing that the House shall have a separate vote upon that amendment if it is not agreed to in conference.

Mr. ELLSWORTH. Will the gentleman consent to exclude that in his motion to disagree?

Mr. HOUSTON. Oh, no. I think it is sufficient to let it be the understanding of the House that we shall have a separate vote upon that if it becomes necessary.

Mr. ELLSWORTH. I would like to have it considered at this time, so that a motion can be made to concur in that amendment.

Mr. HOUSTON. Does the gentleman mean at this time?

Mr. ELLSWORTH. At this time.

Mr. HOUSTON. Mr. Speaker, I think we had better get this bill into conference. I think we will have no trouble about this amendment, and I do not think we ought to act on different propositions, which will cause unnecessary delay.

Mr. ELLSWORTH. If the gentleman will assure the House that this will be brought back and that the House will have an opportunity to vote on it unless the conferees agree to the amendment, that will be satisfactory to me.

Mr. HOUSTON. I shall do that, as far as it is in my power; and I take it that will be the understanding of the House.

Mr. MANN. Does the gentleman make the same agreement as to amendments 13 and 14?

Mr. HOUSTON. I do.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, as to amendment numbered 26 and other kindred amendments that seek to provide for a quinquennial census rather than a decennial census, I think, in view of the tremendous expense occasioned by taking the censuses, the House should be given the opportunity to vote upon the question of taking a quinquennial census rather than a decennial census before that is agreed to. I question whether the House wishes to agree to that, because it is such an important matter, involving a burden of $15,000,000 on the Treasury. I think the House conferees will realize that such an important matter should be brought back to the House before it is agreed to, so that the House may have a chance to vote upon it.

Mr. HOUSTON. I fully agree with the gentleman as to the importance and magnitude of that amendment.

Mr. STAFFORD. I think on such an important matter the House should be given an opportunity to express itself before the amendment is agreed to in conference. We have never expressed ourselves heretofore in favor of taking a quinquennial census.

Mr. ASWELL. If the gentleman insists on the conferees making promises in advance as to every item, it will leave them in a very embarrassing position when they go into conference. We have already agreed to submit two or three matters to the House.

Mr. STAFFORD. This quinquennial census would impose a burden of $15,000,000 upon the Treasury. It is a proposition of such magnitude that I think it is only a fair request that it be submitted to the House. Of course these little minor matters as to the civil service, and so forth——

Mr. ASWELL. I do not think the gentleman need fear about that.

Mr. STAFFORD. I do not wish to bind the conferees, but to have it understood that the House will have an opportunity to express itself before it is agreed to.

The SPEAKER. Does any other gentleman want to save out anything?

Mr. STAFFORD. I have others in my system, but will reserve them.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee [Mr. HOUSTON]?

There was no objection, and the Speaker announced as conferees on the part of the House Mr. HOUSTON, Mr. ASWELL, and Mr. NICHOLS of Michigan.

The SPEAKER. The Chair will state that the gentleman from Kentucky [Mr. HELM] is chairman of the committee and has been on the conference committee, but he is at home sick.

Mr. HOUSTON. I am glad to state that I telegraphed to the gentleman from Kentucky [Mr. HELM] on two different days, and the answer to my second telegram was that it was impossible for him to be in attendance, and requesting me to go ahead as the ranking member and take charge of the bill.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed without amendment bill of the following title:

H. R. 12881. An act to increase the cost of the public building at Eldorado, Kans.

The message also announced that the Vice President, under the requirements of the act of August 29, 1916, had appointed Mr. SMITH of Maryland, Mr. KING, Mr. POINDEXTER, and Mr. HALE, members of the Board of Visitors on the part of the Senate to visit the Naval Academy at Annapolis, Md.

The message also announced that the Senate had passed joint resolution and bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. J. Res. 198. Joint resolution to suspend the doing of assessment work on mining claims in Alaska for the years 1917, 1918, 1919, and 1920, and extending to that Territory the provisions of public resolution No. 10, Sixty-fifth Congress, approved July 17, 1917, and public resolution No. 12, Sixty-fifth Congress, approved October 5, 1917, and for other purposes;

S. 3172. An act to provide for the abandonment of Piney Branch Road between Allison Street and Buchanan Street NW., in the District of Columbia;

S. 3258. An act for the relief of Ethel Proctor;

S. 4439. An act to provide for the survey of a national highway connecting certain national monuments in the States of Utah, Arizona, and New Mexico;

S. 2494. An act to provide for the exchange with the State of Oregon of certain school lands and indemnity rights within the national forests of that State for an equal area of national forest land;

S. 5279. An act to authorize the resumption of voluntary enlistment in the Regular Army, and for other purposes;

S. 5236. An act to amend sections 7, 10, and 11 of the Federal reserve act, and section 5172, Revised Statutes of the United States; and

S. 3914. An act authorizing a right of way for the transportation of water for improvement of grazing and development of the live-stock industry upon public and national forest land in Arizona.

The message also announced that the Senate had passed with amendment bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 13366. An act permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment, and to wear the same under certain conditions.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a bill of the following title, when the Speaker signed the same:

H. R. 11948. An act granting the consent of Congress to the Great Southern Lumber Co., a corporation of the State of Pennsylvania, doing business in the State of Mississippi, to construct a bridge across Pearl River, at or near the north line of section 22, township 8 north, range 21 west, west of the basis meridian, in the land district east of Pearl River, in the State of Mississippi.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, Senate joint resolution of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. J. Res. 198. Joint resolution to suspend the doing of assessment work on mining claims in Alaska for the years 1917, 1918, 1919, and 1920, and extending to that Territory the provisions of public resolution No. 10, Sixty-fifth Congress, approved July 17, 1917, and public resolution No. 12, Sixty-fifth Congress, approved October 5, 1917, and for other purposes; to the Committee on Mines and Mining.

R. T. COOK.

Mr. HASTINGS. Mr. Speaker, I present a privileged resolution from the Committee on Accounts.

The Clerk read as follows:

House resolution 498.

Resolved, That there shall be paid out of the contingent fund of the House to R. T. Cook the sum of $500 for extra services rendered in the folding room of the House during the Sixty-fifth Congress.

The SPEAKER. The question is on the passage of the resolution.

Mr. MANN. Mr. Speaker, I think the gentleman from Oklahoma ought to give us some explanation.

Mr. HASTINGS. Mr. Speaker, Mr. Cook is employed as a folder in the folding room, and, as the report indicates, is paid $85 a month. Some few years ago there were three assistant foremen, but the number was reduced to one. Mr. Cook is now doing the work, and has been doing the work of a foreman. Since the number was reduced an amount of $500 has been allowed each Congress, and this is the same resolution which was passed at the last Congress. He is doing this extra work, and has been doing the extra work, and for that extra work the Committee on Accounts has recommended this amount.

Mr. MANN. Is this for the entire Congress?

Mr. HASTINGS. This is for the entire Congress, $250 for each session. This folder gets $85, and of course this would be $250 a session added.

Mr. MANN. This is another instance of Democratic economy.

Mr. GARNER. We are following the Republican example.

Mr. MANN. Oh, no.

Mr. GARNER. This resolution has been passed several times.

Mr. MANN. But always by a Democratic House.

Mr. GARNER. On the motion of a Republican Member of Congress.

Mr. MANN. I do not know about that; a Republican is not making the motion here.

Mr. HASTINGS. This is the unanimous report from the Committee on Accounts.

The resolution was considered and agreed to.

SEBE NEWMAN.

Mr. HASTINGS. Mr. Speaker, I present the following privileged report from the Committee on Accounts.

The Clerk read as follows:

House resolution 459.

Resolved, That there shall be paid, out of the contingent fund of the House, the sum of $600 to Sebe Newman for extra services rendered in connection with the sending out of blanks, receiving, filing, and compiling expense statements filed by candidates for Representatives in Congress, in accordance with H. R. 2958 of the Sixty-second Congress, entitled "An act to amend an act entitled 'An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected, and extending the same to candidates for nomination and election to the offices of Representative and Senator in the Congress of the United States and limiting the amount of campaign expenses.'"

Mr. HASTINGS. Mr. Speaker, in explanation of this resolution I will say that a similar resolution was passed since the passage of the act referred to in the resolution six or eight years ago. This is for extra services rendered by Mr. Newman in the Clerk's office. This is for services rendered out of office hours. A similar resolution has been passed each year since this act of Congress was passed which is referred to in the resolution.

Mr. MANN. I do not think the services are rendered out of office hours. These are services which the Clerk is compelled to perform. They are not supposed to be rendered out of office hours. The Clerk is required to perform the services.

Mr. HASTINGS. Let me interrupt the gentleman by saying that the book in which the accounts are kept has to be in the Clerk's office and open for inspection, and I understand that the insertion of these data has to be done at night and out of office hours, because the book has to be kept there for inspection during office hours. That is the explanation made to the committee.

Mr. MANN. The book is kept there like other books are kept for inspection which relate to the filing of statements and work in connection with it. Of course there ought to be provision made by the House for the work. Whether it ought to be in the form of extra compensation for somebody in the Clerk's office I will not undertake to say. It certainly ought to be provided for by the House. The Clerk ought to be given help enough to do the work. These resolutions for extra help year after year, for matters the House requires to be done, is not a very satisfactory method; the Clerk ought to be provided with sufficient help, and was provided with sufficient help until our Democratic friends got control, and now they do it by giving bonuses.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. HASTINGS. I will.

Mr. HUDDLESTON. I would like to inquire what clerk has the duty of having charge of these statements and exhibiting them to the public when the public wants to see them?

Mr. HASTINGS. I understand that this man Newman, whose name is mentioned in the resolution, has charge of the book which is kept in the Clerk's office.

Mr. HUDDLESTON. I will say that I have been there several times to see statements and never found any particular clerk in charge. In fact, they are very loosely kept, and it is mighty hard to get the information you want by looking at the statements. I have found at times that the entries were not made promply in the book. I think we ought to make it somebody's duty to do it and to pay him for it. I am not satisfied with the method in which that is done down there at this time.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

THEODORE ROOSEVELT.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent to incorporate in the RECORD two short columns of very laudatory matter passed by the Albany Chamber of Commerce at Albany, N. Y., relating to Theodore Roosevelt. It was passed at the last meeting and published in the Albany (N. Y.) Times-Union January 10, 1919.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. DENISON. What part of the late President Roosevelt's career is it laudatory of?

Mr. FERRIS. It deals with his entire life and characteristics, and lauds him as being a combination of youth and age, that he never grew old, and so forth, and as a hero.

Mr. STAFFORD. Does the gentleman wish to send this out as a public document?

Mr. FERRIS. No; but I assume gentlemen on the other side will want to do that.

Mr. STAFFORD. The gentleman is very accommodating, and we shall not object.

The SPEAKER. Is there objection?

There was no objection.

The publication above referred to is as follows:

[From the Albany (N. Y.) Times-Union, Jan. 10, 1919.]

A MEMORIAL OF THE CHAMBER OF COMMERCE OF ALBANY, N. Y.

(The following memorial, written by former Gov. Martin H. Glynn, was unanimously adopted by the Albany Chamber of Commerce at its meeting last night, and an engrossed copy ordered sent to Mrs. Roosevelt:)

In the death of Theodore Roosevelt the people of Albany mourn the loss of a neighbor and a friend.

The Nation grieves for a statesman, the world for a great dynamic force, but we lament the man. Our grief, though, finds solace in the faith that our sorrow will change into song as time brings to the fame of Theodore Roosevelt the regal coronation it so richly deserves. Here in Albany he served in the halls of legislation, here he lived in the executive mansion, and from here he went on his way to the Presidency, and so we feel that while New York gave him to the Nation, Albany gave him to the world.

As old friends and neighbors we love to bask in the reflected glory of his world-belting honors; but now that taps have sounded, the lights are out, and the leader leads no more; now that the drums are muffled and the flags flutter at half staff, we, of course, exult in his deeds that filled the eye of the world and in his words that fired the hearts of men, but above this exultation, we, his old friends and neighbors, voice our pride in the fact that Theodore Roosevelt died the most distinguished private citizen in the world.

Chance, circumstance, and a kaleidoscopic combination of events may bring a man power and place, but only a great heart, a great head, and a kindly hand can keep a man as great in private life as he ever was in the panoply of power. In all history Theodore Roosevelt is one of the few men whose power did not depend on place. The source of his power was locked within his own breast and made him the most influential man of his time, the most picturesque American since Benjamin Franklin and Abraham Lincoln. In office or out of office he was great because he had in him the stuff which has made men live in the pages of Plutarch for 2,000 years; in office or out of office he was great because he had in him the stuff which Thomas Carlyle says makes hero worshipers out of mankind, in him the stuff Ralph Waldo Emerson finds so commendable in "Representative Men."

Impulsive, brisk, full of intensive vitality, direct and to the point in his consideration of any subject matter, aggressive to a marked degree, ever ready to accept the challenge and fight to the last ditch, convincingly eloquent of speech and entertainingly commanding with the pen, ever doing the unexpected, battering down precedent and brushing aside the conventional, intensely loyal to his friends and unrelenting with his foes, born leader of men, an ardent advocate but a just judge, foremost in the field or on the platform or in the exercise of executive functions, turning from one activity to another with the greatest of dexterity, yet performing each duty thoroughly and satisfactorily—Theodore Roosevelt was one of the most marvelous men, not only of this age but of all time.

His character is his monument and "a square deal" the epitome of his life. He never allowed age to rob him of his youth, and from this sprang his exuberance of spirit whose contagiousness gave him the largest personal following in America. In play time he played, in work time he worked, and in fight time he fought, and fought like a lion. He dealt hard blows, but never dealt a foul one. He made no pretense of being a superman; he was content to be an ordinary, everyday man, with the ordinary man's virtues and the ordinary man's faults. And therein lay his greatness, for he possessed the common traits of the common man to a highly uncommon degree. All his life long, in public life and in private life, he fought "short weights" and "false measures." And to his credit be it said that after 30 years of immunity he compelled interests that had been shortweighting and false-measuring the public to burn their bushels and hide the ashes.

In the sum total of life it is not the isolated deed that counts; it's the grand average, and Theodore Roosevelt's average was handsomely high. He was as versatile as the seasons, as spontaneous as the breeze. From tracing the lineage of a fossil in the rocks to hunting the tiger in his native lair, from the silence and seclusion of the study to the rush of the field and the tumult of the forum, Theodore Roosevelt scored the highest average of any man in public life the whole wide world around. His mental acquisitiveness was insatiable, but avarice for knowledge was his only cupidity. He fled the valley land of the specialist; he sought the mountain top of the generalist; he followed Samuel Johnson's advice "to survey mankind with extensive view from China to Peru," and, though little given to imitation, he imitated Lord Bacon and took "all knowledge for his province." His courage, robust and unbreakable, fed on opposition and grew on strife. Out of difficulties, vexations, and defeats he made stepping stones to higher things. The world loved him for his virtues, and so do we, but we also love him for his faults.

Faults; yes, his heart throbbed warm with pulses human,
But carping envy's self might scarce deplore
The faults that doubly vouched him staunch and true man,
And only made men love him all the more.

Motes in the sunshine, foam on the billows,
Cloud shadows floating o'er the mountain crest,
His faults but marked the mighty play, the motion
Of a grand nature in its grand unrest.

The world has lost a great man, America one of the most illustrious of her sons, and mankind a most ardent benefactor. From the furthermost ends of the earth come messages of regret, sympathy, and condolence. Universal is the recognition of his greatness, universal the grief at his passing. The gleam has gone from his eye, the eloquence of his voice is hushed, the throb of his impulsive but generous heart is stilled, and he lies cold in death. He has entered upon eternal sleep within the quiet precincts of the cemetery at Oyster Bay, and the great problems of life will never more rouse him from his "lowly bed." But he leaves behind him a life memory to which is clustered the work of the mighty. His is "one of the few, the immortal names that were not born to die."

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. KITCHIN, at the request of Mr. HENRY T. RAINEY, for to-day, on account of sickness.

BUSINESS IN ORDER ON CALENDAR WEDNESDAY.

Mr. HENRY T. RAINEY. Mr. Speaker, the gentleman from North Carolina [Mr. KITCHIN] has advised me that it is exceedingly important to finish the consideration of the Diplomatic and Consular appropriation bill to-morrow, and he has requested me to ask unanimous consent that the business in order on Calendar Wednesday be dispensed with to-morrow.

The SPEAKER. The gentleman from Illinois asks unanimous consent that business in order on Calendar Wednesday, to-morrow, be dispensed with. Is there objection?

There was no objection.

HOUR OF MEETING TO-MORROW.

Mr. HENRY T. RAINEY. Mr. Speaker, in order to expedite the consideration of the Diplomatic and Consular appropriation bill, I ask unanimous consent that when the House adjourns to-day it adjourn to meet to-morrow at 11 o'clock a. m.

The SPEAKER. The gentleman from Illinois asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, what time will the House adjourn to-day?

Mr. FLOOD. Mr. Speaker, we have had requests on this side for a good deal of time in general debate, probably five hours.

Mr. MANN. Is it intended to hold an evening session? I do not think that the House ought to meet at 11 o'clock in the morning if we are to be kept here late.

Mr. FLOOD. No; I thought we would get through by 6 or 7 o'clock.

Mr. MANN. There is a Republican conference called for to-night, and we would like to have the House adjourn in time, so that Republicans may have opportunity to go home to their dinners and be back here at 8 o'clock.

Mr. FLOOD. What time would the gentleman suggest?

Mr. MANN. Half past 5 or 6 o'clock.

Mr. GARNER. Say not later than 6 o'clock.

Mr. FLOOD. Very well.

Mr. STAFFORD. Is it the understanding that we are to consider the bill other than in general debate to-day?

Mr. FLOOD. Yes; if we get through with the general debate. General debate may not take up all of the time. Let us run on until 6 o'clock, and then we will rise.

The SPEAKER. Is there objection to the request of the gentleman from Illinois that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow?

There was no objection.

PURCHASE OF EMBASSY AND LEGATION BUILDINGS ABROAD.

Mr. HARRISON of Mississippi. Mr. Speaker, I present a privileged report from the Committee on Rules, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 504.

Resolved. That after the adoption of this resolution and when the House resolves itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 14516, a bill making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920, it shall be in order (the general rules of the House notwithstanding) to consider the following item in said bill:

Lines 16 to 24, inclusive, on page 25, and lines 1 to 3, inclusive, on page 26, reading as follows:

"For the purchase or erection, and the alteration, repair, and furnishing of embassy and legation buildings in the principal capitals of the world, and consular buildings at the principal ports in China, $3,000,000; and the Secretary of State is hereby given authority to acquire, for the purpose specified, as soon as may advantageously be done, suitable buildings, and to alter, repair, and furnish said buildings or acquire appropriate sites, and to erect and furnish suitable buildings thereon, or to acquire options upon suitable buildings or appropriate sites, as may, in his judgment, be for the best interests of the Government: *Provided, however*, That not more than $250,000 shall be expended at any one place, except that in cities containing 1,000,000 or more inhabitants the limit of cost shall be $500,000."

Mr. HARRISON of Mississippi. Mr. Speaker, I would ask the gentleman from Kansas [Mr. CAMPBELL] if he desires any time on this rule?

Mr. CAMPBELL of Kansas. Mr. Speaker, I suggest that the gentleman move the previous question and we then will have 20 minutes on a side.

Mr. FOSTER. Mr. Speaker, is the gentleman from Kansas opposed to this resolution?

Mr. CAMPBELL of Kansas. I have some hesitation as to its wisdom.

Mr. FOSTER. Some of us who are on the Committee on Rules are opposed to the resolution.

Mr. CAMPBELL of Kansas. I think the gentleman and I will not disagree.

Mr. FOSTER. If the gentleman is opposed to the resolution, I think he ought to have control of the time, but if he is in favor of the resolution I do not think he ought to control the time in opposition to it.

Mr. CAMPBELL of Kansas. I shall yield time to anyone who desires it in opposition to the resolution.

Mr. FOSTER. If the gentleman is opposed to the resolution, of course he is entitled to time; but unless he is opposed to it I do not think he has any right to control the time in opposition to the resolution.

Mr. MANN. That question does not arise now.

Mr. FOSTER. Of course it does not, but it is just as well to understand it now as later.

Mr. HARRISON of Mississippi. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The gentleman from Mississippi is recognized for 20 minutes.

Mr. FOSTER. Mr. Speaker, before we begin let us have an understanding in respect to who shall control the time upon the resolution in opposition to it. I do not want to be contentious about it, if the gentleman from Kansas really wants to control the time.

The SPEAKER. Is the gentleman from Kansas in favor of the resolution?

Mr. CAMPBELL of Kansas. Mr. Speaker, I stated my position on this to the Committee on Rules, just as I shall state it here. I do not think we ought to take up matters of this kind at this time.

The SPEAKER. Is the gentleman opposed to the resolution?

Mr. CAMPBELL of Kansas. I am.

The SPEAKER. That settles the matter.

Mr. HARRISON of Mississippi. Mr. Speaker, this rule provides for making in order the last provision of the Consular and Diplomatic appropriation bill, touching the appropriation of $3,000,000 to construct embassies and consulates in capital cities throughout the world. It occurred to the Committee on Foreign Affairs that if there was ever a time when liberal appropriations should be made to build residences for our diplomats abroad it is now.

Mr. DENISON. Mr. Speaker, will the gentleman yield?

Mr. HARRISON of Mississippi. Yes.

Mr. DENISON. What was it that made it so strike the committee?

Mr. HARRISON of Mississippi. If the gentleman will hold his soul in patience, I shall try to enlighten him. In Washington, for instance, Great Britain pays her ambassador $50,000 a year and provides a magnificent residence for him, as well as an expense account. The little country of Cuba pays its ambassador $21,600 a year and provides a suitable residence for him. France allows its representative here $35,000 and full rental and expense allowance. Italy pays its ambassador here $25,000 a year and provides $12,000 a year for rental of a residence and expense allowance. Every ambassador and minister to this country from every country throughout the world allows either its representatives a rental and expense account or residence in which they may live.

Mr. DENISON. Will the gentleman yield?

Mr. HARRISON of Mississippi. I yield to the gentleman.

Mr. DENISON. Admitting, of course, that is true, but what I wanted to know particularly was why it struck the committee at this particular time that we ought to do this?

Mr. HARRISON of Mississippi. For the reason that at this particular time if American diplomacy has ever stood high among the people of the world it stands high to-day, and if we want to retain that high standard among the peoples of the world it is now. Only rich men can now hold these positions. I want to make it possible to see men of ability, irrespective of their wealth, hold these positions. In 1911 the Congress passed what was known as the Lowden Act, by providing that Congress might appropriate each year not over $500,000 to build at least three embassies or legations, but in no instance should any legation cost over $150,000. Under that act we have appropriated, I think, for three places, and only three legations have been constructed under it. We found this situation to exist, that in Paris, for instance, Great Britain has an embassy that is worth approximately $1,500,000; Germany an embassy that is worth approximately $700,000 or more; Italy, something over $400,000; Austria-Hungary, perhaps $1,000,000; and I am sure that no American Representative who desires to see his country's representatives in foreign capitals stand as high as the representatives of other countries would want to erect a residence in Paris that would cost no more than $150,000, and it is to carry on this high standard that our diplomats representing the United States have taken, that we want to build these residences in capitals abroad. Surely, if we are to cope in the rivalry of trade and commerce with foreign nations, we want capable representatives throughout the world. Let us go after trade everywhere. Let us impress on the world the greatness of our country.

Mr. HAMLIN. Will the gentleman yield?

Mr. HARRISON of Mississippi. I yield.

Mr. HAMLIN. I think the gentleman is correct in his statement that the diplomacy of the United States has never stood higher than now, and it has reached that point without these buildings and without these enormous expenses. Is there any reason to believe it may lose caste in case we do not saddle upon the taxpayer this additional burden at this time when we have already placed upon them an indebtedness that your children and my children, and perhaps their grandchildren, will not see wiped out? Does the gentleman think this is the time to add this additional expense to the burdens they already bear?

Mr. HARRISON of Mississippi. If there was ever an opportune time to build these embassies, it is now if we want to continue to hold the trade of the world that we have gained. We are appropriating large sums of money to send commercial attachés and commercial agents throughout the world to obtain trade. We have spent billions in constructing ships to carry that commerce after we have obtained it. The $3,000,000 provided for in this provision is about a sixth of what a battleship will cost, and battleships last only 8 or 10 years, and then they are thrown into the scrap heap, while these embassies will continue to grow in value.

Mr. HAMLIN. The building of these residences will not do away with a single battleship——

Mr. HARRISON of Mississippi. That is very true.

Mr. HAMLIN. And I can not understand how the building of an embassy building in which our minister may live will increase the foreign trade. I think we had better expend that money in employing other agencies to visit these countries and work up that trade.

Mr. HARRISON of Mississippi. The gentleman knows there are over 99 per cent of the people in foreign capitals who never visit the United States, but they form their opinion in a less or greater degree by the way our ambassadors and our ministers conduct themselves abroad. I submit that now is a very opportune time to build these embassies and hold the high place our diplomacy has now gained.

Mr. MANN. Will the gentleman yield?

Mr. HARRISON of Mississippi. Yes.

Mr. MANN. The item in the bill which it is proposed to make in order, of course, the gentleman is familiar with, because he is a member of the Committee on Foreign Affairs. That appropriates $3,000,000, and, as I understand it, puts no limit of cost at all as to the amount that may be required to be appropriated hereafter except the $250,000 or $500,000 at a place.

Mr. HARRISON of Mississippi. That is true.

Mr. MANN. It authorizes the Secretary of State to incur such expenses as he may desire or such obligations as he may desire, to be paid for hereafter.

Mr. HARRISON of Mississippi. That is true.

Mr. MANN. It entirely removes that limitation of the so-called Lowden Act?

Mr. HARRISON of Mississippi. I think it does. I reserve the balance of my time.

Mr. CAMPBELL of Kansas. Mr. Speaker, I have two objections to the resolution. The first is that we are approaching the 4th of March and the business of the session has hardly been commenced. We have scarcely commenced even with the supply bills. The great burden of the work is yet before us. This resolution will make in order a matter that will provoke discussion that will delay this bill at least a day, in my judgment. We must adjourn on the 4th of March whether the supply bills have been passed or not. Making matters of this kind in order on supply bills is going to make it impossible for the majority of the House to complete the work of this Congress before the 4th day of March. Now, if it is the purpose of those responsible for supplying the Government with the necessary means to keep it alive for the next fiscal, before the 4th day of March they must adopt a different program and not saddle upon appropriation bills legislation and matters of this kind that will provoke discussion.

The appropriation bills from this on must be stripped of everything in the nature of legislation, in the nature of new matter that will provoke discussion, if it is the purpose of the majority to pass the appropriation bills before the adjournment. It is a matter of policy—of expediting the business of the Congress—with a view of avoiding a special session of Congress if it is the intention of the majority to avoid a special session.

Upon the other hand, I doubt very seriously, however desirable it may be to have embassies, splendid buildings, in the capitals of the world, that this is a time to add that additional burden to the burden now carried by our people. The people of this country have been burdened within the past two years to the amount of over $30,000,000,000 that they must pay interest upon. They must provide for paying the principal. And if you ask a few millions here and a few millions there and keep adding other millions upon all these appropriation bills for every matter that looks feasible, upon every matter that looks as though it really ought to be done, upon every matter that looks as though it would promote our interests in this direction or in that, we will continue to pile up millions until they reach hundreds of millions and to billions of dollars. We must call a halt somewhere. We have proceeded in the past to fairly get our case before the world in foreign countries, and if there have been faults or shortcomings they have not been due to the fact that we have not had suitable buildings. If our diplomacy has been wanting it has been because we have no foreign policy that has been continuous, that has proceeded one year after another upon a given line, but has changed with the whim of the administration from one policy to another and has changed ambassadors and ministers because of political affiliations.

Men who have had no diplomatic training at all have often been sent to represent us because they have had money, and one administration after another has thought that because they contributed to campaigns these men should be rewarded by giving them positions as ambassadors and ministers. And that has been true not through this administration alone but through all administrations. So I say whatever of shortcoming attaches to our diplomacy is not because of the condition of our embassies, but because of our want of a policy, of a foreign office with a foreign policy that continues from one year to another without regard to change of political administration in the country.

Our finances are being burdened, I repeat, far beyond anything that has ever been looked forward to by the American people. We have been cautious about making large appropriations for these embassies in years when our expenditures were within a billion of dollars. Next year our expenditures, it is

said, will run beyond $11,000,000,000, and yet it is proposed here to add three more millions of dollars. We shall make in order a bill within a few days, which should have been done long ago, appropriating $10,000,000 for necessary hospitals for our wounded and disabled soldiers now returning from the war. Some things must be done. But this is one of the things that can be postponed. It is for these two reasons that I think this is an inopportune time to make this item in order on this appropriation bill.

Mr. STAFFORD. Mr. Speaker, I make the point of order there is no quorum present.

Mr. CAMPBELL of Kansas. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has used eight minutes.

Mr. HARRISON of Mississippi. Mr. Speaker, how much time have I remaining?

The SPEAKER. Twelve minutes.

Mr. CAMPBELL of Kansas. Have I eight minutes remaining, or did I use eight?

The SPEAKER. There are 12 minutes remaining on each side.

The gentleman from Wisconsin [Mr. STAFFORD] makes the point of order there is no quorum present. The Chair will count. [After counting.] Forty-eight Members are present, not a quorum.

Mr. FLOOD and Mr. FOSTER moved a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The roll was called and the following Members failed to answer to their names:

Anthony	Edmonds	Kreider	Sanford
Ashbrook	Esch	Lee, Ga.	Saunders, Va.
Austin	Estopinal	Lever	Scott, Mich.
Bacharach	Fairchild, G. W.	Littlepage	Scully
Barnhart	Farr	McClintic	Sears
Beshlin	Foss	McCulloch	Shackleford
Blackmon	Fields	McKenzie	Shallenberger
Booher	Flynn	McLaughlin, Mich.	Sherley
Borland	Focht	McLaughlin, Pa.	Sims
Bowers	Francis	Maher	Slemp
Brand	Fuller, Mass.	Miller, Minn.	Smith, C. B.
Britten	Godwin, N. C.	Mondell	Smith, T. F.
Browne	Gordon	Montague	Snell
Brumbaugh	Gray, N. J.	Morin	Snook
Caldwell	Greene, Vt.	Mott	Steele
Candler, Miss.	Gregg	Madd	Stephens, Nebr.
Carew	Hadley	Nicholls, S. C.	Sterling
Carter, Mass.	Hamill	Nolan	Strong
Chandler, N. Y.	Hamilton, Mich.	Norton	Sullivan
Church	Hamilton, N. Y.	Olney	Swift
Condy	Harrison, Va.	O'Shaunessy	Switzer
Collier	Haskell	Overstreet	Tague
Cooper, Ohio	Haugen	Padgett	Taylor, Ark.
Costello	Hayes	Park	Templeton
Cox	Heaton	Parker, N. Y.	Thomas
Crago	Heintz	Pratt	Thompson
Curry, Cal.	Helm	Price	Treadway
Dale	Helvering	Ragsdale	Vare
Davey	Holland	Rainey, J. W.	Vestal
Davis	Hood	Ragburn	Voigt
Decker	Howard	Reavis	Waldow
Delaney	Hull, Iowa	Riordan	Ward
Dempsey	Hutchinson	Robbins	White, Ohio
Dent	Johnson, Ky.	Roberts	Wilson, Ill.
Dowling	Johnson, S. Dak.	Rowe	Winslow
Doremus	Kahn	Rowland	Wood, Ind.
Doughton	Keating	Rubey	Woods, Iowa
Drane	Kennedy, R. I.	Russell	Woodyard
Drukker	Kettner	Sabath	
Dunn	Kless, Pa.	Sanders, Ind.	
Eagle	Kitchin	Sanders, N. Y.	

The SPEAKER. On this roll call 269 Members—a quorum—have answered to their names.

Mr. HARRISON of Mississippi. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

Mr. HARRISON of Mississippi. Mr. Speaker, I yield two minutes to the gentleman from Wisconsin [Mr. COOPER].

The SPEAKER. The gentleman from Wisconsin is recognized for two minutes.

Mr. CLARK of Florida. Mr. Speaker, will the gentleman from Mississippi yield to me for a moment?

Mr. HARRISON of Mississippi. I will, provided it does not come out of my time.

TITLE TO A LOT AT EUREKA, UTAH.

Mr. CLARK of Florida. The gentleman from Virginia [Mr. FLOOD] stated he would yield to me for the purpose of trying to get a little bill through, of immediate importance.

The SPEAKER. For what purpose does the gentleman rise?

Mr. CLARK of Florida. I wanted to ask unanimous consent for the present consideration of the bill S. 3384. I want to state that it is a bill which has passed the Senate, authorizing the Secretary of the Treasury to accept title to a lot at Eureka, Utah, waiving the mineral rights. I want to say that the urgency of it comes about by reason of the fact that a case is now pending in the court out there to condemn the lot. The matter has been held up. The case has been postponed, and the court has been awaiting the action of Congress.

The SPEAKER. Is the gentleman asking unanimous consent?

Mr. CLARK of Florida. Yes. I wanted to make a statement.

The SPEAKER. The Chair knows; but the gentleman must get the time to make a statement.

Mr. CLARK of Florida. I am asking unanimous consent for the consideration of this bill. I want to state the urgency of it. Mr. Speaker, if the condemnation proceedings proceed it will cost the Government about $120,000 to get that lot.

Mr. MANN. Why was not the gentleman here when the House opened to-day to make that request?

Mr. CLARK of Florida. I want to state to the gentleman that I was sick last night, and took a pretty thorough course of medicine, and was delayed this morning—if the gentleman wants to know. [Laughter.]

The SPEAKER. Is there objection?

Mr. HARRISON of Mississippi. I shall have to object.

Mr. CLARK of Florida. It will take only two minutes.

PURCHASE OF EMBASSY AND LEGATION BUILDINGS ABROAD.

The SPEAKER. The gentleman from Mississippi is recognized for 12 minutes, and he yields two minutes to the gentleman from Wisconsin [Mr. COOPER].

Mr. COOPER of Wisconsin. Mr. Speaker, this rule ought, I think, to be adopted. The subject involved is of exceptional importance. The State Department is very insistent, and, in my judgment, rightly so, that these proposed appropriations are absolutely necessary in the interest of our vastly important foreign service. But the question of whether we shall or shall not make the appropriations is not now before us. If we adopt this resolution, we simply say that Members shall have an opportunity to hear the arguments for and against making the appropriations. If after hearing the arguments on both sides the House should decide to reject the proposition, very well. But it ought not, before making a decision, to refuse itself the opportunity to know the facts. Such an opportunity this rule, if adopted, will afford the House. It can do nothing more.

Mr. STAFFORD. Mr. Speaker, will my colleague yield for a short question?

Mr. COOPER of Wisconsin. I regret that my time is too short to yield for a question.

Mr. Speaker, the consuls of the United States are business agents for the American people. They ought to be properly housed, but it is well known—it is notorious—that in many important places they are very inadequately housed. American consuls will tell you that every day they lose business in competition with the agents of other Governments because they themselves are housed as if they were not there to do business. Everyone who was in the House when we appropriated to purchase the site for our consulate on the water front in Shanghai remembers how it was denounced as extravagant. And yet experience has already demonstrated, and will in the future more and more demonstrate, that that purchase was an investment which pays dividends. It was a wise appropriation. It has given our consuls—our Government's business agents—in the great port of Shanghai, the London of the Orient, greatly needed facilities to compete for business in the rich market of China with their rivals from other countries.

The rule should be adopted and the proposed appropriation be fairly discussed.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield three minutes to the gentleman from Illinois [Mr. MANN].

The SPEAKER. The gentleman from Illinois is recognized for three minutes.

Mr. MANN. Mr. Speaker, it might be well in passing to say the appropriation involved here does not cover consulate buildings anywhere in the world, as suggested by the gentleman from Wisconsin [Mr. COOPER], except in China. There is a proposition in the Diplomatic and Consular appropriation bill to appropriate $3,000,000 for the purchase or acquirement of embassy and legation buildings to be owned by the United States throughout the world, with no limit of cost whatever on the amount which may be obligated by the Secretary of State. He is not limited by the amount of $3,000,000, but can purchase buildings to any extent that he pleases all over the world, with the one limit not

to exceed $500,000 in a city of a million inhabitants and $250,000 elsewhere.

But this is what I want to call to the attention of the House: We have been seven weeks in session. There are just six weeks more of this session, almost to the minute. There are 14 general appropriation bills which must be passed or left over for an extra session. There have been six of these appropriation bills reported to the House and but four passed.

Now, I do not know whether the President has directed the Democratic side of the House to force an extra session of Congress or not; but it looks as though he had. Here you are bringing in controversial propositions all the time. In addition to the appropriation bills we have an unusual bill, a census bill, yet to be disposed of, and the revenue bill yet to be disposed of, and a bill providing money for the purchase of wheat at the price guaranteed by the Government yet to be disposed of, and a number of other unusual bills yet to be disposed of. The Diplomatic and Consular appropriation bill ought to be passed in a day's time, and probably would be but for this rule and this item in the bill. If this rule does not prevail this item in the bill will go out on a point of order.

Unless our Democratic friends are going to force an extra session of Congress, the Committee on Rules should stop bringing in rules to make in order controversial matters on appropriation bills at this session of Congress. It has been the practice of Congress for many years that the controversial items on appropriation bills in the main shall come in at the long session of Congress, when they can be considered with ample time. To bring them in at the short session of Congress is contrary to the practice and ought not to be indulged in. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. HARRISON of Mississippi. I yield two minutes to the gentleman from Ohio [Mr. LONGWORTH].

Mr. LONGWORTH. Mr. Speaker, I heartily favor the adoption of this rule. I am sorry that it should be a matter of controversy, as suggested by the gentleman from Illinois [Mr. MANN]. To me a measure of this sort seems absolutely necessary if this Nation is to take its proper place in the councils of the nations of the world. This is the wise thing to do, gentlemen. It is the democratic thing to do. Unfortunately, this Nation, among all the nations of the world, has singled out its Diplomatic Service and made it peculiarly a service in which nobody except the very rich could engage. This is absolutely true in the case of ambassadors. No American citizen, no matter how great his ability, no matter how great his experience, can afford to be an ambassador of the United States unless he be a very rich man. Some years ago Congress put in the entering wedge by authorizing the erection of embassies and of legations and of consulates; but, unfortunately, in the case of the large cities of the world the limit put on by Congress is too small. It is utterly impossible to acquire the land and buildings suitable for an American embassy for the limit of cost now imposed in our legislation. The result of the passage of this bill will be to enable us to acquire dignified residences for our representatives in the great European capitals and will go a long way—will go most of the way—toward relieving the undemocratic situation where these great posts are solely within the reach of men of great wealth. I say that is un-American and undemocratic, and this proposition will do much to relieve the situation. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield three minutes to the gentleman from Tennessee [Mr. GARRETT].

Mr. GARRETT of Tennessee. Mr. Speaker, for the benefit of those who came in after the proposition was first presented, it may be proper to say that the matter before the House is a resolution reported from the Committee on Rules to make in order a provision contained in the Diplomatic and Consular appropriation bill as reported from the Committee on Foreign Affairs, which otherwise would not be in order, that appropriates outright $3,000,000 and authorizes expenditures unlimited in character except as to the price of the properties that may be purchased for the construction of homes for ambassadors and ministers of this country in foreign countries. Now, I do not propose to enter into any discussion of the merits of the proposition itself. It is no new question in this House. It has agitated the House ever since I have been a Member of it, and at various times has been presented, and once or twice at least has been passed upon; but, so far as I recall, it has always been presented and passed upon as an independent proposition. It has not been contained in an appropriation bill.

Let me say, furthermore, that the division upon the question has never been along party lines, and the division at this time in the Committee on Rules was not along party lines. My opposition to making this in order at this time upon this bill is based on the principle that we ought to stop loading down the appropriation bills with riders at this session of Congress [applause] in order that we may pass those vital appropriations that are necessary to enable the Government to live. Surely we do not wish to place ourselves in a position where, by reason of the failure of an appropriation bill, a special session of Congress may be necessary. A special session of Congress may be necessary. I am not prepared to say about that; but I am prepared to say that, in my opinion, it will be a reflection upon the business capacity of the Congress if we fail to pass the appropriation bills and for that reason render a special session necessary. Because of that, and without entering upon a discussion of the merits of the proposition, I feel constrained to disagree with some of my colleagues on the Committee on Rules on this resolution.

Mr. HARRISON of Mississippi. I yield two minutes to the gentleman from Maryland [Mr. LINTHICUM].

Mr. LINTHICUM. Mr. Speaker, I realize that we consume some time with this resolution and with the discussion of this proposition, but it is one which I feel is of vital interest to the country at this time. We are entering upon an age never before experienced in the history of the world. We are to take our part in the affairs of the entire world. We are to show those people of other countries whether we have entered into world affairs or whether we propose to continue isolated as we have been in the past. One of the ways to do that is to select men to be our representatives abroad because of brains and ability and not because of their wealth. We can not select men for their brains—unless they have great abundance of wealth—until you provide homes for them abroad or very largely increase their salaries. The committee has given this matter very serious consideration. It has been discussed for years, and there is no time better than the present to start if we propose to take our place in world affairs. I certainly hope that this committee will at least adopt this resolution, so that the matter may be in order on the appropriation bill and that we may discuss it before the House upon its merits. It will not take us very long to do it. It will not take as long to do it as it did the gentleman from Illinois to discuss that proposition the other day of $75,000 for conciliatory men in the Labor Department, where he charged that a number of Congressmen were employed, and it was found that there were only two——

Mr. MANN. Does the gentleman refer to me?

Mr. LINTHICUM. I do.

Mr. MANN. I never said a word on the subject.

Mr. LINTHICUM. You certainly spoke about it.

Mr. MANN. I did not.

Mr. LINTHICUM. And said it was a good place for Democrats who were not reelected—see CONGRESSIONAL RECORD, page 1677.

Mr. MANN. I did not take the floor on it at all. You are just as far off on most things as you are on that.

Mr. LINTHICUM. I am right on that proposition, because I was right here and heard the discussion. I think we ought to take up this proposition at this time and decide it on its merits, and we can do that by adopting this resolution. [Applause.]

Mr. HARRISON of Mississippi. I yield two minutes to the gentleman from Illinois [Mr. FOSS].

Mr. FOSS. Mr. Speaker, I desire to state that I am heartily in favor of this rule, which simply makes in order the question of whether or not we will purchase or build embassies abroad. It is not a new proposition in this House. The distinguished governor of my State when he was a Member of this House introduced a bill in favor of building embassies and consulates abroad. That bill passed Congress February 17, 1911, but a limitation was placed on it of $150,000 at any one place, and all this rule does is to make in order the modification of that limitation so far as it affects $3,000,000 appropriated in this bill.

It has been the policy, in accordance with this law, to build consulates abroad, and we have already built them abroad. This Government ought to establish embassies in foreign countries. It is a shame to our country that we only pay our ambassadors abroad—to London, Paris, and Rome—$17,500 a year. That salary was fixed when? March 3, 1875. Think of it! And yet what is the result? The result is, as stated by the gentleman from Ohio, only millionaires or men of large means can afford to accept these positions. I think I have known most of the ambassadors of our country to these places during the last 20 years, and I have had private conversations with them. Nearly every one of them has stated to me that it has cost them double, sometimes three and four times as much as the salary which the Government pays them to maintain their establishments with the dignity commensurate with our Government. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield three minutes to the gentleman from Illinois [Mr. FOSTER].

Mr. FOSTER. Mr. Speaker, I am opposed to this rule, and I hope the House will vote it down. It seems to me that this is not the time to enter upon a great undertaking such as laid down in this bill, appropriating $3,000,000 to build embassies and consular buildings. This Government can well afford to wait until some of the most pressing needs of the Government are disposed of. We are now taxing the people to the limit. It occurs to me that to put $3,000,000 more on this bill than is absolutely necessary at this time is not treating the people fair whom we represent on the floor of this House. [Applause.]

This provision of the bill will also permit, as has been stated here, the Secretary of State to provide buildings, nobody knows to what limit of cost. I remember a few years ago when we passed the Lowden bill it was then stated that within a few years our foreign service would cost us $50,000,000 a year. We have not gotten to that amount yet, but we are branching out now upon a scheme that will sooner or later entail an enormous increase of expense. Not only will we have to build buildings at a great expense, but it will require vast sums of money to provide for the upkeep of all these buildings throughout the world. I believe we ought to wait until conditions are more normal at home and throughout the world.

I am sure that so far as the diplomacy of our country is concerned it is recognized to-day by all the people of the world as the very highest. Our country has taken a position which makes it unnecessary that we should spend $3,000,000 at this time to bring our country up to the dignity that some think it ought to occupy. Our country has that dignity now. [Applause.] We are not going to need great buildings to show to the world that we have the dignity and power this Government has earned.

I think this rule ought to be defeated now, and that this provision of the bill ought to be stricken out on a point of order when we get to it, so we can then go ahead with the regular appropriations that we are expected to make before the 4th of March. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield three minutes to the gentleman from Mississippi [Mr. SISSON].

Mr. SISSON. Mr. Speaker, at this particular time when we are going out over the country begging the people to buy liberty bonds and insisting upon the people supporting the Government in the condition in which the Treasury finds itself, it seems to me it is the worst sort of business to ask the people at this particular moment in our history to embark on this method of taking care of our ministers abroad.

This bill will permit the Secretary of State to obligate the Government to an unlimited number of propositions. The appropriation now carries $3,000,000, which will all be spent. Let me appeal to this House; we have gone 135 years, and our dignity has not suffered abroad. Benjamin Franklin did not have to have a magnificent palace to cause him to be respected in Paris, nor did Thomas Jefferson, nor will any man of proper character need it.

Mr. LaGUARDIA. Will the gentleman yield?

Mr. SISSON. No; I have only three minutes' time, and the gentleman knows it.

At this time we do not need to buy royalty abroad. In view of the fact that we are going out to beg the people to take $6,000,000,000 of liberty bonds to pay our debts—and notwithstanding that fact the committee brings this bill in here and asks you to make in order on this bill not simply an expenditure of $3,000,000, but the proposition to give the Secretary of State authority to contract for an unlimited number of buildings—let the matter be postponed until we pay our debts and know where we are going to get these billions of dollars. Let me appeal to you that if you were directing your own business, and you were deeply involved, as the United States Government is, not knowing whether the notes of the Government issue are going to be always received readily, not knowing whether this six billions is going to be sufficient, without any fault on the part of the Treasury, you would not favor an unnecessary increase in your indebtedness, and it looks as if gentlemen ought not to put this new proposition forward. Let us let it wait awhile, because when the Treasury is in better shape you may take these matters up and build these embassies, if the Congress so desires. Let us not make this in order at this time. We have begged the people to economize in order to buy liberty bonds in the past, and we will beg them to economize in the future in order that they may be in a position to buy these bonds, and this is no time to burden them with unnecessary expense. [Applause.]

Mr. HARRISON of Mississippi. Mr. Speaker, I yield the rest of my time to the gentleman from Virginia [Mr. FLOOD].

Mr. FLOOD. Mr. Speaker, I trust the House will adopt this rule and give its membership an opportunity to vote on the proposition submitted in the Diplomatic and Consular appropriation bill. If the House does not wish to enter into these expenditures, to which my friend from Mississippi [Mr. SISSON] is so opposed, the House can vote the proposition down when that item is reached in the bill. But surely there can be no sound reason why the House should not be allowed to vote on this proposition.

I do not think there is any strength in the suggestion that we are wasting time and may cause an extraordinary session of Congress by the consideration of this important measure. It will not take long when it is reached.

This is an important measure, and the House should have an opportunity to pass upon it. The United States has emerged from the war with a new place among the nations, with a prestige of which she must in the future be very jealous, and a responsibility in international affairs to which she must be deeply sensitive.

The gentleman from Illinois [Mr. FOSTER] says that our diplomacy stands at the very top now. That, Mr. Speaker, is so, but it is so not because Congress has been liberal with our diplomats, but it is so because in spite of our lack of liberality we have secured a splendid corps of representatives through the patriotism of gentlemen who are willing to sacrifice their private fortunes in the interest of their country and because we have in the White House as the guide of our diplomatic corps the profoundest international mind and the most far-seeing diplomat of the world. [Applause on the Democratic side.] We wish to maintain the high standard we have achieved by enabling the President and his successors in office to call on the best-fitted men for these positions, regardless of their wealth.

The gentleman from Ohio [Mr. LONGWORTH] has long been an advocate of the policy which this appropriation carries out. The present governor of Illinois, Gov. Lowden, introduced in a Republican Congress and secured the enactment of a measure the policy of which this provision is carrying into effect. The trouble about the Lowden Act is that under the conditions we find to-day, because of the increased price of real estate all over the world, we can not buy an embassy or legation or a consulate anywhere, except in the unimportant capitals and consular cities of the world. We desire the limitations of that act taken off. That is all the appropriation does. It does not inaugurate a new policy. It simply enables Congress to comply with a policy it inaugurated years ago by taking off the limitations of the Lowden Act. It permits the purchase of embassies and legations at a price at which they can be secured in Europe and the purchase of consulates in China, where they must be obtained soon if we expect to get proper locations at all.

I trust the rule will be adopted. We have begun the fight to-day to democratize our foreign service, and we are going to keep it up until that object is accomplished. [Applause.]

The SPEAKER. The question is on agreeing to the resolution.

The question was taken.

Mr. FOSTER. Mr. Speaker, I demand a division.

Mr. ROGERS. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 106, nays 173, answered "present" 5, not voting 147, as follows:

YEAS—106.

Baer	Fisher	Lundeen	Siegel
Barkley	Freeman	McArthur	Slayden
Beakes	Gallagher	McCormick	Slemp
Benson	Gallivan	McKinley	Small
Bland, Ind.	Garland	McLaughlin, Mich.	Stedman
Bland, Va.	Gillett	Mapes	Steele
Britten	Good	Mays	Stephens, Nebr.
Burnett	Goodall	Merritt	Stiness
Burroughs	Goodwin, Ark.	Miller, Minn.	Temple
Campbell, Pa.	Gould	Montague	Tilson
Cantrill	Gray, Ala.	Moores, Ind.	Tinkham
Carlin	Griffin	Mott	Towner
Clark, Fla.	Harrison, Miss.	Neely	Van Dyke
Coady	Hayden	Nolan	Walsh
Cooper, Wis.	Hilliard	Oldfield	Walton
Crosser	Husted	Oliver, N. Y.	Watson
Dallinger	Igoe	Parker, N. J.	Watson, Pa.
Denton	Ireland	Peters	Watson, Va.
Dill	Kelley, Mich.	Phelan	Weaver
Dixon	LaGuardia	Platt	Webb
Donovan	Lazaro	Porter	Welling
Dupré	Linthicum	Pou	Whaley
Ellsworth	Lobeck	Rainey, J. W.	Williams
Fairchild, B. L.	London	Raker	Wilson, La.
Fairfield	Lonergan	Rodenberg	Young, N. Dak.
Fisher	Longworth	Rogers	
Flood	Lufkin	Sloane	

NAYS—173.

Alexander	Bell	Brand	Buchanan
Almon	Birch	Brodbeck	Butler
Aswell	Black	Browne	Byrnes, S. C.
Bankhead	Blanton	Browning	Campbell, Kans.

Caraway	Garrett, Tenn.	Langley	Rubey
Carter, Okla.	Garrett, Tex.	Larsen	Rucker
Cary	Glynn	Lea, Cal.	Schall
Chandler, Okla.	Graham, Ill.	Lee, Ga.	Scott, Iowa
Clark, Pa.	Graham, Pa.	Lehlbach	Seldomridge
Classon	Green, Iowa	Lesher	Sherwood
Claypool	Greene, Mass.	Little	Sinnott
Cleary	Griest	McFadden	Sisson
Connally, Tex.	Hamlin	McKenzie	Sloan
Connelly, Kans.	Hardy	McKeown	Smith, Idaho
Cooper, Ohio	Hastings	McLemore	Smith, Mich.
Cooper, W. Va.	Haugen	Madden	Snook
Copley	Hawley	Magee	Snyder
Crisp	Heflin	Mann	Stafford
Curtis, Mich.	Hensley	Mansfield	Steagall
Darrow	Hersey	Miller, Wash.	Stephens, Miss.
Davey	Hicks	Mondell	Sweet
Denison	Hollingsworth	Moore, Pa.	Switzer
Dewalt	Houston	Morgan	Tillman
Dickinson	Howard	Nelson, A. P.	Timberlake
Dies	Huddleston	Nelson, J. M.	Venable
Dillon	Hull, Iowa	Nichols, Mich.	Vinson
Dominick	Humphreys	Oliver, Ala.	Volgt
Doolittle	Jacoway	Osborne	Volstead
Doughton	James	Overmyer	Ward
Dowell	Johnson, Wash.	Overstreet	Watkins
Dyer	Jones	Paige	Welty
Eagan	Juul	Polk	Wheeler
Elliott	Kearns	Powers	White, Me.
Essen	Kehoe	Purnell	Wilson, Tex.
Evans	Kelly, Pa.	Quin	Wingo
Ferris	Kennedy, Iowa	Ramsey	Wise
Fordney	Key, Ohio	Ramseyer	Woods, Iowa.
Foster	Kincheloe	Rankin	Woodyard
Freur	King	Rayburn	Wright
French	Kinkaid	Reed	Young, Tex.
Fuller, Ill.	Kreutson	Robinson	Zihlman
Gandy	Kraus	Romjue	
Gard	La Follette	Rose	
Garner	Lampert	Rouse	

ANSWERED "PRESENT"—5.

Cramton	Moon	Randall	Saunders, Va.
Emerson			

NOT VOTING—146.

Anderson	Eagle	Kennedy, R. I.	Sanders, La.
Anthony	Edmonds	Kettner	Sanders, N. Y.
Ashbrook	Elston	Kiess, Pa.	Sanford
Austin	Esch	Kitchin	Scott, Mich.
Ayres	Estopinal	Kreider	Scully
Bacharach	Fairchild, G. W.	Lever	Sears
Barnhart	Farr	Littlepage	Shackleford
Boehlin	Fess	Lunn	Shallenberger
Blackmon	Fields	McAndrews	Sherley
Booher	Flynn	McClintic	Sims
Borland	Focht	McCulloch	Smith, C. B.
Bowers	Francis	McLaughlin, Pa.	Smith, T. F.
Brumbaugh	Fuller, Mass.	Maher	Snell
Byrns, Tenn.	Godwin, N. C.	Martin	Steenerson
Caldwell	Gordon	Mason	Sterling
Candler, Miss.	Gray, N. J.	Morin	Stevenson
Cannon	Greene, Vt.	Mudd	Strong
Carew	Gregg	Nicholls, S. C.	Sullivan
Carter, Mass.	Hadley	Norton	Sumners
Chandler, N. Y.	Hamill	Olney	Swift
Church	Hamilton, Mich.	O'Shaunessy	Tague
Collier	Hamilton, N. Y.	Padgett	Taylor, Ark.
Costello	Harrison, Va.	Park	Taylor, Colo.
Cox	Haskell	Parker, N. Y.	Templeton
Crago	Hayes	Pratt	Thomas
Curry, Cal.	Heaton	Price	Thompson
Dale	Heintz	Ragsdale	Treadway
Davis	Helm	Rainey, H. T.	Vare
Decker	Helvering	Reavis	Vestal
Delaney	Holland	Riordan	Waldow
Dempsey	Hood	Robbins	Walker
Dent	Hull, Tenn.	Roberts	White, Ohio
Dooling	Hutchinson	Rowe	Wilson, Ill.
Doremus	Johnson, Ky.	Rowland	Winslow
Drane	Johnson, S. Dak.	Russell	Wood, Ind.
Drukker	Kahn	Sabath	Young, Tex.
Dunn	Keating	Sanders, Ind.	

So the resolution was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. BOOHER with Mr. TREADWAY.

Mr. SCULLY with Mr. COSTELLO.

Mr. SIMS with Mr. ESCH.

Mr. WHITE of Ohio with Mr. NORTON.

Mr. RIORDAN with Mr. BACHARACH.

Mr. ASHBROOK with Mr. PARKER of New York.

Mr. BLACKMON with Mr. STRONG.

Mr. NICHOLLS of South Carolina with Mr. DUNN.

Mr. CAREW with Mr. HAYES.

Mr. CALDWELL with Mr. WINSLOW.

Mr. HAMILL with Mr. HUTCHINSON.

Mr. MAHER with Mr. HADLEY.

Mr. PARK with Mr. ROWE.

Mr. SANDERS of Louisiana with Mr. VESTAL.

Mr. BRUMBAUGH with Mr. GEORGE W. FAIRCHILD.

Mr. HELVERING with Mr. FARR.

Mr. HELM with Mr. HASKELL.

Mr. LITTLEPAGE with Mr. KENNEDY of Rhode Island.

Mr. LUNN with Mr. KIESS of Pennsylvania.

Mr. McCLINTIC with Mr. AUSTIN.

Mr. PRICE with Mr. MUDD.

Mr. OLNEY with Mr. HAMILTON of Michigan.

Mr. SABATH with Mr. SANDERS of Indiana.

Mr. SEARS with Mr. SANFORD.

Mr. CHARLES B. SMITH with Mr. FULLER of Massachusetts.

Mr. THOMAS F. SMITH with Mr. DALE.

Mr. SULLIVAN with Mr. HAMILTON of New York.

Mr. FIELDS with Mr. REAVIS.

Mr. HARRISON of Virginia with Mr. KREIDER.

Mr. PADGETT with Mr. KAHN.

Mr. TAGUE with Mr. DAVIS.

Mr. HOLLAND with Mr. GREENE of Vermont.

Mr. O'SHAUNESSY with Mr. SANDERS of New York.

Mr. KETTNER with Mr. SNELL.

Mr. ESTOPINAL with Mr. EMERSON.

Mr. SAUNDERS of Virginia. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman in the Hall when his name was called?

Mr. SAUNDERS of Virginia. I can not say I was. I vote "present."

The name of Mr. SAUNDERS of Virginia was called, and he answered "Present."

The result of the vote was announced, as above recorded.

LEAVES OF ABSENCE.

Mr. CARAWAY. Mr. Speaker, I desire to ask unanimous consent for leave of absence for my colleague, Mr. TAYLOR, indefinitely, on account of illness.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent for an indefinite leave of absence for my colleague, Mr. McCLINTIC, who has been ill for many months and is still ill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. FLOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 14516, the Diplomatic and Consular appropriation bill, and pending that I would like to ask the gentleman from Wisconsin [Mr. COOPER]——

Mr. STAFFORD. My colleague was here just a moment ago.

Mr. FLOOD. I had an understanding with the gentleman from Wisconsin as to the time for general debate.

Mr. MANN. What was the understanding?

Mr. COOPER of Wisconsin. What was it the gentleman desired?

Mr. FLOOD. I was just asking if we could not agree on time for general debate.

Mr. COOPER of Wisconsin. Mr. Speaker, on yesterday the gentleman from Virginia and I had an understanding that we would have four hours of general debate, to be equally divided.

The SPEAKER. Does the gentleman make that request?

Mr. FLOOD. I will say to the gentleman that since I talked with him I had a conversation with the gentleman from Pennsylvania [Mr. TEMPLE], a member of the committee, and he said he was going to ask the gentleman for 30 minutes more.

Mr. COOPER of Wisconsin. I promised him yesterday the 30 minutes, and that was included in the request for 2 hours.

Mr. FLOOD. I have requests for and have promised two and a half hours, and, if it is agreeable to the gentleman from Wisconsin, I ask that general debate be limited to four and a half hours——

Mr. MANN. Oh, make it even on both sides.

Mr. FLOOD. I will say that last year I gave the gentleman from Wisconsin about twice as much time as we occupied on this bill, and if there be any objection I make it four hours——

Mr. COOPER of Wisconsin. Mr. Speaker, I have just had a request for another half hour from a member of the committee.

The SPEAKER. What is the gentleman's request.

Mr. FLOOD. My request is that general debate be limited to five hours, two and a half hours to be controlled by the gentleman from Wisconsin [Mr. COOPER] and two and a half hours by myself.

The SPEAKER. The gentleman from Virginia moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 14516, the Diplomatic and Consular bill, and pending that he asks that general debate be no longer than five hours, half to be controlled by himself and half by the gentleman from Wisconsin. Is there objection?

Mr. DYER. Mr. Speaker, reserving the right to object, will the gentleman yield for a question?

Mr. FLOOD. Yes.

Mr. DYER. Is it the intention of the gentleman from Virginia to press for a vote on the bill to-day or have it go over until to-morrow?

Mr. FLOOD. No; I have agreed to move that the committee rise at 6 o'clock.

Mr. GARRETT of Tennessee. I was about to ask the gentleman—it is now 12 minutes after 1—could not the gentleman run to 12 or 15 minutes after 6, which would close general debate?

Mr. MANN. It would not close at that time, but would probably run some time after; and there is a Republican conference set for to-night, and the gentleman agreed to quit at 6 o'clock.

Mr. GARRETT of Tennessee. That is the only thing I had in mind. There is no desire on my part to interfere with the conference, but I was wondering if we could not get 15 minutes more.

Mr. MANN. It is always probable that there will be more than 15 minutes lost during the day.

The SPEAKER. There is always some time lost. Is there objection? [After a pause.] The Chair hears none.

The motion was agreed to; accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 14516, the Diplomatic and Consular appropriation bill, with Mr. FERRIS in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 14516, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920.

Mr. FLOOD. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. FLOOD. Mr. Chairman, I yield 20 minutes to the gentleman from Washington [Mr. DILL].

Mr. DILL. Mr. Speaker, never before in history have the people of the civilized world desired permanent world peace so strongly as they do to-day. They have lost faith in the old methods of trying to prevent war. They demand the adoption of some new plan based on principles in harmony with the new spirit of democracy that is engulfing autocratic and arbitrary power all over the world. To meet this demand and to harmonize with the new conditions, I propose a world league of peoples for peace.

DIFFERENT FROM LEAGUE OF NATIONS.

When I use the term world league of peoples for peace, I do so to differentiate this plan from the league of nations plan which the rulers of the countries victorious in the world war are discussing. A league of nations such as they propose will in reality be a league of governments and therefore of government officials. The men who would be in charge of such a league could and would prevent many wars. It is because the free peoples of the world believe such a plan will prevent future wars that they so strongly favor its formation.

But even though such a league would prevent many wars, it could not guarantee permanent world peace, because under that plan the rulers of the various nations would continue to have the power to start a war without submitting the question of declaring war to the people. If we are to insure permanent world peace, or at least prevent all wars not desired by the people themselves, which will prove to be the same thing as the years go by, we must form a world league of peoples whose rulers can not start a war which will break the peace of the world until the people by majority vote have authorized them to do so.

TAKE POWER FROM RULERS.

Just as long as any man or set of men, and I care not who they are or what they are called, whether they be kings or emperors, presidents or premiers, members of houses of deputies, or of congresses, I say just as long as any man or set of men who are not required to do the fighting or the dying have the power to start a war which will break the peace of the world, that long we shall have war. [Applause.]

RULERS STARTED WORLD WAR.

The terrible world war which has just ended was started by the arbitrary act of one ruler, or at most of a few rulers, of the countries of central Europe. The people of Austria and Germany had nothing to say about its beginning. I confidently believe that if the Austrian people, held in subjection and kept in ignorance as they had been even, had been allowed to vote on the question of whether or not Austria would go to war against Serbia because a Serbian had shot an Austrian the Austrian people would have voted against war. If they could have prevented that declaration of war, the world conflagration would not have started. For, be it remembered, it was the Austrian Emperor's declaration of war on Serbia, July 28, 1914, that precipitated the world conflict.

But the Austrian Emperor was not the only ruler who had and exercised the power to declare war. The Kaiser declared war for Germany. The Czar declared war for Russia. The French cabinet declared war for France. The British ministry declared war for England.

When Austria declared war on Serbia, Russia mobilized to protect Serbia, as she was bound to do under her treaty with Serbia; and Germany mobilized to assist Austria. Then the Kaiser declared war on Russia and ordered his armies to invade France, because France was an ally of Russia. England was bound by treaty to protect the coast of France and maintain the integrity of Belgium, and entered the war when Germany invaded Belgium. Thus the act of the Austrian Emperor forced all of these nations into the war almost simultaneously.

CAN NOT VOTE ON SELF-DEFENSE.

This result was inevitable when Austria attacked Serbia, and Germany and Russia entered the war. War was a matter of self-defense and the fulfillment of treaty obligations. These questions could not be submitted to the people. There was not time to submit the question of self-defense to the people for a vote if national existence were to be maintained. Nor would there ever be time for that. But there was time before the beginning of this war, and there is always time before the beginning of any war which breaks the peace of the world, to submit the question of whether or not one nation will attack another, will invade another, will start a war against another.

IN UNITED STATES CONGRESS DECLARES WAR.

Yet in not a single country which afterwards entered the war would the people have been called upon to say by their votes whether or not their country would have started this war had it been their country, instead of Austria, that was faced with taking such a step. We boast of our democracy in the United States, but even here the people can not start or prevent a war. We have taken one step toward democracy, however, by placing the power to declare war in the hands of the representatives of the people. History shows, though, that while Congress does possess that power, in reality, the President exercises it.

CONGRESS ALWAYS OBEYS PRESIDENT.

Congress has always declared war when the President desired war and Congress has never attempted to declare war unless the President wanted war. That was true of the war of 1812. It was true of the Mexican war. It was true of the Spanish-American war. It was true of this war. It will probably be true of every war in which the Nation engages so long as the present method of declaring war continues. If we would prevent war we must place the war-making power of our Government under the direct control of the people themselves, just the same as must be done in other countries.

PEOPLE SHOULD CONTROL.

Why should the people not say for themselves whether or not their country shall go to war? They must do the fighting and the dying. They must make the sacrifices and bear the burdens. They and their children and their children's children, even unto generation after generation, must pay the cost of the war, not only in money but also in a physically and morally weakened race resulting from the loss of the flower of the Nation's manhood in war. Why should the people not vote on a question that affects so vitally not only their happiness and prosperity but the actual continuation of civilization itself and their own very existence on this earth?

PEOPLE WILL LEARN ABOUT INTERNATIONAL RELATIONS.

If it be said they do not know enough about international relations, I answer that placing in their hands the responsibility of deciding the greatest international question that can arise will of itself cause them to learn more about international affairs. Not only will the people of this generation become better fitted to pass upon international questions, but governments will find it necessary to provide for better education of the children of all the people in order to fit them for their enlarged responsibilities, and instead of teaching them the glories of war we shall teach them its horrors, its destruction, and its savagery. [Applause.] It will put an end also to secret international agreements, so often the hidden source of war, by forcing diplomacy into the open and compelling government officials to deal with foreign countries in such a manner that their conduct will square with the people's desires.

International affairs need be no more complex than national affairs. One of the methods which rulers have used for mystifying the people in the past has been to make international affairs as complex as possible and the results have been terrible. During the past 400 years the rulers of the nations have had complete control of international affairs and also of the power to declare war. And what has been the result? According to Frederick A. Wood and Alexander Baltzly, who have made a most painstaking study of the history of wars during the last 400 years, practically all of the leading nations of Europe have been in a state of war more than one-half of that time. Spain has been in a state of war 257 years; Russia, 238 years; Turkey, 232 years; Austria, 211 years; England, 207 years; France, 192 years. Surely the people could do no worse. [Applause.]

PEOPLE AGAINST WARS FOR TRADE AND TERRITORY.

If it be said the people will make mistakes, I answer that it will be better to let the people make their own mistakes than to force them always to suffer for the mistakes of others as in the past. There are those who fear that the people might vote against wars which certain rulers or particular interests that might profit by them would want. Their fears are justified too. For instance, I believe the people would never vote to start a war for securing new territory or more trade. Achille Loria, the noted Italian sociologist, after studying the causes of 286 wars decided that 258 were due to trade, territorial, and other economic causes, and that the other 28, while said to have been religious, were greatly influenced by economic causes. Thus, if the people should refuse to be guilty of trying to secure land at the cost of human lives or to win trade by the shedding of human blood most wars would be averted.

If a mistake is to be made regarding a declaration of war it is better it should be made on the side of preventing war rather than on the side of starting war, because if the people vote against war and it proves to be a mistake they can always rectify it by voting for war, but if a mistake is made by beginning a war and a nation becomes involved in the struggle there is no human power that can draw it out until the war has been fought to a decisive conclusion with all its attendant suffering, horror, and death.

PLAN IS DEMOCRATIC.

In fact, every objection that can be raised against the people's voting on the question of declaring a war that will break the peace of the world, when considered from the standpoint of democracy, becomes a new reason for the exercise of that power by the people. This proposition is not revolutionary. It is simply an extension of democracy to the war-making power. [Applause.]

PEOPLE VOTE ON EVERYTHING BUT WAR.

The people vote now on questions affecting them in minor ways. They vote on the question of prohibition. They vote on the question of woman suffrage. They vote on questions of taxation. In fact, there are practically no great questions affecting the people's welfare on which they can not vote directly or indirectly except the question of whether or not the men and boys of their country shall go to another country to kill and be killed by the men and boys of that country and thereby orphan the children, widow the wives, and mortgage the lives of the unborn generations of both countries. On that question they never have a chance to vote, because their rulers declare war, and once war is declared it becomes their patriotic duty to win the war. When the people are in the midst of a fight or have won it they can not go back and decide whether or not it should have been begun.

PEOPLE OF ALL NATIONS MUST HAVE POWER TO VOTE ON DECLARATION OF WAR.

For the people of one nation or of a number of nations to exercise the right of voting on the question of declaring a war when all the world is at peace will not be sufficient to insure world peace. That right must be exercised by the people of all the great nations of the world, so that no ruler or set of rulers can secretly agree to prepare and when prepared begin a war on the rest of the world, as will be possible under the league of nations plan by which it is expected to enforce peace.

I am not speaking against a league of nations. We want such a league established, because it will be a great step forward in the development of internationalism. But if it depend entirely upon force as the last resort to prevent war it will some day plunge the world into a world war worse than the one which has just ended. Sooner or later some rulers with the power to start a war will become so ambitious for military glory and world power that they will unite to defy and, if necessary, lick the league.

MAKE PUBLIC OPINION MORE POWERFUL THAN ARMAMENTS.

In order to meet such situations, reaching beyond the agreement which binds the governments into a league of nations, there must be another international agreement which lodges in the people of the respective nations the power to say finally whether or not, when the government officials of different countries can not agree, they shall be allowed to start a war which will break the peace of the world. When the threat of force contained in the army and navy of the world league can not prevent certain rulers from starting a war, the peoples of the world must then be able to call into operation a still stronger power to control those rulers, namely, the power of public opinion, quietly and unpretentiously expressed in little voting booths scattered all over the country in every community and hamlet of the land whose rulers desire to start a war.

LEAGUE OF PEOPLES WILL COME AFTER LEAGUE OF NATIONS.

The fact that the league of nations will not always prevent war is not an argument against its formation. It is simply a reason for providing further means of preventing war after a league of nations has been formed.

It would be impossible at this time to make complete the formation of a world league of peoples such as I have discussed. The present rulers of the nations could not be induced even to consider its formation immediately. Once the league has been established, though, the free peoples of the world can then bring organized public opinion to bear in such a manner that they can democratize the league of nations sufficiently that its officials will formulate an international agreement embodying the principle of the people's direct control of the war-making power and submit it to the various Governments for ratification. Such agreement must provide also for the right of the people to repudiate unfriendly acts by a Government official toward another nation and to make full recompense to the injured nation for any wrongs that may have been done in cases where an official acted without authority.

TWO METHODS OF FORMING LEAGUE OF PEOPLES.

I believe this is the quickest, easiest, and most orderly way of bringing about this world-wide reform. But if such an international agreement can not be secured through the league of nations, the people themselves in the various countries can bring it about eventually by first compelling such changes in their respective Governments as will enable them to exercise the right of voting on the question of declaring a war when the world is at peace and their country is not in danger of invasion or torn by revolution or insurrection. Once the people win this power, they can easily force the making of treaties between the nations, providing each will not start a war against the other except by a vote of the people.

PEOPLE MUST ORGANIZE BRANCHES OF WORLD LEAGUE NOW.

But whichever method is used, the people will find it necessary to form branches of this world league of peoples in the various countries for the purpose of organizing public opinion to make it effective in bringing about the democratization of the war-making power of the nations at the earliest possible date.

MOVEMENT WILL BE OPPOSED BY THOSE WHO FEAR TO TRUST THE PEOPLE.

I realize the tremendous task to be performed in getting this movement under way. I know something of the forces that will fight it. Leading statesmen of the world, so called often because they are steeped in the precedents of the past, will declare the idea impractical and Utopian. Noted newspaper editors will ridicule it. Those who are afraid to trust the people will call it socialistic and bolshevistic. But that will not affect its progress seriously [applause] because it will be rooted in the hopes and purposes of the masses of the people everywhere who hate war and are determined to abolish it. [Applause.] More and more they will come to realize that the only certain method of abolishing war is to take into their own hands the control of the power to start war. When once they have become convinced of this truth throughout the world no human power will be able to prevent them from working their will, and its adoption will be the greatest advance of democracy in the whole history of popular government.

ABOLITION OF WAR IN HARMONY WITH DIVINE LAW.

War must end. The mother heart of the world pleads for it. The voices of humanity preach for it. The war-burdened millions of earth demand it. But only the votes of the plain people of the world can command it. [Applause.] It may take 10 years, it may take 20 years, or 50 years, or even 100 years to work this reform, but it will come. It will come because it is in harmony with the divine law, "Thou shalt not kill," and the human law, "The people shall rule." [Applause.]

Mr. COOPER of Wisconsin. Mr. Chairman, I yield 30 minutes to the gentleman from Massachusetts [Mr. ROGERS].

Mr. ROGERS. Mr. Chairman, with the close of the world war the United States finds itself in the largest sense a great world power. Indeed, it is perhaps not too much to say that we are to-day the great world power. Hitherto we have, as a Nation, thought and dealt in terms of a continent. Henceforward we must inevitably think and deal in terms of a planet. The transition means many a readjustment, many a realignment, of our national programs. The basis of our future world life must be a constant and an accurate store of information concerning our copartners in world trade, world thought, and world enterprise. Only as we possess this information can we advance intelligently and build wisely.

The source of the information must necessarily always be primarily our diplomatic and our consular services. Then it follows that the improvement at every point of these services is of the first consequence to our sound national and international development.

With this preliminary word, I come at once to the subject of my remarks to-day, a suggestion as to how to build up the personnel and efficiency of our diplomatic service. My suggestion should not be deemed to involve a criticism of the present; it is predicated simply upon the undoubted fact that the present is always capable of improvement. Reduced to lowest terms, the proposal is this: That so far as is legally possible vacancies in the ranks of our ministers abroad should hereafter ordinarily be filled from the ranks of secretaries in the diplomatic service who have demonstrated their fitness for promotion to the grade of minister.

At the top of our Diplomatic Service are, of course, the chiefs of mission—ambassadors and ministers. There are about 40 of these. Below them there are now some 88 secretaries, grouped into four classes. The pending bill provides for the increase of this number to 110. The ambassadors and ministers of the present moment are, as I shall hereafter show in some detail, generally men who have been appointed for some reason other than diplomatic experience. That is, they are, with few exceptions, men who have been appointed chiefs of mission directly from private life. The natural consequence of this is that they are untrained in the machinery of diplomacy. They must, then, depend largely upon their secretaries—men who have been in the service for years, who have made diplomacy a career rather than an incident, and who have the mechanics of their profession at their fingers' tips. Without in any way reflecting upon the ambassadors and ministers, we can instantly deduce the importance to the United States of having the right men in our corps of secretaries.

The secretarial force of to-day is not wholly satisfactory. There are many admirable men, but there are others who are not suitable representatives of the Nation in the complex, delicate, and important matters with which they are constantly dealing. Our problem is to weed out these latter men and to fill up the service with the highest possible type of secretary. How can we do this? Obviously by making the service more attractive to the right men.

Mr. YOUNG of North Dakota. Will the gentleman yield?

Mr. ROGERS. Certainly.

Mr. YOUNG of North Dakota. The concluding remark of the gentleman has answered the very question I was about to ask, and that was: If there was promotion possible for secretaries, and if it should be generally understood that an appointment to that character of position would mean, if they made good, that they could ultimately hold even the position of ambassador, would it not attract a much higher grade of men to the position of secretary?

Mr. ROGERS. I will say to the gentleman from North Dakota that that is exactly the theme I am about to develop.

The limited appeal of our present service to the young men of the Nation whom we want and need to represent us is based upon two facts: First, the smallness of the salary, as compared with the cost of adequately maintaining the position at most of the world's capitals; second, because the position is to-day a "dead-end" occupation, with little or no outlet at the upper end.

At the present moment, as I have said, there are 88 secretaries, subdivided into four classes—16 in class 1, at $3,000; 16 in class 2, at $2,625; 36 in class 3, at $2,000; and 20 in class 4, at $1,500. The committee recommends an increase of $500 a year to each secretary, but this increase is subject to a point of order, and last year the point of order was actually made in the House upon a similar committee recommendation. The present scale of salaries is, of course, absurdly inadequate, in view of the very great importance of the position and of the expenses devolving even upon a bachelor to maintain it. For a man who is married, or who expects to be, it is a mere pittance—always remembering the high cost of maintaining the position and its grave responsibility and importance.

The State Department recommends a salary scale for the four classes of $6,000, $4,000, $3,000, and $2,500, respectively. Secretaries now in class 1, at $3,000—the goal for the lower grades—have served at least 11 years, and in some cases as long as 18 years. Secretaries in class 2, at $2,625, have served from 8 to 18 years. Secretaries in class 3, at $2,000, have served as long as 10 years. The appeal under these conditions is a very narrow one. No one not a rich man—or at the very least a man with considerable private means—can afford to apply. That this is undemocratic and undesirable for the Republic needs no argument. That the choice of the State Department in selecting secretaries is unduly constricted is equally clear. An adequate salary scale, as a matter of fairness and of efficiency, is essential.

But the other consideration, that the secretaryships are at present "blind-alley" occupations, is an even more potent cause of the present difficulty in attracting the right men. An ambitious young man, especially if he were a bachelor, might enter the service, even if doing so involved a considerable sacrifice, provided he saw a chance to rise when a few years had passed, and when he had made good, to something worth while. But when he sees first-rate men—men of the type of Butler Wright, Bliss, Grew, and Laughlin—receiving a salary of $3,000 after 15 or 18 years, he simply says, "No; I can not afford it; there is no future in it."

The wonder is, considering the low salary and lack of advancement, that the personnel of our service is as good as it is. It can never be better as long as the present method continues.

But if a man about to choose his career could see that merit might be rewarded with a ministership, the appeal would be much wider and more compelling. I propose, therefore, that so far as law can do it, we provide for promotion from secretary to minister. [Applause.]

There is nothing revolutionary in this proposal. When President Wilson was inaugurated in 1913 there were 41 United States ambassadors and ministers. With respect to previous diplomatic experience these were classified as follows: One had been ambassador at a previous post; 5 had been promoted from minister to ambassador; 4 had been ministers at a previous post; 14 had been secretaries in the Diplomatic Service; 3 had been consuls; 1 had been both secretary and consul; 13 had been appointed without previous diplomatic experience. Combining these we see that 10 had been ambassadors or ministers at a previous post; 18 were service men, promoted from secretary or consul; and only 13, less than one-third, were appointed without diplomatic experience.

What has been the history of the last six years? Four of the forty-one are still in the service. Fifty-one men have been appointed ambassador or minister since March, 1913. Only 2 of the 51 so appointed have been secretaries or, indeed, have had previous diplomatic experience of any kind. One of the two service men was appointed to Colombia and the other to Haiti. Neither post would be regarded as a prize.

Many of the new men appointed have been entirely creditable. But when we look over the appointments to the Latin-American Republics, mostly under the régime of Secretary Bryan, we can not fail to be startled at the complete lack of consideration given to merit, ability, or useful experience.

The darker side of the picture is, however, the discouragement to excellent men in the service when they saw themselves passed over time and again for party hacks and political hangers-on. No wonder they resign. No wonder it is difficult to induce the right men to enter the blind alley.

The solution is simple—to provide an outlet for the promotion of good secretaries to the grade of minister.

How far can Congress do this? Article II, section 2, paragraph 2, of the Constitution of the United States provides, in part, that the President "shall nominate and, by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers, and consuls," and so forth. The appointment of ambassadors and ministers being a prerogative of the President, Congress can not prescribe whom he shall appoint or how he shall appoint.

Mr. WATSON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. I yield.

Mr. WATSON of Pennsylvania. You said a moment ago, I think, that you were in favor of promoting secretaries to ministers and ambassadors.

Mr. ROGERS. Yes; and I shall develop that idea in a moment. My suggestion at present is that we promote secretaries

to ministers, and leave out for the moment, at least, the question of promoting secretaries to ambassadors.

Mr. WATSON of Pennsylvania. I wish to say that recently, in the consideration of a special case, I was informed that they thought it was important to adopt a policy of appointing consuls to secretaries.

Mr. ROGERS. My query is whether we ought not to go farther than that, and whether we ought not to appoint good consuls general, and perhaps the highest type of consuls also, to the position of minister.

Mr. WATSON of Pennsylvania. Of course, we are getting a higher type now on account of the civil-service examination for consulships, and therefore they are appointed to take the part of secretary.

Mr. ROGERS. There is no doubt about that. There is a larger appeal to men of small means to enter the Consular Service than the secretarial service. But if the gentleman will bear with me for a moment I want to discuss that exact point a little farther on.

Congress can, however, indicate its view of the proper method, and can insure both that the President shall have the information upon which he can appoint upon a merit basis and that the public shall know what that information is. Then, if the President chooses to appoint some one not in line of promotion, as he will always under the Constitution have the right to do, the Congress and the people will have the facts to enable them to decide whether the action was in any given case justified.

Specifically, my proposal is this: That a board of four examiners for the Diplomatic Service be created in the Department of State, composed of an Assistant Secretary of State, the chief examiner of the Civil Service Commission, a law officer of the State Department, and one other officer designated by the Secretary. This board shall from time to time, but at least once annually, certify in writing to the Secretary of State a list of the names of those secretaries in the Diplomatic Service who by reason of character, ability, efficiency, experience, and general availability, and without regard to political or other affiliations, have demonstrated fitness for promotion to the rank of minister. Such list shall, so far as possible, enumerate in order of fitness those so certified, and each list so certified shall be complete in itself and shall supersede all lists previously certified. Whenever there is a vacancy in the rank of minister in the Diplomatic Service, the Secretary of State shall transmit in writing to the President and to the Congress, together with his detailed recommendations, the names of three or more of the secretaries enumerated upon the most recent list so certified whom he deems most worthy of promotion to the rank of minister.

If this plan is to be put into successful operation, the full, pitiless light of publicity must be turned upon it. If the light of publicity had been ready to turn upon appointments to Latin America in 1913 and 1914, it is perfectly safe to say those appointments would not have been made. [Applause.]

This method will not fetter the President. It will simply give him data which are certainly material, but which he may accept or disregard as he deems best. Its value is largely in the provision that Congress shall be furnished with the same data, so that it may form an intelligent opinion as to the wisdom of the President's decision. This provision will be of especial utility to the Senate, which, under the Constitution, has the duty to confirm or reject the President's selections.

If it be said that the provision is useless, the force of public sentiment is overlooked. If it be said that it is needless, we need only survey the appointments to Latin America in 1913 and 1914. If it be said that it is valueless, we need only point to the great incentive it would furnish to secretaries already in the service to persevere, and to the best young men in the land to embark upon the Diplomatic Service as a career.

It will be noted that my proposal does not comprehend appointments as ambassador. My thought is that there ought to be a wide latitude vested in the President's selection of his ambassadors—a latitude which may comprehend considerations of distinction in letters, economics, education, or government. It would be open to objection to throw even a conditional barrier in the way of the appointment of a man like Washington Irving, Bancroft, Motley, or James Russell Lowell, or Lord Bryce, or, more recently, of Walter Hines Page, who as truly and as usefully laid down his life for his country as if he had fallen in Flanders. Furthermore, as we have only 13 ambassadors, all to the great countries of the world, a bad appointment is so notorious as to be avoided at all costs by an administration for the sake of its own repute. These considerations are much less potent when the ministers are being selected, as our experience in 1913 and 1914 proves. So, while many arguments in favor of the promotion of secretaries to ambassadorships, either directly or through the intermediate step of minister, may be adduced, we do not run the same risk here. It may therefore be well, I think, to take the first step and then consider whether we shall later take the second.

It is perhaps fair to say, in view of Mr. Lansing's scrupulous regard for the merit system in the appointment and retention of secretaries and consuls, that if he had been Secretary of State in 1913 the policy of promoting secretaries to ministers, so frequently found in the Roosevelt and Taft administrations, would have been much more common and that we should have avoided the worst excesses of the Bryan régime.

A very plausible argument may be made in favor of extending the principle here advocated so as to encourage the promotion of consuls to the rank of minister. I should personally welcome such an extension. But there are some considerations which make the case of the consul weaker than that of the secretary. In the first place, he is not in direct line of promotion; his work is primarily commercial rather than diplomatic. In 1913 only one of the ambassadors and ministers whom Mr. Wilson found in office and who had had previous diplomatic or consular experience had been trained exclusively on the consular side.

In the second place, the salary range is far higher in the Consular Service than in the secretarial. A consul begins where the secretary stops. The consular salary range is up to $12,000; the secretarial up to $3,000. There is thus a far greater incentive to enter the Consular Service. Further, there are now some 321 consuls general, consuls, and vice consuls, and under this bill, if enacted as recommended, there will be 496. The corresponding figures for secretary are 88 and 110. The field is thus numerically four or five times as large, and the opportunities for promotion on merit more numerous. And, finally, the President would always have power to promote an especially valuable consul general or consul, even if the law here recommended were passed.

As I have before pointed out, there is nothing revolutionary in the proposal here advocated. The United States, under Roosevelt and Taft, saw its practical adoption. Every other great power, so far as I am aware, recognizes the policy. Great Britain adheres to it except when special considerations make it preferable to deviate. It sends Lord Reading and Lord Bryce to Washington without previous diplomatic experience. These men were wanted for special work which it was believed they could perform better than service men available. On the other hand, Great Britain promotes from secretary to ambassador or minister, to cite only a few men now or recently in Washington, Sir Cecil Spring Rice, late ambassador here; Lord Paunce-fote; Mr. T. B. Hohler and Mr. Colville Barclay, lately counsellors of embassy here; and Sir Maurice de Bunsen, who was recently here in transit to South America upon a most important diplomatic mission.

The Diplomatic Service will never thrive unless we give worthy secretaries a fair chance, and this country's foreign relations will never be completely successful without the best possible Diplomatic Service. We should, therefore, at the earliest possible moment, establish upon a firm footing the merit system for promotion of secretaries. Only thus will the best timber in the United States, whether possessed of private means or not, be induced to embark upon diplomacy as a permanent career.

COST OF THE CONSULAR SERVICE.

Members of the committee—to deviate from my prepared remarks—will perhaps be startled at the large increase which is called for in connection with our Consular Service. We propose, as I have just said, to increase the number of consuls and vice consuls from 321 to 496, something like 50 per cent. When that point in the bill is reached, if there is any controversy upon it I think it can be pretty conclusively established that the increase in number and in fact is largely apparent rather than actual. But at the same time I want at this point to call to the attention of the House that the Consular Service is very largely self-supporting; that while in this bill we appropriate considerable sums for salaries of consuls general, consuls, vice consuls, consular agents, and consular clerks and for the operating expenses of maintaining that force, at the same time we get back in actual money from this Consular Service an amount which in ordinary peace times practically compensates us for every dollar expended. And I shall put in the RECORD a table which shows the budget of the Consular Service for the past 12 or 13 years.

In 1906, which is the last instance of the kind, there was an actual profit to the United States from its operation of the Consular Service. In other words, we took in more from fees and from other sources of revenue than we expended in the aggregate for the Consular Service. There was more or less fluctuation from 1906 to 1914, but in 1914 the net cost of operating

the Consular Service, leaving entirely aside the value and the necessity to the country of maintaining it, was something less than $50,000.

Of course since the war it has been necessarily true that the consular fees have fallen off very much, because consular fees depend upon trade, and, as international trade has fallen off, consular fees have fallen off with it; so that for the past two or three years the net cost of maintaining the service has been gradually mounting up. Now that peace conditions are being restored, there will no doubt be a recurrence to the old condition, and it will again be found that the Consular Service will practically take care of itself. [Applause.]

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD. I yield back the remainder of my time.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Cost of Consular Service.

Year.	Invoice fees.	Total consular fees.	Gross cost of Consular Service.	Net cost of Consular Service.	Gain.
1906	$1,262,060.76	$1,404,940.10	$1,385,217.47	.....	$19,722.63
1907	1,384,319.50	1,672,802.15	1,777,635.72	$104,833.57	.....
1908	1,251,637.12	1,547,304.65	1,808,861.26	226,356.61	.....
1909	1,330,544.24	1,586,067.14	1,835,078.06	249,010.42	.....
1910	1,404,858.65	1,762,155.72	1,928,561.77	166,428.05	.....
1911	1,434,364.00	1,712,345.87	2,017,042.35	304,696.48	.....
1912	1,502,621.93	1,793,166.00	2,053,256.21	260,090.21	.....
1913	1,591,327.23	1,852,533.99	1,972,894.39	120,068.40	.....
1914	1,555,247.30	2,040,234.42	2,083,908.42	43,674.00	.....
1915	1,226,810.91	1,498,029.80	2,073,642.57	575,612.77	.....
1916	1,208,384.28	1,501,210.58	1,971,575.91	470,365.33	.....
1917	1,190,057.66	1,477,936.86	2,177,597.83	699,660.97	.....
1918	1,067,299.71	1,364,300.87	2,903,375.00	1,539,074.13	.....

Mr. FLOOD. Mr. Chairman, I yield 10 minutes to the gentleman from Maryland [Mr. LINTHICUM].

Mr. COOPER of Wisconsin. Mr. Chairman, how much time did the gentleman from Massachusetts [Mr. ROGERS] consume?

The CHAIRMAN. He consumed 25 minutes. He yielded back 5 minutes. The gentleman from Maryland [Mr. LINTHICUM] is recognized for 10 minutes.

Mr. LINTHICUM. Mr. Chairman, it is not my desire nor intention to make a long speech at this time, but I feel it incumbent upon me as a member of the Foreign Affairs Committee and of this House to discuss somewhat the merits of the bill now before us.

The Diplomatic and Consular Service of this Government has played a large part in the conduct of the great war which has now ended. Other departments of the Government have received vast public attention and large praise from the patriotic people of the land. This service, however, performing its duties without publicity, 3,000 miles or more away, without hope of great reward in a financial sense, has perhaps done more than any other noncombatant branch of the service toward the winning of the war. It has engendered in the hearts of the people of the world friendship and good will toward America. It has conducted its business under adverse circumstances and, while the work has been enormously increased, with efficiency and dispatch, and cost the Government proportionately less than any other branch.

It is my desire at this time to focus public attention toward this service through this representative branch of the Government and to call attention to the fact that during the coming years, if we would keep pace with other countries, if we would have our place in the sun, it must be done largely through the Diplomatic and Consular Service. Not alone must we expect the extension of our friendship with the peoples of other lands through this branch, but we must likewise expect the enlargement of our foreign trade through this service in the hands of men abundantly qualified to perform the work, with a willingness and an aptness to meet the people and to establish greater commercial relations with them throughout the entire world.

The Diplomatic and Consular Service represents, as it were, the very hands and brains of the executive department in foreign countries. It assumes that relationship with those countries at first hand which the President endeavors to promulgate through the executive branch of the Government at Washington. Through the representatives of this branch of the service we are enabled to get next to the governments of foreign countries, and through the treatment of this service to obtain their good will or to dispel it.

In the years to come much will depend upon this service as to what benefits we reap from the great war which we have just fought, both in a friendly and financial sense. Our Government has expended billions of dollars in the preparation and transportation of troops, in the conduct of the war, in the manufacture of munitions, in merchant marine, and in loans to our allies. Whether we shall reap a just reward for these great expenditures, whether the name of our country shall stand aloft in foreign lands, will depend largely upon the men of this service.

The war having closed, the great battle for business will surely ensue, and the success of our country in this great endeavor will likewise largely depend upon the service under discussion. I think there is no doubt in the minds of the Members of this House that this service has been admirably conducted during the great conflict, that its members have gathered to us friends in every clime, that our citizens have been cared for and protected, and that citizens of other countries have been given every advantage which it was possible to afford.

It is therefore the duty of Congress to recognize in every way possible this particular and unswerving performance of duty. It has always been my desire to see this service well maintained, extended, and every opportunity given for its betterment and enlargement wherever the circumstances demanded. To that end I have always been an advocate of providing in the various countries homes for our embassies, so that they may have permanent quarters, no matter who may occupy them.

A few years ago we made a splendid purchase in the city of Shanghai, China. This property no doubt is worth to-day a large sum in advance of what our Government paid. This policy should be carried out in all the countries, and I am sorry this bill can not carry the sum of $3,000,000 to be expended by the Government in the purchase or erection of embassy homes. It is a policy which has been adopted not alone by the large countries of the world, but many countries that could less afford to do so have found wisdom in this adoption. The little country of Cuba, for instance, has erected in our city a magnificent embassy, as have many of the other countries. Why should not this country of a hundred million souls provide homes?

We erect fine buildings throughout our land for the use of various branches of the Government, but until this time we have neglected to erect such buildings in foreign lands, where naturally they would be of immeasurable benefit.

During the war we have extended our trade largely in our sister Republics of Central and South America. Surprising as it may seem, even before the war we did a larger business with the Central and South American Republics than any other country. In 1913-14, before the European war began, the United States was doing a business with them of $800,000,000; in 1917 it had grown to the enormous sum of $1,750,000,000, or an increase, approximately, of a billion dollars.

Just before the war broke out the United States was doing a business of $800,000,000, Great Britain $650,000,000, and Germany $450,000,000. At this time the United States finds itself doing a business with Latin America equal to all the other countries of the world combined. Let the great work proceed; let us reach every business man of that 80,000,000 people living, as it were, at our very doors.

Whether or not we shall continue to do this great business will likewise depend upon the men who represent us at those places and upon the great work of the Pan American Union.

The policy heretofore adopted of placing the Consular Service upon a civil-service basis is largely accountable for the wonderful progress we have made. It has given us men of distinction and ability, who could adopt that service as a life work. It has given them an opportunity to give to their country the best that is in them, without fear of removal at each change of administration or the change of mind of any Executive. I hope and I believe that this system will be extended to cover very largely the Diplomatic Service as well, so that we may have in that service men to occupy those positions who have made a long study and practice of the profession, who are able to meet the various emergencies and duties which constantly devolve upon them. Many new nations will be formed. Self-determination will largely prevail, and to meet the requirements of these various countries it should be our policy to have men of large experience and ability. I am therefore in favor of taking some step which will eventually cover this situation, which I believe to be a defect in our present Diplomatic Service.

Some years ago when we appropriated $20,000,000 to pay Spain for the Philippines the amount seemed large and was much commented upon, but to-day under different circumstances and world conditions we appropriate $100,000,000 to feed the starving people of Europe, many of them formerly our enemies,

and we hear little criticism but a vast degree of praise from this broad land of ours. Our people have been educated by war conditions to big and generous propositions.

We are not asking for territory nor indemnities, but we are asking for the friendship and good will of the entire world. It is our great desire to stand aloft as an exemplification of what a well-governed and modern Republic can perform. Man has long since learned that he can be great only through the assistance of his friends; this applies not alone to individuals but to nations as well. The long continuance of the great work of our country and its appreciation by other countries must be brought about through the extension of this friendship and a belief that we will perform those things for which we profess to stand.

This Diplomatic and Consular Service properly manned, as it is, with the splendid support of its Government, can do more toward bringing this to a successful conclusion than any other branch of the Government. Our boys have taught the world what a Republic can do in time of war. It has taught them what they can do fighting for the freedom of the people and the life of democracy. These peaceful troops represented by the Diplomatic and Consular Service can reap great rewards not alone in friendship and good will but likewise in the extension of the commerce and business of our country.

This bill, I believe, goes a long way toward making proper and just provision for this splendid branch of the Government and will encourage them in their magnificent work and tell them that Congress and the people appreciate their wonderful and unswerving duty to the policy and interest of the American people. [Applause.]

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. LINTHICUM. I yield back the remainder of my time.

The CHAIRMAN. The gentleman from Maryland yields back five minutes.

Mr. COOPER of Wisconsin. Mr. Chairman, I yield three minutes to the gentleman from New York [Mr. HICKS].

The CHAIRMAN. The gentleman from New York is recognized for three minutes.

Mr. HICKS. Mr. Chairman, I merely rise to explain my vote on the rule which was voted down an hour ago. I am heartily in favor of the proposition to erect in foreign countries buildings for the use of our ministers and ambassadors. I believe the time has come—in fact, is overdue—when the dignity and the might and the wealth of this country shall find its expression in suitable buildings for our representatives abroad. My reason for voting against that rule was not that I am opposed to the proposition or the principle involved, but because I think at the present time, with the taxpayers of this country suffering under the terrific burden of the war, making every sacrifice for the triumph which has come, they should not be subjected to a further burden by having great appropriations passed for buildings which are not absolutely necessary at this time. This proposition can wait. It can wait three or five years without serious harm, and then when conditions again become normal we can embark on this meritorious project. No one realizes more fully than I the inadequacy of the ambassadorial offices and residences in foreign countries, wholly out of keeping with the dignity of our representatives and out of harmony with the greatness of our country and its position among the powers of the world. Only men of wealth can afford to accept those important posts. For the Government to own these buildings would be a move toward democracy, an advance to that plane comparable with the power of the Nation, and I shall welcome the time when I feel that I can, with justice to the people, vote for this proposition. But, as I do not feel that this time is here, I voted against the rule presented by the committee to-day.

Mr. ROGERS. Mr. Chairman, by direction and under the authority of the gentleman from Wisconsin [Mr. COOPER] I yield to the gentleman from Illinois [Mr. CANNON] two minutes.

The CHAIRMAN. The gentleman from Illinois is recognized for two minutes.

Mr. CANNON. Mr. Chairman, I did not vote because I was not in the House for the rule referred to by the gentleman from New York [Mr. HICKS], by which appropriations for the construction or acquirement of legation buildings in the various countries of the world were to be made in order. I wish that we could acquire or have constructed buildings to house our ambassadors in the principal countries in the world. I would vote for a reasonable bill to that effect, but I do not want any half-million or million-dollar structures. It seems to me the legation building in Washington of the British Government, if I recollect aright, was constructed about 40 years ago at a total expenditure of $50,000. It is a practical building; it is a democratic building. I would be very glad if I had the power to speak into existence a similar building for our Government in every one of the principal countries of the world. Our ministers and ambassadors who are poor spend their all, frequently, while they represent our Government.

Mr. HUMPHREYS. Mr. Chairman, will the gentleman permit a question?

Mr. CANNON. Yes.

Mr. HUMPHREYS. About what would a building similar to the British Embassy here cost in the countries where we want to build embassies? Does the gentleman know—about what?

Mr. CANNON. I do not.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. ROGERS. I yield to the gentleman one minute more.

Mr. FLOOD. Mr. Chairman, I will yield to the gentleman one minute.

The CHAIRMAN. The gentleman from Illinois is recognized for one minute more.

Mr. HUMPHREYS. Would it probably be about $100,000?

Mr. CANNON. I should say that the building, without regard to the site, could be constructed for about $100,000. I feel quite sure of that, although I am not a builder.

Mr. FLOOD. What does the gentleman think the site would cost?

Mr. CANNON. I do not know, because I am not "up" in real estate matters in the various countries of the world. I would say $100,000, probably.

Mr. FLOOD. Our ambassador to France has been here for the last few days. He has been living in a building in Paris that he pays $12,000 a year rent for. That is on a long lease that he has had for some time. When he goes out the rent will be raised to $18,000 a year. That building is valued at $550,000, and it is not as good a building for embassy purposes as the British Embassy in Washington.

Mr. HUMPHREYS. The gentleman says it is valued at that?

Mr. FLOOD. Yes. That is what they asked for it. The least amount that they have been able to get the owners to consider was $550,000.

Mr. CANNON. I am quite sure that the British Embassy Building here did not cost to exceed $50,000.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. ROGERS. Mr. Chairman, I yield to the gentleman two minutes more.

The CHAIRMAN. The gentleman from Illinois is recognized for two minutes more.

Mr. ROGERS. Mr. Chairman, will the gentleman yield for a question?

Mr. CANNON. Certainly.

Mr. ROGERS. The gentleman has referred to the value of the British Embassy property here in Washington. Figures I obtained two years ago from the assessors of the District of Columbia show that the total actual value of that property is $398,000.

Mr. CANNON. I think very largely for the ground.

Mr. ROGERS. It is broken up. The assessed value of the land is rated at $111,000 and the assessed value of improvements $94,000, or a total assessed value of $205,000. The assessed value is based on two-thirds of the real value, so that in this case the real value would appear to be $308,000.

Mr. CANNON. I would not split on $50,000 or $100,000, so far as that is concerned. The rich men—and I might call some of their names—can go abroad. They can have legation buildings, and they can have buildings that they either own or lease for the hot weather. You put it out of the power of a man of modest means, frequently more competent perhaps than somebody who has $10,000,000 or $20,000,000 to serve the Government, whatever his capacity may be. I have in my mind's eye now a former Member of this House. I am not acquainted with his wealth, except by hearsay, but I am very glad that he represents our country in one of the principal capitals of the world. My understanding is—not from him, and I do not know that he would thank me for saying what I now say—that the savings of a lifetime, so far as his life has progressed, procured from his profession, will be gone when he is superseded by somebody else.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROGERS. Mr. Chairman, I yield 30 minutes to the gentleman from Minnesota [Mr. MILLER].

Mr. MILLER of Minnesota. Mr. Chairman, all the world knows that in times of great stress great characters are revealed. Never before, perhaps, has it been given to any man

to labor for such great causes and for such masses of mankind as during this great war period, now so victoriously ended. These days have witnessed weak men fall, but they have seen rise to power men of such splendid character and transcendent capacity as glorify the human race.

To-day the happy nations of the world are heroizing those whose deeds through the long dark hour have made those nations great and safe. It is well that it is so. A grateful nation will never lack heroic sons when the crisis comes. Our country, the mother of true democracy, should excel all others in doing honor to its citizens—those sons of freedom that have so lately determined the destiny of mankind. Immortal glory has been won by our brothers on the battle field of the world. So long as shall endure a record of man's achievements, so long shall the ages know the deeds of America's sons on the blood-soaked soil of France. The world was staged for the great act. A cruel, insolent and haughty foe sought to conquer and crush the world. The resources and the heroism of the allied nations could not defeat him. With successive, herculean blows he was beating those nations to the earth in one last supreme effort when the sons of America, a mighty host, reached the scene of conflict and knew not how to retreat. When those boys of ours turned against the Germans at Chateau-Thierry they turned the tide of human history. Belleau Wood, Vaux, Chateau-Thierry, the Argonne, the Ardennes will be to the schoolboys of the future what Bunker Hill, Saratoga, and Yorktown have been to us. Not Miltiades on the plains of Marathon; not Martel on the field of Tours; not Richard pounding at the gates of Jerusalem, played in the human drama a part more heroic, more glorious, than that of the sons of America who fought along the Marne, the Meuse, and the Meerthe. All honor to these fighting sons; all glory to their deeds. But America's work has not all been done, nor some of it the most important, by those who were clad in America's uniform.

There is another son of our country, of whom I would speak to-day, one whose service to this land of ours during the long period of war stands out conspicuous even in these days of greatness and achievement, one who died for his country, as resolutely, as nobly, as any soldier ever died for the country he loved. I speak of Walter Hines Page, late ambassador to Great Britain. He was truly a remarkable man, a wonderful man. The smoke of battle must disappear from the earth, the perspective of a distant year when his work shall be better known must come, before the world will know him and measure his deeds.

The Court of St. James has been the most important diplomatic post under the American flag. The line of illustrious men who have represented our country there presents many of the greatest names in our history. In truth, their lives form a large part of the history of our country. Five of these—John Adams, James Monroe, John Quincy Adams, Martin Van Buren, and James Buchanan—later became Presidents of the United States. In the list are also found the names of Rufus King, William Pinkney, Albert Gallatin, John Jay, and Thomas Pinckney, among the most brilliant intellects our Nation has produced. In this list are many of the foremost names in American letters—George Bancroft, James Russell Lowell, Edward Everett, and Charles Francis Adams.

In recent times we find such names as John Hay, Joseph H. Choate, and Whitelaw Reid. Walter Hines Page was the last of this illustrious line and, in my judgment, the greatest, if service is to measure greatness. No other diplomatic representative of our country in all our history ever had as many and as difficult burdens laid upon him. Hardly had he adjusted himself to the duties of his exalted position, acquainting himself with the English people and all branches of their government, when the great war like a thunderclap from a clear sky struck Europe. There were more than 50,000 Americans abroad, frantically struggling to escape from the scene of conflict. Letters of credit were valueless and all were in financial straits. Means of transportation were uncertain and often unobtainable. They managed somehow to get to London and there found asylum under the protection of Ambassador Page. Great mobs besieged his home and the American Embassy. He and his staff—in fact, his entire personal and official family—worked night and day during weary weeks and months. The multitude had to be fed, housed, and a passage home secured. Yes; even though passenger ships had nearly ceased to sail, a passage home somehow had to be found. What a motley throng they were! Millionaires, teachers, negroes, Indians and cowboys from stranded wild-west shows, elbowed and surged in one great American throng. Millionaire and negro, teacher and cowboy, looked alike to Mr. Page. It was enough that they were Americans, and each received the best Mr. Page could do or give. Many a poor cuss, penniless and stranded, without credit at home or abroad had his passage home paid by the American ambassador with no possible hope of return.

But this was only a part of his work. During those whirlwind days, and during all the days for nearly three years, the diplomatic relations between America and Great Britain were at fever heat. America was the only great power of the world then not engaged in the great conflict. The fleet of mighty Britain dominated the seas of the world, and the rights of our great neutral country were often jeopardized as Britain fought for her life. Distant as we were from the zone of conflict, and feeling it our duty to be perfectly neutral, we could not and did not appreciate the necessity which England believed made legitimate many acts of hers on the high seas. It is not too much to say and to say it is not divulging any secret that ought to be hid, there was a time when our relations with Great Britain reached practically an impasse.

Then, too, Great Britain was forced to look to this country for her food supplies and for prodigious quantities of war material. Amidst these difficulties and these enormous burdens, Ambassador Page represented our country so skillfully, so tactfully, and in a manner so broad and high minded, that in the end America and Great Britain were more friendly, more closely knit together, more zealous, each in good will toward the other than at any time since Jefferson wrote the Declaration of Independence.

The cementing of these two great branches of the Anglo-Saxon race, their union in point of view as to world affairs, and their determination to cooperate toward democracy and the betterment of humanity is likely to be the greatest result of the world war. This reunion, if I may use the term, of America with the mother country was occasioned in no small degree by the work of Mr. Page. No lesser man could have achieved so important a result. To understand how it were done we must regard the man who did it. And this brings us to the wonderfully human qualities this representative of our country possessed. Usually an ambassador, being a most august personage, dwells in a court or governmental circle, meets a limited blood or governing aristocracy, and orders his life according to strict court etiquette and time-honored precedent. But that was not the kind of an ambassador Mr. Page was at all. Probably no other representative we ever sent to the Court of St. James knew the Government officials of that country as intimately as he did, but he did not stop there. His broad sympathies, his cosmopolitan Americanism caused him to like all humanity, and he became acquainted with the English people. When we consider the constitutional and native aloofness of the English character, we are ready to understand how great an achievement this really was. He not only became acquainted with them, but they with him. Their relations verged on the intimate. In revealing himself to the English people he unconsciously revealed to them America at her best. Most of those people knew nothing of America, but they came to know him and ascribed to America and Americans those splendid qualities he so continuously displayed. His character was the most perfect exemplification of ideal Americanism our age has presented to a foreign country. He ceased to be a personage in England, he became an American institution. His influence pervaded everywhere. The men in the factories, the boys on the street, the million and more women toiling in Britain's war industries, financiers, and statesmen could all talk almost intimately of the American ambassador. They all knew him and honored him, and in him they felt they had a friend. And they did have. I measure my language when I say the English people learned to love Ambassador Page. We should therefore be prepared to hear that the British Government, when the war hour was the darkest and some sections of their country were dominated by pacifists, sent this American out among the people to counsel with them, inspire them, nerve them to the conflict. Some of his speeches to the people were printed and circulated throughout the land. A moment's reflection would disclose what an extraordinary rôle this was for a foreign ambassador to play, and he did it without once violating any of the rigid proprieties of his position or in any way offending the most sensitive taste. This was not the work of a diplomat. It was the work of a great human heart, one big with sympathy, one zealous to serve his fellow men.

When in London a year ago I observed to a group of Englishmen that the most interesting thing I noted in their country was that England had again discovered America. We, whose homes have never been in immediate danger from the savage Hun, we whose country we have never thought for a moment in danger of destruction, can hardly appreciate the feeling of the English people when America came to their aid. They haven't said much, but they have thought a lot. The flower of their kingdom had gone to France and fallen in the great conflict.

The thunder of the German guns could at times be heard reverberating among Albion's hills. From the heavens at night were continually dropping missiles of death and destruction. The deadly submarine had brought England almost to the hunger point. Then the young giant of the west came to their aid. Instantly anything American became intensely interesting to the English. The wealth, the manpower, the national characteristics, the purposes, and the plans of the mighty Republic became matters of the deepest interest to the English people. Ambassador Page at this critical moment gave to the English an ideal conception of the American people. The regard in which he was held by the English caused them to accept in full every expression he uttered. For nearly a century and a half the two great English-speaking races have been separated, sometimes by conflict, often by misunderstandings, all the time by latent suspicion. Happily for us and for the world, these days are past. It has been given to no man to perform so conspicuous a service in thus reuniting these two great peoples as that performed by Ambassador Page. A work of this character stands preeminent in the statecraft of our time.

Mr. Page quickened the thought and touched the life of the English in many ways they knew not of. The greatest result of this war to England herself will be the social and economic transformation that is now occurring. The social strata of old England have been sadly shaken up by this strife. Many of the families of the aristocracy have practically ceased to exist, and all have been terribly decimated. The flower of English chivalry was the first to rush to England's defense, and most of it now lies buried beneath the soil of France. The ancient privileges of birth will not henceforth be as hallowed as they have been heretofore. Men of all classes have stood on the same level and fought in the same way for their common country. Class distinctions under such service in such a time must inevitably fade away. In the industrial life of England the workers henceforth will receive a larger share of the profits of industry. The morrow is to be a very much brighter day for the common people of England. This movement upward on the part of the English masses has come from a better and wiser understanding of true democracy by all classes of English society. During the past two years America has exerted a very marked effect upon English thought, whether the English knew it or not. There can be no doubt that the democracy of America spoke through Ambassador Page to the democracy of England. The result will be far-reaching. President Wilson was no doubt surprised, as all America was surprised and pleased, at the warmth of the reception recently accorded him by the English people. Much of this unquestionably was a tribute personal to the President, but much of it was a tribute to the American people springing from an appreciation of America's help and of those American qualities they have seen revealed in the character and deeds of Ambassador Page. It appears likely there will be singular harmony between the two great English-speaking peoples at the peace table in Paris. Let us not forget that this unity of feeling, thought, and purpose has been produced in no small degree by the years of labor, sacrifice, and achievement of our late representative in England. It is not too much to hope that the influence of his life will abide with the sons of England and America about the council board, ever keeping their hearts in sympathy, their purpose fixed on the betterment of the masses of mankind.

I have jogged pretty well over this world, one time and another, and have met in foreign lands many representatives of our country. Among them many stand out in memory for splendid courtesies extended and for the most excellent Americanism they displayed. But Ambassador Page was in a class by himself. Never at home or abroad have I met a man like him. I recall distinctly the evening I landed in London. Cold, wet, hungry, for I had been moving from France with troops for 24 hours and without water, food, or sleep, I presented myself at one of the leading hotels and signified my ambition to register and secure accommodations. It evidently was a matter of deep concern to them whether they should take me in. Perhaps I looked suspicious, even though I displayed my passport and my permission from the British Government to land on British soil. Several austere employees looked me over and very critically. The flunkeys looked at my baggage dubiously. They wrote down all the facts in my history and of my ancestry on both sides back to a time when memory runneth not. They sent me to the adjacent police station to be registered and more thoroughly examined by specialists. When I returned these solemn-faced clerks held a brief consultation and then somewhat dubiously consented to take me in. I was profoundly grateful. I was willing to kiss the hem of their garments for this token of marked condescension on their part. On the following morning I called at the American Embassy to pay my respects and was advised that Ambassador Page was confined to his home sick and had been suffering acutely for nearly a week. Returning somewhat leisurely to the hotel, perhaps two hours later, I seated myself in the lobby to read a newspaper. I had not proceeded far when a pompous voice rolled out over the throng, "Congressman MILLER." Panic seized me. Surely they had reconsidered my case and decided to throw me out. But there was nothing to do or say but to face it, so I stood up and answered. To my astonishment, a most gorgeously liveried flunkey, flanked by one of the clerks, who had been particularly haughty and unapproachable the night before, stepped up, both bowed nearly to the floor, and with great unction the flunkey cried out, "The American ambassador to see Congressman MILLER." It was literally true. Upon being advised by telephone that I had called he got out of the sick bed and came directly to the hotel. He had never seen me in his life, and I doubt if he had even ever heard of me. It was enough for him that a Member of the Congress of his country had arrived in England. He rose from a sick bed and came instantly to put himself at the service of the Congressman. In all the world this is unique in my experience, and I am ready to believe that no other ambassador of any country ever did such a thing. His call had a profound effect upon that hotel. During the two weeks I was there I was really embarrassed with attentive service. This incident gave me my first glimpse of the position our ambassador held in England and among the English people.

Usually, diplomatic and consular officials of ours are very courteous in responding to any reasonable request a traveler may make. And in this they are distinguished among all foreign representatives, but Mr. Page went out studying up ways in which he could be of service. His whole force of trained and expert assistants, his home, his friends, were all placed at the traveler's disposal. Within two days from the time I landed in London he had brought me into relationship, under the most advantageous circumstances, with practically every person in the British Government who could help me in the work I had on hand. And every day thereafter he was constantly on the alert for opportunities to be of service.

This treatment was in no sense exceptional to me; I am certain he accorded the same to all of his countrymen. One day he called and handed me a list of 14 American Congressmen. He had just received the names by cable from his home Government, with word they had sailed for England. He was full of energy. "Now, tell me, MILLER," he urged, "all about every one of these men. This is a great event. Never before has a great body of American Congressmen journeyed to England. I am going to see to it that this is a real event in England and that every honor is accorded them." How splendidly he succeeded every one of those Congressmen will, I am sure, bear willing witness. It was his great purpose to bring the English and American people into closer relationship, that they might become companions in the world's work. He labored for the one, the country whose representative he was, but at the same time he knew that this course would promote the welfare of the English people. How striking is the contrast between this purpose and this work and that of the recent ambassador of the German Government to the United States!

As Mr. Page was the most perfect American in character and conduct I have ever found in our country's service, so he was the ablest executive and wisest adviser our country has had in its Diplomatic Service in modern times. Our embassy in London during recent years has been a marvel of organization, efficiency, and lofty dedication to the country's service. It was "a Little America" in the heart of London. Mr. Page had taken the best secretaries that had been attached to Vienna, Berlin, and St. Petersburg and added them to his force. They constituted a remarkable collection of trained, diplomatic agents, excelling in zeal, spirit, and pure American ability. To these were added some specialists, selected with excellent judgment. The military attachés were up to the minute in all departments of their work. And there was Admiral Sims next door, with his unexcelled bureau; he and they writing a glorious chapter in the naval history of America. Then, in the same row, the American Red Cross. The organizing and presiding genius of this wonderful American colony was Ambassador Page. The amount of work to be done was enormous, and Mr. Page was never idle. To little things and big things that were worth while he zealously gave his best. And the work began to tell on his health. As the years went by he gradually weakened, but he kept steadily at his work. When urged by solicitous friends and fellow workers to go away for a rest he refused, saying there was too much to do and his country needed him there.

Our men alone could never have won this great war. The part woman has played constitutes a striking event in human

history. Mr. Page alone could not have performed his great mission. This typical American man was blessed with a typical American wife. The sweet simplicity, the elevated dignity, the unfailing tact, the deep sympathy, the wonderful charm of this magnificent woman were of incalculable aid to the ambassador and brought to herself a distinct reputation in England. Her home was the best place in London to meet people worth while. The womanhood of England during this struggle has displayed a heroism that will challenge the admiration of the ages. With no sign of mourning, though their loved ones had fallen, with no sign of fear, though death fell from the heavens, with their great homes closed and living in comfortless quarters, they worked on for their country and their country's soldiers.

They cooked and they scrubbed and they washed for the fighting boys of their land. Their conduct, frankly, is the sublimest thing I have ever seen. Splendid as this was to see, an American was still more greatly thrilled as he beheld working beside them, vieing with them, yet often excelling them in service and sacrifice—for her talents, in the main, were greater—this representative of American womanhood. With a duchess on one side and a Scotch lassie on the other, she was ever present where service was needed and ever helping in those hard and difficult tasks that brought comfort to the soldier boys of England and America. Some day I trust an American woman, sensitive to the nobility of a woman's soul, will write of Mrs. Page's work and life in England during the great war. It is worthy the pen of a Tarbell.

It may be if one caught only a fleeting glimpse of this ambassador of ours he would be thought homely in form, but no one that knew him ever thought that of him. The bigness of his character and the splendor of his mind only were thought of. Like the woman who came from the presence of the great Lincoln, with a pardon for her son in her hand, and amid her happy tears, exclaimed, "And they told me he was a homely man." Mr. Page possessed many of Lincoln's elements of greatness. He was simple in manner, direct in expression, lofty in thought, and filled with human sympathies. To inspire love in one's fellow man, one must love that fellow man. And Page loved his fellow men. To be of service was as natural to him as to live. In a very human heart there reposed a lofty soul. In his presence you felt vastly more than your mind interpreted from what he said. He lived thought and feeling, and in this way exerted a powerful influence. He personified America as our ideals want America to be. After Mr. Balfour returned from his memorable mission to America, and that was his first visit to this country, Mr. Page called at the foreign office to welcome him home. As Mr. Page entered the inner room there sat the French ambassador on the right, the Russian ambassador on the left. Mr. Balfour rose quickly, advanced across the room to meet him, grasped both his hands, and silently looked him long, full in the eyes. Then, with voice that betrayed emotion, in degree, perhaps, greater than that veteran statesman ever evidenced before, he uttered these words, as though they welled from his soul, "Mr. Page, your people, your people; they are just like you; they are just like you." No higher tribute was ever paid to a man; no truer tribute ever paid to a nation.

When the news flashed over England 3,000 miles across the sea that Mr. Page was dead all England went into mourning. It is probable that there has hardly passed from the life of England any person in the last 25 years on account of whose death such deep sympathy, solemn regret, and universal love were expressed by the English people as occurred in the case of Ambassador Page. All of England mourned for him as for one of their favored sons. In these stirring times we have not yet paused to pay him proper tribute, both as to his character and his great work. It is that I may give you, if you please, the picture that I have of him and all that he stood for in England that I have taken these moments of your time.

Mr. Page knew nothing of the intrigue of diplomacy. His method was direct, straightforward, honest. His word was relied upon as soon as it was spoken. This standing before the English people was of the greatest value to them at the time we entered the war and enabled him to place our own position before the English people on the highest possible plane. Early in 1917 the English, looking ahead, saw ultimate defeat unless help came. Russia was crumbling; France was being exhausted; England and Italy had reached the zenith of their power. And yet they could not crush the German horde. The entrance of America into the conflict promised to change everything if America only would send her fighting strength to the field of battle. For a time France and England really wondered if America was in earnest; if our men really would come to fight. England had her jaw set and was fighting grimly on without complaint, without mourning, with no thought of giving up, but her people were praying in their hearts that America would come. Mr. Page was more than ambassador in this hour. He represented to them the incarnation of America's power. With serene confidence he whispered to these heroic and dying souls "Be not worried, my countrymen will come; they will come." A kind Providence lengthened his days, so that he saw them come, these stalwart sons of great America, these crusaders under freedom's cross, and turn the tide of victory. But he knew the end was near. He knew his days were numbered. For months he worked on, looking ahead straight into his open grave. Yet he faltered not, nor did he complain. He felt himself a soldier of his country, and it was his duty to serve that country, even unto death. At last that worn-out body could carry the burden no longer, and he took to his couch, saying, "I am tired and must rest." He knew it would be a long, long rest. And his heart yearned for the hills and the valleys of Carolina he so loved when a boy, and they bore him there, quietly and reverently. Those eyes, with a vision death had not yet dimmed, once more saw the clear skies and the sunshine of his native State, the land he loved so well, the hills he climbed when a boy, the old home that was associated with so much that was dear in his life. Then, with the bells of victory ringing throughout the land, with the world saved and again at peace, with the country he loved and served advanced high in grateful thought of mankind, his work ended, he went to sleep.

Mr. COOPER of Wisconsin. Mr. Chairman, I yield 15 minutes to the gentleman from Kansas [Mr. LITTLE].

Mr. LITTLE. Mr. Chairman, a year ago when this bill was under discussion I took the liberty of suggesting to the committee the propriety of certain changes in the bill. These changes did not meet with their approval at that time, but they now have. I am going to make another suggestion of a similar nature, in the hope that it may commend itself to the committee without waiting a year to find out that it is right.

Last year the bill contained an item for minister plenipotentiary and envoy extraordinary to Bulgaria, Roumania, and Serbia, $10,000. On the 7th of February last I suggested, in some remarks that were printed March 4, that Roumania, Bulgaria, and Serbia were not on such terms that they should have one minister; that, as a matter of fact, each of them ought to have one of its own; and that nobody could acceptably meet them all. I am glad to see that after the lapse of 12 months and some frightful fighting between our ministers—chargés in the Balkans—the State Department has learned that they are separate nations with conflicting interests, and has given each of them recognition with a minister of its own. I felicitate and congratulate the department upon the rapidity with which they get information with regard to foreign countries. I notice, however, that they have assigned one minister to Greece and Montenegro, and call the attention of the Committee on Foreign Affairs and of the State Department to the fact that Greece and Montenegro are located some distance apart. Anyone proceeding by the shortest route from Greece to Montenegro would have to go through Albania. Most of the people of Albania are laying for the Greeks. The other day I talked with a lady and a gentleman who spent considerable time last year in Albania—themselves Albanians—fighting the Greeks.

The only method by which anyone could get from Greece to Montenegro with any facility now would be by water, and under the conditions existing there that might be dangerous. I would suggest to the State Department and the Committee on Foreign Affairs that the people of Montenegro are Serbians. They speak the same tongue as the people of Serbia. Furthermore, their territory lies immediately adjacent to that of Serbia. It is quite likely that they will all be made one country; but, at any rate, they lie side by side and the facilities for getting across the border line are not bad. If this minister is assigned to two countries, he should be assigned not to Greece and Montenegro but to Serbia and Montenegro. I am going to offer that amendment, and I hope the committee will take into consideration the suggestion I make and confer with the State Department, and if the State Department, after months of investigation, find out that the relative geography of the countries which I have stated is correct, the State Department will perhaps permit them to accept that amendment. In the event that Serbia and Montenegro should be united, as they probably will be, then the minister will remain accredited to one country and there will be no complications to iron out. I hope the committee will think that over and arrange it so that that can be attended to to-morrow without serious difficulty.

I notice, too, here that there is an ambassador extraordinary and minister plenipotentiary to Austria-Hungary. I call the attention of the Committee on Foreign Affairs to the fact that there is no such country as Austria-Hungary. That country

has been totally demolished. The Emperor of it has lost his throne and there is no unification. Hungary has declared its absolute independence. Bohemia and Slovakia have declared their independence as one country—Czecho-Slovakia. The Italians have taken possession of considerable of Austria-Hungary. Yet you are arranging for an ambassador to Austria-Hungary with a salary of $17,500. He could not find that country if he should go there. Where is its capital?

I think the State Department ought to take judicial knowledge of that state of facts, which is so well known. We could take judicial knowledge of it anyway. The territories of Czecho-Slovakia, Hungary, and Austria constitute three distinct nations at this moment. Immediately adjacent is Poland. Nobody in the world questions this fact except this bill. I do not think the department should come and ask for an ambassador to Austria-Hungary. If they wish to assign one person to that position at Budapest or Warsaw or Prague or Vienna, perhaps he could be assigned to Austria, Hungary, Poland, and Czecho-Slovakia, and it seems to me that it ought not to be necessary to make such elementary suggestions to the committee or to the State Department. You might as well send an ambassador to Babylon. The Austro-Hungarian Empire is wrecked and ruined, totally demolished and destroyed, and everybody knows there is no such country. Hungary has declared its independence. It has set itself aside. The Emperor has retired and they are going to sue him for a million dollars. Austria is simply a German Province and Vienna, I presume, its capital. Everybody knows it. Slovakia and Bohemia will be one country. Why pass such legislation as this? It will make us the laughingstock of the world. I hope that this suggestion will be sufficient.

Mr. COOPER of Wisconsin. Will the gentleman from Kansas permit a question?

Mr. LITTLE. I will.

Mr. COOPER of Wisconsin. The recognition of a foreign government by this Government is exclusively within the jurisdiction of our executive department. Can the Congress of the United States, until the peace treaty shall be signed, do otherwise than follow the recommendation of the State Department as to the existence or nonexistence of foreign governments?

Mr. LITTLE. The Congress of the United States can make any appropriations it wants to that are not in opposition to the law of the land. The State Department will obey the instructions of Congress, because that department is loyal. The gentleman from Wisconsin says "can" we appoint a minister to Austria, Hungary, Poland, and Bohemia, one for all.

Mr. COOPER of Wisconsin. I will change the word "can" to "ought."

Mr. LITTLE. Yes; I think we certainly ought to. The only possible question to my mind is whether we can. That does not apply to my suggestion to attach Montenegro and Serbia. That is a simple matter. About that there is room for debate, but I think if you call up the State Department they could suggest some way out to the committee that would be mutually satisfactory to the legislative power and to the executive force.

It is true that we depend on treaties, but when we know that the treaties are dead and that there is no such country, why should we appoint an ambassador at a salary of $17,500 a year to such a place? It is preposterous. Suppose the State Department should ask us to send a minister to Juden, which has been dead 2,000 years.

Mr. COOPER of Wisconsin. Will the gentleman permit another question?

Mr. LITTLE. I will.

Mr. COOPER of Wisconsin. How does the gentleman know that there will not be a government recognized as the Government of Austria-Hungary by the peace conference?

Mr. LITTLE. I am sure there can not be, because there is no such country. There is no demand for that anywhere.

Mr. COOPER of Wisconsin. It may not have the same territorial jurisdiction that existed before the war, but can the gentleman say, as the State Department did not say to the committee, that there will be no Austria-Hungary?

Mr. LITTLE. Yes, I can; and I think that any intelligent man that reads the papers, whether he believes everything they say or not, must realize that there will be no such country and is not now. Hungary has asserted and settled its independence. It will have nothing to do with Austria. The Emperor is deposed and the ministers are dismissed. There is no possibility, as the gentleman from Wisconsin seems to suggest, that they may recognize such a country as Austria-Hungary. As a matter of fact, Austria will most likely be made a part of Germany in some way or other; at any rate, it will be independent of Hungary. I think it is much more intelligent to say that we will send some one to Austria and some one to Hungary and some one to Poland and Czecho-Slovakia, which really exist, than to send some one to Austria-Hungary, which does not exist.

Mr. COOPER of Wisconsin. That would mean that the Congress of the United States is anticipating the action of the peace conference. We would be declaring, if we enact such legislation, that Austria is to be one government, Hungary is to be another government, and that Serbia and other countries are each to have individual governments. In other words, the Congress of the United States would be specifically by legislation anticipating the action of the peace conference.

Mr. LITTLE. On the contrary, when you attempt to put this legislation through you are anticipating the conference by saying that the Austrians and Maygars have no rights of their own. They say that they are absolutely divorced, and you insist that they are not. What right have you to say that Austria and Hungary shall take the same minister, as one country? Hungary says she is a government by herself. Here you say Hungary is not; that Austria-Hungary are one. Where do you get the right to proclaim an empire across the sea which has no existence? You might as well proclaim Atlantis. What right have you to prejudge the case of the Bohemians? When you do that, you say the United States is against the freedom of Bohemia, for which they fought; against the freedom of Hungary, for which they have declared.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. HARDY. Can the gentleman inform the House just what kind of a government there exists to-day in Vienna and who is the head of it?

Mr. LITTLE. No; I can not.

Mr. HARDY. Is there any definite government?

Mr. LITTLE. I gather from the newspapers that the city administration is in control.

Mr. HARDY. No republic, no empire, no kingdom.

Mr. LITTLE. I do not think so. The Emperor has gone; he is out of a job; and the local council of some kind simply meets and holds the fort. In Bohemia—that is, Czecho-Slovakia—they have a President; in Poland they have a prime minister and a general in chief; in Hungary they have a government as well established as ours.

Mr. HARDY. And in Vienna?

Mr. LITTLE. I can not give the gentleman any information about that.

Mr. HARDY. At least, it is not now the capital of the Austro-Hungarian Government.

Mr. LITTLE. No; there is no capital. I do not think we owe any allegiance to the dead past. Let it bury its dead. I see that the Empire of Turkey is to have an ambassador at $17,500. Why should we put the stamp of our approval upon an empire already dishonored and dismembered? You and I know, as well as anybody, that that country will be split up into two or three parts, and Turkey will only be a very small part; that Constantinople will no longer be its capital. Why send an ambassador, at $17,500, to people who have demonstrated they are not fit to receive any courtesy or attention, and whose territory is largely in other hands permanently?

Mr. EAGLE. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. EAGLE. From the gentleman's long and intimate knowledge of that Far East situation, may I ask if it is not the gentleman's hope that when this peace conference shall have finished its deliberations it shall result in putting Turkey entirely out of Europe, and the taking of Constantinople and making a civilized community out of it, rather than leaving it to those brutes who have disgraced civilization and the world for five centuries?

Mr. LITTLE. The gentleman is undoubtedly right. Every heart in Christendom beats with that hope. A year ago, on this floor, I spoke for a considerable time in favor of that proposition. Time has developed that my suggestions were not so far from what has happened. Constantinople will probably be a free city. Armenia, Anatolia—that is, Turkey in Asia—will be independent countries. England will take Mesopotamia, and something will be done with Palestine, to divorce it from Turkey. Turkey will be a little nation of four or five million people, and we should change from an ambassador there to a minister, at $10,000 a year. I hope the chairman of the committee will take this up with the department.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. FLOOD. I will say to the gentleman that the committee provided for the diplomatic corps almost as it has been provided for heretofore. Not wishing to anticipate the action of the peace conference in determining what shall be the future

of these different States, we appropriate for an ambassador to Austria-Hungary, just as we did when we had no diplomatic relations with that country, just as we did when we were at war with that country. We will do that until the conference determines what these countries are going to be, before we anticipate what is going to take place in the future and undertake to change things ourselves rather than wait for the peace conference to make these changes.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. COOPER of Wisconsin. Mr. Chairman, I yield the gentleman five minutes more.

Mr. LITTLE. Mr. Chairman, on the contrary, when you assign an ambassador at $17,500 to Turkey and at $17,500 to Austria-Hungary you do prejudge the action of the peace conference. You are apparently endeavoring to bolster up the government of dead empires, of ruined nations, that ought to be ruined and demolished. You seem to take sides with them. There is no reason in the world, there is no technicality that insists upon it; and when you say to Turkey that you will send her an ambassador at $17,500 you appear to be backing her up as against Armenia. There is a Republic of Ararat, around the Mount of Ararat, which has been recognized by Germany, by Turkey, by Russia, a free and independent republic. There is not a word in this bill about it. You have never recognized it. Why should you insist that Turkey should have an ambassador when your friend the little free Republic of Ararat, which won its independence on the battle field, does not even get a minister or any recognition?

Mr. FLOOD. We do not appropriate for ministers and ambassadors until our Government has recognized a country.

Mr. LITTLE. I am not offering an amendment in respect to Ararat. Everybody else has recognized it; we should. I notice here that the agent and consul general at Tangier is provided with $7,500 and the agent and consul general at Cairo with $6,500. The work of the agent and consul general at Cairo is with a much better settled government, better civilized, better adjusted government than that in Morocco. He has a great deal more to do. I heard this morning a great deal about sending rich men to these places. Cairo is the greatest social center in the winter time in the world. There is more society there than anywhere in the world of the kind that appeals to rich men and women. If you are going to pay these big salaries, you ought to give this representative at Cairo another thousand dollars. He gets $6,500. He lives in a city of half a million people, a great city and a great social and diplomatic center. England and France and Russia and all those countries for years have fought out the battles of diplomacy there. Our man's English colleague resides in a palace that probably cost $250,000. It has been the battle ground of world diplomacy, with Lord Cromer as the center. The diplomatic agent there ought to have more money. The French agent has a palace. It is a job where a fellow could spend a good deal of money.

I want to say in that connection I am sorry to see this continual repetition of the theory that nobody but a rich man can be an ambassador. There never was a more nonsensical theory. The greatest ambassador we ever had was Benjamin Franklin, and he hardly had enough money to keep his shoes shined. It is like every other job.

A man's success depends upon the ability, the scholarship, the culture, the tact, the courage, and the luck of the man, just as in the Congress of the United States. The greatness of America does not consist in its wealth, but in the freedom of its people, the equality of its citizenship, the grandeur of its ideals, and the splendor of its history. These great fortunes are simply the burden-bearing servants of the Republic, like the machinery in the factories. They seek these diplomatic posts that they may get away from the democratic surroundings at home and bask in the artificial light of a useless social environment, which is one of the things we fought against in this war.

When you in this bill again provide for liveried ambassadors to the empires our soldiers fought to destroy, you lend encouragement to every king hiding in exile, to every enemy of common men who is biding his time in the anticipation that something may happen, to set back kings on their thrones and throw back the world a hundred years. When you provide ambassadors to Austria and Turkey again you bring sadness and sorrow and fear to every brave and gallant soul in Bohemia, Croatia, Serbia, and Armenia. You give the world to believe that you stand for a European continent of kings and kaisers, emperors and tyrants, and that as the sun of liberty seems to rise in golden splendor upon a waiting world, upon quivering nations, this mightiest of all Republics doth frown and lower upon the hopes of half the world for the same rights and privileges and immunities we have in America. Are you here to merely repeat the views of some conference or is this the Congress of the American Republic competent to express the ideas of the American people?

The theory that you must send a rich man to Paris or London is all nonsense. When the campaign is on each side gets some rich man socially prominent to give them a lot of money and then rewards him with this job. Why, there is not much to it. And then they say to the scholars and orators, "You are too poor; otherwise, we would like to give you the job." There is no place in the world where character and ability do not set the status of the man, the hall mark on him. What does it amount to, a big house? You do not need a big house. That is simply a society matter of no consequence whatever, except to fat old dowagers and pretty girls. When I was appointed to a diplomatic post in Egypt I went and saw Gov. Osborn, of Kansas, shortly after he returned from Brazil, where he was an American minister, the most courtly gentleman in the State, and said, "Governor, I want a little advice. What have I to do?" He said, "Not a damn thing." I said, "What arrangements have I to make?" And he said the same thing. These diplomats have very little to do and cut very little figure in the world's affairs, and when there is anything to be done it is done from the State Department here, anyway; it is but a little social distinction that does not amount to anything. But when you talk about a consulate it is different. I will back every dollar that is put into them. The business of the country is done through consulates. I do not care about the spending of that money at Shanghai. You must remember that the consul general of Shanghai is a judge of as great importance as a Federal circuit judge of the United States and he has as important a jurisdiction.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LITTLE. May I have another five minutes?

Mr. COOPER of Wisconsin. I yield the gentleman three minutes.

Mr. LITTLE. Where you want to put your expenditures is upon the consulates to build up the business of the country. A man pops up here and wants to spend $5,000,000 on houses for ambassadors. What is an ambassador? He is the personal representative of a monarch, and what has become of monarchs? They have gone to hell, the whole bunch of them. It is just that, they are all done for. Then some one bobs up and says we need rich ambassadors all over the world. It is merely a social business, just a suit of clothes and a knowledge of how to turn down the corner of a coat. The governor said, "Have you a dress suit?" I said, "No." He replied, "That is all you need." Why should you, just when the countries of the world are killing off kings and abolishing them and putting the peoples of the world upon a democratic foundation, turn in and build great big houses that only a rich man can live in? This great Republic should be too big and powerful to do a thing of that kind. You should send men, simple, unaffected, direct men, like Benjamin Franklin was. You remember how he hung the key on the kite string in the bottle and brought the lightning down. My mother used to tell me the story of how, as he walked through some aristocratic salon in Paris, a disdainful duchess inquired sarcastically, "Who is that queer old man?" And the reply was, "Hush; he is the man who bottles up thunder and lightning." My friends, your ambassador wields the power of this great Republic—the thunderbolt of Jove. He is a man who bottles up the thunder and the lightning of modern authority and power. He does not need fine clothes or fine buildings. His word is a law to nations, for he speaks for 100,000,000 free men. This great Republic should stand upon the dignity of American citizenship.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. LITTLE. I will.

Mr. HUDDLESTON. And Franklin made his quaint garb the fashion of Paris.

Mr. LITTLE. Yes. He was the observed of all observers, the center of every social circle, the power behind the throne. John A. Anderson, a grand Member of this House, was appointed to Egypt. They came to present a beautiful sword to him, an ancient custom, showing respect to him and his country, as they had to all his colleagues. He said to them as he looked over the present, "My country does not need the sword; you take it back to your monarch and tell him to use it for his own country." The custom terminated because our country laughed at it.

For 6,000 years the mankind has patiently waited for this hour. Destiny has designated our Nation to lead the way to a better future. For four years the world has been aflame with war and the earth has rocked and quaked with the woes of its

citizens. Lincoln's name flames in the sky to tell us to strike down old and idle forms and inaugurate a diplomacy of common sense. Franklin long ago set us the example. Let the millionaires stay at home hereafter and manage their millions, while statesmen represent us who are typical Americans. My friends, this is the time for us to set a better example of economy and simplicity and dignity of character with our ambassadors instead of still sending men simply because they gave great sums of money as campaign funds to both parties. [Applause.]

Mr. FLOOD. Mr. Chairman, I yield 30 minutes to the gentleman from Alabama [Mr. HUDDLESTON].

Mr. HUDDLESTON. Mr. Chairman, I wish to discuss the propaganda that is being carried on in this country which takes the form of asserting labor has profiteered out of the war.

They say that labor has profiteered out of the war. They are charging that the men who work with their hands have taken selfish advantage of the war emergency to gain for themselves an unfair increase in wages. They say that the workers have not been patriotic, but have taken advantage of the situation to practically hold up industry and the Government itself in performing war work.

These charges are coming from various quarters, sometimes by direct statement, but more often by insinuation. A nation-wide propaganda, it appears, is being carried on. My mails are full of it. Scarcely a day passes that I do not receive some printed matter that directly or indirectly makes the charge of profiteering against labor. In the report of the proceedings of a recent convention of a great civic body a prominent spokesman for industry is quoted as saying:

> To-day I find men of great force in this Nation who, now that this war is over, talk about a surplus of labor, and that now is the opportunity for capital to reassert itself, because labor has prospered way beyond its share because of the war.

A prominent corporation lawyer has sent me a copy of his address delivered at a recent meeting of a bar association, in which he said:

> The workers are having a prosperity the like of which few of them ever dreamed was possible, even under the absurd promises of the professional architects of verbal Utopias. A very large percentage of the billions expended for war purposes in this country in one form or another has gone into the hands of workers—of those who labor with their hands.

An organ of big business, in its issue of December 15, 1918, makes an attack on labor organizations, from which I quote:

> Union labor attempted to capitalize the war for its own purposes, and succeeded to a very great extent. * * * The war did more for the unions than they were able to accomplish for themselves in many years, but a return of peace may imperil the spoils. This the unionists will not permit if they can help it, and they are trying to help it by compelling a governmental autocracy, a paternalism which they believe will be entirely for their own benefit, irrespective of its effect upon the country.

And so this reactionary propaganda goes on day after day. My table is littered with it. It appears in the newspapers. It is being sent to public men, the press, and employers of labor over the whole country. Usually this stuff carries with it a patter about "bolshevism," as though every workingman was an anarchist in disguise.

This propaganda costs money, lots of it. It has a purpose, evidently the selfish purpose of those who are paying the bills. It is important that public attention should be called to it, that the public should be warned and put on guard against accepting this stuff at its face value. If labor had profiteered, I should not attempt to defend it. The profiteer has been a public enemy during the war; he has hampered our country in its efforts; he has dissipated its strength; he has been a great hindrance in carrying on the war. The profiteer should be held up to scorn and execration.

SINISTER MOTIVES BACK OF PROPAGANDA.

It is not easy at first to fathom the purpose of this campaign of propaganda against the toiling masses of the people, but when we consider the sources from which it comes and analyze the innuendoes and arguments which accompany it we are able to discern that it has one or all of three purposes:

First, to discredit the laboring classes generally, to destroy public confidence in them and their leaders, and to create a public opinion which will justify harshness in handling labor disputes;

Second, to discredit public ownership of railroads and other public utilities, which is assumed to be favored by the masses; and

Third, to combat radical democratic movements and the assertion of political rights by the poor, whom the propagandists choose to dub "the proletariat" and to picture as being ready to leap at the throats of the rich.

The illiberal interests never sleep. They have a peculiar and inexplicable hatred and distrust of the common people. These interests are dissatisfied with the swing of the past decade toward an interest in the betterment of the condition of the common man and a fuller recognition of the rights which belong equally to all. They let no occasion pass to push the pendulum back the other way.

In the processes of readjustment, the stress of high prices for the common necessaries of life, with a surplus of labor already appearing, there will probably be industrial friction and strife. So that by this propaganda the big employers are seeking to create public sentiment which will excuse them for harsh measures toward those in their service. There can be little doubt that they have decided to make a determined effort to force down wages and to take away favorable conditions which workingmen have been able to obtain. This effort naturally will be resisted. If it succeeds the workers must accept lower living conditions and be put to greater economy and hardship. The great employers desire a state of public opinion favorable to their side. They want to have it ready-made when trouble comes. This is one of the meanings of the propaganda that is being carried on.

KNOW THE TRUTH.

It is important that the public should know the truth. I have investigated the subject of wages during the war and feel it my duty to give the facts. *Labor has not profiteered but has been moderate and patriotic.* Even with the number of workers greatly reduced on account of men taken for military service more work and better work has been done than in normal times. Men who work for wages have enthusiastically supported every war activity. They have gone into the war themselves; they have sent their sons into the camps. They have skimped in their food beyond any other class. Generally speaking, they have been thrifty and economical far beyond peace times. They have worked overtime and on holidays without complaint. They have invested their savings in liberty bonds and contributed to war charities to a degree beyond comparison with those more fortunately situated.

Charles M. Schwab, the great ironmaster, who can not be charged with being unduly favorable to labor, will be accepted by the most reactionary as a fair judge. Mr. Schwab took charge of the construction of ships for the Government during the war. In an article in the January, 1919, number of The Nation's Business Mr. Schwab says:

> When I undertook, with my associates, who have been so loyal and so able, the construction of a merchant marine for the United States, I realized that there was just one possibility for success, and that success was not to come about by reason of the shipyards or the engine works or the boiler works, or anything else that we might construct, because that would require time and years of development. It could be brought about in an emergency quickly only by appealing to the best energies and the patriotic endeavor of the citizenship represented by the workmen of the United States. That we succeeded in this undertaking, I am happy to say, has been beyond doubt.

But it is said that labor has been overpaid; that it has profiteered. Let us see. It is true, of course, that there has been an increase in wages, but it is also true that there has been an increase in the cost of living. An increase in income means much to the man of wealth, for he may lay it aside as a saving and use it when normal prices have been restored, where the increase is not all consumed in the added cost of his living. For instance, an increase of $20,000 a year in profits to a manufacturer means $10,000 put aside as a saving if his prior cost of living was $5,000, even though the latter has doubled. But to a workingman whose income is all used up in paying for his living an increase in wages means nothing if there is an accompanying increase in the cost of the things that he must buy. The average workingman is able to save very little. His wages merely represent so much food, clothing, and other necessaries of life for his family. If he is to continue to live on the same scale as before, it is necessary, therefore, that his wages should be increased to the same extent that the cost of the common necessaries of life advances.

Wages, it is true, have been bettered during the war, but the increase has not kept pace with the rise in the cost of living. *Translated into terms of food and clothing and other necessaries for his family, the average workman in the United States has received less for his labor during the period of the war than he was getting prior to that time.* This statement is no mere assertion on my part. It is supported by the indisputable facts and statistics. I have investigated the matter. I give information which I have drawn from numerous sources upon the subject. In a letter dated December 18, 1918, Mr.

Royal Meeker, Commissioner of Labor Statistics of the Department of Labor, makes the following statement:

The changes in union wage scales as a whole per hour and per week in May each year in the United States are indicated by the following index numbers:

	Index rates per hour	Index rates per week
1907	100	100
1908	101	101
1909	102	102
1910	105	104
1911	107	105
1912	109	107
1913	111	109
1914	113	111
1915	115	112
1916	119	116
1917	127	123
1918	148	142

The index numbers of per capita earnings in the tables relate to earnings, not to wage rates solely. These earnings are affected by overtime and the speeding up of pieceworkers as well as changes in time and piece rates.

Mr. William F. Ogburn, of the National War Labor Board, in a letter dated January 3, 1919, says:

Wages, as measured by wage rates in the building trades, in the printing trades, have not increased probably more than 20 to 30 per cent.

From data recently furnished me by Mr. W. B. Colver, chairman of the Federal Trade Commission, I take the following comparison of wages between December, 1914, and December, 1917, for a number of occupations. This includes the first eight months of the war:

Occupation.	1914	1917	Per cent increase.
Pattern makers	$5.00	$7.15	43
Sheet-metal workers	4.00	6.60	65
Brickmakers	5.43	5.83	7
Machinists	4.00	5.77	44
Blacksmiths	4.00	5.77	44
Riveters and boilermakers	3.60	5.77	60
Structural iron workers	4.97	5.62	13
Plumbers and gasfitters	4.96	5.59	13
Steam fitters	4.96	5.56	14
Cement workers, laborers	4.70	5.35	12
Stonemasons	4.71	5.21	10
Lathmen	3.12	5.16	65
Inside wiremen	4.22	5.07	20
Shipfitters	3.52	4.80	36
Carpenters	4.00	4.72	18
Coppersmiths	3.64	4.72	29
Pipefitters	3.44	4.72	37
Lineman operators	4.39	4.66	6
Compositors (printers)	4.33	4.58	6
Bookbinders, finishers	3.64	4.40	11
Bench molders	3.29	4.06	26
Grain cutters	3.37	4.00	19
Engineers	2.40	3.96	65
Heavy workers	3.41	3.94	16
Oilers	3.33	3.82	14
Power managers	3.34	3.91	16
Shipwrights	3.52	4.72	34

Mr. BAER. I understood that for all the wages in the United States the increase is only about 18 per cent. Do you speak of just the mechanics there?

Mr. HUDDLESTON. The figures last given refer only to mechanics.

Mr. BAER. Where it is said that certain workingmen are getting from $10 to $15 a day in some plants we know that most families are getting about that much a week, just generally speaking?

Mr. HUDDLESTON. It will not do to cite solitary instances. That is not the way to show what wages are all over the United States. It is the usual method of those who wish to exaggerate what labor gets for its toil. But we must take all callings and all conditions into consideration. Men have been taken far away from their homes and into swamps about shipyard works, living at unusual expense, under most uncomfortable and unhealthful conditions, and doing temporary work. Necessarily men working under such conditions must receive beyond what would be the ordinary rate of wages. But to take an instance of that kind and point that out as general wage conditions speaks little for the intelligence of those who use such an argument or less for their desire to be fair.

Mr. REED. Will the gentleman yield?

Mr. HUDDLESTON. I yield to the gentleman.

Mr. REED. The great majority of the manufacturers of the country who manufactured war material, you would take it, were not profiteers, but that there were only special cases here and there?

Mr. HUDDLESTON. The gentleman asks a question that involves a digression, and while I can not undertake to go into it I want to say that in a great majority of cases, if not all of them, there was actual and deliberate profiteering throughout the country on the part of war contractors.

Mr. REED. I want to say that somebody has accused labor of profiteering. Some of these people have taken isolated cases. You have heard of riveters who got $200 a day. Would such a laborer be a profiteer?

Mr. HUDDLESTON. I would say that $200 a day for a man's personal labor is a most unreasonable figure, and I can not believe it to be true. I can not think it possible.

Mr. REED. The great masses of labor were not paid the compensation that was paid in those isolated cases. I agree with the gentleman.

Mr. HUDDLESTON. I do not approve the man if there was one who got $200 a day. I would heartily condemn the incompetency of the official who made it possible for a man to get such pay. He is the one who is most to blame. While I do not for a moment approve of a mechanic taking more for his services than is fair and right, at the same time I reserve my greatest indignation for the big profiteers from whom our country has suffered on a much larger scale during this war.

I have also collected information from a number of private sources. All of it bears out and verifies the official statistics that I have quoted. It is accurate to say that the letter from the Commissioner of Labor statistics fairly show the wage increase for the period covered. That letter takes 1907 as the base, and shows that where the working man earned $1 in 1907, in 1914 he earned $1.14, and in 1918 he earned $1.48. The increase of 1918 above 1914 is 34 points, which equals 33⅓ per cent. So that from these figures we see that for every $1 a workman earned in 1914 he earned in 1918 $1.33⅓. This represents the increase in wages for the period. From the time we entered the war until the armistice was signed the increase in wages was 21 points—about 20 per cent.

A DAY'S WAGES MUST BE MEASURED BY WHAT IT WILL BUY.

As I have already said, the wages of a laborer must be measured by what it will buy in the way of food, clothing, and the necessaries of life for himself and family. No matter how much he may get in dollars and cents above what he previously received, if the money will not buy more of the necessaries of life that he has to spend it for than before, no increase in pay is shown. This must be clear to everyone.

Judged by this standard not only has labor not profiteered but to the contrary it has made a sacrifice because of the war. Labor is getting less, measured in terms of food and clothing, than was paid as wages in 1914. Instead of there having been an increase in wages there has been an actual decrease. The fact is plain to an unprejudiced observer that the families of laboring men would have actually suffered for the necessaries of life had not war conditions given labor a chance for steady work without loss of time. The workingman's family has been able to live because he has worked steadily during the war and has worked on holidays and after hours, and in this way has been able to earn as much of the necessaries of life as he received prior to the war.

There has been shameless profiteering by certain interests, of course. This has driven the price of the common necessaries of life, such as the masses have to have, very high. The inflation of circulation and supply and demand have also greatly aggravated high prices. The result is that there has been a tremendous increase in prices especially of the common necessaries. In the letter from the Commissioner of Labor Statistics, dated December 18, 1918, to which I have referred, he says of the prices of food:

Taking July, 1914, as the base or 100, retail prices of food in the United States have changed relatively as follows:

July, 1914	100
July, 1915	98
July, 1916	109
July, 1917	143
July, 1918	164
October, 1918	177

In Mr. Ogburn's letter dated January 3, 1919, he makes this statement:

The cost of living has increased about 70 per cent since 1914 pretty generally all over the United States.

I have before me the report of Messrs. Hathaway and Bowen, special statisticians for the Railroad Wage Commission, in which they say:

The increase in the various items of the family budget from January 1, 1916, to January 1, 1918 were ascertained to be:

	Per cent.
Food	52
Clothing	44
Fuel and light	31
Sundries	35

This report was made after an exhaustive inquiry. The Railroad Wage Commission, referring to the investigation, says:

The commission instituted an exhaustive inquiry reaching into all parts of the United States. It sent special agents into various sections of the country to gather original data respecting the existing increase in the cost of living. A canvass was also made by many newspapers of the country among the working classes, and the data thus obtained, together with information gathered and submitted to the commission by those who spoke on behalf of the employees, was compiled by the Bureau of the Census, under the supervision of Special Statisticians W. A. Hathaway and J. C. Bowen. That compilation and the records of the Bureau of Statistics of the Department of Labor form the basis of the attached report, wherein the statistical information respecting the existing cost of living in America thus assembled is summarized and analyzed.

Of course, there was a considerable rise in prices between the date of this report and the close of the war.

We see that while there has been an increase of only 33⅓ per cent in wages during the entire war period, from 1914 to 1918, there was during the same period an increase of 77 per cent in the price of food, or, as Mr. Ogburn says, of about 70 per cent in the entire cost of living. The working man who earned $1 in 1914 now earns $1.33⅓. The food for which he paid $1 in 1914 now costs $1.77. The general cost of living which was $1 in 1914 is now $1.70. These are stern figures. They were made up by governmental bureaus, by disinterested statisticians. The matter was investigated by these bureaus to ascertain the facts, not to prove a theory. No honest man can study these figures and still contend that when the armistice was signed labor generally was receiving a greater return than before the war.

But I will perhaps be answered by someone who knows of some particular instance in which a laborer is receiving an undue return for his services. Of course, such instances exist. There are boys who are receiving men's wages, there are unskilled or half-skilled workmen who are getting the pay of skilled men. There are instances in some particular occupation or job of work where there are extraordinary conditions. In some cases men have been taken by their jobs away from their homes and into remote communities where living conditions are bad and extreme discomfort exists or where the work is only temporary and large increases of wages have been given in some of these cases. But such instances are unusual. They are not general to the average workman. They do not affect the vast mass of men who live by the toil of their hands, and such cases can not honestly be cited to support the general charge that labor has been avaricious.

MINERS' WAGES IN THE BIRMINGHAM DISTRICT.

I thought it desirable to make some investigations in my own district because it is fair that we should talk about our own home folks and home conditions while we are talking about conditions that exist the country over.

In the course of my investigations I wrote a letter to Mr. William L. Harrison, president of the Alabama Federation of Labor and an official of the United Mine Workers and thoroughly familiar with labor conditions among coal miners in my own district. I asked Mr. Harrison for a statement upon the subject, believing that conditions among my home people, in whom I feel the deepest interest, would be valuable. In reply to my request Mr. Harrison wrote:

HEADQUARTERS ALABAMA STATE FEDERATION OF LABOR,
December 13, 1918.

Hon. GEORGE HEDDLESTON,
Member of Congress, Washington, D. C.

MY DEAR SIR: I have yours of the 9th instant, and contents carefully noted. In reply will say that I will give you all the information that I have at hand relative to the miners' wages in this district.

I may say that prior to the Garfield agreement there was no uniformity of tonnage prices or day-work prices for mining coal in this district; in fact, there is very little uniformity at the present time.

In the year 1914, and from July of that year, the basic tonnage price in this district was 57½ cents, and daywork prices ranged from $1.50 to $3.50 per day, the major portion of which was from $1.75 to $2 per day. The increases in wages started on February 1, 1916, when tonnage price was advanced from 57½ cents to 60 cents per ton, making a 2½ cents per ton increase. In December, 1916, an advance of 2 cents per ton was received, making the price 62 cents, and on May 1, 1917, an advance of 6 cents per ton, making the price 68 cents; July 1, 1917, an advance of 7 cents per ton, making the mining price 75 cents; November 15, 1917, an advance of 5 cents, making the price 80 cents; and the Garfield agreement, effective May 15, 1918, giving an additional advance of 5 cents per ton, and making the price 85 cents per ton at the present time. I am inclosing copy of the Garfield agreement which shows you the uniform prices for certain classes of daywork that now obtains in the district, also the amount of increase that was given to other classes of labor over and above what was being received prior to May 15. You will observe that the tipple men, which includes all men handling and dumping coal on tipples, received $3 per day. You will observe the drivers inside the mine receive $3.44 per day. Ninety per cent of the men on company work inside the mines are paid on this basis of $3.44 per day. Mine machine runners working by the day receive from $4 to $5 per day.

When iron was selling for $11.50, the maximum price for mining coal was 57½ cents, which was made effective by Judge Gray in his award in 1903. The selling price of iron was made the basis for computing the miners' wages. The mining price increased at the ratio of 2½ cents per ton for every dollar increase in the selling price of iron. Taking that as a basis, iron is now selling at the price fixed by the Government in this district of $32.50, or $21 higher than when the mining price was 57½ cents per ton. At the above ratio the mining price would be $1.10 per ton, but the mining price is only 85 cents per ton.

The prices for run-of-mine coal range from $2.15 per ton for the big seam to $4.25 per ton for the lower seams and seams that are more difficult to mine. The prices of prepared sizes, which is the domestic coal, range from $2.45 to $4.50 per ton. For the year 1916 up until February 1, 1916, when the advances in wages started, the selling price for run-of-mine coal in this district ranged from 85 cents per ton to as high as $1.50. You will observe that the selling price of coal has advanced more than a hundred per cent. You may contrast these figures with those that obtain at the present time and be able to draw some fairly accurate conclusions as to who is profiteering in the mining industry, particularly in this district—the coal operators or the coal miners. Especially when you compare it with the abnormally high cost of living that now obtains over the cost of living that obtained before the war. From the standpoint of the high cost of living, the increases in wages have nothing like kept pace with the increases in the cost of living, and you can readily observe from the figures given above in contrasting the selling price of iron and the selling price of coal that the operators or employers are realizing far greater profits than they ever did in their lives. So far as the wages of the coal miners in this district are concerned, they are far below the basic wages of the coal miners of the rest of the country.

Yours, very truly,

WM. L. HARRISON, *President.*

So that while the wages of coal miners in the Birmingham district have been increased a total of only 47 per cent they have spent their wages for necessaries of life which have increased 70 per cent, and meanwhile their employers' prices for coal have advanced an average of over 100 per cent, and for iron about 300 per cent.

FEWER STRIKES DURING THE WAR.

Labor can not profiteer without friction, and labor troubles are a good index either of the employers' effort to reduce wages or of the workingman's effort to increase his wages. Having this in mind, I have made investigations as to labor troubles during the war period. On that subject, under date of December 28, 1918, I received a letter from the Commissioner of the Bureau of Labor Statistics of the Department of Labor which states that for the period from January 1 to October 31, 1916—before the war—there were 2,736 strikes in the United States, and that from January 1 to November 11, 1918—the heart of the war period—there were only 2,540 strikes. *So that for a longer period in 1918 during the war there were 256 fewer strikes than in 1916.* Also the information was given that the strikes for the 1918 period lasted only an average of 16½ days, while the average for the 1916 period was 22 days.

And I should also like to call attention to the fact that this period of fewer strikes occurred at the time when labor was under the greatest pressure on account of the rapidly advancing cost of living, an advance that the increase in their wages did not near keep up with. Notwithstanding that fact and a greatly increased pressure on account of the shortage in labor and the opportunity that labor had, if it only chose to do it, to go out and get whatever wages it chose to demand—notwithstanding these facts, labor accepted inadequate wages, and there was not nearly so much loss of time from strikes as occurred during peace times.

These figures further establish the fact that labor has not only made its sacrifices but has made them willingly and without resentment; that labor has appreciated the fact that the war was to be won at home, in the workshop, on the farms, and wherever there was work for men's hands to do, no less than on the firing line in France. *So that we find that the workingman has toiled long hours, has given up his holidays, has restrained his desire for better conditions and fairer treatment, and has accepted for his labor a smaller return in the things that he spends his money for than before the war times.* This is a splendid record. It is one to which every worker may point with pride and satisfaction. It challenges the admiration of every class and citizen. Surely, no fair-minded man would take from the humble toiler the credit that is justly due him for his splendid and patriotic spirit.

There has been profiteering out of the war. Alas, that is too true, and the country has suffered from it. It has been hindered in carrying on the war. It has been made less efficient. Our blows upon the faces of our enemies have been weakened by it. The advance of our brave boys has been retarded, all by the shameless avarice of men seeking to make money out of the war. They have succeeded in making money. They have heaped up their millions in unjust and extortionate profits, and now I fear that the profiteers are going to be allowed to get away with a good part of their gains. I fear their loot is not going to be taxed out of them, as I have advocated all the while.

They are going to be permitted to lay it away, and we shall never be able to get at it any more after this tax year.

I may say further, that this propaganda against labor—and I want to be fair even to the profiteers—this propaganda against labor comes from those who have made millions out of the war. It is financed and is carried on by them for a deliberate purpose, namely, to distract attention from their own iniquity and place the blame on labor for any friction that may occur hereafter.

It illy becomes them to point the accusing finger at the sweating toilers of the land and seek to distract attention from their own misconduct by lying insinuations and selfish propaganda.

There has been profiteering. It is only too true. Profiteering in food, in lumber, in iron, in coal, in the necessaries of life, in war supplies—everywhere that greed found its opportunity. I have repeatedly called attention to this profiteering in my speeches in the House. By exposing the profiteers I have won the bitter enmity of such of them as operate in my own district, and they have not hesitated to show their hatred. But I remain unafraid. Truth needs no apology. Honesty of purpose requires no defense. Devotion to the public welfare is its own shield.

LET US BE FAIR.

I greatly fear that the lying propaganda against labor shows the purpose to beat down wages without regard to the cost of living—that which it is expected will result from the contemplated measures. Of course, there will be labor strikes if wages are reduced while it anticipates labor troubles, strikes and disorder, the cost of living soars. Naturally the laborer will resist the reduction of his wages below what he can live decently on. If that is what the propagandists contemplate, then, of course, there will be trouble. I hope there will be no such trouble. I trust that the workingman and the employer will each proceed with due regard to the rights of the other, and that industry in our country may go on in a regular way along the lines of peace-time progress.

But if there is to be trouble, let it not come in an artificial atmosphere charged with false public opinion molded by selfish interests for their own purposes. If there is to be friction between employer and worker, let us be fair to both. Let not the case of either be prejudiced in advance by the sinister propaganda of his adversary. The public should bear in mind labor's splendid war record, and in the interest of right should give its unprejudiced sympathy and support in any labor controversy to that side which has its position based on justice. The workers are poor. They are, in the main, unorganized and weak. They can not bring powerful influences to bear upon public opinion. We must be careful to see that they are heard and their arguments fairly considered. It is with the view to do justice to labor and to present these facts to you, gentlemen, who are before me and to the public of the United States that I have made these remarks. [Applause.]

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. LITTLE. Mr. Chairman, may I ask leave to extend and revise my remarks?

The CHAIRMAN (Mr. RAGSDALE). The gentleman from Kansas asks unanimous consent to extend and revise his remarks. Is there objection?

There was no objection.

Mr. FLOOD. Mr. Chairman, I yield 30 minutes to the gentleman from Texas [Mr. SUMNERS].

The CHAIRMAN. The gentleman from Texas is recognized for 30 minutes.

Mr. SUMNERS. Mr. Chairman and gentlemen of the committee, it is my purpose to-day to make some observations upon the great subject which is now pending before the world for settlement.

In attempting to reach a correct conclusion as to what should be done toward the proposition to establish a league of nations for the maintenance of the world peace there are a number of facts of primary importance, a correct understanding of which should help us. The first and most important is that government is a creature of development. As necessity has required, government has developed, not in a haphazard sort of way but under clearly defined laws, extending its scope from the individual family to the tribe, from the tribe to the principality, from the principality to the petty kingdom, from the petty kingdom to the great nations, and from the great nations to the loosely constructed and weakly constituted international government, in which government, for years past, custom has been crystallizing into a sort of international common law, which constitutes most of what has become designated as international law.

Not only has government progressed in that direction, but as we look back we see government beginning with a strong man, with the power of life and death in his hands, and through the exercise of that power he welds warring, disorganized elements into government. Tyranny is a bad thing in the abstract, but tyranny and oppression have stimulated the people to think upon the wrongs inflicted by government, and as they have thought they have acquired ability to participate in government; and as they have acquired ability to participate in government they have taken into their own hands the power to govern.

Up through the process of the ages we have come to the point where the peoples in the dominant nations of the earth have taken control of government. That is an important fact to consider. There could never have been hope for world peace which rested upon a contract made among kings. Not only is it true that the people have come into control, but out of the mire and murk of deceptions which have characterized the world's diplomacy there has grown an international conscience. This is the general preparation of the world with which it confronts the stupendous problem of organizing the world's governments for the preservation of the world's peace.

It is clear that the next step in this series of progressions, whenever it shall come, will be in that direction which will give substance to this shadow of world government which we have now, that it may finally exercise authoritative jurisdiction over many of those matters which have been provocative of war and may extend international protection to those peoples who may be illegally imperiled. How far we are from the consummation of this government it would be profitless to speculate.

The fact is there is a wide latitude in which there may be freedom of human action and in which there is definite, independent human responsibility.

But in so far as the big outlines of world movement are concerned, they do not depend upon the independent will of men. What men are to do is suggested to them by necessity. With one hand necessity points the way; with the other it wields the lash. That fact must not be forgotten in dealing with this matter.

That there is need of such a government for the world no one will question. The only question is whether or not we have reached the point in world development and have reached the point in world necessity which make this the proper and feasible time to begin the formation of such government.

Mr. Chairman, it is idle to dream of national disarmament until there exists some sort of international police force. In the communities the private citizenship did not disarm until there was a constabulary to carry arms for the community.

Until there is some tribunal to which an imperiled country may go for protection or an aggrieved country may go for redress it is absurd to imagine that wars have ceased. In the communities of the world violence of this character did not cease until governments were established in which peaceable adjustment was made possible and to which appeal could be made for protection against the vicious.

We have just emerged from the most destructive conflict ever waged among men. This conflict grew out of international differences or was inspired by the selfish ambition of one man or of a group of men; it matters not.

This conflict and its consequences differ only in degree from the conflicts that in former days occurred between tribes or principalities, which, after years of bloodshed, discovered that it was possible to heal their disorders by the establishment of a government dealing with the causes over which they had previously fought, a government which had the power to adjust the cause of their conflicts and to restrain the vicious who had disturbed the peace of the community.

When another such war is to come to the earth is, of course, a mere matter of speculation; but that wars are to recur among nations, until there be a government established to adjust the differences which arise among nations, is absolutely certain.

It would be just as reasonable to abolish our courts and dismiss our police forces and expect peace and safety in our communities as it would be to expect peace and safety in the greater international community where there are no courts and where there is no police force.

In determining what we shall do with regard to this intensely practical matter we must not be guided by any untried theories or depend upon the existence of any controlling virtue among the nations which we do not find controlling within the nations.

It would be equally disastrous to reject, in reaching our conclusions, the guidance of those fundamental principles which up to this time have shaped the course of men's activities in governmental development.

If an international government is to be attained, it must be reached by the same road by which the nations of men have reached intranational government. The constituents of the

international world are the same sort of human beings who constitute the nations of the world and will require for international control the application of the same governmental principles that are essential to national control.

While there are certain characteristics common to men, there are vast differences, racial and otherwise, among the nations of men. In government we find some have advanced far, while others are in the kindergarten of national government, not yet having demonstrated the ability to establish a free and orderly government among themselves. We must entertain no foolish delusions as to the place which these peoples must occupy under any world government.

To give to any nation suffrage in a world government the free suffrage of whose citizenship does not control its national affairs would incorporate in such world government an element of weakness and of danger, with regard to which we are warned by the lessons of history and the dictates of our own caution and sound judgment.

This is one of the points at which the greatest difficulty will be encountered, but it can be met just as the nations have met the same difficulty. It is sufficient to know that the mere fact that there are some nations unfitted for full share of responsibility in world government is not even persuasive that we are unready to begin the establishment of such government. In our own scheme of government the recognition of the existence of this unfitness is found and provided for. Note our Indian policy, our Philippine and general insular possessions policy. But to such of our people definitely grouped we extend the benefit of our institutions and hold about them the arms of our protection, and that must be the attitude toward those who may become the wards of the world.

Mr. Speaker, if the people who constitute any democratic government had waited until all to be admitted to full citizenship were fitted for full participation in such government the government would not have been established. It is quite clear that in the beginning only a small part of the citizenship—with but few exceptions, perhaps only the leaders—are qualified by both character and mental attainment, and some leaders not qualified.

It is only necessary for the successful maintenance of a government that the masses admitted to citizenship be fitted by character and native ability and consent to the general plan of the government. While experience has demonstrated the wisdom of excluding the unfit when they can be definitely grouped or classified and the necessity of preventing the incorporation of a percentage of the unfit large enough to constitute a balance of power between rival political organizations seeking governmental control, we must not lose sight of the fact that it is only after years of participation under the guidance of leadership that the independent judgment of the masses may control. The fact is that mass development never overtakes the progressive intricacies and difficulty in government.

So, I say, the fact that there are peoples unprepared to share equal responsibility in world government or unprepared to share responsibility at all is not even persuasive that we are unready to begin the establishment of such government. Let us come now to a closer consideration of the subject.

There is no question that the recent war has tremendously impressed the world with the need of a better method for settling international differences and a better method of world protection than that which we have recently been compelled to resort.

We are now confronted with the necessity of making a choice between two methods, and in choosing we must balance the objections to, the dangers from, and the virtues of one against the objections to, the dangers from, and the virtues of the other.

It would be difficult to conceive of a plan for world government under which there could develop greater peril, greater suffering, and greater destruction than has developed during the past four years under the present plan. And it must be conceded that the present plan does not incorporate even the possibility of protection against a repetition of the experience of the past four years.

I am not foolish enough to imagine that an international government could be now formed which would forever banish war or prevent international violence; but that would be the immediate tendency of a definite movement in the formation of such a government, and at some point in the years to come conflicts among the nations would cease.

We may not be able at this present time to establish a government of the world or even a government for the world. How long in the economy of things that task, unfinished, is to challenge to higher levels of efficiency the heart and mind of the world I have no guess. That is not our business. Our business is to begin and to work earnestly through our day. We may not be able at this time to do more than associate the allies into a sort of world vigilance committee for regulation and protection in the general community of the nations. This would not be an unusual preliminary to organized governmental establishment; and just as an organized vigilance committee is an improvement upon anarchy, organized government is an improvement upon the vigilance committee and follows it in the course of progress. Other nations should be permitted to join this group, if it shall constitute the nucleus—and clearly it should—and share power with it, but they should not be permitted to join this group until they join in its purposes and policies and share in its ideals. We must not wreck the great possibilities of the present by an overload of dead weight which at any time may add to the burden of its carriage the peril of its positive antagonism. But it must be the purpose and the policy of this group, now in world ascendency, to welcome into full international citizenship every nation fitted in a substantial degree for the responsibilities of such citizenship and to guide the other nations, yet unqualified, toward such qualification.

Mr. Chairman, we should not be disturbed by the fact that the contemplation of the formation of such a government discloses the presence of great difficulties. Difficulties are everywhere. They constitute in the scheme of life the gymnastic paraphernalia necessary for human development. The history of the world is the record of difficulties overcome. The world's greatest epochs are those times when the races of men, with courage and high purpose, have struggled through the world's greatest difficulties to victorious conclusions.

This is one of those rare but clearly defined times in the world's history when the current of world movement runs deep and swiftly. Everywhere it is felt and known. Everywhere there is indisputable evidence that this is the natal day of a great epoch which has been coming to birth through the travail of the world.

As we contemplate the situation we ask ourselves what great difficulty overcome shall mark the time; what task is at hand to challenge to greater genius the world's statesmanship, to give to its patriotism new strength; what act, what achievement shall conserve and keep for the world that which the blood and treasure of the world has bought; toward what objective turns the quickened spirit of the world? Can there be any question as to the answer?

What sort of an epoch is this to be? As we look about us we find neither prospect of nor need of greater progress in the realms of the arts of sciences, discovery, or invention. We see that progress in things purely material has for a long time been moving under unprecedented momentum.

It is true that we have already brought a great military task to successful accomplishment. But this can not make an epoch. Primarily that task, viewed apart from its influence upon the successful actors therein, was not creative nor constructive. It did not advance; it was protective and preventive and preparatory merely. We fought not to gain, not to advance, but to preserve, to hold that which the world had gained through the ages past. In man power, in industrial resources the world has gone backward during this struggle. In complexity its problems have increased. We face the new year with much of the world in industrial and political chaos. If a great advancement shall mark this time, that advancement is yet to come. What task is at hand? For what definite thing has the work of the past four years tended to fit the dominant nations of the world?

As we look particularly at our own Nation we see that the policy of nonentangling alliances, which has been as distinctive and as fundamental with us as our Constitution, and which has held us to a continental sphere of primary influence, has yielded under the pressure of recent events, the preference of any of us or of all of us to the contrary notwithstanding. Whether we would have it so or not, it is a fact that to-day we sit in the council of the world the most potential of the world's powers, dealing with the world's most stupendous problems. Into what involvements we are yet to be drawn no human mind can forecast; but it is evident that we are not now to withdraw from the responsibility which has come to us. There is no suggestion from any respected source that we should now attempt to withdraw.

It is an interesting and an important fact, as I view it, that these responsibilities are not ours by independent choice. Our position in the world to-day is due to no voluntary abandonment of our traditional policy with reference to international entanglements, which policy was contemporaneous in adoption with the formation of the Republic. Our disposition to adhere to that policy is fully attested by the fact that it alone held us from the conflict when the blood of the Nation was hot with

indignation. It held us while the months passed into years, and every instinct of a chivalrous people impelled us toward the conflict.

We did not by the act of entry into this war, with the allies as our associates, even for the time technically abandon this policy. Overt acts of war against us as a Nation prior to our entry were committed.

Our present position, therefore, is due to no change in our national policy which we have willed to make. We were caught in the grip of the rising tide of war and torn from the strongest moorings which has ever held a nation within a fixed policy. Our will to remain where we were could not hold us there. There is no will to return which can carry us back. How it happened we may speculate, but the fact is the strength which we had gained on the Western Continent, protected by our isolation and a wise national policy, had fitted us for world service, and in some way into the service of the world we have been carried.

I do not want to appear as a dreamer or as a theorist or as a fatalist, and I believe that I do not evidence that by the assertion of the clearest fact of history, that in so far as the big outlines of world policy are concerned no generation can choose its work. The general direction of the movement of an age comes not from the independent choice of the actors within that age. A given nation may destroy itself by steering its policy against the current moving under the impulse of infinite purpose, and a nation, by reason of its position of leadership and power, may even halt the current, but only long enough for the standard of leadership to be transferred to other hands. History leaves no doubt as to the truth of that statement. And, in the light of the record left by the nations of men, there can be no doubt as to what would have been our fate as a Nation if we had failed at this world crisis.

Destiny—that destiny which apportions to each generation its task—does not ask us to choose; it commands us to act. Oh, we have a choice, just the same sort of choice that we have between obeying the laws of our country or violating them and going to the penitentiary; just the same sort of choice I had as a boy between obeying my parents or disobeying them and receiving a chastisement. A man who lives in the Tropics is not forced to screen his house; if he prefers to have yellow fever it is his privilege to have it. The people of a community are not compelled to provide themselves with an organized government with the power to protect, to adjust, to punish; if they prefer they may have anarchy and violence, but the only way to avoid anarchy is to establish and maintain a government. Anarchy and violence is the lash of destiny driving the races of men toward the establishment of effective governmental authority through which larger and larger groups may be brought into unity of effort.

Aside from the danger resulting from conflicting national and personal ambitions, which has always been a peril to peace, there has come a new complexity and a new danger from the inventions and discoveries of the past two generations and from our own generation.

These inventions and discoveries have eliminated distance, destroyed national self-sufficiency, increased the effectiveness of instrumentalities of destruction, and, by overlapping and entangling national economic and governmental interests, have made imperative the necessity of establishing some tribunal for the adjudication of disputes growing out of this complicated relationship. At the same time these inventions and discoveries facilitate such establishment.

In no community of the world, large or small, have the generations of man been able to devise any method for the preservation of peace, for the orderly adjustment of differences, than through some kind of governmental machinery combining justice and force. Justice without force is impotent. Force without justice is destructive. Where law does not obtain, anarchy may manifest itself at any time.

As we look at the international situation, with the conflicting interests obtaining there—industrial, racial, conflicts of ambition—we find that there is not in the midst of all this peril a single tribunal to which an aggrieved nation may go for redress nor an imperiled nation for protection.

We talk of international law, but as law is commonly understood there is no such thing as international law; no more than there could be, in a popular sense, intranational law without a national government to enforce it. We tried that ridiculous experiment at The Hague. We turned our backs upon the lesson of history; we dismissed from our council our own common sense and closed our eyes to the daily demonstrations in our various governments that right devoid of power is impotent to restrain the vicious. We know the peril which the absence of international government imposed, but we cowered before the difficulties incident to its establishment. That is the danger now. That Hague experiment grew out of our realization of the danger, and we paid for the folly, for the failure to provide that which our actions demonstrated we knew was needed; we paid by the most destructive war that has ever come to the earth. We will pay again if we permit all this sacrifice to be for naught; we will pay again with blood and with treasure, and we will pay with the loss of world leadership, and maybe with the loss of national liberty. Never in the history of the world did a great nation fail in a great crisis and retain its greatness.

Instructed by the experience of men in the realm of government, humbled by the sense of our responsibility, conscious of the difficulties which interpose and of the dangers which must be avoided, with a purpose so unselfish that we may trust to a divine guidance, with that sublime courage which has won for us national leadership, it is ours by the clearest imaginable designation to lead the world toward the establishment of peace by extending authoritative government into that unoccupied realm of conflicting interest, that "no man's land" which lies between the governments of the world, that breeding place of the world's wars.

With this achievement we shall crown the greatest of the world's epochs. [Applause.]

By unanimous consent, Mr. HICKS was given leave to revise and extend his remarks in the RECORD.

Mr. COOPER of Wisconsin. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. Mr. Chairman, I regret that there are not more Members present at this time, not because of anything that I may say myself, but because I have two letters from soldiers just returned from the front, in which I am satisfied every Member of the House, if he were present, would be deeply interested.

I shall spend no time in advance with reference to them, except to say that they are written by members of the famous One hundred and sixty-eighth Regiment, a part of the equally famous Forty-second Division, soldiers who have been wounded and have been returned to Camp Dodge, Iowa. I read now as follows:

DES MOINES, IOWA, *January 16, 1919.*

Congressman GREEN,
Washington, D. C.

DEAR SIR: As we are soldiers of the American Expeditionary Forces, and just returned from France wounded, and about to be mustered out of service, I would like to call to your attention this most needable favor from you, as we are some boys from Iowa. This favor is as follows:

First of all is where we stand, up until this date, is about six months' pay coming at the least to the majority of us.

Second. We have old clothes that we came from France with, and all patched up, not worth while giving away, which we are supposed to be mustered out of service with.

Third. Some of us have no money in the banks at home to buy new civilian clothes with

Fourth. The clothes sold in camps for soldiers is way above cost, as it would take our whole six months' pay to buy only a suit.

Fifth. We all as soldiers, indeed, think that we at least can be given a good and worthy suit to go home with after being in France and away from home so long, to approach our mothers and sweethearts with clothes all patched up and don't fit; a good army, as we are, should wear good clothes; our appearance shows our standard.

We are writing to you, as we are in need of your help and think you'll be the one to help the boys of the American Expeditionary Forces, as we are actually in distress and helpless.

I read also from the other letter, omitting some matter personal to myself:

CAMP DODGE, IOWA, *January 16, 1919.*

Congressman GREEN,
Washington, D. C.

DEAR MR. GREEN: I take it upon my shoulders to tell you about the boys who gave up everything in home life to go to the colors at the first call for men. These boys are from the One hundred and sixty-eighth Infantry and have been wounded, and are the advance guard of what is left of the old outfit; and, as you probably know, there are very few left. But we who are left feel that we are entitled to at least a decent uniform to go home in to greet our mothers, fathers, sisters, and sweethearts, as the uniforms that we are wearing now are the same that we were issued in France, and are in terrible condition from the effects of the sterilizers that they have been put through. They are so full of holes and so wrinkled that they do not resemble a uniform in any manner, shape, or form, but like a gunny sack. Now, if that is the way that Uncle Sam welcomes his soldiers home, why, all right; but do you think it fair and square? The boys who are located here permanently at the camp can get anything in the shape of clothes that they desire, while we can get nothing but abuse. Now, I am not crabbing, but just telling you something that you should know of. When the boys have asked for clothes they were told that we could buy them at the Q. M. exchange or at clothing stores in Des Moines.

Mr. COOPER of Ohio. Will the gentleman yield right there?

Mr. GREEN OF Iowa. Yes.

Mr. COOPER of Ohio. I received a letter from a young man last week who enlisted in the service last July. This letter was written in France on December 15, and he said he had not received one cent of pay from the Government since he enlisted in the service. Now, how are the boys going to buy clothes when they are not getting their pay?

Mr. GREEN of Iowa. That is what these young men say, that most of them have not had any pay for six months. I do not know why it is that the War Department insists that they are receiving their pay. I am satisfied that these boys are not misrepresenting the situation in relation to their pay. If they were getting their money, they would be glad of it.

Mr. COOPER of Ohio. I feel sure that this boy to whom I refer would not misrepresent the facts, for I know him pretty well.

Mr. GREEN of Iowa. This young man asks:

Now, how is a fellow going to buy a uniform when we haven't been paid for eight months; and, then, why should we have to buy our own uniforms? If we were officers it would be different, but we are enlisted men.

I intend to go home in overalls, so do some of the rest. Three of us live in Council Bluffs.

The remainder of the letter is personal to myself, and I omit it for that reason.

Now, Mr. Chairman and gentlemen of the House, I submit that this condition of affairs is a disgrace to our great country. Here are men who have fought in the trenches, who have slept in the mud and mire, men who have gone over the top at Chateau-Thierry and St. Mihiel and other places, who have received their baptism of fire time and again, who have withstood shot and shell. They have been beset by machine guns; they have come home, finally, wounded and in tattered uniforms. They can not make themselves presentable at home. That such a condition should obtain is simply a disgrace to this great country.

Mr. EMERSON. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. EMERSON. Do I understand that enlisted men have been required to buy uniforms?

Mr. GREEN of Iowa. If they get two uniforms, they are required to buy them. These men have their old uniforms, which they wore in their campaigns in France. These uniforms have been put through sterilizing machines. These boys have climbed through barbed wire with them, and they have gone through machine-gun fire. They are tattered, torn, worn, and out of shape.

Mr. EMERSON. They have not been given any other uniforms?

Mr. GREEN of Iowa. They have not been given any other uniforms. That is the condition. I present it to the House in the hope that some action may be taken.

Mr. COOPER of Wisconsin. Will the gentleman permit an interruption?

Mr. GREEN of Iowa. Yes.

Mr. COOPER of Wisconsin. How long have the troops in that camp been here?

Mr. GREEN of Iowa. I can not say how long they have been on this side. The gentleman is aware that the Rainbow Division went over a year ago last fall.

Mr. COOPER of Wisconsin. What explanation has the gentleman ever heard for the nonpayment of these boys?

Mr. GREEN of Iowa. There can be no excuse for nonpayment; it is impossible that such a condition of affairs should be excused.

Mr. COOPER of Wisconsin. What explanation has been given?

Mr. GREEN of Iowa. The explanation that has been given is that the men went to the hospital and they could not find them to pay them. I can not see that that is any excuse at all.

Mr. COOPER of Wisconsin. Are not the records of the men taken to the hospital?

Mr. GREEN of Iowa. They should be; but I will say that I have tried to find men over there in the hospitals and have tried to get mail to them, but for some reason or other I could not get any mail to them. I had a letter to-day from a lady who said that she knew her son had altogether as many as 200 letters over there. He had been there a year or more and not one had ever reached him. He has been in the hospital, and he wrote home, "Why don't you write; why can not I hear from you?" He gets no mail and he gets no pay, and he is to be sent home in tattered clothing and told to go out and shift for himself. He has no money to get a new suit.

Mr. COOPER of Wisconsin. As far as the clothes are concerned, he can not have anything on that would confer greater honor on him than his old suit; but he ought to have his back pay, and I can not understand what excuse can be given for not paying him. I have two such cases myself.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. COOPER of Wisconsin. I yield the gentleman five minutes more.

Mr. EMERSON. Will the gentleman yield?

Mr. GREEN of Iowa. I will.

Mr. EMERSON. Has the gentleman made any investigation as to why the letters to soldiers are not forwarded to hospitals where they are wounded. I wrote to my son last August, and four or five weeks ago the letter came back to me, and on the envelope was stamped "Wounded, at some place in France." Why could not they have forwarded the letter to that place? I have received letters from him from that place.

Mr. GREEN of Iowa. The whole matter is unexplainable and I can not understand it. Resolutions have been introduced for an investigation, but, as the committees now stand, that will not be permitted.

Mr. COOPER of Wisconsin. Will the gentleman permit a question?

Mr. GREEN of Iowa. Certainly.

Mr. COOPER of Wisconsin. I have been informed just now by the gentleman from Texas [Mr. CONNALLY] that the Secretary of War informed him that the commanding officer will pay these men all the money that is due them upon their affidavit being filed. Does the gentleman from Iowa know anything about that?

Mr. GREEN of Iowa. I had not heard of that. I am glad the War Department is getting some action. I did intend to mention another matter, and that is that for some reason or other the records have not been following them to the hospitals and consequently the commanding officer did not have at the hospital sufficient records to determine the exact amount of pay due to the soldier. That is one reason why they were not paid. But the gentleman suggests a way that this might be corrected. I am glad to say that what has occurred in the House has aroused the War Department and the Government in this matter, and also with reference to the discharged soldiers. I suppose the department was not fully aware of the condition of things.

Mr. FORDNEY. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. FORDNEY. I had a letter from a soldier at Camp Shelby, Miss., who has not had his back pay for five consecutive months. He is in perfect health; the records are there; he is answering the roll call every day.

Mr. GREEN of Iowa. The gentleman knows that it is not the fault of Congress. We have voted the money, and it is there in the appropriate place to pay them. In the case the gentleman mentions it is absolutely inexcusable. I trust that the War Department will give attention to these cases and not simply make a public statement that the men are paid, when they are not paid.

Mr. CONNALLY of Texas. May I inquire if the gentleman from Iowa has taken up with the War Department one of these cases?

Mr. GREEN of Iowa. No; I have not taken up the cases of the young men who wrote these letters; they did not sign them.

Mr. CONNALLY of Texas. The gentleman from Iowa has not taken up the question of back pay with the War Department?

Mr. GREEN of Iowa. Not at all; but I heard of an instance the other day where a private was called up before the officer and told that if he undertook to have the matter investigated and looked into by Congress, he would be severely disciplined.

Mr. WELLING. Did the gentleman from Iowa announce that the letters he read were anonymous letters?

Mr. GREEN of Iowa. They are anonymous; but I can find out who they are, for I know where they live. They do not sign their names, and I think they have good reason for that.

Mr. SHALLENBERGER. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. SHALLENBERGER. I would say that Gen. Lord, who has charge of the entire pay department of the Army, was before the Military Committee and made a statement in which he went into a detailed explanation of the matter which the gentleman has just discussed, and it will appear in the printed hearings. In a general way it was that the men in this country have been paid promptly, as promptly as they were in the time of peace; that there was no real amount of complaint for nonpayment in any of the camps here.

Those men who were not paid in Europe, of whom we have heard so much, were paid here, upon the filing of an affidavit. The minute that the department discovered these men were coming back, some of them without pay because of the fact that their records were not complete, every officer was instructed, upon the statement of the soldier of the amount due him, and his affidavit, to immediately pay the soldier that amount.

Mr. GREEN of Iowa. I wish that Gen. Lord would better inform himself as to the facts.

Mr. GARNER. Mr. Chairman, with reference to the integrity of the gentleman's letter——

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. COOPER of Wisconsin. I yield five minutes more to the gentleman from Iowa.

Mr. GARNER. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. GARNER. With reference to the integrity of the letter, I noticed the statement that it takes six months' pay to buy a suit of clothes. I do not believe that.

Mr. GREEN of Iowa. The gentleman is aware that the man is not speaking of the amount of pay, except as to what he could save out of it in that time.

Mr. GARNER. He did not put it in that way. He said it took six months' pay to buy one suit of clothes at the prices they were selling; that they were selling the clothes higher than the cost. That would be $180, and I do not believe it.

Mr. GREEN of Iowa. I do not think the gentleman ought to indulge in that kind of an insinuation. He knows the ordinary private in writing a letter of this kind would not be as exact as a lawyer. He ought to be able to understand that fair meaning of that letter. A soldier going into civil life would have to buy a complete outfit.

Mr. GARNER. I put a fair interpretation upon it.

Mr. COOPER of Ohio. Mr. Chairman, it seems to me as if there were a great many soldiers in Europe who have not received any pay since they have been in the service.

Mr. GREEN of Iowa. Many on this side also.

Mr. COOPER of Ohio. It is all well and good for the War Department to say that they pay them as soon as they get home. They do not need the money over here as much as they do over there. They have no home or friends over there, and are there without a dollar in their pockets. It seems to me the War Department ought to pay those boys who have come from good homes; who have always had money in their pockets; who are over there five or six months at a time without any money to spend. The parents can not send the money to them because the letters do not reach them.

Mr. GREEN of Iowa. The gentleman has stated the situation correctly, except that the same situation exists on this side, as the gentleman from Michigan has recently stated.

Mr. GARNER. Who is responsible for the payment of the men in France?

Mr. GREEN of Iowa. The War Department.

Mr. GARNER. What does the gentleman mean by the War Department? Is Gen. Pershing responsible? He is at the head of the War Department in France.

Mr. GREEN of Iowa. He is not in charge of the paymaster's division there.

Mr. GARNER. He is in charge of the Paymaster Corps over there, is he not?

Mr. GREEN of Iowa. In one way, yes; and the gentleman knows all about those matters. He does not need to question me about them.

Mr. CURRY of California. The Secretary of War is in charge of Gen. Pershing, is he not?

Mr. GREEN of Iowa. Yes.

Mr. CURRY of California. Why is it necessary for these men to make an affidavit that they have served in the Army, when they have been drafted from private life, put into the Army, sent across, and have fought our battles in Europe? What kind of a record establishment have we got in the War Department? I have complaints of that kind myself; and in reference to the proposition of the sick, I have a letter in my office on my desk from the War Department telling me to take the matter up with the Red Cross, that they have better records than has the War Department.

Mr. TEMPLE. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Just a moment. In regard to the suggestion that you should take the matter up with the Red Cross, after you do so you are informed that the orders from the War Department are that the Red Cross can not give you the information.

Mr. TEMPLE. Mr. Chairman, I was about to call attention to that, that communications of that sort from the Red Cross, referred to them by the War Department, inform me that they—the Red Cross—have orders from the War Department not to give me that information.

Mr. SHALLENBERGER. The affidavit of the soldier is as to the date of his last payment, not as to his being in the Army; simply an affidavit as to the amount due him.

Mr. CURRY of California. Would the gentleman from Nebraska require one of his employees to make an affidavit as to when he was paid last before he would give him his wages?

Mr. SHALLENBERGER. In this case, the records upon which these men are to be paid are in Europe, and the man comes here without the record. There is no other way of knowing what is due him.

Mr. CURRY of California. The soldier is not supposed to bring his record with him.

Mr. GREEN of Iowa. No; but it should have been sent with him.

The CHAIRMAN. The time of the gentleman from Iowa has again expired.

Mr. FLOOD. Mr. Chairman, has the gentleman from Wisconsin any more time that he desires to consume?

Mr. COOPER of Wisconsin. I think that completes it. How much time have I remaining?

The CHAIRMAN. The gentleman from Wisconsin has 30 minutes and the gentleman from Virginia 58 minutes.

Mr. COOPER of Wisconsin. Those 30 minutes were reserved for the gentleman from Pennsylvania, Dr. TEMPLE, but I understand the gentleman does not wish to occupy them.

Mr. FLOOD. I had some reserved for the gentleman from Texas [Mr. SLAYDEN] but he is not here.

Mr. COOPER of Wisconsin. May I reserve mine until tomorrow?

Mr. FOSTER. Oh, let us read.

Mr. FLOOD. Let us read the bill.

The CHAIRMAN. The Clerk will read the bill for amendment under the five-minute rule.

The Clerk read as follows:

SALARIES OF AMBASSADORS AND MINISTERS.

Ambassadors extraordinary and plenipotentiary to Austria-Hungary, Argentina, Brazil, Chile, France, Germany, Great Britain, Italy, Japan, Mexico, Russia, Spain, and Turkey, at $17,500 each, $227,500.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph. I believe the committee has added Turkey to the ambassadorial list to receive the highest salary paid ambassadors. I was not here during the entire discussion when the gentleman from Kansas [Mr. LITTLE] pointed out the need of having ambassadors at different countries than those designated in the bill. I rise now to inquire what is the policy of the committee, for instance, in providing for envoys extraordinary and ministers plenipotentiary to Bulgaria, Roumania, and Serbia, when in the last bill we only had one envoy extraordinary and minister plenipotentiary to those three countries? We all know that the map of Europe is going to be rearranged very shortly. There will be need of diplomatic representatives to German Austria, Jugo-Slavia, Czecho-Slavia, and any States that are going to be created as the result of the peace conference. Now, I desire to ascertain the viewpoint of the chairman, as expressing the view of the committee, as to whether they thought it was advisable to defer the appointment of these additional ambassadors until it was actually ascertained by peace negotiations. If that is the fact, why is the committee, in a measure, providing for representatives to some of those countries?

Mr. FLOOD. The policy of the committee is to provide ambassadors and ministers to countries whenever the executive department of the Government recognizes the ambassadors and ministers from those countries. The cases of Bulgaria, Serbia, and Roumania are different from other cases cited by the gentleman in that our country has recognized those countries for years and have received their representatives. The territorial limits of Serbia will probably be very much changed, but there is a Serbian Government which has been recognized by our Government, and it does not make any difference so far as this item is concerned whether she is made larger or not; Roumania is recognized by our Government and so is the Bulgarian Government.

It is impossible under the conditions existing in those countries to have one minister accredited to those countries at this time, and we have received ministers from those countries, and the Executive will appoint ministers to them as soon as the appropriation is made. With reference to the other countries the policy of our committee is to wait until the peace conference has determined the existence of those countries and their territorial limits and our Government has recognized them as existing countries before it recommends appropriations for the Diplomatic Service there.

Mr. STAFFORD. Am I correct in my recollection that Turkey did not have the highest rank of ambassador as carried in the last Diplomatic appropriation bill?

Mr. FLOOD. The gentleman is not right about that. Turkey has had an ambassador for some years. We had an ambassador to Turkey for a number of years. Of course, since Turkey ceased diplomatic relations with us we have had no ambassador there.

Mr. ROGERS. Will the gentleman yield?

Mr. STAFFORD. I will.

Mr. ROGERS. Is it not a fact that this paragraph is identical with the paragraph of the preceding Diplomatic and Consular bill of last year?

Mr. FLOOD. The one about ambassadors, exactly the same.

Mr. STAFFORD. I wished to obtain the viewpoint of the committee as to what their policy is as to representatives for the newly created countries of Europe to be created at the peace conference. I withdraw the reservation of the point of order.

Mr. LONDON. Mr. Chairman, I move to strike out the last word. I desire to ask the gentleman from Virginia if an appropriation should be made for an ambassador to Austria-Hungary in view of the fact that Austria-Hungary has ceased to exist. By the recognition of the Czecho-Slovaks Austria-Hungary has completely ceased to exist as a country.

Mr. FLOOD. We have no official information to that effect. We are making appropriations for this ambassador just as we made it when we were at war with Austria-Hungary. We made the appropriation, but no ambassador was sent to that country.

Mr. LONDON. I understand the situation has radically changed and that as a fact Austria-Hungary does not exist to-day. Germany does, but Austria-Hungary does not.

Mr. FLOOD. Well, officially, we do not know that fact; it has not been communicated to the Congress.

Mr. LONDON. The State Department has recognized the Czecho-Slovaks.

Mr. FLOOD. We have not given them full recognition. We have no representative from that country here and have accredited no representative to that country.

Mr. LONDON. I did not quite get the reply of the gentleman from Virginia to the query about providing an appropriation for ambassadors or envoys to the countries which are to be carved out of the now existing central countries.

Mr. FLOOD. As soon as those countries are established and recognized by our Government, appropriations will be made to pay our representatives to those countries. The executive department of the Government will accredit representatives to them, and we will make appropriations to pay them and pay their expenses.

Mr. LONDON. There is no general appropriation anywhere to enable the Department of State to make appointments?

Mr. FLOOD. No.

Mr. LITTLE. Mr. Chairman, I have an amendment to offer on page 2.

The CHAIRMAN. The gentleman from Kansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. LITTLE: Page 2, line 5, after the word "Spain," strike out the words "and Turkey," and after "each" strike out "$227,500" and insert "$210,000."

Mr. LITTLE. Mr. Chairman, my purpose is, a little farther down in the list of $10,000 ministers, to insert "Turkey." I can not understand any justification for maintaining an embassy for the next two years in the ex-Empire of Turkey at $17,500 a year. There will be probably a nation of Turkey left, but if it gets a minister at $10,000 a year it will be treated like similar nations, and even stronger and bigger nations are. It will not be any injustice to us even now if it is reduced to such a grade as it was before. It is not one of the great empires of the world, anyway. Seventeen thousand five hundred dollars was probably always too much for its merits. I am not asking that anything be done to this at all except that it be placed in the rank of other nations of similar importance, just as it stands and has stood. But if, as we all anticipate, Turkey is moved into Asia, we shall feel ourselves then more than justified. I can not conceive why the ambassador to a country like that should be given the same salary as one who goes to London. There should be no such expense. It looks like an effort to encourage Turkey along the line of bad conduct, and we should not be doing anything to put a premium on the bad conduct of the Turks. What will the Christian Armenians, who fought for you, think when a gilded ambassador goes to Constantinople and the shrines of 1,500 years of Christians are forgotten? Ten thousand dollars a year is enough.

Mr. FLOOD. Mr. Chairman, our legation to Turkey was raised to an ambassadorship by act of Congress, and Congress has not seen fit to reduce it, and it does not seem to me it would be at all wise to take such action in this irregular way. If the gentleman desires to reduce our mission to Turkey from the position which it now occupies, he ought to introduce a bill in Congress and let it pass, repealing the existing law. No ambassador has been accredited to Turkey since Turkey broke off diplomatic relations with us immediately after we declared war against Germany. We have not a representative there, and we have not had a representative there. But our law provides at this time for an ambassador to Turkey, and the salary for an ambassador is $17,500, and we are carrying that in this bill now just as we carried it at the time we were at war with the allies of Turkey. There is a regular way to do this thing, and when the conditions in Europe are adjusted, when the peace conference has fixed the boundaries of the different nations, the old nations, and the new nations that will be created in Europe, then the executive department of our Government can determine the class of representatives they propose to have in these different countries, and if Congress approves of that determination they will be fixed by law. But now there is no reason why the provision to which the gentleman objects should not go in this bill. It does not give any particular prestige to Turkey any more than it gave at the time we were at war with Turkey's allies.

Mr. LITTLE. It does not interfere with the matter. But this country has the right to give or appropriate any salary it wants to, and can cut it to $1,000 a year if it wants to. There are many reasons why we should reduce this fellow's salary to $10,000. It ought to be reduced a good deal further. Suppose we call him an ambassador, and give him the right to wear all the furbelows he wants to wear, let us show definitely that we want to save money.

Mr. FLOOD. There is no ambassador at all.

Mr. LITTLE. Then there is no occasion to appropriate anything, and no harm can be done by cutting it to $10,000.

Mr. FLOOD. It will be much more in accordance with the proprieties of the situation to strike it out altogether.

Mr. LITTLE. Very well. The gentleman keeps telling us what the Executive would do. The executive department will think about it as Congress thinks about it, and if we will indicate what we want to do, the department will do that. The executive branch of this Government will do what Congress tells it to do. They are all loyal men and will obey the laws.

Mr. FLOOD. Last year we appropriated for ambassadors and ministers $534,500 and expended $423,161, showing that a good deal of this money that we appropriated is not spent.

Mr. LITTLE. Then, there is no harm in cutting it off.

Mr. FLOOD. The time might come when it will be necessary.

Mr. LITTLE. It will never be necessary to have an ambassador to Turkey at $17,500.

Mr. FLOOD. But if we have an ambassador to Turkey he ought to be paid the same as other ambassadors.

Mr. SISSON. Will the gentleman advise me who is the ambassador to Turkey?

Mr. FLOOD. We have not any ambassador there now.

Mr. SISSON. Did he resign, or is he drawing the salary?

Mr. FLOOD. He is not drawing any salary.

Mr. LITTLE. He is drawing the money unless he has been dismissed or resigned.

Mr. FLOOD. He is not in the service now, at any rate.

Mr. SLAYDEN. I am strongly of the opinion that Mr. Morgenthau resigned.

Mr. FLOOD. He is not in the Diplomatic Service now.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. LITTLE].

The question was taken, and the amendment was rejected.

Mr. LITTLE. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Kansas offers another amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, line 3, strike out "Austria-Hungary" and insert "Austria-Hungary, Poland, Czecho-Slovakia."

Mr. FLOOD. Mr. Chairman, I raise a point of order on that.

The CHAIRMAN. The gentleman from Virginia raises a point of order on the amendment. The Chair sustains it.

Mr. LITTLE. Oh, I guess not! You have to tell what the point of order is. Mr. Chairman, I ask what the point of order is.

Mr. FLOOD. We have not recognized any such country as that at this time, and there is no law authorizing the appropriation.

The CHAIRMAN. The Chair thinks it is new legislation and sustains the point of order. The Clerk will read

The Clerk read as follows:

Envoys extraordinary and ministers plenipotentiary to Bolivia, Bulgaria, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, Greece and Montenegro, Guatemala, Haiti, Honduras, Nicaragua, Norway, Panama, Paraguay, Uruguay, Persia, Peru, Portugal, Roumania, Salvador, Serbia, Siam, Sweden, Switzerland, and Venezuela, at $10,000 each, $230,000.

Mr. LITTLE. Mr. Chairman, I offer an amendment.

Mr. FLOOD. Mr. Chairman, I move to correct the total of that amount. It is $230,000 in the printed bill. It ought to be $260,000.

The CHAIRMAN. Without objection, the total will be corrected.

There was no objection.

Mr. ROGERS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. ROGERS. I do so, Mr. Chairman, for the purpose of asking the gentleman from Virginia [Mr. FLOOD] a question concerning the item appropriating $10,000 for the United States minister to Costa Rica. According to the Diplomatic Register, that official, appointed in 1913, is Mr. Edward J. Hale. I am informed that for the past two years or more Mr. Hale has been enjoying life at his home in North Carolina, that he has not visited his post in Costa Rica during that time, but that he has been drawing his full salary during the entire period. Can the gentleman give the committee any information on that point?

Mr. FLOOD. I do not know about the statement that the gentleman makes, but I know if the minister to Costa Rica is in America, away from his post of duty, he could only draw pay for 60 days in a year. If he has been here for two years, away from his post of duty, he could not be drawing his salary.

Mr. LITTLE. He could if he is on leave.

Mr. FLOOD. He could get a leave of absence and draw pay for 60 days.

Mr. ROGERS. Is it not a fact that by the extension of his leave his salary may be continued to him after the expiration of the 60 days?

Mr. FLOOD. No. He can only get leave with pay for 60 days in each year.

Mr. ROGERS. I think the gentleman will find, on looking into this particular case, that Mr. Hale has been drawing his salary for the entire two years.

Mr. FLOOD. I am not familiar with the case of Mr. Hale. I know that we have not recognized the present Government in Costa Rica, and that may account for the fact that our minister has not been there.

Mr. ROGERS. Can the gentleman inform the committee upon what grounds recognition has been declined?

Mr. FLOOD. It was a revolutionary government. It was the policy of the administration not to recognize administrations that gain power through revolutionary methods.

Mr. ROGERS. Was not President Tinoco, who, I believe, is the present incumbent of the Presidency of Costa Rica, elected at a regular and lawful election held some two years ago, and has he not been fulfilling all the duties of the office since that time?

Mr. FLOOD. He has been filling the duties of the office, and they had an election there, but it was not considered to be a regular election.

Mr. ROGERS. Why does the gentleman consider it a revolutionary government if the President's incumbency followed a regular election?

Mr. FLOOD. They had an election in Mexico, as the gentleman will remember, when Huerta was elected, but it was considered to be a revolutionary government all the same.

Mr. ROGERS. The gentleman surely does not cite the case of Mexico and the policy of the United States toward Mexico as a guide for the conduct of the United States in Costa Rica?

Mr. FLOOD. I think the policy of the United States Government with respect to Mexico has been a wise one and has been thoroughly approved by the American people. The time may have come to change that policy, but that does not affect its wisdom in the past.

Mr. ROGERS. Does the gentleman think that this Government's policy in Mexico was approved by the American people in November, 1918?

Mr. FLOOD. The Mexican policy of this present administration was not an issue in that election. It was an issue in 1916 and was approved by the people of America in the election that year.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to proceed for three minutes more. Is there objection?

There was no objection.

Mr. ROGERS. I want to state the situation as I understand it with reference to Costa Rica, and if I am misinformed I shall be glad to be corrected.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. Yes.

Mr. LONGWORTH. There is no representative of Costa Rica in this country.

Mr. ROGERS. I think that is true. That has been so for a considerable time.

Mr. LONGWORTH. Therefore there is no possible use for our representative there, and certainly no excuse for his drawing a $10,000 salary.

Mr. ROGERS. Those things are usually correlated.

I do not remember the exact time when the election in Costa Rica was held, but it was something over two years ago. Gonzales was the retiring president, and the present incumbent, Tinoco, was the candidate against him. So far as I am aware, subject to correction by any member of the committee, that election was in all respects duly called and Tinoco was apparently duly elected. But the United States Government declined to recognize him and has steadfastly declined to recognize him ever since. In that respect it may be analagous with the Huerta case in Mexico; but in Costa Rica the question at issue in the election was pro-Germanism versus anti-Germanism. Gonzales was the pro-German candidate and Tinoco was the anti-German candidate. For that reason we had every reason to rejoice at the success of Tinoco and recognize him, especially when under his régime, within three days after the United States went to war with Germany, the Costa Rican Government passed a resolution offering to the United States every possible facility of its ports, at the same time expressing regret that they could not take a larger part in the war than they did on account of the country's size. Costa Rica even subsequently severed relations with Germany as a protest against the German Government and as an evidence of its friendship for the United States.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. Certainly.

Mr. GOOD. What have the other countries, such as France, Great Britain, and Italy, done so far as recognition of the present incumbent is concerned?

Mr. ROGERS. I do not know what the European countries have done toward recognizing the present Tinocan Republic, but every Republic on the American Continent, except our own, as I am advised, has long since recognized the Tinoco Government. Every Latin-American Republic, I am informed, early recognized the Tinoco Government.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SLAYDEN. Mr. Chairman, I move to strike out the last two words. I want to ask the gentleman from Massachusetts [Mr. ROGERS], who seems to have been a student of Central American troubles, if it is not usually the practice of Governments to recognize the de facto government of a country?

Mr. ROGERS. That has been my understanding. That was certainly the precise policy that we followed in Peru, where the situation was quite similar to that in Mexico and Costa Rica, except that the new ruler had gained his seat as president as a result of the murder of his predecessor.

Mr. SLAYDEN. Mr. Chairman, I have no information as to the virtue or lack of virtue in the de facto government in Costa Rica; but since reference has been made to it I want to call attention to the case in Mexico. I remember very well when Mexico was in the state of greatest turmoil and the question of what government to recognize was being considered, the practice of governments was stated in a very terse way in an English newspaper, which said that the purpose of the recognition of a government was to have order maintained and to protect life and property and international rights, and the writer said it had been the policy from time immemorial and was the proper policy to recognize the government of to-day if that government promised a restoration of order and the protection of life and property of the internationals. The writer of this article went on to say that if the rascal of yesterday became the dominant rascal of to-day, and under his administration promised reasonable security, it was the duty of the world to recognize him, and if another rascal promised better to-morrow and should have control of the government, then it was the duty and the practice of nations to recognize him. I do not know anything at all about the Costa Rican case, never having investigated it, but I believe that any government de facto which promises order and protection to life and property ought to be recognized.

Mr. GARRETT of Tennessee. Mr. Chairman, I wish to see if I understood the gentleman from Massachusetts [Mr. ROGERS] correctly, that some one had succeeded to the Presidency by reason of having murdered his predecessor?

Mr. SLAYDEN. That was in Peru.

Mr. ROGERS. In the case of Peru, what I intended to say and what I did say was that the new President succeeded to

the presidency as a result of the murder of his predecessor. He was not himself the murderer.

Mr. LITTLE. Mr. Chairman, I have an amendment that I should like to offer.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Page 2, lines 11 and 14, after the word "Greece," in line 11, strike out "and Montenegro," and in line 14 insert, after "Serbia," the words "and Montenegro."

Mr. STAFFORD. I reserve a point of order on the amendment if the gentleman from Virginia [Mr. FLOOD] does not wish to do so.

Mr. LITTLE. Mr. Chairman, a very peculiar thing is being done here by the committee. I happen to be familiar with the facts, so I feel it my duty to suggest to the House to correct it. If the committee do not want to accept my suggestion, I suppose they can run the steam roller over me, but I will say that I have just as good a steam roller as they have. I can make the point of no quorum any time I want to, but I do not propose to act foolishly if the committee does. If the committee does not want to correct this thing, that is in their power.

This Government formerly had the habit of saving money in the case of a group of small countries by appointing one minister to represent us in all of them. At one time all of these five Central American republics had only one American minister, but now they have one for each of the five.

If we should appoint one minister to Holland and Belgium, he could handle the business very well, because he could slip back and forth from capital to capital without any trouble. On the other hand, if we should appoint one minister to Holland and Portugal he would find it very difficult to handle the business at all. You can see that such a thing would be nonsense, although you could just as well appoint one minister to Holland and Belgium.

Last year I suggested that Serbia, Bulgaria, and Roumania ought to have a minister apiece instead of one for all three, but the State Department paid no attention to the suggestion. But they have it in the bill now. They have followed my suggestion after a year. The suggestion which I make here is just as pertinent. Serbia and Montenegro are people of the same tongue and the same race. They will probably soon be one nation. The minister who goes to Belgrade to represent us in Serbia can very easily find his way across to Montenegro and represent us in that country. There will be no difficulty in transacting business in both places. On the other hand, if you put Greece and Montenegro together they have nothing akin, do not get along together, do not speak the same language; they are very far apart, and the difficulties are of such a nature that it would be hard for the minister to Greece to visit Montenegro. The suggestion I make is sensible and would save money, time, and trouble. It would make it possible for one man to attend to both duties, whereas under the proposition the committee has offered it is impossible for the minister to Greece to be of service to Montenegro. I do not think because the committee has the power that they should neglect or refuse to accept this suggestion. This is no place for pride of opinion. There is no use in saying, "I can do this" or "I do not care what you say, we will do this or that." Anybody will tell you the geographical conditions, and any child at school will laugh when he sees what you have done. Why not arrange this matter so that the best results will be secured with the smallest amount of money? Why not appoint a minister to Montenegro and Serbia together instead of to Greece and Montenegro? He can go from one capital to the other and do business with both readily. I am not on the committee, and I can not, I guess, do anything more than make the suggestion. It is time we should have legislative discussion, not steam rollers.

Mr. FLOOD. Mr. Chairman, I think the gentleman from Kansas is right in many of his statements, and perhaps they will be adopted finally by the departments; that the separation between Greece and Montenegro will take place.

Mr. LITTLE. Why not do it now?

Mr. FLOOD. Because we are in an unsettled condition; we can not tell what will be the geographical lines to be determined at the peace table. We are making the appropriation as we made it heretofore.

Mr. LITTLE. No; before you had in Roumania with Bulgaria and Serbia.

Mr. FLOOD. Yes; we recognized other countries.

Mr. LITTLE. If the gentleman will permit, there is no injury done to the plan of the State Department by adopting my suggestion of putting Montenegro with Serbia instead of with Greece. It is evident that this was a mistake anyway, probably clerical.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. COOPER of Wisconsin. Mr. Chairman, I ask that the gentleman have five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. COOPER of Wisconsin. Now, I would like to ask the gentleman a question. The gentleman from Pennsylvania [Mr. TEMPLE] has just reminded us in conversation here that a few weeks ago, when Montenegro proposed a king, the assembled government passed a resolution uniting Montenegro with Serbia. Just as now suggested by the gentleman from Kansas, ought to be the provision in this bill, so far as a minister is concerned. But, Mr. Chairman, I would say to the gentleman from Kansas that we are legislating here now and can not anticipate, just as the gentleman from Virginia has intimated, the action of the peace conference on the relations between these countries.

Mr. LITTLE. But the gentleman from Wisconsin does not get my suggestion. I am not anticipating any action of the peace conference. I am not now seeking to unite Serbia and Montenegro. My motion will leave them as two distinct and independent nations if they wish, as far as we are concerned. It says here that we shall send a minister to Greece and Montenegro. I say send one to Montenegro and Serbia, which leaves Montenegro and Serbia just as distinct as Montenegro and Greece.

Mr. FLOOD. Does not the gentleman think it would be wiser to wait until we know a little more about it?

Mr. LITTLE. If the gentleman will permit, it makes no difference what happens at the peace conference, as far as my suggestion is concerned.

Mr. FLOOD. We have a minister assigned to Montenegro and Greece.

Mr. LITTLE. In the bill of last year you had one assigned to Roumania, Serbia, and Bulgaria, and one to Greece and Montenegro; formerly it was Roumania, Serbia, and Greece.

Mr. FLOOD. That was some time ago. For some years it has been the same as it is here.

Mr. LITTLE. At that time Montenegro was separated from Serbia by a few miles of Austrian territory, but now Serbia joins Montenegro. At that time there was no access from one to the other without crossing Austria, but now it is just a matter of a few hours' travel to get across there. You will have the two nations side by side, and a man can go back and forth in a few hours at any time, whereas the way you are arranging it they never can go back and forth, all one race and tongue.

Mr. FLOOD. I understand that Montenegro in all probability will be part of Serbia.

Mr. LITTLE. It will be probably.

Mr. FLOOD. Then the Serbian minister would represent us with that whole people, but the policy of the committee was not to undertake to make these changes until they had actually occurred, and, when the changes have occurred, then appropriations can be made, if there are additional ministers, for those ministers and meet any changes that have been made.

Mr. LITTLE. But you have changed from last year and given Roumania, Bulgaria, and Serbia each a minister.

Mr. FLOOD. Those are separate and distinct countries that we have recognized.

Mr. LITTLE. This is not a question of recognition; it is just a question of traveling back and forth. They always were separate and distinct countries, just as now—or have been for years.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the amendment be again reported.

Without objection, the amendment was again reported.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

Mr. LONGWORTH. Mr. Chairman, I move to strike out the last word, for the purpose of getting some information. Did I understand the gentleman to say that we have different ministers each for Bulgaria and Serbia?

Mr. FLOOD. We are providing in this bill for separate ministers for Bulgaria, Roumania, and Serbia.

Mr. LONGWORTH. Have they been appointed as yet?

Mr. FLOOD. No.

Mr. LONGWORTH. We have still one minister there.

Mr. FLOOD. We have a minister in Roumania.

Mr. LONGWORTH. He was acting before the war?

Mr. FLOOD. Yes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas.

The question was taken; and on a division (demanded by Mr. LITTLE) there were—ayes 8, noes 11.

So the amendment was rejected.

The Clerk read as follows:

Total, $554,500.

Mr. FLOOD. Mr. Chairman, I move that the total be changed to "$554,500."

The CHAIRMAN. Without objection, the Clerk will correct the total.

There was no objection.

The Clerk read as follows:

For secretaries in the Diplomatic Service, as provided in the act of February 5, 1915, entitled "An act for the improvement of the foreign service," as amended by the act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1917, approved July 1, 1916: *Provided*, That secretaries in the Diplomatic Service shall hereafter be graded and classified as follows: Secretaries of class 1, $3,500 per annum; secretaries of class 2, $3,125 per annum; secretaries of class 3, $2,500 per annum; secretaries of class 4, $2,000 per annum; $294,125.

Mr. STAFFORD. I reserve the point of order on the paragraph. I do not recall the grades carried in the appropriation bill of 1915. I do recall that last year we discontinued the lowest grade of pay of secretaries. Have we increased the original rates since they were graded back in 1915?

Mr. FLOOD. No; they are the same. The Committee on Foreign Affairs last year brought in a recommendation increasing the salaries of the first, second, third, and fourth grade secretaries $500 each. I think the gentleman from Wisconsin [Mr. STAFFORD] made the point of order against the increases, and they went out on that point of order, and the committee has brought in the same recommendation this year.

Mr. STAFFORD. Under the existing practice all of these consulate employees are receiving some allowance based upon the higher cost of living.

Mr. FLOOD. Yes; all of them.

Mr. STAFFORD. So that allowance equalizes the salaries occasioned by the higher cost of living in these respective countries?

Mr. FLOOD. Yes.

Mr. STAFFORD. In this bill you seek to reduce the total amount of the allowance for that purpose?

Mr. FLOOD. No. The view of the committee in making this increase was not based on the increased cost of living but upon the fact that there should be a permanent increase. The view of the Committee on Foreign Affairs is that the secretaries in all embassies and legations get too little. Even under normal conditions their salaries are not sufficient to support them. All of these gentlemen get from the post allowance fund anywhere from 50 to 100 per cent of their salaries.

Mr. SLAYDEN. Will they get that this year?

Mr. FLOOD. Yes; this year, because the cost of living is as high now as it ever was and in some countries higher.

Mr. STAFFORD. The gentleman is aware there is quite a decided trend downward in the cost of food products. For instance, Argentine wheat is being sold in the market at Liverpool at $1.55. If the cost of living is going to be reduced——

Mr. FLOOD. Then the post allowances will be reduced.

Mr. STAFFORD. The fund at the disposal of the Secretary of State is the same?

Mr. FLOOD. The fund is the same, but it does not follow that the allowances of individuals will be the same; for example, if the cost of living in the current year would be 100 per cent greater than it was before the war, the secretary would get twice what his salary is. If the cost of living of the next year comes down 50 per cent, his post allowance would be just half.

Mr. STAFFORD. Has the gentleman any assurance officially from the State Department that there will be any money of the post allowance fund turned back because the cost of living will be reduced in the respective foreign capitals?

Mr. FLOOD. Yes.

Mr. STAFFORD. Where is such testimony?

Mr. FLOOD. This is what the State Department officials say. I do not know whether it is in the published hearings or not, but this is the rule and this is what they stated, that the post allowance is made to officials at a particular place with reference to the increased cost of living at that place, and if the cost of living goes up the post allowance of the official at that point is increased; if it goes down, the allowance is decreased. They are not going to expend any more than necessary.

Mr. STAFFORD. Will the gentleman permit. Has the gentleman made any inquiry as to whether any part of the $700,000 post fund which is provided for in this year's Diplomatic and Consular act——

Mr. FLOOD. What page?

Mr. STAFFORD. Page 22 of this year's bill—is going to be turned back to the Treasury because the State Department officials found that it was not necessary to pay all of that amount? It will be a cause celèbre in the disbursement of lump-sum appropriations if they can state anything of that kind.

Mr. FLOOD. Of course, they can not tell. The gentleman asked me a question?

Mr. STAFFORD. Yes.

Mr. FLOOD. The State Department can not tell now what will be the result of this fund. For the year ending the 30th of June, 1918, they spent out of the post allowance fund $438,614.71, leaving a balance of $261,385.29. I say I have no information as to what will be left in the fund next July out of the current appropriation.

Mr. STAFFORD. Has the gentleman any testimony as to the status of this appropriation at the time the hearings were held on this bill?

Mr. FLOOD. No; I do not think we have, except it was said it would all be needed. I believe they will use most, if not all, of this fund this year.

Mr. GOOD. Was there any spent to add to or augment the salaries of secretaries of classes 3 and 4?

Mr. FLOOD. Yes.

Mr. GOOD. To what extent?

Mr. FLOOD. To the same extent as in other cases. There was a regular system in the department of ascertaining at a particular place the increased cost of living, and they increased the secretaries and the clerks a per cent equal to the increased cost of living.

Mr. GOOD. Can the gentleman give the committee any idea of the range of that percentage?

Mr. FLOOD. It ranged from 50 per cent to sometimes over 100 per cent.

Mr. GOOD. Of their salaries?

Mr. FLOOD. Of their salaries. We had the case before us in reference to a consul in Russia whose salary was $5,500 and his post allowance $4,500, and in some instances it was fully as much as the salary.

Mr. GOOD. Secretaries of class 3 receiving a salary of $2,500 per annum and secretaries of class 4 $1,200 per annum would also receive during the present year the $120 additional compensation?

Mr. FLOOD. Oh, no.

Mr. GOOD. They are included in the provisions of the legislative bill and are entitled to the $120 increase.

Mr. FLOOD. No, indeed; they do not get anything on the legislative bill at all.

Mr. GOOD. They are included.

Mr. FLOOD. Oh, they never come under the legislative bill.

Mr. GOOD. They are Government employees?

Mr. FLOOD. The legislative bill does not embrace the people in the foreign service.

Mr. SLAYDEN. Any more than it does us.

Mr. GOOD. It embraces all the people in the foreign service.

Mr. FLOOD. It does not embrace our foreign service.

Mr. GOOD. It embraces all Government employees having a salary of $2,500 or less, except certain classes, and my recollection is—and it is only recollection—that the employees in the foreign service are not among the excepted classes.

Mr. FLOOD. I do not know whether the language of the bill excepts them or not, but they do not come within the legislation.

The CHAIRMAN. Does the gentleman withdraw the point of order?

Mr. STAFFORD. I make the point of order.

Mr. FLOOD. The point of order against the increase?

Mr. STAFFORD. Against the increase; against the proviso carried in the first paragraph upon page 3.

The CHAIRMAN. The point of order is sustained.

Mr. ROGERS. That means the total should be reduced by $55,000 both on line 12 and on line 23.

The CHAIRMAN. Without objection, the Clerk will be authorized to correct the total in accordance with the amendment agreed to.

Mr. LITTLE. Mr. Chairman, I move to strike out the last word. First, I want to register a protest against these anonymous points of order. Every time an amendment is offered some gentleman, who has three or four of these anonymous points of order in his pocket, gets up and offers one, and we do not know what it is. I shall raise the point of order against every point of order after this, unless a man tells us what it is. Unless you state what is your point you have made no point of order.

Mr. FLOOD. What is the point of order made by the gentleman from Wisconsin?

Mr. LITTLE. Nobody knows. It is anonymous.

Mr. STAFFORD. Has the gentleman any doubt that the paragraph is subject to the point of order?

Mr. FLOOD. Not the slightest.

Mr. STAFFORD. I made a point of order to the provision increasing the salaries of the secretaries.

Mr. GOOD. And making it permanent law also hereafter.

Mr. LITTLE. I have the floor. I would like to ask the gentleman from Virginia a question. I have been reading this paragraph, on page 22, calling for $700,000 to adjust their official income to the ascertained cost of living at the posts.

Mr. FLOOD. I wish the gentleman would wait until we get to it.

Mr. LITTLE. It is apropos of the clause we are under now. I want some information. Would that take into consideration the difference in exchange springing from the fall in value of moneys in foreign countries? Has there been anything done in this bill to meet that?

Mr. FLOOD. Nothing in this bill. I understand from the officials of the State Department they have tried to adjust it in China, with consuls in China and officials of the court in China.

Mr. LITTLE. I understand, as to the minister to Persia, that the money has changed so much in that country, and therefore the exchange, that he, who has been drawing his salary according to the old rate of exchange, is now several thousand dollars in debt to this Government, and they are asking him to pay the money back. There ought to be somewhere in this bill, it seems to me, an adjustment to meet such a situation. For example, in Persia——

Mr. FLOOD. Exactly the same situation occurred with reference to the officers of our court in China.

Mr. LITTLE. In Shanghai?

Mr. FLOOD. In Shanghai; yes. We did adopt an amendment to protect those gentlemen. We heard nothing about this case in Persia. The case of these court officials was a very meritorious case, because they had been informed that they were embraced under the post allowance, and received the post allowances accordingly, and it was afterwards determined by an official of the Treasury Department that they were not entitled to it and they were required to pay the post allowances back.

Mr. LITTLE. I do not want to urge my requests on the chairman when he does not give them any consideration, but I am going to ask him again to take into consideration the idea of the cost of exchange. It puts a minister to Persia, for example, at an expense of several thousand dollars, I understand.

Mr. FLOOD. I do not know about the minister to Persia, unless his salary has less purchasing power.

Mr. LITTLE. They have been paying him according to the old rate of exchange.

Mr. FLOOD. What they paid him was paid him in gold, and his gold was worth a great deal more over there at that time than it is now.

Mr. LITTLE. I understand now the department is asking him to pay a lot of that money back.

Mr. FLOOD. I never heard it. I do not see how it can be, because he was not entitled to anything under the post allowance.

Mr. LITTLE. My information is pretty reliable. I think it is as good as that of the State Department.

Mr. FLOOD. If the gentleman informs the department of that fact, the department will certainly be disposed to treat him fairly, and the Committee on Foreign Affairs will treat him fairly.

Mr. LITTLE. I wish the chairman of the committee would consider that matter to-night and inquire about it from the department.

Mr. FLOOD. I will inquire of the department.

Mr. LITTLE. I think this ought to be adjusted. I think section 22 is the place to do it, and I have no doubt, if the gentleman will take it up with the department, it can be remedied.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Assistant secretary-interpreter to the embassy to Turkey, to be appointed from the corps of student interpreters, $2,000.

Mr. LITTLE. Mr. Chairman, I move to strike out lines 20, 21, and 22. I simply want to say that I notice up above a secretary-interpreter to Turkey gets $3,600, and they have an assistant t $2,000.

The reason why I move to strike out is that I happen to know it is a pure waste of money.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Kansas.

The Clerk read as follows:

Amendment offered by Mr. LITTLE: Page 3, strike out lines 20, 21, and 22.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. FLOOD. All the information that I have or that the committee had was obtained from the officials of the State Department, and they tell us that these interpreters are very essential and necessary. They will be necessary in that country when conditions are restored to normal. They are not paid unless they are rendering service there. They may be transferred to some other place now.

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. Yes.

Mr. LITTLE. I suggest that they might have been necessary at Constantinople, but they will never be necessary there again, and it is pure foolishness to be paying out that money now. They have a Sultan at Cairo, and he will be more powerful than the Sultan of Turkey has or will have. The Sultan of Egypt is now caliph of the faithful, successor to Mahomet.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Total, $310,925.

Mr. ROGERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ROGERS: Page 3, line 23, insert the following as a new paragraph:

"The following persons formerly connected with the American Embassy at Berlin be, and they are hereby, authorized to accept pieces of plate presented to them by the British Government in recognition of services rendered by the embassy while in charge of British interests in Germany: Mr. Joseph C. Grew, counselor of embassy; Messrs. Hugh R. Wilson, Albert B. Ruddock, Alexander C. Kirk, L. Lanier Winslow, Lithgow Osborne, Oliver B. Hartman, Robert M. Scotten, and Charles H. Russell, jr., secretaries of embassy or legation; Brig. Gen. Joseph E. Kuhn and Maj. George T. Langhorne, United States Army; Lieut. Col. C. L. Furbush, Medical Corps, National Army; Maj. Albert H. Roier, Medical Reserve Corps, United States Army; Lieut. Grafton W. Minot, Ordnance Reserve Corps, United States Army; Lieut. Jerome P. Webster, Medical Reserve Corps; Mr. H. R. Pyne, Aviation Service, United States Army; Commander Walter R. Gherardi and Surg. Karl Ohnesorg, United States Navy; Director A. E. Taylor, War Trade Board; Mr. Christian A. Herter, Department of State; Mr. E. L. Dresel and Miss G. de Courcy, employed at American Legation at Berne."

Mr. FOSTER. Mr. Chairman, I make a point of order on that.

Mr. CONNALLY of Texas. I reserve a point of order on that, Mr. Chairman.

The CHAIRMAN. Does the gentleman from Texas reserve his point of order?

Mr. CONNALLY of Texas. I reserve a point of order.

Mr. ROGERS. Mr. Chairman, this is subject to a point of order. I will admit that. Possibly the gentleman from Kansas [Mr. LITTLE] will care to debate the point of order, and I would be glad to have him do so if he is in doubt about it.

Mr. LITTLE. If the gentleman will come around to my office later, I will discuss it with him.

Mr. ROGERS. The amendment which I have offered is in the exact language of a bill that passed the Senate on May 15 last, was referred to the Committee on Foreign Affairs, favorably reported by the Committee on Foreign Affairs on June 26, and has been on our Private Calendar for the last nine months.

Gentlemen know the condition of the Private Calendar and the extreme difficulty of getting any bill considered which is upon it. I therefore hope that the merits of this measure are such as to lead the House to allow it to be comprehended within this appropriation bill. The men who are enumerated here were all connected with our embassy in Berlin during the period when we were protecting British interests in Germany. It has become customary after a service of that kind for the Government that has been thus cared for to present trifling remembrances to the individual members who rendered this service. Great Britain had more use and more need for the services of our American representatives in Berlin than had ever been witnessed in the history of the world in a similar cause. Consequently, very naturally and very properly, Great Britain sent to the State Department silver articles, in value from $15 up to $85, designating the articles for presentation to the different individuals, corresponding in a general way to their rank in the Diplomatic Service. These articles are at the State Department, and they may be inspected by any Member interested.

Legislation, however, is necessary to permit the acceptance of these articles by the recipients. You are all familiar with the provisions of the Constitution of the United States, which makes such congressional action a necessary prerequisite. It is to provide the congressional sanction that this amendment is being offered. The bill has been carefully considered by the Committee on Foreign Affairs.

Mr. LITTLE. What are they going to get?

Mr. ROGERS. An inkstand, or the like, from the British Government, as a mark of appreciation for their service to that Government for two and a half years during our period of neutrality.

Mr. LITTLE. Is that all they get?

Mr. ROGERS. That is all, I hope. The articles are of trifling value; most of them are inkstands, worth about $15. It is not the intrinsic value which appeals to the gentlemen enumerated in the amendment; it is the fact that after they have worked two and a half years under the most terrific strain and pressure they naturally would like to have some permanent recognition which they can put on their tables or mantelpieces to show to their children and grandchildren. The Committee on Foreign Affairs has favorably recommended this proposition to the House, very much influenced, I think, by the letter which the Secretary of State wrote and which is printed in the report on this bill. He says:

> We should recognize the spirit of gratitude which induced the British Government to offer this plate, and that as an act of international comity it would be appropriate and courteous to permit its acceptance by the beneficiaries.

This same report cites about 100 different cases, some of recent years and some of a more remote period, where Congress has granted the sanction required by the Constitution. In view of the circumstances I hope the gentleman will be induced to withdraw his point of order.

Mr. CONNALLY of Texas. Mr. Chairman, I desire to say that in reserving the point of order, which I expect to make, I intend no reflection on the services of these distinguished gentlemen, but I am absolutely opposed to the principle of the amendment as it is offered by the gentleman from Massachusetts. If these gentlemen rendered distinguished services as employees of the Government of the United States it was as representatives of the United States and not by reason of the fact that, incidentally, they were called upon to represent the interests of Great Britain. If they desire a recognition of their services it should be extended by the Republic in whose service they were employed. I think that in this time of all times it would be bad policy, indeed, for the American Congress to sanction the practice of representatives at foreign capitals accepting favors or gifts at the hands of foreign governments, however slight the recognition might be.

Mr. ROGERS. Will the gentleman yield?

Mr. CONNALLY of Texas. I do.

Mr. ROGERS. Would the gentleman be willing, in view of the fact that this imposes no charge on the Treasury, to withdraw his point of order and allow the amendment to be voted on upon its merits?

Mr. CONNALLY of Texas. It is not a question of a charge on the Treasury which is involved in the point of order. It is opposition to the principle of permitting our representatives abroad or at home accepting any recognition in the way of gifts from any foreign power or potentate.

Mr. ROGERS. This principle has been recognized by Congress scores of times.

Mr. CONNALLY of Texas. I am not responsible for the acts of any Member of Congress prior to this Congress, but I am responsible for my vote and my position on this floor, and I make the point of order for the reasons stated.

The CHAIRMAN. The point of order is sustained.

Mr. LONGWORTH. Mr. Chairman, I am in favor of the passage of this bill at the earliest possible moment, as I am in favor of the passage of other appropriation bills at the earliest possible moment consistent with proper discussion. I call attention to the lateness of the hour only because there is to be a conference this evening.

Mr. FOSTER. A conference or a caucus?

Mr. LONGWORTH. A conference.

Mr. FOSTER. Public or private?

Mr. LONGWORTH. A conference at 8 o'clock.

Mr. GARRETT of Tennessee. It was agreed that we should rise at 6 o'clock. That is only seven minutes from now.

Mr. WALSH. We were going to rise at 6 o'clock if we were in general debate.

Mr. FLOOD. No; whatever was going on.

Mr. LONGWORTH. The gentleman contemplates rising at 6 o'clock?

Mr. FLOOD. Yes.

The Clerk read as follows:

> For the employment of necessary clerks at the embassies and legations, who, whenever hereafter appointed, shall be citizens of the United States, $688,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. Here is quite a decided increase in the appropriation over that carried in the current law, an appropriation of $688,000, which is $200,000 more than was carried in last year's appropriation act. Yet we carried a provision last year that the money should be immediately available. I assume that at the time this bill passed the House last year the fund was depleted and that it was necessary to use some of the amount then estimated for the remainder of the then fiscal year. What is the occasion of this very large increase of appropriation, nearly 50 per cent?

Mr. FLOOD. There is really no increase, but only an apparent one. The Diplomatic and Consular appropriation bill passed last year carried $488,000 and the deficiency appropriation act of November 4, 1918, added $200,000 to that sum, making a total of $688,000, which is the amount this bill carries this year, and it is the amount the department needed and asked for clerks at embassies and legations. They got $488,000 last year from the Foreign Affairs Committee and afterwards $200,000 from the Committee on Appropriations because they needed it, and they say they need exactly the same amount this year, so we have given them that amount.

Mr. STAFFORD. What salaries do these clerks receive at the respective embassies and legations?

Mr. FLOOD. The salaries vary from $1,000 to $2,500.

Mr. STAFFORD. Is $2,500 the maximum?

Mr. FLOOD. I do not know of any clerk who gets more than $2,500. I think that is the highest amount.

Mr. STAFFORD. Do these clerks also receive an allowance from the post-allowance fund?

Mr. FLOOD. Yes; they do.

Mr. STAFFORD. Perhaps the explanation for this large increase is due to the policy recently established by the department of requiring that the clerks at embassies and legations shall be citizens of the United States rather than citizens of foreign countries.

Mr. FLOOD. These clerks are all citizens of the United States.

Mr. STAFFORD. That is, as I recall, a recent requirement of the law?

Mr. FLOOD. Yes.

Mr. STAFFORD. Will not the gentleman now move that the committee rise, in view of the fact that the next item is going to provoke some discussion?

Mr. FLOOD. I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FERRIS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920, had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. ROBBINS, indefinitely, on account of illness (at the request of Mr. ROSE).

To Mr. BANKHEAD, for one day, on account of important business.

To Mr. EAGLE, for four days, on account of illness in his family.

FEDERAL JUDGES.

Mr. WEBB. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 12001) to amend an act to codify, revise, and amend the laws relating to the judiciary, approved March 3, 1911, disagree to Senate amendments, and agree to the conference requested by the Senate.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to take from the Speaker's table the bill H. R. 12011, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate. Is there objection?

There was no objection; and the Speaker announced as conferees on the part of the House Mr. WEBB, Mr. CARLIN, Mr. STEELE, Mr. VOLSTEAD, and Mr. GRAHAM of Pennsylvania.

ADJOURNMENT.

Mr. HENRY T. RAINEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 58 minutes p. m.), in accordance with the order heretofore made, the House adjourned until Wednesday, January 22, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of War, submitting a supplemental estimate of appropriation required by the War Department for a sanitary fill at Coco Solo, Canal Zone (H. Doc. No. 1704); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War, submitting a paragraph of proposed legislation extending for the fiscal year 1920 the appropriation made by the sundry civil act of August 1, 1914, for expenses of unveiling and dedicating the memorial to Gen. Ulysses S. Grant (H. Doc. No. 1705); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Assistant Secretary of War, submitting a supplemental estimate of appropriation for salaries and expenses of the joint munitions patent board of the War and Navy Departments, fiscal year 1920 (H. Doc. No. 1706); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting copy of communication from the superintendent of the State, War, and Navy Buildings, submitting supplemental estimates of appropriations required for expense of heating the buildings under his control for the fiscal year 1919 (H. Doc. No. 1707); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of Commerce, submitting a paragraph of legislation providing that the unexpended balance of the appropriation for developing aquatic sources of leather made by the act of June 12, 1917, be continued and made available for the fiscal year 1920 (H. Doc. No. 1708); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Secretary of the Treasury, transmitting copy of communication from the acting chairman of the Federal Board for Vocational Education submitting supplemental estimate of appropriation required by the Federal Board for Vocational Education for the fiscal year 1920 (H. Doc. No. 1709); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination and survey of harbor at Brazos Island, Tex. (H. Doc. No. 1710); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

8. A letter from the Comptroller of the Currency, transmitting annual report of the Comptroller of the Currency (H. Doc. No. 1453); to the Committee on Banking and Currency and ordered to be printed.

9. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Executive Secretary of the Interdepartmental Social Hygiene Board submitting a substitute estimate of appropriation for 1920 (H. Doc. No. 1711); to the Committee on Appropriations and ordered to be printed.

10. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate of appropriation required by the War Department to increase the salary of the superintendent of the Arlington Cemetery from $1,200 to $1,800 (H. Doc. No. 1712); to the Committee on Appropriations and ordered to be printed.

11. A letter from the Acting Secretary of the Treasury, submitting a supplemental estimate of appropriation required by the Treasury Department for telegraph and telephone service for the fiscal year 1919 (H. Doc. No. 1713); to the Committee on Appropriations and ordered to be printed.

12. A letter from the Acting Secretary of the Treasury, transmitting schedules of claims allowed by the several accounting officers of the Treasury Department (H. Doc. No. 1714); to the Committee on Appropriations and ordered to be printed.

13. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting supplemental estimate of appropriation required by the War Department for the fiscal year 1920 (H. Doc. No. 1715); to the Committee on Military Affairs and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. CLARK of Florida, from the Committee on Public Buildings and Grounds, to which was referred the joint resolution (S. J. Res. 194) directing the United States Housing Corporation to suspend work upon all buildings where construction is not more than 75 per cent completed, and to cancel all contracts for furniture, and for other purposes, reported the same with amendment, accompanied by a report (No. 958), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. GOULD, from the Committee on the Library, to which was referred the bill (H. R. 6887) to acquire the manuscript of Charles Chaillé-Long, containing an account of the unveiling of the McClellan Statue, reported the same with amendment, accompanied by a report (No. 959), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DENTON: A bill (H. R. 14818) to incorporate the World War Veterans of America; to the Committee on the Judiciary.

By Mr. TIMBERLAKE: A bill (H. R. 14819) donating a captured German cannon or field gun and carriage to the city of Englewood, Arapahoe County, State of Colorado, for decorative and patriotic purposes and to commemorate the participation of the boys there in the Battle of Chateau-Thierry; to the Committee on Military Affairs.

By Mr. ESCH: A bill (H. R. 14820) to amend an act entitled "An act to regulate commerce, approved February 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission, approved June 29, 1906"; to the Committee on Interstate and Foreign Commerce.

By Mr. FESS: A bill (H. R. 14821) authorizing the Secretary of War to donate condemned cannon and cannon balls to the Paint Township Cemetery, in Madison County, Ohio; to the Committee on Military Affairs.

Also, a bill (H. R. 14822) authorizing the Secretary of War to deliver to Wilberforce University, in the State of Ohio, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14823) authorizing the Secretary of War to deliver to the city of London, Ohio, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14824) authorizing the Secretary of War to deliver to the City of Washington Court House, Ohio, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14825) authorizing the Secretary of War to deliver to the village of Belle Center, Ohio, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14826) authorizing the Secretary of War to deliver to the village of West Liberty, Ohio, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14827) authorizing the Secretary of War to deliver to the village of Milledgeville, Ohio, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14828) authorizing the Secretary of War to deliver to the village of Blanchester, Ohio, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

By Mr. MORIN: A bill (H. R. 14829) providing for the conversion of liberty bonds of the first, second, and third issues into bonds of a similar issue bearing a higher rate of interest at any time after the public offering of such bond for sale; to the Committee on Ways and Means.

By Mr. MAGEE: A bill (H. R. 14830) authorizing the Secretary of War to donate to the county of Onondago, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BROWNE: A bill (H. R. 14831) authorizing the Secretary of War to donate to the city of Grand Rapids, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14832) authorizing the Secretary of War to donate to the city of Shawano, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14833) authorizing the Secretary of War to donate to the city of Stevens Point, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14834) authorizing the Secretary of War to donate to the city of Waupaca, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14835) authorizing the Secretary of War to donate to the city of Wausau, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14836) authorizing the Secretary of War to donate to the city of Marshfield, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14837) authorizing the Secretary of War to donate to the city of Wautoma, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KENNEDY of Iowa: A bill (H. R. 14838) authorizing the Secretary of War to donate to the city of Washington, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GRIEST: A bill (H. R. 14839) authorizing the Secretary of War to donate to the borough of Columbia, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14840) authorizing the Secretary of War to donate to the borough of Elizabethtown, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14841) authorizing the Secretary of War to donate to the borough of Christiana, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14842) authorizing the Secretary of War to donate to the city of Lancaster, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SAUNDERS of Virginia: A bill (H. R. 14843) authorizing the Secretary of War to donate to the city of Danville, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14844) authorizing the Secretary of War to donate to the county of Henry, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14845) authorizing the Secretary of War to donate to the county of Franklin, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14846) authorizing the Secretary of War to donate to the county of Halifax, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. THOMAS: A bill (H. R. 14847) authorizing the Secretary of War to donate to the county of Muhlenberg, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CLARK of Florida: Resolution (H. Res. 511) for the consideration of House bill 13026; to the Committee on Rules.

By Mr. EMERSON: Joint resolution (H. J. Res. 294) to provide for the marking of the positions held by the American Expeditionary Forces in Europe during this war; to the Committee on Appropriations.

By the SPEAKER: Memorial of the Legislature of the State of Washington, requesting that the name of the Panama Canal be changed to the Roosevelt Canal; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of Washington, favoring the submission of an amendment to the Constitution of the United States giving woman the elective franchise; to the Committee on Woman Suffrage.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DENISON: A bill (H. R. 14848) granting an increase of pension to Lucinda Harris; to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 14849) granting an increase of pension to Anna Langfield; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 14850) for the relief of John Healy; to the Committee on Military Affairs.

By Mr. SHERWOOD: A bill (H. R. 14851) granting an increase of pension to Darwin H. Hamilton; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Resolutions by Oregon State Reconstruction Convention, Portland, Oreg., relative to allowance and transportation, etc., of discharged sailors and soldiers; to the Committee on Military Affairs.

By Mr. CLARK of Pennsylvania: Petition of Mrs. L. B. Kimberly, Mrs. S. S. Ryan, Mrs. Baumgartner, Mrs. James J. Schmitt, of Erie, Pa., asking for repeal of postal-zone rate bill; to the Committee on Ways and Means.

Also, petition of citizens of Erie, Pa., for repeal of postal-zone bill; to the Committee on Ways and Means.

By Mr. EMERSON: Resolutions by Unit Lodge of Amalgamated Association of Iron, Steel, and Tin Workers, of Cleveland, Ohio, in favor of eight-hour law; to the Committee on Labor.

By Mr. LOBECK: Resolutions by Brotherhood of Boilermakers, Iron-ship Builders, and Helpers of America, Omaha, Nebr., favoring Government ownership of railroads for a period of five years; to the Committee on Interstate and Foreign Commerce.

Also, petition of Omaha Post Office Clerks' Union, Local No. 134, in support of House bill 13308; to the Committee on the Post Office and Post Roads.

Also, petition of theaters of Omaha, Nebr., protesting against 20 per cent ticket war tax; to the Committee on Ways and Means.

By Mr. MERRITT: Resolutions by citizens of Meriden, Conn., urging the return to the United States of the Twenty-fifth Division of the American Army; to the Committee on Military Affairs.

By Mr. MORIN: Petition of the Harris Amusement Cos., of Pittsburgh, Pa., protesting against the increase of tax on amusements, thus crippling the business and entailing an unjust burden on patrons; to the Committee on Ways and Means.

By Mr. POLK: Resolutions of Wilmington (Del.) Jovians, favoring Federal control of wire system, etc.; to the Committee on Interstate and Foreign Commerce.

By Mr. RANDALL: Resolution of Ebell Club, of Los Angeles, Cal., favoring passage of Smith-Bankhead bill, retaining men crippled in industry equally with men crippled in war; to the Committee on the Judiciary.

By Mr. STEENERSON: Petition of Mrs. Minnie W. Hines, postmaster at Roosevelt, Minn., urging increase of compensation for fourth-class postmasters; to the Committee on the Post Office and Post Roads.

SENATE.

WEDNESDAY, *January 22, 1919.*

(Legislative day of Monday, January 20, 1919.)

The Senate met at 12 o'clock noon, on the expiration of the recess.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, Cal.	Moses	Smith, Ga.
Bankhead	Johnson, S. Dak.	Nelson	Smith, S. C.
Borah	Jones, Wash.	New	Smoot
Chamberlain	King	Nugent	Spencer
Colt	Kirby	Overman	Sterling
Culberson	Knox	Page	Thomas
Cummins	La Follette	Penrose	Thompson
Curtis	Lenroot	Pittman	Townsend
France	Lodge	Pomerene	Trammell
Gay	McCumber	Saulsbury	Walsh
Hale	McKellar	Shafroth	Warren
Harding	McLean	Sheppard	Watson
Henderson	McNary	Sherman	Weeks
Hollis	Martin, Va.	Smith, Ariz.	Wolcott

Mr. SAULSBURY. I desire to state that the senior Senator from Maryland [Mr. SMITH] is unable to be present at the session of the Senate to-day and will not be for a few days hereafter because of a serious accident.

Mr. CURTIS. I wish to announce the absence of the Senator from West Virginia [Mr. SUTHERLAND] on account of illness in his family. I will let this announcement stand for the day.

I wish also to announce the unavoidable absence of the senior Senator from Massachusetts [Mr. LODGE], and I will let this announcement stand for the day.

Mr. FRANCE. I desire to announce the absence of the Senator from Georgia [Mr. HARDWICK] and the Senator from Kentucky [Mr. BECKHAM] on official business of the Senate.

Mr. KIRBY. I announce the unavoidable absence of the senior Senator from Arkansas [Mr. ROBINSON] on account of illness.

Mr. McKELLAR. I announce the absence of the senior Senator from Tennessee [Mr. SHIELDS] owing to illness. I will let this announcement stand for the day.

Mr. SHEPPARD. I desire to announce that the Senator from Mississippi [Mr. VARDAMAN], the Senator from Missouri [Mr. REED], the Senator from Rhode Island [Mr. GERRY], the Senator from California [Mr. PHELAN], the Senator from New Mexico [Mr. JONES], the Senator from Alabama [Mr. UNDERWOOD], the Senator from Louisiana [Mr. RANSDELL], and the Senator from Florida [Mr. FLETCHER] are detained on official business.

The VICE PRESIDENT. Fifty-six Senators have answered to the roll call. There is a quorum present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. WEBB, Mr. CARLIN, Mr. STEELE, Mr. VOLSTEAD, and Mr. GRAHAM of Pennsylvania managers at the conference on the part of the House.

The message also announced that the House insists upon its amendments to the bill (S. 3220) authorizing the Secretary of the Interior to make investigation, through the Bureau of Mines, of lignite coals and peat, to determine the practicability of their utilization as a fuel, and in producing commercial products, disagreed to by the Senate; agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. FOSTER, Mr. WINGO, and Mr. DENISON managers at the conference on the part of the House.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 11948) granting the consent of Congress to the Great Southern Lumber Co., a corporation of the State of Pennsylvania, doing business in the State of Mississippi, to construct a bridge across Pearl River at or near the north line of section 22 of the basis meridian, in the land district east of Pearl River, in the State of Mississippi, and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

Mr. NELSON presented a petition of the Commercial Club, of Red Lake Falls, Minn., praying for the return to private ownership of the railroads of the country, which was referred to the Committee on Interstate Commerce.

Mr. COLT presented a resolution adopted by the General Assembly of the State of Rhode Island, favoring the granting of additional pay to discharged soldiers, sailors, and marines, which was referred to the Committee on Military Affairs.

Mr. LODGE presented a resolution adopted by the Chamber of Commerce of Springfield, Mass., favoring the establishment of a department of education, which was referred to the Committee on Education and Labor.

ALLOTMENTS OF ENLISTED MEN.

Mr. McKELLAR, from the Committee on Military Affairs, to which was referred the bill (H. R. 13306) to authorize the payment of allotments out of the pay of enlisted men in certain cases in which these payments have been discontinued, reported it with an amendment and submitted a report (No. 655) thereon.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WALSH:

A bill (S. 5404) providing for the conveyance to the State of Montana of Fort William Henry Harrison Military Reservation for educational and other purposes; to the Committee on Military Affairs.

By Mr. HALE:

A bill (S. 5405) authorizing the Secretary of War to donate to the town of Harrison, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

A bill (S. 5406) for the relief of Frank Vumbaca; to the Committee on Claims.

By Mr. THOMPSON:

A bill (S. 5407) granting an increase of pension to Levi M. Starne (with accompanying paper); to the Committee on Pensions.

By Mr. MOSES:

A bill (S. 5408) granting an increase of pension to Matthias V. Bridges (with accompanying papers); to the Committee on Pensions.

By Mr. JONES of Washington:

A bill (S. 5409) granting an increase of pension to M. Cecelia Allen; to the Committee on Pensions.

By Mr. THOMPSON:

A bill (S. 5410) granting an increase of pension to Dallas Thurman (with accompanying papers); to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 5411) granting a pension to Catharine Derstine (with accompanying papers); to the Committee on Pensions.

By Mr. KING:

A joint resolution (S. J. Res. 216) looking to the construction of ships for foreign governments or corporations in the shipyards of the United States; to the Committee on Commerce.

FOOD SUPPLIES FOR EUROPE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13708) providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary.

The VICE PRESIDENT. The question is on the amendment of the Senator from Pennsylvania [Mr. PENROSE].

The amendment was rejected.

Mr. ASHURST. I offer the following amendment to add a new section, and I ask that it be read.

The VICE PRESIDENT. It will be read.

The SECRETARY. It is proposed to add a new section, as follows:

> That every soldier, sailor, and marine in the Army, Navy, and Marine Corps of the United States, upon receiving an honorable discharge shall be entitled to keep and retain as his own property the uniform, overcoat, and other articles of apparel he is wearing at the time of such discharge from the service, and no charge or debit whatever shall be entered against the account of any such discharged soldier or sailor or marine by reason of his retaining said uniform, overcoat, and other articles of apparel. And there shall be paid to every such soldier, sailor, and marine full pay for the 90 days next ensuing after the date of his honorable discharge.

Mr. KNOX. Mr. President——

Mr. ASHURST. I yield to the Senator from Pennsylvania.

Mr. KNOX. I wish to inquire of the Senator from Arizona whether this is to apply only to soldiers who are discharged after the passage of the bill or to what soldiers and sailors does the privilege extend?

Mr. ASHURST. It is impossible to hear the Senator's questions, there is so much confusion in the Chamber.

Mr. KNOX. I want to know whether this applies only to soldiers and sailors who are to be discharged after the passage of the bill or whether——

Mr. ASHURST. I may not have been very happy in the use of language, but it was the intention of the amendment that it should apply to all honorably discharged soldiers of the war with Germany, and I thank the Senator for calling attention to it. I think the amendment is lame in that respect, and I would welcome an amendment from the Senator making it certain, so that there can be no doubt about it.

Mr. KNOX. The Senator from Arizona can perfect his amendment to cover the idea if he approves of it. I think all should be included.

Mr. CHAMBERLAIN. May I interrupt the Senator from Arizona?

Mr. ASHURST. Certainly.

Mr. CHAMBERLAIN. There was a bill of that kind which passed the House some days ago and came to the Senate, and it was passed in the Senate with some amendments. I think it covers the very situation proposed by the amendment of the Senator from Arizona. I think it may lead to confusion if we undertake to add the amendment at this time.

Mr. ASHURST. I think the Senator's observation is correct. Therefore I further modify my amendment by striking out that part of the amendment which relates to uniforms and other articles of apparel. I ask leave to modify the amendment so as to add a new section, as follows:

> There shall be paid to every soldier, sailor, and marine in the Army, Navy, and Marine Corps of the United States, upon his receiving an honorable discharge, full pay for the 90 days next ensuing after the date of his honorable discharge, which said sum of money shall be paid to him without regard to whether he was discharged before or subsequent to the signing of the armistice.

Mr. CHAMBERLAIN. There was a provision added to the very bill to which I have just referred allowing the men one month's pay. The Senator's amendment differs from that in that he proposes to give them three months' pay.

Mr. ASHURST. Three months' pay.

Mr. CHAMBERLAIN. There has been a bill already passed by the Senate for one month's pay.

Mr. ASHURST. There was, it is true, an amendment adopted on the revenue bill providing for one month's pay; but I apprehend that it will be some time before the conferees agree on the revenue bill. Moreover, while one month's extra pay was

proper, I feel persuaded, as I said the other day, in view of the fact that this $100,000,000 is a gift, a bounty, a charity, and I gladly support it, it is going to feed persons who if they come here will come to destroy, not enjoy, our institutions. It is going to men who know nothing, and most of them care less, about civil liberty as we understand it on this continent.

But, as I said the other day, better no charity than that grudgingly given, and so I am going to vote for the appropriation of $100,000,000.

Pardon me for a moment while I repeat what I said the other day. It is doubtful whether we have a right to use public funds for charity, but charity is so sweet, so gentle, and so merciful an attribute that we can not refuse to dispense any charity, especially when it is the other fellow's money that we are giving out.

But, as I said the other day, justice not charity builds government. You can not build governments on mercy and charity. It is justice that makes one love his country.

These young American soldiers of the great war were touched by the mysterious finger of duty. They left their gainful occupations. Many of them will have the currents of their entire lives diverted and changed.

I apprehend that probably 40 or 50 per cent of these soldiers do not at all need this $60 which would be paid to them, but there are many of them who will appreciate it and who can make immediate use of it in obtaining for themselves another position or in reassuring their old positions and putting themselves back again into the activities in civil life they once exercised. Had these young American soldiers not stepped into the breach and hurled back the Huns and saved us from the atrocity of the Bulgar, the Magyar, and the Turk we would have had no charity to dispense. We would have had no law and order and no civil liberty.

Mr. BORAH. Mr. President——

Mr. ASHURST. I yield, but I was going to yield the floor in a moment.

Mr. BORAH. I will wait until the Senator concludes.

Mr. ASHURST. I am glad to yield now.

Mr. BORAH. I was only going to say that I agree with the Senator from Arizona as to the attributes of charity, but I think with the Senator from Arizona also that as to this particular charity the amendment which he now offers helps to make it palatable.

Mr. ASHURST. I do not know what construction my friend places on my remarks. I said twice I regard this appropriation of $100,000,000 as a charity that is going to starving men, men whose infotence and neglect have lost a large amount of the world's supply of food.

Mr. BORAH. I do not disagree with the Senator. I say, then, the Senator regards it as a charity and also regards it as essential to sugar-coat the charity by this amendment.

Mr. ASHURST. If I can sugar-coat a nauseous pill, which pill is good for the physical body, I shall certainly sugar-coat it. I appreciate the humor of the able Senator. I repeat these young soldiers left civil life. They are going to be demobilized. It was wise and proper that they should have their uniforms. The amendment giving them their uniforms is not original with me. That was introduced by the senior Senator from Iowa [Mr. CUMMINS] two or three months ago. It is a worthy amendment, and I am glad it has passed both Houses of Congress. But I do insist, and I feel very earnest about it, that if we can afford, in view of the enormous drains upon our Federal Treasury, to give charity to those who do not understand our Government, do not appreciate it, and do not love it, surely we can do some meed and measure of justice to those American soldiers who have been taken out of civil life and have saved our civilization.

Mr. THOMAS. Mr. President——

Mr. ASHURST. I will yield to the Senator. I yield the floor.

Mr. THOMAS. Mr. President, I had not intended to take any part in this debate, for if the pending bill is to be passed at all, it should be passed as soon as possible. I have not yet determined whether I shall vote for or against it, because I have serious misgivings both as to the justice and the validity of our proposed action; but I can not allow an amendment of this sort to reach a vote without recording my protest against it. It is, in my judgment, the first of a series of measures designed to transform our splendid Army into a huge band of mercenaries, and to define their ideals of duty and patriotism by standards of monetary compensation. It is the introduction of a sinister feature into legislation as one of the aftermaths of this war, the fruits of which will be bitter, if, indeed, they do not ultimately spell financial ruin.

Mr. President, I yield to no man in my devotion to the American soldier, in my recognition of his magnificent performance of his duty, in the breadth and depth of his sacrifice, in the debt which civilization owes to him for its preservation; but I will not believe that an American Army every fought for a money compensation. If so, then duty becomes a sordid subject of financial reward and not of right or of conscience.

Mr. President, if it be true that because of the sacrifices which the soldiers at the front have made for the salvation of our institutions, we should place our hands in the Public Treasury, now almost empty, and take from it $350,000,000 and distribute it among them whether they need it or not—and the Senator says that a great many of them do not need it—why should we not recognize that principle of justice which the Senator invokes for his amendment and reward others who are equally entitled to consideration?

This war, Mr. President, was not fought in the trenches or at the front only. It was fought in this country; it was fought by every man manufacturing munitions; by every man in the shipyards; by every individual engaged in the performance of public service in the city of Washington; by every farmer sowing grain; by every planter raising cotton; by every woolgrower tending his herds and flocks; by every stock raiser increasing his herds; in other words, by every woman and every child engaged in the great work of winning this war in whatever capacity. This was a war not between armies, but between nations. It consisted of the mobilization not of men alone, but of material, of women and children; of the man behind the front as well as the man at the front.

Justice is said to be even-handed, and nothing is justice which is unequal in its operation. Why not, when these people at home have done all these things, give them each a suit of clothes plus $60? Instead of stopping at $350,000,000, why not do this thing by wholesale and devote $3,500,000,000 to this work of representing justice and paying men and women for the performance of their duty.

Mr. President, after all, this money is at our disposal. We can squander it if we will, but it comes from the taxpayer, who also has had something to do with the winning of this war. He labored harder than ever and the burden of his public contributions was multiplied many fold. It its last analysis, with a few exceptions, it falls upon the backs of the producer and the consumer.

Mr. President, if this country has been preserved only to enable us to pass on huge quantities of our revenues obtained by taxes to the soldiers, if we are to bankrupt what war has secured, I have some question whether it was worth saving.

I dread, Mr. President, to contemplate the effect upon the morale in civil life of this proposed congressional policy, which recognizes and establishes a money standard for public service. I by no means would oppose, on the contrary, I would advocate, and do advocate, that this Government care for every man who has, through disease or wounds, been so incapacitated for self-support and for the support of his family, the extremes of liberality; that is an obligation we owe. I want to see the Government exercise itself, as far as it can consistently do, to secure such employment for these men when they come home, but I do not want to look these boys in the face and say, "You have done well; what shall be the size of your tip? Uncle Sam has millions of money and expects to raise millions more; we will pay you in accordance with what you think the measure of your duty commands."

Mr. President, we hear of profiteers in this country and some patrioteers. If this amendment carries we shall soon have an army of pensioneers—a greater army of pensioneers than we ever had before. We may begin this practice of voluntarily giving these enormous sums of money to returning soldiers, but the time is not far distant when they will demand other sums as a right and not as a bestowal of congressional bounty. I do not believe in it.

I am appalled, Mr. President, at the enormous sums which are represented by bill after bill introduced into this Congress appropriating untold treasures for this, that, and the other object. A million dollars used to be a fair average for special appropriation bills. Then it became ten millions, and now it is a hundred millions. A bill was introduced yesterday, I believe, appropriating $100,000,000 for a very desirable object the Secretary of the Interior recommends. The pending bill calls for the appropriation of $100,000,000. And the Senator from Iowa wants another $100,000,000 for employment bureaus.

Mr. President, where are these funds coming from? We are extremely generous and liberal with other people's money; we pay our political debts with public money. We yield to the persuasions, the entreaties, and the threats of our constituents who want money out of the Public Treasury for unnumbered projects, and we give it to them. How long will this thing continue? There is great unrest in the country. Every scheme which can not finance itself comes to the Treasury and finds advocates

either at the other end of the Capitol or here, or both, and inasmuch as under our system of legislation a bill, regardless of its title, may contain legislation of any sort whatever, we load bills down with riders carrying appropriations for objects which are utterly foreign to the mind of the Senator or the Representative who drafted the original bill.

I do not want to see this policy of voting money to soldiers begun, but if it shall be, let us not confine our liberality with the public money to the man who wears the uniform. Let us give it to every man, woman, and child in the country who has served the Nation in its time of need. When you apply this policy of legislation to the present Army, I want to warn the Senate and the public that no man can foresee what the end of it will be. It will increase in mathematical progression as time goes on and taxes will increase correspondingly. While the taxpayer has been quiescent, marvelously quiescent, paralyzed, it would seem by his inaction, you will hear from him sooner or later; he will have enough of it before he lives very much longer; and when he rouses himself I predict that those who have been most liberal with the Public Treasury will be the first to announce their change of heart and seek atonement by insisting upon a frugality so rigidly economical as to arrest the machinery of administration. I trust, Mr. President, that this and all similar bills and amendments will be defeated, in the Senate, at least.

A Senator near me asks the pertinent question, "Have these boys asked for this gratuity?" I do not believe they have. I believe that the young American boy at the front, native and naturalized, feels ample compensation in the consciousness of duty performed in the maintenance of American standards and the contribution of his part to the salvation of his country's institutions.

Mr. KIRBY. Mr. President, I indorse much of what has been said by the Senator from Colorado [Mr. THOMAS], and I am opposed to this and to all other amendments to this bill. The government that adopts a system of procedure that will cause the individual citizen to lose his initiative and depend upon the Government for support and assistance rather than to rely upon himself has done its citizen a great injury, and when it has caused that sort of an opinion to prevail amongst all its citizens it has done itself an injury that ultimately will result in destruction. This is not the time or place, however, to settle our soldiers' compensation, and no Senator here is disposed to be more liberal to them than am I.

But without regard to that, the time has come, it seems to me, when we should proceed about this matter as it ought to be proceeded with. We have finished this war so far as the fighting is concerned, we understand, but the most important part of it still remains to be done; we must settle the matter finally and for the future, for our own and the world's benefit.

Our representative is yonder, in the greatest world's conference of all the ages. Our representative has committed us to this policy; he has said it will improve conditions to such an extent that we may bring about a successful termination of the conference, and that we may procure what ought to be obtained for the United States of America and for the world; that it will conduce and contribute to that end greatly. We have been committed to this policy by the President of the United States of America, the representative of this body and the Nation and of our entire people in the world's peace conference, and it seems to me the time has come when we should treat it upon that broad ground. If we do not propose to support this measure, then vote it down as a whole, but do not tie other amendments on to it. Let it be an expression of the Congress of the United States as to whether we will back up our representative and strengthen and extend his influence in the peace conference, as he has suggested should be done, in order to bring about a successful termination and ending of the war for us and for the world.

We are there insisting upon certain things for the benefit of the nations of the world. We fought this war for the freedom of the seas. Our declaration of war shows that; our entire policy shows it. We have fought other wars for the freedom of the seas, and we will fight yet other wars hereafter, if necessary, for the freedom of the seas for the United States of America if the principle is not properly recognized, adjusted, and concluded by the peace conference now in session in the Old World. That is what we have been insisting upon. Now we are there to finish the negotiations and conclude the matter. It has been thought by our representative that this appropriation will improve the conditions and our standing there; and I repeat that we ought to vote it up or vote it down without regard to anything else or any other question that might be tacked on to it.

There is a growing fear in this country, because of dissension expressed here, that we are not going to insist upon our rights in the peace conference. Why do I say that? Has not the head of the Navy Department of the United States of America already said that we must build the greatest Navy in the world? Why? Because of the fear, evidently, that the freedom of the seas will not be properly safeguarded yonder in the world's peace conference in session now. That sentiment has been voiced by the head of the Navy Department. There has been distrust manifested by the military branch of the Government in saying what? That we must maintain a large Military Establishment, and also by some of the Senators here in saying that we must have universal military training. What is the purpose of it all? In order that we may be prepared and able to protect ourselves against any and all of the nations of the world when the necessity arises, at any and all times. Why have the greatest Navy on earth? Only to protect our rights and secure the freedom of the seas, which can and should be safeguarded in the world's peace conference. Freedom of the seas means that all of our merchantmen, all our liners, and all our Navy shall have the right to the unrestricted use of all the seas of all the world in peace times and in war, subject only to those well-defined rules and practices that have from long usage grown up, been adopted, recognized, and established by international law and such others as shall be determined upon by the peace conference now in session. If we shall have the greatest Navy in the world, it will make no difference to us, of course, about the principle of the freedom of the seas. That is the condition that confronts us yonder. Our representatives are on the ground; our treasure has been expended; our soldiers have nobly laid down their lives at our country's call; the war has been fought and won; and now let us conclude the peace terms and close it out successfully. Our representative, the President, has said that it can best be done by this contribution to alleviate the starvation and want of the people of the nations of the world, who must have help now, and we are the people to supply it. Shall we disparage the influence of our representative, the President of the United States, by refusing to follow his recommendation at the very time when it ought to be greatest?

We are committed to this policy by him, we are committed to this recommendation; we are able to carry it out; I believe it will be worth the money; and I say here to-day and now that we ought to pass on this bill alone, by itself, absolutely separate from all other questions, and either vote for it or vote against it; and, so far as I am concerned, I am going to vote for it.

Mr. JONES of Washington. Mr. President, whatever my personal views may be with reference to the amendment of the Senator from Arizona [Mr. ASHURST], I do not believe that it ought to be put on this bill. We have already acted along the lines of the amendment, not going so far, however, as the Senator from Arizona would go, and probably not so far as I would go; but, as I have said, I do not think that it ought to go on this bill.

In connection with certain discussions that have been had with reference to it, I think it quite appropriate that I should read a letter that I received this morning from a soldier with reference to the proposition involved, and especially referring to a proposition being advanced in the country, which seems to have a great deal of support behind it. It is being urged very strenuously that the Government of the United States should pay $300 to every soldier upon his discharge. I am getting letter after letter urging this. I received several such letters this morning.

As I have said, I have a letter here from a soldier which I wish to read. I believe that it expresses very largely the views of the soldiers themselves, and I am going to read it. It is dated January 15, 1918, but it evidently means 1919, and is from a place in my State.

> I might preface my remarks by saying that I am a returned soldier, and as such I believe my opinion has more weight than that of a number of people who are advocating giving the soldiers who are discharged something for nothing. I refer to the agitation to give each man $300 to assist him in reestablishing himself in civil life. It is my opinion that while each man who is discharged should receive some extra compensation, that sum of money, above mentioned, given to the men would serve more to promote idleness than to encourage a keenness for seeking positions of usefulness in civil life.
>
> The men in the camps awaiting their discharge are at the present time practically wasting their time doing "bunk" fatigue, as we called it, and idleness started in this manner should receive no further subsidy after a man is discharged.
>
> I do not believe, however, in the present policy of sending the men away from the camps practically penniless, because a fellow needs about $100 to outfit himself with civilian clothing and support himself during a reasonable period of time prior to employment.
>
> A sum which is comparatively small to the $1,200,000,000 necessary to pay each discharged man $300 could be spent far more effectively in enlarging the activities of the Federal Bureau of Labor, and cooperating with the States in reclaiming lands, stimulating land settlement, and making permanent public improvements, and in many other ways adding to the employment of returned soldiers, unable otherwise to secure work.

This man does not even ask the Government to give them that gratuity of $100. He says that they are ready and willing to work for it.

When I entered the service I sacrificed much, but feel that the self-satisfaction from making the sacrifice would be largely counteracted by any money I am not entitled to now. When I was discharged I felt that all the country owed me was enough money to get out of the uniform and support for a month while I was locating some work which I was fitted to do.

That letter comes from a returned soldier. He signs his name to it. I shall not put the name in the RECORD, however.

Mr. THOMAS. Mr. President, I was going to ask the Senator to put the name of that writer in the RECORD, because he is a typical American soldier and I think deserves the thanks of the Senate for expressing himself so candidly and so patriotically upon a very important proposition.

Mr. JONES of Washington. He signs his name. He does not give it in confidence. He does not ask me to withhold his name, and I appreciate the suggestion of the Senator from Colorado and sympathize with it; but I also know what he might be subjected to if his name were published, and I believe I shall withhold the name at this time, at any rate.

Now, Mr. President, I am going to take just a few minutes in connection with the bill.

I do not know of any measure that has disturbed me so much as this measure. The more I examine the detailed reasons given for the passage of the bill the less reason I find for voting for it; and yet, when I look at the situation as it is, I am rather inclined to think that I shall support it, but not on the grounds of charity; not upon the detailed reasons set out in the various cablegrams that have been read to the Senate as to why it should pass, and what it will accomplish, and what it will bring about. I do not believe that the passage of this measure will hinder the growth or development of bolshevism. Really, I am afraid that it will encourage it rather than retard it, for reasons that I shall not take the time of the Senate to go into; but, Mr. President, this is the situation as it appears to me:

The war, no matter what we may say, is not yet ended. It has not been concluded. The President of the United States is striving to secure a peace that will conclude the war. He is our constitutional representative, acting within the limits of the Constitution and, I think, within the powers given to him. He has seen fit to place himself upon the peace commission, and he has gone to Europe to negotiate, upon the part of the United States, a peace that will conclude the greatest war that the world has ever experienced. He is there as our representative. As a matter of fact, he is our real representative on that commission. The other members of the commission are simply puppets or dummies upon the commission. The President is the commission. Whatever he says, so far as the action of this country is concerned, will be done. He represents us and our country. Now, he says to us this in his cablegram:

Food relief is now the key to the whole European situation and to the solution of peace.

Mr. President, I may not agree with that utterance; I may not believe that the President is right in expressing that opinion, or that his judgment is correct, but he is on the ground. He ought to know the situation better than I do; and as the representative of this Government, as the Commander in Chief of our Army, as the constitutional representative of this country in the negotiation of a treaty of peace, he solemnly states to Congress that the food situation is the key to the solution of peace, and he asks us to pass this measure as a measure to help in bringing about peace. In other words, he asks the passage of this bill as a war measure, as a measure to properly conclude this war.

I have voted during the conduct of this war for many measures the wisdom of which I doubted. I have supported every proposition that was considered necessary and essential to the proper prosecution of this war; and if the President is right in this statement, this measure is just as essential as a war measure, as a measure to conclude the treaty of peace that we hope will end war hereafter, as any other measure that has come before Congress during the last two or three years.

Mr. President, if I vote for the measure—and I rather think now that I will—it will be solely upon that ground. I hope the amendments that have been put in the bill will be eliminated. They ought not to be in this measure. If this is necessary, the President ought to have it without any strings on it. If it is not necessary, if we do not believe that it ought to be passed, then we ought to reject it outright.

Now, Mr. President, I am going to take the time of the Senate for just a few minutes to discuss briefly a matter that was referred to incidentally yesterday, a matter that I think is of tremendous importance, and the facts regarding which the American people should know.

I am not disposed to criticize the administration for every mistake made in connection with the war. Mistakes were bound to be made in the carrying on of such a huge undertaking. We may justly be more critical now, although mistakes will occur now for which no one can be justly blamed. The winning of the war, however, will not now furnish an excuse for failures that common prudence and reasonable business judgment would have avoided.

There is a great deal of talk about reconstruction and the problems of reconstruction. The problems that confront us are not the problems of reconstruction, but the problems of readjustment. Our cities, properties, and industries have not been destroyed. Growth and development have simply been stopped or checked. Industry, energy, and resources have been diverted from their usual activities into war production and activity. The problem now is to readjust and get back to normal.

Labor must go from war work to peace work. Its hours must be rearranged. The demand for it will doubtless affect wages. Capital must seek new lines of employment. Its use and activity will depend much upon the prospect of a good return. Its activity will greatly affect labor. If capital is idle, labor is unemployed.

There is much agitation now for undertaking all sorts of governmental works in order to furnish employment for war workers and returning soldiers. We may have to resort to some such means as a sort of reservoir to care for surplus labor until reasonably normal conditions come about. Whenever and wherever capital desires to make a legitimate investment that will employ American labor and demand American material, can anyone imagine a good reason for denying it the privilege of doing so?

Governmental agencies, however, are doing that very thing right now, and I hope this will receive attention. It deserves attention. It deserves the attention of Congress, and it seems to me it ought to command the attention of the people of the country, when they know what is being done. With men by the thousands going without work, capital is denied the right to engage in work that would employ thousands of laboring men and keep them employed for months to come. For such action I can see no justification. It is more than a mistake. It is utter incompetency. The facts are undisputed, and the responsibility is clear. I propose to call to the attention of the Senate and of the country a few of these facts, and I also propose to show where the responsibility lies.

We are engaged in carrying on a great shipbuilding program. Three billion or more dollars of the people's money are being put into shipyards, docks, and ships. The old American spirit that helped put American ships in every port and our flag on every sea is awakening. With an eye to the future, American capital has gone into American shipyards or is ready to go into the shipbuilding industry, notwithstanding governmental activities. While the war was on these yards were a great national asset. Now that the war is closed why should they be denied work that seeks them and that would in no way interfere with the Government's program?

What are the facts? When the war ceased Norway wanted a million tons of wooden ships built. Her tonnage had been ruthlessly destroyed. She wanted to replace it. To her seafaring people the world's sea commerce was most inviting. Her capitalists came to our shipyards. The yards were ready to build these ships, but permits to build for foreign account had to be secured from the Shipping Board. They could not be secured. These contracts went to British builders. American labor was idle, American capital unemployed, American material unused.

On December 6, 1918, the Shipping Board removed the restrictions against building wooden ships for foreign account without a permit, and since then American yards can build wooden ships for foreign accounts without waiting for permission from the Government. This opportunity is gone, however. One or two hundred millions of dollars that should have gone to our labor and producers has gone to a foreign country that was wise enough to act for her own interests as soon as the war closed. Forty wooden ships are to-day building in British Columbia that would have been built at Tacoma, Wash., if a permit could have been secured. Is this a mere mistake? Is there any reasonable excuse for it? Thousands of American laborers are idle who would have had months of employment at good wages. Does this aid in reconstruction, in readjustment?

There are idle shipyards in this country to-day. Capital wants to let contracts for the construction of steel ships. These idle shipyards can not take these contracts. Why not? Because these ships are for foreign account, and these yards can not take

contracts for foreign account without a permit from the United States Shipping Board, and the United States Shipping Board will not give the permits. Perhaps it would be better for me to say it can not give them, for the reason that I shall show just a little bit later.

Mr. WEEKS. Mr. President, I wonder if the Senator is going to refer to an article that appeared on the first page of the Washington Post this morning, which indicated that there was a difference of opinion between the President and Mr. Hurley as to what the policy should be in this matter.

Mr. JONES of Washington. Mr. President, I did not intend to refer to that article. I saw it. It is the surmise of a newspaper man. He does not know anything about it. There are all sorts of surmises around here as to why this policy is being pursued. I have had no intimation from any source that Mr. Hurley believes differently, or believes in a different policy; but I have an authoritative statement showing how the other members of the Shipping Board feel about it, and I shall refer to it a little bit later on.

The Foundation Co. put in a wooden-ship yard at Tacoma, Wash., and other yards elsewhere. This yard was put in with French money and took a contract to build 20 wooden ships for France. It completed its contract a short time after the armistice was signed. France wants steel ships. She wants them in a hurry. She began negotiations with the people who had invested their money in the shipyards at Tacoma and Portland and at other points in this country. She wanted one hundred and fifty 8,800-ton ships. These wooden-ship yards could be converted into steel yards in 60 days. The owners wanted to do it. They could not get a permit, however, to build these steel ships. The Tacoma yard is idle to-day, although it is anxious to construct these ships. American labor is unemployed and American material is unused. I am reliably informed that the French have let contracts to British shipbuilders for over 300,000 tons of these steel ships, and it is very likely that contracts will soon be let for the whole amount. Our policy may be wise, but I can not see it. The American people may applaud it, but I do not believe so. Such a course may assist in readjustment, but it seems to me it will make it more difficult.

The Norway-Pacific Construction & Dry Dock Co. has put in a splendid yard at Everett, Wash. I had an opportunity to visit that yard two or three months ago. It is up to date in every respect. They have invested hundreds of thousands of dollars in getting ready, hoping, of course, to get contracts from the Government for the building of ships as well as contracts from private people. It is ready and anxious to build ships. It can get no contracts from this Government. Norwegian interests are anxious to give it contracts for several large steel ships, ships of 12,000 tons and over, costing a million and a half or two million dollars. It can not take them because it can not get a permit from the United States Shipping Board. That shipyard is idle.

Mr. HARDING. Mr. President——

Mr. JONES of Washington. I yield.

Mr. HARDING. Does the Senator know of any good reason why these permits should not be granted?

Mr. JONES of Washington. I am going to give the reasons in just a little while.

The labor of that community is unemployed, and these contracts will doubtless go to another country and the employment of other labor.

I want to read an extract from a letter that I received the other day from this company. It says:

Our yard is now practically completed and we are in a position to take on contracts for three years' work the minute we are authorized to construct for foreign account, and, as you know, our yard will alone employ from three to four thousand men, and as we are going to give preference to returned soldiers, there seems to me to be an additional legitimate reason why the Shipping Board should act.

Talk about the necessity for reconstruction and the necessity for readjustment, where is there a better aid to readjustment and reconstruction than to permit our capital to work when it wants to work and when demands upon it are being made that it can fulfill?

Mr. President, Italy wants steel ships built. She needs as many as France. Her capital has come to our shipyards. It has sought contracts from them. They can not build for her. Why? They can not get any permit from the United States Shipping Board.

I may be wrong, but it seems to me almost criminal that our people can not take these contracts. It is past belief that any Government would deny to its labor and its capital such opportunities for employment. Contracts of a half billion dollars or more would have been let in this country for this kind of work if this policy had not been pursued.

Why does the United States Shipping Board follow this policy? Why does it deny these permits? Why does it not aid in our readjustment problems by allowing these hundreds of millions of foreign capital to come in here and employ our labor and buy our materials? Let it speak for itself. In a letter to the Commerce Committee of the Senate regarding S. 5292, "Making it unnecessary to secure permits from the United States Shipping Board for the construction of ships in American shipyards for foreign account," introduced by me, it says, through its acting chairman:

Now, listen. This comes from the Shipping Board itself; and I have the letter in my hand, dated January 18, 1919, addressed to Hon. DUNCAN U. FLETCHER, chairman of the Committee on Commerce, United States Senate, signed by John A. Donald, acting chairman. He says:

I may say that ever since the signing of the armistice the board has been constantly giving its interested attention to the subject touched upon by this bill. Those of us who are here—

And, Mr. President, the great majority of that board is here—

Those of us who are here are quite firmly of the conviction that permission should be granted to American yards for construction therein of vessels for approved foreign account.

So the United States Shipping Board would grant these permits. It would remove these restrictions. Why does it not do it? Woodrow Wilson, President of the United States, will not let it do it. How do I know that? In answer to my resolution, Senate resolution 389, the United States Shipping Board, called on for information with reference to these matters, submitted a report. The report is now in the hands of the Senate, Senate Document 334, that any Senator can get. The Shipping Board says, and it refers to this in the letter to Senator FLETCHER:

On the same day war-time restrictions upon the construction of steel ships in American yards—

Referring to the date when the restrictions were removed with reference to the building of wooden ships—

On the same day war-time restrictions upon the construction of steel ships in American yards for domestic account were removed, but the restriction upon such construction for foreign account have not been removed.

Listen!

This restriction remains in force temporarily by direction of the President, whose delegate the Shipping Board is in the exercise of his authority.

There is the reason why the Shipping Board, notwithstanding its firm belief that these restrictions should be removed, does not remove them.

Mr. President, I shall not speculate upon why the President does not remove these restrictions. I shall not speculate as to why he prevents our people from getting these contracts and allows the contracts to be turned to foreign yards that will be competing with us not only in the building of ships but in the operation of ships in the world trade in the very near future. He has not thus far seen fit to give any reasons to us or the people for this policy.

Mr. President, we were asked to give up our just rights in the Panama Canal to help the President solve mysterious problems between this country and another country. We did it, and to this day no one knows what benefit it was to us.

Mr. POINDEXTER. Mr. President——

Mr. JONES of Washington. I yield to my colleague.

Mr. POINDEXTER. In this connection, at the time that under the peculiar request of the President Congress repealed the so-called free-of-tolls law, which had been placed upon the statute books, giving the benefit of this great waterway to American ships, it was asserted that treaties which we had with Great Britain required American ships to be upon the same basis as foreign ships. The sham and the fiction in that proposition is obvious from the fact that to-day and at all times since that proposition has been made American naval vessels pass through the canal without paying toll, while the naval vessels of other nations are required to pay toll, thereby demonstrating in actual practice that they do not believe and do not put into effect the proposition that there is any treaty requiring ships of America to be put upon the same basis as those of foreign nations.

Mr. JONES of Washington. My colleague is entirely right. After the armistice was entered into, and the war was practically over, Mr. Redfield, Secretary of Commerce, recommended that the United States should stand back and allow other countries to have the first chance at the world's export trade in order that they may rehabilitate themselves.

That seems to be the policy of reconstruction and readjustment that this administration would follow. It does not make any difference what the party designation of the administration is, I ask is such a policy in the interest of the American people

and American industry and American labor? Does it meet, can it meet, with the approval of any patriotic American?

And now, when we are confronted with the perplexing problems of peace, the President himself refuses to permit our shipyards to take contracts to build steel ships for foreign account. Foreign shipbuilding contracts are sought in American shipyards. These shipyards can not take these contracts because they can not get a permit to do so from their own Government. American shipyards are closed. American labor is idle. American resources are unused. Hundreds of millions of foreign capital wanting to come here is directed to foreign countries. Why? Because an American President, using the power given to him to carry on the war, refuses, for undisclosed reasons, to permit our people to take these contracts and build these ships. No reason is given to justify this action. None can be given to justify it.

It may be all right to try to rectify all the wrongs suffered by any country or people in Europe. It may be necessary to appropriate millions of dollars to enable the President to consummate a peace in harmony with his idealistic hopes and aspirations, but while we are doing this we have a right to ask him to have some regard for the rights and interests of our own people. Other peoples and governments are looking after their own interests. They expect us to look after ours, and our people have the right to expect and to demand that an American policy be followed, protecting, safeguarding, and promoting the rights, interests, and welfare of the American people, labor, and industries.

Mr. ASHURST. Mr. President, in reply to the distinguished Senator from Washington, he will bear in mind that my amendment is not an amendment proposing to pay $300.

Mr. JONES of Washington. No; I understood that.

Mr. ASHURST. I now ask unanimous consent to further perfect the amendment. I strike out the words "90 days" and insert "60 days," so that it will be only 60 days' pay. I wish further to perfect the amendment by adding at the end of the amendment the following proviso:

Provided, That payments made hereunder shall be confined solely to privates and noncommissioned officers.

I do not wish to say anything further.

Mr. THOMPSON. The two Houses of Congress have already passed a bill providing for one month's pay?

Mr. ASHURST. Yes.

Mr. MARTIN of Virginia. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	Moses	Smith, S. C.
Bankhead	Hollis	Nelson	Spencer
Borah	Johnson, S. Dak.	New	Sterling
Calder	Jones, N. Mex.	Nugent	Swanson
Chamberlain	Jones, Wash.	Overman	Thomas
Colt	Kenyon	Page	Thompson
Curtis	Kirby	Pittman	Townsend
Fletcher	La Follette	Poindexter	Trammell
France	Lenroot	Pollock	Underwood
Frelinghuysen	Lewis	Pomerene	Warren
Gay	McKellar	Sanisbury	Weeks
Gerry	McLean	Shafroth	Williams
Hale	McNary	Sheppard	Wolcott
Harding	Martin, Ky.	Smith, Ariz.	
Henderson	Martin, Va.	Smith, Ga.	

The VICE PRESIDENT. Fifty-eight Senators have answered to the roll call. A quorum is present.

Mr. McLEAN. Mr. President, so many reasons have been urged by my colleagues in opposition to the pending bill that seem to me to have no bearing whatever upon the merits or demerits of the measure that I desire to state my reasons for voting for it. I think I can do so in a half dozen sentences.

It is an opportune time, no doubt, to call the attention of the Senate to the fact that there are a great many people in this country to-day who feel that our official charities, our national charities, are beginning and ending a very long way from home. We have given by voluntary contribution hundreds of millions of dollars to save our friends in Europe from disease and hunger. We have loaned to our allies billions of dollars for the purpose of enabling them to sustain their fighting strength during the war and to sustain their industrial fabric after the war until it can be readjusted to peace conditions. I am informed that the munition factories in France are still in operation, and that the bills are being paid with money which we have loaned to France. It is not strange, therefore, Mr. President, that the fifteen or twenty thousand munition workers who have been summarily discharged from the munition factories in the State of Connecticut should wonder why this Government should not be able to extend to them the same consideration that the French Government is extending to its war workers. If it had not been for the munition workers of Connecticut, the Germans would have been in Paris by Christmas, 1914.

We have been informed in this debate that there are two or three hundred thousand men in this country who have already been discharged from their employment and are unable to find reemployment. I know that Mr. Gompers, the president of the American Federation of Labor, testified only a few days ago before the Committee on Education and Labor that little or nothing had been done to carry labor from a war to a peace basis; to use his exact language, he said that we were worse prepared for peace than we were for war when war was declared. This situation is to be lamented; there is no doubt about that. The lack of vision and the surplus of incompetency that has characterized the executive departments of this Government for the past six years are to be regretted; but it does not seem to me that this fact argues that Congress should abdicate its responsibilities in the premises. The fact that we have left undone in this country a great many things that ought to have been done does not argue that we should continue that policy in this country or extend it across the water.

I do not look upon this appropriation as a charity. I look upon it as a war measure. If the President accomplishes what he tells us he expects to accomplish, it will be the best investment that the United States of America has ever made. As a taxpayer, and, I believe, representing the taxpayers of this country, I shall vote for this bill because the taxpayer knows that it is a great deal cheaper to buy peace than it is to fight for it, if it can be done honorably—and there is nothing dishonorable in acting the good Samaritan.

We hope that the war against imperialism has been won. It has been a war of destruction; it has cost the allies, including this Government, more than $100,000,000,000 and more than 10,000,000 precious lives. Now, it seems to me, Mr. President, that it will be very much wiser for the United States to invest a hundred million dollars a month for the next two or three months if it is necessary to win the war that is now on—the war against anarchy and ignorance—than it will be to decline to do it until possibly our honor is again involved, for that will mean the killing of more American boys and the expenditure of billions of dollars. We have had enough of that. It seems to me, sir, that this is no time for penny wisdom. We must see this thing through, for every taxpayer in this country knows, and I think every patriot knows, that if ignorance and anarchy are permitted to throttle democracy in Europe in the next six months there will be no peace anywhere for anybody during the next 25 years. That is the reason why I shall vote for this bill.

I believe this legislation is wise from a purely humanitarian standpoint, but I also believe that it is wise as a pure business proposition. I think it is wise because I do not see how we can expect to fulfill the mission which we undertook in April, 1917, unless within the next few months we secure not only armed peace but also industrial peace in Europe.

It is all very well for the eloquent Senators who have preceded me to state their belief that we ought to have an American policy; that we ought to protect our soldiers, and so forth. So we ought, and we are trying to do it this morning. We ought to protect our civil liberty in this country, as was so ably presented by the distinguished Senator from Ohio [Mr. HARDING] yesterday. All these things we ought to do, but in doing them why should we postpone a simple proposition like that presented by the President of the United States, calling for what I believe to be a wise investment, an insurance that within a reasonable time we may expect to have industrial peace and law and order established in Europe, without which the future of this country might be such that I dare not attempt to describe it?

The Senator from Pennsylvania [Mr. PENROSE] has introduced an amendment, the purpose of which is well enough, but the effect of which will be to postpone ultimate action upon this measure beyond the time when it will do any good. He ought to know that, if it is adopted, it will not in any way change the personnel of the men who will administer this fund. The President will nominate Mr. Hoover as the chairman of the commission, and he will either be confirmed or this bill will never become a law. For that reason I shall vote against the amendment. I believe that time is the essence of this transaction if it is to be of any benefit to this country.

Mr. TOWNSEND. Mr. President, like other Senators, I have had much difficulty in making up my mind as to how I should vote on this measure. When it was first submitted to the House, indeed after it came to the Senate, my heart prompted me to support it because I confess that I looked upon it more as a matter of charity than in any other light, and I knew there must be great suffering in Europe; but the discussion of the matter since it has come here has disillusioned me. Now, its proponents all claim, I believe, that charity has nothing to do with it; that we are about to vote this appropriation upon the request of the President, because he has stated that this action is necessary in order to enable him to carry out his plan as the representative of this Government at the peace conference.

I have read his reasons, if they can be called such, as stated in his cablegram, in which he says that food is now the key to the situation, because Bolshevism can be stopped not by force but by food. I take it, therefore, that this is the object he has in asking for this appropriation. It seems to me scarcely thinkable that any amount of money which we might appropriate now would stop Bolshevism, because, if it is simply a proposition to buy off the people who are against law and order, the money which they thus easily obtain will have to be duplicated many, many times, and we shall get no such results as are anticipated, and this appropriation is but the beginning of a scheme involving the expenditure of billions of money.

Since the war began I have voted, as other Senators have, for very many measures on the ipse dixit of the President. We have felt in our hearts that many of those measures were wrong, and I submit that experience has demonstrated that we were right; but yet we were told they were necessary to win the war, and therefore we were practically coerced into supporting measures which our judgment told us were not proper ones to pass.

The President has said several times that the war is over, and yet he now presents this proposition to us as a war measure. We knew nothing about what the policy of the President was when he started on his self-appointed mission to Europe. We have learned nothing authentic about it since. We know more about royalty in Europe than we ever heard of before, and of the overloads of generosity to our President and his estimable wife, but we know nothing of the peace plans. We read now and then of secret conferences that are being held by our President and certain prominent people in Europe, but "open covenants openly arrived at" have not been obtained and, it seems to me, have not even been seriously attempted; so that the Congress of the United States knows absolutely nothing about what policy the President may have in mind. It is this doubt which causes me to hesitate in this matter.

It is claimed that he is over there for the purpose of setting up governments. There are many eminent Senators in this body who believe that that is a proper thing to do. I have never had any sympathy with that idea myself, Mr. President, because I have felt that our business after destroying the Imperial German Government was here at home, and that we could not afford to set up governments all over Europe, doubtful experiments, to be maintained by armed forces supplied by citizens of the United States. I think it will develop into a very bad policy; and yet, if we are to believe the press and the advocates and the supporters of the President here, that is one of the things the President is trying to do.

It was reported that he was passing over Europe for the purpose of creating public sentiment in Europe in favor of his ideas of what ought to be done at the peace convention. I have forgotten who it was, but one Senator expressed my thought, on yesterday, I think, when he asked, What would we think here in the United States if that conference had been called at Washington and peace representatives of France, Japan, and England were here traveling through our country addressing our people for the purpose of creating sentiment in favor of such propaganda as they might see fit to inaugurate? I have felt that it was the duty of our representative—because we have only one—to go to Europe to confer with the representatives of the allied nations, not to confound them by inciting public opinion against them.

Mr. LEWIS. Mr. President——

Mr. TOWNSEND. Did you notice this morning in the press—I have not the paper with me, but Senators will recall its glaring headlines in the Post—where it was stated "Wilson, France, and England" are conferring over the disposition of Russia?

The PRESIDING OFFICER (Mr. HITCHCOCK in the chair). Does the Senator from Michigan yield to the Senator from Illinois?

Mr. TOWNSEND. In a moment. Think of the proposition for a minute. An individual is named—not the United States but "Wilson," as the paper calls him, in conference with France and England! Our one representative over there, whose plans and policies are unknown to the people of the United States, suggests this doubtful proposition, as it seems to me, which proposes to appropriate $100,000,000, not for charity, not to relieve the suffering people of Europe because they are suffering, but to be used as a bribe for the purpose of buying Bolshevists into good behavior.

Now I yield to the Senator from Illinois.

Mr. LEWIS. Mr. President, in justice to history, and conscious of the very eminent fairness of the able Senator from Michigan, replying to the observation which attracted the Senator's attention, asking what our people would think if some foreign representative came to us to inculcate his doctrines, I beg to call the eminent Senator's attention to the fact that we sent Henry Ward Beecher, one of the eminent divines of the earth, to England, and there he espoused and presented the cause of our Republic and the doctrines of Mr. Lincoln to the people of England, with a view of avoiding their sympathy with those who were seeking secession and destruction of the Republic.

I also invite my eminent friend to recall that Kossuth, of Hungary, came to this country, and was entertained, as he should have been, to present the doctrines of liberty for people rising against an imperial despotism, and we received him gladly, as I am sure any other delegate upon a similar mission would be received.

I merely ask my able friend, knowing his eminent fairness and scholarly attainments, if he does not recall those illustrations as very pertinent to the occasion?

Mr. TOWNSEND. I do, Mr. President, now that the Senator has brought them to my mind; but the cases are not parallel. Beecher was sent to a neutral nation that was not interested in a controversy between the two divisions of the United States. It was perfectly proper to create sentiment in favor of a proposition on the part of neutral nations; but France and England and Italy are vitally interested in the questions that we are interested in, and have all selected delegates to meet in common council to represent their Governments. In my judgment, it is entirely improper for a representative of this Government to that conference to try to influence the constituents of the representatives at the peace conference of a foreign country. The cases are entirely different.

But, Mr. President, I do not wish unduly to criticize the President, although now it seems to me the ban is off, and we as a Congress ought to act according to our judgment. We have a right to demand that there shall be light thrown upon this subject before we vote these hundred million dollars. The Senator from Connecticut says it is a cheap investment to appropriate $100,000,000 for the purpose of establishing law and order in Europe. Oh, indeed, it would be. If that were assured, if that were the probable outcome of the investment, I should say by all means it was the proper thing to do. I feel sure it will not even contribute to that result.

Mr. SWANSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Virginia?

Mr. TOWNSEND. I do.

Mr. SWANSON. I hope the Senator desires to be fair in stating the proposition of the President. As I understand, the proposition of the President resolves itself into two heads. First, he states that there is a necessity for food, there is starvation, there is want, in Europe. He makes that proposition. He is there. He has made an investigation. On the question of charity alone, it seems to me, we should respond to that. But he goes further. Outside of a question of charity, the self-interest of the world demands that a condition of starvation, of lack of food, of want, should be eliminated, because if it is not, the people who are in want, and starving, and lack food, are dangerous. They have Bolshevism. They are anarchistic. Consequently, the President submits to the American people two propositions. From the standpoint of charity this should be done. From the standpoint of self-interest alone it will be wise to make this appropriation. It seems to me that would be a fair interpretation of the President's message.

Mr. TOWNSEND. Mr. President, the junior Senator from Virginia is the only proponent of the measure whom I have heard who admits that one of the objects of this bill is charity. Every other man whom I have heard—I presume there are other Senators who have said it; perhaps the chairman of the committee did, but I did not hear his statement—all of the other Senators who have spoken on this subject, in favor of the appropriation, said that it was not charity and that they would not support it if it was.

Mr. SWANSON. I am not discussing the other Senators. I am not discussing what other Senators say. The Senator was criticizing the position of the President of the United States. I say that any fair, just interpretation of his message would have two points in it. There is want, there is lack of food, there is starvation, in Europe. Charity ought to justify us in

making the appropriation. But, further than that, the President takes the position that even if we did not do it for charity, wisdom, sense, and judgment require us not to have Europe in a state of starvation, because starvation produces anarchy; starvation produces conditions that are opposed to order and the best interests of humanity. It seems to me that any fair interpretation of the message sent by the President would convey those two ideas.

Mr. TOWNSEND. Mr. President, in the discussion of this question I have been trying to answer some of the arguments that have been presented in favor of the passage of this measure; but, as the Senator suggests, I certainly do not wish to be unfair to the President. As disclosed by his cablegram to his private secretary, Mr. Tumulty, he said this—it has been placed in the RECORD several times:

> I can not too earnestly or solemnly urge upon the Congress the appropriation for which Mr. Hoover has asked for the administration of food relief. Food relief is now the key to the whole European situation and to the solution of peace. Bolshevism is steadily advancing westward, has overwhelmed Poland, and is poisoning Germany.

I supposed that Germany was about as thoroughly poisoned as it was possible to imagine; and if this argument is of any effect, that you are going to stop the spread of Bolshevism—because that is the object of this appropriation, whatever the Senator from Virginia may state; the object is to bring about peace through the checking of Bolshevism, which——

Mr. SWANSON rose.

Mr. TOWNSEND. I will ask the Senator not to interrupt me until I finish this statement—which the President states has spread over Poland and is poisoning Germany; and yet Germany is one of the parties to be considered in this peace convention. It is to make a peace growing out of the war with Germany; yet Senators admit here that no part of this money must be expended in Germany. No part of it must be expended there, but the poisoning process must be continued, for by amendment the money can not be used to check Bolshevism or to prevent starvation in the central governments. Yet, I submit, if there is any logic at all in this proposal, if there is any reason for this appropriation, some of it ought to be spent in Germany for the purpose of feeding people there and stopping Bolshevism, in order that a government may be established which can be dealt with by the United States; for whatever treaty is made affecting all the nations of Europe, it must take in those governments which will grow out of Germany when it is reconstructed.

Mr. SWANSON. Mr. President——

Mr. TOWNSEND. I yield now for a question.

Mr. SWANSON. I was suggesting that the Senator had not entirely interpreted properly the message of the President. He says the issue in Europe is food. Lack of food encourages anarchy and Bolshevism. Now, those are the two propositions, it seems to me, from the very sentence that the Senator read from the message of the President.

Mr. TOWNSEND. I will put it all in, and let the Senate and the country decide whether I am right or wrong in my interpretation.

Mr. SWANSON. Let me ask the Senator this question: If Germany is not included, the Senator can correct that very easily. If that is the reason why he does not favor it, he can very easily correct that by offering an amendment to include Germany.

Mr. TOWNSEND. No; I do not oppose it for that. I do not favor it at all; but I say the bill has already been amended so as to exclude the expenditure of any money in Germany, Austria, Bulgaria, or Turkey.

Mr. SWANSON. But if the Senator thinks that is wrong, he can offer an amendment to correct it.

Mr. TOWNSEND. I do not think it is wrong.

Mr. SHAFROTH. Mr. President, will the Senator indicate from what page of the RECORD he is reading?

Mr. TOWNSEND. I am reading from page 1753. I supposed that everybody had read the President's message to his secretary. I desire, Mr. President, to have the whole of that cablegram inserted. I read only part of it. I want it all printed in the RECORD, so that the RECORD may be complete on that subject.

The PRESIDING OFFICER. Without objection, the request will be granted.

The matter referred to is as follows:

PARIS, *January 11, 1919.*

TUMULTY,
The White House, Washington:

Please convey following confidential message to Senator MARTIN and Congressman SWAGAR SHERLEY:

"I can not too earnestly or solemnly urge upon the Congress the appropriation for which Mr. Hoover has asked for the administration of food relief. Food relief is now the key to the whole European situation and to the solution of peace. Bolshevism is steadily advancing westward, has overwhelmed Poland, and is poisoning Germany. It can not be stopped by force, but it can be stopped by food, and all the leaders with whom I am in conference agree that concerted action in this matter is of immediate and vital importance. The money will not be spent for food for Germany itself, because Germany can buy its food, but it will be spent for financing the movement of food to our real friends in Poland and to the people of the liberated units of the Austro-Hungarian Empire, and to our associates in the Balkans. I beg that you will present this matter with all possible urgency and force to the Congress. I do not see how we can find definite powers with whom to conclude peace unless this means of stemming the tide of anarchism be employed."

WOODROW WILSON.

Mr. TOWNSEND. I also desire to insert, in connection with the reference that I made a little while ago to an article in the Post, which has just been handed me, the heading of the article in the morning Post, on the first page.

The PRESIDING OFFICER. Without objection the request will be granted.

The matter referred to is as follows:

Wilson, France, and England to Present League Memorials. (By the Associated Press.) Paris, January 21.

Mr. TOWNSEND. Mr. President, I do not like to stand in the Senate or elsewhere and protest against sending relief which this country can afford to send under proper conditions to distressed people anywhere. There may be some doubts as to our constitutional power to do that as a matter of charity, and yet it appeals to my heart very strongly; but the reasons which have been given in support of this proposition do not meet with my approval—scarcely any of them at all, in fact—and I do not wish to carry on further this practice or custom of voting the people's money to and conferring power upon the President simply because he demands that it be done. I want information. I think we have a right to know what is to be done with the appropriation and why and where it is to be expended. The Senate can no longer stultify itself by stifling its judgment and abandoning its prerogatives.

I could dwell to great lengths upon the financial needs of our country at this time, although I think our Government is able to grant this money if it is necessary and at the same time supply the necessities of our own people; but the fact is that we are neglecting our own home interests, and that condition will continue so long as this peace parley lasts. More than 10 weeks ago the President and his party landed in Europe. What has been done there we only know from conflicting newspaper reports. All agree, however, that our distinguished President has been royally entertained. There have been held secret conferences by separate little groups throughout Europe. Up until a few days ago, however, the conference had not been convened. During the last week meetings of an hour's length have been held almost daily. If we are to have normal conditions restored in this country, this peace question must be settled, the plans of which are entirely locked in the brain of the President, so far as our interests are concerned.

The country has a right to know what is going to happen over there in Europe, and the sooner it is known the better. When we pass a bill here at present we have to send it by special messenger across the sea over to the President, and after he has considered it in due course of time it comes back. I do not know how many emergency bills have been enacted weeks ago that have not yet been approved, but I believe there are many. The President ought to finish his business at Versailles, which is the peace treaty, settling the war with Germany, and then leave all other questions to be settled later. There is no danger of war in this country in the immediate future. The four great allied powers that were engaged in the war have the absolute control of peace and war for years, if not centuries, to come; although, Mr. President, I am not objecting to the consideration of a treaty or of a plan for a league of nations, if it can be properly drawn. I confess I do not see how one can be drawn that will be of much consequence and protect the rights of the United States, in which I am greatly interested. I do not know, but I think it is possible through months of deliberation to form an effective and safe league of nations to enforce peace, and I am favorable to it; but it will and should take a long time to get up a proposal for a league that will be recognized as safe and proper by the leading nations of the world. I want my country protected; but I protest against the United States entering into compacts which will oblige us to keep our soldiers in the Eastern Continent to defend with armed force those little experimental nations which it is proposed to set up all over continental Europe and in Asia. Those are their problems. We have problems of our own here. We have quite enough to do to solve them in accordance with our traditions and ideals. Our Government can help the world by an example of true, representative democracy here. Hasty action in these disturbed times might, and probably would, prove disastrous to the ideals of our Republic. What are the President's plans for Russia and Germany and Turkey? Should we vote $100,000,000

of the people's money to carry out those plans, which are unknown to us?

So, Mr. President, while I have arrived at my conclusion slowly, having some doubts as to what I ought to do, I am now convinced, after hearing the arguments of practically all the proponents of this measure, that it is my duty as a representative of the people of the United States to vote against this experiment simply on the request of the President of the United States, who is living and has been living for 9 or 10 weeks under peculiar environments, nobody knowing exactly what they are, but living in an atmosphere unlike our own, alienated to some extent from the very pressing needs which are here at home.

Mr. SHERMAN. Mr. President——

Mr. TOWNSEND. I yield to the Senator.

Mr. SHERMAN. I noticed in the communication from the President to the President's private secretary, in the latter part of it, it is insisted that the use of this money which is to be appropriated by the bill if enacted, with other funds contributed by the allies, is the only means of stemming the tide of anarchism. I wish to ask the Senator in view of this whether there is any such tide in this country, if we are to take the word of certain distinguished gentlemen about our own domestic affairs. Last fall, some time before the President left our shores, he said in a letter to the central committee of his party in the State of New Jersey that he hoped he would be able when the men were mustered out of the service to see that they did not return to economic serfdom in this country. Normal Angell, an Englishman of some note, a publicist, a short time before that came to this country and delivered himself of an address in New York City, in which he said that the United States Constitution was the worst constitution in the world. Louis F. Post, the Assistant Secretary of Labor, upon divers occasions has taken occasion to remark that labor was oppressed; that a laboring man had no rights in this Government; and that unless something was done an explosion would occur in our own country. What does the Senator think about these distinguished authorities, beginning with the President, as to whether we have anything worthy of attention at home, especially in view of an authority of the American Federation of Labor not long ago, wherein he said that before spring came we would have bread lines and great armies of unemployed in our own country?

Mr. TOWNSEND. Mr. President, I believe we are living under most serious conditions, but I am not so apprehensive as very many men are over the future. I confess that my mail contains many letters which are quite disturbing. A great many demands are made which it seems to me are unwarranted, and there is a general feeling on the part of a great many people that many of the returned soldiers are going to be a source of great disturbance to the country.

I do not believe these soldiers are now being treated properly. Many of them are held in cantonments and camps when they ought to be at home. Many are denied opportunities to engage in profitable employment by being held in the Army when they are no longer needed. I am told, although I have not been able to demonstrate its truth, but I confess I have some faith in the statement, that there are certain officers in the Army who like to have their units retained. These officers never had so prominent a position before in their lives and they would like to keep their men in line as long as possible. Some of the soldiers are almost in rebellion because of the treatment they have received and are now receiving. Their allotments to their loved ones have not been paid, their mail does not reach them, and their requests for discharge are contemptuously treated.

But, Mr. President, I have such faith in the boys who constituted our Army, that did so much to save the world from Prussian despotism, that I believe they are going to constitute the balance for law and order in this country after the war is over and the works of peace are again resumed. I know how many of them feel about the conditions to which the Senator from Illinois [Mr. SHERMAN] has referred. They have seen cantonments built throughout the country. They have seen the loafing on the job, the attempts to wrest money from the Treasury without rendering compensation in return. They have suffered from the profiteering of capital and labor and know where the blame lies. Their memories will be long, but their patriotic loyalty will also be long and true. Our soldiers feel deeply, but we can trust them. I do not like, however, to see indignities heaped upon them. I have protested against them, with little avail, and I will not in time of peace grant further autocratic power to this administration. We have on these shores stupendous tasks to perform. We have delayed already too long. I will not by vote of mine defer action on the domestic problems which require solution in order that our time and Treasury may be devoted to the setting up and maintenance of governments for a score, more or less, of fleeting revolutionary nations in Europe and Asia.

Domestic problems, I say, require our attention. We are not giving it to them. There is a difference between the President and his Cabinet or subordinates here on certain great propositions, and, of course, they can not be settled until the President settles them. These things ought not to be in this critical hour when there are so many possibilities of danger arising on every hand; patriotism at home should be encouraged, because we need it quite as much now as we have needed it heretofore. There was no chance to make a mistake then. The country must be preserved. The flag was endangered and each must do his duty; but now after the war is over the people who fought that war are not going to be content with petty politics or with following out the dreams of some ambitious man or men who may seek notoriety and greater influence through doubtful experiments.

Mr. President, I have given as much attention to the subject as I could. I was prejudiced, as I have said, in favor of the bill when it was first presented and felt that I would vote for it, but the facts disclosed in the Senate discussion have convinced me that my duty to my country now compels me to vote against it.

I hope the Senator from Arizona will not attempt to complicate this measure by insisting upon an amendment which might possibly receive some votes if it stood on its own bottom and was not tied up with a measure that some of us at least feel in conscience bound to oppose.

Mr. LENROOT. I send to the desk a cablegram which I received day before yesterday, and I ask to have it read.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

PARIS.

Senator IRVINE LENROOT,
United States Senate:

Leaving for Scandinavia to-morrow in charge of northern relief. Everything depends upon Senate passing $100,000,000 appropriation to provide food and prevent starving people from lapsing into bolshevism. Conditions extremely critical. Please help.

MAGNUS JOHNSON.

Mr. LENROOT. Mr. President, the sender of this cablegram was until he left for Europe the food administrator of the State of Wisconsin. He is a man of very excellent judgment and of very high standing.

Mr. President, I expect to vote for this bill not as a charity, because I do not believe that Congress has any constitutional right to vote money for pure charity. I shall vote for it because I believe that the appropriation of this money will bring a resulting benefit to the people of the United States commensurate at least with the money that is involved.

Much has been said concerning the constitutional authority to appropriate this money. We will all concede, I think, that Congress has no right to appropriate money out of the Public Treasury for a pure charity, but I think we must also all concede that if there be a benefit flowing to the people of the United States from the appropriation of public money it is within the constitutional authority of Congress to make that appropriation.

A distinction should be made between the right of Congress to legislate upon the rights of persons and the right of Congress to legislate with reference to taxation and the appropriation of money. Our right to levy taxes is conferred by the Constitution, and the purposes for which we may do it is to pay the debts and promote the general welfare of the people. We have the constitutional right to appropriate money for any purpose that it can be fairly said will promote the general welfare of the people.

This question has been up a number of times in the Supreme Court of the United States, notably in the sugar-bounty cases, arising out of the act of 1890, in the case of Field against Clark, but the constitutional question was not decided.

Later the question came up with reference to the right of Congress to appropriate money to pay the claims of those who had incurred losses growing out of that legislation. That question came before the Supreme Court of the United States in United States against Realty Co., One hundred and sixty-third United States, and the syllabus contains this language:

> It is within the constitutional power of Congress to determine whether claims upon the Public Treasury are founded upon moral and honorable obligations and upon principles of right and justice; and having decided such questions in the affirmative and having appropriated public money for the payment of such claims, its decision can rarely, if ever, be the subject of review by the judicial branch of the Government.

It is true that in the opinion in that case this language is used:

It is unnecessary to hold here that Congress has power to appropriate the public money in the Treasury to any purpose whatever which it may choose to say is in payment of a debt or for the purposes of the general welfare. A decision of that question may be postponed until it arises.

I can well imagine, Mr. President, that if it were a case of a pure charity, admitted to be such, the court might hold that that was beyond the power of Congress; but if the appropriation be made because of the belief of a resulting benefit to the people of this country, thus promoting the general welfare, it is clearly within our constitutional authority. I admit that Senators who regard this as purely a charity are correct in their position that so regarded it is not within our constitutional power, but those of us who believe that there is a resulting benefit to the people of this country can vote for this bill, satisfied that it is within our power.

In my view the appropriation of this $100,000,000 or the appropriation of any other sum of money will not cure bolshevism. We can not cure bolshevism with food; we can not destroy bolshevism with bullets. But the appropriation of this money will do this: The distressed and starving peoples of these liberated countries, so long as they are starving, are not in a position to think and to reason concerning any stable form of government. They go with Bolshevists not because of any theory of government which the Bolshevists have but because of that portion of the Bolshevist theory, direct action and destruction and taking from those who have and giving to those who have not.

So long as peoples are starving and hungry, whether we call it bolshevism or not, we will have riots, we will have disorder; they will get food wherever they can get it; they will take it from those who have it; and they will not be thinking about what is the best form of government for their country. Relieved of that condition, those peoples then will begin to think of what form of government is best for them. Our hope is and must be that when the peoples of these liberated countries have an opportunity to think and to reason they will establish such a government as will be permanent and that will be for their own welfare.

I am not afraid of bolshevism being a permanent condition any more than I am afraid of anarchy being a permanent condition. The Senator from Ohio [Mr. HARDING] yesterday in his very admirable address said if we must choose between the autocracy of Germany and anarchy he would prefer autocracy. That is true if we should assume for a moment that anarchy anywhere could be a permanent condition. But that is impossible. It never has been and never will be true. Anarchy, bolshevism, or whatever you choose to call it, is a temporary condition, and out of it will come sooner or later always either an autocracy or a representative government.

Mr. WATSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Indiana?

Mr. LENROOT. I yield.

Mr. WATSON. At various times in the not remote past we have had bread lines in the United States. The condition was very serious in 1893 and 1894, and, as the Senator will recall, in 1913 and 1914 millions of people were out of employment, with soup houses everywhere and hunger staring everyone in the face. Was any proposition introduced into either body at that time to take money out of the Treasury with which to relieve that situation?

Mr. LENROOT. No; not that I know of.

Mr. WATSON. If that condition should come again, as we now have it freely prophesied throughout the country, and some proposition were to be introduced here to relieve the situation by taking money from the Treasury, would the Senator feel free to support it?

Mr. LENROOT. I will say in reply that depends entirely upon the conditions which then exist. I can conceive that I would be willing to appropriate money out of the Treasury of the United States for such a purpose, and I believe the Senator would, too. But that is not the question before us now.

The question before us now is whether the use of this money will assist in the formation of stable, permanent, well-organized governments and thus assist an earlier conclusion of the peace conference. Will any Senator say that if the liberated peoples in the Balkans, in Austria-Hungary outside of German Austria, in Poland, could have stable, organized, permanent governments the work of the peace conference would not be very much easier than it will be if chaos and anarchy reign?

Mr. BORAH. Mr. President ——

Mr. LENROOT. I yield.

Mr. BORAH. Does the Senator think the delay in the peace conference for the last six weeks has been by reason of those conditions in the liberated countries?

Mr. LENROOT. I do not.

Mr. BORAH. What Europe is dying of is procrastination.

Mr. LENROOT. I think so.

Mr. WATSON. May I ask the Senator as to the converse of that proposition? Does he think the condition he is so aptly describing here is in any part due to delay in arranging the terms of a peace treaty?

Mr. LENROOT. I think it very likely may be due in part to that, because I think the sooner a conclusion can come at the peace conference the sooner we may look for permanently organized governments over there.

But to return to my proposition, every Senator will admit, I think, that if we can hedge Germany about with organized government, either such as our own or upon the representative principle, the German menace for the future is very much lessened; and, after all, it is our business primarily at the peace conference to secure such a treaty of peace as will, so far as possible, remove for all time to come a repetition of the German menace that has confronted the world. So if feeding the hungry of those peoples will enable them to think about forming a permanent system of government that will stand, then food has assisted materially in bringing about a treaty of peace which will be permanent and one which may be ratified.

In addition to that, we have this proposition: The United States, we believe, is the best and highest form of government existent. We hope that these peoples over there will look sooner or later to the United States as their pattern and example for the formation of governments of their own. I think, Mr. President, with the action taken upon this bill, feeding the hungry, enabling them to think upon the kind of government that they shall have, they will be much better disposed toward this country that has done this thing and much better disposed to look upon our form of government as the most desirable than they otherwise would be.

Bolshevism, as I said a moment ago, to my mind is not a permanent menace. It can not long exist. I have in my hand an address delivered by Lenine, the premier of the so-called Russian Soviet republic, delivered a few months ago. Lenine is not an ignorant man. He is a very able man. He clearly recognizes in this address the difficulties which now confront his theory of government. In this address, after describing the first two stages of the Russian revolution, he says:

We are now in the third stage. Our gains, our decrees, our laws, our plans, must be secured by the solid forms of everyday labor discipline. This is the most difficult, but also the most promising problem, for only its solution will give us socialism. We must learn to combine the stormy, energetic breaking of all restraint on the part of the toiling masses with iron discipline during work, with absolute submission to the will of one person, the Soviet director, during work.

Here he recognizes that the government which they now have can not last long without a dictatorship. He proposes in the quotation which I have read a dictatorship only during work, and would permit them to go on unrestrained by any law, human or divine, when they are not at work.

A little later in the same address he uses this language:

The more firmly we now have to advocate a merciless and firm rule and dictatorship of individuals for definite processes of work during certain periods of purely executive functions the more diverse should be the forms and means of mass control in order to paralyze every possibility of distorting the Soviet rule in order to repeatedly and tirelessly remove the wild grass of bureaucratism.

In the same address he uses this language:

It is not hard to see that during any transition from capitalism to socialism a dictatorship is necessary for two main reasons or in two main directions. In the first place, it is impossible to conquer and destroy capitalism without the merciless suppression of the resistance of the exploiters, who can not be at once deprived of their wealth, of their advantages in organization and knowledge and who will, therefore, during quite a long period inevitably attempt to overthrow the hateful—to them—authority of the poor.

I was very much surprised, and I am sure Senators will be surprised if they have not already read this address, to find this socialistic Lenine in Russia advocating the application in Russia of the Taylor system of efficiency in the United States. I read as follows:

The Russian is a poor worker in comparison with the workers of the advanced nations, and this could not be otherwise under the régime of the Czar and other remnants of feudalism. To learn how to work, this problem the Soviet authority should present to the people in all its comprehensiveness. The last word of capitalism in this respect, the Taylor system, as well as all progressive measures of capitalism—combine the refined cruelty of bourgeois exploitation and a number of most valuable scientific attainments in the analysis of mechanical motions during work, in dismissing superfluous and useless motions, in determining the most correct methods of the work, the best systems of accounting and control, etc. The Soviet republic must adopt valuable scientific and technical advance in this field. The possibility of socialism will be determined by our success in combining the Soviet rule and the Soviet organization of management with the latest progressive measures of capitalism. We must introduce in Russia the study and the teaching of the Taylor system and its systematic trial and adaptation.

This means, Mr. President, that Premier Lenine clearly recognizes the difficulties which confront his system of government, difficulties which can not be overcome, because the Soviet system of government, even in its ideal form, is only one step removed from a pure democracy, and a pure democracy is absolutely impracticable for any nation. As I said, he recognizes that there must be a dictatorship under his proposed system, and a dictatorship never has endured and never will endure for any great length of time resting upon the consent of the people.

So it seems very clear to me that the Bolshevist system of government, if it can be called a system, is doomed to failure. If it shall make progress in the United States, the cause will not lie in Russia or any European country. If a time shall ever come when we shall go through in the United States a temporary stage of bolshevism, the fault will be our own because the remedy lies with us, and in an ever-increasing degree, in assuring the producer a greater share of that which he produces. If bolshevism is a menace to any of the European countries, it is not because of its origin in Russia, but it is because the conditions in the countries themselves have become intolerable and should be remedied by the governments there.

Mr. President, if I may be permitted to say it, the pomp and ceremony that is daily attending this peace conference in Paris, in my judgment, is doing almost as much to feed bolshevism as food can do to prevent it. The occurrences at Buckingham Palace a short time ago, with dinner plate costing $15,000,000, the ostentatious display, the bowing and scraping, the emphasizing of class distinctions over there, I say, Mr. President, were most unfortunate at this particular stage in the history of the world. I am sorry that President Wilson when he went to Paris did not stay there and attend to the stupendous work—the important work—in hand.

True, the governing sovereigns of those countries have been showing President Wilson honor, but it is unfortunate, Mr. President, when millions of people are hungry and starving that all this pomp and display should be daily going on, emphasizing to them that here is a class that has much and here is a class that has nothing. I hope that during the balance of this peace conference all the negotiations may be conducted at Paris, and the less of this display in the future the better prospect there will be for a successful peace conference.

Mr. President, I shall vote for this bill for the reasons that I have given. I believe that it will assist in more quickly securing stable and more permanently organized governments of these liberated peoples. That being so, I believe it will assist the work of the peace conference if they can be assured that Poland is not only to be free but is to have a stable government, and so as to the different peoples of Austria and Hungary and the Balkan States.

So far as Russia is concerned, I am frank to say that, in my judgment, the Russian people must work out their own salvation. We can not cure the condition in Russia by force from without. We shall only feed the condition there if we attempt that. In Russia they will in time, as well as in these other countries, themselves evolve, through evolution and not through continued revolution, a stable government; but if we are to go in there with force we shall drive those Russian people together, and they will look upon this, the greatest democracy in the world, instead of being a government to pattern after, as one to avoid. Their only alternative, then, will be to go back to some form of autocracy.

In this connection, Mr. President, I desire to say that I hold in my hand a pamphlet which came to me yesterday—I presume it came to all of the Senators—entitled "The Russian democracy in its struggle against the Bolshevist tyranny," by Col. Vladimir I. Lebedeff, former secretary of the navy in the Russian provisional government and member of the all-Russian constituent assembly. He uses this language:

We may truthfully say that in the liberated regions of Russia bolshevism has ceased to exist. Only an insignificant minority of workingmen still clings to it secretly. And this can be understood. The ideology of bolshevism has long been cast aside by the workingmen themselves at all labor conferences and by the socialistic parties, which lead the labor movement in Russia. The present-day bolshevism preserves its power only by the fact that while pretending to benefit the working class it gives the small minority which supports it the privilege of idleness, high salaries, and other advantages of the leisure class. Having printing presses at their disposal, the Bolshevikl issue enough paper money to be able to bribe their supporters as well as their soldiers.

In passing, Mr. President, I wish to call attention to another paragraph in this pamphlet. The writer, after speaking of the operations of the anti-Bolshevist forces upon the Volga River last July, says:

We are certain we could execute this plan since we knew of the landing of allied troops in Murmansk and Archangel, of their battles and movements toward Vologda, and of the proclamation in Archangel by the American ambassador, Mr. David Francis, in which he called upon the Russian people to fight the Bolshevikl, pledging the aid of the allies.

I should like to inquire—but I assume it is useless to inquire—where our ambassador to Russia received his authority to pledge the aid of the allies to this movement? I merely mention that in passing.

Mr. President, in concluding I desire to say that I shall vote for the bill for the reasons which I have stated.

Mr. SHAFROTH. Mr. President, the Senator from Michigan [Mr. TOWNSEND] a short time ago stated his position on this question and condemned this bill on the ground, first, that, if it were a charity, it ought not to be granted; and, second, if it were intended to stop bolshevism, it should also not be passed by the Congress of the United States, because he did not think it would produce any such result.

Mr. President, there are ample precedents, as was shown by the Senator from Virginia [Mr. MARTIN] in the opening of the discussion on this bill, which have established that, even as a pure act of charity, this appropriation may properly be made. There have been any number of such precedents which have been passed by the Congress of the United States for the purpose of charitably aiding and assisting other governments. Notably, there was the one in the case of Italy, another for Venezuela, and a number for Cuba. In fact, I think the Senator from Virginia cited some half dozen instances in which the Government of the United States had passed measures of this kind purely as charity. Any Senator who desires to found his opinion and determination as to the vote he shall cast upon the pending measure can do so in view of the precedents for such action which have heretofore been established.

As has been shown by the Senator from Wisconsin [Mr. LENROOT], a position in favor of the measure may be taken on the second ground; that is, the tendency it will have to stay the spread of bolshevism—to aid in creating stable governments in Europe. There is ample reason to sustain a vote in favor of the passage of the measure on that ground.

But, Mr. President, the Senator from Michigan did not call attention to one passage in the message of the President, and I desire to read merely that line of the cablegram for the purpose of making a statement with reference to it. In that message is contained this language:

I can not too earnestly or solemnly urge upon the Congress the appropriation for which Mr. Hoover has asked for the administration of food relief. Food relief is now the key to the whole European situation and to the solution of peace.

President Wilson is over in Europe as our agent, as the man to whom is intrusted the power of making a treaty of peace, which may or may not involve many questions which would have to be ratified by the Senate of the United States. President Wilson has been in Europe over a month; he has been looking into the conditions there, and he has come to the conclusion that this appropriation is of vital importance in the determination of the question of peace and the terms upon which peace shall be made. It is true he specifies further than that, that this appropriation is also necessary upon another ground.

Mr. President, we have spent in the prosecution of this war over $30,000,000,000. Some Senators take one position as to the reasons for which we entered the war and some take another, but unquestionably one of the causes was for the purpose of extending democratic governments through the nations of the world and invoking the doctrine which has been the cornerstone of our great Government, namely, that the just powers of government are derived from the consent of the governed. We have spent this enormous sum of more than $30,000,000,000, and the man we sent to Europe for the purpose of closing up this war on the best terms for the United States that can be obtained, and in order to obtain the best possible terms for the objects and purposes for which we entered the war, now says that this is of supreme importance.

What is a hundred million dollars contrasted with the amount of money that we have already expended in this war? One hundred million dollars is simply one-third of 1 per cent of that amount; that is all. Is it possible that we are going to have anything modified or changed with relation to the treaty of peace from what we would want by refusing to give an appropriation of one-third of 1 per cent? Should we not give in order to aid in consummating the kind of agreement which we desire?

Mr. President, it would simply be refusing the most insignificant thing, which might cause the failure to consummate and obtain one of the most vital concessions that may be asked by us in connection with the treaty.

Looking at it from that view, knowing that the President is earnest in this matter, knowing that he has better knowledge concerning the situation than have we, knowing that he says in this very dispatch that all of the allied nations have stated that this measure is imperative, I do not see how we can decline to make the appropriation. I do not care upon what

ground it is placed, whether it is that of pure charity or to stay the progress of bolshevism, or upon that higher ground which is specified in this very telegram, namely, that it is indispensable in order to make the most effective treaty of peace.

Mr. President, for these reasons I shall vote in favor of the appropriation.

Mr. MARTIN of Virginia. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. POMERENE in the chair). The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Henderson	Martin, Va.	Smith, Mich.
Bankhead	Hollis	Moses	Smith, S. C.
Beckham	Johnson, Cal	Myers	Smith
Borah	Johnson, S. Dak.	New	Spencer
Chamberlain	Jones, N. Mex.	Norris	Sterling
Colt	Jones, Wash.	Nugent	Swanson
Culberson	Kenyon	Page	Thomas
Cummins	Kirby	Poindexter	Thompson
Curtis	La Follette	Pollock	Townsend
Fletcher	Lenroot	Pomerene	Trammell
France	Lewis	Saulsbury	Underwood
Frelinghuysen	McCumber	Shafroth	Warren
Gay	McKellar	Sheppard	Watson
Gerry	McNary	Sherman	Weeks
Harding	Martin, Ky.	Smith, Ariz.	Williams

Mr. GAY. I desire to announce the unavoidable absence of my colleague, the senior Senator from Louisiana [Mr. RANSDELL].

Mr. LEWIS. I wish to announce that the Senator from Mississippi [Mr. VARDAMAN] and the Senator from Missouri [Mr. REED] are detained on official business.

Mr. GERRY. I desire to announce that the Senator from North Carolina [Mr. OVERMAN], the Senator from Delaware [Mr. WOLCOTT], the Senator from Utah [Mr. KING], and the Senator from Minnesota [Mr. NELSON] are detained on official business.

The PRESIDING OFFICER. Sixty Senators have answered to their names. A quorum is present.

Mr. TRAMMELL. Mr. President, at the outset of my remarks I may relieve a little embarrassment to myself by saying that I did not suggest the absence of a quorum, so that it was not done for the purpose of calling in Senators to listen to any remarks that I might make.

Mr. President, for some two months I have felt intensely interested in the matter of providing some additional compensation to our soldiers who have carried on so successfully and to a triumphant conclusion the great war in which we have been engaged. Within a week or 10 days following the signing of the armistice I introduced a measure providing for them one month's additional pay. I did not restrict it to one month, because I felt that our men were not worthy and deserving of a greater amount, but as the situation confronted me at that time I felt more assured of success by limiting it to one month's pay. At that time the War Department was willing to approve the payment of 30 days' additional compensation.

The distinguished Senator from Arizona [Mr. ASHURST] during the present week has introduced an amendment to the pending bill providing for 90 days' additional pay, and has modified it, as I understand now, to provide 60 days' additional pay. I wish to support most heartily his amendment. I believe that those who left their homes and firesides, gave up the pleasures and comforts of their associations, and went forth to bear arms in the interest of this country, the privates, at least, for the small pittance of $30 a month, have not been amply paid for the service which they have rendered in behalf of the Republic, and that to give them an additional two months' pay is at least as little as we should do in recognition of the gratitude of the Nation and in commendation of the brave and heroic service which they have rendered.

This amendment restricts the payment to the privates and noncommissioned officers. I am anxious to see this policy successful and the allowance made upon the pending bill. So far as I am concerned, however, I would also be willing to make a certain allowance to the commissioned officers, say, an allowance of one month's additional pay. I do not quite understand why the commissioned officers, who have fulfilled their mission as a part of the war machinery of the country, who have acquitted themselves creditably and brought honor to the Nation they have represented upon the battle fields, should not be recognized in this tribute. No braver, more courageous, and loyal officers ever commanded upon a battle field.

But, as some of my colleagues seem to differ with me upon this question, I am giving my hearty support to the amendment in its present form providing for two months' additional pay for privates and noncommissioned officers.

This amendment suits me a great deal better than the one which I submitted some two months ago, and which I have been trying for the past 60 days to get enacted into law. Within a week after the armistice was signed I offered the amendment to which I have referred. I felt that we should act quickly, and that we should have the law enacted so that, as our soldiers returned and were demobilized, and as those who were in our own camps were being demobilized, they could then be paid this additional sum.

I have found from my contact with a great many discharged soldiers that they are leaving the service almost penniless. A few days ago I was riding on a train with one who told me that while he was in the service he had contributed toward the allowance for the support of his parents and in the payment of his insurance all of his salary except $7.65 per month. So Senators may well realize that that patriotic, brave, heroic young man when he returns again to private life needs a helping hand. Who should more properly extend to him that helping hand than the Government which he has been serving?

I was very much surprised in talking with him to find that upon being discharged from the service he had not been furnished with suitable equipment in the way of shoes. He had returned from overseas, where he served 9 or 10 months. He had worn there, of course, the heavy field shoes worn by those upon the battle front; he had no other shoes; and I was touched very much when he told me that when he was discharged he had only those field shoes, and that from the few dollars that he drew as his last payment from the Federal Government he had been required to expend seven or eight dollars for the purpose of purchasing shoes which were suitable to wear as he again returned to private life.

I think that when we consider the billions and billions of dollars that we have expended in connection with this war and the different steps that have been taken requiring the raising of revenue, and then consider that our success depended entirely upon our Army—that is, the ultimate success, because if we did not have these men who went to the front to do the fighting, then all of the other expenditures would have been useless and futile—we must come to the conclusion that as a recognition to our soldiers and in order that they may have a little pittance with which to attempt to rehabilitate and establish themselves in civil life, common justice and simple recognition of the performance of a patriotic, loyal, and heroic service not only justify but demand that the Congress of the United States adopt this amendment allowing these men this additional 60 days' pay.

Mr. BORAH. Mr. President, I shall vote for the amendment offered by the Senator from Arizona [Mr. ASHURST], although I am frank to say that I would prefer to have had it proceed as a separate proposition, because I shall not be able to vote for this bill even with the amendment. Of course I realize that what the Senator from Florida [Mr. TRAMMELL] has just said is true, that many of our young soldiers are coming home with practically no means whatever to maintain them until they can secure employment. Therefore I do not wish to be placed in the position of refusing to assist them to the extent provided by the amendment of the Senator from Arizona. But we can pass that kind of a provision here at any time without any difficulty whatever, in my judgment. I do not believe that it is necessary to tie it on to a proposition which otherwise is somewhat objectionable to me.

Mr. President, I listened with more than ordinary interest to the argument of the Senator from Wisconsin [Mr. LENROOT], recognizing in him, as I do, a man of sound judgment and high purpose in all matters of legislation. The grounds upon which he proposes to support this bill, as I understand them, are these: That it is calculated to stabilize social and industrial conditions in the countries where we desire to found a stable government in order that we may enter into the negotiation of treaties of peace with them.

There is an argument to be based upon those grounds that it is worthy of consideration. If I could have sufficient information as to how this desirable object was to be effectuated and some reasonable assurance that the desirable result would follow, I might be able to support the measure upon that ground alone. But I venture to say that neither the able Senator from Wisconsin [Mr. LENROOT] nor the able Senator from Massachusetts [Mr. WEEKS], who supported the bill upon yesterday, would be willing to invest a single dollar as a business proposition upon any such information as they have with reference to the manner in which this fund is to be applied, or as to the probable effect it will have if applied. What I object to, so far as that feature of the argument is concerned, is that we are legislating upon a mere sentimentality, without any practical facts to warrant the appropriation.

Mr. President, we are the only department of the Government that has the tremendous power to go into the pockets of the people and lift therefrom $100,000,000. We are the only department of the Government which has had conferred upon it that almost transcendent power, and we ought not to exercise it unless we can be advised of those concrete facts which justify the application of the principle. I have listened to the debate now for two days; and if there has been a single practical proposition enunciated or stated with reference to making effective this fund, or how it is to be done, where it is to be applied, and what is the probable machinery by which it is to be made effective, I have yet to hear it. It is a serious matter to appropriate $100,000,000 in violation of the Constitution of the United States, at best, and certainly a strong and plain case ought to be made out.

Let me say to my able friend from Wisconsin [Mr. LENROOT] that there is another side to this proposition of feeding men without any corresponding obligation upon their part to repay or to refund, or without any corresponding obligation upon their part to become individually liable for the amount which is donated to them. I read in the Washington Post of January 19, 1919, an article entitled "Belgians won't work." I shall not read the entire article, but I call attention to a single paragraph in it.

> Another grave economic difficulty arises out of what is called the unemployment fund. This was created during the war to aid the workmen, employees, and others; to enable them to subsist without having to be dependent upon the Germans. In the first instance, the fund worked advantageously; but after a while a different state of things arose. A workman who was being fed gratuitously by the relief organization received from the unemployment fund regular pay of about 100 francs a month for doing nothing; and numbers of these workmen, well content with their lot, refused to return to work.

That is characteristic of the indiscriminate, ill-advised application of charitable funds. It is a very dangerous proposition, and unless the Congress can be advised in detail as to how this appropriation is to serve these people, and do them more good than harm, and how the fund is to be returned, and security had therefor, and obligations created therefor, it is a very dangerous scheme upon which we are now entering. Do Senators really think that the taxpayers of the United States ought to enter upon the boundless sea of feeding Europe without a detailed plan and chart and specifications as to how and where we are to apply it? Where will it all end?

Mr. President, what are the conditions which confront this country at this time? Now, let us not indulge in sensational matter but state the plain facts as they are. Is there a Senator here who does not receive daily any number of letters from the ordinary business men of this country telling us that they have about reached the end in business affairs—any number of them—advising you that they are borrowing money to pay their taxes at the present time, and that they are unable to see in the future any prospects of relief, in view of the things that Congress is doing and which it is promising to do? We know that these people throughout the United States feel—all men engaged in the ordinary occupations of life, in the ordinary business walks of life—that they have about reached the limit of their capacity to take care of this burden. I am perfectly aware that that does not apply to some business men in the country, who have been fortunate in making profits out of the war, but it does apply to the vast body of business men in the United States. And remember, my friends, that when you lay this burden of $100,000,000 you lay it upon the man who is bearing all that he can possibly bear, as well as the man who is able to respond to it. It is not like going into a community and saying to Mr. Jones: "You are able to subscribe, and we ask you to exercise your charitable disposition toward the suffering people of Europe," and passing by the man who we know is unable to meet the obligations of his family and to discharge the duties of citizenship as they should be discharged in a Republic. We are now engaged in laying upon these people a burden of $100,000,000 which will affect every citizen, if not in the actual payment of taxes, in raising the prices of the articles which he must buy; and therefore, without discrimination as to capacity to respond, this burden is being placed upon those who are able as well as those who are unable and unprepared to meet it.

That is the first situation which confronts us—that is to say, the taxes which are already extraordinarily heavy in this country.

Mr. President, this may not be an argument against doing charity, but I maintain that it is an argument in favor of the proposition of doing the charitable act in a most economical and businesslike way; that if it is going to be done, in view of the situation which confronts us, we must do it with due regard for economy and the saving of every possible dollar of expense to the taxpayer.

What is the second situation in this country? We know that already riotious meetings are being held in some parts of the country. In the city of Boston the other day—I believe the Senator from California [Mr. JOHNSON] called attention to it—we read that the city hall was stormed, and in the crowd were some 250 soldiers lately returned. We read in the Associated Press dispatch carried only five days ago from the city of New York that over 200,000 children in New York are underfed and underclothed; that in the city of Chicago more than 150,000 children are out of school because they have neither the food nor the clothes to go. We read in this same dispatch that in one little room 22 human being were huddled together, and that they did not have, as the dispatch said, sufficient clothing upon them to warrant a second-hand clothes man in paying 10 cents for all that they wore. We know that throughout the country this feeling of unrest, of dissatisfaction with these conditions, is growing day by day.

Now, my friends, in dealing with this let us not forget the psychology of the hour through which we are passing. It is different from any confronting of labor difficulties which we have ever had before in this country. The great war has shaken society at the roots, and men will not go hungry and will not beg for bread with the same docility and regard for order that they have in previous days.

Again I say, Mr. President, it may not be an argument against charity to your neighbor; but it is the most solemn and convincing argument, to my mind, that if we are going to do it, it must be upon such practical plans and terms as will warrant you in saying to the people whom you represent that every precaution and safeguard has been had to protect the situation from waste and extravagance.

I shall not stop to read the articles to which I have referred, but, by permission of the Chair, I shall insert them in the body of my remarks.

The PRESIDING OFFICER (Mr. THOMPSON in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

NEW YORK.

> Aroused by reports that, with Christmas approaching, East Side children are "fainting in school and dying at home from hunger" because their parents can not pay the prevailing high prices for milk and staple foods, representative citizens Saturday organized a committee to "feed them first and investigate afterwards."
>
> A plea that something be done for her pupils, who were "slowly starving to death," was made recently by a teacher to Joseph S. Markus, a banker, who now heads the relief organization. Mr. Markus himself visited schools, hospitals, and tenements, and Saturday issued a statement dealing with conditions on the East Side.
>
> HUNDREDS STARVING TO DEATH.
>
> One settlement, he said, has the names of 150 babies who, recovering from influenza, now face death from pneumonia because their parents can not buy milk needed to restore them to health. Every hospital in the district, he continued, knows hundreds more underfed children, many of whom are physically unable to continue their studies. Of his visit to one school, he said:
>
> "In one room there were 22 children. A ragman would not have paid 5 cents for all the clothing they wore. Many had no undergarments, and those who did could hardly call them by that name. Many were without shoes and others had heelless and soleless ones.
>
> "We learned most of them came there without any breakfast. Some kind people were giving the teacher a little money every week, and with that she purchased some milk and cereals, preparing gruel over a small stove in the room. She said with the high cost of milk now she was not able to buy much, and that several of the children had fainted right in the classroom. Others were too weak to leave home and died there. Malnutrition was the cause—starvation."

Mr. BORAH. What is the third proposition, Mr. President? It is this question of expenditures, of extravagance. The able Senator who is in charge of this bill [Mr. MARTIN of Virginia] will sympathize with these remarks. No one has been more earnest and persistent in his efforts to curtail these extravagances, but they are here. They continue to grow. We have now entered upon the proposition not only of enlarging many expenditures which it seemed to me was unnecessary to enlarge, but, in the face of the condition which confronts the country, of raising salaries and enlarging the debt which we are gradually placing upon the people of this country in one way and another. The extravagance of the Government—and I say this regardless of the aisle which runs between the two parties—the extravagance of the Government at this time is something which is calculated to sterilize the industry and paralyze the initiative of business men throughout the entire land. Men hesitate to venture forth into new enterprises, or to put their money out into new industry, when they see the Congress of the United States shutting its eyes to the fact that they are already loaded down with debt, and still passing extravagant measures, larger and larger in amounts, and day by day.

After this comes what we are going to ask for the liberty loan, in a few days, six billions of dollars.

So, Mr. President, everything enjoins us when we propose to do this—if we are going to do it—to be sure that we are not making mistakes, if it is possible for human ingenuity to devise a plan by which no mistakes will be made.

The Senator from Massachusetts [Mr. WEEKS] said yesterday that Mr. Hoover and the President were upon the ground, and

they knew. Of course I eliminate the President entirely from this discussion. The President practically eliminates himself, because he says, "I indorse the demands which Mr. Hoover is making upon the Congress"; and I say to you that the evidence is in existence if it can all be secured, which will show that this plan for feeding Europe and the appropriation of a hundred million dollars, or some amount, originated before Mr. Hoover left for Europe.

It was not a scheme which had its birth after he discovered the facts in Europe. It was a scheme originated here, and he went to Europe to discover the facts after he had originated it. The evidence is in existence that this entire matter was talked over and arranged and provided for, one of the parties even stating that the probable amount was suggested which would be called for after Mr. Hoover had visited Europe.

Mr. President, I want to say again, as I said the other day, that as for Mr. Hoover individually I have no discussion whatever. I do not care anything about him. What I am objecting to, sir, is the system, the manner in which he distributes his funds and carries on his business—the interested parties whom he permits to realize unconscionable profits.

I want to ask Senators here who are supporting this bill, Do you want the same man that administered the Food Administration here in this country to administer this fund in Europe in the same way and upon the same principles? Do you understand, sir, that these same men, or some of them, and this same policy and this same system have been transplanted to Europe, and are now going to feed the Europeans upon the same theory, upon the same line of conduct, that they have administered the food administration in this country?

The Senator from Illinois [Mr. SHERMAN] in his speech day before yesterday said, if I understood him correctly, that the meat packers of this country did business on less profit than any other of the large business institutions of the country. The Senator from Massachusetts [Mr. WEEKS] said that while their profits might be big, they only got about 2½ per cent upon a turnover. Well, Mr. President, a man operating in a monopolistic field may turn over his capital ten times without any risk whatever of losing anything; but what has that to do with the fact that after he has turned it over as often as he can, his profits are so enormous as to stagger even the most liberal in regard to such matters.

I want to read some figures which I did not have with me the other day, but which I have here now, and I do it because these are the sums which are made under the advice and by the consent and authority of the men who wish to administer this fund. I claim that when I go forth to do charity with another man's funds I should protect him to the extent of demanding not only honesty—and I am willing to concede that to Mr. Hoover—but a plan which will not permit, even under the cover of honesty, the gathering of unconscionable profits from a charity fund.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Colorado?

Mr. BORAH. I do.

Mr. THOMAS. I merely wish to recall to the mind of the Senator that during the administration of Mr. Roosevelt, and before the creation of the Department of Commerce, Mr. James R. Garfield, who was the Commissioner of Corporations, was assured by the packers that their profit upon their sales was something like 2 per cent or a little over, which Mr. Garfield accepted and announced to the country, all unconscious of the fact that the 2 or 2½ per cent represented merely a turnover, and, as the Senator says, these turnovers occur at the rate of 10 or 15 per year, the total annual profit, therefore, being many times the 2 or 2½ per cent represented to him.

Mr. BORAH. I thank the Senator for that statement. It only shows the prolongation of the outrage that has long been practiced upon the American public.

Mr. President, in 1912 the five great packing companies realized in the way of profits $18,715,000. In 1913 they realized $20,217,000. Now, if I should say to you that these men demanded in the way of profits during the progress of this war twice the amount which they enjoyed in time of peace you would be inclined to think that they were rather exorbitant in their demands. No man ought to ask twice the profit in war that he was making in peace, when the profit which he was making in peace enabled him to gather a vast amount of wealth, as we know it had with the packers.

In 1912 and 1913 these great corporations were known as among the wealthiest in the world. They had extended their enterprise not only to the ramifications of the particular industry in which they originally started, but they had gone into a multitude of other industries; and they were considered, and indeed were, among the wealthiest corporations in the United States, and were making and had gathered that wealth and realized this fund from profits which amounted to from $18,000,000 to $20,000,000 per annum. So, I say, that under those circumstances they ought to have been satisfied with their $20,000,000. Do you not think so? When the soldier boys were being stood up in the camps, and it was demanded of them that they subscribe for liberty bonds in order to maintain the Government; when the employees in these different departments who were securing for their livelihood only about $100 a month were called to the front by the head of the department and told that they must subscribe for liberty bonds; when local councils of national defense were calling men before them and fining them the amount which the council thought they should buy; when the soldiers were going forward at $30 a month and enduring all kinds of hardships and sufferings for their country, ought not the packers to have been satisfied with twice their peace profits? But when I say to you that they were not satisfied with twice their peace profits, and when I call your attention to the fact that they made it three times, they made it four times, they made it five times the amount of their peace profits, will men still insist upon the floor of the Senate that we shall go down into the pockets of the taxpayers and administer charity under an organization which permits such profiteering?

That is what we are voting for here. This money will not administer itself. And take into consideration, my friends, that practically every dollar of the food which is purchased in this country is either owned or controlled or manipulated by these five great combinations, or the two other combinations which have had so much to do with the administration of the Food Administration.

So, sir, we find that these corporations in 1912 had a combined profit of $18,715,000. In 1917 they had a combined profit of $95,639,000. How did they get it? They got it under the administration of the Food Administration. Ninety-five million dollars; within $5,000,000 of the amount which we are going to appropriate!

This is not a party question; but I want to say to the Republicans that the voters of this country may reflect that they made a mistake last November if we are going to return, like the sow to her wallow, and surrender to the same powers which once dictated the course of the Republican Party.

Let me read now from the figures of 1918. We have only one report thus far. This is from the Christian Science Monitor, a paper recognized for its accuracy in reference to its news items:

The earning power of the smallest of the American meat packers in the present period appears a subject of interest, for one thing because the greatest food distributors in the world to-day are, naturally, more than ever before in the public eye; and then, again, because this packer, the Cudahy Packing Co., is the first of the "big five" to report on the first year under Government profit regulation. By earning power is taken to mean the total earnings of the company, that figure which the Food Administration regulation was set to limit, that amount on which the Federal war tax will be levied. By earning power, in short, is meant, in this connection, the total profit the company made in its dealings with the public.

This earning power of the smallest of the packers was shown in a previous article on the Cudahy annual report in these columns (Dec. 20, 1918) to be larger for 1918 than ever before. Sales of the company also were much larger than in the previous history of the Cudahy Co.

Now, it may be of interest to measure this earning power of the smallest packer against the capital stock, to show what this earning power is equivalent to in terms of the common stock.

The total Cudahy profits, as represented in the term "earning power" as here used, may be assumed to have been $6,000,000 in 1918. The company's net profit of $3,376,808.58, plus its big reserve of $2,785,412.78, set aside for "Federal income and war-profits taxes and contingencies," amounts to more than $6,000,000, but that round figure may well be taken as representative of the year's total profits or the company's earning power. The capitalization is $20,000,000, divided into $2,000,000 of 6 per cent preferred, $6,550,500 of 7 per cent preferred, and $11,449,500 of common stock. After paying the regular dividends on the preferred stock the $6,000,000 profit would represent an earning power of 47.4 per cent on the common stock.

Now, there were two stock dividends declared by the Cudahy Co. in the last three years prior to the end of the 1918 year. The first of these was in November of 1915, amounting to $2,000,000. The second came a year later, amounting to $2,724,750. Together they amounted to $4,724,750. If these two stock dividends be subtracted from the total of the capital stock, which, of course, they helped to bring to its present figure, this leaves a balance of common stock of $6,724,750. If the 1918 earning power of the company, namely, at the rate of $6,000,000, were to be computed on the common stock remaining after that portion representative of stock dividends were deducted, it would be equivalent to an earning power of 80 per cent.

Should it be remarked that it is unusual to compute earning power in the sense used against the common stock, because the common stock does not share in such earning power, but only in what remains after Federal taxes are paid, which makes a large deduction from gross earnings, it may be said that this is perfectly true as far as the stockholders are concerned, but the public may nevertheless be interested in such a comparison. Up to the last few years there were no large Federal taxes to make such deductions, and it is possible that within a few years more Federal taxes may be much smaller, in which case that much more of the total profits will go to the stockholders. The public, so students of the packing industry here pointed out, is naturally interested in the total profits packers make and what they may represent as measures

against the ownership of the company, because the public makes those profits possible; because, one of these students has put it, "the consuming power of the public is the vital breath of this and every other great corporation."

As to what stockholders do get, after the big tax reserve has been subtracted from profits, leaving net profits of $3,376,808.58 to be computed against the capital stock, the rate of earnings on the common stock is 24.44 per cent.

Then, again, as to the deduction of the amount of stock dividends from the total of common stock and the calculation of rate of return on the remainder. Stock dividends have been a favorite device of big corporations to make their profit look small, and a word in general about the usual packer stock dividends will perhaps not be amiss.

A stock dividend represents capitalized profits. It represents money made by the company, over and above cash dividends paid, which remains in the business in the form of surplus, and of which stockholders are given ownership through the issue of so much new stock free to them. This new stock, of course, increases the company capitalization by that much. Since a concern's rate of earning is based on the company's capitalization, particularly on its common stock, given a fixed amount of profits, the rate of earning will appear high or low, according as the amount of the common stock is small or great. For instance, Morris & Co., another of the packers, still retains a capitalization of $3,000,000, though the business is worth many millions more than that, and the company is considerably larger than the Cudahy company. If Morris & Co. made no more profit than Cudahy did in 1918, still it would show more than 100 per cent profit on its capital stock, though the smaller Cudahy company, with a larger capital stock, evidences a very much smaller rate of earnings. Hence a stock dividend, by enlarging the amount of the divisor in the fraction, to wit, the capitalization, may have a decided influence on the aspect of profits.

If the two stock dividends of the Cudahy Co. previously referred to be deducted from the common stock, and the rate of return to stockholders is calculated on the basis of the 1918 "net profits"—that is to say, $3,376,808.58, the amount available for dividends and surplus after provision was made for war taxes, etc.—it is noted to be 41 per cent. The rate of return on the common, without the stock dividend deduction, has already been observed as 24.44 per cent.

Not every stock dividend may be subject to criticism, as, for instance, where a concern has been making reasonable profits and turning back a portion of them into the business, eventually to set up this portion of past reasonable profits into common stock. In the case of several of the meat-packer stock dividends and of the Standard Oil stock dividends, there has been a suspicion on the part of the public that the profit there reposing represented, in the aggregate, an undue amount.

The Cudahy Co. in 1918 showed the largest earning power, as heretofore defined, in its history. Its net profits were larger than in any previous year with the exception of 1917. The company has had some hard sledding in several past years. The Cudahy profit figures are of interest, now and for the future, in the view of local students of the industry, in regard to the Cudahy Co., and more particularly in regard to the earnings of the leaders of the "big five," whose sales and profits run much higher, indeed, than those of the last of the quintet.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Iowa?

Mr. BORAH. I yield.

Mr. KENYON. I should like to suggest to the Senator, in reference to the Christian Science Monitor and these figures, that the testimony before the Agricultural Committee shows that the packers are spending $1,000,000 a month advertising in the papers of the country, a large part of it being advertisements of their small profits, but the Christian Science Monitor does not receive these advertisements, I understand.

Mr. BORAH. I thank the Senator.

Now, Mr. President, I come to another feature of this administration. I read from a letter from Alfred H. Benjamin, of New York, under the date of January 20, 1919. He says:

I represent one of the largest independent packers, operating plants in Argentina and Uruguay during the last 20 years, who have no interest at all with the Chicago packers.

We have been very important factors in reducing the cost of living in this country at a time when it was badly needed. We have been the largest importers of fats for the independent soap makers of this country, but owing to an embargo that was placed into effect on the 13th of May we were precluded from bringing in such fats as required by the soap makers, on a statement of the Food Administration that there was ample fat in the country. Notwithstanding the appeals of the independent soap makers of this country, this embargo was kept on.

In the meantime the market advanced 25 per cent and the Chicago packers had ample opportunity of selling their tallow at the record prices of 20 to 20½ cents per pound. As soon as the embargo was removed the market breaks to 10 cents per pound.

Mr. President, the men who manipulated that embargo are working for the Food Administration at a dollar a year and working for the packers at $10,000 a year; and yet you ask me to take $100,000,000 from the pockets of the taxpayers of this country and administer it by the same infamous machinery. Does the President of the United States know these facts? I do not know. I know them, and it is my conscience that must be satisfied, not that of the President, in the vote I shall cast on this bill.

Mr. FLETCHER. Mr. President——

Mr. BORAH. I yield to the Senator.

Mr. FLETCHER. I desire to ask the Senator whether the figures and the statistics from the Christian Science Monitor differ from the statement given in Document No. 248, at page 14, by the Federal Trade Commission with reference to the packing industry and their net profits? If the Senator has not access to that document——

Mr. BORAH. I have it, but I could not from memory now compare the figures.

Mr. FLETCHER. In this document the Federal Trade Commission say:

An exposition of the excess profits of four of the big meat packers (Armour, Swift, Morris, Cudahy, omitting Wilson as not comparable) is given in the fact that their aggregate average prewar profit (1912, 1913, and 1914) was $19,000,000; that in 1915 they earned $17,000,000 excess profits over the prewar period; in 1916, $36,000,000 more profit than in the prewar period; and in 1917, $68,000,000 more profit than in the prewar period. In the three war years from 1915 to 1917 their total profits have reached the astounding figure of $140,000,000, of which $121,000,000 represents excess over their prewar profits.

I believe that statement has been challenged, but I do not know whether the Senator has taken the trouble to verify it or not.

Mr. BORAH. I could not say as to whether those figures have been verified. I thank the Senator from Florida for putting them in the RECORD.

Mr. President, may I read another statement? I read from the testimony before the Agricultural Committee on the 18th day of January, 1919. This is the statement of the attorney who was selected by the President to investigate the condition with reference to the packers. It has not been controverted that I know of, and I presume it was under oath and the witness would be responsible. I am not certain as to its being under oath. I simply call attention to that as an incident. Mr. Heney said:

Mr. HENEY. I am telling you all that I know about it, Senator.

Along in March I was in Washington. I was summoned here by the Federal Trade Commission because I had been making public some correspondence from Swift's files, which showed that Swift had packed the Food Administration in its own interests in the Council of Defense. They had Mr. Heyl, who was the head of Libby, McNeil & Libby, which was owned by Swift & Co. Mr. Heyl was in the Food Administration directing the regulation and fixing the prices for canned goods, and canned vegetables had been under his particular direction with Libby, McNeil & Libby.

Mr. Collins, one of the most important men in Swift & Co.'s organization, was here with the Food Administration also. They were drawing a dollar a year from the Government, and Collins was drawing $10,000 from Swift & Co., and Heyl was drawing, I think, $10,000—I have forgotten the exact figures—from Libby, McNeil & Libby.

Senator NORRIS. They were with the Food Administration?

Mr. HENEY. In the Food Administration. And Priebe, of Priebe & Co., Chicago, was with the Food Administration in charge of the fixing of prices and regulations for poultry, and I think he included eggs and cheese and butter, but at any rate poultry. I am not at all certain that he had anything but poultry. I rather think it was poultry, although it may have included the other things.

I was furnished correspondence that showed that Priebe—let me go back a moment—I received complaints from small poultry concerns all over the country to the effect that Priebe was using his position to enable Swift & Co. to monopolize the poultry market and in doing so was forcing a loss upon the small poultry dealers, and they based that upon the proposition that about the middle of September, 1917, Priebe had issued an order that all poultry must be out of cold storage by December 1 of that year.

Do you know who gave Mr. Priebe authority to issue that order? The Congress of the United States by one of those glittering generalities crystalized into a statute under which a man can do anything in the world that he desires to do, and Mr. Hoover desired to do this. Now we are asked to give another unlimited, undefined grant of power—a power to do as his unbridled discretion suggests; a power under which he can permit fortunes to be made again out of the taxpayers of the United States.

They explained to me that the poultry pack of 1916, which commenced to come in in September, 1916, and to be packed, Swift & Co. disposed of practically all their holdings, and Swift & Co. are probably the largest dealers in poultry in the United States, in frozen poultry, cold-storage poultry. And Priebe handled that department for them—

Mr. Priebe handled that department for them, exercising the powers of the Government, issuing orders like a dictator, fixing embargoes, and turning loose cold-storage products according to the interests of his master. Dost thou like the picture? Are you so proud of what you have already permitted that you want to see it repeated, and repeated by your authority? Are you going to indorse such practices by your votes—

under the name of Priebe & Co., a separate corporation, but the entire 100 per cent of the stock is owned by Swift & Co.

The claim was that Priebe and Swift & Co. had disposed of all the poultry; that the fresh poultry was just about to commence coming in; that Swift & Co. wanted to capture the greatest part of the pack; that it wanted to get them for lower prices than it could get them if the poultry in cold storage was not thrown on the market, and by forcing this poultry on the market it would immediately depress prices so that Swift & Co. could buy the largest part of this pack at a much lower price than it otherwise could; and that Priebe, in order to accomplish this, had put out an order that the banks should not loan over 70 per cent of the cost prices of these turkeys.

War Power? War powers used to destroy competitors and build up private fortunes. No man who has such perverted views of decency ought to be entrusted with unlimited power to deal with $100,000,000.

Senator NORRIS. He was doing that as an official of the Food Administration?

Mr. HENEY. As an official of the Food Administration. And then they came to me——

Senator KENYON. Was he at that time drawing this dollar a year here and $10,000 there?

Mr. HENEY. He was not drawing $10,000—that was Collins. Priebe was drawing $275 from Priebe & Co. and 25 per cent of the net profits of Priebe & Co., after 7 per cent had been paid on the capital stock.

Senator NORRIS. He was doing that while representing the Food Administration?

Senator KENYON. He was getting a dollar a year here, was he not?

Mr. HENEY. He was getting a dollar a year here. And that Priebe & Co. had disposed of their stock—one minute—that the banks should not loan over 70 per cent, yet there is testimony that many of the banks had loaned customers who had good credit 100 per cent on the poultry they had put in storage that preceding year.

It seems that the large packers had made a good deal of money in the poultry business the preceding year; and so the small dealers had all plunged a little on poultry that year and there was such a demand for poultry that Swift & Co. wanted to secure this pack, as much of it as it could, and at as low a price as possible.

So, on account of this order, there was great complaint, of course, made, and finally the time was extended some. But on this order that the poultry should go out of cold storage on September 1, the dealers held back on buying stocks of poultry, and naturally. So that the smaller dealers who had poultry had to get rid of it as fast as they could, and not only did it depress prices somewhat, but Swift & Co. bought up a considerable part, as shown by the testimony, of the pack of the poultry held by small dealers whenever they put it out, besides buying the greater part of the new pack as it came in.

Of course, Armour bought heavily also.

Then he describes a convention of poultry men at Kansas City in which Swift & Co. ran the convention. It throws some light on the subject, and reads as follows:

A convention of poultry dealers took place in Missouri, in Kansas City, shortly after I commenced putting out these letters publicly in Chicago. And, by the way, I put out a letter that showed how Heyl came to get into the Food Administration and how Louis Swift and the other Swifts were very active in the matter of helping him to get there, and how a man named Brooks, of Swift & Co., wrote a letter to Swift telling him how his friend Chambers was to come on here and be in charge of shipments on the railroads. He is a Santa Fe Railroad man, and Chambers was the best friend that he had in the world, and Chambers had told him that when their interests came up they could rely on him to the limit. Of course, the Santa Fe was undoubtedly anxious to have the good will of Swift & Co., who are such heavy shippers; and shortly after Chambers got here he managed it so that the Food Administration, through Mr. Hoover, asked Swift & Co. to please loan them Mr. Brooks, so that Mr. Brooks came and got on the job himself. He was one of the dollar-a-year men, I think; I am not sure about his being a dollar-a-year man.

Senator NORRIS. You mean that you are not sure he got a dollar a year?

Mr. HENEY. No; I mean that he got a little more than that.

Senator NORRIS. He may have done it for nothing?

Mr. HENEY. He may have got a little more.

So at this poultry dealers' meeting, or convention, in Kansas City a man named Lightfoot, who is in the poultry business in Missouri and has some thirty-odd plants, a very successful man, one of the most aggressive of the smaller dealers, and who tells me that Swift & Co. told him in 1905 that they were going to put him out of business if he did not sell out to them or come under their control, at the same time they told it to Priebe, and that they did put Priebe out of business in 1905—they told him prior to 1905—and he went into insolvency or bankruptcy or something of the sort. They then acquired Priebe & Co., and then employed Priebe, and he had been running that ever since, and making large profits for Swift & Co. under this arrangement now, as I told you, of $275 a month and 25 per cent on the net profits after 7 per cent had been paid on the capital.

Senator KENYON. And then the dollar a year more here?

Mr. HENEY. Yes; and then the additional dollar a year here.

Lightfoot said that what he objected to most strongly was that Priebe was demanding that these dealers should make a statement each month telling exactly how much poultry he had bought, and from whom he bought it, the price he paid, et cetera; and Lightfoot said he had succeeded in maintaining himself against Swift & Co.'s attempt to put him out of business all these years, but, with the knowledge that Priebe would have if he answered those inquiries of the Food Administration—made those reports each month—that, of course, Swift & Co. could put him out of business as soon as the war was over; that if they were to give him—Lightfoot—the same information about Swift & Co.'s business that they were attempting to get about his, that he would guarantee that he could come pretty near taking away a large part of the business of Swift & Co.; that if he could get the financial backing he could take it all away in that particular line.

Lightfoot went to a hearing of these poultry dealers—I had not seen him up to that time—at Kansas City, and he introduced a resolution condemning Priebe and calling for his removal.

Senator KENYON. Asking for his removal from the Food Administration?

Mr. HENEY. Yes. And Mr. Hoover had been invited to go to Kansas City and address this convention, and he had sent Priebe there as his representative; and Lightfoot and his associates did not want to take any snap judgment—throw him out on one morning of the convention—that he intended to introduce this resolution on the following morning and press it to a vote, Mr. Priebe being there. Mr. Lightfoot made a talk in support of his motion and attacked Mr. Priebe in Priebe's presence, and accused him of using his position for the purpose of destroying the smaller dealers, of injuring their business, and aiding Swift & Co. to accomplish the monopolization of these things, and challenged Mr. Priebe to reply to it. But Mr. Priebe did not reply. And that night Lightfoot and a lot of others who were there told me the Kansas delegates were busy running around seeing everybody, sending them to vote against the resolution, insisting that they had invited Mr. Hoover there, and he had sent Mr. Priebe as his representative, and that it would not do to slap him in the face them; that if this was true, that was not the time to do it; and many of the dealers on that ground, or the representatives of the dealers on that ground, agreed to vote against it.

In addition to that, the big packers brought in 20 or 30 or more, as I recall it now, men who were under their influence—dealers, and some of their own employees—and had them pay in the $5, I think it was, initiation fee in order to be able to vote that morning; and the resolution came very near passing. I have forgotten the number of votes, but it was quite small, which it was defeated by.

And then Mr. Lightfoot after that got in communication with me. I went there in Chicago, holding these meetings and putting this correspondence forth.

When I got here to Washington on the summons of the Federal Trade Commission I was told that Mr. Hoover had complained to the President that the publication of these letters was impairing his influence and not getting the country to save food, etc., and that it ought to be stopped.

While I was here, or a day of two afterwards, Heyl resigned from the canned-goods division of the Food Administration.

Senator KENYON. Which one of the commissioners of the Federal Trade Commission took it up with you?

Mr. HENEY. All of them.

Senator KENYON. At a meeting?

Mr. HENEY. Yes; at a meeting.

Senator NORRIS. Did they order you to drop that?

Mr. HENEY. No. It seems that Mr. Hoover had gone to the President and that the President sent word over to them that he had no instructions to give in the matter, but he hoped a head-on collision could be avoided; that was the way it was put up to me.

So they wanted to know if I would talk with Mr. Hoover, and I said that I would—in their presence; and so an appointment was made, and Mr. Hoover came over and brought his attorney with him.

Senator KENYON. Who was that?

Mr. HENEY. I have forgotten his name. I think he is a Philadelphia man.

Senator KENYON. Was it Glasgow?

Mr. HENEY. Is that the name?

Senator KENYON. Yes.

Mr. HENEY. I told Mr. Hoover I thought that Priebe should be removed, and he said that he was satisfied that Mr. Priebe was absolutely all right; that Mr. Priebe had severed his connection with Swift & Co.; that he had an interest in four other concerns which had no connection whatever with Swift & Co.; that he was no longer drawing any salary from Priebe & Co., and the salary there was the smallest part of it, because he was getting 25 per cent of the net profits, which were quite large, after the 7 per cent had been paid on the capital.

Senator GRONNA. Did Mr. Hoover know that these other men—Heyl and Collins and possibly Brooks—were getting large salaries from the packers?

Mr. HENEY. Yes; because I brought that out at the public hearing in Chicago before this, Senator, and that was what brought about this condition that sent Mr. Hoover over to the President. He then told me, too, that Mr. Hoover had been indorsed by a convention in Kansas City as to his actions; as I recall it, he said "unanimously."

Senator KENYON. You mean Mr. Priebe?

Mr. HENEY. Mr. Priebe, I should say. At that time I did not know about the action of that convention, and that is the action I have been just telling you about.

I went back and investigated that, and I sent for Mr. Lightfoot to get the story, and I also took it up with Mr. Seymour Newman, who is the editor of the Chicago Produce News, and I found that the Chicago Produce News and a paper over in New York owned by the same man—not by Newman; Newman's employee, editor and manager at Chicago; this man's name I have forgotten, but he has a produce paper in New York—that he had been threatened for publishing editorials. He had been publishing editorials demanding that Priebe be removed and accusing Priebe of these things, and he had been threatened—a man had come over there from the Food Administration and said that his paper would be refused admission to the mails if he continued. I have learned that through his representative in Chicago.

Senator KENYON. How could the Food Administration deny the mails to a publisher?

Mr. HENEY. They were going to have it done through Burleson, under that law.

Senator KENYON. This messenger was not from Burleson's office?

Mr. HENEY. No. I happen to know who he was. It was Mr. Powell, of California, who was with the Food Administration.

I wrote a letter then to the owner of the paper, and Newman did not want me to—well, I wrote a letter to the owner of the paper in New York, and told him that Newman had told me that he had been approached, and asked him who approached him, and what was said, and said that if he would write me frankly and fully I would present the matter to the President; that I was satisfied that the President would not tolerate any such bulldozing to prevent a man from expressing his convictions in regard to a matter of this kind. I got a reply from him, but he did not tell me—but in the meanwhile he wrote an editorial taking back what he said about Priebe.

In this talk with Mr. Hoover I was asked if it was necessary—Hoover said all he wanted to know was that a man was crooked or not the right man for the place, and he would put him out immediately, but that he knew these other facts about Priebe. I said, "Mr. Hoover, I do not question your integrity one iota, but I do question your viewpoint not only in this matter but others," and I had in mind Joe Cotton. I questioned it very seriously, and I say Priebe is not fit for the job, and that Swift & Co. are interested in these other matters—business firms that he claims that he is interested in——

Senator KENYON (interposing). Is this Cotton the Wall Street lawyer?

Mr. HENEY. Yes. He had charge of the regulations of the packers, and whom I believe to be a man of the highest integrity but absolutely unfit, because of his viewpoint and environment, to have anything to do with regulating the packers; and that was demonstrated by the result of his regulation. I understand that he testified before a committee of the Senate that the regulations had cut the profits of the packers in half, and weeks later he got a report from the rate expert on the books, the checks of those 29 weeks' period, and the result showed that all of the packers but one were making more money up to that time, under the regulations, than they had made in 1917, and he had personally told me—Cotton had—that the profits in 1917 were "scandalous" and could not be described by any other term.

Now, I ask you from all these facts who ran the Food Administration? I ask you how and by whose consent these great profits were made? It was by consent of the Food Administration, under authority assumed by reason of the general terms of a law we passed. Shall we go further in this affair?

Mr. President, this of itself precludes my giving my vote for this bill. This same organization, these same representatives, this same system has been transferred to Europe, and they are now there to administer a charity fund made up by the taxpayers of the United States. The only people with whom they will have to deal in the purchase are the people with whom they have been dealing for the last year and a half. The people who are fixing the prices now are the people who have been fixing them for the last year and a half, and the people who will administer the fund are the same people who have been administering it for the last year and a half.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER (Mr. GAY in the chair.) Does the Senator from Idaho yield to the Senator from Iowa?

Mr. BORAH. I yield.

Mr. KENYON. I know the Senator wants to be accurate, and I call his attention to the fact that they are not exactly the same people. They are not all there. Mr. Thomas Logan, who was on a salary of the packers, maintaining an expensive suite here at the Willard Hotel, and also employed by the Standard Oil Co. and other corporations and running a bureau contributing to papers and magazines, went over with Mr. Hoover and Mr. Hurley, sat in all the conferences with them, discussing the food situation at a time when he was an employee of the packers. He has returned, so that the Senator is not exactly accurate in saying that all are there.

Mr. BORAH. Mr. President, I have no doubt that the cables will be open to Mr. Logan in case his advice becomes necessary in Europe.

Mr. CURTIS. May I ask the Senator a question before he closes his remarks?

Mr. BORAH. Certainly.

Mr. CURTIS. I understood the Senator to say a few moments ago that there was an understanding before Mr. Hoover went abroad that this money would be asked for, and that he went abroad to gather the facts to justify asking for it. Will the Senator give us his authority for that statement?

Mr. BORAH. I do not want to take the time to read it, but I will insert it in the RECORD. If the Senator will read the CONGRESSIONAL RECORD of January 20, 1919, on page 1746, he will find what I had reference to.

Mr. CURTIS. In whose speech is it?

Mr. BORAH. It is in the testimony of Mr. Taliaferro before the Agricultural Committee. The Senator will find that Mr. Taliaferro states that the packers and Mr. Hoover talked over the matter of finding a market or stabilizing prices for their reservoirs of food supplies in this country, that the subject matter was discussed, and he states plainly, it seems to me, that it was understood that the market was to be found in the European situation, and that the matter was discussed in its fullness before Mr. Hoover went to Europe at all. I can not construe it any other way.

Mr. KNOX. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Pennsylvania?

Mr. BORAH. I yield.

Mr. KNOX. Will the Senator from Idaho go a step further and tell us whether during that conversation there was a discussion or an understanding that an appropriation of this character was to be asked for in order to make that market? I think it raises an extremely important and interesting question here.

Mr. KENYON. I can assist the Senator, I think, about that.

Mr. BORAH. I would be very glad to have the Senator's suggestion. I will look for the specific statement. It is here.

Mr. KENYON. I do not think the specific statement is there, but at the conference there was an agreement that this appropriation should be asked. The situation was this, according to the witnesses: Britain had ceased to buy pork products. The packers either sought a meeting with Mr. Hoover or he called them here in October, some 25 or 30 of them, including the witness. The whole situation was talked over, and the question of stabilizing the prices was discussed, so that there would be no loss to the packers, and keeping, rather, an agreement of honor that had been made between the Food Administration and the packers as to keeping up prices under the arrangements which had theretofore been made. The witness said he did not know at that time that Mr. Hoover was going to Europe, but that Mr. Hoover had now gone there, and he expected him to carry out the understanding of that meeting. That is the substance of his testimony.

Mr. BORAH. I will read from Mr. Taliaferro's testimony:

Mr. TALIAFERRO. So far I have no objections. If the present price is maintained and there are not sufficiency of orders forthcoming the packers are going to be compelled to stand the biggest loss, in my estimation, that they ever stood, and probably a great many of them will be seriously crippled.

Senator KENYON. Just what do you mean by that? Are there great quantities of meat products in cold-storage houses now?

Mr. TALIAFERRO. At the present time the products, while ample, are pretty well taken care of by allied orders.

* * * * * * *

Senator GRONNA. In reality, there is an oversupply of meats at the present time?

Mr. TALIAFERRO. There is an oversupply immediately available for the amount of consumption that is apparent.

Senator KENYON. And if we do not get rid of that oversupply the packers are going to be in a bad way?

Mr. TALIAFERRO. They are going to be compelled to stop. We are only operating in one door and carrying it out the other. If any links of that chain is broken, the weakest one, the whole thing stops.

Senator GRONNA. Has that oversupply caused any change in prices?

Mr. TALIAFERRO. Has it made any change in prices?

Senator GRONNA. Yes.

Mr. TALIAFERRO. Not yet, Senator; but it is likely to make an awful change in prices if the outlet is stopped. If you dam the river up at its outlet instead of its source, you are going to have trouble.

The CHAIRMAN. You figure if this meat can be used and disposed of to the southeastern Europeans that that demand will relieve this congestion of meat and it will enable the packers to keep running and supply the demand for fresh meat in England?

Mr. TALIAFERRO. It will; that is the secret of the whole thing, Senator, that the continuity of events must not be interrupted in any one particular, not from the producer on the farms to the consumer in Europe.

Senator KENYON. If they did not get the consumer in Europe and these products were thrown upon the market the consumer would get meat a little cheaper, would he not?

Mr. TALIAFERRO. He certainly would.

Senator KENYON. But you think it would make a smash among the packers?

Mr. TALIAFERRO. It would make a smash among the producers and packers, too.

Senator KENYON. Both together?

Mr. TALIAFERRO. You can not pare that potato without taking off something from each fellow. Everyone will have to suffer if that happens. The apparent suffering will be, of course, on the man who owns the biggest amount of product, which will be the packer. The packer has no guaranty that this stuff he is paying 17½ cents for is going to be taken off his hands. There is no guaranty. The Food Administration has not given us a guaranty on that. They have just told us, "Go ahead. You are a patriotic bunch of fellows, and pack these hogs on the basis of 17¼, and we are going to get orders for you." But they do not give us any insurance policy.

The CHAIRMAN. Mr. Hoover was instrumental in giving those assurances?

Mr. TALIAFERRO. I want to say one thing for Mr. Hoover; that I have been under him—in connection with the license—and I have seen that gentleman under the most adverse circumstances, the most trying circumstances, and I want to say that he is one of the grandest men I know of; that he has done more good to the producers of this country than any other man in the country.

The CHAIRMAN. The packers pretty generally agree in that opinion?

Mr. TALIAFERRO. I do not know. They know worth when they see it.

Senator KENYON. Was meat and money the only things he talked over with the packers?

Mr. TALIAFERRO. It has all been a matter of our risking our money against their promise of their ability to relieve us of the product.

Senator KENYON. Do you not think, now, with Mr. Hoover over there insisting on this $100,000,000, that he is keeping faith with you?

Mr. TALIAFERRO. I certainly do, or I would stop buying hogs; and I will go the limit on what he says, and that is the reason I am spending my good money on hogs. I know I will lose a lot of money on it if anything should slip

I also insert in this connection the statement of Glasgow, representative of the Food Administration, in testimony before the House committee on this bill:

We also at this time, because of the stimulation of the production of hogs throughout the hog-producing sections of the country, have accumulated in the hands of the packers, by reason of the run on hogs at this particular time of the year, a large surplus that we must work off as we can to Europe, and one of the purposes of Mr. Hoover has been, if possible, to provide a safe and regular drain of such edibles as fats, oils, and cereals that we have a surplus of to Europe, with due regard to protecting our own population by holding control over the export of them.

Mr. KNOX. Mr. President, I attach so much importance to the judgment of the Senator from Idaho that I want to be perfectly clear about it, if he is willing to make himself a little more clear. The impression that I received from his statement was that it had been prearranged that this $100,000,000 appropriation should be asked for in order to relieve the packers. I have heard here on the floor of the Senate that we should appropriate this money because of the sending of this cablegram from the President to the Acting Secretary of State, in which he points out the distress and hunger which exists in various sections of Europe and particularly among the urban population, and asks for money to be expended by him as he shall see fit, and where he sees fit to expend it. Those are two entirely different propositions. I would never in the world vote for an appropriation of $100,000,000 to enable Mr. Hoover to stabilize packing products in Europe by virtue of a preconceived arrangement. I might, in connecting the situation in Europe with the war, be persuaded to vote for the appropriation upon the theory the President puts it. I would like to know what is the deliberate judgment of the Senator from Idaho upon those two propositions?

Mr. BORAH. The Senator from Pennsylvania is an able lawyer and a sound judge of evidence. Let us review briefly,

therefore, the facts and circumstances which warrant the conclusion I have drawn. First, let it be remembered that men in the employ of the packers, drawing large salaries from the packers, were in control of matters in the Food Administration having particularly to do with the packers' interest; that upon the signing of the armistice the packers were left with a large food supply on hand which they had acquired during the war; that if a market was not found for this food they stood to lose a large sum of money, as prices would fall and they would have to sell on a falling market; that the point, therefore, was to find a market and thereby stabilize prices, and in this the packers were supremely interested; to this end a conference was called between the packers and Mr. Hoover, and the entire subject matter was discussed, although we have not the details as fully as we should like; shortly after the conference the newspapers carried the statement that Mr. Hoover was going to Europe to look after the food situation and might become the food dictator of Europe; that on this trip to Europe with Hoover, sitting in with him and advising about the situation, were men in the pay of the packers; that within less than a week after Mr. Hoover arrived in Europe, and before he could have surveyed the situation, before he had been outside of Paris or London, the newspapers carried back here, in substance, his plan; then came his demand for a hundred million dollars; this was followed by a telegram from Mr. White, a member of the peace commission, urging a hundred million dollars more and referring to the fact that we had large food reservoirs in this country, the prices for which should be stabilized; that afterwards Mr. Glasgow, representative of the Food Administration, stated specifically that the packers had accumulated large supplies of pork, and that it was necessary to work this off as we could to Europe, and that that was one of Mr. Hoover's purposes; that Mr. Taliaferro, representative of the packers, testified before the committee that in demanding this hundred million Hoover was simply keeping good faith with the packers, or, in other words, carrying out the understanding, express or implied. Add to this the fact that we went in search of an opportunity to expend this money, and did not wait for the petitions or pleas to come from the distracted countries. Others may take what view they will; I can not close my eyes to such a set of facts, to my mind intolerable and indefensible.

Mr. KNOX. Can the Senator from Idaho tell me whether or not it is the same evidence upon which the Senator from Oklahoma [Mr. GORE] made the statement day before yesterday that a part of this money was to be used for this purpose?

Mr. BORAH. It is part of the same evidence.

Mr. President, I can not recall the witness's name, because I am not a member of the committee, but there was a witness who appeared before the House committee several weeks ago and testified with reference to this reservoir of foodstuffs which are on hand. I can not recall the witness's name, but as to the necessity of taking care of it and to avoid loss upon the part of the packers——

Mr. KNOX. To what Mr. White did the Senator refer?

Mr. BORAH. I referred to Mr. White, the member of the peace commission.

Mr. KNOX. Can the Senator indicate where that cablegram can be found?

Mr. KENYON. I will say that it can be found in the House hearings. It is the cablegram to Senator Lodge. It is not all there, but the portion the Senator from Idaho referred to is there.

Mr. SMOOT. May I interrupt the Senator?

Mr. BORAH. Certainly.

Mr. SMOOT. The Senator speaks of the food reservoir, and from his remarks I judge that the food in that reservoir in France belongs to the packers. Am I correct in that?

Mr. BORAH. In France?

Mr. SMOOT. Yes.

Mr. BORAH. I do not know where it is located. It is supposed to belong to the packers wherever it is located.

Mr. SMOOT. I wish to say to the Senator that from all the testimony we have had that I have heard the food products in France that are to be drawn from belong to the United States. The packers have been paid for every pound of it, and it is there now in great quantities. It was sent there for the purpose of feeding the Army, thinking that the war would go on for months and months longer. The selling of that product can not give the packers any benefit whatever.

Mr. BORAH. Neither is it necessary to appropriate $100,000,000 to get it.

Mr. SMOOT. That is another question. All I wanted to know was whether the packers had over there products which were not sold and paid for. In that case I certainly would not vote a single dollar to purchase the products of the packers that were over there and not liable to be used because of the Army returning home. But I understand the Government of the United States has paid for every pound of meat products, and every pound that is now in France has been purchased from the packers.

Mr. BORAH. That may be true, but we are not appropriating $100,000,000 to get that food supply.

Mr. SMOOT. I wish to say, if I understand the situation aright, the food supply is to be bought by a portion of this appropriation.

Mr. BORAH. Bought of the United States?

Mr. SMOOT. Certainly; not only the food supply we have in France, but the millions of suits of clothing and all the acres and tens of acres of trucks and automobiles.

Mr. BORAH. You are not going to feed those to the Bolshevists?

Mr. SMOOT. No; but I will say to the Senator that those things are there, and they are to be sold by the United States.

Mr. BORAH. But that has nothing to do with this fund whatever. Let us not mix up automobiles and trucks with pork.

Mr. SMOOT. I will simply say that we have pork there in great quantities. We shipped over 2,500,000,000 tons of beef for the feeding of our Army. We have lard and lard products in large quantities, and we have all manner of food provisions there for the Army. They are not to be used, and can not be used, by the time the Army is supposed to leave France, and they have got to be sold. Whether they are sold for this purpose or some other purpose, they have to be sold, and whatever we get out of them, of course, will go into the Treasury of the United States.

Mr. LA FOLLETTE. If I might inquire——

Mr. BORAH. I shall yield in just a moment. I desire to ask the Senator from Utah what construction he places upon this:

> Mr. TALIAFERRO. It has all been a matter of our risking our money.
> Senator KENYON. Do you think now, with Mr. Hoover over there insisting upon this $100,000,000 appropriation, that he is keeping faith with you?
> Mr. TALIAFERRO. I certainly do.

What construction does the Senator from Utah place upon that?

Mr. SMOOT. Mr. President, I was not discussing the question as to whether or not they had an agreement. I asked the Senator the question if he knew whether the packers had any meat products over in France that were unsold? I understand they had no reservoir of food in France, and that the only meat products in France, which are held in any quantities at all, are either owned by our own Government or by the English Government or by the French Government.

Mr. BORAH. That is veering away from the proposition which I was discussing. I say that the evidence is ample to satisfy any reasonable mind that this plan to appropriate money to feed the people of Europe resulted from an interview and conference with the packers of this country who wanted to get rid of their extraordinary food supplies that were on hand.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Iowa?

Mr. BORAH. I yield.

Mr. CUMMINS. Does not the Senator from Idaho see that exactly the same result would be accomplished; that is, the maintenance of the prices of foodstuffs? Suppose the Government has—that seems to be a disputed matter, but the papers have so stated it—$55,000,000 worth of foodstuffs in Europe; suppose it belongs to the Government, and we take $55,000,000 of this appropriation and pay it back to the Government for the food we already have there at those prices, the result is just the same; the prices are maintained, and the packers are benefited accordingly, although in that event the bill ought to be changed so that it would simply be a donation of this food which we have accumulated instead of an appropriation.

Mr. BORAH. Yes; I do not see any reason for appropriating $100,000,000 and taking it out of the pocket of Paul and putting it in the pocket of Peter.

Mr. CUMMINS. I intend to discuss that phase of the matter presently, when we reach it.

Mr. SMOOT. I will state the only reason for that. Suppose this Government, if we pass this bill, appropriates $100,000,000 and it is distinctly understood that England, France, and Italy will make an appropriation of $200,000,000 more, so that the fund will be $300,000,000; then whatever products are purchased will be purchased out of that fund as a whole, whether it is purchased of England, of France, or of the United

States. That is the only reason I can see for making an appropriation of money rather than a direct appropriation of the products themselves.

Mr. BORAH. Well, Mr. President, all this is getting away from the proposition that I do not want forgotten and the proposition which I have stated.

Mr. President, I would not be so absolutely certain of this proposition—although the evidence was in my possession when I spoke the other day, but it was in my possession in such a way that I was under obligation not to use it, and the only reason I feel justified in using it to-day is because Mr. Taliaferro let the cat out of the sack—if the evidence were not in existence; but it can be had, and, in my judgment, before the committee gets through it will be beyond peradventure. I do not propose, sir, to cast my vote even when there is a well-founded doubt.

If there is a way to administer this fund beyond question, so that it will be administered straight and clean and to the best interests of the taxpayers of the United States, why, in the name of justice, should men under their oath take a chance in administering a trust fund? Would you do it with your business affairs? If you were standing here as a guardian of a trust fund, would you for a moment undertake to have it administered with such facts as these staring you in the face by such a machinery as that? And you should be 10 times more careful with a trust fund which may cause trouble in this country before we are through.

Passing a hundred million dollar appropriation upon a telegram! There is no more determination in the mind of Mr. Hoover since he visited the depopulated and crushed people of Europe to feed them than there was when he left here. He is not any more convinced now than he was when he took boat from New York that it would be necessary to do so.

Why did not we wait until the cry from Macedonia came to us? Where are the people of Europe who have petitioned the people of the United States for charity? Where is the supplication? It did not originate in Europe; it originated in Chicago. That is just as true as men tell the truth under oath, as these men have, and there was plenty of evidence in Chicago before Mr. Hoover left, that this was to be the program; yet, sir, you will take it from the people in this country who have reached the limit of their endurance.

I am perfectly willing, Mr. President, for the United States to bend a little further, to take on a little more of a burden, and to assume some further responsibility in order to do justice to those people who have felt the oppression of bureaucracy and kingship for three centuries. I have no sympathy in my heart for any of that remnant of kings and bureaucrats who are fast passing into oblivion and into other places, but I want the people or the taxpayers of the United States to be protected when we take this proposed action. I want men to administer this fund who have a due regard for the people of this country. My desire is to have it administered in such a way that it will serve both those who are to be fed and those who must pay for the feeding.

Mr. MYERS. Mr. President, I was amazed to read in the Washington Post of this morning that we are about to furnish a large quantity of food to Germany and to receive in exchange therefor a certain quantity of Germany's shipping. I read from the article, which attracted my attention this morning and caused my amazement, as follows:

> The armistice conference at Treves between the German and allied shipping and food commissions, which include Sir John Beale Anderson and John A. Salter for Great Britain, and Edward N. Hurley, Lewis H. Sheldon, and Howard Heinz for the United States arranged for the delivery to the starving people of Germany from America 70,000 tons of pork and 200,000 tons of cereals. The Germans can negotiate for transformation of a portion of cereal ration into condensed milk for children. We get about 350,000 tons of shipping, half of the available German passenger ships, with capacity for 70,000 home-bound soldiers.
>
> The British get the other half of the passenger tonnage, smaller passenger ships, needed to move the Australians through the Suez Canal, which the *Bismarck* and *Imperator* could not pass. The remuneration to Germany at the current market rate for the used passenger ships will be its credit against the food they get from us. Two million tons of German cargo ships to be used for food shipments will be divided among the allies. All enemy ships are taken "without prejudice as to their final disposition," in which diplomatic phrase the German's find small comfort.
>
> The German ships are to be delivered at designated ports of Great Britain and France. The German sailors who bring them are to be sent back home at the allies' expense. German entreaties for further use of their sailors were denied by our negotiators, among other reasons being that we are not willing to take the risk of sending German-manned boats into American ports.

This is most astounding to me. I am emphatically opposed to such an arrangement. It does not have my approval. I do not believe there is any starvation in Germany. I believe the people of Germany are far better off than are the people of France and of Belgium. They have not felt the war nearly so much or so cruelly as have the people of France or of Belgium. Immediately after the conclusion of the armistice a great cry and clamor went up from Germany to have foodstuffs sent to her alleged starving people. Immediately that the armistice agreement was completed the first thing which we heard was a great cry and clamor from Germany for us to feed the alleged starving people of Germany. They even had the German women undertaking to get into communication with the women of this country in order that the German cry for food might be heard and heeded here. The matter was investigated by careful investigators, and it was found that there was no starvation in Germany; that starvation was not imminent nor was it threatening. It was found that the German people were not in need of food; that they had just harvested their 1918 crop, and had that crop in their cellars and storehouses. It was ascertained that they had sufficient food to carry them through the winter, at least; that there was no suffering because of lack of food. The false cry being exposed, for the time being the clamor of Germany for food quieted, but now it is renewed.

I do not doubt that every man, woman, and child in Germany would go to work and fill their cellars, storehouses, and bins with food, would store away enough food to last a year, and then would make affidavits that they had no food, that they were starving, if they thought that by so doing they could get something for nothing from the United States and could thereby starve to death a few more women and children in France and Belgium, where there is real and great suffering for the necessities of life. That is just about how much credence I put in the cry for food from Germany. I believe nothing that comes from Germany. I believe in nothing in Germany.

We should not furnish the Germans with food in return for ships. We should, as a conquering Nation, take those ships from Germany as a conquered nation. The trouble is that Germany does not feel that she is conquered; she does not feel that she is beaten. The people of Germany feel that they have never surrendered; that they are an unconquered, an unbeaten people. That feeling is paramount in their breasts to-day. I think we made a great mistake in not prosecuting the war until there was an unconditional surrender of Germany on German soil, until there was a smashing military victory over the Germans on German soil. Germany should not only have been beaten to the ground but she should have been beaten into the ground. Germany should have been subjected to a devastating invasion of fire and sword and been made to feel some of the terrible suffering she imposed upon innocent people. The guilty people of Germany should have been made to feel some of the hardships that they imposed upon the innocent.

Germany is not entitled to any consideration from us. Germany violated every principle of international law, of civilized warfare, of humanity and decency, and put herself beyond the pale of consideration. Not only were the German war dogs guilty of such conduct, but the people of Germany backed it up with their hearts, their pocketbooks and their efforts. I believe that every time a woman or young girl was ravished by a brute of a German soldier in France or Belgium it caused a thrill of joy in the heart of every person in Germany to whom it became known. I believe that every time a little boy had his hands cut off at the wrists, every time a baby was impaled on a bayonet, every time a baby was grabbed out of its mother's arms and had its brains dashed out on the floor by a brutal German soldier, it caused a thrill of joy in the heart of every person in Germany who heard about it. If 1,000,000 German people heard about it, I believe there were 1,000,000 thrills of joy over it; if 10,000,000 people heard about it, I believe there were 10,000,000 thrills of joy over it; if 70,000,000 people—the population of Germany, I believe—had heard about it, I believe it would have caused 70,000,000 thrills of joy in German hearts.

I believe we are starting out to be entirely too soft in our treatment of the people who plunged this world into the most horrible war and devastating outrage upon humanity that has ever been known. The people who waged a wicked, infamous, criminal, and fiendish warfare upon the civilization of the world should be punished for it; they should be punished adequately; they should be punished severely. There is merit and justice in adequate and severe punishment under such circumstances. Yet I find from this morning's Washington Post that the people of Germany are renewing their oft-repeated whimpering and whining about the terms that are apparently in store for them. I read that Prince Lichnowsky, former German ambassador to Great Britain, yesterday gave the following statement to the Associated Press:

> A peace of right and justice, provided it is not merely to be a phrase behind which a peace of violence conceals itself as a pax Britannica, can only be such a peace as neither enslaves nor mutilates the conquered and which leaves him the possibility of recuperating, of paying his debts, and of entering with complete confidence into the peaceful competition of a society of nations. A league of nations which has its roots only in statutes and is not in the hearts of peoples is worthless.

Further down in his statement he says:

Hence a peace of justice would be only such a one as neither boycotts us nor lays upon us intolerable financial burdens which would make us dependents for all time, nor one which creates untenable borders and robs us of lands which we require geographically and economically.

It is the constant cry and refrain of the Germans that we must not be hard on Germany; that our terms to Germany should not be severe; that we must not humiliate Germany; that we should permit Germany quickly to recuperate her power and resuscitate her resources and take her place among the nations of the earth. That is the talk of a nation that assumes to speak to the other nations of the earth as an equal, on an equal footing, and not as a conquered nation, beneath the notice and almost beneath the contempt of the decent peoples of the world; not as a nation that has violated every precept of humanity and decency and which is entitled to no consideration except such as its conquerors see fit to give to it. I believe that cry will be kept up time after time, in season and out of season, until Germany will manage to obtain terms which she does not deserve and should not receive. That is evidently now the game of Germany. It is her deliberate plan, by trickery, deception, falsehood, appeals to pity, to obtain that which she could not win by war. I fear she may partially succeed.

If we vote the $100,000,000 proposed to be appropriated in the bill now before this body for consideration, I believe it will only be a short time until we will be called upon to vote $100,000,000, or more than that, to the alleged starving people of Germany, when there will be no necessity for it, when there will be no starvation in Germany, and when her alleged starvation will be merely a sham and pretense, a wicked deceit and falsehood, mere camouflage.

I am opposed to anything which approaches it or may lead to it. I believe that the people of Germany and the people who helped her to perpetrate a monstrous outrage on the world should be made to feel the hard heel of justice, and justice of the right kind. I am opposed to taking any step which may lead up to dealing softly or in an unjust manner with Germany. I say "unjust," because if she is given easy terms it will be unjust to all the rest of the world, at least to all countries and peoples not in league with her deviltry.

It seems to me that the United States is about to assume the rôle of being the big rich uncle to all the remainder of the world; that we are going to be a big rich uncle to all of Europe, friend and foe alike; and that if anybody needs help over there or gets into trouble, they will turn to Uncle Sam, their big rich uncle, for assistance. If we make the proposed appropriation which is before us for consideration, I believe it will encourage the unstable, restless, dissatisfied peoples of the remainder of the world to engage in revolution, in uprisings, in civil strife, in internecine warfare; to burn and destroy; to leave their vocations and destroy each other's crops and products; to neglect the cultivation of the soil; and to spend their time in Bolshevism and revolution and contentions among one another. Then, when they run out of food, I fear they will say, "Oh, we do not need to bother about that; Uncle Sam, our big rich uncle, the big rich uncle of all the world, will see that we get food; Uncle Sam will feed us; let Uncle Sam do it."

I am opposed to encouraging any such feeling or setting any such example or creating any such precedent. I am opposed to doing anything or taking any step that will be likely to create any such sentiment or hope in the hearts of the other peoples of the world. If we are going to feed the people of Europe this year, to keep them from becoming Bolsheviki, we will have to do it next year; for just so long as you let people know that you will feed them in order to make them abstain from assaults upon the civilization of the world, they will take you at your word and make you feed them. If we embark upon this policy, I think it will be only a few weeks until we will have to repeat it; and, if we continue it through this year, we will have to repeat it next year and the year after; and just so long as we are willing to feed people, to keep them in idleness, to keep them from becoming anarchists and making assaults upon the civilization of the world, we will have to keep it up; there will be no end to it. This will be merely the beginning and a very bad beginning, in my opinion. I believe the principle is wrong; I believe the policy is dangerous. I think it mistaken generosity. It may do credit to the heart, but I think it fraught with danger. In my opinion it is more good hearted than sound, safe, or just.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Arizona.

Mr. ASHURST. On that I ask for the yeas and nays.

Mr. JONES of Washington. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	Martin, Ky.	Sherman
Borah	Hollis	Martin, Va.	Smith, Ariz.
Calder	Johnson, Cal.	Moses	Smith, Ga.
Colt	Johnson, S. Dak.	Myers	Smoot
Cummins	Jones, Wash.	New	Sterling
Curtis	Kellogg	Nugent	Thomas
Fletcher	Kenyon	Page	Trammell
France	Kirby	Pittman	Underwood
Frelinghuysen	Knox	Poindexter	Wadsworth
Gay	La Follette	Pollock	Warren
Gerry	Lenroot	Pomerene	Weeks
Hale	Lewis	Saulsbury	Williams
Harding	McKellar	Shafroth	
Henderson	McNary	Sheppard	

Mr. GERRY. I wish to announce that the Senator from North Carolina [Mr. OVERMAN], the Senator from Delaware [Mr. WOLCOTT], the Senator from Utah [Mr. KING], and the Senator from Minnesota [Mr. NELSON] are detained on official business.

Mr. McKELLAR. I desire to announce the absence of my colleague [Mr. SHIELDS] on account of illness.

The VICE PRESIDENT. Fifty-four Senators have answered to the roll call. There is a quorum present. The Senator from Arizona has asked for the yeas and nays on his amendment. Is the demand seconded?

The yeas and nays were not ordered.

The VICE PRESIDENT. The question is on the amendment of the Senator from Arizona.

Mr. ASHURST. Then, of course, Mr. President, if the Senate refuses me the yeas and nays I shall be obliged to consume considerable time in order to convince the Senate that it ought to grant the yeas and nays, because of course the bill is not going to pass until the yeas and nays are called on this amendment.

Senators have been very industrious——

Mr. MARTIN of Virginia. Mr. President, the Senator announces that he will annoy the Senate into doing what he wants?

Mr. ASHURST. Yes, sir; I want the yeas and nays.

Mr. MARTIN of Virginia. I raise the point of order that the Senator has spoken twice on this matter, and it is not now in order for him to address the Senate again.

The VICE PRESIDENT. Has the Senator spoken twice to-day?

Mr. ASHURST. Yes, sir.

The VICE PRESIDENT. And twice on the amendment?

Mr. ASHURST. Yes, sir; I have.

The VICE PRESIDENT. Then that seems to be the end of the Senator's rights under the rule.

Mr. ASHURST. Well, I will, of course, submit. I am overpowered. My very learned and beloved friend, the chairman of the committee, has been industriously going about and urging Senators not to grant the yeas and nays.

Mr. MARTIN of Virginia. Mr. President, I should not have made the point of order except that the Senator boldly declared that his purpose was to torture the Senate into doing what he wanted it to do.

Mr. ASHURST. Mr. President, I am defeated, and I yield as gracefully as possible.

The VICE PRESIDENT. The question is on the amendment of the Senator from Arizona. [Putting the question.] By the sound, the "noes" seem to have it.

Mr. ASHURST. I call for a division.

The VICE PRESIDENT. A division is called for. All in favor of the amendment will rise. [A pause.] Those opposed will rise. [A pause.] The amendment is lost.

Mr. McKELLAR. Mr. President, I ask for the yeas and nays.

The VICE PRESIDENT. They have already been refused.

Mr. ASHURST. Mr. President, I reserve the right to offer the amendment in the Senate.

The VICE PRESIDENT. The Senator has a right to do that. The bill is still open to further amendment. If there be no further amendment to be proposed as in Committee of the Whole, the bill will be reported to the Senate.

Mr. CUMMINS. Mr. President, I desire to ask the Senator in charge of the bill whether he expects to get a vote on the bill to-night? I have it in mind to submit certain observations, but I do not want to do so to-night, and I will not do so at great length at any time.

Mr. MARTIN of Virginia. Mr. President, I have been anxious every day for several days to get a vote, and I confidently expected a vote to-day; but the Senate, in the exercise of its privilege, has debated the matter longer than I expected, as Senators had a right to do. At this late hour I would not be willing to pursue a course that would compel the Senator from Iowa to address the Senate when he would prefer to put it off until to-morrow.

AMENDMENT TO INDIAN APPROPRIATION BILL.

Mr. NELSON submitted an amendment proposing to appropriate $15,000, or so much thereof as may be necessary, of the tribal funds of the Chippewa Indians in the State of Minnesota to pay the expenses of the general council of that tribe to be held at Ball Club, Minn., July, 1919, etc., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

RECESS.

Mr. MARTIN of Virginia. I move that the Senate take a recess until 11 o'clock to-morrow morning.

The motion was agreed to; and (at 4 o'clock and 35 minutes p. m.) the Senate took a recess until to-morrow, Thursday, January 23, 1919, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *January 22, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We lift up our hearts in gratitude to Thee, our God and our Father, for the endowments of mind and soul with which Thou hast blessed us; for the knowledge which by experience and research we have accumulated; and we pray for wisdom, that we may use the endowments and our knowledge for the uplift of humanity, that Thy kingdom may be advanced upon the earth. In His name. Amen.

The Journal of the proceedings of yesterday was read and approved.

RATIFICATION OF PROHIBITION AMENDMENT.

The SPEAKER. The Chair has certificates from authorities of certain States that the prohibition amendment has been ratified, from the States of Colorado, New Hampshire, Oklahoma, Florida, Indiana, Washington, Oregon, Nebraska, and North Dakota, and they will be filed in the archives of the House.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. FLOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14516, the Diplomatic and Consular appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14516, the Diplomatic and Consular appropriation bill, with Mr. FERRIS in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14516, the Diplomatic and Consular appropriation bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Interpreter to legation and consulate general to Persia, $2,000.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph. The committee throughout this title, I notice, have increased the salaries of interpreters and student interpreters herein from $500 to $1,000, in a few instances, possibly not aggregating as much as that. I would like to inquire the reason for the committee's action in making this decided increase in these interpreters and student interpreters?

Mr. FLOOD. The reason which actuated the committee was the statement of the officials of the State Department made to the committee that it was impossible to get the proper kind of men to accept those positions now at the present salaries. They are not able to live on the salaries, and they could not get Americans to take up these difficult languages and learn them so as to be efficient interpreters, and if they could not the result would be we would be dependent upon non-Americans to render this necessary and valuable service to our representatives abroad, and that would be the case at times when it was essential to have Americans in all of our diplomatic and consular service. The interpreter to legation and consulate general to Persia is getting $1,000 a year. They just could not expect a man of sufficient intelligence, an American citizen, to stay there for that salary.

Mr. STAFFORD. Will the gentleman inform the committee whether this position has been heretofore filled by an American citizen or whether the position was not accorded to some native who was acquainted with the English language and the native language?

Mr. FLOOD. The attempt has been to fill it with Americans, but they have sometimes been unable to do that on account of the salary.

Mr. STAFFORD. I would question whether it was ever intended to fill the position of interpreter and keep him continuously employed on that work at a salary of $1,000 in Persia.

Mr. FLOOD. The effort has been made to get American citizens in the student interpreter corps. American citizens go in the student corps and study these languages and then they are promoted into interpreters, and the effort has been and desire is to have all Americans. They have been unable sometimes to get Americans for the reason of the inadequacy of the salary and the argument appealed to the committee, and we made an increase for that reason, because we want to Americanize the entire Consular and Diplomatic Service, and I will say to the gentleman most of the increases in this bill are directed to that purpose.

Mr. STAFFORD. What are these student interpreters provided in the second paragraph following doing during their matriculation?

Mr. FLOOD. During the course of study they render some service to the legations as clerks, but not a great deal, because their time is practically taken up in study. We provide a teacher for each student interpreter, and their time is principally taken up in the study of these languages, but such time as they can spare they render services in the way of interpreting and other things at the consulates or legations or the embassies to which they may be nearest.

Mr. STAFFORD. What salary do they receive after they complete the course of study?

Mr. FLOOD. They are promoted from students to interpreters, and they have been receiving a salary of $1,000 to $1,500.

Mr. STAFFORD. Where is the provision in the bill that they have been receiving that salary upon their graduation?

Mr. FLOOD. When they finish their course of study, when they acquire sufficient knowledge of these languages to become interpreters, they are made interpreters, and as interpreters have been getting from $1,000 to $1,500 a year.

Mr. STAFFORD. Where is the item in the bill providing for their payment after they graduate as full interpreters?

Mr. FLOOD. The item the gentleman read, interpreter to legation and consulate general to Bangkok, Siam.

Mr. STAFFORD. This is the only provision in this bill for the employment of two interpreters?

Mr. FLOOD. Oh, no.

Mr. STAFFORD. One as the interpreter to legation and consulate general to Persia and the other as the interpreter to legation and consulate general to Bangkok, Siam?

Mr. FLOOD. No; there are some more.

Mr. STAFFORD. I will be glad to have the gentleman point out any provision for the employment of full interpreters.

Mr. FLOOD. The Consular Service has a number of interpreters.

Mr. STAFFORD. Will the gentleman kindly point out the item in the bill which provides for their employment after they graduate from these classes of instruction?

Mr. FLOOD. That is paid out of the fund providing for the salaries of consular offices, out of a lump sum.

We have in the service now quite a number of interpreters.

Mr. STAFFORD. I am more concerned as to salaries they are receiving on their graduation. Certainly, if they receive $1,500 as students, they would receive more when they qualify to perform the work of the Government as interpreters.

Mr. FLOOD. In some of the consulates they receive $2,000 a year. There are 16 of them in addition to these to whom the gentleman refers.

Mr. STAFFORD. Is it not a fact that no interpreter who is paid out of the lump-sum allowance for pay of consulates receives less than $2,000 a year?

Mr. FLOOD. I think so; yes.

Mr. STAFFORD. Mr. Chairman, to the present paragraph I will withdraw the reservation of the point of order. The chairman has made out a meritorious case.

The Clerk read as follows:

Interpreter to legation and consulate general to Bangkok, Siam, $2,000.

Mr. ROGERS. Mr. Chairman, I move to strike out the last word.

In the course of the debate yesterday afternoon I referred to an item on page 2 of the bill, line 10, being an appropriation for the salary of our minister to Costa Rica. Our minister to Costa Rica is Mr. Edward J. Hale, of North Carolina. I stated

at that time that it was my information that Mr. Hale had returned from Costa Rica two years ago or thereabouts to his home in North Carolina and had enjoyed life in North Carolina ever since. That statement, I understand, was not disputed, but my further statement, that during that entire two years he had been also enjoying the payment of the full salary of $10,000 a year for doing nothing, was disputed by the distinguished chairman of the committee, the gentleman from Virginia [Mr. FLOOD]. I called this morning at the State Department to get the information about the case, because I had no desire to mislead the House even innocently.

I am informed that the facts are these: That Mr. Hale came back from Costa Rica in April, 1917; that he went to his home in North Carolina and has never been back to Costa Rica during the almost two years which have since intervened; that he has done no Government work; that he has performed no diplomatic functions of any kind during that period; but that he has been regularly in receipt of the full salary of $10,000 a year during the entire time.

Mr. GARNER. Will the gentleman yield?

Mr. ROGERS. Yes.

Mr. GARNER. Is there not any process by which you can stop such stealing as that from the Treasury?

Mr. FLOOD. Yes.

Mr. GARNER. What is it?

Mr. FLOOD. The process, if the gentleman is correct, and if the State Department officials correctly stated it to him, is that the official who is responsible for it should be impeached, because it is a clear violation of the law. Section 1742 provides that they shall not receive salary for the time during which they may be absent, by leave or otherwise, for a period exceeding 60 days in any one year. If anyone in the State Department has allowed Mr. Hale to stay away from his post of duty for two years without doing any Government work or rendering any service to the Government and draw his salary that official has violated the statute law of this country. Will the gentleman name the man who is responsible for it?

Mr. ROGERS. I do not know who is responsible for it. It is the gentleman's administration.

Mr. FLOOD. Who at the State Department gave the gentleman this information?

Mr. ROGERS. The information is a fact. I do not see why I should bring in the individual's name.

Mr. FLOOD. I called up the State Department this morning and was told that it could not be a fact, owing to the law I have referred to.

Mr. ROGERS. There seems to be a pretty square conflict of authority there.

Mr. GARNER. Somebody has got to come across with the authority.

Mr. FLOOD. We would like to know the gentleman who is responsible for this.

Mr. ROGERS. I do not know, and I do not think my informant is responsible for the situation.

Mr. FLOOD. I called up Mr. Wilbur J. Carr, the director of the Consular Service, on the telephone and told him of the statement the gentleman from Massachusetts [Mr. ROGERS] made yesterday, and he said there must be some mistake—that payment of salaries under the circumstances stated by the gentleman from Massachusetts was prohibited by law.

Mr. GARD. Will the gentleman from Virginia yield?

Mr. FLOOD. I will.

Mr. GARD. After the gentleman has made his frank statement does he not think that the gentleman from Massachusetts [Mr. ROGERS] ought to tell us his informant?

Mr. ROGERS. I have no great objection to telling the name of my informant. But what has that to do with it? He is not responsible for the condition there. This is a question of fact.

Mr. GARNER. It is a question of fact, and the gentleman from Virginia [Mr. FLOOD] says that Mr. Carr, a responsible man in the State Department, says this is not a fact. Now, you assert, as a Member of this House, that you have sufficient information so that you can assert it yourself as a fact.

Mr. ROGERS. I do not assert it as a fact. I say I went to the State Department and consulted the man best qualified to give the information. I simply transmitted to the House that information. If the gentleman from Virginia [Mr. FLOOD], the chairman of the committee, will call up the Acting Secretary of State or the Assistant Secretary of State, Mr. Phillips, he can get the information for the House within five minutes. Mr. Carr is a most admirable gentleman, but he is connected with the Consular Service and not primarily with the Diplomatic Service. If I am mistaken, I will apologize to the State Department. I went this morning to the man whom I believed best fitted to advise me and obtained the information from him. Why should I get him in trouble by giving his name?

Mr. GARNER. I agree with the gentleman as to that.

Mr. ROGERS. Why should I get that man in trouble?

Mr. GARNER. I think it is the duty of some one to get the facts concerning this matter from the highest authority, probably the Acting Secretary of State, and ascertain the facts in the matter. If these facts are true, as stated by the gentleman from Massachusetts, some one is violating the law. It may be the Auditor for the State Department or some one else whose duty it is to certify that this minister has been absent from his post for more than 60 days. But it is the duty of some one there to certify as to that fact.

Mr. DOWELL. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. Yes.

Mr. DOWELL. How long will it take the chairman of the committee to get before him the proper officers who have this information and place this information before the House officially.

Mr. FLOOD. As I stated, I called up Mr. Carr.

Mr. DOWELL. But that is not the proper way to get at the facts.

Mr. FLOOD. That is the only way we can get information of this kind quickly; that is, by getting it from some official of the State Department.

Mr. DOWELL. Can not the gentleman call these men before the committee and swear them?

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. FLOOD. I called up Mr. Carr, as I said, and told him of the statement made by the gentleman from Massachusetts [Mr. ROGERS], and called his attention to his statement and to my statement in reply. He said I was certainly correct as to the law, but that he would have the facts in the Hale case looked up and would send me a statement this afternoon.

Mr. DOWELL. It occurs to me that this is a question of fact that the committee should lay before the House officially and correctly.

Mr. FLOOD. I have made the statement repeatedly as to what the law requires, but the gentleman from Massachusetts did not raise this matter before the committee. The committee were taken entirely by surprise by the gentleman's statement. We heard no suggestion of the matter from him in committee.

Mr. STAFFORD. Suppose the gentleman did not possess the information at the time he was in attendance in committee. Has he not the right to expose it in the House? The gentleman from Virginia has called up a gentleman who is not thoroughly versed in the matter, although a very estimable man, but he is not charged with the responsibility for this service.

Mr. FLOOD. I called up a man who is very well versed in these matters.

Mr. HARRISON of Mississippi. The gentleman from Massachusetts said he got it from a man who is not responsible.

Mr. ROGERS. I did not say that. I said I could not divulge his name and thus possibly get him into serious trouble. If the gentleman will permit, I said I did not know whether my informant was officially required to pass upon the question of salary or not. He is entirely responsible.

The gentleman from Virginia says I "sprang" this matter upon the committee yesterday.

Mr. FLOOD. I did not use that word.

Mr. ROGERS. That was the fair inference to be derived from what the gentleman said. The fact is I had no information on this matter until about a week after the hearings on the measure were completed. If I had had the information at the time the hearings were held I would have raised the question in committee. I had certainly supposed it was perfectly ethical for me to ask the question of the gentleman from Virginia yesterday afternoon in the course of the debate.

Now, one other word. I do not know this Mr. Hale, of North Carolina, but I do know that he is in his eightieth year. He was born in 1839, and, so far as I am informed, he is perfectly well satisfied to stay on indefinitely in North Carolina. He finds the climate of North Carolina much more salubrious than that of San Jose, Costa Rica. I do not want you to think that it is necessary for his protection or pleasure that this House should take action that would send him back to Costa Rica. Mr. Hale was one of the horde of gentlemen whom Mr. Bryan selected as ministers in 1913 and inflicted upon the Latin American Re-

publics. So far as I know, he is a thoroughly estimable gentleman. But he is not a diplomat and never was a diplomat. I question whether he was ever capable of handling adequately the affairs of state in an exceedingly difficult post such as that of Costa Rica.

Mr. POU. I will say to the gentleman from Massachusetts that this is not the first time that Mr. Hale has been in the foreign service of the Government, if I am not mistaken. I will not say that I am entirely correct, but I think he was consul to Manchester at one time.

Mr. ROGERS. I understand he was consul at Manchester from 1885 to 1889. He was also——

Mr. POU. I do not say that gives him any peculiar equipment, but——

Mr. ROGERS. He was also, I may say, a Confederate veteran of the Civil War, and I think by trade he is a newspaper man.

Mr. POU. And one of the most estimable men in our State.

Mr. ROGERS. I have absolutely no reflection to make upon his character, but I understand there may be some question as to his diplomatic ability.

Mr. GARD. Mr. Chairman, will the gentleman yield for a question?

Mr. ROGERS. Certainly.

Mr. GARD. The gentleman is better versed in these matters than I am, but is there any authority whereby payments of money made under these circumstances may be returned to the Treasury?

Mr. ROGERS. I would rather have the gentleman's judgment, as an eminent lawyer, than mine.

Mr. GARD. I thought perhaps the gentleman would know of it.

Mr. ROGERS. No. I have not looked into that phase of the case.

Mr. STEDMAN. Mr. Chairman, I came in late and have heard some of the remarks just made, but not all of them, concerning Mr. Hale. I deem it my duty to say what I know of Mr. Hale. I have known him all my life, ever since I was a boy. He is one of the most accomplished scholars and ablest men in our State, and has been so regarded always. He was consul to Manchester, England, and won the great approbation of the people of Manchester during Mr. Cleveland's first administration. I think he has never yet held a place of any kind that he has not filled with credit to this country.

Mr. FLOOD. Does the gentleman think his appointment was an infliction on the people of Latin America?

Mr. STEDMAN. No. He is a man of extraordinary ability and estimable character, and is so recognized by everyone who knows him.

Mr. DOWELL. But the question is whether he is in the service or not.

Mr. LaGUARDIA. Mr. Chairman, will the gentleman yield?

Mr. STEDMAN. Yes.

Mr. LaGUARDIA. Can the gentleman from North Carolina enlighten us about his age? How old is he?

Mr. STEDMAN. He is about 78. He is one year older than I.

Mr. LaGUARDIA. That is rather late to start in a diplomatic career, is it not? He is rather old to start in the Diplomatic Service, is he not?

Mr. STEDMAN. He is as well able to perform his duty as my friend is able to perform his duty here, and he has filled with honor every position which he has ever filled.

Mr. STAFFORD. Will the distinguished gentleman from North Carolina yield?

Mr. STEDMAN. Certainly.

Mr. STAFFORD. Can the gentleman give the reason why Prof. Hale has not been performing his duties at his assigned post?

Mr. STEDMAN. I do not know anything about that.

Mr. STAFFORD. The question at issue here is why he is receiving the salary as minister to Costa Rica when he has been absent from his post for a year or more, and yet the statute directs that no salary shall be paid to a diplomatic representative when he is absent for more than 60 days.

Mr. STEDMAN. I do not know anything about the facts.

Mr. STAFFORD. No one is questioning the estimable character of the gentleman's constituent. The question at issue is what I have stated.

Mr. STEDMAN. Without knowing anything about the facts, I know that Mr. Hale would not be at home without the consent and approbation of the State Department. He is a man of the highest sense of duty. I do not know anything about the facts of this particular case, but I know the man. I know he is a man of marked ability and of the highest character. I do not know why he is at home. Probably the gentleman can find out from the State Department without any trouble; but I know he is there for some good reason, because I know the man.

Mr. STAFFORD. What the membership would like to know is why he is at home.

Mr. STEDMAN. The gentleman should go to the State Department to find that out.

Mr. FLOOD. Mr. Chairman, I intended to bring this matter up again this afternoon when I get the facts fully from the State Department. The gentleman in the State Department with whom I talked had to go to the Senate to appear before the Appropriations Committee there in reference to the legislative, executive, and judicial appropriation bill. What he told me was that Mr. Hale had not been drawing his salary. I will get the full facts this afternoon, and I would like the gentleman from Massachusetts then to give us the name of his informant in the State Department, if his information is in conflict with that which we will get from Mr. Carr, who is going to make a thorough investigation of it. We will find out why Mr. Hale is at home.

The attitude of the gentleman from Massachusetts [Mr. ROGERS] toward the appointees of the Democratic administration in the diplomatic service is perfectly well known to this House. I have never heard him commend any of them except one, and he is dead. [Laughter.]

Mr. STAFFORD. That is a very consistent position for the gentleman to take.

Mr. FLOOD. They have rendered as splendid service as any diplomatic corps ever did. The gentleman is a believer in the idea that all of our diplomats, our ministers, and our ambassadors should be appointed from the list of rich secretaries, whom the Republican Party during the administrations of Presidents Roosevelt and Taft were appointed secretaries. We have classified them, but nine-tenths of them have always been Republicans. They were put in there by Republican administrations. They are in there now, and, of course, they are howling to be promoted to positions that half or three-fourths of them are not qualified to fill. I know we have some secretaries in our Diplomatic Service who are worthy to represent this country in the highest diplomatic positions, but there are dozens of them who are unfit ever to represent this country in these important diplomatic positions, and they are the very ones who are constantly trying to have themselves promoted from secretaries to ministers and thence on up to ambassadors. The gentleman from Massachusetts [Mr. ROGERS] is one of their most ardent advocates and has been for years; but because he wants to promote his Republican friends I do not see why he should make this ungenerous attack—to say the least of it—upon Maj. Hale, of North Carolina. There are no doubt good reasons why he remained in this country, and I will supply those reasons when I get them from the State Department.

Mr. MILLER of Minnesota. I move to strike out the last two words. I should like to ask the chairman of the committee a question. Did we not appropriate the money for some proceedings in Costa Rica two years ago?

Mr. FLOOD. I do not understand the gentleman's question.

Mr. MILLER of Minnesota. Did we not make an appropriation for the legation at Costa Rica?

Mr. FLOOD. Yes.

Mr. MILLER of Minnesota. Has there been anyone there to look after our affairs?

Mr. FLOOD. Oh, we have an acting chargé there.

Mr. MILLER of Minnesota. Is the gentleman sure of that?

Mr. FLOOD. I am not sure of it, but I think so.

Mr. MILLER of Minnesota. I would like to make this further inquiry: Have we officially recognized the present existing government of Costa Rica?

Mr. FLOOD. We have not.

Mr. MILLER of Minnesota. That was my understanding.

Mr. ROGERS. The fact is that we have no diplomatic representation of any kind in Costa Rica, and Costa Rica has no diplomatic representation of any kind in the United States.

Mr. FLOOD. I may be mistaken, but I supposed the secretary would remain there as chargé d'affaires.

Mr. MILLER of Minnesota. If it is a fact that we have no diplomatic representation there, should not Minister Hale have resigned his position long ago? There is really no office for him to fill.

Mr. FLOOD. As I stated yesterday, I have not undertaken to speak with knowledge as to the reasons why Mr. Hale was not in Costa Rica, but my understanding is that it was because our Government had not recognized the existing Government of Costa Rica.

Mr. MILLER of Minnesota. How could a man continue to act as minister to a country when we do not recognize any government in that country?

Mr. FLOOD. We do not recognize the existing Russian Government, and yet the Russians have an ambassador here.

Mr. MILLER of Minnesota. I am glad to know that, for there is no more splendid man to represent them, but I think the gentleman will find that the existing Russian Government does not recognize him nor does it do any business through him.

Mr. FLOOD. The Russian Government does not recognize him but our Government does.

Mr. MILLER of Minnesota. That is entirely different. We unquestionably find him an individual that we can do business with bearing on the Russian situation and the Russian people, but he in no sense assumes to represent the existing Government of Russia.

Mr. FLOOD. He does not represent the existing Government of Russia, but he represents Russia here and we recognize him.

Mr. MILLER of Minnesota. I question his representing Russia here, but he is one of the most splendid representatives that they could have.

Mr. GARNER. Will the gentleman from Minnesota yield for me to ask the gentleman from Virginia a question?

Mr. MILLER of Minnesota. Certainly.

Mr. GARNER. If, as stated by the gentleman from Minnesota, there is no government in Costa Rica that we recognize, certainly it would not be necessary to appoint and continue to pay a minister down there supposed to represent our Government.

Mr. FLOOD. I do not know the facts in the case. When I get them I will give them to the gentleman, and I am satisfied they will be satisfactory to him.

Mr. GARNER. Of course, if we are so situated in this country that we can not find in the country but one man fit to serve as a minister to Costa Rica, and we must pay him $10,000 a year indefinitely for a term of years to hold a particular place, I agree with the gentleman. But when we do not recognize that country I do not think that it is necessary that he should draw the salary and that we should continue to keep him in cold storage for the purpose of sending him there when we do recognize the government.

Mr. STEDMAN. If the gentleman will yield, we are all talking without knowing the facts. I think if you telephone to Mr. Tumulty he will give you the facts about this Costa Rica business.

Mr. FLOOD. We will undoubtedly find out during the day from the State Department.

Mr. GARNER. We are trying to ascertain the facts.

Mr. Chairman, I rise in opposition to the motion, whatever it was. I want to get at this matter, because we are becoming crazy in this country in spending money, and we ought not to be dishing it out at $10,000 a year for some one that is not doing any service. The statement was made on the floor that Mr. Hale, from North Carolina, has been appointed minister to Costa Rica; that he has not been there for two years; that he has been continually drawing a salary although he does no work. Mr. FLOOD read from the statutes where it is positively against the law to pay him a salary if he was 60 days away from his post for any purpose. The statute says "for any purpose." Now, how that can be done I can not understand. Of course Mr. Tumulty, or somebody else, may be able to explain it, but to the ordinary citizen like myself I can not understand why it is necessary to pay a man $10,000 a year to do absolutely nothing in face of the statute which says he can not draw the salary.

Mr. DOWELL. Is it not true in this instance that there is no position to occupy?

Mr. FLOOD. There is a position to occupy.

Mr. DOWELL. We do not recognize the Government of Costa Rica, therefore there is no position as minister there.

Mr. GARNER. I want to say that as quick as I heard this I went in and tried to get the highest official in the State Department. I got hold of Mr. Phillips. He said he did not know, but he would look the matter up and advise me at the earliest moment, and hoped that he could advise me within 10 minutes. This may be one of other cases that exist of that kind; and if it is, the quicker the House finds it out and the country knows it, the better.

Mr. LONGWORTH. Will the gentleman yield?

Mr. GARNER. Certainly.

Mr. LONGWORTH. As to the question of fact whether Mr. Hale has been drawing a salary or not, I called up the State Department and heard from Mr. Phillips, who has made an investigation since talking with the gentleman from Texas. He says that Mr. Hale has in fact been drawing his salary up to the 30th of last December, and hence it is presumable that the salary is now going on. Mr. Phillips did not know exactly how long Mr. Hale had been away from his post, but certainly he has been away for more than a year, and during that time he has been drawing the salary in full up to the 1st of the month. That disposes of the question of fact, and if the law is as stated by the gentleman from Virginia, that the salary could not continue for more than 60 days after the minister or diplomatic officer absents himself from the position, then it is a clear violation of the law.

Mr. FLOOD. Absolutely; and the gentlemen who are responsible for it should be exposed and proceeded against.

The CHAIRMAN. The time of the gentleman from Texas has expired. The gentleman from Washington asks unanimous consent to proceed for five minutes out of order. Is there objection?

There was no objection.

Mr. JOHNSON of Washington. Mr. Chairman, I do not want to take more than five minutes of the time devoted to the consideration of this bill, but I have here an official memorandum from the headquarters of the Four hundred and seventy-second Engineers in regard to the discharge of soldiers which, I think, should be called to the attention of Congress. Many Members, I know, have had letters written to them since the armistice by privates, who have told of the threats that were made that they would be considered lacking in duty toward the country in trying to get out of the Army, but it remains for me to receive a statement to that effect in writing and with it a threat that if these men do not continue to perform duties here they will be sent to a less desirable place and further delayed in getting out of the Army.

The privates to whom I refer were engaged in making maps here in the city of Washington in the Coast and Geodetic Survey and were especially engaged of late in the making of a great military map of the United States, which might take years to complete. They undertook to secure their discharges to get back to their jobs, and they furnished affidavits that the jobs were waiting for them, but they are met with a letter such as the one I shall read, and I ask the Members of the House to remember as they hear that letter read that the men were induced to enter the service—the Four hundred and seventy-second Engineers—in response to such alluring posters as that which I hold up, calling for enlistment of surveyors, map men, to reproduce military and aeroplane maps, the presumption being that the work would be done abroad.

Mr. MILLER of Minnesota. Do not fail to call attention to the fact that in the picture the dugouts were adjacent, which shows that they were almost in the presence of the enemy.

Mr. JOHNSON of Washington. There is the poster, showing a soldier out maping the war country, as we know had to be done in the war zone.

Mr. GARRETT of Tennessee. It was in fact done.

Mr. JOHNSON of Washington. Yes.

Mr. GARRETT of Tennessee. There were engineers there.

Mr. JOHNSON of Washington. Certainly.

Mr. GARRETT of Tennessee. The fact that these particular gentlemen to whom my colleague is about to refer did not get there does not differentiate them from thousands and millions of others in the different branches of the service who did not get there?

Mr. JOHNSON of Washington. No, sir; of course, not.

Mr. GARRETT of Tennessee. Then, why does the gentleman proceed to bring that poster here?

Mr. JOHNSON of Washington. Let me read the letter, and I know that no Member on either side of the House will do other than join in a demand for an inquiry and possibly a court-martial of the men who authorized and put out this circular letter, which I now read:

HEADQUARTERS FOUR HUNDRED AND SEVENTY-SECOND ENGINEERS,
Washington, January 7, 1919.

Memorandum 1.

It has come to the attention of the commanding officer that men of this regiment on various details in Washington, especially those who have requested discharge, are laying down on their work and not "playing the game."

The attention of such men is called to the fact that they have been enlisted in a service which did not require their encountering the dangers and disagreeable features of overseas duty and which practically insured their returning safe and sound to their friends and relatives. Furthermore, details on duty in Washington, D. C., have been receiving commutation of quarters and rations, which has materially augmented their pay. Except for a short period, they have had very little drill, guard duty, and no kitchen police and other disagreeable duties of camp life. Under these circumstances the commanding officer considers that any man who lays down on the job or fails to "play the game" is a mighty poor specimen of a man, and such men are apt to find themselves still in the service but in some much less agreeable location.

This does not mean that applications for discharge will be ignored, but such applications will be thoroughly investigated, and where the cases warrant, discharges will be made. In any event, discharges are being made as rapidly as the completion of the various projects will warrant.

The commanding officer sincerely hopes that the Four hundred and seventy-second Engineers may come to the end of their demobilization with as clean and as brilliant a record as they have carried heretofore.

GUY V. SWEET,
Captain of Engineers.

Now, the charge is this, that these particular men, quite a number of them, were brought from Florida and set to making a military or defense map of the United States, the making of which would take a long period of time; that they presented proper applications for discharge with proper affidavits; that the discharges were denied and were not recommended on the ground that the work had to be done and was important; and that common comment around the office was that certain officers wanted to hold on to their jobs, and therefore held to the necessity of this grand United States defense map making; and the further charge that they got out that circular, which was offensive, and is, in my opinion, an insult to every man who put on the uniform of the United States and did not get overseas, to every man who was kept here in Army work, whether he was a medical officer, a quartermaster's clerk, a potato peeler, or what not. All were working, and working willingly, at whatever task assigned.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. JOHNSON of Washington. I will.

Mr. LAGUARDIA. But when they did apply they knew they were going to make maps?

Mr. JOHNSON of Washington. Yes.

Mr. LAGUARDIA. That part of the first paragraph is only a statement of facts, is it not?

Mr. JOHNSON of Washington. They presumed, and I think most of the men who went into the Army did, that they would be given service overseas, but when they were not given that service they made no complaint but proceeded to do their duty as part of the Four hundred and seventy-second Engineers; but when on the 9th of January of this year, while they were undertaking honestly and rightly to secure discharges from the Army, they were then told that they were lying down on the job and they are threatened, if they do not go on with the map making, they will be sent to a less desirable place, and some of them were actually ordered sent to some place in Florida. I believe that under congressional pressure all have now been discharged; but that circular letter No. 1, by order of the commanding officer, remains, and I think that the commanding officer and others of his kind had better be discharged, and quickly, at that.

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

For 10 student interpreters in China, who shall be citizens of the United States, and whose duty it shall be to study the Chinese language with a view to supplying interpreters to the legation and consulates in China, at $1,500 each, $15,000: *Provided*, That the method of selecting said student interpreters shall be nonpartisan: *And provided further*, That upon receiving such appointment each student interpreter shall sign an agreement to continue in the service as interpreter to the legation and consulates in China so long as his services may be required within a period of five years.

Mr. STAFFORD. I reserve a point of order on the paragraph.

Mr. GARNER. Mr. Chairman, under that reservation I desire to ask the gentleman from Virginia a question in reference to the policy of the State Department in issuing passports. How long is the war restriction to continue in reference to the issuance of passports?

Mr. FLOOD. I can not answer that question. I believe it will continue as long as the department thinks there is necessity for it here or our friendly Governments request it.

Mr. GARNER. As to what the department is thinking while the head of it is over in Europe I am not prepared to say, but it looks to me whether they are thinking or not they are not functioning. If the gentleman will permit me, I desire to refer particularly to the question of issuing passports on the Mexican border, about which I do know something. I do not see anything on the face of the earth which requires the people on the border to send up a dollar to Washington to get a passport to go over 50 miles to some ranch and come back the next day. That has never been done heretofore except in war times. Then it was to prevent the sending of spies into Mexico and getting information. Everything was done to keep them out. But this war is over, and so far as we know there is no reason why everybody in this country could not go to Mexico if they want to go, and I do not see the necessity of continuing this restriction of passports as it is now continued along the Mexican border. I had the pleasure a day or two ago of calling the attention of the Bureau of Passports to it, and it suggested that I write the Secretary. I thought I would ask the gentleman so the RECORD would show, at least, some one was observing the fact that we still desire to do business with Mexico; they are watching the border and continuing unnecessary restrictions.

Mr. FLOOD. The gentleman is directing his inquiry to the situation in Mexico.

Mr. GARNER. Particularly with Mexico, not throughout the country, because I know nothing about that more than any other Member of Congress; but I do know something about things down there, because I get from 10 to 25 letters and telegrams a day to hurry along passports, and I find there has got to be a statement made and it has to be transmitted to the Bureau of Passports and back to the Mexican division, and then I do not know where else, before they can begin to issue a passport.

Mr. FLOOD. I agree with the gentleman, so far as the Mexican situation is concerned, that the time has come to change the policy with reference to passports.

Mr. GARNER. That is all I want to get out of the gentleman, and I am very much obliged to the gentleman from Wisconsin.

Mr. STAFFORD. Mr. Chairman, I reserved the point of order to get more detailed information as to why the department has difficulty in obtaining applicants to fill the positions of these student interpreters and also to ascertain in reference to support of student interpreters in China and Japan.

Mr. FLOOD. The gentleman asked if it was difficult to get them. That is the information the committee had.

Mr. STAFFORD. Of course, when the war was on the young men who were likely to be qualified and desirous of filling these positions went into the war. There was a shortage of labor in clerical positions and in all positions, and I am not surprised that college men have not lately been seeking these positions. If that is the only reason for increasing the salary from $1,000 to $1,500 I think it is something ephemeral.

Mr. FLOOD. It is one reason, you know. The gentleman means the difficulty in getting them at this particular time? It is always difficult to get them at $1,000 salary. It was difficult in the past, and it is more difficult now, and it will be in the future.

Mr. STAFFORD. Where is the testimony which shows it has been difficult before the war to get these men into the Government service on being paid $1,000 and their expenses paid? What has been received in allowances in addition to the salary of $1,000?

Mr. FLOOD. They received $1000 and $125 allowed for a teacher for them, which we propose to raise to $150, because it is very difficult to get the tuition for $125 now. Then, there is some allowance for quarters.

Mr. STAFFORD. What do these students have in all? Is this clear salary, and is expense of maintenance and support borne by the Government in these foreign ports?

Mr. FLOOD. We give them enough to support them over there in the Government service, and they get a salary and allowance, and we pay the teachers. Now, Mr. Carr gave a good deal of information on this subject, and he said, on page 77 of the hearings:

Mr. CARR. These positions are now filled; that is, most of them are filled. But the difficulty is we are not getting the type of men we need. We need as high a type of men as we can get in those places, young men from college, and men who, with study, in two or three or four years can develop sufficiently to go out as first-class vice consuls, and a little later take charge of consulates. The kind of men we have been getting in the last three or four years has not been up to the standard or up to the requirements.

The CHAIRMAN. You take them as students?

Mr. CARR. We take them as students and keep them at the legation for two years until they pass an examination in the language, and then send them out to the consulates.

The CHAIRMAN. Then they become interpreters?

Mr. CARR. Then they become interpreters.

The CHAIRMAN. Then they are promoted to vice consuls?

Mr. CARR. Then they are promoted to vice consuls, and ultimately to consuls.

That was the general statement made time and again before the committee, namely, that it is very difficult to get educated young Americans to go there and study these languages at all.

Mr. STAFFORD. Mr. Chairman, I believe that it is false economy to place too low a salary for applicants for the Government service if it will keep out a higher grade of men who will ultimately be of more value to the Government service. I was of the impression that young men upon graduation from college would be willing to take up this work at a compensation of $1,000 a year.

Mr. FLOOD. I do not think it is the desire to have any boys take it up unless they expect to make this a life work; that is, to become interpreters and vice consuls, and then consuls and consuls general.

Mr. STAFFORD. Believing the Government should seek the very best of our college men, and that perhaps $1,000 is not sufficient entrance salary, I am inclined to withdraw my reservation of the point of order, but if the gentleman has something more to support that position I would be glad to have him give it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FLOOD. Here is something more that was said on the subject:

These men of ours have an opportunity for promotion to a reasonable compensation. For instance, we have in China to-day men who have graduated from the student corps, a number of men who are consuls and consuls general, the highest one at the present time being the present consul general at Tientsin, a post which pays $5,500 a year. We have another one at Canton, receiving a salary of $4,500, and others at different places. At Tsingtau we have a man receiving about $4,000, and at Vladivostok one getting $4,000, and at Dairen one receiving $4,000, and all of them are men who began as $1,000 students. Of course, if they were with some commercial company they would probably, in the same length of time, be getting more money. The average offer of the Standard Oil Co. to our men is as a rule from 50 to 100 per cent more than we pay them.

Then I asked him this question:

Yet it is necessary that the corps be maintained?

He replied:

If it is not maintained, then we will have to go back to employing Chinese or Japanese or Armenians, or other natives to do our interpreting, and I do not think it is a safe thing to do. We can not ever expect absolutely to take the place of the native for interpreting work. We can not expect to send men there and have them become so familiar with the language that they will know it as a native knows it and be able to read and write and speak it perfectly. Indeed, such familiarity with the oriental languages is for the most part unnecessary, though desirable. But we must have American officers sufficiently familiar with the language to act as a check upon the local interpreters whom we are bound to employ. There is where the advantage in having these men lies and makes their employment imperative.

Mr. STAFFORD. So I understand, from the reading of the testimony, that this is a school of instruction whereby they qualify not only for interpreters but, which is more important, for the Consular Service in these foreign countries, where it is essential to have a knowledge of the language?

Mr. FLOOD. Yes.

Mr. STAFFORD. While I have the floor, and desire to expedite the consideration of the bill, may I inquire what is covered by the provision in lines 4 and 5, where you increase the allowances for payment of the cost of tuition of student interpreters at the rate of $200 per annum each?

Mr. FLOOD. Each student has to have an instructor, and they have been paying an instructor $125 a year.

Mr. STAFFORD. One hundred and eighty dollars, I believe, in China, $125 in Japan, and $125 in Turkey.

Mr. FLOOD. Yes. In Japan particularly they find it impossible to get them for that sum, and propose to equalize them all and make them $200 a year apiece.

Mr. STAFFORD. Then a tutor to each student will receive $200 a year for the instruction?

Mr. FLOOD. Yes.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order as to the salary increase.

The Clerk read as follows:

Total, $48,200.

Mr. LAGUARDIA. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

Mr. LAGUARDIA. Can the gentleman inform me how we can possibly recognize the so-called Russian ambassador, Mr. Bakhmeteff, if he represents a government which does not exist?

Mr. FLOOD. We are doing it.

Mr. LAGUARDIA. Then you recognize Mr. Bakhmeteff?

Mr. FLOOD. Yes; as the Russian ambassador.

Mr. LAGUARDIA. I would like to ask the gentleman where Mr. Francis is at this time?

Mr. FLOOD. In London, in a hospital.

Mr. LAGUARDIA. How long has he been in the hospital?

Mr. FLOOD. For several weeks.

Mr. LAGUARDIA. Now, Mr. Chairman, I want to call the attention of the House, and particularly the attention of the gentleman from Virginia and the Committee on Foreign Affairs, to the conditions in Russia concerning our ambassador there. If there is one man in the United States who does not understand, and never did understand, the Russian conditions, it is Mr. Francis. In the performance of his duties there I consider him absolutely hopelessly incompetent.

Mr. FLOOD. I will say to the gentleman——

Mr. LAGUARDIA. One minute, please. If the chairman of the committee will take the trouble to read the reports of Mr. North Winship, our consul general at Petrograd, and compare those reports with the reports of Lieut. Commander Crowley he will get the facts. The fact is that this committee is as wholly ignorant of affairs in Russia as is Mr. Francis.

Mr. FLOOD. I am glad the gentleman is in Congress, so that he can enlighten the committee in regard to affairs in Russia.

Mr. LAGUARDIA. I appeared before the committee in 1917, and the committee refused to be enlightened, and the committee has not learned anything since.

Mr. FLOOD. Because the committee did not think the gentleman knew anything about what he desired to talk about.

Mr. LAGUARDIA. The committee did not know anything about the matter, and were in no position to tell, but the sad feature is that the committee did not wish to be informed.

Mr. FLOOD. The gentleman thinks he knows it, but I think he will find it hard to get anybody to agree with him on that subject.

Mr. LAGUARDIA. I think I have the floor.

Mr. FLOOD. The gentleman must recognize the fact that others, too, accept the gentleman at the value he places upon himself.

Mr. LAGUARDIA. Has the gentleman read the series of reports of the consul general at Petrograd?

Mr. FLOOD. If the gentleman will be really polite enough to let me answer his question, I will try to answer; but I will not engage in such a discussion as this with the gentleman.

Mr. LAGUARDIA. Has the gentleman read the reports?

Mr. CAMPBELL of Kansas. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. CAMPBELL of Kansas. Gentlemen should not speak to Members in the House in the second person, as is now being indulged in.

Mr. LAGUARDIA. I am sorry. Has the gentleman from Virginia read the reports of the American consul general at Petrograd, written in 1917 and 1918?

Mr. FLOOD. No; I have not; but——

Mr. LAGUARDIA. Thank you. Now, has the gentleman from Virginia——

Mr. FLOOD. I do not propose to be questioned by you in this way. If you ask for information, I will endeavor to give it to you.

Mr. LAGUARDIA. I do want information.

Mr. FLOOD. Very well, then. Sit down and I will give it to you.

Mr. LAGUARDIA. I have the floor.

Mr. FLOOD. Very well. Keep the floor.

Mr. LAGUARDIA. The chairman of the Committee on Foreign Affairs, at the most critical time in the affairs of this country, has said that he has not read the reports of our consul general in Russia or from our naval attaché there, and yet he claims that he is enlightened on affairs in that country. He refuses to answer questions and then says that the committee and he, himself in particular, has all the information and nobody else has it. I call the attention of every Member of this House to the reports of Consul General North Winship at Petrograd, and the naval attaché at Petrograd, and ask them to compare those reports with the reports of Mr. Francis. I have wondered if the distinguished gentleman from Virginia is aware of the fact that our allies had to call the attention of the Department of State to the personal conduct and associations of our ambassador with certain of his friends of Teutonic tendencies. Is the gentleman aware of that?

I appeared before this committee in 1917. There I found not only that the committee was not informed on conditions in Russia, but it absolutely refused to listen. I will ask, now, the chairman—the distinguished chairman—if he can stand up and give us the names of the Provinces of Russia and their capitals and their races, or explain recent political changes there? If he can do that now without going to the Library, I will stand up here and most humbly apologize before this House.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

Mr. MILLER of Minnesota. Mr. Chairman, this is hardly a time to enter into a discussion of Russian affairs. I know that my extremely delightful and accomplished friend from New York is sincere in what he says, but I beg to say that he has not been correctly informed when he says that the Committee on Foreign Affairs has not been giving Russian affairs their attention, because the committee has been given a great deal of light on the situation which recent months have disclosed in Russia. However, by reason of the fact that the war has

been the paramount issue with the world for some time, and that the President of the United States is not only the Commander in Chief of the Army and Navy but our constitutionally created spokesman in all our foreign affairs, it has not been deemed advisable, in my judgment, and in that of the Committee on Foreign Affairs, to take up a discussion of Russian affairs, either publicly or by the committee.

Very likely the time will soon come, and perhaps is now here, when that can properly be done. Personally I have given many months to the study of this question. I am inclined to believe that perhaps I have given more time during the last year and a half to the study of the Russian question than I have given to any other subject during that same period.

Mr. FESS. Will my colleague yield?

Mr. MILLER of Minnesota. I shall be delighted to yield to the gentleman.

Mr. FESS. I think the question that was asked by our colleague from Pennsylvania on this line was a very pertinent question, because it does involve the duty of the Committee on Foreign Affairs. As I understand from the press dispatches, about $185,000,000 were loaned out of the $375,000,000 that had been promised. That money was not sent to Russia——

Mr. RAGSDALE. Mr. Chairman, I should like to call the attention of the gentleman to the fact that we over on this side can not hear a word that is being said; but there is plenty of room on that side, and I will go over there and sit and listen.

Mr. FESS. I was asking my colleague a question about the disposition of the money that had been loaned to Russia. As I understood, the money was not sent to Russia, but it was used here to purchase munitions when Russia was really an ally, and as soon as the Russian Government broke and Kerensky fell those supplies that had been sent to Vladivostok were taken over by our own authorities, so that even the $185,000,000 that was loaned was not entirely in the hands of the Russian people or the Russian Government.

Mr. MILLER of Minnesota. I think myself that the inquiry was entirely pertinent and a very important one. In answer, speaking generally, I think it can be said safely that when the gentleman to whom reference has been made, Mr. Bakhmeteff, was sent here, he was regularly accredited by the then Government, not only de facto but the constitutionally recognized Government of Russia. The Government of Russia at that time had passed beyond the de facto stage in a sense. A revolution had perfected itself and a government stable in character had been formed, Mr. Bakhmeteff was properly accredited to the United States, and as an ambassador, of course, was clothed with the full power to act for that country in the matter of loans and other things. When the Kerensky government fell—if I can use that term—or when the transformation occurred between the Kerensky provisional government and the Soviet government of Russia, chaos naturally resulted at least in the foreign affairs of the Russian Government, and no attempt was ever made by the Soviet government to establish foreign relations with countries generally throughout the world. They did in some instances, but not generally. They never protested against Mr. Bakhmeteff's representation of Russia here. We had received him and recognized him as the proper ambassador from Russia, and we have, in a sense, closed our eyes to the things that have occurred in Russia since then and have continued to recognize him as the existing authority speaking for the Russian people and Russian Government.

This loan to which reference has been made, a very large sum, was intended to pay for supplies purchased in this country.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER of Minnesota. May I have five minutes more?

The CHAIRMAN. The gentleman asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. MILLER of Minnesota. And while the proper disposition of this fund was taking place, the change which I have referred to occurred between the Kerensky government and the Soviet. Manifestly somebody had to act and did act, and I understand Mr. Bakhmeteff has continued to represent the Russian people. Whether or not the payment of the interest charges on that loan out of the principal is proper is a question of law and not of politics.

Mr. FESS. Is the gentleman informed as to the law on that?

Mr. MILLER of Minnesota. Well, I have an opinion on that subject, but I would not want to express it here.

Mr. FESS. I wanted to know if my colleague felt free to state what the status of that debt is now, with the Russian Government in the situation in which it finds itself?

Mr. MILLER of Minnesota. Of course we do not recognize any existing government of Russia at the present time. If the gentleman cares for my personal opinion it is this, that that debt is a debt owed by the Russian people, and we do not care whether they have a Czar, a Kerensky, a Soviet, a President, or a Mikado.

Mr. HUMPHREYS. The gentleman means that it does not make any difference so far as the payment of this loan is concerned?

Mr. MILLER of Minnesota. Yes; they may have any kind of government they want, and though we Americans may prefer that they enjoy one kind of government rather than another, that which concerns us here is that this debt is owed by the Russian people, and they have got to pay it.

Mr. HUMPHREYS. The gentleman said he did not care. He means that it does not make any difference.

Mr. MILLER of Minnesota. It does not make any difference as far as the payment of this debt is concerned. They have a right to choose their own form of government, but I am speaking of the repayment of the money that we loaned for the service of the Russian people.

Mr. CAMPBELL of Kansas. What evidence of indebtedness have we from the Russian Government or the Russian people?

Mr. MILLER of Minnesota. I am not in a position to answer the gentleman's inquiry authoritatively, but I am quite confident that the Russian ambassador has given due receipts for the sums loaned and has full authority to perform such an act by reason of his position.

Mr. CAMPBELL of Kansas. Were there any formal instruments issued, bonds or any evidences of that character?

Mr. MILLER of Minnesota. I am certainly of the opinion that there must have been. The gentleman will recall that some of these loans were made to the old Russian Government when the Czar was on his throne, and the business transaction was carried on by the first Mr. Bakhmeteff, who was ambassador under the régime of the Czar.

Mr. RAGSDALE. Will the gentleman yield for a suggestion?

Mr. MILLER of Minnesota. I had something else I wanted to say.

Mr. RAGSDALE. I was only going to suggest to the gentleman that the handling of these loans was not in the Department of State, nor does this matter come within the purview of this particular committee to know the full details of it. The loans were made by the Secretary of the Treasury under the powers given by this immediate Congress, and the full information can be obtained from the proper committee, it seems to me, or from the Treasury Department, much more readily than from the State Department, and they are expected to know about it.

Mr. MILLER of Minnesota. The gentleman's position is well taken in one sense, but in another sense loans from one Government to another are an international matter, having a political significance, and as such come under the jurisdiction of the State Department.

Mr. COOPER of Wisconsin. Will the gentleman from Minnesota permit an interruption?

Mr. MILLER of Minnesota. Certainly.

Mr. COOPER of Wisconsin. I think it is well within the recollection of all gentlemen on the floor who listened to the debate here shortly after Mr. Bakhmeteff came as representative of the Kerensky government that about $185,000,000 was loaned to that government through him. While the gentleman from Pennsylvania [Mr. MOORE] was addressing the House concerning testimony recently given by Secretary McAdoo before the Committee on Appropriations, I asked him specifically what the security was that had been given by Ambassador Bakhmeteff as representative of the Kerensky government for the money that was loaned to Russia by our Government. I asked him in so many words if a bond or any bonds were given. He said no, but what was the equivalent of a demand note signed by Mr. Bakhmeteff, as ambassador representing the Kerensky government, but that nothing in the form of a bond, as I understood it, had been given.

Mr. LONGWORTH. That is precisely what every Government gave. We have no bond for security; they are merely notes of hand made by the proper representatives. So that so far as that is concerned the situation is the same in regard to Great Britain and other countries.

The time of Mr. MILLER of Minnesota having expired, he was given five minutes more.

Mr. COOPER of Wisconsin. Is it not true—at least it was so said on the floor by the gentleman from Pennsylvania [Mr. MOORE] in his remarks—that the law authorizing the loaning of this money to the belligerent Governments required these respective Governments to give as security bonds containing substantially the same provisions as were contained in the bonds of the United States Government?

Mr. LONGWORTH. If the gentleman will pardon me, that was true in regard to the first loan, the 3½ per cent. That was the requirement, but in subsequent loans it was authorized and

not required. The Treasury Department could do it if it saw fit, but as a matter of fact no bonds have been received from any of the foreign Governments.

Mr. COOPER of Wisconsin. Under which law of authorization were these loans made to Russia, to the Kerensky government?

Mr. LONGWORTH. I imagine it was the first.

Mr. McFADDEN. Will the gentleman yield?

Mr. MILLER of Minnesota. Yes.

Mr. McFADDEN. I think there is some confusion here. When the war broke out with Russia there were certain loans floated in this country for Russia through the banks in New York City. These loans were sold to the investing public. What I want to know is whether the subsequent loan made by the Secretary of the Treasury to the new Kerensky government—whether that money was used for the purpose of paying interest on the debt that otherwise would have been defaulted.

Mr. MILLER of Minnesota. I know personally nothing about it, and I can not definitely answer the gentleman's question, but I understand that the principal of the one hundred and eighty-five millions, so called, is being used to pay that interest, but, of course, it is a legal question whether that is proper or not.

Mr. ROGERS. Will the gentleman yield?

Mr. MILLER of Minnesota. Yes.

Mr. ROGERS. I think we can agree that the position of the present Russian ambassador is anomalous and an exceedingly embarrassing one. I suppose he can get no money from Russia, even if the people desired to send it to him. Does the gentleman know whether, in fact, the United States Government pays him for his personal support?

Mr. MILLER of Minnesota. I can not speak personally, but my information is that he has subject to his disposal one hundred and eighty-five millions, and that he can provide for his own expenses.

Mr. ROGERS. He can go into the Treasury Department on any morning and say he wants $1,000 out of his balance?

Mr. RAGSDALE. If the gentleman will permit, the recognition of any foreign ambassador is an executive function. No committee of the House can interfere with it. The sums of money that have been loaned through the Secretary of the Treasury to the foreign governments are entirely controlled by the President of the United States, under the legislation of Congress, and with which no committee can interfere.

Mr. MILLER of Minnesota. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has two minutes.

Mr. MILLER of Minnesota. Mr. Chairman, I ask to proceed for seven minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MILLER of Minnesota. Mr. Chairman, I desire to use these seven minutes speaking somewhat briefly and in general terms only of the Russian situation, and this has been induced by the remarks made by my good friend from New York [Mr. LAGUARDIA]. The gentleman is undoubtedly correct in the suggestion thrown out in his remarks that our diplomatic representation in Russia during at least a year and a half has not been of the most successful character. I say that as I judge of the work that has been done by the American representatives in Russia.

Mr. CLARK of Missouri. I would like to ask the gentleman a question. What is it that Gov. Francis did, or failed to do, that you gentlemen are trying to make capital out of?

Mr. MILLER of Minnesota. If the Speaker will permit, I was about to come to that point, and, while I do not care to enter into a full discussion of it, I think the honored Speaker of the House will understand my position from what I say. I was about to express this sentiment when interrupted: In respect of this character of representation America does not stand unique among the other nations of the earth. No one can study the diplomatic history of the great Russian people during the past two years and come out of it without knowing that the action of all of the allies, including the United States itself, was just one stupendous blunder after another. In my opinion there does not exist in the history of diplomacy in this century two periods and two places where greater blunders, with more far-reaching consequences, occurred than in Greece and Russia, and in Russia is the worst of the two.

Mr. CLARK of Missouri. If the gentleman will permit, Ambassador Francis did not have anything to do with Greece.

Mr. MILLER of Minnesota. Well, I am not criticizing the American ambassador to Russia for anything in Greece.

Mr. CLARK of Missouri. Well, what was it that happened in Russia?

Mr. MILLER of Minnesota. If the gentleman will possess his soul in patience——

Mr. CLARK of Missouri. I will possess my soul in patience.

Mr. MILLER of Minnesota. To quote the gentleman's own estimable language, I will try to enlighten him. I feel embarrassment in speaking too plainly and at all in detail, and I am not going to do it, but I will say this: Mr. Francis, when he landed in Russia, by the associations he made, and they were all innocently formed, and he is perhaps to be forgiven for having made them, was not in a position to be warmly received by the Russian people, who presently took matters into their own hands. He not only had a complete lack of an understanding of the Russian character, and I now speak of the masses of Russian people, but he did not make any effort to understand their character, learn their aspirations, or to cooperate with their democratic movements. Perhaps very likely the environment of our ambassador handicapped him as it did his associates from other countries in this regard. I desire not at this time to enter into a discussion one way or another of the work of Mr. Francis in Russia and simply submit these most general observations.

Mr. CLARK of Missouri. Will the gentleman yield for another question?

Mr. MILLER of Minnesota. I will.

Mr. CLARK of Missouri. How does the gentleman know all this? And then I would like to ask another question while I am at it. Did not the Hon. Elihu Root come back from over there from that celebrated expedition he made and claim in a public speech that there was no more trouble in Russia than there was in the United States?

Mr. MILLER of Minnesota. Well, I am not certain Elihu Root ever made that statement.

Mr. CLARK of Missouri. Well, I am, if the gentleman is not.

Mr. MILLER of Minnesota. I would like further to inquire what has ever been done with the report that Elihu Root made? Nobody outside the executive department has ever seen it or heard of it, and nobody has had a chance to know what it is. Now, if the gentleman will permit, as I can proceed only for a very few minutes, I do not care to enter into anything of a partisan character at all in this, because it is a matter that affects our country as a whole. The fault of the diplomats representing the United States and allied nations in Russia during this terrific period has been this: They have failed to see that the 7 per cent of Russian people heretofore constituting the aristocracy and the governing class, in possession of the land and of wealth and brains, education, culture, and refinement, have ceased to exist, and that the 93 per cent of people who heretofore had never known or found the blessings and privileges of political and economical freedom are now masters of their own fate and should be dealt with as the Russian nation. These diplomatic representatives have clung and are willing to cling to the old wrecked and sinking group of survivors, if you please, of the Czar's régime, and fail to see that the power and blood of Russia is in the masses of Russian people, and until our diplomatic representatives go and meet those people and forget the Czar and his associates and the aristocracy, we will never get on speaking terms and working terms with the Russian people. So I hope it will be understood that I have no special criticism of Mr. Francis, apart from the other diplomatic representatives, for his entire failure to accomplish certain results for which he was sent to labor. But this undoubtedly is true. When Mr. Francis landed in Petrograd he permitted himself to be isolated from the entire Russian situation. I do not like to say that he was filled with fear, I do not like to say that he was filled with hopelessness as to accomplishing anything with the Russian people, but I will say that from the time chaos started at Petrograd——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER of Minnesota. May I have five minutes additional?

The CHAIRMAN. Is there objection to the gentleman's request? [After a pause.] The Chair hears none.

Mr. MILLER of Minnesota. He might as well have been on the Island of Malta. Perhaps this is no fault of his and may be the fault of the situation. It is necessary that we send to Russia some man of strength with the masses of the Russian people, some man who will make a sympathetic effort to cooperate with democracy there, if we are going to accomplish results. Now, I had prepared some months ago——

Mr. LAZARO. Will the gentleman yield?

Mr. MILLER of Minnesota. After a great deal of work a rather elaborate address on the Russian situation. I will yield for a brief interruption.

Mr. LAZARO. Does that mean the Bolsheviki?

Mr. MILLER of Minnesota. No: now, the gentleman probably knows about what I think of the Bolsheviki, and what I ought to think of them anyhow.

Mr. LAZARO. What does the gentleman mean by "masses"?

Mr. MILLER of Minnesota. If I had an hour I could certainly express myself fully, but I do not feel disposed to take the time of the committee in such full discussion. I would like to say this, however: Every man conversant with the true condition in Russia knows that the millions there are determined on democracy, and our attitude should be one of sympathy and helpfulness. At the same time I have no sympathy whatever with Lenine, Trotzky, or their Bolsheviki insanity. They are betraying their people by their foolish dreams and cruel methods.

Mr. CLARK of Missouri. I would like to ask the gentleman one question.

Mr. MILLER of Minnesota. All right.

Mr. CLARK of Missouri. If the gentleman has no sympathy with them, who are you going to have sympathy with over there—who is running it?

Mr. MILLER of Minnesota. That, I think, is a pertinent question. In answer to the gentleman I would say this, and I hope I can make my thought clear: There are two great extremes in Russian thought and life in recent times. There is the old aristocracy that is no more, and we all have kissed it good-by with a smile on our lips. There is the new and the present Bolsheviki government in Russia; that is the opposite extreme. It is the final refuge of the mass of mankind, ignorant and improperly led, who are walking to their own destruction. Nothing can justify the conduct of Lenine and Trotzky in their administration of affairs in Russia. But this is true: The great masses of the Russian people when they overthrew the Czar wanted to be fair-minded, to be just, wanted to progress, wanted to be free, wanted to establish a real democracy. They were ignorant and have been misled. I fear the nations of the world did not look upon this great struggling mass of mankind with that sympathetic care they should have done. Foreign diplomats then had been too long accustomed to deal with the old aristocracy to readily take up with the new order of things. Many of them still clung to the hope that somehow out of the chaos the old discarded aristocracy could get back to power. They failed to make the best of the situation, work with this democracy, and endeavor to lead it along a safe pathway. In effect, at least, they abandoned the newly released Russian masses to the radicals and those who cruelly misled them. They left these throngs of people to the vicious German propaganda and to the leadership of extreme radicals. The present deplorable condition of the Russian people, the hundreds of millions that are there, can be charged, first, to their own ignorance; second, to their folly; third, because the civilized nations of the world left them to wallow in the slough of despond.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Minnesota. Yes.

Mr. LONGWORTH. I think that we all use the term "Bolshevism" rather loosely; but if it is what I conceive it to mean, it consists of a number of people who are organized for the purpose of establishing chaos. If we consider it in that light, what portion of the Russian people to-day, would the gentleman say, are really active Bolshevists?

Mr. MILLER of Minnesota. A very small per cent.

Mr. LAZARO. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Minnesota. Yes.

Mr. LAZARO. Is there a middle class in Russia, in the gentleman's judgment?

Mr. MILLER of Minnesota. Not as we understand the middle class in any other place in the world. The Kerensky government, had it been permitted to continue, in my judgment, would have so changed its character that it would have become a meeting ground of the best elements of the two sides and would have formed the middle class that would have solved the situation, but he made some very vital mistakes, and, of course, the unfortunate propaganda of Germany at that time finished the job. Kerensky sought to keep faith with Russia's allies by restoring the Russian Army to a fighting force. He began this, perhaps, too late. At all events, his efforts to restore discipline resulted in disaster.

Mr. POU. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Minnesota. Yes.

Mr. POU. The gentleman has spoken of Trotsky. I suppose also he has in mind one Lenine.

Mr. MILLER of Minnesota. I also spoke of him.

Mr. POU. Men can not lead unless other men follow, and, so far as I can judge, we are dealing with a race of people who have followed a set of traitors, and for my part I am opposed to sacrificing a single American boy there.

Mr. MILLER of Minnesota. I indorse exactly the sentiment that we should not sacrifice a single other American boy on Russian soil.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. MILLER of Minnesota. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MILLER of Minnesota. Mr. Chairman, I would like to express this with the strongest conviction of which I am capable: When the aristocracy of Russia was overthrown, nearly two years ago, the mass of the Russian people, as all the world knows, were untutored in politics and political self-government. There had been scattered over the world refugees from Russia, there were thousands in Siberia, there for political crimes. They were not a bad kind at all. They were usually the kind that we in this country have felt a profound sympathy for; but there were Russians in other nations of the world, men who were pure anarchists, who had by their conduct elsewhere in the world drifted entirely away from the sanctity of organized society, away and apart from the real principles of civilization. Among these two Trotsky and Lenine may both be numbered. Lenine was exiled in Switzerland and Trotsky in the United States. Trotsky was identified with ultraradicals in the United States. I am advised that as soon as the world knew of the revolution in Russia these men poured back into Russia from the corners of the earth. More than 100,000 came from distant parts of the earth. These men could speak of other civilizations in a glib and flowing tongue. These men could talk that they had lived in America and knew the American free institutions. They could say they had lived in free Switzerland, that they had lived in republican France, and, therefore, they set themselves up as leaders of the people. The people, gullible in the extreme, were seduced from the pathway of true democracy and led toward crime and disaster. This is the reason, in my judgment, why the masses of the people have been led astray. Russia will in the end achieve her democratic ideals, but the way has been made long and hard by the failure of the allies to save her from her foes within.

Even when Lenine and Trotsky captured the Russian control we should have tried our best to keep up relations with the Russian people, never ceased our efforts to help them to a better condition. Proper work of America and the allies, I feel sure, would have saved Russia from the awful state into which she has fallen.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Minnesota. Yes.

Mr. FESS. It came to me from a very high source that the Root Commission had recommended the expenditure of a very large sum of money, specified at $5,000,000, to enter upon an intelligent propaganda in Russia to avoid the danger that Mr. Root himself had announced might appear. I have understood that one member of the commission refused to sign that recommendation. What has become of those recommendations to which the gentleman referred awhile ago without specifying?

Mr. MILLER of Minnesota. I do not know what has become of them. I should be very glad to answer if I did. In conclusion I would like to indorse the sentiment expressed by my friend from North Carolina [Mr. POU]. I do not believe that we are justified in keeping an American soldier in Russia or Siberia another day, and yet I believe the President did the wise thing when he sent them there at the time. I believe he did the wise thing for many reasons, and I heartily approved of his plan at the time. He was justified in taking that course by reason of international complications of the most stupendous character. I know from what I can gather that he resisted the strongest kind of pressure from some nations in the world to send in there a very large force. To have done this would have been unjustifiable from any decent standpoint. Nothing could justify our entering a world war to save democracy and at the same time sending our boys into Russia to shoot democracy out of the Russian people. There were reasons justifying the sending of a few troops there at that time. It was a dangerously delicate situation, and before a man was sent the masses, the people, should have known that the coming of our soldiers contained no menace to their democracy.

In my judgment the one great impelling reason for sending in our men was that within the confines of the Russian Empire were the Czecho-Slovaks, whose deeds during the last year and a half form a page in heroism, sacrifice, and suffering that has no parallel since men marched under the crusaders' cross to the Holy Land. And I was in favor of sending those men to Russia, although I knew it was fraught with danger to our relations with the Russian people. I wanted those men to go

that we might aid those Czecho-Slovaks, whom money could not buy nor threats frighten, heroic souls who crossed desert lands and frozen steppes, forests, and icy streams, starved, naked, bleeding, and dying, that they might again have liberty for their country. And he whose eye stretches back through the centuries to 1648, when their country lost its liberty, can well say in his heart that their country may have lost its independence but their people never lost their heroic spirit, and while they live it is the duty of Americans, who love freedom and liberty, to help them at any cost. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CLARK of Missouri. Mr. Chairman, I ask unanimous consent for five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. CLARK of Missouri. After listening to the distinguished gentleman from Minnesota [Mr. MILLER] and being told what the distinguished gentleman from New York [Mr. LAGUARDIA] said I think the best thing to do would be to constitute them the entire peace congress at Paris and let them settle this thing right off the bat themselves. [Applause.]

I hold no brief for Ambassador David Rowland Francis. These gentlemen bring general, nebulous charges against him. They should be more specific. What did he do that the representatives of other great powers did not do or what did he fail to do that the representatives of these other great powers failed not to do? The truth is that there is not a man on earth who knows really what is going on in Russia. With 180,000,000 people, divided into about 30 or 35 or 40 nationalities, each one of them at the other's throats, all that those ambassadors over there, Francis among them, could do was to take care of their own people as well as they could.

The gentleman from Minnesota [Mr. MILLER] suggests that Gov. Francis ought to have gone on an electioneering campaign in order to have gotten acquainted with the Russian people. Would he not have been in a beautiful condition had he undertaken a thing like that? It is the law of the world, the international law or custom, that representatives of a country in other countries shall attend to their own business and not mix up with other people's affairs. President Cleveland sent an English ambassador back from here for doing that identical thing. George Washington sent a Frenchman home because he persisted in doing it; President Wilson did the same; and the public opinion of the United States has indorsed all three of them in what they did. I have no sort of doubt that others have departed from our shores upon private intimations to their Governments that they were persona non grata here.

I am going to tell you just a little about Francis; not much. The gentleman intimated that maybe Francis was afraid. Let me tell you something. A man born in Kentucky and raised in Missouri is not afraid of the devil himself. [Applause.] He started in as a clerk in a St. Louis commission house when he was a boy. He got to be the biggest commission merchant in St. Louis. He was made mayor of that great city. He was elected governor of that imperial Commonwealth. He was a member of Cleveland's Cabinet. And there is not a man living who can assert that in any of those high positions he ever failed to do his duty and his whole duty. [Applause.]

He is a man of splendid capacity and high character. While I do not know what he did in Russia, and neither does the gentleman from Minnesota nor the gentleman from New York, it is to be presumed that a man with that kind of record would do what he ought to do. Whether he is a skillful diplomat I do not know. Not being much of a diplomat, I do not profess to be a judge of diplomats. I will, however, state that Ambassador Francis has as much common sense as any other man in the Diplomatic Service. My own opinion is that if Kerensky had called a constituent assembly as soon as he got in power over there they might have a settled government at this time. But he did nothing of the sort. That Russia will some day have a free and stable government we all hope and pray. The road, however, to freedom is long and tortuous; more is the pity. The gentleman from Minnesota [Mr. MILLER] is a man a good deal above the average intelligence, even in the House of Representatives, and he ought to know, and he does know, that France, starting out under almost exactly the same circumstances as Russia, took almost a hundred years to gain a settled government.

In 1789 they had a Bourbon King, and they chopped his head off. Then they had a committee of safety, which they soon kicked out. Then came the Reign of Terror—Robespierre and his bloody gang. Then they had a directory. Then came Napoleon, with his consulate and empire for 15 years. The Bourbons then came back and stayed until 1830, lacking 100 days of the Waterloo campaign. Then Louis Philippe was inducted into office. He stayed 18 years. The second Republic was established; Louis Napoleon was elected President, and stabbed it to death in the house of its friends. Then came the second Empire for 18 years. After that they had the Commune for some months. Then they established the third Republic, which, thank God, seems to be founded on a rock. [Applause.] I would not be at all surprised if Russia goes through as long a revolutionary period as that. An established free government will be worth all it costs in blood, life, and treasure, if the revolution does go on for a hundred years. Of course, we hope their revolutionary period will be shorter.

I suggest to the gentleman from Minnesota and the gentleman from New York that they could be in a great deal better business than backcapping the American ambassador to Russia. [Applause]. Suppose that he was to take their criticisms to heart and resign—which he will not do, if he has half as much sense as I think he has—but suppose he did, and President Wilson wanted to send another ambassador to Russia, to what Government would he accredit him? You have to have a government to which to accredit an ambassador or a minister, and they have none in Russia, except the one that Trotsky and Lenine have established, which is bitterly opposed. They may take it into their heads, so far as I know, those two remarkable men, to really make a republic over there. It can not be done in a day.

The governor of Missouri offered the Senatorship to Gov. Francis. He could not accept it because of the fact that if he resigned there was nobody to accredit an ambassador to.

Then Gov. Gardner offered it to me, and I stayed here with you gentlemen because of the love that this House manifested to me time and time again, and which I fully reciprocate. [Applause.]

I am in favor of bringing every American soldier out of Russia. [Applause.] I will tell you what else I am in favor of. I am in favor of bringing every American soldier out of Europe. [Applause.]

A few weeks ago Gen. du Pont, who made more money selling powder for this war than you could stack up in this room in $1 bills, gave out an interview in New York, in which he said we would have to keep our soldiers over there for two years; one year to tear down the barbed-wire fences and entanglements. We did not put up those barbed-wire fences and entanglements over there, and if the Belgians and French do not want those barbed-wire fences to stay up they will not let them stay up. They are not going to let them stay up, because the metal in those fences is worth millions of dollars, and my observation is that a Belgian or Frenchman never lets a good coin escape him if he can grab hold of it.

Somebody else suggests that we ought to keep them over there to police Europe. After we defeated the Germans for them, they surely ought to police Europe themselves, because there is no doubt but that the sending of our Army over there was what gave them the victory. I was willing for my boy, as every man in this House was for his, to go over there and help them fight, but I am not willing to have my boy stay and have his life work interfered with to tear down wire fences or be a policeman. [Applause.] Among the many wise things President Wilson has said in Europe, the most sensible thing, according to my judgment, is that he intimated to those people over there a week or two ago that he was going to bring those soldiers there back home.

So far as the American ambassador is concerned, I will stand by him, because he has been accredited over there by the chief of Americans now living, and I think gentlemen would naturally praise our American representatives abroad.

Mr. MILLER of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. CLARK of Missouri. If I can get time.

Mr. MILLER of Minnesota. Did the gentleman gather that I was making any criticism of Mr. Francis or other ambassadors abroad?

Mr. CLARK of Missouri. I do not know what you were doing if you did not do that. [Laughter.]

Mr. MILLER of Minnesota. I was trying to avoid it, and if I did not avoid it, it was because it is impossible to speak of him and still avoid it.

Mr. CLARK of Missouri. The gentleman ought to give specifications. I think Francis, like every other man on earth, ought to answer for his duties.

Mr. MILLER of Minnesota. I will say to the gentleman that I tried my best to express in general terms my own personal views, based on such personal information as I could get, and I will say to the gentleman that I got a whole lot of it in Europe and some of it here, in general terms, such as would not subject Mr. Francis to personal criticism, and if the gentleman thinks I have criticized Mr. Francis he is at liberty to do so, but I assure him that I tried my level best to speak of the Russian situation so that no personal criticism could be made to apply to Mr. Francis or our ambassadors.

Mr. CLARK of Missouri. I will ask you this question: How did you get it into your head that you knew what would happen over there in those countries more than those ambassadors did? [Laughter.]

Mr. MILLER of Minnesota. Well, that is a very pertinent question.

Mr. CLARK of Missouri. I think so.

Mr. MILLER of Minnesota. But that is not anything that I ever had in my head.

Mr. CLARK of Missouri. You talked that way.

Mr. MILLER of Minnesota. I beg the gentleman's pardon. I may have differed with them with respect to their work and the propriety of the work that was done there, but I never assumed to say that I knew more about the situation in Russia than the ambassadors of foreign Governments there. But I think that the viewpoint that I secured from the information that was given me was better than their viewpoint, and it is the viewpoint now held, including that of those ambassadors themselves.

Mr. LAGUARDIA. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for five minutes. Is there objection?

Mr. WINGO. Reserving the right to object, Mr. Chairman, I would like to hear these gentlemen all the time, but when are we going to get down to business and pass the appropriation bills?

Mr. LAGUARDIA. I hope the gentleman will not object.

Mr. WINGO. Has not the gentleman already spoken on this Russian business?

Mr. LAGUARDIA. Yes; I did make the criticism that the distinguished Speaker referred to.

Mr. WINGO. I think we ought to get down to business, but I will not object.

The CHAIRMAN. The gentleman from New York is recognized for five minutes.

Mr. LAGUARDIA. Mr. Chairman, it was I who made the criticism of Mr. Francis, and I think I owe it to the distinguished Speaker to give the specifications and particulars he requests. Now, if Mr. Francis was born in Kentucky and raised in Missouri and is fearless, I was born in New York and was raised in Arizona, and I am not afraid to answer. [Applause.]

I do not agree with the distinguished Speaker that Mr. Francis did as much or as little as the diplomatic representatives of the allied countries. My first point to the bill of particulars is this, that Mr. Francis did not work in accord and in sympathy and in harmony with the diplomatic representatives of France and England, and did not cooperate with them. He did not even advise with them judging from his action. All of that is a matter of record in the State Department.

My point No. 2 on Mr. Francis is this, that Mr. Francis in the beginning was not in sympathy with the revolution in Russia, and when the revolution did take place and there was a de facto government established, Mr. Francis did not familiarize himself with the conditions in Russia, and his reports to the State Department will bear me out that he did not have accurate information. The distinguished Speaker says neither did anybody else. Yes; the answer is the British and French ambassadors advised their Governments correctly and so did our consul general at Petrograd, North Winship, and our naval attaché at Petrograd, Lieut. Commander Crowley. They reported to the State Department and to the Navy Department, and their reports are a matter of record. Both of those gentlemen, I will say to the distinguished Speaker, informed this Government that Kerensky could not hold the Government. They knew he was misleading our ambassador. They knew he was not sincere in his effort to keep the army in fighting condition at the front. Kerensky was weak and did not have the courage of his convictions, and they knew he was going to play into the hands of the mob.

We would have no business interfering with the internal affairs of Russia under normal conditions, as the distinguished gentleman from Missouri stated. At that time, however, we were engaged in war, and we had an interest in keeping the eastern front intact, and both Winship and Crowley informed our Government that the eastern line would break, and that we would lose the entire eastern front, thereby releasing 50 or 60 divisions of German and Austrian soldiers to be used at the other fronts, if Kerensky continued unchecked in power. You all remember that shortly after Kerensky took possession, or was in power, there was a conflict within the Russian Government as to abolishing the death penalty for desertion. That was the first break in the Kerensky government. One faction claimed that with the establishment of the republic only such soldiers should serve as wanted to stay at the front, and that all punishments for desertion should be abolished. Now, any man could see that no Russian soldier was going to stay on the eastern front unless he had to.

Kerensky at first opposed this. He was, as you will recall, the minister of war. After his inspection at the front, when, as you will also remember, he fraternized with the soldiers, entirely ignoring commands and the officers, encouraging the formation of company and regimental committees, he returned to Petrograd with new ideas. He then lined up in favor of the abolition of the death penalty for desertion. France and England seem to have known this from their ambassadors. Our consul general at Petrograd and our naval attaché knew it, and they reported it. You will find, gentlemen, that our ambassador failed entirely to report actual existing conditions on this point. You will all recall the anxious moments in Russia pending the decision of this vital question. Gen. Korniloff was opposed to Kerensky and did everything within reason to convince Kerensky that everything would crumble unless the army was maintained and the eastern front held. It became a fight between Kerensky and Korniloff. France and England backed Korniloff, because Korniloff would have kept the army on the eastern front, but, I am informed, on Mr. Francis's report to the Department of State we backed Kerensky and backed the wrong horse. Not only did we do that, I will say to the distinguished Speaker, but we brought pressure to bear upon our allies, and they were guided by our judgment.

The distinguished Speaker of this House spoke about the Root Commission. The Root Commission did not have full information. They were in Russia for only a few weeks. They could not grasp the situation in that time.

Mr. CLARK of Missouri. Why did they not get it? That is what they were sent over there for.

Mr. LAGUARDIA. Yes; I personally do not consider the work of that commission a howling success. They spent two weeks in getting from Vladivostok to Petrograd. Take that out of the time that they were away and you will see that they did not have the opportunity to carefully observe conditions or carefully size up men. Was that not the duty of our ambassador? Should he not have intimate knowledge of the various men then in power? If Mr. Francis had worked in harmony and cooperated with his colleagues, the British and French ambassadors, or if he had been willing to listen to his own subordinates, Consul General Winship and Commander Crowley—two keen, bright, able, energetic Americans—he would not have permitted the Root Commission to see but one side of the picture. I believe Kerensky fooled Mr. Root and the whole commission, the same as he did Mr. Francis himself. Why, to give you an idea, in order to get a "Socialist" audience for the Socialist representative of the commission, Mr. Russell, I am told that Mrs. Pankhurst got up a meeting of servant girls working in families of the Petrograd aristocracy who were brought to the ballroom of one of the fashionable hotels by their mistresses to listen to Mr. Russell's lecture. They knew no English; he knew no Russian. If this is a sample of the direct contact and communication with the people of Russia can you imagine what sort of information must be filed in the archives of the American Embassy in Russia?

Mr. IGOE. Whom did Mr. Root address when he was over there?

Mr. RAGSDALE. Who was it that gave this information to the gentleman from New York?

Mr. LAGUARDIA. Mr. North Winship, our consul general to Russia, and Commander Crowley.

Mr. RAGSDALE. Will the gentleman tell us where they gave him that information?

Mr. LAGUARDIA. Certainly. After North Winship put in these reports Mr. Francis said, "I don't want this man here," and he was recalled.

Mr. RAGSDALE. Which man?

Mr. LAGUARDIA. North Winship.

Mr. RAGSDALE. Where did they inform the gentleman from New York?

Mr. LAGUARDIA. I am coming to that. Commander Crowley was recalled. I saw North Winship at Milan, Italy. He is our consul there now, and I saw Commander Crowley at Madrid, Spain. He is our naval attaché there, and I personally interviewed him on the subject.

Mr. RAGSDALE. Will the gentleman permit a further interruption?

Mr. LAGUARDIA. Anything.

Mr. RAGSDALE. Did the gentleman at that time advise the State Department of the information he had and as to the very poor handling of our foreign affairs in Russia?

Mr. LAGUARDIA. Why, certainly not. It was too late then. Everything was over as far as the front went. Our good men had been recalled. I had all I could do holding down the job I then had on my hands. Past experience had taught me that the Department of State did not desire information of that kind. The reports I referred to were all sent to the department.

Mr. HARDY. Will the gentleman yield for just one question?

Mr. LAGUARDIA. Certainly.

Mr. HARDY. As I understood the gentleman from Minnesota [Mr. MILLER] he thought this Government failed in not upholding Kerensky.

Mr. LAGUARDIA. I do not agree with the gentleman.

Mr. HARDY. There seems to be a difference of opinion between the gentleman from Minnesota and the gentleman from New York.

Mr. LAGUARDIA. I can not go into the details of that with the gentleman. Perhaps he misunderstood the gentleman from Minnesota.

Why, gentlemen, these very conflicts of opinion, all this lack of information, is proof positive that this House is not in possession of the facts, and from what source are this House and other departments of our Government to get information if not from our diplomatic representatives abroad? This Mr. Francis failed to do.

I agree with what has been said on the floor to-day and repeated many times during the past weeks that our Army should return home. We have accomplished our task. I am glad to hear that the distinguished Speaker says that they will soon all be on their way back. I hope that no time will be lost in getting all of our troops out of Russia. No matter how careful or tactful we may be in our conduct of these troops in Russia, we are bound to get mixed up in the factional fights now going on in that unhappy country. Even in endeavoring to preserve order, are we not liable to play into the hands of one of the factions? And would it not be most embarrassing to us and our purpose in this war and our ideals if in the course of preserving order in absolute good faith we were to indirectly assist in the Romanoff dynasty or other undesirable dynasty again placing itself in possession of Russia and her people? [Applause.]

Mr. FLOOD. Mr. Chairman, the gentleman from New York [Mr. LAGUARDIA] criticizes the Committee on Foreign Affairs for not hearing him on the Russian question, and he intimates that they do not know much about the Russian situation. I do not care to discuss that situation to-day. The distinguished gentleman from Minnesota [Mr. MILLER] is a member of the Foreign Affairs Committee. He has demonstrated to this House certainly that some members of the committee are familiar with the Russian situation, whether their conclusions in reference to that situation are correct or not. The other members of that committee are sufficiently well posted on Russian affairs not to desire to hear the gentleman from New York.

But I do want to say this in reference to the statement made here and the intimations thrown out about our ambassador to Russia. I had a talk with the Assistant Secretary of State sometime ago in reference to this gentleman. I had heard these rumors which have been hinted at to-day as to the delinquencies of Ambassador Francis, and I took up the matter with the Assistant Secretary of State, whose business it is to keep posted on these matters and who had these consular reports before him, who was fully aware of everything that was said in the consular reports referred to by the gentleman from New York [Mr. LAGUARDIA], who had all the rumors brought here by people who had traveled in Russia and those who had not traveled in Russia about Ambassador Francis, and he said this: That Ambassador Francis was one of the most efficient diplomatic representatives we had in the service [applause], and the very strongest intellect and character in the diplomatic service in Russia during this period of unrest. [Applause.] He said that Ambassador Francis was the one man around whom all the other representatives of the allied powers gathered for advice and for strength, and that he was the most active diplomatic representative in Russia; that he was everywhere that one man could possibly be as long as his health held out. But when his health broke down his little home was the place at which the other representatives in Russia from the nations with whom we had been associated in the war gathered for advice and support. The only criticism that he ever heard made against Mr. Francis that was supported by investigation made by the State Department was that when he first went to Russia he did not live in the magnificent style that the Russian people and the nobility desired him to live in; that he traveled around Petrograd in a Ford car instead of a Pierce-Arrow, and lived in moderate quarters, quarters that did not appeal to the wealthy people of Russia, and they criticized him for that, because he did not keep up the style they expected and desired him to. That was the only criticism by people who really know Russia and the Russian situation. I wanted to say this in defense of a man who has made great sacrifices for his country and for civilization. [Applause.]

The Clerk read as follows:

To enable the President to provide, at the public expense, all such stationery, blanks, records, and other books, seals, presses, flags, and signs as he shall think necessary for the several embassies and legations in the transaction of their business, and also for rent, repairs, postage, telegrams, furniture, typewriters, including exchange of same, messenger service, compensation of kavasses, guards, dragomans, and porters, including compensation of interpreters, and the compensation of dispatch agents at London, New York, San Francisco, and New Orleans, and for traveling and miscellaneous expenses of embassies and legations, and for printing in the Department of State, and for loss on bills of exchange to and from embassies and legations, and payment in advance of subscriptions for newspapers (foreign and domestic) under this appropriation is hereby authorized, $1,300,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I have scanned very closely the usually illuminating report of the committee on this bill, and under this item I find this information: Appropriation for 1919, $1,105,585; estimate for 1920, $1,200,000; amount recommended, $1,300,000. Here is quite an unusual increase that has no explanation except the bare figures as carried in the appropriation bill or in the estimates on this bill. I rise in all seriousness of purpose to ascertain the reason why the committee granted $100,000 more than the estimate, and the bill carrying nearly $300,000 more than the current appropriation.

Mr. FLOOD. The committee did add $100,000 to this item.

Mr. STAFFORD. Let me say that the report states it as $1,105,000.

Mr. FLOOD. Yes; the report embraces the deficiency; that is, the Diplomatic and Consular bill carried $1,005,000. The Appropriations Committee, in a deficiency bill, added another $100,000, making $1,105,000. The State Department asked that that be increased to $1,200,000, because there would be an increase in the telegraph service caused by the greatly increased business that would come after the final settlement at the peace table.

Mr. MILLER of Minnesota. I notice in the hearings that the sum expended last year out of this appropriation was $700,000 for cable tolls. Is it not a fact that during the next year, on account of the great activity of that line of work, a greater sum will be needed?

Mr. STAFFORD. Does the gentleman anticipate that during the fiscal year beginning July 1 there will be such activity in the use of the cable as would require a larger appropriation?

Mr. MILLER of Minnesota. Yes; more in the State Department.

Mr. ROGERS. In the hearings, Mr. Carr—page 82—states that the total appropriation for 1918 was $1,180,000; was that a slight error?

Mr. FLOOD. No; $1,105,000 is correct.

Mr. ROGERS. So that the appropriation asked for is an increase——

Mr. STAFFORD. The appropriation for 1919 is $1,105,585——

Mr. ROGERS. I am referring to 1918. The recommendation in this bill contains, as the gentleman will observe, only a very small increase over that appropriation.

Mr. STAFFORD. Mr. Chairman, I direct the gentleman's attention, because he has called attention minutely to these appropriations, that there was only expended in 1918, regardless of the appropriation, $1,034,000. That was last year, ending June 30 last. So we are appropriating nearly $300,000 for the expense of this service for the next fiscal year over what was expended in the last fiscal year, a very considerable increase.

Mr. FLOOD. What I was going on to say was that the State Department is not responsible for all of this increase. The Committee on Foreign Affairs, without any suggestion from the State Department, did add $100,000 to it. The opinion from the State Department was that the telegraphic service during the year 1920, owing to the creation of new countries, the establishment of new embassies and legations, would be probably greater than it had ever been before, and therefore they asked for a small amount more than they got for the current year from our committee and the Committee on Appropriations. The Committee on Foreign Affairs went further and added $100,000. A hundred thousand dollars was added in order that it might be applied to rent. The gentleman will observe that some of the money can be used where necessary for rent, and we thought it was wise to aid our representatives in the most expensive capitals with an allowance for rent, or, rather, to make an appropriation that would enable the State Department

to do so. The committee really had in mind that the department might supply some of these ambassadors at these high-priced places with means with which to rent dwellings. That may not meet with the gentleman's approval, but that is what the committee had in mind, and that is why the committee added the $100,000.

Mr. STAFFORD. Mr. Chairman, the Committee on Foreign Affairs is indulging in a policy that is somewhat unique and exceptional in the legislation of the House. Without any information whatsoever, based largely on surmise, they increased the estimate of the appropriation $100,000. The amount that was expended from this appropriation last year was $1,034,000. The department only asked for $1,200,000, and yet the committee goes ahead in these times when money is scarce in this country and increases it deliberately $100,000 without a word of testimony. I have scanned the brief testimony of about a page upon this item, and not a word is said by the distinguished gentleman from the State Department who appeared to explain the estimate as to there being any need for any additional amount. That is an indication of Democratic economy—not to curtail the appropriation, not to give them the full amount, but to give them $100,000 more, based upon a pure surmise on the part of some of the members of the committee that they could use it by employing it in some other way.

Mr. FLOOD. No; not in some other way.

Mr. STAFFORD. In some other ways than were contemplated by the department, because if the department had in mind the expenditure of this money they would have increased the estimate. I think it is something so out of the ordinary to indulge in this practice in these times when the Treasury is in such need of money, and the public will be called upon continually to reimburse the Treasury for these expenditures, that we are at least warranted in insisting that it be no more than the amount carried in the estimate. Therefore I move to reduce the amount from $1,300,000 to $1,200,000.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 7, line 8, strike out "$1,300,000" and insert "$1,200,000."

Mr. FLOOD. Mr. Chairman, the committee did not take this action without due consideration, and it was not Democratic extravagance, because the Democratic and Republican members of the committee voted alike. The State Department came before the committee with a suggestion to increase the salaries of our ambassadors from $17,500 to $25,000 a year. The committee voted it down. Some years ago this appropriation was increased for the purpose of allowing the State Department to give a contingent fund to the different large embassies in Europe, and I think at London the amount apportioned was $15,000. That item was increased for that purpose at that time by Congress, and the gentleman from Wisconsin, the watchdog of the Treasury, voted for it. That word "rent" was put in this item, authorizing the State Department to permit the use of this money for rent, and the appropriation was increased. The demands upon this fund became so enormous for cablegrams and other expenditures that probably none of it was left that could be utilized for this purpose. The committee, realizing that fact, added this $100,000, so that some of this money could be used to pay the rent at these places where rent is so high and where living is so expensive. The committee submits that to the House, believing that we ought to do something to democratize the embassies at the great capitals of Europe. The situation has been for years and is now that a man of small means, if he accepts one of these places at all, does it at the sacrifice of his personal fortune. I believe I can state—because it was stated here yesterday on the floor—that our present ambassador to Great Britain will go there to serve his country and will stay there just as long as his means will permit him to remain. When the fortune which he has accumulated in the forty-odd years of his life is exhausted in the expenses of that position, he will have to come home. This should not be. This will enable the State Department to help the able and efficient men, without great fortunes, who go to these places to pay the enormous rents they have to pay. The rent that is paid by our ambassador to France to-day is $12,000. If he did not have a lease of that house, if he should go out and another ambassador should walk in, the rent would be $18,000, and that would be $500 more than the entire salary of the ambassador to that country. I hope this item may be left as the committee reported it.

Mr. LINTHICUM. Mr. Chairman, I move to strike out the last word. This item was increased $100,000, and, as I understood it, at the time there was a strong recommendation by the department for an increase of the salaries of certain ambassadors and ministers; in fact, the salaries of the Diplomatic Service all down the line. So far as I was concerned, I felt that salaries in certain sections of the world ought to be increased, because expenses had so very materially increased, but I felt at the same time that expenses in certain other parts of the world had not increased sufficiently to make these large increases of salary necessary. It seemed to me, therefore, that to increase this contingent fund, so that the department could help out the man who was in an expensive section of the world, and not be compelled to increase where the cost of living had not gone so high, would be the wise thing to do. It was my belief that this $100,000 would enable them to level over the matter, to help the man who needed to be helped, and not be compelled to use it to help others who did not need it. Then I realized also the fact that if you once increase the salaries, no matter how much expenses might go down, you could never lessen them. In this matter you could lessen this amount or not give it.

Mr. STAFFORD. I was under the impression that the $700,000 post fund that was carried in the existing bill was for the express purpose of providing equalization of salaries occasioned by the high cost of living.

Mr. LINTHICUM. That, I think, the gentleman will find is largely for the Consular Service.

Mr. FLOOD. It is also in the Diplomatic Service, but it does not apply to ambassadors and ministers. It applies to clerks, and so forth.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

Mr. McFADDEN. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman for some information. A few moments ago it was stated that the United States had recognized a Russian ambassador. I wanted to ask the chairman of the committee if that is a fact?

Mr. FLOOD. What I said was that the ambassador from Russia, who is here now, came as the representative of the Kerensky government, and we did receive him and recognize him, and he is still acting as Russian ambassador; and we recognize no other diplomatic representative from Russia except Bakhmeteff, who came as representative of the Kerensky government, and has been recognized by the United States Government as the representative here of Russia.

Mr. McFADDEN. At the present time he is the accredited representative of Russia in this country?

Mr. STAFFORD. So far as our Government is concerned.

Mr. McFADDEN. Just another question. I recollect that prior to our entry into the war there were various amounts of Russian loans floated in this country, to the extent of several millions. I also remember the administration, just prior to the sending of the Kerensky representative here, advanced certain moneys—several hundred million dollars—to the Russian government. Do I understand that Mr. Bakhmeteff has charge of these funds as the accredited representative of the Kerensky government or what government?

Mr. FLOOD. He had charge of them. Most of those funds were paid out in this country for obligations the Russian government owed in this country. But the dealing with those funds was done through Mr. Bakhmeteff.

Mr. McFADDEN. I understand that when trouble broke out in Russia there was something like $180,000,000 of these funds on deposit here, and out of these funds the interest on all the former Russian loans was being paid. Is that correct?

Mr. FLOOD. Up to the fall of the Kerensky government we had advanced Russia over $187,000,000. What was left of that fund when the Kerensky government fell was used to pay obligations due in this country by Russia.

Mr. McFADDEN. Is that how the interest on these foreign loans is being paid?

Mr. FLOOD. The Russian loans?

Mr. McFADDEN. Yes.

Mr. FLOOD. From this source and from other funds which the representatives from Russia had here.

Mr. MILLER of Minnesota. May I inquire if these Russian loans to which reference has been made and attention has been directed are loans made by the United States to the Russian Government or loans by private individuals?

Mr. FLOOD. I presumed the gentleman was speaking of the loans that the United States Government made to the Russian Government.

Mr. McFADDEN. I was speaking first of the various loans made by banking interests in New York and now held by American investors, and then I was speaking in reference to this fund that was advanced by the United States as an additional loan. When the troubles came over there and when the original Rus-

sian Government fell this money seemed to be here and flowing, with no one in charge of it, and since that time we recognized Kerensky. I have wondered upon what authority the Russian ambassador was administering that fund and how he had the right to pay the interest on these loans which were sold to individual investors in this country by these New York banking interests.

Mr. FLOOD. Simply by authority of the fact that he had possession of it, having received it for the Kerensky government, for whom it was intended by our Government.

Mr. McFADDEN. Yes. I wondered, in that connection, whether the United States itself should not properly control that fund.

Mr. FLOOD. I should think this Government loaned it to the Russian Government, but I will get further information and will put it in the RECORD to answer the gentleman's question.

Mr. McFADDEN. I shall be glad.

The Clerk read as follows:

TRANSPORTATION OF DIPLOMATIC AND CONSULAR OFFICERS IN GOING TO AND RETURNING FROM THEIR POSTS.

To pay the actual and necessary expenses of transportation and subsistence under such regulations as the Secretary of State may prescribe, of diplomatic and consular officers and clerks in embassies, legations, and consulates and their families and effects in going to and returning from their posts, or when traveling under orders of the Secretary of State, but not including any expense incurred in connection with leaves of absence, $145,000.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph just read. Last year, as I recall, the House increased the rate of mileage that might be paid for traveling expenses for the diplomatic and consular officers from 5 cents to 10 cents a mile. Now the gentleman proposes to eliminate the limitation entirely, so that there may be paid any amount for expenses of travel, covering their actual expenses it is true, and it further provides for the payment of their subsistence during the time they are traveling and also for the expenses of the transportation for their families and effects. I think there should be some explanation of this radical departure, in this instance, from the limitation which has heretofore been carried on the expenditure of this item.

Mr. FLOOD. This item is unchanged from what it is in the current law——

Mr. STAFFORD. I beg the gentleman's pardon.

Mr. FLOOD. This item is the same as in the current law.

Mr. STAFFORD. I beg to inform the gentleman that it is changed.

Mr. FLOOD. I do not mean the amount.

Mr. STAFFORD. I do not mean the amount; I mean the language.

Mr. FLOOD (reading)—

To pay the actual and necessary expenses of transportation under such regulations as the Secretary of State may prescribe, of diplomatic and consular officers and clerks in embassies, legations, and consulates in going to and returning from their posts, or when traveling under orders of the Secretary of State, at the rate of not exceeding 10 cents per mile, but not including any expense incurred in connection with leaves of absence, $125,000.

Mr. STAFFORD. If the gentleman will compare that language with the language carried in the bill, he will see it is changed in several particulars. The limitation on the amount for reimbursement for mileage is eliminated, and next provision is made for the Government paying for their subsistence——

Mr. FLOOD. Yes.

Mr. STAFFORD. And then you provide for an allowance to be expended for their families and effects in going to and returning from their posts.

Mr. FLOOD. The gentleman is right. We did make very radical changes. I thought we made those changes in the current law last year, but I see it is in the present bill. They were made upon representation of the hardships that these officers sustained under the laws as we have been enacting.

Mr. STAFFORD. Well, last year the committee came before the House and asked as a warrant for increasing the mileage from 5 to 10 cents that it was necessary that the diplomatic and consular officers should have that amount of pay for their mileage. We did so. Now the gentleman seeks to eliminate that and goes further and provides for their subsistence and also for the transportation of their families and effects.

Mr. FLOOD. As I said, I thought we made those changes last year. The State Department urged them very strongly last year, and we raised the mileage from 5 to 10 cents. Now, the statement made to the committee is this:

Mr. CARR. Ten cents a mile in a majority of cases—the flat 10 cents a mile—would, for the officer himself, I think, in practically every case be adequate. But the 10 cents a mile would not be adequate to reimburse the officer for the transportation of himself and members of his family, plus his personal effects, which, of course, have to go with him.

Mr. HUDDLESTON. A departure in that respect is proposed?

Mr. CARR. A departure in that respect is proposed; it has been recommended for a year or so, and is now recommended again.

Mr. MILLER. Then you have also added the words in lines 19 and 20 on page 7, "and their families and effects."

Mr. CARR. We added that last year and the year before, I think. Congress did not receive it favorably, but they did raise the mileage from 5 to 10 cents a mile, with the qualification I have mentioned. The practical working of the transportation appropriation is perhaps better illustrated by some examples I could give you.

Two consuls were transferred from Swatow to Chungking in China. The cost for two officers was $435 and $355 Mexican, respectively. Both of those officers were unmarried. They took no account of the cost of transporting or the disposition of their household goods; that is, the cost of disposing of the goods at the old post and acquiring a new outfit at the new post. They received from the Government $293 and $173 Mexican, respectively. I do not know what the reason for the difference in the expenses, but whatever it may have been, in one case the man spent $435 and the Government gave him $293, and in the other case the man spent $355 and the Government gave him $173. They lost the amount of the difference in obeying the order of the Government in making the transfer.

Mr. MILLER. This was during the last year, when the 10 cents a mile prevailed?

Mr. CARR. I have not the date of it. That was before the rise in exchange.

Mr. STAFFORD. They always wish to be freed from any limitation on expenditures placed there by the Congress.

Mr. FLOOD. No; I think it was to enable them actually to reimburse the officers.

Mr. STAFFORD. Well, Mr. Carr, even in the case instanced, did not know whether all these officers were proceeding under the 5-cent rate or the 10-cent rate; very likely the 5-cent rate, because the 10-cent rate was granted only a year ago.

Mr. FLOOD. Under the old rate it was stated they could not possibly move their families with them without going to extraordinary expense; but my recollection is he cited a great many cases of very great hardship, and the committee thought it wise to except these commissions and——

Mr. STAFFORD. This fund also provides for a transportation charge when the consular and diplomatic officers return home from their posts?

Mr. FLOOD. Yes; going and returning.

Mr. STAFFORD. Does not the gentleman realize there should be some limitation on the amount of expenditure per mile?

Mr. FLOOD. I want to call the attention of the gentleman to the fact, in reference to nearly all the items of expense that commissions and individuals can charge against the Government, that the committee in this bill has provided for an itemized statement. I do not mean it has done that in so many words, but it has made the appropriation so they have to itemize these expenditures.

Mr. STAFFORD. Where is the language to which the gentleman refers?

Mr. FLOOD. For instance, this international commission that settles disputes between this country and Canada. They now under this amendment get $8 a day, but we fixed the language so that they have to render an itemized statement of what they do expend. Up to that time they got $8 a day whether they expended it or not.

Mr. STAFFORD. There is no such requirement in this provision under consideration?

Mr. FLOOD. I think the provision carries that idea.

Mr. MILLER of Minnesota. And it says that the expenditures are to be under rules and regulations to be prescribed by the Secretary, and of course they will have a proper method of accounting.

I sincerely trust the gentleman will not insist on his point of order. If the chairman will permit me to make an addition to that which he has so strongly presented, I wish to say that one thing that was very persuasive to the committee was this, that our consular and diplomatic officers are traveling for the greater part outside of the United States. They are also traveling from one country to another. When a person is traveling in continental North America he can take a train and go to his destination and if he has to change cars it consumes only an hour or two hours to do so. It is stated that in many of these transfers in China and Japan and elsewhere, where means of communication are not numerous, and they have to go over certain routes part by rail and part by boat, and that often occurs at least during these troubled times, when passenger service is demoralized the world over, a man will have to stop at a hotel waiting for a boat, and the boat, instead of sailing on an appointed day, will not sail for a week or longer. Under existing law his expenses at the hotel during that time of waiting he has to pay himself, as his 10 cents per mile does not give him enough to pay for such long stops.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER of Minnesota. I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MILLER of Minnesota. The 10 cents a mile which was allowed in the bill last year will not take care of the most of that. We do not appropriate any more than we did last year. We appropriate the same sum, but it will give flexibility and elasticity to this particular kind of service. I would like to urge this on the gentleman's attention, as one interested in the Diplomatic and Consular Service and who has visited countries in most sections of the world, that the greatest need we have, in my mind, now, to get adequate commercial and political representation in these lands, is to provide sufficient money to enable the force in the field to live. They can not live now on the amount they are getting. I know in my own experience of a number of the most brilliant young men who have entered the Consular Service, who were getting before they entered three or four thousand dollars a year, and who entered it, say, at $1,800 or $2,000, and then were obliged to go to Chile, South America, or to Shanghai, China, or into Siberia, and they could not possibly get sufficient money out of their transportation to pay the expenses of their journey there and that of their wives and families. And possibly after three or four years it was found that that particular man was the exact man they wanted in Stockholm, and who if at Stockholm would be of incalculable value to the Government, and they ordered him there. That is a long jump, and the old provision did not give sufficient money to pay his expenses, and men have been quitting the service by reason of it.

Mr. STAFFORD. Five cents a mile was not adequate, and so Congress on the recommendation of the committee increased it to 10 cents.

Mr. MILLER of Minnesota. And 10 cents, in many instances, is more than adequate—perhaps in a majority of cases it is more than adequate—and in many cases, and those the most deserving, it is not adequate, and the department simply asks, not for a greater amount but that it be made more flexible to enable them to take care of it. Certainly the salaries of our consular and diplomatic agents are low enough, usually ridiculously low, and we must pay the actual expenses incident to their necessary travel.

Mr. STAFFORD. You are asking for $20,000 more than appropriated last year.

Mr. ROGERS. Will the gentleman allow me to read a sentence or two from the hearings?

Mr. STAFFORD. I shall be glad to be informed on the subject.

Mr. ROGERS. I want to read from the testimony of Mr. Herbert C. Hengstler, of the State Department, who is chief of the Consular Bureau. While Mr. Wilbur J. Carr is director of the Consular Service, Mr. Hengstler in his work comes more directly in contact with the subject suggested by the reservation of the point of order.

On page 17 of the hearings he says:

One of the difficulties here that we have experienced is that the present law requires a very complicated system of accounting. In the first place, we have to keep the accounts according to mileage, and, in the second place, we must have another account showing the actual expenses, so that for each trip the consular officer has to render two separate accounts, making a very complicated and cumbersome system.

And then, dropping down a few sentences:

Even 10 cents a mile at the present time frequently does not cover the necessary expenses of the consul himself. One man sent to Russia recently had to spend almost $900 to take himself and his family to his post. Even if he had gotten 10 cents a mile you could realize he would have received but a small portion of this amount from the Government.

We had a man who was sent a very short distance in Turkey. He had to go overland. I think he got about $50 mileage, as I recall. His actual expenses were almost $200. That is the reason we ask for this change in the bill.

Now, I submit to the gentleman from Wisconsin that if we are to keep the kind of Consular Service the needs of this country and the dignity of this country demand, it must be a flexible and an attractive service. We must enable the State Department to send a man from one post to another post whenever the requirements of the service make it proper to have the transfer made. It is not fair and it is not a thing that will appeal to the right sort of man in the Consular Service, if he has to pay hundreds of dollars out of his own pocket in order to move himself and his family to the new post. This does not give him a cent for himself. It simply pays his expenses.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. STAFFORD. I wish to inquire of the gentleman from Massachusetts whether it is the practice now under existing regulations to pay the expenses of travel for the families of our diplomatic and consular officers?

Mr. ROGERS. It has been recommended by the committee for several years.

Mr. STAFFORD. It is not in the present paragraph. It is not in existing law. I wish to have the attention of the chairman. It is, of course, new legislation on this appropriation bill. I now wish to inquire whether under the existing language it is the practice to pay the expenses of the families of these officers?

Mr. ROGERS. I think not.

Mr. STAFFORD. I will direct the inquiry to the gentleman from Virginia as to whether it is the existing practice for the department to pay the expenses of travel for the families of the diplomatic and consular officers?

Mr. FLOOD. The change in this law is for the purpose of enabling the department to do it.

Mr. STAFFORD. Then I have the right to infer from the gentleman's statement that it is not the existing practice?

Mr. FLOOD. They can not do it, as I understand.

Mr. LITTLE. Will the gentleman permit? The practice always has been, as far as I know, that they permit a man when appointed and sworn in at home to begin to draw his salary, and he has a certain length of time to reach his post of duty. He draws his salary during that time—or did formerly—and that was a much longer time than took him to get there. It is the time that took him to get there a hundred years ago, and he would get enough money in the way of salary in the interval to provide his expenses in getting there.

Mr. FLOOD. This is when he is transferred from one place to another.

Mr. LITTLE. That would apply in the same way, I suppose.

Mr. STAFFORD. Mr. Chairman, I make a point of order on the paragraph. I wish to say to the gentleman that I do not wish to restrict the Consular Service in the freedom of transit of the respective officers, but I do not see why we should now inaugurate the policy of paying for the travel and transportation expenses of the families of these consular officers.

Mr. MILLER of Minnesota. Mr. Chairman, will the gentleman reserve his point of order?

Mr. STAFFORD. I will withhold making the point of order.

Mr. MILLER of Minnesota. I know the gentleman wants to be fair on this, and he would be the last man really to cripple an important service of this kind. I can assure the gentleman——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER of Minnesota. I ask unanimous consent, Mr. Chairman, that the gentleman from Wisconsin may have five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. MILLER of Minnesota. I believe that this is the most vital thing in the entire bill. I want to call the gentleman's attention to another thing. The gentleman will notice that the law respecting the allowance of military officers contemplates that married men will take their families, and recognition of that is given and provision is made in the law for that.

Now, here it is extremely desirable that men be accompanied by their families to these posts, no matter whether they are consular or diplomatic. In the Army it is sometimes advisable indeed that they be not accompanied by their families, as when they go into field service, but in going from post to post they are allowed to be accompanied, and therefore provision is made in the law for the transportation of the Army officers and their effects and families.

Now, here is a service that much more urgently, in my judgment, requires that men should be accompanied by their families, for efficiency in the service, if for no other purpose, and why should we not enact the item as it is framed in this paragraph?

I believe the gentleman can rest assured that there will be no abuses under it. If he thinks there is any danger in it I would be perfectly willing to join in a request that the amounts be itemized.

Mr. STAFFORD. It is the policy always for the Government to place restrictions around the payment of allowances for the transportation of their officials. Here we are lifting all restrictions entirely and allowing the department to recognize any payment whatsoever that a diplomatic or consular officer may make. The gentleman knows that that may be subject to grave abuse.

Mr. MILLER of Minnesota. That is not what this paragraph permits. It says, "to pay the actual and necessary expenses, under such restrictions as the Secretary of State may prescribe." I am willing to write into the law that the agent, consular or diplomatic, must submit an itemized account, sworn to. That will cover it.

Mr. STAFFORD. Will that meet the approval of the chairman of the committee? We are trying to legislate here.

Mr. FLOOD. The gentleman from Kansas and I are trying to legislate over here.

Mr. LITTLE. The gentleman from Wisconsin is not the only legislator. [Laughter.]

Mr. STAFFORD. I can not compete with the distinguished gentleman, who rendered such distinguished service years and years ago in Armenia.

Mr. LITTLE. On that I will withdraw my remark. [Laughter.]

Mr. STAFFORD. My objection to this paragraph is that there is no limitation on the department as to the expenditure. The policy of Congress is to restrict and limit expenditures. I recognize the need of the consuls visiting around. It is the criticism of the service that they are lodged and anchored too much in the place to which they are assigned. They merely think that their only duty is to do a little detailed office work and draw their salary. If there are some ambitious men among them who wish to go around and obtain useful information, I do not want to restrict them by arbitrary limitations.

Mr. MILLER of Minnesota. I suggest that we insert this language. After the word "pay," in line 11, insert these words: "itemized and verified statements of the actual and necessary expenses of transportation."

Mr. FLOOD. I accept that amendment.

Mr. STAFFORD. With that agreement, I will withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn.

Mr. MILLER of Minnesota. Mr. Chairman, I offer an amendment to line 11, page 7, after the word "pay," by inserting the words "the itemized and verified statements of."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Minnesota.

The Clerk read as follows:

Amendment offered by Mr. MILLER of Minnesota: Page 7, line 11, after the word "pay," insert "the itemized and verified statements of."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

To enable the President to meet unforeseen emergencies arising in the Diplomatic and Consular Service and to extend the commercial and other interests of the United States and to meet the necessary expenses attendant upon the execution of the neutrality act, to be expended pursuant to the requirement of section 291 of the Revised Statutes, $700,000, together with the unexpended balance of the appropriation made for this object for the fiscal year 1919, which is hereby reappropriated and made available for this purpose: *Provided*, That in his discretion the President may employ part of this fund for payment for personal services in the District of Columbia or elsewhere, notwithstanding the provisions of any other law.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on that paragraph.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order on the paragraph.

Mr. STAFFORD. Mr. Chairman, I think some explanation should be made of this large appropriation that is carried in this bill, as to the method of its expenditure. If I mistake not, this is the item on which I received the assurance of the chairman of the committee that after the conclusion of the war the proviso, if I permitted it to be inserted last year, would not be continued in the future.

Mr. FLOOD. No. Here was the understanding that I had with the gentleman: That if he did not raise a point of order against it last year I would use my influence with the committee not to report it after the war had ended.

Mr. STAFFORD. Oh, everybody knows that the reason for that proviso is ended with the armistice, and it would be an abuse of the understanding if it is continued.

Mr. FLOOD. I do not think that.

Mr. STAFFORD. I must be shown, then.

Mr. FLOOD. It would not be an abuse of the understanding, because the war has not ended. The understanding was that I would use my influence with the committee after the war was ended.

Mr. STAFFORD. Of course I am not inclined to underestimate the influence on the floor of the gentleman from Virginia.

Mr. FLOOD. The gentleman asks as to the method of expenditure. The emergency fund is included under section 291 of the Revised Statutes, which provides:

Whenever any sum of money has been or shall be issued from the Treasury for the purposes of intercourse or treaty with foreign nations, in pursuance of any law, the President is authorized to cause the same to be duly settled annually with the proper accounting officers of the Treasury, by causing the same to be accounted for specifically, if the expenditure may, in his judgment, be made public; and by making, or causing the Secretary of State to make, a certificate of the amount of such expenditure as he may think it advisable to specify; and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended.

Now, the requirements of this statute are absolutely adhered to in the expenditure of this fund. Under this proviso this fund can be used for the payment for personal services in the District of Columbia. Of course, we all know that technically the war has not ended. The gentleman from Wisconsin [Mr. STAFFORD] thinks it has ended, and I hope it has, but technically it has not. So far as the State Department is concerned, it is probable that its activities have been increased with the signing of the armistice and its burdens probably may be increased generally after peace is concluded. Of course, so far as this fund is concerned, the necessity for it will not be increased after peace is concluded, but it will be greatly lessened; but we will have a great many visitors coming to this country from the different allied countries during the next 12 months. The papers say the King of England will be here.

At any rate, a great many distinguished visitors will be here who will have to be entertained out of this fund. We still will have to employ a lot of gentlemen to get confidential information for the State Department in reference to conditions in the various countries that have been at war, especially some of those that are to be made into nations out of former existing nations. We have to send confidential agents to get that information, and there is no other fund from which to pay them except this. The State Department, as we all know, has a small secret service corps, which has rendered the most splendid service during the period of the war, and which the department thinks it necessary to keep up during this time. It has to be paid for out of this fund. There is no other fund out of which to pay it. All of these activities necessitate the employment in the department here in Washington of an additional number of employees—not a great many, but some—and since this proviso has been in the law the department has been paying them out of this fund. There is no other fund out of which to pay them, especially since the legislative bill cut down their appropriation for clerk hire from $400,000 to $125,000. I will say again to the gentleman that I do not lose sight of the understanding we had on the floor of the House last year when the gentleman so generously abstained from making a point of order to this proviso.

Mr. STAFFORD. Will the gentleman permit?

Mr. FLOOD. Yes.

Mr. STAFFORD. I recognized then that, as we were at war, there was an absolute necessity to grant to the President a large sum of money to be used as he saw fit.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent for five minutes. Is there objection?

There was no objection.

Mr. STAFFORD. It was necessary to have a fund for the employment of Secret Service men, or in any other way whereby he could obtain that information. These services might have to be employed here in the District of Columbia, and I was not going to raise a point of order against any activity that was necessary to protect the Government through its State Department in ferreting out spies and persons unfriendly to our cause.

Mr. FLOOD. They did splendid work.

Mr. STAFFORD. But now that emergency is past, and there is no justification why we should carry this provision in the Diplomatic bill, an appropriation virtually for clerical services in the Department of State. If the legislative bill has not carried an adequate appropriation the proper place to have that increased is in the other body at the other end of the Capitol, or to come before the Committee on Appropriations for an additional appropriation; but to have in this bill an appropriation that can be utilized for clerical services is not good legislation.

Mr. FLOOD. I agree with the gentleman that it is not good legislation, but so far as the emergency is concerned that the gentleman is talking about, I will repeat—and I hope the gentleman will agree with me—that so far as the State Department is concerned the emergency is just as great as it ever has been. They will have to keep up their Secret Service. They have to entertain all of these people who come here. They have to have people located here in Washington to help do these things, and during the next 12 or 15 months this will go on.

Mr. STAFFORD. Yes; but so far the gentleman has advanced no reason for an authorization to allow this fund to be used to pay for personal services here in the District of Columbia. If the President wants a fund for the entertainment of royalty when they visit this country, that is another question.

Mr. FLOOD. This is the fund out of which that comes.

Mr. STAFFORD. But that does not involve the idea of payment for personal services in the District of Columbia.

Mr. HARRISON of Mississippi. Mr. Chairman, may I suggest that on page 91 of the hearings Mr. Carr makes this statement touching this item:

Mr. CARR. It certainly is not any less important by reason of the fact that the war is supposed to be over, because the security of the future welfare of the United States depends on a great many things being done, a great many loose ends being tied up, a great deal of information being collected, and the failure to do that would be vastly more costly than this small sum of money.

Then in another place in the hearings he says this concerning this item:

I think the unexpended balance at the present time is approximately $400,000.

Mr. ROGERS. With just about half of the year gone?

Mr. CARR. With just about half of the year gone and with a possibility of a great many expenditures in the second half of the year.

* * * * * * *

It is not possible to say what the balance may be. It is natural to suppose that we may need to know a good many things about some of the new countries. For example, it is possible that Austria will emerge from the peace conference very much subdivided into smaller nations and that Turkey may emerge from the peace conference in the same condition, and it is reasonable to suppose that the President and the Secretary of State may find it necessary to hurriedly send somebody to those countries to look into special subjects or to do special things. Those things frequently happen in international intercourse, and this would be the only fund for such expenses. There may be a good many things of that kind that may have to be done, and there is no other fund from which they could be done.

Mr. STAFFORD. What the gentleman has read confirms my position. He has not read language—at least, if he has I have not detected it—which shows the necessity for this fund to be used to pay personal services here in the District of Columbia.

Mr. HARRISON of Mississippi. Mr. Carr said that there are many loose ends that need to be tied up, and so on, and they have people at work. They may work here in the District of Columbia or they may be over in Paris, or the President may need some of them when he comes back here.

Mr. STAFFORD. Every department official always wants to have a reserve fund which he may use in case the funds provided by the regular channel are not adequate. I would like to inquire of the chairman whether this is the fund from which the President is paying the retinue of college professors now with him at the peace council?

Mr. FLOOD. I do not know anything about the retinue of college professors, but they are not paid out of this fund.

Mr. STAFFORD. Will the gentleman kindly direct us to what fund they are paid from?

Mr. FLOOD. The President has a pretty large fund of his own, and I expect they are paid out of that if they are paid.

Mr. STAFFORD. I was under the impression that the $700,000 available fund was used to pay the corps of professors from different colleges who have accompanied the President abroad.

Mr. FLOOD. No; not out of this. They do contemplate sending gentlemen to Austria and Hungary and Turkey and other places expected to be erected into States.

Mr. HARRISON of Mississippi. This is a secret fund and has been so carried for years. Mr. KNOX, when he was Secretary of State, carried it as a secret fund.

Mr. STAFFORD. Yes; until the last year the fund only amounted to $200,000, but since our entry into the war they have asked for larger appropriations, and we have run it up to $700,000, and now that the war is over they ask that it shall be continued. Last year I had the distinct promise from the chairman of the committee that if the proviso was allowed to remain when the war was at an end—and we differ whether it is at an end—this proviso should be eliminated. I am strongly opposed to the idea that we should vest in the Secretary of State in this bill authority for the employment of individuals here in the District of Columbia.

Mr. HARRISON of Mississippi. The gentleman realizes that there will be a very few months before the war is actually over and when all this matter will be settled.

Mr. STAFFORD. Yes; and that is why I am so persistent on my position.

Mr. HARRISON of Mississippi. It might cost the Government a great deal more if it did not have this fund, and it could not do much harm if the provision is left in.

Mr. STAFFORD. Mr. Chairman, I am going to make the point of order. If the gentleman wishes to have it inserted without the proviso, I am willing to make the point of order against the proviso with that understanding, or else I will make it against the whole paragraph.

Mr. HARRISON of Mississippi. Make it against the proviso.

Mr. STAFFORD. With the understanding that the proviso is not to be offered again.

Mr. HARRISON of Mississippi. It could not be offered again unless subject to a point of order.

Mr. FLOOD. I do not know what the gentleman means by not being "offered again."

Mr. STAFFORD. Is it agreeable to the gentleman to have the paragraph remain in the bill as it is without the proviso?

Mr. FLOOD. Yes.

Mr. STAFFORD. Then, Mr. Chairman, I make the point of order against the proviso.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

Mr. HARRISON of Mississippi. Mr. Chairman, I move to strike out the last word. The gentleman understands that if the State Department should insist that the proviso be written in the bill the Committee on Foreign Affairs might offer it again.

Mr. FLOOD. It could not be offered again.

Mr. HARRISON of Mississippi. Suppose the Senate should insert it. I do not want gentlemen to misunderstand our position about it.

Mr. STAFFORD. We had an understanding last year—although there is a difference as to the interpretation of it—that when the war was at an end the proviso should be eliminated. I am making the point of order to carry out that agreement as I understand it.

The Clerk read as follows:

To Mrs. Natalie Summers, widow of Madden Summers, late consul general to Moscow, $5,500, one year's salary of her deceased husband, who died at his post of duty.

Mr. STAFFORD. Mr. Chairman, I make a point of order against the paragraph just read.

Mr. BYRNS of Tennessee. Will the gentleman reserve his point of order?

Mr. STAFFORD. Certainly; I am very glad to accommodate the gentleman from Tennessee.

Mr. FLOOD. The gentleman makes a point of order against the appropriation to Mrs. Summers?

Mr. STAFFORD. To reimburse Mrs. Summers.

Mr. FLOOD. Mr. Chairman, the committee recommends one year's salary, amounting to $5,500, to be paid to Mrs. Natalie Summers, widow of Madden Summers, late consul general to Moscow. This gentleman died there at his post of duty. He sacrificed his life in the cause of his country and these countries with which we were associated in the war. It has been the practice in this country—at least there are numerous precedents for it, and I say it has been the practice—that where a diplomatic and consular officer of the United States died at his post of duty in the discharge of his duty, to make an appropriation for his widow or heirs, and it has generally been one year's salary—just about what we do for the widows of Members of Congress.

Mr. STAFFORD. Will the gentleman yield?

Mr. FLOOD. I will.

Mr. STAFFORD. Do I understand it is the uniform practice when a consular officer dies to pay a year's salary to his surviving widow or relatives?

Mr. FLOOD. I did not say it was the uniform practice, but I believe it is the practice, because there are so many precedents for it.

Mr. STAFFORD. Will the gentleman refer me to any item having been reported from the Committee on Foreign Affairs of the House in the Diplomatic bill of that character in the last 10 years?

Mr. FLOOD. I do not know about its being reported in the Diplomatic bill.

Mr. STAFFORD. I suppose there have been some instances where other consular officers have died at their posts of duty leaving surviving relatives.

Mr. FLOOD. I do not know.

Mr. STAFFORD. Then, they are pretty good livers if no one has died at his post of duty within the last 10 years.

Mr. FLOOD. The only case that I am advised of just now, since I have been connected with the committee, was that of Mrs. Sorsby, whose husband did not actually die at his post of duty.

A claim was presented and a bill was introduced allowing Mrs. Sorsby one year's salary, and the difference between her situation and the situation in this case and the other cases was that her husband had been separated from the service for quite a number of years, but she undertook to prove that the

disability of which he died resulted from the unhealthy location at which he had exercised the duties of minister.

Mr. SLAYDEN. Mr. Chairman, may I submit a question to the gentleman from Virginia?

Mr. FLOOD. Yes.

Mr. SLAYDEN. One of my constituents, who was the consul at the city of Guadalajara, Mexico, recently died of pneumonia. I saw in the papers a few days ago that the Government, through the State Department, had directed that the remains be brought back home to be interred. I do not know what notice the gentleman would require before taking such a step, but if it is to be done in the case of Mrs. Summers, why should not this bill also carry an appropriation of one year's salary of the consulate at Guadalajara for Mrs. Silliman?

Mr. BYRNS of Tennessee. There are different facts.

Mr. SLAYDEN. Oh, there are different facts, of course.

Mr. FLOOD. I think a bill making provision for Mrs. Silliman ought to be introduced, and the committee ought to consider it, and if it comes within the rules that the committee has acted on it ought to be reported.

Mr. SLAYDEN. Let me call the gentleman's attention to one or two facts of history——

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask unanimous consent that the gentleman from Virginia may proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FLOOD. Mr. Chairman, I want to call the attention of the gentleman from Wisconsin [Mr. STAFFORD] to some cases that I happen to have investigated. The general deficiency act approved June 8, 1896, Statutes at Large, volume 29, page 268, carried an appropriation of $8,750 for Mrs. Eliza Gray, widow of Isaac P. Gray, late United States minister to Mexico.

The general deficiency act approved July 28, 1892, Statutes at Large, volume 27, page 283, carried an appropriation for the widow of Alexander Clark, late the minister to Liberia, amounting to $4,000, which was the amount of one year's salary.

In the deficiency act of March 3, 1893, an appropriation of $5,375 was carried in behalf of Mrs. Sarah O. Hanna, widow of Bayless W. Hanna, late a minister to the Argentine Republic.

An act for the relief of Mrs. Lizzie Phelps, widow of Seth Ledyard Phelps, late minister of the United States to Peru, was approved on August 3, 1886, for one year's salary.

An act of July 8, 1898, for the relief of Verona E. Pollock, appropriated $6,840, she being the widow of Alexander L. Pollock, late consul of the United States to San Salvador.

There are quite a number of such cases. I received a letter from the Secretary of State in reference to Mrs. Sorsby's case, which said that it has been the practice to make these appropriations, but drawing the distinction between Mrs. Sorsby's case and the cases in which the appropriations had been made, the difference being that Mr. Sorsby did not die while in the service. There is no doubt about the fact that Mr. Summers died at his post of duty while in the service of the United States. I do not recall that Congress has refused, when requested to do so, to make an appropriation for the relief of the widow of a representative, especially when that widow was greatly in need of financial assistance. The committee would not take the matter up and make an appropriation without a request in the shape of a bill being introduced to that effect, or a request before the committee, and in this case the facts were presented to the committee and were certainly most meritorious. This gentleman died at his post of duty, died from overwork for this country and for the allied countries, and died after having expended everything that he possessed, and he had actually expended his wife's fortune, or what was left of it from the Russian revolution. This widow is a Russian woman who married this American consul. She had a considerable estate of her own, but that now has been swept away by the Russian revolution.

The income from the estate had been used in maintaining this consul in his position. The post-allowance fund allowed him was expended, his salary was expended, everything he had was expended in maintaining his position as consul and in helping Americans who were stranded over there and who needed financial aid. On the whole, the committee thought that no more meritorious case could be presented for the consideration of Congress than this case. It stood on all fours, so far as the technical rights were concerned, with the cases which Congress had heretofore made appropriations in, and was probably more meritorious in fact than any of them. The committee recommended this appropriation, and I trust that the gentleman will not raise the point of order against it and that the Committee of the Whole will vote this deserving lady this amount of money. As I said, she is absolutely without means now. She has come to America and has secured a position in the State Department and is working for her living. Whether her salary is sufficient to support herself and child I do not know; but, at any rate, this would certainly help her in the effort she is making to support herself and her child. If Congress would vote the amount of one year's salary, the interest from that could be used to supplement the small salary she is getting in the State Department.

Mr. LINTHICUM. Mr. Chairman, I sincerely hope the gentleman will not press the point of order against this item, because if there ever was an item of this kind that came before Congress which was meritorious this is it. When you realize that these people were there during the revolution and during the time that living was dangerous and everything was extremely high, you can readily see how that little fortune, or what they had, was consumed. I read from the testimony of Mrs. Summers:

> You will perhaps better understand how expensive it was when I tell you that we had to pay $7 for a pound of bread, and that bread was made of straw. Then when you bought sugar it cost $15 a pound, and a pair of shoes cost you $100. So it was impossible to save anything there. An egg cost $1, and you can judge from those things how much it cost to live there.

This lady had a fortune of her own, and they used the income from that to help live upon, but when the Russian revolution took place, that fortune was swept away, and they no longer had any income from it. With these prices it is no wonder that they had absolutely nothing when Mr. Summers died. Mrs. Summers did not come to Congress and ask for the payment of money when doing nothing, but she came to America and asked for a position and procured a position in the State Department, earning $150 a month, and with that money, and with that money solely, she has been able to eke out an existence for herself and her boy. There are plenty precedents for this appropriation. When we vote the widows of deceased Members of Congress a year's salary, we ought not to refuse this woman a year's salary after what she and her husband endured in Russia. He stood to his position until death severed his relations, and during a most trying time in the history of the world. Can we do less than make this small appropriation to the widow and orphan son of one of the Consular Service's most able men?

I do not think there is a man on the floor of this House who would want to go through with what this family did. I am sure that any man who had done so would have had his fortune eaten up by the expense. Now, it is a meritorious case, and every other country, probably every country in the world, pensions the widows of its deceased consuls. This country, said to be the richest and the best of them all, does not grant such pensions, and all this woman will ever get for the great service which her husband has performed in the 15 years of their married life, and she helped him perform his duty, will be the $5,500 which we vote in this bill. There are plenty precedents for it; it is a meritorious case of the highest order and certainly one which Congress ought to recognize, and I sincerely hope that the gentleman from Wisconsin [Mr. STAFFORD] will not press his point of order against it.

Mr. BYRNS of Tennessee. Mr. Chairman, I hope the gentleman from Wisconsin will not make a point of order against this paragraph. There is but little I can say to supplement what the gentleman from Virginia [Mr. FLOOD] and the gentleman from Maryland [Mr. LINTHICUM] have so well said in reference to this particular case, but I want to go on record, gentlemen, as saying that no man during this war more truly gave his life for his country than Madden Summers, consul general to Moscow. He served as consul for probably 20 years. His record in the State Department was of the best. He served in many different countries during that 20 years at a small salary, and, moving from place to place, it was impossible for him to accumulate any money. He married a lady who had a small fortune, but that fortune, as the gentleman from Virginia said, was wiped out by the Russian revolution.

He was sent to Moscow some time ago by this Government, having been specially chosen to represent our Government at that place during the important period of the war. He served there during dark and dangerous days of the revolution, giving his time and jeopardizing his life in behalf of his country. It was stated by the American ambassador and by other ambassadors from other countries at the time of his funeral in Moscow, as will be shown by the record, that he forfeited his life by overwork and his anxiety to serve his country and the people who had claims upon him as a representative of this country. He left not a dollar save a small sum which was invested in liberty bonds, the interest from which he turned

over to his old widowed mother, who lives in the State of Alabama. He left a widow and a young boy of 12 or 13 years of age. As soon as his wife could obtain transport to this country she came here and brought that boy, and they are now living in the city of Washington, it being her intention to bring him up as an American citizen. And I say, Mr. Chairman, that having sacrificed his life for his country it seems to me it is little enough for Congress to do to give her one year's salary in order to aid her in giving that boy an education, so that he may be better fitted to become a useful American citizen.

As the gentleman from Virginia said, there are numerous precedents in the Diplomatic Service for this sort of action. The gentleman from Virginia has called attention to these precedents. I desire to call the attention of the gentleman from Wisconsin [Mr. STAFFORD] to the fact that his own committee, the Committee on Appropriations, only a year or two ago brought in a bill which gave the widow of a United States Supreme Court judge $14,000, a year's salary, and a little prior to that another appropriation of the same amount was made for the family of another United States Supreme Court judge, and before that for the family of Mr. Justice Brewer, of the United States Supreme Court. No point of order was raised against those. There are many precedents that could be cited for this, and I wish to say that since I have been in Congress, knowing the facts as I do, knowing the necessities of that good woman and her fatherless boy, I know of no case which is more worthy than this one which is now presented to the House.

I knew Madden Summers from childhood. A truer, finer, more loyal man never lived. He was exceedingly capable, and if he had devoted his talents and energy to private affairs rather than in the service of his country he would not have died a poor man. No man had a higher conception of duty. It was that sense of duty which caused him to remain at his post in Moscow when others were leaving, and in spite of threats against him, and to at last suddenly fall a victim to overwork and worry on account of the many official duties which were pressing upon him. Mr. Chairman, I hope the gentleman from Wisconsin will not insist upon his point of order, but will permit the House to vote upon the proposition to make this slight recompense to Mrs. Summers and her bright, fatherless boy. Madden Summers, if he is permitted to know, will appreciate it more than he would the most costly monument that could be erected to his memory.

Mr. SLAYDEN. Mr. Chairman, I only want to occupy the floor for a minute or two to say that the suggestion I made in reference to the widow of John R. Silliman is justified in every argument that has been made in behalf of Mrs. Summers. Mr. Silliman was not only consul during the revolution in Mexico but during a revolution that has continued so long that it makes the Russian revolution look like a brief May-day picnic. Mr. Silliman, because of his conscientious, courageous adhesion to his duty and his efforts to protect the rights of citizens of the United States, was arrested and put into a vile prison and sentenced to be shot. Of course, the authorities then controlling Mexico thought better of it and did not shoot him. Mr. Silliman acted practically as our ambassador in Mexico for a long time. He was the only reliable agent that the Government had to look after diplomatic affairs, although he did not have diplomatic rank. Subsequently, when things quieted down a little in Mexico he was made consul or consul general at Guadalajara, and there died at his post a few days ago. If this item is justified the other certainly is, and I agree with the gentleman in saying that I believe this is a proper appropriation.

Mr. STAFFORD. Mr. Chairman, I have listened attentively to all that has been said in defense as a warrant for this private claim being carried in this appropriation bill. I have scanned the testimony that was given before the committee and have since reviewed it. I do find cases dating from 1896 back where the Congress did vote a year's salary to widows of diplomatic officers. I only find one instance where an appropriation has been voted for the widow of a consular officer. Now, there is a statute which has been referred to in the previous paragraph providing for the payment to widows and heirs at law of diplomatic and consular officers of an allowance equal to the amount of the salaries during the period of the transportation of the remains back to their residence in the United States. That amount of money has been paid to this widow. The widow is now employed at the department. I assume she is giving full value to the Government in the service she is rendering; but, Mr. Chairman, here we have an instance cited by the gentleman from Texas, and there are many instances, where similar action will have to be taken if we recognize this claim. I question whether it is good policy to establish a precedent, the first I have been able to find since 1896, nearly 25 years, and therefore I make the point of order that it is legislation not authorized on an appropriation bill.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

> To enable the commission to continue its work under the treaties of 1884, 1889, 1905, and 1906 between the United States and Mexico, $62,700.

Mr. MILLER of Minnesota. Mr. Chairman, I move to strike out the last word.

I think this item, of course, should be continued in the bill. I am not going to advocate any particular amount that should be contained in the paragraph, although I have some views of my own on the subject. But I do want to call the attention of the committee to the elements that are included in the amount that the bill carries. This international commission that is supposed to be fixing the boundary line between Mexico and the United States has had a most precarious existence. No matter which party seems to be in power, there is always an international boundary commission, and the boundary line seems to be about as unsettled and undetermined now as it was in the beginning. The Rio Grande River moves a little now and then one way or another, and I presume it is advisable to determine whether the boundary line has shifted a few feet this way or that way from year to year. In many instances where the Rio Grande has made considerable of a change in its location the matter is still undetermined whether the territory that has thus been cut off belongs to Mexico or the United States. I believe they have now a tentative program whereby they propose to swap horses—a little land we lost for a little land they lost. That is, we propose to do so. Whether we can accomplish it or not I do not know. Some of the most fantastic things imaginable are pervading the atmosphere of this boundary at this time.

Part of the city of El Paso is in dispute. I do not state this as an indication that there is no work to do, but as an indication that no work has been done, going back through the years until the memory of man runneth almost not to the contrary. This has been a sinecure position. It is now. Treaties have been made which, I suppose, require to be kept going. It is now proposed by the gentleman in charge—and I wish to state here that the committee listened to him, I think, with a great deal of interest, and he really impressed me as being a man who really wanted to do something, and it was quite refreshing and quite unique in the history of international boundary commissions between this country and Mexico, but whether the views he presents will accomplish something or not is a different question—it is proposed by the gentleman to use a large part of this money for the purpose of determining the possibility of irrigation on each side of the boundary line, and particularly in the United States along the rivers that flow into the Rio Grande. Manifestly that has nothing on the face of this earth to do with the purpose for which the commission was created. It has nothing to do with the fixing of the boundary, except in a most remote sense.

Now, I join with the Members of the House generally in favoring strongly the irrigation of arid lands wherever they may be found, and I am in favor of irrigating any land within the United States that is capable of being irrigated and open it up to settlement. But we have a service in the United States whose specific business it is to do that very thing, and that is the Reclamation Service. Now, the Reclamation Service has engineers, it has experts, and that sort of men; and it is proposed now that this international boundary commission shall employ additional engineers and experts. Manifestly, to me it appears to be a duplication of work. I do not think the amount carried in this bill can be wisely expended, but I am not going to make any motion to cut it down. I am going to content myself with stating the facts briefly to the committee and express the fond hope that I trust some day we will make a treaty with Mexico that will end this infernal nuisance of a continuing commission that does nothing. Now, I imagine some people will say that some commissioners have done something. Yes. From the reports they have made they have gauged water in the streams and listened to the twittering of the swallows and observed the movement of the sunbeams down there, and all to no practical purpose. I do think this sort of a thing ought to be ended.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FLOOD. Mr. Chairman, I do not think the gentleman does the gentleman who now occupies the position of commissioner, and those who preceded him, justice. This commission was organized under a treaty between this country and Mexico. The last modification of it was made during the last Roosevelt administration. This treaty obligates this country to appoint

a commissioner and an engineer and a clerk to meet similar appointees from Mexico to fix, from time to time, the boundary line between this country and the Republic of Mexico. As we all know, the Rio Grande is a shifting stream. Its bed is here to-day, while some time in the future it will be 50 yards or 100 yards or maybe a mile away, running all around the territory that belongs to the United States and putting it on the Mexican side of the river, or vice versa. And this treaty is made to establish a place to which these pieces of land that are cut off by the change in the stream of the river, called bancos, belong. It was realized when the treaty was made that the commission would remain in existence for a long time and, indeed, as long as the Rio Grande continued to change its course and until some system could be devised by which the Rio Grande could be kept in its bed. For a long time the American commissioner was Gen. Mills, a retired Army officer, who received no salary. The other officials of the commission did receive salaries. Questions of large moment have arisen by reason of the shifting of the Rio Grande River. They involve possibility of war and involve the citizenship of a great many——

Mr. MILLER of Minnesota. Can the gentleman point to any specific, affirmative conclusion at which the commission has arrived in fixing the boundary at any one spot in the last 10 years?

Mr. FLOOD. At Nogales, a town that has grown up on the American-Mexican boundary, nobody knew where the boundary line was. This very gentleman who is commissioner now, and his Mexican associate, went there and fixed the boundary line of that town.

Mr. MILLER of Minnesota. Is it not true that that is still in process of adjustment?

Mr. FLOOD. It is not. It is absolutely and definitely settled. As to the bancos, the question arises whether these bancos have been settled. It has been agreed upon and put in a subsequent treaty that where there were less than 600 acres of land in a banco it should be considered as belonging to the country on the side of the river on which that banco was.

There are a great many questions of large moment that have been settled. There is a question in El Paso, involving 600 or 700 acres of land, thickly built up, constituting the southern end of El Paso, known as the Chamizal tract, about which Gen. Mills and his Mexican associate had many conferences, reaching different conclusions, and finally brought down a Canadian, and he did not agree entirely with either one of them. That is unsettled. It is true, but the Mexicans as well as Americans have come to realize that that is American territory, and the people who live on it will have no fear of its being thrown into Mexico.

Mr. MILLER of Minnesota. If the gentleman will permit an inquiry, I want to say that we have had a controversy for a century or more with Great Britain as to the boundary line between the United States and Canada. At last a boundary commission was appointed to locate the line. That commission has been working for a very few years, and they have the work all done with the exception of the map-making. Some of them are up in Alaska now. Field work there may require another year, and office work for two or three years may be needed, but it is a fine, complete job.

Mr. GARNER. Is that the Tawney Commission?

Mr. FLOOD. No; that is the Barnard Commission. That has done good work.

Mr. MILLER of Minnesota. That is a job that was well done. Is this boundary between the United States and Mexico always going to be an elusive and undetermined thing?

Mr. GARNER. Mr. Chairman, if the gentleman will permit me to interrupt, I will say that just as long as the Rio Grande rises and at different times changes its course, you have got to have somebody to adjust these differences existing there.

Let me say to the gentleman from Minnesota that when I first came to Congress I went on the Committee on Foreign Affairs, and I was under the same impression that he is now under, that this was money wasted. I went on there with the determination to have this item cut out, assuming that I knew all about it, and I thought I was going to do a very statesmanlike and economical thing, and I thought I would put this off. I was green and inexperienced then, but when I heard the facts of the case, when three Secretaries of State made statements before the Committee on Foreign Affairs to the effect that these questions arising from the boundary of this stream between these two countries could be handled more economically in this way than through the State Department, I was disarmed.

I make this statement now: Three different Secretaries of State—Mr. Root, Mr. Knox, and Mr. Bryan—each stated that from the economical viewpoint it was more desirable to have this boundary commission than to do the work through the State Department.

Mr. FLOOD. I will go further than the gentleman from Texas, and say that of course as long as the Rio Grande continues to shift its course, some such arrangement as this will have to be kept in existence to determine where the true boundary line is. But the gentleman who is now the American commissioner came before us and submitted a proposition which may lead to results that will not necessitate this commission longer, if his plans are successful, because he proposes to keep the Rio Grande in its present bed.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FLOOD. I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. FLOOD. And that is what this additional appropriation is for. He proposes to have a survey made of the rivers that are tributary to the Rio Grande in America and in Mexico. The gentleman from Minnesota wants some other service to do it. The service that he has in mind, the Irrigation and Reclamation Service, has no right to do it. These commissioners, representing America and Mexico, under the authority of this treaty, can go into Mexico and make their survey. They can make a survey of the rivers that are tributary to the Rio Grande in these two countries, and make a report to these two Governments, and then, if the Governments initiate a treaty by which proper appropriation can be made to build dams to control the flood waters of the tributaries of the Rio Grande River, the Rio Grande will flow down its present course and constitute a permanent boundary between the two countries, and there will be no necessity for a future commission to determine from time to time the boundary line. It seems to me that is a most sensible thing to do. When the tributary waters of the Rio Grande are controlled there will be no reason for fixing a new boundary. That is what the appropriation is for.

Mr. MILLER of Minnesota. Mr. Chairman, I do not for a moment share the gentleman's optimism, that the carrying out of the present program outlined by the commissioner will produce the results expected. In other words, I do not believe that the regulation of the tributaries and the regulation of their flow for irrigation purposes will result in the Rio Grande maintaining a permanent course. There are going to be practically the same operations of nature. The Rio Grande will keep on shifting.

Mr. FLOOD. The gentleman's view does not accord with that of the Mexican engineer and the American engineer on the subject.

Mr. MILLER of Minnesota. Well, I remember what James J. Hill said, a living truth that no one then believed, and it is true now, that "There is only one way to keep the Mississippi River from changing its course, and that is to lath and plaster the bottom of it from one end to the other."

Mr. FLOOD. This is not as big a river as the Mississippi.

Mr. MILLER of Minnesota. No; but it is more apt to change its course. The Rio Grande is in a more level country and more subject to floods, and it moves back and forth.

What I want to inquire particularly about is this: Does not the gentleman think it would be a wiser thing for us to propose a treaty with Mexico to fix some kind of a boundary line that would be stable, so that a man on the line could know whether he was on the American side or on the Mexican side?

Mr. FLOOD. I do not see how we could give away American territory or take Mexican territory. Certainly I see no constitutional way by which we can cede American territory to another country.

Mr. MILLER of Minnesota. We could certainly take a spot and say, "That is the boundary line," and keep it there, just as we have done with respect to the Canadian boundary line.

Mr. LINTHICUM. Is it not a fact that each country must get water from the river, and in order that they may do that the boundary line must go along the river? If the river goes over the boundary, the people of the other country do not get the water they need for irrigation purposes. That is a very essential matter, it seems to me. That is where the great fight will come.

Mr. FLOOD. I think it is essential to give the river a permanent bed before we can make a treaty defining where the boundary line of the river is. This proposition is in the right direction. Part of this appropriation also goes to pay gaugers, to show how much water we are entitled to and how much Mexico is entitled to. That work certainly ought to be done, because if we use water that belongs to Mexico it creates a liability—it might be a large liability—on the part of our Government. We have already had to settle one large claim of this kind.

Mr. SLAYDEN. Each country is entitled to half, is it not?

Mr. FLOOD. Yes. So I think the appropriation is not at all extravagant. The commissioner, Judge Hill, of Tennessee, was before the committee, and showed exactly what he wanted to do with the whole amount. I hope the committee will adopt the item just as it is.

Mr. MILLER of Minnesota. I should like to invite the attention of the gentleman from Texas [Mr. GARNER] to the fact that the $35,000, to which he referred, has been increased to $62,700, which indicates that this seems to be a growing project.

Mr. FLOOD. No; it is not growing.

Mr. MILLER of Minnesota. Developing?

Mr. FLOOD. No.

Mr. MILLER of Minnesota. Getting to be a bigger river?

Mr. FLOOD. Not at all. The appropriation in 1912, the last year of the Taft administration, was $50,000. Since then we have cut it down, and this is only a small amount more than what it was the last year of that administration.

Mr. STAFFORD. We have here an increase of appropriation of $766,000 from that carried in the present appropriation act.

Mr. FLOOD. Yes.

Mr. STAFFORD. I think that the chairman should give some information to the House as to the reason for this unusual increase in the appropriation.

Mr. FLOOD. The principal increase in appropriations in this bill, Mr. Chairman, is in the Consular Service. The committee tried to carry into effect the plans adopted by the State Department for the improvement and development of our Consular Service and in that effort we have made this increased appropriation here, and in other items with reference to the Consular Service we have recommended similar increases.

Mr. STAFFORD. As I understand it, if the gentleman will permit, the salaries of consuls general, vice consuls, and consuls are established by law.

Mr. FLOOD. Yes.

Mr. STAFFORD. And the department can not increase those salaries except by a change of the substantive law?

Mr. FLOOD. The department can not increase those classes, but they can appoint consuls to higher classes than they have now. But what I was going to say was that the department proposes—and we are in sympathy with that purpose—to add to the Consular Service 150 vice consuls at salaries ranging from $2,000 to $3,000. Then the department proposes to have 25 consular assistants and to increase the regular consular force by 25, and to abolish the consular agents who draw fees. There are 127 of them. There is an apparent increase of 200 in the Consular Service and a real increase of some 75, because the consular inspectors are increased from 5 to 7. Then the purpose was to appoint more consuls to the higher grades up to that of consul general, and to have no consuls under $3,500. They can accomplish that by appointing consuls only to the sixth grade. The vice consuls will get up to $3,000, and the consuls will begin at $3,500 and go up to the salaries allowed consuls general.

That plan, as worked out, will give 200 addition in the paid service, and to increase these salaries will necessitate an increase in this bill of $766,000, which the committee has recommended.

Mr. STAFFORD. I notice that the committee in this instance gave the department its full estimate.

Mr. FLOOD. Yes, sir.

Mr. STAFFORD. Is there any instance in the bill where the committee declined to give the department the full estimate?

Mr. FLOOD. The committee was disposd to cut the department estimates in several instances, but we were always confronted with the proposition that where we have done that the Committee on Appropriations, of which the gentleman is a distinguished member, had come along with a deficiency appropriation bill and given them what they had asked for.

Mr. STAFFORD. So that was the warrant for the gentleman's action in closing his eyes and granting them, in accordance with the estimate made and in one particular case $100,000 more than the estimates, when there was no request for it?

Mr. FLOOD. I did not say that.

Mr. STAFFORD. There was no request from the department for that.

Mr. FLOOD. I have given you a reason, and a good reason, and it was not the reason the gentleman quoted on the floor. I say we were confronted with the fact when we wanted to keep the estimates down the gentleman's committee had gone on and given them what they asked for.

Mr. STAFFORD. The gentleman ought not to indulge in hyperbole of statement.

Mr. FLOOD. It is not hyperbole of statement.

Mr. STAFFORD. The record shows that you did increase this item.

Mr. FLOOD. I cite the record, which shows that the Committee on Appropriations has increased appropriations to the full estimates of the department and gave large amounts in addition to what the Foreign Affairs Committee had given for the same purpose. I said that as to the items we proposed to cut down we found that when there had been a reduction the department went to the Committee on Appropriations and got from that committee the amount they asked from us.

Mr. STAFFORD. Oh, in some few instances.

Mr. FLOOD. In the instances we wanted to cut down.

Mr. STAFFORD. Not in every instance.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

Mr. STAFFORD. Mr. Chairman, I offer an amendment to strike out "$62,700" and insert "$37,500."

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. STAFFORD: Page 10, line 8, strike out "$62,700" and insert "$37,500."

Mr. STAFFORD. Mr. Chairman, this item provoked some discussion a year ago, and it was called to the attention of the House that the item was then sought to be increased from $25,500 to $37,500, the amount then carried in the bill. If my memory serves me right, though the item remained as recommended by the committee, the Senate reduced the amount to $25,500, but the conferees restored it to the original amount.

Now, what do we find here? We have a useless commission, which was in innocuous desuetude for several years. It was so useless that the Democratic administration under Mr. Bryan failed to appoint a commissioner for several years, and there was so little usefulness that a former Member of this House, Mr. John Wesley Gaines, predecessor of the Representative from Tennessee, Mr. JOSEPH BYRNS, said that there was hardly any work whatsoever to do, and he resigned because he got ashamed of taking the money from the Treasury of the United States.

Mr. FLOOD. Where did the gentleman get that idea?

Mr. STAFFORD. I happened to have the pleasure of the company of Mr. John Wesley Gaines when we stopped at the same hotel.

Mr. FLOOD. He told the committee that he almost worked himself to death on it.

Mr. STAFFORD. I know Mr. Gaines had the reputation of being a most erudite Member, searching out information on more subjects than we had ever known before, but on this commission he found no work to perform.

What do we find here as a justification for this commission to determine the elusive and ever-changing boundary line of the Rio Grande between the United States and Mexico? Why, they want to constitute themselves into a commission to establish reclamation projects along the Rio Grande.

Mr. SLAYDEN. Will the gentleman permit a question?

Mr. STAFFORD. I do not want to be diverted from this line of thought, but I will later on be very glad to yield.

Mr. SLAYDEN. Go on.

Mr. STAFFORD. We find that this additional appropriation is for that purpose, to determine surveys of the river. We find Commissioner Hill, when explaining the reason for this additional appropriation, using this language:

I was speaking about this additional appropriation; $10,000 of that appropriation is for the purpose of establishing some eight or nine gauging stations on the river, so as to take the water measurements at different points, in order to find out where the water comes from that forms the Rio Grande River, and find out what part comes from tributaries in the United States.

If we are going to launch into the project of converting a boundary commission into a commission to erect large reservoir dams, so as to keep this ever elusive and evasive stream within bounds, why, this appropriation will mount and mount until it reaches the millions. Now, I am speaking seriously. We have a Reclamation Service and we have a Geological Survey. The Geological Survey has a large appropriation to determine the flow of the streams throughout the country. We have a Reclamation Service that can be called upon by this commission; but this commission, like other commissions that have no real work, want to magnify their importance and want to engage in some work that is not in keeping with the original purpose of the law.

I am not surprised that the committee recommends everything that is asked for by the department. So far as we have

covered the appropriations recommended by this committee, there is no evidence of a disposition on their part to curtail expenditures—none whatsoever. Here we are virtually doubling the appropriation to embark on the extravagant policy of seeing whether it is feasible to erect impounding dams on the Rio Grande. They are going to employ expert men whose services can be obtained from other activities of the Government. I think there should be some check on the activity of these useless commissions. Mr. Hill may be very sincere and conscientious in his work, nevertheless the committee owes it to the House in these times to try and keep these activities within reasonable bounds. If, as I remember, this commission did not have a commissioner for three years, why can we not now keep the appropriation down to the amount carried in last year's appropriation bill, which was $12,000 more than was carried in the previous bill, $12,000 more than they expended in the prior year? Why can we not adhere to that amount, rather than go into this extravagant policy of almost doubling the appropriation and rambling off into these outside agencies, which have no real merit at the present time? Are we going to use this investigation as a warrant for expending millions and millions of dollars upon irrigation projects on the Rio Grande? I do not think anybody is in sympathy with such an idea in these present times, when the money of the country is needed for so many pressing undertakings.

Mr. SLAYDEN. Mr. Chairman, it happens that I have some familiarity with the section of the country out yonder "Where the Rio Grande ripples when there's water in its bed," and I know a little about the problems confronting these gentlemen on the commission. The gentleman from Wisconsin [Mr. STAFFORD] calls the commission useless, and says that the work done by them is without value. I can not agree with him. In the first place, we are commanded by a treaty to do it, and we have to maintain a commission to determine the boundary line between Mexico and the United States. That boundary has been defined along the line that divides northern Mexico from New Mexico, Arizona, and California, but the real difficulty is in determining the boundary from the city of El Paso down to the mouth of the river below Brownsville. Along that border we are confronted with a condition that neither the wisdom of Congress nor the skill of the engineers can cope with successfully. We define the boundary to-day, and to-morrow there will be a flood in the river from the melting of the snows of Colorado, and a large amount of water will come from the streams on both sides that flow in and the boundary is shifted by nature. We can not help that.

During the period when the revolution made it impossible to continue the work intelligently appropriations were lessened, and lessened, I suppose, to as small an amount as we could make in view of the fact that we are bound by treaty to help support the commission. Now comparative quiet has at last come to Mexico, and she has announced herself ready to take up the work.

Mr. FLOOD. They have been at work for a year.

Mr. SLAYDEN. I know, but they are ready now to go to work more assiduously. We can not refuse to keep the commission alive; we are bound by the treaty.

With reference to what is claimed as reclamation projects, I do not understand it to be that at all. In the State of Texas there are two or three considerable streams that are tributary to the Rio Grande, the Pecos River and the Devils River being the principal ones. On the other side are the Conchos, the Sabinas, the San Juan, and other rivers contributing to the Rio Grande. Of course, Mexico could build dams there and could, if she pleased, permanently lessen the supply in the Rio Grande by absorbing all the waters contributed by the Conchos, which are the largest tributary streams. She could shut off the water of the Sabinas and other streams, and so ultimately, if inclined to do it, she could permanently injure the people of this country by lessening the amount of water available for irrigation. Under the treaty, each is entitled to one-half of the flow of the river.

I dare say that the purpose in the mind of the commissioner is that dams should be erected on the Pecos and the Devils Rivers and other streams worthy of putting dams across. The Mexicans would put them on their rivers, and by withholding from the flow into the Rio Grande a large part of the water contributed by those streams it would have the tendency to make more permanent the boundaries that may have been defined.

Mr. FLOOD. The flood waters which cause the stream to change its bed would be impounded.

Mr. SLAYDEN. That was the statement which was made, but I do not think it is entirely true, because the flood frequently comes from the melting of the snows in Colorado.

Mr. FLOOD. The streams that come from the mountains will be impounded.

Mr. SLAYDEN. No; there are no mountains on the Pecos and on the Devils River to amount to anything. They are the biggest streams on our side. There are mountains back in Mexico, near the Conchos. This boundary work also serves a useful purpose in helping to preserve the peace.

Mr. STAFFORD. My amendment carries the same amount that was carried in the current year, but what I want to prevent is these irrigation projects.

Mr. SLAYDEN. The gentleman could specifically forbid anything being done in that way.

Mr. STAFFORD. I limit it by putting in the amount carried in the present bill.

Mr. CONNALLY of Texas. Mr. Chairman, I move to strike out the last word. I desire to call the attention of the committee to the fact that the amendment offered by the gentleman from Wisconsin, if adopted, will so reduce the appropriation as to make it impossible for the commission to carry on the proposed work with reference to investigating the stages of the river at various seasons of the year and the source of water supply which flows through the river. The purpose of these investigations is intended to secure information expressly with reference to irrigation. In the southern Rio Grande Valley in Texas is a very large area that in the last few years has begun to be irrigated. This section of the country is developing very rapidly, and the interest in irrigation is increasing. As this work goes on and more and more water is diverted from the Rio Grande, necessarily the United States will become involved in controversy with the Republic of Mexico and the citizens of Mexico with respect to the amount of water diverted from the river on the American side and the Mexican side.

Mr. SLAYDEN. Let me say that so much water was taken out in southern Texas that the Mexicans protested that we were getting more than our share.

Mr. FLOOD. Let me call attention to the fact that when the dam above El Paso was built we had to agree to furnish Mexico enough water to irrigate 60,000 acres of land.

Mr. CONNALLY of Texas. If the committee will bear with me a moment, I desire to say that if we await the time when Mexican subjects and the Republic of Mexico make claims against the United States with reference to the diversion of these waters, and if we are not in possession of any facts whatever, the Government of the United States will be in a very embarrassing position with reference to these claims. If, however, the boundary commission, which is international in character, and which is empowered to make these investigations not only on the American side but upon the Mexican side, is permitted to go ahead with this work, it will have on hand information and data with which to meet these claims, and upon which an equitable and fair adjustment of the relative rights of the two countries can be based.

I want to say in this same connection that this information will not only be desirable from the standpoint of irrigation, but incidentally it will be valuable along the lines of the strictly boundary proposition, because, unless the boundary is definitely fixed from time to time in accordance with the changes of the river, citizens of Mexico will present claims against the United States Government at inflated valuations, and unless we have accurate and concise data at hand the Government will be placed in an embarrassing position in meeting these claims. I hope the committee will retain the item in the present form, because to reduce it, as the gentleman from Wisconsin proposes, would seriously handicap the commission in carrying on this proposed work, and so far as irrigation is concerned would absolutely render it impossible.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was rejected.

The Clerk read as follows:

BOUNDARY LINE, ALASKA AND CANADA, AND THE UNITED STATES AND CANADA.

To enable the Secretary of State to mark the boundary and make the surveys incidental thereto between the Territory of Alaska and the Dominion of Canada, in conformity with the award of the Alaskan Boundary Tribunal and existing treaties, including employment at the seat of government of such surveyors, computers, draftsmen, and clerks as are necessary; and for the more effective demarcation and mapping, pursuant to the treaty of April 11, 1908, between the United States and Great Britain, of the land and water boundary line between the United States and the Dominion of Canada, as established under existing treaties, to be expended under the direction of the Secretary of State, including the salaries of the commissioner and the necessary engineers, surveyors, draftsmen, computers, and clerks in the field and at the seat of government, rental of offices at Washington, D. C., expense of printing and necessary traveling, for payment for timber necessarily cut in determining the boundary line not to exceed $500, and commutation to members of the field force while on field duty or actual expenses not exceeding $5 per day each, to be expended in accordance with regulations from time to time prescribed by the Secretary of State, $40,000, together with the unexpended balances of previous appropriations for these objects: *Provided*, That hereafter advances of money under the

appropriation "Boundary line, Alaska and Canada, and the United States and Canada," may be made to the commissioner on the part of the United States and by his authority to chiefs of parties, who shall give bond under such rules and regulations and in such sum as the Secretary of State may direct, and accounts arising under advances shall be rendered through and by the commissioner on the part of the United States to the Treasury Department as under advances heretofore made to chiefs of parties: *Provided*, That when the commissioner is absent from Washington on official business he shall be allowed actual and necessary expenses of subsistence, not in excess of $8 per day.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. I wish to inquire the reason why the committee increased the amount of actual expenses that may be paid to the members of the field force from $3.50, as carried in existing law, to $5. I presume that is because of the higher cost of living.

Mr. FLOOD. Exactly. Dr. Barnard, the commissioner, did not appear before the committee, but he made a statement to me—he may have written me a letter—and I made it to the committee, to the effect that expenses along this boundary line were very high, and that the field force could not get along and pay their expenses on $3.50 a day. The increased cost of living along the boundary line was very considerable. It is expensive to maintain themselves there at any time.

Mr. STAFFORD. Is this a flat per diem voted to them regardless of the amount they spend for actual expenses?

Mr. FLOOD. No; the commissioner requires an itemized statement, and he can not allow them exceeding $5 a day.

Mr. STAFFORD. What per diem do they receive?

Mr. FLOOD. They receive a monthly salary. The commissioner himself gets $5,000 a year, the engineer to the commissioner gets $3,300 a year, the chief clerk and disbursing officer $1,700 a year, and he stays here. The surveyor gets $2,200 a year, and then they have another surveyor at $2,160, some topographers, who I suppose stay here most of the time, and then they have a lot of young axmen and rodmen and employees of that kind. They are paid $75 and $80 and $100 a month when actually engaged on the line.

Mr. STAFFORD. In what part of the Alaskan boundary is the field force at present engaged?

Mr. FLOOD. Oh, they have finished that entirely.

Mr. STAFFORD. Then what is the need of providing this $5?

Mr. FLOOD. The field work of the location of the 4,150 miles of boundary, the location of which was intrusted to these commissioners, namely, from the Arctic Ocean to Mount St. Elias and thence to Cape Muzon, and from the Pacific to the Atlantic Ocean, excepting through the Great Lakes and the St. Lawrence River, is practically completed, there remaining to be done during the coming season only the erection of some range marks in Passamaquoddy Bay, the setting of some monuments for a short distance on the St. Croix River, the examination of part of the located boundary line east of the summit of the Rocky Mountains by the United States parties, and the survey of 16 miles of boundary line along the Maine Highlands by Canadian parties. The work has been done jointly under the direction of one United States and one British commissioner by the United States and the Canadian survey parties, and one-half of the expense has been borne by each Government. The field work will be completed during the coming season, but as the gentleman from Minnesota [Mr. MILLER] said, it will take several years after that to complete the office work and make up their report.

Mr. STAFFORD. Mr. Chairman, if the gentleman will permit. I believe this is a pretty large amount to be granted to members of the field force in the territory that the gentleman has just referred to. Everyone realizes that the cost of living in Alaska is out of all comparison to the cost in the States.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STAFFORD. I am directing attention to the commutation and per diem allowance for the field force.

Mr. MILLER of Minnesota. Mr. Chairman, the gentleman from Wisconsin will appreciate that these men have to go into the interior, into inaccessible places, where communication is not easy, where lines of transportation even do not exist. Subsistence has to be carried in, sometimes by horse, sometimes by men on their backs, sometimes by canoe. It is exceedingly expensive. These field parties locating the boundary are obliged under the necessities of the case to operate in areas usually remote from where lines of communication exist. It is just like fitting out an expedition to penetrate into inaccessible places. It is mighty expensive. The amount heretofore allowed was $3.50 per day, and I am sure the gentleman will appreciate the fact that if we increase it by $1.50 a day, that is not an unusual increase, having in mind the increase in all things of that character.

Mr. STAFFORD. Well, we have a standard for such allowances and we are voting $4 a day on account of field activities, and why should we vote $5 a day to this fund?

Mr. MILLER of Minnesota. The gentleman will quite appreciate that $4 a day may be all right for a person living in a civilized region, but——

Mr. STAFFORD. That was the amount voted for the field force in the forest reserves out in the Rockies and mountainous districts.

Mr. MILLER of Minnesota. This is much different from that in every way, because they have established places from which supplies can be secured in the forest reserves, and they have roads, and so forth, but these men have to go into the wilderness——

Mr. SLAYDEN. Hundreds of miles away, perhaps.

Mr. MILLER of Minnesota. For instance, in operating between Minnesota and Canada, although the distance from the end of the railroad was not perhaps more than 75 miles, they had to go by canoe and overland, and it was a trip which took a long time, even from a distance, as the gentleman from Texas has observed, of about 50 or 75 or 100 miles.

Mr. STAFFORD. Is not the expense of transportation borne by the Government and not by the individual members of the field party?

Mr. MILLER of Minnesota. That is true, but I am advised by the commissioner, and as I said before I wish we could always get as efficient a man as this commissioner to do the Government's business, for he just delivers us dollars for every cent we give him—he informs me he simply can not keep up the subsistence within the amount allowed.

Mr. STAFFORD. When does the gentleman believe the field force of this commission will be ended?

Mr. MILLER of Minnesota. This year; this will be the last bill.

Mr. STAFFORD. Under those circumstances, Mr. Chairman, with the assurance given by the gentleman, who is well versed in the work of this commission, I withdraw the point of order.

The CHAIRMAN. The gentleman withdraws the point of order.

The Clerk read as follows:

INTERNATIONAL BUREAU AT BRUSSELS FOR REPRESSION OF THE AFRICAN SLAVE TRADE.

To meet the share of the United States in the expenses of the special bureau created by article 82 of the general act concluded at Brussels, July 2, 1890, for the repression of the African slave trade and the restriction of the importation into and sale in a certain defined zone of the African Continent of firearms, ammunition, and spirituous liquors, for the year 1920, $125.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I rise for information. We are all interested in the effort of the administration to establish democracy the world over. We see here an item for the repression of the African slave trade. I think the committee would be interested in information as to the extent that there is some activity on the part of our Government in conjunction with any other in the suppression of the African slave trade referred to in this item.

Mr. FLOOD. Our Government is a party to a treaty for that purpose, signed at Brussels, July 2, 1890, and proclaimed about two years later. Now, this treaty——

Mr. STAFFORD. Has this some reference to the slave trade for which King Leopold of Belgium was criticized so severely a few years back and which appeared in the public press?

Mr. FLOOD. I do not know about that. There has been a species of slave trade going on in Africa, and a number of nations, through their accredited representatives, met at Brussels in 1890, later in 1899, and again in 1906 and entered into an agreement to suppress that slave trade, and also agreed to provide a certain amount of money for this purpose. I understand that it has almost been entirely suppressed, but the treaty is still in effect.

Mr. STAFFORD. I suppose the officer is still being paid out of this money, and it is a continual appropriation, because an officer never gives up, even after the work is ended.

Mr. FLOOD. If he is being paid, he is being paid very little by this country, and if he can live on that he is a very economical official.

Mr. STAFFORD. Mr. Chairman, after receiving the informing information from the gentleman from Virginia, I withdraw the pro forma amendment.

The Clerk read as follows:

Pan American Union, $166,000: *Provided*, That any moneys received from the other American Republics for the support of the union shall be paid into the Treasury as a credit, in addition to the appropriation, and may be drawn therefrom upon requisitions of the chairman

of the governing board of the union for the purpose of meeting the expenses of the union and of carrying out the orders of said governing board: *And provided further*, That the Public Printer be, and he is hereby, authorized to print an edition of the monthly bulletin not to exceed 6,000 copies per month, for distribution by the union during the fiscal year ending June 30, 1920.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. This appropriation of $100,000 is increased $15,000 over that carried by the present act. Will the gentleman inform the committee—because we are all more or less interested in the activities of the Pan American Union—as to the cost of maintenance of that association, the amount that our Government contributes, and the amount the other associated Governments contribute for maintenance of that work?

Mr. FLOOD. I think the other governments contribute about $60,000 and we contribute, up to this time, $85,000. That constitutes the appropriations for the maintenance of the buildings and the force that they have.

Mr. SLAYDEN. Why is it increased?

Mr. FLOOD. These officials in the bureau, and there are quite a number of them, have got no increase in salaries in recent years—for a great many years—and the governing board felt, owing to the increase in the cost of living in Washington, that they were entitled to an increase. They do not participate in this $120 or $240 which Congress appropriates, as they are not officials of the United States Government.

Mr. STAFFORD. What is the salary expense of those connected with this bureau here in the city?

Mr. FLOOD. It is something over $100,000.

Mr. STAFFORD. How is it proposed to increase the salary of the respective officials, which entails an additional burden upon the United States of $15,000?

Mr. FLOOD. It is proposed to get about $12,500 from the other Governments, making something like $27,500, and that will be apportioned among the employees.

Mr. STAFFORD. Has the gentleman any information as to what salaries the officials are receiving under this new schedule of estimates?

Mr. FLOOD. Mr. Barrett appeared before the committee——

Mr. STAFFORD. What salary does the director receive today?

Mr. FLOOD. Mr. Barrett—I think his salary is $10,000.

Mr. STAFFORD. And it is proposed to increase it to what amount?

Mr. FLOOD. I do not think it is proposed to increase his salary at all.

It is supposed to increase the salary of the clerks of different grades. They have some interpreters and clerks and people of that kind in the bureau. Mr. Barrett filed a very lengthy statement, which was printed as a part of the hearings. I do not think he gave a detailed statement there of the salaries as they are now or as they would be, but he did state that during all this period of the increase in the cost of living the salaries of the clerks and laborers and officers of that bureau have not been increased, and the governing board thought they ought to be increased, and this suggestion was taken up. And if we get the appropriation, the ministers or ambassadors from the South American countries will take it up and get their countries to contribute their proportionate share of the increase.

Mr. STAFFORD. It is a pretty liberal increase that is going to be provided if we are not going to increase the salary of the director to any amount.

Mr. FLOOD. I understand that his salary is not going to be increased. The property has been maintained out of this appropriation, and the cost of maintaining that splendid building down there has also increased.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

BUREAU OF INTERPARLIAMENTARY UNION FOR PROMOTION OF INTERNATIONAL ARBITRATION.

For the contribution of the United States toward the maintenance of the Interparliamentary Union for the Promotion of International Arbitration at Brussels, Belgium, $2,000.

Mr. LAGUARDIA. Mr. Chairman, I move to strike out the last word. Will the chairman of the committee inform me, if possible, if there are any delegates to this International Interparliamentary Union? Has this body ever sent official delegates? And what is the purpose of it at this time?

Mr. FLOOD. The Interparliamentary Union?

Mr. LAGUARDIA. Yes, sir.

Mr. FLOOD. Every Member of Congress who desires it is a member of it, and every Member of Congress can attend any of its meetings, as can every member of any parliamentary body.

Mr. SLAYDEN. If the gentleman will pardon me, they can become members without the payment of dues, and there are about 185 Members of this House who are members.

Mr. LAGUARDIA. I see. As I understand the French Parliament and the English Parliament—I may be wrong—have selected from their bodies certain men——

Mr. FLOOD. That is a different proposition. That is an interallied parliament. This is an organization that existed before the war.

Mr. LAGUARDIA. That is the one I have reference to. Did we at any time send delegates? They met once at St. Louis, did they not?

Mr. FLOOD. Yes.

Mr. LAGUARDIA. Did we at any time send delegates to that union?

Mr. FLOOD. Yes. The gentleman from Texas [Mr. SLAYDEN], who, I think, was chairman of that convention, can tell you all about it.

Mr. LAGUARDIA. A good many of the French and English and Italian members told me that this body took no interest in this Interparliamentary Union, and they were complaining of that fact.

Mr. FLOOD. Well, we have an appropriation in this bill to provide for a meeting in this country.

Mr. SLAYDEN. Does the gentleman from New York desire an explanation?

Mr. LAGUARDIA. Yes.

Mr. SLAYDEN. I will give him in a few words the history of the organization. In 1888 certain members of the French and English Parliaments met in Paris and organized an association known originally as the Interparliamentary Union for the Promotion of Arbitration. The title was so long as to be awkward, and it was reduced to Interparliamentary Union. That organization has been actively engaged ever since 1888 in promoting arbitration and the justiciable settlement of international disputes. As to the central bureau, the Government of Italy is an adhering and supporting member, and so are France and Great Britain, and before the war Germany and Austria and other countries as well. Before the war a central bureau was established in Brussels with Mr. Christian Lange as secretary. I am not certain on this point, but I think that each of these Governments, with the exception of Austria-Hungary, Germany, Bulgaria, and Turkey, have been contributing during the whole war to keep up the organization. There has not been a meeting of the union since 1913, which was held at The Hague. There was to have been a meeting in Sweden in 1914 and delegates went, but something happened, as the gentleman knows, and the meeting was not held.

As to delegates, as the gentleman from Virginia [Mr. FLOOD] said, any Member can go and can be a delegate and participate in the proceedings of the union who cares to go. It would not be possible to get an appropriation to transport delegates to an association of this kind, because it would be too expensive an undertaking with no limitation on the number of delegates who might go.

Mr. LAGUARDIA. What is the purpose of the $2,000 appropriation?

Mr. SLAYDEN. It is to help maintain the central bureau. All of these countries in which there is a group of the union make a contribution toward its support. Italy gives not quite so much as the United States—probably about $1,200.

Mr. LAGUARDIA. Do they have a publication?

Mr. SLAYDEN. Oh, yes.

Mr. LAGUARDIA. I wanted to bring out the facts. The members of the parliaments that I met when abroad complained that we were not sufficiently active in it.

Mr. SLAYDEN. I think the gentleman has confused it with the Interallied Parliament, which was purely for war purposes and restricted to three or four countries.

Mr. LAGUARDIA. Oh, no.

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

INTERNATIONAL INSTITUTE OF AGRICULTURE.

For the payment of the quota of the United States for the support of the International Institute of Agriculture for the calendar year 1920, $8,000;

For salary of one member of the permanent committee of the International Institute of Agriculture for the calendar year 1920, $3,600;

For the payment of the quota of the United States for the cost of translating into and printing in the English language the publications of the International Institute of Agriculture at Rome, $5,000;

Total, $16,600.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. STAFFORD. Mr. Chairman, I believe this is the item that almost failed in the other body at the last session. I believe it was resuscitated by the close vote of one.

Now, since the illustrious promoter of this item, the Hon. David Lubin, who had his genesis, I believe, in California, has passed to the other land, does the gentleman think there is much need of continuing this appropriation?

Mr. FLOOD. I think the agriculturists of the country think this Institute of Agriculture is of great benefit to them. Our adherence to it is by treaty. The appropriations are made in accordance with the treaty of 1905, signed by ourselves and 40 other powers.

Mr. STAFFORD. What information, may I ask, is furnished to the Government of the United States that is not already possessed by the Agricultural Department?

Mr. FLOOD. Well, it furnishes the farmers of the country with a great deal of information about European methods of marketing, and the suggestions of marketing systems made by the Institute of Agriculture have, as I understand, been adopted by the bureau of markets of a good many States, and I know they hold the institute in very high esteem, and held Mr. Lubin in very high esteem.

Mr ROGERS. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. Yes.

Mr. ROGERS. Is it not a fact that since this bill was framed Mr. Lubin has died?

Mr. FLOOD. Yes.

Mr. ROGERS. And is it not a fact that for many years this has been very largely a one-man undertaking, that one man being Mr. Lubin?

Mr. FLOOD. I do not think so. Mr. Lubin, as I understand, went to Rome at his own expense and organized an institute, and then after he had organized it he drew to his assistance the farmers of 41 countries, which countries sent representatives to a conference and made a treaty and established this present Institute of Agriculture. He was put at the head of it. For a number of years, being a man of wealth at that time, he did not ask any salary and did not receive any. Subsequently I understood he lost a good deal of his fortune, and we voted him $3,600. But the institute has developed from the time it was a one-man affair, and I happen to know from agricultural organizations in this country that they hold this institute and the work it does as of very great value to agriculture.

Mr. STAFFORD. Do you know in what estimate it is held by the officials of the Department of Agriculture?

Mr. FLOOD. Mr. Houston, the Secretary of Agriculture, holds it in the highest esteem, as he did Mr. Lubin, and I understand the Department of Agriculture regards the institute as being very beneficial to the agricultural interests of the country.

Mr. STAFFORD. I was under the impression that all the practical men connected with the Department of Agriculture regard this as merely a useless appendage, of no value whatsoever to the farmers of this country, but merely of value to the founder, Mr. Lubin. Now that he has passed away I suppose there will be an effort made to discontinue this work, because I question whether it has any real value.

Mr. FLOOD. We will have to abrogate the treaty, and I think you will find the farmers of the country, and particularly the organized farmers, will make a great protest against abrogating the treaty, doing away with the International Institute of Agriculture.

Mr. STAFFORD. I hope the effort made to discontinue it, which was nearly successful in another body last year, will be successful this year. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

SALARIES AND EXPENSES, UNITED STATES COURT FOR CHINA.

Judge, $8,000; district attorney, $4,000; marshal, $3,000; clerk, $3,000; stenographer, $1,800; printing and binding opinions of the court, $1,000; court expenses, including reference law books, $9,000.

Mr. FLOOD. Mr. Chairman, I offer an amendment on page 15, line 2. This amendment was adopted by the committee, and in some way was omitted from the printed bill.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

After the figures "$9,000," on page 15, line 2, insert: "In the settlement of salaries for the fiscal year ending June 30, 1918, by the disbursing officer to the officials of the United States Court for China the same rate of exchange used in the payment of salaries to consular officials in China for said fiscal year is hereby authorized and approved, these settlements to be made from the total amount for salaries and court expenses for the fiscal years ending June 30, 1918, and June 30, 1919."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order.

Mr. STAFFORD. I think some information should be given as to the reason for this provision.

Mr. LINTHICUM. Mr. Chairman, for some reason the bill which appropriated the money for the court officials for China, and for the Consular Service as well, omitted to make provision for that court, as it did for the Consular Service, in the matter of the changing rates of exchange in China.

Just before the war the rate of exchange was $2.50 Mexican for $1 American, and it has gone down to such an extent that it is now $1.15 Mexican of silver for $1 American. The State Department of the Government saw that it was impossible for these men to get along on their salaries with this rate of exchange, which cut their salaries more than half. They accordingly paid the Consular Service at an established exchange rate of 43 cents American for $1 Mexican, which they adopted.

Now, according to an order issued by the department, or instruction issued, the United States court officials for China were paid at the same rate as they had always been paid, but when the year was up the Treasury Department refused to accept that rate for the court officials, because they said they had not been specifically mentioned in the bill, as the Consular Service had been, and the consequence is that, although these men have received their money according to the orders of the State Department at the same rate the Consular Service received it, they are now asked to make good that difference, and must do so unless this amendment is adopted.

Now, they were paid, as I say, according to the consular rate. They are all Government officials in the same place, and some of them occupy the very same building. Had not the Treasury Department or the State Department made that mistake and paid them according to the rate which they had established of 43 cents, these men could have gone along and received their salary according to the prevailing rate; but the rate has been falling constantly, and now we would be taking advantage of them, because they had been told that we would pay them according to the rate established by the department, and then later, at the end of the year, we say, "We can not pay you according to that rate because the bill does not provide for it," and then ask these men to go on the market and make good that difference at a very high rate of exchange, now about $1.15 Mexican for $1 American. It would be a very great hardship on them.

In fact, I am more closely in touch with the Attorney General for the court, and he tells me that it would take an entire year's salary to make good this difference, whereas if he had been paid according to the rate which prevailed at the time it would have made a difference of probably $1,500 or $1,600 to him in his salary. The year 1919 was provided for, but the provision was omitted for the fiscal year ending June, 1918. This would simply place the court officials in China on the same basis as the Consular Service and on the same basis they have always been. They have always been paid according to the consular rate of payment, and this is merely to rectify a mistake which Congress made and not penalize them because of an omission by Congress and a misinterpretation or error from the State Department.

Mr. Holcomb tells us in his testimony:

Mr. COOPER. What percentage of loss was there?

Mr. HOLCOMB. When I went there we got $2.50 for each gold dollar, and then it went down to $1.33, and now it is $1.15. If we do not get relief, we will have to buy the silver and pay it back, and that will take about $3,600 gold, one whole year's salary, to repay that, and it was not our fault that the mistake was made. I am penalized every day. I assure you, gentlemen, that the money was taken by the officers of the court under the mistaken idea that they had been taken care of.

It would merely rectify a mistake which Congress made, and pay them according to the consular rate, which they had always been receiving.

Mr. STAFFORD. Do I understand the gentleman to say that in the existing act there is specific provision made for the payment of the exchange?

Mr. LINTHICUM. The rate is established by the department, which is 43 cents American for $1 Mexican. That was provided in the emergency bill or the general deficiency bill.

Mr. STAFFORD. Are there any other instances where the conditions cited by the gentleman apply to persons connected with the Diplomatic and Consular Service?

Mr. LINTHICUM. No; there are none that I know of.

Mr. FLOOD. The gentleman from Kansas [Mr. LITTLE] mentioned to me a very similar case in Persia.

Mr. MILLER of Minnesota. There are similar conditions in Persia, India, and China, and I am sure that the gentleman will agree with me that in certain other portions of the earth where the silver standard dollar is in vogue the price of silver has been going up rapidly, and therefore relatively the value of the American dollar has been declining, and the condition

throughout China and the Orient extends down into the Dutch East Indies and into India. It is even found in Japan, although in a much less degree, because Japan has the gold standard.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER of Minnesota. I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. Unanimous consent is asked that the time be extended five minutes. Is there objection?

There was no objection.

Mr. MILLER of Minnesota. The silver dollar has been going up in value relatively, and the condition in China is probably worst of all. It has reached a point where unless something like this is done our men there absolutely can not live on their salaries. The judge instead of getting $8,000 will be getting $4,000.

Mr. STAFFORD. I understand the effect of this amendment is retroactive, that the future is provided for.

Mr. MILLER of Minnesota. Yes. The Department of State, recognizing that situation, took care of the diplomatic and consular officers in China and elsewhere out of post allowances, and under the impression that the provision of law authorized them to take care of the court officials in China, because the appropriation is contained in the diplomatic bill, they extended the same privileges to the court for China, but later found that they had no legislative authority for doing so, and this is to validate their action. I am sure everyone in possession of the facts will agree with the gentleman from Maryland [Mr. LINTHICUM] that this is a very necessary and essential thing to do. It means almost the very life of the judicial tribunal in China. If after two or three years there comes to be a parity between the silver dollar and the gold dollar, of course this will not be necessary.

Mr. STAFFORD. If the gentleman will permit, as I understand, this amendment takes care of a condition that existed some years ago.

Mr. MILLER of Minnesota. That is entirely true, and the law now takes care of their salaries for this year and the year to come.

Mr. LINTHICUM. This does not involve any additional appropriation. These men have already received the money, and they received it according to the rate established by the department. Had they been told at that time that they were not entitled to it the difference in the rate at that time was not so great; but now to compel them to turn back this money which has already been paid them will be a great hardship, because they will have to go into the market and purchase it at the present low rate of exchange, which will penalize them for acting in good faith with the department. It will penalize one man $3,800, because the department had misinformed him. The gentleman from Wisconsin was asking whether there were any other cases. I do not think there is any other case on record or in existence where the department has told these people that they were entitled to it when they were not and then demands repayment.

Mr. MILLER of Minnesota. The gentleman is correct in that.

Mr. LINTHICUM. And where the department afterwards told them they were not entitled to it and asked them to refund.

Mr. MILLER of Minnesota. I thought the gentleman's query was in reference to the recent rise in the value of silver.

Mr. STAFFORD. Oh, no.

Mr. MILLER of Minnesota. This is the only case of this kind that I know of.

Mr. STAFFORD. My inquiry was directed to the point whether this would be a precedent for other cases.

Mr. LINTHICUM. No; there are no other cases.

Mr. STAFFORD. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

The Clerk read as follows:

The judge of the said court and the district attorney shall, when the sessions of the court are held at other cities than Shanghai, receive in addition to their salaries their necessary actual expenses during such sessions, not to exceed $8 per day each, and so much as may be necessary for said purposes during the fiscal year ending June 30, 1920, is hereby appropriated:

Total, $29,800.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. I notice that the committee have raised the allowance that may be paid to the judge and the district attorney when absent from their stations from $5 a day to $8 a day. I am unacquainted absolutely with conditions existing in China, but I was under the impression that living there cost much less than in the United States.

Mr. FLOOD. The information we get is that it is the most expensive place in the world just now.

Mr. STAFFORD. Even more so than the city of Washington?

Mr. FLOOD. I understand very much more.

Mr. STAFFORD. Then you ought to double this amount if that is the case. That is a pretty strong statement to make. On what authority does the gentleman make such a strong statement, that the cost of living in China is greater than in the city of Washington?

Mr. ROGERS. I should like to refer the gentleman to page 139 of the hearings, where there is printed a report from one of our consular inspectors who had at that time just returned from a tour of inspection in the Far East. He says:

No inspector can now travel in the Far Eastern inspection district without paying from his own pocket one-third or more of the actual necessary and unavoidable expenses of subsistence for himself and really one-third of the total expense, exclusive of telegrams. He is limited to an average of United States $5 per day for subsistence (in making which the days not spent in hotels are not allowed to be used in computing the total number of days to be averaged). This in a district where at almost no port can three meals, a bed, and a bath be obtained for less than United States $7 to United States $8, and cost United States $15 to United States $25 at many of the larger places. Hotels at Kobe and Yokohama now charge from United States $7.50 to United States $10 (15 to 20 yen) per day, at Shanghai United States $16.20 (Mexican $18) and up, and at Hongkong United States $18 to United States $22 (Mexican $20 to Mexican $24). In addition, one has necessary tips and laundry to pay, as well as numerous other charges, which the auditor classes as subsistence.

I have in my hand a letter which came to me yesterday from the judge of the United States Court for China. I may say that it is a tribute to the postal service of some country—it may be China's or it may be Mr. Burleson's—that that letter, which is dated October 11, 1918, reached me yesterday after a transit of three and one-half months from Shanghai.

Mr. STAFFORD. Give the credit to the man in America who deserves it so much.

Mr. ROGERS. Judge Lobingier writes:

It is impossible at the present time to journey in China at an expense of $5 a day. I have just returned from holding a special session at Tientsin, where my expenses, with the most rigid economy, will amount to more than three times that figure.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of a point of order.

The Clerk read as follows:

PAYMENT TO THE GOVERNMENT OF PANAMA.

To enable the Secretary of State to pay to the Government of Panama the eighth annual payment due on February 26, 1920, from the Government of the United States to the Government of Panama under article 14 of the treaty of November 18, 1903, $250,000.

Mr. FESS. Mr. Chairman, I move to strike out the last word. This annuity of $250,000 for Panama raises the question as to the business transaction of the building of the Panama Canal. Has the chairman any figures as to the amount of business that goes through the canal and as to its profits?

Mr. FLOOD. I have not.

Mr. FESS. I do not want to take up the time of the House on this matter of information, but I was wondering whether the business is growing or not.

Mr. FLOOD. I have no information in regard to it whatever.

Mr. FESS. I will take no time, then. I thought the chairman might have the figures. I withdraw the pro forma amendment.

The Clerk read as follows:

The appropriation of $15,000 for the payment of compensation to and the necessary expenses of the representative or representatives of the United States on the International Commission of Jurists, organized under the convention signed at the Third International American Conference August 23, 1906, approved by the Senate February 3, 1908, and ratified by the President February 8, 1908, for the purpose of preparing drafts of codes of public and private international law; and for the payment of the quota of the United States of the expenses incident to the preparation of such drafts, including the compensation of experts under article 4 of the convention, made in the act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1915, and extended and made available for the fiscal years 1916, 1917, 1918, and 1919, not having been expended, is hereby extended and made available for the fiscal year ending June 30, 1920.

Mr. FESS. Mr. Chairman, I move to strike out the last word in order to ask the chairman what progress has been made in regard to codifying international law, as provided for in this paragraph?

Mr. FLOOD. No progress has been made in the last three years. The work has been entirely suspended. The conference has done no work since the European war began.

Mr. FESS. The chairman will remember that a meeting was held by representative international lawyers, and they recommended some sort of a code, and when we published a compilation of documents on the restraint of trade that particular recommendation was included in the document. Secretary Lansing told me in a conference over the matter that it had not received the approval of the State Department; in fact, he had never seen it, and therefore it could not bear the insignia of our own country. I was wondering whether that was the product at all of this proposed expense.

Mr. FLOOD. No.

Mr. FESS. That seems to have been merely voluntary.

Mr. AUSTIN. Mr. Chairman, I was out of the House a short time, and I wish to ask the chairman of the committee if any provision is made for the increase in the salary of consuls?

Mr. FLOOD. We have just got to it.

Mr. AUSTIN. Did the committee follow the recommendation of the State Department?

Mr. FLOOD. The committee did.

The Clerk read as follows:

SALARIES OF THE CONSULAR SERVICE.

For salaries of consuls general, consuls, and vice consuls, as provided in the act approved February 5, 1915, entitled "An act for the improvement of the foreign service," and for economic assistants at salaries of not more than $5,000 each per annum, $1,974,500. Every consul general, consul, vice consul, and, wherever practicable, every consular agent shall be an American citizen.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. LaGUARDIA. Mr. Chairman, I offer an amendment. On page 21, line 3, strike out the words "wherever practicable."

The CHAIRMAN (Mr. HASTINGS). The Clerk will report the amendment. Does the gentleman from Wisconsin insist on his point of order?

Mr. STAFFORD. I may and I may not.

Mr. AUSTIN. What is the gentleman's point of order?

Mr. STAFFORD. That there is legislation in the paragraph not provided for in existing law. If it will accommodate the gentleman from Tennessee for me to make the point of order now, I will do so. Mr. Chairman, the gentleman is quite willing that I do not press the point of order at the present time.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from New York.

Mr. STAFFORD. I have not withdrawn my point of order, Mr. Chairman. I wish to inquire as to these new positions of economic assistants as provided for in this paragraph.

Mr. FLOOD. They are to be expert commercial men to be attached to the consulates in different parts of the world for the purpose of advancing our trade in those countries. There are 25 of them provided for in the bill. They perform a similar function in the consulates that the commercial attachés do at the embassies.

Mr. LITTLE. Mr. Chairman, may I interject a suggestion there? I understand the consular agents are appointed by the consul general. They are appointed in any town where there is no consul and where it is necessary that there should be some representative. That is what a consular agent is. The gentleman is asking about page 21, is he not?

Mr. STAFFORD. Line 1, economic assistants.

Mr. LITTLE. Oh; I beg the gentleman's pardon.

Mr. STAFFORD. Mr. Chairman, this work of the development of our foreign commerce is lodged with the Department of Commerce. In the legislative, executive, and judicial appropriation bill authorization is made for the employment of a number of additional commercial agents. There should not be duplication of work. It is true that the Consular Service performs some work of aid in the expansion of our foreign commerce; but there should not be any duplication of work, nor should there be any rivalry between two departments of the Government. We have the assurance of the Secretary of Commerce that there is no rivalry, so far as the heads of those departments are concerned. It is a great work that is being performed by the Department of Commerce. A million dollars nearly is being expended under the Bureau of Foreign and Domestic Commerce. Because I believe there should be no overlapping of activities, no duplication of work, I am going to insist upon the point of order to that part of the paragraph—

and for economic assistants at salaries of not more than $5,000 each per annum.

Mr. AUSTIN. Mr. Chairman, will the gentleman withhold his point of order for a moment?

Mr. STAFFORD. If the gentleman from Tennessee desires me to withhold the point of order for a moment I shall do so.

Mr. AUSTIN. Mr. Chairman, I was connected with the Consular Service before entering Congress, and I have always taken an interest in legislation affecting that service. While it is quite true, as the gentleman from Wisconsin [Mr. STAFFORD] states, that the Department of Commerce has its representatives in various foreign countries, I believe, in all seriousness, the work recommended by the State Department is vitally important and will be a splendid investment. The Department of Commerce, for instance, had, when I was in the Orient four years ago, one commercial attaché for all of China, a country larger in extent than America, with more than 400,000,000 of people. The task to be performed by one man was absolutely out of the question, and we had a very capable man in that division and still have, but it was impossible for him to care for all the commercial interests in that section of the world. There will be no duplication of work if this plan so well worked out by the State Department is carried forward. There will be cooperation between the Department of Commerce and the State Department. We have not given the Department of Commerce a sufficient force of men to cover all foreign countries where we are going to seek to extend American trade with our new and modern merchant marine which we propose to establish and maintain for the advancement of the business interests of America. The State Department and the Department of Commerce will act jointly in this matter, and will place these new officials where they will render needed and valuable service. Knowing as I do the Director of Consuls, Mr. Wilber J. Carr, I want to say that there is not a better equipped or more conscientious official in the service of the Government. I have visited the State Department with a view of looking into the program which they propose to inaugurate if this legislation is going to be granted, and I appeal to the gentleman from Wisconsin not to insist upon his point of order. I do so realizing that if he understood as I understand, and had made an examination as I have, there would not be in his mind the slightest doubt that this proposed legislation is for the benefit of our country. I have always found the gentleman from Wisconsin [Mr. STAFFORD] open to reason, and I sincerely trust that he will let this legislation go forward. I am about to close a 10-year service in this House——

Mr. STAFFORD. Oh, I am in the same position as the gentleman in that respect, with a little longer service to my credit.

Mr. AUSTIN. No more important piece of legislation in the way of an amendment to an appropriation bill has ever been proposed to Congress than this. I am in earnest about this, and I hope that the gentleman from Wisconsin will not insist upon his point of order.

Mr. STAFFORD. Mr. Chairman, it is not my privilege to lay claim to the parentage of any legislative child. Nevertheless the Bureau of Foreign and Domestic Commerce, as carried in the legislative appropriation bill, has received my close study ever since I have been a member of the subcommittee reporting that bill. It is a subject very dear to my heart, and I want to see that bureau increase in its activities. Because of my interest in it, because of my study—and I have studied it closely—and because I believe that this work is merely duplication and will overlap——

Mr. FLOOD. Will the gentleman reserve his point of order for a moment? To what does the gentleman make the point of order?

Mr. STAFFORD. I make the point of order to the language—

and for economic assistants at salaries of not more than $5,000 each per annum.

Mr. Chairman, I make the point of order.

The CHAIRMAN. Does the gentleman insist upon it?

Mr. STAFFORD. I do.

The CHAIRMAN. The point of order is sustained.

Mr. LaGUARDIA. Mr. Chairman, I have an amendment, which I send to the desk, which I will ask the Clerk to read.

The CHAIRMAN. The Clerk will report the amendment of the gentleman from New York.

The Clerk read as follows:

Page 21, line 3, after the word "and" strike out the words "wherever practicable."

Mr. LaGUARDIA. Mr. Chairman, I had above five years' experience in the Consular Service a good many years ago. It has been my experience that wherever we have had a consular agent not a citizen of the United States the work was not performed to the best interests of this country. It is very frequently abused, because it is used to further personal or social ambitions. I know the chairman will tell me that it is very difficult to find American citizens to go to small places as consular agents because there is no salary and the fees in some places do not amount to much. I believe it has been the practice to detail clerks to such small places and appoint them consular agents. That is one way of getting around it. If the place is so unimportant that we can not afford to pay a man, let us have nobody there. I am very strong for keeping everybody who is not a citizen of the United States out of the Consular Service. I would even go as far as messengers and clerks. I can not understand why we should have a consular representative in a foreign country who is not a citizen of the United States.

Mr. FLOOD. Mr. Chairman, the committee considered that very carefully. The committee has done a great deal to Americanize the entire Consular Service, but the committee did not think, and the State Department does not think, it would be wise in reference to these assistants to so legislate that it would be

impossible at any time to employ a person who was not an American citizen, and it does not do so whenever it is possible to get an American citizen; but there are a few cases when it is not possible, and therefore we leave those words "whenever practicable" in there. The committee has done everything in its power to Americanize the entire consular system.

Mr. LAGUARDIA. These words "wherever practicable" apply only to consular agents; that runs to the port——

Mr. FLOOD. It may.

Mr. LAGUARDIA. Then, in every instance, why should we be represented in any part of this world by any man who is not an American citizen?

Mr. FLOOD. There are some ports where it could not be possible to get an American citizen to go upon the salary given them.

Mr. LAGUARDIA. Then abolish the office.

Mr. FLOOD. If the gentleman desires to abolish these offices, let him make a motion to abolish them.

Mr. ROGERS. Mr. Chairman, I rise to oppose the amendment offered by the gentleman from New York. I am in entire sympathy with the purpose of the gentleman in seeking to Americanize in every possible way our Consular Service. The Committee on Foreign Affairs has gone a little further, each year I have been on the committee, to bring about that entirely beneficent result. I have been somewhat active in the several steps. This year we are taking a step further than we have ever taken before in that for the first time we absolutely require that every vice consul shall be an American citizen. Previously we had stipulated that "whenever practicable" every vice consul or consular agent should be an American citizen. We have not hitherto made it absolutely a rule of law in the appointment and retention of vice consuls. This bill for the first time does that. I very much hope that it will be possible in the immediate future to make every consular agent representing this country abroad an American citizen. Most of them are American citizens now. I should say about one-third of them are still foreigners. This bill in this very item which we are now discussing provides for the creation of 150 career vice consuls. If the gentleman will look at the hearings on page 108 he will find a tabulation submitted to the committee by Mr. Carr, showing how the appropriation asked for in this bill of nearly $2,000,000 for consular salaries is to be divided. The last three items of the tabulation show that there are to be 50 vice consuls of class 1 at $3,000, 50 vice consuls of class 2 at $2,500, and 50 vice consuls of class 3 at $2,000. Those vice consuls are to be placed in the positions which are now pretty generally occupied by consular agents. The intention of the State Department and the intention of the committee is that these men shall supersede non-American consular agents in every post where there is a real volume of business, where there are American interests of any importance.

At the same time there are some posts where American trade is of such small magnitude and of such small consequence that it would not be economically desirable, it would not be advantageous from a business point of view, to appoint a $2,000 or a $2,500 or a $3,000 vice consul and put him in that position to administer the very small volume of American trade which is there. I have taken from the latest register of the Department of State some of the places where the volume of business done by our consular agents is very small. Take the case of Caldera, Chile, where the total annual volume of fees taken in by our consular agent there for the fiscal year ended June, 1917, was $92. At Cruz Grande, in Chile, the annual volume of business was $91; at Camaguey, Cuba, $42.50; at Boulogne sur Mer, $67.50; at Dunkirk, $48; at Dieppe, $92.50; at St. Vincent, in the West Indies, $69; at Freemantle, Australia, $71.50; at Townsville, Queensland, $78.50; and at Flushing, Netherlands, $27.50. When we come to Oaxaca, Mexico, the volume of business was $2.50 a year, and at Bloemfontein, South Africa, there is a magnificent total for the year of $1.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROGERS. I ask for two minutes more.

Mr. LAGUARDIA. I ask that the gentleman's time be extended five minutes. I want to ask him some questions.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. ROGERS. Now, that, I say, is the total volume of business done at the several places. The salary, the munificent salary, which our consular agent receives is in each case one-half the amount that I have read. Those places are not unique. I could enumerate a number of others where the total fees collected are less than $100, and where the consular agent's salary is consequently anywhere from 50 cents to $50. Now, under those circumstances I think the Committee on Foreign Affairs feels, and I think this committee would agree that it would not be a wise, businesslike policy, while entirely in accord with the purpose of the gentleman from New York, that we should lay down as a rigid rule that every one of those people must be replaced by a permanent official at a salary of $2,000 or more.

Mr. TEMPLE. Will the gentleman yield?

Mr. ROGERS. I yield.

Mr. TEMPLE. Speaking of the volume of business, does that mean the total volume of business done by American citizens or the total value of fees collected by the consular agent?

Mr. ROGERS. The latter is what I should have said. The figures read represent the fees taken in at the several places I have enumerated.

Mr. LAGUARDIA. Those fees are constituted from consular invoices, bills of lading, applications for passports, and so forth. Now, is it not true the consul's business is the protection of American trade and to look out for opportunities for American capital, and is it not true that a consular agent has a district sometimes as large as that of a consul general?

And is it not also true that he has access to commercial reports and confidential information concerning our industry and commerce? And is it not dangerous and against the interests of American industry to have them representing the business interests of this country in foreign ports?

Mr. ROGERS. That is rather an elaborate question, but I would say, generally, the answer is "Yes." At the same time the alternative, when we get to a post of the type I have enumerated, is either that we shall have nobody or that we shall have a foreigner. It would not be wise to close those agencies. My opinion is that it would be a misfortune to the United States to maintain a foreigner there a moment longer than is necessary. But you can not get an American citizen to go out there for any sum which is at all commensurate with the importance of the place. We are wisely Americanizing the service very rapidly, but it can not be done in a day.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LITTLE. Mr. Chairman, I move to strike out the last word of the amendment. I wish to say a word in favor of this amendment. It was my privilege at one time to appoint seven of these consular agents. Four of them were Arabs, who could not speak a word of English. Now, you can imagine, gentlemen, very readily, I think, how anybody would feel that wandered up to an American consular office, seeing the eagle sign there, and finding an Arab that could not speak a word of English in charge of the American interests. In the first place, as the gentleman from New York [Mr. LAGUARDIA] suggested, it is a dangerous thing to do. You do not know who they are. They might be friends of America and they might not be. They have access to American records. I know of one instance where a man spoke good English and was a member of a nation as civilized as ours, who was at Port Said, and, as a matter of fact, his interests were absolutely opposed, diametrically opposed, to those of American business men, and he would injure our business undoubtedly. I visited him and suggested his removal to the department. You can not follow these fellows around and check them up. It is a dangerous proposition. There is only one way for this Republic to do, and that is to put American citizens on guard and make them understand what America is. All that business can be done by correspondence with the consul, a little way off. That matter can all be handled. If you lost a little business down there, you would not lose as much as if you were to put your business in improper hands.

I withdraw the pro forma amendment.

Mr. AUSTIN. Mr. Chairman, I move to strike out the last two words.

I do not agree with the gentleman from New York [Mr. LAGUARDIA] and the gentleman from Kansas [Mr. LITTLE] in reference to this amendment.

I have contended here in Congress for an increase in the salaries of consuls and consular clerks and for substituting Americans for foreigners wherever they were available in the Consular Service, and for the last 10 years the Committee on Appropriations and the State Department have been working out that solution.

Now, when I was appointed consul to Glasgow, Scotland, the vice consul for 20 years was a native of Great Britain. I immediately made an investigation and found an American citizen and had him appointed as vice consul. But in that consular district there were two consular agencies located where we were without American citizens, and it meant either the reappointment or the continuation of the men in the service with good records or an abolishment of the offices. And the official fees were insignificant. They would not sustain an American, and no American could afford to leave the United States to accept the appointments.

Mr. LITTLE. Permit me to suggest that the gentleman's experience was among people of the same type as our own, and it was much easier to find somebody of a sympathetic character there than in Siam or in South America or Mexico. Foreigners acquire disrespect for America by seeing such people in charge as I have referred to. In your district the consular work would have been done through your office.

Mr. AUSTIN. I think not; not without great inconvenience, trouble, and expense to the interested parties.

Mr. Chairman, if we are going to abolish consular agencies, then we must provide an appropriation which will carry salaries which will justify Americans in accepting appointments or practically do a great hardship to people who are interested and must use this service. And we certainly ought not to do this without the recommendation of the State Department, charged with the responsibility for this service.

Mr. FLOOD. Mr. Chairman, I think it would be unwise to adopt this amendment. This bill is carrying a well-worked-out plan of the State Department for the reorganization of the Consular Service, and that plan provides for the absolute abolition, as soon as it can be accomplished, of these consular agents. They propose to increase the service by 150 vice consuls, who are to take the place of the consular agents; but that may take some months after this law goes into effect, and during that time it is best to leave the consular agents where they are, whether they are American citizens or not. They have in the service now 127 consular agents, many of whom are not American citizens. The very purpose of this increased appropriation is to get rid of all these people and authorize the State Department to appoint 150 vice consuls, who will take the place of the consular agents. Therefore, until that plan is worked out, it is unwise to hamper the administration in the carrying out of the plan which they have carefully and laboriously formulated. I hope that the amendment will be voted down.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. LAGUARDIA. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

Mr. LAGUARDIA. Mr. Chairman, there are a good many men in the service who are growing old, and as they grow older they become inefficient. The promotions in the Consular Service are rather slow, and we have, perhaps, in some important posts now men who are beyond 75 years of age. What is the policy of the department as to getting more active and younger men in these higher places and putting aside the older men who are not able to do the work?

Mr. FLOOD. They are under the civil service, and there is no law compelling them to retire and you can not put them out.

Mr. LAGUARDIA. As time goes on we will have in Paris, London, Rome, and all these places men who have grown old in the service and who can not do the work. Does not the gentleman believe some provision should be made for these men so that we can promote those who are able to do the work?

Mr. FLOOD. It might be wise to give the Department of State the right to retire them at a certain age.

Mr. AUSTIN. We can take care of them under the general bill that is now pending in Congress, to provide retirement for the civil employees of the Government. This is another reason why that measure should pass.

Mr. LAGUARDIA. I think the department will be embarrassed on account of the existing situation.

Mr. FLOOD. We have nothing in the bill on that subject.

Mr. SLAYDEN. Mr. Chairman, I move to strike out the last word. I shall detain the House for only a few minutes, and I must apologize in advance for a brief reference to a proposed item in this bill which the House has predetermined not to entertain. I refer to the matter of legation buildings. Fifteen years ago I proposed such a bill. In fact, I introduced the bill in two or three Congresses, and I believe it would be wise to enact it now. I think we ought to provide reasonable homes for our diplomatic representatives abroad. I do not believe that we ought to provide palaces, because a man with an income limited to $17,500 a year, the salary of an ambassador, would hardly be comfortable in a $500,000 residence, and I oppose that feature of the bill. But we ought to make some provision for them, because it is scandalous and inexcusable, in my judgment, that these high diplomatic positions can only go as a rule to gentlemen of means who contribute largely to presidential campaign funds. Without legation buildings poor men, however talented, can not generally accept high diplomatic appointments. The sin rests on both parties alike. There is no difference in that respect. It is a scandalous fact that these great appointments to exalted diplomatic rank should go to the heavy contributors to campaign funds.

And, Mr. Chairman, I want to say a word with regard to the intimations I have heard in this debate that we should have a trained diplomatic corps. I am inclined to think that we ought to have a permanent consular force, but I do not believe we ought to have a permanent diplomatic corps. If we do, we are going to find that under the meager salaries paid to the subordinate officers in the Diplomatic Service we will soon have promoted from the positions of secretary and attaché only the sons of very rich men, and then we will get them in these places even without contributions to campaign funds. I do not believe in it. Moreover, my observation and limited experience in travel are that the underofficers in the diplomatic stations are not usually men preeminently qualified for the positions. They know the conventions, of course, and are, I dare say, courteous to their own caste, but too frequently not so to their traveling fellow countrymen. Some of the greatest representatives that we have ever had abroad were men without diplomatic training. Benjamin Franklin had never had any. Adams had never had any of any consequence, nor had Phelps nor Bayard nor Lowell, to come down to more recent times. Yet these are names that have shed luster on the Diplomatic Service of this country. I am pleased to say, Mr. Chairman, that we have recently had appointed to the post of ambassador to London a man of a very high order of ability, with whom many of us are personally acquainted.

I believe that the standard fixed by Adams and Lowell and Phelps and Bayard and others at the Court of St. James will be maintained in every respect by John W. Davis, recently appointed. [Applause.] I know him to be a man of high character. We all know him to be a man of great ability. He has already made for himself a position as a speaker, and a gracious, agreeable personality, and in his care the affairs of our Government of a diplomatic nature will be just as safe as they ever were in the hands of anyone. I am told that a distinguished citizen of the State of Ohio, formerly a Member of this House, will soon retire from the Diplomatic Service. I refer to our present ambassador to France. I regret that circumstances have made it appear necessary to Mr. Sharp to retire from that position at this time.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SLAYDEN. I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that his time be extended two minutes. Is there objection?

There was no objection.

Mr. SLAYDEN. Most of us recall with some degree of pain the severe, almost insulting, criticism that was made by his enemies when he was suggested for that position. I would not take a single leaf from the laurels gathered by his predecessor, but most of us who have watched the career of our former colleague in Paris will agree that the occupancy of that great position by Mr. Sharp has been with as much usefulness and as much distinction and as much credit to the country as that of any of his predecessors. [Applause.] He is a typical, high-class, clear-headed, common-sense American citizen, the sort of representative a republic should have, a man of ample dignity; he is educated, and I congratulate the country and I congratulate—I was going to say the Democratic Party, but it is not a political position—I congratulate the people and all political parties that we have had such a diplomatic representative of the American citizenry at Paris during these trying times, and I think we feel that there is a loss to the Diplomatic Service and to the country when he retires. [Applause.] He has conducted himself with tact and dignity, and he will retire with honor.

The Clerk read as follows:

EXPENSES OF CONSULAR INSPECTORS.

For the actual and necessary traveling and subsistence expenses of consular inspectors while traveling and inspecting under instructions from the Secretary of State, $25,000: *Provided*, That inspectors shall be allowed actual and necessary expenses for subsistence, itemized, not exceeding an average of $8 per day.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order.

Mr. COOPER of Wisconsin. Mr. Chairman, I think this ought to become a law, and I trust that my colleague will not raise the point of order, for this reason: The testimony before our committee as to the expenses over there that these inspectors have to meet was astonishing. For example, hotels in Kobe and Yokohama, Japan, now charge $7.50 to $10 a day in United States money, which is gold. At Shanghai they charge

$16.20 a day to $18 a day in gold. At Hongkong they charge $18 to $22 a day in gold.

Mr. STAFFORD. That information was called to the attention of the House in connection with the item providing for an increase of allowances for the judge and the district attorney to the court of the United States in Shanghai.

Mr. COOPER of Wisconsin. I was at my office at that time and did not know of it.

Mr. STAFFORD. I rose to make an inquiry as to the peculiar phraseology of this allowance. It is not in the customary phraseology "not to exceed $8 a day," but "not to exceed an average of $8 a day." I do not recall a similar authorization where we have granted a per diem allowance for expense of subsistence.

Mr. COOPER of Wisconsin. My understanding is that in some places they can possibly get subsistence and accommodation for less than $8 and in others you can not get it for less than twice that sum. Therefore the committee used the word "average."

Mr. STAFFORD. I suppose under this authorization it is the purpose to allow an inspector a greater amount than $8 a day if for the year it does not average more than that amount. Has the gentleman any information as to what the average expenditure is?

Mr. FLOOD. Let me say that the average expenditure for these gentlemen, especially those in the East, would be more than $8 a day. Those in Europe and South American countries would be $8 a day, probably.

Mr. STAFFORD. In one bill, the legislative, we are only authorizing a per diem expenditure of $5 a day. Here you authorize not a per diem of $8, but an average throughout the year of $8.

Mr. FLOOD. These gentlemen do a very valuable work, and it is difficult to keep them in this branch of the service. They are on the move all the time. Eight dollars a day was thought to be enough to cover their expenses and not too much in all the countries except the East, and the department insisted on $10 a day in that section. The men are constantly on the go and want to get out of this branch of the service and get into the regular Consular Service. They have five men and they want to add two more to them. They are very efficient men and they want to keep them there. They have to go into their salaries to help pay their expenses.

Mr. COOPER of Wisconsin. The gentleman from Virginia will remember that Mr. Carr in that connection told the committee of one of these inspectors, by the name of Fuller, who had not had but one leave of absence, and that a very short one, in five or six years; that he had been traveling all the time and been imploring the department to give him a place somewhere where his labors would be reduced. He also said the system of auditing the accounts of these inspectors is so exceedingly strict that it is almost impossible for them to work any fraud on the Government.

Mr. STAFFORD. Mr. Chairman, impressed with the information furnished by my colleague, I withdraw the reservation of the point of order.

The CHAIRMAN. The gentleman withdraws the point of order, and the Clerk will read.

The Clerk read as follows:

To enable the President, in his discretion and in accordance with such regulations as he may prescribe, to make special allowances by way of additional compensation to consular and diplomatic officers and consular assistants and officers of the United States Court for China in order to adjust their official income to the ascertained cost of living at the posts to which they may be assigned, $700,000.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order.

Mr. LITTLE. Mr. Chairman, I reserve the point of order. I reserve all points of order. I would like to ask the gentleman a question. Under this provision, as I understand it, it is the purpose to add to the laws of the land the proposition to make it possible for the President or the State Department, by his direction I presume, to overcome the difficulties that have arisen among our consuls and diplomats abroad, because of the increased cost of living during the war. That is the purpose, is it not?

Mr. FLOOD. During the war and for the time immediately after the war; yes.

Mr. LITTLE. Is there any legislation now on the statute books upon which this is predicated, or is this new legislation?

Mr. FLOOD. This is entirely new legislation.

Mr. LITTLE. Then it would be out of order.

Mr. FLOOD. It is subject to the point of order

Mr. LITTLE. I reserve that point of order. I want to ask as to the facts. In certain locations, by reason of the war, the American dollar has ceased to have the value it did, and, therefore, a consul or a minister does not get actually the same amount of money that he did before. Is not that the fact? The rate of exchange has changed, in other words. I am reliably informed that the State Department now sees its way clear under statutes which have been passed to assist the consular officers, but not the diplomatic representatives. Does the gentleman consider that under this provision it would enable the President, if he saw fit, to obviate that difficulty and adjust a man's income out of this $700,000 so that it would overcome the decreased value of the dollar?

Mr. FLOOD. A minister, I think, could possibly be embraced within the term "diplomatic officers," but I would say to the gentleman that it is not the policy of the department or of the President to do it, and I do not believe it would be the policy of the House.

Mr. LITTLE. If it is the policy of the President and the House to assist the Consular Service, why not the Diplomatic?

Mr. FLOOD. It is a little different kind of service. It is a business service, a permanent service. Those men go into it for a life work, and the increased cost of living came on them; and if they had no means of their own, many would have to give up their life's work. An ambassador or a minister under our system has not adopted that for his life work. It is true that men in lower grades of the Diplomatic Service probably have, but the ambassadors and ministers are special appointees, to hold for an administration or two administrations. They accept the places with the understanding that they have to bear a certain financial burden in doing it, and are more prepared to meet emergencies.

Mr. LITTLE. The gentleman realizes that some of them in the smaller appointments are poor men.

Mr. FLOOD. Yes; and, realizing that, we undertook to make a provision here so that homes could be built for them. I do not believe that it met with the gentleman's approval.

Mr. LITTLE. That would not assist them. The Government pays the rent now.

Mr. FLOOD. No; it does not.

Mr. LITTLE. I know that it does, because I have been in the service.

Mr. FLOOD. If the gentleman knows that, he has information that every official in the State Department will tell him is inaccurate.

Mr. LITTLE. I expect that is true, because they have not been there; but every one of them lives in the agency or the consulate that the Government rents for them.

Mr. FLOOD. Every ambassador and minister that we have does that?

Mr. LITTLE. Every consul does, that I ever visited.

Mr. FLOOD. I was not talking about the consuls.

Mr. LITTLE. And it is the same way with the ministers to the smaller countries, or was. The Government rents an office for them, and it is of such proportions that they can live in it. The gentleman is technically correct, that the Government does not rent houses for them, but the Government rents their offices and they live in them, being allowed formerly, and probably now, something like 20 per cent of their salaries for such rent.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. LITTLE. Mr. Chairman, I reserve the point of order, and I desire to offer an amendment——

Mr. STAFFORD. I renew the point of order.

Mr. LITTLE. Oh, I am keeping it up.

Mr. STAFFORD. But the gentleman can not if he offers an amendment. I wish to inquire whether the gentleman is insistent on having this made a permanent authorization, regardless of the existing war.

Mr. FLOOD. Does the wording of the provision make it that?

Mr. STAFFORD. In the phraseology of the paragraph under consideration you eliminate the limitation carried in the existing act—

during the pendency of the existing war and for six months after its termination.

Mr. FLOOD. No; that would be a very good amendment.

Mr. STAFFORD. Of course, if the gentleman is willing to have that incorporated in the bill I withdraw the reservation of the point of order. I believe there should be some limitation.

Mr. RAGSDALE. If the chairman will permit me, does not the gentleman think that so long as this condition of affairs exists abroad by which the American dollar will not buy a dollar's worth that the President of the United States ought to be able to make up that difference in our ministers' salaries, to meet that condition of affairs necessarily changed at the termination of this war or immediately afterwards?

Mr. STAFFORD. Of course, the rearrangement of salaries is a matter for permanent legislation. You are attempting that so far as the consular officers are concerned. I believe this bill by increasing the appropriation some $700,000——

Mr. RAGSDALE. Yes, sir.

Mr. STAFFORD. Now, this appropriation was originally intended only for a temporary purpose?

Mr. RAGSDALE. Yes.

Mr. STAFFORD. To provide for an allowance occasioned by the high cost of living occasioned by the war?

Mr. RAGSDALE. And occasioned by the fact that the American dollar abroad no longer buys a dollar's worth in every country in which it is spent.

Mr. STAFFORD. Changes are being made. The price of Argentine wheat in Liverpool is $1.55, and prices are bound to come down in this country and throughout the world, but as this provision was temporary I think it should be continued temporarily; in fact, as the gentleman remembers, it only applied originally to those countries where the war was in progress and to countries contiguous thereto, and then it was subsequently extended. Now, all that is desired is to provide for its application during the pendency of the existing war and then provide thereafter——

Mr. RAGSDALE. Well, suppose the gentleman offers his amendment to that effect.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order, with the understanding it has the approval——

Mr. FLOOD. Is the gentleman going to offer the amendment?

Mr. STAFFORD. I reserve it for the time being at the request of the gentleman from Kansas [Mr. LITTLE].

Mr. LITTLE. I understand I have the floor.

Mr. FOSTER. Mr. Chairman, I ask for the regular order.

Mr. LITTLE. The regular order is that I have the floor.

The CHAIRMAN. Does the gentleman from Wisconsin make the point of order?

Mr. LITTLE. Does the Chair ask me? I am informed the gentleman reserves the point of order.

The CHAIRMAN. If the regular order is demanded, the Chair must rule on the point of order.

Mr. FLOOD. If the gentleman from Kansas desires to offer his amendment——

Mr. LITTLE. If I may be permitted——

Mr. FOSTER. I will withhold the demand for the regular order for five minutes.

Mr. LITTLE. If I am not permitted to proceed, I shall make the point of order that it is new legislation, and the gentleman can do as he pleases.

Mr. FLOOD. All right; the gentleman can pursue his own course.

Mr. LITTLE. I shall pursue my own course. I am getting tired of this, for every time a new man endeavors to speak I find that anonymous points of order and rules are invoked against him and nobody else. I am going to do a little of that from now on. Now, this will read as follows if my amendment is carried:

To enable the President, in his discretion, and in accordance with such regulations as he may prescribe, to make special allowances by way of additional compensation to consular and diplomatic officers and consular assistants and officers of the United States Court for China in order to adjust their official income to the ascertained cost of living—

And here is where we get in—

and the changes of the comparative values of American money and the money at the post to which they may be assigned, $700,000.

The point I have in mind is Persia. The salary of the minister to Persia is $10,000, paid in Persia. We are told it is paid in gold. That is the law, but it is never paid in gold. What happens is this, that he sits down and draws upon the United States for his salary, at intervals, probably on London, where the account is kept, or formerly was. Then he takes that paper, a draft, and he sells it to the bank. He does not get gold for it. If he got gold he could take it to the mint of Persia and have it minted and get his money.

Mr. FLOOD. What kind of money would he get?

Mr. LITTLE. If he got gold he would get gold money. He could have it minted into Persian money.

Mr. FLOOD. He would have Persian money?

Mr. LITTLE. Yes; Persian gold. He says there is a great deal of difference between the purchasing power of the Persian gold and silver money. He draws a bill of exchange and goes to the bank and sells it to the bank. The bank has no account in dollars. The bank puts it into Persian money and he sells it for whatever he can get. Before this war began the normal rate of exchange was such that he would get $11,500 for $10,000, and he would go out and buy with that money. Of course, at the present time the values there have risen five times what they were before, and he can buy only one-fifth as much. It does not happen to the consul there for America; it does not happen to the missionaries there, or to anybody else there except this fellow, who happens to come from the district I represent. Now, here is what happens to him: When he takes his money down he finds the rate of exchange has changed, so that instead of getting $11 for $10 he gets $5.50 for $10. That is the rate of exchange now. In other words, instead of having $10,000 in gold he would get $5,500. Now, the purchasing power of that has diminished five times, and this man is actually getting a salary of $1,000. To equalize, he must draw on us for the equivalent of $10,000 in gold. Now, what I ask is this—it is no favor for him; I just ask that when the department figures out what he should have in relation to others by reason of the 500 per cent increase in the value of things there which he has to pay for, that they also take into consideration whatever they deem is wise in regard to fixing his rate of exchange, so that he will not lose everything he has got. The department is not opposed to this, as he thinks. He was getting along all right until it got down to the Fourth Auditor of the Treasury, and there they locked horns. He said this Persian minister would not only have to bear that expense himself but would have to pay back several thousand dollars.

Mr. FLOOD. How would he do that?

Mr. LITTLE. Because the Auditor of the Treasury says that he would. He has taken an appeal to the comptroller.

Mr. FLOOD. Where could he draw on the Treasury of the United States?

Mr. LITTLE. He drew on the Treasury.

Mr. FLOOD. For how much?

Mr. LITTLE. For $2,500, I presume, from time to time.

Mr. FLOOD. A quarter?

Mr. LITTLE. Yes. The Auditor of the Treasury has checked it up and says that he is not entitled to draw the way he has been. The exchange is such that he is not entitled to do this. They want him to pay back something like $6,000. He says:

Every other Government having legations or consulates here allows its minister, consul, and other officials full prewar exchange rates.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LITTLE. Mr. Chairman, I ask for five minutes additional.

The CHAIRMAN. The gentleman from Kansas asks for five minutes additional. Is there objection?

Mr. FOSTER. Mr. Chairman, I ask for the regular order. I do not like to shut anybody off, but——

Mr. LITTLE. I showed it to the Member and he said he would object to it.

Mr. FOSTER. I think we ought to proceed. The gentleman has had five minutes.

Mr. LITTLE. I have had five minutes? Mr. Chairman, has my amendment been reported?

The CHAIRMAN. Does the gentleman from Wisconsin [Mr. STAFFORD] insist on the point of order?

Mr. STAFFORD. With the understanding I had with the chairman of the committee, I withdraw the reservation.

Mr. LITTLE. I offer the amendment then.

The CHAIRMAN. The gentleman from Kansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LITTLE: Page 22, line 8, after the word "living," insert "and the changes in the comparative values of American money and the money."

Mr. STAFFORD. I reserve a point of order on that amendment, Mr. Chairman.

The CHAIRMAN. The gentleman from Kansas is recognized for five minutes.

Mr. LITTLE. The minister says:

My accounts are settled quarterly by the Bureau of Accounts at the State Department, and they seem to have regularly approved my accounts as rendered. But all accounts must pass muster at the auditor's office in the Treasury Department. It was there that sorrow met me. For two years I had no notice of any settlement of any accounts by the Auditor for the State Department, though I cabled and asked three different times without getting a definite answer, and quite naturally assumed I was correct and my accounts being approved. Imagine my surprise when I got a letter the other day showing that under a governing precedent I was only entitled to whatever $10,000 would buy in the foreign currency, no matter how little that sum was.

It was 5,500 tomans for $10,000.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. ROGERS. I would like to ask the gentleman how his amendment could cure the past if it were adopted? I can see how it could cure the future, but I can not see how it would reach back to the past.

Mr. LITTLE. I have taken that up with the comptroller. There has been an appeal made to him, and I am in hopes that he will be reasonable about it. I do not want to leave the affair open any more.

Mr. ROGERS. Does it not strike the gentleman that the language now in the bill and in this paragraph should be construed liberally enough to take care of the case which the gentleman mentioned?

Mr. LITTLE. I want to be sure it will be.

Mr. RAGSDALE. I understand now that this minister or consul who has been writing to the gentleman——

Mr. LITTLE. He says:

Moreover, during all this time, our consul here, in the same building, received his regular settlement of his accounts, which were made out just like mine exactly, and every account of his was approved.

Mr. RAGSDALE. I am asking who he is.

Mr. LITTLE. He says:

Every account of his was approved. He had figured the kran as of a value of $0.0875, the same as I had; but the same auditor, E. D. Hearne, approved his accounts thus, while in mine he fixes the kran value at over $0.18.

Mr. RAGSDALE. Is this a missionary that is writing to the gentleman?

Mr. LITTLE. No; I can not yield to the gentleman any further.

Mr. RAGSDALE. I am simply asking the gentleman to tell me by whom the letter was written.

Mr. LITTLE. The minister.

Mr. RAGSDALE. Now, I understand the gentleman's contention is that this American minister's position is, in spite of the law, that he shall draw sufficient money to cover his salary in that country, without regard to the amount of money that it takes. Is that the gentleman's position?

Mr. LITTLE. Here is the gentleman's position: Here is $700,000 given in order to adjust their official income to the ascertained cost of living. That is the law proposed here. That means that they will give them $700,000. Now, while they are doing that, I ask that this man should have the same treatment that everybody else gets in every country and which our consul gets in that very town. I ask the man be paid $10,000 in gold there or its equivalent in Persian money. You can send him the gold if you wish; if not, buy him enough tomans to equal it.

Mr. RAGSDALE. Under this law, is not this discretionary power lodged with the President to take care of the difference that arises by reason of the differences in the rates of exchange in the different countries as to the value of the money?

Mr. LITTLE. No; it is not. But I can not yield further. Here you undertake to give away $700,000, and you leave it to the discretion of the President as to where it will be put. I ask you to leave it in the discretion of the President, which is the department, and I say to you there is a consul and a minister at Teheran, Persia, who are being treated in such a way that the consul gets his full salary and the minister does not get half of his. I ask that you apply the same rule to both of them, and to take into consideration the fact that every foreign minister there and every missionary and everybody who does business there, except this fellow from Kansas, gets his money; every man, he tells us. Now, what is the objection to the gentleman from Kansas getting his money?

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. FLOOD. Mr. Chairman, I hope this amendment will not be adopted.

Mr. LITTLE. Why?

Mr. FLOOD. I will tell you if you will wait. I hope it will not be adopted because——

Mr. LITTLE. Because he is from Kansas? [Laughter.]

Mr. FLOOD. Because the rate of exchange in these countries changes almost daily, and we would have to give the State Department a good deal of force to keep up with the fluctuations of exchange. The gentleman is occupying this position: At one time $10,000 American money got him $11,000 in Persian silver. He never returned that extra $1,000 to this country. He put it in his pocket and kept it.

Mr. LITTLE. You might just as well say that he got 11 cows for the $10. The 11 tomans was the same as $10. If he had bought 11 cows you would have him bring back a cow. [Laughter.]

Mr. FLOOD. Then why is not 5½ tomans the same as $10? He got $1,000 more than his salary when he exchanged American warrants for Persian money. Over in China at one time a gold warrant for $10,000 would bring the holder $20,000. Now silver has gotten to be rated as relatively more valuable than gold.

Mr. LITTLE. He could not buy any more for $20 silver than for $10 in gold.

Mr. FLOOD. There are men who do not agree with the gentleman about that. They state they were caught coming and going. They said that the silver dollar then probably brought as much as now. If this amendment were adopted we would have to establish a bureau in the State Department to keep up with the fluctuations in exchange in these silver countries, and it does seem to me that we ought not to adopt an amendment of this kind, which inaugurates a new policy, until we know something about it more than we can gather from a letter from the beneficiary of this amendment.

Mr. LITTLE. Are you afraid to trust the President?

Mr. FLOOD. No; I am not afraid to trust the President.

Mr. STAFFORD. Mr. Chairman, I make the point of order that the amendment is not germane.

The CHAIRMAN. The gentleman from Wisconsin makes the point of order, and the Chair is of opinion that the point is well taken.

Mr. LITTLE. It was agreed, Mr. Chairman, before we began that this whole clause was not proper; that it was subject to a point of order. It was agreed that it was all subject to a point of order; that it was all new legislation. Now you say that my amendment is not germane. You may say that my amendment is new legislation; but to say that my amendment is not germane is pure nonsense. Your amendment is new legislation and mine is new legislation, and mine is germane, and the same point would apply there. And this fact is also observable there, that if the gentleman's amendment is new legislation and is in order, anybody will concede—even the gentleman from Wisconsin [Mr. STAFFORD]—that I could offer an amendment slightly increasing the President's discretion.

Now, there is nothing to this point of order. If he is going to say that I am trying to offer new legislation, of course he has got me; but I do not think there is a parliamentarian in the House who cares to go on record on the proposition that this amendment is not germane. The provision of the bill is that the President can give away $700,000 to make good to our representatives for the losses they sustain by reason of all these troublous days, and that is the provision of my amendment to it.

Mr. STAFFORD. Mr. Chairman, I insist on my point of order.

The CHAIRMAN. The point of order has been sustained.

Mr. FLOOD. Mr. Chairman, I have a committee amendment.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. FLOOD: Page 22, line 5, after the word "allowances" insert: "during pendency of existing war and for six months after its termination."

The amendment was agreed to.

Mr. LITTLE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LITTLE. I withheld my point of order that this was new legislation on the promise that I should have a vote upon my amendment. I rise to make the parliamentary inquiry whether a gentleman in this House is going to make such an agreement, and make it impossible for me to make the point of order, and then refuse to have a vote?

The CHAIRMAN. The Chair thinks that is not a parliamentary inquiry.

Mr. STAFFORD. There was no agreement whatsoever made with the gentleman from Kansas as to having the point of order withdrawn with the understanding that his amendment should be considered in order.

Mr. LITTLE. I had an understanding, as I understood it, with the chairman of this committee, that if I withheld my point of order that the paragraph in the bill was new legislation I should have a vote on my amendment.

Mr. FLOOD. I made no point of order on the gentleman's amendment.

Mr. LITTLE. That was my understanding of the agreement, and I think the record will show it.

Mr. FLOOD. There was no such agreement, but even if there was, I made no point of order.

Mr. LITTLE. The gentleman is forgetting. I think he or some one did make such an agreement in effect.

Mr. FLOOD. Even if the record did show it, I made no point of order against the gentleman's amendment.

Mr. LITTLE. Is the gentleman from Wisconsin [Mr. STAFFORD] insisting on a point of order in view of what I understood to be an agreement?

Mr. STAFFORD. I have been present during this whole proceeding, and if there was a public understanding on the floor of the House between the gentleman from Kansas and the gentleman from Virginia——

Mr. FLOOD. There was not.

Mr. STAFFORD. That if the gentleman's point of order was withheld no point of order would be made against his amendment. I certainly would not press that point of order. Now, I call upon the record to show whether there was any such understanding. I will not be a party to the violation of any gentlemen's agreement, and if there is such I will not press the point of order.

The CHAIRMAN. If the gentleman will indulge the Chair just a moment, the Chair can not be cognizant of private conversations.

Mr. LITTLE. There was none. Mr. Chairman, I will rise to a question of privilege in a minute, and we will take up a heap more time than we will in some other way. I said here on this floor that unless I was allowed to have a vote on my amendment I would make the point of order that this was new legislation, and I was allowed to proceed on that theory, the point being withdrawn.

Mr. FLOOD. Nobody acquiesced in that.

Mr. LITTLE. I had an understanding on the open floor, as I recall the conversation, and I think the gentleman will agree with me. I said unless I was allowed to have a vote on my amendment I would make the point of order that this was new legislation.

Mr. FLOOD. The gentleman certainly said that.

Mr. LITTLE. My understanding was that we agreed that we should go on with that understanding. The point of order against my amendment was withdrawn and I proceeded.

Mr. FLOOD. I do not know what the gentleman's understanding was.

Mr. LITTLE. You said so, as I understood.

Mr. FLOOD. I never said a word.

Mr. STAFFORD. Mr. Chairman, in view of the gentleman's statement, I ask unanimous consent to withdraw the point of order which I made against the amendment of the gentleman from Kansas.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to withdraw his point of order. Is there objection?

There was no objection.

The CHAIRMAN. The question now recurs on the amendment of the gentleman from Kansas [Mr. LITTLE].

The question was taken; and on a division (demanded by Mr. LITTLE) there were—ayes 10, noes 22.

The CHAIRMAN. On this question the ayes are 10, the noes are 22, and the amendment is rejected.

Mr. LITTLE. Well, I feel better, anyhow. [Laughter.]

The Clerk read as follows:

Allowance for clerk hire at consulates: to be expended under the direction of the Secretary of State, $1,200,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. Here is an increase of $400,000 in this item of $1,200,000 for clerk hire at consulates. Will the chairman of the committee explain the reasons for such an unusual increase?

Mr. FLOOD. Twenty-five new consulates were provided, and there must be a clerk at $2,000 at each one of these consulates. Then it is desired to have these economic assistants. The provision for economic assistants went out on a point of order, but the appropriation was not decreased, and they will be named as consuls. There must be a couple of clerks to assist each one of these men.

Mr. STAFFORD. What salary do you propose to pay these clerks?

Mr. FLOOD. Two thousand dollars. There are 25 at $2,000, and then 150 vice consuls. The provision was to allow them clerks at $1,000 apiece. I do not know that I am right about both clerks of consular assistants getting $2,000. There are 25 new consuls and economic assistants and a couple of clerks to assist each one of these men. That would be 50 clerks, probably 25 at $1,000 each and 25 at $2,000 each.

Mr. STAFFORD. But that would not account for the $400,000 increase.

Mr. FLOOD. There was $175,000 in addition to that amount appropriated in the deficiency bill from the Committee on Appropriations. The real increase in the amount in this bill over the former appropriation was $207,000, and out of this increase of $207,000, with the old appropriation, the department planned to take care of the 225 additional clerks.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

CONTINGENT EXPENSES, UNITED STATES CONSULATES.

Expenses of providing all such stationery, blanks, record and other books, seals, presses, flags, signs, rent (so much as may be necessary), repairs to consular buildings owned by the United States, postage, furniture, including typewriters and exchange of same, statistics, newspapers, freight (foreign and domestic), telegrams, advertising, messenger service, traveling expenses of consular officers and consular assistants, and economic assistants, compensation of Chinese writers, loss by exchange, and such other miscellaneous expenses as the President may think necessary for the several consulates and consular agencies in the transaction of their business, and payment in advance of subscriptions for newspapers (foreign and domestic) under this appropriation is hereby authorized, $1,168,000.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order. Here again we have an increased appropriation of nearly $300,000, but I rise not so much to call attention to the unusual increase as to ask the gentleman whether he has any objection to striking out the "economic assistants," in line 9, page 24?

Mr. FLOOD. No.

Mr. STAFFORD. Mr. Chairman, I make the point of order against the words "economic assistants."

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

For the purchase or erection, and the alteration, repair, and furnishing of embassy and legation buildings in the principal capitals of the world, and consular buildings at the principal ports in China, $3,000,000; and the Secretary of State is hereby given authority to acquire, for the purposes specified, as soon as may advantageously be done, suitable buildings and to alter, repair, and furnish said buildings or acquire appropriate sites and to erect and furnish suitable buildings thereon, or to acquire options upon suitable buildings or appropriate sites, as may in his judgment be for the best interests of the Government: *Provided, however,* That not more than $250,000 shall be expended at any one place, except that in cities containing 1,000,000 or more inhabitants the limit of cost shall be $500,000.

Mr. STAFFORD. Mr. Chairman, I make a point of order on the paragraph just read.

The CHAIRMAN. Does the gentleman from Virginia desire to be heard?

Mr. FLOOD. I do not.

The CHAIRMAN. The point of order is sustained.

Mr. FLOOD. Mr. Chairman, I move that the committee do now rise and report the bill with the amendments to the House, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FERRIS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the year ending June 30, 1920, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FLOOD, a motion to reconsider the vote whereby the bill was passed was laid on the table.

LEAVE OF ABSENCE.

At the request of Mr. WELTY, indefinite leave of absence was granted to Mr. LEA of California on account of the sickness of his wife.

HOSPITAL AND SANITARY FACILITIES FOR DISABLED SOLDIERS AND SAILORS.

Mr. KREIDER. Mr. Speaker, I ask unanimous consent to file minority views (H. Rept. No. 879, pt. 2) on the bill (H. R. 13026) to authorize the Secretary of the Treasury to provide hospital and sanitary facilities for discharged sick and disabled soldiers and sailors.

Mr. GARRETT of Tennessee. Has the majority report been filed?

Mr. KREIDER. Yes.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS.

Mr. FESS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the bill just passed.

Mr. FLOOD. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection to the two requests?

There was no objection.

INDIAN APPROPRIATION BILL.

Mr. CARTER of Oklahoma. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 14746) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920. Pending that motion, I desire to see if we can not come to some understanding as

to the time for general debate. Has the gentleman from New York [Mr. SNYDER] any suggestions to make?

Mr. SNYDER. We would like an hour and a half on this side.

Mr. CARTER of Oklahoma. The gentleman could not make it an hour, so that we can get through with two hours?

Mr. SNYDER. How much time is the gentleman going to use over there?

Mr. CARTER of Oklahoma. We will probably use an hour on this side if any is used at all. If none is asked, we would not have to use any on this side.

Mr. SNYDER. I am just as anxious as the gentleman to expedite legislation, but we shall require an hour and a half on this side.

Mr. CARTER of Oklahoma. Mr. Speaker, I ask unanimous consent that general debate be concluded in not to exceed three hours, one half of that time to be controlled by myself and the other half by the gentleman from New York [Mr. SNYDER].

The SPEAKER. Pending the motion, the gentleman asks unanimous consent that general debate shall not proceed more than three hours, one half to be controlled by himself and the other half by the gentleman from New York. Is there objection?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Oklahoma, that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the Indian appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the Indian appropriation bill, with Mr. CAISP in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk reported the title of the bill.

Mr. CARTER of Oklahoma. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. CARTER of Oklahoma. Mr. Chairman, will the gentleman from New York use some of his time now?

Mr. SNYDER. I have no one ready to proceed to-night.

Mr. CARTER of Oklahoma. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CAISP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 14746) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920, and had come to no resolution thereon.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a bill of the following title, when the Speaker signed the same:

H. R. 10663. An act to convey a strip of land on the site of the Federal building at Princeton, Ind.

ADJOURNMENT.

Mr. CARTER of Oklahoma. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 5 minutes p. m.) the House adjourned until to-morrow, Thursday, January 23, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting a tentative draft of a bill relating to the pay of retired enlisted men serving as field clerks (H. Doc. 1716); to the Committee on Military Affairs and ordered to be printed.

2. A letter from the Secretary of War, transmitting a detailed report of all receipts and expenditures of special contingent funds which the United States collects from nonmilitary residents and transportation companies at Fort Monroe, Va. (H. Doc. 1717); to the Committee on Expenditures in the War Department and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. STEELE, from the Committee on the Judiciary, to which was referred the bill (S. 3079) to fix the salaries of the clerks of the United States district courts and to provide for their office expenses, and for other purposes, reported the same without amendment, accompanied by a report (No. 960), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GRIFFIN, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 13912) authorizing the Secretary of the Treasury to accept a correctionary deed for land of new post office at New York, N. Y., reported the same without amendment, accompanied by a report (No. 964), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (S. 4017) for the relief of Catherine Grace, reported the same without amendment, accompanied by a report (No. 961), which said bill and report were referred to the Private Calendar.

Mr. WELLING, from the Committee on Claims, to which was referred the bill (H. R. 14584) for the relief of the widow of Joseph C. Akin, reported the same with amendment, accompanied by a report (No. 962), which said bill and report were referred to the Private Calendar.

Mr. LITTLE, from the Committee on Claims, to which was referred the bill (H. R. 3536) for the relief of Jose Ramon Cordova, reported the same with amendment, accompanied by a report (No. 963), which said bill and report were referred to the Private Calendar.

Mr. SHERWOOD, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 14894) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and to widows and dependent children of soldiers and sailors of said war, which said bill is a substitute for sundry pension bills heretofore introduced, reported the same without amendment, accompanied by a report (No. 965), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FAIRFIELD: A bill (H. R. 14852) authorizing the Secretary of War to donate to the city of Kendallville, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14853) authorizing the Secretary of War to donate to the city of New Haven, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14854) authorizing the Secretary of War to donate to the city of South Whitley, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14855) authorizing the Secretary of War to donate to the city of Waterloo, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14856) authorizing the Secretary of War to donate to the city of Butler, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14857) authorizing the Secretary of War to donate to the city of Churubusco, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14858) authorizing the Secretary of War to donate to the city of Garrett, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GREEN of Iowa: A bill (H. R. 14859) to give officers and enlisted men of the Russian Railway Service Corps the benefits of the war-risk insurance act; to the Committee on Interstate and Foreign Commerce.

By Mr. McFADDEN: A bill (H. R. 14860) authorizing the Secretary of War to deliver to the village of Canton, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

By Mr. SHOUSE: A bill (H. R. 14861) authorizing the Secretary of War to donate to the city of Kinsley, in the county of Edwards and State of Kansas, two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 14862) authorizing the Secretary of War to donate to the city of Dodge City, in the county of Ford and State of Kansas, two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. McFADDEN: A bill (H. R. 14863) authorizing the Secretary of War to deliver to the village of Sayre, Pa., one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14864) authorizing the Secretary of War to deliver to the village of Troy, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14865) authorizing the Secretary of War to deliver to the village of Hawley, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14866) authorizing the Secretary of War to deliver to the village of Athens, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14867) authorizing the Secretary of War to deliver to the village of Hallstead, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14868) authorizing the Secretary of War to deliver to the village of Tunkhannock, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14869) authorizing the Secretary of War to deliver to the village of Honesdale, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14870) authorizing the Secretary of War to deliver to the village of Susquehanna, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14871) authorizing the Secretary of War to deliver to the village of Montrose, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14872) authorizing the Secretary of War to deliver to the village of Forest City, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 14873) authorizing the Secretary of War to deliver to the village of Towanda, Pa., one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

By Mr. ESCH: A bill (H. R. 14874) authorizing the Secretary of War to furnish two condemned cannons to the Sixth Wisconsin Battery Association, of Lone Rock, Wis., for use at Lone Rock; to the Committee on Military Affairs.

By Mr. KNUTSON: A bill (H. R. 14875) to donate two cannons of obsolete pattern to the village of Sauk Center, in the State of Minnesota; to the Committee on Military Affairs.

Also, a bill (H. R. 14876) to donate two cannons of obsolete pattern to the village of Paynesville, in the State of Minnesota; to the Committee on Military Affairs.

Also, a bill (H. R. 14877) to donate two cannons of obsolete pattern to the village of Park Rapids, in the State of Minnesota; to the Committee on Military Affairs.

Also, a bill (H. R. 14878) to donate two cannons of obsolete pattern to the village of Wadena, in the State of Minnesota; to the Committee on Military Affairs.

Also, a bill (H. R. 14879) to donate two captured cannons or guns to the village of Aitkin, Minn.; to the Committee on Military Affairs.

By Mr. THOMAS: A bill (H. R. 14880) authorizing the Secretary of War to donate to the county of Simpson, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FREEMAN: A bill (H. R. 14881) authorizing the Secretary of War to donate to the town of Plainfield, Conn., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14882) authorizing the Secretary of War to donate to the town of Middletown, Conn., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SIEGEL: A bill (H. R. 14883) to promote the administration of military justice by amending existing laws regulating trial by courts-martial, and for other purposes; to the Committee on Military Affairs.

By Mr. McCULLOCH: A bill (H. R. 14884) to donate a captured cannon or gun to the city of Canton, Ohio; to the Committee on Military Affairs.

Also, a bill (H. R. 14885) to donate a captured cannon or gun to the city of Shreve, Ohio; to the Committee on Military Affairs.

Also, a bill (H. R. 14886) to donate a captured cannon or gun to the city of Massillon, Ohio; to the Committee on Military Affairs.

By Mr. WHITE of Maine: A bill (H. R. 14887) authorizing the Secretary of War to donate to the town of Greenwood, Me., one captured German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. McKENZIE: A bill (H. R. 14888) to enlarge, extend, remodel, and modernize the post office and Federal building at Sterling, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. GILLETT: A bill (H. R. 14889) authorizing the Secretary of War to donate to the city of Northampton, Hampshire County, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14890) authorizing the Secretary of War to donate to the town of South Hadley, Hampshire County, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MAGEE: A bill (H. R. 14891) authorizing the Secretary of War to donate to the county of Cortland, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. EVANS: A bill (H. R. 14892) requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

By Mr. BURNETT: A bill (H. R. 14893) for the relief of contractors and subcontractors for post offices and other buildings and work under the supervision of the Treasury Department; to the Committee on Public Buildings and Grounds.

By Mr. SHERWOOD: A bill (H. R. 14894) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and to certain widows and dependent children of soldiers and sailors of said war; to the Committee of the Whole House.

By Mr. BURNETT: A bill (H. R. 14895) authorizing the Secretary of War to donate to the city of Fort Payne, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. McKINLEY: Resolution (H. Res. 512) authorizing the appointment of a committee to investigate the taking over by the Government of the wire systems of communication; to the Committee on the Post Office and Post Roads.

By Mr. HAWLEY: Memorial of the Legislature of the State of Oregon, favoring the passage of the woman-suffrage resolution; to the Committee on Woman Suffrage.

Also, memorial of the Legislature of the State of Oregon, favoring appropriation for the Owyhee irrigation project; to the Committee on Irrigation of Arid Lands.

By Mr. KENNEDY of Rhode Island: Memorial of the General Assembly of the State of Rhode Island, urging upon Congress the passage of legislation giving financial aid to soldiers, sailors, and marines; to the Committee on Military Affairs.

By Mr. STINESS: Memorial of the General Assembly of the State of Rhode Island, urging upon Congress the passage of legislation giving financial aid to soldiers, sailors, and marines; to the Committee on Military Affairs.

By Mr. McARTHUR: Memorial of the Legislature of Oregon, favoring the passage of the woman-suffrage resolution; to the Committee on Woman Suffrage.

Also, memorial of the Legislature of the State of Oregon, favoring an appropriation for the Owyhee irrigation project; to the Committee on Irrigation of Arid Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. LOBECK: A bill (H. R. 14896) granting a pension to Erastus A. Buck; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 14897) granting a pension to Nathan L. Smith; to the Committee on Pensions.

Also, a bill (H. R. 14898) granting an increase of pension to Fronie Fisher; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Concurrent resolution adopted by the Legislature of North Dakota on January 11, 1919, urging the adoption of the Susan B. Anthony national suffrage amendment; to the Committee on Woman Suffrage.

By Mr. CARY: Memorial of F. W. R. Strong, chairman of flood control and member of law and legislative bureau, Whittier Chamber of Commerce, relative to impounding the waters of Colorado River for irrigation purposes; to the Committee on Flood Control.

Also, memorial adopted by California Chapter of American Mining Congress in San Francisco, urging enactment of Senate bill 3234 and House bill 13497; to the Committee on Mines and Mining.

Also, petition of National War-Service Committee of Retail Dry Goods and Department Stores, protesting against luxury taxes; to the Committee on Ways and Means.

Also, petition of Commercial Telegraphers' Union of America, demanding eight-hour day, increase in salary, reinstatement of men and women discharged for union affiliation, and thorough investigation of wire system; to the Committee on the Post Office and Post Roads.

By Mr. ESCH: Resolutions of District Council No. 24, Commercial Telegraphers' Union of America, demanding eight-hour day, increase in salary commensurate with increased cost of living, and reinstatement of several hundred men and women discharged for union affiliation; also thorough investigation of wire system; to the Committee on the Post Office and Post Roads.

By Mr. GRAHAM of Pennsylvania: Petition of furriers of Philadelphia, Pa., for relief from the tax on furs; to the Committee on Ways and Means.

By Mr. HOLLINGSWORTH: Memorial of Ohio State Board of Agriculture, favoring increase of compensation for employees in Bureau of Animal Industry and an increased appropriation for the work of the bureau; to the Committee on Agriculture.

Also, memorial of Ohio State Postmasters' Association, in favor of parcel-post motor routes, as asked for by the department in appropriation bill; to the Committee on the Post Office and Post Roads.

Also, memorial of J. H. McGraw & Sons, Bellaire, Ohio, favoring continuance of Government control of the wire systems until further investigation can be made and additional legislation can be had for resuming private ownership; to the Committee on Ways and Means.

Also, memorial of Ervin Apell, Louis Helbrac, Jacob Leva, and George Leva, of East Liverpool, Ohio, asking for repeal of postal-zone rate bill; to the Committee on the Post Office and Post Roads.

By Mr. NEELY: Petition of H. H. Sonneborn, president of West Virginia Clothiers' Association, protesting against luxury tax; to the Committee on Ways and Means.

By Mr. RAKER: Resolution by the traffic and transportation bureau of the Tacoma (Wash.) Commercial Club and Chamber of Commerce, indorsing Senate bill 5020, and petitioning Congress to restore to the Interstate Commerce Commission certain powers taken away by the Federal control act approved March 21, 1918; to the Committee on Interstate and Foreign Commerce.

Also, resolution by superintendent of public instruction, Sacramento, Cal., indorsing Senate bill 4987, providing for a Department of Education; to the Committee on Education.

Also, resolution by the California Chapter of the American Mining Congress, urging the passage of Senate bill 3234 and House bill 13497; to the Committee on Mines and Mining.

Also, resolution by the San Francisco Labor Council, requesting the Department of Agriculture to investigate the conditions existing in the Alaska fish-canning industry; to the Committee on Agriculture.

Also, resolutions by board of directors of the California Citrus League, urging that common carriers be released from Government control; to the Committee on Ways and Means.

By Mr. TAYLOR of Colorado: Memorial adopted by citizens of Pueblo, Colo., for the recognition of Ireland at the peace conference; to the Committee on Foreign Affairs.

By Mr. WATSON of Pennsylvania: Memorial of Board of Trade of Lansdale, Pa., favoring the control and operation of the telegraph and telephone systems by the Government until Congress shall have studied the question and determined upon a proper and safe procedure to be thereafter followed; to the Committee on the Post Office and Post Roads.

SENATE.

THURSDAY, *January 23, 1919.*

(Legislative day of Monday, January 20, 1919.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	Nelson	Smoot
Baukhead	Johnson, Cal.	New	Spencer
Calder	Johnson, S. Dak.	Norris	Sterling
Chamberlain	Jones, N. Mex.	Nugent	Swanson
Colt	Jones, Wash.	Overman	Thomas
Culberson	Kellogg	Penrose	Townsend
Cummins	King	Pittman	Trammell
Curtis	Kirby	Poindexter	Underwood
Fletcher	Knox	Pollock	Wadsworth
Frelinghuysen	La Follette	Sheppard	Walsh
Gay	McCumber	Sherman	Watson
Gerry	McKellar	Simmons	Weeks
Gronna	McNary	Smith, Ariz.	Williams
Hale	Martin, Va.	Smith, Ga.	Wolcott
Henderson	Moses	Smith, Mich.	

Mr. GAY. I desire to announce the unavoidable absence of the senior Senator from Louisiana [Mr. RANSDELL].

Mr. KIRBY. I announce the unavoidable absence of the senior Senator from Arkansas [Mr. ROBINSON], who is detained on account of illness. I ask that this announcement may stand for the day.

Mr. McKELLAR. I announce the absence of the senior Senator from Tennessee [Mr. SHIELDS] on account of illness.

Mr. JONES of Washington. I desire to announce the absence of the Senator from Ohio [Mr. HARDING], who is detained in committee.

Mr. KING. I wish to announce that the Senator from Mississippi [Mr. VARDAMAN], the Senator from Missouri [Mr. REED], and the Senator from Kentucky [Mr. MARTIN] are detained on official business.

Mr. SHEPPARD. I desire to announce that the junior Senator from Maryland [Mr. FRANCE] is detained on official business and that the senior Senator from Maryland [Mr. SMITH] and the Senator from California [Mr. PHELAN] are detained by illness.

The VICE PRESIDENT. Fifty-nine Senators have answered to the roll call. There is a quorum present.

LABOR CONDITIONS IN SEATTLE, WASH.

Mr. HITCHCOCK obtained the floor.

Mr. JONES of Washington. May I ask the Senator from Nebraska to yield to me for just a moment? I have to attend a meeting of the Committee on Commerce, and I wish to put in the RECORD a couple of telegrams. They are in reference to a statement made by the Senator from California [Mr. JOHNSON] the other day in the discussion.

Mr. HITCHCOCK. I yield for that purpose.

Mr. JONES of Washington. A day or two ago, in the discussion of the pending bill, the Senator from California made a statement based upon a press report in reference to conditions in Seattle. This press report stated that there were soldiers and sailors who were being fed and cared for by the I. W. W., and that they engaged in a riot and demonstration, and so forth. I sent a telegram to the mayor of Seattle under date of January 22, reading as follows:

JANUARY 22, 1919.

OLE HANSON,
Mayor Seattle, Wash.:

Senator JOHNSON stated on floor of Senate yesterday that press dispatch said that after dispersing demonstration of I. W. W.'s at Seattle "it was found that among the outcast I. W. W.'s were soldiers and sailors of the United States, who were being fed by the I. W. W. and who were without resources of money or food" Is this correct? Kindly advise facts immediately.

W. L. JONES.

I have here a telegram from the mayor of Seattle, stating very definitely that this was not correct, that nothing of this

kind occurred. I also have a statement from Hon. Harold Preston, chairman of the King County Council of Defense, to the same effect. Without taking the time of the Senate, unless the Senator from California would like to hear them read, I will ask that the telegrams be inserted in the RECORD.

Mr. JOHNSON of California. I do not care that they shall be read at length. I wish to say in explanation that I recited with absolute accuracy dispatches from Seattle which were published in our daily press here, and referred only to what was thus published and what was thus presented by reputable news agencies in the dispatches to newspapers here.

Mr. JONES of Washington. There is not any question about that. The Senator from California based his statement entirely upon newspaper reports. If the Senator from Nebraska will permit me, I ask that the Secretary may read the two telegrams.

Mr. HITCHCOCK. I will be very glad to hear them.

The VICE PRESIDENT. The Secretary will read.

The Secretary read as follows:

SEATTLE, WASH., *January 22, 1919.*

Senator WESLEY L. JONES,
Washington, D. C.:

Sunday, January 12, meeting advertised on handbills signed Labor Council and Metal Trades Council. Metal Trades Council and Central Labor Council were unaware of meeting and not responsible therefor. Meeting ran peaceably nearly two hours. No disturbance at close of meeting; radicals formed parade behind lumber wagon bearing red flag. Red flag is used here as danger signal on lumber wagon in daytime, same as red lantern is used at night. Against city ordinance to have parade without permit. Officers tried to disperse parade; one of marchers struck captain of police, breaking his nose and blacking both eyes; officers arrested this man, who is an I. W. W., and also arrested 12 others. No soldiers or sailors have been arrested here at any time charged with being against law and order. So far as I know, they are with the authorities for the enforcement of law to a man. All employers, city and county government, have opened places for them on their return; there are no soldier and sailor outcasts being fed by the I. W. W. Different organizations here are taking care of returned soldiers and sailors, but strike now on will make it very hard to find employment for anyone if strike continues for any length of time. Seattle is and has been a peaceable city; there has been no disorder except the fracas of January 12; the strikers are peaceable citizens and are making no trouble. I was elected mayor on the platform of enforcing the law. The people of Seattle will not allow the preaching of the overthrow of the government by force and violence in this city; our statutes make such advocacy felony; not 1 per cent of our people favor any such doctrine. Seattle is a loyal city and will stand by the soldiers and sailors who went to the front. State of Washington and all the cities in the State are beginning great public works to employ labor; we hope Secretary Lane's land plan will carry. Now is the time for the Nation to expend large sums of money on development of land, thus employing labor and providing homes. One hundred million dollars for such a purpose is a joke. Not less than $2,000,000,000 should be considered; there has been as yet no unemployment in this city. Up to the day of the strike labor was in good demand. The city is prosperous and conditions are good. I expect the strike to be settled within a few days, although I have no definite information. Soldiers and sailors should be given a bonus to help care for themselves during readjustment.

OLE HANSON, *Mayor.*

SEATTLE, WASH., *January 22, 1919.*

Senator WESLEY L. JONES,
Washington, D. C.

Statement in Senate reported in your wire to Mayor Hanson is untrue. Owing to the deplorable neglect of the Government to make proper financial provisions for discharged soldiers and sailors, many of them have come to Seattle in need. County council of defense organize soldiers' and sailors' placement bureau, working in connection with Government employment office. The combination has so far succeeded in placing in positions all or nearly all discharged soldiers and sailors who have applied. The bureau is assisted at the counter by employees of Young Men's Christian Association, Knights of Columbus, Jewish Relief, War Camp Community Service, and Elks, paid by their respective employers, who assist and advise and also furnish free beds and meals to needy. A Red Cross agent is also present, who furnishes cash to applicants when needed. The service rendered is efficient as a temporary expedient, and we claim it very creditable to the community. We have heard of no better elsewhere. The I. W. W. or Bolsheviki element here is small though noisy. Their chief stock in trade at the present time is to foment dissatisfaction among discharged soldiers and sailors on account of Government neglect to make proper provisions for them. Council of defense unanimously recommend immediate action by Congress granting bonus to all discharged soldiers and sailors and at least sufficient to enable them to live in comfort during the time of nonemployment will take in many cases.

HAROLD PRESTON,
Chairman King County Council of Defense.

Mr. JOHNSON of California. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from California?

Mr. HITCHCOCK. I yield.

Mr. JOHNSON of California. Mr. President, I wish simply to suggest, while it may be that the news account that was carried to us as to a particular instance occurring in Seattle, Wash., may have been inaccurate, nothing could better demonstrate the exact point to which I was alluding than the telegrams which have just been read. Those telegrams show, beyond peradventure of doubt, the great problem of unemployment which is confronting us to-day and which is confronting the city of Seattle, from which these telegrams come. With this great problem of unemployment thus confronting us, I insist that corroborative evidence is added now by these telegrams to the argument which I endeavored to make a few days ago—that our first duty is to the men who come from across the sea, our first obligation is to the boys of America who have made the fight for America, rather than to those who are now living in Europe.

Mr. JONES of Washington. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Washington?

Mr. HITCHCOCK. I yield.

Mr. JONES of Washington. Mr. President, I think that the Senator's statement is entirely correct. These telegrams do reinforce the point that he made. The real reason that they were presented was to refute the specific statement of the press to which they referred. They do, however, reinforce the argument which the Senator made.

SUPPLIES OF POTASH.

Mr. HENDERSON. Mr. President——

Mr. HITCHCOCK. I yield to the Senator from Nevada.

Mr. HENDERSON. A few days ago the Senator from Nebraska [Mr. HITCHCOCK] referred to the situation in this country relative to potash. Since then I have received a letter from the vice chairman of the War Trade Board, which I send to the desk and ask to have read.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

WAR TRADE BOARD,
Washington, January 21, 1919.

Hon. CHARLES B. HENDERSON,
United States Senate, Washington, D. C.

MY DEAR SENATOR HENDERSON: Answering your favor of the 18th instant, we beg to advise that shortly after the Associated Press published the dispatch from Paris announcing that potash would be shipped at once in large quantities from Alsace to this country we cabled the Hon. Vance C. McCormick, who is in Paris, asking for reliable and full information regarding the matter. We have been informed by him that the French Government explains that no potash can be shipped from Alsace for several months, due to the fact that such quantities thereof as can be extracted will be needed for agricultural purposes in France during the coming spring.

The report from Mr. McCormick has been confirmed by the French High Commission in Washington, and so it would seem entirely proper to assume that the United States must depend upon its domestic production for the requirements of the coming crop year. The above information has already been given publicity through the daily press, and in conference yesterday with representatives of the potash industry in this country, with whom the situation was discussed, we learned that a definite program will be adopted which will give the broadest publicity to the fact that the United States must rely upon its own domestic supply for its potash needs for the coming year.

Should you desire further information, please call upon us and we shall promptly respond. Assuring you it is a great pleasure to serve you in this or any other connection, believe us to be, my dear Senator HENDERSON,

Very truly yours, CLARENCE M. WOOLLEY,
Vice Chairman.

Mr. HENDERSON. Mr. President, my reason for asking that the letter be read is to give the information to those interested in the potash situation. The farmer should know the true condition, and I take this means of making public the contents of the above letter.

FOOD SUPPLIES FOR EUROPE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13708) providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary.

Mr. HITCHCOCK. Mr. President, I had not expected to take the time of the Senate in discussing this bill appropriating $100,000,000 to purchase food for people in Europe. Had it not been for the course taken by the discussion, I should not have done so.

Senators are entitled to their opinions as to the wisdom of backing the President and the nations with whom we are associated, not only in the war but in the settlement of the war. They are entitled to their opinions upon the wisdom of backing up the President, who is now in Europe negotiating for peace and making every effort to bring those peace negotiations to an early conclusion. There may be a difference of opinion as to the wisdom or justification for voting these large sums of money for food. To my mind, it is justified; to my mind, when Europe is suffering from the aftermath of the war, when a large area of country is still in turmoil, and is almost without an established government, it is a wise thing for the United States, France, Great Britain, and Italy to do as they have done in the supreme war council—direct the expenditure of $300,000,000 for the purpose of bringing immediate relief to people suffering from starvation and struggling in the work of reinstating governments.

I say it is not only a matter of charity, but it is a matter of good business policy and war expediency to remove from those people, if possible, the evils of starvation and to put them in

a frame of mind where they will listen to reason and will support order and government rather than revert to anarchy and disorder. We can not have any peace if Europe is to remain in a perfect welter of disorder and social disturbance and governmental overthrow. The reestablishment of order is the first thing to be considered, and we who eat our three meals a day know very well that starving people can not view things as can people who are not confronted with that danger.

So I say I am willing to take the judgment of the President of the United States, of Mr. Hoover, and of other representatives we have over there, who have already concluded in the supreme war council an agreement by which all these countries are to help bring this relief. Our share is $100,000,000. Are we to hesitate? Are we to discredit our own representatives over there?

Mr. President, I have not been slow in the past from my place in the Senate here to oppose the President when it has seemed to me he was infringing upon the powers and responsibilities of the legislative body. Everyone knows that. You know I have brought myself into discredit at the White House because I have done so, and I do not hesitate even now to exercise my right as a United States Senator to criticize a department when good can come from it. But what possible good, what possible relief, can come from such criticisms and attacks as we have listened to in the Senate during the last few days?

Mr. KNOX. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Pennsylvania?

Mr. HITCHCOCK. I yield to the Senator.

Mr. KNOX. I am only after information in order that I may form a proper judgment on this measure. I am entirely open-minded about it. The Senator from Nebraska refers to the request for this hundred million dollars as being because of the action of the war council. Will he indicate where the information upon that subject may be found?

Mr. HITCHCOCK. The Senator from Virginia [Mr. MARTIN], who is in charge of the bill and who is suffering from a bad throat, has turned over to me certain matters, some of which, I think, has already been read; but the information contained in cablegrams to the Secretary of State from our mission in Paris is to the effect—I will not read it unless the Senator desires me to do so——

Mr. KNOX. I only want the Senator from Nebraska to indicate, so far as I am concerned, where I could obtain the information.

Mr. HITCHCOCK. The cablegram states that the supreme council of supply reported to the supreme war council a proposition for the expenditure of $300,000,000 in food supplies for the starving people of Europe.

Mr. KNOX. Mr. President, will the Senator be good enough to indicate where that cablegram may be found?

Mr. HITCHCOCK. I will read a part of it to the Senator. I do not know that it has been printed. It is dated "Paris, January 14," and addressed to the Secretary of State at Washington:

The following resolutions adopted Sunday, January 12, at meeting of supreme council of supply and relief were presented yesterday at the meeting of the presiding war council and were formally adopted by the representatives of the allied Governments and the United States:

1. That it is imperative in the interest of humanity and for the maintenance of orderly government that relief should be given to certain European countries. It is provisionally estimated that for the furnishing of this relief till next harvest a minimum sum of $300,000,000 may be necessary apart from the requirements of Germany, which will be separately examined.

2. The council is of opinion that this sum of $300,000,000 should be placed at its disposal by the four associated governments.

3. That the financial representatives of the four governments should consider and make recommendations to meet this expenditure.

4. If these recommendations be accepted by the council, they should then be referred to the respective governments for their approval.

Mr. KNOX. Mr. President, what strikes me, if the Senator will indulge me for just a second, is that I have before me the hearings and what purport to be the cablegrams that have been received from abroad in relation to the subject, and I do not find that cablegram.

Mr. HITCHCOCK. It is one of the cablegrams that have been received, nevertheless.

Mr. KNOX. That is what I wanted to know.

Mr. HITCHCOCK. That is the fault I find with the hearings—they have not been sympathetic; they have been antagonistic. There seems to have been more desire to develop causes for criticism and scandal than to develop the reasons for this bill.

Mr. CUMMINS. Mr. President, before the Senator gets fairly started in his speech, I wish to call his attention to the fact, which seems to have been generally overlooked, that this is not alone a proposal to feed people in Europe; it is to furnish them foodstuffs and other urgent supplies. I assume that the Senator has that in mind, and that this money, when appropriated, can be expended for anything which in the judgment of the commissioners those people need.

Mr. HITCHCOCK. I hope it can. I am willing to trust the judgment of the American commissioners; and we have got to trust their judgment if we are going to do anything.

Mr. WILLIAMS. Part of it may be used especially for agricultural implements.

Mr. HITCHCOCK. It may be used for agricultural implements; I do not know. Mr. President, we are represented in Europe, and our representatives are in concert with the other great powers that have been engaged in this war. They have agreed upon a program, and the question is whether we are going to repudiate our own representatives and set up our own judgment when we know nothing about the matter.

So I say, Mr. President, that I am ready, much as I dislike to do so, to vote the $100,000,000 out of the Treasury. I disliked to declare war; I disliked very much to vote thousands of millions of dollars for war supplies; I disliked very much to be compelled to draft American boys and send them into the war; I disliked to do all those things; but they were necessary for the good of the country, and this is necessary if we are to bring about an early conclusion of peace.

Senators on the other side criticize the President because he does not make haste. How much time has been wasted here in irrelevant attacks on this bill? The administration has been attacked for everything under the sun under the guise of opposition to this bill.

But what I particularly desire to say to-day, Mr. President, relates to what was developed yesterday in the nature of an attack on Mr. Hoover and the Food Administration. I am not going to dodge the issue in any respect. The plain inference, if not the practical charge, made here is that Mr. Hoover's errand in Europe is not what it purports to be, to support the President in aiding him to bring about peace as soon as possible, of which the distribution of this relief is a part, but that his real errand in Europe and his purpose in recommending this bill is to use the Treasury of the United States for the purpose of adding to the profits of the packers. That is the charge.

Mr. TOWNSEND. Mr. President, may I interrupt the Senator for just a moment?

Mr. HITCHCOCK. Yes.

Mr. TOWNSEND. Has the Senator any further information that the Senate does not possess relative to the reasons for asking for this appropriation? The Senator has presented something here that I have not heard about before. He referred a moment ago to certain papers that have been handed to him by the chairman of the committee. I am wondering if there is any other authentic information which the Senate ought to have on this subject?

Mr. HITCHCOCK. I think that that is a fair question. I do not know whether or not the cablegram I hold in my hand from the American mission has been read, but it states in some detail, as much as a cablegram can, the conditions in various countries near to and adjoining Germany, the dire need for food; and perhaps if it has not been read I should read it. This cablegram is from the American mission in Paris; it bears no date, but it was received within a day or two, and gives these details:

On area covered by new appropriation general situation of these countries is that their animals are largely reduced, their crops were far below normal, due to man and animal shortage, ravage, and climatic conditions. The surplus harvest above absolute needs is now rapidly approaching exhaustion, and consequently the towns and cities are in dangerous situation. Our reports shows specifically, Finland, that food is practically exhausted in cities; that while many of the peasants have some bread, other sections are mixing large amount of straw. They are exhausted of fats, meats, sugar, and need help to prevent a renewed rise of Bolshevism.

Baltic States' food may last one or two months on much reduced scale. They sent deputation our minister, Stockholm, imploring food.

Serbia town bread ration down 3 ounces daily in north. Not accessible from Salonika. In south, where accessible, British are furnishing food to civil population. We are trying to get food in from Adriatic.

Jugo-Slavia bread ration in many towns 3 or 4 ounces in all classes. Short of fats, milk, and meat.

Vienna, except for supplies furnished by Italians and Swiss, their present bread ration of 6 ounces per diem would disappear. Large illness from shortage fats, ration being 1½ ounces per week. No coffee, sugar, eggs, practically no meat.

Tyrol is being fed by Swiss charity.

Poland peasants probably have enough to get through. Mortality in cities, particularly among children, appalling for lack of fats and milk, meat, bread. Situation in bread will be worse in two months.

Roumania, bread supply entire people estimated to last another 30 days. Short of fats and milk. Last harvest 60 per cent a failure.

Bulgaria, harvest also a failure. Supplies available probably two or three months.

Armenia already starving.

Czecho-Slovaks, large suffering lack of fats and milk. Have bread for two, three months. Have sugar six months.

We have each country under investigation as to total amounts required to barely sustain life, and their resources to pay. Preliminary investigation by Taylor and staff in connection with allied staffs show total above areas will require about 1,400,000 tons imported food to get through until next harvest, costing, say, $350,000,000 delivered.

Mr. TOWNSEND. By whom is that signed?

Mr. HITCHCOCK. That is signed by the American mission.

Now, what does this show? It shows that our representatives, in connection with those of Great Britain, France, and Italy, have investigated the question and have reached a conclusion. It shows that the other nations have already entered upon that work which we are asked to join in entering upon; and shall we be laggards? Shall we sit here and, because we have criticisms to make of the administration, or political profit to get out of an antagonism, hold up this bill?

Mr. President, I want to refer now to what was brought up yesterday. It is charged that a small packer, Mr. Taliaferro, appeared before the Committee on Agriculture and Forestry and testified that he believed Mr. Hoover was going to keep his word with the packers; and that is the charge against Mr. Hoover—that Hoover is going to keep the word he gave to the packers with regard to the price of their products.

Now, I have not any use for the packers' combine. I am glad to support any measure which will result in bringing them under Government control, and I know Mr. Hoover is. I am glad to vote for tax bills which will take out of them their unconscionable profits, if they have made any; but if the word of the United States, or of a recognized official of the United States, has been given to the packers and they have acted upon it, it is our business also to see that it is made good.

What did Congress do, Mr. President? Congress passed an act guaranteeing to the farmers of the United States a certain price on their wheat, not only for last year but for this year also; and wheat not yet planted is guaranteed a price of $2.26 per bushel by the act of the Congress of the United States. Why?

Mr. KELLOGG. Mr. President——

Mr. HITCHCOCK. I yield to the Senator from Minnesota.

Mr. KELLOGG. The Senator is not exactly accurate in that statement. The act of Congress guaranteed the price for 1918 only at $2 a bushel minimum, but it did authorize the President, if in his judgment production would be encouraged, and it was necessary, to publish a proclamation guaranteeing the price of wheat in any year, and the President did do it for 1919.

Mr. HITCHCOCK. Yes; it was done under authority of Congress; and why was it done? Not because we wanted to enrich the farmers, because they needed nothing of the sort. It was done for the purpose of winning the war. That guaranty of the price of wheat was put in there as a stimulus to the production of wheat, and the production of wheat was necessary to win the war. That is why we did it.

Now, what did Mr. Hoover do? Hoover, under the powers that were intrusted to him by Congress and the President, was under an obligation. He was under an obligation to use those powers also for the purpose of stimulating all the energies necessary to win the war, and he did it.

Mr. BORAH. Mr. President——

Mr. HITCHCOCK. I yield to the Senator.

Mr. BORAH. Does the Senator think that when Mr. Hoover, or the men who were in his employ, utilized the powers which were conferred upon them to put independents out of business that was helping to win the war?

Mr. HITCHCOCK. No; and I deny that he did it.

Mr. BORAH. I say that he did.

Mr. HITCHCOCK. I know something of the struggle Mr. Hoover has had with the packing combine in the United States, and I want to say, Mr. President, that if there had not been a Hoover and a Food Administration the packers would have made a great deal more money than they did make.

Mr. BORAH. I say that the evidence is sufficient to show that they did do it.

Mr. HITCHCOCK. I deny it.

Mr. BORAH. I say they did.

Mr. HITCHCOCK. I deny it absolutely, and I say that Mr. Hoover is coming out of this thing vindicated. You have taken him at a time when he is in Europe carrying on his work. He has been vindicated and has won every fight that he has had while he was in the United States. He is a man who comes out of this war, I believe, with a better reputation than any other public official. He comes out clean. He comes out having rendered a great service to the American people. He comes out at the head of a great army of volunteer citizens—men, women, and children—who at his request have saved and skimped and helped him to conserve the food that was necessary to win the war; and I want to say to you that, in my opinion, Mr. Hoover stands in the hearts of the American people equal to any man in the United States. I am very sure that there is no Member of the Senate who, if he ran for President against Mr. Hoover, would be able to poll as many votes as he would poll.

Mr. President, I am aware of the very strong antagonism that certain Senators and others have developed for Mr. Hoover, but the fact remains that from the very day that the war broke out in Europe Hoover has been engaged in self-sacrificing service. He was in London when war broke out, and when the great horde of American travelers, many of them penniless and without credit, came flocking to the American Embassy, Hoover was one of the American citizens who had credit, who went and took the cash out of his bank and himself loaned over $200,000 to the people who came to the American Embassy. He loaned it to hundreds of people, rich and poor, school-teachers and others on vacation trips. Anybody who came there in distress received his money; and then, having shown himself to be not only a public-spirited and patriotic American citizen, but a great organizer, he was put at the head of the great relief work in Belgium and acquitted himself to the plaudits of all the world; and he has followed that up by making a great record in the United States by self-sacrificing service in this war.

Mr. BORAH. Mr. President, I have not attacked Mr. Hoover.

Mr. HITCHCOCK. It sounds to me very much like it.

Mr. BORAH. I said in the beginning that I was not attacking Mr. Hoover's individual integrity. I do not care to go into it. It is not a matter of concern to me. I simply said that the system which he organized was one which I could not approve; and, having organized it upon that basis, I would not vote to turn over a hundred million dollars to him. I said so for reasons given, certain facts stated, and I challenge the Senator to dispute those facts.

Now, I have no objection to the Senator's eulogy upon Mr. Hoover. I do not find fault with it at all. I ask him what he has to say as to the facts which I presented.

Mr. HITCHCOCK. I want to talk about some of the facts that the Senator presented yesterday. That is just what I am coming to.

The changes were rung upon the fact that Mr. Taliaferro, before a committee, testified that he believed Hoover was going to keep his word to the American packers. Now, what was his word? I say that what Congress did with regard to wheat is analogous to what he did with regard to hogs and pork, equally necessary in the war. What he did was almost exactly the same, barring the greater difficulties of the situation.

Mr. HARDWICK. Mr. President——

Mr. HITCHCOCK. I yield to the Senator.

Mr. HARDWICK. Is there not this difference: When the President fixed the price of wheat for 1920 he did so under express authority of law. Did Mr. Hoover have any warrant of law to fix the price of pork at that time?

Mr. HITCHCOCK. Yes.

Mr. HARDWICK. I wish the Senator would cite it. I am very much interested in that.

Mr. HITCHCOCK. I am coming to that.

Now, Congress had provided for wheat; but early in the war it was discovered that, while we had a normal crop of wheat, the condition of the hog supply in the United States was very alarming. We went into the year 1917, at the time we declared war, with 7,000,000 less hogs in the United States than we had the previous year—a very material shortage of hogs. What could Hoover do to stimulate the production of hogs? Hoover was the man to whom the administration of the United States and the administrations of the associated nations—Great Britain, France, and Italy—intrusted the power to buy their food products; and he has used that power, as well as the authority given him by Congress, to control the packers to a large extent in the supply of food.

Mr. HARDWICK. Mr. President——

Mr. HITCHCOCK. I should like not to be interrupted for a few minutes.

Mr. HARDWICK. If the Senator will kindly cite his authority for the power, I shall be obliged to him.

Mr. HITCHCOCK. I do not want to consider quibbles or technicalities. I am talking of broad facts.

Mr. HARDWICK. That is not a quibble.

Mr. HITCHCOCK. The Senator can make his own speech as to the authority.

Mr. HARDWICK. I thank the Senator for his courtesy.

Mr. HITCHCOCK. What he has done he has done, and it has been done well, and he has saved the country by furnishing food.

Now, I want to get back to February, 1918; and I want to read the letter addressed by President Wilson to Mr. Hoover on that date:

MY DEAR MR. HOOVER: May I not call your attention to this important point:

There is pressing need of the full cooperation of the packing trade, of every officer and employee, in the work of hurrying provisions abroad. Let the packers understand that they are engaged in a war

service, in which they must take orders and act together under the direction of the Food Administration, if the Food Administration requires.

Cordially and sincerely, yours,

WOODROW WILSON.

That came from the President. It called Mr. Hoover's attention to the fact that it was his duty to take supervision over the great food supply of the United States and stimulate it.

As I have said, here was this shortage of 7,000,000 hogs as compared with 1916. What could Hoover do to stimulate that production? There was a German propaganda in this country—at least, there was propaganda which was called German, and I suspect it may have been—which went all over the country, that Mr. Hoover was going to try to hold down the price of hogs to $10; and it was necessary for Mr. Hoover to send out circulars, copies of which I have here, denying that fact, and averring that it was not the policy of his administration to restrict the prices of those products which the world needed below the point where they could be produced.

Mr. Hoover first made his Food Administration organization. He gathered here men from all over the country, skilled in various lines, acquainted with various lines of production. He appointed a food administrator in every State; and I will say that in my State he appointed the man best qualified to discharge its duties, and who sacrificed at it, and did an able service in organizing the people of Nebraska in support of Mr. Hoover; and I presume he did it in other States. He gathered a body here in Washington, numbering at the maximum, something like 1,400 people. He brought in men, advisers from all over the country. He took in also as his advisers the best men in the Department of Agriculture. He took in an officer from the Quartermaster's Department.

He brought in here committees from time to time and producers from every State in the Union—I mean hog producers and cattle producers and agricultural producers generally. He held these meetings repeatedly with these various interests. He brought packers and producers together under the supervision of the Department of Agriculture representatives and his own. The result of those conferences was the development of a plan for the stimulation of the raising of hogs to meet the immediate demand.

There were various plans considered. First, they had to take into account the price of hogs, the price of corn, when the price of wheat was raised, established by the guaranty of Congress; and the effort was made to use various substitutes. We all remember how the price of corn advanced. The hog producers first averred that they would be satisfied with the ratio of 13 to 1; that is, 13 bushels of corn to 100 pounds of hog. It was considered that that would be a fair ratio. But then other changes came in which made that difficult to maintain.

At the first meeting which took a definite conclusion there were something like 50 or 60 persons present. It has been said that it was behind closed doors, but it was a meeting of packers and hog raisers and representatives of the Agricultural Department and provision men and Mr. Hoover's own representative. The result of that first conference in October, 1917, when they had this shortage of 7,000,000 hogs, was to establish a certain price which ought to be paid at the stockyards by these packers for the hogs that they bought; that is to say, it was said that the minimum price—I think it was 15½ cents per pound, live weight—should be paid for hogs in order to induce the farmers of the country to increase the supply.

Now, as the purchaser of the products from the packers, Mr. Hoover was in a position to say to them, "You shall pay 15½ cents per pound for those hogs, live weight." When that word went out to the country the result was a stimulation of the production of hogs, and from month to month the packers paid those prices, and from month to month Mr. Hoover, as the representative of three or four of the greatest nations in the world, paid the packers for their products.

Mr. CUMMINS. Mr. President——

Mr. HITCHCOCK. I yield to the Senator.

Mr. CUMMINS. The Senator from Nebraska has very correctly stated what occurred in the fall of 1917. Of course similar arrangements were made throughout subsequent months. But what I should like to ask the Senator from Nebraska is this: If hogs are worth $15.50 a hundred, how much is the packing-house product worth? In other words, did the packers sell the products and derive a greater profit from the sale of the products than they ought to have done?

Mr. HITCHCOCK. I will come to that.

Mr. CUMMINS. I hope the Senator will.

Mr. HITCHCOCK. Congress did not intrust Mr. Hoover with power to control the prices of packing-house products. He could not do it. All that he could do was through his power as a purchasing agent to say what he would pay for certain products, namely, these food products. He did have some power which he exercised to limit the profits that the packers could earn upon food products, and he did it. He could not limit the profits they made on their by-products. Therefore he could not control their total profits in any way at all. All he could do was to say how much they could make on their food products, and he did it.

Mr. CUMMINS. Did Mr. Hoover have authority, or did he not, to license the packers and prescribe the terms upon which they could do business?

Mr. HITCHCOCK. He did as far as food products were concerned, and he did it. He limited their profits to 9 per cent on food products, but he could not tell what they should make on glue.

Mr. BORAH. Does the Senator contend that Mr. Hoover did not have the power to extend the license to their entire business?

Mr. HITCHCOCK. Yes. He did not have any jurisdiction over it.

Mr. BORAH. Where is the power which confined his operation or his jurisdiction to food products? He could take in their entire business under the license system just the same as he could take any part of it.

Mr. HITCHCOCK. Mr. President, I will leave the Senator to struggle with his technicalities. The fact was that Congress intrusted Mr. Hoover with the power. There was a great deal of question how far the power went, and many of the Senators on the other side who have been attacking him objected to the very power that Congress vested in him, and limited it.

There was a limitation on the power, but he exercised it in good faith. He told the packers practically that they must pay, to begin with, 15½ cents a pound, because he had to have the pigs. He told them they could not earn more than 9 per cent on their capital in the production of their food products. That is as far as he could go, and he did it.

Mr. Hoover is about through with the packers, and when the American Congress undertake to handle the great packing interests of the country they will probably find, as Mr. Hoover found, that it is a very difficult task, and will need as much sympathy as we should give Mr. Hoover. He had a great many sleepless nights and a great many hard struggles in dealing with that mighty combine.

Mr. CUMMINS. As far as I am concerned, I do not want my question to be construed into any sympathy with the effort to fix prices anywhere upon anything.

Mr. HITCHCOCK. I know that very well, from the Senator's position.

Mr. STERLING. Will the Senator yield for a question?

Mr. HITCHCOCK. I yield.

Mr. STERLING. I should like to ask the Senator from Nebraska if Mr. Hoover's only power was not derived from the food-control act of 1917?

Mr. HITCHCOCK. That is his only legislative power, but I have already pointed out what power he had as purchasing agent of the various Governments.

Mr. STERLING. Food, feed, and fuel are named as the necessaries in the food-control act over which the power to license is given.

Mr. HITCHCOCK. His legislative powers were limited to those, and the packers had a very large business entirely outside of his jurisdiction, and made a great many profits outside of his jurisdiction.

But, Mr. President, I say Mr. Hoover did his duty when he called these representative people here and made his program, an intelligent program, an effective program, because the result of that program has been to increase the supply of the hogs of the country to such an extent that the receipts have almost swamped the packing houses within the last few months.

Mr. President the packing houses are under obligation to continue to pay the prices which have now been raised to 17½ cents per pound live weight, and because the packing houses are under obligation to continue paying 17½ cents per pound for hogs until March, was not Mr. Taliaferro justified in saying that he believed Mr. Hoover was going to keep his word with the packing houses as long as they kept their word with the country? They are buying hogs at the rate of thirty or forty thousand a day and paying these prices, and I do not know but it is more than that. I noticed that the purchases in Chicago alone the other day were about 30,000. They are paying these prices.

Do you want the country to announce to the packing houses that they need not fulfill their obligations until the end of this hog season? Do you want the price of those hogs broken? I say Mr. Hoover has done the right thing, and he is doing it in Europe now, because he is not only keeping his word to the packers but he is requiring Great Britain to keep her word.

I have in my hand a telegram received by the United Press this morning, dated Paris, and I shall read it for what light it may throw on the subject:

PARIS, *January 23.*

Herbert Hoover to-day flatly denied the charges made in the United States Senate, during debate on the $100,000,000 food bill, that he had worked in the interest of American packing industry. Hoover ridiculed the idea that he had benefited the big packers.

He declared he worked to give American farmers a square deal and protect small packers.

The attack on Hoover in the Senate was made by enemies of the bill providing $100,000,000 to feed Europeans other than inhabitants of the central powers. Hoover was assailed as the man who would have charge of spending this money.

"I apparently emerge in a new light as the friend of the Chicago packers," said Hoover. "At the same time the mail brings a report from Swift & Co., blaming the Food Administration for reducing their profits by $10,000,000 during the last year. I don't imagine the packers would appreciate a wide circle of such friends.

"I notice also I committed a crime by holding the October joint conference of farmers and representatives of 40 packers, as well as bringing the packers together with representatives of the allied Governments for the purpose of settling on a price for exports of pork that would give the American farmers a square deal, and a distribution of orders that would protect small packers.

"We have even tried to secure the continuance of these war arrangements through the armistice period."—

That is the arrangement with Great Britain and France and Italy for the purchase of these products, and why not? The hogs were raised. The farmers kept their word. Shall the packers not keep their word with the farmers? Shall the nations not keep their word with the packers simply because they have concluded a war sooner than they expected?

Mr. Hoover continues:

"We have even tried to secure the continuance of these war arrangements through the armistice period and the opening of other markets, because the American farmer did his duty and produced the goods.

"If the small farmer and American packer now feel that these arrangements are wrong, it would be the greatest burden off our shoulders if we could know it quickly. The British Government is particularly anxious to be relieved from these arrangements."

Mr. KING. May I interrupt the Senator?

Mr. HITCHCOCK. Certainly.

Mr. KING. How long did Mr. Hoover agree that the farmers should receive from the packers 17½ cents per pound, live weight, for hogs? In other words, did he require the packers to contract to purchase up to a given period?

Mr. HITCHCOCK. Yes; until March.

Mr. KING. Next March?

Mr. HITCHCOCK. Next March.

Mr. KING. The farmers, then, have gone on the theory that they would find a market, and the packers would be compelled to buy all their hogs for that price, until March of this year?

Mr. HITCHCOCK. They have; and the price was such that it stimulated the production to such an extent that, as I said, it has almost swamped the packers to take the hogs that came to market.

Mr. WADSWORTH. What was the price fixed?

Mr. HITCHCOCK. It was originally fixed at 15½ cents, then raised to 16 cents, because of the advance in the price of corn; for the last month or two it has been 17½ cents; and on the 28th of this month there will gather in Washington another conference for the purpose of fixing it for the next month.

Mr. President, that is about all I have to say. I have taken the bull squarely by the horns and the hog squarely by the ears. I say Hoover is right. If he told the packers they were under obligation to buy these hogs at this price until March, he is under obligations as the representative of the United States, Great Britain, France, and Italy to see that they get a fair price for their product. It is just as important for us to keep our word to the packers as it would be to keep our word to the farmers or anybody else; and I say that this attack, therefore, on this bill, this attack on a man who is off in Europe, is a stab in the back which is utterly unworthy. There is not an official of the United States who has rendered greater services than Mr. Hoover has done; and, to my mind, it is an outrageous thing during his absence to make these attacks which do reflect upon his honor and his character, notwithstanding the disclaimer Senators make.

Mr. WILLIAMS. Mr. President, one really good thing deserves to be followed by another. One of the best speeches I ever heard made in the United States Senate I have just listened to by the Senator from Nebraska [Mr. HITCHCOCK]. One of the best things I ever saw in public print appeared this morning in the Washington Post from the pen of ex-President Taft. It is entitled, "Taft says success of treaty of peace depends on league." I have risen for the purpose of asking permission to insert in the RECORD this letter of Mr. Taft's, published this morning in the Post. I shall not take up the time of the Senate with having it read. I ask unanimous consent to insert it.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

TAFT SAYS SUCCESS OF TREATY OF PEACE DEPENDS ON LEAGUE—ONLY THROUGH UNION OF GREAT NATIONS CAN WORLD BE SURE OF ENJOYING FRUITS OF ALLIED VICTORY—INTERNATIONAL POLICE TO BECOME IN TIME A MERE POTENTIAL FORCE.

[By William Howard Taft.]

The expressions at the peace conference of President Poincaré and Premier Clemenceau in reference to the league of nations, and the published rules of the congress, are reassuring to those who look to the growth of an effective and real league out of the situation. The French leaders see clearly, and say with emphasis, that we have a league of nations now and that it must be maintained in order to achieve the purpose of the war. The circumstances of the struggle forced the allies into an interallied council and then into a common command of the armies under Foch; but for that the war might not have been won. Now the situation after peace will be so complicated and critical that similar unity of action between the five great nations who fought the war will be necessary to enable them and the world to enjoy the fruits of victory and the hardly won prize.

GUARDIANS OF WORLD'S WELFARE.

The rules of the congress recognize that the five great nations—Great Britain, France, Italy, Japan, and the United States—are the ones which have an interest in all questions coming before the congress as guardian of the welfare of the world, made so by the logic of their winning the war. They are thus established as the initiating nucleus of a world union, as the charter members of a league of nations.

It is to be noted that the league of nations is the first subject to be considered by the congress. This seems to be at variance with the views of James M. Beck and Senators LODGE and KNOX. Mr. Beck argues that as our fathers waited five years after winning independence before making a Constitution the nations ought to be equally deliberate in discussing and framing a constitution for the world. Most people will agree after reading the description by Hamilton and Madison of conditions existing in the interval between our independence and the convention of 1787 that it would have been much better if the convention could have been called earlier. Of course, it may be said that the state of affairs during the interval was necessary to bring the people to see the necessity for a stronger government. But surely Mr. Beck would not wish a recurrence of the quarrels of nations and another war to convince the peoples of the world of the necessity and advantage of world unity to suppress war and maintain peace. It is now just after this horrible war, when its agonies, its sufferings, its losses, its inhuman character, all are fresh in the minds of men that they will be willing to go farther in making the needed and proper concessions involved in a useful, real league of nations. Delay will dull their eagerness to adopt the machinery essential to organized protection against war.

NO SECURITY WITHOUT LEAGUE.

But another fact which Mr. Beck and Mr. KNOX seem to ignore is that a treaty of peace can not be made at Paris by which the peace of Europe can be secured and maintained without a league of nations. These gentlemen may well be challenged to tell us what arrangements they would suggest to the five nations engaged in framing this treaty for peace and making it work, unless it be by a continuing league of those five nations to maintain it.

How can the objects and purposes of the 14 points, especially those directed to rearranging the map of eastern and central Europe and Asia Minor, be achieved and carried to peaceful realization except through a league of nations embracing the five great powers? No one opposed to the league of nations idea has essayed to answer this very practical question. The Paris conference is confronted with it and must answer it. It has answered it suggestively by making the league of nations the first subject of discussion.

Premier Clemenceau said: "The league of nations is here, it is for you to make it live."

Senator LODGE, in his speech, fully recognized the existence of the league of great nations in the war and the necessity for its continuance. Indeed, it is probable that if Senator KNOX and Mr. Beck were cross-examined, their admissions would show them to be not very far removed from the view that something substantially equivalent to a league of great nations must be definitely formed by this Congress with agreed upon means of enforcing the stipulated peace.

NEGATION NOT VERY HELPFUL.

The Associated Press informs us that a league of nations is in the forming, but that the supersovereignty of an international police force is to be rejected as part of it. This negation is not very helpful. Except in Tennyson's poetic vision and in the plans of impracticables, no such suggestion as supersovereignty has been advanced. The proposed structure of the league, common to the plans proposed officially by the French and English commissions on the subject and by our own official league to enforce peace, embraces a court, a council of conciliation, an administrative branch to carry on international trusts like the government of Constantinople, and an executive council. It further includes an agreement on the part of the great nations to combine forces when an exigency arises either to compel warring nations to submit differences to the court or conciliating council, or to go further and to enforce the judgment and deal with the recommendations of the council of conciliation as may be deemed wise by the executive council of the league.

INTERNATIONAL POLICE FORCE.

Most opponents of the league idea have assumed that the so-called international police is to be a permanent body under an international commander and subject to orders without invoking consent of the nations contributing to the force. This is a great misconception. A potential international police force will be created by an agreement of the great nations to furnish forces when necessary to accomplish a legitimate purpose of the league. In most instances, no actual force will need to be raised. The existence of an agreement and confidence that the nations will comply with it is all that will be needed. Nations who have judgments against them in a court of the nations will generally perform them. It will only be where defiances of such judgments will lead to a dangerous war that the league force need be raised.

Of course, during the interval after the conclusion of peace the possibility of differences and the danger of Bolshevism may require a retention of some of the war army strength of the allies to see the treaty through to its effective execution. But after normal times come again, the strength of the league to secure compliance with the treaty obliga-

tions and justice will not be in its serried columns, but in its potential power under the joint agreement.

DIVISION OF WORLD INTO ZONES.

In the convenient division of the world into zones in which the respective great powers shall undertake the responsibility of seeing to it that members of the league conform to the rules laid down by the treaty, it will be unnecessary for any nation to send forces to a distant quarter. The United States can properly take care of the Western Hemisphere and need not maintain in normal times a military establishment more extensive than she ought to maintain for domestic use and the proper maintenance of the Monroe doctrine without such a league. This may be well supplied not by a professional army but by a system of universal training of democratic principles, like that of Switzerland or New Zealand. If this be conscription, its opponents may make the most of it. It will help our boys in discipline of character and in a most useful educational way. It will provide for the prompt display of democratic power to achieve justice. The picture painted by Senator BORAH of the Army of the United States needed for the purposes of the league is the result of a lively imagination, but does not find support in the real need of the league.

After the league of the great powers has been established for the purpose of executing the plans of the new treaty, it will be time enough to take in all other responsible powers. The lesser league will grow naturally into a larger league. Experience will test the practical character of the lesser league and in this wise and in due course the world league will come into being. But meanwhile as a necessary condition precedent to the success of the treaty of peace it must provide for a league of the great nations.

AMERICAN EXPEDITIONARY FORCES.

Mr. WADSWORTH. Mr. President, on the day before yesterday I made an announcement that on Thursday—to-day—I would seek an opportunity to address the Senate on the American Expeditionary Forces. It is quite possible that such an address would assume some length. The bill before the Senate and now under consideration is of such vast importance, however, and the determination of the issue at an early hour is so desirable that I do not intend to-day to interrupt the proceedings. In the event that the bill under consideration is passed to-day, I shall seek an opportunity to address the Senate to-morrow. If the bill is not passed to-day, I shall seek an opportunity to address the Senate on Tuesday next.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 10883) to convey a strip of land on the site of the Federal building at Princeton, Ind., and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

Mr. TOWNSEND presented a petition of Local Union No. 108, International Brotherhood of Blacksmiths and Helpers, of Bay City, Mich., praying for the proposed extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

He also presented a petition of sundry Italian citizens of Calumet, Mich., praying that the allies' representatives at the peace conference settle the boundary dispute between Italy and Austria-Hungary, which was referred to the Committee on Foreign Relations.

He also presented a petition of the Board of Education of Albion, Mich., praying for the establishment of a department of education, which was referred to the Committee on Education and Labor.

Mr. HALE presented a petition of the Board of Trade of Presque Isle, Me., praying for the establishment of a department of education, which was referred to the Committee on Education and Labor.

Mr. SHAFROTH presented petitions of the Trades and Labor Assembly, of the Labor Bulletin, of the Building Trades Council, and of Local Union No. 229, Federation of Postal Employees, all of Denver, in the State of Colorado, praying for an increase in the salaries of postal employees, which were referred to the Committee on Post Offices and Post Roads.

Mr. SMITH of Arizona presented telegrams in the nature of petitions from the Federal Employees' Union of Tucson, Ariz., Cincinnati, Ohio, Albuquerque, N. Mex., Boston, Mass., Charleston, S. C., Montgomery, Ala., Bangor, Me., New Orleans, La., Omaha, Nebr., New Haven, Conn., Atlanta, Ga., Providence, R. I., Dover, N. J., Louisville, Ky., Helena, Mont., Occoquan, Va., Norfolk, Va., Sioux City, Iowa, Des Moines, Iowa, St. Louis, Mo., Kansas City, Mo., Philadelphia, Pa., Pittsburgh, Pa., Wichita, Kans., Fort Leavenworth, Kans., Chicago, Ill., Rock Island, Ill., Detroit, Mich., Port Huron, Mich., Niagara Falls, N. Y., Rochester, N. Y., Brooklyn, N. Y., Milwaukee, Wis., Hayward, Wis., El Paso, Tex., Brownsville, Tex., San Diego, Cal., San Francisco, Cal., Vallejo, Cal., Spokane, Wash., Seattle, Wash., Duluth, Minn., St. Paul, Minn.; of A. C. Weiss, publisher of the Chicago Herald; of sundry Treasury custodian employees of Newark, N. J.; of sundry employees in the Immigration Service, of Chicago; of sundry employees of the customhouse and naval office of Chicago; of sundry employees of the United States Employment Service of Chicago; of the Custom Inspectors' Association of Chicago; of sundry employees of the United States appraisers' stores, of Chicago; of sundry employees of the United States Forest Service, of Missoula, Mont.; of the State Federation of Labor of Kentucky; and of the Trades Assembly of Duluth, Minn., praying for the proposed dollar-a-day increase in salaries of Federal employees, which were referred to the Committee on Appropriations.

REPORTS OF COMMITTEES.

Mr. MYERS, from the Committee on Public Lands, to which was referred the bill (H. R. 12210) to amend the act of May 14, 1898, as amended by the act of March 3, 1903, entitled "An act to extend the homestead laws and to regulate the sale and entry of public lands along the shores of navigable waters in Alaska," reported it without amendment and submitted a report (No. 657) thereon.

Mr. SHAFROTH, from the Committee on Public Lands, to which was referred the bill (H. R. 5989) to grant certain lands to the town of Olathe, Colo., for the protection of its water supply, reported it without amendment and submitted a report (No. 656) thereon.

Mr. THOMAS, from the Committee on Finance, to which was recommitted the bill (S. 2486) for the refund of duties paid on materials destroyed by fire, reported it with amendments and submitted a report (No. 658) thereon.

AMERICAN SOLDIERS' CEMETERY IN FRANCE.

Mr. SPENCER. I ask that the Committee on Foreign Relations be discharged from the further consideration of the bill (S. 5313) authorizing the Secretary of War to acquire and maintain a cemetery in France in the name of the United States for the reception and interment of the bodies of American officers and men who lost their lives in connection with the European war, and to appropriate $500,000 therefor, and for other purposes, and that it be referred to the Committee on Military Affairs. The chairmen of both committees are agreeable to this action.

The VICE PRESIDENT. Without objection, that order will be made.

PROHIBITION IN THE CANAL ZONE.

Mr. THOMPSON. On December 15, 1918, the Senator from Oregon [Mr. CHAMBERLAIN] introduced a bill (S. 5224) to prohibit intoxicating liquors and prostitution within the Canal Zone, and for other purposes, and it was erroneously referred to the Committee on the Philippines. I move that the Committee on the Philippines be discharged from the further consideration of the bill and that it be referred to the Committee on Interoceanic Canals.

The motion was agreed to.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McCUMBER:

A bill (S. 5412) authorizing the Secretary of War to donate to the municipalities of Bismarck, Devils Lake, Harvey, Carrington, Jamestown, Dickinson, Forman, Minot, Park River, Bowman, Hettinger, Mott, and Bottineau, in the State of North Dakota, captured German cannon, cannon balls or shells, and gun carriages, condemned United States cannon, cannon balls or shells, and gun carriages; to the Committee on Military Affairs.

A bill (S. 5413) to increase and equalize the salaries of veterinarians in the Department of Agriculture; to the Committee on Agriculture and Forestry.

By Mr. MYERS:

A bill (S. 5414) requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

By Mr. KING:

A bill (S. 5415) requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

By Mr. HENDERSON:

A bill (S. 5416) to establish engineering experiment stations for the purpose of further developing that college in each State and Territory now receiving, or which may hereafter receive, the benefits of the act of Congress approved

July 2, 1862, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," and for the purpose of developing the natural resources of the United States as a measure of industrial, military, and naval preparedness; to the Committee on Education and Labor.

By Mr. TOWNSEND:

A bill (S. 5417) granting a pension to Nathan L. Brass (with accompanying papers); and

A bill (S. 5418) granting a pension to Horton G. Mosher (with accompanying paper); to the Committee on Pensions.

By Mr. JOHNSON of South Dakota:

A bill (S. 5419) conferring upon tribes of Indians the right to recall their agents or superintendents; to the Committee on Indian Affairs.

AMENDMENT TO LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. RANSDELL submitted an amendment proposing to increase the salary of the chief clerk, office of Surgeon General of the Public Health Service, from $2,250 to $2,750, etc., intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

RIVER AND HARBOR APPROPRIATIONS.

Mr. WOLCOTT submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

INVESTIGATION OF LIGNITE COALS.

Mr. HENDERSON. I submit a conference report on the so-called lignite-coals bill, which I ask to have printed and lie on the table.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3220) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat to determine the practicability of their utilization as a fuel and in producing commercial products, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment numbered 1.

That the Senate recede from its disagreement to the amendments of the House numbered 2 and 3, and agree to the same.

CHARLES B. HENDERSON,
T. J. WALSH,
MILES POINDEXTER,
Managers on the part of the Senate.

M. D. FOSTER,
OTIS WINGO,
E. E. DENISON,
Managers on the part of the House.

HOUSE BILL REFERRED.

H. R. 14516. An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920, was read twice by its title and referred to the Committee on Appropriations.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had on the 7th instant approved and signed the joint resolution (S. J. Res. 187) providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress.

REPORT OF GOVERNOR OF PANAMA CANAL.

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and, with the accompanying paper, referred to the Committee on Interoceanic Canals:

To the Senate and House of Representatives:

I transmit herewith, for the information of the Congress, the annual report of the Governor of the Panama Canal for the fiscal year ended June 30, 1918.

WOODROW WILSON.

THE WHITE HOUSE,
23 January, 1919.

FOOD SUPPLIES FOR EUROPE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13708) providing for the relief of such populations in Europe and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary.

Mr. CUMMINS. Mr. President, I have had the greatest difficulty in my effort to reach a conclusion with respect to my attitude upon this measure. I recognize that there are many reasons which can be urged in its behalf, and there are many reasons which seem to me to make against the wisdom of the proposed legislation. I do not think the solution of the problem depends upon Mr. Hoover or the meat packers. Neither his conduct nor theirs has determined the vote which I shall feel constrained ultimately to cast.

Before I enter upon what I regard as the material elements of the case I want the Senator from Virginia or some other Senator to clear up, if it be possible to do it, what seems to be a confusion with respect to the facts in the matter. It is asserted upon the one side, with very great confidence, apparently, that the purpose of the bill is to make a market for foodstuffs especially that will enable Mr. Hoover to maintain the prices which have prevailed with regard to commodities of that kind. It is asserted upon the other that the United States has now in Europe foodstuffs and other supplies that can be furnished under the bill aggregating in value $55,000,000, accumulated there for war purposes, and that we have in this country as well as in Europe a large quantity of wheat for which there is no apparent market, and it is intended by those who are to administer the bill that the $100,000,000 thus sought to be appropriated shall be simply turned into the Treasury of the United States in alleged payment of property which already belongs to the United States.

I want to know which of these contradictory statements is true, if anyone here, either the chairman of the committee or any of the Senators who have brought forward the other view of it, is able to clarify the situation.

Mr. MARTIN of Virginia. Mr. President, I am suffering from a bronchial throat trouble and am really incapacitated from taking any considerable part in the debate on this bill. Indeed, my physician warned me that I ought not to leave my apartment to-day, and certainly ought not to engage in debate. I am not going to undertake to do it, but I really want to answer the Senator's question.

I say there has not been one single word found in a cablegram from the American commission or the President or Mr. Hoover which undertook to state that this money was asked in order to maintain the price of any product. On the contrary, it was to relieve the starvation and suffering of our friends in European countries. That is the only reason given for it. It has been stated that in meeting that great moral obligation it would incidentally make a market for American products, but the market for American products was not the inducement. The money was not asked for that purpose. The money was asked for the sole purpose of relieving suffering and starvation among our friends in European countries. Incidentally, it was stated, it would make a market for some of our products. Incidentally, it was stated, it would discourage Bolshevism and disorder in European countries, because we all know that men who are starving are in a condition of lawlessness and disorder. We can not expect orderly government from a starving people.

An allusion was made to the indirect and incidental benefit in the way of restoring peace and order in foreign countries, and, also incidentally, that it would create a market for our products; but the motive, the reason, the cause for asking this appropriation of $100,000,000 is to relieve starvation and suffering in European countries among the friends of the United States and our allies.

Mr. CUMMINS. Just one moment further. The question which I have asked—and possibly I did it rather awkwardly—was, Has the United States these supplies on hand now, accumulated for war purposes, and is the appropriation which it is now proposed to make to be returned to the Treasury of the United States in exchange for those supplies?

Mr. MARTIN of Virginia. Mr. President, as I understand, the tribunal which is known as the supreme council of food supplies—I may not give the name correctly—which has been organized under the council of war of the allied nations in Europe, will have the disposition of this matter. They are to go on the market and buy supplies to relieve this starvation and this suffering. There is no string to it whatever. They are not required to spend the money for supplies in the United States, but they are to spend it. Finding that my throat was in such condition that it was impossible for me to talk without great discomfort, I handed the list of the personnel of this commission to the Senator from Minnesota [Mr. KELLOGG]; but I will merely say that that personnel includes Lord Reading and some other distinguished statesmen; that it includes the most distinguished statesmen of France. The Italian

representatives have not yet arrived. Pending their arrival a very distinguished Italian will represent Italy in this supreme council for relief, and Mr. Hoover and Mr. Davis are representing the United States. That council of eight, representing the four great belligerents, have selected Mr. Hoover as president. They are to determine where and how these supplies shall be bought. The money is not to be expended in the market of any particular country. Incidentally, it will inure to the advantage of the United States, particularly in meat products, because the United States is the only country that has a surplus of meat products. However, the United States also has a large supply of wheat on hand that was acquired under this order fixing the limit of price; but whether this money is invested in that wheat or not will depend on the food council, which, as I have said, is composed of eight of the most distinguished men of this country and of the countries of our allies abroad. They are to determine where this money shall be spent. It is to be spent not to create a market anywhere, not to stop Bolshevism anywhere, but it is to be spent to relieve suffering and starvation among our friends in European countries. In doing that incidentally it will make some market for our products and incidentally it will tend to suppress disorder and Bolshevism.

Mr. CUMMINS. Mr. President, I am not interested at this moment in the personnel of the commission which is to manage and distribute the supplies. What I should like to know—and the information does not seem to be accessible—is, Does this bill in fact simply donate property which the United States now has and for which it seems to have no immediate use, or is it intended to be expended in the purchase of food supplies and other supplies which are yet in the hands of private owners?

Mr. MARTIN of Virginia. I thought I made that clear. It is to be used by going on the market and buying these food supplies where the object in view will be best conserved—the relief of suffering and starvation among our friends in Europe. The appropriation is not to be made to take off the hands of the United States Government anything that it has. Whether it will do so or not is to be determined by that commission, which is composed of eight of the most distinguished men in the world. It is not limited to any particular use, but that commission is to determine when, how, and where this money shall be expended, with only this proviso, that the object of spending it is to relieve the starvation and suffering in European countries.

Mr. CUMMINS. Mr. President, I am very much obliged to the Senator from Virginia. I am plagued with the thought that he may exceed his strength, and I hope that he will not continue any effort he is making at the risk of his health. That is a heartfelt wish on my part.

Mr. MARTIN of Virginia. It is a considerable strain on my throat or I would have been more active in the debate; but I will try not to participate in it any further.

Mr. KELLOGG. Mr. President——

Mr. CUMMINS. I yield to the Senator from Minnesota.

Mr. KELLOGG. I suppose that the Senator from Iowa knows that the Government of the United States, through the wheat corporation, is obligated to take the crop of wheat for 1918; that it has purchased all the surplus which has been offered on the market; that it now owns it, is selling it to European countries, and has already sold a large amount of it.

Mr. CUMMINS. The Senator from Iowa knows that. That was the very point of my inquiry. If we are simply donating to the commission or to the helpless people of eastern Europe a certain quantity of material which we have on hand and for which we have no present use, that is one thing; and if that were the purpose, we ought not to pass an appropriation bill; we ought to pass a bill for the donation of these supplies, naming them, to the commission in Europe for such distribution as they may see fit to bring about. While I do not say that is the chief reason that will constrain me to vote against this bill, it is one of the things about the measure which is very repugnant to me.

It does not seem to me a fair, open, and candid movement upon the part of the Government. The purpose evidently is to take the $100,000,000 which we shall appropriate, if we do appropriate it, and pay it into the Treasury of the United States for material which the country has accumulated in this way. I can easily see that there may be consequences in pursuing a course of that kind that would not be possible if the appropriation were to be used, or is to be used, in the purchase of material still in the hands of private persons or corporations. It is not right for the President or Mr. Hoover or anyone else to come before Congress for an appropriation of $100,000,000 to be expended in that way if the purpose is simply a gift on the part of the United States of the material which we have accumulated in this war or through the obligations of the war and which we now desire to dispose of in some way or other.

Mr. SMOOT. Mr. President, will the Senator yield to me?

Mr. CUMMINS. I yield to the Senator from Utah.

Mr. SMOOT. Mr. President, I call the Senator's attention to a fact which he already knows, that the bill provides that the money which is advanced shall be returned to the Government of the United States; or, in other words, it is to be used as a revolving fund. I can not see how it will be possible to carry out the theory of the bill if we donate so much pork or so many cases of corn or beans or so many bushels of wheat. I will admit, Mr. President—and I shall frankly say so when I speak upon this bill—that I do not believe that the Government of the United States is going to receive back the hundred million dollars which it donates now as a revolving fund. It will receive back some part of it; but no one can tell what part it will receive. Wherever the money is advanced for the relief of a people who have an organized form of government, that government is to give its obligation for the return of this money; but I believe the bulk of it is going to sources that will never return the money advanced for buying food products for their relief, and I shall never expect it to be returned to the Government of the United States; indeed, if I vote for this measure I shall be greatly surprised if we get 50 per cent of it back.

Mr. CUMMINS. Mr. President, I have not viewed it from that aspect at all. I do not expect that we will be repaid for any considerable part of the advance we now make, but I see no difficulty whatever in adjusting the sale of property to these foreign Governments to the idea suggested by the Senator from Utah. Suppose we have an automobile over there—that is one of the things that we are going to try to dispose of—a large number of motor trucks, automobiles, railroad iron, locomotives, and everything else the people in the eastern part of Europe need for their reconstruction. That is the reason the phrase "urgent supplies" is found in the bill; and I am not criticizing that especially, because I think they need all these things probably quite as much as they need food in order to set them on their way in a prosperous direction. But if the United States wants to sell an automobile to the Serbian Government, and the Serbian Government is able now to give it an obligation, it can sell it for what it is worth and take the obligation of that Government for that amount; but if we make an appropriation in money and that is intended simply to reimburse the Government of the United States for the supplies that have been accumulated, then they will go to the Governments which are to be benefited by the act or to the individuals which are to be benefited by the act at the exaggerated prices representing their cost to the United States. I do not want to qualify or surround this act of charity and mercy with any thought that these people must make good to the United States the cost of the war in which we have been engaged. If we are intending to give them the help which is indicated here, we ought to give it so that they will know that, if they return obligations to us, their obligations will represent the real value of the thing given, or, if it is a donation, that they receive the full benefit of the money which we appropriate for that purpose. I fear very much that in this legerdemain of bookkeeping and in the transmutation of this money into materials or supplies or food a large part of the objects which we have in view will be neutralized, and, not only so, but that in future years we will be subject to very great reproach for having resorted to an indirect method of alleviating misery.

Mr. President, I desire to say, in response to the Senator from Nebraska, that I concur with him in his proposition that the United States must keep faith with the packers and with the farmers, and it does not tend to bring my mind to an adverse conclusion to say that before the peace conference assembled in Europe it was understood in America that faith should be kept. I know something about the meetings that were held in Chicago and elsewhere that had for their purpose the stimulation of the production in America of hogs and of wheat. I would have thought this Government faithless, as many of us did think it faithless, if it failed to carry out the arrangement that was made in the fall of 1917 with the farmers in my State. It did not perform that obligation just as it should have performed it; it did not comply with the exact obligation into which it entered at that time; but there was a fair show of performance, and it had its full effect.

I agree that when the Food Administration required the packers to pay $15.50 for 100 pounds of live hog it entered into an implied agreement that the packers, so far as the Government could control, should be permitted to sell their product at a price that would yield a fair profit upon that basis; and when in October, 1918—I think it was October, 1918—a similar meeting occurred in Chicago, and there were representatives of my own State there—some of the most prominent live-stock producers in the country were there from my own State—and it was agreed at that meeting that the farmers should have and

the packers should pay $17.50 per hundred pounds for live hogs, the commonest honesty required that the Government that took part in that proceeding should redeem its obligations. That agreement has been continued from time to time, until now it expires on the 1st day of February. It ought to be kept, and whatever is a fair price for packing-house products, upon the basis of live stock at the rates which I have suggested, ought to be maintained if the influence of the Government can maintain such prices.

I do not understand, however, that the criticism of the Senator from Idaho [Mr. BORAH] or the criticism of my colleague [Mr. KENYON] upon the subject is based upon any suggestion that bad faith should creep into a vital transaction of that kind. If I understood the Senator from Idaho, his criticism is that, even upon the basis of expenditure controlling the price of live stock, the packers made more profit in 1918 than they ever made before in the history of their enterprises, and that they made more profit in 1917 than they had ever made in any year prior to that time. That is the criticism. It is not that the Government should not help sustain fair and honest and reasonable prices which grow out of the promises with regard to live stock; but what justification is there for fixing a price upon packing-house products that would permit Armour & Co. in 1918 to earn a profit of $15,000,000 upon a capitalization which in itself was accumulated by the profits of previous years in the business?

I do not think it is fair to condemn the Senator from Idaho [Mr. BORAH] or my colleague [Mr. KENYON] because they think that the prices of these products during these years were too high. I do not know enough about the details of the business even to suggest how much too high they were, but the results in war times were too great; and I think that any man who has the love of country in his heart and who wanted and wants to be helpful in the solution of these great problems which are rushing on us in time of peace must agree that the first duty of the American Congress, as well as the American Executive so far as his power extends, is to devise some policy, is to create some system of regulation, that will prevent consequences and results of the kind I have indicated; and instead of trying to establish sovereignties in Europe, with the attending obligation to maintain and protect those sovereignties, the whole force of the American mind, represented in the Executive and in Congress, should be turned to the solution of these problems which not only confront us but which ought to frighten every thoughtful American citizen.

I say this with regard to the distribution of this largess, because I do not intend to found my objection to the bill or my vote against the bill upon the fact that Mr. Hoover is to distribute it. I do not know whether he is entitled to the glowing eulogy pronounced upon him by the Senator from Nebraska or not. He may be. I, at least, have never found anything in his conduct to indicate that he was not guided by a desire to help the American people, and I can have no doubt that he has the same purpose now. Do not think that this means that I agree with everything he has done, for I think that he or those under him have done as foolish things as ever marred the industrial record of a great country. But that is simply a matter of judgment and does not impugn the good faith or intent of those who were administering our laws.

Mr. President, if we believe that the proposed appropriation ought not to be administered by Mr. Hoover, it can be administered by somebody else. The Senate has it in its power to appoint the persons who shall administer its appropriation, if it desires to do so. I mention that simply to indicate that my objection to the bill does not spring out of the fact that Mr. Hoover or Mr. Davis or anyone else who may be specified are not the proper persons to distribute the fund.

A great deal has been said with regard to the character of the appropriation. What is it? Some have thought it is to be a charity. Even the Senator from Virginia emphasized that phase of the question. I do not think it is a charity. I do not think it has any semblance of a charity. I do not mean to say that its effect, when distributed among these people, would not be charity; but we are not asked to make this appropriation simply because it is a charitable, philanthropic thing to do. We are asked to make this appropriation because it becomes, or it is said to become, a part of the negotiations for peace in Europe. We are asked to make it because it is said to be necessary in order to enable the President of the United States to accomplish the purpose he has in mind.

Mr. KNOX. Mr. President——

Mr. CUMMINS. Just a moment; and I say here, lest I omit it a little later, that if I were in sympathy with the thing which the President proposes to do in Europe I would have no hesitation whatever in voting for the appropriation.

I yield to the Senator from Pennsylvania.

Mr. KNOX. I merely want to ask the Senator from Iowa if he will not, before he finishes, indicate where it may be found that the proposition is connected in any way with the war?

Mr. CUMMINS. I will. The question, though, is a little misleading. I did not say "connected with the war." I said "connected with the peace."

Mr. KNOX. Well, I meant the same thing. It grows out of the war.

Mr. CUMMINS. I may as well do it now. I will come to it a little later; but, so that the Senator from Pennsylvania may fully understand what I mean by the words I have used, I observe that the President—and in that respect he is associated with Great Britain and France and Italy—believes that the peace conference should establish—peacefully, I suppose, if possible, but forcibly, if necessary—certain sovereignties in eastern and southern Europe—there are at least 10 of them—and that the United States, together with Great Britain, France, and Italy, should not only establish these sovereignties but should guarantee their maintenance, their protection, their safety; and he intends—and he makes no secret of it; it is as open as any utterance which he ever made, or which the statesmen of Europe ever made—to bind the United States to the maintenance and safety of these sovereignties which are to encircle the old Empire of Germany.

I am not going even to enter upon the question as to whether that may not be the highest duty that falls upon Great Britain, France, and Italy, for they are in Europe; but I question and I challenge the propriety or wisdom of such an undertaking upon the part of the United States. I am not in favor of it; I have no sympathy with it, and I will not vote for an appropriation which is intended to usher in that kind of obligation upon the part of the United States. There is not a Senator here who votes for this appropriation who is not committed then and thenceforth to the plan which the President of the United States has so eloquently and so graphically and so explicitly set forth again and again with regard to the relations which should exist between the United States and these new sovereignties which are to be erected in Europe.

This money, as I understand—and I now come to the question of the Senator from Pennsylvania—this money the President says is needed in order to enable these sovereignties which are to be set up to resist the advances of bolshevism, and thus to be more easily and quickly established. Now, if it is our duty to establish and care for and defend them in the days that are to come, I am willing to accept the judgment of the President with regard to the effect of this appropriation. I am willing to assume that the $100,000,000 which we propose to expend is really necessary to enable this thing to be done. If I want the United States to enter into that relation with Europe, then I should be for the appropriation, and no one ought to question it; but if I am opposed to assuming that attitude toward the affairs of Europe, then I can not in good conscience vote for the appropriation, unless I do it for purely charitable and philanthropic reasons.

Mr. KING. Mr. President, has not the Senator narrowed too much the statement of the President with respect to the rise and spread and operations of bolshevism? As I understand the Senator, he construes the statement of the President to mean that he desires to restrain the operations of bolshevism in the new governments that may be erected out of the central powers. As I understand the statement of the President, he indicates that bolshevism is spreading westward, is poisoning Germany, and that it may prevent the stabilization of Germany, the erection of a government there with which we may negotiate a peace and from which we may exact sufficient and proper guaranties.

Mr. CUMMINS. Mr. President, I do not want to be at all technical in regard to the matter, because I think the President takes a very broad view of these great problems. The Senator from Ohio [Mr. HARDING] the other day complained of him because he was an idealist. I do not complain of him because he is an idealist, if he is one. I think he is the most intensely practical statesman of this or any other day. He knows just what he wants, and he usually knows how to get it. He began his administration in the belief that the Executive office had not the power that it ought to have; and from that day until this we have seen one step after another deliberately taken by Congress, until now the President is invested, I think, with all the powers that could be conferred upon any Executive under the Constitution of the United States. I have no doubt that he has intended to use these powers for a good purpose. I have no doubt that he believes that he is a fitter custodian of these powers than any other body of men or any other man. But I think we entirely misunderstand his character when we at-

tribute to him idealism at the expense of practicalism. He has accomplished more in the direction in which he set his face and his mind than any other man, either in this generation or in any former generation; and the only criticism, if it be a criticism, is that he has not marched in the right direction, and he has done things that he ought not to have done, and that is my objection to this bill. I do not intend to clothe him, if I can prevent it, with the power to enter into the agreements in regard to the reestablishment of Europe which he thinks the United States should make. If anyone here doubts my view with regard to his conception of the situation there, I hope he will make it known. I say that it is his view that the Jugo-Slavs, the Roumanians, the Ukrainians, the Polanders, the Czecho-Slovaks, the Lithuanians, the Esthonians, the Letts, and the Finlanders should be erected into independent sovereignties. I have no doubt he hopes that they will become republics, because I doubt not his fidelity to that fundamental principle, and never have, and I hope I never will be called upon to doubt it.

Mr. KING. Mr. President, will the Senator yield?

Mr. CUMMINS. Just a moment. He knows, and all Europe knows, that when these nations are thus grouped, and thus undertake self-government, they can not stand alone. He knows that many of them are not trained and educated and advanced to the point that will enable them to maintain orderly governments within their several borders. No one appreciates that more than he does, I am sure. No one understands it better than Lloyd George or Clemenceau or the statesmen of Italy.

What is then proposed? It is proposed that if dissensions come from within, or if force comes from without, the United States and Great Britain and France and Italy will undertake to guard and protect them against both internal disorders and exterior assaults.

If you want the United States to undertake to do that, then you ought to vote for this appropriation, because that is its purpose. It can be used, I agree, to forward that purpose. But if you do not believe that America should become enmeshed in the intricacies and in the infinite difficulties of European affairs, then you ought not to vote for the appropriation, because its use must be justified upon that ground or it can not be justified at all.

The real truth is that we are apparently passing into a period in which the distinction between nationalism and internationalism is to be disregarded. To vote for an appropriation of this character means simply that you believe it is just as much your duty to guard, protect, develop, and aid the countries of Europe as to guard, protect, aid, and develop your own country. That is the internationalism of which we hear so much. That is it exactly. The President of the United States has said over and over again in substance that there is no discrimination between the duty of this country to our own people and its duty to all the people of the earth; that we are just as much obliged to fight for liberty in Poland as we are obliged to fight for liberty in the United States; and that we are just as much obliged to maintain the Government of Poland as we are to maintain the Government of the United States. He has very distinguished company in that belief.

Suppose we were asked for an appropriation to aid a rebellion in Ireland, why should we not make an appropriation to pay the expenses of a rebellion in Ireland? Do you not believe that Ireland is entitled to her independence on the same theory exactly that Poland is entitled to her independence, or the Czecho-Slovaks or the Jugo-Slavs? Tell me a single reason which indicates that the countries in eastern Europe should have their independence which does not prove conclusively that the people of Ireland should have their independence. What is the difference between contributing money for Ireland to pay the expenses of an Irish rebellion and paying the expenses that are necessary to set up a government in Poland?

Mr. THOMAS. Mr. President, I am a little afraid the Senator's inquiry will provoke a suggestion and the suggestion may be followed by a bill for an appropriation in the interest of Irish independence.

Mr. CUMMINS. My attitude toward any such bill would be exactly the same as it will be toward this bill. Whatever sympathy I may have with the struggles of the people of Ireland for independence, I would no more think of voting an appropriation to pay the army which was intended to accomplish that independence than I would think of voting for this appropriation which is intended to establish sovereignties in eastern Europe. It rests upon exactly the same foundation.

Why not have an appropriation here for India? For 25 years the people of India have been struggling simply to establish the same relation between India and Great Britain that Canada, New Zealand, and Australia enjoy. Why should we not do something there if we are to take charge of the world and see that justice is done everywhere, to see that self-determination shall prevail everywhere?

Mr. President, it is not a dream. It is a mischievous fancy and a false theory that commits the United States to the guardianship of the world and asks for an appropriation from our people in order to carry out our views of men, eminent men, too, with regard to this subject.

Mr. HARDWICK. Mr. President, while the Senator is discussing self-determination, I wonder what he thinks about San Domingo and Nicaragua?

Mr. CUMMINS. The list is long enough now.

Mr. HARDWICK. I am thinking of our own victims now.

Mr. CUMMINS. I think it was Emerson who said that consistency is the hobgoblin of small men and mean minds. By that token there are some men now holding eminent positions who would instantly be acquitted of being either small men or having small minds. I do not insist upon consistency. No individual is consistent and no nation is consistent; but I do insist that we shall not ratify in advance the proposal that is being made in Paris by contributing money to the forwarding of a movement of which that proposal is a part.

I do not object to Great Britain and France and Italy guaranteeing the existence and maintaining these new sovereignties. I have the greatest sympathy with their establishment. I hope they will be so successful that all the world finally will enjoy the blessings of free government. All that I am insisting upon is that it is not our business, that it is not safe for the United States, that it is not tolerable for the United States to enter an undertaking of that kind.

We have one guaranty in existence. It pertains to Cuba, and it was wise. Let the successful nations of Europe undertake the guaranty that may be necessary in order to hold these new nations in their places. It will be an evil day when the United States shall find itself bound to send her soldiers or her Navy into the uttermost parts of the earth in order to reduce the inhabitants of some region to order. It will be an evil day for the United States when, forsaking the vital problems of our own country, we devote ourselves primarily and permanently to the problems of other countries.

Mr. KING. Will the Senator yield?

Mr. CUMMINS. I yield to the Senator.

Mr. KING. I rose a few moments ago to suggest to the Senator—but that is not what I have risen to suggest now—that I do not think the President has ever stated, officially or otherwise, that he believes each of the Balkan Provinces, including Lithuania and Esthonia, should be separate and independent nations. I think the President entertains the view that if the Russian people prefer a united republic because of geographic and ethnographic lines they should be permitted to have it, or if some of the territory that formerly was a portion of the Russian Empire should, because of geographic or ethnographic reasons, segregate itself and set up an independent government, and they shall desire that, they ought to be permitted to work out their own salvation.

I think what the Senator said with respect to the President's view concerning Poland and the Government of the Czecho-Slovaks and the Jugo-Slavs is entirely accurate, and is based upon statements which he has made.

But if the Senator will pardon me a moment further, does not the Senator think the record of Germany, the multitudinous utterances of her statesmen, warriors, scholars, preachers, and even members of the socialist and proletariat organizations during the war and up until the armistice, and some declarations since, evince a purpose upon the part of the German people not only to rise to power and imperial greatness again, but when they do rise to sufficient strength and power to engage in some punitive expedition against those who have been her adversaries in this conflict? Keeping that view in mind, if that question should be answered affirmatively, is it not the part of wisdom, and would not the allied representatives be guilty of a lack of statesmanship and wisdom if they should not do it, in a prudent and proper and just and righteous way, to encourage the organization of other nations that would hem in, if I may be permitted that expression, Germany, to prevent her from again engaging in warlike activities for the destruction of nations in Europe, and perhaps the destruction of nations in other lands?

Mr. CUMMINS. With the limitation just put upon the statement of the Senator from Utah, of course he is right; but what are righteous measures, what are just measures, what are equitable things for the United States to do? That leaves the whole question open.

It is my opinion that the establishment of lesser sovereignties around Germany, with the privilege upon the part of Germany to arm herself, instead of being an inducement to peace and the

safety of the world from the ambitions of Germany, will be, on the other hand, the easy opportunity for Germany to accomplish her purpose. But I will come in a moment to the German situation. I do not intend to deal with it at length. I will say, though, immediately, that if it is necessary to carry out our purposes against Germany to make this appropriation, then I have no doubt about its wisdom, but from my standpoint the German problem is not difficult and does not involve the expenditure which is here suggested.

Mr. WALSH. Mr. President——

Mr. CUMMINS. I yield to the Senator from Montana.

Mr. WALSH. May I direct the Senator's attention again to Ireland for a moment? The Senator has stated that the aspirations of the people of Ireland for independent government are similar to those of Poland. Is there not an essential difference which the Senator apparently overlooked between the situation of Ireland and Poland and these other countries? As a war measure, and for the purpose of bringing the strife to a more speedy termination, we encouraged the subject nations of the central empires to arise and revolt and assert their independence. We encouraged them to revolt against German domination and to set themselves up as independent governments. That was a very proper course in war. These are subject nations of the countries with which we are at war, whom we incited to establish independent governments. Is there not due from us accordingly a somewhat different obligation than that which arises toward the nations which are held subject to our allies?

Mr. CUMMINS. Mr. President, of course the parallel between Ireland and, for instance, Poland is not exact. I only drew them together in order to indicate their substantial similarity, so far as our encouragement is concerned. We were fighting Germany, and these people were hostile to Germany, and they rose and declared their independence. I do not remember any encouragement or promise from the United States that carried itself to the extent of saying that "If you will rebel and establish an independent government, we will undertake to defend you against Germany or against any other country with which you may be at war."

Mr. WALSH. I remember no such promise, either; but the Senator will remember that we did encourage them to rise, and, furthermore, it is obligatory upon us, as a matter of course, to insure, so far as we can, ourselves against a recurrence of the aggression of Germany. Poland is created as a buffer State between Russia and Germany, as a safeguard against the domination of Russia by Germany. Would it not be quite proper, as a part of the peace arrangement, to insure such a condition of things in order to prevent the possible recurrence of the aggression of Germany and her effort to dominate the world?

Mr. CUMMINS. I know, Mr. President, that Poland, from the standpoint just suggested by the Senator from Montana, is not to be an independent nation. It is to be a pawn, a buffer. That emphasizes what I said a few moments ago, that when this appropriation is made it carries with it a pledge upon the part of the United States that we will protect Poland, that we will come to its defense if attacked. I suppose it involves also an obligation to bring order in Poland if there are internal dissensions, because in order to enable Poland to perform the office which the Senator from Montana has just suggested, it must stand, it must not be overthrown; and who is to see that it stands, who is to see that it is not overthrown? Among others, the United States.

I am in favor of a league of nations or an alliance of nations to prevent war. The Senator from Illinois [Mr. LEWIS], who so beautifully interprets not only the oracles but the silences of the White House, has on many occasions demonstrated that there ought to be an alliance of nations. I am not in favor of the alliance which was foreshadowed in the many utterances of the President before he went to Europe. I have no doubt he has changed his views in that respect, as all wise men will change their views as circumstances change and conditions are altered. But I am not in favor of any alliance of nations or league of nations which will bind the United States to furnish an army or a navy or put an army or a navy in charge of a supernation or superpower in order to overcome either internal disorders in Poland or defend, for instance, against the assault of the Ukrainians. I am not in favor of an alliance of nations proceeding to that extent, and I understand the President is not now in favor of such an arrangement among the powers of the earth.

Mr. WALSH. Permit me, then, to inquire of the Senator if he is in favor of a league of nations that will prevent the aggression of Germany against Poland and the possible reabsorption of Poland by Germany?

Mr. CUMMINS. Yes. We have an alliance of nations now that ought to prevent Germany from making war on any power. That brings me to just a word about Germany.

Departing from the brilliant rhetoric which has no meaning whatever with regard to making the world safe for democracy, which is as illusory and as temporary as the morning mist, and coming to the real reasons for our entrance into this war and the object which we had to accomplish through the war or by the war, let me say that I agree with the Senator from Georgia [Mr. HARDWICK] that the aggravating causes for our war with Germany were the continuous inroads and invasions of American rights upon the sea, the brutal, inhuman, murderous conduct of Germany with respect to our rights and the rights of our citizens upon the sea.

I doubt whether we would have entered the war simply to vindicate those rights, although the Senator from Georgia thought we would. I think we entered the war only when there came to the American people the overwhelming belief that if Germany won in her struggle with Great Britain, France, and Italy she would then turn her arms against the United States and become not only a remote but an instant menace to our institutions and to our liberty. It took the American people a long while to reach that conclusion, but they finally did. They finally did see that Germany and her militarism, her ambitions, meant the overthrow of the United States, her institutions, and her civilization. Our object in entering the war was to end that menace. There is just one way in which we can end it. We won the war. There is just one way in which, so far as Germany is concerned, we can forever remove the fear and the apprehension that urged us into this mighty conflict, and that is to disable Germany, disarm her, and keep her disarmed.

I do not know how long it may require to change the character, the hearts, the hopes, the purposes of the German people, but until the character of that people is changed fundamentally they ought not to be permitted to carry arms save to police their internal affairs. That is the way, from my standpoint, in which we ought to deal with Germany. We ought not to leave her capable of attacking any nation.

Mr. WATSON. In order to get the Senator's viewpoint, I should like to ask him whether or not he means by that that we shall keep our own standing army in Germany until Germany changes her character.

Mr. CUMMINS. No; I do not. I assume that Great Britain, France, and Italy should police Germany, so far as it is necessary to police her. But if Germany, after having agreed to disarm herself and after her fortifications are razed to the ground, after her munitions factories are demolished, and after all her military equipment disappears, then begins to re-create her military establishment, I am willing to go to Europe again to destroy Germany's preparations for another war. I have but one thought, and that is that Germany shall for a long series of years be without an army, without a navy, without a munitions factory, without an establishment that turns out guns or that will enable her to become dangerous to the remainder of the world. We can not do that by establishing a circle of sovereignties around Germany and depending upon them to restrain her ambitions.

Mr. WALSH. Mr. President——

The PRESIDING OFFICER (Mr. KNOX in the chair). Does the Senator from Iowa yield further to the Senator from Montana?

Mr. CUMMINS. I yield.

Mr. WALSH. I understand the Senator from Iowa, however, does not desire that this country shall assume any portion of that burden?

Mr. CUMMINS. I am willing to assume that burden if Germany violates her agreements in that respect or violates the terms we impose upon her. I would not keep a single soldier in Europe for that purpose. I would bring them all home after we have done the thing which I have suggested, namely, to dismantle Germany in a military way and destroy whatever materials she may have already on hand that can be turned in that direction. If, then, Germany refuses or fails to perform the terms which we have imposed upon her and begins again the establishment or creation of her military system, and begins again to manufacture guns and to train armies and to construct vessels, and if Great Britain and France can not prevent that infraction of her agreement with us, I am willing to go again and complete the undertaking upon which we formerly entered.

Mr. KING. Will the Senator yield?

Mr. CUMMINS. I yield.

Mr. KING. Is not the argument which the Senator has just made, namely, that Germany should be prevented again from embarking upon a military career, because if she did it would

[illegible]

Mr. [illegible]. Mr. President——

Mr. [illegible]. I yield to the Senator from Tennessee.

Mr. [illegible]. What does the Senator from Iowa propose to do with Germany a navy?

Mr. [illegible]. I go no further in that problem than to say that it should not belong to Germany. The Senator from Tennessee can do anything he pleases with it if it is not permitted to remain the instrument of German destruction.

Mr. McKELLAR. I agree entirely with the Senator from Iowa. I do not want to do anything with it except to keep Germany from using it against civilization.

Mr. [illegible]. All I insist upon in that Germany shall be [illegible] not to endanger the peace to come.

Mr. President, believing that there are the principles that [illegible] a lasting peace with Germany and that there are the principles that ought to be enforced with respect to the war [illegible] that are to be established in eastern and [illegible] Europe I feel in other connections possible than to support the appropriations which is intended to remove the United States not only to the [illegible] but to the Treasury, the protection and the defense of every country in Europe for all time to come.

Mr. [illegible] yielded the floor.

Mr. [illegible]. Mr. President, will the Senator from New [illegible] yield to me for just a moment, as I have to attend a meeting of the conference committee on the revenue bill?

Mr. [illegible]. I yield to the Senator from Pennsylvania.

Mr. [illegible]. I have in my hand a telegram from C. H. Cutler, who, I am informed, was formerly president of the Board of Trade of Chicago and is one of the leading grain dealers in that city, a man of high standing and wide experience in the food situation here and abroad. His telegram reads:

[illegible]

C. H. Cutler.

[illegible] Senator from Iowa has already [illegible] the proposed appropriation without authority of law in the bill [illegible] to determine if there is any [illegible]

[illegible] Senator on the floor of the present time during consideration of the pending bill is the senator from Indiana. Mr. President——

Mr. [illegible]. Will the Senator from Tennessee take the bill in charge?

Mr. McKELLAR. I have not the bill in charge. I am merely representing the Senator from Virginia.

Mr. [illegible]. There seems to be a call for the Senator from Tennessee whether or not such matter has been called to his attention or whether he knows anything about the matter.

Mr. McKELLAR. The reading of the telegram or the letter from Mr. [illegible] was the first information that I had.

Mr. [illegible]. In view of the fact that this telegram comes from a gentleman of the highest responsibility and a member of the food situation in Chicago intimately and intelligently, I think it ought to be the Senator from Tennessee and the chairman of the committee under whose direction it will come before the Senate, with the best attention we can give.

Mr. McKELLAR. I will call the attention of the chairman of the committee to it as soon as he returns to the Chamber.

Mr. [illegible]. Mr. President, the debate on this bill has assumed a wide range, and I think it is well that it has, for I believe in a period of time discussion between men who have to understand some facts with which they were unfamiliar.

The people of this country during the war raised for the Red Cross and other organizations engaged in the work some twenty-seven [illegible] dollars. This money was spent in the United States and Europe for the benefit of our soldiers and our allies and in a very great extent to relieve the condition of the people living in the countries associated with us in the war. The American people gave freely to these funds and the generosity on the part of those who contributed to the support of the Red Cross. I assume, of course, that this fund is being used to relieve the distress of the people of the countries ravaged by the war.

From the very beginning of the war England, France, and Italy and the neutral countries of Europe had purchased in this country commodities intended to purchase and forward food to them. These commodities in their world have been transported with the United States Food Administrator, Mr. Hoover. We dealt directly with these people. Everything was done to give them as much food as we could spare, and at the lowest price under the circumstances. England, I am told, as a result of this liberal attitude on the part of the United States, at the time of the war had stored in her warehouses a food supply for her people and her army that would have lasted four months. France, although not as well supplied, had a large surplus on hand. Much of this was brought about through the willingness of the American people during the year 1918 to give up much of the food to which they had been accustomed. I am told also that the record shows the consumption of wheat in the United States in 1918 was over 100,000,000 bushels less than in the previous year and that the quantity of sugar consumed in this country was more less than the previous year, and, further, in the curtailment of every single food product the American people willingly cooperated.

During all of this period we were building up a great surplus store. The splendid crops of last year, exceeding by far the crops of 1917, added much to the surplus. In fact, the failure to realize the extent of this increase and the insistence upon curtailment on consumption gave us a surplus out of all proportion to the needs of either our allies or ourselves for the year 1919. Naturally, with the high prices prevailing, production was encouraged in every line, and when the end of the war came we had in the storehouses of America a supply of food far beyond the anticipations of anyone.

We find ourselves now, with the war over and the stoppage of the flow of foodstuffs to Europe, in a condition where, if things were normal and the Government had not taken over the fixing of the prices of food, the people of this country would be able to buy the necessities of life at nearly one-half of what they are to-day.

Europe has stopped buying from us because they can buy cheaper from other places. I am informed that Argentine wheat can be bought to-day for $1.29 per bushel and that there are over 100,000,000 bushels stored in that country. Australian wheat can be bought for $1.14 per bushel, and there are 200,000,000 bushels available, while 50,000,000 additional bushels can be had in India. As against these prices, American wheat at $2.26, primary market, with freight and terminal charges added, bringing it nearer $2.45, will have no market abroad.

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Here comes the "nigger in the woodpile." The board, instead of selling to the refineries at this price of 6.90 cents, charges them 7.28 cents a pound for this sugar, thus giving the board a clear profit of 0.38 cent a pound on each pound of raw sugar brought into the country and increasing the price to the consumer by just this amount. If this procedure is continued, the board will make a clear profit this season of about $30,000,000, which, in reality, is a consumption tax on the American public.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER (Mr. WATSON in the chair). Does the Senator from New York yield to the Senator from Utah?

Mr. CALDER. I yield.

Mr. SMOOT. I do not know whether the Senator is aware of the reason for that difference of 38 cents a hundred, and if he has no objection I will briefly state it at this time.

Mr. CALDER. I have no objection to the Senator doing so.

Mr. SMOOT. Last year, Mr. President, it became quite evident that there would be a shortage of sugar in all the world, and in order to induce the beet growers of the West and the sugar-cane growers of the South to plant additional acreage for the production of sugar, the price of beets was advanced to $10 a ton. Mr. Hoover and the people interested knew that they could not get the tonnage without that increase, particularly after the price of wheat had been fixed as high as it had been.

There was an agreement reached with Cuban producers of sugar that they should be paid $6.50 for their sugar, and the 38 cents difference, I will say to the Senator, between the cost and the freight of Cuban sugar and the amount for which it is sold to the refiner goes to make up the loss on the sales of sugar produced from $10 beets; in other words, it was equalized by the 38-cent profit made upon the Cuban sugar in order that the Food Administration could take care of the loss of about 60 cents a hundred on beet sugar, thus making the price of sugar uniform throughout the United States, whether produced from beets or produced in Cuba. I simply wanted to say to the Senator that that is how that difference comes about.

Mr. CALDER. Mr. President, let me inquire of the Senator from Utah if he has any information as to the disposition to be made of this profit by the board?

Mr. SMOOT. Mr. President, I hardly think there will be any profit on the whole transaction. The Food Administration purchased all the beet sugar, and the loss on the same is 60 cents a hundred, as I remember now. That applies also to the cane sugar of the South. The 38 cents profit on the Cuban sugar offsets the loss of 60 cents on American-produced sugar in this way: There is more Cuban sugar consumed in the United States than there is sugar produced in this country, and if the Senator will figure out the amount of Cuban sugar consumed and the amount of beet sugar and cane sugar produced and consumed in this country he will find that the profit of 38 cents a hundred on Cuban sugar will just about offset the loss of 60 cents a hundred on the sugar produced in this country.

Mr. FRANCE. Mr. President——

Mr. CALDER. I yield to the Senator from Maryland.

Mr. FRANCE. Mr. President, I should like to ask the Senator from Utah a question while he is on that subject. Can the Senator inform me as to what profits were allowed the beet-sugar manufacturers, and how those profits compared with the profits which they had hitherto been making?

Mr. SMOOT. I will say to the Senator that the profits allowed to the sugar producers of the West were very greatly reduced in the year 1918 below what they had been in 1917. In other words, during 1917 the price of the beets purchased by the beet-sugar manufacturers ran all the way from $6.50 up to $8 per ton, and they sold the sugar for higher prices during that year than they sold the sugar for during 1918. The sugar made in 1918 was made from $10 beets, so that really the profits of the beet-sugar companies in 1918 were nothing as compared with their profits in 1917.

Mr. CALDER. Mr. President, nor is this all. The Sugar Equalization Board have presented contracts to all the sugar refineries, the terms of which specify that the refineries will not purchase any raw sugar except from the board up to December 31, 1919. A very eminent lawyer in New York, Mr. William D. Guthrie, has advised his clients, the Federal Sugar Refining Co., that this contract is clearly illegal and in violation of the antitrust laws. I attach herewith Mr. Guthrie's opinion, which was published in the Journal of Commerce on December 24 last, and ask that it be printed in the RECORD.

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The matter referred to is as follows:

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In the opinion of William D. Guthrie, of Guthrie, Bangs & Van Sinderen, 44 Wall Street, the proposed new contract between the United States Food Administration and the sugar-refining industry would be held invalid by the courts. Mr. Guthrie believes that the creation of the United States Sugar Equalization Board (Inc.), a Delaware corporation, as the instrumentality of the Food Administration for the carrying out of the contract is "plainly illegal," and that other features of the proposed contract are of "doubtful legality." The signing of the armistice, it is held, has radically changed the situation.

The opinion of Mr. Guthrie was sought by the Federal Sugar Refining Co. The proposed contract is dated October 24, 1918, and is to remain in force until December 31, 1919. It provides, among other things, that until December 31, 1919, the refiners will not purchase any sugar except from the Delaware corporation, other than such sugars as are provided under the agreement of October 1, 1917, and Hawaiian sugars, and that the Delaware corporation "may earn a profit on any sugar it may purchase and resell to refiners, or any sugar it may purchase from refiners and resell for export."

TEST OF OPINION.

In part, Mr. Guthrie's view reads as follows:

"I am of opinion that the proposed agreement above mentioned, to be entered into by the American refiners and dated October 24, 1918, would be held invalid by the courts on the ground that it was beyond any power vested in the United States Food Administrator or any other officer of the United States Government, and that it would so held illegal on the ground that it constituted a violation of the prohibitions of the acts of Congress commonly known as the Sherman Antitrust Act and the Clayton Act, approved, respectively, July 2, 1890, and October 15, 1914, as well as of the act of August 10, 1917, itself.

"I am also of the opinion that the proposed agreement would imply and create an obligation on the part of each refiner signatory to buy from the Delaware corporation an amount of raw sugar approximately commensurate with the normal requirements of the refiner's business notwithstanding the provision above quoted from article 6 of the agreement, to the effect that several refiners are "not in any way limiting their ordinary power or business discretion to determine to what extent they may severally operate their refineries."

EFFECT OF ARMISTICE.

"I do not question the patriotic and humanitarian motives which have actuated the Food Administrator and his representatives during the crisis of the war. The conditions existing in October, 1917, may have justified extra-legal methods, to which patriotic refiners were readily willing to accede. But conditions have meantime materially changed. The President—advisedly, as we must assume—declared to the Congress on November 11, 1918, in stating the terms of the armistice, that the war thus comes to an end; for, having accepted these terms of armistice, it would be impossible for the German command to renew it.

"In the light of this official pronouncement by the President, it certainly behooves all Government officers carefully to consult the legal source of their authority and to bear in mind that their powers are limited by the statute, that they can not go beyond its limits, and that no emergency, however grave, can of itself create any source of power. It likewise behooves Government officers now to reflect upon the very questionable propriety of attempting to coerce acquiescence in extra-legal acts by undue pressure or by threats to withdraw licenses or otherwise, however patriotic or benevolent their motives may be.

be a menace to our country, an argument in favor of some sort of agreement or league of nations, by whatever name you want to call it, with the allied Governments with whom we have been associated, by which the guaranties that shall be exacted from Germany shall be carried out, and she shall be prevented in the future from becoming again an enemy to civilization and to the world?

Mr. CUMMINS. That is precisely what I said. I regard that not as a new obligation which we should assume; that is our obligation now without any league of nations, without any further alliance than we have.

What I have said, I think, is in exact harmony with the suggestion of the Senator from Utah [Mr. KING]. I am not saying that the peace conference should not set up these sovereignties; I hope that they will be given free rein, in order that each of these races, with such modifications as may be necessary, may be given independence; I want to see that happen; but it seems to me that the wise course, so far as Germany is concerned, is to say to her, "We lay no obstacle in your way for commercial development." Indeed, we ought to foster that, for if we are to receive reparation, if Germany is to pay for the infinite destruction which she has caused in the world, the German people must earn the money with which to pay it; Germany must earn what becomes necessary to repair Belgium, to restore France, to indemnify Great Britain, and to reimburse the United States—for I think that ought to be one of the terms—but in order to earn that money Germany must be permitted her commercial activities. Otherwise it would be simply a brutum fulmen to say that she shall pay if we do not give her an opportunity to earn the money with which to pay.

However, so far as Germany's military establishment is concerned, I would destroy it. Whatever may be necessary to enforce internal peace—that is, the peace of municipalities and the like—she ought to be permitted to preserve; but in so far as her military establishment, that could or would be used in a world war, or in a war on any other nation, she ought to have none. That ought to be the penalty which shall be imposed upon her for her wickedness and malice in beginning and carrying on this most destructive war of the ages. If Germany at any time is found to be disobeying the terms which we impose upon her in that respect, then it would become the duty, first, of Great Britain and France, because of their proximity, and, next, of the United States, to whip her again, and see that she does not establish that military strength.

Mr. McKELLAR. Mr. President——

Mr. CUMMINS. I yield to the Senator from Tennessee.

Mr. McKELLAR. What does the Senator from Iowa propose to do with Germany's navy?

Mr. CUMMINS. I go no further in that problem than to say that it should not belong to Germany. The Senator from Tennessee can do anything he pleases with it if it is not permitted to remain the instrument of German destruction.

Mr. McKELLAR. I agree entirely with the Senator from Iowa. I do not want to do anything with it except to keep Germany from using it against civilization.

Mr. CUMMINS. All I insist upon is that Germany shall be left helpless and harmless for the years to come.

Mr. President, believing that these are the principles that should be observed in making peace with Germany, and that these are the principles that ought to be enforced with regard to the new nations that are to be established in eastern and southern Europe, I find no other conclusion possible than to oppose the appropriation which is intended to commit the United States, not only to the establishment but to the guardianship, the protection, and the defense of every country in Europe for all time to come.

Mr. CALDER obtained the floor.

Mr. PENROSE. Mr. President, will the Senator from New York permit me to interrupt him for just a moment, as I have to attend a meeting of the conference committee on the revenue bill?

Mr. CALDER. I yield to the Senator from Pennsylvania.

Mr. PENROSE. I hold in my hand a telegram from C. H. Canby, who, I am informed, was formerly president of the Board of Trade of Chicago, and is one of the leading grain dealers in that city, a man of high standing and wide experience as to the food situation here and abroad. His telegram reads:

CHICAGO, ILL., *January 22, 1919.*

Hon. BOIES PENROSE,
Washington, D. C.:

Rumors are current that the Food Administration has already expended over $20,000,000 of the expected appropriation without authority of law. This situation should be investigated to determine if there is any truth in the report.

C. H. CANBY.

I do not know whether there is any Senator on the floor at the present time having charge of the pending bill in the absence of the Senator from Virginia [Mr. MARTIN]——

Mr. McKELLAR rose.

Mr. PENROSE. Has the Senator from Tennessee the bill in charge?

Mr. McKELLAR. I have not the bill in charge. I am merely representing the Senator from Virginia.

Mr. PENROSE. Then I should like to ask the Senator from Tennessee whether or not such rumor has been called to his attention or whether he knows anything about the matter?

Mr. McKELLAR. The reading of the telegram by the Senator from Pennsylvania was the first intimation I had of it.

Mr. PENROSE. In view of the fact that this telegram comes from a gentleman of the highest responsibility and a leader in the food situation in Chicago, nationally and internationally, I should be glad if the Senator from Tennessee and the chairman of the committee would take occasion to look into the matter; and I will call their attention to it later on.

Mr. McKELLAR. I will call the attention of the chairman of the committee to it as soon as he returns to the Chamber.

Mr. CALDER. Mr. President, the debate on this bill has assumed a wide range, and I think it is well that it has, for I believe as a result of this discussion Senators have come to understand some facts with which they were unfamiliar.

The people of this country during the war raised for the Red Cross and other organizations engaged in like work sums totaling nearly $1,000,000,000. This money was spent in the camps in this country and Europe for the benefit of our soldiers and our allies, and to a very great extent to relieve the condition of the people living in the countries associated with us in the war. The American people gave freely to these funds, and my information is that when the armistice was signed great quantities of food were stored in the warehouses of Europe under the control of the Red Cross. I assume, of course, that this food is being used to relieve the hunger of the people of the countries really in need.

From the very beginning of the war England, France, and Italy, and the neutral countries of Europe had located in this country commissions authorized to purchase and forward food to them. These commissions in their work here were associated with the United States Food Administrator, Mr. Hoover. We dealt liberally with these people. Everything was done to give them as much food as we could spare, and at the lowest price under the circumstances. England, I am told, as a result of this liberal attitude on the part of the United States, at the close of the war had stored in her warehouses a food supply for her people and her army that would have lasted four months. France, although not as well supplied, had a large surplus on hand. Much of this was brought about through the willingness of the American people during the year 1918 to give up much of the food to which they had been accustomed. I am told also that the record shows the consumption of wheat in the United States in 1918 was over 100,000,000 bushels less than in the previous year and that the quantity of sugar consumed in this country was much less than the previous year, and, further, in the curtailment of every single food product the American people willingly responded.

During all of this period we were building up a great surplus stock. The splendid crops of last year, exceeding by far the crops of 1917, added much to the surplus. In fact, the failure to realize the extent of this increase and the insistence upon curtailment on consumption gave us a surplus out of all proportion to the needs of either our allies or ourselves for the year 1919. Naturally, with the high prices prevailing, production was encouraged in every line, and when the end of the war came we had in the storehouses of America a supply of food far beyond the anticipations of anyone.

We find ourselves now, with the war over and the stoppage of the flow of foodstuffs to Europe, in a condition where, if things were normal and the Government had not taken over the fixing of the prices of food, the people of this country would be able to buy the necessities of life at nearly one-half of what they are to-day.

Europe has stopped buying from us because they can buy cheaper from other places. I am informed that Argentine wheat can be bought to-day for $1.29 per bushel and that there are over 100,000,000 bushels stored in that country. Australian wheat can be bought for $1.14 per bushel, and there are 200,000,000 bushels available, while 80,000,000 additional bushels can be had in India. As against these prices, American wheat at $2.26, primary market, with freight and terminal charges added, bringing it nearer $2.45, will have no market abroad.

Corn in Chicago sells for $1.23 per bushel, while the Argentine corn can be purchased for half that figure. The same holds good for oats, rye, and other products of the farm. The other day I received the astonishing information that in the city of New York alone there were in the neighborhood of 750,000 barrels of flour in the storehouses, and that this enormous supply was so alarming to the flour merchants of the city that they were offering it at a price lower than was agreed upon with the Food Administrator. These figures, of course, are staggering when one comes to consider the price of food to the consumer.

In connection with hogs, it is of interest to note that the 40 principal packing companies joined in sending a letter to the Food Administration last October, in which they expressed the opinion that the proposed basis of stabilizing the price of hogs would result in unduly high prices to the consumer. This letter appears in the Official Bulletin of October 7, and I quote from it as follows:

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Mr. SMOOT. Mr. President——

The PRESIDING OFFICER (Mr. WATSON in the chair). Does the Senator from New York yield to the Senator from Utah?

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Mr. SMOOT. I do not know whether the Senator is aware of the reason for that difference of 38 cents a hundred, and if he has no objection I will briefly state it at this time.

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Mr. SMOOT. Last year, Mr. President, it became quite evident that there would be a shortage of sugar in all the world, and in order to induce the beet growers of the West and the sugar-cane growers of the South to plant additional acreage for the production of sugar, the price of beets was advanced to $10 a ton. Mr. Hoover and the people interested knew that they could not get the tonnage without that increase, particularly after the price of wheat had been fixed as high as it had been.

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Mr. CALDER. Mr. President, let me inquire of the Senator from Utah if he has any information as to the disposition to be made of this profit by the board?

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Mr. FRANCE. Mr. President, I should like to ask the Senator from Utah a question while he is on that subject. Can the Senator inform me as to what profits were allowed the beet-sugar manufacturers, and how those profits compared with the profits which they had hitherto been making?

Mr. SMOOT. I will say to the Senator that the profits allowed to the sugar producers of the West were very greatly reduced in the year 1918 below what they had been in 1917. In other words, during 1917 the price of the beets purchased by the beet-sugar manufacturers ran all the way from $6.50 up to $8 per ton, and they sold the sugar for higher prices during that year than they sold the sugar for during 1918. The sugar made in 1918 was made from $10 beets, so that really the profits of the beet-sugar companies in 1918 were nothing as compared with their profits in 1917.

Mr. CALDER. Mr. President, nor is this all. The Sugar Equalization Board have presented contracts to all the sugar refineries, the terms of which specify that the refineries will not purchase any raw sugar except from the board up to December 31, 1919. A very eminent lawyer in New York, Mr. William D. Guthrie, has advised his clients, the Federal Sugar Refining Co., that this contract is clearly illegal and in violation of the antitrust laws. I attach herewith Mr. Guthrie's opinion, which was published in the Journal of Commerce on December 24 last, and ask that it be printed in the RECORD.

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The opinion of Mr. Guthrie was sought by the Federal Sugar Refining Co. The proposed contract is dated October 24, 1918, and is to remain in force until December 31, 1919. It provides, among other things, that until December 31, 1919, the refiners will not purchase any sugar except from the Delaware corporation, other than such sugars as are provided under the agreement of October 1, 1917, and Hawaiian sugars, and that the Delaware corporation "may earn a profit on any sugar it may purchase and resell to refiners, or any sugar it may purchase from refiners and resell for export."

TEST OF OPINION.

In part, Mr. Guthrie's view reads as follows:

"I am of opinion that the proposed agreement above mentioned, to be entered into by the American refiners and dated October 24, 1918, would be held invalid by the courts on the ground that it was beyond any power vested in the United States Food Administrator or any other officer of the United States Government, and that it would so held illegal on the ground that it constituted a violation of the prohibitions of the acts of Congress commonly known as the Sherman Antitrust Act and the Clayton Act, approved, respectively, July 2, 1890, and October 15, 1914, as well as of the act of August 10, 1917, itself.

"I am also of the opinion that the proposed agreement would imply and create an obligation on the part of each refiner signatory to buy from the Delaware corporation an amount of raw sugar approximately commensurte with the normal requirements of the refiner's business notwithstanding the provision above quoted from article 6 of the agreement, to the effect that several refiners are 'not in any way limiting their ordinary power or business discretion to determine to what extent they may severally operate their refineries.'"

EFFECT OF ARMISTICE.

"I do not question the patriotic and humanitarian motives which have actuated the Food Administrator and his representatives during the crisis of the war. The conditions existing in October, 1917, may have justified extra-legal methods, to which patriotic refiners were readily willing to accede. But conditions have meantime materially changed. The President—advisedly, as we must assume—declared to the Congress on November 11, 1918, in stating the terms of the armistice, that the war thus comes to an end; for, having accepted these terms of armistice, it would be impossible for the German command to renew it.

"In the light of this official pronouncement by the President, it certainly behooves all Government officers carefully to consult the legal source of their authority and to bear in mind that their powers are limited by the statute, that they can not go beyond its limits, and that no emergency, however grave, can of itself create any source of power. It likewise behooves Government officers now to reflect upon the very questionable propriety of attempting to coerce acquiescence in extra-legal acts by undue pressure or by threats to withdraw licenses or otherwise, however patriotic or benevolent their motives may be.

"I should add that in my opinion section 2 of the act of August 10, 1917, does not empower the President, or the Food Administrator, or any other officer of the Government to organize a corporation under the laws of a State, such as the United States Sugar Equalization Board (Inc.), to act as an agency of the United States for the purpose in part of equalizing the distribution and selling price of sugar.

IMPOSE A CONSUMPTION TAX.

"The creation by the Food Administrator of a State corporation to be availed of as an alleged instrumentality of the Federal Government, the engaging by him in the business of buying and selling sugar (if in fact it be not speculating in sugar), and the disregard of the letter and spirit of sections 4 and 9 of the act of Congress of 1917, are in my opinion plainly illegal, and other features of the proposed agreement are of doubtful frugality. The Delaware corporation may be, and presumably will be, operated for profit, but no such agency of the United States has been authorized by statute with power to risk the funds of the United States or to collect or extort a profit from the people out of the distribution of a food product. Under this plan the Food Administrator could in practical effect impose a consumption tax. This is not a legitimate method of effectuating any power so far delegated to the President or the Food Administrator, and certainly it is not warranted by the act of 1917.

RESTRAINT OF TRADE.

"The agreement in its provisions, its intent, and its purpose would, in my opinion, be held by the courts to be beyond the power of the Food Administration and invalid, and hence not binding upon or enforceable against any of its parties, and least of all binding upon or enforceable against the Food Administrator. No officer of the Government can reasonably or properly be said to act under color of a law which neither gives him nor any other person authority to do the acts in question.

"The proposed agreement, in my opinion, is a combination in restraint of foreign and interstate trade and commerce, and as such clearly violative of the provisions of the several acts of Congress above referred to, namely, the Sherman Antitrust Act, the Clayton Act, and the act of August 10, 1917. This proposition seems to me to be plain and indisputable, and particularly so in view of the provisions of sections 4 and 9 of the last-named act.

WOULD BE NO DEFENSE.

"The Food Administrator, if he entered into the proposed agreement, would be acting not as an officer of the Government but individually as a self-constituted trustee and guardian of the sugar trade, and his official character and patriotic motives would be no defense even to him if indicted or sued for a violation of the several acts of Congress. Nor would it afford any defense to the American refiners to plead that they had entered into such a combination or agreement from patriotic motives at the urgent request and pressure of the Food Administrator or of the President or were coerced thereto by an official threat of having their business ruined by the withdrawal or cancellation of their licenses. Moreover, it should be recalled that any third person injured in his business or property by the operation of the proposed combination could sue any of the parties thereto and recover threefold damages, as prescribed in section 7 of the Sherman Act. That this might constitute a very serious risk can not be doubted."

Mr. CALDER. Nor is this all. During the war there have been tremendous accumulations of raw sugar in Java, which next to Cuba is the largest producer. Authorities in the trade state that this sugar can now be laid down in New York at about 2 cents a pound under the price at which the Sugar Equalization Board is selling to refineries. This Java sugar, however, can not be brought into this country because the Sugar Equalization Board, in protecting its "corner," has the active cooperation of the War Trade Board. The latter made the public announcement on January 14, as follows:

The War Trade Board announces that hereafter licenses for the importation of sugar will be issued only to the Sugar Equalization Board (Inc.) or its nominees.

We thus see that the Food Administration, acting through its creature, the Sugar Equalization Board (Inc.), has established a "corner" on imported cane sugar; it is levying a tribute of about three-eighths of a cent per pound on every pound of raw sugar; and it is protected in its "corner" by the War Trade Board.

Owing to the importance of tin plate in the manufacture of containers for foodstuffs, the situation in tin is worth noting. Tin is selling in London at about 55 cents a pound. It should be selling here for only a few cents more; as a matter of fact, through the operation of the War Industries Board and of the War Trade Board, tin can not be purchased in this country under 72½ cents per pound. The reason is that the War Industries Board contracted for an enormous supply of tin when prices were at their highest. This tin is now coming into the country and is being offered to the trade at 72½ cents per pound. In order to protect this Government speculation in tin, the War Trade Board will not issue licenses to any private individuals or companies to bring tin into the country, and consumers instead of buying their tin under 60 cents a pound must pay 72½ cents. Here again is an example of the results brought about by clumsy attempts on the part of Government agencies to set aside the laws of supply and demand.

I saw in the newspapers the other day a statement attributed to an officer of the Quartermaster Department appearing before a committee of the House of Representatives, in which he insisted that his department would require a 10 per cent increase in their allowance for food for the Army on the theory that when the Food Administrator ceased to fix the price of food products they would rise at least 10 per cent. This appears to me to be absurd, because with the enormous quantity of food here in this country, and with England and France buying from Argentina and Australia at a price 40 per cent less than we can sell them, there can be but one result, and that is cheaper food for the American people.

My attention has been called, Mr. President, to a statement published in the New York Sun of last Sunday, which shows the extent to which the food supply has been increased in this country compared with a year ago. I quote from that statement as follows:

FIGURES SHOW BIG INCREASE.

Statistics from sources that can not be disputed show that on January 1, 1919, there was an increase of 380,221,075 pounds over January 1, 1918, in storage, of frozen-beef stocks, cured beef, frozen lamb and mutton, frozen pork, dry salt pork, pickled pork, lard, and miscellaneous meats. In the face of these staggering stores many who dispute the wisdom of a continuance of governmental price fixing on hogs with bacon retailing at 60 cents per pound say they can not see any necessity for the present high prices ruling for pork.

The comparative figures of these stocks in pounds tell their own story:

	Pounds.
FROZEN BEEF.	
Jan. 1, 1919	295,206,748
Jan. 1, 1918	274,073,518
Increase of	21,133,230
Plus holdings not reported	1,240,615
Total increase	22,382,845
CURED BEEF.	
Jan. 1, 1919	35,601,588
Jan. 1, 1918	33,077,346
Increase of	2,524,242
Not reported	564,754
Total increase	3,088,996
FROZEN LAMB AND MUTTON.	
Jan. 1, 1919	12,254,508
Jan. 1, 1918	6,219,298
Increase of	6,035,210
Not reported	190,410
Total increase (Over 100 per cent increase.)	6,225,620
FROZEN PORK.	
January 1, 1919	59,854,765
January 1, 1918	30,192,103
Increase of	29,662,662
Not reported	2,220,301
Total increase (Over 100 per cent increase.)	31,882,963
DRY SALT PORK.	
January 1, 1919	350,884,441
January 1, 1918	234,055,592
Increase of	116,828,849
Not reported	2,963,940
Total increase (Over 50 per cent increase.)	119,792,789
PICKLED PORK.	
January 1, 1919	289,409,761
January 1, 1918	242,295,401
Increase of	56,114,360
Not reported	3,964,906
Total increase (Increase of 25 per cent.)	60,079,266
LARD.	
January 1, 1919	100,755,440
January 1, 1918	51,873,806
Increase of	48,881,634
Not reported	3,209,894
Total increase (Over 100 per cent increase.)	52,091,528
MISCELLANEOUS MEATS.	Pounds.
January 1, 1919	127,942,489
January 1, 1918	34,965,952
Increase of	92,976,537
Not reported	700,531
Total increase	93,677,068

These figures indicate that there were on January 1, 1919, 380,221,000 pounds of frozen beef, lamb, and pork in storage over January 1, 1918. An analysis of these figures will show that the quantity of these food products in refrigerators in this country will amount to the enormous sum of 1,200,000,000 pounds. What shall we do with such a surplus and the demand on the part of the people for cheaper food? The President has fixed the price of wheat at $2.26 for the farmer in 1919, and the Food Administrator has fixed the price of many other products by regulation. In a few days the Food Administrator's department will determine again just what price will

be placed on some of these commodities for this year. The people of this country will not be willing to continue to pay 75 cents a pound for butter, 45 cents for ham and bacon, 50 cents for beef, 40 to 50 cents for lamb, and $12 a barrel for flour when they know that the country is filled with enormous supplies of these products.

The other day I read in the newspapers, and it was stated on the floor of the Senate, that we will be asked to appropriate a large sum of money, even as high as $1,000,000,000, to make up the difference this year between the guaranteed price of wheat to the farmer and the normal price in the world's market. Mr. President, there are just two ways to determine this matter, in my opinion, either to repeal that provision of the Food Administration act giving the President the power to fix the price of wheat or else appropriate the necessary amount, so that the country may be able to obtain food at fair prices.

It is obvious that unless the regulations of the Food Administrator and the War Trade Board are entirely abrogated, prices of necessities in this country—and therefore the prices of all commodities—will remain close to their present high levels. Among other effects of this artificial condition is that this country will be the worst market for foreigners to buy in and the best for them to sell in; result, a rapid disappearance of the favorable balance of trade which this country had enjoyed the last few years.

This whole question of high prices of food goes with the prices paid for everything else. The junior Senator from Ohio [Mr. HARDING] stated the other day that if we hoped to readjust prices the wage of the workingman must also be readjusted. I concur with him in that statement; but I do insist, Mr. President, that the workingman of the country is not asking any more for what he has to sell than his employer, who is also getting his full share of the profits. The slightest inquiry will develop the fact that while the workingman's pay has been increased materially during the war, it has not been increased out of proportion to the things he is compelled to buy.

If we insist that the price of wheat is to be maintained during the coming year, and with it the price of other food products, then, indeed, it will be difficult for us to insist on the readjustment of the workingman's pay. On the other hand, if we reduce the price of the products raised by the farmer, he has a right to demand that the things he has to purchase be likewise reduced in cost.

Senators have arisen in their places here to denounce combinations of capital and to criticize the business man, and I believe the criticism is just in some cases, for many men have taken advantage of the war emergency to raise prices out of all proportion to the needs of their business. And let me here, today, warn these men that unless there is a disposition here and now on the part of everyone to make some sacrifice in the interest of all concerned, then the whole business fabric will come toppling over on our heads. If all are willing to help, then business catastrophe may be averted. If not, who can tell what the future may have in store?

Mr. PENROSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hardwick	Martin, Va.	Smith, Mich.
Bankhead	Henderson	Moses	Smoot
Beckham	Hitchcock	Myers	Sterling
Borah	Johnson, Cal.	New	Swanson
Calder	Johnson, S. Dak.	Nugent	Thomas
Colt	Jones, Wash.	Overman	Thompson
Culberson	Kellogg	Page	Townsend
Cummins	Kenyon	Penrose	Trammell
Curtis	King	Phelan	Underwood
Fletcher	Knox	Poindexter	Wadsworth
France	La Follette	Pollock	Walsh
Frelinghuysen	Lewis	Pomerene	Watson
Gay	McCumber	Ransdell	Weeks
Gore	McKellar	Saulsbury	Williams
Gronna	McLean	Shafroth	
Hale	McNary	Sheppard	
Harding	Martin, Ky.	Sherman	

Mr. LEWIS. I wish to announce that the Senator from Delaware [Mr. WOLCOTT] is absent on official business.

Mr. CURTIS. I have been requested to announce the absence of the junior Senator from West Virginia [Mr. SUTHERLAND] on account of illness in his family. This announcement may stand for the day.

The PRESIDING OFFICER. Sixty-five Senators have answered to their names. A quorum is present.

Mr. SMOOT. Mr. President, never in my service have I been undecided as to what was the best thing for me to do until the pending measure was under consideration by the Appropriations Committee.

I have served in the Senate now for nearly 16 years. I never had a pair during that whole time. I never have dodged a vote in any way. I always have had my mind clearly made up upon every proposition that has been presented to the Senate of the United States during that term of service. My conscience has been perfectly clear in regard to every vote I have ever cast; but I want frankly to admit now that I am not so clear in my mind as to what is the best thing to do, whether to vote for or against this measure. I have been trying to definitely decide from reading the testimony submitted in favor of it and the remarks made. I know this: I would prefer to make a mistake, if I do make a mistake, in upholding the representatives of our Government now seeking terms of peace in Europe than to make a mistake upon the other side.

Mr. President, I can not believe that before Mr. Hoover left the United States for Europe he had a complete understanding of what he was to do when he reached there, or that he had any understanding whatever with the supreme council of supply and relief or with the allied war council as to what should be done by way of relief for the suffering countries of the Old World. I do not believe I reveal any secret when I say that the day before Mr. Hoover sailed for Europe he asked the chairman of the Appropriations Committee to call a meeting of the members of that committee—and I might add that there were a few other Senators present who were not members of the committee—and at that meeting he stated that he intended to leave for Europe the next day, and he felt that it was his duty to tell the members of the committee the object of his mission. He stated that he had been asked by the President of the United States to go to Europe for the purpose of assisting the allied countries in the distribution of the necessities of life to the starving people of Europe. Mr. Hoover did not go into details as to why that should be done, but he said that it was absolutely necessary that it should be done if the lives of millions of people were to be saved.

Mr. BORAH. Mr. President, do we understand that before Mr. Hoover left here, and before he had made any investigation of his own, he had already determined that this must be done?

Mr. SMOOT. Mr. President, I know that Mr. Hoover had made an examination before he left here, by representatives of the Food Administration.

Mr. BORAH. I know; but I ask the Senator now whether I am to understand that before Mr. Hoover arrived in Europe he told the committee that he was determined upon this program of feeding Europe?

Mr. SMOOT. I would not go so far as to say "feeding Europe." I will say that Mr. Hoover stated to the committee that he had men in every country of Europe, and that he had reports from those men showing the necessity of early assistance to the starving people of those countries.

Mr. BORAH. Mr. President, may I ask if he stated when he had sent those men to Europe, and under what authority?

Mr. SMOOT. He did not tell the committee when he sent them, but I do know that he has had them there for some time. There is no doubt at all about it and no secret about it.

Mr. BORAH. Under what authority did Mr. Hoover send men to Europe, prior to the signing of the armistice, to investigate the conditions?

Mr. SMOOT. Mr. President, I should suppose that he acted upon the power that was granted to him by Congress in the food act. I do not think that that act limits his power to controlling the food situation in this country alone; and not only that, but I wish to say to the Senate that the food that has been shipped to the different countries of Europe has been purchased by Mr. Hoover. The allied countries have given him the power to purchase the wheat, to purchase the foodstuffs of all kinds for England, France, Italy, and other countries as well.

Mr. BORAH. I know that, Mr. President.

Mr. SMOOT. And I suppose it is through that power that he has exercised the right of sending men into Europe for investigating the food conditions.

Mr. Hoover stated to the committee that he had no idea how much money would be required, if any at all; but he did suggest that more than likely he would require a revolving fund of twenty-five or thirty million dollars, and I think the chairman of the committee—and if I am wrong I want him to correct me—said to Mr. Hoover, "If it becomes absolutely necessary for you to have the money you no doubt will cable or write to the chairman of this committee."

Mr. MARTIN of Virginia. The Senator is absolutely correct about that.

Mr. SMOOT. At that time there was no understanding as to how much money it would take. He had not met the allied council of supply and relief. No conferences had been held between him and representatives of the other countries. After he arrived there those meetings were held and counsel taken, and it was decided then by this supreme council of supply and relief that it would take a minimum of $300,000,000 to relieve the sufferings of the peoples that were in dire distress.

Mr. President, as to whether or not $300,000,000 will be sufficient, I do not know, and I do not believe Mr. Hoover knows; but the supreme council has come to the conclusion that it will take at least that amount, and of that amount the President of the United States and Mr. Hoover agree that America should furnish $100,000,000, England and France and Italy to furnish the other $200,000,000, making a revolving fund of $300,000,000. The bill specifically states that it shall be a revolving fund, and I want to state frankly that the evidence that was submitted to the committee went to show that the greater part of the money advanced would be returned, and that it was only a charity in so far as it advanced money to the people who were starving, and charitable in the sense that it saved them from a pending danger, and that they were to pay the amount advanced back to those advancing the money.

Mr. President, I have no doubt but that some of this money is going to be returned to the Treasury of the United States. In fact, I am positive of it. I believe that every dollar of it that is furnished to the people of the northern part of France and Belgium will be returned. I believe that all of it will be repaid that is advanced to people where there is a semblance of government or a government that has been recognized by the allied powers and the United States. I know, however, that millions of dollars of this appropriation will go to people that are living today under no form of government recognized by the allied powers or by our Government, and I doubt whether a cent of such advance will ever be returned to the Treasury of the United States. When this bill passes, if it does pass and become a law, and the money is expended for that purpose, I know that it will be impossible for all of it to be returned. As I stated this morning, if we receive back 50 per cent of it, that is all that I shall expect, and more, too. If I vote for the bill, it will be with the distinct understanding that as to the major portion of this appropriation it is in fact a charity.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). Does the Senator from Utah yield to the Senator from Washington?

Mr. SMOOT. Yes; I yield to the Senator.

Mr. POINDEXTER. The Senator spoke of northern France. Does the Senator think that France is now in need of financial relief from the United States to feed its own people?

Mr. SMOOT. I think there are a great many people in northern France that have to be fed; and I was going to say to the Senator that under the arrangement that is made it could hardly be called a case of the United States feeding France, because a part of the $300,000,000 comes from the revenues of France.

Mr. POINDEXTER. Yes.

Mr. SMOOT. The Senator from Iowa [Mr. CUMMINS] objects seriously to the distribution of this appropriation in the way provided, as far as the United States is concerned, and thought that it ought to be distributed as a direct gift of the specific items of food that we intend to furnish and not in the form of the fund provided for.

Mr. POINDEXTER. The Senator spoke just a moment ago about getting back that portion of this fund that will be expended to feed people in northern France. The showing here is that France is contributing money to feed the rest of Europe. France has suffered more than any of the allies in this war, because she has borne the brunt of the war; but France is great in the organization and reorganization of peace, as she was great in war, and is fully able to take care of her own people, and is taking care of them, and taking care of the people in other parts of Europe. She is not asking for charity from the United States.

Mr. SMOOT. Mr. President, so far as northern France is concerned, I do not consider that it is charity, and have so stated; but as to the great part of France that was overrun by the hordes of the Hun, whose cities were destroyed by the hundred, where there is not one stone left standing upon another and every vestige of life is completely destroyed, when those people go to their homes you can not tell me that they are not in dire distress and that they do not need assistance from every source possible.

Mr. President, the only way this can be done properly is to have it done in the way that this bill provides or that the program as mapped out provides, and that is that the money given by each one of the allied countries shall be put into one fund, and wherever goods are purchased, no matter from what part of the world they are purchased, they are to be paid for out of this fund, and when part of the money is returned it is to go into the fund, and when the final conclusion of this undertaking is reached whatever is collected from those that have been assisted will be distributed and paid back in exactly the same proportion that it was paid into the fund.

This is the only logical way that it could be done. It can not be done by England buying a cargo of wheat or of flour and distributing it to the needy somewhere and America sending over her meat products or a cargo of wheat and having that distributed somewhere, and then future payments made for those items thus distributed returned to the country furnishing each article. I say that the only way to do it is to do it in the way that is provided for in the pending bill if we are going to do it at all.

This proposition comes unexpectedly to the American people. The war having virtually ceased, or at least an armistice having been signed, and everyone in all the world believing that the war was at an end, the American people believed that with all the charity that they had extended in the past the calls for foreign assistance made upon them were at an end; but, Mr. President, from those who are upon the ground, those who ought to know, there comes this demand for additional assistance—I may say, in the last hour of the great conflict. When we contemplate the wonderful response that the American people have made to every call on them; when we know and realize the hundreds of millions and billions of dollars that the people have given gladly to carry on this great world conflict and bring it to a successful conclusion; when we know that every State in the Union has not only answered the call of the Government upon every occasion but more than done so; and when now perhaps the last call is made, and the call is for the purpose of saving the starving people of Europe, not brought about by any act of theirs, I want to say to the Senators that if there had been appeals made to the American people that a gift be made for this amount, or a direct donation, I have not a doubt but what it would have been granted.

Mr. GRONNA. Mr. President——

Mr. SMOOT. I yield to the Senator.

Mr. GRONNA. Not for the purpose of controverting any statements made by the Senator from Utah, but simply for information, I wish to ask him as to this fund for which he speaks. If I understood him correctly, France is to contribute a third, England a third, and the United States the other third. I wish to understand if it is to be used for the purchase of food to be distributed in France or England?

Mr. SMOOT. I do not think any of it is to be distributed in England. I think some of it is going to be distributed in northern France. As I have already stated, most of it will go to Belgians, Poles, Ukrainians, and Serbians—people who have virtually lost everything they had on earth and have not a thing to live on.

Mr. GRONNA. Of course, that would be outside of France. If the people of France can contribute $100,000,000 to this fund, what is the necessity for us to contribute? I am not saying now that I am opposed to it, but I ask simply for information. If the people of France are able to contribute $100,000,000, or one-third of the fund, what is the necessity for the United States to contribute, if it is for their use only? Is there any reason to suppose that the fund is to be distributed exclusively outside of the countries which have been named?

Mr. SMOOT. I want to say, as I said before, the program was mapped out by the supreme council of supply and relief and supported by the allied war council, and that program is to take care of the suffering people wherever they may be.

Mr. GRONNA. Of Europe?

Mr. SMOOT. Of Europe. I mentioned the northern part of France, because I have no doubt but what they will require relief, and as long as relief is the program, why say to France that she shall take care of her own sufferers separately from the program of taking care of the peoples of Europe who are suffering?

Mr. GRONNA. I am finding no fault with that. The Senator is a member of the committee having this bill in charge, and it is reasonable to suppose that he can give the Senate some information as to the desire of the commission as to where the food shall go. I should like to know if it was understood by the committee that this mission has asked for this fund that it might be used for the purpose of purchasing food not only for friendly nations, those who have been our friends in this struggle, but also to be used and distributed in those countries that have been our enemies in the war?

Mr. SMOOT. I will say to the Senator that that could not be done under the provisions of the bill. The bill specifically states that it shall not be used for feeding the people of countries that were the enemies of the United States.

Mr. GRONNA. The Senator evidently did not understand my question. I simply wanted to know what the committee understands. I have read the bill.

Mr. SMOOT. That is what the committee understands.

Mr. GRONNA. That it shall be used just for people of the allied nations or of the friendly nations?

Mr. SMOOT. For people of the friendly nations of the world.

Mr. GRONNA. If the Senator will permit me in his time, I will say to him that we had before the Committee on Agriculture and Forestry during this week a gentleman who stated under oath that he sat in all the conferences with this commission, as you may call it, and he named the men, and that Mr. Hoover, Mr. Hurley, the representative of Great Britain, Lord Reading, the representative of France, M. Clementel, agreed that it should be used not only for the allied nations or the friendly nations but for the enemy nations. That is why I asked the Senator the question I did.

Mr. SMOOT. The Senator knows that under the provisions of the bill it could not be used for that purpose. I wish to say to the Senator that the man who testified that way may have gotten mixed as to whether it was this fund or whether it was Mr. Hurley's proposition of selling to Germany and Austria some 870,000,000 worth of food products in return for certain shipping and products that they have for disposal.

Mr. GRONNA. Will the Senator permit me to answer that?

Mr. SMOOT. I do not say that that is the case; I simply say it may have been.

Mr. GRONNA. I think in justice to the man whom I have quoted, I should also state that he said it was understood by this commission that the entire fund should be used for the purchase of food sold for cash.

Mr. SMOOT. Of course that could not possibly be true. I will say to the Senator that I know Mr. Hoover did not think so when he left, because if the Senator was here when I made the statement of Mr. Hoover's appearance before the Committee on Appropriations he will remember that Mr. Hoover then did not make any such proposition. That was before he went to Europe.

Mr. GRONNA. This witness stated that that was the understanding not only of Mr. Hoover but of this commission.

Mr. SMOOT. I will say to the Senator that if it was the understanding at any time it was not the understanding the day before Mr. Hoover went to Europe.

Mr. GRONNA. Let me not be misunderstood. This witness has seen Mr. Hoover later than the committee has seen him. This was after the Senator from Utah and the committee had seen Mr. Hoover.

Mr. SMOOT. Of course I can not say from personal knowledge what happened in Europe, other than what appears in the cablegrams; but I say I know that no part of the $100,000,000 can be used for the relief of the enemy countries of the United States under the provisions of the bill.

Mr. President, I know the time has got to come, and that soon, when Congress must cease appropriating hundreds of millions of dollars. I thought it had arrived before this bill came before the Committee on Appropriations; but, Mr. President, this appropriation of $100,000,000 is asked for at a time when the representatives of our country are undertaking to reach a peace agreement; they say it is absolutely necessary that this shall be done; and I, as an American citizen, feel that I dare not take the responsibility of saying that it shall not be done.

I know that in the years to come taxes will be burdensome upon the American people. That time will be here not only this year, next year, and the next, but I say that my grandchildren will be paying heavy taxes on the obligations incurred by the Government of the United States for participation in the present world war. Rather would I begin with every appropriation bill that comes to the Senate at this session and eliminate from it every dollar that is not absolutely necessary than to make a mistake in defeating this bill. Mr. President, if mistakes are made in an annual appropriation bill they can be rectified within a few months. Such mistakes can not involve the future peace of our Government, but the pending appropriation may have such an effect. If this appropriation is to be made at all, it ought to be made at once. If the money is to be used at all, it ought to be used now. People can not go month in and month out with nothing to eat. If we are going to save the lives of suffering hundreds of thousands and perhaps millions of people, the quicker we do it the better.

I do not know whether it is worth while, Mr. President, to call attention to other matters that have been referred to during this discussion, because it seemed to me they were foreign to the subject. I have no doubt it would be just at this time to say the criticisms of the packers in some respects are unjust. I have no defense to make for them whenever they do aught that is contrary to the rules of honesty and justice, but I say now in justice to them that if they had not been organized as they were at the outbreak of war our American boys would never have been fed as they have been. In justification also of Mr. Hoover, he made his contracts not only with the producers of pork, in which the packers were compelled to pay 17½ cents per pound live weight, but he compelled the packers to buy the same and then limited the profits which they could make upon any sale to an amount not to exceed 2½ per cent. I claim now there is not another class of business in all the world whose sales charges are as low as 2½ per cent. If we want to save the consumers of this country money and bring down the cost of living, let us go to the places where they are not charging 2½ per cent, but in many cases 100 or 125 per cent on many sales. I say there is not a retail store in the District of Columbia which sells at a profit of less than 20 per cent on sales, and it runs all the way from 20 per cent up.

I know it sounds big to say that Armour & Co. made $15,000,000 last year, but do you know why they made it? Their sales were over $861,000,000, and they made less than 2 per cent upon all their sales. They made less than $1 per head on cattle that passed through their plant.

But of course, Mr. President, the amount of business they did was something marvelous and unheard of in all the history of the world. Notwithstanding the great increase in business their overhead expenses were the same, their advertising was the same, and the percentage on sale expenses were greatly reduced. Their ordinary sales of about $250,000,000 increased for 1918 to $861,000,000. Swift & Co. sold over 4,500,000 pounds of beef during 1918. The figures are so startling and so stupendous that we can hardly comprehend them, and we never could have believed them possible unless we had had this world war.

I wish to say now that I can not conceive how it is possible for any man to criticize another for limiting the profits on sales to not more than 2½ per cent. I can not recall, Mr. President, of very many businesses in all the world where organization is so complete that a profit of 2½ per cent on sales will yield an excessive profit on the capital and surplus invested.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Idaho?

Mr. SMOOT. Certainly.

Mr. BORAH. Does the Senator know what per cent the packers made upon their capital and surplus for the year 1918?

Mr. SMOOT. I want to say in this connection—and I am glad the Senator asked the question—that capital and surplus was not the only money used by Armour & Co. during the year 1918. They had over $250,000,000 of borrowed money——

Mr. BORAH. I am asking the Senator a question now: What was the per cent which they made upon their capital and surplus for 1917 and 1918? I do not care anything about this 2½ per cent turnover. If men can turn it over in a monopolistic field, that does not mean anything at all. How much did they make at the end of their year upon the capital and surplus?

Mr. SMOOT. I have not yet received the statement and I can not say what the profits are, but I do say that the contract which was made between the packers and Mr. Hoover was that they should not make more than 9 per cent.

Mr. BORAH. That was on one line of their industry. On all the rest of it they were left absolutely free and untrammeled, and made as high as 47 per cent upon some of their other industries.

Mr. SMOOT. Mr. President, not only their meat products and food products but all the other products produced by them sold for $861,000,000 for the year 1918, and they made less than 2 per cent upon the whole of it, by-products and all.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Iowa?

Mr. SMOOT. Certainly.

Mr. CUMMINS. I am not basing my opposition to this bill upon the profits of the packers, but I do not like to see a false economic principle receive the support of the Senator. I am sure the Senator from Utah will not differ from me with regard to the real principles.

Armour & Co. have $100,000,000 capital stock. They have that because they increased it fivefold, I think in 1915 or 1916, out of the surplus which had been laid aside in the previous years, which represented, of course, their profits. The true way of determining whether Armour & Co. sold their stock at too high a price is to ascertain the return which the business afforded upon the capital invested in the business. If they made $15,000,000 in 1918, that represents a return of 15 per cent upon the $100,000,000 capital. It is true that Armour & Co., and I suppose it is true of other packers, borrowed a large amount of money during the course of that year, but the interest which they paid upon the money which they borrowed is reckoned as a part of the expenses of the business.

Mr. SMOOT. There is no doubt about that.

Mr. CUMMINS. It is all deducted before we arrive at the profits upon the capital actually invested by those who own the business.

Mr. SMOOT. The Senator is perfectly correct.

Mr. CUMMINS. Therefore the question is whether 15 per cent on the capital invested is more than a business should return to capital.

Mr. SMOOT. Mr. President, there is not one of the Senators here who does not know that if it had not been for the wonderful demand created by the war the sales of Armour & Co. would not have been $861,000,000. In proportion to the amount of their sales less than that their gains would have been less.

I know concerns in this country that have in two years during the war not only cleared every dollar of the cost of putting up their plants, every dollar which was invested in any way for operating the plant, but have made hundreds of per cent in addition. I do not believe that was right. I do not believe, Mr. President, that Mr. Hoover did wrong in controlling the packers. If they had not been controlled, with the demand for foodstuffs all over the world, no one can tell where the prices would have gone. If the sugar producers of this country had not been controlled, I believe that sugar would have advanced in this country to 20 cents a pound, the same as many of the foreign countries have been and are paying to-day. The best thing that was ever done for the American people was the control of the production of sugar in this country and the control of the Cuban sugar. I say now that Mr. Hoover could not have controlled the sugar that is produced in Cuba unless he had the power granted him by our allies to buy the whole of the crop, and that they would not have purchased a pound of it.

Has the producer of sugar in Cuba suffered? No. Last year he was paid $6.50 per hundred pounds for his sugar, 100 per cent more than he received before the war. They made millions of money, and it was a mighty good thing that the price was controlled, because there was a scramble for sugar all over the world, and no telling where the price would have gone if it had not been controlled.

Mr. President, there has been a good deal said here in this connection with reference to the reconstruction of our industries in this country, now that the war is over. Would to God that it had been undertaken more than a year ago in this country. Mr. President, on the 11th day of April, 1918, over 10 months ago, I delivered an address before the Industrial Club of Chicago, and among other things I referred to this very matter of the reconstruction of our industries after the close of the war. I do not know whether I could better express it now than I did upon that occasion. The part I shall take the time to read is very short. It is as follows:

"Practical wisdom is only to be learned in the school of experience. The hard facts of existence give that touch of truth to character which can never be imparted by reading or tuition, but only from contact with mankind.

"Fine sense and exalted sense are not half as useful as common sense. There are a host of men of wit to one man of sense. That has been the case in all the ages of the world, and no doubt will continue so until the end.

"When war was declared by the United States against the Imperial German Government we found ourselves totally unprepared, and I am fearful that unless some action is soon taken by our Government we will find ourselves unprepared to meet conditions that will arise in the world's commerce when peace is declared.

"Our leading allies and our enemies as well have already established industrial departments to deal with commercial and economical problems which will arise after the close of the war.

"No such action has been taken to enable our industrial institutions to meet the competition following the close of the war, which will be the most severe of any age of the world.

"I read not long ago an account in a foreign paper of arrangements already made by England, France, and Germany to capture as great a proportion of the commerce of the world as lies in their power.

"I pause here long enough to say that there is a feeling—shall I say of resentment on the part of a few who actually believe that to-day England is thinking more of her future control of commerce than she is of winning the war?

"I know that there is no straw left unturned by England to not only retain her world-wide commerce, but to enlarge it, and we have but to look at the statistics of other countries and we will see her foreign trade has not diminished but increased since the war began.

"We must not forget that when this war closes the industries of all the countries will be highly efficient compared with what they were before the war. There are a thousand problems that will be involved never dreamed of before the war, and we must squarely meet them, or our trade with foreign countries will be lost—what little we had.

"We will find that within a month after the close of the war England and Germany and other countries will have their merchant marines plowing the seas and hastening to carry raw material to their manufacturing plants, at present making munitions of war, but restored to their original purposes.

"Is there any doubt that following this war the question of employing the millions of soldiers released will be one that will demand the greatest wisdom on the part of public and business men, as well as the laboring men themselves?

"In England, for instance, a ministry of reconstruction has been created, and through that agency the minutest details are being perfected for reconstructing their whole economic and social structure.

"Among the subjects the ministry is considering are finance, raw materials, military stores, labor employment, agriculture, education, foreign trade, and public administration.

"Our allies believe that in time of war they should prepare for peace.

"Congress should not adjourn the present session without specific action along these lines. I am not alarmed about internal troubles occurring during the war period, but I am fearful of what is going to happen after the war and before normal conditions are restored.

"I am worried as to what is going to happen when wages must be readjusted in order to meet foreign competition; when we must arrange to maintain our own home markets; when hundreds of thousands of laboring men will be seeking employment; when the American people will fully realize that extraordinary war taxes will continue to be imposed and collected for years after the war is closed."

Mr. President, I do not go further; but I could proceed for hours and tell the people of the United States what a chance we have missed in the last 12 months in not preparing for the reconstruction of our industries with a view to the employment of our laboring men at the close of the war.

Mr. JONES of Washington. Mr. President——

Mr. SMOOT. I yield.

Mr. JONES of Washington. In connection with what the Senator is just saying, it may not be out of place to call attention to the fact that on January 4, 1918, I introduced a resolution in the Senate to provide for a commission to look into the problems of peace. That commission was to have on it representatives of all the leading industries of the country, and it was to do just exactly what the Senator has pointed out the importance of doing. I introduced that resolution, but we could get no action from any of the committees controlled by the majority.

Mr. SMOOT. I remember well the resolution offered by the Senator. Not only that, but I remember well the resolution that was offered by the Senator from Massachusetts [Mr. WEEKS]. But no notice was taken of them. We have been drifting along. Mr. President, with no preparation whatever, and the war coming to an end so suddenly, throwing millions of men back into industrial pursuits, has already brought to the attention of the American people the lack of former action that was so necessary along this line.

Mr. CUMMINS. Mr. President——

Mr. SMOOT. I yield to the Senator.

Mr. CUMMINS. The case is most admirably stated in the extract which the Senator from Utah has read from his speech in Chicago. It is a graphic description of the situation and of our duty. What I should like to know, however, is this: It will require a very large expenditure of the public money—temporarily, at least—to bring about the preparation for peace in our own country. How does the Senator from Utah expect to aid the accomplishment of that purpose by spending a hundred million dollars for reconstruction in Europe?

Mr. SMOOT. Mr. President, there is no proposition here for spending $100,000,000 for reconstruction in Europe. There is a proposition for spending $100,000,000 of American money, together with $200,000,000 of the money of the countries associated with us in this war, for the purpose of preserving life.

I want to say now to the Senator from Iowa that I would not vote to appropriate one single solitary cent of American money if I thought it was going into the development of the commerce of foreign countries. I do not believe a dollar of it will be spent for that purpose. If it is so spent, I will say to the Senator that it will be spent without any authority of law, without the approval of the American people, and it ought to be condemned, and will be condemned by all.

I have voted for many measures in the last two years which in ordinary times I should not have voted for under any circumstance; legislation has been passed here within the last two years which I believe was revolutionary and socialistic in the most rampant form; and I hope and pray that its enactment will not have the effect of encouraging the people in ordinary peace times to demand such legislation for the future.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Florida?

Mr. SMOOT. Yes; I yield.

Mr. FLETCHER. It occurred to me while the Senator from Utah was reading from his very admirable address delivered in Chicago that we ought not to lose sight of the fact that up to about November 11 we were pretty busily engaged preparing for war and turning out war materials. I do not see that we had much leeway to do very much toward preparing for peace up to that time. I think the Senator will admit that the war ended pretty nearly a year before most of us expected it would end. At any rate, there was not very much we could do except to counsel looking ahead, and that sort of thing, beyond what we were doing to turn out munitions and other means of winning the war.

Mr. SMOOT. Oh, how mistaken the Senator is! When England and France were in a death struggle, drawing every man possible from their industries, three years ago they found men at home with sufficient knowledge and wisdom to consider reconstruction of industries after the war most thoroughly. Did England stop and did France stop the formation of a plan for reconstruction in the darkest days of last April, when it looked to all the world as though the very next day Germany would break through their lines and take Paris? I believe, Mr. President, as much as I believe anything, that if it had not been for an overruling power the Germans would have captured Paris. Last April when Germany was pressing the French Army back each day, and the supreme effort finally made a break in the line, I am told that a dense fog, so thick that a man could hardly see his hand before him, settled over the two great contending armies, and it was for that reason that the Germans did not know that the French line was broken for the width of 8 miles and the road to Paris was open to the German Army. However, it was not to be so; God ruled it otherwise.

I say now that the lack of providing for a reconstruction program is one of the things which will result to the disadvantage of our country more than anything that has happened in this war.

Mr. McLEAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Connecticut?

Mr. SMOOT. I yield.

Mr. McLEAN. The Senator from Utah calls attention to the fact that France and England more than three years ago anticipated the necessity for preparing for peace conditions. Is he aware of the fact that President Wilson two years ago anticipated this situation and prepared to meet it? Let me call his attention to President Wilson's declaration with regard to this matter. I find in the published volume of his addresses and papers, on page 315, that President Wilson said:

> Besides contributing our ungrudging moral and practical support to the establishment of peace throughout the world, we must actively and intelligently prepare ourselves to do our full service in the trade and industry which are to sustain and develop the life of the nations in the days to come.

I hope the Senator from Utah will mark the succeeding language:

> We have already been provident in this great matter and supplied ourselves with the instrumentalities of prompt adjustment. We have created in the Federal Trade Commission a means of inquiry and of accommodation in the field of commerce which ought both to coordinate the enterprises of our traders and manufacturers and to remove the barriers of misunderstanding and of a too technical interpretation of the law.

Again:

> In the new Tariff Commission we have added another instrumentality of observation and adjustment which promises to be immediately serviceable. The Trade Commission substitutes counsel and accommodation for the harsher processes of legal restraint, and the Tariff Commission ought to substitute facts for prejudices and theories. Our exporters have for some time had the advantage of working in the new light thrown upon foreign markets and opportunities of trade by the intelligent inquiries and activities of the Bureau of Foreign and Domestic Commerce, which the Democratic Congress so wisely created in 1912. The Tariff Commission completes the machinery by which we shall be enabled to open up our legislative policy to the facts as they develop.

I call this to the Senator's attention in order that he may not be unnecessarily concerned about our future.

Mr. SMOOT. Mr. President, all I have to say as to that is, may Providence have mercy upon the industries of this country if they are compelled to rely upon what the commissions named in that address will do for them.

Mr. McLEAN. I understand that there are only three active members now on the Federal Trade Commission.

Mr. SMOOT. That is all.

Mr. McLEAN. But they have some thousand employees, who, I understand, are receiving a living wage out of the Treasury of the United States.

Mr. SMOOT. Mr. President, I do not desire to take the time of the Senate any further. I simply felt like saying what I have said upon this occasion more in explanation of my position than for any real benefit or assistance it might afford in the passage of the bill.

Mr. KELLOGG obtained the floor.

Mr. MARTIN of Virginia. I suggest the absence of a quorum.

Mr. KELLOGG. I wish the Senator from Virginia would not do that. If Senators do not wish to hear me, I do not desire their attendance.

Mr. MARTIN of Virginia. I think Senators ought to be present, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Harding	Myers	Smoot
Bankhead	Henderson	New	Spencer
Borah	Hitchcock	Nugent	Swanson
Calder	Johnson, S. Dak.	Page	Thomas
Chamberlain	Jones, Wash.	Phelan	Thompson
Colt	Kellogg	Poindexter	Townsend
Culberson	Kirby	Pollock	Trammell
Cummins	Knox	Pomerene	Underwood
Curtis	La Follette	Ransdell	Wadsworth
Fletcher	Lewis	Saulsbury	Warren
France	McLean	Shafroth	Weeks
Gay	McNary	Sheppard	Williams
Gerry	Martin, Ky.	Sherman	Wolcott
Gore	Martin, Va.	Smith, Ariz.	
Hale	Moses	Smith, Mich.	

Mr. FRANCE. I desire to announce the absence of the Senator from Georgia [Mr. HARDWICK], the Senator from Kentucky [Mr. BECKHAM], and the Senator from Wisconsin [Mr. LENROOT] on official business of the Senate.

Mr. WEEKS. I wish to announce that my colleague [Mr. LODGE] is unavoidably absent from the Senate to-day. I ask that this announcement stand for the day.

Mr. GERRY. I wish to announce that the Senator from North Carolina [Mr. OVERMAN] is detained on official business.

The PRESIDING OFFICER. Fifty-eight Senators have answered to their names. There is a quorum present.

Mr. KELLOGG. Mr. President, in discussing this measure I promise brevity. I should not address myself to the subject at all but for the surpassing importance of the bill and because I believe it involves the honor of this Nation.

The discussion has assumed a wide range. Much of it has been interesting, but I believe has no direct bearing upon the great question at issue. We have heard discussed the shipping program, price fixing, the Food Administration, and general economic questions bearing upon the prosperity of this country. In my opinion this bill should be considered within much narrower limits.

I do not need to confess that, with other Senators, I have great reluctance in bringing my mind to support this bill. I had hoped, as the Senator from Utah [Mr. SMOOT] has said, that the war was practically ended and that we could stop making these appalling appropriations which are being imposed upon the taxpayers of this country, and I shall join the Senators in doing everything I can to relieve that condition; but, Mr. President, I am not prepared to say that, when the cry of distress comes from a stricken world, we should turn a deaf ear to it.

What are the conditions? For four years a war has ravaged Europe, involving more countries and having greater effect upon the civilization of the world than any conflict since the fall of Rome or the French Revolution—appalling in its losses, in its

waste, in its crimes, and in the trail of want, misery, and starvation which has followed it.

Now, what do we find to be the conditions in Europe? Take Serbia, for instance. As the armies of the central empires swept through the peaceful agricultural valleys of that land they devastated homes, drove off the cattle, destroyed the farm machinery, the food, the very seed, and left the country a desert. The Serbian people were driven into a little corner at Monastir, where was evidenced the greatest heroism of any little nation oppressed and beset by all the mighty power of the central empires.

Look at Poland. We have thousands and hundreds of thousands of industrious Polish citizens in this country. They are good citizens. We have thousands of them in my State. For generations and generations, aye, even for centuries, the hope of an independent Poland has inspired that people; but over her land swept back and forth the contending armies of Russia and Germany until it became a waste. I shall not go into the details of the condition of these friendly people who have sacrificed everything they had for the same cause you and I were supporting. We have recognized them; we have stated that we desire them to establish a government; we have recognized the Slavs of central Europe, and to-day they are starving.

I realize that my first duty is to the American soldiers who went upon the blood-stained fields of France to defend this Nation and to fight for our cause; I have not been remiss in my duty to them, and I shall not be. I realize that my first duty is to the toiling masses of my own country, and everything I can do to insure to them cheaper food, better living conditions, and good wages I shall do.

We have for several years been aiding in feeding stricken Belgium. I need not repeat the story of that people; but if it had not been for little Belgium, which stood at the gates and prevented the onslaught of the Hun, as Charles Martel met the invading hosts centuries ago, I do not know what the history of civilization would have been.

I am confident that the feeling in this country is such that if there were opportunity, if there were time to collect $100,000,000 by private subscription in order to meet the demands of Europe at this time, the American people would gladly give that sum; but, as has been said, relief must come to these people now, if it comes at all, and we are wasting precious moments even while we are debating the question, although I think it should be discussed fully on all sides. I am very glad to hear the opinions of Senators who do not agree with me, for I wish all the light I can procure upon the subject. But, Mr. President, do what we can, let all the civilized nations of the world do what they can, yet thousands upon thousands of people will starve before we can furnish relief. It is impossible to bring to the stricken people of Russia the relief that will prevent starvation.

Now, what is the condition? At the close of this great war the commissions of all of the allied nations have assembled in Paris to meet those of the opposing nations. We also have in Paris the allied committee, which during the last few months of the war was such an important factor in uniting the forces of the four great powers in order to meet the onslaughts of the German Empire. We acted in this fight as one great force, one great nation, each being inspired by the same desire and the same hope to bring about the same object. What have they done? Senators, let me read to you again the resolutions adopted in Paris, and then if any Senator wishes to say that we shall not vote this credit it will rest upon his conscience:

The following resolutions, adopted Sunday, January 12, at meeting of supreme council of supply and relief, were presented yesterday at the meeting of the presiding war council and were formally adopted by the representatives of the allied Governments and the United States:

"1. That it is imperative in the interest of humanity and for the maintenance of orderly government that relief should be given to certain European countries. It is provisionally estimated that for the furnishing of this relief till next harvest a minimum sum of $300,000,000 may be necessary, apart from the requirements of Germany, which will be separately examined.

"2. The council is of opinion that this sum of $300,000,000 should be placed at its disposal by the four associated Governments.

"3. That the financial representatives of the four Governments should consider and make recommendations to meet this expenditure.

"4. If these recommendations be accepted by the council, they should then be referred to the respective Governments for their approval."

Mr. President, that comes from the same allied council which marshaled the hosts of England, France, Italy, and the United States to meet the great final onslaught of the desperate Hun.

Mr. President, have we turned a deaf ear to the demands of that allied council before? Did we hesitate in voting millions and billions to carry on this war? Necessarily much of it was wasted. In the haste with which we made preparation, being an unprepared Nation, we, of course, wasted hundreds of millions of dollars. But whenever that allied council called on us for men, for money, for sacrifice, we met their demands, and because we did there has ended the greatest war that ever cast its shadow over civilization.

Now, Mr. President, who are the men who are to administer this allied fund? Let me read their names. They are not unknown to you or to the American people:

Lord Reading, the ambassador of Great Britain to the United States, and Sir John Beale, chairman wheat executive, London, will represent the English Government. For the French Government the representatives are Vilgrain, undersecretary of state for supply, and Clementel, minister of commerce. Italy at present is represented by Signor Attolico until her regular representatives arrive, and the United States is represented by Mr. Hoover and by Mr. Norman Davis.

I shall not discuss the question whether it would have been better not to have passed the food law or some other laws which have been enacted. I shall not discuss the record and career of Mr. Hoover. I will say that I believe him to be a high-minded, honorable, patriotic, and exceedingly able man. When Belgium had been destroyed before we entered the war and when France and England desired some one to take charge of the great charitable undertaking in feeding their people and keeping them from starvation they selected Mr. Hoover.

I do not think Mr. Hoover believes, in time of peace, in regulating prices or fixing prices or anything of the kind. At the meeting referred to by the Senator from Utah [Mr. SMOOT] Mr. Hoover recommended to the Senators present that whatever pressure might be brought to bear or whatever arguments were made the food law should expire with this war and that economically, in a country like ours, prices should not be fixed except under circumstances such as those to which we have been subjected.

Europe selected Mr. Hoover, who has had vast experience, to be the head of this commission. Not only that, Mr. President, but the representatives of this country in Paris, selected to make peace, have recommended this as a necessity; and, again, the President of this country, who is representing us at that conference, has recommended it in the most earnest manner. So we have the united judgment of the allied council, these gentlemen of the highest standing who are to act as the commissioners to handle the funds, our representatives at the peace conference, and the President of the United States.

I have followed the President in some things which were against my judgment; but I wished to place in his hands all the power which a united Nation could place there, that he might win this war, hoping that it would be the last great destructive war for generations and centuries to come.

Mr. President, I know this: The countries which are organized, the countries which have the semblance of an organized government, stand ready to issue their bonds or other securities to pay for food and aid their people. I was talking with the Minister from Serbia. Little Serbia, with all she has suffered, is ready to-day in Washington to give the bonds of the Serbian Government for every dollar of food and assistance which this allied council may furnish her. Of course, we are not going to give food to France. Belgium is ready to give her bonds, and they will be good, for it is a rich country, inhabited by an industrious people, ready to give their bonds for her aid. I have no doubt that any of the nations of Europe which are organized, which have a semblance of government, will give their securities for any assistance which may be rendered them; but, nevertheless, I have no doubt that with all this assistance there are struggling peoples in Europe over whom hang the horrors of famine, and I am not ready to say that I am going to turn a deaf ear to the piteous sobs of those broken nations.

Mr. SMITH of Michigan. Mr. President, will the Senator allow me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Michigan?

Mr. KELLOGG. Certainly.

Mr. SMITH of Michigan. From the Senator's investigations, does he believe that the allied governments and the United States have entered into any form of contract to carry out this plan?

Mr. KELLOGG. I have no doubt whatever that, as arranged and as indicated by this resolution, the council of the allied governments have agreed on a plan to furnish relief to these countries. Now, I should be glad if the committee could have had before it Mr. Hoover and representatives from these countries, who could have given us detailed information as to just what countries food may be sent or seed need be sent or clothing need be sent, and how much, and what countries will be able to pay for them or give their securities for supplies; and I believe it would have been better if more detailed information had been sent to Congress. But I do realize, Mr. President, that the war has not been at an end but a couple of months. I do realize that Europe was in chaos, and likely

they do not know the complete details, which must be worked out from time to time. But, as the Senator from Michigan has just said, I have no doubt that there is an agreement between the allied nations to carry on as one body this relief to the stricken world.

Mr. President, it has been suggested that if we have a surplus of food we should appropriate that food to give to these countries and not appropriate money as a revolving fund. I should be perfectly willing, if the allied council should say at this moment, "We wish so many bushels of wheat, so many pounds of meat, and so much clothing from the United States," and we had it, to appropriate that; but I think it has occurred to every Senator that it is impossible for them to make such estimates.

Certainly the great proportion of this relief must come from this country. Do not forget, Senators, that last year the foreign commerce of this country reached the unparalleled amount of $9,000,000,000—more by three billions than any country ever before realized in any one year in all the history of the world—and that the balance of trade in favor of this country was $3,000,000,000. In other words, Europe paid us three billions more than we paid them.

Why, Mr. President, if labor is to have its just wages, as it ought, if industries are to be maintained, if the farmers of this country are to find a market for their products, that market must be found in Europe, because we are a surplus-producing people. Now, there is no question but that the Government of the United States has purchased most of the wheat surplus and paid for it, and is obligated to pay for any of the balance which is offered. I shall not go into the details of that; but we have a surplus of 319,000,000 bushels this year, and Mr. Hoover has sold to the allied countries 200,000,000 bushels at the price this Government paid for it, plus the carrying charges and expenses, and we undoubtedly will find a market for the balance; for I believe the European countries must buy their surplus wheat from us, because we are in a better position to furnish it and send it to them.

I am not in favor of keeping up the prices of products—not at all. I realize that the war is practically over. I realize that the guaranteed price of wheat was established at a time when no man could foretell the result of this war. It was made after one of the shortest wheat crops in this country and in the world. It was made when the President and the Congress felt as though there must be a greater production of wheat in order to win the war, and it was made, it must not be forgotten, when the price of wheat was $2.50 and $3 a bushel and rising every day, and it was made to insure food to the armies and the peoples of the world fighting in a common cause.

I am not in favor of maintaining that price to the American workingman and to the American people. I would prefer that the Government buy the wheat and sell it in the market, so that our own people may have the benefit of the world's price and food at normal prices; but, come what may, the Congress must keep its pledge to the farmers of this country.

Mr. President, I think I have said all that I desire to say on this bill, with one exception. I am not going to vote for it solely because it is a charity, or solely because it will stabilize the governments of Europe, or solely because it will stop the advance of bolshevism, although I do realize that in those countries where nations are seeking to realize their ambitions toward autonomy you can not set up and maintain a government over starving people; but I am going to vote for it because it is one of the factors in the closing of a great world conflict which has spread starvation, misery, disease, and want over all of Europe, and I wish to do my share and to have my country do its share in aiding to bring about an honorable peace, in maintaining good governments in Europe, and in feeding those stricken people.

I deny that by voting for this bill I commit myself to maintaining for all time the autonomy of the governments of Europe which may be established, large and small. I am not in favor of crossing the ocean to pledge the honor and strength of this Nation to maintain all the governments which may be set up in Europe; but I am in favor, at the close of this war, as to the peoples who have been fighting with us for the same object and inspired by the same hopes, of aiding them in their hour of dire peril and extremity.

And so, Mr. President, when the war clouds have rolled away and the passions of nations have cooled and we can see more clearly the future of these countries, it is my hope that the stricken peoples of Europe will form governments modeled after our own, where the right of the people to govern shall be perpetuated, and that autocratic rule shall have ended in the world.

RECESS.

Mr. MARTIN of Virginia. I move that the Senate take a recess until 11 o'clock a. m. to-morrow.

The motion was agreed to; and (at 5 o'clock p. m.) the Senate took a recess until to-morrow, Friday, January 24, 1919, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January 23, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty God, our heavenly Father, profoundly sensible of our utter dependence upon Thee, we approach Thee in the sacred attitude of prayer and devotion, that we may express our gratitude for all that Thou hast done for us, as individuals and as a Nation, in the past; fervently praying that Thou wilt continue to inspire, uphold, and guide us, that we may know more of Thy will and better how to fulfill the same. In the spirit of the Lord Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 390) to establish the Grand Canyon National Park in the State of Arizona.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. HAWLEY, for to-day, on account of sickness.

INDIAN APPROPRIATIONS.

On motion of Mr. CARTER of Oklahoma the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 14746) making appropriations for current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920, with Mr. CRISP in the chair.

Mr. SNYDER. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. SIEGEL].

Mr. SIEGEL. Mr. Chairman, few people in this country know the manner or the way in which men are tried by court-martial in our Army; and although 16,000 cases have been disposed of during the past year, little or no attention has been given to the procedure and to the fact that justice has not been meted out to them.

The usual procedure is for the commanding officer of a division to direct a court-martial to assemble, with the members of that court-martial selected by him in person, convened when and where he directs the court to assemble, and although the penalty may be death, the accused soldier is permitted to plead guilty with an officer—usually a second lieutenant—assigned to him to defend him.

Few of our citizens know that on the other side four privates who were found sleeping on post were tried before courts of the kind stated by me, a second lieutenant assigned to defend these men, and in two cases a plea of guilty entered by the second lieutenant, and the convening authority requested that these men be executed, although they were only 20 years of age. The records in the cases show that the judge advocate general of the American Expeditionary Forces asked for full execution in order that other men might be deterred from sleeping on post. Luckily for these men and the good name of the Nation the attention of the President was brought to the cases, the sentences were commuted, and the men ordered back to military duty. In one case a young lad who had distinguished himself at Soissons on July 18, 19, and 20, and who received the distinguished-service cross for bravery, was found sleeping on post after having come out from a hospital. The sentence of the court was four years. The convening authority reviewed it, and then and there it ended so far as any further review of the proceedings were concerned in his case. There have been 16,000 such cases tried——

Mr. LAZARO. Will the gentleman yield in this connection?

Mr. SIEGEL. Certainly.

Mr. LAZARO. Has the gentleman any information as to the number of soldiers who were condemned to death by these courts-martial?

Mr. SIEGEL. No; I have not, because it has been impossible to obtain the proper data. We know that there have been 16,000 such cases tried. We know that the chief officer in each division

selects the military court, and that usually a second lieutenant is assigned to defend the accused.

Mr. LAZARO. Has the gentleman a remedy to suggest?

Mr. SIEGEL. Yes. Senator CHAMBERLAIN has introduced a bill, and I have introduced a bill, providing that each case may be reviewed by a higher authority, that the accused may select his own counsel, whether civil or military, and, what is more important, that when the court is finally through and reaches its decision the defendant may then and there know whether he has been found guilty and what the sentence is. The language of the bill is as follows:

A bill to promote the administration of military justice by amending existing laws regulating trial by courts-martial, and for other purposes.

Be it enacted, etc., That article 11 of the Articles of War is hereby amended to read as follows:

"ART. 11. Appointment of judge advocates: For each general or special court-martial the authority appointing the court shall appoint a judge advocate. No person shall be appointed judge advocate for a general court-martial unless at the time of his appointment he is an officer of the Judge Advocate General's Department, except that where an officer of that department is not available the authority appointing the court shall appoint an officer of the Army recommended by the Judge Advocate General as specially qualified, by reason of legal learning and experience, to act as judge advocate. The officer appointed as judge advocate for a general court-martial shall not be a member of the court, but shall sit with it at all times in open session and shall fairly, impartially, and in a judicial manner perform the following duties and such others not inconsistent herewith as may be prescribed by the President in virtue of article 38 of the Articles of War:

"(a) Rule upon all questions of law properly arising in the proceedings;

"(b) Advise the court and the convening authority of any legal deficiency in the constitution and composition of the court or in the charge before it for trial;

"(c) At the conclusion of the case and before the court proceeds to deliberate upon the finding sum up the evidence in the case and discuss the law applicable to it, unless both he and the court consider it unnecessary;

"(d) Take care, equally with the court, that the accused does not suffer any disadvantage in consequence of his position as such, or of his ignorance or incapacity to present his own case, and for that purpose the judge advocate, with the permission of the court, may call and examine such witnesses as may appear to him necessary or desirable to elicit the truth.

"His rulings and advice, given in the performance of his duties and made of record, shall govern the court-martial.

"If the judge advocate dies, or from illness or any cause whatever is unable to attend, the court shall adjourn and another judge advocate shall be appointed by the proper authority, who shall act as judge advocate for the residue of the trial or until the judge advocate returns."

SEC. 2. That article 17 of the Articles of War is hereby amended to read as follows:

"ART. 17. Appointment of prosecutors: For each general or special court-martial the authority appointing the court shall appoint a prosecutor, and for each general court-martial one or more assistant prosecutors when necessary. The prosecutor of a general or special court-martial shall prosecute in the name of the United States and shall, under the direction of the court, prepare the record of its proceedings. Such prosecutor may be an officer of the Judge Advocate General's Department. In all court-martial proceedings the accused shall have the assistance of and be represented by counsel of his own selection. Such counsel may be either a civilian lawyer or an officer of the Army. If military counsel be not selected by the accused, the court shall assign military counsel to assist in his defense if such counsel be reasonably available."

SEC. 3. That articles 22, 30, 33, and 110 of the Articles of War are hereby amended by substituting the word "prosecutor" for the words "judge advocate" wherever they appear in the said articles, and by substituting the words "prosecutor or any assistant prosecutor of a general or special court-martial" for the words "the judge advocate or any assistant judge advocate of a general or special court-martial" wherever they appear in the said articles.

SEC. 4. That if the authority authorized to appoint general courts-martial has an officer of the Judge Advocate General's Department present for duty on his staff, he shall not refer any charge to a general court-martial for trial unless the said officer of the Judge Advocate General's Department shall indorse in writing upon the charge that in his opinion an offense made punishable by the Articles of War is charged with legal sufficiency against the accused, and that it has been made to appear to him that there is prima facie proof that the accused is guilty of the offense charged.

SEC. 5. That article 18 of the Articles of War is hereby amended to read as follows:

"ART. 18. Challenges: Members of a general or special court-martial may be challenged by the accused, but only for cause stated to the court. The court shall determine the relevancy and validity thereof, and shall not receive a challenge to more than one member at a time: *Provided*, That if the accused at any time before the arraignment shall file in the proceedings an affidavit of prejudice alleging specific grounds to show that the court by reason of matters touching its constitution or composition can not do justice, the court shall proceed no further in the case, but shall report the matter to the appointing authority for his decision.

SEC. 6. That when a court-martial shall find the accused not guilty upon all charges and specifications it shall not reconsider, nor shall the appointing authority direct it to reconsider its findings; but the president of the court or the summary court shall immediately inform the accused and the officer by whose authority he may be in custody of his acquittal, and such officer shall thereupon immediately release the accused from custody, unless he is in custody for reasons other than the pendency of the charges of which he has been acquitted.

SEC. 7. That when a court-martial shall find the accused guilty, it shall forthwith inform the accused of its findings and the sentence.

SEC. 8. That section 1199, Revised Statutes of the United States, is hereby amended to read as follows:

"SEC. 1199. The Judge Advocate General shall receive, revise, and cause to be recorded the proceedings of all courts-martial, courts of inquiry, and military commissions, and perform such other duties as have been performed heretofore by the Judge Advocate General of the Army. The power to revise the proceedings of courts-martial conferred upon the Judge Advocate General by this section shall be exercised only for the correction of errors of law which have injuriously affected substantial rights of an accused and shall include—

"(a) Power to disapprove a finding of guilty and to approve only so much of a finding of guilty of a particular offense as involves a finding of guilty of a lesser included offense when the record requires such finding;

"(b) Power to disapprove the whole or any part of a sentence;

"(c) Power, upon the disapproval of the whole of a sentence, to advise the proper convening or confirming authority of the further proceedings that may and should be had, if any. If upon revision, under this section, all the findings and the sentence be disapproved because of error of law in the proceedings, the convening or confirming authority may lawfully order a new trial by another court-martial.

"Sentences involving death, dismissal, or dishonorable discharge from the service shall not be executed pending revision. If in any case a sentence though valid shall appear upon revision to be unduly severe, the Judge Advocate General shall make a report and recommendation for clemency, with the reasons therefor, to the President or the military authority having power to remit or mitigate the punishment."

SEC. 9. That the Judge Advocate General of the Army shall prepare and submit to Congress, at the earliest practicable date, a revision of the Articles of War consistent with the provisions of this act, and shall also prepare and submit to Congress a draft of regulations providing for the procedure of general courts-martial.

SEC. 10. That all laws or parts of laws inconsistent with this act are hereby repealed.

Over at Leavenworth 12 men were tried and the court reached a decision on the 29th of November. At the present time these 12 men do not know whether they have been sentenced to be hanged or whether they have been sentenced to imprisonment for life. An orderly had gotten into trouble with 12 of these men at this military prison, and the military court tried them, and since July 29 last these 12 men have been kept in close confinement on bread and water, as sworn to by them in their application for a writ of habeas corpus, made to the United States court in Kansas before Judge Pollock a few days ago, and they do not know whether they have been sentenced to hang. Apparently 11 of them have been sentenced to hang and one has been sentenced for life imprisonment. Not a single one of these men knows who of the 12 is to have a life sentence and who are to be hanged.

The objection raised in this case is to my mind a very good one. Their objection is that as they were prisoners at Leavenworth the military court had no authority to try them, that they were entitled to be tried by a civil jury, and that they were entitled to have a chance to be tried separately according to the rights given to them in the various States of the Union. But that is not all.

Mr. GARD. What was the charge against these men?

Mr. SIEGEL. It is charged that these 12 men got into a rumpus with an orderly and that the orderly received blows from them resulting in his death. Over 2,000 pages of testimony were taken, and two former assistant district attorneys who examined the case at my suggestion—because I have not time to go over all these records—state that there is not a scintilla of testimony connecting the majority of these men with the crime.

Mr. GARD. The charge against them is murder?

Mr. SIEGEL. The charge is murder; but what I object to is that under the present procedure the court is convened at the request of the general, who names the men who constitute the court; he is the reviewing authority; and what is more, the men themselves do not know what the sentence of the court is sometimes for weeks and sometimes for months. The effect of such treatment on the men can be readily understood by anyone who will give the matter a moment's thought.

Mr. RAKER. Will the gentleman yield?

Mr. SIEGEL. I yield to the gentleman from California.

Mr. RAKER. Where was this offense alleged to have been committed?

Mr. SIEGEL. At Leavenworth.

Mr. RAKER. Were these men represented by counsel at the court-martial?

Mr. SIEGEL. Some of them were. There is a newspaper article a column and a half long from the Leavenworth Times of January 15 that has been sent to me by some citizen who complains of the gross injustice of the prevalent system. It recites all the facts I have given here and reads as follows:

WILL FILE SUIT TO STOP HANGING OF 12 MEN—PETITION PREPARED FOR HABEAS CORPUS ACTION IN FEDERAL COURT—MILITARY TRIAL ILLEGAL—IMPORTANT ACTION TO BE TAKEN BEFORE JUDGE POLLOCK TODAY RELATIVE TO THE 12 PRISONERS CONVICTED OF MURDERING SHELBY HISLE—CHARGE THAT THEY ARE UNDERGOING CRUEL PUNISHMENT IN SOLITARY CONFINEMENT UNDERGROUND AT THE DISCIPLINARY BARRACKS.

A habeas corpus suit to prevent the probable hanging of 12 prisoners in the disciplinary barracks will be filed before Judge John C. Pollock in the United States district court in Kansas City, Kans., to-day. The petition was prepared and sworn to here yesterday and is ready for filing in court. One Leavenworth and four outside lawyers have been at work on the preparation of the petition for several days, and it is an unusual one.

The petitioners are 12 men—Francis J. Cooney, Donald Fisher, Robert L. Lecoco, Alexander Kahn, Harold J. Keyes, Abraham Garelick, William Schleman, George W. Jerue, William F. Peters, William Cook, George A. Polson, and Millard Bowers—all of whom were convicted by court-martial at Fort Leavenworth in November of murdering general prisoner Shelby Hisle at the disciplinary barracks on the night of July 29.

ALLEGE CRUEL PUNISHMENT.

The petition starts out by saying that Newton D. Baker, Secretary of War, and Col. Sedgwick Rice, commandant of the disciplinary barracks, are holding these 12 petitioners without authority of law in solitary confinement underneath the surface of the earth at the disciplinary barracks, and that in doing this they are violating the eighth amendment to the Constitution of the United States, prohibiting the infliction of cruel and unusual punishment.

The petition then goes on to recite the orders of the War Department for the assembling of the court-martial here by Secretary of War Baker, and it states that on November 4 these 12 men were forcibly dragged before this court, and, in spite of their protests, they were placed on trial before an illegal tribunal that had no right to try them on a murder charge. The jurisdiction of the court-martial is questioned on several grounds. One of the errors alleged is that the court-martial ruled over their protests to try them jointly, when they had a right to have separate trials on a murder charge.

NOT AT WAR HERE.

It is alleged that the court-martial had no right to try them for murder, because the ninety-second article of war prohibited the trial of any person for murder by court-martial within the geographical limits of the United States in time of peace, and that the United States and the district of Kansas were at peace within their borders in July, 1918.

It is further alleged that the 12 men had been discharged as soldiers of the American Army; that they were not in the military service, but were prisoners in confinement and were not subject to trial by court-martial.

It is set out that they should have been tried in the civil courts, which were open and ready to conduct a just trial. Also that they had a right to a trial by a jury, and they ask Judge Pollock to issue an order to have them brought into his court so that they will get a fair and impartial trial.

HISLE KILLED BY A FALL.

It is stated that the trial continued until November 25, when the court-martial, without evidence to justify it, convicted them of killing Shelby Hisle by striking, hitting, stamping, and cutting him with a knife, but that his death was the direct result of a fall which caused his head to come in contact with an iron bar, causing a fracture of the skull, from which Hisle died.

It is alleged that the trial by court-martial of these 12 men was a usurpation of judicial power in violation of the Constitution of the United States. The articles of the Constitution alleged to be violated are set out.

FEAR A QUICK EXECUTION.

It is then stated that the petitioners have reason to believe that they have been sentenced to death or imprisonment for life, and in the event of the approval of said illegal sentences that they are in danger of being executed without having an opportunity to obtain relief from the sentences or to obtain a writ of habeas corpus. In other words, they are in fear of the sentences being carried out before they have a chance to appeal or secure any relief whatever.

An order is asked for directing Newton D. Baker, Secretary of War, and Col. Sedgwick Rice, prison commandant, to take these men out of their present cruel solitary confinement and to have them brought into the Federal court forthwith, where arrangements can be made to give them a fair trial.

IN SOLITARY SINCE JULY.

Seventeen prisoners were tried at one time by court-martial at Fort Leavenworth last November and 12 of them were convicted. Five who were acquitted were restored to ordinary prison duty. These 12 were in solitary confinement from July 29 to the time of the trial, and when it concluded they were returned to the same solitary rooms in the basement of a cell house.

The prisoners and their relatives and friends have been fearful that they would be executed quietly some morning before they would have a chance to do anything for them. The colored soldiers executed in Texas by the military authorities were not given any chance to make an appeal or have anything done in their behalf.

Nothing is known here about the verdict. When the trial ended the judge advocate of the court took the verdict direct to Washington and placed it with Secretary of War Baker. Members of a court-martial take a solemn oath not to reveal anything about a verdict or the way any member of the court voted on conviction.

Mr. SHERWOOD. Under military law these men are entitled to a copy of the proceedings.

Mr. SIEGEL. That is true; they are entitled to a copy of the proceedings. They were tried November 29, yet they do not know to this hour which one of them is to be hung and which one has a life sentence.

Mr. McKEOWN. Does the gentleman know whether or not the department refuses to give any information until the case is reviewed finally?

Mr. SIEGEL. The department does not, and my attention has been called to another fact, that the colored men in Texas were convicted, and then the review of the case took place after the execution.

Mr. DYER. Will the gentleman yield?

Mr. SIEGEL. Yes.

Mr. DYER. Are these men colored men?

Mr. SIEGEL. No; all white men from all over the country.

Mr. DYER. This is a sort of a lynch law they are trying to get into the Army?

Mr. SIEGEL. I would not call it exactly lynch law, but 16,000 men have been tried in that way. I called your attention a few minutes ago to the Mathias case, where a boy got the distinguished bravery cross for bravery at Soissons, and at this time after he had been sentenced to four years it may be possible that he is in some disciplinary camp; in other words, his mother can not find out where he is. The Marine Corps has tried to get the information and can not. All the men tried on the other side were tried under Army regulations and Army rules, and the Marine Corps does not know where the boy is, and his mother in New York does not know where he is at the present time.

Now, I might go on and call attention to a number of other cases along similar lines. There are thousands of these cases.

Mr. McKEOWN. Is there any uniformity as to the amount of punishment in cases throughout the Army camps?

Mr. SIEGEL. There is no uniformity that I know of. We all know that. Men will be sentenced two years for a minor offense, while others will be sentenced for 10 or 15 years. The general in command of the division has supreme authority. He orders the court assembled and selects the men to try the accused, and if the general is not satisfied with the sentence he can reconvene the court. The most objectionable feature of the whole proposition is that the accused does not know, after the court has acted, if it finds him guilty, what the sentence is, and he may be kept for months without knowing what the final outcome is.

Mr. WELLING. Will the gentleman yield?

Mr. SIEGEL. Yes.

Mr. WELLING. Has not the accused the right, under the law, to a report of the findings of the court-martial?

Mr. SIEGEL. He has practically no rights at all under military law as it stands to-day. All he has is the right to a report of the proceedings, but the proceedings stop at the time the court goes into secret session to determine the guilt or innocence of the accused.

Mr. LITTLE. Will the gentleman yield?

Mr. SIEGEL. Yes.

Mr. LITTLE. In the admirable presentation of the matter by the gentleman, has he discussed the difference between a court-martial on the firing line in time of actual war and at home in a country like this where there is really no war?

Mr. SIEGEL. I have not discussed it, because the same procedure is adopted, whether on the other side or over here. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. SIEGEL. Mr. Chairman, under leave to extend my remarks on this most important question the following article from the New York World of Sunday, January 19, 1919, discloses part of the conditions to which I have called attention:

THE THING THAT IS CALLED MILITARY JUSTICE—CONCRETE OFFICIAL EVIDENCE WHICH ESTABLISHES THAT THE UNITED STATES MILITARY COURTS-MARTIAL INDORSE AND APPROVE OF OPPRESSION AND ARBITRARILY IMPOSE GROSS INJUSTICE—WHENCE COMES THE LAW WHICH MAKES THIS POSSIBLE?—FROM CONGRESS—IT HAS ITS ORIGIN IN MEDIÆVAL TIMES, BUT ITS BLUNDERING HARSHNESS NO LONGER OBTAINS IN FRANCE, ENGLAND, ITALY, OR BELGIUM—DATA FOUND IN THE 1918 RECORDS IN WASHINGTON, TO WHICH ACCESS WAS HAD BY THE AUTHORITY OF THE SECRETARY OF WAR.

(By Rowland Thomas.)

In November, 1917, 12 old and excellent noncommissioned officers of the United States Army were tried by general court-martial at a camp in Texas. The charge was mutiny, a military offense so grave that the punishment prescribed in the Articles of War is "death or such other punishment as a court-martial may direct."

These men had been engaged in a camp amusement prohibited by a standing order. A young officer, finding them thus occupied and being overquick to assert his authority, ordered them in arrest instead of contenting himself with an admonition. While the men were in arrest he ordered them to drill. That order was in conflict with a general Army regulation which directs that noncommissioned officers in arrest shall attend no formations. The 12 noncoms knew that and declined to put themselves in the position of violating a general regulation.

Upon their respectful refusal to drill they were summarily stripped of their insignia of rank and placed in the guardhouse. The charge of mutiny was preferred against them. They were tried, found guilty, and sentenced to dishonorable discharge and imprisonment at hard labor for terms ranging from 10 years up to 25. The commanding officer, who had appointed the court, reviewed and approved its findings and ordered its sentence executed. And from his arbitrary decision the 12 accused had no appeal whatsoever to any judicial power.

These 12 men had been mistried. They were, prima facie, innocent of the crime for which they had been accused and convicted. Mutiny, by the definition given in the official Manual for Courts-Martial, "imports collective insubordination and necessarily includes some combination of two or more persons in resisting lawful military authority." These 12 old soldiers had not resisted lawful military authority. On the contrary, the act for which they found themselves "broken" and in penal servitude had been an act of upholding lawful military authority—one of the general regulations of the United States Army—against the infraction of a lawless or ignorant officer of that Army.

The other day I brought this case to the attention of an able and very distinguished member of the American bar. "Considering all those facts," I asked him, "do you see any shading of phrases by which a sane man, lawyer or layman, could seriously refer to any part of that transaction as representing the administration of any sort of justice?"

"On the contrary," was his answer, "what you have cited, were it true, would be a perfect example of the arbitrary imposition of injustice. But do you mean to tell me that happened in our Army?"

"By authority granted me personally by the Secretary of War," I answered him, "I have inspected the legal record of that case. What

I have told you is its undisputed substance. The record is in the Mills Building, in the files of what we call our Bureau of Military Justice."

THE BUREAU OF MILITARY JUSTICE.

The Mills Building is in Washington, just across Seventeenth Street from the State, War, and Navy Building. In it are the offices of the Judge Advocate General's Department, which is charged with responsibility for legal matters arising in the Military Establishment of the United States, just as the Medical Department is charged with the equally technical matters of cure and hygiene. And one section of the Judge Advocate General's Department is called the Bureau of Military Justice.

In military justice you—if among the 4,000,000 men who now compose our Army you count a son, a brother, husband, kinsman, friend, or friend's friend or kinsman—have a more immediate and vital personal interest than you probably realize. For on the administration of American military justice depend at this very moment and at every moment while he is in the service the good name, the future prospects, the liberty, and possibly the life of the individual soldier you gave to your country.

In those offices in the Mills Building are preserved the records of 15,719 grave cases which recently arose in the lives of an equal number of American soldiers. They are the harvest of the one calendar year of 1918. And every last one of those almost 16,000 potential and mostly actual personal disasters arose through the working out of the theories and practices of American military justice.

Through the authority granted me by the Secretary of War, I last week inspected a representative portion of those records.

Those 15,719 documents were records of 15,719 cases tried by general court-martial in the United States Army, one year's increment in the process of what is trustingly referred to as the administration of military justice. The Judge Advocate General is the technical law officer of our military establishment. Therefore, presumably, the public assumes that this must be matter of law, and so matter of justice.

Matter of law it is in one way. It is something legalized by action of Congress. But though the right and duty of captains and sergeants to give certain authorized commands under certain authorized circumstances have also been legalized by Congress, and they therefore might also be called matters of law in that meaningless sense, no one ever confuses them with matters of justice. They are described and recognized always as matters of military authority and command. And so should be described and recognized the matters which come up to the Judge Advocate General's office in the form of records of courts-martial.

COURTS-MARTIAL SENTENCES AT PRESENT MERELY MILITARY COMMANDS.

In the course of a speech in the United States Senate recently Senator CHAMBERLAIN said:

"The records of the courts-martial in this war show that we have no military law or system of administering military justice which is worthy of the name of law or justice. We have simply a method of giving effect to the more or less arbitrary discretion of the commanding officer.

"If that statement, made on the floor of the senior legislative body of the Nation by the chairman of the United States Senate's Committee on Military Affairs, be true, it raises an issue of grave importance. If it is supported by facts, it raises this question: Shall courts-martial in the United States Army sit as mere instrumentalities of military command or shall they sit as courts of justice, administering the law of the land?

And the Senator's statement is fully and amply supported by facts, which my investigation of the records showed. It will be shown you here that while the administration of military justice has been at times progressive and at other times reactionary, like most other phases of human government, it is at this time in this country almost wholly reactionary. It will be shown that though the Bureau of Military Justice in the Judge Advocate General's Department is nominally at the head of the administration of military justice, it is only nominally at the head. It is without legal authority. It does no more than "recommend to a military superior," usually the Chief of Staff, who then exercises his military power of supervision and direction over these recommendations. Under the General Staff act, as construed in present practice, the Chief of Staff exercises the same command over the Judge Advocate General's Department as over the Supply Department. Thereby he has the power to differ, and he does differ, with the head of the Bureau of Military Justice upon matters of pure law and substitutes instead his own judgment, even though that substitution should extend, as in that mutiny case in Texas, to the point of ordering that, for the purposes of command, wrong shall be right, truth shall be falsehood, innocence shall be guilt, and obedience shall be insubordination.

THE POWER OF MILITARY COMMAND.

It will be shown you that in the United States Army at present judicial power is only a concomitant and incident of military power. It is military power alone which determines whether an enlisted man shall be subjected to court-martial. By virtue of the power of command the military commander determines the sufficiency of the charge and of the evidence upon which a man shall be tried, and other similar legal questions. By power of command he details the court-martial and passes on all questions of law arising in the proceedings and all questions of the legality of the proceedings. By power of command he determines the legality of the sentence and orders it executed. All this without independent legal direction or supervision, except that to be found in the "recommendations" of the Judge Advocate General, who is himself subject to superior military authority.

Further still it will be shown you how, from examination of those records which the Secretary of War formally gave me authority to examine, that, even inside the Judge Advocate General's Department there is an irreconcilable difference of opinion about the proper answer to that tremendous question raised by Senator CHAMBERLAIN—whether in our Army we shall have military law and a system of administering military justice worthy of the names of law and justice, or whether we shall have simply a method of giving effect by courts-martial to the more or less arbitrary discretion of commanding officers. It was clearly evident from official "recommendations" attached to various cases, that in the Judge Advocate General's Department there is a school which believes in the theory that courts-martial are mere instrumentalities of military command, that this is the view of the Judge Advocate General himself, Gen. Crowder, but is not the view held by the officer who, throughout the war, has been Acting Judge Advocate General of the United States Army, nor by most of the officers of the department.

At the beginning of the war the Judge Advocate General's Department consisted of less than a score of officers. It now consists of about 400 officers who have come to it as distinguished lawyers from civil life. These lawyers, I discovered from official indorsements and memoranda attached to records of cases, have found the system not merely antiquated but one admitting on frequent occasions gross injustice and military oppression. Courts-martial try soldiers for all offenses from murder down. They are composed of Army officers ignorant of the rudiments of law; yet, under the present practice of the War Department, their judgments, when approved by their camp commander, are final. And the present Judge Advocate General not only believes that the law makes such judgments final but that the law is wise. In one case, in which his views were strenuously opposed by the officers of his own department, he said that military justice was a kind of justice that had to be administered in the camp by the camp commander without legal supervision. This attitude resulted in the denial of the existence of any power in the War Department to correct error committed during these crude trials, though the error might be as prejudicial and unjust to the accused as that committed during the Texas "mutiny" trial. At the outbreak of the war the assistants in the Judge Advocate General's office, appreciating the need of a remedy for such gross wrong, endeavored to revive the revisory power over courts-martial proceedings believed by them clearly to be found in statutes of the Civil War period. The Judge Advocate General himself, though conceding the frequent gross injustice, denied the existence of such a power.

Notwithstanding that attitude, those who have guided the office of the Judge Advocate General since that time and throughout the war have assumed that remedial power must reside somewhere and in some cases of the grossest injustice have succeeded in inducing the Chief of Staff and the Secretary of War to take remedial action.

The task of persuasion was probably made possible for them by a single timely though tragic incident. Shortly after the Judge Advocate General's Department had strenuously denied to itself the power of review, 13 negro soldiers in Texas were tried, convicted, and were hanged the day after their conviction was reported to the convening authority and approved and confirmed by him. The record of the proceeding in those cases was not forwarded to the Judge Advocate General's Department for the "revision" required by the statute—whatever that term may mean when the power of effective review is self-denied by him—until three months after those 13 negroes had paid the forfeit of their lives. It is important to note here the fact that the camp commander who thus, by the power of military command, made himself accuser, jury, judge, and executioner of those 13 men was the same commander destined later, in the case of the "mutinous" noncoms, to order that inside his jurisdiction right should be wrong.

THE THEORY OF MILITARY JUSTICE.

But, first, a little clearing of the ground is necessary. Just what is military justice? What is a general court-martial?

Military justice, of course, is the process of putting military law into effective action. And military law is the legal system which regulates the government of the Military Establishment. Military law in the United States derives its existence from special constitutional grants of power, and is both written and unwritten. Its written sources are the Articles of War; other statutory enactments of Congress relating to the military service; the Army Regulations; and general and special orders and decisions promulgated by the War Department and by department, post, and other commanders.

Its criminal code of procedure is embodied in the Articles of War, which, as enacted by Congress on August 29, 1916, in their present form, consist of 121 articles which, among other matters, define the limits of military jurisdiction, provide the military tribunals through which that jurisdiction shall be exercised, define the offenses for which persons subject to military law shall be brought to trial before these tribunals, and the punishments they shall suffer if found guilty.

Chief of the criminal tribunals of our American military legal system is the general court-martial, which is given power to try a soldier on practically every charge that can be brought against a human being, and power to sentence him, if found guilty, to extremely severe punishment. Death, or such other punishment as a court-martial may direct, is the penalty prescribed by 13 of the so-called punitive articles, and such punishment as a court-martial may direct under 29 others. "Such punishment as a court-martial may direct," in the case of a soldier and in a "time of war" like the present, may be dishonorable discharge, forfeiture of all pay and allowances due or to become due during an indicated period of time, and imprisonment at hard labor for any period up to life.

WHAT A GENERAL COURT-MARTIAL IS.

A general court-martial is a body of officers, numbering from 5 to 13, the direct appointees of a properly authorized military commander, generally the commanding officer of certain specified military units or areas. It meets, by order of this commander, to try any person whom he orders tried on any charge or charges he may order preferred against that person. The prosecution of the accused is conducted by an officer ordered by the same commanding officer to perform that duty, and called a judge advocate, while the accused is given the right to be represented by counsel of his own selection "if such counsel be reasonably available." Since "civilian counsel will not be provided at the expense of the Government," counsel for the accused is always in practice a line officer, not a lawyer, and generally junior in grade and immature in human experience, who is ordered by the commander who appoints the court to perform the duty of counsel for the defense. He is, if his services be "reasonably available," an officer requested by the accused, and as to his availability the commanding officer has the final decision.

Before a court so constituted, and by a prosecutor and defender so equipped and so appointed, the accused is tried, all questions of law—including pleas, motions, and objections—arising during the proceedings being determined by majority secret vote of the members. After the evidence has been introduced and the statement of the accused and the arguments of prosecuting judge advocate and defending "counsel" have been heard, the court again by majority secret vote, determines its finding on the law and facts. If the finding is "guilty," it then, by majority secret vote, determines the sentence to be imposed, and from this judgment, when duly approved or confirmed, no appeal can be taken, nor can the judgment be set aside or reviewed by the courts of the United States nor of any State.

Such final approval or confirmation—except in capital and a few other specified cases—is the act of the commanding officer who appointed the court, and who, as reviewing authority, has the express power to confirm or disapprove the findings or any part thereof, the express power to confirm or disapprove any part of the sentence, and the power to send the case back to the court for "reconsideration." The final action of the reviewing authority is ordinarily published by promulgation of a "general court-martial order," and after this order has been promulgated the action of the reviewing authority is beyond recall.

SOLDIERS STAND OUTSIDE THE CONSTITUTIONAL GUARANTEES.

All your life you have been safeguarded in certain respects by certain fundamental provisions so complete and so effective that the chances are you never completely realized their existence unless you happen to be a lawyer. You have been so safe you have taken your safety for granted, as you take the daily procession of light and darkness. Under amendments 5 and 6 of the Constitution you, as a citizen of the United States, can not "be held to answer for a capital or otherwise infamous crime unless on a presentment or indictment of a grand jury." You can not "be deprived of life, liberty, or property without due process of law." If you become the subject of any criminal prosecution you "enjoy the right to a speedy and public trial, by an impartial jury—and to have the assistance of counsel"—which last provision has been interpreted, over and over again, to mean the substantial assistance of qualified counsel.

Those are the inviolable safeguards of the life and liberties of every citizen of this country, "except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger." Then everything is changed.

Then any citizen of this country, if he has made himself, or has been made, subject to military law, may be arraigned for a crime which is always potentially infamous and frequently is capital, by order of a single individual. And, having been so arraigned, he will be tried, both on fact and law, not by an impartial jury but by a body of military superiors, and with no substantial assistance of counsel in his defense.

"Consider what has happened in the case of a soldier found guilty and sentenced under a general court-martial order. He has been accused and ordered to trial by a man who is not a lawyer. He has been arraigned and tried before a body of laymen. All legal questions arising during his trial have been settled by a secret vote of those laymen. All evidence for and against him has been admitted or rejected by the same process. The question of fact—the question of his guilt or innocence on the strength of the evidence admitted—has been decided by another secret vote of that body of laymen, without competent judicial guidance. And the laymen, in case their finding was guilty, have determined by secret vote what punishment he shall suffer. The record of their action has been sent to the layman by whom they were appointed, and that layman, at his own discretion, has approved or disapproved their findings and sentence, perhaps a revised finding and sentence, given after "reconsideration" of his order. And that layman's decision is absolutely final. From it there is no appeal to any person or body."

And now, how do our commanding officers exercise that enormous power? How does the system work out in the day-to-day practice which brings the records of 15,719 general courts-martial cases to the Mills Building as the grist of one year's grinding of the mills of "military justice"?

THE FOUR DEATH CASES FROM FRANCE.

We have already seen how it worked out in the cases of those 12 noncoms in Texas whose commanding officer ordered prima facie innocence to be guilt for the occasion and hanged 13 negroes three months before the legal record of their trial reached the responsible law officer of the Army, who, though he had no power to review the proceedings in the sense of ordering them revised or set aside, was expressly charged with the duty of examining their legality and, by a "recommendation," calling the attention of his military superiors to any points inconsonant with law or justice.

Let us go further. Here are other illuminating cases. All are taken from the official records in the Judge Advocate General's Department:

During last winter in France four men—four boys, of whom the eldest had barely reached 22—were court-martialed and sentenced to be "shot to death with musketry," two for sleeping on post in a front-line trench and two for disobeying an order to drill. Notwithstanding the seriousness of the charges preferred, both carrying the death penalty, the military authorities convened an inexperienced court of minimum membership, the majority lieutenants recently commissioned. A second lieutenant without any knowledge of law was assigned to the "defense." The two soldiers charged with disobedience this "learned counsel" permitted to plead guilty to a capital offense, though at the same time the accused made a statement inconsistent with this plea—to the effect that because of long exposure for many days before to the intense cold and mountainous section of France it was physically impossible for them to drill. Upon their plea alone these two were sentenced to death.

The two charged with sleeping on post were tried by the same court and "defended" by the same "counsel." They pleaded not guilty and made a formal but ineffective defense. It was shown in evidence, however, and not denied by the Government, that the accused had been in the front-line trench for six nights from 5 o'clock in the evening until 7 in the morning, with an actual stand in sentry post of two hours on and one off. No sleeping could be had in such a brief respite, and night after night of such vigilance must bring exhaustion unless there is a chance for sleep during the short day period. It was testified, and not denied, that it was impossible to sleep in the dugout during the day, because it was used as a place for chopping wood. Furthermore, in one case, the evidence of exhaustion was very convincing, in that the accused had been found asleep once earlier in the evening, about 8 o'clock, and instead of being relieved by the corporal of the guard had been kept on duty, with the result that he was found dozing as he stood against the trench parapet with his rifle to his shoulder at about 4 in the morning.

These matters of extenuation the court made no effort to prove or disprove and should therefore have taken as true. The men were sentenced to be shot to death.

Before the four men could be shot the cases had to come to Washington for action by the President, who in this case was the confirming authority, and the Chief of Staff, and, by formality and courtesy before the Judge Advocate General for his examination and forceless "recommendation." They did so come, and the Judge Advocate General and the Chief of Staff both recommended that the President should uphold the hands of Gen. Pershing and execute the men—the Judge Advocate General stating that it would be unfortunate if the War Department could not agree upon the penalty in those cases.

With the record of those cases I found filed a memorandum written by a high officer of the department who strongly dissented with the Judge Advocate General in this view. As this dissenter is both an officer of the highest personal repute in the Army and a lawyer whose learning and ability are fully recognized at the bar, it is worth while to note the main points of his position. He said that the same court could not fairly try these four men; that the accused had not had their right of substantial assistance of counsel; that they were young (all under 20, and all volunteers); that their military experience had been brief; and that not one of them had made the slightest fight for his life. Such a defense as each had made, he declared, was not worthy of the name, and the trial in the cases was a travesty. He pointed out, too, that Gen. Pershing showed extreme insistence that the death sentences be executed for the sake of example to the Army. Upon this point the dissenter wrote:

"There is an insistence upon the part of Gen. Pershing which tends to prejudice these cases. He seems to have forgot that he is not the reviewing authority. The relation between the appointing authority and the President in these cases is judicial. I do not say that Gen. Pershing may not make recommendations as to the maintenance of discipline in his command; I know he may; but his recommendation in these four cases is a special thing, specially interposed in the course of justice, in a special case, and characterized by great insistence. He asks that he be advised by cable of the act of confirmation, and makes a powerful argument that they should die, the gist of which is after all to be found in his view of the necessity of exemplary punishment in these cases. It may be that punishment, made especially drastic for the purpose of example, at times has its place and value, but exemplary punishment is dangerous to justice. The execution of all military offenders would very likely decrease the number of future offenses and offenders, but such Draconian methods would destroy justice, without which all else in human society is of no worth.

"It is only right for me to say to you," concluded the dissenter, "that the military mind will, in my opinion, almost unanimously approve of confirmation in these cases. I do not say that the military feature is to be ignored by the Commander in Chief of the Army. I myself would not ignore it. But when it offends my well-considered sense of law and justice, I could not follow it."

The "military mind" did approve of confirmation, but the Secretary of War finally came to the parents' relief of the soldiers. Two were pardoned. The punishment of the other two, those who had refused to drill, was commuted to three years' penal servitude. In his formal communication to the President as Commander in Chief, recommending this exercise of clemency, Secretary Baker raised two points worth noting. Discussing the death penalty as a military punishment, he said:

"It is fair to assume it arose in time and under circumstances quite different from these, when men were impressed into armies to fight for causes in which they had little interest or knowledge, and when their conduct was controlled without their consent by those who assumed to have more or less arbitrary power over them."

And in commenting on the degree of guilt of the two men who refused to drill he points out a circumstance to which no reference appears in any part of the record of their actual trial—that their company commander was an individual whose notorious and violent pro-German sympathies and open objection to fighting against Germany in the Army of the United States, though he bore its commission and lived on its money, later led to his court-martial, dismissal from the service, and sentence to 25 years' penal servitude. Should not, the Secretary asks, this circumstance have been taken into account by the court in weighing the heinousness of the disobedience of these two boys, and could as high a degree of discipline be justly expected of them as of men whose superiors set them a proper example?

TWO CASES OF "DESERTION."

These, of course, are extreme cases, having to do with military offenses committed in the face of the enemy. Let us take some nearer home.

There was a soldier in a camp in Alabama, with a wife and aged parents. He had an excellent record. In December, 1917, he went home on a three days' pass and found his father desperately ill. He remained home until some time in May. The evidence, unimpeached, showed that his people were very poor and in extreme need of his help; that he expected his father's death at any time; that he wore his uniform and made no effort to conceal himself, and at all times intended to return to his command. In May the father died. Two days thereafter the soldier reported to camp to resume his duties. He was tried for desertion, found guilty, and sentenced to 15 years.

This case is one of a class numbering hundreds which all show courts-martial convicting of desertion when the essence of the military crime—the specific intent to desert, the definite intention never to return to duty—is negatived by the evidence. There are many cases where the evidence shows plainly that boys went home only for a last visit before embarking for foreign service, or for the holidays, or to meet some urgent domestic situation. Such are clearly cases of absence without leave—not the desertion which is the crime of war, a capital offense.

"Too many trivial cases are sent to trial," said Mr. CHAMBERLAIN, in the Senate, "too many unduly severe sentences are imposed, and the punishments awarded for similar offenses vary too widely." That the reader may have an opportunity to judge of that for himself, here is another of these cases of "desertion," this one from Camp Upton, N. Y. It will show, if nothing else, how completely the fate of an accused and convicted soldier is in the hands of the officer who ordered his court-martial.

This soldier was tried for desertion last fall, it being specified that he had left his organization without leave on July 19 and had been absent therefrom until September 19, when he was apprehended by the civil police and turned over to the military authorities. At his trial the following matters were put forward in his defense and no attempt was made to disprove them. About three days before his "desertion" he received word that his youngest sister, whose particular friend, supporter, and counselor he had been, was dying in Bellevue Hospital. He asked for a pass to New York, explaining his reason. After waiting three days in vain he left camp without a pass, and reached the city to find that his sister had died three hours before his arrival. It was found that she had let her small insurance policy lapse and the immediate problem of giving her decent burial arose.

The accused and his brothers and sisters possessed among them one Liberty bond, which an undertaker finally agreed to accept in payment for his services. After that harassing experience the accused was immediately faced with another. The woman with whom he had lived for several years and who was the mother of his two children was his common-law wife. She had had trouble in obtaining the allotments made her from his pay, with the result that she was in dire need, and the feeding and clothing of the children had necessarily been neglected. To top all, her mother, always hostile to the couple because of their irregular marital relation, had threatened to report the condition of the children and have them taken by the Gerry Society. And the young couple knew that since they were not legally husband and wife they stood very slight chance of getting their children back if once they were taken away.

Under these circumstances the young man sought and obtained work at his trade of coal handling and worked at it all summer. The evidence showed that he made no effort to disguise his status, wearing his uniform frequently, though never when it would be exposed to the dust and grime of a coal yard, and that when it was left in his dwelling no attempt was made to conceal it. The evidence also showed that he and the woman made constant effort to find a position wherein she might support herself and the children, and that as soon as such a position had been secured he instantly made preparations to return to his duty at the camp. When he was apprehended his uniform had actually been cleaned and pressed by a tailor in order that he might make a soldierly appearance when he reported back.

In Alabama, you remember, such an offender, with very similar mitigating circumstances, was found guilty of desertion and sentenced to imprisonment at hard labor for 15 years. It seems reassuring and heartening, for the moment, to learn that in New York the charge against the soldier was reduced by the court to absence without leave and the penalty to confinement for six months, later reduced by the reviewing authority to one month. But is it so very heartening, after all? It is good to be thus assured that we have just and merciful men among the officers in our Army. But should that blind us to the fact that there is no power compelling them to be just and merciful, and that even mitigating and extenuating circumstances must mitigate and extenuate, if at all, only by their arbitrary decision, just as it proved, in the case of those "mutineers" in Texas, that innocence itself must change to guilt when a commanding officer gave a military order to that effect? Is that justice? Is it law?

COMMANDERS ISSUE ORDER FOR "JUDICIAL" SEVERITY.

Touching on this matter of "desertions," the file of orders which I found in the Judge Advocate General's Department in Washington shows that at some camps in the United States the military commander has ordered that absence without leave for 24 hours shall be submitted to a special court-martial, which has a punishing power of six months' confinement and forfeiture of six months' pay, and that cases of more than five days' absence shall be submitted to a general court-martial, with unlimited power to punish, and that in such cases the camp commanders have instructed the courts to punish such cases with severity.

The files also show that frequently when courts acquit, the convening authority—i. e., the commanding officer—sends the cases back for "reconsideration," with an argument which, coming from the very source of command, virtually compels a conviction, and that there are many cases tried where every legal or other consideration only goes to show that the trial was a result of a gross abuse of military power. With citation of one more human document, this phase of the discussion may be brought to a close. This also is a case from Camp Upton, tried last fall. The charge was absence without leave, the specification, such an absence lasting from July 1 to September 11, when the accused reported back for duty. The plea was not guilty; the finding of the court was guilty. The sentence imposed was dishonorable discharge, forfeiture of all pay and allowances due or to become due, and five years' imprisonment at hard labor. The action of the reviewing authority was a reduction of the imprisonment to three years and suspension of the dishonorable discharge until that term had been served.

The evidence introduced in behalf of the accused, and not only unimpeached but strongly corroborated, was that the young man, who had been a year in the service and proved a cheerful and dutiful soldier, with a strong desire to get overseas, had been in civil life the main support of an ailing mother, a sister, and three younger brothers, the father being a drunkard, who did not live at home but was in the habit of returning there whenever he indulged in one of his periodical sprees, and setting out to wreck the place, the only member of the family able to exercise any control over him at such times being this elder brother, William.

Between the incubus of this condition in the home he had left behind him and the repeated disappointments after a year in camp of being several times ordered to an overseas detachment and then having the embarkation order rescinded, the accused, as he told the court, "got kind of discouraged all round," and on July 1, having failed to secure a pass, went home without one, to find his father on a spree and his mother in bed with weakness and nervous dread. And in that home, standing between that mother and that father, the young man spent the summer.

He wore his uniform, and did not make any attempt to disguise or conceal his status. Nay, more, he took up with an official and semi-military organization, the home branch of the American Red Cross, the question of finding some adequate means of controlling his father and protecting his mother, short of arrest, the social disgrace of which he was not willing to have his family undergo. This part of his statement was corroborated by the following telegram of the Red Cross to the court which was trying him:

"William ——— (address), overstayed last furlough on account of father on periodical spree. William alone able to control father at such times. Concealed fact prolonged furlough from mother, who is anxious and sickly."

What criminal lawyer would ask to face a judge and jury with a more moving plea for a client? And what upright district attorney—sworn officer of the court to see that substantial justice is done between the State and the erring individual—would not be strongly moved to enter a nolle pros?

What happened during the administration of "military justice"? Amateur "counsel" for the defense summed up these circumstances colorlessly and briefly, humbly admitted that the man he was "defending" had committed a most grave offense, and politely, almostly timidly, asked the court to take the matter of the drunken father into consideration, and, if it could, not to be too hard on the drunken father's son.

Judge advocate for the United States indulged in a burst of oratory. What he said illustrates so well what it is not unfair to term the animus of the military mind that it is repeated here verbatim.

"As I understand counsel, the accused's difficulty in getting a week-end pass led him to be absent for two and a half months. It must have been a great difficulty that he expected to meet when he met his company commander if he had in mind asking for a pass for the entire months of July and August and the first 10 days of September. I can not believe that a man whose one desire is to get overseas to fight for his country is going to be heartbroken at his failure to get over there at the first possible moment. The fact that a man stays absent for two and a half months indicates that he is a deserter. He is charged with absence without leave, but it is the most serious absence without leave that you could possibly have—without any justification, except that there was a drunken father in the family. I think the man should be punished and punished severely."

Five years for William, the civilian in uniform who "got sort of discouraged all around," and then the machinery of our administration of military "justice" took into its maw the next case of those 15,719.

DISCIPLINE IN OTHER ARMIES.

Case after case of similar mold might be added here if space were available. It should be stated definitely, as a part of this record, that from the historic point of view that the so-called military justice of these United States of ours, besides being blundering and senseless, is archaic—the sole survivor in any decent nation of a system of military discipline which originated in medieval times and was brought to its full flower by that ardent democrat, Gustavus Adolphus. This system has been abandoned by France, by England, by Italy, by little Belgium, and the spirit and discipline which said "They shall not pass" at Verdun, which turned the surviving tenth of the "contemptibles" after that fortnight of slaughter and retreat into the offensive force which smashed the German right for Joffre, which swept the routed Italian armies back to victory, which kept the black and red and yellow of Belgium flying for years never to be forgotten over one small, miserable stretch of marsh and sand dune, were founded on quite a different concept—one which recognized the laws of the land and the rights of men and the fundamentals of justice as being always superior to any mere power of military command, however exalted and however necessitous.

It was all this and more that Senator Chamberlain had in mind when on the floor of the Senate of the United States he said:

"The records of the courts-martial in this war show that we have no military law or system of administering military justice which is worthy of the names of law and justice. We have simply a method of giving effect to the more or less arbitrary discretion of the commanding officer."

The American people want to see fair play for their fighting men. They confidently look to Congress to see that these cases are reviewed by an impartial judge and justice done.

Mr. CARTER of Oklahoma. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. DIES].

Mr. DIES. Mr. Chairman, I want to call attention to a statement in a newspaper, because statements of a similar character are being made and printed throughout the country.

This newspaper article is headed "Certain rich men in the State watched. Cashing in war stamps, and as result are denounced as deserters":

It is stated by Charles H. Huddleston, assistant postmaster at Austin, that an enormous amount of war-savings stamps are being cashed in by the people of Texas.

This officeholder, after having abused the people for cashing their obligations against the Government, says:

If a man in uniform deserts, he is court-martialed and punished as well as disgraced for life, but these financial deserters, whose duty is to furnish funds just as truly as it is the soldier's duty to fight, can desert and go unpunished save for the lashings of their own conscience and the indignation of an outraged soldiery.

Mr. Chairman, I presume it is the wish of every American citizen to uphold the credit of our Government, and I am sure the best way not to do that is to abuse those who comply with the contract made with the Government by buying its obligations and then cashing them in the manner provided by law. Here is a man who holds a liberty bond, and if he needs the money and his condition is such that he feels justified in doing so he has as much right to sell that bond as any other piece of property he honestly acquired. Any man or woman who has these war-savings stamps and who needs the money has a perfect legal right to cash them at the window as the Government contracted they should be cashed.

Mr. Chairman, the war is over, and the Government of the United States, instead of complaining about the payment of its honest obligations, should quit spending so infernally much money through its Congress and through its Treasury. If a man owes me money and I see him spending lavishly, the first impulse to me is that he should pay me his honest debts before he gives the money away or spends it with a lavish hand. Just the other day you donated here in the House $100,000,000 to charity. The Postmaster General says that we are about to buy the telegraphs and the telephones. Mr. McAdoo says we should buy $20,000,000,000 worth of railways and some other man says we should build houses in Washington so that every Government job holder may have a house to live in. A Government which is thus magnificently equipped with power to buy everything and answer every call of charity ought to be able at least to stand up and pay its obligations over the counter to the American people who need their money. [Applause.] I am tired of hearing these little political satraps denounce honest men and women who cash the obligations of the United States Government. I do not know what their particular situation may be. They may need the money and need it badly. If the Government needs the money, let us quit spending with such a lavish hand, let us demobilize the Army and bring our soldier heroes back from Russia and France, and let us demobilize those here at home, many of whom are acting as chauffeurs to little gentlemen who wear spurs and shoulder straps. Mr. Chairman, let us economize and devote the revenues of the Government to the operation of the Government's legitimate functions, and then we will not have to be abusing everybody

who walks up to Uncle Sam and says, "You owe me $100 and I want my money." [Applause.]

Mr. SNYDER. Mr. Chairman, I yield 20 minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Chairman, I second the sentiments suggested by my friend from Texas [Mr. DIES]. I fully agree with what he says.

However, that issue is not what I arose to speak upon. I want the attention of the members of the committee this afternoon to a resolution which I introduced to-day looking to the establishment in France of a proposed field of honor. This suggestion has come through a good number of public-spirited men, many of whose names appear on the resolution, some of whom came here to Washington and secured an interview with Secretary of War Baker, and his approval of the purpose they had in mind. Mr. Bailey, of Harrisburg, Mr. Eyre, of Philadelphia, and Mr. Cushman, of New York, were here together and had an interview with the War Department. The result of the interest created by these men was the bill introduced on the 14th of January by the gentleman from Alabama [Mr. DENT], and which bill is now before the Committee on Military Affairs. The resolution I propose is supplemental to the War Department bill. The suggestion came from the Secretary of War that he would be glad to have an association formed for the embellishment of the proposed field. I called up the War Department this morning to get certain figures. I desired to know the number of soldiers who had made the supreme sacrifice in a foreign country. I am told that in action there were 30,000 soldiers killed, speaking in round numbers. Those who died from wounds and other causes number approximately 30,000 more. At least 3,000 others have been reported since the official statements were put out as having died, making something like 63,000 soldiers who will either rest in this country or in a foreign land. These soldiers fought in Belgium, France, Italy, and Russia. They were brigaded, according to the War Department information given to me this morning, from the northern boundary of Belgium to the Swiss boundary, making a stretch of line probably 200 miles in length. They were buried where they fell and their graves are marked with wooden slabs having on them the names of the soldiers. About the neck of the soldier is tied an aluminum tag upon which is his name and the section of the Army in which he fought so that they may be identified. The graves are not now guarded, according to the statement from the department this morning. The policy of the Government is to return these dead if possible. The difficulty in that, as will appear to all of you, is quite apparent. The Government, of course, will do this if it is possible to do it, but because of the scattered condition of these heroic dead and the care which I fear after the glamour of war is over will be dissipated, it appears to be a rational suggestion that we establish in France somewhere not a cemetery but, to get away from that idea, a field of honor, to be beautifully embellished and to be a thing of beauty for all time to come. The idea is not to put it on the battle field but to get from France one of her most beautiful chateaus, of 500 acres or more, in line with what France has already done for Britain.

I have understood that France has given in fee thousands of acres of her soil to Britain to be a resting place for the British sons that will not be taken back to Britain. The idea here is to find in the most beautiful part of France the most beautiful section from the standpoint of topography, a location near a city or a town that would be able to care for the population that might incidentally drift toward this place, as American travelers who would want to go where the heroic dead will abide, and also to make the field the last thing in beauty that an artist can make it, to be developed under the approval of the Association of Fine Arts here in Washington. The idea is to build within the field either one monumental building, to be a hall of records and a chapel, or to erect two buildings, one a hall of records and the other a chapel. This structure, of course, is to be also the last thing in architecture, so as to satisfy the demands of the highest standards of art—nothing inexpensive or commonplace. The field is not to be in the form of a cemetery, with a lot of tombstones, which, as a rule, never respect the sense of artistic taste, but to be laid out with reference to divisions represented in the battles in which the boys died—I mean divisions in the military sense. This would be better than if laid out in accordance with State lines. At the head of the divisions there is not to be a monument nor an inconsequential marker, but a column or an altar that would not be suggestive of any particular religious denomination, but such as could not from any angle offend anyone, and upon that altar to have the name of the division. The graves will be marked by a little headstone, with simply the name or the initial of the soldier upon the headstone.

The hall of records is to be the place where the records of all the boys will be preserved—the place and time of their birth, their enlistment, the division in which they served, where they fought, how they fell—and if there is anything especially out of the ordinary that would mark his life, that event is to be entered, so that anyone desiring to know what this soldier did or to know his history in France can go to this hall and there find a complete record of his service. Such a record will be made of all the boys who rest within the field. Then there will be a chart giving not only the field of honor in full detail, so a traveler at a glance can locate any division, but also charts to indicate the battle fields in which our soldiers were prominent, and it might be well to have mural drawings, not paintings, but charts of battle fields, so that anyone going within the hall could easily read not only the heroism of individuals but get at a glimpse what the battle fields of Europe were. Of course, fellow Members, there would be no effort to prevent any body from being brought back, where the parents or friends wanted the body brought. I do not think Congress would agree to anything of that sort; but I know, if the parent could realize that his loved one was sleeping in the most beautiful place in France, cared for by the Government, which would never allow it to be neglected, a place which will be perpetual, such parent would prefer that his loved one rest there, especially to having the body somewhere yonder in a great battle ground, unidentified and probably entirely lost sight of in time.

Mr. SHERWOOD. Will the gentleman yield?

Mr. FESS. I will.

Mr. SHERWOOD. The gentleman's proposition appeals to me. Has the gentleman introduced a bill on this subject?

Mr. FESS. I have. There was a bill introduced on the 14th of January by Mr. DENT, and I have introduced a resolution to authorize the incorporation of a society to carry out the plan of embellishing this field from the artistic standpoint.

Mr. HUSTED. Will the gentleman yield?

Mr. FESS. I will.

Mr. HUSTED. Is it the purpose to keep a record on this field of honor of those soldiers only whose bodies are left in France?

Mr. FESS. No. It will not be limited to those.

Mr. HUSTED. Or of all the soldiers who have died in France?

Mr. FESS. I am very glad my friend introduces that question, because the idea is that all the soldiers who lost their lives on land or sea, whether the bodies may have been buried at sea or on land, all will be represented in this hall of records.

Mr. HUSTED. It seems to me that is quite right, but I inferred from something the gentleman said that only the soldiers whose bodies were left in France would have this permanent record.

Mr. FESS. No; perhaps my friends could infer that from what I said, but I did not mean that.

Mr. JONES. Will the gentleman yield?

Mr. FESS. I will.

Mr. JONES. I would like to know if the gentleman does not think it would be preferable to have a field of honor established in this country, and does not the gentleman think it would be just about as easy to bring them back here as to convey them to the point where the field is created?

Mr. FESS. I am not committing a breach of confidence when I say it is going to be a very difficult thing to bring the bodies back here. However, I do not want to inject that, because the War Department is going to do that to the very limit of its ability.

Mr. LAZARO. Will the gentleman yield?

Mr. FESS. I beg pardon, I am afraid I will not have time. I yield to the gentleman.

Mr. LAZARO. Has the gentleman given any thought to those who lost their lives in this country, so that there will not be any line of demarcation between those who lost their lives over there and those who lost their lives here?

Mr. FESS. No; I had not given any thought to that.

Mr. LAZARO. The gentleman understands there are thousands and thousands of boys who went into the service anxious to get over there, but who could not get over there, and who lost their lives in this country. Without taking anything away from those who lost their lives abroad, does not the gentleman think something should be done for those who lost their lives here if we are going into anything of the kind?

Mr. FESS. I admit the force of what my friend says in that connection. My purpose is to get the Congress to meet the situation——

Mr. LAZARO. Yes; I understand.

Mr. FESS. Of those who died in France; but, if gentlemen will permit me to proceed, I want to say this: The purpose

of this association was not to put an expenditure upon the Government; that they would proceed to create a fund, perhaps of $15,000,000, to be administered under the authority of the Government, and thus make a permanent endowment, so that there would never be any doubt about the field becoming neglected. This could be raised in various ways, either by membership or by sale of a field-of-honor button, which would not entail any hardship upon anyone; and in order to avoid its being placed as any particular burden on the Government, in the way of an appropriation, the association would like to have that privilege to participate. Then, there is another thing I want to inject at this point.

Mr. ROGERS. Will the gentleman yield?

Mr. FESS. I will.

Mr. ROGERS. Is the gentleman committed to the exact name, "field of honor"? That, to me, has rather an unfortunate connotation of dueling days, and I wondered if the "field of glory" would not be preferable for that reason?

Mr. FESS. I had not thought of the connotation that is suggested. I hardly believe that we are near enough to the dueling days for us to retain that significance. I do not think that I would feel free to accept the word "glory" in preference to "honor," although what the gentleman says may have some significance. I meant to say that in addition to the association making an effort to gather funds, so as to make it perpetual, the Government would insist, of course, on being the final judge as to where the field should be located, which is to be by the permission and consent of the French Government; and, secondly, that the Government, of course, would be required to remove the bodies and place them within the field under the authority of the Government; and, thirdly, the Government would keep a guard of one or more companies of soldiers there permanently—not the same soldiers to remain there, but there is to be such a guard permanently maintained which is to be a symbol of the Government's perpetual presence upon the field.

The grounds should be so consecrated as to be open to Jew and Gentile, Protestant and Catholic, in keeping with the beautiful service which saw all fighting and dying side by side with no thought of religious differences; so may they sleep.

I hope the membership of the House will look into this proposal with a sympathetic viewpoint, because I am sure that the Government, while it will do what it can to bring home the remains of all our soldier dead, is going to have considerable difficulty in bringing the bodies back. And I am afraid that we will get into the position of leaving these bodies wherever they might now be resting, scattered all over that front, from Belgium to the Swiss border. And in time, no matter how beautiful is the devotion to-day of the French people to our soldier dead over there, you know it will be neglected; and I should like to have this thing done now, so that there will be no doubt that this field of honor will be a perpetual thing of beauty and a source of constant unity between our country and the allied countries for whose liberties they suffered and died.

Mr. LITTLE. Will the gentleman yield?

Mr. FESS. I yield to my friend from Kansas.

Mr. LITTLE. I am very much pleased to hear the gentleman's admirable suggestion. The intention is to assemble those that remain in Europe?

Mr. FESS. Yes.

Mr. LITTLE. Has the gentleman reasoned it out quite thoroughly in his mind that it would be better for a corporation to get together the funds than to have the Government do it? Has that been pretty carefully considered?

Mr. FESS. The idea has been that this association, incorporated by the authority of this body, could proceed to gather the funds that must be expended under the direction of the Government.

Mr. LITTLE. It is quite possible that is correct; but I wondered if you had carefully considered as yet whether that would be better than to have the Government expend it?

Mr. FESS. I think it would be better, and I am going to frankly state here that I am afraid if the Government does it alone we will have but little more than a military cemetery, which will destroy much of the spirit of the purpose of this association. [Applause.]

No father or mother who knows his or her precious boy sleeps in a place of beauty under the care of this Government, which will never neglect the cause for which he died nor the grave in which he lies, will regret the inability of the Government to bring back the body. For this field of honor will be a perpetual reminder to all the world of the debt it owes to the service of the son who made the supreme sacrifice.

We all recall the beautiful tenderness of Col. Roosevelt's reply to the Government as to his wishes as to the disposition of the body of Quentin, when he expressed the wish of Mrs. Roosevelt and himself that the dead hero be allowed to rest in the field where he gave his life.

The resolution to carry out the purpose is as follows:

A bill to incorporate the American Field of Honor Association.

Be it enacted, etc., That William E. Bailey, of Pennsylvania; Wilson Eyre, of Pennsylvania; James S. Cushman, of New York; Hon. William Howard Taft, of Washington, D. C.; Dr. John H. Finley, of New York; Bishop Luther B. Wilson, of New York; Alfred E. Marling, of New York; Arthur Curtiss James, of New York; Henry Morgenthau, of New York; James H. Schiff, of New York; Hon. Morgan J. O'Brien, of New York; William Fellowes Morgan, of New York; Dr. William T. Manning, of New York; Cleveland H. Dodge, of New York; Commander Evangeline Booth, of New York; George Wharton Pepper, of Pennsylvania; William Potter, of Pennsylvania; Charles L. Borie, of Pennsylvania; Judge J. Willis Martin, of Pennsylvania; Owen Wister, of Pennsylvania; A. J. D. Dixon, of Pennsylvania; Col. Frederick M. Alger, of Michigan; Dr. George S. Stewart, of New York; Maj. Robert Davis, of New York; Mrs. Robert E. Speer, of New Jersey; Mrs. John Meigs, of Pennsylvania; Violet Oakley, of Pennsylvania; Agnes Reppller, of Pennsylvania; Mrs. Finley J. Shepard, of New York; and their associates and successors duly chosen, be, and they are hereby, incorporated, constituted, and declared to be a body corporate of the District of Columbia by the name of The American Field of Honor Association.

SEC. 2. That the purposes of this association are and shall be: To cooperate with the Government in the selection and beautifying of a suitable and impressive estate in France for the creation of the American Field of Honor and its preservation as the final resting place of those who have made the supreme sacrifice in the cause of freedom and humanity, and to erect thereon such a building as shall serve, in the greatness of its intention and design, as a unified and single monument to the whole Nation and as a perpetual bond of union between America and the nations with whom we have been associated in the world's war.

SEC. 3. That the American Field of Honor Association shall consist of the people of every State in the Union who desire to express through their membership in it their appreciation of the sacrifice made by the Nation's immortal dead and their desire to unite in making that field of honor the country's great and living monument to America.

SEC. 4. That the American Field of Honor Association shall hold an annual meeting at such place in the United States as may be designated and shall make an annual report to Congress, to be filed with the Librarian of Congress, and shall submit before their adoption to the Commission of Fine Arts for any suggestions or for its approval all plans for the necessary monument of the proposed field of honor.

SEC. 5. That the American Field of Honor Association be, and the same is hereby, authorized and empowered to receive by devise, bequest, donation, or otherwise, either real or personal property, and to use the same or to hold the same absolutely or in trust and to invest, reinvest, manage, and apply the same property and the income arising therefrom in furtherance of the objects and the spirit of its creation.

SEC. 6. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. SNYDER. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. ELLSWORTH].

Mr. CARTER of Oklahoma. I would like to make an inquiry of the gentleman from Minnesota.

The CHAIRMAN. Does the gentleman from Minnesota [Mr. ELLSWORTH] yield to the gentleman from Oklahoma?

Mr. ELLSWORTH. I do.

Mr. CARTER of Oklahoma. Does the gentleman from Minnesota need some more time?

Mr. ELLSWORTH. I would like 10 minutes more.

Mr. CARTER of Oklahoma. I will yield to the gentleman five minutes; and if I find I can spare another five minutes, I will be very glad to yield him that additional time.

The CHAIRMAN. The gentleman from Minnesota is recognized for 15 minutes, 10 minutes yielded by the gentleman from New York [Mr. SNYDER] and 5 by the gentleman from Oklahoma [Mr. CARTER].

Mr. ELLSWORTH. Mr. Chairman and gentlemen of the committee, I almost hesitate to talk of Indian affairs under general debate as it is now progressing, for it seems almost as though extraneous matters were being brought into it. And I sometimes think that it is strange in this day and age, with the conditions in the world pertaining to and insuring democracy on this side and on the other side of the seas, that with more than a quarter of a million of our own people, the original possessors of this country, that in the general debate on Indian affairs in the House there seems to be but very few even of the members of the committee themselves who have anything to say to the Members of Congress upon that subject.

Now, I do not feel that I can enlighten any Members of the House upon Indian affairs. I do not feel that I can straighten out any of the jargon which has grown up through a bureaucratic control of the affairs of the red men of this country, but I do want at this time to say something along the general trend of Indian affairs and their condition.

A hundred years ago five of the tribes, known as the Five Civilized Tribes, had a government as we have a Government. They had their governors, their attorneys general, or those corresponding to attorneys general, secretaries of state, and legislative bodies. They made their laws; they had their judicial, executive, and legislative branches. They were civilized and have always been civilized, and what I say about Indians, by reason of the peculiar civilization existing then, an advanced civilization, and which has been maintained since, will not apply generally to these particular wealthy tribes in Oklahoma.

Mr. CARTER of Oklahoma. Will the gentleman yield?

Mr. ELLSWORTH. I will.

Mr. CARTER of Oklahoma. I just wanted to call the attention of the House to the further fact that during this period of tribal government it was developed among the Five Civilized Tribes by themselves mostly, with their own teachers and with the system of public schools by which not only tuition was furnished to the pupils of the Five Civilized Tribes, but also board and, in many instances, clothes. So that those people have really had a greater chance to become civilized in the last 100 years than has the white man himself. [Applause.]

Mr. ELLSWORTH. I thank the gentleman for the suggestion, and I feel grateful for a double reason, that secondarily——

Mr. SLOAN. I would like to ask the gentleman who is speaking, or the gentleman who has taken his seat, whether that education was an education developed by the Five Civilized Tribes in their special civilization, or was it copied after the system of the ruling people of this country?

Mr. CARTER of Oklahoma. It was copied after the system of the white man, and the textbooks were in the English language, and the teaching was in the English language.

Mr. ELLSWORTH. And from information obtained by an inquisitorial commission in that part of the country a few years ago it may be well to say that there are some things in which the white man might imitate the example of the Indians in that particular community.

I want to turn to another matter. Those civilized tribes were taken by this Government and given what is known as the Indian Territory country to furnish a great buffer against the uncivilization of the Southwest. To-day we have a different system of what I might call bufferism, a new buffer; a buffer and a barrier between Government and an impending and threatening civilized condition of the aborigines; a buffer built upon the supposed incompetency of the Indians, upon the supposed assurance of educational facilities to be provided, and in which not the Indian's poverty but the Indian's wealth stands between him and advancement and progress.

In 1854 the Red Lake Band of Indians in the northern part of Minnesota and through North Dakota journeyed once a year to Fond du Lac, at the head of Lake Superior, where they were met by Indian agents, who doled out their annuities, consisting of $1 each. Each year they met, sometimes two or three weeks or a month before the time of the payment of their annuities, and when the time came for payment of their annuities by the agent they were in many cases in distress and in a condition of famine. That condition continued for 20 years, and during the time that those members of the Red Lake Band of Chippewa Indians in Minnesota expected and looked forward to a pittance to be doled out not one single member of the tribe ever became a self-supporting citizen or a self-supporting Indian.

In 1874 that system ceased, and in that year, when there was no expectancy whatever of any further pittances being paid by the Government to this Red Lake Band of the Chippewa Tribe—from that time until 1889, when the Government stepped in and made another treaty, and the Indians ceded nine or ten million acres of land under a treaty providing that the proceeds from the sale of certain lands reserved would be placed in trust for them and the lands sold for their benefit—for the 15 years between 1874 and 1889, without any expectation at all of help from the Government, the Indians of that band became self-respecting citizens, were absorbed in the general population, and were among the men most sought after as employees on the farms and in the towns and villages and in the several communities in which they lived.

In 1889, after that treaty was made—and I regret I have not time to go into it now——

Mr. GILLETT. Did they give up their tribal life? The gentleman said they mixed with others.

Mr. ELLSWORTH. They gave up their tribal life, but they did not give up their tribal relations in most instances. In many instances they mixed, a large portion of them, with the white population in the towns and villages and on the farms, and carried on occupations such as other men did in the same communities.

Now the bureaucratic control has been restored. There has been a large fund—speaking of the same band and the same tribe of Indians. I want just to give you a bird's-eye view of some of the top-heavy administrative expenses and administrative effort and energy that are being expended by the Government in proportion to the amount of benefit, the ultimate benefit, to the Indian himself. I want to read you what seems to be an important State document. I read:

Check No. 488. Authority sec. 3/20–18. Account 3110.
Red Lake Indian Agency, Red Lake, Minn., Mar. 28, 1918.
The First National Bank (79–1). Pay to the order of Joseph Greea,
$——— ——— ——— dollars.
Not negotiable until countersigned by United States disbursing agent.
Name ———, occupation ———, post-office address ———.
JOSEPH GREEN.
Name ———, occupation ———.
Signature or thumb mark of Indian depositor.
For to bal. a/c. Father.
INDIVIDUAL INDIAN MONEY.
Approved for $———.
WALTER F. DUCAM.
United States Disbursing Officer.

On the reverse side of this document I read the following:

If payee is unable to write, his indorsement must be a clear, distinct impression of his right thumb (or of left in case of loss of right) after his name. Indorsement to be witnessed by two reputable persons who can write; their names to be followed by addresses and occupations. Whenever possible one of the witnesses must be an employee of the Government or a member of the Indian's tribe.

Now, first, Joseph Green had to ascertain whether any member of the tribe could read or write. He might hire a horse and carriage and go out and find a man who could read, and if he did find such a man and he had a right thumb, he had to make the impression of his right thumb, or if he had no right thumb he would have to make his impression of his left thumb. [Laughter.] When he finally came to the Indian agent with the document properly marked he received the amount.

When I saw this check I said to the member of the tribe who showed it to me, "I do not want to talk about that, because it would be preposterous." He said, "Why?" I said, "It does not represent anything in particular." He said, "It represents exactly what is being done with the Indians." I have seen many checks during the year in which the amount did not exceed this—dozens and dozens of them. The amount of this check in which Joseph Green became the beneficiary of the United States through this great bureau was 11 cents. [Laughter.]

Mr. KNUTSON. What would happen to Joseph Green if he had lost both right and left thumbs?

Mr. ELLSWORTH. If he was not suffering from ptomaine poisoning, he might possibly make his toe mark. [Laughter.]

Now, I want to proceed rapidly, in order to get through, although the gentleman from Oklahoma [Mr. CARTER] is going to give me another five minutes. A year ago, when this bill was under discussion in this House, some of our leading members on the Committee on Indian Affairs, including the gentleman from Kansas [Mr. CAMPBELL], and the gentleman from North Dakota [Mr. NORTON], and the gentleman from Oklahoma [Mr. CARTER], said something about a man who knows more about Indian affairs than anybody else ever connected with Indian affairs still living, and possibly including all those who have gone to the beyond. Mr. NORTON says, speaking of James McLaughlin, a special inspector of the Government in the Interior Department but directly under the Indian Bureau, drawing a salary of $2,500 a year:

The most valuable man in the Indian Service in inspection work to-day is, in my judgment, unquestionably Maj. James McLaughlin, a man who has been in the Indian Service for nearly 40 years; a man who has made more treaties for the Government with Indians than any other living man; a man who has done more for the Indians of the United States and who is better acquainted with Indian affairs than any other man living in this country to-day.

* * * * * * *

To-day he is the most beloved and the most respected man among the Indians in North and South Dakota. His record in the service of the Government is one of which any man could feel justly proud. It is one the emulation of which by others in the Indian Service will bring about much-needed improvement in the administration of Indian affairs. [Applause.]

Mr. CARTER of Oklahoma then said:

I heartily concur in every word that has been said by the gentleman from North Dakota [Mr. NORTON].

A Member just asked me how long Maj. McLaughlin had been on the pay roll. He was on the pay roll perhaps before some Members here now were born, and during all the time I doubt not he was drawing less salary than he might have been able to draw had he been employed in a different capacity. He is one of the men in the Government service with a capacity of from $6,000 to $10,000 a year who has continued working, year after year, for $2,500, and prior to a few years ago for even less than that. There has never been a man in the Indian Service, so far as I am advised, who has rendered more beneficial service, both for the Federal Government and for the Indians, than has Maj. McLaughlin.

* * * * * * *

Maj. McLaughlin has ever been the friend of the Indians, he has ever had the confidence of the Indians. It is worth while for any Member of this House to spend a few evenings reading that very valuable book written by Maj. McLaughlin entitled, "My Friend the Indian."

All praise to Maj. McLaughlin, all honor to this noble, courageous, intelligent, diligent Government inspector, against whose long and valuable public service the tongue of slander has never wagged and who never faltered in the performance of a duty. [Applause.]

Then Mr. CAMPBELL of Kansas says:

Mr. Chairman, I count among my best friends in the public service Maj. McLaughlin, the friend of the Indian. [Applause.]

Then he said:

I got my liking for the Indian and my interest in his behalf through association with Maj. McLaughlin. I have read his book, "My Friend the Indian." It is one of the most illuminating works upon the American Indian that has ever been published. It was written by a man who loves the Indians, who has lived with them, and who has worked with and for them. For more than 40 years Maj. McLaughlin's life has been interlocked with the life of the American Indian. Years ago, when uprisings were imminent in any Indian tribe, Maj. McLaughlin, with that courage that his name would indicate, would go to the tribe, would sit with them in their councils, talk with them in their own language, and he has secured many treaties from unfriendly Indians who were about to go upon the warpath which have resulted in the maintenance of peace. He has rendered great service to the Indian and to the United States in the years of his connection with the Indians and with the Interior Department. Maj. McLaughlin is about 76 years young. I do not know where he is now. Perhaps he is out in the Dakotas or in Wyoming. He is somewhere rendering service to the United States and to the Indians. He works like a steam engine. I have known few men who have his capacity for work. At his age he seems never to tire, and he has the faculty of going right to the gist of a question. A few years ago, when a most intricate and important matter was under consideration, Maj. McLaughlin was selected by the Secretary of the Interior and commissioned especially to make an investigation of the entire subject, and the report made by him in that matter is the last word upon the subject. He has always rendered that kind of service to the Government and to the Indians, and I would like to join with my colleagues on both sides of this Chamber in doing something besides merely giving his words of praise. This House can well afford to spend a few moments in giving recognition to the splendid services that Maj. McLaughlin has rendered. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. SNYDER. I yield to the gentleman five minutes more.

Mr. ELLSWORTH. I thank the gentleman. I would like to stop to add my tribute to Maj. McLaughlin, but I shall proceed now to say something of his opinions as recorded in his book written and published in the last few years. I am sure since I have been here there has been nothing in the RECORD of what this man—perhaps the most prominent of all in or out of the service, dead or alive—thinks about the Indian problem to-day. I read from the twenty-first chapter of his book, "My Friend the Indian," dedicated in his own words "To my friend the Indian, whose good traits survive as a monument over the graves of a vanishing race." The last chapter is entitled "Give the Red Man His Portion." I have made extracts from it and shall proceed, without comment, to read them, trusting that you will fill in the interlocking spaces between with a subject supply of what the comment relates to. This book was written in 1910, so that it is not an ancient work.

Speaking of tribal funds—

The fund as it stands might be described as an endowment for the creation of paupers and the perpetuation of the present state of dependence among the people to whose credit it stands. * * * And, resting as he does under the weight of this burden of wealth, getting enough of it from time to time to keep the life in his body and prevent him from exerting himself to any great extent on his own behalf, the American Indian is fated to die in a state of nothrift and indigence, a sort of half breed ward in chancery. It appears to me that it is the duty of the Government to make some provision presently for the emancipation of these unhappy victims, to deliver them from the evils that guarantee a future of ungentle paupery, by giving to the Indian his portion and turning him adrift to work out his own salvation.

The Indian and his condition is not so important a matter to the majority of the people of the United States as the smashing of the trusts and the reformation of the "system," but no question that affects the moral and physical salvation of over a quarter of a million human beings living in this country can be lacking in importance to the rest of the people, and this problem, in which is involved the future of the Indian and the disposition of the wealth that a paternal Government has sequestered for his benefit, is of imminent and practical interest to the people of the West in particular and to all the people of the country in general. Moreover, the Indian problem is involved in a condition created by and for the benefit of the American people. Leaning as he does on a governmental prop that is unstable, the Indian to-day calmly asks, "What are you going to do about it?" And the question must be answered not by the bookman, nor by the missionary societies, but by the practical men who are to-day engaged in giving to the administration of governmental affairs the best thought and the most practical intelligence ever placed at the disposal of the people of the Republic. He might be cowed by a show of military pomp, then subdued him in force and subdued him to the point of making him glad to accept a treaty. The treaty being made, white men broke it. The white men broke all the treaties. Gen. Sherman, who did not love the Indian overmuch, declared that all the Indian wars were chargeable to the white men and their bad faith. Other men—not the faddists who exploit the Indian for advertising purposes—agreed with Sherman, and I know nothing to support a contention that the Indian was treacherous and capable of breaking faith when he had made a fair engagement.

And then he says, speaking of the Indians of South Dakota as typical of all:

This body of Indians might be taken as fairly showing the result of the policy of holding the Indian in wardship and making him heir to wealth that is being gradually distributed.

And I have no hesitancy in saying that the condition of these Indians to-day is not as hopeful as it was 18 years ago, when they had no wealth in expectancy and no payments to depend on. Their advancement has been greatly retarded by the system under which they live. They lack the manly qualities that distinguished them generally 15 or 20 years ago; they have no self-dependence; they lean on the Government or the agent in all their affairs; they are in debt. They squander the money that is given them—I am speaking of the people generally, for there are a few notable exceptions to this rule. The younger people have little pride of ancestry and no care for the future. The older people have neither ambition nor hope—beyond the next payment. They are utterly listless of the passing of time, except as it brings a payment nearer, and are much given to the cheaper amusements of the whites and the inane dances of their ancestors. Fifteen years of annuity drawing has made a people that was struggling to the surface by personal effort a set of paupers in chancery. * * * They would be better off, so far as the future is concerned, if they stood on bare ground. They prove incontrovertibly the demoralizing effect of the present system, and they stand as a fair sample of people treated as they have been.

Fortunately not all of the Indians have money in the Treasury upon which to draw. I say "fortunately," for the Indian who has nothing at all, either at present or in expectancy, is much better off than these, and infinitely better material upon which to work. * * * As a matter of fact, the Indians of the trans-Missouri reservations, who have practically no income save that which is produced by leasing their lands for grazing purposes or what they earn by labor, are infinitely better off than these civilized and wealthy cousins of theirs. The Teton Sioux is better physically and morally and of stronger mentality than the annuitant. He has been compelled to exert himself since he was driven out of his hunting grounds, and he has had rather better health than some of his compeers for that reason. He has passed through the transitory stage involved in the change of his manner of life, and he is recovering from the anemic condition to which he was reduced by the change from the tepee to the log house, from fresh meat to cereal goods. For seven years he has had no Government assistance, except for the maintenance of schools and rations for the aged and indigent, and he is now taking his land in severalty. The demoralization will come if the present system obtains.

I would not argue that the economic and social condition of the Indian is satisfactory in the inverse ratio to his wealth; but it appears certain to me that the Indian who attained to the right to draw a dole from the Government before he had developed up to the state of being able to get a living for himself is laboring under a serious handicap and is at a standstill or retrograding.

In another chapter of this same book he says that while we are very slow to violate treaty provisions, so far as keeping the funds is concerned, and not giving the funds to the Indians per capita until the treaties expire, we are not at all squeamish about violating the treaties in any other respects so long as it increases the control of the bureau and perhaps gives still further opportunity of keeping the money from the Indians.

These immense holdings are being doled out to the Indians by a pauperizing system in sums inadequate to their needs yet sufficient to give the annuitants the sense of being provided for. I am not sure but that the average white man, if assured of a sufficient income to scratch along on, would not proceed to become an Indian after his fashion. * * *

This is the problem that confronts the white man: How is the Indian to be saved from himself and his riches?

To me the question admits of but one answer. Give the people the money they have coming; give it to them as soon as possible. So soon as the proper official declares that an Indian is competent to administer his own affairs let that Indian have his portion of the funds, also a patent in fee for his allotment, and let him shift for himself. This procedure would relieve the Government of the care of these funds and build up manhood and individual self-reliance, which can never be realized under the present doling-out process. Do away with the leading strings and checkrein by which the Indian is now handicapped and he will immediately feel the necessity for demonstrating his capacity to manage his own estate. By this means only can the Indian be saved from chronic indigence and ultimate and absolute paupery; and I am sufficiently well acquainted with Indian nature to venture the prophecy that a large majority of those under 50 years of age will develop the capacity to hustle for themselves exactly in the proportion that their needs press them. Take away his annuity by letting him handle the principal and the Indian will be given a start on the road to complete civilization and independence that will land him at the desired goal.

I want to say, in closing, that if the Government should decide to-morrow, regardless of the competency or incompetency of the individual members of the Indian tribes, to give to every single one of them in this country the money or property to which he is entitled, held in trust funds or of tribal funds or allotments, or whatever it may be, there could not and would not in one case out of a hundred be a single instance where the money would be squandered by reason of the fact that the control of the Indian Bureau had been taken away and the restriction removed; or, if it were squandered, the "squanderer," if I may use the term, would then turn his hand to some useful occupation, because the "civilizing" influence of the Government would cease to hamper him.

I say this because I believe that the courts of this land are just as much to be depended upon to protect incompetent persons to handle their own affairs as the Indian Bureau, and because I do not believe that there is a single reason to doubt that every court in the country would give them the same protection as to their allotments and their tribal funds as they would give to any other incompetent persons. They would get the same consideration if they were not competent and not frugal in any State of the Union.

The foundation on which this bureaucratic government is maintained is this: It is a sort of a tripod arrangement. You have the educational proposition, you have the incompetent proposition, and you have the Indian's wealth. These are the three things that stand between the Indian and the Indian's freedom and the right of holding his own property at the present time. But just as soon as you get an item of expense,

whether it be a gratuity or payment, and especially if it be taken from the tribal fund, you run against this proposition, that a part of that money is spent for schools. I make the assertion that if you close every school—and I will except Oklahoma only, because they have their own government, they attend to their own business; the Five Tribes of Oklahoma are like a great corporation, they take care of themselves—if you exclude them and close every school, both day and boarding schools, in the next year, you could start out in very many localities without serious concern as to Indian children not being able to secure an education in the public schools and colleges in the States in which they live. There is no question about that in my mind; but when it comes to a show-down the proposition which affects the cutting out from the Indian bill of an appropriation made you run amuck every time of some one somewhere who draws a salary from some particular fund that may overlap an expenditure for schools. The expenditure may be so remote that it only gets into the schools through a third, fourth, or fifth step arrangement whereby somebody draws a salary as an inspector or supervisor of an Indian school in that vicinity or thereabouts. [Applause.] I should favor a commencement now, in this Congress, in this bill, on a new plan of cutting down items which are top-heavy with administration expenses.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. CARTER of Oklahoma. Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. HEFLIN].

Mr. HEFLIN. Mr. Chairman and gentlemen of the committee, before I begin the discussion of the question that I intend to discuss briefly this morning I want to say, in reply to the speech of the gentleman from Ohio [Mr. FESS], that I am in favor of returning the bodies of American soldiers to America. I think that the Government that is able to take a boy from home when in the vigor of life to go to the place of danger, wherever it may be, and there spill his blood and die for the flag, that that Government ought to bring the remains of that boy back home. [Applause.] I think that those who bade these boys good-by, who went away with their blessings upon them, ought now to be permitted to have their remains returned, wrapped in the flag of our country. [Applause.] Now, I know that a great international cemetery in France would cause thousands and hundreds of thousands of American tourists to go there. Many of our people would want to go there and lay a flower on the graves of their loved ones. That is true, but, gentlemen, you know that thousands of boys went out from our country whose parents are not able to make that journey across the sea. Are they to be deprived of ever standing at the grave side of the one who in the flower of his young manhood died for his country and for civilization? [Applause.]

I am in favor of bringing back the remains of these boys who fell in battle or died with disease upon foreign fields. I think it is a measly contention that this the greatest Government on the globe, the richest Republic on the earth, should now undertake to save its money by allowing these boys' bodies to remain on a foreign battle field when their loved ones want them brought home. [Applause.] I would leave that to the American father and mother, those who brought them into being and who nurtured them to manhood. I would allow them to say whether they wanted them to remain there, and if they did I would permit the boy to sleep where he is buried, if his parents want him to remain there, as was the wish of Col. Roosevelt with regard to his brave boy who died in battle; but if they want the body brought home, it should be done. In the absence of any statement from them on the subject, then I would provide a great national burying ground in the United States and let them sleep in the soil of the land of their birth. [Applause.]

Now, Mr. Chairman, I want to say a few words about the cotton industry of the United States. This industry is of vital interest to thirty-odd millions of American people. In 1914 we exported 9,501,000 bales of American cotton. That was the last year before the war.

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. HEFLIN. Yes.

Mr. LITTLE. I quite agree with the gentleman's position about bringing the bodies home or leaving it to the parents. But as I understood the gentleman from Ohio [Mr. FESS] his plan is that the field of honor shall be for those whose parents do not care to have them brought back home.

Mr. HEFLIN. I did not so understand it.

Mr. FESS. Mr. Chairman, that was the situation. No one has refused to have the bodies brought back home.

Mr. HEFLIN. Then I did not understand the gentleman's position. I did not hear all of his speech.

I was speaking of cotton. In 1914, the last year before the war, American cotton had become so popular and so necessary to the people of the Old World that they demanded of us that year nine and a half million bales of American cotton. That year the American mills consumed a little over 5,000,000 bales. Last year the American mills consumed 7,500,000 bales. Of course, the spinning industry of the Old World was disturbed during the war. People were compelled to wear old clothes, and they have worn out their old clothes. The people of the Old World were compelled to plant their cotton acreage in foodstuffs, and they have made but very little cotton. In 1914 they had a fairly good cotton crop of the kind they produce, and in 1918 they have made no cotton of any consequence. In 1914 we made the biggest crop in our history. But in 1918 we have made one of the smallest crops in four years. There is a dearth of cotton the like of which I have not seen in my day. The world's cotton crop is nearly 7,000,000 bales short, and yet in spite of that, in spite of the cotton famine that confronts us, the New York Cotton Exchange under a bear raid drove down the price of cotton in one day last week $88,000,000 on an 11,000,000-bale crop. Something has got to be done to stop such wholesale destruction of values. I am in favor of protecting the wheat growers of America against a raid by speculators on the grain exchange, and I am in favor of living up to this Government's pledge to the wheat growers, but, gentlemen, you have got to help us protect the cotton industry against the destructive raids inaugurated by certain foreign and American spinners.

The spinner here and abroad has sold the cotton goods to be made out of this crop. The spinners here and abroad have sold it on a cost price to them ranging from 35 to 40 cents a pound, and upon that basis they will average a profit after every expense is counted of over $235 a bale. What reason is there in justice and fair dealing for beating down the price in such fashion? The consumer is not going to get the benefit of it. The producer is being robbed. Let me show you some figures: The spinning industry in the United States consumed 5,800,000 bales of the 1913 crop. In 1914 the manufactured products from that portion of the American crop brought $701,000,000. The American cotton crop of 1914—16,000,000 bales—sold for $141,000,000, less than one-third of the crop in the manufactured state brought in 1914. So you can see that without any reason the producer is being robbed by a bear conspiracy of certain American and foreign spinners. They broke the price of cotton futures from $25 to $30 a bale in two weeks. Cotton will go back to 30 cents a pound in 15 days. It is now around 23 or 24 cents a pound on the exchange. But the producers are not selling. The spots are 28 and 29 cents. The producer is refusing to sell. He is holding and will continue to hold until he can obtain a fair price. On yesterday bear speculators put out a report that the Federal reserve banks were going to call in their loans on cotton. This was done to stampede the market. The board here says that there is no truth in such a report. All of these things are indulged in to aid a group of cotton spinners in the United States as well as foreign spinners to beat these prices down, and to buy it as low as possible, get it out of the hands of the producer, and then speculate on the exchange and run it up to 40 cents a pound. You mark my prediction; you will see cotton futures 40 cents a pound on the exchange before July 1.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. CARTER of Oklahoma. Mr. Chairman, I yield the gentleman five minutes more.

Mr. HEFLIN. Mr. Chairman, I am pleading for a fair deal for the cotton producers of the United States. The cotton producer paid $250 and $300 each for your western mules to make this crop. He bought grain and meat from the western men, and we have gone to greater expense in making this crop than any crop we have ever produced. We have had to fight the boll weevil, the red spider; and the drought destroyed thousands of bales in Texas and other States. The demand is great and the supply is small, and yet following the war the price is beaten down and down.

Take the history of wool, take the history of flax, or silk and cotton, and always following a war, with no exception in human history, they have gone up in price. Wool has gone up. It is in great demand and it is very scarce. That makes the demand for cotton greater as a substitute for wool, because there is not enough wool to supply the demand, and cotton will. There is not enough cotton to supply the channels heretofore supplied by cotton. Let me give you an idea about the profit Great Britain makes upon her spinning industry. The Philadelphia North American said in 1912 that Great Britain paid

$401,000,000 for her raw cotton. She manufactured it, supplied all of the people of the United Kingdom, and then sold the surplus outside to other countries for $611,000,000. She received over $200,000,000 more for this remnant of the finished product than all of the raw material cost at the outset. That gives you an idea about the profit that the spinner makes. So the spinner can not be justified from any standpoint of justice and fairness for this bear raid upon the cotton exchange. I am simply pleading for justice to this great army of cotton producers in the United States. [Applause.] There must be something done, gentlemen, and done speedily. I am going to suggest a remedy very soon. Let me suggest here that we can raise $100,000 in revenue on the New York Cotton Exchange by turning over the classification and inspection fees to the Government. Let the Government receive the 25 and 50 cents a bale for inspection and classification. Then this inspection and classification will be unbiased, it will be as fair to the buyer as to the seller. We can probably raise $250,000 on the New York and New Orleans Cotton Exchanges. These Government officials would give a fair deal to buyer and seller. The exchange ought to be forced to handle only spindle cotton, and it ought to be compelled to obey the law. The producers will hold between three and four million bales of this crop. Now, the effect of this tremendous break was that there was a loss in the price of futures of $30 a bale in two weeks. What do our producers say? Why, they say, "We can not afford to sell at the low price, and we will not." I have had letters from some of them saying that they do not intend to plant cotton this year; that they can make more money raising pigs and raising foodstuffs, because the boll weevil is there now and they would not have to take any chances with other crops. They will hold what cotton they have and wait for the good price which is bound to come. So the spinners who went into this conspiracy to rob the producer will pay for their folly before this thing is over.

Mr. SLOAN. Will the gentleman yield?

Mr. HEFLIN. I will.

Mr. SLOAN. I appreciate the gentleman's interest in cotton and am somewhat in sympathy with a large portion of it, but would not the producers of cotton now, as they did some months ago, rather resist the interference of the Government tending to stabilize or fix the price of this cotton?

Mr. HEFLIN. The reason the southern producer opposed fixing the price of cotton was because he feared that a reasonable price would not be fixed. You will recall that a gentleman here from Indiana introduced a bill to fix the price at 15 cents a pound, and I say to the gentleman from Nebraska that the passage of that bill would have bankrupted the whole South. It would have brought ruin to our producers. A gentleman from Ohio introduced a bill putting it at 20 cents a pound, and that figure would have bankrupted our people. Anything under 30 cents for this cotton crop would have ruined the producer and every financial interest connected with him. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. HEFLIN. I ask the gentleman for two more minutes.

Mr. CARTER of Oklahoma. I yield the gentleman two more minutes.

Mr. RAGSDALE. Will the gentleman yield for a question or a suggestion?

Mr. HEFLIN. I will.

Mr. RAGSDALE. When we fixed the price of wheat the Government sought to stabilize it and provided a market for wheat, and when the next wheat crop was about to come into sight there was not 10 days' supply of wheat in America. When the gentlemen in charge of fixing the price of cotton seed, which is two-thirds of the cotton production, the total weight of it, although they fixed the price of wheat and provided a market to the farmers, they found no market for cotton seed; and the fear was that the same regulation would do for the lint as it did for the seed, the fixation of a price without giving a market. It is very different from what it was in reference to the wheat question.

Mr. HEFLIN. Not only that, but I will say to the gentleman from Nebraska that at the time the war came on they fixed the price of wheat at $2.20, and that was more than double the old price. Cotton sold for about 15 cents for five years prior to the war; doubling cotton at the same percentage as was on wheat would make cotton bring about 34 cents a pound.

Mr. ANDERSON, Mr. KNUTSON, and Mr. WELLING rose.

The CHAIRMAN. To whom does the gentleman yield?

Mr. HEFLIN. I will yield to all three. I yield first to the gentleman from Minnesota [Mr. ANDERSON].

Mr. ANDERSON. The gentleman says the price was fixed when the war commenced. What does the gentleman mean—the European war or when we entered the war?

Mr. HEFLIN. At the beginning of the European war.

Mr. WELLING. At the time we entered the war wheat was more than $2.20.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. KNUTSON. Mr. Chairman, I ask unanimous consent that the gentleman be given time to answer a question.

Mr. CARTER of Oklahoma. I yield the gentleman one minute.

Mr. KNUTSON. Am I correctly informed that when there was a movement on foot a year ago last summer to fix the price on cotton the commercial bodies of New Orleans, Atlanta, and different places sent a delegation here to protest to President Wilson against the fixing of such price?

Mr. HEFLIN. That is true, because, as I said, one gentleman here, a Democrat from Indiana [Mr. Cox], offered a bill making the price 15 cents a pound, and another one, a Republican [Mr. EMERSON], offered a bill fixing the price at 20 cents a pound, which scared them almost to death. If the price had been fixed at around 30 cents a pound at that time, I do not think they would have objected, but as three-fourths of the country knew nothing about the cost of cotton production they were afraid that they would not be given a fair price for it.

Mr. KNUTSON. The President could have been depended upon to fix a fair price. What was a fair price on wheat?

Mr. HEFLIN. You all were pretty well satisfied with the treatment of wheat.

It cost more to produce this cotton crop than any previous crop. All we want, gentlemen, is the price that the law of supply and demand entitles us to. We made this crop expecting to get 30 cents and above, just as you people are expecting to get $2.20 for this crop of wheat this year. [Applause.]

Mr. KNUTSON. The gentleman must remember that we got in before it commenced raining.

Mr. HEFLIN. I know you did.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. HEFLIN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SNYDER. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. GRAHAM].

Mr. GRAHAM of Illinois. Mr. Chairman and gentlemen of the committee, I am rising at this time in this general debate to call attention to a matter which has recently been brought to my notice and which I think is of such a nature that the country ought to know something about it. When we went into this war and passed certain acts giving control of the railroads of the country to the Government, it was done as an emergency measure only. We concluded that it might be necessary for the Government, in order to carry on this war properly, that it have control of the railroads of the country. It was not the intention, I dare say, of the majority of those who voted for the railroad-control act that it should be made the instrument by those who should execute it to lead the country toward the policy of Government ownership of these public utilities. And yet I believe that most of the orders that have emanated from the Railroad Administration since they have had charge of the railroads of this country have led as far as they could toward ultimate Government ownership. And it occurs to me that, in what I have seen of the majority party in this House, perhaps most of them incline to that view. Personally I do not, for many reasons. I think that so far as private ownership can obtain in this country of any institution—any public utility or anything else—that private ownership should continue to obtain. In other words, as I have said here before, I do not believe the Government ought to ever engage in private business unless it is necessary in the exercise of its police powers or to maintain the health, morals, or good order of the community. We have had very many peculiar and extraordinary orders issued by the Railroad and Food Administrations since this war began, but none, I dare say, gentlemen of the committee, more peculiar than this order I desire to call to your attention.

Mr. SLAYDEN. Will the gentleman permit a brief interruption?

Mr. GRAHAM of Illinois. Yes; though I have but 10 minutes.

Mr. SLAYDEN. I would like to ask the gentleman how much of an investigation leads him to the conclusion that the majority on this side is in favor of Government ownership? My investigation leads to the reverse of that. I am guiltless, at least.

Mr. GRAHAM of Illinois. I know. I have heard the gentleman from Texas express himself and I admire his good judgment in that matter. I think, however, the position of the

Democratic leaders on the committees has been sufficient to convince the membership that there is a strong sentiment, at least in the committees, on your side of the House in favor of that ultimate position.

I assume that the majority of you men represent, in part at least, districts where they ship grain to market, and therefore you are interested in this: This order is an order issued by the United States Railroad Administrator on November 26 last, called General Order No. 57, and which has to do with the filing and adjudication of claims for a loss of bulk grain in transit. The law in my State—and I assume it is the law in most of the States of this Union—is that when grain, or any other commodity, for that matter, is delivered to the common carrier that that is itself a delivery to the consignee. The legislature in our State, and, I assume, in most of your States, has passed laws providing that when grain in bulk has been consigned to some consignee, and has been delivered to the common carrier, it shall be weighed in on proper scales, to be furnished by the railroad, and that it shall be weighed out at the other end, and that any loss in transit shall be chargeable to the carrier and can be made the basis of a claim. This provision of the law in Illinois was incorporated in a part of section 118, in chapter 114, of our statutes. I will read it briefly, because I think it is the statute in most of the States:

At the time such grain—

That is, grain in bulk—

is received by it for transportation—

That is, the common carrier—

such corporation shall carefully and correctly weigh the same and issue to the shipper thereof a receipt or bill of lading for such grain, in which shall be stated the true and correct weight.

Weighing out, shrinkage: And such corporation shall weigh out and deliver to such shipper, his consignee, or other person entitled to receive the same, at the place of delivery, the full amount of such grain, without any deduction for leakage, shrinkage, or other loss in the quantity of the same.

Damages: In default of such delivery, the corporation so failing to deliver the full amount of such grain shall pay to the person entitled thereto the full market value of any such grain not delivered at the time and place when and where the same should have been delivered.

Now, gentlemen, the object of that statute is plain and obvious to anyone who can read. The object of it is that when grain is delivered to a railroad company for transit the railroad company shall take reasonable care and shall deliver that to the consignee as it was shipped. If the rule obtained that the consignor must follow his grain or that the consignee must look after it in transit, it would be absolutely impossible for him to trace that shipment through various ramifications throughout the country and ascertain whether the grain was lost in transit by the negligence of the carrier or not. Notice the language of this peculiar order issued by the United States Railroad Administration. In the first place, it is stated by the administration:

Claims on grain shipped in bulk constitute a large proportion of loss and damage claims. Some of the widely varying practices of both shippers and carriers with respect thereto are of doubtful propriety, and in many cases result in undue preference and unjust discrimination.

* * * * * * *

In view of the foregoing, there is no good reason why carriers should assume responsibility for claims the basis of which is solely the difference between these loading and outturn weights.

Therefore claims for loss of bulk grain will be recognized only where there is evidence of negligence on the part of the carriers. Leaks due to improper coopering of cars or placing of grain-door boards are not to be considered as evidence of negligence on the part of the carrier, and the following rule shall apply until superseded by others that may be adopted as a result of investigation and study of the subject now being carried on by carriers and shippers in connection with the Interstate Commerce Commission.

The true interpretation of that language is this: That claims for loss of grain will be recognized only when there is evidence of negligence on the part of the carrier. Do you see what that means, gentlemen? It means that the burden of proving loss of grain in transit is shifted from the common carrier to the consignor or consignee. It means that no claims for losses will be allowed at any time by the United States Railroad Administration unless there is absolute proof made by the consignor or consignee that the loss was due to the negligence of the carrier. Now, how many claims, gentlemen, do you suppose can be authenticated by that method of procedure?

Mr. McKEOWN. Mr. Chairman, will the gentleman yield?

Mr. GRAHAM of Illinois. Yes.

Mr. McKEOWN. Does not that order set aside the rule requiring the railroads to furnish suitable cars? Does not that ruling excuse them for failure to furnish suitable cars?

Mr. GRAHAM of Illinois. Yes. I will come to that in a moment. Down in my country—and I expect it is true in the gentleman's country, and in many cases men ship from sidings—cars are furnished by the railroad carriers upon request. The shipper is lucky if he gets any kind of a car. The railroad company puts his car on the siding, and the shipper loads the grain in the car provided for him. If he should demand a better car he might not get one for a long time, and he might not get any at all. He might have to wait for months. So he takes the car that is furnished to him.

Now, when the railroad company furnishes him a poor car, it does not thereby decrease the freight rate, does it? The railroad companies get twice the freight rates they received before, almost. So the shipper loads the car, and when it gets to its destination it is found that there is a loss of weight in transit. But under this order the burden is upon the shipper to prove that that loss of weight is through the fault or negligence of the company.

Mr. DEWALT. Mr. Chairman, will the gentleman yield?

Mr. GRAHAM of Illinois. Yes.

Mr. DEWALT. What is your practice out there about bills of lading? Have you restricted bills of lading or open?

Mr. GRAHAM of Illinois. They are usually restricted.

Mr. DEWALT. If you have a restricted bill of lading, how can you compel the Federal Railroad Administration to pay a loss? How can you compel them to pay a loss on a restricted bill of lading?

Mr. GRAHAM of Illinois. That comes under the provisions of the statute.

Mr. DEWALT. Would not a restricted bill of lading operate against your construction?

Mr. GRAHAM of Illinois. I think the statute would govern. I understand that is practically the rule in every State in the Union, and I think it is true in the gentleman's State.

But, now, under this ruling, when the shipper, whether in Pennsylvania or in Illinois, starts a shipment of wheat to Chicago or to some other point, and it gets there and it is found to be short in weight, in order to get any damage somebody has to prove that it was the fault of the railroad company. How can you do it? The records are in their possession. They can trace the shipment. Sometimes the shipment has taken several weeks. In rule 8, in order to make the defense of the railroad company or common carrier better, observe the language. I read:

a. Clear-record cars. If, after thorough investigation by the carrier, no defect in equipment or seal record is discovered, such record will be considered to show that the carrier has delivered all of the grain that was loaded in the car—

No matter how much is there. If the railroad company's certificate says that they have made investigation and found no defect in the equipment or seal, it is equivalent to showing that the same amount of weight is in the car that was put in the car. Then, again—

If evidence is produced by the claimant indicating a defective record, such evidence shall be investigated and given due consideration.

In other words, the certificate of the common carrier is considered as prima facie evidence that they have done their duty and delivered all the grain, while the claimant's contention to the contrary will be given "due consideration." I insist that the order repeals by implication the laws of practically every State. It overturns the rules of damages of all our courts. It establishes a condition where no one who has a claim on shipments of grain can recover from the Government, and therefore this inures to the benefit of the common carriers, just like the other rules that have been made. I submit that this rule of the Railroad Administration ought to be immediately withdrawn; and, inasmuch as I have no voice that can be heard much anywhere else, I have made this statement here, so that it possibly can give to the country in some way the gist and purpose of this order as I understand it. I have not criticized the administration very much. I voted for the railroad administration legislation, and I voted for the food administration act and other acts in the emergency, and I did it to hold up the hands of the President and do everything I could to help in carrying on this war. But the time has come now when we are embarking on times of peace, and orders of this kind should not be rashly and inconsiderately entered by those who are administering the laws and issuing orders that will redound to the disadvantage of the people of the country.

When the railroad-administration act was passed, as I have said, it was the manifest purpose of Congress to give to the administration the control of the railroads of the country, so that shipment of troops, munitions, food supplies, and other necessary war materials might be coordinated and regulated and expedited. A similar measure was enacted during the Civil War, and as a result of that act President Lincoln took possession of something like 2,500 miles of railway in the United States, which were used for war purposes and immediately turned back to the private owners as soon as the war was ended by the surrender of the Confederate forces. The

administration of the railroads of the country by the Government ought to be such as to unsettle existing rules and regulations and State and Federal laws as little as is absolutely possible. But instead of this the most revolutionary steps have been taken, until no one knows what his legal rights are as regards these public utilities in the way of ownership or legal action against them. Millions of dollars' worth of claims are now pending in the United States, proper and legitimate claims, in which the claimants have no surety that they may be ever able to collect any amounts from the railroads. The Railroad Administration orders have been continually in favor of the railroads and against the general public, and this order No. 57 is simply a continuance of the same discrimination against the public that has characterized the entire administration. Hardly had the administration begun its work before freight rates were suddenly increased almost 100 per cent, then passenger rates were practically doubled; train service was disorganized. The poorest train service that has ever been experienced by this country has been since the Railroad Administration took control of the railroads. The efficiency of the employees has been lessened and the service to the traveling public has been almost indefensible. The Railroad Administration, in its various orders, has absolutely nullified and abrogated the provisions of the Sherman Antitrust Act, and has been permitting consolidations and combinations that we have been trying for 25 years to prevent by legislation. An administration that went into power decrying the trusts and combinations has suddenly created the greatest trust and combination of railroad companies that any country ever saw, and is now insisting through the Railroad Administration on the continuance of this system. If what we have had is a fair example of Government ownership, then the sooner we have done with it the better.

Order No. 57 violates not only the statutes of the State of Illinois and many other States in the Union, but it violates the Federal law as well. It is in direct violation of the provisions of an act relating to bills of lading in interstate and foreign commerce approved August 29, 1916. As I have said, it abrogates and sets aside the established rules of the common law and statutory enactments generally. Every requirement of justice and of orderly procedure in such matters requires the immediate withdrawal of this pernicious order. [Applause.]

By unanimous consent Mr. GRAHAM of Illinois was given leave to revise and extend his remarks in the RECORD.

Mr. TILLMAN. Mr. Chairman, I am authorized to yield 10 minutes to the gentleman from Oklahoma [Mr. MCKEOWN].

The CHAIRMAN. The gentleman from Oklahoma is recognized for 10 minutes.

Mr. MCKEOWN. Mr. Chairman and gentlemen of the House, the remarks of the gentleman from Minnesota [Mr. ELLSWORTH] struck the keynote of the Indian situation when he said that they stand upon a tripod—education, incompetency, and finance.

But I want to say that if the Congress of the United States should adopt a policy that would take the money that belongs to these Indians out of the Treasury of the United States and start them upon a business career you would soon find that the interest of this bureau would diminish immediately. If you remove the financial proposition out of the Indian question you will see how soon the interest that is so manifest now as to the welfare of the Indians would disappear.

In Oklahoma, where many members of these Five Civilized Tribes are the equals of the white men that live among them in intelligence and thrift and business industry, I want to say to you that they are hamstrung by this Bureau of Indian Affairs. A man can not secure in that country the control of his own property. Although he invests thousands of dollars in liberty bonds, he is not permitted to have the interest that is collected from his liberty bonds. In probate matters in Oklahoma it is not sufficient for the probate judge selected by the intelligent citizenship of that State—in which the Indian citizen has equal opportunity with the white man to vote for the judge—it is not enough to have a probate judge set over them to look after their affairs and pass on their accounts. That is not sufficient to satisfy the Indian Bureau. Indian agents must be appointed to go all over their accounts, and although the county judges in the several counties shall approve the accounts of the guardian, yet he can not pay the money out until it has the O. K. of the department.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. MCKEOWN. I will.

Mr. GREEN of Iowa. The gentleman realizes that that would make more places in the departments here, so that that department is like the other departments in that respect.

Mr. MCKEOWN. This department is not the only one here that is overcrowded with employees. Nearly all of the departments with which I have had anything to do have a surplus of employees.

Mr. GREEN of Iowa. I agree with the gentleman.

Mr. MCKEOWN. I want to call attention to the fact that when a guardian in the State of Oklahoma is appointed over a minor or incompetent Indian and gives a surety bond as good as can be given in the United States, he is not permitted to have the funds of his ward turned over to him and administered in the courts of Oklahoma, but he will get the funds if it meets the pleasure of the Commissioner of Indian Affairs, no matter how good the security of the bond. I say to you that this double guardianship is an outrage and a reflection upon the intelligent citizenship of the Five Civilized Tribes.

Now, Mr. Chairman, I desire to read an editorial from the New York Times upon this question of Indians and their affairs:

[From the New York Times.]

INDIAN CITIZENSHIP.

A story of the heroism of two American Indians has been told in the dispatches from France. On a scouting expedition back of the German line they stealthily found their way to a building used as staff headquarters, where a group of officers were smoking and drinking at their ease, with no thought of danger. The Indians, one of whom was a lieutenant and the other a private, threw hand grenades into the room. All the Germans but one were killed or wounded. The survivor, running from the building was shot dead with a revolver by the Indian private. With his officer he reached the American trenches, but both were wounded by the fire of the aroused enemy. At an emergency hospital the Indian private was asked how he felt. "I am all right," he said, but fell as he spoke the words, and expired.

It was perhaps the impression of those who read the report of this daring achievement that the Indian was a rarity in the American Army. The fact is, however, that about 10,000 Indians have served in the Army and Navy, chiefly with the land forces. Most of them volunteered. Our American Indians did a great deal more for the cause of civilization and for America. They bought liberty bonds (not including the fourth issue) of a value of $15,000,000; also thousands of war-savings certificates; they contributed liberally to the Red Cross, and made 100,000 hospital garments for the soldiers and sailors. It would be remarkable if the kindred of the Indians who have fought on land and sea for the Stars and Stripes were not proud of their heroes, and it is quite natural that when our statesmen are pleading for the small nations and talking about self-determination the aboriginal people of America should desire personal independence and the rights of citizenship for those of their number who are still living on reservations under the supervision of the Indian Bureau. In September last the Society of American Indians in convention at Pierre, S. Dak., adopted a platform, in the preamble of which it was said:

"The close of the war should see the legal status and condition of the Indians greatly improved. A grateful Government and people will not withhold from the native American race full rights as freemen under the Constitution. For this primary right and fundamental claim of the original occupants of the land we make renewed demands. It is the greatest anomaly in history that the Indians in this land of their nativity should be deprived of the privileges of democracy, the liberty which they love and crave, and should be subjected to reservation restrictions and petty oversight and control, without a citizen's rights or a voice in the Government."

The Indians in conference urged "the division in severalty upon the books of the Government of all funds held in trust by the United States for all Indian tribes, and that these individual accounts be paid as soon as possible," adding: "Annuities and doles foster pauperism and are a curse to any people capable of independence and desirous of the self-respect and esteem of their fellow men." Congress was asked to abolish the Indian Bureau, which "was never intended to be a permanent part of the Interior Department." These intelligent Indians, of course, understood that many of their people on the reservations were not ready for citizenship, and that therefore it should not be given to the backward by a stroke of the pen. They also knew that under the law of 1887 an Indian could sever himself from his tribal relations and qualify for citizenship, but they were speaking for the reservation Indian under the blight of dependency, handicapped by restrictions upon his liberty and the development of his faculties, who feels a sense of injustice, knows his people have been wronged by the white man, and is helpless if not benighted.

Gentlemen of the House, I say to you that the crying need to-day of the American Indian is simply the opportunity to get out into the world and make his way. As an illustration of it there was an Indian over in France in the American Army. He had $200 coming to him, granted by this Congress, as a per capita payment. It was his money. He wrote and asked that the superintendent of the Five Civilized Tribes send him a portion of this money, as he needed it in France. The reply went back to his wife that it was impossible to send the money over. I received a letter from that Indian, in which he said in his broken way—

It is funny to me, my wife full blood, got more sense than agent. She able to send money to me.

And I say to you that he expressed my sentiments. [Applause.]

Mr. SNYDER. I yield five minutes to the gentleman from Missouri [Mr. DYER].

Mr. DYER. Mr. Chairman, I desire to call attention to the matter brought out by the gentleman from Oklahoma [Mr. MCKEOWN] and the gentleman from Iowa [Mr. GREEN] with reference to employees in the Government departments. I have

understood from these gentlemen and from others who have spoken here from time to time that the departments in Washington are overcrowded with employees. I understand that that is generally believed and generally known; in fact, that a number are leaving, although more are staying, of course, than taking advantage of the opportunity to leave and have their fares paid home. But if it is a fact that the departments are full to overflowing with Government employees, then there is no sense for the War Department or the Navy Department to hold here in Washington men who are in the military service, the Army or the Navy, to do mere clerical work. I remember a few days ago I had a request from a widowed mother in my State asking for the discharge of her son, who was here at Camp Meigs receiving $30 a month running a typewriter, acting as a stenographer and typewriter, whereas he had a position at home which he had been compelled to give up, but which is now open to him, by which he might support his widowed mother, paying him $125 a month.

I had another case similar to that here in the Medical Supply Depot, where two young men were seeking to get out in order that they might take advantage of good positions which are open to them. They are working here in the Medical Supply Depot in the Government service, doing clerical work at $30 a month.

When I asked a gentleman in the medical supply depot of the War Department why they had to keep men here who came for the war, who are doing clerical work at $30 a month, and deprive them of the opportunity of going home and getting back into their positions in civil life and supporting their dependents, they told me they must keep these men because they can not get anybody through the civil service to do the work. The colonel out in the supply depot told me yesterday that he had been trying faithfully to obtain from the Civil Service Commission men to do the work—typewriting, bookkeeping, and things of that kind—and after continuous appeals to the Civil Service Commission they had been able to get only two men, and that they had to keep the soldiers there to do the clerical and other work in order to attend to the Government business. If that is true, why not take some of the men who are overcrowding the other departments in Washington and put them into these positions, which are purely clerical ones, so that the boys who want to go home and go to work can do so? In my judgment the Civil Service Commission ought to find some way to improve these conditions. I spoke of it the other day when we were considering the appropriation for the continuance of the Civil Service Commission, and I repeat now what I said then, that in my judgment the Civil Service Commission is not rendering to the Government and to the people the faithful and efficient service that it is supposed to render when it does not furnish men for the departmental work in Washington, so as to relieve the men who are wearing uniforms, who are here for the war, and the war being over ought to be sent home and other men put into these positions who will be paid a proper amount. [Applause.]

Mr. SNYDER. How much time have I remaining?

The CHAIRMAN. The gentleman from New York has 25 minutes.

Mr. SNYDER. Mr. Chairman, I am going to yield a little time to myself.

The CHAIRMAN. The gentleman is recognized for 25 minutes.

Mr. SNYDER. Mr. Chairman and gentlemen, this is a very important measure, consisting in all of appropriations amounting to something over $11,500,000.

In the four years that I have served on this committee it is a pleasure for me to say that in the discussion and investigation of the items contained in the bills which have been offered here there has never been developed any political acrimony or discussion of any kind. Usually it has been the policy of that committee to endeavor to arrange the matters brought before it on a basis that would insure the greatest saving to the Government and to the Indians and at the same time produce an improved operation of the Indian Bureau and of Indian affairs.

What little success has been obtained the members of this committee are fully as well aware as am I. It has been very difficult in the past, and it still is difficult, to bring about improvements such as are suggested from time to time by members of the committee.

In this bill we have increased to some extent the reimbursable items. I might say that the bill is made up of three principal items—treaty items, reimbursable items, and gratuity items. The total amount of the bill which we are now discussing, and of these three items, is $11,580,000. The present law carries $11,000,000, being an increase this year of something like $500,000. That increase is very largely in reimbursable items, due to the fact that during the last year, the period of the war, it was decided by the committee to refrain from new construction, and in some cases we held up improvements. But now that the war is over it has been thought advisable, in view of assisting in every way to reemploy those men who went to the war and those who are being relieved from war activities, to again institute new construction to some extent. There are some other items in the bill involving new legislation that I will discuss a little later.

In the aggregate the gratuities amount to something like $4,668,000, representing 43 different activities through an increase only of $182,000. The policy and theory upon which we worked was that while there was no increase permitted for school-teachers or superintendents, those being cared for by the general law, the committee thought the department entitled to some consideration and some increase in view of the great increase in the cost of living at the present time as compared with the cost at the time we made the previous bill. So we have allowed them on subsistence, transportation, and so forth, a matter of about 12 per cent increase, allowing no increase at all in such items as salaries, superintendents, and so forth.

I have prepared two sheets, one of them dealing with reimbursable items, giving items that have been increased or decreased, so that it will be an easy task for any member of the committee who desires to compare what we are proposing to undertake with the current law, and it will be a simple matter to refer to the figures and secure the desired information.

For instance, I have sat here for several years and heard these bills, as they were being read, and find an item of $250,000 for irrigation, or something of that sort, but I have had nothing before me to show how much was used or what amount exists under the present law. It seemed to me that by having a sheet to compare the items which have actually been changed in the bill anyone can refer to them and then refer to the page in the hearings and get immediately the reason for the increase or decrease of that item.

It will be noticed also that the committee is continuing the policy of a year ago of basing the cost of schools on the actual average attendance of pupils instead of the former policy of basing it on the per capita enrollment. We are continuing the policy again this year, which is a complete check on the total amount of appropriations in each item for the support and maintenance of each school. In other words, if we have an appropriation for an Indian school and a certain amount of money, based on an estimate of average attendance, and it is found the attendance falls below, only the amount we allow in the bill per capita for the support of the schools can be spent.

It will be noted that the limitation under the item "Per capita cost" might appear in the figures to have been increased over department estimates from $200 and $225 to $225 and $250. Attention, however, is called to the fact that the language of the limitation carried in the estimates is based on enrollment, while that carried in the bill as reported is based upon actual attendance. This, your committee thinks, places the limitation of these expenditures upon a more stable basis and in the end works in the interest of economy.

Mr. HASTINGS. Will the gentleman yield?

Mr. SNYDER. I will yield to the gentleman.

Mr. HASTINGS. Would it interrupt the gentleman's argument to call attention to the other reform which we inaugurate, and that is to cut out the words "available until expended"?

Mr. SNYDER. I am glad the gentleman from Oklahoma brought that to my attention. I am pleased to say that the gentleman from Oklahoma [Mr. HASTINGS], a member of the committee, has, in season and out of season, insisted on removing from the bill the words "available until expended." This year the committee has adopted the policy of eliminating those words. For several years we have appropriated for certain items in the bill, and then we would find in a year or two that nothing had been done with the appropriation, or perhaps it had been used for some other purpose.

So that certain activities we have been anxious to have moved and the committee's ideas carried out have been apparently and religiously laid aside until such time as the bureau gets ready to use the money in its own way. Therefore we decided to make the moneys available for this year only. The moneys that we appropriate for certain purposes after investigation are to be expended in the way the committee desires them expended. [Applause.]

Mr. TILSON. Mr. Chairman, before taking up another portion of the gentleman's remarks, will he state from his experience on this committee what is the tendency in regard to the gratuity appropriations, whether there is any indication that

at any time in the future there will be a decrease in these items, so that we may look forward to a time when this whole anachronism in our Government will be removed and the Indians will become self-supporting people like other people?

Mr. SNYDER. Mr. Chairman, I regret to inform the gentleman that the information which I have gained leads me to believe that about the last thing the bureau ever desires to do is to let loose of any Indian or his money; but it has been my policy and practice since I have been on the committee to get the money which belongs to him just as quick as I can and to get rid of the Indian just as quick as I can. [Applause.] I further believe, as some one stated here this morning, that in many sections of the country the Indians for whom we are providing, for whom we are operating activities, are just as capable of operating their own properties and using their own money in their own way as are many, many white American citizens throughout this country. Therefore, I say again that it has been my policy and practice to do as I have stated, and I certainly see nothing now which will lead me to believe that I shall change my ideas about it.

Mr. THISON. What about those to whom it is a gratuity? Is there any hope that these Indians will become at some time or other entirely self-supporting and be on the same plane with other American people?

Mr. SNYDER. I will say to the gentleman that against my advice and judgment we have, within the past two or three years, taken aboard again tribes of Indians who have been discharged for years and years, I guess nearly a hundred years, and it was due entirely to a sympathetic idea, losing sight of the legal phase, simply because the Indians were poor and because we did not insist upon making the State in which these paupers exist do its share and care for these Indians. We have again entered upon the policy of taking back the Indians who have left us, either from their own desire or because of some limitation placed upon them. I am absolutely opposed to that. I believe that when a tribe of Indians has been finally discharged and put on its own resources within the borders of a State, the responsibility of the Government of the United States has ceased, and the State should take up its burden and handle the proposition as any other State in the Union would and ought to do.

I do not know that I have much more to say. I ask unanimous consent to append to my remarks these schedules which I have arranged here, so that anyone desiring to have the information quickly with regard to any item can find the comparison here.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STAFFORD. Mr. Chairman, the gentleman has called attention to one reform adopted in this bill, seeking to discontinue the life of the appropriations beyond the fiscal year. May I inquire whether the committee has called upon the Bureau of Indian Affairs for the amount of the appropriations that are available, carried in prior acts, which have not been used or have not entirely been expended, and what is the total amount of those appropriations?

Mr. SNYDER. Of course we have that in the hearings, in the justifications for each of these items. The moneys unexpended and available for further expenditure are included in these items, and if the gentleman is interested in any particular item he can find it by referring to the page in the hearings that would cover the item he has in mind.

Mr. STAFFORD. I wish to commend the committee for preparing a report this year which embodies a splendid innovation, and which will prove of great value to the Members of the House in directing the attention of the House to the page of the testimony referring to a particular item, so that a Member need not roam about the hearings as we were compelled to do yesterday in consideration of the Diplomatic and Consular appropriation bill. The report filed here indicates the amount of the current law, the amount estimated, and the amount allowed for the next fiscal year, and in addition thereto gives the page at which the discussion of it may be found in the hearings, a very excellent arrangement, for which the committee deserve commendation.

Mr. SNYDER. I will say that these sheets that I am appending to my remarks have opposite the items also the page of the hearings, so that anyone can refer to them. I do not think that there is a single item in this bill that has not been fully discussed. I think we went to the bottom of every one.

By permission of the committee, I append herewith the papers to which I have referred, and will state that so far as this side of the House is concerned general debate is ended, and we are ready to proceed with the reading of the bill under the five-minute rule. [Applause.]

INDIAN APPROPRIATION BILL.

This measure is divided into three general sections—treaties, reimbursable items, and gratuities—each section containing many items. The total appropriations in this bill as recommended and in the present law under these sections are:

	Under this bill.	Under present law.
Treaties	$834,860.00	$891,120.00
Reimbursable	3,201,514.94	2,984,965.00
Gratuities	7,453,645.95	7,280,400.00
	11,580,019.89	11,056,485.00

REIMBURSABLE ITEMS.

The committee made several changes in this section—some over the estimates and some over the present law and the estimates. The total amount of reductions in these suggested appropriations was $119,000, and the total amount of increases aggregated $1,124,300. The items thus changed, and whether the change is plus or minus, are shown as follows:

Page in hearings.	Item.	Present law.	This bill.	Plus or minus.
4	Surveying and allotting reservations	$50,000	$10,000	−
7	Irrigation, reservations	250,750	268,000	+
[illegible]	Industry among Indians	150,000	160,000	+
95	Payment for supplies	None.	500,000	+
123	Irrigation system, Pima Indians	15,000	20,000	+
124	Irrigation, Colorado Reservation	20,000	30,000	+
129	Water supply, Navajo and Hopi	25,000	30,000	+
131	Ganado irrigation project	23,000	20,000	−
133	Pumping plant, St. Xavier Reservation	None.	16,500	+
185	Irrigation system, Fort Peck	36,000	100,000	+
210	Irrigation, Pyramid Lake, Nev	30,000	5,000	−
	Irrigation, Jemes and Zia Pueblos	None.	31,000	+
	Road, Mesa vero Reservation	16,000	25,000	+
289	Modoc irrigation, Klamath Reservation	7,000	5,000	−
344	Irrigation, Wind River Reservation	50,000	200,000	+
346	Diversion dam, canals, etc., Wind River	None.	200,000	+

GRATUITIES.

In the matter of gratuities under this bill the committee has changes in a number of items covered in the current law by increasing authorized expenditures in this direction to the amount of $182,878.20. The following tables give the details of the changes both in the items decreased or increased as between the law and the provisions in this bill:

Page in hearings.	Item	Current law.	This bill.	Plus or minus.
15	Suppression liquor traffic	$150,000.00	$125,000.00	−
21	Relieving distress and disease	350,000.00	375,000.00	+
28	Indian school support	1,650,000.00	1,750,000.00	+
53	Telegraph and telephones	8,000.00	6,000.00	−
[illegible]	Inspectors, Indian Service	30,000.00	25,000.00	−
83	Suppressing cease live stock	25,000.00	50,000.00	+
91	Reimbursement A. H. Snyder	None.	27.23	+
91	Development stock water supply	None.	50,000.00	+
117	Indian school, Fort Mohave	35,100.00	38,850.00	+
118	Indian school, Phoenix, Ariz	144,530.00	155,000.00	+
121	Indian school, Truxton Canyon	24,500.00	27,000.00	+
129	Water supply Papagos	20,000.00	52,000.00	+
132	Reservoirs and ditches Laguna Indians	None.	5,000.00	+
137	Support California Indians	50,000.00	42,000.00	−
138	Lands California Indians	10,000.00	20,000.00	+
149	Indian school, Riverside, Cal	157,000.00	153,000.00	−
158	Indian school, Lawrence, Kans	166,350.00	167,000.00	+
163	Indian school, Mount Pleasant, Mich	74,000.00	90,750.00	+
165	Indian school, Pipestone, Minn	48,650.00	54,650.00	+
202	Indian school, Genoa, Nebr	88,500.00	92,000.00	+
208	Indian school, Carson City, Nev	70,000.00	92,500.00	+
218	Indian school, Albuquerque, N. Mex	98,500.00	102,250.00	+
220	Indian school, Santa Fe, N. Mex	85,850.00	92,000.00	+
223	Counsel for Pueblos	2,000.00	2,500.00	+
228	Indian school, Cherokee, N. C	39,600.00	43,900.00	+
231	Support Fort Berthold Indians	15,000.00	20,000.00	+
233	Indian school, Bismarck, N. Dak	32,600.00	35,725.00	+
234	Indian school, Fort Totten, N. Dak	98,000.00	89,000.00	−
236	Indian school, Wahpeton, N. Dak	46,800.00	52,900.00	+
	Reimbursement Benson County, N. Dak	None	75.00	+
242	Indian school, Chilocco, Okla	111,600.00	101,600.00	−
271	Cherokee Orphan School, Oklahoma	36,000.00	43,000.00	+
275	Schools in Oklahoma (other than above)	250,000.00	225,000.00	+
288	Indian school, Salem, Oreg	133,000.00	150,000.00	+
292	Indian school, Flandreau, S. Dak	88,500.00	88,750.00	+
294	Indian school, Pierre, S. Dak	63,000.00	64,250.00	+
295	Indian school, Rapid City, S. Dak	80,000.00	71,875.00	−
302	Canton (S. Dak.) Asylum	40,000.00	45,000.00	+
306	Education Alabama Indians, Texas	8,000.00	2,000.00	−
334	Indian school, Hayward, Wis	55,450.00	61,250.00	+
336	Indian school, Tomah, Wis	65,000.00	71,875.00	+
341	Indian school, Shoshone, Wyo	37,500.00	41,250.00	+
	Investigation Indian affairs	None	15,000.00	+
	Total of items involved	4,445,233.00	4,628,178.20	

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SURVEYING AND ALLOTTING INDIAN RESERVATIONS (REIMBURSABLE).

For the survey, resurvey, classification, and allotment of lands in severalty under the provisions of the act of February 8, 1887 (24 Stat. L., p. 388), entitled "An act to provide for the allotment of lands in severalty to Indians," and under any other act or acts providing for the survey or allotment of Indian lands, $10,000, to be repaid proportionally out of any Indian moneys held in trust or otherwise by the United States and available by law for such reimbursable purposes: *Provided*, That no part of said sum shall be used for the survey, resurvey, classification, or allotment of any land in severality on the public domain to any Indian, whether of the Navajo or other tribes, within the State of New Mexico and the State of Arizona, who was not residing upon the public domain prior to June 30, 1914.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. The appropriation carried in this item in the pending act is $50,000. I notice that it has been reduced to $10,000. That awakens a query in my mind as to whether the land on Indian reservations has been entirely surveyed at the present time.

Mr. HAYDEN. I can assure the gentleman that is not so. There are vast areas, particularly in my own State, of Indian reservations that have not been surveyed. I tried to interest the surveyor general of Arizona to induce him to do this surveying out of the appropriations available. If the gentleman will note, in the hearings it appeared that there was available, from the unexpended balance from past years, $245,000; $97,000 was expended, leaving an unexpended balance of $148,181. I took the matter up with the surveyor general of Arizona, and he informed me it was utterly impossible at this time to get surveyors to do the work because the engineering profession had very largely gone into the war. The Indian Office gives a similar reason for having this large unexpended balance on hand. It therefore appeared proper to the committee at this time to make only a nominal appropriation of $10,000 for the next fiscal year.

Mr. STAFFORD. I notice in last year's act that the appropriation carried there was to remain available until expended. Of that balance of $148,000 how much is available?

Mr. HAYDEN. I imagine all of it. That language—"to remain available until expended"—has been carried generally in this bill for years, particularly in reference to this item.

Mr. STAFFORD. So the Surveyor General has at his disposal nearly $150,000 for surveying land on Indian reservations.

Mr. HAYDEN. Of the United States as a whole.

Mr. STAFFORD. I suppose until the reservation is open to settlement there is no pressing need of a survey of reservations?

Mr. HAYDEN. But in probably all of the Indian reservations there is a demand on the part of the Indians for allotments. A great many Indians desire to have some land of their own which they can call a home, and an early survey of the land is desired on that account.

Mr. STAFFORD. Can the gentleman give any information of a general character as to how many reservations have been completely surveyed and how many only partially surveyed?

Mr. HAYDEN. On page 5 of the hearings the gentleman will find a long list of reservations marked "opened," "partly opened," "not opened" (containing surplus areas), and so forth. If a reservation is opened it must have had a survey, and if it has been partly opened it must have been partly surveyed.

Mr. CARTER of Oklahoma. If the gentleman will permit, it is also possible for a reservation which has not been opened at all to have been surveyed.

Mr. HAYDEN. Yes; but when a reservation is opened it must have been surveyed.

Mr. CARTER of Oklahoma. The survey is the last step before the opening of the reservation.

Mr. STAFFORD. I withdraw the pro forma amendment.

Mr. ELLSWORTH. Mr. Chairman, I want to oppose the amendment and move to strike out the last word. I want to inquire of the chairman of the committee as to the nature of section 26, and I want to inquire in reference to that at this time because possibly it will save questions, from myself for one, as to the other sections in the bill preceding that. As I understand it, the $2,325,000 provided for in section 26 is to come from funds of tribes in trust. Now, I do not understand from the reading of that whether it means to say sums, as may be required for equalization of allotments, education of Indian children, per capita and other payments to Indians, or whether it means those sums are of that nature——

Mr. CARTER of Oklahoma. Under existing law the bureau is authorized to expend money for classification and allotments and for per capita payments.

Mr. ELLSWORTH. Without any appropriation being made?

Mr. CARTER of Oklahoma. Yes.

Mr. ELLSWORTH. Out of this sum of $2,325,000 are sums which have not been carried in bills in specific appropriations here, but which the department already has under existing law the right to use?

Mr. CARTER of Oklahoma. If the gentleman will permit, he will note that this applies only to tribal funds which, I take it, the gentleman understands——

Mr. ELLSWORTH. I mentioned that.

Mr. CARTER of Oklahoma. Prior to last year there had been built up from the adoption of different treaties and from the adoption of different acts of Congress various standing appropriations from which the department was authorized to use certain amounts of Indian funds. After having those appropriations it was not necessary that they should come to Congress each year to get this amount specifically appropriated, and Congress has no record whatever of those amounts, has no way of knowing how much of the Indian funds they were spending under these standing appropriations

Some two years ago the gentleman from Washington [Mr. DILL] proposed an amendment which set out that there should not be any expenditure from tribal funds in the future without a specific appropriation by Congress except for equalization, the payment of per capita, payment of schools, and so forth. Last year the department did not bring in a specific estimate, an itemized estimate, so the Indian Committee called on them for the items that had been expended under this, and then their record of the amount that had been expended and would be expended in accordance with the expenditures the year before, and so forth. Now, this year we bring in here a specific itemized statement of every dollar that is to be expended from these particular Indian funds.

Mr. ELLSWORTH. Then is the $2,325,000 included in the estimate of the total appropriations in the bill of $11,000,000?

Mr. CARTER of Oklahoma. No.

Mr. ELLSWORTH. It is in addition to it?

Mr. CARTER of Oklahoma. It is in addition. These are tribal funds, and the $11,000,000 is the amount of the real tax upon the Treasury.

Mr. ELLSWORTH. This is all entirely from the trust funds of the tribes in the Treasury?

Mr. CARTER of Oklahoma. Entirely from the trust funds.

Mr. ELLSWORTH. Take, for instance, in Iowa, Sac and Fox, $1,200 in last year's bill, was that included in any place in the bill at all?

Mr. CARTER of Oklahoma. My recollection is it was not, and while I am answering that question I will say during the time this bill was being made up I was confined to my bed——

Mr. CAMPBELL of Kansas. Last year it was not specifically itemized——

Mr. CARTER of Oklahoma. I have just answered that.

Mr. ELLSWORTH. Are there any amounts taken from specific appropriations?

Mr. CARTER of Oklahoma. If the gentleman will permit, I was confined to my room by illness and not able to be in attendance on the committee, and the other members of the committee very courteously went ahead and reported these items, so there are some items in the bill with which I am not as thoroughly familiar as the House might expect me to be.

Mr. ELLSWORTH. Does the gentleman understand that there are any of these items in section 26 or any part of any items specifically appropriated under the several States which were formerly included that by reason of being included in this bill at this place would in any way decrease the amounts that had been included in other bills under other sections?

Mr. CARTER of Oklahoma. No.

Mr. ELLSWORTH. There are none?

Mr. CARTER of Oklahoma. No.

Mr. ELLSWORTH. All of this amount, then, is in addition to what has been included in sections of former bills?

Mr. CARTER of Oklahoma. Yes; but which should have been spent under standing appropriations.

Mr. ELLSWORTH. But without requiring special authority——

Mr. CARTER of Oklahoma. Without specific annual authority by Congress.

The Clerk read as follows:

For the construction, repair, and maintenance of irrigation systems, and for purchase or rental of irrigation tools and appliances, water rights, ditches, and lands necessary for irrigation purposes for Indian reservations and allotments; for operation of irrigation systems or appurtenances thereto, when no other funds are applicable or available for the purpose; for drainage and protection of irrigable lands from damage by floods or loss of water rights, upon the Indian irrigation projects named below.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. Will some member of the committee advise us what policy has been pursued in making appropriations for the respective paragraphs which appear on pages 3, 4, and 5, as carried under this general heading?

Mr. HAYDEN. Prior to a year ago this irrigation appropriation was carried in a lump sum of about a quarter of a million dollars. The committee concluded that these projects should be specifically set out, so in the estimate this year the various projects were itemized and then arranged separately in the hearings.

Mr. STAFFORD. And the committee has allowed all the projects that were recommended by the bureau?

Mr. HAYDEN. Yes, sir. You will find on pages 8 to 13 of the hearings a detailed statement relating to these projects—where they are located, and so forth.

The Clerk read as follows:

In all, for irrigation on Indian reservations, $268,050, reimbursable as provided in the act of August 1, 1914: *Provided*, That no part of this appropriation shall be expended on any irrigation system or reclamation project for which public funds are or may be otherwise available: *Provided further*, That the foregoing amounts appropriated for such purposes shall be available interchangeably in the discretion of the Secretary of the Interior for the necessary expenditures for damage by floods and other unforeseen exigencies: *Provided, however*, That the amount so interchanged shall not exceed in the aggregate 10 per cent of all the amounts so appropriated.

Mr. ELLSWORTH. Mr. Chairman, I move to strike out the last word. In the bill for the fiscal year 1918 these items were carried and the amount—$244,700—was carried in one provision without specification of the different projects on which they are to be used. In this bill the projects are specified, and of the total amount carried—$268,050—I find that approximately $89,500 are for the items for necessary miscellaneous expenses incident to the general administration of Indian irrigation projects, including salaries, and not including supervising engineers, whereas the remaining amount carried in this bill is for construction, repair, maintenance, and so forth. Will the chairman or some other member of the committee tell me what the idea is for the segregation of the items in the bill at this time?

Mr. HAYDEN. The idea is that the committee wanted information so that they might look into the merits of these various Indian projects, and in case there were any of them where a good explanation could not be made for the expenditure of the money, they might be disallowed. It is only by having the bill submitted in this shape, by having a justification for each individual item, that it is possible for the committee to keep any kind of a check upon such expenditures.

Mr. CAMPBELL of Kansas. Will the gentleman permit me?

Mr. HAYDEN. Certainly.

Mr. CAMPBELL of Kansas. Is it not a fact that these items, specified as they are in this bill, has enabled the gentleman from Minnesota [Mr. ELLSWORTH] to ask these questions as to how much of this will be used for irrigation charges and how much for overhead charges and for other expenses by the Bureau of Indian Affairs? Otherwise nobody would have known how much of it would be used for irrigation purposes and for other expenses.

Mr. HAYDEN. But with a lump-sum appropriation salaries may be increased or decreased, but here we have appropriated specifically for a certain number of persons at certain salaries.

Mr. ELLSWORTH. I am glad the gentleman from Kansas suggested that these specific items for which we appropriate in this bill enable one to understand for what purpose they are being used. The thought occurs to me that possibly where a certain amount being for an Oregon project, or a southern Idaho project, or Nevada or Utah project, where it specifies a certain amount for administration expenses, instead of this having a tendency to cause an elimination of some of the administrative expenses, where it might otherwise do so, they would be transferred from one to another to keep the work going on, and it might have a tendency to have the administration expenses go up to the amount which is specifically provided for in the law, and it might possibly increase the administrative expenses over the proportion of expenditures of the actual work on the irrigation projects.

Mr. HAYDEN. I hardly think that is possible, because we segregate the construction from the salaries and expenses in the various irrigation districts. As far as the overhead is concerned, most of it is appropriated for in one place.

Mr. ELLSWORTH. Just for that very same reason—if, for instance, an item for the overhead expenses and administrative expenses were all included in one, if it were seen there was a thousand dollars left for administrative expenses and, say, about $500 for actual work, which might be a fair proportion in some cases, if there were not two distinct appropriations separating the amount paid for administrative work from the amount for actual work, there might be more work.

Mr. HAYDEN. The total sum appropriated here is not large enough to encourage waste. And we allow the Indian irrigation service some leeway by permitting the transfer of 10 per cent of the total amount from one project to another in case of an emergency.

Mr. ELLSWORTH. The question is whether or not the proportion appropriated in this bill for various projects for administrative expenses is really out of proportion to the amount appropriated for irrigation work.

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

SUPPRESSING LIQUOR TRAFFIC.

For the suppression of the traffic in intoxicating liquors among Indians, $125,000: *Provided*, That on and after July 1, 1919, possession by a person of intoxicating liquors in the Indian country or where the introduction is or was prohibited by treaty or Federal statute shall be an offense and punished in accordance with the provisions of the acts of July 23, 1892 (27 Stat. L., p. 260), and January 30, 1897 (29 Stat. L., p. 506).

Mr. KNUTSON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Minnesota moves to strike out the last word.

Mr. KNUTSON. Mr. Chairman, I wish to ask the chairman of the committee, or some member of the Committee on Indian Affairs, whether or not the treaties made with Indians provide for this expenditure of $125,000? Does this come out of tribal funds?

Mr. CARTER of Oklahoma. No. This is a gratuity. No treaty requires it.

Mr. KNUTSON. This comes out of the Treasury of the United States?

Mr. CARTER of Oklahoma. It comes out of the Treasury of the United States.

Mr. KNUTSON. Mr. Chairman, I withdraw my pro forma amendment.

Mr. ELLSWORTH. Mr. Chairman, I notice that one year ago, for the purpose of the suppression of the liquor traffic among the Indians, this bill carried $150,000. A year ago the different legislatures in the different States were then in process of voting upon the question of whether or not the Nation should be dry territory. Before this bill was reported into the House the number of States required by the Constitution for ratification of the amendment submitted to the States had ratified the constitutional prohibition amendment, which, long before the time in which this appropriation ought to be used expires, will make the United States entirely dry territory.

Mr. HAYDEN. Mr. Chairman, will the gentleman yield?

Mr. ELLSWORTH. In a moment. I understand it is not compulsory upon the department to use all of this money, but it seems to me it is a sad commentary upon our action in the House here, in view of liquor legislation in the country and liquor legislation that we shall be called upon to enact here in the future for the suppression of the liquor traffic—it seems to me it is a rather sad commentary to say that with the conditions changing as they have been in the last year the reduction is only from $150,000 to $125,000.

Mr. HAYDEN. That matter was thoroughly discussed in the committee, and the committee realized that, so far as the constitutional prohibition amendment is concerned, it will not go into effect until a year from now. In the meantime it will be necessary for Congress to pass legislation to enforce it. This Indian appropriation bill goes into effect on the 1st of July, 1919, and we wanted to be sure that the Indians would be protected from the sale of intoxicating liquors until the Nation becomes "bone dry."

Mr. ELLSWORTH. I understand that about one-half of all the Indians are in the State of Oklahoma. Is not that true?

Mr. HASTINGS. About a third.

Mr. ELLSWORTH. That State is dry?

Mr. HASTINGS. It always has been; that is, the eastern part. The Indian Territory was always dry. Oklahoma has been dry since Statehood.

Mr. KNUTSON. Is old Oklahoma the Indian Territory?

Mr. HASTINGS. Yes.

Mr. GOOD. Mr. Chairman, I would like to inquire whether Oklahoma is only dry so far as the statutes are concerned or dry in fact?

Mr. STAFFORD. It is like Iowa. It has oases in desert places that are dry. [Laughter.]

Mr. GOOD. Iowa has not always been dry. The gentleman from Oklahoma says Oklahoma is always dry. I remember traveling across the country at a not far distant time, and I traveled through Oklahoma, and I saw gentlemen on the train that did not give evidence that they had always been dry, or that they were dry at that time. [Laughter.]

Mr. CARTER of Oklahoma. As a good citizen, why did not the gentleman give evidence to the court?

Mr. GOOD. I was on the train. I did not want to get into court. [Laughter.]

Mr. STAFFORD. He was desirous of getting out of dry territory into wet. [Laughter.]

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

RELIEVING DISTRESS, AND SO FORTH.

For the relief and care of destitute Indians not otherwise provided for, and for the prevention and treatment of tuberculosis, trachoma, smallpox, and other contagious and infectious diseases, including transportation of patients to and from hospitals and sanatoria, $375,000: *Provided*, That not to exceed $45,000 of said amount may be expended in the construction and equipment of new hospitals at a unit cost of not exceeding $15,000: *Provided further*, That this appropriation may be used also for general medical and surgical treatment of Indians, including the maintenance and operation of general hospitals, where no other funds are applicable or available for that purpose: *Provided further*, That out of the appropriation herein authorized there shall be available for the maintenance of the sanatoria and hospitals hereinafter named, and for incidental and all other expenses for their proper conduct and management, including pay of employees, repairs, equipment, and improvements, not to exceed the following amounts: Blackfeet Hospital, Montana, $12,500; Carson Hospital, Nevada, $10,000; Cheyenne and Arapahoe Hospital, Oklahoma, $10,000; Choctaw and Chickasaw Hospital, Oklahoma, $35,000; Fort Lapwai Sanatorium, Idaho, $40,000; Laguna Sanatorium, New Mexico, $17,000; Mescalero Hospital, New Mexico, $10,000; Navajo Sanatorium, Arizona, $10,000; Pima Hospital, Arizona, $10,000; Phoenix Sanatorium, Arizona, $40,000; Spokane Hospital, Washington, $10,000; Sac and Fox Sanatorium, Iowa, $23,000; Turtle Mountain Hospital, North Dakota, $10,000; Winnebago Hospital, Nebraska, $15,000; Crow Creek Hospital, South Dakota, $10,000; Hoopa Valley Hospital, California, $10,000; Jicarilla Hospital, New Mexico, $10,000; Truxton Canyon camp hospital, Arizona, $10,000; Indian Oasis Hospital, Arizona, $10,000.

Mr. KNUTSON. Mr. Chairman, I would like to ask some member of the committee why no provision is made for hospitals among the Minnesota Indians? I realize that Minnesota is a very healthy State; in fact, one of the most healthy States in the Union; but it would seem that the Indians of our State would be subject to little ailments as they are in other parts of the country. I would like to know what provision is made to take care of sick Indians in Minnesota and the Northwest. I fail to find any items here in this bill.

Mr. CARTER of Oklahoma. They have their hospitals. The sick Indians of Minnesota are taken care of now, as a great many Indians are taken care of in Oklahoma, out of tribal funds.

Mr. KNUTSON. Why should we differentiate between the various tribes? They are using the tribal funds of the Chippewa Indians for every conceivable purpose. They tack every man possible onto the pay rolls where the money comes out of the tribal funds of the Chippewas. They do not get a thing out of the Government. If we are to have a free-for-all grab bag here, I would like to have the Chippewas put onto it. Here is an item of $375,000, and the Chippewas are not mentioned in it at all. Other sections of the country are mentioned—Arizona, New Mexico, Iowa, Washington, North Dakota—but not Minnesota. Were any hearings had upon the situation with reference to Minnesota?

Mr. CARTER of Oklahoma. There was no proposal. It has not been the policy of the Committee on Indian Affairs to invite an estimate for the expenditure of money at any place that the department does not propose, and the department proposes nothing for Minnesota. Therefore the committee had the right to assume that the State of Minnesota was being taken care of without any further expenditure from the Federal Treasury.

Mr. KNUTSON. I do not see why the Chippewas of Minnesota should be compelled to pay for their hospital treatment out of tribal funds when such is not the case in other sections of the West.

Mr. CARTER of Oklahoma. If it were "a grab bag," as the gentleman from Minnesota says, that would be true; but on that hypothesis I do not see why the Five Civilized Tribes in Oklahoma have to pay practically all their own educational expenses while other tribes of Indians get theirs free. But back in 1886 an act of Congress was passed giving the Secretary of the Interior the right to say that the education of the tribes should be conducted at the expense of the tribes. In 1889, I believe, a treaty was made with reference to what should be done with the educational funds of the tribes. The department is pursuing the directions of that treaty, and the Committee on Indian Affairs has gone into the matter as thoroughly as it could here in Washington, but it has not been able to determine just whether the provisions of the treaty are being complied with, and probably it may not be able to determine such facts until some investigation is made by the Committee on Indian Affairs on the ground.

Mr. KNUTSON. Does not the gentleman think a uniform rule should be established in cases of this kind?

Mr. CARTER of Oklahoma. No; you could not do that, because in some cases the Indians have no funds at all, although they are just as much entitled to the consideration of this Government as are the Indians who have funds, because perhaps at an earlier day those Indians owned valuable lands which the Government permitted to be taken away from them by the white settlers of those States, and if so, certainly the Federal Government has a moral obligation to discharge with respect to them, the same as it has in discharging it toward Indians who have tribal funds to their credit.

Mr. KNUTSON. I maintain that the Government owes a moral obligation to the Chippewa Indians.

Mr. CARTER of Oklahoma. Perhaps so. I will not dispute with the gentleman about that, because I do not think there is a man on the floor of the House, I do not think there is a Member of Congress, who knows enough about the Chippewa situation to say exactly whether we are doing the right or the wrong thing in this bill.

Mr. KNUTSON. Does not the gentleman think a thorough investigation should be made of the Chippewa situation by a committee of this House?

Mr. CARTER of Oklahoma. A few moments ago I expressed myself in favor of that as strongly as I could, and said I did not think any equitable and fair settlement of this matter can be made until an investigation is provided and a committee authorized to go and look into the matter upon the ground, and for that reason we have placed the last section in this bill, providing for an investigation.

Mr. KNUTSON. I sincerely hope that will remain in the bill.

Mr. GARD. Will the gentleman yield?

Mr. CARTER of Oklahoma. I yield to the gentleman.

Mr. GARD. I want to inquire whether these hospitals, aggregating $375,000, are exclusively for the benefit of the Indians, or are there hospitals to which this Indian fund applies that admit other people?

Mr. CARTER of Oklahoma. They are exclusively for Indians.

Mr. GARD. No other persons except Indians?

Mr. CARTER of Oklahoma. No. No other person is admitted to an Indian hospital or to an Indian school, as a rule; although I think in some places they do permit a few white children to come into Indian schools on payment of tuition.

Mr. ADOLPHUS P. NELSON. In regard to the inquiry that my colleague [Mr. KNUTSON] made, would this same investigation apply to the Chippewas in Wisconsin as well?

Mr. CARTER of Oklahoma. That was put in for the purpose of taking care of that particular situation and some others, and I hope that the gentleman will see the necessity for this thing, and the inadvisability of making a point of order against it. It is subject to a point of order if made.

Mr. CAMPBELL of Kansas. Just a word upon these hospital items. They are for the benefit of all Indians. If, for instance, there are Chippewa Indians who are sick with tuberculosis, they may be taken to the tuberculosis hospital at the Sac and Fox Reservation located in Iowa, but which is for the benefit of any Indian who may have tuberculosis, whether he comes from Minnesota, from Wisconsin, from Oklahoma, or any other place. And so of other hospitals for like purposes provided for in these items.

Mr. KNUTSON. Do I understand, from the gentleman's remarks, that these are general hospitals open to anyone?

Mr. CAMPBELL of Kansas. Open to the Indians who are provided for by the Government.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

SUPPORT OF INDIAN SCHOOLS.

For support of Indian day and industrial schools not otherwise provided for, for other educational and industrial purposes in connection therewith, $1,750,000: *Provided*, That not to exceed $40,000 of this amount may be used for the support and education of deaf and dumb or blind Indian children: *Provided further*, That not more than $200,000 of the amount herein appropriated may be expended for the tuition of Indian children enrolled in the public schools: *And provided further*, That no part of this appropriation shall be used for the support of Indian day and industrial schools where specific appropriation is made.

Mr. ELLSWORTH. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. ELLSWORTH: Page 7, line 22, after the colon insert: "*Provided further*, That no part of this appropriation, or any other appropriation provided for herein, except appropriations made pursuant to treaties, shall be used to educate children of less than one-fourth Indian blood whose parents are citizens of the United States and of the State wherein they live and where there are adequate free school facilities provided and the facilities of the Indian schools are needed for pupils of more than one-fourth Indian blood."

Mr. STAFFORD. I reserve a point of order on that amendment.

Mr. CARTER of Oklahoma. The gentleman is repeating existing law.

Mr. STAFFORD. I was going to call attention to the fact that this was made permanent law in the 1918 bill.

Mr. ELLSWORTH. I did not know whether it was or not. I observed that in the 1918 bill this language was included and in this bill it was not included. The present bill appropriates $1,750,000, while the bill of two years ago appropriated $1,550,000.

Mr. CARTER of Oklahoma. If the gentleman will look at the bill that he is reading from, he will find that it says "hereafter," which makes it permanent law.

Mr. ELLSWORTH. I had overlooked that. I withdraw the proposed amendment and offer to amend by striking out on page 7, line 16, the figures "$1,750,000" and inserting in lieu thereof the figures "$1,550,000."

The CHAIRMAN. Without objection, the former amendment will be withdrawn, and the Clerk will report the amendment now proposed by the gentleman.

The Clerk read as follows:

Amendment offered by Mr. ELLSWORTH: Page 7, line 16, strike out "$1,750,000" and insert "$1,550,000."

Mr. ELLSWORTH. I offer that amendment because I think there is a growing tendency in the Indian Bureau to reach out through their agents and inspectors in communities where Indian schools are maintained, especially day schools, and where Indian pupils have matriculated in the public day schools, in some instances going 15, 20, or 30 miles and taking Indian children who ought to be in the public schools. I do not know whether there is any ulterior motive for it on the part of the bureau; but in the future, as restrictions are removed and Indian funds are distributed per capita, where the competency commission which is now determining the competency of Indians finally removes the restrictions, the expenditures to be made through the Indian Bureau will become so lessened that the Indian Bureau employees, inspectors, agents, and so forth, will not have sufficient work to do to maintain the positions that they now have at the salaries that they now receive. This being so, I think there is, unconsciously, perhaps, a tendency on the part of the bureau to reach out and build up the schools, and use the schools as a sort of a black man Friday to keep expending on to maintain the Indian Bureau service. And because the matter of education always strikes the heart of everyone interested in the Indian subject, either here or outside of this body, it can always be used as a good excuse why the bureau should reach out here and there and take in different children and bring them out of the public schools into the Indian schools.

It is this civilizing influence that we want, to keep the Indian children in the public schools intermingled with the children of the white schools, and in every community where it has been done the Indian has made his greatest progress.

But aside from that I believe that $1,550,000 will give as much school service and will have a tendency toward stopping interference with Indian children going to the public schools.

Mr. TILLMAN. Mr. Chairman, last year there was appropriated $1,650,000 for the Indian schools. The solution of the Indian question is in education. Liquor should be kept from the Indian, and he ought to be educated industrially and otherwise. Supplies are much more expensive than a few years ago, and the bureau and the committee ask for only $100,000 in addition to what was appropriated last year, a very modest sum.

Mr. Meritt, the efficient deputy commissioner, testified that because of the advance in the cost of supplies these schools can not be carried forward properly without this additional appropriation. The Indian Bureau, as well as the committee, is very anxious to economize and cut down expenses. We cut by $25,000 the appropriation for the suppression of intoxicating liquors, and we have added $100,000 for the conduct of these schools. The item does not carry any appropriation for teachers' salaries, but is expended solely for the immediate extra cost and additional requirements.

Mr. HASTINGS. Will the gentleman yield?

Mr. TILLMAN. Yes.

Mr. HASTINGS. The Assistant Commissioner of Indian Affairs stated positively that this was not to provide for increased salaries, but that the increase was asked for solely on account of the increased cost of supplies.

Mr. TILLMAN. I have so stated.

Mr. CAMPBELL of Kansas. Will the gentleman allow me to ask him a question?

Mr. TILLMAN. Certainly.

Mr. CAMPBELL of Kansas. I want to ask if the cost of supplies during the fiscal year should come down, would this item show a balance at the end of the fiscal year?

Mr. TILLMAN. Yes.

Mr. SNYDER. If the gentleman will permit, I would like to say that in considering this item we took into consideration the possible increase in the period we are legislating for, and only allowed about one-half of what we actually thought the department ought to have under this item in case the cost should remain the same as it is to-day; that is, if prices should keep up. But we believe that during the period we are legislating for the cost will go down to such an extent that the amount we gave would compensate for the increase of cost over that period.

Mr. STAFFORD. Will the gentleman yield?

Mr. TILLMAN. Yes.

Mr. STAFFORD. How many schools does this contemplate caring for?

Mr. TILLMAN (reading)—

The amount requested, $1,750,000, is $100,000 more than the amount in the 1919 act. The fund is required for support and education of Indian children in all schools for which no specific appropriation is made or use of tribal funds authorized, including day schools and public schools where tuition is paid. Forty thousand dollars of this amount is requested for payment of expenses in connection with the education of deaf or blind Indian children. Defective children who are unfitted for attendance at schools for normal children are being placed in institutions suited to their needs as rapidly as accommodations can be found for them.

From reports for the school year 1918 it is found that there are, in all, 90,555 Indian children of school age, of whom 4,881 are ineligible for school attendance, leaving 85,674 to be provided for in Government, public, or private schools.

The following enrollment is shown: In Government boarding schools, 10,842; in nonreservation boarding schools, 11,464; in Government day schools, 6,215; making a total of 28,521 enrolled in Government schools.

There are also enrolled in private and mission schools 5,459, and in public schools 29,496, so far as information has been received. This makes a total of 63,476 Indian children in all schools of whatsoever character.

I will state that frequently where it is convenient the Indians attend the public schools, and a sum of money is appropriated for the purpose of paying a portion of their tuition in these schools.

Mr. STAFFORD. This paragraph carries an appropriation as in the act of last year of $200,000, which may be made available for that purpose.

Mr. TILLMAN. For what purpose?

Mr. STAFFORD. For educating the Indians attending the public schools, but my inquiry was directed to the specific information as to the number of schools that receive support out of this appropriation; not the number of Indians that are being supported at Government boarding schools and Government day schools, but the number of schools that were receiving support from this appropriation other than those specifically provided for later on in the bill.

Mr. TILLMAN. The hearings do not disclose the number of schools, but simply the number of pupils.

Mr. STAFFORD. Can the gentleman furnish the information as to how many schools receive the benefit of the appropriation of $200,000 where the Indian children are enrolled in the public schools?

Mr. TILLMAN. Twenty-nine thousand four hundred and ninety-six Indian pupils are thus educated.

Mr. STAFFORD. The gentleman is giving the number of children but not the number of schools. I am asking for the number of schools receiving support.

Mr. TILLMAN. As I stated before, the record does not disclose the number of schools.

Mr. STAFFORD. Can the chairman of the committee furnish information as to whether the $200,000 fund is used only in certain sections of the country, or is it disbursed wherever Indian children are attending public schools?

Mr. CARTER of Oklahoma. It is distributed wherever the Indian children attend public schools proportionately, as I understand from the bureau, with the exception of eastern Oklahoma. The gentleman knows that we carry here an appropriation for the Indian children attending public schools in Oklahoma. That appropriation was $300,000, cut down to $275,000. Last year in the committee on conference I agreed that now, since some of the lands are being sold and the Indian lands were becoming taxable, it would be a good idea to gradually reduce that amount. So we reduced it $25,000 last year and have agreed to reduce it that amount, $25,000, every year until the amount is entirely eliminated. This money is expended in every State—I should say in many of the States, not in every State, because sometimes there are only a few Indians, but in every State where there is a considerable number of Indians this money is expended in public schools, with the exception of the eastern part of Oklahoma.

Mr. STAFFORD. Then I understand that these children, in order for the schools to be entitled to this fund, must be children of Indians who are not citizens?

Mr. CARTER of Oklahoma. No; the gentleman probably gets that impression because of my referring to eastern Oklahoma. No; even children who are citizens, if they are less than a certain degree of blood, could in some States have their tuition paid from this fund, because there is such a thing as an Indian not being a citizen and still having his land restricted and not subject to taxation.

Mr. STAFFORD. Then is that the reason why you make a specific provision later on in the bill allowing the fund that last year for the first time was voted for the support of the Mississippi Choctaws to be used for the support of children in the public schools?

Mr. CARTER of Oklahoma. I do not recall just what the Mississippi Choctaw proposition says.

Mr. STAFFORD. There is new language in this bill, as follows, on page 28:

SEC. 9. That the unexpended balance of the appropriation of $75,000 for the full-blood Choctaw Indians of Mississippi in the Indian appropriation act of May 25, 1918, is hereby reappropriated for the same purposes for which originally appropriated and for aiding the common schools attended by the children of said Indians under rules and regulations prescribed by the Secretary of the Interior.

The new language is "and for aiding the common schools attended by the children of said Indians under rules and regulations prescribed by the Secretary of the Interior."

Mr. CARTER of Oklahoma. In the past the Mississippi Choctaw children have not been permitted to attend any of the schools except the schools that were established by the State of Mississippi for them. So I assume that this is to aid those schools that have already been established by the State of Mississippi for the Mississippi Choctaws.

Mr. STAFFORD. Getting back to the original proposition, Is there any certain amount that the Bureau of Indian Affairs grants to the public schools, based upon a per capita allowance for each pupil?

Mr. CARTER of Oklahoma. All is based on a per capita allowance. I do not know what it is now. It was 10 cents a day up until this year, but I have not looked through the hearings to find out what it is now.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired. The question is on the amendment of the gentleman from Minnesota.

The amendment was rejected.

The Clerk read as follows:

INDIAN SCHOOL AND AGENCY BUILDINGS.

For construction, lease, purchase, repair, and improvement of school and agency buildings, and bridges, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $350,000: *Provided*, That this appropriation shall be available for the payment of salaries and expenses of persons employed in the supervision of construction or repair work of bridges and on school and agency buildings in the Indian Service: *Provided further*, That the Secretary of the Interior is authorized to allow employees in the Indian Service who are furnished quarters, necessary heat and light for such quarters without charge, such heat and light to be paid for out of the fund chargeable with the cost of heating and lighting other buildings at the same place: *And provided further*, That the amount so expended for agency purposes shall not be included in the maximum amounts for compensation of employees prescribed by section 1, act of August 24, 1912.

Mr. MILLER of Minnesota. Mr. Chairman, I reserve the point of order on the three provisos and would like to ask the chairman of the committee a question. In what places and in connection with which schools is it proposed that this $350,000 shall be used? Which schools are to benefit by this $350,000?

Mr. CARTER of Oklahoma. All schools where there is a need for an Indian school and agency buildings.

Mr. MILLER of Minnesota. In nearly every instance the committee always has—and I think it does in this case—carried a specific appropriation for buildings and upkeep and repairs for each individual school, as the school is reached and provided for.

Mr. CARTER of Oklahoma. If the gentleman will permit, this provides for reservation schools. We only appropriate specifically for the nonreservation schools.

Mr. MILLER of Minnesota. That is probably the general policy; but it is not quite true. There are some nonreservation schools so provided for specifically in the bill.

Mr. CARTER of Oklahoma. All of the nonreservation schools are provided for specifically; but the so-called reservation school is not provided for but is taken care of in these general items.

Mr. MILLER of Minnesota. That explains it.

Mr. HAYDEN. If the gentleman will yield, the hearings show that the total value of buildings at these reservation schools is $7,500,000. This request for $350,000 for the upkeep of the buildings would amount to 4⅔ per cent of the present value of the property, which is a fair amount for maintenance and upkeep of buildings of that value.

Mr. MILLER of Minnesota. This does not seem to me to be too much. I want to direct attention to one school that I am somewhat personally interested in. The Indian school at Tower, Minn., is never appropriated for specifically in the bill. The upkeep of the school is provided for from some other source. I think they take it out of the revenues that come to the Indians of Minnesota themselves, and I know of one or two other places. The department one year sort of makes up its mind it will perhaps discontinue the school and next year it makes up its mind that it will continue it and enlarge it, and then the next year it changes its mind a little on that. Many of these buildings have gotten into a bad state of repair at this school as well as at some other places. Is there any provision made in the Indian Office for an investigation of these various schools to determine which ones shall be retained and what it is necessary to do to put them in proper condition?

Mr. CARTER of Oklahoma. Does the gentleman mean by the bureau itself?

Mr. MILLER of Minnesota. Yes.

Mr. CARTER of Oklahoma. They have what they call, as I presume the gentleman knows, supervisors of education, who with their other duties have this duty imposed upon them.

Mr. MILLER of Minnesota. I am sure that it is the purpose of the committee, and a splendid one, that wherever a school is to be maintained it ought to be maintained in a reasonably good and sanitary condition.

Some very serious complaints have come, as the gentleman well knows, in the past of the insanitary and unhealthy condition which prevails in some of these schools. I think that condition still exists to a considerable extent. I was in hopes this fund might be used by the Indian Bureau in eliminating those things. They do not seem to be doing it, though.

Mr. CARTER of Oklahoma. Funds which are used for the supervisors can be used for that purpose. I repeat the statement I made a few moments ago, that what is really needed is an investigation of the schools and other branches of the Indian Service not by the bureau itself but by the Congress—by the House of Representatives.

Mr. MILLER of Minnesota. There is not any doubt at all in my mind that is true, and I sincerely hope the House will grant authority for the Indian Committee to make this investigation.

Mr. CARTER of Oklahoma. I will say we have a provision in this bill for an investigation by members of the present House Committee on Indian Affairs who have been elected to the next Congress, and if no point of order is made against that section we will probably be able during the next summer, unless we have an extra session of Congress, to look into a great many Indian matters and perhaps bring back some valuable information to the Congress.

Mr. MILLER of Minnesota. Can the gentleman assure the committee that this is the policy of the Indian Office and of his committee—to get Indian children into white schools as far as possible—if that is the policy which they have?

Mr. CARTER of Oklahoma. That certainly is the policy of the Committee on Indian Affairs.

Mr. MILLER of Minnesota. I think it is a most commendable policy and one that ought to be prosecuted with the utmost vigor. This differentiation in localities between Indian children and white children is a damnable difference and a serious discredit to both races, and I think retards the development of the Indians to have the community look upon them as something separate and apart from the white people of the community. Now, is the Indian Office carrying out this policy?

Mr. CARTER of Oklahoma. Well, that is one of the things we want to investigate. I could not tell the gentleman. The bureau claims it is. We have not any first-hand information on the subject.

Mr. MILLER of Minnesota. I would be in favor of increasing the previous sum of a million and three-quarters and increasing this item to a reasonable sum just to enable the department to carry out that program in every State in the Union where Indians are to be found, especially where they are mixed blood.

Mr. CARTER of Oklahoma. Well, the gentleman knows that as the Indians are placed in white men's schools just to that extent will the Indian problem be solved and to that extent will the bureau be relieved of supervision of the Indian, and, without attempting to reflect upon the head of the bureau or anyone else, the gentleman knows as well as I do that the establishment of a man's full citizenship and taking him out from under the supervision of the Indian Bureau actually means a decrease of that bureau, so we are calling upon the Indian Bureau to do the abnormal thing—to eliminate themselves.

Mr. MILLER of Minnesota. It may be abnormal, but it might be recommended.

Mr. CARTER of Oklahoma. Recommended, but perhaps not accomplished.

The CHAIRMAN. Does the gentleman insist upon the point of order?

Mr. MILLER of Minnesota. I would like to make one further inquiry. I think the gentleman should explain the last proviso and let us know exactly what it means. I was in doubt at first:

That the amount so expended for agency purposes shall not be included in the maximum amounts for compensation of employees described in section 1, act of August 24, 1912.

Mr. SNYDER. The only change from this item of last year, if the gentleman pleases, is the extension of the limitation by adding the words "and bridges." It may refer to that. The bureau claimed that this item was so limited that they were unable out of this money to fix a bridge, so we, as the gentleman will see, page 8, line 2, added after "buildings" the words "and bridges."

Mr. MILLER of Minnesota. It is also added in line 9.

Mr. SNYDER. I was myself disposed to keep the limitation just as the clause is, and it was my belief that this appropriation was sufficient to do all the work that is necessary to do under this heading, provided the work was efficiently and well done.

Mr. STAFFORD. Will the gentleman yield in that particular? Heretofore if the bureau wished to erect a bridge on an Indian reservation it had to come to the Congress for specific authority. There are numerous instances in the bill reported to the House of provisions for the building of bridges on reservations which are to be paid out of the tribal funds. Now, under the authority you carry in the bill there may be constructed bridges out of the $350,000 without requiring——

Mr. SNYDER. No.

Mr. STAFFORD (continuing). Them to be reimbursed from the tribal funds.

Mr. SNYDER. No; it does not contemplate any such thing.

Mr. STAFFORD. It may not be contemplated, but I contend that it does not grant authority to do that.

Mr. SNYDER. I was not intended to grant any such authority. It was the intention of the committee to grant authority to repair bridges.

Mr. STAFFORD. If it was only intended to grant authority to repair bridges, I respectfully submit that the language in line 9 is adequate to meet that condition, and the words "and bridges" in line 3 should be eliminated.

Mr. MILLER of Minnesota. The words "and bridges" in line 3 are in connection with schools, and it would authorize the construction of a bridge——

Mr. SNYDER. Nothing of the sort.

Mr. MILLER of Minnesota. For ordinary purposes?

Mr. STAFFORD. I can not agree with the construction of the committee, and I respectfully submit that that is an erroneous construction.

Mr. MILLER of Minnesota. I read it two or three times, and when I first read it I had somewhat the same idea of the gentleman, but in reading it later I believe the reasonable construction is that it is simply authority to repair and this is a provision in connection with schools.

Mr. STAFFORD. Here we have authority for the construction of agency buildings. These agency buildings do not have to be connected with school buildings.

Mr. MILLER of Minnesota. I did not quite state it fully. I accept the correction—"schools and agencies."

Mr. HASTINGS. Why not knock out "and bridges," in line 3?

Mr. STAFFORD. I made the point of order for that purpose. I have no objection to the repair of bridges. If the chairman of the committee has no objection, I make the point of order to the words "and bridges," in line 3.

Mr. CARTER of Oklahoma. That is satisfactory.

Mr. MILLER of Minnesota. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The gentleman from Minnesota withdraws the point of order, and the gentleman from Wisconsin [Mr. STAFFORD] makes the point of order against the words "and bridges," in line 3. The point of order is sustained. The Clerk will read.

Mr. CAMPBELL of Kansas. Just a moment. That does not refer to "and bridges" in line 9?

Mr. STAFFORD. Only in line 3.

The Clerk read as follows:

That hereafter, except for pay of superintendents and for transportation of goods and supplies and transportation of pupils, not more than $225 shall be expended from appropriations made in this act, or any other act, for the annual support and education of any one pupil in any Indian school, unless the attendance in any school shall be less than 200 pupils, in which case the Secretary of the Interior may authorize a per capita expenditure of not to exceed $250: *Provided*, That the total amount appropriated for the support of such school shall not be exceeded: *Provided further*, That the number of pupils in any school entitled to the per capita allowance hereby provided for shall be determined by taking the average attendance for the entire fiscal year and not any fractional part thereof: *Provided further*, That all moneys appropriated for school purposes among the Indians for the fiscal year ending June 30, 1919, may be expended, without restriction as to per capita expenditure, for the annual support and education of any one pupil in any school.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. SNYDER. I would like to make a statement in reference to this last paragraph.

Mr. STAFFORD. I reserve the point of order for the purpose of explanation.

Mr. SNYDER. The committee saw fit to put in this reservation here on account of the fact that there has been a great deal of sickness on the various reservations, due to influenza, and so on, and the expense has considerably increased, and since we have adopted the plan in this bill elsewhere of making appropriations available only in the year which we are appropriating for, we thought that under the existing circumstances and the emergency it was not wise to put on a limitation for the balance of the year.

Mr. HASTINGS. If the gentleman will permit me, it could not be greatly abused, because this bill will not likely become a law before the 4th of March, and there would be only three months remaining until June 30. And the Commissioner of Indian Affairs and the representatives of schools everywhere say that these Indian schools must stop unless there is some such provision placed either in this or some other law, and the cost in the schools has gone up, because of influenza and for other reasons, during the present year.

Mr. STAFFORD. This is a relief measure to meet exigent conditions due to the influenza?

Mr. SNYDER. The gentleman is right.

Mr. STAFFORD. What limitation is lifted by this proviso?

Mr. SNYDER. Of course, the appropriation made for this school is based on a certain limit of $200 to $225. The limitation is that.

Mr. STAFFORD. The available remaining appropriation for the respective schools will now be for the remainder of the fiscal year for the support of those schools, regardless of per capita enrollment?

Mr. SNYDER. That is true.

Mr. STAFFORD. I withdraw the reservation of the point of order.

The Clerk read as follows:

GENERAL EXPENSES OF INDIAN SERVICE.

For pay of special agents, at $2,000 per annum; for traveling and incidental expenses of such special agents, including sleeping-car fare, and a per diem of not to exceed $3.50 in lieu of subsistence, in the discretion of the Secretary of the Interior, when actually employed on duty in the field or ordered to the seat of government; for transportation and incidental expenses of officers and clerks of the Office of Indian Affairs when traveling on official duty; for pay of employees not otherwise provided for; and for other necessary expenses of the Indian Service for which no other appropriation is available, $135,000: *Provided*, That $15,000 of this appropriation shall be used for continuing the work of the Competency Commission to the Five Civilized Tribes in Oklahoma.

Mr. ELLSWORTH. Mr. Chairman, I move to strike out the last word. I understand that in the bill providing for the expenses for the fiscal year 1914 the amount carried in this item was $105,000 and for 1913 it was $125,000. I think the chairman of the committee stated a year ago when this bill was up that there were three competency commissions in Oklahoma.

Mr. CARTER of Oklahoma. Two, I think it was, at one place.

Mr. ELLSWORTH. Three individuals on each commission?

Mr. CARTER of Oklahoma. Three individuals on each commission and two commissions at one place. If the gentleman will permit, I have just been advised by a Member of Congress that there were two commissions that came into a certain town in Oklahoma at the same time to do the same work—two competency commissions.

Mr. ELLSWORTH. How many have been declared competent in the last year?

Mr. CARTER of Oklahoma. As the gentleman knows, I was not at the hearings of the Indian Committee and perhaps some of the members who were there can tell you.

Mr. HASTINGS. I think about 1,500.

Mr. CANDLER of Mississippi. There were 1,532.

Mr. ELLSWORTH. To the extent of the number of Indians that are declared competent the number of incompetent Indians is decreased?

Mr. HASTINGS. Among the Five Civilized Tribes there are 101,506. Of these about 75,000 are Indians, and of these about 37,000 were restricted Indians; and it is estimated one-third of those have died, leaving about 25,000 living. The restrictions

have been removed from some, and the testimony in the hearing shows there are estimated to be living about 23,000 restricted Indians among the Five Civilized Tribes.

Mr. ELLSWORTH. Does the gentleman think that in the last seven years the work of the competency commission has or has not increased?

Mr. HASTINGS. We have not had a competency commission out there in the last seven years. A competency commission was down there this year. Heretofore they went before some local agent and made application, and the local agent reported to the Superintendent for the Five Civilized Tribes, and he reported to the Commissioner of Indian Affairs, and the Commissioner of Indian Affairs reported to the Secretary of the Interior.

The competency commission goes out and visits each Indian at his home. They make an investigation concerning him and make a report upon each application direct through the Commissioner of Indian Affairs to the Secretary of the Interior, and if that is approved he is adjudged to be competent and his restrictions are removed.

Mr. ELLSWORTH. The competency commission sometimes hold their meetings in cities and villages and subpœna witnesses before them. Do they have authority to subpœna witnesses?

Mr. HASTINGS. Last year they pursued the policy of going about from place to place in eastern Oklahoma, where Indians came to visit the competency commission and went before them; and I understood they took as much testimony as they thought it necessary to take. Part of it was transcribed; I do not know how much. My understanding is that under the present instructions the present competency commission, of which Maj. McLaughlin has been a member until the last few days, is instructed to go out and visit the home of every Indian making application for the removal of his restrictions. Now, just how much testimony they took I do not know; whether they took any, I do not know; but I know they have been pursuing that policy during the present year.

Mr. SNYDER. Mr. Chairman, will the gentleman let me ask him a question?

Mr. HASTINGS. Yes.

Mr. SNYDER. One of the things that I did not develop in my efforts to develop things before the committee was this: When an Indian desires to demonstrate his competency, does he have to make an application himself, or does the department make the examination on its own account?

Mr. CARTER of Oklahoma. He does it without the competency commission. The competency commission examines all Indians they come in contact with without application.

Mr. SNYDER. That is what I wanted to bring out. Does this commission inquire of these Indians themselves in order to find out whether they are competent or not?

Mr. CARTER of Oklahoma. Yes. That is, as I think, the fair thing to do. In most cases outside of Oklahoma, where the land of the Indian is restricted and where he holds a trust patent, his land is exempted from taxation. Therefore you find the most intelligent Indians in a great many instances are the ones who do not want their restrictions removed.

Mr. SNYDER. Does it not seem absurd that with these competency commissions in operation there are only 1,500 Indians in Oklahoma who have been declared competent?

Mr. HASTINGS. That is what I say. While the competency commission was continued in the appropriation for last year, there was a change in the personnel, and they did not really get to Oklahoma until October, so that they did not work there, as I understand, in July, August, and September, and three months were lost.

Mr. SNYDER. It is difficult to find out just what these competency commissioners did do.

Mr. CAMPBELL of Kansas. Mr. Chairman, if the gentleman will permit, one of the things that the competency commission found among the most intelligent Indians, as stated by the gentleman from Oklahoma [Mr. CARTER], is that they do not want their restrictions removed, and do not want to be declared competent. While they remain under their restrictions they do not have to pay taxes on their land and on their incomes, and many of them have large amounts of money; and they are just competent enough to know that if they remain "incompetent," they will not have to pay taxes.

Mr. HASTINGS. I do not find many people in the States who are very anxious to pay taxes unless they have to.

Mr. CAMPBELL of Kansas. The Indian is not so incompetent as the Indian Bureau here would have the general public believe.

Mr. HASTINGS. I would add that the removal of restrictions from the homesteads of restricted Indians would not make the homestead taxable as long as the allottees held it.

Mr. CAMPBELL of Kansas. That only applies to the homestead?

Mr. HASTINGS. Yes.

Mr. CARTER of Oklahoma. That only applies to Oklahoma. In other sections where an Indian is given a fee patent the land immediately becomes taxable, and he takes upon himself all the duties of United States citizenship. I think there are two others besides this.

Mr. ELLSWORTH. If the condition which the gentleman from Kansas [Mr. CAMPBELL] speaks of is universal this amount ought to be decreased pretty soon.

Mr. HASTINGS. The department insisted on an increase of $10,000 in this item, but the committee did not allow that. It cut it down.

Mr. ELLSWORTH. It seems there ought to be fewer applications in the future than there have been in the past.

Mr. HASTINGS. I think that will be true in another year.

Mr. CARTER of Oklahoma. They do not have to make application with the competency commission.

Mr. ELLSWORTH. They do not?

Mr. CARTER of Oklahoma. No; but that simplifies the matter. When the man goes to the competency commission himself and it determines his qualifications that report is sent to Washington. It does not pass through the hands of a subordinate agency, but comes to Washington to the Secretary, and the Secretary himself either approves or disapproves that application, and I do not believe he has ever disapproved any application that the competency commission has passed upon. That cuts out red tape.

Mr. ELLSWORTH. So the competency commission can determine whether a man is competent or not, regardless of what the Indian himself wants?

Mr. CARTER of Oklahoma. Yes.

Mr. TILLMAN. Mr. Chairman, if the gentleman will permit, does not the gentleman think that in a case like that cited by the gentleman from Kansas [Mr. CAMPBELL] the man should be required to be emancipated?

Mr. CAMPBELL of Kansas. There is a report sent to the department with a recommendation that he be declared competent.

Mr. TILLMAN. That is as it should be.

Mr. CARTER of Oklahoma. In an investigation upon the Yakima Reservation in 1913 there came before our committee a young man who had blue eyes and light hair and did not appear to have any of the characteristics of an Indian. I said to him, "What do you want?" He said, "I have a complaint to make." I said, "What is that?" He said, "The agent has allowed too much consideration and paid too much money for expenses in planting an orchard on my land." I said, "What is your land worth?" He said, "About $2,000 an acre." That sounds unreasonable to anyone unacquainted with that country. I said to him, "Did you take it up with the agent?" He said, "Yes; but I could not get anything out of it; he insisted on paying this excessive amount for the trees." I said, "How much Indian are you?" He said, as I recall, "I am a quarter," or "I am an eighth." I said, "Why don't you get your restrictions removed, so that you can attend to your own affairs." He said, "I do not want my restriction removed. It is too valuable." I said, "Then do not bring your complaints to me." I think whenever an Indian is found to be competent he ought not to be placed on examination at all. He ought to be declared competent absolutely.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

INDIAN SERVICE INSPECTORS.

For pay of six Indian Service inspectors, exclusive of one chief inspector, at salaries not to exceed $2,500 per annum and actual traveling and incidental expenses, and not to exceed $3.50 per diem in lieu of subsistence when actually employed on duty in the field, $25,000.

Mr. ELLSWORTH. Mr. Chairman, I move to amend by striking out the figures "$25,000" on page 13, line 17, and inserting in lieu thereof "$21,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. ELLSWORTH: Page 13, line 17, strike out "$25,000" and insert "$21,000."

Mr. ELLSWORTH. Mr. Chairman, I notice that in the bill of two years ago the salaries were the same as in this bill, $2,500, the number of inspectors was the same, and the per diem was $3. In this bill, with a per diem of $3.50 for the same number of inspectors at the same salaries, the amount appropriated is $5,000 less than it was two years ago. Two years ago the amount carried in the bill for six inspectors at $2,500 each salary and $3 per diem was $30,000. Now, it seems to be perfectly apparent that that means one of two things:

Either the work that these men were doing was not necessary and it was not necessary for them to travel, or if it was necessary then it is not necessary now; and if it is not necessary for inspectors to travel, then it seems to me they would not be doing any work. If it is necessary and if they do travel, if they are doing the same work now that they did two years ago and ought to do it, then the total amount, with the per diem raise and everything else remaining the same, ought to be larger. If these services were rendered in good faith and this provision is inserted in good faith, it seems to me the amount ought to be more. The fact that it is reduced, regardless of the fact that the salaries and number of the inspectors are the same and that their per diem is larger, it seems to me is fair evidence, at least on first blush, that it could be almost dispensed with entirely. Certainly it seems to me that this is the kind of an item that we ought to begin to reduce at this time.

Mr. HAYDEN. The reason the committee made the reduction was because there is on hand an unexpended balance of $10,333.39, which is explained by the Indian Office to this effect:

There is an unexpended balance of approximately $10,000, occasioned by vacancies in the personnel of the force from time to time, but with the full force now appointed and in active service the amount asked for will be almost entirely hypothecated during the fiscal year.

Mr. ELLSWORTH. What was the unexpended balance two years ago? I do not mean for the fiscal year 1919, but for the fiscal year 1918—the law passed in 1917.

Mr. CHANDLER of Oklahoma. It was $10,300.

Mr. ELLSWORTH. I am told that the unexpended balance at that time was about $10,000 also, so that that would not answer the question at all. It would look as though it were contemplated to reduce the amount, while at the same time the same number of people were employed at the same salaries.

Mr. HAYDEN. Congress may authorize the employment of an indefinite number, but the actual number employed will depend on the amount of money appropriated. We thought, in view of the unexpended balance from the preceding year, it was entirely proper to cut the amount $5,000, which we did, and I think the gentleman ought to commend the committee for its action.

Mr. ELLSWORTH. I do commend the committee for it, and I rather think the amount ought to be cut more. My amendment proposes to cut it more. Inasmuch as the amount remaining unexpended two years ago was about the same as it is now, it seems to me that it is very easy to read between the lines that this sort of service is one which the bureau is very anxious to maintain, and it seems to me that without any injury at all to the service it might be cut to three inspectors and $15,000. I would even be willing to vote for that.

Mr. HAYDEN. If the Indian Bureau was anxious to spend the money, if it was doing what the gentleman suggests, all the money would have been used and there would have been no unexpended balance, which shows that the bureau is likewise to be commended.

Mr. ELLSWORTH. I think perhaps the bureau and the committee both ought to be commended, and I think the amount ought to be reduced.

Mr. CHANDLER of Oklahoma. Mr. Chairman, for the benefit of the gentleman who has offered this amendment I will state that if the amendment were carried it would not provide enough money for the pay of six inspectors. Under ordinary circumstances these inspectors would draw a per diem of about $1,000 a year. Their salaries, at $2,500 each, would be $17,500, which, plus $6,000 for the six inspectors for per diem, would make $23,500. With six inspectors they could not possibly get along with the amount he suggests.

Mr. ELLSWORTH. What do these six inspectors do?

Mr. CHANDLER of Oklahoma. They are supposed to check up these agencies.

Mr. ELLSWORTH. Check them up—to see who is there and whether the Indians are competent?

Mr. CHANDLER of Oklahoma. To see whether these moneys are properly expended and to investigate complaints that are made about the various agencies.

Mr. ELLSWORTH. Do they go into the Indian schools to see whether there are Indian children in the Indian schools who ought to be in the public schools?

Mr. CHANDLER of Oklahoma. They are supposed to do that. Whether they do or not, I do not know.

Mr. HASTINGS. Mr. Chairman, if the gentleman will allow me, these inspectors are really representatives of the Indian Office out in the field, and they go there as representatives of the Indian Office and inspect the Indian Service everywhere and make confidential reports.

Mr. ELLSWORTH. And if they find an Indian child somewhere in the public schools who they think ought to be taken to the Indian schools, do they recommend that that child be taken from the public schools and put in the Indian schools?

Mr. CARTER of Oklahoma. Most of the inspection done by these inspectors is the inspection of agencies and of the officials of the bureau, as I am sure the gentleman from Minnesota knows. In other words, the inspectors inspect.

Mr. ELLSWORTH. Do they inspect the books of the agencies and the accounts of the Indians and so forth?

Mr. CARTER of Oklahoma. They do.

Mr. SNYDER. The chairman of the committee will appreciate that for several years we have attempted diligently to find out what these inspectors did, and it seemed to me that they were a sort of committee that went out and overlooked the situation, if they went at all; and I have tried to reduce the number every year, and made the same attempt this time, but the commissioner seemed to want us to understand that these men were more or less his confidential advisers in the field. We thought that while this was a great plenty, if they worked all the time they ought to get all the information he required. I am in sympathy with the gentleman from Minnesota on his amendment, that it could be safely cut down.

Mr. CARTER of Oklahoma. I agree with the gentleman from New York that we have not before the committee been able to get a great deal of information from the bureau as to these inspectors, but I can understand why that is.

Mr. SNYDER. The chairman will remember that we cut out two inspectors a year or more ago.

Mr. CARTER of Oklahoma. I have had opportunity to observe these inspectors on the different reservations, and from my observation I have made a statement as to what they did. I remember that a Mr. Deming, who was one of the inspectors, inspected the Carlisle school, and inspected before that the school in Washington at the Yakima Agency at Fort Simcoe, and I happened to be present while he was making those inspections. Maj. McLaughlin, whom we all love and whom we have heard the gentleman from Minnesota eulogize, is the oldest Indian inspector in the service, and has made one of the most valuable reports to this Congress of certain phases of the Five Civilized Tribes that could be imagined.

Mr. CAMPBELL of Kansas. May I suggest that Maj. McLaughlin is under the Secretary of the Interior direct, and is sent out by the Secretary of the Interior, to whom he reports direct.

Mr. CARTER of Oklahoma. He is a member of the competency commission, but prior to that time he was under the Indian Bureau.

Mr. ELLSWORTH. Is he paid from this item that we are now discussing?

Mr. CARTER of Oklahoma. I understand that Maj. McLaughlin has just gone off the competency commission. Whether he is now in the Indian Service or not I do not know. I do not know in what capacity he is.

Mr. ELLSWORTH. My understanding is that he is provided for under the Indian department.

Mr. CARTER of Oklahoma. He was a member of the competency commission, but I heard a rumor that he had retired.

Mr. ELLSWORTH. He is now a special inspector under the Interior Department.

Mr. CARTER of Oklahoma. The gentleman has later information than I have.

Mr. CHANDLER of Oklahoma. Mr. Chairman, I wish to correct a statement made by the gentleman from New York [Mr. SNYDER]. The six inspectors provided for here are not the ones that the gentleman from New York [Mr. SNYDER] referred to. The six he referred to were the oil and gas inspectors in Oklahoma. They were reduced to four. The six inspectors here are the ones commonly known in the agency and among the Indians as "Cato Sells's eyes," and I have been reliably informed that two were in Oklahoma fighting my reelection on account of a certain stand I took against the Indian Bureau last year.

Mr. STAFFORD. Will the gentleman yield?

Mr. CHANDLER of Oklahoma. Certainly.

Mr. STAFFORD. Does the gentleman mean to say that an employee of the department engaged in pernicious activity seeking to defeat a Member of Congress because that Member had the courage to express his views on the floor and sought to have his views carried out in legislation?

Mr. CHANDLER of Oklahoma. I have been so informed; and not only that, but I was informed that one inspector went down there opposing in the primaries a Democratic candidate for nomination.

Mr. CARTER of Oklahoma. An oil and gas inspector?

Mr. CHANDLER of Oklahoma. No; not an oil and gas inspector but one of these six inspectors.

Mr. STAFFORD. Such character of conduct should be severely condemned. I never heard before of any employee of the Government using his time, even after office hours, seeking to defeat either the nomination or election of a Democratic or Republican Member of Congress. We all know that under the presidential order he has the right to exercise the privilege of a citizen, but when he becomes so perniciously active as to go out of the way and seek retribution against a Member of Congress because he is doing his full duty in trying to economize and safeguard the interests of the Treasury it is high time that that man should be disciplined.

Mr. TILLMAN. That is as bad as the Security League. [Laughter.]

Mr. STAFFORD. No; this is in the open. Wall Street uses the Security League as a camouflage to carry out their purposes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

VEHICLES FOR INDIAN SERVICE.

That not to exceed $200,000 of applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for the use of superintendents, farmers, physicians, field matrons, allotting, irrigation, and other employees in the Indian field service: *Provided*, That not to exceed $15,000 may be used in the purchase of horse-drawn passenger-carrying vehicles and not to exceed $40,000 for the purchase of motor-propelled passenger-carrying vehicles, and that such vehicles shall be used only for official service.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. The committee has increased the amount for motor-propelled vehicles for the Indian Service from $30,000 to $40,000. I rise to inquire as to the number of automobiles in the Indian Service in the field and what the average cost of those automobiles is and the life of them.

Mr. HASTINGS. I do not know that we developed from the commissioner the number. Inquiry was directed about the increase from $30,000 to $40,000 of motor-propelled vehicles, and our investigation was along that line. My memory has been refreshed by the hearings. On page 79 the gentleman will find the commissioner said:

There are 339 passenger-carrying automobiles, 60 automobile trucks, 2 automobile ambulances, and 2 motorcycles. We have 900 horse-drawn passenger-carrying vehicles and 300 drayage and farm wagons in the Indian Service.

Perhaps that is the information the gentleman wants.

Mr. STAFFORD. Did the hearings develop the average price for these passenger-carrying automobiles?

Mr. HASTINGS. I believe not; but it was stated by the Commissioner of Indian Affairs that he bought the cheaper kind. They are practically all Fords.

Mr. STAFFORD. I withdraw the pro forma amendment.

The Clerk read as follows:

For initial payment for goods and supplies purchased for the Indian Service, $500,000, or so much thereof as may be necessary, to be immediately available and to be reimbursed, by transfer through accounts of disbursing officers or otherwise, from appropriations and funds which are applicable for the various agencies, schools, and projects to which the goods and supplies are subsequently distributed: *Provided*, That the sums so reimbursed may be reexpended under the same conditions in payment for other purchases made during the fiscal year ending June 30, 1920.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph. I believe this is a new provision delegating to the bureau new authority that has not been heretofore vested in the bureau. I think some explanation should be made of that item carrying $500,000.

Mr. SNYDER. Mr. Chairman, I will say for the information of the gentleman that this fund is asked for by the bureau in order to create a new method of purchasing the supplies for the various activities under the Indian Bureau. Heretofore the policy has been once a year, at least, to ask for bids upon certain commodities that the bureau has to buy. Those bids are opened in two or three different places within the borders of the United States. A contractor whose bids are accepted has been put to the trouble of waiting for his money for such purchases until such time as the commodity finally arrives at its destination, which may be after it has passed through a Government storehouse, has laid there for several weeks or months, and then finally gets to the school at the reservation, where the articles are finally checked up and the bill finally checked up. It was thought that by giving the Government a sufficient amount of money so that it could purchase in much larger quantities than it ever purchased before, with the understanding that the merchandise is to be paid for on a commercial basis, within 10 or 15 or 20 days after purchase was made, cash discounts might be taken advantage of and better prices might be obtained by reason of the fact of the seller knowing that within a certain reasonable length of time he is going to get the money for the goods that he sold. Therefore they have asked for this amount of money, which is wholly reimbursable, and it really never leaves the Treasury at all except for a short period.

Mr. STAFFORD. This is a fund for the accommodation of the sellers of merchandise to the Indian Bureau.

Mr. SNYDER. It is an accommodation to both of them, and it is thought that it will make a great saving in the purchase of merchandise, not only for the bureau but for the schools.

Mr. STAFFORD. Have any specific instances been called to the attention of the committee wherein contractors have charged the Government higher prices by reason of the system now in vogue, which the gentleman has described?

Mr. SNYDER. Except by the bureau itself. So far as I know, no contractor has complained in the presence of any member of the committee with regard to this usage that is now in force.

Mr. GANDY. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. GANDY. I have had a great deal of correspondence from people who have sold or contracted for various articles to the Indian Service, complaining of the long delay caused by not being able to get payment for the articles sold. It was the understanding of the committee that in creating this $500,000 fund it was simply creating a revolving fund, out of which invoices might quickly be paid for and then the money restored to the fund from the proper appropriation. This is not an increase in the appropriation at all but only provides a revolving fund, from which these purchases may be immediately paid for.

Mr. STAFFORD. I do not know of any other instance where the Government has appropriated half a million dollars for the purpose that is intended in this paragraph.

Mr. SNYDER. It is really not an appropriation; it is simply a loan of a certain amount of capital with which to do business.

Mr. STAFFORD. The gentleman is a business man.

Mr. SNYDER. And this appealed to me as a business proposition.

Mr. STAFFORD. And yet the Indian Bureau is insignificant in the amount of its purchases as compared with other activities of the Government.

Mr. SNYDER. They buy several million dollars' worth of goods per annum.

Mr. STAFFORD. The amount is insignificant as compared with the purchases made by the War and the Navy Departments and by the Agricultural Department, and yet you are here providing a system that has not been adopted, so far as I know, by any of the departments of the Government.

Mr. SNYDER. The gentleman will have to admit, however, that these items that are purchased by the bureau are shipped to infinitely more remote sections of the country, North, East, South, West, and that takes a long time, and during that period one who sells the Government must wait for his pay.

Mr. STAFFORD. That is one of the conditions of doing business with the Government.

Mr. SNYDER. Does the gentleman understand that in this case it is simply a case of the Government having to wait for its money instead of the seller having to wait for his? The Government gets a return for the money it advances from the school itself. The school returns the price of the merchandise, or the invoice, when it receives these goods, and checks them up. It pays the bill just the same, but it pays the bill to the Government, and with that the Government is reimbursing itself for the money it gave to the seller in the first place.

Mr. STAFFORD. Under existing practice the bureau desires supplies and it advertises for them and contractors submit bids. The bids are awarded and then the supplies are furnished, and when the bill is received I presume that the department pays the bill.

Mr. SNYDER. The gentleman's assumption is not well grounded, because it does not.

Mr. STAFFORD. Where is there any law that prevents the bill being paid on presentation of the bill of lading?

Mr. SNYDER. I presume there is nothing in the law, but the policy or the rule is such that it is not paid until the goods reach their final destination. I am not tenacious as to this at all; it is not an invention of mine; but it looks to me like a good business proposition.

Mr. STAFFORD. I would hardly ascribe it to the gentleman from New York, knowing his good business judgment and knowing his desire to protect the Treasury.

Mr. CARTER of Oklahoma. Will the gentleman yield for just a moment to me? Mr. Chairman, I move to strike out the last word of the amendment. When I first saw this item, after it

was placed in by the committee, I was inclined to be alarmed over it, but after having had read to me the reasons suggested by the assistant commissioner in the investigation of him by the gentleman from New York and others, I made up my mind it was a good proposition. Now, what does this do——

Mr. STAFFORD. Would the gentleman have any objection to allowing this paragraph to be passed over temporarily? It is too important a provision, and I have not had time to examine this as I have some of the other items, and I do not wish to urge the point of order, as I would be compelled to do, until I can look further into the matter.

Mr. CARTER of Oklahoma. I would be very glad to do so, and I think if the gentleman does look into it he will not be inclined to make the point of order.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that this paragraph be passed over without prejudice. Is there objection? [After a pause.] The Chair hears none.

Mr. STAFFORD. Subject to the reservation of the point of order.

The Clerk read as follows:

For reimbursement of A. R. Snyder for expenses incurred by him in repairing his personal automobile which was damaged while used on official business, $27.20.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph beginning lines 3 to 5.

Mr. HASTINGS. Mr. Chairman, this is to reimburse A. R. Snyder, who is superintendent at the Pottawatomie Agency out in Kansas. There was some disturbance occasioned, as I now recall, by some drunken people, and it became necessary for Mr. Snyder to use his own personal automobile in taking some officials from that place out to a point on the reservation, and after they got there some one connected with it set on fire this automobile and it was damaged to the amount of $27.20. He was out there on official business; had to use his own automobile to take some officers out there. He is superintendent of this agency, and the department recommended this item, and we made an investigation and we thought it was fair, and for that reason we incorporated it.

Mr. STAFFORD. The gentleman recognizes the danger of incorporating in an appropriation bill paragraphs for the payment of a private claim as an inducement to another body to load the bill down unreasonably with all kinds and manner of claims.

Mr. HAYDEN. Mr. Chairman, we had this experience before, and I think the committee of the other body understand it thoroughly, that it is the rule that there will be no claims included in the House Indian appropriation bill. This extends no further back than the last fiscal year, and it is only for a small amount. We have had no difficulty in making them understand that rule for a great many years past, and we have gotten along very well.

Mr. STAFFORD. Then, with the assurance that the gentleman will exert his strong and mighty power in preventing any additional claims from being added that might not be justified——

Mr HAYDEN. The House conferees will follow their uniform policy and keep off all of these claims.

Mr. STAFFORD. Mr. Chairman, under the conditions, I withdraw the reservation of the point of order.

The Clerk read as follows:

That the Secretary of the Interior is hereby authorized, wherever in his discretion such action would be for the best interest of the Indians, to cause a final roll to be made of the membership of any Indian tribe; such rolls shall contain the ages and quantum of Indian blood, when approved by the said Secretary are hereby declared to constitute the legal membership of the respective tribes for the purpose of segregating the tribal funds as provided in section 28 of the Indian appropriation act approved May 25, 1918 (40 Stat. L., pp. 591, 592), and shall be conclusive both as to ages and quantum of Indian blood: *Provided*, That the foregoing shall not apply to the Five Civilized Tribes or to the Osage Tribe of Indians.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph just read. I think some explanation should be given as to the reason for this new authorization.

Mr. HASTINGS. Mr. Chairman, if the gentleman will permit, the hearings disclose that the department asked for this authority in view of the fact that on a great many of these reservations they were making up rolls, and they were making allotments and wanted to wind up the affairs of a good many of these tribes, and they said this provision would expedite it. You will note that the committee added some little additional language to that suggested by the department. For instance, we thought future legislation by Congress would be based perhaps upon the degree of blood, ages, and so forth, so that we added to the suggestion of the department that these rolls should be made conclusive both as to ages and quantum of blood, following the custom set by Congress with reference to the making of the rolls conclusive as to ages and quantum of blood among the Five Civilized Tribes, which was done several years ago, as the gentleman recalls.

Mr. GANDY. Will the gentleman yield?

Mr. HAYDEN. I do.

Mr. GANDY. In the Indian appropriation bill of last year there was carried a provision authorizing the pro rating of the tribal Indian funds in order that the department might know and that the Indian might know just what his share or her share is in those funds. The department held after the bill had been passed that it could not undertake this prorating work until the rolls had been completed and that they did not then have authority of law to complete the rolls on a number of the reservations, and this simply gives them the authority to complete the rolls and when they have then they may take up the pro rating of the tribal funds as was authorized in the appropriation bill of last year.

Mr. STAFFORD. What expense will be occasioned by the grant of this authority?

Mr. GANDY. I may say that the rolls—practically the work is completed all over the country.

Mr. HASTINGS. There will be no additional expense other than the employees on the various reservations; that is, there will be no additional employees. There will be no additional expense. It is contemplated that the employees there will do the work.

Mr. STAFFORD. Has not the department authority at the present time to cause the rolls to be made of all the Indians and has not the department such rolls and possibly as minutely as described in this paragraph?

Mr. GANDY. It is my understanding that they do have that authority, but not the authority to complete it, or, in other words, to close it.

Mr. CARTER of Oklahoma. If the gentleman will permit me, here is the difficulty: Suppose you make the roll of a tribe and you have had no congressional expression that that is an official roll. There is not any end of the settlement of an Indian tribal estate. A child that is born to-morrow will assert the right; a child born next year will assert a right and it goes on indefinitely and interminably. Here is a proposition which, I think, if the gentleman had time to give it the fullest consideration, he would agree is really a step toward the winding up of Indian affairs, because you can not allot—you can not divide—tribal funds; you can not take care of the Indians in the schools; you can not do anything of that kind until you have found his status as an Indian.

Mr. STAFFORD. I can agree that in many instances that the roll should be finally concluded, but are there not some Indian tribes in this country which are not so advanced and wherein you do not wish to bar all such children from those rolls?

Mr. CARTER of Oklahoma. Furthermore, Mr. Chairman, let me say to the gentleman, that even if you should close up all the rolls to-morrow you would not do any great violence to any of the Indians, because each Indian child would inherit from its father's, or mother's, or brother's part when they passed away.

Mr. STAFFORD. They might not inherit as much as they would in case they were singled out as entitled to one full quota.

Mr. CARTER of Oklahoma. They might not inherit as much or might inherit more, as the chances go all through life. I agree with the gentleman that the better time to make the roll is just prior to the time you make the division, but the division can not be made until the Secretary has the right to make the roll, because you have not the divisor.

Mr. HASTINGS. And neither the land nor money.

Mr. CARTER of Oklahoma. If we should undertake to divide any estate where Congress had not said the roll was final, then after that estate was divided there would be nothing on earth to prevent the children that were born afterwards coming back on the Federal Government and saying they wanted their share of this estate, because it has not been settled by Congress or by the courts, or anyone else, and they are just as much Indian as the others were.

Mr. STAFFORD. Looking forward 25 years is taking a very radical view of some few tribes being in existence on reservations where their lands are not allotted.

Mr. CARTER of Oklahoma. That will probably be true in 25 years.

Mr. STAFFORD. And yet you would foreclose, perhaps, many persons subsequently born by reason of closing the roll.

Mr. CARTER of Oklahoma. The provision is not mandatory.

Mr. HASTINGS. He is authorized to do this in his discretion.

Mr. GANDY. Let me give the gentleman a concrete example. On the Pine Ridge Reservation in South Dakota the agreement with the Indians was that the Indians then living should be

allotted. Congress afterwards, some 18 or 20 years ago, both increased the size of the allotment and provided that the children should be allotted. Congress has never closed the roll, and as a result the land has all been allotted, and of children—some newly born and some 1, 2, 3, 4, and 5 years of age—there are now about 600 unallotted on that reservation.

Mr. CARTER of Oklahoma. Let me say to the gentleman this: The safe thing to do, both from the standpoint of the Indian and the standpoint of the Federal Treasury, is to have affirmative action by Congress for the closing of any roll. If we do not have that, then these other claims will spring up in the future as I have stated they have sprung up in the past.

Mr. ELLSWORTH. Do either of the gentlemen from Oklahoma think that a commission ought to be created or it ought to be specified in what way the department should make the appointment of those who are to make the determination of those to go on the roll?

Mr. HASTINGS. It will be made by the superintendent. The rolls have been made and they are ready now to be approved, and they want the authority by Congress. It is so testified by the commissioner.

Mr. ELLSWORTH. Would it be made in the usual course, by those under the civil service?

Mr. HASTINGS. Those in charge of the various agencies.

Mr. CARTER of Oklahoma. Yes.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The Clerk read as follows:

That all of the provisions of an act entitled "An act for the relief of Indians occupying railroad lands in Arizona, New Mexico, or California," approved March 4, 1913 (37 Stats. L., p. 1007), as extended by the act approved April 11, 1916 (39 Stats L., p. 48), be, and the same are hereby, extended for a period of three years from and after the 4th day of March, 1918.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. What is the purpose of this legislation?

Mr. HAYDEN. By the act here cited exchanges of lands were authorized in New Mexico, Arizona, and California where Indians have been residing on railroad lands for five years prior to the passage of the act, so that the Indians could obtain title to the lands on which they were residing and the railroad companies might obtain other lands of equal area and value in lieu thereof. The gentleman understands that when the transcontinental railroads were built the alternate sections were granted for 20 miles on each side of the track as a bonus for building the railroad. Certain lands on which the Indians were residing, when surveyed, were found to belong to the railroads. In order that the Indians could retain the land on which they resided, the railroad companies were permitted to select other land equal in area and value in the same State. The Government is not giving the railroad companies any more land than they otherwise would have. It is merely an exchange for the convenience of the Indians.

When this matter came up for consideration in Congress some years ago I discovered that there was no limitation at all as to how much land might be exchanged. I insisted at the time that the acreage in Arizona and New Mexico must be limited, and fixed the amount in the act at 10,000 and 25,000 acres, respectively. I also insisted that a limit of time be placed on these exchanges in order to expedite the transaction. Unfortunately the Indian Office has not completed this work as rapidly as I expected them to do it. The time fixed was three years. The Indian Office reports that there are some 100 Indians still residing on the land where the transfers are not completed. They ask for three years from the 4th of last March, or practically two years from the present time, in which to complete this work.

Mr. STAFFORD. They want the same area and value of lands as those held by the Indians?

Mr. HAYDEN. Yes; that is it.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

For continuing the development of a water supply for the Navajo and Hopi Indians on the Navajo, Moqui, Pueblo Bonito, San Juan, and Western Navajo Reservations, $30,000, to be immediately available, reimbursable out of any funds of said Indians now or hereafter available.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. STAFFORD. I see the gentleman from Arizona [Mr. HAYDEN] in the Chamber, as usual when this bill is under consideration. I know he has full knowledge about the various projects. I rise merely for general information, to ascertain whether any new projects are carried in these respective items relating to New Mexico or Arizona?

Mr. WALTON. None in New Mexico, as I understand.

Mr. STAFFORD. There is one in Arizona?

Mr. HAYDEN. There is one in New Mexico—the Pueblos. The items here carried are practically the same as those carried in the last Indian appropriation bill. The item for the Ganado irrigation project must be corrected by inserting the sum of $3,000. Another, for the Zia Pueblos, New Mexico, is new. The item following is the same. The item for the San Xavier Indian Reservation, Ariz., $16,500, is new, and all appropriations from Indian tribal funds, amounting to $17,500, proposed at the end of the items, are new.

Mr. STAFFORD. All those projects that the gentleman referred to are not of any very large or extensive character?

Mr. HAYDEN. No.

Mr. STAFFORD. I assume they are minor projects, pumping stations, and the like?

Mr. HAYDEN. Yes.

Mr. STAFFORD. The projects are not intended to involve a very heavy charge upon the Treasury in the future?

Mr. HAYDEN. No; none of them.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

Mr. LITTLE Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Kansas moves to strike out the last two words.

Mr. LITTLE. I wish to inquire if there is something in the bill in regard to the Zuni Indians?

Mr. HAYDEN. I made no mention about the Zuni Indians.

Mr. LITTLE. I saw a copy of the bill, and I thought there was formerly in the bill a reference to the Zuni Indians in New Mexico. But I am not able to find it. Why is it that it does not appear?

Mr. HAYDEN. Under the head of "New Mexico" there are items for the support of the various Indian schools and certain irrigation ditches at Jimez and Zia Pueblos, N. Mex., and a road and bridge on the Mascalero Reservation. All those items will be found on page 35.

Mr. LITTLE. Since I am on my feet, I would like to ask about the Laguna Pueblos, on page 21. How extensive are the irrigating ditches there?

Mr. WALTON. The water is brought about 25 miles in the ditch.

Mr. LITTLE. Along how much of that are there farms under irrigation?

Mr. WALTON. About 2,500 acres.

Mr. LITTLE. How close is that to the pueblo?

Mr. WALTON. The pueblo is located near the Rio Grande River.

Mr. SNYDER. Mr. Chairman, we seem to be discussing the bill ahead of the reading. I would prefer that we go ahead in the regular order.

The CHAIRMAN. The gentleman from Kansas withdraws his pro forma amendment. The Clerk will read.

The Clerk read as follows:

For operation and maintenance of the Ganado irrigation project, reimbursable under such rules and regulations as the Secretary of the Interior may prescribe: *Provided*, That any balance of the $20,000 appropriated by the act of May 25, 1918 (40 Stat. L., p. 569), which shall be unexpended on June 30, 1919, is hereby appropriated.

Mr. LITTLE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Kansas moves to strike out the last word.

Mr. HAYDEN. Mr. Chairman, if the gentleman from Kansas will yield for a moment, I would like to move a committee amendment. I move to insert the figures "$3,000" after the word "prescribe" in line 5 of page 21. That was omitted. That omission is a misprint.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Page 21, line 5, after the word "prescribe," insert "$3,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LITTLE. Mr. Chairman, I was inquiring in regard to the Laguna Pueblo Indians in New Mexico, where about 2,500 acres are under irrigation. I wish to inquire of the gentleman what is the nature of the improvement?

Mr. SNYDER. Mr. Chairman, once more I arise to ask the gentleman to defer his remarks until we have reached the paragraph in question.

Mr. LITTLE. The Clerk did read it.

Mr. SNYDER. No. The reading, as I understood, stopped at line 9.

Mr. LITTLE. The Clerk read beyond line 9.

The CHAIRMAN. The Clerk informs the Chair that he has read from line 9 to line 19. Without objection, the Clerk will again read the last paragraph.

The Clerk read as follows:

For enlarging and improving the reservoir and ditch system for the Laguna Indians of the Laguna Pueblo, N. Mex., $5,000.

The CHAIRMAN. The gentleman from Kansas is recognized.

Mr. LITTLE. It is difficult, Mr. Chairman, to get recognition about anything. Can the gentleman tell us how extensive this improvement is and what is the nature of the improvement?

Mr. WALTON. Some years ago the Indian Bureau assisted the Pueblos by providing sufficient funds for the construction of three dams. Two of these dams have been badly damaged by flood water, one of them almost totally washed out and the other washed around. This $5,000 is asked for the purpose of putting these dams into proper shape, so that they may put water into the laterals and the ditches.

Mr. LITTLE. Then this is simply restoration?

Mr. WALTON. That is all.

Mr. LITTLE. What success do the Indians attain in this irrigation work?

Mr. WALTON. Very good success. They are self-supporting as a result of their agricultural pursuits.

Mr. LITTLE. Who has charge of the irrigation work—the Indians or white men?

Mr. WALTON. The Indians, as far as my information goes. I can not answer that positively.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For operation and maintenance of the pumping plants on the San Xavier Indian Reservation, Ariz., $16,500, reimbursable out of any funds of the Indians of this reservation now or hereafter available.

Mr. LITTLE. Mr. Chairman, I move to strike out the last word for the purpose of asking a question. What is the nature of the pumping plant and what is the pumping from?

Mr. HAYDEN. The pumps are established in the valley of the Santa Cruz River on the San Xavier Indian Reservation.

Mr. LITTLE. Is the pumping done from wells?

Mr. HAYDEN. Yes.

Mr. LITTLE. How deep are the wells there?

Mr. HAYDEN. I think the average depth there is 20 or 30 feet. There is a very substantial underflow from the Santa Cruz River.

Mr. LITTLE. It is a rather simple process, then?

Mr. HAYDEN. Yes.

Mr. LITTLE. How much ground is covered by the irrigation works?

Mr. HAYDEN. About 9,000 acres.

Mr. LITTLE. What are these Indians—semicivilized?

Mr. HAYDEN. They are Papagoes.

Mr. LITTLE. Have they made a success of it?

Mr. HAYDEN. Yes. They have a very good market for everything they grow.

Mr. LITTLE. They live like the Pueblo Indians generally, I suppose?

Mr. HAYDEN. They are Papagoes.

The CHAIRMAN. Without objection, the amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States the sum of $17,500 of any tribal funds on deposit to the credit of the Indians of the San Carlos Reservation in Arizona, and to expend the same for the operation and maintenance of pumping plants for irrigating the lands of the Indians on the said reservation, and for the installation of a tank or tanks for the economical handling of fuel oil for said pumping plants: *Provided*, That the sum so used shall be reimbursed to the tribe under such rules and regulations as the Secretary of the Interior may prescribe.

Mr. LITTLE. Mr. Chairman, I move to strike out the last word for the purpose of asking a question for information. What is the extent of this irrigation?

Mr. HAYDEN. About 1,400 acres in the Gila Valley, on the San Carlos Reservation. The Indians are the San Carlos Apaches.

Mr. LITTLE. How long have they been there?

Mr. HAYDEN. These Indians were placed on the San Carlos Reservation when they were rounded up by Gen. Cook along early in the eighties. A good deal of difficulty has been experienced in getting the water out of the stream. Several heavy floods changed the bed of the river and destroyed the heading of their irrigation canal, so that it was necessary to establish pumping plants. One object of this appropriation is to install a tank, so that they can buy and store the fuel for the pumps in carload lots, in that way saving considerable sums of money.

Mr. LITTLE. They have been using oil before, then?

Mr. HAYDEN. Yes. This is to save money by putting in a tank so that they can buy their oil in wholesale quantities. This appropriation is from their own funds, and it is being made to supplement expenditures heretofore made by the Government.

Mr. LITTLE. How does the work of these Apache Indians compare with that of the Pueblo Indians?

Mr. HAYDEN. About the same.

Mr. LITTLE. They are getting the same results?

Mr. HAYDEN. Yes. The Apaches do excellent work on road construction in Arizona. Wherever they are employed on works of that kind they do very well.

Mr. LITTLE. They can work, then, as well as they used to fight?

Mr. HAYDEN. Yes.

Mr. FOSTER. Will the gentleman from Arizona yield for a question?

Mr. HAYDEN. Yes.

Mr. FOSTER. Why is this language in the proviso:

Provided, That the sum so used shall be reimbursed to the tribe under such rules and regulations as the Secretary of the Interior may prescribe.

Mr. HAYDEN. The fund we are appropriating is derived from receipts from grazing leases on this reservation, and it belongs to the entire tribe. They have an income of about $100,000 a year. The fund belongs to all the Indians, and it is proposed to take some of this money and use it for the benefit of a part of them. That being the case, whenever their lands are sold or other arrangements are made, these particular Indians should reimburse the whole tribe for this expenditure made for their benefit.

Mr. FOSTER. It means that the individual Indians will reimburse the whole tribe?

Mr. HAYDEN. Yes.

Mr. CARTER of Oklahoma. Each Indian pays his own way.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. GARRETT of Tennessee having taken the chair as Speaker pro tempore, a message in writing from the President of the United States, by Mr. Sharkey, one of his secretaries, informed the House of Representatives that the President had approved and signed bills and joint resolutions of the following titles:

January 1, 1919:

H. R. 13153. An act extending the time for the construction of a bridge across the Arkansas River, at the foot of Garrison Avenue, at Fort Smith, Ark.; and

H. J. Res. 356. Joint resolution authorizing payment of the salaries of officers and employees of Congress for December, 1918.

January 7, 1919:

H. R. 13261. An act providing for the transportation from the District of Columbia of governmental employees whose services no longer are required; and

S. J. Res. 187. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress.

INDIAN APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States the sum of $17,600 of any tribal funds on deposit to the credit of the Indians of the Fort Apache Reservation in Arizona, and to expend the same, in connection with an equal sum of the funds appropriated in this act for Indian school and agency buildings, for reconstructing, repairing, and improving the power plant and irrigation system on the Fort Apache Indian Reservation, Ariz.: *Provided*, That the tribal funds so expended shall be reimbursed to the tribe under such rules and regulations as may be prescribed by the Secretary of the Interior: *And provided further*, That the sum of $17,600 of the amount appropriated in this act for Indian school and agency buildings is hereby set apart and reserved for this purpose.

Mr. LITTLE. Mr. Chairman, I reserve a point of order in order to ask the chairman of the committee a question. How many people are connected with this appropriation—how many Indians will be served by it?

Mr. HAYDEN. Does the gentleman want to know how many Indians there are on the Fort Apache Reservation?

Mr. LITTLE. How many are connected with this appropriation?

Mr. HAYDEN. About 2,500.

Mr. LITTLE. They are Apaches, I suppose?

Mr. HAYDEN. Yes.

Mr. LITTLE. How extensive is the irrigation plant?

Mr. HAYDEN. It is not altogether an irrigation matter, but is also for the improvement of the water-power plant, which was built some 15 years ago to furnish light and power and domestic water for the agency. The plant is in very bad shape. By reason of the fact that the Indians are receiving considerable sums of money from grazing fees, it is proposed that they shall pay one-half of the cost of this improvement.

Mr. LITTLE. How many white people are there?

Mr. HAYDEN. Only the employees of the Indian Service.

Mr. LITTLE. About how many?

Mr. HAYDEN. The superintendent and the teachers—I should say perhaps 25.

Mr. LITTLE. This appropriation says, "for reconstructing, repairing, and improving the power plant and irrigation system."

Mr. HAYDEN. There is a small irrigation system at Fort Apache, which, when completed, will water about a section of land.

Mr. LITTLE. Where do they get the water?

Mr. HAYDEN. They get it from White River.

Mr. LITTLE. They have nothing but a garden to irrigate?

Mr. HAYDEN. That is about all. I think they grow some corn and forage for horses.

Mr. LITTLE. Is it grown by white people or by Indians?

Mr. HAYDEN. Oh, this is in the heart of the Indian country, and the crops are all grown by Indians.

Mr. LITTLE. Mr. Chairman, I withdraw the reservation of a point of order.

The Clerk read as follows:

SEC. 3. For support and civilization of Indians in California, including pay of employees, $42,000.

Mr. GARD. Mr. Chairman, I move to strike out the last word for the purpose of asking a question and obtaining information relative to this very general item of "support and civilization" of the Indians in California, and to ask what are the processes of civilization. Here is $42,000 for undisclosed processes of civilization. I would like to get some information as to what those processes are.

Mr. CARTER of Oklahoma. I will say to the gentleman from Ohio that this item, like charity, covers a multitude of sins.

Mr. GARD. I thought there was some one from California who might enlighten me.

Mr. RANDALL. Let me say that the mere fact that they are allowed to remain in California has a civilizing influence.

Mr. GARD. I have no doubt of that, but I do not understand that that calls for financial outlay. The mere privilege of remaining there is something that the white people have to pay a good deal for, I know, in a State of irrigation, imagination, and exaggeration. [Laughter.] Is there anyone that can inform me on this subject?

Mr. CARTER of Oklahoma. Does the gentleman want an explanation of how this is used?

Mr. GARD. What do they do that calls for $42,000?

Mr. CARTER of Oklahoma. They may do anything necessary for the civilization of the Indian.

Mr. HASTINGS. The record shows that there are 15,000 Indians in California.

Mr. FOSTER. There is no law for the appropriation of money for civilization of Indians.

Mr. HASTINGS. That is the term used. "Support and civilization" is a broad term to cover the service to the Indians.

Mr. ELLSWORTH. If the gentleman will permit, I think if gentlemen would read through the bill, taking the different items for support and civilization, taking the conditions that exist, they will conclude that this means the paying of employees in the Indian Service. While a good portion of the money gets to the Indians and they get sustenance out of it, the gentleman will find that in many instances they do not get it.

Mr. GARD. If it is for the employees, why not say so candidly, instead of covering it up under the term "civilization"?

Mr. CAMPBELL of Kansas. Mr. Chairman, will the gentleman yield?

Mr. GARD. Yes.

Mr. CAMPBELL of Kansas. I will give the gentleman an itemized account of just how the Indians in California are civilized.

Mr. GARD. I shall be very glad to learn that, I am sure.

Mr. CAMPBELL of Kansas. Salaries, wages, and so forth, $17,787.28.

Mr. GARD. Pardon me there. That I presume is for salaries and for wages of employees.

Mr. CAMPBELL of Kansas. That is for the white people. Traveling expenses, $2,594.84.

Mr. GARD. That makes $20,000, about.

Mr. CAMPBELL of Kansas. Transportation of supplies. That is for the benefit of the Indians——

Mr. ELLSWORTH. If they ever get there.

Mr. CAMPBELL of Kansas. If they ever get there—$706.67. Telegraphic and telephonic service—the Indians are great on telephoning—$412.28. Printing, binding, advertising, and so forth, $8.25.

Mr. GARD. They are strong advertisers.

Mr. CAMPBELL of Kansas. Yes; they boost their business. Subsistence supplies—that, I suppose, is for supplies that go to the agency, including the officials, the white people, who are there—$5,925.56. Dry goods, clothing, and so forth, $552.11. Forage, $1,330.03. Fuel, lubricants, power, light, and so forth—this is California, you understand, and the amendment has not taken effect over there yet.

Mr. GARD. But will the gentleman——

Mr. CAMPBELL of Kansas. Oh, I shall get to the civilization part of it pretty soon. That is in this item—$3,513.76—medical supplies, education, and stationery, and so forth. There is the civilization—the second item in that.

Mr. GARD. How much is the educational, and so forth?

Mr. CAMPBELL of Kansas. Out of that there are $3,169.31. Miscellaneous—probably there is some civilization in that.

Mr. GARD. That is comprehensive enough to include civilization.

Mr. CAMPBELL of Kansas. Five hundred and ninety-one dollars and eighty-one cents. Outstanding liabilities, $1,189.81; making a total of $41,966.21. That is the amount expended in the last fiscal year for support and civilization.

Mr. GARD. Mr. Chairman, I thank the gentleman from Kansas for the information that he has furnished me, but I yet have no information as to the actual benefit in civilization which comes to these Indians in California, except the item which may include some education and medical supplies. The balance of it seems to have gone for the aggrandizement of the great white brother.

Mr. CAMPBELL of Kansas. If the gentleman from Ohio will follow this bill closely, he will find in every item that is for the support and civilization of Indians on Indian reservations that from 85 or 87 per cent of it goes to the white officials. The department asked for $50,000 in this item and the committee cut it down to $42,000, practically what it was last year. You can not pry the department loose with a crowbar from these agencies.

Mr. GARD. I do not desire to pry the department loose, but it seems to me there ought to be some more material benefits to go to the Indians for whose benefit these appropriations are made, instead of its going to the white man, who fastens himself on this department and refuses to be pried loose, in the language of the gentleman from Kansas.

Mr. CAMPBELL of Kansas. The gentleman from Ohio is correct.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. HASTINGS. Mr. Chairman, I ask unanimous consent that the time of the gentleman may be extended for five minutes.

Mr. GARD. I would be perfectly willing to take the five minutes, though I do not want it for anything except to ask some questions.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that the gentleman from Ohio may proceed for five minutes. Is there objection?

There was no objection.

Mr. HASTINGS. Mr. Chairman, I want to say to the gentleman from Ohio that a great many of us are interested, and for that matter for years have been trying to decentralize things here in Washington. If you take all of these Indian tribes, you will find the trouble is that there is too much of administration and not enough of civilization. You can not build a henhouse out on a reservation anywhere in the United States without first having the matter go through the local superintendent, who then sends it on up here to Washington for approval. That means that you have got to have a great many officers on every reservation. It means a disproportionate part of these appropriations is expended for salaries, for clerical force, and things of that kind. A great many of us have been inveighing against this for some time.

Mr. GARD. The gentleman thinks that the amount is disproportionate.

Mr. HASTINGS. I am sure of it, and I am glad to have the sympathetic interest of the gentleman from Ohio; and if we could get the gentleman from Ohio and other Members of the House to join with us we might get some little legislation that

would enable somebody outside of the city of Washington to have some final authority on something.

But there is no man on any Indian reservation, so far as I know, who has got any final authority on anything, and for that reason you have got to have Indian agents, you have got to have stenographers, you have got to have a clerical force, and too much of this money, running in practically every item, is spent in correspondence backward and forward between the various agencies and the department here. Now we have got to get a little additional legislation so as to compel the Indian Office here to give more authority to some of its representatives on the various reservations. You could decrease the clerical force here, you could decrease the number of employees, and then there would be more money to be used for education, more money for subsistence, and less money used for salaries out there and for wages. I thought this was an opportune time to answer the gentleman's question.

Mr. GARD. I am glad the gentleman did.

Mr. HASTINGS. I am very glad to take the opportunity to say this much at this time about it.

Mr. CURRY of California. Mr. Chairman, the trouble with this item is it is not big enough. Members on the floor of this House know what $43,000 mean. If it had been $43,000,000 they would have passed it and would not have said a word about it. I saw a two-billion-dollar bill passed here in about 20 minutes, and the rest of the day was taken up in a discussion of whether a clerk of this House should receive an extra compensation of $250 that he had earned, and about half past 6 or 7 o'clock it went to a vote and he did not get his money. Now, the proposition is this: The Indians of California, most of them, are civilized; some of them are becoming uncivilized on account of overcivilization. I believe this money will be properly used for the education of the Indians and the payment of certain self-appointed understudies of the general overseer of the universe, who have a great respect for the Indian because there is a salary in it. Now, a few years ago a lady and a gentleman came to Washington, and they lobbied through an appropriation for the purchase of 640 acres of land in Sonoma County for a reservation for some Indians up in that part of the country. Well, I own a ranch up there—no; I did not sell the ranch to them—and those Indians were pretty well civilized and were getting along very well. They were taking care of themselves, working around on ranches and in the woods, and making a living and saving money; some raising horses, cattle, and chickens, and their children were sent to the district school. But that did not satisfy these people. They wanted to put them on a reservation, and they bought the land for the reservation from a man by the name of Nobles, a quarter-breed Indian. Now, those Indians had a little place of their own, a rancherce. On one end of the reservation lives an Indian by the name of Haupt, who owns 700 or 800 acres, and another by the name of Hayden and several other land-owning Indians live in the neighborhood and a couple of Norwegians.

I own 700 or 800 acres. Those Indians used to live around there and had a little place of their own and were making money, and the Lord knows what they do now except they are being kept on the reservation. Now, that is civilizing them to the queen's taste, I do not think. This $43,000, I think, is for a proper purpose, although I do not think you have gone sufficiently into details of what it is for or where it is to be used. There are a number of Indians scattered all over California and a number of Indian reservations, and there are several Indian schools, and they are doing very well. As far as this $43,000 is concerned, I do not know exactly where it is to be used.

Mr. SNYDER. Will the gentleman yield?

Mr. CURRY of California. I yield.

Mr. SNYDER. I would like to say to the gentleman that the justification for this item is in considerable detail.

Mr. CURRY of California. Then the gentleman who had the information ought to have given it.

Mr. SNYDER. It is here in the hearings.

Mr. CURRY of California. We all do not get the hearings.

Mr. SNYDER. But the gentleman can get them.

Mr. CURRY of California. Some of them sometimes we can. I have no doubt that the money ought to be appropriated the same as in other places—Oklahoma, Arizona, North and South Dakota, and so forth.

There are lots of uncivilized Indians being civilized, as I said before, and there are some civilized Indians being uncivilized. I say that the best thing the United States can do, and at as early a date as possible, is to give the Indians their allotments, turn them loose, and make free men and women of them, and let them take care of themselves. They can do it as well as we can care for them if we only give them a chance.

Mr. CAMPBELL of Kansas. I want to state to the gentleman from California that he describes a very happy condition of Indians, when a few uplifters went in among them, found them working for their neighbors and making a living for themselves and their children, and were sending their children to the schools——

Mr. CURRY of California. And saving money.

Mr. CAMPBELL of Kansas. And saving money. This $42,000 is to pay the white men and women who are upon the agencies where these Indians are now assembled and are being decitizenized and unfitted for civilization and self-sustenance. That is the purpose of this appropriation, as it is on practically every other reservation scattered throughout the country.

Mr. CURRY of California. That is what I thought.

Mr. CAMPBELL of Kansas. It is for the pay of the salaries of the white officers who are there and trying to hold the Indians together and keep them out of civilization.

Mr. CURRY of California. That is what I thought. I thought I would get that explanation soon. But until you repeal the other acts you will have to appropriate this money, because you have prevented the Indians from making the living they were making before they were put on the reservations.

Mr. GARD. Not that I desire to pose as an obstructionist, because I confess I know very little about the matter stated in this Indian bill, I wish to say that as the disclosures made by the gentleman from Kansas [Mr. CAMPBELL] and the gentleman from California [Mr. CURRY] seem to indicate that in these matters, under the head of support and civilization of Indians, not alone in California but much more in the States of Arizona and New Mexico, where $330,000 is evidently given in large proportion to those who inflict themselves on the body politic to keep the Indians out of civilization, I am constrained to make a point of order to the paragraph.

Mr. CARTER of Oklahoma. I hope the gentleman will not do that.

Mr. GARD. And not so much as it affects California, because I do not desire to do that. There should be some light of publicity, which this committee has not given and which this committee as a whole does not understand, which the House of Representatives does not know about all these things that are carried under cover here—large amounts of money of which we know absolutely nothing. I confess my entire ignorance, and I presume I am of the average of the House.

Mr. CARTER of Oklahoma. This is not a California matter, Mr. Chairman.

Mr. CURRY of California. Will you reserve that point of order for a moment?

Mr. GARD. I yield to the chairman of the committee first, and then I will yield to the gentleman from California.

Mr. CARTER of Oklahoma. Mr. Chairman, I hope the gentleman from Ohio will not insist on that point of order. It is not a California item. If there are any Indians in the United States that are entitled to consideration at the hands of this Government they are the Indians of the State of California. They owned largely the entire State several generations ago, and since that time they have been deprived of their patrimony by citizens of the United States who have moved into that country.

Mr. GARD. Will the gentleman yield to me just a moment?

Mr. CARTER of Oklahoma. I yield.

Mr. GARD. The patrimony, as disclosed by that which was read from the hearings by the gentleman from Kansas, was not patrimony of the Indian, but the patrimony of the white men and Indian agents.

Mr. CARTER of Oklahoma. If the gentleman will permit me a few moments, I think I can explain that.

These Indians went along in California—and they are the poorest Indians in the United States—until they had absolutely nothing left. And then the Government undertook to buy little tracts of land for them and to take care of them. That has been going on now ever since I came to Congress. Some of them are getting a few acres of land. One hundred and seventeen years ago, I think it was, perhaps, this Government embarked upon an Indian policy of supervising the affairs of the different Indians throughout the country in various ways; first, in taking care of his property and seeing that his white neighbor did not cheat him out of it; second, in educating the Indian, and in a great many other ways that I could explain to the gentleman if I had the time. Those appropriations were carried in this bill under the head of support and civilization. Several years afterwards the Indian Bureau was taken out from under the War Department and placed under the Department of the Interior, and those items have continuously since that time been carried as support and civilization of the Indian, not that the money

was given to the Indian to buy land or anything else. And really, if the gentleman wants to know the truth about it, I do not think that is a good thing. I think it is a better thing to give the money to the white man to teach the Indian to protect his property than it is to deliver to that Indian some meal or flour or other ration that will make him absolutely dependent upon the white man for his subsistence. I think it is the duty o the white man to teach the Indian, the duty of this Government to teach the Indian, to be self-sustaining.

Mr. GARD. Surely.

Mr. CARTER of Oklahoma. And he can never be taught to be self-sustaining if we rely upon the old policy of distributing rations, and that is what my friend from Kansas seems to indicate that these appropriations are made for. Now, they are not made for that purpose.

Mr. GARD. Mr. Chairman, will the gentleman pardon another question?

Mr. CARTER of Oklahoma. Yes.

Mr. GARD. It seems to me from the reading here that out of this total of $42,000 only about $3,000 worth of support and civilization actually reached the Indians, and the rest of it was halted on "the Great White Way."

Mr. CARTER of Oklahoma. The gentleman is in error about that. For instance, practically the whole appropriation is intended to go, and does go, for a good purpose for the Indians.

Mr. GARD. I am in entire sympathy with the remarks made by the gentleman's colleague from Oklahoma [Mr. HASTINGS], who seems to have a very excellent grasp on what should be done in this matter of essential administration.

Mr. CARTER of Oklahoma. There is no difference between my collegue from Oklahoma and myself on that proposition.

Mr. GARD. I trust not.

Mr. CARTER of Oklahoma. And I shall be very glad to have the help of the gentleman from Ohio at any time in the work of decentralizing the Indian Bureau. But what does the gentleman's point of order do? It simply cuts off from these poor Indians in California, who are good Indians, any assistance or help that they might receive in the next year.

Mr. GARD. I am asking entirely for personal information. Will the gentleman permit another question?

Mr. CARTER of Oklahoma. Surely.

Mr. GARD. Does the same proportion of salaries and pay of employees apply in the item of $330,000, on page 18, for Arizona and New Mexico?

Mr. CARTER of Oklahoma. I doubt not. That is what it is intended for. It has never been the policy of the Federal Government for the last 15 or 20 years to appropriate money from the Federal Treasury to be divided among the Indians. The policy of the Government has been to appropriate money to try to educate the Indian and place upon him a personal responsibility. That can not be done by issuing rations.

Mr. GARD. Does the gentleman agree with his colleague from Oklahoma that we have gone too far in that direction?

Mr. CARTER of Oklahoma. Yes. I think some of our agencies are too highly organized, and I think they have always been too highly organized, and until Congress takes a strong stand and decentralizes that organization it will not be done.

Mr. HASTINGS. That takes legislation.

Mr. CARTER of Oklahoma. Yes. It takes legislation to decentralize them.

Mr. CURRY of California. Mr. Chairman, will the gentleman yield?

Mr. GARD. Yes; I yield.

Mr. CURRY of California. I hope the gentleman from Ohio will not make the point of order against this item. It would not be fair. The gentleman is a fair man. These Indians are now on these reservations, and they have got to have supervision. I will agree with the gentleman that if he will introduce a bill to decentralize this system and give the Indians a chance to take care of themselves I will give him what aid I can; but when we have legislated them away from independence and placed them on a reservation it would not be fair to prevent the appropriation of an amount of money sufficient for them to be properly supervised.

Mr. GARD. I do not seek to prevent any appropriation if it will do any good. The thing I am trying to get at is to arrive at some method by which this decentralization may be accomplished.

Mr. CURRY of California. That can not be done after you have enacted legislation and put the Indians on the reservation by stopping the appropriation to supervise them.

Mr. CARTER of Oklahoma. The gentleman's point of order, if the gentleman will permit, does not look toward decentralization, but rather looks toward further centralization, because if the point of order is sustained and this item is taken out of the bill, no money can be expended at that agency whatever, but the Indian Bureau can still send its inspectors there from the bureau and send them back and forth, and therefore the Government will be more centralized than it was before.

Mr. GARD. I suspect that if the appropriation were withdrawn there would not be so many at the agency.

Mr. CARTER of Oklahoma. They would send inspectors out there, and it would involve a large traveling expense.

Mr. GARD. Then the gentleman thinks that the point of order should not be insisted on?

Mr. CARTER of Oklahoma. I think the gentleman will leave a lot of poor Indians and a lot of slack and rusty old Indians out there with nothing to lean on if he would insist on his point of order. That would be the result.

Mr. GARD. I am very glad to follow the advice of the chairman of the committee, and I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn. The Clerk will read.

The Clerk read as follows:

For the purchase of lands for the homeless Indians in California, including improvements thereon, for the use and occupancy of said Indians, $20,000, said funds to be expended under such regulations and conditions as the Secretary of the Interior may prescribe.

Mr. ELLSWORTH. Mr. Chairman, I propose to amend this paragraph by striking out, on page 23, line 19, the figures "$20,000" and inserting "$5,000."

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. ELLSWORTH: Page 23, line 19, strike out "$20,000" and insert "$5,000."

Mr. ELLSWORTH. Mr. Chairman, $20,000 was the amount carried in the last appropriation bill for this purpose. Mr. Meritt, the assistant commissioner, stated that he believed that the entire amount of the estimate would be needed for the purchase of the land for homeless Indians in California for the fiscal year 1920. Last year, or for the fiscal year ending June 30, 1918, there was expended $250.80.

Mr. LITTLE. For land?

Mr. ELLSWORTH. There was expended out of this item $250.80. An analysis of the expenditure shows that of $250.80 the sum of $200 was invested in land for homeless Indians in California, and the expense of investing $200 for land for homeless Indians was, traveling expenses, $43.90, or about one-fifth of what the land itself cost, and $6.90 miscellaneous. Now, in a community such as most of us live in, and under the existing conditions outside of the Indian Bureau of the United States, and in almost any other governmental sphere excepting the Indian Bureau, I do not believe it would take over $50 to purchase $200 worth of land for homeless Indians. It seems to me that there ought to be some way by which the Government could purchase a lot—I presume this was a lot—for a homeless Indian to build a shack on in which to live without having to expend more than one-fourth of what the land itself cost for expenses. If, finally, we do get land for all these 2,700 Indians of this tribe in California who expect to be furnished homes by this Government some day, at $300 apiece the land will cost $810,000, and at the same ratio it will cost about $200,000 for expenses in purchasing the land. It seems to me this item ought to be reduced. It was not spent last year. There is nothing that I can see to show that there will be any more expended in any more judicious way in the future than it has been in the past.

Mr. HAYDEN. Mr. Chairman, I sincerely trust that the amendment the gentleman from Minnesota offers will not prevail. True, the Indian Office did not expend hardly any money out of this appropriation last year. It is also true that we were at war, and that conditions were such that they could not make the progress that should have been made in the purchase of land for these poor and homeless Indians. That is the information given me by the Indian Office.

Mr. George Wharton James, of Pasadena, Cal., whose interesting books about the Mission and other Indians many of you have read, called on me a few days ago and inquired about this particular appropriation. Mr. James urged the importance of finishing up the work of supplying lands to the homeless Indians of California. He told me that a number of friends of the Indians in that State, among them Dr. David Starr Jordan, of Stanford University, intended to tender their services to the Indian Office to see that this work was promptly completed so that the Indians could soon be placed on land where they might live in some sort of comfort. The Indian Office states in the hearings that there remain about 2,700 Indians in California for whom land should be purchased. With this amount and the sum that is available in the unexpended balance it ought to be possible to take care of a considerable number of them in the

course of the next fiscal year. I am sure that Mr. James and his associates in California will be glad to assist the Indian Office so that this money may be expended in a way that will confer the largest possible benefit to the Indians. Such being the case, we ought to make this appropriation of $20,000, thereby carrying out a policy that Congress adopted some years ago.

Mr. GARD. I notice that $10,000 is the sum estimated, whereas $20,000 was the sum asked for.

Mr. HAYDEN. The Indian Office asked for a reappropriation of the unexpended balance of $20,000, which, with the $10,000 mentioned by the gentleman from Ohio, would amount altogether to about $30,000. Instead of that we appropriated $20,000, which is in truth a cut under the estimates of $10,000.

Mr. RANDALL. Mr. Chairman, I have heard a great many gentlemen on this floor criticize the expenditures because they were lavish, but this is the first time I ever heard an administration officer criticized for not spending the money. Does the gentleman from Minnesota think that this $47 was devoted wholly to the purchase of the $250 worth of land? Probably some of it was expended for inspection of other tracts which were not purchased, in the interest of economy, and that the Government saved money by the expenditure of this $47.

Mr. ELLSWORTH. The amount was $200 worth of land and not $250, and the travel and miscellaneous expenses amounted to $50.

Mr. RANDALL. But the $50 probably was not devoted entirely to the purchase of this land but in the inspection of other tracts which might have been purchased if they had been perfectly satisfactory in price.

Mr. ELLSWORTH. It seems to me that when an amount of money is appropriated for expenses in the purchase of land, if an official gives testimony before a committee of Congress he should be intelligent enough, if his expense was for something else than the purchase of the land, to so state.

Mr. RANDALL. If the gentleman will permit, the gentleman will understand that probably the inspection of other tracts was involved in this expenditure. I trust, Mr. Chairman, that the amendment will not prevail.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

For reclamation and maintenance charge on Yuma allotments, $131,564.94, to be reimbursed from the sale of surplus lands or from other funds that may be available, in accordance with the provisions of the act of March 3, 1911 (36 Stat. L., 1083).

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I have looked at the hearings on this item and find that this is to repay the Reclamation Service this amount. It is quite common for the Reclamation Service to take over reclamation projects on Indian reservations, develop them, have them charged against the Indian Service, and then later paid for their aliquot share?

Mr. HAYDEN. Wherever Indian lands are included within reclamation projects arrangements are made for the irrigation of those lands along with the lands of the white people. As it happens, the Laguna Dam on the Colorado River is located just above this reservation. The main canal passes through the Yuma Reservation, and then the water goes by syphon under the Colorado River, where it is used to irrigate other lands in Arizona, making up the greater part of the project. The cost to the Indian is just the same per acre as that of the white man. The reclamation project is complete, and the amounts due from the white people are being collected. This appropriation is for the purpose of paying the Indian's share in the same ratio as the white people pay.

Mr. STAFFORD. In the hearings I notice that the Reclamation Service asked that the amount charged against the Indian lands be paid in a certain length of time. Heretofore the Bureau of Indian Affairs has not provided similar payments, the appropriation last year being $10,000.

Mr. HAYDEN. Fifteen thousand dollars, but that was for operation and maintenance, while this appropriation is to pay the cost of construction.

Mr. STAFFORD. And at the end of 10 years the Indians will be relieved of all liability to the Reclamation Service, and whenever the land is sold it will be sold free from any charges to the Reclamation Service.

Mr. HAYDEN. Yes; and this is the same charge that the white man pays.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

FLORIDA.

SEC. 4. For relief of distress among the Seminole Indians in Florida, and for purposes of their civilization and education, $20,000, including the construction and equipment of necessary buildings.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. Last year there was a limitation on the appropriation that this expenditure for the building of the Seminole Indians in Florida should be on lands set aside for their use by the State. Why has not that authorization been carried in this bill?

Mr. TILLMAN. Since the last appropriation bill the State of Florida has given to the Seminole Indians 100,000 acres of land and the Government has given them 25,000 acres of land. It is proposed to make whatever improvements are made upon the land belonging to the Seminoles.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

That the Secretary of the Interior be, and he is hereby, authorized to pay to the authorities of Kansas City, Kans., the sum of $1,000 in consideration of the agreement of said authorities forever to maintain and care for the Huron Cemetery, a tract of land in the city of Kansas City, Kans., owned by the Government of the United States, the use of which was conveyed by treaty to the Wyandotte Tribe of Indians as a cemetery for members of said tribe, such payment to be made from the $10,000 appropriated for the preservation and improvement of said cemetery by the act of September 8, 1916 (39 Stat. L., 844).

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph.

Mr. LITTLE. Mr. Chairman, I reserve all points of order. I will ask the chairman concerning this item to let it go over until to-morrow. The bill does not quite agree with the suggestions of Mr. Meritt, the assistant commissioner, before the committee. I think the language means the same, but it does not quite agree, and I took it up with him over the phone. He promised to look it up, and I have wired the city commissioners and the mayor. It is just a question of the language, and I wish that the committee would let the matter go over until in the morning.

Mr. HAYDEN. Mr. Chairman, we have no objection to passing this item over without prejudice.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that this item be passed over without prejudice. Is there objection?

There was no objection.

The Clerk read as follows:

MINNESOTA.

Mr. ELLSWORTH. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent that all of the items relating to the Indians in Minnesota be passed over without prejudice.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that the Minnesota items be passed over without prejudice. Is there objection?

There was no objection.

The Clerk read as follows:

MISSISSIPPI.

SEC. 9. That the unexpended balance of the appropriation of $75,000 for the full-blood Choctaw Indians of Mississippi in the Indian appropriation act of May 25, 1918, is hereby reappropriated for the same purposes for which originally appropriated and for aiding the common schools attended by the children of said Indians under rules and regulations prescribed by the Secretary of the Interior.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph.

Mr. FOSTER. Mr. Chairman, I ask unanimous consent that the paragraph go over until to-morrow, when the gentleman from Mississippi [Mr. HARRISON] is present.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that this paragraph be passed over until the next sitting of the committee. Is there objection?

There was no objection.

The Clerk read as follows:

That so much of the Indian appropriation act of March 1, 1907 (34 Stats. L., pp. 1015 and 1035), as relates to the disposal of surplus unallotted lands within the Blackfeet Indian Reservation in Montana is hereby repealed, and the Secretary of the Interior is authorized to make allotments under existing laws within the said reservation to any Indians of said Blackfeet Tribe not heretofore allotted, living six months after the approval of this act, and thereafter to prorate all unallotted and otherwise unreserved lands therein among the Indians who have been allotted or may be entitled to rights within said reservation: *Provided*, That of the lands so allotted 80 acres of each allotment shall be designated as a homestead by the allottee and be evidenced by a trust patent and shall remain inalienable until Congress shall otherwise direct: *Provided further*, That the Blackfeet tribal rolls shall close as of six months after the approval of this act, and thereafter no additional names shall be added to said rolls: *Provided*, That nothing herein shall be construed to repeal the grants of land made by the act of March 1, 1907, to religious institutions and to the State of Montana

for school purposes, nor repeal the authority of the Secretary of the Interior to dispose of any land within said reservation suitable for townsite purposes, as provided by that act: *Provided*, That the State of Montana in making indemnity school selections shall be confined to nonmineral and nonirrigable lands: *Provided further*, That the provisions of the act of March 4, 1907, which require a division of the funds received from the sale of the surplus lands immediately upon the date of the approval of the allotments of land are hereby repealed: *Provided*, That the lands within said reservation, whether allotted, unallotted, reserved, set aside for town-site purposes, granted to the State of Montana for school purposes, or otherwise disposed of, shall be subject to all the laws of the United States prohibiting the introduction of intoxicants into the Indian country until otherwise provided by Congress: *Provided*, That the lands may be leased by the allottee for mineral purposes, under such rules and regulations and upon such terms and conditions as the Secretary of the Interior may prescribe: *Provided further*, That allotments herein provided for shall be made under such rules and regulations as the said secretary may prescribe, and trust patents shall be issued therefor as provided by the aforesaid act of March 1, 1907, except as to the homestead hereinbefore mentioned.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on this paragraph. I think some very full explanation should be made of the reason for this legislation providing virtually for reallotment of the unallotted lands of the Blackfeet Indian Reservation.

Mr. HAYDEN. Mr. Chairman, I will say to the gentleman that this legislation is inserted at the suggestion of the Indian Office and at the request of the Indians on the reservation. As the law now stands provision is made for the disposition of the surplus lands on this reservation after each Indian has received a certain allotment. The Indians say that this is preeminently a stock-raising country, and that the lands are not suitable for agriculture. The Indian Office encourages them in that opinion. That being the case, the Indians would be better satisfied and better off if they were given larger allotments of this land, if it was divided among them, rather than having the surplus land sold to white people. This legislation repeals the present law, which authorizes the sale of the surplus lands, and provides for a reallotment of such lands among the Indians.

Mr. STAFFORD. What is the total area of the unallotted land to which this section applies?

Mr. HAYDEN. It is enough to give about 450 acres to each Indian.

Mr. STAFFORD. Some of the land has already been allotted to some of the Indians?

Mr. HAYDEN. Yes. This legislation provides for a new tribal roll, as of date six months after the passage of this act. It would make that the final roll, and then the Indian Office would proceed with allotments from that roll to wind up the affairs of these Indians so far as their land is concerned; that is, dividing up and passing title to all of the land among all of the Indians.

Mr. STAFFORD. I notice that as to some of the lands that will be allotted it is merely the homestead of 80 acres which is to be inalienable.

Mr. HAYDEN. That is in accordance with the policy of the department on other reservations, for the department will not permit an Indian to dispose of his homestead. He might dispose of his surplus lands if he is competent to do so. That policy is followed so that an allotted Indian will never be without a home.

Mr. STAFFORD. As soon as these lands are allotted and the title has been confirmed in the Indian, he is privileged to sell the lands other than the 80-acre tract?

Mr. HAYDEN. If he gets the approval of the Indian Office. Being an incompetent Indian, as most of the Blackfeet are, he would have first to get permission to sell from the Indian Office.

Mr. STAFFORD. Are most of these Indians incompetents?

Mr. HAYDEN. Yes, sir.

Mr. STAFFORD. What are they now engaged in for a living?

Mr. HAYDEN. Stock raising, as a rule.

Mr. STAFFORD. Have they much funds to their credit in the Treasury?

Mr. HAYDEN. There is a statement in the hearings which gives the amount of funds in the Treasury to the credit of the Blackfeet Tribe. Apparently they have on hand $45,544 and estimated receipts for next year $48,000, making a total income of $95,000. I presume that comes from the lease of their grazing lands. I do not know where else it would come from.

Mr. STAFFORD. Is the gentleman acquainted as to whether any of this land is mineral land?

Mr. HAYDEN. I do not know anything about that.

Mr. CHANDLER of Oklahoma. I desire to call attention to the statement just made in regard to these Indians having on hand $47,000, or something like that, but that does not include all of it. You will notice lower down that they have something like $254,000 a year of interest at 4 per cent on their invested funds, so they undoubtedly have several million dollars.

Mr. STAFFORD. How much land up to the present time has been allotted to these Indians?

Mr. HAYDEN. I think each Indian heretofore was allotted a half section of land, or 320 acres, and this legislation would increase the full allotment to 450 acres to the individual Indian.

Mr. STAFFORD. Including the 320 he heretofore received?

Mr. HAYDEN. The full allotment would approximate about 450 acres.

Mr. STAFFORD. This land is grazing land?

Mr. HAYDEN. Yes, sir.

Mr. STAFFORD. Now, reverting to the inquiry as to whether there is any mineral land, I notice that the provision authorizes the allottee to lease the land for mineral purposes subject to the approval of the Secretary of the Interior. Has the gentleman any information that there are any mineral deposits in this reservation?

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. I ask for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. CHANDLER of Oklahoma. Mr. Chairman, I brought that matter out in the hearings. I was informed some time before that that there was a little production of oil 50 or 70 miles north of that, and I asked Assistant Commissioner Meritt if there were any minerals underlying that land. He stated none that he knew of, and this provision was put in there on my suggestion that there was a possibility of oil production in the future. Even if they should drill up near the line of allotment it is necessary for the Indian to come here and secure legislation, and he might be very materially damaged; therefore, I thought it best to have a provision of this character in there so as to take care of any possible future need.

Mr. STAFFORD. Mr. Chairman, this is a very important item. Still the gentleman has furnished information which I believe shows it is in the interest of the Indian.

Mr. CARTER of Oklahoma. I think the gentleman from North Dakota, who lives in that section of the country, can possibly give the gentleman some more information.

Mr. STAFFORD. What is the character of this land? Are there any mineral deposits in it?

Mr. GANDY. No; not to my knowledge, there are not any minerals developed, oil, gas, or anything of that kind.

Mr. CARTER of Oklahoma. It has just a little coal.

Mr. GANDY. At some places there is a little lignite coal.

Mr. STAFFORD. The gentleman believes it is for the best interest of the Indians to grant them the larger unit of allotment?

Mr. GANDY. Well, I confess I have had some doubts in my mind on that, but it is their own land.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For road and bridge construction on the Mescalero Indian Reservation, in New Mexico, including the purchase of material, equipment, and supplies; the employment of labor; and the cost of surveys, plans, and estimates, if necessary, $25,000, to be immediately available and to be reimbursed from any funds of the Indians of said reservation now or hereafter on deposit in the Treasury of the United States: *Provided*, That Indian labor shall be employed as far as practicable.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph just read. Is this the same road that was authorized in the last year's appropriation act in which the State or other agency was to contribute one-half of the cost?

Mr. WALTON. No, sir. The road extends from the railroad station at Tularosa to a short distance within the reservation lines. It is entirely a separate proposition.

Mr. STAFFORD. This is within the reservation?

Mr. WALTON. It is within the reservation.

Mr. STAFFORD. I withdraw my reservation of the point of order.

The Clerk read as follows:

SEC. 15. For support and education of 160 Indian pupils at the Indian school at Cherokee, N. C., including pay of superintendent, $37,800; for general repairs and improvements, $6,000; in all, $43,800.

Mr. FOSTER. Mr. Chairman, I move to strike out the last word. As I understand that, last year we appropriated for 200 pupils down there and this year for 160.

Mr. HAYDEN. The record shows that the capacity of the school was but 160 pupils, and the average attendance was only 151.

Mr. FOSTER. You had too much last year, and so this year you raised the amount but lessen the number to be educated; is that it?

Mr. HAYDEN. The committee allowed an increase this year in the per capita amount for the maintenance of nearly all of

the Indian schools, but in some cases we reduced the number of pupils to correspond to about the average attendance or the capacity of the school.

Mr. FOSTER. You this year appropriate for just half the number you did last year, and you have raised the appropriations from $33,600 to $37,800 and from $39,600 to $43,000. Then I suppose in the proportion that the number of pupils decreases the appropriation increases?

Mr. HAYDEN. The Indian Office estimated for $46,800 for that school, and, including the repairs and improvements, asked for a total of $52,800. The committee cut the estimate $9,000.

Mr. FOSTER. I was just curious to know how you arrived at 50 per cent less pupils.

Mr. HAYDEN. Not 50 per cent.

Mr. FOSTER. You appropriated last year——

Mr. HAYDEN. For 200 pupils and this year for 160, a reduction of 40 pupils.

Mr. FOSTER. I wondered as the Indian pupils decreased why the appropriations increased.

Mr. HAYDEN. The committee decreased the number of pupils but increased the per capita cost.

Mr. FOSTER. That is what I wanted to know.

The Clerk read as follows:

Provided, That not exceeding $5,000 of the amount reappropriated by the Indian appropriation act for the fiscal year 1919 (40 Stat. L., p. 577) for employees' quarters may, in the discretion of the Secretary of the Interior, be used for the purchase of the Baker cottage and grounds adjoining the Indian school grounds.

Mr. FOSTER. Mr. Chairman, I reserve a point of order on that.

Mr. GANDY. Mr. Chairman, the Indian appropriation act referred to in this paragraph appropriated $10,000 for the erection of a building that, I believe, was to be used as employees' quarters. The gentleman from North Dakota [Mr. NORTON], who is a member of the committee——

Mr. FOSTER. How many employees are there?

The CHAIRMAN. Does the gentleman from South Dakota make a point of order?

Mr. FOSTER. I made the point of order, but I reserve it for a moment.

Mr. GANDY. I am unable to give the gentleman offhand the number of employees. The number appears in the hearings. The gentleman from North Dakota [Mr. NORTON] stated that this cottage is really in what used to be a part of the Indian grounds. It was sold at one time, and, in his judgment, the home of Capt. Baker could be purchased for $5,000; that it was amply large to meet the requirements of the school; that it is right at the edge of the Indian grounds; and that as heretofore there was $10,000 appropriated for the building. If they could purchase this for $5,000, they could save $5,000 of the former appropriation.

Mr. FOSTER. Save $5,000?

Mr. HAYDEN. The gentleman from North Dakota [Mr. NORTON] was of the opinion the Government could save money by buying this house that adjoins the school, rather than putting up a new building. That is the whole purpose of the appropriation.

Mr. SNYDER. Will the gentleman yield?

Mr. FOSTER. I will.

Mr. SNYDER. I will say that the gentleman from North Dakota [Mr. NORTON], after careful questioning on the part of the committee, without a stenographer in attendance, said to those present that this was the wise thing to do. The building is badly needed at the present time, and the amount seemed to be a satisfactory amount to cover the building that he proposed to have the department buy.

Mr. FOSTER. Is it just a building there?

Mr. SNYDER. It is a building right adjacent to the school grounds.

Mr. FOSTER. Who is this man Baker?

Mr. SNYDER. He is a man that lives up there in that country.

Mr. FOSTER. Has he been connected with Indian Affairs?

Mr. SNYDER. He does not want to sell his property especially, and we have no request from the Indian Bureau to buy it from him. It is simply a suggestion on the part of the gentleman from North Dakota [Mr. NORTON].

Mr. FOSTER. How much land has he?

Mr. SNYDER. This is right within the reservation—on the property.

Mr. FOSTER. He has some land?

Mr. SNYDER. Yes; he has some land. It is not of much account.

Mr. CHANDLER of Oklahoma. I think the gentleman from North Dakota [Mr. NORTON] said there were 30 acres of land.

Mr. CARTER of Oklahoma. The hearings show that there are 13 employees. The amount, which I understand is $5,000, is to be appropriated for the purchase of this cottage or house.

If the gentleman will permit further, I will say to him that the gentleman from North Dakota [Mr. NORTON] seemed to think that this was the proper thing to do, and I have always found it fairly safe to follow a Member of Congress about a matter of that kind, because he usually has more information on the proposition in his own State than others may have.

Mr. FOSTER. Sometimes they are a little enthusiastic.

Mr. CARTER of Oklahoma. The gentleman will admit that $5,000 for 13 employees is not excessive.

Mr. SNYDER. The gentleman from North Dakota was personally familiar with the proposition.

Mr. FOSTER. I wondered if there was a house there that this man was living in that would supply quarters for 13 people—an ordinary family residence.

Mr. HASTINGS. The gentleman from North Dakota said he personally visited and inspected this property, and he thought it was ample.

The CHAIRMAN. Does the gentleman from Illinois insist on his point of order?

Mr. FOSTER. No. I withdraw the point of order.

The CHAIRMAN. The gentleman from Illinois withdraws the point of order. The Clerk will read.

The Clerk read as follows:

That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $670, to reimburse Benson County, N. Dak., for money actually paid by said county to the State of North Dakota for care of three insane Indians, Mary Josephine Pejihutaskana, Alfred Littlewind, and Joseph Langer, in the North Dakota State Insane Asylum.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. CARTER of Oklahoma. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. A point of order is reserved on the last paragraph read. The gentleman from Oklahoma [Mr. CARTER] moves that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CRISP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 14746) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920, and had come to no resolution thereon.

LEAVE OF ABSENCE.

Mr. GOODALL, by unanimous consent (at the request of Mr. PETERS), was granted leave of absence, indefinitely, on account of serious illness in his family.

PRESIDENT'S MESSAGE—PANAMA CANAL.

The SPEAKER laid before the House the following message from the President of the United States, which was read and ordered printed and, with the accompanying document, referred to the Committee on Interstate and Foreign Commerce:

To the Senate and House of Representatives:

I transmit herewith, for the information of the Congress, the annual report of the Governor of the Panama Canal for the fiscal year ended June 30, 1918.

WOODROW WILSON.

THE WHITE HOUSE, *January 23, 1919.*

LIGNITE COAL.

Mr. FOSTER, by direction of the Committee on Mines and Mining, submitted for printing under the rule the conference report and accompanying statement on the bill (S. 3220) authorizing the Secretary of the Interior to make investigation, through the Bureau of Mines, of lignite coals and peat to determine the practicability of their utilization as a fuel and in producing commercial products.

THE FEDERAL JUDICIARY—CONFERENCE REPORT (NO. 971).

Mr. WEBB. Mr. Speaker, I desire to present a conference report on H. R. 12001, to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, for printing under the rule.

The conference report and statement of the House conferees are as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 7.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 5, 6, 9, 10, 11, 12, 13, 14, and 15, and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SEC. 3. That the judges of the Supreme Court of the District of Columbia shall receive salaries the same as salaries provided by this act to be paid to judges of district courts of the United States, and such salaries shall be paid as now provided by law. The judges of the Court of Appeals of the District of Columbia shall receive salaries the same as the salaries provided by this act to be paid to judges of the circuit court of appeals of the United States, and such salaries shall be paid as now provided by law."

And the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SEC. 5. That the judges of the United States Court of Customs Appeals shall receive salaries equal in amount to the salaries provided by this act to be paid judges of the Circuit Court of Appeals of the United States, payable monthly from the Treasury."

And the Senate agree to the same.

E. Y. WEBB,
C. C. CARLIN,
H. J. STEELE,
A. J. VOLSTEAD,
GEO. S. GRAHAM,
Managers on the part of the House.

HOKE SMITH,
WILLIAM H. KING,
J. C. WOLCOTT,
FRANK B. BRANDEGEE,
LEBARON B. COLT,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House, at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, submit the following written statement explaining the effect of the action agreed on:

Amendments Nos. 1, 3, 6, 10, 11, 12, 13, and 14, on which the House recedes, only change the mode of expression used in the bill and do not make a substantive change in the bill as it passed the House.

Amendments Nos. 5, 9, and 15, on which the House recedes, change the number of sections. This was made necessary by the added sections inserted by the Senate.

Amendment No. 2, on which the House recedes, adds the judges exercising Federal jurisdiction in Porto Rico, Hawaii, and Alaska, and increases their salary to $7,500 a year.

Amendment No. 4, on which the House recedes with an amendment, inserts a new section to the bill making provision for increasing salaries of judges in the District of Columbia. This amendment increases the salaries of the judges of the Supreme Court of the District of Columbia to $7,500 a year, which is the same salary provided in the bill for the Federal district judges. This salary, it is provided, shall be paid as now provided by law, which means that half of it is to be paid by the District of Columbia and the other half out of the Treasury of the United States.

This amendment also increases the salaries of the judges of the Court of Appeals of the District of Columbia up to the salaries provided by the bill to be paid to the judges of the Circuit Court of Appeals of the United States, which is $8,500 a year to each judge.

The amendment added by the conferees provides that the salaries provided for, to be paid the judges of the Court of Appeals of the District of Columbia, shall be paid as now provided by law. The effect of this amendment is to require half of these salaries to be paid by the District of Columbia and the other half by the Treasury of the United States.

Amendment No. 7: The Senate recedes on this amendment, which provided that the judges of the Court of Claims should receive the same salaries as judges of the Circuit Courts of Appeals of the United States, or $8,500 per annum.

As it relates to these salaries the bill is left as it originally passed the House, which provides that the salary of the chief justice of the Court of Claims shall receive a salary of $8,000 per annum, and that the other judges of this court shall receive salaries of $7,500 each per annum.

Amendment No. 8, on which the House recedes with an amendment, inserts a new section to the bill increasing the salaries of the judges of the United States Court of Customs Appeals to $8,500 per year. The amendment agreed to, to this amendment, in conference, does not change the intent of the original Senate amendment, but was made necessary by the Senate having receded on amendment No. 7.

E. Y. WEBB,
C. C. CARLIN,
H. J. STEELE,
A. J. VOLSTEAD,
GEO. S. GRAHAM,
Managers on the part of the House.

ADJOURNMENT.

Mr. CARTER of Oklahoma. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 3 minutes p. m.) the House adjourned until Friday, January 24, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of Commerce, submitting supplemental estimate of appropriation required by the Bureau of Fisheries for the employment of instructors in the Alaskan herring industry (H. Doc. No. 1719), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HOLLINGSWORTH, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 3217) providing for an increase of authorization for the Federal building at Steubenville, in the State of Ohio, reported the same without amendment, accompanied by a report (No. 966), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. PARKER of New York, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13485) granting the consent of Congress to Oliver Cabana, jr., Myron S. Hall, E. G. Connette, and William F. MacGlashan to construct a bridge across Niagara River within or near the city limits of Buffalo, and for other purposes, reported the same without amendment, accompanied by a report (No. 968), which said bill and report were referred to the House Calendar.

Mr. PARKER of New Jersey, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 14508) extending the time for the completion of the bridge across the Delaware River authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the 24th day of August, 1912, reported the same with amendment, accompanied by a report (No. 970), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clase 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. KEY of Ohio, from the Committee on Pensions, to which was referred the bill (S. 5318) granting a pension to Edith Carow Roosevelt, reported the same without amendment, accompanied by a report (No. 967), which said bill and report were referred to the Private Calendar.

Mr. OVERSTREET, from the Committee on Pensions, to which was referred the bill (H. R. 14945) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, reported the same without amendment, accompanied by a report (No. 989), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. KING: A bill (H. R. 14899) authorizing the Secretary of War to donate to the soldiers and sailors' home at Quincy, Ill., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. STEELE: A bill (H. R. 14900) authorizing the Secretary of War to donate to the borough of Weissport, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LUFKIN: A bill (H. R. 14901) increasing the limit of cost for a Federal building at Newburyport, Mass.; to the Committee on Public Buildings and Grounds.

By Mr. MILLER of Minnesota: A bill (H. R. 14902) authorizing the Secretary of War to make a survey and submit an estimate of the cost of a 21-foot canal and a 35-foot canal for ocean-going ships between the Great Lakes and the Atlantic Ocean; to the Committee on Railways and Canals.

By Mr. BENJAMIN L. FAIRCHILD: A bill (H. R. 14903) to provide additional protection for the owners of letters patent of the United States, and for other purposes; to the Committee on Patents.

By Mr. HARRISON of Virginia: A bill (H. R. 14904) to make additions and extensions to the post office and courthouse building at Harrisonburg, Va.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14905) making an additional appropriation for the construction of a post-office building at Front Royal, Va.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14906) to amend Public Act 193, Sixty-fifth Congress (H. R. 12281), making appropriations for the support of the Army for the fiscal year ending June 30, 1919, in regard to medals for Spanish War veterans and Mexican border veterans; to the Committee on Military Affairs.

By Mr. EVANS: A bill (H. R. 14907) for the purchase of a site for and the erection of a post-office building at Anaconda, Mont.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14908) for the enlargement of the Federal building at Butte, Mont.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14909) providing for the enlargement of the Federal building at Missoula, Mont.; to the Committee on Public Buildings and Grounds.

By Mr. HARRISON of Virginia: A bill (H. R. 14910) to provide for the erection of a post-office building at Woodstock, Va.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14911) to provide for the erection of a post-office building at Luray, Va.; to the Committee on Public Buildings and Grounds.

By Mr. HAYDEN (by request): A bill (H. R. 14912) to extend to Indians the State laws governing in the matter of marriage and divorce and the social crimes herein enumerated; to the Committee on Indian Affairs.

By Mr. RANDALL: A bill (H. R. 14913) to amend an act entitled "An act to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for other purposes," approved December 17, 1914; to the Committee on the Judiciary.

Also, a bill (H. R. 14914) to require the Secretary of War and the Secretary of the Navy to supply certain data to the adjutants general of the several States; to the Committee on Military Affairs.

Also, a bill (H. R. 14915) to define intoxicating liquors; to the Committee on the Judiciary.

By Mr. WICKERSHAM: A bill (H. R. 14916) to increase the limit of cost for the construction of the United States public building authorized at Juneau, Alaska, to grant abandoned public buildings and grounds at Sitka, Alaska, to the Territory of Alaska, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. GOULDEN: A bill (H. R. 14917) authorizing the Secretary of War to donate to the city of Auburn, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. OVERSTREET: A bill (H. R. 14918) authorizing and directing the Secretary of War to grant an honorable discharge to drafted and enlisted men upon certain grounds, and for other purposes; to the Committee on Military Affairs.

By Mr. O'SHAUNESSY: A bill (H. R. 14919) to incorporate the United American War Veterans (Inc.); to the Committee on the Judiciary.

By Mr. HARDY: A bill (H. R. 14920) to amend section 4414, Revised Statutes of the United States, to classify and provide salaries for clerks in the Steamboat-Inspection Service; to the Committee on the Merchant Marine and Fisheries.

By Mr. MILLER of Minnesota: A bill (H. R. 14921) authorizing the Secretary of War to donate to the city of Two Harbors, Minn., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14922) authorizing the Secretary of War to donate to the city of Virginia, Minn., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14923) authorizing the Secretary of War to donate to the city of Duluth, Minn., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14924) authorizing the Secretary of War to donate to the village of Hibbing, Minn., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14925) authorizing the Secretary of War to donate to the city of Ely, Minn., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14926) authorizing the Secretary of War to donate to the city of Eveleth, Minn., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WATKINS: A bill (H. R. 14927) donating a captured German cannon or field gun and carriage to the city of Mansfield, State of Louisiana, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 14928) donating a captured German cannon or field gun and carriage to the city of Shreveport, State of Louisiana, for decorative and patriotic purposes; to the Committee on Military Affairs.

By Mr. AYRES: A bill (H. R. 14929) authorizing the Secretary of War to donate to the city of Whitewater, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14930) authorizing the Secretary of War to donate to the city of Eldorado, Kans., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. TREADWAY: A bill (H. R. 14931) authorizing the Secretary of War to donate to the town of Colrain, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HERSEY: A bill (H. R. 14932) authorizing the Secretary of War to donate to the town of Houlton, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SAUNDERS of Virginia: A bill (H. R. 14933) authorizing the Secretary of War to donate to the county of Charlotte, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14934) authorizing the Secretary of War to donate to the county of Grayson, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14935) authorizing the Secretary of War to donate to the county of Carroll, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14936) authorizing the Secretary of War to donate to the county of Pittsylvania, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14937) authorizing the Secretary of War to donate to the county of Patrick, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FAIRFIELD: A bill (H. R. 14938) authorizing the Secretary of War to donate to the town of Harlan, county of Allen, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LEVER: A bill (H. R. 14939) to stimulate the production, sale, and distribution of live stock and live-stock products, and for other purposes; to the Committee on Agriculture.

By Mr. MOTT: A bill (H. R. 14940) authorizing the Secretary of War to donate to the village of Alexandria Bay, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14941) authorizing the Secretary of War to donate to the village of Adams, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14942) directing The Adjutant General of the United States Army and the Secretary of the Navy to allow the adjutant general of each State, or his representative, to

examine and make transcripts of records; to the Committee on Military Affairs.

By Mr. SMITH of Idaho: A bill (H. R. 14943) to donate a captured cannon or gun to the cities of Jerome, Rexburg, Preston, Mountain Home, Gooding, Shoshone, American Falls, Malad, Rigby, and Driggs, in the State of Idaho; to the Committee on Military Affairs.

By Mr. CHARLES B. SMITH: A bill (H. R. 14944) authorizing the Federal Trade Commission to accept and administer for the benefit of the public and the encouragement of industry, inventions, patents, and patent rights, and for other purposes; to the Committee on Patents.

By Mr. PARKER of New York: A bill (H. R. 14946) authorizing the Secretary of War to donate a German captured cannon or fieldpiece to the village of Fort Edward, in the State of New York; to the Committee on Military Affairs.

By Mr. CLARK of Pennsylvania: A bill (H. R. 14947) authorizing the Secretary of War to donate to the city of Girard, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BURNETT: A bill (H. R. 14948) to expel and exclude from the United States certain undesirable aliens; to the Committee on Immigration and Naturalization.

By Mr. TIMBERLAKE: A bill (H. R. 14949) to amend an act entitled "An act to amend section 73 of an act entitled 'An act to codify, revise, and amend the laws relating to the judiciary,' approved June 12, 1910," and for other purposes; to the Committee on the Judiciary.

By Mr. TAYLOR of Colorado: A bill (H. R. 14950) requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

By Mr. HENRY T. RAINEY: A bill (H. R. 14951) authorizing the Secretary of War to donate to the town of Jerseyville, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KEY of Ohio: Resolution (H. Res. 513) authorizing the payment of $1,200 to William McKinley Cobb for extra and expert services rendered to the Committee on Pensions during the second and third sessions of the Sixty-fifth Congress; to the Committee on Accounts.

By Mr. CAMPBELL of Pennsylvania: Resolution (H. Res. 514) calling upon the Secretary of War to furnish the names and all facts pertaining to the military records of conscientious objectors; to the Committee on Military Affairs.

By Mr. ZIHLMAN: Joint resolution (H. J. Res. 395) authorizing the Secretary of the Navy to adjust and settle the claims of the Asher Fire Proofing Co., of Washington, D. C., and the A. Schwoerer Construction Co., of New York.; to the Committee on Naval Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. OVERSTREET: A bill (H. R. 14945) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors; to the Committee of the Whole House.

By Mr. CHANDLER of Oklahoma: A bill (H. R. 14952) granting an increase of pension to John H. McKenzie; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14953) granting a pension to James A. Cox; to the Committee on Pensions.

Also, a bill (H. R. 14954) granting a pension to Billy Osborne or Koot-tah-we-Coots-lah-rie-e-Coots; to the Committee on Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 14955) granting a pension to David Gibson; to the Committee on Invalid Pensions.

By Mr. CURRIE of Michigan: A bill (H. R. 14956) granting an increase of pension to Lucinda Wilson; to the Committee on Invalid Pensions.

By Mr. DOOLITTLE: A bill (H. R. 14957) granting an increase of pension to William C. Mitchell; to the Committe on Pensions.

By Mr. FERRIS: A bill (H. R. 14958) for the relief of W. T. Doorley; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DALLINGER: Petition of sundry citizens of Massachusetts, urging repeal of postal zone law; to the Committee on Ways and Means.

By Mr. FESS: Petition of the American Field of Honor Association, for selecting a suitable estate in France for creation of American field of honor as final resting place of those who made supreme sacrifice in cause of freedom and humanity; to the Committee on Foreign Affairs.

By Mr. FULLER of Illinois: Petition of sundry citizens of Rockford, Ill., for repeal of postal zone law; to the Committee on Ways and Means.

By Mr. HOLLINGSWORTH: Memorial of Central Ohio Veterinary Association, favoring a permanent annual appropriation of $1,000,000 for continuance of hog-cholera control work in the United States; to the Committee on Agriculture.

By Mr. KING: Petition of A. C. Harvey and other citizens of Abingdon, Ill., against the 5 per cent tax on the sale of automobiles contained in the new revenue bill, and stating same as discriminatory and becomes a burden and that an excise tax of this nature tends to destroy the sale of automobiles and accessories; to the Committee on Ways and Means.

By Mr. LINTHICUM: Memorial of Board of Education of Baltimore County, Md., indorsing Senate bill 4987, creating a department of education; to the Committee on Education.

By Mr. LUNDEEN: Petition of South St. Paul Live Stock Exchange, protesting unanimously against the adoption of the Sims bill (H. R. 13324); to the Committee on Interstate and Foreign Commerce.

Also, petition of Minneapolis Trades and Labor Assembly, opposing the proposed increased war tax on theater tickets; to the Committee on Ways and Means.

By Mr. MOORES of Indiana: Petition of 225 employees of the Cincinnati, Indianapolis & Western Railway Co., favoring Government control and ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. POWERS: Petition of number of employees working in the shops at Ferguson, Ky., asking that Congress indorse the McAdoo plan of railroad control; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Idaho: Memorial adopted by Boise Trades and Labor Council, favoring Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

SENATE.

FRIDAY, *January 24, 1919.*

(Legislative day of Monday, January 20, 1919.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	Moses	Smith, Mich.
Beckham	Johnson, Cal.	Myers	Smith, S. C.
Calder	Johnson, S. Dak.	Nelson	Smoot
Chamberlain	Jones, Wash.	New	Spencer
Colt	King	Nugent	Sterling
Culberson	Kirby	Overman	Swanson
Curtis	La Follette	Penrose	Thompson
Fletcher	Lenroot	Poindexter	Trammell
France	Lodge	Pollock	Wadsworth
Frelinghuysen	McKellar	Ransdell	Warren
Gay	McLean	Sheppard	Watson
Hale	McNary	Sherman	Williams
Henderson	Martin, Va.	Simmons	Wolcott

Mr. CURTIS. I wish to announce that the Senator from West Virginia [Mr. SUTHERLAND] is detained by illness in his family.

Mr. SHEPPARD. I desire to announce that the Senator from New Mexico [Mr. JONES], the Senator from Mississippi [Mr. VARDAMAN], the Senator from Missouri [Mr. REED], the Senator from California [Mr. PHELAN], and the Senator from Rhode Island [Mr. GERRY] are detained on official business.

Mr. MARTIN of Virginia. I wish to announce that the senior Senator from Maryland [Mr. SMITH] is detained by illness. I will let this announcement stand for the day.

Mr. McKELLAR. I wish to announce that the senior Senator from Tennessee [Mr. SHIELDS] is absent on account of illness, I will let this announcement stand for the day.

Mr. KIRBY. I desire to announce the unavoidable absence of the senior Senator from Arkansas [Mr. ROBINSON], who is detained by illness. I ask that this announcement may stand for the day.

Mr. FRANCE. I announce the absence of the Senator from Georgia [Mr. HARDWICK] on official business of the Senate.

The PRESIDING OFFICER (Mr. HITCHCOCK in the chair). Fifty-two Senators have answered to the roll call. There is a quorum of the Senate present.

PETITIONS AND MEMORIALS.

Mr. PHELAN presented a petition of the Merchants' Exchange of Oakland, Cal., praying for the purchase from Mexico of Lower California, which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry Jugo-Slavs of Los Angeles, Cal., praying for the independence of the Jugo-Slavs of Europe, which was referred to the Committee on Foreign Relations.

He also presented resolutions adopted by the City Council of Los Angeles, Cal., favoring the independence of the Armenians, which were referred to the Committee on Foreign Relations.

He also presented a petition of the Supreme Council of Craftsmen, of San Francisco, Cal., praying for the passage of the so-called civil-service retirement bill, which was ordered to lie on the table.

He also presented a petition of the Trades and Labor Council of Vallejo, Cal., praying for the proposed extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the California Redwood Association of San Francisco, Cal., praying for the return to private ownership of the railroads of the country, which was referred to the Committee on Interstate Commerce.

He also presented resolutions adopted by the Sales Managers' Association of San Francisco, Cal., concerning the appointment of an after-the-war business planning commission, which were referred to the Committee on the Judiciary.

He also presented a petition of the Chamber of Commerce of Redlands, Cal., praying for an adequate construction of national highways, which was referred to the Committee on Agriculture and Forestry.

Mr. NELSON presented telegrams in the nature of petitions from sundry citizens of Fergus Falls, Minn., and the petition of E. L. Ogilvie, of South St. Paul, Minn., praying for an increase in the salaries of veterinarians employed in the Bureau of Animal Industry, which were referred to the Committee on Agriculture and Forestry.

Mr. MOSES presented a petition of Local Lodge No. 245, International Boiler Makers, Iron Ship Builders, and Helpers of America, of Concord, N. H., praying for the proposed extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

REPORTS OF COMMITTEE ON MILITARY AFFAIRS.

Mr. CHAMBERLAIN, from the Committee on Military Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 5065. An act amending section 4904 of the Revised Statutes (Rept. No. 660); and

S. 5066. An act amending chapter 143 of the act of March 3, 1883 (22 Stats., p. 625), and for other purposes (Rept. No. 661).

He also, from the same committee, to which was referred the bill (S. 5068) extending the benefits of the war-risk insurance act to certain civilians employed by the Army, asked to be discharged from its further consideration and that it be referred to the Committee on Finance, which was agreed to.

Mr. McKELLAR, from the Committee on Military Affairs, to which was referred the joint resolution (S. J. Res. 196) authorizing the Secretary of War to accept resignations of officers and to grant discharges to enlisted men in the Army under certain conditions, reported it with amendments and submitted a report (No. 662) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LODGE:

A bill (S. 5429) authorizing the Secretary of War to donate to the city of Everett, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. NELSON:

A bill (S. 5421) authorizing the Secretary of War to donate to the municipalities of Vining, Crosby, Little Falls, and Wheaton, in the State of Minnesota, captured German cannons, cannon balls or shells, and gun carriages, condemned United States cannons, cannon balls or shells, and gun carriages; to the Committee on Military Affairs.

By Mr. MOSES:

A bill (S. 5422) to donate a gun or howitzer to the town of Winchester, in the State of New Hampshire; to the Committee on Military Affairs.

By Mr. KNOX:

A bill (S. 5423) granting an increase of pension to Isaac E. Walker (with accompanying papers); to the Committee on Pensions.

By Mr. WATSON:

A bill (S. 5424) to incorporate the World War Veterans of America; to the Committee on the Judiciary.

By Mr. WOLCOTT:

A bill (S. 5425) granting an increase of pension to Alexander Farles; to the Committee on Pensions.

By Mr. THOMPSON:

A bill (S. 5426) granting an increase of pension to Jonathan Colyar (with accompanying paper); and

A bill (S. 5427) granting an increase of pension to Jacob R. Stillwagon (with accompanying papers); to the Committee on Pensions.

By Mr. PHELAN:

A bill (S. 5428) granting an increase of pension to John McMahon; and

A bill (S. 5429) granting an increase of pension to Mary Leahy; to the Committee on Pensions.

By Mr. FLETCHER:

A bill (S. 5430) to increase the cost of the public building at Marianna, Fla.; to the Committee on Public Buildings and Grounds.

By Mr. PHELAN:

A bill (S. 5431) authorizing the Secretary of War to donate to each of the cities of Pasadena, Willows, Chico, Redlands, and San Jose, in the State of California, one German cannon or fieldpiece; to the Committee on Military Affairs.

RIVER AND HARBOR APPROPRIATIONS.

Mr. SPENCER submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. KIRBY submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. SHEPPARD submitted two amendments intended to be proposed by him to the river and harbor appropriation bill, which were referred to the Committee on Commerce and ordered to be printed.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. GAY submitted an amendment proposing to increase the salaries of officers and employees of the Subtreasuries of the country, intended to be proposed by him to the legislative, executive, and judicial appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to increase the appropriation for the standardization and design of sugar-testing apparatus, etc., from $20,000 to $30,000, intended to be proposed by him to the legislative, executive, and judicial appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. SWANSON submitted an amendment proposing to amend the act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes, approved July 11, 1916, so as to provide that the term "rural post roads," as used in section 2 of that act, shall be construed to mean any public road which is now used or may be made suitable for the transportation of the United States mails, etc., intended to be proposed by him to the Post Office appropriation bill, which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

FOOD SUPPLIES FOR EUROPE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13708) providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary.

The PRESIDING OFFICER (Mr. HITCHCOCK in the chair). The Senator from Illinois [Mr. SHERMAN] is entitled to the floor.

Mr. PENROSE. Will the Senator from Illinois kindly yield to me, as I have to go to a conference committee meeting on the revenue bill?

Mr. SHERMAN. I yield to the Senator.

Mr. PENROSE. Mr. President, I desire to have the Secretary read an extract from the inaugural address of the governor of Pennsylvania, made on last Tuesday, in connection with the serious financial problem presented by Federal taxation, and by the apparently endless propositions to appropriate and squander money for chimerical projects. It is not very long, but coming as it does from the recently elected governor of the State, taking office last Tuesday, a State which paid one-sixth of the Federal taxes last year and which will pay nearly $1,000,000,000 of

taxation under the pending revenue bill, I think it may be of interest to the Senate. It is not long, and I will ask the Secretary to read it.

The PRESIDING OFFICER. Without objection, the Secretary will read.

Mr. PENROSE. It has some relation to the pending measure and therefore is not entirely irrelevant to the discussions which have been going on in the Senate.

The SECRETARY (reading from the Philadelphia Inquirer of Wednesday morning, January 22, 1919)—

Before we are able to plan very effectively for our work during the next four years we must give direct attention to the question of revenue. We shall have to face demands for increased appropriations due to the higher cost of maintaining our public institutions, in providing for the improvement of our schools and decent salaries for our teachers, for public works to assist in meeting the problem of unemployment, and for the extension of the State's aid for those maimed in battle and in our industries. While we may be able to prevent waste and extravagance by simplifying and coordinating the departments of our government, and may see to it that we shall receive full value for the money which we expend, we can not in the present aspect of things, and in view of the necessity of progressive development of the public enterprises, attempt much in the way of retrenchment.

The Federal taxgatherer is encroaching so deeply into the fields hitherto reserved for State revenues that the question of funds for State purposes is becoming a serious one. Few people realize the stupendous charge which has been imposed upon us by the plan of taxation which the officials at Washington have devised. Pennsylvania is paying about one-sixth of the entire cost of the administration of the United States Government. Last year this State contributed in Federal taxes almost $600,000,000. This year, if the bill now before Congress shall become a law, as now seems probable, the Federal levy upon Pennsylvania will be approximately $1,000,000,000. The vastness of this sum and the way in which it bears upon us may be better realized by a contemplation of the fact that the sum which the Federal Government proposes to collect from the people of Pennsylvania in taxes this year is almost equal to the aggregate amount raised by this Commonwealth for State purposes in all of the 128 years which have elapsed since the State government was organized.

The State revenues for this year will just about equal the interest at 4½ per cent upon the amount which we must pay to the United States. These figures are startling and they are of value in showing how important Pennsylvania is in this Nation and how modest have been the demands of the Commonwealth upon her own people.

Pennsylvania does not complain under the burdens which she is bearing. She has cheerfully stood by with her men and her money in the national emergency, and she is proud to again have the disposition and the substance to render such notable service to the Republic and to the world. But with our share so large in our national undertakings we may be pardoned a care that our funds contributed without stint to the Federal purse should not be wasted in incompetent administration nor scattered over the world in chimerical enterprises without practical purpose. Our people are loyal, generous, and progressive and have ever given liberally of their means in real philanthropy. They are possessed, too, of much of that very desirable quality known as soundness of mind or hard sense. They realize that real sacrifices must be made to pay the great debts we have incurred in saving civilization and democracy, but they feel that some plans must be devised for discharging these debts and providing for our own reconstruction and readjustment before we embark upon new international adventures in the uncharted seas of idealism and which may bring down upon our devoted ship of state the burdens of all mankind. Let us put our own house in reasonably good order before venturing too far in regulating the rest of the world.

Mr. SHERMAN. Mr. President, on the 22d day of February we shall reenact that now melancholy farce known as the reading of Washington's Farewell Address. I hope that the Senator from Minnesota will be present. I hope, too, that all the honorable Senators will be present, in order that they may understand how far we have traveled from the way there outlined and how rapid has been our gait. The days of Spartan simplicity have departed, never to return.

The Senator says he will trust to the personnel of this commission, being gentlemen of high character, giving their names—Lord Reading, of England; a citizen of France who was a minister of France, whose name I will not undertake to recall——

Mr. KING. Clemenceau.

Mr. SHERMAN. I thank the Senator from Utah for his timely suggestion—and a distinguished public official of Italy—that they will, with Mr. Hoover, administer this fund. I am satisfied with the character of these gentlemen. That is not the reason, Mr. President, that I will oppose the bill; I know that Hoover is not Hoover, and while it may be the voice of one it will be the hand of another.

Hoover, in the administration of food supplies in this country, was in authority because the chief was too busy elsewhere to interfere with his operations. It must be remembered, however, that this $100,000,000 is not a food relief fund. It is a campaign fund for the President as a candidate for chairman of the Peace League of the World. Strip off this insolent pretense that covers this appropriation; tell the truth about it once in a while, if you must shame his satanic majesty in doing so. Mr. President, I am tired unto death of the sickening pretenses with which Senators condole and satisfy themselves in this Chamber. That is the reason why I hope all of them will be present when Washington's Farewell Address is read. It will be a time, certainly, for sober reflection.

Entangling alliances to be avoided? A hundred million dollars is the first tribute we pay to a departure from this advice; how much more nobody knows. It is one continual round of appropriations, not only since the war began but before we declared a state of war in April, 1917. As some irreverent wit said, he was willing to pay a war tax if there was any war. We were paying it before 1917 in increased taxes, in appropriations that were galloping into hundreds and thousands of millions. Nobody called a halt then. It is always popular to spend money in Washington. The press congratulates everybody who votes for an appropriation. It is one continuous procession for the distinguished citizens living in Washington to get their elbows into the Public Treasury. They are clamoring for the right of suffrage in Washington. They now have all that they are entitled to in Washington. It is a city of jobholders engineered by those who are adepts in the art of taxation. That, with the colored contingent, constitutes the whole city of Washington. What a noble constituency for a State! A population engaged in the ancient and honorable profession of irrigating the principal pursuits by diverting revenue from the Treasury. It lives on taxes. Enable it to turn on the power that sustains it! A lovely place it is, indeed, to be the Capital of a hundred millions of people—the place where the profiteer by day and by night knows no ceasing, and, like the thieves that steal and the moths that eat away, the destructive forces are always active. If endowed with membership in Congress, they would have but one duty—increase the pay roll and clamor for more.

It may be that some of us will lay up our treasure in heaven, but no living mortal man lays it up in Washington. Col. House in his book says the preachers have made a mistake always in saying that this world was only a place for penitence and mortification of the flesh; that it was wrong to teach that there was a better world than this. His doctrine was to make this the best place to stay, so that nobody would ever want to die, or hope, if he did, to go anywhere else.

I earnestly hope there is a better place when we leave this world than Washington.

Save the suffering poor of Europe? What about the starving poor in Washington and elsewhere? This is a place where it is a mad riot of grocers; where the market, which is supposed to be a place where supplies can be purchased at a reasonable price, is but a den of thieves; and I wish the Savior would return to earth and scourge them out of the temple of decent living and respectable prices. It will not be done. We will go on piling up protest after protest. It accomplishes nothing. It hurts nobody for us to talk. We have got to the point where everybody regards Congress with open and undisguised contempt.

Here is a cable dispatch from Europe, on the strength of which Senators in tumultuous and offensive haste fall over each other to announce their support of it. There is no use for the President to be at home. He can vote us much better abroad, because it possesses novelty. We have, too, in cities like Chicago and New York many European voters. The Poles vote and the Serbians vote and the Germans vote and the Italians vote. We hear of the Slovak and the Bohemian vote. But we have now the long-distance wireless or cable vote to order or direct Senators what to do. Of course, it is strictly modern. It is no concern to anybody what the laws as enacted by Congress might be. The more laws we make the more violations that occur and the more open and flagrant contempt is manifested for the lawmaking department. It simply furnishes a convenient excuse to express itself, and it does at divers intervals.

We go on talking, and the country says, "Yes; Congress is killing time. Listen to them talk." At what time do they come to us in earnest? Only when they want money, appropriations, tax levies. We have not yet quite reached the point in this country where the Executive levies taxes without the formality of submitting such measures to Congress and telling them in advance how he wants them levied and on appropriations how much he wants appropriated. It would be unpopular for the Executive to levy taxes. We still nominally are an English-speaking race, with the English-speaking prejudices and impulses, opposed to the Executive or monarch levying taxes. One English king went into exile for trying it and another lost his head. It has been unpopular since that time, because the average executive likes to keep his crown and his head as long as he is on earth. So those old prejudiced, reactionary methods of getting money from taxpayers are still obstacles in the way of a progressive executive.

Therefore, the Executive, Mr. President, is bound to come to Congress to get money. That is the only time we are of any importance. It is when the administration or some foreign applicant needs money. So we go on talking. Talk is futile.

We understand that. Whenever Executive directions are given, we know what will happen in this Congress. Nobody knows what will happen in the next, not even Republicans. That is beyond the ken of mortals, and possibly of Omniscience. At any rate, it is generally recognized that we just talk, and so I am talking this afternoon. I have something to say, but I do not know whether it will interest anybody or not. It does not particularly interfere with me if the majority side wish to go to their offices, or any of the minority. I am used to talking to the official shorthand reporters of the Senate. We have had many entertaining times in the last five or six years. It is customary in this Chamber. We can continue.

It is amazing to see how little of anything new there is in the world. Juvenal described the CONGRESSIONAL RECORD nearly 1900 years ago:

> Lo! there expanded the nine hundredth page.
> And still new themes, to tolls renewed engage;
> Facts upon facts still force him to enlarge.
> And reams of costly paper swell the charge!

No wonder the Federal Trade Commission wanted the price of news print cut down. It is an old problem.

But they say the men who administer this $100,000,000 fund that we are about to appropriate are all competent. So are they all, all honorable men. An orator of antiquity in the Roman market place, after a celebrated assassination, said "they are all, all honorable men." Certainly.

What will they do with the money? Spend it for the needy ones in Europe. Here is the eastern flour situation at home, not from any imaginary source but from the cold-blooded reports of the market.

EASTERN FLOUR SITUATION.

Brainard, New York, in message to F. S. Lewis says: "Flour men say release of terminal wheat will not result in any buying of wheat, as it is impossible to sell flour. East is packed and jammed with all kinds of flour and absolutely no demand. Resellers here offering 75 cents to a dollar a barrel under mill prices. Food Administration flour department bought nothing for three weeks. Two large flour jobbers in New York failed this week."

And you did not get the snap of a finger any place around in the way of information from any official source.

Flour trade have taken big losses on flour substitutes.

Little sympathy can be expected. When we had to buy 25 pounds of substitute for every 25 pounds of flour they got even with the purchaser. When we bought rice, rye, barley, corn, hominy meal, anything in the line of cereals, what they lost on the flour they very promptly recovered on the substitutes. If anybody must lose anything let it be the profiteer who stocked up on substitutes and took it out of the families in the cities.

Recent advance in mill feeds resulted in losses on outstanding contracts. Isn't it time the consuming public benefited by reduced prices, owing to this unprecedented flour glut?

You can not go to a grocery store keeper in Washington and talk any flour glut to him. You will pay the same old price. It costs more to buy a 49-pound bag of flour, with a pound thrown in for the sack in this country, in any of the principal markets of the country, even at jobbers' prices or at retail groceries, than it does to buy it in London. We get no reduction in price when there is a glut in flour. Do you know why? It is one of the ineffable blessings of the Food Administration's control of things edible. They have not controlled anything except what the Government had to buy in bulk, in quantities running into hundreds of millions of dollars. Flour, wheat, iron, and steel, they bought and bought at Government prices. They fixed the price of those articles for the private consumer. What about the ninety-and-nine other articles that went into the kitchen? They soared until they touched the azure, and nobody complained except the man who had to pay the price. So we have gone along in that way. It is to continue. Government ownership of food, like railways and telephones, costs more the instant it undertakes anything.

One hundred million dollars will be appropriated. It will pass the Senate. Did anybody ever see an appropriation beaten here of late years? I have no recollection of it. Amendments have been adopted adding to the amount appropriated, but I have not seen any beaten to figure anything. This will pass like the others.

I am only registering my protest against this, Mr. President, as a few in the minority who think it is their duty so to do.

The procession moves rather rapidly. We have to keep up with it the best we can. With a censored press are we not allowed to know anything that is not supposed to be good for us? We are all in the attitude of Alice in Wonderland; poor trusting babes in the woods, that the executive minions come around and cover over with leaves once in a while, in order that we may sleep a little and wake to do what we are told.

I now read a letter. Here is a man who is doing what he is told because he has to. We have not that added consolation to lay the extreme unction to our souls that we could not help it; we were acting under order though we are supposed to possess some discretion.

I shall omit the name, but his older brother, a reputable member of the bar in Chicago, I have known for many years. The younger brother is in France. He dates a letter from Le Mans on the 11th day of December, 1918. There is an excuse for this soldier doing what he does. There is not any for us—absolutely none:

DEAR MOTHER AND DAD: It has been three months since I have had mail and I am lonesome and downhearted. My mail is somewhere in France, and the Lord only knows when I will get it. I hope and trust you are all well and happy. Life for the past month has been hell. It seems as though all the S. O. S. are against us—

Which I understand from those whom I have consulted means the service of supplies—

> There are 490 of us in this camp. All of us have either been wounded or sick, and do you know what they have us doing—stevedore work, unloading coal, etc. While we do such work the S. O. S. are playing ball and writing letters. If you hear of me going to jail you will know I put one of these S. O. S. birds to sleep. It gets a fellow's goat after he has spent nine months in the lines and dodged death a few times, sleeping in shell holes, rain, and mud, and then have to come back here and do stevedore work about the camp.

The suffering poor in Petrograd. There is nobody around in Trotsky's jurisdiction now but those who sympathize with him. The rest of them have been dispatched. I will get to that in a minute. I do not want to break the continuity of this letter. The writer continues:

> We spent most of the time in pup tents, while the S. O. S. were sleeping in barracks, with stoves and bunks in them. After two weeks of the above we were moved into barracks and told to make ourselves comfortable. Everyone got for himself a bunk, after carrying it about a half a mile and putting it together. We spent one night in it and were told to move, and in came negroes to sleep in the bunks we carried and built. They moved us into barracks without windows and doors, and we again had to sleep on the ground. It rained last night, and the barracks were as waterproof as a sponge. We have not seen a pay day in months, and they will not try and get our mail. So you see how miserable this makes things for us. The Eighty-sixth Division, as you know is the Blackhawk, and it comes from Chicago. They have been over here for four months, and they think it is awful because they have not gone back by this time. We have been here since October 31, 1917, and, according to the papers, they are going to ask Congress to pass a law which will give them authority to keep us over here indefinitely. I had hoped to be home by spring, but it looks as though it would be next winter before they would even start to send us back. Oh, well, we had an easy time of it. We were only in the following battles: Champagne, Chateau-Thierry, St. Mihiel, Verdun, and the Argonne Forest, and in each one saw many of our pals fall from the Hun fire; but, regardless of all, I can come back and say I have done my bit to help win the war. I was in the first big American battle and the last one, and did not quit until I was forced to. It has been three long, weary months since I have heard from home, and I am lonesome and disgusted. I have been in this camp for a month, and, to tell you the truth, it has been the most miserable month I have spent since I have been here, and I have had some miserable days. I feel as bad and pretty near worse than when I was sent to the hospital, having been taken off the field of battle. All they think of back here is work us day and night. There are 400 from our division here. Every one has seen action and has been sick or wounded. Instead of giving us good living quarters, they house us in barracks without windows or doors, and, to top things off, we have been sleeping on the ground. You will not find the S. O. S. men living like this. They have warm barracks and bunks, and instead of working they write letters and play ball, and we have to do their work. I told you in one of my letters not to write me any more. Well, mother, cancel that order; it looks as though we will be here for a long time, so keep on writing. I must close, as I am out of news and disgusted. Hoping all are well and happy, I remain, with love,
>
> Your son,

That is one. Here is another one. This second one has not gone across:

> The boys at Camp Holabird have read with much interest the article in the Evening Sun of January 17.
>
> On behalf of the boys, I would like to add to the statement of "A Holabirder."
>
> The officers of this camp have told us that no case except a case of absolute dependency or a case where the absence of a man will be destructive to a business will be considered for a discharge.
>
> They also have told us that after all the other camps had been demobilized "the Motor Transport Corps would have to stay in service until the last trunk had been picked up and the last box stored."
>
> Now, a great part of the men of this camp are not only drafted, but are also in limited service. Why are we to be held until the rest of the Army is discharged?
>
> There are thousands of men here repairing trucks. Surely this work is not of vital importance, nor is there any hurry about it when the Government has more new trucks on hand than they know what to do with.
>
> We have been told that this is to be a permanent camp. If that is the case, there will be work here for 10 or 20 years. Will they hold us then?
>
> The Government is in greater need of ships than trucks, and yet they can afford to pay civilians from eight to ten dollars a day to build them.
>
> We do not mind working for the Government, but can't understand why we should do it any longer at $1 a day.
>
> If they want these trucks repaired, why can't they give us our honorable discharge and then hire us as civilians to do the work at the same compensation awarded to the shipbuilding trade?
>
> We are compelled to work side by side with civilians at Camp Holabird. These civilians live in barracks, while many of us are compelled to live in tents. They have the privileges of a civilian, while we are under strict military discipline. They are earning from four to ten dollars to every dollar we earn. Is this justice?

> I know of no other camp in the country that had finer morale while the war was on. We worked night and day and never complained. Is it right to hold longer men who gave all they were allowed to give?
>
> Since the men have been told that they can't even put in an application for discharge they are disheartened. The morale is gone.
>
> It is costing the Government thousands of dollars to repair a single truck because the officers can not get the work out of the men.
>
> We, as soldiers, can do nothing to help ourselves. We are under orders and, as good soldiers, obey them. But we want the public to know the facts. We want the public to help us.
>
> Can not some responsible citizens of Baltimore arrange to hold a mass meeting of soldiers to talk these matters over with some one representing the Government? We have shown in the past that we can work and are ready to do it again.
>
> If the Government can explain why it is necessary to do this work in this way, why we will dig in and finish it up in a hurry.
>
> But as matters stand now, I am afraid it will take many years to finish our work here.
>
> ANOTHER HOLABIRD.

CAMP HOLABIRD, *January 18, 1919.*

If we have so much sympathy for the Bolshevists, if we have sympathy that will take across, not with this hundred million dollars, it is true, but take across our food supplies in German tonnage to be furnished and enable the Germans to buy in the market—if we have enough for all that, why can we not get the price of food down in this country to something like a living rate? If we have time and money for that, why can we not get our young men out of the camps, who are working, doing, as one of them said, a stevedore's work for a dollar a day, and, as another in a camp says, doing work for a dollar a day on automobile repairing? Why can we not afford to get those men out of camp? You know why. I do not think there is anyone in Congress, in a majority, at least, now or hereafter, who will vote to remedy it. It will be left to the tender mercies of the War Department. It is because two distinguished officers of the American Federation of Labor say it would not do to demobilize the American soldier and send him back home on the general labor market, because it would cause a fall in wages. So the soldier is kept repairing trucks and shoveling coal in military camps in the United States and in France at a dollar a day under military orders, while those who work alongside of him as civilians and members of the union get from $4 to $10 a day. It is no wonder the boy in the letter asks his mother if she thinks this is justice. Organized labor overreaches itself when its leaders keep boys in the Army for the benefit of civilian labor unions.

The President has said the war is ended. Technically it is not so; practically it is. If it is, there is no reason why the demobilization of these men ought not to be had.

Go to the War Department, go as a minority Senator—I do not know the luck of the majority—I am not in their confidence at all times as a body—but I do know if you go in individual cases to the War Department to get a man out of the service to send him back to school or to take up his place in civilian life, they refuse to discharge him, and say, "Wait until his unit is reached and he is discharged in the ordinary course of affairs."

That is what the automobile repairer is doing; that is what the coal shoveler is doing at $1 a day—waiting for his unit to be discharged. If we can take care of these things at Petrograd, in Belgrade, in Greece, and in Armenia; if we can go over to the Ural Mountains, halfway around the world, with our charity, it seems to me as though we might begin to dispense a little of it at home.

I shall vote against every appropriation hereafter unless it is absolutely indispensable to either civilian or military needs. I will no longer lend myself here to being the good Samaritan of the world.

Every night, nearly, Mr. President, I pull down my old dog-eared volume of Don Quixote. I hope at some place there is a Cervantes living in this twentieth century. He can, if he has the proper literary qualifications, improve on Don Quixote. Don Quixote is abroad now, the knight-errant of the world, largely fighting windmills. It is a toss-up of a coin which one is Sancho Panza—whether it is Col. House or the other fellow. But, after all, it takes money. That is where our modern Don Quixote is a more expensive character than the one of the fifteenth century literature. He could get along with practically nothing—a crust of bread, a bag of figs. He drank from the brook and his horse browsed wherever it was handy.

It is time we quit such prodigality, Mr. President. Every spendthrift at last comes to the end of his accounting. We have spent money in fabulous sums. It seems a comedy of expensive errors now. It will be a financial tragedy later on. Men the extreme limit of whose ability would be to have or count a thousand dollars have been talking glibly around this Capitol of billions. They roll it under their tongues as if a billion dollars were a mere matter of official flat. They do not think anybody will ever have to pay it, but pay day comes in all things; it is merely the length of the postponement.

It is in Congress nothing but appropriations. France can take care of herself. A cabled column came across last week, in which it was stated that work was offered Belgians, but they have been living on Hoover's charity so long that they do not care to work; they declined it when an occupation was open to them, because they knew they would be fed anyway. I do not undertake to indorse the truthfulness of that report, but it was a message which was cabled from abroad. Here are the changes that are constantly occurring. This is the official communique that was given out yesterday; this is the free press; this is the entire absence of censorship:

> The President of the United States, the prime ministers and foreign ministers of the allied and associated powers and the Japanese representatives met at the Quai d'Orsay between 3 and 5.30 this afternoon and approved the proposal of President Wilson, which reads as follows.

Then it is set out—I shall not read it all, but only enough to point the argument on this question.

> The single object the representatives of the associated powers have had in mind in their discussions of the course they should pursue with regard to Russia has been to help the Russian people, not to hinder them or to interfere in any manner with their right to settle their own affairs in their own way.
>
> RUSSIAN PEOPLE FRIENDS.
>
> They regard the Russian people as their friends, not their enemies, and are willing to help them in any way they are willing to be helped. It is clear to them that the troubles and distrust of the Russian people will steadily increase, hunger and privation of every kind become more and more acute, more and more widespread, and more and more impossible to relieve unless order is restored and normal conditions of labor, trade, and transportation once more created, and they are seeking some way in which to assist the Russian people to establish order.
>
> They recognize the absolute right of the Russian people to direct their own affairs without dictation or direction of any kind from outside. They do not wish to exploit or make use of Russia in any way.
>
> RECOGNIZE REVOLUTION.
>
> They recognize the revolution without reservation, and will in no way and in no circumstances aid or give countenance to any attempt at a counter-revolution.
>
> It is not their wish or purpose to favor or assist any one of the organized groups now contending for the leadership and guidance of Russia, as against the others. Their sole and sincere purpose is to do what they can to bring Russia peace and an opportunity to find her way out of her present troubles.

That is what we are permitted to know—just what can be put on the cables by official authority, because the cables are Government wires. On this side the Russian Economic League published in a New York paper to-day their views of the situation. I shall not, as in the case of the other document, read it at length, but only refer to certain passages. This communication, which is a paid advertisement, is signed by Alexander W. Behr and five others. They say:

> There is no denying the exceptional talents of the leaders of Bolshevism in phraseology. Having been for scores of years put aside from practical work by the Russian Imperial Government, the Russian revolutionary workers have to an extraordinary degree developed their faculties in the use of speech.

They are precisely like the average university professor, some of whom are no longer creative forces in this country, but are firebrands of sedition and destruction. There is scarcely a large university in this country—including those at the head of the list—that has not one or more of these seditious pests in its faculty. They teach a doctrine that is far worse than that of Eugene Debs. They have not the courage of Victor Berger; they have not that devotion to principle that Karl Marx had in his lifetime, or that later his modern German exponent, August Bebel, had. They are gentlemen who live in the closet and expound their supernal wisdom in the ears of their students. I have paid my respects to this gentry under their own roof-tree in the cloistered shades of learning, and I will continue to do so. They are a greater menace in this country to-day than the I. W. W. and Haywood. Debs is in the penitentiary; but these shallow, insincere, decayed philosophers of a decadent philosophy are teaching their insidious poison to the American youth in the guise of sociology and economics. It takes 10 years after the average boy gets away from the university with his degrees to educate him in the actual affairs of life, so that he knows enough to transact business free from the imbecility of their teachings. Outside of the manual-training schools and the schools of technology there is not one practical thing taught to counteract such poison. But the peace commission, with carload upon carload of freight in the way of documents, are abroad supplementing the efforts of our representative, and some of the kind of professors to whom I have referred are on that commission. We are asked here in this bill to make this appropriation of $100,000,000 in such a way that it may be spent by some of the practical statesmen who are putting into operation the theories propounded by those professors.

The Russian Economic League know what they are writing about. They continue:

> In fact, the rank of Bolsherism and its camouflage, the Soviets, did not only include in corpore the whole of the so-called black hundred and the hideous agents of political research, but all such people as had an irresistible desire for a fat living without the corresponding work and talents, all who had long ago lost their conscience.

I think I ought to preface this with the opening paragraph, which reads:

The Russian Economic League, founded by Russian business men at present living in New York, learns from newspaper reports with deep feeling of anguish and regret of the proposal to admit to the peace conference as representatives of Russia the agents of the so-called Bolshevist "government."

It is proposed, according to the official communication from Paris, setting forth the action taken yesterday, to recognize the Bolshevist government. So this hundred million dollars, or a portion of it, will be dispatched to that country to feed either their victims, if any can be found, or to feed the oppressors themselves. Just how much of the one or the other no one can tell. So long as we are asked here to devote a hundred million dollars, or any part of it, to the support of this element in Russia, that broke down, it is true, an ancient tyranny, but in doing so exposed the allies to mortal danger and increased the difficulty when we joined with them in April, 1917, of arriving at a successful conclusion, I think it is not a part even of charity, to say nothing of diplomatic or political reasons, to send a dollar into that country.

Let them restore order. It is said in the official communications that they must work out their own form of government, that their salvation lies in their own hands. Let them work it out, and when that is done they will take care of themselves. A government that will protect the fruits of a Russian peasant's toil will need no charity. Russians will care for themselves then. If an opportunity to work had been given to those in Russia who wished to remain at peace, there would be no famine in that unhappy country. Nobody could work there. The very creed, the political doctrine carried into effect by those whom the peace conference proposes to recognize as a government is violence and robbery, pillage and murder. The whole Bolshevist movement in Russia is a movement of crime and criminals. It is producing its natural result.

If it is the only government they can frame, let them send their representatives to the peace conference; let them send their ministers to this Capital. They will be recognized in both places, I presume. It will be a government, such a one as they have elected to form. Let it be so; but the question of voting to them some or all of this $100,000,000, in the discretion of Mr. Hoover and his associates, is another question entirely. A government that is a chronic object of charity and practices repudiation of its debts will attract attention.

We have now reached a point in these peace negotiations, Mr. President, where it is absolutely certain that a portion of this hundred million dollars will be transmitted to Russia for the relief of her famine-stricken population. I believe in applying to nations something of the principle I apply to individuals. I know sometimes a humanitarian says it is a harsh creed, but it is the one nature applies and it is the one that both the Old and the New Testaments apply to us. There is no escape from the penalties attending the natural and reasonable consequences of our own acts. Russia is reaping what she has sown. We had no part in her overthrow. We did not frame the tyranny that made this necessary or possible. The only thing that we could say is that we harbored one of their principal agents in New York City for some months.

If it were a mere matter of Bolshevism in Russia and a hundred millions, or a part of it, to relieve the suffering there, if it stopped there, probably no American citizen could complain; but that is not the end of it. As this communication from the New York paper continues, in another paragraph which I have not read, Bolshevism is international. It is not content with disorder and sedition, pillage and murder, within the jurisdiction where it then is. Its mission, fanatical or otherwise, is to spread its bloody doctrine around the world. The Bolshevists believe it is their duty, as a sincere Mohammedan does, to spread by fire and sword their belief to the uttermost parts of the earth. They will not be content when they have seized our supplies. There are no representatives there from this Government that can act. Mr. Francis, of St. Louis, is no longer a minister to whom we can appeal. He lives, while there, in fear of physical violence. Our consuls are seized; our consular agents are driven from post to post, until most of them from whom we have any intelligence are living under the muzzles of English guns, if at all, in the far north of Russia. The Bolshevists respect no obligation of civilized life in private. They know no binding obligation of civilized government. They carry their doctrine wherever they can abuse their hospitality. Wherever they sojourn they spread their poison, like the guest whom you shelter under your roof who rises at the dead hour of night and places the torch to your dwelling. Their forbears were the nihilists of the early days, the practical anarchists, who believe that all government is wrong. The period of universal destruction is their aim. They avow they will girdle the earth with fire and ruin.

They are here. They are in this country. How many of you have read the magazine called The Liberator? The January number, 1919, is the eleventh one of the first year's issue. It is an anarchistic sheet. It calls upon those who are without property to remember that the Bolshevist brother in Europe was without property, but the proletariat of the American race must unite and rise and strike the capitalist until he has lost his possessions, or his life, if need be, to relieve those who are without property. The great middle group of Americans are designated for destruction. A capitalist is not merely a millionaire; he is anyone who employs another for wages. In practice in Russia it is any person who has anything of value a Bolshevist wants. That government has confiscated all the private property in land. The answer is famine. We are asked to devote part of this $100,000,000 to remedy the natural consequence of such a government. Having produced such a wilderness of suffering and injustice in Russia, this magazine invites us to repeat it in the United States. Who will feed us when we have reaped the folly if we follow the path marked by this sinister crew? That is in the magazine. It is circulated through the mails in this country. The vigilant Mr. Burleson is so occupied in preaching Government ownership, in extending the power of his department, in grasping great enterprises, not one of which anybody around him, with but one exception, ever had the ability to frame or to administer, he is so busy in this that he has no time to extinguish these firebrands of Bolshevism in our own country. Is there a subterranean sympathy with them?

The other day I had a letter from William Bross Lloyd, whose paper was suppressed in Chicago. I had another from Adolph Germer. He, too, was not only forbidden the use of the mails and his paper suppressed, but he was tried with Berger a few days ago and was convicted under the espionage act. I read the evidence, the press reports, and have considerable bodies of the evidence from friends in Chicago.

The evidence in the trial of Berger was a mere Berean lesson leaf for Sunday school use compared with the boiling sedition, threatened disorder, and bloodshed that there are in this magazine. If Lloyd and Berger had prostrated themselves at the feet of the Executive, they would not have been disturbed. I will advertise the magazine. I have no compunctions in speaking its name. The Liberator ought to be suppressed. It is not the freedom of speech that is involved in permitting such a sheet to circulate. The freedom of the press has nothing to do with it, any more than the freedom of speech for the agitator who mounts the curbstone and preaches lawlessness and physical force. No one can say that that is a part of the freedom of speech—that his arrest, prosecution, conviction, and subsequent confinement, that any of these processes is an interference with the liberty or freedom of speech in this country.

There are limits beyond which every liberty passes into lawless license and crime. There is no such thing as absolute liberty in civilized communities. Civil liberty is the natural liberty of the person restrained by wise and just laws, necessary for the general good of the community. Therefore, in suppressing such sheets, in stopping the blatant mouths of such agitators, this Government or any State government does not interfere with the right of free speech or of a free press. It only protects itself against those who abuse that right and expose the established order of the community to destruction.

We are asked—and I presume, when the peace conference shall have acted upon that, it will be final—to recognize the Bolshevist government in Russia. We will come to that in due time in the Senate. I am opposed to dealing leniently, when it comes to an appropriation, with those who placed themselves in the bed where they now lie. We have in our country here many of those like the publishers and editors of this magazine. They are Russians. Turn to the editorial staff. It is a Bolshevist document. They are following out exactly the creed and practice of their brethren in Russia. The magazine itself refers frequently to Trotzky as a "friend of humanity." I have heard that phrase so long that whenever anybody begins to talk to me about being a "friend of humanity" I reach down and seize my valuables to see whether or not they are safe yet. I am through with the professional charity worker. I know many of them in private life. My charity will go to organized charity, where it can not be misdirected; but the professional "friend of humanity" always has something to benefit him.

This "friend of humanity" who is editing the magazine calls upon the proletariat of this country to organize. The magazine reminds them that the Government of Russia is now composed of their brethren. It is a direct appeal to the I. W. W. It is

a part, I would not say of the German systematic crusade, because likely that day is over, but it is a part of the Russian system operated there originally by the German. They appeal to every criminal and vagrant; they appeal to everybody who is opposed to the existing order of things.

I said the other day that the way to deal with those of the Trotzky variety in this country was with military force. I say so again, notwithstanding the statement of a distinguished Senator in this body, one whom I very greatly admire and trust, when he says:

I do not know whether if you feed them they can fight better or whether that is going to stop it, but I like his plan of stopping it by feeding them better than the plan of a distinguished Republican, who would stop it by shooting them. You will stop Bolshevism not by feeding them, you will stop it by removing injustices, and that is the way you will stop it in this country. Make no mistake about that.

With due deference to this distinguished Senator, if he would have you understand by that argument that such unrest, such disorder, such manifestations as the I. W. W., such defendants as Haywood and his ninety-odd associates, and Berger and his associates, as Mooney and his associates, as those recently tried and convicted in Sacramento, Cal., and their associates, as the same crew who are about the offices of the magazine in question—that all of them so conduct themselves and advocate violence because of the injustice practiced upon either them or somebody else, he is in error. I earnestly hope he does not so mean it. With any relief for the unfortunate, the humble, the struggling for better living conditions, he and I will join earnestly, I know. To justify lawlessness and violence as a social betterment has no place in this Republic. There is no room for Bolshevism here and no reason to attempt it.

What is that injustice that would justify Mr. Haywood? What is the injustice that would justify Mr. Mooney? Whether he is guilty or not, I am not now called upon to say. He was tried by a court in California under their laws. What is the injustice with Mr. Berger and his conviction? Were they protesting against injustice for which they were prosecuted, merely because they protested? Are those who are here in our country of the I. W. W.'s, preaching disorder and violence and murder, and practicing it, redressing an injustice which justifies them in their cause?

The great public, the final trial jury in this country, will be called upon shortly to discriminate between those riotous, torch-bearing assassins and those who are willing if they think there is an injustice peaceably to redress that injustice.

But the Senator does himself an injustice when he uses such an argument. This is no time for apologizing to the disorderly, to that supposed vast rabble that hangs upon the edge of every great population of a metropolitan center. This is no time, Mr. President, to be apologizing for that criminal movement that is always found to center in large cities and from there carry their organization outside.

Rather, Mr. President, now is the time for us to call a halt, to think clearly, to act without fear of consequence at the ballot box. This is no time to think about our election. That is the weakness of Congress. That is one reason why it universally has invited contempt. It is because they think more of their seats than they think of their behavior. The public is quick to discern. It is the weakest branch of the Government. It falls a victim more readily to every economic disease, to every passing tumult of the hour. Whenever some element of the kind I am describing belches its corrosive influence upon the multitude, you see Members of Congress begin to waver and apologize and take to the dark corners and wait until the storm is over.

[At this point Mr. SHERMAN yielded the floor for the day.]

Friday, January 24, 1919.

Mr. SHERMAN. Mr. President, an appropriation of $100,000,000 will add to the burden and subtract from the tax sources of the various States. These matters mentioned in the message of the governor of Pennsylvania by the Senator from that State [Mr. PENROSE] work along two lines: One is the taxation, as in the inheritance tax, of an object of taxation which has heretofore been exclusively that of the State; the other is the withdrawal, by constant assumption of Government ownership, of property from State taxes, so that it is no longer possible to derive a dollar from those sources. From those two causes the sources of revenue of the States are being constantly diminished. It results in increased taxes upon land and upon personal property for State and local purposes. It will reach the limit of a State government's endurance. The Members of the Senate represent nationally the people of the United States, and in a very large way we represent the reserved powers of the States in this body. It becomes the duty of the Senate, therefore, to protect the sources of taxation so that the revenues of the States may not be unduly curtailed.

Last night, Mr. President, I was referring to the fact that the disorderly element in the United States do not base their complaints upon any real injustice. Their complaints are fancied grievances; their complaints are the ones that grow not out of the social compact or civil society but out of the individual characteristics of those making the complaints. The disorder that is sought to be organized by the I. W. W.'s, by the Socialists who favor "direct action," by the alien element residing principally in the larger cities of the country, arises from no real grievance against the laws or the institutions of this country, if tested by the light of experience and by the merit of the individual making the complaint or those criticized.

I am not in accord with the Senator from Iowa when he says Bolshevism in this country can be destroyed or removed by removing the injustice. Justice will be done without threats of violence. It will come from the innate consciousness of the American people; it will move along the line of legislation in public and of private action in the various industries and occupations of the country; but there is no such thing in this country as a grievance that requires correction by violence. It is this purpose that the Bolshevist has in Russia and in other parts of Europe, and that the alien who has immigrated to this country and brought with him his doctrine proposes to institute here. The discontent that manifests its disposition to remedy its fancied grievances by violence is purely an alien discontent. It is made in Europe; a large part of it is made in Germany; and some of it is made in Russia. The criminal Bolshevism of this country is not based upon injustice. It grows out of the character of the individual. It is to that part of the movement of organized crime in this country that I directed my remarks yesterday evening. I will conclude this morning along that line.

Resuming the reading from the Russian Economic League, to which I referred yesterday, published as an advertisement in some of the New York papers, there are further paragraphs that illuminate the issue in this country. They say:

There is no doubt, however, that the happiness of humanity can not be attained by idling and destroying but only by constructive activity, by incentives to and development of labor, talents, creative genius, and initiative.

The Russian Economic League steadfastly keeps in remembrance the promise of President Wilson to stand by Russia.

Awaiting when and how this help will take form, the Russian Economic League can not but loudly give expression to its sentiment that it could not even imagine that help to Russia could take the form of admitting the theorists of Bolshevism to the world's tribune, from which to preach their corrupting lies, and of allowing the practitioners of Bolshevism "a breathing space" for the further strengthening of their "organization."

* * * * * * *

The Russian Economic League considers it its civic duty to the allies once more to remind them of the handwriting on the wall: Russian Bolshevism is a danger to the civilization of the world.

These men know this menace, what it means in Europe, and what it will mean here if recognition be given it. In this morning's cablegrams, reported in most of the newspapers, it is said:

In the meantime prominent anti-Bolshevik leaders in Paris are not clear on their course, and the first reports that they were favorable to the plan have been followed by a statement by such leaders as Sergius Sazonoff that they would not sit at the table with assassins.

The semiofficial Temps also asserts that the supreme council's proposal "permits traitors who withdrew Russia from the war and turned the entire German strength against France to be received on the same footing as the faithful."

They condemn it in unmeasured terms. I realize the difficulty of preserving peace, with Russia in constant turmoil. Some legitimate Government must be organized in the course of affairs. I can not, however, reconcile myself, if the matter is to be voted on in this body, directly or indirectly to the recognition of the present Bolshevist government in Russia. That government was described in May, 1918, as follows by a member of the so-called International Federation, which is a part of the internationalism which is promoted by such spirits. He says that:

The Bolsheviki had many friends in Canada and the Russian Bolsheviki had proved themselves in advance of western civilization. We must destroy the very elements of the world civilization before we can begin to revolutionize the world.

This was said in New York on the 4th day of May, 1918, without protest, without the arrest of the alien in our borders who uttered such sentiments.

At the same time Norman Angell, of the British Labor Party ostensibly, but in reality repudiated by the labor elements of Great Britain, who is merely one of a group of radical socialists, made an address at the socialist conference in New York

City on the same day, in which he said that "the American Constitution is the worst in the world." That, too, passed without protest.

On the 28th of December, 1918, in the trial in Chicago of Victor Berger and his associate defendants, Dr. Carl Haessler, formerly instructor at the University of Illinois, and later employed as a special writer on the Milwaukee Leader, Mr. Berger's paper, was brought from the United States Army disciplinary barracks at Fort Leavenworth, Kans., where he is serving a 12-year term for refusing to wear a soldier's uniform, and testified. His testimony was intended to show that Victor L. Berger, of Milwaukee, editor of the Leader, influenced him in no way in his determination to refuse to accept military duty. He said:

Berger is too slow a bird; he is not fast enough to travel in my company, politically or economically.

Continuing his testimony, he described himself as having been graduated from a university; that he won a Cecil Rhodes scholarship at Oxford University, England. He first became interested in socialism, he declared, while attending that university, and later was influenced by the books of Prof. Dewey, of Columbia University, and expressed admiration for the Bolsheviki government of Russia. He is one of a very numerous group to which I alluded yesterday evening.

I have a letter from Mr. Adolph Germer, one of Mr. Berger's codefendants in Chicago, dated November 2, 1918, in which he demands—

that the people of Russia have complete freedom to solve their internal problems—

With which no complaint can be made—

and that the integrity of the Russian territory as well as that of Finland, the Baltic Provinces, Poland, Lithuania, Ukraine, and the other border Provinces be preserved.

He demands, further, that there be—

international conferences for the exchange of opinions between the labor groups of the belligerent and neutral nations.

He demands that—

this Government refuse to consider any proposal for economic war after the war.

He demands also—and this letter was written before the armistice was signed—"immediate peace."

This is a part of the Bolshevist creed. They desire everyone else to be at peace but themselves; and in Russia, where their government, so called, has the power, there is no peace. Their government in practice is continuous pillage, murder, and famine.

I wish now to refer to the President's message of March 11, 1918, addressed to the Soviet council. He says:

May I not take advantage of the meeting of the congress of the Soviets to express the sincere sympathy which the people of the United States feel for the Russian people at this moment, when the German power has been thrust in to interrupt and turn back the whole struggle for freedom and substitute the wishes of Germany for the purpose of the people of Russia?

Although the Government of the United States is unhappily not now in a position to render the direct and effective aid it would wish to render, I beg to assure the people of Russia, through the congress, that it will avail itself of every opportunity to secure for Russia once more complete sovereignty and independence in her own affairs and full restoration to her great rôle in the life of Europe and the modern world.

The whole heart of the people of the United States is with the people of Russia in the attempt to free themselves forever from autocratic government and become the masters of their own life.

In response to this, on March 23, 1918, the Soviet council returned the following reply:

The all-Russian congress of Soviets expresses its appreciation to the American people, and first of all the laboring people and exploited classes in the United States, for the message sent by President Wilson to the congress of Soviets in this time when the Russian Socialist Soviet republic is living through most difficult trials.

The Russian republic uses the occasion of the message from President Wilson to express to all people who are dying and suffering from the horrors of this imperialistic war its warm sympathy and firm conviction that the happy time is near when the laboring masses in all bourgeois countries will throw off the capitalist yoke and establish a socialist state of society, which is the only one capable of assuring a permanent and just peace, as well as the culture and well-being of all who toil.

That is the resolution of the Russian Soviet congress of date March 14, 1918, but transmitted to us under date of March 23, 1918, as I have indicated.

These documents indicate the view taken by the President as well as by the present Bolshevist government itself. The Soviet council was the congress at that time. What does the Bolshevist government propose to do? First, it has confiscated all land titles in that country. It proposes to take the lands from those who have them and to divide them among those who do not have them. It has confiscated all domestic credits above 10,000 rubles; it has repudiated the entire national debt of Russia, including that to the United States. In yesterday's press report, it is true, there was a claim that Lenine and Trotsky had found at this time that it was impracticable to confiscate all of the land titles. They have found difficulties in dividing the land so as to produce satisfaction, so that for the time being they are reputed to have ceased their efforts in that direction. The confiscation of all credits, domestic and foreign, however, still remains a part of the policy of the Russian government.

It is well known that they have repudiated their religious obligations; that they war upon the church; that a priest or a doctor of divinity is an object of derision and assault; that every place of worship, every church, synagogue, and cathedral in that country has been reduced to a civil basis, taken from the clergy who ministered to their parishioners or congregations. The Bolshevist government is admitted to be a godless government, as well as a violent one. They are only a little in advance of the Socialists in this country. There is no thorough Socialist who expounds his doctrines who admits any religious obligations. He is purely a materialist. He does not believe in any inspired or revealed word of Divinity; he believes only in what can be secured in this world, and teaches that there is no hereafter. Believing that, it is easy enough to understand and follow what else they teach.

On October 26, 1918, under the heading of "British wireless service," from the British capital, another rule or law recently made operative by the Bolshevist government is reported:

SOVIETS FOUND LOVE BUREAU.

LONDON, *October 26.*

Russian maidens under the jurisdiction of certain provincial Bolshevik soviets become the "property of the state" when they reach the age of 18 years, and are compelled to register at a government "bureau of free love," according to the official gazette of the Vladimir soviet of workers and soldiers deputies, which recently published that soviet's decree on the subject.

Under the decree, a woman having registered, "has the right to choose from among men between 19 and 50 a cohabitant husband." The consent of the man chosen is not necessary, the decree adds, the man chosen having no right to make any protest.

A similar privilege of choosing from among the registered women is given every man between 19 and 50 "without the consent of the women." This provision is described as "in the interest of the state."

Opportunities for choosing husbands and wives is to be presented once each month, the decree stated. Children born of such marriages are to become the "property of the State." Stringent rules and penalties are laid down for the protection of girls less than 18.

The decree further states that it has been based on the "excellent" example of similar decrees already issued at Luga, Kolpin, and other places. A similar "project of provisional rights in connection with the socialization of women in the city of Khvelinsk and vicinity" has been published in the gazette of the workers and soldier deputies of that city.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Idaho?

Mr. SHERMAN. Yes, sir.

Mr. BORAH. May I ask what the Senator is reading from? I did not catch it.

Mr. SHERMAN. I am reading from a wireless-message press report from London, England, of October 26, 1918, of a report of a decree of the Bolshevist authorities from certain districts in Russia.

Later, on January 4, 1919, to show that the matter does not remain quiescent, the town council of Petrograd, according to an exchange telegraph dispatch from Copenhagen to London, has decided that all unmarried women between the ages of 18 and 45 shall be provided with husbands selected by the council. The children of these unions, it is added, will not be allowed to remain with their parents, but will be educated under the control of the Soviet government. I might add here that it is a favorite principle with a purely socialistic State to follow out these plans. The children are to be taken as the wards of the State, provided for, and raised to maturity as such wards. The parents have no more concern with them than the sire and dam of the beasts of the field after the young shall have been born. It is a favorite theory all of the time which they seek to put in practice, that along with the godlessness of such a government comes the total irresponsibility of the parents and the full responsibility of the State to take the offspring and bring it to maturity. This is a part of the end of individual responsibility, to keep pace with the abolition of the private ownership of property, all of which shall be assumed by the State, toward which we are asked to advance on this country recently.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Utah?

Mr. SHERMAN. Yes, sir.

Mr. KING. As the Senator probably noticed, in yesterday morning's paper there was a dispatch from Copenhagen or from Stockholm in which were quoted recent publications by Soviet newspapers, in which they declare against all forms of religion, against the perpetuity of the church, in favor of the taking of all church property, and a general denunciation of religion.

Of course, the Senator must realize that when any sort of government is founded upon pure atheism and a denunciation of God, of religion, of all spiritual forces, of all moral forces, the character of legislation just referred to necessarily would follow. Such a government as that is an enemy to all forms of law or order or progress or civilization; and that is the kind of a government to which, apparently, we are giving some recognition at this time at the Paris conference.

Mr. SHERMAN. I thank the Senator for the addition to what I have offered on that subject. It is a very timely and pertinent addition.

Mr. KING. And, if the Senator will pardon me, I might say that that is the government that is exciting the interest of the socialists, the pacifist, the traitors, the enemies of America in this country; and we find in a number of the publications and in the utterances of some of these "uplifters" a deep solicitude for the Bolsheviks of Russia. Any man who supports Bolshevism is an enemy to civilization, is an enemy to our form of government; and it seems to me that the American people unanimously should denounce that form of government, give it no countenance, and recognize it in no possible way, directly or indirectly.

Mr. SHERMAN. I entirely agree with the Senator on that subject; and it is because I have some settled beliefs of my own on that subject that I am taking the time of the Senate. I believe that no more important service can be rendered here and now than to awake the people of this country to the infernal, un-American, alien doctrine that has planted itself in some of the large cities, and is seeking recruits even among the agricultural population of this country. Few know what it means, in its final analysis, outside of those who have been studying it, and those who seek to spread it over the country. They know; and, as the Senator from Utah has forcefully stated, it is an atheistic and godless government, that fails to recognize any such thing as a moral tie in the affairs of this world.

I believe some of our troubles are traceable directly to the decay of some of those strong, moral obligations that belonged to the generations before us. Religious sentiment has come with so many to be a mere matter of form. It is quite fashionable to make light of it. It has become the custom to think that the affairs of this world take precedence of everything else. I have the misfortune myself to be a member of no church. I believe in the most universal tolerance; but, without the benefit of the associations and of the advantages that belong to such organizations, if I believed that this world ended here I would despair. If there is no such thing as religious obligation left; if a great government of 180,000,000 Russian people are finally to be governed and their foreign relations molded by such an organization, its hands steeped in the slaughter of its own citizens, its treasury filled with the proceeds of the pillage and robbery of both the native and the alien residents in that country—if such a government is to present itself in this Chamber, then I believe it to be the sovereign duty of every American to resist the established relations that may be sought.

Now, Mr. President, pertinently to this point, on this appropriation, will France be fed from the $100,000,000? I think not. Will Belgium? Possibly; but Belgium has been cared for by private charity. The Red Cross and the money given in this country and elsewhere have kept Belgian citizens in their day of need, and when the great trial had fallen upon them, such of them as could be reached were sustained and soothed by the hand of private charity.

Will it go to England or any of her colonial dependencies? It is manifestly not intended to be used in that way. Some may go to the Armenians, the Syrians, certain portions of the Balkan Provinces, and Serbia; but these items of relief are comparatively insignificant. I state now that the greater part of this $100,000,000 will be spent in Russia in establishing relations with the present Bolshevist government. They have a keen appetite for plunder and a scent for spoils unrivaled elsewhere in the world. They are cosmopolitan in their tastes. It is immaterial to them whose gold it is—whether it is German or American. They take it all with cheerful impartiality, because gold is gold, from whatever source it comes. They welcome it any way except working for it. Because of the message, nearly a year ago, in which the President showed himself as willing then to open relations with that government, followed by the press reports of yesterday, where they propose to admit its representatives to the peace table, upon his motion, it has been evident that the purpose of this conference is only expressing the long-settled purpose of the Executive in the recognition of that government. A large part of this money, therefore, I think will be spent in Russia; and if so, it must be spent under the administration of the Bolshevist authorities.

It was no platonic love between the German and the Bolshevist a year or more ago when the celebrated Brest-Litovsk treaty was concluded. There was as much concert of opinion as there was receipt of German money. Therefore, when I turn to what Germany is favoring and find it so similar to the Bolshevist government, I am not surprised at what has happened.

The materialist element in Germany is very large. The philosophic socialist is much in evidence there. He is a materialist of the grossest sort. They are rapidly developing the same class of godless population there that is found in Russia. Naturally with this lack of moral obligation there comes first the relation with the weaker sex. The civilization of all the races that have inhabited the world show an unfailing index in their treatment of womankind. Among the savage she is a beast of burden. She is merely a convenience, not a companion. As nations advance woman is emancipated, she ranks with man and is revered as the mother of the race.

Here is a pamphlet on this subject circulated in Germany, based upon the future need of the German Army because "the military strength of the people," it says, "depends in part upon the number of men able to bear arms." Its main proposals read as follows:

Women in all classes of society who have reached a certain age are, in the interests of the fatherland, not only authorized but called upon to enter into a secondary marriage which is supported by personal inclination. Only a married man may be the object of this inclination, and he must have the consent of his married wife. This condition is necessary in order to prevent the mischief which otherwise might surely be expected.

The offspring of these lawful secondary marriages bear the name of their mother, and are handed over to the care of the State, unless the mother assumes responsibility for them. They are to be regarded in every respect as fully equal members of society. The mothers wear a narrow wedding ring as a sign of their patriotism. The secondary marriage can be dissolved as soon as its object has been attained.

This professor, by the way, is connected with a German university. Like all of these plans for the amelioration of human society, they come from distinguished professors, that group of intellectuals who are continually seeing things that are so far in advance of the possibilities of human nature.

Continuing, this professor says he thinks the object of this new institution can be fulfilled in 20 years, and that secondary marriages might then be abolished. He ends his pamphlet as follows:

The difficulties consist solely in ethical scruples, which, notwithstanding the issue of the proper regulations by the State, will continue to operate until conscience has disposed of them. Thus this question becomes a religious question, which can be solved only with the help of the clergy. It rests, therefore, with the women and the clergy, assisted by the State, to determine whether Germany shall be able not only to maintain herself on her present pinnacle of morality, but by her own strength to stand up in the future as in the present to the pressure of enemies who are increasing numerically.

Then there is a leaflet which was distributed among the soldiers. One is entitled "Empty Cradles—a Soldier's Duty." A translation of the German is as follows:

Soldiers, a grave danger assails the fatherland by reason of the dwindling birth rate. The cradles of Germany are empty to-day; it is your duty to see that they are filled.

You bachelors, when your leave comes, marry at once the girl of your choice. Make her your wife without delay.

The fatherland needs healthy children.

You married men and your wives should put jealousy from your minds and consider whether you have not also a duty to the fatherland.

You should consider whether you may not honorably contract an alliance with one of the million of bachelor women. See if your wife will not sanction the relation.

Remember, all of you, the empty cradles of Germany must be filled.

It is proposed further that the universities of Germany shall enter upon a crusade. Not only are the clergy to be invited to establish a new moral sense nationally, but these professors are to teach it in their universities, a promiscuous marriage alliance with the offspring owned by the State as the new creed of the social compact, to be taught by grave professors as a part of the sociology we hear something about in so many universities in this country. It is but a short step from all property in common to all women in common. A promiscuous alliance is part of a common creed. One injustice most clamorously protested against is that the property-owning classes have the handsomest women.

Therefore, Mr. President, it occurs to me that when there is such a similarity between Germany and their avowed purposes and the practices of the Bolshevist government, there is what these men say in the advertisement of day before yesterday to remember that Russian Bolshevism is a danger to the civilization of the world.

Great honor is to be attached to the French members of the peace conference for refusing to admit to that conference representatives of that government. If they have unhappily yielded, it is because by pressure begun by the Executive of this country

to yield; it is more in order to make some progress even at a sacrifice of principle than anything else that such recognition has been given.

Therefore this appropriation, Mr. President, of $100,000,000, a part of which is bound to be spent in feeding the supporters of that government, ought not for a moment to pass this body.

Some of the same phraseology to which this advertisement alludes finds lodgment unfortunately in the mind of our Executive. I read yesterday evening the statement that the Bolshevist in Russia having control of the government has an exceptional talent in phraseology. There seems to be a sort of brotherhood of expression. They all have a similar language. They are rather haberdashers, as the French novelist puts it, in pronouns. They speak of themselves a great deal. They demand their particular kind of justice as the price of peace. This Government, State and National, will do justice to every unfortunate, but it will not compromise with organized criminal movements in whatever form they may manifest themselves. The President uses the following language:

> The men in the trenches, who have freedom from the economic serfdom to which some of them have been accustomed, will, it is likely, return to their homes with a new view and a new impatience of all mere political phrases, and will demand real thinking and sincere action.

I want the sincere action now for the men discharged from the military service. Their destitution is the most disgraceful "economic serfdom" I can imagine. Instead of begging on the streets of the cities when he reaches our shores, he ought to have this $100,000,000 appropriated for his relief instead of sending it to Europe, and a large part of it to be used in the relief of the Bolshevist who avows and practices what I regard as the most infamous doctrine of any age or any people.

When the President comes back there will be the usual crusade. It will be accentuated by this appropriation. By appropriating this money with no limitation on the use of it in Russia by the authority to which I have referred, it will be regarded as a tacit indorsement. After a while the tentative treaty will be presented to this body. Then the usual publicity campaigns will begin.

It is proposed, so certain press dispatches say, by the President, that a continental tour be engaged in by him as soon as the peace treaty is presented to this body. Whatever protest may be made, there is a censored press yet. This body will have but very little of the actual negotiations which lead up to the formation of the treaty. It will be put into this Chamber, referred to the committee, discussed there, and some hearings possibly had. In due time it will be out on the floor of the Senate, and we will be urged to instantly ratify it. A campaign will be started. In it will be the recognition of the Bolshevist government. The espionage act will still be in force. If Congress is not in session, no one can answer the President without danger of prison. It means that all of that alien element in this country will take fresh courage. I wish for my part that Congress would enact a law before the 4th day of March that would deport every one of that ill-favored ilk to the country of their origin and forever bar our gates against them. There is not one of them who can not pass an educational test. That is no bar. They can pass any educational test proposed. But their character as importers of alien, un-American doctrines of disorder and sedition ought to bar their entrance to any civilized government in the world.

But in this continental campaign the President will presume to build a backfire against every Senator who refuses to approve his handiwork. Who can answer him fairly if the espionage law remains? He is sacred, and prosecution, not argument, is the answer. Instantly every department, board, bureau, commission, everybody on the pay roll of the Government, will be unkenneled and turned into a campaign committee to urge the ratification of the treaty as it is presented. That is what is likely to happen to this Senate.

How will these departments be used? Let me give you a single instance. Last November a great many moving-picture slides were sent out all over this country. A friend preserved one of a great flood of them. I have it in my hand. It bears this inscription, with the franking privilege:

> United States Fuel Administration.
> Washington.
> Official business.
> Miners are needed to dig coal.
> Please run this.
> Penalty for private use to avoid payment of postage, $300.

This is addressed to the Globe Theater of a certain city in a Western State.

I will now read for the benefit of the reporter, in order that it may be placed in the RECORD in due form, these slides to show just how the Government power is prostituted to coerce not only the voter but to be used in the same way to coerce every Senator to ratify the treaty as it is presented. I know how these powers have been abused in the past, and I know how they will be used again. Here is one:

> Col. Roosevelt during the War with Spain said a refusal to sustain the President this year will in the eyes of Europe be read as the refusal to sustain the war. If then, why not now?

That was prepared out of a Government appropriation and sent out during a political campaign.

I read another one. In the instance which I now read from the slide there is a picture of the President in the upper left-hand corner and the following language to be thrown on the screen:

> Washington and Lincoln were hampered by critics. Do not hamper Wilson. Elect a man who will help him win the war.

That is paid for out of Government funds and sent out by the Fuel Department, franked through Burleson's Post Office, to be put out at the various moving-picture shows for the entertainment of the multitude at Government expense, a purely campaign document. I have no objection to using it if it were sent out from political headquarters, but I do object to using money to coerce the voters or to induce them out of the taxes contributed by every taxpayer.

Again, another slide, having a like picture of the President, contains the following:

> Unity of action is essential now in Washington as unity of command is in France. Elect men in harmony with Wilson, who will help him win the war.

This was all received at or about the time of the Executive's celebrated letter of October, 1918, in which he said there could be no patriot elected except on a Democratic ticket. These were sent out literally by the hundreds of thousands to carry the same message. It was the use of Government funds to run a political-party campaign, the most flagrant abuse of political power that has been manifested in the lifetime of this country.

Again, when this treaty is presented he would be no respecter of any political party but his own. He will in the same way take every power of the Government available in every department of the Executive, with every dollar of appropriation that can be had from this Congress, and use them in a drive against the Senate to ratify the treaty presented without exercising its own judgment in any essential particular. The people are debauched by their own money.

I say, Mr. President, if this appropriation were limited to the necessitous cases in France, Belgium, and Serbia, for the Armenian, the Syrian, or the Polish needy, or other friendly unfortunate races, parts of the submerged nations of history of long ago, and excluded specifically all parts of Russia under the control of the Bolshevist government and Germany and the allies of the central powers, I would have no objection to it, although I think it is time to call a halt even then. We must look after our own households. We have reached the point, unfortunately, where we can not make these appropriations forever.

Taxes are mounting rapidly, until we have reached almost the limit of the taxpayers' ability. Many a small business today is in doubt whether it can run another 12 months. With taxes accumulating, with the difficulty of help, with the inability to get their men out of the Army to return to private occupations, they are almost in a condition, the average-sized concern of a million dollars or so, to retire from business. They can not readjust their affairs from a war to a peace level. Unless something is done to relieve these burdens, and done promptly, not next year, nothing will be able to survive the financial cataclysm but the very largest concerns, and they in turn will be seized by the Government, and then the revolution preached by Trotzky and hinted at by the President and some of his appointees will be complete.

I have taken this time, Mr. President, because the American people must awaken to the gravity of the issues involved. It is time for plain speaking. It is time to describe the Socialist and all his allied people and political ownership of utilities in plain language. The issue will frame itself, and it will call upon the best thought there is in both political parties to stem the tide that is even now running high both at home and with our Executive abroad.

I ask that the documents from which I have read may be printed at length in the RECORD without my reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

PETROGRAD SOVIET WILL PICK HUSBANDS FOR WOMEN.

LONDON, *January 4, 1919.*

The town council of Petrograd, according to an exchange telegraph dispatch from Copenhagen, has decided that all unmarried women between the ages of 18 and 45 shall be provided with husbands selected by the council. The children of these unions, it is added, will not be allowed to remain with their parents, but will be educated under the control of the Soviet government.

RUSSIAN ECONOMIC LEAGUE.

The Russian Economic League, founded by Russian business men at present living in New York, learns from newspaper reports with deep feeling of anguish and regret of the proposal to admit to the peace conference as representatives of Russia the agents of the so-called Bolshevist "government."

Such an act of unfriendliness toward all loyal and true to the allies' elements of the Russian people can be explained in two ways only: Either by a monstrous misunderstanding or by an intentional unwillingness on the part of the authors of this proposal even in some future time to see Russia great again, united and free, instead of divided, weakened, and deprived of significance and a worthy voice among the nations of the world.

The league indignantly rejects the thought even of the possibility of this last explanation being the true one and can only adhere to the first one, namely, an astounding ignorance of the world's public opinion as to the real nature of Russian Bolshevism.

The league finds it necessary, first of all, to point out the significant fact that all such persons as come forward with praise to Bolshevist ideas invariably start with the emphatic assurance that they themselves are not Bolsheviks.

This phenomena, of course, has its roots either in the desire to emphasize their supposed disinterestedness or in the tacit avowal of exceptional baseness combined with that Bolshevism, which for other reasons the advocates of Bolshevism are eager to exculpate and to exalt.

In Bolshevism it is necessary to distinguish two different sides; firstly, phraseology; and, secondly, an indescribably abominable practice.

There is no denying the exceptional talents of the leaders of Bolshevism in phraseology. Having been for scores of years put aside from practical work by the Russian Imperial Government, the Russian revolutionary workers have to an extraordinary degree developed their faculties in the use of speech.

The building up of theoretical schemes of universal happiness on earth, although these schemes absolutely disagree with the real conditions of life and actually contradict them, being at the same time, however, of extraordinary beauty and enticement, is no doubt one of the foremost qualities of the Russian Bolshevik theorists.

It can not be denied that some of them believe in the Utopia they themselves have created. Even more, their almost religious belief in their own doctrines has led them into the abyss of moral degradation in which they have fallen, dragging down with them our entire great country.

The trouble was, when they reached a position making it practically possible for them to realize their ideals they encountered the fact that actually all the educated classes in Russia were in the camp of their adversaries.

They, however, did not for a moment doubt the righteousness of their theoretical inventions and did not hesitate to quiet their conscience with the accusation of the Russian intelligent classes in what they said was egotism of class and to begin to make Russia happy on the Bolshevist plan, against the will of the majority.

This first deal with conscience was the beginning of the moral downfall of Bolshevism.

Encountering the firm refusal of the educated class of Russia to abet communistic experimentalizing, they could do nothing else but begin speculating on the very lowest instinct of the population and to seek the support of the scum of the people of everything morally weak or even openly criminal.

In fact, the ranks of Bolshevism and its camouflage, the Soviets, did not only include in corpore the whole of the so-called "black hundred" and the hideous agents of political research, but all such people as had an irresistible desire for a fat living without the corresponding work and talents all who had long ago lost their conscience.

Among this gang, composed of the scum of human society, the Bolshevist theorists entirely disappear. It is left to them to write fulsome, which are styled decrees of the Russian Government, but which are put into practice only inasmuch as they serve to sanctify the beastly appetites of the Bolshevist masses.

This literature of decrees, as well as the diplomatic overtures of the Bolsheviks serve only for catching the simple-minded foreigners who can not grasp the idea that anybody could go so far in prostituting human thoughts and words, as is done by the Bolshevik leaders.

The practical work of the Bolsheviks, as it appears in Russia, is done not by them but by more "businesslike" elements of the Bolshevist party.

The theorists bluff the world with the highness of their ideals and the practitioners in the meantime organize the all-Russian gangs of thieves and robbers.

The theorists in their irresistible thirst for power try to build the ideological fundament under the destructive work they do in order to satisfy their political ambitions, and the practitioners under the banging of highly socialistic and "democratic" watchwords build up from their lines a new class of bourgeoisie, only one having for basis of its riches not labor and talent, but the most open-faced robbery.

There is some reason for the singular new "sport on sables," which has spread in places where the Bolshevist government has been liquidated. The population of these places makes a regular occupation of systematic shooting of the fleeing Bolsheviks, explaining this sport by the words that it is more profitable to kill a Bolshevik than a sable, as unfailingly he has on his person not less than 10,000 to 20,000 roubles, and sometimes much more.

The public opinion of the world, fascinated as it is by the revolutionary phraseology of the Bolshevist theorists, is not inclined to heed the lessons of history. The phenomenon of Bolshevism, such as it really is and not such as it is depicted by the theorists, is not new to the world. Towards the end of the French Revolution and before the coming of Napoleon France was likewise infected by gangs of robbers, and these gangs also hid themselves behind the banners of beautified politics. The only difference is that the French Bolshevists did not have talented organizers uniting their forces and justifying in theory robbery and violence. France brought forth not a Trotsky but a Napoleon.

In spite of the high-flowing revolutionary phrases, or rather under their roar, the Russian people have been so much "liberated" from all rights, not only political ones but the very elementary human rights, that with good reason they begin to recall to memory even the Czar's régime as something that is worthy of envy and regret, as a lost paradise.

It needs only a slight impulse to see Russia drop back into the most violent reaction.

The Russian Economic League can not, of course, make so light of historical events as to satisfy itself with an explanation that a licentious mob composed of the scum of the town populations has found leaders and ideologists full of temper and talent.

There can be no denial that the causes of sympathies for Bolshevism root much deeper than this in the great mistakes and even crimes of the bourgeois order of things (not being, however, connected with the nature of it), in its lack of care for the lower classes, and finally in the cruel sufferings brought on by the war in the perversion of human psychology, in the taste for atrocities raised by the war in the masses, and in their belief in the efficacy of violent methods.

The masses have been attracted to Bolshevism as the representative of the most radical turn of human thought, hoping to escape from the distressing reality into the realm of ultrarevolutionary dreams.

There is no doubt, however, that the happiness of humanity can not be attained by killing and destroying, but only by constructive activity, by incentives to and development of labor, talents, creative genius, and initiative.

The Russian Economic League steadfastly keeps in remembrance the promise of President Wilson to stand by Russia.

Awaiting when and how this help will take form, the Russian Economic League can not but loudly give expression to its sentiment that it could not even imagine that help to Russia could take the form of admitting the theorists of Bolshevism to the world's tribune, from which to preach their corrupting lies, and of allowing the practitioners of Bolshevism "a breathing space" for the further strengthening of their "organization."

The Russian Economic League can not forget that as attested by the most authoritative observers of Russian life, who personally took part in the heroic struggle with the Bolsheviks and the Germans, a military force of 10,000 to 20,000 disciplined and suitably provided men would have sufficed to take Moscow last summer, and that the same object now requires over 150,000 men.

The Russian Economic League considers it its civic duty to the allies once more to remind them of the handwriting on the wall: Russian Bolshevism is a danger to the civilization of the world.

The experience of the Russian political parties who tried to treat Bolshevism as a certain kind of honest political creed, which can be made compromises with and can be opposed by parliamentary means, has, in the opinion of the Russian Economic League, shown only too clearly by the tragic end of the Russian Empire that Bolshevism can not exist at the same time as civilization and democratic ideals.

For Russia the last days are nearing when the help of the world's democracies may still be able to save for her the idea of democracy.

Russia, by the efforts of the Bolsheviks, is already brought to the threshold of the most sweeping reaction, and, following upon this, of such international combinations, which will essentially oppose and menace the interests of really democratic nations.

RUSSIAN ECONOMIC LEAGUE,
ALEXANDER W. BEHR,
Acting President.
W. N. BASHKIROFF,
A. A. BOUBLIKOFF,
E. L. LIUBOVITCH,
S. S. NOVOSELOFF,
B. N. SAMOILENKO,
Vice Presidents.

CHICAGO, ILL., *November 2, 1918.*

To the CONGRESS OF THE UNITED STATES:

SIRS: The world is shaken to its foundations. Everywhere the people are rising. Revolution has swept Russia; Bulgaria, Austria, and Germany are in its grip. The Socialists of England, France, and Italy speak with increasing authority. We are witnessing the birth of a new world. The Socialist Party of the United States is a part of the international socialist movement. As such, we speak to you in the interest of the workers of the United States and of the world.

The opportunity for peace is here. We demand that the imperialistic and reactionary forces in our own and allied countries shall not be allowed to impose such terms and conditions as will make the acceptance of the proposed armistice impossible by either the governments or the peoples of the enemy countries.

1. We demand that in the coming peace the principle of self-determination of peoples be asserted to the fullest degree, with the right of all subject peoples and races of both the central and the allied powers to determine the conditions of their own existence.

2. We demand that the peoples of Russia have complete freedom to solve their internal problems, and that the integrity of Russian territory, as well as that of Finland, the Baltic Provinces, Poland, Lithuania, Ukraine, and the other border Provinces, be preserved.

3. We demand that the present preliminary and all subsequent peace negotiations be conducted with the strictest observance of the principle of open covenants of peace arrived at publicly.

4. We demand that duly accredited representatives of subject peoples and of the economic and political organizations of the working classes in all countries participate in the final peace conference.

5. We demand that passports be granted representatives of labor and socialist groups to attend international conferences for the exchange of opinions between the labor groups of the belligerent and neutral nations.

6. We demand that this Government refuse to consider any proposal for economic war after the war.

Respectfully, yours,

THE NATIONAL EXECUTIVE COMMITTEE, SOCIALIST PARTY,
ADOLPH GERMER, *National Executive Secretary.*

ALLIES ADOPT WILSON PLAN TO AID RUSSIANS—RECOGNIZE REVOLUTION—CONCEDE RUSSIA'S RIGHT TO SETTLE AFFAIRS—REGARDED AS FRIENDS—SOVIET ASKED TO MAKE TRUCE AND CONFERENCE WITH ALLIES—ALL FACTIONS TO BE HEARD—PRESIDENT'S PROPOSAL APPROVED BY SUPREME COUNCIL, DISOWNS DESIRE TO EXPLOIT RUSSIANS AND EXPRESSES WILLINGNESS TO HELP THEM "IN ANY WAY THEY ARE WILLING TO BE HELPED"—ALLIES TO SEND COMMISSION TO POLAND—UNITED STATES ALSO BEING REPRESENTED.

PARIS, *January 22.*

Led by President Wilson, the supreme council of the great powers today moved to unite the factions of distracted Russia and bring them into the peace congress.

They unanimously adopted a proposition brought forward by President Wilson asking all the Russian factions, including the Bolsheviks, to meet the allied and associated governments at Princes Islands, in

the Sea of Marmora, on February 15, the contending factions meantime declaring a truce and suspending all military operations.

MAY SEND PERSHING.

The joint commission of the associated governments will be announced as soon as the Russian factions accept the proposal, which was communicated to them by wireless to-night. The Russian commission will proceed to the meeting place, probably on a warship, by way of the Black Sea and the Bosporus.

Gen. John J. Pershing, the American commander in chief, has been called to Paris and it is expected that he will be the military member of the American representatives of the joint commission.

WILSON TAKES LEADERSHIP.

Aside from the importance of the conclusions reached, it was especially notable as being the first time that the voice of the United States had taken the direction in the concert of European powers on the most serious European question now presented. There was added significance in the fact that an American President in person had taken leadership in the council, made up chiefly of European statesmen, and had pointed a way which they had unanimously adopted.

The final result came after three days of continuous discussion of Russia, which did not crystallize until the final hours, when President Wilson presented in writing the plan he had elaborated.

There was little opposition, and this was based mainly on doubts as to whether the proposition would be accepted.

FOUR CONDITIONS OF PEACE.

In reply it was pointed out that the contending factions were well-nigh at the end of their resources and that their needs likely would lead them at last to a combined appeal to the associated powers.

Besides the definite proposal as given in the communique, the joint commission of the associated powers will lay down four conditions indispensable in bringing about an adjustment. First, peace at all points; second, removal of all economic barriers which restrain the free circulation or exchange of food and commodities between the factional zones and the outside world; third, general elections on a representative basis; and fourth, some adequate arrangement for the payment of debts.

Even if eventually the proposal is not accepted, members of the council expressed the view that their proposition was before the world, and that it would pave the way for such other measures as their own action had brought about.

OUT OF CONTENDING ZONE.

The Princes Islands were chosen for the eventful meeting because they are outside the zone of any of the contending factions. They are also allied headquarters, and are not open to be obnoxious to any of the factions as would be other points, having better material facilities for the meeting.

February 15 was designated as the time of the meeting, so as to give time for representatives to come from the remotest sections of Siberia and other distant localities.

Besides the decisive action taken with regard to Russia, the council to-day also provided a joint commission of two each from the United States, Great Britain, France, and Italy to proceed immediately to Danzig and Warsaw for consideration of the entire military, economic, and political situation of Poland.

A plenary meeting of the full conference was announced for next Saturday, when the plans of President Wilson and David Lloyd George, the British prime minister, dealing with a league of nations will be the first order of business.

To-day's action on Russia and Poland, however, goes into effect without presentation to the full conference, and is taken as the action of the great powers.

RESULT OF MORNING SESSION.

These announcements were made in the official statement of the morning proceedings of the council, which reads:

"The supreme interallied war council met this morning at 11 o'clock at the ministry for foreign affairs. The President of the United States of America and the prime ministers and ministers for foreign affairs of the allied and associated powers, as well as Baron Makino, and Baron Matsui, the Japanese delegates, considered the Polish question, on which they consulted Marshal Foch. They decided to send at once to Poland a mission composed of two delegates, one civil and the other military, of the United States, the British Empire, France, and Italy.

"The ministers then resumed the examination of the Russian question, and President Wilson read a proposal which will be discussed this afternoon. The meeting will take place at 3 o'clock.

AT THE MORNING COUNCIL.

When the supreme council of the peace conference met this morning there were present, in addition to all the members of the council, Marshal Foch, the allied commander in chief; Gen. Weygand, his chief of staff; and Rear Admiral Hope, deputy first sea lord of the British Admiralty Board.

W. F. Massey, the premier of New Zealand, was present with the council for a short time.

ITALY DISCUSSES CLAIMS.

The Italian delegation to the peace conference held a conference to-day with Gen. Diaz, the Italian commander in chief, who arrived in Paris to-day to discuss Italy's aspirations from a military and strategic point of view, with special attention to the possession of what the Italians call "the keys of the doors on land and sea."

To realize this object the Italian delegates, it is said, consider it indispensable that Italy possess the Brenner Pass and also the Dalmatian coast and Zara and Sebenico. Without this territory they say it is impossible for Italy to control the Adriatic, as otherwise the coast line of central Italy would be at the mercy of any nation possessing Dalmatia.

WILSON'S PROPOSAL ON SITUATION IN RUSSIA.

PARIS, *January 22.*

The full text of the official communication issued by the supreme council this afternoon reads:

"The President of the United States, the prime ministers and the foreign ministers of the allied and associated powers, and the Japanese representatives met at the Quai d'Orsay between 3 and 5.30 this afternoon and approved the proposal of President Wilson, which reads as follows:

"The single object the representatives of the associated powers have had in mind in their discussions of the course they should pursue with regard to Russia has been to help the Russian people—not to hinder them or to interfere in any manner with their right to settle their own affairs in their own way.

RUSSIAN PEOPLE FRIENDS.

"They regard the Russian people as their friends, not their enemies, and are willing to help them in any way they are willing to be helped. It is clear to them that the troubles and distrust of the Russian people will steadily increase, hunger and privation of every kind become more and more acute, more and more widespread, and more and more impossible to relieve unless order is restored and normal conditions of labor, trade, and transportation once more created, and they are seeking some way in which to assist the Russian people to establish order.

"They recognize the absolute right of the Russian people to direct their own affairs without dictation or direction of any kind from outside. They do not wish to exploit or make use of Russia in any way.

RECOGNIZE REVOLUTION.

"They recognize the revolution without reservation and will in no way and in no circumstances aid or give countenance to any attempt at a counterrevolution.

"It is not their wish or purpose to favor or assist any one of the organized groups now contending for the leadership and guidance of Russia as against the others. Their sole and sincere purpose is to do what they can to bring Russia peace and an opportunity to find her way out of her present troubles.

"The associated powers are now engaged in the solemn and responsible work of establishing the peace of Europe and of the world, and they are keenly alive to the fact that Europe and the world can not be at peace if Russia is not. They recognize and accept it as a duty to serve Russia as generously, as unselfishly, as thoughtfully, as ungrudgingly as they would serve any other friend and ally, and they are ready to render this service in the way that is most acceptable to the Russian people.

INVITE ALL FACTIONS.

In this spirit and with this purpose they have taken the following action: They invite every organized group that is now exercising or attempting to exercise political authority or military control anywhere in Siberia, or within the boundaries of European Russia as they stood before the war just concluded, except in Finland, to send representatives, not exceeding three representatives for each group, to Princes Islands, Sea of Marmora, where they will be met by representatives of the associated powers, provided in the meantime there is a truce of arms amongst the parties invited, and that all armed forces anywhere sent or directed against any people or territory inside the boundaries of European Russia as they stood before the war, or against Finland, or against any people or territory whose autonomous action is in contemplation in the 14 articles upon which the present negotiations are based, shall be meanwhile withdrawn and aggressive military actions cease.

UNDERSTANDING IS SOUGHT.

"These representatives are invited to confer with the representatives of the associated powers in the freest and frankest way, with a view to ascertain the wishes of all sections of the Russian people and bringing about, if possible, some understanding and agreement by which Russia may work out her own purposes and happy, cooperative relations be established between her people and the other peoples of the world.

"A prompt reply to this invitation is requested. Every facility for the journey of the representatives, including transportation across the Black Sea, will be given by the allies, and all the parties concerned are expected to give the same facilities. The representatives will be expected at the place appointed by the 15th of February, 1919."

Mr. KNOX obtained the floor.

Mr. CALDER. Will the Senator from Pennsylvania yield to me to submit a report from the Committee on Commerce?

Mr. KNOX. I yield for that purpose.

DELAWARE RIVER BRIDGE.

Mr. CALDER. From the Committee on Commerce I report back favorably with an amendment the bill (S. 5354) extending the time for the completion of a bridge across the Delaware River, authorized by an act approved the 24th day of August, 1912, and I submit a report (No. 659) thereon.

Mr. FRELINGHUYSEN. I ask unanimous consent for the consideration of the bill. I do not think there will be any objection to it. It simply extends the limit of time for the construction of the bridge, and unless it is passed at this session all the prior construction work will fail. It is a Pennsylvania Railroad bridge over the Delaware River.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The amendment was, on page 2, lines 2, 3, and 4, to strike out the words "an act extending the time for completion of the bridge across the Delaware River," as provided for in the above act, so as to make the bill read:

Be it enacted, etc., That the time for the completion of the bridge now in course of construction across the Delaware River, which the Pennsylvania Railroad Co. and the Pensylvania & Newark Railroad Co., or their successors, were authorized to construct, maintain, and operate by an act entitled "An act to authorise the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the 24th day of August, 1912; and for which the time of completion thereof was extended until the 24th day of August, 1919, by an act approved the 27th day of December, 1916, be, and the same is hereby, extended for a period of three years from the 24th day of August, 1919: *Provided,* That in all other respects said bridge shall be completed and shall be maintained and operated in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill extending the time for the completion of the bridge across the Delaware River, authorized by an act entitled 'An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River,' approved the 24th day of August, 1912."

FOOD SUPPLIES FOR EUROPE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13708) providing for the relief of such populations in Europe and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary.

Mr. KNOX. Mr. President, I wish to say only a word in relation to the pending bill. I confess in all my legislative experience I have never been quite so perplexed or found it quite so difficult to make up my mind as to what my duty in the circumstances was. The manner in which this proposition has been presented to Congress has been so inadequate, so vague, and so difficult of clarification that it is hard to feel willing to support it. Still greater, however, would be my unwillingness to fail to vote for a measure, especially a measure for joint action by the allied Governments, agreed upon by the interallied council, that, properly clarified and properly carried out, should subserve their common aims in the war. I have, therefore, concluded to cast my vote in favor of the appropriation asked.

My difficulty in reaching this conclusion has been greatly increased by a very grave anxiety as to the possibility of poverty, suffering, and unemployment in our own country, which it is our first duty to prevent, and also by the stupendous taxation it is proposed to impose upon accumulations already depleted and receding under the burden of previous tax levies.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	Moses	Smith, S. C.
Bankhead	Hollis	Myers	Smoot
Borah	Johnson, Cal.	Nelson	Spencer
Brandegee	Johnson, S. Dak.	Nugent	Sterling
Calder	Jones, Wash.	Penrose	Swanson
Chamberlain	Kellogg	Pittman	Thompson
Colt	Kenyon	Poindexter	Townsend
Culberson	Kirby	Pollock	Trammell
Curtis	Knox	Saulsbury	Wadsworth
France	La Follette	Shafroth	Walsh
Frelinghuysen	Lodge	Sheppard	Warren
Gay	McKellar	Sherman	Watson
Hale	McNary	Smith, Ariz.	Weeks
Harding	Martin, Ky.	Smith, Ga.	Williams
Henderson	Martin, Va.	Smith, Mich.	Wolcott

Mr. CURTIS. I am requested to announce the absence of the Senator from Oklahoma [Mr. GORE], the Senator from Nebraska [Mr. NORRIS], the Senator from Vermont [Mr. PAGE], and the Senator from North Dakota [Mr. GRONNA] on official business.

Mr. JONES of Washington. I desire to announce that the Senator from Louisiana [Mr. RANSDELL], the Senator from Florida [Mr. FLETCHER], and the Senator from Wisconsin [Mr. LENROOT] are absent on business of the Senate.

Mr. FRANCE. I desire to announce the absence of the Senator from Georgia [Mr. HARDWICK] and of the Senator from Kentucky [Mr. BECKHAM] on official business.

The PRESIDING OFFICER. Sixty Senators have answered to their names. A quorum of the Senate is present.

Mr. COLT. Mr. President, I desire in a very few words to give my reasons for supporting the pending bill.

The bill has a double aspect. It may be viewed as strictly a relief measure or it may be viewed as a war measure. I am of the opinion that fundamentally it is a war measure, and I will give my reasons why I have reached this conclusion.

The reconstruction of the map of Europe is necessarily involved in reaching the terms of peace. That arises from the fact that the German Empire, the Austro-Hungarian Empire, and Russia have been broken into fragments. Now, it is the purpose to reconstruct the map of Europe on the basis of nationalism; in other words, that the liberated nations which have been freed by the war shall be recognized as independent States and become members of the family of nations. This is the only plan upon which the reconstruction of Europe can be based and the future peace of the world secured.

Now, we find that in these freed nationalities anarchy exists in a large degree; that Bolshevism in an insidious form has spread into these territories; and, further, we find that this is due to a large extent to the deprivation of food to a condition bordering on starvation. We know also that peace can never be attained until these liberated nationalities are enabled to establish a stable form of government. In other words, we can not proceed further in settling the terms of peace in the present chaotic condition of Europe. There must arise out of this chaotic condition orderly and stable governments founded upon the principle of nationality before we can settle upon the terms of peace.

Now, what is the great obstacle which stands in the way of these States attaining a position of stable government? It is the food question. The only road to orderly government, according to the consensus of opinion of the world, is through the granting of food relief to these freed nationalities. If this be true, then it is only a temporary obstacle which confronts the peace conference to-day, and this obstacle—although it is an important one—can be removed by granting the relief called for by this bill.

It is declared by the President of the United States and by the supreme war council at Paris that food relief is the key to the whole peace problem. Shall we ignore that opinion? If food relief is the key to the peace problem, how can any Senator say that this is not strictly a war measure?

Mr. President, we are not alone with regard to this relief. It is not a proposition coming from us. Oh, no; it comes from our allies. If France, with the economic burdens of four years of war upon her shoulders, if Italy and Great Britain, laboring under similar conditions, are willing to furnish $200,000,000 under these circumstances, will the United States of America refuse to join her allies in this most important step?

Have we reached a time, Mr. President, when we wish to break with our allies, and is this the entering wedge? Oh, I beg Senators to rise to the fact that this is a world war; that we are taking part in a new world order to save civilization and to secure a just and lasting peace. The United States of America has played a most important part in this great drama. Shall we not, Mr. President, see this great enterprise through to the end? Are we going to falter in taking this necessary step in the interest of peace? Are we going to refuse to join our allies in this movement, which they consider as absolutely necessary in order to obtain peace? Are not, Mr. President, the honor of America, our good faith, our position before the world and in the family of nations at stake in this pending bill? I firmly believe that they are.

Oh, when I think of the part that America has played in this, the greatest crisis in the world's history, when I think of her leadership, when I think of the position she occupies to-day, when I realize that she has risen to the highest rank of any nation in the civilized world, I say do not stop now, do not move backward, do not descend from our high plane of nationalism, internationalism, civilization, and liberty.

Mr. President, one word more. It has been asserted that there are constitutional objections to this measure. I do not share in this view. Congress has power to declare war. Congress has power to pass any legislation that is necessary to bring that war to a successful close. Congress has power to pass any legislation which will secure peace; and this legislation plainly and unmistakably is designed to secure peace. In fact, Mr. President, I believe it to be true that unless this relief is granted and similar relief is extended by the allies, it will be impossible to settle the momentous peace problems in the present chaotic condition of the great empires which this war has overthrown.

Mr. MYERS. Mr. President, I want to say just a few words to add my protest to those made this morning by the Senator from Illinois [Mr. SHERMAN] and the Senator from Utah [Mr. KING] against any sort or degree of recognition by the prevailing nations of the world of the Soviet government of Russia, or the Bolsheviki of Russia, which are one and the same.

I am greatly surprised and keenly disappointed that the powers in conference at Paris would consider entering into any negotiations with those people, or recognizing them in any way whatever, or consenting to meet with them on a common plane, even for discussion. I regret beyond expression that they have so consented. The Bolsheviki of Russia, who constitute the Soviet government of Russia, are murderers, thieves, robbers, highwaymen, assassins, rapists, criminals of the worst type. They openly indorse and daily practice every known form of criminality, and I believe they have invented some forms of criminality hitherto unknown. They are the worst criminals the world has ever known. I believe they are even worse than the Germans. They have abolished God. They have declared there is no God. They have declared war on all churches and religions. They have abolished marriage. They have decreed free love. They have decreed that hereafter all women of Russia shall be kept in common, for the common and promiscuous sexual use of all men of Russia, and that all children are to be

raised by the State, just like a lot of cattle or pigs are raised by their owner. No child in the future is to know who is its father. All children are to be the wards of the State, to be raised and cared for by the State, and educated in the principles of the Russian Bolsheviki. The home, the fireside, marriage ties, are abolished.

Such doctrines to me are absolutely shocking, repulsive, horrible, and repugnant to my sense of justice, right, and morality; repulsive to every instinct of decency; and I do not believe in extending any recognition whatever to such people. I do not believe they are worthy of it. I do not want any association with such people. I do not think they are entitled to any recognition or consideration; and I am greatly surprised and inexpressibly disappointed that the powers in conference at Paris have consented to deal with them or to recognize them, even in a preliminary way. That act will bring joy to the heart of every I. W. W., every anarchist, every pro-German, every enemy of organized society in the United States. It will cause them to take fresh hope and courage. It will greatly embolden them, and cause them to renew and pursue with increased ardor and determination their efforts, their meetings, their conspiracies, their organization, their plots to overthrow this Government and to overthrow all organized society. They will take new life, hope, and energy. I shall be very sorry if the representatives of the Soviet government of Russia are to be admitted to the peace conference in France or to be considered in any way whatever. In my opinion it would be a blow to orderly government, law and order, civilization, society.

I believe the theory of recognizing such people is radically wrong and inherently improper, and for one I take my stand and set my face against it. Crime should be punished, not recognized or rewarded. Eternal justice demands the punishment of crime. The immutable laws of God demand it; and this world can not be a fit place in which to live unless there is to be some punishment for crime. Criminals should be punished, not taken in arms.

The people of Russia are entitled to no consideration by the prevailing powers of the world. The people of Russia played the part of Benedict Arnold in the European war. At the supreme crisis, when their allies were in dire distress and facing the greatest emergency in the cause for which they were fighting, the people of Russia turned traitor and played the part of Benedict Arnold and deserted their allies, who were fighting for Russia as well as for themselves, and they are entitled to no consideration whatever from the prevailing powers. In my opinion they should be ignored, and especially and all the more so since they have turned to an absolutely criminal form of government, a government which puts a premium on crime, puts crime above honesty, puts infamy above decency, puts anarchy above civilization, and would tear down everything for which the civilization of the world now stands.

I shall be greatly disappointed if the representatives of that sort of people are permitted to enter into any negotiations in regard to the treaty of peace about to be framed or to be heard in any way whatever at the peace conference. If so, I think it will be radically wrong and violative of every principle for which the United States and the entente allies fought and won this war. For one I am against it and can not look upon it with complacency.

Mr. WEEKS. Mr. President, I offer the amendment which I send to the desk and ask to have read.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to strike out, after the word "statement," in line 8, page 2, the words "for which expended" and to insert the words "of such receipts and expenditures made."

Mr. WEEKS. Mr. President, that does not change an amendment which I offered in the Committee on Appropriations and which was accepted by the committee, but it does clarify the language, and I think it should be adopted.

The PRESIDING OFFICER. The Chair will say to the Senator from Massachusetts that the proposed amendment is to an amendment already adopted. The Chair supposes it will be necessary to reconsider the vote by which that amendment was adopted.

Mr. MARTIN of Virginia. Mr. President, I move its reconsideration.

The PRESIDING OFFICER. Without objection, the reconsideration is agreed to.

Mr. WEEKS. I now offer the amendment.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. In the committee amendment already agreed to it is proposed to strike out the words "for which expended" and in lieu thereof to insert the words "of such receipts and expenditures made," so that, if amended, it will read:

Provided further, That a report of the receipts, expenditures, and an itemized statement of such receipts and expenditures made under this appropriation shall be submitted to Congress not later than the first day of the next regular session.

Mr. MARTIN of Virginia. Mr. President, that is simply to make clear an amendment heretofore adopted; and I ask that it may be agreed to.

The PRESIDING OFFICER. The question is on the adoption of the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. STERLING. Mr. President, just a few words in explanation of my vote in favor of this bill.

The debate has taken a very wide range, and many subjects not exactly germane to the proposition involved have been discussed. I sympathize to a very large extent with much of the criticism, either express or implied, that has been made during the course of this discussion—criticism of governmental or, perhaps, to be more accurate, administration policies; criticism of the policies of various departments and bureaus of the Government. But, Mr. President, we have before us here a distinct proposition as to whether we shall appropriate $100,000,000 for the purpose of giving relief to the starving and destitute in Europe; not to all of the starving and destitute in Europe, but to those who may be reckoned among our friends; largely to those of proposed new nationalities, as the Czecho-Slovaks and as the people of Poland are supposed to be.

Mr. President, I think we ought to look at the proposition from two aspects: First, the appeal itself, or the form of the appeal, or from whom the appeal comes; and, secondly, the cause for which the appeal is made. On that point I refer to the RECORD and to two or three statements found in the RECORD.

From one of the cablegrams, printed in the RECORD of January 18, I read these words:

Bolshevism is steadily advancing westward, has overwhelmed Poland, and is poisoning Germany. It can not be stopped by force, but it can be stopped by food, and all the leaders with whom I am in conference agree that concerted action in this matter is of immediate and vital importance. The money will not be spent for food for Germany itself, because Germany can buy its food, but it will be spent for financing the movement of food to our real friends in Poland and to the people of the liberated units of the Austro-Hungarian Empire and to our associates in the Balkans. I beg that you will present this matter with all possible urgency and force to the Congress.

These are the words of the President of the United States. Whether we wish it or not, he is our representative now in France for the purposes of the peace conference.

Further, and at another place in the cablegram:

The situation is one of extreme urgency, for foodstuffs must be placed in certain localities within the next 15 or 30 days if human life and order are to be preserved. I therefore request that you should ask Congress to make available to me an immediate appropriation of $100,000,000 for the broad purpose of providing foodstuffs and other urgent supplies.

This also is the language of the President.

Then, from another cablegram I read:

The British are already furnishing from Army stocks food and clothing relief to Serbia and Syria; the Italians to south Austria.

I suppose it is in that portion of Austria where those of Italian nationality are to be found; and they, therefore, are our friends as well as the friends of Italy and the other allies.

The British and French are advancing the money for transport Belgian relief. Allies are willing and anxious to do all they can, and have and will contribute to the full extent of their resources, but must be borne in mind that most of the food must be purchased in the United States, and American money would be used for such purchase and transportation.

This is from a cablegram sent by the American mission.

So, Mr. President, there is the record, or a part of it. Supplementary to this record are the statements made by the chairman of the committee having the bill in charge to the effect that the record as made is the result of conferences and understandings between the representatives of our Government, of which Mr. Hoover is the head, and the representatives of other Governments appointed for the purpose of considering the question of food supply and distribution and affording relief to the hungry and starving outside of Germany.

That being the record, Mr. President, how can I vote against this measure? View as we please the position in which it might place the President of the United States, who makes this urgent appeal, if we should deny it, or the position in which it would place the American mission to the peace conference, or the embarrassment it may cause Mr. Hoover or the representatives associated with him upon the commission to furnish this food supply, the question is whether it does not go further than that

and reflect upon the American Nation to refuse or deny this appeal.

I am not so much concerned, Mr. President, whether the $100,000,000 to be appropriated is to be a revolving fund or whether it is to be given as charity. I believe it will be administered where it is needed, and administered in such a way as to help our friends in Poland, in Bohemia, in Austria-Hungary, or elsewhere outside the German Empire or what once was the German Empire.

I think, Mr. President, that the appropriation will be in the interest of peace. The war is not yet over. Peace terms have not been signed. Complications, and desperate complications, may arise out of conditions such as have been described in the matter of food supplies or the want of them. So whether it be a matter of charity or whether it be a matter of policy and expediency I think the appropriation can be supported on either ground and that it will be in the interest of permanent peace.

It is for these reasons, Mr. President, that I shall support the bill.

The PRESIDING OFFICER. The bill is still in Committee of the Whole and open to amendment. If there be no further amendment as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

Mr. BORAH. I ask that the vote may be taken by yeas and nays on the passage of the bill.

Mr. VRELINGHUYSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hollis	New	Smith, Mich.
Bankhead	Johnson, Cal.	Nugent	Smoot
Borah	Johnson, S. Dak.	Overman	Spencer
Brandegee	Jones, Wash.	Penrose	Sterling
Chamberlain	Kenyon	Pittman	Swanson
Colt	Kirby	Poindexter	Thompson
Culberson	La Follette	Pollock	Trammell
Cummins	Lenroot	Pomerene	Wadsworth
Curtis	McKellar	Ransdell	Walsh
Fletcher	McNary	Saulsbury	Warren
Frelinghuysen	Martin, Va.	Shafroth	Watson
Gerry	Moses	Sheppard	Williams
Harding	Myers	Sherman	Wolcott
Hitchcock	Nelson	Smith, Ariz.	

Mr. SAULSBURY. The senior Senator from Maryland [Mr. SMITH] is still necessarily detained from the Senate. He is not yet well enough to attend the sessions.

The PRESIDING OFFICER. Fifty-five Senators having answered to their names, a quorum of the Senate is present.

Mr. POINDEXTER. Mr. President, before a vote is had upon the bill, I want to put in the RECORD a telegram or two as indicating the sources from which comes at least a part of the support that is putting this measure through the Senate. I think the American people, who are the chief parties in interest, are entitled to be much better advised than they are at present of the purposes of this appropriation in the minds of those who are among its most active champions and advocates.

There has been something said already in the discussion of the bill as to the views of Mr. Hoover with reference to the effect of the bill in stabilizing the market of the world in food products. The food products are held in large surplus quantities by certain food dealers in this country and in Europe. The war demands have to a large extent come to an end and they are confronted by a full of prices, and consequently of the value, of the enormous stores of food which have been accumulated with a view of the demands of war.

I make this assertion, and propose to substantiate it by what seems to me to be sufficient evidence, that the most energetic and virile influence that is promoting the passage of this bill is a desire upon the part of those interested in building the market in food supplies in order that they may not lose the profits which they had expected to make out of the war. I am going to substantiate it by some witnesses who are parties in the case and whose testimony under every rule of law must be accepted as the truth. When a witness testifies against his own interest his testimony is accepted by the court without a question.

Here is a telegram signed John B. Gordon, a great name. I have met Mr. Gordon and I asked him if he was a relative of the great warrior and orator and statesman, John B. Gordon, of Georgia. He told me that he was a grandson of John B. Gordon, who was a cousin of Gen. John B. Gordon.

Mr. John B. Gordon, who writes this telegram, is an employee or official of the Shell Oil Co. He tells me that the Shell Oil Co. is interested in the price of pork products because the price of pork products is the fundamental factor in the market which regulates the price of oil. The Senator from New Hampshire [Mr. MOSES] says to me that the Shell Oil Co. is a foreign corporation. I am very glad that he interpolated that remark as indicating to what an extent foreign corporations which have large business interests in the United States are concerned in the passage of this bill.

The telegram is dated New York, January 22, 1919:

Note New York newspapers' Associated Press reports several Senators opposing bill appropriating $100,000,000 for European famine relief. Regret to note these Senators, while undoubtedly actuated by best motives, are in each instance advocating a course of procedure which will work great specific injury to certain classes of their constituents and great general injury to the country at large.

This telegram is transcribed in that miserable style in which the word "stop" or "period" is interpolated throughout, as though one did not know how to punctuate a telegram. It disturbs, somewhat, its continuity.

United States Senator GORE would cause great financial loss to the patriotic hog raiser of Oklahoma, who under stimulus of urgings of Food Administration and United States Department of Agriculture raised a large surplus of hogs, which surplus will have to be marketed at a loss if the $100,000,000 food relief bill does not go through. Senator HARDWICK, of Georgia, would work great injury upon the farmers of Georgia, who have produced large acreages of peanuts, and upon crude cotton seed and peanut mills of Georgia, who have purchased cottonseed and peanuts from the farmers of Georgia upon basis of stabilized prices, because there exists a surplus of vegetable oils in the United States which must be removed by European demand. America is overstocked and can not absorb the abnormal surplus which accumulated in response to the appeals of the allies. United States Senator JOHNSON, of California, would bring upon his constituents engaged in the importation and crushing of copra and other oil seeds and the importation of coconut oil great financial loss, because these vegetable oils must compete with cottonseed oil, and if the $100,000,000 food relief bill does not pass the stabilized price of 17½ cents per pound for crude cottonseed oil can not be sustained, because the surplus of cottonseed oil is too great for the American consuming trade to absorb. If cotton seed becomes cheap, then all other vegetable oils must, perforce, become cheap. The honorable Senators from Pennsylvania and Ohio, PENROSE and HARDING—

Evidently he is mistaken about the name of the Senator—

who advocate the cause of the American laboring man would work him grave injury, because, as Senator HARDWICK himself has said, high wages can not be paid the American laboring man if food and general commodity prices are suddenly lowered. There exists in the United States at the present time a great surplus of food products built up by the farmers and producers and purchased in part from those producers by holders who paid prices based upon the established valuation placed upon various food commodities by the United States Food Administration, and so interwoven and interlocked are the interests of every farmer and food producer and manufacturer and importer of foods that if injury befalls one that it will affect each and every other member of the great food industry. For instance, if low prices for hogs prevail, then low prices for corn must prevail, and if low prices for corn prevail it follows that wheat must be cheaper, and so on. If the honorable Senators who oppose this bill would seek by true remedial efforts to improve the condition of the American laboring man and remove from American markets the menacing surplus of food products which exists they would immediately agitate a very low rate of freight to Europe in order that American merchants may sell the surplus to Europe and South America in competition with England, which is now combing the world for food supplies. The United States Railroad Administration reveals by its latest report that traffic over American railroads is lessening alarmingly month by month. This shows that unless America is relieved of its surplus of all commodities that the wheels of industry will become gradually stilled and that American industry, the American farmer, and the American food producers, and indirectly the American laborer, in place of receiving great prosperity from after-war trade, as anticipated, will instead receive only misery because of the superabundance of all supplies now in American markets. High prices must prevail until the accumulated surpluses are disposed of at the prices which have prevailed. In the food industry at the present time demoralization prevails. The retailers will not buy because they anticipate lower prices. Producers are therefore overstocked with high-priced goods which they can not sell at lower prices without great financial loss. If the views of the writer as set forth are not clearly enough defined, or if you desire further information, will be glad to come to Washington and again discuss food matters with you in its general phases, for, as previously assured you, we do not look at the situation from a selfish angle, even though our industry will be ruined if present stabilized prices do not prevail, but view the matter broadly, realizing the great significance of pending measures to the future prosperity of our country.

JOHN B. GORDON.

I have no criticism to make of the writer of the telegram, nor of the interests he represents.

I have no doubt, Mr. President, that he speaks the sentiment and represents the concerted action of other great interests which are concerned in food products which are to be purchased by this great revolving fund to be taken out of the Treasury and that he is acting in entire good faith and, from his standpoint, for a perfectly legitimate purpose. I have no doubt he believes, as he says, that he is actuated by no selfish motives, notwithstanding the fact that he says if this bill does not pass and the prices go down his industry will be ruined. I have no doubt at all that the writer of this telegram, like many other men who have been absorbed in commercial enterprises, who have had no opportunity to give attention or study to the relations of the Government to the people, the functions and purposes for which the Government is established, believes it is a perfectly legitimate function of Congress to appropriate money out of the Treasury of the United States in order to keep these

firms and the other interests he mentions from losing upon their investment. That is the proposition which he makes openly. There is no secrecy about it. He undoubtedly thinks he is advancing a patriotic purpose.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Idaho?

Mr. POINDEXTER. I yield.

Mr. BORAH. May I ask the Senator, because I did not observe when he first referred to the telegram, from whom the telegram comes, and who is the sender, and what is his business relationship?

Mr. POINDEXTER. John B. Gordon is his name. He is an official of the Shell Oil Co., one of the greatest oil companies in the world, having very large interests in the Orient and in the United States, and a greater concern, I understand, than the Standard Oil Co.

Mr. BORAH. Did the Senator state to whom the telegram is addressed?

Mr. POINDEXTER. It is addressed to me.

It would be very unfortunate if, through a failure to pass this bill, as the writer says, the price of peanuts in Georgia should be lowered for the lack merely of a $100,000,000 appropriation. He says, and evidently he believes, that it is entirely within the functions of Congress to appropriate $100,000,000 out of the Treasury, to use the writer's language, "in order to prevent great financial loss to the patriotic hog raisers of Oklahoma."

Mr. President, to show that this is not just an isolated telegram or a mere incidental act upon the part of an individual, I will read another telegram from the opposite end of the country. I have not the slightest doubt that telegrams of that kind are being sent by various firms through a concerted movement of the kind with which Senators are perfectly familiar.

This is a telegram from Seattle, Wash., which I received this morning. It is signed by the North Pacific Millers' Association, Mr. W. C. Tiffany, secretary. This is a very high-class and entirely reputable organization engaged in one of the great standard industries of the country. But they apparently have, from my standpoint, rather unsound views as to the powers and functions of Congress and the grounds upon which money can be taken out of the Treasury and used to maintain the general level of prices. They say:

Referring to bill making appropriation for food supply now under discussion, we beg to call your attention to the fact that it is very essential that this bill be passed, from the standpoint of the Pacific Northwest. There are about 8,000,000 bushels of wheat in Government reserve storage warehouses on Puget Sound and Columbia River, and a considerably larger quantity in the hands of dealers and farmers which must be moved either as wheat or flour, preferably the latter, so as to make room for anticipated new crop. Farmers, grain dealers, millers all interested in having this appropriation passed promptly. May we not have your cooperation?

NORTH PACIFIC MILLERS' ASSOCIATION,
By W. C. TIFFANY, *Secretary*.

The millers' association says that the farmers, grain dealers, and millers are all interested. I think probably it is millers in which the writer is more especially interested.

My purpose in reading that telegram, Mr. President, is not to cast any reflection upon the millers' association. My own views as to the functions of the Senate are that we have not any authority to appropriate money to maintain the price of flour, even though it may be a desirable object in itself. Whether it is desirable or not desirable, I do not express an opinion at this time. My purpose in reading this telegram is that, whatever its merits may be, the public, or those of them who can be reached by action or information in the Senate or in the CONGRESSIONAL RECORD, may have an opportunity of knowing some of the reasons for which $100,000,000 of extraordinary taxes are to be levied upon them.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Will the Senator yield?

Mr. POINDEXTER. I yield.

Mr. BORAH. Will it interrupt the Senator if I should read another statement in connection with his statement or his telegrams on that subject?

Mr. POINDEXTER. Not at all. I shall be very glad to have the Senator read it.

Mr. BORAH. Mr. President, I read the statement, as follows:

We also at this time, because of the stimulation of the production of hogs throughout the hog-producing sections of the country, have accumulated in the hands of the packers, by reason of the run on hogs at this particular time of the year, a large surplus that we must work off as we can to Europe, and one of the purposes of Mr. Hoover has been, if possible, to provide a safe and regular drain of such edibles as fats, oils, and cereals that we have a surplus of to Europe.

That is the statement of Mr. Glasgow, who represents Mr. Hoover himself during his absence in Europe.

Mr. POINDEXTER. Mr. President, I am very glad that the Senator from Idaho has read that statement. I read into the RECORD the other day an extract from a telegram from Mr. Hoover, in which he stated that one of the prime objects of the appropriation was to relieve the congestion in the accumulation of food supplies. The Senator from Virginia shakes his head, but I refer to the RECORD.

Mr. MARTIN of Virginia. I shook my head, Mr. President, because I read every telegram that came from Mr. Hoover, or I thought I did, and I have never seen such a statement in any of those telegrams.

Mr. POINDEXTER. If I could lay my hand on the CONGRESSIONAL RECORD of the date on which the Senator from Virginia introduced telegrams from Mr. Hoover, I would read it again. I once read it in the Senate.

I have here also some telegrams of a different character, as to the need of funds for a purpose very different from that of maintaining the market in peanuts and hogs or of bulling the price of flour, or wheat, or of meat products. I will read them—they are brief—because there was some controversy here the other day as to whether or not the Government had neglected its soldiers who were being demobilized. It is very far from my purpose to indulge in any superheated representations upon that subject, which I know is one which appeals to the sympathies of the people, but it is an undoubted fact that we have been negligent in the matter of providing means for the returning to their homes and the clothing and feeding of soldiers as they are being demobilized. I present a telegram from Seattle, Wash., dated January 24, as follows:

Hon. MILES POINDEXTER,
United States Senate, Washington, D. C.

What is prospect of early action by Congress to provide adequate funds for men released from military service? Referring to previous appeals on subject, Seattle Chamber of Commerce and Commercial Club is anxious to see legislation which will insure men coming out of Army and Navy sufficient resources to reestablish themselves. Situation now serious and should be remedied without delay.

A. H. RHODES,
President Seattle Chamber of Commerce and Commercial Club.

I present another telegram, dated Seattle, Wash., January 22, which is addressed to my colleague [Mr. JONES], Representatives JOHN F. MILLER, ALBERT JOHNSON, L. H. HADLEY, and myself, as follows:

SEATTLE, WASH., *January 23, 1919.*

MILES C. POINDEXTER,
United States Senate, Washington, D. C.:

To MILES C. POINDEXTER and WESLEY L. JONES, Senators, and JOHN F. MILLER, ALBERT JOHNSON, and L. H. HADLEY, Representatives: Company A, One hundred and sixty-first Infantry auxiliary protest against the inexcusable delay in payment of soldiers and discharged men and allotments. Many instances among our own men of four to eight months' delay work great hardship; influence very bad; some prompt action must be taken; reds making use of Government's neglect.

FRANK STEELE,
R. W. DODGE,
LOUIS H. LEGO.

I present another telegram on the same subject:

SEATTLE, WASH., *January 20, 1919.*

Senator MILES POINDEXTER,
Washington, D. C.:

Delay in granting bonuses to discharged soldiers and sailors is becoming unbearable and unexplainable to all citizens with adequate sense of shame, decency, and square dealing. Civic and patriotic organizations of Seattle, representation of 20,000 citizens, urge you to every effort for immediate results. If you can not force action on pending legislation with this in view, amend any appropriation bill under consideration so as to pay every man a bonus of not less than $300 when he is discharged. No excuse for delay, every reason for quick action. Our own men's dependents more deserving than foreigners for whom $100,000,000 is asked.

THOMAS P. REVELLE,
ROBERT L. PROCTOR,
GEO. CASKEY.

Mr. President, as to whether or not our great allies in Europe have welcomed the activities of the American Food Administrator in the matter of the distribution of these funds and of the food to be purchased with them, on which great store has been placed by advocates of the bill, I call attention to a dispatch published in a reliable newspaper in New York—the New York Globe—dated at Paris, December 21, 1918:

A month and a half has elapsed since the armistice was signed, and nothing has been accomplished toward revictualing the populations of Poland, Austria, and Germany.

The difficulty in this matter has been an important detail of organization of an almost personal character. There has been a tendency to sidetrack the old international war committees, which during three years have efficiently assisted in the revictualment of the allied nations in different products.

They are composed (meaning these committees) of men of different nationalities who have worked together and acquired a knowledge of the situation and the resources of Europe.

Their cooperation would be invaluable not only in working out a system for food supply to central and eastern Europe but generally in the negotiations on the settlement of peace problems.

France, Great Britain, and Italy have found these commissions excellent means for negotiations.

The idea of the American authorities has been to abolish these commissions, thus obliterating an important means of understanding between the United States and her allies.

These commissions have prepared a plan for revictualing Poland, Austria, and Germany. This plan was thrust aside by the American food controller.

These propositions (meaning the ones just preceding this) were refused on the ground that such interference was unnecessary, and that the surplus food supplies of the world being American, America should have the whole credit and the single management.

The allies answered that this surplus food of the world was not wholly in the United States; that large supplies of wheat in Australia, South America, and the Ukraine, as well as other supplies elsewhere, were now available. In other words, the allies desired to retain the interallied war organization as a medium of better understanding.

Senators have read numerous dispatches indicating the controversy that occurred in Europe after Mr. Hoover's arrival there as to whether he should be given undivided control of the distribution of food in Europe, and, instead of this proposition tending toward harmony and unity of action among our great allies and ourselves, it is said to have been the cause of disagreement, of estrangement, and, unfortunately, of more or less ill feeling.

The statements of reputable and prominent newspaper correspondents have been published in leading papers of this country to the effect that the Governments of Great Britain, France, and Italy were of the opinion that the insistence of Mr. Hoover in supplanting the food commissions of those countries, which, as stated in the dispatch from which I have just read, had demonstrated their efficiency by the service which they had rendered, was a commercial purpose; that, from their standpoint, his motive was, by expending this money and distributing this food through a United States food controller in the various countries of Europe, to give to the United States the benefit of the good will, the acquaintance, and the trade which would be acquired by the transaction. They looked upon it as an attempt to commercialize a great transaction which was carried forward under the holy name of charity.

Those are some of the circumstances, Mr. President, which surround this insistent demand for an unusual appropriation, and I thought that the American people were entitled to have the information.

The PRESIDING OFFICER (Mr. HOLLIS in the chair). The question is on concurring in the amendments made as in Committee of the Whole.

Mr. SMITH of Michigan. Mr. President, I should like to ask the Senator from Virginia if he would not think it wise to add, after the name "United States," in lines 3 and 4, the following. I will read the sentence, beginning at line 3, where the language is:

That for the participation of the Government of the United States—

Then add:

in agreement with those governments with which the United States is associated in war.

The reason I ask the Senator in charge of the bill that question is because many Senators believe that there is an agreement between the allies and ourselves with reference to this fund. If there is an agreement, I am very glad; if there is no agreement, I think that there ought to be one. Therefore, after the words "United States," in line 4 of the bill, I think it should read:

For the participation by the Government of the United States in agreement with those governments with which the United States is associated in war.

That, I think, would emphasize the construction placed upon the program by the Senator from Nebraska [Mr. HITCHCOCK], the Senator from Minnesota [Mr. KELLOGG], the Senator from Pennsylvania [Mr. KNOX], and others. Why should not that language be added?

The PRESIDING OFFICER. If the Senator from Michigan will suspend for a moment, the Chair will state that the question is on concurring in the amendments made as in Committee of the Whole. The Senator's amendment would not now be in order, but it would be in order as soon as the amendments which have been made as in Committee of the Whole are concurred in.

Mr. SMITH of Michigan. I think the predecessor of the present Presiding Officer held that the bill is in the Senate.

The PRESIDING OFFICER. The bill is in the Senate, but the first question is on concurring in the amendments made as in Committee of the Whole.

Mr. SMITH of Michigan. Very well.

The PRESIDING OFFICER. Then the amendment of the Senator from Michigan will be in order.

Mr. SMITH of Michigan. It can take that course.

The PRESIDING OFFICER. The question is on concurring in the amendments made as in Committee of the Whole.

Mr. JONES of Washington. I hope those amendments will be submitted separately.

The PRESIDING OFFICER. The Chair is in doubt as to the question of submitting the amendments separately unless previous notice has been given as to their reservation for a separate vote in the Senate.

Mr. JONES of Washington. I shall not insist on it, except that I want the matter put to the Senate without it being stated that "without objection, the amendments are concurred in." I want the question submitted to the Senate.

The PRESIDING OFFICER. The question is on concurring in the amendments made as in Committee of the Whole. [Putting the question. After a pause.] The Chair is in doubt.

Mr. POINDEXTER. I suggest the absence of a quorum, Mr. President.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, S. Dak.	Myers	Smoot
Bankhead	Jones, Wash.	Nelson	Spencer
Beckham	Kenyon	New	Sterling
Calder	King	Nugent	Swanson
Colt	Kirby	Overman	Thompson
Culberson	La Follette	Penrose	Trammell
Curtis	Lenroot	Poindexter	Underwood
Fletcher	Lewis	Pomerene	Wadsworth
Frelinghuysen	Lodge	Ransdell	Walsh
Gay	McKellar	Saulsbury	Warren
Hale	McLean	Shafroth	Watson
Harding	McNary	Sheppard	Weeks
Henderson	Martin, Ky.	Simmons	Wolcott
Hollis	Martin, Va.	Smith, Ariz.	
Johnson, Cal.	Moses	Smith, Mich.	

Mr. CURTIS. I desire to announce the absence of the Senator from Nebraska [Mr. NORRIS] and the Senator from North Dakota [Mr. GRONNA] on business of the Senate.

Mr. FRELINGHUYSEN. I desire to announce the unavoidable absence of my colleague [Mr. BAIRD] on account of illness.

Mr. LEWIS. I wish to announce that the senior Senator from Maryland [Mr. SMITH] is detained by illness.

The PRESIDING OFFICER. Fifty-eight Senators have answered to their names. A quorum is present.

Mr. SMITH of Michigan. Mr. President, I understand the question now before the Senate is on concurring in the amendments made to the bill as in Committee of the Whole.

The PRESIDING OFFICER. The Senator is correct.

Mr. SMITH of Michigan. Upon that a vive voice vote was taken, whereupon a quorum was called. The Senator from Washington [Mr. JONES] asked to have a separate vote on each amendment. I am not clear in my own mind as to just what the amendments are. In some of those amendments I think there are limitations and extensions of the provisions of this bill. For instance, I think there is an amendment that precludes our devoting any of this charity, if it is a charity, to any of the people of the central powers or their allies. I think I am right about that, and that such an amendment has been adopted.

I do not think it will be a very popular thing to say, but I am going to say that if we are going to treat this as a charitable, generous, and kindly proceeding, I think these limitations reflect a very narrow and revengeful spirit. If I had my way about it, I would strike out the words "outside of Germany." I do not understand how our Government can go out to relieve starvation and distress and in the appropriation bill fix such words of limitation.

One of the most humane things done by the French after the armistice was to take food to the starving children of Austria-Hungary. I think, if my memory serves me right, that 1,000 carloads of food were sent to these misguided people.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Washington?

Mr. SMITH of Michigan. Certainly.

Mr. POINDEXTER. My recollection is that that was done under the administration of Mr. Hoover, and not under that of the French.

Mr. SMITH of Michigan. No; I think not——

Mr. POINDEXTER. Just one word. If the Senator refers to the carloads which were shipped from Switzerland into Austria-Hungary, the information which was printed in regard to that stated that it was done under the direction of Mr. Hoover by arrangement with the Swiss Government.

Mr. SMITH of Michigan. I do not care who did it; it was done under the guardianship of French soldiers and under the French flag; and it was most generous and distinctly creditable. Lincoln would have done it; Grant was equally generous with his vanquished foe at Appomatox.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Massachusetts?

Mr. SMITH of Michigan. Certainly.

Mr. LODGE. I have been engaged in a conference on the revenue bill and have just recently come into the Chamber. The amendment referred to by the Senator from Michigan, I will say, was put on at my suggestion. I think it is a sound amendment. I think our first duty is to help the starving people who were reduced to starvation by the people I exclude by my amendment. I think there is a broad distinction between starving friends and starving enemies in a case like this.

I think we should take care of distress in our own country before we begin to feed Germans and Turks. I carefully left in the Armenians, the Syrians, and the Greeks—I enumerated them—and all the Jewish and Christian populations under Turkish sovereignty. All I excluded there were the Turks. I further excluded Germany, Austria-Hungary, and Bulgaria, because I do not think the time has yet come to feed them. I want, first, to feed the people whom they brought to starvation, and when that is done, if there is money left, we can feed the others.

I wanted also, I may say to Senators, to save and help this bill and not carry it beyond the point at which Senators can vote for it.

Mr. SMITH of Michigan. I am not criticizing the Senator from Massachusetts. I find myself in accord with him most of the time. What I dislike about it is to read into a statute an affirmative limitation of that character when it is not necessary.

Mr. LODGE. There was already a limitation in the bill.

Mr. SMITH of Michigan. Yes; therefore the amendment of the Senator was appropriate, and I would strike out the House provision.

Mr. LODGE. Does the Senator mean that he would feed the Germans, too?

Mr. SMITH of Michigan. Not necessarily; but I would leave that to the President in his discretion. Can we not trust him? The bill reads:

and countries contiguous thereto, outside of Germany, as may be determined upon by the President from time to time.

I would leave it to the President to determine from time to time. In other words, I dislike very much to chisel into the statute a limitation which in future years may come back to plague us. Our first consideration should be for our own people whose Government we represent; then if there are starving children anywhere and we can feed them it will be to our everlasting credit to do so.

Mr. BORAH. Mr. President, may I suggest to the Senator that any limitation which we put on the statute will not disturb Mr. Hoover one particle.

Mr. SMITH of Michigan. I am not thinking about Mr. Hoover. He seems amply able to take care of himself.

Mr. BORAH. Mr. Hoover, who violated the most fundamental principles of the Constitution of this country, will not have very much regard for a statute in Europe.

Mr. SMITH of Michigan. I am not worrying about Mr. Hoover. History may give him his proper credit and his rightful place.

Mr. LODGE. Mr. President, if the Senator from Michigan will allow me, I entirely agree with the statement of the Senator from Idaho [Mr. BORAH]. I do not think Mr. Hoover will pay the slightest attention to the terms of the statute. He was entirely lawless here. He undertook to abolish by his decree the laws of States, with which he had nothing more to do than the Sultan of Turkey, and he will not regard these limitations. I think, however, for our own purposes, our own good sense, and in deference, I believe, to the wishes of the people of the United States, we had better not begin feeding the Germans and those associated with them in the war.

Mr. SMITH of Michigan. That may be the view of the people of the United States now, but I wish to tell you that when you write affirmatively into a statute the exclusion of innocent children in any part of the world from our sympathetic consideration you take a very great responsibility. I am not thinking about Mr. Hoover violating the Constitution. I do not expect him to do it; but I am thinking of my vote on this bill and the fact that we are going out on an errand of mercy with bread in one hand and a gun in the other. I am willing the President of the United States shall invest this fund as he may be led to do by the circumstances of the situation. I hope it will be used to relieve hunger and starvation wherever it exists.

Mr. PENROSE. Mr. President, will the Senator permit an inquiry?

Mr. SMITH of Michigan. Yes.

Mr. PENROSE. The Senator has referred to the innocent children of Germany. Would he object to having another hundred million dollars added to this bill to take care of the starving children in America?

Mr. SMITH of Michigan. No; I would vote for that.

Mr. PENROSE. Including the children of the great city of New York, who, on account of the high price of milk, are gradually losing their vitality and their strength?

Mr. SMITH of Michigan. Yes; I would vote for that kind of a resolution and to relieve starvation.

Mr. PENROSE. Had the Senator not better vote for that before he votes for this?

Mr. SMITH of Michigan. I fear I will not have the opportunity, I will say to the Senator.

Mr. PENROSE. Then let him vote against this until he has a chance to vote for the other.

Mr. SMITH of Michigan. No, Mr. President; I am going to vote for this because I think that the President of the United States has committed our country to it. He is the Commander in Chief and on the ground; the war is not ended; and the President says that this measure of relief is essential to obtain a general peace. Having committed our Government to it by what I call an agreement with the other nations, I refuse to repudiate him when he is at the peace table taking most of the responsibility that grows out of this very unfortunate and yet very serious situation.

Mr. PENROSE. Mr. President, if the Senator will permit a correction there, the rather time-worn argument of the war for waste and extravagance and the rather overworked argument of "Commander in Chief" for ill-advised projects and chimerical enterprises are in this case supplanted by the argument of "our ambassador and minister plenipotentiary." Mr. Wilson is the ambassador of the United States by his own appointment.

Mr. SMITH of Michigan. Well, whatever he is, he is President of the United States, and he is the only President we have. I did not help make him President, and I do not approve of very much he has done while he has been President; but I am not going to repudiate him when he is upon foreign soil as the representative of the American people; and I think anything that will tend to wither his arm and lessen his usefulness there will be disgraceful to the American people.

Mr. WATSON. Mr. President, will the Senator carry that policy so far as to adopt any proposition of a league of nations he may bring back on the theory that he is our President and the only President we have?

Mr. SMITH of Michigan. No, Mr. President; I do not regard that as imperative or so humane as feeding the starving people of Europe. I am not in accord with a great deal that he is trying to do and has done; but, nevertheless, I think we can not afford to make a serious international blunder. I think this language, "outside of Germany," will come back to plague our country in future years. If we are going to relieve distress, let us do it in a big, broad, charitable, kindly, sympathetic way, and not build hurdles of hatred for future generations to mount.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Washington?

Mr. SMITH of Michigan. I do.

Mr. POINDEXTER. The Senator spoke of supporting this measure because the President is Commander in Chief. The only thing that is said about "Commander in Chief" in the Constitution is that the President is Commander in Chief of the Army and the Navy.

Mr. SMITH of Michigan. Yes; the war is not over; peace has not been declared.

Mr. POINDEXTER. Now, if the Senator will pardon me just a second, I want to ask him a question. Very often, however, the expression is used here in the Senate as though the Senate were a military organization and subject to the commands of a superior military officer and Commander in Chief.

Mr. SMITH of Michigan. I sometimes think it is.

Mr. POINDEXTER. One would think so, if the Senator will pardon me, from the remarks he has just made.

Mr. SMITH of Michigan. One would think so from the course that the Senate has taken upon most of the legislation demanded by the Executive.

Mr. POINDEXTER. Exactly. I agree with the Senator in that regard; but what I wanted to ask the Senator was this: Does the Senator believe that because the President is Commander in Chief, whatever he is Commander in Chief of, the Senate of the United States has to vote appropriations out of the Public Treasury whenever he tells it to do so?

Mr. SMITH of Michigan. No; I do not think so; but it usually does, and this is a poor time and a bad place to stop.

Mr. POINDEXTER. The argument of the Senator was that we ought to support this bill because the President asked for it.

Mr. SMITH of Michigan. That is this bill. That is not some other bill. That is this bill. I am talking about this one originating with the interallied war council in France.

Mr. POINDEXTER. I am talking about this one.

Mr. SMITH of Michigan. And I am talking about a bill intended to relieve starvation and distress, which the President says is vital to peace and the end of war. That is what I am talking about.

There is a great deal of talk in the Senate Chamber that I do not agree with. I listen to it. I listened this morning to a tirade against Russia with which I entirely disagree. How short the memory of Senators is. Not long ago the Russians with 6,000,000 men upon the eastern front performed a service for mankind for which the world ought to be grateful. The Russians held Germany for months and prevented concentration of her army in France.

Mr. MYERS. Mr. President, will the Senator yield?

Mr. SMITH of Michigan. No; I decline to yield. I heard the Senator this morning, and I so thoroughly disagree with him that I do not want to invite any controversy. Senators talk about disorder in Russia. Of course there is disorder; but when there was almost equal disorder here in our own country, and brothers were at the throat of brothers in civil war, it was Russia, with its potential and mighty influence, which helped save the country of Abraham Lincoln from destruction.

Mr. POINDEXTER. Mr. President——

Mr. SMITH of Michigan. I am afraid if I yield to the Senator from Washington I will be guilty of invidious discrimination. I did not refuse to yield to the Senator from Montana merely because we were in disagreement; and if I yield to the Senator from Washington of course I am going to yield to the Senator from Montana also.

I yield to the Senator from Washington.

Mr. POINDEXTER. I join with the distinguished Senator from Michigan in his compliment to the part that Russia played as an ally of Great Britain and France in the early years of the war; but my understanding of the speech of the Senator from Montana this morning was not that he criticized the efforts of Russia in support of the allies. What he was criticizing was the element of the Russian people which got control of the Government and by force, by murder, by brigandage, by loot, by opening the prisons to the desperate criminals that were confined in them and putting guns in their hands, betrayed the Russian people, surrendered a large portion of the Russian territory, and turned over the gold in the public treasury to their German masters and employers. I understand that he was denouncing, not the Russian people who aided the allies but the Bolsheviki anarchists who betrayed the allies. Now, I am sure the Senator from Michigan does not like the Bolsheviki.

Mr. SMITH of Michigan. Mr. President, I have heard this idle talk around this Chamber for several days. I have heard it said by able Senators that not a dollar of this money should go to relieve distress in Russia; and yet when our ambassador at the Court of St. James pleaded for the discontinuance of the construction of privateers with which the government of Mr. Lincoln was to be destroyed it was the Government of Russia that sent a fleet into American waters under sealed instructions to go to the relief of Mr. Lincoln and his government. I have read every paper that passed between our State Department and our ambassador bearing upon that question years ago, and I commend that correspondence to the people who are criticizing Russia to-day.

Mr. MYERS. Mr. President, will the Senator kindly yield to a question from me now?

Mr. SMITH of Michigan. Yes; I yield to the Senator.

Mr. MYERS. Does the Senator from Michigan have high esteem for Benedict Arnold, who rendered most valiant service to the American cause at Quebec, Champlain, Ticonderoga, and other places, notwithstanding the fact that he later betrayed the cause which had honored him with a commission?

Mr. SMITH of Michigan. The Senator is talking about an American. I am not talking about Russians. I do not think Trotsky is a Russian. I do not think Lenine is a Russian. I am talking about the Russian people, God bless them, who need strength and comfort and help. I am talking of the Russian people; and I have not lost faith that they will yet work out a noble destiny, dreadful as their experience has been.

No; I abhor bolshevism, but the Russians will throw it off and stabilize their Government, in my opinion.

One thing Russia did do. They kept Germany busy on the eastern front while England was getting ready to go to the aid of Belgium and France; and if they need help I am going to give the President of the United States the funds and the right to help them. The mere fact that they are having an unfortunate political experience with cutthroats and assassins is no reason why they should be deserted by their historic friends.

I know what the sealed orders were that were given to the Russian fleet, and I know the effect that the sailing of that fleet for American waters had upon our enemy at that time. What no other influence could do the sailing of the Russian fleet accomplished. Dr. T. De Witt Talmage, the eminent divine, told me that while he was a guest in the palace at Petrograd he was shown the original orders given to that fleet. I want to say to Senators on both sides of the Chamber that Russia rendered a potential service to our country when we were sorely driven and at our very wits' end to control the disorder and Civil War within our own country, and as one American Senator I refuse to forget that service.

Mr. WATSON. Mr. President——

Mr. SMITH of Michigan. I yield to the Senator from Indiana.

Mr. WATSON. Nobody can dispute the propositions laid down by the Senator from Michigan in regard to the conduct of Russia during our Civil War. Everybody understands that; but I can not see what that has to do with the existing situation. The Senator undoubtedly sees a difference between ordered government and established institutions and institutions that are absolutely under the control of anarchy and of riot and of disorder, where wreck and death are the only order recognized by these people.

Now, the Senator, of course, does not want to feed the very men who are to-day shooting down American soldiers on Russian territory, and that is precisely what I object to. We know that if food were to be sent there, that food would be taken charge of by the red-handed anarchists and the Bolsheviki that are in control of the Russian Government at this time.

Mr. SMITH of Michigan. The Senator is right—not usually wrong. I do not want to feed anyone who is shooting at an American soldier. There are millions of noncombatants in Russia. I suppose there are millions of them in Hungary and Austria and Germany. I do not want to say where this food shall go. I want to leave it to the President. I do not want to chisel into the statute something that we may regret. Some one has said, "That which hath been written shall remain, nor be erased, nor written o'er again."

This resolution, if enacted into law, will go down the ages; and I would rather that sentence would be out of it than in it. The fact that countries are at war does not mean that they will not at some time be at peace with each other. Why, our principal ally was once our enemy and at war with us. Russia and Japan were lately at war, yet they came to be friends. I do not like to write into the statute a declaration that money appropriated by the American Government for the relief of suffering and starvation shall not be used in certain territory, no matter what the suffering may be; that is the extent of my contention. I do not say to whom it shall go. I am not undertaking to direct the expenditure. I will leave it to the President.

Out here at Cabin John Bridge the name of Jefferson Davis was carved as Secretary of War at the time the bridge was constructed. During the War of the Rebellion some one went up and chiseled Davis's name out, and the scar was worse than the name, caused more talk and much animosity. Col. Roosevelt, while President, restored it, to his great credit. Revenge is a poor guide for men or nations.

I do not want to prolong this discussion. I have no intention of doing so. I did not intend to say anything about the bill. I think the limitations in this bill very unfortunate.

Before I take my seat I am going to repeat that I have not lost faith in Russia. Russia has made great progress since the end of the Russian-Japanese war—great progress. Before the Russian-Japanese war there was not a peasant in Russia who owned an acre of land in his own right. Within 10 years after the fall of Port Arthur millions of acres were owned and cultivated by the peasants who owned them. They are not hopeless, and we must not shut our ears and our eyes or our hearts against them. If there is a country in the world, outside of France, that has earned the perpetual gratitude of the American Nation, it is Russia. France helped us win the Revolution. Russia helped us win the Civil War. I do not want to let go unchallenged the statement that I have heard to-day several times, that none of this money must go to the relief of the Russians, just because a few scoundrels have assumed leadership there—temporary leadership, I hope.

I do not want anybody to misunderstand me. I am not going to overlook our friends and proceed immediately to the camps of our enemies to distribute these foodstuffs; but I am going to leave that to the President, as the bill does stripped of its limitations.

Will not that be better, Senators? Will not that look better a quarter of a century hence? Perhaps, when Germany may become a republic and our relations may become as close to her as they are to England now, it will not look very well to have this historic statute say that none of the money appropriated by this Government to feed the hungry and the starving in Europe shall be used in Germany.

We strongly condemned Germany because she would not feed the innocent children of Belgium when Germany was at war with Belgium; and yet here, two months after the armistice has been signed, when Germany is broken and her military strength destroyed, we solemnly assert that though her children be starving, none of this food shall be given to them. Is the world mad? That does not sound well to me.

I am not going to delay this bill by taking another moment of time. I again appeal to the Senator from Virginia to state whether or not he is willing to write into the bill the words "in agreement with those Governments with which the United States is associated in war," so that the sentence will read:

That for the participation by the Government of the United States—

And, then, my language—

in agreement with those governments with which the United States is associated in war in the furnishing of foodstuffs and other urgent supplies.

I think that will tend to remove the uncertainty as to whether this is a formal agreement between these powers. It will make a substantial basis for the return of the money we are appropriating; but if the Senator from Virginia disagrees with me, and the Committee on Appropriations disagrees with me, I will not press the matter. I think it ought to be in the bill; and I think the limitations ought to be out of the bill. The whole subject matter ought to be turned over to the President, without such limitations as will come back to plague us in the future.

Mr. MARTIN of Virginia. Mr. President, the only amendment offered by the Senator from Michigan, as I understand, is to interline after the word "participation" the words "in agreement with other Governments."

Mr. SMITH of Michigan. "In agreement with other Governments." I would stop there, if necessary.

Mr. MARTIN of Virginia. The Senator has very generously said that if I did not feel that I could accept that amendment he would not press it further. I will say to him that the amendment is entirely unnecessary, because there has been an agreement between other Governments. Each of the four Governments has appointed two of its most distinguished statesmen to distribute this fund. The council for supply and relief agreed with the allied war council that $300,000,000 should be raised to relieve the starving populations of Europe. That has been in the RECORD here. That agreement has been reached. Each of the four nations appointed two representatives. Lord Reading and another distinguished Englishman are on it for Great Britain. Two of the most distinguished men in France are on it. In the case of Italy, I forget the names; I can not carry these foreign names in my head; but the four Governments are all represented on what they call the supreme council of supply and relief, and they have agreed that it must raise $300,000,000 to relieve the suffering people, and they have asked the people of the United States to furnish $100,000,000 of the $300,000,000. So there is an ample agreement, and it is already being attended to by a council of eight of the leading statesmen of Europe; and for that reason I think it would simply lead to confusion to change the law. It certainly can do no good, because the agreement has been arrived at, and eight of the leading statesmen of these four countries are at work trying to relieve the starvation among our friends in Europe.

I think, therefore, it is unnecessary to add that language to the bill.

Mr. MYERS. Mr. President, I wish to say just a few words in regard to some of the remarks which were made by the distinguished Senator from Michigan [Mr. SMITH].

Germany started and waged the most infamous, brutal assault upon the civilization of the world that has ever been known. In doing so, the German soldiers, who are from and of the German people, perpetrated the most monstrous, horrible, shocking, and blood-curdling outrages upon the people of France and Belgium that have even been known in the annals of history. Nothing like it was ever known before.

The people of Germany perpetrated monstrous outrages upon the people of this country, upon the dignity and integrity of this country. They sank the *Lusitania*, carrying about 200 innocent citizens of the United States, mostly women and children. They sank other merchant ships, ships that belonged to the people of this country, and destroyed lives of other citizens of this country. The people of Germany held celebrations, commemorating with drink and joy and song and speeches those monstrous outrages. Germany tried to corrupt, debase, and poison this country through methods of bribery, treason, and infamy, by means of an infamous propaganda of disloyalty.

The Christian religion and all sound systems of morals and ethics teach that forgiveness is to be extended when there is repentance and contrition. We are taught by Holy Scripture that there is to be forgiveness when there is repentance and contrition and not before. The people of Germany have manifested not one symptom of repentance or contrition for anything they have done in this horrible assault on the civilization of the world. The people of Germany are still stubborn, unrepentant, and defiant. Their spirit is not broken. They do not regard themselves as a conquered, defeated, or beaten people. They still exhibit the belief that they were right in what they did, that they had a right to do it, from the standpoint of the false German philosophy which teaches that might makes right. There is every evidence that they cherish the idea of becoming again a world power and of renewing their monstrous warfare upon the civilization of the world and yet conquering the world and bringing it to their feet.

There is no sound system of religion or morals or ethics which teaches that people are entitled to forgiveness before they manifest repentance, and that is a sound principle. There is justice in it. It is at the bottom of every sound system of theology, morals, and ethics. The Bible teaches it. We are not entitled to forgiveness until we repent of our sins and ask for forgiveness. The German people have not yet manifested one symptom of repentance. They still manifest a stubborn, sullen disposition to stand on what they have done.

When the people of Germany express repentance and contrition for their misdeeds; when they acknowledge that they were wrong in this war; when they acknowledge that they were the cause of bringing on the war and did it willfully and wrongfully; when they acknowledge that they were guilty of monstrous outrages upon innocent men, women, and children, noncombatants, in France and Belgium; when they acknowledge that they were in the wrong in all those things and exhibit a spirit of repentance and contrition and a disposition to make reparation for those wrongs and a willingness to make a beginning at making reparation, I say it will be time enough for the people of the United States to extend to them forgiveness, generosity, and charity.

Mr. SMITH of Michigan. Mr. President——

Mr. MYERS. I yield with pleasure to the Senator.

Mr. SMITH of Michigan. The Senator does not understand that I am in a forgiving frame of mind in reference to Germany and the atrocities she has committed?

Mr. MYERS. I say, without any discredit to the Senator's generosity of heart, that if he wants to extend the provisions of this bill to Germany, it seems to me he is in a very forgiving frame of mind. It can not be otherwise.

Mr. SMITH of Michigan. I have not said anything about extending the provisions of the bill to Germany. I simply expressed my opposition to that limitation, leaving it to the President to say where hunger and distress should be relieved. I am not telling him where to go.

Mr. MYERS. No; but striking out "Germany" would leave the food free to go to Germany.

Mr. SMITH of Michigan. It would leave the matter with the President. The President is in a position to know as much, at least, about the atrocities that have been committed as the Senator and myself. We leave it to him. I do not like to write into the statute such a word. I think it will come back to plague us. I cited the case out here at Cabin John Bridge. To the eternal credit of Col. Theodore Roosevelt, he ordered Jefferson Davis's name recarved on that bridge. I want to say to the Senator what I said a little while ago, that which has been written shall remain, and I would be very slow as to what I would write in a statute, especially when the object of the statute is bounty and generosity to starving people.

Mr. MYERS. That was a very generous and chivalrous act on the part of Mr. Roosevelt, for whom I ever had very great admiration after the outbreak of the European war, admiration for his true citizenship and intense Americanism. The instances are not analogous, however. I do not believe the Senator from Michigan would be in favor of restoring to the campus of the War College, in this city, the statue of Frederick the Great, which was taken down after we entered the European war.

Mr. SMITH of Michigan. I do not know that I would.

Mr. MYERS. I should not think so. I believe the time for that has not yet come.

Mr. SMITH of Michigan. I do not know that I would favor restoring that statue, but I would not favor tearing down the one of von Steuben, on Lafayette Square, who helped us in the Revolutionary War.

Mr. MYERS. This is not a question, however, of statues. It is not a matter of sentiment. It is a question of justice. The effect of putting into the bill the idea of the Senator from Michigan, amending it by taking out the name of Germany, would be to give the tacit consent of this body to sending to Germany a part of the food to be provided, if the authorities in charge of the distribution of it should so decide. I believe it is proper to put in the bill a limitation so as to exclude Germany from participation. Congress is the disbursing body of the Government, and it is proper for Congress to say how and where it thinks money appropriated should go. I believe we should keep such a restriction in all such bills, until the people of Germany manifest some repentence, some contrition for the monstrous iniquities and outrages which they have perpetrated upon the people of this country and all the rest of the world; until they manifest a willingness to make some reparation to the victims of their outrageous treatment and brutal conduct. When they do that, when they exhibit genuine repentance and contrition and a disposition to make reparation, I am not one of those who would withhold from them forgiveness, mercy, and charity. Until then I would not be precipitate about extending charity to them.

The PRESIDING OFFICER. The question is on concurring in the amendments made as in Committee of the Whole. The Chair submitted the question, but was in doubt, and before he could again submit the question the absence of a quorum was suggested. He will again put the question on concurring in the amendments made as in Committee of the Whole.

Mr. LA FOLLETTE. Mr. President, if I am in order, I wish to address myself to the measure before the Senate.

The PRESIDING OFFICER. The Chair would suggest that the matter was left hanging, and unless the Senator desires to oppose concurring in the amendments——

Mr. LA FOLLETTE. Perhaps what I will say will be an argument in favor of it, perhaps it will be an argument against it.

The PRESIDING OFFICER. The Senator has been recognized.

Mr. LA FOLLETTE. Yes; I supposed I had.

The PRESIDING OFFICER. The Senator from Wisconsin will proceed.

Mr. LA FOLLETTE. Mr. President, the Senate is about to vote upon a bill that appropriates $100,000,000 to be expended in Europe as a gratuity. I am unable to regard the pending bill as a measure to promote war or to give my support to it as a war measure. I do not understand that this Government is at present at war with any people on the face of the earth. In a very narrow and technical sense, perhaps, it may be said that a state of war still exists with the central powers, but the last address which the President delivered to Congress gave us, in my judgment, such assurance as his mastery of the language could give us that the war was at an end.

Everybody knows that in a practical, sensible, rational way the war has ended. The armies of the central powers are dissipated, disintegrated, scattered. They have surrendered. Their navies are in the possession of the allies. Their aircraft, their artillery, their transportation service have been turned over so completely that all thought of war is preposterous.

So when anybody advocates this measure as a war measure I think it is reasonable to say that he is talking fiction. By the very terms of the bill not a dollar of the appropriation is to be expended upon the people with whom we have been at war. How, then, can it be called a war measure?

We are not actually and lawfully at war with any people on the face of the earth. If we are making any war at any place we are making it unlawfully and in violation of the Constitution, and if 124 American boys were killed on foreign soil within 48 hours such sacrifice of American lives was made in violation of the Constitution. It was not lawful war, it was murder, and it can not be disguised by any fine phrases.

So, Mr. President, anybody who supports this bill as a war measure, in my judgment, can not find any fact or situation to bring it within any legal definition of a war measure.

It has been somewhat interesting, as a sort of spectator, to follow this discussion. One Senator would take the floor and say he could not support this bill as a war measure, but that he supported it as a peace measure. Another Senator would say that he could not support it as a peace measure, but that out of the bounty of this country he felt it ought to be supported as a measure of charity.

I do not believe there can be found any logical support for it as a peace measure. It is not to be used to make peace with those with whom we have been at war, for according to the terms of the provisions of the bill, no dollar of it is to be expended within the limits of Germany or among or upon any of the peoples with whom we have been at war. How, then, can it be said that it is a peace measure? If we are not to expend a dollar of it upon the people with whom we have been at war, then how can it be a war measure? If we can not expend a dollar of it upon the people with whom we are now making peace, how is it a measure to promote peace?

What, then, is this bill? I do not believe the time has yet come, sir, to discuss any measure before this body upon constitutional grounds. The Constitution has for some time been a lost document. I do not believe the Senate has it sufficiently in view to approach the discussion of this bill in that calm spirit in which constitutional rights and constitutional principles should be discussed.

Is it a measure, Mr. President, to appropriate money for charity? Are any of the Senators on this floor supporting it on the ground that it is for charity? Senators, you must offer some reason, some day, for your support of this appropriation of $100,000,000. Are you supporting it as a war measure, as a peace measure, or are you supporting it as an appropriation for charity?

Think for just a moment of the figure of our good old Uncle Sam dispensing charity to the starving peoples of Europe. Their hands stretched out to him shrunken with hunger and starvation, little children about his knees, pale, emaciated, their hands so thin that you can see through them. For two years a great, large area of that country has existed upon food that lacked most of the elements essential to life, and the people show the wasting effects of this deprivation. Think of that figure which represents the strength and power, and, if we are to believe that this is charity, the benevolence and the philanthropy of this Government. Picture Uncle Sam there with his means of relieving hunger, and he sees stretched out to him the hands of all nationalities.

Charity! Do you tell me it is charity? What is charity? Charity, Mr. President, has no room in its heart for hate or resentment. It is not charity; it can not be charity if it discriminates. Think of charity represented in the person of this figure that stands for American benevolence and philanthropy turning away a starving child because it is of German parentage. Write it into this statute if you will, but if you do you will write in that which in 10 years will make you as an American writhe and cringe in shame that you did it.

Charity, Mr. President, is the very spirit of the Christ life. Charity represents and stands for all the principles of His teachings.

When you remember the greatest act of Grant's life, really the greatest act of his life, what was it? Oh, that magnificent thing which he did at Appomattox. "Take home your horses and your mules, ye men of the South. You will need them for making the spring crop." When the magnificent figure of that knightly man who had led the Southern forces through four years of fighting against this Government leaned across the table to the sturdy, silent man of few words and said, "Gen. Grant, 28,000 of the Confederate soldiers here have not had anything to eat but parched corn for days," what then did the commander of the victorious forces of the Union say to him who stood before him as the representative of the forces which had been seeking to destroy our Government? What was it? Did he say to him, "We have hungry people in the North, and we propose to feed them first. You fellows who have been fighting to destroy the best Government under God's heaven must go hungry for a while." No; the great general who saved this country and this Government said to him, "Bring them in. The Federal commissary is open to them"; and that night 28,000 Confederate soldiers fed at the commissary of the Government which they had fought to destroy.

Mr. President, this is not a measure to prosecute war. It is not a measure to secure peace, and it is not a measure that can be wholly covered by the mantle of charity. A great enveloping mantle is that mantle of charity, but if you scan it closely enough through it you may see the horns and the hoofs of the Beef Trust, and in saying that I am suggesting no duplicity on the part of the President of the United States. As the late lamented Dolliver once said, "he is surrounded by men who know exactly what they want."

Mr. President, just a suggestion and I leave that phase of the case. Who is it you would punish by denying food to the Germans? The Kaiser? Hindenburg? Ludendorff? Hardly. You would punish the millions of German men, women, and

children and Austrian men, women, and children, who had no more to do with the bringing on of this war than you had, not a bit. Do you think it is straining to assert that? Listen:

We have no quarrel with the German people—

Treason? No. Listen:

We have no quarrel with the German people; we have no feeling for them but one of sympathy and friendship. It was not upon their impulse that their government acted in entering this war. It was not with their previous knowledge or approval.

Who said these words? Woodrow Wilson, President of the United States.

Then, Mr. President, why not supply these peoples? Why starve them? Who said those words? Woodrow Wilson, President of the United States. Out of fashion, are they? Perhaps so. But he said more. Listen:

We are, let me say again, the sincere friends of the German people and shall desire nothing so much as the early reestablishment of intimate relations of mutual advantage between us, however hard it may be for them, for the time being, to believe that this is spoken from our hearts.

And again:

You catch with me the voices of humanity that are in the air. They grow daily more audible, more articulate, more persuasive—

Mark you, Mr. President, "the voices of humanity that are in the air" grow daily "more persuasive." I am sure the Senate desires to hear what the President said, so I shall read from the beginning of the paragraph.

You catch with me the voices of humanity that are in the air. They grow daily more audible, more articulate, more persuasive, and they come from the hearts of men everywhere. They insist that the war shall not end in vindictive action of any kind; that no nation or people shall be robbed or punished because the irresponsible rulers of a single country have themselves done deep and abominable wrong. It is this thought that has been expressed in the formula, "No annexations, no contributions, no punitive indemnities."

When the President uttered those words long months after we had entered the war, uttered them as an assurance to the German people as to what they might expect if they would weaken in their support of the Kaiser's Government, he was distinguishing between the German people and the Kaiser's Government. I do not think you will find anywhere anybody who will stand up in defense of anything that Junkerdom in Germany or junkerdom in any other country has been guilty of in connection with the present war. But there is a difference between the responsibility of the people who were a part of the Government—a helpless part of it—and were forced into a war, and those who were in control and are responsible for the war. I think the time has come to make the discrimination.

Mr. President I understand perfectly well what we are about to do. Mrs. Jameson has said:

I have much more confidence in the charity which begins at home and diverges into a large humanity than in the world-wide philanthropy which begins at the outside of our horizon to converge into egotism.

We are about to go on record in support of this appropriation of $100,000,000, for which the people are to be taxed, not according to their wealth—the time to do that has gone by—but we will sell bonds to provide this $100,000,000, and consumption taxes will be levied upon the people of the United States to pay that obligation. I know the distinguished Senator from Virginia [Mr. MARTIN] believes—for he has said it on the floor of the Senate several times since this bill was under consideration—that a considerable portion of this sum will be returned by the governments to which this appropriation is to be doled out by Mr. Hoover on the other side. I read carefully the hearings before the committee, and the best that I could get out of it in support of that proposition was the statement of Mr. Polk that he hoped that 50 per cent of it might be returned as a revolving fund if the governments receiving it appropriated the money to pay back to the United States.

Senators must remember that by the terms of this bill it is not food alone that will be dispensed. Agricultural implements, fertilizer—there are a thousand and one things for which this money can be spent and yet come within the terms of the statute. What are the terms of the proposed statute? "Foodstuffs and other urgent supplies." In the hearings it was admitted that "urgent supplies" means anything Mr. Hoover sees fit to purchase for these people. Put agricultural implements and fertilizer and things of that character into the scale on one side and on the other side let me present to you the conditions in this country, and weigh it a little; consider it a little to-day as you cast your votes for this appropriation.

Mr. President, the Senate should pause and consider the conditions that confront the people of the United States at this hour. There is a situation so grave and so serious menacing our own country at this very moment that it must appeal to the most conservative-minded man in the Chamber to consider well how we shall deal with that situation as it grows upon us—how we shall use the trust funds that are committed to us in the Treasury of the United States.

A few days ago the secretary of the American Federation of Labor addressed the Committee on Immigration of the House of Representatives. He said that upon the most desultory and imperfect advices that he had from over the country there were several hundred thousand men in the United States out of employment. Senators may smile and treat this as a matter of little moment now, but you may regard it more seriously a little later.

He said another thing: That in 90 days you would see the grim formation of the bread line in every industrial center in America. I believe that the man who perhaps knows most about unemployment in the United States is sitting within the sound of my voice. Whatever the secretary of the American Federation of Labor may know about the matter comes to him in telegrams from several cities, and from this information he made the calculation upon which he based his statement before the committee that there are 300,000 men out of employment. That tells the story as he knows it at that particular moment. I happen to be a member of the committee of conference on the census bill. We had before us yesterday an address, which stirred deeply with me the responsibilities that are upon that conference committee at this time. Dr. France, a Member of this body, I believe through many years has given great attention to the question of social conditions and the legislation necessary to meet them. He has given more attention to these problems, perhaps, more than all the other men in this body combined. I do not think anyone who listened to his address before the Senate but had the most unbounded respect for his learning and his mastery of all the matters involved in the propositions which he discussed. In speaking before the committee of conference yesterday Senator FRANCE stated that beyond any question there are in the United States to-day close to 1,000,000 men out of employment—not 300,000, but 1,000,000—and that when the large army from the other side was finally discharged there would be 2,000,000 men in the United States out of employment.

Things happen very rapidly in these days. We have a great Army of four and a half million men to be demobilized and must again be absorbed into the industrial life of the country, and then we must meet the changed conditions that suddenly transform industry from a war to a peace basis. That can not be done without a jolt, without a shock to the economic system of this country. Do you believe that you can pass over that situation and not produce conditions which may possibly be very disastrous to our social order? And is it not well for us, when we stand, as we do this afternoon, upon the threshold of an appropriation to distribute as an act of gratuity and of doubtful constitutional authority at the best, $100,000,000 for agricultural implements, fertilizer, and a wide range of things that come within the terms of this bill in foreign countries, to consider these matters? And for what are we at this time to make this appropriation? Why, the very messages we have received pretty plainly indicate. It is not proposed to use it primarily to save life, but to control principles, to meet arguments, to arrest the progress of socialistic propaganda.

Mr. President, I am making no defense of any particular form of government that is advocated in the Old World, but I say that the principles and the arguments back of socialism must be met with something beside food. We may drain the Treasury, we may pour the wealth of this Government into the currents of the life of the countries on the other side seeking by free-lunch counters to answer the arguments of those who have suffered the injustice of such governments as the Russian Government, and we will have squandered every cent sent to them. Nay, more, we will have discounted and rendered unworthy and prejudiced the good work that this Government ought to be able to do as an example to the other Governments of the world. It is argument and example that must be used to effectively meet argument.

I ask for a moment to place a brief, very imperfect, and fragmentary survey of the situation in this country before the Senate, and I send to the Secretary's desk several letters and some telegrams, which I ask the Secretary to read.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

WASHINGTON, D. C., *January 21, 1919.*

Senator ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I herewith inclose copies of telegrams in regard to unemployment received from the secretaries of the central bodies of these cities, which are additional to the ones I submitted in my hearing last Thursday before the House Committee on Immigration.

I have also received information orally from a number of officers of international unions that some of the larger employers of labor are

discharging their men and then reemploying them at a lower rate. In support of that statement I attach a communication received from President William H. Johnston, of the International Association of Machinists, with a statement prepared by Vice President Anderson, which will throw a sinister side light upon ill-advised action taken by a number of employers of labor that is creating great unrest among their workers and seriously hampering the efforts of the officers of the trade-union movement to adjust grievances without their members resorting to a strike.

Yours, very truly,

FRANK MORRISON,
Secretary American Federation of Labor.

INTERNATIONAL ASSOCIATION OF MACHINISTS,
Washington, D. C., January 21, 1919.

Mr. FRANK MORRISON,
Secretary American Federation of Labor,
Washington, D. C.

DEAR SIR AND BROTHER: I was much interested in reading the statement made by you before the Senate Committee on Immigration, and I have requested Vice President Anderson to compile some figures relative to the number of employees laid off in the machine industry.

It may interest you to know that a number of firms are accentuating the existing unrest caused by unemployment by increasing their hours instead of decreasing them, which would be the natural thing to do under the circumstances.

There are quite a number of firms that have been working on the basic eight-hour day that have served notice on their employees it is their intention to return to the 10-hour workday.

The Mitchell Motor Car Co. and the Prefix Radiator Co., both of Racine, Wis., attempted to compel the men to give over the basic day to a 10-hour day, and as a consequence the men went on strike.

The J. B. Wise Co., of Watertown, N. Y., where an 8-hour day existed, posted notice that the 8-hour day would be discontinued and the 10-hour day established. As a result the men in that plant went out on strike.

There are quite a number of employers who have been working under the award made by the National War Labor Board, which was supposed to be in effect for the duration of the war. They have now served notice on their employees that so far as they are concerned the war ended on November 11, 1918, when the armistice was signed, and therefore the award is no longer in effect, and that the employees would be discharged and reemployed at the old wage rate in effect before the award was made; or, in other words, they would be expected to work for prewar wages, despite the fact that the cost of living has not been lessened.

Among the firms which have taken the position referred to is the Worthington Pump Co., Cudahy, Wis. While the award was supposed to be in effect until May 1, or for the duration of the war, they have taken the position that the war is ended and they are no longer obligated to abide by the award.

The Willys-Overland Co., at Elyria, Ohio, have taken a similar position, paid all their employees off, numbering several thousand, and reemployed them at rate existing before the award was put into effect.

There are numerous other firms which could be mentioned. Possibly, we shall have quite a complete list in the next week or so. However, this information, in addition to that Mr. Anderson is getting up, showing the number of men laid off in the different cities in the country, will be very illuminating, and you may make any use of it you desire.

With best wishes, I remain,

Fraternally, yours,

(Signed) WM. H. JOHNSTON,
International President.

About 4,000 men have been laid off to date in Fitchburg, Mass.

Between 500 and 600 machinists out of work in Chicago, Ill.

About 1,000 machinists and toolmakers and 8,000 specialists laid off in Newark, N. J. The names of some of the shops where the greatest layoffs occurred are as follows:

Gould & Eberhardt Co., Newark, laid off 250 machinists, 100 specialists. Employed 800 during war and manufactured Gould & Eberhardt shaper. Were working basic 8-hour day 10 hours a day, with time and one-half time for overtime. Now they are working the 10-hour day and paying straight time for it. They are trying to reduce rates by offering to break in new men at a low rate.

Splitdorf Magneto Co., Newark, laid of 100 machinists and 200 specialists. Manufacture the Splitdorf magneto. Before war employed 1,000. Working basic eight-hour day, paying time and one-half for overtime. Shop committee requested company to stop overtime, but they refused and trouble is brewing.

International Arms and Fuse, Newark, laid off 800 machinists and toolmakers and about 7,000 specialists.

Syming, Anderson Co., of Rochester, N. Y., has practically closed down their plant, causing about 4,000 men to be out of work. Bausch & Lomb Optical Co., Rochester, laying off from 25 to 30 men per day.

Colt Fire Arms Co., of Hartford, Conn., has laid off close to 4,000 employees out of 7,500. Pratt & Whitney Co., Hartford, have laid off 1,500 out of 5,000. The McIntyre Machine Co. and the Hartford Machine Screw Co. discharged a number of their employees and then attempted to rehire them at a lesser rate.

Bradley Car Co., Worcester, Mass., laid off 9,000 men. John Bath Co., Worcester, Mass., laid off 50 men and are now hiring help at reduced wages. Reed Prentice Co., Worcester, laid off about 150 men and are attempting to rehire them at lesser rate.

Ulm Motor Co., Sandusky, Ohio, normal force in machine department, 200; 175 laid off, while 10 girls and 15 men were retained. Working 55 hours week; basic week 45 hours, time and one-half for overtime. Sandusky Foundry & Machine Co. laid off 50 out of 80. Working 59 hours week. Other shops in Sandusky using every effort to enforce 10-hour day, and are well lined up to resist any increase in wages.

Pierce-Arrow Motor Car Co., Buffalo, N. Y., laid off entire night force—approximately 1,000—and about 3,000 of day force. Curtiss Aeroplane Co., Buffalo, laid off about 15,000. American Car & Foundry, Buffalo, laid off about 2,000. Russell Motor Car Co., Buffalo, laid off about 1,000. King Sewing Machine Co. laid off 500; Bethlehem Steel Co. about 1,500; Donner Steel Co. about 1,000; and about 800 were laid off in smaller shops in Buffalo. Total, about 25,800 men out of work.

Reports from Columbus, Ohio, indicate that the contract shops in general are only retaining 10 per cent of their force. The general impression is that they are trying to lower wages.

In New Haven, Conn., the following lay offs have occurred:

Winchester Repeating Arms Co. laid off 9,000 out of 20,000.

Marlin Rockwell Corporation laid off entire force of 4,000 men.

Driggs Manufacturing Co. retained 10 men out of ordinary force of 160.

Trego Motor Co. retained 200 out of 500.

Lay offs affecting not so many men occurred in a number of other shops in New Haven.

Since the signing of the armistice a number of men have been laid off in St. Paul, Minn. About 2,500 machinists out of work.

PAN AMERICAN FEDERATION OF LABOR,
January 20, 1919.

Mr. FRANK MORRISON,
Secretary American Federation of Labor,
American Federation of Labor Building,
Washington, D. C.

DEAR SIR AND BROTHER: I have read with much interest your statements appearing in the Washington Post in reference to the state of unemployment and to the possibilities of "bread lines" by May 1. I have also read what purport to be refutations of your statements by some of the employers and business men in several industrial centers.

In part it may be true that in those places they refer to the state of unemployment may not be so acute, but this does not necessarily mean that the same conditions of unemployment apply in other industries. Take the copper industry, for example.

I have just received two letters, one from Luis E. Soto, secretary of Miners' Union No. 84, of Metcalf, Ariz., and the other from J. Ignacio Garcia, secretary of Miners' Union No. 80, of Morenci, Ariz., wherein it is stated that during the last two weeks the mining companies in that district have thrown 700 men out of employment. The Shannon Copper Co. completely suspended operations. And, further more, it is stated that in the course of a few days 300 more men will be laid off. If it be true, as the employers in that district state, that there is no market for copper at present, what will be the result when the copper companies in the other producing States follow the same action? In my opinion, we will not have to wait until May 1 for the inauguration of the famous "bread lines."

Incidentally, the miners in the Clifton-Morenci-Metcalf district have asked, "What will the American Federation of Labor and the International Union of Mine, Mill, and Smelter Workers do to meet the crisis that is facing the copper industry?"

Fraternally,

(Signed) CANUTE A. VARGAS.

OMAHA, NEBR., *January 15, 1919.*

FRANK MORRISON,
A. F. of L. Building, Washington, D. C.

Approximate number of unemployed 100; short on skilled mechanics.
S. C. JACKSON.

EAST ST. LOUIS, ILL., *January 20, 1919.*

FRANK MORRISON,
A. F. of L. Building, Washington, D. C.

Fifteen hundred unemployed here. E. F. MASON.

BATAVIA, N. Y., *January 17, 1919.*

FRANK MORRISON,
American Federation Building,
Washington, D. C.

Estimate about 125 unemployed in this city. E. J. DEFFNER.

WORCESTER, MASS., *January 17, 1919.*

FRANK MORRISON,
A. F. of L. Building, Washington, D. C.

Absence from city delayed the answering of your telegram; approximately 12,000 now unemployed in Worcester. J. E. HEFFRON,
Secretary.

CHARLESTON, W. VA., *January 20, 1919.*

FRANK MORRISON,
A. F. of L. Bldg., Washington, D. C.:

The unemployed between three and four thousands. E. F. DAVIS.

SCHENECTADY, N. Y., *January 18, 1919.*

FRANK MORRISON,
A. F. of L. Bldg., Washington, D. C.:

Approximately thirty-five hundred unemployed in Schenectady.
F. A. SOELLNER.
11.50 p. m.

AKRON, OHIO, *January 19, 1919.*

FRANK MORRISON,
A. F. of L. Bldg., Washington, D. C.:

About 2,500 out of employment here. A. R. WELKER, *Sec'y.*
5.06 p. m.

GREAT FALLS, MONT.

FRANK MORRISON,
A. F. of L. Bldg., Washington, D. C.:

One thousand unemployed; adding to list daily.
J. FRANK KIERNAN.

INDIANAPOLIS, IND., *January 18, 1919.*

FRANK MORRISON,
American Federation of Labor Building, Washington, D. C.:

Eight thousand unemployed in Indianapolis.
HERBERT MCCARMICK.

BRIDGEPORT, CONN., *January 19, 1919.*

FRANK MORRISON,
Secretary American Federation of Labor, Washington, D. C.:

In answer to wire, about 15,000 out of work in Bridgeport.
WM. S. HOFFMAN,
Secretary Central Labor Union 184,
Harborview Avenue, Bridgeport, Conn.

DENVER, COLO., *January 19, 1919.*

FRANK MORRISON,
Secretary American Federation of Labor, Washington, D. C.:

Estimate between fifteen hundred and two thousand wage earners unemployed.

THOS. P. ROBERTS, *Secretary.*

TACOMA, WASH., *January 20, 1919.*

FRANK MORRISON,
American Federation of Labor Building, Washington, D. C.:

Between two and three thousand unemployed; strike called for Tuesday, affecting 12,000.

JOSEPH H. LYONS.

SAN FRANCISCO, CAL., *January 17, 1919.*

FRANK MORRISON,
Secretary American Federation of Labor,
American Federation of Labor Building,
Washington, D. C.:

After consulting all available sources, I would estimate that there are 15,000 unemployed in San Francisco at the present time.

JOHN A. O'CONNELL,
Secretary Labor Council of San Francisco.

PHILADELPHIA, PA., *January 20, 1919.*

Mr. FRANK MORRISON,
Secretary American Federation of Labor,
Washington, D. C.:

Replying to your inquiry, from information received, there are about 10,000 out of work in Philadelphia, and number is increasing daily; also more than this number on strike at present.

FRANK MCKOBEY.

SEATTLE, WASH., *January 20, 1919.*

FRANK MORRISON,
American Federation of Labor Building, Washington, D. C.:

Impossible to give approximate amount. Thousands, and increasing daily by soldiers from other States being mustered out here, which threatens to be greatest menace. Taking care situation best possible. Government should offer some relief. Washington men will find themselves out of employment when they return. Employers, some of them, trying to take advantage of conditions to reduce standards. To add to this, shipyard strike to-morrow; no settlement in sight.

C. W. DOYLE.

Mr. LA FOLLETTE. Mr. President, those telegrams were sent to me by the Secretary of the American Federation of Labor on Wednesday. The conditions are changing with every hour. You can not pick up any newspaper, morning or afternoon, that it does not record some new phase of this serious situation; and it seemed to me that it was proper for Senators to have before them these facts for consideration at the time they considered this appropriation, for I have not much doubt, Mr. President, that the next 60, possibly 30, anyway 90, days will present to us problems the meeting of which will tax our wisdom and possibly our resources. They must be met as they arise; but at the same time it seemed to me quite worth while that they should be taken into account and should be made part of the record of this proceeding.

But I do not know; perhaps I would not have been prompted to institute this inquiry by telephone from the American Federation of Labor, and bring to my desk through the mails the situation as they had it in hand day before yesterday, except for the fact that one of the Senators, in the course of the discussion of this bill, arraigned the labor of this country as responsible for any unemployment that exists.

Mr. President, it seemed to me so unjust, so unworthy of the Senate, that it ought not to stand upon the RECORD without some answer. I do not hold any brief for the laboring men of this country. I represent in part the State of Wisconsin. We are an agricultural and a manufacturing State; but in a way, Mr. President, I feel some responsibility, as does every Senator, for legislation that concerns the whole country.

It has been stated in the course of the debate upon this bill that laboring men are responsible for the unemployment there is in this country to-day; that ordinary labor is demanding $6, $8, and $10 a day for its services; that the advance in wages is responsible for the high cost of living; that before the war labor constituted 50 per cent of the cost of the articles produced, and that now it constitutes about 85 per cent.

Mr. President, such statements ought not be permitted to stand in support either directly or indirectly of any legislation so important as this legislation is; and it seems to me any Senator ought to be quick to rise upon this floor—I have waited for others to do so—to resent the statements made.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from Wisconsin yield to the Senator from Nebraska?

Mr. LA FOLLETTE. I do; of course.

Mr. HITCHCOCK. Has some supporter of the bill made the statements to which the Senator has just referred?

Mr. LA FOLLETTE. I so understand. I have not any doubt but that the Senator who made the statements here will support the bill. I understand he spoke in support of the bill.

Mr. HITCHCOCK. I have not heard any Senator supporting the bill make those arguments.

Mr. LA FOLLETTE. Well, of course, the Senator has not been here all the while to catalogue all the Senators who have supported the bill. I would not misquote anybody, Mr. President. Listen:

You will find 20 applications for persons to be employed where you will find 1 who asks for employment.

What do you think of that, in the face of these telegrams and letters that are here; and what percentage of the situation in this country do you suppose those letters and telegrams represent?

Mr. HITCHCOCK. Will the Senator state whom he is quoting?

Mr. LA FOLLETTE. Yes; I am quoting the senior Senator from North Dakota [Mr. MCCUMBER], who, I believe, is a supporter of this bill. I understand he is. And no supporter of the bill questioned the statement, so they must have accepted it. Listen, again:

As a matter of fact, while before the war, taking ordinary products, the labor and raw material were about fifty fifty, there are now, in most cases, more than 85 per cent representing labor, which shows that the raw material has not gone up anywhere to the extent that labor has.

Oh, just think of that statement. If it means anything, it means that 85 per cent of the cost of the ordinary article represents labor. That put on to the laboring men the responsibility for the high cost of living.

Mr. President, I am going to demonstrate on this floor—not now; it will take some little time of the Senate when I get ready to do it—but I propose to demonstrate upon this floor that, as a matter of fact, in twenty-odd years the wages of labor instead of advancing have decreased when you consider the purchasing value of the wages, down to the hour when the European war broke upon the world; and I can make it so clear and so demonstrable that it can not be disputed. And, Mr. President, let me say if there should break over this fair country of ours disturbances—which God forbid—that should shake things to their foundation, it will be because we have gone blindly forward in the pursuit of wealth and so-called prosperity regardless of the men who toil and sweat and bear the burdens.

Listen again:

When you come to paying $6, $7, $8, or $10 a day for the most ordinary labor

Shall that go undenied upon the floor of the Senate? Not while I happen to be a Member of it, and I waited nearly for this debate to close for some man who could speak with more authority here than I can to protest that statement.

What are the plain, indisputable facts?

Now, Mr. President, it is not possible for me to produce here to-day the exact amount of the labor cost of the ordinary articles of produce that enter into the daily life of the American people, because that is a matter of exhaustive calculation, of scientific investigation, which has not been made since the disturbances in cost prices resulting from the war; but I am able to put before the Senate some evidence that is indisputable, some evidence that nobody will contradict, and which bears so conclusively upon present prices and the relation of the labor cost in those prices to the other costs that I think it will be a conclusive answer.

In the first place, let me speak of the charge that has been made here, and unanswered, that labor is demanding and receiving excessive wages; that ordinary labor stands at six, eight, and ten dollars a day; that labor is responsible for the high cost of living. I deny it, and I will prove that it is not so. The veriest tyro in the study of economics knows, Mr. President, that the wage level is not the first to rise; that wages advance after all other advances have been made; that wages can not be advanced until such advance is forced upon the employer. The proof of that is that labor has been compelled to organize even to keep step in a measure behind the advancing conditions that compel the increase in wages.

Mr. President, perhaps I can make no better, fairer, or more complete answer to the statement that wages are responsible for the increased cost of living; that wages are excessive, and that wages are six and eight and ten dollars a day for ordinary labor, than to read you a little table I prepared from a Government publication, dated September, 1918, entitled "Monthly Labor Review." I take it that nobody will deny these figures.

I find in that Monthly Labor Review extended tables giving the rate of union wages in all the North Atlantic States for May 15, 1918. Now, I had a later report than this. I had one for November, and this was issued in September; but, in the first place, I did not know that I could get a later edition, and I made up my tables from this number, because I thought it was perfectly fair to take May 15. It would not be influenced by anything that has happened with regard to the cessation of the war, and it would show the very worst conditions that union labor, so far as wages are concerned, sought to impose upon this

country in the North Atlantic States. But when I got hold of the November number, as I did late yesterday, I found that the rate of wages given in the November number is exactly the same as in the September number. They have not changed. They are the same. While I think of it, I am going to ask to print these tables as an appendix to my remarks.

The PRESIDING OFFICER. Without objection, the request of the Senator from Wisconsin is granted, and it is so ordered.

Mr. LA FOLLETTE. Right in connection with what I am saying now, I have a table that is a fair criterion of what those wage figures show, that I propose to put right into the text now, in connection with what I am saying. Now, let us see about those "excessive wages" demanded by labor during the stress, when war was on, when everybody was expected to be patriotic, and almost everybody was patriotic except a lot of profiteers.

What did the unions demand in the way of wages? I have gone through these tables and taken the highest wages that I could find for any city in any North Atlantic State, and the lowest that I could find, and I have put them into this table in order to show the trend of things.

These are the wages that union labor demanded in this country. Union labor can always command better wages than individual labor can get, and so this may be taken as the high tide of the appeal of labor for enough to live on. Let us see if it is excessive; let us see if it is $6, $8, or $10 a day for ordinary labor, for the man with the pick and the shovel. Let us see whether labor is less patriotic than the employers.

According to the union-labor scale of the 15th of May for bricklayers the highest wages they demanded in the North Atlantic States were $5.95 a day for eight hours' labor, and the lowest were $5.15.

Building laborers, evacuating scaffold men, and so forth—the highest wages they demanded, according to the union scale, were $3.82, and the lowest $2.40, in the North Atlantic States. At that time their wages would not purchase more than 50 per cent of the necessaries of life those same wages would have purchased before the war.

For carpenters the highest wages demanded by union labor on the 15th of May, 1918, was $5.20, and $4.36 the lowest.

Engineers, portable and hoisting, $6.06 the highest wages, $4.58 the lowest.

Hod carriers $4.40 and $2.56. Split that in two and you have what the money would purchase according to the scale of the prices of the necessaries of life at any time before the war; that is, $1.28 a day at the fair prices of the necessaries of life before the war and $2.20 a day. Yet, a man will stand on this floor and talk about ordinary labor demanding $6, $8, and $10 a day.

Painters, $5 and $3.66.

Plasterers, $5.86 and $4.58.

Plasterers' laborers—those are the fellows who carry the mortar for the plasterers, I suppose—$4.12 and $2.56.

Plumbers and gas fitters, $5.50 and $4.12.

Sheet-metal workers, $5.50 and $2.75.

Structural iron workers, $6.78 and $4.58.

Structural iron workers (finishers' helpers), $4.40 and $3.30.

Blacksmiths, $6.52 and $4.16.

Boiler makers, $6.30 and $4.77.

Machinists, $8.10 and $2.50. Machinists were the very highest paid mechanical labor in the country last May, when the purchasing price of the dollar was less than 50 cents.

Moulders (iron), $5.80 and $3.66.

Pattern makers, $7 and $2.75.

Granite cutters, $5.72 and $3.66.

Stonecutters, $5.50 and $4.12.

Mr. President, that is what organized labor demanded. We have some labor bureaus organized under the Federal Government. During that same period of time last summer they were seeking employment for men out of work and they got employment, and they put down in this bulletin the wages they were able to obtain for the men for whom they secured employment.

So I have here another table, Mr. President, the employment table, the actual results of the bureau organized to secure employment for unemployed people in the United States. I am going to ask leave to print that table as a part of my remarks in the CONGRESSIONAL RECORD. I have selected, in so far as the table shows it, the very same employments that I selected for the first table, so that there can be a comparison instituted between what union labor demanded and what the United States Bureau of Labor or its subordinate organizations were able to secure for the labor that it placed in employment over the country. I will not take the time to read it. It corresponds very generally with the same figures that are here, and I will ask to incorporate it without reading in my remarks.

The PRESIDING OFFICER. Without objection, leave is granted.

The table referred to is as follows:

Rates of wages paid to workers placed in employment by public employment offices in the United States July, 1918.

Occupation.	Rate of wages per day	
	Highest.	Lowest.
Blacksmiths	$7.00	$2.50
Boiler makers	7.00	3.00
Bricklayers	8.00	4.00
Carpenters	8.00	4.00
Cooks, male	5.00	1.50
Drivers, teamsters, etc	4.50	1.75
Dock laborers	6.00	2.40
Farm hands	4.00	1.00
Hod carriers	6.50	1.75
Laborers	4.50	2.00
Machinists	6.00	3.00
Plasterers	7.00	3.20
Plumbers	7.00	3.60
Structural iron workers	6.50	4.00

Mr. CALDER. Will the Senator yield to me?

Mr. LA FOLLETTE. I yield for an interruption.

Mr. CALDER. Does the Senator's investigation show what the percentage of increase in the cost of labor has been during the past two years? I did not catch all his statement. I heard him read the rates of pay for men in the building industry. I know something of the building industry, and I will say to the Senator, if he will permit me, that the rates of pay in the building industry in the North Atlantic States have increased in the last two years about 30 per cent.

We are not going to have very much building activity this spring, I am afraid, and it will not be altogether because of the increased cost of labor. I find from inquiries, which I made the other day myself, that while wages increased in building 30 to 35 per cent, the cost of material that goes into new buildings has increased from 100 to 300 per cent.

Cement three years ago was about a dollar a barrel and to-day it costs $3 a barrel. Brick cost two years ago $7 a thousand and they now cost $15 a thousand. Spruce timber cost about $35 a thousand and now costs $65 a thousand.

So if the activities in building this spring do not go on it will not be entirely because of the increased cost of labor, but I will say to the Senator it will be more particularly because of the increased cost of the materials, which I contend is unwarranted in many respects.

I have always felt that if the men who are manufacturing materials should in these days try to sell their materials for the lowest margin of profit it would tend to start the industry again, and we would have labor more generally employed and business more active.

Mr. LA FOLLETTE. The Senator's observations merely confirm what I am trying to present to the Senate, that whatever there is of this high level of prices which the people are finding so burdensome it is not due to the advances in wages. It is not the cause that brought it about, but the cause is, as the Senator from New York says, an unreasonable advance in the price of materials. It is the grasping spirit of the employers, and under the economic conditions that prevail in this country and that within the last 20 years have overturned the old laws of trade and competition the employers are enabled to fix arbitrarily the price of their products to the consumer. Under those conditions they are impelled to exact greater and greater profits and to advance the price of material unreasonably and throw upon the men employed in their various organizations a burden under which it is impossible for them to live without an advance in wages. Of course, the men demand an increase of wages. That follows as a necessity.

Mr. President, there is another feature of this matter to which I want to call attention. I did not intend to consume anything like the time I have taken, and I will make haste. It is the suggestion that the labor that enters into a finished product constituted before the war 50 per cent of the cost of that product to the consumer. There never was a more preposterous statement uttered in the presence of any sober-minded, serious thinking legislative body. It is so utterly at variance with the facts that it ought not to need any answer. It was followed up by the statement that the labor cost was responsible for about 85 per cent of what people are paying now for ordinary articles.

Senators, do you know that there has been a real, scientific, thoroughgoing investigation as to the labor costs of different products? There has been, and there are some real, established truths on that subject which nobody can dispute. Of course, I

suppose there are people in this world who would scorn them because they think it does not make any difference. It makes a lot of difference. It has relation to the amount of tariff we should have. It has relation to what are reasonable demands upon the part of labor for their share of the wealth they produce.

In rough way, let me state some cost findings I think will not be controverted. This labor cost has a good deal to do with the tariff. I will state to my Democratic friends they will take it up one of these days and attach some importance to it. The labor value on the average in cotton goods does not exceed 25 per cent. On cotton goods, independent of hosiery, it will run about 20 per cent. That is the labor value in the article. You have had a tariff on it not representing the difference in labor cost between this country and competing countries, but you have had a tariff on it oftentimes representing more than the total labor cost of the article.

Take woolens. The labor cost does not exceed 20 to 25 per cent of the cost of woolens when put upon the market.

Upon other products, and very important products, too, the labor cost is very much less.

Iron is the basis of our industrial life. Iron and steel enter into almost everything as a part of the cost of production. So it is worth while for us to know something about the relative cost of the material and of labor in the production of iron and steel. That is a subject that always tempts me, and I must forbear to yield to the temptation to turn aside and discuss it.

I want to give you just a suggestion of the labor cost of producing steel and iron.

The report of the Bureau of Corporations on the cost of production in the steel industry issued May 6, 1913, is the most scientific, complete, and thorough-going investigation into the production cost of pig iron, ingots, steel rails, and heavier structural products ever made by any independent and impartial authority in this or any other country.

The investigation covered a period of nearly two years.

It embraced from 70 to 90 per cent of the total products of the respective articles discussed.

It includes nearly all of the manufacturing concerns making steel products, large and small.

Nothing short of a careful study of this report can convey an adequate idea of its scope and thoroughness in every detail.

As an example of its character, I quote one paragraph:

> The meaning of the item of labor as forming a part of the mere costs of the several products needs brief explanation. The labor costs, as shown, represent in every instance the wages paid for all forms of producing labor for that particular product at that particular department of the works, including labor in repairs and maintenance.

Now, take pig iron, Mr. President. In Bessemer pig iron that costs $12.10 to produce, the labor cost is 73 cents. That is the part that labor plays in the production.

A ton of pig iron that sold in 1912 for $12.10 had in it as a part of the cost of producing it 73 cents of labor. The balance was made up of $6.10, cost of iron ore; $3.28, cost of coke; 43 cents, cost of limestone; 10 cents, cost of steam; 13 cents, cost of materials for repairs and maintenance; 12 cents, cost of supplies and tools; 24 cents, cost of miscellaneous work, expense; 18 cents, cost of relining and renewals; 3 cents for contingent fund; and 76 cents for general expense and depreciation.

Mr. President, the cost of that product to the American people has increased four or five hundred per cent, but the increase in the wages of labor in that industry has not been more than 70 or 80 per cent. Labor has received a very small share of the increased cost of that product. So with all the other products of iron and steel.

I am not going to take the time of the Senate to go through these various tables. I have them here. I am going to ask to print them in connection with my remarks and save time for the Senate in the consideration of the bill.

The PRESIDING OFFICER (Mr. ASHURST in the chair). Without objection, the matter referred to by the Senator from Wisconsin will be inserted in the RECORD.

The tables referred to are as follows:

Union scale of wages and hours of labor in each trade in North Atlantic States May 15, 1918.

Occupation.	Rate of wages per day.	
	Highest.	Lowest.
Bricklayers	$5.06	$5.15
Building laborers (evacuating scaffold men, etc.)	3.82	2.40
Carpenters	5.20	4.33
Engineers (portable and hoisting)	6.66	4.58
Hod carriers	4.40	2.96
Painters	5.00	3.96

Union scale of wages and hours of labor in each trade, etc.—Continued.

Occupation.	Rate of wages per day.	
	Highest.	Lowest.
Plasterers	$5.84	$4.58
Plasterers' laborers	4.12	2.75
Plumbers and gasfitters	5.50	4.12
Sheet-metal workers	5.50	2.75
Stonemasons	6.00	3.00
Structural iron workers	6.72	4.58
Structural iron workers (finishers' helpers)	4.40	3.30
Blacksmiths	6.52	4.18
Boiler makers	6.30	4.77
Machinists	8.10	2.50
Machinists' helpers	4.05	3.20
Molders (iron)	5.80	3.00
Pattern makers	7.00	2.75
Granite cutters	5.72	3.66
Stonecutters	5.50	4.12

Pig iron costs in the United States.

Item.	Cost of Bessemer pig iron, 1902-1905.	Cost of basic pig iron, 1902-1905.	Steel Corporation cost of southern pig iron 1910.[1]
Iron ore, etc	$6.10	$6.69	$2.48
Coke	3.28	2.72	3.80
Limestone	.43	.47	.19
Labor	.73	.60	.78
Steam	.10	.10	.13
Materials for repairs and maintenance	.13	.11	.19
Supplies and tools	.12	.10	.59
Miscellaneous works, expense	.24	.34	.59
Relining and renewals	.18	.18	.23
Contingent fund	.03	.02	.15
General expense and depreciation	.76	.52	.50
Total	12.10	11.82	9.07

[1] Mainly foundry pig.

The cost of production of ingots in United States.

The ingot is the second advanced form in the manufacturing of steel. An ingot is usually about 6 feet long, 2 feet wide, and 1½ feet thick. It weighs about 4 gross tons.

Item.	Cost of Bessemer billet (ingots), 1902-1905.	Cost of Bessemer rail ingots, 1902-1905.	Steel Corporation cost of Bessemer rail ingots, 1910.
Pig iron, etc	$12.84	$12.73	$10.24
Labor	.57	.55	.79
Manganese	.28	.73	.76
Limestone	.02	.01	.....
Fuel	.22	.13	.09
Steam	.15	.11	.13
Molds and stools	.15	.11	.07
Materials in repairs and maintenance	.09	.10	.08
Supplies and tools	.10	.12	.28
Miscellaneous works expense	.14	.14	.28
General expense and depreciation	.92	1.06	.60
Total cost	[1] 15.47	[1] 15.75	[1] 12.77

[1] If the so-called "book costs" of the Bureau of Corporations had been used, these figures would have been $17.53, $17.53, and $17.45, respectively. Perhaps it is fairer to use these costs.

The cost of production of Bessemer steel rails in United States.

Item.	Cost of heavy Bessemer rails, 1902-1905.	Steel Corporation cost of heavy standard Bessemer rails, 1910.	Steel Corporation cost of heavy standard open-hearth rails (southern), 1910.
Ingots	$15.05	$13.03	$11.56
Labor	1.16	1.11	1.72
Fuel	.13	.16	.18
Steam	.41	.36	.73
Rolls	.15	.12	.05
Materials in repair and maintenance	.21	.17	.44
Supplies and tools	.08	.30	.85
Miscellaneous works expense	.33	.39	.85
General expense and depreciation	1.29	1.30	1.86
Total	[1] 18.80	[2] 16.67	20.80

[1] Book cost, $21.27.

[2] Book cost, $21.53.

Average costs for all companies in United States of certain rolled products.

Product.	Book cost per ton.	Labor.
Bessemer sheet bars	$18.98	$0.57
Open-hearth sheet bars	24.58	.88
Heavy rails	22.23	1.25
Light rails	24.24	2.32
Merchant steel bars:		
(1) From large billets	28.12	3.06
(2) From small billets	26.73	2.87
Hoops and light bands	31.67	5.04
Cotton ties	33.57	4.22
Wire rods	27.21	1.53
Bright coarse wire	29.12	1.62
Black sheets	39.37	10.39
Black plate for tinning	48.99	12.73
Tin plate (box of 100 pounds)	3.18	.19
Tin plate (ton of 2,240 pounds)	71.23	4.25

Mr. LA FOLLETTE. Mr. President, I am inclined to think that I have brought to the attention of the Senate substantially all that I care to present here in connection with the pending bill. I believe that it can not be supported as a so-called war measure, neither do I believe that it can be supported as a peace measure, and I think it falls very far short of being a measure of charity. I apprehend from the expressions I have heard on the floor of the Senate that a majority of the Senate could not find constitutional warrant for supporting it on that ground.

I have brought to the attention of the Senate just a suggestion of the conditions that are rapidly developing and hourly growing more grave and serious in our own country. The afternoon paper that some one just brought to my attention prints further dispatches as to the grave conditions that exist here at home.

Then I desired to put on record here answers to the charges that have been made against the responsibility of labor for the high cost of living and for the unemployment that exists in the country to-day. I have no doubt, Mr. President, that the cost of living under existing conditions will advance rather than recede. I noticed by the evening paper—I think it was last evening—that one of the officers of the Quartermaster Department appearing before the Committee on Military Affairs of the House of Representatives stated that from all the investigations and study that had been made by that department they were convinced that the cost of living would very rapidly advance in this country in the near future.

Mr. President, I do not know just how this is to be met by the people of the country. I do not believe that it will be helped any by our appropriating $100,000,000 to buy in our market here at home great quantities of food and sending them abroad.

I believe that this appropriation will tend to advance the cost of living upon the people in our own country. I believe that with the readjustments that are now coming, with the evident desire on the part of employers to reduce wages, and the impossibility of wage earners accepting a reduction of wages so long as the high cost of living stands where it does to-day, will be productive of very serious disturbance here, and that we are to be confronted with problems that, added to those that we now have, will be, I fear, almost tragic. Therefore I felt that I owed a duty to myself and to my constituency, if not to the Senate, to lay before the Senate the facts with respect to these conditions, so that in voting upon this bill Senators may weigh its effect upon our home conditions as well as any possible good or ill effect it may have abroad.

I thank the Senate for its patience and attention.

APPENDIX.

Union scale of wages and hours of labor in each trade in the North Atlantic States on May 15, 1918.

BUILDING TRADES.

Occupation and city.	Per hour.	Per week, full time.	For overtime, regular rate multiplied by—	For Sundays and holidays, regular rate multiplied by—
ASBESTOS WORKERS.				
Boston, Mass	$0.625	$27.50	2	2
Buffalo, N. Y	.563	27.00	1½	2
Newark, N. J	.625	27.50	2	2
New York, N. Y	.625	27.50	2	2
Philadelphia, Pa	.650	28.60	1½	2
Pittsburgh, Pa	.625	27.50	1½	2
Providence, R. I	.625	27.50	2	2
Rochester, N. Y	.500	22.00	1½	2
Springfield, Mass	.625	27.50	2	2

Union scale of wages and hours of labor in each trade, etc.—Continued.

BUILDING TRADES—continued.

Occupation and city.	Per hour.	Per week, full time.	For overtime, regular rate multiplied by—	For Sundays and holidays, regular rate multiplied by—
BRICKLAYERS.				
Boston, Mass	$0.800	$35.20	2	2
Bridgeport, Conn	.700	30.80	2	2
Buffalo, N. Y	.750	33.00	1½	2
Fall River, Mass	.750	33.00	1½	1½
Manchester, N. H	.750	33.00	1½	2
Newark, N. J	.750	33.00	2	2
New Haven, Conn	.700	30.80	2	2
New York, N. Y	.813	35.75	2	2
Philadelphia, Pa	.800	35.20	2	2
Pittsburgh, Pa	.750	33.00	1½	2
Portland, Me	.700	30.80	1½	2
Providence, R. I	.700	30.80	1½	2
Rochester, N. Y	.700	30.80	1½	2
Scranton, Pa	.750	33.00	1½	2
Springfield, Mass	.750	33.00	2	2
Worcester, Mass	.750	33.00	1½	2
BRICKLAYERS: SEWER WORK.				
Boston, Mass	.800	35.20	2	2
Bridgeport, Conn	.750	33.00	2	2
New Haven, Conn	.875	38.50	2	2
Philadelphia, Pa	.850	37.40	2	2
Providence, R. I	.800	35.20	1½	2
Rochester, N. Y	.750	33.00	1½	2
BUILDING LABORERS.				
Boston, Mass	.400	19.20	1	2
Scaffold men	.450	21.60	1½	2
Buffalo, N. Y	.450	22.95	1½	2
New York, N. Y.:				
Excavating	.405	19.44	2	2
Mosaic and terrazzo work	.406	17.88	2	2
Stonemasons' work, Bronx	.470	20.68	1½	2
Stonemasons' work, Brooklyn	.470	20.68	1	1½
Philadelphia, Pa	.450	19.80	1½	2
Pittsburgh, Pa	.450	21.60	1½	2
Portland, Me	.500	22.00	1½	2
Providence, R. I	.350	17.50	1½	2
Rochester, N. Y	.400	17.60	1½	2
Excavating	.400	17.60	1½	2
Scranton, Pa	.300	14.40	1½	2
Excavating	.275	14.85	1½	2
Springfield, Mass	.375	18.00	1½	2
Scaffold builders	.500	22.00	2	2
CARPENTERS.				
Boston, Mass	.650	26.00	2	2
Stair builders	.650	26.00	2	2
Bridgeport, Conn	.660	26.40	2	2
Buffalo, N. Y	.700	30.80	2	2
Fall River, Mass	.625	27.50	2	2
Manchester, N. H	.660	26.40	1½	2
Newark, N. J	.700	30.80	2	2
New Haven, Conn	.650	28.60	2	2
New York, N. Y.:				
Bronx, Brooklyn, Queens, and Richmond	.688	30.25	2	2
Manhattan	.688	30.25	2	2
Philadelphia, Pa	.700	30.80	1½	2
Pittsburgh, Pa	.710	31.24	1½	2
Portland, Me	.440	19.36	1½	2
Providence, R. I	.600	26.40	2	2
Rochester, N. Y	.600	26.40	1½	2
Scranton, Pa	.600	26.40	1½	2
Springfield, Mass	.650	28.60	2	2
Worcester, Mass	.625	27.50	1½	2
CARPENTERS: MILLWRIGHTS.				
Buffalo, N. Y	.750	33.00	2	2
Newark, N. J	.700	30.80	2	2
New York, N. Y	.688	30.25	2	2
CARPENTERS: PARQUETRY-FLOOR LAYERS.				
Boston, Mass	.650	26.00	2	2
CARPENTERS: WHARF AND BRIDGE.				
Boston, Mass	.530	23.32	2	2
Buffalo, N. Y	.650	28.60	1½	2
New York, N. Y	.623	27.50	2	2
CEMENT FINISHERS.				
Boston, Mass	.700	30.80	1½	2
Bridgeport, Conn	.700	30.80	2	2
Buffalo, N. Y	.650	31.20	1½	2
Fall River, Mass	.750	33.00	1½	1½
Manchester, N. H	.750	33.00	1½	2
Newark, N. J	.750	33.00	2	2
New Haven, Conn	.700	30.80	2	2
New York, N. Y	.700	30.80	2	2

Union scale of wages and hours of labor in each trade, etc.—Continued.

BUILDING TRADES—continued.

Occupation and city.	Per hour.	Per week, full time.	For overtime, regular rate multiplied by—	For Sundays and holidays, regular rate multiplied by—
CEMENT FINISHERS—continued.				
Philadelphia, Pa	$0.650	$28.60	1½	2
Pittsburgh, Pa	.750	31.00	1½	2
Providence, R. I	.625	27.50	1½	2
Rochester, N. Y	.700	30.80	1½	2
Springfield, Mass	.750	33.00	2	2
CEMENT FINISHERS' HELPERS.				
Newark, N. J	.450	19.80	2	2
New York, N. Y	.438	19.25	1½	1½
COMPOSITION ROOFERS.				
Boston, Mass	.656	28.88	2	2
Kettlemen and ladlemen	.600	26.40	2	2
Paper layers	.600	26.40	2	2
Newark, N. J	.625	27.50	2	2
New York, N. Y	.531	23.38	2	2
Philadelphia, Pa	.525	23.10	1½	2
Pittsburgh, Pa	.600	26.40	1	2
Kettlemen	.550	24.20	1½	2
Felt setters and roll runners	.550	24.20	1	2
Rochester, N. Y	.500	22.00	1½	2
Scranton, Pa	.534	23.50	1½	2
Second man	.409	22.50	1½	2
COMPOSITION ROOFERS' HELPERS.				
Boston, Mass	.438	19.25	2	2
Newark, N. J	.500	22.00	2	2
Scranton, Pa	.375	18.00	1½	2
ELEVATOR CONSTRUCTORS.				
Boston, Mass	.750	33.00	2	2
Buffalo, N. Y	.690	33.12	2	2
New York, N. Y	.690	30.48	2	2
Philadelphia, Pa	.750	33.00	2	2
Pittsburgh, Pa	.738	32.45	2	2
Providence, R. I	.625	27.50	2	2
Rochester, N. Y	.656	28.88	2	2
Springfield, Mass	.656	28.88	2	2
Worcester, Mass	.625	27.50		2
ELEVATOR CONSTRUCTORS' HELPERS.				
Boston, Mass	.500	22.00	2	2
Buffalo, N. Y	.469	22.50	2	2
New York, N. Y	.440	19.36	2	2
Philadelphia, Pa	.500	22.00	2	2
Pittsburgh, Pa	.500	22.00	2	2
Providence, R. I	.438	19.25	2	2
Rochester, N. Y	.438	19.25	2	2
Springfield, Mass	.445	19.58	2	2
Worcester, Mass	.438	19.25	2	2
ENGINEERS: PORTABLE AND HOISTING.				
Boston, Mass	.750	33.00	2	2
Bridgeport, Conn	.750	33.00	1½	2
Buffalo, N. Y	.625	30.00	1½	2
Newark, N. J.:				
Building work	.843	35.75	2	2
Foundation work	.688	33.00	2	2
Hoisting iron	.750	33.00	2	2
New Haven, Conn	.750	33.00	1½	2
New York, N. Y				
Building work, stone and steel	.750	33.00	2	2
Combination and compressor engine	.909	40.00	2	2
Excavating	.750	36.00	2	2
Foundation work	.818	36.00	2	2
Hod elevators	.813	35.75	2	2
Philadelphia, Pa				
Boom derrick	.900	36.00	2	2
Hoist	.750	33.00	2	2
Pittsburgh, Pa	.700	30.80	1½	2
Portland, Me	.700	33.60	1½	2
Providence, R. I	.625	27.50	1½	2
Rochester, N. Y	.750	33.00	2	2
Steam shovels, air compressors, etc	.795	35.00	2	2
Scranton, Pa	.625	30.00	1½	2
Springfield, Mass	.750	33.00	2	2
Worcester, Mass	.750	33.00	2	2
HOD CARRIERS.				
Boston, Mass	.425	18.70	1½	2
Newark, N. J	.450	19.80	2	2
New York, N. Y	.470	20.68	1½	2
Philadelphia, Pa	.600	26.40	1½	2
Pittsburgh, Pa				
Mortar men	.550	24.20	1½	2
Wheelbarrow men	.450	19.80	1½	2

Union scale of wages and hours of labor in each trade, etc.—Continued.

BUILDING TRADES—continued.

Occupation and city.	Per hour.	Per week, full time.	For overtime, regular rate multiplied by—	For Sundays and holidays, regular rate multiplied by—
HOD CARRIERS—continued.				
Portland, Me	$0.500	$22.00	1½	2
Providence, R. I	.380	19.00	1½	2
Rochester, N. Y	.400	17.60	1½	2
Scranton, Pa	.350	15.40	1½	2
Springfield, Mass	.500	22.00	2	2
Worcester, Mass	.500	22.00	1½	2
INSIDE WIREMEN.				
Boston, Mass	.700	30.80	2	2
Bridgeport, Conn	.600	26.40	1	2
Buffalo, N. Y	.700	30.80	1½	2
Fall River, Mass	.600	26.40	2	2
Manchester, N. H	.600	26.40	1½	2
Newark, N. J	.688	30.25	2	2
New Haven, Conn	.600	26.40	2	2
New York, N. Y	.650	28.60	2	2
Philadelphia, Pa	.650	28.60	2	2
Pittsburgh, Pa	.688	30.25	1½	2
Portland, Me	.650	31.20	1½	2
Providence, R. I	.600	26.40	2	2
Rochester, N. Y	.750	33.00	1½	2
Scranton, Pa	.625	27.50	1½	2
Springfield, Mass	.570	25.08	1½	2
Worcester, Mass	.550	24.20	1½	2
INSIDE WIREMEN: FIXTURE HANGERS.				
Boston, Mass	.650	28.60	2	2
Buffalo, N. Y	.500	24.00	1½	2
New York, N. Y	.650	28.60	2	2
Philadelphia, Pa	.650	28.60	2	2
Pittsburgh, Pa	.750	33.00	1½	2
Rochester, N. Y	.750	33.00	1½	2
Springfield, Mass	.570	25.08	1½	2
LATHERS.				
Boston, Mass.:				
Metal or wood	.750	30.00	2	2
Wood			2	2
Bridgeport, Conn.:				
Metal or wood	.688	30.25	2	2
Wood			2	2
Buffalo, N. Y.:				
Metal or wood	.625	30.00	1½	2
Wood			1½	2
Fall River, Mass.:				
Metal or wood	.600	26.40	1½	2
Wood			1	1
Newark, N. J	.750	33.00	2	2
New Haven, Conn	.688	30.25	2	2
New York, N. Y.:				
Metal	.688	30.25	2	2
Metal or wood	.750	33.00	2	2
Wood—				
Brooklyn			2	2
Manhattan and Bronx			2	2
Philadelphia, Pa.:				
Metal	.750	33.00	2	2
Wood	.750	33.00	2	2
Pittsburgh, Pa.:				
Metal or wood	.688	30.25	1½	2
Wood			1½	2
Providence, R. I.:				
Metal or wood	.700	30.80	2	2
Metal			2	2
Wood			2	2
Rochester, N. Y.:				
Metal or wood	.600	26.40	1½	2
Metal or wood			1	
Scranton, Pa.:				
Metal	.600	26.40	1½	2
Wood			1	1
Springfield, Mass.:				
Metal	.625	27.50	2	2
Wood			2	2
Worcester, Mass.:				
Metal	.625	27.50	2	2
Wood			2	2
MARBLE SETTERS.				
Boston, Mass	.750	33.00	2	2
Bridgeport, Conn	.700	30.80	2	2
Buffalo, N. Y	.750	36.00	1½	2
Newark, N. J	.688	30.25	2	2
New Haven, Conn	.700	30.80	2	2
New York, N. Y	.688	30.25	2	2
Philadelphia, Pa	.750	33.00	1½	2
Pittsburgh, Pa	.750	33.00	1½	2
Rochester, N. Y	.719	31.63	1½	2
Scranton, Pa	.688	33.00	1½	2
Springfield, Mass	.750	33.00	2	2

Union scale of wages and hours of labor in each trade, etc.—Continued.

BUILDING TRADES—continued.

Occupation and city.	Per hour.	Per week, full time.	For overtime, regular rate multiplied by—	For Sundays and holidays, regular rate multiplied by—
MARBLE SETTERS' HELPERS.				
Boston, Mass	$0.425	$18.70	1½	2
New York, N. Y	.438	19.25	2	2
MOSAIC AND TERRAZZO WORKERS.				
New York, N. Y	.625	27.50	2	2
Philadelphia, Pa.:				
First class	.550	24.20	1½	2
Second class	.500	22.00	1½	2
Third class	.400	17.60	1½	2
PAINTERS.				
Boston, Mass	.750	30.00	2	2
Bridgeport, Conn	.625	27.50	1½	2
Buffalo, N. Y	.563	24.75	1½	2
Fall River, Mass	.550	24.20	1½	2
Manchester, N. H	.500	22.00	1½	2
Newark, N. J	.625	27.50	2	2
New Haven, Conn	.531	23.38	2	2
New York, N. Y.:				
Brooklyn	.625	27.50	2	
Manhattan, Bronx, and Richmond	.625	27.50	2	
Queens	.625	27.50	2	2
All boroughs	.563	24.75	2	2
Philadelphia, Pa	.600	26.40	1½	2
Pittsburgh, Pa	.675	29.70	1½	2
Portland, Me	.550	24.20	1½	2
Providence, R. I	.625	27.50	1½	2
Rochester, N. Y	.625	27.50	1½	2
Scranton, Pa	.500	22.00	1½	2
Springfield, Mass	.600	26.40	1½	2
Worcester, Mass	.625	27.50	1½	2
PAINTERS, FRESCO.				
Boston, Mass	.800	32.00	2	2
Fall River, Mass	.600	26.40	1½	2
New York, N. Y	.625	27.50	2	2
Brooklyn	.875	38.50	2	
Manhattan, Bronx, and Richmond	.625	27.50	2	
Queens	.625	27.50	2	2
Philadelphia, Pa	.600	26.40	1½	2
Springfield, Mass	.600	26.40	1½	2
Worcester, Mass	.625	27.50	1½	2
PAINTERS' SIGN.				
Boston, Mass	.688	30.25	2	2
Bridgeport, Conn	.625	30.00	1½	2
Buffalo, N. Y	.750	33.00	1½	2
New York, N. Y	.750	33.00	2	2
Philadelphia, Pa	.688	30.25	1½	2
Pittsburgh, Pa	.725	31.90	1½	2
Rochester, N. Y	.625	27.50	1½	2
Springfield, Mass	.600	26.40	1½	2
Worcester, Mass	.625	27.50	1½	2
PLASTERERS.				
Boston, Mass	.700	28.00	2	2
Bridgeport, Conn	.700	30.80	2	2
Buffalo, N. Y	.700	30.80	2	2
Fall River, Mass	.750	33.00	1½	1½
Manchester, N. H	.750	33.00	1½	2
Newark, N. J	.750	33.00	2	2
New Haven, Conn	.700	30.80	2	2
New York, N. Y.:				
Brooklyn	.750	33.00	2	2
Manhattan, Bronx, and Richmond	.750	33.00	2	2
Queens	.875	35.00	2	2
Philadelphia, Pa	.750	30.00	1½	2
Pittsburgh, Pa	.750	33.00	2	2
Portland, Me	.800	35.20	2	2
Providence, R. I	.688	27.50	2	2
Rochester, N. Y	.700	30.80	1½	2
Scranton, Pa	.700	30.80	1½	2
Springfield, Mass	.750	33.00	2	2
Worcester, Mass	.750	33.00	1½	2
PLASTERERS' LABORERS.				
Boston, Mass	.500	20.00	2	2
Newark, N. J	.450	19.80	2	2
New York, N. Y.:				
Brooklyn	.563	24.75	2	2
Queens	.500	22.00	2	2
All boroughs	.563	24.75	2	2
Philadelphia, Pa	.500	20.00	1½	2
Pittsburgh, Pa	.550	24.20	1½	2
Portland, Me	.550	24.20	1½	2
Providence, R. I	.500	22.00	2	2
Rochester, N. Y	.400	17.60	1½	2
Scranton, Pa	.350	15.40	1½	2
Worcester, Mass	.550	24.20	1½	2

Union scale of wages and hours of labor in each trade, etc.—Continued.

BUILDING TRADES—continued.

Occupation and city.	Per hour.	Per week, full time.	For overtime, regular rate multiplied by—	For Sundays and holidays, regular rate multiplied by—
PLUMBERS AND GAS FITTERS.				
Boston, Mass.:				
Plumbers	$0.750	$33.00	2	2
Gas fitters	.700	30.80	2	2
Bridgeport, Conn	.625	27.50	1	2
Buffalo, N. Y	.688	30.25	1½	2
Fall River, Mass	.563	24.74	2	2
Manchester, N. H	.500	22.00	1½	1½
Newark, N. J	.750	33.00	2	2
New Haven, Conn	.625	27.50	1	2
New York, N. Y.:				
Manhattan, Bronx, and Brooklyn	.750	33.00	2	2
Queens	.688	30.25	2	2
Richmond	.750	33.00	2	2
Philadelphia, Pa	.625	27.50	2	2
Pittsburgh, Pa	.750	33.00	1½	2
Portland, Me	.625	27.50	2	2
Providence, R. I	.750	33.00	2	2
Rochester, N. Y	.594	26.13	1½	2
Scranton, Pa	.625	27.50	2	2
Springfield, Mass	.614	27.00	2	2
Worcester, Mass:				
Plumbers	.600	26.40	2	2
Gas fitters	.500	22.00	2	2
PLUMBERS' LABORERS.				
New York, N. Y	.625	30.00	2	2
Pittsburgh, Pa	.500	22.00	1½	2
SHEET-METAL WORKERS.				
Boston, Mass.:				
Building work	.700	30.80	2	2
Railroad shops	.680	32.64	1	1½
Bridgeport, Conn	.625	27.50	1	2
Buffalo, N. Y	.563	27.00	1½	2
Fall River, Mass	.500	22.00	2	2
Manchester, N. H	.375	16.50	1½	1½
Newark, N. J	.750	33.00	2	2
New Haven, Conn.:				
Building work	.591	26.00	2	2
Railroad shops	.680	32.64	1	1½
New York, N. Y.:				
Richmond	.700	30.80	2	2
All boroughs	.700	30.80	2	2
Philadelphia, Pa	.700	30.80	2	2
Shipyards	.700	30.80	1½	2
Pittsburgh, Pa	.700	30.80	1½	2
Portland, Me.:				
First class	.500	24.00	1½	2
Second class	.438	21.00	1½	2
Providence, R. I	.570	25.08	1½	2
Rochester, N. Y	.563	24.75	1½	2
Scranton, Pa	.563	24.75	2	2
Springfield, Mass	.545	24.00	2	2
Worcester, Mass	.523	22.99	1½	2
SHIP CARPENTERS.				
Boston, Mass	.700	30.80	2	2
New York, N. Y	.700	33.60	2	2
Do	.700	33.60	2	2
Do	.650	31.20	2	2
Philadelphia, Pa	.600	28.80	1½	2
Portland, Me.:				
First class	.700	32.00	1½	2
Second class	.650	31.20	1½	2
SLATE AND TILE ROOFERS.				
Bridgeport, Conn	.625	27.50	1½	2
Buffalo, N. Y	.600	26.40	1½	2
Newark, N. J	.750	33.00	2	2
New Haven, Conn	.688	30.25	1½	2
New York, N. Y	.781	34.38	2	2
Philadelphia, Pa	.700	30.80	1½	2
Pittsburgh, Pa	.750	33.00	1½	2
Scranton, Pa	.541	25.50	1½	2
Springfield, Mass	.625	27.50	1½	2
STEAM FITTERS.				
Boston, Mass	.688	30.25	2	2
Bridgeport, Conn	.625	27.50	1	2
Buffalo, N. Y	.688	30.25	1½	2
Fall River, Mass	.600	26.40	2	2
Manchester, N. H	.500	22.00	1½	1½
Newark, N. J	.750	33.00	2	2
New Haven, Conn	.625	27.50	1	2
New York, N. Y	.750	33.00	2	2
Philadelphia, Pa	.625	27.50	2	2
Do	.688	30.25	2	2
Pittsburgh, Pa	.750	33.00	2	2
Portland, Me	.625	27.50	2	2
Providence, R. I	.650	28.60	2	2
Do	.625	27.50	2	2
Rochester, N. Y	.594	26.13	1½	2
Scranton, Pa	.625	27.50	2	2
Springfield, Mass	.568	25.00	2	2

Union scale of wages and hours of labor in each trade, etc.—Continued.

BUILDING TRADES—continued.

Occupation and city.	Per hour.	Per week, full time.	For overtime, regular rate multiplied by—	For Sundays and holidays, regular rate multiplied by—
STEAM-FITTERS' HELPERS.				
Boston, Mass	$0.425	$18.70	2	2
Bridgeport, Conn	.344	15.13	1	2
Buffalo, N. Y	.344	15.13	1½	2
Fall River, Mass	.450	19.80	2	2
Newark, N. J	.425	18.70	2	2
New York, N. Y	.425	18.70	2	2
Philadelphia, Pa	.375	16.50	2	2
Do	.375	16.50	2	2
Pittsburgh, Pa	.438	19.25	2	2
Providence, R. I	.375	16.50	2	2
Scranton, Pa	.438	19.25	2	2
Springfield, Mass	.341	15.00	2	2
Worcester, Mass	.330	14.50	2	2
STONEMASONS.				
Boston, Mass	.800	35.20	2	2
Bridgeport, Conn	.700	30.80	2	2
Buffalo, N. Y	.750	36.00	1½	2
Fall River, Mass	.750	33.00	1½	1½
Newark, N. J	.750	33.00	2	2
New Haven, Conn	.700	30.80	2	2
New York, N. Y	.750	33.00	2	2
Do	.750	33.00	2	2
Do	.750	33.00	2	2
Do	.813	35.75	2	2
Philadelphia, Pa	.700	30.80	1½	2
Pittsburgh, Pa	.650	28.60	1½	2
Portland, Me	.700	30.80	1½	2
Providence, R. I	.700	30.80	1½	2
Do	.500	22.00	1½	2
Rochester, N. Y	.700	30.80	1½	2
Scranton, Pa	.750	36.00	1½	2
Do	.700	33.60	1½	2
Springfield, Mass	.750	33.00	2	2
Worcester, Mass	.650	28.60	1½	2
STRUCTURAL-IRON WORKERS.				
Boston, Mass	.800	35.20	2	2
Bridgeport, Conn	.800	35.20	1½	2
Buffalo, N. Y	.700	30.80	1½	2
Fall River, Mass	.625	27.50	1½	2
Newark, N. J	.750	33.00	2	2
New Haven, Conn	.800	35.30	2	2
New York, N. Y:				
Brooklyn and Queens	.800	35.20	2	2
Manhattan, Bronx, and Richmond	.800	35.20	2	2
Philadelphia, Pa	.925	40.70	2	2
Pittsburgh, Pa	.875	38.50	1½	2
Portland, Me	.750	33.00	2	2
Providence, R. I	.800	35.20	2	2
Rochester, N. Y	.800	35.20	2	2
Scranton, Pa	.688	33.00	1½	2
Springfield, Mass	.688	30.25	2	2
Worcester, Mass	.688	30.25	2	2
STRUCTURAL-IRON WORKERS: FINISHERS.				
Boston, Mass	.800	35.20	2	2
Bridgeport, Conn	.800	35.20	1½	2
Buffalo, N. Y	.700	30.80	1½	2
Newark, N. J	.750	33.00	2	2
New Haven, Conn	.800	35.20	2	2
New York, N. Y	.688	30.25	2	2
Philadelphia, Pa	.925	40.70	2	2
Pittsburgh, Pa	.875	38.50	1½	2
Providence, R. I	.800	35.20	2	2
Rochester, N. Y	.800	35.20	2	2
Scranton, Pa	.688	33.00	1½	2
Springfield, Mass	.688	30.25	2	2
Worcester, Mass	.688	30.25	2	2
STRUCTURAL-IRON WORKERS: FINISHERS' HELPERS.				
Boston, Mass	.550	24.20	2	2
Bridgeport, Conn	.550	24.20	1½	2
Buffalo, N. Y	.450	19.80	2	2
Newark, N. J	.500	22.00	2	2
New Haven, Conn	.550	24.20	2	2
New York, N. Y	.500	22.00	2	2
Pittsburgh, Pa	.600	26.40	1½	2
Rochester, N. Y	.450	19.80	2	2
Springfield, Mass	.550	24.20	2	2
Worcester, Mass	.500	22.00	2	2
TILE LAYERS.				
Boston, Mass	.750	30.00	2	2
Bridgeport, Conn	.688	30.25	2	2
Buffalo, N. Y	.625	30.00	1½	2
Newark, N. J	.688	30.25	2	2
New York, N. Y	.750	33.00	2	2
Philadelphia, Pa	.700	30.80	1½	2
Do	.719	34.50	1½	2

Union scale of wages and hours of labor in each trade, etc.—Continued.

BUILDING TRADES—continued.

Occupation and city.	Per hour.	Per week, full time.	For overtime, regular rate multiplied by—	For Sundays and holidays, regular rate multiplied by—
TILE LAYERS—continued.				
Pittsburgh, Pa	$0.675	$29.70	1½	2
Providence, R. I	.688	30.25	1½	2
Rochester, N. Y	.625	27.50	1½	2
Scranton, Pa	.600	26.40	1½	2
TILE LAYERS' HELPERS.				
Boston, Mass	.438	17.50	2	2
Bridgeport, Conn	.413	18.15	2	2
Newark, N. J	.408	17.88	2	2
New York, N. Y	.406	17.88	2	2
Philadelphia, Pa	.420	18.48	1½	2
Pittsburgh, Pa	.438	19.25	1½	2
Providence, R. I	.375	16.50	1½	2
Scranton, Pa	.313	13.75	1½	2
METAL TRADES.				
BLACKSMITHS.				
Boston, Mass.:				
Railroad shops, road A	$0.680	$32.64	1	1½
Railroad shops, road B	.680	32.64	1	1½
Buffalo, N. Y.:				
Manufacturing and jobbing shops	.650	28.60	1½	2
New Haven, Conn.:				
Railroad shops	.680	32.64	1	1½
New York, N. Y.:				
Manufacturing and jobbing shops:				
Manhattan, Bronx, and Queens	.725	34.80	2	2½
Brooklyn	.725	34.80	2	2½
Philadelphia, Pa.:				
Manufacturing and jobbing—				
Shops A	.725	30.15	1½	2
Shops B	.725	31.90	1½	2
Railroad shops	.680	32.64	1	1½
Shipyards	.825	36.30	2	2
Do	.725	31.90	1½	2
Pittsburgh, Pa.:				
Manufacturing shops	.500	25.00	1½	1½
Do	.575	27.60	1½	2
Railroad shops	.680	32.64	1	1½
Portland, Me.:				
Railroad shops	.680	32.64	1½	1½
Springfield, Mass.:				
Manufacturing and jobbing shops	.500	25.00	2	2
Railroad shops	.680	32.64	1	1½
BLACKSMITHS' HELPERS.				
Boston, Mass:				
Railroad shops, road A	.450	21.60	1	1½
Railroad shops, road B	.450	21.60	1	1½
Buffalo, N. Y.:				
Manufacturing and jobbing shops	.450	19.80	1½	2
New Haven, Conn.:				
Railroad shops	.450	21.60	1	1½
New York, N. Y.:				
Manufacturing and jobbing shops	.460	22.08	2	2½
Philadelphia, Pa.:				
Manufacturing and jobbing—				
Shops A	.500	27.00	1½	2
Shops B	.500	22.00	1½	2
Railroad shops	.450	21.60	1	1
Shipyards	.566	24.86	2	2
Do	.460	20.24	1½	2
Pittsburgh, Pa.:				
Manufacturing shops	.435	20.88	1½	2
Do	.380	19.00	1½	1½
Railroad shops	.450	21.60	1	1½
Portland, Me	.450	23.85	1½	1½
Springfield, Mass.:				
Manufacturing and jobbing shops	.360	18.00	2	2
Railroad shops	.450	21.60	1	1½
BOILER MAKERS.				
Boston, Mass.:				
Railroad shops, road A	.680	32.64	1	1½
Do	.680	32.64	1	1½
Railroad shops, road B	.680	32.64	1	1½
Buffalo, N. Y.:				
Manufacturing shops	.700	37.80	1½	1½
Do	.530	28.62	1½	1½
Outside	.625	33.00	1½	2
Railroad shops, road A	.680	32.64	1	1½
Railroad shops, road B	.680	32.64	1	1½
Railroad shops, road C	.680	32.64	1	1
Railroad shops, road E	.680	32.64	1	1½
Railroad shops, road F	.680	32.64	1	1½

Union scale of wages and hours of labor in each trade, etc.—Continued.

METAL TRADES—continued.

Occupation and city.	Per hour.	Per week, full time.	For overtime, regular rate multiplied by—	For Sundays and holidays, regular rate multiplied by—
BOILER MAKERS—continued.				
New Haven, Conn.:				
Railroad shops	$0.680	$32.64	1	1½
New York, N. Y.:				
Manufacturing shops	.700	33.60	2	2
Outside	.750	33.00	2	2
Marine work	.700	33.60	2½	2
Philadelphia, Pa.:				
Manufacturing shops	.700	30.80	2	2
Outside	.800	35.20	2	2
Shipyards	.800	35.20	2	2
Do	.700	30.80	1½	2
Pittsburgh, Pa.:				
Manufacturing and jobbing shops	.600	30.00	.....	3
Outside	.750	33.00	2	.....
Railroad shops, road A	.680	32.64	1	1½
Railroad shops, road B	.680	32.64	1	1½
Portland, Me.:				
Railroad shops	.680	32.64	1	1½
Rochester, N. Y.:				
Manufacturing and jobbing shops	.750	36.00	2	2
Railroad shops	.680	32.64	1	1½
Springfield, Mass.:				
Railroad shops	.680	32.64	1	1½
BOILER MAKERS' HELPERS.				
Boston, Mass.:				
Railroad shops, road A	.450	21.60	1	1½
Do	.450	21.60	1	1½
Railroad shops, road B	.450	21.60	1	1½
Do	.450	21.60	1	1½
Buffalo, N. Y.:				
Manufacturing shops	.416	22.44	1½	1½
Do	.360	19.44	1½	1½
Outside	.410	19.68	1½	2
New Haven, Conn.:				
Railroad shops	.450	24.30	1½	1½
New York, N. Y.:				
Manufacturing shops	.460	22.08	2	2
Outside	.750	33.00	2	2
Marine work	.460	22.08	2½	2
Philadelphia, Pa.:				
Manufacturing shops	.550	24.20	2	2
Outside	.650	28.60	2	2
Shipyards	.600	26.40	1½	2
Do	.460	20.24	1½	2
Pittsburgh, Pa.:				
Manufacturing shops	.450	22.50	.....	3
Outside	.688	30.25	2	.....
Railroad shops	.450	21.60	1	1½
Portland, Me.:				
Railroad shops	.450	21.60	1	1½
Rochester, N. Y.:				
Manufacturing and jobbing shops	.475	22.80	2	2
Springfield, Mass.:				
Railroad shops	.450	21.60	1	1½
COPPERSMITHS.				
Boston, Mass	.625	30.00	2	3
New Haven, Conn	.385	20.79	1½	1½
Do	.300	16.20	1½	1½
New York, N. Y	.731	32.18	2½	2½
Philadelphia, Pa.:				
Inside, A	.700	33.60	2	2
Inside, B	.700	33.60	2	2
Outside	.763	33.55	2	2
CORE MAKERS.				
Boston, Mass	.583	31.50	1½	2
Bridgeport, Conn	.417	22.50	1½	2
Buffalo, N. Y	.583	31.50	1½	2
Fall River, Mass	.500	27.00	1½	3
Newark, N. J	.556	30.00	1½	2
New York, N. Y	.528	28.50	1½	2
Marine work	.725	34.80	1½	2
Philadelphia, Pa	.688	33.00	1½	2
Pittsburgh, Pa	.656	31.50	1½	2
Providence, R. I	.400	22.00	1½	2
Rochester, N. Y	.583	31.50	1½	2
Scranton, Pa.:				
Manufacturing shops, machinery	.556	30.00	1½	2
Manufacturing shops, hot water and steam heating	.556	30.00	1½	2
Springfield, Mass.:				
Brass and iron	.556	30.00	1½	2
Worcester, Mass	.500	27.00	1½	2
MACHINISTS.				
Boston, Mass.:				
Manufacturing shops, A	.550	24.75	1½	2
Manufacturing shops, B	.550	27.50	1½	2

Union scale of wages and hours of labor in each trade, etc.—Continued.

METAL TRADES—continued.

Occupation and city.	Per hour.	Per week, full time.	For overtime, regular rate multiplied by	For Sundays and holidays, regular rate multiplied by
MACHINISTS—continued.				
Boston, Mass.—Continued.				
Manufacturing shops, C	$0.550	$26.40	1½	2
Tool and die makers shops, C	.650	31.20	1½	2
Railroad shops, road A	.680	32.64	1	1½
Railroad shops, road B	.680	32.64	1	1½
Bridgeport, Conn:				
Manufacturing shops	.550	26.40	1½	2
Tool and die makers	.750	36.00	1½	2
Buffalo, N. Y.:				
Manufacturing shops, A	.550	29.70	1½	2
Manufacturing shops, B	.550	26.40	1½	2
Die sinkers (for drop-forging machines)	.900	48.60	1½	2
Tool and die makers	.700	33.60	1½	2
Specialists	.500	24.00	1½	2
Outside	.750	33.00	2	2
Railroad shops, road B	.680	32.64	1	1½
Railroad shops, road D	.680	32.64	1	1½
Railroad shops, road E	.680	32.64	1	1½
Railroad shops, road F	.680	32.64	1	1½
Railroad shops, road G	.680	32.64	1	1½
Newark, N. J.:				
Manufacturing shops, A	.450	22.50	1½	2
Manufacturing shops, B	.550	26.40	1½	2
Tool and die makers shops, A	.650	31.20	1½	2
Tool and die makers shops, B	.650	31.20	1½	2
Outside	.750	33.00	2	2
Breweries	.688	33.50	1½	2
New Haven, Conn.:				
Manufacturing shops	.600	28.80	1½	2
Tool and die makers	.700	33.60	1½	2
Specialists	.500	24.00	1½	2
Outside	.600	28.80	1½	2
Railroad shops	.680	36.72	1	1½
New York, N. Y.:				
Manufacturing shops	.730	35.04	1½	2
Tool and die makers	.820	39.36	1½	2
Marine work	.725	34.80	2	2
Auto repair shops	.750	36.00	2	2
Printing-press factories	.500	24.00	1½	2
Outside	.750	33.00	2	2
Philadelphia, Pa.:				
Manufacturing shops, A	.650	35.10	1½	2
Manufacturing shops, B	.725	34.80	1½	2
Tool and die makers shops, A	.750	40.50	1½	2
Tool and die makers shops, B	.780	37.44	1½	2
Dry docks and repair work	.825	36.30	2	2
First class, shipyards	.725	31.90	1½	2
Second class, shipyards	.625	27.50	1½	2
Outside	.850	37.40	2	2
Breweries	.650	31.20	1½	2
Railroad shops	.680	32.64	1	1½
Pittsburgh, Pa:				
Manufacturing shops, A	.550	29.70	1½	2
Manufacturing shops, D	.600	28.80	1½	2
Outside	.625	27.50	1½	2
Breweries	.550	26.40	1½	2
Railroad shops, road A	.680	32.64	1	1½
Railroad shops, road B	.680	32.64	1	1½
Portland, Me.:				
Railroad shops	.680	32.64	1	1½
Providence, R. I.:				
Manufacturing	.350	17.50	1½	2
Specialists	.300	15.00	1½	2
Auto repair shops	.421	20.20	1½	2
Breweries	.500	24.00	2	2
Railroad shops	.680	32.64	1	1½
Rochester, N. Y.:				
Manufacturing shops	.550	26.40	1½	2
Jobbing shops	.550	26.40	1½	2
Tool and die makers, manufacturing shops	.650	31.20	1½	2
Tool and die makers, jobbing shops	.650	31.20	1	2
Railroad shops	.680	32.64	1	1½
Do	.680	32.64	1	1½
Do	.680	32.64	1	1½
Specialists, railroad shops	.680	32.64	1	1½
Springfield, Mass.:				
Railroad shops	.680	32.64	1	1½
Worcester, Mass.:				
Manufacturing shops	.475	22.80	1½	2
Tool makers	.525	25.20	1½	2
Railroad shops, road A	.680	32.64	1	1½
Railroad shops, road B	.680	32.64	1	1½
Railroad shops, road C	.680	32.64	1	1½
MACHINISTS' HELPERS.				
Boston, Mass.:				
Railroad shops, road A	.450	21.60	1	1½
Railroad shops, road B	.450	21.60	1	1½
Buffalo, N. Y.:				
Manufacturing shops, A	.400	21.60	1½	2
Manufacturing shops, B	.400	19.20	1½	2
Outside	.550	24.20	2	2
Newark, N. J.:				
Outside	.500	22.00	2	2
Breweries	.490	23.50	1½	2

Union scale of wages and hours of labor in each trade, etc.—Continued.

METAL TRADES—continued.

Occupation and city.	Per hour.	Per week, full time.	For overtime, regular rate multiplied by—	For Sundays and holidays, regular rate multiplied by—
MACHINISTS' HELPERS—contd.				
New Haven, Conn.:				
Outside	$0.450	$21.60	1½	2
Railroad shops	.450	21.60	1	1½
New York, N. Y.:				
Manufacturing shops	.438	21.00	1½	2
Outside	.438	19.25	2	2
Pittsburgh, Pa.:				
Railroad shops, A	.450	21.60	1	1½
Railroad shops, B	.450	21.60	1	1½
Portland, Me.:				
Railroad shops	.450	21.60	1	1½
Providence, R. I.:				
Breweries	.375	18.00	2	2
Railroad shops	.450	21.60	1	1½
Springfield, Mass.:				
Railroad shops	.450	21.60	1	1½
Worcester, Mass.:				
Railroad shops, A	.450	21.60	1	1½
Railroad shops, B	.450	21.60	1	1½
METAL POLISHERS AND BUFFERS.				
Boston, Mass	.469	22.50	1½	2
Bridgeport, Conn.:				
Shops A	.346	16.64	1½	2
Shops B	.400	19.20	1½	2
Shops C	.380	18.24	1½	1½
Buffalo, N. Y.:				
Shops A	.400	21.60	1½	1½
Shops B	.360	19.80	1½	1½
Newark, N. J.:				
Shops A	.550	30.25	1½	2
Shops B	.560	29.12	1½	2
Shops D	.570	27.36	1½	2
Shops E	.500	24.75	1½	2
Shops F	.550	29.70	1½	2
Shops G	.600	30.00	1½	2
Shops H	.650	31.20	1½	2
New Haven, Conn.	.420	23.10	1	1
New York	.700	33.60	2	2
Do	.700	30.80	2	2
Philadelphia, Pa.:				
Shops A	.400	20.00	1½	2
Shops B	.646	31.00	1½	2
Pittsburgh, Pa.:				
Shops A	.540	29.16	2	2
Shops C	.600	26.40	2	2
Shops D	.600	28.80	2	2
Jobbing shops	.600	26.40	2	2
Rochester, N. Y.:				
Shops A	.575	28.46	1½	2
Shops B	.450	22.28	1½	2
Springfield, Mass.:				
Shops A	.480	23.04	1½	2
Shops B	.580	27.84	1½	2
Shops C	.600	30.00	1½	2
MOLDERS' IRON.				
Boston, Mass:				
Iron and brass	.583	31.50	1½	2
Buffalo, N. Y				
Iron and brass	.583	31.50	1½	2
Bridgeport, Conn.:				
Iron and brass	.417	22.50	1½	2
Fall River, Mass	.500	27.00	1½	2
Newark, N. J.:				
Iron	.556	30.00	1½	2
Brass	.560	28.00	1½	2
New York, N. Y.:				
Iron	.528	28.50	1½	2
Iron and brass, marine work	.725	34.80	1½	2
Philadelphia, Pa	.688	33.00	1½	2
Pittsburgh, Pa.:				
Iron and brass	.656	31.50	1½	2
Portland, Me	.556	30.00	1½	2
Providence, R. I	.400	22.00	1½	2
Rochester, N. Y.:				
Iron and brass	.583	31.50	1½	2
Scranton, Pa.:				
Iron and brass, machinery	.556	30.00	1½	2
Hot water and steam heating	.583	31.50	1½	2
Springfield, Mass.:				
Iron and brass	.556	30.00	1½	2
Do	.500	27.00	1½	2
PATTERN MAKERS.				
Boston, Mass.:				
Manufacturing shops	.750	36.00	1½	1½
Jobbing shops	.800	38.40	2	2
Bridgeport, Conn.:				
Manufacturing shops	.750	36.00	1½	2
Jobbing shops	.800	38.40	1½	2
Buffalo, N. Y.:				
Manufacturing shops, A	.730	39.42	2	2
Manufacturing shops, B	.730	37.96	2	2
Manufacturing shops, C	.720	36.72	2	2
Manufacturing shops, D	.750	36.00	2	2

Union scale of wages and hours of labor in each trade, etc.—Continued.

METAL TRADES—continued.

Occupation and city.	Per hour.	Per week, full time.	For overtime, regular rate multiplied by—	For Sundays and holidays, regular rate multiplied by—
PATTERN MAKERS—continued.				
Jobbing shops	$0.725	$31.90	2	2
Newark, N. J.:				
Manufacturing shops	.750	36.00	2	2
Jobbing shops	.800	35.20	2	2
New Haven, Conn.	.600	30.00	1½	2
New York, N. Y.:				
Manufacturing shops, A	.900	39.60	2	2
Manufacturing shops, B	.750	36.00	2	2
Manufacturing shops, C	.750	36.00	2	2
Manufacturing shops, D	.750	36.00	2	2
Jobbing shops	.850	37.40	2	2
Architectural work, wood	.750	33.00	2	2
Architectural work, plaster	.670	29.48	2	2
Philadelphia, Pa.:				
Manufacturing shops, A	.750	33.00	1½	2
Manufacturing shops, B	.750	37.13	1½	2
Manufacturing shops, C	.750	33.00	1½	2
Jobbing shops, A	.750	33.00	2	2
Jobbing shops, B	.750	33.00	2	2
Pittsburgh, Pa.:				
Manufacturing shops	.750	39.00	1½	2
Jobbing shops	.800	40.00	1½	2
Providence, R. I	.600	33.00	1½	2
Rochester, N. Y	.620	29.76	1½	2
Springfield, Mass	.675	32.40	2	2
Worcester, Mass	.600	33.00	1½	2
FREIGHT HANDLERS.				
Boston, Mass:				
Coal handlers	$0.306	$16.50	1½	1½
Coastwise	.480	25.99	(1)	
General cargo	.500	27.00	(2)	(2)
Longshoremen	.335	18.09	1½	2
Railroad A	.320	17.40	1	
Railroad B	.320	17.40	1½	1½
Railroad C	.320	17.40	1½	1½
Sugar, molasses, oranges	.600	32.40	(3)	(3)
Buffalo, N. Y.:				
Elevator men	.380	22.78	2	2
Elevator men's helpers and car gang	.300	18.00	2	2
Package freight handlers, Union A	.500	30.00	1	1
Package freight handlers, Union B	.420	25.20	1	1
New York, N. Y.:				
Beef handlers	.500	37.80	(4)	(4)
General cargo, coastwise vessels	.380	25.92	(5)	(4)
General cargo, foreign-bound vessels	.500	27.00	1½	2
Lumber, stone, sand, and coal handlers	.350	21.00	1½	2
Munition handlers	1.000	54.00	2	2
Philadelphia, Pa.:				
Grain handlers	.600	36.00	1½	2
Lumber handlers	.600	33.00	1½	2
Longshoremen	.500	30.00	1½	2
Munition handlers	.700	42.00	1½	2
Oil handlers	.650	39.00	1½	2
Portland, Me	.500	27.00	1½	2
GRANITE AND STONE TRADES.				
GRANITE CUTTERS.				
Boston, Mass.:				
Outside	$0.630	$27.72	1½	2
Do	.790	34.32	1½	2
Inside	.640	28.40	1½	2
Machine	.638	28.05	1½	2
Bridgeport, Conn.:				
Outside	.625	27.50	1½	2
Inside	.625	27.50	1½	2
Machine	.675	29.70	1½	2
Buffalo, N. Y.:				
Outside	.631	27.78	1½	2
Inside	.631	27.78	1½	2
Machine	.750	33.00	1½	2
Fall River, Mass.:				
Outside and machine	.656	28.86	1½	2
Manchester, N. H.:				
Inside	.500	22.00	1½	2
Newark, N. J.:				
Outside	.625	27.50	1½	2
Inside	.625	27.50	1½	2
New Haven, Conn.:				
Outside	.600	26.40	1½	2
Inside	.600	26.40	1½	2

[1] 70 cents per hour. [2] $1 per hour. [3] $1.20 per hour.
[4] 75 cents per hour. [5] 95 cents per hour. [6] 90 cents per hour.

Union scale of wages and hours of labor in each trade, etc.—Continued.

GRANITE AND STONE TRADES—continued.

Occupation and city.	Per hour.	Per week, full time.	For overtime, regular rate multiplied by—	For Sundays and holidays, regular rate multiplied by—
GRANITE CUTTERS—continued.				
New York, N. Y.:				
Outside	$0.688	$30.25	2	2
Do	.750	33.00	2	2
Inside	.688	30.25	2	2
Machine	.688	30.25	2	2
Philadelphia, Pa.:				
Outside	.700	30.80	1½	2
Inside	.650	28.60	1½	2
Machine	.700	30.80	1½	2
Pittsburgh, Pa.:				
Outside	.750	33.00	2	2
Inside and machine	.625	27.50	2	2
Portland, Me	.600	26.40	2	2
Providence, R. I.:				
Outside and inside	.600	26.40	1½	
Machine	.650	28.60	1½	
Rochester, N. Y	.640	28.16	1½	2
Springfield, Mass.:				
Outside and inside	.600	26.40	2	2
Machine	.663	29.15	2	2
Worcester, Mass.:				
Outside and inside	.600	26.40	1½	2
Machine	.630	27.72	1½	2
STONECUTTERS.				
Boston, Mass.:				
Outside	.750	33.00	2	2
Inside	.700	30.80	2	2
Bridgeport, Conn	.625	27.50	1½	2
Buffalo, N. Y	.625	27.50	1½	2
Newark, N. J.:				
First class	.688	30.25	1½	1½
Second class	.688	30.25	1½	1½
New Haven, Conn	.600	26.40	1½	2
New York, N. Y.:				
First class	.688	30.25	2	2
Second class	.688	30.25	2	2
Bluestone	.688	30.25	2	2
Philadelphia, Pa.:				
Outside	.700	30.80	1½	2
Inside	.650	28.60	1½	2
Pittsburgh, Pa	.660	29.04	1½	2
Providence, R. I	.625	27.50		
Rochester, N. Y	.700	30.80	1½	1½
Scranton, Pa.:				
Outside and inside	.563	24.75	1½	2
Machine men	.500	27.00	1½	2
Springfield, Mass	.563	24.75	1½	2

The PRESIDING OFFICER (Mr. KING in the chair). The question is on concurring in the amendments made as in Committee of the Whole. In the absence of objection, they will be concurred in. The Chair hears none, and the amendments made as in Committee of the Whole are concurred in. The bill is in the Senate and open to further amendment.

Mr. BORAH. Mr. President, I suggest the absence of a quorum.

THE PRESIDING OFFICER. The Senator from Idaho suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hale	McLean	Smith, Mich.
Bankhead	Harding	McNary	Smoot
Borah	Hardwick	Martin, Ky.	Swanson
Brandegee	Henderson	Martin, Va.	Thomas
Calder	Hitchcock	Moses	Trammell
Colt	Hollis	Myers	Underwood
Culberson	Johnson, Cal.	New	Wadsworth
Cummins	Johnson, S. Dak.	Nugent	Walsh
Curtis	Jones, Wash.	Overman	Warren
Fernald	Kenyon	Poindexter	Williams
Fletcher	Knox	Pollock	Wolcott
France	La Follette	Pomerene	
Frelinghuysen	Lenroot	Ransdell	
Gay	McKellar	Sheppard	

The VICE PRESIDENT. Fifty-three Senators have answered to the roll call. There is a quorum present.

Mr. BORAH. Mr. President, I presume we are about to take a vote on the pending bill.

Mr. MARTIN of Virginia. Yes; I think so.

Mr. BORAH. That being the situation, I shall detain the Senate but a moment, and Senators need not leave their seats.

The VICE PRESIDENT. The Senator from Idaho.

Mr. BORAH. Mr. President, I simply want to make a few closing remarks in this debate. I think this bill presents the most extraordinary situation which has ever been presented to the Senate; certainly in my service, and I believe, in all probability, in the service of anyone within the sound of my voice.

It is an open secret, Mr. President, that not 5 per cent of the Senate are in favor of this bill. When I say that I mean that they would never have initiated any such movement, and the bill does not receive their unqualified indorsement, notwithstanding that they may feel constrained, under certain conditions which exist, to vote for it. I have heard only two Senators speak upon the floor who did not apologize for the vote which they were going to cast. It is an extraordinary situation.

The war for democracy closed upon the 11th of November last, and the peace conference met some several weeks thereafter. Within a very few days after they had gathered at Paris the world was informed that only such information as the organization there saw fit to give out would be given to the world with reference to the proceedings of that august assembly. When that statement was made I presume we all waited, some with anxiety, to know what kind of communications would really be given out. Now, from day to day we have had those communications. They mean absolutley nothing; there is not the slightest information. The only information which is given out is the fact that they met—that is, as to facts—and adjourned, neither of which facts are any longer of any great concern in view of the procrastinating progress which they are making. But as to what is considered, as to what is discussed, as to the opinions which have been expressed, as to the conditions which have been revealed, and as to the situations which are there not a particle of information is given in order that the world may be informed what is going on.

That, Mr. President, is an open violation of the most solemn pledge made by the President of the United States; made undoubtedly in the firm belief that it would be carried out; made undoubtedly in the belief that it ought to be carried out; made undoubtedly in the belief that it was essential to the formation of a peace treaty which would receive the commendation of the judgment of the world.

So, Mr. President, we have entered upon the European program of entangling alliances, and before we have passed the first milestone this Republic has accepted the fundamental principle of absolutism in government; before a fortnight has passed after we have entered into European affairs the Republic puts off her principles and accedes to the doctrine of absolutism. How far are we going to travel upon this road?

Now, Mr. President, comes the proposition that the American people, through their representatives, shall not exercise their judgment, but shall yield to a decree which has gone forth from this same assembly, the proceedings of which are kept secret from us; and Senators here, out of mortal dread and mortal fear of doing something that they ought not to do, are yielding their judgment in casting their votes at this time, and we, here in the Senate Chamber, are yielding also to the principle of acting without information and upon the dictation of those who are holding their sessions in secret.

So, Mr. President, not much time has passed since the armistice, but we have traveled a long distance. I am not a prophet, but I venture to say we are near the turning point; I venture to say that that lane is a short lane.

Let me read a single paragraph from a New York morning newspaper:

FORTY THOUSAND SERVICE MEN SEEKING JOBS IN CITY—NEARLY THIRD OF THEM ARE STRANGERS DEMOBILIZED HERE, AUTHORITIES BELIEVE—PROBLEM CALLED SERIOUS.

Forty thousand men just out of the Army and Navy are looking for jobs in New York. Fifteen thousand of them are strangers who decided to stay here instead of going home to look for work. The number of unemployed in the city almost doubles every week.

"The situation is serious and it soon may become alarming," is the way Dr. George W. Kirchwey, State director of the United States Employment Service, put it yesterday.

Mr. President, the conference at Paris may hold their secret sessions; they may dole out little statements, which mean nothing and inform us of no facts, and we here may yield our judgment out of very awe for the secrecy of the situation and vote upon the American people a tax of $100,000,000; but I venture to say that the first ship that leaves New York, with hungry men standing about the wharf, will reveal the secret as to where it is going and why it is going. Do you suppose that the people of this country will go hungry in order to sustain and stabilize the prices which war has brought upon us or to protect a few powerful interests? Do you suppose that they will permit these vessels to leave while their children and their families are begging for that which they are unable to give them in a free land? Blindly and subserviently we are contributing our influence to the cause of unrest and strife.

Mr. President, if the Senate of the United States had all the information which it is entitled to have, it would not vote the

passage of this bill. I know the influence behind this bill. It is a sinister and intolerable influence, and the people of this country will not submit long to legislation put through under such influences and for such purposes.

The VICE PRESIDENT. The question is, Shall the amendments be ordered to be engrossed and the bill read a third time?

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The VICE PRESIDENT. The question is, Shall the bill pass?

Mr. LA FOLLETTE. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BRANDEGEE (when his name was called). I am paired with the senior Senator from Tennessee [Mr. SHIELDS]. In his absence and not knowing how he would vote if present, I withhold my vote.

Mr. COLT (when his name was called). I am paired with the senior Senator from Delaware [Mr. SAULSBURY]. As he, if present, would vote as I am about to vote, I feel at liberty to vote, and therefore vote "yea."

Mr. CUMMINS (when his name was called). I have a pair with the Senator from Illinois [Mr. LEWIS]. If he were present, he would vote "yea." If I were at liberty to vote, I should vote "nay."

Mr. SMITH of Michigan (when his name was called). I have a pair with the senior Senator from Missouri [Mr. REED]. In his absence I transfer that pair to the senior Senator from Minnesota [Mr. NELSON] and vote "yea."

Mr. STERLING (when his name was called). I am paired with the senior Senator from South Carolina [Mr. SMITH]. I understand that that Senator, if present, would vote as I shall vote, and I am therefore at liberty to vote. I vote "yea."

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER], who is absent. In his absence I withhold my vote. If I were at liberty to vote, I should vote "nay."

Mr. TOWNSEND (when his name was called). I have a pair with the senior Senator from Arkansas [Mr. ROBINSON]. Not knowing how he would vote on this question, I withhold my vote. If at liberty to vote, I should vote "nay."

Mr. HARDWICK (when Mr. VARDAMAN's name was called). I have been requested to announce that the Senator from Mississippi [Mr. VARDAMAN] is out of the city on business of the Senate. If he were present, he would vote "nay." He is paired on this question with the Senator from West Virginia [Mr. SUTHERLAND].

The roll call was concluded.

Mr. KELLOGG. I desire to announce that my colleague [Mr. NELSON] has been compelled to leave the Chamber on account of illness. If he were present, he would vote "yea."

Mr. WARREN. My colleague [Mr. KENDRICK] is unavoidably absent. He is paired with the Senator from New Mexico [Mr. FALL].

Mr. BECKHAM. I have a general pair with the Senator from West Virginia [Mr. SUTHERLAND]. I understand that if he were present he would vote "yea." I shall therefore vote. I vote "yea."

Mr. TOWNSEND. I transfer my pair with the Senator from Arkansas [Mr. ROBINSON] to the Senator from New Jersey [Mr. BAIRD] and vote "nay."

Mr. SHEPPARD. I wish to announce that my colleague, the senior Senator from Texas [Mr. CULBERSON] is necessarily detained from the Senate. If present, he would vote for the bill.

Mr. GERRY. I desire to announce that the Senator from Missouri [Mr. REED], the Senator from Mississippi [Mr. VARDAMAN], and the Senator from Utah [Mr. KING] are absent on official business.

Mr. SAULSBURY. I wish to announce that the Senator from Maryland [Mr. SMITH] is absent on account of illness. He is paired with the Senator from Vermont [Mr. DILLINGHAM]. If present, he would vote "yea."

Mr. POLLOCK. I desire to announce that the Senator from South Carolina [Mr. SMITH] is detained from the Senate by illness. He is paired with the Senator from South Dakota [Mr. STERLING]. If present, he would vote "yea."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK]; and

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN].

The result was announced—yeas 53, nays 18, as follows:

YEAS—53.

Ashurst	Johnson, S. Dak.	Phelan	Sterling
Bankhead	Jones, Wash.	Pittman	Swanson
Beckham	Kellogg	Pollock	Thompson
Chamberlain	Kirby	Pomerene	Trammell
Colt	Knox	Ransdell	Underwood
Curtis	Lenroot	Saulsbury	Wadsworth
Fletcher	Lodge	Shafroth	Walsh
Frelinghuysen	McLean	Sheppard	Warren
Gay	Martin, Ky.	Simmons	Weeks
Gerry	Martin, Va.	Smith, Ariz.	Williams
Hale	New	Smith, Ga.	Wolcott
Henderson	Nugent	Smith, Mich.	
Hitchcock	Overman	Smoot	
Hollis	Page	Spencer	

NAYS—18.

Borah	Harding	McNary	Sherman
Calder	Hardwick	Moses	Townsend
Fernald	Johnson, Cal.	Myers	Watson
France	Kenyon	Penrose	
Gore	La Follette	Poindexter	

NOT VOTING—25.

Baird	Gronna	Nelson	Smith, S. C.
Brandegee	Jones, N. Mex.	Norris	Sutherland
Culberson	Kendrick	Owen	Thomas
Cummins	King	Reed	Vardaman
Dillingham	Lewis	Robinson	
Fall	McCumber	Shields	
Goff	McKellar	Smith, Md.	

So the bill was passed.

The title was amended so as to read: "A bill providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, German-Austria, Hungary, Bulgaria, and Turkey, as may be determined upon by the President as necessary."

Mr. MARTIN of Virginia. I move that the Senate request a conference with the House of Representatives on the bill and amendments, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. MARTIN of Virginia, Mr. OVERMAN, and Mr. WARREN conferees on the part of the Senate.

VALIDATION OF WAR CONTRACTS.

Mr. CHAMBERLAIN. Mr. President, I am going to ask unanimous consent to take up a bill for consideration, but I am not going to ask that it be considered to-day. I should like to have it proceeded with the next time the Senate convenes; and I therefore ask unanimous consent that the Senate proceed to the consideration of House bill 13274.

Mr. PENROSE. What is the bill?

Mr. CHAMBERLAIN. It is a bill to validate contracts that have been informally made. After it has been made the unfinished business I shall ask that it shall be laid aside until the next convening of the Senate.

The VICE PRESIDENT. Does the Senator move to take it up now?

Mr. CHAMBERLAIN. I do.

Mr. WEEKS. Mr. President, it is impossible to hear what is being said.

The VICE PRESIDENT. The Senator from Oregon moves that the Senate proceed to the consideration of House bill 13274.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, which had been reported from the Committee on Military Affairs with an amendment.

Mr. CHAMBERLAIN. Mr. President, I ask that the bill be laid aside until the next convening of the Senate.

The VICE PRESIDENT. Is there objection? The Chair hears none.

BUREAU OF WAR RISK INSURANCE.

Mr. THOMAS. From the Committee on Finance I report back favorably, without amendment, the joint resolution (S. J. Res. 214) authorizing and directing the accounting officers of the Treasury to allow credit to the disbursing clerk of the Bureau of War Risk Insurance in certain cases, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. Is there any objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read, as follows:

Resolved, etc., That for such reasonable time as may be fixed by the Secretary of the Treasury, but not extending beyond the fiscal year ending June 30, 1920, the accounting officers of the Treasury are hereby authorized and directed to allow credit in the accounts of the disbursing clerk of the Bureau of War Risk Insurance for all payments of insurance installments heretofore or hereafter made under the provi-

sions of Article IV of the war-risk insurance act in advance of the verification of the deduction on the pay rolls or of the payment otherwise of all premiums.

Mr. THOMAS. Mr. President, the reason for the passage of this joint resolution is set forth in a very short letter from the Secretary of the Treasury, which I ask to have read.

Mr. PENROSE. I suggest that the Senator have it printed in the RECORD.

Mr. THOMAS. I will ask to have it printed in the RECORD.

The VICE PRESIDENT. In the absence of objection, that order will be made.

The letter referred to is as follows:

TREASURY DEPARTMENT,
Washington, January 16, 1919.

MY DEAR SENATOR: I have the honor to submit herewith a proposed joint resolution and to outline, briefly, the seriousness of the situation which confronts the Bureau of War Risk Insurance and which makes it imperatively important that the bureau turn to the Congress for a solution.

The accounting officers of the Treasury can not, under the laws governing the performance of their duties, allow credit to the disbursing clerk of the Bureau of War Risk Insurance for the payment of insurance installments on awards made under the authority of Article IV of the war-risk insurance act, unless the director of the bureau certifies that the premiums on such insurance have been paid. Insurance premiums are paid largely, almost wholly, by deductions on the pay rolls while the men are in the service; and I am advised that it is impossible at the present time, with the accounts unadjusted between the War Department and the bureau, for the director to make the required certificate. The necessary consequence of his inability to do so is, first, that the accounting officers will be unable to allow credit in these cases, and, second, that the disbursing clerk of the bureau will be compelled to suspend payments on these awards. In other words, it means that payments on awards of contract insurance under the war-risk insurance act must be suspended. The disastrous consequences of such action on the part of the bureau can not be overestimated.

The joint resolution here proposed will authorize and direct the accounting officers to allow credit to the disbursing clerk in these cases and will enable the bureau to continue the payments. The necessity for the adoption of the resolution is urgent, and the Treasury Department recommends it with the utmost earnestness.

Sincerely, yours,
CARTER GLASS,
Secretary.

Hon. F. M. SIMMONS,
Chairman Committee on Finance, United States Senate.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. MARTIN of Virginia. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session, the doors were reopened.

RECESS.

Mr. GAY. I move that the Senate take a recess until 11 o'clock a. m. Sunday for the purpose of eulogies.

The motion was agreed to; and (at 4 o'clock and 55 minutes p. m.) the Senate took a recess until Sunday, January 26, 1919, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate January 24 (legislative day of Monday, January 20), 1919.

DEPARTMENT OF COMMERCE.

Grosvenor M. Jones, of Ohio, to be First Assistant Chief of the Bureau of Foreign and Domestic Commerce, Department of Commerce, vice Chauncey D. Snow, reappointed as trade commissioner (by promotion from Second Assistant Chief of the Bureau of Foreign and Domestic Commerce).

Roy S. MacElwee, of New York, to be (Second) Assistant Chief of the Bureau of Foreign and Domestic Commerce, Department of Commerce, vice Grosvenor M. Jones, nominated for (first) assistant chief of bureau.

SOLICITOR OF INTERNAL REVENUE.

D. M. Kelleher, of Fort Dodge, Iowa, to be solicitor of internal revenue, vice Ballantine, resigned.

SECRETARY OF EMBASSY OR LEGATION.

Clarence B. Hewes, of Jeanerette, La., to be a secretary of embassy or legation of class 4 of the United States of America.

RECEIVER OF PUBLIC MONEYS.

Henry James Holmes, of Glenwood Springs, Colo., to be receiver of public moneys at Glenwood Springs, vice Francis H. Selhort, term expired.

UNITED STATES DISTRICT JUDGE.

Hugh M. Morris, of Wilmington, Del., to be United States district judge, district of Delaware, vice Edward G. Bradford, deceased.

UNITED STATES ATTORNEYS.

Thomas D. Warren, of New Bern, N. C., to be United States attorney, eastern district of North Carolina, vice James O. Carr, resigned.

Hiram M. Smith, of Richmond, Va., to be United States attorney, eastern district of Virginia, vice Richard H. Mann, resigned. (Mr. Smith is now serving as district attorney under appointment by the court.)

Eric Pettus, of Birmingham, Ala., to be United States attorney, northern district of Alabama, vice Robert N. Bell, deceased.

James A. Smiser, of Juneau, Alaska, to be United States attorney, District of Alaska, division No. 1. A reappointment, his term expiring January 30, 1919.

John F. A. Merrill, of Portland, Me., to be United States attorney, district of Maine. A reappointment, his term expiring February 15, 1919.

Samuel K. Dennis, of Baltimore, Md., to be United States attorney, district of Maryland. A reappointment, his term having expired.

UNITED STATES MARSHALS.

John Hugh Kirkpatrick, of Shreveport, La., to be United States marshal, western district of Louisiana. A reappointment, his term having expired.

William W. Stockham, of Baltimore, Md., to be United States marshal, district of Maryland. A reappointment, his term having expired.

APPOINTMENTS IN THE ARMY.

CORPS OF ENGINEERS.

To be second lieutenants with rank from November 1, 1918.

Cadet James Logan Rhoads.
Cadet David Ayres Depue Ogden.
Cadet Howard Louis Peckham.
Cadet Randolph Pierson Williams.

INFANTRY ARM.

To be second lieutenants with rank from November 1, 1918.

Cadet Robert Alwin Schow.
Cadet Thomas Markham Brinkley.
Cadet James Coachman Cullens, jr.
Cadet Reginald Worth Hubbell.
Cadet Jessie Lewis Gibney.

NOTE.—The above-named cadets were nominated to the Senate for said appointments on November 18, 1918, and were confirmed by that body on November 21, 1918, under the names James Logan Rhoades, David Ayer Dupue Ogden, Howard Louis Peckham, Randolph Pierson Williams, Robert Alvin Schow, Thomas Markham Brinkley, John Coachman Cullens, jr., Reginald Hubbell, and Jesse Lewis Gibney, respectively. This message is submitted for the purpose of correcting errors in the names of the nominees.

To be second lieutenants with rank from November 1, 1918.

Cadet Robert Gibbins Gard.
Cadet Sydney Ward Gould.
Cadet Joseph Vincil Phelps.
Cadet Luther Lyons Hill.
Cadet Lester DeLong Flory.
Cadet Henry Ellis Sanderson, jr.
Cadet William Leighton McEnery.
Cadet Albert Sidney Johnston Stovall, jr.
Cadet Wayne Clifton Zimmerman.
Cadet Josiah Toney Dalbey.
Cadet John Francis Lavagnino.
Cadet Archie William Cooey.

NOTE.—The above-named cadets were nominated to the Senate for said appointments on November 18, 1918, and were confirmed by that body on November 21, 1918, under the names Robert Gibbons Gard, Sidney Ward Gould, Joseph Vincie Phelps, Butler Lyons Hill, Leslie DeLong Flory, Harris Ellis Sanderson, jr., William Lighton McEnery, Albert Sidney Johnson Stovall, jr., Harold Clifton Zimmerman, Josiah Tony Dalbey, John Francis Laragnino, and Archie William Cooly, respectively. This message is submitted for the purpose of correcting errors in the names of the nominees.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Medical Inspector James C. Pryor to be a medical director in the Navy with rank of captain from the 1st day of July, 1918.

Pay Inspector Joseph J. Cheatham to be a pay director in the Navy with the rank of captain from the 1st day of July, 1917.

Paymaster James C. Hilton to be a pay inspector in the Navy with the rank of commander from the 22d day of September, 1918.

Lieut. Henry M. Jensen to be a lieutenant commander in the Navy from the 23d day of May, 1917.

Midshipman John C. Williams to be an ensign in the Navy from the 7th day of June, 1918.

John B. Flanigan, electrician third class, to be an ensign in the Navy, for temporary service, from the 15th day of December, 1918.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 24 (legislative day of Monday, January 20), 1919.

INTERSTATE COMMERCE COMMISSION.

Joseph B. Eastman to be a member of the Interstate Commerce Commission.

APPOINTMENT IN THE NAVY.

John B. Flanigan to be an ensign in the Navy for temporary service.

POSTMASTER.

MINNESOTA.

William Hope, Morris.

WITHDRAWALS.

Executive nominations withdrawn from the Senate January 24 (legislative day of Monday, January 20), 1919.

APPOINTMENTS IN THE ARMY.

DENTAL CORPS.

To be first lieutenants with rank from November 30, 1918.

First Lieut. David L. England.
First Lieut. Erwin F. Bence.
First Lieut. Glen D. Lacy.
First Lieut. Harold S. Whitney.

The officers above mentioned were nominated to the Senate December 4, 1918.

HOUSE OF REPRESENTATIVES.

FRIDAY, *January 24, 1919.*

The House met at 12 o'clock noon.

Rev. S. J. Blum, D. D., of Bethlehem, Pa., offered the following prayer:

Lord God, our heavenly Father, we lift up our hearts to Thee in grateful praise and adoration. Thy mercies are new unto us every day and great is Thy faithfulness. Thou art ever ready to help us and to bestow upon us the things Thou seest we need which are for our highest and best good. We pray for Thy blessing upon the Members of this body in the discharge of their patriotic duties to their country. We pray for Thy blessing, too, upon the President of the United States as he sits at the peace table in Paris with the representatives of other nations. Give him wisdom and knowledge to pursue such a course as shall tend to lasting peace among the civilized nations of the world. This we ask in the name of Jesus Christ, our blessed Savior and Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 41. An act to authorize the sale of certain lands at or near Yellowstone, Mont., for hotel and other purposes.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 12881. An act to increase the cost of the public building at Eldorado, Kans.

PUBLIC BUILDING AT EUREKA, UTAH.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3384) amending the public-building act approved March 4, 1913.

The SPEAKER. The Clerk will report the title to the bill.

The Clerk read as follows:

S. 3384. To amend the public-building act approved March 4, 1913.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, what is the bill?

Mr. CLARK of Florida. A bill to allow the Secretary of the Treasury to accept title at Eureka, Utah, waiving the mineral rights. We have passed a good many of these bills.

Mr. MANN. Let us have the bill reported.

The Clerk read as follows:

An act (S. 3384) to amend the public-building act approved March 4, 1913.

Be it enacted, etc., That the provision of the public-building act approved March 4, 1913 (37 Stat., p. 876), which authorizes the acquisition of a suitable site, etc., at Eureka, Utah, be, and the same is hereby, amended so as to add the following proviso, namely: "*Provided*, That the Secretary of the Treasury may, in his discretion, accept a title which reserves or excepts all ores or minerals on the lands with the right of mining the same."

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent that this bill may be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. CLARK of Florida, a motion to reconsider the vote whereby the bill was passed was laid on the table.

RETURN OF SOLDIERS TO THE UNITED STATES.

Mr. GARLAND. Mr. Speaker, I ask unanimous consent to address the House for three minutes and have a resolution read in my time by the Clerk.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent for three minutes. Is there objection?

Mr. GARNER. Reserving the right to object, I would like to ask the gentleman from Pennsylvania what is the nature of the resolution?

Mr. GARLAND. It is with reference to bringing the boys back home.

Mr. GARNER. Mr. Speaker, I am not going to object, but I want to give notice that I shall object hereafter to the reading of letters and resolutions upon this subject unless gentlemen read them in their own time.

Mr. MANN. This is a resolution by the gentleman himself.

Mr. GARNER. I am not going to object to this, but I give notice that I shall object hereafter.

The SPEAKER. Does the gentleman offer his resolution?

Mr. GARLAND. Yes.

The SPEAKER. The gentleman can not do it at this time.

Mr. GARLAND. I simply want to have it read in my time.

The Clerk read as follows:

House resolution 546.

Resolved, That it is the sense of the House of Representatives of the United States that the officers and soldiers of the American Expeditionary Forces who have served and who are now serving in the United States Army overseas, having performed successfully and heroically the military duties required by their presence on foreign soil, ought to be returned to their homes, and as the representatives of the American people we hereby demand their return to the United States by every transportation facility available and that can be made available for such purpose; and that it is the sense of this House that the drafted men and the men of the National Guard or State Militia ought to be discharged from the military service immediately upon their arrival in this country.

Mr. GARLAND. Mr. Speaker, I only want to add with reference to this resolution that from personal observation, having met the men over there who desire to return home, we ought to have some action taken rather than a continuance of words that we see nearly every day in the newspapers. These men are over there under conditions that are awful.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. GARLAND. Yes.

Mr. GARRETT of Tennessee. Does the gentleman from Pennsylvania know that the War Department is now availing itself of every possible method of transportation that it can toward bringing these boys home just as rapidly as it is humanly possible to do it?

Mr. GARLAND. No; I do not know that. I know that the men are over there, and outside of the casualties and some preferences for those who have positions, and a large number of the Red Cross, and so forth, that the men have no idea when they are going to get back. They are told that they will be there a year or more, in some instances, and yet they can not understand why they are kept there, where there is nothing around them but mud and rain, crosses over graves, destitution and destruction everywhere, houses shot down, little barracks that they have put up, surroundings insanitary; and these men are staying there without knowing why they are kept there. They are begging and pleading that some action be taken to bring them home. There are plenty of French and English soldiers to police, if police are necessary, but these men want to come back and do not know why they can not come back. It has got to a point where the private is charging that in his belief the officers, who are receiving big pay, are keeping them there or recommending their being kept there. That idea is prevalent nearly all over those camps, and something ought to be done to stop that feeling from growing.

It is asserted here on this floor and elsewhere that the War Department is using all possible haste to bring the troops back, and that it is using all the shipping facilities it can secure. In answer, now, let us see. In the annual report of the Secretary of War, 1918, we find the following under "Transportation of troops and supplies, embarkation service":

In the 19 months elapsing from the declaration of war to the signing of the armistice the Army created an embarkation service which succeeded in shipping overseas 2,075,834 men and 5,153,000 tons of cargo. Even these figures do not adequately express the extraordinary nature of the achievement. As time was required for the drafting and training of men and for organizing the production of supplies, most of the stupendous movement occurred in the last half of our active participation in the war. In the last 10 months—that is, from January 1, 1918, to the signing of the armistice—the Army embarked 1,880,339 men and shipped 4,660,000 tons of cargo. Nothing to compare with the movement of this tremendous number of men and tons of supplies across the Atlantic Ocean is known in the military history of the world.

* * * * * * *

By the end of December 187,916 troops and 7,570 marines had been embarked.

At this point negotiations were entered into with the British Government by which three of its big fast liners and four smaller troop ships were definitely assigned to the service of our Army. In March the movement jumped to 83,782 troops and 1,081 marines. It was in this month that the great German spring drive took place in Picardy, with a success that threatened to result in a German victory. Every ship that could be secured was pressed into service, and the aid furnished by the British was greatly increased. It was then that the transport miracle took place. In April 117,205 troops and 1,432 marines were embarked; in May 244,344 troops and 1,606 marines; and in June the numbers were 277,973 and 777. Before the 1st of July 1,000,000 men had been embarked.

The July record exceeded all expectations, the number of troops embarking being 306,185, and before the end of October the second million men had sailed from our shores. During the three months, June, July, and August, 875,753 men were embarked, and if May be added the total for the four months is 1,121,703. When the armistice was signed the total embarkations amounted to 2,045,169 troops and 30,665 marines.

Altogether from our entrance into the war until the signing of the armistice the Army shipped from this side of the Atlantic 5,153,000 tons of cargo. Unlike the case with regard to the troop movement, this cargo was carried almost entirely in American bottoms, and less than 5 per cent was lifted by allied ships. Please note that in June 277,973 troops and 777 marines were transported out of the country, and this gave in the 19 months of war an average of a little more than 109,000 per month, and at the same time an average of 271,200 tons of cargo was carried over. It is to be presumed we have all the shipping facilities we had on the average during the war months at least. But I am informed by the War Department that since the armistice was signed up to the 17th of the present month only 163,400 troops had been returned, and as more than two months had elapsed, the average per month with all the combined shipping facilities was less than 80,500 troops returned per month. We are not bringing cargoes of supplies back for Army purposes, and therefore nearly all of the shipping used to carry cargoes abroad can be made available to return troops to America.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent to proceed for two minutes on this subject.

The SPEAKER. Is there objection?

There was no objection.

Mr. GARRETT of Tennessee. Mr. Speaker, like all other gentlemen, I have read in the press of the country at different times various statements as to when the soldiers would be brought home. I have read the charges that there were delays. I have read the intimations that officers desiring to retain their positions were recommending that the men be kept abroad beyond the time when it was necessary. But, Mr. Speaker, I undertake to say that there has never come from any official source, or any reliable source, charged with authority to keep the men there or to bring them home, a statement that they would be kept there beyond the time when necessity demanded. Furthermore, let me say that I think, once for all, Mr. Speaker, we ought to have some end to the efforts to create dissatisfaction concerning this matter. I wish to say that if these criticisms and these suggestions are unfairly made they ought to be stopped. We ought not to render the people of this country dissatisfied unless there is a basis in fact upon which to make such criticism. Within the past hour I have heard the Secretary of War, in a statement before the Committee on Rules, a public statement, say that the matter of bringing the soldiers home from France was engaging more attention of the department than any other one problem, and that every effort was being bent, that every available method of transportation was being obtained, and that the men were being brought and would be brought home just as rapidly as the transportation facilities of the world would admit of it. [Applause.] That being the official attitude, so declared by the department itself that has authority to act, I respectfully submit that we ought not to have criticisms that will render the fathers and mothers of the soldiers of this country dissatisfied unnecessarily and improperly.

Mr. GARLAND. Mr. Chairman, will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. GARLAND. I will state to the gentleman that I am repeating the criticism of the soldiers, not making it myself.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 2552. An act to provide for a leave of absence for homestead entrymen in one or two periods and for longer times.

PENSIONS.

Mr. CARTER of Oklahoma. Mr. Speaker, I ask unanimous consent that business in order to-day may be postponed until to-morrow.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that pension business, in order to-day, be postponed until to-morrow. Is there objection?

Mr. GARNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARNER. In case this unanimous consent is granted, it would not give exclusive right to the business in order on the calendar to-day to be taken up to-morrow, would it?

The SPEAKER. Oh, no.

Mr. GARNER. In other words, any other equally privileged matter could be taken up, if it was the will of the House.

The SPEAKER. No; the Chair would not recognize anyone for equally privileged business. If it had a higher privilege, he would.

Mr. GARNER. The main thing I want to know is whether we can go on with appropriation bills to-morrow in case the House desires to do so?

Mr. CAMPBELL of Kansas. Mr. Speaker, if it is the intention not to give the Committee on Pensions its day, I shall object to the request of the gentleman from Oklahoma.

The SPEAKER. It will not take two hours to get through with the pension business to-morrow. Everybody knows how the bills run. There is only one, as I understand it, and we can probably get through with that in 30 minutes.

Mr. CAMPBELL of Kansas. Then I suggest that we can get through with it in 30 minutes to-day.

The SPEAKER. That is true; but it suits the convenience of both the gentleman from Ohio [Mr. SHERWOOD] and the gentleman from Oklahoma [Mr. CARTER] to go on with this other bill to-day, and to take up the pension bill in the morning.

Mr. CAMPBELL of Kansas. If it is the intention to take the bill up to-morrow following the disposition of this bill, I shall not object.

Mr. CARTER of Oklahoma. That is my intention.

Mr. CAMPBELL of Kansas. Is it the intention of the gentleman from Ohio?

Mr. FOSTER. Yes; it is. I have just talked with the gentleman from Ohio, and he is satisfied.

Mr. SHERWOOD. Yes; to take it up to-morrow. I am willing to do that.

Mr. CARTER of Oklahoma. I shall have no objection to having the order fixed for to-morrow following the disposition of the Indian appropriation bill.

Mr. CAMPBELL of Kansas. Then I ask unanimous consent that the order be that the pension bill follow the conclusion of the Indian appropriation bill.

Mr. FOSTER. Mr. Speaker, I think it should be stated that the gentleman from Ohio [Mr. KEY] has one bill on the calendar.

Mr. STAFFORD. As I understood the request, it is that the business in order to-day shall be in order to-morrow.

Mr. CAMPBELL of Kansas. That was not the request.

Mr. STAFFORD. That was the request.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that pension business in order to-day be in order to-morrow. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, may I ask the gentleman from Oklahoma whether he expects the Indian bill to require the balance of the day? Why could not the pension business be taken up to-day?

Mr. GARNER. It could be taken up late this evening.

Mr. MANN. I do not know how much business there is on the Pension Calendar, but I think not a great deal. Why could it not be disposed of to-day?

Mr. CARTER of Oklahoma. Mr. Speaker, I will say to the gentleman that I hope that we may get through with the Indian bill before the day is finished, and I have no objection to having the pension business follow the conclusion of the Indian appropriation bill.

Mr. MADDEN. That is, if the hour is not too late.

The SPEAKER. Gentlemen are wasting enough time talking about the consideration of the pension bill to pass it. Is there objection?

There was no objection.

INDIAN APPROPRIATION BILL.

Mr. CARTER of Oklahoma. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14766, the Indian appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Indian appropriation bill, with Mr. CRISP in the chair.

The CHAIRMAN. When the committee rose yesterday a point of order had been reserved to the paragraph which the Clerk will report.

The Clerk read as follows:

That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $676, to reimburse Benson County, N. Dak., for money actually paid by said county to the State of North Dakota for care of three insane Indians, Mary Josephine Pejihontaskana, Alfred Littlewind, and Joseph Langer, in the North Dakota State Insane Asylum.

Mr. STAFFORD. Mr. Chairman, I wish to inquire, as I do not recall any similar item having been carried in a prior Indian appropriation bill, whether it is the practice of the committee to recommend reimbursement of Government funds to individual counties for the care of insane Indians, as is provided in the paragraph under consideration?

Mr. HAYDEN. Mr. Chairman, I do not remember another instance such as this, but the facts as disclosed to the committee were that the counties had expended this money in the care of these insane Indians and that it was a charge against the Government which ought to be paid.

Mr. STAFFORD. Mr. Chairman, I think in establishing a precedent of this kind further investigation should be given as to what the policy of the Government should be.

Mr. HAYDEN. The situation is that the Government has a hospital for insane Indians at Canton, S. Dak. As I recollect the facts in the case, for some reason the hospital could not properly care for these people, and for a time they were cared for by the counties. When the hospital at Canton could take care of them they were sent over to the regular Government institution. It was only a temporary matter.

Mr. STAFFORD. Mr. Chairman, under the circumstances I make the point of order.

The CHAIRMAN. The Chair sustains the point of order, and the Clerk will read.

The Clerk read as follows:

That the Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States, at his discretion, not to exceed the sum of $20,000, or so much thereof as may be necessary, of the money on deposit to the credit of the Osage Tribe of Indians in Oklahoma, to be expended for the support, education, and systematic vocational instruction of Osage children: *Provided*, That the expenditure of said money shall include the renewal of the present contract with the St. Louis Mission Boarding School, except that there shall not be expended more than $300 for annual support and education of any one pupil.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order. It appears this item authorizes provision for the establishment of a manual training school for the benefit of Osage Indian children.

Mr. CARTER of Oklahoma. Mr. Chairman, I yield to the gentleman from Oklahoma [Mr. CHANDLER].

Mr. CHANDLER of Oklahoma. Under an act of Congress that was passed in 1906, which provided for the continuation of the Osage Boarding School for a period of 10 years, and that at the expiration of said 10 years the school should be abolished. Last year the Indian appropriation bill continued that school until the 30th of June, 1919, and a great many of us think this school should be abolished; but some of the committee thought differently, and, in view of what other members of the committee desire, this provision was placed in here and the amount was reduced from $50,000 to $20,000.

Mr. STAFFORD. How could these children receive their education if this school were abolished, as was the original intendment of the Congress?

Mr. CHANDLER of Oklahoma. They would receive education at the public schools in Osage County, Okla. They would receive education at the various mission schools and at the normal schools and in the university of the State, or they could be sent out throughout the United States, the same as many other Indian children, to any other school.

Mr. STAFFORD. Would any of the children suffer for want of education if this school were eliminated, as has been considered very seriously during the last several years?

Mr. CHANDLER of Oklahoma. Well, it is my honest opinion that they would not; but other members of the committee and the Bureau of Indian Affairs are very anxious to continue this school, in order to keep, in my opinion, a bunch of some 20 employees in office at an expense of something like $30,000 a year to the Osage Tribe of Indians. Now, personally, I was opposed to the continuation of this school last year; but it was a compromise proposition which was put in last year, and it is again this year.

Mr. STAFFORD. Will the gentleman inform the committee as to what contract there is with any private party for the support of children attending this school?

Mr. CHANDLER of Oklahoma. The department has a contract, of course expiring the 30th of June, 1919, with the St. Louis Mission School to educate, board, and support 75 pupils at $125 per annum, and there are 75 in that school at the present time under that contract. Now, I felt that that contract should be continued, because it was a great deal cheaper to spend $7,000, or a little over that amount—I believe it would be $8,750—to educate 75 children than to spend $50,000 to educate 46, which they are doing at the Osage Boarding School.

Mr. STAFFORD. Are there other instances where private parties contract for the board of children attending Government schools?

Mr. CHANDLER of Oklahoma. I think so; but I do not know and I would not undertake to say.

Mr. CARTER of Oklahoma. Oh, yes.

Mr. CHANDLER of Oklahoma. I think there are a number of places in practically every State where they have Indian children.

Mr. CARTER of Oklahoma. There are several States, and really it is necessary to continue some of the mission schools of different churches, for the reason that there have not been sufficient educational facilities provided by the Government; and if the Government now would undertake to provide those facilities it would involve an expenditure of a lot of money for buildings and things of that character, which the committee thought we had better not do.

Mr. STAFFORD. The gentleman from Oklahoma is a member of the Osage Tribe, I believe——

Mr. CHANDLER of Oklahoma. No, sir; Cherokee. I wish I were.

Mr. STAFFORD. And he is quite familiar with conditions there, and he states upon his individual knowledge that these children could be well provided with education at other existing schools. If that is the fact, what is the reason for continuing this private contract? In a way private, because they are having an outside party virtually provide for their education and sustenance.

Mr. CARTER of Oklahoma. I do not undertake to put my information against that of the gentleman from Oklahoma [Mr. CHANDLER], because he lives in that district and has an opportunity of getting in touch with this condition perhaps a hundred times where I do once, but I do not quite agree that the children can be taken care of without this school, although he may be right about that.

Mr. STAFFORD. What are the ages of these 75 children?

Mr. CHANDLER of Oklahoma. The St. Louis Mission School or the boarding school? Remember there are two different schools carried in this appropriation—one the Osage Boarding School and the other is the St. Louis Mission School. The St. Louis Mission School is carried on by one of the churches, and they have 75 children of all ages who attend that school; I presume running from 6 to probably 16 years of age. At the other school they are practically the same ages.

Mr. STAFFORD. Does that apply to both schools, that the children could find adequate accommodation in other existing schools in the neighborhood?

Mr. CHANDLER of Oklahoma. I think that they could, but the St. Louis Mission Boarding School, in my opinion, should be continued, because it is an exceedingly good school, and it is carried on at the exceedingly cheap price of $125 a year for the support and education of the children.

Mr. STAFFORD. You provide that no more than $300 per capita may be expended for the support and education——

Mr. CHANDLER of Oklahoma. That is the limit on the other school. The other school is run by the Government, in which they spend, I think——

Mr. STAFFORD. This limitation applies only to the amount that may be expended by the Government on the St. Louis Mission Boarding School. It is no limitation on the Osage school.

Mr. HASTINGS. If the gentleman will permit, there is a limitation on the $20,000 in the appropriation, so that you can say there is a limitation on the amount that may be expended. And if the gentleman will permit a minute further, I wish to say that there were enrolled about 2,200 of these Osages. They are the richest people on the face of the globe. Of the 2,200, approximately 800 are full-bloods. Now, the gentleman will remember

that the rolls were made 15 years ago, and quite a number of them are dead. They have, as my colleague from Oklahoma [Mr. CHANDLER] has already explained, an Osage boarding school in Pawhuska. This St. Louis Mission School is out in the suburbs, or near there. They have been continuing this Osage boarding school in the city of Pawhuska for a number of years, and when they made the agreement a few years ago they extended it for a period of 10 years. That period expired a year and a half ago, and last Congress continued it by an appropriation of $30,000 to this coming June. This $30,000 will enable us to take care of these children, and they had particularly in mind the children of full-blood Osages. The half-blood or mixed-bloods go into the public schools or other schools. Their parents send them away to school, but this appropriation was designed to take care particularly of the full-blood children. I want to say, while I am on my feet, that the subcommittee was out there at Pawhuska a year ago last March, and we found a good deal of sentiment among the full-bloods for the continuation of this school. The mixed-blood people did not want it continued, saying that there was too much money expended. There is a good deal of criticism about it, I am free to confess. The committee has felt, inasmuch as it had an attendance last year of 46—mostly full-bloods, and this was their school, and they had the property there and the school facilities—that we should authorize the department to the extent of using the $20,000 to run this school and furnish educational advantages to the Osage children, having particularly in mind the full-blood children. Each of them get about $4,000 a year in royalties from oil leases, so they have plenty of money. But this is particularly to maintain these schools and take care of the full-blood children.

Mr. STAFFORD. Of course, if it is the wish of the Indians themselves that the school should be continued, and the committee believes they are given proper education, of course we should continue the school.

Mr. HASTINGS. I am absolutely frank with the gentleman. The full-bloods there, in my judgment and in the judgment of the committee, want this school continued, whereas the larger majority of the mixed-bloods do not want it continued. About one-third of them are full-bloods.

Mr. STAFFORD. What other accommodations are available in case this school should be discontinued?

Mr. HASTINGS. Well, of course, we have the St. Louis Mission School, and they could contract with any other school they wanted to contract with and put the children in those schools. But let me say to you that in my judgment and in the judgment, I think, of the committee, this is really an ideal site for the school. It is on a very high eminence in the city of Pawhuska.

Mr. SNYDER. Will the gentleman from Wisconsin permit me?

Mr. STAFFORD. I will be very glad to have the gentleman's views.

Mr. SNYDER. The fact is that there are two schools—one a Government boarding school and the other a mission school. This boarding school has a very fine building and property, and it takes about as many employees to operate the school as there are pupils in it. Adjacent to it is this mission school, where each one of these pupils can be educated at a cost of $125 and receive better facilities for education than they can in the other school. There are a few people who desire to have this school continued, but there are many people there who are able to take care of a school of their own and who desire to have it discontinued and send their children to the other school. Now, that is the milk in the coconut. But we thought, inasmuch as there was a desire, even on the part of a few people who could afford to pay, that we would reduce the appropriation and limit it to an expense not to exceed $300 per pupil and let the school go on for another year.

Mr. STAFFORD. Is the Osage Indian school a Government institution?

Mr. SNYDER. Yes.

Mr. CHANDLER of Oklahoma. However, all the expenses are paid out of the Osage tribal fund. The $50,000 mentioned that has been carried heretofore came out of the Osage tribal funds, and this $20,000 will come out the Osage tribal funds.

Mr. SNYDER. I think, if the gentleman will permit this item to stand as it is, that next year we will be able to demonstrate to the committee that that school can be done away with entirely to the satisfaction of everybody.

Mr. STAFFORD. Mr. Chairman, I have every confidence in the opinion of the gentleman from New York and the respective gentleman from Oklahoma, and I withdraw the reservation of the point of order.

The CHAIRMAN. The point of order is withdrawn, and the Clerk will read.

The Clerk read as follows:

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States, at his discretion, not to exceed the sum of $65,000, or so much thereof as may be necessary, of the funds on deposit to the credit of the Osage Tribe of Indians in Oklahoma, for the support of the Osage Agency and pay of tribal officers and employees of said agency.

Mr. ELLSWORTH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Minnesota moves to strike out the last word.

Mr. ELLSWORTH. I want to turn back to page 38 to make some inquiries in reference to the provision to make available the funds on deposit to the credit of the Kiowa and Comanche and Apache Tribes of Indians in Oklahoma. Is there some one from Oklahoma who can give me some information about these expenditures? I make the inquiry now because it has a bearing upon another tribe in another State, namely, the Chippewas from Minnesota. I want to get the analogy between them. It seems there are only a few tribes where money is appropriated in this bill which comes from the principal of the tribal funds of the Indians, and I believe these represent several of these cases.

Mr. FERRIS. Mr. Chairman, the gentleman said he would like to have information from some one of the Oklahoma delegation. From whom does the gentleman from Minnesota want information? Did the gentleman ask me?

Mr. ELLSWORTH. If the gentleman has it, I would be glad to get it from him.

Mr. FERRIS. If the gentleman will indulge me, I will ask him to propound the question again.

Mr. ELLSWORTH. I have stated my reason for asking the question. I will proceed with the question. I wanted to know if the gentleman could state what the nature of this $250,000 was?

Mr. FERRIS. My information is that the money is all given to the Indians. It is their own money, and since they sold the land pursuant to the treaty of 1901 they have been withdrawing for a number of years $250,000 and distributing it among the 4,100 Indians. They give part of it to them in the spring and part of it in the fall. It is their own money. Of course the agency is all paid for out of their own money. It costs the Government nothing to run this agency.

Mr. ELLSWORTH. I understand. This comes from the tribal funds of the tribe. I am not asking the question to criticize at all the way in which the money is being paid out. I understand also that the distribution is from the funds in trust for the Indians in the Government Treasury at this time?

Mr. FERRIS. That is true.

Mr. ELLSWORTH. I am asking the question because I want to get the analogy between that and the case of the Chippewas in Minnesota. Can the gentleman tell me what the fund to the credit of these three tribes is at the present time?

Mr. FERRIS. It is about $3,000,000.

Mr. ELLSWORTH. Is it a credit to these three different tribes indiscriminately? Are they paid indiscriminately out of the fund?

Mr. FERRIS. It is in two funds, but not according to the tribes. It is in two funds by reason of the rate of interest. There is a 4 per cent fund and a 5 per cent fund. There has never been any allotment per capita of that money and it is a lump sum belonging to the three affiliated tribes.

Mr. ELLSWORTH. What disposition is made of the interest on the funds?

Mr. FERRIS. I do not know what the law authorizes as to that. The "justification" says that it is paid out.

Mr. ELLSWORTH. And it is paid out in addition to the $250,000 here?

Mr. FERRIS. I am not sure about that. The gentleman from Arizona [Mr. HAYDEN], who sits near me, says the "justification" says that. I am not positive about that, but I feel I am positive with regard to the $250,000.

Mr. ELLSWORTH. Can the gentleman turn to page 238 of the hearings there?

Mr. FERRIS. Yes; I have it.

Mr. ELLSWORTH. Under the analysis of expenditures, the salaries and wages, and so forth, are set down as having been $18,532.61.

Mr. FERRIS. That is the "justification" for the $25,000 item for running the agency. That is not a part of the $250,000 item. If the gentleman will examine the bill he will find that one paragraph withdraws $25,000 for the support and maintenance of the agency and of that sum $18,532.61 goes for salaries and wages, and so forth.

Mr. ELLSWORTH. Can the gentleman tell about the item on page 239?

Mr. FERRIS. Yes. It is about the middle of the page, down about the middle of the page. Two hundred and fifty thousand dollars is the amount of the appropriation and the amount expended is $247,932, a small balance remaining.

Mr. ELLSWORTH. Can the gentleman tell us about that amount of $247,000, the amount that was expended for salaries and wages of employees?

Mr. FERRIS. I think none of that was spent for salaries and wages of employees. I have gone over that a number of times with the men in charge there, and they make up a new roll every year, and the new-born and adopted members of the tribe are included, and they divide that $250,000 equally among all the members.

Mr. ELLSWORTH. That is a per capita payment?

Mr. FERRIS. Yes; that is a per capita payment.

Mr. ELLSWORTH. But it is a per capita payment from the principal fund on deposit in the Treasury?

Mr. FERRIS. That is true.

Mr. ELLSWORTH. And it is a per capita payment in addition to the payment per capita of the interest?

Mr. FERRIS. I think that is true, but I am not sure.

Mr. ELLSWORTH. Will the gentleman look that up and let me know later?

Mr. FERRIS. I will be glad to. Now, while the gentleman is on his feet I want to say, occupying just a moment——

Mr. SNYDER. Mr. Chairman, I would like to give a little information in regard to this matter here—the point the gentleman from Minnesota is making with reference to the report. If you will turn to page 240 of the hearings, you will find that Mr. Meritt promised that an analysis of this report would be sent to us, and said that it was being prepared, and would be presented to Congress as soon as it was printed; but it has not been presented to us up to this time.

Mr. ELLSWORTH. The point I had in mind was to separate the amounts paid as a per capita distribution of the principal fund and the per capita distribution of the interest, and my question was whether or not these amounts were paid out for the expenses of the agency or to the individual tribal members. And as I understand the per capita distribution, it is paid to the individual tribal members and distributed among the tribal members.

Mr. SNYDER. The bureau promised to send us that analysis in time for consideration in connection with the bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent to proceed for four minutes.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. FERRIS. Mr. Chairman, I am glad that the gentleman from Minnesota [Mr. ELLSWORTH] is delving into the matter. I do not care to pursue further the question he asked about, but I was startled, I may say, to find last night that on page 59 and on page 60 a lump-sum appropriation of $2,325,000 was allowed. That ought not to be. We agreed three or four years ago here to allow the money to be taken out of the tribal funds to pay the expenses of this agency, because the Committee on Indian Affairs told me and the House that it was the policy where the Indians had money to make them pay their own expenses. I think that is not an unreasonable thing, but even if the item were not subject to a point of order I would not be willing to let that large sum be paid by the Indians without some explanation—without at least some explanation. This does not impress me as a proper way to proceed.

Now, I have scarcely looked at the Indian appropriation bill for the last year or two, but last night I rummaged through this bill a little, and I found on pages 59 and 60 this language—

SEC. 26. That in addition to the Indian tribal and treaty funds, the expenditure of which is specifically authorized elsewhere in this act, and such sums as may be required for equalization of allotments, education of Indian children, per capita and other payments to Indians, and expenditures for the Five Civilized Tribes, in accordance with existing laws, the Secretary of the Interior be, and he is hereby, authorized to expend—

What?

not exceeding $2,325,000—

A lump sum—

from funds held by the United States in trust for the respective tribes, for support and civilization of the Indians under the jurisdiction of the following agencies, to wit:

Mr. SNYDER. Will the gentleman yield?

Mr. CARTER of Oklahoma. I think we can stop all this controversy if the gentleman will allow me to make an explanation.

Mr. FERRIS. I do not think the gentleman can. This is to be expended from funds held by the United States in trust for the respective tribes. I call the attention of the gentleman of the Indian Affairs Committee to this, because I am going to make a point of order on some of these items. This will at least let us know what is going on.

Mr. CARTER of Oklahoma. It is not subject to a point of order.

Mr. FERRIS. Yes; it is.

Mr. CARTER of Oklahoma. Two years ago——

Mr. FERRIS. This is to be expended from funds held by the United States in trust for the respective tribes, for support and civilization of the Indians under the jurisdiction of the following agencies—now listen to this—here they start out with Arizona, and propose to take an item of $10,500 from one tribe of Indians. And there are three or four pages of lump-sum moneys that they are taking out of the Indian funds and expending; and down here under the Kiowa Agency, which I happen to know something about, they are taking out $31,900. There are 22 States in this amendment. There are 60 tribes involved. No one knows where this money is to be expended. We are entitled to know. It is not too much to ask.

Mr. CARTER of Oklahoma. Will the gentleman yield?

Mr. FERRIS. Yes.

Mr. CARTER of Oklahoma. These appropriations which the gentleman is discussing have heretofore been spent under permanent appropriations——

Mr. STAFFORD. Mr. Chairman, we are all interested in the explanation of this item, and the gentleman can not be heard on this side.

Mr. CARTER of Oklahoma. I thought I was expressing myself so that I could have been heard if we had had order in the House.

The CHAIRMAN. The committee will be in order.

Mr. CARTER of Oklahoma. This item of $2,325,000 simply carries into effect and places specifically in this bill amounts that have been spent in the past under permanent appropriations.

The CHAIRMAN. The time allotted to the gentleman from Oklahoma [Mr. FERRIS] has expired.

Mr. FERRIS. I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. CARTER of Oklahoma. I have just stated that in the past this item has been carried in permanent appropriations, treaties, and acts of Congress passed at different times without any opportunity for Congress to have supervision over it annually. This merely brings into the Indian appropriation bill amounts expended by the department in the past under permanent appropriations and of which the gentleman from Oklahoma [Mr. FERRIS] and myself and other Members had no knowledge. Now, the gentleman says he is going to make a point of order. I doubt if the item is subject to a point of order, because the year before last we passed what was known as the Dill amendment, authorizing these expenditures.

Mr. SNYDER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SNYDER. We are discussing a section of the bill which has not yet been reached. I suggest that we ought to confine ourselves to the pending paragraph of the bill.

The CHAIRMAN. The Chair understands that the gentleman from Oklahoma [Mr. FERRIS] was illustrating his argument by discussing the section which the gentleman refers to, and the gentleman from Oklahoma [Mr. CARTER] is referring to him.

Mr. SNYDER. This is a very important part of this measure, and it ought to be discussed in an orderly way.

Mr. FERRIS. Mr. Chairman, I do not want all this taken out of my time. The gentleman from New York [Mr. SNYDER] is entirely correct when he says we are discussing a paragraph that is ahead of us; but still we are discussing a paragraph that must come up for consideration, inasmuch as we are making appropriations for the same thing in two places in this bill.

Mr. SNYDER. We have put over two or three items in the bill for the benefit of Members who could not be here at the proper time, and I suggest that, if the gentleman desires, unanimous consent would no doubt be granted to have the matter put over.

Mr. FERRIS. I do not ask that. I think the chairman of the committee and the gentleman from New York are both right in saying that we are debating this a little out of order;

but the gentleman from Minnesota raised the question and the matter was fresh in my mind, and if the gentleman will look he will see that page 60 of the bill deals with these same items that are dealt with in another place. They ought to be marshaled forward and all be dealt with together. We ought not to carry $2,325,000 as a practical deficiency in the back of the bill, so that no one can tell the relation of one to the other.

Mr. SNYDER. The gentleman is undoubtedly correct, and we have made a provision so that in the next bill these items will all be grouped under one head, so that the House can know at one time what the total expenditures in any particular governmental activity will be.

Mr. FERRIS. I think the Committee on Indian Affairs have been doing some good work in requiring the Indian Department to tell where they get these tribal funds and how they get them, but that does not meet my objection. My point is, Should they take these funds at all? And I want to debate that.

Mr. SNYDER. How shall we find out whether they are entitled to it or not?

Mr. FERRIS. I think I know the way, and I am going to raise a point of order against these just as soon as we get to them and let the department present their authority for making an expenditure of $2,325,000. I want to say this so that the chairman of the committee and the other members of the committee can call them up and load up on the law, if they have a law, for spending a lump sum of $2,325,000. If they have, all well and good. If they have not, they ought not to expend the Indians' money. And if they have the authority under the law it ought to be repealed. They ought not to expend $2,325,000 of the Indians' money in a lump sum without specific authority and without having it carried in the proper place in the bill.

Mr. CARTER of Oklahoma. If the gentleman will permit me, the law has been repealed by the Dill amendment.

Mr. FERRIS. The gentleman stated a moment ago that he did not think this was subject to a point of order because these had been carried in the appropriation bill.

Mr. CARTER of Oklahoma. No; I did not say that. The gentleman did not listen to me. I said it was not subject to a point of order because the gentleman from Washington [Mr. DILL] two years ago proposed an amendment authorizing it to be appropriated in this manner.

Mr. FERRIS. But that was only for the fiscal year.

Mr. CARTER of Oklahoma. Oh, no; authorizing it forever.

Mr. FERRIS. Where is that law?

Mr. CARTER of Oklahoma. It was in the law two years ago.

Mr. FERRIS. I have the law, and I find this language: That the Secretary of the Interior be, and he is hereby, authorized to expend for the benefit of individuals from the tribal fund not to exceed $2,500,000.

That was only for the fiscal year. Now, they come in and provide for it again.

Mr. CHANDLER of Oklahoma. That is what we have been trying to do all the time and what we want to arrive at.

Mr. SNYDER. The gentleman is expressing the opinion of every member of the committee, but the gentleman will recall that a year ago the item carried $2,500,000, and we have insisted on specifications, and now it is $2,325,000, and the bureau has admitted that by our requiring them to specify the items we are saving that much.

Mr. CARTER of Oklahoma. Mr. Chairman, I do not wonder that I have not made myself plain to the gentleman from Oklahoma [Mr. FERRIS]. There was a time when he kept up very closely with the appropriation bill from the Committee on Indian Affairs, but since he went off the committee his time has been so engrossed with public-land matters that I am sure he has not had his attention called to the good work that the Committee on Indian Affairs has been doing or else he would commend, not criticize, the action of the Indian Committee.

Now, what caused this legislation to be brought about? Prior to the adoption of the Dill amendment the department had been using from standing appropriations annually some three and one-half million dollars of tribal funds without accounting to Congress for it, without a single Member of Congress knowing anything as to how the expenditures were made. The gentleman from Washington, Mr. DILL, a new Member, very active and anxious to do something for the Indians in his State, wanted to stop these appropriations, so he proposed an amendment which said that no payment should be made from the tribal funds unless specifically appropriated by Congress. That is in pursuance of a policy which the gentleman from Oklahoma and I pursued when we were on the committee together. Last year when the department came in with their estimates they told us they were unable to give specific amounts, but they would give them for the succeeding year. So we asked them to prepare and present to the committee a statement of the expenditures of the year before, which were two million and a half dollars, and we appropriated two million and a half dollars in accordance with that statement.

Mr. FERRIS. Will the gentleman yield?

Mr. CARTER of Oklahoma. Let me complete what I am saying and then I will be glad to yield. What do we do with the $2,325,000, $175,000 less than they had been using in the past? How is it to be spent? In accordance with existing law. If the law does not authorize it, it can not be spent. That is in the language of the bill itself.

Mr. FERRIS. It is a specific authorization. That is what I am objecting to. It is a hard and fast authorization.

Mr. CARTER of Oklahoma. Section 36 says "in accordance with existing law." Perhaps the gentleman has analyzed that more closely than I have. The department presented these sums to us as amounts that they were authorized to spend under existing law and we included them in accordance with their statement. If they have sent us statements including therein amounts that were not authorized by existing law, then, Mr. Chairman, certainly somebody has committed at least an error in office that demands attention not only in this committee but in both branches of Congress.

The gentleman from Oklahoma complained that we appropriate a lump sum of $2,325,000. That is exactly what we do not do. We say "for support and civilization of the Indians under the jurisdiction of the following agencies, to wit, Arizona, Colorado River, Fort Apache," and so forth.

Mr. FERRIS. All of this is, of course, commendable on the part of the committee, but it does not reach the substance because no one will be able to show positive law for any expenditure of it. I doubt if anybody can show a warrant to expend a large sum of money of that kind. While the committee is hammering away and improving it somewhat, it is not hammering the right thing, and that is the expenditure.

Mr. CARTER of Oklahoma. I thought the gentleman was criticizing our appropriating a lump sum. We do not appropriate a lump sum, but in detail, if the gentleman will read the following language: "for support and civilization of the Indians under the jurisdiction of the following agencies."

Mr. FERRIS. Will the gentleman explain in detail where the money is to come from?

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. CARTER of Oklahoma. And where it must be spent. I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CARTER of Oklahoma. To tell in detail where it comes from and in detail where it must be spent. That is all you can say in detail in an appropriation act. I repeat that the committee has not at this time all of the authorizations which the department claims to have for each of these amounts, but if the gentleman makes the point of order the chairman, of course, will ask that the item be passed until we can get from the bureau the authorization for each one of these items, in accordance with their statement to the committee, which was that the items were authorized. The only thing we have undertaken to do here is to take a lump sum, two million and a half dollars, as I said before spent without any knowledge of Congress, without any report to Congress, and cut it up and assign it to different reservations where it is to be used and for the different purposes.

Mr. FERRIS. That is the very thing the gentleman does not do.

Mr. CARTER of Oklahoma. If the gentleman can suggest to me why it does not do it, I will be very glad to have the language changed so that it will do it.

Mr. FERRIS. I may be wrong and the gentleman may be right, but if I can read the English language, this is an authorization directing them not to spend the money, but where to get the money.

Mr. HAYDEN. Oh, no.

Mr. FERRIS. Surely I can not be mistaken about this—

That in addition to the Indian tribal and treaty funds, the expenditure of which is specifically authorized elsewhere in this act—

That is in addition to everything else—

and such sums as may be required for equalization of allotments, education of Indian children, per capita and other payments to Indians, and expenditures for the Five Civilized Tribes, in accordance with existing laws, the Secretary of the Interior be, and he is hereby, authorized to expend not exceeding $2,325,000 from the funds held by the United States in trust for the respective tribes.

I submit that the committee does not do what they say they do. They permit and tell him where to get the money, but the

appropriation item does not have any restriction on what he shall do with it. I am more concerned about what they do with it than where they get it.

Mr. CARTER of Oklahoma. But the item goes on and continues—

For support and civilization of the Indians under the jurisdiction of the following agencies, to wit:

In Arizona: Colorado River, $10,500; Fort Apache, $67,291; Kaibab, $1,780; San Carlos, $145,000; Salt River, $365; Truxton Canyon, $55,000; Western Navajo, $100.

Mr. FERRIS. That is where they get the money.

Mr. CARTER of Oklahoma. It says—

And he is hereby authorized to expend not exceeding $2,225,000 from the fund held by the United States in trust for the respective tribes for support and civilization of Indians under the jurisdiction of the following agencies, to wit—

He is authorized to expend it where? In Arizona, and so forth.

Mr. FERRIS. It does not say that. It authorizes the withdrawal of it from certain reservations, but the Lord knows where he is going to spend it. It would be more dangerous if the gentleman was right than it is now, because they may proceed with the Five Civilized Tribes in the gentleman's State and spend it all on these 40 or 50 places.

Mr. CARTER of Oklahoma. They can not do that.

Mr. MANN. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The regular order is demanded. Is there objection? [After a pause.] The Chair hears none, and the Clerk will read.

The Clerk read as follows:

That the Osage Tribe of Indians in Oklahoma, through its tribal council, is hereby authorized to employ, annually, a tribal attorney for said tribe, at a salary of not exceeding $7,500 per annum, a stenographer, and expenses, said contract of employment to be in full force and effect, as per the terms thereof, when executed by the Osage tribal council and said attorney, said salary and expenses to be paid quarterly and after said account has been audited and allowed by the Osage tribal council. This authority shall extend to said tribe for 10 years, unless otherwise provided by Congress. There is hereby appropriated annually from Osage tribal royalties received from oil, gas, or other mineral rights or other tribal funds $10,000, or so much thereof as shall be necessary, to pay for said services and expenses: *Provided*, That said contract shall be subject to cancellation by either party thereto upon 60 days' written notice.

Mr. FOSTER. Mr. Chairman, I reserve the point of order on the paragraph.

Mr. CARTER of Oklahoma. Mr. Chairman, I would yield to the gentleman from Oklahoma [Mr. CHANDLER].

Mr. FOSTER. Let me say to the gentleman that the attorneys for these tribes of Indians are selected with the approval of the Secretary of the Interior.

Mr. CARTER of Oklahoma. They are not selected at all for this particular tribe, because the tribe and the Secretary can not agree.

Mr. FOSTER. But as to the others——

Mr. CARTER of Oklahoma. That is the rule.

Mr. FOSTER. And in this case the committee has sought to make a distinction of selecting an attorney at an expense of $10,000, and then permitting that to be done without any restriction, so far as the Secretary of the Interior is concerned. That is true, is it not?

Mr. CARTER of Oklahoma. Yes. That was done because the tribal council and the Secretary can not agree on this proposition. These people are the wealthiest people on the face of the earth. They have more things which would provoke litigation than any other class of people in the world. They ought to have some attorney, and because the bureau and the tribal council can not agree upon it they ought not to be punished and left without an attorney.

Mr. FOSTER. They have no attorney now?

Mr. CARTER of Oklahoma. Absolutely none.

Mr. HASTINGS. Mr. Chairman, will the gentleman yield?

Mr. FOSTER. Yes.

Mr. HASTINGS. Let me say to the gentleman that the Committee on Indian Affairs visited this Osage Tribe about a year ago. They are in my State, and in the district of my colleague, Mr. CHANDLER. The Osages are the richest people in the world. They have about 2,200 and odd enrolled members. They have 1,500,000 acres of land, and about one-tenth of it has been leased for oil purposes. Great lakes of oil have been developed underneath their land. As a result of the oil produced, there is now being paid to them annually per capita between four and five thousand dollars a year, so that this tribe is really the richest tribe of Indians in the world. They have certain differences with the department. They can not be represented up here before the committees of Congress. They can not send an attorney here; they can not send their tribal council here. There is no way for them to present their claims to Congress now without the permission of the Secretary of the Interior. The gentleman has not had the experience upon these Indian matters that some of the rest of us have had. Personally I have lived under the department every day of my life. We have been under the supervision of the Interior Department down there in Oklahoma always, and if you are going to allow the Secretary of the Interior to pick the attorney, to let him be hand-picked by him, you might as well have none at all, because the attorney then must go down and first get orders from the department and the Commissioner of Indian Affairs, else he will not be employed the next year. His employment depends upon his representing their views and not the views of the Osage Indians. I am not in favor of the employment of anybody except a high-class man. I am not in favor of the employment of an attorney that represents the Osages just for the purpose of antagonizing the department or the Commissioner of Indian Affairs, but I believe they have so much wealth and they have such large interests at stake that they ought to be represented to the extent of $10,000, to the extent of the expenditure of that amount of money, and this limits it to that amount, by an attorney of their own choosing.

Now, let me say to my colleague and call his attention to the fact that by reason of their not being properly represented the individual Osages have suffered some $200,000 loss in the last year or two, and let me explain this to him: They have four allotments—the first, second, third, and fourth. One of these allotments of 160 acres is a homestead; the other allotments are what are known as surplus land. The homestead land is nontaxable; the surplus land is taxable. The department, through its representative, advised these Osage Indians—did so erroneously—that their surplus lands were nontaxable and, as a matter of fact, encouraged them not to pay taxes out of the money which had been paid to them. Now, as those taxes became due they had to pay a penalty of 18 per cent, and, as I understand and believe, which is upon reliable information, I recall that by reason of this mistake they had to pay out about $200,000 more than they would have had to pay if they had had the right legal advice. Now, I have always contended that these people with these large interests ought to be represented by a high-class attorney, and I believe they ought to have something to say about the naming of him. Let me say to the gentleman, for years I was attorney for the Cherokee Tribe of Indians, and represented them before committees and before the departments and before the courts here, and I do not believe that any tribal representative ought to be dictated to by the Commissioner of Indian Affairs or the Secretary of the Interior, because——

The CHAIRMAN. The time of the gentleman has expired.

Mr. HASTINGS. May I have two minutes more?

The CHAIRMAN. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none, and the gentleman is recognized for two minutes.

Mr. HASTINGS. I will say that all of these tribal attorneys that are now employed where approval has to be made by the Secretary of the Interior they can not, of course, represent any other views than those entertained by the department. The gentleman from Illinois appreciates that, and at the present time these Osages have not any attorney to represent them, nobody to come here before the committees of Congress. And let me say another thing to him, that by the act of 1906 there was a provision made for the leasing of all of their country for oil and gas. The time expires in 1931. The representatives of the Osages and the Oklahoma delegation have been trying to get the department to comply with the law and to lease this land. Now, about one-tenth of it, I understand, has been leased, the rest of it has not been leased. If this time runs longer, and it is not leased before five or six years, and it can not be fully developed before that time, you can understand the Osages stand to lose millions of dollars. Now, they only allot the surface of their land, retaining for the tribe the mineral rights. In other words, the surface of the land has been allotted and the oil and gas rights have been reserved to the tribe up until a certain length of time. Now, they have other controversies existing between the tribe and the department here, things that they want legislation upon, and so forth, and I sincerely trust that the gentleman from Illinois will not make the point of order against this provision. It is one, I know, which is unanimously approved by the members of the Committee on Indian Affairs. I know the members of the special committee that visited this Osage country in March, 1917, were firmly of the opinion that they ought to have a representative, and I do not know of a single Osage out there who does not feel that he ought to be represented by a high-class reputable man before the department and before the Congress and before the courts.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. SNYDER. Mr. Chairman, I move to strike out the last word. I would just like to say for the information of the gentleman and others of the committee that in the hearings, on page 253, you will see that the committee endeavored to find out why the department would not recommend an attorney, and I asked Mr. Meritt, after considerable other questioning, this:

Mr. SNYDER. Will you tell us the real reason why the department does not want the council to select its own attorney to look after the interests of the Osage Indians?

Mr. MERITT. The department and the Indian Office have taken the position that there are no complicated legal matters at the Osage Agency that require the services of a tribal attorney. It is very largely an administrative proposition, and we have a superintendent and a large number of agency employees to look after the interests of the Osage Indians. There are also a number of lawyers in that office who take care of the legal work.

Mr. SNYDER. But there is no one who has been selected by the Indian council to look after what they consider to be their interests, in their own way?

Mr. MERITT. No one has been selected by the Indian council and approved by the Secretary of the Interior for that work.

I just want to say that this matter has been before the committee for several years, and there is no question in my mind but what this tribe of Indians, who have plenty of money to pay for an attorney, should be allowed to have one of their own to look after their own interests, and I hope this section will stay in the bill.

Mr. FOSTER. Mr. Chairman, it seems to me this case ought not to be different from others and that, so far as I can see, I see no good reason why the agency down there and the superintendent should not agree with the department in the selection of an attorney, and I therefore make the point of order.

Mr. TILLMAN rose.

Mr. FOSTER. I will withhold the point of order, but I desire to state to the gentleman that I am going to make it.

Mr. TILLMAN. Mr. Chairman, I want to say to the gentleman from Illinois that I have no interest in the Indian country nor have I an Indian in my district——

The CHAIRMAN. Did the gentleman from Illinois make the point of order?

Mr. FOSTER. I will reserve the point of order further.

Mr. TILLMAN. I desire to say that I was one of the committee which investigated the condition of the Osage Indians in March, 1917, and we talked with a great many of the full bloods and a great many of lesser degree of Indian blood, and they unanimously desired to have an attorney regularly employed by them and compensated out of their abundant funds.

They are unwilling to risk important business matters to a lawyer who is not employed by them and who is not their choice. We found a great many very intelligent Indians there among the full bloods, many educated ones, some of them from Carlisle and other good schools near by, and there is no tribe of Indians in the world that is so wealthy per capita as the Osage Indians. Some of these families get as much as $20,000 a year from oil leases, rental payments, and from other sources. And it does seem to me that if there is any class of people in the world who ought to have an attorney, and one of their own choice and one able to take care of their interests, it is these Osage Indians. There is no one who speaks for them here in this matter that has any interest in this item. The Indian Bureau for some cause is not in harmony on this subject with the Osage council. I hope the gentleman will withdraw the point of order. The item is clearly subject to a point of order, and will go out if the gentleman insists.

Mr. FOSTER. I make the point of order, Mr. Chairman.

The CHAIRMAN. Does the gentleman desire to be heard on the point of order? [After a pause.] If not, the point of order is sustained. The Clerk will read.

The Clerk read as follows:

FIVE CIVILIZED TRIBES.

SEC. 18. For expenses of administration of the affairs of the Five Civilized Tribes, Oklahoma, and the compensation of employees, $185,000: *Provided*, That a report shall be made to Congress by the superintendent for the Five Civilized Tribes through the Secretary of the Interior, showing in detail the expenditure of all moneys appropriated by this provision: *Provided further*, That hereafter no part of said appropriation shall be used in forwarding the undisputed claims to be paid from individual moneys of restricted allottees, or their heirs, or in forwarding uncontested agricultural and mineral leases, excluding oil and gas leases, made by individual restricted Indian allottees, or their heirs, to the Secretary of the Interior for approval, but all such undisputed claims or uncontested leases, except oil and gas leases, now required to be approved under existing law by the Secretary of the Interior shall be paid, approved rejected, or disapproved by the superintendent for the Five Civilized Tribes of Oklahoma: *Provided, however*, That any party aggrieved by any decision or order of the superintendent for the Five Civilized Tribes of Oklahoma may appeal from the same to the Secretary of the Interior within 30 days from the date of said decision or order.

Mr. HASTINGS. Mr. Chairman——

Mr. CHANDLER of Oklahoma. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. Of the paragraph just read?

Mr. CHANDLER of Oklahoma. Yes, sir.

I want to call the committee's attention to this appropriation and to the vast amount of work that is being done at this agency. The superintendent in his last report, made for the fiscal year ending June 30, 1918, sets forth the amount of the oil royalties received from various sources for the restricted Indians. These amount to over $27,000,000. These sums are handled by this agency, and handled in a very satisfactory and commendable way. I notice also in the report as to the income tax that he had made a report for one Indian and paid to the United States Government $114,182, which is undoubtedly derived from oil. In fact, oil is the great industry of the Five Civilized Tribes. And this agency handles those funds, as well as various other funds, claims against the Indians, and distributes this $27,000,000 every year in an entirely satisfactory and commendable way.

I withdraw the pro forma amendment.

Mr. HASTINGS. Mr. Chairman, I desire to offer a committee amendment.

The CHAIRMAN. The gentleman from Oklahoma offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. HASTINGS: After the word "leases," in line 3, page 43, strike out the following words, in lines 3 and 4: "excluding oil and gas leases"; and after the word "leases," line 6, page 43, strike out the following words: "except oil and gas leases."

Mr. HASTINGS. Mr. Chairman, in support of this amendment you will see that this only would permit the approval of the uncontested leases by the Superintendent of the Five Civilized Tribes at Muskogee. It does not take any supervision away from him. It still requires the approval of all of those leases, but it permits the approval of the uncontested leases only by the Superintendent of the Five Civilized Tribes, and it provides that any party being aggrieved by any decision may appeal to the Secretary of the Interior.

Now, let me say, Mr. Chairman, that the Superintendent for the Five Civilized Tribes is nominated by the President and confirmed by the Senate. He has 250 employees under him, divided into bureaus. There are as many employees in the Indian Service in Oklahoma as there are in the Indian Department here at Washington. All are honest and capable. And this amendment does not seek to take away any supervision of any Indian at all, but retains it. It permits the uncontested leases to be approved by the local man there in Oklahoma.

And I want to explain to the House that it does not transfer that supervision to any locally elected officer in Oklahoma, but it gives that supervision to the local representative of the Federal Government, who, as I have already stated, is nominated by the President and confirmed by the Senate. So there is no supervision taken away. The supervision is retained and only applies to uncontested leases.

Mr. MANN. Mr. Chairman, I would like to ask the gentleman from Oklahoma a question.

The CHAIRMAN. Does the gentleman from Oklahoma yield to the gentleman from Illinois?

Mr. HASTINGS. I do.

Mr. MANN. Is the $185,000 appropriated here the total expense of this agency?

Mr. HASTINGS. No, sir. There is a good deal more money, the exact amount of which I do not know, expended there. For instance, they have been expending about $30,000, in another item, out of certain of the tribal funds, and there are other items taken from lump sums and expended there at that agency, the total amount of which I do not know. But the number of employees is given here in the hearings as being about 250. The commissioner stated before the committee that they were paid out of their funds, in addition to the $185,000.

Mr. MANN. I supposed if they had 250 employees down there that they were not wholly compensated out of this $185,000.

Mr. CARTER of Oklahoma. If the gentleman from Oklahoma [Mr. HASTINGS] will permit me——

Mr. MANN. And I further supposed, if the gentleman will wait a moment, that when the gentleman from Oklahoma [Mr. CHANDLER] thought this agency passed through it $27,000,000 it did not do it at the rate of about two-thirds of 1 per cent.

Mr. CARTER of Oklahoma. If the gentleman will permit me for a moment, I think I can explain it.

Mr. MANN. I am going to yield to my friend from Oklahoma, but I want to say that if he would fix up this bill so that it would show what the expense of this agency was, if it requires an appropriation, it would throw a little light upon the subject. I suppose this $185,000 is to be paid out of the Treasury?

Mr. CARTER of Oklahoma. Yes.

Mr. MANN. And then they take money out of the Indian funds and spend what they need?

Mr. CARTER of Oklahoma. They did that up to 1912, and then we had a provision inserted in the law which restricted the use of tribal funds to schools by per capita and equalization allotments unless specifically provided otherwise by Congress.

Mr. MANN. I know; but what difference does that make with the Indian Office?

Mr. CARTER of Oklahoma. The gentleman does not hold me responsible for that?

Mr. MANN. No.

Mr. CARTER of Oklahoma. That does not include all that is spent for the Indians. This does not include relief for the sick, and so forth.

Mr. MANN. This is only for the compensation of employees, and it does not include all the compensation for employees?

Mr. CARTER of Oklahoma. No. It does not include those employed in the schools or those employed to look after the sick and hospitals and all.

Mr. MANN. It does not include all employed at the agency?

Mr. HASTINGS. If the gentleman will refer to page 265 of the hearings——

Mr. MANN. I am not going to refer to the hearings. That takes up too much time. The members of the committee ought to be able to tell us the information that is contained in the hearings without reading them.

Mr. HASTINGS. I am trying to show that some of these employees are paid from some other fund.

Mr. MANN. I have no reason to complain of this agency. I think if they do all this business down there, with all the work that is going on and the immense sums of money that the Indians are receiving, they would probably require more money than is appropriated here. So far as I know, they are doing good work; but then I do not know much about it.

Mr. WALSH. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last two words.

Mr. WALSH. Mr. Chairman, with respect to the amendment offered by the gentleman from Oklahoma, why were oil and gas leases excluded from that class of leases that might be approved or rejected or paid by the superintendent at this agency, in the first place?

Mr. HASTINGS. That was a Senate amendment, and it was put on the Indian appropriation bill last year.

Mr. WALSH. It was the law before last year?

Mr. HASTINGS. No. It required the approval of the Secretary of the Interior.

Mr. WALSH. Yes; it required approval by the Secretary of the Interior. Those claims with reference to oil and gas leases had to be sent here to Washington?

Mr. HASTINGS. Yes; and other claims as well.

Mr. CARTER of Oklahoma. All had to be prior to last year.

Mr. WALSH. Now, then, can the gentleman state if it is going to interfere in any way with the adjudication of these claims by giving this agent down there, or the superintendent, practically final jurisdiction?

Mr. HASTINGS. This only does that in uncontested claims and in uncontested leases. For instance, if the gentleman does not fully understand, these leases are really made on blank forms. The bonds are made on blank forms. The Indian superintendents there have their oil inspectors, who go out and make investigation and report as to the bonus and other details. They see that it is all in proper form.

Now, then, when a man leases some land he makes arrangements for some money with which to do the drilling. It costs from $3,000 to $5,000 to drill a well, so that it costs from $50,000 to $75,000 to drill up a tract of land. This only applies when there is no contest, when there is an agreement between the lessor and lessee, and where the amount of the bonus is satisfactory. It permits the superintendent there to approve it, rather than some clerk in the department up here in Washington.

Mr. CARTER of Oklahoma. And if the gentleman will permit me, it permits an appeal to the Secretary of the Interior by an aggrieved person within 30 days.

Mr. WALSH. Yes; it permits an appeal. But with this language in the bill it requires that those leases should be sent to Washington and not passed upon by the superintendent?

Mr. CARTER of Oklahoma. That is true.

Mr. WALSH. Why was that done? For what reason?

Mr. HASTINGS. That was in the old law, 15 or 20 years ago, when these agreements were made, all claims had to be sent to Washington. If you bought a pair of ponies out there with a restricted Indian's money, or if you bought groceries, it had to be approved. What we want to do is to allow the uncontested claims to be passed upon by the Federal representatives. They are not elected by the people of Oklahoma; I mean they are not elected officials in Oklahoma; but they are Federal employees, and the superintendent is nominated by the President and confirmed by the Senate, and all these employees are civil-service employees, just like these down in the Indian Office. They are the same grade of men. They have the same degree of capacity, and they have the same information before them, and this only applies to uncontested matters. What we want to do is to reduce this clerical force and allow the uncontested claims to be passed upon by the Federal representatives there.

Mr. WALSH. Of course, there are a great many of these oil and gas leases?

Mr. HASTINGS. They are forwarded up here, and this office has no further information than what they have down there and the report that is forwarded along with the leases. The result is that when a lease is taken, when it is sent up here, it requires a certain time to come through the mail and go through the office here. It used to take, before we speeded them up, all the way from 30 days to 6 months to get a lease approved. It does not take that long now, but it does take some time and considerable delay.

Mr. WALSH. That is considerable expedition, considering the facility, or lack of it, with which we get our mail. [Laughter.]

Now, the point I am making, or attempting to make, is that with these oil and gas leases constituting a greater part of the business of this agency down there, a great many of these leases relating to oil and gas, you are giving this superintendent the authority to either pay them or reject them, or approve them or disapprove them, and the same in the case of mineral and agricultural leases. Is not that so?

Mr. HASTINGS. Those that are uncontested.

Mr. WALSH. I suppose that is synonymous with "undisputed" claims. Now, striking out "including oil and gas leases," that includes them in "agricultural and mineral" leases, I assume?

Mr. HASTINGS. Exactly.

Mr. WALSH. There are a great number of them, are there not?

Mr. HASTINGS. Last year there were about 1,400 according to this report that I have in my hand.

Mr. WALSH. The only result, probably, will be that the additional employees who are now required in the Indian Office in Washington will be dismissed here and transferred there and be hitched onto the pay roll down there.

Mr. HASTINGS. No; they will not need a single additional employee down there.

Mr. WALSH. Do you think the superintendent there, with his present force, can handle these things?

Mr. HASTINGS. Unquestionably. This is just a duplication of work. And let me say that I have here the report of the superintendent from down there, and it shows that he mailed to the department last year 7,475 letters, or 25 letters a day, and that he received from the department 6,842 letters, or an average of 22 a day from the department.

Mr. WALSH. I notice that the gentleman says he mailed that number of letters. I assume from the gentleman's previous statement that a large proportion of them have not yet got to Washington. But the superintendent down there will have to examine all these claims——

Mr. HASTINGS. He does now.

Mr. WALSH. I thought all he did now was just to transfer them.

Mr. HASTINGS. Oh, no; I beg the gentleman's pardon. He and those under him make the only real investigation that is made. The action is necessarily pro forma when it gets here. Down there they investigate, they pass upon the amount of the bonus, they pass upon all the forms of the lease, they pass upon the bond, they pass upon everything that is necessary to pass upon, so that when it is sent up here it is pro forma, and all this office has got is the report they make upon it from down there.

Mr. WALSH. So what the gentleman seeks to eliminate is the pro forma action here in Washington?

Mr. HASTINGS. Yes; and the duplication of work and the delay——

Mr. WALSH. And the duplication of work here in Washington?

Mr. HASTINGS. Yes; in the uncontested cases.

Mr. WALSH. Except where there may be an appeal?

Mr. HASTINGS. Yes. Wherever a man is aggrieved I want him to have the right of appeal, and this does not take it away from him.

Mr. WALSH. Was there any peculiar reason why these oil and gas leases should have been excluded from the provision relating to agricultural and mineral leases?

Mr. HASTINGS. None other than I have stated. Away back yonder, when all these agreements were made, the department here retained supervision over all restricted allottees—over the payment of their claims, over agricultural leases, over the disbursement of their money, over the approval of their oil and gas leases, and over everything.

Mr. WALSH. Yes. But subsequent to the remote days when that provision prevailed we provided that agricultural and mineral leases which were uncontested and undisputed might be passed upon by the superintendent, and we excluded oil and gas leases. But now you are coming in and putting oil and gas leases back with the others. I am trying to find out if there must not have been some peculiar reason why these two classes of claims or leases were kept out of the general provision of the law.

Mr. HASTINGS. To be frank with the gentleman, the department is always opposed to giving up jurisdiction. None of these departments here ever want to give up any jurisdiction. They want to hold on to all the leases down there and, for that matter, on every other Indian reservation. The provision of last year was a Senate amendment. It was a step in the right direction. It was a step giving them more authority down there to aid them in more expeditious action, to attend to their affairs better, to wind up their affairs more quickly, and this is just one additional step; but it does not take any supervision away from any restricted Indian whatever. It retains it all in the jurisdiction of the Federal Government and under a Federal official in Oklahoma. The work that is done here is simply a duplication.

Mr. WALSH. It is a duplication of a very important branch of the work; but the gentleman does not hold out much hope that it is going to reduce the force here in Washington.

Mr. HASTINGS. I am sure it ought to in the years to come.

Mr. WALSH. If it does it will be one of the miracles of 1919 that by this minor amendment you separate from the Federal pay roll here in Washington any of these employees who are down in the Indian Bureau working on business such as this at the present time.

I withdraw the pro forma amendment.

Mr. STAFFORD. Mr. Chairman, I rise in opposition to the amendment. I notice that in this large assemblage of not more than 25 Members, of whom a majority are members of the Committee on Indian Affairs, it is proposed now to strike out of the bill something which was placed in it for the protection of the Indians. As I recall, this provision was incorporated in this bill last year for the sake of assisting the Indians, to relieve them of unnecessary red tape in matters which were rather inconsequential. Now, it is proposed that these Indian agents in the field shall have full authority to pass upon every character of lease that is entered into by an unrestricted Indian, involving millions and millions of dollars. This exception, excluding oil and gas leases, was placed in the bill deliberately last year for the protection of the Indians. I know the gentleman from Oklahoma [Mr. HASTINGS] is most insistent on trying to have the reviewing power of the Indian Bureau lifted as to all the matters pertaining to Indian affairs. He had a bill reported granting to the Superintendent of the Five Civilized Tribes absolute authority to pass on all of these leases and not have them at all subject to review. It is purposed to really break the agreement that we had a year ago that as far as leases pertaining to oil and gas were concerned it was necessary that they should be reviewed by the department here before they became effective. I certainly hope that the committee will not go to the extreme of removing the protection that is necessary in these important leases involving millions and millions of dollars.

If the chairman of the committee and other Members are desirous of passing on this amendment, I think we had better have a quorum present to consider this important piece of legislation. It is unfair to the committee, after having reported the bill, to have Members come in here and take the very vitals out of it.

Mr. CARTER of Oklahoma. Mr. Chairman, I confess to not having any great omniscient knowledge with reference to oil and gas leases, because the oil and gas leases in my part of the State have taken place within a few years, since I came to Congress. As I understand, all this proposes to do is to provide that uncontested leases shall not be sent to Washington for approval. In other words, the superintendent who makes the examination, whose men practically employed by him make the investigation, the man who reports to him, the superintendent who looks the contracting parties in the face across the table, is the man to whom final jurisdiction is given in the settlement of oil and gas leases, with the exception that any aggrieved party may within 30 days appeal to the Secretary of the Interior.

Mr. STAFFORD. Will the gentleman yield?

Mr. CARTER of Oklahoma. Yes.

Mr. STAFFORD. What is the purpose of saying here that these unrestricted Indians, presumably not being qualified to enter into a contract of sale, or enter into an agreement of lease as to oil and gas rights, who has leased his land for oil and gas does not wish to contest it that it shall be final——

Mr. HASTINGS. Oh, no; it is not final.

Mr. CARTER of Oklahoma. It does not do that; it provides that the Indian may enter into a contract subject to investigation and approval by the superintendent of the Five Civilized Tribes at Muscogee, but it does not take away any jurisdiction of the Government from the Indian.

Mr. STAFFORD. It takes away the jurisdiction of the Bureau of Indian Affairs, which exercises a supervisory review that is absolutely necessary.

Mr. CARTER of Oklahoma. The gentleman is wrong when he states that unless the Indian appeals the matter it becomes final.

Mr. STAFFORD. No; it is subject to review by the superintendent. Is not the gentleman attempting to accomplish by the amendment what was proposed by the bill introduced by the gentleman from Oklahoma [Mr. HASTINGS], giving the superintendent of the Five Civilized Tribes full authority to pass finally on all questions relating to these tribes, which had such strong opposition from the Bureau of Indian Affairs and the Indian Rights' Association?

Mr. CARTER of Oklahoma. The gentleman will not let us settle one point before he raises another. What does the bill say? Any party aggrieved—not the Indian himself—but any party aggrieved may appeal to the Secretary of the Interior. With reference to what the gentleman says about certain interests being opposed to this measure, some are opposed to it, and they were opposed to the general bill which took jurisdiction away from the Secretary of the Interior of all Indian matters and placed it in the Muscogee bureau. We have had these interests against many things which Congress has done. All we propose to do here is to give the superintendent at Muscogee jurisdiction to approve uncontested leases where there is no appeal—to give him jurisdiction with the right of appeal, and if that will do any violence to the Indian I am frank to say to the House that I do not know it.

Mr. CRAMTON. Mr. Chairman, it is a matter of some surprise to me that this motion should be made, and at the same time it is not. Last year the gentlemen from Oklahoma who are interested in this matter started their attempt to remove as far as possible the jurisdiction over the Oklahoma Indians from Washington supervision. They found at that time that the only way they could accomplish anything was by accepting a provision such as that which has been reported by the committee this year. It was proposed at that time—a year ago—to go to the extent that the gentleman from Oklahoma [Mr. HASTINGS] proposes to go now; but the possibilities that are opened up by placing the Indians profiting by oil and gas leases entirely at the mercy of local influences are so great the gentlemen last year found that they could not get anything if they insisted on that, and so they accepted the provision as reported, which expressly exempts the oil leases. This year the committee reports out the same provision that they accepted then, and now the gentlemen, not content with what Congress gave them then, want to go still further; and if the gentlemen from Oklahoma will remember, I prophesied at the time that it was only the beginning and that it would be followed by efforts on the part of Oklahoma gentlemen to leave the control of these Indians without any interference from Washington. The mere fact that the provision is included that an appeal may be taken by interested parties is nothing when you consider the matter may be between some sharper, perhaps a white man, and a poor Indian who does not know his rights and is willing to sell his birthright for a mess of pottage.

Mr. CHANDLER of Oklahoma. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. CHANDLER of Oklahoma. Will the gentleman tell the committee of this House how many uncontested leases that have been sent to Washington from the Muscogee Indian bureau with the recommendation of the Superintendent of the Five Civilized Tribes have been refused approval?

Mr. CRAMTON. The gentleman is well aware that I am not in a position to state.

Mr. CHANDLER of Oklahoma. I will say that not one.

Mr. CRAMTON. I am not in a position to give the gentleman the information on that point, but what the gentleman proposes here is opposed by the Bureau of Indian Affairs, the Indian Rights' Association, and every other agency interested in the Indians outside of Oklahoma.

Mr. CHANDLER of Oklahoma. Why? Simply because it will deprive the bureau here of a few jobs. That is the whole thing in a nutshell.

Mr. CRAMTON. If we were to put it on that plane, I might say that it was the desire to provide a few more jobs in Oklahoma.

Mr. CHANDLER of Oklahoma. Not a single one.

Mr. CRAMTON. But I prefer to put it on the basis of removing the welfare of the Indians from local interest and greed as far as possible.

Mr. HASTINGS. Every one of these officers in Oklahoma is a Federal employee and every one of them except the superintendent is under the civil service. They are all Federal employees; they are not elected down there. The superintendent is nominated by the President and confirmed by the Senate.

Mr. CRAMTON. But they are in Oklahoma, in constant contact with Oklahoma sentiment and Oklahoma influence, subject to the influence of what I suppose prevails in Oklahoma as in every other State, greed and desire to take from those who can not well protect themselves everything that they have.

The CHAIRMAN. The time of the gentleman from Michigan has expired. The question is on the amendment offered by the gentleman from Oklahoma.

The question was taken, and the Chair expressed himself in doubt.

Mr. STAFFORD. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Wisconsin makes the point of order that there is no quorum present. [After counting.] Seventy-one Members present, not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Ashbrook	Emerson	Kiess, Pa.	Sabath
Bacharach	Estopinal	LaGuardia	Sanders, Ind.
Blackmon	Fairchild, B. L.	Lea, Cal.	Sanford
Booher	Fairchild, G. W.	Longworth	Saunders, Va.
Borland	Fairfield	McArthur	Scully
Bowers	Fess	McClintic	Sears
Brand	Flynn	McKenzie	Sells
Britten	Focht	Maher	Shackleford
Brumbaugh	Francis	Martin	Sims
Burroughs	Fuller, Mass.	Mason	Slayden
Caldwell	Goodall	Merritt	Small
Candler, Miss.	Goodwin, Ark.	Moores, Ind.	Smith, Mich.
Carew	Gould	Morin	Smith, C. B.
Carter, Mass.	Graham, Pa.	Mudd	Smith, T. F.
Chandler, N. Y.	Gray, N. J.	Nelson, John M.	Stephens, Miss.
Church	Gregg	Nichols, Mich.	Stevenson
Cleary	Griest	Nolan	Strong
Cooper, Ohio	Hamill	Norton	Sullivan
Copley	Hamilton, N. Y.	O'Shaunessy	Swift
Costello	Harrison, Miss.	Paige	Switzer
Cox	Harrison, Va.	Park	Tague
Crago	Haskell	Parker, N. Y.	Taylor, Ark.
Davis	Hayes	Porter	Templeton
Delaney	Heaton	Pratt	Thomas
Dempsey	Heintz	Price	Treadway
Denison	Helm	Rankin	Vestal
Dent	Helvering	Riordan	Waldow
Denton	Hersey	Robbins	Walker
Dooling	Humphreys	Roberts	White, Ohio
Drane	Johnson, Ky.	Robinson	Winslow
Dunn	Kenting	Rouse	Woods, Iowa
Dyer	Kennedy, R. I.	Rowland	
Eagle	Key, Ohio	Russell	

The committee rose; and the Speaker having resumed the chair, Mr. CAMP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the Indian appropriation bill, and finding itself without a quorum he directed the roll to be called, when 300 Members answered to their names, a quorum, and he submitted the names of the absentees for printing in the Journal.

The committee resumed its sitting.

The CHAIRMAN. When the committee rose for want of a quorum the committee was voting on an amendment proposed by the gentleman from Oklahoma [Mr. HASTINGS], and the Chair will direct that the amendment be again read.

The Clerk again reported the amendment of the gentleman from Oklahoma.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. STAFFORD) there were—ayes 125, noes 8.

So the amendment was agreed to.

Mr. CRAMTON. Mr. Chairman, I move to strike out all of the language beginning with the words "*Provided further*," in line 24, page 42, down to and ending with the paragraph on line 14, page 43.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Page 42, line 24, strike out the following language:

"*Provided further*, That hereafter no part of said appropriation shall be used in forwarding the undisputed claims to be paid from individual moneys of restricted allottees, or their heirs, or in forwarding uncontested agricultural and mineral leases, excluding oil and gas leases, made by individual restricted Indian allottees, or their heirs, to the Secretary of the Interior for approval, but all such undisputed claims or uncontested leases, except oil and gas leases, now required to be approved under existing law by the Secretary of the Interior shall be paid, approved, rejected, or disapproved by the Superintendent for the Five Civilized Tribes of Oklahoma: *Provided, however*, That any party aggrieved by any decision or order of the Superintendent for the Five Civilized Tribes of Oklahoma may appeal from the same to the Secretary of the Interior within 30 days from the date of said decision or order."

Mr. CRAMTON. Mr. Chairman, until the Indian bill of a year ago took effect all claims and leases entered into by members of the Five Civilized Tribes must be forwarded to Washington for final approval. The gentleman from Oklahoma [Mr. HASTINGS] had introduced bills to change that procedure and transfer the final approval to Oklahoma and put the matter in the hands of the Superintendent of the Five Civilized Tribes. There was very strenuous opposition to that proposition upon the part of the Bureau of Indian Affairs, the Indian Rights' Association, and others interested in the welfare of the Indians. Finally the provision was passed permitting the final approval by the superintendent in Oklahoma of all undisputed claims and of all agricultural and mineral leases, excluding oil and gas leases. This year the Committee on Indian Affairs upon the 20th of January reported this appropriation bill for next year, and they approved in that bill and repeated the identical language agreed upon last year and passed by Congress.

And although that bill was reported to this House so recently as four days ago it develops now in this House, which had the right to believe that that bill represented the views of the Committee on Indian Affairs, that it did not, but that the Committee on Indian Affairs, instead of approving what they had reported to the House, approve now of a sled-length proposition by which not only uncontested claims and mineral and agricultural leases other than oil and gas leases shall have their final approval in Oklahoma, but that hereafter the final approval of the immensely valuable oil and gas leases in the hands of the Five Civilized Tribes shall also finally be approved in Oklahoma. I say to the gentlemen of the House that that was an unfair advantage that the Committee on Indian Affairs took of the House. We had a right to rely upon the report of the committee on a matter of that kind, which had been thrashed over for two or three years in this House, and on which finally last year an agreement had been reached. And now, since the House has amended that proviso, so as to cut out the exemption of oil and gas leases, I appeal to the Committee of the Whole to strike out the whole proposition. And let me call your attention to one or two things. If you retain the language in the bill which is there now, it means that these oil and gas leases held by the Five Civilized Tribes of Oklahoma, that represent millions of dollars, that are owned by people whom this Government says have not the capacity to be trusted with the administration of those millions; that those leases, affecting such immensely valuable deposits, shall finally be acted upon out in Oklahoma. And by whom? By the Superintendent of the Five Civilized Tribes. Some claim that these are civil-service employees who will act on those claims. The Superintendent of the Five Civilized Tribes is not a civil-service employee; he is a political appointee of the administration that happens to be in power.

Mr. CARTER of Oklahoma. Will the gentleman yield?

Mr. CRAMTON. When I am through. He is appointed by the President and confirmed by the Senate, and when a new administration takes office a new superintendent may be appointed and the man in time is bound to be subject to Oklahoma influence. I say it is a very unwise policy. I thought it was an unwise policy to enter upon a year ago, and it does seem unwise to go further and place in the hands of a local political appointee these claims that represent millions of dollars.

Mr. CARTER of Oklahoma. Now, will the gentleman yield?

Mr. CRAMTON. Certainly.

Mr. CARTER of Oklahoma. Will the gentleman explain to the committee in what way the appointment of this Superintendent of the Five Civilized Tribes differs from the appointment of the Chief of the Indian Bureau here, or the Secretary of the Interior?

Mr. CRAMTON. Yes; I will. The Superintendent of the Five Civilized Tribes is an Oklahoma proposition, surrounded by Oklahoma influence, and not only the performance of his duties, the administration of his office, but his very appointment is influenced from Oklahoma, whereas—if the gentleman will pardon me—the Secretary of the Interior and the head of the

Bureau of Indian Affairs are not Oklahoma appointees, and are not subject to the influence on every hand surrounding the Indians of Oklahoma.

Mr. CARTER of Oklahoma. Will the gentleman yield?

Mr. CRAMTON. They represent the sentiment of the whole country, not merely those who are making something out of the Indians of Oklahoma.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CRAMTON. I ask for five minutes more.

Mr. CARTER of Oklahoma. I ask that the gentleman be given five minutes.

The CHAIRMAN. Is there objection to the request? [After a pause.] The Chair hears none.

Mr. CRAMTON. I now yield to the gentleman.

Mr. CARTER of Oklahoma. Now, I do not know whether the gentleman has read that part of the hearings or not in which the Commissioner of Indian Affairs himself stated that the Superintendent of the Five Civilized Tribes was a personal appointee of the Secretary of the Interior; that no man from Oklahoma had anything to do with his appointment or knew that his appointment was to be made until it had already been decided upon.

Mr. CRAMTON. I would say to the gentleman that a year ago I read all of these hearings, but due to the surprise that comes with a change from the bill reported by the committee and the presentation of an amendment entirely different I have not read them this year. But I will say to the gentleman, notwithstanding the fact the Superintendent of the Five Civilized Tribes—and I am not making an attack upon that gentleman—notwithstanding the fact that he is an appointee of the President, as are the present Secretary of the Interior, and, I understand from the gentleman, the Commissioner of Indian Affairs—notwithstanding that, both of those officials who are charged by the Nation with the administration of the affairs of the Indians objected to this kind of legislation. And, further, what the gentleman is entering on to-day is permanent legislation in effect, and the gentleman can not guarantee that to-morrow or next year or the next administration we will have the same Superintendent of the Five Civilized Tribes.

Mr. CARTER of Oklahoma. If the gentleman will recall——

Mr. CRAMTON. And who, in any event, is out in Oklahoma immediately surrounded, continually surrounded, by this influence.

Mr. CARTER of Oklahoma. If the gentleman will refresh his memory, he will recall——

Mr. CRAMTON. I would have been glad to have had an opportunity to refresh my memory if the committee had given it to me.

Mr. CARTER of Oklahoma. I think the gentleman can refresh it right now, and he will recall that last year when this proposition was up the gentleman himself made a point of order, and the Chair held this was not permanent legislation.

Mr. CRAMTON. I insist, and I will admit further that this present language is not permanent legislation; but I say in effect it is, because you will find when you once get one of these things incorporated in an appropriation bill it is not only almost impossible to hold it where it is but almost impossible to prevent them from grabbing more and more. A year ago, after a lot of fighting, the gentlemen got what is in the bill, and they come in now and seek to go miles beyond it.

Mr. CARTER of Oklahoma. The gentleman was opposed to what we put in the bill a year ago?

Mr. CRAMTON. I was.

Mr. CARTER of Oklahoma. Was he opposed to it this session?

Mr. CRAMTON. I was opposed to it the last time because, as I said to the House, it was an entering wedge.

Mr. CARTER of Oklahoma. Was the gentleman opposed to it this year?

Mr. CRAMTON. Yes.

Mr. CARTER of Oklahoma. The gentleman could very easily have prevented all this trouble by having been on the floor of the House and made a point of order.

Mr. CRAMTON. I gave consideration to that fact, but I knew it would be unavailing. The Senate would put back the same thing and perhaps they would put more with it, and I thought it was better, inasmuch as the committee had accepted it, and I understood the Bureau of Indian Affairs were content with the old language, not to impede the progress of things. Therefore I let it go. But I did not know that in the four days since your committee approved this language you had vitally altered and changed it by approving the Hastings amendment. And, having done so, I appeal to this House to strike out the whole proviso.

Mr. COOPER of Wisconsin. Will the gentleman from Michigan permit a question?

Mr. CRAMTON. Certainly.

Mr. COOPER of Wisconsin. What is the reputed value of this oil and gas?

Mr. CRAMTON. It runs into many millions of dollars, and is in the hands of those who are the wards not of Oklahoma but of the Nation.

Mr. COOPER of Wisconsin. And it is proposed by this bill as now amended to turn over the leasing of the property of those Indians—in effect the disposal of it—so that there will be no supervision by a central authority here in Washington, the Secretary of the Interior, who represents all the people, but supervision only by a minor official in the State of Oklahoma?

Mr. CRAMTON. Absolutely; and a political appointee.

Mr. CHANDLER of Oklahoma. I wish to deny that accusation. It is approved by a man appointed by the President of the United States and confirmed by the Senate, and who draws the same salary that the Commissioner of Indian Affairs does.

Mr. COOPER of Wisconsin. Perhaps the gentleman who has just addressed the House——

Mr. CHANDLER of Oklahoma. Is not the Commissioner of Indian Affairs a political appointee?

Mr. CRAMTON. I have already gone over that.

Mr. COOPER of Wisconsin. The gentleman from Oklahoma who interrupted apparently does not understand what I meant by use of the word "minor." The Secretary of the Interior, a Cabinet officer, in his official capacity represents all of the people of the United States in the matter of superintending the leasing of this immensely valuable property, but that official in Oklahoma is a minor official in spite of the indignant denial of the gentleman from Oklahoma who has just taken his seat.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment of the gentleman from Michigan [Mr. CRAMTON] to strike out the paragraph.

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. CHANDLER of Oklahoma. Division, Mr. Chairman.

The committee divided; and there were—ayes 25, noes 64.

So the amendment was rejected.

The Clerk read as follows:

The Secretary of the Interior is hereby authorized and directed to pay to Victor M. Locke the sum of $1,290.26 as balance in full due him for salary and expenses as principal chief of the Choctaw Nation.

Mr. FOSTER. Mr. Chairman, I reserve a point of order on this paragraph. Can the gentleman give some explanation of this and tell us why it should go in on this appropriation bill?

Mr. CARTER of Oklahoma. The chief of the Choctaw Nation, Mr. Victor M. Locke, joined the Army some time last year. While he was in training, as I recall, and before he got his commission as an Army officer, the commissioner decided, because he was away from the nation and because he was in the Army, he could not discharge the function of principal chief of the Choctaw Nation, whose principal function is the signing of deeds and representing them in Washington. And so after a certain length of time he appointed another man. That left an interim, during which he decided the chief was entitled to pay and for which time he had not been removed from office. But I understand that that has not been paid. Whether it was the trouble with the comptroller or bureau, I am not able to say, because I have not had time to investigate the matter. It was first brought to me while the bill was being prepared, and I told the chief that I would put it in and present it to the House. I think if he rendered the service he ought to have the pay.

Mr. FOSTER. I understand he was the chief and that he went into the Army, and that from that time until another was appointed occurs this interim for which you seek to pay him in this bill?

Mr. CARTER of Oklahoma. That is my understanding.

Mr. FOSTER. Did he perform any services during this time?

Mr. CARTER of Oklahoma. I think so. I think he performed all the functions of the office.

Mr. FOSTER. Is he still in service?

Mr. CARTER of Oklahoma. He is in the Army now.

Mr. FOSTER. In this country?

Mr. CARTER of Oklahoma. In this country. He was in the National Guard before the war.

Mr. FOSTER. And this was pay to him if he rendered some service?

Mr. CARTER of Oklahoma. Yes; that is what I said. He is a pretty square-toed young fellow.

Mr. FOSTER. He could not get his money because he was not at the headquarters of the tribe?

Mr. CARTER of Oklahoma. He could not get his money, I understand, because of some controversy between him and the commissioner at that time. After he had joined the Army, I think, the commissioner had first refused to submit some matters to him.

Perhaps some statement like that was passed back and forth at that time, but afterwards the young man did perform some of the functions of chief, as he told me, while he was in training for a commission, and he went back and forth from his home to the training camp all the time.

Mr. FOSTER. He could not draw pay from the Government as an Army officer?

Mr. CARTER of Oklahoma. Oh, no.

Mr. FOSTER. Up until the time he got his commission he might have drawn from the Government at that time a private's pay?

Mr. CARTER of Oklahoma. He might have drawn his pay in the Army.

Mr. FOSTER. He drew a private's pay up to the time he received his commission?

Mr. CARTER of Oklahoma. Yes.

Mr. FOSTER. What is his salary as chief?

Mr. CARTER of Oklahoma. Two thousand dollars. This includes his salary and expenses in traveling back and forth.

Mr. FOSTER. How long was that?

Mr. CARTER of Oklahoma. Five or six months. That included his traveling back and forth from his training camp to his tribe's reservation.

Mr. FOSTER. So that he was trying to perform that service?

Mr. CARTER of Oklahoma. Oh, undoubtedly. There is no doubt in the world about it.

Mr. STAFFORD. Do I understand that this is a claim for the salary after he was notified by the commissioner that he was ineligible to act in that capacity?

Mr. CARTER of Oklahoma. I would not be sure about that. There was a controversy between him and the Secretary of the Interior. I never saw the correspondence. He explained it to me while I was on my sick bed. At first the department considered him not to be chief of the tribe, but afterwards I think they recognized him, and he performed the functions of chief of the tribe.

Mr. STAFFORD. Has the department recommended the payment of this claim?

Mr. CARTER of Oklahoma. No. It came in only a few days ago, and there was no time for the submission of a report. It provides here that it is directed to be paid, and so forth. It ought to be paid from the tribal funds of the Choctaw Nation. I do not think there would be any objection from the Choctaw officials.

Mr. STAFFORD. This matter should be submitted to the review of the department. I think, Mr. Chairman, under the circumstances the matter should have further consideration, and I make the point of order.

The CHAIRMAN. Does the gentleman from Oklahoma desire to be heard on the point of order?

Mr. CARTER of Oklahoma. No; it is subject to a point of order.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

That the Secretary of the Interior is authorized and directed to reoffer for sale between September 15, 1919, and November 15, 1919, the unsold and forfeited tracts of coal and asphalt land in the Choctaw and Chickasaw Nations upon the same terms and conditions as provided in the act of February 8, 1918 (Public, No. 98, 65th Cong.).

Mr. CRAMTON. Mr. Chairman, I reserve a point of order on that paragraph.

The CHAIRMAN. The gentleman from Michigan reserves a point of order on the paragraph. Does the gentleman from Oklahoma desire to be heard on the point of order?

Mr. CARTER of Oklahoma. Yes; I would be glad to. That is the paragraph providing for the sale of coal and asphalt. The present law provides that the deposits may be sold after the expiration of one year from the date of the original sale, to be offered for resale. The original sale took place December 14. After December 14 is not a very good time to sell coal and asphalt deposits in our country.

Mr. CRAMTON. What year was that?

Mr. CARTER of Oklahoma. Nineteen hundred and eighteen. The law providing for the sale of coal and asphalt deposits provided that there should be a sale and that at the expiration of one year after the date of the first sale the deposits should again be offered for sale upon the same terms and conditions, and so forth, as in the first sale. That would make the next sale come, perhaps, some time in next January, or a year from next February—a bad time to sell coal deposits, and these are mostly coal deposits. This provision is merely to move the date up so that the Secretary may sell it at a time when coal deposits are really worth more than they are at the other time.

Mr. CRAMTON. Mr. Chairman, having recently been chided by the chairman of the committee for not having made a point of order—and the reason I did not make it being that I relied upon the committee—he will pardon me if I call attention to the fact that the language in question refers to "unsold and unforfeited tracts of coal and asphalt land," whereas the law that is referred to only refers to deposits. Mr. Chairman, I make the point of order.

Mr. CARTER of Oklahoma. I will change the amendment if the gentleman will not make a point of order on that.

Mr. CRAMTON. Perhaps the gentleman will explain how such a vital change in the law was attempted in this amendment.

Mr. CARTER of Oklahoma. It would not affect the land. The surface of the land is already sold.

Mr. CRAMTON. I make the point of order, Mr. Chairman.

Mr. CARTER of Oklahoma. Will the gentleman permit the amendment to go through as to deposits? We do not care about the surface of the land. We want these lands sold, if the gentleman will permit, at the time when they will bring the most to the Indians. I assume that the department will not have any objection to this. It was not submitted to the department, but I know they will appreciate having it done.

Mr. STAFFORD. Why does the committee emphasize the decision by making it mandatory? Why should it not be discretionary? Is there any reason why it should be made directory in these times?

Mr. CRAMTON. I will say to the gentleman, if he will yield, that we will appreciate the utmost frankness from the committee.

Mr. CARTER of Oklahoma. The gentleman has never had anything but the utmost frankness from me and from the committee, and the gentleman knows it. If the gentleman will permit a perfectly frank statement from me, I will say that I was sick and one of my friends offered to draw this amendment, and not, perhaps, having the bill before him at the time, he referred to the lands instead of the deposits. Perhaps that is the reason why the amendment was not drawn in accordance with the ideas of the gentleman from Wisconsin, because it is along the lines that the House generally desires to travel.

Mr. STAFFORD. Should the date be fixed mandatorily or left to the discretion of the Secretary? Does not the gentleman believe that it should be left to the discretion of the Secretary?

Mr. CARTER of Oklahoma. I think the coal deposits ought to be sold in the fall of the year. If you wait until January to make those sales, then you come to the time of year when every coal man is going out of business or closing up some of his mines, and not looking to further development, but to contracting it.

Mr. STAFFORD. Suppose that exceptional conditions should prevail at that time. Should we direct that it be done?

Mr. CARTER of Oklahoma. I think the Secretary will do it anyway.

Mr. STAFFORD. Why not authorize and permit him to do so? Why not make it merely permissive?

Mr. SNYDER. Mr. Chairman, if the gentleman will permit, I think it should be directory. We had some difficulty in getting any of these deposits disposed of during any period, and my idea was that the way to get something done in any period was to direct it rather than to suggest it. I think the hearings will show that I suggested direction myself. I think that was the best period in which to sell these deposits. And I want to say further that it was my understanding that that word should be "deposits" and not "lands." I am surprised on reading it to see that it is "lands" and not "deposits."

Mr. HASTINGS. That is a clerical error in drawing it.

Mr. STAFFORD. I am directing attention more particularly to the prescribed time within which this sale shall take place. The gentleman is a business man. He knows that conditions may change from time to time, especially during this period of readjustment. If the period between September 15 and November 15 should not be a suitable time, why should we compel the Secretary to offer them for sale at that time?

Mr. SNYDER. I am perfectly willing to reduce it.

Mr. HASTINGS. The committee deferred to the judgment of the chairman of the committee [Mr. CARTER of Oklahoma]. For years he was coal trustee and had charge of the coal lands down there in the Choctaw Nation, and was therefore more familiar with it than any other member of the committee. We deferred to his judgment, and he thought that it would bring more for the Choctaw Tribe if sold between these dates than if sold in January or February. There is not a bit of change in this act of February 8, 1918—none whatever.

Mr. STAFFORD. You do not intend to strike anything else out, so as to affect the vitals?

Mr. HASTINGS. There is not a change in the law. But under this act of February 8, 1918, these lands, or deposits, rather, were offered for sale between December 11 and 14 of this last year. Now, the act of February 8, 1918, says immediately after one year after they have been offered for sale. So that you can see that under the act of February 8, 1918, they could not be sold until after a year had expired.

Mr. CRAMTON. If the gentleman will yield, it does not say that one year after they have been offered for sale they shall again be offered for sale, but that the Secretary shall readvertise a year after they have been offered for sale. So it would not be just a year. And, furthermore——

Mr. HASTINGS. After the time has expired.

Mr. CRAMTON. And, furthermore, it says after the expiration of six months he can readvertise again. Now, the committee in their amendment propose to tie the hands of the Secretary and to provide that it shall be construed that he can only offer to sell between September 15 and November 15, 1919, instead of giving the several options that prevailed in the original law.

Mr. CARTER of Oklahoma. That has just occurred to me, and I have an amendment to cover those phases, which I will send to the desk to have read.

Mr. STAFFORD. Read for information.

Mr. CARTER of Oklahoma. I offer the following amendment——

The CHAIRMAN. There is a point of order pending. Does the gentleman from Michigan withdraw the point of order?

Mr. CRAMTON. Oh, no.

Mr. DYER. Then I ask for the regular order.

The CHAIRMAN. The regular order is the point of order.

Mr. CRAMTON. I make the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. CARTER of Oklahoma. I offer the following amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Oklahoma.

The Clerk read as follows:

Amendment offered by Mr. CARTER of Oklahoma: Page 47, in place of the paragraph between lines 5 and 11, insert:

"That the Secretary of the Interior is authorized to reoffer for sale, between September 15, 1919, and November 15, 1919, the unsold and forfeited tracts of coal and asphalt deposits in the Choctaw and Chickasaw Nation upon the same terms and conditions as provided in the act of February 8, 1918 (Public, No. 98, 65th Cong.): *Provided*, That this act shall not prohibit other sales as provided by existing law."

Mr. CARTER of Oklahoma. I will ask the Clerk to make that "authorized by existing law."

Mr. CRAMTON. Mr. Chairman, reserving the point of order upon that amendment, may I ask the gentleman—I was trying to follow the amendment—does it say "deposits" in the unsold and forfeited tracts?

Mr. CARTER of Oklahoma. Let us have the amendment reported again.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

The amendment was again read.

Mr. CRAMTON. Still further reserving the point of order, is the gentleman sure that the amendment suggested by him would involve due advertising as provided in the law?

Mr. CARTER of Oklahoma. It says "upon the same terms and conditions." I think that covers it completely.

Mr. CRAMTON. I withdraw the point of order.

The CHAIRMAN. The question is on the amendment.

The amendment of Mr. CARTER of Oklahoma was agreed to.

The Clerk read as follows:

That all claims against the Creek and Seminole Nations, including claims to unpaid per capita and equalization money, which may now be paid under existing law out of the respective funds of the Creek and Seminole Nations in the Treasury of the United States or otherwise in the hands of the Government, shall be filed, not later than one year from the date of the approval of this act, with the Superintendent for the Five Civilized Tribes or such other persons as the Secretary of the Interior may designate, and under such rules and regulations as said Secretary of the Interior may prescribe to govern the filing, determining, and settlement of said claims, and the claims so submitted and filed shall be considered and adjudicated under said rules and regulations not later than six months after the expiration of the time above limited for the filing of the claims, and shall, if approved by the Secretary of the Interior, be paid out of the respective tribal funds of the Creek and Seminole Nations.

Mr. CRAMTON. Mr. Chairman, I desire to reserve a point of order, and I ask the committee whether the House may take it that that language is in the form the committee desires it, or is it proposed to offer amendments that will strike out the reviewing power of the Secretary of the Interior?

Mr. HASTINGS. It is not the purpose of the committee to offer any amendment to this. It is in the form that the committee desire. It is in the exact language of the amendment with reference to the Cherokee Nation of last year, except that the words "Creek and Seminole" are placed in there, and it does not make any disposition of the money. The gentleman will remember that last year we gave the money to a school. This year it does not make any disposition of the money. It holds it as tribal money.

Mr. CRAMTON. I shall make a point of order against the paragraph unless it is understood that I shall have the support of the committee in retaining the reviewing power in the Secretary of the Interior, as recommended by the committee.

Mr. HASTINGS. No amendment is contemplated by any member of the committee.

Mr. CRAMTON. And I will have the gentleman's aid to retain that language?

Mr. HASTINGS. Certainly.

Mr. STAFFORD. Mr. Chairman, reserving the point of order, last year I believe the gentleman from Oklahoma, who was very urgent in advocacy of the adoption of this amendment, stated that there were only a few claims outstanding against the Cherokee Nation, and that their affairs should be brought to a close and the claimants known. What is the status as to claims against the Creek and Seminole Nation?

Mr. HASTINGS. They are similarly situated. This one involves little remnants or fractional claims, and it does not debar anyone. This places a year's limitation with which they can come and assert and get their rights and have all claims paid that can now be paid under existing law. It does not allow any of the claims to be paid, it does not create any new rights.

Mr. STAFFORD. Let me ask the gentleman, are the affairs of the Creeks and Seminole Indians being wound up?

Mr. HASTINGS. They are practically all wound up.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of a point of order.

Mr. McKEOWN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. MCKEOWN: On page 48, after the period, in line 4, insert new paragraph, to read as follows:

"Whenever requested by adult members of the Five Civilized Tribes, who by reason of their degree of Indian blood belong to the restricted class, the Secretary of the Interior is hereby authorized and directed to offer for sale to the highest bidder at public auction, after due advertisement of the same, such parcels of lands described in said request, under such rules and regulations as he may promulgate: *Provided*, That restricted members of the Choctaw and Chickasaw Tribes shall retain at least 80 acres of their allotments, and that members of the Creek, Seminole, and Cherokee Tribes shall retain at least 40 acres of their allotments, to be designated by them and approved by the Secretary of the Interior, as a homestead: *Provided*, That persons who become bona fide residents upon said lands may purchase the same upon installments of interest and principal payable annually for a period of not less than 5 years nor to exceed 40 years: *Provided*, That the money accruing from the sale of said lands of the said restricted Indians be paid to and be under the control of the Secretary of the Interior, to be disbursed in his discretion for the use and benefit of such restricted Indians: *Provided further*, That said moneys when paid to said restricted members or their heirs shall be exempt from any lien for attorneys' fee or other debt contracted prior to the disbursing of the same."

Mr. McKEOWN. Mr. Chairman and gentlemen of the committee, the Secretary of the Interior has already advanced an idea for readjustment in this country to protect the returning soldiers and encourage them in farm ownership. I say without fear of contradiction that one of the greatest menaces to America to-day is the lack of opportunity to the homeless man, especially to tenants upon the farms, who have no chance to own their homes. In Oklahoma in my district I am safe in saying that there are 25,000 tenants living on the farms, farming for the other man, in houses that are not fit to live in, and under conditions that drive men to desperation and force them to believe that their Government has abandoned them and that they have no chance in the world.

In my home county there are at least 2,700 farms upon which reside hundreds of tenant farmers. In Seminole County, which comprises the Seminole Nation, there are at least 2,700 farms with 2,100 tenants. I say it is appalling. Why is this condition? Because the Indian landlords who own the land are restricted and can not sell the land. He is restricted in making leases or contracts, and can only make a contract for one year on his homestead. You men who have observed the farmers know that a man who lives on land for one year, tills it, with no expectation of being there another year, will farm it with one idea in view, and that is to get out of the land all he can in that one year, and will leave the land in such condition that it will wash away. In 20 years the land of these Indians will be washed away and worn out and their own lands will be unimproved.

In the Choctaw and Chickasaw Nations there is an average of 320 acres allotted to each man, woman, and child. A number of these Indians are not farmers and they live back in the country on a little piece of land, and all these 360 acres for the man, for his wife, and for his child is farmed by tenant farmers. Do you wonder that in that country there were riots and people resisted the Government when it was trying to carry out the selective-draft law? It is because of their condition. I say to you that when you tie a man to the soil of his country you tie him to the flag of his country. [Applause.]

Gentlemen, I want to say to you that there are in these nations now 2,888,000 acres of land that is restricted. I, for one, am opposed to taking away from the Indian his homestead and his right to have something. I do not belong to any class of citizens in Oklahoma who favor any such doctrine. In my country these farmers want to buy the land, but they have no chance. Men come in from Illinois, Kansas, and Nebraska, from the best farming countries in the United States, where they have started as tenant farmers, and out of the fertile lands have accumulated money enough to buy a little home. They have heard of the fertile lands of Oklahoma, and they come down there thinking to have an opportunity to own a home upon which they can live. They start in to rent to see how they like the country. They have no chance to buy. I say to you that the procedure that too frequently prevails is for a speculator to go in and buy land at $20 and $25 an acre, turn around the same day and sell it on time to an actual farmer to live on for $30, $40, or $50 an acre on long time. To my knowledge the department has never sold any land in the Indian country on longer terms than three years. So I say that the Secretary of the Interior should be given this chance to put in actual practice his idea and give the men an opportunity to own their own homes. Let him offer for sale such lands as he may be requested to sell by these Indians. Of course, he could not sell the land unless the Indian wanted him to sell it, and he could not sell all the land if the Indian asked him to. I say we ought to turn our attention to this matter now.

Mr. MORGAN. Will the gentleman yield?

Mr. McKEOWN. I will.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. MORGAN. I ask that the gentleman have five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MORGAN. I am very much interested in the remarks of the gentleman, and I think it is very important. I should like to have him explain what his amendment proposes to do. I heard it read, but I did not catch it.

Mr. McKEOWN. I will explain. My proposition is that in these nations there are 23,441 members of these tribes who are restricted on account of the quantum of their Indian blood; that is to say, they can not sell their lands without the approval of the Secretary of the Interior. I do not want to take away from the Secretary of the Interior his power, because the worst thing that has ever been done to the Indians is to pass a law removing the restrictions on account of the quantum of Indian blood. When you pass a law of that kind he often becomes the prey of grafters who take away from him his land without giving him even the pot of porridge.

My amendment proposes that if any adult Indian in the restricted class shall request the Secretary of the Interior to sell any of his lands, the Secretary of the Interior, under rules and regulations to be promulgated by himself, shall sell at public auction to the highest bidder on terms of not less than 5 years or more than 40 years. They have been selling some lands, but the terms have been too short—three years—and they can not meet those terms. Here has been the procedure: They would advertise the land for sale by bids, not hold a public auction where every man can come and know and see and have an opportunity to buy. My amendment proposes that they would offer the tracts of land for sale at a certain day. The men who live on the land, and other men who want to come in from other States and buy the land, could come and bid on the land, and if a man bid in the land and became a bona fide settler on the land he could have not less than 5 years nor more than 40 years in which to pay for it in annual installments, principal and interest.

Mr. CARTER of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. CARTER of Oklahoma. I would state to the gentleman that I at one time had reported and had consideration started by the House of a measure somewhat similar to this, although a little more liberally drawn. The question I wanted to ask the gentleman is this: Does he think it is quite fair to the Indian to make him wait 40 years for the payment of his land?

Mr. McKEOWN. I will say to the gentleman that under my amendment I am not fixing the terms. The Indian, when he asks to sell his land, will fix up the terms, and if he wants to sell it he must give at least 5 years and he may agree to the longer terms. As I understand it, the Indian owns this land and no act of Congress can take it away from him or can take away his constitutional rights.

Mr. CARTER of Oklahoma. Does the gentleman cherish any hopes that any Indian will ever make application to sell his lands payable in 40 years?

Mr. McKEOWN. I do not think so, but in the meantime we have a very fine organization over here known as the Farm Loan Board that has money to loan for 40-year periods, and in the meantime the man ought to be able to negotiate his land if the Indian has any objection to selling it for 40 years.

Mr. PLATT. But a man can not borrow through the Farm Loan Association until he gets title to his property.

Mr. McKEOWN. No; but under this amendment the procedure of the department is this: They pass title to the purchaser and take back a mortgage on the land. That does two things. It puts the land on the tax roll, whereas it would not be on the tax roll otherwise, and if it did not pass the title the land would be held for the taxpayer until 1931.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. MORGAN. What authority would the Secretary of the Interior have to approve the sale of these lands under this amendment that he does not have now?

Mr. McKEOWN. The Secretary of the Interior does have that power now, and I am not conferring any new power upon him. The only thing I am trying to do with my amendment is to inaugurate a plan so that it can not be said that he does not have the authority. When we ask him to give long terms he can do so on this authority.

Mr. MORGAN. Then it is a question of terms?

Mr. McKEOWN. Yes.

Mr. CARTER of Oklahoma. Mr. Chairman, so far as I am concerned, I do not think the gentleman's amendment is quite specific enough, but, of course, that can be remedied; but if the gentleman will change the time of his amendment from 5 to 10 years I shall not interpose any objection.

Mr. McKEOWN. I shall be very glad to do that.

Mr. MORGAN. Mr. Chairman, will the gentleman yield for another question?

Mr. McKEOWN. Yes.

Mr. MORGAN. Take the question of tenancy. I am afraid the gentleman's amendment would not be sufficient to have much to do in changing these titles, to help those tenants. How would it be to have the Government of the United States, under the direction of Secretary Lane—under his plan, for instance—take over a certain proportion of these lands and sell them to anyone who wished to buy them and retain the proceeds in trust for the benefit of the Indians, reserving a small homestead always for each Indian? Would not that facilitate changing the country from a country of tenants to a country of home owners, and must not something of that kind be done before any real remedy comes about?

Mr. McKEOWN. I will say to the gentleman that it is a long way around to the point where we could purchase these lands by the Government. I have no objection to the idea, but I want action now.

Mr. MORGAN. Why would it not be as well to take these lands as swamp lands of the South or the cut-over timberlands of the North.

Mr. McKEOWN. I do not want to get into a discussion of that matter at this time.

The CHAIRMAN. The time of the gentleman from Oklahoma has again expired.

Mr. SNYDER. Mr. Chairman, I make the point of order against the amendment.

The CHAIRMAN. The Chair is ready to rule on the point of order. The Chair thinks that it is clearly legislation and not in order on an appropriation bill, and sustains the point of order.

The Clerk read as follows:

For support and civilization of Indians at Grande Ronde and Siletz Agencies, Oreg., including pay of employees, $4,000.

Mr. CARTER of Oklahoma. Mr. Chairman, I want to suggest that there has been an error in the print. The item just read, beginning on line 5 and running to line 7, page 48, is an Oregon item, and should come under the heading "Oregon," which comes immediately below that, in line 8. I ask unanimous

consent that the language in the lines 5 to 7 be transposed so as to come below the title "Oregon."

Mr. MANN. That item came in the last year's bill at what would be the bottom of the page. Why not put it in the same place?

Mr. CARTER of Oklahoma. Mr. Chairman, I withdraw my request.

Mr. MANN. I ask unanimous consent, Mr. Chairman, to insert the language, in lines 5, 6, and 7, to come in the bill after line 24.

The CHAIRMAN. The gentleman from Oklahoma withdraws his request, and the gentleman from Illinois [Mr. MANN] requests that the language contained in lines 5, 6, and 7 of the bill be transposed and be inserted after line 24 of the bill. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

For support of Sioux of different tribes, including Santee Sioux of Nebraska, North Dakota, and South Dakota: For pay of five teachers, one physician, one carpenter, one miller, one engineer, two farmers, and one blacksmith (art. 13, treaty of Apr. 29, 1868), $10,400; for pay of second blacksmith, and furnishing iron, steel, and other material (art. 8 of same treaty), $1,600; for pay of additional employees of the several agencies for the Sioux in Nebraska, North Dakota, and South Dakota, $95,000; for subsistence of the Sioux and for purposes of their civilization (act of Feb. 28, 1877), $200,000: *Provided*, That this sum shall include transportation of supplies from the termination of railroad or steamboat transportation, and in this service Indians shall be employed whenever practicable; in all, $307,000.

Mr. MILLER of Minnesota. Mr. Chairman, I move to strike out the last word. I would like to invite the attention of the chairman of the committee to the language in the paragraph just read, wherein these words are found:

For the support of Sioux of different tribes, including Santee Sioux of Nebraska, North Dakota, and South Dakota.

Why does that language restrict the Indians who are to be the beneficiaries under this appropriation to the Santee Sioux of those three States, and why does it not include the Santee Sioux Indians of Minnesota?

Mr. CARTER of Oklahoma. I beg the gentleman's pardon, but I did not hear the gentleman.

Mr. MILLER of Minnesota. I am inviting the attention of the gentleman to the language in the beginning of the paragraph just read, wherein we find these words:

For the support of Sioux of different tribes, including the Santee Sioux of Nebraska, North Dakota, and South Dakota.

Why are the beneficiaries under this proposed appropriation limited to the Santee Sioux of those three States, and why does it not include the Santee Sioux of Minnesota?

Mr. CARTER of Oklahoma. Well, the gentleman will observe that it is a treaty item.

Mr. MILLER of Minnesota. That is what I wanted to inquire about.

Mr. CARTER of Oklahoma. And, as the gentleman knows, treaty items usually follow the exact direction of the treaty. I have not examined to see whether this does so or not, but when the department presented it I assume the committee took that view of it.

Mr. MILLER of Minnesota. Now, the language there makes it somewhat doubtful whether the treaty restricts the beneficiaries, namely, to those branches of the Santee Sioux living in those three States. It may be that the treaty does so restrict it, but, frankly, I do not know——

Mr. CARTER of Oklahoma. It may be that there is something in a subsequent law which excluded those three branches of the Sioux; and if that were true, this language would be necessary to reinstate them.

Mr. MILLER of Minnesota. I do not think the gentleman can find a treaty anywhere that groups the Santee Sioux of Nebraska, North Dakota, and South Dakota and omits the Santee Sioux of Minnesota. My recollection of that is this—and if I am wrong, I would like to be put right—the Santee Sioux of Nebraska came up there because they or their ancestors were transferred from Minnesota in 1862 and 1863, or rather 1863, first into Illinois and subsequently into Nebraska. Now, they formed a body of Indians who were parties to several treaties with the Government thereafter, and they were not connected in any way with the Santee Sioux of the treaty-making States of North Dakota and South Dakota. Now, as a matter of fact, there were no Santee Sioux in North Dakota, with the exception possibly of a very few in the southeastern corner.

There were two branches of the Santee Sioux living in South Dakota who have been beneficiaries under legislation of Congress and who have been beneficiaries under a suit brought by them against the Government for annuities which had been confiscated. Now, the Santee Sioux in Nebraska made several treaties with the Government by which the Government was permitted to build railroads, and so forth, through their country, and they received the benefits in return, and here is a provision which gives a sum of money to the Santee Sioux of three States. Now, in the State of Minnesota there are approximately 11,000 members of the Santee Sioux belonging to two sub-branches, and those remaining are the ones who were left there because their hands were clean from the shedding of white blood in the great uprising of 1863, and if there are any Indians belonging to the Santee Sioux in the world who are entitled to consideration from the Government in a gratuity appropriation these are the ones, and they should not be omitted. I desire to make this statement. The gentleman knows there have been before the Indian Affairs Committee and sometimes before the House during many years past quite a number of matters that related to the Santee Sioux and the Santee Sioux have been the subject of a great deal of inquiry by the committee and many facts have been received and are now available. The Santee Sioux in Minnesota, so far as I can determine, have not been beneficiaries under this Government for a great many years as far as any gratuity appropriation is concerned. I, personally, have communicated with the Commissioner of Indian Affairs in years past to ascertain why nothing had ever been done to take care of those people. Their condition—nearly every winter at least—is quite deplorable, and I invite the attention of the Committee on Indian Affairs particularly to those Indians who are now living in the western and southwestern part of Minnesota and who seem to be outside of any regard the Government has to its Indian wards, and I would like to inquire if it is not possible to make some appropriation here or to change the language of this present paragraph in some particular so that they can participate in the benefits that go to the Santee Sioux generally.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CARTER of Oklahoma. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CRISP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 14746 and had come to no resolution thereon.

AGRICULTURAL APPROPRIATIONS.

Mr. LEVER. Mr. Speaker, I present the Agricultural appropriation bill, with a report (No. 980) thereon, by direction of the Committee on Agriculture.

The SPEAKER. The Clerk will report it by title.

The Clerk read as follows:

A bill (H. R. 15018) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920.

The SPEAKER. Referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. ANDERSON. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Minnesota reserves all points of order on the bill.

LEAVE OF ABSENCE.

By unanimous consent, Mr. BROWNING was granted leave of absence for three days on account of important business.

INDIAN APPROPRIATIONS.

Mr. CARTER of Oklahoma. Mr. Chairman, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Indian appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 14746, with Mr. CRISP in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 14746) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920.

Mr. MILLER of Minnesota. Mr. Chairman, I ask unanimous consent that I may have five additional minutes.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent for five additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MILLER of Minnesota. Mr. Chairman, this House passed on two or three occasions a bill authorizing the Santee Sioux to bring a suit against the Government to have returned to them their annuities that had been confiscated by the Government in 1863. After a time the House passed it, and the Senate also passed it, and it became a law. As far as I know, that has never yet been adjudicated. I suppose it is in process

of adjudication. The beneficiaries under any return that may be made to those Indians from the Government will include all of the Santee Sioux who have not yet received a restoration of their annuities, and of which there are probably four or five thousand, and, as I said, 1,100 living in Minnesota. I want to insist that these 1,100 that remain in Minnesota are either those who did not participate in that insurrection or the descendants of those who did not, and it seems to me that the Government, while it has been proceeding over the country to pick up needy Indians here and there, very properly, and has looked after them, has singularly failed to give any attention at all to these Indians. When their property was confiscated, and these innocent ones had their property confiscated as well as the guilty ones, they were living on perhaps the finest and most fertile part of Minnesota, on each side of the Minnesota, west of Mankato and up to the Dakota line. They lost their land, they lost their annuities that were due them in consideration of the vast tract of land which they had a short time before sold to the Government. And they have been left high and dry ever since. I insist that if the Santee Sioux are to be beneficiaries, and it is possible to extend the privileges that may naturally go to that branch of the Indian tribe to the Minnesota Indians, it ought to be done. And I simply have taken this time to ask of the chairman of the Committee on Indian Affairs, or some one else who perhaps is better acquainted with the facts than I am, whether or not the Santee Sioux could not, with due regard to our treaty obligations, be considered in this paragraph to include the Santee Sioux of Minnesota?

Mr. GANDY. Mr. Chairman, this item refers to one of the three major agreements or treaties that were made with the Indians of South Dakota. The treaty of April 29, 1868, which was ratified in 1869, established certain specific reservations in eastern South Dakota and specified that all of western South Dakota should remain as Indian reservations. At that time the Santee Tribe was part in South Dakota and part in Nebraska, and that is where the Santee Sioux of Nebraska came into that agreement. The next major agreement with the Indians was in 1877, under which that portion of the reservation in western South Dakota was restricted by the opening of the Black Hills, and to that agreement not only the Five Tribes in western South Dakota but the Cheyennes and the Arapahoes in Wyoming were parties. The third major agreement was in 1889, under which the reservation in western South Dakota was divided between the Five Tribes out there and a part opened to settlement. The Santee Sioux in Minnesota had nothing whatever to do with the agreement of 1868, which simply sought to specify the boundaries of Indian reservations within the State of South Dakota, with the exception that a part of the Santee Sioux that were parties to the agreement were located in Nebraska.

Mr. MILLER of Minnesota. Is the gentleman quite certain that those who signed the treaty to which he refers, that of 1868, were representing the Santee Sioux of North Dakota, South Dakota, and Nebraska? Of course, at that time there was no South Dakota or North Dakota.

Mr. GANDY. There was no North Dakota or South Dakota then. And the south boundary of the Indian reservation in South Dakota went quite a way down in what is now the State of Nebraska. The reservation was afterwards restricted to the State line by this agreement of 1877.

Mr. MILLER of Minnesota. Is it not a fact that those who signed that treaty signed it as the representatives of the Santee Sioux Indians and they did not state the particular branch of the Santee Sioux Indians that they acted for? Is it not proper to say they acted for the Santee Sioux of Minnesota as well as their brothers in the other three States? And is it not possible under that treaty to insert the name "Minnesota" in there, along with North Dakota and South Dakota?

Mr. GANDY. I do not so understand it, for that agreement only pertained to those living in South Dakota and a portion that lived in Nebraska.

Mr. MILLER of Minnesota. That may be the construction the Government has seen fit to place on that treaty. I have not the treaty provisions clearly in mind at this minute, although I have read them many times. I have a general knowledge and recollection of them. And my thought is that the Indians who signed it represented all the bands of the Santee Sioux. In 1868 the Santee Sioux were scattered, broken up, and tribal bands destroyed, and no one party that signed the treaty could perhaps legally say just whom he represented. I may be mistaken, but it seems to me not at all unlikely that those who signed that treaty were representing those of Minnesota as well as those of North Dakota and South Dakota, which States did not then exist.

Mr. GANDY. I want to say to my friend that he can easily understand that I have no personal knowledge of it. I only have at hand the same treaties he has access to, and that is my understanding of them.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

TEXAS.

SEC. 21. For the education of the Alabama and Coushatta Indians located in Polk County, Tex., by aiding the public schools established by the State or local authorities to the extent of 10 cents per day for each Indian child who attends such schools, $2,000.

Mr. CHANDLER of Oklahoma. Mr. Chairman, I make a point of order against that section.

The CHAIRMAN. The gentleman from Oklahoma makes the point of order to the section.

Mr. HAYDEN. Mr. Chairman, I hope the gentleman will reserve it.

Mr. CHANDLER of Oklahoma. I will reserve it for a moment.

Mr. McLEMORE. Mr. Chairman, I hope the gentleman will withdraw his point of order. This is a very small item. I am sure we have done nothing to offend the gentleman. It is something that is needed down there. I think they are entitled to it if any Indians are.

Mr. MILLER of Minnesota. What sort of Indians are they?

Mr. McLEMORE. They are——

Mr. GARNER. Let me say to the gentleman from Oklahoma that this is in the district of my colleague [Mr. GREGG], who has been sick for six weeks and has not been able to attend the sessions of the House. Unless the gentleman has examined it and thinks it ought not to be considered in connection with the bill, I would like to have the gentleman consider the propriety of withdrawing the point of order. If, on the other hand, he thinks it is a bad piece of legislation, then I have nothing further to say.

Mr. CAMPBELL of Kansas. Mr. Chairman, this inaugurates on the part of the Indian Office the care of Indians that have been taking care of themselves ever since Texas was a part of Mexico.

Mr. GARNER. If the committee thinks it is bad policy, I will not say anything on the point of order. I merely call attention to the fact that this is in the district of Mr. GREGG, who has not been able to attend the sessions of the House for several weeks.

Mr. CAMPBELL of Kansas. I talked with Mr. GREGG about this a year ago, and he was for it.

Mr. HAYDEN. Mr. Chairman, I would like to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman from Arizona on the point of order.

Mr. HAYDEN. Mr. Chairman, the Revised Statutes provide that the Secretary of the Interior shall have charge of the supervision of Indians. Section 462 provides that—

There shall be in the Department of the Interior a Commissioner of Indian Affairs, who shall be appointed by the President, by and with the advice and consent of the Senate.

And section 463 provides that—

The Commissioner of Indian Affairs shall, under the direction of the Secretary of the Interior, and agreeable to such regulations as the President may prescribe, have the management of all Indian affairs and of all matters arising out of Indian relations.

Then the law provides how the accounts and vouchers shall be paid. It is further provided that the Commissioner of Indian Affairs shall submit to Congress a statement of all expenditures under his supervision, how much is disbursed for each object, and so on, implying clearly that appropriations might be made for this purpose.

Now, this is an Indian appropriation bill. It is for the support and civilization and education of Indians. We propose to do for these Texas Indians exactly what Congress does for other Indians in other parts of the country. This provision was incorporated in the Indian appropriation act of last year, so it is not a new policy. We are continuing a policy heretofore inaugurated in this Indian bill, and we are making appropriations for other Indians similarly situated, and therefore we ought to be able to make appropriations for these Texas Indians in accordance with the judgment of the House. For these reasons I believe that the point of order should not be sustained.

Mr. CAMPBELL of Kansas. Mr. Chairman, the very rapid-fire argument of the gentleman from Arizona [Mr. HAYDEN] would apply if we were talking about Indians, but we are talking about citizens of the State of Texas, who may have some Indian blood in them but who have been exercising the

rights of citizens for a hundred years and have been voting as citizens in Polk County, Tex. Last year we gave them a small gratuity. There is no sort of obligation on the part of the Government that we should continue that gratuity.

The CHAIRMAN. The Chair would like to ask a question. The Chair confesses ignorance of Indian matters. The question which the Chair wishes to ask is whether the band of Indians to which this item relates is in the control of the Indian Department?

Mr. CAMPBELL of Kansas. No; they are not and never have been.

Mr. MANN. Mr. Chairman, of course the point of order raises the question of whether this appropriation was authorized by law. There is no law providing that the United States shall educate Indians who are not under the control of the Interior Department, or not under the control of the Government in any way, and not in tribal relations.

The same question arose some years ago as to other items in the Indian appropriation bill. My recollection is that the Chair has invariably sustained a point of order against an item providing for the support of Indians and providing for the education of Indians where they were not in any way whatever under the control of the Government.

It may be said that these are Alabama and Coushatta Indians, yet under the law they are not Indians. They are citizens of the United States. No one will controvert that proposition. They are not living in tribal relations, and have not been living in tribal relations, so far as the Government of the United States is concerned, since Texas was admitted into the Union.

Mr. HAYDEN. They retain a tract of land down there, which would indicate that they have communal property among them.

Mr. MANN. I do not know whether they have communal property among themselves or not, but they are citizens of the United States. There is no obligation that the Government shall provide for the education of an Indian simply because you want to call him an Indian. There are gentlemen in this House who are Indians in one sense, but they are not Indians in that sense that Congress would be authorized to make a provision for their support or education. That is a test right here.

Mr. CARTER of Oklahoma. If the gentleman refers to Indians belonging to the House, I can not agree with him. [Laughter.]

Mr. MANN. We do make a provision for the support of the gentleman from Oklahoma, but we do not single him out as distinguished from the rest of us as an Indian. [Laughter.]

The CHAIRMAN. The Chair is ready to rule. The fact that an item has been carried in an appropriation bill, unless the item was in order under the rules, does not make it in order in this bill. The fact that it has been carried for any number of years does not remove it from the bar of being out of order if, as a matter of fact, it is new legislation and not authorized by law. The Chair does not believe that it is in order on the annual appropriation bill for the civilization and education of the Indians to legislate by providing for the education of persons who are not Indians nor under the control of the Indian Office. Following that principle, the Chair believes this section obnoxious to the rules of the House and sustains the point of order. The Clerk will read.

The Clerk read as follows:

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States, within his discretion, the sum of $350,000 of the principal funds to the credit of the Confederated Bands of Ute Indians and to expend the sum of $50,000 of said amount for the benefit of the Ute Mountain (formerly Navajo Springs) Band of said Indians in Colorado, and the sum of $200,000 of said amount for the Uintah, White River, and Uncompahgre Bands of Ute Indians in Utah, and the sum of $100,000 of said amount for the Southern Ute Indians in Colorado, which sums shall be charged to said bands, and the Secretary of the Interior is also authorized to withdraw from the Treasury the accrued interest to and including June 30, 1919, on the funds of the said Confederated Bands of Ute Indians appropriated under the act of March 4, 1913 (37 Stat. L., p. 934), and to expend or distribute the same for the purpose of promoting civilization and self-support among the said Indians, under such regulations as the Secretary of the Interior may prescribe: *Provided*, That the Secretary of the Interior shall report to Congress, on the first Monday in December, 1920, a detailed statement as to all moneys expended as provided for herein.

Mr. CRAMTON. Mr. Chairman, reserving a point of order, I would be glad if the committee would explain something about the method of promoting civilization by the distribution of this $350,000.

The CHAIRMAN. The gentleman from Michigan reserves the point of order.

Mr. CRAMTON. If the committee does not care to explain it, I make the point of order.

Mr. HAYDEN. Is the gentleman referring to this withdrawal of Ute funds?

Mr. CRAMTON. I am referring to what has just been read by the Clerk on page 52, the distribution of that $350,000 for the purpose of promoting civilization and self-support among the Indians.

Mr. HAYDEN. Instead of appropriating money as a gratuity out of the Treasury for these Indians as we do for other Indians, we appropriate money from their fund. Some years ago the Utes obtained a judgment against the United States in the sum of $3,305,257.19, and they have that fund to their credit in the Treasury of the United States. Following the policy of the committee where Indians have funds to their credit that they should pay their own way, we appropriate this money for the maintenance of their agency, schools, and so forth.

Mr. CRAMTON. Is it customary to use the interest or the principal of such fund?

Mr. HAYDEN. We can use the interest or the principal or both, just as Congress may decide.

Mr. CRAMTON. I was asking as to the custom.

Mr. HAYDEN. In some cases we use the interest only, if the interest will pay all the expenses. If the interest is not enough, we use a part of the principal sum.

Mr. CRAMTON. I am speaking of these particular Indians.

Mr. CARTER of Oklahoma. If the gentleman will yield to me for a moment, I will say that it has been the policy of the Indian Affairs Committee and of the House to use Indian funds where it was possible to use them for the payment of any expenses on the reservation in connection with the Indians where it could be done without violating the treaty or an agreement with the Indians, and to use the fund, either interest or principal—any funds they might have.

Mr. CRAMTON. But the gentleman has said that these particular Indians had a fund of some $6,000,000.

Mr. CARTER of Oklahoma. They had at the start.

Mr. CRAMTON. To what extent have we used up that fund?

Mr. CARTER of Oklahoma. I was not permitted to be present when the hearings were held, as the gentleman knows. Perhaps the gentleman from Arizona can explain that. He is more familiar with the hearings than I am. I do not know just to what extent these funds have been consumed; but since the judgment was rendered we have been using the fund to just about the same extent as we are using it here, as I recall.

Mr. HAYDEN. Practically the same.

Mr. WELLING. This is the same as last year's item. This item is in exactly the same wording as the item of last year, with the exception of putting in this year's dates instead of last year's dates.

Mr. CARTER of Oklahoma. If my memory serves me correctly, prior to the time that this judgment was rendered a portion of this money was appropriated from the Public Treasury; but now that they have the fund on hand, there being no treaty provision to prevent our using it, we have felt justified in using their own fund to pay their own expenses.

Mr. CRAMTON. What is done with the interest on their fund?

Mr. CARTER of Oklahoma. That is placed to their credit in the Treasury.

Mr. CRAMTON. To their principal?

Mr. CARTER of Oklahoma. To their principal.

Mr. HAYDEN. That principal fund draws 4 per cent. You will find a long justification for this on pages 314 to 318 in the hearings.

Mr. CRAMTON. I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn. The Clerk will read.

The Clerk read as follows:

For continuing construction and enlargement of the Wapato irrigation and drainage system, to make possible the utilization of the water supply provided by the act of August 1, 1914 (38 Stat. L., 604), for 40 acres of each Indian allotment under the Wapato irrigation project on the Yakima Indian Reservation, Wash., and such other water supply as may be available or obtainable for the irrigation of a total of 120,000 acres of allotted Indian lands on said reservation, $500,000 to be immediately available: *Provided*, That the entire cost of said irrigation and drainage system shall be reimbursed to the United States under the conditions and terms of the act of May 18, 1916: *Provided further*, That the sum herein appropriated shall be available for the purchase of such lands as may be required in connection with the construction of the aforesaid irrigation project.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order. I wish to inquire as to the need of authorization for the purchase of additional land in connection with this irrigation project as embodied in the proviso.

Mr. HAYDEN. There was some discussion in the committee about the necessity for purchasing additional land in connection with this project. There were some questions asked by the gen-

tleman from Washington [Mr. DILL], and he seemed to be satisfied that the authority ought to be given for that purpose.

Mr. STAFFORD. But here we are voting a half million dollars, and without limit you are going to authorize them to purchase additional lands. I think the House ought to have some information as to what is really intended under that authorization. I was under the impression that in these irrigation projects on Indian reservations the lands were owned by the Indians, either under allotments to them or else in tribal relations.

Mr. HAYDEN. The original purchase of lands was made off of the reservation, in order to obtain a site for a diversion dam. The water must be diverted from the river at some distance from the reservation and carried down the canal to the land of the Indians. We authorized the purchase of land upon which to construct the diversion dam and it was represented that it was necessary to purchase additional land for a similar purpose.

Mr. STAFFORD. The gentleman has no information as to the amount of money required for this purpose?

Mr. HAYDEN. No; but my recollection is that it is a comparatively small amount.

Mr. STAFFORD. Mr. Chairman, I believe the matter can be given consideration in another body, and I make the point of order as to the last proviso.

The CHAIRMAN. What does the gentleman from Oklahoma say to that?

Mr. CARTER of Oklahoma. I concede the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

That the Secretary of the Interior be, and he is hereby, authorized and directed to cancel the patent issued in the name of Davie Skootah, allottee No. 35, on the Lummi Reservation, Wash., and to reallot the lands under the provisions of the general allotment law to unallotted members of the Lummi Tribe in areas of not exceeding 10 acres each.

Mr. FOSTER. Mr. Chairman, I reserve a point of order on that.

Mr. HASTINGS. Mr. Chairman, my recollection is that this Indian died and left no heirs. They now want the land to revert to the tribe so that it can be allotted to some one else.

Mr. FOSTER. The gentleman says he had no heirs at all?

Mr. HASTINGS. That is the statement made by the commissioner as I recollect it.

Mr. FOSTER. Mr. Chairman, I withdraw my reservation of a point of order.

The Clerk read as follows:

For the proportionate share of the cost of constructing a diversion dam and for the construction of canals and laterals for the irrigation of Indian land on the ceded portion of the Wind River Reservation, Wyo., $50,000, to be immediately available, reimbursable under such rules and regulations as the Secretary of the Interior may prescribe.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph just read. Am I mistaken in my impression that this is a new project?

Mr. MONDELL. This is not a new project. It is one that has been under construction by the Indian Office for some time; a part of the time in cooperation with the white settlers, whose lands are partially watered by this canal.

Mr. STAFFORD. What is the total amount that has been expended on the project to date?

Mr. MONDELL. The first construction was some years ago on the canal known as the Le Claire Canal. I do not recall the cost. As a matter of fact, I think the canal was paid for out of the general irrigation fund rather than a special item. Year before last a sum was allotted out of the general irrigation fund for additional work on this canal in coopertion with settlers who extended the ditch. It has developed that the somewhat temporary headgate that has served the canal for a considerable length of time needs to be replaced with a permanent one, and this amount is for the Indians' share of the permanent headgate and some additional laterals to water Indian land.

Mr. STAFFORD. That is the total amount that is to be imposed on the Indian fund?

Mr. MONDELL. Yes.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The Clerk read as follows:

SEC. 26. That in addition to the Indian tribal and treaty funds, the expenditure of which is specifically authorized elsewhere in this act, and such sums as may be required for equalization of allotments, education of Indian children, per capita and other payments to Indians, and expenditures for the Five Civilized Tribes, in accordance with existing laws, the Secretary of the Interior be, and he is hereby, authorized to expend not exceeding $2,325,000 from funds held by the United States in trust for the respective tribes, for support and civilization of the Indians under the jurisdiction of the following agencies, to wit:

Mr. STAFFORD. Mr. Chairman, I rise to a parliamentary inquiry. Is this section being considered as an entirety or, as is customary in appropriation bills, by paragraphs?

Mr. CARTER of Oklahoma. I will say to the gentleman that the first paragraph making appropriation of the entire amount to be expended takes from the fund as provided by the different items throughout the following part of the bill.

Mr. STAFFORD. I was under the impression that the gentleman's colleague [Mr. FERRIS] was going to make a point of order.

Mr. FERRIS. The gentleman is correct, but I was waiting until the Clerk read the whole section.

Mr. STAFFORD. I was afraid the gentleman would wait too long.

Mr. GARD. It is evident that section 26 is the section which authorizes the total expenditure, and the other is only a matter of detail.

Mr. STAFFORD. For the information of my good friend from Ohio, let me say that in appropriation bills the first section may consist of a hundred or a thousand paragraphs, and each paragraph is considered separately, and if you pass one paragraph you waive the point of order.

Mr. GARD. I understand.

The CHAIRMAN. The Chair will state that a part of the paragraph just read is the appropriation and the remaining items are the separate paragraphs, and under the rules appropriation bills are considered by paragraphs. It is not for the Chair to pass upon whether the thing is intelligent or not; it is intelligent as far as the rule is concerned. The Chair will hold that we are considering this by paragraphs.

Mr. FERRIS. It seemed to me that a page and a half of the statistical items was a part of the paragraph, but if there is any doubt about it I reserve a point of order.

Mr. STAFFORD. Why not ask unanimous consent to consider the section as an entirety?

The CHAIRMAN. Without objection, the whole section will be considered as one paragraph.

There was no objection.

The CHAIRMAN. The Clerk will read it through.

The Clerk read as follows:

In Arizona: Colorado River, $10,500; Fort Apache, $87,291; Kaibab, $1,780; San Carlos, $145,990; Salt River, $365; Truxton Canyon, $55,000; Western Navajo, $100.

In California: Greenville, $15,310; Pala, $295; Round Valley, $1,340; Tule River, $1,200.

In Colorado: Southern Ute, $10,490; Ute Mountain, $47,100.

In Idaho: Coeur d'Alene, $13,700; Fort Hall, $16,360; Fort Lapwai, $15,000.

In Iowa: Sac and Fox, $1,200.

In Kansas: Pottawatomie, $4,750.

In Louisiana: Chettimanchi, $658.

In Michigan: Mackinac, $2,138.

In Minnesota: Leech Lake, $1,000; Red Lake, $15,000; White Earth, $250.

In Montana: Blackfeet, $51,920; Crow, $301,000; Flathead, $40,000; Fort Belknap, $41,000; Fort Peck, $9,000; Rocky Boy, $21,000; Tongue River, $25,394.

In Nebraska: Omaha, $16,400; Winnebago, $5,423.

In Nevada: Nevada, $3,572; Walker River, $200; Western Shoshone, $21,270.

In New Mexico: Jicarilla, $100,105; Mescalero, $20,000; San Juan, $2,500.

In North Carolina: Eastern Cherokee, $3,500.

In North Dakota: Fort Berthold, $25,000; Standing Rock, $118,242; Turtle Mountain, $250.

In Oklahoma: Kiowa, Comanche, and Apache, $31,900; Cheyenne and Arapahoe, $4,374; Cantonment, $2,000; Seger, $100; Pawnee, $1,500; Ponca, $1,450; Seneca, $500; Sac and Fox, $8,500.

In Oregon: Klamath, $125,000; Siletz, $110; Umatilla, $1,500.

In South Dakota: Cheyenne River, $159,000; Crow Creek, $500; Lower Brule, $5,200; Pine Ridge, $6,000; Sisseton, $10,000; Yankton, $7,828.

In Utah: Uintah, etc., $74,010.

In Washington: Colville, $27,185; Cushman, $700; Spokane, $28,000; Taholah, $4,000; Tulalip, $5,000; Yakima, $72,000.

In Wisconsin: La Pointe, $5,000; Keshena, $390,350.

In Wyoming: Shoshone, $80,000.

Mr. FERRIS. Mr. Chairman, I reserve the point of order upon the paragraph as being unauthorized, without warrant of law, for the reason that it contains new legislation, and for the further reason that it appropriates two and one-third million dollars without authority of law. Not only that, but it does that in the face of a positive prohibition carried in the Indian appropriation act of May 18, 1916, known as the Dill amendment, which contains a positive proviso as follows:

Provided, That thereafter no money shall be expended from Indian tribal funds without specific appropriation by Congress, except as far as equalization of allotments, education of Indian children in accordance with existing law, per capita and other payments, all of which are hereby continued in full force and effect.

If the Chair will indulge me a moment, I want him to recur to the language in this appropriation, and it will be readily disclosed that the $2,325,000 is in addition to all of these exceptions and in the face of the specific prohibition. Beginning on line 10, page 50, and running to line 21 of the same page, if the Chair will read with me, I think he will discover readily that it is put in for the specific purpose of giving them this

additional two and one-third million dollars, and so specifically recites:

SEC. 26. That in addition to the Indian tribal and treaty funds, the expenditure of which is specifically authorized elsewhere in this act, and such sums as may be required for equalization of allotments, education of Indian children, per capita and other payments to Indians, and expenditures for the Five Civilized Tribes, in accordance with existing laws—

The Chair will observe that so far that follows the line of exceptions, and now we have the following:

the Secretary of the Interior be, and he is hereby, authorized to expend not exceeding $2,325,000 from funds held by the United States in trust for the respective tribes, for support and civilization of the Indians under the jurisdiction of the following agencies, to wit—

Mr. Chairman, the facts are about these: The orderly arrangement of this bill takes up and deals with these items by States, and it was brought to the attention of the Indian Committee that large sums of money were being expended from Indian tribes, and withdrawn and expended without Congress knowing anything about it, or, at least, without it appearing in the Indian appropriation bill in any way. The Indian Committee is to be commended for bringing in the Indian Department and having them specify the sources from which they acquire this money, but I fear the committee has neglected the task of striking at the problem of whether these moneys should be expended at all, and the amendment in the bill of 1916 was intended to positively prohibit the very thing that had been going on. The gentleman in charge of the bill will tell you that they are remnants and fragments of law that permit them to make these expenditures from Indian funds. I do not know whether that is true or not. It may be. I am not in a position to deny it, but what I do say is that no matter what the fragmentary law may be, no matter what authority may have been given to them to expend Indian moneys, certainly the Dill amendment just read prohibited them in the future from expending any more tribal funds without specific appropriation by Congress.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. FERRIS. Yes.

Mr. MANN. This amendment referred to was in the bill in 1916, was it not?

Mr. FERRIS. Yes.

Mr. MANN. In spite of that is not the department spending this money?

Mr. FERRIS. They did it last year, because last year the Indian appropriation bill authorized them to spend two and a half million dollars.

Mr. MANN. And are they not doing it now?

Mr. FERRIS. I do not know.

Mr. MANN. Does not the gentleman know that now, as a matter of fact, they are actually spending this money at these agencies?

Mr. FERRIS. The gentleman may be right. I hope they are not spending it without some warrant of law.

Mr. MANN. I assume they are not spending it without some warrant of law; but if they are spending it, as I am informed they are, and their accounts are being audited, does not the gentleman think that there probably is some warrant of law for the expenditure of the money?

Mr. FERRIS. The proof of the pudding is the eating, and when I read a positive, emphatic prohibition against spending it I do not need to go any further to satisfy myself, and I ought not to have to seek further to satisfy the House or the gentleman.

Mr. MANN. The gentleman is putting the matter of construction ahead of the eating of the pudding. The gentleman states that the proof of the pudding is the eating. The eating is going on, and the gentleman says that theoretically there is no pudding, but they are eating it now, and the auditors of the department are holding that the eating is proper.

Mr. FERRIS. If that is true, it is not up to us to again write it into law, unless we know what these funds are for.

Mr. GANDY. Mr. Chairman, will the gentleman yield?

Mr. FERRIS. I yield.

Mr. GANDY. I just wanted to inquire if the gentleman understood the Dill amendment prohibited Congress from making this appropriation?

Mr. FERRIS. Oh, not at all; but what I do say is the Dill amendment fixes substantive law and this is legislation upon an appropriation bill—changing that substantive. It does the thing which the Dill amendment specifically prohibits. It changes the law. It invades the rule against legislating on an appropriation bill.

Mr. GANDY. Will the gentleman indulge me first? Prior to the enactment of the Dill amendment these funds were being expended under existing law on the order of the Secretary of the Interior, and the Dill amendment only provided that the Secretary of the Interior could not expend the money without first having an appropriation by Congress.

Mr. FERRIS. Well, that is theoretical, as far as the Government is concerned, entirely. No one knew—I have lived in Oklahoma 18 years and I did not know that the Indian Department was expending sixty-odd thousand dollars for running a little agency in my immediate district. The bureau report said they were expending $25,000 and the Indians thought they were expending $25,000 and the Congress thought they were expending $25,000, but this amendment developed that they are spending about $58,000 to $60,000. My thought is that there is no justification in law for all these items; there is not a line of justification in the hearings—and I have looked them over very carefully and am looking them over now—there is not a line of justification for this long list of 69 agencies scattered through 22 States. I do not see how we can appropriate without warrant of law. I do not see how we can appropriate in the face of the law. We have no justification; of course, there may be a justification that has not been presented. What I do say is there is no justification here before us.

Mr. CARTER of Oklahoma. All that the gentleman says may be true about the law. There may not be any justification for it, but we did appropriate last year two and a half million dollars.

Mr. FERRIS. I know.

Mr. CARTER of Oklahoma. And all in the world that we have attempted to do here is to get the department to give a reasonable basis of authority for proposing to expend this two and a half millions for this year.

Mr. FERRIS. Precisely; but I will state——

Mr. CARTER of Oklahoma. We thought we were doing you a good turn to show the House that there was a certain amount of money being expended in each one of these activities that you did not know anything about.

Mr. FERRIS. The committee does not need any commendation, because it stands high in this House, but if it is worth anything I would gladly commend them, but what I do say is that I do not think the committee ought to turn over a lump sum of two and a quarter millions without enabling the House to find out. This surely is not too much.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. FERRIS. I will.

Mr. CAMPBELL of Kansas. I have just read the proviso of the law of 1916, and it seems to me that it does not leave very much for the gentleman of Oklahoma to hang his point of order on.

Mr. FERRIS. Oh, yes, it does.

Mr. CAMPBELL of Kansas. It provides that no money shall be used for the Indian Office hereafter without specific appropriation by Congress. We are making specific appropriation here in this bill.

Mr. FERRIS. Oh, precisely; but that is a prohibition and not an authorization.

Mr. CAMPBELL of Kansas. Yes; but it is being appropriated by the Congress. The amendment prohibits them from using it without being appropriated by Congress.

Mr. FERRIS. Congress, of course, can give or deny as it likes. That is not the question here at issue.

Mr. CAMPBELL of Kansas. But we are giving it now in this bill.

Mr. FERRIS. The question is whether you are doing it under the rules of the House or not. I think it is subject to the point of order.

Mr. CAMPBELL of Kansas. Yes, we are. We are authorizing the appropriation.

Mr. CARTER of Oklahoma. Mr. Chairman——

Mr. VENABLE. Mr. Chairman——

Mr. CARTER of Oklahoma. I yield to the gentleman from Mississippi.

Mr. VENABLE. Mr. Chairman, I wish to call attention just a little further to the proposition as indicated by the gentleman from Kansas. The statute prohibits an appropriation out of these funds except in a certain specific way.

It provides for per capita payment of money to the Indians for salary in compensation of officials and employees, and compensation for counsel and attorneys for the support and civilization of the Indians, provided that thereafter no money shall be expended from Indian tribal funds without specific appropriations by Congress, which, of course, will permit general appropriations for those items which fall under the exceptions. But the prohibition is not against appropriating at all; but the prohibition is against appropriating except in a specific manner, which is that the appropriations shall not be general but shall be specific.

Now, as I understand the gentleman from Oklahoma [Mr. FERRIS], according to his construction, it would be impossible for this Indian appropriation committee to write into their bill an appropriation which would not be subject to a point of order, because he contends that even when we come within the proviso and specifically appropriate it is subject to a point of order, and the law itself says they shall not appropriate in any other way.

Mr. FERRIS. I know the gentleman does not intend to misstate the facts. The gentleman's argument of the law is correct, but he is not reading the section correctly. This $2,500,000 is in addition to the appropriation.

Mr. CARTER of Oklahoma. The gentleman is mistaken.

Mr. FERRIS. I am not mistaken.

Mr. CARTER of Oklahoma. The gentleman misunderstands the gentleman from Mississippi, then, because I understand his line of argument——

Mr. VENABLE. What is your point?

Mr. FERRIS. My point is that section 26, from lines 10 to 21, which is the forerunner of all these 69 items, that this money is in addition to the things specifically mentioned and a fair construction of the powers of the committee. It says—

In addition to the Indian tribal and treaty funds, the expenditure of which is specifically authorized elsewhere in this act, and such sums as may be required for equalization of allotments, education of Indian children per capita, and other payments to Indians, and expenditures for the Five Civilized Tribes, in accordance with existing laws, the Secretary of the Interior be, and he is hereby, authorized to expend not exceeding $2,325,000.

And among tribes numbering 69, and in 22 States, all in a wad. Who can say there is warrant of law for any such an item as that?

Mr. VENABLE. If the gentleman please, there is no prohibition in this law on making appropriations in any way, as I read it, except in certain specified manner. There is no prohibition here, as I understand it, that they shall not make appropriation in addition to these things which are enumerated. The only limitation is upon the manner in which the appropriation shall be made, and in a certain class of appropriations those must be specified in order to follow the construction of the statute. I think that is the only limitation.

Mr. CARTER of Oklahoma. The difficulty with the gentleman from Oklahoma [Mr. FERRIS] is that he confuses the exceptions which are made in this bill as to standing appropriations with the exceptions that are made as to appropriations that may be made annually by Congress, as is being discussed by the gentleman from Mississippi [Mr. VENABLE]. Now, what does this say? It says that thereafter no money shall be expended from tribal funds without specific appropriation by Congress. Then the exception follows of the equalization of allotment, education of Indian children, and so forth. The gentleman from Oklahoma [Mr. FERRIS] calls attention to the fact that we except those very things in our language here. The gentleman from Mississippi is directing his argument to the contention that by implication this language:

Thereafter no money shall be expended from Indian tribal funds without specific appropriation by Congress.

That language alone, by implication, gives authority to Congress to make appropriations annually and specifically, as we have done in this bill.

Now, Mr. Chairman, let us take the history of this transaction and I think we can clear the matter up just a little bit. What do we find? When we came to the Sixty-fourth Congress, I think it is, we found, as I have repeated here several times on the floor of the House, that the Secretary of the Interior had been expending some $2,500,000 or more every year on a standing appropriation made by old treaties, old laws that were out of date, and perhaps did not call for the expenditure required at that time, and that Congress had no knowledge whatever of the amount of money that was being expended. So the first thing we did was to put in this provision. My friend from Arizona [Mr. HAYDEN], has those authorizations for the expenditure of these sums, and he will read them in a few moments to the Chair. So then the first thing we did was to require the Secretary of the Interior to bring before Congress certain information by which we might make the appropriations. Until that time we said what? We said—

Provided, That thereafter no money shall be expended from Indian tribal funds without specific appropriation by Congress—

And then the exceptions followed.

Mr. Chairman, if the previous acts of Congress authorized the expenditure of these funds, then this is an implication as clear and explicit as can be made, in my opinion.

Mr. FERRIS. Will the gentleman yield?

Mr. CARTER of Oklahoma. I yield.

Mr. FERRIS. If the gentleman was right in his contention about this carrying an implication that they can in the future appropriate from tribal funds, any amount can be brought in on a bill here and take every cent of money out of the tribal funds of every one of the 69 tribes of the United States, and it would not be subject to a point of order.

Mr. CARTER of Oklahoma. I am willing to leave that to the good judgment of this House at any time.

Mr. FERRIS. That is not the question. Does the gentleman contend that this is written into the law and that that so-called Dill amendment gives him authority to appropriate all the money out of the treasury of every tribe of Indians in the United States and it would still not be subject to a point of order?

Mr. CARTER of Oklahoma. I contend, Mr. Chairman, that wherever any appropriation was authorized by law prior to the time we passed the Dill amendment—and that was the understanding of the committee at the time—any amendment that had been authorized by a standing law prior to that time can, under the language of this measure, be appropriated for, and I do not think there is any argument on the other side of that question.

Mr. FERRIS. Mr. Chairman, will the gentleman mind presenting to the Chair the authority of law for the use of the funds of any one of the 69 tribes?

Mr. CARTER of Oklahoma. The gentleman from Arizona [Mr. HAYDEN] presented the authority before this amendment came along, and now the amendment itself is the authority.

The CHAIRMAN. The Chair will recognize the gentleman from Arizona.

Mr. HAYDEN. Mr. Chairman, in the Forty-seventh Congress, by the act approved March 3, 1883 (22 Stats, p. 590), it was provided, among other things, that the proceeds arising from pasturage, the sale of timber and from coal fields and oil fields, and so forth, on Indian reservations, except those of the Civilized Tribes, not the result of any labor on the part of members of the tribes, should be covered into the Treasury of the United States under such rules and regulations as the Secretary of the Interior might prescribe, and that he should report thereon to Congress. Then in the Forty-ninth Congress, by the act of March 2, 1887 (24 Stats, p. 463), it was provided that the Secretary of the Interior was authorized to use the money that had been or hereafter might be covered into the Treasury of the United States under the provisions of the act of March 3, 1883, which was carried on the books under the caption of "Indian money," for the benefit of the several tribes on whose account the money was covered in, in such manner and for such objects as he might deem best, and that thereafter annually he should report thereon to Congress. In accordance with this authority of law these Indian funds were placed in the Treasury to the credit of the Indians, and the Secretary of the Interior had authority to spend the same for their benefit. The Committee on Indian Affairs discovered, in going through the reports of the Secretary of the Interior, that the income of the various tribes aggregated about $3,000,000 a year, and that he was expending this money year after year, making reports of the expenditures to Congress in his annual reports. The purpose of the Dill amendment was not to prohibit his expenditure of that money, as theretofore, for the support and civilization and benefit of the Indians, but to provide that the Secretary of the Interior could not use these tribal funds without specific authority from Congress.

Mr. FERRIS. Mr. Chairman, will the gentleman yield?

Mr. HAYDEN. Certainly.

Mr. FERRIS. The Dill amendment was not an annual amendment. It was written in the substantive law.

Mr. HAYDEN. Yes.

Mr. FERRIS. So that if we did require them to come to Congress annually thereafter for authority to use the tribal funds, how can you come in and put on a rider of this kind overriding the Dill law?

Mr. HAYDEN. This provision merely carries out the intent of the Dill amendment. It says that these Indian funds which the Secretary of the Interior has heretofore been spending as he thought fit "are hereby to be expended in the following manner."

The CHAIRMAN. The Chair is prepared to rule. The Chair would like to have the pamphlet containing the Dill amendment.

The bill before the committee is a bill making appropriation for the current and contingent expenses of the Indian Bureau and for fulfilling treaty stipulations with the various Indian tribes, and for other purposes. Under the law read by the gentleman from Arizona [Mr. HAYDEN], the Secretary of the Interior has the right to use certain funds of the various Indian tribes in the Treasury Department for the benefit of the

Indian tribes. I am not going into details, but speaking generally he has authority to use such trust funds for their civilization, allotment, education, and so forth. In the opinion of the Chair, prior to the passage of the so-called Dill amendment, the Secretary of the Interior had the right to use Indian funds for that purpose. The question now arises whether the Dill amendment made it unlawful for the Secretary of the Interior to so use that money, or whether the Dill law makes the section of the bill before the committee, making an appropriation out of the tribal funds in addition to the appropriations carried in the other parts of the bill, in order on this bill under the rules of the House. The Dill amendment provided that—

Hereafter no money shall be expended from Indian tribal funds without appropriation by Congress, except as follows.

Now, in the opinion of the Chair that amendment prohibited the Secretary of the Interior from using these tribal funds for the purposes enumerated in the section unless there was a specific authorization by Congress for him to do so. The Chair believes he had the right to use those funds before the Dill amendment was passed. The Chair is of opinion that the Dill amendment required that there should be specific authority from Congress to use them, and the Chair believes that as these appropriations were previously in order under the general law it is in order to offer as an amendment or to bring in as a part of this bill a specific authorization appropriating for those purposes which the Secretary had authority under general law to use prior to the passage of the Dill amendment. Therefore the Chair overrules the point of order.

Mr. FERRIS. Mr. Chairman, I move to strike out the paragraph. This will not be agreed to; I know that. I mean the section.

The CHAIRMAN. The gentleman from Oklahoma is recognized.

Mr. FERRIS. Mr. Chairman, what I want to say is that this is a very bad way in which to handle Indian money. Here is the Indian appropriation bill, made up from time immemorial of items classified by States and made up in alphabetical order, beginning with Arizona and winding up with Wyoming, so that any Member of the House or any member of the committee could take up the bill in the regular way, and at least think he was finding out what was being appropriated and what was being done.

Now, after we have gone through this bill in an orderly way and proceeded regularly with the items, and dealt with them State by State and tribe by tribe, this section 26 is added for the first time. This section allows the department to go into the funds of 69 tribes of Indians in the United States and take from their funds certain moneys, some as high as $150,000 in amount, and expend them.

This provision authorized them to go into 22 States where Indians live and take money out of the tribal funds, and go ahead and expend it. I do not think that is the way to handle public funds. I do not think it is a safe or prudent way to handle public funds. I do not think it will beget the best results. I am sure the Indians will be dissatisfied with it. I know some of them are now dissatisfied with it, and it ought not to go on. The committee have accomplished some good things by bringing out just where the department is getting this money. I commend them for that. I am told that next year they have asked the Indian Department to assemble and draw together these items and put them in their regular places in the bill. I commend them for that. But when I look at the hearings here I find them as silent as the grave, not a word of justification for this large sum of money. It seems to me that we are playing a little fast and loose on this proposition.

Mr. COOPER of Wisconsin. How much money is involved?

Mr. FERRIS. It is $2,325,000, and it comes out of 69 tribal funds of 69 different tribes, going over 22 States.

Mr. COOPER of Wisconsin. Did the gentleman say there was no testimony at the hearings?

Mr. FERRIS. There is no testimony in the printed hearings. I am not a member of the committee. I do not criticize anybody for it. This expenditure of public money in lump sums is probably a long-drawn-out custom, pursuant to the law that the gentleman from Arizona read, where the Indian Office has been going in and helping itself to the Indians' money and spending what they thought they should and leaving for the Indians what they might, and the committee may be tapering that thing off as fast as they can; but to me it seems that when we find anything as radically wrong as that appears to be, instead of dealing with the form or the procedure we ought to deal with the substance and tap the matter on the head.

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. FERRIS. Yes.

Mr. MILLER of Minnesota. I notice in the item for Montana, under the Crow item, the sum to be appropriated hereby is $301,000. That is a very large sum of money. Has the gentleman any idea as to what the department does with that enormous sum?

Mr. FERRIS. I have not the slightest idea. The hearings do not tell us a word. I do not know a member of the committee who can tell us a word as to what becomes of that money. I notice an appropriation of $31,900 for the little Kiowa Agency in my district. I do not know where it is to be spent. It may be spent for a good purpose, but we should have something in the hearings to disclose just what is being done.

Mr. MILLER of Minnesota. Then let me ask the gentleman, under the item of New Mexico, where the language is "Jicarilla, $101,105," can the gentleman inform the committee what the $5 may be for?

Mr. FERRIS. I have not the slightest notion.

Mr. SNYDER. The gentleman made the statement a moment ago that there was nothing in the hearings with regard to this $2,325,000.

Mr. FERRIS. I could not find anything.

Mr. SNYDER. There is nothing in the hearings with regard to these individual items, but there are about 30 pages in the hearings with regard to the $2,325,000, and the department has promised us a report on each one of these items, which is now being printed, and we were supposed to have a printed report on each of these items here to-day, but it has not come.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER of Minnesota. I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that the time be extended five minutes. Is there objection?

There was no objection.

Mr. MILLER of Minnesota. Then, under "Wisconsin," I notice an item, "Koshena, $390,350." I have lived all my life in the State next to Wisconsin. I have visited, I think, all sections of it. If there are any Indians named Koshena, I do not know who they are. I suppose there are some, but what on earth is the department to spend $390,350 for?

Mr. STAFFORD. In the many years that the gentleman served on the Committee on Indian Affairs he must have learned that one of the largest and most populous Indian reservations was the Menominee Reservation.

Mr. MILLER of Minnesota. That is true.

Mr. STAFFORD. And the headquarters of Menominee Reservation are at Koshena.

Mr. MILLER of Minnesota. That is just the point I wanted to develop. This does not a say a word about the Menominee Indians, nor does it say a thing that would invite anybody's attention to the Menominee Indians. Why is the word "Koshena" used?

Mr. STAFFORD. Persons acquainted with Indian affairs would understand that Koshena was the headquarters of the Menominee Indians.

Mr. MILLER of Minnesota. I beg the gentleman's pardon. Koshena is not the headquarters of the Menominee Indians, and the gentleman knows that better than I do. It is a spot there——

Mr. STAFFORD. That is where the agency is located; that is, the agency of the Menominee Indian Reservation.

Mr. MILLER of Minnesota. I am willing to concede that there is an agency there.

Mr. FERRIS. What are they doing with the $390,000?

Mr. STAFFORD. I am not a member of the committee. This is a thousand miles from the city of Milwaukee. [Laughter.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma, to strike out the paragraph.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 27. That hereafter all Indians and other persons residing on Indian reservations or superintendencies shall be subject to the State and Territorial marriage, health, and educational laws, and all Indian and other persons upon such reservations or superintendencies, whether resident or not, shall be subject to the State and Territorial criminal laws: *Provided*, That this act shall not limit or alter the established treaty rights of any Indian tribe or individual Indian in respect to hunting and fishing privileges.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. As this is a part and parcel of the section, I think it would be well to have the whole section read.

Mr. CARTER of Oklahoma. Let us have the whole section read.

Mr. MANN. This may be a little different from the rest of the paragraphs.

Mr. STAFFORD. I made that suggestion because the gentleman from South Dakota [Mr. GANDY], who has taken considerable interest in this matter, has a substitute amendment covering these respective paragraphs. From my investigation of the subject I can see where there is some need of having legislation to protect the Indians on the reservation where at the present time there is no law applicable.

Mr. MANN. The gentleman can not offer his substitute amendment until the point of order is disposed of.

Mr. STAFFORD. That is true; but as this is important I think some explanation should be made before the point of order is withdrawn or insisted upon.

Mr. MANN. I would like to ask in reference to this and the succeeding item. As far as I know myself, there is no objection to making the Indians subject to the State and Territorial laws. There is no Territory where there are Indians, is there?

Mr. CARTER of Oklahoma. Alaska.

Mr. MANN. Are there Indians in Alaska?

Mr. CARTER of Oklahoma. Yes.

Mr. MANN. I thought they were Esquimaux. I am not sure but that they ought to be made subject to the laws of health and education, but here you propose to go on and give concurrent jurisdiction to the Federal court to enforce the State law. You go so far as to provide that the Federal district attorney shall prosecute in the State courts against violations of the State law, which we have not the power to do.

Mr. GANDY. Will the gentleman yield?

Mr. MANN. I will yield to the gentleman.

Mr. GANDY. The thing that we are trying to accomplish by this section can best be understood by a concrete example. In the district I have the honor to represent in this House——

Mr. MANN. If the gentleman will pardon me, I do not care about the concrete example. I am talking about the language in the bill. I have no doubt that we would agree on the desirability of some legislation based on the concrete example. But here are provisions where you require the Federal district attorney, in violation of the laws of the State, to prosecute the Indian offenders in the State courts, which the State has not given him the right to do; then you provide that the agent of the Indians shall be a police magistrate of the State, which we have not the power to do.

Mr. GANDY. If the gentleman will bear with me, perhaps the language in this section is not the best, and, in conference with other members of the committee and with attorneys in the Department of Justice, I have prepared a substitute for the section in which the concurrent jurisdiction proposed is entirely eliminated. Jurisdiction is given solely to the United States courts to punish infractions of these laws, and the procedure followed is identical with the procedure and the language is practically the language of the statute in the early days which made the Arkansas criminal law applicable to the Indian Territory and also in eastern Oklahoma.

Mr. CRAMTON. The language here goes further than that stated by the gentleman from Illinois. We attempt to create, perhaps in conflict with the State constitutions, justices of the peace who would try offenses including those not committed by the Indians.

Mr. MANN. This is an attempt to confer on the agents the powers of a justice of the peace in the States, which we have no jurisdiction over at all.

Mr. CRAMTON. The constitution of the State of Michigan fixes the number of the justices of the peace there shall be, and under this, if there happens to be an Indian agency, we are going to try to go in there and let the district attorney create some more.

Mr. STAFFORD. Mr. Chairman, my impression is that the subject is of such importance that we should not legislate in this way on an appropriation bill. I have given the matter some consideration. I think there is pressing need for legislation, but it is virtually admitted that this legislation carried in this bill has not been as well considered as it should be. I think some committees like the Committee on the Judiciary or the Committee on Indian Affairs should take the question up and present a separate bill.

Mr. GARD. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. GARD. The gentleman does not think that any power could be reposed in the United States district courts to appoint justices of the peace in the State of Wisconsin, does he?

Mr. STAFFORD. I do not.

The CHAIRMAN. Does the gentleman make the point of order?

Mr. STAFFORD. I make the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. LITTLE. Mr. Chairman, what is the point of order?

The CHAIRMAN. That it is legislation and not in order on an appropriation bill.

Mr. LITTLE. I would like to say a few words in this connection. The gentleman suggests that it is legislation. I suppose it is, but I am not convinced myself that it is open to the objection the gentlemen are leveling to it. I may be mistaken and am seeking information. As I understand it, this is authority to make the superintendent of a reservation a justice of the peace on the reservation to enforce the statute we are enacting here, which happens to repeat some local statute.

Mr. FOSTER. Mr. Chairman, I demand the regular order.

Mr. LITTLE. I am asking the gentleman from Wisconsin for the information, not the Chair.

The CHAIRMAN. The gentleman must understand that there is nothing before the committee when the Chair sustains the point of order.

Mr. LITTLE. I was just asking unanimous consent to ask the gentleman a question.

The CHAIRMAN. Without objection, the gentleman is recognized for five minutes.

Mr. FOSTER. Oh, I think we ought to get ahead with this. This is now out of the bill. I do not object to the gentleman's asking a question.

Mr. CARTER of Oklahoma. The gentleman can ask his question on the next item if he desires.

The CHAIRMAN. The gentleman asks unanimous consent to address the committee for five minutes. Is there objection?

Mr. FOSTER. I do not mind two minutes.

Mr. LITTLE. That is enough.

The CHAIRMAN. For two minutes. Is there objection?

There was no objection.

Mr. LITTLE. Mr. Chairman, I think the point of order is all right, but would the gentleman tell me what is the objection to legislation to authorize the superintendent of an Indian reservation to be a justice of the peace on that reservation to enforce a statute which we are making here which is simply a repetition of the State statute? We are not interfering with the State by exercising authority on an Indian reservation.

Mr. STAFFORD. Mr. Chairman, the gentleman from Ohio [Mr. GARD] has pointed out that we have no authority to create a justice of the peace.

Mr. LITTLE. Congress can create any court that it sees fit.

Mr. STAFFORD. To have jurisdiction over offenses of Indians living on or off the reservation?

Mr. LITTLE. Why not on a reservation? Why can you not take care of them?

Mr. MANN. This would authorize an Indian agent to commit a white man in any State for a violation of a State law.

Mr. LITTLE. After we have enacted this statute it is no longer only a State law and becomes a Federal law; and suppose you do go over on an Indian reservation——

Mr. MANN. The Federal court has no jurisdiction over an ordinary crime committed in the State. We have no authority.

Mr. LITTLE. Oh, yes; of course. But this Government can make any criminal statute that it wants to.

Mr. MANN. Oh, no; it can not, unless it is authorized by the Constitution.

Mr. LITTLE. Certainly the Constitution authorizes it to say what a crime is, and we can repeat some crime the State of Wisconsin has.

Mr. STAFFORD. If the gentleman will study the paragraph closely he will see that it is not limited to Indians, but includes any person.

Mr. LITTLE. If you go on a reservation you are liable to the laws in force there.

The CHAIRMAN. The time of the gentleman from Kansas has expired, and the Clerk will read.

The Clerk read as follows:

That concurrent jurisdiction is hereby given to the Federal courts to administer the said marriage, health, educational, and criminal laws, and the Federal district attorney shall be charged with the prosecution of offenders against such laws.

Mr. STAFFORD. Mr. Chairman, I make the point of order on the paragraph.

The CHAIRMAN. The Chair sustains the point of order on the ground that it is legislation on an appropriation bill.

The Clerk read as follows:

That the United States district courts in their respective districts are hereby authorized to commission the superintendents of Indian reservations and other officers of the Indian Service on such reservations or superintendencies to act as justices of the peace and committing magistrates with the same jurisdiction, powers, and responsibilities relating to the offenses against the laws mentioned in the first paragraph of this section as are conferred upon the local justices of the peace and committing magistrates by the laws of the States or Territories in which the superintendents are located.

Mr. DYER and Mr. GARD. Mr. Chairman, I make the point of order that this is legislation.

Mr. FRENCH. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Idaho desire to discuss the point of order?

Mr. FRENCH. Not the point of order; but I would like, if those gentlemen would withhold the point of order or reserve it——

Mr. FOSTER. Oh, no.

Mr. GARD. It will be entirely inoperative, anyhow.

The CHAIRMAN. The Chair sustains the point of order that it is legislation not in order on an appropriation bill.

The Clerk read as follows:

SEC. 28. That until the first Monday in December, 1919, those members of the Committee on Indian Affairs of the House of Representatives, not less than five in number, who are members elect to the Sixty-sixth Congress, are authorized to conduct hearings and investigate the conduct of the Indian Service, at Washington, D. C., and elsewhere, and the sum of $15,000, or so much thereof as may be necessary, to be immediately available, is hereby appropriated for expenses incident thereto. The said committee is hereby authorized and empowered to examine into the conduct and management of the Bureau of Indian Affairs and all its branches and agencies, their organization and administration, to examine all books, documents, and papers in the said Bureau of Indian Affairs, its branches or agencies, relating to the administration of the business of said bureau, and shall have and is hereby granted authority to subpœna witnesses, compel their attendance, administer oaths, and to demand any and all books, documents, and papers of whatever nature relating to the affairs of Indians as conducted by said bureau, its branches, and agencies. Said committee is hereby authorized to employ such clerical and other assistance, including stenographers, as said committee may deem necessary in the proper prosecution of its work: *Provided*, That stenographers so employed shall not receive for their services exceeding $1 per printed page.

Mr. CRAMTON. Mr. Chairman, I make the point of order on the paragraph that it is legislation.

Mr. CARTER of Oklahoma. Will the gentleman reserve the point of order?

Mr. FOSTER. No; let us go ahead.

Mr. CARTER of Oklahoma. We might persuade the gentleman not to make his point of order.

Mr. CRAMTON. I want to be courteous to the gentleman.

Mr. KNUTSON. Mr. Chairman, I ask unanimous consent for two minutes.

Mr. FOSTER. Mr. Chairman, I object.

The CHAIRMAN. Does the gentleman from Michigan make the point of order?

Mr. CRAMTON. I will reserve it as a courtesy to the gentleman from Oklahoma.

Mr. DYER. Will the gentleman state if he intends to make it?

Mr. CRAMTON. I intend to make it.

Mr. DYER. I ask for the regular order.

Mr. CARTER of Oklahoma. What is the point of order?

Mr. CRAMTON. That it is legislation on an appropriation bill.

The CHAIRMAN. The Chair sustains the point of order. There are certain paragraphs passed over to which we will now recur.

Mr. MILLER of Minnesota. Mr. Chairman, I would like to ask unanimous consent to return to page 16 and offer an amendment to the paragraph beginning in line 13 of that page, although I do not think this was reserved.

Mr. HAYDEN. On page 15 of the bill, I think it was, we passed over an item.

Mr. MILLER of Minnesota. Can not we dispose of the one on page 16 first, because I have to ask unanimous consent to return to that?

The CHAIRMAN. What is the gentleman's request?

Mr. MILLER of Minnesota. I ask unanimous consent to return to paragraph on page 16, beginning line 13, for the purpose of offering an amendment.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to return to page 16 for the purpose of offering an amendment. Is there objection?

Mr. STAFFORD. Mr. Chairman, reserving the right to object, does the gentleman have any objection to informing the committee what his amendment is?

Mr. MILLER of Minnesota. No; I shall be glad to do so. I should like to add at the end of the paragraph the words "or to the Chippewa Indians of Minnesota." The purpose there is to include the Chippewa Indians of Minnesota from the operation of that paragraph.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota? [After a pause.] The Chair hears none.

Mr. MILLER of Minnesota. Mr. Chairman, I move to amend page 17 by inserting after the word "Indians," in line 2, the words "or to the Chippewa Indians of Minnesota."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. MILLER of Minnesota: Page 17, line 2, after the word "Indians," insert the words "or to the Chippewa Indians of Minnesota."

Mr. MILLER of Minnesota. Mr. Chairman, I can state in just a word the reason for this. When my attention was called to the language of the paragraph, which, of course, is new legislation, I saw at once, as did my colleagues from Minnesota, that this language completely violated the treaty between the Chippewa Indians of Minnesota and the United States Government. That treaty, which was made in 1889, provides that the funds belonging to those Indians in the hands of the United States Government shall be distributed among the Chippewas of Minnesota who are alive and on the roll 50 years from the time when the last Indian shall have been allotted, and this, of course, is in direct violation of that statute.

The question was taken, and the amendment was agreed to.

Mr. LITTLE. Mr. Chairman, I ask leave to return to page 26, line 9, which was passed over.

Mr. HAYDEN. Let us clean up the other amendments first.

The CHAIRMAN. The Chair will state that this is one of the provisions which was passed over. The Clerk will report the first provision passed over.

The Clerk read as follows:

For initial payment for goods and supplies purchased for the Indian Service, $500,000, or so much thereof as may be necessary, to be immediately available and to be reimbursed, by transfer through accounts of disbursing officers or otherwise, from appropriations and funds which are applicable for the various agencies, schools, and projects to which the goods and supplies are subsequently distributed: *Provided*, That the sums so reimbursed may be reexpended under the same conditions in payment for other purchases made during the fiscal year ending June 30, 1920.

Mr. STAFFORD. Mr. Chairman, I make the point of order against the paragraph.

The CHAIRMAN. The gentleman from Wisconsin makes the point of order. Does the gentleman from Oklahoma [Mr. CARTER] desire to be heard?

Mr. CARTER of Oklahoma. I concede the point of order.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will report the next provision which was passed over.

The Clerk read as follows:

That the Secretary of the Interior be, and he is hereby, authorized to pay to the authorities of Kansas City, Kans., the sum of $1,000 in consideration of the agreement of said authorities forever to maintain and care for the Huron Cemetery, a tract of land in the city of Kansas City, Kans., owned by the Government of the United States, the use of which was conveyed by treaty to the Wyandotte Tribe of Indians as a cemetery for members of said tribe, such payment to be made from the $10,000 appropriated for the preservation and improvement of said cemetery by the act of September 8, 1916 (39 Stat. L., p. 844).

Mr. LITTLE. Mr. Chairman, I move to amend, on line 9, after the words "United States," by inserting:

As provided in a contract for said purposes with the said city of Kansas City, Kans.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. LITTLE: Page 26, line 9, after "United States," insert: "As provided in a contract for said purposes with the said city of Kansas City, Kans."

Mr. LITTLE. Mr. Chairman, I took that matter up with Mr. Meritt, and he asked that those words be inserted. They have a contract, and he thought that this would be better inasmuch as it simplified the contract.

Mr. CARTER of Oklahoma. I have no objection to the amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk will report the next provision.

The Clerk read as follows:

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States, at his discretion, the sum of $100,000, or so much thereof as may be necessary, of the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota, arising under section 7 of the act of January 14, 1889, entitled "An act for the relief and civilization of the Chippewa Indians in the State of Minnesota," and to use the same for the purpose of promoting civilization and self-support among the said Indians in manner and for purposes provided for in said act.

Mr. ELLSWORTH. Mr. Chairman, I move to amend by striking out the paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. ELLSWORTH: Page 28, lines 1 to 11, strike out the paragraph.

Mr. ELLSWORTH. Mr. Chairman, this item now included in the bill at $100,000 is an item which has been changed in the last four or five years in nearly every Congress, being in

some Congresses entirely stricken out in the House and afterwards included in another body, and coming back, and finally there being an amount in the bill. It is an item which has been contested since the time the first appropriation was made under the treaty of 1889, whereby the Chippewa Indians of Minnesota, at that time some 11,000 or 12,000 in number, ceded to the United States some nine or ten millions of acres of land, with provision for the disposition of land and of the timber upon the land in order to create a fund in trust for the tribe, to be paid out per capita and otherwise under certain specified conditions. I want first to refer to this proposition, that from 1854 to 1874, 20 years—and I spoke of this in the House yesterday in general debate—the tribe of Chippewa Indians, or the Red Lake Band, used to go to Fon du Lac, at the head of Lake Superior, every year to receive an annuity of $1, a condition of famine generally existing before they got that dollar.

In 1874 the annuity system was discontinued, and from that time until 1889, the time that the Government again took under its wing this band of Chippewa Indians in Minnesota, and made the treaty of 1889, under which the Indians ceded the lands and the Government agreed to do certain things and to hold their property in trust for the Indians—until that time, for 15 years, the Indians of Minnesota, without any promise or reward or hope of payment to be doled out by the Government, became practically self-supporting, and intermingled with the people in the towns and villages in which they lived, and went on the even tenor of their way. Then the Government took them up again and made the treaty. And I want to take time enough to distinguish between the different kinds of Indian Tribes to show the differences in the conditions affecting these tribes, where they have tribal funds in the Treasury, and other tribes where there are no funds in the Treasury and where the Government pays out a gratuity. The amount on credit now from lands sold or timber sold on lands belonging to the Chippewas, under the Treasury with the United States, is some $6,000,000. The interest, according to the treaty provision, is 5 per cent. The treaty of 1889 provided that the interest should be paid to the Indians, three-fourths of the sum in per capita payments and one-fourth of the sum to be used exclusively for school purposes.

The interest now is about $300,000, or two hundred and ninety-odd thousand dollars. The one-fourth of that is about $75,000, specifically provided for the use of the schools. There were certain provisions in the treaty which provided that when the act was passed by Congress it should not become a law until after it had been submitted to the band of Chippewa Indians, to their general council, and had been approved and accepted by them.

Under the treaty arrangements it was accepted, but upon this statement, that before the Chippewa Indians were willing to adopt the provisions of the treaty of 1889, it was to be understood that none of the principal was to be used except for certain purposes. It was understood by the Indians, and the Supreme Court of the United States in several decisions has held in this and many other Indian cases that the understanding of the Indians at the time of the signing of the treaty would control, and it has controlled in the courts.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. KNUTSON. Mr. Chairman, I ask unanimous consent that my colleague may have five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. ELLSWORTH. The portion of the principal could only be used for the following purposes, and the first bill introduced, carrying an appropriation under the provisions of this treaty, contained the following language—I will not read it in detail, but will give the substance of it—for the purpose of "erecting houses, sawmills, and flour mills," for the purchase of "agricultural implements, stock, and seed," for "breaking and fencing land," for "expenses of the delegation of the Chippewa Indians to visit the White Earth Reservation," for the "erection and maintenance and aid of industrial schools, subsistence, and pay of employees, $100,000"; for "surveys, appraisals, removals, and allotments, $100,000," and other provisions.

Those provisions were first carried in the bill commencing July 1, 1892, and carried down to and including April 4, 1910, a period of 18 years. Under the provisions of the law that country was settled up at that time by the whites and Indians alike, the Indians taking their places and securing their allotments. I think the last allotment was made in 1902, and the rolls were closed at that time, or had been closed for two years in 1900. The last house under this provision was built in 1898, until finally this condition applies: The Indian reservations country belonging to the Red Lake, the White Lake—six reservations in all, tribal reservations—are such to-day that when you drive about the reservation country you could not tell when you got onto a reservation or when you got off. It is simply a typical farming country in that section of Minnesota. You find the Indians in the stores, you find them working as laborers, you find them working in the machine shops in those sections where they have railroad centers, and you find them working in banks and in various places as professional men, practicing law, and teaching school, and whatnot. The conditions are just exactly like the conditions in any other part of the State of Minnesota. The public-school facilities are afforded to the Indian pupils with just the same equal freedom and with the same opportunity for securing an education as they are afforded in any other part of the State of Minnesota to white pupils or may be taken advantage of. Minnesota's school fund is very liberal.

This went on until the act of April 4, 1906, and that was the last time in which the act was passed in this form, providing for building homes, and so forth.

Now, then, keep in mind the fact that there are two separate and distinct funds, one of $75,000, the one-fourth of the interest specified in the treaty, to be used exclusively for school purposes, and the other of $225,000, the three-fourths, which is paid out in annual per capita payments. One-fourth is to be expended exclusively for school purposes, the fund of $75,000.

The fund in question is a part of the principal which the Indian Bureau sought to use, and did use, under the provisions of this present bill for the purposes that I have recited here—for building and maintaining and erecting industrial schools, for the purchase of implements, the purchase of stock, the breaking and fencing of land, the building of sawmills and flour mills—was used in that way until 1910, although the purposes for which this money could be used had practically ceased to exist years before. But since that time the Indian Bureau, always anxious to reach out and hold on to every person who had any quantum of Indian blood in him—one-sixteenth, one-thirty-second, one-sixty-fourth, or one-twenty-eighth, if you please—seeking, therefore, to keep control of the funds of the Indians as a leading string, has secured the passage of an act from year to year "for civilization and self-support and pay of employees of the Indian Service," the only other similar case being that of the Comanches, Kiowas, and Apaches in Oklahoma.

Mr. CARTER of Oklahoma. The gentleman is mistaken about that.

Mr. ELLSWORTH. If I am mistaken about it, then the gentleman's colleague from Oklahoma was mistaken when he answered my question on the section back here, when he said that the fund of the Kiowas, Comanches, and Apaches was given to them in per capita payments. And when I asked him if the interest was also paid to them in the same way, he said he thought it was.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ELLSWORTH. I ask unanimous consent to proceed for five minutes.

Mr. CARTER of Oklahoma. Mr. Chairman, I want to see if I can make some arrangement about the debate. How much time does the gentleman want?

Mr. ELLSWORTH. I should like about 10 minutes.

The CHAIRMAN. The gentleman from Minnesota [Mr. ELLSWORTH] asks that he be permitted to address the committee for 10 minutes——

Mr. CARTER of Oklahoma. If the Chair will indulge me just a moment, let me see if I can not find out first if there is anyone else on that side who desires to speak on this.

Mr. MILLER of Minnesota. May I inquire of the gentleman if the committee is going to resist the motion of my colleague?

Mr. CARTER of Oklahoma. Yes; the committee feel obliged to do that.

Mr. MILLER of Minnesota. I am very sorry for that, because if that is the case I shall feel called upon to address the committee.

Mr. CARTER of Oklahoma. We shall be glad to hear the gentleman.

Mr. KNUTSON. I will say to the gentleman that it will be a perfunctory opposition. [Laughter.]

Mr. CARTER of Oklahoma. I do not know about that. We will do the best we can.

Mr. SNYDER. It is fair to say that the committee held a very exhaustive hearing on this proposition, and the committee feels that it should stand by the appropriation that it has offered in this bill, in view of that investigation. And while I do not care to go into a lengthy discussion of it and am willing to listen to my colleague from Minnesota, yet there are conditions here that seem to me to be vital. It would be quite fatal, in my

judgment, to take out this whole appropriation at this time. I think it was fully demonstrated before the committee in the hearings that some of these activities could be done away with, and that much less intensive supervision could be exercised; but it would be fatal, in my judgment, to discontinue it all at once. Therefore I was willing to reduce the appropriation from $160,000 to $100,000.

Mr. CARTER of Oklahoma. For that reason the gentleman may require some time when we come to the discussion of it. I wanted to find out how much time the gentleman wants.

Mr. ELLSWORTH. I should like to have 10 minutes.

Mr. CARTER of Oklahoma. How much time does the gentleman from Minnesota [Mr. KNUTSON] desire?

Mr. KNUTSON. I should like to have five minutes now.

Mr. CARTER of Oklahoma. How much time does the gentleman from Minnesota [Mr. MILLER] desire?

Mr. MILLER of Minnesota. I should like 10 minutes, but I will shave that a little, if the committee is in a hurry.

Mr. CARTER of Oklahoma. I would be very glad if the gentleman would shave it.

Mr. MILLER of Minnesota. Does the gentleman intend to sit until the bill is finished to-night?

Mr. CARTER of Oklahoma. Yes; we expect to sit until we finish the bill.

Mr. GARD. Will the gentleman yield?

Mr. CARTER of Oklahoma. In a moment.

Mr. MILLER of Minnesota. I sincerely trust that the committee will reconsider its determination with reference to this. I do not want to make anything like a protracted fight, but the gentleman knows this has been going on for two years now.

Mr. CARTER of Oklahoma. Let us not discuss the merits of it now. Let us see if we can fix some time for the debate. Then I will be glad to discuss it with the gentleman, although I feel impelled to insist——

Mr. MILLER of Minnesota. I ask for 10 minutes.

Mr. FOSTER. Oh, that is too much.

Mr. ELLSWORTH. I think the matter ought to be disposed of now, and the gentleman from Oklahoma ought to be willing to allow a few minutes for discussion.

Mr. SNYDER. So far we want 26 minutes on this side.

Mr. CARTER of Oklahoma. Suppose we make it 25 minutes.

Mr. MILLER of Minnesota. I am willing to shave off one minute.

Mr. CARTER of Oklahoma. Well, Mr. Chairman, I will take 10 minutes on this side. I ask unanimous consent that all debate on this section be closed in 35 minutes, 25 minutes to be controlled by some gentleman on that side of the House who is for the amendment and 10 minutes to be controlled by myself.

The CHAIRMAN. Is the Chair to control the time? The Chair would prefer that some one else controls the time, because he does not know to whom the time is to be allotted.

Mr. CARTER of Oklahoma. My request was that some gentleman on that side, say the gentleman from Minnesota, Mr. ELLSWORTH, shall control 25 minutes, and I control 10 minutes.

Mr. ELLSWORTH. I am afraid that I should be tempted to use the whole 25 minutes.

Mr. STAFFORD. Why not ask unanimous consent that the time be divided, and that the gentleman from Minnesota [Mr. ELLSWORTH] have 10 minutes, the gentleman from Minnesota [Mr. MILLER] 9 minutes, the gentleman from Minnesota [Mr. KNUTSON] 5 minutes, and the gentleman from Minnesota [Mr. STEENERSON] 1 minute.

The CHAIRMAN. The Chair will put the request. The gentleman from Oklahoma asks unanimous consent that all debate on this amendment and amendments thereto shall close in 35 minutes, the gentleman from Oklahoma [Mr. CARTER] to control 10 minutes, and the gentleman from Minnesota [Mr. ELLSWORTH] to have 10 minutes, the gentleman from Minnesota [Mr. MILLER] to have 9 minutes, the gentleman from Minnesota [Mr. STEENERSON] to have 1 minute, and the gentleman from Minnesota [Mr. KNUTSON] to have 5 minutes. Is there objection?

There was no objection.

Mr. ELLSWORTH. Mr. Chairman, I want to go right to the meat of the subject in the short time I have. I say, if the money taken from the tribal funds of the Chippewa Indians in Minnesota, or any part of the money sought to be appropriated in this item, goes into the civilizing channels which the treaty signed in 1889 contemplated, to the Chippewa Indians who were instrumental in making the treaty, and where they felt at that time it should go, then not $100,000 but the amount which the bureau claims, $175,000, would be just as conscientious and a more consistent action to take, and if it does not go into that channel then it seems to me that not a single cent could be appropriated.

If an individual or a bank had a trust fund and there was provided interest and also principal—$75,000 in interest to be first applied to a specific purpose—it would not be considered a sufficient accounting when the trustee came into court and stated that he had spent a part of the principal amount for the certain purpose, but made no accounting for the interest expenditure. Seventy-five thousand dollars was a special fund to be paid for school purposes. The bureau has never made an accounting for the $75,000 having been spent for this purpose or any purpose, but simply comes in and gives a long list of figures, in which is set out the items for salary and expenses, and so forth, amounting to some $183,000, all of which, or practically all of which, is included in expenses of agents, inspectors, superintendents of reservations, engineers, assistant engineers, disciplinarians, matrons, and persons in the Government employ—men who have represented the Government side of the deal. The members of all other tribes have received the services as gratuities, with a few exceptions of small amounts, but in the case of the Chippewa Indians the bureau expects to take the money out of the tribal fund, with the statement that they pay it for schools, when they have absolutely at no time—and I say it without fear of contradiction—they absolutely at no time have made any accounting of the $75,000 to be paid for schools.

Let us see. If you will take pages 408 and 409 of the hearings you will find the only accounting there is which will throw any light on it. Take the column for schools and agency expenses and you will find about $103,000 for agencies and about $62,000 for schools. And, I say, if you throw a man into involuntary bankruptcy and the referee calls him before him to make an accounting, and he refused to make a statement of his receipts and disbursements, in your own accounting as trustee you would have to take the figures you have in hand. That is what we must do now; and from all the figures that we can get anything from—appropriation bills, reports of the bureau, and every hearing from 1889 down to this day—there is nothing to show anything——

Mr. SMITH of Michigan. Mr. Chairman, will the gentleman yield for a question?

Mr. ELLSWORTH. No; I can not yield. There is nothing to show anything except the bare statement by Mr. Meritt, the Assistant Indian Commissioner. And this is what Mr. Meritt says, after 30 pages were consumed in trying to get him to say what, if any, of this $160,000 which is now in the bill at $100,000, because the committee could not conscientiously leave it at $160,000——

Mr. Meritt says in reply to a question by Mr. HASTINGS of how much of this was spent for schools:

> We are maintaining a number of agencies in the Chippewa country, among which is the White Earth. Under each one of those superintendencies there is a system of schools—

Under the superintendents, like schools under a school board in a county or little village supervised by an agent—that is, he is over it in authority.

> there is a system of schools, and we maintain that agency organization out of this appropriation of $160,000 that we are now requesting—

Maintain the schools? Oh, no; they maintain the agency organization. That is all Mr. Meritt would say. He continues:

> and with that appropriation wiped off the statute books we would be absolutely powerless to continue that organization in the Chippewa country, and the Chippewa Indians themselves would be the first people who would suffer as the result of the discontinuance of this appropriation.

Powerless to continue the schools? No; the organization.

I wish I had a little more time, but all I can say is this: The Chippewa Indians, of which there are two factions—and they do not agree on many other things—want this item stricken from the bill. Mr. Meritt suggested that Mr. Coffey, representing a contesting faction on which the bureau has relied for support might have something to say following the statements of Mr. Carl and Mr. Beaulieu, of the regular legislative committee of the general council who, with Mr. Fairbanks and others, ask for the elimination of this provision, and Mr. Hastings, of the committee, inquired:

> The main thing that I want to know is just what I asked you.

He had asked him whether they wanted it appropriated. Mr. Coffey replied:

> Well, it is the sentiment of the Indians that Congress ought not to appropriate this money.

These men do not want Congress to appropriate this money. They have been here every year for 10 years fighting it, and every man, white and red, outside of bureau and agency employees and their immediate supporters, in that country is against this appropriation, and will fight it here from now on until it is put out of the bill, and will try to keep it out. And

every single Member of the House of Representatives from this State who understands the situation, and the men who are the county officials and bar associations in counties within the reservation confines and the principal associations in these counties and the members of the tribe are against this appropriation being made.

I have in my hand a petition signed by hundreds of the members of the tribe, and among the names are the names of 72 men who fought at Chateau-Thierry and in the Argonne Forest and at Sedan for world democracy, and they do not want it. No one will suffer—and I make this statement with a willingness to accept full responsibility—if you take every cent of this appropriation and wipe it out, and it will not cause a single bit of contention or dissatisfaction among any citizens or Indians, white or red, but will be the commencement of the elimination of a bureaucratic control, and a gigantic step toward the reestablishment of a new self-respect and independent spirit among the race, and we here may feel that we are fulfilling our promises of free government to our own as well as to the oppressed peoples of other lands. [Applause.]

Mr. MILLER of Minnesota. Mr. Chairman, I think the House is indebted to my brilliant colleague from Minnesota [Mr. ELLSWORTH], for so clearly stating to the House the actual issue involved, and I hope the House will keep in mind the issue, for it is a simple one after all. He has shown clearly and emphatically that in the hands of the Bureau of Indian Affairs there are really two funds that for a time have been used by that bureau in administering Indian affairs of our State, one a fund of $75,000 or thereabouts, which is one-quarter of the annual interest of the principal sum the Government has in its possession belonging to these Indians, and which they rightfully, under the treaty and the law, can use for educational purposes, and the other fund the one that is now the subject of this discussion. I have had some personal relationship with this fund, beginning back 10 years ago, when against my will I was made a member of the Indian Committee.

I do not now recall the exact sum that first year we appropriated here, but I think it was a very few thousands of dollars. I do know that we started this fund as one that Congress could use to make specific and particular appropriations for particular things we wanted done in Minnesota. We used it to build bridges, we used it to build roads, we used it to build hospitals, and we have built several in the State for the convenience of the Indians. There may have been some doubt as to the wisdom of these steps, but there could not be any question but that Congress had the authority itself to appropriate the money; but we found as year by year went by, though we had in each instance appropriated these sums for a specific and particular purpose, the amount never was reduced. The next year it was increased for some reason or other and put in a lump sum in the hands of the Bureau of Indian Affairs, and that office has been using it not for this particular purpose, not for the education and civilization of the Indians, but to pay the salaries of a large number of employees in that State who are anything but a blessing to the Indians under my conception of the case. Their work may be proper and I may be wrong in saying that I think the Indians' interests would be served by the elimination of at least one-third of those men there, and even though I may be wrong in that contention and it is the desire and the wisdom of the Committee on Indian Affairs and Congress to appropriate a lump sum to Minnesota in this bill in its present condition, you have no right to reach your hand down into the pockets of the Indians and take their money for that purpose. Every time you do it you are building a claim against this Government, and in years to come you will have these Indians here rightfully asking that you should give them a jurisdictional act to bring a claim against the Government to repay every dollar of this money that is thus being expended.

That money belongs to the Chippewa Indians of my State, guaranteed to them by a sacred treaty entered into between them and us. We have no right to spend one dollar of it to pay salaries and wages of employees of the Government in connection with Indian affairs in Minnesota, and if we do it we are not a wise guardian of the wards committed to our trust. Now, my friends, that is all there is to this entire question. It is in violation of the treaty and is in violation of what I conceive is good administration. There should be an investigation of the entire subject, that Congress may have the facts upon which to determine a policy for the future. There was somewhat of an investigation recently made by the Indian Bureau, and, without mentioning much about that, I can say to you in substance this, that they found there were many unnecessary employees in Minnesota in the Indian Service, and they recommended their elimination.

I am not prepared to say just how much money it should cost to run the Indian affairs of my State, but I am prepared to say this, though it is the last word I ever speak on this floor on the Indian question, you have no right to appropriate one dollar of this sum for the purposes expressed in this paragraph. If you want to maintain the service there, take it out of the Treasury of the United States and not out of the pockets of those Indians, who are, most of them, poor, for, although you think they have a big sum, most of them are living in absolute poverty, many of them at least living in poverty and working their fingers off to get a living. Do not take their money for an unhallowed and unlawful purpose.

Mr. Chairman, I yield the balance of my time to my colleague [Mr. STEENERSON].

The CHAIRMAN. The gentleman from Minnesota used six minutes and yields three minutes to the gentleman from Minnesota [Mr. STEENERSON].

Mr. STEENERSON. I would like the other side to proceed.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. KNUTSON] for five minutes.

Mr. KNUTSON. Mr. Chairman, for 29 years the members of the Chippewa Tribe in Minnesota have been asking Congress to reduce or eliminate this item. While the money should ostensibly be used for the purpose of civilizing the Chippewa Indians, this item becomes larger and larger as the Indians become more and more civilized.

I presume that if it is allowed to go unchecked the item will ultimately cover the balance that the Indians have in the Treasury of the United States.

In looking over the expenditures, I find that the department spent $103,000 for agency expenses last year, while they only spent $61,000 for schools. Now, I do not maintain, nor I do not believe there is a man on the floor of this House who will maintain, that a staff of agents and clerks is necessary in order to educate and civilize the Indians. Our Indians are civilized. I do not like to refer to them as anything but American citizens. They will compare favorably with any community in the country, and why they should be such an object of concern on the part of the Indian Committee I can not understand. I sincerely hope that this committee will strike out the item as proposed by my friend and colleague [Mr. ELLSWORTH]. [Applause.]

I yield the balance of my time to the gentleman from Minnesota, my colleague [Mr. STEENERSON].

Mr. STAFFORD. Mr. Chairman, I question the right of the gentlemen having time limited to them to yield it.

The CHAIRMAN. Under the five-minute rule a Member has no right to yield time, but under this present arrangement, which changed the five-minute rule, a certain amount of time was allotted to individuals, and the Chair thinks that those individuals have the right to consume it or to allot it. The gentleman from Minnesota [Mr. KNUTSON] had three minutes, and he yields his colleague two minutes, and that gives the gentleman from Minnesota [Mr. STEENERSON] six minutes altogether.

Mr. CARTER of Oklahoma. Mr. Chairman, I yield two minutes to the gentleman from New York [Mr. SNYDER].

Mr. SNYDER. Mr. Chairman, there came before this committee two separate bodies, representing various Indians in Minnesota, and they had opposite viewpoints to some extent, but they did agree that these agencies and schools should be continued, but that the expense for the same should be paid by the Government and not by the Indians.

It is conceded that there is some misunderstanding with regard to the legality of the spending of these various moneys, but the committee decided, after listening to all sides, that it would be almost fatal, as I said a few moments ago, to discontinue all of the agency activities up there that the department is paying for out of this appropriation. Therefore we decided that if we were permitted to make a careful investigation, perhaps another year we might be able to knowingly reduce the item to nothing. But we hoped to be able to investigate that by being permitted to have a portion of the committee go to Minnesota and having a personal opportunity to investigate the affairs there on the ground. But some one has seen fit to knock out that section of the bill, and so we will be unable to do that. But it is my belief that we should continue this item of $100,000.

The CHAIRMAN. The time of the gentleman has expired. The gentleman from Minnesota [Mr. STEENERSON] is recognized for six minutes.

Mr. STEENERSON. Mr. Chairman, to my mind this is a question for the discretion of Congress in carrying out a solemn treaty with the Indians. The Chippewa Indians of Minnesota were possessed of several million acres of valuable agricultural and pine lands, which in 1889 they ceded to the United States, and the proceeds from those lands and timber were to be used for their benefit in certain ways which were specified in the

treaty. During the years that have passed since that time practically all of their timber has been logged and sold and all the other land has been disposed of to settlers, so that they will never realize any more from their ceded possessions. Their property has been sold and converted into cash. Some ten or twelve million dollars were realized and some five or six million dollars have been spent for their benefit and in administration. Now there are about $6,000,000 left in the Treasury to their credit.

The treaty provided when the terms of the treaty were carried out the funds realized should remain in the Treasury and draw 5 per cent interest for 50 years; that it should not be distributed for 50 years at least, or perhaps more, if the land was not all allotted, and the income from this interest was to be distributed three-fourths per capita and one-fourth for schools, which now amounts to $75,000 for schools and $275,000 for per capita distribution, $300,000 in all annually.

There was another clause in regard to the disposition of this fund which said that in the discretion of Congress we might set aside a part of the principal fund for promoting civilization and self-support among the Indians. It reads as follows:

> That Congress may in its discretion from time to time during said period of 50 years appropriate for the purposes of promoting civilization and self-support among the said Indians a portion of said principal sum not exceeding 5 per cent thereof.

When the treaty was made, Mr. Rice, whose statue is out here in Statuary Hall, and who was a great friend of the Indians who represented the Government in the negotiations, was asked by the Indians at their council what was the meaning of that clause. He said, in substance, that that afforded a fund that in case of "unforeseen misfortune," such as loss of crops, or something of that kind, might be resorted to out of the principal fund. Here is the exact language of Mr. Rice as found in the printed report of the negotiations:

> There is a clause providing that Congress may in its discretion, from time to time, during said 50 years, appropriate for the purpose of promoting civilization and self-support among the Indians, a portion of said principal sum not exceeding 5 per cent thereof. In the case of failure of crops, or any unforeseen misfortune, here is a storehouse of money to be drawn upon for your wants.

The rule for interpreting this very treaty was laid down by the United States Supreme Court in Minnesota *v.* Hitchcock (185 U. S., pp. 395–396). The rule governing the construction of this agreement and cession is stated as follows:

> The language used in treaties with the Indians should never be construed to their prejudice. * * * How the words of the treaty were understood by this unlettered people, rather than their critical meanings, should form the rule of construction. * * * The recognized relation between the parties to this controversy, therefore, is that between a superior and an inferior, whereby the latter is placed under the care and control of the former, and which while it authorizes the adoption on the part of the United States of such policy as their own public interests may dictate, recognizes, on the other hand, such an interpretation of their acts and promises as justice and reason demand in all cases where power is exerted by the strong over those to whom they owe care and protection. The parties are not on an equal footing, and that inequality is to be made good by the superior justice which looks only to the substance of the right, without regard to technical rules framed under a system of municipal jurisprudence, formulating the rights and obligations of private persons equally subject to the same laws.

The rule always applied in such cases by that court requires that we should place ourselves in the position of the parties and find out in what way the Indians understood the treaty at the time it was made and give effect to it accordingly. The conclusion follows that the fund in question is a trust fund in the control of the United States to the credit of the Chippewa Indians of Minnesota, and any expenditure therefrom must be in accordance with the provisions of the trust. The trust expressly limited the expenditure of any part of the principal sum to unforeseen contingencies that might arise. Before any part of the principal sum could be used for the special purposes indicated, express authorization of Congress is necessary, and before Congress can lawfully give that authorization it must first find that said unforeseen contingencies, such as the failure of crops, exist and that it is necessary on account thereof to make the appropriation. As no such condition exists we insist that Congress has no lawful right to make the appropriation asked by the Indian Bureau out of our trust funds this year.

The idea of the Indians in making that treaty with our Government, as is apparent from the proceedings, was to create a permanent fund, the income of which should be used for their benefit. During the accumulation of this fund from the proceeds of cutting timber and other sources they used about $6,000,000 for the benefit of the Indians, but now, when the operation is complete, I submit to the Congress that it would be bad faith to diminish from year to year the patrimony, the principal fund, of the Indians. If you could take out $100,000 or $500,000 from time to time, you would destroy the whole fund long before the 50-year period had expired. The children unborn should have the benefit of that fund. Mr. Rice was far-sighted; but if you authorize the Indian Bureau to withdraw $100,000 or $500,000 or $1,000,000 each year, this fund will be destroyed and in 50 years there will be nothing left of it, and the treaty would thereby be violated.

Although left to the discretion of Congress, that discretion must be exercised fairly in favor of carrying out the intention of the parties. Is it carrying out in good faith the provisions of that treaty to use this money so as to diminish and destroy the principal fund to which the Indians look as a source of income for themselves and their children forever, for the purposes there indicated? If it were used for that purpose, as indicated by Mr. Rice, that would be one thing; but this term, "promotion of civilization and self-support," has been misinterpreted by the bureau to mean paying out money for purely agency administrative expenses, and thereby they violate the spirit of the agreement made with the Indians.

When the white man makes a compact or treaty with the Indians, as this one was made, it becomes our solemn duty to carry it out in the utmost good faith. Although I hope these agencies and the supervision necessary will be continued, yet I am not willing to violate the terms of the trust to do it.

It seems to me this demand on the part of the bureau is a distinct violation of the solemn agreement on the part of the United States with these Indians, violating the spirit of the contract, and however beneficial the expenditure of the money might be, I can not give my consent to it. Some other way should be found to relieve the Indians.

Mr. HAYDEN. Mr. Chairman, will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. HAYDEN. Does the gentleman propose to ask for direct appropriations for this purpose out of the Federal Treasury?

Mr. STEENERSON. No. If you have $75,000 for schools I think they could get along.

The contention is made that you must make this appropriation either out of the trust fund or out of the Treasury. Well, the report on this bill says that out of the total of $11,000,000 only $3,000,000 is reimbursable, so that you are taking $8,000,000 by this bill out of the Treasury to administer the affairs of Indians in other States. You say your policy is not to do this where the Indians have funds of their own available. But does your policy require you to violate treaty obligations rather than resort to the Treasury? I think not. The true policy would be to resort to the Treasury rather than violate faith or neglect our wards.

I do not want to continue to vote for this year after year when it is in violation of the trust conferred upon the Government by the treaty and the equitable rights of the Indians under it. [Applause.]

The CHAIRMAN. The time of the gentleman from Minnesota has expired. The gentleman from Oklahoma [Mr. CARTER] has eight minutes.

Mr. CARTER of Oklahoma. Mr. Chairman and gentlemen of the committee, if there is a man in the Congress of the United States who can tell us what would be the right thing to do with reference to this Chippewa matter, I have not yet been able to find him.

Mr. ELLSWORTH. Mr. Chairman, will the gentleman yield there?

Mr. CARTER of Oklahoma. I hope the gentleman will not take my time. I have only eight minutes.

Mr. ELLSWORTH. The gentleman is not so vitally interested as we are. Will the gentleman yield for one question?

Mr. CARTER of Oklahoma. Well, be brief.

Mr. ELLSWORTH. If there is not a man in the Congress of the United States who knows what ought to be done, would you advise the spending of the money for that purpose?

Mr. CARTER of Oklahoma. If it is necessary for the support and civilization of the wards of this Government, I would say "Yes."

Now, Mr. Chairman, the only authorization, as I recall—and I may be wrong, and I will yield briefly to be corrected, if I am wrong—the only authorization for this amount that I recall is the treaty of 1889. Therefore, it can not be contended that if we are appropriating money in pursuance of the treaty we are violating the treaty to appropriate that money.

I have full sympathy with the contention of the gentleman from Minnesota. We had the same condition in our country for many years. The Secretary of the Interior was permitted to go into the tribal funds of our Five Civilized Tribes, to reach in up to his elbow, take what he wanted, and spend it for almost any purpose in the world that he desired. Fortunately, we had that changed, except for three purposes, but the Secretary is still authorized to use in Oklahoma specific amounts for schools

from tribal funds, and that without annual appropriations by Congress.

This treaty of 1889 provided that these funds should be divided among the Indians at the end of 50 years, but that until that time these expenditures might be made. If these Indians are civilized, and many of them are—I have met a great many of them who are very highly civilized men—the mistake that they made was in making this treaty, in agreeing that those funds should be held as a tribal fund for 50 years at the late date of 1889; because of that provision this fund can not be divided per capita until 1939.

Mr. KNUTSON. In 50 years there will not be anything left of the Chippewas.

Mr. CARTER of Oklahoma. That emphasizes what I have said as to the inadvisability, so far as the Indians are concerned, of having made that treaty. The Indian made a mistake when he made that treaty. What ought to be done is that this committee or some committee of the Congress ought to be authorized to go upon the reservation in Minnesota and investigate those affairs and find out just what should be done for these people, and come back and report a comprehensive plan for the settlement of this matter. But until it is done I can not give my consent to an agreement to strike out an item which may leave these people destitute, without schools, without support, without civilization.

Mr. MILLER of Minnesota. Will the gentleman yield for a question?

Mr. CARTER of Oklahoma. I yield to the gentleman from Minnesota.

Mr. MILLER of Minnesota. I desire to ask if a year ago, when this item was up, there was not an understanding between the gentleman and myself that we would let this item go for that year, but that an investigation should be made so that the committee might have the facts, and that this year we would know what to do? Now we are right where we were then, and it seems to me the only sensible thing to do in order to bring the Indian Bureau to its senses is to strike this out.

Mr. CARTER of Oklahoma. We had some such agreement as that; but I want to say that I think if the position of the House, after it ran over the Indian Committee last year, had been insisted upon in conference, as gentlemen know I desired to do, we would have had this year the specifications laid on the barrel head, to use a slang phrase. But I fear some of these gentlemen from Minnesota were too easy to make an agreement with reference to this matter. Therefore, when the matter came into the Senate I was importuned to let it be adopted in the House, to let the $185,000 remain in the bill, about which I had a great deal of misgiving at that time.

Mr. MILLER of Minnesota. I want to say that the gentleman played absolutely fair in every respect in regard to it.

Mr. CARTER of Oklahoma. After having been defeated in the House, I expressed myself that as a conferee of the House I had no purpose whatever except to carry out the mandate of the House.

Now, Mr. Chairman, these schools will probably not be stopped. This destitution will probably not come to these Indians in case the appropriation from this fund is denied by Congress. The thing that probably will be done is that an appropriation will be made from the Federal Treasury to take care of these matters. The gentleman from Minnesota [Mr. MILLER], with whom I have served on the committee, knows that I have always favored paying the expenses of an Indian tribe out of the Indian tribe's funds when it could be done without violating an obligation to them.

Mr. ELLSWORTH. Will the gentleman yield for a question?

Mr. CARTER of Oklahoma. Make it short.

Mr. ELLSWORTH. Has the gentleman ever seen a statement of what was done with the $75,000, the proportion of the interest which was to be used exclusively for school purposes?

Mr. CARTER of Oklahoma. I never have.

Mr. ELLSWORTH. Does the gentleman know, then, whether or not that would cover the amount necessary to be expended?

Mr. CARTER of Oklahoma. I only know what was stated in the hearings. I think it was stated there that that would not be sufficient to carry on the schools and other activities of the Indians. Now, I hope the gentleman will let me proceed, because he had a great deal more time than I have.

Mr. ELLSWORTH. I think that was clearly shown in the hearings.

Mr. CARTER of Oklahoma. Now, let us see what the Indians themselves say about that. Here is Mr. Coffee, who, by the way, said he represented 100 per cent of the Indians. I read from the hearing at page 46:

Mr. HAYDEN. If we should discover, by looking into the facts, that some part of this money was used to maintain the Chippewa schools, would you be in favor of appropriating it?

Mr. COFFEY. The Indians so regard it. The Indians do not want the schools abolished. They want their children to receive the education they are entitled to.

Mr. HAYDEN. Then the only thing you are in doubt about is that you do not know what part of this $160,000 is being used for the schools?

Mr. COFFEY. I have never looked into that.

Mr. HAYDEN. But if any part is going into the schools you are satisfied to have it go in here?

Mr. COFFEY. If it is going in properly, I am; certainly.

Mr. HAYDEN. What you are trying to get away from, then, is the agency and administrative features. You think those could be abolished without injuring the Indians?

Mr. COFFEY. The agency, I believe, should be maintained with the funds of the United States. It is the business of the United States.

Mr. HAYDEN. That is the point we have discussed here a great many times. You think that the work of the agency ought to be maintained, but ought to be maintained out of the funds of the United States, and not out of the Chippewa funds?

Mr. COFFEY. Yes; we believe the agencies should be maintained. They are necessary, as a matter of fact, because the conditions up there are such that supervision over the greater number of the Indians is necessary.

Mr. HAYDEN. But you do not want to pay for the agencies; you want the United States to pay for them.

Mr. COFFEY. Let those pay for it who have the right to pay for it. Let the expense fall where it belongs.

Mr. HAYDEN. Then there comes a conflict between the competent and incompetent Indians in that reservation. You want the competent Indian to have his own money and not pay any part of this expense, and the incompetents to have all the expense of caring for their business paid by them; is that the idea?

Mr. COFFEY. If that is the condition. Those who get the benefit of the administration should pay for it.

Mr. HAYDEN. You think those who are competent and do not need supervision and do not get any benefit from it should not pay for it?

Mr. COFFEY. I believe if a man is competent and has got his property, he should get out.

The CHAIRMAN. All time has expired. The question is on the amendment offered by the gentleman from Minnesota to strike out the paragraph.

The question was taken; and on a division (demanded by Mr. HAYDEN) there were—ayes 32, noes 17.

Mr. CARTER of Oklahoma. Mr. Chairman, I ask for tellers.

The question was taken, and tellers were refused.

So the amendment was agreed to.

The Clerk read as follows:

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States the sum of $2,000 of the tribal funds of the Chippewa Indians of Minnesota and to pay said amount to the county of St. Louis, in said State, in lieu of the expenditure of a like sum for the employment of Indian labor on road work under an agreement between said county, the superintendent of the Fond du Lac Indian School, and the firm of A. C. Willcuts & Son, of date June 26, 1917, approved by the Assistant Secretary of the Interior on September 28, 1917.

Mr. MILLER of Minnesota. Mr. Chairman, I desire to make a motion to insert a new paragraph. Gentlemen will recall that last year, and I think the two preceding years, the Minnesota part of the Indian appropriation bill contained a paragraph appropriating $10,000 out of the tribal fund of the Chippewa Indians to pay expenses of the annual tribal or general council, which they have had since 1913. For some reason that I am not aware of that does not appear. Therefore I offer the following amendment.

Mr. FOSTER. Mr. Chairman, what became of the point of order reserved on the paragraph?

The CHAIRMAN. The Chair did not understand that any point of order was reserved.

Mr. FOSTER. I reserved a point of order when the paragraph was read.

The CHAIRMAN. The Chair did not hear it. If the gentleman states he reserved a point of order, the Chair will hear the gentleman.

Mr. FOSTER. I reserved the point of order, but there was considerable confusion.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. FOSTER. I want to inquire about the tribal fund and this amount payable to the county of St. Louis.

Mr. MILLER of Minnesota. If the gentleman will pardon me, I think I can explain that, and I am responsible for its being in the bill. I do not think it is subject to a point of order, but it is natural for the gentleman to make inquiry. About two years ago the Indian bill contained an appropriation of $10,000 to build roads on the Indian reservation in Minnesota. By arrangement between the chairman of the Committee on Indian Affairs in the Senate and the Indian Office and myself, it was agreed that $6,000 of this $10,000 should be expended in connection with the Fond du Lac Reservation, in Minnesota, to complete an important project of a road through that reservation, on condition that the county of Carleton should spend $3,000 and the county of St. Louis should spend $3,000. And, mind you, the last two sums to be spent within the Indian reservation. They carried that out. Carleton County has been taken care of. St. Louis County spent over $12,000. None of the $3,000 that was given to the county of St. Louis has ever been paid to that county for this reason: The bill contained a provision which

required contractors to hire Indian labor, and when they got ready to construct the road the Indian labor could not be had, and they had to employ a number of white people. The $2,000 is to take care of this matter. One thousand went for Indian labor.

Mr. FOSTER. They built the road, but built it with labor other than Indian labor?

Mr. MILLER of Minnesota. Yes.

Mr. FOSTER. Mr. Chairman, I withdraw the reservation of a point of order.

Mr. STEENERSON. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Minnesota [Mr. MILLER].

The Clerk read as follows:

Page 28, after line 21, insert the following as a new paragraph:

"That the sum of $10,000, or so much thereof as may be necessary, of the tribal funds of the Chippewa Indians of the State of Minnesota, is hereby appropriated to pay the expenses of the general council of said tribe, to be held beginning in July, 1919, pursuant to the constitution of the general council of the said Chippewa Indians of Minnesota, organized in May, 1913, and to pay the expenses of said general council in looking after the affairs of said tribes, including the actual and necessary expenses of its legislative committee in visiting Washington during the second session of the Sixty-fifth Congress, said sum to be immediately available, and said actual and necessary expenses to be approved by the president and secretary of the general council and certified to the Secretary of the Interior, and as so approved and certified to be paid."

Mr. FOSTER. Mr. Chairman, I reserve the point of order on the amendment.

Mr. MILLER of Minnesota. I do not think it is subject to the point of order.

Mr. HAYDEN. I rather think it is.

Mr. FOSTER. Where is the law that provides for it?

Mr. MILLER of Minnesota. This is an appropriation of money out of the Indian fund for Indian purposes, and that certainly is within the purview of the bill we now have before us.

Mr. HAYDEN. But it has been argued all afternoon that we could not appropriate any money out of the funds of this tribe of Indians unless authorized by treaty, and the gentleman can not find anything in the treaty to authorize this.

Mr. MILLER of Minesota. The gentleman is facetious, but I will say in reply to the gentleman that this particular item is one that the Indians asked for.

Mr. HAYDEN. If there is nothing in the treaty providing for it, it may not be appropriated.

Mr. MILLER of Minnesota. The gentleman knows full well that the treaty provides for certain expenditures, and this is a request on the part of the Indians.

Mr. CARTER of Oklahoma. Mr. Chairman, I think there is no doubt that this is subject to the point of order, but I think if the gentleman will make an explanation of the matter it will be satisfactory.

Mr. MILLER of Minnesota. I did not intend to discuss the point of order, but I did not care to give up any defense that I might have.

The CHAIRMAN. Does the gentleman from Illinois reserve the point of order?

Mr. FOSTER. If the gentleman desires to say a word, I shall reserve it.

Mr. MILLER of Minnesota. Mr. Chairman, there is no tribal government as such of the Indians in our State, but some years ago the Indians, recognizing their great property interests and their desire to have harmony among themselves, for their betterment, and to urge their interests before Congress and elsewhere, conceived the idea of having a general council, which was to meet at a central point, consisting of delegates from the various scattered reservations, and you know the Indians in Minnesota are widely scattered, there is no connection between any two of them. This was with the full consent and I think approval of the Indian Office. They organized this first in 1913, and each year they have met at some place within the State, and they maintain a legislative committee here at Washington. This is to provide the expense of that general council and delegation here at Washington.

Mr. FOSTER. Does this help to civilize those Indians?

Mr. MILLER of Minnesota. I think it is extremely helpful in practical civilization.

Mr. FOSTER. Do they partake of peyote at these meetings?

Mr. MILLER of Minnesota. Mr. Chairman, my Indian lore is fairly extensive, but not sufficiently so to enable me to fully comprehend that which the gentleman has in mind.

Mr. FOSTER. If the gentleman does not know what they do there, I do not believe we ought to permit it.

Mr. HAYDEN. Why does the gentleman so carefully eliminate from the amendment the phrase "at Bemidji, Minn."?

Mr. MILLER of Minnesota. There are two bands of representatives here, and I am not going to take any side as between them, but they really are both asking Congress for the same thing.

One wants to name one place and one wants to name another, and I am not going to take sides but let the Indians settle it themselves.

Mr. HAYDEN. I think the gentleman does take sides.

Mr. MILLER of Minnesota. How?

Mr. HAYDEN. Because he states this meeting must be held pursuant to the constitution of the general council of the said Chippewa Indians of Minnesota, organized in May, 1913.

Mr. MILLER of Minnesota. That is the language always used describing how the council is to be called.

Mr. HAYDEN. One of those factions is acting in pursuance to this constitution and one is not?

Mr. MILLER of Minnesota. If one is, it is the only legal constituted faction. I think both claim to represent the council. This provides for one council to be called by these Indians.

Mr. HAYDEN. The gentleman is leaving it to the Indian Office to determine what is the legally organized body.

Mr. MILLER of Minnesota. I am not going to take sides.

Mr. FOSTER. Mr. Chairman, I doubt if this $10,000 will help to civilize the Indians in gathering together and having a grand round-up. I expect I ought to make the point of order.

Mr. CARTER of Oklahoma. I hope the gentleman will not. This money is to be spent by the Indians; it is the Indian's own money, and he wants to spend it on that council——

Mr. FOSTER. This is a different thing——

Mr. CARTER of Oklahoma. There is nothing more the Indian enjoys.

Mr. KNUTSON. Should not that item have been in the legislative bill?

Mr. ELLSWORTH. Does not the gentleman have in mind the item which is always carried in the bill of $1,000 for a sort of jubilee which they have each year?

Mr. FOSTER. I understand that.

Mr. ELLSWORTH. I did not know but what the gentleman had that in mind.

Mr. FOSTER. If the gentleman from Oklahoma and the gentleman from Minnesota both think that this council ought to be held, knowing the gentlemen so well, I do not believe I shall insist on the point of order.

Mr. WALSH. Mr. Chairman, I renew the point of order.

Mr. MILLER of Minnesota. Do not do it.

Mr. WALSH. I would like to ask the gentleman from Oklahoma, if he is in favor of this appropriation for some expenditures, why was it left out of the bill?

Mr. CARTER of Oklahoma. It is on account of the fact it was not reported, and for some reason or other no hearings were held on it, and, as the gentleman knows, I was sick when the hearings were held, and I was not present.

Mr. WALSH. I withdraw the point of order.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

MISSISSIPPI.

SEC. 9. That the unexpended balance of the appropriation of $75,000 for the full-blood Choctaw Indians of Mississippi in the Indian appropriation act of May 25, 1918, is hereby reappropriated for the same purposes for which originally appropriated and for aiding the common schools attended by the children of said Indians under rules and regulations prescribed by the Secretary of the Interior.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order. As intimated yesterday there is new language from that carried in existing law in the present paragraph.

Mr. HAYDEN. That language was inserted by the committee in the belief that the best way to civilize the Indian children is to pay for their schooling in the public schools where they may attend with the white children. That is the quickest way to educate them if it be possible to make such an arrangement. It has been found to be highly advantageous in all parts of the United States to pursue that policy.

Mr. STAFFORD. The gentleman from Oklahoma yesterday stated there were some schools in Mississippi, in this Indian country, which were established by the State for the separate education of Indian children.

Mr. CARTER of Oklahoma. That is true; but they are nothing like adequate for the number of Indian children in Mississippi.

Mr. STAFFORD. Is this provision for the support of Indian children attending public schools?

Mr. HAYDEN. Yes.

Mr. VENABLE. Mr. Chairman, I did not know that provision was there until to-day. The history, if the gentleman will yield to me, is this: The State of Mississippi maintained for a number of years and continues it about three or four schools known as schools for the Indians, public schools, part of the public-school system.

They were very inadequate. The appropriation for them, to begin with, was inadequate, and experience showed that the Indian children did not attend very well, largely because neither the child nor its parents appreciated the need or the necessity for it. As I understand the object of this provision, though I said I did not know it was in there until to-day, it is that these Indian children may go to school, if it is so decided, where white children are also in attendance, and by that means will make more rapid progress in the learning of English and in their education and civilization.

Mr. STAFFORD. It virtually changes the provision made last year which authorized the Director of the Bureau of Indian Affairs to establish separate schools for their education and provides for their education in company with white children in existing schools.

Mr. HAYDEN. He may do it either way.

Mr. STAFFORD. Mr. Chairman, I was not in sympathy with the amendment that was carried last year authorizing the Director of the Bureau of Indian Affairs to establish separate schools. That is the existing law. Seventy-five thousand dollars was appropriated, but not a cent has been expended. Of course we realize this is a raid on the Treasury, but having been consummated last year there is nothing else I see to do except to allow it to go through. Therefore I withdraw the reservation of the point of order.

Mr. CARTER of Oklahoma. Mr. Chairman, I move that the committee do now rise and report the bill and the amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CAISE, Chairman of the Committee of the whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 14746, the Indian appropriation bill, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. CARTER of Oklahoma. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. CRAMTON. Mr. Speaker, I demand a separate vote on the Hastings oil and gas lease amendment.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gross. The question is on all of the amendments except the Hastings amendment, on which a separate vote has been asked by the gentleman from Michigan.

The question was taken, and the amendments were agreed to.

The SPEAKER. The question is on the Hastings amendment.

HOUR OF MEETING TO-MORROW.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 10.30 o'clock a. m. to-morrow.

The SPEAKER. The gentleman from Tennessee [Mr. GARRETT] asks unanimous consent that when the House adjourns to-day it adjourn to meet at 10.30 o'clock a. m. to-morrow. Is there objection?

Mr. STAFFORD. Reserving the right to object, I do not believe there will be any objection on this side of the Chamber to meeting at 11 o'clock if we can have an understanding that there will be no roll call pressed on the vote on this bill to-night.

Mr. GARRETT of Tennessee. Let me ask the gentleman if there is going to be a roll call on this particular amendment?

Mr. STAFFORD. As I understand from private sources, there is going to be a demand made for a roll call.

The SPEAKER. Does the gentleman object?

Mr. STAFFORD. I object.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, can we have an understanding that if there is a point of no quorum made on the vote on the pending amendment that all matter will go over until to-morrow?

Mr. CARTER of Oklahoma. Mr. Speaker, we are very anxious to settle this matter to-night, but in view of the situation that confronts us I feel disposed to agree to move to adjourn just as soon as we can arrange an agreement as to the time of meeting to-morrow.

Mr. GARRETT of Tennessee. Let us get an agreement, then, that the yeas and nays be ordered immediately after the meeting in the morning. Why not meet at 10.30?

Mr. STAFFORD. That is too early. I will say to the gentleman from Tennessee there will be no objection to meeting at 11 o'clock, with the understanding that the yeas and nays be considered as ordered on the vote demanded by the gentleman from Michigan [Mr. CRAMTON].

Mr. CARTER of Oklahoma. Mr. Speaker, I make that as a unanimous-consent request.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that the yeas and nays be considered as ordered on the Hastings amendment the first thing in the morning, when we get to it, and that the House meet at 11 o'clock a. m. to-morrow. Is there objection? [After a pause.] The Chair hears none.

LEAVE OF ABSENCE.

Mr. DEWALT, by unanimous consent, was granted leave of absence for one week on account of important business.

ADJOURNMENT.

Mr. CARTER of Oklahoma. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 36 minutes p. m.) the House, under its previous order, adjourned until to-morrow, Saturday, January 25, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of communication from the Acting Secretary of Commerce submitting a paragraph of legislation extending for the fiscal year 1920 the unexpended balance of appropriation made by act of July 3, 1918, for punching machine, Fourteenth Census (H. Doc. No. 1720); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting tentative draft of a bill to provide for connecting parkway between Rock Creek and Potomac Parks (H. Doc. No. 1721); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Director General of Railroads submitting a supplemental estimate of appropriation required for the Federal control of transportation systems (H. Doc. No. 1722); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. DEWALT, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13647) granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River at or near McKees Rocks borough, in the county of Allegheny, Pa., reported the same without amendment, accompanied by a report (No. 974), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 13649) granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Sixteenth Street, in the city of Pittsburgh, Pa., reported the same without amendment, accompanied by a report (No. 975), which said bill and report were referred to the House Calendar.

Mr. BURNETT, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 14893) for the relief of contractors and subcontractors for post offices and other buildings and work under the supervision of the Treasury Department, reported the same without amendment, accompanied by a report (No. 976), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. TAYLOR of Colorado, from the Committee on the Public Lands, to which was referred the bill (S. 1849) permitting minors of the age of 18 years or over to make homestead entry of the public lands of the United States, reported the same without amendment, accompanied by a report (No. 977), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CARLIN, from the Committee on the Judiciary, to which was referred the bill (H. R. 13963) to increase the salary of the United States marshal for the eastern district of Virginia, reported the same without amendment, accompanied by a report (No. 978), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BANKHEAD, from the Committee on Education, to which was referred the bill (S. 5038) extending the use of the special fund for vocational education provided by section 7 of the vocational rehabilitation act, approved June 27, 1918, and authorizing the Federal Board for Vocational Education to accept gifts and donations for specific purposes, reported the same with amendment, accompanied by a report (No. 981), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. HOUSTON, from the Committee on War Claims, to which was referred the bill (S. 469) for the relief of the heirs of W. H. Sneed, deceased, reported the same without amendment, accompanied by a report (No. 973), which said bill and report were referred to the Private Calendar.

Mr. CLARK of Florida, from the Committee on War Claims, to which was referred the bill (H. R. 7089) for the relief of the heirs of Adam and Noah Brown, reported the same without amendment, accompanied by a report (No. 979), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HENSLEY: A bill (H. R. 14959) to provide for the erection of a public building in the city of Farmington, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. HAMILTON of New York: A bill (H. R. 14960) providing for the erection of a public building in the city of Dunkirk, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. KINCHELOE: A bill (H. R. 14961) to provide for the erection of a public building in the city of Madisonville, Ky.; to the Committee on Public Buildings and Grounds.

By Mr. MILLER of Minnesota: A bill (H. R. 14962) to provide for the purchase of a site and erection thereon of a public building at Two Harbors, Minn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14963) to provide for the construction of a public building at Duluth, Minn.; to the Committee on Public Buildings and Grounds.

By Mr. EDMONDS: A bill (H. R. 14964) to repeal the act approved October 6, 1917; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 14965) to repeal a portion of section 37 of the shipping act of 1916; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 14966) authorizing the Secretary of War to make donation of condemned German cannon to Girard College, Philadelphia, Pa.; to the Committee on Military Affairs.

Also, a bill (H. R. 14967) to repeal the power of the President of the United States to requisition vessels building in the shipyards of the United States; to the Committee on the Merchant Marine and Fisheries.

By Mr. ASWELL: A bill (H. R. 14968) to amend the act of Congress approved March 4, 1913 (37 Stat., p. 869), to increase the limit of cost for the enlargement, extension, remodeling, rebuilding, reconstruction, or improvement of the post office and courthouse at Alexandria, La.; to the Committee on Public Buildings and Grounds.

By Mr. SWITZER: A bill (H. R. 14969) providing for the construction of a public building at Jackson, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. CRAMTON: A bill (H. R. 14970) authorizing the Secretary of War to donate to the town of Sebewaing, Mich., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. STEELE: A bill (H. R. 14971) authorizing the Secretary of War to donate to the borough of Nazareth, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14972) authorizing the Secretary of War to donate to the borough of Palmerton, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14973) authorizing the Secretary of War to donate to the borough of Milford, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14974) authorizing the Secretary of War to donate to the borough of Mauch Chunk, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KETTNER: A bill (H. R. 14975) authorizing the Secretary of War to donate to the town of Santa Ana, Cal., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 14976) authorizing the Secretary of War to donate to the town of Victorville, Cal., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TILLMAN: A bill (H. R. 14977) for the erection of a public building at Huntsville, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14978) for the erection of a public building at Gravette, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14979) for the erection of a public building at Springdale, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14980) for the erection of a public building at Berryville, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14981) for the erection of a public building at Yellville, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14982) for the erection of a public building at Leslie, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14983) for the erection of a public building at Mountain Home, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14984) for the erection of a public building at Clinton, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14985) for the erection of a public building at Bentonville, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14986) for the erection of a public building at Siloam Springs, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14987) for the erection of a public building at Marshall, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14988) for the erection of a public building at Green Forest, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14989) for the erection of a public building at Cotter, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14990) for the erection of a public building at Prairie Grove, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14991) for the erection of a public building at Jasper, Ark.; to the Committee on Public Buildings and Grounds.

By Mr. HENRY T. RAINEY: A bill (H. R. 14992) to provide for a site for a public building at White Hall, Ill.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14993) to provide for the erection of a public building in the city of Carrollton, Ill.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 14994) authorizing the Secretary of War to donate to the town of Pittsfield, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DOMINICK: A bill (H. R. 14995) authorizing the Secretary of War to donate to the city of Pickens, S. C., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14996) authorizing the Secretary of War to donate to the city of Walhalla, S. C., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14997) authorizing the Secretary of War to donate to the city of Newberry, S. C., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14998) authorizing the Secretary of War to donate to the city of McCormick, S. C., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 14999) authorizing the Secretary of War to donate to the city of Greenwood, S. C., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 15000) authorizing the Secretary of War to donate to the city of Anderson, S. C., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 15001) authorizing the Secretary of War to donate to the city of Abbeville, S. C., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

By Mr. BENJAMIN L. FAIRCHILD: A bill (H. R. 15002) authorizing the Secretary of War to donate to headquarters of the Eighth Coast Artillery Corps, New York Guard, New York, two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 15003) authorizing the Secretary of War to donate to the city of Camas, Wash., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15004) authorizing the Secretary of War to donate to the city of Kelso, Wash., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15005) authorizing the Secretary of War to donate to the city of Chehalis, Wash., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15006) authorizing the Secretary of War to donate to the city of Sumner, Wash., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15007) authorizing the Secretary of War to donate to the city of Puyallup, Wash., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SNELL: A bill (H. R. 15008) authorizing the Secretary of War to deliver to the village of Canton, in the State of New York, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 15009) authorizing the Secretary of War to deliver to the village of Saranac Lake, in the State of New York, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

By Mr. STEENERSON: A bill (H. R. 15010) to authorize the acquisition of a site and the erection of a Federal building at Breckenridge, Minn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15011) to authorize the acquisition of a site and the erection of a Federal building at Detroit, Minn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15012) to authorize the acquisition of a site and the erection of a Federal building at Thief River Falls, Minn.; to the Committee on Public Buildings and Grounds.

By Mr. WOODS of Iowa: A bill (H. R. 15013) for the acquisition of a site and erection of a building at Algona, Iowa; to the Committee on Public Buildings and Grounds.

By Mr. MAPES: A bill (H. R. 15014) authorizing the Secretary of War to donate to the village of Kent City, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KENNEDY of Rhode Island: A bill (H. R. 15015) authorizing the Secretary of War to donate to the village of Harrisville, in the State of Rhode Island, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. AYRES: A bill (H. R. 15016) authorizing the Secretary of War to donate to the city of McPherson, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DRUKKER: A bill (H. R. 15017) to erect a post-office building in the city of Passaic, N. J.; to the Committee on Public Buildings and Grounds.

By Mr. LEVER: A bill (H. R. 15018) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920; to the Committee of the Whole House on the state of the Union.

By Mr. RAMSEY: A bill (H. R. 15019) authorizing the Secretary of War to donate to the city of Englewood, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15020) authorizing the Secretary of War to donate to the town of Ridgefield Park, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15021) authorizing the Secretary of War to donate to the town of Ridgewood, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15022) authorizing the Secretary of War to donate to the borough of Hasbrouck Heights, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15023) authorizing the Secretary of War to donate to the borough of Rutherford, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15024) authorizing the Secretary of War to donate to the borough of Midland Park, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HERSEY: A bill (H. R. 15025) to increase the limit of cost of the public building to be erected at Caribou, Me.; to the Committee on Public Buildings and Grounds.

By Mr. CLARK of Missouri: A bill (H. R. 15026) authorizing the Secretary of War to donate to the city of Mexico, Mo., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HERSEY: A bill (H. R. 15027) to increase the limit of cost of the public building to be erected at Fort Fairfield, Me.; to the Committee on Public Buildings and Grounds.

By Mr. BROWNE: A bill (H. R. 15028) for the purchase of a site and the erection of a public building at Marshfield, Wis.; to the Committee on Public Buildings and Grounds.

By Mr. STEAGALL: A bill (H. R. 15029) to provide for the purchase of a post-office site at Ozark, Ala.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15030) to provide for the erection of a public building at Union Springs, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. LEVER: A bill (H. R. 15031) authorizing the Secretary of War to donate to the cities of Sumter and Orangeburg, and to the towns of Lexington, St. Matthews, and Bishopville, all in the State of South Carolina, each a German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FESS: A bill (H. R. 15032) to incorporate the American Field of Honor Association; to the Committee on Military Affairs.

By Mr. SMITH of Idaho: A bill (H. R. 15033) to provide for the erection of a Federal building at Hailey, Idaho; to the Committee on Public Buildings and Grounds.

By Mr. ROGERS: A bill (H. R. 15034) to provide for the promotion of certain officers, noncommissioned officers, and privates in the Army, Navy, and Marine Corps; to the Committee on Military Affairs.

By Mr. GANDY: A bill (H. R. 15035) authorizing the Secretary of War to donate to the county of Carson, State of South Dakota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15036) authorizing the Secretary of War to donate to the county of Haakon, State of South Dakota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15037) authorizing the Secretary of War to donate to the city of Sturgis, State of South Dakota, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DICKINSON: A bill (H. R. 15038) to increase the cost of the public building at Harrisonville, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. OLDFIELD: A bill (H. R. 15039) granting consent to the Newport road district to construct a bridge across the White River within or near the city limits of the city of Newport, Ark.; to the Committee on Interstate and Foreign Commerce.

By Mr. SHERWOOD: A bill (H. R. 15040) providing for the purchase of a site and the erection thereon of a public building at Port Clinton, in the State of Ohio; to the Committee on Public Buildings and Grounds.

By Mr. BROWNE: A bill (H. R. 15041) for the purchase of a site and the erection of a public building at Shawano, Wis.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15042) for the purchase of a site and the erection of a public building at Grand Rapids, Wis.; to the Committee on Public Buildings and Grounds.

By Mr. TIMBERLAKE: A bill (H. R. 15043) to amend an act entitled "An act to amend section 73 of an act entitled 'An act to codify, revise, and amend the laws relating to the judiciary,' approved June 12, 1916," and for other purposes; to the Committee on the Judiciary.

By Mr. SAUNDERS of Virginia: A bill (H. R. 15044) to amend an act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes"; to the Committee on the Post Office and Post Roads.

By Mr. FRENCH: A bill (H. R. 15045) to provide for the purchase of a site for a Federal building at Payette, Idaho; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15046) to provide for the erection of a Federal building at Caldwell, Idaho; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15047) to provide for the erection of a Federal building at Nampa, Idaho; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15048) to provide for the purchase of a site for a Federal building at Weiser, Idaho; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15049) to provide for additional appropriation for the erection of a Federal building at Coeur d'Alene, Idaho; to the Committee on Public Buildings and Grounds.

By Mr. HENRY T. RAINEY: A bill (H. R. 15050) to provide for the erection of a public building in the city of Havana, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. SLOAN: A bill (H. R. 15051) to provide for the purchase of site and the erection of a public building thereon at David City, Nebr.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15052) to provide for the purchase of site and erection of public building thereon at Seward, Nebr.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15053) to provide for the purchase of a site and the erection of a public building thereon at Geneva, in the State of Nebraska; to the Committee on Public Buildings and Grounds.

By Mr. LINTHICUM: A bill (H. R. 15054) to provide for the erection of an addition to the post-office building at Baltimore, Md., for alterations to the present building, and changes to the railroad entering same; to the Committee on Public Buildings and Grounds.

By Mr. COOPER of Wisconsin: A bill (H. R. 15055) to provide for the erection of an addition to the Federal building in the city of Kenosha, county of Kenosha and State of Wisconsin; to the Committee on Public Buildings and Grounds.

By Mr. FISHER: A bill (H. R. 15056) to increase the cost of the public building at Memphis, Tenn.; to the Committee on Public Buildings and Grounds.

By Mr. KINKAID: A bill (H. R. 15057) providing for the purchase of a site and the erection of a public building in the city of Broken Bow, Nebr.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15058) providing for the purchase of a site and the erection of a public building in the city of Lexington, Nebr.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15059) providing for the purchase of a site and the erection of a public building in the city of Scottsbluff, Nebr.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15060) providing for the purchase of a site and the erection of a public building in the city of O'Neill, Nebr.; to the Committee on Public Buildings and Grounds.

By Mr. LITTLEPAGE: A bill (H. R. 15061) authorizing the Secretary of War to donate to the city of Charleston, W. Va., a fieldpiece or cannon, etc.; to the Committee on Military Affairs.

Also, a bill (H. R. 15062) authorizing the Secretary of War to donate to the city of Fayetteville, W. Va., fieldpiece or cannon, etc.; to the Committee on Military Affairs.

Also, a bill (H. R. 15063) authorizing the Secretary of War to donate to the city of Lewisburg, W. Va., fieldpiece or cannon, etc.; to the Committee on Military Affairs.

Also, a bill (H. R. 15064) authorizing the Secretary of War to donate to the city of Ronceverte, W. Va., fieldpiece or cannon, etc.; to the Committee on Military Affairs.

Also, a bill (H. R. 15065) authorizing the Secretary of War to donate to the city of Marlinton, W. Va., fieldpiece or cannon, etc.; to the Committee on Military Affairs.

Also, a bill (H. R. 15066) authorizing the Secretary of War to donate to the city of Madison, W. Va., fieldpiece or cannon, etc.; to the Committee on Military Affairs.

Also, a bill (H. R. 15067) authorizing the Secretary of War to donate to the city of Montgomery, W. Va., fieldpiece or cannon, etc.; to the Committee on Military Affairs.

By Mr. STEENERSON: Resolution (H. Res. 515) calling on the President of the United States for information relative to what steps have been taken toward carrying out the guaranteed price of wheat for the 1919 crop; to the Committee on Agriculture.

By Mr. GARLAND: Resolution (H. Res. 516) declaring it the sense of the House of Representatives that the American Expeditionary Forces should be returned to their homes; to the Committee on Military Affairs.

By Mr. GOULD: Resolution (H. Res. 517) calling upon the United States Food Administration for information in connection with agreements affecting importation and marketing of rice; to the Committee on Agriculture.

By Mr. BANKHEAD: Joint resolution (H. J. Res. 396) extending the thanks of Congress to members of local and district boards, Government appeal agents, and members of medical and legal advisory boards, and authorizing the President to appoint by brevet the members of same as officers in the Army of the United States; to the Committee on Military Affairs.

By Mr. BENJAMIN L. FAIRCHILD: Joint resolution (H. J. Res. 397) to authorize payment of salaries to Members of the House of Representatives withheld during their absence in the military service of the United States; to the Committee on the Judiciary.

By Mr. McLAUGHLIN of Michigan: Joint resolution (H. J. Res. 398) determining the eligible status of employees in the classified service and of candidates for appointment on the eligible lists; to the Committee on Reform in the Civil Service.

By the SPEAKER: Memorial of the Legislature of the State of Utah asking for the passage of the Federal woman's suffrage amendment; to the Committee on Woman Suffrage.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CRAMTON: A bill (H. R. 15068) granting an increase of pension to Albert Raymond; to the Committee on Invalid Pensions.

By Mr. CRISP: A bill (H. R. 15069) granting a pension to Mrs. E. L. Ellis; to the Committee on Pensions.

By Mr. FREEMAN: A bill (H. R. 15070) granting an increase of Pension to Fred E. Kies; to the Committee on Invalid Pensions.

By Mr. GOOD: A bill (H. R. 15071) granting an increase of pension to Andrew W. Hepler; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Washington: A bill (H. R. 15072) granting an increase of pension to John W. Hanshaw; to the Committee on Invalid Pensions.

By Mr. KETTNER: A bill (H. R. 15073) granting a pension to Katherine Shurts; to the Committee on Invalid Pensions.

By Mr. SHOUSE: A bill (H. R. 15074) granting an increase of pension to Charles H. Steward; to the Committee on Pensions.

By Mr. THOMAS: A bill (H. R. 15075) granting a pension to William J. Ross; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Resolution by members of Typographical Union No. 6, of New York, urging enactment of laws whereby suitable positions may be secured for American overseas fighting men returning home, according to the length and character of their military service; to the Committee on Military Affairs.

Also, petition of directors of the Washington Chamber of Commerce, favoring the Government control and operation of telephone systems until Congress shall have thoroughly examined the question of their future disposition; to the Committee on Interstate and Foreign Commerce.

By Mr. CARY: Petition of Wisconsin Retail Dry Goods Association, protesting against the luxury tax in pending revenue bill; to the Committee on Ways and Means.

Also, petition of citizens of Milwaukee, Wis., protesting against the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of president and faculty of Stevens Point Normal School, asking support for Senate bill 4987; to the Committee on Education.

By Mr. CLARK of Pennsylvania: Petition of Nancy A. Mills, Emma J. Crawford, B. F. Crawford, and Jessie J. Mills, of North East, Pa., asking for repeal of the postal zone rate bill; to the Committee on Ways and Means.

By Mr. DRUKKER: Petition for repeal of the postal zone rate bill, signed by Mr. Fred G. Claxton and 103 others, of Paterson, N. J.; to the Committee on Ways and Means.

By Mr. ELSTON: Petition of residents of Alameda County, Cal., favoring the repeal of the zone postal law; to the Committee on Ways and Means.

By Mr. ESCH: Petition of citizens, favoring Senate bill 4987, creating a national department of education; to the Committee on Education.

Also, memorial of Wisconsin Retail Dry Goods Association, advising against the luxury tax in the pending revenue bill; to the Committee on Ways and Means.

By Mr. FULLER of Massachusetts: Memorial adopted by the City Council of Malden, Mass., recommending that the Federal Government on the discharge of soldiers and sailors permanently from active duty should allow them six months' pay beyond the time of their discharge; to the Committee on Military Affairs.

Also, memorial adopted by the City Council of Malden, Mass., urging Congress to enact legislation requiring draft boards and legal advisory boards to assist honorably discharged soldiers, sailors, and marines to secure employment; to the Committee on Military Affairs.

Also, petition of Percy F. Bicknell, of Malden, Mass., for repeal of postal amendment increasing postage on periodicals; to the Committee on Ways and Means.

By Mr. KELLY of Pennsylvania: Petition of Rotary Club of McKeesport, Pa., favoring continuance of Government control of wire systems until Congress shall provide proper procedure; to the Committee on Interstate and Foreign Commerce.

By Mr. KENNEDY of Rhode Island: Memorial of General Assembly of the State of Rhode Island, urging upon Congress the passage of legislation giving financial aid to soldiers, sailors, and marines; to the Committee on Military Affairs.

By Mr. KETTNER: Memorial of League for Ireland for the eleventh congressional district of the State of California, signed by its officers and passed at a meeting in San Diego, Cal.; to the Committee on Foreign Affairs.

By Mr. LONERGAN: Petition of Connecticut Grand Army of the Republic, against transfer of Battle Mountain Soldiers' Home to War Department; to the Committee on Military Affairs.

Also, memorial of Ancient Order of Hibernian Society of Wallingford, Conn., relating to self-determination for Ireland; to the Committee on Foreign Affairs.

Also, resolutions adopted by Hartford Lodge, No. 29, American Federation of Railroad Workers, favoring Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. NEELY: Petition of Huntington Association of Credit Men, urging support of measure providing for war contracts; to the Committee on Military Affairs.

By Mr. POLK: Memorial of Kent County (Del.) Farm Bureau, favoring Senate bill 4987; to the Committee on Education.

By Mr. STINESS: Memorial of General Assembly of the State of Rhode Island, urging upon Congress the passage of legislation giving financial aid to soldiers, sailors, and marines; to the Committee on Military Affairs.

HOUSE OF REPRESENTATIVES.

SATURDAY, *January 25, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou Infinite and Eternal Spirit, before whom angels and archangels bow in adoration, we, Thine earthly children, humbly and reverently bow before Thee, that we may worship Thee in spirit and in truth, and by the uplift of the moment receive that strength which shall enable us faithfully and efficiently to fulfill the obligations of the hour. In the name and spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed the bill (S. 5354) extending the time for the completion of a bridge across the Delaware River, authorized by an act approved the 24th day of August, 1912, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed with amendments the bill (H. R. 13708) providing for the relief of such populations in Europe and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary, had requested a conference with the House of Representatives on the bill and amendments, and had appointed Mr. MARTIN of Virginia, Mr. OVERMAN, and Mr. WARREN as conferees on the part of the Senate.

The message also announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 214. Joint resolution authorizing and directing the accounting officers of the Treasury to allow credit to the disbursing clerk of the Bureau of War Risk Insurance in certain cases.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate joint resolution of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. J. Res. 214. Joint resolution authorizing and directing the accounting officers of the Treasury to allow credit to the disbursing clerk of the Bureau of War Risk Insurance in certain cases; to the Committee on Interstate and Foreign Commerce.

SPEAKER PRO TEMPORE TO PRESIDE ON SUNDAY, JANUARY 26.

The SPEAKER. The Chair designates Judge WATKINS, of Louisiana, to preside to-morrow.

INDIAN APPROPRIATIONS.

The SPEAKER. When the House adjourned yesterday there was an agreement that a yea-and-nay vote be had upon the Hastings amendment to the Indian appropriation bill. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 14746) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920.

Mr. STAFFORD. Mr. Speaker, so as to give the privilege to the entire membership to vote, I wish at the proper time to make a point of no quorum.

The SPEAKER. The question is on agreeing to the Hastings amendment.

Mr. HASTINGS. Mr. Speaker, that is a committee amendment.

The SPEAKER. The Chair understands.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. STAFFORD. Mr. Speaker, on that vote I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Wisconsin makes the point of order that there is no quorum present. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. Those in favor of the amendment will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 198, nays 69, answered "present" 2, not voting 161, as follows:

YEAS—198.

Alexander	Dyer	Larsen	Rouse
Almon	Elliott	Lazaro	Rubey
Aswell	Ellsworth	Lee, Ga.	Rucker
Austin	Essen	Lesher	Sanders, La
Ayres	Evans	Levez	Saunders, Va.
Baer	Farr	Little	Schall
Bankhead	Ferris	Littlepage	Scott, Iowa
Barkley	Flood	Lobeck	Sherwood
Barnhart	Foster	London	Shouse
Bell	Gallagher	Lonergan	Siegel
Beshlin	Gandy	McAndrews	Sims
Black	Gard	McFadden	Sisson
Bland, Va.	Garner	McKeown	Slayden
Blanton	Garrett, Tenn.	McLemore	Sleap
Brand	Glynn	Magee	Smith, Idaho
Browning	Godwin, N. C.	Mansfield	Snyder
Buchanan	Goodwin, Ark.	Martin	Steagall
Burnett	Gray, Ala.	Mays	Stedman
Butler	Green, Iowa	Merritt	Steele
Byrnes, S. C.	Griffin	Miller, Minn.	Stephens, Miss.
Byrns, Tenn.	Hadley	Miller, Wash.	Stevenson
Campbell, Kans.	Hamlin	Mondell	Sumners
Campbell, Pa.	Hardy	Moores, Ind.	Switzer
Cantrill	Harrison, Miss.	Morgan	Taylor, Colo.
Caraway	Harrison, Va.	Mott	Thompson
Carter, Okla.	Hastings	Nicholls, S. C.	Tillman
Cary	Hawley	Oldfield	Timberlake
Chandler, Okla.	Heflin	Oliver, N. Y.	Van Dyke
Clark, Fla.	Hensley	Olney	Venable
Classon	Hilliard	Osborne	Vinson
Claypool	Hollingsworth	Overmyer	Walton
Collier	Houston	Overstreet	Wason
Connally, Tex.	Howard	Paige	Watkins
Connelly, Kans.	Hull, Tenn.	Parker, N. J.	Watson, Va.
Crisp	Humphreys	Peters	Weaver
Crosser	Husted	Phelan	Webb
Dale	Igoe	Polk	Welling
Dempsey	Jacoway	Pou	Welty
Denison	Johnson, S. Dak.	Purnell	Whaley
Denton	Johnson, Wash.	Quin	Wheeler
Dickinson	Jones	Ragsdale	Wilson, La
Dies	Kearns	Rainey, J. W.	Wilson, Tex.
Dill	Keating	Raker	Wingo
Dillon	Kehoe	Randall	Wood, Ind.
Dominick	Key, Ohio	Rankin	Woodyard
Donovan	Kincheloe	Rayburn	Wright
Doolittle	King	Reed	Young, N. Dak.
Doremus	Knutson	Rodenberg	Young, Tex
Doughton	La Follette	Rogers	
Dupré	Langley	Romjue	

NAYS—69.

Bowers	Dowell	Good	Juul
Browne	Elston	Graham, Ill	Kelley, Mich.
Cannon	Esch	Greene, Mass.	Kelly, Pa.
Cooper, W. Va.	Frear	Hamilton, Mich.	Kennedy, Iowa
Cooper, Wis.	French	Haugen	Lampert
Cramton	Fuller, Ill.	Hersey	Lehlbach
Currie, Mich.	Gallivan	Huddleston	Lundeen
Dallinger	Garland	Hull, Iowa	McCormick
Darrow	Garrett, Tex.	Ireland	McKinley
Decker	Gillett	James	McLaughlin, Mich.

Mann	Rose	Steenerson	White, Me.
Mapes	Rowe	Sweet	Williams
Moore, Pa.	Scott, Mich.	Temple	Wilson, Ill.
Nelson, A. P.	Sells	Tilson	Winslow
Nelson, J. M.	Sherley	Towner	Zihlman
Powers	Sinnott	Vare	
Ramseyer	Smith, Mich.	Volstead	
Reavis	Stafford	Walsh	

ANSWERED "PRESENT"—2.

Burroughs Kinkaid

NOT VOTING—161.

Anderson	Eagle	Kettner	Robinson
Anthony	Edmonds	Kiess, Pa.	Rowland
Ashbrook	Emerson	Kitchin	Russell
Bacharach	Estopinal	Kraus	Sabath
Beakes	Fairchild, B. L.	Kreider	Sanders, Ind.
Benson	Fairchild, G. W.	LaGuardia	Sanders, N. Y.
Birch	Fairfield	Lea, Cal.	Sanford
Blackmon	Fess	Linthicum	Scully
Bland, Ind.	Fields	Longworth	Sears
Booher	Fisher	Lufkin	Shackleford
Borland	Flynn	Lunn	Shallenberger
Britten	Focht	McArthur	Sloan
Brodbeck	Fordney	McClintic	Small
Brumbaugh	Foss	McCulloch	Smith, C. B.
Caldwell	Francis	McKenzie	Smith, T. F.
Candler, Miss.	Freeman	McLaughlin, Pa.	Snell
Carew	Fuller, Mass.	Madden	Snook
Carlin	Goodall	Maher	Stephens, Nebr.
Carter, Mass.	Gordon	Mason	Sterling
Chandler, N. Y.	Gould	Montague	Stiness
Church	Graham, Pa.	Moon	Strong
Clark, Pa.	Gray, N. J.	Morin	Sullivan
Cleary	Greene, Vt.	Mudd	Swift
Coady	Gregg	Neely	Tague
Cooper, Ohio	Griest	Nichols, Mich.	Taylor, Ark.
Copley	Hamill	Nolan	Templeton
Costello	Hamilton, N. Y.	Norton	Thomas
Cox	Haskell	Oliver, Ala.	Tinkham
Crago	Hayden	O'Shaunessy	Treadway
Curry, Cal.	Hayes	Padgett	Vestal
Davey	Heaton	Park	Voigt
Davis	Heintz	Parker, N. Y.	Waldow
Delaney	Helm	Platt	Walker
Dent	Helvering	Porter	Ward
Dewalt	Hicks	Pratt	Watson, Pa.
Dixon	Holland	Price	White, Ohio
Dooling	Hood	Rainey, H. T.	Wise
Drane	Hutchinson	Ramsey	Woods, Iowa
Drukker	Johnson, Ky.	Riordan	
Dunn	Kahn	Robbins	
Eagan	Kennedy, R. I.	Roberts	

So the amendment was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. DEWALT with Mr. DUNN.
Mr. MOON with Mr. KINKAID.
Mr. BOOHER with Mr. TREADWAY.
Mr. MAHER with Mr. TINKHAM.
Mr. CAREW with Mr. GOODALL.
Mr. DOOLING with Mr. STRONG.
Mr. CALDWELL with Mr. GOULD.
Mr. SULLIVAN with Mr. SNELL.
Mr. THOMAS F. SMITH with Mr. PARKER of New York.
Mr. WHITE of Ohio with Mr. NORTON.
Mr. ESTOPINAL with Mr. EMERSON.
Mr. PADGETT with Mr. BROWNING.
Mr. BEAKES with Mr. ANTHONY.
Mr. BENSON with Mr. BACHARACH.
Mr. BRODBECK with Mr. BIRCH.
Mr. BRUMBAUGH with Mr. BLAND of Indiana.
Mr. CANDLER of Mississippi with Mr. BRITTEN.
Mr. CARLIN with Mr. COOPER of Ohio.
Mr. CHURCH with Mr. COPLEY.
Mr. CLEARY with Mr. CRAGO.
Mr. COADY with Mr. CURRY of California.
Mr. DAVEY with Mr. DAVIS.
Mr. DENT with Mr. KAHN.
Mr. DRANE with Mr. EDMONDS.
Mr. EAGAN with Mr. FAIRFIELD.
Mr. EAGLE with Mr. FULLER of Massachusetts.
Mr. FIELDS with Mr. GRAHAM of Pennsylvania.
Mr. FISHER with Mr. GRIEST.
Mr. HAMILL with Mr. GREENE of Vermont.
Mr. SCULLY with Mr. HASKELL.
Mr. HAYDEN with Mr. HEATON.
Mr. HELM with Mr. HICKS.
Mr. HOLLAND with Mr. HUTCHINSON.
Mr. KETTNER with Mr. KENNEDY of Rhode Island.
Mr. LEA of California with Mr. KIESS of Pennsylvania.
Mr. LINTHICUM with Mr. KRAUS.
Mr. LUNN with Mr. KREIDER.
Mr. MCCLINTIC with Mr. LAGUARDIA.
Mr. MONTAGUE with Mr. LUFKIN.
Mr. NEELY with Mr. MCARTHUR.
Mr. OLIVER of Alabama with Mr. MCCULLOCH.
Mr. O'SHAUNESSY with Mr. MCKENZIE.
Mr. PARK with Mr. MADDEN.
Mr. BLACKMON with Mr. MASON.
Mr. ASHBROOK with Mr. MUDD.
Mr. RIORDAN with Mr. NICHOLS of Michigan.
Mr. PRICE with Mr. RAMSEY.
Mr. HENRY T. RAINEY with Mr. ROBBINS.
Mr. ROBINSON with Mr. SANDERS of Indiana.
Mr. SABATH with Mr. SANFORD.
Mr. SEARS with Mr. STINESS.
Mr. SMALL with Mr. VESTAL.
Mr. CHARLES B. SMITH with Mr. WARD.
Mr. TAGUE with Mr. WATSON of Pennsylvania.
Mr. TAYLOR of Arkansas with Mr. HAMILTON of New York.
Mr. THOMAS with Mr. MORIN.
Mr. WISE with Mr. HAYES.
Mr. SNOOK with Mr. COSTELLO.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. CARTER of Oklahoma, a motion to reconsider the vote by which the bill was passed was laid on the table.

AMBASSADOR FRANCIS.

Mr. FLOOD. Mr. Speaker, in the debate on the Diplomatic and Consular appropriation bill last Wednesday the gentleman from New York [Mr. LAGUARDIA] made this statement:

I have wondered if the distinguished gentleman from Virginia is aware of the fact that our allies had to call the attention of the Department of State to the personal conduct and associations of our ambassador with certain of his friends of Teutonic tendencies.

This statement was made in reference to Ambassador Francis, our ambassador to Russia. As an evidence of the accuracy of the statements of the gentleman from New York, I desire to have read a letter I have received from the Acting Secretary of State, Hon. Frank L. Polk.

The SPEAKER. The gentleman asks unanimous consent to have read a letter from the State Department. Is there objection?

There was no objection.

The Clerk read as follows:

THE COUNSELOR FOR THE DEPARTMENT OF STATE,
Washington, January 23, 1919.

Hon. HENRY D. FLOOD,
Chairman Committee on Foreign Affairs,
House of Representatives.

DEAR MR. FLOOD: My attention has been called to a statement by Mr. LAGUARDIA, in the CONGRESSIONAL RECORD of yesterday's date, in criticism of Ambassador Francis, to the effect that—

"Our allies had to call the attention of the Department of State to the personal conduct and associations of our ambassador with certain of his friends of Teutonic tendencies."

In justice to Mr. Francis, I desire to inform you that no representations have been received from any foreign government regarding improper conduct on the part of Ambassador Francis.

Sincerely, yours, FRANK L. POLK.

[Applause.]

EXTENSION OF REMARKS.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Indian appropriation bill just passed.

Mr. CARTER of Oklahoma. Reserving the right to object, I want to ask unanimous consent that all those who spoke on the bill may have an opportunity to extend their remarks. Several have asked me.

Mr. FOSTER. Oh, let us not do that.

Mr. CARTER of Oklahoma. I mean only those who spoke on the bill.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. MANN. I object. Individual Members may present their requests.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. CRAMTON] to extend his remarks in the RECORD?

There was no objection.

Mr. HASTINGS. Mr. Speaker, I ask permission to extend my remarks upon that bill.

Mr. CARTER of Oklahoma. Mr. Speaker, I ask unanimous consent to extend my remarks on the Indian bill.

The SPEAKER. The gentleman from Oklahoma [Mr. HASTINGS] and the gentleman from Oklahoma [Mr. CARTER] ask unanimous consent to extend remarks on the Indian bill. Is there objection?

There was no objection.

Mr. COOPER of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. On that bill?

Mr. COOPER of Wisconsin. Yes.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the RECORD on the Indian bill. Is there objection?

There was no objection.

INVALID PENSIONS.

Mr. SHERWOOD. Mr. Speaker, I move that we proceed to the consideration of the Private Calendar.

The SPEAKER. The gentleman from Ohio calls up a bill on the Private Calendar. The clerk will report it.

Mr. MANN. The gentleman can either make a motion or a request for unanimous consent.

Mr. SHERWOOD. I ask unanimous consent that these bills be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Ohio asks unanimous consent that these bills be considered in the House as in Committee of the Whole. Is there objection?

Mr. MANN. That applies to all the pension bills on the Private Calendar?

The SPEAKER. It applies to this pension bill. Is there objection?

Mr. KING. Mr. Speaker, reserving the right to object, I want to call the attention of the House to the fact that the Committee on Invalid Pensions of this House insist on retaining one of the most vicious and diabolical rules that was ever adopted by any committee in this House. There is a provision that no member of a soldiers' or sailors' home can receive a pension at the hands of this committee. They require that a man shall absolutely show that he is without means of support, in the first instance. One of the last things to show whether this is the case is whether he is a member of the soldiers' home. There is an old blind gentleman in a soldiers' and sailors' home at Quincy, Ill. He has no friends, no home, nobody on earth to take care of him, but he is in a soldiers' home, and therefore can receive no favors at the hands of this committee. Mr. Speaker, I withdraw the reservation of objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

Mr. SHOUSE. Mr. Speaker, I ask unanimous consent that the first reading of the bill be dispensed with.

The SPEAKER. The gentleman from Kansas asks unanimous consent to dispense with the first reading of the bill. Is there objection?

There was no objection.

The bill is as follows:

A bill (H. R. 14894) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Rebecca Schofield, widow of James Schofield, late of Company C, First Battalion Mississippi Marine Brigade Missouri Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Benjamin Foust, late of Company C, Forty-fourth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William T. Slocum, late of Company I, Eleventh Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Elijah C. Duff, late of Company L, Fourteenth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Luella Kirtland, helpless and dependent child of George H. Kirtland, late of Galbraith's Alabama Scouts and Guides, and pay her a pension at the rate of $12 per month.

The name of Hiland H. Harlocker, late of Company H, Sixth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Mary F. Sheerer, former widow of Frank J. Sheer (or Sheerer), late of Company E, Twenty-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Jane Snider, widow of Henry E. Snider, late of Company A, One hundred and twenty-ninth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Jonathan D. Butler, late of Company H, First Regiment Michigan Engineers and Mechanics, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Emma L. Pugh, widow of Samuel Pugh, late of Company D, First Michigan Volunteer Light Artillery, and pay her a pension at the rate of $25 per month.

The name of George N. Thurlow, late of Company F, Seventh Regiment Maine Volunteer Infantry, and Company F, First Regiment Maine Veteran Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Leila J. Stryker, former widow of Josiah W. De Silva, late of Company F, One hundred and second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Simon P. Whiteleather, late of Company H, One hundred and ninety-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William Row, late of Company B, Forty-third Regiment, and Company H, Fifteenth Regiment, Missouri Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Melissa W. Coulson, widow of Charles A. Coulson, late of Company H, Twenty-first Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Ellen Pierce, former widow of William Pierce, late of Company B, Seventeenth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Rufus C. Williams, helpless and dependent child of Joseph Williams, late of Company G, Twenty-fourth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of Margaret Steele, widow of Edward T. Steele, late of Company I, Twelfth Regiment Connecticut Volunteer Infantry, and Company G, First Regiment Connecticut Volunteer Heavy Artillery, and pay her a pension at the rate of $25 per month.

The name of Jerel Carver, late of Company C, Seventh Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Rebecca Roszell, alleged helpless and dependent child of Charles M. Roszell, late of Company B, Seventy-sixth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of J. Wallace Ellis, late of Company C, Sixteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Jasper W. Shoemaker, late of Company H, Eleventh Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James McCoy, late of Company A, Sixty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William S. Nail, late of Company E, Eighty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Mary E. Lape, widow of William Lape, late of Company G, Twenty-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $37 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Margaret E. Lape, helpless and dependent child of said William Lape, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Mary E. Lape the name of said Margaret E. Lape shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Mary E. Lape.

The name of Mary J. Titus, widow of Francis J. M. Titus, late of Company F, Seventh Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Harriet J. Houghtaling, widow of Aaron Houghtaling, late of Company D, Fourth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Walter L. Todd, late of Company I, Fourth Regiment Tennessee Volunteer Mounted Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John F. Dewire, helpless and dependent child of Thomas Dewire, late of Company C, One hundred and first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of Perry Harrell, late of Company C, Fortieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William H. Simmons, late of Company D, Forty-eighth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Wilhelmine Waterstradt, former widow of Charles L. Keller, late of Company G, Thirty-fifth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Rosalie Noel, former widow of Charles E. Cauffman, late of Company K, First Regiment Pennsylvania Reserve Infantry, and pay her a pension at the rate of $25 per month.

The name of Sarah E. Hathaway, widow of John F. Hathaway, late acting assistant surgeon, United States Army, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of William Ducy, late of Company A, Fifty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Joel Bryant, late of Company B, First Regiment East Tennessee National Guards, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Emri Sites, late of Company C, Forty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Seth J. Hurin, jr., late of Company C, Twenty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Frances L. Lucas, widow of William H. Lucas, late of Company K, Second Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Sarah Morrill, former widow of Oel Morrill, late of Company B, Twelfth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of James McNeal, late of Company A, One hundred and thirty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Sophena S. Bobley, helpless and dependent child of William Bobley, late of Company F, Thirty-first Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of William Wolf, late of Company E, Eighty-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Charles Mountain, late of the First Independent Battery, Ohio Volunteer Light Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Frank B. Weed, late of Company E, Ninth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Jonathan M. Valentine, late of Company I, Eighteenth Regiment Missouri Volunteer Infantry, and Eighteenth Company, Second Battalion, Veteran Reserve Corps, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Benjamin M. Donaca, late of Company C, First Regiment Oregon Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of David B. Stockton, late of Company D, Seventy-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John L. Wheeler, late of Company I, Seventeenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John Clark, late of Company D, Twenty-eighth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Joseph Butler, late of Company H, Sixtieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Mary Calkins, widow of James Calkins, late of Company A, Fifty-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Miranda Q. Moore, widow of Theodore R. Moore, late of Company C, One hundred and sixty-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of James Forsyth Harrison, late clerk, Quartermaster Department, United States Volunteers, and pay him a pension at the rate of $35 per month in lieu of that he is now receiving.

The name of Danford Wyllys, late of Company K, Second Regiment Massachusetts Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Martha E. Richards, widow of Robert O. Richards, late of Company F, Eighth Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Mariah Hensley, former widow of John Hensley, late of Company I, One hundred and forty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Catharine Ellis, former widow of Thomas Ellis, late of Company F, Eighty-first Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of John Mittlestedtler, late of Company F, Sixth Regiment United States Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Charles H. Johnson, late unassigned recruit, Sixteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of Franklin Kirby, late of Company D, Sixty-sixth Regiment Indiana Volunteer Infantry, and Company L, First Regiment Indiana Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month.

The name of Christine Heldt, former widow of William Washer, late of Company E, Tenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Lillia M. Collier, former widow of William H. Collier, late of the United States Marine Corps, and pay her a pension at the rate of $25 per month.

The name of Etta Height, widow of Ferdinand Height, late paymaster's steward, United States ship Huntress, United States Navy, and pay her a pension at the rate of $25 per month.

The name of Nellie B. Oliver, widow of William J. Oliver, late of Company I, Thirteenth Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Mary E. Kline, widow of Patroclus Kline, late of Company A, One hundred and seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of James Norris, late of Company G, Fortieth Regiment Kentucky Volunteer Mounted Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William H. Steele, late of Company A, Fifth Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Rose Vollkommer, widow of Peter Vollkommer, late coal heaver, United States Navy, and pay her a pension at the rate of $25 per month.

The name of William Schooley, late of Company K, Fifty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William A. Fox, helpless and dependent child of Abner Fox, late of Battery B, First West Virginia Volunteer Light Artillery, and pay him a pension at the rate of $12 per month.

The name of Margaret L. Cisney, widow of John W. Cisney, late of Company I, Fifty-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Mary A. McBride, former widow of John McBride, late of Company B, One hundred and twentieth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Nancy E. Matlock, widow of Joseph Matlock, late of Company K, Fourth Regiment Missouri State Militia Cavalry, and pay her a pension at the rate of $25 per month.

The name of Mary Hodges, widow of Thomas Hodges, late of Company A, Second Regiment Colorado Volunteer Infantry, and Company A, Second Regiment Colorado Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Virginia Blood, former widow of Downer K. Blood, late of Company H, Eleventh Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Peter M. Smith, late of Company B, One hundred and thirty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Mary M. Watson, former widow of Walter Hartsough, late of Company K, Sixteenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Nancy Ellis, widow of James Ellis, late of Company G, First Regiment Alabama Vidette Cavalry, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Mary E. Heywood, widow of Reuben Heywood, late of Company A, Twenty-fifth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of William Stewart, late of Company H, One hundred and forty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Victoria Wheeler, former widow of Daniel Baer, late of Company B, Forty-seventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of John S. Miller, late of Company H, One hundred and fifty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Martha Hallman, widow of Henry Hallman, late of Company C, Tenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $37 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Stanley Hallman, helpless and dependent child of said Henry Hallman, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Martha Hallman the name of said Stanley Hallman shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Martha Hallman.

The name of William A. McGinety, late of Company E, Seventh Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William H. Goolliman, late of Company C, Ninety-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Sarah E. Jackman, widow of Robert C. Jackman, late of Company G, Eighty-second Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of William B. Talbott, late of Company L, Eleventh Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Ambrose White, late of Company I, Third Regiment North Carolina Volunteer Mounted Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John S. Brannan, late of Company G, Tenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Aaron Lewis, late of Company K, Thirty-ninth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John E. Hutzler, late of Company I, First Regiment Maryland Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William C. Clendening, late of Company C, Third Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Isaac E. Pearce, late of Company K, Seventh Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Amanda Hammond, widow of Wyatt A. Hammond, late of Company B, Tenth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of $25 per month.

The name of Richard L. Chaney, late of Company D, Eighty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Beverly W. Lemert, late of Company A, Seventy-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Catherine Varner, helpless and dependent child of Newton J. Varner, late of Company K, Eighteenth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Craig M. Geiselman, late of Company B, Twenty-first Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Mary A. Snyder, widow of Christian H. Snyder, late of Company E, One hundred and ninety-fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $37 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of William M. Snyder, helpless and dependent child of said Christian H. Snyder, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Mary A. Snyder the name of said William M. Snyder shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Mary A. Snyder.

The name of Charles H. Giles, late of Company F, Twenty-sixth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Kate Peck, widow of Alfred Peck, late of Company D, Fifty-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Elizabeth Bluck, widow of Edwin Bluck, late of Company A, One hundred and ninety-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Henry Neutzenhoelzer, late of Company A, Sixteenth Regiment Indiana Volunteer Infantry, and Company L, Thirteenth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Lucy W. Lockwood, widow of George M. Lockwood, late of Company F, Thirty-third Regiment New York Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Daniel Dawson, late of Company K, Sixty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Peter G. Wynegar, late of Company H, One hundred and thirty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Nelson J. Finney, late of Company B, Fifty-second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of James F. Scott, late of Company I, Fifty-fifth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Abraham Benner, late of Company F, One hundred and fifty-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Caroline B. Stirk, widow of Oliver J. Stirk, late of Company A, One hundred and fourth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Upton Sutherland, late of Company B, First Regiment West Virginia Volunteer Infantry, and Company E, Second Regiment West Virginia Veteran Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Malinda J. Wilson, widow of Edward F. Wilson, late of Company A, Fourth Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Lewis H. Van Antwerp, late of Company G, Seventh Regiment United States Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Martin McDermott, helpless and dependent child of Michael McDermott, late of Company I, One hundred and sixtieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of Albert Ullman, late of Company K, One hundred and fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Mary Smith, widow of Michael Smith, late of Company K, Twenty-eighth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Nancy A. Lawther, widow of James T. Lawther, late of Company B, Ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Lulu Simpson, late of the Twenty-sixth Independent Battery, Ohio Volunteer Light Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Peter Wagener, late of Company I, Two hundred and Ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Caroline Knlerim, widow of Phillipp Knlerim, late of Company D, Second Regiment Kansas Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Patience Burton, widow of William A. Burton, late of Company C, Ninety-eighth Regiment, and Company G, Seventy-fourth Regiment, Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Mamie Russell, helpless and dependent child of Albert Russell, late of Company G, Thirty-fourth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of George Harshman, helpless and dependent child of Ezekiel Harshman, late of Company G, One hundred and first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of Margie Combs, widow of Willis T. Combs, late of Company B, Ninth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Leonora Andrews, widow of Oscar Andrews, late of Company E, Ninety-fifth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Delphina P. Leslie, former widow of Noble F. Leslie, late of Company C, Tenth Regiment Pennsylvania Reserve Infantry, and Company D, One hundred and ninetieth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of David A. Conner, late of Company F, Seventh Regiment Delaware Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Nelson Aumick, late of Company K, One hundred and forty-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George W. Tilman, late of Company G, One hundred and tenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Nancy Robertson, widow of Mitchell E. Robertson, late of Company B, Second Regiment North Carolina Volunteer Mounted Infantry, and pay her a pension at the rate of $25 per month.

The name of George A. P. Cumming, late of Company B, One hundred and thirtieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Orceneth F. Smith, late of Company F, Fourth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Gilman P. Huff, late of Company G, Twentieth Regiment Maine Volunteer Infantry, and master at arms United States Navy, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Reason Walker, late of Company C, Seventieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John A. Neff, late of Company G, One hundred and seventy-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George A. Hitchcock, late of Company A, Second Regiment New York Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Ann E. McGrew, widow of William T. McGrew, late of Company A, First Ohio Volunteer Light Artillery, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Frank K. Laha, late of Battery H, First Illinois Volunteer Light Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Jessie F. Worley, helpless and dependent child of Asa Worley, late of Company F, One hundred and fifty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Francis M. Humphrey, late of Company D, Second Regiment Arkansas Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George A. Spofford, late of Company D, Thirty-fifth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William C. Oakley, late of Company H, Sixth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Mary Marley, helpless and dependent child of John Marley, late of Company D, Eleventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Oscar Jones, late of Company K, Second Regiment Ohio Volunteer Heavy Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Ella Williamson, helpless and dependent child of James H. Williamson, late of Company I, One hundred and thirtieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Jane H. Zimmerman, widow of Harvey A. Zimmerman, late of Company K, Sixty-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Flora Middleton, widow of John W. Middleton, late of Company E, Thirtieth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Hamor H. Hanson, late of Company B, Eighty-first Regiment, and Company A, Fifty-eighth Regiment, Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Manly R. Yardley, late of Company K, First Regiment New Hampshire Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John Daily, late of Company B, Fourteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William H. Ramey, late of Company C, One hundred and twenty-third Regiment, and Company I, Fourteenth Regiment, Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Oamer A. Rose, late of Company I, Twenty-fifth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Elizabeth Sides, former widow of Alexander Ruffaner, late of Company C, Forty-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Simon Reeder, late of Company H, One hundred and eighty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Anderson Adams, late of Company A, Fourteenth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Flemon M. Smith, late of Companies K and A, Fifth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John Speaks, late of Company G, One hundred and seventeenth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Charlotte Perry, former widow of Hiram S. Barber, late of Company I, Fifty-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Mary E. Finch, widow of Lyman S. Finch, late of Company G, Tenth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Rhoda Button, widow of James Button, late of Company G, Ninety-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of David Kimball, late of Company E, First Regiment Missouri Engineers of the West, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James H. Crosser, late of Company D, One hundred and seventy-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Bennett R. Campbell, late of Company G, Thirtieth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Thomas C. Yates, late of Fourth Independent Company, Ohio Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Nancy Granger, widow of Sidney Granger, late of Company E, Ninth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Benjamin T. Pool, late of Company K, One hundred and forty-eighth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $35 per month in lieu of that he is now receiving.

The name of Josephine A. Davison, former widow of James M. Davison, late of Company C, Fifty-first Regiment, and unassigned, Fifty-sixth Regiment, Missouri Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Myra S. Stephen, former widow of John M. Stephen, late of Company H, Fiftieth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Edwin Hallowell, late of the Tenth Independent Battery, Ohio Volunteer Light Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Clark Sturdevant, late of Company E, Twenty-seventh Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James Myers, late of Company M, Second Regiment Nebraska Volunteer Cavalry, and Company A, First Battalion Nebraska Veteran Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Frank B. Gillespie, late of Company F, Eightieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Elisha S. Perkins, late of Company B, Second Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Luther L. Sloan, helpless and dependent child of William H. Sloan, late of Company B, Thirty-eighth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of Ella May Sloan, helpless and dependent child of William H. Sloan, late of Company E, Thirty-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Major Buley, helpless and dependent child of William J. Buley, late of Company C, Twenty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of Mary Jedowin, widow of Theophilus Jedowin, jr., late of Battery C, First Regiment Vermont Volunteer Heavy Artillery, and pay her a pension at the rate of $25 per month.

The name of Thomas F. Duffy, late of Company B, One hundred and forty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Orin H. Mathews, late of Company H, One hundred and second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Nancy C. Sloan, widow of Daniel B. Sloan, late of Company B, Sixteenth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Robert R. C. Grantham, late of the Signal Corps, United States Army, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Edward M. Hayhurst, late of Company E, One hundred and twenty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Seth Brooks, late of Company D, Fifty-second Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Daniel H. Woodruff, late of Company D, Twenty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George P. Clayton, late of Company B, Fifty-third Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Eliza H. East, widow of Martin East, late of Company I, First Regiment Arkansas Volunteer Infantry, and pay her a pension at the rate of $37 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Daisy East, helpless and dependent child of said Martin East, the additional pension herein granted

shall cease and determine: *Provided further*, That in the event of the death of Eliza H. East the name of said Daisy East shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Eliza H. East.

The name of Emelia Branner, widow of John S. Branner, late of the Topeka Battery, Second Kansas State Militia, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of William O. Fraser, late of Company B, One hundred and forty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Matthew M. Eshelman, late of Company F, One hundred and forty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Anna E. Cooke, widow of James W. Cooke, late of Company H, One hundred and eleventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Jane Shumaker, widow of Henry Shumaker, late of Company H, One hundred and tenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $37 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Gladys M. Shumaker, helpless and dependent child of said Henry Shumaker, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Jane Shumaker, the name of said Gladys M. Shumaker shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Jane Shumaker.

The name of George Walton, late of Company A, Sixth Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Gilbert Smith, late of Company C, One hundred and twenty-sixth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Catharine McQuade, widow of James McQuade, late of the United States Marine Corps, and pay her a pension at the rate of $37 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Fannie M. McQuade, helpless and dependent child of said James McQuade, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Catharine McQuade, the name of said Fannie M. McQuade shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Catharine McQuade.

The name of Joseph R. Wilson, alias Joseph R. Steed, late of Company E, One hundred and sixty-fifth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Walter R. Vaughan, late of Company K, Eleventh Regiment Rhode Island Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Sarah Jane Vanpelt, former widow of John E. Powers, late of Company B, One hundred and fifty-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of John Van Etten, late of Company G, Thirteenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John E. Beatty, late of Company D, Sixty-ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Henry O. Pixley, late of Company F, Seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Wilson B. George, late of Company L, Fourth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Elisha Hurley, alias Elisha Durley, late of Company F, One hundred and forty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John M. Dixon, late of Company K, Twelfth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Joseph Davidson, late of Company K, Forty-fifth Regiment Kentucky Volunteer Mounted Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Francis M. Risner, late of Company L, Fourteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Robert Damron, late of Company B, Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

This bill is a substitute for the following House bills referred to said committee:

H. R. 426. Rebecca Schofield.
H. R. 833. Benjamin Foust.
H. R. 840. William Slocum.
H. R. 1166. Elijah C. Duff.
H. R. 1783. Lucila Kirtland.
H. R. 3237. Hiland H. Harlocker.
H. R. 3444. Mary F. Sheerer.
H. R. 3903. Jane Snider.
H. R. 3961. Jonathan D. Butler.
H. R. 4064. Emma L. Pugh.
H. R. 4533. George N. Thurlow.
H. R. 4658. Lydia J. Stryker.
H. R. 4799. Simon Z. Whiteleather.
H. R. 4841. William Row.
H. R. 4867. Mellissa W. Conlson.
H. R. 5276. Ellen Pierce.
H. R. 5738. Rufus C. Williams.
H. R. 5846. Margaret Steele.
H. R. 6016. Jerel Carver.
H. R. 6463. Rebecca Rostell.
H. R. 7003. J. Wallace Ellis.
H. R. 7102. Jasper W. Shoemaker.
H. R. 7366. James McCoy.
H. R. 7441. William S. Nail.
H. R. 7594. Mary E. Lape.
H. R. 7748. Mary J. Titus.
H. R. 7865. Harriet J. Houghtaling.
H. R. 7884. Walter Todd.
H. R. 8043. John P. Dewire.
H. R. 8166. Perry Harrell.
H. R. 8254. William H. Simmons.
H. R. 8928. Wilhelmine Waterstradt.
H. R. 9038. Rosalie Noel.
H. R. 9333. Sarah E. Hathaway.
H. R. 9477. William Duey.
H. R. 9599. Joel Bryant.
H. R. 9808. Emri Sites.
H. R. 9809. Seth J. Hurin, jr.
H. R. 9810. Frances L. Lucas.
H. R. 9838. Sarah Morrill.
H. R. 9846. James McNeal.
H. R. 10033. Sophena B. Bohley.
H. R. 10098. William Wolf.
H. R. 10013. Charles Mountain.
H. R. 10150. Frank B. Weed.
H. R. 10567. Jonathan M. Valentine.
H. R. 10703. Benjamin M. Donaca.
H. R. 10803. David B. Stockton.
H. R. 10817. John L. Wheeler.
H. R. 10879. John Clark.
H. R. 10965. Joseph Butler.
H. R. 10933. Mary Calkins.
H. R. 11009. Miranda Q. Moore.
H. R. 11056. James Forsyth Harrison.
H. R. 11074. Danford Wyllys.
H. R. 11112. Martha E. Richards.
H. R. 11139. Mariah Hensley.
H. R. 11193. Catharine Ellis.
H. R. 11285. John Mittlestetter.
H. R. 11578. Charles H. Johnson.
H. R. 11429. Franklin Kirby.
H. R. 11449. Christine Heldt.
H. R. 11452. Lilla M. Collier.
H. R. 11497. Etta Height.
H. R. 11536. Nellie B. Oliver.
H. R. 11644. Mary E. Kline.
H. R. 11690. James Norris.
H. R. 11731. William H. Steel.
H. R. 11734. Rose Volkommer.
H. R. 11828. William Schooley.
H. R. 11869. William A. Fox.
H. R. 11879. Margaret L. Cisney.
H. R. 11961. Mary A. McBride.
H. R. 11975. Nancy E. Matlock.
H. R. 11988. Mary Hodges.
H. R. 11996. Virginia Blood.
H. R. 12106. Peter M. Smith.
H. R. 12054. Mary M. Watson.
H. R. 12062. Nancy Ellis.
H. R. 12071. Mary E. Heywood.
H. R. 12107. William Stewart.
H. R. 12114. Victoria Wheeler.
H. R. 12165. John S. Miller.
H. R. 12176. Martha Hallman.
H. R. 12215. William A. McGinety.
H. R. 12218. William H. Goolman.
H. R. 12232. Sarah E. Jackman.
H. R. 12248. William B. Talbott.
H. R. 12260. Ambrose White.
H. R. 12274. John S. Brannan.
H. R. 12278. Aaron Lewis.
H. R. 12286. John E. Hutzler.
H. R. 12287. William C. Clendening.
H. R. 12289. Isaac E. Pearce.
H. R. 12315. Amanda Hammond.
H. R. 12323. Richard L. Chaney.
H. R. 12329. Beverly W. Lemert.
H. R. 12331. Catherine Varner.
H. R. 12342. Craig M. Geiselman.
H. R. 12343. Mary A. Snyder.
H. R. 12345. Charles H. Giles.
H. R. 12377. Kate Peck.
H. R. 12381. Elisabeth Black.
H. R. 12389. Henry Neutzenboelzer.
H. R. 12400. Lucy W. Lockwood.
H. R. 12406. Daniel Dawson.
H. R. 12410. Peter G. Wynegar.
H. R. 12412. Nelson J. Finney.
H. R. 12433. James F. Scott.
H. R. 12466. Abraham Benner.
H. R. 12474. Caroline B. Stirk.
H. R. 12486. Upton Sutherland.
H. R. 12506. Malinda J. Wilson.
H. R. 12557. Lewis H. Van Antwerp.
H. R. 12569. Martin McDermott.
H. R. 12577. Albert Ullman.
H. R. 12594. Mary Smith.
H. R. 12626. Nancy A. Lawther.
H. R. 12629. Ellin Simpson.
H. R. 12639. Peter Wagener.
H. R. 12710. Caroline Kulerim.
H. R. 12713. Patience Burton.
H. R. 12715. Mamie Russell.
H. R. 12734. George Harshman.
H. R. 12740. Margie Combs.
H. R. 12779. Leonora Andrews.
H. R. 12780. Delphina P. Leslie.
H. R. 12791. David A. Conner.
H. R. 12795. Nelson Aumick.
H. R. 12796. George W. Tilman.
H. R. 12802. Nancy Robertson.
H. R. 12894. George A. P. Cumming.
H. R. 12914. Orceneth F. Smith.
H. R. 12944. Gilman P. Huff.
H. R. 12959. Reason Walker.
H. R. 12965. John A. Neff.
H. R. 12974. George A. Hitchcock.
H. R. 12975. Ann E. McGrew.
H. R. 12989. Frank K. Laha.
H. R. 13009. Jessie F. Worley.
H. R. 13022. Francis M. Humphrey.
H. R. 13031. George A. Spofford.
H. R. 13082. William C. Oakley.
H. R. 13084. Mary Marley.
H. R. 13091. Oscar Jones.
H. R. 13105. Ella Williamson.
H. R. 13123. Jane H. Zimmerman.
H. R. 13130. Flora Middleton.
H. R. 13134. Hamor H. Hanson.
H. R. 13150. Manly R. Yardley.
H. R. 13151. John Daily.
H. R. 13152. William H. Ramey.
H. R. 13167. Osmer A. Rose.
H. R. 13170. Elizabeth Sides.
H. R. 13210. Simon Reeder.
H. R. 13211. Anderson Adams.
H. R. 13216. Flemon M. Smith.
H. R. 13222. John Speaks.
H. R. 13224. Charlotte Perry.
H. R. 13251. Mary E. Finch.
H. R. 13263. Rhoda Button.
H. R. 13337. David Kimball.
H. R. 13348. James H. Crosser.
H. R. 13349. Bennett R. Campbell.
H. R. 13361. Thomas C. Yates.
H. R. 13376. Nancy Granger.
H. R. 13377. Benjamin T. Pool.
H. R. 13388. Josephine A. Davison.
H. R. 13389. Myra E. Stephen.
H. R. 13395. Edwin Hallowell.
H. R. 13406. Clark Sturdevant.
H. R. 13423. James Myers.
H. R. 13437. Frank B. Gillespie.
H. R. 13452. Elisha S. Perkins.
H. R. 13472. Luther L. Sloan.
H. R. 13474. Ella May Sloan.
H. R. 13486. Major Buley.
H. R. 13492. Mary Jedowin.
H. R. 13534. Thomas F. Duffy.
H. R. 13541. Orin H. Mathews.
H. R. 13543. Nancy C. Sloan.
H. R. 13554. Robert R. C. Grantham.
H. R. 13571. Edward M. Hayhurst.
H. R. 13599. Seth Brooks.
H. R. 13600. Daniel H. Woodruff.
H. R. 13602. George P. Clayton.
H. R. 13607. Eliza H. East.
H. R. 13632. Emelia Branner.
H. R. 13633. William O. Fraser.
H. R. 13638. Matthew M. Eshelman.
H. R. 13639. Anna E. Cooke.
H. R. 13644. Jane Shumaker.
H. R. 13665. George Walton.
H. R. 13666. Gilbert Smith.
H. R. 13803. Catharine McQuade.
H. R. 13816. Joseph R. Wilson, alias Joseph R. Speed.
H. R. 13811. Walter R. D. Vaughn.
H. R. 13813. Sarah Jane Vanpelt.
H. R. 13937. John Van Etten.
H. R. 14210. John E. Beatty.
H. R. 14448. Henry O. Pixley.
H. R. 14454. Wilson B. George.
H. R. 14522. Elisha Hurley, alias Elisha Durley.
H. R. 14524. John M. Dixon.
H. R. 14807. Joseph Davidson.
H. R. 14809. Francis M. Risner.
H. R. 14817. Robert Damron.

The Clerk read as follows:

The name of William Wolf, late of Company E, Eighty-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

Mr. SHERWOOD. Mr. Speaker, I offer the following committee amendment.

The Clerk read as follows:

Page 9, strike out lines 1 to 4, inclusive

The amendment was agreed to.

The Clerk read as follows:

The name of Jonathan M. Valentine, late of Company I, Eighteenth Regiment Missouri Volunteer Infantry, and Eightieth Company, Second Battalion, Veteran Reserve Corps, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

Mr. SHERWOOD. Mr. Speaker, I offer the following committee amendment.

The Clerk read as follows:

Page 9, strike out lines 13 to 17, inclusive.

The amendment was agreed to.

The Clerk read as follows:

The name of Peter Wagener, late of Company I, Two hundred and ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

Mr. MANN. Mr. Speaker, I move to strike out the last word. There has been more or less talk in the House and elsewhere about discharges from the Army. I have made myself some criticism of the War Department in reference to discharges. I have a letter from Gen. March, Chief of Staff, giving the most complete statement in reference to the policy of the War Department about discharges from the Army which I have seen and which, I think, will be of interest to Members of the House. I ask unanimous consent that the letter may be read by the Clerk.

The SPEAKER. Without objection, the Clerk will read.

The Clerk read as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
Washington, January 25, 1919.

Hon. JAMES R. MANN,
House of Representatives.

DEAR SIR: I beg to acknowledge receipt of your letter of the 8th instant, addressed to The Adjutant General of the Army.

You inclosed therewith a telegram and letter addressed to you relative to discharges from the Army, with reference to which you say:

"The Department of Labor is incurring great expense in obtaining forces to secure employment for discharged soldiers, and meanwhile the War Department is refusing to discharge soldiers who have employment waiting for them, and also such employment as is very much to the interest of the public to have filled."

In order that it may be clearly understood why the War Department has refused to discharge certain soldiers who have employment waiting for them, it will be necessary to consider the War Department's demobilization policy as a whole.

The War Department studied the question of demobilization very carefully before adopting any policy. Two needs of the country were kept constantly in mind: First, the resumption as rapidly as possible of the normal industrial life of the country, and, second, replacement therein of individuals in the military forces and in occupations which ended upon cessation of hostilities. The War Department gave serious consideration to the plan of making the order of discharge depend on the availability of industrial positions to which the individual soldier might return as opposed to plan of disbanding complete organizations in the order of their availability for discharge.

The former plan was deemed impracticable. It would have involved the processes of appraising the case of each soldier as a separate unit, endeavoring to compare his individual rights to discharge with the rights of all others, and marshaling the priorities accordingly. Even if the likelihood of obtaining employment had been considered by classes, such as farmers, metal workers, municipal employees, etc., it would have been necessary to consider further the relative demand for each class in each separate section. The preliminary investigation necessary to an equitable determination of such a schedule, if practicable at all under present conditions in this country, would have delayed all demobilization beyond reason.

On the other hand, disbandment of complete military units could be and was immediately begun. In this way the military situation was safeguarded and at the same time demobilization was accelerated. If a cross section of industrial or agricultural class discharges had been at once cut across all military organizations, the integrity and efficiency of every unit would have been destroyed at the outset, to the confusion of orderly procedure and the retardation of the whole demobilization program.

The determining principle is that all of our soldiers whose services are no longer needed are entitled to discharge. The method adopted, it is believed, will accomplish that result with least delay, and without favor to those who might have influential friends to intercede for them or to take up their cases individually with the War Department.

The military situation and the actual mechanism of demobilization necessitate the retention in the service for the present of a considerable number of men trained or fitted to do the work required. It is doubtless difficult for these individuals to reconcile themselves to being held when their personal interests lie in their being discharged. But from this there is no escape. For them the emergency is not ended, although the stimulation and excitement of active warfare are over.

As a result of the unit demobilization scheme of the War Department, during the past six weeks upward of 800,000 men and approximately 30,000 officers have been discharged from our temporary forces. This constitutes an average for the whole period, since demobilization got fairly under way, of over 20,000 a day for six days a week. Certain large units organized for overseas service were promptly demobilized en bloc, and during that process the daily discharges ran well over 30,000. In this connection, attention is invited to the discontent caused in England by the fact that the demobilization of the United States troops had proceeded so much more expeditiously than the demobilization of the British.

Such results would have been simply impossible had it been attempted to discharge immediately every soldier who made individual application on industrial grounds. There are hundreds of thousands of men now returned to their families, home communities, and industrial employment who might not have been released for months if the War Department had attempted to inaugurate a scheme of demobilization based largely upon individual requests for individual discharge. The absorption of these men into the general life of the country—their return to productive employment—has assisted in the permanent revitalization of industrial life and has expedited the return of the country to its normal peace-time conditions.

While the War Department realized the impracticability of discharging an army of between three and four million men under a scheme based primarily upon individual applications for discharge, yet the need of some elasticity in the scheme of demobilization was always recognized. On November 21, 1918, War Department Circular No. 77 was issued, containing the following instructions:

"Department commanders within the United States, commanders of ports of embarkation, and commanders of camps not under the jurisdiction of department commanders or of chiefs of bureaus of the War Department are authorized to discharge enlisted men upon their own application when there is sickness or other distress in the soldier's family, or when he is needed to resume employment in an industry or occupation in which there is urgent need of his services, provided that such discharge will not disrupt or cripple an existing organization and that the soldier's services can be spared. Consideration will be given to the fact that the machinery of camps must be utilized in the demobilization of the Army, and due regard must be taken that it is not retarded by the discharge of personnel connected therewith.

"The instructions contained herein apply only to individual and exceptional cases and are not intended to release men in large groups or blocks for any general employment or occupation."

Both soldiers and civilians, on learning of these instructions seem to have assumed that a soldier had merely to submit a request for his discharge, stating that he had definite employment waiting for him and that he should immediately be discharged. This was clearly a mistaken interpretation. Only such soldiers as could show themselves to be within the terms of the order were entitled to be discharged. Favorable action could be taken on only those applications which disclosed cases of exceptional merit.

The War Department is convinced that the best interests of the country as a whole have been safeguarded and fairness and equal treatment to the individuals in the Army have been secured by its system of demobilization.

It is recognized that a certain amount of complaint and discontent is inevitable. The soldier who sees his neighbor leave while he is held is sometimes inclined to overlook the relative reasons therefor and declare himself a victim of negligence and incompetence. Criticism was to be expected because of the conflicting interests of hundreds of thousands of individuals, each naturally intent on his own case alone. The accomplishment of this enormous number of discharges is a task of technical complexity, requiring patience and broad vision.

The War Department is keenly interested not only in the formulation of general policies for demobilization but in following up the detailed operation of the machinery of discharge. While, as explained above, it was not at first to the best interest of efficient demobilization to attempt to discharge a comparatively small number of individuals on their pleas for individual discharges, the War Department was on the alert to modify its instructions when changing conditions should justify modifications of policy. Now that most of the large units in this country, whose discharge en bloc had been ordered, have been discharged, the time is arriving when the War Department is able to emphasize the increased application of Circular 77 to individuals. It has now an adequate machine for discharging men, in which the personnel has acquired experience and expertness. It is therefore now able to issue instructions, the effect of which will be to release men to a larger extent than formerly on their individual applications for discharge in cases where definite employment awaits them and it is to the general interests of the country that they should be released. Accordingly the following instructions were published to the Army on January 4:

"Applications for immediate discharge under the provisions of Circular 77, War Department, 1918, will be acted upon as expeditiously as possible and the applicants will be informed of the action taken without unnecessary delay. Deserving cases should be investigated, and where the applicants have not correctly or fully stated their reasons for asking immediate discharge officers should render such assistance as may be necessary to correct them, so that applications may be properly presented and acted upon."

And on January 6 the commanding generals, Eighth to Twentieth Divisions, inclusive, were authorized to discharge enlisted personnel of their divisions eligible for discharge under provisions of Circular 77, War Department, 1918, up to 50 per cent of the strength thereof.

Demobilization is divided into two parts—the demobilization of men from camps in this country and the demobilization of men being sent back from overseas. Gen. Pershing has designated units to return from overseas service, and when these units return all men in the unit are promptly discharged. It would be most unfair discrimination to delay the discharge of any men arriving from overseas in these units while individual request of certain men in the unit for discharge is being considered. It is not practicable to cull out and send back from overseas individuals who desire their discharge on industrial grounds from various units overseas. If there exists a necessity for the unit to remain overseas, it should be maintained in a state of efficiency. If a unit is not needed to be kept up in a state of efficiency overseas, it should be sent home for discharge as promptly as transportation can be secured. To send back individuals from overseas on industrial grounds would effect such a levy from units existing overseas as would disrupt military administration, would honeycomb the units and reduce their efficiency to so low a state that they could not be relied upon to perform the services for which they are maintained overseas.

The War Department, however, recognized that there must be some elasticity and way of securing discharges in exceptional cases even for the units overseas, and the War Department has authorized Gen. Pershing to send to the United States for the purpose of immediate discharge individual drafted or enlisted men upon presentation of convincing testimony to the effect that there exists sickness or other distress in the soldier's family. Further, Gen. Pershing is authorized to discharge in Europe any officer or enlisted or drafted man who entered the service since April 1, 1917, and who submits good and sufficient reasons for requesting such discharge in Europe.

In this connection attention is respectfully invited to the fact that we have practically no troops to relieve the soldiers who are in the service for the emergency only in performing the necessary military duty at home and abroad. The Secretary of War has brought to the attention of Congress the importance of securing at once the legislation requested, authorizing the resumption of voluntary enlistments and reenlistments in the Army. As you know, it is now impossible to enlist men for the regular service, all definite period enlistments having been suspended by the act of May 18, 1918, and only emergency enlistments authorized. We find a number of men at all camps who would like to stay in the regular service if they could enlist at once, but the uncertainty of legislation is likely to induce them to look for employment in civil life, and, therefore, to take the first chance to secure discharges. A considerable force will for some time be necessary at ports of debarkation, supply depots, demobilization, and convalescent centers, as well as to garrison posts along the Mexican border and in our insular possessions. The Navy and Marine Corps are now accepting enlistments. If it were possible to accept Regular Army enlistments at once, some of the men desiring immediate discharge and now held on administrative or other duty could be released. This would help to alleviate discontent and restlessness manifesting itself among drafted men who at present have to be held for necessary military service in this country.

The statement has just been made on the floor of the House of Representatives that the orders for demobilization of the Army were not being carried out in good faith, and that officers failed to grant applications for discharge, because, by reducing the force under them, they would lose their commissions, and that some of these officers wish to keep a large number of men in the service in order to make their jobs more important and more permanent. It is the purpose of the War Department to release all members of our temporary forces in this country except those whose services are essential to the administration of our demobilization and convalescent centers, ports of debarkation, supply

depots, garrisoned posts, and stations along the Mexican border, and in our insular possessions.

The only question is how this demobilization can be done in the promptest, fairest, and most efficient manner. Where individual requests for discharges have not been granted in the past, such refusals have been based upon considerations of the greatest good for the greatest number. If facts supporting the charges of denying meritorious applications for reasons of personal advantage are submitted to the War Department, prompt action will be taken against the offenders. The War Department is perfectly aware that in any operation of magnitude of our demobilization, there will be certain individuals who might have received a larger amount of special favor if some other plan had been adopted. It also recognizes that here and there a few cases of real injustice to individuals have occurred, and that individuals who apparently had exceptionally good reasons for immediate discharge were refused discharge by camp commanders. In a machine which has so many parts as there is in the Army, there are unquestionably some commanding officers who lack judgment and energy and who have not discharged all individuals on the individual request who should have been discharged. This source of discontent can and should be removed, and every effort is being made to that end. Information is welcomed in all cases, and concrete examples of failure to follow out War Department instructions and of abuse of authority to hold men whose services are necessary will be investigated and corrected.

It is believed that under the present instructions all applications for immediate individual discharge which possess merit will be approved, and that from now on the men in this country still remaining in units not yet ordered discharged by units will be discharged largely as individuals to enable them to resume employment where positions are waiting for them.

Just as an illustration of the injustice that may be done to others and the hardships and injury that may be worked to the service as a whole by premature discharge of individuals in the Army, the following extracts are quoted for your information from a letter from the camp supply officer at one of the demobilization centers with reference to the discharge of an enlisted man in the Quartermaster Corps for whom a great deal of pressure has been brought to bear and whose discharge was finally ordered upon a paper showing that seemed to warrant it. The camp supply officer stated:

"* * * You are advised that Sergt. —— was discharged from the service on December 26, 1918.

"It has always been the policy of this office to obey orders promptly and cheerfully. However, in this case, after having obeyed the order, attention is invited to the fact that the issue of orders directing the discharge of a certain individual, without consulting the needs of the office to which the soldier has been assigned for duty, works a great hardship upon the office, as well as a seeming injustice to the other men who are retained in the service in order to carry on the work of demobilizing the Army.

"Numerous instructions have been issued by The Adjutant General of the Army and the commanding general of the camp to use every effort to discharge as many men as possible in order to expedite the demobilization of the Army. This office has built up an organization in the Finance Division whereby it can handle from 1,000 to 2,000 men per day, but in order to maintain this organization it is necessary that all the men now on duty be held until such time as the demobilization has progressed sufficient to warrant the discharge of some of the office force.

"The commanding general has informed this office that he has no soldiers available for transfer to this office who are qualified to do clerical work, and that in cases where discharge is recommended it must be understood that such men will not be replaced by the transfer from other organizations.

"* * * The case of Sergt. —— has no valid claim for discharge. As far as this office can ascertain, his only reason is that he does not care to serve longer. He is a well-to-do planter, without any dependents, and is in good health. His discharge will have a serious effect on the morale of the office, as undoubtedly all the men who have more valid claim for discharge will feel that an injustice has been done them, which sentiment is entirely justified under the circumstances. Practically every enlisted man under the direction of the camp supply officer desires to be discharged at the earliest possible date, but most of them are sufficiently patriotic to serve during the present emergency and while the Army is being demobilized, and in many cases this means a great financial loss, as well as loss of business opportunities.

"Sergt. —— was in charge of requisitions, and after he was discharged a new man had to be placed on his desk, without giving this office a moment's notice to teach the new man the duties he was to assume. During the past month numerous telephone as well as personal calls have been received from the governor of this State with the view to obtaining the discharge of certain favored men. Similarly, telegrams have been received from Washington, sent by Senators from this State."

I have written at this length because I wish to make it clear that demobilization is not proceeding haphazardly, but in accordance with a very definite and considered policy, and the War Department feels certain that as time passes and the matter is more thoroughly understood and the facts become completely known the country will become convinced that the demobilization was conducted in an efficient and well-planned manner.

Very sincerely, yours,

PEYTON C. MARCH,
General, Chief of Staff.

Mr. LANGLEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LANGLEY. Is it in order now to ask that this letter be printed as a House document?

The SPEAKER. It is.

Mr. LANGLEY. Then I ask unanimous consent that it be printed as a House document.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that the letter just read be printed as a House document. Is there objection?

Mr. FOSTER. I object.

Mr. GREEN of Iowa. Mr. Speaker, the letter just read from the Chief of Staff shows a complete change of policy with reference to the discharge of soldiers. I am glad that the War Department has finally concluded to adopt many of the methods urged by myself, the gentleman from Illinois [Mr. MANN], and others. It is now announced that all the troops on this side not needed for hospital and demobilization purposes will be discharged. There is no reason why this should not have been done before. We are now assured that urgent cases will be acted on promptly. Yet all of us know that in numerous instances where not only the soldier but his whole regiment was doing practically nothing we could get no action. The truth is, as everyone in the House knows, that the War Department had announced its intention of keeping 10 combat divisions in the camps of this country, and that only the severe criticisms made on this course by Members of Congress and the fact that the country was becoming aroused caused a change from this position.

Of course every individual application could not be granted, but the War Department seems to think it a good excuse if the soldier was doing anything whatever. If men were to be drafted simply to work for Uncle Sam at $30 per month, why was not this done in the shipyards instead of paying men from $15 to $40 per day? Yet the administration refused to draft men for this purpose. All of us know of hundreds of men that are pounding a typewriter, acting as chauffeurs for some officer, or doing manual labor around some camp. Meantime, those who not only made no sacrifice, but were drawing high wages all through the war, are nailing down the former jobs of the soldiers, so that when at length they are discharged they are liable to find themselves down and out.

The SPEAKER. The time of the gentleman from Iowa has expired. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

The name of George Harshman, helpless and dependent child of Ezekiel Harshman, late of Company G, One hundred and first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $12 per month.

Mr. KEARNS. Mr. Speaker, I move to strike out the last word for the purpose of asking the chairman of the committee a question. In 1916 there was carried an item in one of the pension bills granting a dependent child of a soldier a pension of $12 a month. By the time it had passed the Senate a sister of this dependent child, in whose home she lived, died, and the dependent child was then sent to and was in the county infirmary at the time the bill finally passed the Senate. The Commissioner of Pensions has refused to pay that pension because this girl is now in the infirmary. The question I would like to ask is whether the Commissioner of Pensions has any power to neglect to carry out or even to set aside a law that has been duly passed by this Congress and signed by the President?

Mr. SHOUSE. No; he has not.

Mr. KEARNS. On what authority does he withhold payment of this pension? Why does he refuse to put her name on the roll?

Mr. SHOUSE. I can not answer the gentleman's question, because I do not know anything about the case.

Mr. KEARNS. He does refuse to do it, because she is in the poorhouse.

Mr. SHOUSE. All that I can say is, that, speaking for the chairman of the committee, he has no such authority.

Mr. KEARNS. I would like further to ask the chairman of the committee if this girl is entitled to that pension, granted her some time in 1916, whether she would be entitled to back pension?

Mr. SHOUSE. She would be entitled to pay from the day the bill became a law through the signature of the President.

Mr. KEARNS. In case the commissioner further refuses and neglects to put her name on the roll, could the gentleman advise me how I could proceed to compel the commissioner to pay the pension?

Mr. SHOUSE. The gentleman could mandamus him.

Mr. KEARNS. In what court would I proceed in mandamus proceedings?

Mr. SHOUSE. In the Federal court.

Mr. KEARNS. In the District of Columbia?

Mr. SHOUSE. I should think so; that is his residence.

Mr. KEARNS. What has been the custom of the Commissioner of Pensions heretofore? Has that been his practice?

Mr. SHOUSE. That is the only case that I have ever heard of where he has refused to obey an order of Congress.

Mr. KEARNS. Well, he has neglected to do this.

Mr. SHOUSE. Or neglected. That is the only special pension case that has ever been brought to my attention where there have been any such results.

The SPEAKER. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

The name of Gilman P. Huff, late of Company G, Twentieth Regiment Maine Volunteer Infantry, and master-at-arms, United States Navy, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

Mr. SHERWOOD. Mr. Speaker, I offer the following committee amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 24, strike out lines 15 to 18, inclusive.

Mr. SHERWOOD. In this case the soldier is dead.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. HOLLINGSWORTH. Mr. Speaker, I move to strike out the last word. I listened attentively to the remarks of the gentleman from Illinois [Mr. KING] relative to a rule of the committee. I heartily approve his remarks. I have one or two bills barred in the committee in the same way. There are many irregularities and discriminatory enforcements of the pension law. I ask unanimous consent to extend my remarks in the RECORD upon that subject.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read as follows:

The name of Nancy C. Sloan, widow of Daniel B. Sloan, late of Company B, Sixteenth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

Mr. CRAMTON. Mr. Speaker, I move to strike out the last word in order to ask the committee a question with reference to an item that we have passed in the early part of the bill. It is the case of Mary F. Sheerer. I would understand from the reading of the report that this widow found it necessary to get relief by a special bill, because of the fact that she has remarried twice since the death of the soldier and hence did not, under the construction of the Pension Office, get the benefit of the remarried-widows act.

Mr. FRENCH. That is correct.

Mr. CRAMTON. Then do I understand that it is the policy of the committee to give favorable consideration to cases of that kind, pending action upon the Ashbrook bill, which passed this House a year ago and which is now pending in the Senate?

Mr. FRENCH. I would not presume to speak for the committee; I am not a member of the committee; but I would like to say——

Mr. CRAMTON. The gentleman will pardon me, but it is the committee from whom I would like to hear, because I had been advised that the committee would not consider cases of that kind. I am heartily in favor of their doing so. I have some very worthy cases of my own.

I am curious to know why this case, which seems to come from Idaho, got consideration in the face of what I was told was the rule of the committee, and so if the gentleman will pardon me——

Mr. FRENCH. I want simply to say a word about the desperate situation concerning this case, and I will be very glad——

Mr. CRAMTON. I am speaking of the rule of the committee. I have no opposition to the gentleman's case.

Mr. SHOUSE. I will say to the gentleman, in the last Congress, when we passed the Ashbrook bill—that is, the amendment to the Ashbrook bill—in order to give title to pensions to people who were intended by the committee to be included in the Ashbrook bill as it originally passed and who have been denied on account of the Pension Bureau's construction of the Ashbrook bill, we did not get that bill through and we felt it was not going to be possible to get the Ashbrook bill through in this short session, and so on account of the unusual merit of this case, as it appeared to the committee, this bill was put in this omnibus bill.

Mr. CRAMTON. Did the gentleman at the same time he was considering the unusual merits of this case also look into the unusual merits of the case of Margaret Tennant, which has been pending before the committee a year and a half with full proof, which I took up with the committee through its clerk at the beginning of this session and asked its consideration, and was informed that bills of that kind were not being considered, and hence I did not further press its unusual merits?

Mr. SHOUSE. The gentleman is not the examiner for the committee, and the gentleman is not a member of the subcommittee having jurisdiction over these cases, but I know——

Mr. CRAMTON. I have no objection whatever to the item, and I heartily indorse it. I think all of these items, inasmuch as the House has indorsed the policy of giving pensions to these remarried widows in passing the Ashbrook bill a year ago—that all of these items, where the facts justify it, should be favorably acted upon by the committee.

Mr. SHOUSE. The gentleman understands if we succeed in passing the Ashbrook bill automatically those cases will be taken care of.

Mr. CRAMTON. I insist that the committee has turned down many cases because of the rule of the committee, and that there should be consistency.

Mr. SHOUSE. May I inquire of the gentleman—I know the policy of the committee is to try to equalize those things between Members. It may be that the gentleman has had other bills.

Mr. CRAMTON. I have had one.

Mr. SHOUSE. In this omnibus bill?

Mr. CRAMTON. I had one.

Mr. SHOUSE. I dare say it is the only bill the gentleman——

Mr. CRAMTON. The number I have had is not material——

Mr. SHOUSE. It is very material in the compilation——

Mr. CRAMTON. At the time I took it up with the committee I had no other case to press for consideration, and I was advised that there was no use of pressing these cases of remarried widows because of the rule. Now, if that rule has been revoked, I simply desire to know that in order that I may call up my cases which have been pending with complete proof for a year.

Mr. SHOUSE. I think that as many of those cases as possible ought to be passed upon.

Mr. CRAMTON. I am very glad to know the committee will consider such cases.

Mr. LANGLEY. I think the gentleman will get his case in the next bill, if we have another.

Mr. CRAMTON. I thank the gentleman from Kentucky.

Mr. MASON. Mr. Speaker, I insert in the RECORD a soldier's question, dated January 22, Chicago, and signed by Simon Lanan, father, 1735 West Fourteenth Street, Chicago, Ill., It is the usual letter in regard to the service of a son, and it says:

I have a son, Pvt. Harry A. Lanan, who was sent from Camp Fremont, Cal., to Siberia, Russia. He was then in Company E, Thirteenth Infantry. We have not heard from him in five months; do not know if he is living, sick, wounded, or dead.

Will you kindly try to send us information of what has become of him, as we are much worried, as he used to write regular while in camp, and we hear regular from our other son, Arthur, who was in the same regiment but in another company. We are informed the regiment was divided into others. My wife is nearly prostrated from worry.

Why are our boys kept in Russia when the war is over and we have no war with Russia, and others are being sent home from "over there"?

Any information you can send us will be much appreciated.

Respectfully,

SIMON LANAN.

I desire to say, Mr. Speaker, and give notice, I shall call attention to this from time to time. The Congress of the United States has power to declare war. The Congress of the United States has not declared war against Russia, and if our soldiers are making war in Russia we have a right, and it is not only our right but our duty, to know on which side they are fighting over there in Russia. Are they fighting in support of the followers of Kerensky, the gentleman we supported after the fall of the Czar? Are they supporting the Soviets or are they fighting them? Are they supporting the radicals—the Reds? What are they doing in Russia? Mr. Speaker, if any gentlemen upon this floor have any information they are willing to give to me as a Member of Congress from Illinois that I may send to the people of my State who are inquiring of their sons, I shall be glad to have them give that information here and now.

My belief is that we have no more right and that the Commander in Chief had no more right to send the Army of the United States into Russia than he would have to send them to-day into Ireland to subdue the Sinn Feiners or to send them into any other friendly country to take part in the politics of that country. I put this letter in now as coming from one of my constituents who desires to know. He has a right to know why his son is fighting there. The boy did not enlist to fight there; he enlisted to fight the Imperial Government of Germany, and the war with Germany is over. Germany has been brought to her knees, and these sons of ours who are in the Army are threatened to-day with being moved to Russia. And if part of our Army is there, and it is needed, the whole Army ought to be there, or none.

Mr. Speaker, I have made the statement so far as I care to do so at the present time. I shall expect some gentleman, either the chairman of the Committee on Military Affairs or some friend or colleague on the floor to explain this matter, and I do this in no sort of antagonism. But we have a right to know why our boys are in Russia. There were, according to the paper, 40 or 50 of them killed there yesterday. Under what banner are they fighting? They are fighting under our banner, but for whose cause? Are they fighting under the swinging of the pendulum that was with the Czar, the autocracy, or the autocracy of the Bolsheviki? Or is there a middle ground? It is the duty of Congress to declare war, and having failed to declare war you have the right to know and demand of the President why our boys are there.

Mr. SHERWOOD. Mr. Speaker, in reply to the gentleman from Illinois [Mr. KING], I desire to say a word concerning the policy in the soldiers' homes. They are as well taken care of as any private citizen boarding at a first-class hotel in the city of Washington. It formerly cost the Government $240 a year for every soldier in a home, in addition to a pension, but it has increased to $400 a year owing to the high cost of living. When these soldiers are sick they have the very best of hospital facilities. They are as well taken care of as any person who goes to a first-class hospital in the city of Washington. There may be cases, as referred to by my good friend from Illinois [Mr. KING], where it would be necessary; but as a general rule the Invalid Pension Committee thought it was better to take care of the soldiers first who were depending upon themselves for support or on charity. The reason why, as I understand, the committee—and they were unanimous on that proposition—decided not to take up private pension bills for soldiers who are inmates of soldiers' homes was that there are so many desperate cases outside. This bill contains the names of 116 old soldiers, and that is all. They are desperate cases, and it is the intention, as I understand the Committee on Invalid Pensions, to take care of desperate cases, and no desperate cases have occurred in soldiers' homes.

I have taken dinner occasionally at several national soldiers' homes, the one at Marion, Ind., and many others. I undertake to say their noonday meals are as wholesome and plentiful as I am allowed to enjoy in what is called a first-class hotel in Washington, and the orchestra, which inspires the appetite, much better. It may be possible there are some cases in some of these homes that ought to be taken care of. All these soldiers in soldiers' homes, State and National, are now drawing liberal pensions. Did the gentleman appear before the committee in behalf of any cases?

Mr. KING. Will the gentleman yield?

Mr. SHERWOOD. Yes.

Mr. KING. The Soldiers' and Sailors' Home at Quincy, Ill., is supported entirely by the State of Illinois. Why should a man be deprived of his pension due from the National Government when he is in a soldiers' and sailors' home supported by the State?

Mr. SHOUSE. The gentleman is mistaken. The Government contributes $100 for every soldier in the State of Illinois or Dodge City, Kans., and every other State soldiers' home in the United States.

Mr. KING. Independent of that question, I wish to say that there stands the poorhouse and here stands the soldiers' home. If a soldier chooses to go to the poorhouse, he can get a pension; if he goes to the soldiers' home, he is debarred from a pension.

Mr. SHOUSE. He gets a pension under the general law that all of them get.

Mr. KING. I mean a special bill.

The SPEAKER. The time of the gentleman has expired, and the Clerk will read.

The Clerk read as follows:

The name of George P. Clayton, late of Company E, Fifty-third Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

Mr. GARD. Mr. Speaker, I move to strike out the last word for the purpose of making reply to the chairman of the Committee on Invalid Pensions on the question of pensions to the members of the National Home for Disabled Volunteer Soldiers. I am in accord with what the gentleman from Illinois [Mr. KING] has said against a strict or stringent rule which forbids a man who is a member of one of these homes for disabled volunteer soldiers receiving a pension under the ruling of this committee. It has been my observation, and it is my present observation, of these national soldiers' homes for disabled volunteer soldiers that no place or institution, of whatever character or caliber, is as good as one's private home. And I think that the policy of the Government should realize and recognize that these old men are wards of the Government and afford them every possible facility for their welfare. And if their welfare can be better accomplished in their own homes or in the homes of certain of their relations, their children, or, indeed, their grandchildren, it seems to me there is no logical reason why such a person may not be accorded a pension under the rules of the committee and under proper evidence. It tends to relieve the stress upon the soldiers' homes. If one is granted a pension and he is able to go out, he enjoys his own home better than the institution. It is natural that he would. And when he goes out, to that extent at least the institution which shelters the men who can not leave it is relieved and therefore a double good is accomplished—the good of the man who may leave the institution and resume the liberties of the citizen who lives in his own home. There are many men in the different branches of the soldiers' homes who can, with a little financial assistance, such as may be given by a pension allowance, become useful members of society, and that, I think, should be done. And as we face the future and realize that the national soldiers' homes have a new task, and that is the care not only of the old soldiers—and I refer to the soldiers of the Civil War—not only the soldiers of the Spanish War, but the soldiers of the present war, a scheme should be evolved by Congress which will permit all these homes to be availed of in the greatest degree.

Places for rehabilitation of the injured and the sick, where they may be cared for and given opportunity to help themselves as well, should be made of these homes.

I speak of this now at this time because it has been brought up here that this committee has an arbitrary hard-and-fast rule which prohibits men who are in the soldiers' homes from receiving pensions. I do not think such a rule is a good one. I do not think the committee should adhere to it, because I think every case should be considered on its own evidence and on its own individual merits.

Mr. SHERWOOD. Mr. Speaker, I desire to agree heartily with my colleague [Mr. GARD], who has in his district a soldiers' home in Dayton, in the proposition that goes to the question of whether it was the true policy of the Government to establish soldiers' homes anywhere. My position is that the soldiers ought to have been pensioned instead of sending them to soldiers' homes. If that policy had been adopted it would have saved the Government of the United States millions and millions of dollars.

It is true that these soldiers' homes, as my friend has said, are regarded by the inmates, owing to the military discipline, as a sort of prison. Those soldiers are deprived of their home life, of the association of friends of their early manhood, and of their families and the touch of children, and it would have been more humane for Congress at the start of our legislation at the close of the Civil War to have given these soldiers pensions and have allowed them to enjoy their home life instead of sending them to these more like prisons than "military homes."

Mr. RUCKER. Mr. Speaker, I move to strike out the last two words.

The SPEAKER pro tempore (Mr. FOSTER). The gentleman from Missouri moves to strike out the last two words. The gentleman from Missouri is recognized.

Mr. RUCKER. Mr. Speaker, I have served quite a time in this House, and I think it is unnecessary for me to say that I have at all times proven my friendship for the soldier. I believe that in recent years the Congress of the United States has been almost prodigal in its devotion to the interests of disabled soldiers and their dependents. If there be one in the United States to-day whose case merits congressional interference and action and has not received it, it must be due to the fact that that case has not been called to the attention of the Member of Congress in whose district such soldier resides, because Congress in all such cases brought to its attention has responded generously.

I can not agree with the distinguished gentleman from Ohio [Mr. GARD], for whom I entertain a very high regard. I am one of those who believe that when the soldier voluntarily goes into a soldiers' home his pension ought to stop that minute—no, not only the extra sum which might be obtained by special legislation, as suggested by the gentleman from Kansas [Mr. SHOUSE], who is sitting near me, but all pension. If the Government is taking the care of him which I believe and have always understood it does take, certainly it ought not to pay an inmate of one of these homes the same amount of pension that is paid to the soldier who lives outside the home and who bears the expense of his maintenance and support.

Let me suggest that soldiers are not driven by a generous Government into these "horrible places," as some gentlemen would have us believe these homes are. The soldiers themselves invite the opportunity for admission into the homes. We know, too, that the soldiers of the Civil War are now past the meridian of life.

Mr. SHERWOOD. The average age is now about 75 years.

Mr. RUCKER. Most all those in the soldiers' homes have been bereft of wife and family. They could not maintain a home, because there is no one to minister to the personal wants which age always necessitates and requires. But here the Government, in its magnanimity and thoughtfulness—and I approve and applaud it—has provided a good home, a pleasant home, one to which the soldier looks and into which he seeks admission, where he receives that kindly care and treatment that is ordinarily given by loved ones in their own homes. He is provided with wholesome food, with a good bed, with places of amuse-

ment, with medical treatment, and with everything the Government of the United States can provide for his care, support, pleasure, health, and happiness. Therefore I want to repeat, I have for years opposed, and I intend to continue if I remain here to oppose, granting pensions or increased pensions to soldiers who are given the privileges of a soldiers' home. I do not think it ought to be done, and I do not think there is a single soldier in my district who wants it done. When they go to the soldiers' home they accept the benefits of the home in lieu of bounties which the Government would be willing to give them if they were in condition to remain out of the home; and I repeat, they go to the home because it is impossible or impracticable for them to remain out of the home.

When friends from the district I represent visit this city one of the places to which I always take them, conditions permitting, is to the Soldiers' Home, situated just a little northwest from the limits of the city of Washington. I point with pride to that magnificent place out there, overlooking the hills of the Potomac, where so many Regular Army soldiers are so happily cared for and humanely treated, and where they enjoy to the fullest extent the joys and pleasures left in life for them.

The SPEAKER pro tempore. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

The name of Jane Shumaker, widow of Henry Shumaker, late of Company H, One hundred and tenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $37 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Gladys M. Shumaker, helpless and dependent child of said Henry Shumaker, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Jane Shumaker, the name of said Gladys M. Shumaker shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Jane Shumaker.

Mr. MOORE of Pennsylvania. Mr. Speaker, I move to strike out the last word.

The SPEAKER pro tempore. The gentleman from Pennsylvania moves to strike out the last word.

Mr. MOORE of Pennsylvania. I ask unanimous consent, Mr. Speaker, to proceed out of order for five minutes.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks unanimous consent to proceed out of order for five minutes. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Speaker, I have not been indulging in wild criticisms with regard to the operations of the War Department, although very many letters of complaint have been coming to me concerning the discharge of soldiers. But it seems that in some of these cases it is the duty of a Member of Congress who can obtain no redress elsewhere for his constituents who are suffering to bring the matter to the attention of his colleagues on this floor.

I am constrained this morning to bring one such case to the attention of the House in order that it may reach the War Department, with the hope and expectation that it may result in some action being taken that will facilitate discharges in meritorious cases.

A constituent of mine tells me of a family of Americans residing in the nineteenth ward of my city who contributed to the war all the sons they had, three manly young fellows. They were the support of the mother and the father, but they went into the service to serve the Government. I would like you to picture the home from which these boys went as we contemplate the present situation. These three young men aided in the support of the father and the mother and in the maintenance of the home. They were called upon to enter the service of their country, and did so patriotically, but that home suffered in consequence. My constituent, Mr. B. A. Hyde, writes me as follows:

I am writing you in behalf of Mrs. James Barr, 12 East Montgomery Avenue, Philadelphia, Pa. She had all three of her sons in the Army—George, who is in Company A, Three hundred and fourth Engineers, in France; Robert Barr, One hundred and ninth Infantry, Company M; and Joseph, who is in Camp Dix. Her husband was injured in a trolley-car accident about six weeks ago and is still unable to support her.

In addition to being left without support, the woman is in an extremely nervous condition—in fact, bordering on nervous prostration—and, to make matters worse, this morning she just received a telegram from Washington stating that her youngest boy, Robert, was killed in action July 15, 1918.

I ask of you, if there is any way possible that you could get her boy Joseph his release, will you be good enough to do this? This is an urgent case, and should you desire doctor's certificate or other information, will furnish same at once.

Mr. SHERWOOD. Has there been an application made for the discharge of this soldier?

Mr. MOORE of Pennsylvania. I wrote my constituent that in accordance with the instructions of the War Department it would be necessary for the young man to apply to his immediate commanding officer at Camp Dix, and to send an affidavit stating the facts. I received an answer saying that all this had been done. This was but a few days ago.

Mr. DYER. Why does not the gentleman himself send a telegram to the commanding officer? I will say to the gentleman that ofttimes the applications are held up by young officers who do not forward them to the commanding officer.

Mr. MOORE of Pennsylvania. The gentleman is correct, but I question whether I should send a communication to a young commanding officer, merely to be snubbed.

Mr. GARNER. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. GARNER. The gentleman starts out by saying he is calling the attention of his colleagues to this in order that he may get some relief. Now, what relief would the gentleman suggest from a legislative standpoint?

Mr. MOORE of Pennsylvania. I will make a suggestion before I get through. The gentleman from Missouri [Mr. DYER] interrupted me at the very point where I was about to state my reason for taking the floor. In this case all the orders of the big generals of the Army were complied with. It is my business to look to them. The young man filed his application, submitted his papers, and told of the state of facts. Now, that having been done, this is the answer, and I rose to put this answer in the RECORD. I want the generals to know about their system. Bear in mind, the mother gave up her three sons. Her husband remained with her, but he was hurt in a trolley-car accident, and for six weeks has been unable to give her any support. One boy in France has been killed. The other is somewhere else in the Army. The third is at Camp Dix, only 30 minutes or so away from his home. The mother asked that this boy might be sent back to her. All the formalities ordered by the War Department were complied with, but this is the answer the sorrowing and suffering mother received:

DEAR MRS. BARR:—

This comes from the headquarters auxiliary remount depot at Camp Dix—

DEAR MRS. BARR:—

I want you to listen to this letter, because it sounds like an Abraham Lincoln or a Woodrow Wilson—

Your letter of January 20 received, and it is with the deepest regret that we can not bring about the discharge of your son, Pvt. Joseph Barr, at this time. We hope in the near future to make a material reduction from our personnel—

This is sent to the sorrowing mother, who is presumed to know all about the Army technique—

and in such event it is quite probable your son can be discharged—

The mother who gave up three sons is asking for one of them, and her husband is upon his back—

We appreciate your condition and deeply sympathize with you in the days of your sorrow brought about by the havoc of war—

Her son in France has been killed and she has just been informed of it, and her husband has been hurt—

We know that none but a mother can really feel the loss of a son, but in your darkest hours of sorrow you have the consolation of giving that son and offering your other two boys—

Giving them up also, you see, and getting consolation for it—

to the grandest and noblest cause that a mother ever made sacrifice.

Very pretty, but not a cheerful prospect for this poor woman, waiting for bread, waiting for money, waiting for a son's sympathy and support——

The SPEAKER. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. I ask unanimous consent for one minute more.

The SPEAKER. The gentleman asks unanimous consent that his time be extended one minute. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. This letter continues:

Our greatest wish is that the present emergency will alter itself and permit the early return of your boys and the boys of other American mothers who have made the supreme sacrifice.

A beautiful letter, that! A fine tribute, worthy of the Bixby letter written by the immortal Lincoln. But it is signed, not by Woodrow Wilson, not by Secretary Baker, not by The Adjutant General, who tells us to go to "the immediate commanding officer" to get relief for this mother and a discharge for the son. The tribute comes from the second lieutenant of the Quartermaster Corps, probably a very worthy young man, but——

Mr. GARNER. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. GARNER. I want to get one minute more for the gentleman to tell us what legislative relief he would suggest. That is what the gentleman started out to do, and he read a letter here in order to suggest that there should be some legislative relief. I want to know what relief the gentleman suggests.

The SPEAKER. The time of the gentleman has expired.

Mr. GARNER. I ask for one minute more, in order that the gentleman may suggest what legislative relief may be given.

Mr. MADDEN. I ask unanimous consent that he may have five minutes.

Mr. GARNER. If the gentleman can suggest any legislative relief, I think he ought to do so.

Mr. MADDEN. He can not do it in one minute.

Mr. GARNER. He can not do it in 50 minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the time of the gentleman from Pennsylvania be extended five minutes. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. I thank the gentleman from Texas [Mr. GARNER] and the gentleman from Illinois [Mr. MADDEN].

What relief would I offer in a case like this? I would pass a bill or a resolution providing that where such a state of facts as that I have described existed there should be an immediate discharge of the soldier. That the young lieutenant who is holding in leash this soldier less than 50 miles away from the home where the mother is in need of his assistance should release him immediately. I would pass a resolution which would require the Secretary of War, who has delegated these powers of life and death to second lieutenants and subordinate officers all along the line, to listen to an appeal like this and give a decision once in a while as if the Army had some heart and some discretion. It would not disorganize the Army to at least listen to appeals of this kind.

I brought this case before the committee this morning because I have several others of the same kind, as other Members have. We have been driven from battledore to shuttlecock, going from the office in Washington to the camp in Texas or in New York, being told by the War Department here that we must go to the subordinate officers, and by some of them that we must return to the higher powers. We have religiously read the orders of these higher powers, but often they are of no avail when we attempt to observe them down along the line. What excuse can there be now for adding to the distress of a stricken mother who, having heard that her boy has been killed in France and whose husband has been injured by a trolley car, asks that another son in camp and working for a lieutenant or for the Government at $30 a month, a half an hour away from home, be released to go to her aid?

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. MILLER of Minnesota. Was the gentleman in the room when the letter was read from the Chief of Staff this morning?

Mr. MOORE of Pennsylvania. Unfortunately I was not, being in conference on the revenue bill.

Mr. MILLER of Minnesota. I think I can state accurately that the letter recites the methods of demobilization which they are following, and it consists of demobilizing the units, and that they could not consider individual cases on industrial grounds. Is not that in conflict with order No. 77 and these numerous letters which were received from The Adjutant General of the Army saying that for exactly these reasons they could be discharged? Are not these two in conflict, and if so, what can you expect a young lieutenant or a Member of Congress to do? Is it not time that they cleaned their house?

Mr. MOORE of Pennsylvania. It is time they cleaned house.

Mr. MANN. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. MANN. I had a letter read this morning from Gen. March, the Chief of Staff. As I understood the letter, it provided that where the officers in command in camp did not obey the circular letters of the department for the discharge of the men on account of dependency or illness at home or in such a case as the gentleman from Pennsylvania has illustrated the department here would welcome information which would cause him to at once investigate.

Mr. MOORE of Pennsylvania. Was that stated in Gen. March's letter?

Mr. MANN. My understanding of the letter was that Gen. March stated that where an officer in command did not obey the directions of the circular letters the department here would welcome information that would give them a chance to make an investigation.

Mr. MOORE of Pennsylvania. I am glad to know it. I have one case now—I did not bring it here, because I do not want to be bringing these cases here every day—in which my application to the War Department was referred to the immediate commanding officer, and by the immediate commanding officer was sent back to me with the positive statement that I would have to go to those higher up. He said he did not have authority to act.

Mr. MANN. I think I have had the same difficulty, but I wanted to see whether the department had changed its views or whether it was making the investigation.

Mr. MOORE of Pennsylvania. I hope it will make the investigation so that we may know what to do. We ought to have a reasonable uniformity of procedure.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. HOLLINGSWORTH. Mr. Speaker, I ask unanimous consent that the gentleman may have one minute more for me to ask him a question.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the time of the gentleman from Pennsylvania be extended one minute. Is there objection?

There was no objection.

Mr. HOLLINGSWORTH. The gentleman from Pennsylvania stated in his remarks that this letter that he has read from the second lieutenant was worthy of Abraham Lincoln or Woodrow Wilson. Did the gentleman believe that?

Mr. MOORE of Pennsylvania. I said the language was worthy of Abraham Lincoln or Woodrow Wilson, and might have been copied from language used by Mr. Lincoln or Mr. Wilson.

Mr. HOLLINGSWORTH. Does not the gentleman think it was an ordinary circular letter sent to everybody?

Mr. MOORE of Pennsylvania. No; it had all the earmarks of a personal letter; it had the stenographer's mark on it, and I assume the writer intended to console the mother, but it is also probable, as in other cases, that the young lieutenant desired to hold the soldier, because he was doing some special work about the camp.

Mr. HOLLINGSWORTH. I wish simply to suggest that such a letter is not worthy of either Woodrow Wilson or Abraham Lincoln.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

The Clerk concluded the reading of the bill.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time and passed.

On motion of Mr. SHERWOOD, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. KEY of Ohio. Mr. Speaker, I call up the bill (H. R. 14945) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors. I ask unanimous consent that the bill may be considered in the House as in Committee of the Whole House.

The SPEAKER. The gentleman from Ohio calls up the bill H. R. 14945, an omnibus pension bill, and asks unanimous consent to consider the bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

Mr. KEY of Ohio. Mr. Speaker, I ask unanimous consent to dispense with the first reading of the bill.

The SPEAKER. Is there objection?

There was no objection.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of James Rupe, late of Company D, Fourth Regiment Missouri Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of John W. McKissick, late of Company B, Second Regiment Missouri Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Robert E. Griffith, late of Company C, Tenth Regiment Pennsylvania Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of George W. Bellaw, late of Company F, Thirty-third Regiment Michigan Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Clifford Jones, late of Company E, Twentieth Regiment Kansas Volunteer Infantry, War with Spain, and pay him a pension at the rate of $14 per month in lieu of that he is now receiving.

The name of Willard L. Anthony, late of Company M, Fourth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Axel O. Olson, late of Company A, Fourteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Allen M. Coville, late of Troop K, First Regiment United States Volunteer Cavalry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Alfred G. J. Petersen, late of Company I, Eighteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Richard Glover, dependent father of Horace Glover, late of Company H, Second Regiment West Virginia Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Joseph W. Mitcham, late of Company G, Twenty-third Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Robert G. Medlin, alias Gray Medlin, late of Company I, First Regiment Arkansas Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William A. Martin, late of the United States Navy, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Eliza J. Gay, dependent mother of Charles E. Gay, late of Company L, First Regiment West Virginia Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Lewis J. Moore, late of Company H, Sixth Regiment Missouri Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Louis J. Crider, late of Battery B, Fifth Regiment United States Field Artillery, Regular Establishment, and pay him a pension at the rate of $30 per month; *Provided*, That no part of this pension shall be withheld or retained to reimburse the Government on account of any alleged erroneous payments in connection with any former pension allowed this soldier.

The name of George Bostater, jr., late of Company F, Second Regiment Nebraska Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Abner L. Tuttle, late of Company L, First Regiment Illinois Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William J. Fox, late of Company G, Twenty-third Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Anna Courtney, dependent mother of Maurice H. Courtney, late of Company E, Thirty-second Regiment Michigan Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Walter V. Haskell, late of Company A, Second Regiment New York Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The name of Charles W. Sasser, late of Hospital Corps, United States Army, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Jewel H. Walker, late of Company G, Fourth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of George A. Loughery, late of Company D, First Regiment West Virginia Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Albatre M. Wood, late of Company C, First Regiment North Carolina Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Andrew J. Williams, late of Company D, Sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Joseph D. Beaubien, late of Company L, First Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Fred Siegel, late of Company F, Twenty-ninth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of George A. Hewlett, late of Company K, Thirty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Dell J. Harrington, late of Company M, Thirty-fifth Regiment Michigan Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Herman W. Thurnau, late of Company F, Fourteenth Regiment Minnesota Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Theodore Link, late of Company B, First Regiment Idaho Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Walter A. Stanley, late of Company A, Second Regiment West Virginia Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Wyatt R. Price, late of Company D, Ninth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William D. Cole, late of Battery O, Third Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Joseph E. Shane, late of Company C, One hundred and fifty-seventh Regiment Indiana Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William F. Ralston, late of Company C, Second Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Henry Franz, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of Edward Lay, late of Company K, Sixth United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Louis H. Blake, late of Company H, Sixteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Henry Brannagel, late of the United States Navy, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Leonard Ripple, late of Troop L, Third Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of Frederick Robinson, late of Company E, Third Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Nicholas Krey, late of Battery F, Fourth Regiment United States Artillery, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Lewis S. Duckworth, late of band, Fiftieth Regiment Iowa Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Elizabeth Hogan, who served as a nurse during the War with Spain with the Medical Corps, United States Army, and pay her a pension at the rate of $12 per month.

The name of Owen H. O'Neil, late of Company E, Fourteenth Regiment Minnesota Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Lewis R. Montague, late of Company D, Twenty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Crittington Bond, late of Company G, Sixth Regiment, and Company F, Thirteenth Regiment, United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Mary D. Jenness, dependent mother of Herbert T. Jenness, late of Company B, Fifth Regiment Massachusetts Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of John F. McCarthy, late of Company D, First Regiment Connecticut Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John Cantwell, late of Company I, Third Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Frank W. Godsey, late of Company L, Third Regiment Texas Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Edward V. Andrews, late of Company K, Sixth Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John W. McDonald, late of Company H, Thirtieth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Ward Houchin, late of Company B, Third Regiment Kentucky Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The name of Martha F. James, widow of Henry J. James, late of Capt. H. H. Buckle's Company C, California Volunteers, Indian wars, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Julius Scheuer, late of Company F, Third Regiment Georgia Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Albert M. Kinsey, late of Troop L, Fifth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Stanley M. Riggs, late of Company H, Third Regiment Tennessee Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Montie Johnson, late of Company D, Twenty-second Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The name of Richard D. Cleaver, late of Company E, Forty-second Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Arthur Chappell, late of Company G, Twenty-third Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John S. LaFleur, late of Company F, Eighth Regiment Massachusetts Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Israel J. Wells, late of Capt. W. H. Kendrick's company and Capt. I. J. Carter's independent company, Florida Mounted Volunteers, Indian wars, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Francis M. Walker, late of Company G, First Regiment Nebraska Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Thomas J. Kelly, late of Company K, Two hundred and second Regiment New York Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William E. Kirkpatrick, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of John J. McGinley, late of Company M, One hundred and sixtieth Regiment Indiana Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of James Mellale, late of Company H, Forty-seventh Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The name of Martin O. Larsen, late of the United States Marine Corps, United States Navy, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of William Stewart, late of Detachment of Ordnance, United States Army, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of Jesse Holt, late of Company C, Fiftieth Regiment Iowa Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Benjamin E. Knebbler, late of Company B, Eleventh Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Harvie Colvin, late of Company H, Ninth Regiment Illinois Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Jesse O. Ray, late of Battery L, First Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Charles Wheeldon, late of Company M, Sixth Regiment Illinois Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John U. Shroyer, alias John W. Shroyer, late of Company B, Twenty-first Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William Patterson, late of Company E, Eighteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Burton Erwin, late of Companies C and K, Fourth Regiment Tennessee Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of John J. Coughlin, late of Company B, First Regiment Rhode Island Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Van Buren B. Howard, late of Battery E, Fourth Regiment United States Artillery, and Troop L, Eighth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Guido Geiser, late of Company H, Thirty-ninth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William Wilson, late of Troop B, Seventh Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of John Zanger, late of Company K, Thirty-fifth Regiment Michigan Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Joseph H. Waters, late of Company F, Third Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The name of Oscar Walker, late of Company D, Twentieth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William F. Conklin, late of Company A, Twenty-second Regiment Kansas Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The name of Emma R. Steen, dependent mother of Dell A. Steen, late of Company D, First Regiment Missouri Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Thomas W. Trent, late of Company G, Second Regiment Virginia Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The name of Louis A. Rowe, late of Troop F, First Regiment Ohio Volunteer Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Frank Backmeyer, late of Company B, Forty-fifth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Nancy C. Olis, widow of George W. Olis, late of Company D, First Regiment North Carolina Volunteers, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Frank Jankowski, late of Company A, Second Regiment Illinois Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of George F. Taylor, late of Company B, First Regiment Colorado Volunteer Infantry, and Troop B, Eleventh Regiment United States Volunteer Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Harry C. Miller, late of Company I, Eighth Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Robert J. Henderson, late of Company F, One hundred and sixty-first Regiment Indiana Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Joseph Burghardt, late of Company H, Second Regiment Missouri Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Edward F. Stewart, late of Company K, Thirty-first Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of James P. Curtis, late of Company I, Thirty-fourth Regiment Michigan Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Sarah E. Jackson, widow of James Jackson, late of Company E, Third Regiment Indiana Volunteers, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Fred Hutzler, late of the Twenty-first Company United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of $30 per month.

The name of Ambrose C. Wardsmith, late of Company L, Nineteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Louis T. Lutzio, late of Company B, Seventh Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Hess Elliott, late of Company I, First Regiment Tennessee Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Thomas W. Atchley, late of Company D, Sixteenth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Edward A. Brewer, late of Company M, First Regiment Alabama Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Julius H. Davidson, late of the Seventy-first Company, United States Coast Artillery, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of George W. Houston, late of Company F, Third Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Earl W. Newlon, late of Company H, Twenty-first Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $24 per month: *Provided*, That no part of this pension shall be withheld for the purpose of reimbursing the Government on account of any alleged erroneous payments which may have been made in connection with any former pension allowed the said Earl W. Newlon.

The name of William H. Shunk, late of the band, First Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Elizabeth M. Steele, widow of Raleigh D. Steele, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of Robert Shipley, late of the Forty-first Company, United States Coast Artillery, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of John J. Burke, late of Troop D, First Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Irvin O. Carson, late of Troop I, Fifth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of John Felsen, late of Company F, Thirty-seventh Regiment, United States Infantry, Indian wars, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Jean N. Roach, widow of Ernest S. Roach, late first lieutenant, Company A, First Regiment Oklahoma Militia Infantry, National Guard, Mexican border service, and pay her a pension at the rate of $17 per month, and $2 per month additional on account of each of the two minor children of the said Ernest S. Roach until they reach the age of 16 years.

The name of Louis Brockman, alias Louis Wimmer, late of Company F, First Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Annie E. Arnold, dependent mother of Robert F. Arnold, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of Tony K. Wilson, late hospital steward, Twelfth Regiment Minnesota Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Plenay J. Graham, late of Unassigned Regiment Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of $24 per month.

The name of Thomas Gentry, late of the Fifth Battery, United States Field Artillery, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Carl P. Biehler, late of Company K, Twenty-third Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of John McGuire, late of Troop C, Seventh Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Jennie K. Burke, widow of Patrick Burke, late of Company M, Twenty-ninth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $12 per month and $2 per month additional on account of each of the two minor children of the said Patrick Burke until they reach the age of 16 years.

The name of Roscoe City, late of Troop A, Fifth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Jay H. Lautzenheiser, late of Company A, Sixth Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Frank E. Hill, late of Company H, Thirty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Thomas H. Lillis, late of Company I, First Regiment Vermont Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of James F. McIntosh, late of Company K, Fifty-first Regiment Iowa Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Joseph J. Johnson, late of Company B, Thirty-third Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Isaac Nichols, late of Troop E, Second Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Felix Beske, late of Company E, Twelfth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Otelia P. Smythe, widow of Peyton Smythe, late of Capt. Johnson's company, Texas Mounted Rangers, Indian wars, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Robert M. Trask, late of Company M, Sixth Regiment Massachusetts Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of John Ream, late of Company L, Second Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Louis Sherard, late of Company G, Third Regiment Alabama Volunteer Infantry, War with Spain, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Hannah J. Clark, widow of William H. Clark, late of Troop E, Fifth Regiment United States Cavalry, Indian wars, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of George F. Holladay, late of Company L, Thirty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Miley Fitzgerald, widow of John Fitzgerald, late of Company E, Tenth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $12 per month and $2 per month additional on account of the two minor children of the said John Fitzgerald until they reach the age of 16 years.

The name of George S. Taylor, late of Company M, Seventh Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Harvey Fleagle, late of Company F, First Regiment Illinois Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Charles Peterson, late of Company A, Third Regiment Wisconsin Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of William S. Huntington, late of Company L, Eleventh Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of William F. Epps, late of Company K, Third Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Virgil Mahan, late of Company L, Twentieth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Peter Urban, late of Company F, Fifth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $30 per month.

The name of Andrew Wray, late of Company H, Second Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Charles T. Armstrong, late of Company D, Twenty-third Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Nathan Mingrum, late of Company D, Third Regiment Pennsylvania Infantry National Guard, war of 1917, and pay him a pension at the rate of $30 per month.

The name of Hezekiah McAllister Madden, late of Battery B, First United States Artillery, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Sarah A. Salter, widow of Horace Salter, late of Morgan's Independent Company, Iowa Mounted Volunteers, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Charles Hartsough, late of Company A, Forty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John T. Perrie, late of Company A, First Regiment Alabama Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Robert Rodgers, late of Company B, First Regiment Indiana Colored Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Peter Beebe, late of Company F, Forty-first Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Angeline McVetie, widow of Peter McVetie, late of Company K, Second Regiment New York Volunteer Artillery, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Gambo C. Villines, late of Company B, Fifteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Helen R. Cantwell, widow of Edward Cantwell, late of Company G, Twelfth Regiment United States Infantry, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Carl F. Gatterdam, late of Company B, Fourth Regiment Ohio National Guard, Mexican border service, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John W. Merriman, late of Company A, First Regiment United States Volunteer Engineers, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Maria J. Gorman, widow of John G. Gorman, late of Company B, Third Regiment United States Dragoons, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Robert Perl, alias Robert Pearl, late of Company K and band, Thirty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Frank N. Hunt, late of Company G, Second Regiment Massachusetts Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Magdalina Klein, widow of Adolph Klein, late of Company H, Second Regiment United States Dragoons, Indian wars, and pay her a pension at the rate of $12 per month.

The name of Thomas Newman, late of Company B, Twenty-seventh Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $14 per month in lieu of that he is now receiving.

The name of Eliza Warren, widow of Andrew J. Warren, late of Company D (Capt. James Blakely's Company), Second Regiment Oregon Mounted Volunteers, Indian wars, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Thomas B. Thompson, late of Eighth Battery United States Field Artillery and Battery D, Fifth Regiment United States Field Artillery, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Mary A. Laughlin, widow of James H. Laughlin, late of Company C, First Regiment Oregon Riflemen, Indian wars, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Baxter Hogan, late of Company F, Twenty-first Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of Jacob Johnson, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Adeline Julia Tyler, widow of John L. Tyler, late of Battery B, Third Regiment United States Artillery, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Augustus W. Connor, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Fred E. Savage, late of Company G, Nineteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of Tillie Wester, late of Battery B, Second Regiment United States Field Artillery, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Herman Lazarus, late of Company G, Tenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Edward Kneibe, late of Company H, Eighth Regiment New York Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The name of George W. Taylor, late of Company F, Thirty-fourth Regiment Michigan Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The name of Joseph F. Mangold, late of Troop K, Third Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Flora E. Tyler, former widow of Samuel N. Hudson, late of Company D, Third Regiment Tennessee Volunteers, War with Mexico, and pay her a pension at the rate of $25 per month.

The name of William Mendenhall, late of Company E, Thirty-fifth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Orville V. Kell, Battery G, United States Artillery, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John Read, late of Company K, Fourteenth Regiment United States Infantry, War with Mexico, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Charles Desmond, late of Company B, Fifth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $24 per month.

The name of Nancy E. Mullins, dependent mother of William Samuel Mullins, late captain of Company I, First Regiment Mississippi Infantry, National Guard, Mexican border trouble, and pay her a pension at the rate of $12 per month.

The name of Maria Kuehn, widow of Charles Kuehn, late of Company C, Fourth Regiment United States Infantry, Indian wars, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Emeline McAllaster, widow of William McAllaster, late of Capt. Noble's company, New York Militia, War of 1812, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Young W. Cordell, late of Company K, Twenty-second Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Charles Ingle, late of Company C, Tenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Mattie P. Jackson, widow of Cyrus W. Jackson, late of Company C, Santa Fe Battalion Missouri Mounted Volunteers, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Leonard A. Asquith, late of Company G, First Regiment Rhode Island Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William Anderson, late of casualty detachment and Troop F, Eleventh Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $24 per month.

The name of Thomas S. Garen, late of the United States Navy, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Herbert C. Purdy, late of Company H, Two hundred and second Regiment New York Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Stephen Harder, late of Company D, Two hundred and second Regiment New York Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Henry A. McGuire, late of Company H, Seventy-first Regiment New York Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Bridget Finan, dependent mother of Michael J. Finan, late of Company K, Third Regiment Connecticut Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Phillip Lockwood, late of Company F, Third Regiment Connecticut Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Robert H. Neyland, late of Company B, First Regiment Mississippi Volunteers, War with Mexico, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Elizabeth A. Deuel, widow of John C. Deuel, late of Company G, First Regiment Michigan Volunteers, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Belle Harbert, dependent mother of Pearly Rex Harbert, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of $12 per month.

The foregoing bill is a substitute for the following House bills referred to said committee:

H. R. 410. James Rupe.
H. R. 586. John W. McKissick.
H. R. 666. Robert E. Griffith.
H. R. 680. George W. Bellaw.
H. R. 752. Clifford Jones.
H. R. 861. Willard Anthony.
H. R. 955. Axel O. Olson.
H. R. 989. Allen M. Coville.
H. R. 1181. Alfred G. J. Petersen.
H. R. 1267. Richard Glover.
H. R. 1577. Joseph W. Mitcham.
H. R. 1645. Robert G. Medin.
H. R. 1959. William A. Martin.
H. R. 1980. Eliza J. Gay.
H. R. 2060. Lewis J. Moore.
H. R. 2190. Lewis J. Crider.
H. R. 2242. George Bostater, jr.
H. R. 2284. Abner L. Tuttle.
H. R. 2474. William J. Fox.
H. R. 2493. Anna Courtney.
H. R. 2598. Walter V. Haskell.
H. R. 2619. Charles W. Sasser.
H. R. 2713. Jewel H. Walker.
H. R. 2807. George A. Loughery.
H. R. 2966. Admire M. Wood.
H. R. 3013. Andrew J. Williams.
H. R. 3050. Joseph D. Beaubien.
H. R. 3189. Fred Siegel.
H. R. 3299. George A. Hewlett.
H. R. 3244. Dell J. Harrington.
H. R. 3402. Herman W. Thurnau.
H. R. 3442. Theodore Link.
H. R. 3473. Walter A. Stanley.
H. R. 3692. Wray R. Price.
H. R. 3813. William D. Cole.
H. R. 3815. Joseph E. Shane.
H. R. 3879. William T. Ralston.
H. R. 3987. Henry Franz.
H. R. 4167. Edward Lay.
H. R. 4201. Louis H. Blake.
H. R. 4204. Henry Braunagel.
H. R. 4302. Leonard Ripple.
H. R. 4468. Frederick Robinson.
H. R. 4603. Nicholas Krey.
H. R. 4668. Lewis S. Duckworth.
H. R. 4933. Elizabeth Horan.
H. R. 4987. Owen H. O'Neil.
H. R. 5094. Lewis R. Montague.
H. R. 5279. Critington Bond.
H. R. 5520. Mary D. Jenness.
H. R. 5587. John F. McCarthy.
H. R. 5679. John Cantwell.
H. R. 5732. Frank W. Godsey.
H. R. 5822. Edward V. Andrews.
H. R. 5861. John W. McDonald.
H. R. 6229. Ward Houchin.
H. R. 6352. Martha F. James.
H. R. 6480. Julius Scheuer.
H. R. 6771. Albert M. Kinsey.
H. R. 7087. Stanley M. Riggs.
H. R. 7116. Montie Johnson.
H. R. 7288. Richard B. Cleaver.
H. R. 7298. Arthur Chappell.
H. R. 7599. John S. La Fleur.
H. R. 7619. Israel J. Wells.
H. R. 7683. Francis M. Walker.
H. R. 7728. Thomas J. Kelly.
H. R. 7779. William E. Kirkpatrick.
H. R. 7790. John J. McGinley.
H. R. 7831. James McIlale.
H. R. 8067. Martin O. Larsen.
H. R. 8185. William Stewart.
H. R. 8214. Jesse Holt.
H. R. 8237. Benjamin E. Knebiler.
H. R. 8272. Harlie Calvin.
H. R. 8273. Jesse O. Ray.
H. R. 8297. Charles Wheeldon.
H. R. 8371. John U. Schroyer, alias John W. Schroyer.
H. R. 8552. William Patterson.
H. R. 8677. Burton Erwin.
H. R. 8971. John J. Coughlin.
H. R. 8973. Van Buren B. Howard.
H. R. 9068. Guido Geiser.
H. R. 9083. William Wilson.
H. R. 9188. John Zanger.
H. R. 9241. Joseph H. Waters.
H. R. 9288. Oscar Walker.
H. R. 9319. William Conklin.
H. R. 9322. Emma R. Green.
H. R. 9324. Thomas W. Trent.
H. R. 9327. Louis A. Howe.
H. R. 9483. Frank Bachmeyer.
H. R. 9544. Nancy C. Otis.
H. R. 9462. Frank Jankowski.
H. R. 9584. George V. Taylor.
H. R. 9591. Harry C. Miller.
H. R. 9699. Robert J. Henderson.
H. R. 9698. Henry Borgardt.
H. R. 9703. Edward F. Stewart.
H. R. 9727. James P. Curtis.
H. R. 9728. Sarah E. Jackson.
H. R. 9765. Fred Hutsler.
H. R. 9778. Ambrose C. Waldsmith.
H. R. 9823. Louis T. Lutzio.
H. R. 9853. Hess Elliott.
H. R. 9869. Thomas W. Atchley.
H. R. 9945. Edward A. Brewer.
H. R. 9956. Rufus C. Davidson.
H. R. 9980. George W. Houston.
H. R. 10049. Earl W. Newlon.
H. R. 10115. William H. Shunk.
H. R. 10142. Elizabeth M. Steele.
H. R. 10207. Robert Shipley.
H. R. 10223. John J. Burke.
H. R. 10364. Irwin O. Carson.
H. R. 10407. John Feisen.
H. R. 10459. Jean N. Roach.
H. R. 10535. Louis Brockman, alias Louis Wimmer.
H. R. 10557. Annie E. Arnold.
H. R. 10693. Tony K. Wilson.
H. R. 10734. Pleasy J. Graham.
H. R. 10766. Thomas Gentry.
H. R. 10947. Carl P. Biehler.
H. R. 10971. John McGuire.
H. R. 11004. Jennie K. Burke.
H. R. 11053. Roscoe City.
H. R. 11079. Jay H. Lautzenheiser.
H. R. 11107. Frank E. Hill.

H. R. 11196. Thomas H. Lillis.
H. R. 11214. James F. McIntosh.
H. R. 11251. Joseph J. Johnson.
H. R. 11374. Isaac Nichols.
H. R. 11412. Felix Beske.
H. R. 11421. Otelia P. Smythe.
H. R. 11515. Robert M. Trask.
H. R. 11569. John Ream.
H. R. 11604. Louis Sherard.
H. R. 11698. Hannah J. Clark.
H. R. 11676. George F. Holladay.
H. R. 11702. Miley Fitzgerald.
H. R. 11718. George S. Taylor.
H. R. 11784. Harvey Fleagle.
H. R. 11829. Charles Peterson.
H. R. 11907. William S. Huntington.
H. R. 11928. William F. Epps.
H. R. 11974. Virgil Mahan.
H. R. 12076. Peter Urban.
H. R. 12089. Andrew Wray.
H. R. 12119. Charles T. Armstrong.
H. R. 12155. Nathan Milgram.
H. R. 12216. Hezekiah McAllister Madden.
H. R. 12327. Sarah A. Salter.
H. R. 12421. Charles Hartsough.
H. R. 12431. John T. Perrie.
H. R. 12456. Robert Rodgers.
H. A. 12484. Peter Beebe.
H. R. 12524. Angeline McVetie.
H. R. 12535. Gambo C. Villines.
H. R. 12543. Helen R. Cantwell.
H. R. 12560. Carl F. Gatterdam.
H. R. 12585. John W. Merriman.
H. R. 12603. Maria J. Gorman.
H. R. 12643. Robert Perl, alias Robert Pearl.
H. R. 12690. Frank N. Hunt.
H. R. 12718. Magdalina Klein.
H. R. 12727. Thomas Newman.
H. R. 12748. Eliza Warren.
H. R. 12761. Thomas B. Thompson.
H. R. 12784. Mary A. Laughlin.
H. R. 12805. Baxter Hogan.
H. R. 12885. Jacob Johnson.
H. R. 12943. Adeline Julia Tyler.
H. R. 12985. Augustus W. Connor.
H. R. 13005. Fred E. Savage.
H. R. 13006. Tillie Wester.
H. R. 13033. Herman Lazarus.
H. R. 13054. Edward Kneibe.
H. R. 13066. George W. Taylor.
H. R. 13090. Joseph F. Mangold.
H. R. 13131. Flora E. Tyler.
H. R. 13221. William Mendenhall.
H. R. 13264. Orville V. Kell.
H. R. 13291. John Read.
H. R. 13317. Charles Desmond.
H. R. 13332. Nancy E. Mullins.
H. R. 13335. Maria Kuehn.
H. R. 13425. Emeline McAllister.
H. R. 13477. Young W. Cordell.
H. R. 13531. Charles Ingle.
H. R. 13535. Mattie P. Jackson.
H. R. 13575. Leonard A. Asquith.
H. R. 13594. William Anderson.
H. R. 13605. Thomas S. Garen.
H. R. 13606. Herbert C. Purdy.
H. R. 13641. Stephen Harder.
H. R. 13658. Henry A. McGuire.
H. R. 13809. Bridget Finan.
H. R. 13812. Phillip Lockwood.
H. R. 13880. Robert H. Neyland.
H. R. 14374. Elizabeth A. Deuel.
H. R. 14084. Belle Harbert.

The SPEAKER. The Clerk will read the bill for amendment under the five-minute rule.

The Clerk read as follows:

The name of Frank Bachmeyer, late of Company B, Forty-fifth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

Mr. MILLER of Minnesota. Mr. Speaker, I move to strike out the last word. In reference to the item for Frank Bachmeyer, on page 14, I notice that the amount carried is $12. That is the lowest amount given, and I think in this case it is exceedingly inadequate. I do not know that the chairman of the committee has the facts of this particular case in mind. The testimony of the medical men given in the report shows that he is considerably incapacitated. His employer says that he has to leave his work for a week or two at a time.

Mr. KEY of Ohio. What is the page of the report?

Mr. MILLER of Minnesota. Page 145. I would like to add this to what is reported. I just received a letter from his employer, subsequent to the time I submitted the evidence in the case to the committee. I appreciate that this is not evidence in the case, but I desire to give it for what it is worth. He writes me that Frank Bachmeyer has just been taken away to the hospital and probably may soon die, succumbing to the conditions set forth. He has a wife and four small children. They have been destitute for years. I myself do not think that he can live more than a few months. Could not the gentleman under these circumstances consent to raise the pension to $17 a month? It seems to me that is a very modest request. Twelve dollars is exceedingly low. There is no question about this soldier having properly performed his work in the Philippines, and the testimony is that he was not a shirker; that he suffered from pneumonia in the service, from malarial poisoning and dysentery, and from the date of his discharge—in fact, he was discharged in the hospital—he has been suffering. Twelve dollars a month these days does not go very far, especially when a man has gone to the hospital for the last time.

Mr. Speaker, I move that the figures "$12," in line 20, page 14, be stricken out and the figures "$17" be inserted in lieu thereof.

The SPEAKER. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 14, line 24, strike out "$12" and insert "$17."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. MILLER of Minnesota) there were—ayes 10, noes 16.

So the amendment was rejected.

The Clerk read as follows:

The name of George S. Taylor, late of Company M, Seventh Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

Mr. DOWELL. Mr. Speaker, I move to strike out the last word. I rise to announce the death of this claimant, George S. Taylor.

Mr. KEY of Ohio. This is the gentleman's case?

Mr. DOWELL. Yes.

Mr. KEY of Ohio. Mr. Speaker, in view of what the gentleman has stated, I move to strike out, on page 22, lines 11, 12, 13, and 14, the soldier being dead.

The SPEAKER. The gentleman from Ohio offers the amendment which the Clerk will report.

The Clerk read as follows:

Page 22, strike out lines 11 to 14, inclusive.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

The name of Helen R. Cantwell, widow of Edward Cantwell, late of Company G, Twelfth Regiment United States Infantry, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

Mr. DYER. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 25, after line 11, insert as a new paragraph:

"The name of Freda Burow, widow of William M. Burow, late of Company I, Sixteenth United States Infantry, War with Spain, and pay her a pension at the rate of $25 a month."

Mr. DYER. Mr. Speaker, I offer this amendment for the reason that it is a case that the Committee on Pensions on two different occasions reported favorably. It was carried in the omnibus bill and passed this House. Upon both occasions it was stricken out by the Senate upon the ground that it was a case that belonged in what was known as the Key pension bill, and that cases of that kind should not be included in special acts, but should wait until the Key bill, pensioning certain widows in the Spanish War, became a law. It was rejected on two occasions, as I say, for that reason, notwithstanding that it is a deserving case. The evidence shows that the husband died of disabilities which, to my mind, were satisfactorily proven as having occurred in the war. The claim was then made to the Pension Bureau in pursuance of the act of Congress pensioning widows and minor children of officers and enlisted men in the War with Spain and the Philippine insurrection to meet the suggestion of the Senate.

Now, under date of January 15 this widow is in receipt of a letter from the Commissioner of Pensions which is as follows:

Your above-entitled claim for pension under the act of July 16, 1918, is rejected on the ground that the soldier did not render 90 days actual military service in the War with Spain, as the organization to which he belonged was not within the area of belligerent operations for that length of time during said war.

Now, Mr. Speaker, this soldier served a great deal longer than 90 days in the Regular Army. He served from the 4th day of June, 1898, until the 17th day of January, 1899. Now, the act of Congress under which this widow presented her pension claim, which the Pension Office says can not be allowed because the Second United States Infantry in which this soldier served was not an organization within the area of belligerent operations for that length of time during said war is as follows:

An act to pension widows and minor children of officers and enlisted men who served in the War with Spain, Philippine insurrection, or in China.

Be it enacted, etc., That from and after the passage of this act if any volunteer officer or enlisted man who served 90 days or more in the Army, Navy, or Marine Corps of the United States, during the War with Spain or the Philippine insurrection, between April 21, 1898, and July 4, 1902, inclusive, service to be computed from date of enlistment to date of discharge, or any officer or enlisted man of the Regular Establishment who rendered 90 days or more actual military or naval service in the United States Army, Navy, or Marine Corps in the War with Spain or the Philippine insurrection between April 21, 1898, and July 4, 1902, inclusive, or as a participant in the Chinese Boxer rebellion campaign between June 10, 1900, and October 1, 1900, and who has been honorably discharged therefrom, has died or shall hereafter die leaving a widow without means of support other than her daily labor, and an actual net income not exceeding $250 per year, or leaving a minor child or children under the age of 16 years, such widow shall upon due proof of her husband's death, without proving his death to be the result of his Army or Navy service, be placed on the pension roll from the date of the filing of her application therefor under this act, at the rate of $12 per month during her widowhood, and shall also be paid $2 per month for each child of such officer or enlisted man under 16 years of age, and in case of the death or remarriage of the widow, leaving a child or children of such officer or enlisted man under the age of 16 years, such pension shall be paid such child or children until the age of 16: *Provided*, That in case a minor child is insane, idiotic, or otherwise permanently helpless, the pension shall continue during the life of said child, or during the period of such disability, and shall commence from the date of application therefor after the passage of this act: *Provided further*, That said widow shall have married said officer or enlisted man previous to the passage of this act: *Provided, however*, That this act shall not be so construed as to reduce any pension under any act, public or private.

SEC. 2. That no agent, attorney, or other person engaged in preparing, presenting, or prosecuting any claim under the provisions of this act shall, directly or indirectly, contract for, demand, receive, or retain for such services in preparing, presenting, or prosecuting such claim a sum greater than $10, which sum shall be payable only on the order of the Commissioner of Pensions; and any person who shall violate any of the provisions of this section or shall wrongfully withhold from the pensioner or claimant the whole or any part of a pension or claim allowed or due such pensioner or claimant under this act, shall

be deemed guilty of a misdemeanor, and upon conviction thereof shall, for each and every offense, be fined not exceeding $500 or be imprisoned not exceeding one year, or both, in the discretion of the court.

Now, this soldier rendered more than 90 days, as shown by the report of the Committee on Pensions. Does this law mean that a man who was in the Regular Army must have been 90 days engaged in battle or foreign service all that time? I do not believe Congress ever intended to give advantage to the volunteer over the man who served in the Regular Establishment. This man served much more than 90 days, and yet the Pension Office has rejected it. It is a case, Mr. Speaker, that I have known of personally ever since I have been in Congress. I know the widow; I know the small child left by her husband; I knew about her case when first presented, and I was surprised that it was rejected—a sad case indeed, in which a poor widow has been ill practically all the time, and yet she has never been able to get a pension. There is merit in it. This House has passed it twice, and I now ask, Mr. Speaker, in view of the fact that the Pension Office has again declined to consider this case on the ground that it does not come within the Key bill which was passed and is the law, as I have stated, that she be given a pension. I see no objection to it and I am sure there is no foundation for denying to this widow a pension under these circumstances. I yield now to the gentleman from Ohio.

Mr. KEY of Ohio. Mr. Speaker, I think there is some little merit in the item which the gentleman from Missouri proposes. The Committee on Pensions did make a favorable report on this item. I think in the last Congress or the first session of this Congress.

Mr. DYER. And also one of the preceding Congresses.

Mr. KEY of Ohio. But I oppose this amendment for the reason that it is a bad policy to throw open these omnibus pension bills to amendment. If the gentleman will bring this bill before our committee and give that committee the opportunity to consider the bill again, I think he can get it in the next omnibus bill.

Mr. DYER. The bill has been before the gentleman's committee, and his committee has reported it favorably to the House upon two occasions. It has passed the House upon two occasions, and was only stricken out on account of the attitude of the Senate in saying that it was a bill that belonged to the Key widow-pension bill then pending, and then the Pension Commissioner says that it does not come within the purview of that bill.

Mr. KEY of Ohio. I might state to the House and the gentleman from Missouri, while I can not speak for the committee, I have every reason to believe that when the bill shall properly come before our committee they will make a favorable report and pass it through this House, but I am opposed to throwing open these omnibus bills to amendment on the floor of the House.

Mr. DYER. It has been considered and passed twice. This widow and her child have been denied a pension all these years; she has been compelled to live by working out, and yet she is a woman in bad health; and I say it is an outrage that we can not at this late hour secure justice for her when there is no excuse. I would not, Mr. Speaker, feel like rising up and offering an amendment for a bill that had not been considered by this committee; I would not do that. I recognize the necessity of all these matters going to the committee for consideration; but this bill has been considered by the committee, they have reported it twice and it has passed this House twice, and there is no excuse for denying justice to this woman.

Mr. KEY of Ohio. I would like to ask the gentleman a question.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. DYER. I ask for an additional two minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none.

Mr. KEY of Ohio. I would like to ask the gentleman what is the rate proposed in his amendment?

Mr. DYER. My rate is $25.

Mr. KEY of Ohio. When the gentleman passed this bill—when the committee made a favorable report on the bill in the other Congresses, it passed at a rate of $12.

Mr. DYER. I know; and the Congress since then has enacted legislation for $25.

Mr. KEY of Ohio. I think the committee should have an opportunity to pass upon the rate.

Mr. DYER. What rate does it give to the widows of the Spanish War veterans?

Mr. KNUTSON. Twelve dollars?

Mr. DYER. I am willing to accept that, if that is the only objection. I want to get something.

Mr. KEARNS. Mr. Speaker, if it is shown that the death of her husband was the result of disease incurred in the service, she is entitled to $25; otherwise, to $12.

Mr. KNUTSON. The gentleman comes in here with an amendment and none of us remembers anything about the details of this case. If I may, I will ask the chairman of this committee if this item was reported in any bill of the Congress?

Mr. DYER. Yes.

Mr. KNUTSON. This claim, because of its nature, should have come to the subcommittee, of which I am a member, but I have no recollection of the gentleman's case whatsoever. I think this should go before the committee and be decided on its merits. You can not consider individual pension cases here on the spur of the moment.

Mr. DYER. Mr. Speaker, I repeat this bill has been twice before the gentleman's committee and once during this Congress. It was the bill H. R. 11658, second session, Sixty-fifth Congress. The report, No. 511, accompanying the bill has the following to say regarding the claim:

H. R. 7163. Freda Burow, of 2637a Russell Avenue, St. Louis, Mo., is the widow of William M. Burow, who served during the War with Spain, from June 4, 1898, to January 17, 1899, as a private and corporal of Company I, Sixteenth Regiment United States Infantry. He was discharged at his own request at the close of the war. (W. O. 823535.)

The War Department records show that the soldier was treated for rheumatism from September 14 to October 7, 1898, and for nothing else.

He applied for pension October 22, 1900, on account of rheumatism, chronic diarrhea, malarial poisoning, and sunstroke.

Pension was allowed December 26, 1903, at $6 per month from date of application, for rheumatism. There was no evidence to justify favorable action on account of the other alleged causes. He died December 28, 1904, of phthisis pulmonalis, and March 11, 1905, the widow applied for pension. Her claim was rejected September 15, 1905, on the ground that the death cause was not shown to have been due to the military service.

The soldier never claimed to have disease of lungs in his pension claim, and a medical examination made January 9, 1901, failed to disclose any evidence of such disease. One made April 10, 1903, showed such slight lung affection as to justify no rating, and the board expressed the opinion that the condition of lungs then was due to a recent cold.

The evidence upon file in claim for the accrued pension shows the petitioner is the lawful widow of the deceased soldier.

The widow submitted to the committee the original baptismal record, which shows that the child, Edna Clara Burow, was born April 9, 1900, and baptized June 10, 1900. This certificate was large and ornate and highly prized by the widow, and after being inspected was returned to her for fear it might be impaired.

With the bill the petitioner files an affidavit stating that she believes the soldier's death from disease of the lungs was due to the service, notwithstanding the Bureau of Pensions action of rejection of her claim; that she has no property at all.

The Member by whom the bill was introduced states in a letter to the committee that he personally knows the petitioner, who is an excellent woman but feeble in health, has a 10-year-old daughter to support, and is without any means, possessing no property of any kind. He offers, if desired, to personally appear before the committee.

Your committee have concluded that the death of the soldier may be accepted as due to causes arising out of his military service and justify a pension of $25 to his widow, and it is so recommended.

Mr. Speaker, I ask unanimous consent to modify the amendment by striking out "25" and inserting "12."

The SPEAKER. The gentleman from Missouri asks unanimous consent to modify his amendment by striking out "25" and inserting "12." Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the amendment.

The question was taken; and the Speaker announced that the noes seemed to have it.

Mr. DYER. I ask for a division, Mr. Speaker.

The House divided; and there were—ayes 20, noes 16.

So the amendment was agreed to.

The Clerk concluded the reading of the bill.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. KEY of Ohio, a motion to reconsider the vote by which the bill was passed was laid on the table.

EDITH CAROW ROOSEVELT.

Mr. KEY of Ohio. Mr. Speaker, I desire to call up the bill H. R. 13879, and ask unanimous consent to consider it in the House as in the Committee of the Whole.

The SPEAKER. The gentleman calls up the bill H. R. 13879, and asks unanimous consent to consider it in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 13879) granting a pension to Edith Carow Roosevelt.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Edith Carow Roosevelt, widow of Theodore Roosevelt, late President of the United States, and pay her a pension at the rate of $5,000 per year from and after the passage of this act.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. MANN. Mr. Speaker, a roll call on this bill at this time I think would add to the tribute that we pay; and I will make the point of no quorum as a matter of convenience to the Members. However, I will not do it until the vote is about to be taken.

The SPEAKER. The question is, Shall the bill pass?

Mr. MANN. Mr. Speaker, I make a point of order there is no quorum present.

The SPEAKER. The gentleman from Illinois raises the point of no quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. The vote is on the passage of the bill.

The question was taken, and there were—yeas 250, nays 9, answered "present" 5, not voting 166, as follows:

YEAS—250.

Alexander	Focht	Lea, Cal	Rowe
Aswell	Fordney	Lee, Ga.	Ruby
Austin	Foss	Lesher	Rucker
Ayres	Foster	Lever	Sanders, N. Y.
Baer	Frear	Little	Sanford
Bankhead	Freeman	London	Schall
Barkley	French	Lonergan	Scott, Iowa
Barnhart	Fuller, Ill.	Lufkin	Scott, Mich.
Beakes	Gallagher	Lundeen	Sells
Beshlin	Gallivan	McAndrews	Shallenberger
Birch	Gandy	McCulloch	Sherwood
Bland, Ind.	Gard	McFadden	Shouse
Bland, Va.	Garland	McKenzie	Siegel
Bowers	Garner	McKeown	Sims
Brand	Garrett, Tenn.	McKinley	Sinnott
Browne	Godwin, N. C.	McLaughlin, Mich	Slemp
Burnett	Good	McLemore	Sloan
Butler	Goodwin, Ark.	Madden	Smith, Idaho
Campbell, Kans.	Gordon	Magee	Smith, Mich.
Campbell, Pa.	Gould	Mann	Smith, C. B.
Cantrill	Graham, Ill.	Mansfield	Snook
Carter, Okla.	Gray, Ala.	Mapes	Snyder
Chandler, Okla	Green, Iowa	Martin	Stedman
Clark, Fla.	Greene, Vt.	Mays	Steele
Clark, Pa.	Griffin	Miller, Minn.	Steenerson
Claypool	Hadley	Miller, Wash.	Stephens, Miss.
Connelly, Kans	Hamilton, Mich.	Montague	Stephens, Nebr.
Cooper, W. Va.	Hamlin	Moore, Pa.	Sterling
Cooper, Wis.	Hardy	Moores, Ind.	Sweet
Crampton	Hastings	Morgan	Switzer
Crisp	Haugen	Mott	Taylor, Colo.
Currie, Mich.	Hawley	Nelson, A. P.	Temple
Curry, Cal.	Hayden	Nelson, J. M.	Thompson
Dale	Heflin	Nicholls, S. C.	Tilson
Dallinger	Hensley	Nichols, Mich.	Timberlake
Darrow	Hersey	Oldfield	Towner
Davis	Hilliard	Oliver, Ala.	Van Dyke
Decker	Hollingsworth	Oliver, N. Y.	Venable
Dempsey	Hood	Olney	Vestal
Dent	Houghton	Osborne	Vinson
Denton	Hull, Iowa	Overstreet	Volstead
Dickinson	Hull, Tenn.	Padgett	Walsh
Dillon	Husted	Paige	Walton
Dixon	Igoe	Parker, N. J.	Ward
Dominick	Ireland	Peters	Wason
Doolittle	Johnson, S. Dak.	Phelan	Watkins
Dorsey	Juul	Polk	Weaver
Dowell	Kearns	Porter	Welling
Dupré	Keating	Pou	Welty
Dyer	Kehoe	Purnell	Wheeler
Eagan	Kennedy, Iowa	Ragsdale	White, Me.
Eagle	Key, Ohio	Rainey, H. T.	Williams
Elliott	Kincheloe	Rainey, J. W.	Wilson, Ill.
Ellsworth	King	Raker	Wilson, La.
Elston	Kinkaid	Ramsey	Wilson, Tex.
Esch	Kitchin	Ramseyer	Winslow
Essen	Knutson	Randall	Wood, Ind.
Evans	Kraus	Rankin	Woodyard
Fairchild, G. W.	La Follette	Reed	Wright
Farr	Lampert	Rogers	Young, N. Dak.
Ferris	Langley	Romjue	Zihlman
Fields	Larsen	Rose	
Fisher	Lazaro	Rouse	

NAYS—9.

Black	Connally, Tex.	Garrett, Tex.	Quin
Blanton	Doughton	Jones	Slayden
Buchanan			

ANSWERED "PRESENT"—5.

Byrns, Tenn.	Reavis	Stafford	Sumners
Longworth			

NOT VOTING—166.

Almon	Butler	Candy	Donovan
Anderson	Byrnes, S. C.	Collier	Dooling
Anthony	Caldwell	Cooper, Ohio	Drane
Ashbrook	Candler, Miss.	Copley	Drukker
Bacharach	Cannon	Costello	Dunn
Bell	Caraway	Cox	Edmonds
Benson	Carew	Crago	Emerson
Blackmon	Carlin	Crosser	Estopinal
Booher	Carter, Mass.	Davey	Fairchild, B. L.
Borland	Cary	Delaney	Fairfield
Britten	Chandler, N. Y.	Denison	Fess
Brodbeck	Church	Dewalt	Flood
Browning	Classon	Dies	Flynn
Brumbaugh	Cleary	Dill	Francis
Fuller, Mass.	Johnson, Wash.	O'Shaunessy	Steagall
Gillett	Kahn	Overmyer	Stevenson
Glynn	Kelley, Mich.	Park	Stiness
Goodall	Kelly, Pa.	Parker, N. Y.	Strong
Graham, Pa.	Kennedy, R. I.	Platt	Sullivan
Gray, N. J.	Kettner	Powers	Swift
Greene, Mass.	Kiess, Pa.	Pratt	Tague
Gregg	Kreider	Price	Taylor, Ark.
Griest	LaGuardia	Rayburn	Templeton
Hamill	Lehlbach	Riordan	Thomas
Hamilton, N. Y.	Linthicum	Robbins	Tillman
Harrison, Miss.	Littlepage	Roberts	Tinkham
Harrison, Va.	Lobeck	Robinson	Treadway
Haskell	Lunn	Rodenberg	Vare
Hayes	McArthur	Rowland	Voigt
Heaton	McClintic	Russell	Waldow
Heintz	McCormick	Sabath	Walker
Helm	McLaughlin, Pa.	Sanders, Ind.	Watson, Pa.
Helvering	Maher	Sanders, La.	Watson, Va.
Hicks	Mason	Saunders, Va.	Webb
Holland	Merritt	Scully	Whaley
Houston	Mondell	Sears	White, Ohio
Howard	Moon	Shackleford	Wingo
Humphreys	Morin	Sherley	Wise
Hutchinson	Mudd	Sisson	Woods, Iowa
Jacoway	Neely	Small	Young, Tex.
James	Nolan	Smith, T. F.	
Johnson, Ky.	Norton	Snell	

So the bill was passed.

The Clerk announced the following additional pairs:

Until further notice:

Mr. WHALEY with Mr. JAMES.

Mr. YOUNG of Texas with Mr. VOIGT.

Mr. SISSON with Mr. JOHNSON of Washington.

Mr. WEBB with Mr. VARE.

Mr. STEAGALL with Mr. TEMPLETON.

Mr. HUMPHREYS with Mr. CANNON.

Mr. DONOVAN with Mr. EDMONDS.

Mr. FLOOD with Mr. FRANCIS.

Mr. WATSON of Virginia with Mr. DRUKKER.

Mr. BYRNS of Tennessee with Mr. BUTLER.

Mr. BELL with Mr. WATSON of Pennsylvania.

Mr. ALMON with Mr. SWIFT.

Mr. HARRISON of Mississippi with Mr. REAVIS.

Mr. LITTLEPAGE with Mr. GRIEST.

Mr. HARRISON of Virginia with Mr. KAHN.

Mr. RUSSELL with Mr. LEHLBACH.

Mr. WALKER with Mr. STINESS.

Mr. HOWARD with Mr. SNELL.

Mr. REAVIS. Mr. Speaker, I would like to inquire if the gentleman from Mississippi, Mr. HARRISON, is recorded?

The SPEAKER. He is not recorded.

Mr. REAVIS. I would like to withdraw my vote of "aye" and be recorded as "present," inasmuch as I am paired with him.

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. REAVIS, and he answered "Present."

Mr. STAFFORD. Mr. Speaker, I change my vote from "aye" to "present."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

On motion of Mr. KEY of Ohio, a motion to reconsider the vote whereby the bill was passed was laid on the table.

FOOD SUPPLIES FOR EUROPE.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the food-relief bill, disagree to the Senate amendments, and agree to the conference asked for.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to take from the Speaker's table the food-relief bill, disagree to the Senate amendments, and agree to the conference asked for.

The SPEAKER. The Clerk will report it by title.

The Clerk read as follows:

A bill (H. R. 13708) providing for the relief of such populations in Europe and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary.

The SPEAKER. Is there objection.

There was no objection; and the Speaker announced as the conferees on the part of the House Mr. SHERLEY, Mr. EAGAN, and Mr. CANNON.

HOSPITAL AND SANATORIUM FOR DISCHARGED SOLDIERS AND SAILORS.

Mr. CANTRILL. Mr. Speaker, I desire to present a unanimous report from the Committee on Rules.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 511.

Resolved, That immediately upon the adoption of this resolution the House shall resolve itself into Committee of the Whole House on the state of the Union for the consideration of H. R. 13026, entitled, "A

bill to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers and sailors"; that there shall be not to exceed two hours' general debate, which debate shall be confined to the subject matter of the bill. At the conclusion of such general debate the bill shall be considered for amendment under the five-minute rule. After the bill shall have been perfected in Committee of the Whole House on the state of the Union, the same shall be reported to the House with such recommendations as the committee may make, whereupon the previous question shall be considered as ordered upon the bill and all amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken, and the resolution was agreed to.

The SPEAKER. The House automatically resolves itself into Committee of the Whole House on the state of the Union, with the gentleman from Texas [Mr. HARDY] in the Chair.

Thereupon the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. HARDY in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 13026, which the Clerk will report.

The Clerk read the title of the bill, as follows:

A bill (H. R. 13026) to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers and sailors.

The CHAIRMAN. The Clerk will read the bill.

Mr. GRIFFIN. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. The gentleman from New York asks unanimous consent to dispense with the first reading of the bill. Is there objection?

Mr. CANNON. Just a moment. It is said to be a short bill. I have not had time to read it, and do not know what is in it. If it should be explained very fully in general debate, that would be better, perhaps, than the reading of it.

Mr. GRIFFIN. It will be explained fully in general debate.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GRIFFIN. Mr. Chairman, under the rule two hours' debate is permitted. I would like to enter into some arrangement as to the division of the time. There is a committee majority report and a minority report. The minority report is headed by the gentleman from Pennsylvania [Mr. KREIDER], whom I do not see here, and by the gentlemen from Indiana [Mr. ELLIOTT and Mr. BARNHART]. I would like to ascertain who is here to take charge of the minority side of the measure.

The CHAIRMAN. The Chair will ask who represents the minority?

Mr. AUSTIN. Mr. Chairman, I would suggest that in the absence of the gentleman from Pennsylvania [Mr. KREIDER], whose name appears on the minority report, the gentleman from Indiana [Mr. ELLIOTT] be permitted to control the time in opposition to the measure.

The CHAIRMAN. Is any request desired to be made in the House?

Mr. GRIFFIN. That is entirely satisfactory.

The CHAIRMAN. It is requested that in the absence of the gentleman from Pennsylvania [Mr. KREIDER] the gentleman named, Mr. ELLIOTT, be allowed to control in behalf of the minority one-half of the time. Is there objection to that request?

There was no objection.

The CHAIRMAN. The gentleman from New York [Mr. GRIFFIN] is recognized for one hour.

Mr. GRIFFIN. Mr. Chairman and gentlemen, I am not the author of this bill. It is a bill which has been suggested by the Treasury Department. While I share the prejudice of a great many of the Members of this House against taking the cue for legislative work from any department, nevertheless I admit—and I think you will all be found to admit—that where special knowledge and information are called for we are bound to rely upon other branches of our Government.

On October 6, 1917, we amended the war-risk insurance act, and we provided in that act that all sick and disabled discharged soldiers and sailors from the Army and Navy of the United States shall be entitled to hospital treatment and hospital facilities for their rehabilitation. But there is a proviso in the measure which, in view of the minority report, I would like to call to your attention now. Under section 300, paragraph 3, I find this provision:

In addition to the compensation above provided, the injured person shall be furnished by the United States such reasonable governmental medical, surgical, and hospital services and with such supplies, including artificial limbs, trusses, and similar appliances, as the director may determine to be useful and reasonably necessary—

And I call your particular attention to the next proviso—

Provided, That nothing in this act shall be construed to affect the necessary military control over any member of the Military or Naval Establishments before he shall have been discharged from the military or naval service.

Now, why do I try your patience by reading these provisions? First, because I want to get them into the RECORD; second, because I want to emphasize the proposition that although the Army has vast facilities for the care of its wounded and for the care of disabled soldiers, it has no authority under the section of the law which I have just read to permit it to care for a discharged soldier. Now, you created the burden upon the United States Government in October, 1917, when by law you promised to give every soldier and every sailor who was wounded in battle, who was disabled in camp, whose body was racked with pain and disease while serving under the flag, certain hospital facilities and certain advantages. What have we done up to date to crystallize that promise into action? Nothing; positively nothing!

Mr. KNUTSON. Will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. KNUTSON. On page 2 of the minority report it says that according to the testimony of Col. Smith, the Medical Department of the Army is willing to turn over immediately at least two hospitals of a thousands beds to the Bureau of War Risk Insurance. Was the gentleman present when that testimony was given?

Mr. GRIFFIN. I surely was.

Mr. KNUTSON. Will the gentleman kindly amplify on it?

Mr. GRIFFIN. I am going to touch on that very proposition.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. GRIFFIN. I yield.

Mr. JOHNSON of South Dakota. Can the gentleman tell me if the passage of this law will make it necessary to form another complete organization to take charge of the hospitals that will be erected under its provisions?

Mr. GRIFFIN. No; we are not confronted with that difficulty. The United States Public Health Service has been in existence for over a hundred years. It has now under its control upward of 22 hospitals, with a bed capacity of 1,548; but the officials of the Public Health Service testified before our committee that these hospitals are filled to overflowing, and at the present time they have 1,556 patients.

Mr. JOHNSON of South Dakota. Will the gentleman yield for one more question?

Mr. GRIFFIN. Certainly.

Mr. JOHNSON of South Dakota. How many different organizations would we have in the United States, each conducting a line of hospitals, if this bill were to become a law?

Mr. GRIFFIN. Not any more than we have at the present time. This makes no change whatever in the hospital situation in the United States. It adds no bureau. It adds no machinery beyond that which already exists.

Mr. JOHNSON of South Dakota. Would not that then leave three different classes of boards or organizations conducting hospitals? Would there not be the National Board, which takes care of the veterans of the Civil War, the hospitals which are being conducted by the War Department, and then a new series conducted by this board? Would there not be a duplication of facilities and an increase in overhead expense over what there would be if we had but one board taking care of these men?

Mr. GRIFFIN. No. There is no question of introducing a new organization. The Public Health Service has been in existence, as I said, for many years.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. GRAHAM of Illinois. You do not mean to say, do you, that the Public Health Service will not have to be vastly increased to take care of this work?

Mr. GRIFFIN. It will have to be vastly increased, but not due to any initiative on the part of the Public Health Service, but only because of the burden which Congress has imposed upon the Department of the Treasury.

Mr. GRAHAM of Illinois. Now, I understand that all these projects that are intended by the Public Health Service are additions to existing naval or marine hospitals, except two, and that it is the intention to build additions or additional bed facilities for these hospitals. And in that case am I right in supposing that part of the administration of a particular post would be under the military authorities and another part of it under the Public Health Service?

Mr. GRIFFIN. The gentleman is going too far into the ramifications before we have finished with the generalities.

Mr. GRAHAM of Illinois. Is not that the testimony before your committee?

Mr. GRIFFIN. No; it is not. If the gentleman will bear with me and have patience I will come to that point in a few

moments. There was a minority report filed here. You probably have it before you. When that report came in I was in a position which reminded me very much of the predicament of Dr. Samuel Johnson. Old Dr. Johnson was caught by his wife kissing the maid in the hallway, and she said, "Doctor, Doctor, I am surprised." He said "Tut, tut, madam, you are amazed; it is I who am surprised." Now, I was both surprised and amazed, because while the matter was under consideration in the committee no suggestion was made that any minority report would be submitted. I am amazed when I read the report and find that it contains so many deductions that can not be strictly drawn from the hearings.

As to hospitals which the War Department might turn over, let us turn to the extract from the report of Cols. Darnall and Smith, of the Medical Corps, United States Army, quoted on page 5 of the minority report. It is extracted from page 22 of the hearings before the Committee on Public Buildings and Grounds on December 9, 1918 (No. 16). Col. Smith was asked by me at the hearing (p. 19) to recapitulate his testimony showing the number of hospitals in the United States, the number of hospitals on leased ground, the number of cantonments, whether the sites at cantonments are on leased ground, the location and the bed capacity of all the hospitals, and also giving the present use of the beds at all the hospitals and the number that are vacant; in short, a summary and recapitulation of all his testimony.

In doing so, in his report signed by himself and Col. C. R. Darnall, he divides his report into six subdivisions. On page 22, in answer to the question—

What hospitals, if any, can be turned over by the Army to the Public Health Service, and when? Which of the camp base hospitals would be suitable for the treatment of such cases as those for which the War Risk Bureau may need to make provision?

He replies:

It is impossible to state at this time when any of the hospitals now operated by the Army could be released for use by the Public Health Service. While it is believed that we have provision for a sufficient number of beds in Army hospitals it is also our belief that we require all that we now have in order to provide a reasonable margin of safety for the care of sick and wounded returning from overseas, and the sickness problem which may develop among the troops in this country and returning for demobilization.

Although this is the opening part of Cols. Darnall and Smith's report, it is absolutely omitted by the minority report, and no reference made to it.

On page 5 of the minority report they quote the balance of the paragraph, taking particular pains, it would appear, to omit the closing sentence, as follows:

These are two of the least-desirable properties which we now occupy.

There was very good reason for this running to cover. Both of these hospitals are on leased ground. Neither of them were built for hospital purposes. They are General Hospital No. 23, at Hot Springs, N. C., and General Hospital No. 15, at Corpus Christi, Tex. General Hospital No. 23, at Hot Springs, N. C., was converted into a hospital, but General Hospital No. 15, at Corpus Christi, Tex., has not been adapted in any sense whatever for hospital uses.

In regard to the Hot Springs hospital, it may be said that it had to be temporarily abandoned on account of the outbreak of typhoid fever. It is so situated as to be flooded at certain times of the year, and the drinking water is said to be polluted. It was, I may say, for this reason that the German prisoners interned there were taken away.

It may be well in passing to point here to the contradiction between the report of Drs. Darnall and Smith and the exhibit which they annex to their report. On page 22 in the paragraph above mentioned, which is quoted in the minority report on page 5, the capacity of General Hospital No. 23, at Hot Springs, N. C., is given as 700 beds. On page 24 of the hearings (No. 16) the total bed capacity of this hospital is given as 250. This is contained in Exhibit A, annexed to the report of Drs. Darnall and Smith. In other words, the narrative contained in the report and the figures contained in the exhibit do not agree.

Hospitals which the War Department claims to be able, sooner or later, to turn over for the use of the Public Health Service.

[See p. 22, Hearings No. 16.]

	Bed capacity.	Remarks.
General Hospital No. 23, Hot Springs, N. C. (Exhibit A, p. 24, states bed capacity as 250).	700	Leased.
General Hospital No. 9, Lakewood, N. J.	904	Do.
General Hospital No. 13, Danville, N. Y.	208	Do.
General Hospital No. 15, Corpus Christi, Tex.	257	Do.
General Hospital No. 18, Waynesville, N. C.	600	Do.
General Hospital No. 19, Long Beach, Long Island.	1,000	Do.

Furthermore, the statement that the War Department is ready to turn over certain inadequate, insufficient, and unsatisfactory hospitals which they do not want to use is not a very encouraging prospect for wounded and disabled soldiers who are standing at the door of the United States War Risk Insurance Bureau asking that their appeals for medical attention shall be heard.

Furthermore, the turning over of these leased hospitals would not be possible until the passage of this bill provides the means.

To refuse to pass this bill and leave the Public Health Service as an humble supplicant at the door of the War Department asking for cast-off hospital facilities would not be creditable to this Congress. In order to place the Secretary of the Treasury in a position to negotiate with the War Department, or any other department having hospital facilities at its disposal, it is absolutely necessary that congressional authority shall be given by the enactment of this bill into law.

The matters as brought up and emphasized by the minority members of the committee in their report are stale and without significance. They have taken up questions which were raised in our hearings, and, apparently oblivious of the fact that the committee which reported this bill had gone deeper into the questions, they assume that where their examination ended the researches of the committee had ended. On the contrary, the committee pursued all of these questions in all their ramifications to the end, and being aware of the embarrassing situation, amended the bill, making it practically mandatory upon the Public Health Service to secure hospital facilities wherever available in every department of the Government.

On page 3, lines 1 to 16, will be found the committee amendments which authorize the Secretary of the Treasury to request the President, the Secretary of War, the Secretary of the Navy, the Secretary of Agriculture, the Secretary of the Interior, or the Secretary of Labor to transfer unto the Treasury Department such lands or parts of land, buildings, fixtures, appliances, and furniture under their control not required for their uses as may be found suitable for this use, and so forth, and limit the authority by the further proviso that nothing shall be expended out of the amounts authorized by this act until all available buildings, grounds, and so forth, have been turned over to the Secretary of the Treasury.

So that, granting every argument advanced by the minority in their report, the necessity for the passage of this bill is emphasized and rendered stronger.

If you do not pass it, you leave the United States Public Health Service and the War Risk Insurance Bureau at the mercy of every department chief who may have a worn-out hospital to get rid of. Instead of vesting the Secretary of the Treasury with authority, as this bill does, to demand and take over hospital facilities not in use, you put him in the position of a supplicant obliged to negotiate and haggle over terms.

This touches only the departmental end of it, but what have you to say of the situation in which you put the soldiers of our country who have jeopardized their lives and limbs in behalf of their country? Is this an adequate return to make to them?

While department chiefs are haggling over the turning over of hospitals that they do not want which are on leased ground, and when the Public Health Service finishes haggling over the continuation of leases, the crippled and disabled soldiers will walk the streets without care and attention.

Mr. CANNON. Will the gentleman yield?

Mr. GRIFFIN. I yield to the gentleman from Illinois.

Mr. CANNON. I have not yet completed the reading of the bill, but I have gone far enough to find this language: That the Secretary of the Treasury is to utilize the Public Health Service, and so on, and I read in line 7—

Soldiers and sailors, patients of the War Risk Bureau, and for others entitled to treatment by the Public Health Service.

Now, the law has been amended so that people that never dreamed of being in the Army can be treated by the Public Health Service. If the gentleman is not aware of it, I want to both surprise and amaze him.

Mr. GRIFFIN. I am not at all amazed or surprised by that, because the functions of the Public Health Service are clearly defined by law. They are obliged to take care of the sick of the Geodetic Survey; they are obliged to take care of the merchant seamen. The gentleman will find on page 3 of our report a summary of their responsibilities:

At the present time the United States Public Health Service stands obliged by law to treat the following cases:

(1) Merchant seamen.
(2) The Mississippi River Commission.
(3) The United States Coast Guard Service.
(4) The United States Lighthouse Service.
(5) The Engineer Corps of the United States Army.
(6) The United States Coast and Geodetic Survey.
(7) Civilian employees injured under the workman's compensation act.
(8) Civilian employees injured on Army transports.

Then was passed the war-risk insurance act of October 6, 1917, which imposed the additional burden of caring for discharged soldiers and sailors. It is a matter of pure conjecture what limits that burden will extend to.

Mr. CANNON. Does that end the list?

Mr. GRIFFIN. That ends the list.

Mr. CANNON. If the gentleman will allow me right there, the Public Health Service was authorized under the law—I called attention to it, and I will hunt it up again——

Mr. GRIFFIN. The gentleman can tell me what it is, and I may admit it.

Mr. CANNON. It is the right of the people of the United States that never dreamed of being in the service, male and female, to be treated for various classes of diseases.

Mr. GRIFFIN. That is true; I have the chart here.

Mr. CANNON. Then the gentleman, when he read from the report, had forgotten that.

Mr. GRIFFIN. No; the gentleman had not forgotten it. I said in the report that the burden put on the Public Health Service was very much enlarged. They have been enlarged right along year after year since the Public Health Service was organized in 1798. Last year the Public Health Service treated 22,419 patients. But whether or not the Public Health Service has other burdens upon it placed there by Congress—the care of the sick and disabled in other departments—there is no gainsaying the fact, no getting away from the fact, that Congress on October 6, 1917, passed the war-risk insurance amendment which puts the burden of caring for all of the war-risk insurance cases on the Public Health Service. Now, let me get at the meat of this matter.

Mr. CANNON. This is the meat; would the gentleman favor an amendment striking out, in lines 7 and 8, the words "and for others entitled to treatment by the Public Health Service"?

Mr. GRIFFIN. No; that would be preposterous; that is equivalent to voting to repeal every law that has been passed enlarging the scope of the Public Health Service.

Mr. CANNON. That enables the Public Health Service to treat any man, woman, or child in civil life.

Mr. GRIFFIN. Surely it does, if entitled by existing laws. Now, I decline to yield further.

Mr. LAZARO. Will the gentleman yield?

Mr. GRIFFIN. I will yield to the gentleman from Louisiana.

Mr. LAZARO. Did the committee ascertain how many tubercular soldiers and sailors we have?

Mr. GRIFFIN. I am coming to that.

Mr. LONDON. Will the gentleman yield for a suggestion?

Mr. GRIFFIN. Yes.

Mr. LONDON. The language in lines 7 and 8, on page 1, mean these others entitled by existing law to treatment.

Mr. GRIFFIN. Yes.

Mr. LONDON. That is all there is of it.

Mr. GRIFFIN. Yes; that is all. You can not undertake to ask Congress to consent to an amendment suggested by the gentleman from Illinois which will repeal all former provisions of law and take away the functions of the Public Heath Service. Gentlemen are evading the real issue here. The only point at issue in the consideration of this bill is—and I say it with all deference, and I would like the attention of the gentleman from Illinois particularly, because he raised the point—we have nothing to do here with the existing law. The motion to strike out from among the beneficiaries "all other persons in other departments" would not be germane to this bill, because it would be equivalent to the repeal of all existing laws which have added those department beneficiaries to the burdens of the Public Health Service in years past. All we have to do to-day is to consider whether we are going to keep our promise to the soldiers and the sailors who enlisted under our flag for the defense of our Nation in this war. If you do not provide some place for the men to go in this bill you will have to provide for it in another bill.

Mr. CANNON. Will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. CANNON. I think I have failed to make myself understood, or the gentleman is not candid. I say that under the law as it now is, passed without the knowledge of Congress, practically sandwiched in, the Public Health Service can treat any civilian in the United States—man, woman, or child—without regard to whether they ever had any office, civil or military, in the service of the United States, and that would enable them to fill the hospitals and use this $10,000,000 by the simple words "disabled soldiers and sailors, patients of the War Risk Insurance Bureau, and for others entitled to treatment by the Public Health Service." That covers every man, woman, and child in the United States.

Mr. GRIFFIN. Just a moment; the gentleman has stated that I was lacking in candor.

Mr. CANNON. Oh, I said I had failed to make myself understood or the gentleman was lacking in candor.

Mr. GRIFFIN. I do not think that the gentleman has anything as a basis for the statement; the bill reads "and for others entitled to treatment by the Public Health Service."

Mr. CANNON. Yes.

Mr. GRIFFIN. Others entitled to treatment by the Public Health Service. Who are entitled to treatment by the Public Health Service?

Mr. CANNON. Any individual——

Mr. GRIFFIN. No; not any individual; only those who are enumerated on page 3 of the majority report.

Mr. CANNON. But we are not going to enact the report, are we? We are going to enact the bill.

Mr. GRIFFIN. They are not entitled to treatment by virtue of the report or of this proposed law; but they are entitled to treatment by virtue of laws heretofore passed by Congress.

Mr. CANNON. Precisely, and that includes people who have the measles, the smallpox, the influenza, or any other disease.

Mr. GRIFFIN. That does not happen to be so; and even if it were, would the gentleman seek to lessen the benevolence of any governmental function?

Mr. CANNON. If I should vote for that, with that provision in it, then I would vote to put all of the doctors in the United States on the Public Health Service, and I would treat everybody alike.

Mr. GRIFFIN. The proposed bill simply provides that the Secretary of the Treasury be, and is hereby, authorized and directed to provide immediate additional hospital and sanatorium facilities for the care and treatment of discharged and disabled soldiers and sailors, patients of the War Risk Insurance Bureau, and for others entitled to treatment by the Public Health Service.

Mr. CANNON. It is the last statement to which I object.

Mr. GRIFFIN. Who is entitled to treatment by the Public Health Service? Not everybody. The law has already provided as to who may be beneficiaries of the Public Health Service.

Mr. CANNON. Everybody who is sick.

Mr. GRIFFIN. Not everybody who is sick; only those who come within certain provisions.

Mr. CANNON. Everybody who is sick or helpless from scarlet fever, mumps, or anything else.

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. I am very much interested in having the cooperation of the gentleman from Illinois [Mr. CANNON], who has taken up so much of my time, because I know his fairness and his wisdom and judgment. But if he does not understand now that there is nothing in this bill which adds to the functions of the Public Health Service except the care of wounded soldiers and sailors, then I must give up. I yield to the gentleman.

Mr. JOHNSON of South Dakota. If this bill was enacted, will the hospitals be utilized for the treatment of soldiers who were injured fighting in France or in Italy?

Mr. GRIFFIN. They surely will.

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. GRAHAM of Illinois. Is the gentleman entirely within the facts about that? Is it not true that in the hearings on this bill it was stated by the officials of the Surgeon General's office that they did not intend to discharge soldiers who needed medical or hospital treatment until they were cured and until further necessity for hospital treatment was done away with?

Mr. GRIFFIN. Yes; they said that.

Mr. GRAHAM of Illinois. And that, consequently, the men who will be treated in these hospitals under the Public Health Service will be those who passed the draft board but who did not pass the examining physicians at the camps, and the other recipients of the bounty in the Public Health Service who are named in the report.

Mr. GRIFFIN. No; that is too hasty a conclusion to draw.

Mr. GRAHAM of Illinois. I am asking if the testimony does not show that?

Mr. GRIFFIN. I am going to answer the gentleman, though I do not want to take up too much time, because this is consuming time, and it interrupts the train of my remarks, which I had hoped to have been able to present to the House in a logical sequence. Answering the gentleman's question, the proof

of the pudding is the eating of it. There was something said by a representative of the Surgeon General's office that it is their practice not to discharge men until they have been subjected to a certain course of treatment, but here are the figures contained in a letter addressed to me, dated as short a while ago as January 17, signed by Rupert Blue, the Surgeon General.

Mr. DYER. Surgeon General of what?

Mr. GRIFFIN. Of the Public Health Service.

Mr. ELLIOTT. That letter has been written to you since the time the committee had its hearings on this bill.

Mr. GRIFFIN. Yes. I will say to the gentleman that I have the latest information and statistics on this measure, right down to date. That letter states that 24,500 tubercular patients have been discharged. Twenty-four thousand five hundred tuberculosis patients actually discharged, men with their lungs sloughed away from the gases in France, men with lungs impaired, discharged; and they can no longer be admitted into the Army hospitals. There is no place for them to go except to the Public Health Service.

Mr. DYER. Do they not go to New Mexico?

Mr. GRIFFIN. There is no accommodation for them. The Army itself tells us that it has no accommodation; that it can not treat men after they are discharged from the service. Please let us get this into our heads—that the Army hospitals can not and will not, under the law, treat a man after he has been once discharged and resumes his civilian status. There is the contingency that has been created, created by the Members of this Congress.

Mr. JUUL. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. JUUL. I think I want to agree with the gentleman, and I want to help him out, if I may.

Mr. GRIFFIN. I thank the gentleman very much.

Mr. JUUL. If I understand this bill correctly, and I think I do as far as we have gone, it directs the Secretary of the Treasury to provide immediate additional hospital and sanatorium facilities for the care and treatment of discharged soldiers and sailors, patients of the War Risk Insurance Bureau. That is the meat of it.

Now, my distinguished friend from Illinois is apparently worried over this line, "and for others entitled to treatment by the Public Health Service." You are not adding a line of law.

Mr. GRIFFIN. Not a bit.

Mr. JUUL. The existing conditions——

Mr. GRIFFIN. And we are not repealing any law that exists.

Mr. JUUL. All these people who might be covered by lines 7 and 8 in this bill are already covered?

Mr. GRIFFIN. By statutes which have already been passed.

Mr. JUUL. Absolutely.

Mr. GRIFFIN. Yes.

Mr. JUUL. And if you were to strike out——

Mr. GRIFFIN. Pardon me, but my time is short and I promised to yield time to other gentlemen. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. Twenty-five minutes remain to the gentleman.

Mr. JUUL. Why, clearly, if we strike this out instead of passing the act, we will be striking out the meat of the other acts.

Mr. GRIFFIN. Yes.

Mr. AUSTIN. I suggest that the gentleman finish the reading of Gen. Blue's letter.

Mr. GRIFFIN. I am obliged to the gentleman for his suggestion.

TREASURY DEPARTMENT,
PUBLIC HEALTH SERVICE,
Washington, January 17, 1919.

Hon. ANTHONY J. GRIFFIN,
House of Representatives, Washington, D. C.

MY DEAR MR. GRIFFIN: The following memorandum is submitted, as requested by you, in order to bring figures in your report on H. R. 13026 up to date:

War risk insurance cases now actually under treatment up to Jan. 15, inclusive	1,724
Soldiers, sailors, and marines discharged up to Jan. 1 because of tuberculosis who are entitled to treatment, when needed, by the War Risk Insurance Bureau under the act of Oct. 6, 1917	24,500
Cases of epilepsy reported up to Dec. 1, 1918	5,220
(Of these 2,200 had been discharged from the Army up to Dec. 1 and 250 were discharged during December. Number reported during December not yet available, but Army is discharging epileptics at rate of about 250 per month.)	
Mental cases, including psychoneurosis of all types, reported to Jan. 1, 1919, approximately	50,000
(This includes not only cases already reported to War Risk Bureau, but also those known to exist in the Army, but not yet discharged. All of these, except the incurable insane, a comparatively small percentage of the total, will be ultimately recommended for discharge.)	
Total	81,444

As further showing the need for increased hospital facilities you may be interested to know that there were over 71,000 beneficiaries of the service treated in the 22 marine hospitals and 119 relief stations operated during the year 1918. Twenty thousand six hundred and nine of these were treated in hospitals, but only 12,797 could be accommodated in hospitals owned by this service, the remaining 7,812 having been placed in civilian hospitals under contract. The number of beneficiaries of the service treated during 1918 exceeded by more than 7,000 the number treated during 1917.

It has been stated that the policy of the Army is to keep its tuberculosis cases until they are incapable of further improvement. As a matter of fact, of the 1,724 war-risk cases now actually under treatment, 930 are cases of tuberculosis which have been discharged from the Army. The Army has 8 tuberculosis hospitals, and at the present time has over 5,000 tuberculosis patients under treatment. Even though the policy may be to keep cases in the Army until they are arrested or incapable of further improvement by treatment, it is nevertheless a fact that an arrested case is not necessarily a cured case, and is liable to suffer a recurrence of the disease under unfavorable conditions. Therefore, even cases of tuberculosis which are discharged as arrested or not needing further treatment by the Army become potential beneficiaries of the War Risk Insurance Bureau, and an increasing number of these will undoubtedly continue to become actual beneficiaries of that bureau and require hospital treatment in the future as they have during the past.

Respectfully,

RUPERT BLUE, *Surgeon General.*

You will notice that of the 5,220 cases of epilepsy 2,200 had been discharged from the Army up to December 1. Is the gentleman from Illinois listening to that? The 2,200 epileptics were discharged from the Army up to December 1, and 250 approximately were discharged during December. The precise number reported during December is not yet available, but the Army is discharging epileptics at the rate of 250 per month. Then there is another division of men who will be subject to treatment by this Public Health Service, possible potential beneficiaries under this act. Mental cases, including psychoneurosis of all types reported up to January 1, 1919, approximate 50,000. This includes not only cases already reported to the War Risk Bureau, but also those known to exist in the Army and not yet discharged. All of those, except the incurably insane, a comparatively small percentage of the total, will be ultimately recommended for discharge.

Mr. AUSTIN. What is the total number, may I ask?

Mr. GRIFFIN. The total number as figured by the Surgeon General of the Public Health Service is 81,444.

Mr. McKENZIE. Will the gentleman yield for a question?

Mr. GRIFFIN. I would rather not, if the gentleman will permit me to go ahead, as my time is short.

Mr. McKENZIE. I will make it very brief, and the gentleman can put it in his speech if he extends it. I would like to know whether he has the fact showing the number of epileptic colonies in the various States and also the number of tuberculosis sanitariums in the various States that might be utilized for this purpose?

Mr. GRIFFIN. No; I have not; but I have other figures here more closely related to this bill. I called up the War Risk Bureau on January 22, and I got Col. Banks, Chief of the Medical Division of the War Risk Bureau, on the phone. He told me that the number of applications filed at the War Risk Bureau up to date was 14,200. All of those men are clamoring for treatment—all soldiers or sailors—and the Public Health Service has just 22 hospitals, having a bed capacity of 1,548, to accommodate them. Now, how in God's name are they going to be accommodated?

Mr. BARNHART. How many?

Mr. GRIFFIN. Fourteen thousand two hundred. That these figures contained a modest estimate of the probable number of patients of the War Risk Insurance Bureau is shown by the following estimate of discharges from the United States Army for the year 1918 as given to me by Col. Love, of the United States Medical Corps. On January 23 the statement was that the discharges up to December 31, 1918, were for tuberculosis, 17,000; for epilepsy, 3,000; for mental diseases, 10,000; and for miscellaneous disabilities, 70,000, making a total of 100,000 enfeebled and disabled soldiers of the United States Army who are potential beneficiaries of the Public Health Service.

Mr. GOOD. Will the gentleman yield? I ask just to ascertain what authority Congress has conferred upon the Public Health Service to look after these various classes of people.

Mr. GRIFFIN. To what classes does the gentleman refer?

Mr. GOOD. For instance, the war-risk act provided for disabled soldiers and sailors who were patients of the War Risk Bureau and were to be looked after by the Public Health Service.

Mr. GRIFFIN. The law specifically provides that the Treasury Department, or the United States rather, should look after them. The Treasury Department specifically has the burden. The Public Health Service is merely a bureau of the Treasury Department.

Mr. GOOD. I understand that. Now, what is intended to be embraced in the language in line 7, "and others entitled to treatment by the Public Health Service"? What others are entitled to treatment by the Public Health Service?

Mr. GRIFFIN. I think I covered that in my answer before. If the gentleman will look at the majority report, he will notice that on page 3 he will find the various departments of the Government that are entitled to treatment under the laws.

Mr. GOOD. I want to ask if, in drawing that report, the committee had before it this express provision of law and if the members of the committee have personally gone into that matter?

Mr. GRIFFIN. They did very thoroughly. Now, gentlemen, I want to lay a few figures before you, so that they will appeal to your imagination, to your vision.

I know that figures and statistics are tiresome. However, do you know what the entire strength of the Regular Army was on November 11, 1918? It was 515,728; the National Guard, 461,048; drafted men, 2,815,000; making a total of 3,791,776. Now, the strength of the Army at the highest point, before deductions were made for casualties, was as follows: Volunteers, 1,167,547; drafted, 2,818,000.

And yet in the presence of those figures the minority report dares say that it is for the care and treatment of the drafted men who never went over on the other side that these additional facilities are required. Where, in the name of Heaven, can they deduce that assumption from anything that was produced before our hearings? We have 2,000,000 boys over on the other side, or we had at the conclusion of hostilities, less the number who offered up their lives or were wounded.

Mr. STAFFORD. Will the gentleman yield?

Mr. GRIFFIN. The time is very short. I would prefer that the gentleman hold his question until some of the other Members are speaking.

Mr. STAFFORD. The gentleman has made a report that directly relates to the bill, but, if the gentleman wishes, I will not embarrass him.

Mr. GRIFFIN. According to Gen. Pershing, up to November 18, 1918, there were killed in action in the American Expeditionary Forces 36,145. The totals carried up to January 24—that is, yesterday—are: Killed in action, 31,019; died of wounds, 13,572; died of disease, 18,865; died unclassified, 2,705; wounded, 189,955; prisoners, 3,367; missing in action, 14,829.

But I want to emphasize that nearly 190,000 boys were wounded over there on the other side. Have we no vision to see what is going to happen in the future? Can we not see those boys coming back here to this country, hobbling along our streets on crutches, with their pale, wan faces, and clad in their faded coats of khaki, with arms missing, with their lungs polluted by diseases which they contracted in the trenches? And is any man going to say that these men should not have provision made for them?

Now, I take it from the questions that have been asked that the principal embarrassment is that which struck the committee in our hearings, namely, Are there not accommodations enough? Yes; there are accommodations, but those accommodations are for the Army, not for the discharged soldiers. The Army had up to yesterday 42,000 vacant beds, but there are 120,000 wounded boys on the other side who have not yet come over, and they have got to be taken care of.

Now, it was quite evident to our committee that the Army has no facilities to turn over to the Public Health Service.

Mr. DYER. The Army has plenty of funds with which to provide additional hospitals.

Mr. GRIFFIN. They have the funds; but they are not confronted with the burden of responsibility of caring for the discharged soldiers.

Mr. DYER. They are not discharging them. I have received many denials of discharge of those already wounded and crippled.

Mr. GRIFFIN. I have read figures showing the number of men that have been discharged.

Mr. DYER. They will not discharge them until they are well.

Mr. GRIFFIN. They have discharged 24,500 patients suffering from tuberculosis and who are not cured. Their condition might have been alleviated; but tuberculosis is not a disease that can be permanently cured. As early as last July, Mr. DeLanoy, the Director of the Bureau of War Risk Insurance, called the attention of the Secretary of the Treasury to the pressing need of making some provision for the constantly increasing beneficiaries of the war-risk insurance act. The following is his letter:

TREASURY DEPARTMENT,
BUREAU OF WAR RISK INSURANCE,
Washington, July 29, 1918.

Subject: Need of enlarged hospital facilities.
The SECRETARY OF THE TREASURY.

SIR: I have the honor to invite your attention to the care and treatment of men who have been discharged from the military and naval forces of the United States who are beneficiaries of the Bureau of War Risk Insurance, and are in immediate need of sanatorium facilities.

2. Under the provisions of the amended act of October 6, 1917, defining the duties of this bureau it is provided in article 3, section 300, paragraph 3, that the sick or injured beneficiaries "shall be furnished by the United States such reasonable governmental medical, surgical, and hospital services and with such supplies, including artificial limbs, trusses, and similar appliances as the director may determine to be useful and reasonably necessary."

3. Section 303 provided that "as frequently and at such times and places as may be reasonably required, submit himself to examination by a medical officer of the United States or by a duly qualified physician designated or approved by the director."

4. At present the only "governmental" hospital services available for this work are the hospitals and relief stations of the United States Public Health Service, as the hospitals of the Army and Navy can not be used for the treatment of discharged soldiers and sailors under the law, because these men have resumed their civilian status, and for the further reason that these hospitals are entirely occupied with the sick and disabled who are now in active military and naval service. The chief medical advisor of this bureau is now making use of every hospital and relief station of the Public Health Service in all parts of the country, and as this hospitalization of discharged soldiers and sailors is increasing, the necessity of making increased provisions in the hospitals of this service will be more acute when the Army is numerically increased.

5. The great problem connected with this work is the caring for discharged soldiers and sailors suffering from tuberculosis, and as 10,000 have already been discharged and are eligible for compensation and sanatorium treatment, the chief medical advisor informs me that he has already filled the Government sanatorium at Fort Stanton, N. Mex., to its capacity, and that he is finding difficulty in procuring suitable bed space in local hospitals, where the cost of maintaining them is greater than in the Government institutions.

6. The experience of the allied nations should be our guide in making preparation for the cases which will inevitably become a charge upon this bureau in the near future, as both England and France have returned tens of thousands of cases from the front broken down by this disease.

7. It is therefore the desire of this bureau that this condition be represented to the Surgeon General of the United States Public Health Service, directing his attention to the department's needs in this respect, and urging his cooperation in providing sufficient bed space, either by the enlargement of hospitals now existing or the construction of new buildings.

Respectfully,
WILLIAM C. DELANOY,
Director.

As a result of this initiative, a conference was arranged between the three most interested departments of the Government—the Army, the Navy, and the Public Health Service—and the result of their labors was embraced in the following report:

SEPTEMBER 11, 1918.

Report of the committee appointed by the chairman of the conference of officers of the Army, Navy, and Public Health Service to obtain data regarding the number of men discharged from the military forces, and the percentage of those engaged who will become beneficiaries of the War Risk Insurance Bureau; also to present conclusions, if any could be reached, regarding the accommodations which should be furnished to those patients.

This committee has the honor to make the following report:

The largest number of discharged soldiers requiring treatment will be cases of tuberculosis. Fourteen thousand men have already been discharged from the Army on account of this disease. During the remainder of the calendar year 1918 and during the year 1919 it is estimated that 20,000 men will be rejected on their primary examination at the camps after induction into the service.

The War Risk Insurance Bureau of the Treasury Department would have to care for these patients. From its experience, three-fourths, or about 26,000, will avail themselves of sanatorium treatment.

It is estimated that the average length of time the patients will remain in a tuberculosis sanatorium is six months. Therefore 13,000 beds will be required for these patients.

The number of soldiers that will be discharged from the Army hereafter during the war will be small, as it is the policy of the War Department since May 21, 1918, not to discharge tuberculous soldiers as long as they need sanatorium treatment. Practically the same policy is followed in the Navy Department.

The War and Navy Departments have made no provision for the treatment of patients other than those of the active forces, and therefore no beds are available for patients of the War Risk Insurance Bureau.

The number of soldiers discharged for diseases other than tuberculosis that will require hospital accommodations will probably be small and can be taken care of in existing hospitals.

EARL H. BRUNS,
Lieutenant Colonel,
Medical Corps, United States Army.
W. E. EATON,
Lieutenant Commander,
Medical Corps, United States Army.
W. G. STIMPSON,
Assistant Surgeon General,
United States Public Health Service.

After a careful examination of this report former Secretary of the Treasury McAdoo forwarded the following letter to the Speaker, dated September 20, 1918, in which he submitted a proposed form of bill:

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, September 20, 1918.

The SPEAKER HOUSE OF REPRESENTATIVES,
Washington, D. C.

SIR: I have the honor to submit herewith a tentative draft of legislation, with the request that the same be referred to the Committee on Public Buildings and Grounds for immediate consideration:

"*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to provide immediate additional

hospital and sanatorium facilities for the care and treatment of discharged, sick, and disabled soldiers and sailors, patients of the War Risk Insurance Bureau, and for others entitled to treatment by the Public Health Service, by lease or purchase of existing plants or the construction of new hospitals and sanatoria, to include the necessary buildings, with their appropriate mechanical equipment and approach work, including roads leading thereto, for the accommodation of patients, officers, nurses, attendants, storage, laundries, and live stock, on sites now owned by the Government, or on new sites to be acquired by purchase or otherwise at such places as he may elect, including the remodeling of such of the existing or authorized buildings and their equipment, owned by the United States, as may be necessary to economically adapt such facilities to those herein provided, at the sanatorium at Fort Stanton, N. Mex., and at such of the marine hospitals where increased facilities can be placed, at a limit of cost for sites and buildings, etc., as aforesaid, complete, of $9,700,000, or as much thereof as may be found necessary; for miscellaneous furniture and equipment for the above, $800,000; in all, $10,500,000, and the above amounts are hereby authorized, and when appropriated to be immediately available and remain available until expended.

"The Secretary of the Treasury, in securing additional sites herein provided for, may request the Secretary of War, the Secretary of the Navy, the Secretary of Agriculture, or the Secretary of the Interior to transfer to the Treasury Department such lands or parts of land under their control, not required for other purposes, as may be found suitable for this use, and they are hereby authorized to make such transfer as may be in the interest of the Government.

"In carrying the foregoing authorization into effect, the Secretary of the Treasury may enter into contracts for the lease or purchase of existing buildings, grounds, and equipment, or purchase materials and labor in the open market, or otherwise, and employ laborers and mechanics for the construction of such buildings and their equipment as in his judgment shall best meet the public exigencies, within the limits of this authorization.

"And the Secretary of the Treasury is hereby authorized, in his discretion, to employ, for service within or without the District of Columbia, without regard to civil-service laws, rules, and regulations, and to pay from the sums hereby authorized, at customary rates of compensation, such additional technical and clerical services as may be necessary, exclusively to aid in the preparation of the drawings and specifications for the above-mentioned objects and the supervision of the execution thereof, for traveling expenses, and printing incident thereto, at a total limit of cost for such additional technical and clerical services and traveling expenses, etc., of not exceeding $330,000 of the above-mentioned limit of cost."

Attached hereto are photostatic copies of certain reports and recommendations, which are self-explanatory and show the necessity for the above legislation.

Respectfully,
W. G. MCADOO, *Secretary.*

Secretary McAdoo felt that the matter was so urgent that he followed this letter up with another on November 18, 1918, in which he set out the reasons requiring, in his judgment, its immediate passage.

I call your attention specifically to the clause next to the last in which he states that "the War Department is desirous of discharging these cases into the care of the War Risk Insurance Bureau."

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, November 18, 1918.

The SPEAKER HOUSE OF REPRESENTATIVES,
Washington, D. C.

SIR: Pressing necessity of the utmost gravity impels me to invite your attention to two bills pending in Congress, to supply hospital accommodations for discharged sick and disabled soldiers and sailors, patients of the War Risk Insurance Bureau, and others entitled to treatment by the Public Health Service of this department; namely, H. R. 12917, to provide certain hospital facilities at Dawson Springs, Ky., on land to be donated to the Government, and H. R. 13026, to provide like hospital accommodations at various points throughout the country. The former bill was introduced in the House on September 11, and on investigation by the Public Buildings and Grounds Committee, was reported out, and subsequently made a special rule in Congress, that the greatest possible expedition might be given to the project, and at this writing I understand that the bill is only waiting for a quorum in the House to complete the legislation in that branch of Congress.

In my letter of September 20, transmitting a tentative draft of legislation, which has since been given H. R. 13026, there was also transmitted a report from a committee appointed by the Secretary of War, the Secretary of the Navy, and myself, in which the statement was made that 13,000 beds would be required for these patients, and that the War and Navy Departments had made no provision for patients other than those of active forces, and therefore the War and Navy Departments had no beds available for patients of the War Risk Insurance Bureau, and in addition thereto, a memorandum from the Surgeon General of the Public Health Service of this department in which the statement is made that these beds would not be for temporary purposes, but will be needed for years to come, and that the estimated cost of supplying the number of beds required would be $26,000,000 for hospital accommodations for soldiers and sailors suffering from tuberculosis.

In addition to these patients, I am advised in a letter dated October 26, from the chief medical advisor of the War Risk Insurance Bureau, that the Surgeon General of the United States Army had asked for some practical solution for supplying sanatoria for restorative or institutional treatment of persons discharged from the military and naval forces suffering from epilepsy, due to shell shock and other causes. The War Department is desirous of discharging these cases into the care of the War Risk Insurance Bureau. In connection with these cases, it is estimated that accommodations for not less than 2,000 should be immediately provided for out of the funds carried in H. R. 13026.

The bills above referred to represent estimates for approximately 6,000 beds only, but it is of the utmost importance that this number be made available at the earliest possible moment. Since these estimates were transmitted to Congress an armistice has been declared and hostilities ceased, but while these are happy conditions, it has, as a matter of fact, foreshortened the day and hour when hospital accommodations must be made available and has pressed home to me the tremendous responsibility of supplying accommodations for the sick and disabled discharged soldiers and sailors who will soon return from overseas in overwhelming numbers, and I can not too strongly urge upon you to exercise all your influence to translate the proposed legislation into law, as one of the utmost importance, in order that the Government may carry out its part of its contract with the soldiers and sailors who have so magnificently carried out their entire contract with the Government, and to this end request that this legislation be made a special rule in the House in order that funds may be made immediately available for the purpose above stated.

Respectfully,
W. G. MCADOO, *Secretary.*

Upon the receipt of this letter the Committee on Public Buildings and Grounds began a very painstaking investigation of the hospital situation in the United States.

I want to say here that in the beginning I think the majority of the committee were against this measure. When we learned that the Army hospitals were not available to discharged soldiers we felt obliged to report this bill.

The minority report contains a table showing the hospitals under the control of the War Department. Permit me to say that this very table, used by the minority, was compiled explicitly at my instance and request. On page 19 of the hearings (No. 16, Dec. 9, 1918) you will find the following in our examination of Col. Winfred H. Smith, United States Medical Corps:

Mr. GRIFFIN. I think it would be well to have Col. Smith have a copy of his testimony which he has given here to-day. The figures and facts which he has given in his testimony are somewhat disconnected.

The CHAIRMAN. He will have a chance to revise his statement.

Mr. GRIFFIN. And I suggest that he recapitulate his testimony; showing the number of hospitals in the United States, the number of hospitals upon leased ground; the number of cantonments; whether the sites at cantonments are on leased ground; the location and the bed capacity of all the hospitals; and also giving the present use of the beds at all the hospitals and the number that are vacant. In short, a summary and recapitulation of all his testimony.

The CHAIRMAN. Yes; and particularly, I would like the information to come from the War Department proper as to when we can expect, if ever, to get them; because, no matter how well they are suited for the purpose, if we can not get them they are not worth anything to us.

Mr. BARNHART. Well, we can get them by legislation, even if the War Department says they can not give them up; we have authority to do that.

When Col. Smith's recapitulations and tables came in we found that even if we had double the facilities and all were capable of surrender to the Public Health Service, we could not use a single hospital without some specific authority.

We then amended the bill as you will find on page 3, lines 1 to 16, so as to authorize the Public Health Service to negotiate with and procure from the other branches of the Government every hospital facility attainable—and, mark this: We enjoin them not to use a cent of this appropriation until they have acquired every available hospital from the other departments.

The interest of the new Secretary of the Treasury, the Hon. Carter Glass, not so long ago one of our most highly esteemed colleagues, is not one whit less than his predecessor. No longer ago than the 16th of January he wrote this letter to the chairman of the Rules Committee, urging a special rule in order to obtain immediate action on this bill:

JANUARY 16, 1919.

Hon. EDWARD W. POU,
Chairman Committee on Rules,
United States House of Representatives.

MY DEAR MR. POU: I wish to invite your attention to the very urgent need of providing additional hospital facilities for the care and treatment of patients of the Public Health Service and for discharged soldiers and sailors who are beneficiaries of the War Risk Insurance, for which the Treasury Department is charged by law with the responsibility of providing hospital accommodations and treatment.

The present total normal bed capacity of hospitals under the control of this department is but 1,548, while on November 20 there were actually 1,556 patients in its hospitals. Indeed it has been necessary for many months to crowd our hospitals to the limit of their capacity by placing additional beds in undesirable places and to refuse admission to many who are entitled to treatment in our hospitals. This department also has the names and addresses of upwards of 50,000 other cases entitled under law to receive treatment for which there are absolutely no hospital accommodations.

A comprehensive and carefully worked out scheme of additional hospital accommodations, much of which will be of a more permanent nature and affording a permanent groundwork for the hospitalization of persons entitled to treatment by this department, is provided for in a bill which has been given No. H. R. 13026, now awaiting action by the House of Representatives.

It is reasonable to presume from the location of this bill on the House calendar that consideration of it will not be reached for a very considerable time, possibly not this session, and as the most urgent need of these additional accommodations is for the benefit of discharged soldiers and sailors who require and are entitled to hospital treatment, it is of vital interest to every section of the Nation that the Government may be put in position to promptly carry out its contract in this respect, as expressed in the amended act of October 6, 1917, and prior legislation.

May I not suggest and urge that a special rule be brought by your committee for the immediate consideration of this bill as reported by the Committee on Public Buildings and Grounds on December 21, a copy of which is herewith attached?

Respectfully,
CARTER GLASS, *Secretary.*

EXHIBIT A.

Total strength of United States forces—Army, Navy, and Marine Corps.

	Total strength Apr. 2, 1917.	Enlistments to June 30, 1917.	Enlistments June 30, 1917, to Sept. 20, 1918.	Totals, Nov. 11, 1918.
Regular Army	121,797	117,974	275,957	515,728
National Guard	164,292	183,719	113,037	461,018
Drafted men				2,815,000
	286,089	301,693	388,994	3,791,776
Strength of Army at highest point before deductions made by casualties:				
Volunteers				1,167,547
Drafted				2,818,000
Total				3,982,547
Marine Corps	13,585		67,829	72,440
United States Navy	62,667			216,644
United States Naval Reserve		32,379		290,983
United States Naval Militia		10,088		14,842
Total strength of Navy on Nov. 11, 1918				522,449
Total strength all branches of service				4,386,665

EXHIBIT B.

Casualties in American Expeditionary Forces to Jan. 24, 1919.

	Pershing's report to Nov. 8, 1918.	Total to Jan. 24, 1919.
Killed in action	36,145	31,019
Died of wounds		16,872
Died of disease	14,811	18,805
Accidentally killed	2,204	2,204
Wounded	179,625	187,063
Prisoners	2,163	4,957
Missing in action	1,160	14,829
Total	235,108	274,312
Deaths in Army in United States, total to Jan. 10, 1919		33,496
Casualties in Marine Corps:		
Killed	1,560	
Wounded	7,955	
Gassed	1,534	
Missing	685	
		11,574
Casualties in Navy:		
Killed	1,520	
Wounded	711	
Died of disease (approximately)	14,000	
		16,231
Casualties in all branches of service		335,613

EXHIBIT C.

JANUARY 20, 1919.

Memorandum in re H. R. 13926.

When the Committee on Public Buildings and Grounds reported this bill on December 21, 1918, we only had accessible the figures of the War Department up to November 30, 1918, as to the hospital facilities in general hospitals, camp base hospitals, port of embarkation hospitals, and department base hospitals.

The following table shows the change in conditions:

[From figures of Col. Winford H. Smith, Medical Corps, United States Army.]

Hospital facilities in the United States under control of the War Department as of Nov. 28, 1918, and Jan. 17, 1919.

Nov. 30, 1918:	
Number of beds available	112,226
Beds occupied	59,628
Beds vacant	52,598
Jan. 17, 1919:	
Number of beds available	109,059
Beds occupied	66,529
Beds vacant	42,530

Sick and wounded overseas.

Total number of men receiving treatment in American hospitals Nov. 28, 1918	182,569
Total number of men receiving treatment in French and British hospitals Nov. 28, 1918	8,000
Total receiving treatment Nov. 28, 1918	190,569
Total receiving treatment Jan. 2, 1919	120,391

Sick and wounded returned to the United States.

Number of sick and wounded overseas returned to the United States to Dec. 27, 1918	37,583
Sick and wounded returned since Dec. 27, 1918	13,749
Total sick and wounded returned to Jan. 17, 1919	51,332

EXHIBIT D.

WAR DEPARTMENT,
OFFICE OF THE SURGEON GENERAL,
January 17, 1919.

Hon. ANTHONY J. GRIFFIN,
House of Representatives, Washington, D. C.

DEAR MR. GRIFFIN: Complying with your request contained in your letter of January 15, I am directed by the Surgeon General to supply the following information:

In United States:	
Total number of beds now available	109,059
Total number of beds now occupied	66,529
Total number of beds now vacant	42,530
Total number of sick and wounded returned from overseas to date	51,332
Total number returned since Dec. 27, 1918	13,749
In Europe:	
Total number of men receiving treatment in American hospitals in France, including the English and French hospitals as reported from American Expeditionary Forces Jan. 2	120,391

Trusting this gives you the desired information, I remain.

Very truly, yours,

WINFORD H. SMITH,
Colonel, Medical Corps, U. S. A.

EXHIBIT E.

Present and potential beneficiaries of the War Risk Insurance Bureau under act of Oct. 6, 1917.

War-risk insurance cases now actually under treatment, up to Jan. 15, 1919, inclusive	1,724
Soldiers, sailors, and marines discharged up to Jan. 1, 1919, because of tuberculosis	24,500
Cases of epilepsy reported to the United States Army up to Dec. 1, 1918 (up to Jan. 1, 1919, 2,500 cases have been discharged)	5,220
Mental cases, including psychoneurosis of all types, reported in the Army up to Dec. 1, 1918, approximately	50,000
Total	81,444

Applications filed at War Risk Insurance Bureau up to January 22, 1919, inclusive (statement of Col. Banks, chief medical adviser of the War Risk Insurance Bureau), 14,290; and coming in at the rate of 200 per day.

That these figures contain a modest estimate of the probable or potential beneficiaries of the War Risk Insurance Bureau is shown by the following estimate of discharges from the United States Army for the year 1918, as given by Col. Love, United States Medical Corps, on January 23, 1919:

Total discharges to date Dec. 31, 1918 (estimated for 1918).

For tuberculosis	17,000
For epilepsy	3,000
For mental diseases	10,000
For miscellaneous disabilities	70,000
Total	100,000

EXHIBIT F.

Total patients treated in United States by Public Health Service.

(Fiscal years ending June 30, 1917, and June 30, 1918.)

1917	64,033
1918	71,806
Increase	7,773
Total patients treated in United States marine hospitals.	
1917	11,325
1918	12,797
Increase	1,472
Total patients treated in contract hospitals.	
1917	6,666
1918	7,812
Increase	1,146

I reserve the balance of my time.

Mr. ELLIOTT. Mr. Chairman, I yield five minutes to the gentleman from South Dakota [Mr. JOHNSON].

Mr. CLARK of Florida. Mr. Chairman, how much time did the gentleman from New York reserve?

The CHAIRMAN. Fifteen minutes.

Mr. JOHNSON of South Dakota. Mr. Chairman, it is a matter of regret to me that I shall be compelled to oppose this bill in its present form, because I think I realize full well that there must be some additional hospital facilities in the United States. If it is not possible to secure a better bill, I shall, of course, support this one.

I can see no reason for dividing the hospital organizations of the United States into four or five different sections, so that we will have Army hospitals, Navy hospitals, hospitals under the Board of Managers, hospitals under the War Risk Insurance Bureau, and hospitals under the Public Health Service.

Many men who have discussed these hospital projects bring in statements about the boys coming back in faded khaki, and many other statements that have no bearing on a hospital bill, and I can not but feel that the time has come when sense and not sentiment should govern us, and when either the Cabinet of the United States or its different members, or the War or Navy Department, or some committee, should bring in one defi-

nite, concise bill which will take care of all of the veterans of all of the wars of the United States.

This bill, so far as I am able to determine, does not attempt to take care of soldiers or sailors except in its title. The title of the bill says:

To authorize the Secretary of the Treasury to provide hospitals and sanatorium facilities for discharged sick and disabled soldiers and sailors.

But the report of the committee refers to merchant seamen, the Mississippi River Commission, the United States Coast Guard Service, the United States Lighthouse Service, the Engineer Corps of the United States Army, the United States Coast and Geodetic Survey, civilian employees injured under the workmen's compensation act, civilian employees injured on Army transports, and cases of discharged soldiers and sailors under the war-risk insurance act.

Mr. JUUL. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Certainly.

Mr. JUUL. I want to ask the gentleman if it is not a fact that all the matters mentioned now by the gentleman are in existing law, in another law, and that they are merely in this report to show the kind or classes of men that are now being cared for by this organization; that it is not proposed to enact this into law, but this is merely calling attention to the fact that these classes are being cared for under existing law?

Mr. JOHNSON of South Dakota. I think that the statement of the gentleman is entirely correct, but the Public Health Service can treat anybody in the United States that they want to treat, and that great class was not mentioned. The statement of the gentleman being true is no reason that we should bring a law before this Congress masquerading as the soldiers' and sailors' law when there is no attempt going to be made to give soldiers and sailors a law, but an attempt is made to take care of another great class of citizens whose cases we can reach later.

Now, I do not think it has been fully brought to the attention of this House that in this bill the plan is to spend $26,000,000, as can be found in the hearings had before the Committee on Public Buildings and Grounds, No. 14, on page 43, where Mr. Perry, the constructing engineer, states:

If you go into a fireproof construction, instead of costing $26,000,000, as this entire 13,000-bed project is estimated, on an economic basis, it would cost something like $125,000,000.

In other words, gentlemen, they expect to expend $26,000,000, through the Public Health Service, to build one-story temporary wooden buildings, as you will find by referring to page 42 of the hearings, where Mr. Perry says—

We are only attempting to put up one-story buildings out of this appropriation, and those will not be necessarily fireproof.

In astonishment and alarm the chairman asked—

One-story buildings?

Mr. BURNETT. Out of the proposed appropriation in this bill?

Mr. PERRY. Yes; all buildings.

The CHAIRMAN. What is the idea of that, Mr. Perry?

Mr. PERRY. A matter of economy. If we had to have a great deal of space for buildings, the economies of going into two-story buildings would seem justified.

My contention is that we should not support this bill, which will involve an expenditure of $26,000,000 for temporary buildings——

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask for five minutes more.

Mr. ELLIOTT. Mr. Chairman, I yield the gentleman five minutes more.

The CHAIRMAN. The gentleman from South Dakota is recognized for five minutes additional.

Mr. JOHNSON of South Dakota. We should ask the Secretary of the Treasury or the Surgeon General or the Cabinet officer whose duty it may be to submit a comprehensive plan for taking care of the soldiers and sailors of all wars.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Dakota. Certainly, sir.

Mr. TILSON. What does the gentleman say of the method of taking care of discharged soldiers and sailors in this war, in a hospital mixed up with people of all sorts of occupations, mentioned in this report? As is well known, in the case of previous wars—the Civil War and the Spanish-American War—separate homes and hospitals have been erected for discharged soldiers and sailors. What does the gentleman say of this as a satisfactory method of taking care of discharged soldiers and sailors?

Mr. JOHNSON of South Dakota. It is a pertinent question, but it would be difficult for anyone to answer it without more knowledge of the facts than I claim to have. But I will say that my theory has been that it is necessary to segregate the patients in hospitals in different classes, basing your division, perhaps, on the age of the men, the kind of diseases they have, and taking into consideration all the different things that a doctor could inform you about better than I could.

Now, another reason why I shall feel constrained to oppose this bill is that the Surgeon General will take care of all these patients, if we ask him to do so or give him the opportunity to do so, as you can find by referring to page 9 in No. 16 of the hearings of the committee, where Col. Smith was asked these questions:

Have you any beds that can be turned over?

Col. SMITH. No, sir; not for another department to operate. But if given the necessary authority we could treat in Army hospitals patients sent to those hospitals by the War Risk Bureau, and are willing to do it.

Mr. JUUL. Mr. Chairman, will the gentleman yield for a brief question?

Mr. JOHNSON of South Dakota. Certainly.

Mr. JUUL. Could the War Department under any law treat discharged sick and disabled soldiers and sailors?

Mr. JOHNSON of South Dakota. Not under existing law; but instead of building a great big organization out of the Public Health Service, that is going to spend from $26,000,000 to $125,000,000 to put up wooden barracks, it would be better to pass a law giving the Surgeon General the power to treat those patients.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Dakota. Certainly.

Mr. GRIFFIN. Does the gentleman know how many general hospitals the Army has?

Mr. JOHNSON of South Dakota. I am not familiar with that.

Mr. GRIFFIN. It has only four general hospitals, and the bulk of its hospitals are on leased ground and in leased buildings, hotels all over the country that they are very anxious to get rid of, and barracks in camps soon to be deserted.

Mr. DYER. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Dakota. Certainly.

Mr. DYER. That condition is due largely to the fact that the Surgeon General's office and the War Department have not taken advantage of the situation, as Congress has given to them the means of providing hospitals. If they would do that and not be so sleepy on the job, that condition would not prevail.

Mr. GRIFFIN. I can not understand what the gentleman means. I wish he would be more specific.

Mr. DYER. I say that the War Department has the authority to provide for all the hospitals necessary, and the money has been appropriated.

Mr. GRIFFIN. Only for the care of men in the service.

Mr. JOHNSON of South Dakota. Now, Mr. Chairman, if the gentlemen have concluded, I want to say that there is no difference of opinion between the gentleman from New York [Mr. GRIFFIN] and myself, so far as we both want hospital facilities to be afforded to the soldiers and sailors, but we disagree only on the broad general scheme. In other words, he evidently desires to have five or six different organizations and I desire simply two, the Army and the Navy.

Mr. GRIFFIN. Mr. Chairman, will the gentleman permit me a question there?

Mr. JOHNSON of South Dakota. Certainly.

Mr. GRIFFIN. I disclaim any personal interest in desiring any set of organizations. The Treasury Department has requested this legislation and they have stated the predicament they are in. They find that they can not appeal to the War Department, because the War Department is in no position to care for discharged soldiers and sailors, and the only other organization that is in existence that can take the burden is the Public Health Service.

Mr. JOHNSON of South Dakota. I can say to the gentleman that we have a Secretary of War and a Secretary of the Treasury that ought to know the facts with reference to the treatment of these patients. If those two men could not confer together and request this Congress to enact one comprehensive statute, I do not know how it is going to be done.

Mr. GRIFFIN. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired.

Mr. ELLIOTT. I yield to the gentleman from South Dakota five additional minutes.

Mr. JOHNSON of South Dakota. I will yield for one additional question. My time is very short.

Mr. GRIFFIN. Does the gentleman know that during July of last year there was a conference between Earl H. Bruns, lieutenant colonel, Medical Corps, United States Army; William E. Eaton, lieutenant commander, Medical Corps, United States Navy; and W. D. Stimpson, Assistant Surgeon General United States Public Health Service, and that after conferring as to what should be done to accommodate the patients of the war-risk insurance they made a report September 11, 1918, recom-

needing additional hospital facilities and recommending this very plan?

Mr. JOHNSON of South Dakota. I do not know about that conference, because I was unable to attend it, but I know that nobody heard of any comprehensive plan for the building of hospitals, except one or two desultory bills here and there, and one in particular that is objectionable, because it simply spends money in useless organization.

Now, let me call the attention of the gentleman to page 4 of his bill, where it says:

And the Secretary of the Treasury is hereby authorized, in his discretion, to employ, for service within or without the District of Columbia, without regard to civil service laws, rules, and regulations, and to pay from the sums hereby authorized, at customary rates of compensation, such additional technical and clerical services as may be necessary, exclusively to aid in the preparation of the drawings and specifications for the above-mentioned objects and the supervision of the execution thereof, for traveling expenses, and printing incident thereto, at a total limit of cost for such additional technical and clerical services and traveling expenses, etc., of not exceeding $250,000 of the above-mentioned limit of cost.

I will say in conclusion that it is time the different departments of the Government got together, recognizing the emergency that we have to meet and submitting to this House one comprehensive permanent building program and not simply submitting of a program which calls for the expenditure of $26,000,000 for barracks, such as we had in the cantonments and temporary buildings.

Mr. FOSTER. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield to the gentleman for a question.

Mr. FOSTER. The gentleman has just read the last provision of the bill. Does the gentleman know whether or not the Public Health Service has these plans and specifications, without going to this additional expense?

Mr. JOHNSON of South Dakota. I do not know; but I imagine that they have not, because they call for the $250,000.

Mr. FOSTER. That is the reason I asked the question, because my understanding is different from that.

Mr. JOHNSON of South Dakota. If they have the plans, they ought not to ask for the $250,000.

Mr. SHERWOOD. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield to the gentleman from Ohio.

Mr. SHERWOOD. Has the committee ever considered the question of giving these disabled soldiers liberal pensions and letting them select their own hospitals? Would we not save millions of dollars by that policy, and would it not be more humane to do that, as we did after our Civil War?

Mr. JOHNSON of South Dakota. I do not know as to that. We have passed this insurance act, and it is in force and effect. I imagine that the time to have adopted the program the gentleman suggests would have been at the beginning of the war, before we had such legislation.

Mr. SHERWOOD. These wounded and disabled men are coming over day by day, more and more of them, although three months have passed since the armistice was signed.

Mr. JOHNSON of South Dakota. Yes; and there will be many more.

Mr. SHERWOOD. Has the gentleman any idea how many there will be of the inmates of these hospitals?

Mr. JOHNSON of South Dakota. I do not know, because no one has been able to get authentic information with reference to the casualty lists.

Mr. SHERWOOD. Has the gentleman any estimate of the cost of these hospitals except what is in the bill?

Mr. JOHNSON of South Dakota. I have not.

Mr. ELLIOTT. I yield 10 minutes to the gentleman from Indiana [Mr. BARNHART].

Mr. BARNHART. Mr. Chairman, any Member of this House who would vote against the appropriation of every dollar necessary to provide for the health, the comfort, and the needs of the young men of our country who have answered its call in this time of peril ought, I think, to resign and go home in disgrace. But that does not necessarily imply that we ought to plunge blindly into business propositions involving millions of dollars without knowing what we are doing. I am a member of the Committee on Public Buildings and Grounds and attended the hearings on the Public Health Bureau hospital bill most of the time. I heard the representatives of the War Risk Bureau and of the War Department, and they could not at that time give any estimate whatever of the probable needs. They did, however, give us this much—and that was the 1st of December—the War Department hospital facilities at that time had 76,100 vacant beds and the Public Health Service 14,000 vacant beds, making a total of 90,100 vacant beds. For the month from December to January there was a shrinkage in the number of cases of 2,000, making 92,000 available vacant beds. When asked if they had made any survey as to needs and the possibilities of leasing temporary quarters for these men needing treatment, until it was determined how many of them would need permanent homes or hospitals, they said they had not made any such investigation; and I called attention at that time to the fact that in the State of Indiana, at West Baden, the Government took over the great West Baden Hotel, with a capacity of some 650 beds.

I speak only of the State of Indiana; and beside West Baden, at Winona, Ind., an assembly place known all over the United States, they have enormous housing or hospital facilities. They have large hotels and cottages, steam heat, electric light, and all the facilities of a health resort, and I know the owners are willing to lease it to the Government. I have no doubt that there are places in every State in the Union similar to that that could be utilized. There is another, at Interlarken, Ind., where there are facilities for 500 schoolboys, but the war interfered and the Government took it over as a training school. They would, no doubt, lease this to the Government until such time as the War Department and the War Risk Bureau can ascertain what it needs.

Mr. GRIFFIN. Will the gentleman yield?

Mr. BARNHART. Not just now. This $10,000,000 is to go ahead with an undertaking that we know nothing about. It may take a hundred million dollars to provide enough hospitals, and if it does I think the Congress ought to grant it; but until the War Department and the War Risk Bureau can give to Congress some idea of what it will actually need and some reason for the belief why we need a hundred million dollars for housing facilities for discharged soldiers, I think Congress ought to go slow. It is a business proposition. I think we ought to take care of all disabled soldiers, and we are willing to vote every dollar necessary for that purpose.

Mr. GRIFFIN. Will the gentleman yield?

Mr. BARNHART. I will yield to the gentleman.

Mr. GRIFFIN. I am anxious to correct the statement the gentleman has made before he leaves this subject. I want to ask him if he is familiar with the amendment on page 3 of the bill, which the committee introduced for the purpose of enabling the various departments to cooperate and coordinate and enable the Public Health Service to procure hospitals from any other department?

Mr. BARNHART. I am familiar with it.

Mr. GRIFFIN. And it contains a proviso that they shall not spend a cent of this money until they have exhausted all the available hospital facilities in the United States.

Mr. BARNHART. That is not strong enough; there is nothing mandatory about it. The officials of the War Department indicated strongly that they are going to hold all they have, although they had 76,000 vacant hospital beds in the regular Military Establishment. How many men will have to have permanent quarters in hospitals nobody can tell. I believe that it would be good business and humane common sense to defer consideration of a bill like this until such time has arrived that the War Department and War Risk Bureau will have some intelligent information as to what they really need.

Mr. SHERWOOD. Will the gentleman yield?

Mr. BARNHART. Yes.

Mr. SHERWOOD. Is it not also true that these soldiers want immediate care and that these hospitals can not be built in two or three years?

Mr. BARNHART. Certainly. They can not build these hospitals on a permanent plan within several years.

Mr. SHERWOOD. And would it not of necessity involve the appointment of thousands of surgeons and nurses to take care of these hospitals?

Mr. BARNHART. Oh, every time you create a new Government function you create a great expense for organization. Every man who has had any experience on the floor of this House knows that every new Government institution or department must have a tremendous managerial expense in order to maintain it.

Mr. LONDON. Will the gentleman yield?

Mr. BARNHART. I will.

Mr. LONDON. What about the 24,500 men suffering from tuberculosis? They certainly need special treatment in sanitariums specially constructed for them.

Mr. BARNHART. How are you going to take care of them under the provisions of this bill? They need immediate care. If they have to have treatment for tuberculosis in its incipiency, it will not do to wait until the War Risk Bureau can build hospitals for them. We have camp-sites, hospitals in every State in the Union which can be temporarily used for discharged soldiers.

Mr. CLARK of Florida. Will the gentleman yield?

Mr. BARNHART. Yes.

Mr. CLARK of Florida. We have two amendments that we have agreed upon in committee, one referred to by my colleague from New York, directing that the Public Health Service shall take over any building or hospital fit for use for this purpose, and that they shall not expend a single dollar of this appropriation until this is done. Another amendment is that they shall cooperate with any State, municipal, or county institution so as to get immediate relief, and these amendments will be offered at the proper time.

Mr. BARNHART. I understand that. But that has nothing to do with the proposition that they will be authorized to go ahead and spend ten or twenty million dollars, or whatever it may be. That amendment is in compliance with the views of the membership of the committee, who believe that the thing to do is to permit them to go ahead and lease facilities and ask for permanent buildings when they learn what is needed.

Mr. CLARK of Florida. Under the present law the Public Health Service is not authorized to take over buildings.

Mr. BARNHART. They can lease the buildings.

Mr. CLARK of Florida. The War Department can do it, but the Public Health Service is not authorized to do it.

Mr. SHERWOOD. Did I understand that the War Department has taken possession of French Lick Springs?

Mr. BARNHART. No; they have taken over West Baden Hotel, Ind., and they have also taken over for hospital purposes Fort Benjamin Harrison, at Indianapolis, an Army post. I am informed by my friend from South Dakota [Mr. GANDY] that there are 40 to 60 abandoned Army posts in the United States that have splendid buildings already constructed which could be occupied at a very slight expense for hospital purposes.

Mr. SHERWOOD. And they are not occupied now?

Mr. BARNHART. They are not occupied now. When we asked these officials who came before us if they had made surveys of this situation to see what the facts are as to what we already have, and what we shall probably need, they said, "No." Therefore, I think it would be wise and prudent and businesslike to delay the consideration of this bill until the probable needs and facilities available can be ascertained.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. ELLIOTT. Mr. Chairman, I yield the gentleman a half minute more.

Mr. JOHNSON of South Dakota. Mr. Chairman, is the gentleman familiar with the work of the War Risk Insurance Bureau?

Mr. BARNHART. No; and I do not think anybody is familiar with the work of the War Risk Bureau. [Laughter.]

Mr. JOHNSON of South Dakota. Does the gentleman feel that by reason of their competency and efficiency they should be the people in the United States who should reorganize and take over and handle the hospital facilities of the United States as provided for in this bill?

Mr. GRIFFIN. Mr. Chairman, I want to protest against that question, which contains an implication that there is anything in this bill that is going to give the War Risk Insurance Bureau anything to do with the hospitals. It is the Public Health Service.

Mr. JOHNSON of South Dakota. Is it not the program adopted by the War Risk Insurance Bureau at a time when it might have been taking care of allotments and some other things?

Mr. GRIFFIN. No; it was adopted by all of the departments cooperating together.

Mr. LONDON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Indiana has again expired.

Mr. GRIFFIN. Mr. Chairman, I yield five minutes to the gentleman from Tennessee [Mr. AUSTIN].

Mr. AUSTIN. Mr. Chairman, I stand with the majority of the Committee on Public Buildings and Grounds in urging favorable action on the pending measure. I am in accord with the medical head of the Public Health Service, Gen. Blue, charged with the responsibility of caring for the injured and diseased soldiers. Much has been said here and in the public press about the failure of the insurance and allotment division of the War Risk Bureau of the Government, but the very act creating that bureau carries a contract which Congress or the Government made with every soldier who is to be discharged from our Army, and it is binding upon every Member of this House who supported that measure. It passed this body without opposition and, as I remember, by a unanimous vote. There in cold, plain type is the written promise this great Republic made that whenever the director of this bureau found it necessary to provide the means for looking after and treating and caring for these soldiers it was the duty of Congress to enact the necessary legislation. Now, that solemn obligation rests upon the Government.

When was it made? It passed this House and was approved by the President in October, 1917. Every man who went either as a drafted soldier or a volunteer had that pledge, promise, or agreement before him. Are we at this time, in this hour, going to begin the repudiation of the pledges made to our men who helped save this country in the great world war? I put it to the conscience of every Member in this House. It is no answer to say, as the gentleman from South Dakota [Mr. JOHNSON] says, that there ought to be a consolidation of governmental health activities. We have passed that period. That is not the question at issue here. The gentleman from Indiana [Mr. BARNHART] speaks about economy. Mr. Chairman, we will rent the abandoned and unprofitable hotels and summer resorts in Indiana, under the provisions of this bill, if they are up to the requirements of the Department of Public Health. Economy! When the House voted $100,000,000 out of the Treasury to feed the people of Europe, with more than 25,000 of our brave soldiers without hospital facilities, wandering about the country to-day, seeking medical attention. They are entitled to it under the law I have mentioned. There are over 25,000 afflicted with tuberculosis, and the responsible officers of this Government before the committee said they are without hospital facilities, and that Congress must provide the money with which buildings are to be constructed or leased. It is no time for delay or procrastination. There is absolutely no excuse for it. If the pending bill is not perfect, then amend it. This side of the House—the Republican side—has always in the past been the loyal and steadfast friend of the soldiers. It has written its history in the statute books of our Nation for more than a half century in their favor and interest, and it is a glorious record for us to be proud of and to continue.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. AUSTIN. Certainly.

Mr. CANNON. I think we all want to keep all of our pledges, but if we now have 100,000 beds—and a bed with all it means costs $3,000—that belong to the Government, will we not, utilizing those beds, properly care for the people that the gentleman and I voted to care for?

Mr. AUSTIN. Col. Smith, an able and conscientious official of the Surgeon General's office——

Mr. CANNON. Which Surgeon General's office?

Mr. AUSTIN. I mean of the Public Health Service.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. AUSTIN. Mr. Chairman, may I have two minutes more?

Mr. GRIFFIN. Mr. Chairman, we have very little time, and I will ask my friend from Indiana to yield the gentleman two minutes.

Mr. ELLIOTT. I yield two minutes to him.

Mr. AUSTIN. The testimony before our committee was that of the 100,000 beds more than 50,000 were occupied, and that the vacant beds were awaiting men from the other side. There are absolutely no vacant beds for these soldiers. These galleries are full of soldiers and they will be in every city and village and hamlet of this land, and their eyes are not only on this Congress to-day, but they will be on Congress in the days to come. They will justly hold us to a strict compliance with our promises. We will not be excused if we neglect them or forget their interest.

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. AUSTIN. Yes.

Mr. JOHNSON of South Dakota. Does the gentleman imagine that those soldiers to whom he refers sitting in the galleries desire to be placed in wooden barracks, constructed by the War Risk Insurance Bureau, or in good hospitals?

Mr. AUSTIN. I think these matters Congress can well afford to leave to the trained and experienced men who have been intrusted under the law with handling great problems ever since the creation of this Government. If time is to be saved, and time is absolutely essential in preparing hospitals for returning soldiers who need medical attention, and so forth, we should not delay for the construction of expensive marble, granite, steel, and brick buildings.

We will do the best we can to meet the present emergency, and I believe the officials of this Government, whose hearts, souls, and consciences are in this great work, will meet it to the satisfaction of the American Congress and for the benefit and with the approval of the soldiers and sailors. [Applause.]

Mr. CLARK of Florida. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HARDY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 13926 and had come to no resolution thereon.

EXTENSION OF REMARKS.

Mr. GREEN of Iowa. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the pension bill.

The SPEAKER. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none.

EDITH CAROW ROOSEVELT.

Mr. MANN. Mr. Speaker, the House to-day passed a bill granting a pension to Mrs. Roosevelt. There were on the calendar two bills, a House bill and a Senate bill, in identical language. The House passed the House bill. I ask unanimous consent for the present consideration of the Senate bill, which is No. 181 on the Private Calendar.

Mr. BARNHART. Mr. Speaker, reserving the right to object, I would like to ask the gentleman if that is the Roosevelt pension bill on which we just voted?

Mr. MANN. Yes.

Mr. BARNHART. Would the gentleman be disposed, on Saturday afternoon at half past 3 o'clock, to make a point of no quorum in order to pass the bill, because I really believe it would be unfair to many Members who would vote for it.

Mr. MANN. I certainly would not make the point of no quorum.

Mr. LONDON. Mr. Speaker, what is the parliamentary effect or object if the request of the gentleman from Illinois be granted?

The SPEAKER. The parliamentary effect of it is to finish up the bill and get rid of it.

Mr. LONDON. To facilitate its passage.

The SPEAKER. Otherwise it would be hung up between the two Houses.

Mr. MANN. It is a courtesy——

Mr. KEY of Ohio. Mr. Speaker, I would like to state to the House that the House bill granting a pension to Mrs. Roosevelt was introduced before the Senate bill was introduced and was referred to the Committee on Pensions, and that committee of the House reported that bill out and it was placed on the calendar. In the meantime the Senate bill came to the Committee on Pensions of the House and that committee immediately reported that bill to the House. Both bills are identical in form and both are on the calendar. Of course, it would expedite matters materially if the Senate bill had been taken up instead of the House bill, but inasmuch as the House bill was reported out first, I felt like calling up the House bill. The chairman of the committee has no objection to substituting the Senate bill for the House bill.

Mr. DYER. The bill to which the gentleman refers, the House bill, was introduced in the House prior to the Senate bill?

Mr. KEY of Ohio. The House bill was introduced by the distinguished gentleman from Massachusetts [Mr. GALLIVAN].

Mr. MANN. I am sure the gentleman from Massachusetts has no objection.

The SPEAKER. The gentleman from Illinois asks unanimous consent to substitute Senate bill No. 5318, to pension Mrs. Roosevelt, for the House bill passed a few hours ago, No. 13879. Is there objection? [After a pause.] The Chair hears none.

The Senate bill was ordered to be read the third time, was read the third time, and passed.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the vote by which the House bill was passed be reconsidered.

The SPEAKER. The gentleman from Illinois asks that the vote by which House bill 13879 was passed shall be reconsidered. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. And that that bill should lie on the table.

The SPEAKER. Without objection, the House bill will lie on the table.

There was no objection.

EXTENSION OF REMARKS.

Mr. CLARK of Florida. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Florida rise?

Mr. CLARK of Florida. I desire to ask unanimous consent that the gentleman from New York [Mr. GRIFFIN] have leave to revise and extend his remarks on this bill.

The SPEAKER. The gentleman from Florida asks unanimous consent that the gentleman from New York be permitted to extend and revise his remarks. Is there objection? [After a pause.] The Chair hears none.

HOUR OF MEETING ON MONDAY.

Mr. GARRETT of Tennessee. Mr. Speaker, I want to see if we could not meet at 11 o'clock on Monday, and I ask unanimous consent that when the House adjourns to-morrow it adjourn to meet at 11 a. m. on Monday.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that when the House adjourns to-morrow—Sunday—it adjourn to meet at 11 o'clock on Monday. Is there objection? [After a pause.] The Chair hears none.

DEATH OF REPRESENTATIVE ROBBINS.

Mr. MOORE of Pennsylvania. Mr. Speaker, for the Pennsylvania delegation it becomes my sad duty to announce the death of our colleague, Hon. EDWARD E. ROBBINS, and in that connection I send up to the Clerk's desk to be read the following resolutions.

The SPEAKER. The Clerk will report the resolutions.

The Clerk read as follows:

House resolution 519.

Resolved, That the House has heard with profound sorrow of the death of the Hon. EDWARD EVERETT ROBBINS, a Representative from the State of Pennsylvania.

Resolved, That a committee of 34 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The question was taken, and the resolutions were unanimously agreed to.

The SPEAKER. The Clerk will announce the committee.

The Clerk read as follows:

WILLIAM S. VARE, GEORGE S. GRAHAM, J. HAMPTON MOORE, GEORGE W. EDMONDS, PETER E. CONTELLO, GEORGE P. DARROW, THOMAS S. BUTLER, HENRY W. WATSON, WILLIAM W. GRIENT, JOHN R. FARR, THOMAS W. TEMPLETON, ROBERT D. HEATON, ARTHUR G. DEWALT, LOUIS T. MCFADDEN, EDGAR R. KIESS, JOHN V. LESHER, BENJAMIN K. FOCHT, AARON S. KREIDER, JOHN M. ROSE, ANDREW R. BROBECK, CHARLES H. ROWLAND, BRUCE F. STERLING, HENRY W. TEMPLE, HENRY A. CLARK, HENRY J. STEELE, NATHAN L. STRONG, EARL H. BESHLIN, STEPHEN G. PORTER, M. CLYDE KELLY, JOHN M. MORIN, GUY E. CAMPBELL, THOMAS S. CRAGO, MAHLON M. GARLAND, JOSEPH MCLAUGHLIN.

The SPEAKER. The Clerk will read the additional resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect this House do now adjourn.

ADJOURNMENT.

The resolution was agreed to; accordingly (at 3 o'clock and 11 minutes p. m.) the House adjourned until Sunday, January 26, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate of appropriation for National Home for Disabled Volunteer Soldiers, for the fiscal year 1919 (H. Doc. No. 1723); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a supplemental estimate of appropriation for rent of buildings for the War Department, for the fiscal year 1919 (H. Doc. No. 1724); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HARDY, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (H. R. 14920) to amend section 4414, Revised Statutes of the United States, to classify and provide salaries for clerks in the Steamboat-Inspection Service, reported the same with amendment, accompanied by a report (No. 985), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. TAYLOR of Colorado, from the Committee on Mines and Mining, to which was referred the resolution (S. J. Res. 198) to suspend the legal requirements of assessment work on mining claims in Alaska for the years 1917, 1918, and 1919, and extending to that Territory the provisions of public resolution No. 10 (65th Cong.), approved July 17, 1917, and public resolution No. 12 (65th Cong.), approved October 5, 1917, as amended, and for

other purposes, reported the same without amendment, accompanied by a report (No. 987), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. TILLMAN, from the Committee on the Public Lands, to which was referred the bill (H. R. 6052) for the relief of I. N. Ellis, reported the same with amendment, accompanied by a report (No. 982), which said bill and report were referred to the Private Calendar.

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (S. 4787) for the relief of Amherst W. Barber, reported the same without amendment, accompanied by a report (No. 983), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 9357) for the relief of John A. Gauley, reported the same without amendment, accompanied by a report (No. 984), which said bill and report were referred to the Private Calendar.

Mr. KEHOE, from the Committee on War Claims, to which was referred the bill (H. R. 11682) for the relief of the estate of Henry Ware, deceased, reported the same without amendment, accompanied by a report (No. 986), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ROUSE: A bill (H. R. 15076) authorizing the Secretary of War to donate to the city of Independence, Ky., two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15077) authorizing the Secretary of War to donate to the city of Alexandria, Ky., two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. BACHARACH: A bill (H. R. 15078) making October 27 a national holiday, to be known as Roosevelt's Birthday; to the Committee on the Judiciary.

By Mr. FULLER of Illinois: A bill (H. R. 15079) providing for the erection of a public building at Mendota, Ill., on a site heretofore provided for the same; to the Committee on Public Buildings and Grounds.

By Mr. LESHER: A bill (H. R. 15080) to authorize the provision of accommodations for the United States courts in the Federal building at Sunbury, Pa., and to increase the limit of cost for said building accordingly; to the Committee on Public Buildings and Grounds.

By Mr. YOUNG of Texas: A bill (H. R. 15081) for purchase of site and erection of a building to be used as a post office at the town of Henderson, Rusk County, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. BUTLER: A bill (H. R. 15082) to increase the limit of cost of site and public building at Phoenixville, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. PAIGE: A bill (H. R. 15083) to increase the limit of cost of a public building at Leominster, Mass.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15084) to increase the limit of cost of public building at Southbridge, Mass.; to the Committee on Public Buildings and Grounds.

By Mr. POWERS: A bill (H. R. 15085) to provide for the erection of a public building at Pineville, in the State of Kentucky; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15086) to provide for the erection of a public building at Barbourville, in the State of Kentucky; to the Committee on Public Buildings and Grounds.

By Mr. PAIGE: A bill (H. R. 15087) providing for the purchase of a site and the erection thereon of a public building at Clinton, State of Massachusetts; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15088) providing for the purchase of a site and the erection thereon of a public building at Gardner, State of Massachusetts; to the Committee on Public Buildings and Grounds.

By Mr. HAUGEN: A bill (H. R. 15089) to authorize the acquisition of a site and the erection thereon of a Federal building at Osage, Iowa; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15090) to authorize the erection of a Federal building at Olewein, Iowa; to the Committee on Public Buildings and Grounds.

By Mr. KEARNS: A bill (H. R. 15091) to provide for the purchase of a site and the erection of a Federal building at Hillsboro, Ohio; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15092) to provide for the erection of a Federal building and the purchase of a site therefor at Greenfield, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. WILSON of Louisiana: A bill (H. R. 15093) providing for the extension and enlargement of the post office and court building at Monroe, La.; to the Committee on Public Buildings and Grounds.

By Mr. WALTON: A bill (H. R. 15094) to provide for the purchase of a site and for the erection of a public building thereon at Clayton, N. Mex.; to the Committee on Public Buildings and Grounds.

By Mr. MANSFIELD: A bill (H. R. 15095) for the erection of a public post-office building at Alvin, Tex., and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. McLEMORE: A bill (H. R. 15096) for the erection of a public post-office building at Kingsville, Tex., and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. SLAYDEN: A bill (H. R. 15097) to authorize the enlargement of the post office, customhouse, and United States court building at San Antonio, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. BURNETT: A bill (H. R. 15098) to expel and exclude from the United States certain undesirable aliens; to the Committee on Immigration and Naturalization.

By Mr. ESCH: A bill (H. R. 15099) to amend section 10 of an act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918; to the Committee on Interstate and Foreign Commerce.

By Mr. DOOLITTLE: A bill (H. R. 15100) authorizing the Secretary of War to donate to the city of Emporia, Kans., two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15101) authorizing the Secretary of War to donate to the city of Burlington, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BLAND of Virginia: A bill (H. R. 15102) authorizing the Secretary of War to donate to the village of Kilmarnock, county of Lancaster, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TINKHAM: A bill (H. R. 15103) for the relief of the owner of the schooner *Horatio G. Foss;* to the Committee on Claims.

Also, a bill (H. R. 15104) for the relief of the owners of the steam lighter *Cornelia;* to the Committee on Claims.

By Mr. CONNELLY of Kansas: A bill (H. R. 15105) to provide for the erection of a Federal building at Hays, Kans.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15106) to provide for the erection of a Federal building at Norton, Kans.; to the Committee on Public Buildings and Grounds.

By Mr. REAVIS: A bill (H. R. 15107) authorizing the Secretary of War to donate two captured cannon to the town of Humboldt, Nebr.; to the Committee on Military Affairs.

Also, a bill (H. R. 15108) authorizing the Secretary of War to donate two captured cannon to the town of Tecumseh, Nebr.; to the Committee on Military Affairs.

Also, a bill (H. R. 15109) authorizing the Secretary of War to donate two captured cannon to the town of Auburn, Nebr.; to the Committee on Military Affairs.

Also, a bill (H. R. 15110) authorizing the Secretary of War to donate two captured cannon to the town of Plattsmouth, Nebr.; to the Committee on Military Affairs.

Also, a bill (H. R. 15111) authorizing the Secretary of War to donate two captured cannon to the town of Burr, Nebr.; to the Committee on Military Affairs.

Also, a bill (H. R. 15112) authorizing the Secretary of War to donate two captured cannon to the town of Pawnee City, Nebr.; to the Committee on Military Affairs.

Also, a bill (H. R. 15113) authorizing the Secretary of War to donate two captured cannon to the city of Lincoln, Nebr.; to the Committee on Military Affairs.

Also, a bill (H. R. 15114) authorizing the Secretary of War to donate two captured cannon to the town of Syracuse, Nebr.; to the Committee on Military Affairs.

Also, a bill (H. R. 15115) authorizing the Secretary of War to donate two captured cannon to the town of Falls City, Nebr.; to the Committee on Military Affairs.

Also, a bill (H. R. 15116) authorizing the Secretary of War to donate two captured cannon to the town of Nebraska City, Nebr.; to the Committee on Military Affairs.

By Mr. DALLINGER: A bill (H. R. 15117) for the purchase of a site and the erection of a public building at Medford, Mass.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15118) for the purchase of a site and the erection of a public building at Wakefield, Mass.; to the Committee on Public Buildings and Grounds.

By Mr. FOSTER: A bill (H. R. 15119) increasing the limit of cost for a Federal building at Mount Carmel, Ill.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15120) to provide for the erection of a public building at Lawrenceville, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. LONERGAN: A bill (H. R. 15121) for the purchase of a post-office site at Windsor Locks, Conn.; to the Committee on Public Buildings and Grounds.

By Mr. SELLS: A bill (H. R. 15122) to provide for the erection of a public building at Elizabethton, Tenn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15123) to provide for the erection of a public building at Rogersville, Tenn.; to the Committee on Public Buildings and Grounds.

By Mr. COPLEY: A bill (H. R. 15124) authorizing the Secretary of War to deliver to the cities of Aurora, Joliet, Woodstock, West Chicago, Elgin, Harvard, Wilmington, Geneva, Plainfield, Hinsdale, Marengo, and Downers Grove, Ill., one cannon or fieldpiece, with carriage, captured from the German Army in the recent war, together with a suitable number of shells; to the Committee on Military Affairs.

By Mr. GANDY: A bill (H. R. 15125) authorizing the Secretary of War to donate to the county of Perkins, S. Dak., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15126) authorizing the Secretary of War to donate to the town of Wasta, S. Dak., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15127) authorizing the Secretary of War to donate to the town of Faith, S. Dak., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HARDY: A bill (H. R. 15128) to provide for the erection of a post-office building at Mexia, Tex.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15129) to provide for the erection of a post-office building at Teague, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. DOREMUS (by request): A bill (H. R. 15130) for the regulation of salaries in the custodian service of the Treasury Department; to the Committee on Public Buildings and Grounds.

By Mr. CLAYPOOL: A bill (H. R. 15131) to authorize the acquisition of a site and the erection of a Federal building on Circleville, Pickaway County, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. McKINLEY: A bill (H. R. 15132) authorizing the Secretary of War to donate to the city of Oakland, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BLAND of Virginia: A bill (H. R. 15133) to provide for the erection of a post-office and customhouse building at Cape Charles, Va.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15134) to provide for the erection of a post-office building at Phoebus, Va.; to the Committee on Public Buildings and Grounds.

By Mr. TEHOE: A bill (H. R. 15135) for the purchase of a site for and the erection of a post-office building at Quincy, Fla.; to the Committee on Public Buildings and Grounds.

By Mr. WILSON of Texas: A bill (H. R. 15139) to provide for the acquisition of a site and the erection of a public building thereon at Fort Worth, Tex., and for the sale of the present post-office site and building thereon; to the Committee on Public Buildings and Grounds.

By Mr. STEENERSON: Resolution (H. Res. 518) to inquire into the failure or delay in transmitting mail to and from officers and men in the military service of the United States in this country or abroad; to the Committee on the Post Office and Post Roads.

By Mr. LAGUARDIA: Joint resolution (H. J. Res. 390) admitting into the United States 560 barrels of Spanish wine ordered by Luigi Bick, of New York City, N. Y., before the passage of the food-control act prohibiting the importation of distilled spirits, the delivery of which was delayed on account of war conditions until after that act went into effect; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HAMLIN: A bill (H. R. 15136) granting a pension to Leonard Walker; to the Committee on Invalid Pensions.

By Mr. HASTINGS: A bill (H. R. 15137) granting an increase of pension to David Dixon; to the Committee on Invalid Pensions.

By Mr. SHOUSE: A bill (H. R. 15138) granting an increase of pension to John Weiss; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of Council of City of Portland, Oreg., favoring expenses for discharged soldiers, at least $50 as clothing allowance, one month's additional pay upon discharge, and five months' additional pay to be paid monthly to all discharged men; to the Committee on Military Affairs.

By Mr. CARY: Petition of furriers of Milwaukee, Wis., protesting against tax on furs; to the Committee on Ways and Means.

Also, petition of Commercial Telegraphers' Union of America, protesting against their treatment by United States telegraph and telephone administration, and asking that American Federation of Labor reconstructive program be adopted; to the Committee on Interstate and Foreign Commerce.

Also, petition of Milwaukee Patent Leather Co., recommending passage of House bill 13274; to the Committee on Military Affairs.

Also, petition of Web Pressmen's Union, No. 23, of Milwaukee, Wis., asking for repeal of the postal zone law; to the Committee on Ways and Means.

By Mr. COOPER of Wisconsin: Petition of Industrial Commission of Wisconsin, urging passage of legislation providing for Government aid to the States in rehabilitating industrial cripples; to the Committee on Education.

Also, petition of Lithuanians of Kenosha, Wis., appealing to United States Government to put an end to Polish territorial aggrandizement; to the Committee on Foreign Affairs.

By Mr. DOOLITTLE: Petition of citizens of Emporia, Kans., asking repeal of the postal zone rate bill; to the Committee on Ways and Means.

By Mr. GALLIVAN: Petition of Boston Typographical Union, requesting repeal of postal zone law; to the Committee on Ways and Means.

Also, petition of National Association of Credit Men, of Boston, Mass., supporting measure providing for validating informal war contracts; to the Committee on Military Affairs.

By Mr. GRAHAM of Illinois: Petition of Will M. Kellogg and divers other citizens of New Boston, Ill., demanding the repeal of the zone system for second-class mail; to the Committee on Ways and Means.

By Mr. HUTCHINSON: Resolution adopted by the Chamber of Commerce of Lambertville, N. J., favoring the enactment of legislation which will continue the control and operation of the wire systems by the Government until Congress shall have studied the question and determined upon a proper and safe procedure to be followed when they are returned to private ownership; to the Committee on Interstate and Foreign Commerce.

By Mr. LUNDEEN: Petition of Minnesota Live Stock Breeders' Association, of St. Paul, Minn., requesting increase in salaries of the Federal veterinarians employed in Minnesota, sufficiently to maintain efficient force for this important work; to the Committee on Agriculture.

Also, petition of St. Paul Produce Exchange, comprised of 31 firms of St. Paul, Minn., protesting against any legislation tending to deprive the States of their rights to regulate telephone and telegraph charges within the State; to the Committee on Interstate and Foreign Commerce.

By Mr. MAGEE: Petition of Mrs. Harry Nutt and other residents of the city of Syracuse, N. Y., favoring repeal of the postal zone rate provision; to the Committee on Ways and Means.

By Mr. NEELY: Petition of Clarence D. Robinson, Fairmont, W. Va., requesting that taxation be kept down to $4,000,000,000; to the Committee on Ways and Means.

Also, petition of H. W. Chadduck, vice president Merchants' National Bank, Richmond, Va., protesting against passage of tax bill of over $4,000,000,000; to the Committee on Ways and Means.

Also, petition of A. A. Grant, of Bluefield, W. Va., protesting against the postal zone rate; to the Committee on Ways and Means.

Also, petition of Business Men's Association of Fairmont, W. Va., opposing any Federal luxury tax based on retail sale price; to the Committee on Ways and Means.

By Mr. POLK: Petition of Farmers' Institute of Frankford, Del., favoring league of nations; to the Committee on Foreign Affairs.

By Mr. SNYDER: Petition of residents of the thirty-third New York district, favoring the repeal of the postal zone law; to the Committee on Ways and Means.

Also, petition of members of the Fortnightly Club, of Remsen, N. Y., favoring abolishment of the so-called zone system for certain classes of mail matter; to the Committee on Ways and Means.

By Mr. STEENERSON: Petition of Commercial Club of Red Lake Falls, Minn., protesting against the continued control and operation of the railroads of the United States by the Government; to the Committee on Interstate and Foreign Commerce.

Also, petition of J. S. Ulland, Fergus Falls, Minn., urging favorable action on provision for increase of pay of bureau veterinarians, Department of Agriculture; to the Committee on Agriculture.

Also, petition of Charles R. Wright, Fergus Falls, Minn., relating to the providing of farms for returning soldiers; to the Committee on Military Affairs.

Also, petition of J. A. Lindenberg, secretary of Minnesota Retail Clothiers' Association, Hutchinson, Minn., protesting against so-called luxury tax on clothing business; to the Committee on Ways and Means.

Also, petition of M. I. Davenport, inspector in charge, Fergus Falls, Minn., urging increase in salaries of bureau veterinarians of the Department of Agriculture; to the Committee on Agriculture.

Also, petition of Minnesota Shorthorn Breeders' Association, University Farm, St. Paul, Minn., urging increase in salaries of veterinarians of the Bureau of Animal Industry of the Department of Agriculture; to the Committee on Agriculture.

Also, petition of N. F. Field, Fergus Falls, Minn., favoring increase of pay for bureau veterinarians; to the Committee on Agriculture.

By Mr. TILSON: Petition of Carl P. Rollins and other citizens of New Haven, Conn., asking for repeal of the postal-zone rate bill affecting second-class matter; to the Committee on Ways and Means.

By Mr. VARE: Petition of the Yamatoya Co., of Philadelphia, Pa., protesting against the proposed luxury tax on haberdashery; to the Committee on Ways and Means.

Also, petition of North Pennsylvania Council, No. 255, Junior Order United American Mechanics, urging passage of House bill 13195; to the Committee on the Judiciary.

Also, petition of Medical Council of Philadelphia, Pa., protesting against the continuance of the zone system of postage for periodicals; to the Committee on Ways and Means.

SENATE.

SUNDAY, *January 26, 1919.*

(*Legislative day of Monday, January 20, 1919.*)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

MEMORIAL ADDRESSES ON THE LATE SENATOR BROUSSARD.

Mr. GAY. Mr. President, I offer the following resolutions, which I ask the Secretary to read, and I move their adoption.

The PRESIDENT pro tempore. The Secretary will read the resolutions.

The resolutions (S. Res. 422) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate expresses its profound sorrow in the death of Hon. ROBERT F. BROUSSARD, late a Senator from the State of Louisiana.

Resolved, That as a mark of respect to the memory of the deceased the Senate, in pursuance of an order heretofore made, assembles to enable his associates to pay proper tribute to his high character and distinguished public service.

Resolved, That the Secretary communicate these resolutions to the House of Representatives, and transmit a copy thereof to the family of the deceased.

Mr. RANSDELL. Mr. President, we are assembled to-day to pay respect to the memory of our late colleague and friend, Senator BROUSSARD, who died on the banks of the beautiful Bayou Teche, he loved so well, April 12, 1918.

ROBERT F. BROUSSARD was born on the Marie Louise plantation near New Iberia, La., August 17, 1864, and spent his boyhood in the cypress swamps and on the broad prairies that abound in that section. The country was a veritable paradise of game and fish, and young BROUSSARD was very fond of hunting and fishing. His forbears were among the French colonists of Acadia who were expelled from their Canadian homes by the harsh decree of the British ministry following the peace of Utrecht in 1713, and their tragic fate has been immortalized by Longfellow in Evangeline, wherein he tells how a part of these dispersed people, after many wanderings and sufferings, found a new home in southwest Louisiana. Here they preserved intact for many generations their French language, traditions, and customs, and it was in this atmosphere that ROBERT F. BROUSSARD was reared. French was the universal tongue, and he grew to early maturity without having learned to speak any other language.

He attended the public and private schools of his State, but his father cherishing the hope that his son would adopt the medical profession for a career sent him to Georgetown University, in the Nation's Capital, where he spent three years. Here a new world opened to him. He was a good student and rapidly acquired mastery of English and a sound educational foundation. His youthful imagination was fired by the stirring events that were transpiring at that time, and he determined, against strong paternal opposition, to make law his profession and a public life his career.

His first public office after his return home was that of inspector of customs for the port of New Orleans, from which position he was promoted to assistant weigher, and subsequently to expert statistician. He found time while attending to his duties for the Government to enter the College of Law of Tulane University, in New Orleans, from which he graduated in 1889. He then removed to his boyhood home at New Iberia, where he formed a law partnership with Judge T. Don Foster, brother of United States Senator Murphy J. Foster, under the name of Foster & Broussard, a firm which continued for nearly two decades, and was one of the strongest in southern Louisiana. Had ROBERT BROUSSARD preferred a professional to a political career, high honors in that field and large emoluments undoubtedly would have been his reward.

Mr. BROUSSARD always took an active interest in public affairs and sought to serve his fellow man. He was a natural politician, and his talents as a political organizer and adviser were in constant demand by his party. He served for 25 years as a member of the Democratic State central committee.

When the antilottery question became acute in Louisiana in 1890, and the Democratic Party divided into distinct wings on the issue, ROBERT BROUSSARD took his first independent stand against the State organization. He created for himself a State-wide reputation as a campaigner and stump speaker. The young attorney from New Iberia, hitherto unknown beyond the borders of his district, emerged from the antilottery contest one of the most persuasive orators and astute political leaders in the State. The logical result of this fight was his nomination and election by the antilottery wing to the position of district attorney for the nineteenth judicial district of the State in the campaign of 1892. His record in office, his undoubted strength, and a two-term tradition united in 1894 to obtain for him a unanimous reelection.

Two years later he entered the race for Congress in the old third district. He had a strong opponent, who had the support of the State organization, but BROUSSARD received the nomination. He entered upon his duties in the House of Representatives in the Fifty-fifth Congress March 4, 1897, and served in that body for 18 years, being reelected to eight successive Congresses without opposition, except to the Sixty-second, which came after his election to the Senate. This demonstrates his remarkable personal popularity, and is a record of which the fewest Members of Congress can boast.

When the young Acadian entered Congress conditions in his district were such as to demand his very best study and attention. While the good men in Louisiana had divided on the lottery issue and aligned themselves under the respective banners of Foster and McEnery, another struggle had been going on in Washington which involved the very economic existence of the people of the third congressional district. The cultivation of sugar cane, which since the early thirties of the last century had been the principal vocation of these people, was again suffering from a fierce storm growing out of tariff revision. The McKinley tariff bill, enacted September, 1890, had so far departed from American practice as to place sugar on the free list and give a bounty of 2 cents a pound to the American-grown product in order to stimulate domestic production.

No State in the Union was affected by this revolutionary fiscal procedure so much as Louisiana and property values in the

sugar district were shaken to the foundation. A situation developed that called for the exercise of all the legal ability and acumen of the young leader from Iberia, who gave Congressman Andrew Price his hearty support when that gentleman announced his intention to vote against the McKinley bill, notwithstanding its bounty of 2 cents per pound to the Louisiana sugar planters. The bounty yielded a golden harvest while it continued, but it lasted only long enough to reach the Supreme Court, which promptly declared it unconstitutional, with resultant financial chaos in the sugar sections of Louisiana. That condition was very slightly improved, when the Democrats returned to power, by the enactment of the Wilson bill in February, 1894. So heavy a burden was that measure supposed to place upon the Louisiana industry that such stanch Democrats as Meyer, Davey, Price, Boatner, and Robertson all recorded their votes against it in the House.

Before the Louisiana sugar district, which had thus become the football of tariff legislation, was compelled to undergo the rigors of another revision, ill health had laid a heavy hand upon Congressman Price, who had done such yeoman service to preserve the industry. He was compelled to lay down the legislative burden; and, as the very existence of his people was at stake, it was agreed that the gravity of the situation demanded the very best talent the district could afford.

Those were the days of the old-time conventions, and in one of the most spirited and closely contested political fights in the history of the State "Bob" BROUSSARD was selected by a majority of one-half vote to continue the battle so long and brilliantly conducted by the lamented Andrew Price. On entering Congress he proclaimed himself a Democrat of the school of Samuel J. Randall, who was thrice honored by his party with the office of Speaker, notwithstanding that he was a stout advocate of protection. In taking this stand Congressman BROUSSARD had the example and counsel of Senator Samuel D. McEnery, affectionately known as the war horse of Louisiana Democracy, who voted for the Dingley tariff in 1897. And throughout his entire career in the House, and later in the Senate, "Bob" BROUSSARD devoted every energy of his being to watching, safeguarding, and upbuilding the sugar industry of Louisiana and the Nation. By close scrutiny and research he mastered the intricate problems of the vexatious sugar question and became an expert on the subject and a tower of strength during the precarious menacing periods when blows and assaults were directed against that great industry.

Upon an occasion in the Senate similar to this Senator BROUSSARD paid his final tribute to the memory of the late Senator McEnery. Between these two there had always existed a warm and devoted personal friendship, perhaps all the more tender because of the disparity in their ages. Senator BROUSSARD felt that in the counsel and experience of his old friend his own footsteps would be safely guided along the tortuous and uncertain paths of tariff legislation, and as the fierce storm of fractional opposition broke about the heads of both these true sons of Louisiana, because each sought the same solution for this great economic problem, we may assume that Senator BROUSSARD was only expressing what he might hope would be said of his own course when, in eulogizing his departed friend, he said:

> I well recall the conference held by the Louisiana delegation in Senator McEnery's office to determine the course to be pursued by the delegation with respect to the Payne-Aldrich tariff bill. The delegation favored it in some particulars and opposed it in others. Senator McEnery at once laid down the rule which he said should be our guidance: Will this bill as a whole benefit or injure Louisiana? He argued pointedly that what benefited the people of Louisiana was paramount. One section, he said, can not be made to suffer unless the entire State suffered likewise. By these rules his conduct as a Senator was always guided, and, occupying that position, he has never been held not to have performed the duties incumbent upon him in a patriotic manner, nor was he ever looked upon with suspicion by his Democratic colleagues in the performance of his duties as he conceived them to be.

Senator BROUSSARD held that under our Constitution, so far as the tariff is concerned, our citizenship might be divided into two broad classes—those who advocate protection and those who advocate a tariff for revenue. The difference between the tariff-for-revenue man and the protectionist, he held, was expressed in percentage; "and if this be true," he asked, "who is to judge when the tariff on a given article is a revenue tariff and when is it a protective tariff?" He answered this query with the statement that "the people of each district must decide for themselves, and the Representative of that district should voice the decision of his constituency; the people of each State should decide for themselves, and the Senator should voice the opinion of his State. This was Senator McEnery's rule and guidance, and his people approved it by reelecting him again and again without opposition." When we think of Senator BROUSSARD'S own career, can we have any doubt that in the thought he has here expressed is to be found the pole star by which his own course was guided?

It will be chiefly because of his unending struggle for the preservation of the cane-sugar industry of Louisiana that his memory will be preserved at the National Capital. Born in the heart of the sugar district and intimately associated with the industry until death placed its withering hand upon him, he was one of its leading champions. No cause ever had a more devoted advocate, nor could it wish for one more able. He knew all the intricacies of the involved sugar question, and his colleagues generally accepted his presentation as correct.

In January, 1912, Mr. BROUSSARD was nominated for the United States Senate for the term beginning March 4, 1915. His constituents, knowing that the seat in the Senate would not be vacant for two years, renominated him for the ninth term in the House of Representatives in November, 1912. This is the only instance in American political history, as far as I can learn, where a man was elected to and served for two years in the House of Representatives after having been elected to the Senate.

Senator BROUSSARD was peculiarly well qualified to represent his State in the Senate. He was a man of great intellect, a trained legislator, a profound lawyer, and an able and skillful debater. In the United States Senate, as well as in the House of Representatives, he was recognized as a fearless champion of every interest of Louisiana.

On January 12, 1898, Mr. BROUSSARD married Miss Marrette Applegate, of New Orleans, a lovely and accomplished woman, who survives him. They had no children.

He was extremely fond of flowers, plants, and trees. He paid frequent visits to the Botanic Garden in this city, claiming that it rested his mind and body to look at and study "plants that God put on this earth for our benefit as well as our pleasure." On one occasion, while admiring some orchids, in company with his particular friend, George W. Hess, superintendent of the United States Botanic Garden, he placed his hands upon one of them and fondled it, saying, "To my mind, there is nothing more beautiful in this world than a baby and a flower." He said of trees, "To love trees intelligently we must know them; we must be able to call them by name whenever and wherever we meet them; this is fundamental to any friendship."

Senator BROUSSARD indorsed heartily the sentiment expressed in Joyce Kilmer's exquisite poem on trees:

> I think that I shall never see
> A poem lovely as a tree.
>
> A tree whose hungry mouth is prest
> Against the earth's sweet flowing breast;
>
> A tree that looks at God all day
> And lifts her leafy arms to pray;
>
> A tree that may in summer wear
> A nest of robins in her hair;
>
> Upon whose bosom snow has lain,
> Who intimately lives with rain.
>
> Poems are made by fools like me,
> But only God can make a tree.

Senator BROUSSARD, better known as "Bon" BROUSSARD and "Cousin Bob," had multitudes of friends. He had a charming personality, and affection for him was widespread and deep. To few men is it given to possess the happy faculty of making friends and holding them as did "Bon" BROUSSARD. He was a magnetic orator both in French and English. I once heard him deliver a political speech in English for 30 minutes to an audience composed mainly of French-speaking people, and then, without pausing, he changed to French, amid the wild enthusiasm of his hearers. I did not understand the French portion of his address, but my attention was held by his graceful versatility and charm of manner.

Although in failing health for two years prior to his untimely death, Senator BROUSSARD was cheerful and hopeful to the end, carrying sunshine and good cheer wherever he went. He loved life and enjoyed it to the fullest.

Louisianians were proud of Senator BROUSSARD, loved him in life, and now revere his memory. His work is done; he is at rest; peace to his ashes.

> There is no death! The stars go down
> To rise upon some fairer shore,
> And bright in heaven's jeweled crown
> They shine forevermore.
>
> There is no death! The leaves may fall,
> The flowers may fade and pass away,
> They only wait through wintry hours
> The coming of the May.
>
> There is no death! An angel form
> Walks o'er the earth with silent tread;
> He bears our best-beloved things away,
> And then—we call them dead.

Mr. CHAMBERLAIN. Mr. President, my intimate acquaintance with the late Senator BROUSSARD began when I was elected to the Senate in 1909. I knew of him, however, through the fact of his copartnership with a very distinguished and very much-loved classmate of mine at Washington and Lee University. So, without having known Senator BROUSSARD intimately, I knew from the reports that had come to me from his old friends and associates that, like the people of Louisiana, those of us who were to come into intimate contact and touch with him would love him. It did not take long to get acquainted with him, I found, and almost intuitively one was tempted to speak of him as he was lovingly spoken of amongst his friends in Louisiana, as "Cousin Bob," or simply as "Bob," because he at once removed the barrier that might ordinarily be raised between men who meet merely as strangers.

I served on a number of committees with him here in the Senate, and, as has been so ably said by his distinguished colleague [Mr. RANSDELL], whatever duty he turned his attention to he gave it that zealous application and consideration which every intelligent legislator tries to give as the most important part of his legislative duty. He attended committee meetings promptly and gave to the work before the committees, and particularly to that portion of the work that affected his own State, the utmost zeal, application, and effort.

He was a typical southern gentleman, Mr. President, and wore his heart upon his sleeve. I do not know any one of my acquaintances who so represented as did Senator BROUSSARD that affable, courteous, chivalrous disposition which is so characteristic of the old southern gentleman.

We shall all miss him here, Mr. President, as I know that his constituents and friends in Louisiana will miss him, and it will be a long time before his place can be filled here, either as a faithful public servant or in the hearts of his colleagues.

Mr. SHAFROTH. Mr. President, before coming over to the Senate Chamber this morning I picked up a Congressional Directory of January, 1916. I looked over the list of Senators who had departed from this earth since that time, and I found that 15 Senators while serving in the Senate had died. While talking with one of the Members of the Senate not long ago he told me that in the eight years he had been here he had kept account of the Senators who had died in office and those who had died who had been Senators for a portion of the time during which he had served, and that there had departed from this life 53 of those Senators who had served with him some portion of the time in that period. So we may truly say that "While in life we are in the midst of death."

Mr. President, I was a Member of the House of Representatives when Mr. BROUSSARD was first elected to that body. He was elected in the memorable campaign of 1896. That campaign was, perhaps, the most remarkable that ever took place in the history of the United States. It was because of the fact that there had been such differences of opinion concerning economic questions that parties were almost wiped out of existence. In some States the result was favorable to one political party by enormous majorities, and in other States to the opposite political party.

For instance, in my own State of Colorado, which had been a Republican State up to that time, 85 per cent of the Republicans of the State voted the Democratic ticket, giving Mr. Bryan a majority of 134,000, while upon the other hand New Jersey, that had been a Democratic State for many years, as was the case in some other States in other parts of the Republic, returned to Congress a solid Republican delegation. People had differed very materially upon the money question, and there were grounds for such differences of opinion.

That was a campaign where all meetings were largely attended. There had been a depression in prices existing over the world for many years. It so happened that, according to statistical tables, falling prices had begun about the year that Germany demonetized silver, and from that time until 1896 there had been a continual fall in the level of prices. That was attributed by many, and especially by the Democratic Party, as announced in its platform of 1896, to be due to the fact that the burdens of commerce and credit which previously had been borne by both silver and gold had been shifted to gold alone, thereby increasing the demand for and value of gold, which increased its purchasing power and thus produced falling prices.

Mr. President, I have no doubt that theory was correct. I am a firm believer and have always been a believer in the quantitative theory of money. While we may deplore the high prices which now exist in the United States, their effect in the production of misery and distress is inconsequential if compared with those which would be produced by falling prices.

It was in 1896 that the low level of prices was reached in the United States. It was then that cotton sold for 6 cents a pound; it was then that corn sold for 10 cents a bushel, and in some portions of the Western States it was burned instead of being consumed as food, it being so cheap that it was thought to be more valuable for fuel than for food. It was then, Mr. President, that the conditions grew which culminated in the great change in the Democratic Party.

Mr. Cleveland had espoused the gold standard. There had been produced such a profound change in the Democratic Party that he, although the President of the United States, and made so by Democratic votes, would not support the candidate nominated in Chicago and the principles announced in the platform of that party. It was through his influence that a new ticket was placed in the field, called the Palmer and Buckner ticket. That ticket gained very little support in the Western States; it gained some support in the Eastern States; but the man who made up his mind to vote in that campaign wanted his vote to count, and, consequently, he voted either the Democratic or the Republican ticket.

Mr. President, there have been many theories as to what produced the upward tendency in prices after that time, but no one has ever answered the arguments for bimetalism. It is the theory of many of us that that upward tendency was caused by the increased production of gold. My State, a silver-producing State, came to be a gold-producing State; a great quantity of gold was discovered in the Cripple Creek district, and its product of $200,000,000 of that metal is one of the evidences of the increased gold supply.

Mr. President, it was at this time that Mr. BROUSSARD entered public life. He was thoroughly in sympathy with the Democratic Party and its principles enunciated in the platform of 1896. I remember very well when he first came to the House of Representatives. He was a very young man, being only 33 years of age. He was active, quick, and vigilant, keen of mind, and was considered one of the very young and promising Members of the House of Representatives. Of course, he was always loyal to the interests of his State. Whenever its interests departed from that of the Nation's, he thought that he should espouse the cause of his own State. He wanted to represent his people.

He lived in one of the richest portions of the United States. I do not believe there are any lands in the world that are superior to the lands down on the Gulf coast, and it is no wonder that he felt in recent years that the great sugar interests of Louisiana would be benefited by a duty upon sugar. During the last six years he devoted a great deal of time and attention to preserving that which he thought was absolutely essential to the life and to the growth of the great industry in his State.

Mr. President, my acquaintance with Mr. BROUSSARD ripened into warm friendship as the years passed by. I served in the House of Representatives with him for eight years, and when he came to the Senate I knew him intimately and well. He was a man of the highest honor, one who could always be relied upon, without any suspicion of corruption or improper motive in the vote that he cast. He has left a great name in the State of Louisiana where he was recognized as one of its great leaders. The friends he made were legion. I feel that in his death the Senate has lost a very distinguished Senator, and the Members of the Senate a very lovable companion.

Mr. TOWNSEND. Mr. President, I deeply regret the necessity for this memorial occasion. It is always discomforting for me to contemplate death under any circumstances, and especially that of a friend. It is a solemn mystery, and yet no more mysterious than is life. We are forced to speculate on those two phenomena, and out of the speculation are born theories of religion and hopes of immortality. We call life real; and when we see it suddenly terminate, we wonder about the great change and philosophize about the unknowable. From the time of the death of the first man until this hour men and women have stood mute and helpless in the presence of mortality. All hatred, jealousy, and personal animosity are subdued beside the bier; but, except for philosophy, the mourners can not be comforted.

The news of a friend's death comes with a shock. It notifies us of the end of all human association and of all opportunity to do for that friend the things that we would now like to do. It, however, has one benign result, it causes us to pause and indulge in thoughts of life and duty.

I know that these memorial occasions in memory of our one-time colleagues are of no value to the departed. They have passed beyond the realm of censure or praise. Their bereaved families may be comforted by kind words of Senators, but the greatest good comes to those few who participate. It is not

well that death should bring a permanent sadness to the friends of the deceased, but it is of the highest importance that men and women should pause in the struggle of selfish, sensual life, with all of its unrealities, to consider seriously the end of it all. We know in our thoughtful, peaceful moments that the only things worth while in life here are the hopes that we are doing something worth while in the world and the respect and friendship of our colleagues. The former may always be shrouded in doubt, but we can feel and know the latter. How miserable we all would be if it were not for our real friends, and yet how often do we sorely test them.

ROBERT—lovingly his friends called him "Bob"—BROUSSARD possessed in a marked degree the true qualities of friendship, and I am thankful that he numbered me among his friends, as I did him among mine. He was a Member of the House of Representatives when I entered that body, and I soon thereafter became acquainted with him. He was a quiet, unobtrusive man, but possessed of the genius of industry in behalf of his constituents, and few Members accomplished more for his people. He knew the needs of his district and State and never neglected them.

I knew little of his domestic relations, as social intercourse in our public life is circumscribed by accidental circles of limited circumference. I knew nothing about his life prior to my coming to Congress and I have not taken the pains to look up his biography. I simply knew him as the man in Congress, and that knowledge warrants me in saying that he was above the average of his colleagues in effective accomplishments. He believed, as did many of his Louisiana colleagues, that the tariff was a local issue. He knew that a protective tariff was necessary to the maintenance of his State, and he had the courage of his convictions. He was never a trimmer, but bold and outspoken in his advocacy of his convictions. He was friendly always. His political word was as good as his bond. His State and the Congress have lost in his death a most valuable legislator.

We can not understand the Providence which called him from great usefulness in the midst of his first term in the Senate, but we know that a good and wise legislator has gone out from among us. I sincerely regret his untimely death.

Mr. KIRBY. Mr. President, I feel that I should speak a few words on this occasion in memory of ROBERT F. BROUSSARD, native son of Louisiana, who is departed. He long and faithfully represented in the council halls of the Nation that great State. But I am not come to talk of his achievements in forum and in court that brought him, the leader and servant of his people, from his far-off home to the council halls of the Nation. I am not come to talk of his achievements while he stood in the Congress halls and represented his own people and the people of these United States. That can better be done, and has been well done, by his colleague and by his successor. I am not going to specify the different things of benefit that he was able to accomplish here. It is not fitting that I should do so. It will suffice to say that he was a man of fine intellect, character, and ability, a man of fine and true conviction, innate conviction of right, a man who believed in his country. He loved his far-off home in the Southland. He loved the State of his birth. He loved the Nation that he served so well. His patriotism was as broad as the confines of the Nation and as lofty as its greatest purposes, and he yearned for the realization of its highest ideals. Such was the man. He was an honor to his district, to his home, to his State, and to his Nation—to the old South and the new South and the great Nation.

But of that I shall not speak further. I met him first when I came to the Senate, just when the war clouds were lowering and had burst across the Old World and were threatening this land of ours. I was attracted to him because of his charming personality, and because we had some tasks and things in common; and I shall talk chiefly of another side, the human side, of the character of this man.

He loved fair dealing, the open freedom, and the light. He hated darkness and sham and hypocrisy. He loved great nature, her forests and streams, her fields and flowers, the firmament that shows the handiwork of God. He loved the finer things of life. He loved the beautiful and true, poetry and music, and believe he heard the music of the spheres, and certainly understood the song of the angels, "Peace on earth, good will to men." He loved the grand old masters. He loved the bards sublime. These finer things of life appealed to him and were enjoyed by him. He was also an ardent, a true sportsman, that believed in giving his quarry a fair and even chance. He loved to look upon the faces of kindred spirits in the campfire's glow, in the haunts of the denizens of the wild. His pulses thrilled and his blood leaped at the sound of the chase and sight of the quarry, at the sight and feel of the bending rod, the humming reel, the swirling waters, and the leaping bass.

He was a true sportsman, and I liked him well on that account, my taste for recreation and diversion running along in that line. Personally he was a most charming man. I loved the man. He inspired friendship in others, being himself a stanch friend. His friends to him were right always, loyal and true, and no service he could render them was ever difficult or irksome. But no more will we feel the hearty hand clasp, no more will we enjoy the genial smile of BOB BROUSSARD. He is gone, and there was no more fitting end to a life, I think, than to that of this man.

I stood at his grave side yonder in the Southland. I saw the people, the rich and the poor, the proud and the humble, the lowly and the great, from his town and from the State and all the countryside gathered there about his body in the open. I saw them come to pay tribute to his memory for the last time, and I was glad to be there with them. It was an occasion of genuine grief and mourning. The common people were his friends, and they loved him. They so regarded and affectionately spoke of him as "Bob" BROUSSARD; and there in the sunshine and among the flowers, surrounded by a host of friends whom he served loyally and well, he was laid to rest.

He lived his life not for himself alone, and at the balance must be set down as one who loved his fellow men. He loved his neighbor as himself. He was the friend of man.

"Died," ROBERT BROUSSARD,
And until the future dares forget the past,
His fate and fame shall be
An echo and a light unto eternity.

Mr. POINDEXTER. Mr. President, it is a peculiarity of republican government that men are controlled by their affections rather than by force. I have been very much interested in noting, in the addresses to which we have just listened, the repeated testimony of those most intimately acquainted with the bright and shining spirit who has passed from among us to that quality of Senator BROUSSARD which excited the affection of his associates and of his people.

It is not my purpose to undertake on this occasion to perform the duty, however pleasant it would be, a duty which has already been so well performed in part by his eminent colleague who now occupies the chair [Mr. RANSDELL in the chair], and no doubt will be performed more elaborately hereafter—to compile or to express the story of his achievements, to make a digest of the accomplishments which he was able to bestow upon the people whom he served as a public official; but rather it is by appearing here in person and saying a brief word as the expression in part of the sentiment which I feel as it were to lay upon the grave of Senator BROUSSARD, if I could have the sweet privilege of doing so, one of the beautiful flowers which the speaker this morning said that he loved so well. It is not in what we say upon an occasion like this that we do honor to our friends, but it is in what we feel.

It was my privilege and good fortune to have served in the House of Representatives with "Bob" BROUSSARD, to have been a member of active committees, in the Senate, of which he was a member, to have known him to some extent in a personal and social way, to have met his family. I have as one of my friends a constituent in my home town who formerly came from Louisiana and was an old and intimate friend of the late Senator BROUSSARD and who on many occasions has spoken to me in a feeling way of the qualities of manhood and friendship of our deceased brother.

Senator BROUSSARD's interests, although particularly exercised in the care of his own people, although his energies were concentrated upon the service of his constituents of Louisiana and in the solution of the economic and the governmental problems that were peculiar to that State, were not circumscribed by the boundaries of Louisiana. There is a difference in public men in that respect. Some have but little interest or but little concern for anything in the range of congressional activity that does not immediately and peculiarly concern their own State. Some are inclined to consider their duties and obligations as limited to securing and holding the approval of those to whose vote they owe the position which they occupy. Senator BROUSSARD took a broader view of his functions as a Senator of the United States, and while he rendered adequate and more than adequate service to the people whom he specially represented, yet also he served the Nation well.

I have been informed and instructed by my associations with Senator BROUSSARD as to the great international interests and possibilities of foreign trade and commercial exchange—the relations which this Nation ought to occupy toward the Latin-American Republics, which are near neighbors of the State of

Louisiana; and I found that he was a man of vision and of sense, who could appreciate the developments of the future from which the country, and the State of Louisiana among the rest, would profit in due time if we availed ourselves of our opportunities in that regard. I spoke of him a moment ago as a bright and shining spirit. Those words came to my mind and to my lips on the moment as expressing what perhaps was his chief characteristic. He was a man who, immediately upon acquaintance with him, aroused the affections of those whose own natures were so properly and normally adjusted as to respond to contact with merit. I have a picture of him in my mind, from a mere casual circumstance, with no particular reason why it should remain there other than the force of the man himself—of Senator BROUSSARD delivering an address in the House of Representatives. I do not even remember now the subject of his address, but I remember the man. There was a deep and lasting impression left upon me by the conviction which I formed at the time of his character, of his courage, of his pertinacity, of his intellectual brightness, of his deep interest, of his sound policy, of his sincerity. There are but few men who have that indefinable capacity of so fastening themselves upon the memory of those with whom they come in contact.

Senator BROUSSARD had to a pronounced degree that quality. If I had never seen him again, if I had never renewed my acquaintance with him under more intimate circumstances in the work in the Committee on Pacific Islands and Porto Rico, of which he was a member, and which considered many important questions to which he gave the benefit of his peculiar information and deep interest, if I had never had the privilege of meeting him in a social capacity or of serving with him as a colleague in this Chamber, I yet would have remembered him, as standing out distinctly among all the strange figures who appeared in that numerous legislative assembly, by the one occasion of which I have spoken.

Mr. President, I formed from these associations a sincere attachment for our late colleague. I believe that those who fully appreciate the nature, the true functions of public office in this country, understand that it is not its dignity that constitutes the worth of office, it is not the honor that comes from it, it is certainly not in pecuniary rewards—because they are small, small in comparison with those in other countries of equal power and wealth—but the true worth of public office is in the fact that the subject with which we deal is man himself; that the material with which we work in our everyday task is our fellow man; that we have in our care and under the control and direction of the functions of this great office, for better or for worse, for good or for ill, the destinies of the human race.

I have sometimes wondered as to the exact significance of the saying of the great Teacher of the Christian religion to the poor fishermen at the Sea of Galilee, when he called them around him from the sordidness of their occupation and said to them: "I will make you fishers of men." I have some slight conception of what it meant, and I have felt that if there is a true worth in public office there is something of that nature in it, that there is at least an opportunity for a public man in a position of power, under our Government, to use that power to be a "fisher of men," to save men from the evils which constantly pursue them, to protect them, to put them in such a way that they may guard themselves from that principle of destruction which is constantly attacking the rival forces of virtue.

Senator BROUSSARD conceived, at least as demonstrated by his performance, that characteristic of the position which he filled. He was a fisher of men. He was bound to the men whom he served by the ties of his heartstrings. There was no demand which could be made upon him for service, even though it called for the supreme sacrifice, that he was not ready to deliver.

Mr. President, I consider it a privilege and an honor on this occasion to pay this brief tribute to his memory.

Mr. SAULSBURY. Mr. President, the friendships between men—how they arise, how strong they become, their extent and lasting qualities—are in a measure hardly capable of analysis and sometimes rest almost entirely in the particular personality of the individuals.

I had not even the pleasure of a slight acquaintance with Senator BROUSSARD until he had spent many useful years of his life in serving the people of his State and country. When I met him first, as I believe all men were, I was attracted to him, and as our acquaintance ripened into friendship I knew I was honored by the regard of another man in public life who was worth while.

Those who knew him a longer time and served with him before failing health had come to indicate the termination of his useful labors in the public service are much more capable than I of speaking regarding his public services. It was after he came into this body that there grew up between us a friendly intimacy which I prized, and which I know was agreeable to him, that I came to appreciate his uncommon ability, his high conception of public duty, and his attachment to those he liked. I do not know of any man whose friendship has been more pleasant and grateful, with whom association has given more satisfaction, and whose good opinion I cherished more than that of BOB BROUSSARD.

No man could be brought into association with him and admitted to his friendship without feeling as I did the privilege that one had in this association. No one is grieved more sincerely than his colleagues in this body who knew him well, and the better they knew him the more they have been affected by his death.

His continued illness brought every day from among his colleagues affectionate inquiries as to his condition, and universal regret is the manifestation here of the high regard in which he was held.

Other men have served longer in this body, other men have had greater opportunities to distinguish themselves here in the country's service than he, but no one has deserved and held a higher place in our affections and esteem. No one has more fully lived up to the ethics which prevail here as to the relations of Senators than our friend Senator BROUSSARD, in whose honor we have come together to-day, and to perpetuate whose memory and high service these exercises are now held.

I shall not attempt to review his eminent public service or to relate the many interesting episodes of his career. It satisfies me to record here in few words the tribute of a friend who loved and mourns him.

Mr. GAY. Mr. President, ROBERT F. BROUSSARD was born on his father's plantation, in the center of the section so beautifully described by Longfellow—

Beautiful is the land, with its prairies and forests of fruit trees;
Under the feet a garden of flowers, and the bluest of heavens
Bending above, and resting its dome on the walls of the forest.

They who have dwelt there for generations have named it the Eden of Louisiana.

The people who inhabited this lovely section of Louisiana were the descendants of that hardy race who had carved homes from the wilderness and rigors of climate on the shores of the Gulf of St. Lawrence, and had by the fortunes of war been transferred without their consent to the British Government by the treaty of Utrecht.

They refused to take the oath of allegiance to the British Crown, and refused to serve in the British armies against their beloved France. They were compelled to give up their homes, and thousands, after enduring untold hardships from disease and want, settled in a body in what was then French territory—Louisiana.

Their loyalty and affection for the customs, traditions, and language of France have been the distinguishing characteristic of these people for more than a hundred years. And yet to-day no community in this broad land is more distinctively American in all that the word "American" stands for.

Young BROUSSARD was educated at Georgetown and Tulane Universities.

He began the practice of law at New Iberia, La.

He began his public career a few years later when the State was in the throes of the fiercest and bitterest contest ever had before or since—the struggle to eliminate the Louisiana State Lottery Co. and destroy that baneful influence on the moral and political life of the State and Nation.

This powerful corporation, with its immense wealth, was seeking a renewal for 25 years of its exclusive State charter. Through its great wealth, gathered from every hamlet in the Union, it had for years maintained a powerful lobby at the sessions of the State Legislature, and exerted a controlling influence on legislation and on State and municipal elections, depending on special privileges to protect monopoly at the expense of the people and retain its servile henchman in public places.

The long career of this institution, reaping a rich money harvest from every nook and corner of the Union, its tempting bait to provide millions for public improvements, hospitals, and education, had produced in the public mind a condition so aptly described by the poet Pope:

Vice is a monster of so frightful mien,
As to be hated needs but to be seen;
Yet seen too oft, familiar with her face,
We first endure, then pity, then embrace.

The battle was not a political or party contest. It was a fight for civic righteousness, or government by the people, freed from

the demoralizing influences which wrecked character and brought misery and crime in its wake.

Money, political, and business influences were freely promised, and more than three million were expended in that campaign. Success for the lottery company meant financial and political advancement for those who marched under its banner. It had a full treasury to pay its champions on the platform and the press.

Its glittering promises to furnish large funds to build levees and prevent the frequently recurring destructive overflows of the Mississippi, which meant ruin to so many, to equip hospitals for the care of the unfortunate, reduce the State debt, and assist in the education of the people formed a persuasive argument with many and quieted the consciences of others.

Mr. President, ROBERT F. BROUSSARD was then district attorney of his district. He could easily have trimmed his course to have kept fair weather and antagonized neither party to the fight. But with the unflinching courage which characterized his life to the hour of his death he promptly enlisted under the banner of sound government, which demands public morality. He appealed to the conscience of the people against the alluring temptations to secure great public benefits from the earnings of an institution, clothed with the sanction of law, in its continued debauchery of the public service and its continued poisoning of the moral atmosphere by its insidious appeal to the gambling instincts so common to man's nature.

ROBERT F. BROUSSARD had no incentive to engage in this great contest but the call of duty to God and country.

With clearness of vision he saw the danger to the generations to come in the menace to the moral, social, and political welfare of the people and the State. He felt that it was a fruitful source of poverty, a seed bed of embezzlement, born of the frenzied desire to possess without the burden of toil.

From every platform he set before the voters that sound government could not be had except from the regular taxes paid by freemen, rather than from a corrupting institution, which, in the name of the State, enriched itself by the impoverishment of the many and made the State its pensioner.

The fight ended in the triumph of the cause of good government and forever destroyed the privilege of gambling for a consideration paid into the public treasury.

He became a candidate for Congress in 1897, in a convention which was in consecutive session many days, and was finally nominated by the fourth of a vote.

He succeeded the distinguished Andrew Price, who after several terms in Congress retired to private life, having served since the death of his father-in-law, Edward James Gay, my grandfather, whose name I am, indeed, proud to bear.

Bon BROUSSARD was returned for nine terms without opposition in his own party and but once by a Republican.

He enjoyed the unique distinction of serving a full term in the House after his election to the Senate. By the constitutional enactment of the State his election took place two years prior to the beginning of his term as a Senator.

The people of his district insisting that they could not spare his services in the Halls of Congress, elected him to the House after his election to the Senate.

Thoroughly informed in the detail of the mechanism of every department of the Government, the cause of every constituent, no matter how slight, received his persistent and indefatigable service. No red-tape machinery could bar the way to a proper adjustment. With infinite tact, unfailing patience, good humor, and sound judgment he pursued the most obdurate of departmental officials, and he rarely failed to move the most persistent objector.

Having patiently and industriously examined a matter and satisfied himself of its justice, he knew no such word as "fail."

The ardor of youth, strengthened by mature judgment and knowledge gained by advancing years, rendered him an expert in matters of legislation as well as in the routine of the departments; hence he was unusually successful before the departments, which learned to value his careful analysis of the matters presented and the perfect fairness with which he stated the question. All appreciated the never-failing energy with which he pursued the subject to a proper conclusion.

Loyalty to his constituents was the inspiration which prompted every act and vote in the long service in Congress of our departed friend.

The production of sugar cane was the prevailing industry of that splendid, fertile section, the third congressional district of Louisiana. The welfare of its population was unquestionably dependent upon its success and the price at which it was sold. An intelligent and energetic and industrious people had built up this great industry in competition with the cheap labor and better climatic conditions of Cuba. It was the constant subject of national legislation, probably more so than any other product of field, mine, or factory—an easy source of revenue, and in the judgment of many political economists it forms an ideal tax by reason of its universal use, and therefore it forms an equitable tax on all the people.

Congressman BROUSSARD had from the beginning of his life, in season and out, made a thorough study of sugar production and its cost in labor and capital. He knew the world's supply and what competition menaced the successful prosecution of this industry in the United States.

The great war just concluded shows conclusively that it is an essential requisite for the proper maintenance of the armies in the field, the toilers in the rear, and is a common necessity in the hovel of the poor and the palace of the great.

So intimately is the welfare of the sugar industry blended with the prosperity of the State of Louisiana that her representatives in Congress for the last 40 years have frequently voted against their political party affiliations on tariff bills by reason of what appeared to them a hostile attitude on the part of the Democratic Party to this great economic interest of their State.

Senators Eustis and Gibson voted against the Mills bill, a Democratic measure.

The McKinley bill provided a bounty for sugar production. The sugar planters regarded the bill as hostile and dangerous to sugar production, and the congressional delegation either voted against the bill or abstained from voting.

On the Wilson bill, a Democratic measure, a majority of the Louisiana delegation in the House voted against it.

On the Dingley bill, a Republican tariff measure, the delegation divided equally in House and Senate.

On the Payne bill, a Republican tariff bill, there was again an equal division of the votes in the House and Senate delegation of the State.

From the inception of his career in the House of Representatives Senator BROUSSARD adopted as the guiding principle for every vote he cast a rule so well stated by Louisiana's "grand old man," Senator McENERY, who held the confidence and affection of his associates in this body, regardless of party affiliations.

Speaking to the Louisiana delegation at a meeting held for the purpose of determining the vote of the Representatives of the State in Congress on the Payne bill, Senator McENERY said: "The rule that should guide us is, Will this bill, as a whole, benefit or injure Louisiana? What benefits the people of the State should be paramount."

Senator BROUSSARD always had this rule as his guide during his entire service in the House.

Criticism by the press of the State or by party associates never moved him to abandon this guiding principle. Party caucuses in Washington failed to bind him, although failure to obey the caucus mandate meant disloyalty to the party organization and brought him in direct conflict with the leaders of the Democratic Party in and out of Congress. With unflinching courage he stood alone in defiance of the caucus, accepted the humiliation of removal from the most powerful committee—the Ways and Means—on which he had earned a place by reason of long service coupled with exceptional ability and expert knowledge on tariffs.

In a memorial address on the life and character of Senator S. D. McENERY, on February 26, 1911, Senator BROUSSARD expressed his convictions on the duty of a Representative of the people in Congress, defining, according to his conception, the duty to party and the broader duty to the people he represented. He said:

> Fundamentally speaking, the Democratic Party is built upon the idea of individual liberty in its broadest sense and scope within the limitations fixed by the Federal Constitution. That scope essentially includes the principles of self-government; that scope includes State sovereignty, which is the broader expression of local self-government, and essentially contemplates that the Representative, if he be a Member of the House, should receive his primary instructions from his constituency composing his district. And the Senator representing a sovereign State should receive primarily his instructions from the people of his State. * * * The Congressman—and I use the word in its true sense—is but the agent of the people who, or the State which, sends him here. The principle, so far as a Member of the House is concerned, is that those who elect that Member have the right to instruct him in regard to their interests, and the Representative has absolutely no right to act adversely to such instructions. When his conscience will not permit him to carry out his instructions, the Congressman's plain duty is to resign his office, or, better still, not to accept the office unless it is his purpose to act agreeably to the instructions of his constituency.

This was the chart by which Senator BROUSSARD steered his long political course, and the fierce criticism from party associates from all sections of the Union, as well as a constant continuation of attacks by a portion of the press and political leaders of his own State, failed to swerve him one jot or tittle from these well-defined principles—principles that led him to consider the interests of his constituents superior to the claims of party and to vote for the paramount interests of his people at the peril of his own political decapitation.

After his removal from the Ways and Means Committee of the House for refusal to permit a party caucus in Washington to dictate his course and vote, he boldly commenced his candidacy for the Senate, and faced the people on the platform from the Arkansas line to the Gulf, giving a reason for the faith that was in him with such logic and sincerity that he was chosen over two able and distinguished men of State-wide reputation, with great experience as campaigners.

The primary election being ratified by the legislature in May for a term to begin two years later, he went before the people of his district and was once more, although an elected Senator, chosen as the Representative of his district, a distinction without a parallel.

For 25 years he was a member of the Democratic State central committee of the State. He was an uncompromising advocate of the nomination of Woodrow Wilson, and secured a portion of the State vote in the convention for the illustrious man who so successfully piloted our ship of state through the great war.

When ROBERT F. BROUSSARD entered the United States Senate he was no novice to the work of legislation. He came from the House a seasoned veteran, who had ably filled important committee assignments. The years of study on tariffs and waterways and naval affairs and public lands made him an authority on these subjects. His continued advocacy of an intercoastal canal from the Rio Grande to the East, at first considered a fantastic dream, drew the attention of engineers and transportation experts, and after some preliminary surveys the project was found not only feasible but a sound Government investment, which will eventually reduce the cost of transportation of the vast products of the coast, reduce the perils of ocean traffic, save insurance, and develop an immense section of our common country. It is already one of the permanent waterway projects of the Nation.

He closed his services in the House of Representatives on the last day of the Sixty-third Congress and entered the Senate on the first day of the Sixty-fourth Congress.

He served as chairman of the Committee on National Banks and as a member of 10 other committees. It is needless to say that his fund of information, acquired by long service in the House, made him an efficient and useful Member.

He was a firm supporter of all the war measures of the President. His health, already impaired on his entrance to the Senate, was rapidly undermined by the strenuous demands on his time, pouring in a steady stream from thousands of constituents. Against the advice of his physician he remained at his post of duty. Every heart throb beating with love of country, he felt the call of duty to give his all, and he gave the last full measure of devotion with the same self-sacrifice that the noble, heroic dead gave on the battle fields of France. He knew his physical machinery was giving way, yet with that sublime courage which so persistently characterized his whole life he gave his all to his country.

He died at home with the faithful and devoted wife, his loving companion of years from youth up. He was indeed a tender and affectionate husband. His religion was bound by no creed. He believed in the fatherhood of God and the brotherhood of man, and delighted in service to the weak and those in distress.

The elements of success in that long career, unmarred by a single defeat in so many contests in which his personality and his conduct were frequently the issue, were the traits so lovingly described by an author as the characteristics of the Creoles of Louisiana: "A people that are tender-hearted and sympathetic in their social and domestic relations. The almighty dollar, that great object of universal devotion throughout our land, seems to have no genuine devotees in these particular villages." These splendid people, who retained on the shores of the Gulf and the banks of the beautiful rivers and bayous of south Louisiana the customs and language of their ancestors through generations, are distinctively American. These people who, indifferent to the material things, lived in their simplicity, paying great heed to the spiritual and romantic, loved ROBERT F. BROUSSARD with an affection rarely found in all this earth. He was the one trusted adviser and confidential friend to whom they could bring their business and family troubles and find a ready sympathizer and able counselor. He possessed a rare perception of human character, with an iron memory which never lost a face or place or an event once seen or known. No man could overreach him, excepting only those to whom he gave his heart.

The affection of these people for their distinguished fellow citizen became expressed in their familiar and endearing term, "Cousin Bob."

An illustration of the confidence in his power and influence is well told by an occurrence during his senatorial campaign. In the same primary there was a strenuous campaign for the nomination for governor. One of these eloquent gentlemen addressed a large audience in south Louisiana. At the close he was warmly congratulated by one of his hearers, who had been deeply impressed. "Well, then," said the speaker, "I can count on your vote for governor?" "Oh, no, no, sir; me for 'Bon' BROUSSARD—'Couzin Bob.'" "But," said the candidate, "he is not running for governor; he is running for the Senate and I am running for governor." "Well," was the reply, "me don't care about that; you be for 'Couzin Bob' and he 'p'int you governor."

He held the hearts of his people with unbounded affection. His campaign centered around no issue save the personal success of ROBERT F. BROUSSARD. In a district so distinctively Creole, material interests could never overcome the spiritual and romantic friendships of the everyday masses.

The relation between ROBERT F. BROUSSARD and his constituents is, however, best described by our illustrious President, who has with remarkable clearness in words expressed the human trait of friendship, when he said at Manchester, England—

> Friendship is not a mere sentiment. It is based on a principle; upon a principle that leads a man to give more than he demands. It is based not merely upon affection, but upon common service. The man is not your friend who is not willing to serve you, and you are not his friend unless you are willing to serve him. And out of that impulse of common interest and common desire arises that noble feeling which we consecrate as friendship. Friendship depends not on fancy, imagination, or sentiment, but upon character. Real friendship is abiding, like charity it suffereth long; loyal in ill report, and the brightest jewel of happy days. It is the highest, truest love. Its heights are serene; its valleys cloudless. It requires a capacity for faithful affection, a clear discernment, and a beautiful disinterestedness. Fragments of friendship are precious, but a whole, real friend is a man's greatest blessing. Faith with loyalty and courage brings one close to the kingdom of heaven.

The soul of ROBERT F. BROUSSARD was filled to the utmost with this precious quality.

When the funeral services were held under the sunny skies and majestic live oaks in front of the courthouse at New Iberia, the eloquent tributes by Congressman RODENBERG, of Illinois, and Senator VARDAMAN, of Mississippi, found receptive hearers in the thousands of tear-dimmed eyes and aching hearts of the vast multitude who laid aside the business of the day to pay a last sad tribute to the loved leader and friend of the whole people—the true type of the Louisiana Creole, who embodied the lovable traits of that people so noted for its hospitality, real friendship, and splendid citizenship.

He died poor in purse but rich in noble deeds and great service to the State and the Republic.

His name will share the common fate which comes to all, regardless of exalted stations occupied or wealth possessed; but the inspiration to the youth of the State of that long life of service, of unselfish patriotism, and heroic sacrifice to duty in the hour of his country's peril will bear fruit in a higher and nobler citizenship which will be consecrated to the perpetuity of a Government that will stand for justice and civic righteousness for all the peoples of the earth.

In conclusion, Mr. President, I want to say that these same faithful people who so loved and admired ROBERT F. BROUSSARD have arranged to see that his virtues receive fitting commemoration by the erection in his home city of a monument or other suitable memorial, and from the prospectus setting forth the purpose of this memorial association I wish to read the beautiful tribute paid our departed friend at the time of his death by one of his Louisiana friends and admirers:

> The career of ROBERT F. BROUSSARD must impress his people with the inspiration that talent and character, unaided by fortune, may bring place, power, and reputation. It must stir in them a solemn pride that a long tide of power and repute may come to an honest man and leave him whole-hearted and pure minded, unscarred by temptation to yield the right for victory or to stoop low for gain.
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> As lawyer, as district attorney, Congressman, and Senator, "Bon" BROUSSARD made multitudes of friends. He was entitled to them, for he was loyal and generous. Affection for him was widespread and deep, both in Louisiana and at Washington, and extended to many of those with whom he contended. He had that faculty of winning and captivating men which belongs to the warm-hearted. His passing will bring a tear to many an eye in Louisiana and sadness to many hearts more.
>
> Magnetic in personality and a natural leader, BROUSSARD established himself as political chieftain of the third congressional district. By the force of those qualities and by the practical value of his services in Congress, particularly to the sugar interests of the State, during the many years he was there, he so won the district that opposition to him was never considered.
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> He never "fell into line" for old abuses, even though those who profited by them might be in position to give him trouble in his campaign. He held aloof from combinations of politics, and upon all specific State issues he stood for cleaner and better conditions in life and politics.
>
> He refused to profit by oppression or to submit to it. Upon one occasion, in his campaigning, he encountered what he took to be underhanded tactics in his adversaries. He made a speech at one of his meetings in the third district denouncing these tactics. It was a genuine outburst of oratory, grand in its fire and patriotism, sonber and powerful in its defiance, and superb in its declamation. It was in

French, and we doubt if any Mirabeau or Vergniaud ever poured forth a more livid flood of indignation and passion.

Yet the chief characteristic of this dead Senator was lovableness. He was sunny, even tempered, just, patient, kind, unselfish, and generous.

Peace to your ashes, BOB BROUSSARD. "There has been frankincense and myrrh in thy life which will not be lost now that thou art ground in that mortar, wherein God's will is the pestle, which men call eternity."

MEMORIAL ADDRESSES ON THE LATE SENATOR HUGHES.

Mr. FRELINGHUYSEN. Mr. President, I offer the resolutions which I send to the desk. I ask that they may be read, and I move their adoption.

The resolutions (S. Res. 423) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate expresses its profound sorrow in the death of Hon. WILLIAM HUGHES, late a Senator from the State of New Jersey.

Resolved, That as a mark of respect to the memory of the deceased the Senate, in pursuance of an order heretofore made, assembles to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Mr. FRELINGHUYSEN. Mr. President, though myself young in membership in this distinguished body and not intimately acquainted with its earlier history, I very much doubt if the amazing necrological record of the past 22 months has ever been duplicated.

Since March 5, 1917, ten times the gaunt, unrelenting hand of death has thrust itself into this Chamber and has stricken down a Senator of the United States. Strong men, vigorous men, who have never previously known defeat, have fallen victims to the unconquerable malevolence of that insatiable and final foe.

If there be those at home, in the remote communities of our respective States, who fail to grasp the magnitude of the burdens which fate has placed upon the shoulders of the Nation's Legislature during the prevalence of the war and of the reconstruction period which follows, I can only pity them for their ignorance. What wonder if men bend and break under the strain and are swept into the Great Beyond in the twinkling of an eye.

Let me give you a brief review of the life of my recent colleague, the late WILLIAM HUGHES. It is an amazing recital, and no duplicate can be found in the annals of any other nation. Only in democratic America, whose portals have never known bolt or padlock, would such a career be possible.

WILLIAM HUGHES belonged to that very notable and ever-increasing class of citizens who, though foreign born, attain positions of great distinction in America. So many similar instances are encountered in the annals of our people that, as a rule, we no longer think it sufficiently noteworthy to comment upon it.

Though probably of Welsh lineage, as his surname suggests, he was a native of Ireland, having been born there April 3, 1872. He was only 8 years of age when the initial steps in the Americanization of WILLIAM HUGHES took place, he having accompanied his father to this country in the year 1880.

He was then a bright-eyed, impulsive lad and was possessed of an inquiring, acquiring mentality. No emigrant ever landed upon our shores whose perceptions were keener or who was animated by a livelier sense of inquisitiveness.

Even at that early age, while utterly unconscious of the full possibilities which destiny had in store for him in the New World, yet he seemed to sense the opportunity for a life with which he was previously totally unacquainted.

Thus, after the father's establishment in his new environment, the boy entered the public school, and there were laid the foundations of his equipment for the duties which afterwards devolved upon him and for the honors which subsequently were his portion.

Still, his educational advantages were comparatively slight. His father had located in a manufacturing city, Paterson, N. J., and there, in the silk factories of that community, one of the most remarkable of the varied industries of America, many of the youth of the city found agreeable employment, which drew them from the schools at a comparatively early age. This was the magnet which limited the schooling of WILLIAM HUGHES.

While as a rule we can but sympathize with those proponents of the advantages of a higher education who decry child labor as a detriment to our sociological development as a Nation, yet, in the case of WILLIAM HUGHES we see an illustration of the principle that genius will out and that inherent ability is bound to overcome all obstacles, and, like water, will reach the level which opportunity makes possible.

Let us picture young "BILLY" HUGHES—such was he called from the cradle to the grave—at his silk loom in Paterson at the age of 12 or 14 years. Did this employment serve to dwarf his mentality or curb his ambition? Assuredly not.

Is it difficult to employ our own imaginations and conjecture his emotions as he stood at his loom with the shuttles flying backward and forward? As warp followed warp and woof succeeded woof, all in wondrous colorings and patterns, were there not times when his fancy was even more nimble than his fingers and its product more notable than the fabric which resulted from his handiwork?

That aspiring spirit which finds tongues in trees, books in the running brooks, sermons in stones, and a lesson of some sort in every phase of human endeavor, and in every object in life, whether tangible or intangible, is the true student, and opportunities for achievement which are presented to him are limitless.

Such a student was WILLIAM HUGHES, and he graduated with high honors from the university of human experience.

While still a mill hand he studied stenography and typewriting, and, as he reached manhood, engaged in that avocation within whose ranks to-day are found so many thousands of young Americans of both sexes.

Originally entering a commercial establishment he soon thereafter found employment in the law office of former Attorney General John W. Griggs.

Whether luck or fate influenced his final choice of a profession, it is impossible to say. That is a matter for the speculator and philosopher to dwell upon. Certain it is his entrance into that field determined him to engage in the study of law, and in due course of time, in 1900, he was admitted to the bar as an attorney, and became a counselor three years later.

WILLIAM HUGHES possessed many of the qualifications which make for success in the legal profession. He was quick-witted, possessed natural forensic ability, and was powerful as a pleader before juries.

One of his eulogists, a writer for one of his home papers, thus speaks of him:

> He was not a great lawyer and never pretended to be, for he was not long enough in practice to gain the experience that fits men of a legal turn of mind for big things, yet he had grit and much native ability.

That fairly portrays WILLIAM HUGHES as a member of the bar. He had all the innate ability which would have made him a celebrated constitutional lawyer had his inclinations led him in that direction. But his tastes and habits induced him to cultivate a different branch of his profession, jury trials, and in that direction he won a pronounced degree of success.

In due course of time, in 1912, by appointment of the then governor of New Jersey, Woodrow Wilson, Representative HUGHES—he was then in Congress—attained the distinction of a place on the bench as judge of the county court of Passaic.

Let us see what judgment his fellow members of the bar have passed upon him. Following his decease the Passaic County Bar Association, in a eulogistic set of resolutions adopted, said:

> As a lawyer he stood among the leaders of his chosen profession. Admitted to the bar as attorney, June term, 1900, and as counselor, June term, 1903, he practiced with honor to himself and his profession. He had a keen analytical mind, and was always faithful and painstaking toward the interests of his clients * * *. The Passaic County Bar has lost a worthy, able, and loyal member.

In open court, following the death of Senator HUGHES, Judge W. W. Watson, of the same tribunal over which the deceased had presided a few years previously, said:

> It is eminently fitting and proper that the court in which he sat should take suitable action on his death. This community always delighted to honor him in life, and I join with counsel in the general regret of his untimely death. He had the confidence of the people in every course of action, and this confidence was never found to be misplaced.

WILLIAM HUGHES as a lawyer and judge is less intimately known to the public than as a legislator. The brief quotations I have made show the high place he occupied in the esteem of his professional brethren.

The career of Senator HUGHES upon the bench was brief, his elevation to the Senate following within a few months after assuming the judicial post. Upon this point a local Paterson writer has said:

> In public life he liked every place he ever held, and was enthusiastic for the work, except that of presiding judge of Passaic County, which the President, then Gov. Wilson, appointed him to. That was not to his liking, especially when sentence day arrived, as he once imparted to a friend, he hesitated on that day, for he did not relish the idea of sending his fellow man to prison. He was anxious to leave the bench.

The true sphere of our former comrade was in the strenuous arena of deeds heroic, as a practitioner at the bar, as a commanding figure in the halls of legislation, or as a soldier in the field, had fate called him to such an experience.

And this reminds me that during the Spanish-American War he did offer his services to his country, enlisted in the Second New Jersey Volunteers, and was sent to Florida, but like most

of us who were enrolled in the army of the volunteers, at that time he saw no actual service at the front. But the spirit of patriotism, of service, was there, and he was ready to go wherever sent in defense of his country and flag.

The chief service of WILLIAM HUGHES was as a national legislator, he having served nearly eight years in the lower House and almost five years in the Senate of the United States.

His original election to Congress was a notable achievement, and one which shaped his whole public career. His entrance into the political arena had taken place in 1901, when he had been a Democratic candidate for the assembly from Passaic County. Though defeated, his party being in the minority, he ran considerably ahead of his associates, the result of a very aggressive campaign on his part.

In 1902 he became the Democratic nominee for Congress. His competitor was Col. William Barbour, one of the wealthiest and most representative Republicans of that section. Col. Barbour had been, a few years previously, treasurer of the Republican national committee. He was an extensive manufacturer, and, oddly enough, it was in his mill that HUGHES, when a youth, had originally been employed.

The contest, so far as the Democratic candidate, then a young man of only 30 years of age, was concerned, was recognized as a forlorn hope. The success of Col. Barbour, in a district theretofore Republican, was looked upon as a certainty.

Nevertheless, the young lawyer-millhand plunged into the contest with that ardor which characterized all his activities, and conducted an aggressive, effective campaign of a sort never previously witnessed in that district. When the polls were closed, it was ascertained that the wide-awake, young Irish-American had carried the day, his majority being 3,800.

Two years later he was defeated by a margin of only 510 votes at a time Roosevelt carried the district by 5,200. In 1906 he was reelected, as he was in 1908 and again in 1910.

It was during the close of his fourth term, in 1912, that Gov. Wilson appointed him to a judgeship in Passaic County.

Concerning the career of my former colleague while a Member of the House I shall not speak in detail. There are other Senators on this floor who were Members of that body with him, and they may dwell upon that phase of his public service.

It is a fact, however, that he attained a degree of prominence in that body, and long before his service there had terminated he was recognized as an active force in the development of the legislative program.

His influence in the House chiefly grew out of the fact of his extreme popularity among all classes, leaders and led, his amiability, good humor, and camaraderie being recognized by men of all parties. The friendships there established by him were maintained throughout the remainder of his life.

On January 26, 1913, the legislature being then in session, he was chosen United States Senator for a full term of six years. At the preceding primary election, September 24, 1912, he had been the choice of his party, his election following, as stated, this being the final legislative choice of a Senator in my State prior to the adoption of the constitutional amendment regulating the choice by popular vote. He took his seat in this body March 4, 1913.

Concerning the scope and character of his service here I will defer to other Senators who served with him and who are more familiar with the subject than am I.

Yet the Nation at large knows that he speedily attained a position of influence in this body and became a member of various important committees, being chairman of the Committee on Pensions at the time of his death.

His strong personality soon manifested itself, and new friendships were created, strong and abiding in character, as had been the case during his career in the other branch of Congress.

His every action was characterized by a warmth of feeling, a deep emotionalism, which attracted and attached men to him and made them his friends and his confidantes. Among his associates WILLIAM HUGHES, the Senator and statesman, became BILLY HUGHES the man. It was as such they learned to love him, for he was intensely human, and his heart was always overflowing with sympathy.

A primary element in his success grew out of the fact that, in spite of any professional or political honors which came to him, WILLIAM HUGHES never forgot his mill associates, and until the close of his career was ever an insistent champion of the hand toiler in every walk of life. Before judge and jury, on the rostrum, from his place in House and Senate, he demanded that the rights of the laboring man must be subserved if genuine democracy should be maintained—a doctrine no true American can controvert.

One of the most notable characteristics of Senator HUGHES was his vigorous partisanship. Upon this point one of his intimate friends, Joseph P. Tumulty, has recently said: "He was an intense Democrat."

In his last speech in this body, January 12, 1917, he emphasized his party loyalty, saying, in a defense of the South:

> We have kept the fires on the altars of democracy lighted in the North and in the East and in the West in this country by means of the patriotic fervor and flame that has been furnished to us by these men of the South.

No man should be censured for his love of and devotion to party, for entertaining admiration for its achievements and affection for its leaders. Like a certain other distinguished Senator from a sister State, my former colleague was never ashamed to say "I am a Democrat."

But WILLIAM HUGHES was more than a partisan. He was a patriot. While for his party he had a deep affection, for his country he entertained an undying, almost holy devotion.

In his last public utterance, in a speech delivered in Newark, he said:

> I don't know whether you approve of the things I have tried to do while I have been in the Senate. Of course, I know that many of my acts have been proper subjects of criticism. There is one thing you must say of me—it is that I have always voted as an American United States Senator

In his final speech in this Senate, to which I have already referred, delivered January 12, 1917, he said:

> As far as I am concerned, I am an American citizen. I have not a single fiber in my body which entertains or could possibly entertain the slightest prejudice for any section of the country. I love the West, I love the East, the North, and the South. They are all alike. They are welded by a great fire into one Nation.

That was the fundamental mainspring of his life, a genuine patriotism, founded upon an unadulterated Americanism and exhibiting no tinge or shadow of hyphenization. As his friend, Mr. Tumulty, had said of him: "His Americanism was of the purest kind."

My association with WILLIAM HUGHES in this body was very brief. I entered this Chamber March 5, 1917, and he passed out of it a month later, never to return. He was nearing the twilight of his earthly career, and he knew it.

The concluding stages of his life have been thus described by one who knew him intimately:

> He was a great soul. For years he had been suffering from the malady which finally ended in his death. He knew for the past few years the nature of the trouble which afflicted him, yet he never made outward show of his great pain and agony. To his intimate friends, who learned to love him because of his big, generous, democratic nature, he was still the cheerful, loyal, useful associate.

When I called upon him in the hospital in this city that was the state of mind in which I found him—cheerful, genial, optimistic.

Of course, he longed to get back into his seat that he might play his part in the great struggle for civilization into which his country had been plunged. That he was unable to perform the service which he desired to render in the great crisis which confronted the Nation naturally gave him deep concern; yet he complained not that destiny had eliminated him as a factor in the supreme conflict.

Finally came the end of all things mortal to WILLIAM HUGHES, at the capital of his and my State, January 30, 1918. His life had been a strenuous one, but the close of it was peaceful. Like a tired child, weary with the activities of the day, he closed his eyes and slept. The victor in many battles was vanquished at last by the invincible conqueror, Death.

Upon the occasion of his obsequies, February 2, 1918, the officiating clergyman said:

> First of all, friendliness. Yes; that was a conspicuous virtue of his. A genial and kindly personality, a glad readiness to serve anyone; a real spirit of approachableness, showing a true appreciation of kinship with his brother man.
>
> I am sure you will agree with me that he had a genius of friendship. How well he exercised that gift finds evidence to-day in the altogether deep and universal sympathy and sorrow that find expression in the thousands of lives his life touched.

That exquisite tribute to the memory of WILLIAM HUGHES found a responsive echo in the hearts of those who heard the distinguished divine, for the most of them could bear testimony from personal experience that their deceased friend and neighbor was precisely the sort of man thus depicted.

In simple, terse, yet eloquent terms, one of his home papers thus phrases the same tribute:

> The great gathering that turned out yesterday afternoon to attend the funeral of the late Senator HUGHES was a fine tribute to a man who has made himself loved not only in Paterson but throughout the State and in the National Capital. BILLY HUGHES is no more, but his memory will long live in the hearts of men.

Beneath the flower-decked sod at Cedar Lawn Cemetery lies all that was mortal of WILLIAM HUGHES. No more shall we gaze upon the familiar form of our friend and associate.

But not even death itself can deaden the power of recollection or curtail the sweep of our affections. While memory shall hold

sway over our intellects we shall have before us the kindly smile, the sympathetic speech, the generous act of him who, though now sleeping the last great sleep, yet still liveth in our thoughts and in our emotions.

Mr. THOMAS. Mr. President, the tribute which the Senator from New Jersey [Mr. FRELINGHUYSEN] has just paid to his departed colleague is so complete, so comprehensive, and so beautiful that I can only hope to add a few words of appreciation.

The Senator from New Jersey has well said that the career of Senator HUGHES illustrates the possibilities available to a young boy, whatever his station in life, by the institutions of this country. There is no place, however exalted, to which he may not aspire, and which he may not reach by perseverance, constant effort, and merit.

Shortly after Senator Broderick, of California, entered this Chamber he had occasion to refer to his own obscure origin and to describe in language which I can not hope to emulate the career which in America opens before every boy who desires to avail himself of his opportunities. He closed by pointing to the painted symbols in the vaulted ceiling of the Chamber and said, "Senators, there you behold my father's handiwork."

Senator HUGHES began life amidst surroundings and apparent difficulties which would easily have discouraged a less resolute and persevering nature, but he made it a point to do well whatever he turned his hand to. He began life as a mill boy, and during his apprenticeship he learned not only the details of his own particular field of employment, but he mastered those of every branch of the business.

He was a member of the Senate Committee on Finance, and as such took part in the framing of the so-called Underwood-Simmons tariff bill. He there displayed an extent of information regarding the silk industry, which comprehended all of its phases and details from the beginning of operation upon the raw material to the sale of the finished product. He did not stop there, but was familiar as well with its domestic and international markets, and with all of those details, knowledge of which is supposed to be in the possession only of those who are in full management of and who have devoted their lives to the subject.

Subsequently, when it became necessary to encourage the dye industry because of the difficulty of obtaining material in consequence of the war, Congress enacted an additional measure for the encouragement and development of that industry. He had virtual charge of the subject in the committee and again he displayed a familiarity with and a knowledge of the subject to which I think no other member of that great committee possessed. The work was his. The bill as presented finally to the consideration of the Senate was the offspring of his industry and of his genius more than that of any other member of the committee.

I once expressed to him my surprise that he should have so completely comprehended and that he could so well remember the technical details, as well as the general reach of the subject, in view of his devotion to other fields of effort, particularly in the practice of the law and in the service of his country. He replied that he never turned his attention to anything without realizing the necessity of thoroughly familiarizing himself with it as far as possible. That was the more remarkable, because during his membership in the Senate he did not to me seem to display any great qualities of application or industry, notwithstanding his constant attendance upon the sessions of the Senate.

If I were called upon to mention any other outstanding characteristic of Senator HUGHES I should say that he was a man of the highest moral courage; a man of the strongest convictions; a man whose idea of duty was its rigid performance, regardless of consequences. Shortly before he was elected to the Senate a pension bill was considered by the other House which, if enacted, would add an annual burden of $50,000,000 to the fixed expenditures of the Nation. He worked and voted against it; he spoke in opposition to it. Every sort of inducement was brought to bear upon him to withdraw his opposition. Finally the suggestion was made that if he voted against the measure it would mean his defeat for reelection. He replied that his seat was not worth $50,000,000 to the American people; they could not afford to pay any such price to secure his reelection. Needless to say, Mr. President, the people of his district admired his courage and gave expression of their approval by elevating him to the Senate of the United States.

Senator HUGHES, Senator James, and Representative HEFLIN, of Alabama, were during the Senator's term a trio of inseparable friends. They were companions of the most genial character; all of them young, strong, hearty, vigorous, and each apparently endowed with a long lease of life. They were among the youngest Members of the American Congress. They were the life and soul of every gathering of which they were a part. Their companionship was welcomed and hailed by all who knew them. I know of no friendship or association more human in all of its phases than that which existed between these three splendid gentlemen. But two of them have gone to their long home, and only one remains. May he long live to mourn his departed friends.

I think, Mr. President, that the death of Senator HUGHES had much to do with the early demise of his dear friend, Senator James. Senator James was deeply concerned, very anxious regarding the outcome of Senator HUGHES's malady. He went to see him every day of his life, and one could tell what the progress of the disease was by watching the demeanor and conversation of Senator James. Finally Senator HUGHES was removed from the city and was taken to Trenton, N. J., where, I think, he passed the remainder of his life. During that time Senator James was in constant communication with him, frequently visited him, and kept his associates and colleagues informed regarding Senator HUGHES's condition. I saw Senator James shortly after Senator HUGHES's funeral, which he attended. He seemed to be heartbroken, despondent, discouraged. His face had that drawn and painful expression which indicated his own physical infirmity. It was not at all surprising that the one should have so soon followed the other.

Mr. President, the genial companionship of a man like Senator HUGHES was a pleasure to his associates. He was always, even when disturbed by some passing incident, open, generous, and always lovable. He did his part in the work which was committed to the consideration of the Congress while he was a Member of it. He impressed himself upon every feature of our legislation. He told me shortly before he was stricken that he had given the better part of his life to the public service, and that it remained for him now to do something for his own family and dependents; that he would no longer aspire to a position in public life, but that at the end of his term he would resume the practice of his profession. That, Mr. President, is a reminder that many a man gives the best that is in him without reward or hope of reward in public service like his, and that as time passes he is compelled to realize that he has been faithful to the public at the expense of those dependent upon him for their existence.

He died poor. His long service, from the commencement of his public life to its close, covering a period of 12 or 15 years, if applied to the practice of his profession would have made him a competence and left his family comfortable and in the enjoyment of modest wealth. The man, Mr. President, who gives such an exhibition of service is indeed a patriot.

These are the claims of Senator HUGHES to the love and gratitude of his country. I am sure that they have given and will continue to give them in full measure.

Mr. HOLLIS. Mr. President, the life history of the late Senator HUGHES, of New Jersey, as detailed here so graphically by his former colleague [Mr. FRELINGHUYSEN], gives ample food for reflection to those who study our American experiment in democracy. It marks the rise of a strong, active man, of unusual intelligence and character, from humble beginnings to a position of honor and influence among his fellows.

Careers of this sort are luckily not unusual in our American Commonwealth. Out of the seething mass of our industrial life stalwart figures emerge here and there by no special rule of opportunity, inheritance, or geography, and force their way to universal recognition. It is one of the happy results of our common-school system and our form of government.

The life of Senator HUGHES is remarkable because he began his life as a wage earner, gaining his living by manual labor in a factory and acquiring his education under most difficult and discouraging circumstances, and because he became the Democratic representative of a Republican State in the United States Senate. In these respects he began lower than most successful men, and he achieved a position that few men in any State succeed in reaching.

But the arresting fact about Senator HUGHES is that he continued to be the same man, the same "BILLY HUGHES" throughout his life. As a Representative in Congress he was as simple and direct; as a Senator he was as unassuming as when he drew a pay envelope on Saturday night.

The temptation to assume importance, to "put on airs," is usually irresistible to men who have risen from the ranks. Workingmen tell me that the hardest master, the most intolerant superintendent, is the man who has been himself a workingman. Economists say that the true conservative is not the man of inherited wealth, not the man of leisure, not the student or the philosopher, but the man who has risen to eminence under the existing rules of life. What has been good enough for him is good enough for all others.

Not so with "BILLY HUGHES." He began as a radical; he continued in Congress as a radical; and he completed his career in the Senate as a radical. He kept up his acquaintance with his early friends. He began as a man of the people and as a man of the people he died.

He was a particular friend of the private in our Army. We obtained from him glimpses of the hardships and of the treatment of the private soldier at the hands of officers that we obtained nowhere else. It was Senator HUGHES who insisted upon and forced to successful adoption the statute which increased the pay of the common soldier from $15 to $30 a month.

He had a faculty of stripping away the veneer of society and showing up a problem in all its stark nakedness in the blazing light of day. Time and again I have seen him in the Senate settle a question with a short sentence or two by speaking the simple, blunt truth, when all the rest of the Senate was circling around the problem and mincing words. The colleague of Senator HUGHES at the time of his death has referred to the last speech Senator HUGHES made. I am confident that every speech of Senator HUGHES that can be found in the CONGRESSIONAL RECORD will be discovered to bristle with these blunt, simple facts which could not be dodged when once they were placed before the Senate and before the country.

Mr. President, this is no place for repeating anecdotes or witticisms, but all who knew Senator HUGHES will recall countless instances when his humor flashed out with startling brilliance. And yet he never lost his standing as a man of fixed purpose and sound judgment, as so many have done who have acquired reputations as humorists.

To say that a Member of the United States Senate is honest is ordinarily not much of a compliment. A man is expected to be honest in the Senate, to keep his word, to do as he agrees, not to cheat or deceive, just as much as he is required to be 30 years old and to swear to support the Constitution. But to be intellectually honest, in the sense of being honest with one's self, of realizing principles and clinging to them tenaciously, of refusing to yield principles for personal ease or party advantage is a rare quality, and that quality Senator HUGHES had to a remarkable degree. His rugged strength was an inspiration to his associates. He made it easier for his colleagues to satisfy their consciences.

And Senator HUGHES had an appreciation of the finer side of life. He always opposed a tariff on sculptures, paintings, and works of art generally. I remember hearing him one day expatiating on the good that a cheap print of a masterpiece would do in an humble home, citing the Angelus as a conspicuous example. He said that instead of putting a tariff on such works of art, and especially on the cheaper reproductions, the country could well afford to place a bounty upon them, if bounties were ever defensible.

He fought not only for the protection of women, children, and workingmen, for the rights of the common soldier, for the exclusion of prison-made goods from competition with goods made by free labor, and against the stop-watch system, but also he fought for the protection of birds and animals. He had a tender heart and an artistic perception. The finer things of life had for him a strong appeal. A brave, strong, rugged man, honest, diligent, intelligent, in the prime of life, Senator HUGHES could ill be spared from his country's service; but those of us who knew him, who were privileged to be his friends, are the better for his example, for our association with him, for the things that he taught us, and the strength that he gave us. The thought of him makes it easier for us to do a hard thing that we know to be right.

Mr. PITTMAN. Mr. President, the Senator from New Jersey [Mr. FRELINGHUYSEN], the colleague of our deceased friend, has spoken so fully my thoughts, and has spoken them so much more clearly than I shall be able to speak them, that I call attention to his tribute in my address, so that those who are interested in the history, the life, and the characteristics of Senator HUGHES may know where to find it and where to read it with a genuine pleasure. It comes from the heart and mind of a political opponent—a political opponent from the deceased Senator's own State. It speaks with a sincerity and with a force and with a soul that will be recognized by all who read it.

The good deeds of Senator HUGHES have been recorded. His struggle through adversity to the highest place in the land and in the affection and esteem of the people of this country have been described in detail by the distinguished Senator. There are other Senators here who have already spoken and others who will speak who have known Senator HUGHES longer than I have known him; and while they feel no deeper friendship for him than I feel or hold him in higher admiration, it will be recognized that they are better qualified to do justice to this peculiarly great American citizen than I am. It is for such reason that I speak but briefly the intimate thoughts that come to my mind.

I believe I understand the life of "BILLY" HUGHES, and yet I have found much difficulty in describing that character even to myself. I can not compare him with some other statesmen. He was himself. He knew no forms. He followed no examples. He had no heroes to worship. He made no effort, as far as I know, to emulate any great character or any great statesman. He seemed to be moved by his own ideals, by his own impulses with regard to what was just and what was right and wrong, and when moved by those impulses he was totally unconcerned with regard to the effect that his action might have upon his personal welfare.

When I first met him I was charmed by his wit and by his humor and by his easy quotation of the most beautiful passages in poetry; I was edified by his knowledge of history; and yet these things that then impressed me so deeply are but a few of the many charms of this versatile man. I looked on him then as the humorist, as the wit, as the care-free, happy-go-lucky man who loved life, who loved happiness, who loved and trusted his fellow men. At this first meeting I saw nothing of the deep and sincere seriousness of the man. While I saw that in him to make me love him, I did not then see those traits of character which would lead me to admire and respect him as I afterwards learned to do.

It was not long, however, before I found out that these characteristics were but the screen that concealed the more serious man behind; and since then, as these war pictures have come to my mind, I have thought of those characteristics that I noted in that first meeting, as the beautiful blooming flowers that are hung over and in front of those great guns that prevented the Huns from devastating civilization. The same determination, the same invincible power to fight forever for right, and with the same grimness, lay behind those beautiful screens of flowers. And then when I saw him roused to antagonism against a foe, when I saw him defending the principles that he loved, defending the cause of labor, the cause of the orphan, and particularly the cause of the little children against the attacks of the selfish moneyed interests of the country, I was impressed with the idea that he was a cold, harsh, determined man of steel, an unbending man, a man who had no nerves, a man who was simply a machine for the defense of principle. He showed no patience with subterfuges. He showed no tolerance with deceit and hypocrisy and plutocracy. He made no compromises with it. He denounced it for what it was, in language that was brutal to those against whom it was directed. He feared not for their feelings nor for the forces that they might bring to bear against him; and in that fighting attitude, in that uncompromising, unbending attitude, he seemed to be the hardest, coldest man that I had ever known. And yet later I saw him sitting as a member of a committee, listening to the story of suffering of a little family, listening to the plain, unvarnished statement of the deprivations of little children, I saw the great soul well up in him and the tears rain out of his eyes upon his desk like those of a gentle woman.

He was BILLY HUGHES. He was harsh, he was gentle; he was beautiful, and he was abrupt. He scorned publicity; he ridiculed conceit and vanity. In his splendid analytical ability he not only saw the shallow attempts of others, the lightness of their grasp upon great questions, their finite being, but he saw it in himself, and he ridiculed it and treated it with the contempt in himself that frequently gave him the appearance of being a careless, carefree, thoughtless man. And yet, with this complex disposition, with this character that caused him to jump from the joyful to the sorrowful, from the gentle to the brutal, he was always working fixedly to one end, and that was to throw around the weak and the helpless and the downtrodden and the oppressed of every land every protection of law and society. There never was a bill, there never was a provision in a bill that could be made so seductive that in principle was against the interest of the masses that could persuade his support for a single moment. There were provisions of bills that appealed to other strong supporters of the laboring class of this country to such an extent as to lead them astray, but they never appealed to BILLY HUGHES. He knew intuitively what was right, and he never failed to stand back of his intuition.

There were greater orators, but never was there an orator who spoke in a greater cause. There were statesmen possibly more learned, but there never was a statesman who was more often right. He was a valuable Member of this body, and he was a valuable citizen of the country. He has cast credit not only on the Senate but upon American citizenship. As has been

stated by the distinguished Senator from New Hampshire [Mr. HOLLIS], his life is a tribute to our form of government. His career is an absolute denial of every suspicion that was ever cast upon the possibilities of the highest success of the plain people under our Republic. It stands out as an example that will stimulate the hope and the ambition and the honor and the fearlessness of poor young men throughout all this country.

Senator HUGHES did God's work on this earth. From the very beginning of his young life until its completion he did good. He loved little children. He nurtured them, he protected them. He loved women, and he threw around them the protecting arm of the law so that they might not be oppressed by the injustice of greed. He hated everything that was mean, that was cruel, that was ungodly. His every-day life was the strongest confession of good, of God, that man could make in any temple on earth. His soul grew and grew all the time that he was on this earth, and according to the law of God it will continue to grow on and on throughout eternity. He worked here under every hardship, against every disadvantage, under terrible suffering. He accomplished a great deal. He has done much in the brief life that God saw fit to give him on this earth; and we know, beyond argument or suspicion, that his life has not been in vain.

Mr. WILLIAMS. Mr. President, it is customary now to say that while "in the good old times of the Republic" the schoolmaster was in the habit of inciting the ambition and spurring the zeal of his pupils by reminding them that anyone of them "might some day be elected President." Such an appeal can not be made now in this time of "control by money and organization." Senator HUGHES was a living illustration of the opposite note to this pessimism. He worked in a mill as a common wage-earner; he saved money, studied law, became a successful practitioner in the courts of the East, where the best lawyers are supposed to be; was elected for several terms as a Representative, and then later as a Senator in the Congress of these United States. Although he never became nor aspired to become President, nor was even constitutionally qualified for it, his career was proof of the fact that the day of opportunity for achievement of high place in America, if only intellect, energy, and industry exist and are summoned to the task, has not become a thing of the past.

When he came to the House he was equipped for his duty. What is more, and what can not be said of all who begin a career there, he did not stand still; he grew day by day in information and power. He was not of the class who sought position as a final consummation, or a rest or a release from work; he sought it as a stepping stone to higher achievement and as a vantage ground for better and more useful work.

Having been a workingman himself, he knew the situation, the hardships, and the rights of laboring men, and his public career was mainly a work for their welfare and advancement. He also, for the same reason, knew when anybody was demagoging in the name of "labor," and his righteous indignation and impatience when this was the case was something beautiful to behold and his verbal outbursts when he "bawled out," as he phrased it, men who came for unjust things in advocacy of which some of them hoped to exploit themselves, and others were merely deluded, was something fine to hear. Those whom he thus honestly reproved and thereby taught would stand things, or "take things," as we Americans say, from him, Mr. President, that they would not have heard, except in indignation, from you or me. It was because they knew that he was "one of them"; they knew that all his sympathy and love were at their service without hypocrisy or mere lip service.

I have sometimes feared for him politically when I have heard him as a member of the Finance Committee of the Senate say strong things to visiting delegations, but they generally said, "Well, Billy must be right, maybe he knows better than we do what can be done for us; anyhow we know he wants to do what is best for our interest," and left Washington still his friends. BILLY HUGHES, as his friends loved to call him, took pride in being of that Welsh stock which has exhibited such a rare combination of practical sagacity and idealism in the persons of so many great men, from Thomas Jefferson, at the very birth of this Republic, to David Lloyd George, at the helm in England at this moment. This race trait he possessed, and it enabled him to understand and cooperate with the high purpose of that idealist, and yet practical statesman, the former president of Princeton University, later governor of New Jersey, Senator HUGHES's State, and now President of the United States.

I first met BILLY HUGHES when he first ran for Congress, having spoken in his district in behalf of his candidacy and in the interest of the political party to which we both belonged. Every two years afterwards, as long as we were both in the House, I went up to New Jersey "to help him out," as he called it. His home life was sweet and modest and full of mutual affection.

In the House and the Senate he seemed to select and attach himself to a few friends, and having "their adoption tried," "grappled them to his soul with hooks of steel," making intimates of them. Next to his honesty of purpose and devotion to the just interests of the masses of men and his remarkable and sweet family affection, his loyalty to friends stood out as his salient characteristic. Most of these friends of his thus made intimates by him in the two Houses of Congress have preceded or have followed him into that other world, which all partially dread and partially long for.

Those of us left have missed him sorely and will continue to miss him; while without ever seeing them again, or seeing them but seldom, we shall continue to sympathize with and love his loved ones of whom he often spoke with just pride and deep affection when talking to close friends, though, of course, he did not wear his heart on his sleeve for every daw to peck at.

To him who has loved much, much shall be forgiven. This dead friend of mine intensely loved his fellow men and especially those whom God committed to his charge, and God will pay it back in kind—as Leigh Hunt says He paid Abou Ben Adhem—in the supreme coin of God's love.

Mr. FRELINGHUYSEN. Mr. President, my colleague, Mr. BAIRD, unfortunately is detained on account of illness. He has sent a communication which he has requested me to read in closing these exercises. He says:

I regret that I am unable to be present personally to pay a tribute to the memory of my predecessor in office, the Hon. WILLIAM HUGHES. I knew him personally, and while aware of his illness, which he bore with patience and fortitude, yet I did not think that that illness would have a fatal termination; indeed, it was farthest from my thoughts that he should pass away and that I should be his successor.

I knew WILLIAM HUGHES to be a self-made man, in the best acceptance of that term. He had, by the exercise of native ability, by industry, and by sacrifice, raised himself from humble circumstances to an exalted position in the Nation's service. He enjoyed the trust and the confidence of the people, who honored him by making him their representative in the House and the Senate.

In all his public service as soldier, jurist, and lawmaker, he was loyal, faithful, and efficient. His loyalty to his country was shown when he promptly responded to the call to arms in the Spanish-American War. He had the respect of all who were acquainted with him, while those who came in close association with him were charmed by his amiable disposition and warm heart. In everything that he did he was manly and straightforward, and he had a host of friends. The State and the Nation sustained a great loss by his death in the prime of manhood and when he had developed his talents for useful public service.

To his widow and those nearest and dearest to him the sense of deep loss should not be unmixed with a feeling of pride in his splendid achievements, a record of public service which will perpetuate his fame as long as the history of this great Republic shall be known to mankind.

DAVID BAIRD.

Mr. President, as a further mark of respect to the memory of the deceased Senators, I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 2 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Monday, January 27, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SUNDAY, *January 26, 1919.*

The House met at 12 o'clock noon and was called to order by Mr. WATKINS as Speaker pro tempore.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, our Father in heaven, for the men who think deeply, act nobly, and accomplish deeds for the public weal, men who fix their thoughts on the eternal values of life and leave behind them paths which others may follow with impunity.

Such were the men whose accomplishments and deeds we are here to record. They have gone, but their works live.

Give us the intelligence, the courage, and grace to do the work Thou hast given us to do, that we may pass serenely on to the larger life in the realms beyond.

Bless, we pray Thee, their colleagues, friends, and those who are nearest and dearest to them in life with the blessed hope of the life eternal.

We are startled and our hearts are bowed down by the sudden and unexpected departure of another Member of this House. Comfort us, we beseech Thee, and all who knew him, in Thine own way.

Lives of great men all remind us
We can make our lives sublime,
And, departing, leave behind us
Footprints on the sands of time.

Footprints that perhaps another,
Sailing o'er life's solemn main,
A forlorn and shipwrecked brother,
Seeing, shall take heart again.
Let us, then, be up and doing,
With a heart for any fate,
Still achieving, still pursuing,
Learn to labor and to wait.

And everlasting praise be Thine through Him who taught us the way and the truth and the life. Amen.

THE JOURNAL.

Mr. MARTIN. Mr. Speaker, I ask unanimous consent that the reading of the Journal be dispensed with.

The SPEAKER pro tempore. If there be no objection, the reading of the Journal will be deferred until to-morrow.

There was no objection.

THE LATE SENATOR BROUSSARD.

The SPEAKER pro tempore. The Clerk will read the special order for to-day.

The Clerk read as follows:

On motion of Mr. MARTIN, by unanimous consent,

Ordered, That Sunday, January 26, 1919, be set apart for addresses upon the life, character, and public services of Hon. ROBERT F. BROUSSARD, late a Senator from the State of Louisiana.

Mr. MARTIN. Mr. Speaker, I offer the following resolution.

The SPEAKER pro tempore. The gentleman from Louisiana offers a resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 520.

Resolved, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. ROBERT F. BROUSSARD, late a Senator of the United States from the State of Louisiana.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of the exercises of this day, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The SPEAKER pro tempore. The question is on the adoption of the resolution.

The resolution was agreed to.

Mr. MARTIN. Mr. Speaker, I enjoyed the privilege of being a close, intimate friend of the late Senator ROBERT F. BROUSSARD, a friendship that existed from the time that he first entered public and political life.

I met him first when as a recent graduate in law he followed the leadership of the late Gov. F. T. Nicholls, and side by side with our present Chief Justice E. D. White and ex-Senators Murphy J. Foster and Donelson Caffery he stumped the State in the great antilottery campaign in a successful effort to rid the State of an institution that had for many years exerted a most corrupting influence in State politics.

Senator ROBERT F. BROUSSARD was born August 17, 1864, on his father's plantation at Loreauville, near New Iberia, La.

As a boy he attended the public and private schools of his home parish until he attained the age of 15 years, when he entered Georgetown University, at Washington, D. C., where he remained for three years.

In 1885 he was appointed inspector of customs at New Orleans, from which position he resigned after taking the civil-service examination and qualifying as assistant weigher and afterwards as expert statistician.

While working for the Government in the city of New Orleans he found time to attend the law course at Tulane University, from which institution he received the degree of bachelor of laws in 1889. Returning to his home in New Iberia he formed a law partnership with J. Donelson Foster, a brother of ex-Senator Murphy J. Foster, under the firm name of Foster & Broussard.

From his boyhood he took a great interest in public affairs, both State and national, and it was but natural, therefore, that his political activity should be coincident with his entrance into the practice of his chosen profession.

He was made a member of the parish Democratic executive committee, and soon afterwards was elected as a member of the Democratic congressional committee and Democratic State central executive committee, and remained a member of the last-named committee for more than 25 years.

When in 1890 the Democratic Party in the State of Louisiana was torn asunder on the antilottery question and the burning issue was whether or not the charter of this institution should be renewed by the State, Mr. BROUSSARD joined the antilottery forces, and in this memorable campaign, which at times threatened bloodshed, he showed himself to be a fearless, aggressive, and eloquent speaker, and from then on his political advancement was most rapid.

In 1892 he became a candidate for district attorney for his judicial district, and though he was bitterly fought by the pro-lottery wing of the Democratic Party, which controlled the parochial organization, he still won out by a small majority, being the only antilottery candidate to carry the district in this election. With such consummate ability did he fill this office that he was subsequently reelected without opposition.

In 1896 the Hon. Andrew Price, who had most ably represented the third district in Congress for many years, withdrew from public life and declared that he would not stand for reelection.

The struggle that followed for the Democratic nomination, though friendly, was both sharp and spectacular.

Judge A. C. Allen, a well-known and able jurist, of St. Mary Parish, contested for the nomination with Senator BROUSSARD, then district attorney. In those days nominations were made by conventions, and in the selection of delegates for the convention there was a contest in every parish in the district.

When the convention assembled at Morgan City the result was still in doubt. The instructed delegates were evenly divided between the two candidates, and it remained for the parish of Terrebonne, which, with 18 delegates, was entitled to 9 votes, to settle the issue.

Balloting was delayed for many hours in the effort made by both contending factions to capture the organization of the convention, but this did not result in an advantage to either candidate.

The roll call began in breathless silence, with all eyes centered on the parish of Terrebonne, whose 18 uninstructed delegates were entitled to one-half vote each. It was generally known how all of these delegates would vote, with the exception of one man, and upon his half vote depended the final outcome of this most exciting contest.

This man was John R. Grinage, who, when his name was called, rose in his seat and said: "Gentlemen of the convention, Tennessee has her 'Bob Taylor,' New Orleans has its 'Bob Davy,' and I believe the third district should have its 'Bon BROUSSARD.' I cast my vote for BON BROUSSARD."

This brought this remarkable contest to a close, and BROUSSARD's nomination was thereupon made unanimous, and he became the Democratic nominee from the third district.

But his troubles were not yet over. The sentiment in the third district was strongly for protection, and the Republicans placed in nomination Judge Taylor Beattie, of Lafourche, a most able and well-known jurist and statesman, whose splendid record as a Confederate soldier and as district judge made him a most formidable opponent.

Both candidates favored protection and both were most forcible speakers, but BROUSSARD had the advantage over his opponent in that he spoke French as eloquently as he did English, and in a district where French was the mother tongue of a large majority of the voters this advantage was used with most telling effect.

BROUSSARD's majority in this election was 2,833 votes, the smallest majority he ever received in his contests for Congress.

He served in the Fifty-fifth to the Sixty-third Congresses, covering a period of 18 years, and so well and faithfully did he serve his constituents that he was opposed in but three of the nine consecutive times that he ran for Congress.

In 1912 Congressman BROUSSARD announced himself as a candidate for the Senate against the Hon. J. Y. SANDERS, now a Member of this Congress, and who was then governor of the State of Louisiana. Gov. SANDERS had been elected by the legislature to the Senate in 1910 to fill the vacancy caused by the death of Senator McEnery, but having declined to resign the governorship in order to take his seat in the Senate, the legislature thereupon elected the Hon. John R. Thornton to fill the unexpired term of Senator McEnery.

Congressman Arsene Pujo, who had served the seventh district of Louisiana with great ability for many years, also entered the senatorial contest. It was conceded from the outset that the race was between SANDERS and BROUSSARD, and it was thought that the candidacy of Pujo would weaken BROUSSARD, as Gov. SANDERS was the organization candidate. This three-cornered contest for the Democratic nomination was one of the most exciting in the political history of the State, as both BROUSSARD and SANDERS were able and aggressive campaigners, and both were extremely popular.

BROUSSARD, however, developed remarkable and unexpected strength in the city of New Orleans, which was thought to be the organization stronghold, and when the vote was counted it was found that BROUSSARD had such a substantial plurality over his two opponents that Gov. SANDERS declined to run in a second primary, and Congressman BROUSSARD was thereupon declared the nominee.

While Senator BROUSSARD was elected to the Senate in 1912, yet as he was not to take his seat until March 4, 1915, it appeared that he would have to retire from public life for two years.

But his friends and constituents would not consent to dispense with his services and insisted upon his retaining his seat in Congress until he entered upon his term of service in the Senate. While he met with some opposition, he was nevertheless nominated by a large majority, and elected for his ninth term in the lower House, where he served until he was sworn in as United States Senator.

Senator BROUSSARD's success in Congress was due to the fact that he was always vigilant and zealously guarded the interests of his constituents. He seldom addressed the House, but when he did he always commanded attention, as he spoke eloquently, forcibly, and to the point. He was a bold and aggressive debater, and he never hesitated to assert his views plainly and unequivocally, nor did he hesitate to fearlessly challenge that which he did not approve.

As the Representative of the great sugar-producing district of the State of Louisiana, he made a close study of the sugar industry, especially as to the necessity for its protection against foreign competition, and it was generally conceded in both branches of Congress that he was an authority on any question pertaining to sugar.

That his intimate knowledge of this industry and aggressive fight in its behalf when it was being assailed by free-trade advocates was an important factor in saving the sugar industry in Louisiana from destruction is admitted by everyone familiar with the facts.

He was severely criticized, both at home and at the Nation's Capital, when he accepted an appointment on the Ways and Means Committee at the hands of Mr. CANNON, who was then the Republican Speaker of the House of Representatives.

But this appointment enabled him to render signal service to the sugar, rice, and lumber industries during the framing of the Payne-Aldrich tariff bill under the administration of President Taft, and that his action met with the approval of the majority of the people of Louisiana was shown by the fact that he was subsequently elected to the United States Senate, even though he was opposed by two popular and strong contenders.

He conceived it to be his duty to faithfully reflect the views of his constituents and to sustain the policies to which they stood committed. Adverse criticism never for one moment swerved him from this course, and an appreciative and admiring constituency not only indorsed this policy but they did not rest satisfied until they had elevated him to the highest office within their gift.

Senator BROUSSARD's activities in Congress were not, however, confined to tariff issues. He was most vigilant and watchful in behalf of the rivers and navigable waters of Louisiana, and through his efforts many of our natural streams were improved and made navigable, and the great Atchafalaya Harbor at Morgan City was recognized by this Government as a worthy project, and financial aid is now annually extended in deepening and improving that harbor.

It was Senator BROUSSARD who was among the first to grasp the great advantages that would accrue to Louisiana by the construction of an intercoastal canal from the Rio Grande to the Mississippi River. He made repeated trips with the United States engineers over the proposed route of this canal, and so impressed them with the great relief that this would give in the way of transportation that upon the recommendation of the engineers the project was adopted, and this canal, which will do so much for the development of south Louisiana, is now in course of construction.

When Senator BROUSSARD was sworn in on March 4, 1915, the Democratic Party was in control of the Senate, and the recognition which the leaders gave him was indicative of the reputation he had gained in 18 years' service in the House. He was made chairman of the Committee on National Banks and was a member of the Committee on the Census, Claims, Library, Manufactures, Naval Affairs, Pacific Islands and Porto Rico, Post Offices and Post Roads, Public Buildings and Grounds, and Rules.

While Senator BROUSSARD served but two and one-half years in the upper House, yet in this time he established for himself the same reputation for ability, efficiency, and brilliancy which he had established in the lower House. His duties in the Senate were both numerous and exacting, but they were discharged with such fidelity, and the results obtained were so satisfying to the people and great interests concerned, that it was generally conceded that had he lived he would have been returned to the Senate without opposition.

Mr. Speaker, I have thus far spoken of the life and public services of Senator BROUSSARD, but I can not close these remarks without paying tribute to the personal character of one who, for more than 20 years, was my close personal friend.

Constant association and contact with him not only inspired admiration of his ability, but no man could be much thrown with Bob BROUSSARD without soon learning to love him. It was never my privilege to know a man with a more even temper and with more personal magnetism. There was a simplicity in his manner that attracted everyone with whom he became acquainted, and to know him was to remain his friend and admirer.

He had few, if any, enemies. He loved his fellow men. His heart bubbled over with kindness and generosity.

In his political career he had many sharp and bitter contests, and yet when the smoke of the battle had lifted it was always found that Bob BROUSSARD had emerged from each struggle stronger and more popular than when he entered it.

He was a man of intense convictions, and he had the courage to express them, but he fought so fairly, so frankly, and so openly that no one even questioned his sincerity, and he came out of his political contests with the admiration and respect of those who had fought him most bitterly.

He was from the people and he always continued to be one of them. He gave to his humblest constituents the same consideration and attention that he gave the most powerful. He considered himself the servant of all the people, regardless of their station or condition.

The Broussard family is one of the largest in Southwest Louisiana, and when Senator BROUSSARD was first elected to Congress his numerous kinsmen began to call him "Couzan Bob," and this name gradually grew in popular favor until he was called by this name from one end of the State to the other.

A Creole himself, "Couzan Bob" was the idol of the Creoles, who constitute most of the population of the third Louisiana district, and he was most deserving of this popularity, as he was always accessible and always faithful to the interests which they so repeatedly committed to his trust.

Senator BROUSSARD had no children, and his affections were centered upon his wife, Miss Manette Applegate, and she it was who through his months of illness and suffering was his constant companion and gave him the love, care, and attention that not only prolonged his life but made his last days cheerful and comfortable.

When death was near at hand, Senator BROUSSARD, notwithstanding the orders of his physician, refused to deny himself to his friends. So long as he was conscious, he insisted that they be admitted to his chamber, and as long as he had the strength his hand was always extended in cheerful and friendly greeting.

Mr. Speaker, Senator BROUSSARD possessed many splendid and beautiful traits of character, but if I were asked to select the one which was most to be admired I would unhesitatingly say his devotion and loyalty to his friends.

I can never forget that even when death was staring him in the face he made a special trip to Washington for no other purpose save that of joining with his colleagues from Louisiana in the doing of a generous act which he felt would redound to my interest and advantage.

His kindness, his achievements, and his triumphs will always be a precious memory to those who loved him, and I count it as a priceless heritage to have had the privilege of enjoying his friendship.

Mr. RODENBERG. Mr. Speaker, the one dominant, outstanding trait in the sterling character of ROBERT F. BROUSSARD was his uncompromising loyalty to conviction. This was the very genesis of his political creed. With courage born of the highest conception of duty he was as true and steadfast to his ideals as is the needle to the pole. With full confidence in his own rectitude of purpose, he valiantly championed that which he believed to be right without hope of praise or fear of criticism. His fine spirit rebelled at the very thought of sacrificing conviction for popularity.

"Bob" BROUSSARD never deserted a friend or abandoned a principle. He knew naught of expediency and he did not care to know. He was incapable of deception, and all the world recognized in him a brave and manly man who, in victory and in defeat, stood "four square to all the winds that blow."

It is now 20 years since I entered Congress, and within a few days after becoming a Member of this body it was my good fortune to make the acquaintance of our departed friend. Instinctively attracted by a personality that radiated sincerity and good fellowship, I soon formed an attachment for him that ripened into the warmest friendship of my entire congressional

career. There is no man, living or dead, for whom I entertained a more genuine affection that I did for "Bob" BROUSSARD. Today, as I recall that close intimacy of two full decades, unmarred by a single unpleasant incident, I feel myself again under the spell of that genial, friendly smile. Again I feel the hearty, sincere handclasp; again I hear the pleasant, cheery words of greeting. Methinks I see him now erect, courtly, chivalrous, unaffected—one of God's noblemen.

Mr. Speaker, it is not given to mortal man to comprehend the mystery of life and death. We can not quite understand a dispensation that removes from the activities of life one who was in the very prime of vigorous manhood and at the very zenith of his intellectual powers, with years of splendid usefulness still stretching out before him. With a faith that has its foundation in our belief in the immortality of the soul, we bow to the Divine will and accept the decree. It is this sublime and sustaining faith, a faith that rises "triumphant o'er our fears," that dissipates the mists of doubt and gloom, and in this solemn hour unfolds to our enraptured gaze the glories of the eternal morn. For him the mystery has been solved and the future stands revealed. "After life's fitful fever he sleeps well."

Knowing Bob BROUSSARD as I knew him, I know that death had no terrors for him. I know that he approached the end calmly, unflinchingly, majestically. He lived and died—a gentleman. Great in life, grand in death, now glorious in memory! For 18 years he occupied a seat in this Chamber, and for more than two years he was a Member of the Senate of the United States. During all of that time he served his constituency with an intelligent zeal and fidelity equaled by few and surpassed by none. Broad in his sympathies, generous in his nature, unfailing in his good humor, "with malice toward none and charity for all," he was never known to turn a deaf ear to the cries of distress. Often have I seen him retrace his steps to dispense charity to some blind or crippled mendicant whom he happened to pass on the street. He was never happier than when doing some kindly, gracious act. He loved his fellow man deeply, sincerely, and that love found expression in the most thoughtful consideration for all who came in contact with him. Fearless and independent, courteous and cultured, conscientious and constructive, eloquent and logical, Bob BROUSSARD possessed all of the elements of the ideal legislator. It is no wonder that he has left the impress of his strong and virile personality upon the history of his day and generation, and in the memory of his many noble deeds, nobly done, he has reared for himself a monument that will endure so long as sentiment abides in the hearts of men.

Mr. FORDNEY. Mr. Speaker, we have met to-day to say our last official word of appreciation of our friend Senator ROBERT F. BROUSSARD, whom so many of us remember as a long-time Member of the House. When the Sixty-fifth Congress assembled more than one-third of the Senate roll was composed of former Members of the House of Representatives. There were JOHN H. BANKHEAD and OSCAR W. UNDERWOOD, of Alabama; MARCUS A. SMITH, of Arizona; JOSEPH T. ROBINSON, of Arkansas; JOHN F. SHAFROTH, of Colorado; FRANK B. BRANDEGEE, of Connecticut; THOMAS W. HARDWICK, of Georgia; JAMES HAMILTON LEWIS, of Illinois; JAMES E. WATSON, of Indiana; CHARLES CURTIS, of Kansas; Ollie M. James, of Kentucky; JOSEPH E. RANSDELL and ROBERT F. BROUSSARD, of Louisiana; JOHN WALTER SMITH, of Maryland; HENRY CABOT LODGE and JOHN W. WEEKS, of Massachusetts; WILLIAM ALDEN SMITH and CHARLES E. TOWNSEND, of Michigan; KNUTE NELSON, of Minnesota; JOHN SHARP WILLIAMS, of Mississippi; William J. Stone, of Missouri; GILBERT M. HITCHCOCK and GEORGE W. NORRIS, of Nebraska; FRANCIS G. NEWLANDS, of Nevada; Jacob H. Gallinger, of New Hampshire; WILLIAM HUGHES, of New Jersey; WILLIAM M. CALDER, of New York; ASLE J. GRONNA, of North Dakota; KENNETH MCKELLAR, of Tennessee; MORRIS SHEPPARD, of Texas; WILLIAM H. KING, of Utah; CLAUDE A. SWANSON, of Virginia; WESLEY L. JONES and MILES POINDEXTER, of Washington; NATHAN GOFF and HOWARD SUTHERLAND, of West Virginia; and ROBERT M. LA FOLLETTE, of Wisconsin.

Of the long list of our former colleagues in the House Senators James of Kentucky, BROUSSARD of Louisiana, Stone of Missouri, Newlands of Nevada, Gallinger of New Hampshire, and Hughes of New Jersey have passed away within two years, a remarkable harvest of the reaper whose name is Death. Think of it! Of 37 ex-Members of the House who were Members of the Senate in December, 1917, six have died, or one in every six, a mortality more than ten times greater than that of our troops in war! Their going makes us exclaim, as Warren Hastings exclaimed when he heard of the death of his opponent in a political campaign, "What shadows we are, and what shadows we pursue!" It makes us remember that—

The glories of our birth and state
Are shadows, not substantial things.
There is no armour against fate.
Death lays his icy hand on kings.
Scepter and crown must tumble down,
And in the earth be equal made
With the poor humble scythe and spade.

Mr. BROUSSARD had passed nearly half his life in the city of Washington. He was educated at Georgetown University, over beyond Rock Creek, and in his college days looked daily across from those commanding heights that overlook the Potomac to the tall Dome of this great Capitol. How little could he foresee that he would spend more than 20 years beneath this Dome. Going home to Louisiana from Georgetown he studied law at Tulane University at New Orleans. Then practiced law at his home in New Iberia, and almost immediately was chosen prosecuting attorney, which position he resigned to come to the House of Representatives. In this respect he followed the course that so many other men have taken. A successful representative of the people in the courts of his home community often has many of the qualities that make him a successful Representative in this House. And Mr. BROUSSARD had these qualities. He loved to be among the folks about him. He could have said truthfully with Kipling—

For as they come and as they go,
Whatever their degree,
The people, Lord, thy people
Are good enough for me.

It was no pretense that made him the genial companion of all those about him. He understood them, and so they were drawn to him.

He had other qualities that made him distinguished as a legislator. Though a Democrat, he was great enough to put the welfare of his people above his party. All who were here in the Sixty-third Congress will remember his gallant fight for the industries of his State when the Underwood tariff bill was under consideration. I will not stop to recall the details of that contest; but the stand made by Mr. BROUSSARD against party opposition displayed courage and patriotism of the highest type.

Though a fluent and convincing speaker, Mr. BROUSSARD did not often take the floor, and never unless he had something worth while to say. He did not expand the RECORD much, but every session he was with us in either end of the Capitol he expanded the list of his friends and admirers. He is with us no more, but he is the sort of man who makes us think more kindly of the world beyond the grave, because he is the sort of man whom we want to meet again. When he was living on this earth and we were about to go to New Orleans, that lovely southern metropolis was more desirable if we knew that Bob BROUSSARD would be there to welcome us. In the eternal summer of the celestial city, free from care, eternity will surely be more worth while to those who can look forward to a welcome and a friendly smile from ROBERT F. BROUSSARD.

Mr. SANDERS of Louisiana. Mr. Speaker, Bob BROUSSARD and I were born and resided in adjoining counties. We knew each other practically all our lives. We both entered politics together in the memorable campaign of 1892, he being elected district attorney of his district and I being elected a member of the Louisiana House of Representatives, both running and both winning on the antilottery Democratic ticket.

In the many campaigns that Mr. BROUSSARD had in the early days when he was first elected to Congress from the third district we always fought side by side. In after years our personal ambitions clashed and we fought each other just as frankly as we had previously fought together, but our personal relationship was never interfered with by our political differences. Politically Mr. BROUSSARD and myself differed on many things and many occasions, but personally our relationship was always that of friend one to the other.

I believe no man in Louisiana had more friends than Senator ROBERT F. BROUSSARD. He served those friends according to his lights and did that which he thought was right. His death has left many a sorrow and many a wound in Louisiana. He had a large circle of friends, a large circle of relatives, and a family all proud of him and of whom he was proud. He is gone. Peace be unto him, and may comfort come to those who loved him.

Mr. RUCKER. Mr. Speaker, when I came to Washington as a Member of this House one of the first acquaintances formed beyond my own delegation was with the distinguished gentleman from Louisiana, ROBERT F. BROUSSARD. Our acquaintance was casual and formed in the usual way that such acquaintances begin, but as time passed and we were thrown more intimately together in the discharge of our respective official duties and had longer and larger opportunities for association that

acquaintance developed into a friendship of the most ardent nature. I do not exaggerate when, speaking for myself, I confess that it became an affection.

I have been much gratified and pleased at the splendid tributes that have been paid to both the personal and official life and character of my deceased friend. I indorse all that has been so beautifully said. No man within my memory or acquaintance with whom I have ever associated was broader in his conception of the right or braver in his determination to do the right than Bon BROUSSARD. True, generous, and confiding, always and under all circumstances a gentleman of the most pronounced type. When the sad message was flashed to Washington announcing the death of Senator BROUSSARD my tears mingled with the tears of his loved ones. I realized that the Nation had lost one of its wisest and best legislators, the State of Louisiana one of her loftiest, noblest, and truest citizens, the wife a kind, affectionate, and loving husband, and I had lost one of my dearest friends.

Mr. Speaker, I can not add to this splendid eulogy contained in the New Iberia Enterprise of April 20, 1918, a paper published in the city where Senator BROUSSARD lived and died:

"OUR MOST POPULAR STATESMAN LAID TO REST—THE PEOPLE'S FRIEND MOURNED BY THE WHOLE STATE.

"Last Tuesday New Iberia had a day of deep, intense mourning and sorrow connected with the interment of Iberia's most distinguished son, United States Senator ROBERT F. BROUSSARD, known in terms of universal love and admiration as 'Couzan Bob.'

"Nature seemed to have carved from the calendar the most beautiful day of the month and fused it with the very heart throbs of his numberless friends and devotees. The majestic oak in front of the courthouse, under which he lay in state, with its graceful branches and protecting foliage, lent a somberness, a deep-felt solemnity, mellowed in tone and tinged by the ever-evasive, eluding sun's rays, to the close of his life and career, a typical epic of completed work and silenced loyalty.

"The mute evidence of tears and anguish, the unuttered sympathy and worship of the moving mass of humanity attending the obsequies, is the finest, most imperishable monument laid at his bier. Friend and foe in handclasp felt the sting of the silence of death. The yawning grave about to absorb his most precious mortal remains deepened the unfathomable mystery which cancels brilliancy of mind, loyalty of heart, warmth of friendship, of lofty service of a staunch and stern citizenship, exacted the inexorable tribute of reverence and homage. No public man on the stage of Louisiana's political life has ever dominated and controlled as completely as our departed friend Bob the friendship, the love of his fellow citizens. The personal magnetism will be the phenomena of the record of his deeds. In all his varied and multitudinous activities—political, social, and fraternal—the same element of humane feelings characterized the results. He put man and life above the economic materialism which plays so large a part and is such a prominent feature in our American life and consciousness. It is this recognition of the successes and failures, the hardships and privations, the punishments and rewards of the common man of the crowd, the struggling mass of darkness and adversity, the achievements and triumphs of those creators of wealth and opportunities of the industrial realm of the State that wove the laurel wreaths, the crowns of service, placed upon his brow of useful, honorable career.

"Leading the simple life, wanting no extraordinary luxuries and improvised extravagances, he became an apostle of work and industry without the poison of pride and the power of glory. The best weapon and equipment in his battles and successes were his spirit of natural humility and modesty.

"He felt nature to be the best instructor, with no shams and pretensions, with no false ideas or artificial attitudes. Under stress, in storm and tempest, he followed the rigid rules of his manhood and conscience. He believed thoroughly in the honesty and integrity of the silent, spiritual voice in human nature. He worshipped the truth and the limitation of man's ability and intellectual capacity. He hated shadows and gave consideration to substance. Illusions appeared as the germs of poison in his great solemn enterprises. His whole public career, his congressional history, his senatorial services reflect this personality. Everything credited to his victories during the passions and prejudices of political campaigns, every trophy brought back from any contest where right and loyalty were being assailed and menaced, breathes in a large degree the soul of his unimpeachable, unspotted service. We have many Creoles and Acadians in the public life in the State of Louisiana, but none, so far, has yet, in public estimation and dispassionate judgment and unbiased mind, reached the height of popularity which must be accredited to the place in the niche of fame occupied by mourned Bon BROUSSARD.

"Words can never heal the wounds and cure the scars inflicted by the Grim Reaper. Those pains have to be borne by saint and sinner alike. The laws of nature provide places for shadow and sunshine. Each is necessary to the enfoldment of creation. In our humble capacity, in the feeble way tendered to mankind by speech and signs and tokens, we offer our most heartfelt sympathies and sincerest condolences to the grief-stricken widow and immediate relatives.

"An elaborate funeral program was insisted upon by the public and heartily responded to by the fraternal societies of which he was a long and valuable member. The Pythians, the Elks, and the Masons spared no effort and labor to make the last tribute of respect one of the brightest pages and chapters of his history. His life-long and intimate friend, Mr. Louis A. Walet, under the strong impulse of friendship and love delivered a most eloquent funeral oration that is very seldom listened to and privileged to be heard. United States Senator VARDAMAN, of Mississippi, one of his colleagues in the United States Senate, delivered, in one of the noblest and most inspiring efforts, a eulogy of which any poet or painter of word pictures would be eminently proud. Many tears from men and women in the audience were seen to furtively roll down the cheeks as a manifestation of that sacred thrill which love and admiration generates. This completed the public ceremonies and started the march of the funeral cortege to the Catholic graveyard where his remains were temporarily laid at rest in the tomb of Mr. Felix Patout.

"In spite of the presence of the sepulcher and the lugubrious atmosphere, a bright light, the sunshine of hope pierced the pall of distress of his widow and relatives and friends when another of his former colleagues in Congress, Hon RODENBERG, of Illinois, delivered the last and most touching panegyric human being ever listened to. With a sincerity and deep emotion engraved on every word spoken and sentence delivered his deep emotion and overwhelming fraternalism overwhelmed all within the reach of his voice. Love, friendship, and charity, fraternity and equality, were the reward which went down to the grave into eternity. Memory will forever treasure and refresh with the spirit of emulation and recognition of the heart's value and the soul's rôle in nature's days of busy life the crowded record of the career of Bob BROUSSARD.

"The munificence and luxuriance of the floral decorations were reminiscence of the extensive ramifications the effect of his public life had upon the political and industrial development of the State of Louisiana. Those were symbols of the fruit of the tree of life, the utility of man's service, a health and the proper investment of man's faculties. Each garland represented every drop of his life dedicated to the duties he assumed and the work he accomplished. Upon that altar of self-sacrifice and inspiring patriotism rests a finished temple erected to his life and memory.

"The pallbearers were his two brothers, Hon. Edwin S. Broussard, Albert Broussard; Richard P. Steckler and Preston Guilbeau, brothers-in-law; a cousin, Silvio Broussard; and intimate friends, Dr. George J. Sabatier, William H. Price, and Van Beary.

"Among the distinguished senatorial committee here to attend the obsequies were Senators JAMES K. VARDAMAN, of Mississippi; THOMAS P. GORE, of Oklahoma; HENRY L. MYERS, of Montana; WILLIAM H. THOMPSON, of Kansas; WILLIAM F. KIRBY, of Arkansas; JOSEPH E. RANSDELL, of Louisiana; and HOWARD SUTHERLAND, of West Virginia. Mr. F. J. Delahoussaye, a page in the Senate, also accompanied the party to New Iberia.

"The Representatives were WATKINS, DUPRÉ, LAZARO, ASWELL, WILSON, SANDERS, and MARTIN, of Louisiana, and RUCKER, of Missouri. Representatives ESTOPINAL, of Louisiana, and LANGLEY, of Kentucky, who were also named on the committee, were unable to serve. The party was in charge of W. D. Meng, Assistant Sergeant at Arms of the Senate, and included, besides the legislative Members, George W. Hess, superintendent of the United States Botanical Gardens and a close friend of the dead Senator.

"Aside from the members of the two congressional committees, Gov. Pleasant, and others, among the prominent mourners were Federal Judge George Whitfield Jack and John C. Pugh, of Shreveport; Judge Winston Overton, of Lake Charles; Senator Bertrand Weil, of Alexandria; Senator A. O. Boyer, of Avoyelles; Col. W. M. Price, of Thibodaux; J. Martin Hamley, of Lake Providence; Lieut. Gov. Fernand Mouton; Secretary of State James J. Bailey; State Auditor Paul Capdevielle; Fred J. Grace, registrar of the State land office; Attorney General A. C. Coco; W. B. Lee, of Shreveport; R. N. Sims, State bank examiner; Numa Montel, of Lafayette; H. R. Speed, of Monroe; John H. Overton, of Assumption; Dudley L. Guilbeau, of Opelousas; Commissioner of Agriculture Wilson; and State Treasurer Henry Hunsicker.

"In the New Orleans party were included State Food Administrator John M. Parker; Rene F. Clerc, president of the board of trade; Richard O. Otero; R. E. O'Rourke; James Thompson, of The Item; Maj. A. D. Stewart; and Senator G. J. Labarre.

"Hundreds of telegrams of condolence poured in, among them one from President Wilson, which was as follows:

"'WASHINGTON, D. C., *April 16, 1918.*

"'Mrs. R. F. BROUSSARD, *New Iberia, La.:*

"'May I not express my profound sympathy with you in the death of your husband.

"'WOODROW WILSON.'

"The R. F. Broussard Memorial Association was organized here. The leaders of the movement are the many friends of the late Senator, who were in attendance at his funeral. The association is headed by Col. W. H. Price, of Lafourche, president, and Henry B. Pruden, of Covington, secretary. Every bank in the State is authorized to receive donations and enter them to the account of the association. Further information will be given by Col. W. H. Price, of Thibodaux, or W. H. Pruden, of Covington. The object of the R. F. Broussard Memorial Association is to raise funds to finance the erection of a suitable monument to the memory of Iberia's beloved son.

SUPPORTED WILSON.

"Mr. BROUSSARD was a loyal supporter of Woodrow Wilson for the presidential nomination in 1912, and it was largely through his influence that the vote of Louisiana at the Baltimore convention in 1912 was split between Wilson and CLARK, and on deciding ballots swung to Wilson.

"Mr. BROUSSARD enjoyed the distinction of being reelected to the House of Representatives after he was elected United States Senator by the legislature. His term as Senator did not begin until March 4, 1915, and in 1912 he was reelected to another two-year term in the House, serving in that body until he took his seat in the Senate."

Mr. DUPRÉ took the chair as Speaker pro tempore.

Mr. WATKINS. Mr. Speaker, I served longer in the House of Representatives with Senator BROUSSARD than any other Member from our State now in the House. He served in the House and the Senate together, in the various Congresses from the time he entered until the time of his death, over 20 years. Gen. Myer also served for 20 years. I believe that Sam Robinson served 20 years. Senator RANSDELL has served more than 20 years, including his service in both Houses. Looking back over the various acts which Senator BROUSSARD performed and the various measures which he advocated, I can say there was no man who was ever more devoted to the interests of his constituents, or who was ever truer to his duty as a Representative, or who ever more properly aroused the great respect, admiration, love, and esteem of his constituents than ROBERT F. BROUSSARD. When I first knew him he appeared as a boy, soon after he had come from the city of Washington, where he had attended for three years Georgetown University. He was then in the customhouse in the city of New Orleans, where he was acting as a Government official. He held two different positions there. The whole city of New Orleans was then boiling and seething and worked up to the highest pitch over the question whether the Louisiana State Lottery should be continued in power as one of the most grinding monopolies ever organized in any government, whether it should be allowed to continue as a corporation, as a business institution, or whether it should be destroyed by the vote of the people.

At that time the people of the city of New Orleans, and to a large extent through the entire State of Louisiana, were so entwined and intermingled and influenced by the lottery and its ramifications were such that it reached nearly every household. Servants in the homes would pilfer for the purpose of contributing their means to sustain this infamous, iniquitous, corrupt gambling concern. It had been instituted during the Republican régime, during the reconstruction period, in the State of Louisiana, and had so embedded itself in the public mind and in public institutions, and had ingratiated itself so in the minds of the people, that it was almost impossible, even with the herculean effort made by the citizens of the State, to disorganize, disrupt, and finally overthrow it.

I speak of this for the purpose of showing the circumstances surrounding the people, the enormous amount of money at the command of the lottery. It was openly buying members of the legislature, it being known at the time as high as $50,000 was paid for the vote of a member of the house or a member of the senate.

During the time of this corruption by this gambling institution, ROBERT BROUSSARD, a young man, a boy, surrounded by all these influences, stood up for the interests and rights of the people, the security and morality of the citizenship of the State of Louisiana. As referred to by Gov. SANDERS, who has just preceded me, he and our former governor and United States Senator Foster, in the same section of the State as Mr. BROUSSARD lived, all worked together against the lottery. At the time the question was finally put to the Legislature of the State of Louisiana the lottery amendment only lacked one vote of having two-thirds, one senator having died.

Mr. BROUSSARD was elected district attorney soon after he was inducted into the practice of law. His courage, his skill, his tact, were such as to enable him to win the confidence of the people to the extent that when he became a candidate for Congress, seven years after he became district attorney, at the age of 33 years, he was elected to Congress.

With him the question of sugar was paramount, this industry of the State being the living of his people, who were dependent on their success in producing and marketing their sugar crop, which was the staple product in the southern part of Louisiana. The very way that Bon BROUSSARD pronounced the word "sugar" was attractive. From the time he entered Congress up to the time of his death nothing was left undone that could have been done by him to enable them to reap the advantages of the great agricultural interests in his district.

There are many things which could be said of ROBERT BROUSSARD. Those of us who are here to-day who attended his funeral know there is no eulogy which could be passed in honor of the memory of the man which would more fully ingratiate him into the love, affection, and esteem of his people. We who were there on that occasion, who saw the remains under the shade of the great oak trees, remember the vast concourse of people, too large to gather in any assembly hall. The subdued voices, the tearful eyes, and throbbing hearts expressed the confidence, esteem, and respect that his people had for him.

Mr. DICKINSON. Mr. Speaker, I regard it a special privilege to be given an opportunity to-day to speak a few words in memory of ROBERT F. BROUSSARD, who served many years as a distinguished Representative in this great body, and who afterwards represented with honor his great State in the Senate.

Shortly after coming to Congress I became acquainted with Senator BROUSSARD, then a Member of the House, and that acquaintance ripened into a friendship deeply appreciated by me.

At all times courteous and gentlemanly, he won the respect and affection of all with whom he came in contact. He possessed a most delightful and attractive personality, which charmed those with whom he associated. Knowing him as I learned to know him, it was easily understood why an appreciative constituency loved to honor him as a representative in public life.

He had in him all the elements that tended to make a successful career and those who knew him well in his long and courageous public service to his State and Nation have paid eloquent and deserved tribute to his worth and character. He had the courage of his convictions, and with marked ability did he sustain himself in the many contests that characterized his public life.

He entered upon his official career early in life and for nearly a quarter of a century he was in the limelight of public opinion. He met with singular ability every test that determined his fitness for the positions of trust that he filled with such distinguished honor.

He ended his long and brillant career in the very prime of his manhood.

My relations to him were those of a personal friend. His courtesies and friendship were appreciated by me. The recollection of his many virtues will be a sweet memory as long as I shall live.

There was a charm about him that few men possessed, and it was a delight to be with him. I learned early to love him and shall always be glad that I knew and had the friendship of ROBERT F. BROUSSARD.

Mr. DUPRÉ. Mr. Speaker, ROBERT FOLIGNY BROUSSARD was in his fifty-fourth year when death claimed him. Almost half of his entire life—practically all of his adult life—was spent in the city of Washington, first as a student of Georgetown University, then as a Member of this body for 18 years, and

finally as a Senator of the United States, which exalted office he was filling at the time of his death. He had accordingly come to be a familiar figure in the Nation's Capital, and counted among the official and resident and visiting population of the District of Columbia a large number of warm personal friends. News of his demise, therefore, was received here with the greatest regret and with manifestations of deepest sympathy. How widespread was the grief in the State of Louisiana has already been emphasized. No one who witnessed it will soon forget the immense concourse from all walks of life and from every portion of the State that gathered in his home city of New Iberia last April to pay him the final tribute of sorrow and respect. The scene at the tomb was memorable and formed a setting worthy of the notable address by the talented and eloquent gentleman from Illinois [Mr. RODENBERG], who had been the dead Senator's intimate friend for many years.

Mr. BROUSSARD had a striking and outstanding personality.

Physically he was handsome of countenance, graceful and easy of carriage, and strong of body. His naturally robust constitution had been developed by his love of out of doors, for he was devoted to life in the open. He loved nature and all growing things—trees and plants and flowers. One rarely saw him without a boutonnière in his lapel. He liked all animals, especially horses and dogs, and reveled in the pastimes with which the latter are associated. He was an ardent devotee of the chase and a crack shot. He enjoyed racing—the "sport of kings"—was an excellent judge of horse flesh, and was himself a skilled equestrian.

Mentally he was richly endowed. He had a quick and alert mind, and his powers of absorption and assimilation were particularly keen. Knowing but little of a subject, he could, after hearing others explain it, grasp the salient points and present the proposition as his very own. He had a ready and picturesque flow of language, a pleasing voice, and a graceful delivery, either in the forum or on the hustings.

Socially he was charming. He was naturally companionable. He liked people and liked to mingle with them. One rarely saw him alone. He was an inimitable raconteur, and his fund of clever and witty stories was inexhaustible. He was most adaptable, equally at home in the club, in the drawing room, or with the man on the street.

Such qualities combined in one man were naturally calculated to draw his fellowmen to his support, and it is only truth to tell that his individual following was as large as, if not larger than, any one public man that the State of Louisiana has known in many a decade. Thousands followed his personal and political fortunes blindly and unquestioningly. There was in him something that in other days the "Mill Boy of the Slashes" had, that the "Plumed Knight of Maine" possessed, and that, in our own time, no one would deny to the "Great Rough Rider," too early dead; but unlike them, he never suffered defeat before the people in his near 30 years of public service.

"BOB BROUSSARD" was of Acadian descent, springing from that sturdy stock whose persecutions and wanderings, while saddening the pages of history, have enriched the literature of all times. He was intensely proud of that fact, as well he might, and it made him all the more profoundly attached and loyal to that Louisiana where this race of people finally found an end to its rovings and tribulations—that Louisiana whose civilization has been leavened and broadened by its advent into its confines. For the Acadians brought with them, and ever since their descendants have practiced, the simple, homely virtues of truth and courage and honor and hospitality. Simple virtues, Mr. Speaker, but fundamental qualities, without which no man or people can or do count in the ultimate.

There, in that Acadian country, in its heart, mayhap within sight of the very oak that was to have been the trysting place of the lovers—Gabriel and Evangeline—on the banks of the historic Teche, with its softly moving waters to sing his requiem until time shall be no more, he sleeps. God give him eternal rest.

Mr. ASWELL. Mr. Speaker, Senator ROBERT F. BROUSSARD was a character most extraordinary. Highly educated and speaking two languages with unsurpassed fluency, he possessed a personal charm that was appealing and overpowering. A keen perception of people and conditions, added to an alert intellect and a ready fluency of speech, easily made him a forceful character at home and in Washington. At the time of his death he was the most popular man personally in the public life of Louisiana.

Gracious in manner, trained and skillful in debate, courageous, active, and vigorous in any cause he espoused, he won the admiration of men everywhere. His people loved him and signally honored him at every opportunity.

He is mourned to-day in Louisiana as few men have been mourned. Expressing sincere sympathy to the bereaved family and paying tribute to his memory in this hour of sorrow, I give this my earnest expression of grief in the loss to our State and Nation of a serviceable citizen whose distinguished ability was known and recognized throughout the country.

Mr. CLARK of Florida. Mr. Speaker, when I came to the House as a new Member 14 years ago, one of the first Members with whom I became closely associated was our departed friend, BOB BROUSSARD, of Louisiana. For six years he and I sat side by side, just about where I now stand, when the desks were in the House. I learned to know him intimately and well. I learned not only to have an affection for him as a friend but a very great admiration, which really ripened into love for the man and his many sterling qualities. BOB BROUSSARD could not do a mean or small thing. He was generosity itself; he was the very soul of honor; and he was one of the most human of men it has ever been my pleasure to know. When he died humanity lost a friend. All of us who knew him here felt that we had lost an able, faithful, conservative legislator; a loyal, patriotic public servant, and a staunch, unselfish, devoted friend.

Mr. Speaker, it is seldom that we are privileged to meet a man in whom so many of the virtues are blended as there were in our late associate. As I say, I have been here some 14 years. Many men with whom I have served in this great body have crossed over the river and are resting under the shade of the trees since I first entered this Chamber as a Member. Many of them have gone out from among us and have solved the great mystery. Notwithstanding what may be said about the House of Representatives, it is at last the one great legislative body on this earth, and the men who come here are distinctly representative of the best that there is in the people who send them. BOB BROUSSARD represented to a remarkable degree the highly intelligent, patriotic, lovable people of the State of Louisiana. He was in a large measure their idol, particularly the people in his immediate vicinity, who had known him all of his life. As has just been stated by one of his colleagues, he never met with defeat in a political contest. Knowing him as I did, it would be impossible to conceive how such a man could be defeated at the hands of his people.

We shall no more be greeted in this historic Hall by his ever-present smile; no more shall we here receive his cordial handclasp and look upon his face, which always beamed with brotherly love for his fellows; but let us fervently hope that in the great beyond whither we are all traveling we may again meet and commune with our beloved comrade and friend who has only preceded us to that beautiful land where there is no more of pain, of suffering, of separation, and of death. May the Great Father in His own good time grant unto us a reunion with our genial and lovable friend, BOB BROUSSARD, in "that mansion not made with hands eternal in the heavens."

Mr. LAZARO. Mr. Speaker, we have met to-day to pay tribute to the memory of one of Louisiana's greatest men, Senator ROBERT F. BROUSSARD.

As a member of the committee who went upon that sad journey when the remains of Senator BROUSSARD were consigned to their last resting place in the city of New Iberia, La., I could not help but be impressed by the solemn ceremony when his body was laid to rest, and to me it was apparent that the people of Louisiana realized in mourning the loss of Senator BROUSSARD they were mourning the loss of one of Louisiana's finest men, truest citizens, and ablest statesmen.

No public man on the stage of Louisiana's political life has ever controlled as completely as did ROBERT BROUSSARD the friendship and love of his fellow citizens. He never failed a friend and never forgot a favor. His personal magnetism will ever remain the crown of his success in public life. In all his activities, political as well as social, the results are characterized by the same element of humane feelings. He put men and life above the economic materialism which to-day plays so large a part in American life and consciousness. He led the simple life, and he represented his people without the poison of pride or the power of glory. His best weapon in his political battles and successes was his spirit of natural humility and modesty. He felt nature to be the best instructor in life, and he looked with contempt upon shams and pretensions. Under political storm and stress he followed the rules of his manhood and always stood by the dictates of his conscience. He loved the truth; he hated shadows; he always adhered to substances. His whole public career in the House and Senate of the United

States reflects his personality. His private life was clean, lovable, and honorable.

ROBERT F. BROUSSARD will go down in the history of his Nation and his State as one of the strongest, one of the most admired, and one of the best loved men who has ever served a people.

Mr. WILSON of Louisiana. Mr. Speaker, I shall make no attempt to recite in detail the facts connected with and making up the interesting and eventful life history of our deceased friend and colleague for whom these services are held; one whom we all delighted to honor while living, and now in sadness and reverence pay deserved tribute to his memory and in some meager way express our appreciation for his distinguished services to our State and country.

Senator ROBERT F. BROUSSARD was known, admired, and loved by Louisianians everywhere, and the immeasurable loss to our State and its people occasioned by his untimely death has been most keenly felt in every section and in each locality.

Just as he had served effectively and unselfishly, with marked ability and exalted patriotism, the people and interests of his native State, guarding with watchful care and working with untiring energy for their advancement and development, so he was held in the universal esteem and affectionate confidence of all.

For many years BOB BROUSSARD was in the foremost rank of the men first in the affairs in Louisiana, and during his service in Congress had attained a standing and reputation that was national.

Independent, fearless, and aggressive, with a fine grasp of public questions, embodying the high ideals that appeal instantly to our people, ready of speech and with a charming personality, he soon rallied to every cause he championed a host of supporters. He was throughout his public career always an important factor in every great issue pertaining to the welfare of the State.

No man who has been a Member of this House ever had a stronger hold on the people of his congressional district. For 18 years he was continuously returned practically without opposition and apparently without any effort on his part except faithful discharge of duty.

A variety of explanations have been given to account for his unbounded popularity in the third Louisiana district and his continued and uninterrupted political supremacy there, one among which has become a tradition throughout the State and has received wide publicity elsewhere. This was that his kinsmen were so numerous, taking in all degrees of cousins, that they held at lease a balance of power in the district, and, all being loyal and devoted to "Couzan Bob" and proud of his distinction, took care that no one should interfere with his political interests or fortunes. If this interesting story were true, no higher tribute could be paid to the memory of any man.

I feel, however, that the true explanation is found in Senator BROUSSARD's own conception and appreciation of the function, duty, and obligations of a Representative in Congress. To use his own words, I quote:

> The Congressman, and I use the word in its true sense, is but the agent of the people or State which sends him here. The principle, in so far as a Member of the House is concerned, is that those who elect that Member have the right to instruct him in regard to their interests, and the Representative has absolutely no right to act adversely to such interests.

The will of his constituents as expressed to him in respect to their interests and their welfare was supreme authority and binding upon him, and he lived religiously up to this doctrine both in the letter and the spirit.

He worked assiduously and fought with determination for the people and the interests of his congressional district, the source of his commission and authority. No amount or character of criticism could swerve him from this course. Every position of honor or preferment coming with any element inconsistent with what he conceived to be his duty to them was brushed aside.

So, in my humble judgment, his faithfulness and devotion to the people and interests of the district which he represented, coupled with his fine ability to achieve results for them, formed the true basis for his great popularity and political success in Louisiana and served to give him the national prominence which enabled him to more effectively extend his career of usefulness to the needs of his entire State and beyond to the Nation.

While many of his party associates in Louisiana and at Washington differed with him as to some matters of party policy and in respect to what they held to be cardinal party principles, contending that the results which he sought could best be obtained by other methods than those which he felt should guide his course, yet no one ever doubted or questioned the sincerity of his purpose, the purity of his motives, or the high quality of his patriotism.

When he sought the Senatorship he took scrupulous care that his position upon all public questions in relation to which he might be called upon to act should be frankly stated and known to all the people of the State.

There can be no surer or more permanent foundation for enduring fame than that which is established by and results from a record of faithful public service, true to promise and to principle, such as characterized the life and public record of ROBERT F. BROUSSARD.

> Statesman, yet friend to truth! Of soul sincere,
> In action faithful, and in honor clear;
> Who broke no promise, served no private end . . .

Mr. DUPRÉ. Mr. Speaker, my colleague [Mr. ESTOPINAL] is unavoidably absent to-day on account of illness. He had prepared some remarks appropriate to this occasion which he sent to me, and I ask unanimous consent that they may be read from the Clerk's desk.

The SPEAKER pro tempore. Without objection, the Clerk will read.

There was no objection, and the Clerk read as follows:

Mr. ESTOPINAL. Mr. Speaker, after serving 18 years in this body and three years in the other branch of the Congress of the United States, ROBERT F. BROUSSARD died at the early age of 53. This memorial service under these circumstances carries an added note of sorrow, for experience and the expanded powers of a remarkably fertile mind had equipped ROBERT F. BROUSSARD for a still larger degree of usefulness to his country and his State in the years which, by nature's usual rule, should follow.

The details of the life and public services of our departed friend and colleague have been given so fully and with such sympathetic recognition in the Senate, and here to-day, that I will confine myself to briefly recalling one happy trait which he possessed to a very unusual degree—an unaffected democracy of manner and a simple, natural, and companionable relation with all people.

It is a rather rare man who is not sobered into reserve and formality of manner to some degree by elevation to high office, with its weight of cares and the engrossment of service, on the one hand, and constant and subtle deferences which tend to feed his vanity and enlarge his sense of self-importance on the other. And more than often these influences develop that indefinable and really unnatural mien which is generally mistermed dignity. ROBERT F. BROUSSARD was one of these rare men. He was "Bob" when he began his official career, thus he remained throughout its lengthening years of official honors, and it was "Bob" who was affectionately and tearfully laid to rest in the town in which he was born and raised. His idea of dignity was work well performed and friends made, retained, and unaffectedly enjoyed.

Mr. Speaker, friends are discriminating—even old friends are, perhaps as much as new ones—and it takes solid qualities, real, effective work and accomplishments to satisfy them. These give grace, savor, and power to natural manner. ROBERT F. BROUSSARD measured up to the full expectations of those who put him here and kept him here. He was an able and faithful Representative and Senator.

Mr. WINGO. Mr. Speaker, Senator BROUSSARD was one of those men whose strong personality, unflinching courage, and great ability commanded the respect even of those who differed with him. But these qualities not only commanded the respect of those who differed with him, but they also invoked from his supporters and friends a zealous attachment that was remarkable.

In a discussion of the character and qualities of Senator BROUSSARD, my good friend, the gentleman from Louisiana, Judge MARTIN, handed me an article by Jules Dreyfus, of New Iberia, La., that expressed in such a fine way the feelings of the people of that great State that I shall confine my tribute to printing, as an extension of my remarks, this tribute from a lifelong friend:

"The demise of United States Senator ROBERT F. BROUSSARD marked a broad, dark, somber swath across the political horizon of Louisiana.

"He was of unique personality and belonged to a class of his own. From a close survey of the political situation, his successor will fill the vacated Senatorship, but not replace the sympathy, the sincerity, the affection with which his labor has been received and accepted by his constituents.

"That silent, mute bond of love and worship his strenuous work excited during his last days at Washington among his

numberless friends and foes will illumine the valley of the dark shadows. His career was meteoric. Some of his political battles had a Napoleonic sweep.

"The struggle for the United States Senatorship against entrenched officialdom reflected a high order of political skill and strategy. A wizard on the stage of the State's public life, his uncanny, mysterious power of hypnotism made him the patron saint of the largest individual following ever recorded. His entrance into public life, especially the beginning of his congressional career, was dramatic in the extreme, if not highly spectacular in some respects. Nominated by one-half vote majority at Morgan City, he at once became a fixed, honored institution in the State's political activities. He weathered all storms and turmoil with unflinching courage and conquered opposition, sometimes defamation and calumny, with such lofty magnanimity that left no scars, no stings. The charm of his manhood, the nobility of a kind, fraternal nature, the spirit of devotion to friends, and the recognition of the rights and privileges of political independence were assets no political expediency and necessity could ever threaten or destroy.

"At Washington he prepared with dogged tenacity to render the yeoman service which posterity and the future historian will recognize as the masterpiece of his life's work. Stalwart in his views on protection, no tariff bill during his term of office at the Capital was ever formulated and submitted to Congress for ratification but bore the imprint of his views and the wisdom of his studies and experience. Having mastered, through close scrutiny and research, the intricate problems of the vexatious sugar questions, he became encyclopedic on the subject and a tower of strength during the precarious, menacing periods blows and assaults were directed against the State's sugar industry. During all these times of stress, uncertainty, and vicissitudes his championship of sugar protection assumed a fervor, a dedication of service which culminated in his political canonization by the democracy of the third district. Changes in Federal administrations, tampering with tariff bills, exploitations of the vagaries of comic economic principles, involving the annihilation or paralization of the sugar industry, never changed his stand, his position. Even at the risk of political ostracism, party expulsion, and savage criticism of a whole small world of bureaucrats, he stood as the rock of ages, the invincible defender on the ramparts fighting libel, repelling economic fetiches, and anarchy. In the United States Senate, as well as the House of Congress, he was recognized as a fearless warrior for the rights, the security, the protection of every sugar planter, of every other industry of the State. He looked upon protection of American labor and manufactures through the eyes of a sire, a prophet. He had no hesitation in the choice of economic policies. He stood unfettered, from party tradition, upon the broad, comprehensive platform which proclaimed the industrial independence, the self-sufficiency, the development of the Nation and its resources. He was no visionary and felt contempt and scorn for the impracticable panaceas projected on the political screen by some misguided, sometimes misled, overzealous leader of the national Democratic organization. The consistency of his immovable stand during his participation in the construction and quadrennial revision of our tariff laws have earned the permanent, deep love, sympathy, and respect of those who looked to him for a solution of that ever-present menace. It has the elements of the fire of fanaticism, the living zeal, the quivering fervor of the crusader. But it is as "Couzan Bob" le roi des Cadiens," "king of the Cajans," that future folklore will remember him, that legend will weave the laurel crown of sanctity. He has, with his own heart, his own lifeblood, created an imperishable shrine to which, for years to come, the stream of Cajan pilgrimage will be directed and the offer of reverence, the humble homage, tenderly deposited.

"No man before him in Louisiana's public life had the sentimental control in as absolute and astonishing a measure over the Creole. He seemed to possess the gift which could read, analyze, and absorb their scars, doubts, humility. With unerring accuracy, the master touch of the prophet, he obtained the unnatural, the supernatural, a complete crystallization of the sorrows, the trials, tribulations, the hopes and ambitions of the Acadian. He appeared as the manifestation of their power, right, and justice, and the height of lofty useful citizenship to which each one could aspire. He transmuted traditional sullenness, hatred, and prejudice into a force of militant brotherhood. He was inspiration and thrill. No audience, however hostile and antagonistic, could long withstand the magic touch. His personal magnetism was phenomenal and a mystery as well as a puzzle to his political rivals. In debates on the hustings, in addresses on the stump, the spontaneous electrification of the phlegm, the apathy, the indifference of the audience was instantaneous. The charm and the virility of his personality remained with him to the end. He had the art, the versatility, the agility, and nobility of mind that rendered his powers of mental penetration an ever-inspiring feature of his nature. This factor rendered, from an ethnographical point of view, the invaluable service that made his coronation as the true apostle of Creolism inevitable. This social achievement, after the effective dissipation of the lingering clouds of distress of a simple, but kind and highly romantic people, still remembering the historical privations and hardships that featured the compulsory exodus of their forebears, will rank with the best work of the great moral and social leaders of our national history and deserve the recognition of the highest authorities in sociology. Many a day will elapse before his people can again tender their hand of friendship to an approximation of what he steadfastly stood and worked for. No public figure in Louisiana to-day can share the exaltation of character, the glorification of principles, the sanctification of efforts which will mark the brightest, the most encouraging pages of a political history replete with service and stirring with sacrifice."

Mr. MARTIN. Mr. Speaker, several Members desired to address the House to-day upon the life and character of Senator BROUSSARD, but are unavoidably absent. I therefore ask unanimous consent that all Members be permitted to extend their remarks in the RECORD.

The SPEAKER pro tempore. Without objection, it will be so ordered.

There was no objection.

THE LATE SENATOR JAMES H. BRADY.

Mr. FRENCH assumed the chair as Speaker pro tempore.

The SPEAKER pro tempore. The Clerk will report the next order of the day.

The Clerk read as follows:

House resolution 521.

On motion of Mr. SMITH of Idaho, by unanimous consent,

Ordered, That Sunday, January 26, 1919, be set apart for addresses upon the life, character, and public services of Hon. JAMES H. BRADY, late a Senator from the State of Idaho.

Mr. SMITH of Idaho. Mr. Speaker, I offer the following resolutions, which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. JAMES H. BRADY, late a Senator of the United States from the State of Idaho.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of the exercises of this day, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

Mr. SMITH of Idaho. Mr. Speaker, the uncertainty of the tenure of human life has been most vividly brought to our attention by the numerous deaths in both branches of Congress during the last two years. Since the Sixty-fifth Congress was convened in special session on April 2, 1917, by proclamation of President Wilson, 10 Senators and 13 Representatives have been called over the Great Divide. In no previous Congress, with one exception, has there been such a large mortality.

The State that I have the honor in part to represent has lost two Senators by death during their term, Hon. Weldon B. Heyburn, whose illustrious career is still fresh in the memory of the people, and Hon. JAMES H. BRADY, whose splendid life, high character, and valued public service we have met here to-day to commemorate.

It was my privilege to be intimately acquainted with Senator BRADY and to enjoy his confidence for nearly a score of years. I was closely associated with him in the conduct of four political campaigns in our State and frequently visited him in his home. We shared each others' joys and successes, as well as our sorrows and disappointments, and I speak from personal knowledge of his noble traits of character, his high ideals, and his many attractive personal qualities. Those who are familiar with his record in the Senate are unanimous in their opinion that no more patriotic, conscientious, or industrious man ever occupied a seat in either branch of Congress. He recognized the great responsibility of his position and rejoiced in the opportunity it afforded for real service. His constant thought was as to how he could best contribute to the happiness, prosperity, and contentment of his constituency and the people generally throughout the country.

Hon. JAMES H. BRADY was born in Indiana County, Pa., June 12, 1862, the son of John and Catherine (Lee) Brady, who were of Scotch-Irish descent. His ancestor, Hugh Brady, emigrated to the United States and married Hannah McCormick, and two of their sons distinguished themselves as soldiers. Samuel Brady attained the rank of captain, and his name became a household word for bravery and resourcefulness in Indian warfare in western Pennsylvania during the early years of the Nation. The other son, Hugh Brady, served as a colonel in the War of 1812.

Senator BRADY's grandfather, James Young Brady, settled on a farm in Indiana County, Pa., and served as a justice of the peace for 43 years. His son John engaged in farming and stock raising in the same county, and later in Marion County, Pa., and finally moved his family to Johnson County, Kans., where he purchased a farm within 20 miles of Kansas City, Mo. Here he became active in politics and held several public positions of honor and trust. He was often called upon to settle disputes among the Kansas pioneers, and was commonly referred to by his neighbors as Judge Brady.

The late Senator attended the public schools of the district and the Leavenworth Normal College. He taught school for three years after receiving his diploma, fitting himself in the meantime for the practice of law. After editing a semiweekly newspaper for two years, he embarked in the real estate business, with branch offices in St. Louis, Mo., Chicago, Ill., and Houston, Tex., in which he was very successful. While thus engaged he became acquainted with the wonderful irrigation and power possibilities of the State of Idaho, and moved there in 1895. He at once became identified with the development of the Snake River Valley, and was the moving spirit in the construction of the Idaho canal, the Marysville canal, and the Fort Hall Indian Reservation canal. He also became interested in the development of water power in southeastern Idaho, and organized the Idaho Consolidated Power Co., which developed the water power at American Falls, from which light and heat were supplied to the surrounding communities.

His activity and long experience in irrigation affairs brought him the position of vice president of the National Irrigation Congress, 1896–1898, and membership on its executive committee, 1900–1904. He was an influential factor in this organization, through whose instrumentality great impetus was given toward securing the enactment of the national reclamation law.

Senator BRADY took an active interest in public affairs from early manhood. The same energy and executive ability which he displayed in his business enterprises distinguished him as an organizer and leader in the Republican Party, and his foresight, business intelligence, personal popularity, and capacity for work became a valuable asset to that party in Idaho soon after he became identified with the State. He was selected as a delegate to the Republican national conventions of 1900, 1908, and 1916. He was chosen chairman of the Idaho delegation to the convention of 1908, and a member of the delegation selected by the convention to notify former President William H. Taft of his nomination at his home in Cincinnati, Ohio.

In 1904 he was selected as chairman of the Republican State Central Committee of Idaho and again selected in 1906 and led his party to victory in both campaigns. He was nominated in convention by acclamation as the Republican candidate for governor in 1908 and was elected November 3 of that year by a magnificent majority.

As governor, Senator BRADY urged the passage of the direct-primary and local-option bills and was largely instrumental in their enactment into law. Among other legislation he advocated and which was enacted during his administration as governor were an amendment of the law regulating the period of employment in underground mines, an employers' liability law, and a law prohibiting wholesale liquor dealers being interested in places doing retail business. Provision was made for the care and protection of orphans and of the homeless, neglected, or abused children, and for the indeterminate sentence of persons convicted of felonies, except treason and murder in the first degree. He advocated many other measures for the advancement of the welfare of the people of the State and contributed privately both time and money to almost every movement which had for its purposes the upbuilding of the State and the development of its resources.

After he retired as chief executive he immediately again turned his attention to the development of the agricultural resources of the State, in which he had been so active before his election. He purchased a large irrigation project near Mountain Home, and at great expense rehabilitated the entire system, which otherwise would practically have been a complete failure and resulted in great loss to the settlers.

With a view of attracting the attention of the eastern people to the opportunities in various lines of endeavor in the West, Mr. BRADY in 1911 arranged for a special train to carry the governors of the northern and northwestern States across the continent, visiting all the principal cities between St. Paul and New York. The organization was known as the "governors' special," and the party was entertained by various cities along the route and by the governors in the central and eastern States. President Taft gave the party a state dinner at the White House, and the various governors in the party were entertained by the respective State delegations in Congress.

In 1912 Mr. BRADY was elected president of the Trans-Mississippi Commercial Congress, the duties of which position occupied much of his time during that year.

The death of Senator Heyburn on October 17, 1912, created a vacancy in the Senate, to which Gov. Hawley appointed Hon. K. I. Perky, to hold until the legislature should elect a successor. Mr. BRADY was a candidate before the legislature, which convened the following January, and several other prominent Republicans also aspired to the position. After 35 ballots, Senator BRADY received a majority on the 24th of January, 1913, and was declared elected for the balance of the unexpired term ending March 4, 1915. He was a candidate to succeed himself and was reelected by the people at the general election in November, 1914, for a full six-year term.

On entering the Senate his success in business affairs and his long experience in handling large enterprises was recognized by the leaders in that body giving him assignments to important committees. He was selected as chairman of the Committee on National Banks and was given membership on Military Affairs, Agriculture and Forestry, Mines and Mining, Public Buildings and Grounds, Conservation of National Resources, and Expenditures in the Department of Commerce.

He brought to his committee work and to his duties on the floor of the Senate a wide and varied knowledge of the legislative needs of the country, which he had gained by his activity in business and politics and as chief executive of his State, which, with his natural enthusiasm and self-confidence, made a most favorable impression on his colleagues and enabled him to accomplish a great deal toward securing their support for the enactment of wise and beneficial legislation of a local and national character.

The advent of the country into the world war made necessary from the day war was declared almost daily meetings of the great Committee on Military Affairs and frequent meetings of the Committee on Agriculture to hear the officers of the Army discuss the country's need of men, munitions, and supplies. Senator BRADY, although then in failing health, regularly attended these meetings, and although his friends and his physicians warned him of the danger to his health by applying himself so constantly to his duties, he could not be dissuaded, insisting that his responsibilities to his country demanded his whole time and thought as much as if he had been assigned to the camp or trench for the performance of military duty.

Senator BRADY earnestly supported legislation for the preparation and conduct of the war, and for making the most liberal provision for the equipment and comfort of the soldiers and the care of their families.

Although a strict party man, no thought of party advantage influenced him in the consideration of legislation pertaining to the conduct of the war. The common interest of all the people impelled him to forget partisanship, and to keep in mind only the one thought, to win the war at any cost.

He was enthusiastic in his support of the Government's plans to assume the large burden our Republic was to bear in the world conflict, and his dying regret was that he could not live to do his part and rejoice in the victory which he felt confident would crown the struggle of his country and her allies to annihilate militarism in Europe and bring a lasting peace to the world.

Senator BRADY's wide knowledge of business and the agricultural resources of the country made him a valued member of the Agricultural Committee, which had in charge the legislation for the procurement and conservation of the food supply of our allies. He argued successfully that production could be stimulated by a guaranteed market at a fair price, and that when the farmers were appealed to on patriotic grounds they would cheerfully respond by an increased production, and the nonproducers from patriotic motives would conserve food to the limit in order that our soldiers and those of our allies might have an abundance.

The Senator's fondness for companionship and his natural inclination to cooperate with his friends and neighbors in all matters affecting the general welfare of the people are well illustrated by his membership in various fraternal and semi-business organizations. He was a member of the Pocatello Commercial Club, Boise Commercial Club, Salt Lake Commercial Club, Rocky Mountain Club of New York, president of the Western Development Association, president Idaho Children's

Home Finding and Aid Society, honorary vice president Panama-Pacific Exposition, chairman advisory board National Council Women Voters, honorary member Grand Army of the Republic, department of Idaho, and honorary member Kansas Historical Society. He was a Woodman of the World, an Odd Fellow, a Mason, an Elk, an Eagle, and a member of the Congregational Church.

Senator BRADY was married to Miss Irene M. Moore in June, 1913, who survives him. He is also survived by two sons by a former marriage, who have inherited many of the fine characteristics which distinguished their father. Until recently the elder son, James Robb Brady, was a publisher of a newspaper at Caney, Kans., and the other son, Samuel Edward Brady, was in the jewelry business at El Reno, Okla., but both have moved to Pocatello since their father's death to be in closer touch with their business interests.

Mr. Speaker, of the many admirable characteristics possessed by the late Senator BRADY I believe generosity was the most conspicuous, and that commendable quality embraces practically all the virtues. Most men ambitious for political, professional, or business success frequently act as if the path to fame and fortune is only wide enough for their own feet. Not so with Senator BRADY. He wanted to make it a great highway and was always willing to lend a helping hand to anybody honestly trying to get a footing there.

There are thousands of men in Idaho to-day who are independent because of substantial assistance and opportunity afforded them by him, and thousands of hearts have been made glad and thousands of homes have been made happier because of his activities. Many young men have been aided by him to secure an education who otherwise would have been handicapped in life's battles, and are now substantial and honored citizens. Is it any wonder that he is mourned by the people of his adopted State, to whom he was so devoted?

Senator BRADY was most deeply interested in every movement intended to advance his home city, and, while he was recognized throughout the State as a public-spirited citizen, his neighbors always had good reason to feel that he had a special interest in Pocatello. He had done much toward its upbuilding and had great plans by which it could be further improved. He always met the most humble of his neighbors with a genial familiarity that made them feel that he was one among them and could be approached without ceremony or embarrassment.

He could "walk with kings nor lose the common touch."

Because of his genial manner, he may have been imposed upon occasionally, but a worthy request was never refused.

An incident well illustrating that his great heart overflowed with a kindly sympathy for the unfortunate was related to me by a recipient of his favor, who occupied a lowly position at the Capitol. His married son had fallen into bad company and lost his position and his home had been broken up. The father was in despair as to what he should do to aid his son to get a new start under different environments, and he concluded if he could secure him a position in a distant State through one of the Senators the son would probably reform. Not personally knowing any of the Senators, he told me he observed them day after day entering the Capitol and finally selected Senator BRADY as the one most likely to be easily approached. He asked for an interview, which was granted, and he related his story, which aroused the Senator's interest and sympathy, and he not only secured him employment in his home town, but advanced his railroad fare, amounting to nearly $100. The young man gave splendid satisfaction in his new position and in a few months sent for his wife, and they again established a home.

It has been my good fortune to know many men of high as well as of low estate, but I can truthfully say that I have never known a man who was so solicitous of the happiness and comfort of others as Senator BRADY. Of fine physique and genial manner, he was always the moving spirit in every gathering; courteous, gentle, and dignified, easily winning the confidence and respect of all whom he met.

Mr. Speaker, a wise and useful legislator, a generous and unselfish friend, an eminent and patriotic citizen, has gone from among us. The people of the State he loved so well and served with such faithful and laborious devotion will treasure his memory and strive to imitate his noble virtues and to give to our country that full measure of devotion which constituted the highest distinction of this faithful servant of the people.

The kindly heart of the late Senator is stilled, but he will continue to live in the inspiration which he gave to those with whom he came in contact, and that generous, broad spirit of his will grow and expand through the activity of others inspired by him.

Senator BRADY appeared unafraid to receive the fatal summons. He conducted himself as one conscious of having consistently striven to do his whole duty to his fellow man and his God, and who had the sweet assurance that beyond this life he would enter into another sphere of usefulness and contentment.

Life: we've been long together
Through pleasant and through cloudy weather;
'Tis hard to part when friends are dear;
Perhaps 'twill cost a sigh, a tear;
Then steal away, give little warning,
Choose thine own time;
Say not "Good night," but in some brighter clime
Bid me "Good morning."

Mr. HILLIARD. Mr. Speaker, it was not my pleasure to meet the late JAMES H. BRADY until we both were in Congress, he at the other end of the Capitol. But long before I came to Washington I knew of the distinguished man in whose memory a session of the House of Representatives is now proceeding.

Idaho is one of Colorado's close and splendid neighbors. Neither the vastness of that Commonwealth's resources nor the virtues of her sons are unknown in Colorado. And of her sons not one was better or more favorably heralded than he whose death we mourn.

Besides, Mr. Speaker, I always had a feeling that I knew Senator BRADY in a personal way because of the close and cordial friendship which existed between him and Mr. Frank H. Hilliard, near and dear of kin to me. From my relative, who for many years and until recently was a resident of Pocatello, the home city of the late Senator, I learned of Mr. BRADY's admirable qualities and came to know of the hold which he had on the good people who delighted to honor him. If I were not prompted by other and sufficient considerations, as I am, Mr. Speaker, the friendship to which I have referred would make it incumbent on me to add my testimony to the substantial worth and the distinguished and disinterested service of Mr. BRADY.

The subject of my remarks was not born in Idaho, neither did he go there in the early days. Not the fetish of nativity, therefore, nor the glory of pioneering accounted for his prominence. Simply through sturdy manhood and intellectual and practical grasp of the needs of the people did Senator BRADY's triumphs come. Elevation to high political honors is achieved by no man save through the expression of the people's choice on occasions when the sovereign electors make selections of their public servants. In instances men have been chosen to office as the result of aiding and altogether extraneous circumstances, without which the electors favoring would not have sufficed. Men so chosen have all the rights and legal enjoyments of men more freely chosen. But Senator BRADY won because of the very love for him which the populace had in their hearts. This heart devotion in his lifetime has become heart memory in his death.

Daniel Webster may not have done so, but no admirer of that remarkable statesman would wish that he did not write the little poem often attributed to him, entitled:

THE MEMORY OF THE HEART

If stores of dry and learned lore we gain,
We keep them in the memory of the brain.
Names, things, and facts, whate'er we knowledge call,
There is the common ledger for them all.
And images on this cold surface traced
Make slight impressions and are soon effaced.
But we've a page more glowing and bright,
Whereon our friendships and our loves to write.
That these may never from the soul depart,
We trust them to the memory of the heart.
There is no dimming, no effacement there;
Each new pulsation keeps the record clear.
Warm, golden letters all the tablets fill,
Nor lose their luster till the heart stands still.

The people not alone of Idaho but of the entire West, Mr. Speaker, mourn this good man. His leadership meant so much to them, his counsel was so comforting, and his sympathies so embracing. Other men will follow him as earlier ones preceded, but his place will never be filled.

The Congress of the United States, in the midst of present trials unprecedented and most difficult, and facing conditions that only the stoutest-hearted and altogether faithful can view with calmness of spirit, more and more will miss his wise counsel, his perfect poise.

The wife of his bosom and the family of his hearthstone—what of comfort, of joy, of sunshine does the world hold for them? What can man say to those sorrowing ones?

Lord Tennyson voiced, oh, so keenly and so adequately, the impelling grief and the insuperable difficulty in the lines—

Break, break, break,
On thy cold gray stones, O Sea!
And I would that my tongue could utter
The thoughts that arise in me.

O, well for the fisherman's boy,
That he shouts with his sister at play!
O, well for the sailor lad,
That he sings in his boat on the bay!

And the stately ships go on
To their haven under the hill;
But O for the touch of a vanish'd hand,
And the sound of a voice that is still!

Break, break, break,
At the foot of thy crags, O Sea!
But the tender grace of a day that is dead
Will never come back to me.

But in more hopeful and comforting words, and long before Tennyson was born, the psalmist sang:

The Lord is my shepherd; I shall not want.
He maketh me to lie down in green pastures;
He leadeth me beside the still waters.
He restoreth my soul;
He leadeth me in the paths of righteousness for His name's sake.
Yea, though I walk through the valley of the shadow of death,
I will fear no evil,
For Thou art with me;
Thy rod and Thy staff they comfort me.
Thou preparest a table before me in the presence of mine enemies;
Thou anointest my head with oil; my cup runneth over.
Surely goodness and mercy shall follow me all the days of my life;
And I shall dwell in the house of the Lord forever.

Mr. Speaker, high as were the honors which Mr. BRADY enjoyed, and striking as were his achievements, still his ideals were never fully attained. His philosophy of life and service spurred him to the utmost, but he appreciated the weakness of man and of man government. Knowledge that the wagon is never driven to the star did not tempt him to desist in the effort. His star was justice to humanity, his wagon the chariot of service to his kind on earth.

He lived a full life and a useful one. His successes offered him opportunity to work for his fellows; his failures hallowed his soul for efforts anew.

I have read in a grand old story
That is lost beyond recall,
That the sweetest song of the singer
Has never been sung at all.

That ever before the painter,
Like a mist cloud soft and faint,
Floats a fairer, sweeter picture
Than ever his brush can paint.

That deep in the soul of the sculptor,
Seen by his eyes alone,
Sleeps the perfect form of the angel
In the uncarven stone.

I know that the dreams that are fairest
Have never yet come true,
For they melt away in the morning
Like sparkling drops of dew.

But the song of the singer was sweeter
For the one that he might not sing,
And the painter caught some tintings
From the glint of the dream dove's wing.

Our days would often be dreary
Were it not for the flitting dream,
And the lives we live are the better
For the surge of the pent-up stream.

Mr. AUSTIN. Mr. Speaker, on the invitation of my colleagues, BURTON L. FRENCH and ADDISON T. SMITH, the able and faithful Representatives in this House from the State of Idaho, I avail myself of the privilege and honor to offer tribute to the memory of their beloved Senator, JAMES H. BRADY, who, with six other Senators—Messrs. Jacob H. Gallinger, of New Hampshire; William Hughes, of New Jersey; Ollie M. James, of Kentucky; Robert F. Broussard, of Louisiana; William J. Stone, of Missouri; and Benjamin R. Tillman, of South Carolina; as well as 12 Representatives—Messrs. E. R. Bathrick, of Ohio; J. H. Capstick, of New Jersey; D. W. Comstock, of Indiana; J. H. Davidson, of Wisconsin; H. T. Helgesen, of North Dakota; E. J. Hill, of Connecticut; W. A. Jones, of Virginia; Charles Martin, of Illinois; Jacob Meeker, of Missouri; J. A. Sterling, of Illinois; C. A. Sulloway, of New Hampshire; and J. F. Talbott, of Maryland—passed away during the year 1918. This long roll of our honored dead who were Members of both Houses of Congress is proof of the hard service and trying labors of those who are commissioned by the people to meet and discharge the many difficult problems of official work and legislation during one of the most trying periods in the history of our country.

In this list of public servants Idaho gave to the Nation a faithful, industrious, and patriotic American in the person of Senator JAMES H. BRADY. His five years of devoted service in the United States Senate were but a repetition of his splendid record of fidelity and efficiency as chief executive of the sovereign State of Idaho. This plain, honest, hard-working, enterprising, generous, self-made man left behind an enviable record, not only in his distant home in the far-away Rocky Mountains, but here in the Capital City of the Republic; he soon won the confidence, respect, good will, and admiration of his colleagues in the Senate, also of the Members of this House who had the good fortune to know him.

The life and career of Senator BRADY is full of hope, encouragement, and inspiration to the American youth. He began his useful and successful career as a Kansas school-teacher. Then journalism appealed to him, and from that fascinating occupation he entered the real estate business, and then came the lure of the inviting West and a new home amid the beautiful mountains of Idaho, famed for its wonderful mineral resources of gold, silver, and copper, a rich and virgin soil, its wealth of undeveloped water power, and its matchless scenic beauties. Here in this promised land he made his way into the heart and affections of the people, because he was a man, a true man, as we say, honest as the days are long, generous to a fault, wearing his heart upon his sleeve, a friend to the friendless, a public benefactor, a faithful, incorruptible official. He was unselfish, public-spirited, and worked unceasingly for the development and prosperity of his adopted State and the welfare and happiness of its grateful people.

Idaho never had a governor more deeply concerned or more active in the promotion of her material, agricultural, educational, civic, and moral development. In the United States Senate he soon won high rank as an active, industrious, and influential Member. The suggestion of legislation for the good of the people, for the industrial welfare of the Nation, for the protection and safety of our Government at home and from foreign enemies had his unwavering support.

In the Senate Committee on Military Affairs he was awake to the needs of the hour in fully and effectually preparing the Nation to enter the great world war, and there, as elsewhere, did his full duty as a loyal, patriotic statesman.

As a member of the Republican Party he was as useful and as valuable as in his business and official life. He served as chairman of the Republican State committee for four years, and as chairman of the Idaho State delegations aided in nominating and electing Roosevelt and Taft in their successful campaigns for the Presidency.

It is a labor of love for me in this simple, brief, but sincere way to offer my tribute of respect and admiration to the memory of this fallen statesman from the great West, who will live long in the hearts and affections of the people of Idaho and will be remembered by his countless admiring friends throughout the Republic.

Mr. SMITH of Idaho. Mr. Speaker, several Members have been detained and are unable to be present. I ask unanimous consent that all Members may be permitted to extend their remarks in the RECORD; also that I may be permitted to insert in the RECORD some tributes from different associations and some editorial comments.

The SPEAKER pro tempore. Without objection, it will be so ordered.

There was no objection.

Mr. WELLING. Mr. Speaker, a great ruler in the East many years ago desired to honor the wisest and best man in his empire by conferring upon him the Order of the Golden Crescent. In order to determine who should be so honored, the Sultan sent men throughout his country to find who was most beloved and honored among his subjects.

These couriers returned to the capital with two men. They were unable to determine which of the two was most loved by the people. The two men were then examined by the wisest followers of the Sultan's court. These judges themselves could not agree. In their opinion the two men were equally beloved, equally wise, equally helpful and useful in their association with the people among whom they lived. Much perplexed, the judges took the men before the Sultan himself and stated that they could not decide who should receive the great honor he was ready to confer.

The Sultan examined the men and had great difficulty in determining which one should receive the Order of the Crescent. At last he said to them, "Show me your hands." Now, the hands of the one were white, symmetrical, refined. They had regular lines and were perfect in their beauty and elegance. The hands of the other were large and awkward and red. Knotted with toil, they seemed to have grown out of shape, as if always fitted to bear heavy burdens.

The wise Sultan at once pinned the Golden Crescent upon the breast of the latter man, saying, "This man hath seen human service. The other hath only recommended it."

Gentlemen of the House, if any man here feels that his contribution to the life and happiness and well-being of his country

has been greater than that of Senator JAMES H. BRADY, if he feels that he should receive higher honors or greater distinctions than this man, whose name we honor to-day, I should like to say to him, "Show me your hands, and let it be determined how much you have worked for the welfare of your fellow men."

JAMES H. BRADY was a worker with his hands. Powerful of physique, blessed by nature with a perfect constitution, he was one of those great-hearted, restless spirits who assisted to build up an empire of States from that desolated region which was once rightly called the Great American Desert. Senator BRADY was born in the East—we men of the West are usually proud of our eastern family trees—but his full measure of usefulness could not be realized until he had, with naked hands, grappled the great problems of the sterile, barren western plains and made the desert to blossom as the rose.

Senator BRADY, besides being a man of powerful physique and boundless energy, was also a man of unusual business sagacity and sound judgment. He had faith in the West. The West is strewn with the wreckage of men who could not quite conquer our limitless expanse of sterile soil and sun-baked plain. The monotony of the solitudes frequently conquered and defeated high resolve. The limitless expanse of cold gray sage has at times crept like a ghost into the sturdy hearts of men and caused them to despair of redeeming the desert. These things added together did not destroy the faith of Mr. BRADY in the future of the intermountain country. He was gifted with the genius of success. His vision always saw past the difficulties and barriers of the desert and reached beyond into the glories of the promised land.

It was this quality in his nature which enabled him, where others had failed, to see the possibilities of harnessing the great Snake River and converting its tumbling torrent into the ready servant of thousands of homes. It enabled him to take hold of vast irrigation projects where others had failed, and divert life-giving water onto barren, thirsty soil, making other thousands of happy homes.

These enterprises made him eventually a powerful figure in the business and finance of his State. Among the larger financial circles of the West he was as well known probably in Salt Lake City and in Utah as he was in Idaho. As governor of that State, he became a conspicuous figure wherever the interests of the West were discussed, and his counsel was a potent influence in determining the policy of our part of the country on great national questions.

It was the logical thing that he should have found himself at last as the representative of his State in the Senate of the United States. He died at a time when his influence and counsel could be ill spared to the West and to the Nation, and when naturally we felt there were many years of useful, helpful service before him.

I do not believe such a life can end with death. It can not be so. The memory of his sterling honesty, his dauntless courage, his genial disposition remains behind. These things will endure after his body has returned to dust. The spirit is more enduring than the memory of man, because it is immortal and merely goes out of this life to the accomplishment of a greater mission, which the inscrutable hand of God directs in "the undiscovered country from whose bourn no traveler returns."

There is no death! What seems so is transition;
This life of mortal breath
Is but a suburb of the life elysian,
Whose portal we call Death.

In that great cloister's stillness and seclusion,
By guardian angels led,
Safe from temptation, safe from sin's pollution,
He lives whom we call dead.

Mr. SMITH of Idaho assumed the chair as Speaker pro tempore.

Mr. EVANS. Mr. Speaker, the Hon. JAMES H. BRADY, whose untimely death we mourn to-day, was a product of that part of the country we call the great Northwest. Like most other men, however, who have reached prominence in that great Northwest territory, he was born elsewhere and was an adopted citizen of the State of Idaho. Born, as I understand, in the State of Pennsylvania, he went as a child to the State of Kansas and there grew to manhood. In the year of 1895 he took up his residence in the State of Idaho. His talents as a business man and as a leader in politics soon made themselves manifest, and he became a leader among his people. As a business man he was painstaking, thorough, untiring, and, as a result, eminently successful. Up to the date of his entrance into the State of Idaho that State had been looked upon largely as a mining Commonwealth. He believed that if water could be put upon the parched soil of its hills and valleys it could be made a great agricultural State, and he became interested in irrigation. In short, he became an authority upon that subject and demonstrated the feasibility of his theories by making a success of large irrigation projects in that State. His people soon recognized his qualifications as a builder and constructionist and made him their governor, and subsequently sent him to the United States Senate. He came to Washington particularly equipped to discuss and legislate upon subjects that particularly pertained to his State and to that section of the country contiguous thereto. He had not long been a member of the United States Senate until his colleagues began to recognize in him that sound business capacity which was so well known among his constituents and which had persuaded them to confer upon him the highest honors within their gift, both in party and State council. Always a party man, he was seldom or never a partisan. He was on all occasions able to place the welfare of his country above the welfare of his party.

Senator BRADY was a modest man. He was seldom heard on the floor of the Senate, though when he did speak he was given the undivided attention of his colleagues. Those who knew him best and are probably best qualified to speak say that he was an untiring worker in committee, that no subject under discussion failed to receive his grave and serious attention, and that his talents were such that he was able to master the questions.

He was looked upon as a solid, practical, substantial citizen and legislator; industrious, vigilant, painstaking, and conscientious. He loved his country and his State, appreciated the dignity of the duties of the high positions to which his people had called him, and at all times reflected credit upon himself, the State he represented, and the Nation.

I pay my tribute of respect to his memory. His State and Nation could ill afford to lose him. His services to his country will long be remembered and appreciated by a grateful people.

Mr. FRENCH. Mr. Speaker, the gentleman from Wyoming [Mr. MONDELL] expressed to me his keen regret that he could not be present with us to-day to participate in these memorial services, and he asked that he be given consent to extend his remarks in the RECORD. Also, I am in receipt of a telegram from Representative MCARTHUR, of Oregon, advising me from New York City that he has been detained and can not reach here in time to participate in these services. He asks also that he be permitted to extend his remarks in the RECORD.

The SPEAKER pro tempore. Without objection, it will be so ordered.

There was no objection.

Mr. BENJAMIN L. FAIRCHILD. Mr. Speaker, the East unites with the West in paying tribute to an illustrious son of the West. The Empire State, whose shores are washed by the boisterous waves of the Atlantic, joins with the States where are heard the peaceful murmurs of the Pacific. Together we are here to offer a wreath to the memory of a son of Idaho, the late Senator JAMES H. BRADY. A wreath; a thought. Each petal of that memory's wreath is a thought for the sterling qualities of the man.

Everyone who knew him tells of those qualities which not only contributed to his individual success, but which he in turn contributed to the welfare of his State and of the Nation. Each petal a thought! A successful career; a robust character; conscientious attention to duties well performed; untiring industry; generous both with his means and in his willingness to understand the viewpoint of others; and always a thorough American, a splendid type of the man who, born in the East, was developed in the West, and who helped to develop the West.

Oh, I have liked to travel in the West. Many has been the time when, leaving the Atlantic and traveling to the Pacific, I have realized the buoyant feeling in the western atmosphere. The soul seems to expand with a sense of freedom and with a better knowledge of the greatness of our Republic. And I say to myself, I am really in America. We thus come to know more of our own country. I have had little sympathy with those of my friends in New York who by choice have traveled easterly across the Atlantic before journeying westerly to the Pacific.

And so I once said to my only son, whose life has been given in this war, some day I would take him to Europe, but he would see his own country first. The time came when we traveled in Europe, but first we visited every State in this great Union. On the top of Mount Shasta we once slept all night—or tried to sleep—and in the early morning from the top of that great sentinel we viewed the glories of the hills and plains to the east, brilliantly lighted by the rising sun, even while it was still darkest night in the valleys toward the west. And for more than a thousand miles in the high Sierras we traveled mule back over mountain trails. We visited the people in the cities and on the ranches. Oh, we came to know this Republic of ours,

this great United States of America, and we came to appreciate the heroic qualities of the people of the West, who were having so much to do with a development which in time must shape the destiny of the Nation. We learned to love the Americanism of the West. In the West we felt as if we had reached the very heart and soul of America, expansive in its energies, keeping true faith to our ideals, boundless in the possibilities of the future.

Thus I came to envy the men of the West, a West which aided in developing the man and was aided by the man's development. Yes; I have envied. But also I have honored. And, therefore, I from the East am here to join with those who knew him best to honor the memory of a true and a splendid typical son of the West, a son of Idaho, a loyal citizen of the Republic.

Mr. LITTLE. Mr. Speaker, the Hon. JAMES H. BRADY, for two terms a Senator from the State of Idaho, twice governor of that mountain Commonwealth, happens to have been my oldest friend and acquaintance in the Congress of the United States and in the city of Washington. As I listened to the eulogies so eloquently delivered and so justly deserved there came to my mind the recollection of the day I first saw him, 39 years ago next June or July, at a teachers' institute at Abilene, Kans. Of all the young people there assembled—and I think perhaps he was the youngest, then a boy of 18—he happens to be the only one whose figure is fixed in my memory as he sat there, and yet I doubt if anyone at that time would have selected him as the one who would be honored here to-day as a great Senator of the Republic of the United States.

His father and mine half a century ago were farmers in Johnson County, Kans., his father, I think, being a county commissioner. His brother, Hon. J. Leeford Brady, was the Republican nominee for Congress in 1912 in the district which I now have the honor to represent. Sometime in the seventies our fathers removed to the far West, then in Kansas, in Dickinson County, and were both farmers and business men there. Mr. BRADY came to this teachers' institute a boy of about 18, tall, vigorous, and, as I recall him, apparently older than I now find he was. He had not had the advantages of school in a city, a town, or even a village, and was not as familiar with the books as were most of those who were there. I remember that some of the older teachers, and practically all of them were older, listened with curiosity to some of his remarks and suggestions; but I think that he exhibited immediately, and thereby attracted and fixed my attention, the qualities that made him great and successful, an interest in all about him, a willingness to mingle in the fray.

He was a man of rare imagination, of the imagination of genius, a man who had in him the spirit of adventure. He was not familiar with much of life then, and only gradually became acquainted with its conditions; but I do not think JIM BRADY ever saw anything that scared him. He was always willing to take a chance. He was a man of such excellent natural business sagacity that his imagination very seldom ran away with his judgment, although in his earlier days he did occasionally ride to a fall. He was first a school-teacher, and a not particularly studious one as I recall him, nor very much interested in the mere business of teaching, but always interested in human nature. He next ran a little paper in a very small village, with no great success nor with any failure. Then he turned to real estate, and he sought there an outlet for his restless ambitions. The country was growing rapidly, and this was the readiest opening for activity. He was from the first, as the gentleman from Idaho has suggested, associated with the land, born and raised on a farm, and from his earliest infancy familiar with the trials and struggles of the farmer people in the great West. In our county the farmers then lived in little dwellings of two and three rooms, such as his folks probably had up on Chapman Creek, and many lived in sod houses, and sometimes in dugouts. They were laying the foundation of the greatest agricultural empire the world ever saw. Their advance guard displaced the Indian. Their tables were supplied from the buffalo. To-day in that country you ride for miles between long rows of trees and hedges, marking out farms the Nile never surpassed. They live in handsome homes, with every modern convenience. They take their families in great automobiles and are 100 miles away along perfect roads sooner than they would have reached the county seat in BRADY's day and mine.

In those days the farmer who had a team of his own, all paid for, was very fortunate. Probably BRADY's family had only one team, and very likely that was under mortgage, as were the teams of most of the rest of the farmers of that community. Very likely they went into debt for the seed wheat that they first put into the ground. I presume BRADY's father's corn crops were generally under mortgage, like most of the rest of us. They tell us that necessity is the mother of invention, and in the early days necessity always camped on JIM BRADY's trail. As a real estate agent in a little village of 200 or 300 and then of perhaps 1,200, in which we both lived for many years, he was not at first peculiarly successful. His feet were on the ground, but his surroundings were rather diminutive for a man of his breadth of character. Finally he made a leap in the dark which astonished the community and marked the genius of the man. No other man could have conceived, no other man have carried out, the projection. Unknown and without means he went down to the headquarters of the Santa Fe Railroad at Topeka and made a contract with the land department of that road by which they sold to him a very large tract of land. The Government had vested in the Santa Fe very extensive areas along its line for many, many miles from Kansas City west. Much of it was still unsold. BRADY went down there and with a ready tongue and an unshaken nerve convinced them that he was the man who could handle some of that land, and they sold him, I think, 20,000 acres of railroad land practically in one body. He made the first payment, very likely most of it on borrowed money, but in a few weeks he disposed of that whole area to some company that he had organized or became acquainted with, a band of capitalists, I think, at Chicago, and at one fell swoop he cleaned up, I think, $40,000. This in those days was an enormous sum, and is a great sum yet if men are reasonable. Jay Gould could have done no more in that environment.

With that capital he started to enlarge and spread out his visions of life and his attempts and ventures. At first, as I said, he made a stumble or two and he lost here and there. He became a little dissatisfied with the opportunities in a little town of 1,200, or by this time 2,000, and for some time he established his headquarters in the city of Chicago. He ventured into various speculations throughout the West, and finally ran across this opportunity in Idaho, and settled in that State. He exemplified there his foresight as a business man, his sagacity as a developer of western enterprise along the lines suggested by the gentleman from Utah. He was a community maker, a leader of men. He built a great irrigating ditch there through a territory that he had acquired. I think somebody else had attempted it and had not been successful. His venture became very successful. He was undoubtedly one of the most useful men that the West ever produced, for his success was not builded upon the downfall of somebody else nor acquired by the ruin of some rival, but he opened there in the mountains a broad area of irrigated country that made homes possible for many other men. He earned his money in a useful and honorable way and became a millionaire. He lived here in Washington in one of the finest mansions in this city. When I first knew him he was not very much addicted to politics and a little cynical and pessimistic about politicians, though he was always interested in a few friends who were candidates, but not very active in politics himself. The little city of Abilene, in which he and I resided in those days, produced two very famous United States Senators, Mr. BRADY being one of them. His associate from Idaho in the Senate was Senator BORAH, who also came from our State. It is a little singular that Kansas should have equipped Idaho with two such distinguished and valuable statesmen. The delegation stood as high as any in the Senate.

His money was made by intelligent and helpful development of opportunities for other men as well as for himself.

Then he turned, somewhat naturally, I can see now, to public life. He was a keen, alert, ambitious man, always vigorous, and never dominated by surroundings, but always ready to dominate his surroundings. He was a friendly man with a warm grasp, a generous heart, and a kindly word for everybody, never seeking to attain success by injuring some one else, but rather by developing something which was generally beneficial and from which a benefit would accrue to him.

When I came here to the House I was a bit surprised to discover the height to which he had risen. I knew that Senator BRADY was a man of ability and force of character, but, somewhat to my astonishment, I learned that he was very familiar with the rules of the Senate; that he had interested himself in them and had acquired a very considerable proficiency in them. Frequently I have gone over there and found him in the chair of the presiding officer of the Senate, in the seat of the Vice President of the Republic, presiding with dignity over its deliberations, to the general satisfaction of everybody in that body. I do not see how anybody could have been more familiar than he was with the routine of Senate business. When I would step in and ask him what was going on, he could always tell me, and he could generally forecast what the decision of the Chair was going to be on a point of order, or what the outcome

of any vote would be upon any project before the Senate. Without question he was an industrious, hard-working, and useful Senator of the Republic, well worthy to sit in the Chamber where once Webster and Clay and Calhoun were great leaders.

He was not as eloquent a speaker as some, nor as frequent a speaker, but his ideas were good, his industry was great. I do not know that I ever saw BRADY when he was as much interested in anything or as much elated by anything as he was by the opportunity that was to have been afforded him in the next Senate if he had lived, and as he hoped at that time, to be chairman of the great Committee on Military Affairs, and his heart seemed to be set upon that position. Of course, that would have been the highest point to which he had yet climbed, and his imagination spread out before him golden opportunities to which he never before had aspired. And I may say right here and now, in the 38 years in which I knew him I can not remember any Kansan who traveled as far or climbed as high as he or more worthily either in business or public service. He had set his heart on living to the time when he should be chairman of the Military Committee, which position he would have occupied in the next Congress. He was not unfamiliar with the fact that he was treading close to the heels of death. Once before he told me, the last time I talked with him, that he had gone pretty near to the deep waters, somewhere in Florida, I believe, but said now he thought he had fully recovered and his health was restored.

He had an interesting pair of boys in our little city, very fine young men, and the last time I saw him he spoke with pride and satisfaction of them. They were both good, sensible, successful young men, of whom any father might well be proud.

It is a great pleasure to remember that after I had been here a few months and we began to recall our old acquaintance and friendship, he said to me, "We must keep in touch with each other; we can do each other good, and in that way help our constituents." I found he was a helpful man to me, and that I could ascertain from him what was going on or what would be the probable result of any given discussion, debate, or procedure in any given legislation in the Senate. BRADY was a man of big business. I am satisfied that he was what is called a genius, and genius consists largely of imagination, of foresight, and courage. He never feared to make an attempt. His imagination could always drive through the clouds, and he could gaze into the future and see things that the dull, plodding, industrious man could never comprehend.

I could see that as they smiled at him in the teachers' institute, a boy of 18, it was because he was ignorant of and laughed at some of the set rules of the teachers. He had outstripped them in imagination, and, while he had not landed quite high enough to be always accurate, it was the forerunning of the time when through his efforts and business training he would be a United States Senator. For the same reason that he ventured out into the deep waters of a little teachers' institute, which lasted only a month—for that same reason he became a great Senator and a great millionaire, because he had a mind of his own to conceive and a spirit to execute.

He started 35 years ago in our little village with an empty satchel and a red necktie, and when he passed away JIM BRADY died in a Senator's honored toga and left behind him a millionaire's estate, worthily won by honorable means. I can not imagine how a career could ever be more satisfactory. I can not think of any more typical American career, one that better points out the road to success, if you are not afraid to try and if you have the courage to attempt that which you have dreamed. And yet if we had told him that he was a dreamer he would have been the most surprised man in the world.

I do not think he took much interest in poetry or fiction, except casually, and he would have been amazed if anyone told him that he had great imagination. But that was the secret of his success, the ability to imagine and the disposition to put his dreams on trial. Now he has fought his fight, a good fight, and finished his course. He sleeps with Seward, Sumner, and Chase, with Blaine, Conkling, and Ingalls, and among the people from whom he sprang. The tomb is the only real republic. Millionaire and mendicant, sultan and slave, sage and simple, saint and sinner, Kitchener and kaiser, all rest side by side. The Senate has adjourned forever for that deft mind, that strong hand.

JIM BRADY has gone. Almost 40 years have come and passed since he and I became acquainted. Of all of the men who began to be connected with public life in our early days he and I were almost the only ones left anywhere in the public service. The clouds begin to gather about me. Only four months ago Death knocked at my door and went by for a while. When my village companion passes away and leaves behind him a great fortune and great name, when I see this career terminated which well might have lasted 20 years longer, my mind recurs to the days of our youth, of our eager ambitions, of our early struggles side by side on unconquered prairies. Senator JAMES H. BRADY has entered the great congress of all nations, climes, and peoples. As I stand here in the Halls of the Congress of earth's mightiest Republic and pay this tribute to his memory—

I feel like one
Who treads alone
Some banquet hall deserted,
Whose lights are fled,
Whose garlands dead,
And all but he departed.

Mr. FRENCH. Mr. Speaker, my colleague, Representative SMITH of Idaho, and our other colleague, Col. LITTLE, the lifelong friend of Senator BRADY, have outlined so clearly and sympathetically the details of the life of him whom we desire to honor in these services that I shall not attempt to add thereto.

However, the admiration I bore Senator BRADY and the homage I would pay his memory make it impossible for me to omit to refer to a few of the outstanding elements of his character and to a few of his achievements that gave him a conspicuous place in public life and in the Northwest.

A MAN OF VISION.

We remember John Winthrop and Roger Williams and Penn and Oglethorpe because they were men of vision. The shores whereon they landed, to the eyes of almost all other people of their day, were bleak and barren and repelling. To these men of vision they were shores of grandeur, possessed of ample harbors, shores leading back to splendid fields, bounteous gardens, towns and cities, schools and churches and colleges, and a mighty population of God-fearing, industrious men and women.

Unimaginative neighbors of John Harvard and Elihu Yale could see only crude buildings, a few old books, an austere minister or teacher, but Harvard and Yale could see more than that. They could see rough grounds converted into inviting campus; they could see quaint old log buildings and rough-hewn stone structures give way to spacious halls, commodious lecture rooms, ample dormitories, and well-equipped libraries, and they could see thousands of earnest young men and women repairing to the institutions that bear their founders' names, as to living fountains, partaking thereof, and going forth to lead on and to be the agencies of business and culture and learning and inspiration of a mighty age.

The painting in the corridor just outside the Chamber in which we are assembled, called "Westward Ho," always has had for me peculiar fascination. There, in graphic manner, is told the story of the building of the West—the ox team, the canvas-covered wagon, the sturdy father, the dauntless mother with babe upon her breast, the willing and confiding children, the expanse of rough mountains to be overcome, rivers to be crossed, hardships to be endured. There is a picture that has been lived 10,000 times and more in the building of the West. It is a picture of men and women of vision.

In our great West it is to the men and women of vision we look as we search out the heroic leaders upon whom turned the development of mighty States—the pioneers. Such were the husband and wife who with family dependent upon them hewed down the forest and made fields, blazed trails and made highways, withstood hardship, endured privations, erected homes, builded schoolhouses and churches and colleges. Among them, too, were those who seemed to possess peculiar force of character, organization ability of rare degree, and that vision that enabled them to render conspicuous service to mankind as empire builders.

James J. Hill was such a man as he visioned and then built a roadway into the great Northwest. Frank H. Buhl was such a man as he made reality the dream of years that gardens should grow in desert waste. JAMES H. BRADY was such a man as in the valleys of south Idaho, with vision that you and I did not have and with organization ability of high order, he builded irrigation works and took waters from their beds where for centuries they had flowed and transformed the desert into a rich and bounteous garden, within whose bounds the thousands of happy homes to-day bear living witness of his service. But our man of vision saw more than that. The rushing, turbulent water that to you and me was beauty or madness or rhythm, depending upon our mood, was all that to JAMES H. BRADY. And it was more. To him it was light, it was heat, it was energy, and it was in a country that was bare of forests and that seemed not to be a storehouse of coal or other fuel. And so his genius converted the rushing waters into light and heat for the home and the business, into energy for industry, and gave an object lesson that has been and will be followed in the utilization and conservation of the natural resources that God has given. So, first of all, I think of JAMES

H. BRADY as a man of vision a builder whose work will go on and on until countless thousands will be his beneficiaries.

THE PUBLIC MAN.

Differing from most men who attain great success in business, JAMES H. BRADY took the citizen's proud part in public life. A Republican, a delegate time and again to State and national conventions, State chairman of his party, president of Trans-Mississippi Congress, governor of Idaho, United States Senator. From that summary may be gathered the abiding interest in public affairs of our late colleague. And in each capacity what Senator BRADY accomplished and what he stood for would require more time to tell than is permitted here. It may be known at once that a man whose ideals were so in harmony with the best in citizenship, a man so unaccustomed to loitering along the way, a man so virile, so capable, would be at work and would add strength to the matters with which he had to do.

He was a man of convictions, yet fair to his opponent and, least of all, not a bigot. He stood for Republican policies in general; he stood for the direct primary; he stood for woman suffrage; he stood for prohibition, and one of the last acts of his life was in behalf of the national prohibition amendment; he believed in recognizing new problems and meeting them with modern ways of thought.

RESPONSIBILITY OF A PUBLIC MAN.

Always an interesting question in connection with the responsibility of public office in a country such as ours is the degree of responsibility to be assumed by the public official. How closely shall he translate into laws, for instance, if he be a member of a legislative body, or into acts if he be an executive, that which he knows to represent at a given moment the sentiment of the people? Or how steadfastly shall he stand against public sentiment when he is convinced it is wrong?

When Talleyrand told Napoleon that there was greater wisdom in France than his, and in reply to Napoleon's interrogation, "Where?" replied, "With the people," he recited a great truth. Yet how literally shall it be applied?

In every position of responsibility this question over and over again must be met. How do conscientious and practical men meet it? One of a thousand other men maybe could have been chosen to a given office who would have filled it as ably and as well as the one selected. Yet he was not chosen. The one who was chosen, like the man in the jury box, has had special reason and duty to hear the evidence, all of it. Then shall the man in the jury box be asked to render a verdict that reflects not his idea but the sentiment of the spectators who fill the court chamber, or shall he hold to the evidence and follow his own conscience? There is but one answer. He is trusted with a special responsibility and must meet it. The responsibility is his.

The same, in my judgment, is true of the man in public life. True he must represent his people. He unconsciously draws inspiration from their thoughts and their judgments; he is modified by them just as a juror in his ideals of right and wrong, of evidence, of credibility of witnesses; is unconsciously modified by the ideals of the community that is his home.

Just such a question Senator BRADY was compelled to meet when the bill providing for the establishment of the selective-draft system of raising an army, instead of the volunteer system, was before the Congress.

If I were to judge from the letters that I received from the people of Idaho during the time this measure was pending, I would be satisfied that the people, generally speaking, were in favor at the time of the volunteer system. I would suppose that the correspondence of the people of the State with Senator BRADY would indicate the same. Yet Senator BRADY was compelled, in obedience to his conscience, after he studied over the problem of what would be best for our Nation, to support the policy of raising an army by application of the selective-draft principle.

A crisis was upon our world; our country's future was in the balance; civilization was at stake, and who will say that it was not the greatest patriotism, the noblest service of every person trusted with responsibility to help to shape our laws in line with the dictates of conscience.

If by following that course the Members of Congress were compelled to adopt the selective-draft system, well did they do their duty. My own judgment is that within a year we had twice as large an Army as we would have had under the volunteer system, unless the people had resorted to more coercive and severe measures than were resorted to by the Government in the raising of the Army. More than that, there is no doubt in my mind that the burden of responsibility has fallen more equitably upon our people than it could possibly have fallen under the volunteer system.

That this view of the question dominated the mind of Senator BRADY I have no doubt, and I have no doubt that the people of the State of Idaho whom he represented, even long before his death, had come to approve the very position that he took and gladly would have placed their stamp of affirmation upon his course on this great subject if the question could have been referred to them again.

THE SUPREME SACRIFICE.

In meeting his task Senator BRADY knew that he was not a well man, yet he was upon important committees. The most important, as I regard it, was the Committee on Military Affairs of the Senate, which had to do with the shaping of the laws necessary to the mobilization of the man power of our people. True, this responsibility was upon the whole committee, and a man of less earnestness and less dogged determination to do his part could well have permitted the burden of work to rest upon other shoulders.

It is but just to Senator BRADY to recount that during the trying days when large measures were being considered, when the counsel of studious men was most of all desired, Senator BRADY remained at his post of duty, not only utilizing the strength of the day but borrowing of the strength that should have been conserved for the morrow. He borrowed too heavily of this strength, and in doing so made the great sacrifice.

PERSONAL ATTRIBUTES.

Mr. Speaker, one of the chief characteristics of Senator BRADY in his public life was his utter generosity toward his opponents and his utter inability apparently to harbor personal resentment against those who in the sharp clashes of political encounters attempted to bring about his defeat. In fact, I recall no other man more free from malice and resentment.

If he was generous and charitable in public life, in private life, likewise, these virtues dominated his character. He loved his fellow men. He was kindly. He was considerate. He was neighbor to those in want. His purse was open to the needy, and his benefactions were as wide apart as caring for the wants of the unfortunate in his neighborhood to the maintenance of missions in India.

A man of such characteristics reminds us that "In the same measure ye mete it out, it shall be measured to you again." So in turn Senator BRADY was loved and admired. As in life his world was full of friends, so in his departure his memory is fondly cherished by the hosts of those who wished him well.

Mr. MONDELL. Mr. Speaker, JAMES H. BRADY was a typical American of the pioneer type. His Scotch-Irish ancestors were pioneers in the early period of the settlement of western Pennsylvania and served with distinction in civil and military life in the early days of the Republic. Moving westward as the tide of immigration spread over the continent, the family finally settled in Kansas, where the late Senator was born and where he began his business career. The extension of enterprises and undertakings in which he became interested brought to his attention the possibilities of the young State of Idaho, and here, following the promptings of the pioneer spirit, he undertook and accomplished those enterprises of reclamation, settlement, and development which occupied his time and attention up to and beyond the time of his entry into public life.

His call to public life came as a result of his helpful and successful activities as a pioneer developer of resources, and in the performance of public duties he displayed the same devotion and energy and the same constructive ability which had made him useful and successful in his private undertakings.

As Senator BRADY's career was typical of the best American traditions, his character was typical of the splendid type of manhood which those conditions develop and exhibited the sterling qualities which find their best development in the challenge and incentive of a region of undeveloped resources. He had the richest of all inheritances, an honest, virile, intelligent ancestry. He grew up in the best possible environment, that of an American agricultural community, with its free-school system. He had open before him the most desirable of opportunities, that of winning a place and name for himself in the development of a new and growing region and in the service of its energetic and progressive citizenship.

These are not the inheritances, the environment, and the opportunities which necessarily lead to success, but they are those which make success not only possible but certain for those worthy of them, and JAMES H. BRADY was worthy.

In considering the career of strong and worthy men whom I have known I have generally found some characteristic of the man's life and career that particularly challenged my atten-

tion, and the characteristic of our departed friend, which, as I saw and knew him, seemed among his many virtues and splendid qualities most conspicuous, was that of service.

In his early life he served to mold and develop the minds and hearts of the youth of his locality as a teacher. In later life he served in calling attention to the opportunities for securing homes and farms. Still later he served in reclaiming greater areas from the desert and making them fruitful and affording opportunities for homes upon them. He served in calling attention to and utilizing the latent resources of power in his adopted State and in harnessing it for the benefit of mankind, and, finally, he passed from a career of service in private capacity to a career of wider service as governor and as Senator. So from the beginning to the end of a busy and eventful life he served, and served faithfully and well.

The career of Senator BRADY is an illustration of the opportunities and possibilities of American life. We hear from time to time that these opportunities and possibilities are becoming less attractive and frequent and obtainable as time passes. No doubt there were folks out there in Kansas when our late friend was a boy who would have said that the opportunities for such as he were limited, just as people say at the present time. Senator BRADY's career disproves such gloomy assertions, as the career of many a virile, forceful, ambitious man is disproving them every day, and will disprove them in the days to come.

So long as liberty prevails in the land, so long as our activities shall be based on individual initiative and effort, so long shall men of courage and capacity and honesty of purpose find the opportunities of America boundless. To be most certainly successful amid these opportunities one must be endowed with the spirit of service, which was the most conspicuous characteristic of our departed friend. We can truthfully pay to his memory the highest compliment that can be paid to a man, that in the fear of God he faithfully served his fellow men.

Mr. McARTHUR. Mr. Speaker, it was my good fortune to meet Senator JAMES H. BRADY about the time he came into prominence in the political life of the State of Idaho. He was a big, broad-gauge westerner—full of the spirit of development and progress that has wrought such wonders in the West during the past quarter of a century. He had a constructive mind and had the requisite energy to put his ideas into action. He believed in the West—in the development of her boundless resources. His energy and enthusiasm were tempered with sound business and financial judgment and the numerous ventures in which he engaged were uniformly successful. His business acumen brought him a fortune which carried with it prosperity to the community. Such men are empire builders.

same degree of success as were his business ventures. He held numerous positions of public trust, including the two greatest honors which a State can bestow upon a citizen—the governorship and a senatorship. He discharged the duties of these important public posts with energy, enthusiasm, and a patriotic devotion to the public welfare. He was a man of courage and never truckled to popular whims or passing fancies. He had a clear conception of his public trust and followed it to the end. He knew that truth, courage, and honesty are the things worth while in public life, and he never sacrificed these or compromised on a principle. The country needs more men of his stamp in her public life.

Legislative and departmental questions of mutual interest frequently brought me in touch with Senator BRADY, and I learned more and more to respect and honor him as a public official and to esteem and regard him as a fellow man. He occupied an important place in the State of Idaho and was called to the Senate of the United States during the most important era since the Civil War. His services to both State and Nation were of the highest order and it is only fitting and proper that we should pause for this brief hour to honor his memory. His death at a comparatively early age was altogether untimely, but he leaves behind him an honorable record in both public and private life that will perpetuate his name.

Mr. SMITH of Idaho. Mr. Speaker, in pursuance of the permission heretofore granted me, I append at this point the memorials and editorial comments heretofore referred to:

[From the Idaho Daily Statesman, Jan. 14, 1918.]

WASHINGTON.

Senator JAMES H. BRADY, of Idaho, died of heart disease at his Washington residence at 6.30 o'clock Sunday evening. His death was not unexpected as he has been in a critical condition since Thursday morning, and two attending physicians had announced there was no hope. For the past two days the Senator was kept alive by stimulants.

In accordance with his wishes expressed Sunday when he realized the end was near, Senator BRADY's remains will be cremated and his ashes later will be taken to Idaho for burial. Funeral services will be held at his residence probably on Wednesday.

Senator BRADY'S fatal illness was very similar to a heart attack suffered nearly two years ago. Since that first illness he never fully regained his strength and the exertion of his recent holiday trip to Pocatello caused his collapse on the train returning to Washington last Sunday. Not until Thursday did the doctors give up hope. Twice since then he rallied and twice it was thought he might get well.

Senator BRADY was conscious through most of his illness and Sunday frequently recognized and spoke with those at his bedside. Toward evening, however, he realized the end was approaching and said goodbye to his wife, Representative SMITH, and others at his bedside. An hour before he passed away he fell into a quiet slumber, from which he never awakened.

Neither of the Senator's sons, who had been telegraphed for, reached Washington before the Senator died. They are expected Monday. Mrs. Brady's mother is coming from Seattle, and her sister, Mrs. Jayne, was with her Sunday.

Senator BORAH will announce Senator BRADY's death in the Senate Monday, and adjournment will be taken immediately. Representative SMITH will make a similar announcement in the House.

Speaking of his late colleague Senator BORAH said:

HARD WORKING AND FAITHFUL.

"Senator BRADY was a hard working and faithful Senator. No man ever took his work more seriously or worked harder than he to represent his people. I have no doubt that his remaining in Washington through last summer's long wearing session is in large part responsible for his death."

Senator BRADY was 55 years of age last June. He was born in Indiana county, Pa., in 1862, but spent his boyhood and his first years as a young man in Kansas. He was graduated from the Olathe (Kans.) High School and studied at the State Normal School at Leavenworth.

He then taught school in Kansas for three years and spent two years editing a small newspaper. Later he engaged in general business, and then removed to Idaho in 1894 and made his home at Pocatello.

He became very successful in a business way, and invested largely in the development of irrigation schemes and later in water-power sites, the largest of which was at American Falls. This was subsequently sold. At the time of his death he owned the Mountain Home project system, and had various real estate holdings in different parts of the State, principally around Pocatello.

He first appeared prominently in the political life of the State when he became chairman of the Republican State central committee in 1904, a position which he held until 1908. He was elected governor of Idaho on November 3, 1908, and served in that office in the years of 1909 and 1910.

On January 24, 1913, the State legislature elected Mr. BRADY a United States Senator to fill out the unexpired term of the late Senator Weldon B. Heyburn. Judge K. I. Perky served by appointment as United States Senator between the time of Heyburn's death, in October, 1912, until the legislature met and elected BRADY in 1913.

TERM EXPIRED IN 1921.

On November 3, 1914, Mr. BRADY was reelected to the United States Senate for a term which expires March 3, 1921. He is survived by his widow, who was Miss Irene Moore, of Boise, and by two sons, issue of a former marriage. Both the sons live in Kansas.

Senator BRADY was a member of many important Senate committees, as follows:

Military Affairs.
Mines and Mining.
Agriculture and Forestry.
Conservation of National Resources.
National Banks.
Expenditures in the Department of Commerce.
Public Lands.
Public Buildings and Grounds.

GOVERNOR ASKS THAT BODY BE SENT HERE.

When Gov. M. Alexander learned of the death of Senator JAMES H. BRADY he immediately sent a telegram to the Senator's widow at Washington, D. C, saying:

"The State of Idaho sends words of condolence in your bereavement in the loss of your life partner. Idaho feels the loss with you, in the passing of the illustrious statesman, governor, Senator, and first citizen of Idaho.

"Idaho asks permission to take charge of his remains to bring him back to the State he so loved and honored by his citizenship and public service, that he may lie in state at the capital at Boise, and that his people may have the privilege of taking a last farewell look upon the man who has done so much for Idaho."

THANK PEOPLE OF IDAHO—BRADY FAMILY EXPRESSES APPRECIATION FOR GOVERNOR'S MESSAGE.

Gov. Alexander Tuesday received from Congressman ADDISON T. SMITH a telegram in which he extended on behalf of Mrs. James H. Brady and the sons of the late Senator BRADY their appreciation of the sympathy extended, through a message by the governor, by the people of Idaho for their bereavement. The Congressman's message said:

"Mrs. Brady and the other members of the family of Senator BRADY wish me to express to you their appreciation of the sympathy extended to them by the citizens of Idaho, so feelingly indicated in your telegram, and to say further that in accordance with the expressed wish of the Senator his remains will be cremated and his ashes interred in the State he loved so well and which had so highly honored him. When this is done his family will willingly cooperate in the furtherance of any plans his fellow citizens may wish adopted in their desire to honor his memory.

"ADDISON T. SMITH."

[From the Idaho Daily Statesman Jan. 15, 1918.]

FUNERAL OF LATE SENATOR TO BE HELD IN WASHINGTON; REMAINS TO BE CREMATED—MRS. BRADY DEEMS IT INADVISABLE TO MAKE TRIP TO IDAHO OWING TO DEMORALIZED TRAFFIC CONDITIONS; IS APPRECIATIVE—SENATE AND HOUSE PAY HONOR TO LATE MEMBER.

WASHINGTON.

Because of the disorganized conditions of railroads and the uncertainty of travel, the remains of the late Senator BRADY will not be taken to Idaho.

Funeral services for the late Senator BRADY, of Idaho, will be conducted here Wednesday afternoon by the Rev. Forrest J. Prettyman, Chaplain of the Senate. Arrangements were made Monday night after the arrival of the Senator's two sons, who had been snowbound in the Middle West while trying to reach their father's bedside.

The body will be cremated and the ashes will be taken to Pocatello, Idaho, Senator BRADY's former home.

Mrs. Brady Monday received a telegram from Gov. Alexander urging that the remains be brought to Idaho immediately. While appreciating the desire of the people to pay tribute to the late Senator, Mrs. Brady deems it unwise to attempt to make the trip under prevailing conditions.

Senator BRADY's death was announced in the Senate by Senator BORAH and in the House by Representative SMITH, and upon adoption of appropriate resolutions both Houses adjourned out of respect.

Flags on the Capitol were at half-mast Monday, and will so remain until after the funeral. Vice President MARSHALL named a committee, consisting of Senators BORAH, Gallinger, SMOOT, HARDING, WARREN, CHAMBERLAIN, THOMAS, KING, FLETCHER, and BECKHAM, to attend the funeral. The Speaker named a committee of 15, including the two Idaho Members.

POCATELLO PAYS TRIBUTE TO REALLY TRUE FRIEND—PEOPLE OF ALL CLASSES STUNNED BY LOSS OF MAN WHO HAS DONE MUCH FOR DEVELOPMENT OF SECTION.

POCATELLO, IDAHO.

The death of Senator BRADY falls like a pall over the business and social life of this city. All flags are at half-mast and persons of all parties pay spoken and silent tribute to a really true friend. Bankers, railroad men, laborers, and even children lament the loss of JAMES H. BRADY.

When he left here two weeks ago he told associates that after the present term he would come back and enjoy life with old cronies. He always was a very busy man with canals, electric plants, banking, ranching, and building development, but he always had time for a cheery word and smile, and by such will friends remember him.

His deeds of charity were many and unheralded, and for years he was president of the Children's Home Finding Society.

Senator BRADY won considerable publicity for the State by organizing the famous governors' special train, which toured the East in 1911. He had been president of the Trans-Mississippi Commercial Congress, vice president of the National Irrigation Congress, and vice president of the Panama-Pacific Exposition.

Memorial plans are under way to receive Senator BRADY's ashes, and Pocatello will ask the State of Idaho to assist in doing honor to her illustrious dead.

HOME CITY MOURNING AT SENATOR'S DEATH.

POCATELLO.

"Senator BRADY's death is a terrible loss to Pocatello, his home city," said J. H. Peterson, former attorney general of the State, Sunday evening.

"On every hand is evidence of the fact that Pocatello citizens realize that Senator BRADY did more for and meant more to the city than any man who ever lived here. His loss will be felt by the community for many years to come.

"Personally I have been intimately associated with Senator BRADY for the last 12 or 14 years, and our association has embraced business affairs and political activities. During those years of association I learned to know Mr. BRADY well and to estimate him as one of Idaho's really big men. I feel deeply the loss of a dear personal friend, and mourn his loss to the State, which by his death has lost one who was really a great man."

RETIRING CHAIRMAN IS GRIEVED AT BAD NEWS.

"I feel that I have lost one of my best and truest personal friends," said Evan Evans, of Grangeville, retiring chairman of the Republican State central committee, Sunday night, when, just after reaching Boise, he was informed of Senator BRADY's death.

"My relations with Mr. BRADY were more in the nature of a personal friendship of several years' standing than they were like a business relationship. Nevertheless, I appreciate to the full his services to the Nation and to Idaho. He was a man of the highest aspirations and was intensely loyal to his country and to the welfare of his fellow men."

Former Gov. F. R. Gooding, who was closely associated with the late Senator BRADY, was on a train Sunday night bound from Gooding to Idaho Falls, and could not be reached.

LOSS IS IRREPARABLE, SAYS JUDGE STANDROD.

POCATELLO, IDAHO.

The sadness of Pocatello, Senator BRADY's home, when news of his death was received, was expressed by Judge D. W. Standrod, of this city, in the following telegram, which he dispatched to Congressman ADDISON T. SMITH for transmission to Mrs. Brady:

"While deeply grieved and so sensitive to my own great loss in Senator BRADY's death, for he was my friend, I can hardly estimate what it will mean to the State, but I feel that just now it is irreparable. So loyal was he to his country, and so intensely sacred to him was any interest of his State, that in this time his hand, which was never spared when duty called, was of unusual strength. His activities in the permanent development of Idaho have left for him an abiding place among the people as a distinct benefactor."

"GREAT SERVICE" IS VERDICT OF HAWLEY.

Ex-Gov. James H. Hawley said, upon hearing of the death of Senator BRADY:

"The loss of Senator JAMES H. BRADY at this time is one that will be deeply felt throughout the State. He has stood behind the administration and the State throughout the trying times of the great world war. His has been a great service."

SENATOR BRADY DIED ON DUTY—D. W. DAVIS SAYS DECEASED STATESMAN REFUSED TO FOLLOW ADVICE OF HIS PHYSICIAN.

Hon. D. W. Davis, of American Falls, who was for years closely associated with Senator BRADY, was informed by telegraph Sunday night of the Senator's death. Mr. Davis, who is at San Francisco, has telegraphed to the Statesman the following tribute to Senator BRADY's life and his life work:

"SAN FRANCISCO.

"All Idaho will mourn the death of Senator BRADY. In him our State loses a builder, a man whose greatest ambition was to see Idaho's many resources, mines, timber, agriculture, and power developed for our rapidly increasing population.

"As governor he always worked hard, endeavoring to serve the people in a way that he thought was best. I knew Mr. BRADY well and was associated with him in a business way when he was elected to the Senate. He was a man of a great deal of force and energy, and made a wonderful record of things accomplished in his first two years, as scores of homesteaders who had their affairs in Washington attended to by him can testify.

"The strong vote given him in 1914 when he was elected by a popular vote of the people was a strong manifestation of appreciation. Since that time his services have constantly grown in value to our State and Nation.

"Since the war began the Senate Military Affairs Committee, of which Senator BRADY was a member, has been in almost continuous session. His death at this time is largely due to the fact that he failed to heed the advice of his physician to take a six months' rest. When talking to me last fall I urged him to follow the physician's advice. He replied, 'Davis, I would rather die on duty than to leave my post when my country is at war.'

"And he did."

IDAHO MEN PAY TRIBUTE—JOSEPH PERRAULT AND WALTER HANSEN SURPRISED AND GRIEVED AT DEATH.

SPOKANE.

News of the death of Senator JAMES H. BRADY in the National Capital Sunday night was received with unconcealed sorrow by the north Idaho men who were in Spokane. His work in connection with the development of the State and his efforts in behalf of the party were recalled and commented on. It was the comment of all that he would be greatly missed. Senator BRADY, while not so well known in Spokane as Senator BORAH, had visited here a number of times, and numbered many Spokane men among his friends, as well as a host of personal and political friends in north Idaho.

PERRAULT'S TRIBUTE.

Joseph Perrault, of Boise, who arrived Sunday night, was surprised when told the news.

"Why, I thought he was going to pull through," Mr. Perrault said; "the reports the last few days were so favorable we were all hoping he would be spared to carry on the work he has done for Idaho. Senator BRADY was a man of most kindly disposition, and this element was what made him best liked by his friends. He was always trying to do something for his State, and how well he succeeded is attested by the great developments which he wrought in the southern part of Idaho. The district around Mountain Home is a monument to his sagacity, his energy, and his foresight. There he took head of a defunct irrigation system and put it on its feet. He had large interests in the vicinity of Pocatello, and had caused wonderful development there.

"Senator BRADY wore his honors in modest manner, and he grew and broadened in a way that was most gratifying to his friends. The more honors came to him the more kindly he was and the more he realized his responsibilities and tried to measure up to them."

GREAT LOSS TO STATE.

Walter Hansen, of Wallace, who was a warm friend of Senator BRADY, said:

"Senator BRADY was one of the best and most zealous Senators we ever had in Idaho, and there is no question but his death is a distinct loss to the State. His efforts in behalf of development are widely known in the south, but perhaps not so well known in this section. However, his work will stand as a monument to a long and well spent life. Idaho could ill afford to lose him at this time. His large means made it possible for him to do much which other Senators could not, and he spent his money without restraint to accomplish those things which seemed to him for the efforts of the State."

GENERAL REGRET AT WALLACE.

WALLACE.

General regret was manifested in Wallace Sunday night when news reached here of Senator BRADY's death in Washington. All evening there were telephone queries received at the office of the Press Times from persons who had known the late Senator personally.

LEWISTON GRIEVED AT NEWS.

LEWISTON.

The many friends of Senator BRADY in Lewiston were grieved Sunday night at the news of his death in Washington. Comments were heard on all sides on the loss the State has sustained by the death of the man who so well represented Idaho at the National Capital.

OFFICIALS PAY BRADY TRIBUTE AT STATEHOUSE—GOVERNOR, SUPREME COURT JUDGES, MEMBERS OF DEFENSE COUNCIL, AND OTHERS UNITE IN HONORING LATE SENATOR.

State officials, members of the State defense council, and State employees paid tribute Wednesday to the memory of the late Senator JAMES H. BRADY. Memorial services were held in the house chamber of the old capitol. They commenced at 12 o'clock, corresponding with the hour set for the funeral in Washington.

The services lasted for an hour. Chief Justice Budge, of the State supreme court, presided.

The statehouse remained closed from 12 o'clock until 3 and flags hung at half mast.

ARRANGED BY GOVERNOR.

Gov. Alexander arranged the services. He called the State officials and the employees at the capitol together and invited the members of the defense council to attend.

The governor spoke briefly, when the services opened, before asking the chief justice to preside.

Chief Justice Budge spoke of Senator BRADY as he had known him in private life. He termed the late Senator the hardest worker in southeastern Idaho.

Justice Morgan, Attorney General Walters, Judge James F. Ailshie, State Treasurer Engleson, and Dr. Reynolds, of Meridian, were the other speakers.

PRAISED BY JUDGE MORGAN.

Justice Morgan praised Senator BRADY for his patriotism, declaring that "his actions of the last few months had struck a responsive chord in every heart in Idaho.

"When the country was threatened with war, Senator BRADY stood behind the administration with the same characteristic firmness which marked his life here in Idaho.

"I am told, and I firmly believe, that his death was hastened by his patriotism."

GOVERNOR TELLS OF LOYALTY.

Gov. Alexander, speaking toward the close of the services, termed the late Senator "a man who could forget and forgive." He alluded to his political activities in the State and to his capacity for business, but dwelt at length on his loyalty to the President in the present crisis.

"When the President declared war on the autocratic German Empire Senator BRADY stood up like a man and said: 'My country first, politics afterwards.' And he died because he would not desert his post, despite his doctor's warning. He was advised that he would have to get away from Washington and rest up awhile, but he replied 'that the boys who were going to France were making sacrifices, and he would not quit them,' and he was one of the first to fall in this war."

Attorney General Walters paid his tribute to Senator BRADY as a man in public life, speaking at the request of the governor as a representative of the State. He said Idaho should be proud to have had Senator BRADY as a citizen.

TELLS OF HIS CHARITIES.

State Treasurer Eagleson told of what Senator BRADY had done for charities during his life. "While governor he gave his entire salary and more to charity."

Another incident of the late Senator's interest in charities was recited by the State treasurer when he told how he had wired and provided lights without cost to a Pocatello hospital.

Dr. Reynolds, too, touched upon the human traits possessed by Senator BRADY, telling how he spent his time and money while in Washington to help an Idaho boy far from home.

Judge Allshie spoke of Senator BRADY as he had known him in private and public life for 20 years or more.

Justice Morgan, Judge Allshie, and Gov. Alexander were appointed members of a committee which will draft resolutions of respect to the memory of Senator BRADY to-day.

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[Copy of the resolution passed at the memorial services held for Senator JAMES H. BRADY in Boise Jan. 16, 1918.]

Whereas death has removed from the sphere of earthly activity our fellow citizen, Senator JAMES H. BRADY, and from the State of Idaho a trusted servant: Be it

Resolved, That, recognizing his long, faithful, and patriotic service in behalf of the public and his splendid endeavors and achievements in private life, we, the State officers and citizens in memorial assembly gathered, hereby express our sincere sympathy with the bereaved widow and deep regret over the loss of a useful and patriotic citizen.

M. ALEXANDER,
J. F. AILSHIE,
WM. M. MORGAN.

Attested by—

ALFRED BUDGE, *Chairman.*

—

BRADY HONORED BY CHURCHMEN—TRIBUTE PAID TO FINE TRAITS IN POLITICS, BUSINESS, AND RELIGION—WAS A MAN OF COURAGE—MEMBERS OF CONGREGATIONAL BROTHERHOOD PRAISE PERSONAL AND PUBLIC LIFE.

Services of memorial for the late Senator JAMES H. BRADY were held in the First Congregational Church of Boise Sunday forenoon, at which Harry K. Fritchman told of Senator BRADY's influence in politics, Frank G. Ensign of Senator BRADY's influence in business, and A. L. Freehafer of his influence in religion and philanthropy.

Senator BRADY was a member of the Congregational Church in Pocatello, attended the Boise Congregational church while he was governor, and was one of the founders of the Brotherhood of the Boise Church in 1910. The Rev. Shelton Bissell, pastor of the Boise church, spoke of these facts in introducing the speakers.

INFLUENTIAL IN POLITICS.

"The political field in Idaho in those days was very inviting to a man of his capacity and offered great opportunities," said Mr. Fritchman, speaking of Senator BRADY's coming to this State in the early nineties.

"He cast his lot with the Republican Party and was not long in placing himself in the front rank of its leading men. His wise counsel and sound judgment were sought after by his associates, and his advice was freely followed."

Of Mr. BRADY as governor he said: "The State never had a more devoted executive. In the prime of life, a tireless worker, with a single purpose in view, to serve the people rightly as he saw the right, and with courage to act with fairness to all, he filled the high office with credit to himself and honor to his party. His administration will go down in the history of the State as one of the cleanest so far recorded."

A GOOD LOSER, TOO.

Of Gov. BRADY's defeat by James H. Hawley for governor, Mr. Fritchman said: "Gov. BRADY never showed to better advantage than he did on the occasion of this defeat. He had never known defeat before. It was a bitter defeat, but he was the best loser I ever knew. He came up smiling, and as soon as the result of the election was known he congratulated Mr. Hawley as the victor and from the bottom of his heart wished him well."

As Senator: "JAMES H. BRADY was a big Senator. He was always on duty and participated in all the big questions which came before the Senate for consideration. As a department man Idaho never had his equal. Quick to grasp a business situation, he could be trusted to look after any matter of business in any of the departments at Washington, and no citizen was too humble to enlist his services.

"His loyalty to the State and Nation has never been questioned. While extremely partisan, he was first an American. The Senator had stood staunch with the administration in all the war measures, and not a single incident can be pointed out in which he has refused to uphold the hands of the President."

BRADY AS A BUSINESS MAN.

Mr. Ensign characterized Senator BRADY as "an empire builder."

"In considering the influence of JAMES H. BRADY in business," he said, "we must recognize his dynamic energy and tireless activity. Van Dyke has said, 'Genius is energy quite as much as insight.'

"As a business man Senator BRADY was one of those rare men with a vision—a vision of the unlimited possibilities of this wonderful Snake River Valley. Where others merely saw a desolate waste, his vision showed fields green with alfalfa and golden with waving grain, with herds of cattle and many homes of prosperous ranchers.

"With characteristic industry and unflagging zeal he made his business the building of an empire. His influence will last for all time in the irrigated sections, from Ashton to Mountain Home."

The speaker applied to Senator BRADY the words of Theodore Roosevelt: "Save only the preservation of the Union itself, no other task has been so important as the conquest and settlement of the West."

HIS RELIGIOUS NATURE.

Senator Freehafer cited numerous traits of Senator BRADY's character to show that he had "the Christ spirit." He mentioned first the impression he had received from going out with Mr. BRADY into the Idaho hills and valleys and seeing how he delighted in being close to nature, and, as it seemed, seeing God in it.

"He seemed to see the nearness of the Creator in the things that were created. I noted in him a buoyant spirit, a big humanity, and a big heart.

"He loved social life and was not frozen by the dignity of high position.

"He was a lover of humanity and had a broad interest in life, which to me was evidence that he had the Christ spirit.

LOYAL TO PRINCIPLE.

"He was consistent and loyal to principle. He was in the midst of the fight between the 'wets' and the 'drys' in this State and allied himself with the 'drys' early in the contest, before that side was very popular. That he was consistent in this to the time of his death is shown by a letter which he wrote to the Congregational Brotherhood in Boise last June:

"'I thank you for your telegram with reference to the prohibition provision of the food bill. I have supported every bone-dry prohibition amendment that has come before the Senate since I have been a Member of that body, and the day before receiving your telegram I had fought in the Committee on Agriculture for six hours to retain the House amendment, and it so happened that my vote decided the question of retaining the House provision in the Senate bill, after it had been eliminated by the subcommittee, and I am hopeful that we will be successful in our fight for prohibition on the floor of the Senate.'"

Mr. Freehafer mentioned Senator BRADY's work toward establishing a Congregational Church in the vicinity of his Washington mansion and spoke of such incidents as his care for a lonely boy who had been sent to the Naval Academy at Annapolis.

ENCOURAGED EVERY REFORM.

As governor, said the speaker, Mr. BRADY encouraged every reform.

"There was no question of his loyalty to the Government in the war. He was no coward, and he met his Maker face to face at his post of duty."

The Rev. J. E. Ingham, moderator of the Congregational conference of southern Idaho, read the Scripture at the services, and there were selections by the church quartet and a solo by Miss La Moyne Mayfield.

Members of the National Council of Women Voters, of which Senator BRADY was one of the sponsors, attended by special invitation.

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[From the Pocatello Tribune.]

TRIBUTE IS PAID TO MEMORY OF BRADY—MEMORIAL SERVICES WERE HELD YESTERDAY AFTERNOON AND OLD-TIME FRIENDS GAVE LAST FOND TESTIMONIAL TO MAN WHOSE ACTIVITIES AND ENTERPRISE WERE ITEMS OF SUCH FORCE TO IDAHO AND HIS HOME CITY.

One of the most beautiful and most impressive memorial services ever held in the city was held yesterday afternoon at the Princess theater in honor to the memory of the late United States Senator JAMES H. BRADY. Throughout the afternoon personal friends of long standing listened to the eloquent words of those who knew the Senator's many fine qualities and appreciated his constructive genius so well, and the theater was packed to the limit with the associates and friends of years. The Masonic bodies turned out in large force, and good-sized delegations were present from the Elk and Eagle lodges, while citizens at large struggled for standing room.

The meeting was presided over by A. C. Hinckley, president of the Pocatello Commercial Club, of which the Senator was the first president, and after a feeling, eloquent, and inspirative invocation by Rev. C. H. Cleaves, of the Congregational Church, of which the Senator was long a member, the chairman introduced Senator D. W. Davis, an old friend and for many years business and political associate of Senator BRADY.

THE PERSONAL SIDE.

Senator Davis dwelt at length on the achievements and personal side of Mr. BRADY's life, from his early-day adversities to his later success. "He was a great man for Idaho and served not only as a citizen in loyal manner but as governor and any other capacity, and always as a loyal man who never quit when defeated." The official life of the deceased was given close and effective résumé, and the great promotive faculty of Senator BRADY was well emphasized by Mr. Davis in reference to the famous "Governor's special" train several years ago, and brought out the point that the Senator's indomitable will and action always brought the best results to the people. In connection with that incident he told a railroad head, "You provide the train and I'll provide the governors." It meant a world of benefit to the West.

The Senator's long activities in behalf of the State and his home city were given extended reference by Senator Davis, who emphasized the tenacity and firm purpose with which Mr. BRADY always undertook a task by citing the remark of a public official at Washington: "When BRADY wants anything from a department, the way to get rid of him is to give it to him."

"Just a year ago to-day," said Mr. Davis, "I heard his maiden speech. The Senator was then in weakened condition, and he was advised to take a rest, but he cited, 'I would rather die at my post of duty than to quit now,' and he persistently followed his desire to perform the fullest duty possible to the people at large. He was a man who knew no defeat, overcame all obstacles, and made his enterprises successful; and his death may be attributed to the unfailing zeal that actuated him under any and every occasion."

Senator Davis's address was a stirring and interesting tribute.

AN ELOQUENT ADDRESS.

Dr. John Hallowell Dickinson, who has known the Senator but a short time and to admire him for the great undertakings he had in mind, gave one of the most eloquent and eulogistic addresses ever heard in the city. The "Parson's" splendid command of English and his powerful delivery held the immense spellbound, and he dwelt entirely with the constructive genius and splendid character of the big citizen who had

gone. "This is not a time for mourning," he said, "but for rejoicing in that he was the exponent for good. His word was duty, and may it be with us as it was with him." His address was of the exalted type that beautifully cited the virtues of the departed citizen.

W. H. Cleare, for 25 years a close associate of Senator BRADY, spoke feelingly and sincerely of the association he had so long enjoyed. He dwelt at length on the wonderful development of irrigation, power, and other projects of the widespread recognition of the resourcefulness and keen vision of the Senator, and the marked ability he possessed for bringing the practical side out of his vision. "He did not travel in a beaten path," said Mr. Cleare, "but he was a visionist, and he made it substantial. While he was accumulating he was creating. His great commercial enterprises are monuments to his energy and activity. In the Senate the Senator recently said to me: 'I am forgetting that I am a Republican or that the President is a Democrat.' He was willing to pledge all on the altar of patriotism, and he was closely associated with the active men and was a fine friend or a fair man to the other side. Not only was he a patriot, but he lived far beyond himself, and the loss is great."

A FORCEFUL SPEECH.

Hon. J. H. Peterson, former attorney general, and a friend from boyhood of the late Senator, was the last speaker of the day, and his address was teeming with rare epigrams and gems of pointed reference, and Mr. Peterson spoke in a manner that demonstrated his utterances were inspired by the deepest feeling.

He spoke of the great achievements that have been crowded into the 55 years of the Senator's life, of his power, irrigation, and commercial enterprises, his public undertakings and public service, his noted political career, and the vast enterprises he still had in mind.

"He was a record breaker for a little over 15 years," stated Mr. Peterson, "was an indefatigable worker, and of unfailing good nature. He never squealed when he was hurt, and no obstacle was unsurmountable to him. "Fail" was not in his lexicon. He always came up smiling, and he was what I like to refer to as typically American. When war came he forgot his private affairs and gave over his time to the public and the cause, and inspired by righteous valor of patriotism he drove his complaining body through day after day of tremendous toil. He was signally a martyr to the cause of free government.

"Paradoxical as it may seem, when blood is being poured out in rivers on the sodden soil of Europe, yet never was human life of such value. Never before has man been so honored as to die in cause so certainly just, so unblusingly unselfish. One who lays down his life in such a cause shall take it up again. These are the principles for which he gave his life. It is for us to highly resolve that he shall not have died in vain."

Other forceful expressions were brought out by Mr. Peterson:

"It does not so much matter when a man dies or of what. It does matter how he died and for what he lived.

"A man is a success or a failure according as he contributes to the happiness and welfare of others. The selfish man is forgotten before the sound of the clods upon his casket have died away.

"He was a dreamer—the most practical kind of a dreamer. He dreamed great dreams and went about it to see that they came true. He was a prophet—the most wholesome and useful kind of a prophet. He uttered great prophecies and went to work to see that they were fulfilled. He loved the people of Idaho, and his intentions toward them and his desire to serve them were so pure and unselfish as was Cæsar's will. He was a martyr to the cause of free government just as much as is the heroic soldier who is killed going over the top."

A DAY OF FRIENDS.

Through the exercises it was apparent that the event was not fused with other cause save to pay tribute to a departed and loved citizen, and all people participated.

The musical end of the program was exceptionally enjoyable. The orchestral numbers were given by Reed's orchestra and were exceedingly appropriate. The vocal solo by Mrs. H. B.-Thompson was one of the most effective numbers ever given in the city on similar occasion. She sang in beautiful voice, and the selection was admirably suited to her clear and ringing soprano. She was accompanied by Miss Helen Barnard.

The vocal solo by Ed Schaeffer was an equally pleasing selection, and his tenor was decidedly effective in the choice of composition he gave. He was accompanied by Miss Dorothy Hull.

The stage was attractively arranged in American flags, in the center of which was the draped photo of the late Senator. The decorations were placed under the supervision of George L. Thompson, of the Princess Theater staff, and the use of the theater was patriotically donated to the cause by Messrs. Archibald and Carrothers.

Arrangements for the exercises were in charge of a commercial club committee composed of P. C. O'Malley, chairman, A. C. Hinckley, and Charles G. Sumner.

RESOLUTION OFFERED.

The event closed with the audience standing while the "Star-Spangled Banner" was played, and previous to this time a resolution of condolence was offered by Attorney Jesse R. S. Budge and unanimously adopted, and is given below:

Mrs. JAMES H. BRADY,
Thirty-fifth and Woodley Road, Washington, D. C.:

The people of Pocatello, assembled in memorial service, desire to express to you their respect for your honored companion, who has departed this life; to say to you in all sincerity how we deplore his loss, how we appreciate his service to his State and country, and how we honor his memory for his good works and splendid patriotism. His fellow citizens desire also to convey to you their heartfelt sympathy and to ask God's blessing upon you.

A. C. HINCKLEY,
Chairman of the Meeting.

Among the many messages of condolence received by Mrs. Brady were the following:

THE WHITE HOUSE,
Washington, January 14, 1918.

Mrs. JAMES H. BRADY,
Thirty-fifth and Woodley Road, Washington, D. C.

MY DEAR MRS. BRADY: May I not express to you my sincere sympathy? Our hearts go out to you in your great loss, and I hope that you may have comfort from the only Source from which it can come.

Cordially and sincerely, yours,

(Signed) WOODROW WILSON.

THE VICE PRESIDENT'S CHAMBER,
Washington, January 14, 1918.

MY DEAR MRS. BRADY: There is nothing one can say to you now which will help in the least. Mrs. Marshall and I had so great a regard for the Senator that we can understand something of your loss and can sympathize genuinely with you.

Sorrowfully, yours,

(Signed) THOS. R. MARSHALL.

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[Telegram from the governor of Idaho.]

BOISE, IDAHO, *January 15, 1918.*

Mrs. JAMES H. BRADY,
Washington, D. C.:

State of Idaho sends words of condolence in your bereavement in the loss of your life partner. Idaho feels with you in the passing of the illustrious statesman, governor, Senator, first citizen of Idaho. Idaho asks permission to take charge of his remains. Bring them back to the State he so loved and honored by his citizenship and public service, that they may lay in state in the Capitol at Boise and his people have the privilege of taking a last farewell look upon the man who did so much for Idaho.

M. ALEXANDER, *Governor.*

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[Telegram from State Defense Council.]

BOISE, IDAHO, *January 15, 1918.*

Mrs. JAMES H. BRADY,
Washington, D. C.:

The Idaho State Defense Council, now in session at Boise, by unanimous resolution express to you their sincere sympathy in this dark hour of bereavement in the loss of your husband, who has done so much for the development and uplift of the great State of Idaho. May God comfort your heart. Full resolution of council follows by mail.

JOSEPH HANSEN,
Secretary State Defense Council.

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[Telegram from Council of Women Voters.]

BOISE, IDAHO, *January 14, 1918.*

Mrs. JAMES H. BRADY,
Washington, D. C.:

The Boise chapter of the National Council of Women Voters desire to express their sympathy, deploring the untimely death of Senator BRADY, and at the same time express their realization that in his passing women and their cause have lost one of their best and most dependable friends.

MARY C. JOY, *Secretary.*

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[Telegram.]

POCATELLO, IDAHO, *January 15, 1918.*

Mrs. JAMES H. BRADY,
Thirty-fifth Street and Woodley Road, Washington, D. C.:

With the sentiment that comes from association and friendship of long standing, and appreciating the great worth as a citizen, substantial purpose as a community factor, and thorough effort and full Americanism of Senator BRADY, and his forceful, staunch, and unswerving loyalty to any cause he espoused, communal or otherwise, we realize with you a loss that is irreparable alike to yourself, the State and his home city, his friends and companions, and we convey to you an expression of grief that is mutual.

Pocatello Commercial Club, by A. C. Hickley, president; city of Pocatello, A. B. Hoan, mayor; W. H. Cleare; Chas. G. Sumner; D. W. Church; P. C. O'Malley; R. S. Tschudy; Theo. Turner; citizens' committee; and the community.

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[Telegram.]

POCATELLO, IDAHO, *January 20, 1918.*

Mrs. JAMES H. BRADY,
Washington, D. C.:

The people of Pocatello, assembled in memorial service, desire to express to you their respect for your honored companion who has departed this life, to say to you in all sincerity how we deplore his loss, how we appreciate his service to his State and country, and how we honor his memory for his good works and splendid patriotism. His fellow citizens desire also to convey to you their heartfelt sympathy and to ask God's blessing upon you.

A. C. HINCKLEY,
Chairman of the Meeting.

[Telegram from the Congregational Church.]

POCATELLO, IDAHO, *January 14, 1918.*

Mrs. J. H. BRADY,
Woodley Road, Washington, D. C.:

The members and friends of the First Congregational Church hereby desire to express their sincere sympathy in your bereavement.

FIRST CONGREGATIONAL CHURCH.

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[Telegram from Benevolent and Protective Order of Elks.]

POCATELLO, IDAHO, *January 16, 1918.*

Mrs. JAMES H. BRADY,
Washington, D. C.:

The Benevolent and Protective Order of Elks of Pocatello use this means of expressing to you their tenderest sympathy in your hour of deepest grief. We feel the uselessness of words to gild that sorrow upon the tenderest heart. The deepest shadows fall upon this day. Our hearts blossom in gratitude as we lovingly remember him upon whose brow death has placed the laurel wreath of fame. In your loss we attach a tender significance that is only felt and understood by those whose hearts have been touched by the mystic cord that binds all Elks in one great brotherhood.

POCATELLO LODGE, NO. 674, B. P. O. E.

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[Telegram from county commissioners.]

MOUNTAIN HOME, IDAHO, *January 14, 1918.*

Mrs. JAMES H. BRADY,
Washington, D. C.:

The people of Elmore County deeply sympathize with you in the loss of your illustrious husband. He came to us as a friend when we sorely

needed a friend, and gave us freely of his great ability and of his means. No section of Idaho feels more keenly or regrets more sincerely his loss.

BOARD OF COUNTY COMMISSIONERS,
ELMORE COUNTY, IDAHO.
GEO. A. BUTTER, *Chairman.*

[Telegram from Pocatello Aerie, Fraternal Order of Eagles.]

POCATELLO, IDAHO, *January 14, 1918.*

Mrs. JAMES H. BRADY,
Washington, D. C.:

There is great sorrow in the hearts of the officers and members of Pocatello Aerie, No. 119, to-day. The Allwise Father has seen fit to separate us for the time being from our dearly beloved and highly esteemed Senator and brother, JAMES H. BRADY. May God in His infinite wisdom and mercy comfort you in this your hour of greatest grief. Every officer and member of Pocatello Aerie, No. 119, Fraternal Order of Eagles, is at your service.

J. A. HOGGAN.

[Telegram from Idaho State Grange.]

RUPERT, IDAHO, *January 15, 1918.*

Hon. WILLIAM E. BORAH,
Washington, D. C.:

The State Grange of Idaho in annual session desire that you express to the family of the late Senator BRADY sincere appreciation of his firm stand on the right side of every question wherein the betterment of the American farmer was involved. Every Idaho home joins in sorrow because of his demise and in praise of his excellent work for his country and State.

W. W. DEAL,
Master Idaho State Grange.

PROCLAMATION OF THE GOVERNOR OF IDAHO.

Whereas in the wisdom of Divine Providence, there has been taken from amongst the people of the State of Idaho the illustrious citizen, former governor, and United States Senator, Hon. JAMES H. BRADY, and in whose death the State has suffered an irreparable loss and the people are bowed in grief and submission to that decree from which there is no appeal; and,

Whereas all that is mortal of that man, JAMES H. BRADY, will be laid at rest on Wednesday afternoon, January 16, 1918, at 3 o'clock, at the city of Washington; and in order that the people of the State of Idaho may have the opportunity to pay tribute to the memory of the man who has so highly served the State:

Now, therefore, I, Moses Alexander, governor of the State of Idaho, do hereby ask that all flags upon all buildings throughout the State be floated at half mast and that the people gather in their places of worship to join with his family and the Nation to pay tribute to his memory and by such other suitable tributes as are in keeping with the feelings of the citizenship of our State and the memory of the departed one who has done so much for Idaho and whom the people honored so highly, our dear departed friend and citizen, Hon. JAMES H. BRADY.

M. ALEXANDER, *Governor of Idaho.*

Attest:

W. T. DOUGHERTY, *Secretary of State.*

[State of Idaho, State board of land commissioners, office of the register, Boise, Idaho.]

Whereas the divine power which dominates and rules over the destinies of mankind has seen fit to remove from the living the Hon. JAMES H. BRADY, United States Senator from the State of Idaho; and

Whereas during his lifetime he was governor of the State of Idaho and president of this board of State land commissioners; and

Whereas this board is deeply sensitive of and does greatly appreciate his life and example, his many acts of kindness, and the great concern which he exercised in the interest and the welfare of the State of Idaho and of the United States of America during his term as Senator: Be it

Resolved, That this board extend its heartfelt sympathy to the bereaved widow and members of his family, and express to them the appreciation of his efforts and accomplishments while a member of this board; and be it further

Resolved, That a copy of these resolutions be spread in full upon the minutes of this board, a copy be delivered to the press, and a copy transmitted to the widow of the deceased.

ETHEL E. REDFIELD, *Chairman,*
T. A. WALTERS,
Committee.

[Report of committee of resolutions of State defense council upon the death of United States Senator JAMES H. BRADY.]

BOISE, IDAHO, *January 16, 1918.*

We, your committee appointed to draw up resolutions upon the death of United States Senator JAMES H. BRADY, beg leave respectfully to submit the following resolutions for your approval:

Whereas the recent death of JAMES HENRY BRADY has deprived the State of Idaho of the counsels of a man who served wisely and well both as its chief executive and as its representative in the Nation's highest legislative body: Be it

Resolved, That the State defense council expresses its sense of the loss of a clear-headed pioneer in the development of the State's resources, of a strong business man, of a wise statesman, and, above all, of an intelligent and progressive man. Be it further

Resolved, That the State defense council hereby expresses its appreciation of the debt which Idaho owes to JAMES HENRY BRADY for the great part which he played in its rapid development, for the high standing in the councils of the Nation which he helped to give it.

Resolved, That the State Defense Council express to the bereaved wife and to the other members of the immediate family of the deceased its sincere sympathy, which the secretary of the council is requested to present in the proper manner, accompanied by a copy of these resolutions.

Respectfully submitted.

F. R. GOODING, *Chairman,*
J. F. AILSHIE,
R. M. DAVIDSON,
E. L. PARKER,
G. A. ANLINE,
Committee.

[Resolutions of the City Council of Pocatello.]

Whereas the will of things eternal has ruled the dissolution of a citizen, friend, and colaborer, whose sterling effort not only was vital to every element of communal welfare, but whose association and congenial being gave the inspiration of gladness and optimism, and carried the gentle influence that the sweet song of existence breathed for those who voiced the effort and made the living worth the while; and

Whereas the mystic power that sways the destiny of time and eternity has closed the eyes and quieted the soul, has stilled the voice and subdued the pulse of a loved companion, a loyal citizen, a patriotic resident, United States Senator JAMES H. BRADY; and

Whereas, duly cognizant that Pocatello has been visited with a loss that the way of time would decree as irreparable, and appreciating all that it has meant to travel the same road, to go hand in hand, in calm and storm, and to awaken to the realization that the chain has been broken: Be it therefore

Resolved, That all the flowers of gratitude accorded to one whose qualities have been for the upbuilding of his fellows are not the sole tribute we pay to the memory of him whose genius and worth have created for a greater cause that we might better appreciate those making existence worth the effort, and bask in the effulgent rays of progress, development, and advancement that have evolved from far-seeing purpose, clear vision, and substantial foundation, and resultant from which is great community extension, civic pride, commercial growth, prosperity, and the expansive idea for amplification of power; and further

Resolved, The influence of our beloved fellow citizen, within and without the State, was of that high type and character, of that forcefulness and utility that not only lived while he breathed but is enshrined in the cosmic being of the community after the mantle of darkness has closed over its author, and that we are to recall that his days of adversity and his era of prosperity were fused to the common end of betterment in the simple light of citizenship deserving of emulation; and further

Resolved, In the absence of a loyal friend, an upright citizen, a factor of worth, a stalwart servant of the people, a fearless champion of right and justice, a loyalist and a patriot in the Halls of Congress, that we can but attach to his ashes mute fealty and appreciation due to worthy ideas well conceived and faithfully wrought, strong purpose gently advanced and brought to the full temper of tried and trusted steel; and further

Resolved, That this pledge of faith in his works be sent to his widow, and that a copy be placed upon the records of this body.

CITY OF POCATELLO,
By A. B. BEAN, *Mayor.*
[SEAL.] A. B. DAWSON,
City Clerk.

[Resolutions of the Benevolent and Protective Order of Elks, Pocatello.]

Whereas an inscrutable Providence has removed from the sphere of earthly activities our distinguished brother and friend, JAMES H. BRADY; and

Whereas the life of our departed brother exemplified in a striking degree those high principles of charity, justice, brotherly love, and fidelity, for which our order stands; and

Whereas by the adoption of these principles and virtues and by his constant desire and willingness to assist those in need or distress, he gained great esteem in the hearts of his fellow men and high place in the council of his State and Nation; and

Whereas our departed brother was thus tried and demonstrated to be, above all else, a lover of his country; and

Whereas his inordinate devotion to the exacting duties of his high office at the time of his country's great need hastened his departure from us; and

Whereas in his departure the State and Nation have lost a wise and far-seeing statesman and a son whose heart beat ever loyal and true: Now, therefore, be it

Resolved by the Benevolent and Protective Order of Elks of Pocatello, Idaho, in lodge assembled, In order that the sorrow we feel at the loss of our distinguished brother and the esteem in which we hold him may be made known to brothers who, in their turn, shall come and take our places, and in order that the virtues of our brother may be permanently engraved, so far as we may accomplish this, that a copy of these resolutions be spread upon the minutes of this order; be it further

Resolved, That a copy thereof be communicated to the family of deceased.

J. H. PETERSON,
M. F. CLEADE,
WM. WALLIN,
Committee Appointed by Exalted Ruler.

[Resolutions in memory of United States Senator JAMES H. BRADY, member of Portneuf Lodge, No. 18, A. F. & A. M., Pocatello, Idaho, who was called from labor at Washington, D. C., Jan. 13, 1918.]

Whereas the Great Architect of the Universe has decreed to call from his earthly labor and activity our fellow craftsman, United States Senator from Idaho, Brother JAMES H. BRADY; and

Whereas in the untimely death of Brother JAMES H. BRADY this order has sustained a loss of one of its most distinguished members, a master builder, whose daily life, endeavor, and service exemplified in the highest degree the principles and teachings of our order; and

Whereas our city, State, and Nation has in the death of Brother JAMES H. BRADY been deprived of his wise counsel, unselfish service, and patriotic leadership at a time of need and in the hour of national crisis: Be it hereby

Resolved, That Portneuf Lodge, No. 18, A. F. & A. M., hereby acknowledges its great loss and the sincere grief of its members, so many of whom were closely associated with and so well and dearly loved the clean, upright, energetic character of the departed;

Resolved, That this lodge and order is richer for having had the benefit of his advice at its meetings and the pleasure of his association at its gatherings in the early days of the lodge, when the reciprocal communion meant so much to both, and that the lodge has been honored by having retained the membership of our illustrious departed brother until the end of his day;

Resolved, That we as a lodge, and every individual member thereof, fully appreciate the great work our brother accomplished for the city and State which he helped so much to develop and honor; that we feel a pride in the record of our chosen representative in the Capital of the Nation, his patriotic devotion and support of the President, and of every

measure for the prosecution of our righteous war for liberty, for the establishment of final and permanent peace, freedom of conscience, materially and spiritually, for the pursuit of happiness of all people and nations, for true democracy of which our beloved order is the great exponent and which enters so largely into its teachings and principles;

Resolved, That we deeply and sincerely sympathize with Mrs. Brady and with the close of kin and kindred of our departed brother, that they may be assured that we share with them the loss as keenly as though we had suffered the loss of one of our own household, that we commend to them the kind care, love, and protection of our members whithersoever dispersed, that we commend to them the consoling thought and admonition, "Thy will of God is accomplished. So mote it be. Amen"; and be it

Resolved, By the adoption of these resolutions that a copy be forwarded to Mrs. Brady, a copy spread upon our minutes as a permanent record, and that our lodge shall be draped in mourning in honor of the memory of our distinguished departed brother.

Sincerely and fraternally submitted.

WM. WALLIN,
M. F. CLEADE,
D. W. CHURCH,
Committee.

[Record of proceedings of Boise Lodge No. 77, Boise, Idaho, Jan. 22, 1918, in the memory of Brother JAMES H. BRADY, deceased.]

To BOISE LODGE 377, I. O. O. F.

BROTHERS: In approaching the performance of the duty assigned to us we are profoundly impressed with the fact that the loss of our brother, JAMES H. BRADY, is not only an affliction to our fraternity but a distinct loss to this Nation, where in its highest councils during the crisis through which the world is passing he has stood as one of the strongest supporters of the administration of our Government in its fight for the world-wide rights of man and for the people of all nations to have a political liberty and a voice in their own government. Not alone shall we miss him but he will be missed in the councils of the Nation, where meet its great sons to determine and work out the measures which will finally protect the rights of men. In the lofty and patriotic stand which he has taken in the United States Senate he has endeared himself to the people of this Nation. However much we may revere his memory and the value of his services we can not change conditions and must bow to the inevitable. Therefore be it

Resolved, That with an abiding faith in the grandeur of an enduring brotherhood we realize that our sorrow and loss has been chastened and sanctified by his splendid record, be it

Resolved, That Boise Lodge No. 77, Independent Order of Odd Fellows, bears grateful testimony to the memory of our departed brother, that we fully appreciate and commend his good deeds and his faithful life and service as worthy of our emulation. Be it further

Resolved, That a copy of these resolutions be sent to the bereaved widow of our departed brother, and that a copy be spread upon the minutes of this lodge, and our charter of the lodge be draped in mourning for a period of 30 days.

Fraternally submitted.
[SEAL.]

F. B. KINYON,
W. R. REEVES,
JARAD DOOLITTLE,
Committee.

Attest:

SAM BLAIKIE, *Recording Secretary.*

[Resolutions by Adah Chapter, Order of the Eastern Star, No. 8, on the death of Hon. JAMES H. BRADY.]

Whereas it has pleased the Almighty Father, the Grand Patron of the celestial chapter, Who is all powerful and all merciful, to take from our midst our illustrious member, Brother JAMES H. BRADY, United States Senator from Idaho, and

Whereas our State and this chapter have sustained a great loss in the passing of Brother BRADY, who has been so signally honored by his people by electing him governor and United States Senator, the highest offices in the gift of the State: Therefore be it

Resolved, That we express our sorrow at his passing hence and extend to his family our heartfelt sympathy in their hour of grief and desolation; and be it further

Resolved, That these resolutions be set out upon our chapter records and that a copy be furnished to his wife.

And we thus express our appreciation of the membership of this distinguished citizen and recall his many good deeds as a man and an official.

Fraternally submitted
[SEAL.]

ANNIE B. LEWIBERGER,
EMMA M. PAGE,
J. M. ROBINSON,
Committee.

Attest, February 6, 1918:

MINNIE A. HALL, *Secretary.*

[Oregon Short Line Railroad Young Men's Christian Association.]

POCATELLO, IDAHO, *January 21, 1918.*

Mrs. JAMES H. BRADY,
Washington, D. C.

MY DEAR MRS. BRADY: Inclosed is the following resolution passed by the Carpenters' Union a few nights ago:

"Local Union No. 1258 of Carpenters of Pocatello, Idaho, pass resolutions of sympathy and appreciation. We much regret the loss of our late deceased Senator, JAMES H. BRADY—our friend, Idaho's friend, America's friend, and every laborer's friend. His life was a life of force and energy, building up a character that has set in motion an influence for a higher and better life that will never rest as now rests his own strong body.

L. F. HOLMES,
PAUL SELF,
A. W. FERGUSON,
Committee.

WOODMEN OF THE WORLD,
FREE SILVER CAMP, NO. 168,
POCATELLO, *January 29, 1918.*

Mrs. JAMES H. BRADY,
Washington, D. C.

DEAR MADAM: Free Silver Camp, No. 168, Woodmen of the World, of Pocatello, Idaho, adopted the following resolution upon the death of our esteemed neighbor and Senator, JAMES H. BRADY:

"*To the officers and members of Free Silver Camp, No. 168, Woodmen of the World:*

"We, your committee, appointed to draft resolutions of condolence on the death of our beloved neighbor and Senator, JAMES H. BRADY, beg to submit the following:

"Whereas the Supreme Ruler of the Universe, in His infinite wisdom, has seen fit to call from our midst our beloved neighbor and Senator, JAMES H. BRADY: Therefore be it

"*Resolved*, That Free Silver Camp, No. 168, Woodmen of the World, extend to the bereaved widow our deepest sympathy and profound condolence, trusting that the Divine One will cheer and sustain her in this her hour of bereavement and sadness; and be it further

"*Resolved*, That a copy of these resolutions be sent to the widow, and that they also be spread upon the minutes of the camp."

WM. A. MCHAN,
WM. A. YOUNG,
THOMAS HALL,
JAMES H. NORRIS,
Committee.

Respectfully, yours,

FREE SILVER CAMP, NO. 168,
WOODMEN OF THE WORLD.
By WILLIAM A. YOUNG, *Clerk.*

[Capitol Rebecca Lodge, No. 47, I. O. O. F., Boise.]

Whereas death has once more come into our ranks and removed in the person of United States Senator JAMES H. BRADY one of the foremost citizens of the State and Nation, and one who during his residence in our midst was very much interested in our activities:

Resolved, That we, the members of Capitol Rebecca Lodge, in meeting here assembled, hereby extend to the family of our deceased brother our most sincere sympathy in this the hour of their affliction, and trust they may be consoled by the thought that the great work and achievements of our departed brother did so much in the upbuilding of our beloved State of Idaho; be it further

Resolved, That a copy of these resolutions be made a part of our official records, that a copy be sent the sorrowing family, and that our charter be draped in mourning for a period of 30 days.

OLIVE JEFFRIES,
AUGUST JOHNSON,
E. S. JEFFRIES,
Committee Capitol Rebecca Lodge, No. 47, I. O. O. F.

Dated at Boise February 6, 1918.

THE VANGUARD,
THE NATIONAL COUNCIL OF WOMEN VOTERS,
Tacoma, Wash., January 16, 1918.

Mrs. JAMES H. BRADY.

DEAR MADAM: I have been directed to send you the following: On January 15, 1918, resolutions were passed by the executive board of the National Council of Women Voters, in Tacoma assembled, expressing deep regret that death had called Senator JAMES H. BRADY from this world to a wider sphere of usefulness.

Recalling with gratitude the fact that this association owes its organization to Senator BRADY, it is with a profound sense of personal loss that the council begs to tender its sincere sympathy to Mrs. Brady.

EDITH THOMAS PRANSIOLI,
Secretary pro tempore.

[From the African Methodist Episcopal Church.]

The following resolution was passed by the members of the African Methodist Episcopal Church:

To the bereaved wife, relatives, and friends of the late United States Senator JAMES H. BRADY, of the State of Idaho, and resident of the city of Pocatello:

We, the colored citizens of this city, regret very much to lose such a dear friend in the person of Senator BRADY, who while living proved himself a gentleman and friend to all humanity regardless to race and color, therefore the entire colored population of the city of Pocatello, at the African Methodist Episcopal Church, 536 North Third Avenue, unanimously adopted the following resolutions:

Whereas Almighty God, in His wise providence, has taken from our midst and from the Congress of the United States the soul of our beloved Senator, friend, and neighbor; and

Whereas we feel with deep regret the loss of such noble character: Therefore be it

Resolved, That we, the colored citizens of Pocatello, at the hour of 8.30 o'clock, Sunday evening, January 20, while assembled for services, show our regret of the shocking and sad loss to us, and at the same time our submission to God's will by rising and softly chanting "Nearer my God to Thee"; and be it further

Resolved, That a copy of these resolutions be given to the Pocatello Tribune for publication and a copy sent to Mrs. James H. Brady on behalf of the colored citizens of this city.

Signed in behalf of said citizens by

Rev. J. A. DUNCAN,
Pastor African Methodist Episcopal Church,
536 North Third Avenue, Pocatello, Idaho.

Resolution.

Whereas on January 13, 1918, death claimed the life of Hon. JAMES H. BRADY, United States Senator from Idaho; and

Whereas in the parting from life of this distinguished citizen the Nation has lost a patriotic servant and the Commonwealth of Idaho and the West a loyal, able friend; and

Whereas through the death of Hon. JAMES H. BRADY Lewiston and this immediate section keenly feels this loss, because of his close association with the deceased, whose every effort was at all times available to the people of this community in their public work: Therefore be it

Resolved by the Lewiston Commercial Club, That this organization joins with the people of the State in mourning the passing of JAMES H. BRADY; and be it further

Resolved, That a copy of this resolution be transcribed on the permanent records of the Commercial Club and that the original be sent to widow of the deceased.

Adopted by the Lewiston Commercial Club January 22, 1918.

F. R. BEVIS,
President Lewiston Commercial Club.
JESSIE ADAM,
Secretary.

To Mrs. JAMES H. BRADY:

A solemn occasion reminds us that Idaho has suffered the loss of her foremost citizen and the Nation a genuine statesman at a time when dependable men, in high places, are needed.

In obedience to the Divine will JAMES H. BRADY has been removed from earth and its associations, but though he be dead, shall he not live again?

His voice has been stilled, his activities have ceased; yet in everything that means the upbuilding of the State he so much loved, in everything that calls for unselfish, patriotic devotion to the principles of true Americanism, we may well imagine that he still lives; that he still counsels us to forget everything, and to live only for the purpose of furthering the cause of a world-wide humanity.

He died at his post of duty amid conditions that try men's souls and that put to the utmost test every fiber of our national life.

Silent is our departed friend and brother now, but could his voice be heard again for each of us he would utter this solemn exhortation:

"So live, that when thy summons comes to join
That innumerable caravan that moves
To that mysterious realm, where each must take
His chamber in the silent halls of death,
Thou go, not like the quarry slave at night,
Scourged to the dungeon; but sustained and soothed
By an unfaltering trust; approach the grave
Like one who wraps the drapery of his couch
About him, and lies down to pleasant dreams."

MOSCOW CHAMBER OF COMMERCE,
By W. F. MORGARIDGE,
F. F. PARSONS,
A. H. OVERSMITH,
Committee.

[Resolution adopted by the joint conference of Agricultural, Live Stock, Irrigation, and Engineering Societies of Idaho, in convention assembled at Idaho Falls, Jan. 14 to 19.]

Resolved, That in the passing of Senator BRADY the people of Idaho have lost the aid and advice of one of the pioneers of the irrigated section of the State. We take this occasion to express our appreciation of his great service to this State in the development and upbuilding of the Snake River Valley.

[Resolutions Idaho Council of Women Voters.]

Whereas all that was mortal of our friend JAMES H. BRADY has been removed from our view, while the immortal part of him has been transferred to a sphere of unrestricted activity and enlarged usefulness: Therefore be it

Resolved by the National Council of Women Voters in Idaho, in regular meeting assembled, That in the passing over of JAMES H. BRADY, former governor of Idaho and late Senator from Idaho to the Congress of the United States, Idaho has been deprived of the services of a useful, able, and energetic public servant and the country of a devoted and intensely loyal citizen. The National Council of Women Voters of Idaho will ever hold in grateful remembrance Senator BRADY'S generous and liberal aid, while governor of the State, to the national organization of women voters, since, as governor, he officially invited the governors of the suffrage States to each send a representative woman to a meeting held at Tacoma on January 14, 1911, then and there to effect the national organization of women voters. Gov. BRADY himself journeyed to Tacoma and presided at the various sessions, and by his presence, business advice, and financial assistance helped launch and speed on an even keel the national craft on its initial voyage of helpfulness to the cause of the equality of women before the law. Be it further

Resolved, That a copy of these resolutions be transcribed upon the minutes of the Boise Chapter, Council of Women Voters, and a copy thereof sent to Mrs. James H. Brady, together with the assurance of our profound sympathy in her bereavement and loss.

[From the Tacoma (Wash.) Tribune.]

SENATOR BRADY FRIEND OF SUFFRAGE HERE—EMMA SMITH-DE VOE RECALLS EFFORTS OF IDAHO STATESMAN.

In the death of Senator JAMES H. BRADY, of Idaho, the National Council of Women Voters loses the western statesman who was chiefly responsible for its formation and who was one of the staunchest friends of suffrage in the West. Mrs. Emma Smith-De Voe, of Tacoma, intimate friend of Senator and Mrs. BRADY, Tuesday recalled some of the circumstances attending the stirring scenes when the State of Washington adopted woman suffrage in 1910. Senator, then Gov. BRADY, of Idaho, has been her chief adviser during that memorable fight.

After the victory Mrs. De Voe went to Boise, Idaho, for one more conference in the governor's mansion. There before the blazing logs in his wide fireplace they held council. When it was over Gov. BRADY issued this call to the governors of the other four suffrage States:

"Whereas on November 8, 1910, the electors of the State of Washington voted a constitutional amendment giving the women of that State the right of suffrage, making five States west of the Missouri River that have placed this God-given right in their hands;

"I, JAMES H. BRADY, governor of the State of Idaho and chairman of the advisory board of Washington campaign committee of said State, believe that the time has arrived when the enfranchised women of the West should extend a helping hand to their sisters in the eastern and other States in securing the ballot, and I hereby call a convention, to be held in the city of Tacoma, Wash., on January the 14th, 1911, for the purpose of organizing an association of national scope of the women voters of America, and I hereby appoint Margaret S. Roberts, of Boise, Idaho, as delegate to said convention, with full power to act on all matters coming before the same, and I respectfully request the governors of all the States where women have the right of suffrage to appoint one delegate to said convention, with authority to organize a national association."

There was prompt concurrence by all the governors, each of whom named and duly authorized a woman commissioner for this important meeting. Gov. Brooks, of Wyoming, named Mrs. Zell Hart Deming, of Cheyenne; Gov. Shafroth, of Colorado, named Mrs. Mary C. C. Bradford, of Denver; Gov. Spry, of Utah, named Mrs. Susa Young Gates, of Salt Lake City; and Gov. Hay, of Washington, named Mrs. Virginia Wilson Mason, of Tacoma.

These commissioners met on the morning of January 14, 1911, Gov. BRADY himself calling them to order and stating the object of the meeting. The scene was laid in the large colonial home of Mr. and Mrs. John Q. Mason, in Tacoma, and there was organized the National Council of Women Voters.

The first officers elected were: President, Mrs. Emma Smith-De Voe, Tacoma; vice president at large, Mrs. Harriet G. R. Wright, Denver, Colo.; corresponding secretary, Mrs. Bertha Knatvold Kittilsen, Tacoma; recording secretary, Mrs. Leona Cartee, Boise, Idaho; treasurer, Dr. Cora Smith King, Seattle, Wash.; auditor, Mrs. C. H. McMahon, Salt Lake City, Utah.

EDITORIAL COMMENTS.

[From the Idaho Statesman, Boise.]

When a summary is made of the career of JAMES H. BRADY, the United States Senator over whose death the people of Idaho mourn today, those who knew him personally will be apt to give precedence to his personality, rather than to the record which he made as a highly successful business man or to the political record which kept him prominently before the public. It will be the kindly, generous, and sympathetic side of the man, whose charity was unstinted and who was always willing to help, which will be emphasized by his friends and associates, and even by those who knew him only slightly.

Many sections of southern Idaho are to-day enjoying a prosperity and a development which are directly attributable to Senator BRADY'S business sagacity. His great successes in large ventures were made on projects which benefited the people of the State as well as himself, and any one of several of his projects would be monument enough for an ordinary man.

Whatever Senator BRADY put his hand to he directed with an earnestness and a continual pressure that brought results. This is as true of his political activities as it is of his personal business affairs. While he was governor of Idaho he was a man who pushed things along—got things done, and when he was advanced to the larger sphere of usefulness in Washington this same spirit was manifest. Thousands of his constituents can testify to his earnest services in departmental matters at the National Capital. He accomplished things and was preeminently a builder, and always he had a sincere love for Idaho and a genuine concern for the welfare of the State.

When the Nation became involved in the great war Senator BRADY immediately aligned himself as a whole-hearted supporter of the administration. Victory over Germany and the future safety of his country—those were the things to which he gave unstintedly of time and labor and thought.

No one knew better than Mr. BRADY himself the personal danger to his health which his hard work on the Military Affairs Committee of the Senate entailed. His physicians warned him that overexertion would inevitably shorten his life, and many of his friends urged upon him the advisability of a moderate slowing down of his many activities. To these pleas Senator BRADY replied that his own life was a matter of minor importance and that he must give to his country without stint the best work of which he was capable.

[From the Boise Evening Capital News.]

PASSING OF SENATOR BRADY.

A public official is soon forgotten by the public unless he be among the few who has stood out with national distinctiveness.

A builder lives in the public mind, for his monuments are ever in evidence.

It was as a constructive genius in the field of industry that the late United States Senator BRADY, of Idaho, will be the longest held in public remembrance, not that he had not served to the fullest capacity permitted by failing health, nor that he had not succeeded in performing genuine service for his State in the National Hall of legislation, but because of the visualization of his industrial activities.

Senator BRADY'S constructive efforts were not always as successful as he would have had them nor as profitable to himself as the public assumed, but they all helped build up his State. They encouraged other investment and additional population.

The Senator was a tireless worker in private life and in public life until ill health forced him to slow down, but, even though gripped by a fatal malady, he went on in both capacities, and undoubtedly his end was hastened by continuation of his business activities at a time when he should have been in practical retirement.

[From the Pocatello Tribune.]

It is extremely difficult for those who were so closely associated as friends with the late Senator JAMES H. BRADY to reconcile themselves to the belief that he is dead, and the thought insists that he is simply away on his duties and will return. But the calm consciousness dawns that when he does return it will not be as the keen, active, optimistic individual whose life and energies were so closely interwoven with the affairs of the State, and more particularly those of his home town, Pocatello, where for years his name and operations stood constantly and firm for uplift and upbuilding. His keen perception, quick decision, and great energy are lost to the State, and as the days go along it is only too strongly realized that the loss is very great.

No public man in years has dropped from the ranks of human endeavor whose work and activity will be missed to so great a degree by the people of Idaho as that of Senator BRADY. His effort, friendship, and wealth had an influence and firm hold on nearly every community in the State, and it was ever his ambition to advance the work of the people, to further the aspirations of a locality, and to follow out the theory of "making two blades of grass grow where but one grew before."

His dynamic force was the constant admiration of those who knew him intimately. No way was too long or no night too dark to be of service to a worthy individual or a deserving project, and he possessed the wonderful vitality and decisive action to dispose of a monumental bulk of affairs in remarkably short time. A study of his methods of many years readily inclines one to the belief that he could not have been constituted otherwise and accomplish so many successes in 20 years' time. He was never known to drift on any process, and was quick to act either for or against.

It was his vast grasp of situations and affairs, the fine purpose of associating with him the best elements of society at large, that at all times commanded the greatest respect of his opponents. And aside from the cause of party, it is recalled that one of the characteristics most strongly appealing to his great circle of adherents was his stern avoidance of radicalism on any subject. He gave and took with all his forces. His radical Republicanism, however, left no doubt as to his exact stand with the party under any and all conditions, and his firmness and personal activity has on more than one occasion contributed very vitally to snatching victory from the claws of apparent defeat.

As time drifts along we rather surmise that the things built by JAMES H. BRADY will become of greater moment than they appeared when he was alive. He had that master constructive mind, and coupled it with his wealth to produce results for greater and better times.

Eulogy is not essential. He had much of eulogy while yet he breathed, but now "flowers on coffins laid impart no incense to departed days."

And one would almost deny the cause of the inscrutable way of fate to remove so potent a citizen in the good golden period of moderate years, and his memory will abide with us and his constructive genius live for aye, and rather than contemplate that he is gone for all time, while facing such stern fact, a pleasant memory would rather deduce:

"Like one who wraps the mantle of his couch about him and lies down to pleasant dreams."

[From the Weiser Signal.]

DEATH OF SENATOR BRADY.

In the death of Hon. JAMES H. BRADY the State of Idaho has suffered the loss of one of her most energetic and constructive citizens. He was a builder and has left many monuments to his enterprise, thrift, and business foresight.

As a public official he was hard working and energetic, and his intense loyalty to his country was his guiding star in the performance of public duty. His services in the Senate have been especially valuable since war was declared, and, although in poor health, he remained at his post of duty and died literally fighting for civilization and democracy.

The Signal has not supported Senator BRADY in all of his undertakings, but we have admired his forcefulness and staying qualities, and sincerely join in a tribute to his many good qualities and the service he has rendered the State.

[From the Moscow Daily Star-Mirror.]

LOYAL SENATOR BRADY.

Idaho has one special reason for honoring the memory of JAMES H. BRADY. All through the critical times leading up to the declaration of war, and more particularly after that declaration, Senator BRADY was right. All the ability he had, all the influence he commanded, he threw whole-heartedly on the side of his country. The Government did not move as rapidly as he thought it should have moved in preparations for war; the break with Germany did not come as soon as he thought it should have come, but he did not for an instant permit this feeling to interfere with his loyal support of his country. His every act and every utterance was governed by the firm conviction that the Government—the men in positions of power and responsibility in the Nation—were entitled to the earnest support of every citizen in the land. An intense partisan, Senator BRADY was willing to lay his partisanship aside for the time in order that his country might present a solid front to the common enemy. Out of harmony with some of the things the Government was doing, he was willing to leave the correction of these minor things until after the main issue was decided—until the war was won. On the alert always to make political capital out of the mistakes and weaknesses of the opposition, and always ready to advance the interests of his own party, Senator BRADY suppressed his political desires in order that the best interests of his Nation might go forward. Idaho will remember these things. Citizens of the State will place this record to the credit of the departed Senator, and they will honor his memory for the patriotic course he pursued in the supreme crisis of the Nation.

[From the Wallace Miner.]

DEATH OF SENATOR BRADY IS GREAT LOSS TO IDAHO.

Reports of the condition of Senator JAMES H. BRADY for a week or more fully prepared the people of Idaho for the news of his death, but it did not lessen the profound and universal sorrow with which it was received. Although long prominent in the business and political affairs of Idaho, it was not until he entered the United States Senate that his highest and best qualities were recognized by the people of his State. Senator BRADY was first elected to serve the unexpired term of Senator Heyburn, who also died at his post of duty in the National Capital, and was the last Senator chosen by the State legislature. Upon the expiration of his term, Senator BRADY was elected for a full term of six years by popular vote and had three years to serve at the time of his death. Like his distinguished predecessor, Senator BRADY was a native of Pennsylvania. He was educated in the public schools and in the State Normal School at Leavenworth, Kans. He taught school for three years, edited a newspaper for two years. He came to Idaho in 1895, locating in Pocatello, which has since been his home. He was chairman of the Republican State central committee during the campaigns of 1904 and 1908. He was chairman of the Idaho delegation to the Republican national conventions in 1900 and 1908. He was elected governor of Idaho in 1908. On January 24, 1913, he was elected Senator by the legislature, and on November 3, 1914, he was reelected by popular vote.

In the Senate Senator BRADY at once earned recognition from his colleagues by his ready grasp of big questions, and while not an orator, he nevertheless had the faculty of expressing his views with vigorous clearness, which never failed to impress his hearers. He was a tireless worker, and his unwillingness to abandon his work and take a needed rest no doubt accounts for his untimely death. The most humble citizen of Idaho had a firm friend in Senator BRADY, and hundreds of prospectors, homesteaders, and others in all parts of the State will attest to his prompt and faithful attention to matters in which they were concerned in the various departments. With his service in the Senate he had steadily grown in the esteem of the people of Idaho, who watched with satisfaction his expanding influence in that body. At the time of his death he was the ranking member of the Committee on Military Affairs and was one of the subcommittee which framed the law creating the great National Army we see to-day. Although not in accord with the President on many questions pertaining to the attitude of this country toward the European war, he never faltered in giving the administration the most loyal support in declaring war and in all measures necessary to bring speedy victory to American arms.

In the death of Senator BRADY Idaho has lost not only a faithful and forceful representative in the Senate, but a citizen who has contributed much toward shaping the political and industrial destiny of the State.

[From the Spokane (Wash.) Spokesman Review.]

SENATOR BRADY'S DEATH A NATIONAL LOSS.

In the death of JAMES H. BRADY Idaho has lost, as Senator BORAH says, "a hard-working and faithful Senator." But his death is more than a State grief; it is a loss to the Nation.

As member of the Senate Committee on Military Affairs and of the subcommittee that conducted extended hearings in December, 1916, on universal military training, Senator BRADY had amassed a fund of military knowledge and had developed a keen and intelligent understanding of preparedness problems that the Nation can ill afford to lose in this hour of trial.

For six weeks this subcommittee held laborious sessions daily. Senator BRADY was in constant attendance, and his innumerable questions and comments revealed a keen and able mind and a high spirit of American patriotism.

He had no pacifist delusions. He wanted to strengthen the Regular Army, federalize the National Guard, and develop a democratic system of universal training. He wanted to carry physical training into the schools, for the benefit of both the girls and the boys, and he believed that in the period of military training of the young manhood of the country vocational education should be linked up with military drill and instruction.

Senator BRADY understood early that we could not adequately build up the Army and Navy with the volunteer system, and that resort to the draft was advisable. When Gen. Scott, Chief of Staff, was before the committee Senator BRADY brought out in a series of questions the fact that "the Government had made every possible effort to get good men to volunteer in the service"; that extraordinary efforts had been resorted to in recruiting; and that the men were not coming in the desired numbers.

"This seems to indicate to me," was his conclusion, "that it is a very true statement that it is going to be impossible, under existing conditions, to secure these volunteers."

Maj. Gen. Wood told the committee that "this country is in effect unprepared," and added:

"We need, and need immediately, a system for the training of men, and we should push forward the manufacture of munitions and equipment with all possible speed. The lessons of the present militia mobilization, with its incompleteness of equipment, its shortages in all directions, extending to the present moment in many things—in the matter of clothing, shortage of artillery, shortage in various directions—all indicate the need of a systematic and well-thought-out preparation, and that without delay."

Senator BRADY promptly voiced his approval of that expert counsel.

When another witness said that there were already a number of excellent military training schools in the country, Senator BRADY remarked:

"The trouble with that is that it is simply in local places. It does not apply generally to the people of the United States. Now, that would be something like our baseball games and our football games, where 18 or 25 take their physical exercises and 25,000 or 30,000 sit in idleness and watch them perform. We want to find some method by which we can give a reasonable amount of physical training to all the youths of the United States."

It was unfortunate for the Nation that Senator BRADY'S health broke under the severe strain of his conscientious labors. He tried to meet all the exacting demands on his time and thought from his home constituency and at the same time master the great problems before the American people. With the possible exception of Senator CHAMBERLAIN, of Oregon, it is doubted if any other Senator had a broader or more intelligent grasp of the military needs of the Nation.

[From the Salt Lake City Republican.]

JAMES H. BRADY.

In the death of Senator JAMES H. BRADY the West loses an able and vigorous champion and Idaho a statesman who was a big factor in its industrial and agricultural development. Senator BRADY stood by the West at every turn of the road, and he had an unfailing faith in the future of his adopted State. He came to Idaho less than a quarter of a century ago, a stranger willing to do his part.

It is a fine tribute to the western spirit, as well as to Senator BRADY'S ability, to note the progress made by him in a comparatively short period of time. Rising from the ranks, he was elected governor of the State. Later he was appointed to fill the unexpired term of United States Senator Heyburn, deceased, and in 1914 he was reelected by popular vote.

The death of Senator BRADY brings about a rather important political situation. Gov. Alexander will appoint a Democrat to serve until next November, at which time Idaho will elect two Senators instead of one. But whoever is appointed and whatever may be the result of the November election, Senator BRADY has left a fine record of achievement that may well be emulated by his successor.

Only a few days ago the West suffered a similar loss in the death of Senator Newlands, of Nevada. He, too, was a man who held the interests of the West close to a warm heart, and his experience, together with his alignment with the majority in Congress, made him an important factor in legislation. The State of Utah will share to an extent the loss sustained by the adjoining States of Idaho and Nevada.

[From the New York Evening Sun.]

THE LATE SENATOR BRADY.

The United States, and particularly the State of Idaho, suffered a distinct loss in the death of Senator JAMES H. BRADY, who died in Washington on Sunday. Like the late Senator Newlands, of Nevada, who predeceased him a short time ago, Senator BRADY was a conspicuous figure on important committees although representing a more or less inconspicuous State.

The Idaho statesman was an example of what is best in American public life. Born in humble circumstances, he rose by his own efforts to the governorship of the State of his adoption, and finally was elected and reelected to the Senate of the United States to represent that State whose interests were always nearest his heart.

Particularly does the woman-suffrage movement lose a friend in Senator BRADY, who as long ago as 1910 publicly advocated the enfranchisement of women, and at the time of his death was chairman of the National Council of Women Voters.

[From the Salt Lake City News.]

WEST DOUBLY BEREAVED.

The West has suffered two severe losses recently in the death of capable and favorite sons chosen to represent this section in the national halls of legislation. In both instances Utah people have sensed an almost direct and personal bereavement, for in each case the Commonwealth that was more immediately bereft is our next-door neighbor—Nevada on the west and Idaho on the north.

The late Senator Newlands of the former State was a power in the upper House of Congress, a legislator whose experience and penetrating habit of mind caused his utterances to be listened to with respect, and his influence to be far-reaching and potent. Upon those subjects of national importance in which he specialized—and these, while not necessarily sectional in their character, were of peculiar interest to the West—he was an authority from whose judgment it was seldom possible to take logical appeal. Among the large men who foregather at Washington to do the Nation's business he always held his own on all occasions, in some respects overtopping his colleagues, and reflecting always credit upon the State which in honoring him had honored itself.

Of Senator BRADY, of Idaho, whose untimely death is just announced, all of the foregoing may also be said, and more. By reason of the closeness of business relations between Idaho and Utah, their identity of interests, and the intimate sympathy of their populations, which have all but dispensed with even the imaginary line that marks their respective political boundaries, we on this side of the line have been as deeply interested in the Gem State's affairs as her own citizens. So when Idaho chose JAMES H. BRADY to be her governor Utah was well pleased, and when he was later sent to the United States Senate his host of friends here were as much gratified as were his followers there. He had proved his worth, his courage, his manhood—in a word, his possession of the attributes that go to constitute the foundation of human greatness. He had shown himself a stalwart friend to Utah's people and interests when friends were needed, standing squarely for the right as he saw it, alike against persuasion, popular clamor, and partisan threat. In addition to individual admiration for the man by those who knew him, we of Utah therefore should be guilty of ingratitude if we fail to keep his name in pleasant memory or fail to join in the sorrow of his own State at the loss of a gallant man who has served us all so well.

ADJOURNMENT.

The SPEAKER pro tempore. In accordance with the resolutions heretofore adopted, the House will now stand adjourned until to-morrow.

Accordingly (at 2 o'clock and 30 minutes p. m.), in pursuance with the order heretofore adopted, the House adjourned until to-morrow, Monday, January 27, 1919, at 11 o'clock a. m.

Congressional Record

CONTAINING

THE PROCEEDINGS AND DEBATES

OF THE

THIRD SESSION

OF THE

SIXTY-FIFTH CONGRESS

OF

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PROCEEDINGS AND DEBATES OF THE SIXTY-FIFTH CONGRESS
THIRD SESSION.

SENATE.

MONDAY, *January 27, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, our daily task begins with thoughts of Thee. Our hearts arise to Thy throne as we face the dread responsibilities of this hour. We ask the divine guidance in every disposition of our hearts and every faculty of our minds, that our whole spirit may be given up to God to work out His divine plan in us as a Nation. Thou hast dealt with us more wonderfully than Thou has dealt with any other people. Thou hast laid upon us an immeasurable debt of gratitude to Thee for Thy kindness and for all Thy goodness. Help us to respond with truthful, glad, and willing hearts to Thine own call for service. We ask for Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Monday, January 20, 1919, when, on request of Mr. KING and by unanimous consent, the further reading was dispensed with, and the Journal was approved.

COUNCIL OF NATIONAL DEFENSE (S. DOC. NO. 347).

The VICE PRESIDENT laid before the Senate a communication from the Council of National Defense transmitting, in response to a resolution of December 15, 1918, a report of all money received and disbursed, together with liabilities and available balances up to December 31, 1918, which, with the accompanying papers, was ordered to lie on the table and be printed.

WAR TRADE BOARD (S. DOC. NO. 346).

The VICE PRESIDENT laid before the Senate a communication from the vice chairman of the War Trade Board transmitting, in response to a resolution of December 15, 1918, a report of all money received and disbursed, together with liabilities and available balances up to and including December 31, 1918, which, with the accompanying paper, was ordered to lie on the table and be printed.

WITHDRAWAL OF PUBLIC LANDS (S. DOC. NO. 1703).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior transmitting, pursuant to law, a report showing all withdrawals of public lands from December 1, 1917, to November 30, 1918, which, with the accompanying paper, was referred to the Committee on Public Lands and ordered to be printed.

EMPLOYEES OF WAR DEPARTMENT (S. DOC. NO. 348).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 18th instant, a report relative to applications for reinstatement of certain civil-service employees of the War Department after discharge from the military service, which was referred to the Committee on Military Affairs and ordered to be printed.

GOVERNMENT EMPLOYEES.

The VICE PRESIDENT laid before the Senate communications from the Acting Secretary of State (S. Doc. No. 359), the Secretary of War (S. Doc. No. 356), the Secretary of Agriculture (S. Doc. No. 351), the Secretary of the Treasury (S. Doc. No. 352), the Secretary of Labor (S. Doc. No. 355), the Secretary of the Interior (S. Doc. No. 358), the Postmaster General (S. Doc. No. 353), the Acting United States Food Administrator (S. Doc. No. 354), the United States Fuel Administrator (S. Doc. No. 357), and the Chairman of the War Trade Board (S. Doc. No. 349), transmitting, in response to a resolution of December 23, 1918, a list showing the number of employees in their respective departments on January 15, 1919, and the number discharged during the previous two weeks, which were ordered to lie on the table and be printed.

REPORT OF COMPTROLLER OF THE CURRENCY.

The VICE PRESIDENT laid before the Senate the annual report of the Comptroller of the Currency for the year 1918, which was referred to the Committee on Banking and Currency.

GEORGETOWN BARGE, DOCK, ELEVATOR & RAILROAD CO.

The VICE PRESIDENT laid before the Senate the annual report of the Georgetown Barge, Dock, Elevator & Railroad Co. for the year 1918, which was referred to the Committee on the District of Columbia and ordered to be printed.

NATIONAL PROHIBITION.

The VICE PRESIDENT. The Chair lays before the Senate resolutions adopted by the Legislatures of the States of Wisconsin, Arkansas, Florida, North Carolina, Oregon, Mississippi, Indiana, Oklahoma, New Hampshire, Illinois, Idaho, Minnesota, Wyoming, Washington, Colorado, Nebraska, and West Virginia, ratifying the proposed prohibition amendment to the Constitution of the United States, which will be placed on the files of the Senate.

WOMAN SUFFRAGE.

The VICE PRESIDENT. The Chair lays before the Senate resolutions adopted by the States of California, Washington, Nebraska, Oregon, Kansas, and Utah, petitioning Congress to pass the woman suffrage amendment. The resolutions will lie on the table and be printed in the RECORD.

The resolutions are as follows:

UNITED STATES OF AMERICA, STATE OF WASHINGTON,
DEPARTMENT OF STATE.

To all to whom these presents shall come:

I, I. M. Howell, secretary of state of the State of Washington and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of senate joint memorial No. 1 with the original copy of said senate joint memorial No. 1, now on file in this office, and find the same to be a full, true, and correct copy of said original, and of the whole thereof, together with all official indorsements thereon.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Washington. Done at the capital, at Olympia, this 15th day of January, A. D. 1919.

[SEAL.] I. M. HOWELL,
Secretary of State.
By J. GRANT HINKLE,
Assistant Secretary of State.

Senate joint memorial 1.

To the PRESIDENT AND THE CONGRESS OF THE UNITED STATES:

We, the Senate and the House of Representatives of the State of Washington, memorialize your honorable body to submit to the States for ratification the amendment now pending granting to the women of the United States the elective franchise.

Passed the senate January 13, 1919.

LOUIS F. HART, *President.*

Passed the house January 13, 1919.

FRED A. ADAMS, *Speaker.*

STATE OF KANSAS,
DEPARTMENT OF STATE,

To all to whom these presents shall come, greeting:

I, L. J. Pettijohn, secretary of state of the State of Kansas, do hereby certify that the following and hereto attached is a true copy of house concurrent resolution 4, the original of which is now on file and a matter of record in this office.

In testimony whereof I hereto set my hand and cause to be affixed my official seal.

Done at the city of Topeka, this 22d day of January, A. D. 1919.

[SEAL.] L. J. PETTIJOHN,
Secretary of State.

House concurrent resolution 4.

Whereas there is now pending in the Senate of the United States a constitutional amendment providing for national woman suffrage; and

Whereas it is an acknowledged fact that the enfranchisement of the women of Kansas has worked satisfactorily and tended toward better government in this State; and

Whereas equality and justice to all people for which the nations of the world have been struggling and for which the great war has been waged, requires the granting of suffrage to American women who equally with the men of this country have borne the burdens of the war and have loyally and ungrudgingly given their sons and their personal services that liberty might live and the world be made free to the end that our own Government might not perish; Therefore

Resolved by the Senate and House of Representatives of the State of Kansas, That the Senate of the United States is most earnestly requested to without delay pass the Federal amendment giving the women of the United States full suffrage.

I hereby certify that the above concurrent resolution originated in the house, and passed that body January 15, 1919.

W. P. LAMBERTSON,
Speaker of the House.
CLARENCE W. MILLER,
Chief Clerk of the House.

Passed the senate January 20, 1919.

CHAS. S. HUFFMAN,
President of the Senate.
EMMET D. GEORGE,
Secretary of the Senate.

Approved January 22, 1919.

HENRY J. ALLEN,
Governor.

STATE OF UTAH, EXECUTIVE DEPARTMENT,
SECRETARY OF STATE'S OFFICE.

I, Harden Bennion, secretary of state of the State of Utah, do hereby certify that the attached is a full, true, and correct copy of a memorial to the Congress of the United States, petitioning the Government to pass the Federal suffrage amendment. Adopted by the Legislature of the State of Utah, as appears on file in my office.

In witness whereof, I have hereunto set my hand and affixed the great seal of the State of Utah this 18th day of January, 1919.

[SEAL.] HARDEN BENNION,
Secretary of State.

Senate memorial 1.

A memorial to the Congress of the United States, petitioning the Government to pass the Federal suffrage amendment.

To the Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the governor and Legislature of the State of Utah, respectfully represent that:

Whereas the Federal amendment to grant the right of suffrage to women equally with men has been before the Congress of the United States for more than 40 years; and

Whereas the women of the nonsuffrage States feel that the time is come when the Congress should give favorable consideration to this measure of justice to one-half the citizens of these United States.

Now, therefore, the governor and the Legislature of the State of Utah respectfully petition that the said suffrage amendment receive immediate and favorable consideration before the Sixty-fifth session of Congress adjourns.

The foregoing senate memorial was publicly read by title and immediately thereafter signed by the president of the senate, in the presence of the house over which he presides, and the fact of such signing duly entered upon the journal this 16th day of January, 1919.

J. W. FUNK,
President of the Senate.

Attest:

ADAM L. PETERSON,
Secretary of Senate.

The foregoing senate memorial was publicly read by title and immediately thereafter signed by the speaker of the house in the presence of the house over which he presides, and the fact of such signing duly entered upon the journal this 16th day of January, 1919.

CHARLES C. RICHARDS,
Speaker of the House.

Attest:

HUGO B. ANDERSON,
Chief Clerk of House.

Received from the senate this 17th day of January, 1919. Approved January 18, 1919.

SIMON BAMBERGER, *Governor.*

Received from the governor and filed in the office of the secretary of state this 18th day of January, 1919.

HARDEN BENNION,
Secretary of State.

Senate joint memorial 1.

To the honorable Senate of the United States of America in Congress assembled:

Your memorialists, the Legislative Assembly of the State of Oregon respectfully represent that—

Whereas a measure providing for the submission of a constitutional amendment granting equal suffrage is now pending before the Senate of the United States; and

Whereas equal suffrage was adopted in Oregon in November, 1912, and has during its six years of operation proved a complete success in every particular: Therefore be it

Resolved by the Senate of Oregon (the House of Representatives concurring), That we do heartily indorse equal suffrage and pronounce it an unqualified benefit and success, and we do respectfully request and petition the United States Senate to take favorable and immediate action on the measure now pending before it providing for the submission to the several States of a constitutional amendment granting equal suffrage throughout the United States, and we do urgently petition the members of the Oregon delegation to use their best efforts toward securing the adoption thereof; be it further

Resolved, That a copy of this resolution be transmitted by the chief clerk of the Oregon Senate to the President and Vice President of the United States and to each Senator and Representative from Oregon in the United States Congress.

Adopted by the house January 14, 1919.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate January 14, 1919.

W. J. VINTON,
President of the Senate.

Senate file 4.

A joint and concurrent resolution relating to the woman suffrage Federal amendment now pending in the United States Senate.

Be it resolved by the Senate of the State of Nebraska (the House of Representatives concurring)—

SECTION 1. That the Senate and the House of Representatives of the State of Nebraska hereby memorialize the Senate of the United States without delay to pass and submit to the States for approval or rejection the pending woman suffrage Federal amendment.

SEC. 2. That the Senate and the House of Representatives of the State of Nebraska hereby request Senator GILBERT M. HITCHCOCK, of Nebraska, to vote in favor of the submission to the State of said woman suffrage Federal amendment.

SEC. 3. That copies of this resolution shall be sent by the secretary of state to the Presiding Officer of the Senate of the United States and to Senator GILBERT M. HITCHCOCK, of Nebraska.

P. A. BARROWS,
President of the Senate.

Attest:

CLYDE H. BARNARD,
Secretary of the Senate.
DWIGHT S. DALBEY,
Speaker of the House.

Attest:

WILL S. HITCHCOCK,
Chief Clerk of the House.

Approved January 17, 1919, 11.15 o'clock a. m.

SAMUEL R. MCKELVIE,
Governor.

STATE OF NEBRASKA, *ss:*

This is to certify that the within bill, senate file No. 4, originated in the senate and passed the legislature at the thirty-seventh session on the 17th day of January, 1919.

CLYDE H. BARNARD,
Secretary of the Senate.

STATE OF NEBRASKA, *ss:*

I hereby certify that the above and foregoing joint and concurrent resolution, senate file No. 4, is a correct copy of the same now on file in my office.

D. M. AMSBERRY,
Secretary of State.

SACRAMENTO, CAL., *January 26, 1919.*

Hon. THOMAS R. MARSHALL,
President of the United States Senate,
Washington, D. C.

DEAR SIR: I am instructed to wire you the following resolution enrolled by the Senate of the State of California on January 24, 1919:

Whereas the Legislature of the State of California, by joint resolution at its last session, urged upon the Congress of the United States the passage of the amendment to the National Constitution known as the Federal suffrage amendment as a matter of justice to the women of our Nation who have labored and sacrificed side by side with the men in the world struggle for liberty and democracy; and

Whereas said Federal suffrage amendment has been passed by the House of Representatives and now awaits the action of the Senate: Be it therefore

Resolved, That profoundly appreciative of the dignity and ability with which the women of this State have used their right to the ballot and so more than ever cognizant that sex discrimination in the granting of the franchise has no place in modern civilization, and realizing as never before how entirely the welfare of our Nation depends upon the material, moral, and spiritual activities of its men and women alike, the Legislature of the State of California urges upon the Senate of the United States at once to pass the Federal suffrage amendment that it may be submitted to the legislatures of the various States, to the end that before the next presidential election the Nation's women may enter upon the rights and duties of the franchise on the same basis as its men.

JOSEPH A. BEEK,
Secretary of the Senate, State of California.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the following bills:

S. 3384. An act to amend the public-building act, approved March 4, 1913; and

S. 5318. An act granting a pension to Edith Carow Roosevelt.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 13708) providing for the relief of such populations in Europe and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHERLEY, Mr. EAGAN, and Mr. CANNON managers at the conference on the part of the House.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 14746. An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920;

H. R. 14894. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 14945. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The message also communicated to the Senate the intelligence of the death of Hon. EDWARD EVERETT ROBBINS, late a Representative from the State of Pennsylvania, and transmitted resolutions of the House thereon.

The message further transmitted to the Senate resolutions on the life, character, and public services of Hon. JAMES H. BRADY, late a Senator from the State of Idaho.

The message also transmitted to the Senate resolutions on the life, character, and public services of Hon. ROBERT F. BROUSSARD, late a Senator from the State of Louisiana.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 41. An act to authorize the sale of certain lands at or near Yellowstone, Mont., for hotel and other purposes;

S. 2552. An act to provide for a leave of absence for homestead entrymen in one or two periods, and for longer times; and

H. R. 12881. An act to increase the cost of the public building at Eldorado, Kans.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT laid before the Senate a telegram embodying a resolution adopted by the Legislature of the State of Washington, which was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

OLYMPIA, WASH., *January 23, 1919.*

SECRETARY OF THE SENATE,
Washington, D. C.:

The following resolution was adopted by the Legislature of the State of Washington, Victor Zednick, secretary:

"Senate joint resolution No. 3, relating to compensation of discharged soldiers and sailors.

"Whereas the members of the Legislature of the State of Washington feel that this Nation owes to its soldiers and sailors of the late war an everlasting debt of gratitude which financial aid can never repay; but

"Whereas they believe that there is justly due to these men who have made such noble sacrifices a greater measure of financial aid than provided for by existing laws: Now, therefore, be it

"Resolved by the Senate and House of Representatives of the State of Washington in legislative session assembled, That we do earnestly request the Congress of the United States to enact appropriate legislation granting to each honorably discharged soldier and sailor all his uniform and clothing issued by the United States and expense of returning to his home and a bonus of $300, and that your honorable body enact suitable legislation providing appropriate governmental agencies through which soldiers and sailors may secure employment; be it further

"Resolved, That a copy of this resolution be telegraphed to the Congress of the United States."

"Passed the senate January 20, 1919.

LOUIS F. HART, *President.*

"Passed the house January 21, 1919.

"FRED A. ADAMS, *Speaker.*"

The VICE PRESIDENT laid before the Senate resolutions adopted by the Legislature of the State of Oregon, which were referred to the Committee on Mines and Mining and ordered to be printed in the RECORD:

Senate joint memorial No. 3.

To the honorable the Senate and House of Representatives of the United States of America in Congress assembled:

Your memorialists, the Legislative Assembly of the State of Oregon, respectfully represent that:

Whereas the Government of the United States required war equipment and supplies which could not be produced without chromite; and

Whereas the urgent need for ships for military purposes cut off the supplies from abroad, upon which this country previously had depended; and

Whereas the Government, through its departments and war boards at Washington, advertised this great need for chromite by issuing circulars, bulletins, and letters urging the people to search for, to mine, and to deliver chromite ore; and

Whereas a large number of Oregon miners, most of whom are men of small means, responded freely to these Government advertisements by building roads and trails, making open cuts, and otherwise developing chrome mines and preparing to furnish this mineral to the Government, and who will be financially ruined unless relief comes immediately; and

Whereas there is now pending in the Congress of the United States a bill entitled "A bill to supplement an act of Congress approved October 5, 1918 (Public, No. 220), and to authorize the Secretary of the Interior, from the funds appropriated by said act, to determine, to adjust, and pay losses sustained by investments preparatory to production of war minerals mentioned in said act": Now, therefore, be it

Resolved by the Senate of the State of Oregon (the House concurring), That the Legislative Assembly of the State of Oregon favor the enactment by Congress of Senate bill 5234, and to that end the Senators and Representatives in Congress of the United States from the State of Oregon are hereby urged to use their influence in behalf of the passage of said bill; and be it further

Resolved, That the chief clerk of the Senate of Oregon be directed to transmit by mail a copy of this memorial to the President of the United States Senate and the Speaker of the House of Representatives of the United States and to each of the Senators and Representatives from the State of Oregon in Congress.

Adopted by the house January 20, 1919.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate January 16, 1919.

W. J. VINTON,
President of the Senate.

The VICE PRESIDENT laid before the Senate a joint memorial of the Legislature of the State of Washington, which was referred to the Committee on Interoceanic Canals and ordered to be printed in the RECORD, as follows:

UNITED STATES OF AMERICA, STATE OF WASHINGTON,
DEPARTMENT OF STATE.

To all to whom these presents shall come:

I, I. M. Howell, secretary of state of the State of Washington and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of senate joint memorial No. 2 with the original copy of said senate joint memorial No. 2, now on file in this office, and find the same to be a full, true, and correct copy of said original, and of the whole thereof, together with all official indorsements thereon.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Washington. Done at the capitol at Olympia this 15th day of January, A. D. 1919.

[SEAL.] I. M. HOWELL,
Secretary of State.
By J. GRANT HINKLE,
Assistant Secretary of State.

Senate joint memorial 2.

To the PRESIDENT AND CONGRESS OF THE UNITED STATES:

Whereas the Nation has recently lost its foremost statesman and the world one of its greatest men.

Therefore for the purpose of perpetuating his name and memory we, the Senate and House of Representatives of the State of Washington, memorialize the Congress of the United States and request that the name of the "Panama Canal" be changed to "Roosevelt Canal."

Passed the senate January 13, 1919. LOUIS F. HART, *President.*

Passed the house January 13, 1919. FRED A. ADAMS, *Speaker.*

Mr. FLETCHER. I submit for printing in the RECORD a communication from the secretary of state of the State of Florida, transmitting resolutions adopted by the legislature of that State. The resolutions are as follows:

House concurrent resolution 9.

A concurrent resolution memorializing the Congress of the United States, inviting attention to the propriety of the improvement by the Federal Government of the St. Lucie Canal, Lake Okeechobee, Caloosahatchee Canal and River, comprising a waterway across Florida from the Atlantic to the Gulf for navigation purposes.

Whereas the United States by act of Congress September 28, 1850, granted to the State of Florida certain swamp and overflowed lands for the purpose of their drainage and reclamation; and

Whereas among the lands so granted under the act aforesaid are the Everglades of Florida and certain contiguous territory which has by legislative enactment of the State of Florida been created and incorporated into the Everglades drainage district for the purpose of constructing canals, ditches, drains, controlling works, levees, and other works of drainage and reclamation within said Everglades drainage district; and

Whereas a part of such drainage works comprises the St. Lucie Canal, with its controlling works, and the Caloosahatchee Canal, with its controlling works, the first connecting Lake Okeechobee and the Atlantic Ocean and the second connecting Lake Okeechobee via Caloosahatchee River with the Gulf of Mexico, providing a continuous water route from the Atlantic Ocean to the Gulf of Mexico; and

Whereas by reason of the dimensions of the canal for drainage purposes there is incident a valuable navigation feature when properly harmonized, which said feature of navigation is being as far as practicable developed coincidently with drainage; and

Whereas it is anticipated that the navigation feature through the channels above mentioned, to wit, the St. Lucie Canal, Lake Okeechobee, Caloosahatchee Canal, together with the Caloosahatchee River, will provide a navigable route of increasing value, which will be well worth enlarging and improving for the purpose of developing a larger and broader navigation across said State and connecting the Atlantic Ocean with the Gulf of Mexico: Therefore be it

Resolved by the Legislature of the State of Florida in session assembled, this 3d day of December, 1918, That the advisability and practicability of enlarging and increasing the navigable depth of the channels being constructed by the State above mentioned be brought before the Federal Government, and that such waterways be, and the same are hereby, recommended proper as objects of improvement and development by the Federal Government of the navigable waters of the United States; and be it further

Resolved, That the Congress of the United States be urged to investigate the fitness of the waterways above mentioned for improvement and development, and the Congress be requested to make available such moneys as in its judgment may be required for the purpose aforesaid; and be it further

Resolved, That copies of this resolution be placed in the hands of all the members of the Florida delegation in the Congress of the United States, and that they be, and they are hereby, requested to use their best efforts to accomplish the objects above set forth.

STATE OF FLORIDA,
Office Secretary of State, ss:

I, H. Clay Crawford, secretary of state of the State of Florida, do hereby certify that the foregoing is a true and correct copy of house concurrent resolution No. 9, passed by the special session of the Legislature of Florida, 1918, and filed in this office.

Given under my hand and the great seal of the State of Florida, at Tallahassee, the capital, this the 22d day of January, A. D. 1919.

[SEAL.] H. CLAY CRAWFORD,
Secretary of State.

Mr. FLETCHER presented a concurrent resolution of the Legislature of the State of Florida, which was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

House concurrent resolution 1.

A concurrent resolution, expressing the thanks of the people of the State of Florida to the President and Congress of the United States, all persons in authority, and to the soldiers and sailors who en-

listed in the service of the United States for their participation in the early and successful termination of the great war, and memorializing Congress to take such appropriate action as will result in the prompt return of all soldiers and sailors to civil life:

Whereas the wonderfully successful and early termination of the great war is viewed with great satisfaction by the people of this State; and

Whereas by reason of said successful and early termination of said war the material prosperity of this State and the happiness of her people has been and will be greatly enhanced; and

Whereas it will be to the best interest of this Government to have her soldiers and sailors now in service return to civil life at as early a date as possible; and

Whereas all classes of people of this Nation have greatly contributed to the success of the war: Now, therefore, be it

Resolved by the Legislature of the State of Florida, That the thanks of the people of this State are now tendered to the President of the United States, all Members of Congress, and all persons in authority for their patriotic and sincere endeavors in speeding the war and bringing it to an early and successful conclusion: Be it further

Resolved, That the thanks of the people of this State are also tendered to all Florida men in the military and naval service of the United States, who so bravely risked their lives in behalf of the freedom of the world and the peace of mankind. The traditions of this State have been upheld by them in an incomparable manner, and no words of praise can overestimate the feeling of appreciation entertained by our people: Be it further

Resolved, That the thanks of this legislature are hereby tendered to all our people who remained at home and yet who did such valiant work in behalf of the Government and the prosecution of the war, in connection with the organized movements of the Red Cross, Knights of Columbus, Young Men's Christian Association, Young Women's Christian Association, and all kindred organizations: Be it further

Resolved, That the Congress of the United States and all persons in authority be, and they are hereby, petitioned to take such appropriate action as will result in the return to civil life all of the soldiers and sailors now in service as promptly as the same may be done consistently with the public welfare: Be it further

Resolved, That a copy of these resolutions be sent to the President of the United States and to Florida Senators and Representatives in the United States Congress.

STATE OF FLORIDA,
Office of Secretary of State, ss:

I, H. Clay Crawford, secretary of state of the State of Florida, do hereby certify that the above and foregoing is a true and correct copy of house concurrent resolution No. 1, passed at the special session of the Legislature of Florida, 1918, and filed in this office.

Given under my hand and the great seal of the State of Florida, at Tallahassee, the capital, this the 17th day of January, A. D. 1919.

[SEAL.] H. CLAY CRAWFORD,
Secretary of State.

Mr. FLETCHER presented a petition of sundry citizens of De Soto County, Fla., praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which was ordered to lie on the table.

Mr. LODGE. I present resolutions of the Native Races Anti-Liquor Traffic Committee, commending the proposal of the President of China for the destruction of opium held in that country. The resolutions are very brief, and I ask that they be printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the resolutions were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

NEW YORK CITY, *January 6, 1919.*

At a meeting of the Native Races Anti-Liquor Traffic Committee, held in New York City January 6, the following resolution was adopted:

"*Resolved*, That this committee most heartily commends the proposal of the President of the Republic of China to destroy the opium now held in China, and that the Congress of the United States be asked to tender its congratulations and to offer financial assistance if desired; and that our secretary be, and is hereby, instructed to lay this matter before the proper parties in Congress."

MORNAY WILLIAMS, *President.*
HERVEY WOOD, *Secretary.*

Mr. LODGE presented a petition of the Salem Quarterly Meeting of the Society of Friends, in session at Boston, Mass., praying for the formation of a league of free nations, without the sanction of national armed force, as a part of the treaty of peace, which was referred to the Committee on Foreign Relations.

He also presented a petition of Ward Seven Good-Government Association, of Boston, Mass., praying for the establishment of a league of nations, which was referred to the Committee on Foreign Relations.

He also presented resolutions adopted by Valladolid Council, No. 70, Knights of Columbus, of Lynn, Mass., favoring freedom of Ireland, which were referred to the Committee on Foreign Relations.

He also presented a resolution adopted by the City Council of Malden, Mass., favoring the allowance of a month's pay to discharged soldiers and sailors, which was ordered to lie on the table.

He also presented a petition of the Central Labor Union of Chicopee, Mass., praying for the proposed extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

Mr. KING presented a memorial adopted by the Legislature of the State of Utah, which was ordered to lie on the table and be printed in the RECORD, as follows:

STATE OF UTAH, EXECUTIVE DEPARTMENT,
SECRETARY OF STATE'S OFFICE.

I, Harden Bennion, secretary of state of the State of Utah, do hereby certify that the attached is a full, true, and correct copy of house joint resolution ratifying an amendment to the Constitution of the United States proposed by the joint resolution of the Senate and House of Representatives of the United States prohibiting the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, and the exportation thereof from the United States and all territory subject to the jurisdiction thereof, for beverage purposes.

Adopted by the Legislature of the State of Utah, as appears on file in my office.

In witness whereof, I have hereunto set my hand and affixed the great seal of the State of Utah this 18th day of January, 1919.

[SEAL.] HARDEN BENNION,
Secretary of State.

House joint resolution 1.

Ratifying an amendment to the Constitution of the United States proposed by the joint resolution of the Senate and House of Representatives of the United States prohibiting the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, and the exportation thereof from the United States and all territory subject to the jurisdiction thereof, for beverage purposes.

Be it resolved by the Legislature of the State of Utah:

Whereas the Senate and the House of Representatives of the United States at the second session of the Sixty-fifth Congress of the United States of America by Senate joint resolution No. 17, proposed the following amendment to the Constitution of the United States, to become valid as part of the Constitution of the United States when ratified by the legislatures of the several States, as provided by said Constitution:

"ARTICLE —

"SECTION 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

"SEC. 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

"SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress."

It is hereby resolved that said amendment to the Constitution of the United States be, and the same is hereby, ratified and adopted by the Legislature of the State of Utah.

It is further resolved that the secretary of state of the State of Utah be, and he is hereby instructed to transmit forthwith to the Secretary of State of the United States of America a certified copy of this resolution.

The foregoing house joint resolution was publicly read by title and immediately thereafter signed by the president of the senate, in the presence of the house over which he presides, and the fact of such signing duly entered upon the journal this 16th day of January, 1919.

J. W. FUNK, *President of the Senate.*

Attest:

ADAM L. PETERSON, *Secretary of Senate.*

The foregoing house joint resolution was publicly read by title and immediately thereafter signed by the speaker of the house in the presence of the house over which he presides, and the fact of such signing duly entered upon the journal this 16th day of January, 1919.

CHARLES C. RICHARDS,
Speaker of the House.

Attest:

HUGO B. ANDERSON,
Chief Clerk of House.

Received from the house of representatives this 17th day of January, 1919.

Approved January 18, 1919.

SIMON BAMBERGER, *Governor.*

Received from the governor and filed in the office of the secretary of state this 18th day of January, 1919.

HARDEN BENNION, *Secretary of State.*

Mr. KING presented a memorial adopted by the Legislature of the State of Utah, which was ordered to lie on the table and be printed in the RECORD, as follows:

STATE OF UTAH, EXECUTIVE DEPARTMENT,
SECRETARY OF STATE'S OFFICE.

I, Harden Bennion, secretary of state of the State of Utah, do hereby certify that the attached is a full, true, and correct copy of a memorial to the Congress of the United States, petitioning the Government to pass the Federal suffrage amendment, adopted by the Legislature of the State of Utah, as appears on file in my office.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of Utah this 18th day of January, 1919.

[SEAL.] HARDEN BENNION,
Secretary of State.

Senate memorial 1.

A memorial to the Congress of the United States, petitioning the Government to pass the Federal suffrage amendment.

To the Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the governor and Legislature of the State of Utah, respectfully represent that—

Whereas the Federal amendment to grant the right of suffrage to women equally with men has been before the Congress of the United States for more than 40 years; and

Whereas the women of the nonsuffrage States feel that the time has come when the Congress should give favorable consideration to this measure of justice to one-half the citizens of these United States.

Now, therefore, the governor and the Legislature of the State of Utah respectfully petition that the said suffrage amendment receive immediate and favorable consideration before the sixty-sixth session of Congress adjourns.

The foregoing senate memorial was publicly read by title and immediately thereafter signed by the president of the senate, in the presence

of the house over which he presides, and the fact of such signing duly entered upon the journal this 16th day of January, 1919.

J. W. FUNK,
President of the Senate.

Attest:

ADAM L. PETERSON,
Secretary of Senate.

The foregoing senate memorial was publicly read by title and immediately thereafter signed by the speaker of the house in the presence of the house over which he presides, and the fact of such signing duly entered upon the journal this 16th day of January, 1919.

CHARLES C. RICHARDS,
Speaker of the House.

Attest:

HUGO B. ANDERSON,
Chief Clerk of the House.

Received from the senate this 17th day of January, 1919.

Approved January 18, 1919.

SIMON BAMBERGER, *Governor.*

Received from the governor and filed in the office of the secretary of state this 18th day of January, 1919.

HARDEN BENNION,
Secretary of State.

Mr. SHERMAN. I present some resolutions adopted at Evanston, Ill., by parents and next friends of enlisted soldiers and sailors of that city on the question of the distinctive marks proposed. I ask that the resolutions be printed in the RECORD and referred to the Committee on Military Affairs.

There being no objection the resolutions were referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

At a public meeting of the parents and next friends of the enlisted soldiers and sailors of the city of Evanston, Ill., on January 12, A. D. 1919, at 4 o'clock p. m., upon motion duly made and unanimously carried, it was declared to be the sense of such meeting that a protest should be entered against the use of any distinguishing insignia between the soldiers and sailors who have served overseas in the present war and those who have rendered service in their own country.

It was thereupon ordered that the undersigned be named as a committee on resolutions to express the sense of such meeting as disclosed by the discussion, and such committee hereby presents the following resolution as expressing the sentiments of such meeting:

"*Resolved*, That the parents and next friends of all soldiers and sailors from the city of Evanston, Ill., entirely disapprove of any action that may be taken by any officials which tends to draw a distinction between the service of soldiers and sailors who have been overseas and that of those who have served at home. We believe that such action will tend to create discontent and will be accepted by those who were unable to go across as a mark of inferior service. We know that many soldiers and sailors of our city have been anxious to serve at the front or upon the high seas and have been unable to do so through circumstances which they could not control. We know furthermore, that many have been retained in this country because they were efficient in instructing others or in performing more valuable services here than it was probable that they could render abroad, and because it was felt that they were needed here more than they were needed abroad. We firmly believe that an injustice will be done if any distinction is made in the kind of services rendered or where it was rendered by the use of distinguishing insignia or otherwise.

"*Resolved*, That a copy of these resolutions be presented to the commanding officials of the military and naval forces of the United States."

JOSEPH E. PADEN,
W. S. POWERS,
C. W. OLSON,
Committee on Resolutions.

Mr. WALSH presented a memorial adopted by the Legislature of the State of Montana, which was ordered to lie on the table and be printed in the RECORD, as follows:

House joint memorial 1.

A memorial to the Senate of the United States to pass an amendment to the Federal Constitution and submit the same to the several States for ratification extending the right of suffrage to the women citizens of the United States of America.

To the honorable Senate of the United States of America:

Your memorialists, the members of the Sixteenth Legislative Assembly of the State of Montana, the senate and house concurring, respectfully represent:

Whereas it appears that a majority of the people of the United States of America are in favor of extending the right of suffrage to the women citizens of the United States of America; and

Whereas there is now pending before the Senate of the United States a measure proposing an amendment to the Federal Constitution designed to effect such extension of suffrage: Now, therefore, be it

Resolved by the house (the senate concurring), That we, the members of the Sixteenth Legislative Assembly of the State of Montana, do hereby petition and earnestly pray the Senate of the United States that such measure proposing an amendment to the Federal Constitution so extending the right of suffrage be passed and submitted to the several States for ratification; and

Resolved further, That a copy of this memorial be forwarded by the secretary of state of Montana to the Senate of the United States, and that copies hereof be transmitted by the secretary of state of Montana to the Montana Senators in the Congress of the United States.

(Signed) O. W. BELDEN,
Speaker of the House.
(Signed) J. E. EDWARDS,
President of the Senate pro tempore.

Approved January 23, 1919.

(Signed) S. V. STEWART,
Governor.

UNITED STATES OF AMERICA,
State of Montana, ss:

I, C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the foregoing is a true and correct copy of house joint memorial No. 1, a memorial to the Senate of the United States to pass an amendment to the Federal Constitution and submit the same to the several States for ratification extending the right of suffrage to the women citizens of the United States of America, enacted by the Sixteenth Legislative Assembly of the State of Montana and approved by S. V. Stewart, governor of said State, this 23d day of January, 1919.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State. Done at the city of Helena, the capital of said State, this 23d day of January, A. D. 1919.

[SEAL.] C. T. STEWART,
Secretary of State.

Mr. CHAMBERLAIN. I present a joint memorial adopted by the Legislature of the State of Oregon, which I ask to have printed in the RECORD and referred to the Committee on Irrigation and Reclamation of Arid Lands.

There being no objection, the memorial was referred to the Committee on Irrigation and Reclamation of Arid Lands and ordered to be printed in the RECORD, as follows:

Senate joint memorial 2.

Whereas only a small portion of the money contributed from the State of Oregon to the reclamation fund has been expended within the State of Oregon; and

Whereas the Owyhee project in Malheur County, Oreg., has been carefully examined and found from an engineering standpoint to be feasible and practicable and a desirable project, free from difficulties attendant upon many irrigation projects; and

Whereas the Owyhee irrigation district has already been formed and is now prepared to contract with the Reclamation Service for the construction of said project; and

Whereas the people under said project are unitedly in favor of Government aid in securing the reclamation of the lands under said project; and

Whereas the reclamation of the lands within this project will offer an opportunity for the building of homes by the returning soldiers and sailors of the United States: Now, therefore, be it

Resolved, That our Senators and Representatives in Congress be memorialized to use their influence to secure an appropriation for the construction of said project, and that a copy of this memorial be transmitted to the President of the United States of America, to each of our Senators and Representatives of the State of Oregon in Congress, and to the Secretary of the Interior, Franklin K. Lane.

Adopted by the house January 15, 1919.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate January 15, 1919.

W. I. VINTON,
President of the Senate.

Mr. CHAMBERLAIN. I present a joint memorial adopted by the Legislature of the State of Oregon, which I ask to have printed in the RECORD.

There being no objection, the memorial was ordered to lie on the table and be printed in the RECORD, as follows:

Senate joint memorial 1.

To the honorable Senate of the United States of America in Congress assembled:

Your memorialists, the Legislative Assembly of the State of Oregon, respectfully represent that—

Whereas a measure providing for the submission of a constitutional amendment granting equal suffrage is now pending before the Senate of the United States; and

Whereas equal suffrage was adopted in Oregon in November, 1912, and has during its six years of operation proved a complete success in every particular: Therefore be it

Resolved by the Senate of Oregon (the House of Representative concurring), That we do heartily indorse equal suffrage and pronounce it an unqualified benefit and success, and we do respectfully request and petition the United States Senate to take favorable and immediate action on the measure now pending before it providing for the submission to the several States of a constitutional amendment granting equal suffrage throughout the United States; and we do urgently petition the members of the Oregon delegation to use their best efforts toward securing the adoption thereof; be it further

Resolved, That a copy of this resolution be transmitted by the chief clerk of the Oregon Senate to the President and Vice President of the United States, and to each Senator and Representative from Oregon in the United States Congress.

Adopted by the house January 14, 1919.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate January 14, 1919.

W. I. VINTON,
President of the Senate.

Mr. MOSES. I present a communication from the secretary of the Rotary Club, of Manchester, N. H., embodying resolutions adopted at a meeting of that club relative to the value of improved national highways in the general transportation system of the Nation. I ask that the communication be printed in the RECORD and referred to the Committee on Agriculture and Forestry.

There being no objection, the communication was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

ROTARY CLUB,
Manchester, N. H., January 21, 1919.

Hon. GEORGE H. MOSES,
Washington, D. C.

DEAR MR. MOSES: At a meeting held January 21, 1919, the following resolutions were adopted and are forwarded for your information as an expression of our opinion:

"Whereas the President of the United States in his recent message to Congress recognized the value of improved highways in the general

transportation system of the Nation and definitely recommended and urged their rapid development; and

"Whereas this work is necessary to give employment to our returning soldiers and also to furnish worthy projects on which unemployed labor can be engaged during the period of readjustment; and

"Whereas we recognize the necessity for a well-defined and connected system of improved highways in order to expedite the distribution of large volumes of foodstuffs now wasted on account of the lack of prompt and adequate highway transportation, and to better serve the economic and military needs of the Nation: Therefore be it

"*Resolved*, That a Federal highway commission be created to promote and guide this powerful economic development of both highways and highway traffic and establish a national highway system; Be it further

"*Resolved*, That the present appropriations for Federal aid to the States be continued and increased and the States urged to undertake extensive highway construction so as to keep pace with the development of this country and its transportation needs, and in carrying out the provisions of the present Federal-aid act, or any amendment thereto, that the State highway departments shall cooperate with the Federal highway commission; Be it further

"*Resolved*, That all governmental activities with respect to highways be administered by the Federal highway commission."

Very truly yours,

R. C. MARDEN, *Secretary*.

Mr. COLT presented a resolution adopted by the Rotary Club, of Providence, R. I., favoring the changing of the name of the Panama Canal to Roosevelt Canal, which was referred to the Committee on Interoceanic Canals.

Mr. JOHNSON of California. I present a telegram embodying a resolution adopted by the Legislature of the State of California, which I ask to have printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

SACRAMENTO, CAL., *January 26, 1919*.

Senator HIRAM W. JOHNSON,
United States Senate, Washington, D. C.

DEAR SIR: I am instructed to wire you the following resolution, enrolled by the Senate of the State of California on January 24, 1919:

"Whereas the Legislature of the State of California, by joint resolution at its last session, urged upon the Congress of the United States the passage of the amendment to the national Constitution known as the Federal suffrage amendment as a matter of justice to the women of our Nation who have labored and sacrificed side by side with the men in the world struggle for liberty and democracy; and

"Whereas said Federal suffrage amendment has been passed by the House of Representatives and now awaits the action of the Senate: Be it therefore

"*Resolved*, That, profoundly appreciative of the dignity and ability with which the women of this State have used their right to the ballot, and no more than ever cognizant that sex discrimination in the granting of the franchise has no place in modern civilization, and realizing as never before how entirely the welfare of our Nation depends upon the material, moral, and spiritual activities of its men and women alike, the Legislature of the State of California urges upon the Senate of the United States at once to pass the Federal suffrage amendment, that it may be submitted to the legislatures of the various States, to the end that before the next presidential election the Nation's women may enter upon the rights and duties of the franchise on the same basis as its men."

JOSEPH A. BEEK,
Secretary of the Senate.

CALLING OF THE ROLL.

Mr. KING. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hollis	Nelson	Spencer
Bankhead	Johnson, Cal.	New	Sterling
Calder	Johnson, S. Dak.	Nugent	Swanson
Chamberlain	Jones, N. Mex.	Overman	Thomas
Colt	Jones, Wash.	Page	Thompson
Culberson	Kellogg	Penrose	Townsend
Cummins	Kenyon	Pittman	Trammell
Curtis	King	Poindexter	Underwood
Fernald	Kirby	Pollock	Vardaman
Fletcher	Knox	Pomerene	Walsh
France	La Follette	Ransdell	Warren
Frelinghuysen	Lenroot	Reed	Watson
Gay	Lodge	Shafroth	Weeks
Hale	McKellar	Sheppard	Williams
Harding	McNary	Sherman	
Henderson	Martin, Va.	Smith, Ga.	
Hitchcock	Moses	Smoot	

Mr. KIRBY. I announce the unavoidable absence of the senior Senator from Arkansas [Mr. ROBINSON], who is still detained by illness. I ask that this announcement may stand for the day.

Mr. McKELLAR. I desire to announce that the senior Senator from Tennessee [Mr. SHIELDS] is absent on account of illness.

Mr. KENYON. The Senator from Nebraska [Mr. NORRIS] is absent on official business. This announcement will stand for to-day.

Mr. FRELINGHUYSEN. I wish to announce the unavoidable absence of my colleague [Mr. BAIRD] on account of illness. I will allow this announcement to stand for the week.

Mr. CURTIS. I was requested to announce the necessary absence of the Senator from West Virginia [Mr. SUTHERLAND] on account of illness in his family. I ask that this announcement may stand for the day.

Mr. SHEPPARD. I wish to announce that the senior Senator from Delaware [Mr. SAULSBURY] and the junior Senator from Delaware [Mr. WOLCOTT] are detained on important public business.

Mr. MARTIN of Virginia. I desire to announce that the senior Senator from Maryland [Mr. SMITH] is detained by illness.

Mr. PITTMAN. I wish to announce that the Senator from North Carolina [Mr. SIMMONS] and the Senator from Illinois [Mr. LEWIS] are detained on official business.

The VICE PRESIDENT. Sixty-five Senators have answered the roll call. There is a quorum present.

REPORTS OF COMMITTEES.

Mr. FLETCHER, from the Committee on Commerce, to which was referred the bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, reported it with amendments and submitted a report (No. 665) thereon.

Mr. HENDERSON, from the Committee on Post Offices and Post Roads, to which was referred the bill (S. 29) to reimburse W. B. Graham, late postmaster at Ely, Nev., for money expended for clerical assistance, reported it without amendment and submitted a report (No. 668) thereon.

He also, from the same committee to which was referred the bill (H. R. 1607) for the relief of David E. Gray, reported it without amendment and submitted a report (No. 669) thereon.

POST OFFICE APPROPRIATIONS.

Mr. BANKHEAD. From the Committee on Post Offices and Post Roads I report back favorably with amendments the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and I shall submit a report (No. 666) thereon. I will state that the report will be filed this evening, so that it may be printed in the morning.

I give notice that as soon as the special order which is now being considered is disposed of I shall ask the Senate to consider the bill.

The VICE PRESIDENT. The bill will be placed on the calendar.

CARSON INDIAN SCHOOL, STEWART, NEV.

Mr. PITTMAN. From the Committee on Indian Affairs I report back favorably without amendment the bill (S. 4887) making an appropriation for a sewer system at the Carson Indian School at Stewart, Nev., and I submit a report (No. 663) thereon. I ask unanimous consent for the present consideration of the bill. It is a bill to correct an inadvertence. An item in the Indian appropriation act of 1918 was left out of print by the inadvertence of the clerk. It is a matter that must be attended to immediately. I therefore ask unanimous consent for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the sum of $8,000 is appropriated, out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Commissioner of Indian Affairs of the United States in the construction and installation of a sewer system at the Carson Indian School at Stewart, in the State of Nevada.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DENIAL OF PATENT TO S. M. HERBER.

Mr. KENYON. I present from the Committee on Standards, Weights, and Measures a report signed by the chairman. It has been utterly impossible to secure a quorum of the committee. I ask that the report of the chairman, which is short, may be printed in the RECORD.

There being no objection, the report (No. 667) was ordered to be printed in the RECORD, as follows:

Mr. KENYON, from the Committee on Standards, Weights, and Measures submitted the following report, pursuant to S. Res. 259:

On the 7th day of June, 1918, the Senate passed the following resolution:

"Whereas it is asserted by reliable persons that Mr. S. M. Herber, of St. Joseph, Mo., has discovered a process of extracting from petroleum or fuel oil gasoline and other motor fuel in greatly increased quantities and at much less cost than the process now in use; and

"Whereas the discoverer of the said process has submitted to certain officers of the Government an offer to demonstrate the value of the process to the Government and to the people without expense, other than the presence of such experts as might be selected by the Government; and

"Whereas this offer has not yet been accepted, and there is immediate necessity of increasing the output of motor fuel, and decreasing, if possible, the cost to the users: Therefore be it

"*Resolved*, That the Committee on Standards, Weights, and Measures of the Senate be directed to make an investigation of the subject, including the denial of a patent to the said Herber for a process of extracting gasoline from petroleum, and to report to the Senate thereon as soon as practicable the information acquired, and its recommendations with respect to the matter."

It has been impossible to secure the attendance of a quorum of said committee. The chairman has therefore proceeded to hear evidence and presents now a report signed by himself, in no way binding upon the balance of the committee, and asks that the committee be discharged from further consideration of the matter.

The investigation has been limited to the question of the denial of a patent to Mr. Herber for a process for extracting gasoline from petroleum. While the resolution covered the general subject as to the value of said process, no evidence with relation thereto has been furnished.

The work of the committee has been especially difficult, as the questions involved are intricate and relate to the administration of the patent laws and the rules of the Patent Office. The question is difficult to be understood by those who are not experienced on the subject, and the committee has not had the benefit of an expert patent attorney to present the matter.

Further, some of the parties who should know the facts are dead or beyond the reach of the committee.

Mr. Herber claims that a patent was unlawfully denied to him on his application, No. 91447, filed April 15, 1916, and that a patent was illegally issued to John Coast, jr., on Coast's application, No. 127128, filed the 23d day of October, 1916, Herber claiming that the Coast application covered identically the same process. Herber also claims that certain rules of the Patent Office were not carried out, reference to which will be made later on. Also that certain patents known as the Forward, Daul, and Strain patents were illegally and improperly brought forward in order to prevent his securing his patent. In other words, Herber's claims are an indictment of the Patent Office for illegal action depriving him of an invention of great value and bestowing the same upon Coast.

II.

Herber's claims were rejected by Examiner Ely, now dead, November 10, 1916. Said examiner therein made reference to the Daul and Strain patents. This letter of Examiner Ely was as follows:

[W. T. Fitz Gerald & Co., Washington, D. C. Samuel M. Herber. No. 91447. Filed Apr. 15, 1916.]

METHOD OF SEPARATING OIL.

This case as amended November 3 has been considered.

The following additional patents are made of record: Daul, 258284, May 23, 1882, 196–5; Strain, 298712, May 13, 1884, 196–2; Strain, 311543, February 3, 1885, 196–27.

In view of the additional references the previously allowed claims are rejected, being fully met by any of these patents in view of the previous references in the case, the patent to Forward disclosing cracking and distillation by steam. It appears also that cracking would be produced in either Strain, which is necessarily under same pressure; and further, that the pressure in the system could be regulated by the various cocks.

The claims in the case are rejected.

ELY, *Examiner*.

A.M.P.

Subsequently thereto, namely, November 13, 1916, Herber's attorneys asked for a reconsideration calling attention of the examiner to the fact that Forward's application was copending with the Herber application, having been filed on May 15, 1915, and patented June 27, 1916.

Mr. Herber's application was filed on April 15, 1916, and if there was anything in conflict between these applications an interference should have been declared.

On November 17 Examiner Ely filed an additional opinion in which nothing, however, was said, about an interference, and the claims were finally rejected. Herber then appealed from this finding to the examiners in chief, they holding (p. 30, transcript of the record, Exhibit A) that the claims of Herber were anticipated by the Forward patent and accordingly affirmed the examiner's decision.

Herber then appealed from this to the Commissioner of Patents, and on March 12, 1917, the Commissioner of Patents, Mr. Thomas Ewing, filed his opinion sustaining the examiners in chief. Referring to the Herber process (p. 37, transcript of the record), he said:

"The most that can be said is that they differ from the Forward process in the substitution of one well-known way of heating the oil for another."

Herber then appealed to the Court of Appeals for the District of Columbia. The matter was there heard, and the court filed its opinion June 2, 1917, sustaining the Commissioner of Patents. Among others this language is used:

"After careful consideration of appellant's brief in connection with the record, we have reached the conclusion that the decision of the commissioner should be affirmed, and upon the ground stated by him. In other words, we are fully satisfied that the Forward patent, No. 1,189083, of June 27, 1916, is a complete anticipation of appellant's claims.

"The decision is affirmed. "CHAS. H. ROBB, *Associate Justice*."

I have sketched briefly the progress of this matter through the courts, and it seems to me that the last decision determined adversely Herber's claim to a patent on his process, unless said decision is in some way set aside. Under rule 94 or 96 of the Patent Office, it seems to me an interference should have been declared between Herber's application and the Forward application or the Forward patent. It should be stated as an interesting matter of fact that in a letter of November 10 from the Patent Office to Herber appear these words:

"In view of the additional reference the previously allowed claims are rejected."

Herber felt that this letter was an indication that his claims had been previously allowed. There is no record to show this, but the wording of the letter naturally aroused his suspicion.

However, under the decision of the court, as before referred to, it must stand as an adjudicated fact that Herber had no right to a patent upon his processes as presented in his application.

III.

THE COAST PATENT.

Coast filed his claim on the 23d day of October, 1916. Herber claims in his testimony that this process and his process are identical. Mr. Newton, present commissioner (pp. 151–152 of the record) states that Coast claimed a different invention from what Herber did. Therefore he says they allowed Coast's claims and refused Herber's claims.

Further, it is stated by the commissioner that they tried to have Herber declare an interference with Coast.

It had been before decided, as set forth in division 2 hereof, that Herber's claims had been held to be nonpatentable. That being true, I fail to understand how there could be any right to an interference between the Coast claims and the Herber claims. It is the theory of the Patent Office that Herber could have made the same claims as Coast and in that way thrown them into interference, and if could have been determined who was the first inventor. Herber claims such interference should have been under rule 94, the Patent Office claiming it should have been under rule 96.

I am unable to state from my examination and from listening to the evidence whether or not the Coast claims are exactly identical with the Herber claims. Certainly they are very much alike.

Further, Herber filed an affidavit under the rules of the Patent Office after the time of Coast's filing and before the Coast patent was issued. He claims that this would, under the rule, prevent the issuance of the Coast patent until the matter was tried out.

While technically there could be no interference between the Coast patent and the Herber claims, as the last had been held to be nonpatentable, yet in making a new claim slightly different, I assume the two could have been thrown into interference. And it would seem as if this should have been done without heckling over the technical method of bringing it about. This is a perplexity, however, that the committee is unable to solve.

That there was fraud practiced by the Patent Office can not be assumed. Fraud must be clearly shown and not derived from inferences, unless the inferences are incompatible with the theory of good faith.

These things seem to be true: Herber filed an application for process that he felt would be of great value. The Forward patent was issued after Herber filed his application. The Coast patent was issued on substantially the same matter as the Herber patent months after Herber filed his application. The Coast patent was issued after Herber had filed an affidavit, as provided by the rules of the Patent Office, setting forth that his process had been in existence before the time of the Coast application.

It seems to me there should have been an interference between the Herber patent and the Forward patent, so the question of priority of invention could have been determined.

It further seems that the patent should not have been issued to Coast until there had been some determination of the priority of invention in the claims then being made by Herber and set forth in his affidavit.

The matter is so intricate and the hearings have been so unsatisfactory it would seem to the chairman it would be wise if the whole matter could be opened up by the Patent Office and a new hearing granted. I addressed a letter to the Commissioner of Patents along that line, but he seems to think it is impossible after the lapse of time to grant a rehearing. I make no recommendation as to the action that Congress should take in this matter and I do not discuss remedies for this unfortunate situation. I think the evidence presented, however, is sufficient to warrant some action on the part of Congress. Whether Congress could set aside the Forward patent or the Coast patent, I am not prepared to say. I do feel very strongly that if there is any legal way that Congress may again open the door for Mr. Herber to present his claims, he should have the opportunity of doing so.

The records and papers are returned to this body with the request that the Committee on Standards, Weights, and Measures be discharged from further consideration of the subject.

WM. S. KENYON, *Chairman*.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CUMMINS:

A bill (S. 5433) to provide for certain commissions and promotions in the military service; to the Committee on Military Affairs.

By Mr. SHAFROTH:

A bill (S. 5434) granting an increase of pension to Luke Cahill;

A bill (S. 5435) granting an increase of pension to Bettie Dodge; and

A bill (S. 5436) granting a pension to Inezella C. Foy; to the Committee on Pensions.

By Mr. WALSH:

A bill (S. 5437) for the relief of Harry Scott (with accompanying papers); to the Committee on Claims.

By Mr. KNOX:

A bill (S. 5438) granting a pension to William V. Feltwell (with accompanying papers); to the Committee on Pensions.

By Mr. TRAMMELL:

A bill (S. 5439) to authorize the Secretary of War to deliver to each of the several county seats in the State of Florida captured German cannon and cannon balls or shells; to the Committee on Military Affairs.

By Mr. JONES of Washington:

A bill (S. 5440) authorizing the Secretary of War, in his discretion, to deliver to each of the several county seats in the State of Washington captured German cannon, cannon balls or shells, and gun carriages, condemned United States cannon, cannon balls or shells, or gun carriages; to the Committee on Military Affairs.

By Mr. CURTIS:

A bill (S. 5441) donating captured cannon and cannon balls to the city of Bluff City, Kans.; to the Committee on Military Affairs.

By Mr. WEEKS:

A bill (S. 5442) for the relief of the owner of the steam lighter *Cornelia* (with accompanying papers); and

A bill (S. 5443) for the relief of the owners of the schooner *Horatio G. Foss*; to the Committee on Claims.

By Mr. POINDEXTER:

A bill (S. 5444) granting an increase of pension to William H. H. Watkins; to the Committee on Pensions.

By Mr. SPENCER:

A bill (S. 5445) granting a pension to John H. Heiser; and

A bill (S. 5446) granting a pension to Julius Colin; to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. LODGE submitted an amendment authorizing certain persons formerly connected with the American Embassy at Berlin to accept pieces of plate presented to them by the British Government, etc., intended to be proposed by him to the Diplomatic and Consular appropriation bill, which was referred to the Committee on Foreign Relations and ordered to be printed.

Mr. JONES of Washington submitted an amendment proposing to appropriate $50,000,000 to resume and prosecute work on projects and units thereof under the reclamation act stopped during the war, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Irrigation and Reclamation of Arid Lands and ordered to be printed.

Mr. MOSES submitted an amendment relative to clerks and messengers to Senate committees, intended to be proposed by him to the legislative, executive, and judicial appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. McNARY submitted an amendment relative to the establishment of a home or homes for aged and infirm colored people and working girls in the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

RIVER AND HARBOR APPROPRIATIONS.

Mr. CALDER submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was ordered to lie on the table and be printed.

Mr. FRELINGHUYSEN submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was ordered to lie on the table and be printed.

VALIDATION OF WAR CONTRACTS.

Mr. POMERENE. Mr. President, the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, was on Friday last made the unfinished business and is to be considered. The purpose of that bill is to validate certain informal contracts, and I have an amendment which I intend to propose to it which looks more particularly to the protection of subcontractors. I ask that the amendment may be printed in the RECORD and lie on the table.

There being no objection, the amendment was ordered to lie on the table and be printed in the RECORD, as follows:

Insert the following:

Whenever, under the provisions of this act, the Secretary of War shall make an award to any prime contractor who shall have sublet any part of said contract for material, equipment, or supplies to any other person, firm, or corporation who has in good faith made expenditures, incurred obligations, rendered service, or furnished material, equipment, or supplies to any prime contractor, with the knowledge and approval of any agent of the Secretary of War duly authorized thereunto, the Secretary of War shall apportion the amount of said award justly due to each of the subcontractors of said prime contractors. Before payment of said award the Secretary of War shall require any prime contractor to present satisfactory evidence of having paid said subcontractors or of the consent of said subcontractors to look for their compensation to said prime contractor only; and in the case of the failure of said prime contractor to present such evidence or such consent, the Secretary of War shall pay directly to said subcontractors the amount found to be due under said award; and in case of the insolvency of any prime contractor the subcontractor of said prime contractor shall have a lien upon the funds arising from said award prior and superior to the lien of any general creditors of said prime contractor.

GOVERNMENT CONTROL OF CABLES.

Mr. WATSON submitted the following resolution (S. Res. 429), which was read and referred to the Committee on Post Offices and Post Roads:

Resolved, That the Committee on Post Offices and Post Roads be, and it is hereby, authorized and directed to investigate the assumption by the Government of the supervision, possession, control, or operation of any or all of the telegraph, telephone, and marine cable systems; the reasons for such assumption; the financial results of governmental operation, and the effects of Government control on the efficiency of such systems, and report to the Senate of the United States its findings and conclusions thereon.

Such committee is authorized to subpoena witnesses and documents, administer oaths, and to do all acts and things necessary to the carrying out of the purposes of this resolution.

Mr. KELLOGG. Mr. President, on January 2 I submitted a resolution for the investigation of telegraphs, telephones, and cables, but it embodies a great deal more than the resolution which has just been submitted by the Senator from Indiana [Mr. WATSON]. The resolution introduced by me has been lying on the table, and I ask that it be referred to the Committee on Interstate Commerce.

The VICE PRESIDENT. Without objection, it will be so ordered.

AGNES KELLEY.

Mr. THOMPSON. On behalf of the senior Senator from Maryland [Mr. SMITH], who is necessarily absent from the Senate because of an injury as the result of an accident, I submit the resolution which I send to the desk, and ask that it be read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The resolution (S. Res. 427) was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay from the miscellaneous items of the contingent fund of the Senate to Agnes Kelley, widow of John N. Kelley, late a laborer in the employ of the Senate under supervision of the Sergeant at Arms, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

COMPLAINT OF E. L. RICE.

Mr. KING submitted the following resolution (S. Res. 428), which was read and referred to the Committee on Military Affairs:

Resolved, That the Secretary of War be, and he is hereby, directed to transmit to the Senate the report of the Inspector General made to the Secretary of War, on or about October 1, 1918, in the matter of the complaint of E. L. Rice with respect to Lieut. Col. Robert A. Milliken, Col. C.-H. Hilton, and Lieut. D. L. Webster, and others.

TRIALS BY COURTS-MARTIAL.

Mr. BORAH. I offer a Senate resolution, and I ask unanimous consent that it be immediately considered.

Mr. PENROSE. Let the resolution be read for information.

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 426), as follows:

Resolved, That the Secretary of War be, and he is hereby, directed to send to the Senate the number of individuals who have been tried and convicted by court-martial proceedings since our entrance into the war, April 6, 1917, together with a brief statement of the offense charged and the nature and extent of the punishment inflicted upon or assessed against each.

The VICE PRESIDENT. Is there objection to the immediate consideration of the resolution?

The resolution was considered by unanimous consent and agreed to.

LIFE-SAVING DEVICES.

Mr. JONES of Washington. I submit a Senate resolution, and I ask for its immediate consideration.

The VICE PRESIDENT. The Secretary will read the resolution.

The resolution (S. Res. 425) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of Commerce be, and he is hereby, directed to report to the Senate whether or not Title LII, Revised Statutes, for the regulation of steam vessels, as amended and supplemented, is being enforced as respects life-saving devices, designating the character of such devices, if any, as are not being required for such vessels, and why not so required; and whether or not the steam cargo and passenger vessels owned, operated, or controlled by the United States Shipping Board and by the Emergency Fleet Corporation are equipped with the life-saving devices described in that title, as amended and supplemented, and why they are not so equipped, if that be the case.

PROMOTIONS IN THE ARMY.

Mr. KING. Mr President, on the 30th of December last I submitted a resolution seeking certain information relative to the granting of commissions after the signing of the armistice to enlisted men who had been recommended for commissions prior to the signing of the armistice. Subsequently this resolution was adopted. The Secretary of War, responding to the resolution, has transmitted a report to the President of the Senate. I ask that it may be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KING. Mr. President, one of my colleagues suggests that it be read. I have no objection.

The PRESIDING OFFICER. The Secretary will read the report.

The Secretary read as follows:

WAR DEPARTMENT,
Washington, January 18, 1919.

To the PRESIDENT OF THE SENATE:

SIR: In accordance with the provisions of a resolution of the Senate dated January 3, 1919, which reads as follows:

"Whereas prior to the signing of the armistice a large number of enlisted men in the Army had been recommended for commissions and many officers had been recommended for promotion, and such recommendations were pending in the War Department when said armistice was signed; and

"Whereas an order was issued by the Secretary of War which resulted in no action being taken upon said recommendations or either of them; and

"Whereas officers and enlisted men who were so recommended are being discharged from the service without said recommendations being acted upon; and

"Whereas no good and sufficient reason appears for failure to act upon said recommendations, and justice and good faith would seem to require affirmative action thereon: Therefore, be it

"*Resolved*, That the Secretary of War be directed to report to the Senate whether a modification or revocation of said order is contemplated; and if not, what reasons exist for failing to act upon said recommendations."

I have the honor to report as follows:

Appointments to any commissioned grade in the United States Army have been made, and can properly be made, only when vacancies exist. Immediately upon the conclusion of the armistice, November 11, 1918, the demobilization of the temporary army was begun and has been proceeding with great rapidity. From and after that date, therefore, instead of there being any vacancies in any grade there has been a surplus of officers in every grade, which it has been necessary to reduce by discharge. To increase the surplus by further appointments would have been unjustifiable, and such appointments were therefore discontinued. As it is necessary to continue the discharge of officers at the rate of more than 1,000 a day, it is not contemplated to resume appointments.

In connection with the suggestion which is frequently made that commissions be conferred upon those persons who had been recommended for them prior to the signing of the armistice, in order that on their discharge they may carry with them into civil life the title of a higher rank, the department has consistently adhered to the views that a military office, like any other, should be conferred only with a view to the performance of the duties pertaining to it, and that when there is no expectation that a person will perform the duties of an office, civil or military, appointment to such office can with difficulty be justified. No change in this policy is contemplated.

There is a certain class of military office, however, to which no present duties are attached, but whose purpose is to place the holder in such a position that under certain circumstances the Government may require his services. I refer to the Officers' Reserve Corps. Appointment in this corps is properly conferred upon those from whom no immediate services are required, and such appointment carries with it office, rank, and title in the United States Army. Immediately after the conclusion of the armistice, I directed that a commission in the Officers' Reserve Corps be offered to every enlisted man who had been properly recommended during the war as qualified for such commission. I further directed that in every case where an officer had been duly recommended for promotion he be offered a reserve commission with the rank for which recommended. Under the present law appointments in the Officers' Reserve Corps are restricted to certain grades and certain limitations are imposed as to the age of appointees. I expect to transmit to Congress in the near future my recommendations for amendment of this law, which will make it possible to offer to every officer who has served in the war a reserve commission in the grade for which he has been found qualified.

The matter may briefly be summed up as follows: The demobilization of the Army makes it impossible to employ any additional officers on active duty, but, on the contrary, necessitates the discharge of many already in the service. For officers not on active duty, but held in reserve, the need will always exist in time of peace. The War Department, therefore, has discontinued the appointment of officers for active duty, but offers to every man who has been found qualified for it a commission in the United States Army with inactive status.

Respectfully,

NEWTON D. BAKER,
Secretary of War.

CLAIMS AGAINST MEXICO.

Mr. KING. Mr. President, several days ago I submitted a resolution, which was referred to the Committee on Foreign Relations, calling for certain information from the State Department as to what policy it would pursue in regard to the claims presented by American citizens against the Republic of Mexico for damages sustained to their property, as well as for damages claimed because of injuries to persons and because of the death of certain American citizens. The committee, through the chairman, promised to report that resolution at an early date. I understand that some consideration has been given to it, and I hope it will be reported at the next meeting of the committee.

Since then I have received a letter from Mr. Malcolm S. Little, a gentleman whom I know, a reputable lawyer of Los Angeles, in which he calls attention to a bill now pending in the legislative body of the State of Sonora, which has for its object the confiscation of more than 10,000,000 acres of land belonging to American citizens in that State. The letter is a very instructive one upon the situation. He invites attention to the wrongs and injuries to which American citizens have been subjected. He transmits with his letter a copy of the pending bill, translated into the English language. I shall not ask that the translation of the bill be printed in the RECORD; but I request that the letter which I have received from Mr. Little be printed in the RECORD, and that the letter and the translation of the proposed measure be referred to the Committee on Foreign Relations.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letter is as follows:

LOS ANGELES, CAL., *January 4, 1919.*

Hon. W. H. KING,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I notice from a Washington dispatch a purported interview with you concerning the Mexican situation, and am therefore taking the liberty of handing you herewith a translation of a bill now pending in the Legislature of the State of Sonora, Mexico, providing for the enforced subdivision and sale of all lands in said State in excess of the maximum areas which owners will be permitted to retain, as established in article 15 of the proposed law. A hectare is equivalent to 2.47 acres.

American citizens and American-owned corporations hold in fee in the State of Sonora approximately 10,000,000 acres of land, most of which has been held 20 years or more, and were acquired in every case, so far as my information goes—and I am familiar with the titles to all the larger tracts—by purchase from citizens of Mexico for cash consideration, in compliance with all legal requirements in force at the time and under the guaranties furnished by the constitution of the State and Federal Governments.

Under this bill, if enacted into law, owners of land must at their own expense subdivide them in the manner directed by the State, subject to their expropriation, subdivision, and sale by the State if they refuse so to do. The price at which the owners shall be paid is the declared value of the land for purpose of taxation, plus 30 per cent thereof and the cost of subdivision, if the subdivision is made by the owners, or plus only 10 per cent of such value if the lands are taken by expropriation proceedings. The price thus determined shall be paid by the Mexicans to whom the lands are distributed in 20 annual installments, beginning two years from the date on which they are subjected to use, with interest at 5 per cent per annum. The law does not provide for a vendor's lien on the lands, the State in no way secures payment of the purchase price, and the only remedy of the present owners would be against the individual distributees, mostly poor peons, of whom there would be thousands in some cases, and who would be protected by the homestead act.

This is merely a bald attempt to disguise confiscation.

During the last five years American property owners have been constantly harassed by the military government, their goods and crops have been destroyed or appropriated without compensation, and some of their property has been sold under tax decrees issued by the military by an assumption of legislative powers.

The larger American companies that were thus unjustly treated first protested to the Sonora State Government, without effect, then to the Federal Government under Mr. Carranza, with like results, and next to the American Government. I understand our State Department has made representations to Carranza against such unwarranted treatment, but with no apparent effect on the Sonora government, which long ago became obdurate in the pursuit of its own policy to appropriate foreign-owned lands, regardless of protests and diplomatic representations. This proposed law is the culmination of this policy and likewise the fruit of the forbearance of the American Government in the face of the exploitation of the properties of its citizens, a course, no doubt, heretofore justified by other considerations, but which, however, has been interpreted by the Mexicans as weakness.

This law, if enacted, will affect foreigners, principally Americans, almost exclusively, since most of the Mexicans who owned any considerable area of land have been held to be enemies of the revolution, exiled, and their properties seized and in some cases subdivided and distributed to revolutionists.

Sonora is not an isolated case, but is merely typical of what is being done or will be done in many of the other 26 States and Territories if a halt is not called in a manner the Mexicans can not fail to understand.

The great body of the Mexican people are honest, hard-working, and industrious, the same as any other people, and only want a chance to live and better their circumstances in an orderly, just way, but they are now dominated, more to their injury than to ours, by a relatively small Bolshevik element.

As counsel for Americans and American-owned corporations holding about 6,000,000 acres of land in Sonora, I most earnestly implore your consideration of this matter. If we can not get effective and immediate help from the American Government, these enormous investments will be lost.

Respectfully, yours,

M. C. LITTLE.

WITHDRAWAL OF TROOPS FROM RUSSIA.

Mr. JOHNSON of California. Mr. President, I wish to give notice to the Senate that on Wednesday next I am going to ask leave to call up the resolution which has heretofore been introduced by me asking for an expression of opinion by the Senate of the United States that our troops be withdrawn from Russia. I will speak to the subject at that time.

FOOD PRODUCTION.

Mr. WILLIAMS. Mr. President, I hold in my hand a clipping from the Washington Post of this morning, a statement of Mr. Herbert Hoover, which seems to be such a complete reply to all the criticisms that have been lately uttered that I ask leave, without taking up the time of the Senate to read it, to have it inserted in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

AID FARMERS, HE SAYS—HOOVER DECLARES PROBLEM OF FOOD PRODUCTION SERIOUS—WORLD WILL NEED IT ALL—SERIOUS THINKING REQUIRED TO PREVENT PRICES FALLING BELOW A FAIR RETURN DURING THE TRANSITION PERIOD BEFORE SIGNING OF PEACE, THEREAFTER ECONOMIC LAW TO RULE.

PARIS, *January 26.*

Herbert Hoover, United States Food Administrator and director general of the international relief orgnization, gave out the following statement to-day:

"The dominating food problem in the United States at this moment is a very much bigger problem than the Chicago packers. It is a problem of the American farmer.

"If the packers profit of 2 or 3 cents on his turnover is too high, it is the duty of Congress to tax it out of him. If the farmers' prices threaten to fall below the level of a fair return, it behooves the country to do some quick, clear thinking.

"The perplexities arising out of inability to demobilize totally the food situation of the world in the period between the armistice and peace make the farmers' position in the matter of much more immediate concern than the future of the Chicago packers.

ARMISTICE CHANGED SITUATION.

"Taking it broadly, before the European war began we exported about 5,000,000 tons of food a year. This year we are prepared to export at the rate of from 15,000,000 to 20,000,000 tons. The increase represents the patriotic service of the American farmer, plus the voluntary sacrifice of the average American under the stimulation of the pleas from the allied governments that without an enormous increase in our food supplies their very lives would be menaced.

"The submarine had so shortened the world's shipping that the allies were unable to reach the distant markets of the Southern Hemisphere, and we were bound to create in America sufficient food to carry Europe. If the war had gone on, every pound of it and more would have been required by the allies before next harvest.

"The armistice came suddenly, freeing shipping from military use and reopening to the allies the cheaper Southern Hemisphere and the colonial markets, where, in addition, they could have more liberal credits and markets for their manufactures.

IMMEDIATE PROBLEM SERIOUS.

"We are thus faced with a serious problem with respect to our own great supplies, patriotically accumulated. If an early peace is signed and the markets of Europe are opened freely to trade, there will be a greater demand for food from the new mouths than even this surplus could supply. But in the period between the armistice and peace we have a very difficult situation.

"One of the most critical food shortages in the world was that of fats, and the only help lay in an increase in the American hog. Our Agriculture Department and the Food Administration spared no efforts to stimulate this production. Our farmers were assured that in the general shortage, subject only to the uncertainties of war, they would experience no difficulty in marketing their production. Due to the savings of our people and the gradual increased production of our farms, we have lifted our ability to export from 50,000,000 pounds of fats per month in the summer of 1917 to 400,000,000 pounds per month in this January.

"To achieve this mobilization of fats it was necessary to mobilize the packers as well as the farmers. There is no doubt that the vast volume of business brought profit to the packers, although at a less percentage than before the Food Administration took charge of it.

HOW PRICES WERE STABILIZED.

"The allied nations, in order to effect regular supplies to their people in the face of short shipping, and to provide for government rationing, were compelled to take over the entire purchase of these food supplies and thereby abandon the ordinary flow of trade and commerce. In consequence, they concentrated their buying through agencies, and the power of these buying agencies was so great that they controlled the price.

"The business of the Food Administration was to bring these buying agents, the representatives of the farmers, who are predominatingly interested, and the great and small packers together and see to it that a square deal was obtained all around. The prices were settled in a joint conference of the farmers, the representatives of the allies' buyers, and the great and small packers, under the general arrangement that the packer was allowed but a quarter of a cent a pound over and above the price to the farmer and the cost of raw material and labor for packing. The allies took the entire surplus.

CHANGE CAME OVERNIGHT.

"The situation changed overnight with the armistice. The allies are not only seeking the southern hemisphere markets, but they had also lately accumulated large stocks of fats as an insurance against the submarine menace. Freed from this menace and with the shortage of finance experienced by all Governments, together with the loss in the storage of commodities by deterioration, there is a natural desire on their part to reduce their stocks.

"Other factors have entered into the situation. For instance, the inactive armies and munition workers are consuming less fats, and the vegetable is freed for human consumption. This came upon us immediately with the armistice in early November, in the midst of our heaviest hog-marketing season, which lasts from October until March. When I left home for Europe in November this problem was already facing me as one among many others for which assistance had to be found, in the protection of our American farmer, lest from failure to find a market for his products during the armistice and pending the wider markets of peace his prices might fall below his cost of production, entailing great waste of surplus commodities.

PROTECTION FOR THE FARMER.

"We have found it possible to protect the American farmer in the two and a half months since the armistice. This we have done by cooperating with the allies, in opening wider markets to neutral countries, and by relief shipments into the liberated territories. The next and last six weeks of the high fat-production season will be still more difficult to manage, as peace can not be expected in that time, restoring extended markets.

"On the other hand, five-sixths of this problem is already completed, and by next May, if we have peace and freedom, any surplus that accumulates now will be turned into another world shortage of fats. Indeed, if the entire consuming populations of the world were able to obtain fats to-day, there would be a shortage at this moment, even with our great surplus production.

"Numerous solutions have been proposed. It has been considered that the allied governments should continue to purchase the surplus production of pork products, despite the accumulated stocks and lack of immediate need, and thus protect the American farmer against the surplus provided especially for them. It has been contended that they are under moral obligations to execute the forecasts of their requirements given from time to time through their various agencies.

ALLIES FACE OWN PROBLEMS.

"The allies can, however, contend that they also have great problems of excess production in commodities, such as munitions, which they have likewise produced under war pressure. They contend that we have jointly fought and won the war; that this is sudden and catches us all with a vast production, which must be faced and liquidated by each of us without undue pressure, one against the other; that they, like ourselves, are entering a period of large employment during the readjustment, and that their people, like ours, need lower food prices.

"The real solution lies in the hope of early peace, and in the meantime the steady demobilization of all restrictions on free marketing of surplus foods except in enemy territory, thus reestablishing the law of supply and demand.

"Practically all restrictions on American food exports have been removed. Progress has been made in lifting neutral blockade restrictions, and further relaxations of blockade measures are under earnest consideration. The readjustment of consolidated buying agencies is hoped for in order that merchants may enter upon trade freely on both sides, and thus secure a normal basis of price determining without any dominating influences.

"It is, however, no more possible to demobilize in a week the whole of these intricate forces set up during the war than it is to demobilize our Army by dismissing it on the field. And pending these solutions our American farmers, merchants, packers, and banks simply must stand together for two or three months to carry our excess surplus over until the markets of the world have been more extended and finally liberated by peace. The meeting of farmers' and packers' representatives called at Chicago on Tuesday has to consider these problems."

DISCHARGE OF MEDICAL OFFICERS.

Mr. KING. Mr. President, there has been considerable criticism of the War Department for failure to discharge soldiers and sailors who were indispensably needed at home. There has been a great deal of criticism pertaining to the discharge of surgeons and physicians who are in the Army. I have received a communication from Surg. Gen. Ireland. I think it is so important that it ought to go in the RECORD, at least. It will be very instructive, or at least illuminating, to Senators. I shall not ask that it be read, but I ask that it be printed in the RECORD.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

WAR DEPARTMENT,
OFFICE OF THE SURGEON GENERAL,
Washington, January 20, 1919.

Senator WILLIAM H. KING,
United States Senate, Washington, D. C.

MY DEAR SENATOR: In reference to your inquiry as to the reason why the Medical Department is not making more rapid progress in the discharge of medical officers, the department begs to submit the following statement:

There are in the military hospitals in the United States at the present time 66,529 occupied beds. In military hospitals in France there are 120,000 sick and wounded soldiers, of whom between 65,000 and 75,000 are expected to be sent to this country for further hospital treatment. In addition to the above, the Medical Department is, of course, called upon to care for the usual number of sick and injured resulting day by day in an army of 1,000,000 men in the United States. Many of the cases now in this country and of those to arrive from France are soldiers who have been seriously wounded and will need the most expert care to prevent deformity or other permanent disability. It should also be borne in mind that demobilization itself adds to the burdens of the Medical Department, as a large staff of medical men must be provided in each camp to make the required physical examinations of men about to be discharged.

When the armistice was signed on November 11, the department had on duty in this country approximately 16,000 medical officers. Between that date and January 18, 1919, 7,851, or nearly half, of these officers have been discharged from the service.

The large number of medical men still in the service from civil life and the increased amount of sickness prevailing throughout the United States this year has resulted in inconvenience and distress in many local communities. The department fully appreciated this situation and has discharged many officers whose services it could ill afford to lose in order that community needs might be partially met. The Surgeon General must, however, keep constantly in mind that his first responsibility is to provide the soldiers of the United States Army with proper and adequate professional care and to restore those who have been disabled or mutilated to the best possible functional condition before they are discharged from the service.

The fact that the war is presumably over and that there is no longer any prospect of overseas service or of promotion has naturally led to a reaction and a decline in morale among both officers and enlisted men retained against their will for service in our hospitals. Unless the public supports the department in retaining the personnel essential to its continued operation, this unrest will increase and must eventually react on the quality of service rendered the patients.

Your influence and support are earnestly requested in satisfying the people in your State of the continued need of the Army for the services of their medical men.

The fact that medical officers at certain places are for the moment not fully occupied should not be considered as evidence that their services are no longer required, as the peak of the load from overseas has not yet been reached and may not be reached in less than two or three months from date.

Yours, sincerely,

M. W. IRELAND,
Surgeon General, United States Army.

MILITARY TRIALS.

Mr. LODGE. Mr. President, I ask that an article which appeared in the New York World with reference to military trials may be printed in the RECORD, because it is in direct connection with the speech made by the Senator from Oregon [Mr. CHAMBERLAIN] on that subject.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York World, Jan. 19, 1919.]

THE THING THAT IS CALLED MILITARY JUSTICE—CONCRETE OFFICIAL EVIDENCE WHICH ESTABLISHES THAT UNITED STATES MILITARY COURTS-MARTIAL INDORSE AND APPROVE OF OPPRESSION AND ARBITRARILY IMPOSE GROSS INJUSTICE—WHENCE COMES THE LAW WHICH MAKES THIS POSSIBLE? FROM CONGRESS—IT HAS ITS ORIGIN IN MEDIEVAL TIMES, BUT ITS BLUNDERING HARSHNESS NO LONGER OBTAINS IN FRANCE, ENGLAND, ITALY, OR BELGIUM—DATA FOUND IN THE 1918 RECORDS IN WASHINGTON, TO WHICH ACCESS WAS HAD BY THE AUTHORITY OF THE SECRETARY OF WAR.

THE AMERICAN BAR ASSOCIATION ACTS—BILL IN SENATE.

Senator CHAMBERLAIN'S sensational speech arraigning the administration of justice in the United States Army brought this subject to the attention of the country. Before the Senate on December 30 the Oregon statesman, who is chairman of that body's Committee on Military Affairs, declared that we do not administer military justice according to law, but that it is completely under the control of military commanders who are not obliged to ask for legal advice or to follow it if given them by the responsible law officers of the Army. He cited instance after instance of soldiers sentenced to terms of from 2 to 25 years' imprisonment for comparatively trivial breaches of military discipline.

On January 3 President George T. Page brought the subject of military courts-martial to the attention of the executive committee of the American Bar Association. He denounced the obsolete procedure, the harsh and unequal punishments, and declared that the system was unworthy of the name of law or justice. The committee recorded its conclusions in the following resolution:

That the matter of the administration of military justice in the United States Army be referred to the program committee of this body for its determination as to whether and how it shall be made a part of the program for our annual session, with the accompanying pronouncement that in the opinion of this committee our military law and our system of administering military justice appeals to us as a subject which requires consideration and probably some reformation.

The information set forth on this page was obtained by Rowland Thomas, a member of the World editorial staff, who was sent to Washington to investigate the conditions exposed by Senator CHAMBERLAIN and President Page. He was authorized by Secretary of War Baker to examine the records in the Judge Advocate's office and there found full verification of the conditions that had aroused the indignation of these officials.

On the 13th instant Senator CHAMBERLAIN introduced in the Senate a bill to redraft the laws governing military courts-martial so as to afford protection to soldiers accused by their commanding officers and to stop the imposition of heavy penalties for trivial offenses.

(By Rowland Thomas.)

In November, 1917, twelve old and excellent noncommissioned officers of the United States Army were tried by general court-martial at a camp in Texas. The charge was mutiny, a military offense so grave that the punishment prescribed in the Articles of War is "death or such other punishment as a court-martial may direct."

These men had been engaged in a camp amusement prohibited by a standing order. A young officer, finding them thus occupied and being overquick to assert his authority, ordered them in arrest instead of contenting himself with an admonition. While the men were in arrest he ordered them to drill. That order was in conflict with a general Army regulation which directs that noncommissioned officers in arrest shall attend no formations. The 12 noncoms knew that, and declined to put themselves in the position of violating a general regulation.

Upon their respectful refusal to drill they were summarily stripped of their insignia of rank and placed in the guardhouse. The charge of mutiny was preferred against them. They were tried, found guilty, and sentenced to dishonorable discharge and imprisonment at hard labor for terms ranging from 10 years up to 25. The commanding officer who had appointed the court reviewed and approved its findings and ordered its sentence executed. And from his arbitrary decision the 12 accused had no appeal whatsoever to any judicial power.

These 12 men had been mistried. They were, prima facie, innocent of the crime for which they had been accused and convicted. "Mutiny," by the definition given in the official manual for courts-martial, "imports collective insubordination, and necessarily includes some combination of two or more persons in resisting lawful military authority." These 12 old soldiers had not resisted lawful military authority. On the contrary, the act for which they found themselves "broken" and in penal servitude had been an act of upholding lawful military authority—one of the general regulations of the United States Army—against the infraction of a lawless or ignorant officer of that Army.

The other day I brought this case to the attention of an able and very distinguished member of the American bar. "Considering all those facts," I asked him, "do you see any shading of phrases by which a sane man, lawyer or layman, could seriously refer to any part of that transaction as representing the administration of any sort of justice?"

"On the contrary," was his answer, "what you have cited, were it true, would be a perfect example of the arbitrary imposition of injustice. But do you mean to tell me that happened in our Army?"

"By authority granted me personally by the Secretary of War," I answered him, "I have inspected the legal record of that case. What I have told you is its undisputed substance. The record is in the Mills Building, in the files of what we call our Bureau of Military Justice."

THE BUREAU OF MILITARY JUSTICE.

The Mills Building is in Washington, just across Seventeenth Street from the State, War, and Navy Building. In it are the offices of the Judge Advocate General's Department, which is charged with responsibility for legal matters arising in the Military Establishment of the United States, just as the Medical Department is charged with the equally technical matters of cure and hygiene. And one section of the Judge Advocate General's Department is called the Bureau of Military Justice.

In military justice you—if among the 4,000,000 men who now compose our Army you count a son, a brother, husband, kinsman, friend, or friend's friend or kinsman—have a more immediate and vital personal interest than you probably realize. For on the administration of American military justice depend at this very moment and at every moment while he is in the service the good name, the future prospects, the liberty, and possibly the life of the individual soldier you gave to your country.

In those offices in the Mills Building are preserved the records of 15,719 grave crises which recently arose in the lives of an equal number of American soldiers. They are the harvest of the one calendar year of 1918. And every last one of those almost 16,000 potential and mostly actual personal disasters arose through the working out of the theories and practices of American military justice.

Through the authority granted me by the Secretary of War I last week inspected a representative portion of those records.

Those 15,719 documents were records of 15,719 cases tried by general court-martial in the United States Army, one year's increment in the process of what is trustingly referred to as the administration of military justice. The Judge Advocate General is the technical law officer of our Military Establishment. Therefore, presumably, the public assumes that this must be matter of law, and so matter of justice.

Matter of law it is in one way. It is something legalized by action of Congress. But though the right and duty of captains and sergeants to give certain authorized commands under certain authorized circumstances have also been legalized by Congress, and they therefore might also be called matters of law in that meaningless sense, no one ever confuses them with matters of justice. They are described and recognized always as matters of military authority and command. And so should be described and recognized the matters which come up to the Judge Advocate General's office in the form of records of courts-martial.

COURTS-MARTIAL SENTENCES AT PRESENT MERELY MILITARY COMMANDS.

In the course of a speech in the United States Senate recently Senator CHAMBERLAIN said:

The records of the courts-martial in this war show that we have no military law or system of administering military justice which is worthy of the name of law or justice. We have simply a method of giving effect to the more or less arbitrary discretion of the commanding officer.

If that statement, made on the floor of the senior legislative body of the Nation by the chairman of the United States Senate's Committee on Military Affairs, is true, it raises an issue of grave importance. If it is supported by facts, it raises this question: Shall courts-martial in the United States Army sit as mere instrumentalities of military command or shall they sit as courts of justice administering the law of the land?

And the Senator's statement is fully and amply supported by facts, which my investigation of the records showed. It will be shown you here that while the administration of military justice has been at times progressive and at other times reactionary, like most other phases of human government, it is at this time in this country almost wholly reactionary. It will be shown that though the Bureau of Military Justice in the Judge Advocate General's Department is nominally at the head of the administration of military justice, it is only nominally at the head. It is without legal authority. It does no more than "recommend to a military superior," usually the Chief of Staff, who then exer-

cises his military power of supervision and direction over these recommendations. Under the General Staff act, as construed in present practice, the Chief of Staff exercises the same command over the Judge Advocate General's Department as over the Supply Department. Thereby he has the power to differ, and he does differ, with the head of the Bureau of Military Justice upon matters of pure law, and substitutes instead his own judgment, even though that substitution should extend, as in that mutiny case in Texas, to the point of ordering that, for the purposes of command, wrong shall be right, truth shall be falsehood, innocence shall be guilt, and obedience shall be insubordination.

THE POWER OF MILITARY COMMAND.

It will be shown you that in the United States Army at present judicial power is only a concomitant and incident of military power. It is military power alone which determines whether an enlisted man shall be subjected to court-martial. By virtue of the power of command the military commander determines the sufficiency of the charge and of the evidence upon which a man shall be tried and other similar legal questions. By power of command he details the court-martial and passes on all questions of law arising in the proceedings and all questions of the legality of the proceedings. By power of command he determines the legality of the sentence and orders it executed. All this without independent legal direction or supervision, except that to be found in the "recommendations" of the Judge Advocate General, who is himself subject to superior military authority.

Further still it will be shown you how, from examination of those records which the Secretary of War formally gave me authority to examine, that, even inside the Judge Advocate General's Department, there is an irreconcilable difference of opinion about the proper answer to that tremendous question raised by Senator CHAMBERLAIN—whether in our Army we shall have military law and a system of administering military justice worthy of the names of law and justice or whether we shall have simply a method of giving effect by courts-martial to the more or less arbitrary discretion of commanding officers. It was clearly evident, from official "recommendations" attached to various cases, that in the Judge Advocate General's Department there is a school which believes in the theory that courts-martial are mere instrumentalities of military command, that this is the view of the Judge Advocate General himself, Gen. Crowder, but is not the view held by the officer who, throughout the war, has been Acting Judge Advocate General of the United States Army, nor by most of the officers of the department.

At the beginning of the war the Judge Advocate General's Department consisted of less than a score of officers. It now consists of about 400 officers who have come to it as distinguished lawyers from civil life. These lawyers, I discovered from official indorsements and memoranda attached to records of cases, have found the system not merely antiquated but one admitting on frequent occasions gross injustice and military oppression. Courts-martial try soldiers for all offenses from murder down. They are composed of Army officers ignorant of the rudiments of law. Yet under the present practice of the War Department their judgments, when approved by their camp commander, are final. And the present Judge Advocate General not only believes that the law makes such judgments final but that the law is wise. In one case, in which his views were strenuously opposed by the officers of his own department, he said that military justice was a kind of justice that had to be administered in the camp by the camp commander without legal supervision. This attitude resulted in the denial of the existence of any power in the War Department to correct error committed during these crude trials, though the error might be as prejudicial and unjust to the accused as that committed during the Texas "mutiny" trial. At the outbreak of the war the assistants in the Judge Advocate General's office, appreciating the need of a remedy for such gross wrong, endeavored to revive the revisory power over courts-martial proceedings believed by them clearly to be found in statutes of the Civil War period. The Judge Advocate General himself, though conceding the frequent gross injustice, denied the existence of such a power.

Notwithstanding that attitude, those who have guided the office of the Judge Advocate General since that time and throughout the war have assumed that remedial power must reside somewhere and in some cases of the grossest injustice have succeeded in inducing the Chief of Staff and the Secretary of War to take remedial action.

The task of persuasion was probably made possible for them by a single timely though tragic incident. Shortly after the Judge Advocate General's Department had strenuously denied to itself the power of review, 13 negro soldiers in Texas were tried, convicted, and were hanged the day after their conviction was reported to the convening authority and approved and confirmed by him. The record of the proceeding in those cases was not forwarded to the Judge Advocate General's Department for the "revision" required by the statute—whatever that term may mean when the power of effective review is self-denied by him—until three months after those 13 negroes had paid the forfeit of their lives. It is important to note here the fact that the camp commander, who thus by the power of military command made himself accuser, jury, judge, and executioner of those 13 men, was the same commander destined later, in the case of the "mutinous" noncoms, to order that inside his jurisdiction right should be wrong.

THE THEORY OF MILITARY JUSTICE.

But, first, a little clearing of the ground is necessary. Just what is military justice? What is a general court-martial?

Military justice, of course, is the process of putting military law into effective action. And military law is the legal system which regulates the government of the Military Establishment. Military law in the United States derives its existence from special constitutional grants of power and is both written and unwritten. Its written sources are the Articles of War, other statutory enactments of Congress relating to the military service, the Army Regulations, and general and special orders and decisions promulgated by the War Department and by department, post, and other commanders.

Its criminal code of procedure is embodied in the Articles of War, which, as enacted by Congress on August 29, 1916, in their present form, consist of 121 articles which, among other matters, define the limits of military jurisdiction, provide the military tribunals through which that jurisdiction shall be exercised, define the offenses for which persons subject to military law shall be brought to trial before these tribunals, and the punishments they shall suffer if found guilty.

Chief of the criminal tribunals of our American military legal system is the general court-martial, which is given power to try a soldier on practically every charge that can be brought against a human being and power to sentence him, if found guilty, to extremely severe punishment. Death, or such other punishment as a court-martial may direct, is the penalty prescribed by 13 of the so-called punitive articles, and such punishment as a court-martial may direct under 29 others. "Such punishment as a court-martial may direct," in the case of a soldier and in a "time of war," like the present, may be dishonorable discharge, forfeiture of all pay and allowances due or to become due during an indicated period of time, and imprisonment at hard labor for any period up to life.

WHAT A GENERAL COURT-MARTIAL IS.

A general court-martial is a body of officers numbering from 5 to 13, the direct appointees of a properly authorized military commander, generally the commanding officer of certain specified military units or areas. It meets, by order of this commander, to try any person whom he orders tried on any charge or charges he may order preferred against that person. The prosecution of the accused is conducted by an officer ordered by the same commanding officer to perform that duty and called a judge advocate, while the accused is given the right to be represented by council of his own selection "if such counsel be reasonably available." Since "civilian counsel will not be provided at the expense of the Government," counsel for the accused is always in practice a line officer not a lawyer and generally junior in grade and immature in human experience, who is ordered by the commander who appoints the court to perform the duty of counsel for the defense. He is, if his services be "reasonably available," an officer requested by the accused, and as to his availability the commanding officer has the final decision.

Before a court so constituted, and by a prosecutor and defender so equipped and so appointed, the accused is tried, all questions of law, including pleas, motions, and objections, arising during the proceedings being determined by majority secret vote of the members. After the evidence has been introduced and the statement of the accused and the arguments of prosecuting judge advocate and defending "counsel" have been heard, the court, again by majority secret vote, determines its finding on the law and facts. If the finding is "guilty," it then, by a majority secret vote, determines the sentence to be imposed, and from this judgment, when duly approved or confirmed, no appeal can be taken, nor can the judgment be set aside or reviewed by the courts of the United States nor of any State.

Such final approval or confirmation, except in capital and a few other specified cases, is the act of the commanding officer who appointed the court, and who, as reviewing authority, has the express power to confirm or disapprove the findings or any part thereof, the express power to confirm or disapprove any part of the sentence, and the power to send the case back to the court for "reconsideration." The final action of the reviewing authority is ordinarily published by promulgation of a "general court-martial order," and after this order has been promulgated the action of the reviewing authority is beyond recall.

SOLDIERS STAND OUTSIDE THE CONSTITUTIONAL GUARANTIES.

All your life you have been safeguarded in certain respects by certain fundamental provisions so complete and so effective that the chances are you never completely realized their existence unless you happen to be a lawyer. You have been so safe you have taken your safety for granted, as you take the daily procession of light and darkness. Under amendments 5 and 6 of the Constitution you, as a citizen of the United States, can not "be held to answer for a capital or otherwise infamous crime unless on a presentment or indictment of a grand jury." You can not "be deprived of life, liberty, or property without due process of law." If you become the subject of any criminal prosecution you "enjoy the right to a speedy and public trial by an impartial jury and to have the assistance of counsel," which last provision has been interpreted over and over again to mean the substantial assistance of qualified counsel.

Those are the inviolable safeguards of the life and liberties of every citizen of this country, "except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger." Then everything is changed.

Then any citizen of this country, if he has made himself, or has been made, subject to military law, may be arraigned for a crime, which is always potentially infamous and frequently is capital, by order of a single individual. And, having been so arraigned, he will be tried, both on fact and law, not by an impartial jury, but by a body of military superiors, and with no substantial assistance of counsel in his defense.

Consider what has happened in the case of a soldier found guilty and sentenced under a general court-martial order. He has been accused and ordered to trial by a man who was not a lawyer. He has been arraigned and tried before a body of laymen. All legal questions arising during his trial have been settled by a secret vote of those laymen. All evidence for and against him has been admitted or rejected by the same process. The question of fact—the question of his guilt or innocence on the strength of the evidence admitted—has been decided by another secret vote of that body of laymen, without competent judicial guidance. And the laymen, in case their finding was guilty, have determined by secret vote what punishment he shall suffer. The record of their action has been sent to the layman by whom they were appointed, and that layman, at his own discretion, has approved or disapproved their findings and sentence, perhaps a revised finding and sentence, given after "reconsideration," at his order. And that layman's decision is absolutely final. From it there is no appeal to any person or body.

And now, how do our commanding officers exercise that enormous power? How does the system work out in the day-to-day practice which brings the records of 15,719 general courts-martial cases to the Mills Building as the grist of one year's grinding of the mills of "military justice"?

THE FOUR DEATH CASES FROM FRANCE.

We have already seen how it worked out in the case of those 12 noncoms in Texas whose commanding officer ordered prima facie innocence to be guilt for the occasion and hanged 13 negroes three months before the legal record of their trial reached the responsible law officer of the Army, who, though he had no power to review the proceedings in the sense of ordering them revised or set aside, was expressly charged with the duty of examining their legality, and by a "recommendation" calling the attention of his military superiors to any points inconsonant with law or justice.

Let us go further. Here are other illuminating cases. All are taken from the official records in the Judge Advocate General's Department:

During last winter, in France, four men—four boys, of whom the eldest had barely reached 20—were court-martialed and sentenced to be "shot to death with musketry"; two for sleeping on post in a front-line trench and two for disobeying an order to drill. Notwithstanding the seriousness of the charges preferred—both carrying the death penalty—the military authorities convened an inexperienced court of minimum membership, the majority lieutenants recently commissioned. A second lieutenant without any knowledge of law was assigned to the "defense." The two soldiers charged with disobedience this "learned counsel" permitted to plead guilty to a capital offense, though at the same time the accused made a statement, inconsistent with this plea, to the effect that because of long exposure for many days before to the intense cold of the mountainous section of France it was physically impossible for them to drill. Upon their plea alone these two were sentenced to death.

The two charged with sleeping on post were tried by the same court and "defended" by the same "counsel." They pleaded not guilty, and made a formal but ineffective defense. It was shown in evidence, however, and not denied by the Government, that the accused had been in the front-line trench for six nights from 5 o'clock in the evening until 7 in the morning, with an actual stand in sentry post of two hours on and one off. No sleeping could be had in such a brief respite, and night after night of such vigilance must bring exhaustion, unless there is a chance for sleep during the short day period. It was testified, and not denied, that it was impossible to sleep in the dugout during the day, because it was used as a place for chopping wood. Furthermore, in one case, the evidence of exhaustion was very convincing, in that the accused had been found asleep once earlier in the evening, about 8 o'clock, and instead of being relieved by the corporal of the guard had been kept on duty, with the result that he was found dozing, as he stood against the trench parapet with his rifle to his shoulder, at about 4 in the morning.

These matters of extenuation the court made no effort to prove or disprove, and should therefore have taken as true. The men were sentenced to be shot to death.

Before the four could be shot the cases had to come to Washington for action by the President, who in this case was the confirming authority, and the Chief of Staff, and, by formality and courtesy, before the Judge Advocate General for his examination and forceless "recommendation." They did so come, and the Judge Advocate General and the Chief of Staff both recommended that the President should uphold the hands of Gen. Pershing and execute the men, the Judge Advocate General stating that it would be unfortunate if the War Department could not agree upon the penalty in those cases.

With the record of those cases I found filed a memorandum written by a high officer of the department, who strongly dissented with the Judge Advocate General in this view. As this dissenter is both an officer of the highest personal repute in the Army and a lawyer whose learning and ability are fully recognized at the bar, it is worth while to note the main points of his position. He said that the same court could not fairly try these four men; that the accused had not had their right of substantial assistance of counsel; that they were young (all under 20, and all volunteers); that their military experience had been brief; and that not one of them had made the slightest fight for his life. Such a defense as each had made, he declared, was not worthy of the name and the trial in the cases was a travesty. He pointed out, too, that Gen. Pershing showed extreme insistence that the death sentences be executed for the sake of example to the Army. Upon this point the dissenter wrote:

"There is an insistence upon the part of Gen. Pershing which tends to prejudice these cases. He seems to have forgot that he is not the reviewing authority. The relation between the appointing authority and the President in these cases is judicial. I do not say that Gen. Pershing may not make recommendations as to the maintenance of discipline in his command; I know he may; but his recommendation in these four cases is a special thing, specially interposed in the course of justice in a special case, and characterized by great insistence. He asks that he be advised by cable of the act of confirmation and makes a powerful argument that they should die, the gist of which is after all to be found in his view of the necessity of exemplary punishment in these cases. It may be that punishment, made especially drastic for the purpose of example, at times has its place and value, but exemplary punishment is dangerous to justice. The execution of all military offenders would very likely decrease the number of future offenses and offenders, but such Draconian methods would destroy justice, without which all else in human society is of no worth.

"It is only right for me to say to you," concluded the dissenter, "that the military mind will, in my opinion, almost unanimously approve of confirmation in these cases. I do not say that the military feature is to be ignored by the Commander in Chief of the Army. I myself would not ignore it. But when it offends my well-considered sense of law and justice I could not follow it."

The "military mind" did approve of confirmation, but the Secretary of War finally came to the partial relief of these soldiers. Two were pardoned. The punishment of the other two, those who had refused to drill, was commuted to three years' penal servitude. In his formal communication to the

President as Commander in Chief, recommending this exercise of clemency, Secretary Baker raised two points worth noting. Discussing the death penalty as a military punishment, he said:

"It is fair to assume it arose in time and under circumstances quite different from these, when men were impressed into armies to fight for causes in which they had little interest or knowledge, and when their conduct was controlled without their consent by those who assumed to have more or less arbitrary power over them."

And in commenting on the degree of guilt of the two men who refused to drill he points out a circumstance to which no reference appears in any part of the record of their actual trial—that their company commander was an individual whose notorious and violent pro-German sympathies and open objection to fighting against Germany in the Army of the United States, though he bore its commission and lived on its money, later led to his court-martial, dismissal from the service, and sentence to 25 years penal servitude. "Should not," the Secretary asks, "this circumstance have been taken into account by the court in weighing the heinousness of the disobedience of these two boys, and could as high a degree of discipline be justly expected of them as of men whose superiors set them a proper example?"

TWO CASES OF "DESERTION."

These, of course, are extreme cases, having to do with military offenses committed in the face of the enemy. Let us take some nearer home.

There was a soldier in a camp in Alabama, with a wife and aged parents. He had an excellent record. In December, 1917, he went home on a three days' pass and found his father desperately ill. He remained home until some time in May. The evidence, unimpeached, showed that his people were very poor and in extreme need of his help; that he expected his father's death at any time; that he wore his uniform and made no effort to conceal himself, and at all times intended to return to his command. In May the father died. Two days thereafter the soldier reported to camp to resume his duties. He was tried for desertion, found guilty, and sentenced to 15 years.

This case is one of a class numbering hundreds which all show courts-martial convicting of desertion when the essence of the military crime—the specific intent to desert, the definite intention never to return to duty—is negatived by the evidence. There are many cases where the evidence shows plainly that boys went home only for a last visit before embarking for foreign service, or for the holidays, or to meet some urgent domestic situation. Such are clearly cases of absence without leave—not the desertion which is, in time of war, a capital offense.

"Too many trivial cases are sent to trial," said Mr. CHAMBERLAIN in the Senate, "too many unduly severe sentences are imposed, and the punishments awarded for similar offenses vary too widely."

That the reader may have an opportunity to judge of that for himself, here is another of these cases of "desertion": this one from Camp Upton, N. Y. It will show, if nothing else, how completely the fate of an accused and convicted soldier is in the hands of the officer who ordered his court-martial. This soldier was tried for desertion last fall, it being specified that he had left his organization without leave on July 19 and been absent therefrom until September 19, when he was apprehended by the civil police and turned over to the military authorities. At his trial the following matters were put forward in his defense, and no attempt was made to disprove them. About three days before his "desertion" he received word that his youngest sister, whose particular friend, supporter, and counselor he had been, was dying in Bellevue Hospital. He asked for a pass to New York, explaining his reason. After waiting three days in vain he left camp without a pass and reached the city to find that his sister had died three hours before his arrival. It was found that she had let her small insurance policy lapse and the immediate problem of giving her decent burial arose.

The accused and his brothers and sisters possessed among them one liberty bond, which an undertaker finally agreed to accept in payment for his services. After that harassing experience the accused was immediately faced with another. The woman with whom he had lived for several years and who was the mother of his two children was his common-law wife. She had had trouble in obtaining the allotments made her from his pay, with the result that she was in dire need and the feeding and clothing of the children had necessarily been neglected. To top all, her mother, always hostile to the couple because of their irregular marital relation, had threatened to report the condition of the children and have them taken by the Gerry Society. And the young couple knew that, since they were not legally husband and wife, they stood very slight chance of getting their children back if once they were taken away.

Under these circumstances, the young man sought and obtained work at his trade of coal handling and worked at it all summer. The evidence showed that he made no effort to disguise his status, wearing his uniform frequently, though never when it would be exposed to the dust and grime of a coal yard, and that when it was left in his dwelling no attempt was made to conceal it. The evidence also showed that he and the woman made constant effort to find a position wherein she might support herself and the children, and that as soon as such a position had been secured he instantly made preparations to return to his duty at the camp. When he was apprehended his uniform had actually been cleaned and pressed by a tailor in order that he might make a soldierly appearance when he reported back.

In Alabama, you remember, such an offender, with very similar mitigating circumstances, was found guilty of desertion and sentenced to imprisonment at hard labor for 15 years. It seems reassuring and heartening, for the moment, to learn that in New York the charge against the soldier was reduced by the court to absence without leave and the penalty to confinement for six months, later reduced by the reviewing authority to one month. But is it so very heartening, after all? It is good to be thus assured that we have just and merciful men among the officers in our Army. But should that blind us to the fact that there is no power compelling them to be just and merciful, and that even mitigating and extenuating circumstances must mitigate and extenuate, if at all, only by their arbitrary decision, just as it proved, in the case of those "mutineers" in Texas, that innocence itself must change to guilt when a commanding officer gave a military order to that effect? Is that justice? Is it law?

COMMANDERS ISSUE ORDER FOR "JUDICIAL" SEVERITY.

Touching on this matter of "desertions," the file of orders which I found in the Judge Advocate General's Department in Washington shows that at some camps in the United States the military commander has ordered that absence without leave for 24 hours shall be submitted to a special court-martial, which has a punishing power of six months' confinement and forfeiture of six months' pay, and that cases of more than five days' absence shall be submitted to a general court-martial, with unlimited power to punish, and that in such cases the camp commanders have instructed the courts to punish such cases with severity.

The files also show that frequently when courts acquit the convening authority—i. e., the commanding officer—sends the cases back for "reconsideration," with an argument which, coming from the very source of command, virtually compels a conviction; and that there are many cases tried where every legal or other consideration only goes to show that the trial was a result of a gross abuse of military power. With citation of one more human document this phase of the discussion may be brought to a close. This also is a case from Camp Upton, tried last fall. The charge was absence without leave; the specification, such an absence lasting from July 1 to September 11, when the accused reported back for duty. The plea was not guilty; the finding of the court was guilty. The sentence imposed was dishonorable discharge, forfeiture of all pay and allowances due or to become due, and five years' imprisonment at hard labor. The action of the reviewing authority was a reduction of the imprisonment to three years and suspension of the dishonorable discharge until that term had been served.

The evidence introduced in behalf of the accused, and not only unimpeached but strongly corroborated, was that the young man, who had been a year in the service and proved a cheerful and dutiful soldier with a strong desire to get overseas, had been in civil life the main support of an ailing mother, a sister, and three younger brothers, the father being a drunkard, who did not live at home but was in the habit of returning there whenever he indulged in one of his periodical sprees and setting out to wreck the place, the only member of the family able to exercise any control over him at such times being this elder brother, William.

Between the incubus of this condition in the home he had left behind him and the repeated disappointments, after a year in camp, of being several times ordered to an overseas detachment and then having the embarkation order rescinded, the accused, as he told the court, "got kind of discouraged all round," and on July 1, having failed to secure a pass, went home without one, to find his father on a spree and his mother in bed with weakness and nervous dread. And in that home, standing between that mother and that father, the young man spent the summer.

He wore his uniform and did not make any attempt to disguise or conceal his status. Nay, more, he took up with an official and semimilitary organization, the home branch of the American Red Cross, the question of finding some adequate

means of controlling his father and protecting his mother, short of arrest, the social disgrace of which he was not willing to have his family undergo. This part of his statement was corroborated by the following telegram of the Red Cross to the court which was trying him:

William ———, (address), overstayed last furlough on account father on periodical spree. William alone able to control father at such times. Concealed fact prolonged furlough from mother, who is anxious and sickly.

What criminal lawyer would ask to face a judge and jury with a more moving plea for a client? And what upright district attorney, sworn officer of the court to see that substantial justice is done between the State and the erring individual, would not be strongly moved to enter a nolle pros?

What happened during the administration of "military justice"? Amateur "counsel" for the defense summed up these circumstances colorlessly and briefly, humbly admitted that the man he was "defending" had committed a most grave offense, and politely, almost timidly, asked the court to take the matter of the drunken father into consideration, and, if it could, not to be too hard on the drunken father's son.

Judge Advocate for the United States indulged in a burst of oratory. What he said illustrates so well what it is not unfair to term the animus of the military mind, that it is repeated here verbatim:

As I understand counsel, the accused's difficulty in getting a week-end pass led him to be absent for two and a half months. It must have been a great difficulty that he expected to meet when he met his company commander if he had in mind asking for a pass for the entire months of July and August and the first 10 days of September. I can not believe that a man whose one desire is to get overseas to fight for his country is going to be heartbroken at his failure to get over there at the first possible moment. The fact that a man stays absent for two and a half months indicates that he is a deserter. He is charged with absence without leave, but it is the most serious absence without leave that you could possibly have, without any justification except that there was a drunken father in the family. I think the man should be punished and punished severely.

Five years for William, the civilian in uniform who "got sort of discouraged all round," and then the machinery of our administration of military "justice" took into its maw the next case of those 15,719.

DISCIPLINE IN OTHER ARMIES.

Case after case of similar mold might be added here if space were available. It should be stated definitely as a part of this record that from the historic point of view that the so-called military justice of these United States of ours, besides being blundering and senseless, is archaic—the sole survivor in any decent nation of a system of military discipline which originated in mediæval times and was brought to its full flower by that ardent democrat—Gustavus Adolphus. This system has been abandoned by France, by England, by Italy, by little Belgium; and the spirit and discipline which said, "They shall not pass" at Verdun, which turned the surviving tenth of the "contemptibles," after that fortnight of slaughter and retreat, into the offensive force which smashed the German right for Joffre, which swept the routed Italian armies back to victory, which kept the black and red and yellow of Belgium flying for years never to be forgotten over one small, miserable stretch of marsh and sand dune, were founded on quite a different concept—one which recognized the laws of the land and the rights of men and the fundamentals of justice as being always superior to any mere power of military command however exalted and however necessitous.

It was all this and more that Senator CHAMBERLAIN had in mind when, on the floor of the Senate of the United States, he said:

"The records of the courts-martial in this war show that we have no military law or system of administering military justice which is worthy of the names of law and justice. We have simply a method of giving effect to the more or less arbitrary discretion of the commanding officer."

DR. WILLIAM FREDERICK BADE.

Mr. JOHNSON of California. I have a telegram from Dr. William Frederick Bade, a prominent and well-known citizen of California, who recently was accused of pacifism or of some disloyal or seditious activity by somebody before the subcommittee of the Judiciary Committee without any proof concerning the matter at all. The publicity given to this unproven charge is a shame and an outrage. In justice to him I ask that the telegram from Dr. Bade be inserted in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

BERKELEY, CAL., *January 27.*

Senator HIRAM JOHNSON,
United States Senate, Washington, D. C.:

Never having been a pacifist, but am an active and outspoken promoter of war enterprises, besides having offered my services to the Government in several capacities, I earnestly protest against the unjust charge of pacifism as laid against me on the Senate records, a loyal citizen defenseless against such traducing.

WILLIAM FREDERICK BADE.

LEAGUE OF NATIONS.

Mr. KNOX. I ask unanimous consent to have inserted in the RECORD without reading a portion of the address by Hon. Albert J. Beveridge, formerly a Senator from the State of Indiana, before the Massachusetts Bar Association on the 6th of December, 1918. It is that portion of the address relating to the league of nations.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

[From the address of former Senator Albert J. Beveridge before the Massachusetts Bar Association, Dec. 6, 1918.]

"Some excellent and able men now urge that just as the States of the Union have been interlaced into a nation, with concord throughout its dominions, so the nations of the earth shall be similarly united to end strife among all mankind. Why, it is asked, if the States could unite into a nation, surrendering most of their sovereignty to the National Government, should not the various governments of the world form a superstate to which each of these federated nations would yield a part of its sovereignty and obey the decrees of an international authority supreme over all of them?

"This plan, passionately insisted upon under two or three titles, raises the greatest question which the American people have ever been called upon to answer. I have been asked to examine it to-night, but since this can not be done in the brief time remaining I shall merely suggest some of the questions involved.

"If the analogy of the States agreeing among themselves to form a harmonious nation is to be strictly followed, certain results would be inevitable; for example, just as the States, in order to form a nation, gave up the right to pass tariff laws or immigration laws, so the nations comprising the international superstate would have to do the same thing. Indeed, certain foreign champions of this international arrangement urge this very fact as one of the principal reasons why a league of nations should be established.

"If this is not so the analogy fails. The argument based upon a comparison of the union of the States into a nation, with the proposed union of the nations into a world government, would require us to imagine that the States agreed only that they would not fight one another, but kept the right to make tariffs against one another, to regulate or prohibit immigration from one to another, to do the same thing with reference to commerce, and, in short, to act in every way as though each State was a sovereign nation. In short, the States would have agreed not to make war among themselves and yet left open every subject that might cause hostilities. Is it not plain then that this analogy is false, and even absurd?

"The league can be established only by treaty. This treaty binds each member nation to make war anywhere and at any time the league decrees. If America become a member we must, of course, repeal that provision of our Constitution which gives to Congress the exclusive power to declare war. This is admitted. I hear that such an amendment was actually introduced in the Senate. Do we want to abolish that vital provision of our fundamental law? Do we want to bind ourselves and our children forever to make war whether we or they want to or not? Even if we did not formally repeal that section of our fundamental law, would not the result be the same as if we did repeal it, since our honor would be pledged in the treaty to make war, and Congress would be morally compelled to declare it as a matter of good faith to our allies, whenever and wherever a majority of them require it?

"Of course, if the league treaty is not to bind each member to enforce the judgment of the league, then the treaty would amount merely to an agreement that the contracting nations undertake to be good.

"The only reason given for the proposed international superstate is that it may prevent wars by the amicable settlement of disputes. But, on the contrary, does not the plan contain the very seeds of strife? Assume the league in existence, with big and little nations members of it. Suppose two of the larger nations differ radically on some subject which each honestly thinks vital to its well-being. The matter must be settled by a vote of the nations that are members of the league.

"If human nature has not been repealed, would not each of the contending Governments try to get as many votes as possible? Would not this result in, would it not compel, such international intrigue and corruption as the world has never seen? And if one of the disputants should prevail by a single vote or fraction of a vote, would the defeated nation and its associates

submit? Or would there be a world-wide cry of fraud followed by resistance? Even if war did not result, would not the league dissolve, leaving behind it bitterness and suspicion more intense and long-lived than even some wars have produced?

"As to the actual structure of the superstate, on what basis would it be erected? Would little nations have the same suffrage as big nations? Would Costa Rica have the same voting power as France? Serbia the same as Great Britain? Uruguay the same as the United States? Tibet the same as Japan? If not, what becomes of the principle that the rights and interests of little nations are as sacred as those of big nations? Since the protection of small nations is one of the main purposes of the proposed league, who are so well qualified to pass on their own safety and well-being as the little nations themselves?

"But in case the lesser nations are to have only fractional votes, who shall decide what those fractions shall be? And would the small nations come into the league on fractional representation? But if the little nations refuse to enter the league as inferiors what is to become of their rights, interests, and honor, which it is one of the principal purposes of the league to protect? Or is the league to tell the little nations what is best for them and, by force, make them submit to the league's opinion?

"If this trifling problem should be solved to the full satisfaction and happiness of all nations, another small question arises: What proportion of the international army and navy which is to execute the decrees of the league shall each nation furnish? Shall this be determined upon the basis of population? If so, China would supply more men and ships than all of Europe, the United States, and Japan combined. Shall contributions to the international police force be determined by comparative wealth? If so, the American Nation must furnish the largest contingent. Or shall the rule of allotment be the degree of comparative intelligence? Or shall it be measured by that clearly defined and accurately established standard called 'civilization'? In either case, who is to decide the relative intelligence and civilization of the nations? Would any nation agree that its people are less intelligent and civilized than others? Also, how shall the command of this international army and navy be settled?

"But assume all these questions to be disposed of, as doubtless they readily can be, and the league to be in full and effective operation. What would be the province of the superstate and what our duty in the matter of revolutions in any country? Governments are constantly changing by revolutions, and revolution in one country sometimes causes war between other countries. For instance, the French Revolution caused the war between Great Britain and France; that in turn resulted in the Napoleonic wars. But it is the league's business to prevent wars. Must the league therefore interfere with revolutions? If so, on which side?

"The late Czar was the first authority in modern times to call an international council for the suppression of war. Suppose that gathering had resolved upon a league of nations, of which the United States, Great Britain, France, and other nations, including Russia itself, were members. It would have been the Government of the Czar that signed that treaty. When that Government was threatened with destruction by revolution, would it not have called and have had the right to call on its international partners to help preserve it?

"Suppose a league of nations had existed at the time of our Civil War. If it intervened in that struggle, does anybody doubt what the result would have been? Do we not know that we would to-day be two nations instead of one?

"But let us say that the supposed world superstate agrees to have nothing to do with revolutions, although by so agreeing the very governments forming the superstate may themselves be destroyed. Let us say that the league proposes to intervene not when different parts of a nation are about to fight one another, but only when different nations are about to fight one another. If the combat can not be prevented and hostilities begin, on which side will the league fight?

"If it be said that the superstate will act against the aggressor, how shall it determine which of the belligerents really is the aggressor, since every nation always claims that the other belligerent is the aggressor, and the decision must be made instantly if war is to be prevented. But sometimes it takes many years to settle the real cause of a war. Which nation was the aggressor in the Russo-Japanese War or in the conflict between China and Japan? Each claimed at the time and still claims that the other was the aggressor.

"Moreover, occasionally the real cause of conflict is not admitted by either belligerent, and could not and would not be submitted to any international court or league. For example, the fundamental cause of the Russo-Japanese War probably was the increase of population in Japan and the necessity for more territory where its people could live, on the one hand, and Russia's historic, natural, and perhaps justifiable desire for ice-free ports on the other hand. Yet this profound reason for the Russo-Japanese collision would not have been admitted by either of the two disputing nations and could not have been settled by an international power. Suppose, then, that since the league could not have dealt with the problem war came, notwithstanding the league's existence. On which side would American soldiers and sailors have had to fight?

"Since one of the objects of the superstate is to protect the territorial integrity, rights, and interests of small nations, what would we, as a member of the league, have been compelled to do in the war between Great Britain and the allied Dutch Republics of South Africa? Or what would have been the league's action when Korea was absorbed by Japan? In our own history, would we have been permitted to wage war with Mexico? If not, what would now have been the situation of that enormous territory which now composes the States of California, Nevada, Utah, Colorado, New Mexico, and Arizona? To-day it is peopled by the freest, happiest, richest men and women on the globe.

"Would we have been allowed to fight Spain? If not, what to-day would be the condition of Cuba, Porto Rico, and the Philippines? No such progress is recorded in history as has been made by the people of those islands since they came under American control; and all of them are under American control. Porto Rico and the Philippines are American possessions, and American suzerainty over Cuba is the most perfect ever committed to paper.

"Is not the proposed world superstate an agreement to maintain perpetually, by arms if need be, the status of the world as it shall be at the time the league is formed? Do we not, as a member of the league, underwrite for all time to come the international status quo and guarantee to maintain it with American blood and treasure? And is this wise or right either for ourselves or the world?

"It is not impossible that the whole thing will taper down to a proposal of a league consisting of a permanent alliance of the United States and the three other leading nations of the world. Already I have heard such a suggestion. The world is to be 'policed' and 'kept in order' by the 'big four.' How Holland and Spain and Belgium and the Scandinavian countries will welcome that scheme! And South America! We can already hear loud cheers from that quarter. And none of the nations outside the combine is to be permitted to say a word about the matter—they can come in on the terms prescribed by the 'big four' or stay out. But in either case the 'big four' will attend to their affairs for them. Does not such a project as this suggested 'league of nations, limited' appear somewhat fanciful, not to say unjust? Would it not create universal antagonisms, jealousies, hatreds? And what possible advantage would America derive from it? Is it not plain that it has most of the evils of an unlimited league and some that are even worse?

"Whether the scheme takes in all nations or only a few selected governments, are the American people to be allowed to vote on this question which concerns them so profoundly? Are any people to be permitted to vote on it? Apparently not. The arrangement is to be made by gentlemen in Paris, presented to our Senate in the form of a treaty, and put through without any expression by the people of their will in the premises. If it is said that this is the usual method of dealing with treaties, is not the answer that this is not an ordinary treaty? It resembles no other treaty we ever made except in one point: When it is made we must stand by it whether we like it or not.

"That point is worthy of consideration: If we get into the league, we can not get out. No matter how badly it works for us, no matter how much we may come to dislike it, we are bound, in honor, to remain in it. If, in desperation, we broke the treaty and released ourselves, would we not thereby invite war upon us by the other members of the league? Even if they generously refrained from attacking us, could they be expected ever to trust us again?

"But whether we are to be bound to an alliance with many or few nations, what advantages in any direction would America derive from membership in a league of any kind? Or are American rights and interests unworthy of our consideration? If our own well-being is not to be eliminated from our thought, ought we not ask and answer a few obvious questions?

"Take, for instance, our Mexican relations. That country adjoins us. There have been, are, and always will be more American citizens legitimately engaged in business in Mexico and a greater quantity of American capital legitimately invested there than the citizens and capital of all other countries combined. For years we have endured peculiar, shocking, and indefensible—almost indescribable—outrages upon American citizens and property in Mexico, and this is likely to occur again.

"As a member of an international league could we do anything whatever to protect American lives, safeguard American property, or maintain American rights in Mexico without the consent of the other nations who are our fellow members in the league? If it became necessary for us to establish the same relations with Mexico that we have with Cuba, could this be done without the sanction of the international superstate?

"Or take the Monroe doctrine, which concerns the Western Hemisphere and is vital to the development of it. Would not Japan, Great Britain, or Germany have as much to say as ourselves about what that doctrine means and what may and may not be done under it? If we undertake to help settle the disputes among the nations of Europe and Asia, do we not bind ourselves to allow them to have the same voice in the affairs of the Western Hemisphere?

"If we, with other nations, underwrite the status of canals in the Old World, do we not obligate ourselves that other nations shall, equally with us, control the Panama Canal?

"Would any beneficial result come to us from membership in this international league? Would not the inevitable consequence be that we involve ourselves in racial and historic antagonisms and complications from which thus far we have kept ourselves free? Would we not surrender every advantage which our situation on the globe, our history, our one unbroken traditional policy, and our resources afford us? Would we not place ourselves in the position of an integral, physical part of the continents of Europe and Asia?

"It is said that steam and electricity have eliminated the ocean and that nations no longer are separated by water barriers. Is this true? The English Channel is now as effective a bulwark to the United Kingdom as it ever was. That narrow strip of water and a strong fleet have saved England from invasion for nearly a thousand years. From the military point of view it would appear, then, would it not, that, after all, the Atlantic has not been abolished?

"We are told that we must no longer be 'isolated.' How are we 'isolated'? Not commercially. Not financially. Not socially. We have been 'isolated' only in the political sense, only in the sense that we have not bound ourselves by alliances to mix up in the quarrels of others, only in the sense that we have attended to our own business. Is not that kind of 'isolation' the very thing that is best for us and for the world? If so, why abandon it?

"All the points that I have suggested are only a few of those involved in the present-day recrudescence of the ancient scheme for a league of nations. There are many others, but the lateness of the hour precludes a mention of them. But do not the ones enumerated show that the international journey which we are asked to take is through an unexplored and perilous jungle?

"Is it not better for the American people to advance along the highway of America's traditional foreign policy? That policy was formulated after years of thought, experience, and consultation by all the wonderful company of constructive statesmen who laid the foundations of the American Nation. No such group of far-visioned men ever blessed with their wisdom any country at a given time. Call the roll of them: Washington, Hamilton, Jefferson, Adams, Madison, Marshall, and the others of that galaxy of immortals.

"The foreign policy announced by Washington was the product of the combined and profoundly considered judgment of all these men. It was the only policy, foreign or domestic, on which all of them were united. On every other they disagreed. For that alone they stood as a single man. Also that policy has been maintained from that day to this by every American statesman and every American political party.

"For more than a hundred and thirty years the American Nation has progressed along the plain, safe course these men marked out. It has kept us from disastrous foreign entanglements and ruinous foreign complications. It has saved us hundreds of thousands of lives and hundreds of billions of dollars. Why leave it now to wander through a pathless wilderness of alien interests, racial hatreds, historic animosities?

"Do not the well-being of a great people and the development of a mighty continent present problems hard enough to tax all the strength of the ablest men in the whole Republic? If the concerns of a few million people occupying a strip of seaboard engrossed all the energy, thought, and time of men like "the fathers" whom I have just named, have any intellects now appeared capable of caring not only for the affairs of 110,000,000 human beings covering an area that stretches from ocean to ocean, but also capable of adjusting all the differences of all the variegated peoples of the entire globe?

"The situation of the American Nation is peculiar and unique. Geographically it sits on the throne of the world. Its resources are greater than those of all Europe combined. Its history is that of the evolution of a distinct, separate, and independent people. Its mission is no less than to create a new race on the earth and to present to mankind the example of happiness and well-being that come only from progressive, self-disciplined liberty.

"This was the faith of our fathers. By that faith ought we not still abide? The American Nation the supreme love of our hearts, the highest object of our effort and our thought, the American Nation free of hand and unmanacled of foot, marching steadily onward to that destiny to which its place on the globe, the genius of its people, and its orderly institutions of freedom entitle it."

THE COAL SITUATION.

Mr. JONES of Washington. Mr. President, a short time ago complaints were brought to me to the effect that the order by the Fuel Administration of the District of Columbia requiring dealers to store coal for customers at 75 cents a ton was not being enforced, but was being violated by the coal dealers. I introduced and the Senate passed a resolution requiring the fuel administrator to advise the Senate what measures were being taken to enforce that order and also requiring him to state under what authority the order was issued. The fuel administrator, under date of December 16, sent a report to the Senate, which has been on the table. I wish to read one sentence from that report, as follows:

> Upon the issuance of said order the same was given wide publicity through the newspapers of the District of Columbia, and up to the present time there has not been called to the attention of the fuel administrator any violation of the same by any of the retail dealers in said District.

Mr. President, my information that the order was being violated came from a very reliable source. One gentleman stated to me that he had called to the attention of the fuel administrator a refusal of the dealer through whom he had purchased his coal to put it in at the price fixed by the Fuel Administration. I have heard of other cases. This report of the local fuel administrator was peculiar, to say the least; and in view of the action of the Fuel Administration now it is still more peculiar. It may be that complaints have increased since he made his answer. Sure it must be that complaints have come to him and he is taking a queer way to enforce his order.

Mr. President, I have here an advertisement headed "United States Fuel Administration, Division of the District of Columbia," which was printed in the Washington Post, I think, of Saturday, and I notice in the paper of yesterday that this advertisement is still being carried. It says:

> UNITED STATES FUEL ADMINISTRATION,
> DIVISION OF THE DISTRICT OF COLUMBIA.
>
> *To the public:*
>
> In an effort to prohibit the excessive charges heretofore demanded by individuals for the storing of coal in the bins of consumers, the Fuel Administration has issued a regulation to the retail coal dealers of the District of Columbia to the effect that the charge for storing coal shall be at a rate not to exceed 75 cents per ton.
>
> Inasmuch as the dealers are prohibited from charging more than 75 cents per ton and are expected to perform the service at all times without profit to themselves, the general public is hereby requested to cooperate to the extent of refusing to pay individuals more than the above-named amount. Whenever a greater amount is demanded report should be made immediately to the dealer from whom the coal is purchased. In this way it is believed a very annoying situation may be satisfactorily handled. The Fuel Administration has the assurance of all the coal merchants that they will use every reasonable effort to perform this service at the earliest possible moment when requested by the customer.
>
> By a spirit of cooperation and patience between dealer and consumer in this connection, it seems reasonable to expect that the exorbitant costs heretofore experienced may be successfully eliminated.
>
> UNITED STATES FUEL ADMINISTRATION,
> BUREAU OF DISTRIBUTION FOR THE DISTRICT OF COLUMBIA,
> *927 Woodward Building.*

Mr. President, it is evident from this advertisement that the Fuel Administration is having complaints made to it, and I have no doubt but that complaints had been made prior to the submission of this report to the Senate. Why the statement should be made that none had been made and that things seemed to be going along very well, I do not know. Why spend money for this advertisement? Why does not he prosecute for a violation of his order? Why not cancel permits to carry on business if the order is not complied with? This seems to be a confession that he can not, in fact, enforce the order.

In order to show the real facts of the situation, I ask that the report sent to the Senate may be printed in the RECORD—it is a short report—together with the order and this advertisement printed in the paper to which I have referred.

The PRESIDING OFFICER (Mr. HOLLIS in the chair). Without objection, it is so ordered.

The order is as follows:

UNITED STATES FUEL ADMINISTRATION,
OFFICE OF THE DIRECTOR FOR THE DISTRICT OF COLUMBIA,
Washington, D. C., November 5, 1918.

To all retail coal dealers:

In order to prohibit the excessive charges heretofore demanded by individuals for the storing of coal in customers' bins, it is hereby ordered by the director for the District of Columbia, United States Fuel Administration, that on and after this date no person shall charge a sum greater than 75 cents per ton for the storing of coal.

All retail coal dealers are hereby directed from this day to arrange for and store all coal delivered by them to residences whenever requested by the purchaser at a cost not to exceed 75 cents per ton.

Respectfully,

UNITED STATES FUEL ADMINISTRATION,
By BENJ. WOODRUFF,
Assistant Director for the District of Columbia.

ADDRESS BY R. L. M'KELLAR.

Mr. BECKHAM. Mr. President, I have here an address by Mr. R. L. McKellar, of Louisville, Ky., a brother of the Senator from Tennessee, which was delivered at the Foreign Trade Convention held in New Orleans, La., on the 13th and 14th of this month. It is a very interesting and able address, and I ask permission to have it printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

COOPERATION AS A NECESSITY IN DEVELOPING FOREIGN TRADE.

[Address of R. L. McKellar, secretary exports control committee, Washington, D. C., at Foreign Trade Convention, New Orleans, La., January 13–14, 1919.]

"One of the most wonderful years in the world's history has come and gone. The greatest war in human history has ended in glorious victory. The most momentous problems that ever faced mankind must be solved in the year on which we are about to enter. To be living in such a time as this is a glorious privilege. To have had a share, however small, in the great things that transpired in 1918 is an honor. To be permitted a part in the work of 1919 is life's opportunity."

These are the words of a Louisville pastor a few weeks ago, and so fitted are they to the spirit of the time that the liberty of repeating them here is taken.

The allies by the courage and endurance of their armies and the unceasing watchfulness of their navies succeeded in holding in check for almost three years the strongest fighting machine the world has ever known. However, the final outcome was problematical until the United States, with the weight of its men, money, and munitions, and the wonderful spirit of its men, turned the scale and menacing militarism was successfully crushed.

The participation of this country in this great struggle was not for conquest, not for expansion, not for aggrandizement, but for the principle of humanity and liberty.

With its successful ending comes the problems of peace and the revival and readjustment of world trade. One of the first commercial problems is what part this country is to take in foreign commerce. Will all the leading nations of the world, now so largely numbered among the allies, enter a mad scramble for this trade and indulge in selfish and wasteful competition, or will it be sought upon the same high principles of right, honor, justice, and fair dealing as have characterized the conduct of the war? Assuming that the same high plane will be adopted, let us determine, if we can, what will be the attitude and policy of the United States in general and the outlook for our southern section in particular.

Prior to the war the domestic business of this country was so ample and remunerative that we were not forced to seek foreign trade other than for surplus production and from our abundance to supply other countries with our raw materials. This condition, however, was changed somewhat during the war period, when foreign trade of leading European nations was practically suspended, with the result that this trade was in part driven to the United States as the only country in position to supply it.

Our attempt to supply this demand has been subject to rigid conservation restrictions, which have served to limit the volume. This restricted experience, however, has been instructive and stimulating, and now that peace is in sight it is found that everywhere in trade circles, and even around the fireside and with the suffragists, foreign trade and its kindred interests are being discussed. Numbers are harkening back to sea, and thought and attention is being turned to the building, manning, and operating of ships and the exchange of commodities with other countries.

The United States Shipping Board is releasing several hundred thousand tons of shipping monthly, and with a merchant marine in early prospect equal to that of any other nation, it becomes necessary for our merchants, manufacturers, and producers to find profitable employment for these vessels and for the output of converted war industries. Furthermore, this country has won the good will of a large part of the world by the unselfish part it has taken in the war, and it is also a fact that the countries of the world have been drawn much closer together and have become better acquainted as the result of the war. Therefore, all things considered, the United States can not longer escape its full responsibility as an exporter of a reasonable share of what it manufactures and produces of the world's needs.

Let us briefly review the relative position of the Gulf ports and in a way take stock of some of the advantages and disadvantages.

The North Atlantic ports, with their immense port facilities, their long-established steamship lines, and their close proximity to the more densely populated manufacturing sections of this country, naturally attract the greatest volume of our export and import commerce.

The Pacific ports also have first call from standpoint of ocean distance to Alaska, the Orient, the Philippines, and Australia. It therefore becomes the Gulf ports to thoroughly analyze their assets and advantages and bring them into complete coordination and cooperation.

It must be realized that the territory tributary to the Gulf does not possess the diversified manufacturing interests to anything like the same extent as the territory adjacent and tributary to the North Atlantic ports, and that the distance from the Gulf to European ports is upwards of 1,000 miles greater than from North Atlantic ports. On the other hand, the territory tributary to the Gulf produces important commodities that Europe must of necessity have, such as cotton, cottonseed products, oil, grain and grain products, naval stores, lumber, and other forest products. These furnish a base for vessel cargo and insures steamship service to move them. The extension of this steamship service largely depends upon the amount of additional diversified cargo that can be attracted.

To the West Indies, Mexico, Central America, and to both the east and west coast of South America, the distance is in favor of the Gulf.

To the Orient, the Philippines, and to Australia the Gulf is also a factor through the Panama Canal.

These ports are served by approximately 50,000 miles of road. Embraced in this extensive mileage are found strong railroad systems, having a vital interest in the growth and development of the ports they serve, and at each and every one of these ports will be found one or more rail carrier that is not only obligated but pecuniarily interested in promoting the best interests of that port. In addition to the 50,000 miles of railway referred to as serving Gulf ports, there can safely be added 20,000 additional railway miles in the nature of connecting lines, north and west, giving in the aggregate 70,000 miles of railway mileage engaged in transporting the products of mines, field, and factory along lines of least resistance to the Gulf. In addition to this total railway mileage, the mileage of navigable streams into the Gulf approximates 19,000 miles, or something over two-thirds of the navigable stream mileage of the entire United States. This substantial water mileage exerts both active and potential competitive force in the way of affording transportation along the lines of least resistance and in the establishment of low rates.

Therefore it can safely be said that the United States will be a strong factor in world trade, and that the Gulf can compete favorably for trade with Europe, Asia, Australia, Philippines, West Indies, Mexico, Central and South America, and Africa. These countries embrace the greater portion of the population of the world.

The subject assigned to me is "Cooperation as a necessity in developing foreign trade."

At this time what seems most necessary is to first determine what are the leading factors essential to foreign trade and to reach a full understanding of what is required of all concerned to meet national competition as we shall find it. The principal factors are exporters and importers; inland transportation, both rail and water; port agencies, facilities, steamship service, and foreign banking facilities. Collateral agencies and instrumentalities are colleges and universities for the training of young men for work in foreign trade, port and interior boards of trade, foreign consuls, commission houses, freight brokers, the United States Shipping Board (including its port and harbor-facilities commission), the United States Department of Commerce, the Pan-American Union, the exports-control committee, foreign trade journals, and the daily press.

If a "chain of influence" and a community of interest and of mutual understanding can be established as between these several agencies and instrumentalities, the foundation for a stable and cohesive foreign commerce is well laid.

I am not here to tell these several agencies and instrumentalities how to conduct their business, and upon the assumption that the fundamentals of purchase and sale and the securing of foreign trade, the Webb law, etc., are generally understood the following observations along cooperative lines are offered:

EXPORTERS AND IMPORTERS.

Exporters and importers should know each other and there should be a measure of cooperation between them in the matter of steamship service, in that steamships require return cargo to insure profitable operation. It is also pointed out that exporters and importers have available to them for the asking much valuable information collected and compiled by the United States Department of Commerce and by the Pan-American Union, also the United States Chamber of Commerce.

RAILROAD TRANSPORTATION.

It can not be fairly said that in the past the railroads have failed to do their part in the development of the export and import traffic which the United States has heretofore produced and consumed. However, when the purposes of Federal operation incident to war have been served and these carriers are turned back to their owners, relieved of the legislative handicaps that have arrested their progress and left free to exercise initiative and to engage in healthy competition, it may not be amiss to have an obligation to develop foreign trade written into their Federal charters. The cooperation of the trained traffic organizations of these several rail carriers is to be had for the asking.

INLAND WATER TRANSPORTATION.

The strong arm of Government aid and control has recently been extended to inland water transportation with the expectation that it will be revived and become an actual factor in transportation. As approximately two-thirds of the total mileage of navigable streams in the United States empty into the Gulf, the ports of the Gulf will therefore be the greatest beneficiaries of this Federal support.

PORT AGENCIES AND FACILITIES.

A considerable volume of traffic is forwarded locally to the ports and from there reshipped to foreign ports.

In the movement of export commerce there are three distinct units of service—first, the movement from point of origin to tidewater terminal; second, the handling from cars or boats, either direct or through storage warehouses, to the ocean carrier; third, the ocean carriage to the foreign port. "A chain is no stronger than its weakest link." Therefore, as the connecting link between the inland and ocean carriage, it is highly essential that port facilities and port service, both manual and mechanical, be efficient and cooperative. At no place is it more important that there should be a full and complete understanding of foreign trade requirements than at ports. Therefore, in all responsible positions calling for expert knowledge and experience high-class talent should be employed.

OCEAN TRANSPORTATION.

Ocean transportation is now a crying need everywhere. The merchant marine of every country has been largely depleted by submarine losses, and present ocean tonnage is scarcely more than sufficient for the transportation home of the demobilized troops, together with the necessary food supplies for the allies and for the starving populations of Europe.

Commercial exports long suspended are accumulating at the factories and at the ports impatiently awaiting transportation to foreign destinations. A tremendous responsibility rests upon the United States Shipping Board in supplying the present and prospective needs of this commerce, and business as a whole, supported by the Federal administration and a popular demand, is looking with confidence to that organization to fulfill this responsibility to the extent of supplying this country with a merchant marine second in size to none in the world, and organized and equipped to meet the legitimate competition of other exporting nations. Gulf ports will no doubt be assigned a liberal share of the vessels released by the Shipping Board, but in the meantime it will be well for these ports to support and encourage to the limit their existing steamship lines and at the same time reach out and secure additional lines. In this endeavor the humble "tramp," in which the greater part of Great Britain's immense foreign commerce is transported, should not be overlooked or underestimated.

FOREIGN BANKING FACILITIES.

The leading banking interests of this country are to be congratulated upon the aggressive, constructive work that they have been doing in recent years to provide necessary banking facilities in foreign countries for American commerce. It is true that the establishment of foreign branches is so far limited mainly to a few of the larger eastern financial interests, but the necessity for extension is recognized and the system is growing, with result that banks in the interior and at southern ports are rapidly acquiring foreign departments and either have formed or are forming foreign connections that will ultimately result in banking arrangements being available for customary use at whatever port through which a foreign shipment moves.

The establishment of foreign branches by Federal reserve banks is no doubt receiving the special consideration this deserves.

COLLEGES AND UNIVERSITIES.

A systematic campaign should be inaugurated with all colleges, universities, etc., for the purpose of placing clearly before them the educational needs of this country in foreign trade. There will be a wonderful field for well-educated young men in Consular Service and also in foreign-trade service, and it will be well for colleges and universities to offer special courses in these studies. The Bureau of Foreign and Domestic Commerce will need any number of consuls and commercial attachés in foreign countries, and manufacturers in this country will need traffic managers who are familiar with foreign trade, and these same manufacturers will also need well-educated young men to represent them in foreign countries.

COMMERCIAL ORGANIZATIONS.

Boards of trade and other commercial organizations at the ports, also in the interior, can be of inestimable value in stimulating interest and disseminating information in connection with foreign trade. All leading organizations now have foreign-trade committees specializing in this work, and many employ foreign-trade experts to study and keep their exporting members advised of rapidly changing conditions in overseas markets, customs, laws, and port regulations brought about by the war. The value and importance of this work will steadily increase with the restoration of normal trade conditions, and organizations not thus equipped may well give early consideration to catching step.

A large number of southern manufacturers and producers have heretofore been somewhat reluctant to engage in foreign trade, and it largely rests with the commercial organizations of the South to overcome this reluctance and thereby weld the first links in a community of export interests. An excellent first aid in this work is a branch or district office of the Department of Commerce.

COMMISSION HOUSES, TRADING COMPANIES, AND FREIGHT BROKERS.

These are essential adjuncts to foreign commerce, and their value should be recognized and supported accordingly and their assistance fully utilized. In normal times a goodly part of the total volume of the foreign trade of the great port of New York is transacted through these agencies.

FOREIGN CONSULS.

Resident representatives of foreign governments are in position to furnish much valuable information as to the needs and methods of the countries they represent, and these representatives will no doubt willingly become a part of a community of export interests.

THE ARMY AND NAVY.

Every port of importance is used more or less by the Army and Navy, and the good will, support, and cooperation of officers of the Army and Navy will prove of great value to any port.

EXPORTS CONTROL COMMITTEE.

This committee is composed of a responsible representative of the War Department, Navy, the shipping control, the allies, and the United States Railroad Administration. It is the duty of this committee to inform itself as to the probable amount of freight which must be exported for the prosecution of the war; how this war freight and commercial exports can be best routed through the various ports; how much other essential export traffic has to be handled; and the amount of local traffic necessary for each port. The committee has authority to select the port to which specified freight shall be transported for shipment overseas and to decide the distribution of the combined amounts of all exports as between the various ports to facilitate its handling and avoid congestions. In the exercise of these functions this committee has divided the United States into eight zones and has issued a zone routing chart, in which due provision has been made for movement through Gulf ports. Since the convoying of merchant vessels has been discontinued the merchant fleet as a whole has been more liquid, with the result that southern ports can be more freely used than during the period of the war, when the shortest ocean voyage was necessary in order to economize in ocean tonnage and convoy service.

The overseas food program for the current year will be something immense and Gulf ports are already being extensively used in the handling of grain, flour, canned goods, etc., and the expeditious handling of this movement at ports can not be too strongly emphasized.

UNITED STATES RAILROAD ADMINISTRATION.

It will no doubt be of interest to know that the United States Railroad Administration at Washington is planning a comprehensive foreign trade program, including the relationship between inland and ocean transportation, relative adjustments of export and import rates, through rates and routes, service, etc. Gulf ports will no doubt be given full opportunity to submit recommendations, and an early suggestion might be to establish joint steamer and rail passenger rates and service from the west coast of South America, through the Panama Canal and New Orleans, thence via rail through the Southern States to Washington and New York, and thence via Atlantic steamship lines to British and continental ports.

FOREIGN TRADE JOURNALS AND THE DAILY PRESS.

Interesting and instructive publicity and the power of the press are essential to the successful welding of a chain of influence and the formation of a community of expert interests.

In Washington, and in administration circles, the ports of the United States are classified and considered as being in four groups—the North Atlantic, the South Atlantic, the Gulf, and the Pacific. This convention has been called in the interest of all Gulf ports. It is most timely and opportune, and the commercial organizations of New Orleans are to be congratulated upon making this a sectional rather than an individual port gathering. The one-port idea, either on the Atlantic or the Gulf, is un-American.

The camps at home and abroad are demobilizing and the boys are coming home. The War Industries Board and its priorities committee have served their usefulness and have disbanded. The War Trade Board is still functioning, but its restrictions on both exports and imports are being rapidly canceled. The Shipping Board and War Department are releasing vessels commandeered for war purposes and returning them to their owners for replacement in commercial service. Now vessels are being turned out from our shipyards in increasing numbers and shipping of other countries is also finding its way to our ports for lading heretofore inaccessible. In the words of one of our leading manufacturers in a recent circular, "We are now confronted with peace."

We face the threshold of a new era in the world affairs and the call is for a program of constructive foresight. May our great country be as farseeing, high-minded, unselfish, and also as successful in peace commerce as in war, and may the Gulf ports of New Orleans, Gulfport, Mobile, Pensacola, Tampa, Key West, Orange, Beaumont, Port Arthur, Texas City, Houston, Galveston, and Aransas Pass, with cooperation and good faith and fair dealing, enjoy a full measure of the world's commerce.

ALLOTMENT TO SOLDIERS.

Mr. VARDAMAN. Mr. President, I shall not encumber the RECORD with the number of letters which I have received during the last week from mothers, fathers, and wives whose sons and husbands are in the Army and who for a number of months have had withheld from them the small pittance which the Government pays and which the soldiers set aside for their support; but I shall content myself with expressing my regret at the system used for the payment of these obligations which the Government owes to the dependents of soldiers, a system which is so defective that actual want and suffering has resulted therefrom. I saw a letter this morning from a gallant young officer who has been at the front in France since July and who has won distinction for valor, which stated that not a dollar of his pay set aside for the support of his family has been delivered to them by the Department. It is an outrage. There can not be any excuse for such gross inexcusable carelessness. It is no justification to say there is a scarcity of clerks and an accumulation of work in the departments. If the soldier at the front had done nothing but render an excuse of that kind for failure to be at the proper place to meet the enemy, the American colors would have been dishonored. The soldier has been at his post, he has done his duty to his country, while his Government at home has neglected his family.

I shall not put these letters in the RECORD. I would do so if it would do any good, but I am quite sure it would accomplish no good. But I take this method of expressing the hope that the department will pay more attention to these vital matters in the future and relieve the suffering of the dependent relatives of the soldier. It is enough to ask the soldier to give his life if need be in defense of his country or suffer the hardships of war without imposing upon him anxiety and worry regarding the welfare of his family at home.

LANDS IN OREGON.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 2784) to authorize the purchase by the city of McMinnville, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916, which were on page 2, line 13, after "shall," to insert "first"; on page 2, line 16, to strike out "that may be classified as agricultural"; and on page 2, line 17, strike out "reasonable."

Mr. McNARY. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

HOUSE BILLS REFERRED.

H. R. 14746. An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920, was read twice by its title and referred to the Committee on Indian Affairs.

The following bills were read twice by their titles and referred to the Committee on Pensions:

H. R. 14894. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 14945. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors.

SENATOR FROM MICHIGAN.

Mr. POMERENE. I present a favorable report (No. 664) from the Committee on Privileges and Elections on Senate resolution 415 and ask that the resolution be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE PRESIDENT. The report will be stated.

The SECRETARY. The Senator from Ohio reports from the Committee on Privileges and Elections Senate resolution 415, referring to petition of Henry Ford contesting the election of Truman H. Newberry as a Senator from Michigan to the Committee on Privileges and Elections, and authorizing said committee to take possession of the ballots, poll books, tally sheets, and documents, and to make investigation and take all necessary proceedings relating to said contest.

Mr. LODGE. I ask that the report go over until to-morrow.

Mr. POMERENE. I did not hear the request.

Mr. LODGE. I ask that the report go over until to-morrow under the rule, and that it be printed.

Mr. WATSON. Are resolutions now in order?

The VICE PRESIDENT. Let us get the report from the Committee on Privileges and Elections straightened out. How does it go over for a day when it has to go to the Committee to Audit and Control the Contingent Expenses of the Senate?

Mr. LODGE. It is the report of a committee.

The VICE PRESIDENT. Where does it go now?

Mr. LODGE. All reports of committees shall lie over for one day for consideration unless by unanimous consent.

The VICE PRESIDENT. For consideration?

Mr. LODGE. For consideration. The motion to refer to the Committee to Audit and Control the Contingent Expenses of the Senate is a debatable motion.

The VICE PRESIDENT. It is not debatable. Under the statute the report must go to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. LODGE. It is debatable on the question of whether or not it shall be referred at all.

The VICE PRESIDENT. No; it is not debatable. These expenditures, if they are to be made, have to be authorized by the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. LODGE. There are no exceptions in the rule about reports of committees, Mr. President.

The VICE PRESIDENT. The rule is that they shall lie over for consideration.

Mr. LODGE. Very well. It is a debatable motion. Any motion to refer is debatable.

The VICE PRESIDENT. No motion to refer is needed. It is to be referred under the statute.

Mr. LODGE. I think that it is debatable, because the Senate may decide not to refer it, as they have done on more than one occasion.

Mr. POMERENE. Mr. President——

The VICE PRESIDENT. It is no matter to the Chair, except to get this matter straightened out. The Chair is of opinion——

Mr. LODGE. I did not know a point of order had been made, but if it has been made, of course, I should like to discuss it.

Mr. POMERENE. Mr. President, I assume that this report would go to the Committee to Audit and Control the Contingent Expenses of the Senate automatically. If a motion is not necessary, I withdraw it, and leave the matter for the disposition of the Chair as to what shall be done.

The VICE PRESIDENT. The Chair has no interest in what becomes of it except to know where it goes. When reports are submitted and lie over a day for consideration they go to the calendar; that is where they go ordinarily. The inquiry which was made by the Chair was to ascertain what to do with this report.

Mr. LODGE. Mr. President, the rule seems to be pretty clear. It reads:

> All reports of committees * * * shall lie over one day for consideration.

That does not take it to the calendar.

The VICE PRESIDENT. Then the Chair would like to ask the Senator from Massachusetts where such matters go?

Mr. LODGE. Like all other reports and resolutions, they lie on the table, subject to call; they come up automatically. I never heard of a report being debated and put through in the manner suggested if it was asked to have it lie over.

The VICE PRESIDENT. There would be an interesting situation here if everything came up automatically.

Mr. LODGE. If a report lies over one day, and is printed, of course it comes up automatically. That does not carry it to the calendar.

The VICE PRESIDENT. In order to settle the matter, the Chair refers this report to the Committee to Audit and Control the Contingent Expenses of the Senate. From that action of the Chair an appeal may be taken.

Mr. LODGE. I should like to have an opportunity to discuss that. I appeal from the decision; and I should like to make the point that the rule is perfectly explicit. It says, "All reports of committees," without exception. It does not except a reference to the Committee to Audit and Control the Contingent Expenses of the Senate. The provision relative to reference to that committee comes under the statute.

I also make the point that it is subject to debate at this stage; that there is no provision of the rules that can cut off debate. I should be glad to know if the Chair is of opinion that the motion to refer to the Committee to Audit and Control the Contingent Expenses of the Senate is a nondebatable motion.

The VICE PRESIDENT. No; the Chair thinks it is debatable. The Chair is ruling that, in the view of the Chair, whenever the proposal is to spend money out of the funds of the Senate, before the proposition can be considered by the Senate, it must go to the Committee to Audit and Control the Contingent Expenses of the Senate. It goes there automatically under the statute.

Mr. LODGE. Then I understand the Chair to say that it goes to that committee because the Senate can not consider the proposition until the committee has passed upon it; and yet the Chair has just stated that the question is open to debate.

The VICE PRESIDENT. The appeal from the ruling of the Chair is open to debate.

Mr. LODGE. That is just the point I wanted to get at. Do I understand the Chair to say that the motion to refer to the Committee to Audit and Control the Contingent Expenses of the Senate is not a debatable motion?

The VICE PRESIDENT. There is no such motion pending. The Chair referred the report to that committee on his own order.

Mr. LODGE. On the contrary, Mr. President, the Senator from Ohio [Mr. POMERENE] moved, and properly moved, that it be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. POMERENE. Mr. President, if I may correct the Senator from Massachusetts, it is true I did make the motion in that way; but, in view of the statement which was made that the report went automatically to the Committee to Audit and Control the Contingent Expenses of the Senate, I withdrew that motion.

Mr. LODGE. The Senator from Ohio made the motion which is always made in such cases.

The VICE PRESIDENT. And withdrew it.

Mr. LODGE. And he withdrew it on the suggestion of the Chair. If I may have a moment to examine the rule as to nondebatable motions——

The VICE PRESIDENT. The Chair is not trying to stop debate. The Chair is trying to settle this question of procedure, and has ruled——

Mr. LODGE. What has the Chair held?

The VICE PRESIDENT. The Chair has ruled that the report goes automatically to the Committee to Audit and Control the Contingent Expenses of the Senate. From that ruling of the Chair the Senator from Massachusetts has appealed to the decision of the Senate. The Senator from Massachusetts can talk on that as long as he pleases.

Mr. LODGE. I also wanted to ascertain—because it is an essential part of it—whether the Chair rules that it is now out of order to debate the resolution.

The VICE PRESIDENT. To debate the resolution?

Mr. LODGE. Yes.

The VICE PRESIDENT. Nothing is out of order when a Senator has a right to debate. He may talk about anything he pleases.

Mr. FLETCHER. Mr. President, I raise the point of order that the appeal from the decision of the Chair is not debatable. Rule XX covers that. It provides as to appeals from the decision of the Chair:

> And every appeal therefrom shall be decided at once, and without debate.

Mr. LODGE. Very well, Mr. President. Of course, I am aware of that rule; but there has been debate upon the matter, and I never before knew debate in such a case to be cut off. However, in view of what is intended, I quite understand why debate is desired to be cut off.

Mr. REED. Mr. President——

The VICE PRESIDENT. Just a moment. There is no use getting excited about this. The Chair does not sustain the point of order, but rules that the appeal is debatable.

Mr. LODGE. Mr. President, I can only reiterate what I have said, that the rule seems perfectly clear. It says:

> All reports of committees—

This is a report of a committee—

> shall lie over one day for consideration, unless by unanimous consent the Senate shall otherwise direct.

I can not see what excepts this report from the rule. There is no rule about it automatically going to the Committee to Audit and Control the Contingent Expenses of the Senate. The statute requires it; but I have seen in this Congress a resolution debated on the question of a matter going to the Committee to Audit and Control the Contingent Expenses of the Senate before it was sent to that committee. It is entirely within the power of the Senate to dispose of the report without sending it to that committee, and if they have that power it must intervene.

Mr. JONES of Washington. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Washington?

Mr. LODGE. I yield.

Mr. JONES of Washington. I desire to suggest to the Senator from Massachusetts that my recollection of the provision of the statute is that it simply provides that warrants can not be paid until they have been referred to the Committee to Audit and Control the Contingent Expenses of the Senate. The statute does not require that a resolution shall be referred to that committee at any particular time, but only that there shall be such reference before the warrants are paid.

Mr. LODGE. I have not the statute here, because I did not come prepared, I am frank to say, for any such ruling as has been made. I never before knew a report of a committee to be ruled to be not subject to the provisions of Rule XXVI, and therefore I am not prepared upon it at all. I should like to have an opportunity to present the statute so that the Senate may at least know on what ground this ruling excepting this kind of a report from all other reports is made. I should like to have long enough time at least to get the statute, because I am not aware that the rule requires anything of the sort.

EMPLOYMENT OF ASSISTANT CLERK.

Mr. OVERMAN. Mr. President, if the Senator from Massachusetts desires to send for the statute I should like to ask that the pending matter may be suspended for a few moments.

Mr. LODGE. If I could have a few moments to procure the statute I should be obliged, and I shall not object to the matter being passed over for a moment or two in order that I may procure the statute.

Mr. OVERMAN. If that may be done, Mr. President, I should like to submit a resolution of somewhat similar character. I inquire if I can do that?

The VICE PRESIDENT. By unanimous consent; yes.

Mr. OVERMAN. I submit the resolution which I send to the desk.

Mr. CUMMINS. What is the resolution? I should like to have the regular order preserved as far as possible.

Mr. OVERMAN. It is a resolution on behalf of the Committee on the Judiciary providing for the continuance of the employment of an additional clerk. I am aware that we have not reached the point of presentation of resolutions. I am trying to save time, and, Mr. President, if there is no objection, I submit the resolution which I send to the desk.

The VICE PRESIDENT. Without objection, the Secretary will read the resolution.

The Secretary read the resolution (S. Res. 424), as follows:

> *Resolved*, That the authority given to the Committee on the Judiciary by Senate resolution No. 325, agreed to October 24, 1918, to employ an assistant clerk at a salary not to exceed $5 per diem, for a period not to exceed four months, be, and the same is hereby, extended and continued in full force and effect until the end of the Sixty-fifth Congress.

Mr. LODGE. What is that resolution?

Mr. OVERMAN. The resolution submitted by me naturally goes to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. TOWNSEND. Mr. President, I did not catch the import of the resolution, and I ask that it be read again.

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary again read the resolution.

Mr. BORAH. Mr. President, if we are not ready to proceed with the other matter, I ask unanimous consent——

The VICE PRESIDENT. Here is the statute that the Senator from Massachusetts desires.

Mr. LODGE. I have it now, Mr. President.

Mr. OVERMAN. Mr. President, I presume the resolution submitted by me will go to the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE PRESIDENT. That is the way the Chair has been referring such resolutions. The Chair is trying to find out whether he is right or not.

Mr. OVERMAN. Do I understand that my resolution has been referred to the Committee to Audit and Control the Contingent Expenses of the Senate?

The VICE PRESIDENT. The Chair will refer it there if there is no objection. The Chair hears no objection, and it is so referred.

SENATOR FROM MICHIGAN.

Mr. LODGE. Mr. President, Rule XXV, relative to the appointment of committees, provides:

> A Committee to Audit and Control the Contingent Expenses of the Senate, to consist of five Senators, to which shall be referred all resolutions directing the payment of money out of the contingent fund of the Senate or creating a charge upon the same.

There are similar provisions in regard to the Committee on Enrolled Bills and duties and powers of other committees. The law says:

> Hereafter no payment shall be made from the contingent fund of the Senate unless sanctioned by the Committee to Audit and Control the Contingent Expenses of the Senate, or from the contingent fund of the House of Representatives unless sanctioned by the Committee on Accounts of the House of Representatives.

That statute merely provides for the necessary steps to legalize the vouchers.

Mr. President, I contend that neither of those provisions exempts this report from the rule covering all reports.

The VICE PRESIDENT. What has the Senator to say about the plain statement that all resolutions of the nature indicated shall be referred to the Committee to Audit and Control the Contingent Expenses of the Senate?

Mr. LODGE. Of course they must ultimately go there; there is no question about that; but there is no provision that any report shall be exempted from other rules. The question of whether or not a report shall go to the Committee to Audit and Control the Contingent Expenses of the Senate is a debatable question, because the Senate may decide not to send it there, and in that case it fails.

Mr. OVERMAN. If it is not sent there the law is violated.

Mr. LODGE. It does not violate the law if the Senate decides to send it to a different committee and kills it.

Mr. SMOOT. Mr. President, a week or so ago the Senator from Nebraska [Mr. HITCHCOCK] submitted a report from the Committee on Foreign Relations, I believe, which involved the expenditure of money. I then read to the Senate from the statute and suggested that the resolution ought to go to the Committee to Audit and Control the Contingent Expenses of the Senate. The Chair overruled that contention, and the resolution never did go to the Committee to Audit and Control the Contingent Expenses of the Senate, but it went to the Committee on Foreign Relations for further consideration as to whether or not that committee desired to incur the expenditure. I do not know whether that governs this case. I have been trying to look it up, but have not time to do so.

Mr. POMERENE. Mr. President——

The VICE PRESIDENT. If the Senator will pardon the Chair for a moment, this question has been a source of constant irritation to the Chair ever since the present occupant assumed his present position as to what is the right or wrong thing to do about these questions which are constantly arising. In the case of the resolution of the Senator from Nebraska the question was whether the resolution submitted by him should go first to the Committee to Audit and Control the Contingent Expenses of the Senate or to the Committee on Foreign Relations. It was finally decided to send it to the Committee on Foreign Relations. All the Chair wants—and he has purposely brought the question up here—is to get a definite ruling of the Senate as to whether or not these resolutions can lie over a day and then be debated, as to whether they may go to some other committee, or whether, under the statute and the rule, they shall go to the Committee to Audit and Control the Contingent Expenses of the Senate in the first instance.

Mr. SMOOT. Mr. President, the other day I took the ground that they ought to go to the Committee to Audit and Control the Contingent Expenses of the Senate, but the Chair ruled otherwise, and on an appeal he was sustained by the Senate.

The VICE PRESIDENT. The Chair remembers that very well. The question occurred at that time on the introduction of the resolution originally. The Chair is only seeking a ruling of the Senate.

Mr. LODGE. Mr. President, if I may be pardoned for saying so, the provision in regard to powers of the Committee to Audit and Control the Contingent Expenses of the Senate does not draw any distinction whatever between the stages of a resolution. It says "all resolutions directing the payment of money." If the ruling of the Chair is correct as to this stage, then any resolution at any stage must go to that committee. When it is introduced it must go to that committee; such a reference must be preliminary to any action on any resolution that involves a charge. That never has been the habit. Resolutions involving a charge are constantly reported to other committees for a prior decision, for the very simple reason that if the resolution is not to pass there is no need of sending it to the Committee to Audit and Control the Contingent Expenses of the Senate. This seems to me simply another stage, and I am unable to see anything in any rule that distinguishes the report now presented from all other reports.

The VICE PRESIDENT. The question is, Shall the ruling of the Chair stand as the ruling of the Senate?

Mr. SMITH of Georgia. Mr. President, I find in the precedents that Vice President Sherman on May 15, 1909, ruled expressly that a resolution carrying an expenditure of money could not be considered by the Senate on its merits, but should go first to the Committee to Audit and Control the Contingent Expenses of the Senate.

I find further along that again, on July 28, 1911, he ruled, after the rule had been quoted which recites, referring to the Committee to Audit and Control the Contingent Expenses of the Senate:

> To which shall be referred all resolutions directing the payment of money out of the contingent fund of the Senate or creating a charge upon the same. * * *
>
> The Senator's amendment proposes a charge upon the contingent fund in excess of the statutory limitation, beyond which the Senate can not go without a reference to the committee, and it involves a matter which has not been considered by the committee. That is the impression of the Chair, and the Chair feels constrained to sustain the points of order.

Mr. LODGE. Mr. President, that was in the case of a resolution appropriating money.

Mr. SMITH of Georgia. Yes.

Mr. LODGE. That is a very different thing; that was not the report of a committee.

Mr. SMITH of Georgia. It was a resolution, however, providing for an appropriation out of the contingent fund.

Mr. LODGE. Certainly.

Mr. SMITH of Georgia. As I understand, this is a resolution providing for an appropriation from the contingent fund, is it not?

Mr. LODGE. Yes; it involves that. That is not the whole purpose of the resolution, of course.

Mr. SMITH of Georgia. Again, on January 9, 1913, the subject was under very frequent discussion; and Senator Bacon in the chair, following a view presented by Senator Works, held that the Senate could not pass upon a resolution carrying an expenditure from the contingent fund until it was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Just where that leaves the question still is not perfectly clear. I remember the case that we had a day or two ago, when we asked the opinion of the Committee on Foreign Relations before considering the subject at all. I can not see how the Senate could undertake to pass upon such a resolution without first sending it to the Committee to Audit and Control the Contingent Expenses of the Senate, and it seems to go there automatically without a motion.

Mr. LODGE. Mr. President, if the Senator will allow me, this is not a proposition simply to spend money. This is a report of a committee. It comes under the head of a report. This particular resolution is for two purposes—a double purpose. The expenditure is merely incidental. The Senate may decide to take any action with that report. They may recommit the report, which will carry it back to a stage where it is admittedly open—that is, back to the committee. The Chair has just held that where there is a choice in sending it to one of two committees it may go to one of those two committees. This is a report, and I say there is nothing that I can find in any rule or statute that takes it out of the general rule governing reports. The object of that rule governing reports is to give the Senate an opportunity to see what the report is.

Mr. SMITH of Georgia. But the resolution is carried with the report.

Mr. LODGE. Ultimately it must go to the committee. No one doubts that.

Mr. SMITH of Georgia. And the resolution should be considered by the committee before we act upon the resolution.

Mr. LODGE. Not necessarily. We may recommit the report to the committee that has already reported it.

Mr. SMITH of Georgia. Because the friends of the movement, whatever it may be, would certainly be at an unfair disadvantage if they were compelled to discuss a resolution on its merits for final action when they could not act favorably upon it without first sending it to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. LODGE. Mr. President, my point is that this setting aside the general rule covering reports involves making it a nondebatable motion. That is, it is not debatable. Whenever any committee reports any resolution, if it carries a few dollars for a stenographer, it can not be debated by the Senate. Nothing can be done with it. It can not even go over and be printed.

Mr. PITTMAN. Mr. President, from the Senator's position, I do not understand that to be a fact. I agree with him that he may move to recommit the resolution to the same committee. That would be debatable. I agree with him that he could move to refer it, now that it is back, to the Judiciary Committee; but if it comes back to the Chair without any motion whatever to refer it to any committee, then the statute comes into force and effect and automatically refers it to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. LODGE. The Senator perhaps was not here. The Senator from Ohio [Mr. POMERENE] submitted this report and made the usual and customary motion that it be referred to the Committee to Audit and Control the Contingent Expenses of the Senate, and I asked that it lie over under the rule and be printed. The Chair then suggested that it would have to go automatically and at once to the Committee to Audit and Control the Contingent Expenses of the Senate, and the Senator from Ohio withdrew his motion.

Now, it is perfectly easy for me to make half a dozen motions which are in order at this time; but the fact is that I was really so completely surprised that that general rule about reports should be suddenly changed that I did not make any of those motions. I can easily move to recommit it, which is a debatable motion, or I can move to refer it to another committee, which is a debatable motion; and it seems to me, with all those possibilities of motions, that that very fact shows that it is a debatable question.

Mr. PITTMAN. Mr. President, I do not think there is any doubt but that it is debatable. It is being debated. The question that occurs to me, however, is this:

The Chair is not confronted with a great many suggestions which the Senator from Massachusetts has made. The Senator has suggested that he might make a motion to recommit or he might make a dozen other motions. The Chair would probably hold those motions in order, and the debate would then be logical. He has not seen fit to make the motion. It is immaterial whether the Senator from Ohio moved to refer it or not; that motion does not lie on the table now.

Mr. LODGE. No; it was withdrawn.

Mr. PITTMAN. It has been withdrawn. The Chair is confronted simply with this state of facts:

A resolution calling for money lies on the desk. What shall the Chair do with it? The only question submitted to the Chair was, Should he let it go to the calendar or follow the mandate of the statute and let it go to the committee? The Chair followed the mandate of the statute, because there was no other motion before the Chair.

Mr. LODGE. It is still open to me to make a motion to recommit, of course. A motion is in order to recommit or to refer to another committee.

Mr. PITTMAN. The matter now stands on an appeal from that decision of the Chair.

Mr. LODGE. I do not know—however, the Chair may rule all those motions out of order.

Mr. PITTMAN. The Senator can find out very easily.

Mr. THOMAS. You can not do it unless you make the motion.

Mr. LODGE. I am perfectly willing to withdraw the appeal and make the motion to recommit.

Mr. PITTMAN. The Chair undoubtedly, in the opinion of the Senator from Massachusetts, is correct in his ruling on this question, or the appeal would undoubtedly go to a vote, and very probably we could try the other matter.

Mr. LODGE. I am perfectly willing to go to a vote, or to dispose of it in any way; but that does not deprive me of the right to make the motion to recommit. It seems to me, however, that the ruling necessarily carries with it that no resolution carrying a charge on the contingent fund can be debated, nor is it subject to any debatable motion. It seems to me that is an inevitable conclusion, and that is the reason why I have taken the liberty of discussing it, because it opens such a wide field.

Mr. PITTMAN. What would the Chair do if there were no motion made?

Mr. LODGE. I assume, of course, that the matter would lie over in the usual way and be taken up to-morrow. The report would go over one day and come up to-morrow for debate.

Mr. PITTMAN. But if the statute says that it shall be referred, the Chair can do nothing else.

Mr. LODGE. This is a Senate resolution. It is not a bill or a joint resolution. It is a Senate resolution simply.

Mr. PITTMAN. And to that the statute applies.

Mr. LODGE. It applies to anything. The statute applies to everything carrying a charge on the Treasury, whether it is a joint resolution or a bill or anything else.

Mr. PITTMAN. And in the absence of a motion before the Chair, the Chair has but one thing to follow, and that is the statute.

Mr. LODGE. If the proposition were to make the appropriation now, undoubtedly.

The VICE PRESIDENT. The question is, Shall the ruling of the Chair stand as the judgment of the Senate? [Putting the question.] The Chair is in doubt.

Mr. PITTMAN. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I have a general pair with the junior Senator from Georgia [Mr. HARDWICK]. In his absence I withhold my vote.

Mr. KELLOGG (when his name was called). I have a general pair with the Senator from North Carolina [Mr. SIMMONS]. I therefore withhold my vote. If at liberty to vote, I should vote "nay."

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. MARTIN]. In his absence I withhold my vote.

Mr. POLLOCK (when the name of Mr. SMITH of South Carolina was called). I desire to announce the absence of my colleague the senior Senator from South Carolina [Mr. SMITH], on account of illness. I will let this announcement stand for the day.

Mr. STERLING (when his name was called). I have a general pair with the senior Senator from South Carolina [Mr. SMITH], which I transfer to the Senator from New Jersey [Mr. BAIRD] and vote. I vote "nay."

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER], which I transfer to the Senator from California [Mr. PHELAN] and vote "yea."

Mr. WATSON (when his name was called). I have a general pair with the junior Senator from Delaware [Mr. WOLCOTT], which I transfer to the senior Senator from New York [Mr. WADSWORTH] and vote "nay."

The roll call was concluded.

Mr. BECKHAM. I have a general pair with the Senator from West Virginia [Mr. SUTHERLAND], which I transfer to the Senator from Illinois [Mr. LEWIS] and I vote "yea."

Mr. MYERS. Has the Senator from Connecticut [Mr. MCLEAN] voted?

The VICE PRESIDENT. He has not.

Mr. MYERS. I have a pair with the Senator from Connecticut [Mr. MCLEAN]. I am unable to secure a transfer and therefore withhold my vote. If at liberty to vote, I would vote "yea."

Mr. REED (after having voted in the affirmative). I transfer my pair with the Senator from Michigan [Mr. SMITH] to the Senator from Oklahoma [Mr. GORE] and allow my vote to stand.

Mr. CUMMINS. Has the Senator from Illinois [Mr. LEWIS] voted?

The VICE PRESIDENT. He has not.

Mr. CUMMINS. I have a pair with that Senator and therefore I withhold my vote.

Mr. BECKHAM (after having voted in the affirmative). I transferred my pair with the Senator from West Virginia [Mr. SUTHERLAND] to the Senator from Illinois [Mr. LEWIS]. As the Senator from Illinois [Mr. LEWIS] is paired with the Senator from Iowa, as just announced, and the Senator from West Virginia [Mr. SUTHERLAND] is absent, I withdraw my vote.

Mr. COLT (after having voted in the negative). Has the senior Senator from Delaware [Mr. SAULSBURY] voted?

The VICE PRESIDENT. He has not.

Mr. COLT. In his absence, I withdraw my vote.

Mr. CALDER. Has the Senator from Rhode Island [Mr. GERRY] voted?

The VICE PRESIDENT. He has not.

Mr. CALDER. I have a general pair with that Senator and withhold my vote.

Mr. GORE. As my vote has been taken care of by a transfer, I shall not vote.

Mr. REED. I made the transfer, but, in view of the Senator's appearance and his clear right to vote in his own behalf, I will withdraw my vote and permit the Senator from Oklahoma to be recorded.

Mr. GORE. As it will not change the result, I will let the transfer stand.

Mr. REED. Very well, then, let it stand.

Mr. SHEPPARD. I wish to announce that the senior Senator from Delaware [Mr. SAULSBURY] is detained on important public business.

Mr. MARTIN of Virginia. I desire to announce that the senior Senator from Maryland [Mr. SMITH] is detained by illness.

Mr. PITTMAN. I wish to announce that the Senator from North Carolina [Mr. SIMMONS] and the Senator from Illinois [Mr. LEWIS] are detained on official business.

Mr. KIRBY. I desire to announce that the Senator from Arkansas [Mr. ROBINSON] is detained by illness.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK]; and

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN].

The result was announced—yeas 36, nays 26, as follows:

AYES—36.

Ashurst	Hollis	Overman	Smith, Ga.
Bankhead	Johnson, S. Dak.	Pittman	Swanson
Chamberlain	Jones, N. Mex.	Pollock	Thomas
Culberson	King	Pomerene	Thompson
Fletcher	Kirby	Ransdell	Trammell
Gay	McKellar	Reed	Underwood
Hardwick	Martin, Ky.	Shafroth	Vardaman
Henderson	Martin, Va.	Sheppard	Walsh
Hitchcock	Nugent	Smith, Ariz.	Williams

NAYS—26.

Curtis	Johnson, Cal.	New	Sterling
Fernald	Jones, Wash.	Page	Townsend
France	Knox	Penrose	Warren
Frelinghuysen	Lodge	Poindexter	Watson
Gronna	McNary	Sherman	Weeks
Hale	Moses	Smoot	
Harding	Nelson	Spencer	

NOT VOTING—34.

Baird	Gerry	McCumber	Simmons
Beckham	Goff	McLean	Smith, Md.
Borah	Gore	Myers	Smith, Mich.
Brandegee	Kellogg	Norris	Smith, S. C.
Calder	Kendrick	Owen	Sutherland
Colt	Keyes	Phelan	Wadsworth
Cummins	La Follette	Robinson	Wolcott
Dillingham	Lenroot	Saulsbury	
Fall	Lewis	Shields	

So the Senate decided that the decision of the Chair should stand as the judgment of the Senate.

COMMITTEE SERVICE.

Mr. MARTIN of Virginia. I have a communication from the senior Senator from New Hampshire [Mr. HOLLIS], who asks to be relieved from further service upon the Committee on the District of Columbia. I move that that request be granted and that the Senator from Texas [Mr. SHEPPARD] be assigned to the committee to fill the vacancy.

The VICE PRESIDENT. Without objection, it is so ordered.

The order was reduced to writing and agreed to, as follows:

Ordered, That the Senator from New Hampshire, Mr. HOLLIS, be relieved from further service as a member of the Committee on the District of Columbia and that the Senator from Texas, Mr. SHEPPARD, be assigned as a member thereof.

WORK ON RECLAMATION PROJECTS.

Mr. JONES of Washington. Mr. President, during the war practically all the work on reclamation projects that was under way at the beginning of the war was stopped. The war, for practical purposes, is over. All the plans and specifications for this work are prepared, and if money were available work could be commenced at once and employment could be furnished. It seems to me it would be one of the most practical methods of furnishing a reservoir for labor and employment if money could be made available for carrying of these projects. For that purpose I propose an amendment, which I intend to offer to the sundry civil appropriation bill, making available $50,000,000. I ask that it be referred to the Committee on Irrigation and Reclamation of Arid Lands for its report.

The VICE PRESIDENT. The amendment will be so referred.

RAILROAD CONTROL.

Mr. CUMMINS. Mr. President, I ask the indulgence of the Senate for a few moments. I am about to introduce a bill which is of such tremendous and pressing importance that while it is under consideration by the committee I want Senators to give it their individual thought, so that we may be prepared, if a report of the committee is secured, to act upon it some time during the present session of Congress.

The President took possession of the railroads of the United States on the 28th day of December, 1917. The possession was assumed under an act of Congress passed in August, I think, in 1916. On the 21st day of March, 1918, a bill was passed by Congress and approved by the President providing for the operation of the railroad systems of the United States and for the compensation which should be paid to their several owners. Section 14 of that act provides:

That the Federal control of railroads and transportation systems herein and heretofore provided for shall continue for and during the period of the war and for a reasonable time thereafter, which shall not exceed one year and nine months next following the date of the proclamation by the President of the exchange of ratifications of the treaty of peace: *Provided, however*, That the President may, prior to July 1, 1918, relinquish control of all or any part of any railroad or system of transportation, further Federal control of which the President shall deem not needful or desirable; and the President may at any time during the period of Federal control agree with the owners thereof to relinquish all or any part of any railroad or system of transportation. The President may relinquish all railroads and systems of transportation under Federal control at any time he shall deem such action needful or desirable. No right to compensation shall accrue to such owners from and after the date of relinquishment for the property so relinquished.

In the latter part of 1918 the Director General of Railroads, Mr. Secretary McAdoo, recommended that the period of control be extended to five years after the declaration of peace, and that recommendation is now under consideration by the Committee on Interstate Commerce of the Senate, and I think it is under consideration by the Committee on Interstate and Foreign Commerce of the House.

When the Director General appeared before the committee of the Senate he stated in a rather clear and understandable way that if Congress did not extend the period of Federal control according to his recommendation—that is, for five years after the declaration of peace—it was probable, at least, that the railroad systems would be returned to their owners at the close of this session. I do not mean to say that he declared this intention specifically.

Mr. POMERENE. Mr. President——

Mr. CUMMINS. I only say that no other fair interpretation could be put upon his statement before the committee.

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Ohio?

Mr. CUMMINS. I yield.

Mr. POMERENE. I do not have his language before me, but my understanding was that he simply expressed his personal view as to what ought to be done, not that it would be done.

Mr. CUMMINS. The Senator is quite correct. The Director General did not attempt to commit the President to the view which he expressed, but inasmuch as the successor of the Director General, Mr. Hines, has publicly stated that his policies will be the same as the policies of Mr. McAdoo, we may assume that it is the purpose of the Director General of Railroads to return these properties to their owners at the end, or very soon after the end, of this session if Congress does not extend the period for five years.

It is my opinion that Congress will not extend the period for five years. It is the overwhelming weight of opinion of bankers and railroad men and of all other thoughtful persons who have communicated their views in any way that to return these properties to their owners without further legislation, without some provision to care for their necessities and for the necessities of the people as well, would be a universal disaster. It is the judgment of those who understand this subject best that if these roads are returned to their owners before Congress shall legislate in some wise way upon the subject, more than one-third of all the mileage of the United States will be in the hands of receivers within 60 days after the return takes place.

I think we all believe—the members of the committee I am speaking of now—that we can propose to Congress a plan and a permanent policy for the readjustment or reorganization of the relation between the railroads and the Government within a few months, and it is our belief that Congress will be able within the year to agree upon some enduring general permanent system for the control of these highways of commerce.

Mr. THOMAS. Mr. President——

Mr. CUMMINS. I yield.

Mr. THOMAS. I suppose the Senator's statement is upon the assumption that there will be a special session?

Mr. CUMMINS. Mr. President, it is not altogether on that assumption, although I believe there ought to be a special session; I believe that there must be a special session; but even if there is no special or extra session, if the Committees on Interstate Commerce are permitted to do their work during the interim and be ready to report at the next regular session, we can within a year compose all the differences on this subject and present to the people a permanent policy in that regard.

In view of these circumstances—and they are very grave; their seriousness can not be overestimated or exaggerated—I introduce a bill which I shall read, so that Senators can see in the RECORD what it is. This is a substitute for section 14, which I read in the beginning of my observations:

Be it enacted, etc., That section 14 of the above act is hereby amended to read as follows:

"SEC. 14. That the Federal control of railroads and transportation systems herein and heretofore provided for shall continue for and during the period of the war and for one year and nine months next following the date of the proclamation by the President of the exchange of ratifications of the treaty of peace, unless Congress otherwise directs.

"No right to compensation shall accrue to such owners from and after the date of the relinquishment of the property so relinquished, whether returned at the end of said period or sooner by direction of Congress."

The effect of this measure, if passed, gives the country 21 months after the war to adopt such legislation as it desires. That is the limit as it is under the present law for Government possession, but in the meantime it is to be hoped that Congress will have acted and that some new, comprehensive, and, I think, equitable plan can be adopted which will be accepted as a permanent policy in this country.

I have made these remarks because if we do not pass this bill, or something in the nature of this bill, and if the President shall be guided by the advice of his Director General and return these properties in their present condition and under the existing circumstances to their owners, the United States will see a cataclysm in finance as well as in railroad operation such as it has never witnessed before.

I earnestly hope that the Members of the Senate will give such thought to this subject as will enable them to act promptly in whatever way their consciences and judgment direct upon any report which the Committee on Interstate Commerce may present.

I introduce the bill of which I have been speaking and ask that it be referred to the Committee on Interstate Commerce.

The bill (S. 5432) to amend an act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, was read twice by its title and referred to the Committee on Interstate Commerce.

SENATOR FROM MICHIGAN.

Mr. TOWNSEND. Mr. President, I present for reading and reference to the Committee on Privileges and Elections the following communication.

The VICE PRESIDENT. Does the Senator ask that it be read?

Mr. TOWNSEND. I ask that it be read and referred to the Committee on Privileges and Elections.

The VICE PRESIDENT. Is there objection?

There being no objection, the communication was read and referred to the Committee on Privileges and Elections, as follows:

JANUARY 23, 1919.

To the honorable UNITED STATES SENATE
COMMITTEE ON PRIVILEGES AND ELECTIONS:

Truman H. Newberry, of Grosse Point Farms, Wayne County, Mich., respectfully represents unto your honorable body as follows:

He is advised that you either have reported or are about to report to the Senate for favorable action Senate resolution 415, providing in substance for an investigation into and recount of the recent senatorial election in the State of Michigan, and he submits the following for the consideration of your honorable body:

1. This Senate has no jurisdiction to take up the matters involved in said resolution.

(a) The constitutional provision that the Senate shall be the sole judge of the qualification and election of its own members does not refer to this Senate, but to the Senate to which a man has been elected.

(b) No certificate of election or similar credentials, the outgrowth of the recent Michigan senatorial election, is now before this body, nor under existing conditions is it at present intended to present such credentials to this Senate.

Should your honorable body disagree with this jurisdictional position, then, before the ballots and the election history of 2,100 voting precincts scattered over 83 counties in the State of Michigan shall be examined, it is respectfully submitted that some facts should be proven preliminary to the adoption of such a program. If permission were given for a preliminary hearing attention will be called to the following facts and circumstances:

2. The petition upon which this resolution has been based, it will be noticed, is entirely a petition upon information and belief; in other words, it is entirely hearsay, and if the allegations in the petition could be corroborated they surely would be for the following reasons:

(a) Since the election a great many agents, attorneys, and detectives on behalf of Mr. Henry Ford have traveled up and down the State of Michigan collecting evidence. They have represented themselves to be members of the American Protective League, the representatives of the Department of Justice, and the representatives of Truman H. Newberry. They have examined poll books and poll lists in nearly every county. They have had access to the election returns in nearly every county. In some cases it is said they have had access to the ballots themselves. As an illustration of their methods the situation in the city of Grand Rapids is an example in point. The United States district attorney for the western district of Michigan is Myron H. Walker, a Democratic appointee. Mr. Walker, with no grand jury proceedings pending and no commissioner conducting an examination, summoned a large number of witnesses formally and informally to his office and took their statements frequently before a stenographer representing the Ford interests. He at times would issue a note in his own handwriting directing persons to come to his office. At other times he would use a blank form used by the Department of Justice or by the American Protective League to get people in his office, and frequently these illegal and improper summonses he caused would be served by volunteer women Red Cross workers, driving Red Cross ambulances in the city of Grand Rapids, who, of course, had no consciousness of the political uses to which their patriotic services were being put. If methods of this description produced proof, this proof and not mere hearsay should be laid before the Senate before the elaborate program now contemplated is undertaken.

3. All the ballots, poll books, and election history in the State of Michigan is now in a state of perpetual preservation under final injunctions issued by the two United States courts in the State of Michigan, by virtue of a stipulation entered into between counsel for Henry Ford and Truman H. Newberry, so that there is now no proof of this description which will not be available for the new Senate, the proper body, if it determines there are facts which warrant an investigation or a recount.

4. In connection with the requested recount attention should be called to the following facts:

(a) The campaign put up in Michigan on behalf of Mr. Henry Ford can be shown to have been generally regarded as the most elaborate, expensive, and pretentious in the history of the State.

(b) In every county an elaborate newspaper advertising campaign was carried on at an apparently tremendous expense.

(c) In every county literature was freely distributed through the mails by messenger boys and even to handbills.

(d) A most elaborate and pretentious billboard campaign was conducted throughout the State of Michigan, the expense of which must have run into very large figures.

(e) A very expensive, elaborate, and pretentious booklet was prepared and distributed to a number estimated at about a half a million. Testimony from all over the State can be produced indicating that this pamphlet was mailed to every voter in the State of Michigan, and in some cases to the same voter on two, three, or four occasions. It is believed it can be shown that the cost of printing this pamphlet alone must have been $75,000, that postage on this one piece of literature must have been from $10,000 to $15,000, and the cost of addressing and distributing would bring this one item alone, so far as expense is concerned, into extremely large figures. There can be no doubt of its political effect.

(f) Two occasions, at least, can be shown where Democratic postmasters had mail carriers distributing Ford literature the Sunday before election and withholding other mail from distribution until the Ford political mail a day or two before election had been distributed.

(g) It will be further shown that outside of Wayne County, in which is located the city of Detroit, the majority of Truman H. Newberry over Henry Ford was approximately 45,000. The normal Republican majority (including the city of Detroit) is approximately 30,000, yet Mr. Ford carried Wayne County by over 35,000 majority. In bringing about this peculiar, remarkable political upset it will be shown that Ford workers in great numbers were around nearly every booth with literature, cards, and banners; automobiles carrying his workers around labeled with appropriate banners were never so thick. Out of approximately 300 voting precincts in the city of Detroit approximately 40 are precincts notoriously known as politically controlled. It will be shown that in each and everyone of the precincts of this description Mr. Ford carried them by a majority running as high as 2, 3, and 4 to 1, although Republican candidates had like majorities in a great many of such precincts.

(h) It will be shown in some precincts that the Ford workers insisted on voting men who were not registered; in some cases men whose citizenship was doubted.

(i) In addition to this political organization so built up it will be shown that there is a Ford agent for the sale of Ford cars in nearly every hamlet in the State of Michigan. These Ford agents were in nearly all cases made the political headquarters of the Ford campaign, the place from which workers were furnished cars and literature, thus affording a semivolunteer organization unparalleled.

It is because of facts and circumstances as above enumerated that it is believed it can be demonstrated that the major portion of the political activity and expenditures of money on the election was done on behalf of Mr. Ford, who some time after the election in an authorized published statement said in effect the election was free from any irregularities.

TRUMAN H. NEWBERRY.
By J. O. MURFIN,
His Attorney at Law and in Fact.

VALIDATION OF WAR CONTRACTS.

Mr. CHAMBERLAIN. Mr. President, has the morning business been concluded?

The PRESIDING OFFICER (Mr. HOLLIS in the chair). The morning business has been closed. The Calendar, under Rule VIII, is in order.

Mr. CHAMBERLAIN. I move that the Senate proceed to the consideration of House bill 13274, the unfinished business.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, which had been reported from the Committee on Military Affairs with an amendment.

Mr. CHAMBERLAIN. Mr. President, this measure is one of very great importance to the country, involving as it does the validation and payment of contracts amounting to $1,000,000,000, and possibly $2,000,000,000. In view of its importance, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Beckham	Hitchcock	McNary	Spencer
Borah	Hollis	Martin, Va.	Sterling
Calder	Johnson, Cal.	New	Swanson
Chamberlain	Johnson, S. Dak.	Nugent	Thomas
Colt	Jones, Wash.	Overman	Townsend
Curtis	Kellogg	Penrose	Trammell
Fletcher	Kenyon	Pittman	Walsh
Frelinghuysen	King	Pomerene	Warren
Gay	Knox	Shafroth	Watson
Gronna	La Follette	Sheppard	Weeks
Hardwick	Lenroot	Smith, Ga.	Williams
Henderson	McKellar	Smoot	

The PRESIDING OFFICER. Forty-seven Senators have answered to their names. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. BANKHEAD, Mr. CUMMINS, Mr. HALE, Mr. HARDING, Mr. KIRBY, Mr. LODGE, Mr. MARTIN of Kentucky, Mr. MOSES, Mr. NELSON, Mr. POLLOCK, Mr. RANSDELL, Mr. SHERMAN, and Mr. SMITH of Arizona answered to their names when called.

Mr. SIMMONS entered the Chamber and answered to his name.

The PRESIDING OFFICER. Sixty-one Senators have answered to their names. There is a quorum present.

Mr. CHAMBERLAIN. Mr. President, as I stated awhile ago, this is a measure of very great importance, and I do hope that Senators will undertake to reach a proper solution of the question, which involves something like $1,000,000,000, and possibly more. It grows out of section 3744 of the Revised Statutes, or the failure of the departments to observe the provisions of that statute in the making of so-called war contracts. In order to get the matter before the Senate in proper shape I am going to ask to have the Secretary read into the RECORD section 3744 of the Revised Statutes.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

It shall be the duty of the Secretary of War, of the Secretary of the Navy, and of the Secretary of the Interior to cause and require every contract made by them severally on behalf of the Government or by their officers under them appointed to make such contracts, to be reduced to writing and signed by the contracting parties with their names at the end thereof, a copy of which shall be filed by the officer making and signing the contract in the Returns Office of the Department of the Interior as soon after the contract is made as possible and within 30 days, together with all bids, offers, and proposals to him made by persons to obtain the same, and with a copy of any advertisement he may have published inviting bids, offers, or proposals for the same. All the copies and paper in relation to each contract shall be attached together by a ribbon and sealed and marked by numbers in regular order according to the number of papers composing the whole return.

Mr. CHAMBERLAIN. There are certain other sections following the one just read to which I deem it unnecessary to call particular attention at this time. It so happened that during the progress of the war many contracts were entered into where the formalities of the section just read were entirely complied with; but as the emergencies grew and demand for many of the supplies which were necessary for the successful prosecution of the war became more insistent the War Department and its officers and agents began to disregard the provision of the statute. It happened that many supplies, munitions, and in fact everything needed were ordered by letter, some by telephone and telegraph, and I believe in some instances by appeals made on the ground by representatives of the Government to men who were engaged in the manufacture of munitions and other supplies, appealing to their patriotism to go ahead and manufacture the things that were needed by the Government. In nearly every case, and I think possibly in every case where this appeal was made to men who were familiar with the requirements of the statute, it was complied with, and men of large means, and frequently men of small means, individuals, firms, and corporations proceeded to manufacture without having any form of contract executed with the Government, relying upon the justice and integrity of purpose of the Government officials to see to it that they were paid later on.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Ohio?

Mr. CHAMBERLAIN. I yield.

Mr. POMERENE. The Senator from Oregon has referred to the informality of many of the contracts. If he will permit me,

I should like to submit another instance that was called to my attention some time ago, in which a representative of the Government waited upon a manufacturer, found that his plant was especially well equipped for a certain product, and this manufacturer did not then care to take up that line of manufacture. The Government official said to him if he did not do it they would immediately commandeer his plant. Of course, the manufacturer only desired to do his full duty toward his country, and he took up this line of work, and now he is met with the statement that his contract was illegal.

Mr. CHAMBERLAIN. I am glad to have the Senator call attention to that, but it is only one illustration of a great many. In any event the War Department, I think, was undertaking to reach an adjustment of invalid or in many instances irregular contracts when the the Comptroller of the Treasury, Mr. Warwick, rendered a decision which stopped the negotiations for the adjustment of contracts, or practically stopped them, because in effect he held that they could not be paid even if an ascertainment was had as to the amount due from the Government to the contractor.

This has resulted, Mr. President, in great confusion. There was probably no question about the legality of the ruling of Mr. Warwick. It not only resulted in confusion in this country but in France and Great Britain, where there were many contracts being performed by these Governments or by their citizens. In many cases consent to their cancellation was agreed to by the authorities there. It was impossible for our Government to do anything toward the adjustment of these contracts, because there was no way to pay them after the adjustments had been reached. The result has been, as the testimony shows in the hearings before our committee, that in some instances the French Government and individuals in France and in Great Britain are proceeding to carry out the terms of the irregular contracts which they had, which consisted merely of an order and an acceptance upon the part of the manufacturer to perform their part of the contract, and the whole proceeding of settlement has been stopped.

Mr. President, without going into details I call attention to the fact that after the decision of the comptroller the War Industries Board had prepared and sent up to be introduced in Congress a bill which would validate these irregular contracts. That bill was introduced on the 5th day of December, 1918, by myself at the request of the War Department. That bill was referred to the Military Affairs Committee and was taken up for consideration, with the result that a subsequent bill introduced in the Senate under date of January 2, 1919, by the Senator from Nebraska [Mr. HITCHCOCK] and referred to the committee, was reported out by the Committee on Military Affairs, as probably the best bill on the subject up to that time.

Later on the committee reconsidered its action with reference to this question. They heard further evidence about the whole situation, and subsequently, on the 9th day of January, authorized the chairman of the committee to report out a substitute for any bills that might be pending, or, rather, as an amendment to be taken up in whatever way the parliamentary situation permitted.

Still later, Mr. President, the committee, without further action than as above stated upon any of these bills, had referred to it House bill 13274. It is now Order of Business 507 on the Senate Calendar. It was known as the Dent bill, and had for its purpose the same object the bills which I have just been mentioning. Then the Committee on Military Affairs of the Senate reported out as a substitute for the so-called Dent bill another bill which embodied what is conceived to be the best features of the bills I have just been discussing. That bill was reported to the Senate on the 13th day of January, striking out all after the enacting clause and substituting therefor the bill which the Senate Military Affairs Committee agreed upon. That is the bill which is now before the Senate.

I do not know that there is more I desire to say with reference to the matter now, but I suppose it will be discussed quite at length, and I may have something to say about it later.

Mr. LENROOT. I should like to ask the Senator from Oregon a question in reference to the first portion of the bill validating contracts that have been defectively executed or not executed in compliance with the law. I want to ask the Senator whether in his opinion this would make a valid contract so that the contractor would be able to claim and receive unearned profits? In other words, here is a contract for, we will say, $10,000,000 worth of munitions. Only $1,000,000 worth of it has been received. The Government could not be held to pay the profit upon the $9,000,000 which it had not received in munitions? I ask the Senator whether under this language it would not so validate that procurement order, for it may have been only in the form of a procurement order, that the contractor would receive his entire profit upon the $10,000,000 worth of munitions, although he had not earned a profit except upon $1,000,000 worth?

Mr. CHAMBERLAIN. Does the Senator ask whether the bill is drawn in such a way as to permit that?

Mr. LENROOT. Yes.

Mr. CHAMBERLAIN. The testimony before the committee shows that it was not the intention to have the profits the Senator speaks of paid.

Mr. LENROOT. What is the Senator's opinion as to the bill properly guarding the Government against that situation?

Mr. CHAMBERLAIN. I think the bill is broad enough to protect the Government. It seems to me there is a clause in it that does do that very thing.

Mr. McKELLAR. If the Senator will permit me, I call his attention to the language on page 5 of the bill:

> The Secretary of War is authorized and directed, on behalf of the Government, to enter into such contract with such individual, firm, company, corporation, or foreign Government as will, under all the circumstances, fairly and equitably compensate him or it for the expenditures made, obligations incurred, equipment, materials, or supplies furnished or acquired, or services rendered, as aforesaid.

It excludes any pay for anticipated or speculative profits.

Mr. LENROOT. That may be true, but that only relates to the cases described in that paragraph where no contract had been entered into. The preceding paragraph, concerning which I now direct my inquiry, is where the contract has been made but not fully executed in compliance with the law.

Mr. McKELLAR. I will say to the Senator in reference to that, that the first section applies to those contracts where they have been signed, but not technically properly signed.

Mr. LENROOT. I understand that.

Mr. McKELLAR. When we give them by this act a proper signing the rights of the party are dependent upon those written contracts which the contractor has already signed, and, of course, the Government is bound by that.

Mr. LENROOT. That would be true if the first paragraph was limited to contracts of that character; but the very first paragraph also validates all procurement orders that have been accepted.

Mr. McKELLAR. No; that is the second paragraph.

Mr. LENROOT. No; the first. The language is:

> When such agreement anticipated procurement order, and such agreement was reduced to the form of a contract or accepted procurement order and executed or signed on behalf of the Government.

I understand all the contracts do provide for cancellation.

Mr. McKELLAR. Those procurement orders are in writing also, and the Government is bound by the procurement order in the same way as in a contract.

Mr. LENROOT. Am I correct in my understanding that where the contract was actually made it has in all cases provided for cancellation?

Mr. McKELLAR. It has; that is my understanding.

I want to say to the Senator that there are thousands of these contracts improperly signed, and they have changed the verbiage of the contracts from time to time. I have never seen all of them, but I am informed that they all provide——

Mr. LENROOT. I mean that that is the practice.

Mr. McKELLAR. That is the case, although they provide for cancellation.

Mr. WEEKS. I remember that the matter was brought up in the committee and that question was asked, and much to my surprise I think the opinion was furnished the committee that all contracts did not contain the cancellation clause.

Mr. McKELLAR. That is correct as to the first contract, and that was the testimony before the committee, as the Senator from Massachusetts has described; but later on they had a form of contract, which was stated to be the standard form of contract, in which cancellation was provided. So, as I said, even the written contract is involved in a good deal of doubt.

Mr. LENROOT. Then, I take it, it is admitted that under the language in the first paragraph, as the bill stands, it will bind the Government to pay the full price or the profits that would have been realized upon the canceled portions of the contract.

Mr. McKELLAR. No; I do not think that would be the case at all. I will state what the bill does. The first paragraph is to bind the Government to precisely the same written contract, called either a contract or a procurement order, that its agents signed, but signed improperly.

Mr. LENROOT. I agree to that; but does the Senator think where such a contract has been made by anyone without any provision for cancellation the Government should be held to a validation of that contract, compelling the Government to pay unearned profits?

Mr. McKELLAR. I am very frank to say to the Senator I do not, and if he has an amendment to offer making it certain that no prospective or speculative profits are to be considered, I shall take great pleasure in making it clear, so far as my vote can do so. I thought there was a specific statement in this bill on that subject. There was one in the bill that our subcommittee prepared.

Mr. LENROOT. The Senator then would not object to a general provision being placed in the bill that no unearned profits shall be awarded in the adjustment of any of these contracts?

Mr. McKELLAR. That would depend on the kind of profits, but no unearned profits, surely.

Mr. FLETCHER. May I call the Senator's attention to the authority given the Secretary of War in lines 7 and 8, and so on, upon page 5? The authority is "to enter into such contract with such individual, firm, company, corporation, * * * as will, under all the circumstances, fairly and equitably compensate him or it for the expenditures made, obligations incurred"——

Mr. LENROOT. If the Senator will examine a little further, he will see that that applies only to one class of cases. It is the first paragraph I am now speaking of.

Mr. FLETCHER. Oh, I see.

Mr. LENROOT. That is not covered by that at all. That validates the contracts as they stand, although defectively executed.

Mr. FLETCHER. All the Government is there authorized to do is to waive noncompliance.

Mr. LENROOT. Certainly. That makes the obligation on the Government whatever it might be.

Mr. FLETCHER. It does not obligate the Government to make a contract that requires the Government to go on and reverse its entire policy.

Mr. LENROOT. If we waive the defective execution of the contract, we validate that contract.

Mr. McKELLAR. If the Senator will permit me, I will say that, of course, it was the argument of those contractors who appeared before the committee that the Government having made a written contract with them, it should be bound by it, even though it was defectively executed by the Government's own agent. The Senator must see that there is weight in that argument. On the other hand, it was the contractor's duty, as it seems to me, to see that he had a contract that was properly executed by the Government agent, as well as the Government's duty to see to that same thing. Under the circumstances, it seems to me that if we give this particular kind of a written contract a higher and better position than the classes of contracts in the second paragraph, we are doing an injustice to those who did not have written contracts. For that reason I am willing to support an amendment which the Senator or some one may offer on that subject.

Mr. FLETCHER. There is a provision also that the Secretary of War shall find whether or not it is consistent with the public interest.

Mr. LENROOT. I do not think that that would go to the question of unearned profits.

Mr. WEEKS. May I suggest to the Senator from Wisconsin that these men have no valid contracts, and the purpose is to validate a contract so that a claim may be made. They have no case in court as the matter now stands. Being given a case in court, then the extent of the payment to them is a matter of determination to be reached through the machinery which has been provided in the bill.

Mr. LENROOT. But if the contract is validated to the full extent, then they have a legal claim.

Mr. WEEKS. Not unless they have a completed claim. Of course, if they had completed only one-tenth of the contract there would be no basis for a claim for the profits on the other nine-tenths.

Mr. LENROOT. I beg the Senator's pardon, if the Government canceled it, through no fault of their own, certainly the general rule of law would be that they would be entitled to the profits they would have received.

Mr. WEEKS. The Government in ordinary cases always retains the power of cancellation. It had failed to do so in some cases until the matter was brought to the attention of the department by the Committee on Appropriations. After that all contracts did contain it.

Mr. LENROOT. But the objection I am making to the bill is that if it applied to contracts alone I do not think any great danger would exist; but it validates procurement orders that have been accepted, which, of course, do not contain the cancellation clause.

Mr. WEEKS. I do not think that anyone would object to protecting the Government in the payment of unearned earnings.

Mr. LENROOT. I appreciate that.

Mr. WEEKS. I think it is protected, but, so far as I am concerned, I would not object to an amendment of that kind.

Mr. SMITH of Arizona. Mr. President, I should like to state that I just received a telegram this morning of protest from long-staple cotton raisers in Arizona and southern California in regard to the importation now of many thousands of bales of long-staple cotton. These men have been prohibited, I understand, by rulings of the Government from the sale of their cotton at all. They have now on hand two years of cotton that was selling at 70 cents or over in the market. That sale has been prohibited by the action of the Government. The War Trade Board is now permitting the importation of tons and tons of Egyptian long-staple cotton, bringing the price down beyond the power of raising cotton on the lands of which I speak. It seems to me if there is any equity in any of this measure, and I have no doubt there is great equity in the purposes of the bill, these people should not be neglected.

I do not know how to get at it except by a bill preventing the importation of long-staple cotton until the cotton now on hand that the Government prevented the sale of when the raiser could get his price for it has been disposed of.

With the many ramifications that the whole question contains, I know if I introduce a bill to stop the importation of long-staple cotton for this year, which would permit the sale of this cotton, I would find very great difficulty in getting that bill through both Houses of Congress between now and the 4th day of next March. I see from the humor the suggestion causes the very impossibility of the suggestion even; but I wanted to know if there are any cases in this bill touching on that peculiar class of equity outside of any contractual relations; and if so, I should like to have an amendment put in somewhere to protect these people in their cotton, which has been absolutely confiscated as far as their profits are concerned.

Mr. CHAMBERLAIN. I will state to the Senator that there is not anything of that kind in the bill.

Mr. McKELLAR. Mr. President, further in reference to "prospective or possible profits," especially I desire to call the attention of the Senator from Wisconsin and of other Senators to section 6 of the bill which is known as the Hitchcock bill, which was prepared by our subcommittee and reported out of the full committee; and I desire for just a moment to explain what that means. It is a little different from the bill which has since been reported by the committee, known as the Chamberlain bill. The committee at first reported out what is known as the Hitchcock bill, which provided for a commission to take charge of the settlement of these claims and to pass upon them. I think, as a matter of fact, when Senators come to consider the matter here they will agree with the Senator from Nebraska [Mr. HITCHCOCK] and myself that that is the wisest bill. I especially desire to call Senators' attention to section 6 of the Hitchcock bill, which reads:

> That in no case, however, shall any award either by the commission or the Court of Claims include prospective or possible profits on any part of the contract beyond the goods and supplies received and actually delivered to the United States, and a remuneration for expenses necessarily incurred in preparing to perform said contract or order so canceled.

Mr. POMERENE, Mr. LENROOT, and Mr. STERLING addressed the Chair.

Mr. McKELLAR. I yield first to the Senator from Ohio.

Mr. POMERENE. Am I right in understanding that the words "for expenses necessarily incurred" include the cost of any additional equipment and machinery or plants or buildings or anything of that sort?

Mr. McKELLAR. Of course that is true. It is the purpose of this section, I will say to the Senator, to exclude the kind of profits that were spoken of awhile ago by the Senator from Wisconsin [Mr. LENROOT]. I thought that that particular provision was in the pending bill as reported by the committee; but I find that it is contained in what is known as the Hitchcock bill. It ought to be embodied in whatever bill is passed, of course, beyond the shadow of a doubt. I now yield to the Senator from Wisconsin.

Mr. LENROOT. I simply desire to say that I agree with the Senator from Tennessee, that if section 6 is incorporated as a part of this bill it will fully cover the case and protect the Government.

Mr. McKELLAR. I will say to Senators that I intend to offer that section as an amendment to the pending bill, of course not on behalf of the committee, but I shall have to do it personally. Now I yield to the Senator from South Dakota.

Mr. STERLING. Mr. President, I was just about to ask the Senator from Tennessee as to whether or not the Hitchcock bill provided that the commission, in the first instance, instead of the Secretary of War, should pass upon the contracts, as provided in the pending bill.

Mr. McKELLAR. I am glad to explain that to the Senator. The Senator from Nebraska is going to explain it later, but, if he will permit me, I will answer the question of the Senator from South Dakota.

The Hitchcock bill was prepared by a subcommittee composed of the Senator from Nebraska [Mr. HITCHCOCK], the Senator from New Jersey [Mr. FRELINGHUYSEN], and myself. We took testimony and we heard the whole matter; we reported the bill back to the committee; and the committee reported it to the Senate favorably. There was objection to the bill, however, on the part of the War Department, because it was claimed by the department that it took the entire settlement of these contracts out of the hands of that department. At a matter of fact, it did place the whole matter of settling these contracts in the hands of the independent commission proposed to be appointed under the terms of the bill. Our authority for the appointment of such a commission was the commission which was appointed after the Spanish-American War, which we had been informed worked very well indeed. Most of the contractors, I think, were substantially in favor of that. The bill as passed by the other House merely directed the Secretary of War to go ahead and settle these contracts, his opinion and determination of the matter to be final. Of course, this does not mean that the Secretary himself settles these contracts. It practically means anyone in his department. The contractors were not, however, willing to have that done, because it left an arbitrary power in the hands of one man which might be performed by any officer—by a second lieutenant, a first lieutenant, or a major, or whoever he might be—and that would be the end of it. In view of that objection, this amendment was framed by the committee, of which I have spoken, composed of the Senator from Nebraska, the Senator from New Jersey, and myself. We provided that a commission should have original jurisdiction, should take entire charge, should have the right to appoint subcommittees or agents to take proof where necessary in localities where the contracts had been made, at the situs of the contract or of the contractees, that they should report to the commission, that then the commission should have the right to pay down 75 per cent of the amount claimed to be due, and if the contractors were not satisfied they would have the right to go into the Court of Claims for the other 25 per cent. We thought that was absolutely fair, and I still think it is fair and the best plan yet offered.

I believe—and I understand the Senator from Nebraska is of the same opinion—that, with one or two amendments added, that would be the best bill of all three, including, of course, the House bill, for I do not think anyone will contend that the House bill is right. I do not think even the War Department is satisfied with that bill. Surely it is not the bill that ought to be passed by the Senate. The Hitchcock bill comes nearer being the right thing, because it puts the matter in the hands of an independent commission to settle these contracts as equity may require. We want to be absolutely fair to the contractor, and, at the same time, we want to be absolutely fair to the Government; and we believe that under the terms of the Hitchcock substitute the Government's rights would be carefully guarded and at the same time the rights of the contractors would be absolutely and fairly and squarely guarded.

Mr. BORAH. Mr. President——

Mr. McKELLAR. I yield to the Senator from Idaho.

Mr. BORAH. Mr. President, I understand the Senator from Tennessee is now speaking in behalf of the substitute.

Mr. McKELLAR. I will say that there was a good deal of dissatisfaction with the Hitchcock substitute after it was reported by the committee. A committee of contractors came down here. They were very fair-minded men, and, by the way, aided us very greatly. They made suggestions about the matter which were very valuable. As a matter of fact, a new substitute was reported thereafter by the committee which embodied the House bill plan and under which the Secretary of War is to go ahead and work it out as best he can, and there is then given the right of appeal to a commission to be created. That is under the last substitute reported by the committee.

Mr. BORAH. How is the commission to be created?

Mr. McKELLAR. It is to be appointed by the President and confirmed by the Senate. It is to consist of three men—one from the War Department, one from the Department of Justice, and one from general business. I think if the Senator from Idaho will examine into the matter he will find that every safeguard has been used in reference to this commission.

The principal point of difference between the two plans is under the Hitchcock substitute the commission is given original jurisdiction to pass on all these claims, and it is directed to pay 75 per cent of them at once, which I think is a very proper thing, because many concerns will be likely to go into bankruptcy unless some sort of arrangement of that kind can be made. If a contractor is dissatisfied as to the other 25 per cent, he has the right of appeal to the Court of Claims, just as is provided by law in other cases. I think that is entirely proper.

The substitute, I will say to the Senator, if he will excuse me just a moment, provides that all preliminary work shall be done by the department and that either the Government or the contractor has the right to appeal from the ruling of the department to this commission. In other words, the commission in the substitute which I will call the Chamberlain substitute, the last bill reported, makes the commission an appellate body, while the Hitchcock substitute makes it a body of original jurisdiction.

Mr. BORAH. Do I understand that the Government and the individual contractors both have the right of appeal?

Mr. McKELLAR. Both have the right of appeal. By the way, I want to call the Senator's attention to that, because it was a somewhat disputed matter in committee as to whether or not the Government ought to have the right of appeal. I think it absolutely essential that the Government, as well as the contractors, should have the right of appeal from the decision of the department.

Mr. BORAH. Whose business would it be to take such an appeal on behalf of the Government?

Mr. McKELLAR. The Department of Justice.

Mr. STERLING. Mr. President, there is this feature about the matter to which I should like to call the Senator's attention. If the representative on this commission of the Department of Justice agrees with the Secretary of War in his award there can be no appeal on the part of the Government.

Mr. BORAH. That is what I was thinking about.

Mr. McKELLAR. I will say to the Senator from South Dakota that this is about the best way the matter could be worked out; but if the Senator has any better way to give the Government an appeal, I for one will cheerfully accept it, for I desire to say that it was the earnest purpose of every member of the subcommittee and of the full committee to get a system of validating these contracts which would be fair to the contractor and as absolutely fair to the Government. In my judgment, we must protect both, and that is the committee's judgment.

Mr. BORAH. Mr. President, why not create a tribunal wholly separate and apart from the Government, composed of men who are not in any wise associated with the Government, so that we should have a tribunal passing upon the matter without violating either directly or indirectly the principle that a man shall not sit upon his own case?

Mr. McKELLAR. If the Senator from Idaho feels that way about the matter—and I agree with him heartily, for I am going to vote that way—then he should vote for the Hitchcock amendment. I am going to vote for the Hitchcock amendment first, and I will say that I endeavored to amend the committee substitute to provide the best method that we could.

Mr. POMERENE. Mr. President——

Mr. McKELLAR. I yield to the Senator from Ohio.

Mr. POMERENE. I am advised that there are about 6,000 of these contracts.

Mr. McKELLAR. There are a good many more than that number.

Mr. POMERENE. I was told the other day that there would be about 25 per cent of them in which there would be considerable dispute. The so-called Hitchcock bill provides for one trial commission. Assuming that there are 300 working days in the year, the commission would be occupied for a whole year if it tried and decided five cases a day. I know a good many of these manufacturers are very much embarrassed financially now; they need the money due them; and they need it right away. If many of them are to be held up for a goodly portion of a year before they can get an adjustment, we shall have financial ruin staring many of them in the face.

Mr. McKELLAR. If the Senator feels that way about it, I repeat he should vote for the Hitchcock amendment, and vote for it quickly, and we should pass it just as soon as we can and have it enacted into law. These contractors can get 75 per cent of their claims right away, and they can get the entire amount if they come to an agreement with the commission. I presume in 95 per cent, perhaps in 97 per cent, of the cases they will have no trouble about coming to such an agreement. I agree with the Senator that it ought to be done, and ought to be quickly done. I do not agree with the Senator about the Hitchcock plan taking so much time. I think probably 98 per cent of the cases will be adjusted by agreement without any trouble.

Mr. POMERENE. Does the Senator mean by the payment of 75 per cent of the claim 75 per cent of the amount which is found due by the commission?

Mr. McKELLAR. Yes.

Mr. BORAH. Mr. President, I was going to ask the Senator from Ohio a question before he took his seat. I think the Senator has raised a very proper point for consideration when he suggests that speedy determination of these claims might be the means of saving some men from bankruptcy.

Mr. McKELLAR. Certainly.

Mr. BORAH. But would not the same condition follow if the bill as reported by the committee were adopted, for must not somebody hear the evidence and pass upon it?

Mr. POMERENE. Oh, Mr. President, that is true, and, while I have not matured my own thoughts on the subject, my tentative idea was that perhaps there ought to be two or more of these commissions to sit concurrently.

Mr. CHAMBERLAIN. Mr. President, may I suggest to the Senator—because it is being overlooked in the discussion—that there was not a business man or representative of a business body who appeared before the committee who did not say that the so-called Hitchcock bill would delay proceedings, and that if there was a start made in the adjustment of these claims before the 1st of July under that bill it would be doing well. Not only that, but the War Department itself through its representative, Mr. Crowell, a most excellent clear-sighted business man, claimed that under the system proposed in that bill the work could not be commenced before July.

As has been suggested by the Senator from Ohio [Mr. POMERENE] there are many men who, unless there can be a speedy adjustment of these matters, must go into bankruptcy, because they have all their liquid capital in the business and the banks will not loan them any money until there has been some certification somewhere, either by the Government or some of its boards, that these contracts are going to be paid at some time in some way, in part or in full.

Mr. BORAH. Mr. President, how does the Hitchcock substitute delay the matter if we assume that somebody must examine the evidence and hear controversies and pass upon them?

Mr. CHAMBERLAIN. I am going to say in perfect frankness to Senators that not one of these measures appeals to me in its entirety, but it is a critical emergency which confronts the business of the country and I have yielded my judgment on many propositions in order to try to reach results.

The trouble about the Hitchcock commission plan is that the commission to be created is to proceed de novo. The War Department plan—and that is the plan embodied in this bill, practically—contemplates the utilization of the 32 boards already functioning in the different regional districts. Those boards have heard the testimony and practically in many cases have agreed with the contractors as to the amount of their claims, and I do not think there is any contention that their adjustments are irregular or unjust.

Mr. BORAH. Mr. President, I should consider the objection to that as being that these boards are practically in a large measure directly or indirectly settling their own affairs.

Mr. CHAMBERLAIN. If I may disabuse the Senator's mind of that impression, Mr. Crowell, at page 54 of his testimony, tells how those boards are constituted, and if the Senator will permit me, as the extract is short, I will read it. It is as follows:

> We have 32 boards now functioning on this thing. Our idea was to decentralize it, so as to get speedy action and so as to get the men best in touch and who have been closest in touch with the production under these contracts. The Ordnance Department has 12 boards, and those are headed in each case by the district ordnance officer, who is in every case a man of large experience, a civilian who has been expediting and watching production in his center for a considerable period of time past. He has made up boards, which have been approved in Washington, of four or five members each. They are largely officers of the Ordnance Department, but each board has an average of one civilian from the outside. In some cases he is a prominent attorney, and in some cases he is a member of the War Industries Board, in some cases representing the War Industries Board in that particular district. The orders relating to the quartermaster supplies are being handled in the same way by 12 boards, which are functioning now in the 12 zones into which the Quartermaster Department has divided the country. There are, then, eight boards functioning in Washington, each on some specialty, such as chemical warfare service or aircraft, so that we have 32 of these boards now functioning.

I will say to the Senator that in some instances they have still larger boards functioning, where there has been great industrial activity on behalf of the War Department and where many civilians are connected with the boards.

Mr. FRELINGHUYSEN. Mr. President, if I may interrupt the Senator, I understand that the difference between the measure proposed by the Senator from Nebraska [Mr. HITCHCOCK] and the measure reported by the Committee on Military Affairs is this: There are 25,000 contracts under the War Department, 6,000 of which are informal, verbal contracts, or contracts that have not the signature of the statutory official. Those 6,000 contracts must be validated. They amount to $1,700,000,000. The remaining 19,000 contracts are legal contracts conforming to law, and there is no dispute in regard to them. I understand that the Hitchcock bill provides that the commission to be created shall settle de novo all of the questions involved in these contracts. The War Department say that the 19,000 contracts in which they are in agreement with the contractors it is unnecessary to refer to the proposed appellate board. The bill reported by the committee, known as the War Industries Board plan, permits the War Department to settle those contracts first.

Mr. POMERENE. Mr. President, the Senator has just referred to 19,000 contracts concerning which, as I understand him, there can be no dispute as to their validity. Those contracts or at least many of them have not yet been completed. What is the War Department doing with respect to them? Is it canceling these contracts, and, if so, upon what terms? Is it paying the full profit whether the contract has been completed or not? I am asking the question for information only.

Mr. FRELINGHUYSEN. Mr. President, as I understand, the War Department has its machinery already in operation in connection with these claims. I have here a letter from the Assistant Secretary of War, Mr. Crowell, from which I read the following:

> The War Department already has established and at work a machinery adequate to handle efficiently and promptly all settlements. Without now going into the details the department has a central board of contract review in each of the eight supply bureaus in Washington; also a total of 24 local or district boards in various sections of the country making settlements for the Ordnance Department and the former Quartermaster Corps. The department has also established in Washington a board of contract adjustment to which the Secretary of War refers for decision all cases in which the contractor and the contracting officer are unable to agree. Furthermore, several thousand contracting officers, accountants, investigators, and other assistants are now at work helping the boards to make prompt settlements. On the enactment of the legislation which the War Department has requested, this machinery is prepared to start immediately on the cases in which contracts were not made or signed as provided by law.
>
> The War Department feels very earnestly that the good faith of the Government is pledged to a prompt settlement and payment of all just claims of contractors. The department stands fully ready to make such settlements and is already doing so where the contracts were made and signed as provided by law.

In a statement from the United States Chamber of Commerce forwarded to me under date of January 2, they say that subsequently the officials of the War Department have reported 669 agreements out of the 6,000.

I feel that the bill should provide that the War Department should settle these contracts, provided they can come to an agreement with the contractors through the machinery that they have in the War Department, and then, if there is any conflict or difference of opinion between the contractors and the War Department they can appeal to the tribunal to be created which will stand between the War Department and the Court of Claims, whose processes are so slow. What the contractors want is to know that if they fail to agree with the War Department they will have some tribunal to which they can submit their claims.

Is it necessary to refer to the proposed commission all of the claims?

The War Department made these contracts; but many of them are agreements verbally made, and there are disagreements as to the termination provision. As to some contracts, they have not been able to get any agreement as to termination because of the fact that they had to be so hastily made. Why not let the War Department go as far as they can go in the settlement? If the two parties agree, let the department dispose of the contracts where agreement is had, and where they do not agree, let the matter be referred to the proposed tribunal.

Mr. POMERENE. Mr. President, I think in that behalf there is no difference between the Senator from New Jersey and myself. I agree with him that if these contracts can be settled on any equitable basis at all they should be settled by the War Department; but the thing that has troubled me most has been the fact that there are a large number of contracts which are in dispute, and I have feared that under the proposal here made it would perhaps be a year before many of these contracts could be adjudicated, if I can properly use that term. The machinery that is adopted here is the matter of greatest concern to me.

Mr. FRELINGHUYSEN. Mr. President, does the Senator refer to the committee bill?

Mr. POMERENE. I was referring to the commission which is provided to try the disputed claims.

Mr. FRELINGHUYSEN. The committee bill provides that the War Department through its machinery shall settle these contracts first. Of course, if they are in agreement with the contractor, there will be no reference to the proposed commis-

sion. As I understand, under the Hitchcock bill all of these contracts are to be referred to the commission.

Mr. POMERENE. I have seen a good many cases tried which the attorney said would only take one day to try, particularly where a building contract or something of that character was involved, when it subsequently developed that they would take two or three weeks before they had completed the case. If there is to be any experience of that kind before the one commission which is provided here, I am afraid we will not live to see the end of these proceedings.

Mr. BECKHAM. Mr. President, will the Senator yield for just a moment?

The PRESIDING OFFICER. The Senator from New Jersey has the floor. Does he yield to the Senator from Kentucky?

Mr. FRELINGHUYSEN. I yield to the Senator from Kentucky.

Mr. BECKHAM. Mr. President, I do not wish to take the Senator's time, but in reference to the statement of the Senator from Ohio [Mr. POMERENE], I should like to say that the committee bill recognizes the organization already established under the War Department for the settlement of these claims. That organization exists now; it has been in operation, and it is believed that a large majority of these claims can be settled by that organization, with the approval of the War Department.

If the contractor in any instance is not satisfied with the settlement arrived at, he can appeal to the board created by the bill. There is also a provision that in the event the Government, through a representative of the Department of Justice, should object to the settlement the Government may appeal to the board.

I do not think there will be any delay such as the Senator from Ohio fears in the settlement of these claims under the provisions of the committee bill. The Hitchcock bill, as I understand, involves the creation of a new organization; it does not take advantage of the organization already established and in operation. I do not think, therefore, that the Senator would find that there can be any serious delay under the establishment provided for in the committee bill.

Mr. WARREN. Mr. President, may I ask the Senator a question?

Mr. BECKHAM. Yes, sir.

Mr. WARREN. My understanding is—and I will ask the Senator if his is the same—that almost all of these contracts have been under consideration and their settlement arranged for, except as stopped by the comptroller's decision.

Mr. BECKHAM. Yes, sir.

Mr. WARREN. So that the preliminary work is all done.

Mr. BECKHAM. That is my recollection.

Mr. WARREN. And it is now a mere matter of closing legally that which has already been arranged.

Mr. BECKHAM. That is my understanding.

Mr. POMERENE. Mr. President, may I ask for information?

The PRESIDING OFFICER. The Chair thinks that the Senator from New Jersey who has the floor must yield to some one particularly, if he desires to yield.

Mr. FRELINGHUYSEN. I yield to the Senator from Kentucky.

Mr. BECKHAM. I have finished. I thank the Senator.

The PRESIDING OFFICER. The Senator from New Jersey has the floor.

Mr. FRELINGHUYSEN. Mr. President, I quite agree with the Senator from Ohio that possibly some of these cases will take a long time to settle; but if you provide, as the Military Affairs Committee bill provides, that the War Department, who made these contracts, and who have all of the facts concerning them, particularly the verbal contracts and the contracts for procurement orders by telephone, are allowed to settle them, you will practically dispose of three-quarters of the contracts, because they are in agreement.

Mr. POMERENE. Mr. President, let me see if I understand the Senator correctly. He makes the statement now that these parties are in agreement with the Government. Does he mean as to the amount that is to be paid, and that that is only to depend upon the legislation validating these contracts?

Mr. FRELINGHUYSEN. Yes; as I understand, many of these contracts are already signed, but they have not been signed by the proper statutory officers, and have been declared invalid on that account. They are already formal contracts, without the proper signature. Now, there remain agreements that have been made over the telephone, verbal agreements for supplies—cloth and various quartermaster supplies—and it is only a question of coming to an agreement with the contractor who has furnished these goods; and I believe I am safe in stating that three-quarters of these contracts can be settled by agreement between the contractors and the War Department.

There will remain those contracts where the contractors refuse to accept the decision of the War Department, or the examiners, or these committees, and if they refuse to accept it they can appeal to this board. But under the Hitchcock bill, as I understand, all of these contracts are thrown into this tribunal; and I venture to say that it will take five years to settle them, judging from the experience of the Interstate Commerce Commission, for example. That commission has nine members, and during the year ending October 31 it conducted 1,000 formal proceedings and 10,000 informal proceedings. It has an organization of approximately 700 employees, and its work involved an expenditure of $1,000,000.

Here are 6,000 contracts, at least, to be settled for $50,000. The work of the Public Service Commission of the second New York district in 1917, with 1,250 informal proceedings, cost $400,000. This commission is to have $50,000, $22,500 of which is to be expended for salaries, leaving a balance of $27,500. Can you provide the necessary clerical assistance and examiners for $27,500? It is ridiculous.

There is another point. There is to be a member from the Department of Justice and a member from the War Department. With a board constituted in that way, you will have the War Department appealing to a board to act as a judge, with a member of their own department acting as a judge on their own awards, and you will have the Department of Justice appealing to this board, on which sits one of the members of the appellant department. Now, the board should be differently constituted. If I were going to create this commission, I would put a banker, a lawyer, and a manufacturer on it; but it is foolish to assume that all of these 25,000 contracts can be thrown on this commission and that they can be examined and passed upon. Therefore I say that the Military Affairs Committee bill is the better measure, permitting the War Department, with its machinery and its information, to settle these contracts which it has made.

Mr. SMITH of Arizona. Mr. President, will the Senator permit me to interrupt him?

Mr. FRELINGHUYSEN. Certainly.

Mr. SMITH of Arizona. Why would it not relieve somewhat the delays suggested by the Senator from Ohio [Mr. POMERENE] if on a finding by a tribunal, whatever it happens to be, the parties could receive a certain percentage of that finding, say, 50 or 75 per cent?

Mr. OVERMAN. Seventy-five per cent is the rule.

Mr. McKELLAR. That is what is provided here.

Mr. FRELINGHUYSEN. That is what both bills provide.

Mr. SMITH of Arizona. Do they provide that the party shall receive 75 per cent?

Mr. McKELLAR. Seventy-five per cent.

Mr. SMITH of Arizona. Then I do not think the question of delay cuts as much figure as it otherwise might.

Mr. THOMAS. Mr. President, I think the Senator could well add that legislation is not needed at all regarding those contracts which have been legally executed. Consequently I see no reason for including them in a measure of this sort. This is designed to meet an emergency which was created by two circumstances: One, the necessity of getting immediate results due to the exigencies of the war, and which could not be obtained if the statutory formula for the execution of contracts were observed; and the other, the sudden termination of the war, leaving all these contractors in the air.

A good many of these contracts were made in France. Personally I do not believe that the statutory requirement concerning execution applies to contracts made in France, because it is a general proposition, I think, that the place where a contract is made and the place where a contract is executed, when those two conditions exist, make the lex loci, or the law of the location, applicable both to its execution and to its performance and to any legal propositions or controversies that may ensue from it. So that this emergency legislation is needed to meet that class of contracts, and that class of contracts only, which, because of their failure of proper statutory execution, require legislation. As to the others, the department can proceed under existing conditions; and as a consequence I think they should be excluded from the operations of a bill like this.

Mr. CUMMINS. Mr. President, I should like the Senator from New Jersey to put me straight upon one or two things that seem to me obscure, if he will allow me.

Mr. FRELINGHUYSEN. I yield the floor to the Senator.

Mr. CUMMINS. No; I do not want the Senator to yield the floor, because I want to ask him a question.

Mr. FRELINGHUYSEN. I retain the floor, then, and await the Senator's question.

Mr. CUMMINS. The Senator has said, and I see it is very clear, that there are two classes of contracts provided for in the bill. The first relates to those contracts that have been

executed or reduced to form, but not signed by the proper officer of the Government, or in the way provided by law. That is right; is it not?

Mr. FRELINGHUYSEN. Yes.

Mr. CUMMINS. The second relates to those cases in which the contract has not been reduced to form at all, but orders having been given looking to the execution of the contract or something of that kind expenditures have been made on the faith of the contract yet to be reduced to form. Those are the two classes. When these contracts are validated is it the intention that the damages which arise on account of their nonperformance shall be settled according to the established rules of the law as those rules would apply between individuals in like circumstances?

Mr. FRELINGHUYSEN. As I understand the bill it provides that where such an agreement was reduced to contract form and executed or signed on behalf of the Government, but the execution or signing was not in compliance with statutory requirements, the Secretary of War is directed to waive, on behalf of the Government, such noncompliance.

Mr. CUMMINS. Yes.

Mr. FRELINGHUYSEN. That answers the Senator's question in regard to the contracts that were not signed by the proper statutory officials. The bill provides further——

Mr. LENROOT. Mr. President, will the Senator yield at that point before he gets away from it?

Mr. FRELINGHUYSEN. Yes.

Mr. LENROOT. I have been informed since this discussion arose that the validating portion of paragraph 1 as recommended by the War Department did not cover procurement orders, and I should like to ask the Senator how and why that was inserted.

Mr. FRELINGHUYSEN. As I understand, this bill was drawn—the chairman can probably answer that question better than I—at the request or instance of the War Industries Board. I do not know whether the original bill contained that language or not.

Mr. McKELLAR. Mr. President, if the Senator will permit me, I shall be glad to state what happened.

Mr. FRELINGHUYSEN. Yes.

Mr. McKELLAR. The words "procurement orders" were not in the original draft of the amendment, and the reason why they were not was because the committee did not at that time know—it had no information before it—that any of these written contracts were in the form of what are called procurement orders. I think it was the Assistant Secretary of War who brought out that fact first, and then a number of the contractors appeared before the committee and testified that instead of having a formal contract, as provided in this first section, many of them had what were known as procurement orders that were in writing, but a peculiar form of contract that did not accord with what the law provided should be done, and yet it was in writing and set out the terms. Thereupon the committee included procurement orders with the other written contracts.

Mr. WARREN. Mr. President, will the Senator allow me to interrupt him at that point?

Mr. McKELLAR. The Senator from Iowa [Mr. CUMMINS] has the floor.

Mr. CUMMINS. I want to pursue for a moment the inquiry I made, because this other matter really relates to another phase of the subject.

Mr. FRELINGHUYSEN. I have just yielded to the Senator from Iowa, and I understand he has not finished.

Mr. CUMMINS. No; I have not finished.

The Senator from New Jersey has said that the first paragraph was intended only to validate certain contracts because they had not been signed by the proper officials. Suppose, then, that we validate a contract of that kind, and that the Government does not carry out the contract—that is, does not take the goods or the commodities, whatever is intended to be furnished by the contractor. There is nothing at all in this bill that relates to the settlement of that kind of a case, is there?

Mr. FRELINGHUYSEN. As I understand the bill which we are discussing, the failure of compliance on the part of the War Department will result in an appeal by the contractors to this commission.

Mr. WARREN. Mr. President, will the Senator allow me right there?

Mr. FRELINGHUYSEN. Yes.

Mr. CUMMINS. I have not read the bill carefully, but I do not find anything in the bill that relates to or covers the case I have just put.

Mr. WARREN. If the Senator will allow me, that is to cover the foreign contracts where they are made by other countries in that way. For instance, our Army abroad made its contracts on letters of purchase and their approval, the same as the English, French, and Italians did. Now, as nearly as we can learn, the comptroller had not in mind, in the finding he made as to our contracts here, that it should apply to those abroad; but his deputy, immediately upon the promulgation of the order, made it applicable there. That throws all of these contracts, perfectly legitimate under the laws and practices there, into the scrap heap with the others.

Mr. CUMMINS. But I think the Senator from Wyoming has not the point in mind. I will instance a case as it was put to me.

A contractor of my own State enters into an agreement with the Government to furnish certain things.

Mr. WARREN. I was not alluding to American contracts.

Mr. CUMMINS. The contract, however, is not signed by the official whose signature is necessary in order to make it valid. This first paragraph validates a contract of that sort.

Mr. FRELINGHUYSEN. Yes.

Mr. CUMMINS. Now, it being validated, what becomes of it when the Government refuses to carry it out? Is there anything here that will enable that contractor to apply to the commission, or take an appeal, or in any way secure a settlement, save as the War Department in its regular organization may see fit to settle with him? That is the point that is bothering me about the first paragraph.

Mr. FRELINGHUYSEN. In reading the section which creates the commission, I fail to find therein any provision for an appeal. Possibly the Senator from Tennessee can answer that question.

Mr. McKELLAR. Why, surely. If the Senator will look on page 7, he will see that if the War Department and the contractor do not agree, or if the contractor does not feel that the War Department has treated him fairly in the matter of giving him as much as he is entitled to, he has the right to appeal. That is shown on line 11, page 7, of the bill:

> That within 30 days of the date when the Secretary of War tenders any contract or compensation as provided in this act

That is, validates the one, or fixes the other—

> or refuses to tender such contract or compensation, the party to whom said contract or compensation is tendered or refused, or the Government by a duly authorized officer from the Department of Justice, may file with the chairman of the commission a notice of appeal.

Then that committee hear it de novo as a court of appeal from the ruling of the War Department.

Mr. CUMMINS. But my difficulty is in finding in that language any reference to the first paragraph of this bill. I do not believe it covers, in its present terms, a contract that is validated simply because unsigned by the proper official.

Mr. McKELLAR. If the Senator will read all of section 2 he will find that it applies to section 1, and that follows as a necessary consequence. There is not the slightest trouble about it—not the slightest.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. McKELLAR. I have not the floor, as a matter of fact, but I will yield to the Senator.

Mr. LENROOT. I merely wish to call the Senator's attention to the fact that the provision with reference to appeals that he is now quoting relates only to cases where the Secretary is authorized by this bill to make compensation, and this bill does not authorize the Secretary to make compensation upon a valid contract.

Mr. McKELLAR. No; it does not. That was not what the Senator from Iowa was speaking of, however.

Mr. CUMMINS. Precisely; that is just what I was speaking of. At the beginning of line 11 the bill provides——

Mr. McKELLAR. Just look at line 12.

Mr. CUMMINS. I am going to read it now.

Mr. McKELLAR. The Senator will find that it is absolutely plain.

Mr. CUMMINS (reading)—

> That within 30 days of the date when the Secretary of War tenders any contract or compensation as provided in this act, or refuses to tender such contract or compensation—

Those are the cases in which appeals could be made to the commission.

Mr. McKELLAR. Yes.

Mr. CUMMINS. But, under the validated contract of paragraph 1, the Secretary of War does not tender any contract nor does he tender any compensation

Mr. McKELLAR. Oh, yes; the point is this, if the Senator will permit me: Here is a contract that is all right except that it is signed by the wrong officer, we will say. It is all written out and the contractor has one copy and the Secretary of War has the other. The Secretary validates that contract and

tenders it to the contractor, and it comes directly within that language.

Mr. CUMMINS. No; there is not anything to indicate that he tenders it to the contractor.

Mr. McKELLAR. There will be a great many things done that are not specifically provided.

Mr. CUMMINS. Paragraph 2 of the bill very distinctly provides for the tender of a contract and for the tender of compensation; but I am afraid that the committee—of course, unintentionally—has excluded entirely the settlement of those cases which are simply under validated contracts.

Mr. McKELLAR. Oh, I do not think so.

Mr. FRELINGHUYSEN. Mr. President, I think possibly the Senator from Iowa might suggest an amendment to carry out his idea.

Mr. CUMMINS. That is easy enough. It would not be hard to suggest an amendment.

Mr. McKELLAR. If the Senator will suggest one, I am sure we shall be delighted to have it inserted to make it clear.

Mr. CUMMINS. I should like to ask the Senator from Tennessee another question, or the Senator from New Jersey.

Mr. McKELLAR. Surely.

Mr. CUMMINS. In lines 16 and 17, on page 4, it is said, speaking of the validation of contracts:

Provided, That he finds such waiver is not inconsistent with the public interest.

It seems to me that if the Government has made a contract with an officer, and all that it lacks is the statutory authority of that officer to enter into the contract or to sign the contract, it is hardly fair to give the Secretary of War the privilege of saying that the Government shall not be bound by that contract if he finds that it is not consistent with the public interest.

Mr. McKELLAR. There is not any intention of that. It refers to an entirely different situation.

If the Senator has finished, I should like to discuss another phase of this question for just a moment.

Mr. OVERMAN. Mr. President, before the Senator begins——

Mr. FRELINGHUYSEN. I yield the floor.

Mr. LENROOT. Before the Senator from New Jersey yields the floor, I should like to ask him a question on another branch of the bill.

As I read this bill, it legalizes a claim against the Government on the part of one who has performed services or expended money upon the request merely of one who is not authorized in any way to make a contract, but one who has been requested to aid the War Department in the procurement of munitions. In other words, a dollar-a-year man in the War Industries Board has requested some one to do something, under the belief that he will later get a contract, and this bill will give that man a legal claim against the Government. Am I correct?

Mr. FRELINGHUYSEN. I think the Senator is correct.

Mr. McKELLAR. I will say to the Senator that that is the proposition I want to discuss for just a moment when the Senator yields; and I shall be very glad to answer the Senator's question when I come to discuss it.

Mr. FRELINGHUYSEN. I yield to the Senator.

Mr. McKELLAR. Now I yield to the Senator from North Carolina.

Mr. OVERMAN. What I wanted to ask was this: Many of these contracts, two-third of them, are subcontracts. A man gets a contract to furnish a million pairs of shoes. He can not furnish them, so he lets it out to a subcontractor. I want to know if there is any provision in this bill to take care of the interests of those subcontractors?

Mr. McKELLAR. None whatever. They are not contractors with the Government.

Mr. OVERMAN. Here is a man, now, who has a contract with the Government for $2,000,000 worth of shoes. You recognize him and settle with him; but the man who made the shoes, who furnished the shoes, you do not take care of at all.

Mr. McKELLAR. That is true.

Mr. OVERMAN. Does not the Senator think there ought to be some provision by which this whole matter shall be considered, and the man who has absolutely furnished the material shall have his money?

Mr. McKELLAR. I think, if the Senator will vote for the Hitchcock substitute, he will find that that will be taken care of.

Mr. FLETCHER. Mr. President, I should like to have the Senator explain that and point out where it is. I think the bill reads much better, on the point the Senator from North Carolina refers to, than the Hitchcock amendment.

Mr. McKELLAR. If Senators will give me their attention for just a few minutes I want to discuss the class of cases to which the Senator from Wisconsin [Mr. LENROOT] so properly referred just a few minutes ago.

We all know that in the very active campaign we have had here during this war there have been many volunteers, men connected with certain lines of business, who have come down here and represented the Government in connection with those very lines of business; and in order to bring that matter directly to the attention of the Senate I am going to take the liberty of reading just a little of the testimony of three witnesses, one connected with the dye industry of the country, one with the clothing industry of the country, and a third with the vehicle industry of the country. I want to explain, before I read this testimony, that it shows the vital necessity of having some independent commission to pass upon the question of contracts with the Government.

I want to call attention to the fact that under the bill as reported by the House many of the officers who are going to settle these contracts for the Government will simply settle with themselves, and the Government has to pay whatever these gentlemen feel like taking. Let us suppose, for a minute, that it is contract on dyes. I produce the testimony of Mr. Rice, taken before our committee:

Senator McKELLAR. Who is the Southbridge Printing Co.?

Mr. RICE. A concern at Southbridge, Mass. They have been in sulphur dyeing for the last two years or more.

Senator McKELLAR. Who owns it?

Mr. RICE. Mr. Schuster, Mr. Heyward, Mr. Saunders, James A. Saunders, R. A. Rice, and Mr. Myrick. Mr. Hartley had some stock in there.

One of these gentlemen is the brother, the other the partner, of the witness, who is in charge of the Government dye bureau here in the city of Washington, buying millions of dollars worth of dye work, taking millions of dollars worth of dye work for the Government. Now, listen to this:

Senator McKELLAR. Who is Mr. R. A. Rice?

Mr. RICE. He is a brother of mine.

Senator McKELLAR. He is still interested in it?

Mr. RICE. Yes; he is still interested in it.

Senator McKELLAR. What amount of stock does he own?

Mr. RICE. It is my recollection, something like 75 shares. I would not state exactly. Of course that is of record.

Senator McKELLAR. What interest did you have in the business before you came down here?

Mr. RICE. I had about a little over one-quarter of the stock.

This was a dollar-a-year man who is testifying now, and this is one of the men who will settle with the dye interests if you pass the House bill and have no independent commission.

Senator McKELLAR. How much is it capitalized at?

Mr. RICE. $135,000.

Senator McKELLAR. How much, in contracts, has that concern got?

Mr. RICE. I believe about, all told, during the year—of course, I can give you an exact account of it.

Senator McKELLAR. I would be glad to have it.

Mr. RICE. About 3,000,000 yards.

Senator McKELLAR. Three million yards?

Mr. RICE. The recent contract, the gas-defense contract, they are doing some of the parahing for the gas defense.

Senator McKELLAR. What did you do with your stock? To whom did you sell it?

He testified that he sold the stock.

Mr. RICE. To my wife. The Quartermaster's Department stated that should be done, and I transferred it to my wife.

Senator McKELLAR. You did not sell it to her, did you?

Mr. RICE. I just transferred it over for $2.

Senator McKELLAR. You just put it in her name so you would not be interested in it?

Mr. RICE. Yes; I transferred it over to her. In other words, it belongs to her.

Senator McKELLAR. Is there any other company you are connected with which you transferred to your wife the stock in?

Mr. RICE. Yes; I had some stock of the Fiskdale Finishing Co.

Senator McKELLAR. What is the capital of that company?

Mr. RICE. The capital is $200,000 preferred and $300,000 common.

Senator McKELLAR. And what was your interest in that?

Mr. RICE. My recollection is that it was a little over a quarter interest.

Senator McKELLAR. And you transferred that to your wife?

Mr. RICE. That was in the common stock of that company; and I had, I think, about $15,000, if I recall, of preferred stock. I turned that over to my wife.

Senator McKELLAR. Have you done any business with that company?

Mr. RICE. Yes, sir.

Senator McKELLAR. How much have you allotted to them?

Mr. RICE. I should say about 3,000,000 yards during the year.

Senator McKELLAR. Have those contracts been filled?

Mr. RICE. Not all of them. They are working on them now. In fact, some of the material has been delivered to them. Gray mills are behind on the gray contracts.

Senator McKELLAR. Are there any other companies with which you were connected?

Mr. RICE. No, sir; those are the only two companies I had owned any stock in.

Senator McKELLAR. Your partnership was with Mr. Myrick?

Mr. RICE. Mr. Myrick.

Senator McKELLAR. What contract have you with Mr. Myrick about your firm business while you are down here?

Mr. RICE. None whatever. I sold out to Mr. Myrick. I have resigned and am no longer a member of the firm of Myrick & Rice. I am out of it entirely.

Senator McKELLAR. Who are the owners of that firm?

Mr. RICE. Mr. Myrick is the sole owner now of the firm.

Senator McKELLAR. Would you object to stating upon what terms you sold out that business?

Mr. RICE. Certainly; I will be glad to state. I sold out of the firm for $5,000, and all the interest that I had there for $15,000, the total amounting to $20,000. The $15,000, of course, was to pay for back contracts on commercial business; nothing whatever on any Government business.

Senator McKELLAR. When were these transactions; last March, before you came down here?

Mr. RICE. Last March; yes.

Senator McKELLAR. At whose instance did you come?

The plot still thickens!

Mr. RICE. At the request of Mr. Albert Scott and Mr. Miller Wilson.

Senator McKELLAR. What has become of Mr. Scott? What is he doing now?

Mr. RICE. I could not say. He is in Boston. I could not tell you just what he is doing.

Senator McKELLAR. Mr. Scott was interested in nearly all these mills, was he not?

Mr. RICE. I could not say.

Senator McKELLAR. You did not know that he had had large interests in them?

Mr. RICE. No, sir; I did not know anything about it. In fact, I had never met Mr. Scott but once, in 1917.

Senator McKELLAR. Mr. Scott, I do not believe, had any interest in any of these competing plants, but he had interests in all the cotton manufactories, or was represented in them.

Mr. DONALD. Only a very few, Senator.

I am not going to read all this testimony, but what he testified was that he was down here representing the Government, buying from the mills in which he formerly owned the stock and which he transferred to his wife without compensation, and that they were getting the dividends from that stock, and it was paying very handsomely, too. If when we turn these contracts over to the Secretary of War, as provided by the House, we are going to turn the settlement of the contract over to Mr. Rice, who may still be a dollar-a-year man, as I understand, or was a short time ago; is that right? Does any Senator feel that he wants to do that? Why pass any bill at all? Why not just invite the contractors and these dollar-a-year men to come down and take what they want?

Mr. FRELINGHUYSEN. Will the Senator suffer an interruption?

Mr. McKELLAR. I will be delighted.

Mr. FRELINGHUYSEN. Of course, no one will indorse such a practice as the Senator has pointed out in reading the testimony, but can not the interests of the Government be safeguarded against such fraud, if fraud it is?

Mr. McKELLAR. It can not be under the bill introduced in the House. I believe it can be safeguarded under the Hitchcock bill, with section 3 of the substitute bill as an amendment. I hope it can. I do not know whether that will do it or not. It is mighty hard to get around these gentlemen.

Mr. FRELINGHUYSEN. I suggest to the Senator that on page 4 of the committee amendment the Senator from Wisconsin [Mr. LENROOT] suggested that it would improve the bill and protect the Government against such a practice the Senator has pointed out in the testimony taken before the Committee on Military Affairs by striking out, on line 6, page 4, the words "to produce or aid in procuring the same for the War Department."

Mr. McKELLAR. That would help it some, but it is perfectly evident to me that if this were a solitary example that I was referring to here there might not be a great deal in the contention. However, this is the rule and not the exception. I do not say it is a universal rule, but the rule very largely. For instance, in the Clothing and Equipage Division I have the testimony here of Mr. H. L. Bailey, the chairman of that division. He testified that he had stock in a number of concerns, and he transferred it to his wife and then did business with his wife's concern and the concern of Wellington, Sears & Co., and expected to go back as soon as the war is over. I am not going to read that testimony, but I ask unanimous consent to put it in the RECORD. I think Senators ought to have it.

The VICE PRESIDENT. Without objection, it will be printed in the RECORD.

The matter referred to is as follows:

THE CASE OF H. L. BAILEY.

The case of H. L. Bailey, who is chief of the cotton-goods branch of the Clothing and Equipage Division, is somewhat similar to that of Mr. Rice. Mr. Bailey was a partner of the Wellington, Sears & Co., one of the largest cotton-goods firms of the country. He also owned stock in one cotton mill, and his wife had stock in two cotton mills. He had stock in the Gluck Mills, of Anderson, S. C., and his wife owned stock in the Lanett Cotton Mills, Lanett, Ala., and the Equinox Mills, of Anderson, S. C. He bought from both the Lanett and Equinox Mills.

Senator McKELLAR. Now, virtually speaking, this compensation is, with the exception of Commander Hancock, fixed by the trade? In other words, you gentlemen are all affiliated with the cotton trade?

Mr. BAILEY. I do not know what you mean by "affiliated."

Senator McKELLAR. I mean connected.

Mr. BAILEY. I am an experienced cotton manufacturer and have come from the industry.

Senator McKELLAR. You are not connected with it at the present time, but you came from the firm of Wellington, Sears & Co. and were what is known as a dollar-a-year man?

Mr. BAILEY. Yes.

Senator McKELLAR. And you went out of Wellington, Sears & Co. after you went into the service of the Government as a dollar-a-year man?

Mr. BAILEY. I did.

Senator McKELLAR. And there is no use our attempting to camouflage the thing one way or another. We might as well look it right square in the face. When this war is over you are going back in the cotton trade, of course.

Mr. BAILEY. I am, as I have to support my family.

Senator McKELLAR. Of course; and your interests and expectations are all in that trade; and it does seem to me that we could devise a plan that would make a real buyer and seller. As it is now, you gentlemen just fix the amount at such figure as you think would be reasonable, upon such basis as you think fit, and the Government foots the bill; and I see here from the public print that there never has been such marvelous prosperity to the cotton mills of the country. That is natural and, in a way, that is admirably right.

Mr. BAILEY. Yes.

Senator McKELLAR. But I do not think that they ought to take such tremendous profits; and they are taking enormous profits. Now, Mr. Scott testified frankly that there were from 8 to 10 turnovers a year, and that they allowed on the basis of 12½ per cent a turnover. By an easy calculation, that is from 100 to 150 per cent a year.

Mr. BAILEY. Did Mr. Scott testify that there were from 8 to 10 turnovers a year?

Senator McKELLAR. Yes; that is my recollection.

Mr. BAILEY. Either you or Mr. Scott are mistaken.

Senator McKELLAR. How many turnovers are there a year?

Mr. BAILEY. It varies with the different kinds of goods.

Senator McKELLAR. Just enumerate the different kinds of goods, if you will, because I do not want to have any mistake about it. I do not want to be mistaken about it. Take the white duck used for tentage, and how many turnovers are there a year on that?

Mr. BAILEY. I will have to make a little computation here on that.

Senator McKELLAR. As a matter of fact, Mr. Bailey, the real committee that fixes prices is the small committee composed of Mr. Scott, yourself, and Commander Hancock and Mr. Turner?

Mr. BAILEY. Absolutely not, sir.

Senator McKELLAR. In what instance has any fixing of prices ever been changed by the big committee?

Mr. BAILEY. The low basis of prices which was submitted by this war-service committee before I became a member of the smaller committee, and which was put up to the large committee by the smaller committee was—well, I will not say repudiated, because it is too strong a word; but it was not allowed by the large committee, and the industry was called in conference by the large committee and the matters were thrashed out and the basis arranged in conference with the large committee and not by the small committee.

Senator McKELLAR. Was that one approved by the small committee—that one that was adopted?

Mr. BAILEY. I was not a member of the small committee at the time. It was approved to the extent that it was put up to the large committee.

Senator McKELLAR. What I want to know is, has any recommendation of the small committee, since you have been a member of it, ever been turned down by the big committee?

Mr. BAILEY. The small committee since I have been a member of it has not taken the responsibility for these prices. It has merely discussed the details, and a group of experts appointed by the price-fixing committee of the War Industries Board has been intrusted with the responsibility of supervising the differentials made for different cotton fabrics.

Senator McKELLAR. Now, what committee is that?

Mr. BAILEY. I have not taken any responsibility for the price fixing.

Senator McKELLAR. What is this supervising committee? Whom is that composed of?

Mr. BAILEY. It is composed of two mill engineers, Mr. Makepeace and Mr. Sirrine.

Senator McKELLAR. Anybody else?

Mr. BAILEY. No.

Senator McKELLAR. Who is Mr. Makepeace, and what mill is he connected with?

Mr. BAILEY. He is not connected with any mill. He is an engineer of Providence, R. I.

Senator McKELLAR. An engineer. Whom does he work for? What is his first name?

Mr. BAILEY. He has his own concern. I can not recall his first name, for the moment.

Senator McKELLAR. What kind of an engineer is he? What does he know about making prices for cotton goods?

Mr. BAILEY. He is a construction engineer.

Senator McKELLAR. What does he know about making prices for cotton goods?

Mr. BAILEY. I should think that would be a proper question for him to answer, Senator McKellar.

Senator McKELLAR. I know, but I just want to find out something about him.

Mr. BAILEY. He is a man who lays out mills for making certain grades of fabrics, who is presumably well informed as to the present cost of such mills, as to the past cost of such mills, their productive capacity, and for that reason the profit per pound which they should have to give them a certain return on their capital invested, and that sort of thing.

Senator McKELLAR. Is he employed by cotton mills—to construct cotton mills?

Mr. BAILEY. Yes.

Senator McKELLAR. Is he in them, personally?

Mr. BAILEY. Very likely, but I do not know. I have no knowledge of it.

Senator McKELLAR. Who is Mr. Sirrine?

Mr. BAILEY. He is also a mill engineer, of Greenville, S. C.

Senator McKELLAR. Does he own mills, too?

Mr. BAILEY. I do not know.

Senator McKELLAR. Or is he interested in their ownership?

Mr. BAILEY. I do not know. My description of Mr. Makepeace would apply to Mr. Sirrine also.

Senator McKELLAR. Is it not a fact that with the exception of the Army and Navy officers, every man connected with the price fixing is directly or indirectly connected with the cotton trade?

Mr. BAILEY. No, sir.

Senator McKELLAR. Now, name any that are not.

Mr. BAILEY. Mr. Brookings, Mr. Baruch, Prof. Taussig, and Mr. Franey.

Senator McKELLAR. Was Mr. Brookings ever connected with it?

Mr. BAILEY. No, sir.

Senator McKELLAR. What was his business?

Mr. BAILEY. He was the president of the Samuel Couples Woodenware Co., of St. Louis.

Senator McKELLAR. Prof. Taussig never was connected with the cotton trade?

Mr. BAILEY. Not to my knowledge. He was a professor at Harvard College.

Senator McKELLAR. I know he was. I did not know what his business was prior to that. Do you know whether Mr. Baruch or Prof. Taussig or Mr. Brookings have ever gone themselves into the figures submitted by these various committees?

Mr. BAILEY. Mr. Brookings has himself in great detail, and so has Mr. Baruch. Mr. Baruch was present and spoke at length at one meeting of the price-fixing committee.

Senator McKELLAR. Have they ever taken into consideration the profits made by these concerns?

Mr. BAILEY. The profits that have been made?

Senator McKELLAR. That are being made out of the Government by these various selling concerns.

Mr. BAILEY. I think so.

Senator McKELLAR. If you have taken that into consideration, what profits have been made by any of the mills, and give their profits that you considered.

Mr. BAILEY. I am not qualified to do that, Senator McKellar.

Senator McKELLAR. And give the dates.

Mr. BAILEY. I haven't them.

Senator McKELLAR. Did you ever consider it in making these prices?

Mr. BAILEY. Yes. For instance, we have been allocating heavy duck from about 40 mills. Now, some of those mills would make double the profit of others, at the same price. But I want to record with you that the large profits made by the cotton mills, the marvelous profits that you have spoken of, have not been made on Government contracts, but because they have been selling their commercial contracts at much higher prices than the Government has been paying, and that all of that excess was an additional profit; and further, that these mills have, within the last year and a half, gone from cotton below 20 cents a pound to cotton at 36 or 37 cents a pound, which in itself would mean an enormous profit on their raw material. They have got the other end of that coming.

Senator McKELLAR. Does the price change from time to time?

Mr. BAILEY. Oh yes—not since price fixing.

Senator McKELLAR. When did you have the first price fixing?

Mr. BAILEY. The first price fixing was made the latter part of June, to be effective from June 8, I believe.

Senator McKELLAR. And then you paid the same prices for all cotton goods bought—I mean of the same grade and quality?

Mr. BAILEY. Since that time.

Senator McKELLAR. Since that time?

Mr. BAILEY. From normal producers.

Senator McKELLAR. Have you a statement from the mills in which you and Mrs. Bailey are interested as to the profits made for last year and this year?

Mr. BAILEY. No; I have no idea what they are. I have been very busy with other things.

Senator McKELLAR. You do not know what dividends they pay?

Mr. BAILEY. I haven't it in mind, you know.

Senator McKELLAR. Do you know what dividends any of these mills pay that you have been doing business with? Have you it in mind?

Mr. BAILEY. No; I have not.

Senator McKELLAR. You fixing prices this way, would not that be very important knowledge for you to have?

Mr. BAILEY. I think——

Senator McKELLAR. Is not that the most important knowledge that you could have if you were going to fix the price? For instance, if you were going to fix the price for lumber produced by me—I am not in the lumber business, but used to be many years ago—suppose you were going to fix the price of lumber and I was a going concern and had a large business, and we were selling to you and had been selling to you on Government contracts——

Mr. BAILEY. Yes.

Senator McKELLAR. Would it not be very important for you to know what profits I was making on that lumber before you undertook to fix the price?

Mr. BAILEY. If you were a corporation and were selling the Government at a lower price than you were selling your civilian business, I should say that the profits you were making were no indication of what a fair price would be on your lumber.

Senator McKELLAR. Taking it about selling the Government at a lower price, the fact that the Government is in the market for these cotton goods is one of the things that has made cotton goods soar?

Mr. BAILEY. Definitely; yes.

Senator McKELLAR. Yes.

Mr. BAILEY. But that is not my problem, you know.

Senator McKELLAR. But your problem is when you fix the price that you give the seller a reasonable profit, is it not?

Mr. BAILEY. Yes.

Senator McKELLAR. How can you tell what a reasonable price is unless you know what his profit is?

Mr. DONALD. Mr. Bailey testified that he is not on that price-fixing committee.

Senator McKELLAR. I know, but he has recommended to them.

Mr. DONALD. He has never recommended to them.

Senator McKELLAR. Have you never recommended to them?

Mr. BAILEY. I have not, officially.

Senator McKELLAR. That is just the thing. I can understand how a price might not be recommended officially and yet just as effectively. As you will recall, one of the things I have been decrying for over a year is those unofficial committees actually doing the work, and I have a letter from the Secretary of War assuring me that there was not an unofficial committee in operation, yet I find them at almost every turn of the road where unofficial committees are recommending prices.

Mr. BAILEY. You mistake the intention of my remark.

Senator McKELLAR. Well, of course I do not want to do that.

Mr. BAILEY. As one of probably 25 in a meeting with the War Industries Board price-fixing committee I have participated in a discussion regarding prices. My influence has not been on the side of increasing prices of cotton goods, Senator McKELLAR.

Senator McKELLAR. Well, now, do you actually, whether officially or unofficially, recommend prices?

Mr. BAILEY. At the present time?

Senator McKELLAR. At the present time.

Mr. BAILEY. No; I do not.

Senator McKELLAR. Have you ever done it?

Mr. BAILEY. Oh, yes.

Senator McKELLAR. When did you stop?

Mr. BAILEY. When——

Senator McKELLAR. The price was fixed?

Mr. BAILEY. When price fixing came into effect.

Mr. FLETCHER. May I ask the Senator whether he said it will be a case of these gentlemen passing upon their own irregular contracts?

Mr. McKELLAR. Absolutely.

Mr. FLETCHER. For instance, the Secretary of War or the Assistant Secretary of War has stated that they have an original board going into this question, and then they have contract review boards.

Mr. McKELLAR. I understand all that, but it is the man who represents the Government in the initial proceeding who commits the Government and the review board really adopts what he does.

Mr. FLETCHER. That is the question. The review boards are not there for that purpose.

Mr. McKELLAR. I will say this to the Senator and let him think it over himself. I earnestly asked the Secretary of War and the Quartermaster General of the Army, upon the proof I have read just awhile ago from Mr. Rice, that they would discharge Mr. Rice and get somebody who was disconnected with that industry in charge of that particular division, and they declined to do it. Mr. Rice, so far as I know, still represents the Government, although this testimony was taken several weeks ago. If that is the case, what we are doing, if we vote for the House bill or if we vote for the initial arrangement, is just to turn it over to these very gentlemen to settle their own contracts. That is all we are doing, and we might just as well invite these gentlemen to come down and take what they will, but I want Senators to do it with their eyes wide open, because those are the facts.

Mr. CHAMBERLAIN. Let me remind the Senator that we are not voting on the House bill.

Mr. McKELLAR. I know, but if you leave it to these gentlemen who are representing the department now to settle with themselves as provided under the committee bill, you are simply turning it over to them to settle on their own good judgment, and you see what kind of men you are going to settle with.

Mr. FLETCHER. I think the Senator is going rather far in that conclusion.

Mr. McKELLAR. Will the Senator read the testimony? It will be in the RECORD in the morning, and he can reach his own conclusion.

Mr. FLETCHER. I am not questioning that, but what I am interested in is that his review board has something more to do than to rubber stamp the action of some subordinate officer.

Mr. McKELLAR. Let me interrupt the Senator.

Mr. FLETCHER. I want to complete the sentence. The review board as now constituted is already operating and it is composed of Mr. Garnett, of Virginia; Mr. Lehmann, of New York; and Mr. Malone, of New York. They are actually functioning now as a board. So you can not say that they would be selected after this bill is passed with any view to passing favorably on contracts or anything of that sort.

Mr. McKELLAR. The trouble about it is that the commission established under the bill last reported out by the committee has not any jurisdiction until it is appealed to, and 95 per cent of the cases will not be appealed by either party, and you will leave it to these very men, who have been dealing with the Government in that way, to pass upon their own acts. If the Senate is willing to do that, it may do so. I am not going to vote that way myself.

I next come to the testimony of Mr. Donald, and I want to call the attention of Senators particularly to the fact that the reason for accepting dollar-a-year men was that they had peculiar knowledge of the things about which they came here to do work.

Senator McKELLAR. Mr. Donald, will you tell us your connection with the Quartermaster Corps?

Mr. DONALD. I am chief of the clothing and equipage division.

Senator McKELLAR. When did you become chief of that division?

Mr. DONALD. About June 1.

Senator McKELLAR. What was your business before?

Clothing man? Equipage man? No.

Mr. DONALD. I was a lawyer.

Senator McKELLAR. Were you ever engaged in the cotton business?

Mr. DONALD. No, sir.

Senator McKELLAR. How did you happen to get into the cotton goods department of the Government?

Mr. DONALD. Well, it is the whole clothing and equipage division.

Senator McKELLAR. Well, the whole clothing and equipage division; how did you happen to get into it?

Mr. DONALD. I was asked to come to Washington last February.

Senator McKELLAR. By whom?

Mr. DONALD. Mr. Scott, who was then chief of the division.

I will say to the Senator that Mr. Scott was the man who was discharged at my request, and for which I have been considerably criticized. He was discharged as chief of this division because of his connection with practically all the firms with which he was doing business. That appeared in the proof, and the quartermaster acted upon my request and discharged Mr. Scott. Here is Mr. Donald, a man who comes and takes Mr. Scott's place, and it develops afterwards that he is Mr. Scott's lawyer or the lawyer for Scott's firm. Now, listen to this:

I was asked to come to Washington last February.

Senators, remember now we are turning the settlement of these contracts over to these gentlemen to settle with themselves. I sometimes think the poor old Government has not many friends around.

Mr. SMOOT. Where did Mr. Scott go?

Mr. McKELLAR. He went back home; but I will give it to you from the testimony in a moment.

Senator McKELLAR. Did you ever represent Mr. Scott or any of his companies before that?

Mr. DONALD. I personally have not represented Mr. Scott. My firm had done some business for Mr. Scott.

Senator McKELLAR. What is your firm?

Mr. DONALD. Herrick, Smith, Donald & Farley.

Senator McKELLAR. What Herrick is that?

Mr. DONALD. Robert F. Herrick.

Senator McKELLAR. Of New York?

Mr. DONALD. Of Boston.

Senator McKELLAR. You were asked by Mr. Scott to come here?

Mr. DONALD. Yes, sir.

Senator McKELLAR. Were you familiar with the cotton trade, the clothing trade, before you came here?

Mr. DONALD. No, sir.

Senator McKELLAR. Were you ever in the clothing business or the cotton business?

Mr. DONALD. No, sir.

Senator McKELLAR. You heard Mr. Bailey testify a few minutes ago that it would be difficult to find a man who had never had any experience in the business that would know enough about it to manage it for the Government. How do you get along under that definition?

Mr. DONALD. Our division is a very large division, and, of course, we have in each of our branches the men who are technical experts in the business.

Senator McKELLAR. Why were you selected? Do you have any idea why you were selected to come down here?

Mr. BAILEY. He is too modest to answer.

He was too modest to answer; he did not answer, and Mr. Bailey testified for him.

Senator McKELLAR. Let him go right ahead. I am after the facts.

Mr. DONALD. The clothing and equipage division was organized by Gen. Goethals in January of this year. It was an entirely new organization and they needed a large number of men to assist. I myself have recently been endeavoring to get another lawyer to come down here. I came down as general assistant, believing there would be work in which I could assist.

Senator McKELLAR. Referring again to your connection with cotton firms, does Herrick, Smith, Donald & Farley represent cotton manufacturers?

Mr. DONALD. There are a good many cotton manufacturers in and around Boston and New England.

That is supposed to be an answer to the question.

Senator McKELLAR. Just tell me offhand; I will not hold you to all of your clients in that particular line, but give me the more important ones, at any rate.

Mr. DONALD. We have, so far as I know, Senator, no retainers from any firms.

Senator McKELLAR. I understand that, but I want to know whom you represented. For instance, I know whether I represented the Union State Bank or the Central State Bank of Memphis, Tenn., and if you asked me what firms I represented I could give them to you that quick, or if you asked me what cotton houses I had represented I can tell you.

Mr. DONALD. My firm had four members, and it is a firm which has been in practice since 1873, and it has represented a great many different concerns at different times.

Senator McKELLAR. Would you give me what your firm represented, so far as you can? You have been in the firm over a year?

Mr. DONALD. Yes, sir.

Senator McKELLAR. And you have been in it since the war? You are interested in it now?

Mr. DONALD. Not at the present time.

Listen to this:

Senator McKELLAR. You have no interest in the partnership now?

Here is what he said, and I will afterwards read you what he interlined:

Mr. DONALD. Last year the firm of Herrick, Smith, Donald & Farley was formed. We were formerly members of the firm of Fish, Richardson, Herrick & Neave. Mr. Farley, one of my partners, went to Plattsburgh in April. My partner, Mr. Smith, had been in the Army and he is now abroad. The firm has practically been broken up. I do not understand that I am getting any money from the firm and I have not been since last February.

He interlines this:

I do not understand that I am getting any money from (*earned by other members of*) the firm and I have not been (*received any*) since last February. (*I stated to them when I left that I did not wish to take any amounts thereafter earned by the other partners, and that I wished to share expenses if the salaried employees did not earn their expenses. If these employees earn more than their expenses, it is possible the partners may wish to apportion a share of this surplus to me, but the matter has never been arranged or seriously considered.*)

I am not going to read all he said, but it is on a line with the other. Here are other firms that he represents, every one of them doing business with his division of the Government, and when you turn these contracts over to him to arrange you are going to just turn them right over to the contractors to settle. When you take either one of the first bills without an independent commission are you going to turn it over to these gentlemen to settle with themselves and with their clients?

Mr. NUGENT. Mr. President——

Mr. McKELLAR. I will yield in just one minute.

I asked him for the names and he said he had represented mills and cotton agents, the Queen City Cotton Mills and various others. He goes on to testify that he took Mr. Scott's place. I ask permission to insert in the RECORD that testimony verbatim. It is not very long.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

STATEMENT OF MR. MALCOLM DONALD, CHIEF OF THE CLOTHING AND EQUIPAGE DIVISION, QUARTERMASTER CORPS.

Senator McKELLAR. Mr. Donald, will you tell us your connection with the Quartermaster Corps?

Mr. DONALD. I am chief of the clothing and equipage division.

Senator McKELLAR. When did you become chief of that division?

Mr. DONALD. About June 1.

Senator McKELLAR. What was your business before?

Mr. DONALD. I was a lawyer.

Senator McKELLAR. Were you ever engaged in the cotton business?

Mr. DONALD. No, sir.

Senator McKELLAR. How did you happen to get into the cotton goods department of the Government?

Mr. DONALD. Well, it is the whole clothing and equipage division.

Senator McKELLAR. Well, the whole clothing and equipage division; how did you happen to get into it?

Mr. DONALD. I was asked to come to Washington last February.

Senator McKELLAR. By whom?

Mr. DONALD. Mr. Scott, who was then chief of the division.

Senator McKELLAR. Did you ever represent Mr. Scott or any of his companies before that?

Mr. DONALD. I personally have not represented Mr. Scott. My firm had done some business for Mr. Scott.

Senator McKELLAR. What is your firm?

Mr. DONALD. Herrick, Smith, Donald & Farley.

Senator McKELLAR. What Herrick is that?

Mr. DONALD. Robert F. Herrick.

Senator McKELLAR. Of New York?

Mr. DONALD. Of Boston.

Senator McKELLAR. You were asked by Mr. Scott to come here?

Mr. DONALD. Yes, sir.

Senator McKELLAR. Were you familiar with the cotton trade, the clothing trade, before you came here?

Mr. DONALD. No, sir.

Senator McKELLAR. Were you ever in the clothing business or the cotton business?

Mr. DONALD. No, sir.

Senator McKELLAR. You heard Mr. Bailey testify a few minutes ago that it would be difficult to find a man who had never had any experience in the business that would know enough about it to manage it for the Government. How do you get along under that definition?

Mr. DONALD. Our division is a very large division, and, of course, we have in each of our branches the men who are technical experts in the business.

Senator McKELLAR. Why were you selected? Do you have any idea why you were selected to come down here?

Mr. BAILEY. He is too modest to answer.

Senator McKELLAR. Let him go right ahead. I am after the facts.

Mr. DONALD. The clothing and equipage division was organized by Gen. Goethals in January of this year. It was an entirely new organization and they needed a large number of men to assist. I myself have recently been endeavoring to get another lawyer to come down here. I came down as general assistant, believing that there would be work in which I could assist.

Senator McKELLAR. Referring again to your connection with cotton firms, does Herrick, Smith, Donald & Farley represent cotton manufacturers?

Mr. DONALD. There are a good many cotton manufacturers in and around Boston and New England.

Senator McKELLAR. Just tell me offhand; I will not hold you to all of your clients in that particular line, but give me the more important ones, at any rate.

Mr. DONALD. We have, so far as I know, Senator, no retainers from any firms.

Senator McKELLAR. I understand that, but I want to know whom you represented. For instance, I know whether I represented the Union State Bank or the Central State Bank of Memphis, Tenn., and if you asked me what firms I represented I could give them to you that quick, or if you asked me what cotton houses I had represented I can tell you.

Mr. DONALD. My firm had four members, and it is a firm which has been in practice since 1873, and it has represented a great many different concerns at different times.

Senator McKELLAR. Would you give me what your firm represented, so far as you can? You have been in the firm over a year?

Mr. DONALD. Yes, sir.

Senator McKELLAR. And you have been in it since the war? You are interested in it now?

Mr. DONALD. Not at the present time.

Senator McKELLAR. You have no interest in the partnership now?

Mr. DONALD. Last year the firm of Herrick, Smith, Donald & Farley was formed. We were formerly members of the firm of Fish, Richardson, Herrick & Neave. Mr. Farley, one of my partners, went to Plattsburg in April. My partner, Mr. Smith, had been in the Army and he is now abroad. The firm has practically been broken up. I do not understand that I am getting any money from (*earned by other members of*) the firm and I have not been (*received any*) since last February. (*I stated to them when I left that I did not wish to take any amounts thereafter earned by the other partners, and that I wished to share expenses if the salaried employees did not earn their expenses. If these employees earn more than their expenses, it is possible the partners may wish to apportion a share of this surplus to me, but the matter has never been arranged or seriously considered.*) [Italicised words in parentheses show changes made by Mr. Donald after the hearing.]

Senator McKELLAR. It has been dissolved?

Mr. DONALD. It has not been formally dissolved.

Senator McKELLAR. And there has been no modification of the agreement about profits of the firm?

Mr. DONALD. We had no writtten agreement.

Senator McKELLAR. You had no agreement?

Mr. DONALD. (*No written agreement.*) When I came away it was understood that I should take no further profits (*did not wish to take profits thereafter earned by other members of the firm.*)

Senator McKELLAR. I interrupted you when you were going to give me a list of the cotton manufacturers that you represented.

Mr. DONALD. We have represented the Pacific Mills and the Everett Mills.

Senator McKELLAR. The Everett?

Mr. DONALD. At times. We have represented the Harmony Mills; Bliss, Fabyan & Co., and, I think, at times, Minot, Hooper & Co.

Senator McKELLAR. Did you ever represent any companies in which Mr. A. L. Scott was interested?

Mr. DONALD. The firm has.

Senator McKELLAR. Which ones are those? Do you know what concerns Mr. Scott is interested in? Mr. Scott is in all of them, is he not, directly or indirectly?

Mr. DONALD. He is in two or three—three or four.

Mr. BAILEY. Mr. Scott is a partner of Lockwood, Green & Co.

Mr. DONALD. J. Spencer Turner & Co. I personally did not do their work, and that is the reason, Senator, I can not tell you.

Mr. BAILEY. J. Spencer Turner & Co.?

Senator McKELLAR. What is that Green firm?

Mr. BAILEY. Lockwood, Green & Co.; that is the Mount Vernon-Woodbury Mills.

Mr. DONALD. It is the International Cotton Mills.

Mr. BAILEY. Yes; the International Cotton Mills.

Senator McKELLAR. Mr. Scott is at the head of the J. Spencer Turner Co.?

Mr. DONALD. No, sir.

Senator McKELLAR. What company is he the head of?

Mr. DONALD. He is not the head of any firm. He is a member of the firm of Lockwood, Green & Co., who are mill engineers, really, and who are managers of several concerns.

Mr. BAILEY. And part owners in these concerns that we have mentioned here.

Senator McKELLAR. You do not recall any others?

Mr. DONALD. I think our firm has doubtless represented other firms of a similar kind.

Senator McKELLAR. Yes. As a matter of fact, your firm is a large firm and represents a great many of these mills and cotton agents, does it not?

Mr. DONALD. It has, from time to time.

Senator McKELLAR. It has, from time to time?

Mr. DONALD. I believe I did a small amount of work for the Queen City Cotton Mills last year.

Senator McKELLAR. Have all these concerns got contracts with the Government?

Mr. DONALD. I have not the slightest idea, Senator.

Senator McKELLAR. Do you know whether any of them have?

Mr. DONALD. Yes; I think so.

Mr. BAILEY. They all have, unless we have overlooked them.

Senator McKELLAR. Unless you have overlooked them. Now, why did Mr. Scott want you, a lawyer, to come down here and engage in the cotton goods business?

Mr. DONALD. He asked me to come down and take up the question of the inspection of our goods.

Senator McKELLAR. When did he ask you to come down?

Mr. DONALD. In January, I think.

Senator McKELLAR. You came, when?

Mr. DONALD. I came in February, as I recall it.

Senator McKELLAR. You came as a dollar-a-year man?

Mr. DONALD. No; I have been paid a salary of $3,500.

* * * * * * *

Senator McKELLAR. Whose place did you take?

Mr. DONALD. Mr. Scott's place.

Senator McKELLAR. You took Mr. Scott's place? You knew that Mr. Scott's resignation had been asked for because of his connection with the various concerns which he had been in business with, did you not?

Mr. DONALD. I understood that was one reason.

Senator McKELLAR. As a lawyer did you not feel that your coming into the same place, representing all these companies, or in part representing all these companies, would put you in virtually the same position that Mr. Scott had been in before?

Mr. DONALD. I do not understand that I am representing all these companies.

Senator McKELLAR. You have just testified here to representing a great number of mills, and being the legal representative of Mr. Scott himself, or one of his mills, and you say you came here at his request, and you have taken his place, and my question is that, when you have seen that Mr. Scott was asked for his resignation because of his connection with these various mills with which you say you are connected, would it not have seemed to you—I am just asking this very plainly and very bluntly—that it would put you in the same category as it would Mr. Scott? In other words, if a vice president of Mr. Scott's company, of a man interested just precisely like Mr. Scott was, had come to you and asked you for legal advice, saying that Mr. Scott had just been dismissed from the Government service because he was connected with all these cotton firms, and asked you if you would advise him to take Mr. Scott's place, under those circumstances you would not have hesitated a moment in saying that this other man who was similarly situated would fall under the same ban, would you?

Mr. DONALD. I would undertake to ask him what his connection was. The fact that some cotton mills have in the past employed me to do some legal services for them did not, to my mind, mean that I was at present interested in those cotton mills.

Senator McKELLAR. Who gave Mr. Scott the right to appoint you in his stead?

Mr. DONALD. Mr. Scott did not appoint me in his stead.

Senator McKELLAR. Who appointed you in his place?

Mr. DONALD. Gen. Wood, Acting Quartermaster General.

Senator McKELLAR. All right. Unless you wish to make some other statement I do not believe that there is anything further. I am greatly obliged to both of you.

I now yield to the Senator from Idaho.

Mr. NUGENT. I merely desired to ask the Senator from Tennessee which one of these numerous bills he feels will obviate the objections which he has raised.

Mr. McKELLAR. The Hitchcock bill, with the amendment of section 3 of the committee's bill, will come nearer doing it than any other, and that is what I propose. I suppose the Senate will perfect both that and the Hitchcock bill. I mean under the rule or under unanimous consent the Hitchcock bill will be perfected and then the committee bill will be perfected. When it comes to the perfection of the Hitchcock bill I wish to offer section 3 of the committee's bill as an amendment to that bill, and with that amendment I am going to vote for the Hitchcock bill, because I think it will come nearer obviating the difficulties I have mentioned.

I want to say that the same objection arises not only in the equipage division and the clothing division but in the dyestuffs division, but it does arise especially in the vehicle division. The testimony shows what has been done in the vehicle division and what has been done in the enamel-ware division, where one concern cut out all the rest of them, and its agent, who was a Maj. McCubbin in the Army, bought all except $34,000 worth of enamel ware from one concern over in Pittsburgh. Under those circumstances you are just turning over to this great enamel-ware concern the right to settle with its own employees representing the Government.

Mr. CHAMBERLAIN. May I interrupt the Senator? Does the Senator mean to say that any of those representatives are on any of these boards?

Mr. McKELLAR. I mean to say, for instance, Col. R. W. Lea, as shown by the proof before our subcommittee, is the chief of the vehicle division. He is connected with either the Moline or Studebaker Co., I forget which—the proof will show—and has sent out instructions which I am going to ask leave to insert in the RECORD as a part of my remarks, a letter, by which it appears to me that he instructed the vehicle division how they could best get the most out of their unfinished contract with the Government. I have it not before me, but I will get it and submit it, and ask unanimous consent that it may be inserted as a part of my remarks.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

[Copy.]

NOVEMBER 5, 1918.

MOTORS AND VEHICLES DIVISION,
VEHICLES BRANCH, O. R. P. & S.,
Munitions Building, Washington, D. C.

Cancellation of Escort Wheel Contract, P. O. No. ——

1. It has been found, in the best interest of the military service, necessary to cancel a large portion of the undelivered balance of contracts for Escort wagon wheels; and your contract, as above noted, covering Escort wheels is reduced to —— wheels, in accordance with mutual agreement reached with you when you were in the office of the Vehicle Branch at Washington, November —— 1918. The plan of procedure covering this cancellation of —— Escort wheels was discussed with you, and an adjustment which will save you from loss in the transaction is to be made substantially according to the following plan:

a. No payment will be made for prospective profits on the canceled portion of your contract.

b. The Government will enter into a supplemental contract with you whereby your original contract is reduced in size by the amount above stated and whereby you will be reimbursed for the following items, upon furnishing satisfactory written statements, certified as correct and checked and approved by Government officers.

2. Those items are allowable only when the expenses are incurred by you in good faith for the performance of the contract and as fairly and properly apportionable to the Escort wheels, delivery of which is now terminated.

a. Expenses of special engineering, plant organization, and miscellaneous indirect items: This item will cover these expenses which may not now be shown as tangible assets, such a the cost of perfecting organization, general engineering expenses incurred in the designing and installation of special equipment acquired, and such other provable items which in ordinary manufacturing experience cause the earlier deliveries on a contract to be less profitable than the later deliveries, by reason of delay in obtaining good production, on account of training of organization required in equipment, increased cost of administration and supervision on account of lack of acquaintance with difficulties, etc. Some firms charge such items to "job cost," in which case certified account can be easily rendered. If such practice is not employed by you, it is very necessary that you scrutinize this item carefully, so that the figures submitted may be supported by the facts gathered through possible later investigation.

Manufacturing experience usually shows that the last part of a contract renders a larger percentage of profit than the first portion of deliveries, large enough in most cases to make up for the smaller profit in the first period of production. As this portion of the contract rendering a more favorable profit is hereby canceled, some recognition of the spread of this indirect expense will be given; but you are cautioned, as stated above, to go into this matter in detail, as profits or losses vary according to the efficiency of concerns, and figures submitted on this item must be irrefutable.

Several contractors in our conference have stated that they would undoubtedly waive this claim, especially those who have been on quite similar wheel production prior to the taking of the contract which is now partially canceled.

The statement covering it, therefore, should be clear, convincing, and supported by actual cost records which you can fully substantiate.

b. Cost of facilities and equipment provided solely for the performance of this contract: This includes machinery and special tools and cost of installing these, dry kilns, buildings and necessary remodeling, and other equipment which falls within the proviso. Those items must be accompanied by a sworn statement covering the cost of all such facilities, item by item, and the statement must be clearly provable by you by original invoices, book entries, or other information submitted. To guide you in the handling of this matter an assumed case is explained below:

For example: Let us state that $100,000 was spent on the equipment, as covered above, to take care of the manufacture of 100,000 wheels, of which 50,000 wheels are now canceled.

From this total, fully set forth, is to be deducted an amount which can be fairly and properly considered absorbed in the completed portion of the contract. In other words, as you build wheels you gradually absorb the cost of special facilities.

In the assumed case, 50,000 wheels will be built out of the 100,000 wheels for which equipment and facilities were provided. One half the original cost is therefore absorbed, and the difference is $50,000.

From this amount (difference between original cost and cost absorbed) is to be deducted the appraised value of the facilities. This will be determined by three appraisers—one appointed by the contractor, one appointed by the contracting officers, and the third appointed by those two. This appraised value is ascertained by them—in other words, a salvage value depending upon the value of the facilities to you in your manufacture or their resale value to others or possibly scrap value, is to be deducted. In determining this, it is presumed that the expense of removing the facilities, if this should be necessary, will be considered.

In our assumed case, suppose the appraised value was $10,000, then the sum remaining is the net compensation due you on account of expenditures made for facilities and equipment provided solely for the performance of your contract.

In this case the difference is $40,000, and this amount will be paid to you by the Government.

In preparing the tentative statement on this Item B sub b, the appraised value will have to be left blank. When you are ready for the appraisal to be made, the appraiser selected by the contracting officers will be sent to your plant to perform this duty immediately upon notification.

C. Where you have provided in good faith items of material which will be left on hand and which are over and above the materials required in the wheels covered by the reduced contract which you will be allowed to produce, such materials will be purchased by the Government and will become the property of the United States. Such items will be covered by certified invoices and in determining unit value f. o. b. your plant there will be included an additional 10 per cent covering handling charges in and out and any other necessary compensation.

Continuing our assumed case: Say you have on hand 50,000 club turned spokes which cost you 13½ cents each at your factory. Part of these are fully finished, part kiln dried, and part green club turned. Assume that the portion of the order that you are allowed to complete consumes all of the finished and kiln-dried spokes and you have left over 16,000 green club turned spokes. You would, therefore, show this item as—16,000 escort wheel spokes, green club turned, cost f. o. b. your factory 13.5 cents each plus 10 per cent handling, 14.85 cents each—for all $2,376. You will attach to your statement certified invoices showing the purchase and delivery of such quantity at such price.

If it happens that you have material left on hand partially finished by you the labor expended thereon will be shown by proper cost sheets certified to you as correct.

D. Cost to you to cover cancellation of obligations incurred in good faith, covering materials or work provided solely in the performance of the contract. If you have outstanding obligations for materials—hubs, for instance—above those that will be required by your revised contract, you should cancel that obligation at the lowest possible cost to yourself and at no cost if that is possible.

The basis of such a cancellation should be identical to that applied by the Government to you and as explained above. While you are urged to initiate those negotiations at once, you are requested before completing same—where it is necessary to agree to pay money to a subcontractor—to submit your tentative proposition for review by Government officers so that you will not incur an expense which they may later feel not justified in allowing. It is believed that most of these cancellations can be effected at little or no cost.

3. It is advisable for you to make your statements comprehensive and self-explanatory so that they may be acted upon complete and with dispatch and avoid delays in requesting further proofs and information.

4. It is suggested and strongly urged that there be used in the balance of your production, first the most highly manufactured materials so that there will be left over, if any, only the least expensive items as surplus. This is in the interest of conservation of labor and material and will tend to greatly reduce the loss of cancellation to the Government.

5. On account of a careful analysis of the entire stock situation and discussion with manufacturers it was shown that ample materials were already on hand to balance production at all factories and it is therefore assumed that further production of all raw materials has been stopped.

6. If an advance on your contract has been secured by you from the Government, same will in no way enter into cancellation adjustment as such. Most advances will by the end of your deliveries be largely repaid by deductions from invoices according to established plan of handling same. The unpaid balance undoubtedly is represented by surplus materials which the Government will take off your hands or by facilities and equipment of which the unabsorbed cost—less salvage—will be repaid by the Government. The above assumption is made as these loans were provided by the Government for the performance of the contract they covered and not for materials used in the ordinary course of your manufacture or to retire bank loans then outstanding.

7. The cost of additional dry kilns, whether built on approved applications or not, should be included under B—Facilities and equipment provided by the contractor at his expense solely for this contract.

8. It is requested that you give this matter your immediate, careful consideration, forwarding all papers complete to the Motors and Vehicles Division, Vehicle Branch, Munitions Building, Washington, D. C., at the earliest practicable date.

By authority of the Director of Purchase.

R. W. LEA,
Colonel, Q. M. C., in charge Vehicle Branch.

QUARTERMASTER CORPS.

UNITED STATES SENATE,
SUBCOMMITTEE ON MILITARY AFFAIRS,
Washington, D. C., Friday, October 11, 1918.

The subcommittee met at 2 o'clock p. m., Senator KENNETH McKELLAR presiding.

Present, Senators McKELLAR, SUTHERLAND, and JOHNSON of California.

STATEMENT OF MAJ. JOHN C. MCCUBBIN, QUARTERMASTER CORPS, UNITED STATES ARMY.

Senator McKELLAR. Will you give your full name and title to the stenographer?

Maj. McCUBBIN. John C. McCubbin, major, Quartermaster Corps.

Senator McKELLAR. How long have you been a major in the Quartermaster Corps?

Maj. McCUBBIN. I think it is since the 6th of September.

Senator McKELLAR. 1917?

Maj. McCUBBIN. 1918; this past September.

Senator McKELLAR. When were you first commissioned at all?

Maj. McCUBBIN. February 1, 1918.

Senator McKELLAR. As what?

Maj. McCUBBIN. Captain.

Senator McKELLAR. When did you come to work for the Government?

Maj. McCUBBIN. It was August 15, 1917.

Senator McKELLAR. In what capacity?

Maj. McCUBBIN. As purchaser of plumbing materials.

Senator McKELLAR. With what concern were you at the time?

Maj. McCUBBIN. The Standard Sanitary Manufacturing Co.

Senator McKELLAR. How long had you been with that company?

Maj. McCUBBIN. Not quite three years; about, I should say, two years and eight months, I think—two years and seven or eight months.

Senator McKELLAR. Are you interested in that company?

Maj. McCUBBIN. No, sir.

Senator McKELLAR. How were you interested—as a salaried man?

Maj. McCUBBIN. Salaried; yes, sir.

Senator McKELLAR. What salary did you get?

Maj. McCUBBIN. Just when I came into the company?

Senator McKELLAR. Yes.

Maj. McCUBBIN. I was getting $3,000 a year.

Senator McKELLAR. When did your service with the company cease?

Maj. McCUBBIN. I think my resignation took effect the 14th, the 14th or the 15th. The matter was handled so quick, I don't know just what day. I know I was at the office one day, and went to work the next, I think.

Senator McKELLAR. Who called you to come? At whose request did you come?

Maj. McCUBBIN. Maj. Hamilton's, who was then purchasing agent of the cantonment division.

Senator McKELLAR. How did you happen to meet Maj. Hamilton?

Maj. McCUBBIN. I was brought to Washington—my location was changed for the Standard Co., and I was brought up to Washington on account of one of the Washington men being sick here, and the other away on his vacation; and I think the cantonment division then wanted some one to succeed Capt. Maddock, who was looking after the purchasing of material, and through Capt. Maddock, Maj. Hamilton requested that they get some one to take this place, and they communicated with the Washington office of the Standard Co. while I was here, and the commanding officer carried it over to Maj. Hamilton. [Revised by Exhibit 2, p. 611 post.]

Senator McKELLAR. Did this arrangement have the approval at that time of the Standard Sanitary Manufacturing Co. people? [Revised by Exhibit 2, p. 611 post.]

Maj. McCUBBIN. So far as I know, it did not.

Senator McKELLAR. Was Mr. Ahrens down here at that time?

Maj. McCUBBIN. At the time that I went into the service?

Senator McKELLAR. When you went into the service.

Maj. McCUBBIN. No, sir.

Senator McKELLAR. Has he been here?

Maj. McCUBBIN. He was here in November, I think, the first time, and he was here in August.

Senator McKELLAR. What was the name of the first gentleman you mentioned?

Maj. McCUBBIN. Capt. A. M. Maddock.

Senator McKELLAR. What position did he hold with the Government?

Maj. McCUBBIN. He was looking after the purchase of plumbing materials, working in the Government's interest, with the contract that they had with the Government; and at this time the change was made when the Government canceled the Crane & Co. contract, and looked after the purchase of their own material.

Senator McKELLAR. Are Crane & Co. in the enameled-ware business?

Maj. McCUBBIN. They are manufacturers of steam supplies and jobbers of plumbing materials.

Senator McKELLAR. What became of Capt. Maddock?

Maj. McCUBBIN. He resigned and went back to civil life.

Senator McKELLAR. He went back to work for his company?

Maj. McCUBBIN. Went back to his own company.

Senator McKELLAR. Is that your purpose when the war is over?

Maj. McCUBBIN. I do not know where I can go; whether I can go back to the same company or not.

Senator McKELLAR. Have you any such arrangement?

Maj. McCUBBIN. No, sir; none whatever.

Senator McKELLAR. How long did they pay your salary to?

Maj. McCUBBIN. I think they paid the half month of August, to the date of resignation. The understanding at that time was that I would be there, at most, only 60 days.

Senator McKELLAR. Have you bought from the company with which you were connected at the time at which you went into the service since you have been in the Army?

Maj. McCUBBIN. Bought from that company?

Senator McKELLAR. Yes.
Maj. McCUBBIN. Yes, sir.
Senator McKELLAR. To what extent?
Maj. McCUBBIN. I am unable to give it to you in dollars and cents, but it has been a considerable amount of money.
Senator McKELLAR. Can you furnish us the exact amount?
Maj. McCUBBIN. We are working on that list now. Col. Willcutt is having all that matter tabulated and worked up.
Senator McKELLAR. Have you recently entered into considerable contracts with that company?
Maj. McCUBBIN. No, sir.
Senator McKELLAR. When was the last contract?
Maj. McCUBBIN. We have never made any contract with them outside of that in July, when the blanket orders were made to cover 90,000 closet combinations. That company received a portion of that order; a large portion of the 90,000. If I remember right, it was——
Senator McKELLAR (interposing). How much was that in money?
Maj. McCUBBIN. I do not know. I did not figure that out.
Senator McKELLAR. As a representative of the Government, do you not figure out what it costs?
Maj. McCUBBIN. So far as my work on that end was concerned, I only compare and compile it, and that is submitted to what we call the board of review that is appointed by the general purchasing agent of Gen. Cole's division, and it is all submitted to them, the tabulation and all, for their approval. The total amount of the 90,000 was figured out, but for the different companies; what each of the different companies had was not figured. [Revised by Exhibit 2, pp. 611–612 post.]
Senator McKELLAR. Did you take bids on this?
Maj. McCUBBIN. Yes; bids were taken on those 90,000 closets and tabulated.
Senator McKELLAR. Have you the bids with you?
Maj. McCUBBIN. Not with me, but they are at the office.
Senator McKELLAR. Will you make them exhibits to your testimony? I want the bids that were made by the companies.
Maj. McCUBBIN. Yes, sir.
Senator McKELLAR. Was this Sanitary Co. the lowest bidder?
Maj. McCUBBIN. Five or six of them were low bidders on the entire order.
Senator McKELLAR. Did they get it all?
Maj. McCUBBIN. No, sir; they only had one part of it.
Senator McKELLAR. How much of it did they get?
Maj. McCUBBIN. They had, I imagine, roughly speaking, approximately speaking, one-third of the amount.
Senator McKELLAR. What proportion of all the work has gone to this company since you have been in the employ of the Government as purchasing agent of this particular kind of material?
Maj. McCUBBIN. Enameled ironware?
Senator McKELLAR. Yes.
Maj. McCUBBIN. I imagine, I should think, 6 per cent. Between 50 and 65 per cent.
Senator McKELLAR. What other concerns have gotten any at all?
Maj. McCUBBIN. The United States Sanitary Manufacturing Co.
Senator McKELLAR. Who represents that company?
Maj. McCUBBIN. The Washington representative, you mean?
Senator McKELLAR. Yes.
Maj. McCUBBIN. They have none here at all.
Senator McKELLAR. Is not Mr. Arrott connected with it?
Maj. McCUBBIN. Mr. Arrott is president of that.
Senator McKELLAR. How much has he gotten?
Maj. McCUBBIN. I am unable to say on that.
Senator McKELLAR. Was it a large or small amount?
Maj. McCUBBIN. In comparison, I should judge with the total ordered, it would be a small amount. Do you wish the names of some of the others on that?
Senator McKELLAR. What others did you give any to?
Maj. McCUBBIN. There was the Kohler Co., of Kohler, Wis.; the Iron City Sanitary Manufacturing Co., of Pittsburgh.
Senator McKELLAR. You do not remember how much they got?
Maj. McCUBBIN. No, sir. That is what we are working up now, to get the exact number of orders and the tabulation, and all on that.
Senator McKELLAR. There is not any trouble about it, is there? Have you not got books that show it?
Maj. McCUBBIN. No; it is just the compiling of the records, and getting them all together. Col. Willcutt's order was to go back to the beginning and get the whole information up.
Senator McKELLAR. Who is the representatives of the Standard here?
Maj. McCUBBIN. In Washington?
Senator McKELLAR. Yes.
Maj. McCUBBIN. Mr. George Herth, jr.
Senator McKELLAR. What are your relations with Mr. Herth?
Maj. McCUBBIN. No relation whatever.
Senator McKELLAR. Are you good friends?
Maj. McCUBBIN. Yes, sir.
Senator McKELLAR. What is the degree of relationship, so far as friendship is concerned?
Maj. McCUBBIN. That is all; only no more than friendship. We have known each other for a number of years.
Senator McKELLAR. Do you wish to leave it that way? Because I am going to investigate it rather carefully and I do not want to mislead you at all. Are not those relations very close and intimate?
Maj. McCUBBIN. Very friendly.
Senator McKELLAR. Are they not unusually close and intimate?
Maj. McCUBBIN. I would not think any more than some other friends I have got.
Senator McKELLAR. How often do you meet?
Maj. McCUBBIN. I see him probably three or four times a week.
Senator McKELLAR. Oftener than that?
Maj. McCUBBIN. No, sir.
Senator McKELLAR. Do you take lunch with him pretty nearly every day?
Maj. McCUBBIN. No, sir.
Senator McKELLAR. Quite frequently?
Maj. McCUBBIN. I have, until we were notified to stop.
Senator McKELLAR. That is since this investigation was started?
Maj. McCUBBIN. It was before then.
Senator McKELLAR. That you were notified to stop—before this investigation began?
Maj. McCUBBIN. No; before that.
Senator McKELLAR. When were you notified before that?
Maj. McCUBBIN. I think it has been, offhand, about six or eight weeks ago.
Senator McKELLAR. Who notified you?
Maj. McCUBBIN. Col. Willcutt.
Senator McKELLAR. How did he happen to notify you that your relations with this man were——
Maj. McCUBBIN. It was not particularly to one. It was a general order that was made—that was announced to us at a general meeting that we have at the close of the week, that we were told.
Senator McKELLAR. What other representative of a company had you been intimate with before that?
Maj. McCUBBIN. I have known Mr. Cline, of the United States Sanitary Manufacturing Co., for quite a number of years, and also Mr. Arrott.
Senator McKELLAR. Are your relations with either of those gentlemen intimate, like they are with Mr. Herth?
Maj. McCUBBIN. No, sir. I do not come in contact with them.
Senator McKELLAR. Is there anything about your relationship with those two that would make your commanding officer issue an order in regard to them?
Maj. McCUBBIN. That order was for everybody. It said, "any vendors whatever"—everybody in the office, that order was issued to. I might say that I have known Mr. Herth—both of us were very close friends before either of us went with that company.
Senator McKELLAR. And since you have been here with the Government that relationship has been continued, and in the purchases you have made you have given your old company most of the business, have you not?
Maj. McCUBBIN. The only business they got, the prices were low, or they had the service or delivery of material.
Senator McKELLAR. Were they always the lowest?
Maj. McCUBBIN. If the prices were not always equal, we always found the shipment conditions better, or the location of some of the plants——
Senator McKELLAR. Was that the only instance? When you found the prices of others lower, is it not true that you, having been with that company, and having been on such intimate relations with its officers, you always found that, other things being equal, there was something else?
Maj. McCUBBIN. I did not let that interfere at all, Senator.
Senator McKELLAR. If you did not, why is it that all of the other companies, who have not been getting the business, feel so very much aggrieved? You having been the representative of this company up until the day you went into the Army, and since you have been in the Army having been in the most intimate personal and official relationship with the representative of this one company, and the other companies not getting any of the business, are you surprised that they feel somewhat aggrieved that you are showing great favoritism toward your old company?
Maj. McCUBBIN. From the information I have got I do not blame any of them for making complaint. As I understood, the representative of the Standard Co. told them that they had received a tremendous big order which they did not even have the opportunity to bid on. (Revised by Exhibit 2, p. 612, post.)
Senator McKELLAR. I will now ask you about that. Did you buy for the housing contracts?
Maj. McCUBBIN. No blanket contract order has been placed for the housing at all, except for the closet combinations.
Senator McKELLAR. That is not the question I asked you. We will get along better and much faster if you will just answer my questions.
Maj. McCUBBIN. That is what I want to do.
Senator McKELLAR. I do not mean to say that you mean not to. I am going to be very frank and very direct with you in my questions, and I want your answers in the same way, and I am sure you will give them to me since it has been called to your attention.
My question is, Are you buying for the housing?
Maj. McCUBBIN. Yes, sir.
Senator McKELLAR. Are you buying under written contracts?
Maj. McCUBBIN. No, sir.
Senator McKELLAR. Are you just placing your orders with the Standard Co. for those contracts?
Maj. McCUBBIN. No, sir; we are placing with the others, too.
Senator McKELLAR. Which ones have you placed orders with for the housing?
Maj. McCUBBIN. With the Sanitary Manufacturing Co.
Senator McKELLAR. How much?
Maj. McCUBBIN. They made a price here about 2 weeks or 10 days ago, which put their price lower, and since then they have had all of the enameled-ware business.
Senator McKELLAR. How long ago was that; when?
Maj. McCUBBIN. About two weeks ago.
Senator McKELLAR. Will you give the exact date?
Maj. McCUBBIN. I can give you the exact date on that.
(The witness later stated the date to be September 28, 1918.) (See Exhibit 2, p. 612, post.)
Senator McKELLAR. Now, Major, I am a perfectly frank man. You remember that this examination took place on September 25, just a little more than two weeks ago. I want to ask you if the only reason that you gave this other company one order was because these gentlemen complained to our committee, and it was developed for the first time that you were placing practically all the orders with your old company, and with your friend, and that therefore this other company got that order; is that correct?
Maj. McCUBBIN. No, sir. I can get you the exact date. Mr. Kelly and Mr. Meyers of the Iron City Sanitary Co. came to the office and called, and asked if we had placed any blanket orders, if we had covered for all of the enameledware business, and I told him no, we had not; that we did not have our requirements. He asked if it was too late for him to submit prices. I told him no, he could submit prices any time.
Senator McKELLAR. Will you kindly answer this question: You and I are comparatively young men and have our lives largely before us.
Maj. McCUBBIN. Yes, sir.
Senator McKELLAR. Do you think that in passing upon the bids or quotations of these 12 or 14 enameled-ware companies that are asking for the Government business, in view of your long association with the Standard Co. and your knowledge of that company, in view of the intimate relationship that exists between you and Mr. Herth, the representative of that company, you can be absolutely fair and impartial toward all those concerns in buying for the Government? Now, just as man to man, heart to heart, is it not the very essence of human nature that you would give your own company, the company of your friend, the company that you have been employed by a long time and you know so well, the best of it? Now, is not that correct?
Maj. McCUBBIN. No, Senator; I can not say that I let that interfere at all. It was not my intention of doing anything of that kind.

Senator McKELLAR. Whether it was the intention or not, you know that we naturally feel very kindly toward our own?
Maj. McCUBBIN. Yes.
Senator McKELLAR. Will you furnish the prices at which all the goods that have been bought by you from the United States Sanitary Manufacturing Co. were purchased, the names of the articles, and the prices paid?
Maj. McCUBBIN. That report is being made up now for Gen. Marshall to submit to you, I am pretty sure.
Senator McKELLAR. Gen. Marshall told you, of course, about the complaints that had been made against you?
Maj. McCUBBIN. Col. Willcutt told me this. I was called to Gen. Marshall's office this morning, and he told me to come up here, that you wished to see me.
Senator McKELLAR. Had you never talked with Gen. Marshall about it before?
Maj. McCUBBIN. No, sir.
Senator McKELLAR. It was only from Col. Willcutt?
Maj. McCUBBIN. Yes; Col. Willcutt.
Senator McKELLAR. Col. Willcutt told you that Gen. Marshall had called his attention to this testimony?
Maj. McCUBBIN. He said that Gen. Marshall had received word from you, I believe—I do not remember how he said that the word came to him.
Senator McKELLAR. Have you let any contracts since that time?
Maj. McCUBBIN. No, sir.
Senator McKELLAR. How much stuff have you got contracted up to date?
Maj. McCUBBIN. On contracts?
Senator McKELLAR. What is the extent of your contracts with the Standard Co. now?
Maj. McCUBBIN. The only contract we have with them is for some closet tanks and bowls.
Senator McKELLAR. To what extent is that?
Maj. McCUBBIN. I imagine that they have on hand, on a rough estimate, maybe about 10,000 bowls and probably about 10,000 or 12,000 tanks. That is the only contract that they have.
Senator McKELLAR. There is no question about the capacity of these concerns to furnish these goods? There was active competition, was there not?
Maj. McCUBBIN. Yes, competition. We have placed orders with some, Senator, and they turned them down.
Senator McKELLAR. Which ones turned them down?
Maj. McCUBBIN. The United States Sanitary Manufacturing Co., the Cahill Iron Works, and the Kohler Co.
Senator McKELLAR. When did the Cahill Iron Works get a contract?
Maj. McCUBBIN. I have got the date of that here. That order was made on July 19.
Senator McKELLAR. Do you not think that the Government ought to have a man buying these enameled goods who is totally disassociated from all of the various companies?
Maj. McCUBBIN. In purchasing, Senator, I do not see that that would have any connection at all with that.
Senator McKELLAR. Considering the fact that you had been the representative of the largest enameled ware company of them all, and yourself on the most intimate terms, as you have testified about, with the Washington agent of that concern, and in view of the order which Col. Willcutt has heretofore given in relation to your association with any representatives of any firms that were selling to the Government, do you not think that, looked at from the Government standpoint and not from your standpoint, a man with a knowledge of the business, but disassociated from all these supply firms, would be much better for the Government's interests?
Maj. McCUBBIN. I think that if I had the direct placing of the orders, or authority to place orders, that question should be brought up and discussed, but I have no authority to do that.
Senator McKELLAR. You place the orders in the first instance.
Maj. McCUBBIN. Yes.
Senator McKELLAR. Who places them?
Maj. McCUBBIN. I only make the recommendations.
Senator McKELLAR. Has any recommendation of yours ever been turned down?
Maj. McCUBBIN. No, sir; I can not say that it has.
Senator McKELLAR. Then, if you recommend them and none of them has ever been turned down, does not that make you really the placer of the orders—give you the power to place the orders?
Maj. McCUBBIN. They are all furnished in the tabulation of the bids, and it goes to the board of review.
Senator McKELLAR. I understand that, and I am perfectly familiar with these boards of review.
Maj. McCUBBIN. Yes, sir.

QUARTERMASTER CORPS.

UNITED STATES SENATE,
SUBCOMMITTEE ON MILITARY AFFAIRS,
Washington, D. C., Friday, November 15, 1918.

The subcommittee met, pursuant to the call of the chairman, at 10:30 o'clock a. m., in room 248, Senate Office Building, Senator KENNETH D. MCKELLAR presiding.

Present, Senators MCKELLAR (chairman), SUTHERLAND, and JOHNSON of California.

There appeared before the committee Mr. Theodore Ahrens, president of Standard Sanitary Manufacturing Co., accompanied by Mr. Francis J. Torrance and Mr. George Herth, jr.

STATEMENT OF MR. THEODORE AHRENS, PRESIDENT OF THE STANDARD SANITARY MANUFACTURING CO.

Senator McKELLAR. Your name is Theodore Ahrens?
Mr. AHRENS. Yes, sir.
Senator McKELLAR. You desire to tell the committee something about the Standard Sanitary Manufacturing Co.'s contract with the Government, and if you desire you can just go ahead and say what you like.
Mr. AHRENS. I will be very glad to do that, Senator, but I would like to ask first whether you would care to tell me just generally what these charges are in which we are implicated. We have never seen any written charges of any kind. All we have heard about it is hearsay.
Senator McKELLAR. Did you see the testimony of Maj. McCubbin?
Mr. AHRENS. No, sir.
Senator McKELLAR. The substance of the complaint made is that Maj. McCubbin, now in the Construction Division, I believe, of the Quartermaster Corps, was formerly your employee; that he came from your office into the Army and was immediately given the position of purchaser of plumbing supplies and enameled ware supplies, which your company is engaged in selling, and that he has since that time virtually bought the greater part of such supplies from your company; that he was constantly in company with Mr. Herth, your "agent" here, taking lunch with him virtually every day until he was directed by his superior officer not to do so; that the other 13 or 14 manufacturers of these supplies were thus frozen out of any participation in the Government's business, and that your company had access to the plans of the Government and that when quotations were asked for, Maj. Cubbins very promptly informed your company of the quotations of others, and that you thereupon gave a lower quotation in the particular instance in order to get the business, and that you had yourself boasted at a public meeting somewhere—I have forgotten where—that you had a contract of 25,000 bathtubs, and probably other paraphernalia to go with them, and that on January 1, 1919, under orders of the War Industries Board, you having the only contract with the Government, all others of your competitors would be unable to get iron for the manufacture of this enameled ware, and in that way Maj. McCubbin would put all the rest of your competitors out of business and leave you with the only good business in the country. Now, that is about the substance of the testimony, as I recall it.
Mr. AHRENS. May I just answer that in my own fashion the best way I can?
First, I admit that Maj. McCubbin—formerly Capt. McCubbin—was in our employ before he went to work for the Government. We, like other manufacturers and business concerns, were asked to submit names of our people to the Government when the Government required such men. We did not submit Mr. McCubbin's name. My partner, Mr. Torrance, recommended a man from Pittsburgh, but Mr. McCubbin's name was submitted among a number of applicants and picked out by whoever the commanding officers were that had that matter in charge. Mr. McCubbin was indorsed by Capt. Archie Maddock, his predecessor in the office, a prominent pottery manufacturer in our line, who had the position that Mr. McCubbin occupied, but who had to give it up; and he, in fact, was instrumental in having Mr. McCubbin appointed or recommended him.
As to our getting a very large part of the business that Maj. McCubbin had to place, that may be true. I do not know how much Maj. McCubbin placed, all told, or what the total volume of it is—I have no figures—but we did furnish the Government a very large quantity of plumbing materials of all kinds, and enameled ironware, brass goods, pottery, and other plumbing material that we manufacture.
The reason, Senator McKELLAR, why we secured this business and why we got the larger part of it is contained in this sentence, that as the largest producers in our line, with a better organization and better distributing facilities, we were in a position to render the Government better service, and did so. Let me also give you this statement, that our prices were always right and in many instances lower than those of other manufacturers. Other manufacturers, in discussing Government business, have complained to me that our prices were too low. They told us this. Other manufacturers refused business—among them particularly the Cahill Iron Works, of Chattanooga, and the Standard Sanitary Co., of Pittsburgh—at prices which we were willing and glad to accept.
You know, Senator McKELLAR, that during these strenuous times this year, when the Government and everybody working for the Government had to exert every effort in their power to get deliveries to the Government promptly, the deliveries were of great importance. Deliveries of the larger quantities of material required by the Government could be made by us and could not be made by the other manufacturers.
Now, I would like to get this point strong, because it is a vital point. The other manufacturers were utterly unable to handle the Government business, because it came in such volume and in such short time that only my company's organization was then able to handle it, and if any other man had sat in Maj. McCubbin's chair and had had these orders to give we probably would have gotten from them about as much as Maj. McCubbin gave us. To illustrate that, let me say that in the Quartermaster Corps at Jeffersonville, Ind., which he has nothing to do with at all, we have been all of this year getting as large a percentage of the business as Maj. McCubbin gave us here.
Senator McKELLAR. That is under Col. W. S. Woods.
Mr. AHRENS. That is under whomever might be the commanding officer in charge there; and that has nothing to do with it, but our Louisville branch has sold many thousands of dollars' worth of goods to that department at Camp Taylor and elsewhere. We have been furnishing the great bulk of all the goods required.
At the nitrate powder plant at Nashville our Nashville house has furnished hundreds of thousands of dollars' worth of goods, none of which Maj. McCubbin had anything to do with.
As we came up here, Senator, Mr. Herth pointed out a large lot of buildings around here, dormitories the Government is putting up for war workers, a lot of them, and he said that we have furnished every plumbing fixture in every one of these dormitories, and Maj. McCubbin had nothing to do with it. It was purchased by the contractor through a local jobber.
One more point that I think ought to be brought out. We have been of great service to the Government. We have saved the Government many thousands of dollars in preventing the price of enamel ironware and other plumbing fixtures going beyond reasonable limits. Our books are open for your inspection; you can see that at the price we are working there is not any more than a reasonable profit.
I want to say particularly about those complaining manufacturers that we have monthly meetings, in which we meet together and discuss particular conditions, and they have repeatedly come to me and complained of the fact that the prices at which we were selling to the Government were too low, and that we ought to advance these prices. We do not think so. We can furnish you written evidence on that point that will corroborate what I say. Now, I believe I have in substance answered the complaints as near as I can do so.
Pardon me, there is just one more thing, as to this order in question that I was supposed to have been boasting about. The matter came up when I was called here to attend a meeting at Mr. Humphreys, of the building material section of the War Industries Board, at the New Willard Hotel, a meeting of manufacturers in our line. At that meeting, at which I was asked to preside, Mr. Humphreys called particular attention to the fact that the Government wanted to deal with first hands only—that is, the manufacturers—and not through jobbers or any middlemen, and that the Government had this enormous housing program in view, about 60,000, 80,000, or 100,000 houses that they might have to have for war workers, and that the

Government would have to place that directly with the manufacturer, and only with such people as could give prompt service.

After that meeting I called on Maj. McCubbin, then Capt. McCubbin, with Mr. Humphreys. I had never met McCubbin in his office before, and had only met him once here before, outside of that, since he was appointed, and I asked McCubbin whether any such housing program was in view, and McCubbin said it was. He said that his department might place an order in the very near future for anywhere from thirty to sixty thousand sets of plumbing fixtures, which would be a bathtub, a water-closet, a kitchen sink, and lavatory. That was called a set. Of course that was a very large order, and I was very anxious to get a proportionate share of it for my company. I discussed this matter at some length—probably an hour, maybe longer—and urged Maj. McCubbin to place the order at once, because in the condition that our business was in at that time, the labor supply being very uncertain and the wages advancing continually, we had in mind to advance our prices generally to everybody, including the Government, because our cost was going up all the time; but I said to Maj. McCubbin that if the Government could place an order of that size and we could get our proportion of it, that would enable us to reduce our cost, and we would have to take the order at the price ruling at that time. Figuring that there were going to be 60,000 sets of fixtures needed, I could not see that we ought to get less than half of that, because we had always, for the last five years, as the records of the trade show, done 50 per cent of this work. That is a well-known fact. Our competitors admit that and state that themselves. So that I told McCubbin that I thought that we could handle 25,000 sets of these fixtures. We got no definite order or promise from Capt. McCubbin that such an order was placed with us or would be placed with us, but the captain did say to me that he believed such an order would be placed in the near future, and that we would get our share of it; that, however, these orders would have to first be confirmed by or O. K'd by the board of review. I think he called it; in other words, that we could not consider it an order until we had a definite order in writing.

Now, I made a mistake, Senator, in going back to Pittsburgh and saying to this meeting of the manufacturers that I had such an order, as I had no order or my company had no order from the department for any such amount of fixtures at that time. We were getting business, however, every day from them. My reason for making the statement at the meeting was this, that owing to the unsettled condition of business for the last 18 months, the manufacturers had been reporting to the Secretary every month the total number of orders they received, the total number of shipments they made, and the general condition of their stocks, enough so that we would have an intelligent idea of the business of the United States in our line. Now, as to my reason for advising the other manufacturers that we had this order: As I say, I made a mistake in taking it for granted that we had this order, but I felt pretty sure from the general condition, knowing what I did about the general condition of the building in our line, that I would get that portion of the order. In fact, an order of that size could not have been filled without our support, without our taking part of it. My reason for saying and reporting on this order was that I wanted to give the other manufacturers an idea of what was coming, and I said at the meeting that the housing program that the Government had in contemplation was for about 60,000 sets of fixtures, and that Maj. McCubbin had told me he expected to distribute the order around among several manufacturers.

I also stated at the meeting, however, Senator, that we had no formal or written order, that the order would have first to go through its proper channels and be O. K'd before we would consider it an order.

Senator McKELLAR. Is there anything else that you wish to say?

Mr. AHRENS. No, sir; I think that covers pretty well all I would like to say.

Senator McKELLAR. Did you consider that Maj. McCubbin had given you this order or not?

Mr. AHRENS. I did consider——

Senator McKELLAR. Yes; that he had given you the order.

Mr. AHRENS. I believe, while the major—he was then Capt. McCubbin—did not definitely give me an order, that I would get an order of approximately that size; yes, sir. I felt so from the conversation.

Senator McKELLAR. As a matter of fact, Maj. McCubbin had given you a verbal order for it?

Mr. AHRENS. Not in so many words. That is, he explained to me that an order, to be an order, would have to first go through the regular channels and be approved by his superior officer.

Senator McKELLAR. Did you advance the price?

Mr. AHRENS. No, sir; we did not advance the price that was fixed.

Senator McKELLAR. Did you, when you told your associates in the meeting at Pittsburgh—that is where it was, at Pittsburgh?

Mr. AHRENS. Yes.

Senator McKELLAR (continuing). The other manufacturers—did you tell them at the same time that the prices would be advanced on these sets?

Mr. AHRENS. No, sir—on this order?

Senator McKELLAR. On this order.

Mr. AHRENS. No, sir. I told them that we expected to take that order at the prices then ruling.

Senator McKELLAR. It is claimed that after securing this alleged verbal contract your company advanced the price to the Government and informally told the other manufacturers that this price would be advanced, and you would later give the other manufacturers a memorandum of the new prices. Did you do that?

Mr. AHRENS. We did not advance our prices to the Government.

Senator McKELLAR. Did you give the other manufacturers a memorandum of these new prices?

Mr. AHRENS. I could not answer that; no, sir. I did not know.

Senator McKELLAR. Did you have a memorandum yourself?

Mr. AHRENS. Personally; no, sir.

Senator McKELLAR. Then do you not know whether a memorandum of the new prices was given them or not?

Mr. AHRENS. Whether a memorandum of the new prices we proposed to make to the Government was given them?

Senator McKELLAR. Yes.

Mr. AHRENS. Whether that was given to them or not?

Senator McKELLAR. Yes.

Mr. AHRENS. I could not answer; no, sir.

Senator McKELLAR. As a matter of fact, have you seen such a memorandum as that?

Mr. AHRENS. Personally, no, sir.

Senator McKELLAR. Do you know whether such a memorandum was in fact prepared?

Mr. AHRENS. No, sir; I could not say. But, Senator, I would like to say again that we did discuss at that time the question of advancing prices and——

Senator McKELLAR. Well, it was entirely up to you as to whether or not the prices would be advanced? Maj. McCubbin just simply agreed to any price that you made, did he not?

Mr. AHRENS. No, sir; my understanding was that Maj. McCubbin got prices from enameled ware manufacturers—different manufacturers—and if our price was right we got our share of the business.

Senator McKELLAR. I will ask you whether or not Maj. McCubbin told you that he expected to turn over all this business to you?

Mr. AHRENS. He emphatically did not. He emphatically did not, Senator. Maj. McCubbin told me that on this large order in question he expected to split it up between several manufacturers. I never made a statement at the meeting that we had taken an order for 25,000 sets of plumbing fixtures.

Senator McKELLAR. What did you state at that meeting?

Mr. AHRENS. I said that we had an order from the Government for a very large quantity of plumbing fixtures for that housing proposition.

Senator McKELLAR. That you had a contract for a very large quantity?

Mr. AHRENS. Yes; or words to that effect.

Senator McKELLAR. All right, sir.

Mr. AHRENS. And I want to repeat, Senator, that I made a mistake in stating that we had an order before we had a real order—a written order.

Senator McKELLAR. When was that?

Mr. AHRENS. Well, I am somewhat shy on dates.

Senator McKELLAR. August or September?

Mr. AHRENS. Can you supply the date, Mr. Herth?

Mr. HERTH. The date of the meeting at the Willard Hotel that Mr. Humphreys held was August 27, so that it must have been after that. I think you left Washington on the 28th.

Senator McKELLAR. It was probably about a week later?

Mr. AHRENS. Probably September 5.

Mr. HERTH. It must have been in September, some time.

Senator McKELLAR. At that time you did not have this contract?

Mr. AHRENS. No, sir.

Senator McKELLAR. You never entered into a contract after that time for these bathtubs and sets?

Mr. AHRENS. No, sir; we never received any such contract.

Senator McKELLAR. Now, you have testified exactly to the contrary about that, have you not?

Mr. AHRENS. Contrary?

Senator McKELLAR. What is contrary to that?

Senator McKELLAR. I now call your attention to a photographic reproduction of an affidavit, apparently made by you and sworn to by you on the 25th day of September, 1918, and I will get you to see whether that is a photographic copy of your affidavit and signature.

Mr. AHRENS (after examination of paper). Yes, sir.

Senator McKELLAR. Now, if you will look at that, you will find where you distinctly state that you have a contract for 25,000 enameled bathtubs, 25,000 enameled roll rim sinks, 25,000 enameled washstands, and you have just testified that you did not have such a contract?

Mr. AHRENS. Senator, I believed at the time I signed that affidavit that I did have it, or that the order would be ours in a few days. Now, might I say here that we have had similar transactions with the Government. For instance, we have a shell contract with the Government on which we did not receive any order—that is, any formal contract—for months after we started on it; but we went ahead on it.

Senator McKELLAR. Then you are unavoidably driven to this conclusion, are you not, that the only way on earth in which this affidavit could be explained, in view of your present testimony, is that you were so absolutely sure that Maj. McCubbin would do whatever he was told to do in reference to letting these contracts that you considered it as made?

Mr. AHRENS. I felt so certain at the time that I signed that affidavit that the order would be placed—that the housing order would be placed—and that we would get that portion of it that I took that for granted. It was a mistake on my part and a mistake that I regret very much.

Senator McKELLAR. Why was this affidavit given?

Mr. AHRENS. This was gotten up for the purpose of enabling some of our people whom we wanted to retain in the company—in the manufacturing end of our business—to claim exemption from military duty.

Senator McKELLAR. Did you get exemptions for them on the faith of this affidavit?

Mr. AHRENS. I do not think so. I do not know that it was used.

Senator McKELLAR. Were any of them released?

Mr. AHRENS. It may have been used, but I do not know that any of our people ever obtained releases on that.

Senator McKELLAR. However, it was filed with the Provost Marshal General's office for that purpose, was it not?

Mr. AHRENS. It may have been in some instances. I am not certain; but I do not know that it was used to any extent. But it was made for that purpose—that is, it was gotten up for that purpose.

Senator McKELLAR. If you had been given a contract for these plumbing fixtures, consisting of bathtubs and sinks and water-closets and lavatories, and none of the others, none of the competitors, had been given any such contracts, or any Government contracts at all, under the priority orders of the War Industries Board permitting iron to be used for this purpose only by those who had Government contracts, that would have put all other enameled ware manufactures out of business, would it not?

Mr. AHRENS. No, sir; not as I understand it. It would not have put them out at all.

Senator McKELLAR. How could they have gotten the iron?

Mr. AHRENS. There were lots of other Government departments purchasing these same supplies; and the other manufacturers have not been put out of business at all, Senator. The best evidence of that is that for all of this year and during all the period when we supplied to the Government a considerable quantity of plumbing material, these other manufacturers obtained a proportionately large share, just as large a share, of business from the rest of the United States.

Senator McKELLAR. Now, let us see if that is correct or not. I have before me here a statement of the shares of this particular business, which shows that the Standard Sanitary Manufacturing Co.—is that your company?

Mr. AHRENS. Yes, sir.

Senator McKELLAR. Was given $387,311.92; the United States Sanitary Manufacturing Co. was given $20,355.78; the Kohler Co. was given $9,311.30; the J. A. Moff Iron Works, $15,326.36.

This would indicate that, in round numbers, your concern got $387,000 worth of this particular business and all the other concerns together got $44,000 worth. In other words, your concern got about 90 per cent, just speaking roughly, under the control of Maj. McCubbin, who had been in your employ and who was, as shown by his own testimony, and has been, so closely connected with your company since he has been in the employ of the Government. Can you wonder that under those circumstances, when these other gentlemen were confronted with the priority order under which your company would be allowed to get iron for your needs because you had Government contracts secured in this way, and where they could not get iron because they had no Government contracts—can you wonder that they felt in very great fear that their business was going to be absolutely ruined and taken away from them, and that through this means of Government procedure, carried on by Maj. McCubbin, who had been in your employ, your business would be built up at the expense of theirs? Now, can you wonder that they complained? Just look at it as man to man.

Mr. AHRENS. Yes, Senator, if those were the whole facts in the case you would be absolutely right, but they are not. The business placed by Maj. McCubbin was only a small part of the business that was being placed at that time. My answer to your question is that the other manufacturers during this same period have sold more ware than we sold to the Government. In other words, they got their full proportion of the business; and, what is more, and I think this should have some weight, they got it at better prices than we were getting from the Government.

Senator McKELLAR. What profit did your concern make? What is your capital and what profits have you made on your capital within the last year?

Mr. AHRENS. Why, our capital is about $17,000,000; $16,000,000 in round numbers on the 1st of January. I think you had better say, and on that we showed about $2,225,000 profit net last year.

Senator McKELLAR. How much will it show this year?

Mr. AHRENS. Our profits this year, counting in our entire business, will show probably a half a million dollars more than that.

Senator McKELLAR. What was the amount of orders; at what price were these 25,000 sets of plumbing fixtures sold? Speaking roughly, what was the cost of them, each?

Mr. AHRENS. Can you supply that, Mr. Herth?

Mr. HERTH. The price on bathtubs at that time, as near as I can recall, was $19.25.

Senator McKELLAR. And the other three items, how much were they?

Mr. AHRENS. Pardon me, Senator, may I interrupt you just a minute?

Senator McKELLAR. Yes.

Mr. AHRENS. I said there were four items, but the water-closet was not to be considered. There are really only three features. These are enameled iron fixtures

Senator McKELLAR. The bathtub is $19.25?

Mr. HERTH. I could not state exactly, Senator.

Senator McKELLAR. Approximately?

Mr. HERTH. The lavatory was around $7; approximately $7. We had a price on one at $6.65, or it might have been $7.04.

Senator McKELLAR. What is that?

Mr. HERTH. That is the lavatory. Then the sink, I think, was approximately $9; $9.25 or $8.75.

Mr. AHRENS. Altogether, about $34.

Senator McKELLAR. About $34?

Mr. AHRENS. Yes; and it would be twenty-five times $34 for the contract. That would be about right; $850,000, I think.

Senator McKELLAR (after making calculation). That would be about $850,000?

Mr. AHRENS. May I say one word more there, Senator?

Senator McKELLAR. Certainly.

Mr. AHRENS. The largest order we received from the Government was not through Capt. McCubbin, but through his predecessor.

Senator McKELLAR. Who was he?

Mr. AHRENS. Capt. Maddock.

Senator McKELLAR. Did he ever work for you?

Mr. AHRENS. No; he was a prominent manufacturer in Trenton, N. J., and he is a competitor of ours, Senator, and he placed that order with us because we know that he could give service, and service was of paramount importance at that time.

Senator McKELLAR. What average profit did you make on these goods?

Mr. AHRENS. We never took this order, or it was never filled—do you mean what average do we make on the enameled ware we sell?

Senator McKELLAR. Yes; to the Government.

Mr. AHRENS. About 15 per cent; possibly 20 per cent; not over that. But in saying that we should bear in mind the fact that we have got to pay income taxes and excess-profit taxes out of that, and a very large share of it goes back to the Government.

Senator McKELLAR. There never has been a contract made about these plumbing fixtures, has there?

Mr. AHRENS. No, sir.

Senator McKELLAR. Have any of them been actually bought from you?

Mr. AHRENS. Have what?

Senator McKELLAR. Have any of them been actually bought from you by piecemeal?

Mr. AHRENS. We have, no doubt, since that time furnished similar goods to the Government. Mr. Herth can answer that better than I can.

Senator McKELLAR. Mr. Herth, will you just be sworn, please, sir?

(Mr. George Herth was here sworn by the chairman.)

Senator McKELLAR. Will you state whether or not you have sold to the Government any of these goods through Maj. McCubbin—any of these 25,000 sets?

Mr. HERTH. You mean, that applied on the contracts we have?

Senator McKELLAR. It does not make any difference whether they applied on those contracts.

Mr. HERTH. Oh, yes; we have sold some fixtures to the Government.

Senator McKELLAR. How many?

Mr. HERTH. I could not tell you that.

Senator McKELLAR. Can you give an approximation as to how many?

Mr. HERTH. Oh, yes; we have sold some; there is no question about it, we have sold them some. The question is this, how many of these fixtures were bought after all this controversy. That is the idea, is it not?

Senator McKELLAR. Yes; in other words, it is charged, with how much truth I do not know, that when Maj. McCubbin found that he could not hand the entire contract of 25,000 sets of fixtures for plumbing, he then proceeded to buy as many as he could by piecemeal from your firm, without giving the other people any chance to bid on them at all.

Mr. HERTH. Yes; I will be very glad to give you the number of fixtures.

Senator McKELLAR. Yes. Now, do you know whether or not you have had any written request for quotations about that since the 25th of September?

Mr. HERTH. Have we got any written quotations on our different lines of fixtures?

Senator McKELLAR. No; have you received any written communications asking for quotations on these bathtubs and fixtures?

Mr. HERTH. We receive almost every day requests from the Construction Division for prices on all these fixtures—any fixtures that the Government may want.

Senator McKELLAR. Mr. Ahrens, would it be very much trouble to get a detailed statement, I do not mean of all the articles, but just a statement of the amount and nature of goods, of what you have sold the Government since the war began?

Mr. AHRENS. I will be glad to get that for you.

Senator McKELLAR. Of all sorts?

Mr. AHRENS. Yes, sir; I will be very glad to.

Senator McKELLAR. I would like it in compact form, if you can get it.

Mr. AHRENS. There will be no trouble about that. We can get you here in 24 hours a statement of all the goods and the business we have done with the Government in its various departments, you mean?

Senator McKELLAR. In various departments.

Mr. AHRENS. Since the war began?

Senator McKELLAR. Yes.

Mr. AHRENS. Yes, sir.

Senator McKELLAR. This question was raised: It is claimed that Maj. McCubbin would buy under very peculiar circumstances from you. For instance, the Cahill Co., of Chattanooga, complained that when it was wanted to buy some of these goods for use at Camp Greenleaf or out at Fort Oglethorpe, and they wanted them in a hurry, he did not ask for any bids or quotations or prices from the Cahill Iron Co., but he put these emergency orders with your company and had you send them by express, taxing the railroads to bring them into Chattanooga, when they already had the same material there, and costing the Government a large expressage. Do you know whether that is correct or not?

Mr. AHRENS. I can not answer that because I do not know, of course, what the Government did or did not. Perhaps Mr. Herth could give some information on that point.

Senator McKELLAR. All right; Mr. Herth, do you know?

Mr. HERTH. I think that is up to the others to show you. I do not know; of course we have shipped material to different places by express and by freight. I know of one case out at Camp Lewis where we had received an order, and the contractor wired us to ship it by express. That meant a whole car. I took that up with the department, and I wanted to know whether we should do it. We did not do that. So I could not say as to any particular order at Camp Oglethorpe, that might have gone by express there.

Senator McKELLAR. Could you look it up on your books?

Mr. HERTH. And find out just what we shipped there?

Senator McKELLAR. Yes; and when you get that information make it Exhibit 2 with this testimony.

Mr. HERTH. Yes, sir.

Senator McKELLAR. Have you any agreement with McCubbin that he is to return to your employ when the war is over?

Mr. AHRENS. No, sir; excepting that there are some six hundred odd men that left our employ, a large per cent of our force, and went into the Government service, and we have said to every man of them, "When the war is over we are going to try to put you back right in the place you were in." We did not make a definite promise, because that would be impossible, but we said, "Every man that leaves our employ and goes into the Government service and comes back after the war, we are going to try to find a job for you." Therefore, to that extent, I would say that Maj. McCubbin had that promise.

Mr. HERTH. But you did not make that promise only to him. You never made that promise to any individual?

Mr. AHRENS. Oh, no; absolutely not.

Senator McKELLAR. Have you any other employees in the purchasing departments of the Government? Are there any at Jeffersonville, for instance

Mr. AHRENS. Where?

Senator McKELLAR. Have you any at Jeffersonville?

Mr. AHRENS. I do not know. I can not answer that question. And again, I will have to say that, for instance, at Camp Taylor, when the camp went up and they were working 24 hours a day, and day and night, and everybody was working as hard as they could, the people in the clerical departments there were overrun with work, and they did telephone down to our Main Street store, and they asked, "Can you give us a clerk? Your people know about these prices and discounts, and are familiar with the business, and can you help us?" We furnished such a man to them. I do not know whether we furnished such a man in Jeffersonville, but if we called on them to do so we did so, because we would think it was our duty to do so.

Senator McKELLAR. Now, again returning to the other feature of the same kind, where you had men working in various departments, the purchasing supply departments of the Government using your goods, and they did not have men on the inside in that way, do you think that your competitors would feel that they would naturally get a square deal on the whole circumstances?

Mr. AHRENS. Yes, sir. My point is that when Capt. McCubbin or any other man in our company left our employ and went into the employ of the Government, he was no longer in the employ of the company, nor did we ask him in any way, shape, or form to prefer us over anybody else; nor have we in any way, directly or indirectly, told these people that we were going to take care of them or do something for them because of the fact that they were in the Government employ and had helped us to get business; absolutely nothing of that kind.

Senator McKELLAR. Now, would you give me a statement, and make it Exhibit No. 3 with your testimony, of any of your former employees who were employed by the Government or were loaned by you to the Government at any of these camps or depots where supplies were being handled?

Mr. AHRENS. Yes, sir. It is quite possible that two or three people were furnished in that way; but might I say right there, Senator, that

for a very responsible position in the construction department here, a position under Maj. Humphreys——

Mr. HERTH. And Maj. Sergeant.

Mr. AHRENS (continuing). And Maj. Sergeant, covering the entire plumbing field of the United States, they wanted a man to take charge of that, a man who had technical knowledge of the business and who could be Maj. Sergeant's right arm; and the jobbers and manufacturers of the Eastern Supply Association, representing all the prominent people in our business, came to us and asked us, as a patriotic duty to the Government, to allow one of our men, Mr. J. D. Tschopick, who was our general manager of furnishing housing, to accept that position, you see with the indorsement of all these men and including our competitors, and it was to be a dollar-a-year job; and we sent Mr. Tschopick on to see Mr. Sergeant. We told him that if it was necessary to give him up we would be willing to do so. We sent him on to see Mr. Sergeant and he convinced himself that the position was not one in which he could render the kind of service that the Government would expect from a man of his importance, but that it would require a man of lesser importance, and he declined the job; and subsequently some one else was appointed to the position, who now fills it, some one not connected with my company.

Senator McKELLAR. I will ask you to make this photographic copy of an affidavit made by you, which you have identified, dated September 25, Exhibit No. 4 to your deposition.

Mr. AHRENS. I do; yes.

Senator McKELLAR. I must go to the Senate now, and I must ask you gentlemen to excuse me, but I will let you know later in the day when we can continue with your testimony, either this evening or tomorrow morning.

(Thereupon, at 11.45 o'clock a. m., the subcommittee adjourned, subject to the call of the chairman.)

QUARTERMASTER CORPS.

UNITED STATES SENATE,
SUBCOMMITTEE ON MILITARY AFFAIRS,
Washington, D. C., Saturday, November 16, 1918.

The subcommittee met, pursuant to the call of the chairman, at 10 o'clock a. m., in room 248, Senate Office Building, Senator KENNETH D. McKELLAR presiding.

Present: Senators McKELLAR (chairman), SUTHERLAND, and JOHNSON of California.

There appeared before the committee Mr. Theodore Ahrens, president of Standard Sanitary Manufacturing Co., accompanied by Mr. Francis J. Torrance and Mr. George Herth, Jr.

STATEMENT OF MR. THEODORE AHRENS—RESUMED.

Senator McKELLAR. Proceed, Mr. Ahrens.

Mr. AHRENS. I do not remember exactly, but I think we were discussing, when the committee adjourned yesterday, the reason why I thought I had an order for 25,000 of these sets.

Senator McKELLAR. Yes; I think so. That is all right. Go on.

Mr. AHRENS. Let me say that when I testified yesterday I did so without having read the charges against Maj. McCubbin and ourselves. I did not know that we were in what is called an open hearing, a public hearing, and we were entitled to have a copy of the testimony; but Mr. Johnson, the official stenographer, told us just after the adjournment yesterday, and stated that we could have a copy of the testimony furnished to us, and we asked him to prepare a copy and let us have it. He did so, and we received it late last night. Now, I wanted to make that statement preliminary to this other.

Senator McKELLAR. Yes; you could have had a copy of the testimony at any time, of course.

Mr. AHRENS. Now, Senator, I would like to add this to what I said yesterday before you adjourned the hearing. In regard to the interview I had with Maj. McCubbin, and during which we discussed the large housing contracts the Government proposed to place, or had in mind to place, with the manufacturers, my testimony as given yesterday is correct, but I would like to add that after going into the subject thoroughly with Maj. McCubbin and after calling in Maj. Ness, who was consulted on the length of time it would take to put the orders through the department, I left Maj. McCubbin's office with the impression that he would recommend to his superior officers the placing of a large order for plumbing fixtures required for the housing program, which was estimated at about 60,000 sets, and would give us an order for 25,000 sets of these fixtures. The major asked us whether we could make deliveries of this quantity by the end of the year, and I told him we could.

Senator McKELLAR. Mr. Ahrens, since this investigation has begun you have received a letter from Maj. McCubbin asking you to deny that you had a contract with him, have you not?

Mr. AHRENS. He asked me to write a letter to the Enameled Ware Manufacturers' Association, denying that we had such a contract.

Senator McKELLAR. Have you a copy of that letter of Maj. McCubbin to you?

Mr. AHRENS. No, sir; I have not; but it is on file in the Pittsburgh office.

Senator McKELLAR. Will you furnish a copy of that letter and make it Exhibit No. 5 with your testimony?

Mr. AHRENS. Yes, sir.

Senator McKELLAR. Do you remember the contents of the letter—the substance?

Mr. AHRENS. The substance of it was that Maj. McCubbin called my attention to the fact that I had made such a statement at a meeting of the Manufacturers' Association, and he wanted me to retract it, as he had not given me any such contract. That is as near as I remember it. I did not answer that letter, or I did not write the letter that he wanted me to write to the association, because it was not an association matter; that is, the matter never came up in the association meeting. It came up in an informal meeting or discussion that we had after the adjournment of the association meeting, at which I made this statement that we had this order. Therefore I did not think it was necessary or proper for me to write to the association about it or drag them into it.

Senator McKELLAR. With reference to the affidavit about the order for 25,000 sets of plumbing fixtures, did you not get a priority order for coal on account of that affidavit?

Mr. AHRENS. We asked for a priority order for coal, based on the Government contracts we had, and we did include that order among the rest, Senator.

Senator McKELLAR. Yes. When was that priority given?

Mr. AHRENS. Shortly after this whole matter occurred. I do not recall the exact date, but it was before I made up my mind that we would get these contracts or this order.

Senator McKELLAR. It was after the 25th of September, was it not, and after this hearing had begun and Maj. McCubbin had then been before our committee?

Mr. AHRENS. I could not say that, because I do not know when you had the hearing, and I never talked to any of the officers that were connected with this case or with any of the other manufacturers, until recently, and the only talk I had with any manufacturer connected with the case was with Mr. Caldwell the day before I saw you in Memphis, when I talked to him over the long-distance wire. May I make a statement here, Senator?

Senator McKELLAR. Yes; I would be delighted to have you make any statement you wish.

Mr. AHRENS. What I wanted to say, Senator, was that we have received during this year a number of large orders from the Government, and which we considered orders, before we had the formal contracts. Our first shell contract, amounting to about $1,500,000, was given us practically on the same basis; that is, we went ahead and ordered $400,000 worth of machinery before we had that contract. In fact, we did not get the contract for three months after we had begun operations and after we had invested of our own money approximately $400,000 for machinery. But we had the assurance from the officers of the Ordnance Department that the order was going through in good shape, they gave us an order number, or something like that, and told us not to be uneasy about it, and we went on and spent $400,000 of our own money preparing for that contract three months before it was executed.

Senator, this year was a year of big things, and they were done in unusual ways. This order, while it looked big, was not, in proportion to many other orders that were handled and placed by the Government in the various lines.

Senator McKELLAR. Without expressing any opinion, but merely giving you my version, it seems to me that your man McCubbin has misled you into a very serious situation. I gather from what you have said, and what he said and what all have said that appears in this record, that you had every reason for believing that you had a contract; and yet when this investigation came up, knowing that he had been simply acting as your agent, he has besought you and others to protect him by making statements, and statements that are going to get somebody into a very serious situation. In other words, he has gotten you and he has gotten a half dozen other officers here to assure me or to assure this committee that you had no contract, and that is exactly what you have testified to and that is exactly what these other men have testified to, when, as a matter of fact Maj. McCubbin in my judgment—I am not expressing it as my final judgment at all—appears to me to be conscious that he has done wrong himself, and in trying to protect himself he has gotten all you gentlemen in a very remarkable situation. You are in the attitude of having sworn to one state of facts on the 25th of September and another state of facts on the 15th of November, which is, I must say, a very serious thing, and all because of this system to which I have been opposed from the very beginning, of having men interested in the business buying for the Government. It is all wrong; absolutely wrong.

You ought to take your chances before a fair and impartial purchasing officer, a man who has no connection with your business, and the department is all wrong in permitting a man from your office to buy goods from you; and I would say, and it would not make any difference who it was, that if an officer was selected from one of these other concerns, your competitors, to do that, it would be perfectly outrageous, unfair, and unjust to you, just as this is unfair and unjust to them. It is a system that can not be defended. I know that Gen. Marshall is a splendid man, and I can not understand how he permits Maj. McCubbin to be in the employ of the Government for 10 minutes after this is disclosed. It is a matter that I had hoped that Gen. Marshall would remedy promptly by suggesting the dismissal of McCubbin from the service of the Government. He should not be in the service of the Government. It is indefensible that he should be in the service of the Government; and I say this after having heard all the proof—that is, all that has occurred up to this date—and I think practically all the facts are in. He has gone officially and gotten up a very elaborate statement here, and ex parte statements here from witnesses. Maj. Ness and others, that do not agree with the facts in the case at all, and I am surprised to find that anything like that should be done. It is not warranted by the facts and it is not fair to the Government at all, and it is not fair to these other people—not a bit—and as a matter of fact I am rather inclined to think it is unfair to you, because you believed that you had a contract, and have not got one.

Mr. AHRENS. Senator, I did that honestly; yes, sir. I must say, however, in justification of Maj. McCubbin, that I think I am to blame in the matter in simply having talked about having the contract before I had it. Let me put this feature before you, please. I certainly had no business talking to my competitors about having a contract simply, as somebody said yesterday, to boast about it, because that would not do me any good and would only cause bad blood.

Now, my reason for making that statement and telling these other gentlemen that we had such a contract—please remember that I qualified that at once by saying that we had no actual order; no written or formal order—but my reason for advising them of it was because for the last two years, or since the Government has been in this war, we have been cooperating together very closely in every way in order to keep this industry from going on the rocks; and I felt it my duty to advise these other manufacturers that a very large order, a much larger order than was promised me, would be placed, and that they were to receive, or some of them were to receive, the balance of it. Now, that was my reason for making that statement at that time. They, however, took it in another way.

Senator McKELLAR. Now, the trouble about that is that the very first time that the 60,000 has ever been brought forward has been in your testimony. It has never been mentioned heretofore. The number mentioned has always been 25,000, and Maj. McCubbin has never said anything about 60,000 at all, and he certainly ought to have known something about it if he knew anything about the business at all. In the next place, these gentlemen, none of them, understood that there was anything but the 25,000-set order; and in the next place——

Mr. AHRENS. Pardon me, Senator——

Senator McKELLAR. Just one moment.

Mr. AHRENS. Yes, sir.

Senator McKELLAR. In the next place, under the priority order, they would have all gone out of business and you would have had an entire monopoly.

Mr. AHRENS. I have a little information on that point that I would like to give you.

Senator McKELLAR. Those are the things that make this situation absolutely intolerable, and it just shows that the department was all wrong in employing a man out of your office to buy goods from you for the Government. That is absolutely indefensible. The Lord Jesus Christ 2,000 years ago said that no man could serve two masters, and no man can. No man can serve the Government and serve you, too. It is absolutely impossible.

Mr. AHRENS. That same thing happened in a hundred offices, Senator.

Senator McKELLAR. Yes; and it is indefensible, wherever it has been done.

Mr. HERTH. They had to do that because they had to go out into the firms in these different lines in order to get somebody who knew about these things.

Senator McKELLAR. No; the people have gone out, in these different lines, to put these men on the Government, and greatly to the discredit of the Government and to the injury of the Government in securing contracts this way. It is indefensible—absolutely indefensible. I say that with all respect to you, because I think that you have put yourself, by reason of the signing of that affidavit, into an indefensible position, and perhaps into one which you are not entitled to be in, and you have been put in this position by a system that ought not to be tolerated for a moment, and I do not see how any superior officer of Maj. McCubbin can permit him to be in the Army for a moment. He ought to be discharged, and discharged instantly. He ought to have been discharged when this matter was first brought up.

It is a crime against the Government to let a man of that sort, who permits himself to be used in that way, to stay in the employ of the Government; and of course if the War Department can not do it, I am going to see that it is done by publicity. Publicity is the best thing, in this country anyway. I feel outraged at this action on the part of the department and on the part of this whole situation. I speak very plainly. I am a very plain-spoken man. Perhaps I have said here on this record what I ought not to have said. Perhaps I ought to have let the Department of Justice handle this matter in its own way. But, being familiar with it, I feel that you have permitted this young major in the Army, who has been indulging in practices that no man should have indulged in, to put you in the most awkward attitude that you have ever been in in your life, as you will certainly find out. It is an indefensible attitude, and really one that grows out of the course of business that ought not ever to have been tolerated. I may have said more than I ought to, but it is as much in your favor as it is against you. That is the situation. I do not wish you to be unaware of it, because the fact is that you have testified twice——

Mr. AHRENS. I am fully aware of it.

Senator McKELLAR (continuing). And in one case your testimony is opposed to your testimony in the other case.

Mr. AHRENS. Yes, sir.

Senator McKELLAR. And I am really inclined to think that you are not entitled to be in that position.

Now, if there is anything else that you wish to say, I will be glad to hear it.

Mr. AHRENS. I would like to correct some statements here that we discussed yesterday.

Senator McKELLAR. I will be glad to have you put in anything you wish. I want to be absolutely fair about the matter.

Mr. AHRENS. I never had this testimony of Maj. McCubbin and the others until last night. I went through it late last night, and these are points I would like to bring to your attention.

Senator McKELLAR. Surely.

Mr. AHRENS. First, the statement of C. F. Arrott (p. 389 of transcript) and the statement of "Certain manufacturers" (p. 398).

On page 396 you asked this question:

"Senator McKELLAR. If the Government business is confined alone to the Standard Co., what effect would that have on the various other companies engaged in this business, in view of this, or——

To that Mr. Arrott answered:

"Mr. ARROTT. We will have to close our plants down, or turn our plants into making shells or some other Government essential work."

"Senator McKELLAR. Do you wish to comment on that?

Mr. AHRENS. I want to comment on two cases that I am going to cite. I will read now an extract from the "Statement of certain manufacturers," which is appended to the hearing of September 25, 1918, as follows:

"With the further restrictions recently made by the War Industries Board covering purchases for general building improvements and repairs, the present market for sanitary enameled ware is virtually confined to the Government's requirements; and to meet these ultimate requirements, were the business equitably distributed, all of the plants producing enameled ware would be permitted to live."

Now, on that I want to say that these statements are contradicted by the fact that the other manufacturers of enameled ware have, in the first nine months of 1918, sold $4,731,067.69, or 45 per cent, fully 45 per cent, of the enameled-iron ware disposed of in the United States, Government business included. The total amount of enameled ware purchased by Maj. McCubbin from the Standard Sanitary Manufacturing Co. was less than $400,000, being therefore less than 7 per cent of the Standard Sanitary Manufacturing Co.'s sales of enameled ware, and less than 4 per cent of the total business of the country. Our own sales of enameled ware for the same period were $5,385,286.51. This makes a total business of enameled-iron ware in the United States for those nine months of $10,516,354.20. These figures are taken from the reports that we all furnished the secretary of the association, and can be verified. I mention them here to show that after all the amount of business Maj. McCubbin gave us was insignificant compared to the total business of the country, and that these other manufacturers got millions of dollars' worth of business outside of Maj. McCubbin's office.

Senator McKELLAR. But the question that they raise in that testimony is that after January 1, 1919, if the war had continued, you would have been the only man with priority orders, and they would have had to have closed down their businesses, and you would have had the entire enameled-iron ware business of the country; and I am inclined to think that if Maj. McCubbin had had his way that would have been mighty near the situation.

Mr. AHRENS. Senator, that is not the situation.

Senator McKELLAR. And that is an indefensible situation, of having an employee in the Army in that position.

Mr. AHRENS. I agree that that would be indefensible, but that is not the situation. All these manufacturers sold many hundreds of thousands of dollars' worth of enameled ware for Government purposes through other channels. That is the point I am trying to bring out.

Mr. NUGENT. I will ask the Senator from Tennessee if, after his recital, he does not think a lot of these people should be in the penitentiary instead of longer serving as agents of the Government.

Mr. McKELLAR. I will give the Senator my view about it. I recommended that these men be discharged from the service of the Government just after this proof was taken, and my recommendation was ignored by the War Department. There was not any question in my mind as to what ought to be done with them. I do not think we ought to turn these contracts over to them to settle. I think if we do we will be derelict in our duty, and I, for one, will not do it if I know it. I feel that it is my duty to bring this testimony before the Senate and before the public when passing upon these contracts, and, Senators, it is our duty as representatives of the Government to see to it that the Government is treated fairly and right in the validation of its contracts and in our settlement in regard to them.

I believe that is all I have to say.

Mr. POMERENE. I wish to ask the Senator a question.

Mr. McKELLAR. I was going to yield the floor, but I will be delighted to answer any question.

Mr. POMERENE. The Senator has given a great deal of attention to this matter.

Mr. McKELLAR. I want to say that it is a pretty thankless job, too. I have given great attention to it, but a man gets criticism for it. Any man who defends the interest of the Government now is always criticized for it.

Mr. POMERENE. I mean the legislation now pending rather than the particular contracts to which the Senator refers. Is there anything in either of the bills now pending before the Senate which will protect the interests of the subcontractors?

Mr. McKELLAR. No; there is not.

Mr. POMERENE. I have submitted an amendment which will be printed in the RECORD in the morning that will take care of the interests of subcontractors.

Mr. McKELLAR. I think that is a very wise provision. I do not see that the Government has any possible contractual relation, as I understand it, with a subcontractor. It is a difficult provision.

Mr. POMERENE. That is entirely true, but this is my thought about it: If A has a contract with the Government, known as the head contractor, as we call them in Ohio, or in some places the prime contractor——

Mr. McKELLAR. Subcontractors they are called everywhere.

Mr. POMERENE. I am speaking of the head contractor, and he subletts to half a dozen other men.

Mr. McKELLAR. Which is always done.

Mr. POMERENE. They furnish their product to the head contractor for the Government. It seems to me that any money which goes to the head contractor for that product ought to be reserved for the benefit of the subcontractor who contributed toward the execution of the contract with the Government; in other words, that the money which the head contractor gets from the Government should not go to the general creditors of the head contractor at the expense of the subcontractor.

Mr. McKELLAR. I will say to the Senator that I think there is a great deal of merit in his contention, and there is but one way in which it can be effectuated, and that is to put the whole matter in the hands of an independent commission, because the War Department is under no obligation to consider subcontractors. All that is settled by the War Department in these contracts. I do not see how you are going to enforce that obligation upon the department. Many of them have already been settled; but if you will put it in the hands of an independent commission and require the commission to adjust the claims of subcontractors, there is no reason in the world why it can not be done, and I will join the Senator in that.

Mr. POMERENE. There is nothing in the amendment which will be inconsistent with the provisions of either bill, as I understand them.

Mr. McKELLAR. That can be worked out. I will look at it when it is printed, and we will see what can be done.

Mr. FLETCHER. Mr. President, of course, what the Senator from Tennessee has been discussing with respect to leaving to the department the absolute right to adjust these matters is scarcely pertinent to the matter before the Senate, because the House bill is not the bill before the Senate.

Mr. McKELLAR. It is the only bill that is before the Senate. I will say to the Senator. These other measures are amendments to it, and if the matter of protecting the Government is not pertinent, then I am utterly unable to understand what is pertinent.

Mr. FLETCHER. Of course, I understand that perfectly well, but the Senator has been arguing all the afternoon that there ought to be a commission, and there is not any proposal here that there should not be a commission. The substitute offered to the House bill provides for a commission, and the

bill reported by the Senator from Nebraska [Mr. HITCHCOCK] provides for a commission. So we are not confronted with anybody proposing that this matter should be left entirely to the War Department. That is the point I make on that score.

Mr. McKELLAR. Of course, I have explained that fully. The difference is that under the Chamberlain substitute the commission is merely an appeal commission, and you can not get anything before it except by appeal. Under the Hitchcock amendment the commission has full and plenary powers to do justice to all.

Mr. FLETCHER. I understand the difference, but I did not understand that the Senator really expressed much preference one way or the other, just so there was a provision for a commission that took it at some stage of the proceedings out of the hands of the War Department having the entire charge.

Mr. McKELLAR. Oh, no. What I am trying to enforce on the Senate is that I believe in a commission with full power and authority to act—a real commission, not simply an appellate commission.

Mr. FLETCHER. Precisely; I understand the Senator, but still I come back to the original proposition that the measure before the Senate is the report of the Committee on Military Affairs, which proposes a substitute for the House bill, and that report and the bill as reported provides for a commission.

It is a question now for the Senate to decide whether to adopt the substitute to the House bill or not. That is the sole question. Of course, they have a right to amend the substitute, and I take it nobody here is contending in opposition to the adoption of the substitute. I have not heard of any contention.

There is something to be said on the other side of the question if I cared to take the time of the Senate, which I do not, because I realize that this is an urgent matter. It is a matter that ought to be attended to, and we ought to enact this legislation and get it behind us, because there are people in all portions of the country vitally concerned, some of them on the very verge of bankruptcy, as the Senator from Tennessee will recall the testimony before the committee particularly upon that subject, waiting for some adjustment of the differences between them and the War Department, adjustments that are honest, adjustments that are made necessary because the conditions could not be avoided by anybody; in many instances irregular contracts, not the fault of the contractor, not the fault of the department, but irregular, growing out of the very necessities of the conditions and the very urgency of the cases; so no one is to be blamed for that situation. All of a sudden contractors are notified to proceed no further; you are not to go on with your performance. The contractor says, "All right; what will you do about adjusting this case: I have ordered a whole lot of material; I have gone to a great deal of expense; I have incurred obligations; here are men idle on my hands; what are we going to do about it?" Of course, the War Department says, "We will adjust the matter on a fair and equitable basis; come down." They come down and they get together and agree as to what is a fair and equitable basis, and the War Department says, We will adjust it by paying you so much; are you willing to accept that? The contractor says, "Yes; all right."

Mr. McKELLAR. Will the Senator yield to me a moment?

Mr. FLETCHER. When they go to settle they find when they offer the adjustment to the comptroller the comptroller says "No; you can not settle that sort of thing because this contractor had no contract under the law and you have no authority to pay it; you can not adjust it." There they are. As I said, it is nobody's fault, but the law is such and the conditions have been such that these situations have arisen, and these losses are pending, and they ought to be adjusted, and they ought not to wait a day about it. I yield to the Senator from Tennessee.

Mr. McKELLAR. I would just like to ask the Senator this question. The Senator heard the testimony of Mr. Rice, of the firm of Myrick & Rice, in dyestuffs. Would the Senator feel that the Government's interest could be properly looked after when Mr. Rice, representing the Government, settled with Myrick & Rice, representing the dyestuffs?

Mr. FLETCHER. No; I would not. I did not read the testimony, but from what the Senator says about it I would not think of that sort of a thing, and I do not think that is contemplated by anybody. I do not think it is contemplated under the House bill, known as the Dent bill.

Mr. McKELLAR. Would he not be one of the men who would act on the board, acting for the Government? He has been acting for the Government in buying all this dyestuff.

Mr. FLETCHER. No; not at all.

Mr. McKELLAR. Does the Senator know whether Mr. Rice is still acting for the Government in this matter?

Mr. FLETCHER. I have no doubt about it.

Mr. McKELLAR. The Senator knows he was acting a short time ago.

Mr. FLETCHER. As one of the adjusters.

Mr. McKELLAR. He is the man who has charge of that division, and he is the one who makes the contracts. If he comes along and makes a settlement with his own concern would the Senator be satisfied with that?

Mr. FLETCHER. I have never said that. Mr. Rice was one of the original board of adjustment. He was one of the parties concerned in making purchases for the Government at the time the purchases were being made; but I do not understand that he is one of this board of adjusters; and he is certainly not on the appeal board of adjustment. That board is composed of Mr. Garnett, of Virginia; Mr. Malone, of New York; and Mr. Lehmann, of New York. That is the board that is now acting in that capacity. None of them are members of the military forces; they are all three of them from civil life. I mean to say that they are not officials of the War Department; they are civilians. I believe there was some talk—and perhaps that was done—of a sort of commission being issued to them in order to qualify them in some relation so that they might administer oaths; but they are citizens from civil life. They compose the board that is now acting upon this matter. Mr. Rice is not on it, and Mr. Jones is not on it. Those I have named are the ones that compose that board.

I say this matter ought to be speeded, because of the existing situation. Contractors all over the country have hundreds of thousands of dollars involved. Some contractors have only a small amount involved, but it is a great deal to them, although it be small as compared with the claims of other contractors. These contractors are suffering from the lack of an adjustment which would be fair and honorable and equitable and right, and which everybody would agree should be made. However, there is no power to make it and the object of this regulation is to authorize those adjustments.

The law as it stands is found in section 3744 of the Revised Statutes, showing exactly the requirements to make a contract with the United States Government. If a contract is not made in accordance with that law, it is not a valid contract, and any payments made in pursuance of it or under it, or any adjustment on it is rejected by the comptroller and will not be passed by him. No adjustment, therefore, can be reached. That is the law, and I will ask to have it inserted in the RECORD.

There being no objection, the statute was ordered to be printed in the RECORD, as follows:

SEC. 3744. It shall be the duty of the Secretary of War, of the Secretary of the Navy, and of the Secretary of the Interior, to cause and require every contract made by them severally on behalf of the Government, or by their officers under them appointed to make such contracts, to be reduced to writing, and signed by the contracting parties with their names at the end thereof; a copy of which shall be filed by the officer making and signing the contract in the Returns Office of the Department of the Interior, as soon after the contract is made as possible, and within 30 days, together with all bids, offers, and proposals to him made by persons to obtain the same, and with a copy of any advertisement he may have published inviting bids, offers, or proposals for the same. All the copies and papers in relation to each contract shall be attached together by a ribbon and seal, and marked by numbers in regular order, according to the number of papers composing the whole return.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator?

Mr. FLETCHER. Yes.

Mr. CHAMBERLAIN. Does the Senator understand from the statement which the Senator from Tennessee [Mr. McKELLAR] has made that these three gentlemen—Charles A. Rice, H. L. Bailey, and Malcolm Donald—are on the adjustment boards?

Mr. FLETCHER. I do not.

Mr. CHAMBERLAIN. I rather inferred from the statement of the Senator from Tennessee that these men were on the regional boards; and if so, I think it is quite a serious statement to make.

Mr. McKELLAR. Oh, no; Mr. President, the Senator from Oregon misunderstood me. I said these gentlemen were chiefs of their several divisions.

Mr. FLETCHER. That is a different thing.

Mr. McKELLAR. And had charge of these contracts. Under the committee substitute, which is known as the Chamberlain substitute, primarily officers of the War Department would settle these contracts; and as to the board about which the Senator from Florida [Mr. FLETCHER] is talking, that board only has jurisdiction when the case comes up on appeal. These officers will settle it; and if they can not settle it with themselves, how can they settle it?

Mr. FLETCHER. But they are not on the board at all.

Mr. CHAMBERLAIN. I did not want the Senate to get the impression that these men were on the board or were adjusting these contracts; and the Secretary of War would certainly be

a very foolish business man if he undertook to put them on the board.

Mr. FLETCHER. The Senator is entirely right. So when the Senator from Tennessee asked me the question if I would stand for a settlement made under those circumstances, with this gentleman on the board, I said no; but he is not on the board. He was one of the original agents of the Government in making the purchases, a head of a division, but I do not understand that he is an adjuster of those contracts.

Mr. McKELLAR. Mr. President, will the Senator yield to me?

Mr. FLETCHER. Certainly.

Mr. McKELLAR. As I understand, the War Department's machinery now is that those officers of the War Department who have in charge these contracts attempt to arrive at an adjustment. Suppose there is a legal contract, they will arrive at an adjustment; the War Department follows their recommendation in the matter, and that ends it. The board of which the Senator speaks has nothing in the world to do with it. The question I ask the Senator from Florida is, Is he willing to settle it by these gentlemen?

Mr. FLETCHER. Except that the department arrives at an adjustment in pursuance of such investigation, study, and recommendation as the board may make, I take it.

Mr. McKELLAR. Not at all. It is an appellate board. The testimony disclosed to us that it was an appellate board entirely. For instance, if Mr. Donald, representing the clothing and equipage division, settles with the various firms with which he is connected, that simply goes through as a matter of course, and the settlement is made. The Senator may be satisfied with that kind of a settlement on behalf of the Government, but I am not.

Mr. FLETCHER. Mr. President, there are 8 of these adjustment boards in Washington and 24 of them throughout the country all told. These boards are the boards before whom these claims are presented. They make their recommendation to the Secretary of War. If that recommendation is not satisfactory, then it comes to the board of which Mr. Garnett, Mr. Lehmann, and Mr. Malone are members, and they review it.

Mr. NUGENT. Will the Senator yield to me?

Mr. FLETCHER. Certainly.

Mr. NUGENT. I should like to ask the Senator if he knows the personnel of those committees; if he knows how those committees are made up which are now adjusting these contracts? Are they made up of the gentlemen who made the contracts in the first instance?

Mr. FLETCHER. I think not; not at all. They are designated by the Secretary of War to make the investigations as to the particular matters which are presented in connection with these contracts or quasi-contracts.

Mr. NUGENT. Does the Senator know——

Mr. McKELLAR. If the Senator from Florida will yield to me for a minute, I will say this, which, I think, will probably answer, as well as it can be answered, the question which the Senator from Idaho has asked.

Mr. FLETCHER. I do not think these boards are made up of the chiefs of the divisions that made the contracts.

Mr. McKELLAR. There is not a scintilla of evidence before our committee in reference to who compose the smaller boards. They did not give us the names of the members of the appellate boards who are officers in the Army, and were made officers in the Army purely for the purpose of sitting on appeal.

As to the lower boards, who are on them, who they are, what connection they have with the gentlemen with whom they are doing business, we have no knowledge whatsoever.

Mr. FLETCHER. I do not know their personnel.

Mr. NUGENT. The Senator can not enlighten me with respect to that?

Mr. McKELLAR. It can not be done, because we have not the information.

Mr. FLETCHER. I do not know the personnel of these different boards—8 of them in Washington and 24 of them throughout the country—but I presume we can get their personnel if that is important. I do not understand, however, that the personnel composing those boards is made up of the same persons who made the contracts.

Mr. NUGENT. I should like to know their personnel, I will say to the Senator, before the vote is taken with respect to this matter.

Mr. FLETCHER. I think I can get that information for the Senator.

I have here a letter from Assistant Secretary of War Crowell with regard to Senate bill 5261, which is referred to as the Hitchcock bill. Inasmuch as the Senator from Tennessee [Mr. McKELLAR] based his remarks on a comparison between that bill and the substitute now pending before the Senate, I think it is worth while to refer to that letter and to have it printed in the RECORD. I will not take the time to read it; but I think Mr. Crowell mentions that the department has already provided for these boards, although I am not sure that he gives the method of making up the boards or how they are constituted. But the letter does state:

In addition to being utterly unable to do its work, the adjustment board provided by S. 5261 is entirely unnecessary for the reason that the War Department already has established and at work a machinery adequate to handle efficiently and promptly all settlements. Without now going into the details, the department has a central board of contract review in each of the eight supply bureaus in Washington; also a total of 24 local or district boards in various sections of the country making settlements for the Ordnance Department and the former Quartermaster Corps. The department has also established in Washington a board of contract adjustment to which the Secretary of War refers for decision all cases in which the contractor and the contracting officer are unable to agree. Furthermore, several thousand contracting officers, accountants, investigators, and other assistants are now at work helping the boards to make prompt settlements. On the enactment of the legislation which the War Department has requested, this machinery is prepared to start immediately on the cases in which contracts were not made or signed as provided by law.

That is the machinery that is now in operation. I do not know whether it is necessary to go further into detail as to how it is constituted than that or to set out the names of all of the officers who are connected with it. I am quite sure that the machinery is ample to arrive at an honorable and a fair adjustment of these matters and to assure to the Government that there is no fraud being committed as against the Government. I will ask to have Mr. Crowell's letter inserted in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter referred to is as follows:

WAR DEPARTMENT,
Washington, January 6, 1919.

Hon. DUNCAN U. FLETCHER,
United States Senate.

MY DEAR SENATOR: I am glad to avail myself of your suggestion that I submit to you a statement with reference to S. 5261, known as the Hitchcock bill.

This bill provides for the establishment of an adjustment commission of three members who shall decide all cases of cancellation of existing valid contracts or orders of the War Department, and also all cases in which a contract was not made or signed as provided by law.

The War Department is strongly convinced that the enactment of this bill would cause great and unjustifiable delay in settling the proper claims of contractors and would most unjustly throw hundreds of contractors into bankruptcy.

It would first be necessary for the President to appoint the members of the commission. The Senate must then confirm the appointments. Thereafter the board must organize and familiarize itself with its duties. If regional boards of examiners are appointed, their membership must be selected and their machinery started.

These various steps will necessarily take time. After they have been performed the board will find itself confronted with a situation which will absolutely prevent prompt settlements. This situation will result both from the magnitude of the task and from the almost total lack of assistance provided for the board in the bill.

Incomplete figures show that the total number of settlements which would come before the board would exceed 25,000. That this is an impossible task for three men in one year is, of course, obvious.

Your attention is invited to the fact that the entire appropriation provided by the bill is only $50,000; that $35,000 of this amount will be used to pay the salaries of the three members of the board and the secretary; and that only $15,000 will be left for the accountants, investigators, clerical assistance, and office expenses of the central board and the entire expenses of all such boards of examiners as may be appointed. Comment on the utter inadequacy of such an appropriation is unnecessary. At the very outset, the board would be choked with work and this condition would become hopelessly more aggravated each succeeding week.

As bearing on the personnel and the expenditures necessary in the determination of large numbers of cases, by prompt and informal methods, your attention is invited to the following illustrations:

(1) The Interstate Commerce Commission consists of nine members. During the year ending October 31, 1917, the commission decided approximately 1,000 formal proceedings and 10,000 informal proceedings, with an organization of approximately 700 employees and an expenditure of $1,060,000 chargeable to this work. The Hitchcock bill proposes to have three men decide in one year at least twice as many cases on an appropriation less than one-twentieth as large.

(2) The public service commission of New York, second district, a typical State public service commission, decided in 1917 approximately 450 formal proceedings and 1,350 informal proceedings, a total of 1,800 proceedings on an appropriation of approximately $400,000. The Hitchcock bill proposes to have the adjustment commission decide approximately 20 times as many cases with one-eighth the appropriation and personnel.

In addition to being utterly unable to do its work, the adjustment board provided by S. 5261 is entirely unnecessary for the reason that the War Department already has established and at work a machinery adequate to handle efficiently and promptly all settlements. Without now going into the details, the department has a central board of contract review in each of the 8 supply bureaus in Washington; also a total of 24 local or district boards in various sections of the country making settlements for the Ordnance Department and the former Quartermaster Corps. The department has also established in Washington a board of contract adjustment to which the Secretary of War refers for decision all cases in which the contractor and the contracting officer are unable to agree. Furthermore, several thousand contracting officers, accountants, investigators, and other assistants are now at work helping the boards to make prompt settlements. On the enactment of the legislation which the War Department has re-

quested, this machinery is prepared to start immediately on the cases in which contracts were not made or signed as provided by law.

The War Department feels very earnestly that the good faith of the Government is pledged to a prompt settlement and payment of all just claims of contractors. The department stands fully ready to make such settlements and is already doing so where the contracts were made and signed as provided by law.

The Dent bill, as amended by the House Committee on Military Affairs, will meet the requirements of the situation if amended in a few further respects as suggested by the War Department and will enable the department to utilize its existing boards and its existing personnel to make prompt settlements of all formal and informal contracts.

Very sincerely,

BENEDICT CROWELL,
The Assistant Secretary of War.

Mr. FLETCHER. Mr. President, I have not any serious objection to this commission. The only thing I am fearful about is that it will delay matters. I believe that the War Department is perfectly capable of dealing with this whole situation if Congress will simply say that certain contracts which ought to have been formally executed and would in the ordinary course of events have been formally executed are valid contracts. If Congress will simply give the authority provided in two sections, I believe, as I have said, that the department will adjust these matters in such a way as to bring relief to the contractors who have undertaken to serve the Government in its hour of need, and to bring it speedily; whereas if we add to that some sort of commission to review what the department does, we will create a condition which will inevitably mean uncertainty and delay. The contractors are not in a position where they can endure that hardship. They have suffered enough already; there has been enough delay already, and, indeed, there has already been too much.

What will it mean, for instance, if we have to wait here until the President names three members who are to constitute the proposed commission? We have had some experience in that direction. We know that whenever the President is authorized to make an appointment it does not come here the next day or the next week. Sometimes it takes several weeks and sometimes several months for the name to come in. The President has difficulty in finding men to fill these responsible positions, and an appointment on this commission is a responsible position, a position that calls for $7,500 a year as compensation.

That is another thing that is made necessary by this bill. It is proposed to spend $50,000 a year, in my judgment, wholly without any necessity at all. It is necessary to set up a court with clerks and stenographers and records, and all that sort of thing—a regular court machinery.

Mr. HITCHCOCK. That is also in the committee bill.

Mr. FLETCHER. I know it is, but I am totally opposed to it. I am opposed to that provision in both bills. I am opposed to the creation of a commission, but I am not going to delay the bill by making any great contest about it. I take it as being the best thing for us to do in order to get some action on this legislation, for other members of the committee seem to be against me on that idea. It is true that both bills—the bill of the Senator from Nebraska [Mr. HITCHCOCK] and the bill now offered as a substitute—provide for a commission, but I repeat I think it is a useless thing, an expensive thing, a costly thing for everybody concerned, to the Government as well as to the contractors, because it means delay. It will be weeks and weeks before we get the three names before the Senate, and then they must be confirmed by the Senate. Both the bills provide for that, and that may take several weeks. We do not know how long. And then after they are appointed and confirmed by the Senate and begin the work they have got to establish their headquarters, their apartments, and organize their forces for conducting this inquiry. So we are going to have claims pending before that court until most of us in this Chamber have passed away, and we will never hear the end of them. It seems to me an absurd thing to establish a court here to deal with these matters which ought to be adjusted without any delay at all and without all of this expensive machinery.

If we provide this commission, we are establishing a fifth wheel to the coach, for we have the Court of Claims anyway without this provision, which may be resorted to where there is a valid contract, and when we make valid contracts that are now irregular we open the way so that any contractor can secure justice, even though he has to bring suit finally in the Court of Claims. But here it is proposed to establish another court ahead of the Court of Claims. We already have the War Department and the whole machinery of that department, with all of its boards, and a final appeal to the Secretary of War himself.

Then, after that, it is proposed to create a commission before which the contractors may go. They can thrash out the matter before the commission, with years and years of delay and detail in connection with proceedings there, and then, after the commission has rendered a decision, they can go to the Court of Claims. When will we reach an end to these matters that are in dispute between citizens who have endeavored to serve the Government and the Government itself? I think it is a useless and expensive piece of machinery that ought to be eliminated from this bill.

Furthermore, coupled with the proposal to establish a court is a provision that it shall be composed of men, according to the very language of the bill, who are pledged to look after particular interests on that commission. One is to represent the War Department, the other is to represent the Department of Justice, and the other is to represent the contractors, I presume; "the business interests of the country," the bill says. In other words, we are creating a court composed of three members, every member of which must go there pledged to look after some particular interest. That is a ridiculous kind of court to create. It is not a court of justice. A court of justice ought to be absolutely free and unhampered to deal with the facts, the law, and the justice of the controversy, and not be composed of partisans, as this bill specifies they must be. It is proposed to create a court of justice to pass upon the claims and to constitute that court of men appointed for the very reason that, respectively, they represent specially, particularly, and peculiarly conflicting interests.

That is another objectionable feature of it; but, as I have said, I am not going to take up more time in discussing the commission idea. I think it is absurd and ought to be eliminated from the bill, and I may offer an amendment to that effect before we get through with it. However, I would rather have the bill passed even with the unnecessary, useless, and expensive provision with respect to this commission than not to have it at all. I want to see the legislation enacted promptly. It ought to have been enacted before this time. It is a pity to have had all this delay about it. There are citizens who have rights, whose rights the department recognizes, and who are suffering daily by reason of the technicalities obtaining which prevent the settlement with them now. They ought to be settled with, and they can be settled with, and I am in hopes that most of them will be settled with without any appeal to this extraordinary commission.

I think there are safeguards thrown around the whole matter by provisions of the bill which protect the Government in every way, although I do not think that anybody is contemplating robbing the Government. I think it is undisputed—the authorities themselves admit it is undisputed—that there are contractors who are entitled to the adjustment and settlement of their rights and their just claims, but they can not get them as the law now stands. This bill opens the way for them to get what is due them. The danger would be rather that the department would be strict with them rather than that the department would not be strict enough. I fall utterly to see that there is any necessity for a commission. It merely puts upon the Government an additional expense, and it is going to cause inevitably serious delay and thereby hardship where there is no occasion for it. As I have said, I think that very likely before we are through I shall offer an amendment to strike out the provision for the commission, but I am not going to delay action on this bill by insisting strongly on it or taking up time discussing it further. I desired, however, to mention these facts in connection with the matter, and to urge, as I have said, speedy action upon the bill, in order that we may afford the relief that ought to be afforded and which those whom it will affect are entitled to receive.

Mr. SMOOT. Mr. President, on January 23 the administrative committee of the American Bankers' Association adopted a resolution in relation to a provision in this bill, which I wish to take just a moment to read into the RECORD, and when the proper time comes I desire to discuss it to some extent. The resolution is as follows:

Resolved, That the American Bankers' Association earnestly urge the passage by the Senate of H. R. 13274, as reported by Mr. CHAMBERLAIN on January 20, with an amendment, subject, however, to the important modification that wherever the right of appeal therein is given to the Department of Justice such right be eliminated.

A provision of this nature places upon the Department of Justice a duty to investigate all contracts or orders now pending validation, adjustment, and final settlement, and will cause a serious and unnecessary delay, to the great detriment of business, and will cause a great financial loss to customers of banks and seriously interfere with the employment of labor.

We believe that there are adequate laws existing to protect the Government in the payment of contracts when validated, and that section 2 of the bill in question protects the Government in the validation of informal contracts and the completion of contracts to replace informal orders and agreements.

At the proper time, Mr. President, I may offer an amendment to the amendment reported by the committee, although at this time I do not care to do so.

From what has been said this afternoon by members of the committee, it seems to me that this bill ought to be guarded a little more carefully in certain particulars than it is; but if there is to be any relief whatever granted to the business interests of this country, let us have early action and let us perfect the bill so that there can not be criticisms against the Government such as have been referred to here to-day. I am rather surprised at what has been said upon the floor of the Senate, and yet I presume if we went into an investigation of all of the departments of the Government we would find that some unheard-of, unthought-of actions have been taken at a time when the demand was pressing, when the question of money counted nothing, and when the main consideration was the question of time. I can not conceive, Mr. President, how the conditions related here to-day can be justified or defended.

To my mind the department itself ought to have taken those matters in hand immediately, and they ought to have been rectified long ago. I have no doubt that there must be some legislation granting relief to the men who have furnished materials to the Government and who in many cases abandoned their regular business to do so, and who have not only all of their capital invested in producing the materials furnished to the Government in time of war but a great deal more. I think the chairman of the committee well said that unless some relief is granted, and that quickly, there are a great many institutions in this country which are going to be driven to the wall financially.

Mr. HITCHCOCK. Mr. President, as I understand the situation, we have before us a bill of the House of Representatives for which the committee has submitted a substitute. I desire to inquire of the Chair whether it is now in order to offer an amendment to perfect the House bill before the substitute is voted on?

The VICE PRESIDENT. It is.

Mr. HITCHCOCK. Then, Mr. President, I offer the amendment which I send to the desk, which I ask to have printed so that the Members of the Senate may have it to-morrow.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. CHAMBERLAIN. Mr. President, I rise to a parliamentary inquiry. The bill as reported by the Senate Committee on Military Affairs is an amendment to the House bill proposing to strike out all after the enacting clause, and to insert.

The VICE PRESIDENT. That comes under Rule XVIII, which was adopted for the very purpose of avoiding what was known as amendments in the third degree. That rule makes the House bill one question and the Senate committee amendment another question, and each is subject to amendment, under the rule the part to be stricken out having precedence in the matter of amendment.

Mr. CHAMBERLAIN. Then when the amendment comes up to which the Senator from Nebraska just called attention, will that be voted on first or will we vote on the committee amendment first?

The VICE PRESIDENT. If the amendment of the Senator from Nebraska is an amendment to amend the House bill, it must be voted on first.

Mr. CHAMBERLAIN. I rather think that the Senator's amendment is practically a substitute for the House bill. Is it not, I will ask the Senator?

Mr. HITCHCOCK. I think the suspicions of the Senator from Oregon are pretty well founded, but I believe that technically I am within the rules of the Senate.

Mr. CHAMBERLAIN. Then, Mr. President, I confess to my ignorance of parliamentary law.

The VICE PRESIDENT. The Chair is of this opinion: The Chair has been sitting here this afternoon, and has heard incidentally, on the side, what was attempted to be done. The Chair thinks that the Senator from Nebraska has a right to move an amendment as in lieu of the amendment offered by the committee; and the Chair thinks, also, that amendments may be offered to the amendment of the Senator from Nebraska. While the Chair has not seen it, from what the Secretary tells the Chair the Chair does not believe it is an amendment of the part that was stricken out at all. It is in lieu of that. The Secretary says, however, that the Senator does save part of the House text.

Mr. SMOOT. He has the right, however, to perfect it.

The VICE PRESIDENT. Oh, yes; the Senator has a perfect right to do that.

Mr. HITCHCOCK. Mr. President, in addition to having the amendment printed, I should like to have it printed in the RECORD. I make that request.

The VICE PRESIDENT. Is there any objection? The Chair hears none.

Mr. SMOOT. Why not have it read?

Mr. HITCHCOCK. I am perfectly willing to have it read, although I have suggested to the Senator in charge of the bill that we could not make any more progress to-night, and that we ought to have an executive session.

Mr. FRELINGHUYSEN. May I ask the Senator when we will be able to get copies of his amendment?

Mr. HITCHCOCK. The amendment will be on the desk of Senators to-morrow morning.

The amendment of Mr. HITCHCOCK is as follows:

In line 3, page 1, after the word "That," strike out all down to and including line 24, page 3, and insert the following:

"Where during the present war and prior to November 12, 1918, officers or agents acting under authority of the Secretary of War have placed orders or made contracts with manufacturers or contractors for war supplies or materials, or for the performance of work thereon, or for the construction or enlargement of plants or other preparations necessary to furnish supplies or materials for the War Department, the procurement of which has heretofore been authorized by Congress, and any of said orders or contracts has been partly or wholly performed, or expense has been incurred by the manufacturer or contractor prior to the 12th day of November, 1918, in preparation or partial execution of said contract or order, the fact that any such contract or order or agreement has not been made in the form or signed in the manner required by law shall not invalidate the same if it was entered into in good faith and lacked only the sanction of a contract in legal form. Nothing herein provided, however, shall be held to validate any contract, order, or agreement given or made by an officer or agent of the War Department not legally qualified or authorized to give a formal legal contract, except where such officer has signed as the representative of a superior officer authorized to make such contract, nor to permit an officer to make such contract with any company, corporation, or firm in which he has, or had at the time, directly or indirectly, any interest.

"SEC. 2. That in all cases as above included it shall be lawful to make payments under the terms of the contracts or orders so made or given to the extent that performance thereof has been made, expenditures incurred, or supplies thereunder have heretofore been received and accepted by the United States, provided that payment in such cases shall not exceed the fair value of the supplies or materials delivered to and accepted by the United States, together with remuneration for expenditure properly incurred in preparing to perform said contract, orders, or agreements.

"SEC. 3. That in case of the cancellation, suspension, or annulment of any contract, order or agreement as described in this act, by the Secretary of War, or officers or agents acting by his authority, and in cases where no property or supplies have been delivered to and accepted by the United States, or where only partial delivery and acceptance has been made, contractors shall file with the Secretary of War within 60 days after the passage of this act any claim for remuneration arising out of the discontinuance, cancellation, or suspension of such contract, agreement, or order, properly itemized and set forth. Each claim shall thereupon, or as soon as possible, be transmitted to and filed with the commission hereinafter provided for, together with a statement attached thereto, showing the amount, if any, which the War Department deems to be justly due to said claimant. If the claimant shall file a statement offering to accept the amount awarded by the War Department in full for said claim, the commission shall, within 10 days, order the same paid in the absence of evidence that it is excessive.

"SEC. 4. That for the adjustment of all claims arising out of the cancellation of contracts, orders, and agreements for supplies or materials of war, as described in the foregoing paragraphs of this act, there is hereby created an adjustment commission to be composed of three members, to be appointed by the President and confirmed by the Senate, one representing the War Department, one representing the Department of Justice, and one representing the business interests of the country, none of whom shall be interested in any contracts with the Government or have an interest in any firm or corporation having war contracts, who shall hold their offices for one year and receive as compensation a salary of $10,000 each. It shall be the duty of said commission promptly to examine and pass upon all claims for compensation and reimbursement arising out of cases as set forth in this act for supplies furnished, expenditures or obligations necessarily incurred, or materials purchased under faith of contracts in legal form or orders received from officers and agents of the Secretary of War as heretofore set forth.

"SEC. 5. That in each case, as soon as the commission has made an award, the contractor shall be entitled to receive the same upon giving receipt in full of all demands against the United States arising out of the transaction, or if the contractor is not satisfied with the amount so awarded he shall be entitled to receive, and shall receive at once, 75 per cent of the amount that has been awarded him, and he shall thereupon be entitled to appeal the case to the Court of Claims, which is hereby given jurisdiction to hear the case and render final judgment in such sum as may be required to reimburse the contractor for supplies and materials delivered to and accepted by the United States and expenditure necessarily incurred in good faith in the partial performance of the contract or order above referred to, or in preparing for the same.

"SEC. 6. That in no case, however, shall any award, either by the commission or the Court of Claims, include prospective or possible profits on any part of the contract beyond the goods and supplies delivered to and accepted by the United States and a remuneration for expenditures necessarily incurred in preparing to perform said contract or order so canceled.

"SEC. 7. That the purpose of this act being to secure prompt settlement of claims, the commission is authorized to make its own rules and regulations and to hear and determine the issues informally and promptly upon presentation of the case. The commission is authorized to appoint, under such rules and regulations as it shall prescribe, one or more regional boards of examiners to serve in such districts throughout the country as the commission shall fix and determine to investigate and determine the facts concerning claims, legal or equitable, that may be presented as herein prescribed. The members of such board shall be composed of one representative of the War Department, one representative of the Department of Justice, and one from the business interests of the region, none of whom shall have any interest in the contract, directly or indirectly, and receive no compensation, save and except such per diem compensation as shall be fixed by the commission. Whenever the commission shall refer to any such regional board of examiners any claim they shall proceed informally to hear the parties,

take the proofs, and return the same promptly to the commission with their recommendation thereon.

"SEC. 8. That the sum of $50,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the reasonable expenses of said commission, to be paid out upon the warrant of the chairman, who shall be chosen by the commission from among their own members, and approved by the secretary, who may be selected by the commission, and who shall receive a salary of not exceeding $5,000 for the period of one year, or so much thereof as may be necessary, to be determined by the commission."

Amend the title so as to read: "A bill to legalize informal or defective orders for war supplies and materials; to provide for the cancellation of orders and contracts, for the reimbursement of contractors and manufacturers, for the adjustment of claims on canceled contracts or orders, to provide for the partial payment of awards pending final determination, and for the creation of an adjustment commission."

WASHINGTON'S FAREWELL ADDRESS.

The VICE PRESIDENT. In accordance with the order of the Senate heretofore made, directing the reading of the Farewell Address of George Washington upon the 22d day of February, immediately following the reading of the Journal, the Chair appoints for that purpose this year the Senator from New Jersey [Mr. FRELINGHUYSEN].

EXECUTIVE SESSION.

Mr. MARTIN of Virginia. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 25 minutes spent in executive session the doors were reopened.

DEATH OF REPRESENTATIVE ROBBINS.

Mr. PENROSE. Mr. President, I ask that the resolutions received from the House of Representatives on the death of Hon. EDWARD EVERETT ROBBINS, late a Representative from the State of Pennsylvania, be laid before the Senate.

The VICE PRESIDENT. The Chair lays before the Senate the resolutions from the House of Representatives, which will be read.

The Secretary read the resolutions as follows:

IN THE HOUSE OF REPRESENTATIVES,
January 25, 1919.

Resolved, That the House has heard with profound sorrow of the death of the Hon. EDWARD EVERETT ROBBINS, a Representative from the State of Pennsylvania.

Resolved, That a committee of 34 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect this House do now adjourn.

Mr. PENROSE. Mr. President, I offer the following resolutions, which I send to the desk and ask for their adoption.

The resolutions (S. Res. 430) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of the Hon. EDWARD EVERETT ROBBINS, late a Representative from the State of Pennsylvania.

Resolved, That a committee of seven Senators be appointed by the Vice President to join the committee appointed on the part of the House of Representatives, to attend the funeral of the deceased.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives.

The VICE PRESIDENT, under the second resolution, appointed Mr. PENROSE, Mr. KING, Mr. OVERMAN, Mr. WATSON, Mr. BAIRD, Mr. THOMPSON, and Mr. KNOX the committee on the part of the Senate.

Mr. PENROSE. Mr. President, I move as a further mark of respect to the memory of the deceased Representative that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 4 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, January 28, 1919, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 27, 1919.

APPOINTMENTS IN THE NAVY.

To be ensigns for temporary service.

Jack G. Scott,
Lawrence V. Smith,
Harold E. Aul,
Edwin J. Simons,
Roger K. Hodsdon,
Wilbur J. Schoepfle,
Robert T. Lattin,
Charles A. Harrison,
Edward A. Pedersen,
James R. Bagshaw, jr.,
Arthur R. Curry,
Cecil G. Cooley,
Frank V. Herdman,
Leslie V. Winchester,
William C. Wroe,
Robert C. Saunders, jr.,
Frank E. Goeckler,
Albert L. Struven,
Bascom H. Thomas,
Willard W. Wright,
Arthur T. Leonard,
Perry B. Sample,
William F. Evans,
Alfred G. Scott,
Cellan A. Hendee,
Kenneth E. Bryant,
Philip H. Smith,
Edwin E. Valentine,
Leon W. Dunbar,
Richard W. Reep,
Edgar V. Carrithers,
Elliott S. Hastings,
James P. Carroll,
Howard L. Clark,
Rodney H. Dobson,
Eldridge W. Reese,
Clinton H. Beckwith,
Terence W. Greene,
Ernest O. Arnold,
William N. Thornton,
Joseph G. Brearley,
Oliver F. Green,
Rudolph J. Anderson,
Thomas J. Spellman,
William H. Terrey,
Edgar A. Self,
Theodore J. Olson,
Lannis A. Parker,
Waldorf B. Brown,
Carl H. Taylor,
David E. Tell,
Herman B. Thompson,
Harold W. Skillman,
Leo W. Baker,
Harry S. Ford,
Robert G. Strong,
Aloysius D. Keller,
Ernest V. Abrams,
Wallace H. Collins,
Ivan L. Kingsley,
Frank P. Doheny,
Alzamore B. Smith,
Leroy S. Miller,
Ralph A. Schuyler,
John E. Walrath,
Frank W. Thunberg,
Frank A. Zimbelman,
John L. Landfair,
David J. Nolin,
Alexander N. Crowder,
Robert L. Rundle,
Charles M. Steele,
William B. Collier,
Clyde R. Kennedy,
Frank M. Andrews,
Joseph S. Fogerty,
James C. Knowles,
Edward L. Sheldon,
James J. Horeau,
Walter E. Peterson,
William T. Ryan,
Foster B. Crutcher,
Charles H. Engelhard,
James H. Joyce,
Irving Thurston,
Charles C. Babcock,
Richard T. Harte,
Ernest M. Moore,
David T. Sanders,
John A. Gee,
Otis Howard,
John A. Scoville,
Verne L. Sullivan,
Merton J. Wakefield,
Lyle H. Gallivan,

Elias M. Dour,
Michael L. Long,
Ernest H. Morris,
Arthur S. Davis,
Jesse H. Gwin,
Fred C. Stevens,
William K. Heaton,
Burton E. Rokes,
Lawrence Doty,
Frank O. Parker,
Lloyd K. Cleveland,
John B. Smith,
Luther Dannecker,
Joseph W. Scheer,
Moseley C. Collins,
Jacob J. Harris,
Carl F. Dilger,
Andrew J. Herold,
Floyd D. James,
James C. Thomas,
Donald R. Comstock,
Edward B. McLee,
Robert H. Reece,
Bryant L. Smith,
Chester W. Williams,
Raymond St. C. Beckel,
Eli G. Braley,
Franklin Morrette,
Raymond C. Hall,
Charles A. Stender,
Maurice P. Condrick,
Joseph A. Pierce,
Arthur W. Bates,
Glen C. Barnaby,
Edward C. Campbell,
James H. Gregory,
Seymour H. Sutton,
John J. Foley,
Daniel J. Sullivan, jr.,
Rollo L. Faubion,
Charles O. Michael,
John F. O'Hagan,
Richard E. Hawes,
Irving J. Stephenson,
Stanley B. Covert,
Clarence W. Johnson,
Harold F. Hale,
Edward C. Holden, jr.,
Lloyd W. Brown,
George S. Curtis,
Andrew M. Parks,
Oscar Allred,
George F. Freeman,
Andrew M. Harvey,
Julian E. Tobey,
Ernest R. Zabriskie,
Edward A. Condy,
Raymond W. Fuchs,
Stanley H. Southwell,
Fred P. Gerhardt,
Edwin L. Gaswaay,
Harold DeW. Hoffman,
Burt W. Harvey,
James F. K. Wilcox,
John L. Mickle,
Clarence L. Nicholson,
Joseph T. Collins, and
Stanley W. Curtis.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 27, 1919.

UNITED STATES DISTRICT JUDGE.

Hugh M. Morris to be United States district judge, district of Delaware.

UNITED STATES ATTORNEYS.

Samuel K. Dennis to be United States attorney, district of Maryland.

Erle Pettus to be United States attorney, northern district of Alabama.

Hiram M. Smith to be United States attorney, eastern district of Virginia.

UNITED STATES MARSHAL.

William W. Stockham to be United States marshal, district of Maryland.

APPOINTMENTS IN THE ARMY.

GENERAL OFFICERS.

To be major general.

Lieut. Gen. Robert L. Bullard.

To be brigadier generals.

Maj. Gen. George W. Read.
Maj. Gen. Charles H. Muir.
Maj. Gen. Charles T. Menoher.
Maj. Gen. James W. McAndrew.
Maj. Gen. William G. Haan.
Maj. Gen. James G. Harbord.
Maj. Gen. John L. Hines.
Maj. Gen. Charles P. Summerall.

FIELD ARTILLERY ARM.

To be second lieutenant.

Cadet George Brooke McReynolds.

PROMOTIONS IN THE ARMY.

CORPS OF ENGINEERS.

To be captains.

First Lieut. Girard B. Troland.
First Lieut. Llewellyn M. Griffith.

PROVISIONAL APPOINTMENTS, BY PROMOTION, IN THE ARMY.

CORPS OF ENGINEERS.

To be captain.

First Lieut. Simon Medine.

To be first lieutenants.

Second Lieut. Roland Jens.
Second Lieut. William E. Thrasher.
Second Lieut. George W. Coffey.
Second Lieut. George O. Consoer.

COAST ARTILLERY CORPS.

To be first lieutenant.

Second Lieut. Charles S. Harris.

FIELD ARTILLERY ARM.

To be captains.

First Lieut. Francis Fielding-Reid.
First Lieut. Harold H. Ristine.
First Lieut. Oscar L. Gruhn.

To be first lieutenants.

Second Lieut. Dennis P. McCarthy.
Second Lieut. Albert Tate.
Second Lieut. Le Conte H. Slocum.
Second Lieut. John H. Shelton.

CAVALRY ARM.

To be first lieutenant.

Second Lieut. Gilbert N. Cheves.

INFANTRY.

To be captains.

First Lieut. Augustine J. Zerbee.
First Lieut. Frank A. Heileman.
First Lieut. Lauritz D. Simonson.
First Lieut. Carl R. Perkins.
First Lieut. Franklin W. Cheney.
First Lieut. George F. Wellage.
First Lieut. Alfred F. Biles, jr.
First Lieut. Charles T. Hearin.
First Lieut. John F. Freslin, jr.
First Lieut. James B. Wise, jr.
First Lieut. Clarence M. Culp.
First Lieut. Robert D. Horton.
First Lieut. Charles B. Kehoe.

To be first lieutenants.

Second Lieut. Harrison B. Beavers.
Second Lieut. Elbridge Colby.
Second Lieut. Allan H. Snowden.
Second Lieut. Herbert D. Gibson.
Second Lieut. Goulding K. Wight.
Second Lieut. Harry S. Wilbur.
Second Lieut. Albert S. Johnson.
Second Lieut. Clarence O. Black.
Second Lieut. Paul B. Robinson.
Second Lieut. William L. Coulter.
Second Lieut. Glen E. McCarthey.
Second Lieut. Joseph H. Hinwood, jr.
Second Lieut. Russell F. Walthour, jr.
Second Lieut. James C. De Long.

Second Lieut. Joseph P. Lawlor.
Second Lieut. Timothy A. Pedley, jr.
Second Lieut. Charles N. Owen.
Second Lieut. Charles R. Gideon.
Second Lieut. Archie MacI. Palmer.
Second Lieut. Jack B. Chadwick.
Second Lieut. John R. Bair.
Second Lieut. James S. Varnell.
Second Lieut. Arthur F. Dahlberg.
Second Lieut. Russell C. Chapman.
Second Lieut. Edwin T. Bowden.

PROVISIONAL APPOINTMENTS, BY TRANSFER, IN THE ARMY.

COAST ARTILLERY CORPS.

First Lieut. LeRoy Lutes, Infantry, to be first lieutenant, Coast Artillery Corps.

INFANTRY ARM.

First Lieut. Richard B. Gayle, Coast Artillery Corps, to be first lieutenant, Infantry.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Medical Inspector James C. Pryor to be a medical director with the rank of captain.

Pay Inspector Joseph J. Cheatham to be a pay director with the rank of captain.

Paymaster James C. Hilton to be a pay inspector with the rank of commander.

Lieut. Henry M. Jensen to be a lieutenant commander.

Midshipman John C. Williams to be an ensign.

APPOINTMENTS IN THE NAVY.

To be ensigns, for temporary service.

Jack Garrett Scott,
Lawrence Victor Smith,
Harold Edward Aul,
Edwin Jaggard Simons,
Roger King Hoidsdon,
Wilbur John Schoepfle,
Robert Thomas Lartin,
Charles Allison Harrison,
Edward Albion Pedersen,
James Robinson Bagshaw, jr.,
Arthur Reginald Curry,
Cecil George Cooley,
Frank Victor Herdman,
Leslie Victor Winchester,
William Clarke Wroe,
Robert Chancellor Saunders, jr.,
Frank Edward Goeckler,
Albert Louis Struven,
Baseom Henry Thomas,
Millard Wyldre Wright,
Arthur Thomas Leonard,
Perry Bernard Sample,
William Fennell Evans,
Alfred George Scott,
Ceilan Abner Hendee,
Kenneth Eugene Bryant,
Philip Harold Smith,
Edwin Ernest Valentine,
Leon Winfield Dunbar,
Richard Wesley Reep,
Edgar Verne Carrithers,
Elliott Sheldon Hastings,
James Patrick Carroll,
Howard Lionel Clark,
Rodney Hiram Dobson,
Eldridge Wiley Reese,
Clinton Henry Beckwith,
Terence Warner Greene,
Ernest Osborn Arnold,
William Nelson Thornton,
Jos. Gillingham Brearley,
Oliver Francis Green,
Rudolph James Anderson,
Thomas Joseph Spellman,
William Homer Terrey,
Edgar Alfred Self,
Theodore Julian Olson,
Lannis Alvin Parker,
Waldorf Barnett Brown,
Carl Herbert Taylor,
David Eugene Tell,
Herman Bernard Thompson,
Harold Williamson Skillman,
Leo Walter Baker,
Harry Stanley Ford,
Robert Galbraith Strong,
Aloysius Deony Keller,
Ernest Valentine Abrams,
Wallace Hardison Collins,
Ivan Lawrence Kingsley,
Frank Patrick Doheny,
Alzamore Bordette Smith,
Leroy Scovell Miller,
Ralph Alexander Schuyler,
John Eli Walrath,
Frank William Thunberg,
Frank Arthur Zimbelman,
John Lysle Landfair,
David Joseph Nolin,
Alexander Norman Crowder,
Robert Lloyd Rundle,
Charles Messinger Steele,
William Bryan Collier,
Clyde Raymond Kennedy,
Frank Monroe Andrews,
Joseph Samuel Fogerty,
James Carroll Knowles,
Edward LeRoy Sheldon,
James Joseph Horeau,
Walter Edward Peterson,
William Thomas Ryan,
Foster Brandenburg Crutcher,
Charles Howard Engelhard,
James Henry Joyce,
Irving Thurston,
Charles Chester Babcock,
Richard Trenton Harte,
Ernest Monroe Moore,
David Tilden Sanders,
John Archer Gee,
Otis Howard,
John Allan Scoville,
Verne Leslie Sullivan,
Merton Jeffrey Wakefield,
Lyle Hugo Gallivan,
Elias Marion Doar,
Michael Luke Long,
Ernest Henderson Morris,
Arthur Shenk Davis,
Jesse Heath Gwin,
Fred Clayton Stevens,
William Everett Heaton,
Burton Emery Rokes,
Lawrence Doty,
Frank Orville Parker,
Lloyd Kenneth Cleveland,
John Bernard Smith,
Luther Dannecker,
Joseph William Scheer,
Moseley Cary Collins,
Jacob John Harris,
Carl Francis Dilzer,
Andrew Jackson Herold,
Floyd Dixie James,
James Clifton Thomas,
Donald Remer Comstock,
Edward Brown McLee,
Robert Howell Reece,
Bryany Ingham Smith,
Chester Waring Williams,
Raymond St. Clair Beckel,
Eli Clifford Braley,
Franklin Morrette,
Raymond Charles Hall,
Charles Adolph Stender,
Maurice P. Condrick,
Joseph Alfred Pierce,
Arthur Warner Bates
Glen Charles Barnaby,
Edward Cleveland Campbell,
James Henry Gregory,
Seymour Hawse Sutton,
John Joseph Foley,
Daniel James Sullivan, jr.,
Rollo Linsey Faubion,
Charles Otto Michael,
John Francis O'Hagan,
Richard Ellington Hawes,
Irving Joseph Stephenson,

Stanley Burton Covert,
Clarence William Johnson,
Harold Francis Hale,
Edward Clarence Holden, jr.,
Loyd William Brown,
George Stephen Curtis,
Andrew Mack Parks,
Oscar Allred,
George Foster Freeman,
Andrew Milton Harvey
Julian Elnathan Tobey,
Ernest Rodger Zabriskie,
Edward Arthur Coady,
Raymond William Fuchs,
Standly Hodges Southwell,
Fred Peter Gerhardt,
Edwin Lee Gasaway,
Harold De Witt Hoffman,
Burt William Harvey,
James Frank Keller Wilcox,
John Lewis Mickle,
Clarence Leroy Nicholson,
Joseph Tasse Collins, and
Stanley Walter Curtis.

POSTMASTERS.

COLORADO.

Vivian Sadler, Cheyenne Wells.
Dwight Cline, La Salle
Edward M. Robinson, Wray.

DELAWARE.

James J. English, Wilmington.

INDIANA.

Nathan W. Ringo, Dugger.
Earle A. Smith, Gosport.
Fred H. Foster, Oxford.

MISSOURI.

Charles B. Neville, Lawson.

NEBRASKA.

Joseph Fenimore, Merna.

OKLAHOMA.

Baker B. Woodward, Bokoshe.
Hattie E. Malloy, Laverne.
James G. Sprouse, McCurtain.
Irving O. Diggs, Stillwater.
Walter A. Thompson, Tahlequah.
Vernon B. Ellington, Wagoner.
Claud Hannon, Wirt.

SOUTH DAKOTA.

Claud I. Force, Clear Lake.

TENNESSEE.

Jessie R. Alexander, Mountpleasant.
Arch W. Ashton, Hohenwald.
Benjamin W. Scott, Bradford.
Robert L. Long, Church Hill.
Dudley D. Edgemon, Englewood.
Franklin W. Latta, Dyersburg.
Enos O. Thomas, Camden.
William H. Howard, Milan.
Lucille Morris, Tiptonville.

HOUSE OF REPRESENTATIVES.

MONDAY, *January 27, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty God, our heavenly Father, help us to do Thy will this day. If we are in darkness, give us light. If we are weak, make us strong. If we wander from the paths of rectitude and duty, call us back; that we may be the instruments, in Thy hands, for the promotion of Thy kingdom upon the earth. In Jesus Christ our Lord. Amen.

The Journal of the proceedings of Saturday, January 25, and of Sunday, January 26, 1919, was read and approved.

DEFICIENCY APPROPRIATIONS.

Mr. SHERLEY. Mr. Speaker, I am directed by the Committee on Appropriations to report (No. 989) the second deficiency bill, for printing under the rules.

The SPEAKER. The gentleman from Kentucky reports a deficiency bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes.

Mr. STAFFORD. Mr. Speaker, I reserve all points of order.

The SPEAKER. The bill is ordered printed and referred to the Committee of the Whole House on the state of the Union.

EXTENSION OF REMARKS.

Mr. HERSEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the life and public services of the late Gen. Joseph S. Smith, of my State, to-day buried at Arlington, with military honors.

The SPEAKER. The gentleman from Maine asks unanimous consent to extend his remarks in the RECORD on the life and public services of the late Gen. Joseph S. Smith. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, I should like to ask the gentleman if the late Joseph S. Smith was a former Member of this body?

Mr. HERSEY. He was not. He has been the general manager since the late Civil War of two soldiers' homes of this Nation, and he had distinguished military service.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent to print a letter from an old soldier, consisting of 20 lines, from the Battle Mountain Sanitarium.

The SPEAKER. The gentleman from Ohio asks unanimous consent to print in the RECORD a letter of 20 lines from an old soldier at the Battle Mountain Sanitarium. Is there objection? [After a pause.] The Chair hears none.

The following is the letter referred to:

NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS,
BATTLE MOUNTAIN SANITARIUM,
Hot Springs, S. Dak., January 23, 1919.

From: The Battle Mountain boys.
To: Gen. I. R. SHERWOOD, M. C., Washington, D. C.
Subject: Gratitude.

MY DEAR FRIEND AND NEIGHBOR: I desire on my own account and in behalf of 300 members of Battle Mountain Sanitarium to express our heartfelt gratitude for your success with others in blocking the Gandy bill.

Wish you could have seen the joy expressed by the boys to-day when the Omaha Bee came, with an account of the defeat of the bill, with the names of all who were active in blocking it, and your name was mentioned as one. This did me much good, as I told the boys that I was sure that you would be there in our interest when the time came. So many who are here have tried to live in other places, but on account of this climate they return and say there is no other place that agrees with them, and the treatment does them the good that they get here. And for this and other reasons I am asked to write you in behalf of all the boys and thank you for this and the many good things that you have done for us boys.

We all join in wishing you health and years of active life.

Very truly, yours,

THREE HUNDRED MEMBERS OF B. M. S.,
By SOL. FARRAUGH.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent to have read a very short letter from the Pension Commissioner, and desire to make a request concerning the same.

The SPEAKER. Without objection, the letter will be read.

Mr. WALSH. Mr. Speaker, reserving the right to object ——

Mr. GARD. A parliamentary inquiry, Mr. Speaker.

Mr. BLANTON. If the gentleman will see the substance of it I do not think he will object.

The SPEAKER. It is not a question for debate. The gentleman asked that a letter be read, and he put the motion that it be read.

Mr. WALSH. The Chair said that without objection the letter would be read.

The SPEAKER. That is what the Chair meant. Is there anybody objecting?

Mr. WALSH. I reserved the right to object and asked the topic on which the letter was written.

Mr. BLANTON. Several days ago ——

Mr. WALSH. I would like to know what the letter is.

Mr. BLANTON. Several days ago I had printed in the RECORD a report of a special committee of the Pension Bureau concerning the act of March 4, 1917, which showed ——

Mr. WALSH. The letter is about a pension law?

Mr. BLANTON. Indian pensions. It showed the parties in certain commands who were entitled to pensions and those who were not. The commissioner has written a letter stating he would like to have 500 copies of that document for answering inquiries in case it should be printed as a House document. I wanted that letter read as a basis for the request that it be printed as a House document.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will read.

The Clerk read as follows:

DEPARTMENT OF THE INTERIOR,
BUREAU OF PENSIONS,
Washington, January 25, 1919.

Hon. THOMAS L. BLANTON,
House of Representatives.

MY DEAR MR. BLANTON: I was much pleased to read in the RECORD of January 20, 1919, your remarks concerning the act of March 4, 1917, granting pensions to certain Texas volunteers, etc.

If it is published in pamphlet form, we would like very much to have at least 100 copies in the Pension Bureau that we may use it in answering inquiries. Thank you very much.

Very truly, yours, G. M. SALTZGABER,
Commissioner.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that this report as printed in the RECORD several days ago be printed as a House document with this letter of the commissioner as a preface to it.

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, I did not read the matter which the gentleman had inserted in the RECORD, I am sorry to say, but, as I understand, it was an official ruling of the Pension Bureau.

Mr. BLANTON. The commissioner appointed a special committee of five experts in his department to pass upon the old muster rolls of Texas and other ancient documents there bearing upon the act of March 4, 1917, in order that it might be determined which commands of the various ones there that engaged in Indian fighting, and so forth, were entitled to benefits under this act and which were not. A great number of applications have been filed in the Pension Bureau for pensions under this act, and many of the applicants are not entitled to pensions.

Mr. WALSH. I think they have a mimeograph machine down at the Pension Bureau. I object.

Mr. GARD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARD. Did my colleague, Gen. SHERWOOD, ask that his letter be read or merely incorporated?

The SPEAKER. He asked that it be printed in the RECORD.

HOSPITAL AND SANATORIUM FACILITIES FOR SOLDIERS AND SAILORS.

Mr. CLARK of Florida. Mr. Speaker, it is not necessary, I think, under the rule to move to go into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13026. Does not the House resolve itself automatically into committee?

The SPEAKER. The House automatically resolves itself into the Committee of the Whole House on the state of the Union.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13026, with Mr. HARDY in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13026, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 13026) to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged soldiers and sailors.

The CHAIRMAN. There are remaining 10 minutes to the proponents of the bill and 32 minutes to the opponents.

Mr. CLARK of Florida. Mr. Chairman, I understand there was some arrangement by which the gentleman from Indiana [Mr. ELLIOTT] would transfer five minutes to the gentleman from New York [Mr. GRIFFIN]. Will he do that now?

Mr. ELLIOTT. Yes. I will transfer five minutes from this side to the other side.

The CHAIRMAN. Making 15 minutes in the control of the gentleman from Florida and 27 minutes in the control of the gentleman from Indiana.

Mr. CLARK of Florida. Mr. Chairman, if the gentleman from Indiana will use some of his time, I shall be glad.

Mr. ELLIOTT. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. KREIDER].

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 15 minutes.

Mr. KREIDER. Mr. Chairman and gentlemen of the committee, I think there is no Member of the House who is not willing that our returning soldiers should receive all the care, all the attention, and all the consideration and hospital treatment which can be given to them. But the bill before us, in my judgment, should not be passed, for the very good reason that the Government now owns and controls a sufficient number of hospitals to take care of all the soldiers that we are likely to be called upon to take care of.

I think it is clearly understood, and yet it might be necessary to say, that the bill provides for hospitals to be operated under the Public Health Service, and under the provisions of the bill the hospitals which the bill provides for are not intended for the soldiers who return from the front. It is intended, as Dr. Banks, who is the Chief of the Bureau of Public Health Service, said, for the patients of the War Risk Insurance Bureau. These patients, in the main, although there are a few others, are those who have never been sent overseas. In fact, they have never been mustered into the Army. They are rather those who have passed the local board of examiners and have been brought to the various cantonments and Army posts and have been rejected and returned to their homes as being physically unfit for military duty. So that we want to have clearly before us a correct understanding of the proposition.

Now, we may as well be frank in order to have a clear understanding that the hospitals which this bill provides for will be administered under the Treasury Department, and the hospitals we now have, of which we have an abundant supply, are being operated under the War Department. It seems to me that here there is a conflict of authority.

I do not want to make statements based on my opinion, rather on the evidence submitted at the hearing.

Mr. MAPES. Mr. Chairman, will the gentleman yield?

Mr. KREIDER. In a moment. I shall try and make no statement that is not borne out by the hearings before the committee. Now I yield to the gentleman.

Mr. MAPES. How does the Bureau of War Risk Insurance get jurisdiction over the men who are not mustered into the service?

Mr. KREIDER. By the provisions of the conscription act which we passed. It is contended that when we selected men from private walks of life and compelled them to appear before our local boards, where they were examined by physicians appointed by the Government and pronounced to be physically fit or sound and sent to the cantonments and thence returned because of being physically unfit, the law presumes that they were physically fit when they were passed by the local boards, and therefore they become beneficiaries under the selective-service law.

Mr. MAPES. That is the provision in the war-risk insurance act?

Mr. KREIDER. That is the provision now.

Mr. RUCKER. Mr. Chairman, will the gentleman yield?

Mr. KREIDER. Yes.

Mr. RUCKER. Is not the gentleman slightly mistaken? Does not that law provide that they shall have been passed and shall have gone into the service of the Government, and then so-and-so?

Mr. KREIDER. The gentleman is a member of the Committee on Public Buildings and Grounds, and I desire to refresh his memory and call his attention to the hearings. There he will find that in the hearings, No. 14, page 31, the fact I referred to is brought out very clearly.

Mr. DYER. Mr. Chairman, will the gentleman yield to me for a moment?

The CHAIRMAN. Does the gentleman from Pennsylvania yield to the gentleman from Missouri?

Mr. KREIDER. Yes; for a question.

Mr. DYER. I do not want to ask the gentleman a question except in this way: This is a bill which, I understand, involves an expenditure of $10,000,000?

Mr. KREIDER. Yes; $10,500,000.

Mr. DYER. Reported under the rule?

Mr. KREIDER. Yes.

Mr. DYER. Probably not one-fourth of the membership of the House knows anything about it.

Mr. KREIDER. I think that is true.

Mr. DYER. And we have present here 15 or 20 Members. If the gentleman will pardon me, I will make the point of no quorum.

The CHAIRMAN. The gentleman from Missouri makes the point of no quorum. Evidently there is no quorum present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Caldwell	Decker	Eagan
Austin	Carew	Delaney	Edmonds
Bacharach	Carter, Mass.	Dempsey	Emerson
Bell	Chandler, N. Y.	Denison	Esch
Benson	Cleary	Dent	Estopinal
Black	Connally, Tex.	Dewalt	Fairchild, G. W.
Blackmon	Cooper, Ohio	Dies	Fields
Booher	Cooper, Wis.	Dill	Flynn
Borland	Copley	Dixon	Fordney
Britten	Costello	Donovan	Francis
Browne	Cox	Dooling	Freeman
Browning	Crago	Doremus	Fuller, Mass.
Brumbaugh	Curry, Cal.	Drane	Gallivan
Butler	Davey	Drukker	Good
Byrns, Tenn.	Davis	Dunn	Goodall

Goodwin, Ark.	Lea, Cal.	Price	Stephens, Neb.
Gordon	Lesher	Rainey, H. T.	Sterling
Graham, Pa.	Linthicum	Riordan	Strong
Gray, N. J.	Lobeck	Robbins	Sullivan
Greene, Vt.	London	Roberts	Swift
Gregg	McAndrews	Rowe	Tague
Griest	McKenzie	Rowland	Taylor, Ark.
Hamill	McLaughlin, Pa.	Ruley	Templeton
Hamilton, N. Y.	Maher	Russell	Thomas
Hamlin	Mansfield	Sabath	Tinkham
Haskell	Mason	Sanders, La.	Vare
Hawley	Mondell	Sanford	Venable
Hayes	Moore, Pa.	Scully	Volpe
Heaton	Morin	Sears	Waldow
Heintz	Mott	Shackleford	Wason
Helm	Mudd	Shallenberger	Watson, Pa.
Helvering	Neely	Sherley	Watson, Va.
Houston	Nelson, J. M.	Siegel	Welty
Husted	Nichols, Mich.	Sims	Whaley
Hutchinson	Nolan	Sinnott	White, Ohio
Johnson, S. Dak.	Norton	Slemp	Wilson, Ill.
Kahn	Park	Small	Winslow
Kelley, Mich.	Parker, N. Y.	Smith, Mich.	Wise
Kennedy, R. I.	Platt	Smith, C. B.	Wood, Ind.
Key, Ohio	Pou	Smith, T. F.	Woods, Iowa
Kitchin	Powers	Snyder	
Larsen	Pratt	Steenerson	

The committee rose: and the Speaker having resumed the chair, Mr. HARDY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill (H. R. 13026) to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers and sailors, found itself without a quorum, whereupon he caused the roll to be called, when 264 Members, a quorum, answered to their names, and he presented the names of the absentees to be printed in the Journal and RECORD.

The SPEAKER. The committee will resume its session.

Accordingly the committee resumed its session, with Mr. HARDY in the chair.

Mr. KREIDER. Mr. Chairman, for the benefit of those Members who were not here before the roll call, I will state that I tried to explain who were the beneficiaries of the War Risk Insurance Bureau, and in reply to the question of the gentleman from Missouri I will direct his attention to the hearings, No. 14, page 31, where the following statement is made by Dr. Charles E. Banks, chief medical officer for the War Risk Insurance Bureau:

Dr. BANKS. The original bill provided for that contingency, but Congress amended the act some time in July, by which, under the language of the law, "the above-named officer, commissioned officer, or enlisted man shall have been held to have been in sound condition when inducted into the service." Now, The Adjutant General holds that a man is inducted into the service the moment he is passed by the draft board. Consequently, everybody—good, bad, and indifferent—is eligible for the benefits of the war-risk insurance provisions who comes into the Army from the draft board.

I could go on and read further, but I think that answers the question as to who are the beneficiaries, in the opinion of Dr. Charles E. Banks.

Mr. GRIFFIN. Will the gentleman yield?

Mr. KREIDER. I prefer not to be interrupted until I finish my statement. I am quoting from the hearings, which the gentleman can refute, or the accuracy of the statements contained in which he can question, if he desires.

Mr. GRIFFIN. I want to direct the attention of the gentleman to the law, section 300.

Mr. KREIDER. If the gentleman will give me time, he can direct my attention to the hearings, the law, or anything else he sees fit. But, as my time is limited, I also wish to call attention to the question as to who these hospitals are for. At the same hearing the chairman of the committee asked the question as to whom these hospitals are for. And the direct reply was that they are for the patients of the War Risk Insurance Bureau. Read page 34 of the hearings.

The reason I am dwelling on that is to show that these hospitals are not intended to be built for the benefit of the returning soldier who has seen actual service, but that they are intended for those who have become beneficiaries of the War Risk Insurance Bureau through the method which I have tried to explain. It is perhaps needless to say, because I think the majority of the Members know, that during the summer of 1918 the War Department made great preparations in the way of building hospitals in order to take care of the number of wounded whom they believed they would be called upon to take care of. At that time they had supposed that the war would probably continue during 1919; but when the armistice was signed, on the 11th of November, they immediately canceled a large number of the contracts for the building of hospitals on which they had entered, knowing that when those hospitals which were under construction were completed they would have enough and more hospital capacity than they could possibly use.

Statements have been made as to the number of beds available and the number of beds occupied. These statements have been inserted in the RECORD and in the minority report. They have not been brought up exactly to date. This morning before I came on the floor of the House I called up the Surgeon General's Department and asked how many vacant beds there are now, and they told me about 45,000. I said, "How many more beds are about to be completed, not included in the 45,000?" And they told me about 15,000; so that there will be approximately 60,000 vacant beds. This is largely in excess of what they hope they will ever be called upon to use, and they stand ready now, as they have stood ready, to turn over hospitals, which it may be conceded are not the most desirable, but, nevertheless, they are hospitals that are suitable for the purpose, and have been used for the purpose, and are now owned by the Government of the United States and are fully equipped. The department is ready not only to turn over several of these hospitals now but possibly half a dozen more within from three to six months.

The number of wounded has been given as approximately 190,000, of whom approximately 60,000 have been brought to this country. Now, I have no intention to say anything that is not absolutely fair, but I want to direct your attention to the fact that when we speak of these 190,000 wounded we speak of all those who have been sent to the hospitals. I asked the department about the average length of time that is required for a wounded soldier to remain in a hospital until he is discharged. The statistics show that 80 per cent of those who are wounded return to the front within six weeks. Now, that includes the slightly wounded. The department, of course, has no official record, but it was stated to me that if you eliminate the tuberculosis patients and the insane the average stay of the wounded soldier in the hospital is probably about six weeks. Your attention has been directed to 120,000 wounded soldiers. Possibly out of those 120,000 over 60 per cent have been returned to the front and to their commands and are not now patients in any overseas hospital. At any rate, this last report that the Surgeon General's Department has is that there are approximately 104,000 patients now in hospitals on the other side, over 50 per cent of whom are not wounded but are sick, who will probably be returned to their commands. They are no doubt coming in and going out all the time, and they are not the men who will be sent over to this side. During the month of December there were returned about 23,000 soldiers who required hospital attention. It is assumed that during the next two months, before the 1st of April, every soldier will be returned who needs hospital attention. Now, that being the case, I might say here also that the average length of time that a tuberculosis patient remains in the hospital is six months, as testified in the hearings. Now, let us consider what is the project before us. We are considering building hospitals for patients whom we now have, but whom we will not have in 6 months or a year or 18 months or 2 years from now, the very earliest that any of these hospitals can be completed. Now here is the proposition before us: Are we going to authorize the building of hospitals and the spending of tens of millions of dollars to accommodate patients who will not exist when those hospitals are completed? We all want to do everything we can for the returned soldiers, but the Government of the United States now owns a sufficient number of hospitals to take care of the patients. Furthermore, as has been stated, the officials of the War Department and of the Navy Department have both gone on record over their signatures saying they will not discharge any soldier who requires hospital treatment. They have ample facilities for taking care of them themselves, and they do not purpose to turn these men over to the Public Health Service. This is not a political matter. In my humble judgment I do not see why we should now build more hospitals. I have not time to refer to the report of the American Hospital Association. This is the highest medical authority in the United States. They have gone on record and in a circular describing the treatment and the best treatment for our tuberculous patients. They are not advocating the building of large hospitals and segregating them in those hospitals, but prefer treating the men nearer their homes. I have no time to go into the nature of the disease. I think it is generally known that tuberculous patients usually prefer to keep in close proximity to their own homes.

Mr. KEARNS. Will the gentleman yield?

Mr. KREIDER. I will.

Mr. KEARNS. The gentleman said that they will not discharge any soldier who requires hospital treatment. I did not catch the name of the authority that he quoted from.

Mr. KREIDER. The officials of the Navy Department and of the War Department have stated that they will not discharge soldiers or sailors so long as they require hospital treatment.

Mr. KEARNS. If a soldier thought he could get better attention at home than he could in the Army, would they not discharge him?

Mr. KREIDER. That is not pertinent to this bill, because this bill provides for hospitals to be used for the War Risk Bureau patients.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CLARK of Florida. Mr. Chairman, I yield five minutes to the gentleman from Missouri [Mr. RUCKER].

Mr. RUCKER. Mr. Chairman, as a member of the Committee on Public Buildings and Grounds, I confess that in the beginning I approached this question with many misgivings. At first I had views very similar to those expressed by gentlemen here who have spoken in opposition to the bill. The hearings will show that I asked questions which committed me to that viewpoint. But the more I studied it the more I became convinced I was in error. The one fact that stares our country in the face to-day is that we are just emerging from the greatest war that the world has ever known.

Unfortunately a large number of America's best and bravest boys have been wounded. These wounded soldiers must be cared for. Gentlemen say that we have by law pledged care, hospital treatment, and medical aid to the soldiers. Waive that, if you please. Consider that there is not one word of law in existence to-day obligating Congress to take care of and treat the boys after they return, the fact yet remains that there is an obligation on us greater and more binding than mere law can make it. It is an obligation springing from reciprocal duty. These boys fought for our preservation and for the preservation of liberty in this great Republic and in the world, and we must take care of them, not solely because we promised to do it but because in itself it is right to do it. [Applause.]

Gentlemen argue that among the various activities of the Public Health Service it would use the hospitals here provided for in caring for and administering to the needs of men who did not fight on the firing line in France; and the gentleman who has just taken his seat, my good friend from Pennsylvania [Mr. KREIDER], for whom I have a great deal of respect and personal affection, says that the hospitals will be filled with boys passed by the legal draft board but who never entered the service except in that formal way. The gentleman quotes from page 34 of the hearings, in which an eminent surgeon testified—and a splendid surgeon he is, too, but he is not much of a lawyer, because in his testimony before the committee he so misquoted or misstated the law as to mislead the gentleman from Pennsylvania [Mr. KREIDER]. Quoting from testimony of this surgeon, the gentleman read as follows:

> The above-named officer, commissioned officer, or enlisted man shall have been held to have been in sound condition when inducted into the service.

That is not the law, and if the gentleman from Pennsylvania [Mr. KREIDER] ever becomes interested in legal questions in a vital way I will suggest to him to consult a lawyer and not a doctor. Let me read the law:

> That for death or disability resulting from personal injury suffered or disease contracted in the line of duty by any commissioned officer or enlisted man or by any member of the Army Nurse Corps (female) or of the Navy Nurse Corps (female) when employed in the active service under the War Department or Navy Department, the United States shall pay compensation as hereinafter provided; but no compensation shall be paid if the injury or disease has been caused by his own willful misconduct: *Provided*, That for the purposes of this section said officer, enlisted man, or other member shall be held and taken to have been in sound condition when examined, accepted, and enrolled for service: *Provided further*, That this section as amended shall be deemed to become effective as of October 6, 1917.

Mr. KREIDER. Will the gentleman yield?

Mr. RUCKER. Yes.

Mr. KREIDER. Does the gentleman know, as a matter of fact, what the status of these men is? What was their status in the service?

Mr. RUCKER. For many purposes after he passed the draft board he became a soldier and was in the service, necessarily so.

Mr. CLARK of Florida. Under the law.

Mr. RUCKER. Under the law. He was amenable to punishment for desertion or any military offense. But for the purposes of this law Congress had the foresight and wisdom to say that for the purposes of this law—that is, the law providing for compensation—a man shall be considered in sound condition after he shall have been examined, accepted, and enrolled for service. When accepted by whom? By the medical authorities at the camp and enrolled into the service of his country, and not until then. I can not discuss that any longer, but let me say that I for one will join hands with the gentleman from Pennsylvania [Mr. KREIDER] if the law we passed is as absurd as the doctor said it was, and as the gentleman argued it is by his remarks, and assist him to amend it. Who wants to build hospitals for men who were afflicted with disease, mental or physical, at the time of passing the draft board and who for these reasons were unfit for military service, and therefore were sent back to their homes without being accepted and enrolled for service? Who wants to build hospitals for them? Nobody. On the other hand, when the boys are taken from their homes, from their fathers and mothers, from their wives and children, and put into the camps, accepted by the military authorities, enrolled for duty, and subsequently were discharged because of infirmities and afflictions of service origin, then our duty arises and we should act. It ill behooves any man here to question the right or wisdom of making provision for such men.

I sincerely hope this bill will pass, as it ought to pass. Let us give relief to these boys who are coming back maimed, wounded, and impaired in health.

By unanimous consent, Mr. RUCKER was granted leave to extend his remarks in the RECORD.

Mr. GRIFFIN. Mr. Chairman, may I ask how much time we have upon this side?

The CHAIRMAN. The gentleman has 10 minutes and the other side has 10 minutes.

Mr. GRIFFIN. Mr. Chairman, I have reserved these 10 minutes for the gentleman from Florida [Mr. CLARK], chairman of the committee, and I will ask the other side to use their time now.

Mr. ELLIOTT. Mr. Chairman, I yield five minutes to the gentleman from Missouri [Mr. DYER].

Mr. DYER. Mr. Chairman, I desire to call to the attention of the committee what I understand to be the intent of this bill. First, I understand it to be to secure a $10,000,000 appropriation for the purpose of providing hospital treatment for those who were sent to the Army camps and who, after examination in the Army camps by the medical officers, were returned as unfit for service. In other words, Mr. Chairman, only those men who through negligence or inattention or oversight of the draft board were sent to these camps and whom the officers in the camp found were not fit for military service, because of disabilities, are to be cared for by this bill. This bill is intended to take care of that one class.

Mr. PHELAN. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. Will the gentleman yield?

Mr. DYER. I can not yield until I have made my statement. Mr. Chairman, if there is a considerable number of men in this country who were drafted into the service and found unfit for service in a few weeks after they got to the camps by the medical officers, then there is every opportunity in every State in this land for their treatment. There are in my State and in my city hospitals for the treatment of men afflicted with tubercular diseases or with any other trouble. That is one class. It has been stated by the gentleman from New York [Mr. GRIFFIN], who so ably presented the case on the part of the committee, that it is also provided that this bill shall affect and take care of men who were discharged from the service, who had been in the Army for some length of time, who probably contracted tuberculosis or other diseases in France or in the camps of this country. This morning I talked with the Surgeon General's office, and Col. Smith told me they have three large tubercular hospitals in this country that are not by any means filled. Not only that, but he told me this morning that the Surgeon General of the Army had to-day sent a letter to the Secretary of War asking the Secretary of War to ask Congress for authority to readmit to the hospitals of this country soldiers who have been discharged and are found afterwards to need medical treatment.

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman yield?

Mr. DYER. Yes.

Mr. GRAHAM of Illinois. Is it not true that to-day, under the Overman bill, the President could make an order on that kind if he desired?

Mr. DYER. He could if he was here and knew the situation and condition in this country.

Mr. PHELAN. Mr. Chairman, will the gentleman yield?

Mr. DYER. No; I have only five minutes, and I trust the gentleman will not interrupt me until I have had an opportunity to make my statement. What other justification is there for this $10,000,000 appropriation. The marine hospitals of this country do not need all their beds for the treatment of patients that they are now authorized under the law to take care of. I have in my city of St. Louis a marine hospital that to-day is not nearly filled, not over two-thirds, at the most, of its beds are filled now or have been filled for many years.

Mr. RUCKER. Mr. Chairman, will the gentleman yield?

Mr. DYER. I can not at this time.

Mr. RUCKER. Then, I will answer the gentleman in a few minutes in my own time, and I will ask the gentleman then if he wants to put the interest and welfare of the property holders of St. Louis above the boys who have been fighting.

Mr. DYER. That is not a question pertinent to what I said. The marine hospital in St. Louis, owned by the United States, has been admitting men who were in the service in this war. Men have gone there from the camps located near St. Louis, men wearing the uniform of the service, and this hospital has had room to take care of them.

Here is the proposition, pure and simple. It is a question of whether or not the men who have been wounded in fighting the battles of our country, men who have contracted this dreadful disease—tuberculosis—whether those men, men whom we see in the Walter Reed Hospital—and I wish every Member of Congress would go there and see the patients in that hospital——

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. DYER. Mr. Chairman, I will ask the gentleman to yield me a minute more in order to conclude my sentence.

Mr. ELLIOTT. I yield the gentleman one minute more.

Mr. DYER. Shall receive the best treatment possible. We ought not to permit the Public Health Service to take over for treatment men who have fought the battles of this Republic. The War Department ought to do that. It ought to be under the Surgeon General of the Army, who has looked after these men since they left home, who should continue to look after these men as long as they live, whether they are in the service or have been discharged. Surg. Gen. Ireland to-day has written a letter to the Secretary of War, asking the Secretary of War to go to Congress and ask Congress for authority to readmit men to the hospitals who have been discharged for one reason or another and are in need of treatment. In the tuberculosis hospital—a general hospital—in Fort Bayard Hospital they have been admitting patients all of the time, men who have been discharged from the service. You can get a man in there who has served in the Philippines if he has tuberculosis. There is no excuse for asking for an appropriation of this kind. It is an injustice to the men who have fought the battles of this war and who have won it. The Secretary of War is responsible, through the Surgeon General. He has been given ample funds. Let us give him the authority he still needs to care for soldiers discharged.

Mr. ELLIOTT. Mr. Chairman, I think that every Member of this House and everybody in America wants to do everything that is necessary or proper to take care of the men who fought the battles for this country and saved us from the galling yoke of autocracy, but we must proceed in this business in an orderly manner. After more than 50 years have elapsed we are still taking care of the veterans of the Civil War, and we will have to take care of them for some years yet, although I notice in this morning's paper that one-tenth of the veterans of the Civil War who were left had died during this last year. This proposition which we have before us is not for the purpose of building hospitals to take care of soldiers who are in the Army. The Army now has enough hospitals to take care of them, but this is a proposition to take care of those men after their discharge from the Army. There will have to be a comprehensive plan adopted, gentlemen, to take care of the wounded and sick men of this war. We will have to adopt an adequate system of pensions, we will have to build adequate soldiers' homes to take care of those boys who have not homes of their own in which they can be taken care of, and that is the reason why I am objecting to this bill as it is now presented. It is simply a makeshift measure. The Public Health Service and the Bureau of War Risk Insurance do not know whether they are traveling afoot or on horseback. They come in here and ask for an appropriation of $10,500,000 to take care of a proposition that eventually may take $50,000,000 or $100,000,000. Whatever it takes I am for it, but I am not for this bill, because it does not offer any comprehensive plan for taking care of these men in a way on which we can depend. I, for one, am getting tired of having men come before me and ask my vote for an appropriation of $1,000,000, $10,000,000, $50,000,000, or $100,000,000 and not give an adequate reason or give a comprehensive plan for its expenditure, one upon which we can go back to the taxpayers of this country and receive their indorsement. We are just about to engage upon a system of expenditures in this country that is going to appall the taxpayers of the country. They are willing to do everything that is necessary to take care of these boys and to do it right, but they are going to demand of this Congress, of the War Department, and of the various bureaus of this Government, that we get down to a basis of common, ordinary economy and do these things right, so that when we spend a dollar for the benefit of these boys they are going to get the benefit of that dollar.

Now, another thing I object to is this. This matter comes down to this, the turning over to the Public Health Service in conjunction with the Bureau of War Risk Insurance of the treatment of these soldiers. I have said nothing on the floor of this House heretofore in regard to the Bureau of War Risk Insurance, but I wish to say this: I have had considerable experience with this Bureau of War Risk Insurance and I want to say this to you, gentlemen, that if the Bureau of War Risk Insurance would not do any better job in taking care of these wounded and sick soldiers than they have in taking care of the allotments which the soldiers have made to their wives and dependents, God help the poor fellow who had to depend upon them for treatment. [Applause.]

Mr. GRIFFIN. Will the gentleman yield?

Mr. ELLIOTT. No; I have not any time to yield.

Mr. GRIFFIN. I hope the gentleman will be good enough to yield to allow me to correct a statement.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I ask for order.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. The time was taken up by the gentleman from New York interrupting.

The CHAIRMAN. The time of the gentleman had expired when the gentleman from New York interrupted him.

Mr. GRIFFIN. Mr. Chairman, I yield the balance of my time to the gentleman from Florida [Mr. CLARK].

The CHAIRMAN. The gentleman from Florida is recognized for 10 minutes.

Mr. CLARK of Florida. Mr. Chairman, there has been more camouflage about this bill than any bill which I have seen before the House for a long time. Now, it is well enough after all of these attempts which have been made to becloud the issue to come right down to the point and let us see what the facts are. The facts are, Mr. Chairman, in the first place, under the law when a man is discharged from the service—a soldier or a sailor—he can not after that be treated in a hospital under the jurisdiction of the War Department. That is the law and there is no question about it. In the next place, the Bureau of War Risk Insurance under this bill, if gentlemen are so much afraid of that bureau, will not have a thing on earth to do with the treatment of these soldiers. The bill turns this over entirely to the Public Health Service and not the War Risk Bureau. Now, Mr. Chairman, we want to get down to the facts; why the necessity for this bill; and I want to read a letter from the Secretary of the Treasury, for 20 years a distinguished Member of this body, and I hope gentlemen will listen to what he says. This letter was written January 16 and addressed to the chairman of the Committee on Rules, asking for a rule to consider this bill:

JANUARY 16, 1919.

Hon. EDWARD W. POU,
Chairman Committee on Rules,
United States House of Representatives.

MY DEAR MR. POU: I wish to invite your attention to the very urgent need of providing additional hospital facilities for the care and treatment of patients of the Public Health Service and for discharged soldiers and sailors who are beneficiaries of the war-risk insurance, for which the Treasury Department is charged by law with the responsibility of providing hospital accommodations and treatment.

The present total normal bed capacity of hospitals under the control of this department is but 1,548, while on November 20 there were actually 1,556 patients in its hospitals. Indeed, it has been necessary for many months to crowd our hospitals to the limit of their capacity by placing additional beds in undesirable places and to refuse admission to many who are entitled to treatment in our hospitals. This department also has the names and addresses of upward of 50,000 other cases entitled under law to receive treatment, for which there are absolutely no hospital accommodations.

Now, these gentlemen want something "comprehensive." Here it is. That word seems to rest upon their tongues like a sweet morsel—"something comprehensive"—

> A comprehensive and carefully worked out scheme of additional hospital accommodations, much of which will be of a more permanent nature and affording a permanent groundwork for the hospitalization of persons entitled to treatment by this department, is provided for in a bill which has been given number H. R. 13026, now awaiting action by the House of Representatives.

It is reasonable to presume from the location of this bill on the House Calendar that consideration of it will not be reached for a very considerable time, possibly not this session, and as the most urgent need of these additional accommodations is for the benefit of discharged soldiers and sailors who require and are entitled to hospital treatment, it is of vital interest to every section of the Nation that the Government may be put in position to promptly carry out its contract in this respect, as expressed in the amended act of October 6, 1917, and prior legislation.

May I not suggest and urge that a special rule be brought by your committee for the immediate consideration of this bill as reported by the Committee on Public Buildings and Grounds on December 23, a copy of which is hereto attached?

Respectfully, (Signed) CARTER GLASS,
Secretary.

Now, Mr. Chairman, if that does not set forth the urgency of this proposition, the facts showing the absolute need of it, nothing can. But what are the facts in the hearings? Gentlemen quoted Col. Smith, of the Surgeon General's office, War Department. One gentleman says we have got all sorts of propositions that can be taken care of, and every time it is procrastination, it is delay. I want to say to you, gentlemen, that on yesterday I talked with a soldier in Walter Reed Hospital. It is crowded down there, and it is not a place where these boys ought to be, if the statements made in the public press and which he repeated to me are true; and yet we are standing around here wanting to wait six months or a year to begin work on hospitals. The sooner we begin, the earlier we will take care of these boys; and we ought to take care of them. We are under a solemn legislative contract to do it, and yet gentlemen say, "If it is not done my way, I do not propose to have it done at all."

Now, then, what are the facts? Dr. Stimpson, the Assistant Surgeon General of the Public Health Service—on page 46, I think it is, of the hearings, or in the beginning of the first hearing—said that the Bureau of War Risk Insurance asked to place their patients in Public Health Service hospitals; that this was done and our hospitals are full. "We have not any rooms at all for more patients. The War Risk Bureau asked us to take care of 14,000 tubercular patients. We took the matter up with the Secretary of the Treasury, who asked us to see the War Department." They did, and there was a conference, of which my colleague spoke, of the three departments—the Navy, the War, and the Public Health Service—and they agreed upon the plan embodied in this bill to take care of them. In a letter from the Acting Surgeon General the War Department says:

The Army has no provision for treating the above class of patients.

And yet gentlemen say we should put them in the Army hospitals. Dr. Banks, the chief surgeon of the War Risk Bureau, said, on page 46:

Something must be done * * * because these men are being discharged now at the rate of five to the thousand for tuberculosis.

Now, what did Col. Smith say? I want to call the attention of this House to the fact, and the hearings show it, that Col. Smith was before the committee representing the Surgeon General's office of the War Department, and I put the question to him time after time:

Colonel, if the War Department has any hospitals that can be turned over to the Public Health Service, tell us about them, because we want to use them.

And every time he said, "Now we can not turn over a single bed for the use of the Public Health Service."

Mr. KREIDER. Will the gentleman yield?

Mr. CLARK of Florida. I have not the time.

He finally did say that he could turn over a hospital at Hot Springs, N. C., and one at some other place; "but," he said, "they are the least desirable of any that we have." And gentlemen will say that these "least desirable" hospitals are good enough for the boys who fought at Chateau-Thierry and who went into the Argonne Forest. Then what are we to understand? He said that those were the two least desirable hospitals that they have, "those that do not suit us and will not suit anybody, but we will turn them over to you, because we can not use them." And yet gentlemen say that we ought to take that kind of treatment for our brave sons who followed the Stars and Stripes.

Mr. KREIDER. Will the gentleman yield now?

Mr. CLARK of Florida. No; I have not the time. He said this:

By the acquisition of buildings by lease and the transfer by the War Department to the Medical Department at various posts of the Army others have been acquired for general hospital purposes up to 37.

I have not time to read it all, but the hearings show that the United States Government does not own more than four general permanent hospitals in the world to-day. They have 37, but they do not own them. They are leased and they are used in one way and another. And the record from the War Department shows that they do not own but four under the shining sun of heaven anywhere to-day. However, they have leased some hotels and they have some cantonments here and there and have places like that. But Col. Smith stated before us that there were 32,000 vacant beds at that time. He was asked, "How many can you turn over to us?" "Not one, because we are saving them as a margin of safety for the soldiers, wounded and sick, coming from across the sea." And he would not give a single, solitary one to the Public Health Service. And yet, Mr. Chairman, these gentlemen say, "Put it off until a more convenient season."

I want to say, Mr. Chairman, that we are under a solemn contract with these boys who have saved democracy for the peoples of the earth and saved this Government, and it is cowardly on our part and it is a violation of our contract not to take every step possible to provide every accommodation for them. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to provide immediate additional hospital and sanatorium facilities for the care and treatement of discharged sick and disabled soldiers and sailors, patients of the War Risk Insurance Bureau, and for others entitled to treatment by the Public Health Service by lease or purchase of existing plants or the construction of new hospitals and sanatoria, to include the necessary buildings, with their appropriate mechanical equipment and approach work, including roads leading thereto, for the accommodation of patients, officers, nurses, attendants, storage, laundries, and live stock, on sites now owned by the Government, or on new sites to be acquired by purchase or otherwise at such places as he may elect, including the remodeling of such of the existing or authorized buildings and their equipment, owned by the United States, as may be necessary to economically adapt such facilities to those herein provided, at the sanatorium at Fort Stanton, N. Mex., and at such of the marine hospitals where increased facilities can be placed, at a limit of cost for sites and buildings, etc., as aforesaid, complete, $9,700,000, or as much thereof as may be found necessary; for miscellaneous furniture and equipment for the above, $800,000; in all, $10,500,000, and the above amounts are hereby authorized, and when appropriated to be immediately available and remain available until expended.

Mr. MANN and Mr. GANDY rose.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] is recognized.

Mr. MANN. Mr. Chairman, I offer an amendment.

Mr. CLARK of Florida. Will the gentleman withhold it for a moment and let us dispose of a committee amendment?

Mr. MANN. I am perfectly willing to do so.

Mr. CLARK of Florida. There is a committee amendment. The gentleman withholds his amendment until we can dispose of the committee amendment.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Page 1, line 5, strike out "treatement" and insert in lieu thereof the word "treatment."

The CHAIRMAN. The question is on the committee amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois [Mr. MANN].

The Clerk read as follows:

Amendment offered by Mr. MANN: Page 1, line 6, after the word "soldiers," strike out the word "and" and insert after the word "sailors" the words "and marines."

Mr. CLARK of Florida. We will accept that amendment, Mr. Chairman.

Mr. MANN. Mr. Chairman, I assume there is no objection to the amendment which I have offered in order to correct the language.

I have had a good deal of doubt about this bill, and I would like to discuss it for a few minutes with the Members of the House. As I understand the law, the War Department is not authorized under existing law to admit discharged soldiers into the Army hospitals. Of course, the Army is not authorized to admit discharged sailors into the Army hospitals. So that some law, it seems to me, ought to be enacted. We either ought to provide that the discharged men shall be eligible for admission into the hospitals now in existence or being created under the Army, so that they can be taken care of after their discharge in accordance with the practical pledge provided in the war-risk insurance law and in accordance with the sentiment both of Congress and the country, or else we ought to make other provisions separate and apart from the Army for taking care of the discharged soldiers.

It has been stated here that the Army was loath to discharge men now in the hospitals. I suppose other Members of Congress have had the same sort of complaints that I have had from men in the hospitals—that they could not get discharges from the hospitals and go home. I can appreciate the desire of the soldier to go home from a hospital, and also the desire of the Army to keep him in the hospital as long as it is to his advantage to stay there. Some legislation, it seems, is needed, either to provide a method by which discharged soldiers can be taken care of in the Army hospitals or out of the Army hospitals, and it will not do, it seems to me, for Congress to get into the position where it is contesting between the two propositions and then do nothing. [Applause.] It would be a disgrace to Congress if we were unable to determine which horn

of the dilemma we would take. It is our duty to do things, to enact legislation.

Now, it is suggested that the Army has sufficient hospital facilities, either in existence or in process of erection, to provide for all hospitals required. I do not know what the facts may be as to that; no one knows. The Surgeon General's office does not know, because it is finitely impossible for anybody now to tell how much disease there will be among the boys when they have come home which requires hospital facilities. But we had better go a little over the limit than to be away beneath the limit in the way of hospital facilities for the boys who are in the service.

Now, I find that gentlemen have been urging, first, that we employ the hospital facilities now in the Army. That could be done, I suppose, by a provision of law authorizing or requiring the admission of discharged soldiers. That, then, brings up first the question as to whether it is desirable as a permanent policy to say that the Army shall have control over the soldiers' homes, whether you call them homes or hospitals, of discharged soldiers and sailors. That is an old, old contest. We now have soldiers' homes throughout the country, to a large extent the same as hospitals, not under the control of the Army. The Army has the duty of inspecting the soldiers' homes, but Congress long ago, whether wisely or unwisely, determined to take away the control of the discharged Civil War soldiers from the Army. In other words, I take it that it was the opinion of Members of Congress, and probably the opinion of the country at the time, that it was not advisable to put these old soldiers, in ill health or otherwise grouchy and disgruntled in various ways and at various times, under the strict Army discipline. I suspect that they have strict enough discipline in the soldiers' homes now to gall the soldiers without putting them under the strictest kind of Army discipline. Whatever may have been the theory of Congress, however, that was done.

Now, the contest is as to whether men who have been discharged and who have to be taken care of by the Government shall be taken care of in hospitals under the control of the Army or under the control of the Public Health Service. As to the Public Health Service, I was going to say it is a grasping body, but that is true of all Government functions. It is very rare that any bureau or department of the Government does not seek to increase its authority and jurisdiction rather than decrease it. There is that contest going on. I am inclined to think, while it is not such a very positive opinion in my mind, that the soldiers will receive better care and more humane treatment and be less subject to severe and onerous martial regulations under the Public Health Service than they would be under the Army direction and under Army discipline.

I find this provision in this bill as an amendment, and I would be very glad to have information concerning it. We have had a good deal said in the House here—well said, appropriately said—about the Government having facilities already. This bill authorizes——

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MANN. I ask for five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. MANN. This bill authorizes in its first paragraph a limit of cost of $10,500,000 for the acquirement and equipment of these hospital facilities under the Public Health Service. That is the total limit. What it will cost in the end, of course, no one can tell, but that is all the authorization provided in this bill. Then, I read an amendment of the committee, which, so far as I know, is to be offered and voted upon:

Provided, That nothing shall be expended out of the amounts authorized by this act until all buildings, grounds, furniture, and furnishings available for hospital purposes not needed by the said departments or officers of the Government hereinbefore mentioned have been turned over to the Secretary of the Treasury.

Now, the departments mentioned are the War, Navy, Interior, and Labor Departments, and possibly others, under the control of the President, so that apparently the bill provides, first, an authorization of $10,500,000 for hospital facilities and then makes a provision that if, however, the Government now has any hospital facilities in the Army or under the Interior Department or under the Navy Department that are not required for use in that department they shall be turned over to the Public Health Service, and no money can be spent out of the amount authorized in this bill until somebody, I take it, certifies—the different heads of departments and the President—that there is nothing further under their control not needed in that particular department which can be turned over to the Government.

Now, if the War Department has additional hospital facilities which it does not require, under the terms of this bill it is required to turn those facilities over to the Public Health Service, and the same is true of any of the other departments of the Government; so that apparently, if this amendment stays in the bill, when it becomes a law there will be no duplication of unnecessary hospital facilities. I will not say that such a duplication will not occur, because that is an executive matter, but, so far as the legislative end of it is concerned, we have provided for no additional facilities.

Now, I think I shall vote for this bill. I have not fully determined in my mind yet. But this is certain to me: We have got to do something; we have to provide hospital facilities for these boys who have come home, who have received their discharges, who have gone to their homes ill, and soon will become unable to work, and there will be more of them 10 years from now than there are now. Time will increase the number. We can not say that while we quarrel whether we shall cross a "t" or dot an "i" they shall suffer. It is up to us to provide by legislation some method by which they will receive proper attention. [Applause.]

Mr. PHELAN. Mr. Chairman, the gentleman from Illinois [Mr. MANN] has covered the ground so well that it is difficult to add to what he has said. However, there has been so much said, from so many different angles, that it has been more or less confusing to know just what this bill purposes to do and what the situation is.

Now, first of all, let me recall to the Members of this House that the war-risk insurance act provides that these discharged soldiers shall receive hospital treatment. So there is a burden on somebody connected with our Government to take care of these discharged soldiers by actual enactment of law. That is in section 302, subdivision 3, of the war-risk insurance act.

Mr. DYER. Will the gentleman read it?

Mr. PHELAN. Yes; I will read it, if I may have the time:

(3) In addition to the compensation above provided, the injured person shall be furnished by the United States such reasonable governmental medical, surgical, and hospital services and with such supplies, including artificial limbs, trusses, and similar appliances, as the director may determine to be useful and reasonably necessary.

The second proposition is that every man in this body wants these discharged soldiers to receive the best treatment that this Government can give them.

The third proposition is that we must make this provision with the utmost dispatch.

The fourth proposition is that we must do it with absolute certainty. When we leave this body on the 4th of March there must be no doubt that we have performed our full duty to those men in this respect.

Now, what is the situation? If you will take the trouble to read the testimony of Col. Smith, of the Surgeon General's Office, and the report which he submitted to the committee, you will find that Col. Smith, representing the Surgeon General's Office, can assure us of absolutely nothing for months to come, unless possibly it may be some leased buildings, which he himself describes as the least desirable of any of the hospitals that the War Department has.

Mr. CANNON. Will the gentleman yield?

Mr. PHELAN. I will in just a minute. Let me read. The chairman of our committee at the committee hearings asked this question:

Can you state as a matter of fact, Col. Smith, that the Public Health Service can get any beds from the War Department within two years from now; and if so, how many? Let us get down to the facts.

Mr. RUCKER. Either at the cantonments or elsewhere.

The CHAIRMAN. Anywhere that would be suitable for hospital purposes.

Col. SMITH. The only beds now used by the War Department which I could state as a matter of fact would probably be released and thus become available to the Public Health Service within the time mentioned would be beds located in buildings which have been leased by the Government for hospital purposes.

Mr. CANNON. On what page is that?

Mr. PHELAN. This is in the hearings, page 15 of No. 16. That is one of his statements.

Mr. DYER. Just there I want to ask——

Mr. PHELAN. In a moment. The gentleman would not yield to me, but I will yield to him in a few minutes. Now, on page 22 of that same document he makes a written report, to which he gave a great deal of thought and time, because we asked him a great many questions relative to this phase of the situation. In that report he says:

It is impossible to state at this time when any of the hospitals now operated by the Army could be released for use by the Public Health Service. While it is believed that we have provision for a sufficient number of beds in Army hospitals, it is also our belief that we require all that we now have in order to provide a reasonable margin of safety for the care of the sick and wounded returning from overseas and the sickness problem which may develop among the troops in this

country and returning for demobilization. We could turn over at once, if approved by the War Department, a general hospital which is about to be opened at Hot Springs, N. C., namely, United States Army General Hospital No. 23, which has a capacity of approximately 700 beds. This is the only hospital which could be turned over immediately.

Then he goes on to speak of something which might be done relative to the leased hospitals.

While I am on this subject, suppose we turn again to the hearings.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PHELAN. I ask unanimous consent that I may have 10 minutes. I should like to go into this matter.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that his time be extended 10 minutes. Is there objection?

There was no objection.

Mr. DYER. Now, will the gentleman yield?

Mr. PHELAN. I will be glad to yield to the gentleman from Missouri.

Mr. DYER. The gentleman stated that in the hearings Col. Smith said there were no facilities which the War Department could turn over to the Bureau of War Risk Insurance.

Mr. PHELAN. I did not mean to say that, and I am sure I did not say that. I said that Col. Smith said he could give us no assurance as to when they could turn over anything.

Mr. DYER. Now, the gentleman says that Col. Smith has asked from the Secretary of War authority to readmit and take into the hospitals that are now half empty a lot of these men——

Mr. PHELAN. That does not necessarily conflict with anything I said.

Mr. DYER. I want to ask the gentleman a question.

Mr. PHELAN. I do not know what he has in contemplation. He may want more money. He may want more hospitals. He may want to do a number of things that are provided for in this bill.

Mr. DYER. But the hearings show that the hospitals are not built.

Mr. PHELAN. But we have his written statement, which he wrote after he had been interrogated in the committee hearings, and had gone to his office and had had time to think the thing over, and that statement is what I quoted last.

Mr. DYER. I want to ask the gentleman this question: Does he not think it is a better policy and in the interest of the taxpayers of the country to give the War Department authority to look after these cases in hospitals which will be practically no expense to the country than to create another set of hospitals under another jurisdiction?

Mr. PHELAN. I certainly do not, and I do not believe the American people in such a case will ever want to put civilians under military control. I make no criticism whatsoever of our Military Establishment when I say that; but I certainly am not in favor of that policy, when we can get proper accommodations for them elsewhere.

Mr. CANNON. Will the gentleman yield?

Mr. PHELAN. I am glad to yield to the gentleman from Illinois.

Mr. CANNON. How long will it take to construct the hospitals that you seek to authorize?

Mr. PHELAN. I can not answer that; but I will call the attention of the gentleman to the constant misapprehension in discussing this bill. The gentleman from Illinois [Mr. MANN] brought out the point.

The bill provides that these hospitals can be "acquired"—acquired, for example, from some other department of the Government—so that when the gentleman asks "How long will it take to construct them?" he gives the impression that they have all got to be constructed. They expect that they can construct them in about six months, but they do not have to wait for that: they can lease them or they can get them from other branches of the Government.

Mr. CANNON. Will the gentleman yield?

Mr. PHELAN. Yes.

Mr. CANNON. The gentleman will correct me if I am wrong. In my judgment, this contemplates that the hospitals will take from 12 months to 3 years to build. Now, I am under the impression—not that I have seen them, but I think I am authorized to make the statement—that at the camps and cantonments there are now hospital beds under the control of the War Department for over 100,000 men; and if the gentleman will allow me, and I know he desires to be candid, as I do, that in the barracks, especially for most of the tuberculous treatment, there would be room for one hundred to two hundred thousand more, for all that class of patients that are treated by sunshine and air and proper food.

Mr. PHELAN. I am coming to that. I will say to the gentleman, and I think the gentleman will agree with me. I have a good deal to explain. If Members will look at page 25 of the hearings No. 16, they will see what the War Department has in the way of hospitals and will find that they have four permanent hospitals. Col. Smith stated that not one could be turned over to the Public Health Service at any time.

Mr. GILLETT. Why not?

Mr. PHELAN. Because the buildings were all constructed and existed before this war ever started. They were using them for the Army then, and if the buildings were, as we presume they are, only reasonably sufficient to take care of the Army purposes then, they will be needed to provide the Army purposes after the war is over. There are only four of them. You will find general hospitals at the Army posts. Yet Col. Smith stated that none of these would be available, and the reason is the same. The Army post hospitals all existed before the war, and every one of them will be needed after the war. They were used for the forces before the war started, and we can not expect that the War Department can get along without them after the war is over.

Now, in the minority report, when they are telling of the hospitals that can be acquired, you will find that every single building that they mention is a leased hospital, leased by the War Department, and owned—leased under the restriction that when the war ceases the department will have no authority to extend the lease beyond a very short time. More than that, the War Department has stated that if there are buildings that can be turned over to the Public Health Service, they will turn them over, and our bill provides that thing shall be done if it is advisable. So the plan mentioned in the minority report will be followed under this very bill to which the minority report objects if it is desirable and advantageous to do it. So that when they say that we have hospitals already they are confusing the issue, because every hospital that they name is made available as a leased hospital.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. PHELAN. Yes.

Mr. GREEN of Iowa. Is it not better to have the hospitals leased instead of being built, because they will not be needed after a few years?

Mr. PHELAN. That is only begging the question, because there is nothing in the bill to prevent that thing from being done. We specifically provide that the Public Health Service may lease buildings.

Mr. GILLETT. Does the gentleman think that the Public Health Service or any other department of the Government will avail itself of that provision?

Mr. PHELAN. I think the general tendency under the administrative branch of the Government, under any administration, under any political party, is to build rather than to lease. I will say this to the gentleman, however, to get down to the meat of the question, what are you going to do about it? What are gentlemen opposed to the bill proposing to do? They propose nothing. I will answer the gentleman's question further by reading the proviso:

Provided, That nothing shall be expended out of the amounts authorized by this act until all buildings, grounds, furniture, and furnishings available for hospital purposes not needed by the said departments or officers of the Government hereinbefore mentioned have been turned over to the Secretary of the Treasury.

While I do not think that is absolutely binding, that they must turn over leased buildings, I think it shows the intention of Congress, and has a strong tendency to induce any administrative department to avoid unnecessary construction.

But to get back to the facts, we have got to take care of these men. How are you going to do it? Are you going to leave here on the 4th of March with everything uncertain in the face of the Surgeon General's statement that he does not know where he can turn anything over to the service of discharged soldiers needing hospital treatment? The gentleman from Illinois stated that there is a contest between those who favor turning them over to the Public Health Service and those favoring turning them over to the military service. I will not deny that there is a contest, but do those favoring military department offer anything in a substantive form. We have got to do something and you can not allow this thing to be hung up in the air. We can not leave it uncertain that these men shall get proper care and medical service when discharged from the Army.

To resume my recapitulation of Army hospitals, in addition to general hospitals, Army post hospitals, and hospitals on leased land, there are some hospitals at the ports of embarka-

tion which, I think, anybody will agree will be of doubtful value.

Outside of those, the only buildings under the control of the Surgeon General's Office are those at camps and cantonments. There is nothing else available except leased buildings, so that we come to this. If the War Department does turn over any hospitals to the Public Health Service, they must turn over those in leased buildings or those in camps or cantonments. If we fail to enact this bill, then the only hospitals available for discharged soldiers would be hospitals in leased buildings, possibly under the control of the War Department, and hospitals in cantonments and camps.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. PHELAN. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

Mr. KREIDER. Mr. Chairman, I shall object unless the gentleman will yield to me. I have asked him to do so two or three times.

Mr. PHELAN. I shall yield to the gentleman, although he would not yield to me, but that does not make any difference.

Mr. KREIDER. I beg the gentleman's pardon. I did not know that he asked me to yield to him.

Mr. PHELAN. Yes; I did.

Mr. KREIDER. Mr. Chairman, I withdraw my objection.

There was no objection.

Mr. PHELAN. I shall be very glad to yield to the gentleman in a moment. So that we come right down to this: We would have to use those cantonment hospitals or hospitals in leased buildings. If we want to use leased buildings for hospitals, we are going to get the least desirable, and if we are going to use the cantonment hospitals, what do we get? We get, first of all, buildings that are not permanent in their construction; buildings that are not suitable immediately for this purpose; buildings that are not fireproof. Most of them are of wooden construction, one story in height. Some of them have no heating apparatus. While there is some testimony that they might be changed into permanent hospitals, there is no testimony that they can be made fireproof, and I say it would be a crime to put boys coming out of our Army, suffering from some disease that is incurable perhaps, into any buildings not fireproof in construction. I shall not vote for any such thing. We come then to this proposition: Are we going to take a chance that somebody somewhere, and there is no evidence where it is coming from in any of the testimony, will make provisions for these men who are discharged from our military and naval services? Are we going to take a chance that from some place we will get those accommodations, or are we going to take a chance that somebody will spend some money, possibly a little more than necessary, while making it absolutely sure that we will have proper quarters and accommodations in hospitals for the men who have been fighting for this country?

Mr. KREIDER. Mr. Chairman, will the gentleman yield?

Mr. PHELAN. Yes.

Mr. KREIDER. Does the gentleman overlook the fact that all the testimony in the hearings is to the effect that these hospitals shall be built for tuberculosis patients?

Mr. PHELAN. I do not overlook it, because it is not so.

Mr. KREIDER. Yes, it is; if the gentleman will read the hearings and refer to them he will find that that is the actual fact.

Mr. PHELAN. I do not judge what a bill states by reading the hearings. I judge what a bill states by reading the bill. There is nothing in the bill, and it is not so contemplated, because we asked every man repeatedly coming before the committee about men suffering from Bright's disease and other incurable diseases.

Mr. KREIDER. And the answer was that they would be taken care of in the hospitals throughout the country.

Mr. PHELAN. I differ with the gentleman. This bill attempts to make certain that we are going to have provision for these boys and does not leave it doubtful, not leave it in what seems to be the condition that no accommodations or at best not sufficient accommodations can possibly be provided for them otherwise. Which are we going to do? Are we going to take a chance that such a thing will occur? Suppose the Congress does not convene until next December, suppose hundreds, yes, thousands of these boys ought to be taken care of by some branch of the United States Government, and suppose there are no existing facilities available, suppose we give no authority to anybody to do anything, what a condition of affairs will confront us, at least until Congress reconvenes. To what a serious and indefensible charge of neglect do we leave ourselves open? There will be absolutely nobody who can do anything if we fail to do our duty here. It is as plain as can be to me, as the gentleman from Illinois [Mr. MANN] so well stated, that something must be done, and that something must be done now.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. WOODYARD. Mr. Chairman, I ask unanimous consent that his time be extended for one minute, so that I may ask him a question.

Mr. CLARK of Florida. Oh, Mr. Chairman, let us have a vote on the amendment.

Mr. MANN. I would like to get a vote upon my amendment and have it disposed of if I can.

The CHAIRMAN. There is an amendment pending on which there has been the usual discussion on each side.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word.

Mr. CANNON. What is the amendment?

The CHAIRMAN. Adding the Marine Corps. The gentleman from Florida has called for a vote. The Clerk will report the amendment offered by the gentleman from Illinois.

The Clerk again reported the amendment offered by the gentleman from Illinois [Mr. MANN].

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. MOORE of Pennsylvania. Mr. Chairman, I would like to discuss the amendment.

Mr. CLARK of Florida. Mr. Chairman, I make the point of order that all debate is exhausted.

Mr. MOORE of Pennsylvania. I want to offer an amendment to the amendment, although I suppose it would be in order to offer that amendment later, and I shall reserve my right to offer an amendment later.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

Mr. MOORE of Pennsylvania rose.

Mr. CLARK of Florida. Mr. Chairman, there is an amendment pending, and I hope the gentleman will let us have that disposed of.

Mr. MOORE of Pennsylvania. I want to suggest that neither the amendment nor the bill includes Army nurses female, nor does the bill include members of the Coast Guard who may have been disabled or injured during the war. I call attention to these facts to show how imperfect the bill is. I would seek by my amendment to include these two classes, and I shall do so just as soon as the opportunity arrives.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. CLARK of Florida: Page 1, line 8, after the word "service," insert a comma.

The question was taken, and the amendment was agreed to.

Mr. MOORE of Pennsylvania. Mr. Chairman, at the proper point I desire to offer an amendment to the amendment offered by the gentleman from Illinois, to insert "Army nurses, female, and members of the Coast Guard during the period of the war."

Mr. GARD. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. GARD. The gentleman can accomplish his purpose by inserting the words "Army nurses," without regard to sex.

Mr. MOORE of Pennsylvania. Male nurses would be included as "soldiers." "Army nurses, female," includes women who have been in the service and who may have been injured and need medical treatment. Some have been injured.

Mr. CLARK of Florida. What is the amendment?

Mr. MOORE of Pennsylvania. I had no opportunity to write it. The gentleman was in such haste to press his amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

After the word "Marines," in the Mann amendment, insert "Army nurses, females, and members of the Coast Guard during the period of the war."

Mr. CLARK of Florida. I will call the gentleman's attention to the fact that members of the United States Coast Guard Service are entitled to treatment under the Public Health Service.

Mr. MOORE of Pennsylvania. It is a matter of such consequence that we have been obliged to include it in the revenue bill.

Mr. CLARK of Florida. Well, if the gentleman will permit me to call his attention to the fact that the law now provides the following classes shall be treated in the Public Health Service: Merchant seamen, the Mississippi River Commission, the United States Coast Guard Service, the United States Lighthouse Service, the Engineer Corps of the United States Army, the United States Coast and Geodetic Survey, civilian employees injured under the workmen's compensation act, civilian employees injured on Army transports, and cases of discharged soldiers and sailors, under the war-risk insurance act of October 6, 1917.

Mr. MOORE of Pennsylvania. That applies to any time, whether within the war period or without?

Mr. CLARK of Florida. Absolutely.

Mr. MOORE of Pennsylvania. It may refer to a man injured five years from now or one injured five years before the war?

Mr. CLARK of Florida. Surely.

Mr. MOORE of Pennsylvania. I take it that is not the purpose of this bill, to provide that injuries not due to the war——

Mr. CLARK of Florida. Why, Mr. Chairman, I will state to the gentlemen this bill is simply to provide for the building of hospitals to take care of all those people who are entitled to treatment at the hands of the Public Health Service under existing law; and in lines 7 and 8 the gentleman will see——

Mr. MOORE of Pennsylvania. I understand a member of the Coast Guard ordinarily would be treated by the Marine Hospital Service, or a sailor upon a merchantman, provided he were properly qualified, but I take it this is a war act, that the gentlemen who are advocating this——

Mr. CLARK of Florida. No; it is an after-the-war act.

Mr. MOORE of Pennsylvania (continuing). Are urging the passage on the ground of the necessity of taking care of the soldiers who were injured on the other side of the water and who are coming home——

Mr. CLARK of Florida. And who have been discharged.

Mr. MOORE of Pennsylvania. Now it is proposed to expand the service of the Marine Hospital so that under this appropriation any old thing can take place at any time.

Mr. CLARK of Florida. Oh, no; it is not, Mr. Chairman, if the gentleman will permit me; we have a statute declaring that each of these classes of people shall be entitled to treatment by the Public Health Service. That is existing law to-day. Congress has enacted those laws and Congress is under obligation to provide hospitals necessary to treat these people. Now, here comes another class of people, to wit, discharged soldiers, marines, and sailors, whom the War Department, through the Army hospitals, will not treat. They can not under the law, so hospitals have to be provided, and in providing for them the bill simply states these hospitals should be built for the treatment of persons entitled to treatment under the Public Health Service, and the Public Health Service will divide these people out into the different hospitals according to their classes, I assume, as they are entitled to be treated. Now, if the gentleman is really in earnest and wants to get his amendment in to take care of the nurses I think there is no objection to it. I think if they are injured in any way or become sick in the service, that after they have been discharged they would be entitled to it now under the operation of the law. The law makes no distinction as to sex. The gentleman ought to know that where "he" is used it includes "she" in every statute that ever was enacted in this country, but if the gentleman thinks it is necessary to provide particularly for female nurses——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. I ask for a vote on my amendment.

Mr. CLARK of Pennsylvania. I ask that the gentleman may have five minutes more.

Mr. GARD. Mr. Chairman, I desire to offer a substitute for the amendment offered by the gentleman from Pennsylvania, as follows: Insert after the word "marines," where it appears in the amendment offered by the gentleman from Illinois [Mr. MANN], the words "Army and Navy nurses."

The CHAIRMAN. The gentleman offers a substitute, which the Clerk will report.

Mr. MOORE of Pennsylvania. I do not accept that amendment, Mr. Chairman, because it does not specifically include females. Male is already covered by existing law, but female is not, as I understand it.

Mr. GARD. I have no objection to its being included. It is my purpose, I will say to the gentleman, to include the Army and Navy nurses, whether they be male or female. I think they are probably included in the law, and I think this language does include them.

The CHAIRMAN. The Clerk will report the substitute offered by the gentleman from Ohio [Mr. GARD].

The Clerk read as follows:

Mr. GARD offers a substitute amendment to the amendment of Mr. MOORE of Pennsylvania: After the word "marines," in the Mann amendment, insert "Army and Navy nurses."

Mr. CLARK of Florida. We will accept the substitute.

Mr. SAUNDERS of Virginia. I beg to offer an amendment as a substitute that will meet all these difficulties that the gentleman from Pennsylvania [Mr. MOORE] is trying to meet, and that is to add to the substitute the words "male or female."

Mr. MOORE of Pennsylvania. Mr. Chairman, I would accept that amendment.

Mr. GARD. I have no objection to that. I would suggest, also, as brought to my attention by a member of the committee, that after the word "all" insert "Army and Navy nurses, male or female."

The CHAIRMAN. Does the gentleman from Pennsylvania and the gentleman from Ohio accept the amendment as offered by the gentleman from Virginia?

Mr. MOORE of Pennsylvania. I am satisfied to accept it.

Mr. CLARK of Florida. I would like to say a word about it. I want to ask these gentlemen a question. I know the gentleman at my left, the gentleman from Ohio [Mr. GARD], is a lawyer, the gentleman at my right, the gentleman from Pennsylvania [Mr. MOORE], I believe, is not a lawyer. I want to know if these gentlemen seriously insist that the language "Army and Navy nurses" would not cover "male and female" nurses? Do they seriously insist on this proposition on this floor of the American Congress in this day of progress and civilization?

Mr. MOORE of Pennsylvania. I will say to the gentleman from Florida that the same question has been raised in a conference now being held on a great revenue bill, as to including female nurses who have been injured in the war on the other side, some of whom are coming back on crutches.

Mr. CLARK of Florida. Does the gentleman seriously insist that the word "female" ought to go in?

Mr. MOORE of Pennsylvania. I want to say to the gentleman frankly that I am not in favor of the bill as reported.

Mr. CLARK of Florida. The gentleman is not going to support the bill anyhow?

Mr. MOORE of Pennsylvania. I expect to oppose the bill.

Mr. CLARK of Florida. So the gentleman is a Greek bearing gifts?

Mr. MOORE of Pennsylvania. Not necessarily. I thought if this bill was going through and the gentleman has sufficient votes to pass it or rush it through without care and consideration being given to it I would try to perfect it.

Mr. CLARK of Florida. The gentleman is not trying to perfect it by this amendment.

Mr. MOORE of Pennsylvania. I think the amendment is highly proper. I would dislike to see the female nurses who labored in the war on the other side excluded from this bill.

Mr. CLARK of Florida. Let us have a vote.

The CHAIRMAN. The question first is on the motion of the gentleman from Virginia [Mr. SAUNDERS] to amend the substitute offered by the gentleman from Ohio [Mr. GARD].

The question was taken, and the amendment to the substitute was agreed to.

The CHAIRMAN. The question now is on the substitute offered by the gentleman from Ohio [Mr. GARD] for the amendment of the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Chairman, the vote is being taken. I think the Chair should separate the question. I suggest it is debatable.

Mr. CLARK of Florida. It is not debatable while the motion is being put, and I think that all debate has been exhausted on the proposition.

Mr. MOORE of Pennsylvania. The Chair stated the question, and I rose to express myself.

Mr. CLARK of Florida. The gentleman has been standing all the time. He has not taken his seat.

The CHAIRMAN. The question is on the substitute offered by the gentleman from Ohio [Mr. GARD].

The question was taken, and the substitute was agreed to.

The CHAIRMAN. All debate is exhausted. The question now is on the amendment offered by the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. Mr. Chairman, I desire to offer an amendment.

Mr. CLARK of Florida. You can not do it while the vote is being taken.

Mr. MOORE of Pennsylvania. I thought the vote had been taken.

The CHAIRMAN. The question is on the amendment of the gentleman from Pennsylvania as amended by the substitute of the gentleman from Ohio.

The amendment was agreed to.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the Committee on Public Buildings and Grounds is entitled to our consideration and respect in matters of this kind, but it is easily persuaded to bring in these housing, ground-purchasing, building-constructing measures. It abandoned its purpose to bring in an omnibus bill for reasons which I do not clearly understand, but brings in one that threatens danger in the matter of the use and possible waste of public money. It proposes to bring in other special bills of this

kind, some of which may tend to appall the House, and for that reason I rise and state why, in my judgment, this bill ought to go back to the committee in order that the House may have an opportunity to more carefully consider this very important question of taking care of our injured and sick soldiers.

The boys who are coming back from Europe, those who are being unnecessarily detained over there now, as many of us believe, those who are in the camps and who can not get home to obtain the employment that awaits them, are the very boys that are going to pay for this ground and these buildings that we make appropriations for so lavishly. I am hearing from the employers of these boys now, and from many of the boys themselves, with respect to the expenditures the Government is authorizing for what is believed to be needless purposes. The great tax measure, which must come into the House very soon for approval by this body and another, is being objected to by the substantial men of the United States because it is going to deprive them, they contend, of the opportunity to employ such agencies as they can to give employment to these returning soldiers.

I want to care for the sick. I will go as far as any man in this House to vote the sums requisite for the care of our soldiers. I will go further and help to get them employment, which I am mighty anxious they shall have on their return to the United States, and from which they are being held now in order that this Government may keep its deals with other Governments, about which we in Congress know very little. But I do not believe that in this unfinished, lackadaisical way we should delegate to one bureau or another the power not only to appropriate $10,000,000 specifically, but the power to buy land, grounds, buildings anywhere that a bureaucrat desires to purchase, operate, on the pretense that we are doing it to help the returning soldiers.

This bill gives the Secretary of the Treasury the power to purchase existing buildings, grounds, and equipment. Why, we have been doing nothing but purchasing grounds ever since this war began. We wasted $640,000,000 on aircraft that never gave our boys on the other side a look-in in the matter of aviation, except as we borrowed or bought the machines of foreign nations. The minority report in this particular instance shows that we have hospital facilities now for all the returning soldiers who need hospital attention. But a bureau steps in and asks for power to buy more ground and build more buildings, when we have spent $50,000,000 for housing——

Mr. CLARK of Florida. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Pennsylvania yield to the gentleman from Florida?

Mr. MOORE of Pennsylvania. This very Committee on Public Buildings and Grounds came in during the war with housing bills for the Department of Labor, and the result——

Mr. CLARK of Florida. Will the gentleman yield?

Mr. MOORE of Pennsylvania. If the gentleman can help me get five minutes more, I will agree to yield.

Mr. CLARK of Florida. I will try to get the gentleman five minutes more. Can the gentleman inform the House where in the hearings it is stated that there is ample hospital accommodations for these soldiers?

Mr. MOORE of Pennsylvania. Take the minority report.

Mr. CLARK of Florida. No. Will the gentleman point out in the hearings where it is shown that there is ample hospital accommodation for discharged soldiers and sailors? If the gentleman can do that, then I am willing to withdraw the bill.

Mr. MOORE of Pennsylvania. I am willing to take the word of four Members of Congress, two Republicans and two Democrats, who in their minority report show that we have ample hospital facilities.

Mr. CLARK of Florida. The gentleman from Texas [Mr. MANSFIELD] tells me that he did not authorize his name to be signed to the minority report.

Mr. MOORE of Pennsylvania. I observe that there are signed to this minority report the names of AARON S. KREIDER, of Pennsylvania, R. N. ELLIOTT, of Indiana, H. A. BARNHART, of Indiana, and J. J. MANSFIELD, of Texas.

The CHAIRMAN (Mr. SAUNDERS of Virginia). The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. I ask unanimous consent, Mr. Chairman, that I may have five minutes more.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. KREIDER. Will the gentleman yield to me?

Mr. MOORE of Pennsylvania. Yes; I will yield to my colleague from Pennsylvania.

Mr. KREIDER. I will say to the gentleman from Pennsylvania that the statements in the report regarding hospitals and vacant beds are taken from the hearings, and were taken from them verbatim. I copied them myself, and they are printed exactly as they appeared in the hearings.

Mr. MOORE of Pennsylvania. I take the gentleman's word.

Mr. KREIDER. I further wish to say that Col. Smith in his testimony, in Document No. 14, states clearly, in reply to the question asked by the chairman of the committee covering two statements made by the gentleman from Illinois [Mr. GRAHAM] on the floor of the House, that there are over 50,000 vacant beds; and I would suggest that the gentleman from Florida, the chairman of the committee, in the statement he made this morning regarding the Secretary of the Treasury, reports having received a letter in which Mr. Secretary Glass refers to 50,000 patients. I want to suggest that this morning the Surgeon General's office reports about 45,000 beds now vacant and 15,000 more to be about completed; in all, 60,000 vacant beds.

Mr. MOORE of Pennsylvania. Yes; 60,000 vacant beds to accommodate 50,000 patients——

Mr. CLARK of Florida. In the same statement in which Col. Smith stated that, he stated that the Army needed every one of them. The minority report takes a part of the testimony and leaves out the rest.

Mr. MOORE of Pennsylvania. I always yield to the gentleman from Florida.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman from New York.

Mr. GRIFFIN. I want also to call attention to the fact that if the gentlemen on the other side got any such information from Col. Smith or from the Surgeon General's office it is a deliberate and absolute contradiction of the letter from Col. Willford H. Smith, of the Surgeon General's office, addressed to me and printed as Exhibit D, on page 2056, of the RECORD of Saturday, printed as an exhibit to my remarks, in which Col. Smith said——

Mr. MOORE of Pennsylvania. The gentleman will pardon me. I can not yield unless I have more time.

Mr. GRIFFIN. I will ask that the gentleman have more time, if it is necessary, to get through. He says, "Total number of beds now vacant, 42,530." That was the condition on January 17, 1919.

Mr. MOORE of Pennsylvania. That is substantially what the gentleman from Pennsylvania [Mr. KREIDER] stated. The armistice was signed November 11, 1918. December 11 would be one month, January 11 would be two months, and we are now in the third month, and approaching the end of it, since the armistice was signed; and if we have a vast number of injured on the other side we ought to be informed of it by this time. If it is necessary to go into these new expenditures I am ready to do it, but there is no information, so far as I can gather, that we are now beyond hospital capacity for every boy who needs hospital attention.

Now, since the gentleman has put his figures into the RECORD in this short speech of mine, I will put in the RECORD the figures that the minority of the committee give me, using only the grand totals. Here is a long list of hospitals, general hospitals, camp base hospitals, and hospitals under the direction of the Surgeon General at the ports of embarkation at Hoboken, at Newport News, and large department base hospitals. All these show, according to the minority report, a standard capacity of 98,293, or substantially 100,000 beds—occupied but 59,628 and vacant 52,598. Now, will some gentleman who knows tell me how many men are to be accommodated at the present time? Do we need to spend this additional $10,000,000 and start a still greater expenditure?

Mr. MADDEN. Mr. Chairman, will the gentleman yield right there?

Mr. MOORE of Pennsylvania. In a moment. The gentleman from Pennsylvania [Mr. KREIDER] told me he called upon the War Department this morning and found that 45,000 beds are now vacant. If that is true the minority report is not deceptive, and the gentleman from Pennsylvania says his figures are taken from the hearings. They have 52,598 beds to accommodate 45,000 patients. Now I yield to the gentleman from Illinois.

Mr. MADDEN. The thought I would like to suggest to the gentleman from Pennsylvania here to elaborate on is that the accommodations sought to be created by the authority of this bill are not intended for the use of soldiers at all, but are intended for the use of men who get out of the service.

Mr. MOORE of Pennsylvania. Yes; that is what the gentleman from Florida [Mr. CLARK] admitted in his statement a little while ago. That is what the gentleman from New York [Mr. GRIFFIN] admitted in his discussion with the gentleman from Illinois [Mr. CANNON] on Saturday, that these hospitals were to become substantially a permanent institution, to give extended jurisdiction to the Public Health Service to take care of everybody, at any time, without regard to the war.

Mr. MADDEN. Not soldiers, but civilians.

Mr. MOORE of Pennsylvania. Civilians; that is true. That is the argument, as I understood it. I want to care for these returning soldiers. I want to take care of them until we can put them on their feet to get employment again.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

Mr. CLARK of Florida. I am going to object. The gentleman has had 20 minutes already, I think.

Mr. MOORE of Pennsylvania. I beg the gentleman's pardon. I have had 10 minutes, and nearly all of that was taken up by the gentlemen on that side.

Mr. CLARK of Florida. I think the gentleman has had his time extended twice.

Mr. CANNON. Mr. Chairman, this is so important a matter that there ought to be a quorum present.

Mr. CLARK of Florida. I think so, too, and I am going to insist that they stay here until we finish this bill.

The CHAIRMAN. The gentleman makes the point of order that there is no quorum present. Evidently there is not, and the Clerk will call the roll.

Mr. KEARNS. Has the Chair counted to ascertain whether there is a quorum present or not?

The CHAIRMAN. Evidently there is no quorum present. The Clerk will call the roll.

Mr. KEARNS. Is it too late to ask for tellers?

The CHAIRMAN. Yes. The Chair has announced that there is no quorum present, and there was no quorum present when the Chair made the announcement, and he directed the Clerk to call the roll. It is evident that there is no quorum present. The Clerk will call the roll.

The Clerk proceeded to call the roll, when the following Members failed to answer to their names:

Alexander	Dyer	Kennedy, R. I.	Scully
Austin	Edmonds	Key, Ohio	Sears
Bacharach	Emerson	Lea, Cal.	Shackleford
Benson	Esch	Lesher	Siegel
Beshlin	Fairchild	Little	Slemp
Birch	Ferris	Lobeck	Small
Booher	Fields	London	Smith, C. B.
Borland	Flynn	McAndrews	Smith, T. F.
Britten	Focht	McCormick	Snyder
Brodbeck	Francis	McKeown	Stephens, Nebr.
Browning	Freeman	McLaughlin, Pa.	Sterling
Brumbaugh	Fuller, Mass.	Maher	Stevenson
Caldwell	Garrett, Tex.	Mason	Stiness
Carew	Good	Mondell	Strong
Carter, Mass.	Goodall	Montague	Sullivan
Chandler, N. Y.	Gordon	Morin	Swift
Church	Graham, Pa.	Mott	Tague
Cleary	Gray, N. J.	Mudd	Taylor, Ark.
Cooper, Ohio	Gregg	Neely	Templeton
Cooper, Wis.	Griest	Norton	Thomas
Copley	Hamill	Overstreet	Tinkham
Costello	Hamilton, N. Y.	Park	Vare
Cox	Harrison, Miss.	Parker, N. Y.	Venable
Crago	Haskell	Phelan	Volut
Crosser	Hawley	Platt	Waldow
Curry, Cal.	Hayes	Pratt	Walker
Davey	Heaton	Price	Ward
Davis	Heintz	Rainey, H. T.	Watson, Pa.
Delaney	Helm	Reavis	Welty
Dempsey	Helvering	Riordan	Whaley
Dewalt	Houston	Roberts	White, Ohio
Dickinson	Husted	Rowe	Wilson, Ill.
Dill	Hutchinson	Rowland	Winslow
Donovan	Johnson, Ky.	Russell	Wise
Dooling	Kahn	Sabath	Wood, Ind.
Drane	Keating	Sanders, La.	
Drukker	Kelley, Mich.	Sanford	
Dunn	Kennedy, Iowa	Schall	

The committee rose; and the Speaker having resumed the chair, Mr. HARDY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill (H. R. 13026) to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers and sailors, found itself without a quorum, whereupon he caused the roll to be called, when 279 Members, a quorum, answered to their names, and he presented the names of the absentees to be printed in the JOURNAL and RECORD.

The SPEAKER. The committee will resume its session.

Accordingly the committee resumed its session, with Mr. HARDY in the chair.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MOORE] had a pro forma amendment pending. The Chair assumes that that will be considered as withdrawn.

Mr. KREIDER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania, a member of the committee, is recognized for five minutes.

Mr. BURNETT. Mr. Chairman, I am a member of the committee, and I want to reply to the gentleman from Pennsylvania [Mr. MOORE].

Mr. KREIDER. I rise in opposition to the pro forma amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania, who is a member of the committee. The Chair will recognize the gentleman from Alabama later.

Mr. KREIDER. I simply wanted to call the attention of the gentleman from Massachusetts [Mr. PHELAN] to a statement in the hearings. I do not see the gentleman on the floor now. I propounded a question to him, in which he indicated that I was in error. I simply want to say that it is only an indication of how short men's memories are. The question was to the diseases with which these soldiers are afflicted. I read from hearing No. 14, page 34. The question was asked by the chairman of the committee:

Now, Doctor, tell me this: What are these hospitals for?

Dr. BANKS. For soldiers and sailors discharged from the military and naval service of the United States on account of disabilities incurred in line of duty.

The CHAIRMAN. Suffering from any disease?

Dr. BANKS. No; especially tuberculosis, for the reason that the large problem of discharged soldiers is tuberculosis. About 25 per cent of those discharged are suffering from that disease.

The CHAIRMAN. About how many?

Dr. BANKS. About 25 per cent.

The CHAIRMAN. Then you have got 75 per cent who are suffering from other troubles?

This was the question denied by the gentleman from Massachusetts [Mr. PHELAN], who said I was in error.

Dr. BANKS. Yes; of general miscellaneous character, either injuries or organic diseases, like heart disease, kidney disease, etc.

The CHAIRMAN. I understand; but why do you say that all of these are to be especially for tubercular people, when only 25 per cent of them are tubercular?

Dr. BANKS. Because they require longer hospitalization than any other class.

The CHAIRMAN. Yes; but you have got to have conveniences to take care of the other classes.

Dr. BANKS. Yes, sir.

The CHAIRMAN. Then you will need more room for the other classes than you will need for the tubercular people?

Dr. BANKS. Well, it is considered desirable to segregate that class.

The CHAIRMAN. That is what I say, but the fact is you need more space?

Dr. BANKS. Oh, yes.

The CHAIRMAN. For others than you will need for the tubercular ones.

Dr. BANKS. Well, I doubt it, because——

The CHAIRMAN (interposing). Well, if there is 75 per cent of them, you certainly will.

Dr. BANKS. Well, they are of a class that can be treated at their homes, such as kidney disease and heart disease.

The CHAIRMAN. You don't mean that the Government is going to treat them at their homes?

Dr. BANKS. The Government is obligated to do it in one way or another.

The CHAIRMAN. You mean for them to have their own physicians?

Dr. BANKS. To have their own physicians.

The CHAIRMAN. To have local physicians?

Dr. BANKS. Yes, sir.

The CHAIRMAN. I didn't catch that.

Dr. BANKS. They are to have their local physicians.

The CHAIRMAN. Then it is your idea that the Government will employ local physicians all over the country to treat these people?

Dr. BANKS. They will have to do it, because these men will be located all over the United States in small villages and out-of-the-way places.

The CHAIRMAN. Now, let us go a little slow here. I want to get as clear an understanding as a layman may get of this thing. It may sound very foolish to you, some of these questions, but nevertheless you are not talking to a group of doctors now, you know.

What would you say would be the proportion of space to be provided for those patients suffering from diseases that are not tubercular who will go to hospitals? Leave out the home treatment.

Dr. BANKS. Well, in the first place you have got to consider the tuberculosis situation. There are at present about 14,000 beds.

The CHAIRMAN. I want to cut that out and listen to the other for a minute or so.

Dr. BANKS. I wanted to say, as a basis for my statement, there are 14,000 beds throughout the United States for tuberculosis—that is, in hospitals especially devoted to tuberculosis. We have already got between 14,000 and 15,000 discharged. That is not taking into account those sanitoria which are already filled with civilian population. Consequently we have got to provide for this 14,000 elsewhere than in existing sanatoria. Now, the general hospitals of the United States are much more numerous than tuberculosis hospitals. I don't know the bed space of the general hospitals throughout the United States, but it is not adequate to take care of all these special diseases. For instance, we have nearly 4,000 discharges for epilepsy from the Army.

I refer to these matters to show that the proponents of this bill are not arguing in accordance with the testimony of men who appeared before the committee. It is not for the benefit

of the returned soldiers. The chairman asked the question in plain language, "Now, Doctor, tell us what these hospitals are for," and he tells plainly what they are for in as plain language as a man can speak. Now, I want to answer the question of the gentleman from Missouri.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. KREIDER. Mr. Chairman, I ask for five minutes more.

Mr. CLARK of Florida. I shall have to object.

Mr. KREIDER. I only want five minutes.

Mr. CLARK of Florida. I will not object at this time provided the gentleman from Alabama [Mr. BURNETT] can have a little more time.

Mr. KREIDER. I shall not object to that.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CLARK of Florida. Now, will the gentleman yield to me for a question?

Mr. KREIDER. I will.

Mr. CLARK of Florida. The gentleman says that these hospitals are not for people in the Army. Did not they all state that there were 14,000 tubercular patients who had been discharged from the Army, and that they looked for 20,000 more?

Mr. KREIDER. The gentleman knows that those were not men coming from France, men who had been over the sea. Not one of them came from the other side.

Mr. CLARK of Florida. Oh, oh, the gentleman is mistaken.

Mr. KREIDER. Here we have the proposition as to who are the patients. I call your attention to the question which the chairman asked, what are the hospitals for, and the answer that they are for the patients of the War Risk Insurance Bureau. Now, who are these men? I want to answer that by reading from the hearings, page 32:

Dr. BANKS. These men have been drafted into the Army by the Government; they have been taken away from their occupations and their previous methods of existence, you might say, involuntarily. They have been taken by process of law, and they have made no representations regarding physical conditions, and the Government took them as they stood. That is the equity of the case from their standpoint.

Mr. BURNETT. Then, if they are examined the next week, even, by the surgeon at the camps and turned down, they are entitled to compensation from the War Risk Insurance Board?

Dr. BANKS. Yes, sir.

Mr. ASHBROOK. Although they have never seen any service and haven't been from their homes over perhaps a week or two?

Dr. BANKS. Yes, sir.

Mr. ASHBROOK. That is an outrage.

Mr. BURNETT. You say we passed a law to that effect, or is that merely a construction?

Dr. BANKS. No, sir; that is a law of Congress.

Mr. BURNETT. Then we are responsible for it?

Dr. BANKS. Not only that, but Congress amended the law to make that possible. It was not asked for by the War Risk Insurance Board.

Mr. ASHBROOK. Well, we are a set of chumps, then.

Mr. RUCKER. As a matter of fact, if I may put in a word, I think that is right.

[Laughter.]

Now, I want to make these two points clear as to who are the patients of the War Risk Insurance Bureau, what are the hospitals intended for, and I want to say emphatically, according to the evidence I have read, that they are not for the returned soldiers over the sea. Those men are taken care of by the War Department, and they are on record as saying that they will not discharge them as long as they need hospital treatment. Now, there is a sinister reason back of all this. There is not a Member of Congress who desires to deprive a soldier of any benefit and accommodations he needs, or who desires not to do the thing for the soldier, but we can not afford to close our eyes to unnecessary expenditures of the public funds. I am in favor of the stipulation or the amendment written in the bill by the committee providing for the taking over of any hospitals, turning over patients from the War Department, and if that is done we need not expend $10,500,000. I would be perfectly willing to strike out the $10,000,000 and let the $500,000 stand.

I do think that there is a hospital needed at Norfolk, but I do not think we need to build these hospitals in 14 different cities in the United States for these purposes, because we now have all the hospital capacity that is necessary to take care of our soldiers. [Applause.]

Mr. BURNETT. Mr. Chairman, I move to strike out the last two words. Mr. Chairman, the memory of the gentleman from Pennsylvania [Mr. KREIDER] is very defective, indeed. When he comes to make his minority report he simply selects such parts of the testimony of Col. Smith as he thinks bear on his position in opposition to this bill and leaves out the important part of that testimony. I am going to call attention to it. The gentleman talks about the boys coming back from the other side. The gentleman from Pennsylvania [Mr. MOORE] says that they will have to pay part of this expense. Well, Mr. Chairman, I do not believe that there is a soldier coming back from the other side but what will be willing to pay his part of the taxes which we will have to pay to care for or heal those that are discharged both from the other side and this side on account of disabilities for which this Government ought to take care of them.

The gentleman from Pennsylvania [Mr. MOORE] has referred to this, and I would like to know—and possibly the gentleman from Pennsylvania may know, because in a few weeks he will have an opportunity to vote on the question—whether he is willing for a crowd of aliens from the other side to be kept from these shores and kept from taking the jobs of returning soldiers from the trenches and camps. We will see how the gentleman stands when he gets a chance to vote on such a bill.

In regard to disabled men that have been inducted into the service under the draft, the incompetency, if there is any, is in the War Department and the men of those boards that have passed men as being physically satisfactory, and the same men have been returned from the camps by the Government surgeons. It seems to me, Mr. Chairman, that in the War Department we have incompetency in almost every detail. I want to read, because perhaps some gentlemen have not read it, an item from the Washington Star with reference to soldiers at the Walter Reed Hospital. Last Saturday this statement was made to the Star by some of the men, and if there was nothing more to get soldiers from under the control of the War Department which would impel me to vote for this bill this statement would.

I want to read just a few lines from it, to show how these soldier boys are treated—not by the hospital but by the War Department itself:

The regulations, one of the officers said, do not provide for the laundering by the Government, or at Government cost, of the clothes of the men who are able to attend to their own laundry. If the men find the work irksome all they need to do is to have their clothes sent to a city laundry and pay for the work in the regular way at the regular prices. Neither the quartermaster nor the adjutant has power to change a military regulation. The machine must operate in the usual way. Sentiment does not govern a military organization, he said.

As many of the men have not been paid for several months and are without funds, the question of their paying to have their laundry done is eliminated.

As a one-armed man yesterday was washing his shirt in the bathtub he remarked to a reporter he was sure that this great, rich country, for the safety of which he had in common with scores of thousands of others given his blood, did not desire that the crippled soldiers should do their own washing. A group of six or seven men, all leaning on crutches, each shorn of a leg, awaited their turn at the common clothes washing bathtub and good-naturedly urged him to "carry on."

"You see it's like this," said one of the men who had left his leg in France, "we must either do our own washing or not have it done at all. There is no laundry here for the use of the men. At least we haven't been able to find one. When I had two good legs I didn't mind washing my clothes.

"We used to do it at the Argonne and in other parts of France." Then he opened his upper shirt and pointing to the garment beneath, said:

"I have worn this underwear three weeks. I hate like fury to wash it in the bathtub. We could send it down town and have it done at the ordinary rate of expense. But men on $30 a month, who have suffered as we have suffered, feel that the country ought at least do our washing for us.

"Then, again, many of us haven't received any pay for seven or eight months. We are told that we are going to get it. I have had my account fixed up and O. K.'d, and I am told it will come; but I am wondering when, and a great many other boys are wondering the same thing."

HAVE TO BORROW CAR FARE.

It is not an uncommon thing to see several soldiers late in the afternoon trying to borrow a dime from their more financially fortunate "bunkies" to pay car fare down town and back.

That is the way the War Department is taking care of the boys from the other side. I repeat, if there was nothing else in this bill than the proposition to take it from the War Department and put the matter under the control of he Treasury Department—that is, the care of those discharged from the service—it would evoke my approval and my vote.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. BURNETT. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DYER. Mr. Chairman, will the gentleman yield?

Mr. BURNETT. Yes.

Mr. DYER. The gentleman states that the War Department is inefficient and incompetent to do this work. How does he figure that the Treasury Department will do better?

Mr. BURNETT. Mr. Chairman, I have never heard any complaint of the Bureau of the Public Health Service in regard to the functions they have been called upon to perform. I say candidly that if it was to be left to the Bureau of War Risk Insurance under the Treasury Department, as it has func-

tionest heretofore, I should be as intensely opposed to it as I am intensely in favor of this proposition coming under the Public Health Service, although, to do justice to those in charge now of the Bureau of War Risk Insurance, I want to say that under the present management I have seen a great improvement.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. BURNETT. Yes.

Mr. LONGWORTH. I want to ask a question for information. There have been so many contradictory statements made in the course of this debate that some of us are in doubt as to what to do. What has the gentleman to say in regard to the statement of the gentleman from Pennsylvania [Mr. KREIDER] that, as a matter of fact, none of the hospitals to be provided for by this bill would be used by the soldiers returning from abroad?

Mr. BURNETT. I do not understand it in any such way.

Mr. LONGWORTH. The gentleman from Pennsylvania has made that positive assertion.

Mr. BURNETT. The gentleman is altogether incorrect. I want to show what the gentleman from Pennsylvania omitted from his report, and that will show exactly what the gentleman was wanting to put in and what he wanted to leave out. He quotes from Col. Smith's testimony. Col. Smith said:

It is impossible to state at this time when any of the hospitals now operated by the Army could be released for use by the Public Health Service. While it is believed that we have provision for a sufficient number of beds in Army hospitals, it is also our belief that we require all that we now have in order to provide a reasonable margin of safety for the care of sick and wounded returning from overseas, and the sickness problem which may develop among the troops in this country and returning for demobilization.

The gentleman from Pennsylvania, in making his minority report, left that out. Let me read you just a little more that he also left out in regard to the hospitals that could be made available. Col. Smith says:

As to the date when any others could be turned over, it is impossible to state at this time, for that depends upon the number of patients for whom we must make provision and the type of the case, which determines the duration of their stay in hospital. It is believed, however, that in six months several of these hospitals could be released, but not before that. The permanent general hospitals would not be available at all.

That is the language of Col. Smith, which the gentleman left from his minority report, and yet it immediately preceded what the gentleman from Pennsylvania did quote.

Mr. KREIDER. Mr. Chairman, will the gentleman yield for a question?

Mr. BURNETT. The gentleman has his own time.

Mr. KREIDER. I know, but the gentleman makes an accusation. I want simply to say this, that none of the general hospitals that are owned by the Government are suitable for tuberculosis patients, but there are eight hospitals under the control of the War Department that are, and I enumerate them in my report and give their capacity in respect to beds, and so forth; so that I have been entirely fair.

Mr. CLARK of Florida. Will the gentleman from Pennsylvania name these hospitals and will he point out in the RECORD where the War Department has ever said they would turn over a single one to the Public Health Service? They said positively they would not.

Mr. KREIDER. I can do it.

Mr. CLARK of Florida. Let the gentleman do it in his own time.

Mr. BURNETT. Mr. Chairman, here we have been two days on this bill. A short time ago there was one hospital that we asked to have constructed, and gentlemen over on that side, who are now rallying against this bill, made the argument that there ought to be a general scheme for such hospitals. Now we come in with a general scheme and for two days gentlemen have been fighting that. Mr. Chairman, we are going to have tuberculosis patients all along, men that have come not only from the ranks in the camps here, but from the shot and shell and the snow and sleet and trenches on the other side.

The CHAIRMAN. The time of the gentleman from Alabama has again expired.

Mr. BURNETT. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BURNETT. Some one I hear says something about my not hurrying along. Who has been doing the talking? This is the first time that I have spoken, and I would not have taken the floor now had not the gentleman from Pennsylvania [Mr. MOORE] made the speech he did in regard to turning it over to the War Department. We do not know how big the Army is going to be. We do not know how long these brave men are going to be kept on the other side. We ought not to limit the space that a single soldier gets from the hospitals that the Government now has under the charge of the War Department. If this bill gave only one resting place, one sanatorium, for one single tubercular patient, it would be enough for me to say that we ought to spend the ten and a half million dollars and do it at once. If only one man's life can be preserved, if only one sick or wounded soldier or nurse who went with the Red Cross to the other side is saved, it is enough for me. These people took their lives in their hands and risked them on the call of our Government. I hope gentlemen will not delay longer by wrangling over what department shall have control, when we know that the Public Health Service has heretofore had this very character of work under its control. I hope we will not jeopardize by postponing and delaying one minute longer a bill that affects the very life of many brave men and women who offered their lives for their country. [Applause.]

Mr. MANSFIELD. Mr. Chairman and gentleman of the committee, in view of the fact that my name appears signed to the minority report, and in view of the further fact that reference has been made to my attitude in reference to this bill, I feel in justice to myself and in deference to the majority of the committee it is necessary for me to make a brief statement. I did not join in the minority report as appears of record in this matter. My name is there by inadvertence. I did vote against reporting the bill in the committee because from the light before me at that time I did not think that all this expenditure of money was necessary—and I have not yet thoroughly made up my mind upon that point—but after I returned to my office from the committee meeting a member of the majority inquired over the phone as to whether or not I would acquiesce in the majority report. I told them if I decided not to do so I would let them know. That was the last I heard of the matter until a few days ago, when the gentleman from Pennsylvania [Mr. KREIDER] showed me a typewritten copy of the minority report, and inasmuch as I had voted against reporting the bill my name appeared upon this typewritten copy of the minority report. I explained the matter to the gentleman [Mr. KREIDER], and he scratched my name off. But somehow, by some means which I am unable to explain, it appears that some other copy of the report was inadvertently handed to the printer, and my name is printed there. Now, here, gentlemen, is my attitude with reference to these hospitals. I would rather have 10,000 too many beds for returning soldiers than to have one too few. I do not like the idea, however, of having more than 50,000 vacant beds with strings to them, because I want hospital beds that can be used for every discharged soldier, sailor, or marine who may be in need of them; and if we have got 40,000 or 50,000 beds which can not be used for that purpose, I think we need some legislation that will make them available. I do not like the idea of having thousands of beds too many under one branch of the Government and a thousand too few under another. I want it so that every soldier, every sailor, every marine, and every nurse who needs a bed shall be supplied with that hospital bed if the Government of the United States is able to afford it, and I think it is. Gentlemen, I thank you. [Applause.]

Mr. CANNON rose.

Mr. CLARK of Florida. Mr. Chairman, does the gentleman from Illinois desire to offer a real amendment?

Mr. CANNON. I want to offer a real amendment.

Mr. CLARK of Florida. I yield to the gentleman.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn.

There was no objection.

Mr. CANNON. Mr. Chairman, I move the following amendment: To strike out in line 7, beginning with the word "and." I will read the amendment:

And for others entitled to treatment by the Public Health Service.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. CANNON. Page 1, line 7, strike out the following: "and for others entitled to treatment by the Public Health Service."

Mr. CLARK of Florida. If the gentleman will yield to me just a moment, I want simply to give notice that I am going to try to insist upon the rule being observed hereafter in debate upon this bill. We have talked all day about it.

Mr. CANNON. I know, but you gentlemen have done most of the talking——

Mr. CLARK of Florida. No; we have not.

Mr. CANNON (continuing). Both upon the committee and off of it. However, I will see when my five minutes are up, and it may be the committee will give me a little more time. It may be I can say all I desire in two minutes or that a man perhaps ought to say. Mr. Chairman, it is time in considering legislation, now that the armistice has been made, and they are coming home to the United States from overseas and being discharged by the tens of thousands, to call a halt in the enactment of legislation and be sure what legislation ought to be enacted. First, what is the real condition; second, what have we to raise revenue for and for what purposes; third, how much useless machinery have we got that is spending money; fourth, what have we to care for in the Treasury for the soldiers and the citizens who are entitled to care; fifth, can we be diverted from the merits of a proposition by patriotic declamations? Why, of course, the United States will take care of every soldier who is entitled to relief under the war-risk act, and those who are entitled to payment or killed and are leaving dependents. Never in the tide of time in this country or any other that ever existed has there been so much guaranteed to the soldiers of any war as we have guaranteed. I merely refer to it. I would not dot an "i" or cross a "t" to take back any pledge we have given to our soldiers, but I am not ready in orating about taking care of the soldier to let creep in along with the soldier the man, the woman, the child, who are not soldiers, and permit them to have relief and treatment in hospitals. Oh, we are caring for the dependents, and that pledge was made if a soldier was killed, and so forth, or if he was wounded, and the Government is caring for the dependents of the soldier by an allotment. It is keeping all of those pledges, every one of them. But now what is the status? First, the civil employees in the War Risk Bureau in the Treasury Department, who never were in the service, not entitled to anything more than anybody else's wife and child and every other civil employee in the Government is entitled to, it is said, and I assume it is true, that we gushed along and are pledged to care for in hospitals now until the time they die, all the civil employees in the War Risk Bureau.

Mr. BANKHEAD. Will the gentleman yield for a question?

Mr. CANNON. Certainly.

Mr. BANKHEAD. What authority of the law has the gentleman for the statement that the civil employees of the War Risk Bureau would be entitled to the use of these sanatoriums?

Mr. CANNON. The legislation gives it to them. I am correct in that, am I not?

Mr. CLARK of Florida. Absolutely not.

Mr. CANNON. Then the whole debate has proceeded along lines that are founded upon a fallacy.

Mr. CLARK of Florida. I beg the gentleman's pardon. The persons who are entitled to treatment in hospitals as fixed by law are civil employees of the Government injured under the workmen's-compensation act—no relation to the War Risk Bureau at all. And none of the employees of the War Risk Bureau will be entitled to hospital treatment under this bill.

Mr. DYER. The gentleman's own report shows there are others.

Mr. CLARK of Florida. No; it does not.

Mr. STAFFORD. Will the gentleman yield?

Mr. CANNON. I will.

Mr. STAFFORD. In the draft copy of the sundry civil bill, on which hearings are now in progress, there is an item carrying an appropriation of over $1,000,000 for the treatment of those afflicted with venereal diseases under the act of the past year. This bill would give provision for that kind of patients.

Mr. RUCKER. Soldiers.

Mr. STAFFORD. Not soldiers.

Mr. CLARK of Florida. The gentleman knows that the provision of which he speaks will go out under a point of order if anybody makes it.

Mr. STAFFORD. I do not. The bill specifically enumerates the section under which they claim that authority.

Mr. CLARK of Florida. What has that to do with this?

Mr. STAFFORD. It has direct relation to the amendment of the gentleman from Illinois so as to prevent this bureau of health from spreading its arms so as to cover everybody in the United States.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. CANNON. Mr. Chairman, I ask for an extension of time. I would like 10 minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent for 10 minutes more. Is there objection?

Mr. CLARK of Florida. How much?

Mr. CANNON. I would like 10 minutes.

Mr. CLARK of Florida. Mr. Chairman, I do not object to this, but——

Mr. CANNON. Do not put it on me. I do not care, so far as that is concerned. I am asking no courtesy that is exceptional. I want to be educated as to what the law is if I do not understand what it is.

Mr. CLARK of Florida. I will not object. Let the gentleman go ahead.

The CHAIRMAN. The Chair hears no objection.

Mr. CANNON. From the best reading that I can do and from the report it seems that I have been in error in believing that the civil employees of the War Risk Bureau were entitled to treatment in these hospitals.

Mr. CLARK of Florida. Permit me right there, as long as the gentleman has 10 minutes.

Mr. CANNON. Then I may want 10 minutes more.

Mr. CLARK of Florida. I am willing for the gentleman to have an hour if he can show that this bill provides for the civil employees of the War Risk Bureau. I wish the gentleman, instead of making the assertion, would point out from the act where they are taken care of.

Mr. CANNON. I take it from the report there. Let that be as it may——

Mr. CLARK of Florida. The gentleman knows the bill would settle it. The bill determines that point.

Mr. CANNON. Now, the gentleman wants to go back to the bill.

Mr. CLARK of Florida. That is what we are trying to pass. We are not trying to pass the report.

Mr. CANNON. I read:

Additional hospital and sanatorium facilities for the care and treatment of discharged sick and disabled soldiers and sailors, patients of the War Risk Insurance Bureau.

Mr. CLARK of Florida. Patients.

Mr. CANNON. I read further:

And for others entitled to treatment by the Public Health Service.

Now, my motion is not to strike out the patients of the War Risk Bureau. That can follow later on. But it is for the Public Health Service and others. You enumerate here five or six cases where they are entitled to hospital treatment and then wind up and propose to legislate for all others that are entitled, and when you pass that you can still appropriate for expenditures for the others.

Now, what does "others" mean? Why, gentlemen who have watched the great progress that has been made during this administration, before the declaration of war and since the declaration of war, will find that the Treasury Department through the Public Health Service, by appropriations made by Congress, sometimes without legislation and sometimes with the legislation, has so greatly extended the power of the Public Health Service that there is not one citizen in a thousand in the United States that understands what has been done. For instance, there have been appropriations made to take care of epidemics; appropriations made to take care of venereal diseases. We spend great blocks of money to protect the soldiers in the cantonments, and then we are spending great blocks of money, without cooperation of the States and with the cooperation of the States, with which, from my best judgment, as near as I can ascertain in haste, you can take people afflicted with various diseases in civil life who require treatment in a hospital and put them in a hospital and treat them at the public expense. Does anybody dispute that? The gentleman is silent.

Now, I am not for it. I want every citizen, great and small, to stand with equal privilege before the law, and to care for our soldiers and sailors and their dependents as we have cared for them. Therefore I take it that this amendment ought to prevail.

Now, then, a word about the hospitals. I have read this report. I have been tolerably busy since this Congress met in the Committee on Appropriations, headed by Mr. SHERLEY, on a deficiency appropriation bill, a bill that has taken my time, almost every minute of it, from the commencement of this session up to the present moment. We have reported that bill, and I suppose it will follow this one. We will discuss it when we come to it. But I think it is the most important bill that has been or will be passed during this session of Congress.

Now, we got ready for this war in haste. There are 16 camps and 16 cantonments in the United States, on leased ground in the main. Wherever those camps and cantonments are all, as I understand it, are equipped with hospitals. A hospital means a place for the treatment of the sick and wounded, with all accommodations for the doctors and with all the accommodations for the nurses. Now, we are not needing those camps and cantonments much longer. We are not drafting people to send to them. But here is this property that Uncle Sam owns. To construct a hospital such as this bill contemplates, as near as I can tell from reading of the report, means $3,000 a bed; that is, to make the bed available. And it would take from two to four years to construct a hospital as desired by the supporters of this bill.

Mr. BUTLER. How long? From two to four years?

Mr. CANNON. Yes. We discussed this a little bit when we had the Kentucky proposition before us for a hospital, as you will recollect.

Now, I want to say another thing, and with high respect, for I suppose I am as selfish as most Members of Congress, if not all Members of Congress, in caring for my constituency. But you may take Document No. 14 and Document No. 16 of these hearings, and you may read them all through, and you will find there that the anxiety about the location of the hospitals, the hearings about their location, was pretty near, you know, in interest to many members of that committee, interested in building hospitals in the back yards of their districts, or in their sections. I do not care where they are built, provided they are properly located and built, and provided that they ought to be built at all.

I believe this bill ought to be amended, instructing the War Department and the Navy Department to turn over all these camps and cantonments for use as hospitals for the people who are entitled to relief therein. We have over 100,000 beds, with 50,000 occupied, it is said. A fair reading of these hearings shows that the great mass of men who come back and are not well, but sick, are kept by the War Department until they get well, and then they are discharged. That appears in the hearing. I pause to have it contradicted. Is there any contradiction?

Mr. GRIFFIN. Yes. The gentleman makes the challenge, and I will accept it. I want to call his attention to the fact that, notwithstanding the statements of some of the officials of the War Department that they did not discharge men until they were cured, there were 24,500 tuberculosis cases in the Army that have been discharged, and they are discharging them to-day at the rate of 250 per week.

Mr. CANNON. Precisely; a number of months or weeks of treatment is given for tuberculosis cases. Great stress is laid upon tuberculosis treatment.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. CANNON. I am going to ask, Mr. Chairman, for an additional five minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. CANNON. Tuberculosis is a terrible disease, but from all the reading that I have been able to give to this hearing and everywhere else I find that there is a certain stage of tuberculosis that practically can not be cured, but there is an earlier stage of it where, with the great improvements in treatment, recoveries are had. What you want is not granite walls and air-tight compartments. That may be contradicted by somebody who will follow me, if he wants to. What we want is sunlight and air, fats and good healthy food to eat. That is the treatment, and about the only treatment, as I have been informed by skilled physicians; that is the only treatment that is proper for tuberculosis. This record shows that after a few months those that are curable are very apt to be discharged cured.

Now, then, suppose a man who has been in the Army contracts tuberculosis after he is discharged. Then he is treated by the doctor in his neighborhood at the expense of the United States. That is the scheme. Or he is treated in a hospital. I am not here to say that such treatment should be denied. We have been liberal with the soldiers. We were liberal with the soldiers of the Civil War. But I am here to say that I believe from these hearings and from this bill and from the legislation that has been had, even before the war commenced, extending the jurisdiction of the Public Health Service, coupled with what has happened since that time, the time has come to call a halt. Not in caring for the soldier, but in caring for the soldier taking care also for the civilian, playing favorites.

Now, I think that is all I want to say. I shall vote for the amendment which I have offered, because that amendment takes care not only of everybody who is entitled under the law to be cared for now, but as legislation may be enacted hereafter, it will take care of them without any further enactment.

I want to refer to the Public Health Service, and I do it respectfully. The head of that Public Health Service is one of the ablest men I have ever met. He is a thorough gentleman. But he is like all the balance of mankind, some stronger and some weaker, in that he tries to extend his jurisdiction and his work, and in many instances I think not for the public good.

Mr. RUCKER. Before the gentleman takes his seat, may I ask him a question?

Mr. CANNON. Certainly.

Mr. RUCKER. The gentleman realizes, from what he knows historically about the war, that it is altogether probable that tuberculosis will develop in many cases after discharge when it is not present at the time of discharge?

Mr. CANNON. Yes.

Mr. RUCKER. Those people, I believe you stated, ought to be treated by the Government?

Mr. CANNON. Yes; but I want to say one other thing: In the legislation that we had caring for the soldiers of the Civil War, they had to prove their injuries by official records.

Mr. RUCKER. That is, in order to get a pension?

Mr. CANNON. Yes; to get a pension. Or they had to prove it by witnesses; and they had to trace the present condition to the service in line of duty. Now, I do not want anything so severe as that for the soldiers of this war.

Mr. RUCKER. The gentleman will realize that injustice was done to thousands of men by reason of that harsh rule?

Mr. CANNON. Yes; I realize all that.

Mr. RUCKER. If a man, able and well, is accepted into the service and after the battle is discharged and suddenly afterwards develops tuberculosis, would not the gentleman agree that that man should be treated by the Government?

Mr. CANNON. I have already stated that I would have him treated by the Government.

Mr. RUCKER. I hope the gentleman will say it with his usual emphasis.

Mr. CANNON. I have already said that.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. CANNON. Mr. Chairman, I ask for two minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. CANNON. The gentleman from Alabama [Mr. BURNETT] is glib of tongue and of great ability, and I want to compliment him on his ability. He comes with great strength, and he picks up this newspaper report about the Walter Reed Hospital, about the inmates there having to do their own laundry work, one-armed and one-legged men. Good God! The appropriations are available, and it is your administration as well as mine. You made it; I did not. I am not in party harmony with it. In many instances I have supported it. But instead of criticizing this or that or the other thing that can be remedied by administration, why do you not take some of these people by the nape of the neck and the slack of the breeches and throw them out of the public service? [Applause.]

Mr. BURNETT. Mr. Chairman, will the gentleman yield?

Mr. CANNON. Yes.

Mr. BURNETT. I would be glad to do it if I could; but the gentleman has as much power to do it as I have, and I say therefore let us not give them any more power than they already have.

Mr. CANNON. Oh, no; you control. You have got the President; you have got the Congress. You control it; and while I am not lying awake at night to deny that it has been a difficult task, we helping you as best we could and not throwing chunks in the way, I think the rocks and mountains ought to fall on you, at least temporarily, and put you out of complete power and let us unscramble the eggs. [Applause and laughter.]

Mr. GRIFFIN. Mr. Chairman, in view of the splendid laudation of the head of the Public Health Service by the gentleman from Illinois [Mr. CANNON], who has just taken his seat, I would like to call his attention and also the attention of the House to the letter of the head of the Public Health Service, Robert Blue, Surgeon General, which was printed in my remarks of Saturday. I want to refer specifically to this statement:

> It has been stated that the policy of the Army is to keep its tuberculosis cases until they are incapable of further improvement. As a matter of fact, of the 1,724 war-risk cases now actually under treatment 630 are cases of tuberculosis which have been discharged from the Army.

Mr. STAFFORD. That statement is not at all inconsistent with the other.

Mr. GRIFFIN. And in order to rob this discussion of its uncertainty, particularly where figures are concerned, I want to call the attention of Members, who will take the time and pains to do so, to page 2856 of the RECORD of Saturday, which contains, not the statements or the inferences of men from these departments, given casually two months ago or one month ago, but the figures right up to January 17, 1919; and in the last report from the War Department you will find that their statement is that they have only 42,530 beds, and you will also find on that page a statement that there are 120,000 wounded men now under treatment in French, English, and American hospitals on the other side.

Now, coming specifically to this amendment, I want, with all due deference to the gentleman from Illinois [Mr. CANNON], to submit to his judgment this proposition——

Mr. TEMPLE. Will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. TEMPLE. On the page referred to the total number of men receiving treatment in French and British hospitals is stated to be 8,000, and the vacant beds 42,530.

Mr. GRIFFIN. The gentleman is reading from the wrong table.

Mr. TEMPLE. I am reading from the table on the page the gentleman referred to.

Mr. GRIFFIN. I call the gentleman's attention to Exhibit D, wherein it is stated that the total number of men receiving treatment in American hospitals in France, including the English and French hospitals, as reported from American Expeditionary Forces January 2, was 120,391.

Mr. TEMPLE. The total number that had received treatment all told?

Mr. GRIFFIN. The total number that were receiving treatment on that date. The gentleman is looking at the comparative table in Exhibit C, where the number of men receiving treatment in the various hospitals are compared as of November 28 and January 17. When the figures were differentiated the War Department showed that there were 8,000 men receiving treatment in English and French hospitals, and 182,569 receiving treatment in American hospitals.

Mr. TEMPLE. Yes; that is correct. The number not in American hospitals is stated at 8,000.

Mr. GRIFFIN. But as of January 2 there are 120,000 men receiving treatment in English, French, and American hospitals combined.

Mr. TEMPLE. With 42,000 vacant beds in American hospitals.

Mr. GRIFFIN. Over here; yes.

Mr. BUTLER. How many vacant beds in American hospitals?

Mr. GRIFFIN. Forty-two thousand.

Mr. KREIDER. And 15,000 more being completed.

Mr. GRIFFIN. Let me proceed.

Mr. KREIDER. Those men who are being treated are not all of them wounded. Some of them are sick.

Mr. GRIFFIN. That is true.

Mr. KREIDER. And not 50 per cent of them will apply for treatment after they return to this country.

Mr. GRIFFIN. That is merely an inference and a conjecture. If you are willing to draw conjectures of that kind against this bill and against the soldier, I ask you in all fairness to use your sane thought and vision, to infer that thousands of these boys who have been in the trenches and who come back here with their lungs sloughing away as the result of being gassed and as the result of other diseases are likely in the future to appeal to the Bureau of War Risk Insurance for relief; and we have the figures to show that 14,200 of them up to date have made application, and that these applications are coming in at the rate of 250 a day.

Mr. KREIDER. But those are not men who have returned from overseas.

Mr. GRIFFIN. Now, getting down to the specific amendment before the House, the amendment of the gentleman from Illinois, I want to say, with all deference to him, that if that amendment were passed, it would take the vitals out of this law.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRIFFIN. I ask unanimous consent to proceed for five minutes.

Mr. MANN. I suppose the gentleman from Florida [Mr. CLARK] is willing?

Mr. BURNETT. The gentleman from Florida is not here, and in his absence I ask it.

Mr. MANN. He is willing to have the time extended?

Mr. BURNETT. Yes.

The CHAIRMAN. Without objection, the gentleman will proceed.

There was no objection.

Mr. GRIFFIN. If this amendment were to pass and we were to cut out these lines on page 1, it would repeal every law that you have been enacting since 1798 putting responsibilities upon the Public Health Service.

Mr. MANN. Will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. MANN. How would it repeal the law to say, while providing additional hospital accommodations, that people already entitled to hospital accommodations should be entitled to these additional ones?

Mr. GRIFFIN. I will show the gentleman how it would effectually repeal the law.

Mr. MANN. It would take more than five minutes to show that.

Mr. GRIFFIN. Oh, no; have patience. It would have the effect to repeal, although not specifically repealing the existing law, for this reason: That the Public Health Service is required to treat certain departments of the Government—for instance, the Coast Survey, the Geodetic Survey, and persons injured under the workmen's compensation act. Now, all of the other departments are to be excluded from the terms of this act, and we are asked to provide for additional facilities for the exclusive benefit of the soldier, the sailor, and the marine under the proposition in the gentleman's amendment. If this amendment were to be adopted, while nominally on its face it would prevent the additional facilities being used by any but soldiers and patients of the War Risk Insurance Bureau, it would have the effect of not only including them but it would vitiate all of our previous legislation on this subject. It would do that for the reason that the Public Health Service is now treating patients beyond its capacity; they have sent patients to outside hospitals, and they have not room to-day to treat the men who are wounded in the service. They have not the facilities. If gentlemen will look at Exhibit F, on page 2953, they will find that in 1918 the total patients treated were 12,797, and that the total patients treated in contract hospitals during 1918 were 7,812. Now, what do you want to do by the amendment? You say nobody shall have the benefit of the additional hospital facilities of the Public Health Service except the soldiers, sailors, and patients of the War Risk Bureau. What is going to become of those entitled by previous laws to treatment? Do you not see that if you emphasize the fact that it must be used by discharged sailors and soldiers you thereby exclude the other beneficiaries, and for that reason I hope this amendment will not prevail, because it would repeal prior laws?

Mr. JOHNSON of South Dakota. Are there many soldiers and sailors that have taken no part in this war?

Mr. GRIFFIN. I do not know; this bill provides for soldiers and sailors, and that is the main purpose. We can better serve the interests of the sailors and soldiers and marines by giving the Public Health Service a little latitude. If you adopt this amendment, it is true you will prefer the soldiers, sailors, and marines, but you exclude all other people who are entitled to treatment under previous laws or you compel them to send their patients to a contract hospital, as they did in 1918.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. GRIFFIN. I will.

Mr. OLIVER of Alabama. I understood from the arguments made by the gentleman from New York and others in favor of the bill that there was immediate need for additional hospitals for discharged soldiers and sailors, and that the primary purpose of the appropriation here asked was to provide additional hospitals for such soldiers and sailors. The mere fact that you now limit the use to such soldiers and sailors would not in any sense work a repeal of an existing law authorizing the Public Health Service to provide hospital facilities for others, but would limit the use of the additional hospitals acquired hereunder to discharged sailors, soldiers, marines, and Army nurses.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. GRIFFIN. Mr. Chairman, I ask for five minutes more.

Mr. MANN. That with the consent of the gentleman from Florida [Mr. CLARK]?

Mr. GRIFFIN. The gentleman from Florida has stepped out, and it was understood that I was to answer the proposal of the gentleman from Illinois, and I am trying to do it the best I can, if I only get a chance.

Mr. BURNETT. The gentleman from New York is asking the consent of the House and not the consent of the gentleman from Florida.

Mr. MANN. No; but the gentleman from Florida gave notice that he would object to any requests for unanimous consent to extend the time after my colleague had finished his speech. I just wanted to know the attitude of that side of the House. I do not want an objection made when some one asks to extend the time on this side and then be absent when some one wants an extension on that side.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. LEVER. Reserving the right to object, Mr. Chairman, it seems to me that the debate has gone along wearily. There is an appropriation bill ready for consideration, and while I would not object, of course it does seem to me that the members of the committee ought to try to make some progress on this bill, so that appropriation bills can be considered.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GRIFFIN. Mr. Chairman, the question has been asked by the gentleman from Alabama whether or not this bill is exclusively intended for soldiers and sailors and the marines. I

Now, I want to say another thing, and with high respect, for I suppose I am as selfish as most Members of Congress, if not all Members of Congress, in caring for my constituency. But you may take Document No. 14 and Document No. 16 of these hearings, and you may read them all through, and you will find there that the anxiety about the location of the hospitals, the hearings about their location, was pretty near, you know, in interest to many members of that committee, interested in building hospitals in the back yards of their districts, or in their sections. I do not care where they are built, provided they are properly located and built, and provided that they ought to be built at all.

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Mr. GRIFFIN. Yes. The gentleman makes the challenge, and I will accept it. I want to call his attention to the fact that, notwithstanding the statements of some of the officials of the War Department that they did not discharge men until they were cured, there were 24,500 tuberculosis cases in the Army that have been discharged, and they are discharging them to-day at the rate of 250 per week.

Mr. CANNON. Precisely; a number of months or weeks of treatment is given for tuberculosis cases. Great stress is laid upon tuberculosis treatment.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. CANNON. I am going to ask, Mr. Chairman, for an additional five minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. CANNON. Tuberculosis is a terrible disease, but from all the reading that I have been able to give to this hearing and everywhere else I find that there is a certain stage of tuberculosis that practically can not be cured, but there is an earlier stage of it where, with the great improvements in treatment, recoveries are had. What you want is not granite walls and air-tight compartments. That may be contradicted by somebody who will follow me, if he wants to. What we want is sunlight and air, fats and good healthy food to eat. That is the treatment, and about the only treatment, as I have been informed by skilled physicians; that is the only treatment that is proper for tuberculosis. This record shows that after a few months those that are curable are very apt to be discharged cured.

Now, then, suppose a man who has been in the Army contracts tuberculosis after he is discharged. Then he is treated by the doctor in his neighborhood at the expense of the United States. That is the scheme. Or he is treated in a hospital. I am not here to say that such treatment should be denied. We have been liberal with the soldiers. We were liberal with the soldiers of the Civil War. But I am here to say that I believe from these hearings and from this bill and from the legislation that has been had, even before the war commenced, extending the jurisdiction of the Public Health Service, coupled with what has happened since that time, the time has come to call a halt. Not in caring for the soldier, but in caring for the soldier taking care also for the civilian, playing favorites.

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Mr. RUCKER. Before the gentleman takes his seat, may I ask him a question?

Mr. CANNON. Certainly.

Mr. RUCKER. The gentleman realizes, from what he knows historically about the war, that it is altogether probable that tuberculosis will develop in many cases after discharge when it is not present at the time of discharge?

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Mr. RUCKER. Those people, I believe you stated, ought to be treated by the Government?

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The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. CANNON. Mr. Chairman, I ask for two minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

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Mr. BURNETT. Mr. Chairman, will the gentleman yield?

Mr. CANNON. Yes.

Mr. BURNETT. I would be glad to do it if I could; but the gentleman has as much power to do it as I have, and I say therefore let us not give them any more power than they already have.

Mr. CANNON. Oh, no; you control. You have got the President; you have got the Congress. You control it; and while I am not lying awake at night to deny that it has been a difficult task, we helping you as best we could and not throwing chunks in the way, I think the rocks and mountains ought to fall on you, at least temporarily, and put you out of complete power and let us unscramble the eggs. [Applause and laughter.]

Mr. GRIFFIN. Mr. Chairman, in view of the splendid laudation of the head of the Public Health Service by the gentleman from Illinois [Mr. CANNON], who has just taken his seat, I would like to call his attention and also the attention of the House to the letter of the head of the Public Health Service, Robert Blue, Surgeon General, which was printed in my remarks of Saturday. I want to refer specifically to this statement:

> It has been stated that the policy of the Army is to keep its tuberculosis cases until they are incapable of further improvement. As a matter of fact, of the 1,724 war-risk cases now actually under treatment 930 are cases of tuberculosis which have been discharged from the Army.

Mr. STAFFORD. That statement is not at all inconsistent with the other.

Mr. GRIFFIN. And in order to rob this discussion of its uncertainty, particularly where figures are concerned, I want to call the attention of Members, who will take the time and pains to do so, to page 2056 of the RECORD of Saturday, which contains, not the statements or the inferences of men from these departments, given casually two months ago or one month ago, but the figures right up to January 17, 1919; and in the last report from the War Department you will find that their statement is that they have only 42,530 beds, and you will also find on that page a statement that there are 120,000 wounded men now under treatment in French, English, and American hospitals on the other side.

Now, coming specifically to this amendment, I want, with all due deference to the gentleman from Illinois [Mr. CANNON], to submit to his judgment this proposition——

Mr. TEMPLE. Will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. TEMPLE. On the page referred to the total number of men receiving treatment in French and British hospitals is stated to be 8,000, and the vacant beds 42,530.

Mr. GRIFFIN. The gentleman is reading from the wrong table.

Mr. TEMPLE. I am reading from the table on the page the gentleman referred to.

Mr. GRIFFIN. I call the gentleman's attention to Exhibit D, wherein it is stated that the total number of men receiving treatment in American hospitals in France, including the English and French hospitals, as reported from American Expeditionary Forces January 2, was 120,391.

Mr. TEMPLE. The total number that had received treatment all told?

Mr. GRIFFIN. The total number that were receiving treatment on that date. The gentleman is looking at the comparative table in Exhibit C, where the number of men receiving treatment in the various hospitals are compared as of November 28 and January 17. When the figures were differentiated the War Department showed that there were 8,000 men receiving treatment in English and French hospitals, and 182,569 receiving treatment in American hospitals.

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Mr. GRIFFIN. But as of January 2 there are 120,000 men receiving treatment in English, French, and American hospitals combined.

Mr. TEMPLE. With 42,000 vacant beds in American hospitals.

Mr. GRIFFIN. Over here; yes.

Mr. BUTLER. How many vacant beds in American hospitals?

Mr. GRIFFIN. Forty-two thousand.

Mr. KREIDER. And 15,000 more being completed.

Mr. GRIFFIN. Let me proceed.

Mr. KREIDER. Those men who are being treated are not all of them wounded. Some of them are sick.

Mr. GRIFFIN. That is true.

Mr. KREIDER. And not 50 per cent of them will apply for treatment after they return to this country.

Mr. GRIFFIN. That is merely an inference and a conjecture. If you are willing to draw conjectures of that kind against this bill and against the soldier, I ask you in all fairness to use your sane thought and vision, to infer that thousands of these boys who have been in the trenches and who come back here with their lungs sloughing away as the result of being gassed and as the result of other diseases are likely in the future to appeal to the Bureau of War Risk Insurance for relief; and we have the figures to show that 14,200 of them up to date have made application, and that these applications are coming in at the rate of 250 a day.

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The CHAIRMAN. The time of the gentleman has expired.

Mr. GRIFFIN. I ask unanimous consent to proceed for five minutes.

Mr. MANN. I suppose the gentleman from Florida [Mr. CLARK] is willing?

Mr. BURNETT. The gentleman from Florida is not here, and in his absence I ask it.

Mr. MANN. He is willing to have the time extended?

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Mr. GRIFFIN. I will show the gentleman how it would effectually repeal the law.

Mr. MANN. It would take more than five minutes to show that.

Mr. GRIFFIN. Oh, no; have patience. It would have the effect to repeal, although not specifically repealing the existing law, for this reason: That the Public Health Service is required to treat certain departments of the Government—for instance, the Coast Survey, the Geodetic Survey, and persons injured under the workmen's compensation act. Now, all of the other departments are to be excluded from the terms of this act, and we are asked to provide for additional facilities for the exclusive benefit of the soldier, the sailor, and the marine under the proposition in the gentleman's amendment. If this amendment were to be adopted, while nominally on its face it would prevent the additional facilities being used by any but soldiers and patients of the War Risk Insurance Bureau, it would have the effect of not only including them but it would vitiate all of our previous legislation on this subject. It would do that for the reason that the Public Health Service is now treating patients beyond its capacity; they have sent patients to outside hospitals, and they have not room to-day to treat the men who are wounded in the service. They have not the facilities. If gentlemen will look at Exhibit E, on page 2056, they will find that in 1918 the total patients treated were 12,797, and that the total patients treated in contract hospitals during 1918 were 7,812. Now, what do you want to do by the amendment? You say nobody shall have the benefit of the additional hospital facilities of the Public Health Service except the soldiers, sailors, and patients of the War Risk Bureau. What is going to become of those entitled by previous laws to treatment? Do you not see that if you emphasize the fact that it must be used by discharged sailors and soldiers you thereby exclude the other beneficiaries, and for that reason I hope this amendment will not prevail, because it would repeal prior laws?

Mr. JOHNSON of South Dakota. Are there many soldiers and sailors that have taken no part in this war?

Mr. GRIFFIN. I do not know; this bill provides for soldiers and sailors, and that is the main purpose. We can better serve the interests of the sailors and soldiers and marines by giving the Public Health Service a little latitude. If you adopt this amendment, it is true you will prefer the soldiers, sailors, and marines, but you exclude all other people who are entitled to treatment under previous laws or you compel them to send their patients to a contract hospital, as they did in 1918.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. GRIFFIN. I will.

Mr. OLIVER of Alabama. I understood from the arguments made by the gentleman from New York and others in favor of the bill that there was immediate need for additional hospitals for discharged soldiers and sailors, and that the primary purpose of the appropriation here asked was to provide additional hospitals for such soldiers and sailors. The mere fact that you now limit the use to such soldiers and sailors would not in any sense work a repeal of an existing law authorizing the Public Health Service to provide hospital facilities for others, but would limit the use of the additional hospitals acquired hereunder to discharged sailors, soldiers, marines, and Army nurses.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. GRIFFIN. Mr. Chairman, I ask for five minutes more.

Mr. MANN. That with the consent of the gentleman from Florida [Mr. CLARK]?

Mr. GRIFFIN. The gentleman from Florida has stepped out, and it was understood that I was to answer the proposal of the gentleman from Illinois, and I am trying to do it the best I can, if I only get a chance.

Mr. BURNETT. The gentleman from New York is asking the consent of the House and not the consent of the gentleman from Florida.

Mr. MANN. No; but the gentleman from Florida gave notice that he would object to any requests for unanimous consent to extend the time after my colleague had finished his speech. I just wanted to know the attitude of that side of the House. I do not want an objection made when some one asks to extend the time on this side and then be absent when some one wants an extension on that side.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. LEVER. Reserving the right to object, Mr. Chairman, it seems to me that the debate has gone along wearily. There is an appropriation bill ready for consideration, and while I would not object, of course it does seem to me that the members of the committee ought to try to make some progress on this bill, so that appropriation bills can be considered.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GRIFFIN. Mr. Chairman, the question has been asked by the gentleman from Alabama whether or not this bill is exclusively intended for soldiers and sailors and the marines. I

answer emphatically that it is, but the lines which were put in this bill by the framer, namely, "for others entitled to treatment by the Public Health Service," were put in there as a protection—to prevent the other beneficiaries of the Public Health Service from being crowded out. In other words, I want to make it plain that we are providing additional facilities for the soldiers and sailors and marines, and also in providing those facilities we do not want to shove the other fellows out who by prior laws are entitled to the benefit of treatment by the Public Health Service.

Mr. CANNON. Will the gentleman allow me?

Mr. GRIFFIN. Surely.

Mr. CANNON. It seems to me the gentleman can not find any other Member of the House on either side that would agree to the statement the gentleman has just made. He says this gives preference to soldiers and sailors. There is nothing in the bill that shows that it gives any preference.

Mr. GRIFFIN. I said it was the intention of the framers to give preference to the soldiers and sailors and marines; but, exercising the proper foresight and intelligence, the bill drafter provided by this law that we should exclude no one entitled by prior laws to the consideration of the Public Health Service. Mr. Chairman, the committee is opposed to this amendment, and I hope it will be defeated.

Mr. SAUNDERS of Virginia. Will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. SAUNDERS of Virginia. This information may have been given before, but I have been out of the House on business. Take the case of a man called by the county board sent to some camp and after staying there two weeks it is ascertained by the medical examination at the camp that he had some disease which rendered him incapable of rendering military service and he is sent home. Would such an individual be a beneficiary under this bill?

Mr. GRIFFIN. He would be. He would be entitled to treatment, because the Government assumed authority over him when he was taken by the local board and was considered in good health. The mere fact that there are a few thousand men in that category, and only a few thousand, should not blind us to the fact that there are 1,167,574 volunteers who are entitled to treatment under this act. Furthermore, there are 2,818,000 drafted men who passed the local boards and the Army surgeons, who were inducted into the service, many of them going across the sea—more than 4,000,000 altogether—who will be entitled to treatment under this law.

Mr. RUCKER. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. I do.

Mr. RUCKER. I want to say, Mr. Chairman, that I can not agree with the answer the gentleman from New York [Mr. GRIFFIN] has just given to the question propounded by the gentleman from Virginia [Mr. SAUNDERS]. I think in the case he stated the soldiers referred to would not be entitled to the benefits of this provision, for the reason that the law to which the gentleman evidently had reference provides that all soldiers who were examined, accepted, and enrolled shall be the beneficiaries, not merely those who were inducted into the camps by the district board.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MANN rose.

Mr. CLARK of Florida. Mr. Chairman, how much time does the gentleman from Illinois desire?

Mr. MANN. Five minutes.

Mr. CLARK of Florida. Then I move that at the expiration of five minutes all debate shall close upon this amendment.

The CHAIRMAN. The gentleman from Florida moves that after the expiration of five minutes all debate on the amendment be closed.

The motion was agreed to.

Mr. MANN. Mr. Chairman, the bill is primarily for the purpose of providing hospital accommodations for the men in the military and naval services who have been discharged from the service. We want to take care of them. We want to provide additional accommodations for them, but we want to know that they receive the benefit of what we do. The bill goes further than that. It provides for the accommodation of all others entitled to treatment by the Public Health Service. Some gentlemen stated on the floor to-day that there were 50,000 of those. I do not know how many there are. Nobody knows. The present accommodations of the Public Health Service, the old marine hospitals, are fairly well taking care of those now committed to the Public Health Service for treatment outside of the discharged soldiers and sailors. There is no demand upon the part of the country, there is no need so far as appropriations are concerned, for us now to make special provisions for the others already provided for. The gentleman from New York [Mr. GRIFFIN] said that to agree to the amendment of my colleague from Illinois [Mr. MANN] to strike out this language would be to repeal existing law. That is solely erroneous. There is no repeal of existing law. Those people now entitled to the Public Health Service in the present hospitals, or under contract, would still be entitled to treatment in the same way, but they will not be entitled to preference over the boys discharged from our Army and Navy in these new hospitals. We want to give the boys the preference in the new hospitals. I do not want to provide additional accommodations here for the discharged soldiers and sailors, and then find they are crowded out by somebody from the merchant marines who claims he is ill, or by somebody whom they are entitled now to treat, somewhere in the country, either in the cities or in the rural districts. Let us say emphatically to the boys who are coming home, "We will provide for you by these additional accommodations in the hospitals, and we will see to it that you get the benefit of them." [Applause.] Let us do that instead of providing, through a subterfuge, additional hospitals so that somebody else may get the benefit of them and possibly crowd out these soldiers.

Mr. CLARK of Florida. Mr. Chairman, will the gentleman yield?

Mr. MANN. I have only five minutes, and the gentleman must make his question short.

Mr. CLARK of Florida. The gentleman knows, of course, that all these other people are now provided by law to be taken care of?

Mr. MANN. That is not a question. I have just stated that.

Mr. CLARK of Florida. Would the gentleman object to treating these people in case the soldiers and sailors are taken care of and then some beds are left over?

Mr. MANN. There is present capacity for these other people. When we have these hospitals in operation and we have spare beds in them, Congress will still be in existence, and it then can provide, if necessary, that the extra beds may be used by the civil patients. Give these boys the first chance. Do not let the Public Health Service use us, through a demand for the treatment of our returned soldiers, to get additional accommodations which they would like to have at all times, but the need for which they have not yet been able to impress upon the minds of Congress. Give the boys a chance. Strike that language out, and if this bill becomes a law, as I hope it will if the language goes out, the boys will have the beds in these hospitals.

Mr. CLARK of Florida. Mr. Chairman, I desire to offer a substitute for the amendment offered by the gentleman from Illinois. After the word "service," in line 8, insert:

Provided, That discharged, sick, and disabled soldiers, sailors, and marines, and Army and Navy nurses, male and female, shall first be provided for.

Mr. MANN. Mr. Chairman, I make the point of order that that amendment is not in order. It is not a substitute. It has no relation to the text in the bill which it is proposed to strike out. Such an amendment could be offered if the language does not go out, but it is not germane now.

Mr. CLARK of Florida. It seems to me that it is entirely germane and in order, because it is an effort to perfect the bill in the respect of which the gentleman complained, and surely the gentleman meant what he did?

Mr. MANN. Surely, and if this language stays in the bill, I would like to see the gentleman's amendment adopted.

Mr. CLARK of Florida. That would meet his objection and take care of the soldiers and sailors. That was the intention of the bill.

Mr. MANN. Oh, well, this debate——

Mr. CLARK of Florida. I am discussing the point of order.

Mr. MANN. Very well; I am willing to talk about the point of order all afternoon.

Mr. CLARK of Florida. I am trying to show why it is germane. The intention of the bill was to take care of these people first, and in case there were more beds than they needed, why not let the other beneficiaries of the laws which we have passed from year to year get the benefit of them. There are over 7,000 of them right now in contract hospitals.

The CHAIRMAN. The Chair is ready to rule. Section 5790 of Hinds' Precedents provides—

To a motion to insert words in a bill, a motion to strike out certain words of the bill may not be offered as a substitute.

The rule vice versa also is considered to be good. The Chair thinks the point of order is well taken and sustains it.

Mr. CLARK of Florida. I give notice if this amendment be voted down——

Mr. MANN. I make the point of order again.

The CHAIRMAN. All debate is exhausted, and the question is upon the amendment offered by the gentleman from Illinois.

The question was taken, and the Chair announced the ayes seemed to have it.

Mr. CLARK of Florida. Mr. Chairman, I demand a division.

The committee proceeded to divide.

Mr. CLARK of Florida. Mr. Chairman, I ask for tellers.

Mr. MANN. Let us see whether it is necessary or not.

The question was taken, and tellers were refused.

Mr. SHERLEY. Mr. Chairman, I call the attention of the Chair to the fact that while the vote indicated what the result might be in point of fact the noes have never been counted.

The CHAIRMAN. The Chair believes the gentleman is correct. All those in favor of the amendment of the gentleman from Illinois will rise and stand until they are counted. [After counting.] The ayes are 65. Those opposed will rise. [After counting.] The noes are 22. Upon this vote the ayes are 65 and the noes are 22.

So the amendment was agreed to.

Mr. CLARK of Florida. Mr. Chairman, I think I shall ask the committee to rise and rerefer this bill to the committee. There seems to be a disposition not to make any hospital provision, so I do not think it is necessary to proceed with the bill.

Mr. MANN. I do not think that would be a wise thing to do.

The CHAIRMAN. Does the gentleman make that motion?

Mr. WALSH. Regular order!

The CHAIRMAN. The regular order is demanded. There are no amendments pending, and the Clerk will read.

The Clerk read as follows:

The Secretary of the Treasury, in securing additional sites herein provided for, may request the Secretary of War, the Secretary of the Navy, the Secretary of Agriculture, or the Secretary of the Interior to transfer to the Treasury Department such lands or parts of land under their control, not required for other purposes, as may be found suitable for this use, and they are hereby authorized to make such transfer as may be in the interest of the Government.

The committee amendment was read, as follows:

Strike out the paragraph beginning in line 18 and ending in line 25, page 2, and insert in lieu thereof the following:

"The Secretary of the Treasury, in securing additional sites, buildings, fixtures, appliances, furnishings, or furniture herein provided for, may request the President, the Secretary of War, the Secretary of the Navy, the Secretary of Agriculture, the Secretary of the Interior, or the Secretary of Labor to transfer to the Treasury Department such lands or parts of land, buildings, fixtures, appliances, furnishings, or furniture under their control, not required for other purposes, as may be found suitable for this use, and they are hereby authorized to make such transfer as may be in the interest of the Government: *Provided*, That nothing shall be expended out of the amounts authorized by this act until all buildings, grounds, furniture, and furnishings available for hospital purposes not needed by the said departments or officers of the Government hereinbefore mentioned have been turned over to the Secretary of the Treasury."

The CHAIRMAN. The question is on the committee amendment.

Mr. BENJAMIN L. FAIRCHILD. Mr. Chairman, I have an amendment to the committee amendment.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Page 3, line 3, after the words "herein provided for," strike out the word "may" and insert in lieu thereof the word "shall."

Mr. CLARK of Florida. The committee accepts that amendment.

The question was taken, and the amendment was agreed to.

Mr. CLARK of Florida. I submit the vote ought to be put on the committee amendment as amended.

Mr. GREEN of Iowa. Mr. Chairman, I submit that we have a right to offer a further amendment to the amendment.

Mr. CLARK of Florida. The amendment which was adopted was an amendment offered by the gentleman from New York to the committee amendment. The committee amendment itself has not been adopted.

Mr. GANDY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GANDY. I want to inquire whether or not, this being a further amendment to the committee amendment, it ought not to be heard and considered before the vote is taken on the committee amendment.

The CHAIRMAN. Yes; the Chair thought the objection was raised that it could not be offered at this time.

Mr. CLARK of Florida. Not at all; any amendment to the amendment is in order.

Mr. GANDY. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 10, after the word "authorized," insert the words "and directed."

Mr. CLARK of Florida. That amendment is acceptable to the committee.

The question was taken, and the amendment was agreed to.

Mr. GANDY. Mr. Chairman, I offer a further amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 16, add the following to the paragraph:

"*Provided further*, That when the Secretary of the Treasury shall not have further need of such lands or parts of land, buildings, fixtures, appliances, furnishings, or furniture so transferred, he shall cause the same to be returned to the jurisdiction or control of the the department or officer of the Government by whom such transfer was made."

Mr. MANN. Will the gentleman yield?

Mr. GANDY. Yes.

Mr. MANN. Suppose the War Department turns over a building to the Public Health Service which it uses for a good while. What is the object when the Public Health Service gets through with it of requiring that service to turn back to the War Department the buildings, all surgical appliances, and everything else they have with it? Why could not the Public Health Service, the Treasury Department, dispose of it just as well as the War Department?

Mr. GANDY. I want to say this to the gentleman who raises the question. My thought is that there are many places where the War Department, and perhaps other departments, have both lands and buildings that for occupancy for a time they might not have objection to transferring jurisdiction and control to the Treasury Department if they knew under the language of this bill after the Treasury Department gets through with it that they would get the property back. I have no thought that any land will be transferred or any buildings will be transferred under this provision as it now is. I have in mind a military post that has not been in use for some number of years, where there are accommodations for a large number, where every building is either steam heated or furnace heated, where there is hot and cold water in every building, where every building, unless it be two or three, are either of brick or stone construction. Now, it is entirely possible that under the provision of this amendment, where a transfer of property is authorized, that to meet this emergency the War Department might consent to permit a post of that kind to be used by the Treasury Department, but I do not believe that department would turn it over unconditionally.

Mr. MANN. I can see the point of the gentleman's provision, but how would it be where the War Department now has a hospital rented and wished to turn over the rented hospital to the Public Health Service? At the end of the term absolutely, under the gentleman's amendment, they would be required to do an impossible thing, maybe, that would be sufficient to turn it back to the War Department.

Mr. GANDY. I take it that under the provisions of this bill that on leased property the War Department, inasmuch as these leases are subject to cancellation on very short notice, would simply cancel its lease and the Treasury Department take a lease in its own name. I have not any thought that they are going to transfer leased property from one department to another. But there is a lot of property that the departments of the Government own and do not use.

Mr. MANN. It may very probably happen. I do not know.

The CHAIRMAN. The question is on the amendment of the gentleman from South Dakota [Mr. GANDY].

Mr. CLARK of Florida. Mr. Chairman, I hope this amendment will not be adopted, because it is absolutely unnecessary. I do not think we ought to try to legislate here and go through all the ramifications of the years to see what shall be done with this property. If the property is turned over by the Treasury Department to the Public Health Service and the time comes when there is no longer any need for it, the matter is in the hands of Congress, and they can direct that it be turned back if they so desire. There will be no trouble there at all, and I can not see what earthly use the amendment will be.

Mr. NOLAN. If the gentleman will permit, I do not know as I understand what the amendment is. It seems that the Public Health Service is going to become one of the most important adjuncts in connection with our Federal service. They have been given jurisdiction over marine hospitals. If we are going to have a merchant marine, we are going to have need for increased marine hospital service, and the Public Health Service will have its activities largely increased. I do not know whether I clearly understand the gentleman's amendment or not. Is it mandatory that the Public Health Service, provided the War Department needs certain buildings, certain grounds, certain lands, shall return them to the War Department or to the Navy Department, and that, in addition to returning the property, they return appliances?

Mr. GANDY. Will the gentleman yield?

Mr. NOLAN. I am asking that question.

Mr. GANDY. The language of this committee amendment provides that various governmental departments may turn over buildings and grounds available.

Mr. CLARK of Florida. It provides now that they shall turn them over.

Mr. GANDY. If they do not need them. Under the language of the amendment I have offered, it simply provides that when the Treasury Department no longer needs it, the property turned over shall be turned back.

Mr. NOLAN. Is the language of the gentleman's amendment clear enough so that it will be understood that when they are not any longer needed they shall be turned back?

Mr. GANDY. It so states.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota [Mr. GANDY].

The question was taken, and the amendment was rejected.

Mr. GREEN of Iowa. Mr. Chairman, I offer a further amendment to the committee amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Iowa.

The Clerk read as follows:

Amendment offered by Mr. GREEN of Iowa: Page 3, line 16, after the word "Treasury," strike out the period and insert in lieu thereof a comma and add the following: "and for the purpose of determining the needs of the War Department, the Surgeon General shall, on the first day of each month after the passage of this act, file with the Secretary of War a detailed statement showing the needs of the War Department for hospital purposes, having regard to the number of soldiers needing hospital treatment who may be expected to be returned from abroad."

Mr. CLARK of Florida. Mr. Chairman, I make a point of order against that amendment as not being germane to the amendment offered or to the bill.

Mr. GREEN of Iowa. I do not believe I hardly need argue that, Mr. Chairman. It is certainly germane. It explains the application of the committee amendment and specifies the manner in which it shall be applied.

The CHAIRMAN. The gentleman will address himself to the point of order.

Mr. GREEN of Iowa. I prefer, if I may be permitted, to reply to the gentleman from Florida [Mr. CLARK].

Mr. CLARK of Florida. Mr. Chairman, it is very simple to me. I am not a parliamentary expert and do not make any claims in that direction. But here is a bill dealing distinctly with discharged soldiers and sailors, over whom the War Department has no possible jurisdiction. Now, here is an amendment offered requiring the Secretary of War to make certain reports about the hospitals needed, and all that kind of thing, by the War Department. Now, right upon its face it appears to me absolutely not germane to this bill. I shall not discuss it any further.

Mr. GREEN of Iowa. Mr. Chairman, it is perfectly obvious, in the first place, that this committee amendment provides that certain hospitals not needed by the War Department shall be turned over to the Bureau of Public Health, and it provides further that these sums shall not be expended until this provision has been complied with. Now, I add right to the sentence that contains that provision with reference to the turning over of these buildings the further provision that there shall be a method provided whereby we can determine what those needs are, and determine whether the War Department is carrying out in good faith the provisions of the committee amendment. It relates solely to the subject of the committee amendment, and is simply a method of determining what these things are which are referred to in the committee amendment. As the matter stands now, there is no way of determining whether the War Department complies with the provision or not. It says that property not needed shall be turned over to the Bureau of Public Health. The only way to find out what is not needed is to get a statement of its needs. My amendment provides a method of obtaining this statement.

The CHAIRMAN. The Chair will hear the gentleman from Florida, but the Chair is in doubt about the ruling. It seems to me that this bill is applicable to discharged soldiers and sailors, marines and nurses.

Mr. CLARK of Florida. That is all.

The CHAIRMAN. And that the amendment of the gentleman seeks for a general report from the Secretary of War as to hospitals of all kinds and classes, to be made annually, which goes outside of the purpose of this bill and, it seems to the Chair, beyond it.

Mr. GREEN of Iowa. Well, if the Chair will notice, that has got to be determined by the War Department. The sole question is whether it will express this determination in writing where somebody will find it, or whether it will be found in the mind of some War Department official.

The CHAIRMAN. But does not the gentleman's amendment apply not only to those hospitals provided for by this bill but to all hospitals controlled by the War Department?

Mr. GREEN of Iowa. Yes; and so does the bill refer to other hospitals. It says "Those buildings that are not needed for other purposes."

Mr. CLARK of Florida. Mr. Chairman, if the gentleman's amendment simply applied to all these hospitals that the Secretary of War may turn over under this bill, it might be germane; but it certainly is not germane when he wants to have made this exhaustive report as to all hospitals under their control. This bill does not deal with the War Department. It does not deal with soldiers and sailors.

Mr. GREEN of Iowa. Does the gentleman claim that it does not deal with the War Department, when it expressly requires the War Department to turn over those hospitals?

Mr. CLARK of Florida. So is the Navy Department, and so is the Department of Labor and the Interior Department, and practically every other department of the Government. You might offer amendments here until doomsday, asking all those people to make reports about the operations of their departments.

Mr. GREEN of Iowa. That would not have anything to do with the question of whether the amendment was in order.

The CHAIRMAN. The Chair is uncertain.

Mr. SAUNDERS of Virginia. Mr. Chairman, I would like to be heard on the point of order.

The CHAIRMAN. The Chair will recognize the gentleman from Virginia.

Mr. SAUNDERS of Virginia. The purpose of this bill, Mr. Chairman, is that the Secretary of the Treasury shall provide hospital and sanatorium facilities for discharged sick and disabled soldiers and sailors. The amendment calls upon the War Department to furnish information as to the universal needs of the War Department.

Mr. GREEN of Iowa. Yes. That is one thing that has got to be determined by the Secretary of War before he turns over these buildings under the terms of the bill. If he needs the property for other purposes, he is not required to turn it over.

Mr. SAUNDERS of Virginia. Where is that?

Mr. GREEN of Iowa. On page 3, line 8. He says they shall turn over what "is not required for other purposes."

Mr. SAUNDERS of Virginia. But this is not limited to information in that connection. It directs universal information to be furnished with respect to the needs of the War Department.

Mr. GREEN of Iowa. No. It limits it to hospital purposes.

Mr. SAUNDERS of Virginia. That is the wording of the amendment.

Mr. GREEN of Iowa. I wish the gentleman had noticed the reading of the amendment more carefully. It refers to the needs of the War Department for hospital purposes.

Mr. SAUNDERS of Virginia. Mr. Chairman, I will ask for the reading of the amendment.

Mr. CLARK of Florida. The amendment provides for information concerning the needs of the War Department.

Mr. SAUNDERS of Virginia. I ask that the amendment in this connection be read.

The CHAIRMAN. Without objection, the amendment will again be read.

The Clerk read as follows:

Amendment offered by Mr. GREEN of Iowa: Page 3, line 16, after the word "Treasury," strike out the period, insert in lieu thereof a comma, and add the following: "and for the purpose of determining the needs of the War Department the Surgeon General shall on the first day of each month after the passage of this act file with the Secretary of War a detailed statement showing the needs of the War Department for hospital purposes, having regard to the number of soldiers needing hospital treatment who may be expected to be returned from abroad."

Mr. GREEN of Iowa. Mr. Chairman, I will not take up further the time of the committee.

The CHAIRMAN. The Chair sustains the point of order.

Mr. BANKHEAD. Mr. Chairman, I desire to offer an amendment to the paragraph of the bill.

Mr. CLARK of Florida. Is that an amendment to the amendment?

Mr. BANKHEAD. No.

Mr. CLARK of Florida. Let us get through with this amendment first.

Mr. BANKHEAD. I will withdraw that, Mr. Chairman.

The CHAIRMAN. The question is on the committee amendment as amended.

Mr. SMITH of Michigan. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. All debate on the amendment has been exhausted.

The question was taken, and the committee amendment as amended was agreed to.

Mr. SMITH of Michigan. Mr. Chairman, I move to strike out the last word.

Mr. CLARK of Florida. There is no last word. I suggest that the gentleman wait until the next paragraph.

Mr. SMITH of Michigan. I want to speak on this amendment.

Mr. CLARK of Florida. But the amendment is disposed of.

The CHAIRMAN. The gentleman's motion ought to come on the next section read.

Mr. SMITH of Michigan. I want to speak on this amendment, if the Chair pleases.

The CHAIRMAN. There is no amendment pending.

Mr. SMITH of Michigan. I rose before the Chair put the motion.

The CHAIRMAN. The debate was then exhausted on that amendment, and there was nothing of the amendment then before the House.

Mr. SMITH of Michigan. Then I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to proceed for five minutes. Is there objection?

Mr. CLARK of Florida. I object. I would like to have the next paragraph read.

Mr. BANKHEAD. Mr. Chairman, I want to offer an amendment as a new paragraph, following the amendment just adopted.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Alabama.

The Clerk read as follows:

Amendment offered by Mr. BANKHEAD: After line 16, on page 3, add a new paragraph, as follows:

"Where classes giving instruction to disabled soldiers and sailors are maintained by the Federal Board for Vocational Education under the vocational rehabilitation act at any hospital or sanatorium under the jurisdiction of the United States Public Health Service, the said board is authorized and instructed to admit to such classes all patients at such hospital or sanatorium who are employees in the public service of the United States."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order.

Mr. BANKHEAD. May I inquire of the gentleman what is the point of order?

Mr. STAFFORD. It is not germane to the bill under consideration.

Mr. BANKHEAD. If the Chair is in doubt about that, I would like to be heard on it briefly.

Mr. MANN. Mr. Chairman, I make the point of order.

The CHAIRMAN. The Chair will hear the gentleman from Alabama.

Mr. BANKHEAD. Mr. Chairman, I very frankly admit that this amendment possibly does not cover the same field of operation that it would have covered in the event that the amendment offered by the gentleman from Illinois [Mr. CANNON] had been defeated. But in spite of the action of the committee in adopting the amendment offered by the gentleman from Illinois [Mr. CANNON], I think there is a field of operation still left within the bill for the proper application of the subject matter of the proposed amendment. It has been admitted here in this argument that these existing institutions, already provided for by law, for the purpose of enabling the Public Health Service to take care of patients in the public service, will not be abolished or abrogated by this proposed legislation. In other words, Mr. Chairman, if the bill passes in its present form, as now amended up to this stage, it will still be necessary to operate a number of these sanatoriums by the Public Health Service for the purpose of taking care of patients under existing law. There is nothing in this bill, and there is nothing in any provision of it up to this date adopted, that prohibits caring for discharged soldiers and sailors and these other civil employees in the same institution. As a matter of fact and as a matter of practical operation, I have no doubt that some of these general hospitals—I believe four in number—now run by the Public Health Service will have as their patients and inmates not only discharged soldiers and sailors, but some of these men coming under these various classes contained in this report, civil employees, whom it is the duty of the Public Health Service to care for and treat. The language and purpose of the bill is that the Secretary of the Treasury be, and he is hereby, authorized and directed to provide immediate additional hospital and sanatorium facilities for the care and treatment of discharged and disabled soldiers and sailors, patients of the War Risk Insurance Bureau, and so forth. Now, it certainly is an element of treatment, it is an element of care, as admitted by all known authorities on this subject, to include this proposed training and teaching.

Vocational rehabilitation while in the hospital is regarded as of high value in the therapeutic treatment and functional restoration to health of the patient. The general purpose of this bill is for the cure and treatment of the inmates of those hospitals, and the vocational board has already made arrangements and has already instituted classes in different sanatoriums for the purpose of giving vocational training to all in them, but it has no authority of law to give vocational training to these people who are in the hospitals as public employees. I offer this amendment at the earnest request of the Director of the Board for Federal Vocational Education, in order that those men who are still in these hospitals along with soldiers and sailors may have authority of law to take advantage of these vocational classes. It seems to me, Mr. Chairman, in view of the general objects of this bill, that it is a regulation that would be germane to the general purposes of this bill, as a part of care and treatment, and is not of an exclusive nature.

Mr. MANN. Mr. Chairman——

The CHAIRMAN. The Chair is ready to rule. The Chair thinks the amendment is not germane to the general purposes of this bill, but that it is along another and an additional line. The Chair sustains the point of order.

Mr. BANKHEAD. I ask unanimous consent to insert in the RECORD, in this connection, the letter and memorandum of Dr. Prosser on this subject.

The CHAIRMAN. The gentleman asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The letter and memorandum referred to are as follows:

FEDERAL BOARD FOR VOCATIONAL EDUCATION,
Washington, December 23, 1918.

Hon. WILLIAM B. BANKHEAD,
House of Representatives, Washington, D. C.

MY DEAR MR. BANKHEAD: Herewith I send you copy of the proposed amendment to House bill No. 13026, admitting civilian employees of the United States to the benefits of vocational training for tubercular soldiers and sailors located at the same sanatoria. An explanatory memorandum with regard to the same is attached. I understand that this House bill has been reported favorably from the Committee on Public Buildings and Grounds, of which Mr. CLARK of Florida is chairman.

It is being sent you with the hope that you may be able to attach it to the bill. Possibly Mr. CLARK may be willing to accept it for his committee. The amendment and proposal has the hearty support not only of the Federal board but of the War Risk Insurance Bureau and the Surgeon General for Public Health

Thanking you for your help in this matter, I remain,

Cordially, yours,

C. A. PROSSER, *Director.*

1. From figures already available it is abundantly evident that the largest single disability from which men may suffer after discharge from the military or navy forces is tuberculosis of the lungs and chest. As a large number of men suffering from this disability will be subjects for vocational training and placement under the vocational rehabilitation act the Federal board is paying special attention to the problems involved.

2. By an arrangement jointly with the Bureau of War Risk Insurance and the United States Public Health Service, the Federal board has agreed to undertake the provision of vocational training for all discharged soldiers and sailors sent by the Bureau of War Risk Insurance to the tuberculosis sanatoria conducted by the United States Public Health Service for the purpose of receiving treatment.

3. The purpose of this training is threefold:

(a) In the opinion of the medical authorities, to whose direction, of course, it will always be subject, it has a very definite therapeutic value.

"(b) It will prevent the restlessness and constant desire to give up treatment or to be transferred to some other sanatorium, which is such a well-known characteristic of the sufferer from tuberculosis.

(c) In a great many cases it will have a definite vocational value to the man when his disease is arrested and he leaves the sanatorium, either to return to his civilian occupation or to take more specialized vocational training under the vocational rehabilitation act.

4. Inasmuch as there will be many employees of the public service of the United States receiving treatment in the same institutions in which the Federal board will, under the arrangements with the Bureau of War Risk Insurance and the United States Public Health Service, provide vocational training for discharged disabled soldiers and sailors, it seems eminently desirable that any training classes which are provided for the training of discharged soldiers and sailors should also be open to the other patients in the institution. This would be done without any increased cost to the Government, as the classes already operated would be small and civilian employees could be admitted with practically no additional expenditure.

5. The suggested amendment to House bill No. 13026, making an appropriation for the erection of hospital sanatoria under the Public Health Service, would make provision for such vocational training for such civilian employees of the United States Government. See attached amendment.

Mr. GRIFFIN. Mr. Chairman, there is a committee amendment at the desk that applies to this paragraph.

Mr. STAFFORD. I understand the committee proposes a substitute for lines 17 to 25 on page 3.

The CHAIRMAN. The Clerk will first read the paragraph of the bill.

The Clerk read as follows:

In carrying the foregoing authorization into effect the Secretary of the Treasury may enter into contracts for the lease or purchase of existing buildings, grounds, and equipment, or may enter into con-

tracts for the construction, equipment, etc., of such buildings, or purchase materials and labor in open market, or otherwise, and employ laborers and mechanics for the construction of such buildings and their equipment as in his judgment shall best meet the public exigencies, within the limits of this authorization.

Mr. GRIFFIN. Now let the Clerk read the proposed amendment.

The Clerk read as follows:

Committee amendment: On page 3, lines 17 to 25, inclusive, strike out all and insert as follows:

"In carrying the foregoing authorization into effect the Secretary of the Treasury is authorized to contract with any existing hospital or sanatorium, by lease or otherwise, for the immediate use, in whole or in part, of their present facilities. He may enter into contracts for the lease or purchase of additions to such existing buildings, grounds, and equipment, and may enter into contracts for the construction, equipment, etc., of such buildings. He may purchase materials and labor in the open market, or otherwise, and employ laborers and mechanics for the construction of such buildings and their equipment as in his judgment shall best meet the public exigencies, within the limits of this authorization."

Mr. STAFFORD. Mr. Chairman, I move to strike out of the substitute offered by the committee the last sentence.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. STAFFORD moves to amend the committee amendment by striking out the last sentence thereof, which reads as follows:

"He may purchase materials and labor in the open market, or otherwise, and employ laborers and mechanics for the construction of such buildings and their equipment as in his judgment shall best meet the public exigencies, within the limits of this authorization."

Mr. STAFFORD. Mr. Chairman, the war-time conditions which justified the vesting of great authority in the various executive officers to construct buildings, by hiring labor and purchasing material, have passed. Any person at all acquainted even slightly with the conditions of the building trade of the country knows that contractors are only too willing to take contracts for the erection of any kind of public buildings. The exigency has passed. Prices of materials are falling, labor is plentiful, and now when everyone admits that the exigency has passed, why should we grant this authority that was never thought proper to be conferred before the war? I think it is merely a lapse on the part of the members of the committee in drafting language to meet conditions which existed during the war.

I think the House will recognize the need of allowing the contract method to continue. The law prescribes the method for contracting additional buildings. It is agreed generally that there are plenty of contractors willing to do the work, and why is there need now of authorizing the Government to purchase material, contract for labor, and do the work on its own responsibility? We all know that that method is tremendously more expensive than the contract method. Why should we indulge in it when there are plenty of contractors willing to undertake the erection of buildings?

Mr. SMITH of Michigan. Mr. Chairman, I desire to oppose the amendment.

Mr. CLARK of Florida. If the gentleman will pardon me, I want to say this in reply to the gentleman from Wisconsin: This question has been raised by the gentleman from Wisconsin on other bills. It does not confine the department to the buying of material and hiring labor, but it will allow it a broad opening and either let it by contract or, if the contractors are holding up the Government, they can go into the open market, buy materials, and build it itself. It seems to me it is a mighty good thing to go into all public building bills and allow the Government leeway to know that it can not be held up by the conspiracy of builders. Let the Government go into the open market and buy the materials and hire the labor and put up the buildings. They can do it or they can advertise and let it to the lowest bidder. It simply leaves it open for these officials of the Government to do what is best for the Government. I hope the amendment to the amendment will not be agreed to.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. CLARK of Florida. Yes.

Mr. OLIVER of Alabama. Would not your amendment authorize all this money to be expended for the construction of buildings on leased land?

Mr. CLARK of Florida. No.

Mr. OLIVER of Alabama. What is there in the amendment that would restrict the Secretary of the Treasury from constructing buildings on leased land? He could use every dollar of it in erecting buildings on land of some one else. Will the gentleman accept an amendment to read this way, "*Provided*, That no part of this appropriation can be expended in contract buildings on leased land"?

Mr. CLARK of Florida. If the gentleman will show me why that is needed, I will; but what is the use of accepting an amendment if there is no need of it.

Mr. OLIVER of Alabama. The gentleman's amendment reads:

In carrying the foregoing authorization into effect the Secretary of the Treasury is authorized to contract with any existing hospital or sanatorium, by lease or otherwise, for the immediate use, in whole or in part, of their present facilities. He may enter into contracts for the lease or purchase of additions to such existing buildings, grounds, and equipment and may enter into contracts for the construction, equipment, etc., of such buildings.

Mr. CLARK of Florida. That does not say that he may construct the buildings on leased land.

Mr. OLIVER of Alabama. Yes; it gives him authority to take over the leased land and construct buildings, and there is nothing to prevent his spending the money of that purpose.

Mr. CLARK of Florida. The gentleman certainly does not believe that the Secretary of the Treasury would spend millions of dollars to construct buildings on other people's land when he has no authority in the act itself.

Mr. OLIVER of Alabama. You conferred that authority upon him here.

Mr. CLARK of Florida. This is the authority conferred upon him:

The Secretary of the Treasury is authorized to contract with any existing hospital or sanatorium, by lease or otherwise, for the immediate use, in whole or in part, of their present facilities. He may enter into contracts for the lease or purchase of additions to such existing buildings, grounds, and equipment, and may enter into contracts for the construction, equipment, and so forth, of such buildings. He may purchase materials and labor in the open market, or otherwise, and employ laborers and mechanics for the construction of such buildings and their equipment as in his judgment shall best meet the public exigencies, within the limits of this authorization.

Mr. OLIVER of Alabama. That confers on him the authority to lease or purchase.

Mr. CLARK of Florida. We provide for those that he may lease, and then we say he may enter into contract to construct hospital buildings. It can not mean anything else.

Mr. CANNON. Will the gentleman yield?

Mr. CLARK of Florida. Yes.

Mr. CANNON. What is the date of the introduction of this bill? It was introduced during the war time, was it not?

Mr. CLARK of Florida. Yes; the bill was introduced in war time, and it is war time now.

Mr. CANNON. Not so badly in war time that we can not go back to the construction under the statutes by contract.

Mr. CLARK of Florida. What does the gentleman mean to infer?

Mr. CANNON. I mean the activities of war are not upon us.

Mr. CLARK of Florida. Certainly; we recognize that. We are trying to provide for peace times and not for war times.

Mr. CANNON. Does the Government hire hands and buy materials and construct buildings in peace times?

Mr. CLARK of Florida. It is to be hoped that we learned something in the war, and if we did learn anything we ought to leave something in the hands of the Government, in their discretion, so that they would not be the victims of a conspiracy between the contractors.

Mr. CANNON. Conspiracy is always prohibited.

Mr. CLARK of Florida. That is all right; but the gentleman knows and we know that when buildings are advertised for that frequently the contractors will get together and arrange for bids which are all understood, and so hold up the Government. I do not say that just such a condition as that exists all of the time; but when it does and the Secretary suspects it, he ought to have the right to go out into the open market.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. CLARK of Florida. Yes.

Mr. STAFFORD. Is there anything in existing law that compels the Secretary to award a contract when he suspects there is a combination to raise prices?

Mr. CLARK of Florida. Oh, no; but what can he do? He can readvertise, can he not?

Mr. STAFFORD. Certainly.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. SMITH of Michigan. Mr. Chairman and gentlemen of the House, I do not think we should be too technical about the manner of constructing these buildings. I think the main thing is to have them in case of necessity, and there is not a man in the House who does not want ample provision made for treatment. We are all in favor of plenty of hospitals and good service for the men in the Army who return and need hospital treatment. I was not in favor of this bill as originally drawn. I listened to the testimony very carefully before the Public Buildings Committee, and I will say to you that I was not impressed by the testimony, for the reason that the expenditure was large and I thought we had sufficient hospitals already constructed, with 90,000 vacant beds, to provide for this service.

I know that there is not a better cantonment within the confines of the Republic than there is at Battle Creek, Mich. It is steam heated, and the buildings are suitable for this purpose. They are constructed on a high elevation, on the border of a small lake, with fine nurses and eminent physicians. I wish also to say a word of commendation for the splendid commandant, Maj. Gen. Hutcheson, now in charge of Camp Custer. He went through this last "flu" epidemic with the smallest loss in soldiers of any cantonment in the United States, save possibly one or two. It has a capacity of over 2,000 beds, with all equipment awaiting and ready for 1,500 patients. But after the hearing had on this bill it was amended, and I think the amendment makes it unobjectionable to anyone in this House. The following is the proviso referred to, found on page 3 of the bill:

Provided, That nothing shall be expended out of the amounts authorized by this act until all buildings, grounds, furniture, and furnishings available for hospital purposes not needed by the said departments or officers of the Government hereinbefore mentioned have been turned over to the Secretary of the Treasury.

None of this appropriation can be expended until all of the vacancies and the facilities for hospital purposes are turned over to the Secretary of the Treasury for hospital purposes. When that is done, where is there a man who will deny to a man in the United States wearing the uniform of his country, sick, wounded, or afflicted, the facilities of this hospital treatment? I say this bill ought to pass. They can remodel these hospitals and cantonments under this provision. We were then met with the fact that these cantonment buildings were not fireproof. Well, as to that fact, out here at Walter Reed Hospital, one of the best in the country, they are not fireproof. What this department wants is sufficient means at hand to meet the emergency when it arises, and under this bill they can construct hospitals when they are needed and not until then. Therefore I think the bill should pass. [Applause.]

Mr. OLIVER of Alabama. Mr. Chairman, I have an amendment which I desire to offer to the amendment.

Mr. STAFFORD. Mr. Chairman, there is an amendment already pending.

Mr. OLIVER of Alabama. This is to perfect that amendment. I move to amend by inserting after the word "buildings" the words "on land owned by the Government."

The CHAIRMAN. The gentleman's amendment would be in the third degree.

Mr. MANN. There is already an amendment pending to the committee amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin to the committee amendment.

The question was taken; and on a division (demanded by Mr. STAFFORD) there were—ayes 13, noes 32.

So the amendment to the amendment was rejected.

Mr. OLIVER of Alabama. Mr. Chairman, I now move to amend by adding, after the word "buildings," in line 8, the words "on Government-owned land."

Mr. CLARK of Florida. Mr. Chairman, we will accept that amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk reported the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama to the committee amendment.

The amendment to the amendment was agreed to.

The Clerk concluded the reading of the bill.

Mr. CLARK of Florida. Mr. Chairman, I move that the committee do now rise and report the bill with amendments to the House with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HARDY, Chairman of the Committee of the Whole House on the state of the cUnion, reported that that committee had had under consideration the bill H. R. 13026, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en grosse. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken.

Mr. CLARK of Florida. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Florida demands the yeas and nays. All in favor of ordering the yeas and nays will rise and stand until counted.

Mr. CLARK of Florida (interrupting the count). Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. Evidently there is not a quorum present. The Doorkeeper will lock the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 272, nays 7, answered "present" 3, not voting 147, as follows:

YEAS—272.

Alexander	Ellsworth	Kraus	Rodenberg
Almon	Elston	Kreider	Rogers
Anderson	Esch	Lampert	Romjue
Anthony	Evans	Langley	Rose
Ashbrook	Fairchild, B. L.	Larsen	Rouse
Aswell	Fairfield	Lazaro	Rubey
Bacharach	Farr	Lea, Cal.	Rucker
Baer	Ferris	Lee, Ga.	Sanders, Ind.
Bankhead	Foss	Lehlbach	Sanders, N. Y.
Barkley	Fisher	Lever	Schall
Beakes	Foss	Linthicum	Scott, Iowa
Bell	Foster	Littlepage	Scott, Mich.
Beshlin	Frear	Lonergan	Sells
Birch	French	Longworth	Sherwood
Black	Fuller, Ill.	Lufkin	Sims
Blackmon	Gallagher	Lundeen	Sinnott
Bland, Ind.	Gallivan	Lunn	Slemp
Bland, Va.	Gandy	McArthur	Sloan
Blanton	Gard	McClintic	Smith, Idaho
Bowers	Garland	McCulloch	Smith, Mich.
Brand	Garner	McFadden	Snell
Brodbeck	Garrett, Tenn.	McLaughlin, Mich	Snook
Buchanan	Garrett, Tex.	McLemore	Snyder
Burnett	Gillett	Madden	Swanson
Burroughs	Glynn	Magee	Stedman
Butler	Godwin, N. C.	Mann	Steele
Byrnes, S. C.	Goodwin, Ark.	Mansfield	Steenerson
Byrns, Tenn.	Graham, Ill.	Mapes	Stevenson
Campbell, Kans.	Gray, Ala.	Martin	Summers
Campbell, Pa.	Green, Iowa	Mays	Sweet
Candler, Miss.	Greene, Mass.	Merritt	Swift
Cannon	Griffin	Miller, Minn.	Switzer
Cantrill	Hadley	Miller, Wash.	Taylor, Colo.
Carlin	Hamilton, Mich.	Montague	Temple
Carter, Okla.	Hamlin	Moore	Thompson
Clark, Fla.	Hardy	Moores, Ind.	Tillman
Clark, Pa.	Harrison, Miss.	Morgan	Timberlake
Classon	Hastings	Mott	Towner
Claypool	Haugen	Nelson, A. P.	Treadway
Coady	Hayden	Nelson, J. M.	Van Dyke
Collier	Heflin	Nichols, Mich.	Vare
Connally, Tex.	Hensley	Nolan	Venable
Connelly, Kans.	Hersey	Oldfield	Vestal
Cooper, W. Va.	Hicks	Oliver, Ala	Vinson
Copley	Hilliard	Oliver, N. Y.	Volstead
Cramton	Holland	Olney	Walton
Crisp	Hollingsworth	Osborne	Ward
Crosser	Houston	O'Shaunessy	Wason
Currie, Mich.	Howard	Overstreet	Watkins
Curry, Cal.	Huddleston	Padgett	Watson, Va.
Dale	Hull, Iowa	Paige	Weaver
Dallinger	Hull, Tenn.	Peters	Webb
Darrow	Igoe	Phelan	Welling
Davis	Jacoway	Platt	Wheeler
Decker	James	Polk	White, Me.
Dempsey	Johnson, Ky.	Pou	Williams
Denison	Jones	Purnell	Wilson, Ill.
Dickinson	Juul	Quin	Wilson, La.
Dill	Kearns	Ragsdale	Wilson, Tex.
Dillon	Keating	Rainey, J. W.	Wingo
Dominick	Kehoe	Raker	Winslow
Doolittle	Kelley, Mich.	Ramsey	Wise
Doremus	Kelly, Pa.	Ramseyer	Wood, Ind.
Doughton	Kiess, Pa.	Randall	Woodyard
Dowell	Kincheloe	Rayburn	Wright
Dupré	King	Reavis	Young, N. Dak.
Eagan	Kinkaid	Reed	Young, Tex.
Eagle	Knutson	Robinson	Zihlman

NAYS—7.

Dyer	Johnson, S. Dak.	La Follette	Rankin
Elliott	Johnson, Wash.	LaGuardia	

ANSWERED "PRESENT"—3.

Caraway	Moore, Pa.	Sisson

NOT VOTING—147.

Austin	Cooper, Wis.	Estopinal	Hamill
Ayres	Costello	Fairchild, G. W.	Hamilton, N. Y.
Barnhart	Cox	Fields	Harrison, Va.
Benson	Crago	Flood	Haskell
Booher	Davey	Flynn	Hawley
Borland	Delaney	Focht	Hayes
Britten	Dent	Fordney	Heaton
Browne	Denton	Francis	Heintz
Browning	Dewalt	Freeman	Helm
Brumbaugh	Dies	Fuller, Mass.	Helvering
Caldwell	Dixon	Good	Hood
Carew	Donovan	Goodall	Humphreys
Carter, Mass.	Dooling	Gordon	Husted
Cary	Drane	Gould	Hutchinson
Chandler, N. Y.	Drukker	Graham, Pa.	Ireland
Chandler, Okla.	Dunn	Gray, N. J.	Kahn
Church	Edmonds	Greene, Vt.	Kennedy, Iowa
Cleary	Emerson	Gregg	Kennedy, R. I.
Cooper, Ohio	Essen	Griest	Kettner

Key, Ohio.	Nicholls, S. C.	Sanford	Strong
Kitchin	Norton	Saunders, Va.	Sullivan
Lesher	Overmyer	Scully	Tague
Little	Park	Sears	Taylor, Ark.
Lobeck	Parker, N. J.	Shackleford	Templeton
London	Parker, N. Y	Shallenberger	Thomas
McAndrews	Porter	Sherley	Tilson
McCormick	Powers	Shouse	Tinkham
McKenzie	Pratt	Siegel	Voigt
McKeown	Price	Slayden	Waldow
McKinley	Rainey, H. T.	Small	Walker
McLaughlin, Pa.	Riordan	Smith, C. B.	Walsh
Maher	Roberts	Smith, T. F.	Watson, Pa.
Mason	Rowe	Stafford	Welty
Mondell	Rowland	Stephens, Miss.	Whaley
Morin	Russell	Stephens, Nebr.	White, Ohio
Mudd	Sabath	Sterling	Woods, Iowa
Neely	Sanders, La.	Stiness	

So the bill was passed.

The Clerk announced the following pairs:

Until further notice:

Mr. HARRISON of Mississippi with Mr. REAVIS.

Mr. ESTOPINAL with Mr. EMERSON.

Mr. WHITE of Ohio with Mr. NORTON.

Mr. THOMAS F. SMITH with Mr. PARKER of New York.

Mr. DOOLING with Mr. STRONG.

Mr. CAREW with Mr. GOODALL.

Mr. MAHER with Mr. TINKHAM.

Mr. BOOHER with Mr. HAYES.

Mr. DEWALT with Mr. DUNN.

Mr. SMALL with Mr. MUDD.

Mr. BENSON with Mr. STINESS.

Mr. RIORDAN with Mr. KENNEDY of Rhode Island.

Mr. CARAWAY with Mr. BROWNE.

Mr. HAMILL with Mr. AUSTIN.

Mr. BRUMBAUGH with Mr. BRITTEN.

Mr. CALDWELL with Mr. COSTELLO.

Mr. DONOVAN with Mr. CRAGO.

Mr. DENT with Mr. KAHN.

Mr. FIELDS with Mr. GOULD.

Mr. HARRISON of Virginia with Mr. GRIEST.

Mr. HELM with Mr. HUSTED.

Mr. HELVERING with Mr. HUTCHINSON.

Mr. LOBECK with Mr. MCKINLEY.

Mr. MCANDREWS with Mr. MCKENZIE.

Mr. NEELY with Mr. MASON.

Mr. OVERMYER with Mr. ROWE.

Mr. PARK with Mr. SANFORD.

Mr. PRICE with Mr. SIEGEL.

Mr. SABATH with Mr. EDMONDS.

Mr. SANDERS of Louisiana with Mr. TINKHAM.

Mr. SAUNDERS of Virginia with Mr. WALSH.

Mr. SCULLY with Mr. WATSON of Pennsylvania.

Mr. SLAYDEN with Mr. IRELAND.

Mr. TAYLOR of Arkansas with Mr. BROWNING.

Mr. WHALEY with Mr. GREENE of Vermont.

Mr. SULLIVAN with Mr. FOCHT.

Mr. CARAWAY. Mr. Speaker, did the gentleman from Wisconsin, Mr. BROWNE, vote?

The SPEAKER. He did not.

Mr. CARAWAY. I am paired with the gentleman, and I desire to answer "present."

The name of Mr. CARAWAY was called, and he answered "Present."

Mr. MOORE of Pennsylvania. Mr. Speaker, how am I recorded?

The SPEAKER. The gentleman is recorded "no."

Mr. MOORE of Pennsylvania. I ask that I may be permitted to withdraw that vote and vote "present."

The name of Mr. MOORE of Pennsylvania was called, and he answered "Present."

The result of the vote was announced as above recorded.

On motion of Mr. CLARK of Florida, a motion to reconsider the vote by which the bill was passed was laid on the table.

The SPEAKER. A quorum is present; the Doorkeeper will unlock the doors.

Mr. CLARK of Florida. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. CLARK of Florida. I ask unanimous consent, Mr. Speaker, to amend the title of the bill by striking out the word "and" between "soldiers and sailors," insert a comma after "soldiers," and then after the word "sailors" add the words "and marines."

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CONDITIONS AT WALTER REED HOSPITAL.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER. The gentleman from Florida asks unanimous consent to proceed for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CLARK of Florida. Mr. Speaker, I ask for that time, if the House will be quiet for a moment, in order to read the following resolution:

House resolution 530.

Resolution providing for an investigation of the treatment of sick and disabled soldiers at the Walter Reed Hospital, Washington, D. C.

Whereas the following charges are made in the public press of the city of Washington, viz: That sick and wounded soldiers who have returned from overseas and are now in Walter Reed Hospital have not received any compensation for many months; that the clothing of such soldiers is not laundered for them; that such sick and wounded soldiers are forced to launder their own clothing; and that the food furnished them is not such as should be supplied for sick and wounded persons; and

Whereas these things if true are utterly inexcusable and damnable and a disgrace to this great Nation; and

Whereas the officer or officers responsible for such a condition of affairs should be exposed to the scorn of the outraged people of America and otherwise punished: Therefore be it

Resolved, That the Committee on Military Affairs of this House be, and hereby is, instructed to immediately, and in preference to all other business, make a full and complete investigation of these charges and report their findings to the House at the very earliest practicable moment, and if they find all or any of these wrongs existing to suggest a remedy therefor and report the names of the person or persons responsible for such outrages on the brave soldiers of the United States.

Mr. CLARK of Florida. Mr. Speaker, I ask for its immediate consideration.

Mr. GARNER. Reserving the right to object, Mr. Speaker——

Mr. GARRETT of Tennessee. I do object.

The SPEAKER. The gentleman from Tennessee [Mr. GARRETT] objects.

LEAVES OF ABSENCE.

By unanimous consent, leaves of absence were granted as follows:

To Mr. DAVEY, for three days on account of important business.

To Mr. COOPER of Wisconsin (at the request of Mr. STAFFORD,) on account of illness.

To Mr. HAWLEY, indefinitely, on account of sickness.

RELIEF OF STARVING POPULATIONS OF EUROPE.

Mr. SHERLEY, from the Committee on Appropriations, presented a conference report on the bill H. R. 13708, an act providing for the relief of such populations in Europe and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary, for printing under the rules.

PENSION APPROPRIATIONS (H. REPT. NO. 997).

Mr. GALLIVAN, from the Committee on Appropriations, reported the bill (H. R. 15219) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1920, and for other purposes, which was read the first and second time and referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. MADDEN. Mr. Speaker, I reserve all points of order on the bill.

EXTENSION OF REMARKS.

Mr. GALLIVAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the bill H. R. 13879, which was the bill passed by the House last Saturday, providing a pension for the widow of the late Col. Roosevelt.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD on the pension bill for Mrs. Roosevelt. Is there objection? [After a pause.] The Chair hears none.

Mr. GRAHAM of Illinois. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. GRAHAM of Illinois. To ask unanimous consent to extend my remarks on the bill just passed, H. R. 13026.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. PHELAN. Mr. Speaker, I make a similar request.

The SPEAKER. Is there objection to the request? [After a pause.] The Chair hears none.

AGRICULTURAL APPROPRIATIONS.

Mr. LEVER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 15018) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920, and pending that I would like to have the attention of the gentleman from Iowa [Mr. HAUGEN] as to the division of time in general debate.

Mr. HAUGEN. I have a number of requests, which will take about three hours on this side.

Mr. LEVER. I intended to suggest to the gentleman that I think we can get along on this side with possibly the half of three hours and a half. I wonder if the gentleman can not come down a little bit in his figures?

Mr. HAUGEN. That would be only one hour and three-quarters on each side.

Mr. LEVER. Yes.

Mr. HAUGEN. I can not possibly do that.

Mr. LEVER. Can not the gentleman squeeze along with two?

Mr. HAUGEN. I would be willing to chance it at two hours and a half. The requests will have to be cut about an hour at that.

Mr. LEVER. I hope the gentleman can make it two hours on a side.

Mr. HAUGEN. I am sure I would like to accommodate the gentleman. I desire to expedite the passage of the bill as much as anyone.

Mr. LEVER. I am sure of that.

Mr. HAUGEN. I will take my chances on that—two hours on each side.

Mr. SHERLEY. Pending the gentleman's motion, it is my understanding, from a talk had with the gentleman from South Carolina, that general debate will run for what length of time it may to-night, and that to-morrow the gentleman will give way in order that there may be taken up for consideration the deficiency bill that I reported to the House a day or two ago?

Mr. LEVER. The understanding is correct.

Mr. MADDEN. If I may inject myself, as to running to-night, if the committee expects to run longer than two hours on general debate to-night, there will have to be a quorum here.

Mr. LEVER. I will say to the gentleman from Illinois that my hope is to finish the general debate to-night.

Mr. MADDEN. The gentleman will have to have a quorum here.

Mr. HAUGEN. I trust arrangements may be made that half of the four hours may be consumed this evening and two hours at the next time we meet for the consideration of this bill.

Mr. LEVER. Let me call the gentleman's attention to the fact that appropriation bills are now ready for the consideration of the House, and we ought at least to complete general debate on this bill to-night. We can do it by 9 o'clock. Some gentlemen need not stay here. I will be here to listen to the eloquence, even if other gentlemen do not desire to listen to it. There will be no business done except that.

Mr. GARNER. Will the gentleman yield?

Mr. LEVER. I yield.

Mr. GARNER. The gentleman assures the House there will be no other business transacted except speechmaking?

Mr. LEVER. Absolutely none, so far as I know.

Mr. GARNER. And if the gentleman from Illinois [Mr. MADDEN] or any other gentleman desires to go to the opera or any other place of amusement or business he can go along, and read the speeches in the RECORD to-morrow.

Mr. LEVER. As he always does, I hope.

Mr. GARNER. Undoubtedly.

Mr. LEVER. I ask unanimous consent, Mr. Speaker, that the general debate on this bill be confined to four hours, two hours to be used by the gentleman from Iowa and two hours by myself.

The SPEAKER. The gentleman from South Carolina asks unanimous consent that the general debate shall not exceed four hours, two hours to be controlled by himself and two hours by the gentleman from Iowa [Mr. HAUGEN]. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the motion that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the Agricultural appropriation bill.

The motion was agreed to.

The SPEAKER. The gentleman from Missouri [Mr. HAMLIN] will please take the chair.

Mr. HAUGEN. Mr. Speaker, I desire to suggest to the chairman of the Committee on Agriculture that some agreement be reached as to the time of adjournment this evening, that we may, at least, have one hour after to-day. It was understood by one gentleman for whom time was reserved that he was to take it to-morrow.

Mr. LEVER. I am glad the gentleman from Iowa mentioned that. There is one gentleman on his side and one on this side who would like to have time for general debate later than to-day. If agreeable to the House, these gentlemen may be permitted to use their time at the conclusion of the bill, when the bill is finished.

Mr. STAFFORD. We could not consent to any such arrangement as that.

Mr. LEVER. I am trying to accommodate the gentleman.

Mr. HAUGEN. Let it be understood that three hours of general debate will be consumed this afternoon, and that will leave one hour for the next day.

Mr. LEVER. I will agree to that.

The SPEAKER. The gentleman from South Carolina will agree to what?

Mr. LEVER. That three hours' general debate be had this evening, and one hour later.

The SPEAKER. The gentleman from South Carolina agrees that three hours of general debate be had this evening, and one hour later.

HOUR OF MEETING TO-MORROW—11 O'CLOCK A. M.

Mr. GARNER. Mr. Speaker, may I make a unanimous-consent request that the House meet at 11 o'clock to-morrow?

The SPEAKER. The gentleman from Texas asks unanimous consent that the House meet at 11 o'clock to-morrow. Is there objection?

Mr. MADDEN. Reserving the right to object, Mr. Speaker, if the gentleman will agree that not more than two hours of the debate shall be consumed to-night I will agree to 11 o'clock to-morrow.

Mr. GARNER. All they want is three hours to-night.

Mr. MADDEN. The gentlemen from Texas [Mr. RAYBURN], as I understand, wants to make a speech on the railroad bill during this general debate, and he is not prepared to make it until to-morrow. I think he ought to be accommodated with time; but what has already been agreed on will accommodate him and also accommodate one man on this side, too.

Mr. GARNER. I understand that the gentleman from Texas has made a request to that effect himself.

Mr. MADDEN. He has not made a request, but I understand he is not ready to go on to-night.

Mr. RAYBURN. I am willing to go on to-night.

The SPEAKER. Is there objection to the request that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow?

There was no objection.

AGRICULTURAL APPROPRIATION BILL.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15018, the Agricultural appropriation bill, with Mr. HAMLIN in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15018, the Agricultural appropriation bill, which the Clerk will report.

The Clerk read the title of the bill, as follows:

A bill (H. R. 15018) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. LEVER. Mr. Chairman, I yield 25 minutes to the gentleman from Alabama [Mr. HEFLIN].

The CHAIRMAN. The gentleman from Alabama is recognized for 25 minutes.

Mr. HEFLIN. Mr. Chairman and gentlemen of the committee, one of the greatest duties that a country owes to its people is that which rests upon it with regard to the agricultural classes. No country has long prospered that has neglected and failed to encourage and protect its agricultural class in its legitimate rights and interests. Rome reached the highest point in her civilization when greatest stress and emphasis were placed upon agriculture, and Rome fell when she ceased to protect and safeguard her agricultural interests.

The great Government of the United States owes it to the men who produce the things we eat and wear to protect them from sharks and robbers of every kind. [Applause.] I want to speak a little while this afternoon upon the great cotton industry of the United States, and to call the attention of this House and of the country to the fact that to-day a gambling institution, operating in violation of law, is in existence in the city of New York, and it is destroying cotton values by its future quotations by the millions every day. It has destroyed cotton values this day to the amount of $22,000,000 or $23,000,000. It has destroyed cotton values—11,000,000 bales of cotton—inside of 15 days, $330,000,000. I submit to this House and to the intelligent and fair judgment of the American people that

this is wrong, and that it is outrageous for Congress to permit it. It is wrong and outrageous for this Government to permit it.

I want to call to your attention, gentlemen, the fact that when we had prospects of 15,000,000 bales of cotton, cotton was above 25 cents a pound, and when the drouth came in Texas, the greatest cotton-producing State of the Union [applause], and cut her crop in half, and swept through the South, destroying cotton prospects in July, and cutting down our cotton crop prospects to 11,300,000 bales, all told, cotton has been driven down below 24 cents a pound on the exchanges. The future price for January is at variance with the spot price for January $40 a bale. Now, gentlemen, do you not know that that is gambling and that that is highway robbery? The demand for American cotton of the 1918 crop is six or seven million bales more than the supply. The countries outside of America, with Germany and Austria included——

Mr. YOUNG of North Dakota. Will the gentleman yield?

Mr. HEFLIN. I can not yield, my time is so limited. It is believed that Germany and Austria will be receiving cotton by the last of February or the first of March. Some of our friends amongst the allies say Germany and Austria ought to be permitted to receive raw material—cotton, amongst other things—so that they can get to work to make money to pay the large indemnities that will be assessed against them. It is claimed that German interests want 1,000,000 bales now to hold, so that when the time comes that they can receive cotton they may be sure of a part of the small crop. Japan has instructed her agents in Louisiana and Texas, Oklahoma, and Arkansas, I am told, to pay a higher price than anybody else to get her supply of cotton and hold it. She realizes that the supply is small. And yet this cotton exchange, day after day, with no cotton to deliver, is tendering the dog-tail stuff upon contracts that no spinner can use.

The spinner can not be supplied from that exchange. It is not helping the producer. It is hurting and robbing him. Then pray tell me, gentlemen, what good service it is performing in our country? What legitimate interest does it serve? The spinner can not get his cotton supply through it. The producer is being robbed by it, and I contend to-day that if this exchange intends to continue to be an outlaw that it ought to be abolished. The Louisiana State lottery is gone. The whisky traffic is doomed, and why not destroy gambling in farm products? Any institution that is morally wrong in its conduct has no excuse for existence in legitimate trade, and I believe that we must come to the idea so ably advocated by my friend from Texas [Mr. SUMNERS] of spot cotton exchanges, of spot produce exchanges of every kind. I have always favored this idea. You do not need an exchange for automobiles, and there are millions and millions of dollars invested in them. It is a flourishing business. You do not need an exchange for horses and mules, yet people deal in them and they make money speculating in them by investing money in them and selling the real article. The hay crop of the United States is nearly as big as the cotton crop. You do not have any hay exchange. Why is it necessary to have a fictitious exchange for cotton and grain, except to give the gambler and the robber an advantage that they can not have in the spot markets of the country? [Applause.]

Mr. HAUGEN. Will the gentleman yield?

Mr. HEFLIN. Yes.

Mr. HAUGEN. Does the gentleman contend that the exchange in New York is violating the law?

Mr. HEFLIN. I do, and I have called on the Department of Justice to-day for an investigation and prosecution.

Mr. HAUGEN. They are delivering the cats and dogs on the contract, the gentleman says, but is it not a fact that the law legalizes the very thing that is being done by the board?

Mr. HEFLIN. I said that they were delivering dog-tail cotton. The law requires that they deliver the standard grades adopted by Congress—nine grades. Of course, the Bureau of Markets has changed and spread out the grades to 21 or 22. I am opposed to this variation and changing of the grades, and I do not think that they are authorized to do it under the law; but here is what I want to bring to the attention of the Congress and the country. When the ocean was full of submarines, when it was difficult to deliver cotton to any foreign port, when it was difficult to get cotton over there at all, cotton went up to 37 cents a pound. When these submarine desperadoes of the deep were looking out for every ship that bore cotton and ready to sink them, the demand for cotton was so great that the exchanges quoted the price at 37 cents a pound. Why was it? Because the world knew that the crop of Europe was a failure; they were producing food supplies on their former cotton area and were looking to America for cotton, and after the drouth in July our crop was cut short and we were going to have a small supply, and the great demand is what put cotton up to 37 cents. That is what did it.

Now, what is putting it down? The submarines are gone from the sea, the embargo against cotton has been removed to all countries except Germany and Austria, and probably that will be removed in five or six weeks. What is it? I ask you gentlemen, as honest men, what causes this putting down of the price of American cotton?

Here is my answer to that: They have a combination with the foreign spinners and some American spinners, and they are back of the bear speculators and are going on the exchange and selling stuff they do not own; no cotton is delivered on contract; they are settling without regard to the price of spot cotton the differences between the various grades. No delivery of cotton and no settlement according to the difference between the grades in the spot markets.

Mr. SNYDER. Will the gentleman yield?

Mr. HEFLIN. Yes; but I have only a short time.

Mr. SNYDER. When the gentleman speaks of the spinners in this country and the foreign spinners, he includes the spinners of the South?

Mr. HEFLIN. Yes; I think that some of them are in it.

Mr. SNYDER. One more question. The gentleman claims that the exchange in New York is responsible. He does not attempt by that to put the burden of the operation on that exchange in New York—the New York men only—does he?

Mr. HEFLIN. No; I am telling you now that some of the foreign spinners are in a conspiracy and combination and are operating on that exchange.

Mr. SNYDER. One more question and then I will sit down. The Democratic Party has been in power for six years, and the same law has been in existence all of that period.

Mr. HEFLIN. This law was passed about four years ago.

Mr. SNYDER. It was passed by a Democratic Congress. Why during all that period have you not changed it?

Mr. HEFLIN. The law is an improvement on the old law. I am in favor of making a change in the present law, as Senator SMITH of South Carolina is. I am in favor of confining them to the delivery on exchange contracts to about six grades of real spinable cotton, and we have got to come to that. The cotton crop of the United States, 85 or 90 per cent of it, is a good grade and would be represented by these six grades. Now they are seeking to use the low-grade stuff—10 per cent of the crop—to fix the price of the 85 and 90 per cent of the good grade. Now, coming back to what I was discussing when interrupted before.

Mr. EAGLE. Will the gentleman yield for a suggestion?

Mr. HEFLIN. Yes; I will yield to my good friend from Texas.

Mr. EAGLE. If beating down the price from 37 cents, where it was, to 24 cents, where it now is, in spite of the demand for it, which shows its natural course, if that was for the benefit of the consuming public I should look with more complaisance on it, but the fact is that the spinners of the United States came to the Government a year ago, in anticipation of the purchase of this year's crop, and obtained permission to fix the price for goods, wares, and merchandise of America at the contemplated price of 37½ cents a pound. Therefore, every cent per pound that they beat that price down does not help the consuming public in America at all; it merely robs the poor farmer of the South in order to put money into the spinners' pockets. [Applause.]

Mr. HEFLIN. Mr. Chairman, that is precisely true. My good friend from Texas has made a very valuable contribution to the argument that I am trying to make. It has been said on good authority that there is no commodity except iron and steel which plays so great a part in the industrial life of the world and the well-being of its inhabitants as does cotton. Mr. Holland, a recognized authority on all American industries, in the Cincinnati Enquirer, of Ohio, wrote this, from which I read, and he said:

> It is certain that at least for five years after the termination of the war cotton fiber must be relied upon for making up the shortage in wool and flax.

Gentlemen, the wool crop is short, the flax crop is short, the cotton crop is short, and the world is demanding large quantities of American cotton. The ending of the war has set free 151,000,000 spindles, and the sea is free of submarines, but we are permitting in the United States Government a monstrous gambling establishment, and I indict it as such, to beat down without any justifiable excuse the value of the product of thirty-odd millions of American citizens. I have seen cotton sell for $30 a bale. It now costs $30 a bale after it is made to pick it out and gin it and put bagging and ties upon it, and get it on the market. And these figures are not included in the cost of production. It cost 25 cents a pound to produce cotton in America in 1918,

and yet the exchange has beaten down the price up to this time more than $40 a bale in two weeks. Figure that on 11,000,000 bales of cotton and see what the cotton producers of the United States are losing. Get facts, gentlemen, in this connection. The South is not selling her cotton, and she is not going to sell it at these destructive prices. The governors of the cotton-growing States have called on the producers to hold it, and why? Because they know that we can not sell it under 30 cents a pound and make a profit, and the only thing that we can do is to hold it for a fair and reasonable price, and we are doing it. As soon as this Congress adjourns on the 4th of March, Members of Congress from the cotton-growing States are going to tour the cotton belt and urge the farmers to cut down their acreage and tell them that, although they have made an 11,000,000 bale crop and the world needs 18,000,000 bales, they are being held up and robbed of a fair profit, and the only wise and safe thing to do is to cut down their acreage. We will tell them, and it is true, we can get more for 9,000,000 bales than for 12,000,000, and why not make something else, where they produce the other 3,000,000 bales?

The boll weevil is all over the cotton belt; it did more damage last year than in any other year. We planted the largest acreage that we have ever planted and made one of the smallest crops. We will greatly reduce our acreage this year. It is hard to produce cotton in the presence of the boll weevil. We will plant this acreage in something else. We can get more for hogs, more for peas, more for velvet beans, for peanuts, and for hay and corn and all those things than we can get for cotton, and there is no gambling exchange to steal away the profit on these things. So, gentlemen, this section of the United States is driven to this course because here is an institution that beats down the value of its products when the world is demanding their crops. Do you know what spot cotton is worth to-day? Twenty-eight, 29, and 30 cents a pound, and the future market for the same month has put it down to 22 and 23 and 24 cents a pound. It is nothing on this earth but robbery and rottenness in the conduct of an exchange that can produce a condition like that. Suppose here is an exchange operating, and you are selling a product that I am holding and the world has got to have it, and I have not enough to supply the world. Here is an exchange using merely the name of cotton and selling it in unlimited quantites and beating down the price of my product, and they beat it down to the exchange price of $40 a bale, $440,000,000 on an 11,000,000-bale crop, and yet I refuse to sell; I am holding my cotton and the world is demanding more than I have, and, remember, the spot price is around 30 cents a pound. Do you not know there is something wrong and rotten when they can do such a thing as that on the exchange? They do not help to keep in operation the law of supply and demand. They defy it. They stop its operation. They destroy the operation of the law of supply and demand.

Mr. LAZARO. Mr. Chairman, will the gentleman yield?

Mr. HEFLIN. I would like to yield to my friend, but I have only a very short time. I will yield for a question——

Mr. LAZARO. Cotton is my money crop, and I am very much interested in the gentleman's speech. I am heartily in favor of eliminating every abuse on the cotton exchange; but the gentleman does not mean that he wants a legitimate cotton exchange destroyed, does he?

Mr. HEFLIN. Not the legitimate cotton exchanges. Judging from their present conduct, those that I refer to do not come within that class.

Mr. LAZARO. What about the cotton exchange in New Orleans?

Mr. HEFLIN. The cotton exchange in New Orleans is not as bad as the cotton exchange in New York, but it is following in its footsteps somewhat. The prices on the New York exchange are reflected on the New Orleans exchange; and one reason why the New Orleans exchange ought to be better is because it is in the cotton-producing country. It ought to be a spot market, but the exchange of New York has no such reason for existence.

It is a thousand miles away from the cotton belt. Why is it that you do not have a grain exchange up there? They have got the great grain exchange in the West, at Chicago, where it ought to be. What business have you got with a cotton exchange in New York? New Orleans or some other place in the cotton belt is where you ought to have a big exchange, and it ought to be a spot exchange. I can not discuss that question now, but will later——

Mr. LAZARO. The gentleman understands——

Mr. HEFLIN. My time is so short——

Mr. LAZARO. The gentleman admits that he is in favor of a legitimate exchange?

Mr. HEFLIN. I am in favor of a legitimate exchange, but they are not being operated as such institutions now and I indict them now as conducted at the present time as enemies to the cotton producer. I am in favor of the prosecution of them and if we can not regulate them I want to abolish them as we abolished the Louisiana State lottery. [Applause.] That is where I stand upon it. An exchange may be needed for hedging purposes, grain and cotton, and, gentlemen, I have a plan. Like life and fire insurance, cotton and grain can be handled. They insure my house; they insure the object itself. They take the risk, and that is legitimate speculation. They insure my life, and if I die those whom I leave behind will get the policy upon my life insurance. Why not have an exchange run upon that system—have real grain or cotton back of every contract. Here is a man who produces 20 bales of cotton. He goes upon the exchange and says, "I want to sell 20 bales of cotton." "Are you a farmer?" "Yes." "Put your name down here, where you live, etc." They keep a record. "You want to sell 20 bales of cotton?" "Yes." The buyer comes up and says, "I will buy your 20 bales for delivery in October." "All right." He is a legitimate speculator, and he is dealing in real cotton. The spinner says, "I have bought 10,000 bales of cotton for my mill, I want to be insured against losses. I want to be protected on the exchange and I will sell futures, 10,000 bales." "All right, I will buy your 10,000 bales," says a legitimate speculator—and then when you get through with that process—and I have not time to go into the details now, I will at some other time—when you get through with it you have confined your speculation in cotton or grain to the crop itself. The merchant, banker, anybody who is interested in spot cotton can use this exchange. And so with wheat and corn. They are dealing in real produce and not in a fictitious stuff that is not in existence. Why, frequently they sell on your grain exchanges millions of bushels of grain more than your crop ever amounted to.

They have sold on the New York Cotton Exchange this year many times the amount of cotton produced in the United States. Now, is that fair? Is it right and just? I want to bring them down to legitimate dealing, and let me say in this connection——

Mr. PLATT. Will the gentleman yield for one question?

Mr. HEFLIN. No; I have not the time, I am sorry. The statement that I wish to read is from the Government's Department of Commerce and Labor. It says:

> The rise in the cost of raw material has been more the result of natural than of artificial causes. There has been a material advance in the prices of practically all commodities, and cotton has shared in this; but in the case of cotton, this advance has also been furthered by a constantly broadening demand for the fiber in the old as well as in the new channels. Cotton is relied upon now in practically all the textile manufactures, either as a primary or a secondary material, and it is utilized in an increasing number in all other manufacturing industries. The ease and rapidity with which cotton fiber is transformed into yarn and its adaptability for all forms of woven fabric accounts for its extensive and increasing use.

It is being put to more use to-day than ever before in the history of the world. [Applause.] It is the smallest crop the world has ever seen with the number of spindles in existence to consume it, and yet when the war is over and people can return to the various fields of activity, when the first crop of cotton is six or seven million bales short of the demand, the manipulators of the exchanges fly in the face of the law of supply and demand and beat down the price.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HEFLIN. I would like to have five minutes if the chairman of the committee has any additional time.

Mr. LEVER. I can not find one single, solitary minute on my list; I have promised it all.

Mr. YOUNG of North Dakota. If the chairman will make his allowance to me now I will give just a little bit of that time——

Mr. HEFLIN. I would like to have five minutes more in which to finish.

The CHAIRMAN. The time was fixed in the House.

Mr. HEFLIN. I have been interrupted and a good deal of my time was taken up in that way.

Mr. HAUGEN. I had requests for more than three hours' time which was cut down to two hours. I spoke to a number of gentlemen and they gave in part of their time, and I hope with part of that time I will be able to take care of a number, and I hope to be able to take care of all of them.

Mr. HEFLIN. I ask unanimous consent——

The CHAIRMAN. The time is in the control of the gentleman from Iowa [Mr. HAUGEN] and the gentleman from South Carolina [Mr. LEVER].

Mr. LEVER. I regret very much that I have not the time. I would be glad to yield to the gentleman from Alabama, but I have promised more time really than I have.

Mr. HEFLIN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks. [Applause.]

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to revise and extend his remarks. Is there objection. [After a pause.] The Chair hears none.

Mr. HAUGEN. Mr. Chairman, I yield 30 minutes to the gentleman from Minnesota [Mr. ANDERSON].

Mr. ANDERSON. Mr. Chairman, I want to take advantage of the general debate to discuss a problem which is not directly dealt with in the Agricultural appropriation bill but which will presently be here for solution. I recognize the fact that the House desires to get through these appropriation bills at the earliest possible moment, and I intend to reach the particular phase of the problem which I intend to discuss by the shortest possible route, eliminating every statement of fact which is not necessary to the discussion which I intend to pursue.

Under the food-control act the President has guaranteed the price of wheat produced in 1919 until the 1st day of June, 1920. I do not intend to discuss the wisdom or the unwisdom of making that guaranty. But I would not be fair to myself or to the administration if I did not say that, in my opinion, the guaranty was wisely made and justified by the conditions which existed at the time it was made as a war measure. But whether it is wise or unwise, we have made it, and I assume it will be the intention of the Congress and of the Government to make it good. Not to make it good will be to invite social, political, and economic consequences which will be far-reaching and long continued. The question which I intend is not whether the guaranty shall be made good but how shall the guaranty be made good. What plan shall be adopted by the Government to make it good? Two plans have been proposed for this purpose. The first of these plans proposes that the Government, using the same machinery and the same methods which have obtained in making good the guaranty of the 1918 crop, shall undertake to maintain the price of the 1919 crop; and, of course, that means maintaining a guaranty not only of price of wheat at the guaranteed level, but also the price of wheat products made from that wheat bought at the guaranteed price. It means that all of the loss represented by the difference between the world's price of wheat of this year—1919—and the guaranteed price shall be implemented against the consumer of wheat flour and wheat products.

Mr. YOUNG of North Dakota. Will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. YOUNG of North Dakota. I wonder if the gentleman received a letter from the Bay State Milling Co. this morning?

Mr. ANDERSON. Yes; I received that letter.

Mr. YOUNG of North Dakota. Under date of January 22. What is your action as to the proposal made by this concern?

Mr. ANDERSON. I am going to discuss the plans I have in mind, and one of them is substantially the same as the plan which the writer of the letter that the gentleman refers to outlines.

The second plan contemplates that the difference between the world price and the guaranteed price for the 1919 crop shall be absorbed by the Government at the source, and that from that point on the wheat shall move forward in the regular commercial channels at the world price. In other words, the second plan contemplates the Government shall pay full guaranteed price to the farmer at his own local elevator, which, of course, would mean the price at the nearest terminal, less the freight, and from that time on the grain shall move through the regular channels at the world price. The statement of these two plans in general is very simple, but they both involve difficulties and possible commercial and economic losses very much greater than the simplicity of the statement would in itself indicate.

I want to very briefly outline, if I can, the objections and difficulties to be met with in adopting either one plan or the other. The objections to the first plan, it seems to me, are not only great but absolutely insurmountable.

The first of these objections is that it is doubtful whether we have the power under the Constitution to extend the war powers under which we passed the food-control act in such a way as to give to the Food Administration or some similar agency the power to carry out the guaranteed price in the sense of maintaining that price throughout the entire period between the 1st of June, 1919, and the 1st of June, 1920. The second objection lies in the fact that the commercial risk involved in handling wheat or wheat products, bought at a price very much higher than the world's price and undertaking to sell that product in the market, is so great or would be so great under the fixed or maintained price theory that no commercial concern could afford to undertake it.

The third objection is that with a large surplus, such as we are likely to have next year, it is desirable to increase consumption. The plan of maintaining the price of wheat and wheat products on the basis of the guaranteed price would result naturally in reducing consumption and thereby defeat the very object which we have in mind.

The fourth objection is that the whole cost of maintaining the guaranty would implement itself against the consumer in this country, while the foreign consumer would get the benefit of our very large export, because, of course, the exports would have to be on the basis of the world's market, and all the sacrifice that would be made by the consumer in this country in maintaining the price would entirely inure to the benefit of the consumer in the foreign country.

Mr. YOUNG of North Dakota. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. YOUNG of North Dakota. Does not the gentleman think that if the price were reduced voluntarily by the consent of the Government and by the aid of the United States Food Administration Grain Corporation that would help in itself to establish a low world price?

Mr. ANDERSON. I do not know that I get the gentleman's question exactly.

Mr. YOUNG of North Dakota. Well, the action of Congress or our Grain Corporation along the line the gentleman suggests might be an important factor in establishing the world's price.

Mr. ANDERSON. Unquestionably so. In what I am saying I am referring entirely to the theory of meeting this guaranty by maintaining the wheat price, both to the producer and for consumption on the basis of the guaranteed price of wheat. I am not now referring to the other plan.

The fifth objection to which I desire to call attention is that while under the first plan the consumer will have borne the entire loss during the crop year, at the end of June 1, 1920, we shall still have in some way to absorb the loss represented by the difference between the guaranteed price at that time and the world price that then exists; while, of course, under the second plan that I have mentioned, that absorption would take place immediately at the local market, beginning with this crop year.

The sixth objection to this plan is that it involves a larger expenditure, a larger initial capital, both on the part of the Government and on the part of the private commercial concern. It seems to me that these objections are absolutely insurmountable. They are such that the commercial work out of that plan is absolutely out of the question.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. SLOAN. It may not be directly in point, but it is contemplated in all these proceedings that there shall be an embargo on the importation of wheat until June 1, 1920, is reached, to prevent the competition of foreign wheat with our own Government-controlled price.

Mr. ANDERSON. I assume that if we should get the maximum or anything like the maximum crop from the present indicated acreage, what would amount to an embargo on the importation of wheat would be necessary; and I may say that, on the basis of the present acreage, the crop might run all the way from 825,000,000 bushels to 1,275,000,000 bushels.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. SNYDER. Do I understand the gentleman to state that in the first plan is contemplated the guaranteeing not only of the price of wheat, but also the price of all the by-products of wheat?

Mr. ANDERSON. It seems to me that is the inevitable result of it, because a miller or any other wheat-product manufacturer could not afford to buy wheat on the basis of $2.20 and sell his flour on the basis of $1.65; so that a wheat-price maintenance plan contemplates, of course, not only that the price of wheat be maintained, but that also the price of flour to the consumer shall be maintained on the same level, as we have done in the past year.

Mr. SNYDER. Not only flour, but other products?

Mr. ANDERSON. It seems to me so; yes.

As I have indicated, the Government's loss—and it is probable that there will be a loss on the guarantee—will be taken up at the source—that is, at the elevator at which the farmer sells his grain; and from that time onward the grain shall move forward in the regular commercial channels on the basis of the world's price.

Now, the method of taking up that difference is, of course, a mere matter of mechanics.

A plan that has been suggested is that the farmer who brings his wheat to the elevator shall be given a check for the full guaranteed price indicated at his particular station, and that that check shall be deposited at the bank, and at the bank the proportionate part of it which should be charged to the commercial buyer shall be charged against the account of that commercial buyer, and the balance, indicated by the then existing world market, shall be charged against an account kept for that purpose by the Government. There are other plans of the same sort. The whole question is one, as I say, of mechanics, and one which is certainly not impossible of solution.

Mr. YOUNG of North Dakota. Will the gentleman yield?

Mr. ANDERSON. I yield to the gentleman.

Mr. YOUNG of North Dakota. I dislike to interrupt the gentleman if it bothers him at all in the discussion of the question, but I should like to suggest that the method of settlement which he has just described would involve a very difficult matter of accounting upon the part of the Government in making the settlements and auditing them and checking them up.

Mr. ANDERSON. There is no doubt that there is certain room for fraud, and that certain mechanical difficulties are incident to and perhaps inseparable from that method. But they are so small relatively when compared with the difficulty of meeting the guaranty in the other way that I do not think they are, by any means, impossible to overcome. I have talked with men who have had to do with the making good of the guaranty during the current year, and they all seem to think that the mechanics of that proposition can be worked out in some way which will reduce the possible fraud to a very small minimum. I feel confident that that can be done.

Mr. YOUNG of Texas. This second plan that the gentleman speaks of is set forth in a letter that I presume all of us got from a millman.

Mr. ANDERSON. It has been incorporated in several letters.

Mr. YOUNG of Texas. I got only one. It strikes me that there is this danger with it under the Government guaranty of $2.26: The Government has got to make good to that extent. We settle with the farmer at the elevator on the basis of $2.26. That leaves it so that the millmen and the elevator men all over the country have an interest to batter down the price. If they could do it, and get the wheat at 90 cents, then the Government would have to shoulder the additional load.

Mr. ANDERSON. There is no chance of battering down the price, because the settlement would be made on the basis of the price at the terminal, where, of course, the ordinary commercial machinery would be in operation, so that the price would be fixed on the world's basis, just as it would be if no guaranty were fixed at all.

Mr. YOUNG of Texas. How would you arrive at the commercial price?

Mr. ANDERSON. The commercial price will be fixed in exactly the same way as it would be under normal conditions; that is, by buying and selling upon the exchange.

Mr. YOUNG of Texas. Would anybody feel interested in keeping up the high price of the wheat? The producer has got his $2.26. Therefore would not the interest at the other end of the line be to beat down the commercial price?

Mr. ANDERSON. I am frank to admit that the situation which the gentleman outlines represents an objection which is at least partially good, but I assume that the Government will be in the market all the time, and that the Government will be prepared to take any surplus that may be thrown into the channels of trade, so that the ordinary channels of consumption and manufacture will never at any time be overloaded with a surplus of the product coming to the mills.

Mr. SLOAN. May I suggest that the Government would be in a position to tell what the average market would be, not only in America but in Liverpool and other places throughout the world, and the Government would practically say what the commercial price was, and speculators could not control it.

Mr. ANDERSON. I think that would be entirely true.

Mr. FAIRFIELD. Not without purchasing it, would it?

Mr. LEVER. And would not this be true: That the farmer would sell his wheat just as fast as possible in order to get the guaranteed price and get the money into his own possession?

Mr. ANDERSON. I think he would, subject, of course, to the fact that the bringing of wheat into the market is, to a certain extent, subject to the convenience of the farmer and road conditions and weather conditions and everything of that sort.

Mr. LEVER. And custom as well?

Mr. ANDERSON. And custom as well. And, of course, the same objection that is urged to this plan is just as sound when urged against the plan of maintaining the price all the way through.

Mr. HAUGEN. Will the gentleman yield?

Mr. ANDERSON. I will.

Mr. HAUGEN. Speaking of the loss likely to be incurred, is not it fair to assume that, with the arrangement made in cooperation and at the suggestion of those associated with us in the war, they will assume their share of responsibility and bear their part of the burden? As the gentleman knows, it was at their suggestion that the price of American wheat was cut in two, and it is up to them now, after they have entered into the agreement in cooperation with our Government, to make good with proper safeguards so there will be no surplus of wheat.

Mr. ANDERSON. I think the gentleman is correct. I now want to discuss a proposition which the gentleman suggests. Despite the fact that we are perhaps confronted with a large surplus of wheat during 1919 over our probable consumption, the loss to the Government on the guaranty will depend not nearly so much on the fact that the surplus exists as it will upon the conditions that exist in this country and the world generally industrially. In other words, if we have an era of prosperity in the country, if we can remove the export limitation, if we can remove the embargo so that we have every channel open for an outlet and can take full advantage of the consumption capacity of the European countries and the low state of their supply, I think there will be very little difficulty in getting rid of this surplus which we have at a fairly reasonable price.

In that connection I want to say that in 1893, when there was a period of considerable depression in this country, we had a crop of 396,000,000 bushels, which was some 100,000,000 bushels less than the average.

Mr. YOUNG of North Dakota. That was both winter and spring wheat?

Mr. ANDERSON. Yes. We had an export that year of 164,000,000 bushels, leaving us net 232,000,000 bushels, which was equivalent to a per capita consumption in this country of 3.5 bushels. Yet with that very small supply in this country, under industrial conditions that then existed, the price still stood at the lowest of any time in the country's history; while in 1915, under conditions of unexampled prosperity in this country, the supply of wheat in the United States was equivalent to 7.8 bushels per capita, and the effect upon prices in the United States was practically not noticeable. In other words, if we can have generally throughout the world a condition of industrial prosperity, there will be no difficulty in absorbing whatever surplus of wheat the country may have.

In addition to that it is noticeable that most of the increase acreage of both spring and winter wheat will result in the almost equivalent decrease in the acreage of corn. So that, taking the rough products of the farm as a whole, there will not be anything like the actual surplus indicated by the present acreage. After all, the whole question here, it seems to me, and the whole proposition now confronting Congress and the country, resolves itself into establishing a condition of confidence in the Government's ability to maintain the price of wheat during the present crop year and establishing a condition of industrial stability in the country for the next crop year. In other words, if we are not successful in creating a condition of confidence of the country touching the maintenance of the present price and touching conditions for the next year, we may have a situation in which the price of wheat, and probably of other farm products in sympathy, will go far below the normal cost of production. And, incident to that, we may suffer a loss in farms and farm-land values which will far exceed any possible loss that any reasonable man can conceive under the proper administration and payment of the difference involved in the guaranty.

But there is one other situation I want briefly to discuss and that is the question involved in the stepping down from the guaranteed price of wheat to the world's price which will confront us at the beginning of next April.

I do not know that Members generally know it, but it takes about eight to ten million bushels of flour moving from the mills to the channels of consumption constantly, and about the equivalent of eight to ten million barrels of flour in wheat, which would be around 40,000,000 bushels moving from the elevators to the mills in order to supply the consumption of the country.

Mr. YOUNG of North Dakota. The gentleman means per month?

Mr. ANDERSON. I mean that much is in transit all of the time. That means that the period between the consumption at one end and the country elevator at the other is in the neigh-

borhood of 60 days. During these 60-day periods the miller is receiving the wheat at the guaranteed price.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. HAUGEN. Mr. Chairman, I yield the gentleman five minutes more.

Mr. ANDERSON. During the same period the wheat is coming into the market and flour is being made out of it on the basis of the world's price. Some means must be found whereby we can step down from the one basis to the other without putting all of the mills in the country out of business. How this may be done I am not prepared to outline now, but I hope later to offer a suggestion for meeting this difficulty.

Mr. HAUGEN. Mr. Chairman, I yield now to the gentleman from North Dakota [Mr. YOUNG].

Mr. YOUNG of North Dakota. Mr. Chairman, the subject which the gentleman from Minnesota [Mr. ANDERSON] has been discussing is one of very great interest to every citizen of the country. There is one thing in connection with the guaranteed price for wheat which I am very glad to notice, and that is that so far as I know there is not a single Member of Congress who has any disposition to fail to go through with it and make good the guaranty contained in the proclamation made by the President. I listened with very great interest to the speech made by the gentleman from Minnesota. I am inclined to think there is a grave danger in the plan suggested by him. Personally I have held the opinion that if the Food Administration Grain Corporation had proper backing, if it were given plenty of money and were given a free hand to handle this crop, it could force a better price for the amount of grain shipped to Europe than the superficial examination of the trade conditions and stores of wheat throughout the world would now indicate. If we were to follow the plan suggested by the gentleman from Minnesota [Mr. ANDERSON], it would seem to me that we would simply capitulate, we would accept the prices that the European buyers would fix, which would mean that the Government would assume an increased financial burden and a much greater burden than there is need for.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of North Dakota. Yes.

Mr. SNYDER. Of course the gentleman has not overlooked the fact that the foreign consumer has another market to look to for his wheat.

Mr. YOUNG of North Dakota. I have not overlooked that at all, but I tell you this: I think some have in the United States magnified these other possible sources where Europeans may get their supply. A good deal is made in the papers about the fact that there are large stores of wheat in Australia and large stores of wheat in Argentina, but those supplies are hardly available for Europe now, with the very great shortage in ship tonnage.

Mr. SNYDER. It is just as available as ours, only it takes a few days longer to get it there.

Mr. YOUNG of North Dakota. It takes three times as long.

Mr. SNYDER. Oh, no; it does not take three times as long.

Mr. YOUNG of North Dakota. It takes 120 days to make the round trip from Australia.

Mr. SNYDER. The point I make is that there has always been a market for wheat outside of the United States, and we have to consider that in deciding what is going to be done with this question, and before you can determine what the loss is going to be under the Government guaranty we have to know something about what the other countries are going to charge for their wheat.

Mr. YOUNG of North Dakota. We are never going to determine what the losses will be until we sell the wheat, but what the loss is going to be will depend upon the way in which we dispose of the question right here.

Mr. SNYDER. I direct the gentleman's attention to the fact that all of the export markets, all of the market for the surplus of the world is outside of the United States.

Mr. YOUNG of North Dakota. Of course they are outside of the United States, but if the gentlemen from Minnesota or any other man were standing at the port of shipment at New York with the entire supply of American wheat, and could absolutely control it, knowing the very great difficulty and almost impossible conditions of Europe getting its supplies because of the shortage of ship tonnage, from Australia and Argentina, I think he could force a better price. There is no use of becoming panicky about this. Some gentlemen are disposed to yell before they are hit. Our exportable balance of wheat this year is not likely to be more than from 250 to 350 millions and the National Treasury need not be made to stand the shrinkage in price upon more than that amount. If we were to follow Mr. ANDERSON's plan, the loss might be figured on as high as 1,000,000,000 bushels. If the gentleman insists upon urging that plan, he is likely to scare away many friends in this House of the idea of making good the President's wheat guaranty.

Mr. SNYDER. Will the gentleman yield again?

Mr. YOUNG of North Dakota. I think we can get better prices under the conditions I have outlined than if we were to capitulate at the start by following the suggested plan to settle with our farmers at the guaranteed price and the Government accept the loss every day as measured by the world's market price. That would be a surrender to my mind.

Mr. SNYDER. The gentleman will recollect when he was making a statement of this kind some time ago——

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman from Indiana [Mr. FAIRFIELD].

Mr. FAIRFIELD. Mr. Chairman, there is much of interest and no little uncertainty among the farmers of my district as to what we intend to do in reference to the guaranty. That is really a reflection, in their minds, upon the integrity of this Congress. The truth is that this law fixing the minimum price was made for just such a time as this. No other thought, I think, was in the minds of a majority of the Members of this House when that law was framed, and we have heard no suggestion on the part of any man that he would consider for a moment not living up to the promise we made to the farmer. I have had some little correspondence in reference to the matter, and just to-day I received a letter from a man—we are not a large wheat-growing country—who said that he had bought a tractor, even out in Indiana, where the farms are small; that the boys were gone; that they rented much land; had invested two or three thousand dollars; and in that particular locality the promise of a good crop is not very great; and he wanted to know what we were going to do about it. Of course, there is no disposition on the part of Congress not to fulfill the promise we made to the farmer. I was at a loss, a little bit, to understand the reasoning of the gentleman from Minnesota [Mr. ANDERSON] when I understood him to say that there would be no purchasing corporation in the second plan——

Mr. ANDERSON. No; the gentleman is mistaken about that. Of course, I intended that the grain corporation would continue exercising the same function it does now, having the same power to buy and sell wheat that it has now with reference to the 1918 crop, and it would be in the market at all times to protect the interests of the Government in the maintenance of the price.

Mr. FAIRFIELD. That is really just a continuation of the present plan, rather than two distinct methods of sales, is it not?

Mr. ANDERSON. I think the two plans fundamentally are entirely different——

Mr. FAIRFIELD. I agree with that.

Mr. ANDERSON. But both involve the same question and use the identical machinery. Of course, I want to see the machinery used that we have set up, but I want to see that machinery used to accomplish a different result.

Mr. FAIRFIELD. Then, if I understand the gentleman, what would occur is this, that the grain corporation would continue and that it would have a fund at its disposal to protect the Government in maintaining prices.

Mr. ANDERSON. Exactly so.

Mr. FAIRFIELD. And the problem then is whether the grain corporation ought to endeavor to hold the price at the point of the guarantee. I am very glad, indeed, I have that cleared up, because I was laboring under a misapprehension in connection with it. It would certainly be foolish for us not to make an appropriation to maintain the machinery we have in order that the Government should be protected.

Mr. BAER. Will the gentleman yield?

Mr. FAIRFIELD. Yes.

Mr. BAER. And does not the gentleman think if we keep this machinery intact that the machinery should keep the restrictions on all the by-products and the manufactured products of the grain? For instance, I understand in Minnesota the other day the Food Department took off the restriction from bran and middlings of wheat, and the mills went up in their price from $26 to $46 a ton, and it went up $2 more the next day. While we are fixing the price for wheat and flour a lot of millers are obtaining extortionate prices for the by-products.

Mr. FAIRFIELD. Well, evidently, if you hold the price high the by-products will be kept high. And it is a question as to how far we should go in controlling the selling. Now, I agree with the gentleman that it would be my judgment on the by-products, so far as middlings and bran are concerned, it would be wise to restrict them if we could; but, if I remember, subsidiary organizations were formed, and the farmer

really never got the benefit of the restriction. So I am not sure that the Government, now that we are entering upon peace times, would be any more efficient than it was during war times, when the exigency was great upon us.

Mr. SLOAN. Will the gentleman yield?

Mr. FAIRFIELD. Yes.

Mr. SLOAN. Just to find out how high the mountain ahead of us is, does the gentleman know what the wheat product of the Southern Hemisphere is? It is just being harvested now; and, as I understand, do we know practically how many bushels Australasia, South Africa, and South America are producing this year?

Mr. FAIRFIELD. I do not know. I would be glad if the gentleman would inform me.

Mr. SLOAN. I do not know. I just wanted to know how high the mountain is that is ahead of us.

Mr. SMITH of Michigan. Will the gentleman yield?

Mr. FAIRFIELD. Yes.

Mr. SMITH of Michigan. The suggestion was made by the gentleman from North Dakota [Mr. YOUNG] that when the price is taken off the by-product is doubled in value the same day or the next day. Is there any assurance that that same thing would not occur if they would take the price off of wheat at the present time?

Mr. FAIRFIELD. I think the general opinion is that if the guaranteed price was taken off wheat, and I think it has been asserted here on the floor of the House, and by the honored chairman at one time not long ago, wheat would go to $1.25 a bushel.

Mr. BAER. If they had not fixed a price on it it would have gone to $5 or $6 a bushel. Mr. Hoover said that.

Mr. FAIRFIELD. There is no doubt, gentlemen, that the only two products whose price is restricted and not allowed to soar were the two products of wheat and wool.

Mr. BLACK. Will the gentleman yield there?

Mr. FAIRFIELD. Yes.

Mr. BLACK. Let me suggest to the gentleman that the Food Administration fixed the price on cotton seed and on linters during the same time.

Mr. FAIRFIELD. They did it on linters, but I was not informed they did it on cotton seed. I know that cotton seed, which formerly ran from $5 to $8 a ton, went up to $75 or $80 a ton.

Mr. BLACK. The gentleman does not want to be unfair.

Mr. FAIRFIELD. How high did it sell during the war?

Mr. BLACK. Before the United States entered the war we sold it as high as $60. Of course, cotton seed did go up. It is a vegetable fat, much needed, and it soared very rapidly.

Mr. FAIRFIELD. I assure the gentleman I had no idea of provoking that sort of discussion. I mean to be absolutely fair.

Mr. BLACK. I am sure of that.

Mr. LEVER. My recollection is that when the price was fixed on cotton seed it was selling at $82 a ton.

Mr. FAIRFIELD. And will the gentleman kindly inform me when the price was fixed?

Mr. LEVER. Shortly after the passage of the food-control act.

Mr. FAIRFIELD. And what was the Government price?

Mr. LEVER. Seventy to seventy-one dollars a ton.

Mr. YOUNG of Texas. I may state to the gentleman that in my State it sold at $66 a ton.

Mr. FAIRFIELD. I confess to the gentleman it will be very interesting to me to know the absolute facts on all of these questions. I think that any man who speaks here ought not to be willing to say what is not true as to the facts in the case.

Mr. SMITH of Michigan. Is it not true that the price of wheat was reduced 75 cents on the same day that they fixed the price at $2.25?

Mr. FAIRFIELD. I know the price of wheat was ranging between $2.75 and $3 a bushel, and it was fixed at $2.20.

Mr. SMITH of Michigan. That is right.

Mr. FAIRFIELD. But be that as it may, gentlemen, it seems to me that it would be utterly foolish for us to permit the organization, which is already effected, to lack an appropriation big enough at any time to control the buying in this country. It is, in my judgment, the only protection that the Government will have.

For if the Government should buy the whole crop at the $2.20 price per bushel and should then sell at the world's price, it will have lost nothing on the guarantee, and who is there that would say that such action on the part of the Government would not enhance the price, and thus save the Government from much of loss. [Applause.]

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. HAUGEN. Mr. Chairman, I yield 15 minutes to the gentleman from Idaho [Mr. FRENCH].

Mr. FRENCH. Mr. Chairman and gentlemen, I am sorry to change the subject that the committee is considering at this time, but I want to invite the attention of members of the committee to a matter that, in my judgment, is very important and which I think ought to be given attention.

I now want to speak about the manner in which claims against the United States are handled. Under the Constitution the United States may not be sued, yet claims are constantly arising against the United States—claims so meritorious that were an honest citizen in the place of the United States he would not rest until he had made settlement. The Government should do no less. The Government should be as honest as it wants its citizens to be. These claims arise and have arisen in a multitude of ways, and we have tried to meet them; but our whole system has been imperfect.

Early in the history of our country we recognized the obligation we owed to those who had fought our country's battles, and we passed laws making land grants as a sort of reward or compensation for services rendered. We did this by act of Congress. In this same connection we granted more favorable conditions under land laws to those whom the Government owed for military service. We have granted special consideration to them touching employment. Beyond that, and involving a vast expenditure, we have recognized the Nation's obligation or debt to our soldiers and those dependent upon them by a system of pensions more generous than has ever been devised by any other Government. Chiefly these grants have been provided for by general law, yet, too, largely by special act, and to-day thousands of individual pension cases receive the special attention of Congress.

But still other claims arose, and with the expanding business of the Government, the taking over by the Government of vast works that private interests had handled in earlier days, the liability of the Government increased. I shall not go into minute detail, but the expansion of Government activities and Government liabilities caused us to pass a few years ago the employees' compensation law, through which automatically claims of a certain class against the Government are adjusted without reference to Congress.

Again, we established the Court of Claims and provided that that court should hear certain causes referred to it from executive departments and from the Congress.

Yet, in spite of all this, the Congress finds itself called upon to consider at every session a multitude of claims. Some of the claims are large, some are small; and the merits of the claims are as wide apart as are the amounts different in size.

SAMPLES.

Let me mention to you a few clear-cut claims that may suggest the general demand that is made upon Congress along this line:

Case 1. The Government issues patent to a piece of land to A, an Indian, who was not required to make any improvements, and later issues patent to the same piece of land to B, a homesteader. B has made extensive improvements, built a house, fences, brought the land under cultivation, planted an orchard, lived upon the land for years. He has made a home. Yet in a court B's patent can be set aside or canceled, for the Government had no authority to issue it. Yet how about the Government's liability to B? The Government has committed an outrageous blunder. Surely liability exists.

Case 2. The Post Office Department awards C the contract to carry the mail on star route Y to Z for $1,500 per annum. C is told that bond will be adjusted as soon as possible, but in meantime he should go ahead with work. C does so, and sends in bond in a few weeks. Error is discovered and bond is returned to C. C's bondsmen discover that C has under bid and are delighted that bond is imperfect and refuse to renew it. C continues to carry mail for six months under direction of department till new contract is awarded to X. Then C is told that under the law he can not be paid, because his bond was imperfect. The Government owes him $700 that any honest man in the Government's place would pay at once.

Case 3. A Government department is about to build a public building at W. Before awarding building contract office arranges by a special contract with D to drive piling to test out character of foundation necessary at a cost of $125. By oral arrangement inspector is to be notified when D is ready for test and is to report at once. D performs his duty fully, inspector is notified, but delays reporting for four days. Contractor is paying $2.50 each to 4 laborers, who are to help with test, $10 per day. After four days' delay, inspector shows up. Government admits its fault but says it has no authority to pay D the $40 that he as an honest man has had to pay his

workmen. Any honest man in the Government's place would pay D.

Case 4. The Government Forest Service, through the utter recklessness and carelessness on part of its employee or agent, and while the latter is doing official work for the Government, burns $1,000 worth of logs and telephone poles belonging to E. Any honest man in the Government's place would make full settlement at once with E.

Now, in all the above cases and others that I could mention, an honest claim has arisen against the Government—a claim so honest, so just, that if it were against any Member of this House settlement would be made at once.

PRESENT METHOD OF SETTLEMENT A SORRY STORY.

More than that, in each of the foregoing claims referred to the particular executive department under which the claim arose could not make settlement. The claims are recognized as just, and yet no settlement may be made under any general law. Moreover, the injured party may not sue the Government in any court. What shall B, C, D, and E do under the circumstances? Why, they take up the matter with their Representatives in Congress or their Senators. A bill is introduced, it is referred to a proper committee, and evidence is furnished. From that point on the progress of the matter is a sorry story. Each of the claims referred to above has been recommended favorably by the department in which it arose, each has been reported by a committee in the House or Senate from one to three or four different times. One of them has passed both House and Senate in different Congresses. No lack of diligence has existed on the part of the claimant or on the part of the Member of Congress in prosecuting the claims. Yet the claims are still unpaid. In one instance the claim is 10 years old. They are all on the calendar of the House to-day, the first one having been on the calendar since June 4, 1918. We simply have not had time to consider these small items in the stress of big matters. If a private individual were involved instead of the Government we would say he did not have time to be honest and pay his just debts. Let us not say that of our Government. Let us say, rather, that we are working under a most stupid system in the matter of claims of this character, and let us see if we can not work out a better system.

The claims above referred to involve amounts ranging from $40 to $750. Why, in any community in the country a court would direct a trustee or administrator of an estate to pay a claim that was as well authenticated and not contested by a living soul; or if the claim were in dispute between neighbors it would be tried before a justice of the peace in my State or in the district court. Yet here we say that since the Government is involved we shall ask 435 busy Representatives and 96 busy Senators to pass upon each claim. We ask, first of all, that busy committees of some 17 or 19 members shall consider each claim, and then after they have reported unanimously we ask that the claim be put on the calendars of the House or Senate, that it then be considered, if it ever can be reached, and then, if passed, that it run the same gauntlet in the other Chamber, and then go to the President for his approval. A $40 claim! Think of it. A claim that a justice of the peace or a jury—and a jury by a three-fourths vote in Idaho—would pass upon so satisfactorily that there would be no appeal in 9 cases out of 10 if it were between private citizens. Yet as it involves the Government, notwithstanding the fact that the Executive, under whom it arose, admits it, notwithstanding he would pay it, notwithstanding the evidence is overwhelming, and that a jury of 17 or 19 Members of this body, called a committee, say it is just and should be paid, why, we still can not pay it. The bill must pass Congress as though it were a $10,000,000 appropriation measure. And, gentlemen, it has gotten to the point that, with the pressure of tremendously important business, we do not have time to take up the calendar for the consideration of claims. I turn to the calendar of the House and find the dates claims were placed upon the calendar. Here is one dated March 20, 1918, another March 22, and so on. Yet the House has not even considered these bills.

Why, if you will pick up the calendar of the House for to-day you will see there are something like nine pages devoted to an itemized list of bills which are upon the Private Calendar. You will find there are something like three pages of bills which are upon the Unanimous-Consent Calendar and a large number of them are of private character. You will find that you have something like 200 separate bills of that character reported favorably from committees and awaiting action by the House.

IMPORTANT BUSINESS COMES FIRST.

Now, I am not going to urge that we have been following a policy that is wrong in considering the vast and important subjects of legislation that we have been considering during this most remarkable session of Congress which has crowded out of consideration the Private-Calendar bills.

Mr. BLANTON. Will the gentleman yield for a question?

Mr. FRENCH. I will be very glad to do so.

Mr. BLANTON. Is not the cause of which the gentleman so justly complains, the delay of consideration, due more to the fact that a great majority of these private claims are absolutely without merit? Is not that the fact, and is not that the reason for the delay in getting action here through the regular way; that is, the Claims Committee, and through them action by the Congress?

Mr. FRENCH. Well, I would say to the gentleman that I realize that there are many worthless claims presented to the various committees for their consideration. The plan that I shall propose will at once weed out the worthless claims and take care of the just ones. I was upon one of the claims committees of the House for a couple of years and am on one of them now, and I realize that the work of the committee is in large part given over to sorting out worthless claims from those that are good, and yet at the same time it must be admitted that there are hundreds of meritorious claims where, if the gentleman from Texas himself were the one under obligation, he would settle those claims before he would go to bed to-night, because he would recognize their justice.

Mr. BAER. They probably would not get through committee if they were not meritorious.

Mr. FRENCH. No; not at all, generally speaking.

Mr. BLANTON. And they do not get through the committee.

Mr. FRENCH. The unworthy claims for the most part do not, and many of the worthy claims do not get through the committees. Yet we do not come to an end. Bad claims are presented year after year—the same claims, mind you—and we should have a system by which bad claims would be finally disposed of and good claims promptly paid.

Now, gentlemen, it is an outrageous way to treat our citizens. One of the cases I referred to by way of illustration is that of an old man nearly 70 years of age. His claim has been reported at least three times unanimously by a committee of the House or Senate. It has passed the House and the Senate at different Congresses. It is now on the calendar. The department wants to pay it, but the law is so narrow it may not be done. Now, I submit such treatment does not make for good feeling toward our country. Such treatment makes discontent and arouses outraged feelings. Such treatment helps to make Bolshevists. It helps to make anarchists.

I have seen normally law-abiding men do criminal acts when they have been the victims of an injury, and so have you. And lawlessness is anarchy. Gentlemen, we are asking that our people be honest—that they pay their debts. Yet it is commonly said that it is most impossible for a little fellow to collect a claim from the Government, no matter how just.

THE REMEDY.

Now, what is the remedy? Well, we have done a few things that suggest an answer. When we undertook the construction of the Panama Canal, the operation of the railroad, steamship lines, and so forth, we knew accidents would occur just as they occur for other employers of labor, and that the employer—this time the Government—would sometimes be at fault. So we passed the employees' compensation act of May 30, 1908. Under that act, almost automatically are adjusted claims against the Government. The law has worked admirably.

But this is not all we have done. On September 7, 1916, we passed a more general compensation act for settlement of claims against the Government arising out of employment.

But we have gone further. In the War Risk Insurance act of 1917 we applied the same principle to those in the service of the Government who might sustain injury by reason of such service.

Beyond that we have gone. A few days ago we passed a bill through the House providing that the Secretary of War should have the right to adjudicate contracts arising in the present war, aggregating something like $2,700,000,000, that were in various stages of completion, but had not been perfected. In other words, we gave to the War Department the power largely to adjudicate those claims.

Now, I submit that we should apply a similar principle in disposing of the miscellaneous claims that arise against the Government.

In the case of the bill we passed a few days ago authorizing the Secretary of War to adjudicate contracts we met a demand from every State in this Union. But, gentleman, no matter how just the claims may be that will be adjudicated, not one of them will be found more just, more deserving, than that

of the poor old man in Idaho who carried the mail 10 years ago for the Government and has not been paid a single penny for his services. Not one will be more just than that of the homesteader who, through a blunder of some Land Office official or official of the Indian Bureau, was permitted to live for years and improve as a homestead a piece of land that had been patented to an Indian, only to be told by the Government to "Get out" after he had received patent and supposed he had builded a home for himself and family.

What, then, do I propose? I propose as a solution of this question that we authorize every executive department of the Government to adjudicate and make settlement of every claim arising in such department. Since the Government of the United States can not be sued, we can say what shall constitute final action. I would have the action of the secretary of the particular department final in the case of any claim up to, say, $2,000. Then I would provide in claims larger than that that there might be an appeal, an appeal either on the part of the Government or on the part of the claimant, to the Court of Claims; or possibly you could provide that an appeal be taken, if you want to call it that, to Congress itself in the larger cases. I would also provide that claims be presented within a reasonable time after injury occurred.

Surely, this is a reasonable solution. Gentlemen, if a little question arose in your community involving $40 or $750 you would be perfectly willing to trust the disposition of the case to the justice of the peace or to the court that has the smallest jurisdiction. In my State a justice of the peace has jurisdiction of cases up to $300, or the district court in amounts over that. You would possibly waive a jury, and if you did not a jury, not unanimously, but by a three-fourths vote, would bring in a verdict that in nine cases out of ten would commend itself to the approval of both parties to the litigation, and there would not be an appeal. The case would be settled.

But what shall we say of cases where both sides agree? What shall we say of cases, for instance, that would come before the probate court where a person comes in with a claim and the administrator of the estate says, "Yes; I recognize the justice of the claim and I want to pay it"? Who would say that the probate court in any State of this country would refuse to order that the bill be paid if that were the proper procedure to follow in his particular jurisdiction? Yet that is precisely what is occurring in all these cases that I have brought to your attention, cases in which not only the claimant asserts the justice of the claim and furnishes proof overwhelming, but where the Government, through the department where the claim arose, admits the justice of the claim but can not pay it for lack of authority in law.

WHAT WILL BE GAINED?

Now what would be gained by the plan that I propose?

First. There would be a speedy adjustment of claims against the Government.

Second. Fictitious claims would be turned down and would not come in hoary with age as their chief measure of merit.

Third. There would be orderly procedure.

Fourth. The claims would be disposed of by the department having the facts before it.

Fifth. Claims that should be disposed of by one competent department head and that in civil procedure are disposed of by justices of the peace would not need to challenge and engross the attention not of one Member of Congress and not of one committee but of 435 busy Members of the House and 96 Senators as well as the attention of the department where the claim arose, and finally the President.

Sixth. The Senators and Representatives would have more time for the large and important legislative problems.

Mr. LEVER. Mr. Chairman, I yield 15 minutes to the gentleman from Georgia [Mr. OVERSTREET].

The CHAIRMAN. The gentleman from Georgia is recognized for 15 minutes.

Mr. OVERSTREET. Mr. Chairman, just 12 years ago to-day I had the honor and privilege of addressing the Fifty-ninth Congress on the merits of the general Agricultural appropriation bill, which was then up for consideration. I had been elected to fill out the unexpired term caused by the death of Hon. Rufus E. Lester, and this was my first appearance before this body of American legislators. I had occasion then to criticize Congress for the parsimonious policy adopted by our Government toward the great agricultural classes. The bill under discussion carried an appropriation of only $9,000,000. This bill carries an appropriation of $31,000,000, to be wisely and judicially expended for the promotion of the interests of the American farmer, and I desire to congratulate the country upon the fact that we have at last come to regard agriculture in the proper light—the foundation stone upon which rests all our material greatness. I shall be glad to support this bill, and I hope there will be no material changes in it when it finally passes the House.

But, Mr. Chairman, I desire to make some observations on a different line. I had hoped that it would not become necessary for me to make these remarks, but I have patiently waited for some other Member on our side of the House to answer the charges that I shall undertake to answer, but thus far no one has come forward to make a reply. I much preferred that some Member longer in the service would perform the duty that I shall endeavor to perform.

At the outset I desire to state that I hold no brief for the President nor his administration. I am not the authorized spokesman for the National Democratic Party. I do not pretend to represent the views of a majority of the Members on my side of the House, but I am the Representative of my district and have a right to speak for them.

The Republican Party has controlled this Government so long that they feel that they have a right and title to it by prescription. They seem to look upon the Democratic Party as mere trespassers without even a color of title to the offices from the President down. The people of this country may well congratulate themselves upon the fact that President Wilson has occupied the White House during the past six years, the most memorable and exciting in our country's history. There seems to have been an effort on the part of the Republican Party to weaken his influence from the beginning of his first presidential term. No President of this country has ever had to deal with as many grave and complicated questions as President Wilson has had to meet and dispose of. For weeks and weeks I have sat silent in my seat, expecting some Member on this side of the House to defend him and his administration against certain charges. It seems to me that some of the leaders on the other side have endeavored to block and thwart the purposes of the President in a great many instances. They have tried to amend a number of important war measures in order to take from the President some of the power and authority carried in the bills. This, of course, would have emasculated the bills, and those Members attempting to pass these amendments knew it at that time. I refer especially to the Food Administration bill, where it was attempted to pass an amendment creating a commission of three to perform the work and duties that have been so admirably performed by Mr. Hoover.

Another instance is where it was attempted to create a commission practically to carry on the war and to take out of the hands of the President, as Commander in Chief of the Army and Navy, the power and authority lodged in him by the Constitution of the United States.

In the President's last address before Congress, just before his departure for Europe, you endeavored to embarrass him. In the course of his speech, when he made the statement that he himself proposed to attend the peace conference, our side of the House arose en masse and applauded him, but you remained in your seats like statues of stone to show to him and to testify to the world in no uncertain manner your disapproval of his course.

It seems to me that there has not been that full cooperation that should have existed, especially when this country has been engaged in war. And yet I have recently heard prominent Members on the other side of the House charge that if an extra session of Congress should become necessary the Democratic side of the House was responsible for it. Why should we want an extra session of Congress? We know that the President desires and the country desires that all the appropriation bills should be passed before the 4th of March, and we are making every effort in our power to have these bills passed before that time; but, as I have already stated, Members on the other side have had the temerity, and even the effrontery, to charge this side of the House with an effort to delay the passage of these important measures.

Why should we desire an extra session of Congress? Would we prefer a Republican Speaker to a Democratic Speaker? Would we prefer a Republican majority to a Democratic majority? Would we prefer to see the offices appertaining to this House, from the Clerk down to the smallest paid employee, filled by persons of the opposite political faith? To ask these questions answers them. We are not in favor of an extra session, and we hope that an extra session may not be necessary.

Not only have the Members of this House and others holding public office attempted to annoy the President and embarrass his administration, but citizens in private life who have enjoyed the highest office in the gift of the American people have contributed their portion toward making the road thorny for the President to travel.

Mr. FAIRFIELD. Will not the gentleman yield?

Mr. OVERSTREET. Yes.

Mr. FAIRFIELD. I would be glad if my friend would specify the things in which the President has been hampered by this side of the House. The gentleman makes a general charge. Let him state specific measures.

Mr. OVERSTREET. I can not attempt to enumerate all the measures, but particularly do I mention the Food Administration bill. When this bill came up for a vote, the Republicans sought to amend it by creating a commission, and thus take from the President the power and authority mentioned in the bill of designating some one to act for him, and it is well known to everybody that should this bill pass Mr. Hoover would be nominated as the Food Administrator. And there are other measures, but I can not take the time to enumerate them.

Mr. HAUGEN. The gentleman states that all of us undertook to create a food commission.

Mr. OVERSTREET. No; I did not say all of you.

Mr. HAUGEN. I desire to say that the members of the committee worked hand in hand, the Republican members with the Democratic members of that committee, and we aided in every way that we possibly could, and that the suggestions which were adopted came from the Republicans as much as they did from the Democrats, and met with the approval of the administration.

Mr. LEVER. If the gentleman from Georgia will permit me, I have not a moment's further time to yield him, and he is allowing his time to be consumed by others.

Mr. OVERSTREET. Mr. Chairman, how much time have I left?

The CHAIRMAN. The gentleman has five minutes.

Mr. OVERSTREET. I am sorry, gentlemen, but I can not yield any more. Now, what is true, some of you have voted for these measures, because you knew your constituents would detest you for reelection if you did not support them. Some of you, I am persuaded, voted for them grudgingly, but you felt compelled to vote as you did, because you represented the views of your constituents.

Mr. HAUGEN. If the gentleman will yield, I want to say this——

Mr. OVERSTREET. I can not yield any more, as I have but a few minutes left. Mr. Chairman, up to a few weeks ago the greatest representative the Republican Party ever had, living or dead, contributed weekly to the Kansas City Star editorials that were calculated to embarrass the President in his conduct of the war and in his great undertaking to unite and organize the peoples of the earth into a league of nations to prevent the recurrence of future wars.

Mr. DYER. Mr. Chairman, I make the point of order that no quorum is present.

Mr. HAUGEN. I do not want to take the gentleman's time, but I know he wants to be fair——

Mr. OVERSTREET. All I ask is just to let me finish the sentence.

The CHAIRMAN. The gentleman from Iowa and the gentleman from Georgia are out of order, and the gentleman from Missouri has made the point of no quorum.

Mr. DYER. Mr. Chairman, as one Member of this House, I do not intend to sit here while insults are being heaped upon a distinguished citizen——

Mr. OVERSTREET. I ask that the gentleman permit me to conclude the sentence.

The CHAIRMAN. The gentleman from Missouri must either make or withdraw his point of no quorum.

Mr. DYER. If the gentleman from Georgia will refrain from attacking ex-President Roosevelt and the Members on this side, I will not insist upon a point of order.

Mr. OVERSTREET. I assure the gentleman that he can find no fault with my statement if the House will permit me to complete the sentence. I said the greatest representative of the Republican Party ever had, living or dead, up to a few weeks ago, contributed weekly to the Kansas City Star articles that were calculated to embarrass the President in the prosecution of the war and his great undertaking to unite and organize the peoples of the earth into a league of nations to prevent the recurrence of future wars, and I want it clearly and distinctly understood that I am not attempting to minimize one particle the wonderful achievements of the great ex-President, and far be it from my purpose to reflect in the slightest upon the character or memory of the illustrious dead; but I feel it is my duty to call the attention of this House to every human agency or instrumentality that has been at work during the past six years to weaken or diminish the influence and power of President Wilson in the estimation of the people, both at home and abroad.

Mr. HAUGEN. Mr. Chairman, I yield one minute more to the gentleman, for I know he wants to be fair. The gentleman has charged this side of the House with cowardice.

Mr. OVERSTREET. No, I have not.

Mr. HAUGEN. The gentleman said that we did not dare to vote otherwise than for these bills, because we were afraid we would be defeated in the election. The question has been submitted to the American people and the returns would indicate that the position taken by the gentleman is not well taken.

Mr. OVERSTREET. Yes; you went before the people for reelection, and in Kansas and in Nebraska and in the other western States you told the people that the Democratic Party had acted unfairly, that they had fixed the price of wheat and refused to fix the price of cotton. In the New England and Northern States you said the South was in the saddle. Your majority was won by making appeals to the passions and prejudices of the people by declaring that the South was in the saddle and controlled and dominated the national democratic administration. Now, recently the National Republican Committee met in Chicago to lay their plans for the next presidential election, and, judging from an account of the proceedings of this committee, the South will be your chief target of attack. The poisoned missiles of your misrepresentation and abuse will be aimed at—in the language of a member of that committee—"one corner of the country," a reference to the South made contemptuously by Gov. Harding, of Iowa. I hold in my hand a copy of an article from the Washington Post, dated January 11, the day after this National Republican Committee met, and it seems that the burden of their song was to criticize and malign the South. Gov. Beeckman, of Rhode Island, a member of the committee, said that the people of the North were tired of paying 90 per cent of the taxes and having it expended by a minority of the South, which dominated the national democratic administration; and Gov. Harding, of Iowa, said that this is too big and too great a country to be ruled by one corner of it.

Now, gentleman, I submit that I am disappointed at the membership of the Republican National Committee. I would have thought that that committee would be composed of broad-minded statesmen who are too big to cast any slurs upon the South, especially since it has been more than 50 years since the great Civil War, which left the South naked and destitute. But I am glad to say, Mr. Chairman, that she has recovered from that destitution and nakedness, and such a recuperation the world has never seen before and I doubt if it ever will again.

In the beautiful words of Senator JAMES HAMILTON LEWIS, from an article recently appearing in the Washington Post:

> Yet this South paid her share of the Government debts, bore her burdens, sent her boys to die in the Spanish-American War—from San Juan to Santiago in Cuba, from Manila to Zamboanga in the Philippines. She sent her boys to France, cheering for the flag of the Union, and for America they died and sleep in unmarked mounds in France in every vale and riverside, from the English Channel to the Rhine. Who is there to say of these people that because once or twice in 50 years their northern and western brethren granted them some of the places of honor in the Government they should be the objects of national political party vengeance?

What we need, Mr. Chairman, is broad-minded patriotism; sectional feeling and prejudice should be cast aside. What we now want is confidence in the wisdom of our delegates at the peace conference in France to give to the world a lasting peace—confidence in the parties to the contract, confidence in our great Government at Washington, and confidence in the President of the United States, confidence in each other and ourselves. Do not rock the boat but "stand by" your great captain, who will steer the old ship of state into a haven of safety at last.

Mr. HAUGEN. Mr. Chairman, all I care to say is this: The question was submitted to the American people, and if the gentleman is satisfied with the results we certainly are, for we have no complaint to make.

Mr. FRENCH. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD, briefly, along the line that I talked about.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LEVER. Mr. Chairman, I desire to inquire of the gentleman from Iowa if he has anyone present ready to go on.

Mr. HAUGEN. I have used more time than the gentleman from South Carolina has, and it was understood that we would rise after the gentleman finished.

Mr. LEVER. May I inquire how the time stands?

The CHAIRMAN. The gentleman from South Carolina has 60 minutes remaining and the gentleman from Iowa 53 minutes.

Mr. LEVER. Mr. Chairman, I move that the committee do now rise.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. LEVER. Yes.

Mr. GARRETT of Tennessee. I thought there was a distinct agreement that general debate should proceed until 9 o'clock, with the provision that one hour should then be used to-morrow at such time as the House resolved itself into the committee again for the consideration of this bill. That was my understanding.

Mr. LEE of Georgia. That is correct.

Mr. LEVER. The gentleman is not quite right about that. The understanding was that we would proceed for three hours, at which time the committee would rise, and that we would then give way to the Appropriations Committee to bring up a deficiency appropriation bill to-morrow, which would leave us still one hour of general debate. Certain gentlemen to whom I have promised time are unavoidably absent. That is true also with respect to the gentleman from Iowa. While they ought to be here, yet they are not here, and I do not want to shut them out, because I understand the chairman of the Committee on Appropriations is not going to have any general debate at all upon his bill, other than his own opening statement. It is just a matter of trying to keep good faith with these men.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield further?

Mr. LEVER. Yes.

Mr. GARRETT of Tennessee. I thought there was a very distinct understanding on the part of the Members of the House that the general debate should proceed for three hours.

Mr. LEVER. That is true; but the gentleman recognizes this fact——

Mr. GARRETT of Tennessee. This is going to delay the passage of the appropriation bill further.

Mr. LEVER. That is true.

Mr. GARRETT of Tennessee. Of course, I can not prevent the gentleman from making a motion to rise, but I shall vote against it. I have remained here, as have many others, with the understanding that what I state was agreed to. There could not possibly be a misunderstanding.

Mr. STAFFORD. There was no agreement. It was merely an assertion on the part of the chairman that he would make that effort.

Mr. HAUGEN. Objection was made against that agreement.

Mr. GARRETT of Tennessee. We innocent bystanders always believe in the statements made by the chairman and the ranking Members, and we have remained here. I would have gone long ago if it had not been for that understanding.

Mr. LEVER. We have consumed two hours and 20 minutes, and it will make a difference of about 40 minutes. If it is necessary, of course, I can send for these Members.

Mr. GARRETT of Tennessee. Why not go on with the debate now?

Mr. STAFFORD. Mr. Chairman, I demand the regular order.

Mr. LEVER. If the gentleman will withhold that for a moment——

Mr. STAFFORD. Very well.

Mr. LEVER. I would like to say to the gentleman from Tennessee that I made very diligent effort to reach a member of my committee, to whom I had allotted 15 minutes of time. I happen to know that the gentleman left the hall believing that he would be able to take his time when we met again, and I know that the gentleman is not very well. I have not been able to locate him, so that we have run out of soap just now, and I do not feel, in justice to these gentlemen, who think they are going to have time, that they should be denied the opportunity all for the sake of saving 40 minutes in debate.

Mr. GARRETT of Tennessee. Will the gentleman yield? The agreement or the statement was made with a full membership, or as nearly a full membership as we ever have present.

Mr. LEVER. Yes; I recognize——

Mr. STAFFORD. Mr. Chairman, I demand the regular order.

Mr. GALLAGHER. Who is to speak?

Mr. LEVER. Mr. Chairman, I move that the committee do now rise.

The question was taken, and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. LEVER) there were—ayes 9, noes 1.

So the motion was agreed to.

Accordingly the committee rose; and Mr. GARRETT of Tennessee having assumed the chair as Speaker pro tempore, Mr. HAMLIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15018, and had come to no resolution thereon.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the committee report from the Pension Bureau, appearing in the Appendix to the CONGRESSIONAL RECORD, be printed as a House document and that a short letter from the Commissioner of Pensions, read to-day from the Clerk's desk, be printed as a preface to the document.

Mr. LEVER. Mr. Speaker, reserving the right to object, may I inquire of the gentleman from Texas if he has taken up this matter with the chairman of the Committee on Printing [Mr. BARNHART]?

Mr. BLANTON. No; but I will state for the benefit of the gentleman from South Carolina that this is a report of a special committee of experts from the Pension Office appointed by Commissioner Saltzgaber a short while ago to report on the various companies of Indian fighters in Texas, as to which of them are entitled to the benefits of the act of March 4, 1917, and which are not. It will save a great deal of correspondence for the 18 Members of Congress from Texas in answering inquiries——

Mr. LEVER. Mr. Speaker, if the gentleman will permit, I think I recall this matter was before the House before, and I suggest to the gentleman from Texas that he defer his request until the chairman of the Committee on Printing is present.

Mr. BLANTON. The chairman of the Committee on Printing has made no objection to it.

Mr. LEVER. If the gentleman will permit, there was some gentleman who objected to this same request this morning.

Mr. BLANTON. Mr. WALSH of Massachusetts.

Mr. HAMLIN. Does he consent now?

Mr. BLANTON. I do not know; he is not present.

Mr. HAMLIN. Well, I think it would hardly be fair to take it up to-night——

Mr. LEVER. I object, Mr. Speaker, for the time being, and I move that the House do now adjourn.

The question was taken, and the Chair announced the ayes had it.

Mr. BLANTON. Mr. Speaker, on that question I demand the yeas and nays.

The SPEAKER pro tempore. The gentleman from Texas demands the yeas and nays. One gentleman has arisen, not a sufficient number.

Mr. BLANTON. Mr. Speaker, I make the point of order there is no quorum present.

Mr. LEVER. If the gentleman will withhold for a moment——

Mr. BLANTON. I will withhold for a moment.

Mr. LEVER. I hope the gentleman will not do that.

Mr. STAFFORD. Mr. Speaker, a question of order. It does not require a quorum to adjourn.

Mr. LEVER. Mr. Speaker, I make the point of order it does not require a quorum to adjourn.

Mr. BLANTON. I ask for a division on the vote to adjourn.

Mr. STAFFORD. I make the point of order it is too late; the gentleman has already demanded the yeas and nays and the yeas and nays have been refused.

Mr. BLANTON. A decision has not been made by the Chair, and I ask for a division on the question to adjourn.

The SPEAKER pro tempore. Division is demanded. The question is, Shall the House now adjourn?

The House divided; and there were—ayes 13, noes 1.

Mr. BLANTON. Mr. Speaker, I make the point of no quorum.

The SPEAKER pro tempore. It does not require a quorum to adjourn.

ADJOURNMENT.

So the motion was agreed to; accordingly (at 7 o'clock and 10 minutes p. m.) the House, under its previous order, adjourned until Tuesday, January 28, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting with a letter from the Chief of Engineers, report on preliminary examination of New Buffalo Harbor, Mich. (H. Doc. No. 1730); to the Committee on Rivers and Harbors and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of War, chairman of the committee of the Arlington Memorial Amphitheater Commission, submitting a supplemental estimate of appropriation for the care and maintenance of the Arlington Memorial Amphitheater, Arlington National Cemetery, Va., fiscal year 1920 (H. Doc. No. 1731); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War, chairman of the Arlington Memorial Amphitheater Commission, submitting a supplemental estimate of appropriation required to supply a deficiency in the original appropriation for the construction of the Arlington Memorial Amphitheater, in Arlington National Cemetery, Va. (H. Doc. No. 1732); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of the Interior, submitting a supplemental estimate of appropriation required by the Geological Survey for the continuation of the collection of coal and coke production and distribution statistics for the report of the mineral resources of the United States for the fiscal year 1920 (H. Doc. No. 1733); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting copy of communication, submitting a supplemental estimate of appropriation required by the Engineer Department for flood control of the Mississippi River, in addition to the sum heretofore estimated for (H. Doc. No. 1734); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Assistant Secretary of War, submitting supplementary report of the claims determined to January 24 by the board appointed to consider, ascertain, and determine the amounts due on all claims for damages and loss to private property occasioned by the explosion at the plant of the T. A. Gillespie Loading Co., at Morgan, N. J. (H. Doc. No. 1735); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SIMS, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 12352) for the retirement of employees in the classified service, reported the same with amendment, accompanied by a report (No. 988), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CARAWAY, from the Committee on the Judiciary, to which was referred the joint resolution (S. J. Res. 208) providing that one term of the United States District Court for the Eastern Judicial District of Oklahoma shall be held annually at Hugo, Okla., reported the same with amendment, accompanied by a report (No. 990), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SLAYDEN, from the Committee on the Library, to which was referred the bill (H. R. 13482) creating a commission for the maintenance, control, care, etc., of the Perry's Victory Memorial on Put in Bay Island, Lake Erie, Ohio, and for other purposes, reported the same without amendment, accompanied by a report (No. 991), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ALMON, from the Committee on Roads, to which was referred the bill (H. R. 14497) to amend an act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, by increasing the maximum of Federal aid in the construction of roads to $15,000 per mile, reported the same without amendment, accompanied by a report (No. 992), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MAYS, from the Committee on the Public Lands, to which was referred the bill (S. 4103) to consolidate certain forest lands within the Cache National Forest, Utah, and to add certain lands thereto, reported the same without amendment, accompanied by a report (No. 993), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (S. 4244) for the relief of entrymen within the Castle Peak irrigation project, Utah, reported the same without amendment, accompanied by a report (No. 994), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (S. 2088) to consolidate certain forest lands within the Cache National Forest, Utah, and to add certain lands thereto, reported the same without amendment, accompanied by a report (No. 995), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. BEAKES, from the Committee on the Post Office and Post Roads, to which was referred the bill (H. R. 13878) granting a franking privilege to Edith Carow Roosevelt, reported the same without amendment, accompanied by a report (No. 996), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SHERLEY: A bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. CLARK of Florida: A bill (H. R. 15141) to prohibit the payment of compensation to Senators, Representatives, and Delegates in Congress and other officers and employees under certain conditions; to the Committee on the Judiciary.

By Mr. SIMS: A bill (H. R. 15142) to provide for the incorporation of certain companies engaged in foreign trade; to the Committee on Interstate and Foreign Commerce.

By Mr. CLASSON: A bill (H. R. 15143) increasing the limit of cost for a Federal building at Oconto, Wis.; to the Committee on Public Buildings and Grounds.

By Mr. ADOLPHUS P. NELSON: A bill (H. R. 15144) authorizing the Secretary of War to donate to the city of Park Falls, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HARRISON of Mississippi: A bill (H. R. 15145) providing for the employment by the United States Government of soldiers and sailors of the United States and prescribing the preference to be extended them in filling clerical and other vacancies; to the Committee on Reform in the Civil Service.

By Mr. OLIVER of New York: A bill (H. R. 15146) to authorize and empower the Postmaster General to construct, maintain, and operate a mail tunnel in the city of New York; to the Committee on the Post Office and Post Roads.

By Mr. McKEOWN: A bill (H. R. 15147) increasing the limit of cost for a Federal building at Shawnee, Okla.; to the Committee on Public Buildings and Grounds.

By Mr. LITTLE: A bill (H. R. 15148) to provide for the erection of a Federal building at Olathe, Kans.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15149) to provide for the erection of a public building at Paola, Kans.; to the Committee on Public Buildings and Grounds.

By Mr. HICKS: A bill (H. R. 15150) authorizing the Secretary of War to donate to the village of Smithtown Branch, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15151) authorizing the Secretary of War to donate to the village of Sea Cliff, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LITTLE: A bill (H. R. 15152) to provide for extra pay when discharged for officers and enlisted men who were in the Army of the United States when war was declared against Germany or have since entered the Army; to the Committee on Military Affairs.

By Mr. DOOLITTLE: A bill (H. R. 15153) to provide for a site and Government building at Council Grove, Kans.; to the Committee on Public Buildings and Grounds.

By Mr. CLARK of Pennsylvania: A bill (H. R. 15154) for the enlargement of the Federal building at Erie, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15155) authorizing the Secretary of War to donate to the borough of Girard, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KRAUS: A bill (H. R. 15156) to enlarge and extend the post-office building at Logansport, Ind.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15157) authorizing the Secretary of War to donate to the city of Hartford City, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GLYNN: A bill (H. R. 15158) to donate a captured cannon or gun to the city of Ansonia, in the State of Connecticut; to the Committee on Military Affairs.

Also, a bill (H. R. 15159) to donate a captured cannon or gun to the town of Winsted, Conn.; to the Committee on Military Affairs.

Also, a bill (H. R. 15160) to donate a captured cannon or gun to the town of Salisbury, Conn.; to the Committee on Military Affairs.

Also, a bill (H. R. 15161) to donate a captured cannon or gun to the town of Torrington, Conn.; to the Committee on Military Affairs.

Also, a bill (H. R. 15162) to donate a captured cannon or gun to the city of Waterbury, in the State of Connecticut; to the Committee on Military Affairs.

By Mr. GILLETT: A bill (H. R. 15163) to acquire a site and erect a building thereon at Springfield, Mass.; to the Committee on Public Buildings and Grounds.

By Mr. FLOOD: A bill (H. R. 15164) to amend an act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes"; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 15165) authorizing the Secretary of War to donate to the town of Newcastle, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LEA of California: A bill (H. R. 15166) for the purchase of a site for and the erection of a post-office building at Marysville, Cal.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15167) for the purchase of a site for and the erection of a post-office building at Petaluma, Cal.; to the Committee on Public Buildings and Grounds.

By Mr. MAPES: A bill (H. R. 15168) authorizing the Secretary of War to donate to the village of Sand Lake, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CARY: A bill (H. R. 15169) to establish a zoological park in the State of Wisconsin; to the Committee on Public Buildings and Grounds.

By Mr. KNUTSON: A bill (H. R. 15170) to donate two cannons of obsolete pattern to the city of Staples, in the State of Minnesota; to the Committee on Military Affairs.

By Mr. FREAR: A bill (H. R. 15171) authorizing the Secretary of War to donate to the city of Menomonie, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15172) authorizing the Secretary of War to donate to the city of Hudson, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15173) authorizing the Secretary of War to donate to the city of Eau Claire, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15174) authorizing the Secretary of War to donate to the city of Rice Lake, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15175) authorizing the Secretary of War to donate to the city of Chippewa Falls, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WINGO: A bill (H. R. 15176) to provide for the erection of a public building at Nashville, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15177) to provide for the erection of a public building at De Queen, Ark.; to the Committee on Public Buildings and Grounds.

By Mr. CARTER of Oklahoma: A bill (H. R. 15178) for the purchase of a site and the erection thereon of a public building at Madill, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15179) for the purchase of a site and the erection thereon of a public building at Wilburton, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15180) for the purchase of a site and the erection thereon of a public building at Hugo, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15181) for the purchase of a site and the erection thereon of a public building at Idabel, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15182) for the purchase of a site and the erection thereon of a public building at Antlers, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15183) for the purchase of a site and the erection thereon of a public building at Marietta, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15184) for the purchase of a site and the erection thereon of a public building at Poteau, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15185) for the purchase of a site and the erection thereon of a public building at Atoka, Okla.; to the Committee on Public Buildings and Grounds.

By Mr. HASTINGS: A bill (H. R. 15186) to authorize the acquisition of a site and the repairing and enlargement of a Federal building thereon at Okmulgee, Okla., or to authorize the acquisition of a site and the erection of a Federal building thereon at Okmulgee, Okla.; to the Committee on Public Buildings and Grounds.

By Mr. PORTER: A bill (H. R. 15187) increasing the limit of cost for a Federal building at Tarentum, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. HASKELL: A bill (H. R. 15188) requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

By Mr. CARAWAY: A bill (H. R. 15189) for the purchase of a site and the erection of a public building at Wynne, Ark.; to the Committee on Public Buildings and Grounds.

By Mr. RAMSEY: A bill (H. R. 15190) authorizing the Secretary of War to donate to the borough of East Rutherford, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PORTER: A bill (H. R. 15191) authorizing the Secretary of War to donate to Aspinwall, Pittsburgh, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15192) authorizing the Secretary of War to donate to Etna, Pittsburgh, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15193) authorizing the Secretary of War to donate to Bellevue, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15194) authorizing the Secretary of War to donate to the Fineview district of the city of Pittsburgh, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DALE: A bill (H. R. 15195) authorizing the acquisition of a site for a public building at Island Pond, Vt.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15196) authorizing the acquisition of a site for a post-office building at Bellows Falls, Vt.; to the Committee on Public Buildings and Grounds.

By Mr. TILLMAN: A bill (H. R. 15197) for the erection of a public building at Sulphur Springs, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15198) for the erection of a public building at Decatur, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15199) for the erection of a public building at Gentry, Ark.; to the Committee on Public Buildings and Grounds.

By Mr. JACOWAY: A bill (H. R. 15200) for the erection of a public building at Conway, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15201) for the erection of a public building at Morrilton, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15202) for the purchase of a site and the erection of a public building at Little Rock, Ark.; to the Committee on Public Buildings and Grounds.

By Mr. GARLAND: A bill (H. R. 15203) authorizing the Secretary of War to donate to the town of Mooseheart, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15204) authorizing the Secretary of War to donate to the town of Charleroi, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ROWLAND: A bill (H. R. 15205) authorizing the Secretary of War to donate to the town of Philipsburg, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WALTON: A bill (H. R. 15206) authorizing the Secretary of War to donate to the New Mexico Military Institute, at Roswell, N. Mex., German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. COOPER of West Virginia: A bill (H. R. 15207) granting the consent of Congress to the Fall Branch Coal Co. to construct a bridge across Tug River, W. Va.; to the Committee on Interstate and Foreign Commerce.

By Mr. DOOLITTLE: A bill (H. R. 15208) authorizing the Secretary of War to donate to the city of Strong, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15209) authorizing the Secretary of War to donate to the city of Cottonwood Falls, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CLAYPOOL: A bill (H. R. 15210) to authorize the Judge Advocate of the United States Army to classify the soldiers of the American Expeditionary Forces who have been court-martialed and return to those who were fined for misde-

meanors the amount of fine collected therefrom; to the Committee on Military Affairs.

By Mr. JOHN M. NELSON: A bill (H. R. 15211) to increase the limit of cost for the proposed new Federal building at Madison, Wis., and the site thereof; to the Committee on Public Buildings and Grounds.

By Mr. MORIN: A bill (H. R. 15212) for the purchase of a site for and the erection of a post-office building at Pittsburgh, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. WELLING: A bill (H. R. 15213) increasing the limit of cost for a Federal building at Spanish Fork, Utah; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15214) for the construction of a Federal building at Nephi, Utah; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15215) increasing the limit of cost for a Federal building at Park City, Utah; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15216) increasing the limit of cost for a Federal building at Eureka, Utah; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15217) increasing the limit of cost for a Federal building at Vernal, Utah; to the Committee on Public Buildings and Grounds.

By Mr. YOUNG of North Dakota: A bill (H. R. 15218) to authorize the erection of a Federal building at Jamestown, N. Dak.; to the Committee on Public Building and Grounds.

By Mr. GALLIVAN: A bill (H. R. 15219) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1920, and for other purposes; to the Committee of the Whole House on the state of the Union.

Also, a bill (H. R. 15220) providing for a site and public building for post office and other Federal purposes at Boston, Mass.; to the Committee on Public Buildings and Grounds.

By Mr. McCULLOCH: A bill (H. R. 15221) to donate a captured cannon or gun to the city of Wooster, Ohio; to the Committee on Military Affairs.

Also, a bill (H. R. 15222) to donate a captured cannon or gun to the city of Dover, Ohio; to the Committee on Military Affairs.

Also, a bill (H. R. 15223) to donate a captured cannon or gun to Ragersville, Ohio; to the Committee on Military Affairs.

Also, a bill (H. R. 15224) to donate a captured cannon or gun to the city of Dennison, Ohio; to the Committee on Military Affairs.

By Mr. GALLIVAN: A bill (H. R. 15225) to provide for the enlargement, extension, and remodeling of the Federal building at Boston, Mass.; to the Committee on Public Buildings and Grounds.

By Mr. TREADWAY: A bill (H. R. 15233) authorizing the Secretary of War to donate to the town of Lee, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15234) authorizing the Secretary of War to donate to the town of Stockbridge, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15235) authorizing the Secretary of War to donate to the town of Charlemont, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WALTON: Resolution (H. Res. 522) providing increased compensation to the official stenographers to committees; to the Committee on Accounts.

By Mr. TILLMAN: Resolution (H. Res. 523) declaring T. A. Chandler a duly elected Member of the House of Representatives from the State of Oklahoma; to the Committee on Elections No. 2.

By Mr. JOHNSON of Washington: Resolution (H. Res. 524) directing the Secretary of War to furnish the House of Representatives certain information regarding investigation of complaint made by E. L. Rice; to the Committee on Military Affairs.

By Mr. LUNDEEN: Resolution (H. Res. 525) to initiate the necessary steps to open opportunities for employment to all workers in the United States who face enforced idleness; to the Committee on Rules.

By Mr. ALSON: Resolution (H. Res. 526) providing for printing additional copies of soil survey of Lauderdale County, Ala.; to the Committee on Printing.

By Mr. PAIGE: Resolution (H. Res. 527) directing the Clerk of the House to post conspicuously in the House wing of the Capitol and in the House Office Building notices of committee hearings in advance thereof; to the Committee on Accounts.

By Mr. SHERWOOD: Resolution (H. Res. 528) providing for pay for examiner detailed to the Committee on Invalid Pensions from the Bureau of Pensions; to the Committee on Accounts.

By Mr. CLAYPOOL: Resolution (H. Res. 529) to initiate the necessary steps to open opportunities for employment to all workers in the United States who face enforced idleness; to the Committee on Rules.

By Mr. CLARK of Florida: Resolution (H. Res. 530) providing for an investigation of the treatment of sick and disabled soldiers at the Walter Reed Hospital, Washington, D. C.; to the Committee on Military Affairs.

By Mr. McARTHUR: Memorial from the Legislature of the State of Oregon, favoring the enactment of Senate bill 5234, war minerals bill; to the Committee on Mines and Mining.

Also, memorial of the Legislative Assembly of the State of Oregon praying that loganberry and apple juices be exempted from taxation in the pending revenue bill; to the Committee on Ways and Means.

By Mr. CLARK of Missouri: Memorial from the Legislature of the State of Oregon, favoring the enactment of Senate bill 5234, war minerals bill; to the Committee on Mines and Mining.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FOCHT: A bill (H. R. 15226) granting an increase of pension to James K. Brewer; to the Committee on Invalid Pensions.

By Mr. KAHN: A bill (H. R. 15227) granting a pension to Amelia Erdman; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 15228) granting a pension to Charles Dolderer; to the Committee on Pensions.

Also, a bill (H. R. 15229) granting a pension to Starling N. Caron; to the Committee on Pensions.

By Mr. LANGLEY: A bill (H. R. 15230) granting a pension to Henry Fields; to the Committee on Pensions.

Also, a bill (H. R. 15231) granting a pension to Lee Begley; to the Committee on Pensions.

By Mr. MAHER: A bill (H. R. 15232) granting a pension to Frances E. Herlehy; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of the Un-a-quaw-lan Society, calling for Indian representation; to the Committee on Indian Affairs.

By Mr. CARY: Petition of citizens of Milwaukee, Wis., protesting against and asking for repeal of postal zone rate bill; to the Committee on Ways and Means.

Also, petition of Fur Workers' Union, Local No. 77, protesting against the proposed tax on furs; to the Committee on Ways and Means.

Also, petition of Sindorf & Stein, Milwaukee, Wis., protesting against luxury tax provision levying 10 per cent tax on hats, shirts, etc.; to the Committee on Ways and Means.

By Mr. CLARK of Pennsylvania: Petition of Frederick W. Miller, East South Illinois Street, Corry, Pa., demanding repeal of postal zone rate bill; to the Committee on Ways and Means.

Also, petition of Ajax Iron Works, Corry, Pa., urging repeal of postal zone rate bill; to the Committee on Ways and Means.

By Mr. DALLINGER: Memorial of city council of Cambridge, favoring the proposal to give men discharged from service an amount equal to six months' pay; to the Committee on Military Affairs.

Also, petition of citizens of Massachusetts, urging repeal of the postal zone rate bill; to the Committee on Ways and Means.

By Mr. ESCH: Petition of La Crosse Printing Pressmen's Union, No. 189, protesting against postal zone law; to the Committee on Ways and Means.

By Mr. GILLETT: Petition of Native Races' Anti-Liquor Traffic Committee of New York City, favoring destruction of opium now held in China; to the Committee on Foreign Affairs.

By Mr. GLYNN: Petition of certain citizens of Salisbury, Conn., protesting against the increase in postage on periodicals; to the Committee on Ways and Means.

Also, memorial of Friends of Irish Freedom of Terryville, Conn., in favor of the principle of self-determination for Ireland; to the Committee on Foreign Affairs.

By Mr. HAMILTON of Michigan: Petition of Mary E. Smith, Mildred E. Gould, Emma Owen, and Daisy Bergman, urging repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of citizens of South Haven, Mich., urging repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of members of Woman's Christian Temperance Union of Cloverdale, Mich., urging repeal of postal zone rate bill; to the Committee on Ways and Means.

By Mr. HOLLINGSWORTH: Petition of George P. Hamner and 16 other citizens of Steubenville, Ohio, protesting against postal zone system; to the Committee on Ways and Means.

Also, petition of Miss Mabel E. Anderson and others, of Cadiz, Ohio, rural route 3, protesting against zone system of postage; to the Committee on Ways and Means.

By Mr. LONERGAN: Petition of certain residents of Hartford, Conn., relative to postal-zone law; to the Committee on Ways and Means.

By Mr. LUNDEEN: Petition of Minnehaha Lodge, No. 827, International Association of Machinists, Minneapolis, Minn., requesting a congressional investigation of the policies of Postmaster General as to labor conditions in the telegraph and telephone service; to the Committee on Interstate and Foreign Commerce.

Also, petition of Northwestern Lumbermen's Association, of Minneapolis, opposing Government ownership of railroads and declaring for Federal control; to the Committee on Interstate and Foreign Commerce.

By Mr. McARTHUR: Petition of Cattlemen's Association, Douglas County, Oreg., on disposition of Oregon & California Railway Co. land grants; to the Committee on the Public Lands.

By Mr. MOORE of Pennsylvania: Memorial of Philadelphia Board of Trade, relating to inland transportation; to the Committee on Interstate and Foreign Commerce.

By Mr. NEELY: Petition of J. W. Williams, manager Williams Hardware Co., Clarksburg, W. Va., urging that new taxation bill shall be held at $4,000,000,000; to the Committee on Ways and Means.

Also, petition of F. W. Patton, secretary Northern West Virginia Coal Operator's Association, Fairmont, W. Va., urging that the new taxation bill be kept at $4,000,000,000; to the Committee on Ways and Means.

By Mr. POLK: Petition of members of State Board of Education of Delaware, urging full support in passage of Senate bill 4987; to the Committee on Education.

Also, petition of Joseph W. F. Quin and others, favoring House bill 10550; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: Petition of Commercial Telegraphers' Union of America, Chicago, Ill., protesting against their treatment by United States Telegraph and Telephone Administration; to the Committee on Ways and Means.

Also, petition of Mrs. A. N. Wilson, Doyle, Cal., urging repeal of postal zone system; to the Committee on Ways and Means.

Also, petition of Chamber of Commerce of Sacramento, Cal., protesting against war tax on letter mail and retention of zone second-class rates on advertising matter; to the Committee on Ways and Means.

Also, petition of H. H. Gross, president Universal Military Training League, Chicago, Ill., urging bill for universal training for boys between ages of 18 and 20 years; to the Committee on Military Affairs.

Also, petition of School Woman's Club of Alameda, Cal., indorsing Senate bill 4987; to the Committee on Education.

Also, petition of certain citizens of Nevada County, Cal., demanding the repeal of postal zone rate bill; to the Committee on Ways and Means.

Also, memorial of California Congress of Mothers and Parent-Teacher Association, requesting Congress to pass Senate bill 4987; to the Committee on Education.

Also, petitions of citizens of North Branch, Valley Springs, and San Andreas, Cal., urging repeal of postal zone system; to the Committee on Ways and Means.

By Mr. STEENERSON: Petition of Nonpartisan League Local of Dalton, Ottertail County, Minn., relative to House bill 13909, motto on coins; to the Committee on Coinage, Weights, and Measures.

SENATE.

TUESDAY, *January 28, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, father of our spirits, the source of our freedom, the defender of our liberties, we come before Thee to ask Thy guidance and blessing as we seek to maintain the precious inheritance that has been passed to us from our fathers and to advance the interests of Thy kingdom. We pray that we may have the satisfaction of knowing that we are God's chosen men, directed in paths to the fulfillment of God's great purpose in us as a Nation. To this end do Thou endue us plenteously with heavenly wisdom, and give us Thy guidance and blessing for the duties of this day. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

GERMAN PROPAGANDA—PERSONAL EXPLANATION.

Mr. OVERMAN. Mr. President, I rise to a matter in the nature of a question of personal privilege. This morning there appeared in the Washington Post a statement by the Secretary of War. I will ask the Secretary to read the headlines and the first two paragraphs.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

REPUDIATED BY BAKER.—A. STEVENSON'S "PACIFIST" LIST DENOUNCED BY SECRETARY—NOT WITH WAR DEPARTMENT—SENATE WITNESS CONNECTED WITH NEW YORK INTELLIGENCE BUREAU—"GERMAN PROPAGANDA" LIST, SAYS SECRETARY, CONTAINS NAMES OF PEOPLE OF DISTINCTION AND UNQUESTIONED LOYALTY—DISCLAIMED ALSO BY STATE DEPARTMENT—MANY TELEGRAMS OF PROTEST.

[By Albert W. Fox.]

The investigation which the subcommittee of the Senate Committee on the Judiciary is conducting of pro-German propaganda took on a new aspect yesterday when Secretary of War Baker came boldly to the defense of some of the so-called pacifists whose names were contained on a list prepared by Archibald Stevenson, understood to be representing the military intelligence department. Mr. Baker denounced the list and repudiated the suggestion that Mr. Stevenson represented any branch of the War Department. He issued the following statement:

"I am receiving telegrams and letters with regard to a list of persons handed to the Senate committee by Mr. Archibald Stevenson, who is represented in newspaper accounts as a member of the Military Intelligence Division of the War Department. Mr. Stevenson has never been an officer or an employee of the Military Intelligence Division of the War Department.

Mr. OVERMAN. Mr. President, in answer to that, I ask the Secretary to read the statement I send to the desk.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

"I assume the Secretary of War in his statement published in the press this morning did not intend to criticize the Senate Committee on the Judiciary, charged with the investigation of German propaganda. Whether he approves of the method adopted by the committee or not is a matter of no concern to the committee. But when he undertakes to repudiate and escape responsibility for a witness called by that committee at the instance of one of the branches of the War Department his statement can not be permitted to go unchallenged.

"The facts are these: Secretary Baker declares that 'Mr. Stevenson has never been an officer or an employee of the Military Intelligence Division of the War Department.'

"This committee never heard of Mr. Stevenson until his name was called to the attention of the committee in a communication from the office of Military Intelligence, War Department, New York City, dated December 17, 1918, addressed to the Director of Military Intelligence, Washington, D. C., which communication, with a notation to rush, was delivered by the office of the Director of Military Intelligence, Washington, D. C., to this committee, and the portion thereof relating to Mr. Stevenson reads as follows:

"WAR DEPARTMENT,
"OFFICE OF MILITARY INTELLIGENCE,
"ROOM NO. 806, 302 BROADWAY,
"*New York City, December 17, 1918.*

"From: Office M. I. D., 302 Broadway, New York.
"To: Director of Military Intelligence, Washington, D. C.
"Subject: Senate Inquiry.

"1. It is respectfully suggested that the following witnesses be called to testify before the Senate inquiry:

* * * * * * *

"Archibald Ewing Stevenson, of the propaganda section, who has studied German propaganda in the United States for over a year and concentrated on the subject, and is probably more familiar with the various interlocking groups of German and radical propagandists in the United States at this time than anyone else.

* * * * * * *

"JOHN B. TRAVOR,
"*Captain, U. S. A.*"

"It is evident that the Secretary of War did not familiarize himself with the employees of his department or the work which was being done by the Bureau of Military Intelligence."

Mr. OVERMAN. Mr. President, I hold in my hand the original letter that came to the committee, signed by Capt. Travor. Senators will notice this pink slip of paper inscribed "Rush." The letter was rushed to the committee, calling our attention to this man Stevenson, asserting that he had been in the department for a year studying German propaganda and was the man who should be brought before our committee. With that pink slip there was another slip of a different color—I do not know why they use different colors—also containing the inscription "Rush." It was rushed to me, and after getting this letter, as I have set forth in the statement read by the Secretary, I

subpenaed Mr. Stevenson. He came before us and testified that he had been employed by the War Department, knew all about this matter, and would give us some very valuable testimony. So the Secretary of War, under the circumstances, it seems to me, ought to have made some investigation before he gave out the statement appearing in the newspaper.

STATE, WAR, AND NAVY DEPARTMENT BUILDINGS (S. DOC. NO. 362).

The VICE PRESIDENT laid before the Senate a communication from the Acting Secretary of the Treasury, transmitting a letter from the Superintendent of the State, War, and Navy Department buildings, submitting a supplemental estimate of appropriations in the sum of $507,624 required for salaries and expenses of buildings under his supervision for the fiscal year 1920, etc., which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. Smith, its chief clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3220) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat to determine the practicability of their utilization as a fuel and in producing commercial products.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the Senate to the bill (H. R. 13708) providing for the relief of such populations in Europe and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary.

The message also announced that the House had passed a bill (H. R. 13026) to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 390. An act to establish the Grand Canyon National Park, in the State of Arizona; and

S. 5318. An act granting a pension to Edith Carow Roosevelt.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented resolutions adopted by the Legislature of the State of Arizona petitioning Congress to pass the woman suffrage amendment, which were ordered to lie on the table.

He also presented resolutions adopted by the Legislature of the State of Montana petitioning Congress to pass the woman suffrage amendment, which were ordered to lie on the table.

Mr. SMITH of Arizona. I present a house joint resolution of the Legislature of the State of Arizona favoring the passage of the constitutional amendment granting the right of suffrage to women. As it comes from the legislature of a State, I ask that it be printed in the RECORD. Otherwise I would not ask to have it so printed.

The resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

STATE OF ARIZONA,
OFFICE OF THE SECRETARY.

UNITED STATES OF AMERICA,
State of Arizona, ss.:

I, Mit Simms, secretary of state, do hereby certify that the within is a true, correct, and complete transcript of House joint resolution No. 3 of the Fourth Legislature of the State of Arizona, 1919, petitioning the "Senate of the United States to approve and pass at the earliest convenient moment the proposed amendment to the Constitution of the United States, now pending before that body, which has for its object the granting of the right of suffrage to the women of the United States of America," all of which is shown by the original copy on file in this department.

In witness whereof I have hereunto set my hand and affixed the great seal of Arizona. Done at Phoenix, the capital, this 22d day of January, A. D. 1919.

MIT SIMMS,
Secretary of State.

House joint resolution 3.

Be it resolved by the House of Representatives of the State of Arizona (the Senate concurring herein):

SECTION 1. That the Fourth Legislature of the State of Arizona, this day assembled in regular session, most respectfully petitions and requests the Senate of the United States to approve and pass at the earliest convenient moment the proposed amendment to the Constitution of the United States, now pending before that body, which has for its object the granting of the right of suffrage to the women of the United States of America.

SEC. 2. *Resolved further*, That the secretary of state be, and he is hereby, instructed, immediately upon the passage of this resolution, to forward, under the great seal of the State of Arizona, to the Secretary of the United States Senate and to Hon. HENRY F. ASHURST and Hon. MARCUS A. SMITH, United States Senators for the State of Arizona, individual transcripts hereof.

Passed the house January 14, 1919, by the following vote: Ayes 33, no —, 2 absent.

A. C. PETERSON,
Speaker of the House.
SAM B. BRADNER,
Chief Clerk of House.

Third reading, January 21, 1919, and passed the senate by the following vote: Ayes 16, no —, absent —, excused 3.

A. A. JOHNS,
President of the Senate.
L. F. SWEETING,
Secretary of Senate.

Approved January 21, 1919.

THOMAS E. CAMPBELL,
Governor of Arizona.

Filed in the office of the secretary of the State of Arizona this 21st day of January, A. D. 1919, at 4 p. m.

MIT SIMMS,
Secretary of State.
By R. E. MCGILLEN,
Assistant Secretary.

Mr. SMITH of Arizona. I also present senate memorial 2 from the Legislature of the State of Arizona, touching the publicity of the returns of income taxes, which I ask may be printed in the RECORD and referred to the Committee on Finance.

The memorial was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

SENATE CHAMBER, STATEHOUSE,
PHOENIX, ARIZ.

Senate memorial 2.

To the Senate and House of Representatives of the Congress of the United States of America:

Your memorialist, the State Senate of the Fourth Legislature of the State of Arizona respectfully represents that—

Whereas the assignment of quotas to raise funds for various war purposes, such as the sale of liberty bonds, war savings stamps, Red Cross, Young Men's Christian Association, Knights of Columbus, and similar purposes, during the recent war waged by the Government of the United States against the Imperial German Government, has shown the necessity of having some definite means of ascertaining the wealth of citizens other than the means of popular estimation; and

Whereas unjust hardships have been inflicted upon certain citizens of our State by compelling them to subscribe more than they could really afford to the various war activities, and in some instances citizens have been penalized for not subscribing what some arbitrary individual or committee thought they should subscribe; and

Whereas other citizens who were well fixed in this world's goods failed miserably to subscribe more than a pittance for war purposes: Now, therefore, be it

Resolved by the Senate of the Fourth Legislature of the State of Arizona, That the Congress of the United States be, and it is hereby, urged to enact any legislation that may be necessary to make "Income-tax returns" public records; be it further

Resolved, That engrossed copies of this memorial be sent to Arizona's Senators and Representative in Congress, and that they be respectfully requested to use their every influence and all the power at their command to accomplish the enactment of such legislation.

Passed the senate January 21, 1919, by the following vote—16 ayes, 3 excused.

A. A. JOHNS,
President of the Senate.

Attest:

L. F. SWEETING,
Secretary of the Senate.

Mr. MYERS. I present a memorial to the United States Senate from the Legislature of Montana upon the passage of the resolution for a suffrage constitutional amendment. I ask that it be printed in the RECORD.

The memorial was ordered to lie on the table and to be printed in the RECORD, as follows:

House joint memorial 1.

A memorial to the Senate of the United States to pass an amendment to the Federal Constitution and submit the same to the several States for ratification, extending the right of suffrage to the women citizens of the United States of America.

To the honorable SENATE OF THE UNITED STATES OF AMERICA:

Your memorialists, the members of the Sixteenth Legislative Assembly of the State of Montana, the senate and house concurring, respectfully represent:

Whereas it appears that a majority of the people of the United States of America are in favor of extending the right of suffrage to the women citizens of the United States of America, and

Whereas there is now pending before the Senate of the United States a measure proposing an amendment to the Federal Constitution designed to effect such extension of suffrage; now, therefore, be it

Resolved by the house (the Senate concurring), That we, the members of the Sixteenth Legislative Assembly of the State of Montana, do hereby petition and earnestly pray the Senate of the United States that such measure proposing an amendment to the Federal Constitution so extending the right of suffrage be passed and submitted to the several States for ratification; and

Resolved further, That a copy of of this memorial be forwarded by the secretary of state of Montana to the Senate of the United States, and

that copies hereof be transmitted by the secretary of state of Montana to the Montana Senators in the Congress of the United States.

(Signed) O. W. BELDEN,
Speaker of the House.
(Signed) J. E. EDWARDS,
President of the Senate pro tempore.

Approved January 23, 1919:

(Signed) S. V. STEWART, *Governor.*

UNITED STATES OF AMERICA,
State of Montana, ss:

I, C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the foregoing is a true and correct copy of house joint memorial No 1, "A memorial to the Senate of the United States to pass an amendment to the Federal Constitution and submit the same to the several States for ratification, extending the right of suffrage to the women citizens of the United States of America," enacted by the Sixteenth Legislative Assembly of the State of Montana, and approved by S. V. Stewart, governor of said State, this 23d day of January, 1919.

In testimony whereof, I have hereunto set my hand and affixed the great seal of said State. Done at the city of Helena, the capital of said State, this 23d day of January, A. D. 1919.

[SEAL.] C. T. STEWART, *Secretary of State.*

Mr. CURTIS. I desire to have a telegram read embodying a resolution of the Kansas Legislature.

There being no objection, the resolution was read, as follows:

TOPEKA, KANS., *January 28, 1919.*

Hon. CHARLES CURTIS,
United States Senate, Washington, D. C.:

Both Houses of the Kansas Legislature unanimously passed the following concurrent resolution:

"Whereas there is now pending in the Senate of the United States a constitutional amendment providing for national woman suffrage; and

"Whereas it is an acknowledged fact that the enfranchisement of the women of Kansas has worked satisfactorily and tended toward better government in the State; and

"Whereas equality and justice to all people, for which the nations of the world have been struggling and for which the great war has been waged, requires the granting of suffrage to American women who, equally with the men of this country, have borne the burden of the war and have loyally and ungrudgingly given their sons and their personal services that liberty might live and the world be made free to the end that our own Government might not perish: Therefore be it

"*Resolved*, That the Senate of the United States is most earnestly requested to, without delay, pass the Federal amendment giving the women of the United States full suffrage."

HENRY J. ALLEN, *Governor.*

Mr. JOHNSON of South Dakota. I have received a communication from the secretary of state of the State of South Dakota, transmitting a certified copy of a concurrent resolution passed by the legislature of that State relating to inundated lands in Charles Mix County. I ask that the communication and accompanying resolution be printed in the RECORD and referred to the Committee on Public Lands.

The communication and accompanying resolution were referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

STATE OF SOUTH DAKOTA,
DEPARTMENT OF STATE,
Pierre, January 24, 1919.

Hon. ED. S. JOHNSON,
Washington, D. C.

DEAR SENATOR: I have the honor to hand you herewith certified copy of concurrent resolution, which originated in the house of representatives and is concurred in by the senate, relating to inundated lands in Charles Mix County, said inundation being caused by the overflow of certain wells, and requesting the Congress of the United States at its next session to appropriate a sufficient sum to reimburse the owners of said lands.

Will you please give the matter your careful attention?

Very truly, yours,

C. A. BURKHART,
Secretary of State.

Certificate.

UNITED STATES OF AMERICA,
STATE OF SOUTH DAKOTA,
SECRETARY'S OFFICE.

I, C. A. Burkhart, secretary of state, do hereby certify that the annexed bill, to wit, house concurrent resolution, was duly passed by the sixteenth session of the Legislature of the State of South Dakota, and that the same is now in full force and effect.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota, at the city of Pierre, January 24, 1919.

[SEAL.] C. A. BURKHART,
Secretary of State.

Hon. C. A. BURKHART,
Secretary of State:

The following concurrent resolution has been adopted by the house of representatives and concurred in by the senate:

Be it resolved by the House of Representatives of the State of South Dakota (the Senate concurring)—

Whereas Congress has at various times appropriated funds for the purpose of sinking four flowing artesian wells on the border of a certain meandered lake known as Lake Andes, and located in the county of Charles Mix and State of South Dakota, for the purpose of furnishing water and fish for the Indians; and

Whereas the level of said lake has been raised several feet by the continuous flow of water discharged from the above-mentioned wells, causing the water to inundate large areas of valuable surveyed and patented agricultural land adjacent to the said lake, and that the lands so submerged are rendered worthless thereby to the owners thereof for either agricultural or grazing purposes, and that there are at least 1,500 acres of such land so submerged, and that the damage to these lands by said inundation or overflow is not less than $100 per acre, and that the owners of said lands are justly entitled to full compensation for such damage from the Government of the United States, by whose authority the said wells were sunk which caused the submergence or overflow of said lands: Therefore, be it

Resolved by the Senate of the State of South Dakota (the house of Representatives concurring), We earnestly though respectfully request the Congress of the United States at its next session to appropriate a sufficient sum to reimburse said overflowed land owners.

For the house:

LEWIS BENSON,
Speaker.
WRIGHT TARBELL,
Chief Clerk.

For the Senate:

C. S. AMSDEN,
President pro tempore.
A. B. BLAKE,
Secretary.

Dated at Pierre, S. Dak., this 22d day of January, A. D. 1919.

Mr. CHAMBERLAIN. I present a joint memorial of the Legislature of Oregon, which I ask to have printed in the RECORD and referred to the Committee on Mines and Mining.

There being no objection, the joint memorial was referred to the Committee on Mines and Mining and ordered to be printed in the RECORD, as follows:

Senate joint memorial 3.

To the honorable the Senate and House of Representatives of the United States of America in Congress assembled:

Your memorialists, the Legislative Assembly of the State of Oregon, respectfully represent that—

Whereas the Government of the United States required war equipment and supplies which could not be produced without chromite; and

Whereas the urgent need for ships for military purposes cut off the supplies from abroad upon which this country previously had depended; and

Whereas the Government, through its departments and war boards at Washington, advertised this great need for chromite by issuing circulars, bulletins, and letters urging the people to search for, to mine, and to deliver chromite ore; and

Whereas a large number of Oregon miners, most of whom are men of small means, responded freely to these Government advertisements by building roads and trails, making open cuts and otherwise developing chromite mines and preparing to furnish this mineral to the Government, and who will be financially ruined unless relief comes immediately; and

Whereas there is now pending in the Congress of the United States a bill entitled "A bill to supplement an act of Congress approved October 5, 1918 (Public, No. 220), and to authorize the Secretary of the Interior, from the funds appropriated by said act, to determine, to adjust, and pay losses sustained by investments preparatory to production of war minerals mentioned in said act." Now, therefore, be it

Resolved by the Senate of the State of Oregon (the House concurring). That the Legislative Assembly of the State of Oregon favor the enactment by Congress of Senate bill 5234, and to that end the Senators and Representatives in Congress of the United States from the State of Oregon are hereby urged to use their influence in behalf of the passage of said bill; and be it further

Resolved, That the chief clerk of the Senate of Oregon be directed to transmit by mail a copy of this memorial to the President of the United States Senate and the Speaker of the House of Representatives of the United States and to each of the Senators and Representatives from the State of Oregon in Congress.

Adopted by the house January 20, 1919

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate January 16, 1919

W. J. VINTON,
President of the Senate.

Mr. CHAMBERLAIN. I present a joint memorial of the Legislature of Oregon, which I ask to have printed in the RECORD.

The joint memorial was ordered to lie on the table and be printed in the RECORD, as follows:

Senate joint memorial 8

Whereas there is now pending before the Congress of the United States an act "to provide revenue, and for other purposes," commonly known as the 1918 revenue bill; that section 628 of this bill as passed the House of Representatives contained a provision in section 628 thereof authorizing the collection of a tax of 20 per cent of the selling price on all fruit and berry juices produced in the United States, according to a ruling of the Treasury Department of the United States in construing a similar provision in the revenue act of October 4, 1917; and

Whereas said provision of the bill was amended by the Senate of the United States so as to except from the operation thereof fruit and berry juices, and afterwards passed by said body as amended; and

Whereas a conference committee appointed by each House of Congress is now considering the amendment as adopted by the United States Senate, and, according to information received by the manufacturers of loganberry and apple juices in this State, intends to submit a report to each House of Congress recommending that the bill be amended so as to impose a tax of 10 per cent of the selling price of such fruit and berry juices; and

Whereas the imposition of such a tax would render valueless great manufacturing industries which have been built up in the States of Oregon, Washington, and elsewhere at a cost of vast sums of money; and

Whereas a large portion of the most fertile agricultural land in the Northwest is now devoted to the growth and culture of loganberries and apples, which are manufactured into loganberry and apple juices, thereby giving permanent employment to thousands of our citizens, which could not continue under the burdens of such tax; and

Whereas the taxation of the loganberry and apple juices as contemplated by said revenue bill, and the consequent destruction of our manufacturing and agricultural industries, would deprive this State of giving employment to the returning soldiers, sailors, and marines now in the service of their country; and

Whereas loganberry and apple juices as manufactured in the Northwest are food products rather than beverages, and therefore should not be classified with synthetic concoctions, such as root beer, ginger ale, pop, etc., as is proposed by said pending bill:

Be it resolved by the senate (the house concurring), That our Senators and Representatives in Congress be, and they are hereby, memorialized and requested to use their utmost endeavors to procure the passage of said revenue bill with the elimination of loganberry and apple juices from taxation therein as passed by the Senate of the United States; that copies of this concurrent resolution be forthwith forwarded to each member of the conference committee of the Senate and House of Representatives in Congress, and also copies to the Senators and Representatives from the States of Oregon and Washington.

Adopted by the house January 22, 1919.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate January 21, 1919.

W. J. VINTON,
President of the Senate.

Mr. LODGE presented a petition of the Linden Methodist Episcopal Church, of Malden, Mass., and a petition of the Society of Friends, of Lynn, Mass., praying for the establishment of a league of nations, which were referred to the Committee on Foreign Relations.

Mr. NELSON presented resolutions adopted by the Minnesota Shorthorn Breeders' Association, of St. Paul, Minn., favoring an increase in the salaries of veterinarians of the Bureau of Animal Industry, which were referred to the Committee on Agriculture and Forestry.

Mr. CURTIS presented a petition of the Board of Trade Association, of Hutchinson, Kans., and a petition of the Kansas Traffic Association, of Topeka, Kans., praying for the return to private ownership of the railroads of the country, which were referred to the Committee on Interstate Commerce.

He also presented resolutions adopted by Local Lodge No. 340, International Brotherhood of Boiler Makers, Iron-Ship Builders, and Helpers of America, of Herrington; of Local Council No. 32, International Brotherhood of Blacksmiths and Helpers, of Topeka; of Local Lodge No. 240, International Brotherhood of Boiler Makers, Iron-Ship Builders, and Helpers of America, of Arkansas City; of the Central Labor Union of Fort Scott; of Local Lodge No. 24, International Association of Machinists, of Topeka; of Local Lodge No. 277, International Brotherhood of Railway Carmen of America, of Parsons; of Local Lodge No. 292, International Boiler Makers, Iron-Ship Builders, and Helpers of America, of Parsons; of Local Lodge No. 13, International Association of Railroad Supervisory Foremen of Locomotive and Car Department, of Parsons; and of Local Lodge No. 409, International Brotherhood of Blacksmiths and Helpers, of Parsons, all in the State of Kansas, favoring Government ownership of railroads, which were referred to the Committee on Interstate Commerce.

He also presented a memorial of Sunnyside Grange, No. 1588, Patrons of Husbandry, of Gridley, Kans., remonstrating against compulsory military training, which was referred to the Committee on Military Affairs.

Mr. COLT presented a petition of sundry citizens of Newport, R. I., praying for Government ownership of railroads, which was referred to the Committee on Interstate Commerce.

Mr. TOWNSEND presented a petition of Local Lodge No. 997, International Brotherhood of Railway Carmen of America, of Detroit, Mich., and a petition of sundry citizens of Port Huron, Mich., praying for Government ownership of railroads, which were referred to the Committee on Interstate Commerce.

He also presented a resolution adopted by the Michigan State Board of Registration of Nurses, favoring the granting of commissions to Army nurses, which was referred to the Committee on Military Affairs.

He also presented a petition of the Board of Commerce of Pontiac, Mich., praying for a speedy settlement of war-munition contracts, which was ordered to lie on the table.

He also presented memorial of Carpenters Local Union, No. 1228, of Manistee, Mich., remonstrating against the operation of the Federal Employment Service, which was referred to the Committee on Education and Labor.

He also presented a resolution adopted by the Teachers' Club, of Saginaw, Mich., favoring the establishment of a department of education, which was referred to the Committee on Education and Labor.

DISTRICT ATTORNEY OF NEW YORK.

Mr. FLETCHER, from the Committee on the Judiciary, to which was referred the bill (S. 2124) to fix the salary of the United States district attorney for the eastern district of New York, reported it without amendment.

ASSISTANT CLERK OF THE COMMITTEE ON THE JUDICIARY.

Mr. THOMPSON, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 424, submitted by Mr. OVERMAN on the 27th instant, reported it favorably without amendment, and it was considered by unanimous consent and agreed to as follows:

Resolved, That the authority given to the Committee on the Judiciary by S. Res. 325, agreed to October 24, 1918, to employ an assistant clerk at a salary not to exceed $5 per diem, for a period not to exceed four months, be, and the same is hereby, extended and continued in full force and effect until the end of the Sixty-fifth Congress.

AGNES KELLEY.

Mr. THOMPSON, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 427, submitted by Mr. THOMPSON (for Mr. SMITH of Maryland) on the 27th instant, reported it favorably without amendment, and it was considered by unanimous consent and agreed to as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay from the miscellaneous items of the contingent fund of the Senate to Agnes Kelley, widow of John N. Kelley, late a laborer in the employ of the Senate under supervision of the Sergeant at Arms, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

SENATOR FROM MICHIGAN.

Mr. POMERENE. I present an amendment to Senate resolution 415. I ask that it may be read for the information of the Senate, printed, and lie on the table.

The VICE PRESIDENT. The Secretary will read the proposed amendment.

The Secretary read as follows:

Resolved further, That the Committee on Privileges and Elections, or any subcommittee or subcommittees or members thereof, duly authorized by the Committee on Privileges and Elections, be, and they are hereby, authorized, empowered, and directed to investigate fully the statements of facts, charges, and allegations contained in the communication of Mr. Truman H. Newberry by Mr. J. O. Murán, his attorney at law and in fact, dated January 23, 1919, and presented to the Senate of the United States on January 27, 1919, as appears of record, relating to the election of a United States Senator on November 5, 1918, and to make report thereon to the Senate as early as may be, and from time to time, if they deem best, submit to the Senate all the testimony and the results of these said hearings thereon.

And for the purposes herein contained there is hereby conferred upon the Committee on Privileges and Elections of the Senate, or any subcommittee or subcommittees or members thereof, all the powers, privileges, and duties hereby conferred upon them in this resolution, relating to the petition filed with the Senate by Mr. Henry Ford contesting the election of Mr. Truman H. Newberry.

And the Sergeant at Arms of the Senate and his deputy are hereby required to attend the said Committee on Privileges and Elections, or any subcommittee thereof, and to execute their directions.

The VICE PRESIDENT. The amendment will be printed and lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 5447) to increase the cost of the public building at Spanish Fork, Utah;

A bill (S. 5448) to authorize the appropriation of $50,000 for the erection of a public building at Nephi, Utah;

A bill (S. 5449) to increase the cost of the public building at Eureka, Utah; and

A bill (S. 5450) to increase the cost of the public building at Vernal, Utah; to the Committee on Public Buildings and Grounds.

By Mr. PENROSE:

A bill (S. 5451) to repeal the power of the President of the United States to requisition vessels building in the shipyards of the United States;

A bill (S. 5452) to repeal a portion of section 37 of the shipping act of 1916; and

A bill (S. 5453) to repeal the act approved October 6, 1917; to the Committee on Commerce.

By Mr. KENYON:

A bill (S. 5454) granting an increase of pension to Amanda F. Mahin (with accompanying papers);

A bill (S. 5455) granting an increase of pension to Franklin Bryan (with accompanying papers); and

A bill (S. 5456) granting a pension to Joseph W. Wolf (with accompanying papers); to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 5457) donating captured cannon and cannon balls to the city of Conway Springs, Kans.;

A bill (S. 5458) donating captured cannon and cannon balls to the city of Dodge City, Kans.; and

A bill (S. 5459) donating captured cannon and cannon balls to the city of Goodland, Kans.; to the Committee on Military Affairs.

A bill (S. 5460) granting a pension to Fred Thompson (with accompanying papers); to the Committee on Pensions.

By Mr. HALE:

A bill (S. 5461) granting a pension to John Francis Buckley (with accompanying papers); to the Committee on Pensions.

By Mr. THOMAS:

A bill (S. 5462) to increase the cost of the public building at Durango, Colo; to the Committee on Public Buildings and Grounds.

By Mr. CHAMBERLAIN:

A bill (S. 5463) to authorize the Secretary of War to turn over certain Army supplies to the American National Red Cross; to the Committee on Military Affairs.

Mr. MARTIN of Virginia (for Mr. SMITH of Maryland):

A bill (S. 5466) granting a pension to William Dugent, alias William Brown; to the Committee on Pensions.

By Mr. HOLLIS:

A bill (S. 5467) to amend the Federal farm-loan act, approved July 17, 1916; to the Committee on Banking and Currency.

By Mr. TOWNSEND:

A bill (S. 5468) granting a pension to Benjamin A. Sturtevant (with accompanying papers); and

A bill (S. 5469) granting a pension to Annie Manchester (with accompanying papers); to the Committee on Pensions.

EDUCATION OF ILLITERATES.

Mr. SMITH of Georgia. I introduce a bill providing for the education of native illiterates, of persons unable to understand or use the English language, and of other resident persons of foreign birth, which I ask to have printed in full in the RECORD and referred to the Committee on Education and Labor.

The bill (S. 5464) to promote the education of native illiterates, of persons unable to understand and use the English language, and of other resident persons of foreign birth; to provide for cooperation with the States in the education of such persons in the English language, the fundamental principles of government and citizenship, the elements of knowledge pertaining to self-support and home making, and in such other work as will assist in preparing such illiterates and foreign-born persons for successful living and intelligent American citizenship, was read twice by its title, referred to the Committee on Education and Labor, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That the Secretary of the Interior, through the Bureau of Education and in cooperation with any other Federal agencies which may be able through their existing organizations to furnish assistance therein, is hereby authorized and directed to cooperate with the several States in the education of illiterates, of persons unable to understand, speak, read, or write the English language, and of other resident persons of foreign birth, and in the training and preparation of teachers, supervisors, and directors for such educational work.

SEC. 2. That for the purpose of cooperating with the several States in paying the salaries of teachers, supervisors, and directors of the educational work herein there is hereby authorized to be appropriated for the use of the several States and subject to the provisions of this act for the fiscal year ending June 30, 1919, the sum of $5,000,000 for the fiscal year ending June 30, 1920, and annually thereafter until the end of the fiscal year ending June 30, 1926, the sum of $12,500,000.

SEC. 3. That for the purpose of cooperating with the several States in preparing teachers, supervisors, and directors for educational work under this act there is hereby authorized to be appropriated for the use of the several States for the fiscal year ending June 30, 1919, the sum of $250,000, for the fiscal year ending June 30, 1920, and annually thereafter until the end of the fiscal year ending June 30, 1926, the sum of $750,000 annually.

SEC. 4. That any State may secure the benefits of this act by acceptance of its provisions and by the designation of an appropriate official to act as custodian of moneys allotted and by authorizing its department of education or chief school officer to cooperate with the United States in the educational work herein authorized, and after June 30, 1919, the appropriation herein made shall be available only in the event that each State or municipal corporation thereof acting through or in conjunction with the State shall appropriate, make available, and use for such educational work an amount equal to that allotted by the United States: *Provided*, That no State shall be entitled to participate in the benefits of this act until it shall by appropriate legislation require the instruction for not less than 200 hours per annum of all illiterate minors or minors unable to speak, read, or write the English language more than 16 years of age at schools or places or by other methods of elementary instruction until such minors have completed a course in English generally equivalent to that supplied by third-grade schools: *Provided further*, That no money authorized to be appropriated by the preceding sections of this act or appropriated by any of the States to carry out its provisions shall be authorized to be used for any other purpose than for the salaries of teachers, supervisors, or directors of education or for the preparation and training of such teachers.

SEC. 5. That the sums herein authorized to be appropriated shall be apportioned to the several States annually in the proportion which the total number of resident illiterate persons 10 years of age and over and of persons 10 years of age and over unable to speak the English language in that State bears to the total number of illiterate resident persons 10 years of age and over and of persons 10 years of age and over unable to speak the English language in the United States, exclusive of the District of Columbia, according to the last published preceding United States census.

SEC. 6. That in order to secure the benefits of this act each State, acting through its proper board or officer, shall submit to the Secretary of the Interior for his approval plans showing the manner in which it is proposed that the appropriation shall be used, including the kind of instruction and equipment to be provided, courses of study, methods of instruction, qualifications of teachers, supervisors, and directors, and the kind of schools in which and the conditions under which training of teachers, supervisors, and directors is to be given.

SEC. 7. That it shall be the duty of the Secretary of the Interior to ascertain whether the several States are using or are prepared to use the money allotted to them under this act, and on or before the 10th day of August in each year he shall certify to the Secretary of the Treasury those States which have accepted the provisions of the act and complied therewith, specifying the amounts of money which each State is entitled to receive under the provisions of this act. Upon such certification the Secretary of the Treasury shall pay to the States entitled thereto the moneys available under this act, payments to be made quarterly on the 15th day of August, November, February, and May of each year.

SEC. 8. That it shall be the duty of the Secretary of the Treasury to withhold the allotment of moneys to any State whenever it shall be determined by the Secretary of the Interior that moneys previously allotted have not been expended for the purposes and under the conditions of this act, or that other terms and conditions of this act have not been complied with.

SEC. 9. That if any portion of the moneys received by any State under the provisions of this act shall be diminished, lost, or expended for purposes other than those authorized and contemplated herein, such moneys shall be replaced by the State and until so replaced no subsequent appropriation for such educational work shall be made to that State. That whenever any portion of the fund allotted to any State has not been expended within the year for the purpose provided in this act, a sum equal to the unexpended portion shall be withheld by the Secretary of the Treasury from the next succeeding annual allotment under this act to such State.

SEC. 10. That there is hereby authorized to be appropriated the sum of $250,000 for the fiscal year ending June 30, 1919, and annually thereafter until the end of the fiscal year ending June 30, 1926, the sum of $1,000,000 for the purpose of administering, carrying out, and enforcing the provisions of this act for cooperative work hereunder, for investigations, studies, and reports through the Bureau of Education, for salaries of officers and assistants, other office and incidental expenses, including the cost of printing, personal services in the District of Columbia and elsewhere, necessary traveling expenses of employees, stationery, office furniture and equipment, and any other expenses necessary in the administration of this act.

SEC. 11. That except as provided in section 10 hereof no moneys appropriated under this act shall be applied directly or indirectly to the purchase, erection, preservation, or repair of any building or buildings or equipment, or for the purchase or rental of lands, or for the support of any religious or privately owned and conducted school or institution.

SEC. 12. That the Secretary of the Interior shall make an annual report to Congress on or before December 1 of each year of all operations, expenditures, and allotments under the provisions of this act, including statement as to what has been done by the several States thereunder.

SEC. 13. That the Secretary of the Interior is hereby authorized to perform any and all acts and make all rules and regulations which he shall deem necessary and proper to carry this act into full force and effect.

COTTON FUTURES.

Mr. SMITH of Georgia. I introduce a bill to amend paragraph 5 of section 5 of the so-called cotton-futures act, which I ask to have printed in the RECORD and referred to the Committee on Agriculture and Forestry.

The bill (S. 5465) to amend paragraph 5 of section 5 of the United States cotton-futures act, approved August 11, 1916, and for other purposes, was read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That the fifth paragraph of section 5 of the United States cotton-futures act, approved August 11, 1916, be, and is hereby, amended by striking out all of paragraph 5 after the word "cotton," on line 1, and inserting the following: "to be delivered on, under, or in settlement of such contracts shall be middling, strict low middling, low middling, strict middling, and good middling, the grades mentioned being of the official cotton standards of the United States of white cotton, and the average deliveries shall not grade below middling," so that the paragraph as amended will read as follows:

"Fifth. Provided that cotton to be delivered on, under, or in settlement of such contract shall be middling, strict low middling, low middling, strict middling, and good middling, the grades mentioned being of the official cotton standards of the United States of white cotton, and the average deliveries shall not grade below middling."

AIDS TO NAVIGATION.

Mr. JONES of Washington submitted an amendment intended to be proposed by him to the bill (H. R. 13706) to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes, which was referred to the Committee on Commerce and ordered to be printed.

RIVER AND HARBOR APPROPRIATIONS.

Mr. KIRBY submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

AMENDMENTS TO APPROPRIATION BILL.

Mr. FLETCHER submitted an amendment proposing to appropriate $106,000 for investigation of rural education, industrial education, physical education, and school hygiene, including personal service in the District of Columbia and elsewhere, etc., intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. KELLOGG submitted an amendment providing that where the constitution of any State prohibits the same from

engaging upon internal improvements, or from contracting public debts for extraordinary purposes in an amount sufficient to meet the monetary requirements of the act of July 11, 1916, etc., the sum to which such State is entitled shall be withdrawn by the Secretary of the Treasury from the principal fund, etc., intended to be proposed by him to the Post Office appropriation bill, which was ordered to lie on the table and be printed.

COMMITTEE SERVICE.

On motion of Mr. WARREN it was

Ordered, That the Senator from Minnesota, Mr. KELLOGG, be relieved from further service as a member of the Committee on Privileges and Elections and that the Senator from Missouri, Mr. SPENCER, be assigned as a member thereof; and

That the Senator from Wyoming, Mr. WARREN, be relieved from further service as a member of the Committee on Agriculture and Forestry and that the Senator from New Hampshire, Mr. MOSES, be assigned as a member thereof.

THE CENSUS—CONFERENCE REPORT.

Mr. SHEPPARD. I submit a conference report on the census bill, which I ask may, with the accompanying statement, be printed in the RECORD.

The VICE PRESIDENT. It is an unusual procedure in the Senate to print statements filed by conferees.

Mr. SHEPPARD. Then I withdraw the statement and ask that the report lie on the table and be printed in the RECORD.

The VICE PRESIDENT. It will be so ordered.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two houses on the amendments of the Senate to the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 24, 27, and 28.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 4, 5, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 29, 30, 31, 32, 33, 34, 35, 36, 37, and 38, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"That a census of the population, agriculture, manufactures, forestry and forest products, and mines and quarries of the United States shall be taken by the Director of the Census in the year 1920 and every 10 years thereafter. The census herein provided for shall included each State, the District of Columbia, Alaska, Hawaii, and Porto Rico. A census of Guam and Samoa shall be taken in the same year by the respective governors of said islands and a census of the Panama Canal Zone by the Governor of the Canal Zone in accordance with plans prescribed or approved by the Director of the Census."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following: "$5,000; the chief clerk and three chief statisticians for the divisions of population, manufactures, and agriculture, respectively, $4,000 each; three"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out insert the following: "for the divisions of vital statistics and statistics of cities, and the chief statistician provided for in section 3 of this act, $3,000 each"; also, on page 4, line 9, of the engrossed bill, strike out the word "and"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following: "$3,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"That whenever possible women and honorably discharged soldiers, sailors, and marines shall be employed in the positions herein provided for, if in the judgment of the Director of the Census they are found to possess the business capacity necessary for the proper discharge of the duties of such positions."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate, insert the following: "subject to the approval of the United States Civil Service Commission, these"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following: "applicants claim to have"; also on page 6, line 16, of the engrossed bill, strike out the word "or" where it occurs the first time and insert the word "of"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"*And provided further*, That in the selection of the additional clerks and employees provided for by section 6 the Director of the Census is authorized to use, so far as practicable, the reemployment registers established by Executive order of November 29, 1918, so far as the same applies to permanent appointments by competition."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 26 and agree to the same with an amendment, as follows: In lieu of the matter proposed by the Senate insert the following:

"SEC. 8. That the Fourteenth Census shall be restricted to inquiries relating to population, to agriculture, to manufactures, to forestry and forest products, and to mines and quarries. The schedules relating to population shall include for each inhabitant the name, place of abode, relationship to head of family, color, sex, age, conjugal condition, place of birth, place of birth of parents, nationality or mother tongue of all persons born in foreign countries, nationality or mother tongue of parents of foreign birth, number of years in the United States, citizenship, occupation, whether or not employer or employee, whether or not engaged in agriculture, school attendance, literacy, tenure of home and the encumbrance thereon, and the name and address of each blind or deaf and dumb person.

"The schedules relating to agriculture shall include name, color, sex, and country of birth of occupant of each farm, tenure, acreage of farm, acreage of woodland, value of farm and improvements, and the encumbrance thereon, value of farm implements, number of live stock on farms, ranges, and elsewhere, and the acreage of crops and the quantities of crops and other farm products for the year ending December 31 next preceding the enumeration. Inquiries shall be made as to the quantity of land reclaimed by irrigation and drainage and the crops produced; also as to the location and character of irrigation and drainage enterprises, and the capital invested in such enterprises.

"The schedules of inquiries relating to manufactures, to forestry and forest products, and to mines and quarries shall include the name and location of each establishment; character of organization, whether individual, corporate, or other form; character of business or kind of goods manufactured; amount of capital actually invested; number of proprietors, firm members, copartners and officers, and the amount of their salaries; number of employees and the amount of their wages; quantity and cost of materials used in manufactures; principal miscellaneous expenses; quantity and value of products; time in operation during the year; character and quantity of power used; and character and number of machines employed.

"The census of manufactures, of forestry and forest products, and of mines and quarries shall relate to the year ending December 31, next preceding the enumeration of population, and shall be confined to manufacturing establishments and mines and quarries which were in active operation during all or a portion of that year. The census of manufactures shall furthermore be confined to manufacturing establishments conducted under what is known as the factory system, exclusive of the so-called neighborhood, household, and hand industries.

"Whenever he shall deem it expedient, the Director of the Census may charge the collection of these statistics upon special agents or upon detailed employees, to be employed without respect to locality.

"The number, form, and subdivision of inquiries provided for in section 8 shall be determined by the Director of the Census."

And the Senate agree to the same.

MORRIS SHEPPARD,
HENRY F. ASHURST,
Managers on the part of the Senate.
W. C. HOUSTON,
J. E. ASWELL,
CHARLES A. NICHOLS,
Managers on the part of the House.

FOOD SUPPLIES FOR EUROPE—CONFERENCE REPORT.

Mr. MARTIN of Virginia. Mr. President, I submit the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13708) providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary. It needs prompt action if it is to be acted upon at all. There has been no change made in what the Senate did, and I am sure it will take but a minute to secure action on the report. I ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The conference report will be read.

The Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13708) providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 6, 7, and from the amendment amending the title of the bill, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following and transpose the same so that it will precede the word "as," in line 7, on page 1 of the bill: ": *Provided, however*, That Armenians, Syrians, Greeks, and other Christian and Jewish populations of Asia Minor, now or formerly subjects of Turkey, may be included within the populations to receive relief under this act"; and the Senate agree to the same.

THOMAS S. MARTIN,
LEE S. OVERMAN,
F. E. WARREN,
Managers on the part of the Senate.
SWAGAR SHERLEY,
JOHN J. EAGAN,
J. G. CANNON,
Managers on the part of the House.

Mr. TOWNSEND. Mr. President, I am not going to make opposition to the adoption of the conference report at this time, because I realize how futile it would be. The Senate has recently passed upon the measure by an overwhelming majority, and, inasmuch as the conference report does not change the attitude of the Senate taken a few days ago, I shall simply be content, so far as I am concerned, with voting against the adoption of the conference report.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

SALARIES OF JUDGES—CONFERENCE REPORT.

Mr. SMITH of Georgia. I present a conference report on House bill 12001, but I shall not ask action on it now.

Mr. SMOOT. What is the bill on which the Senator from Georgia presents a conference report?

Mr. SMITH of Georgia. It is the bill in reference to judicial salaries.

The VICE PRESIDENT. Without objection, the report will lie on the table and be printed.

The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 7.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 5, 6, 9, 10, 11, 12, 13, 14, and 15, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following:

"SEC. 3. That the judges of the Supreme Court of the District of Columbia shall receive salaries the same as salaries provided by this act to be paid to judges of district courts of the United States, and such salaries shall be paid as now provided by law.

"The judges of the Court of Appeals of the District of Columbia shall receive salaries the same as the salaries provided by this act to be paid to judges of the circuit court of appeals of the United States, and such salaries shall be paid as now provided by law."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following:

"SEC. 5. That the judges of the United States Court of Customs Appeals shall receive salaries equal in amount to the salaries provided by this act to be paid judges of the Circuit Court of Appeals of the United States, payable monthly from the Treasury."

And the Senate agree to the same.

HOKE SMITH,
WILLIAM H. KING,
J. O. WOLCOTT,
FRANK B. BRANDEGEE,
LE BARON B. COLT,
Managers on the part of the Senate.
E. Y. WEBB,
C. C. CARLIN,
H. J. STEELE,
A. J. VOLSTEAD,
GEORGE S. GRAHAM,
Managers on the part of the House.

HOUSE BILL REFERRED.

H. R. 13026. An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines was read twice by its title and referred to the Committee on Appropriations.

VALIDATION OF WAR CONTRACTS.

The VICE PRESIDENT. The morning business is closed.

Mr. WADSWORTH. Mr. President——

Mr. CHAMBERLAIN. May I interrupt the Senator for a moment?

Mr. WADSWORTH. I yield.

Mr. CHAMBERLAIN. I simply ask that the unfinished business be laid before the Senate so that it may have its proper place.

Mr. WADSWORTH. Very well.

The VICE PRESIDENT. The question is on the motion of the Senator from Oregon that the Senate proceed to the consideration of the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

The motion was agreed to.

AMERICAN EXPEDITIONARY FORCES (S. DOC. NO. 361).

Mr. WADSWORTH. Mr. President, the remarks which I ask the privilege of making this morning will not be in the form of a narrative of a journey. Such an attempt on my part would be undesirable, and, indeed, impossible. They will be rather in the form of a statement of the occurrences of first-class importance happening in France and of conditions existing there during the war and immediately following the armistice. My attempt to describe these conditions and occurrences is based in part upon some very well-known facts, known to all Senators, and also upon inquiry from and conversations with a large number of officers and enlisted men as well as civilians in that country.

It should be remembered, Mr. President, that this topic is so vast, the occurrences upon the other side of the ocean were of such tremendous scope, that no man upon earth can know all there is to be known about the war, or, indeed, even the last six months of the war.

I am fully aware, sir, that whatever knowledge I may have acquired by conversation and personal observation of events and conditions may be described as that little knowledge the possession of which is so often "a dangerous thing." I am fully conscious that my conclusions are not infallible, but I nevertheless beg to present some of them to the Senate in the hope that they may contribute some little bit to a better understanding of what has occurred.

November 11, 1918, will go down in history as one of the most significant dates of all times. It marks the final and abject surrender of the greatest military power the world has ever known. Had any person prophesied in April or May, 1918, that such a result would be brought about before the conclusion of the calendar year he would have

been scoffed at as the wildest of dreamers. Indeed, such a prophecy would have received no support from any of the military authorities of the allied nations. And yet the great result loomed into view, as it were, in a moment of time, in the twinkling of an eye, and before the world could realize the blessing that was coming to it it had arrived. Investigators, experts, savants had been telling us for at least two years that if Germany were to be conquered it would be through an industrial collapse within the German Empire. Most Americans and most of our allies believed this to be true and had grave doubts of being able to overcome the German Army in the field. Indeed, during all those glorious weeks, commencing in the midsummer of 1918 and running into the autumn, the prevailing public opinion was that the German Army, although it was being driven back, would undoubtedly intrench itself along the Rhine and defy for many months to come the allied offensive; and, furthermore, that that army would keep the field and maintain its defense until the industrial structure behind it, and upon which it was depending, collapsed. Those of us who entertained such a belief were mistaken. The victory was primarily a military victory, achieved upon the field of battle. Although it is true that the German industrial organization was weakened and was constantly losing strength, it was able, until the very end, to maintain the army in the field with supplies and munitions proportionate to the strength of that army. It was the army itself that was beaten, and its high command admitted the situation when it accepted the terms of the armistice submitted to it by Marshal Foch and his colleagues. A cursory examination of the terms furnishes the proof of this assertion.

The year 1917 witnessed some exceedingly important events. First was the revolution in Russia, resulting in the deposing of the Czar, the establishment of the so-called Kerensky government, and the beginning of the poisoning of the Russian Army and the Russian people with the virus of Bolshevism, which finally brought about the utter collapse and withdrawal from the conflict of that great power. The month of March in that year, 1917, marked in effect the withdrawal of Russia as an aggressive factor in the war. The other event of surpassing importance was the entry of the United States into the war on April 6, 1917. Our entrance had no immediate effect on the battle fields; we were unprepared and compelled to start in, practically de novo, to build up a great military organization—an undertaking which consumed many months and many millions of money. Italy stood fast on the Piave. The British and French, scarcely realizing the extent of the Russian disintegration then in progress, started an offensive in the spring. The French achieved but mediocre results, at great cost, followed by much discouragement. The British in Flanders were more successful, particularly at Vimy Ridge and Messines Ridge, and continued their offensive practically throughout the rest of the season. Their gains, while a little more successful in the neighborhood of Ypres and Paschendaele Ridge, were not decisive and were made at a staggering cost in casualties. The year 1917 closed with very little to the credit side of the allies. The end of the war was still far away. By the middle of the winter 1917–18 the Russian collapse became complete. That great Empire was destroyed by internal dissensions, its armies disbanded, a disgraceful peace with Germany signed soon thereafter, and the forces of civilization definitely and finally lost the services of 6,000,000 soldiers. This Russian collapse changed completely the whole picture. The German armies upon the Russian front were moved during the winter of 1918 to the west, to confront the British and the French. The weight of man power as between the two forces was definitely shifted to the German side. Commencing in early spring of 1918 there ensued a race between the Germans, on the one hand, attempting to crush the British and French armies, and the Americans, on the other, hastening to the succor of their gallant and hard-pressed allies. Can we ever forget the dark days following the great German offensive against the Fifth British Army in Picardy on March 21, 1918? It was launched in the direction of Amiens and was intended to split apart the British Army on the north and the French Army on the south. It came within an ace of succeeding. The Germans were finally held 9 miles from the city of Amiens, and even at that distance the main-line railway connecting the British area with the French area was under the fire of the German long-range guns. Can we ever forget the German offensive against the British in Flanders that followed on April 8, which recaptured most of the ground gained by the British in the neighborhood of Ypres in 1917, including Kemmel Hill, and which was aimed to drive the British Army back upon the channel ports? It was at this moment that Marshal Haig, like a true Briton, spoke the truth and told his soldiers they were fighting "with their backs to the wall." The German attack was brought to a standstill in the nick of time. Can we ever forget the iron that entered into our souls on May 27, when the Germans smashed through the French line at the Chemin des Dames and reached the Marne at Chateau-Thierry on June 1, covering, Mr. President, nearly 30 miles in four days? Indeed, Mr. President, those three great offensives seemed to indicate that the German military machine was invincible. The British and the French had in each case managed to stop them, but only after a terrific struggle and with great losses.

No man can tell what might have occurred had our allies been left unsuccored. It may be that eventually they would have held their own. It is certain, however, that they would have been subjected to enormous strategic handicaps, that the war would have been prolonged indefinitely, and that the Germans would have made further inroads upon the garden soil of France. Could we get there in time to turn the tables? That was the one and only question in the hearts and minds of the allied peoples.

Let us consider for a moment how we got there and how long it took us to get there. We went into the war on April 6, 1917, as I have said, unprepared. We sent our First Division to France in June of that year, quite untrained and only partly equipped. It was followed by the Twenty-sixth Division, then by the Forty-second, and then by the Second Division. Through the autumn of 1917 and the winter of 1918 more divisions followed and an appropriate number of units to serve in the system of supply. During the winter of 1918 the First, Second, Twenty-sixth, and Forty-second Divisions, still in training areas and trenches in comparatively quiet sectors, attained a reasonable degree of efficiency, particularly the First Division, which landed first upon the shores of France. Other divisions, including the Thirty-second and the Third, following them, were in the training process and on the road toward efficiency. It takes a long time, Mr. President, to fit troops and the supply system back of them for participation in modern warfare.

I desire to place emphasis upon an important date in the year 1918, namely, May 28. Let it be remembered that prior to that date the German offensives of March 21 and April 8 had occurred; furthermore, that another, the third German offensive, had been launched with signal success on May 27, the day before. Let it be remembered—indeed, let it never be forgotten—that America on May 28 had been in the war, a belligerent, since April 6 of the year before, a period of 13 months and 3 weeks. Let it be remembered and understood that by that date, May 28, after 13 months and 3 weeks of American participation in the war, no American troops had taken part in any major engagement. Let it be understood that the great French and British public, comparatively uninformed as to the difficulties of arming a hitherto unarmed nation and transporting its armies thousands of miles, were commencing to despair of American assistance and wondering if Americans would ever get into the fight.

In painting this picture I am trying to portray the suspense, the doubt, and, indeed, the cost resulting from our unpreparedness. I attach no blame whatsoever to the leaders of the American Expeditionary Forces in France. They did their best, and they did it well, with the puny weapons placed at their disposal at the outset by this great Republic. On May 28 the First American Division launched an attack on a division front against the German lines at Cantigny, the first action of importance participated in by American troops. It was successful, eminently so. It came, as I have indicated before, the day following the launching of the third great German offensive. It was not important as a part of the strategy of the war, but it was of great importance in that it showed the hard-pressed British and French that American troops had at last arrived in the theater of active operations and that the American soldiers could fight as well as the best of them. And even the fame of this comparatively small operation was submerged somewhat by the tremendous events that were transpiring. A week later, however, another and more dramatic event cheered the souls of the British and French, when, on June 4, the American Second Division, including a brigade of marines acting as infantry, performed a vital service in repulsing the Germans at Chateau-Thierry in their drive toward Paris. The moral effect of these two actions, culminating in the dramatic repulse of the Germans at Chateau-Thierry, can not be overestimated. Its effect upon the British and French armies and peoples was enormous. America had arrived at last! Her men could fight, and did fight, with dash and punch. They were a revelation to the war-worn veterans who for four years had withstood the German onslaught. The services which these two divisions performed were proportionally much greater than their numerical strength and their actual fighting weight. Their arrival and their conduct upon the field of battle was a guaranty to our allies that the American troops that were even then pouring into France would eventually turn the scale.

Senators can well understand the feeling of a German soldier and the feeling, we will say, of a French or British soldier in a situation of this sort. The German soldier, as I shall indicate later on, never lost his morale during this war; he fought savagely until the end; but he all the time knew when he was fighting that the reinforcements which he could expect to reach him coming from the rear were dwindling day by day, and that the day would come when he could get no more help. The French soldier and the British soldier, on the other hand, fighting with equal bravery and with astounding tenacity, knew after June 4 that, no matter how long they fought, how much they suffered, reinforcements were coming to them from behind.

On July 15, east of Rheims, the Germans launched their last and one of their greatest offensives; and it was an offensive, Senators, that has never received the public notice to which it is entitled. Over a 25-mile front they attacked the French Army under Gen. Gouraud and against what was perhaps the most skillfully contrived defense of the whole war. I may say, in passing, that Gen Gouraud ascertained but a few days before that attack was launched the exact minute that the Germans were going to attack, and he made his dispositions in such a manner that they resulted in the annihilation, almost, of an entire German army. He was assisted in the defense by a part of the Forty-second American Division, which occupied a small portion of the 25-mile front. The Germans suffered a complete and fearfully bloody repulse. On the Marne on the same day they took and for a few hours held some ground against the French and the American Third Division. The Third Division promptly counterattacked and drove the Germans back to the river, capturing a large number of them, and definitely crushed the attack. On July 18, three days after the repulse of the last German advance, with an ever-increasing number of American divisions, aggregating, as I remember, nine combat divisions, Marshal Foch launched his French armies and his American divisions against the sides of the famous Marne salient. The salient was crushed in, and from that time until November 11 not a day went by without witnessing a retreat by the German armies upon some portion of the far-flung line.

As the midsummer and autumn seasons progressed, hundreds of thousands of German soldiers were killed, wounded, captured, or exhausted. The organization of that army remained intact and its morale showed only slight signs of impairment; but its numbers were dwindling, likewise its capacity to endure. Driven, finally, to the point where its lateral lines of communication were cut, at Sedan on November 6 and Meziers about the same date, its north and south wings separated, in a military sense, with its back against the forest of the Ardennes, through which it would have been impossible to escape the onslaughts of the allies, realizing that more and even heavier blows were to be rained upon it, and which, had they been delivered, would have brought about a great military debacle, the German military machine laid down its arms. It preferred to quit rather than sustain the overwhelming defeat. The German can be likened to the prize fighter who, seeing the knockout blow coming from his more powerful and more skillful opponent—and I use the term "skillful" advisedly—lies down and takes the count. When this happened on November 11 of all the great German Army there were but two divisions in reserve rested up and fit to go into the line afresh. Marshal Foch possessed a large and ever-increasing reserve—American, French, and British, principally American. And I venture the opinion that had the war lasted two weeks longer we would have witnessed the launching of a terrific and overwhelming attack against another point in the German line which would have rolled up and captured great masses of their troops. Mr. President, I am as confident of that statement as I am that I am standing on this floor. The Germans undoubtedly knew this. They may or may not have known, too, that the British air squadrons were prepared to bomb Berlin within a week following November 11. Indeed, the Hun was beaten on the field of battle.

Let us now consider the part which the American Expeditionary Forces played in this great drama.

First of all there is the enlisted man, popularly known as the doughboy. One sees him everywhere in France. It was my privilege to see him, too, for only a few hours, it is true, in the occupied region of Germany. You will find him on nearly every road and lane, trudging along with his unit, driving a motor truck, running a motorcycle, and, when off duty, strolling about. You will find him living in the cellars of wrecked houses in that ghastly, devastated region, in captured German dugouts, in shacks and huts contrived for his shelter, and in comfortable billets in the billeting areas. He is unloading freight on the docks, handling electric cranes, switching railway cars, running locomotives, setting signals, tossing red-hot rivets in machine shops, running laundries, telephones, telegraphs, regulating traffic in crowded cities, digging, building bridges, railroads, and highways, guarding German prisoners—a rather satisfactory sight—gathering and piling up abandoned German shells and hand grenades—a rather ticklish job—and engaging in a thousand and one other occupations. I can not think of anything that the doughboy does not do. I am inclined to believe that there is one occupation he delights in above all others when he is off duty, and that is playing with little children. One can readily imagine how he has crept into the hearts of the civilian population of France through his gentle affection for the children of France—those little children who have suffered so much during this war.

Our soldier, Mr. President, is a home boy. He is very far from his own home. He is hungry for the atmosphere of home, and, that being so, he gets much happiness and consolation from chatting with the children in the French homes. To his officers he is a never-ending source of wonder. He astonished them by the avidity with which he sought to learn the business of war, by the ardor with which he went at his training, sometimes under wretchedly unfavorable circumstances. In chilly rain, drizzle, and mud—and outdoor France in wintertime is all mud—his desire to learn never slackened. Apparently his officers could not give him too much to do. He had come to France to lick the Germans. He suspected there were some people who doubted his ability to do so. He was determined to show them that he could—and he did. His officers were confident from the beginning of his courage, his intelligence, and his initiative. But he surprised them with the dashing quality of his courage, with his terrific punch. Well trained, half trained, or trained not at all, he showed that same supreme courage; and he surprised his officers most of all by his patience, a quality that is sorely tried under the miserable conditions that must attend war, but which our men managed to maintain through it all; and as a nation, Senators, Americans have not had a reputation for being patient. The American soldiers showed that quality to a superlative degree, and, most of all, sir, in the hospitals where the wounded lay—patience and cheerfulness; not a murmur, not a complaint; no sign of discouragement; nothing but cheerfulness. The regard in which he is held by his own leaders is reflected in the observations which on many occasions I heard falling from the lips of officers: "Don't give us the credit; don't compliment us. It is the enlisted man that did this job. He is the man, and he is a great man."

But the soldier, Mr. President, no matter how brave he is, no matter how strong he is, can not fight unless he is fed, armed, and transported. A great organization must be built up behind the soldier in the front line. And if that organization is not efficient, if it can not cause the soldiers, the rations, the equipment, and the ammunition to arrive at the right place at the required time the soldiers themselves are hopelessly handicapped. Not only are they handicapped but their very lives are in danger—the cause itself may be lost. In speaking of the organization back of the lines, I mean what is generally known as the staff. Good staff work brings victory and saves lives; bad staff work means defeat and death.

Mr. President, we have never had here in the United States a well organized and efficient Army staff. It has never existed here, save with the possible exception of the closing year of the Civil War under Gen. Grant, in the War Department nor elsewhere in the country. The public and the Congress have taken little interest in this subject. Many people have been inclined to the belief that staff work was a "soft job," sought after by officers who preferred to avoid the hardships of the front line. It is extremely unfortunate that this indifference and misunderstanding has existed. Indeed, in the days of peace, before we went into the war, a considerable body of Regular Army officers fought against the establishment of a genuine General Staff system for our Army. We went into the war without a staff system worthy of the name in its modern meaning. Bureaus and divisions were working at cross-purposes—there was no centralized control, no body of officers instructed and trained to put into force the policy of the Commander in Chief. Those of us who followed the inquiries of the Senate Committee on Military Affairs last winter remember well the chaotic condition which at times existed in the War Department, due not so much to the fault of individuals as to an utter lack of system, such a lack of system as we witnessed here in 1917, and which, if duplicated in France, would have made it utterly impossible for the American Expeditionary Force to have accomplished one-tenth of its task. Gen. Pershing realized from the beginning, as he indicates in his report to the Secretary of War under date of November 20, 1918, that he must build up a genuine staff in France. He and

his officers learned from the experience of the British and French in this regard. At the beginning of the great European war the British had but an indifferent staff organization. They learned from bitter experience the necessity of modernizing it. At the beginning of the war the French found themselves in possession of an excellently trained and highly competent general staff, and the possession of it saved the French Armies, and, upon one or two occasions, helped mightily to save the armies of her allies.

Let me cite an instance that will illustrate what I mean. It will be remembered that in the autumn of 1916 the Germans and Austrians struck a fearful blow at the Italians on the Isonzo River; that the Italians, taken by surprise, were outflanked, driven back, and lost very heavily in men and guns. It became apparent immediately that men and guns must be sent to Italy. Thereupon this incident took place—I have it from an officer well acquainted with the French staff work:

On a certain midnight—I do not know the date—immediately following the decision of the French high command to send an army to Italy a French general officer received a telephone order to the effect that he was to command the army to be formed and sent to Italy. That general officer spent the rest of the night and early morning hours in telephoning and summoning to his assistance the officers who were to compose his staff. By noon of the same day the first French division entrained for Italy. And then followed rapidly the entraining of division after division through the succeeding days. And when I say "division," I mean a complete division, equipped and supplied for fighting—infantry, artillery, machine gunners, motor transport, animal-drawn transport, including the horses and mules, rations, ambulances, medical supplies, field hospitals; in fact, everything needed for the business at hand. I am told, and I believe it to be true, that the van of this French army detrained back of the Italian lines and marched up to the rear of the Italian positions on the evening of the second day after their departure from France; furthermore, that the movement was completed in two weeks, and included the sending of half a dozen British divisions in addition to nine French divisions that were sent; that it took 30,000 railway cars to move those armies; and that the whole movement was conducted with the utmost smoothness and dispatch upon an instant's notice. The French staff system responded to the sudden emergency without the slipping of a cog. Indeed, it is highly probable that their staff officers months before had laid out the plans for just such a movement should it be required. It may be that that very efficiency in the French general staff saved Italy and saved the allied cause. The incident illustrates what I mean by staff work.

And so Gen. Pershing and his lieutenants started in June, 1917, to build up a staff system competent to assure the proper handling and management of the Expeditionary Force. The system was modeled largely upon the French system, with some valuable contributions from the British. It had to be planned and laid out on a scale sufficiently large to meet the needs of the American Army no matter how large that Army might become during the progress of the war. That is where we Americans had a tremendous advantage. We could lay out our installations and plan them upon a tremendous scale, because we could profit by the experience of the British, who had to build their installations piecemeal and had to scatter them in several small units. They were overtaken by an emergency about once a month, or once in two months, and had to meet it instantly, without much planning ahead. We had the advantage in that respect, for while the British and the French soldiers were holding off the Germans and our Army here in the United States was being trained our staff officers in France could lay out these enormous installations on a tremendous scale, allowing for indefinite expansion. Docks, storage depots, railway yards, intermediate depots and rail heads, hospitals, convalescent hospitals, replacement camps, repair shops for ordnance and motor trucks and every other mechanical device used by an army, freight-car assembling plants, locomotive-erecting shops, and railway repair shops. Rivers and harbors had to be dredged, additional double tracking of railroads had to be provided. In short, a great supply system had to be thought out sufficient to meet the needs of 2,000,000, 3,0000,000, 4,000,000 men—men, mind you, who were to be employed in a vocation in which conservation of material is seldom practiced—employed, rather, at a business which involves ruthless consumption and destruction of material. The task required vision, conviction, and daring. To accomplish it required many, many months of unremitting effort, ofttimes with discouragement and disappointment attending those efforts. The supplies shipped from America being insufficient, in spite of their ever-increasing volume, the American Expeditionary Forces were compelled to purchase, according to a plan agreed upon with the French and British purchasing authorities, actually more tons of material than were shipped from the United States up to the time of the signing of the armistice.

This gives some idea of the size of this undertaking. We are proud, of course, of the amount of cargo that we shipped from America. We purchased more than that amount in France and in neighboring neutral countries. Much of this work had to be well under way before a single American fighting man could be put in the front line. As it grew, as it approached completion, as it acquired efficiency, more and more combat troops were sent to the front, and as the number of troops increased and the system of supply, known in the Army as the S. O. S., expanded, the staff to handle the whole gigantic effort was slowly and painfully gathered together and trained. We had never planned for such an undertaking. None of our officers had ever handled large bodies of troops, and the centralized control had to be created, inspired, and educated.

The Army was short of several items of material and equipment. Some of the shortages were unavoidable; some, I believe, can be traced to the makeshift system, or lack of system, here at home. It is a matter of common knowledge—and the fact has been stated by Gen. Pershing—that the American Expeditionary Force had to rely almost entirely upon the French for its field artillery and, up to the last few moments of the war, for the shells to feed the guns. The same is true of aeroplanes. I need not go into a detailed discussion of that subject. It has been thrashed out here upon many occasions in the past. As an instance of our shortage in planes, however, I may state the fact that on the occasion of the American attack against the St. Mihiel salient, on September 12, of the 14 pursuit squadrons operating with our forces only 3 were all American; the rest were French. We borrowed hundreds of motor trucks from the French and British because we did not have enough of our own. On several occasions American combat divisions were transported from one point in the line to another in French motor-truck trains. No American-built tanks reached the battle front. The French supplied us with what tanks they could spare. Most of them were manned by our own personnel. With the exception of the machine guns in two or three divisions at the very end of the war, all the machine guns, light and heavy, were obtained from the French. I may say in passing that two or three divisions did secure an issue of the famous light Browning gun and that it gave excellent satisfaction. That was in the last 10 days or two weeks of the war.

One can not exaggerate the embarrassments and difficulties to which these shortages gave rise. Nor do I believe that it can be contended that the supplying of all this equipment did not strain the resources of our allies. And yet they supplied these things with a cheerfulness and alacrity which should and does elicit our highest praise and deepest gratitude. They knew, of course, that this equipment would be used in the common cause. They put aside all selfish considerations and gave us all they could spare, and perhaps a little more.

One shortage was, from time to time, very serious, and that was the shortage in forage and horses, particularly for the Artillery. Through some miscalculation, derangement, or change in plans the supply of forage for animals actually approached the vanishing point during last winter. Artillery horses had to be put on short rations. Short rations are not conducive to the staying powers or the long life of a horse. To meet the shortage in animals, which was so severe upon occasion that many batteries of Artillery were rendered almost incapable of moving, thousands of horses were purchased in France and 13,000 were supplied to us by the British during the last weeks of the contest in preparation for the Argonne offensive. It is quite possible, I realize, that this shortage in horses and forage was unavoidable. I do not know its cause. It may be that the scarcity of trans-Atlantic tonnage accounts for it. I venture this criticism, that the American Army, generally speaking, does not know how to take care of horses. The officers in charge of artillery and transport units did not receive sufficient instruction to enable them in turn to teach their men how to care for a horse. We teach our people at West Point and at our mounted service schools how to ride, but we do not teach them enough about the feeding, the grooming, the shoeing, and what might be called the coddling of a horse. The Artillery and transport horse in war time is put under a terrific strain; the irregular hours of work and feeding tend to upset him. He must be nursed and petted and coddled constantly or he will start to go downhill in condition. Once started downhill he fades rapidly, and it is exceedingly difficult to save him.

One has only to see the British horses in France to understand what can be accomplished. In traveling about one encounters upon the road from time to time long columns of British transport. The horses are fat, sleek, and with shining coats; they are well fed and well groomed. Proper grooming is a great restorative to a hard-worked horse. The leather of the British harness and saddles is well oiled and cleaned. It fits the horse. The vehicles themselves are in first-class condition, well painted, and with shining brass hub caps. The British transport never fails to get there with rations, ammunition, and shells. I gathered that our officers in France are properly envious of the British in this respect. I hope the lesson will never be forgotten and that the American Army horse of the future will be properly cared for.

But in spite of the shortages, Mr. President, to which I referred a few moments ago, the American Expeditionary Forces managed to go ahead with ever-increasing strength. A general staff system was slowly built up and reached a stage of development at which it was functioning with power and ever-increasing efficiency. Had the war continued another six months America would have displayed her real power. The S. O. S. would have reached approximate completion. The fact is that on November 11 we had just commenced to fight. I suspect the Germans knew this. We can be sure that they knew of the valor of our fighting men. They had good reason to know of it. It is quite probable that they knew something of the great docks at Bordeaux newly built, a mile long; of the storage depot near that port a mile wide and three miles long; of the freight-car assembling plant near La Rochelle, where a hundred freight cars were being turned out every day; of the locomotive erecting shops in the same neighborhood which turned out six locomotives every day; of the great pier at Montoir, up the river Loire from St. Nazaire—a pier 5,000 feet long, with berths for 12 ships, almost completed. The storage depot at Montoir as large as that at Bordeaux, completed and in full operation; the great intermediate depot at Gievres, 7 miles by 2 miles in extent, and the forestry companies which cut and sawed nearly 60,000,000 feet of lumber in the French forests. All these and a dozen more gigantic undertakings, just approaching completion, just reaching their full stride, were probably sensed by the Germans. One can easily understand their state of mind when they realized they were confronted with such a power.

Mr. President, I am glad that Gen. Pershing and his people had a free hand in France. I am glad that they were many, many miles away from Washington and comparatively free from its prejudices, jealousies, and out-of-date military traditions. They had their troubles; they made mistakes; their machinery was new and untried; they encountered handicaps of various kinds; but they were eager to profit by the experience of our allies, and they builded upon a broad foundation. But for the inevitable loss of life which would have ensued, I could wish that the staff and supply systems and our combat divisions, which upon November 11 were just commencing to reach their stride, had been permitted to operate against the Germans for another six months. And, Mr. President, I do not believe the Congress can legislate to the best advantage for the establishment of a permanent military policy for the United States, including the vital question of a general staff, until Gen. Pershing's people come home and tell us something of their experience. A general staff can not be created overnight. It takes months, yes, years, to create such an organization and to permeate the whole Army with its spirit and its purpose. I hope that every Member of the Senate and every Member of the House of Representatives will read Gen. Pershing's report, and when those men come home I hope that every Member will seek information from them, will learn of their successes and their failures, and that Congress and the public, and, indeed, the Army itself, having learned the lesson, will never forget it.

Mr. President, the development of the American Expeditionary Forces reached such a stage in the middle of the summer after the action at Chateau-Thierry, after the actions in the Marne salient and on the Vesle River, as to warrant Gen. Pershing in organizing the first American Field Army. He did that through the month of August, summoning to the sector in the neighborhood of St. Mihiel, the sector commonly known as the sector north of Toul, divisions which had been operating with French divisions or which up to that time had been in quiet trench training or in areas of training in the rear.

Most of the month of August was consumed in the organization of the first American Army. It attacked the St. Mihiel salient on September 12. The success of that attack is familiar to every Senator. Suffice it to say that it was completely successful. All the combat troops on the front line attack were American, with the exception of a few French troops at the point of the salient near the town of St. Mihiel itself. The French contributed for that attack a considerable body of artillery with its personnel to supplement our artillery. We never had enough artillery all our own, but the French always managed to give us what we lacked, guns to be manned either by our men or by their own men.

The aerial mobilization accompanying the St. Mihiel salient was the largest in the history of the war. Something like 1,400 airplanes were mobilized for that offensive under the command, as I understand it, of an American aviation officer. A comparatively small proportion of those planes were American, of course. The British loaned several squadrons and the French many squadrons, as I have indicated, in the case of the pursuit squadrons.

The losses in that attack were, on the American side, comparatively small, something like 2,000 men. The plans worked perfectly; everything moved on time—indeed, a little ahead of time—and resulted in the capture of the entire salient in about one day and a half, or two days, and the capture of something like 15,000 German troops as well as a large amount of material.

Mr. FLETCHER. The Senator means that the total loss on the American side was about 2,000 men? He does not mean that with reference to the air squadron?

Mr. WADSWORTH. Oh, no.

Mr. FLETCHER. But the total loss?

Mr. WADSWORTH. The total casualties on the American side. I have no idea what the casualties in the air squadrons were.

I need not enlarge upon any description of that engagement. It was not as bitterly or as savagely fought by the Germans as the succeeding engagements or some of the preceding engagements. In fact, it seems to be generally understood that they were about to retire from that salient and were taken by surprise by the suddenness and power of our attack.

When that particular task was finished the Army took over, with increased numbers and with the organization of a second American field army, a front extending from the Meuse River, near the city of Verdun, westward to and through the forest of Argonne. On September 26 the great offensive up through the Argonne forest commenced. The first attack launched against the carefully prepared German position was eminently successful. The American troops forced their way through it, with the help of a tremendous artillery barrage in which the French artillery assisted the American artillery, but after crossing and overcoming the first prepared German line the American Army found itself face to face with the most difficult country in France. I had never supposed that such a wilderness existed in France. It is a series of jumbled hills of varying degrees of steepness and height, covered in large part by tangled undergrowth, which gives perfect opportunity for a defending force to secrete itself.

The German positions were not elaborately prepared systems of trenches as they were in the first line that was overrun. They were rather a series of defensive positions filled with machine-gun nests hidden under the bushes and tangled underbrush on the hills and on the hillsides and in little cuplike valleys. Artillery observation and aerial observation was exceedingly difficult, and the only way in which the American Army could force its way through that country was by constant pressure day and night, by a succession of small attacks and big attacks, endeavoring to filter in amongst the machine guns and surround them and overpower them.

It was an exceedingly difficult task, and made more so because there were only two roads leading into that region of a character to permit the transportation of any large amount of supplies. It was difficult upon occasion to reach the men in the front line with supplies. Owing to that lack of roads and the character of the country, it took five weeks to overcome some of those series of machine-gun nests and it cost many casualties—inevitably so.

But, Mr. President, it must never be forgotten that the Argonne offensive was part of a general scheme which was at the same time taking effect from Belgium to Lorraine, that the attack of the American Army up through the Argonne and up the country on the west side of the Meuse River was timed to have its best effect, taken together with the British attack in Picardy, which was going on at the same time, and the French pressure on the west of the Argonne forest on the American left flank.

Attacks were pushed by the British, mind you, from August 8, at which date Marshal Haig started his great offensive against the Germans. The British continued their attacks until November 11 without a day's cessation, and their casualties averaged 30,000 per week.

I venture the opinion that these attacks were pressed by the British, the French, and the Americans through the months of September and October as the result of a conviction which came

to the high command that Germany could be whipped within the year, a result which was not suspected in July; and when it did appear possible, and indeed highly probable, that the German Army could be driven back before the winter set in and its lines of communication cut, then indeed the savage attacks were kept up day after day without any cessation whatever. They were costly in casualties, Mr. President, but they ended the war and thereby saved, no man can tell, how many thousands of lives that would otherwise have been poured out this winter and next spring and summer.

Before discussing any other American activities it ought to be stated that the Argonne offensive, conducted by the Americans and assisted on their left by the French, although it is fair to say the Americans had by far the more difficult country to traverse, reached its culmination on November 6 when, with one last dash, the railway line which joined the German armies on the south in the neighborhood of Metz and the German armies on the north in Belgium and Flanders was cut at Sedan and at Mezières. When that line was cut the doom of the German Army was at hand.

American troops were active upon other sectors, and I beg leave to describe one of those operations, for, to be frank, I made a special examination of it.

In May and June of 1918 we sent 10 divisions of American troops to France to be trained back of the British lines in northern France and to be used if need be in reinforcing the British Army. But in August, when Gen. Pershing commenced to organize the first American field army for the St. Mihiel offensive, 8 of those 10 divisions were taken away from the British areas and sent down to the St. Mihiel area to form a part of the first American Army. The two American divisions that were left with the British served with the British during their entire service in France. They were the Twenty-seventh and Thirtieth Divisions, the first made up of the New York National Guard Division and the second the National Guard Division from Tennessee and North Carolina and South Carolina.

These men used the British rifle. They stored their own rifles and took the British rifle in order to simplify the problem of small-arms ammunition supply. It may be of interest to know that these men say that the British service rifle was entirely satisfactory. They lived entirely on British rations. Their wounded and sick were taken care of in British ambulances, British field hospitals, and British base hospitals, and their wounded were evacuated to England. In fact, those two divisions, in a sense, were an integral part of the British Army. They did not even have their own supply trains with them. Their artillery, too, had been sent to the St. Mihiel sector to operate with the American First Army and later with the American Second Army in Argonne.

Those two divisions consisted only of infantry, the machine gunners, the engineers, and the Signal Corps battalions, all, practically, foot soldiers. Everything was supplied by the British. They served for many weeks in Belgium in the trenches. It was they, Mr. President, who reoccupied Kemmel Hill. But in the middle of September they were moved down farther to the south. On September 29 they were thrown against the Hindenburg line.

I have attempted to describe something of the Argonne country; perhaps Senators will bear with me if I attempt to describe, inadequately, I fear, something of the nature of the defense which these two divisions found confronting them and which they attacked and captured. The Canal du Nord, which, if I remember correctly, connects the Oise River and the Scheldt, running approximately north and south, passes through the towns of St. Quentin and Cambrai. St Quentin and Cambrai, Senators will remember, were towns situated upon or close to the famous Hindenburg line. Midway between those two towns the canal itself runs under a hill through a tunnel, which is approximately 3 miles long. The Hindenburg line in that sector was based upon that canal along most of the distance between St. Quentin and Cambrai. Its strongest point was the point where the canal pierced this hill and ran through this long tunnel. The Germans had established two immensely strong lines out in front of the hill pierced by the tunnel, and an immensely strong defensive position along the top of the hill pierced by the canal. From the tunnel itself they had cut long passageways, built in the form of stairways, at least 5 feet wide, at frequent intervals, which enabled their troops, taking refuge in this 3-mile tunnel, on a moment's notice, to climb the stairways and get into the trenches on top of the hill and in front of the hill. It was a vast maze of passageways. The tunnel was lighted with electricity, and the German troops had their kitchens there. Canal barges had been backed into the tunnel by the Germans, the German troops living in bunks built into the barges. Each end of the tunnel was blocked by an enormously thick concrete wall, with slits in it for machine guns.

On September 29 the Twenty-seventh and Thirtieth Divisions of American troops were launched against that position. It required three days for them to overcome it. Their losses were very severe. Frankly, Senators, I do not see how men could have gone through such a position and come out alive. The achievement was astounding. I think it would seem so to any civilian after seeing that maze of trenches and underground passages, acres and acres of barbed wire, and the canal itself. The men were subjected to a fearful enfilading fire from their left flank as they pushed their way into this position. A British division assisted upon the right flank—a famous division, the Forty-sixth Highlanders. They crossed the open canal south of the tunnel. The American objectives were 3 kilometers away from their starting point, but they reached them on the first day.

Then ensued a terrific hand-to-hand contest to hold what they had taken. An Australian division was thrown in to help them, and the Australians and the Americans fought side by side there for two days. One battalion—the One hundred and seventh Infantry, which Senators may be interested in knowing is largely the old Seventh New York—was for two and a half days separated, far out in advance, having reached the objective assigned to them, and was reached by airplanes, which dropped cartridges and chocolate to the men. At the end of two and a half days support reached those men, and the action was complete.

Gen. Haig and Gen. Rawlinson, the British field army commander, showered compliments on those two divisions. They had achieved what I honestly believe to be one of the greatest achievements of this war. It shattered the strongest German defensive position in France, and resulted in the crumbling of that whole portion of the German line.

Whether it be in the Argonne or whether it be in Picardy, where this attack took place, or in Belgium, where we loaned two divisions—the Thirty-seventh and the Ninety-first—to assist the British and the Belgians on the River Scheldt, our men have done their duty, done it splendidly.

This brings me to a brief discussion of the replacement system. Senators will realize that replacements must be brought to the front, and the division units which have suffered casualties and wastage must be kept filled or they will lose their power. This was carried out upon a large scale by the American Expeditionary Force. The replacements did reach the divisions, but in a way that I think is susceptible of comment. When the American soldier was wounded and was sent back from the front line to a hospital in the American area he was treated and given good treatment. When he recovered he was sent to a replacement camp, and when fit for duty it was expected, of course, that he would resume a position in the fighting line. When, however, the man having thus been wounded was sent back to the hospital and eventually found himself in a replacement camp, and then was sent back to the front line, he was not sent back to his original company nor to his original regiment, nor, indeed, to his original division, but in many cases—in fact, in the majority of cases—he was sent to a strange division, a strange regiment, or a strange company. Mr. President, this caused many heartburnings. Nothing can be a more severe blow to a soldier than to separate him from the company with which he has fought, with which he has trained, and with the members of which he is thoroughly acquainted. I hope that when we further systematize and perfect our military system we shall work out a replacement system which shall be automatic as nearly as may be, but which shall, so far as possible, insure that when a man has dropped out of the line to have his injuries treated he shall go back to that same company and serve with the same men with whom he was serving when he was wounded.

Mr. WEEKS. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Massachusetts.

Mr. WEEKS. The statement which the Senator from New York has just made is one of great importance, in my opinion, in the organization of an army. I have been somewhat familiar with it, and I have wondered why the present policy has been adopted and followed. I should like to ask the Senator if he knows the theory on which it was done? I suppose there must have been some reason for it.

Mr. WADSWORTH. Mr. President, I can only give the opinion of an amateur. I think we got off on the wrong foot in this replacement effort. It started in this country. I remind the Senator from Massachusetts that, as our divisions were formed in cantonments in this country during the autumn of 1917 and the winter of 1917-18, men were taken out of divisions when they were on the point of reaching a stage where

they had esprit and morale, sent off on special duty, and definitely separated from their divisions. The result was that when most of our divisions were ready to sail for France they were far below war strength and were hastily filled up with new men and strange men on the eve of sailing.

Mr. NELSON. Mr. President, will the Senator allow me to interrupt him?

Mr. WADSWORTH. I am about to complete just one phase of the explanation.

Mr. NELSON. Very well.

Mr. WADSWORTH. The Seventy-seventh Division, before it left Camp Upton for France, received 9,000 new, strange men two weeks before its departure. They came from Camp Devens. The replacement system should have had its basis in this country; the combat divisions that were sent across should have been reinforced by a constant stream of trained replacements from this country; and, so far as possible, a soldier drafted from the State of New York should have been sent to a New York division, and, so far as possible, a soldier drafted from Minnesota should have been sent to a division recruited and organized from Minnesota and adjoining States; for there is nothing more valuable in warfare than that esprit and morale which attends the perpetuation of a military unit and its recruitment from a certain locality, if that can be accomplished.

Mr. NELSON. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Minnesota.

Mr. NELSON. I entirely agree with the Senator, and I rose simply to state what occurred in one of our very best Minnesota regiments, the First Regiment of the Minnesota National Guard. They had been training for a long time, but the regiment was all broken up by taking out what were called "replacement troops" and sending them to France. In this way the regiment was entirely demoralized and broken up, and the men who were left here and those who were sent abroad to make replacements were demoralized and discouraged.

Mr. WADSWORTH. There is no question, Mr. President, as to the effect of that kind of thing upon the morale of the enlisted man. I have known of men sent back to the front line to join and serve in strange divisions, in strange companies, who deserted those companies and tramped the roads of France to get back to their old company and fight with it. Sometimes I believe that the higher ranking officers of our Military Establishment are inclined to handle soldiers as automatons, and do not understand some of the human equations which enter into a soldier's life. The heartache that that kind of thing causes can not be described adequately.

To our Regular Army prior to this war no such problem presented itself. Our Regular regiments are recruited from all over the country; they have no local attachment; they have no local pride back of them. As they enlist and are assigned to companies, they do not know their neighbors in the ranks, never have heard of them before, and when they leave that company they never hear of them again, and they do not care much. A Regular regiment in our Army does not know what that kind of spirit and morale means. They are merely numbered serially. I have always believed that one of the handicaps that the Regular Army has had to contend with was the fact that no portion of America has the slightest interest in any unit of of the Regular Army. The name "Thirteenth Infantry" or "Fifteenth Cavalry" or "Sixteenth Field Artillery" does not mean anything. It is just a serial number given to a group of men who have been gathered and thrown together and welded into a regiment without any distinguishing character.

Note how the British do it, Mr. President. So far as they could they operated their replacement system so that a soldier who volunteered from the county of Suffolk, in England, joined a Suffolk battalion in France, where he would have some friends. Battalion after battalion was organized in the British Army, as it grew from a small regular establishment up to a great force of 4,000,000 men, upon that basis and upon that theory. The Worcesters, the Norfolks, the Northamptons, the Sussex, the Irish, the Welsh, the Scotch all were recruited, so far as possible, from certain counties or regions, and replaced, so far as possible, from those same regions. The result is that the Suffolks had great pride in their own organization, and tried to outdo and outrival the Sussex battalions. The Scotch, all serving together, rival the Welsh, and the Connaught Rangers, from Ireland, had the same kind of friendly rivalry and spirit and morale. Such a system, Mr. President, makes better soldiers. To have that kind of feeling in a military unit is a great military asset.

Mr. NEW. Mr. President——

The PRESIDING OFFICER (Mr. FLETCHER in the chair). Does the Senator from New York yield to the Senator from Indiana?

Mr. WADSWORTH. I yield to the Senator from Indiana.

Mr. NEW. Mr. President, I should like to remind the Senator from New York that at the time the creation of our Army was under consideration this very point was dwelt upon at length in the Committee on Military Affairs. It was very strongly urged there that the system of replacement suggested by the Senator be followed out, that troops be brigaded together and put in divisions with reference to localities and all that; but the advice was evidently disregarded by the high military authorities.

Mr. WADSWORTH. It is fair to say, Mr. President, that upon making inquiry upon that point from many officers, some of whom deplored the failure to carry out the plan to which the Senator has just referred, and some of whom defended the plan that was being followed, it was asserted that our whole preparation for this war, occurring as it did after we got into the war, had to be so hasty and the Army had to be thrown together and trained so quickly that there was no time to work out a scientific replacement system, and that men had to be treated as automatons; a soldier was merely a soldier and must be sent anywhere and put into any company, no matter whether he knew anybody in that company or not, or taken out of one company and sent 300 miles away and put in some other company. That applied to officers as well as to enlisted men.

Mr. HENDERSON. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Nevada.

Mr. HENDERSON. I see how the plan just suggested by the Senator from Indiana [Mr. NEW] could be carried out; but after your units are formed and get into action and a soldier is wounded, does the Senator mean that you should hold that position for him until he has recovered and then return him to that place?

Mr. WADSWORTH. Not at all; not at all. Experience will show that no military unit can ever be kept up to full war strength while it is fighting, while it is in the field. There is always room, and always will be room, for more men in it, up to the authorized maximum strength. At the time of the signing of the armistice you could not find a company or a division or a regiment of ours in France that did not have room for more men. My contention is that if we ever have to repeat this great effort we should try to have that replacement system operate so that those places could be filled by the men who served in that company up to the time that they were wounded, or filled by men who come from the same locality at home.

Mr. HENDERSON. If they are there.

Mr. WADSWORTH. If they are available. I would not lose a battle waiting for them.

Mr. HENDERSON. I can see where it would be impossible to put anyone in place who might be acquainted with those in that company, so that in some cases it would be an absolute impossibility to carry out that plan.

Mr. WADSWORTH. You can not regulate that by rule of thumb. You can not wage war by rule of thumb. Some people have tried it, and it always results in defeat. But the thing with which I do disagree is the contention made by a great many Regular Army officers that locality pride in a military unit is of no value; and I have argued it with them hour after hour. They insist that a regiment that is recruited without any regard to the prior acquaintance of the enlisted men, without any regard to the localities from which they come, without any pride of locality in addition to their pride as Americans, is just as good as a regiment made up of men who know each other, and who fight side by side, each knowing that the other will take care of him if he is hurt, and write back to his mother.

Mr. HENDERSON. On the same principle as college pride and State pride—along that line?

Mr. WADSWORTH. Absolutely. That is where I differ with some of the people in the War Department and people in the American Expeditionary Forces. They deny that there is any advantage in that. I claim that all human experience proves that there is advantage in it, and that every other army tries its best to carry out that same system. I think it should be applied to our Army if it ever should repeat the undertaking of 1918.

Mr. McKELLAR. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Tennessee.

Mr. McKELLAR. I take it that the Senator does not agree that the order of Gen. Ansell, virtually mustering out the National Guard or doing away with the National Guard is a proper order. Is that correct?

Mr. WADSWORTH. To tell the truth, I have not seen the order. I know nothing about it.

Mr. McKELLAR. The order simply provides that the National Guards shall not go back as organizations to the States from which they come, but that they shall be mustered out absolutely, and if there is to be a National Guard the various States will have to organize National Guards in the future.

Mr. WADSWORTH. I see. My remarks did not have reference alone to National Guard units in France. They apply just as much to the so-called draft divisions as they do to the National Guard divisions. There is no difference in principle involved.

Mr. McKELLAR. I want to say that I agree with the Senator entirely. The Senator recalls that we had identical views on that subject when the matter was before the Military Affairs Committee. We both contended for that at the time, as I recall; and I agree with the Senator absolutely on the proposition.

Mr. WADSWORTH. Senators may remember that I have always been an earnest advocate of universal military training. I believe that we shall have to have it before we ever get a genuine military policy in the United States, so as to be provided with an army that can respond to any emergency—that together with a General Staff. If we are to have a system of universal military training, I hope it will be so arranged that the men selected for that training at a certain age shall be trained in areas marked out geographically, and that when they have finished their training they shall be organized into regiments and divisions whose headquarters for administrative purposes shall be each in a given locality, and that those regiments shall be known as belonging to or coming from those localities, such as a State, or a group of small States if the State by itself is not large enough to supply a complete unit; that they shall be completely federalized; that they shall be under the orders of the Federal Government; but that, in addition to their pride as Americans, in addition to their spirit and their patriotism as Americans, they shall have the added benefit of locality support and locality pride; and in that connection I call the attention of the Senate to a statement made a few days ago by Maj. Gen. O'Ryan, of the Twenty-seventh Division, the New York Guard division. In explanation of the statement let me say that that division to which I have already referred, and also the Thirtieth Division, received scarcely any replacements during those terrific battles. They went into those fights as the New York Division and as the Tennessee-Carolina Division, respectively. They came out of those fights remnants, it is true, of the New York Division and of the Tennessee-Carolina Division. Gen. O'Ryan states that, in his judgment, had not his units possessed that locality pride in addition to their American pride and patriotism, that sympathetic touch of elbow, that teamwork that comes from long acquaintance between men in the ranks who come from the same town or the same street in a great city, they could not have performed the task assigned to them. He counts it, as I think a very large number of military men count it, a vast military asset; and it is a fact which can not be contradicted that the violation of that principle, and the consequent treatment of soldiers whom I have already described this morning as "home boys" as mere automatons who can be put into any division, any regiment, any company, anywhere, is a violation of the humanities and injures the efficiency of the soldier; and when it does that it injures the efficiency of the unit in which he serves.

Mr. President, the great contest is over. We did our full share at the end. My observations upon this point are in retrospect, in a sense, and are given for what they are worth when the Senate comes to the consideration of military legislation which eventually must reach the statute books.

I want to mention one other topic, and that is the effect of the order of November 11 upon the American Expeditionary Force.

Senators will remember that an order was issued, immediately upon the signing of the armistice, forbidding all promotions from that time on. I never have been able to find out the reason for the order. It may have very good reasons back of it. I know something of its effect upon the spirits of the men. It was most regrettable. It had a very profound effect. Many a lieutenant, Mr. President, was commanding a battalion in the Argonne Forest, had commanded troops in action for days and days, his own captain and major having been killed or wounded. He was entitled to some recognition. But it was impossible for his commanding officer to make out the required papers in the heat of action, with men scrambling through that wilderness, fighting day and night. That had to be postponed until the regiment or the unit could settle down somewhere in a quiet place and give the commanding officer a chance to catch up with his paper work and send in his recommendations. Scores and scores of those young men shouldered and carried responsibilities higher than those of the grade which they occupied. In scores and scores of cases their commanding officer had prepared the papers recommending them for promotion. They could not be gotten in by November 11. On November 11 comes the order saying that no one shall be promoted, and all the machinery of promotion was stopped.

Mr. WEEKS. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Massachusetts.

Mr. WEEKS. I agree with the Senator from New York as to the harmful effects of that order. On yesterday the Chief of Staff was before the Military Affairs Committee to testify in regard to a bill which had been introduced commissioning the men who had been recommended before the 11th of November, and the explanation which he made to the committee was that these promotions were not made because there were no vacancies; that the Army, its size, its officers, and everything relating to it, was fixed by an act of Congress; and that it was not within the power of the War Department to make promotions unless there were vacancies.

Now, I do not undertake to say whether there were or were not vacancies in some particular organization, but I think that would be a technical objection to making the promotions. Do not understand, however, that it would move me in being opposed to legislation which would enable those men to receive the promotions which they had earned, and which I think could be done without any very great difficulty.

Mr. WADSWORTH. I regret that I was not at the hearing referred to by the Senator from Massachusetts. I was tremendously surprised to learn that there were no vacancies in the commissioned personnel of the Army. It seems to me that there must be some vacancies. It is inevitable that with such an enormous organization there shall be vacancies in the commissioned personnel. I am not contending that all the officers recommended for promotion by their respective commanding officers should receive promotion, but I do think it was a mistake to stop all the machinery of promotion—to say that no one shall be promoted. The effect was to discourage and disappoint men. They thought, "We have no more chance. It is gone. The war is over. We went in as first lieutenants. We did our work. Our captain was wounded. We commanded the company. Our major was wounded. We commanded the battalion. Now our Government says that we shall never be anything but first lieutenants"—unless, indeed, it is contemplated that when that young man is mustered out, many months from now, he shall be mustered out with an advanced rank. The sweetness will be largely lacking, Mr. President, in that kind of promotion.

Mr. McKELLAR and Mr. CHAMBERLAIN addressed the Chair.

Mr. WADSWORTH. I yield to the Senator from Tennessee.

Mr. McKELLAR. In further explanation of what took place yesterday—does it inconvenience the Senator to be interrupted?

Mr. WADSWORTH. Not at all. I desire to conclude very soon, however.

Mr. McKELLAR. I shall be very brief. I want to say that I thoroughly concur with the views which the Senator has just expressed. I have a bill which virtually does away with the order of November 11, 1918, and it was about this bill that the Chief of Staff testified yesterday. He testified as the Senator from Massachusetts has stated, but in addition he said that it was expected to promote these men on the reserve list. The question which I wish to propound to the Senator, in view of what he has seen and heard over there, and his knowledge of the facts as they exist among the officers, is this: Does he think that promoting men on a reserve list will have the effect of properly promoting these men who have earned their promotions?

Mr. WADSWORTH. It is hard to estimate, of course, the comparative value of the two promotions that we are discussing. Of course, the longer it is postponed, the less it means to the man. There is nothing that so delights an officer's heart, nothing that so delights the hearts of the men who have served under him, as recognition, if possible, upon the field of battle, or as soon thereafter as possible. The longer it is postponed the less it means.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator?

Mr. WADSWORTH. Certainly.

Mr. CHAMBERLAIN. In addition to what the Senator from Massachusetts has said about the hearing before the committee yesterday, I call the Senator's attention to page 2107 of the CONGRESSIONAL RECORD of yesterday, where there appears a letter from the Secretary of War on exactly the same subject, and giving the reasons for the course that was pursued. I am frank to say that after having read that letter, and after having heard Gen. March's testimony at considerable length, my views were changed as to the power of the War Department; and I think to promote these men to the rank for which they have been recommended will just promote a number of officers to vacancies where there is no place for them to go.

Mr. WADSWORTH. I have not contended for that. I have not contended for the promotion of all these men. The only criticism I have had to make is that all the machinery for promotion is arbitrarily stopped, and no one can be promoted, whereas there must be vacancies, and there always will be

some. It is the blanket character of the order that created the discouragement and the dismay. If an order had been sent out to the effect that no promotions should be made except to fill vacancies, the Army would have understood it; but, as I understand it, the order went out saying, "There shall be no promotions anywhere."

Mr. McKELLAR. They were all stopped.

Mr. WADSWORTH. Yes.

Mr. WEEKS. Mr. President, I wish to add just one word to what the Senator from Oregon has said. I think he is right in the conclusion which he has reached. I believe we owe it to these men, who have performed conspicuous service, to see that in some way they shall receive the rewards for which they have been recommended, and, as the Senator from New York has very justly said, the sooner that is done the better. Any delay means taking away something from the value of the reward which is given.

Mr. WADSWORTH. Mr. President, I was about to conclude my remarks. I regret that I have kept the Senate so long. One can not help but admire the achievement that is recorded in France by the American Expeditionary Force. Of course, from time to time criticism will be leveled against some of the things they did or failed to do, but the balance is distinctly upon the credit side of the ledger. The task which confronted them was enormous.

My words here this morning have not commenced to describe—I doubt if any one man knows enough about it or has the power of language adequate to describe—the scenes and the conditions through which that Expeditionary Force operated. Those devastated regions, those ghostly cities of the dead, town after town, village after village, hamlet after hamlet, farmhouse after farmhouse, all in utter, hopeless ruin. Our people had to traverse that, to live in that atmosphere, to encounter all kinds of hard conditions. So did the British; so did the French. One can understand, let me say in passing, something of the feeling of the French people when one has seen the devastated regions in France. Dozens and dozens of magazine articles have been written about it, hundreds of speeches have been delivered about it, and thousands of dispatches have come over the wires describing it, and each and every one of them is inadequate. No spoken word or written word can commence to describe that condition. When one can go along a road in France, reach a fork in the road in the center of some little wrecked town, and stop a French soldier and ask him the way to the next town and have him tell you that he lives in that very neighborhood and can not find his own way home, then one may understand the extent of that wreckage. When one may be taken to the battle field of Verdun and conducted to a ridge near Fort de Souville and have a French officer ask one, "Would you like to see the village of Fleury," and when one replies, "Yes; where is it?" and he says, "You are standing in the middle of it," then one may have some comprehension of what France has suffered. Not a single brick of that village left; all ground to powder, returned to the earth from which they came. Tortured earth, shattered rock, not a tree, not a bush, not a weed, a tumultuous sea of upturned earth and rubbish.

The world will never know what this means to France, for every piece of property that was destroyed in that vast area belonged to some little French family. The French are a home-owning people. Every bit of that ground is owned by some French family, if that family is surviving, some one has title to it, and to see them going back to those regions, those refugees actually trying to find where they used to live, is enough to break one's heart.

Such is only a part of the picture of the crime that Germany inflicted upon France and upon civilization—a war deliberately planned, a war with the deliberate purpose of destroying not only the French soldiers and the British soldiers and lately the American soldiers but every atom of French property that could be destroyed in such a way as to handicap and cripple the French nation for generations to come. They took the machinery out of the factories or destroyed it in order to prevent Belgians and French from being their rivals again in commercial pursuits. That is why they shelled towns after they retired from those towns and when there was nothing left in them but civilians. That is why they poured gas shells into the little village of Bohain, from which they had retired and which contained 700 civilians and no allied troops, and choked to death women and children. That was done in 1918 within six weeks of the signing of the armistice. That is why they would cunningly hide under the carpet in a poor woman's kitchen a detonating fuse taken from a 5.9 shell, hide it under the carpet in a little crack in the floor, and leave it there for her to strike some day by accident and suffer mutilation. This was done in many instances. They put hand grenades under the bodies of their own dead, so that when a British soldier came along and lifted up the dead German to bury him he would be blown to atoms.

When we come to discuss terms of peace, Senators, when we come to discuss the treatment that is to be accorded to the German people, and these things were done by German people, if we are wise, we will take into consideration the feelings of the French people and the Belgian people. Since the days of Julius Cæsar France has stood in dread of the hordes of barbarians that have poured from time to time out of the northern forests. Since the days of Julius Cæsar scarcely a century has gone by but what she has been called upon to repulse those Teutonic hordes. All she wants is security. She wants something to be brought about in these peace terms that will make it impossible for the German hordes to repeat this tragedy, and that is all.

The German people to-day—I believe it as I know that I am standing on this floor—have no conception of the feelings of other nations toward them. They have no feeling of humiliation or remorse, not one bit. They are sorry that they have lost the war, but their ideals are purely materialistic. There is no tribulation of the spirit.

I rejoice that we sent over there 2,000,000 men, who, hastily trained and hastily organized as they were, contributed to this great victory. We helped win this war; all four of the great nations won it together.

Mr. CHAMBERLAIN. May I interrupt the Senator?

The PRESIDING OFFICER (Mr. KIRBY in the chair). Does the Senator from New York yield to the Senator from Oregon?

Mr. WADSWORTH. I yield.

Mr. CHAMBERLAIN. Speaking of the Germans, the Senator has said that their ideals have not changed, that they regret having lost the war, and only feel humiliated that they have lost it. Does the Senator think that they have been so whipped that it will be unnecessary to maintain a force there in order to hold them in order and eventually to humiliate them, if that time comes?

Mr. WADSWORTH. My own opinion is, and I remind the Senator it is only my opinion, that Germany in a military sense is absolutely prostrate to-day; that she can not possibly renew the war. Her whole fleet is gone, a large proportion of the rolling stock of the railways, a large proportion of the airplanes, a large proportion of her guns, a large proportion of her motor trucks. She could not move an army qualified to compete with either the French, British, or American armies as they stood on November 11. She is prostrate in a military sense.

It depends, Mr. President, upon the conditions contained in the terms of peace how soon Germany can recover in a military sense. I do not know what those terms will be. I think none of us know; but I am somewhat dismayed that the Germans themselves exhibit no sign of sorrow or remorse or humiliation, that they still continue to view this whole matter from the most materialistic viewpoint. They made a bid for world power and they used every weapon, no matter how savage it was, to get it, and having failed to get it they regret the failure, but not the use of the weapons. And unless a great change comes over the heart and soul of German people, if they are led again as they were led in 1914, to start another war, I believe they would wage it in exactly the same way.

Mr. McLEAN. Does the Senator think that the change in their form of government will make any difference in the military ambitions of the German people?

Mr. WADSWORTH. I am not convinced of that.

Mr. KING. Will the Senator permit one question along the line indicated by the Senators who have just interrogated him?

In view of the unsettled condition of Germany and of the mental attitude of the people, their lack of appreciation of the enormity of their crime, their materialistic point of view, does not the Senator think it becomes imperative for a considerable length of time that the allies shall keep in Germany, around and about Germany, a large number of troops to police, to enforce the guaranties and exactions that will find place in the peace treaty?

Mr. WADSWORTH. The question of the Senator is very difficult to answer, because the answer has to be conditioned upon so many events that are yet to happen, most important of which are the terms of peace itself. The question might be answered with a reasonable degree of accuracy if we knew now what the terms of peace will be. In any event, the terms of peace must see to it that the crime of 1914 shall not be and can not be repeated by Germany or any of her allies.

I rose in the first place, Mr. President, to state in an inadequate way my admiration for the way in which the American Expeditionary Force was handled. As Senators who have taken an interest in this matter, who have worked at this end of the

line as hard as we could to support and help them, and as Americans, I know we are proud, as we ought to be proud, of that splendid force and the achievements that they have placed upon the record of American history.

Mr. NEW. Mr. President, I have had it in mind to submit some ideas and suggestions of my own concerning the reorganization of the Army. The address which has just been delivered by the Senator from New York [Mr. WADSWORTH], to which we have all listened with such interest and so much benefit, has made the subject particularly opportune, and I should like, under ordinary circumstances, to proceed with my remarks at this time. But, Mr. President, the hour of 2 o'clock having arrived, I realize that there is before the Senate a bill of transcendent importance, as I regard it, and I am not willing to interpose anything that will interfere with the immediate consideration of that measure.

I therefore content myself at this time by saying that at the earliest opportunity I shall ask for the privilege of presenting the remarks, and in connection therewith I shall submit a bill.

LEAGUE OF NATIONS.

Mr. POLLOCK. Mr. President, I have listened with a great deal of interest to the narrative of the war by the Senator from New York [Mr. WADSWORTH]. It is as he states, largely in retrospect. I merely rise to give notice that on to-morrow, immediately after the morning business, I shall endeavor to submit a few remarks looking to the future and as to what should be the course of this Government with reference to the creation of a league of nations for the maintenance of the peace of the world.

CALLING OF THE ROLL.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll and the following Senators answered to their names:

Bankhead	Hitchcock	Nelson	Smoot
Beckham	Johnson, S. Dak.	New	Spencer
Borah	Jones, N. Mex.	Nugent	Sterling
Calder	Kellogg	Overman	Sutherland
Chamberlain	Kenyon	Page	Thomas
Culberson	King	Pittman	Thompson
Cummins	Kirby	Poindexter	Townsend
Curtis	Knox	Pollock	Trammell
Fletcher	La Follette	Pomerene	Vardaman
France	Lenroot	Ransdell	Walsh
Frelinghuysen	McKellar	Reed	Warren
Gay	McLean	Saulsbury	Weeks
Gore	McNary	Shafroth	Wolcott
Gronna	Martin, Ky.	Sheppard	
Hale	Moses	Sherman	
Henderson	Myers	Smith, Ariz.	

Mr. POLLOCK. I wish to announce that my colleague, the senior Senator from South Carolina [Mr. SMITH], is detained by illness.

Mr. SAULSBURY. I desire to announce that the senior Senator from Maryland [Mr. SMITH] is detained by illness.

Mr. KENYON. I wish to announce that the Senator from Nebraska [Mr. NORRIS] is absent on official business.

Mr. SUTHERLAND. My colleague, the senior Senator from West Virginia [Mr. GOFF], is absent on account of illness.

The PRESIDING OFFICER. Sixty-one Senators having answered to their names, there is a quorum present.

VALIDATION OF WAR CONTRACTS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

Mr. HENDERSON. Mr. President, on January 20 I sent to the desk an amendment to House bill 13274. Yesterday the Senator from Nebraska [Mr. HITCHCOCK] introduced that amendment to the bill. In order to protect my amendment, I submit an amendment to the amendment of the Senator from Nebraska and also one to what is known as the Chamberlain bill, so as to perfect the proposed amendment that I had printed the other day.

The PRESIDING OFFICER. The amendments will be ordered printed and lie on the table.

Mr. CHAMBERLAIN. I think it would be proper to take up the bill as reported by the committee and have it read for the purpose of amendment. The bill has not yet been read, and I suggest that it be read for the purpose of amendment.

The PRESIDING OFFICER. The Secretary will read the substitute bill.

The Secretary read the amendment of the Committee on Military Affairs, which was to strike out all after the enacting clause of the bill and in lieu to insert:

That whenever during the war emergency and prior to November 12, 1918, any individual, firm, company, corporation or foreign government has made an agreement with the Secretary of War, or with any officer or agent acting under his authority, or with any agency of the Government authorized to procure or aid in procuring the same for the War Department, for the production, manufacture, sale, acquisition, or control of equipment, materials, or supplies, or for services, or for facilities, or other purposes connected with the prosecution of the war, and such agreement was reduced to the form of a contract or accepted procurement order and executed or signed on behalf of the Government, but the agreement did not comply with statutory requirements, in every such case the Secretary of War is authorized and directed to waive, on behalf of the Government, such noncompliance: *Provided*, That he finds such waiver is not inconsistent with the public interest, and in this event the said agreement shall have the same validity and effect it would have had if such statutory requirement had been complied with.

That whenever, prior to said November 12, 1918, any individual, firm, company, corporation, or foreign Government has made any agreement, oral or written, express or implied, with, or has received any order or request, oral or written, from, the Secretary of War, or any officer, agent, or agency as aforesaid, for any of the purposes aforesaid, and the same has not been reduced to contract form, but such individual, firm, company, corporation, or foreign Government has in good faith made expenditures, incurred obligations, acquired or furnished facilities, equipment, materials, or supplies, or rendered services, in reliance on such agreement, order, or request, in every such case the Secretary of War is authorized and directed, on behalf of the Government, to enter into such contract with such individual, firm, company, corporation, or foreign Government as will, under all the circumstances, fairly and equitably compensate him or it for the expenditures made, obligations incurred, equipment, materials, or supplies furnished or acquired, or services rendered, as aforesaid: *Provided*, That in no event shall such contract provide for compensation on terms more favorable than the terms, if any, for which the aforesaid agreement, order, or request may have provided.

That whenever, prior to said November 12, 1918, the War Department, through its officers or agents, has taken possession of any land, or whenever the holder or owner of any land has removed from or removed any improvements from such land at the order or request of the War Department and no valid contract has been made with respect thereto, then the Secretary of War, if he finds that the public interest does not require the possession or occupancy of such land by the Government, is authorized to make compensation to the owner or holder thereof for the fair value of such improvements so removed and the expense incurred by such owner in removing therefrom or for the fair value of the use of such land of which the War Department has taken actual possession and for any expense or loss incurred by the owner or holder by reason of such possession.

SEC. 2. That a commission is hereby created and established, to be known as the War Contracts Appeals Commission (hereinafter referred to as the commission), which shall be composed of three members, who shall be appointed by the President, by and with the advice and consent of the Senate, and shall continue in office for one year from the date of this act. One member of the commission shall represent the War Department, one member shall represent the Department of Justice, and one member shall represent the business interests of the country. None of the members of the commission shall be interested in any order, contract, or agreement within the purview of this act or have any interest in any firm or corporation having such orders, contracts, or agreements. Each member of the commission shall receive a salary of $7,500 a year, payable in the same manner as the salaries of judges of the courts of the United States. The commission shall choose a chairman from its own membership and may appoint a secretary, who shall receive a salary not exceeding $5,000 a year, to be determined by the commission and payable in the same manner as the salaries of the members of the commission.

That there is hereby appropriated, for the purpose of defraying the reasonable expenses of the commission, including the payment of salaries herein authorized, out of any money in the Treasury of the United States not otherwise appropriated, available immediately and until expended, the sum of $50,000.

That within 30 days of the date when the Secretary of War tenders any contract or compensation as provided in this act, or refuses to tender such contract or compensation, the party to whom said contract or compensation is tendered or refused, or the Government by a duly authorized officer from the Department of Justice may file with the chairman of the commission a notice of appeal: *Provided, however*, That if the representative of the Department of Justice agrees with the action of the War Department there shall be no appeal by the Government, but settlement can be made at once. Thereupon, the commission shall proceed to examine and review the facts and circumstances of the case and make its award or finding thereon. Upon giving receipt in full of all demands against the United States arising out of the transaction by reason of which the award is made, the appellant shall be entitled to receive the amount of any award so made, and the proper officer of the United States is hereby authorized and directed to pay the same, but if the appellant is dissatisfied with the amount so awarded he shall be paid 75 per cent of the amount awarded and shall be entitled to sue the United States in the Court of Claims to recover such further sum as added to said 75 per cent shall make up such amount as will be fair and just compensation as provided in this act, and the Court of Claims is hereby given jurisdiction to hear said suit and render judgment therein.

That whenever any dispute arises in the matter of the adjustment or settlement, or as the interpretation or application of the terms, of any contract which has been made for any of the purposes set forth in this act, and in the execution of which there has been compliance with statutory requirements, the contractor or the Government by a duly authorized officer from the Department of Justice may give notice to the Secretary of War of intention to appeal to the commission, and provided notice of appeal is filed with the chairman of the commission within 30 days: *Provided, however*, That if the representative of the Department of Justice agrees with the action of the War Department there shall be no appeal by the Government but settlement can be made at once. On an appeal being taken the commission shall thereupon proceed to determine the questions at issue as set forth in said notice of appeal; and the contractor shall be entitled either to receive the whole amount of such award as may be made as in full of his claim on the questions submitted or 75 per cent of the same and sue the United States in the Court of Claims for any remainder, all as provided next above as to agreements otherwise within the purview of this act.

That in executing the duties and powers conferred by this act the commission may make its own rules and regulations and may hear and

determine issues informally. It shall be the duty of the Secretary of War to furnish to the commission such evidence, documents, or papers pertaining to transactions as to which notice of appeal has been filed as the commission may request. The commission is authorized, in its discretion, to appoint an examiner in any region or district when such region is within the United States where, in its judgment, the taking of additional testimony is necessary to the determination of any case. Such examiner shall be a resident of the region or district for which he is appointed, and shall not have any interest, directly or indirectly, in any contract or transaction coming before him or receive any compensation save and except such per diem compensation and expenses as shall be fixed by the commission. Whenever the commission shall refer to any such examiner any claim presented hereunder, the examiner shall proceed, under the direction of the commission, to hear the parties, take the proofs, and return the same to the commission with his recommendations thereon as promptly as possible.

SEC. 3. That nothing in this act contained shall be held to validate any such contract unless the officer who was at the time of the making of such contract the chief of the division or bureau, as the case may be, in which said contract was negotiated, or, in the event that such officer was not responsible for the making of such contract, then the officer in such division or bureau who was so responsible, together with the officer who signed said contract, shall each severally make and subscribe to an affidavit in writing, giving the definite terms of such contract, the name or names within his knowledge, of any such officer or officers who took part in the negotiation or making of the same, and stating whether or not within his knowledge any officer aiding in such making was interested, directly or indirectly, in said contract, and in addition affiant shall be required to be appended to said affidavit in substantially the following form and tenor:

"I, ———, Chief of the Division or Bureau (naming it) in which the contract hereinbefore mentioned was negotiated, at the time of negotiation thereof, and the officer in the Division or Bureau (naming it) responsible for the making of the contract hereinbefore mentioned, and I, ———, the officer who actually signed said contract, do hereby each severally swear that I am not and was not at the time of the making of said contract directly or indirectly interested in said contract."

That in respect to any such contract as to which any one of said officers can not take the foregoing oath, or after diligent search or inquiry by the contractor can not be found, or is at the time actually engaged in foreign service, or refuses to take said oath, then upon such facts and the fact required in the oath of such officer, appearing by an affidavit of the contractor, or of one of its partners, chief officers, or chief agents acting in its behalf the Secretary of War shall promptly report such contract to the War Contracts Appeals Commission and furnish to said commission such evidence, documents, and papers pertaining to the transaction as may be within his control, and such commission may request, and original jurisdiction is hereby vested in, said commission to hear and determine said claim with the powers and upon the procedure hereinbefore described in this act. Said commission shall make its award or finding thereon and deny said claim or grant it in whole or in part, according to the justice and equity thereof, and the award or finding shall have the same force and effect and create the same rights as if made under the provisions of section 3 of this act. And it shall be the further duty of said commission in hearing, investigating, and determining such claim to find and determine whether any of such officers is or was at the time of making of said contract directly or indirectly interested in said contract.

SEC. 4. That nothing in this act contained shall be construed to relieve any officer or agent of the Government from prosecution under the penal statutes of the United States for any fraud, criminal conduct, illegality, or irregularity in connection with any of the agreements or orders referred to herein or the execution or signing thereof.

Mr. McKELLAR. Mr. President, if it is in order, I desire to offer an amendment to the pending bill, on page 10, line 5, to strike out the period and make a semicolon, and to add what I send to the desk.

The PRESIDING OFFICER (Mr. NEW in the chair). The amendment will be stated.

The SECRETARY. On page 10, line 5, before the period, and after the word "possible," it is proposed to insert:

Provided, That in no case, however, shall any award either by the Secretary of War or by the commission or the Court of Claims include prospective or possible profits on any part of the contract beyond the goods and supplies delivered to and accepted by the United States, and a remuneration for expenditures necessarily incurred in preparing to perform said contract or order so canceled.

Mr. McKELLAR. That is the provision that is in the Hitchcock amendment, and it should be inserted here. I think no one will say that there should be a payment for prospective or speculative profits. This is the matter as to which the Senator from Wisconsin [Mr. LENROOT] and others argued on yesterday, and I hope the chairman of the committee will accept the provision.

Mr. CHAMBERLAIN. I think I have no objection to the first part of the amendment, but the latter part of the amendment is even broader than the Senator from Wisconsin argued for. I do not think it ought to be included in the bill.

Mr. POMERENE. I ask to have the amendment again reported.

The PRESIDING OFFICER. The Secretary will again state the amendment.

The Secretary again stated the amendment proposed by Mr. McKELLAR.

Mr. CHAMBERLAIN. The latter part of the amendment I am not willing to accept.

Mr. McKELLAR. Are the words to which the Senator from Oregon objects the words "and a remuneration for expenditures necessarily incurred in preparing to perform said contract or order so canceled"?

Mr. CHAMBERLAIN. Take one illustration. I understand that in some cases the Government of the United States has insisted that a contractor shall go ahead and use patents that had been obtained and issued in the names of other parties, and that the Government would stand behind the contractors to defend them against any proceedings that might be instituted to recover penalties or royalties. I think the Senator's amendment goes to an extent that it would preclude recovery in cases of that kind.

Mr. McKELLAR. I do not think so. If the Senator will look at lines 10, 11, and 12, I think he will find the language there is sufficient to include the objects which the Senator suggests. It provides for remuneration. It requires the Government to make "remuneration for expenditures necessarily incurred in preparing to perform said contract or order so canceled." I should think that that language would be broad enough.

Mr. CHAMBERLAIN. It in part nullifies the provisions of the bill, just as it nullifies the provisions of the Hitchcock bill itself, if it be inserted in it. It ought not to be in here. I am perfectly willing to accept that portion of the amendment which refers to prospective or possible profits on unperformed portions of a contract. I think that is as far as it ought to go.

Mr. FRELINGHUYSEN. Will the Senator from Tennessee suffer an interruption?

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from New Jersey?

Mr. McKELLAR. I yield to the Senator.

Mr. FRELINGHUYSEN. Mr. President, I understand the effect of this amendment would be the same practically as section 6 of the Hitchcock substitute?

Mr. McKELLAR. It merely includes the Secretary of War. It is the exact wording of the Hitchcock substitute, except that the words "and the Secretary of War" are added for the purpose of making it apply to the Chamberlain bill.

Mr. FRELINGHUYSEN. Mr. President, I am not defending the validation of any unearned profits, nor do I believe that any of the great profits which might accrue to a contractor by reason of the validation of a contract or a contract that can not be canceled should be paid, but there are certain contracts which, I understand, have been made by the Secretary of War—verbal agreements, probably some of them agreements by letter—that involve an adjustment of profits. I do not know what those contracts are. I only know that the Secretary of War states that some of those contracts have been made by reason of the fact that the department had to induce contractors to change their method of manufacture, to change their machinery, to enlarge their plants, and that certain promises and assurances have been made to those contractors.

Now, I want this bill so written that it shall not repudiate those agreements; that those agreements may be adjusted either by the Secretary of War or by this proposed commission. A repudiation of any agreement of that character would involve the good faith of the Government when it has been pledged by an agent of the Government.

I wrote to the Assistant Secretary of War, Mr. Crowell. I might say, if I am not encroaching too much on the Senator's time in this connection, the Assistant Secretary of War has given a great deal of attention to the adjustment of these contracts, and he has accomplished a great deal in ascertaining the facts regarding them. Many of them are ready for settlement as soon as they are validated. In reply to my query, the Assistant Secretary of War sent me the letter which I hold in my hand, in regard to section 6 of the Hitchcock bill, which is practically the same in effect as the amendment proposed by the Senator from Tennessee [Mr. McKELLAR]. I desire to ask the Secretary to read this letter, if the Senator from Tennessee has no objection.

The PRESIDING OFFICER (Mr. WOLCOTT in the chair). Without objection, the Secretary will read as requested.

The Secretary read as follows:

WAR DEPARTMENT,
OFFICE OF THE ASSISTANT SECRETARY,
DIRECTOR OF MUNITIONS,
Washington, D. C., January 28, 1919.

Hon. JOSEPH S. FRELINGHUYSEN,
United States Senate, Washington, D. C.

MY DEAR SENATOR: You have asked my views as to the effect of section 6 of the Hitchcock bill. This bill gives to a proposed commission complete jurisdiction over the adjustments of all contracts, valid and invalid, entered into by the War Department for war supplies which are suspended, canceled, or terminated prior to complete execution, by reason of the termination of hostilities. Section 6 provides that neither the commission nor the Court of Claims shall make any allowance in such cases for any profit to the contractor other than on goods and supplies actually delivered to the United States with the remuneration for expenses necessarily incurred in preparing to perform the contract or order that is canceled. Under this provision, though a contractor may have employed large amounts of his capital and months of hard work upon the work in process, he is to be permitted no reward whatever for such use of his capital and for such services where the con-

tract is terminated before the actual delivery of supplies. In the event that any supplies are delivered his reward is limited to that part of his capital and services which go to the completion of those supplies, and no reward is permitted for the use of that part of his capital and his services which are embodied in work in process, the completion of which is abandoned at the direction of the Government. Such a restriction would involve direct violation of obligations entered into by the American Expeditionary Force with foreign governments and with the citizens of foreign countries, and would cast a reflection upon the good name of this Government, which I believe Congress would regret just as much as this department.

As to contracts in this country, the standard termination clause in use by the department provides for the allowance to the contractor of a certain percentage of the cost to the contractor of materials, unfinished articles of work in process, and component parts furnished by the contractor and on hand, which are in compliance with provisions of the contract and specifications. This allowance is by way of compensation for the use of the capital furnished by the contractor and the services rendered by him in the performance of work for the Government which at its instance is not completed.

It seems to me that section 6 would impair the obligation of such contracts. The good faith of the Government seems equally involved where work has been undertaken by contractors on the faith of receiving a contract in this form and where the armistice has interposed to prevent its actual execution.

Very truly, yours,

BENEDICT CROWELL,
The Assistant Secretary of War, Director of Munitions.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Nebraska?

Mr. McKELLAR. I yield to the Senator.

Mr. HITCHCOCK. The Assistant Secretary of War is mistaken when he refers to my bill as covering legal contracts. One of the differences between the bill proposed by me and the substitute reported by the committee is that mine is limited to those cases in which the contracts are defective or the orders are informal. The House bill, like my bill, only covers those cases. It does not attempt to cover cases where there is a legal contract providing the terms under which it may be adjusted.

Mr. LENROOT. Mr. President——

Mr. McKELLAR. I yield to the Senator from Wisconsin, who has some suggestion to make about the matter, I believe.

Mr. LENROOT. I should like to suggest to the Senator that, while his amendment as incorporated in the Hitchcock amendment covered only contracts defectively executed, when offered as an amendment to the committee bill it also covers contracts fully executed in compliance with all statutory requirements. I do not believe the Senator would desire to have Congress abrogate a legal right, and I therefore wish to ask the Senator whether he will not accept an amendment to his amendment adding these words:

Provided, The foregoing shall not apply to any contract executed in compliance with all statutory requirements.

Mr. McKELLAR. That amendment will be entirely satisfactory, although I think the same result could be perhaps accomplished by having my amendment read:

That in no case of a contract validated by this act—

And so forth. Probably that would make it shorter; but the Senator's amendment covers it absolutely.

Mr. HITCHCOCK. Mr. President, I think the Senator from Wisconsin will have to qualify his proposed amendment to the amendment. I understand that there are some contracts entirely legal in form which contain no provision for cancellation and the settlement of damages; so that the only exception should be those cases covered by contract.

Mr. McKELLAR. The Senator from Nebraska is entirely right about that. As I recall the testimony, there are only a very small number of contracts legally drawn and executed that have the cancellation provision; in other words, I think only until recently, I think in October——

Mr. CHAMBERLAIN. In July.

Mr. McKELLAR. The Senator from Oregon corrects me, and I am sure that he knows the fact—in July they adopted a new form of contract, which contained a cancellation provision. All the contracts up to that time contained no cancellation provision.

Mr. LENROOT. Mr. President, may I ask the Senator if he thinks that as to any contract that is legally executed Congress now can change the measure of damages to which a contractor may be entitled?

Mr. McKELLAR. That is perhaps true. When a contract has already been signed and is valid, while Congress under the Constitution can impair the obligation of such a contract, yet we do not permit the States to do so, and therefore it would not be proper for us to do so, either as a matter of policy or on any other ground.

Mr. LENROOT. I appreciate that. If an amendment is in order, Mr. President, I will offer such as an amendment.

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Wisconsin?

Mr. McKELLAR. I will accept the amendment offered by the Senator.

Mr. LENROOT. Very well. Then I wish to ask the Senator whether he will not accept another amendment?

Mr. McKELLAR. Perhaps it would be better to have the amendment already presented adopted.

Mr. POMERENE. Let me ask to have the amendment to the amendment again stated.

The PRESIDING OFFICER. Without objection, the Secretary will state the amendment offered by the Senator from Wisconsin to the amendment of the Senator from Tennessee.

The SECRETARY. At the end of the amendment offered by Mr. McKELLAR, it is proposed to insert the following proviso:

Provided, The foregoing shall not apply to any contract executed in compliance with all statutory requirements.

So that it will read:

That in no case, however, shall any award, either by the Secretary of War or by the commission or the Court of Claims, include prospective or possible profits on any part of the contract beyond the goods and supplies delivered to and accepted by the United States, and a remuneration for expenses necessarily incurred in preparing to perform said contract or order so canceled; *Provided*, The foregoing shall not apply to any contract executed in compliance with all statutory requirements.

Mr. McKELLAR. Mr. President, I wish to make a statement with reference to the letter written by the Assistant Secretary of War. I do not agree with his construction of section 6. I do not know whether or not the Assistant Secretary of War, who is a very fine gentleman, is a lawyer; but if he is, he has very incorrectly interpreted the meaning, as I believe, of section 6, because I think the last three lines in section 6 cover exactly the case which the Senator from New Jersey [Mr. FRELINGHUYSEN] suggested awhile ago, where it provides that such proper remuneration can be made. Section 6 does cut out prospective or possible profits, and I think it ought to do so. There ought not to be any prospective or possible profits allowed in these settlements.

Mr. FRELINGHUYSEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from New Jersey?

Mr. McKELLAR. I yield to the Senator.

Mr. FRELINGHUYSEN. Possibly the Senator is correct. My anxiety is only to avoid any statutory prohibition which will work an injustice on a contractor who, in good faith, has gone ahead and expended his capital in order to provide materials upon an order from the Secretary of War.

Mr. McKELLAR. I will say to the Senator that I join him in that. I am just as anxious to protect the rights of contractors as anyone else could be; and I think they ought to be protected. At the same time I think the rights of the Government should be protected in like manner and a provision should be enacted that will be fair for all alike.

Mr. FRELINGHUYSEN. I am not seeking to have the Government's rights invaded in any way whatsoever.

Mr. McKELLAR. I am sure of that.

Mr. FRELINGHUYSEN. But I am informed by the Secretary of War that there are certain contracts—verbal contracts, I believe—which have been made, where assurances have been given to the contractor of certain profits, where no cancellation has been agreed upon. In order to get the materials and supplies, they have been compelled to give a quantity order; and they feel that when they cancel that order, having no agreement as to cancellation, there should be some adjustment as to profits without their being compelled to take the full order which they agreed to take. Does the Senator understand the situation?

Mr. McKELLAR. I understand that situation.

Mr. FRELINGHUYSEN. Now, I claim that if the Secretary of War has made any such agreement involving the payment of profits, which according to the technical provisions of this act may be unearned, it is unfair to write such a prohibitory section in this law.

Mr. McKELLAR. Do I understand the Senator to mean that the Secretary of War has entered into a contract giving to the contractor prospective or possible profits on the unearned portions of the contract? It is inconceivable to me that the Secretary of War would do such a thing.

Mr. FRELINGHUYSEN. I understand that there have been some orders given for a certain quantity of materials—let us assume, for illustration, a million yards of cloth. The manufacturer has bought the machinery and increased his facilities.

Mr. McKELLAR. That is all provided for here.

Mr. FRELINGHUYSEN. The Secretary of War has stated that he would take that million yards of cloth, and the contractor has practically figured his profits on that million yards of cloth upon the assurance that the Secretary of War would accept delivery. Now, there is no provision for cancellation.

Does the Senator believe that that contractor should be prohibited from receiving his profits on that million yards of cloth when he has bought the materials and put the machinery in his plant?

Mr. McKELLAR. Let me see if I understand the Senator. If I understand the Senator correctly, I most certainly do believe that the Secretary of War ought not to permit any such possible profits to be allowed to the contractor.

Let us assume that a mill has put in $5,000 worth of machinery on a very large order and it is only out the $5,000, and that much of the machinery can be used by the contractor, as shown by the facts, and if he had carried out his entire contract with the Government he would have had half a million dollars of profits. Does the Senator mean to say that we ought to validate a contract that would permit this contractor on an expenditure of $5,000 for machinery which he still owns to reap from the Government $500,000 of possible or expected profits?

If that is what the Senator means, I most emphatically say I do not agree to any such proposition.

Mr. FRELINGHUYSEN. Of course, the Senator has inflated the figures somewhat, but I do not mean to assume that at all. I mean that when the Secretary of War has given a contractor the assurance that he will make certain profits by giving him a quantity order, and he has expended for machinery or for changes in his mill an amount of money practically in excess of the profit to be derived, it is a proper case for adjustment, and possibly some unearned profits may have to be paid in order to do justice to that contractor. Therefore I say that cases of this character should be subject to an appeal to the commission and should not be made the subject of a prohibitory statute.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator for just a moment?

Mr. McKELLAR. I yield; surely.

Mr. CHAMBERLAIN. Let me ask the Senator what he would do in a case of this kind, which I put by way of illustration, where a contractor has been contracted with to supply a very large amount of shells, for instance. He goes to work and he supplies the Government one-half of the goods in that line that he has already manufactured and has on the ground. What is the Senator going to do with a man of that kind? This amendment provides that there shall be no profits on any part of the contract beyond the goods and supplies delivered to and accepted by the Government.

Mr. McKELLAR. Oh, no; the Senator misinterprets the language.

Mr. CHAMBERLAIN. No.

Mr. McKELLAR (reading)—

Beyond the goods and supplies delivered to and accepted by the United States——

Mr. CHAMBERLAIN. Certainly.

Mr. McKELLAR. That is one, and what else? Why—

A remuneration for expenditures necessarily incurred in preparing to perform said contract or order

That takes in all that the Senator means.

Mr. CHAMBERLAIN. I beg the Senator's pardon. The first part of his provision provides only for the reimbursement of the contractor for the goods actually manufactured, delivered to, supplied, and received by the Government. Now, where these goods are on the ground and have not been delivered or accepted there is no compensation provided for at all.

The latter part of this section to which the Senator calls attention has reference to the expenditures made by a man to increase his plant, for instance; and if the Senator is looking to the protection of the Government, he mulcts the Government by that last provision. Why?

Suppose a manufacturer or contractor has gone to work and spent a million dollars in the enlargement of his plant. That has been necessary to carry out the contract that he had with the Government. Now, then, the Government cancels his contract. He has not used or utilized the extended plant, and the Government must pay him for all of it, notwithstanding there may be a very large salvage. Now, there is the instance where the Government is imposed upon, and in the first part of it the contractor is imposed upon.

Mr. McKELLAR. Mr. President, I think the Senator does not get at the real meaning of this section.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Ohio?

Mr. McKELLAR. Just one moment. Let me reply to the Senator from Oregon for just a moment. I will read the language:

That in no case, however, shall any award, either by the Secretary of War or by the commission or the Court of Claims, include prospective or possible profits on any part of the contract—

Now, wait a minute. We are not talking now about real profits. We are not limiting the real profits that are made on it. We are limiting, in the latter part of this section, only the possible or prospective profits. That is the only limitation that is in this section—

Prospective or possible profits on any part of the contract beyond the goods and supplies delivered to and accepted by the United States, and—

In addition to that—

a remuneration for expenditures necessarily incurred in preparing to perform said contract or order so canceled.

Under that provision—and I will yield to the Senator from Ohio in just a moment—every justice can be done the contractor. He is remunerated, given his real profit; full justice can be done to him, full justice can be done to the Government; but it does not provide that he shall receive the kind of profits that I have suggested a few moments ago, where a man puts $5,000, for instance, into the increase of his plant on an order that might involve a million dollars when completed. It might take two or three years to complete it. He may have a half million dollars of prospective profits if he completes the order, but he has put only $5,000 into it. It may be that he has put only $1,000 into it, to use an extreme case; and yet is it to be arranged so that he can, under the terms of this validating act, receive $500,000 of prospective profits?

I do not think the Senator contends that he should do it. I say that we ought to pay the contractor liberally; we ought to pay him well; we ought to pay him everything that is due him and give him a profit on it; but we ought not to give him a possible or prospective profit on unearned portions of his contract. This is what this section prohibits, and it ought to be adopted.

I now yield to the Senator from Ohio.

Mr. POMERENE. Mr. President, I think certainly the Senator will have to amend his proposed amendment quite a good deal.

Mr. McKELLAR. If the Senator will offer some amendments that will be good, I shall be delighted to accept them.

Mr. POMERENE. I will make a suggestion that I know the Senator will think is right.

Mr. McKELLAR. I will admit anything that is right to carry out that purpose.

Mr. POMERENE. Suppose, as a matter of fact, a concern is manufacturing cannon. They have to go through many processes, I understand. I do not know anything about the manufacture of them. They may have their shops filled with cannon that are half completed. They have not been delivered to or accepted by the Government. They are there in an uncompleted state. The material of the contractor is in them, and a large part of his labor is in them. Now, it does seem to me that the contractor ought to be allowed a reasonable profit upon that work and material, even if the goods have not as yet been delivered to or accepted by the Government.

Mr. McKELLAR. There is not any difference between the Senator and myself on that subject. If the Senator will read this provision carefully and give it the care that he usually does, being the very able lawyer that he is, I am quite sure there will be no difference between us on that subject. This section refers to prospective or possible profits. It refers to daydreams of contractors—a man who has a contract of $100,000 and expects to make a million dollars out of it, especially if he has not done the work. It just does away with that kind of thing; but it does not prevent the contractor from getting the profits to which he is entitled.

Mr. POMERENE. It does not on the goods which are delivered, but it does prevent his getting any profits on the goods that are only half completed. That is my objection.

Mr. McKELLAR. Oh, no; it is only prospective or possible profits. That is all it refers to.

Mr. POMERENE. I think the Senator is wrong.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Iowa?

Mr. McKELLAR. I yield to the Senator. I was about to yield the floor. I will yield the floor to the Senator.

Mr. CUMMINS. I wish to ask this question of the Senator from Tennessee, because he has the faculty of very clear statement, and I am deeply interested in this bill, because there are a good many people in my State who are in grave danger of suffering a loss which they can not easily bear.

Mr. McKELLAR. I will say to the Senator that I am the last man in the world to make any contractor bear a loss which he should not bear.

Mr. CUMMINS. I do not know much about these matters. The members of the Military Affairs Committee are a great deal more competent than I am to apply this language to the actual cases. What I should like to know is this, and I ask it

both in regard to the committee amendment and in regard to the proposed Hitchcock amendment:

Is it the purpose of the proposer of the amendment to put those who have entered into contracts or partial contracts with the Government in precisely the same situation or condition as though the acts which had been performed by both parties had been performed between private individuals and allow the individual to recover from the Government the damages or losses upon recognized principles of the law which would be recoverable if the same things had been done between two persons instead of between a person and the Government? If the Senator from Tennessee will explain that to me, I shall be a good deal better able to follow the language of these bills and reach a conclusion as to which one will be most equitable.

Mr. McKELLAR. Mr. President, I shall take great pleasure in giving the Senator my views.

Generally speaking, that is the purpose of both bills. They can not be put in the same position as those who have valid contracts. To illustrate what I mean, the greater portion of these properly signed contracts are contracts without any cancellation clause at all. A grosser piece of negligence can hardly be imagined. Here we have given unlimited sums of money to the departments to furnish lawyers, and how, even by accident, a cancellation clause could have been left out of the contracts it is difficult to see.

Mr. CHAMBERLAIN. Mr. President, let me make this statement to the Senator about that: The Secretary advises me that a great many of the contracts made prior to the 1st of July last had the cancellation clause in them, but that since that time all of them have.

Mr. McKELLAR. Well, that is not the proof before our subcommittee; that is all I can say. The proof before our subcommittee is that comparatively few of the valid contracts have the cancellation clause.

Mr. CUMMINS. I will ask the Senator to make that just a little clearer to me about the cancellation. Does the Senator mean a cancellation clause that would permit the termination of the contract without any damages?

Mr. McKELLAR. Oh, no; providing for the damages and providing the conditions and methods of procedure and all about how they should be computed. All of those things are provided for in the cancellation clause; and in every contract that is prepared by a lawyer there is a cancellation provision, as every lawyer knows. As I say, it is absolutely inconceivable to me why they were not in all the contracts; but they are not, and we need not bother about the water that has passed the mill.

I might say to the Senator right there that, of course, any validating of a contract that has a cancellation clause in it but improperly signed would not put it on an exact equality with the good contract, the properly executed contract, that has no cancellation clause; so we can not put them back exactly as they were. It is impossible to do that. What is proposed by both bills, however, is to see that every contractor in this country who has done work for this Government shall be fully and amply paid. We want them to receive a profit on what they have done for the Government. The subcommittee of which the Senator from Nebraska [Mr. HITCHCOCK], the Senator from New Jersey [Mr. FRELINGHUYSEN], and myself were members, pursued that policy. It was the purpose of the committee to do it; and we instituted this commission, following out the precedent, because there was after the Civil War, as I understand, a commission with independent authority and original jurisdiction created for that purpose; and then after the Spanish-American War there was an independent commission, just such a one as the Hitchcock amendment undertakes to create here, provided to do exact justice, as far as that could be done, between the Government and the contractor. There is not a purpose on the part of anyone to do anything that is unjust. It is merely a difference of opinion as to how it can best be done.

Mr. FRELINGHUYSEN rose.

Mr. McKELLAR. Will the Senator excuse me just a moment? I have a matter that I want to bring before the Senate, and then I will yield to him.

Now, I say "all contracts." There is one class of contracts that both amendments except from that rule, and that is contracts that have been fraudulently made or contracts that have been made contrary to the statutes—not simply not carrying out the statutes but that have been made in violation of the statutes, which are equivalent to fraudulent contracts. The bill, in the fourth section, I believe, or the third section, provides what shall be done even in the case of those contracts; for instance, where a concern sent its officer down here, and he became a dollar-a-year man, and then, after that, became an officer of the Army.

For instance, take the one that is in the RECORD to-day, if you gentlemen are interested in it, and will look it up—the case of John C. McCubbin, who was an officer of the Standard Sanitary Co., recommended by the officers of that firm to come down here and become a purchasing agent for the Government in connection with enamel ware. He came down here, became a major in that department, bought all of his goods from the concern which he represented, and is going back, as soon as he is released, to that concern. I think there was something like $800,000 worth bought from that concern and $34,000 worth bought from all the other concerns of like kind in the country. Maj. McCubbin, according to the proof here, was not representing the Government, though he was an officer sworn to represent it, but he was virtually an officer of the United States representing his own concern.

A Senator asks me if he called for bids. Oh, no; he simply bought outright from his own concern.

Now, even in the case of a contract like that, what do we do? Take a contractor like that. He comes in with unclean hands. In my judgment, that officer ought to be court-martialed and sent out of the Army; and yet, with a contract like that, the desire of the committee was to do equal and exact justice to a contractor of that kind; and we provided here that the Secretary of War shall segregate even that kind of a contract and submit it to this commission; but if the commission finds, notwithstanding the circumstances under which the contract was obtained from the Government, that they have done something or furnished goods for which the Government ought to pay, the commission is allowed to pay for them. It could not be fairer.

Mr. CUMMINS. Mr. President, no one could have any sympathy with that sort of contract; and I not only have no defense to make of a proceeding of that kind, but I should like very clearly to differentiate such contracts from the ordinary obligations which have been entered into.

Mr. McKELLAR. Will the Senator excuse me just a minute? If he will look into this bill, the Hitchcock bill, and the Chamberlain bill, too, that class of contracts is very clearly differentiated from the other classes, and it ought to be. My natural propensity, anyone's natural propensity, would be, in a case like that, to say, "You come in here with unclean hands. You can not recover anything from the Government"; but we do not do that. We put it in the power of this independent commission which we create to deal fairly even with that man, notwithstanding he comes in with unclean hands.

Mr. CUMMINS. I am not speaking of any such case. I am speaking of an honest contract; but section 6 provides:

> That in no case, however, shall any award either by the commission or the Court of Claims include prospective or possible profits on any part of the contract beyond the goods and supplies received and actually delivered.

Mr. McKELLAR. The Senator does not read it all. Will not the Senator do the provision the justice to read it all?

Mr. CUMMINS (reading)—

> Beyond the goods and supplies received and actually delivered to the United States, and a remuneration for expenses necessarily incurred in preparing to perform said contract or order so canceled.

Mr. McKELLAR. Yes.

Mr. CUMMINS. I am speaking, mark you, of an honest contract, made properly or validated properly under this bill.

Mr. McKELLAR. Surely.

Mr. CUMMINS. I understood the Senator a moment ago to say that in such a case he wanted to put the contractor and the Government in exactly the same position as though the contract had been made between two individuals, and allow a recovery from the Government of those damages which, under recognized principles of the law, would be recoverable. It was that thought which led me to make the inquiry. Now, I think the Government of the United States ought to be just as honest as an individual.

Mr. McKELLAR. I do, too.

Mr. CUMMINS. It can not, of course, always be sued. It has some immunities in that respect; but whenever we find a contract that would be enforceable between private persons, I think the Government ought to pay just the same damage and upon the same rule which its courts would enforce against a private person who had violated his contract or who had failed to carry it out.

Mr. McKELLAR. I agree with the Senator entirely.

Mr. CUMMINS. This section will not do that.

Mr. McKELLAR. No; the Senator is entirely mistaken about it. If the Senator will simply read the Cramp case, in Two hundred and sixteenth United States, page 494, he will find that the Supreme Court has definitely held that the departments can not allow unliquidated damages.

Mr. CUMMINS. I am not speaking about the law. Let the law come as it will; it will be administered either by the commission or the Court of Claims.

Mr. McKELLAR. If we give the commission the right to consider prospective or possible profits our action is final. I want to leave it where the law is, and that is what this section does. It puts them exactly where the law leaves them and where the other settlements are left.

Mr. CUMMINS. You can not put them above the law.

Mr. McKELLAR. But we can prepare a law especially for them, and if the Senate strikes out section 6 and we adopt the provision of the House, there will be a special law in their favor in so far as possible or prospective profits are concerned.

Mr. CUMMINS. Where is that found? I am asking purely for information. Where do we make a special law for the recovery of damages in such a case?

Mr. McKELLAR. The Secretary of War, under the terms of the bill, is given the power to allow such damages and profits as he may see fit upon the cancellation of the contract unless limited. When I say the Secretary of War, we known the Secretary of War does not do it, but some second lieutenant or major or captain. For instance, if it is enamel ware, this man McCubbin will allow it. He can allow the Standard Sanitary Co., where he comes from, whatever profit he sees fit.

Mr. NEW. Mr. President——

Mr. McKELLAR. I will yield in just a moment.

Mr. CUMMINS. I am speaking now of the case of a contract either originally made or validated in the way provided for in either the Hitchcock amendment or the committee amendment.

Mr. McKELLAR. I am speaking of that, too.

Mr. CUMMINS. Does the Senator mean to say that in such a case there is any special provision in either of these amendments with regard to the measure of damages?

Mr. McKELLAR. No; but here is what we do. Without the restricting feature set out in section 6 of the amendment, these officers of the Army who make the settlements on valid contracts already validated or those that we validate will be permitted to make any settlement they please, and the Government will be bound by it. If they allow prospective and possible profits and unliquidated damages, it will be absolutely good under this provision.

Mr. CUMMINS. Would the Government then have the opportunity to appeal to a commission or the Court of Claims?

Mr. McKELLAR. They have a limited right of appeal in the Chamberlain bill. In the Hitchcock amendment, which is much better, the commission itself settles the matter.

Mr. FLETCHER. Mr. President——

Mr. McKELLAR. I promised to yield to the Senator from Indiana [Mr. NEW].

Mr. FLETCHER. Just in connection with what the Senator from Iowa said——

Mr. McKELLAR. All right.

Mr. FLETCHER. If the Senator will allow me to point it out, the Senator from Iowa, I think, is correct in that the bills do not cover profits. Section 5 of the Hitchcock bill reads:

> Jurisdiction to hear the case and render final judgment in such sum as may be required to reimburse the contractor for expenses necessarily incurred in good faith in the partial performance of the contract or order above referred to.

I do not think provision is made for profits in either of these measures. Therefore I can not see that there is any reason for negativing something that is not provided for elsewhere.

Mr. McKELLAR. The Senator makes the same mistake that other Senators have made. This section does not apply to profits at all; it applies only to prospective and possible profits, and there is a very wide distinction between the two classes of profits, as we all know.

Mr. FLETCHER. In the authority given elsewhere in the bill, there is nothing anywhere requiring the commission or the Secretary of War to allow profits. That is the point the Senator from Iowa makes. I also want to ask the Senator this question: He referred frequently in his remarks to the Hitchcock amendment. He has reference to the bill proposed by the Senator from Nebraska [Mr. HITCHCOCK]?

Mr. McKELLAR. I have.

Mr. FLETCHER. The bill that is about to be offered as a substitute?

Mr. McKELLAR. Yes.

Mr. FLETCHER. May I ask the Senator, if he has reference to that, whether section 6 of that amendment covers what is offered in the other bill?

Mr. McKELLAR. Of course it does, and what we are doing now is trying to perfect the Chamberlain amendment.

Mr. FLETCHER. I ask the Senator if he proposes to substitute the Hitchcock amendment?

Mr. McKELLAR. I wish to have that measure adopted. I am very much in favor of the Hitchcock amendment. I think it is a very much juster measure than this. I now yield to the Senator from Indiana.

Mr. NEW. Mr. President, I wish to make an inquiry by stating a case. I know, for instance, one concern, a woodworking concern, which was called upon in the early stages of this contract making to depart from its own line of products and to take up an entirely new one for the department; that is, new, except that it was in the line of woodworking. They did not want to do it, because it involved a very radical change in their plant, the addition of a lot of machinery, and all that. They carried on their negotiations with the department verbally; there was not a stroke of the pen on any of it. They demurred against it, objected to it, but finally, at the insistence of the department, agreed that they would depart from their own line and go into this side line that the department wanted them to take on.

They never did reach the point of making a written contract, but they did this, Mr. President: They estimated what it would cost them to put in the new plant and what it would cost them to dismantle that new plant when they got through with the Government job, because when they do get through with that the additional machinery that they put in in order to turn it out is of no value to them whatever. They have to take it out, every single stitch and particle of it, and their agreement with the Government as to the price they were ultimately to receive was fixed on the profit that they expected to make out of the Government contract.

Now, only a part of their goods have been delivered. They have a very large quantity of undelivered stuff in a partial stage of completion only left on their hands, and they owe something like $600,000 in the banks which they have borrowed in order to complete that contract. That is four times as much as ordinarily they would be able to borrow from the banks according to their capital and all. The banks can not go any further with them. They can not dismantle and go back to their own line. They are tied up without being able to settle this contract at all. They are at a standstill. Their employees are idle. In other words, they are out of business.

Now, I want to know if the Senator thinks under the amendment he has just offered, if it prevails, it would be possible for the War Department to make an adjustment with them, allowing what they expected to get on the face of which they went into the contract.

Mr. McKELLAR. I will answer the Senator's question. If this amendment should prevail, that concern would get a return for all the money expended, a reasonable profit on what has been done. The Secretary of War or the commission would be in position to give that concern everything, including a real profit that the concern was justly entitled to. But if the concern, with that verbal understanding stated, just as the Senator has stated, which seems to me to be quite vague, turns up and says, "Now, we have spent $75,000 and we expected to make a million dollars out of it," it would not permit those possible or prospective profits of a million dollars on a $75,000 investment. This section would prevent that, but the section would provide that what was right and proper and reasonable should be paid the contractor.

Mr. FRELINGHUYSEN. Mr. President——

Mr. McKELLAR. Now, let me take just one moment to state a case that actually came up. I do not know whether the Senator from New Jersey [Mr. FRELINGHUYSEN] was on the subcommittee or not. I am talking from the record now. I am not talking of hearsay or possible hearsay.

The PRESIDING OFFICER (Mr. BANKHEAD in the chair). Does the Senator from Tennessee yield to the Senator from New Jersey?

Mr. McKELLAR. In just one moment I will yield. One division of the Army here last September gave verbal orders for 25,000 bathtubs for the Army. I believe in bathtubs and I believe in taking baths, but it looks to me like 25,000 enamel-ware bathtubs for the Army was a pretty good order. This Mr. Ahrens, the president of the Standard Sanitary Co., in Pittsburgh, who had his agents down here buying bathtubs from him for the Government, went to the Bathtub Manufacturers' Association meeting and bragged about it. They were the people who did not get any contracts. Mr. McCubbin had cribbed all the contracts for the Standard Co., and they had not gotten these contracts and they came down here and told us about it. Mr. McCubbin denied that he had given the contract for 25,000 bathtubs. It appeared that there was no doubt about it. He

had just as good a contract as the one referred to by the Senator from Indiana [Mr. NEW]; but when he found out the monstrous proposition there was in the purchase of 25,000 bathtubs, enamel ware, zinc, and closets, and everything of that sort, what happened? Where they are going to put them in the Army it is difficult to find. I do not know where so many could have been used. But here was a great company. It had bathtubs to sell; it had its agents buying them for the Government; it had its agents selling them to the Government. Gentlemen, that is the proof. Look in part 2 of the hearings and you will find the proof of this very thing that I say. Now, had we not better put just a little hold on these boys who are settling up with themselves?

Mr. CUMMINS. Those contracts ought not to be validated at all.

Mr. McKELLAR. Certainly it ought not to be validated so as to get what the president of this company may consider is a prospective or possible profit out of it.

Mr. CALDER. Will the Senator yield to me?

Mr. McKELLAR. I promised to yield to the Senator from New Jersey, and then I will yield to the Senator from New York. Indeed, I am ready to yield the floor.

Mr. FRELINGHUYSEN. I will say to the Senator from New York that I shall take only a moment. The Senator from Tennessee has clearly stated his definition of the amendment in regard to certain cases that have come under his observation which clearly are contracts that should never have been made. I have very little knowledge of contract law. The Senator, who is a lawyer, knows a great deal more about it than I do. As I stated before, I am very anxious to avoid any injustice by inserting in the act any phraseology which will repudiate any honest contract made by the Government.

Mr. McKELLAR. I have the same view the Senator has.

Mr. FRELINGHUYSEN. Now, I will put a concrete case, and I would very much like to have the Senator's opinion as to whether his amendment will not practically repudiate this agreement made by the Government.

Mr. McKELLAR. I shall be glad to give the Senator any information I can.

Mr. FRELINGHUYSEN. A by-product coke manufacturing concern was solicited by the War Department to add to its plant additional ovens in order to increase for the Government the supply of toluol and ammonia.

Mr. McKELLAR. I am familiar with that class of contracts.

Mr. FRELINGHUYSEN. The business of the company in normal times did not need the additional equipment, and it was unwilling to expend the money required for this addition unless it was secured by a contract for the sale of these products, which were merely by-products in its coke production. The War Department therefore made a contract with the concern whereby the concern obligated itself to build additional ovens and sell its entire output of toluol and ammonia to the Government for the period of two years.

The contracts contained a provision authorizing the War Department to cancel the contract at any time, in which event it agreed to pay the producer for the balance of the term of the contract the difference between the contract price and the amount which the producer would realize on the market for such product. The manufacturers decided that if they had a sale of these products for two years at the contract price, which was the standard price paid by the Government, they could take the business risk of having a larger plant than they needed at the termination of the war.

Now, that was a two years' contract. It is canceled, and your provision provides that no unearned profits shall be paid——

Mr. McKELLAR. The Senator is mistaken about that. That contract, if I caught it right, and I think I did, would be perfectly plain. It provides what profits shall be made. They are fixed in the contract. Of course those profits will be allowed under the settlement. Under section 6 there is no doubt in the world about that. Why? Because the parties, before the contract was made, agreed upon what the profits should be, and they are not prospective or possible profits; they are excluded by the terms of the contract from prospective or possible profit.

Mr. FRELINGHUYSEN. They are prospective profits.

Mr. McKELLAR. Not at all. Prospective profits are not profits that the parties have agreed to beforehand and fixed themselves. Of course not.

Mr. LENROOT. Does the Senator mean to say if there is a contract where they propose to pay a profit of 10 per cent on a billion dollars' worth of goods and only $1,000,000 worth is accepted, yet that is liquidated damages?

Mr. McKELLAR. No, no; I mean this: As I understood the reading of the contract by the Senator from New Jersey, it was that the profits which should accrue were fixed by the parties themselves in the making of the contract, and if it is liquidated damages it is not prospective or possible profits at all, and it comes directly within this provision.

Mr. FRELINGHUYSEN. I will take only a moment more. I have another case, and possibly the Senator from Tennessee can tell me whether it will come under section 6.

Mr. McKELLAR. You know what they say about a lawyer who gives an offhand opinion; it is not very good. But I will be delighted to give such an opinion as I can.

Mr. FRELINGHUYSEN. I am very glad the Senator has made that reservation. Possibly when he reads the RECORD he will want to correct it a little.

In a number of instances the Government has required the manufacturers of articles, which were covered by patent which were not owned by them, to make such articles. In such instances there was not time to stop and have careful inquiry as to whether an infringement was involved, and the Government has inserted in its contract a clause agreeing to protect the manufacturer from any claims of the owner of the patent. Would your amendment affect in any way those agreements?

Mr. McKELLAR. I will answer the Senator's question by asking another. Was the acquirement of these patents necessarily incurred in order to carry out the contract?

Mr. FRELINGHUYSEN. I understand that this is the situation as it occurred in many cases where is was necessary for the Government to procure war equipment. The questions of infringement of patent rights or royalty and other questions were simply postponed for future settlement, and in the emergency the Secretary of War assured the owners of the rights and the patents that a settlement would be hereafter made and adjusted.

Mr. McKELLAR. The patents were necessary in order to carry out the contracts, were they not?

Mr. FRELINGHUYSEN. Absolutely.

Mr. McKELLAR. Then it comes directly within the very terms of section 6. It is not left to doubt or to construction, but it comes direcly within the terms of section 6.

I now yield to the Senator from New York.

Mr. CALDER. I wish to make an inquiry of the Senator.

Mr. McKELLAR. I make the same reservation about curbstone opinions that I made to the Senator from New Jersey.

Mr. CALDER. I am not a lawyer, as is the Senator from Tennessee, who is a distinguished lawyer, and there is every indication that he has given much thought to this particular provision. I am disposed to agree with the Senator in many of the provisions of the so-called Hitchcock amendment, but the talk on both sides of the Chamber indicates that there is some doubt in the minds of some as to just what section 6 means. I agree substantially with what the Senator says it means, and I wonder if he will be willing to insert this language in the section——

Mr. McKELLAR. There have been some insertions already made, but let the Senator state it.

Mr. CALDER. After the words "United States," in line 10, insert "or ready for delivery or in process of manufacture."

Mr. McKELLAR. I am inclined to think that that would be a proper amendment; I have no objection to it. If the Senator will offer it, I will accept it.

Mr. CALDER. I offer that as an amendment.

The PRESIDING OFFICER. Does the Senator from Tennessee accept the amendment?

Mr. McKELLAR. I accept the amendment.

Mr. CHAMBERLAIN. May I make one suggestion to the Senator from Tennessee? I think he misapprehends that section. The section does not protect the contractor against liability which he incurred; absolutely not. In the case put by the Senator from New Jersey, where the contractor is indemnified by the Government for the use of patents that are held by other parties, every man who uses the patent violates the law, and the royalty may be recovered. Here is an institution going ahead under the guaranty of the Government and using the patents of other individuals, or it may be hundreds of them, as far as that is concerned. All these individuals will have recourse to that contractor, who has acted in reliance upon his guaranty. There is nothing in section 6 to protect those men against those liabilities.

Mr. McKELLAR. I can not possibly agree with the Senator, because it provides in specific terms remuneration for expenditures necessarily incurred. If they have incurred these expenditures, even though they have done so in violation of patent rights, they come directly within the wording of the section just the same. I yield the floor now.

Mr. LENROOT. I offer an amendment to strike out and insert.

The PRESIDING OFFICER (Mr. WOLCOTT in the chair). The Secretary will read the amendment.

The SECRETARY. In lieu of the amendment offered by the Senator from Tennessee, as modified, insert the following:

That in no case shall any award, either by the Secretary of War, the commission, or the Court of Claims, include prospective or possible profits on any part of the contract beyond the goods and supplies delivered to and accepted by the United States, and a remuneration which may include a reasonable profit for expenditures and obligations or liabilities necessarily incurred in performing or preparing to perform said contract or order so canceled.

Mr. McKELLAR. I will accept that amendment.

Mr. LENROOT. Thank you.

Mr. McKELLAR. I withdraw my amendment and accept this one.

The PRESIDING OFFICER. The Senator from Tennessee withdraws his amendment to the amendment and accepts the one just offered by the Senator from Wisconsin.

Mr. CHAMBERLAIN. I should like to have it read again.

The PRESIDING OFFICER. It will be again read.

The Secretary again read the amendment to the amendment.

Mr. POMERENE. May I ask the Senator from Wisconsin a question? Is the language broad enough to include remuneration for profits upon goods which might be in whole or in part manufactured, but which had not been delivered?

Mr. LENROOT. The language is "in performing or preparing to perform," which clearly would include that.

Mr. POMERENE. I so understand it, but I wanted to be certain about it.

Mr. FLETCHER. It is not clear to me as to the last clause of the proposed amendment. As I caught it, it says the remuneration shall include a reasonable profit.

Mr. LENROOT. Which may include.

Mr. FLETCHER. Which may include a reasonable profit for expenditures.

Mr. LENROOT. Or obligations or liabilities.

Mr. FLETCHER. A "reasonable profit" is one thing and "expenditures necessarily incurred" quite another thing. You do not mean a profit on expenditures?

Mr. LENROOT. I think the Senator is correct, and that should be changed.

Mr. FLETCHER. "Reasonable profits and expenditures."

Mr. LENROOT. No; the language is that the award may permit a remuneration which may include a reasonable profit for expenditures and obligations, and so forth. I think that is correct.

Mr. FLETCHER. Reasonable profits on the performance of the contract is one thing, but remuneration for expenditures, it seems to me, is a different thing. I should think what the Senator perhaps has in mind is to provide for a reasonable profit, and, in addition to that, remuneration for expenditures necessarily incurred.

Mr. LENROOT. I am permitting that. That is what I intend to do.

Mr. FLETCHER. I think the word "and" should be inserted.

Mr. McKELLAR. I think the Senator has it exactly right. The difference between the amendment he has offered and the one offered by me is that his specifically provides for reasonable profits on what the contractor has done. The amendment offered by me provides for precisely the same thing. Both amendments exclude possible or prospective profits. That is my understanding of it, and I think it is entirely satisfactory to the Senate.

Mr. FLETCHER. It seems to me it would be perfectly absurd to provide for reasonable profits and to have a profit for expenditures necessarily incurred in preparing for the contract.

Mr. LENROOT. No; it is remuneration for expenditures, which remuneration may include a reasonable profit.

Mr. FLETCHER. I would not object to that, but a "reasonable profit for expenditures" is a thing that I can not comprehend.

Mr. LENROOT. No; the Senator does not read it correctly. It is remuneration for expenditures—that is the grammatical construction—which may include a reasonable profit.

Mr. FLETCHER. I can understand that; but what I can not quite comprehend is the expression "remuneration * * * for expenditures * * * necessarily incurred" or remuneration for profits on expenditures.

Mr. HITCHCOCK. I should like to ask the Senator from Wisconsin to explain how the term "remuneration" can include a profit. Remuneration means to make good to a man what he has expended. It is therefore less than profit. How can the lesser include the greater?

Mr. LENROOT. I do not understand that remuneration for expenditures necessarily is limited to the actual amount of the expenditures. Remuneration and compensation, I think, are synonymous terms in this, that compensation for expenditures might include the actual amount of expenditures and something added to it for profit.

Mr. FLETCHER. I agree with the Senator, but I think the language is a little unfortunate in that it seems to provide for remuneration for profits on expenditures.

Mr. LENROOT. Let me read it as it stands, and then if the Senator thinks so I shall be glad to accept an amendment to it to make it clear:

And a remuneration, which may include a reasonable profit, for expenditures.

That is, remuneration for expenditures, which remuneration may include a reasonable profit.

Mr. FLETCHER. It might depend upon the punctuation. Do you put a comma after "remuneration"?

Mr. LENROOT. I have a comma after "remuneration" and one after "profit."

Mr. McKELLAR. That will cover it.

Mr. CHAMBERLAIN. I will accept that amendment.

The PRESIDING OFFICER. The Senator from Oregon accepts the amendment to the amendment on behalf of the committee.

Mr. POMERENE. I offer to the substitute the following, to be added to section 4——

Mr. CHAMBERLAIN. The amendment to the amendment has not been voted on by the Senate.

Mr. McKELLAR. It has not been voted on.

The PRESIDING OFFICER. The Chair begs pardon. The question is on the adoption of the amendment offered by the Senator from Wisconsin to the amendment of the committee.

Mr. LENROOT. My amendment was not a substitute, because it left the proviso in which had theretofore been accepted by the Senator; so that the amendment as adopted includes the proviso. I merely desire to understand whether that is correct.

The PRESIDING OFFICER. Let the Chair state the question properly. The question is on the adoption of the amendment offered by the Senator from Tennessee to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The Senator from Ohio [Mr. POMERENE] has presented an amendment, which will be stated.

Mr. CHAMBERLAIN. Pardon me, Mr. President, but I am not entirely satisfied with what the RECORD will show in reference to this matter. There seems to be a little pride of opinion in relation to this amendment. The amendment which the Senator from Tennessee proposed was not accepted at all.

The PRESIDING OFFICER. But the Chair calls the attention of the Senator from Oregon to the fact that the Senator from Tennessee offered an amendment; then the Senator from Wisconsin offered an amendment to it, and the Senator from Tennessee said that he accepted that amendment.

Mr. CHAMBERLAIN. That is all right.

The PRESIDING OFFICER. So that the amendment becomes the amendment of the Senator from Tennessee, which was adopted. The Senator from Ohio [Mr. POMERENE] has offered an amendment, which will be stated.

The SECRETARY. At the end of section 4, on page 12, it is proposed to insert the following:

In all proceedings hereunder witnesses may be compelled to attend, appear, and testify, and produce books, papers, and letters or other documents, and the claim that any such testimony or evidence may tend to criminate the person giving the same shall not excuse such witness from testifying, but such evidence or testimony shall not be used against such person on the trial of any criminal proceeding.

Mr. CHAMBERLAIN. I have no objection to that amendment.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from Ohio.

Mr. HITCHCOCK. I should like to ask whether the Senator is offering that amendment to the committee substitute or to my substitute?

Mr. POMERENE. I am offering it to the committee substitute.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from Ohio.

The amendment was agreed to.

Mr. POMERENE. I offer the amendment which I send to the desk, to be designated as section 5.

The PRESIDING OFFICER. The Senator from Ohio offers an amendment, which will be stated.

The SECRETARY. It is proposed to add as a new section the following:

SEC. 5. Whenever, under the provisions of this act, the Secretary of War shall make an award to any prime contractor who shall have sublet any part of said contract for material, equipment, or supplies to any other person, firm, or corporation who has in good faith made expenditures, incurred obligations, rendered service, or furnished material, equipment, or supplies to any prime contractor, with the knowledge and approval of any agent of the Secretary of War duly authorized thereunto, the Secretary of War shall apportion the amount of said award justly due to each of the subcontractors of said prime contractors. Before payment of said award the Secretary of War shall require any

prime contractor to present satisfactory evidence of having paid said subcontractors or of the consent of said subcontractors to look for their compensation to said prime contractor only; and in the case of the failure of said prime contractor to present such evidence or such consent, the Secretary of War shall pay directly to said subcontractors the amount found to be due under said award; and in case of the insolvency of any prime contractor the subcontractor of said prime contractor shall have a lien upon the funds arising from said award prior and superior to the lien of any general creditors of said prime contractor.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from Ohio.

Mr. CHAMBERLAIN. Mr. President, I am not going to oppose the amendment, but I believe that under the terms of the bill reported by the committee the amendment of the Senator is covered. I shall not, however, make any objection to it.

Mr. POMERENE. Mr. President, I have had serious doubts of that. I may say that this matter has been studied by some constituents of mine who are especially interested in it, and I am disposed to take their view of it. I do not believe that the interests of subcontractors are protected by this proposed legislation as they ought to be. I have not any private opinion about this matter, and I shall be very glad, if the amendment shall be adopted, to let the conferees work it out as they think it ought to be.

Mr. CHAMBERLAIN. I have no objection to that, Mr. President.

The PRESIDING OFFICER. The question is on the adoption of the amendment of the Senator from Ohio.

The amendment was agreed to.

Mr. FLETCHER. Mr. President, I desire to move to strike out the proviso, beginning in line 14, page 5, to the end of the paragraph, including line 17, and to insert instead of it another proviso, which I will ask the Secretary to read.

I think the present proviso in the bill as submitted makes it a rather one-sided sort of proposition, and I think that which I propose would clear up the whole matter. I believe it will be agreeable to the chairman of the committee and other members of the committee if they will listen to it.

The PRESIDING OFFICER. The amendment proposed by the Senator from Florida will be stated.

The SECRETARY. On page 5, line 14, after the word "*Provided*," it is proposed to strike out the remainder of the paragraph and to insert the following:

That payment of expense incurred or loss and damage suffered in preparing for or in the performance of such informal agreements or of formal contracts shall not exceed the fair value of labor performed or services rendered or the actual cost of the materials used, as determined by the Secretary of War.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from Florida.

Mr. McKELLAR. I do not agree to that amendment. That means, Mr. President, that whatever agency in the entire country, or even abroad, which happens to be representing the War Department, can fix any compensation they desire. It would not be fair to the Government; it would be very unwise and unjust. The committee has provided a plan here which does equal and exact justice. I think, if we adopt the amendment offered by the Senator from Florida, we might just as well simply turn this matter over and say to the Secretary of War, "You may employ any agency you choose and settle it in any way you can." That is really the meaning and effect of the amendment offered by the Senator from Florida. It gives the Secretary carte blanche to settle these contracts in any way he wishes, and I hope the Senator will not insist upon the amendment.

Mr. FLETCHER. It does not change the provision of the bill at all as to the powers of the Secretary of War or of the commission or anything else.

Mr. McKELLAR. Let the amendment be again read.

The PRESIDING OFFICER. The Secretary will again state the amendment offered by the Senator from Florida.

The Secretary again read the amendment.

Mr. McKELLAR. The words "as determined by the Secretary of War" are absolutely the important language in the proposed proviso.

Mr. FLETCHER. I am willing to strike out those words if that is the objection to the amendment.

The PRESIDING OFFICER. Does the Senator from Florida propose to strike out any portion of his amendment?

Mr. McKELLAR. As I understand, the Senator from Florida is willing to strike out the clause which he has indicated.

The PRESIDING OFFICER. Will the Senator from Florida please state what portion of the amendment he desires to strike out in order that the Secretary may understand it?

Mr. FLETCHER. I propose to strike out the words "as determined by the Secretary of War," and to let the amendment end with the word "used."

Mr. FRELINGHUYSEN. Mr. President, I simply wish to say to the Senate that this amendment practically nullifies the amendment which we have just adopted, as offered by the Senator from Wisconsin [Mr. LENROOT]. So I hope the Senators are aware of the effect of the amendment.

Mr. CUMMINS. Mr. President, the amendment not only nullifies or neutralizes the amendment offered by the Senator from Wisconsin, but it is inconsistent with the spirit of the provision as reported by the committee, and is so repugnant to the whole idea that is sought to be expressed that it ought not to be approved at all.

Senators will observe that the provision of the committee amendment is that there shall be awarded such relief "as will under all the circumstances fairly and equitably compensate him or it for the expenditures made, obligations incurred, equipment, materials, or supplies furnished or acquired, or services rendered, as aforesaid." That is the rule laid down by the committee for the ascertainment of losses. Then the committee qualifies that rule by the proviso:

Provided, That in no event shall such contract provide for compensation on terms more favorable than the terms, if any, for which the aforesaid agreement, order, or request may have provided.

That is understandable; it is a real limitation or qualification upon the rule laid down by the committee; but, if this amendment is adopted, we shall find ourselves in the rather unfortunate attitude of having laid down one rule and immediately afterwards having prescribed another—a most unsatisfactory ending, I should think, for a very happy expression of the rule as the committee has reported it.

Mr. CHAMBERLAIN. Mr. President, I am in accord with the views expressed by the Senator from Iowa [Mr. CUMMINS], and I hope the amendment will not be adopted. It is a great pleasure to me at this time to have, for once, the Senator from Tennessee in accord with me. It proves that he is sometimes right.

Mr. McKELLAR. Mr. President, I am very frequently in accord with the distinguished Senator from Oregon, whom I love very dearly, and when I am not in accord with him I regret exceedingly that he is wrong.

Mr. FLETCHER. That would simply indicate that if both of those Senators are in accord I must be wrong, and I ask to withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. HENDERSON. I have an amendment on the desk to the bill, to be known now as section 6, I believe.

The PRESIDING OFFICER. The Senator from Nevada offers an amendment, which will be stated.

Mr. LENROOT. I have an amendment to offer.

Mr. HENDERSON. I will yield to the Senator from Wisconsin, as I understand he has a new paragraph to offer.

Mr. McKELLAR. The amendment of the Senator from Wisconsin applies to the text itself.

The PRESIDING OFFICER. The Senator from Wisconsin offers an amendment, which will be stated.

The SECRETARY. On page 4, lines 6 and 7, it is proposed to strike out the words "or aid in procuring the same."

The PRESIDING OFFICER. The question is on the adoption of the amendment.

Mr. LENROOT. Mr. President, in order that the Senate may understand the purpose of this amendment, I will say that unless the amendment is adopted the bill is going to open the door to a veritable flood of claims not contemplated at this time at all. Under the language reported by the committee, if any department of the Government, if any dollar-a-year man on the War Industries Board, has made a request that somebody should do something with reference to the preparation of a contract or to do anything to aid the Government in securing munitions, although there is not a semblance of authority to make a contract, nevertheless the Government under the language of the bill is bound.

Mr. CHAMBERLAIN. May I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Oregon?

Mr. LENROOT. Yes.

Mr. CHAMBERLAIN. The committee thought that the idea which the Senator now has in mind was fully provided for in lines 4, 5, and 6, where the bill reads:

Has made an agreement with the Secretary of War, or with any officer or agent acting under his authority, or with any agency of the Government authorized to procure or aid in procuring—

Mr. LENROOT. "Or aid in procuring."

Mr. CHAMBERLAIN. Yes. It is only those contracts which are authorized to be made that are covered. We thought that was adequate protection.

Mr. LENROOT. It must be remembered, however, that all of these contracts were authorized to aid in the procuring of supplies. It is not so important, so far as the first paragraph is concerned, but the Senator will recall that with reference to the

subsequent paragraphs of the bill, where the claim is founded upon a mere request, it may be founded upon the kind of an agency I have suggested.

Mr. CHAMBERLAIN. I have no objection to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin.

Mr. FLETCHER. Let the amendment be again stated.

The PRESIDING OFFICER. The Secretary will again state the amendment.

The SECRETARY. On page 4, line 6, after the word "procure," it is proposed to strike out "or aid in procuring the same," so as to read:

Or with any agency of the Government authorized to procure for the War Department.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin.

The amendment was agreed to.

Mr. LENROOT. I offer another amendment.

The PRESIDING OFFICER. The amendment offered by the Senator from Wisconsin will be stated.

The SECRETARY. On page 8, line 17, after the word "requirements," it is proposed to insert "or compliance has been waived as herein provided."

Mr. LENROOT. That is to cover the objection made by the Senator from Iowa [Mr. CUMMINS] on yesterday.

Mr. CHAMBERLAIN. I have no objection to that amendment, Mr. President.

Mr. LENROOT. I will merely state the purpose of it. The bill as it now stands does not provide for an appeal to the commission in the case of contracts where compliance has been waived. This will permit such an appeal.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin.

The amendment was agreed to.

Mr. LENROOT. I offer another amendment.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 8, line 12, it is proposed to strike out the words "any dispute arises" and to insert "the Secretary of War and the contractor shall fail to agree."

Mr. LENROOT. Mr. President, the contention has been made that the language of the bill would permit an appeal before the contractor and the Secretary of War had come to a disagreement. I doubt very much whether that is a proper construction; but I take it there will be no objection to making it clear that the appeal can only be had after a failure to agree.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin.

The amendment was agreed to.

Mr. LENROOT. Mr. President, I have one more amendment to offer. I send it to the desk.

The PRESIDING OFFICER. The amendment offered by the Senator from Wisconsin will be stated.

The SECRETARY. On page 4, at the end of line 20, it is proposed to insert the following:

And provided further, That such waiver shall not validate such contract or procurement order in so far as any claim for unearned profits may be involved.

Mr. LENROOT. Mr. President, this is the matter that was discussed yesterday as to making valid a contract that had not been validly executed, and there was some little discussion here as to whether the validation of such a contract would not give the contractor a valid, legal claim to all unearned profits. I offer this amendment, which is in harmony with the one which has already been adopted by the Senate.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Wisconsin.

The amendment was agreed to.

Mr. CUMMINS. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment offered by the Senator from Iowa will be stated.

The SECRETARY. On page 5, line 3, after the word "form," it is proposed to insert the words "or when the Secretary of War has not waived such noncompliance."

Mr. CUMMINS. Mr. President, the amendment is intended to give the Secretary of War, and afterwards the commission, the opportunity to do justice in those cases in which a compliance has been waived.

Mr. McKELLAR. On what page and line, may I ask the Senator, does the amendment come in? My attention was temporarily diverted.

Mr. CUMMINS. On page 5, line 3, after the word "form." It is akin to an amendment offered by the Senator from Wisconsin [Mr. LENROOT] and is necessary to complete it. In other words, it brings into paragraph 2 the cases in which compliance with strict statutory forms has been waived by the Secretary.

Mr. CHAMBERLAIN. So far as I am concerned, I am willing to accept the amendment, Mr. President.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Iowa.

The amendment was agreed to.

Mr. McKELLAR. Mr. President——

Mr. CUMMINS. Will the Senator allow me just another suggestion, and then I will not interfere again, I hope. I have another amendment, but unfortunately have mislaid it for the moment and can not put my hands upon it, but I should like to ask the Senator in charge of the bill, as well as the Senator from Tennessee, who is interested in another form of bill, a question. Suppose the Secretary of War, under the first paragraph of the committee amendment, declines to waive the failure to comply with the statutory requirements or form and the contract is therefore invalid, strictly considered. I want to provide jurisdiction on the part of the commission to review the action of the Secretary of War in that respect exactly as it is provided that the commission may review the action of the Secretary of War in every other respect which affects the rights of the contractors. Would the Senator from Oregon and the Senator from Tennessee have objection to such a provision?

Mr. McKELLAR. I have no objection to it. I think a better plan, however, would be for the Senator to vote for the Hitchcock amendment, which will put it beyond question; but, of course, that is a matter for him to determine. I have no objection to the amendment.

Mr. LENROOT. Mr. President, if the Senator will yield, may I ask why there should be any such provision now that the bill has been amended giving the contractors the benefit of the other provisions of the bill which do absolutely guarantee them a reasonable compensation?

Mr. CUMMINS. Mr. President, there is a difference between the remedy given under the second paragraph of the bill and the remedy that might be given under the first paragraph; and it seems to me that, if the commission is to stand in review of the act of the Secretary of War, it ought to have the power to review his act in refusing to validate a contract.

Mr. McKELLAR. I think clearly, under the Chamberlain bill, that if the Secretary of War should refuse, then the contractor could appeal to the commission. If that is not the construction to be placed upon the bill, I will be very glad to vote for an amendment which will effectuate that object, because the contractors ought to have that right.

Mr. CUMMINS. I do not think there could be an appeal prosecuted upon that ground.

Mr. McKELLAR. If the Senator will offer such an amendment, so far as I am concerned, I will be glad to have it made a part of the bill.

Mr. CUMMINS. I now have the amendment which I had in mind and will send it to the desk and ask to have it read.

The PRESIDING OFFICER. The Senator from Iowa offers an amendment, which the Secretary will state.

The SECRETARY. On line 21, on page 7, it is proposed to strike out the word "Thereupon," and insert the following:

If the Secretary of War shall refuse to waive noncompliance with statutory requirements in respect to any agreement within the purview of the first paragraph of section 1 of this act, or upon the expiration of 60 days from the date of the taking effect of this act shall have failed to waive such noncompliance, the contractor named in any such agreement may, within 30 days after such refusal or after the expiration of such 60 days, file with the chairman of said commission a notice of appeal in all cases where an appeal is taken hereunder.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Iowa.

Mr. LENROOT. Mr. President, before the amendment is acted on, I should like to ask the Senator from Iowa a question. I should like to ask him if he has considered how that amendment affects the language of the remainder of the section? Do I understand that it is to be inserted before the word "Thereupon"?

Mr. CUMMINS. It is inserted in lieu of the word "Thereupon."

Mr. LENROOT. I ask to have the amendment again stated.

The PRESIDING OFFICER. The Secretary will again state the amendment.

The amendment was again stated.

Mr. LENROOT. That is all right.

Mr. CHAMBERLAIN. I think the amendment is all right, Mr. President. It takes away from the Secretary of War the arbitrary power to refuse a waiver.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Iowa.

The amendment was agreed to.

Mr. McKELLAR. Mr. President, I think all sides to this contract controversy have ignored the House bill, which was sent over here to us to be considered. A careful perusal of that bill shows that it contains some very good provisions, and one especially that ought to go in this bill. I am going to offer an amendment, which I will read, because, in the form in which it is found, I believe I can read it better. After the word "thereof," in line 12, on page 12, I move to insert the following:

And provided further, That no settlement of any claim arising under any such agreement shall bar the United States Government through any of its duly authorized agencies, or any committee of Congress hereafter duly appointed, from the right of review of such settlement, nor the right of recovery of any money paid by the Government to any party under any settlement entered into, or payment made under the provisions of this act, if the Government has been defrauded, and the right of recovery in all such cases shall extend to the executors, administrators, heirs, and assigns, or any party or parties.

Mr. President, of course, that applies only to a settlement which is made in fraud of the Government, and I take it that there will be no objection to that amendment.

Mr. CHAMBERLAIN. Where does the Senator take it from the House bill?

Mr. McKELLAR. If the Senator will look at the bottom of page 2 and the top of page 3, he will see the words "That no" right at the bottom. I desire to have it come in as a new section immediately after the Pomerene amendment that was adopted. I had forgotten that the Senator from Ohio offered an amendment which was adopted a while ago.

The PRESIDING OFFICER. This is to be inserted after the last word of that paragraph as it is amended now?

Mr. McKELLAR. Yes.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from Tennessee.

Mr. CHAMBERLAIN. Mr. President, just one moment. I believe that it would improve the amendment if the Senator would amend it just a little, by striking out the words "any such agreement" and inserting in lieu thereof the words "any contract covered by the terms of this bill."

Mr. McKELLAR. The amendment goes a little further than that, I believe.

Mr. CHAMBERLAIN. The amendment that the Senator has proposed reads as follows——

Mr. McKELLAR. It is identically the House provision on that subject.

Mr. CHAMBERLAIN. Yes. [Reading:]

That no settlement of any claim arising under any such agreement——

What agreement? I want it to read "any contract provided for in this bill."

Mr. McKELLAR. I will accept that amendment.

Mr. CHAMBERLAIN. Strike out the words "such agreement."

Mr. McKELLAR. I will accept that amendment; and I desire to ask unanimous consent that I may add the second proviso as well:

And provided further, That nothing in this act shall be construed to relieve any officer or agent of the United States from criminal prosecution under the provisions of any statutes of the United States for any fraud or criminal conduct.

The PRESIDING OFFICER. The Senator incorporates that in his amendment?

Mr. McKELLAR. Yes.

The PRESIDING OFFICER. Now the Senator from Oregon will please state his amendment.

Mr. CHAMBERLAIN. I want it to read in this way:

No settlement of any claim arising under the provisions of this bill shall bar the United States——

And so forth.

The PRESIDING OFFICER. Does the Senator from Tennessee accept that amendment?

Mr. McKELLAR. I accept it.

Mr. HITCHCOCK. I should like to know where it goes in.

Mr. McKELLAR. Immediately after the Pomerene amendment. Oh, the Senator means the Chamberlain amendment?

Mr. HITCHCOCK. Yes.

Mr. McKELLAR. That goes in at the top of page 3, in lieu of the words "such agreement." He inserts there "the contracts provided for in this act," which I think is very proper, on page 3 of the Chamberlain bill. It goes in as a new section.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. Following the amendment heretofore agreed to, offered by the Senator from Ohio [Mr. POMERENE], it is proposed to insert the following as a new section:

That no settlement of any claim arising under the provisions of this bill shall bar the United States——

Mr. McKELLAR. It ought to be "this act."

The SECRETARY (reading)—

That no settlement of any claim arising under the provisions of this act shall bar the United States Government, through any of its duly authorized agencies, or any committee of Congress hereafter duly appointed, from the right of review of such settlement, nor the right of recovery of any money paid by the Government to any party under any settlement entered into, or payment made under the provisions of this act, if the Government has been defrauded, and the right of recovery in all such cases shall extend to the executors, administrators, heirs, and assigns, or any party or parties: *And provided further*, That nothing in this act shall be construed to relieve any officer or agent of the United States from criminal prosecution under the provisions of any statutes of the United States for any fraud or criminal conduct.

Mr. CHAMBERLAIN. May I ask the Senator whether this portion of his proposed amendment will not delay the payment by the Government to these contractors and others?

Mr. McKELLAR. Why no. Why should it?

Mr. CHAMBERLAIN. I am going to ask the Senator now and call his attention to the language. Take the language of the House bill, if you please—"from the right of review of such settlement." Suppose a claim has been adjusted and liquidated under the provisions of this bill; will it not still be open to a review before the payment has been made?

Mr. McKELLAR. Oh, no; this applies only in cases of fraud. By the way, the third proviso should be added to this. I am going to ask unanimous consent in a moment that it shall be added. This section applies only to cases of fraud. Where a settlement under a contract has been procured by fraud the Government is not precluded by such settlement if it is fraudulently made.

Mr. CHAMBERLAIN. There may be some doubt about the language.

Mr. McKELLAR. It is only about fraud; and, if there is any doubt, the Senator can fix it in conference.

Mr. CHAMBERLAIN. We can probably adjust it in conference if there is that doubt.

Mr. McKELLAR. Yes.

Mr. President, I ask unanimous consent to insert also the third proviso:

And provided further, That this act shall in no way relieve or excuse any officer or his agent from such criminal prosecution because of any irregularity or illegality in the manner of the execution of such agreement.

The PRESIDING OFFICER. The Senator does not need unanimous consent for that. The amendment has not yet been adopted. It is the Senator's amendment.

Mr. McKELLAR. I move, then, that that be added to the amendment. I perfect the amendment by adding that.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Tennessee, as modified, to the amendment of the committee.

The amendment, as modified, to the amendment of the committee was agreed to.

Mr. FRELINGHUYSEN. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The Senator from New Jersey offers an amendment to the amendment which will be stated.

The SECRETARY. On page 7, line 23, after the word "thereon," it is proposed to insert the words "according to the justice and equity thereof," so that if amended it will read:

And make its award or finding thereon according to the justice and equity thereof.

The amendment to the amendment was agreed to.

Mr. HENDERSON. Mr. President, I offer as a new section the amendment which I send to the desk.

The PRESIDING OFFICER. The Senator from Nevada offers an amendment, which will be stated.

The SECRETARY. It is proposed to add, as a new section, the following:

SEC. 7. That the Secretary of the Interior be, and hereby is, authorized and directed to ascertain and determine the amount or amounts of money heretofore invested or contracted to be invested and obligations incurred by any and all persons and investors for producing or for the purpose of producing or preparing for producing or acquiring property for producing, within the United States, to supply the urgent, published, and evident needs of the Nation during the war, any ores, metals, minerals, or mineral substances mentioned and enumerated in an act of Congress approved October 5, 1918 (public, No. 220), entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of those ores, metals, and minerals which have formerly been largely imported, or of which there is or may be an inadequate supply;" the production of which was requested or demanded by the War Industries Board, the Shipping Board, the Department of the Interior, or other agency of the Government.

And that said Secretary ascertain, determine, adjust, liquidate, and out of the moneys provided and appropriated by said act pay to the parties entitled thereto the amount of such losses and damages as he, the said Secretary, shall find and determine have been sustained and suffered or are likely to be sustained and suffered by reason of having made such investments for said purposes or having produced surplus stocks of such materials; and that in each case he shall make such determination, provision, settlement, advancement, or final payment, and by agreement with owners and claimants make such other adjustment or take such other action as he shall find and determine to be just, equitable, reasonable, and expedient; and that he make such provisions as he may deem necessary, advisable, and reasonable to prevent further losses pending final decision, settlement, and disposition in any case or cases; that the payments herein authorized be made to the claimant or claimants the said Secretary shall find to be morally, equitably, and justly entitled thereto; that in ascertaining and determining the losses and damages sustained or to be sustained, and the adjustments, settlements, payments, and provisions to be made the said Secretary shall consider the prices and conditions existing at the time of each investment and the prices and conditions existing prior to the war, as well as those existing at the time of such determination, adjustment, and settlement, together with all of the circumstances and conditions of each case; that the final determination, decision, provision, disposition, and action of said Secretary in each case shall be conclusive and final; that all payments shall be made and all expenses incurred by the Secretary paid from the funds and appropriations provided and appropriated by said act of October 5, 1918 (public, No. 220), and that said funds and appropriation shall continue to be available for said purposes until such time as the said Secretary shall have fully exercised the authority hereby granted and performed and completed the duties hereby provided and imposed: *Provided, however*, That said Secretary shall consider, approve, and dispose of only such claims as shall be made hereunder and filed with the Department of the Interior within three months from and after the approval of this act.

That a report of all operations under this section, including receipts and disbursements, shall be made to Congress on or before the first Monday in December of each year.

That nothing in this section shall be construed to confer jurisdiction upon any court to entertain a suit against the United States.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from Nevada to the amendment of the committee.

Mr. SMOOT. Mr. President, I notice that this amendment authorizes the Secretary of the Interior—

To ascertain and determine the amount or amounts of money heretofore invested or contracted to be invested and obligations incurred by any and all persons and investors for producing or for the purpose of producing or preparing for producing or acquiring property for producing, within the United States, to supply the urgent, published, and evident needs of the Nation—

And so forth. I want to call the attention of the Senator from Nevada to the words "or acquiring property for producing." It seems to me that is going too far. I think that where a man has purchased a piece of property for producing these metals we should not authorize the Secretary of the Treasury to go into the question as to what he paid and whether he lost upon the purchase price of that property because of the fact that the war closed sooner than he anticipated. I believe that is going altogether too far. I will ask the Senator if it would not be very much better to strike out the words "or acquiring property for producing"?

Mr. HENDERSON. I will consent to that, Mr. President.

Mr. SMOOT. I offer that amendment to the amendment, on lines 6 and 7, of page 1, of the amendment.

Mr. CURTIS. Mr. President, could not this amendment be printed and go over until to-morrow? Some of us have not had a chance to read it. It is a very long and very important amendment.

The PRESIDING OFFICER. The Chair will state that the amendment has already been printed.

Mr. CURTIS. Some of us have had no opportunity to read it; and, as I understood, the Senator this afternoon offered some additional amendments to the one that he offered yesterday. We have had no chance at all to read his perfected amendment offered this afternoon.

Mr. CHAMBERLAIN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Oregon?

Mr. CURTIS. Certainly.

Mr. CHAMBERLAIN. I have tried to impress on the Members of the Senate the very great importance of the enactment of this measure, or some measure, for the relief of those that have been dealing innocently and patriotically with the Government of the United States.

Mr. CURTIS. Mr. President, I want to state to the Senator that I have no desire to delay action on the bill reported by him. I think there should be early action upon it; but I do object to passing upon an amendment offered here in the afternoon which none of us have had a chance to read, and which, it seems to me, goes very, very far indeed, and is liable to constitute a very bad precedent on the part of the Senate.

Mr. HENDERSON. If the Senator will yield just a moment, I wish to state that this amendment was proposed by me and printed on January 20 and is on the desks of all of the Senators.

Mr. CURTIS. But the Senator offered amendments to it this afternoon.

Mr. HENDERSON. No; it is absolutely in the form in which it was presented, with the exception of striking out two words.

Mr. CURTIS. The Senator stood upon the floor this afternoon and announced that he wanted to perfect his amendment.

Mr. HENDERSON. Yes. That was in order to introduce the same amendment that was printed on the 20th of November to the Chamberlain bill and the Hitchcock bill, so as to perfect them, to be sure that it would be considered under whichever bill passed the Senate. However, I have no objection to the amendment going over, so as to explain it to-morrow.

Mr. CURTIS. Some of us have been very busy with committee meetings; and, as far as I am concerned, I have not had time to read the amendment offered by the Senator.

Mr. HENDERSON. I have no objection to the amendment going over until to-morrow.

Mr. CURTIS. If the members of the committee have read the amendment and are able to state to us what it contains, and what its effect will be, I am perfectly ready to vote upon it.

Mr. CHAMBERLAIN. Mr. President, I will say to the Senator that in view of the feeling of some of the Senators about the matter, I am going at the proper time to move that the Senate take a recess until to-morrow at 12 o'clock.

Mr. HITCHCOCK. Before the Senator makes that motion I ask for a reprint of the bill showing the committee amendment in italics and the amendments adopted thereto in the Committee of the Whole printed in small capitals. I ask that the bill be reprinted and ready for the use of the Senate to-morrow morning.

Mr. CHAMBERLAIN. I join in that request.

The PRESIDING OFFICER. That order will be made, without objection.

Mr. FLETCHER. Mr. President, before any action is taken may I ask the Senator from Nebraska if he would be willing, on page 2, line 12 of his proposed substitute, in case that should be adopted, to change the word "signed" to the word "acted," so that it would read:

Not legally qualified or authorized to give a formal legal contract, except where such officer has acted as the representative of a superior officer—

Instead of "signed"?

Mr. HITCHCOCK. Yes; I have no objection to that.

The PRESIDING OFFICER (Mr. OVERMAN in the chair). Without objection, the amendment to the amendment is agreed to.

Mr. McKELLAR. Mr. President, on yesterday I asked to have inserted in the RECORD certain testimony taken from the evidence of Mr. Charles A. Rice. Only a portion of that testimony was inserted; and I ask unanimous consent to have the remainder of it inserted now as a part of my remarks.

The PRESIDING OFFICER. Without objection, it will be so ordered.

Mr. SMOOT. The Senator only wishes to have the additional testimony inserted?

Mr. McKELLAR. That is all; just the additional testimony. The matter referred to is as follows:

DYEING INDUSTRY.

The statement of Mr. Charles A. Rice is as follows:

STATEMENT OF MR. CHARLES A. RICE.

Senator McKELLAR. Mr. Rice, what position do you occupy with the Government?

Mr. RICE. I am chief of the cotton converting section of the cotton goods branch in the Quartermaster General's Office.

Senator McKELLAR. How long have you been there?

Mr. RICE. I came to Washington the latter part of February and started in the very last of February.

Senator McKELLAR. Started in this present section?

Mr. RICE. Yes, sir.

Senator McKELLAR. Had you been connected with the Government before in any way?

Mr. RICE. Not at all.

Senator McKELLAR. What was your firm in New York?

Mr. RICE. The firm of Myrick & Rice.

Senator McKELLAR. Are you connected in any way with that firm now?

Mr. RICE. Not at all, sir.

Senator McKELLAR. Do you own any stock in it?

Mr. RICE. No, sir; none whatever. In fact, it was a partnership—it was not a stock company—acting as agents.

Senator McKELLAR. And you have disposed of all agency you had with the firm?

Mr. RICE. I have.

Senator McKELLAR. Do you expect to go into it after the war?

Mr. RICE. I can not say as to that. I mean, I have not any agreement to; none whatever with Mr. Myrick. In fact, that all depends. I can not say what I would do or will do after that—after the war is over.

Senator McKELLAR. Have you done any business with that firm since you have been in the employ of the Government?

Mr. RICE. I am doing business with concerns that they represent.

Senator McKELLAR. With concerns that they represent. To what extent are you doing business with firms that they represent?

Mr. RICE. Only to the extent that I consider that they are equipped to handle certain lines of work that have been needed; that is, along the lines of sulphur dyeing.

Senator McKELLAR. Will you explain your method of contracting in the sulphur dyeing industry?

Mr. RICE. My personal plan when I took hold of it was to get a statement as to the equipment of all the finishers, and knowing what the equipment should be from the practical point of view I lined up

the contractors all over the country as to their equipment, as to wide machinery and narrow machinery and what character of machinery they had for dyeing of light and heavy goods, and then later I made a personal investigation, a personal inspection of these plants in connection with the inspectors, the chief inspectors of the depot quartermaster; and then I sent out lists asking quotations from all contractors whom I considered capable of handling this business, and apportioned out the material to the lowest bidders, considering, of course, their equipment and their organization, as to their being capable of handling this material, and apportioned out the business.

Senator McKELLAR. Was it done on the competitive basis?

Mr. RICE. It is not; always.

Senator McKELLAR. What methods do you pursue? Do you let it to the lowest bidder?

Mr. RICE. I do, provided I consider they are equipped properly and understand the handling of this particular kind of work.

Senator McKELLAR. Can the dye operators of the country do all the Government work without any trouble?

Mr. RICE. Without any additional equipment.

Senator McKELLAR. Is there sufficient now to do it?

Mr. RICE. I so consider. In fact, it has been so, and I believe it is so.

Senator McKELLAR. Why would not the cheaper plan for the Government be to ask for sealed bids and give it to the lowest bidder who was responsible?

Mr. RICE. Of course, I do not know that I am correct on this, but my position is that I believe the dyeing and finishing business is somewhat different from advertising for a supply of boots and shoes, or even cotton goods. I know that the dyeing and finishing business especially, under present conditions and in such conditions as we have had during this war, is a business that has got to be very carefully handled; you have to consider the personnel and the equipment, as to whether these firms are able to handle bleaching or dyeing—on account of varying cotton materials and chemicals and dyestuffs and the various manufactures of chemicals and

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Senator McKELLAR. But, at the same time, Mr. Rice, the manufacturing concerns and the houses that you formerly represented as sales agent and broker are receiving many contracts under you.

Mr. RICE. No; but a very small amount.

Senator McKELLAR. And the same thing is true of Mr. Bailey. I am talking to you in all frankness. Complaints have come in that you both came down here, as I believe, as dollar-a-year men, and that you were connected with these firms.

Mr. BAILEY. I did; Mr. Rice did also.

Senator McKELLAR. Maybe not. Maybe he came in after any necessity for the dollar-a-year men in the Quartermaster Department.

Mr. BAILEY. Yes; I think so.

Senator McKELLAR. But, anyway, it is claimed by your competitors, or men who have been your competitors, that by reason of your position you say which contractors shall get and which contractors shall not get a particular job. Just take the particular illustration that Mr. Rice made a while ago. He asked for quotations on the dyeing of khaki cloth, and numerous bids were made at 4 cents, and the Sayles Co., I believe, going over it, said that he would give it to Mr. Sayles, but he must put it at the 4 cents. Now, you can easily understand how every bidder who bid 4 cents feels that Mr. Rice ought never to have done that; that they were the cause of the Government getting it at 4 cents; and they ought to have had it at 4 cents.

Mr. DONALD. They had all they could handle without it.

Mr. RICE. They had all they wanted first.

Senator McKELLAR. They do not feel so. They would not have put those figures in if they had not felt that they could do it, and they feel that they are just as competent to know what they can do as you gentlemen here in Washington; and they do not feel as if they had had a square deal about it; and one of them said to me that at the very time you gave this contract to the Sayles Co., the Sayles Co. was filled up and really was delayed in the getting out of these goods, whereas they were open and able to deliver to the Government quicker.

Mr. RICE. No.

Senator McKELLAR. Now, those are the practical questions that confront you gentlemen here this morning. We want to be absolutely fair, now, and we want to protect the Government and we want to be fair to everybody alike. My opinion is that a system ought to be instituted that will be fair, and such that no man can say that the Government's agents are not treating him fairly. Now, we must make it so that no man can say that, and that is what the Navy has done. We ought to follow the Navy's lead in the proposition.

Mr. RICE. I think you will always have that, Senator.

Senator McKELLAR. Who is the Southbridge Printing Co.?

Mr. RICE. A concern at Southbridge, Mass. They have been in sulphur dyeing for the last two years or more.

Senator McKELLAR. Who owns it?

Mr. RICE. Mr. Schuster, Mr. Heyward, Mr. Saunders—James A. Saunders—R. A. Rice, and Mr. Myrick. Mr. Hartley had some stock in there.

Senator McKELLAR. Who is Mr. R. A. Rice?

Mr. RICE. He is a brother of mine.

Senator McKELLAR. He is still interested in it?

Mr. RICE. Yes; he is still interested in it.

Senator McKELLAR. What amount of stock does he own?

Mr. RICE. It is my recollection, something like 75 shares. I would not state exactly. Of course, that is of record.

Senator McKELLAR. What interest did you have in the business before you came down here?

Mr. RICE. I had about a little over one-quarter of the stock.

Senator McKELLAR. How much is it capitalized at?

Mr. RICE. $135,000.

Senator McKELLAR. How much, in contracts, has that concern got?

Mr. RICE. I believe about, all told, during the year—of course I can give you an exact account of it.

Senator McKELLAR. I would be glad to have it.

Mr. RICE. About 3,000,000 yards.

Senator McKELLAR. 3,000,000 yards?

Mr. RICE. The recent contract, the gas-defense contract, they are doing some of the parafining for the gas defense.

Senator McKELLAR. What did you do with your stock? To whom did you sell it?

Mr. RICE. To my wife. The Quartermaster's Department stated that should be done, and I transferred it to my wife.

Senator McKELLAR. You did not sell it to her, did you?

Mr. RICE. I just transferred it over for $2.

Senator McKELLAR. You just put it in her name, so you would not be interested in it?

Mr. RICE. Yes; I transferred it over to her. In other words, it belongs to her.

Senator McKELLAR. Is there any other company you are connected with which you transferred to your wife the stock in?

Mr. RICE. Yes; I had some stock of the Fiskdale Finishing Co.

Senator McKELLAR. What is the capital of that company?

Mr. RICE. The capital is $200,000 preferred and $300,000 common.

Senator McKELLAR. And what was your interest in that?

Mr. RICE. My recollection is that it was a little over a quarter interest.

Senator McKELLAR. And you transferred that to your wife?

Mr. RICE. That was in the common stock of that company; and I had, I think, about $15,000, if I recall, of preferred stock. I turned that over to my wife.

Senator McKELLAR. Have you done any business with that company?

Mr. RICE. Yes, sir.

Senator McKELLAR. How much have you allotted to them?

Mr. RICE. I should say about 3,000,000 yards during the year.

Senator McKELLAR. Have those contracts been filled?

Mr. RICE. Not all of them. They are working on them now. In fact, some of the material has been delivered to them. Gray mills are behind on the gray contracts.

Senator McKELLAR. Are there any other companies with which you were connected?

Mr. RICE. No, sir; those are the only two companies I had owned any stock in.

Senator McKELLAR. Your partnership was with Mr. Myrick?

Mr. RICE. Mr. Myrick.

Senator McKELLAR. What contract have you with Mr. Myrick about your firm business while you are down here?

Mr. RICE. None whatever. I sold out to Mr. Myrick. I have resigned and am no longer a member of the firm of Myrick & Rice. I am out of it entirely.

Senator McKELLAR. Who are the owners of that firm?

Mr. RICE. Mr. Myrick is the sole owner now of the firm.

Senator McKELLAR. Would you object to stating upon what terms you sold out that business?

Mr. RICE. Certainly; I will be glad to state. I sold out of the firm for $5,000, and all the interest that I had there for $15,000, the total amounting to $20,000. The $15,000, of course, was pay for back contracts on commercial business; nothing whatever on any Government business.

Senator McKELLAR. When were these transactions; last March, before you came down here?

Mr. RICE. Last March; yes.

Senator McKELLAR. At whose instance did you come?

Mr. RICE. At the request of Mr. Albert Scott and Mr. Miller Wilson.

Senator McKELLAR. What has become of Mr. Scott? What is he doing now?

Mr. RICE. I could not say. He is in Boston. I could not tell you just what he is doing.

Senator McKELLAR. Mr. Scott was interested in nearly all these mills, was he not?

Mr. RICE. I could not say.

Senator McKELLAR. You did not know that he had large interests in them?

Mr. RICE. No, sir; I did not know anything about it. In fact, I had never met Mr. Scott but once in 1917.

Senator McKELLAR. Mr. Scott, I do not believe, had any interest in any of these competing plants, but he had interests in all the cotton manufactories, or was represented in them.

Mr. DONALD. Only a very few, Senator.

Senator McKELLAR. That is neither here nor there. It does not make any difference.

Mr. DONALD. Of his firm, Lockwood Green was agent for three or four or five cotton mills.

Mr. BAILEY. Yes.

Senator McKELLAR. Now, what dyeing concerns among those you have here were represented by Myrick & Rice?

Mr. RICE. On the commercial business only, the Martin Dyeing & Finishing Co. We never had anything to do with Government business.

Senator McKELLAR. The Martin Dyeing & Finishing Co. at Bridgeton?

Mr. RICE. Yes. The Government business was entirely handled by Mr. Fred S. Bennett.

Senator McKELLAR. Where is he?

Mr. RICE. In New York City.

Senator McKELLAR. He represents the Martin Dyeing & Finishing Co.?

Mr. RICE. He is the representative of the Martin company on Government business only.

Senator McKELLAR. He never has been connected with the Government in any way?

Mr. RICE. No; not to my knowledge.

Mr. BAILEY. Never.

Senator McKELLAR. Was he ever here in Washington?

Mr. BAILEY. Not in any official capacity.

Senator McKELLAR. Did he work here for the Government at all.

Mr. BAILEY. No, sir.

Senator McKELLAR. In an unofficial capacity?

Mr. BAILEY. Oh, no, sir. He was an original member of the cotton-goods committee of the Council of National Defense.

Senator McKELLAR. That is, of the old Council of National Defense?

Mr. BAILEY. Yes.

Senator McKELLAR. How long did he serve with that committee?

Mr. BAILEY. He served from April until June. I am speaking from recollection. He resigned very early from that.

Senator McKELLAR. So that he was connected with this cotton-goods committee of the Council of National Defense, which had in charge these things?

Mr. BAILEY. He was on the cotton-goods committee of the committee on supply, the subsidiary committee representing the industry.

Senator McKELLAR. Were there any other firms that your firm represented, Mr. Rice, besides the Martin Dyeing & Finishing Co.?

Mr. RICE. Yes; the Mansfield Bleachery.

Senator McKELLAR. At Mansfield, Mass.?

Mr. RICE. At Mansfield, Mass.

Senator McKELLAR. Any others?

Mr. RICE. The Southbridge Printing Co.; the Fiskdale Finishing Co.; the Slaterville Finishing Co., at Slaterville, R. I.; the Edgewater Dyeing & Finishing Co., of Philadelphia.

Senator McKELLAR. The Martin, the Mansfield, the Southbridge, the Slaterville; and were there any others?

Mr. RICE. The Edgewater. I believe there were eight.

Senator McKELLAR. You have named six of them. Have all these concerns gotten contracts from the Government?

Mr. RICE. No, sir.

Senator McKELLAR. Which ones have not?

Mr. RICE. The Martin Co.—

Senator McKELLAR. The Martin Co. has not?

Mr. RICE. The Martin Co. has had contracts.

Senator McKELLAR. All right, sir.

Mr. RICE. The Edgewater has had contracts; the Southbridge and the Fiskdale have had contracts.

Senator McKELLAR. And the Mansfield?

Mr. RICE. They had one or two contracts in the spring.

Senator McKELLAR. The Slaterville?

Mr. RICE. Only one or two, recently. We have been giving them some recently.

Mr. CHAMBERLAIN. I move that the Senate take a recess until 12 o'clock noon to-morrow.

Mr. FRELINGHUYSEN. Mr. President, before the recess is taken I think we should point out to the Senator from Nevada that the amendment which he proposes to this bill undoubtedly will delay the bill in conference. This is one of the most important bills which has come before the Senate. It involves the settlement of nearly $2,000,000,000 worth of contracts. This legislation should have been passed two months ago; and I do hope the Senator will not press that amendment on this bill when the time comes.

RECESS.

Mr. CHAMBERLAIN. I renew my motion for a recess until 12 o'clock noon to-morrow.

The motion was agreed to; and (at 4 o'clock and 50 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, January 29, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *January 28, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Lead us, O Lord God, our Heavenly Father, by Thy counsels through the remaining congressional hours of this day.

Give to these Representatives of our people clear minds, conscientious scruples, high ideals, that they may hallow Thy name in all the legislative acts they may record in history. In the spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 4887. An act making an appropriation for a sewer system at the Carson Indian School at Stewart, Nev.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 2784) to authorize the purchase by the city of McMinnville, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916.

The message also announced that the Senate had passed the following resolutions:

Senate resolution 430.

Resolved, That the Senate has heard with profound sorrow the announcement of the death of the Hon. EDWARD EVERETT ROBBINS, late a Representative from the State of Pennsylvania.

Resolved, That a committee of seven Senators be appointed by the Vice President to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

And that the Vice President, under the second resolution, had appointed Mr. PENROSE, Mr. KING, Mr. OVERMAN, Mr. WARREN, Mr. BAIRD, Mr. THOMPSON, and Mr. KNOX as said committee on the part of the Senate.

Also the following resolution:

Senate resolution 422.

Resolved, That the Senate expresses its profound sorrow in the death of Hon. ROBERT F. BROUSSARD, late a Senator from the State of Louisiana.

Resolved, That as a mark of respect to the memory of the deceased the Senate, in pursuance of an order heretofore made, assembles to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate these resolutions to the House of Representatives, and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

Also the following resolution:

Senate resolution 423.

Resolved, That the Senate expresses its profound sorrow in the death of Hon. WILLIAM HUGHES, late a Senator from the State of New Jersey.

Resolved, That as a mark of respect to the memory of the deceased the Senate, in pursuance of an order heretofore made, assembles to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 4887. An act making an appropriation for a sewer system at the Carson Indian School at Stewart, Nev.; to the Committee on Indian Affairs.

THE RAILROADS.

Mr. GARNER. Mr. Speaker, I want to insert in the RECORD some resolutions passed by the State Senate of Texas touching the railroad question.

The SPEAKER. Is there objection?

Mr. DENISON. Reserving the right to object, Mr. Speaker, will the gentleman state what is the nature of the resolutions?

Mr. GARNER. They express the opinion that the railroads ought to be turned back to the owners of them. If the gentleman wants to know the substance of it, that is what it is.

The SPEAKER. Is there objection?

There was no objection.

Following are the resolutions referred to:

Whereas postwar and reconstruction conditions have brought these United States of America many problems of great import, and perhaps the one of greatest importance is the question of Government ownership of the railways of the United States; and

Whereas our great democratic President, in whose wisdom we have every reason to confide, in his address to Congress on December 2, said: "The question which causes me the greatest concern is the question of the policy to be adopted toward the railroads. I frankly turn to your counsel upon it"; and after making other illuminating statements on this subject, further says, "Let me say at once that I have no answer ready. The only thing that is perfectly clear to me is that it is not fair either to the public or to the owners of the railroads to leave the question unanswered and that it will presently become my duty to relinquish control of the roads, even before the expiration of the statutory period, unless there shall appear some clear prospect in the meantime of a legislative solution. Their release would at least produce one element of its solution, namely, certainty and a quick stimulation of private initiative"; and

Whereas in wisdom, so characteristic of the man, our President has turned to Congress for counsel on this momentous subject, in his keen sense of justice endeavoring to deal fairly with the owners of the railroads and protectively to the public welfare; and

Whereas we feel that the Congress of the United States will, by being informed of public sentiment, be better able to solve and direct the course of the problem, and recognizing the necessity, as expressed in the President's address, of relinquishing control of the railroads as quickly as possible and the certainty of conditions that said release of the railroads by the Federal Government would immediately establish; therefore, be it

Resolved by the Senate of this the Thirty-sixth Legislature of the State of Texas, That we favor the return of the railroads to their owners as immediately as it can be accomplished without confusion or losses; be it further

Resolved, That we believe and think private ownership under strong Government control and regulation in service, income, and disbursements is desirable, and we do not believe Federal Government ownership of railroads is for the best interests of the people at this time; be it further

Resolved, That the secretary of the senate forward properly authenticated copies of this resolution to each United States Senator and Member of Congress from Texas for their consideration, and a copy to the chief clerks of the house of representatives and the senate of each State.

EXTENSION OF REMARKS.

Mr. MONTAGUE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing the letter of Chief Justice Taney, under date of February 16, 1863, known as his remonstrance against the imposition of an income tax upon judicial salaries, and also the opinion of Attorney General Hoar in relation to the same. I do this for the benefit of the conferees of the House and the few lurking lovers of the Constitution throughout the country.

The SPEAKER. Is there objection?

There was no objection.

ADMINISTRATION OF THE OVERMAN ACT.

Mr. GOULD rose.

The SPEAKER. For what purpose does the gentleman from New York rise?

Mr. GOULD. I rise to make a privileged motion, Mr. Speaker. I move to discharge the Committee on the Judiciary from further consideration of House resolution 481.

Mr. GARNER. Mr. Speaker, is the gentleman recognized for that purpose?

The SPEAKER. He has a privileged resolution, unless somebody can pick a hole in it. [Laughter.] The Clerk will report it.

The Clerk read as follows:

House resolution 481.

Resolved, That the President is hereby requested to inform the House of Representatives of the result, in detail, of his administration of the provisions of the so-called Overman Act, approved May 20, 1918, entitled "An act authorizing the President to coordinate or consolidate executive bureaus, agencies, and offices, and for other purposes, in the interest of economy and the more efficient concentration of the Government."

Mr. WEBB. Mr. Speaker, I make the point of order that the resolution is not privileged.

The SPEAKER. What is the point of order that keeps it from being privileged?

Mr. WEBB. I have only examined it casually, but——

The SPEAKER. It was referred to the committee two or three weeks ago.

Mr. WEBB. I have not been requested as chairman of the committee to act upon the resolution at all.

The SPEAKER. That is it.

Mr. WEBB. The clerk of the committee spoke to me about it and said it was not privileged, and therefore no immediate action was taken on it.

The SPEAKER. The Clerk will again report it.

The resolution was again read.

Mr. WEBB. Mr. Speaker, I think it is clear from that reading that it is calling upon the President to express an opinion as to the result.

The SPEAKER. Where does it call upon the President for that?

Mr. WEBB. It asks for the results in detail.

The SPEAKER. The Chair knows it asks for results in detail; but two and two make four, and such stuff as that.

Mr. WEBB. That is very true; but to call on the President for the results of a thing is to call upon him for an expression of opinion.

The SPEAKER. I do not see why.

Mr. MANN. It is a question of fact.

Mr. WEBB. No; I beg the gentleman's pardon. It does not seem to me he calls upon him for a fact. If he did, it would be a privileged question; but it seems to me he calls upon him for the result of the Overman resolution.

The SPEAKER. The Chair has no doubt whatever that it is privileged. The question is on the resolution.

Mr. CRISP. The question is on the motion of the gentleman to discharge the committee.

The SPEAKER. The gentleman is correct. The question is on the gentleman's motion to discharge the committee.

The question being taken, on a division (demanded by Mr. MANN) there were—ayes 18, noes 22.

Mr. MANN. I ask for tellers.

Tellers were ordered; and the Speaker appointed Mr. WEBB and Mr. GOULD.

The House again divided; and the tellers reported—ayes 25, noes 19.

Accordingly the motion of Mr. GOULD was agreed to.

Mr. MANN. Now, Mr. Speaker, the question is on the resolution.

The SPEAKER. The question is on the resolution.

The question being taken, the resolution was agreed to.

THE FEDERAL JUDICIARY—CONFERENCE REPORT.

Mr. WEBB. Mr. Speaker, I desire to call up the conference report on the bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911. I ask that the report be read. It is brief.

The SPEAKER. The Clerk will read the conference report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 7.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 5, 6, 9, 10, 11, 12, 13, 14, and 15, and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SEC. 3. That the judges of the Supreme Court of the District of Columbia shall receive salaries the same as salaries provided by this act to be paid to judges of district courts of the United States, and such salaries shall be paid as now provided by law.

"The judges of the Court of Appeals of the District of Columbia shall receive salaries the same as the salaries provided by this act to be paid to judges of the Circuit Court of Appeals of the United States, and such salaries shall be paid as now provided by law."

And the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SEC. 5. That the judges of the United States Court of Customs Appeals shall receive salaries equal in amount to the salaries provided by this act to be paid judges of the Circuit Court of Appeals of the United States, payable monthly from the Treasury."

And the Senate agree to the same.

E. Y. WEBB,
C. C. CARLIN,
H. J. STEELE,
A. J. VOLSTEAD,
GEO. S. GRAHAM,
Managers on the part of the House.

HOKE SMITH,
WILLIAM H. KING,
J. O. WOLCOTT,
FRANK B. BRANDEGEE,
LEBARON B. COLT,
Managers on the part of the Senate.

The SPEAKER. The question is on agreeing to the conference report.

Mr. MANN. Mr. Speaker, may I ask the gentleman from North Carolina a question?

Mr. WEBB. Certainly.

Mr. MANN. As I caught the reading of the conference report, it said that the judges of the Court of Appeals of the District of Columbia shall receive salaries the same as those fixed by the bill for judges of the circuit court of appeals.

Mr. WEBB. Yes; the same salaries as the judges of the United States circuit courts.

Mr. MANN. I suppose it is not necessary that there be harmony in legislation coming from the Committee on the Judiciary, and it may be that I am under a misapprehension. My recollection is that while there is no circuit court there are circuit judges and district judges, and we fix the salaries of the district judges and then we fix the salaries of the circuit judges. Now, the gentleman introduces a new title for circuit judges, by calling them "judges of the circuit court of appeals."

Mr. GARNER. That is what they are.

Mr. MANN. That is not what they are, so far as the law providing for the fixing of their salaries is concerned. At least my recollection is that the circuit court of appeals is constituted by the sitting of circuit judges. As I say, I do not suppose it is necessary that there be harmony; but if my recollection is right, it does not look very well for Congress in the same act to provide a salary for a circuit judge and then refer to it as a salary for a judge of the circuit court of appeals.

Mr. WEBB. That is the language the Senate used, I will say to my friend.

Mr. MANN. I can not help that. I am not talking about the language the Senate used, I am talking about the language that the conferees used.

Mr. WEBB. Yes; we adopted their language.

Mr. MANN. Of course, I will not say anything further about the Senate.

Mr. GARNER. Let it go at that.

Mr. WEBB. I do not know but I might agree with the gentleman, but it was the Senate's language and expresses the thought and meaning intended.

Mr. MANN. But the gentleman has changed it in conference.

Mr. WEBB. Yes; but we changed according to the Senate's suggestion and language, though.

Mr. MANN. Oh! Then, of course, we are ready to believe that the House conferees agreed upon all the Senate amendments except certain amendments which the House conferees insisted should be changed to correspond with the desire of the Senate managers in the conference.

Mr. WEBB. I think my friend is "sticking in the bark"—too technical. The gentleman can not tell the difference between the circuit court of appeals and the circuit judges constituting

the circuit court of appeals. The one is interchangeable with the other in common language. That is the way we looked at it.

The SPEAKER. The question is on agreeing to the conference report.

Mr. GARD. Mr. Speaker, I desire to ask the gentleman to explain to the House the action of the conferees relative to the Court of Claims and to the judges of the Supreme Court of the District of Columbia as to whether they are included in the proposition for a Federal judiciary?

Mr. WEBB. I will say to my friend that the House, as he remembers, increased the salaries of the judges of the Court of Claims $1,500, as we increased the salary of every district and circuit judge in the United States. When the bill went to the Senate they increased the salary still more and made it $8,500 instead of $7,500. In conference the Senate receded, and we reduced the amount allowed to the judges of the Court of Claims back to where the House put it, $7,500. We have included the Senate amendment giving the District of Columbia supreme court judges the same increase as other judges, $1,500. We felt that was nothing but right and fair. If it had not gone out on a point of order, I think the House would have adopted the increase when the bill was here on this floor. Everyone knows that the District of Columbia is one of the costliest places in the United States to live in, and we could see no reason why we should not agree to give these supreme court judges here, who are declared by law to be district judges of the United States, just like other judges throughout the United States, the $1,500 increase, especially when the city of Washington pays half of that increase. We thought that was perfectly fair that we should do that.

Mr. DENISON. Will the gentleman yield?

Mr. WEBB. I yield to my friend.

Mr. DENISON. Will the gentleman state to the House what changes were made in the provision of the House bill by the conferees with reference to the forcible retirement of judges?

Mr. WEBB. None at all.

Mr. DENISON. I think there are some changes there, are there not?

Mr. WEBB. No, sir; not at all.

Mr. DENISON. There are some shown on this document that I have here.

Mr. WEBB. It is a mere change of language. There is no change in the substance of the law at all. Mr. Speaker, I ask for the previous question.

Mr. GARD. Mr. Speaker, I would like five minutes.

Mr. WEBB. I will yield five minutes to the gentleman from Ohio.

Mr. GARD. Mr. Speaker, there is a great deal of doubt in my mind as to whether some of the courts added by the conferees are properly Federal courts. I make the statement after very considerable investigation and a knowledge there has been a difference of judicial expression as to whether these are Federal courts or not. They are called district courts. The jurisdiction of the Supreme Court of the District of Columbia is a variant one, and the jurisdiction of the Court of Appeals of the District of Columbia is, of course, based upon the primary jurisdiction of the supreme court.

Now, assuming that they come within the purview of being United States courts, and I myself do not believe they do, since they are not a part of the Federal judicial system—assuming that they do, we are called upon by what may not be unfairly termed "legislation by favoritism" to include a number of judges of the District of Columbia in the increase of salaries, when by no possible means could there be any further extension than to say that one judge's salary having been increased the others will be so entitled. There is no question but what the judges of the Supreme Court of the District of Columbia do some Federal business—such as injunctions and mandamus of Cabinet officers peculiar to this District—and there can be no contention, Mr. Speaker, that these men, the entire number of judges, six in number, do more business than any one judge in any particular district court of the United States.

Therefore under the guise of the increase of salary of Federal judges we are increasing the salaries of these men who sit as the Supreme Court of the District of Columbia in cases almost entirely local for doing a Federal business which is but an incident to their appointment as district judges, and district judges, so called, because this is a governmental reservation known as the District of Columbia.

Now, I call the attention of the House to the report of the Attorney General of the United States, which all might read with profit, concerning the work of the Court of Appeals of the District of Columbia. This is the disclosure of business: There were pending at the close of June 30, 1917, 17 patent cases, 77 civil cases, 2 criminal cases, or a total of 96. In 1918 there were pending 64 patent cases, 49 civil cases, 6 criminal cases, a total of 119.

It is also interesting to read in the same report of the courts in the District of Columbia, in which a statement is made as to civil cases to which the United States was a party. These civil cases are designated first at the close of business June 30, 1918, as being 1 safety-appliance case, 1 hours-of-service case, 6 forfeiture cases under proceedings of the food and drug act, and unclassified business 46, which includes all cases of the most minor and ex parte cases. This is the Federal business which the judges of the Supreme Court of the District of Columbia are doing.

In criminal cases it is also interesting to note that they terminated 20 cases pertaining to internal revenue, and this was their method of terminating them: Eleven pleaded guilty and there were 9 pleas of nolle prosequi. Under the post-office cases there were 9 convictions only, 1 nolle prosequi, and 7 pleaded guilty. Under the food and drugs act there were 166 pleas of guilty, and under the interstate-commerce cases there was 1 plea of guilty.

The SPEAKER. The time of the gentleman has expired.

Mr. GARD. I ask for five minutes more.

Mr. WEBB. I yield five minutes more to the gentleman.

Mr. GARD. There were 46 cases under the interstate-commerce laws which were discontinued and dismissed. There is a statement of cases to which the United States was not a party, which showed a great volume of business, amounting to 10,546 cases. So that the contention I make, Mr. Speaker, is that the judges in the District of Columbia, being a part of the Federal governmental reservation, and having its peculiar jurisdiction necessarily incident to this District, are not, in the broadest sense of the word, Federal judges. They only come within the scope of that name because of the certain limited and peculiar jurisdiction which they may have. It occurs to me that the inclusion of these courts without committee recommendation is what may be termed legislation by favoritism, and I regret that the bill has taken the peculiar angle it has, since I was one of those who supported the proposition that in certain instances which were governed by population and business necessarily I felt that there was ground for some increase in the salary of the Federal judges. But I can not bring myself to the belief that as a general proposition the flat salary or level extension all over the country should have been adopted as a change from the bill as originally presented by the Committee on the Judiciary to this House.

Nor can I bring myself to the belief that the interests of justice are best subserved by incorporating two or three courts which are peculiarly local in their character. The Court of Claims, while possibly Federal, is not strictly a court. It can be best described as being a judicial commission to find facts. These other courts, it seems, are peculiarly and particularly local in their character and in their work.

Now, it can not be said that because these men reside in the District of Columbia, where the price of living has been high, that therefore this salary increase should come to them, because that would apply to every local court in the United States more or less, and the fact is that here in the District of Columbia there has been little or no effort on the part of organized District authority or local interests to prohibit, suppress, or control the acknowledged extortion and profiteering which everyone whose business has called him here has experienced.

I desired to inform the House of this matter, because for the public welfare there should here be an understanding of the conduct of judicial business in this District. In the report of the pending judicial business of the District of Columbia there is carried something over 10,000 cases, including nearly 7,000 criminal cases. That is a manifest error. The truth of it is there is not one-tenth of that amount of real criminal business in the District of Columbia. If there were over 10,000 undisposed of cases demanding trial in the District of Columbia there would be such a hue and cry for adjudication, and a rightful hue and cry, that it could not be denied; but the fact is that the clerk's office carries here this great number of 10,000 or more cases in the District of Columbia under a technicality which continues them in operation, and which makes of each motion or any procedure in the criminal case a special case until finally disposed of, and they build it up so that in the report there now appears, as I said, something over 10,000 cases. This is a matter that is not fair to the District of Columbia, and it is not fair to the general and proper understanding of the work of the judges here or of the judicial system.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. WEBB. Mr. Speaker, just one word in reply to that. There is a great demand in this District for more judges on this District Supreme Court. I was talking with a distinguished ex-Member of this House yesterday, a gentleman who came from the Speaker's own State, and he said that the situation in the District of Columbia was a positive denial of justice, and was inuring to the benefit of the corporations of this city, because if a poor man wanted to sue one of them he could not get a trial within two years, although he might have a good claim for $10,000. The corporation can drift the thing along, and finally might compromise it for $2,000. This House has twice passed a bill giving two additional judges to this court, and the Senate passed it once, but it died in conference, because we could not get an agreement upon an amendment. I say without fear of contradiction that it is the hardest worked Federal or nisi prius court in the United States. They have more drudgery work to do than any Federal judges in the United States. They keep court open more days than any judges; they sit there nine months every year, and the court is never closed, even when they take a little summer vacation. Tell me why it is that when the law creating these courts declares them as having all of the power and jurisdiction of district and circuit court judges, and when, in addition to that work, they do all of the duties of a nisi prius court in this Capital City—tell me why we should go all over this great country, even into the gentleman's own State of Ohio, and give the judges an increase of $1,500, give to the Hawaiian and Porto Rican judges this increase, and yet leave out the hardest worked judges in America? The conferees would not agree to it, and I hope the House will not agree to it.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. WEBB. Yes.

Mr. GARD. Is not the real trouble in this city the fact that they have a most inadequate judicial code?

Mr. WEBB. Yes; I agree with the gentleman that the Judicial Code of this District might be amended, and the judges on that bench have been before the gentleman's committee and mine for the last three years trying to get us to amend it so as to take some of the heavy work off them, but we have not done it. The lower courts now have jurisdiction to send a man to jail for one year. That is one way in which we could relieve the congestion in the District of Columbia.

Mr. GARD. Does not the gentleman recall the statement of the distinguished ex-Member of this House, and also of the body at the other end of the Capitol, who said that since he had been practicing at the bar of the District of Columbia that there were only three cases of sufficient importance to attract his consideration?

Mr. WEBB. Yes; and he said he never cared for more than six cases at a time in any or all the courts, but that is no criterion. He came before the committee and said that one of the hardest worked benches in the world was the District of Columbia bench, and said most earnestly that it ought to have a larger increase in salaries than we are giving here. Remember the people of this District pay one-half of this increase. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

LEAVE OF ABSENCE.

By unanimous consent, at the request of Mr. McARTHUR, Mr. HAWLEY was granted indefinite leave of absence on account of illness.

FOOD RELIEF—CONFERENCE REPORT (NO. 998).

Mr. SHERLEY. Mr. Speaker, I call up the conference report upon the bill (H. R. 13708) providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary.

The SPEAKER. The gentleman from Kentucky calls up the conference report on the food-relief bill, which the Clerk will read.

The Clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13708) providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 6, 7, and the amendment amending the title of the bill; and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following and transpose the same so that it will precede the word "as," in line 7, on page 1 of the bill:

"*Provided, however*, That Armenians, Syrians, Greeks, and other Christian and Jewish populations of Asia Minor now or formerly subjects of Turkey may be included within the populations to receive relief under this act."

And the Senate agree to the same.

SWAGAR SHERLEY,
JOHN J. EAGAN,
J. G. CANNON,
Managers on the part of the House.

THOMAS S. MARTIN,
LEE S. OVERMAN,
F. E. WARREN,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13708) providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary, submit the following written statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to each of said amendments, namely:

On No. 1: Inserts the amendment, proposed by the Senate, including among the peoples to receive relief under the act Armenians, Syrians, Greeks, and other Christian and Jewish populations of Asia Minor now subjects of Turkey, transported so that it will more clearly make certain that relief may be granted to such peoples whether they are subjects of Turkey or not, and whether or not they are living in enemy territory.

On No. 2: Inserts the amendment, proposed by the Senate, excluding from the relief authorized in this bill populations of German-Austria, Hungary, Bulgaria, and Turkey.

On Nos. 3 and 4: Provides, as proposed by the Senate, that expenditures under the act shall be audited in the same manner as other expenditures of the Government.

On Nos. 5 and 6: Provides, as proposed by the Senate, for the report of an itemized statement of receipts and expenditures made under the act.

On No. 7: Inserts the amendment, proposed by the Senate, requiring that so far as said fund shall be expended for the purchase of wheat, preference shall be given to grain grown in the United States.

The House agrees to the amendment of the Senate amending the title of the bill.

SWAGAR SHERLEY,
JOHN J. EAGAN,
J. G. CANNON,
Managers on the part of the House.

Mr. SHERLEY. Mr. Speaker, there was one substantive proposition placed upon the bill as it passed the Senate, and that was to make clear that among the populations in Europe that should be included within the relief to be afforded by the bill were Armenians, Syrians, Greeks, and other Christian and Jewish populations of Asia Minor. As the amendments, which were numbered 1 and 2, were offered and agreed to by the Senate the effect of No. 2 would have been to nullify and destroy in part amendment No. 1, because the bill as it passed the House provided for the relief of various populations in Europe and territory contiguous thereto, outside of Germany. The Senate undertook to include in amendment No. 1 the countries I have enumerated, and then in No. 2 provided that the relief should be to populations outside of Germany, German-Austria, Hungary, Bulgaria, and Turkey. The very class they wanted to include were populations inside German-Austria, Hungary, Bulgaria, and Turkey. The conferees carried out the spirit of the Senate amendment by providing that the relief should go to the populations in Europe and contiguous territory and the enumerated classes of Armenians, Syrians, Greeks, and other Christian and Jewish populations, excluding all of Germany and others than the enumerated class I have just

spoken of in Austria, Hungary, and in Turkey. The other amendments of the Senate were amendments that undertook to make it more clear that there should be a complete audit and detailed report of receipts and expenditures, and the House was very glad to accept those Senate amendments.

Mr. DENISON. Can the gentleman give substantially the language of the exclusions in the bill as finally agreed upon?

Mr. SHERLEY. The exclusions of the bill are Germany, German-Austria, Hungary, and Turkey——

Mr. STAFFORD. And Bulgaria.

Mr. SHERLEY. And Bulgaria, except Armenians, Syrians, Greeks, and other Christian and Jewish populations of Asia Minor, now or formerly subject to Turkey, may be included with the populations to receive relief. Mr. Speaker, I ask for a vote.

The question was taken, and the conference report was agreed to.

LIGNITE COALS AND PEAT—CONFERENCE REPORT (NO. 972).

Mr. FOSTER. Mr. Speaker, I call up the conference report on the bill S. 3220.

Mr. SHERLEY. May I ask, pending the gentleman's motion, how long the gentleman proposes to take? It was the understanding of the House on yesterday that the House would consider the deficiency bill this morning.

Mr. FOSTER. I do not suppose it will take very long, but I can not inform the gentleman.

The SPEAKER. What is the conference report?

Mr. FOSTER. On the lignite bill.

The SPEAKER. The Clerk will report the conference report.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3220) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat, to determine the practicability of their utilization as a fuel and in producing commercial products, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment numbered 1.

That the Senate recede from its disagreement to the amendments of the House numbered 2 and 3, and agree to the same.

M. D. FOSTER,
OTIS WINGO,
E. E. DENISON,
Managers on the part of the House.

CHARLES B. HENDERSON,
T. J. WALSH,
MILES POINDEXTER,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to Senate bill 3220, authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat, to determine the practicability of their utilization as a fuel and in producing commercial products, submit the following statement in explanation of the action taken by the conference committee, and respectfully submit the following statement as to the action of the managers on the part of the House:

Amendment No. 1: Page 1, line 5, the managers on the part of the House receded from its amendment and agreed to the same, restoring the words "and peat," so if the conference report is adopted and the bill becomes a law it will permit investigations in reference to peat as a fuel.

Amendment No. 2: Page 1, line 10, the House struck out "$150,000" and inserted "$100,000." The Senate receded from its disagreement to this amendment, leaving the amount as fixed by House, "$100,000."

Amendment No. 3: Section 2, page 2, the amendment was placed in the bill by the House and the Senate receded and agreed to the same. This is an amendment providing that when the investigation is completed the Secretary of the Interior is authorized and directed to sell or otherwise dispose of property used in the investigation and make a report to Congress of the results of such experiments and investigations.

M. D. FOSTER,
OTIS WINGO,
E. E. DENISON,
Managers on the part of the House.

Mr. STAFFORD. Will the gentleman yield?

Mr. FOSTER. I yield.

Mr. STAFFORD. When the Senate bill was under consideration, no consideration whatsoever was given to the amendment of the committee striking out of the Senate bill authority to the Bureau of Mines to investigate peat production. Now, I understand that the conferees have agreed to restore the word "peat," so as to include peat with lignite-coal production in this investigation?

Mr. FOSTER. Peat was stricken out because it was thought we would only investigate lignite coal, but after investigation further it was found they could do this on the $100,000, so we restored it.

Mr. STAFFORD. The question was not so much the feasibility but merely to use up the $100,000?

Mr. FOSTER. No; it was not that at all.

Mr. STAFFORD. I beg the gentleman's pardon; then I misunderstood his explanation as to the reason for including peat.

Mr. FOSTER. We eliminated peat——

Mr. STAFFORD. I remember when the bill was under consideration some one stated they would strongly oppose having an investigation made as to the commercial value of peat as a fuel product, and it was eliminated by the committee and no consideration was given to it on the floor.

Mr. FOSTER. There could not be; it was passed under suspension of the rules.

Mr. STAFFORD. That emphasizes more the need, perhaps, of some real explanation as to why peat was included within the purview of this bill.

Mr. FOSTER. The conferees talked with the head of the Bureau of Mines, and he thought they could make this investigation of peat. There were some men from the States of Minnesota and Florida who were very insistent, especially from Florida, in having that language restored, and so it was done after finding we could do that on the amount of money provided, $100,000.

Mr. STAFFORD. Is the gentleman quite sure it will not go beyond $100,000?

Mr. FOSTER. That is the limit of the amount in this bill.

Mr. STAFFORD. I have many times known of a limit on appropriations where bureaus, especially the Bureau of Mines, have come to Congress for a larger appropriation.

Mr. FOSTER. I can not say as to that; the gentleman and myself will not be here next session.

Mr. STAFFORD. And we will not be responsible after this term of Congress for the raid of these bureaus upon the Treasury.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. FOSTER. I will.

Mr. GREEN of Iowa. Was not this bill originally introduced as a war measure?

Mr. FOSTER. I do not know that it was——

Mr. GREEN of Iowa. I think the gentleman himself here told us so. Now the war is over and the gentleman presses it just the same.

Mr. FOSTER. I think the gentleman is wrong. Mr. Speaker, I ask for a vote.

The question was taken, and the conference report was agreed to.

SECOND DEFICIENCY BILL.

Mr. SHERLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15140, the second deficiency appropriation bill.

The motion was agreed to.

The SPEAKER. The Chair had asked the gentleman from Texas [Mr. GARNER] to act as Chairman of this committee, but he has been called out for a few minutes to his office, and the Chair will ask the gentleman from North Carolina [Mr. WEBB] to act until the gentleman from Texas returns.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15140, the second deficiency bill, with Mr. WEBB in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15140, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent that the first reading of the bill may be dispensed with.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the gentleman from Kentucky may have such time as he desires to explain the bill under consideration.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin? [After a pause.] The Chair hears none.

Mr. SHERLEY. Mr. Chairman and gentlemen of the committee, the bill which is now presented to the Committee of the Whole House on the state of the Union for its consideration, while designated a deficiency bill, is very much more than a deficiency bill. It makes provision for an appropriation of several hundred million dollars to take care of existing and anticipated deficiencies, and if it stopped there it would differ from any other deficiency bill only in regard to detail, but it does very much more than that. It provides for the cancellation of appropriations made since the beginning of the war in an amount greater than $7,000,000,000, and it provides in addition for a cancellation of authorizations under which the departments could further obligate the Government of about $8,000,000,000.

And in this regard it is perhaps a bill without precedent, and let us hope it is a bill that in its magnitude may never need to be followed in the future.

When the war was declared against Germany, Congress pledged the entire resources of America to the prosecution of that war to a successful conclusion, and following that pledge Congress proceeded to appropriate from time to time amounts in the aggregate greater than had ever been dreamed of by any nation or any people at any previous time. Of necessity many of those amounts had to be voted on short notice and largely upon the statement of administrative officers, and particularly upon the statements made by the Army and Navy Departments touching the needs of the Government. That the action of Congress was wise is, to my mind, clearly shown by the results that flowed from those appropriations and from the conduct of the war. While individuals may quarrel or criticize as to particular achievements or lack of achievements on the part of the Government and of various bureaus of the Government, it can never be forgotten, and it never will be ignored by the true historian, that America's weight thrown, as it was, into the war at the time it was and to the extent it was made certain the result that has been accomplished [applause], and thereby, beyond the belief or hope of any of us, the war was shortened. If it has been shortened a month or a week or a day, whatever extra millions might have been voted and spent out of undue zeal were more than paid for in the saving of life, in the ending of this horrible world catastrophe, and in bringing us to a point where the world might look forward to a reconstruction that would mean a newer and a better and a more permanent civilization. So I feel that I voice not only my own views but the views of Congress and of the country generally, when I say that we have no apology for the very large sums of money that we appropriated under the conditions that confronted the country at the beginning of the war and up to the end of the war.

But just because we did appropriate such huge sums and appropriated them of necessity with haste, because to have made an inquiry into the detail of expenditure would have been to defeat the very purpose for which the appropriation was asked—just because, I say, we did make these appropriations, so now is it incumbent upon Congress and the Government to see to it that expenditures are brought to the narrowest possible extent consistent with the carrying out of the obligations that the Government has undertaken. And the Committee on Appropriations, having had in large measure thrown upon it the burden of appropriating much of these vast sums, peculiarly felt the obligation upon it of now endeavoring to recover and to take back appropriations and authorizations that had been made with a view of the war's continuation and which are not now necessary.

I doubt if many can realize the tremendous responsibilities that were placed upon some of us who by fortune or chance found ourselves in a position where we had to take the initiative in matters of such magnitude that all previous responsibilities pale in comparison with them. Speaking for myself, I know that I have never gone through—and I hope never to go through again—a year that brought with it heavier responsibilities or a more complete realization of my own inadequate facilities for meeting in the full those responsibilities. And in the days that we were appropriating these many millions of dollars I determined that if a Member of this House when the war should cease I would endeavor to show as much zeal in safeguarding the expenditures of the Government and in covering back into the Treasury appropriations no longer needed as I had shown in the making of those appropriations in order to facilitate the vigorous prosecution of the war. [Applause.]

When the armistice was signed, upon the 11th day of November, I realized that it was necessary that Congress should immediately ascertain conditions in connection with our expenditures and should immediately take steps looking to prevent their continuation except to the very least degree required. And so on the 27th day of November, prior to the convening of Congress for the regular session, during an informal meeting of the Committee on Appropriations and as the result of their approval of the proposal I then submitted to them, I sent the following letter to every Cabinet officer and to the head of every independent organization in the Government:

NOVEMBER 27, 1918.

It is the purpose of the Committee on Appropriations of the House of Representatives to begin hearings next Monday with the view of returning to the Treasury such appropriations and the cancellation of such authorizations, or parts thereof, granted in connection with the prosecution of the war, as no longer may be required under present conditions.

The committee has no desire to interfere with the equitable and legal execution of such contracts or to abolish or curtail such services as may be vitally necessary to the period of national readjustment, but realizes that large sums placed at the disposal of many departments for use during the war now may be covered into the Treasury without injury to the public service or the general welfare of the country.

The difficulty which some branches of the service may have in making absolutely accurate settlements of accounts at this time is appreciated, and the committee would be pleased if you would acquaint the various officials of your office with its purpose, so that you may be prepared when called upon to present the best information available.

Following that, informal talks were had with various heads of the departments, and particularly with Army and Navy officials. It became apparent at once that these various departments were not in a position to present immediately that sort of financial statement which was almost a necessary predicate to any work that the committee might do; and it required a good many days of constant conference and talk with these various heads to get financial tables before the committee and undertake to show the following facts:

First. The amounts that had been appropriated since April 6, 1917, including any available balances that existed as of that date.

Second. The amounts that had been expended as of November 1, 1918.

Third. The contract obligations that the Government had undertaken and which it might be required to meet in full or in part.

Fourth. The additional needs, if any, that might confront the department for the balance of the fiscal year.

Fifth. A statement as to what sums, in the judgment of the various departments, might not now be necessary and could be covered into the Treasury.

Gentlemen will find these various tables printed in the hearings as they have been finally revised. They have gone through a number of evolutions, and repeatedly the committee was faced with a situation where it would have to postpone a hearing until statements might be put into a form that would enable it really to ascertain some of the facts.

And all of this grows out of a situation that has impressed itself upon me for many years, to which from time to time I have called the attention of the Congress, and which has been accentuated to a degree that can not be overstated since the war started, and that is the absolutely inadequate and obsolete method of bookkeeping employed by the Government. The Congress which is to follow this one can perform no greater duty to the country than to provide for a modern up-to-date system of bookkeeping that shall be uniform in all the departments. I shall not now permit myself to be diverted as to other reforms that are connected with this reform, but if the committee had had brought to it statements conforming to one system of bookkeeping, even though it be a bad one, its labors would have been infinitely lightened instead of having constantly to consider all sorts of methods of presenting balances and statements of financial accounts; we would no sooner become acquainted with one system than we would be presented with another that might be as good or better, but which represented simply the view of a particular department. We have tried in the statements that are filed in the hearings to present financial statements that in their general form correspond with each other.

Now, it is well that there should be stated to the House at the outset what the committee has not done as well as what it has undertaken to do, because we do not desire that either the Congress or the departments themselves should misunderstand the scope of the action taken by the committee, which we hope will be ratified by the Congress. In recommending the repeal of various appropriations and the cancellation of various

authorizations the committee does not mean in any sense or to any degree to say that in its judgment the sums that are left with the departments need in their entirety to be expended.

Now, I desire to emphasize that; that as to the moneys that we have covered back we do not, by covering them back, say that the moneys that are not taken back are needed in their entirety. The committee was faced with a task not only Herculean, but a task which, if performed in a radical or extreme manner, would bring about results very disastrous to the country. The obligations of this Government to its citizens and to third parties and to foreign governments run into billions of dollars. The committee might have made a paper showing greater than what is shown here by radically taking away moneys that had been appropriated to the various departments, with the result of very seriously crippling the departments in the meeting of the just debts of the Government. The committee undertook simply to take those moneys that from a survey of the situation as of this time were plainly not necessary in order to meet the obligations of the Government, that could not be canceled and the Government relieved of, and to carry on the activities which it must carry on until July 1 next.

Now, there necessarily came up from time to time questions about the Government's activity in the further prosecution of various enterprises undertaken during the war; and individual Members and the public generally may want to know why it was that the committee did not undertake by its action to prevent the doing of this thing or the other thing. All that is needed in response to that suggestion is a statement, a bare outline, of the problem that it would have involved. The moneys that necessarily must be left with the Army and Navy Departments are so great that any individual enterprise, even though it involved a number of millions of dollars, could be carried on out of those funds without any appreciable effect upon the amount of the funds as of this time, and therefore if we were to endeavor, by taking away moneys, to prevent particular activities being carried on, we would have to go into such a detailed examination of the entire activities as would involve a rigid segregation of all moneys for particular purposes.

Now, that is manifestly an impossible task. The Ordnance Department has 15,000 major contracts and 70,000 subsidiary contracts. The same is true in less degree of many of the other departments. In point of fact, I should mention what I had intended to state in the beginning, that while the committee started out with the idea of making a survey of the appropriations that had been made to all of the departments of the Government, it soon found itself in a position where it would not be able to report a bill until so near the end of the session as to imperil its enactment if it undertook so ambitious a program. And so it has confined its recommendations to the War and Navy Departments, and in dealing with them has dealt with the major problems that confronted the Congress and the country touching expenditures.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield there?

The CHAIRMAN. Does the gentleman from Kentucky yield to the gentleman from Iowa?

Mr. SHERLEY. Yes.

Mr. GREEN of Iowa. Can the gentleman give us an estimate of the total expenditures for this year?

Mr. SHERLEY. I am going to come to all of that later on, if the gentleman will permit.

There has been appropriated since the war started for the Military Establishment proper $24,235,425,260.35. There have been total disbursements as of December 1, 1918, of $9,899,057,601.41, leaving a cash balance as of December 1 of $14,336,367,658.94. There is recommended in this bill to be covered into the Treasury—to be repealed as appropriations, to speak more accurately—$6,844,795,077.70, which would leave a balance remaining to the Military Establishment of $7,491,572,581.24.

The bill proposes a repeal of 28.2 per cent of the appropriations that have been made for the Military Establishment since the war started. As to the authorizations that have been made for the Military Establishment and which have not been covered by appropriations, they amounted to $8,521,309,662, and of those authorizations there is recommended as a repeal by this bill $8,190,029,294.70, or 96 per cent.

Now, it is perhaps wise to make a statement here, not for the House, which is familiar with the matter, but in order that the country may not misunderstand the scope of the bill, both as it deals with appropriations and with authorizations. The action of this Congress, if it shall pass this bill, does not mean that we put $7,000,000,000 in cash into the Treasury. It means that warrants upon the Treasury which Congress has given to the departments in that amount of cash have been taken away; that they have not been permitted longer to have the right, for the purposes for which the appropriations have been made, to draw upon the Treasury for that amount of money. And, of course, that does not carry with it the opinion that a casual or ignorant observer of Government finances might have, that we were actually placing that amount of money in the Treasury.

Mr. MANN. Will the gentleman yield?

Mr. SHERLEY. I yield to the gentleman from Illinois.

Mr. MANN. The gentleman says "ignorant people" have that impression. Still that is the impression the newspapers have had, apparently; and is it not an error in connection with this bill to print a note which reads:

Repeal of appropriations and authorizations.

Military Establishment:		
Cash	$6,844,795,077.50	
Authorization	8,190,029,294.70	
		$15,034,824,372.40
Naval Establishment:		
Cash	334,361,866.98	
Authorization	31,000,000.00	
		365,361,866.98
		15,400,186,239.38

Would not any educated persons reading that receive the same impression?

Mr. SHERLEY. Perhaps, from the standpoint of people who are not familiar with the technical use of these phrases in connection with legislation; but the gentleman will understand that the committee printed that note in the bill in order that those who are familiar with Government methods of appropriation and finance might be technically advised. So we spoke of cash which had been appropriated and of authorizations.

Mr. MANN. If the gentleman had said "appropriations," it would have been technically correct, but when the gentleman speaks of it as cash it is not technically correct.

Mr. SHERLEY. Oh, well, if I have not made a greater mistake than that in connection with this very great task I shall be happy.

Mr. MANN. I do not know. That grave mistake has gone out all over the country, through the newspapers stating that the Committee on Appropriations has recommended that there be covered back into the Treasury of the United States about $7,000,000,000 in cash. That is a tremendous mistake to go out over the country.

Mr. SHERLEY. If the gentleman will permit, I do not think all the newspapers have carried it that way.

Mr. MANN. All that I saw did. I do not know. I did not see them all.

Mr. SHERLEY. Even the gentleman does not see them all.

Mr. MANN. I do not see many of them.

Mr. SHERLEY. I took occasion to explain to quite a number of the newspaper correspondents who came to see me touching the matter just what was meant, and if there has been the great mistake which the gentleman thinks has been made, I hope the statement now made by me, and the gentleman's statement, will serve to correct it before it does any further damage.

Now, touching authorizations, there has been in the Congress for a great many years, from time to time, the practice of authorizing obligations to be incurred by departments rather than voting the direct appropriation, in order that we might have in many ways a more fluid status for moneys in the Treasury, and when the last deficiency bill passed Congress just before the adjournment of the last session the Committee on Appropriations carried the major part of those appropriations in the way of authorizations, because there were some of us in the committee who believed that the war was at an end. I personally held that belief. Yet I was not in a position to act legislatively upon what was simply a belief, and it was necessary that the Congress should make provision for the further prosecution of the war, because in the event that my belief or other people's belief should be in error the result of a failure to provide would be disastrous, and it was a responsibility that no man would be willing to take or that the Congress would be willing to take. The result was that we appropriated very large sums of money and authorized obligations in still greater sums of money in a bill that did not become a law until the 4th day of November, and the armistice was signed just one week later. So it results that we are able now to cancel the very large authorizations of which I have spoken. Appropriations for the Military Establishment were originally predicated upon an army of a million men, but that idea rapidly expanded until we were appropriating at the end for an army of 4,850,000 men and, in regard to ordnance, were making provision not only for 80 divisions abroad and 18 at home but a further reserve back of that. It follows inevitably, therefore, that with the cessation of active fighting abroad and the reduction of the size of the Army very

great sums for pay, subsistence, transportation, forage, clothing, and various other activities of the Government were no longer necessary, and a large amount of these appropriations that are now to be canceled are cancelable because of that major fact.

The same situation existed in regard to the Navy. We started out with a Navy that had a strength of about 54,000 men. We built up a Navy that had at its maximum peak 497,000 men. I hope we are going to get back to a Navy that will not be in excess of 225,000 men. All of that made necessary the very large appropriations that have been made. In point of fact the Navy estimates which were submitted for this current fiscal year were predicated upon a very much smaller number of men—314,000 men—and it is because of the Navy having reached a maximum peak of 497,000 men that we are met with and are carrying in this bill deficiencies amounting to $280,000,000.

The two great money-spending bureaus of the War Department are what we commonly speak of as the Quartermaster's Department and the Ordnance Department, though the old Quartermaster's Department as such has been very largely merged, if not entirely merged, into the Division of Purchase, Storage and Traffic. In regard to the Quartermaster's Department this situation exists: Touching all manner of supplies, save those which are bought from day to day, so to speak, or from time to time, like subsistence, we not only have a quantity on hand, but including what we will necessarily have to receive because of its having been in the process of manufacture, we have and will have amounts that, in the judgment of Gen. Wood, the head of the Quartermaster's Department, are sufficient to take care of the needs of the Army for the next year or two, and there will then be a very large surplus of supplies of various material, so that it is inconceivable that the Congress should be called upon to appropriate in connection with the Military Establishment, except here and there for some special articles, any money in connection with quartermaster stores other than those that relate to subsistence; and touching subsistence, as to canned goods we have a very large surplusage.

The problem, therefore, that confronted the Quartermaster's Department at the end of the war was not one of what it wanted to acquire, but what it could get rid of; and the effort has been made, and should continue to be made, to relieve the Government of all obligations entered into where the physical conditions permit. In other words, there is no excuse, speaking by and large, for the carrying out of any contract because of the desire for the goods that that contract was to supply. Our surplus was so great that the problem will be a problem of disposition rather than of acquiring additional quantities.

Now, touching the reductions of the Quartermaster Corps that are recommended in this bill, amounting to $3,740,385,307.76, that very large sum is made up of many items, but the major items for which we get return are as follows:

Subsistence	$700,008,753.72
Regular supplies, which includes fuel, forage, and many other items	261,914,072.05
Transportation	909,142,497.98
Clothing	908,303,821.82
Hospital construction	62,189,503.88
Pay	654,557,911.68
Inland and port storage and shipping facilities	50,026,000.00

The House will understand that the estimates and appropriations for subsistence, pay, and other items were made on the basis of maintaining an army of a given size. As I have said, our estimates were made finally for an army which would be 4,850,000 men by July 1, 1919. It is the present program of the War Department, as far as you can accurately use the word program, to reduce the Army to a strength of 500,000 men by the 1st of July. Personally, I have attached no very great importance to statements as to the size that the Army would reach at a given date in the near future, because, to my mind, there are so many events of first importance yet in the making which will control that determination that any opinion now expressed, even by the highest officials, must be taken subject to variations that make it of very little value. But so far as the opinions have been expressed, they have been to the effect that they looked to a reduction of the Army to 500,000 men by the 1st of July. Manifestly, the size of the Army that may be overseas is dependent upon the events that are happening from day to day and the conclusions which may be reached by the peace conference and the time when those conclusions will be reached.

It was constantly testified that it was the desire of the department to demobilize the Army here at home and abroad as fast as possible. It is my understanding touching the Army at home that within the next 30 days there should be a complete demobilization, except as to very small units that may be necessary at various camps and cantonments in connection with the work of receiving men from over the seas.

Mr. GILLETT. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. GILLETT. Does not the gentleman intend by saying that the intent to have an Army of 500,000 men by the 1st of July is that we expect to have an average Army of 500,000 during the next year, but not that we would get it reduced by the 1st of July?

Mr. SHERLEY. I think the gentleman's statement of the proposition is more nearly what is likely to happen. The statement originally made was to have an Army reduced to 500,000 by the 1st of July. I never took any stock in it, because I was satisfied that events, which are stronger than men, would prevent any such reduction.

Mr. WHITE of Maine. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. WHITE of Maine. The gentleman has spoken of the enormous surplus of supplies for the Army. Will the gentleman state what authority there is in law for the disposition by the War Department of the supplies, whether any means of converting those supplies into cash have been considered. What brought up the question is the fact that I had a letter the other day in which there was reference to some two or three million pairs of rubbers, and there was some newspaper comment that the rubbers were to be sold at public auction. Can the gentleman state what the law is in respect to that and whether the matter has been considered?

Mr. SHERLEY. There was a provision carried in the Army bill, approved July 9, 1918, regarding the sale of war supplies, which is as follows:

> Sale of war supplies: That the President be, and he hereby is, authorized, through the head of any executive department, to sell, upon such terms as the head of such department shall deem expedient, to any person, partnership, association, corporation, or any other department of the Government, or to any foreign State or Government, engaged in war against any Government with which the United States is at war, any war supplies, material, and equipment, and any by-products thereof, and any building, plant, or factory acquired since April 6, 1917, including the lands upon which the plant or factory may be situated, for the production of such war supplies, materials, and equipment which, during the present emergency, may have or may hereafter be purchased, acquired, or manufactured by the United States: *Provided further*, That sales of guns and ammunition made under the authority contained in this or any other act shall be limited to sales to other departments of the Government and to foreign States or Governments engaged in war against any Government with which the United States is at war, and to members of the National Rifle Association and of other recognized associations organized in the United States for the encouragement of small-arms target practice: *Provided further*, That a detailed report shall be made to Congress on the first day of each regular session of the sales of any war supplies, matériel, lands, factories, or buildings, and equipment made under the authority contained in this or any other act, except sales made to any foreign State or Government engaged in war against any Government with which the United States is at war, showing the character of the articles sold, to whom sold, the price received therefor, and the purpose for which sold: *Provided*, That any moneys received by the United States as the proceeds of any such sale shall be deposited to the credit of that appropriation out of which was paid the cost to the Government of the property thus sold, and the same shall immediately become available for the purposes named in the original appropriation: *Provided further*, That there shall be allotted to the Aircraft Board, by the head of the bureau or department charged with the production of aircraft, from the appropriations herein made for aircraft production for the fiscal year 1918 and 1919, the sum of $100,000, or so much thereof as may be necessary, which money shall be available during the fiscal year for the payment of such clerks or other employees, either in the District of Columbia or elsewhere, as may be necessary for the conduct of its business, including such technical experts and advisors as may be found necessary; and for the payment of rental of offices in the District of Columbia or elsewhere, purchase of necessary office equipment and supplies, including scientific publications, printing, necessary administration and contingent expenses of said board.

Now, in this bill we are carrying a provision proposing to repeal that part of the statute which I have just read, which provides:

> That any moneys received by the United States as the proceeds of any such sale shall be deposited to the credit of that appropriation out of which was paid the cost to the Government of the property thus sold, and the same shall immediately become available for the purposes named in the original appropriation.

If the Congress should agree to the recommendations of the committee it would result that while the power for sale of war supplies is not taken away the receipts from such sales would be covered into the Treasury as miscellaneous receipts, as has been the practice heretofore.

Mr. MANN. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. MANN. In reference to the demobilization of the Army, I understood the gentleman to say that the Army within this country expected to be practically demobilized within 30 days.

Mr. SHERLEY. Yes.

Mr. MANN. I would like to ask the gentleman, having made that statement, whether it is his belief or his hope?

Mr. SHERLEY. I stated it neither as a belief nor as a hope. I stated it as a statement made to me by—I am not sure what officer of the War Department, but I think either the Secretary of War or the Chief of Staff.

Mr. MANN. It is the most important statement concerning the demobilization of the Army that has been made public in many a day. It has not been made public through the newspapers, to which the Army refers us for our information generally. It has not been made public to other Members of Congress. One gentleman here says that it was in last night's paper. Perhaps it came from a hearing.

Mr. SHERLEY. It did not come from me, for I did not make the statement publicly until a moment ago.

Mr. ALMON. It was stated in the Star last night as having come from Gen. March in a hearing before some Senate committee yesterday.

Mr. SHERLEY. Of course, the gentleman will realize that with the tremendous amount of testimony I have taken I could not trust my memory as to details.

Mr. MANN. I understand.

Mr. SHERLEY. But my impression is that Gen. March made the statement before the committee recently.

Mr. MANN. I would like to see some of it, if it is being carried into effect. It will have to be very speedy to get them demobilized in 30 days. That is what we have been told all of the time—they are going to demobilize very rapidly, but I would rather see them being demobilized than to hear about it.

Mr. CRISP. Mr. Chairman, before the gentleman resumes his argument, I would like to ask him this question, because I think there is no man in the House so well qualified to answer it as the gentleman from Kentucky. I will ask the gentleman to tell the House in round numbers how many billions of dollars have been appropriated since we entered the war? How much of that amount was direct appropriations, and how much authorization, and what part of it is in appropriation and what part is authorization, which is canceled by this bill?

Mr. SHERLEY. The gentleman has added to the value of his compliment by the character of his question. I do not know that I can give anything like an accurate reply to a statement so all embracing as that. But, as I stated a while ago, there had been appropriated for the Army something over $24,235,000,000 since the beginning of the war, and practically all of the authorizations which have been granted to the Army are either repealed here or have been taken care of by the appropriations of cash made and which are included in the sum of $24,235,000,000, so that speaking by and large there have been appropriated for the Military Establishment, as such, about twenty-four and a quarter billions of dollars. For the Navy there has been appropriated $3,376,000,000.

Some of that went to the three-year building program of the Navy and may or not be classed as direct war appropriations. These figures, of course, do not include the appropriations that have been made in connection with the shipping program nor the appropriations that have been made in connection with a great many other activities, and I am not prepared now to present in detail a statement as to total appropriations. I hope a little later on to deal with the question that was inquired about by the gentleman from Iowa [Mr. GREEN] as to expenditures made by the Government and the amount that will likely be expended during this fiscal year. Roughly speaking, we disbursed during the fiscal year 1918 something over $12,690,000,000, and a little over $1,229,000,000 during the last three months of the fiscal year 1917. It is estimated that we will spend this fiscal year something like $18,000,000,000. Many believe that it is likely to be as much as $19,000,000,000, which would indicate that since the war started and to June 30, 1919, the expenditures of the Government would be somewhere between thirty-two and thirty-three billion dollars; but all of these statements necessarily are rather loose estimates, because there are a great many obligations that have not reached the form of actual expenditure and necessarily for a number of years to come there will be matters coming up for adjustment and payments growing out of the war. I doubt if there is anybody in the world now who knows accurately what the Civil War cost us. The public debt at the end of the Civil War was about $2,740,000,000, and estimates as to expenditures have been all the way from $5,000,000,000 on up. Speculating on it, and that is all anyone can do, I take it that something like thirty-three or thirty-four billion dollars would represent the cost of this war to the Government of the United States exclusive of interest on the debt.

Mr. BUTLER. Would that include the loans to the allies?

Mr. SHERLEY. Yes.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. FESS. Reverting to the subject the gentleman was discussing before the question was dropped, in my listening to the reading of the law it seemed to me that the sale of the unused facilities that have been purchased by the departments would be limited to some other department of the Government.

Mr. SHERLEY. No; I think the gentleman did not catch the detailed language of the text. It provided for the sale to individuals, associations, corporations, or to other departments of the Government, and to foreign Governments that were at war with any Government with which we were at war.

Mr. FESS. So that the Government might sell unused material to any buyer in the open market.

Mr. SHERLEY. Under that law I take it that as to property that has been acquired since the beginning of the war they could so dispose of it; and, in fact, they did dispose of very large quantities of material during the active period of the war in connection with aircraft matters. The gentleman will recall that we supplied the allies with a great deal of material of various kinds, which we had manufactured or procured and which they needed in further manufacture of aircraft.

Mr. FESS. I think it is very necessary that we have that latitude. I want also to ask the gentleman whether in his judgment it would be better for the sale to be made by the heads of departments rather than by having an agency created by the Congress to dispose of this unused material.

Mr. SHERLEY. I was one of the men who foresaw the situation that was going to confront this country, and I undertook to deal with it in an affirmative way. The gentleman will recall that in the deficiency appropriation bill I alluded to a while ago, which was reported to Congress in October last, I carried there a provision for the creation of a commission for the purpose of study and report upon the salvage of Government property.

The gentleman from Illinois [Mr. MADDEN] made a point of order against it, and it was necessary I should get my bill through speedily, so I was not able further to press the matter. I think it is unfortunate that there was not created at that time or at an earlier period a commission that could have made a very broad survey. Now, answering the gentleman's question directly, I do not believe that it is physically possible for the Congress of the United States to undertake to control or in any direct way to supervise the disposition of Government property that has been acquired since the war, and I say that irrespective of any view as to the desirability of it. It is perfectly manifest that if the Congress undertakes to acquaint itself with the facts that warrant a judgment—and I take it none of us would want a judgment that was not predicated upon facts—the time involved would be so great that you would lose the opportunity surrounding the disposition of much property now at advantageous terms that will not exist in the future; and while I think every department ought, of course, carefully to see to it that they get the utmost that they can for the disposition of any Government property, I am also thoroughly of the belief that as to much property, if too much stress is laid upon getting what might represent its cost value, or near that, that there will be such delay that the cost of taking care of it, storing it, inventoring it, and of the overhead machinery that the Government always piles up in connection with everything that it undertakes, will make the result anything but advantageous. Take a concrete case. Take the matter of animals. We have a good many horses and other draft animals. It was not proposed to dispose of very many of them. I personally protested to the Secretary of War about what I understood was the staff's view as to the number of horses they wanted to dispose of because it is a very patent fact, irrespective of the price you get, that the keep of a horse that was not needed is such that in a year you are out of money as compared with giving the horse away. Now, that is a direct case, and it is a case that is illustrative of many others concerning the cost of Government property.

Mr. FESS. If the gentleman will permit, my question was in the best of faith, but information has come to me——

Mr. SHERLEY. I am not questioning that at all——

Mr. FESS (continuing). That indicated we were not getting the best results out of leaving it with the heads of departments.

Mr. SHERLEY. Let me say another thing about that. It is very difficult to get accurate information. A story gets started which may be true as to a particular instance, but it loses nothing in the telling, and in a few weeks it is used as an illustration of a general situation without any foundation in fact. There were a number of horses sold out West in order to test the market. They sold for a very low price. I have heard repeatedly in the cloakrooms and elsewhere that we were selling

all horses and mules at that price. I took occasion to inquire into it and found that it was not so. Now, I have not the time to follow these things down to get accurate information. Of course, there are going to be instances in which property will be sold at an inexcusable price. I hope they will be few, but I know what we are dealing with, and when we get into matters affecting so many people the result is that you get what might be called the run-of-the-mine, and you are going to get just that efficiency that the average of American men will give, or at least you are not going to get greater than that.

Mr. WHITE of Maine. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. WHITE of Maine. So far as the gentleman knows, has anyone had the temerity to predict what we are likely to get in cash from these salvaged properties? We should admire their courage, but that question has been asked me.

Mr. SHERLEY. There is nobody that I know of who has looked at the whole picture. Perhaps the Committee on Appropriations has had as many different angles of it presented as almost any other group of men, but gentlemen will find running through these hearings various estimates made by various individuals as to what they think might be salvaged out of the property. There was a statement made in regard to engineer equipment, some statement in regard to some railway equipment, which I think has some value, because it is made by a man who speaks with considerable knowledge.

Mr. WHITE of Maine. But there has been no effort made to total those?

Mr. SHERLEY. I have not undertaken it; I do not think it will be worth the labor.

Mr. PLATT. Will the gentleman yield?

Mr. SHERLEY. I do.

Mr. PLATT. Does not the department put an amount of complication upon the purchase of anything that makes it a pretty difficult matter to get at what you can do? For instance, I wrote to the War Department a while ago to see if I could buy a typewriter and put in my application to buy a typewriter. I did not secure it, and after waiting I finally decided I did not want it at the present time. The departments have got typewriters to sell, but the thing is so complicated that you can not go and buy one.

Mr. SHERLEY. The problem is neither new nor soluble. It is only bigger because of the big figures. It is one that has always confronted the people in connection with the Government, and that is the problem of red tape. Now, some man will frequently rail against red tape and then complain of the informal method in which some Government official has acted. Whenever the thing that is done suits him he is glad the red tape was cut; whenever it does not suit him, then he is quite sure that the man ought to be punished for disregarding the rule which is simply another way of saying the red tape of a department.

Now, we can talk for the rest of time, but it is going inevitably to follow that most of the adjustments have to be made through the agencies that created the obligations. I do not see any other possible course.

Mr. RAGSDALE. I would like to ask the gentleman if he has any conception of about what sum was expended for and will be realized in the sale of saddles and harness? My information was that if this war should last 10 years beyond the period of time at which the armistice was signed, and we had used every available animal in America that could be used for that purpose, that we had saddles and harness enough to have lasted for that period of time. And I was just wondering if we were going to use the same instrumentalities that purchased that harness and saddle for their disposition.

Mr. SHERLEY. I am neither prepared to admit nor deny the gentleman's statement as to quantities. The gentleman will find in the hearings—I can not turn to it immediately—some testimony as to the amount of money that has been expended in connection with harness, which would include saddles, by the Military Establishment. But, as I stated a while ago, it is impossible for me to come to a conclusion touching a great many statements that I hear made. Frequently they are unwarranted, and sometimes they are warranted; and there never has been a time when as much of a tax was put on real judgment as there is to-day. I think men could very easily spend a good deal of time by running down a lot of things that have no foundation in fact. On the other hand, there ought to be, and I hope will be, considerable inquiry touching matters upon which there is a reasonable basis to suppose that the statements concerning which are warranted and represent conditions that are unjustifiable.

I want to say this in behalf of the Committee on Appropriations: That committee has volunteered to do an amount of work that can not be overstated in connection with this bill, and it is not the function of that committee in the slightest degree to undertake to make itself into a court of inquiry touching various activities of the department. Whenever information came to us that seemed to warrant an inquiry we undertook to make it, but the committee could not possibly attend to its business, or one-tenth of its business, if it undertook to go into all the activities of the various departments. And that work, if it is to be done, ought to and could be done by many other committees of the House that have not the responsibility and the burden of the supply bills upon them that are upon the Committee on Appropriations.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. MOORE of Pennsylvania. I regret not having heard the first part of the gentleman's statement, having been in conference on the tax question. I am very anxious to obtain some information with regard to salvage and the repeal of appropriations. My recollection is that the appropriation bill brought in by the gentleman for war purposes for the current year carried $24,000,000,000?

Mr. SHERLEY. The gentleman's recollection is not correct.

Mr. MOORE of Pennsylvania. We surely have made appropriations equal to $24,000,000,000 for the fiscal year 1919?

Mr. SHERLEY. Yes. We have made more than that.

Mr. MOORE of Pennsylvania. But the appropriations shown by the gentleman's statement to Congress totaled $24,000,000,000, and those figures were confirmed by the Secretary of the Treasury, who said that our expenditures might exceed that amount. Subsequently a deficiency bill was brought in by the gentleman carrying $7,000,000,000 additional of appropriations, which would make for the fiscal year a total of $31,000,000,000. Am I correct as to that?

Mr. SHERLEY. Well, the gentleman is correct in a broad, general way. He is quite incorrect in his statement as to how appropriations were made and the Committee on Appropriations making them. I repeat what I said a moment ago, that there has been appropriated for the Military Establishment since the war started, in the way of cash appropriations, $24,235,000,000. In addition to that there have been authorizations of a total of $8,721,000,000. Authorizations to the extent of $8,190,000,000 are being cancelled here, so that the gentleman can practically ignore for present purposes authorizations and deal with twenty-four billions and a quarter. Of that there have been nine billion nine hundred million and odd dollars spent as of the 1st of December.

Mr. MOORE of Pennsylvania. The gentleman, of course, will appreciate the importance of these questions. I am seeking information, because we started out to raise $8,000,000,000 by taxation——

Mr. SHERLEY. I think I can answer what the gentleman is after, and I stated it a while ago. In my judgment we will spend somewhere between $18,000,000,000 and $19,000,000,000 this year.

Mr. MOORE of Pennsylvania. This fiscal year?

Mr. SHERLEY. This fiscal year.

Mr. MOORE of Pennsylvania. Ending June 30 next?

Mr. SHERLEY. Ending June 30 next. You gentlemen are supposed to bring in a bill that might produce in the way of internal taxation $6,000,000,000 or more, and most of the remainder would come from the proceeds of bond sales. That, in a nutshell, is my idea of the situation that confronts the country.

Mr. MOORE of Pennsylvania. I am not seeking to confuse the gentleman, because he can help us. We were told to raise $8,000,000,000. We are now supposed to be content with $6,000,000,000, and it has been suggested that $4,000,000,000 would be sufficient. My proposition is one of simple arithmetic. If we have authorized to be spent $24,000,000,000 plus $7,000,000,000, making $31,000,000,000, it appears there should be a very great salvage and repeal of appropriations or more money must be raised both by taxes and by loans.

Mr. SHERLEY. I do not think the gentleman can approach the matter from the standpoint of moneys that have been appropriated and authorizations which have been granted. The way to approach it is figuring on what will probably be spent out of the Treasury during the fiscal year.

Now, I was hoping to give this to the House in some form and shape, instead of as the result of questions and answers, but as long as the gentleman has entered the field perhaps I can give him some of the information.

Mr. MOORE of Pennsylvania. Before the gentleman does that, merely so he can answer the whole thing at once, let me say that my understanding of the situation is that we authorized the expenditure of a total of $31,000,000,000 for this fiscal year, and the Government is certainly obligated for that.

Mr. SHERLEY. The Government is not obligated necessarily by moneys that are appropriated. The Government is affected by expenditures that are made within appropriations.

Mr. MOORE of Pennsylvania. We stood to expend $31,000,000,000 this year.

Mr. SHERLEY. On its face we stood to spend less than that. I have not had the time to check up the actual figures. What I have tried to give the gentleman, if he will just bear with me, is a statement that for the Military Establishment since the beginning of the war there have been about twenty-four and one-quarter billion dollars appropriated. I am proposing to take back from them about $7,000,000,000.

Mr. MOORE of Pennsylvania. That would make a saving that would be apparent to anyone, and that is what I am trying to get at.

Mr. SHERLEY. I think it will induce a saving, but it will not necessarily produce a saving. The gentleman is assuming that whatever is appropriated will be expended.

Mr. MOORE of Pennsylvania. If we were obligated to expend, or if we appropriated $31,000,000,000, what have we to pay it with except $5,000,000,000 raised by loans this year and $4,000,000,000 that has come in by taxes, a total of $9,000,000,000?

Mr. SHERLEY. I answer the gentleman in this way: I think we will have to meet this fiscal year from $18,000,000,000 to $19,000,000,000. We have raised from loans this year about $6,000,000,000. Presumably you gentlemen are going to raise by internal taxation $6,000,000,000, which makes six or seven billion dollars to be paid from the proceeds of other loans and from other sources of revenue.

Now, personally I answer the gentleman's inquiry by this statement, as I answered it within five days after the war started, and every event that has transpired since then has been an event to accentuate the wisdom of my statement; and that was that the Congress could not overtax, and would not, and that the danger all the time would be of undertaking to borrow instead of raising by taxation. And men can talk about the high cost of living until the rest of time, but until the nations of the world cease to feed into the currencies of the world their promises to pay you will not get rid of the inflation that is bothering all the world.

Mr. MOORE of Pennsylvania. I think the gentleman will see that I am trying to help him when I try to find out whether it is necessary to get along without loans or increasing taxes.

Mr. SHERLEY. My interest is in helping the gentleman in the way of the determination of taxes, because I remember that the gentleman was one of those who constantly insisted that we could pass this burden on to future generations, and ought not to tax too much.

Mr. MOORE of Pennsylvania. The gentleman is mistaken as to that. I stated that we were obligated to pay, and I have not yet seen how we can pay without raising some money by taxes.

Mr. SHERLEY. I remember when we discussed whether we should raise one-third or one-four by taxation, or a greater sum. The problem that confronts the Finance Committee of the Senate and the Committee on Ways and Means of the House is not how much of taxation they can get rid, but how much they can properly tax, because it is in the interest of the people of America that we should really get out of borrowing and as soon as possible go on to the basis that all sound going concerns must go on.

Mr. MOORE of Pennsylvania. I again say to the gentleman that he clearly misunderstood my attitude, and he evidently quotes some other gentleman of the House.

Mr. SHERLEY. If I have, I am glad to know it.

Mr. MOORE of Pennsylvania. I am asking these questions, I will say to the gentleman, because the President asked us to raise $8,000,000,000 by taxes, and as a loyal citizen and a Representative I have been trying to get that money where the President said we must get it. Now, we are told to get less, and I want to know whether by getting less we shall be able to pay the debts we have incurred. That is all.

Mr. SHERLEY. Of course, you are not going to be able immediately to pay them by getting either the maximum or the lowest sum.

Mr. MOORE of Pennsylvania. I have given the reason why I sought the information from the gentleman.

Mr. SHERLEY. I am not quarreling with the gentleman. If I had not been interrupted I think I would have been able to give it in one-third of the time, and I think I have given it now three times by summary.

The expenditures that have been made so far will be an index for the balance of the year. We have expended in the first six months of the fiscal year 1919 $8,570,160,890.43 in the way of expenses other than loans to our allies. We have expended in the way of loans $2,061,986,697.70, or a total of $10,632,147,588.13. Now, if we should spend during the last six months of the fiscal year the same amount of money that we have spent during the first six months, our total expenditures would be over $21,000,000,000. But it is to my mind perfectly manifest that our loans will practically cease to our allies, and that we have reached the peak of monthly expenditure. We are spending now at the rate of about $50,000,000 a day, and, basing a judgment simply upon the testimony of various individuals in various departments touching their activities, I look to see a constant falling off in expenditures up to April, and after April a very marked falling off, because by the first or middle of April we should have cleaned up a very large part of our contract obligations, and inasmuch as we have ceased production to a very great extent the Government's expenses ought to get down more nearly toward normal.

Mr. MOORE of Pennsylvania. We are still spending about a billion and a half a month, including our loans.

Mr. SHERLEY. We spent in December, excluding our loans, $1,670,890,000, and we have spent this month, excluding loans, according to the Treasury statement of January 27, $1,415,000,000, and, figuring $50,000,000 a day for the remaining four days, would make $200,000,000 more, or something over $1,600,000,000 for the month of January, exclusive of loans.

Mr. MOORE of Pennsylvania. I think the gentleman will concede that the total of expenditure in the 8 or 10 months we have been working on the revenue bill trying to raise $6,000,000,000 or $8,000,000,000, whichever sum may be realized, would certainly have a bearing on the amount that we are going to raise by taxes.

Mr. SHERLEY. Nobody I ever heard of has thought we were going to pay our debts this year simply by the money we raised from taxation.

Mr. LONGWORTH. Will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. LONGWORTH. In view of what the gentleman has said as to the wisdom of providing as much as possible of our expenses by taxation, considering everything, does the gentleman think it is wise now to decide upon the amount of taxes that we shall raise for the year 1920 without further information as to what our actual expenses will be in 1920?

Mr. SHERLEY. Well, I do not know that I can answer that question. My own belief—and I say it very soberly—is that the Nation for a number of years ahead of us must face very heavy taxation, and that the tendency of every legislative body the world over is to evade the very disagreeable duty of levying taxes, and that it never evades that duty by borrowing without hurting the country. The one great lesson of the Civil War, to which I took occasion to call the attention of the House when this war broke out, was that it was only at the end of that war, practically, that the Congress had the courage to tax really heavily. It kept on borrowing and borrowing and borrowing until the credit of the Government had gotten to the lowest possible ebb, and it only began to reestablish the credit of the Nation when it showed a willingness to pay.

Now, what is true of an individual is true of a nation. It is only by showing a willingness to pay that a man maintains his credit.

Mr. LONGWORTH. Is not the argument of the gentleman an argument against the unwisdom of deciding now the total amount that we shall raise by taxation for the year 1920, when we have no idea how much our expenditures in 1920 will be?

Mr. SHERLEY. That might well be an argument against a conclusion as to the amount that ought to be raised rather than as to the attempt now to plan for it.

Mr. LONGWORTH. I do not suppose the gentleman cares to give a guess as to what the actual expenses of this Nation will be in 1920; but without guessing very far the gentleman, I think, would concede that they will be considerably more than $4,000,000,000, would he not?

Mr. SHERLEY. I think they are likely to be more than $4,000,000,000.

Mr. LONGWORTH. Nearer to $8,000,000,000 or $10,000,000,000, does not the gentleman think?

Mr. SHERLEY. No; I would not say nearer $10,000,000,000 than $4,0000,000,000, unless you gentlemen run more riot than I think you will.

Mr. LONGWORTH. We will try to quell the riot to some extent.

Mr. SHERLEY. I was giving you that benefit. So I say I do not think our expenditures in 1920 will go nearer to $10,000,000,000 than to $4,000,000,000.

Mr. LONGWORTH. But does not the gentleman think—and he is guessing, as we all must guess—that it is the height of unwisdom now to pass a revenue law raising a given amount of money when we believe—the gentleman and I believe, at least—that that amount will not come within 50 per cent of paying the total expenses for the year 1920. In other words, would it not be better to wait until 1920 and see how much taxes ought to be raised?

Mr. SHERLEY. The gentleman knows that I am a modest man——

Mr. LONGWORTH. All the truly great are modest.

Mr. SHERLEY. And that I have a great deal more to do than I can attend to in regard to the appropriating end. It has been a consolation to me to know that the gentleman was on the committee dealing with the taxing end. [Applause.]

Mr. MOORE of Pennsylvania. May I ask the gentleman what amount of appropriations is repealed by this deficiency bill?

Mr. SHERLEY. The report gives it to you in detail.

Mr. MOORE of Pennsylvania. I was not sure whether it was——

Mr. SHERLEY. Roughly speaking, over $7,000,000,000 of appropriations and over $8,000,000,000 of authorizations.

Mr. MOORE of Pennsylvania. Does that mean $15,000,000,000?

Mr. SHERLEY. It means of appropriations and authorizations, $15,000,000,000.

Mr. MOORE of Pennsylvania. A total of $15,000,000,000?

Mr. SHERLEY. Yes.

Mr. MOORE of Pennsylvania. May I ask the gentleman one more question, and then I will subside?

Mr. SHERLEY. Certainly.

Mr. MOORE of Pennsylvania. In view of the gentleman's statement as to the necessity for taxation over a period of years, is he satisfied to state that we should raise $8,000,000,000 in the present taxation bill, or $6,000,000,000—$6,000,000,000 being sufficient to carry us only four months at the present rate of expenditure?

Mr. SHERLEY. Frankly, I do not think that my opinion as to the total that you can or ought to raise is of very much value. I have not undertaken to ascertain what moneys could be received from various characters of taxes. All I have tried to do was to impress upon the House a point of view, in order that men who have to deal with the details of it—like the gentleman—might approach it from what I think is the right point of view, and that is, that as far as you can you ought to use the taxing power. Now, there is a limit to that. The wealth of the Nation is not the determining factor, as some people think, as to what amount of tax can be levied. What is more nearly a determining factor is the liquid wealth of the Nation, because there are certain values that exist, and while they are real they are not of such a character that they will readily yield revenue, and you can not afford so to oppress industry that you will prevent that creation of wealth by labor of all forms that is, after all, the source from which the Government must live.

Mr. MOORE of Pennsylvania. I agree with the gentleman as to that; but my question was specific as to raising eight millions or six millions at the present time, in view of the necessity stated by the gentleman.

Mr. SHERLEY. If we can in an equitable bill raise eight billions, I would be glad to see it, rather than six. As to the detailed proposal confronting the gentleman, I am not familiar enough to base a judgment upon it.

Mr. SNELL. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. SNELL. In the consideration of the bill has the gentleman any information coming to the committee in regard to the Army motor trucks on hand and the disposition of the same?

Mr. SHERLEY. Yes; there is published in the hearings money appropriated for motor trucks and the number they have, as far as they know. There is an inventory being made all over the country to ascertain that fact, but I have not in my memory the figures just now. The gentleman will find that in the hearings.

Now, I would like to come back to where I left off when speaking of the Quartermaster Corps. These savings grow out of the fact, as I stated, that the reduction of the Army from the maximum so as to reach down to 300,000 or even a somewhat larger figure makes possible these reductions.

In pay of the Army there has been left with the department money sufficient to pay the number of men with the colors to July 1, including a month's extra pay, in the event that that should be voted. It is rather interesting to know that a month's extra pay amounts to about $153,000,000. Of course, if that sum should be increased by action of Congress in voting two month's extra pay, it would amount to over $300,000,000, and if it was increased to six months, as suggested by some, it would be approximately $900,000,000.

Mr. SMITH of Michigan. Will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. SMITH of Michigan. Would the increase of pay of the Army for an extra month include the officers?

Mr. SHERLEY. Yes; the increase of a month's pay in the figures I have given would include the payment of both officers and men.

The committee undertook in regard to all the various items under the Quartermaster's Department to get submitted to us a statement somewhat in detail as to the amount of money that has been appropriated, that had been allotted for a particular purpose, and the amount that had been expended. And a table was made up as of the 1st of November of the amount necessary to expend for the balance of the year. These tables were under various items, such as "Regular supplies," "Water and sewers," "Roads, walks, and drainage," and "Incidental expenses," "Army transportation," "Clothing," and "Equipment." Gentlemen will find in the hearings rather detailed information touching a lot of these matters. That information in many instances is not now current, but it was presumably current at the time the testimony was given.

As a result of the hearings we had the Quartermaster's Department take their original tables and revise them according to what developed at the hearings. The amount we took from them is in keeping with the tables as revised, and which they agreed they can surrender in connection with their appropriations. I confidently believe that there will be additional amounts that will not be expended, and ought not to be expended.

In connection with ordnance we did this. Their tables show a certain amount of appropriations and a certain amount expended as of a given date. Contract obligations of an amount stated and what they call authorizations or reserves, which differ from contract authorizations in this: A project would be approved of in the department and an estimate would be made as to what it was going to cost. There would be placed under the column of reservations so much money for this project, and if that project went into fruition and resulted in a formal contract and the undertaking of actual work, it would be taken out of the reservation column and come over into the column of obligations. But frequently matters reached a point involving third party liabilities and the doing of considerable work, and yet had not been transferred over to what are called obligations in their system of bookkeeping. They estimated in their contracts that they would have to spend 75 per cent of their face in order to relieve the Government of them. In other words, that they could cancel 25 per cent, or about that; that of their reservations they would require but 15 per cent, and they could eliminate 85 per cent. On that basis the amounts in connection with the ordnance are made up.

Manifestly, that is a simple and broad generalization, but it is a generalization predicated upon examination more or less detailed, in some matters quite so, and others very little so, by various corps, as to what they felt they could relieve the Government of and what they could not. My own judgment is that it is a very conservative statement, that they ought to be able to relieve the Government of 45 or 50 per cent of contract obligations rather than 25, but the committee did not feel that it would be warranted in putting its own judgment about he matter against the statement of these officials. We did not want to put the Government in the situation where it was not able to pay its bills. It ought to be able in settling contracts to have the money to pay them. One of the best ways of settling them would be for the Government to be in a position to pay the actual sum agreed to and not leave it to a matter for future appropriation.

Mr. DENISON. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. DENISON. In the consideration of this question, these contracts that were canceled and authorized, are they considered under the head of authorizations and appropriations?

Mr. SHERLEY. They were not considered under either necessarily.

Mr. DENISON. Did the committee take into consideration on this coming back into the Treasury, or the cancellation of authorizations, the amount the Government would have to spend in settling these canceled contracts?

Mr. SHERLEY. Of course.

Mr. DENISON. How much did the committee estimate that would require?

Mr. SHERLEY. I just stated that, as to the ordnance people, they stated that they needed 75 per cent of the face of their obligations. If the gentleman will examine the various financial sheets printed, he will catch it readily. What was done is that they presented a table of the amount of cash they have been authorized to spend.

It would be well just to forget the authorizations because we have practically wiped out all of the authorizations, and what we did not wipe out have been taken care of by appropriations which have been made, converting them from authorizations into appropriations. They had so much cash, they had spent so much as of a given date, and that left them a balance of so much. Against that balance were obligations of such amount and reservations as I have spoken of. Those obligations and reservations frequently represented a sum very greatly in excess of the available cash left, but when you cut 25 per cent of the contract obligation off and 85 per cent of the reservation off it left an amount considerably under the cash that was available. That amount taken from the cash available left the amount of appropriation that we could repeal, except as a corps might need additional moneys for the balance of the fiscal year, and when that was taken away it gave you the net which we carry in this bill. In regard to the ordnance it represents, as also the quartermaster, practically their revised statements by which they are willing to stand.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. SNELL. Does the gentleman know whether the contracts for motor trucks have been canceled, or are some firms still making them for the Government?

Mr. SHERLEY. The gentleman will find a statement about that made by Gen. Wood. They have canceled a great many of them, and Gen. Wood stated that they were not going to manufacture any that had not been begun; that only where the work had progressed to a certain extent that it would require completion did the quartermaster propose to continue, and that they had suggested to the ordnance people that they also shut down on all such work, and the ordnance people have testified generaly that they are going forward with no work where the physical conditions of the work do not make it advisable in their judgment to complete a thing rather than to scrap something that scrapped would have no value whatever. Gen. Wood also testified that the automobile people had kicked a good deal against the curtailment of their orders, but that that was their policy, and as fast as they could relieve the Government they were going to do it.

Mr. SNELL. Are not these trucks standard, so that parts could be used in the regular manufacture of heavy trucks?

Mr. SHERLEY. Of course, they could be, except for an attitude of mind of the American people and the American manufacturers. The average American manufacturer wants to make his particular design, and then he will spend a good part of his money in advertising to convince the people that that particular design is the desirable one. Out of that comes a good deal of the wonderful progress this country has shown in the way of betterment of things, but out of it comes also the scrapping of a great deal that is valuable but which people are led to believe is not just what they need or want.

Mr. SNELL. The last inventory I see here of trucks, and so forth, was made November 25. Does the gentleman know whether there has been a later one than this?

Mr. SHERLEY. I understand they are daily at work in regard to checking up; that there have been a number of officers sent out over the camps and cantonments. There were various corps that did buying to supply their own needs, and an effort has been made to assemble gradually all of the trucks under the Motor Truck Division, but out in the camps and cantonments there are a good number of trucks and automobiles of which they have not here a complete inventory, and they are undertaking to get that now.

Mr. SNELL. Does the gentleman know whether it is the fact that there are 9,000 over here near Baltimore in a field?

Mr. SHERLEY. I do not.

Mr. SNELL. I have been informed that is so.

Mr. SHERLEY. I know that there are a great many more trucks than the Government has any possible need for.

Mr. SNELL. I heard a man make that statement yesterday.

Mr. SHERLEY. I think that the truck manufacturers have been very insistent that the Government should not sell trucks in large quantities, because it would smash their market. That is just one of the problems that confronts the Government right along.

Mr. SNELL. I heard this statement made the other day by a gentleman who was not talking to me, or rather I overheard it, and I do not think that he knew that I was a Congressman. He said they had just been to Washington—the truck manufacturers—and they had fixed up their matters and were going to manufacture trucks for the Government until about the 30th of June. He said that the thousands of them that were in France would be scrapped over there and never returned to this country, and also that there were 9,000 at the present time stored out here near Baltimore in a field.

Mr. SHERLEY. All I can say in response to the gentleman is that I have no other information than that which is contained in the hearings. To my mind it would be absolutely inexcusable for the Government to go into the manufacture of additional trucks except as manufacture may mean the finishing of work that has already gone to such an extent that not to finish it would be more wasteful in that you would get nothing of value and would get less salvage than if you finished it.

Mr. SNELL. With so common an article as a motor truck, it would seem to the average man that you could stop manufacture of it inside of seven months after the armistice was signed.

Mr. SHERLEY. I should be very much surprised if it developed that the truck manufacturers were to carry on any governmental manufacture on a large scale for a period as late as that.

Mr. SNELL. That is the way it impressed me, and I was wondering if the Committee on Appropriations had any definite opinion along this line. There is nothing in this; I have looked through it and it does not give definite information.

Mr. SHERLEY. The gentleman will notice in reference to the Quartermaster's Department we had that hearing first.

Mr. SNELL. I notice, two months ago.

Mr. SHERLEY. And a good deal of time has passed since then working as fast as we could and I have not been informed of any such situation as the gentleman speaks of.

Mr. SNELL. I think that is a matter that is worthy of attention.

Mr. SHERLEY. I think the gentleman can easily verify that and very quickly, and the way to verify it is to call up either the Secretary of War, the Assistant Secretary of War, or the Traffic and Storage people, who ought to be able to give definite information touching that.

Mr. DENISON. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. DENISON. Does the War Department have absolute and unlimited authority in the question of salvage?

Mr. SHERLEY. Well, it has the authority contained in the statute which I read a while ago to the committee.

Mr. DENISON. I happened to be out of the Chamber at the moment.

Mr. SHERLEY. It is pretty broad authority.

Mr. DENISON. I asked the gentleman the question because I noticed in to-day's paper the Quartermaster's Department were selling something like a thousand mules over here in Baltimore, and I could not understand why they would sell these mules at Camp Meade in Baltimore.

Mr. SHERLEY. I do not know whether Baltimore is a mule market, but I suspect that the reason that controlled them was that the transportation to another market would be sufficiently heavy as to be unjustifiable, and personally, while I think they ought to get all for the mules they can, yet every mule and horse that the Government sells the Government is the gainer thereby.

Mr. DENISON. I think that is true; but in this case I think it was bad judgment, because everyone who knows anything about the mule market—the stock market—knows that mules are bought in this country largely in the Northern States and shipped into the Southern States, where the principal mule market is, and those mules that were sold at Camp Meade will be bought by speculators, put on a train and shipped to the cotton States, and sold at a great big profit, and I think that is what the Government ought to have done with them.

Mr. SHERLEY. I am not quite sure the Government ought to do it.

Mr. DENISON. If they wanted to get real salvage.

Mr. SHERLEY. I am not so sure of that. Theoretically that works out very well, but by the time you get the Government organization following the mules down with the overhead it more than eats up what you get as an additional price. I am anxious that the Government should get out of business. I do not believe that we are going to gain very greatly by assuming that the Government can run a thing with the close economy that a man who is in that particular business alone can. I suspect if we could follow the bookkeeping, which you never can, we would find that by the time we paid for everything, including the men kept in the service because of this, that you would make a poor bargain in having the military organization take mules down South and sell them rather than sell them here. Now, I do not know much about it. I have never been a mule trader.

Mr. SNELL. I entirely agree with the gentleman's statement, and I am glad to hear him make the statement that it is a good time for the Government to get out of business.

Mr. HARDY. Will the gentleman yield for one question?

Mr. SHERLEY. I will.

Mr. HARDY. That is in reference to Government manufacture. Is it the policy of the department always to discontinue the manufacture of such articles as the Government will have no need for itself, to stop the completion of the matter?

Mr. SHERLEY. Well, I do not know that you could answer that by saying yes or no. The Government might have a building with four walls up and no roof on it and with no use on earth for the building, and yet it would be wise to turn in and put a roof on it as a means of salvaging that place.

Mr. HARDY. The illustration the gentleman makes is all right, but take a certain war material, for instance, for which, now that peace has come, we have no need. Is it the policy ever to finish any of those or are they cut off?

Mr. SHERLEY. Now, I have never been particularly concerned with the agitation that has gone around as to the condition in connection with unemployment that we were facing. I believe if the Government will take its hand off the citizen wherever it is possible and leave him to go back to his old method of self-reliance, the industry of the country will largely take care of the labor situation and all other situations.

Mr. HARDY. In which I thoroughly agree with the gentleman.

Mr. SHERLEY. But it is also perfectly manifest you can not stop everything overnight without playing smash. It is a question of judgment, and it is a question of judgment as to the particular cases. The testimony repeatedly given again and again and again by these officers was that they were trying to the utmost degree to slow down and to eliminate the manufacture of things that were not desired, and they cited only four instances in which the labor situation had determined a policy to continue manufacture for a limited length of time. I do not recall the four cities, but they were named. And I do not happen to have knowledge enough to qualify as to whether a given thing should be done or not done in most instances.

Mr. HARDY. What had occurred to me was that rather than to use up raw material it would not be better to pay the wages and stop the work and save the material at the same time.

Mr. SHERLEY. I doubt if there are many cases where you have raw material in that condition. What you have is usually raw material in the sense that one man uses it, but a finished material in another sense and cut in such shape as to be available only for the purposes intended by the Government, and it becomes scrap and junk if you do not use it in that way. It all depends on what the article is and the conditions that surround it. And I know of no way in which to lay down a hard and fast rule.

The gentleman will appreciate that there are a great many factors that enter into a thing of that kind. It is very hard, of course, to convince military men that they are not going to have need of some sort for war material, although we have such quantities now. I do not think that factor is playing any considerable part, but here is a thing that is 80 or 90 per cent completed——

Mr. HARDY. That is the very point.

Mr. SHERLEY. Wait a moment. It may be 80 or 90 per cent completed, not in the way of finished but in a way of obligation that has been incurred. Now, it might be desirable to spend 10 per cent more and get a 155-millimeter gun, for instance, than to scrap it and lose the whole out of an unwillingness to spend that 10 per cent.

Mr. HARDY. If you do not have any use for the millimeter gun when completed, does not the gentleman's argument fall to the ground and should we not stop and save the 10 per cent?

Mr. SHERLEY. My own judgment is that we should stop everything we can, but we are not free agents, however, as we have a great many obligations which we have to carry through. Now, another thing. You can not put a sudden stop to the country's wheels without having a good deal of damage done.

If the committee please, I have wandered very far afield and have not been able to make, as I had hoped, anything like a connected statement; but I want to make a statement touching a situation that came about through the Navy estimates that were submitted to Congress. The Navy has had appropriations, including a three-year building program previously authorized, of $3,376,950,000. They had disbursed as of November 1, $1,568,710,000, which left a cash balance of $1,808,245,000. They came in and asked for a deficiency appropriation of $419,294,526. They made an estimate of moneys that they would not need and which they could surrender of $274,407,641, or a net deficiency of $144,886,884. The committee spent two or three pretty hard weeks with the Navy. We could not understand a situation that would require us at this time to make a net deficiency appropriation of $144,000,000. The result of the hearings was such that we recommend to repeal $334,361,866 which they do not need to spend and that the deficiencies which they need, instead of being $419,294,526, are cut to $280,762,225, so that the bill recommends a net saving on Navy appropriations of $53,599,641 instead of a net deficiency that they estimated when they originally came before the committee of $144,886,884.

Now, I notice in the recent hearings before the Naval Committee that the distinguished Secretary of the Navy suggested that one of his difficulties had been that he had to go to the Committee on Appropriations for a number of matters and that they were not familiar with naval matters, and that that made it difficult for the committee and for himself. I desire only to say in response that the committee may not be familiar with the details of naval matters, but it believes that it is somewhat familiar with financial statements, and it submits as a fact of its familiarity, for the benefit of the Treasury, a difference of getting back $53,000,000 instead of giving up an additional $144,000,000. But it might also suggest that usually the committee's knowledge of naval affairs was not involved, because we were presented with deficiencies that had been incurred without the authorization either from the Naval Affairs Committee or any other committee of Congress, and the only thing we could do was to pay the bills.

I recall that the Committee on Naval Affairs voted $215,000,000 for a Navy emergency fund in connection largely with the building of torpedo-boat destroyers and what are known as chasers. The Committee on Appropriations, at the insistence of the Navy Department, added to that sum $100,000,000, making a total of $315,000,000. The Navy Department overobligated that fund by $96,000,000, embracing activities of every known description, practically, in connection with the Navy Department, and the Committee on Appropriations and the Naval Affairs Committee of the House were met with a situation where $315,000,000 had been voted for an emergency fund and obligations considerably over $400,000,000 incurred. And one of the deficiencies that we carry in this bill is $33,000,000 for the completion of destroyers that were undertaken in connection with this naval emergency fund.

Mr. MADDEN. Does that include the "Eagle" boats that are being made in Detroit?

Mr. SHERLEY. No; that $33,000,000 does not. But, of course, a great deal of this money from this emergency fund did go for "Eagle" boats, but it was available for any purpose in the prosecution of the war that they thought necessary to expend it for. By expending it for one purpose they left just that much less to be expended for another purpose.

It is also true in connection with the cantonments that the Navy built that practically all of them were built without any direct appropriation having been made for them, and then the bills presented in the form of deficiencies.

Now, I am not altogether quarreling about some of that, because the exigencies that confronted the Navy were great. All of us take a pride in their achievements and accomplishments, and they have had estimates that were predicated, as I stated awhile ago, on a Navy of very much less size than what it developed into. When the war broke they had 300 ships in commission. When the war ended they had 2,003 ships in commission. That meant a tremendous expansion, and it meant that they had to do a great many things and come to us afterwards. But in view of those facts it seems to me that there was hardly much excuse for the Secretary's apparent regret that the Committee on Appropriations was not familiar with naval affairs.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. MANN. The question that came to my mind in that connection was how would the Secretary of the Navy know that the Committee on Appropriations is not acquainted with naval affairs? I did not know that he knew enough about the Navy to qualify as a judge whether anybody else knew anything about it. [Laughter.]

Mr. SHERLEY. Well, I am not prepared to adopt that statement in regard to the matter, but I think it is due to the Committee on Appropriations to say that when they do not know they try to learn, and when they fail to learn it is usually because they are unable to obtain information that would give them the knowledge by which they would know.

Mr. MADDEN. In other words, you have difficulty in getting information from those who are supposed to have it?

Mr. SHERLEY. That frequently is the situation. But we have very carefully gone over the Navy matters this time, and we are prepared to defend the action which we have taken.

Now, gentlemen, this, I believe, has resulted from the committee's labors: In the first place, if our action meets the approval of the Congress, we will have taken away the possibility of expenditure in the amounts which I have indicated. It may be answered by some that the departments would not have spent these sums anyway. That may or may not be accurate. But when you take it away, you remove any doubt. But over and beyond all that, the value of the committee's work has been this: That for the first time in many, many years the departments have been required to throw into a financial sheet a statement of the moneys that have been given to them, and the moneys that have been expended, and the moneys that were available; and officer after officer has stated that the examinations which they have been compelled to undertake have brought about a knowledge, a clarity of vision, as to their situation and problems that they probably would not have obtained otherwise in many, many months. I am satisfied that as a result of this examination there can be savings running up into the hundreds of millions of dollars. And I can not overemphasize the importance of saving to this country at this time. I think the American people are going to demand of the Congress and of administrative officers the elimination of all those things that can be eliminated without real hurt to the people of America.

Now, it is difficult to say as to many matters that are on the borderland as to whether they ought or ought not to be carried forward, but the doubt ought always to be resolved in favor of the Treasury, and in favor of not doing, rather than in favor of doing.

Mr. TILSON. Mr. Chairman, will the gentleman yield for a question?

Mr. SHERLEY. Certainly.

Mr. TILSON. Work on my committee has compelled my absence during a good part of the gentleman's remarks. Has he explained in regard to those things, both in the Army and in the Navy, that have arrived at a partial state of completion—those things that we must have hereafter? Are such things going on to completion, or will there be a large amount of contracts canceled or authorizations revoked of matters already in a state of partial completion?

Mr. SHERLEY. I have made two or three general statements from time to time. Touching the ordnance, they will have—with the exception of a very few things, either delivered or necessary to be completed and delivered, because of the inability to relieve the Government of its contract obligations—as a reserve more than a sufficient quantity for 48 divisions of the Army, which they figured was the number of divisions they wanted a reserve for. The gentleman will find in the hearings tables undertaking to set out in detail the number of guns and the number of howitzers of various sizes and kinds that they will have, the number that their tables of organization make it desirable for them to have for 48 divisions, whether that number represents a plus or minus, and to what extent; the number of shells of various calibers they will have; and so forth. Now, the problem, practically, is not a problem of getting something that you should have, but of getting rid of obligations for things that you have already got in quantities sufficient; and in practically every instance the Government ought to measure its cancellations by its ability to cancel.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. MADDEN. In taking back the appropriations which the committee recommends to be taken back, will it be necessary, as the result of that, to reappropriate the amount that will be found to be due when the contracts are adjusted?

Mr. SHERLEY. In my opinion there is not a single instance where we have taken moneys away in such quantity as not to leave a balance that ought to be amply sufficient to take care of the department's needs in meeting its obligations and its necessities for the balance of the fiscal year.

Mr. MADDEN. That is not exactly what I said.

Mr. SHERLEY. I mean obligations and contracts.

Mr. MADDEN. I mean readjustments.

Mr. SHERLEY. I mean that, too. I mean it ought to be able to pay its debts and maintain itself until July 1 on the moneys that are left.

Mr. TILSON. Mr. Chairman, will the gentleman yield further?

Mr. SHERLEY. Certainly.

Mr. TILSON. I wish to submit this statement to the gentleman: The Ordnance Department was before our committee the other day and asked for an amount of money to continue the manufacture of the Springfield rifle, as it was intended that that should be our rifle hereafter, and asked that we should continue the manufacture of that rifle, not in large, maximum capacity at all, but that we should continue the manufacture of that rifle. At the same time we know that a number of rifles and rifle barrels have reached a stage of completion where it will be almost a dead loss if they are not completed. Query: Is it provided in the gentleman's bill that contracts like that shall be canceled, stopping the manufacture of rifle barrels, for instance, where the manufacture is already proceeding, junking the rifle barrels, and then in the Army bill this year or next year provide for buying those very same rifles?

Mr. SHERLEY. No; we do not undertake to compel action in any given instance. Take the illustration. They have so many rifle contracts. They estimate that they can relieve themselves of a certain quantity, and that they will have to accept the balance. They have a table as to the number of rifles of the modified Enfield pattern which they expect to get under this program. The same applies to other ordnance material. Now, pooling it all they figure that they can relieve the Government of 25 per cent of the face of their contract obligations. My own judgment is, as I have stated before, that they can relieve the Government of considerably more than that. We have the same problem before the committee in connection with the fortification bill, and it is my opinion that as to any new appropriations that are being asked for in connection with particular projects, assuming that the Congress agrees to those projects, we could safely pay for them out of existing moneys that they have, which will remain available in some cases until expended; and I hope in connection with the fortification bill that a provision will be carried covering into the Treasury all unexpended balances as of the end of 1920, so as to prevent having for many years hereafter sums that we do not know about at the disposition of the department.

Mr. MANN. Mr. Chairman, in connection with the questions which have been asked I would like to call attention to a particular item, which is like many other similar items. On page 21 is this item:

For horses for Cavalry, Artillery, Engineers, etc., fiscal years 1917-18 and 1918, $32,170,956.08.

First, I would like to inquire what is meant by the "fiscal year 1917-18"?

Mr. SHERLEY. Funds were made available by legislation from one fiscal year over to another, and they were thrown together in the Treasury accounts as of one fund, so that the appropriations were appropriations made both in 1917 and in 1918, and these are actual incurred deficiencies that exist, for which there are no moneys now available to pay them.

Mr. MANN. These are not deficiencies. These are sums covered back into the surplus fund of the Treasury.

Mr. SHERLEY. The gentleman is right. I looked at the page in regard to the Navy and thought it was in regard to the Army.

Mr. MANN. That apparently is a balance?

Mr. SHERLEY. Yes.

Mr. MANN. Does that mean that all the accounts for 1918 are settled, or is there liable to be a further deficiency to be taken care of in the future for the accounts of 1918 under this particular item?

Mr. SHERLEY. There will probably be some items that will still come in for those fiscal years, but this does not mean that we have taken all the money that they had from those years, but that we simply have taken that amount that they feel certain they can give up as not being needed to meet any bills or obligations incurred in those fiscal years.

Mr. MANN. You are getting it down to a pretty fine point—8 cents in an item of $32,000,000. Of course, I know how those things come.

Mr. SHERLEY. Those items of odd cents come by taking certain items of balances.

Mr. MANN. I know how they come; but I did not know whether that was a complete balance. There is nothing to indicate whether it is a whole or a part balance.

Mr. SHERLEY. It is not a complete balance, but it is an amount in connection with certain things for which they will not have to make an expenditure, and therefore give it up. It is predicated upon that basis. I would have to look at the hearings for that particular item.

Mr. MANN. I am not inquiring about particular items.

Mr. SHERLEY. Now, in connection with the deficiencies that are in the bill, most of them of any magnitude relate to the Navy, and I shall be glad, when any of them are reached, to give to the Committee of the Whole any information that I may have touching the reason for them.

The deficiencies that relate to the War Department amount to $6,400,000. Of that sum, $4,000,000 is in regard to the temporary clerks in the War Department. They estimated a need of $6,000,000 additional, and I am just in receipt of a letter from the Secretary of War urging that we give the $6,000,000

additional. That is because of the relief from clerical work of a lot of men in the service, so that the temporary employees will have to be maintained at a considerable number, though not at the number that they reached at their maximum a few months back; and he says that their present pay roll, unless very severely reduced, will not enable them to get through on the $4,000,000 that we here appropriate, and that they need the $6,000,000 that they asked for. I do not know how you can come to any real conclusion touching these matters. The Adjutant General's Office comes and urges a tremendous increase in force, stating that it is behind in a lot of its work—and we all know that—and that a great deal of additional work will come upon that office because of the work that will be thrown upon it as the result of the draft and the bringing in and classifying of those records; and that as the men go out of the service the work that is thrown upon that office is very greatly increased.

There is a good deal of truth in what they say. It is also true that the finance division in the near future claims that it needs a greater force than they needed at any other time, but there seems to be a general belief on the part of the House that there is a lot of unnecessary clerks being employed. The Committee on Appropriations has never given all the clerks that were asked in the various departments. We have tried to hold them down. One man does more work with 100 clerks than another will do with 150 clerks. The committee can not undertake to come to any hard and fast conclusions as to the numbers they need. We want to put pressure on the departments to hold down the clerical force and produce efficiency in them, instead of coming to Congress and asking for additional employees on the plea that the work is behind. If I felt that the work could be made current by giving in its entirety the amount they ask in the way of clerical hire, I would be glad to do it, because it would be money well spent in order to get the work current and get things accomplished, but I have been forced to the conclusion that efficiency of output does not bear always a direct relationship to the number of employees, but frequently in inverse ratio. What is needed is not so many additional clerks as a proper supervision of clerks and elimination of doing unnecessary things. We have infinitely too many forms in the Government. We have requirements in connection with paper that have not any basis of reason for them and that could be eliminated without in the slightest degree lessening the safeguards to the Government and would result in a very great deal of saving. It is just one of those perpetual problems that every Government has, and I know of no solution except through the individual who happens to be charged with the responsibility of the work.

Now, there is a deficiency of $2,473,782 for the disposition of remains of officers and soldiers and civilian employees. While the language does not hold the appropriation to the men who died here in America, the deficiency is for the expense incident to the burial of men who died in America and does not result from any expense that may arise in the return of the bodies of men who die overseas, if that policy should be entered upon.

The epidemic of influenza which swept over this country caused in the Army, as in civil life, a great increase in deaths. The result was that funds available for this purpose were not sufficient to carry them through the balance of the fiscal year, and the estimate was made which we allowed in its entirety. It is a more or less fixed expenditure, and the total is dependent on the deaths that take place in the service.

The other items, except the Navy, are minor ones in connection with the various departments of the Government, the District of Columbia, and Employees' Compensation Commission, the Treasury Department, and so forth. Under the five-minute rule if anyone desires information touching any one of them I will be glad to supply it if possible.

Mr. LONGWORTH. Will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. LONGWORTH. I gathered from reading the hearings that a request was made of the subcommittee on behalf of the Tariff Commission, for an increase of appropriation in order to carry out certain projects that they have under contemplation. Will the gentleman state whether that request was given careful consideration and what induced the committee to refuse to allow the increase?

Mr. SHERLEY. That request, like all requests, was given careful consideration. It was the judgment of the committee that at this time it was not particularly desirable or necessary for the Tariff Commission to increase its activities; that in a great many areas conditions were so unsettled as to make any study proposed of little value in coming to a permanent conclusion. The gentleman will recall that the law creating the Tariff Commission provided for a maximum expenditure of $300,000. We have appropriated this year $200,000, and their estimate was for $100,000 more. It would have meant, if given, that for the last six months they would be running at a rate of expenditure in excess of what the law authorized. They have very carefully and very scrupulously observed the limitation upon their funds. They so allotted their work that they spent during the first six months just half of their fund. If they were given the additional $100,000 it would have meant for the last six months an expenditure at the rate of $400,000 a year. There was some difference of opinion on the part of the members of the subcommittee as to whether they should be given any additional sum or not, but the result of the majority opinion was—and by majority I do not mean a political majority necessarily—that there was no need of an appropriation at this time.

Mr. LONGWORTH. Did the committee think of giving them an appropriation which would have gone as high as $50,000?

Mr. SHERLEY. Fifty thousand dollars? That was suggested by one member of the subcommittee, but did not meet with the concurrence of other members.

Mr. LONGWORTH. As I understand the situation, it is this: The act creating the Tariff Commission was passed in 1916 and authorized an appropriation of $300,000, but, as a matter of fact, in the first year, necessarily not being able to perfect the organization, something less than $200,000 was spent. The next year, on account of the war activities and otherwise, they naturally would not go ahead, and so a little less than $200,000 was spent. For the first half of this year $100,000 was spent. Now, as I understand their request, it was that, in view of the fact that an armistice had been entered into and members and employees returned who had been in the war, they felt that they could broaden the sphere of their activities, and therefore asked for a larger amount, an amount, though, in excess of the amount authorized.

It occurs to me that under the circumstances it might be wise to appropriate up to but not in excess of the amount authorized by law which created the commission, and that was my purpose in asking the gentleman whether it had been seriously considered that they be given the amount they were authorized to expend in the original act.

Mr. SHERLEY. Mr. Chairman, the gentleman will appreciate that in presenting the bill I speak for the committee and not for myself. The committee did not feel warranted at this time in appropriating additional moneys for the Tariff Board, but the matter was considered, and the very suggestion that the gentleman makes was made by one member of the subcommittee. The judgment of the subcommittee, however, which was acquiesced in by the full committee, though I do not know that the full committee's attention was particularly drawn to the matter, was that at this time no additional moneys should be appropriated. I will say to the gentleman that there is pending in connection with the sundry civil appropriation bill an estimate, I think, for $400,000 for the next fiscal year for the Tariff Commission, and I think this ought to be said in regard to the commission, that whatever views may be held as to the desirability of a commission or as to the efficiency of the work of any particular commission, this commission scrupulously kept faith with Congress touching expenditures. As I have already indicated, having received $200,000 for this year, they very carefully refrained from spending more than $100,000 the first six months. They frankly said that if Congress did not vote them the additional amount of money they would try to live within their present appropriation.

Mr. LONGWORTH. If I understand the gentleman correctly, then, he says that even if this money were not given this year, and while their functions would be necessarily limited for the next fiscal year, beginning on the 1st of next July, the committee has under consideration the question of even increasing the amount authorized?

Mr. SHERLEY. I would not put it that way. I meant to convey simply the fact that the commission in submitting an estimate for the next fiscal year submitted one for $400,000, and the committee on the sundry civil appropriation bill, where it would be carried, has not functioned on that at all.

Mr. LONGWORTH. That would be carried in the sundry civil appropriation bill?

Mr. SHERLEY. If carried at all, it would be there. Unless some member of the committee desires to ask something touching some matter I have overlooked, I shall not longer detain the committee, but will endeavor in a revision of my remarks to bring them into some sort of coherence and to amplify the matters I have overlooked. The work that is presented here must in a very large measure be accepted somewhat on faith by the Committee of the Whole. I realize that the hearings and the matters that they deal with are so great as to make difficult any

ascertainment touching many matters reported on in the bill, but there is nothing here contained that is not conceded, not always in the first instance, but conceded as a result of examination by the various departments affected to be proper, and, in my judgment, this proposed enactment can not in the slightest degree hamper the Government in going forward in the settlement of its debts and in maintaining the various corps of the Army and Navy for the balance of the fiscal year. If we have erred, we have erred on the side of conservatism, and I wish, in conclusion, to again express the hope that these sums which we are now taking back shall not by any means represent the total saving of amounts heretofore appropriated or authorized, but that the departments in working out the settlement of their obligations and by the curtailment of their activities may save sums of very great amount. I hesitate to suggest the amount, but I can not but believe that if a determination to forego the doing of everything that is not strictly necessary is followed and good business judgment is used in the adjustment of contracts the amount here carried can be augmented by a very considerable sum.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. SNYDER. I would like to ask the gentleman if in considering the amounts left in the War and Navy Departments the amount is sufficient to cover the $1,600,000,000 of unsettled contracts that we passed the legalizing act for recently?

Mr. SHERLEY. Not at their face.

Mr. SNYDER. But sufficient to recover what your committee considers will be a fair adjustment of these amounts?

Mr. SHERLEY. Unquestionably. Not only will that be so, but as I said a moment ago I think they will be more than sufficient.

Mr. SNYDER. I do not recall hearing the gentleman state in his argument that it covered that particular thing.

Mr. SHERLEY. If I did not directly state it I did by inference, because I stated in regard to the Ordnance Department that they were surrendering 25 per cent of the face of their obligations, and I think they ought to be able to make adjustments on a bigger scale. The Quartermaster's Corps, in connection with cotton goods and other matters, have made settlements that will represent more than 25 per cent of saving on the face of their contracts. All the departments presented estimates as to the extent they would be able to cancel contracts and relieve the Government of obligations, and the amounts left with them they concede as sufficient to meet the obligations that can not be canceled and also their future needs to July 1. [Applause.]

Mr. Chairman, under leave to extend my remarks, I submit herewith tables showing the sums appropriated, expended, and amounts stated as no longer needed for the various divisions of the Military and Naval Establishments. An examination of these will make plain many matters I was unable to deal with in addressing the House. Following these tables is appended a statement showing the cancellations of appropriations and authorizations recommended by the committee.

Statement of military appropriations made since May 12, 1917, as of Dec. 1, 1918.

[Parentheses indicate negative figures.]

SIGNAL CORPS.

Titles.	Appropriations.	Disbursements made to Dec. 1, 1918.	Obligations incurred prior to Dec. 1, 1918, to be fulfilled.	Estimated additional cash needs balance fiscal year 1919.	Balance of appropriation not required.
Signal Service of the Army, acts July 9 and Nov. 4, 1918	$155,946,054.77	$22,640,790.22	[1] $45,507,864.51	[2] $4,424,200.00	[1] $83,373,201.04
Seacoast defense, Signal Service, act July 8, 1918	180,000.00	[3] 31,613.83	[3] 148,224.88	161.29	
Seacoast defense, insular possessions, act July 8, 1918	15,000.00	[3] 1,190.44	[3] 7,224.56	6,585.00	
Seacoast defense, Signal Service, Panama, act July 8, 1918	15,000.00		[3] 1,901.96	13,098.04	
Washington-Alaska military cable and telegraph system, act July 19, 1918	147,445.00	27,414.19	[3] 87,516.81	32,514.00	
Commercial telephone system, Coast Artillery posts, act July 9, 1918	15,150.00	[3] 4,450.29	[3] 10,699.71		
Replacing Signal Corps supplies and equipment	34,287.73		[3] 1,709.98	32,577.75	
Total	156,352,937.50	22,705,467.97	[1] 45,765,133.41	4,509,135.08	83,373,201.04

DIVISION OF MILITARY AERONAUTICS.

Air Service, military, acts July 9, Nov. 4, 1918	$184,304,758.00	$53,254,806.40	[4] $46,050,000.00	[5] $23,467,026.42	$61,532,925.18
Aviation stations, seacoast defense, act July 8, 1918	8,000,000.00			8,000,000.00	
Total	192,304,758.00	53,254,806.40	46,050,000.00	31,467,026.42	61,532,925.18

BUREAU OF AIRCRAFT PRODUCTION.

Air Service (Production), act July 9, 1918	$760,000,000.00	$334,490,492.11	$225,251,843.63	[6] $100,257,664.26	$400,000,000.00
Increase for Aviation, Signal Corps, act July 24, 1917	640,000,000.00	322,161,120.38	[7] 117,838,879.62		
Signal Service of the Army, acts May 12, June 15, Oct. 6, 1917	99,067,766.00	81,596,746.98	15,471,019.02		2,000,000.00
Total	1,499,067,766.00	638,248,359.47	358,561,742.27	100,257,664.26	402,000,000.00

QUARTERMASTER CORPS.

General appropriation, Quartermaster Corps, act: July 9, Nov. 4, 1918:					
Subsistence	$965,859,485.00	$138,275,313.40	$81,134,713.51	$65,840,704.37	$700,608,753.72
Regular supplies	444,492,206.00	90,243,506.46	44,758,017.98	47,576,521.31	261,914,072.05
Incidental expenses	100,070,770.00	13,101,210.06	13,957,893.79	46,537,419.34	26,474,246.81
Army transportation	1,974,552,420.00	108,797,452.43	234,015,793.89	722,596,675.70	809,142,497.98
Water and sewers	72,182,622.00	19,849,745.03	14,631,554.06	5,149,508.00	32,551,814.89
Clothing and equipage	1,397,704,704.00	295,558,487.05	171,565,045.87	22,277,349.23	908,303,821.92
Horses for Cavalry, etc	90,616,531.00	35,391,133.23		660,600.00	54,555,597.77
Barracks and quarters	175,100,000.00	38,259,378.83	87,179,583.44	15,550,447.53	34,120,590.20
Military post exchanges	4,875,662.00	498,842.09	1,618,619.73	1,031,501.00	1,726,700.18
Roads, walks, wharves, and drainage	35,117,175.00	14,814,124.61	10,096,054.17	3,638,201.00	6,568,795.22
Barracks and quarters, Philippine Islands	500,000.00	22,335.97	314.00	477,349.13	
Construction and repair of hospitals	166,469,930.00	17,974,051.34	77,310,561.96	8,995,812.82	62,189,503.88
Quarters for hospital stewards	66,600.00	16,674.75	246.25	23,646.00	26,033.00
Shooting galleries and ranges	343,110.00	485,183.01	1,017,598.99	195,902.00	(1,355,544.00)
Maintenance, Army War College	12,200.00	4,768.44	1,424.06	6,007.50	
Rent of buildings, Quartermaster Corps	100,015.00	8,000.00		55,200.00	36,805.00
Claims for damage to and loss of private property	30,000.00			18,000.00	12,000.00

[1] $1,491,729.87 turned over to the Motor Transport Corps, not used and released by that corps.

[2] General equipment (photographic equipment), $200,000; communication equipment (pigeons, $110,000; special telephone and telegraph equipment, $200,000), $310,000; maintenance (all applicable to commercial telephone service and leased lines, United States), $1,750,000; maintenance and operation in United States possessions, $14,200; pay, subsistence, and traveling expenses of civilian employees, $250,000; experiment and research, $300,000; miscellaneous expenses and supplies (including departmental expenses).

[3] As of Nov. 1, 1918.

[4] Includes $25,000,000, which is the balance of estimated amount required for overseas purposes, which balance has not yet been placed to credit of American Expeditionary Forces.

[5] Cost of training cadets, $496,000; maintenance photographic sections, $448,000; maintenance squadrons and balloon companies, $5,729,000; acquisition of land, $4,437,832; maintenance of fields and depots, $2,486,000; mileage for officers, $205,000; salaries and wages, civilian employees, $3,000,000; experimental investigation, $1,333,000; completion of construction work (permanent fields), $4,000,000; incidental expenses, $1,332,193.60; total, $23,467,026.42.

[6] A portion of this amount will be needed to cover a portion of the overobligation indicated above. The remainder will be used to operate the bureau during the balance of the fiscal year.

[7] This appropriation has been overobligated by $233,608,275.21, for which amount there are obligations in addition to those shown. This overobligation will be entirely eliminated in the liquidation of existing contracts. There was no appropriation to cover the overobligation.

Statement of military appropriations made since May 12, 1917, as of Dec. 1, 1918—Continued.

QUARTERMASTER CORPS—Continued.

Titles.	Appropriations.	Disbursements made to Dec. 1, 1918.	Obligations incurred prior to Dec. 1, 1918, to be fulfilled	Estimated additional cash needs balance fiscal year 1919.	Balance of appropriation not required.
General appropriation, Quartermaster Corps, acts July 9, Nov. 4, 1918—Contd.					
Vocational training	$75,000.00	$7,995.75	$94,555.67		($27,552.42)
Rifle ranges for civilian instruction	10,000.00	.90		9,999.10	
Quartermaster supplies, equipment, etc., Reserve Officers' Training Corps	2,788,096.00	351,624.15	18,436.79	2,861,735.02	(443,749.96)
Quartermaster supplies, military equipment, schools and colleges	45,595.00	445.40	898.25	44,173.35	
Total	5,451,011,833.60	773,640,271.90	737,491,093.35	943,555,820.61	2,996,414,707.14
Pay, etc., of the Army, acts May 12, June 15, Oct. 6, 1917; July 9, Nov. 4, 1918	3,190,606,318.44	1,267,197,405.24		1,257,941,001.52	[1] 654,567,911.68
Supplies, service, and transportation, acts June 15, May 12, Oct. 17, 1917; Mar. 3, July 8, 1918	2,913,979,794.52	2,754,365,381.31	152,642,952.76		[2] 6,971,460.45
Mileage to officers and contract surgeons, acts May 12, June 15, Oct. 6, 1917; Mar. 28, July 8, July 9, Nov. 4, 1918	19,781,109.12	11,734,388.01		8,046,721.11	
Horses for Cavalry, Artillery, Engineers, acts June 15, May 12, Oct. 6, 1917	65,400,000.00	29,146,797.85	4,082,248.07		32,170,956.08
Barracks and quarters, acts June 15, May 12, Oct. 6, 1917; Mar. 28, July 8, 1918	188,938,918.52	161,756,158.14	24,200,673.02	2,982,187.39	
Roads, walks, wharves, and drainage, acts Aug. 15, May 12, Oct. 6, 1917; Mar. 28, July 8, 1918	34,503,389.00	25,603,195.55	6,892,712.91	2,007,460.54	
Military post exchanges, acts June 15, May 12, Oct. 6, 1917; Mar. 28, July 8, 1918	1,549,820.88	1,281,099.26	287,661.92		(18,940.30)
Construction and repair of hospitals, acts June 15, May 12, Oct. 6, 1917; Mar. 8, July 8, 1918	71,455,582.00	57,309,821.30	10,671,808.00	3,173,952.70	
Civilian military training camps, acts June 15, May 12, Oct. 6, 1917; July 8, 1918	[3] 8,961,000.00	8,376,998.19	339,721.41		244,272.41
Quartermaster supplies, equipment, etc., Reserve Officers' Training Corps, acts May 12, 1917	4,385,000.00	991,784.72	237,326.81	3,155,888.47	
Shooting galleries and ranges, acts May 12, Oct. 6, 1917; Mar. 28, 1918	7,043,540.00	3,576,245.49	420,758.53	3,046,535.98	
Rent of buildings, District of Columbia, acts May 12, Oct. 6, 1917; July 8, 1918	79,250.10	69,096.03	10,004.07	150.00	
Disposition of remains of officers, soldiers, and civil employees, acts July 8, 1918; June 15, 1917; Oct. 6, 1917; July 1, 1918; Nov. 4, 1918	1,620,274.52	1,014,246.37	26,651.72	579,376.43	
Inland and port storage and shipping facilities, acts Mar. 28, 1917; July 8, 1918	297,000,000.00	148,134,316.18	64,103,016.49	36,736,667.33	50,026,000.00
Total	12,265,405,810.10	5,262,197,115.53	1,001,316,575.08	2,261,525,662.03	3,740,366,457.46

[1] Balance of appropriation of $654,567,911.68 not required, is out of the amounts provided in the acts of July 9, 1918, and Nov. 4, 1918.
[2] This includes a saving of $16,969,010.13 effected by the cancellation of contracts for horse-drawn vehicles.
[3] This includes $250,000,000 which the United States Treasury has transferred for the payment of troops overseas.

MEDICAL DEPARTMENT.

Medical and hospital:					
Act May 12, 1917	$1,000,000.00	[1] $1,000,000.00			
Act June 15, 1917	20,780,000.00	[1] 27,226,783.51	$2,553,216.49		
Act Oct. 6, 1917	100,000,000.00	[1] 100,000,000.00			
Act July 8, 1918	33,000,000.00	[1] 12,868,603.66	19,845,493.65	$286,903.69	
Act July 9, 1918	[2] 267,498,948.00	[1] 112,126,080.35	101,137,364.93		$54,145,513.73
Act Nov. 4, 1918	30,000,000.00		17,824,566.21	12,175,433.79	
Total	461,188,948.00	[1] 253,221,455.52	141,360,611.27	12,461,347.48	[3] 54,145,513.73

[1] Disbursements made to Nov. 1, 1918.
[2] Of this amount $60,250,000 was transferred to Chemical Warfare Service, disbursed and accounted for by them; $25,825,000 was transferred to Motor Transport Corps, disbursed and accounted for under Quartermaster appropriations.
[3] The estimated additional cash needs are as follows:

1. American Expeditionary Forces disbursements	$5,000,000.00	5. Hospital laundry	$1,825,000.00
2. Printing and binding	495,650.00	6. Additional supplies, drugs, etc.	3,944,975.49
3. Employees, civilian, pay	1,000,000.00	Total	12,461,347.48
4. Civilian medical service	1,204,722.00		

CORPS OF ENGINEERS.

Titles.	Appropriations.	Disbursement made to Dec. 1, 1918.	Obligations incurred prior to Dec. 1, 1918, to be fulfilled.	Estimated additional cash needs balance fiscal year 1919.	Balance of appropriation not required.
Engineer operations in the field:					
1918, acts May 12, June 15, Oct. 6, 1917; Mar. 28, 1918	$330,800,000.00	$314,621,372.10	$29,622,158.30	$300,000.00	$6,056,469.60
1919, acts July 9, Nov. 4, 1918	1,018,200,000.00	97,378,794.83	324,962,587.61	16,422,474.84	579,386,042.72
Engineer equipment of troops:					
1918, acts May 12, June 15, Oct. 6, 1917	69,150,000.00	48,826,208.02	7,164,526.97	500.00	(2,941,234.99)
1919, act July 9, 1918	135,000,000.00	1,265,209.12	3,665,649.43	3,536,114.99	126,532,986.15
Total	1,553,200,000.00	461,991,644.37	[1] 361,405,022.31	[2] 20,459,089.83	712,135,673.48

[1] Obligations incurred prior to Dec. 1, 1918, to be fulfilled:

Chargeable to—

Engineer operations in the field, 1918, general engineer depot and director of purchases, to Dec. 6, 1918	$83,036,974.81	
For Motor Transport Corps, per General Order 75, War Department, 1918, to cover motor-vehicle contracts	6,442,253.66	
All other disbursing officers to Oct. 31, 1919	152,909.83	
		$89,632,138.30
Engineer operations in the field, 1919, general engineer depot and director of purchases, to Dec. 6, 1918	120,301,222.58	
Reserve for American Expeditionary Forces	200,000,000.00	
For Motor Transport Corps, per General Order 75, War Department, 1918, to cover motor vehicles	4,466,119.27	
All other disbursing officers to Oct. 31, 1919	185,254.76	
		324,952,687.61

Chargeable to—

Engineer equipment of troops, 1918, general engineer depot and director of purchases	$3,157,605.50	
Other disbursing officers	6,851.67	
		$3,164,526.97
Engineer equipment of troops, 1919, general engineer depot and director of purchases, Dec. 6, 1918	3,662,799.43	
Other disbursing officers to Oct. 31, 1918	2,850.14	
		3,665,649.43
		361,405,022.31

[Footnote [2] at bottom of next page.]

Statement of military appropriations made since May 12, 1917, as of Dec. 1, 1918—Continued.

ORDNANCE DEPARTMENT.

	Opening balance and subsequent appropriations available Apr. 6, 1917, to Nov. 30, 1918.	Disbursements, Apr. 6, 1917, to Nov. 30, 1918.	Obligations outstanding Nov. 30, 1918, to be fulfilled.	Balance of reservation after deducting savings as of Nov. 30, 1918.	Total savings.
APPROPRIATIONS.					
Purchase, manufacture, and test of field, railway, antiaircraft, and trench warfare artillery, field artillery for National Guard, balance as of Apr. 6, 1917, act May 12, 1917; antiaircraft guns, Army, acts May 12, 1917, and June 15, 1917; armament of fortifications B, balance as of Apr. 6, 1917, acts June 15, 1917, Oct. 6, 1917, Mar. 28, 1918, and July 8, 1918; armament of fortifications I, balance as of Apr. 6, 1917; armament of fortifications No. 46, balance as of Apr. 6, 1917; field artillery for Organized Militia, balance as of Apr. 6, 1917	$1,371,726,993.63	$571,246,135.36	$427,451,211.41	$198,386,912.06	$174,642,631.98
Purchase, manufacture, and test of ammunition for field, railway, antiaircraft, and trench warfare artillery, ammunition for field artillery, National Guard, balance as of Apr. 6, 1917, act May 12, 1917; ammunition for antiaircraft guns, Army, balance as of Apr. 6, 1917, acts May 12, 1917, and June 15, 1917; Army powder factory, balance as of Apr. 6, 1917; armament of fortifications C, balance as of Apr. 6, 1917, acts June 15, 1917, Oct. 6, 1917, July 5, 1918, and Nov. 4, 1918	3,253,085,383.06	1,704,918,880.26	1,155,211,848.07	392,954,654.73	...
Subcaliber ammunition for field, railway, antiaircraft, and trench warfare artillery, armament of fortifications N, balance as of Apr. 6, 1917, acts June 15, 1917, and July 8, 1918	94,470,364.65	8,208,124.23	621,142.33	222,930.71	85,418,177.38
Alteration and maintenance of field, railway, antiaircraft, and trench warfare artillery, armament of fortifications L, balance as of Apr. 6, 1917, acts June 15, 1917, Oct. 6, 1917, and July 8, 1918; armament of fortifications O, balance as of Apr. 6, 1917	384,687,341.91	36,222,881.17	53,925,918.34	61,455,297.62	233,083,244.78
Manufacture of arms, balance as of Apr. 6, 1917, acts May 12, 1917, June 15, 1917, Oct. 6, 1917, Mar. 28, 1918, and July 9, 1918; manufacture of rifles, acts Oct. 6, 1917, and July 9, 1918	492,092,599.12	133,247,586.84	139,951,880.68	7,985,095.51	210,878,057.03
Ordnance stores, ammunition, balance as of Apr. 6, 1917, acts May 12, 1917, June 15, 1917, Oct. 6, 1917, May 28, 1918, and July 9, 1918	687,680,874.53	202,441,861.38	137,019,531.89	149,272,168.89	198,947,310.37
Small-arms target practice, balance as of Apr. 6, 1917, acts May 12, 1917, June 15, 1917, Oct. 6, 1917, Mar. 28, 1918, and July 9, 1918	187,262,293.63	66,572,049.79	17,571,916.23	3,009,936.77	100,108,390.84
Automatic machine rifles, automatic rifles, balance as of Apr. 6, 1917, acts May 12, 1917, Oct. 6, 1917, June 15, 1918, and July 9, 1918; automatic rifles for National Guard, balance as of Apr. 6, 1917, act May 12, 1917	538,317,346.25	132,700,862.22	114,050,722.17	35,290,318.74	256,215,443.12
Armored motor cars, balance as of Apr. 6, 1917, acts May 12, 1917, June 15, 1917, Oct. 6, 1917, and July 9, 1918	317,289,936.63	25,771,912.94	79,564,252.82	14,566,428.47	197,338,342.40
Ordnance stores and supplies, balance as of Apr. 6, 1917, acts Apr. 17, 1917, May 12, 1917, June 15, 1917, Oct. 6, 1917, Mar. 28, 1918, and July 9, 1918	416,957,629.41	250,153,249.91	65,253,716.87	67,321,347.35	34,029,315.28
Ordnance service, acts May 12, 1917, June 15, 1917, Oct. 6, 1917, and July 9, 1918	43,762,447.38	19,591,642.17	6,160,267.77	10,878,422.89	7,129,114.55
Miscellaneous: Ordnance stores and equipments, civilian military training camps, 1917, 18, acts June 15, 1917, and July 9, 1918; ordnance stores and equipment, etc., Reserve Officers' Training Corps, 1917, 1918, 1919, acts May 12, 1917, June 15, 1917, and July 9, 1918; ordnance equipment for Home Guard organization, 1919, act July 9, 1918; ordnance supplies for military equipment of schools and colleges, 1917, 1918, 1919, acts May 12, 1917, June 15, 1917, and July 9, 1918; specialaid and appliances for manufacture of arms, ammunition, etc., balance as of Apr. 6, 1917	13,552,425.00	6,062,218.51	82,249.53	1,850,000.00	5,557,956.96
Total appropriations	7,900,846,565.40	3,157,200,405.78	2,196,804,667.11	943,413,483.76	1,503,348,007.75

[Footnote to table on preceding page.]

[2] Estimated additional cash needs, as follows:

1. Engineer operations in the field, 1918, to meet probable requirements which in the nature of the case can not now be foreseen $500,000.00
2. Engineer operations in the field, 1919:
   (a) Purchase of floating derricks, locomotives, spare parts, stevedore material, and for clerical hire of director general, military railways $8,265,000.00
   (b) For completing maps of artillery firing ranges, Camp Jackson project, $12,900; Camp Bragg project, $57,248.96 ..... 70,148.96
   (c) To make payments to field parties and office assistants on mapping work (this amount necessitated by changing from a military to a civilian status) 197,000.00
   (d) Purchase of aerial cartographic equipment 5,000.00
   (e) Payment of liberty loan and other allotments of civilian clerks overseas 40,000.00
   (f) Engineer training of Ninth to Twentieth Infantry Divisions 225,815.88
   (g) Engineer training at Infantry School of Arms, Columbus, Ga. 100,000.00
   (h) Expenses of supply and engineer training of special units like the last item above 2,000,000.00
   (i) Expenses of demobilization 2,000,000.00
   (j) Additional for engineer training at Field Artillery firing centers 4,000.00
   (k) Operation of central photographic laboratory, military trade schools, central mapping plant, etc., Washington Barracks 71,600.00
   (l) Camp Humphreys: Engineer school, $20,180; vocational schools, $208,000; pontoon, bridge, and pioneer schools, $20,000 ..... 249,080.00
   (m) Development works, camouflage (remainder of development work under engineer equipment of troops) 5,000.00
   (n) Changing personnel of camouflage development work from military to civilian status $2,900.00
   (o) Operations of engineer depot, Hoboken, estimated by depot officer at $200,000 per month (this would make for remaining six months) 1,200,000.00
   (p) Office expenses of Machinery and Engineering Materials Division, chargeable to engineer appropriations 77,500.00
   (q) To meet probable requirements in the United States and Europe which in the nature of the case can not now be forseen ..... 2,000,000.00 — $16,422,474.84
3. Engineer equipment of troops, 1918, probable requirements not now foreseen 500.00
4. Engineer equipment of troops, 1919:
   (a) Development work: Material and equipment—Pontoon and bridge, $31,000; searchlights, $350,000; sound ranging, $12,000; sapper and train equipment, $7,500 ..... 400,500.00
   (b) Changing personnel on development from military to civilian status 69,380.00
   (c) Maintenance of electrical equipment and searchlights and sound ranging equipment 100,000.00
   (d) Fabrication and maintenance of pontoon and other engineer equipment at depots throughout this country and the insular possessions 59,000.00
   (e) To cover deficit shown under "Engineer equipment of troops, 1919" 2,841,234.99
   (f) Probable requirements which in the nature of the case can not now be foreseen ..... 75,000.00 — 3,536,114.99
   — 20,459,089.83

The following engineer appropriations are not included in the above statement, since the requirements to which they are applicable are not affected by the cessation of hostilities: Engineer depots, 1919; Engineer School, Washington, D. C., 1919; civilian assistants to engineer officers, 1919; contingencies, Engineer Department, Philippine Islands, 1919; military surveys and maps, 1918, Dec. 31, 1919.

Statement of military appropriations made since May 12, 1917, as of Dec. 1, 1918—Continued.

ORDNANCE DEPARTMENT—Continued.

	Opening balance and subsequent appropriations available Apr. 6, 1917, to Nov. 30, 1918.	Disbursements, Apr. 6, 1917, to Nov. 30, 1918.	Obligations outstanding Nov. 30, 1918, to be fulfilled.	Balance of reservation after deducting savings as of Nov. 30, 1918.	Total savings.
CONTRACT AUTHORIZATIONS.					
Purchase, manufacture, and test of field, railway, antiaircraft, and trench warfare artillery, armament of fortifications B, acts July 8, 1918, and Nov. 4, 1918	$1,816,514,192.00				$1,816,514,192.00
Purchase, manufacture, and test of field, railway, antiaircraft, and trench warfare artillery ammunition, armament of fortifications C, acts July 8, 1918, and Nov. 4, 1918	2,839,511,235.00		$295,489,667.43	$50,450,316.14	2,321,522,251.43
Subcaliber ammunition for field, railway, antiaircraft, and trench warfare artillery, armament of fortifications N, act Nov. 4, 1918	65,175,061.00				65,175,061.00
Alteration and maintenance of field, railway, antiaircraft, and trench warfare artillery, armament of fortifications L, act July 8, 1918	100,000,000.00				100,000,000.00
Manufacture of arms, acts July 9, 1918, and Nov. 4, 1918	242,481,200.00				242,481,200.00
Ordnance stores, ammunition, acts July 9, 1918, and Nov. 4, 1918	1,117,289,421.00				1,117,289,421.00
Small arms target practice, acts July 9, 1918, and Nov. 4, 1918	143,881,283.00				143,881,283.00
Automatic machine rifles, automatic rifles, acts July 9, 1918, and Nov. 4, 1918	441,788,000.00				441,788,000.00
Armored motor cars, acts July 9, 1918, and Nov. 4, 1918	408,640,000.00				408,640,000.00
Ordnance stores and supplies, acts July 9, 1918, and Nov. 4, 1918	372,289,263.00				372,289,263.00
Miscellaneous, general contract authorization, act July 9, 1918	500,000,000.00		15,291,383.73		484,708,616.27
Total contract authorizations	8,045,559,662.00		280,781,051.16	50,499,316.14	7,714,279,294.70
Total appropriations	7,800,846,565.40	$3,157,200,466.78	2,196,884,667.11	943,413,483.76	1,500,348,007.75
Grand total	15,846,406,227.40	3,157,200,466.78	2,477,665,718.27	993,912,799.90	9,217,627,302.45

CHEMICAL WARFARE SERVICE.

Titles.	Appropriations.	Disbursements made to Dec. 1, 1918.	Obligations incurred prior to Dec. 1, 1918, to be fulfilled.	Estimated additional cash needs balance fiscal year 1919.	Balance of appropriation not required.
Antiaircraft guns, act June 15, 1917	$19.00		$19.00		
Armament of fortifications, acts June 15, 1917, and July 8, 1918	84,937,950.27	$31,580,409.52	26,174,927.85		$38,182,621.90
Medical and hospital department, acts Oct. 6, 1917, and July 9, 1918	80,802,000.00	27,851,019.34	41,097,017.83		11,853,962.83
National security and defense, War Department, act July 1, 1918	200,000.00	75,457.39	27,975.56		146,567.05
Ordnance service, acts Oct. 6, 1917, and July 9, 1918	1,062,252.62	54,262.62	788,418.37		219,571.67
Ordnance stores ammunition, acts June 15, 1917, Mar. 28, 1918, and July 9, 1918	30,877,558.12	1,818,920.18	2,213,521.34		27,025,214.49
Ordnance stores and supplies, acts Apr. 17, 1917, Mar. 28, 1918, and July 9, 1918	9,062,013.54	53,500.00	14,564.64		9,013,923.90
Reserve of arsenals, act July 1, 1918	66,000.00	4,776.34	44,487.22		16,736.44
Small arms target practice, act June 15, 1917	352.00		272.00		80.00
Chemical warfare service, act Nov. 4, 1918	100,000,000.00		43,632.72	[1] $2,482,054.78	97,474,312.66
Total	307,058,475.35	50,238,345.37	70,405,464.54	2,482,054.78	183,932,610.51

[1] Estimated additional cash needs are for the following purposes: Administration, research, development, supplies, repairs, maintenance, and contingencies, $2,482,054.78.

RECAPITULATION.

APPROPRIATIONS.

Titles.	Appropriations.	Disbursements made to Dec. 1, 1918.	Obligations incurred prior to Dec. 1, 1918, to be fulfilled.	Estimated additional cash needs balance fiscal year 1919.	Balance of reservations after deducting savings.	Balance of appropriation not required.
Chemical Warfare Service	$307,058,475.35	$50,238,345.37	$70,405,464.54	$2,482,054.78		$183,932,610.66
Bureau of Aircraft Production	1,489,067,798.00	638,248,450.47	558,561,742.27	100,257,464.86		192,000,000.00
Signal Corps	156,352,937.50	22,746,067.97	45,765,134.41	4,500,196.08		83,341,269.04
Medical Department	461,148,948.00	353,221,446.52	141,980,631.27	12,461,347.48		54,145,518.73
Division of Military Aeronautics	192,304,755.00	30,254,848.40	46,050,000.00	31,467,026.42		64,532,925.18
Corps of Engineers	1,555,300,000.00	461,991,644.37	361,895,022.31	20,430,680.85		1,712,185,478.46
Quartermaster Corps	12,385,400,500.50	5,262,187,115.53	1,000,416,575.18	2,201,525,662.03		3,740,866,457.46
Ordnance Department	7,800,846,565.40	3,157,200,466.78	2,196,884,667.11		$943,413,483.76	1,503,448,007.75
Total	24,235,425,200.35	9,990,057,601.41	4,221,749,235.99	2,433,161,990.98	943,413,483.76	6,740,884,193.39

[1] Engineers negative balance not taken off, $2,841,234.99.

Total balance of appropriations not required	$6,740,884,193.39
Total balance of authorizations not required	8,190,029,294.70
Grand total	14,930,913,488.09

Contract authorizations.

	Authorized.	Obligations less canceled contracts.	Balance of reservations after deducting savings.	Balance of authorization not required.
Bureau of Aircraft Production				
Division of Military Aeronautics				
Signal Corps	$45,000,000.00			$45,000,000.00
Chemical Warfare Service	150,000,000.00			150,000,000.00
Medical Department	65,000,000.00			65,000,000.00
Engineer Corps	200,000,000.00			200,000,000.00
Quartermaster Corps	15,750,000.00			15,750,000.00
Ordnance Department	8,045,559,662.00	$280,781,051.16	$50,499,316.14	7,714,279,294.70
Total	8,521,309,662.00	280,781,051.16	50,499,316.14	8,190,029,294.70

Naval emergency fund as of Nov. 1, 1918.

Project.	Amount specifically allotted.	Expenditures to Nov. 1, 1918.	Unpaid obligations.	Unobligated balances or over-expenditures.	Reductions by contract cancellation.	Reductions in work contemplated but not obligated	Total estimated reductions.
New construction	$142,271,500.00	$141,980,395.00	$155,474,655.00	*$155,183,500.00*	$46,490,000.00		$46,490,000.00
Increased compensation	20,000,000.00	700,000.00	4,000,000.00	15,300,000.00		$15,300,000.00	15,300,000.00
Construction and Repair	1,000,000.00		968,020.58	31,979.42		31,979.42	31,979.42
Steam Engineering	8,897,857.00	6,858,713.96	781,658.80	1,239,484.14	205,375.00	689,484.14	894,859.14
Supplies and Accounts	2,474,687.35	1,507,682.21	211,937.31	755,067.83	12,880.00	755,067.83	767,947.83
Contingent	255,979.45	134,665.45	121,314.00		2,500.00		2,500.00
Vessels purchased	7,076,023.00	35,956,923.55	1,771,260.24	*30,651,560.79*			
Charter of vessels, Shipping Board	11,000,000.00		11,000,000.00				
Water supply, Hampton Roads	3,000,000.00	3,000,000.00					
Ordnance	22,771,981.28	17,469,075.62	5,094,847.54	208,058.12			
Navigation	5,101,000.00	2,978,784.39	466,135.28	1,656,080.33			
Yards and Docks	21,951,120.62	14,687,950.56	6,310,033.26	953,136.80			
Not allotted	69,199,245.30	112,767.03		69,086,478.27		*142,552.53*	*142,552.53*
Total	315,000,000.00	225,404,963.77	186,199,812.11	*96,604,775.88*	46,710,725.00	16,580,178.81	63,290,903.81
Unexpended balance			*96,604,775.88*				
			89,595,036.23				

Total estimated cost of projects undertaken	$411,604,775.88
Amount appropriated	315,000,000.00
Less reductions through cancellations	96,604,775.88
Amount required to complete projects already authorized and which can not be canceled	163,290,903.81
	33,313,872.07
Or—	315,000,000.00
Total appropriated	348,313,872.07
Expended to Nov. 1, 1918	315,000,000.00
Unpaid obligations	225,404,963.77
	186,199,812.11
Total	411,604,775.88
Total reductions	63,290,903.81
Net total expenditures and authorizations	348,313,872.07

Statement of condition of naval appropriations made since Mar. 3, 1917, as of Nov. 1, 1918.

Appropriation title.	Authorizations not yet covered by appropriations.	Total amount appropriated, including authorizations.	Expenditures to Nov. 1, 1918.	Unexpended balance Nov. 1, 1918.	Unpaid obligations Nov. 1, 1918.	Unobligated balance or estimated over-obligations Nov. 1, 1918.
SECRETARY'S OFFICE.						
Pay, miscellaneous		$8,535,500.00	$8,680,908.42	[1] $145,408.42	$3,347,284.09	[1] $3,492,692.49
Contingent, Navy		246,000.00	178,376.48	67,623.52	442.67	67,223.85
Care of lepers, Isle of Guam		40,000.00	21,544.56	18,455.34	3,190.53	15,264.81
Aviation, Navy		281,516,119.00	68,580,458.89	212,935,660.11	102,510,926.05	110,424,734.06
Increase of the Navy, construction and machinery	$400,000,000.00	493,123,000.00	23,852,690.25	469,270,309.75	156,532,965.48	312,737,954.27
Increase of the Navy, torpedo boats	30,700,000.00	104,028,280.00	26,037,139.87	77,991,140.13	35,084,255.48	42,907,884.65
Increase of the Navy, torpedo-boat destroyers		350,000,000.00	129,248,645.08	220,751,354.92	233,387,254.92	[1] 12,635,900.00
Improving and equipping navy yards for construction of ships		23,770,000.00	6,865,702.24	16,764,297.76	5,692,389.68	11,071,908.08
Expenses civilian consulting board		200,000.00	93,418.11	106,581.89		106,581.89
Investigation of fuel oil		120,000.00	19,225.40	100,774.60	685.00	100,089.60
State marine school		125,000.00		125,000.00		125,000.00
Basic patents for aircraft		1,000,000.00		1,000,000.00		1,000,000.00
Naval emergency fund		315,000,000.00	225,404,963.77	89,595,036.23	186,199,812.11	[1] 96,604,775.88
Temporary concrete office buildings		7,265,000.00	5,826,700.34	1,438,299.66	309,391.94	1,128,907.72
Total, Bureau of Secretary's Office	430,700,000.00	1,561,768,899.09	494,749,773.51	1,060,019,125.49	723,366,947.90	366,352,177.59

Appropriation title.	Estimated savings by contract cancellations of obligations existing Nov. 1, 1918.	Percentage and estimated savings of obligations existing Nov. 1, 1918.	Estimated savings (work contemplated not to be done) of unobligated balances existing Nov. 1, 1918.	Percentage estimated savings of unobligated balances	Total estimated savings or reductions.	Percentage total estimated savings of unexpended balances.
SECRETARY'S OFFICE.						
Pay, miscellaneous			[1] $7,148,502.72		[1] $7,148,502.72	
Aviation, Navy	$34,966,541.00	24 per cent	54,789,123.32	49 per cent	89,645,064.32	42 per cent.
Increase of the Navy, torpedo-boat destroyers		13 per cent				
Basic patents for aircraft			1,000,000.00		1,000,000.00	
Naval emergency fund	46,710,725.00	25 per cent	16,580,178.81		[1] 33,313,872.07	
Total, Bureau of Secretary's Office	81,577,266.00		65,210,799.41		50,183,299.53	

[1] Deficit.

Statement of condition of naval appropriations made since Mar. 2, 1917, as of Nov. 1, 1918—Continued.

Appropriation title.	Authorizations not yet covered by appropriations.	Total amount appropriated, including authorizations.	Expenditures to Nov. 1, 1918.	Unexpended balance Nov. 1, 1918.	Unpaid obligations Nov. 1, 1918.	Unobligated balance or estimated over-obligations Nov. 1, 1918.
NAVIGATION.						
Contingent navigation		$40,000.00	$21,313.60	$18,686.40	$20,034.53	[1] $3,348.13
Transportation navigation		18,431,348.00	11,068,155.61	7,363,192.39	174,807.20	7,188,385.16
Gunnery and engineering exercises		850,000.00	327,765.89	522,234.11	322,234.11	
Arming and equipping Naval Militia		1,527,617.70	873,193.48	654,424.22	218,598.47	435,825.75
Outfits on first enlistment		36,138,920.00	17,550,988.62	18,587,931.38	3,703.45	18,584,247.93
Instruments and supplies		9,663,240.00	2,660,286.05	6,993,953.95	692,668.87	6,301,285.08
Ocean and lake surveys		310,000.00	97,882.39	212,117.61	15,157.80	196,959.81
Naval Training Station, R. I		550,000.00	375,252.19	174,747.81	279,187.49	[1] 104,439.68
Naval training station, St. Helena, Va		380,000.00	128,107.05	251,892.95	242.00	251,650.95
Naval training station, Great Lakes, Ill		921,400.00	502,452.30	418,947.70	85,462.77	333,484.93
Naval Training Station, Cal		417,000.00	309,775.45	107,224.55	3,735.30	103,488.25
Naval War College		77,700.00	37,451.08	40,248.92	7,264.82	32,984.10
Pay, Naval Academy		1,050,000.00	501,222.70	548,783.70		548,783.70
Current and miscellaneous expenses, Naval Academy		150,800.00	51,135.88	99,664.12	12,423.19	87,240.93
Maintenance and repairs, Naval Academy		1,109,992.00	712,857.12	397,134.88	21,625.09	375,509.79
Ships, Naval Militia		135,500.00	1,104.16	134,395.84		134,395.84
Organizing Naval Reserve Force		630,000.00	470,966.55	159,033.45	60,334.97	98,698.48
Schools or camps of instruction for recruits and Naval Reserve Force		5,340,720.00	1,744,975.25	3,595,744.75	383,311.33	3,212,433.42
Recreation for enlisted men of the Navy		700,000.00	74,395.43	625,604.57	21,108.76	604,495.81
Recruiting, Navigation		1,419,228.84	847,374.51	571,854.33	57,467.01	514,387.32
Total, Bureau of Navigation		79,853,472.94	38,577,638.34	41,275,834.60	2,379,366.16	38,896,468.44
Emergency fund		5,101,000.00	2,978,784.39	2,122,215.61	466,135.28	1,656,080.33

Appropriation title.	Estimated savings by contract cancellations of obligations existing Nov. 1, 1918.	Percentage and estimated savings of obligations existing Nov. 1, 1918.	Estimated savings (work contemplated not to be done) of unobligated balances existing Nov. 1, 1918.	Percentage estimated savings of unobligated balances.	Total estimated savings or reductions.	Percentage total estimated savings of unexpended balances.
NAVIGATION.						
Contingent, navigation			[1] $5,000.00		[1] $5,000.00	
Transportation, navigation			[1] 630,235.04		[1] 630,235.04	
Outfits on first enlistment			6,388,870.23		[1] 6,388,870.23	
Instruments and supplies			4,000,000.00		4,000,000.00	
Naval Training Station, R. I			[1] 450,000.00		[1] 450,000.00	
Naval training station, St. Helena, Va			610,278.35		[1] 610,278.35	
Naval training station, Great Lakes, Ill			[1] 1,650,000.00		[1] 1,650,000.00	
Naval Training Station, Cal			[1] 22,066.25		[1] 22,066.25	
Total, Bureau of Navigation			632,420.36		632,420.36	
Emergency fund			450,000.00		450,000.00	

Appropriation title.	Authorizations not yet covered by appropriations.	Total amount appropriated, including authorizations.	Expenditures to Nov. 1, 1918.	Unexpended balance Nov. 1, 1918.	Unpaid obligations Nov. 1, 1918.	Unobligated balance or estimated over-obligations Nov. 1, 1918.
ORDNANCE.						
Ordnance and ordnance stores		$98,247,719.00	$37,412,502.57	$60,835,216.43	$42,062,941.45	$18,772,314.68
Contingent, Ordnance		99,530.00	42,441.36	57,088.64	27,270.23	29,818.41
Repairs, Ordnance		30,000.00	1,327.32	28,672.68		28,672.68
Torpedo station, Newport, R. I		600,000.00	274,727.81	325,272.19	207,476.75	117,795.44
Naval gun factory, Washington, D. C		10,500,471.00	1,902,417.64	8,598,053.36	7,543,013.22	1,055,042.14
Experiments, Ordnance		495,000.00	115,616.20	379,383.80	68,264.82	301,118.98
New batteries for ships in the Navy	$20,000,000.00	235,809,098.00	71,391,084.82	164,418,013.18	104,947,488.75	59,470,524.43
Torpedoes and appliances		22,291,240.00	3,194,801.13	19,096,438.87	7,189,793.21	11,342,095.64
Reserve ordnance supplies		145,417,490.00	60,989,060.75	84,428,429.25	54,331,253.65	30,097,176.60
Continent, building fund		10,000.00	6,152.74	3,847.26		3,847.26
Antiaircraft guns and ammunition at naval stations		3,400,000.00	2,338,541.91	1,061,458.09	1,454,828.00	6,629.09
Increase of the Navy, ammunition	39,544,000.00	61,072,733.00		61,072,733.00	26,137,288.58	34,935,444.32
Increase of the Navy, armor and armament	76,371,064.00	140,551,064.00	1,595,817.18	138,955,246.82	77,117,746.91	61,836,499.91
Ammunition for ships of the Navy		3,500,000.00		3,500,000.00	2,957,844.39	649,155.42
Projectile plant, Navy		1,375,445.00	971,055.85	404,389.15	694,648.79	[1] 290,259.64
Armament and ammunition for Coast Guard cutters		159,500.00	5,566.49	151,021.51	74,447.43	76,574.08
Ammunition for vessels	11,000,000.00	202,330,598.00	87,345,598.94	114,984,919.06	79,590,372.91	35,394,546.15
Ammunition for auxiliaries and merchantmen		19,898,900.00	11,299,957.76	8,598,942.24	5,991,543.05	2,607,585.19
Navy mine depot		3,000,000.00		3,000,000.00	114,615.69	2,885,384.31
Navy nitrate plant		9,150,000.00		9,150,000.00	1,575,920.59	7,574,079.41
Fuel lands for armor and projectile plants		25,000.00	486.84	24,513.16		24,513.16
Increasing facilities for proof and test of ordnance material		1,000,000.00	96,195.87	903,804.13	43,451.96	860,352.17
Ammunition for merchant auxiliaries		7,731,941.00	5,097,435.71	2,634,505.29	1,265,146.95	1,369,358.34
Batteries for merchant auxiliaries		4,731,174.00	1,236,342.89	3,494,831.11	3,798,309.87	[1] 291,478.76
Total, Bureau of Ordnance		146,915,753.00	971,906,725.00	285,322,023.88	686,584,701.12	417,190,668.47

[1] Deficit.

NOTE.—In the hearings it was stated that if the deficiencies requested were granted a saving of $450,000 could be made in the naval emergency fund.

Statement of condition of naval appropriations made since Mar. 2, 1917, as of Nov. 1, 1918—Continued.

Appropriation title.	Estimated savings by contract cancellations of obligations existing Nov. 1, 1918.	Percentage estimated savings of obligations existing Nov. 1, 1918.	Estimated savings (work contemplated not to be done) of unobligated balances existing Nov. 1, 1918.	Percentage estimated savings of unobligated balances.	Total estimated savings on reductions.	Percentage total estimated savings of unexpended balances.
ORDNANCE.						
Ordnance and ordnance stores	$541,216.00	1 per cent plus	$4,633,873.00	24 per cent plus	$5,177,089.00	8 per cent plus.
Contingent, Ordnance			10,000.00	34 per cent plus	10,000.00	17 per cent plus.
Experiments, Ordnance			125,000.00	41 per cent plus	125,000.00	33 per cent plus.
New batteries for ships in the Navy	30,305,257.00	28 per cent plus	30,000,000.00	50 per cent plus	60,305,257.00	36 per cent plus.
Reserve ordnance supplies			7,000,000.00	58 per cent plus	7,000,000.00	36 per cent plus.
Contingent, building fund	21,620,373.00	39 per cent plus	20,000,000.00	66 per cent plus	41,620,373.00	49 per cent plus.
Increase of the Navy, armor and armament			3,347.46	100 per cent	3,347.26	100 per cent.
Projectile plant, Navy	1,714,750.00	2 per cent plus			1,714,750.00	1 per cent.
Armament and ammunition for Coast Guard cutters	[1] 250,359.64				[1] 250,359.64	
Ammunition for vessels	11,905,400.00	14 per cent plus	16,500,000.00	46 per cent plus	28,395,400.00	24 per cent plus.
Ammunition for auxiliaries and merchantmen	277,500.00	4 per cent plus	2,400,000.00	88 per cent plus	2,677,500.00	30 per cent plus.
Navy mine depot						
Navy nitrate plant	998,867.00	60 per cent	7,355,014.00	97 per cent plus	8,311,881.00	90 per cent.
Fuel lands for armor and projectile plants			24,513.16	100 per cent	24,513.16	100 per cent.
Increasing facilities for proof and test of ordnance material						
Ammunition for merchant auxiliaries	1,559,000.00	40 per cent	1,300,000.00	94 per cent plus	1,300,000.00	49 per cent plus.
Batteries for merchant auxiliaries			[1] 293,478.76		1,256,321.24	36 per cent plus.
Total, Bureau of Ordnance	68,491,003.36		89,138,342.69		157,619,346.05	

Appropriation title.	Authorizations not yet covered by appropriations.	Total amount appropriated, including authorizations.	Expenditures to Nov. 1, 1918.	Unexpended balance Nov. 1, 1918.	Unpaid obligations Nov. 1, 1918.	Unobligated balance or estimated over-obligations Nov. 1, 1918.
YARDS AND DOCKS.						
Maintenance, yards and docks		$24,788,000.00	$19,069,615.23	$5,718,384.77	$4,979,630.14	$738,754.63
Repairs and preservation		10,225,000.00	7,848,470.62	2,376,529.38	552,991.35	1,823,538.03
Contingent, yards and docks		4,340,000.00	3,577,170.71	762,829.29	672,613.30	90,215.99
Emergency expenses, yards and docks		4,750,000.00	508,153.85	4,246,846.15	346,726.06	3,900,120.09
Marine Corps rifle range, Winthrop, Md		10,000.00	[1] 10,000.00			
Navy yard—						
Portsmouth, N. H		614,000.00	104,290.71	509,709.29	9,678.55	500,030.74
Boston, Mass		2,151,500.00	196,651.42	1,954,848.58	136,612.66	1,818,235.92
New York, N. Y		2,469,000.00	983,792.49	1,485,207.51	317,961.51	1,167,246.00
Philadelphia, Pa		3,855,000.00	817,912.92	3,037,087.08	2,283,029.00	754,058.08
Washington, D. C		8,161,600.00	3,973,329.41	4,188,270.59	2,455,502.34	1,732,768.25
Norfolk, Va		7,156,508.69	3,856,829.81	3,299,678.88	1,138,986.65	2,160,692.23
Charleston, S. C	$450,000.00	4,757,000.00	219,302.67	4,537,697.33	19,150.92	4,518,546.41
Key West, Fla	2,850,000.00	2,525,000.00		2,525,000.00		2,525,000.00
New Orleans, La	1,500,000.00	510,000.00	30,002.63	479,997.37	66,067.00	413,930.37
Mare Island, Cal		3,455,000.00	1,450,713.62	2,004,286.38	96,262.75	1,908,023.63
Puget Sound, Wash	350,000.00	2,045,500.00	573,409.67	1,472,090.33	136,685.86	1,335,404.47
Naval station—						
Island of Guam		160,000.00	30,392.13	129,607.87	2,658.60	126,949.27
Guantanamo, Cuba		234,000.00	28,069.09	205,910.91		205,910.91
Pearl Harbor, Hawaii		1,077,775.00	318,954.15	758,820.85	587,800.76	171,020.09
Naval training station—						
Rhode Island, buildings		423,000.00	19,546.30	403,453.70	29,987.00	373,466.70
California, buildings		135,000.00	23,099.76	123,900.24		123,900.24
Naval magazine—						
New England coast		135,000.00	105,000.00	30,000.00		30,000.00
New York Harbor		68,000.00	30,998.10	37,001.90	9,783.25	27,218.65
Fort Lafayette, N. Y		26,000.00		26,000.00		26,000.00
Dover, N. J		118,000.00	64,809.32	53,190.68	47,134.21	6,056.47
Fort Mifflin, Pa		502,700.00	112,115.58	390,584.12	657.90	389,926.22
Norfolk, Va		117,000.00	80,586.22	36,413.78	28,223.47	8,190.31
Mare Island, Cal		16,000.00	15,941.32	58.68		58.68
Puget Sound, Wash		49,600.00	40,607.96	8,992.04		8,992.04
Marine barracks—						
Norfolk, Va		25,700.00	19,384.95	6,315.05		6,315.05
Quantico, Va		475,000.00		475,000.00		475,000.00
Philadelphia, Pa		280,000.00	181,320.69	98,679.31	98,691.98	12.67
Mare Island, Cal		55,000.00	17,938.53	37,061.47		37,061.47
Depots for coal		3,572,500.00	1,977,597.93	1,594,902.07	966,958.01	627,944.06
Buildings and grounds, Naval Academy		4,920,000.00	3,883,249.28	1,036,750.72	173,042.21	863,708.51
Naval training station, Great Lakes, buildings		922,500.00		922,500.00		922,500.00
Torpedo station, Newport, R. I., buildings		1,197,000.00	50,303.96	1,146,696.04	206,204.51	940,488.53
Naval proving ground, Indianhead, Md		1,160,000.00	221,746.46	938,253.54	544,277.55	393,975.99
Naval station, Tutuila, Samoa		90,000.00	44,922.51	45,077.49	2,799.75	42,277.74
Marine recruiting station, Port Royal		369,500.00	104,784.31	264,715.69	78,884.25	185,831.44
Navy aeroplane station, Pensacola, Fla		345,000.00	202,622.70	142,377.30	25,966.21	116,411.09
Naval fuel depot, San Diego, Cal		175,000.00		175,000.00	3,040.00	171,960.00
Torpedo station, Keyport, Wash		16,000.00	15,814.63	185.37		185.37
Land for naval warehouses, South Brooklyn, N. Y		659,085.90		659,085.90	658,000.00	1,085.90
Experimental and research laboratory		500,000.00		500,000.00		500,000.00
Naval magazine, Charleston, S. C		120,000.00	98,611.59	21,388.41	20,123.84	1,264.57
Marine barracks—						
Peking, China		172,000.00	54,682.23	117,317.77	139,817.00	[1] 22,499.23
San Diego, Cal		2,100,000.00	236,955.69	1,863,044.31	242,840.39	1,620,203.92
Torpedo storage facilities, Navy		250,000.00		250,000.00		250,000.00
Lighting facilities, navy yards and stations		200,000.00	152,685.05	47,314.95	2,124.00	45,190.95
Submarine base, New London, Conn		2,090,000.00	1,277,799.06	812,200.94	610,961.70	201,239.24
Quarters for Marine Guards at naval magazines		100,000.00	88,243.12	11,756.88	6,422.17	5,344.51
Submarine facilities, navy yards, and stations		1,500,000.00	696,905.59	803,094.41	444,015.54	359,078.87
Power plants and distributing systems, navy yards and stations						
Ordnance storage		4,250,000.00	1,762,231.37	2,487,768.63	1,499,153.91	988,614.72
Naval operating base, Hampton Roads, Va		3,000,000.00	2,499,859.39	500,140.61	483,217.85	16,922.76
Hospitals and medical supply depots		7,323,628.93	4,181,761.86	3,147,867.07	3,507,457.10	[1] 359,590.03
Handling appliances at navy yards		21,595,000.00	8,008,125.77	13,586,874.23	6,272,457.43	7,314,416.80
Naval training camps		450,000.00	60,862.76	389,137.24	332,617.24	56,520.00
		58,910,897.61	30,336,231.12	28,474,556.49	16,177,797.94	12,296,758.55

[1] Carried to surplus fund June 30, 1918.

[1] Deficit.

Statement of condition of naval appropriations made since Mar. 2, 1917, as of Nov. 1, 1918—Continued.

Appropriation title.	Authorizations not yet covered by appropriations.	Total amount appropriated, including authorizations.	Expenditures to Nov. 1, 1918.	Unexpended balance Nov. 1, 1918.	Unpaid obligations Nov. 1, 1918.	Unobligated balance or estimated over-obligations Nov. 1, 1918.
YARDS AND DOCKS—Continued.						
Marine railways at navy yards		$375,000.00	$74,996.18	$300,004.82	$301,372.99	[1] $1,369.17
Improvements at ordnance stations		6,477,000.00	2,210,161.88	4,266,838.12	2,248,511.32	2,018,326.80
Temporary storage facilities, Navy		5,700,000.00	1,353,192.95	4,346,807.04	277,356.72	4,069,450.32
Naval air station site, Cape May, N. J.		150,000.00		150,000.00		150,000.00
Naval hospital—						
Great Lakes		20,000.00	20,000.00			
Portsmouth		20,331.29	20,000.00	331.29		331,299.00
Reimbursement for damaged property, Indianhead		755.01	755.01			
Temporary naval prison		200,000.00	200,000.00			
Purchase of dry dock, Boston, Mass.		4,550,000.00		4,550,000.00		4,550,000.00
Total, Bureau of Yards and Docks	$5,150,000.00	219,117,992.43	104,140,605.57	114,977,386.86	49,231,725.09	65,745,661.77
Naval operating base, Hampton Roads, Va.			[1] 359,590.03		[1] 359,590.03	
Naval training camps	257,885.00	1 per cent plus			257,885.00	1 per cent plus.
Marine railways at navy yards			[1] 1,369.17		[1] 1,369.17	
Total, Bureau of Yards and Docks	257,885.00		[1] 383,458.43		[1] 125,573.43	
SUPPLIES AND ACCOUNTS.						
Pay of the Navy		354,752,284.57	194,492,479.45	160,259,805.12		160,259,805.12
Provisions, Navy		117,682,151.85	98,058,521.91	19,633,627.94	59,819,625.86	[1] 40,185,997.92
Maintenance, Supplies and Accounts		30,586,625.00	21,906,688.41	8,679,936.59	2,733,303.21	5,946,633.38
Freight, Supplies and Accounts		6,600,000.00	12,333,036.34	[1] 5,733,036.34	6,355,709.48	[1] 12,088,745.82
Fuel and transportation		75,262,420.00	26,462,312.91	48,800,107.09	6,118,187.25	42,681,919.84
Naval Academy, Annapolis, Md.		55,000.00	26,764.93	28,235.07	8,037.96	20,197.11
Clothing and small stores fund		38,071,000.00	38,071,000.00			
Reserve material, Navy		5,000,000.00	1,527,675.99	3,472,324.11	2,462,398.36	1,009,927.75
Total, Bureau of Supplies and Accounts		628,019,481.42	392,878,479.84	235,141,001.58	77,497,260.12	157,643,741.46

Appropriation title.	Estimated savings by contract cancellations of obligations existing Nov. 1, 1918.	Percentage and estimated savings of obligations existing Nov. 1, 1918.	Estimated savings (work contemplated not to be done) of unobligated balances existing Nov. 1, 1918.	Percentage estimated savings of unobligated balances.	Total estimated savings or reductions.	Percentage total estimated savings of unexpended balances.
SUPPLIES AND ACCOUNTS.						
Pay of the Navy			[1] $137,407,735.34		[1] $137,407,735.34	
Provisions, Navy			[1] 49,202,130.00		[1] 49,202,130.00	
Maintenance, Supplies and Accounts			[1] 7,989,493.28		[1] 7,989,493.28	
Freight, Supplies and Accounts			[1] 18,970,014.00		[1] 18,970,014.00	
Fuel and transportation, Naval Academy, Annapolis, Md.			22,096,000.00	46 per cent plus.	22,096,000.00	46 per cent plus.
Total, Bureau of Supplies and Accounts			[1] 191,353,372.62		[1] 191,353,372.62	

Appropriation title.	Authorizations not yet covered by appropriations.	Total amount appropriated, including authorizations.	Expenditures to Nov. 1, 1918.	Unexpended balance Nov. 1, 1918.	Unpaid obligations Nov. 1, 1918.	Unobligated balance or estimated over-obligations Nov. 1, 1918.
CONSTRUCTION AND REPAIR.						
Construction and repair		$130,177,340.00	$87,775,244.49	$42,402,095.51	$23,467,328.23	$18,934,767.28
Construction plants at navy yards		400,000.00	138,669.65	261,330.35	96,305.05	165,024.30
Total, Bureau of Construction and Repair		130,577,340.00	87,913,914.14	42,663,425.86	23,563,634.28	19,099,791.58

Appropriation title.	Estimated savings by contract cancellations of obligations existing Nov. 1, 1918.	Percentage and estimated savings of obligations existing Nov. 1, 1918.	Estimated savings (work contemplated not to be done) of unobligated balances existing Nov. 1, 1918.	Percentage estimated savings of unobligated balances.	Total estimated savings or reductions.	Percentage total estimated savings of unexpended balances.
CONSTRUCTION AND REPAIR.						
Construction and repair	$5,400,000.00	23 per cent plus.	[1] $23,400,000.00		[1] $18,000,000.00	
Construction plants at navy yards						
Total, Bureau of Construction and Repair	5,400,000.00		[1] 23,400,000.00		[1] 18,000,000.00	

[1] Deficit.

Statement of condition of naval appropriations made since Mar. 2, 1917, as of Nov. 1, 1918—Continued.

Appropriation title.	Authorizations not yet covered by appropriations.	Total amount appropriated, including authorizations.	Expenditures to Nov. 1, 1918.	Unexpended balance Nov. 1, 1918.	Unpaid obligations Nov. 1, 1918.	Unobligated balance or estimated over-obligations Nov. 1, 1918.
STEAM ENGINEERING.						
Engineering		$107,230,500.00	$65,292,324.12	$41,938,175.88	$13,562,608.80	$28,375,566.93
Engineering experimental station, Annapolis, Md.		273,000.00	182,134.52	90,865.48	11,316.88	79,548.62
Machinery plants at navy yards		190,000.00	190,000.00			
High-power radio stations		600,000.00	233,108.42	366,891.58	381,422.11	[1] 14,530.53
Machinery plant, navy yard, New York		1,420.33		1,420.33		1,420.33
Machinery plant, naval station, Hawaii		394.66	429.60	[1] 34.94		[1] 34.94
Total, Bureau of Steam Engineering		108,295,314.99	65,897,996.66	42,397,318.33	13,957,347.88	28,439,970.45

Appropriation title.	Estimated savings by contract cancellations of obligations existing Nov. 1, 1918.	Percentage estimated savings of obligations existing Nov. 1, 1918.	Estimated savings (work contemplated not to be done) of unobligated balances existing Nov. 1, 1918.	Percentage estimated savings of unobligated balances.	Total estimated savings or reductions.	Percentage total estimated savings of unexpended balances.
STEAM ENGINEERING.						
Engineering	$3,895,000.00	29 per cent plus.	[1] $12,004,433.00		[1] $8,109,433.00	
Engineering experimental station, Annapolis, Md.			[1] 14,500.00		[1] 14,500.00	
High-power radio stations			[1] 16,349.55		[1] 16,349.55	
Machinery plant, navy yard, New York					1,420.33	
Machinery plant, naval station, Hawaii			[1] 34.94		[1] 34.94	
Total, Bureau of Steam Engineering	3,895,000.00	28 per cent plus.	[1] 12,035,498.49		[1] 8,139,078.16	

Appropriation title.	Authorizations not yet covered by appropriations	Total amount appropriated, including authorizations.	Expenditures to Nov. 1, 1918.	Unexpended balance Nov. 1, 1918.	Unpaid obligations Nov. 1, 1918.	Unobligated balance or estimated over-obligations Nov. 1, 1918.
MEDICINE AND SURGERY.						
Medical Department		$12,621,740.00	$5,896,697.34	$6,635,042.66	$8,273,818.09	[1] $1,638,775.43
Contingent, Medicine and Surgery		3,291,080.00	1,947,705.61	1,343,374.39	1,543,984.93	[1] 170,610.54
Bringing home remains of officers, etc., Navy Department		982,688.00	373,351.54	609,336.46	162,944.75	446,361.71
Care of hospital patients		7,000,000.00	4,867,064.69	2,132,935.31	2,331,942.91	[1] 199,007.60
Naval hospital, Port Lyons, Colo.		19,600.00		19,600.00		19,600.00
Total, Bureau of Medicine and Surgery		23,915,078.00	13,144,819.18	10,770,258.82	12,312,690.68	[1] 1,542,431.86
MARINE CORPS.						
Maintenance, Quartermaster Department, Marine Corps		126,892,228.00	54,226,247.66	72,665,980.34	28,625,492.61	46,040,487.73
Reserve supplies, Marine Corps		16,677,200.00	133,881.63	16,543,318.37	1,883,337.37	14,659,981.00
Pay, Marine Corps		69,667,476.92	31,725,500.97	37,941,975.95		37,941,975.95
Expenses, Marine Corps		25,000.00		25,000.00		25,000.00
Total, Marine Corps		213,261,904.92	86,085,630.26	127,176,274.66	28,508,829.98	98,667,444.64

Appropriation title.	Estimated savings by contract cancellations of obligations existing Nov. 1, 1918.	Percentage estimated savings of obligations existing Nov. 1, 1918.	Estimated savings (work contemplated not to be done) of unobligated balances existing Nov. 1, 1918.	Percentage estimated savings of unobligated balances.	Total estimated savings or reductions.	Percentage total estimated savings of unexpended balance.
MEDICINE AND SURGERY.						
Medical Department			[1] $1,976,118.08		[1] $1,976,118.08	
Contingent, Medicine and Surgery			[1] 722,286.40		[1] 722,286.40	
Bringing home remains of officers, etc., Navy Department			[1] 350,000.00		[1] 350,000.00	
Care of hospital patients			[1] 1,096,321.00		[1] 1,096,321.00	
Total, Bureau of Medicine and Surgery			[1] 3,144,725.48		[1] 3,144,725.48	
MARINE CORPS.						
Reserve supplies, Marine Corps			9,677,200.00	66 per cent plus	9,677,200.00	66 per cent plus.
Pay, Marine Corps	$4,518,059.86	12.46 per cent	6,028,916.10	16 per cent plus	10,546,975.96	27.8 per cent.
Expenses, Marine Corps				100 per cent	25,000.00	100 per cent.
Total, Marine Corps	4,518,059.86		15,705,116.10		20,249,175.96	

[1] Deficit.

Statement of condition of naval appropriations made since Mar. 2, 1917, as of Nov. 1, 1918—Continued.

RECAPITULATION.

Bureaus.	Authorizations not yet covered by appropriations.	Total amount appropriated, including authorizations.	Expenditures to Nov. 1, 1918.	Unexpended balance Nov. 1, 1918.	Unpaid obligations Nov. 1, 1918.	Unobligated balance or estimated over obligations Nov. 1, 1918.
Secretary's office	$430,700,000.00	$1,584,768,899.00	$494,749,773.31	$1,090,019,125.49	$733,366,947.90	$356,652,177.59
Yards and Docks	5,150,000.00	219,117,992.43	104,140,605.57	114,977,386.85	49,231,725.09	65,745,661.77
Navigation		79,853,472.94	38,557,688.44	41,275,834.60	2,379,366.16	38,896,468.44
Ordnance	146,915,754.00	971,906,725.00	285,422,023.83	686,484,701.12	417,190,668.47	269,394,032.65
Construction and Repair		130,577,340.00	87,967,914.14	42,609,425.86	23,563,634.28	19,039,791.58
Engineering		108,285,314.09	65,897,968.66	42,387,345.53	13,957,347.88	28,429,970.45
Supplies and Accounts		628,019,481.42	392,878,470.84	235,141,001.58	77,497,240.12	157,643,761.46
Medicine and Surgery		23,915,678.00	13,144,819.18	10,770,858.82	12,312,680.68	[1] 1,542,821.86
Marine Corps		213,264,984.92	86,086,620.26	127,178,364.66	28,508,829.98	98,667,444.68
Total	582,740,000.00	3,939,716,288.70	1,568,710,981.38	2,391,005,307.32	1,448,008,470.56	1,042,996,836.76

Bureaus.	Estimated savings by contract cancellations of obligations existing Nov. 1, 1918.	Percentage estimated savings of obligations existing Nov. 1, 1918.	Estimated savings (work contemplated not to be done) of unobligated balances existing Nov. 1, 1918.	Percentage estimated savings of unobligated balances.	Total estimated savings or reductions.	Percentage total estimated savings of unexpended balances.
Secretary's office	$81,577,366.00		$65,210,799.41		$50,133,289.53	
Yards and Docks	257,265.00		[1] 391,458.43		[1] 135,573.43	
Navigation			632,430.46		632,430.46	
Ordnance	48,481,003.36		89,138,342.69		137,619,346.05	
Construction and Repair	5,000,000.00		[1] 23,939,030.00		[1] 18,939,030.00	
Engineering	3,895,000.00		[1] 12,035,498.49		[1] 8,139,498.49	
Supplies and Accounts	4,518,050.86		[1] 191,353,372.62		[1] 191,353,372.62	
Medicine and Surgery			[1] 4,144,725.48		[1] 4,144,725.48	
Marine Corps			15,708,116.10		20,249,175.96	
Total	164,129,214.22		[1] 60,629,376.45		6,921,492.21	

[1] Deficit.

The following tables set forth the items recommended for repeal by the committee in the bill under consideration:

Statement of appropriations to be covered into the Treasury and authorizations repealed, Military Establishment

Purpose.	Appropriations.	Authorizations.	Total.
Signal Service of the Army, expenses	$83,373,200.04	$45,000,000.00	$128,373,200.04
Division of Military Aeronautics, military air service	85,000,000.00		85,000,000.00
Bureau of Aircraft Production, aerial appliances, aviation stations, vocation training, etc	402,000,000.00		402,000,000.00
Quartermaster Corps:			
General appropriations, Quartermaster Corps	2,998,444,707.14	15,750,000.00	3,012,144,707.14
Pay of the Army	654,557,911.66		654,557,911.66
Supplies, services, and transportation, Quartermaster Corps	6,971,460.45		6,971,460.45
Horses for Cavalry, Artillery, Engineers, etc	52,170,956.08		52,170,956.08
Civilian military training camps	244,272.41		244,272.41
Inland and port storage and shipping facilities	50,026,000.00		50,026,000.00
Total, Quartermaster Corps	3,740,385,307.76	15,750,000.00	3,756,135,307.76
Medical Department	54,145,513.73	65,000,000.00	119,145,513.73
Engineer Department:			
Engineer operations in the field	696,952,429.63	200,000,000.00	896,952,429.63
Engineer equipment of troops	126,552,966.16		126,552,966.16
Total, Engineer Department	792,589,435.76	200,000,000.00	992,589,435.76
Ordnance Department:			
Field artillery	171,662,634.98	1,916,514,192.00	1,991,176,826.98
Field artillery ammunition		2,525,522,291.43	2,025,522,291.43
Field artillery, practice ammunition	85,418,177.33	65,175,061.00	150,593,238.33
Field artillery, alteration and maintenance	233,063,244.78	100,000,000.00	333,063,244.78
Manufacture of arms	210,878,057.09	242,481,200.00	453,359,257.09
Ordnance stores, ammunition	168,947,410.37	1,117,269,421.00	1,316,216,831.37
Small arms target practice	100,108,230.84	143,861,230.00	243,969,460.84
Automatic machine rifles	246,715,443.12	441,788,000.00	688,503,443.12
Armored motor cars	197,339,962.40	406,640,000.00	603,979,962.40
Ordnance stores and supplies	34,029,415.28	372,299,360.00	406,328,775.28
Ordnance service	7,129,116.55		7,129,116.55
Ordnance and ordnance supplies and material		484,708,616.27	484,708,616.27
Miscellaneous ordnance funds	5,537,956.96		5,537,956.96
Total, Ordnance Department	1,568,360,009.75	7,714,279,294.70	9,217,648,304.45
Chemical Warfare Service	183,932,610.66	150,000,000.00	333,932,610.66
Grand total, Military Establishment	6,844,795,077.70	8,190,029,294.70	15,034,824,372.40

Statement of appropriations to be covered into the Treasury and authorizations repealed, Naval Establishment.

Purpose.	Appropriations.	Authorizations.	Total.
Aviation in the Navy	$98,000,000.00		$98,000,000.00
Bureau of Navigation, instruments and supplies	4,500,000.00		4,500,000.00
Bureau of Ordnance:			
Ordnance and ordnance stores	8,000,000.00		8,000,000.00
Contingent expenses	10,000.00		10,000.00
Experiments	150,000.00		150,000.00
Batteries for ship of the Navy	60,305,257.00	$20,000,000.00	80,305,257.00
Torpedoes and appliances	8,000,000.00		8,000,000.00
Reserve ordnance supplies	41,000,000.00		41,000,000.00
Contingent building fund	3,847.26		3,847.26
Armor and armament of vessels	1,714,750.00		1,714,750.00
Armament and ammunition, Coast Guard cutters	79,574.00		79,574.00
Ammunition for vessels	30,000,000.00	11,000,000.00	41,000,000.00
Ammunition for auxiliaries and merchantmen	2,677,760.00		2,677,760.00
Navy nitrate plants	8,311,881.00		8,311,881.00
Fuel lands for armor and projectile plants	24,513.16		24,513.16
Ammunition for merchant auxiliaries	1,300,000.00		1,300,000.00
Batteries for merchant auxiliaries	1,258,521.24		1,258,521.24
Total, Bureau of Ordnance	164,833,843.69	31,000,000.00	195,833,843.69
Public works, Bureau of Yards and Docks—			
Naval training camps	257,885.00		257,885.00
Boston Navy Yard	570,000.00		570,000.00
Washington Navy Yard	100,000.00		100,000.00
Charleston Navy Yard	17,000.00		17,000.00
New Orleans Navy Yard	30,000.00		30,000.00
Mare Island Navy Yard	280,000.00		280,000.00
Naval Academy	15,000.00		15,000.00
Naval training station, Great Lakes	400,000.00		400,000.00
Hospital construction	1,008,742.00		1,008,742.00
Handling appliances at navy yards	25,000.00		25,000.00
Total, public works	2,713,627.00		2,713,627.00
Bureau of Supplies and Accounts, fuel and transportation	21,096,000.00		21,096,000.00
Bureau of Steam Engineering—machinery plant, New York Navy Yard	1,420.33		1,420.33
Marine Corps:			
Reserve supplies	7,000,000.00		7,000,000.00
Maintenance, Quartermaster's Department	20,000,000.00		20,000,000.00
Pay	14,191,975.96		14,191,975.96
Expenses, Reserve Corps	25,000.00		25,000.00
Total, Marine Corps	41,216,975.96		41,216,975.96
Total, Naval Establishment	334,361,895.98	31,000,000.00	365,361,895.98

RECAPITULATION.

	Appropriations.	Authorizations.	Total.
MILITARY ESTABLISHMENT.			
Signal Service	$83,373,200.04	$45,000,000.00	$128,373,200.04
Division of Military Aeronautics	85,000,000.00		85,000,000.00
Bureau of Aircraft Production	402,000,000.00		402,000,000.00
Quartermaster Corps	3,740,385,307.76	15,750,000.00	3,756,135,307.76
Medical Department	54,145,513.73	65,000,000.00	119,145,513.73
Engineer Corps	792,589,435.76	200,000,000.00	992,589,435.76
Ordnance Department	1,568,360,009.75	7,714,279,294.70	9,217,648,304.45
Chemical Warfare Service	183,932,610.66	150,000,000.00	333,932,610.66
Total, Army	6,844,795,077.70	8,190,029,294.70	15,034,824,372.40
NAVAL ESTABLISHMENT.			
Aviation in the Navy	98,000,000.00		98,000,000.00
Bureau of Navigation	4,500,000.00		4,500,000.00
Bureau of Ordnance	164,833,843.69	31,000,000.00	195,833,843.69
Public Works, Bureau of Yards and Docks	2,713,627.00		2,713,627.00
Bureau of Supplies and Accounts	21,096,000.00		21,096,000.00
Bureau of Steam Engineering	1,420.33		1,420.33
Marine Corps	41,216,975.96		41,216,975.96
Total, Navy	334,361,895.98	31,000,000.00	365,361,895.98
Grand total, Army and Navy	7,179,156,944.68	8,221,029,294.70	15,400,186,239.38

Mr. CANNON. Mr. Chairman, I yield to the gentleman from Illinois [Mr. MANN] such time as he may desire.

Mr. MANN. Mr. Chairman, I do not intend to detain the committee very long, but to say just a word or two in passing. First, I would like to say that the appropriation bill under consideration is unique in one respect, the main respect probably, in the cancellation of appropriations and authorizations heretofore made, a natural thing, however, to be expected from the Committee on Appropriations. Really it is a wonderful committee. I think I could readily include the other members on the subcommittee on deficiencies in congratulatory remarks that I might make, but I desire to say that two of the gentlemen upon that subcommittee, the chairman, Mr. SHERLEY, and the ranking Republican, my colleague, Uncle JOE, I regard as the best posted men to-day in public life upon the subject of appropriations and retrenchments. We are going to lose one of them in the next House. Of course, the gentleman who succeeds the gentleman from Kentucky [Mr. SHERLEY] is a Republican, and I welcome him to the Republican majority in the next House, but the country will miss and the House will miss the experienced and valued services of the distinguished gentleman from Kentucky, the chairman of the Committee on Appropriations. [Applause.] As for the other distinguished gentleman whom I have named, I shall not be here when the time comes for him to quit, because I shall not live that long. He will remain as long as God continues to put the fire of enthusiasm into his soul and heart. [Applause.]

Having said that in passing, I want to say something that is not so sweet. I have a letter in my hand from a skilled workman, whom I have personally known for many years, and whom I have always found to be capable and bright and honest.

This is from Sheffield, Ala.:

"We have been working here at nitrate plant No. 2, at Muscle Shoals, Ala., since June 12, 1918. The waste of money here has been unbelievable. Hope Congress will investigate and fix blame. Some one ought to be shot as an example.

I do not know what the Republicans in the next Congress will do, but if they do not investigate some of the charges which

are made about the extravagant waste of money, especially by those not so much directly concerned with the direction of the war, and ascertain whether the charges are true or false, and if they are true to punish some of the people connected with the robbery of the Government, they will have failed in performing a function, one reason for which gave them power. Now, I have got another grouch. I read an advertisement which recently appeared in some of the papers of the country. Here it is:

The ——— Service offers to men in good standing an opportunity to go into business for themselves backed by a large manufacturing concern whose products are in great demand among farmers. You can earn from $2,000 to $5,000 per year, provided you can furnish two responsible businessmen and a team or an auto. No other investment necessary. Men are now earning this income.

That sounds like a get-rich-quick advertisement published by an ordinary advertiser, and most people would assume that somebody was intended to be stung by the advertiser and to be bled properly. But, who issues this advertisement, this $5,000 per year for a man with no means to sell products to the poor farmers of the country, intending to beat them? Who issues this advertisement? The Government of the United States! This advertisement is issued by the United States Employment Service, signed "Address Frank A. Weaver, United States Employment Service, Minneapolis, Minn." Now, I can appreciate the desire and perhaps the need for the Government, through some service of the Government, to attempt to take care of unemployed labor, but I can not understand why the Government should pay the cost of an advertisement which anybody can get up designed to beat some one. Of course, this concern may be a reputable concern. I do not know, but it has some new product that it thinks it can work off on the poor farmer or the good rich farmers—they are all rich now, I believe, according to some stories—and then, instead of paying the expenses of trying to do this, they want the Government of the United States to pay the expense. I believe there is no item in this deficiency appropriation bill to cover this sort of a scheme.

Mr. SHERLEY. If the gentleman will permit?

Mr. MANN. Certainly.

Mr. SHERLEY. The bureau of which the gentleman speaks gets its funds out of the sundry civil bill.

Mr. MANN. I know.

Mr. SHERLEY. I had hoped in connection with this bill to find out what the balances were with the Labor Department, the Food and Fuel Departments, but it was not possible to do it and get the bill in, but I hope to be able to do it in connection with the sundry civil bill, and to cover back in the sundry civil bill a lot of moneys that presumably will not be needed for the balance of this fiscal year for a lot of these bureaus.

Mr. MANN. Well, certainly we do not need the money appropriated by this bureau to issue this kind of an advertisement. In the first place, such advertisements might properly be barred from publication and issuance through the post office by anybody, but for the Government of the United States, on the theory that it is trying to secure employment for those out of employment, to try to tell men how they can earn $5,000 a year by taking hold of some new patent and selling it at an outrageous price to people out in the rural districts—it would be just as bad and perhaps more effective if it were among the rich people in the city districts, because usually they are easier taken in than the others—I protest against the gross extravagance of a Government or a governmental agency that indulges in this kind of waste of money. [Applause.]

Mr. CANNON. Mr. Chairman, I do not intend to consume much time in general debate upon this bill. Under the five-minute rule I may or may not take some time, according to certain conditions; but I want to say that I have listened to the remarks of the gentleman who reports this bill, the chairman of the Committee on Appropriations [Mr. SHERLEY], and I may state I agree with the remarks of the gentleman, my colleague from Illinois [Mr. MANN], touching his ability, his industry, and his fidelity to the public service. [Applause.] But I do not mean I trot at all in his class. I used to think in normal times, having been a member of the Committee on Appropriations for 24 years—its chairman during the War with Spain and for some time after that; I think for 14 years altogether—that I know something touching the merits of proposed appropriations. I want to say, while I am not an idle man, while I have grown older and do not claim to have that same industry and same capacity physically or mentally I had in former years, yet I have done the best I could in the performance of my duties as a member of the committee, and I am just delighted that I was associated with the gentleman from Kentucky [Mr. SHERLEY], because he has far greater ability, far greater industry, clothed with less of age than I have, and I grew very soon to repose confidence in him, kept the best track of this bill I could, and I still retain that confidence. So much for that.

The administration has the power, as has been stated, to cancel contracts, and it has been pretty busily engaged in their cancellation. There are many legal contracts, and I believe we passed a bill to legalize contracts that were made in good faith but were not legally executed. I think that legislation has not yet been enacted. I believe it is pending in the Senate, if I am not mistaken. I hope it will be considered and enacted, because I have no doubt that many of these contracts that were made verbally or by wire or without legal formalities were made in good faith by the Government on the one hand and the contractor on the other hand.

It is a wonderful responsibility that the administration has, in the cancellation of contracts and where they are canceled, in adjusting the damages that result from their cancellation. If it is vigorously and wisely done, the sooner it is done the better. Otherwise legislation will linger in Congress after Congress until we are all dead and gone. If I recollect, in the adjustment of the French spoliation claims and many other claims almost as ancient substantially a century passed before claims of that kind were adjusted by the Congress. The Government stands to lose and the individual citizen of the Government stands to lose where adjustments are not made as promptly as possible.

Now, I have no doubt that in some of these adjustments and cancellations there will be a want of knowledge upon the part of the Government or the agents of the Government. But that is no reason why an adjustment should not be made. Perchance, once in a while—and, God knows; I do not, and I could not specify anybody or any bureau or any department—there may be carelessness, there may be dishonesty here or there; but as one Member of Congress I want to give notice now that this Congress, I think, is wide awake, and I am quite sure the next will be and I am more sure that the next one will be, and that the light will be turned on if there have been abuses. Anathema maranatha to the man that undertakes to deal with important matters who is not competent or does not act in good faith!

Now, in the Lord's Prayer the sentence that always appealed to me stronger than any other is, "Lead us not into temptation," because if you are not led into temptation to do improper things you will get along very well. Oh, the weaknesses of human nature are many, and with over 100,000,000 of people there are a per cent of us who are weak. Now, that standpoint forms an additional reason why I stood for the enactment of this bill. It only deals with the Army and Navy appropriations and authorizations. The gentleman from Kentucky [Mr. SHERLEY] has well said that that is as far as we could go. He hopes to go further still when the sundry civil bill is reported, and I think there is plenty of room when you come to investigate matters outside of the Army and Navy appropriations and authorizations in which we can run and glorify and legislate to a good advantage. And I should not wonder, inasmuch as this Congress comes to an end on the 4th day of March next, if the next Congress that is organized will have much of investigation to do, though not from a political standpoint. Oh, I would not harm a dog; I would not harm the weakest or the strongest of the human race or anything in all animal creation just for the mere matter of harming. But this Congress, and the next Congress, and the next Congress, and the next Congress; this administration, and the next administration, and the next administration will have greatly more important work in comparison with what we have had in the past for legislation, for economy, for cleaning house, for unscrambling the eggs and getting back to a normal condition where the American citizen under the Constitution, rich or poor, great or small, will receive protection equally under that Constitution. And then you will come back again to normal times, where you will have legislation as we have had heretofore, where you will have the competition, where each unit from the standpoint of selfishness, to support himself and support the family and the hearthstone, will do the best he can to perform his duty. And then you will get the best of service.

You may ask if I am abusing anybody. No. I could criticize some people in the United States, but I am not going to do it by name. You could not have a worse condition than has come with this war condition. Wars are demoralizing. They must come and have come during the history of the human race. There is an old maxim that reaches away back a thousand or two thousand years, to the effect that "in war laws are silent." And that is true.

Mr. FESS. Will the gentleman yield before he leaves that?

Mr. CANNON. Yes.

Mr. FESS. A good many Members of the House have heard this statement about investigations and exposures. What do you expect to gain by it? What advantage will there be, when the thing is done, in making any investigations, and even suggest that there is nothing to it except to discredit our Government in the eyes of the world? I should like to have a man of the distinction of the gentleman on his feet now make answer to that general statement that we hear so often.

Mr. CANNON. Well, I can not specify, although "I hae me doots" about many things that have been done. I am charitable and can make allowance for things that have to be done in haste if they are wisely and honestly done.

Now, I think neither side of the House would claim for a moment that there had not been serious mistakes made, some of them excusably made, because action had to be had, and some of them, I have no doubt, not honestly made. Well, I think that we may ascertain the condition during the present and during the recent past and punish those who have improperly acted and to give notice to those who are called upon to act now and notice to those who shall succeed us that we had best not draw the blanket concealing what is past and forget it, because thereby you would be encouraging other violations of law through maladministration.

Now, I am not going to say or intimate—because I do not know—whether during this war there have been more mistakes made in the United States by Congress and under the administration than have been made in other countries, considering the size of the great contest; whether more mistakes have been made relatively than were made during the War of the Revolution, according to numbers, or during the War of 1812, or the Mexican War, or the Civil War, or the Spanish-American War. Those are behind us. The present is with us. I am a believer in forgiveness. I will say to my friend from Ohio [Mr. FESS]. "Blessed is he who forgives." Yes; I believe in all that. Shakespeare, in his Timon of Athens, says, "Nothing emboldens sin so much as mercy."

For the remainder of this Congress or in the next Congress we are not going to confine ourselves to "stomach aching" on the one hand and criticizing on the other, but something of that kind will have to be done. There will be plenty of work for these investigating committees that have not been holding meetings formally for many years and have not been exercising their jurisdiction as committees on expenditures. There will be plenty of chance for investigation. However, I would not neglect the proper legislation in order that we might investigate.

The next Congress, no doubt, as this Congress has done, will perform its duties with such wisdom as it may have. I have great confidence in Congress. I have great confidence in the House and Senate. I have great confidence in the courts. There is plenty of room to criticize here and there and yonder. I have great confidence in the American people, proceeding under the Constitution and the law. I am a pretty "mad democrat" in the broad sense of the word. In my recollection I have trod every path, almost, from the cradle up to the time I expect I ought to die, that the humblest citizen of the United States has trod in his early life. I repeat, I am a democrat in the broad sense of the term, and I am a citizen of the one country on earth that has the greatest capacity for self-government. [Applause.] And, God knows, I want it to keep that capacity. [Applause.]

There is talk about autocracies and democracies. Who are the autocrats? The Kaiser was one; the Austrian monarch was another. There was autocracy in Turkey. There was autocracy in Russia, and Russia has graduated in anarchy. There is not much of autocracy in Great Britain. They have a pretty good Government there, by the people, a pretty fair democracy there, because it has been well said that they respond promptly to the sentiment of the people as it is voiced at the ballot box. An Englishman said to me, "While we have great respect for the King, yet we all understand that he is like unto a figure 9 with the tail cut off." [Laughter.] Well, thank God, that is not exactly the case in this country, although sometimes I wish part of the tail was cut off. [Laughter.] I speak with high respect for everybody.

Somebody said once of a friend of mine—a Member of Congress, by the way—and the remark originated on that side of the House about another man on that side of the House, and both are out of Congress and both are dead: "See D.; he sets his tongue to running and then goes off and leaves it." [Laughter.] I do not want to be subject to that criticism nor do I want to be subject to another criticism, such as one that ex-Speaker Reed made about a Member of Congress who was talking and consuming a good deal of time. A page came to me and said, "The Speaker wants to see you." I walked up to the Speaker's chair, and I said, "What is it, Mr. Speaker?" "Joe," he said, mentioning the Member's name, "when he talks he subtracts from the sum total of human knowledge." [Laughter.]

For fear I will do the same I will bring my remarks to a close, with the statement that I believe this is a good bill. It is not perfect. I would be glad if we could remove the temptation to spend money that has been appropriated and authorized by repealing the laws appropriating it and authorizing it to the aggregate of $15,000,000,000. [Applause.]

Mr. Chairman, I yield to the gentleman from Wyoming [Mr. MONDELL] such time as he may desire.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. GARNER having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13708) providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary.

SECOND DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

The CHAIRMAN. The gentleman from Wyoming is recognized.

Mr. MONDELL. Mr. Chairman, I think at the beginning of my remarks, which I hope will be reasonably brief, I should state to my colleagues and Members of the House who are not acquainted with the organization of the Committee on Appropriations that I am not a member of the subcommittee on deficiencies which prepared this bill, but it so happened that I was requested by the chairman to attend the hearings in connection with the preparation of the bill which we now have before us, and so far as I was able to do that, and still give attention to the hearings before the subcommittee on the sundry civil bill, I did so. I do not, therefore, claim to be familiar with all of the facts on which the final action of the committee was based.

The hearings and examination have been most exhaustive. The chairman of the committee has again shown his ability and capacity as an investigator, as a seeker after and a developer of facts, and he has been ably assisted by the members of the subcommittee on both sides.

This bill, unique in all the history of legislation, proposes to repeal appropriations heretofore made amounting to approximately $7,000,000,000. It proposes to withdraw authorizations to contract heretofore given amounting to approximately $8,000,000,000; $15,000,000,000 in all, an enormous sum, a gratifying sum, taken from the totals that might have otherwise been expended. And yet, after all is said and done, it is not extraordinary that we are able to withhold from the War Department approximately $7,000,000,000 of appropriations out of a total of $24,000,000,000 granted to that department since the war began and out of a total of nearly $17,000,000,000 appropriated for the War Department within a twelvemonth. Only four months of the fiscal year now running had passed when the armistice was signed, and yet the committee was only able to find the sum of less than $7,000,000,000 out of appropriations of almost two and one-half times that sum for the fiscal year which it felt it could safely withhold. So much of the War Department, indicating the tremendous rapidity with which we were spending money at the time the armistice was signed.

So far as the naval service was concerned, after the most careful and painstaking examination of its estimates, the committee found only $331,000,000 of its appropriations for 12 months that could be saved, the war ending 8 months before the close of the fiscal year. What would have been the condition of affairs with regard to appropriations had the war continued? How much would the Navy have spent at that rate had conditions existed as they were at the time of the signing of the armistice? What it means is that the Navy has spent and proposes to spend as much money in 4 months of war and 8 months of peace as it was estimated it would spend in 12 months of war, and that the Army in 4 months of war and 8 months of peace expects to spend nearly three-quarters as much as it estimated and as was given in appropriations for a full year in the highest tide of the great war.

It is not remarkable that the committee was able to withhold and withdraw these sums. The extraordinary thing is that these services were spending money at such a rate that with only four months of war and one-half of the year past and gone the very great proportion of the appropriations were either spent or so obligated that the appropriations can not be safely repealed. The committee is not therefore entitled to any particular credit because it has brought in these repeals and withdrawals of authorizations in the sums carried in the bill. It is, however, entitled to credit for having conceived the idea of bringing in a general repeal bill, and it is entitled to great credit for the businesslike thoroughness of the examination

made, a thoroughness which will be demonstrated by a perusal of the hearings, which do not, by the way, contain half of the testimony actually given before the committee. The subject was gone over with very great thoroughness, particularly with regard to the War Department, and not once, but several times, in an effort to still further increase the amount which might be withheld and withdrawn from expenditure.

Mr. TILSON. Will the gentleman yield for a question there?

Mr. MONDELL. I yield to the gentleman from Connecticut.

Mr. TILSON. The gentleman says that not half the testimony appears in the printed hearings. Was the remainder of it confidential, or is there any reason at this time, after the war is over, why the information upon which the gentleman's committee based its conclusions should be withheld from the remainder of the House?

Mr. MONDELL. The gentleman is a member of a committee which has exhaustive hearings, and the gentleman knows that in taking testimony before a committee there must necessarily be a good deal of preliminary talk and examination in many cases in order to arrive at a mutual understanding as to the character of the information sought and what can be hoped to be secured in the way of evidence before beginning to make the official record. That is for the purpose of making the record clear and concise, and not burden it with talk back and forth intended to clear up the situation. This in order that in the record the questions may be to the point and the answers clearly intelligible. There was very little testimony withheld from the record because of its confidential character. There was some testimony as to the saving in expenditure expected to be made by reason of closing out contracts which it would serve no good purpose to publish at this time, but it was a very small part of the testimony given. There are sometimes conversations between the chairman or members of a committee and the gentlemen who appear before the committee to give testimony, in the way of opinions expressed, which while interesting and forceful do not necessarily belong in a printed statement of testimony given before the committee.

Mr. TILSON. I think the gentleman's idea is a good one, and I wish more committees, including my own, would follow that idea of eliminating nonessentials.

Mr. MONDELL. The idea is not mine. It has been the practice of the Committee on Appropriations since I have been with it, and it is peculiarly the practice of the present chairman of the committee, who endeavors to clear a situation before the record is made. I think it is a wise and proper procedure.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. MONDELL. I yield to the gentleman from Iowa.

Mr. GREEN of Iowa. If the War Department have been spending money at so greatly an increased rate over what they originally estimated, what assurance has the gentleman that the amount now allowed is going to be sufficient to carry the department through?

Mr. MONDELL. I do not think anyone need have any fear on that point, and I am glad the gentleman asked me that question, because it is in line with what I have in mind to discuss.

As vast as are the sums of appropriation repealed—and $7,000,000,000 is quite a considerable sum even in these days—we still have available such enormous sums that by no possibility can the War Department or the Navy Department run short in any necessary and essential line of activity. And while I am personally of the opinion, from what I have heard of the testimony, that we might safely have still further increased the repeal of appropriations by several hundred million dollars, I yield my opinion in that matter to members of the committee who are better informed as to some of the details of the examination than I am. I believe, however, that we could have increased very largely the sums of appropriations repealed, not only for the War Department but for the Navy Department as well. But the Navy Department clings to its appropriations with a tenacity that leads one to doubt the proverbial story of the drunken sailor, and to believe that the citizen who, while in an intoxicated condition, flung his money about so freely was not a sailor at all. [Laughter.] He must have belonged to some other branch of the service. At any rate, the Navy Department certainly does not willingly let go of any of its appropriated money when it is sober, and the Navy Department was very sober all the time it was before the committee.

As a matter of fact, the longer the hearings continued the smaller the sum of the contemplated repeal came to be. Early in the progress and development of the investigation there was a very considerable hope of a withdrawal of appropriations several hundred millions of dollars in excess of the sum actually carried in the bill. But as time went on and the gentlemen connected with the services further considered the situation, they concluded that in order to play a perfectly safe game it would be necessary to increase their estimates of the amount of liabilities that must be met. Out of the sums remaining enterprises can still be carried forward that ought not to be carried forward. Expenditures can be made that in my opinion ought to be dispensed with, and it is for that reason I would have been glad to have seen the appropriations still further trimmed in order, if possible, through this action to give the Congress control, to a very considerable extent at least, of the peace-time activities of these war organizations.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. GREEN of Iowa. The gentleman is aware of the fact that it is seldom indeed that a department having a sum awarded to it does not spend all that is given it.

Mr. MONDELL. I thank the gentleman for that suggestion. It leads to this thought, that while the war was on—and I was one of those who said and practiced it—it was our duty to give the departments of the Government every dollar which they insisted was necessary for the successful conduct of the war. We were justified in that attitude. It is the only attitude that a legislative body could properly take in time of war in the absence of unquestioned knowledge and information on the subject, which a legislative body can very seldom have. It was argued in favor of such a policy that the money would not be spent unless it is needed.

This bill is a denial of any such claim or suggestion as that. Why are we able to withdraw but $7,000,000,000 from the enormous war appropriations totaling $24,000,000,000 since the war began, with the war virtually at an end four months after the beginning of the fiscal year? Because the War Department having the money proceeded to spend it as fast as they could. The only reason why there is any considerable sum to take back is not because there was careful consideration of needs and a withholding of placing of obligations in view of such consideration, but because the productive capacity of this mighty Nation, great as it is, far beyond that of any other people on earth, was not great enough to enable them to spend the money they had, or even contract to spend it.

In the main, they went just as far and just as fast as the ability of the Nation to make or the disposition of the citizens to contract would allow them to go, with the result that they are obligated to take vast quantities of material for which we have no need and much of which is of little peace value—which are practically of no value.

I do not want to be unfair. I realize the pressure upon all these people to provide material, and more material, and still more material, to pile it mountain high against our needs over yonder, and that they knew they would be seriously criticized if there was any shortage. Therefore the necessity of procuring and contracting material in great quantities. The difficulty was there was no careful intelligent consideration of the amount of certain classes of material that under all the circumstances could be, or was likely to be, used. So that the amount bought and the amount contracted for was based very largely not on the probable needs carefully considered but on the capacity of the country to make and the willingness of the contractor to agree to make.

Mr. KELLEY of Michigan. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. KELLEY of Michigan. I am interested in what the gentleman has to say about the expenditures in the Navy Department, and I have been wondering during the course of his remarks if the gentleman would be kind enough to particularize a little further, as it might have some bearing on the appropriations asked for from the regular Naval Committee. So far the gentleman's remarks have been rather general to be of any value in detail.

Mr. MONDELL. I thank the gentleman for making the suggestion, because what I have said relates very largely to the Army and Army expenditure. The committee did not go into anything like as detailed an investigation of naval expenditures that they did of the Army expenditures, for the very good reason that they were met at the threshold with the statement that the Navy did not have any considerable amount of money they could give up. The committee did withhold $334,000,000 from the Navy, but turned around and gave them $280,000,000; so, as I recollect it, we are only $54,000,000 to the good as far as the Navy is concerned, as between pulling back and handing out. The naval appropriations for the fiscal year 1919 have amounted to almost $1,800,000,000. About $54,000,000, or less than 3 per cent, is the net salvage.

Mr. KELLEY of Michigan. I judge from what the gentleman says that there were projects that the Navy Department insisted on carrying forward that could have been cut off.

Mr. MONDELL. My statements in regard to these matters relate principally to the Army, and what I am saying, except what I said in regard to the Navy disposition to cling to its funds, mainly relates to Army expenditures.

Mr. LAZARO. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. LAZARO. Is it not a fact that the Navy had a nucleus, a real organization, and were in a position to submit more accurate estimates?

Mr. MONDELL. The gentleman means that they did not have so much to give back because their estimates were more reasonable or more nearly within their actual needs?

Mr. LAZARO. The Navy was really a going concern and had its nucleus organization, whereas the Army, under the new draft system, was new.

Mr. MONDELL. I am not inclined to make comparisons.

Mr. LAZARO. I am just asking the gentleman the question for information.

Mr. MONDELL. It has heretofore been developed, and developed by the chairman of this committee and stated by him on the floor at the time the first deficiency bill was brought in, what character of estimates the War Department made, estimates apparently with little rhyme or reason. The gentleman will remember the details of those estimates as explained by the gentleman from Kentucky at that time and as elaborated somewhat by myself. Congress could not very well withhold an appropriation insisted upon of $94,000,000 for bandages, but there was not a Member in Congress who did not know that amount of bandages would wrap every soldier in the Army like Rameses when he was laid away for his long slumber. The Military Committee ought to have known when they made their appropriations for horseshoes and forage and matches and other things that they were appropriating much more than the Army could possibly use for such purposes unless they shod the soldiers with horseshoes and had the soldiers put in most of the time striking matches. The vice of that kind of estimating is that it gives a fund that is used or contracted, and when you come to the piping times of peace, or to the dawn of that glad and happy time, you find that no matter how large the appropriations were and how much in excess of actual need, there was a temptation, which was unfortunately frequently yielded to, to spend the money or obligate it if there was a place under the sun where the material could be found or a citizen willing to contract to furnish it.

There were some things brought out in these hearings and in other hearings touching matters on which some committee of the House ought to have functioned before this time. It is not the business of the Committee on Appropriations to legislate touching military affairs. How many camps and cantonments shall we permanently maintain in this country? How many enormous areas for artillery practice, how many aviation schools and fields, how much money shall be spent on enterprises of that character? Where shall work cease, and to what extent shall it be carried forward? Up to this good hour it is all left to the War Department, except for suggestions that may have been made here and there by some one on the floor of the House or the Senate. We have left money enough in the hands of the War Department, after withdrawing all these vast sums, that it may go as far as it desires with regard to any one of these camps or cantonments or fields.

I did not have the opportunity of hearing the chairman of the committee make his statement, but I presume in the course of his remarks he referred to the opinion to be voiced by him of the members of the Committee on Appropriations as to what should be done and should not be done with regard to three certain camps.

Mr. SHERLEY. Mr. Chairman, if the gentleman will permit, I did not, although I had a memorandum to do that. I was diverted, and I talked more than two hours. I propose to do that, however, when the various items are reached before the bill is passed.

Mr. MONDELL. Then I shall leave that to the gentleman from Kentucky, because that is a matter that he was to present to the House and which I supposed he had presented as he tells you he will do so later.

Mr. GREEN of Iowa. There is another question which I think the gentleman might well propound with reference to these other committees, and that is, How much longer are we going to continue in time of peace making lump-sum appropriations by tens of millions or even hundreds of millions?

Mr. MONDELL. The gentleman does not expect me to answer that question, does he?

Mr. GREEN of Iowa. No; except in the way that he has spoken of a somewhat similar fault, so it seems to me, on the part of other committees.

Mr. MONDELL. Having given all the sums that were asked for, where the need and necessity could not be absolutely disproven, which was the proper practice in the war, I suppose we shall so continue along certain lines, more or less sentimental, connected with the war and with the men who fought in it, for some time to come. We may not always act wisely in those matters, but the probability is that most of us will resolve our doubts in favor of the opinion of those who are charged with certain responsibilities touching the establishments we created, and particularly affecting the interests of the men who composed them.

Mr. KELLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. KELLEY of Michigan. In considering these various bureaus, having to do with the expenditures for aviation, did the Committee on Appropriations come to any opinion as to whether or not there was great waste due to the multiplicity of agencies contracting for aviation materials and trying to erect an aviation outfit?

Mr. MONDELL. There is no way of determining whether the Committee on Appropriations as a committee had any opinion on that subject, because the committee was not called upon, officially or unofficially as a committee, to express an opinion upon that matter or to function upon it.

If the gentleman asks my opinion——

Mr. KELLEY of Michigan. That would be very acceptable.

Mr. MONDELL. Which may or may not be of value, I would say that in my opinion there was enormous waste, common to all of these enterprises, and additional waste in view of the fact that so many different agencies of the Government had to do with the same sort of activity, each insisting on its own plant and facilities. Until we shall once more in the grace and providence of God have a Government in which the legislative branch controls the policy, that will go on. We have been drifting into a condition—and I am not saying that wholly with regard to this administration by any means—under which the great policies of the Government are not fixed and established by the men the people select for that purpose, but by executive officials who, through one plan of persuasion and coercion and another, manage to successfully fix and establish the national plans and policies. I regret as much as anyone can, as a Member of this House, to be compelled to say that, but it is the truth, and it is a truth for which we are all somewhat responsible.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. McKENZIE. The gentleman from Wyoming, of course, is on the Committee on Appropriations. I want to ask the gentleman from Wyoming if he does not believe that some of the evils of which he has been speaking in connection with the Military Establishment of this country could be cured to some extent if all the power to make appropriations for the Military Establishment were centered in one committee?

And I want to ask, further, whether or not he would not favor such a proposition?

Mr. MONDELL. Well, now, frankly, I will say to my friend that I do not care to give expression to the opinion I have on that subject in this presence. We have had some experience in the Committee on Appropriations relative to Army appropriations we did not originate that leaves in my mind certain opinions which I do not think I care to express here and now. Of course, the gentleman's inquiry involves the possibility of transferring it all to the Committee on Appropriations——

Mr. McKENZIE. Yes.

Mr. MONDELL (continuing). Full jurisdiction over it.

Mr. McKENZIE. Yes.

Mr. MONDELL. In that connection let me make this suggestion: In my opinion it would be a splendid thing for this land of ours if one committee appropriated for every branch of the Federal Government. Not because one committee has more able or courageous men than another, but that a committee having to do with one service in the very nature of things comes to be greatly influenced by that service. I have heard folks say—I am not expressing it as my opinion or denying the truth of it—that committees having one branch of the service to appropriate for come to be to a considerable extent simply the mouthpiece of the particular service for which they appropriate, the champions of and apologists for that particular service.

Mr. KELLEY of Michigan. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. KELLEY of Michigan. I have some sympathy with what the gentleman is saying, but are there hours enough in a day for the men on any one committee to familiarize themselves with all the different branches of the service so that they could carefully make appropriations for those various services?

Mr. MONDELL. I grant you that the plan which my statement suggests is not without its serious difficulties. It would mean a dividing of one committee up into many subcommittees, and you might find in those subcommittees the same condition to which I have referred; but this is true, and I say this of the work of the Committee on Appropriations not because I am a member of that committee, but because I have watched the work of that committee for 22 years, that because of the fact that the committee in its work has a survey of all public activities—sooner or later, either in direct appropriations or deficiencies, it is brought into contact with every activity of the Federal Government—the committee takes a broader and more impartial view of governmental affairs than any other committee. By reason of the character of its work it is never tempted to become the special champion of any particular service. It has to balance one service against another and one class of appropriations against another, and comes to realize more clearly, I think, than a one service appropriating committee does, that one of the most important functions of an appropriating committee is not to give but to withhold. In such a general committee we learn that the most energetic and faithful public servant in the executive departments is frequently the man who must be most checked in his demands upon the Public Treasury.

Mr. SHALLENBERGER. Will the gentleman yield?

Mr. MONDELL. I do.

Mr. SHALLENBERGER. I gather from the gentleman's very interesting discussion that he criticizes the extent of our appropriations for the war, does he not?

Mr. MONDELL. I could not well do that, for I voted for every one of them.

Mr. SHALLENBERGER. Does not the gentleman think that the reason we have this amount of money to be saved to the Treasury is rather because of the termination of the war than because of appropriating too large a sum? Is it not the gentleman's opinion that if this war had gone on for the fiscal year as it was going on that instead of being able to turn money into the Treasury we would in all possibility have had a deficiency to make good?

Mr. MONDELL. My friend did not hear my opening remarks.

Mr. SHALLENBERGER. I did not.

Mr. MONDELL. Because in my opening remarks I emphasized that fact that the wonder was not that we were able to withhold $7,000,000,000 of appropriations but that, with only four months of the fiscal year in war and but six months passed, so large a portion of the enormous appropriations made must, in the opinion of the officials charged with responsibility, still remain subject to obligations that had been placed upon them. Why, had the war gone on at full tide, there is no calculating how much money we would have spent; and, inasmuch as we only withhold $54,000,000 from the Navy, it is very evident that, had the war continued, the Navy would have spent very much more than had been appropriated.

Mr. SHALLENBERGER. Is it fair to criticize the War Department for placing orders that Congress had empowered them to place, no matter how large they were, if they were to be required as the war went on?

Mr. MONDELL. I discussed that at some length a moment ago.

Mr. SHALLENBERGER. I am very much interested, and that is the reason of the remark.

Mr. MONDELL. I did discuss that at some length. I want to discuss for a moment some of the great enterprises, the great objects of expenditure which are still fully and completely under the control of the War Department, the policy touching which Congress has at no time had in its control or guidance. Let me again suggest now that a very distinguished member of the Committee on Military Affairs is here and I can speak freely; that I have not been able to understand why the Committee on Military Affairs has not functioned, beginning directly with the signing of the armistice, on the proposition of what the policy of the Government is going to be touching all these camps and cantonments which have been built at such an enormous expense——

Mr. GORDON. I will answer the gentleman.

Mr. MONDELL. And touching the lands on which they are located.

Mr. GORDON. I will tell the gentleman why. The Secretary of War appeared before our committee and said he was considering buying these cantonments and had all the authority he needed and all the money he needed, but he would like to have the advice of the committee on it, and before giving our advice we asked him to give us a list of the real estate that the War Department owns, including what had been purchased before the war, and we are now waiting for that list before giving our advice. [Laughter.] Does that answer the gentleman's question?

Mr. MONDELL. Well, it is as good an answer, I take it, as can be given, because the gentleman is apparently in possession of all the information there is on the subject. But how about Nitro, W. Va.? What are you going to do about the $60,000,000 investment?

Mr. GORDON. We have never done anything about it up to date. We appropriated lump sums, and you say you voted for all of them.

Mr. MONDELL. That particular lump sum I voted for after a statement made before our committee with regard to it, to the effect that no part of it was going to be used for the building of plants unless it might be a few thousand dollars. That statement was made, and is of public record, relative to the appropriation out of which that costly plant was built or started. I am informed it is to be yanked. Does the Military Committee know?

Mr. McKENZIE. Will the gentleman yield right there?

Mr. MONDELL. I will.

Mr. McKENZIE. Out of what appropriation is the War Department now paying for land in South Carolina and in Kentucky for three additional Artillery firing fields? Certainly it did not come from our committee.

Mr. MONDELL. May I ask the distinguished gentleman, who is a member of the committee that legislates on such matters, under what law or appropriation they are paying for it?

Mr. McKENZIE. I do not know.

Mr. MONDELL. Then, who does, if a member of the Military Committee does not?

Mr. GORDON. It is under the same appropriation as the Nitro plant about which you speak. The Committee on Appropriations probably appropriates for those.

Mr. MONDELL. The Committee on Appropriations does not control or assume to control the policy of the War Department. If it did, its items would go out on a point of order. The gentleman knows that.

I do not want to criticize any committee of this House. Heaven knows that we all have troubles enough, and I realize that the gentlemen on that committee are strong, honest, courageous men. I do not want to criticize them, and I will not criticize them. But may I be allowed to criticize a policy or a lack of policy? I think there are some very fertile fields to plow, and they are mighty weedy, and some one ought to get into them, and some one ought to give the opinion of the Congress touching the policy that is to be followed. My understanding is that the War Department wants to continue all the camps and all the cantonments and all the firing fields and all of everything else that it has. It has abandoned Nitro because even the War Department could not stand for it. But otherwise the work largely goes on. There is this other side to it. After all, is it not the duty of Congress to say to the War Department what they should do? After all, is it not our duty to say to these gentlemen, "This is our plan; this is our policy"? Who is to blame that they go on with these developments and building and buying programs, when the Congress, which is supposed to fix policies both in peace and in war, has expressed no opinion in regard to them, except as our committee has expressed an opinion with regard to certain camps, which will be stated by the chairman of the committee as the bill is discussed? We owe it to the War Department to say to them what the Congress thinks about these matters. If they go on with all the camps and cantonments and all of the other plants to a final conclusion with the moneys that are left—and there will be plenty of moneys left after the $7,000,000,000 are withdrawn—we will not be free from responsibility.

Congress told them what to do in time of war, and that was to provide for the men that Congress ordered into the field, prepare for the great struggle, fight it to a finish, and they went about doing that. But what of the future? If we are going to have universal military service in the United States, and every man of a given age in camp, we may want all the camps and cantonments. If we are not, we do not need them. I take it that nobody on the Committee on Military Affairs hesitates to express an opinion, because they have not made up their minds on the highly important subject. If we are going to become a great military Nation at the time when we are preaching peace on earth, good will to men, then we want all the camps and firing fields we have; but if we are not, if we mean what our eloquent spokesman is saying for us over yonder, then we want to halt some of these tremendous expenditures of the public money and try to get back to a sane and sound basis, whatever we may determine that sane and sound basis to be.

Mr. Chairman, there will be many things to be inquired into after the 4th of March. There will be no more things to be inquired into because it is a Republican Congress than ought to be inquired into if the Congress were Democratic. As one Republican I want to express the view and the opinion that the Republican Party when given a majority of this House by the American people was not granted any license to run amuck.

The worst thing we could do from a political standpoint would be to try to use the faults and the failures of this war for political purposes. But, on the other hand, billions of the people's money have been spent; great programs have been carried out, many of them without the warrant of congressional sanction. It is claimed that the expenditure has been grossly extravagant, and we have a very good reason for the opinion that it was when we hear men in the public service, charged with responsibility over enormous sums, say, "Yes; we propose to get results without any sort of regard to what they cost." From one viewpoint, perhaps, that was justified. But to spend money lavishly because it is necessary to accomplish a given purpose and to throw money to the winds unnecessarily in the accomplishment of that purpose are two very different things. The American people are entitled to know what has been done with their money. They are entitled to know who planned and proposed certain programs. They are entitled to know why they were carried on, and it will become the duty of the Republican Congress in good conscience and without malice and without desire to gain political advantage to develop the truth.

We have been engaged in a great work. It has necessarily cost a great deal of money. It was unavoidable that there should be mistakes. Enormously increased costs were unavoidable. Taking all these into consideration, giving them all due weight, in my opinion many things will come out that will astound the American people.

Gross recklessness, the wildest extravagance, and, above all, a lack of judgment and horse sense that is almost unbelievable. Responsibility can not be lodged on the shoulders of subalterns here and there. It goes back finally to the source of power; "Like master, like man." Given strong, vigorous, virile, intelligent, courageous direction, and the spirit permeates the entire organization down to the humblest man in the ranks; but given lack of initiative, lack of courage, lack of force, lack of directive effort, a disposition to smirk it all away and let it rip, and the outcome we have seen is inevitable.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Such a lack of proper spirit will permeate the mass and eventually reach every man in the organization.

Mr. GORDON. I infer from the gentleman's observations that he is prepared to be shocked and astounded by the revelations which are to come by these investigations?

Mr. MONDELL. I have been.

Mr. GORDON. Already? [Laughter.]

Mr. MONDELL. I am now immune. I think nothing can come out now that will shock me. [Laughter.]

Mr. MASON. Mr. Chairman, may I ask the gentleman a question?

The CHAIRMAN. Does the gentleman from Wyoming yield to the gentleman from Illinois?

Mr. MONDELL. I yield.

Mr. MASON. My recollection is that about a year ago, when you were on the floor, you explained the danger of the cost-plus plan which the party in power had for the letting of contracts. I think you demonstrated that it was an invitation to larceny. I think you stated that even good men would be tempted by it, the promise that the more they spent the more they would get. They even got a commission on the money they stole from the Government. I was going to ask the gentleman, who is on the Committee on Appropriations, whether there was any change in the matter of letting contracts after his speech of that day. I think it was a year ago. Or did they still continue to say to those favorites who received contracts, "The more spent, the more you get"? I ask if there was any change in the program after your speech? [Laughter.]

Mr. MONDELL. If the gentleman's inquiry is whether my statement had any effect on the executive departments, I would say to him, so far as I know, it did not; I did not expect it to have any. [Laughter.] The executive has not at any time been accepting suggestions from Congress. I merely felt it my duty to make those observations.

When I was a young man I was left in charge of what we called a force-account contract. That is one of your cost pluses. It was an intricate, difficult job in frozen ground, in a cold, miserable country, under trying conditions. The people who had to have the work done did not know how much it ought to cost and therefore were not willing to let a contract. As I was the youngest and most easily imposed upon member of the organization, I was left in charge of the job.

We were to get so much a day for men and teams and tools and machinery and 10 per cent on top of that. As the old gentleman who owned the outfit bade me good-by, smirking because he was going to get out of a hard job, he said, "Frank, I hope you will come out of this thing with some conscience left."

Mr. BUTLER. Did the gentleman succeed. [Laughter.]

Mr. MONDELL. I will leave that for the gentleman to judge. Modesty forbids an answer. [Laughter.]

Mr. BUTLER. I think you did.

Mr. MONDELL. He said, "You will have everybody loafing on the job in spite of all that you can do; even the mules will know that the more they loaf and the more the job costs the more we get. But," he said, "for heaven's sake, keep the organization down to hard work as well as you can under the circumstances."

I knew by experience that nothing so disorganizes a working force as that sort of a job; and when I heard of the cost-plus business I took the first opportunity, out of recollection of those early days, to express my opinion of that utterly indefensible system of doing business. I am utterly unable to understand how anyone with any knowledge of human nature, with the slightest experience in business matters, could expect anything but the scandal and disaster which come out of the system. Those cost-plus contracts have been responsible, very largely, for the general industrial disorganization of the country. The evil effect of it did not cease with the spending of unnecessary money. It carried on and on, diffusing its evil influence all over the country and into practically every avenue of industry.

Mr. BUTLER. The gentleman is a member of the Committee on Appropriations. Did he vote in favor of the report on this bill that we have here?

Mr. MONDELL. Yes; I voted for the report.

Mr. BUTLER. Does the gentleman remember the item on page 11 of the naval emergency fund of $33,000,000? Does the gentleman know what that covers?

Mr. MONDELL. I am frank to say to the gentleman that I am not as fully informed about that item as I would like to be.

Mr. SHERLEY. I am familiar with it, and I will ask the gentleman from Pennsylvania what he would have done if he had been on the Committee on Appropriations?

Mr. BUTLER. I would have done the same thing, but I would not have criticized the plan after I had voted for it.

Mr. SHERLEY. Oh, that does not follow at all. I may be required to pay the obligations of the Government without agreeing that the obligations of the Government ought to have been incurred.

Mr. BUTLER. I doubt, too, whether they should; but nevertheless we have to vote.

Mr. MONDELL. Now, I realize what is running through the gentleman's mind. Because an undertaking was unwarranted, because an evil policy has been followed, and because there has been extravagance, should we withhold an appropriation to meet the obligation? What sort of a fix would we find ourselves in if we proceeded to do that?

Let me again state to the gentleman the view I have had with regard to these appropriations from the beginning. Every appropriation that a responsible executive officer said was necessary to the conduct and successful prosecution of the war and every item of appropriation or legislation which on their honor they said was necessary to meet the Government obligations I voted for and shall vote for, but in doing so I did not give my approval, and I do not now give my approval, of the expenditure or of the way in which the money was spent.

Mr. LONDON. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. LONDON. Has there been a change of system, so far as the cost-plus contract is concerned?

Mr. MONDELL. Well, I think it is true that since the signing of the armistice there have been no such contracts. I have not heard of any. Of course, there would not be the slightest excuse for such a contract after the signing of the armistice, if there was any excuse at any time.

In view of the criticisms, in view of the knowledge coming to the officials themselves of the vicious character of these contracts, I think much earlier than that there was an effort to get away from them; but still the departments adhered to them with some more or less important modifications far too long, resulting in enormous expenditures.

Now, Mr. Chairman, some of the newspapers carry headlines announcing the reporting of this bill to the effect that we are turning back $7,000,000,000 into the Treasury. Some of them have gone so far as to say that we have turned back $15,000,000,000 into the Treasury. No part of the money that we are trying to save by withdrawing the authority to spend it is

in the Treasury. Far from it. There are billions of appropriations still current for the meeting of which there is no money in the Treasury. We are simply clearing the books to a certain extent, so that he who runs may more easily read the probable obligations of future bond issues and future tax burdens. It is well that the committee did this. It is the only thing the Congress has done up to this good hour that I can recall that in any way affects the policy of this Government touching expenditures, touching the carrying out of programs. It does not go far enough to clip or compel the abandonment of such selected or aggregated programs as the department may insist on carrying forward, but it does not leave money enough for them all. To that extent Congress is asserting its authority in determining that there shall be some limit to the expenditures. I do not want to seem to overcriticize naval and military men, who are insisting upon still holding vast sums for expenditure. They would not be worthy of their profession if they did not believe in it and believe in its maintenance and expansion; but it is our duty to say how far these things shall go. Our view should be the view of the people as against the military view.

Therefore we might well go further, and the Military Affairs Committee of the House might well go further, in laying down a program and in checking expenditures along lines of questionable value to the country. Thank God that the time has come when we can pass a bill like this; that the time has come when we can begin to think sanely, when the dove of peace is again returning to the earth. May the coming of peace bring with it a revival in this House of the proper spirit of our American institutions, a revival of the determination on the part of Congress to take its place again as the body in this Government charged with the responsibility of outlining programs, establishing policies, and placing the limit upon governmental activities. [Applause.]

Mr. MAGEE. Will the gentleman yield for a question for information?

Mr. MONDELL. I yield to the gentleman from New York.

Mr. MAGEE. I did not clearly understand the gentleman's statement. It has been stated that some $7,000,000,000 is turned back into the Treasury. Do I understand that that is an amount which has been appropriated?

Mr. MONDELL. Evidently the gentleman was not present to hear the early part of my remarks. The bill repeals approximately $7,000,000,000 of appropriations and repeals approximately $8,000,000,000 of authorizations of expenditure.

Mr. MAGEE. Has any part of this $7,000,000,000, which the gentleman says was appropriated, been actually raised?

Mr. MONDELL. I just said, if the gentleman was listening, that the loose statement frequently made that we were turning money back into the Treasury was, of course, not true. Not only has this $7,000,000,000 not been raised, but the money for appropriations of many other billions of dollars has not been provided for in the way of revenue and must be provided for through the bond issues that are coming and the payment of the tremendously heavy taxes provided for in the revenue bill. As a matter of fact, we are this day sailing without any very great balance in the Treasury; but in the offing is a great bond sale and the enormous sums that will be raised by the revenue bill. Notwithstanding all of the faults and failings of those who are charged with responsibility, all of the tremendous expenditures that have been made, and all the vast sums that will have to be raised and paid, it is after all well with the Republic, for by the valor of the boys who went overseas the tide of the great Hunnish wave was turned back and victory came. May the peace conference now gathered at Versailles establish that peace in perpetuity by establishing it in righteousness and justice. [Applause.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

DISTRICT OF COLUMBIA.

CONTINGENT AND MISCELLANEOUS EXPENSES.

District Building: For fuel, light, power, repairs, laundry, mechanics, and labor, not to exceed $2,500, and miscellaneous supplies, $12,000.

Mr. HUDDLESTON. Mr. Chairman, I hold in my hand a clipping from the Waco News-Tribune, of Waco, Tex., dated January 8, 1919. This clipping purports to give copy of an order issued by Gen. Buck, who is in command at Camp MacArthur. This clipping is as follows:

OFFICERS ADVISED SOCIALLY—CAN'T MINGLE WITH ENLISTED MEN—BY COMMAND OF GEN. BUCK ORDER POSTED REGARDING ENTERTAINMENTS.

The following order has been posted at Camp MacArthur:

Headquarters, Camp MacArthur, Waco, Tex., January 6, 1919, General Orders, No. 1.

1. The attention of officers of this command is called to the impropriety of attending social affairs at which enlisted men, or persons in the uniform of enlisted men, are present.

Hereafter any officer of this command who finds enlisted men present with proper authority, i. e., duly invited or permitted to pay their way in, at any social affair at which the officer is a guest, such officer will at once depart from such social affair, and if he finds persons in the uniform of enlisted men permitted to be present he will take the same action.

When an officer finds enlisted men present at any social affair without proper authority, he will take such steps as the occasion may warrant to cause them to leave, and will report any violation of regulations which may occur.

By command of Maj. Gen. Buck.

W. H. WOOLWORTH,
Major, Infantry, United States Army, Acting Executive Officer.

Official:

E. E. LAMBERT,
Major, Adjutant General's Department, Adjutant.

Mr. Chairman, this clipping shows the spirit of caste existing in our Army even to this day. It shows the harsh and overbearing attitude of the officer class. It shows, as I have often said before, that our Army is the most undemocratic institution in America.

Mr. Chairman, we have heard a good deal of this un-American system of caste. The fact that this system of social discrimination is practiced in the Army has been denied from time to time. It has even been officially denied, but all who are familiar with Army life know that this order here at last brought to light in print discloses an actual practice lived up to by our officers of the Army, and which has been lived up to for years.

We have carried on a war for democracy. We have gone to Europe to carry democracy to the people there, and yet we are fighting against it here at home. In Europe our Army and Navy are being used to promote democracy. Here at home these same instrumentalities are being used to suppress democracy. Those who are responsible for the spirit of caste which characterizes the Army have no comprehension of the principles they are affecting to teach.

I want to say that there can be no real political democracy where there does not exist a social democracy. [Applause.] There can be no real democracy that we can carry into a foreign land when we deny to our boys who carry that torch in their hands the right to be regarded as men here at home. The men who fight our battles are good enough for any officer to meet as equals. They are entitled to be treated with respect and consideration.

Look at this order and analyze it. An officer is supposed to be a gentleman; this order put into effect would make it impossible for an officer to be a gentleman. If I were to invite two brothers to eat at my table, one being an officer and the other an enlisted man, that one who was an officer when he saw his brother at the table would be compelled to leave, or if he felt that his brother was not rightfully there, then he would be compelled to force his enlisted brother to leave the premises. Under this order even a discharged soldier wearing his uniform can never be good enough for an officer to associate with. There is not a boy who has been in the service who has not felt the effects of this caste spirit and system. There is not one who does not resent it. There is not an enlisted man who does not dread the social gulf that exists between officer and enlisted man more than the dangers that he endures. They dread it more than they do the hardships of the service.

Most high Army officers are in favor of a permanent system of conscription. I want to say to them here that by their overbearing conduct toward the enlisted men they are doing more to make Army life unpopular than any "pacifist" could by preaching against militarism. I warn them that they can not get away with it. No system of compulsory service in time of peace will ever be endured by the American people so long as Army officers adhere to such outworn, overbearing, and undemocratic methods as disclosed by this order. What are we going to do about it? What are the American people going to do? Well, so long as the Army was a matter of professional soldiers, of men who were not compelled to go into it, the people took no great interest in the matter. But since the Army is composed of men who are serving whether they want to or not, the people of this country are going to see that they are treated decently. We will have a democratic Army or we will have none at all. Let the General Staff ponder that. They are pushing for a big Army. They consider themselves patriotic in that. Yet by tolerating—yes, fostering—the caste system they are making it impossible to recruit an Army.

Talk about violating the espionage act. Hundreds of honest men have been sent to jail for talking against conscription. Yet by keeping up a system of social oppression of enlisted men the officer class have done more to make them dissatisfied than thousands of unbridled agitators could have done with their talk. I do not blame Gen. Buck more than others. He has merely put into black and white a rule of the Army recognized by every officer. It is the men who control the Army, mold its spirit, and

who make and change its customs and practices who are responsible. And the Navy is worse than the Army. [Applause.]

The Clerk read as follows:

For the disposal of city refuse, including the same objects and under the same limitations specified for this purpose in the District of Columbia appropriation act for the fiscal year 1919, $220,000: *Provided*, That the Commissioners of the District of Columbia are authorized to investigate conditions affecting the existing contract for the collection and disposal of ashes in the District of Columbia during the fiscal year 1919, with a view to determining whether any adjustment should be made in the compensation paid thereunder, and to adjust the same, provided the facts disclosed the necessity for such adjustment: *Provided further*, That the said commissioners may, in their discretion, with the consent of the contractor and his bondsmen, cancel such contract, and in that event, or in the event of failure of the contractor, to take such steps as may be necessary to carry on the work covered thereby, and for that purpose to purchase or lease the necessary plants, buildings, and land, to purchase or hire horses and horse-drawn vehicles, passenger-carrying and other motor-propelled vehicles, equipment, and machinery, and to employ expert and other personal services, and labor, and to pay traveling, maintenance, incidental, and contingent expenses: *Provided*, That not more than $70,000 of this sum shall be expended for the collection and disposal of ashes.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph in order that the chairman may make some explanation of it.

Mr. SHERLEY. The gentleman from Mississippi has had charge of this matter, which is a District of Columbia matter, and he can better advise the gentleman than I myself.

Mr. SISSON. Mr. Chairman, this item involves primarily the ash contract. They have under this item several matters to dispose of. The ash contract was entered into, as I recollect it, for about $79,000. After the war broke out wages were increased to such an extent that the company that got the contract was unable to carry out the contract to move the ashes. Now, the District Commissioners have the option, of course, to declare the contract void, and under the contract they could, if the money was sufficient, perhaps go along and remove the ashes, but they would have to take over the plant. The purpose of this provision is to enable the District Commissioners to make the best arrangement they can in reference to the removal of the ashes, because they might take a forfeiture of the bond—and I have no objection to their taking that course—but that would not move the ashes. The principal expense of moving the ashes will be in this present month and the two months succeeding. What ought to have been done prior to this is what we have done in reference to garbage, to allow the District of Columbia to take over the entire matter, because the wagons and equipment that have been used for one purpose can be used interchangeably for the other. The purpose of the provision is to enable the District Commissioners, if they decide to do so, to take over so much of the plant, the wagons, and horses as will be necessary to move the ashes.

Mr. MANN. Why does the gentleman say that the wagons for moving the ashes can be used to move refuse and garbage?

Mr. SISSON. Because they can be.

Mr. MANN. It might be in a country town, but not in the city. If the wagons are moving ashes, they can not move garbage.

Mr. SISSON. The gentleman ought to understand that in summer there are very few ashes to move; there is a great deal more garbage moved in the summer than in the winter.

Mr. MANN. The purpose of this is to let the District Commissioners let the contract, but the gentleman has given us no information on that subject. When was this contract entered into?

Mr. SISSON. The contract was entered into something like 14 or 15 months ago.

Mr. MANN. These are annual contracts, are they not?

Mr. SISSON. Yes; I think this is. Some are for three years, but I think this is an annual contract. The facts are that this labor was worth $1.25 a day or $1.50.

Mr. MANN. Labor was worth as much 15 months ago as it is now and perhaps more.

Mr. SISSON. The labor that this man employed has gone up to where it is impossible for the man to complete his contract. Horses have gone up, and we even went into the price of feed to the extent of getting the quotations about the date that this contract was entered into.

Mr. MANN. I know there has been no special increase in the price of labor during the last year, and certainly no increase in the price of horses, and no special increase in the price of feed. What this amounts to is that if the contract goes against the contractor we relieve him, but if it is going in his favor he keeps the contract. That is all it amounts to. Heads I win and tails you lose by the contractor.

Mr. SISSON. We are not confronted with a theory here; it is a condition. What we want is to get the ashes moved.

Mr. MANN. The gentleman makes the primary mistake of providing a contract that will not get the ashes moved.

Mr. SISSON. It would get the ashes moved in normal conditions.

Mr. MANN. These are normal. The contract had been entered into.

Mr. SISSON. If the gentleman will look into every department of the Government he will find that every department is paying nearly twice as much and sometimes more than twice as much for labor as they were before.

Mr. MANN. Twice as much every day as it was the day before, does the gentleman say?

Mr. SISSON. No; I did not say that, but prior to the war.

Mr. MANN. This has no relation to conditions prior to the war.

Mr. SISSON. It has, absolutely.

Mr. MANN. The gentleman stated that the contract was entered into for this fiscal year.

Mr. SISSON. It was entered into some time before the actual date for moving ashes.

Mr. MANN. The fact is that the District Commissioners are disposed to give contracts to friends.

Mr. SISSON. I do not know that that is true.

Mr. MANN. And if the contracts do not pay the contractors, they want to let the contractor out and have the Government pay the difference.

Mr. SISSON. My information, on the contrary, is that the District Commissioners desire to take a forfeiture on this man's bond, but they want to be in a position to move the ashes when they do take it.

Mr. MANN. Oh, they presented this item, and this item came from the District Commissioners.

Mr. SISSON. I know it did.

Mr. MANN. It does not provide for a forfeiture of the bond.

Mr. SISSON. They do not have to do that.

Mr. MANN. It provides that the District Commissioners shall settle the contract; and why do they ask that? Because they already have agreed to do it, if they get the authority.

Mr. SISSON. I do not know whether that is true.

Mr. MANN. Oh, it is a matter of public information.

Mr. SISSON. The purpose of this is to have the ashes removed.

The CHAIRMAN. Does the gentleman from Illinois insist on the point of order.

Mr. MANN. I shall insist upon the point of order as to the proviso.

The CHAIRMAN. The point of order is sustained.

Mr. MANN. I have reference to the first and second provisos, and on them I make the point of order.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

For additional for two tractors, motor driven, $4,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I rise for information. I have never heard of this term "tractors" being used in connection with the apparatus of a fire department. Will the gentleman explain what a tractor is?

Mr. SISSON. A tractor takes the place of the horses, and carries the fire equipment, whatever it may be, to the fire, instead of having it drawn by horses.

Mr. STAFFORD. But you provide in the next paragraph for three engines, motor driven, and also in the following paragraph for chemical and hose cart, motor driven.

Mr. SISSON. They are substituting these motor-driven tractors for horses wherever they can.

Mr. STAFFORD. I suppose, then, it is like the forward part of the truck, where it is intended to put the trailer behind, and have it rest on the part carrying the motor.

Mr. SISSON. If you have a hook and ladder, for example, instead of having it drawn by horses you would have it drawn by a tractor.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

Employees' compensation fund: For compensation provided by "An act to provide compensation for employees of the United States suffering injuries in the performance of their duties, and for other purposes," approved September 7, 1916, including medical, surgical, and hospital services, and supplies provided by section 9, and the transportation and burial expenses provided by sections 9 and 11, $700,000, to be available until expended.

Mr. LONGWORTH. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 5, line 21, after the word "expended," insert as a new paragraph the following:

"For salaries and expenses of the United States Tariff Commission, including the same objects specified under this head in the sundry civil appropriation act for the fiscal year 1919, $50,000."

Mr. LONGWORTH. Mr. Chairman, I confess that I offer this amendment, as I would any amendment to this bill, with some hesitation, because the bill has been most thoroughly considered, this item—or at least this general proposition—among others. For one, I feel that the Committee on Appropriations is deserving of great credit for this bill. I of course do not assume to know all the details of the bill, but, on the face of it, it saves to this Government something like $15,000,000,000.

It is difficult for the average human mind, gentlemen, to appreciate the significance and vastness of this sum, but if I do not forget entirely the figures that I am about to mention, this bill authorizes a saving of an amount equal to more than half the total amount that it cost this Government to live from the first inauguration of George Washington until the second inauguration of President Wilson. The committee deserves great credit for having brought in a bill which will bring about this enormous saving of the public funds. The gentleman from Kentucky will go down undoubtedly in history as the master money saver of the American Congress. [Applause.] For one, I infinitely regret that he is not to be with us in the next Congress, and I know that I am right in saying that it is the unanimous judgment of Members on both sides of the aisle that his shoes will be mighty difficult to fill. [Applause.] Now, the gentleman from Kentucky explained this morning the request made by the Tariff Commission. Let me call attention to the fact that the language of this amendment I propose would be simply and solely to appropriate for the use of the Tariff Commission the amount authorized by the law which created it. This commission was created in 1916, and $300,000 was authorized to be expended annually for its maintenance. As a matter of fact, however, due probably in the first year to its small organization, something less than $200,000 was expended. Last year, on account of the war, necessarily having to diminish its functions to some extent, and being deprived also of the services of some of its employees who went to the war, it again lived within less than $200,000. It is true, as the gentleman from Kentucky has stated, that it might not be wise to go so far as the Tariff Commission suggested, which was to appropriate $100,000 in this bill, which would bring the average expenditures up to $400,000. I do not advocate that. I merely advocate that we should allow the Tariff Commission, under all the circumstances, the actual amount authorized by the act which created it. I realize, of course, that conditions are abnormal, and they may continue abnormal for some years. I do not undertake to prophesy when Congress may pass or propose a tariff law. It is utterly impossible to predict, but it seems to me that in the meantime we can not get too much information as to facts, whether they are gathered under abnormal conditions——

The CHAIRMAN. The time of the gentleman has expired.

Mr. LONGWORTH. May I have a few minutes?

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. LONGWORTH. Even though those facts are collected under abnormal conditions, it may be possible that this Congress will necessarily bring in tariff legislation under abnormal conditions, and it seems to me that the facts that might be acquired even now would be of service to the Government. I am one of those who believe that Congress can not get too much information about industrial questions. I, perhaps, if I had been charged with the appointment of this particular Tariff Commission might not have named every one of its members. I think it would have been wiser if a division of the two political schools of thought had been better carried out than they evidently are in the personnel of our present Tariff Commission. But, after all, their function is not to advise the Congress as to policies, but merely to provide the facts which will be reduced to legislation in accordance with the views of whatever party may be in power. Now, the effect of this amendment if passed would merely be to give to the commission the amount authorized, and certainly some increase over the funds now available is necessary if any larger investigations are to be undertaken. In fact, I think it would be fair to say that $200,000 nowadays would not bring results greater than would $150,000 at the time we first authorized the creation of this Tariff Commission. It seems to me, then, it would be wise if we now, instead of waiting until a later date, establish a policy of granting this commission at least the funds which were authorized by the act which created it. [Applause.]

Mr. CANNON. Mr. Chairman, this Tariff Commission was created and it is legal. The amendment is justified under the law. The amount fixed under the law to be expended as authorized was $300,000. There was expended last year, I believe—that is, the first year of its existence—$188,000 in war times.

There was appropriated for the service this year $200,000. That is $100,000 less than was authorized, and not directed by the legislation creating the commission. Of course, it awaits appropriation, whether it should be $188,000, $200,000, or $300,000. It seems to me, as one Member of the House, I am not in favor of the amendment. The amount, I say again, that was appropriated was $200,000, and in the first six months the commission expended $100,000. It could not have expended more under the law touching appropriations. That leaves for the last six months the same amount that was expended for the first six months of the fiscal year, namely, $100,000. Now, the amendment is to appropriate $50,000 for this six months, which would make——

Mr. LONGWORTH. Will the gentleman yield?

Mr. CANNON. I will.

Mr. LONGWORTH. It would make $150,000 for the six months.

Mr. CANNON. Which would be running at the maximum that is authorized by the law.

I am not going to run amuck and criticize the organization of this Tariff Commission. Gentlemen understand about it. It consists, I believe, of five who are not of the same political party. Well, we could not have an issue of fact to say whether it was fairly appointed or not from that standpoint. If we would submit it to a jury and I should take the affirmative, I think I would have no difficulty in showing that there was a mistake made in carrying out the true intent of the law of Congress. But I will not discuss that. I doubt the propriety now of expending at the rate of the limit of the law for the last six months. We have not peace yet. Our principal competitors are Great Britain, Germany, France, the Balkans, Russia—in fact, the world—that are not producing at this time. We have an abnormal condition touching production in the United States. The gold dollar is worth only half as much as it was when this war broke out, which means that other products measured by the gold dollar are worth just what they were before, but double in dollars when you come to consider the whole proposition.

Now, we could not abolish this Tariff Commission if we were to try. It would not be in order upon this bill. What good could possibly come now from a practical standpoint by having this commission investigate by sending people abroad? A friend of this appropriation appealed to me and said, "We want to send people to Europe." I replied to him, "If you send them to Europe, you would have to give them a guard to protect their lives." Now, I think we had better go along as we have been going.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON. Just one minute more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. CANNON. I think we had better go along and make the expenditure as was recommended by the committee, which is less than was expended last year. Some friend has said that they wanted this done because there are a lot of people that know a heap about economic questions and that have been employed in the war, and they are now being discharged and would like to have the money for a few months in order to give them employment, and that it was thought they would do valuable service. Well, that would be good for the men, but will it bring anything that will enable the next Congress or the one after that, with changing economic conditions, to come to a just and proper conclusion? I think we best let the bill stand as it is.

The CHAIRMAN. The question is on the amendment.

Mr. SISSON. Mr. Chairman, I do not wish to detain the committee more than a moment, except to say that I agree with what the gentleman from Illinois has said in regard to this matter.

The act provides that $300,000 may be appropriated for this purpose. The Congress last year appropriated $200,000. That commission asked in this deficiency for $100,000, the balance that we authorized to be paid. Now, as was explained to the committee a moment ago, the subcommittee cuts this out for the reason stated by the gentleman from Illinois [Mr. CANNON]. Whatever information you might be able to get about the cost of things now and about the price of labor at this time would be of no earthly use to us when things are in the abnormal condition in which they are now throughout the world. In view of that fact, the subcommittee did not give the appropriation.

Mr. LONGWORTH. Will the gentleman yield?

Mr. SISSON. I do.

Mr. LONGWORTH. Let me suggest to the gentleman one industry, at least, which has sprung up in this country since the war began and which did not exist in this country at the time war was first entered into. I mean the dye industry, and with that industry other chemical industries. It is an abnormal

growth, if you please. We had little information in the past as to the methods and the cost of production of dyes in this country. Would not that one industry be enough to justify at a time like this, when we must realize that no one can tell how soon Germany will be able to produce dyes again, this increase in appropriation? Would it not be of value to have all possible information? And the Tariff Commission has been working very hard upon that question. Does not that justify the continuance of the Tariff Commission?

Mr. SISSON. The gentleman understands this does not interfere at all with the Tariff Commission. It is simply a special fund that they want in addition to the amount Congress has heretofore appropriated. It does not interfere with their present activities.

Mr. LONGWORTH. It interferes with their present activities to the extent they are now receiving only two-thirds of the amount Congress authorized them to receive.

Mr. SISSON. That was the very limit of cost.

Mr. LONGWORTH. This necessarily cripples their field of usefulness.

Mr. SISSON. As to the dye industry, that would be in just the condition other industries are in so far as labor and the cost of producing dyes in Germany and the cost here are concerned. You can not establish any rule, in my judgment, upon which to base a tariff, either from a revenue or protection point of view, that conditions might not change overnight. The changes will be very rapid, and for that reason the committee did not allow it.

Mr. HULL of Tennessee. Mr. Chairman, I do not rise for the purpose of entering into any detailed discussion of this matter, but in common with some of the other members of the committee I was disappointed when I learned that this item was not embraced in the pending bill.

I am impressed with what the gentleman from Mississippi [Mr. SISSON] says, so far as it goes; but it is very important for this country to follow the changing economic conditions, especially during the reconstruction period, and to gather from them such lessons as they offer, just as other commercial countries are doing at this time, and I think really it is a mistake not to allow this commission to proceed at this time with the normal development of the work which it has in hand and which during the next 6, 12, and 18 months will be of extreme value to every Member of Congress and to every business man in the country who is earnestly striving to understand economic conditions as they will be more or less transformed following the war. I say, therefore, I regret that the committee did not see fit in its wisdom to make this allowance.

Mr. SISSON. If the gentleman will permit an interruption, I think he will understand that this money will only be available until the 1st of July anyway, and within that length of time the amount of information they could get would be very slight, and the current appropriation bill will take care of the investigations that will be made after July by this commission.

Mr. HULL of Tennessee. I will say to the gentleman that he has doubtless done so, but if he has not, if he will run through the documents, the manuscripts, the productions, and the reports which the Tariff Commission has already prepared with extreme care, he will recognize the value of the work that is being done. With some of the information I frankly say I do not agree. Some of it will be agreeable to my views, and some of it will be more agreeable to those of some of my colleagues on the other side; but in view of what I consider to be the importance and the accuracy of the economic facts which they are developing, which will be of much value to every Member of the House, no matter what his predilections may be with respect to customs or other phases of economic conditions, I am of opinion that this small amount of money could not be expended better than in the direction asked for by the commission.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Ohio [Mr. LONGWORTH].

Mr. MANN. Mr. Chairman, it has always been a peculiar thing that when the total amount of an appropriation which is authorized by law for any commission is not appropriated the commission at once is up in arms.

Now, here is the Tariff Commission. I have read their last report. I doubt whether very many Members of the House have done them that honor. They have been practically useless during the war. But the Tariff Commission remained as a commission, and all of them who remained drew their salaries, although several of them are doing other work—one of them in the Post Office Department, giving no attention whatever to the work of the Tariff Commission, and one of them somewhere else, giving no attention to the Tariff Commission. I am probably expressing the opinion of those two gentlemen at least when I say that there was no work for the Tariff Commission to do during the war, and I reckon the rest of the Tariff Commission practically acquiesce in that view, because they have done nothing.

But I will say this: The commission is made up entirely of what we call "free traders" on our side of the House. Contrary to the spirit of the law, there is no protectionist on the commission. This distinguished commission of free traders have expressed the opinion that a tariff for protection in some cases is highly advisable and necessary. Now, to that extent I welcome their education, although acquired at considerable expense to the National Treasury.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. MANN. In just a second. On this side of the House we do not need the education. On that side of the House it is useless to attempt to educate them on the subject. [Laughter.]

Mr. LONGWORTH. So far as the Tariff Commission itself is concerned, does not the gentleman believe that the result of the investigations will lead to the irresistible conclusion that some protection is necessary?

Mr. MANN. I do not know what conclusion it will lead them to. I do not need it. If they could ascertain facts as to the cost of production of articles, either here or abroad, that would be of value. But we all know perfectly well that they can not obtain facts relating to the production of any article, including dyestuffs, either here or abroad, which would be useful under normal conditions. Now, I am in favor of putting a protective tariff upon dyestuffs to protect the American industry that is built up on dyestuffs. I do not undertake to say what the rate should be, and I undertake to say that the Tariff Commission will not know what the rate should be before it is fixed.

I think it is a good thing for the Tariff Commission and the other commissions under the Government to feel that they will have to be economical for a while. We will have the very mischief to pay to bring down any department of the Government to any reasonable idea of economy, and we can not afford to go ahead and appropriate money as we have done in recent years and months for what they call the normal expenses of the Government, because they have increased. I know of no branch of the Government to-day outside of the War and Navy Departments which is not asking for an increase of money. Although they have already had increases beyond the normal conditions, they now want more. Somebody has got to pay the bills if we appropriate the money.

Mr. SHERLEY. Mr. Chairman, I shall not detain the committee more than a minute or two on this matter, but I think it is only fair to take issue with the statement of fact that the gentleman from Illinois [Mr. MANN] asserts, that the entire personnel of this Tariff Commission is made up of men such as are normally designated as "free traders," and I am quite sure that the actual fact is far from that. Certainly Mr. Culbertson, a member of that commission, would very indignantly deny that the characterization correctly represented his political viewpoint.

Just another word touching the debate that has developed. It is interesting, to say the least, that the two gentlemen who are not by committee assignments engaged in special work in connection with tariff making should deny the need of any information, whereas the gentleman on the Republican side, who by Republican committee assignment is charged with that particular work, should admit the desirability of it.

Having said so much, I simply desire to say that the committee did consider, in view of the questions that are larger than simply the question of the tariff commission, that at this time it was not desirable to appropriate additional money; and with the latter part of the speech of the gentleman from Illinois [Mr. MANN] I am in entire accord. It is going to require the constant vigilance of Congress to hold the departments of the Government down to anything like normal activity, and there will, to my mind, be a very heroic struggle in the next Congress to reduce to order and to ordinary size the departments of the Government that have very greatly expanded in recent years. And you are going to be met constantly by the advocates of the departments with pleas for their special activities. And then the same people who make the pleas will complain over the sum totals of the burdens that are placed on the Government. It was having those general views in mind that made the committee, irrespective of its individual views touching the work of the commission and of its personnel, agree to eliminate from the bill the estimates that were submitted; and on behalf of the committee I hope its action may be approved by voting down the amendment of the gentleman from Ohio.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The amendment was rejected.

The Clerk read as follows:

PUBLIC BUILDINGS.

New Orleans, La., customhouse: For additional for the completion of the remodeling, repair, or improvement of the old customhouse and post office, $13,700.

Mr. DUPRÉ. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question with regard to the remodeling of the customhouse at New Orleans, where an appropriation of $13,700 is recommended.

I have before me the estimate of appropriations for construction in connection with this deficiency bill, where the department asked that the sum of $18,000, which was realized from the sale of the old copper roof of the customhouse, be returned for that purpose. I find that the committee in its wisdom and sense of economy has seen fit to reduce that amount by some $5,000. I shall be very glad if the gentleman will tender some explanation.

Mr. SHERLEY. If the gentleman please, the committee did not consider that because a given amount had been realized from the sale of the roof therefore that amount should be appropriated. If the gentleman will turn to page 682 of the hearings, he will find that there was an estimate made there as to the amount of money that would be required to do the work that the Supervising Architect indicated they desired to do now and which totaled $17,700. There was one item for the lining or facing of walls and spandrels under stairs at front entrance with marble. That seemed to the committee to be an expenditure that was not fully warranted under the present circumstances, and therefore the committee recommended a reduction of the amount from $17,700 to $13,700.

Mr. DUPRÉ. My inquiry was in view of the fact that this sum had been realized from the sale of the copper roof. It was not directed to the point that that amount should be returned to the source from whence it emanated. I wanted to know why the committee in its wisdom had seen fit to cut down the estimate of the Supervising Architect. The committee is opposed to marble facings, I understand.

Mr. SHERLEY. I would not say they are opposed to them or in favor of them, but they are opposed to this particular item in this particular instance, because it did not seem to the committee that at this time that expenditure of $4,000 for the facing of walls and spandrels of the stairway with marble was a necessary expenditure.

Mr. DUPRÉ. In connection with the gentleman's desire to reduce expenditures, then, he has cut down this amount by $4,000 in order to prevent this amount being spent for that purpose?

Mr. SHERLEY. Yes.

Mr. DUPRÉ. I want to commend the gentleman and the committee for their economy. I hope they will practice it on all other measures. I notice, of course, that they have done so in connection with the Tariff Commission.

Mr. SHERLEY. I am human and make mistakes, but on the floor I simply voice the sentiment of the committee, and in this matter that is their judgment.

Mr. DUPRÉ. The gentleman from Kentucky is humorous.

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

WAR DEPARTMENT.

TEMPORARY EMPLOYEES.

For the temporary employment of such additional force of clerks and other employees as in the judgment of the Secretary of War may be proper and necessary to the prompt, efficient, and accurate dispatch of official business in the War Department and its bureaus, to be allotted by the Secretary of War to such bureaus and offices as the exigencies of the existing situation may demand, $4,000,000: *Provided*, That the Secretary of War shall submit to Congress on the first day of its next regular session a statement showing by bureaus or offices the number and designation of the persons employed hereunder and the annual rate of compensation paid to each: *Provided further*, That no person shall be employed hereunder at a rate of compensation in excess of $5,000 per annum, not more than five persons shall be employed hereunder at a rate of compensation in excess of $2,400 per annum each, and not more than 35 persons shall be employed at a rate of compensation in excess of $1,800 per annum each.

Mr. DYER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 9, end of line 3, strike out period, insert colon, and add the following:

"*Provided*, That no part of the appropriation herein shall be used unless all former Government employees who have been drafted or enlisted in the military service of the United States in the war with Germany shall be reinstated on application to their former positions appropriated for herein if they have received an honorable discharge and are qualified to perform the duties of the position."

Mr. SHERLEY. Mr. Chairman, to that I reserve a point of order.

Mr. DYER. The point of order, I am sure, Mr. Chairman, does not lie.

Mr. SHERLEY. I am serious in saying to the gentleman that it does lie. I think I can point out three or four statements that make it not germane. It is not germane, although camouflaged by the language "*Provided*, That no part of any appropriation herein shall be used," and so forth.

Mr. DYER. It is a pure limitation. We have had the question up; the identical language was submitted on the legislative, executive, and judicial appropriation bill, and the point of order was overruled by the then Chairman, the gentleman from Missouri [Mr. ALEXANDER]. It was the opinion of those who spoke upon it, including quite a number of Members of the House and some of the best parliamentarians in the House, that it was a limitation on the fund of money provided for in the bill.

The CHAIRMAN. Does the gentleman from Kentucky insist on the point of order?

Mr. SHERLEY. I do, and I want to be heard on it. Mr. Chairman, I am not familiar with what the gentleman stated occurred in regard to the legislative bill, and while I do not care to be put in the position of appealing from the court, I am still of the opinion that, though as distinguished a gentleman as the gentleman from Missouri [Mr. ALEXANDER] held this in order, he was wrong. I think it can be clearly demonstrated.

There has grown up in the House a practice, a very loose and vicious practice—and I say it without meaning to reflect upon the merits of the amendment—of assuming that by simply saying, "*Provided*, That no part of the sum shall be expended," that you can do anything afterwards affirmatively that you see fit and not thereby violate the rule in regard to legislation upon an appropriation bill.

The language of this amendment reads:

Provided, That no part of any appropriation herein shall be used unless all former Government employees who have been drafted or enlisted in the military service of the United States in the war with Germany shall be reinstated on application to their former positions appropriated for herein if they have received an honorable discharge and are qualified to perform the duties of the position.

That requires affirmative action on the part of the bureau to which it applies, and undertakes to make the expenditures of money conditioned upon the doing of an affirmative thing, whereas the rules of the House provide that the limitation shall simply restrict the money upon a negation and must not involve an affirmative proposition necessary to be carried out. It is conceivable that the purpose which the gentleman desires to accomplish might be so worded as to come within the limitation, but the language as submitted requires affirmatively that the department shall reinstate the applicants to their former positions if honorably discharged and members of the military service. I insist that it is clearly legislation and not a limitation. The chairman will find in connection with the rule in the House Manual, page 825, this statement:

Such limitation must not give affirmative direction and must not impose new duties—

And so forth.

That was the ruling made by Chairman CRISP, one of the best parliamentarians in this House, March 11, 1916.

The CHAIRMAN. The Chair understands from the parliamentary clerk that this identical question was up the other day and that this identical language was used.

Mr. SHERLEY. That may be true, but I do not happen to agree with the decision of the Chairman on that date.

The CHAIRMAN. The Chair would like to see the ruling of Chairman ALEXANDER, and if the gentleman will indulge the Chair and pass this over temporarily——

Mr. SHERLEY. I am quite willing to do that.

The CHAIRMAN. Without objection, the paragraph will be passed over temporarily.

There was no objection.

The Clerk read as follows:

NATIONAL CEMETERIES.

For the disposition of remains of officers, soldiers, civilian employees, etc., including the same objects specified under this head in the sundry civil appropriation act for the fiscal year 1919, fiscal years 1918 and 1919, $2,473,782.68.

Mr. SHERLEY. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 9, after line 9, insert—

"Ordnance Department: For payment of the claims for damage to and loss of private property occasioned by the explosions and fire at the plant of the T. A. Gillespie Co., at Morgan, N. J., which have been agreed upon by the War Department and the claimants and are enumerated in House Document No. 1735 of the present session, $268,271.26."

Mr. STAFFORD. Mr. Chairman, on that I reserve the point of order.

Mr. SHERLEY. Mr. Chairman, the committee will recall that some months ago there occurred a very disastrous fire and explosion over at Morgan, N. J., in connection with what is known as the T. A. Gillespie plant. It was a governmental plant being operated by the Gillespie Co., but a plant the ownership of which was in the Government, and it was in the strict sense of the term a Government plant. As a result of that explosion great damage was inflicted upon the property of people living in the vicinity, and in point of fact on property of people living quite a number of miles away. In the last deficiency act that was passed a provision was carried instructing the Ordnance Department to inquire into and ascertain the extent of the claims for damage to property that had resulted from this explosion. The Ordnance Department did create a commission that has functioned, and they made a number of reports to the Congress. They have actually examined and cleaned up claims that aggregate something like $900,000, but they were not in shape to-day to present to the Congress a formal statement enumerating the amounts, so as to make a clear identification. It is expected that before this bill shall have become a law they will be in a position to submit the additional claims in such form as to enable them to be clearly identified legislatively, and those claims will embrace all of the damage sustained except by, perhaps, the railroad and telephone companies and one or two other claimants. Most of these claims represent small amounts of money for people who had their homes more or less destroyed, who had windows blown out and ceilings destroyed, and many of whom have been out of doors and subject to more or less charitable aid in order to maintain themselves and their families pending the adjustment of these claims. The committee therefore felt that it should do everything that it reasonably could to expedite the settlement of claims of this character. The committee has very carefully safeguarded, by reference in the proposed amendment to enumerated claims just recorded, the moneys which will be expended, and those moneys will all go to the claimants therein named, who will not in any instance be the representatives of claims about which there could be any question, and the question of the reimbursement of the Red Cross, questions that might involve matters of remote cause, are not included herein. Under the circumstances the committee felt warranted in proposing this amendment to the House.

Mr. STAFFORD. Mr. Chairman, under the reservation of the point of order, I desire to say that only to-day was the document, No. 1735, referred to in the amendment available to Members of the House. When this proposition was presented as an addendum to the bill as reported by the subcommittee I do not believe any member of the general committee had any conception that the total amount of claims would run into the millions of dollars. Certainly I did not. The report shows that the grand total, as stated on page 5, covered by this report is $3,151,810. It is true that, beginning on page 5 and running back to page 67, there are a large number of small claims, I suppose aggregating several thousand dollars, for damages to window glass and paint and the like, where I notice that the commission, consisting of a colonel of the Ordnance Department and a major of the Ordnance Department and a civilian, reported virtually in full for the claims as presented. In the report they said that the amount is about 10 per cent less than the total face value of the claims. I am surprised that on a mere inspection perhaps 90 per cent or even 99 per cent of all these claims have been allowed. I can not think that this board of three went into the adjudication of the merits of the claims very closely.

Mr. SHERLEY. Mr. Chairman, I think the gentleman is drawing a conclusion that is not entirely warranted. There are a great many instances in which these people did not present a formal claim in dollars and cents, but simply made a claim for damages done to their houses; and this board then investigated the matter and undertook to ascertain the extent of the damage, and I gather the impression on the testimony before the committee, as well as the reports previous to this that were filed, that this board had functioned pretty intelligently and pretty conservatively.

Mr. STAFFORD. Well, if the gentleman would examine the report closely he would see that 9 out of 10 of the claims presented were allowed at the very amount as presented. For instance, I just read at random. Take the very first claim, that of George Horley. The claim is for $5.35 and the amount allowed is $5.35. Take the next claim, $18.73; amount allowed, $18.73. Take the next, $71.21; amount allowed, $71.21. Take the next, $514.06; amount allowed, $514.06. And right on down the allowance of these claims is the amount as presented.

Mr. SHERLEY. If the gentleman will permit, if he will look at the character of the claims he will see they are matters about which there need be no dispute. The question of the value of the glass of a window that has to be replaced is one easily ascertainable. Now, the testimony of these men was that they had their own experts to examine into the damage and estimate the cost of restoration, and that they have taken every proper method of checking up those expenditures; but here are a lot of little claims, such as the gentleman has indicated. Now, I think my record in this House is that of one not to be swept off his feet in the desire to pay claims, because I have appreciated how frequently the Government was liable to be imposed upon; but here are dozens of people, poor people—literally poor people—people who have to live from day to day, with claims running from $5 to $75 or $100, and so forth. It seems to me that the Government having its own agency, having created a board for the determination of these claims, can afford to appropriate the money without holding the claims up to a time when probably it will mean nothing to the recipients thereof.

Mr. STAFFORD. I quite agree with the gentleman that these claims should be disposed of, but I was quite surprised on an inspection of this document, as there reported, that in so many instances they allowed a claim at its face value. But I rose more to inspect the language of the amendment as it is prepared to see that it would not involve the Government in recognizing claims as carried in this report of which there may be some question and as to whether there is an obliagtion on the part of the Government, as, for instance, the Pennsylvania Railroad, the Central Railroad of New Jersey, and those very large claims running into hundreds of thousands of dollars. It may be a question whether the Government should reimburse these corporations, for the reason that they carry, if I am not misinformed, an insurance fund to reimburse them against the very character of losses such as are sought to be recompensed by this bill. As I understand the report of this board of two Army officers and one civilian, they say on page 2 of the report they do not in any instance allow any claim which was covered by insurance.

I read from the report:

This is in all cases the amount of loss less any insurance received thereon.

As I stated a moment ago, I did not wish to have this phraseology in any wise a recognition of any obligation on the part of the Government to pay these large claims which run up into hundreds of thousands of dollars. For instance, the Pennsylvania Railroad Co. has a claim for $644,000 here, though we only appropriate the total amount as carried for these small claims——

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. I ask for three minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none.

Mr. STAFFORD. I was wondering whether the phraseology would recognize the obligation to pay any of these large claims.

Mr. SHERLEY. It was not so intended. It was for the very purpose of avoiding the paying of any claim that might be of doubtful validity that the committee did not carry the provision in the bill as reported out. But, as the gentleman will recall, the chairman was authorized to offer an amendment to deal with such claims as might be arranged, classified, and scheduled, and I took the trouble of suggesting to the Ordnance Department that the committee wanted to have enumerated in each case the amount of the claim, the character of the claim, the amount that had been asked, and the amount that had been awarded, so that we might know in detail that we were not paying any claims that we ought not to pay. I think the gentleman will find from an examination of these claims, which total the amount I am proposing to carry in this bill, that there are none in here of doubtful value. I am perfectly willing, if the gentleman thinks it will make it any more certain, after the word "enumerated" in the amendment which I have offered, to insert the words "and scheduled," so that it will appear as "enumerated and scheduled" in the House document.

Mr. STAFFORD. I think that would make it somewhat clearer.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to modify his amendment. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report the amendment as modified. The reservation of the point of order is withdrawn.

The Clerk read as follows:

Amendment offered by Mr. SHERLEY: Page 9, after line 9, insert:

"Ordnance Department: For the payment of the claims for damage to and loss of private property occasioned by the explosions and fire at the plant of T. A. Gillespie Co., at Morgan, N. J., which have been agreed upon by the War Department and the claimants, and are enumerated and scheduled in House Document No. 1735 of the present session, $268,211.26."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. SHERLEY. Mr. Chairman, I desire to offer a further amendment to follow the amendments that have just been agreed to.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SHERLEY: Page 9, after line 9, insert:

"The Secretary of War is directed to consider, ascertain, and recommend to Congress the amounts which in his judgment are due on claims of persons, not employees of the United States, for compensation for disability or death resulting from personal injury sustained from the recent explosions and fire at the plant of the T. A. Gillespie Co., at Morgan, N. J.

"*Provided*, That claims shall not be recommended hereunder for persons or in amounts which would not be allowable under the United States employees' compensation act if the individual were an employee of the United States."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on that.

Mr. SHERLEY. Mr. Chairman, the purpose of this amendment is to enable this same board to function upon some claims for injury to individuals resulting in physical disability or in death. The testimony shows that there were something like 21 Government employees of this plant who were killed and some 31 not employees of the plant, who were killed. There were perhaps 30 or 40 persons who suffered injuries of more or less serious character, but which did not result in death. It seemed to the committee that it was well, in view of the machinery that existed in connection with these claims, that they might have authority to investigate and to report. The amendment does not give authority to make findings that would be binding upon Congress. It expressly instructs them, in making their findings, to make them within the scope that exists in regard to the payment for injuries of Government employees under the workmen's compensation act.

Mr. STAFFORD. Mr. Chairman, reserving the point of order, I was under the impression that the committee had directed that there should be a qualification or a condition inserted in the amendment that the board should investigate as to whether the deceased or injured had received any compensation under any State law; and if so, that that should be reported also to the Congress.

Mr. SHERLEY. My impression is that the workmen's compensation act takes in view, in connection with awards that may be made to governmental employees for injuries received, just such matters as those to which the gentleman is alluding, whether they have insurance or whether third persons have incurred partial liability, and to the extent that may be the Government's liability is controlled.

Mr. STAFFORD. I wish to say to the gentleman that I obtained a copy of the Government workmen's compensation act yesterday afternoon, intending to review it last evening, but I had other work which prevented my examining it. Has the gentleman any objection to allowing this to go over until to-morrow, subject to the reservation of the point of order?

Mr. SHERLEY. Not at all.

Mr. STAFFORD. I ask unanimous consent to pass it over, Mr. Chairman.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to pass over the amendment, with the point of order reserved. Is there objection? [After a pause.] The Chair hears none. The Clerk will read.

The Clerk read as follows:

For rental of additional quarters for the Navy Department, $2,570.84.

Mr. SHERLEY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, and had come to no resolution thereon.

Mr. HOUSTON and Mr. KIESS of Pennsylvania rose.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS—HOUR OF MEETING.

Mr. SHERLEY. Mr. Chairman, if the gentleman from Tennessee [Mr. HOUSTON] will permit, I would like to ask unanimous consent that when the House adjourns to-day it adjourn to meet to-morrow at 11 o'clock.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, that would depend upon whether the business in order to-morrow would be dispensed with or not.

Mr. SHERLEY. To-morrow being Calendar Wednesday, I will couple with that a request that the business in order on the calendar to-morrow be dispensed with.

The SPEAKER. And the gentleman from Kentucky couples with that the request that the business in order to-morrow, Calendar Wednesday, be dispensed with. Is there objection?

There was no objection.

FOURTEENTH AND SUBSEQUENT DECENNIAL CENSUSES.

Mr. HOUSTON, by direction of the Committee on the Census, submitted for printing under the rule the conference report and accompanying statement on the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses, as follows:

CONFERENCE REPORT (NO. 1005).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 24, 27, and 28.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 4, 5, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 29, 30, 31, 32, 33, 34, 35, 36, 37, and 38, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"That a census of the population, agriculture, manufactures, forestry and forest products, and mines and quarries of the United States shall be taken by the Director of the Census in the year 1920 and every 10 years thereafter. The census herein provided for shall include each State, the District of Columbia, Alaska, Hawaii, and Porto Rico. A census of Guam and Samoa shall be taken in the same year by the respective governors of said islands and a census of the Panama Canal Zone by the governor of the Canal Zone in accordance with plans prescribed or approved by the Director of the Census."

And the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following: "$5,000; the chief clerk and three chief statisticians for the divisions of population, manufactures, and agriculture, respectively, $4,000 each; three"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7 and agree to the same with an amendment, as follows: In lieu of the matter proposed to be stricken out insert the following: "for the divisions of vital statistics and statistics of cities, and the chief statistician provided for in section 3 of this act, $3,600 each; also, on page 4, line 9, of the engrossed bill, strike out the word "and"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8 and agree to the same with an amendment, as follows: In lieu of the matter proposed by the Senate insert the following: "$3,000"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate, insert the following:

"That whenever possible women and honorably discharged soldiers, sailors, and marines shall be employed in the positions herein provided for, if in the judgment of the Director of the Census they are found to possess the business capacity necessary for the proper discharge of the duties of such positions."

And the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following: "subject to the approval of the United States Civil Service Commission, these"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following: "applicants claim to have"; also, on page 6, line 16, of the engrossed bill, strike out the word "or" where it occurs the first time and insert the word "of"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"*And provided further*, That in the selection of the additional clerks and employees provided for by section 6 the Director of the Census is authorized to use, so far as practicable, the reemployment registers established by Executive order of November 29, 1918, so far as the same applies to permanent appointments by competition."

And the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"SEC. 8. That the Fourteenth Census shall be restricted to inquiries relating to population, to agriculture, to manufactures, to forestry and forest products, and to mines and quarries. The schedules relating to population shall include for each inhabitant the name, place of abode, relationship to head of family, color, sex, age, conjugal condition, place of birth, place of birth of parents, nationality or mother tongue of all persons born in foreign countries, nationality or mother tongue of parents of foreign birth, number of years in the United States, citizenship, occupation, whether or not employer or employee, whether or not engaged in agriculture, school attendance, literacy, tenure of home and the encumbrance thereon, and the name and address of each blind or deaf and dumb person.

"The schedules relating to agriculture shall include name, color, sex, and country of birth of occupant of each farm, tenure, acreage of farm, acreage of woodland, value of farm and improvements, and the encumbrance thereon, value of farm implements, number of live stock on farms, ranges, and elsewhere, and the acreage of crops and the quantities of crops and other farm products for the year ending December 31 next preceding the enumeration. Inquiries shall be made as to the quantity of land reclaimed by irrigation and drainage and the crops produced; also as to the location and character of irrigation and drainage enterprises, and the capital invested in such enterprises.

"The schedules of inquiries relating to manufactures, to forestry and forest products, and to mines and quarries shall include the name and location of each establishment; character of organization, whether individual, corporate, or other form; character of business or kind of goods manufactured; amount of capital actually invested; number of proprietors, firm members, copartners and officers, and the amount of their salaries; number of employees and the amount of their wages; quantity and cost of materials used in manufactures; principal miscellaneous expenses; quantity and value of products; time in operation during the year; character and quantity of power used; and character and number of machines employed.

"The census of manufactures, of forestry and forest products, and of mines and quarries shall relate to the year ending December 31, next preceding the enumeration of population, and shall be confined to manufacturing establishments and mines and quarries which were in active operation during all or a portion of that year. The census of manufactures shall furthermore be confined to manufacturing establishments conducted under what is known as the factory system, exclusive of the so-called neighborhood, household, and hand industries.

"Whenever he shall deem it expedient, the Director of the Census may charge the collection of these statistics upon special agents or upon detailed employees, to be employed without respect to locality.

"The number, form, and subdivision of inquiries provided for in section 8 shall be determined by the Director of the Census."

And the Senate agree to the same.

W. C. HOUSTON,
J. B. ASWELL,
CHAS. A. NICHOLS,
Managers on the part of the House.

MORRIS SHEPPARD,
HENRY F. ASHURST,
Managers on the part of the Senate.

STATEMENT.

On amendment No. 1: This amendment strikes out all of section 1 as passed by the House and proposes to insert a provision providing for a very much enlarged census covering the additional subjects of education, health, and insurance, to be taken every five years, which would result in more than doubling the cost of the census. Your conferees restored the House provision and added thereto after the word "manufactures" in the first line of this section the words "forestry and forest products," so as to conform to section 8 of the bill as passed by the House, which directs an inquiry upon this subject.

On amendment No. 2: This amendment related to the quinquennial census directed by Senate amendment No. 1. The Senate recedes and restores the House provision without change.

On amendment No. 3: The House conferees accepted this amendment for the reason that it reduced the number of statistical experts from 15 to 10, thus decreasing the appropriation for this grade of experts $10,000 annually, or $30,000 for the three-year period.

On amendment No. 4: Your conferees recede from this amendment for the reason that the necessity for this legislation has passed in view of the fact that hostilities have ceased and the draft process is no longer in operation.

On amendments Nos. 5, 6, 7, 8, and 9: These amendments all relate to the salaries of the executive and administrative officials of the Census Office. The bill passed by the Senate provided for four chief statisticians, at $4,000 each, and three other chief statisticians, at $3,000 each. The compromise reduced the number of chief statisticians by one and provides for three, at $4,000, and three, at $3,600. As amendment No. 3 reduced the number of statistical experts from 15 to 10, there is only a net increase of $1,300 in this section over the bill as passed by the House, and there is a decrease of $2,200 over the bill as passed by the Senate. Your conferees therefore accepted the compromise and receded.

On amendment No. 10: This amendment provides for a graduated scale of salaries, beginning at $900 and terminating at $1,800, with a difference of $60 between classes from $900 to $1,440, and $120 between classes from $1,440 to $1,800, so as to provide more frequent promotions. It will also make possible a more equitable adjustment of salary to the varying degrees of merit and efficiency of employees.

The section as passed by the House failed to provide for the employment of clerks at $1,000 and $900 or for an engineer and two photostat operators, which was undoubtedly an oversight.

During the decennial census period the bureau will undoubtedly occupy one or more buildings outside the Commerce Building, where the permanent force is now housed, so that it will be necessary to have an engineer to look after the heating, lighting, and other equipment of the bureau.

On account of the tremendous increase in the volume of work they will also require the services of two photostat operators. The bureau states that these operators will save their salaries over and over again in making photostat copies of tables, letters, etc., which would otherwise have to be typewritten or copied by hand. The House recedes.

On amendment No. 11: This amendment prohibits the Director of the Census from employing more than 150 clerks at the rate of $1,440 or more per annum, and is made so as to conform to amendment numbered 10; hence your conferees recede.

On amendment No. 12: The conferees changed the phraseology of this amendment so as to include marines, and added at the end of the changed paragraph the following provision: "if in the judgment of the Director of the Census they are found to possess the business capacity necessary for the proper discharge of the duties of such positions." This language is similar to that contained in section 1754 of the United States Revised Statutes, giving preference to persons honorably discharged from the military or naval service by reason of disability resulting from wounds or sickness incurred in the line of duty.

On amendment No. 13: This amendment provides that the examinations for clerical positions prescribed by the Director of the Census shall be subject to the approval of the Civil Service Commission. The House recedes.

On amendment No. 14: This amendment simply provides that the clerical force employed in the Census Office shall be selected by the Director of the Census in the order of rating. Hence the House recedes.

On amendment No. 15: This amendment strikes out "Census Office" and inserts "Government service," which change is in conformity with existing law. The House recedes.

On amendment No. 16: This amendment simply strikes out the word "may" and inserts the word "shall." The House recedes.

On amendment No. 17: This amendment is simply a change of phraseology. The House recedes.

On amendment No. 18: This amendment corrects a grammatical error. The House recedes.

On amendment No. 19: This amendment is simply the insertion of a comma. The House recedes.

On amendments Nos. 20, 21, 22, and 23: These amendments propose to correct grammatical errors by changing the phraseology from singular to plural. The House recedes.

On amendment No. 24: This amendment proposed to strike out a provision of the House that not more than one person shall be appointed to a clerical position from the same family. The Senate recedes.

On amendment No. 25: This amendment provides that, so far as practicable, the director shall use the reemployment registers established by the Civil Service Commission as a result of the Executive order of November 29, 1918. The House recedes with an amendment that the words "of the Census" be added after the word "Director," in line 20 of the bill.

On amendment No. 26: This amendment proposed to strike out all of section 8 as passed by the House and to insert certain provisions that would have been required in case Senate amendment No. 1 had been adopted by your conferees. In conference the House text of section 8 was restored and the words "forestry and forest products" added in the second line of the third and fourth paragraphs of said section in order to conform with the language used in the first paragraph of the bill as passed by the House. In addition thereto the phraseology of the last paragraph, relative to the number, form, and subdivision of inquiries, as passed by the House, was changed so as to make it clearer.

On amendment No. 27: Section 9 as passed by the House provided for the appointment of supervisors by the Secretary of Commerce upon the recommendation of the Director of the Census and the Senate amendment proposed that they shall be appointed by the President by and with the advice and consent of the Senate. This amendment also contained certain legislation relating to amendment No. 1, which was not agreed to. The Senate recedes.

On amendment No. 28: This amendment is not necessary, as Senate amendment No. 1 was not adopted by your conferees; hence the Senate receded from this amendment and restored the House text.

On amendments Nos. 29, 30, and 31: These three amendments simply correct typographical errors that were made in the printing of the bill. The House recedes.

On amendment No. 32: This amendment simply changes the phraseology, so the House recedes.

On amendment No. 33: The House bill directed that an enumerator should be an actual resident of the subdivision within which his duties are to be performed, but made an exception in the cases of persons residing in the same city. The amendment simply makes the same rule applicable to persons living in townships and other civil divisions. The House recedes.

On amendment No. 34: This amendment proposes to expedite the enumeration in cities which had a population of 2,500 or more inhabitants at the last census. This means that the work must be completed in two weeks instead of one month. A large number of cities which had more than 2,500 inhabitants and less than 5,000 inhabitants in 1910 now have over 5,000 inhabitants. The House recedes.

On amendments Nos. 35 and 36: These two amendments simply correct grammatical errors. The House recedes.

On amendment No. 37: This amendment conforms to a similar provision in the Thirteenth Census act. The House recedes.

On amendment No. 38: This amendment provides that the Director of the Census is authorized to furnish transcripts of tables and other records upon the payment of the actual cost of such work, with the understanding that in no case shall the information furnished be used to the detriment of the person to whom such information relates. The House recedes.

W. C. HOUSTON,
J. B. ASWELL,
CHAS. A. NICHOLS,

SANITARY CONDITIONS—PORTS OF EMBARKATION IN FRANCE.

Mr. KIESS of Pennsylvania. Mr. Speaker, I ask unanimous consent to insert in the RECORD a copy of a letter addressed by me to the Secretary of War.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to insert in the RECORD a letter which he has addressed to the Secretary of War. Is there objection?

Mr. FOSTER. Reserving the right to object, Mr. Speaker, what is it about?

Mr. KIESS of Pennsylvania. It is with reference to the sanitary condition of the ports of embarkation in France.

The SPEAKER. Is there objection?

There was no objection.

Following is the letter referred to:

JANUARY 22, 1919.

Hon. NEWTON D. BAKER,
Secretary of War, Washington, D. C.

MY DEAR SIR: I have just returned from a visit to the battle fields and devastated areas of France, where I had an opportunity to observe certain conditions as they affect our Army. I am prompted to set before you some of the adverse conditions which have come to my attention. My information comes from observation and through conversation with many officers and hundreds of private soldiers whom I have met and with whom I talked on trains, at stations, and in the villages and camps. I am fully mindful of the fact that conditions of army life can not be made to compare in comfort and convenience with those in civil life. Neither officers nor soldiers expect any such conveniences, but as citizens of the United States we feel that they are entitled to the best accommodations that can reasonably be provided.

We have been led to believe, through governmental publicity agents, that our combat troops were surrounded with safeguards to health and morale such as have never been known before in the history of warfare. To that end we have contributed without stint or limit. From personal observation I am convinced that the statement concerning the exceptional welfare of the troops is far from the truth, and when the soldiers return and are free to speak they will condemn in no uncertain language the incompetency and neglect of those who have been responsible for the loss of life and wasted health of their comrades.

I am free to admit that even under the most favorable circumstances war is wasteful; that irregularities are unavoidable; and that because of the uncertainties and sudden exigencies in the movement of troops proper provision can not always be made. But now that hostilities have ceased it seems to me to be wholy inexcusable and indefensible that soldiers should be subjected to such conditions as prevail in some parts of the Army in France to-day.

To make concrete what I have stated in general terms, may I call your attention to conditions existing at Camp Pontanzen, 4 miles from Brest? This is one of the ports where returning soldiers await the time of their embarkation to the States. For a year and a half this port has been a place of debarkation. One might naturally suppose that within that time adequate facilities for the care of troops would be found here. Yet wholly opposite conditions prevail. Troops arrive in crowded box cars, and, after standing for hours without cooked food, are marched through slime and mud and rain to this camp, where accommodations are supposed to be provided. It must be remembered that the men who have been brought to Brest during the past two months are mostly class B and C men, who have just been discharged from hospitals, where they have been treated for wounds and disease. Each man carries a full equipment (weighing about 60 pounds), with the exception of his arms and ammunition. Is it any wonder that out of a casual company of 150 men 64 of the number should fall out on the march from the station to the camp? Many of the tents have no floors and the troops do not all have even the customary straw ticks, but have had to sleep on the wet ground with only their blankets for protection. The lack of camp kitchens compels these convalescent soldiers to stand in line in the rain for from one to two hours to be fed. The very few barracks that have been provided for the officers leak, and most of them have no heat. The sanitary conditions, or, rather, the lack of sanitary conveniences, is thoroughly disgraceful.

The only explanation of the wonderful endurance and patience of the men under existing conditions is the overwhelming desire to return home at the earliest date and the knowledge that if they are taken to the hospital or make complaint that it will delay their home-coming.

I am aware that an investigation of conditions was recently ordered and that the public was told that the situation had been improved. I regret to advise you that most of my information deals with conditions subsequent to the superficial inspection, and I would most earnestly urge you to take some drastic action in this matter.

Surely the people of America, who willingly gave their sons and gladly contributed money to provide for their welfare, have a right to insist that decent provisions shall be made for them. Unless something is done to relieve such situations as I have described we may expect a harvest of death and disease that will make the casualties sustained in battle seem small by comparison. I am firmly convinced that this is a matter of vital importance, affecting, as it does, the lives of our returning soldiers.

Very truly, yours,
EDGAR R. KIESS.

ADJOURNMENT.

Mr. FOSTER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 45 minutes p. m.) the House adjourned, pursuant to its previous order, until to-morrow, Wednesday, January 29, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Assistant Secretary of the Treasury, transmitting letter from A. W. Lyman suggesting additional taxation on life insurance companies and also Federal control and operation of such companies (H. Doc. No. 1737); to the Committee on Ways and Means and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of the Interior, submitting a supplemental estimate of appropriation required by the Geological Survey for a special investigation and report on the power supply for the Boston-Washington industrial region to be made during the fiscal year 1920 (H. Doc. No. 1738); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of the Interior submitting a supplemental estimate of appropriation required by the Bureau of Mines for the American University Experiment Station, fiscal year 1920 (H. Doc. No. 1739); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of War, transmitting supplemental statement showing balances of appropriation, total amounts withdrawn from the Treasury, amounts covered into the surplus fund, and balances remaining in the Treasury, also expenditures made by the several bureaus and offices of the War Department since the passage of the act of June 15, 1917 (H. Doc. No. 1740); to the Committee on Expenditures in the War Department and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. BURNETT, from the Committee on Immigration and Naturalization, to which was referred the bill (H. R. 15098) to expel and exclude from the United States certain undesirable aliens, reported the same without amendment, accompanied by a report (No. 1000), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. ZIHLMAN, from the Committee on War Claims, to which was referred the bill (H. R. 5777) to refund to the corporate authorities of Frederick City, Md., the sum of $200,000, exacted of them by the Confederate Army under Gen. Jubal Early, July 9, 1864, under penalty of burning said city, reported the same without amendment, accompanied by a report (No. 999), which said bill and report were referred to the Private Calendar.

Mr. CLAYPOOL, from the Committee on Claims, to which was referred the bill (H. R. 13480) providing for the refund of taxes collected for stamp tax on certain policies under the emergency-tax act of October 22, 1914, under the proviso to which act such policies were exempt, reported the same without amendment, accompanied by a report (No. 1001), which said bill and report were referred to the Private Calendar.

Mr. GANDY, from the Committee on the Public Lands, to which was referred the bill (H. R. 12960) for the relief of Frank Walsh, Fred F. Fuller, and Otto F. Schroeder, reported the same without amendment, accompanied by a report (No. 1002), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 13109) for the relief of Clyde M. Giddings, reported the same without amendment, accompanied by a report (No. 1003), which said bill and report were referred to the Private Calendar.

Mr. CRAMTON, from the Committee on the Public Lands, to which was referred the bill (H. R. 13469) to authorize the Secretary of the Interior to issue patent in fee simple to the county of Huron, in the State of Michigan, for a certain described tract of land for public-park purposes, reported the same with amendment, accompanied by a report (No. 1004), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. STEVENSON: A bill (H. R. 15236) to provide for the erection of a Federal building at Cheraw, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15237) to provide for the erection of a Federal building at York, S. C.; to the Committee on Public Buildings and Grounds.

By Mr. TOWNER: A bill (H. R. 15238) to create a department of education, to appropriate money for the conduct of said department, to appropriate money to encourage the States in the promotion and support of education, and for other purposes; to the Committee on Education.

By Mr. SISSON: A bill (H. R. 15239) to provide for the purchase of a site and the erection of a public building thereon at Winona, Miss.; to the Committee on Public Buildings and Grounds.

By Mr. HICKS: A bill (H. R. 15240) authorizing the Secretary of War to donate to the village of Centerport, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GEORGE W. FAIRCHILD: A bill (H. R. 15241) authorizing the Secretary of War to donate to the city of Walton, N. Y., one German cannon or fieldpiece, to be placed in the city park; to the Committee on Military Affairs.

By Mr. GARRETT of Texas: A bill (H. R. 15242) for the erection of a public building at Brownsville, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. McCULLOCH: A bill (H. R. 15243) authorizing and directing the Secretary of the Treasury to acquire, by purchase, condemnation, or otherwise, a suitable site and cause to be erected thereon a suitable building for the use and accommodation of the post office and other governmental offices at Canton, Ohio, at a cost not to exceed $630,000, and to sell the present building and site; to the Committee on Public Buildings and Grounds.

By Mr. MANSFIELD: A bill (H. R. 15244) authorizing and directing the Secretary of War to cause a survey to be made of the Colorado River, in Texas, with a view to controlling the flood waters of said stream, and for other purposes; to the Committee on Flood Control.

Also, a bill (H. R. 15245) authorizing and directing the Secretary of War to cause a survey to be made of the Brazos River, in Texas, with a view to controlling the flood waters of said stream, and for other purposes; to the Committee on Flood Control.

By Mr. HOWARD: A bill (H. R. 15246) to amend paragraph 5 of section 5 of the United States cotton futures act, approved August 11, 1916, and for other purposes; to the Committee on Agriculture.

By Mr. HUTCHINSON: A bill (H. R. 15247) providing for the extension of the post office in Trenton, N. J.; to the Committee on Public Buildings and Grounds.

By Mr. POU: A bill (H. R. 15248) for the purchase of a site and the erection of a post-office building at Smithfield, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. McFADDEN: A bill (H. R. 15249) authorizing the Secretary of War to deliver to the village of East Smithfield, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

By Mr. HUTCHINSON: A bill (H. R. 15250) donating a captured German cannon or fieldpiece to the borough of Far Hills, State of New Jersey, for decorative and patriotic purposes; to the Committee on Military Affairs.

By Mr. TREADWAY: A bill (H. R. 15251) for the purchase of a site for and the erection of a post-office building at Adams, Mass.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15252) for the purchase of a site for and the erection of a post-office building at Great Barrington, Mass.; to the Committee on Public Buildings and Grounds.

By Mr. SUMNERS: A bill (H. R. 15253) donating captured cannon, cannon balls, and shell to the county of Dallas, Tex.; to the Committee on Military Affairs.

Also, a bill (H. R. 15254) donating captured cannon, cannon balls, and shell to the county of Ellis, Tex.; to the Committee on Military Affairs.

Also, a bill (H. R. 15255) donating a captured cannon, cannon balls, and shells to the county of Rockwall, Tex.; to the Committee on Military Affairs.

By Mr. BUCHANAN: A bill (H. R. 15256) to provide for the erection of a post-office building at Georgetown, Tex.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15257) for the purchase of a site for the erection of a post-office building at Lockhart, Tex.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15258) to provide for the erection of a post-office building at Taylor, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. FRENCH: A bill (H. R. 15259) to provide for the enforcement of laws upon Indian reservations and superintendencies; to the Committee on Indian Affairs.

By Mr. ASWELL: A bill (H. R. 15260) for the erection of a Federal building at Winnfield, La.; to the Committee on Public Buildings and Grounds.

By Mr. HAMILTON of Michigan: A bill (H. R. 15261) providing for the erection of a public building at the city of Sturgis, Mich.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15262) providing for the erection of a public building at the city of South Haven, Mich.; to the Committee on Public Buildings and Grounds.

By Mr. BACHARACH: A bill (H. R. 15263) for the acquisition of additional grounds and the erection and construction thereon of an addition to the United States post-office building at Atlantic City, N. J.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15264) to increase the limit of cost of post-office site and building at Millville, N. J.; to the Committee on Public Buildings and Grounds.

By Mr. GOULD: A bill (H. R. 15265) for the erection of a public building at Lyons, N. Y.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15266) to increase the limit of cost for the Federal post-office building at Waterloo, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. RAMSEY: A bill (H. R. 15267) authorizing the Secretary of War to donate to the borough of Sussex, Sussex County, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CHARLES B. SMITH: A bill (H. R. 15268) to establish a gold currency and a silver currency on a basis of interchangeable value throughout the world; to the Committee on Coinage, Weights, and Measures.

By Mr. ANTHONY: A bill (H. R. 15269) donating captured German cannon and cannon balls to the city of Leavenworth, Kans.; to the Committee on Military Affairs.

Also, a bill (H. R. 15270) donating captured German cannon or cannon balls to the city of Topeka, Kans.; to the Committee on Military Affairs.

Also, a bill (H. R. 15271) donating captured German cannon and cannon balls to the city of Seneca, Kans.; to the Committee on Military Affairs.

Also, a bill (H. R. 15272) donating captured German cannon or cannon balls to the city of Hiawatha, Kans.; to the Committee on Military Affairs.

Also, a bill (H. R. 15273) donating captured German cannon and cannon balls to the city of Troy, Kans.; to the Committee on Military Affairs.

Also, a bill (H. R. 15274) donating captured German cannon or cannon balls to the city of Holton, Kans.; to the Committee on Military Affairs.

Also, a bill (H. R. 15275) donating captured German cannon and cannon balls to the city of Oskaloosa, Kans.; to the Committee on Military Affairs.

Also, a bill (H. R. 15276) donating captured German cannon or cannon balls to the city of Atchison, Kans.; to the Committee on Military Affairs.

Also, a bill (H. R. 15277) donating captured German cannon and cannon balls to the city of Horton, Kans.; to the Committee on Military Affairs.

By Mr. OSBORNE: A bill (H. R. 15278) increasing the limit of cost for a Federal building at San Pedro, Cal.; to the Committee on Public Buildings and Grounds.

By Mr. BOWERS: A bill (H. R. 15279) donating a captured German cannon or field gun and carriage to the city of Piedmont, Mineral County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15280) donating a captured German cannon or field gun and carriage to the town of Davis, Tucker County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15281) donating a captured German cannon or field gun and carriage to Romney, Hampshire County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15282) donating a captured German cannon or field gun and carriage to Petersburg, Grant County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15283) donating a captured German cannon or field gun and carriage to the city of Morgantown, Monongalia County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15284) donating a captured German cannon or field gun and carriage to the city of Keyser, Mineral County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15285) donating a captured German cannon or field gun and carriage to the town of Parsons, Tucker County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15286) donating a captured German cannon or field gun and carriage to the town of Franklin, Pendleton County W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15287) donating a captured German cannon or field gun and carriage to the city of Elkins, Randolph County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15288) donating a captured German cannon or field gun and carriage to the town of Thomas, Tucker County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15289) donating a captured German cannon or field gun and carriage to the city of Charles Town, Jefferson County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15290) donating a captured German cannon or field gun and carriage to the city of Philippi, Barbour County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15291) donating a captured German cannon or field gun and carriage to the town of Kingwood, Preston County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15292) donating a captured German cannon or field gun and carriage to the city of Martinsburg, Berkeley County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15293) donating a captured German cannon or field gun and carriage to the town of Harpers Ferry, Jefferson County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15294) authorizing the acquisition of a site and the erection of a public building at Philippi, W. Va.; to the Committee on Public Buildings and Grounds.

By Mr. DRUKKER: A bill (H. R. 15295) authorizing the Secretary of War to donate to the borough of Prospect Park, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. STEAGALL: A bill (H. R. 15296) to provide for the purchase of a site and the erection of a public building thereon at Ozark, in the State of Alabama; to the Committee on Public Buildings and Grounds.

By Mr. O'SHAUNESSY: A bill (H. R. 15297) for the erection of a Federal building for the United States post office at Warren, R. I.; to the Committee on Public Buildings and Grounds.

By Mr. LEVER: A bill (H. R. 15298) for the purchase of a post-office site at Batesburg, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15299) for the purchase of a post-office site at St. Matthews, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15300) for the purchase of a post-office site at Bishopville, S. C.; to the Committee on Public Buildings and Grounds.

By Mr. CAMPBELL of Pennsylvania: A bill (H. R. 15301) increasing the limit of cost for a Federal building at McKees Rocks, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. BURNETT: A bill (H. R. 15302) to prohibit immigration for a period of four years, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. WEAVER: A bill (H. R. 15303) authorizing the Secretary of War to donate to the town of Columbus, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15304) authorizing the Secretary of War to donate to the town of Hendersonville, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15305) authorizing the Secretary of War to donate to the town of Brevard, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15306) authorizing the Secretary of War to donate to the town of Sylva, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15307) authorizing the Secretary of War to donate to the town of Franklin, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15308) authorizing the Secretary of War to donate to the town of Murphy, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15309) authorizing the Secretary of War to donate to the town of Rutherfordton, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15310) authorizing the Secretary of War to donate to the town of Marion, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15311) authorizing the Secretary of War to donate to the town of Cliffside, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15312) authorizing the Secretary of War to donate to the town of Hayesville, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15313) authorizing the Secretary of War to donate to the town of Bryson City, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15314) authorizing the Secretary of War to donate to the town of Robbinsville, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FARR: A bill (H. R. 15315) authorizing the Secretary of War to deliver to the city of Scranton, Pa., one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

By Mr. FULLER of Illinois: Resolution (H. Res. 531) requesting the President to communicate to the House certain information regarding the War Trade Board; to the Committee on Interstate and Foreign Commerce.

By Mr. SIMS: Resolution (H. Res. 532) providing for the consideration of H. R. 12352, entitled "A bill for the retirement of employees in the classified civil service"; to the Committee on Rules.

By Mr. MASON: Resolution (H. Res. 533) directing the Committee on Civil Service to investigate the charge that certain citizens are discriminated against on account of color; to the Committee on Reform in the Civil Service.

By Mr. HEFLIN: Joint resolution (H. J. Res. 400) to prevent gambling in cotton futures; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CARLIN: A bill (H. R. 15316) granting a pension to Emma Aul; to the Committee on Pensions.

By Mr. DOOLING: A bill (H. R. 15317) granting a pension to John J. Hardy; to the Committee on Pensions.

By Mr. FOSTER: A bill (H. R. 15318) granting a pension to Lurania Reynolds; to the Committee on Invalid Pensions.

By Mr. LAGUARDIA: A bill (H. R. 15319) for the relief of Watson B. Dickerman, administrator of the estate of Charles Backman, deceased; to the Committee on Claims.

By Mr. MARTIN: A bill (H. R. 15320) granting a pension to Newton J. Foote; to the Committee on Pensions.

By Mr. RUBEY: A bill (H. R. 15321) granting an increase of pension to Harmon B. Benton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15322) granting an increase of pension to George E. Cowell; to the Committee on Invalid Pensions.

By Mr. WILLIAMS: A bill (H. R. 15323) granting a pension to John H. Franklin; to the Committee on Pensions.

Also, a bill (H. R. 15324) granting an increase of pension to Johnathan J. Boyer; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANTHONY: Petition of L. B. Roberts et al., requesting repeal of postal zone rate law; to the Committee on Ways and Means.

Also, petition of Mrs. W. M. Boone et al., of Highland, Kans., asking repeal of postal zone rate law; to the Committee on Ways and Means.

Also, petition of Mrs. Grace Mead et al., of Topeka, Kans., asking repeal of the postal zone rate law; to the Committee on Ways and Means.

Also, petition of J. J. Lineham et al., of Holton, Kans., for repeal of postal zone rate law; to the Committee on Ways and Means.

By Mr. DOOLING: Petition of New York Flour Club, Boston Flour Club, and Philadelphia Flour Club, asking some protection on flour held as is now guaranteed farmer, miller, and wheat handler against a decline in price of wheat; to the Committee on Agriculture.

By Mr. ESCH: Petition of Mississippi Valley Foreign Trade Convention, New Orleans, La., of January 13, 1919, relating to freight rates, resources, and transportation in Mississippi Valley and Gulf ports; to the Committee on the Merchant Marine and Fisheries.

Also, petition of National Lumber Manufacturers' Association, urging a speedy restoration of railroads to private ownership; to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER of Illinois: Petition of sundry citizens of Mendota, Ill., for the repeal of the postal zone law; to the Committee on Ways and Means.

By Mr. HAMILTON of Michigan: Petition of Henry F. Edwards and other citizens of Lakeside, Mich., asking for repeal of the postal zone rate bill; to the Committee on Ways and Means.

By Mr. HOLLINGSWORTH: Memorial of Low Hardware Store, and 60 others, of Steubenville, Ohio, against Government control of telegraph lines; to the Committee on Interstate and Foreign Commerce.

By Mr. KENNEDY of Rhode Island: Petition of 24 citizens of Newport, R. I., for Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. LINTHICUM: Petition of Maryland Glass Corporation, of Baltimore, Md., protesting against the adoption of metric system at present time; to the Committee on Ways and Means.

Also, petition of M. C. Dunn, Baltimore, Md., urging enactment of legislation to restrict immigration along the line of bill introduced by Representative BURNETT, of Alabama; to the Committee on Immigration and Naturalization.

Also, petition of Harry T. White, Baltimore, Md., urging repeal of postal zone rate law, which if allowed to stand would be damaging to allied printing industries; to the Committee on Ways and Means.

Also, petition of W. M. Talbott, New York City, urging the passage of House bill 13236, for relief of certain noncommissioned officers of the United States Army who were recalled to service during recent war and commissioned as officers; to the Committee on Military Affairs.

By Mr. LONERGAN: Petition of Ancient Order of Hibernians, Southington, Conn., relating to self-determination of Ireland; to the Committee on Foreign Affairs.

By Mr. NEELY: Petition of Charles W. Evans, secretary Fairmont Chamber of Commerce, Fairmont, W. Va., to limit revenue bill to $4,000,000,000; to the Committee on Ways and Means.

By Mr. RUCKER: Petition of citizens of Brookfield, Mo., urging the enactment of House bill 10550; to the Committee on Interstate and Foreign Commerce.

By Mr. SNOOK: Petition of Central Ohio Veterinary Medical Association, favoring a permanent appropriation for carrying on the work of hog-cholera control; to the Committee on Agriculture.

By Mr. STEENERSON: Petition of Minnesota Live Stock Breeders' Association, urging increase of salaries of veterinarians of the Bureau of Animal Industry; to the Committee on Agriculture.

Also, memorial of Commercial Telegraphers' Union of America, complaining that Postmaster General Burleson had not kept his word promising a living wage, reinstatement of locked-out employees, better working conditions, and shorter hours; to the Committee on the Post Office and Post Roads.

Also, petition of Rev. Charles Peiffer, Melrose, Minn., urging repeal of zone system as applied to second-class mail matter; to the Committee on Ways and Means.

Also, petition of Rev. J. O. Gisselquist, Elmore, Minn., urging repeal of zone system as applied to second-class mail matter; to the Committee on Ways and Means.

Also, memorial of James A. Brown, Fergus Falls, Minn., urging favorable consideration of provision in Agricultural appropriation bill for increase of salaries of veterinarians of Bureau of Animal Industry; to the Committee on Agriculture.

Also, memorial of Northern White Cedar Association, of Minnesota, Wisconsin, Michigan, and other States, urging the return of railroads to private ownership and operation under proper regulation at the earliest practicable moment; to the Committee on Interstate and Foreign Commerce.

Also, petition of Olger Pal. Oseth, postmaster, Oslo, Minn., requesting increase of compensation of third-class postmasters, and suggesting that first-class postage rates be not reduced; to the Committee on the Post Office and Post Roads.

Also, petition of Leo L. Drey, Breckenridge, Minn., urging increases in salaries of postal employees and reclassification of salaries of assistant postmasters; to the Committee on the Post Office and Post Roads.

Also, petition of Prof. E. O. Lokensgard, Pelican Rapids, Minn., favoring Senate bill 4987, to establish a department of education; to the Committee on Education.

By Mr. TEMPLE: Petition of Charleroi Business Men's Association, Charleroi, Pa., favoring the enactment by Congress of a law which will continue the control and operation of the telegraph and telephone systems until Congress shall have studied the question and determined upon a proper and safe procedure to be followed thereafter; to the Committee on Interstate and Foreign Commerce.

By Mr. WARD: Petition of chamber of commerce, city of Kingston, N. Y., favoring the enactment by Congress of legislation which will continue Government control and operation of telegraph and telephone systems until the question can be studied and proper and safe procedure determined upon; to the Committee on Interstate and Foreign Commerce.

By Mr. WOOD of Indiana: Petition of common council of the city of Hammond, Ind., asking that a law be enacted granting to all soldiers, sailors, and marines who voluntarily enlisted or entered the Army or Navy by conscription be paid one year's additional pay at the same rate that they are now paid in the United States Army or Navy; to the Committee on Military Affairs.

Also, petition of Rotary Club, Lafayette, Ind., to change the name of the Panama Canal to the "Roosevelt Canal"; to the Committee on Railways and Canals.

SENATE.

WEDNESDAY, *January 29, 1919.*

(Legislative day of Tuesday, January 28, 1919.)

The Senate met at 12 o'clock noon, on the expiration of the recess.

SENATOR FROM MICHIGAN.

The VICE PRESIDENT. The Chair lays before the Senate a further communication in the Newberry-Ford contest, which will be inserted in the RECORD and referred to the Committee on Privileges and Elections.

The communication is as follows:

To the honorable THE SENATE OF THE UNITED STATES:

My attention has this morning been called to a communication to your honorable body signed "Truman H. Newberry, by J. O. Murfin, his attorney at law and in fact," in which are made charges of excessive and unlawful expenditures by or on behalf of Henry Ford in the late Michigan senatorial election and of irregularities.

I beg to say, in as emphatic language as parliamentary rules will permit, that these charges and insinuations are wholly false, and they only furnish additional reasons why an immediate investigation should be ordered, which Mr. Ford has been asking for ever since the primary, and which has been opposed by Mr. Newberry and his representatives from that time until this.

No money or other thing of value was expended by Mr. Ford either in primary or election, and no moneys were expended in his behalf in the primary. The expenditures made in the election were made by the nonpartisan Ford-for-Senator committee and by the Democratic State central committee, both of which committees have reported in utmost detail, under the oaths of their respective treasurers, their expenditures, which were all lawful disbursements.

We have the honor to again petition and request an immediate investigation by your honorable body.

HENRY FORD,
By ALFRED LUCKING,
His Counsel.

JANUARY 28, 1919.

CALLING OF THE ROLL.

Mr. KNOX. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Borah	Jones, Wash.	Page	Spencer
Brandegee	Kellogg	Penrose	Sterling
Calder	King	Pittman	Sutherland
Chamberlain	Kirby	Poindexter	Swanson
Culberson	Knox	Pollock	Thomas
Curtis	La Follette	Pomerene	Thompson
Fernald	Lenroot	Ransdell	Townsend
Fletcher	Lodge	Reed	Trammell
France	McKellar	Robinson	Underwood
Frelinghuysen	McLean	Saulsbury	Vardaman
Gay	McNary	Shafroth	Walsh
Hale	Martin, Va.	Sheppard	Warren
Henderson	Myers	Sherman	Wolcott
Johnson, Cal.	New	Smith, Ariz.	
Johnson, S. Dak.	Nugent	Smith, Ga.	
Jones, N. Mex.	Overman	Smoot	

Mr. KENYON. I wish to state that the Senator from Nebraska [Mr. NORRIS] is absent on official business.

Mr. McKELLAR. The senior Senator from Tennessee [Mr. SHIELDS] is absent on account of illness.

Mr. SUTHERLAND. My colleague, the senior Senator from West Virginia [Mr. GOFF], is absent owing to illness.

Mr. SAULSBURY. I wish to announce that the Senator from Maryland [Mr. SMITH] is detained by illness.

Mr. SHEPPARD. I desire to announce that the Senator from New Hampshire [Mr. HOLLIS] is detained on important public business.

Mr. POLLOCK. I wish to announce that the senior Senator from South Carolina [Mr. SMITH] is detained by illness.

The VICE PRESIDENT. Sixty-one Senators have answered to the roll call. There is a quorum present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the President pro tempore:

S. 2784. An act to authorize the purchase by the city of McMinnville, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916;

S. 3384. An act to amend the public building act, approved March 4, 1913; and

H. R. 13708. An act providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, German-Austria, Hungary, Bulgaria, and Turkey, as may be determined upon by the President as necessary.

REPORTS OF COMMITTEES.

Mr. WILLIAMS, from the Committee on Foreign Relations, to which was referred the joint resolution (S. J. Res. 197) authorizing the appointment of an ambassador to the Republic of Peru, reported it without amendment and submitted a report (No. 670) thereon.

Mr. HITCHCOCK, from the Committee on Foreign Relations, to which was referred Senate resolution 399, directing the Secretary of State to report to the Senate whether the claims for damages suffered by American citizens in the Republic of Mexico have been presented to the Government of Mexico, and what steps have been taken to prosecute such claims, etc., reported it without amendment and submitted a report (No. 671) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LODGE:

A bill (S. 5470) authorizing the Secretary of War to donate to the town of Plymouth, Mass., one German cannon or field-piece; to the Committee on Military Affairs.

A bill (S. 5471) for the relief of John A. Gauley (with accompanying papers); to the Committee on Claims.

By Mr. KING:

A bill (S. 5472) to establish within the Department of the Treasury a bureau for the regulation and supervision of the export of savings from the United States; to the Committee on Banking and Currency.

By Mr. CALDER:

A bill (S. 5473) to amend an act approved March 3, 1891, incorporating the National Conservatory of Music of America; to the Committee on the Judiciary.

A bill (S. 5474) to amend section 6 of the act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918; to the Committee on Interstate Commerce.

By Mr. SHERMAN:

A bill (S. 5475) granting a pension to William Campbell; to the Committee on Pensions.

By Mr. McNARY:

A bill (S. 5476) granting an increase of pension to Caspar Hopp; to the Committee on Pensions.

By Mr. SUTHERLAND:

A bill (S. 5478) granting the consent of Congress to the Fall Branch Coal Co. to construct a bridge across Tug River; to the Committee on Interstate Commerce.

A bill (S. 5479) for the relief of lock masters, lockmen, and other laborers and mechanics employed by the United States Government in the locks and dams of the Kanawha River in West Virginia; to the Committee on Claims.

GILA RIVER DAM.

Mr. SMITH of Arizona. I introduce a bill providing for the construction of a dam across the Gila River at or near San Carlos, in the State of Arizona, which I ask may be printed and lie on the table. I give notice that next week I shall submit some remarks on the bill.

The bill (S. 5477) providing for the construction of a dam across the Gila River at or near San Carlos, in the State of Arizona, was read twice by its title and ordered to lie on the table.

RIVER AND HARBOR APPROPRIATIONS.

Mr. SHAFROTH submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was ordered to lie on the table and be printed.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. ASHURST (for Mr. PHELAN) submitted an amendment proposing to appropriate $20,000 for the relief and care of nonreservation Indians in California in destitute circumstances,

intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. OVERMAN submitted an amendment proposing to appropriate $2,000,000 to carry out the purposes mentioned in section 3 of the act of March 1, 1911, to enable any State to cooperate with any other State or States, or with the United States, for the protection of watersheds of navigable streams, etc., intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

AFFAIRS IN RUSSIA.

Mr. JOHNSON of California. Mr. President, recently I gave a wholly unnecessary notice, but the usual one, that to-day I would address myself to the resolution which I presented some weeks ago, and which it was my expectation on this occasion to call from the table and to have considered by the Senate. The pendency of the measure, however, that is before us now precludes me from taking up the particular resolution, but, nevertheless, the time being propitious, I wish to address myself to it and to the present situation in Russia.

On the 12th day of December last I introduced a resolution asking the State Department to define to us the policy of the United States toward Russia.

I was mighty lonely then, Mr. President, in the presentation of that subject matter. To-day, sir, I have my warrant here in the letters of mothers and fathers and wives of men who are suffering and who are dying in Russia. It became obvious to me that this resolution would not be acted upon by the Foreign Relations Committee, and subsequently I introduced the resolution, of which I speak to-day, expressing the opinion of the Senate that our troops should be withdrawn from Russia. Until the introduction of my first resolution, our relations with Russia, the activities of our soldiers there, and our policy in fighting, after the conclusion of the war with Germany, with another people against whom we never had declared war, had scarcely been mentioned publicly, and the subject, apparently, was one from which the supposedly popular branch of our Government timidly shrunk. In the last month and a half, however, a very healthy discussion has been stimulated within and without this body, and the American people have learned for the first time during this period a little, though not much, of American troops still battling on foreign soil. My original resolution was received, as I presumed it would be, in hot indignation and resentment by the part of the press which has rejoiced in its attitude of merely echoing approval of whatever the administration might do, but the subject matter has been taken up by that portion of the press of America which yet is free. Legitimate discussion has been stimulated, and our people, at last, by a modicum of free expression, have been faintly heard. What I sought to accomplish originally has in part been realized, and I think it no exaggeration to say that while the Senate, yet under the spell of the strange psychology of war, may yield its assent to a policy concerning which it was not consulted and about which it has not been informed, and which is at variance with our professions and violates our Constitution, the people of the country, emerging from this psychosis, and now far in advance of their representatives, with practical unanimity favor not only the original resolution but also the one now under discussion.

The peace conference recently has issued a formal statement concerning Russia, which, apart from its expression of esteem and love for the Russian people, asks all of the factions to meet in the Sea of Marmora on the 15th day of February. We are wholly in the dark as to what is contemplated when all parties meet upon an almost uncharted island in a distant sea; but we are becoming accustomed to the open diplomacy which in daily communiques with few words telling nothing soothe the perturbed spirits of the democratic peoples of the world. Because I assume that an address couched in such friendly language, specifically recognizing the revolution and disclaiming any desire to interfere in Russia's internal affairs, is but the initial step in a carefully prepared and thoroughly accepted plan of all the powers for the settlement of every question respecting Russia, I will not speculate upon the possibilities nor discuss the pronunciamento which has added to the case only the knowledge of the extraordinary affection in which the Russian people are held by the allies.

My interest has been in America's policy and in the soldier boys of the Republic, who, seemingly, for months were forgotten by their Government. My prime interest and concern yet are these American boys. The action of the peace conference thus far leaves these American boys where we discovered them a month and a half ago, and, so far as they are concerned, unless we take it for granted that they are to be withdrawn immediately after the 15th day of February, their situation is no different than when this subject first was broached. I ask for them nothing more than I ask for all American troops on foreign soil. I ask for us an American policy.

I am quite aware that there exist two distinct lines of policy for our country in the near future to pursue. I know that in this body the line of demarcation between these two policies is becoming increasingly plain. Recently the Republican floor leader, in an epoch-making speech, stated with clarity and precision his view of our future policy. With logical force and plainly he stated that he deemed it essential by the peace terms immediately to create the following:

1. A Jugo-Slav State.
2. A Czecho-Slav State.
3. The security of Greece.
4. Albania.
5. Montenegro.
6. Roumania.
7. Armenia.
8. Syria.
9. Palestine.
10. Poland.
11. The independence of Russia's Baltic Provinces, thus: 1, Finland; 2, Esthonia; 3, Lavonia; 4, Courland; 5, Lithuania; 6, Ukrainia.

And, in addition, that we must take and hold ample security from Germany and Austria.

I will not quarrel with his creation of the various new nations. But the distinguished Senator prescribes our future duty in this language:

> We must do our share in the occupation of German territory which will be held as security for the indemnities to be paid by Germany. We can not escape doing our part in aiding the peoples to whom we have helped to give freedom and independence in establishing themselves with ordered governments, for in no other way can we erect the barriers which are essential to prevent another outbreak by Germany upon the world. We can not leave the Jugo-Slavs, the Czecho-Slavs, and the Poles, Lithuanians, and the other States, which we hope to see formed and marching upon the path of progress and development, unaided and alone.

There is but one conclusion from the language used, and that is that after the creation of the 16 nations the duty devolves upon the United States, in part at least, to maintain these nations and aid them in establishing themselves with ordered governments by America's soldiers. I will not subscribe to this doctrine. I will not for one instant concede that it is the duty of the Republic to maintain order in a Jugo-Slav or a Czecho-Slav State, in Albania or Montenegro, in Roumania or Armenia, in Syria, Palestine, Poland, Finland, Esthonia, Lavonia, Courland, Lithuania, or Ukrainia. I am opposed to American boys policing Europe and quelling riots in every new nation's back yard. The perils of such a course to the Republic seem to me obvious. Aside from the material aspect—and you may ever keep in mind that the establishment and maintenance, in part by us, of these distinct peoples must be paid for by our already overburdened taxpayers—I would not shed the blood of American boys in the internal disturbances of an Esthonia, Lavonia, Courland, a Lithuania, or Ukrainia. I decline to be frightened now by the "German menace." Germany is whipped and thoroughly whipped. The central empires, in the language of the President, are in process of liquidation. The German Army has been practically demobilized; her ordnance has been relinquished; her means of transportation delivered; her fleets surrendered; her towns occupied. She is involved in such civil strife that it is doubtful if there will be a stable government with which a peace may be made. She has been so thoroughly disabled that she could not, a few days ago, resist a small advancing Polish army. She is suffering just retribution for her offenses. The central empires are incapable of aggressive action now. Our help, therefore, to the 16 nations which would be created "in establishing themselves with ordered governments" must be the aid which our arms would give to one faction or another in these new States, and I am not ready to shed American blood for any faction of any foreign State or in maintaining the government in any Baltic province. It is staggering to speculate upon the number of armies and the hundreds and thousands of American boys that would be required in these 16 nations. It is time for an American policy. Bring home American soldiers. Rescue our own democracy. Restore its free expression. Get American business into its normal channels. Let American life, social and economic, be American again.

I heard it said recently upon the floor of the Senate that the President had a most difficult task abroad. I recognize this, and wish that some real aid could be extended to him in the

one possible accomplishment which may be his. I listened with rapt attention to the scholarly and statesmanlike address of the junior Senator from Pennsylvania recently, the point of which, as I understood it, was that we should at once conclude our peace with our foes and bring our boys home, leaving to subsequent determination the formation of a league of nations. I take it that he is no more opposed to a league of nations than I am; and I am very frank to say that if the President can return to the United States with a league of nations which does not relinquish our sovereignty and which in reality will be a preventive of future wars, I shall welcome most gladly and enthusiastically this great accomplishment.

Mr. REED. Mr. President, would it interrupt the Senator from California if I should ask him a question?

The PRESIDING OFFICER (Mr. WALSH in the chair). Does the Senator from California yield to the Senator from Missouri?

Mr. JOHNSON of California. I yield to the Senator.

Mr. REED. If a league of nations is formed of the character defined by the Senator—that is, if we are to have a league of nations—I have forgotten the exact language which was so well expressed by the Senator, and will he kindly repeat it?

Mr. JOHNSON of California. The language I used was: "I am very frank to say that if the President can return to the United States with a league of nations which does not relinquish our sovereignty and which in reality will be a preventive of future wars, I shall welcome most gladly and enthusiastically this great accomplishment."

Mr. REED. I wish the Senator would tell us how we can have a league of nations that will not relinquish any part of our sovereignty and yet will prevent future wars?

Mr. JOHNSON of California. I beg the Senator from Missouri will pardon me from entering into an intimate discussion of the subject this morning. At some future time I shall be glad to discuss it with him.

But America wants peace. It has achieved its great primal idealistic purpose and crushed a ruthless militarism. I reecho the words of the great commander of the Union forces in the Civil War immediately upon surrender of his adversary, "Let us have peace." Let us have peace and get out of Europe. On the 11th day of November the armistice was signed. Two months and a half have passed. The censored dispatches from Paris are conveying to us now the news that it is hoped the conference may conclude its labors in June and we are being prepared, apparently, for a second trip some time in the summer by our Chief Executive to Europe. I would not minimize, of course, the magnitude of his task, but I have a very distinct recollection that much of it has already been agreed upon. Because of prior agreement among our cobelligerents the idealism of the President is likely to be severely taxed, and his difficulties will be manifold. But the pitiless logic of events, the ironclad prior understandings of our allies, have lessened his labors and reduced to a minimum the subjects with which he must deal. He announced in January, 1918, and subsequently, fourteen peace points. The first of these—

Open covenants of peace, openly arrived at, after which there shall be no private international understandings of any kind but diplomacy shall proceed always frankly and in the public view.

we have had adequately demonstrated to us. The language of this covenant by bitter experience we have now learned is perfectly plain; in the interpretation it has been distorted and misunderstood. The senior Senator from Idaho has been insistent in his advocacy of peace point No. 1. For it, and for the other 13 peace points, we have been told that our soldiers gladly and cheerfully fought and died in France, but the senior Senator from Idaho, and others who thought as he did, with a singular obtuseness, have insisted "open covenants of peace, openly arrived at" mean what the words import. We should have known when we distinctly announced this particular point, for which our soldiers suffered and bled and died, we meant it in a Pickwickian sense only, and spoke the usual language of diplomacy. Anyone not affected with a mental strabismus ought readily to understand that when we say "open covenants of peace, openly arrived at," we mean "secret covenants of peace, secretly arrived at," and, after their arrival, doled out in homeopathic doses to an ignorant and ill-informed populace.

The second peace point was—

Absolute freedom of navigation upon the seas, outside territorial waters, alike in peace and in war, except as the seas may be closed in whole or in part by international action for the enforcement of international covenants.

and is quite as plain to him who reads with intelligence as was peace point No. 1.

But we need not further discuss peace point No. 2. It has been lost for a considerable period now in historical mystery, and rests in oblivion with the unrealized dreams of the Akound of Swat and the Maharajah of Ruritania. Peace points three, for the removal of economic barrier; four, for the reduction of national armaments; and five, for the impartial adjustment of all colonial claims, based upon a strict observance of the interests of the populations concerned with the equitable claims of the government whose title is to be determined, apparently have been submerged in weightier questions and no longer agitate the overburdened minds of statesmen. The sixth peace point, regarding Russia, I will mention hereafter. All of the other peace points, with the exception of the league of nations, deal with territorial adjustments, as does indeed No. 5. Now, the difficulty of the President in interpreting his peace points as to territorial acquisitions is that long ago England, France, and Italy reached their conclusions, and the President is up against the contracts, signed, sealed, delivered, and in the pockets of the allies. The secret treaties which were executed before our entrance into the war were quite definite in form, and apportioned territories to the three great belligerents, and also to Russia. These secret treaties, with the elimination of Russia, I feel sure, are deemed effective and binding; nor do I doubt that substantially the territory they embrace will be divided in accordance with their provisions. If the President can break through the traditions of diplomacy; if he can revive and have adopted his peace points apparently discarded with the opening of the peace conference; if he can effect a disregard of the secret treaties entered into for territorial dispositions and acquisitions by the three great powers; and if he can compel the altruistic and idealistic peace of which he has so often spoken his will be the greatest achievement of any statesman of any time. My hopes and my prayers are with him in his extraordinary task.

But Russia was the subject of the sixth definite peace point enunciated by the President. From the time of the Russian revolution until long after the control of Russia by the Soviets and the cruel administration of Lenine and Trotsky the President often spoke to Russia and the Russian people, and always in gentle, kindly, and friendly fashion. His policy, which, by our acceptance, became the policy of this Nation, was distinctly enunciated in the memorable address of January, 1917. Although this policy, apparently, has been forgotten in our dealings with Russia, whether it will ultimately be carried out may, perhaps, be determined by the fate of the other definite terms of peace prescribed by the President. The Kerensky government fell November 7, 1917, and the Soviets, with Lenine and Trotsky in command, came into power. On the 4th day of December we were asked to declare war against Austria, and, in the course of the address demanding a declaration of war against Austria, the President adopted the formula of the Bolsheviki of Russia, the formula under which they were making peace with Germany. He said:

You catch, with me, the voices of humanity that are in the air. They grow daily more audible, more articulate, more persuasive, and they come from the hearts of men everywhere. They insist that the war shall not end in vindictive action of any kind; that no nation or people shall be robbed or punished because the irresponsible rulers of a single country have themselves done deep and abominable wrong. It is this thought that has been expressed in the formula "No annexations, no contributions, no punitive indemnities." Just because this crude formula expresses the instinctive judgment as to right of plain men everywhere it has been made diligent use of by the masters of German intrigue to lead the people of Russia astray and the people of every other country their agents could reach, in order that a premature peace might be brought about before autocracy has been taught its final and convincing lesson and the people of the world put in control of their own destinies.

At this time the Russian armies had practically disintegrated and the Russian Bolsheviki were negotiating with Germany. On January 8, while Russia was in collapse, and it was obvious that those in control of her government were about to make a shameful peace, the President, with full knowledge of the situation, presumably, had this to say:

There is, moreover, a voice calling for these definitions of principle and of purpose which is, it seems to me, more thrilling and more compelling than any of the many moving voices with which the troubled air of the world is filled. It is the voice of the Russian people. They are prostrate and all but helpless, it would seem, before the grim power of Germany, which has hitherto known no relenting and no pity. Their power, apparently, is shattered. And yet their soul is not subservient. They will not yield either in principle or in action. Their conception of what is right, of what it is humane and honorable for them to accept, has been stated with a frankness, a largeness of view, a generosity of spirit, and a universal human sympathy which must challenge the admiration of every friend of mankind; and they have refused to compound their ideals or desert others that they themselves may be safe. They call to us to say what it is that we desire, in what, if in anything, our purpose and our spirit differ from theirs; and I believe that the people of the United States would wish me to respond with utter simplicity and frankness. Whether their present leaders believe it or not, it is our heartfelt desire and hope that some way may be opened whereby we may be privileged to assist the people of Russia to attain their utmost hope of liberty and ordered peace.

This was said after two months of government by the Bolsheviki and after they had publicly proclaimed to the world their mode of government and what it was their purpose to do.

And, lest ye forget, I quote again the sixth of the celebrated peace points, uttered January 12, 1918:

The evacuation of all Russian territory and such a settlement of all questions affecting Russia as will secure the best and freest cooperation of the other nations of the world in obtaining for her an unhampered and unembarrassed opportunity for the independent determination of her own political development and national policy and assure her of a sincere welcome into the society of free nations under institutions of her own choosing; and, more than a welcome assistance also of every kind that she may need and may herself desire. The treatment accorded Russia by her sister nations in the months to come will be the acid test of their good will, of their comprehension of her needs as distinguished from their own interests, and of their intelligent and unselfish sympathy.

On February 11, 1918, when the proceedings of the peace conference between the Germans and the Bolsheviki were fully known and understood, the President thus spoke to us:

Peoples are not to be handed about from one sovereignty to another by an international conference or an understanding between rivals and antagonists. National aspirations must be respected. Peoples may now be dominated and governed only by their own consent. "Self-determination" is not a mere phrase. It is an imperative principle of action which statesmen will henceforth ignore at their peril.

Self-determination has fallen by the wayside with "open covenants of peace, openly arrived at." Or, perhaps, self-determination may have been used with the same delicate shades of meaning which have distinguished the use of "open covenants." All through our idealistic statements in this war runs the theme of self-determination and the rights of people for themselves to determine their own forms of government. It was the underlying principle which stimulated our judgments and aroused our enthusiasm. It is not the fault of those who coined the phrase, and those who have used it, that we may, perhaps, have misunderstood it, and that self-determination really means determination by ourselves of the kind of government others should have and then impressing that kind of government upon an unwilling and a rebellious people. With this possible explanation we may see with greater clarity the reason for our activities in Russia. During February the peace terms at Brest-Litovsk had been concluded and there remained but the ratification of those peace terms by the all-Russian congress of the Soviets.

I now deal with the historical events of the fateful month succeeding the President's address. So far as I am aware, what I now present has not been published in this country. I present it because it is the truth, and because upon us rests a heavy responsibility for what has since transpired in Russia. I will not be put in the attitude of defending in any degree the Soviet power or Lenine and Trotsky. Their fantastic theories no sane man, in my opinion, can indorse. But our dealing with Russia and the dealings of the allies with Russia have been not only an exhibition of the crassest stupidity, but have contributed to the awful tragedy there. Early in March the Soviet government officially presented to the allies certain questions, favorable answers to which every man then in Russia agreed would prevent a ratification of the Brest-Litovsk treaty by the all-Russian Soviet congress, and then there would have been a renewal of the war by Russia against Germany. A translation of the official document thus transmitted to the allies from the Soviet government is as follows:

In case (a) the all-Russian congress of the Soviets will refuse to ratify the peace treaty with Germany, or (b) if the German Government, breaking the peace treaty, will renew the offensive in order to continue its robbers' raid, or (c) if the Soviet government will be forced by the actions of Germany to renounce the peace treaty—before or after its ratification—and to renew hostilities—

In all these cases it is very important for the military and political plans of the Soviet power for replies to be given to the following questions:

1. Can the Soviet government rely on the support of the United States of North America, Great Britain, and France in its struggle against Germany?

2. What kind of support could be furnished in the nearest future, and on what conditions—military equipment, transportation supplies, living necessities?

3. What kind of support would be furnished particularly and especially by the United States?

Should Japan—in consequence of an open or tacit understanding with Germany or without such an understanding—attempt to seize Vladivostok and the Eastern-Siberian Railway, which would threaten to cut off Russia from the Pacific Ocean and would greatly impede the concentration of Soviet troops toward the East about the Urals—in such case what steps would be taken by the other allies, particularly and especially by the United States, to prevent a Japanese landing on our Far East, and to insure uninterrupted communications with Russia through the Siberian route?

In the opinion of the Government of the United States, to what extent—under the above-mentioned circumstances—would aid be assured from Great Britain through Murmansk and Archangel? What steps could the Government of Great Britain undertake in order to assure this aid and thereby to undermine the foundation of the rumors of the hostile plans against Russia on the part of Great Britain in the nearest future?

All these questions are conditioned with the self-understood assumption that the internal and foreign policies of the Soviet government will continue to be directed in accord with the principles of international socialism and that the Soviet government retains its complete independence of all nonsocialist governments.

Mr. KNOX. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Pennsylvania?

Mr. JOHNSON of California. I do.

Mr. KNOX. May I ask the Senator if he purposes to state what evidence there is of the authenticity of the document that he has just read?

Mr. JOHNSON of California. I have a photographic copy of it, sir. I have the photographic copy on my desk, if the Senator cares to see it.

Mr. LODGE. Who signed it?

Mr. JOHNSON of California. The document was handed to Raymond Robins and a companion in what was known as the office of the council of the people's commissaries, Smolney Institute, Petrograd, by Commissaire of Foreign Affairs Trotsky, after a conference between Lenine, Trotsky, and Robins. It was transmitted to Washington and delivered to the ambassador of the United States.

The men who were then in Russia familiar with the situation, including the representative of England and the representative of the United States, advised their Governments to respond favorably. I have copies of the telegrams which were sent at that time to different Governments. But the communication was received, apparently, in indignant and contemptuous silence. I can hear the voices in this Chamber saying that this was right, that there should be no compromise with crime; that the allies were correct in their position in utterly refusing to deal, or to talk, or to communicate with this awful Soviet government. That it would have been in derogation of our dignity and would have been an affront to civilization to have responded, or to have united with this Soviet government in fighting Germany. I may think that you are entirely right in what I thus see passing through your minds. I may wholly agree with you that the civilized nations of the world could not without defilement touch this awful thing in Russia. And if this had been the attitude of our Government and other Governments, we might pass the incident as one of those unavoidable historical occurrences where idealism and civilization's champions must of necessity hold aloof from civilization's assailants. But during this period what was the Government of the United States doing? It could not, you say, have any dealings with these men who had set at defiance, in the language of one of the Senators upon this floor, the laws of God and man alike. In its virtuous indignation it could permit no communication of any sort, you assert, with cruelty, rapine, murder, and anarchy. But just before the Brest-Litovsk treaty was to be presented to the all-Russian Soviet congress the United States Government went to the city of New York, interviewed the socialists and extremists, and even anarchists, who preached lawlessness and destruction, and begged them for telegrams to be sent to Lenine and to Trotsky and to the Bolshevik government asking that the Bolsheviki continue the war. I read the headlines of one of the papers at that time:

United States lets "Reds" send messages to Bolsheviki. State Department cables their appeals to Russians to stand firm.

And in the body of the article appear these things:

The United States Government yesterday aided radical socialist and pacifist organizations in New York in sending to the Russian revolutionists cable messages urging them to resist the German invasion.

The messages were sent not only with the approval of the Government, but through the Government's agencies and at the Government's expense. * * * These messages were gathered by a person designated by the authorities and were sent to Washington to be forwarded through the State Department to Petrograd.

The socialists and extreme radicals in New York City were importuned for messages, and most of them responded. All of the messages were sent by the United States Government to the Bolsheviki at Petrograd. This, of course, is common knowledge, and has been common knowledge since its occurrence. I am not criticizing it. I am stating now something of the truth which we have carefully concealed during these months. You may say to me, of course, that this was a very different thing from communicating with the soviet government itself, and thus, in a measure, recognizing it. You may say that the exigency and the emergency justified the Government in using every means in its power to continue Russia's resistance to Germany. I may agree with you. But, if the emergency and the crisis justified the Government in using the anarchists of New York to communicate with the anarchists of Petrograd, it would have justified the United States Government answering the communication of the soviet government, without recognition of that government at all, and in encouraging it, by its answer, to

renew the war with Germany. A very different proposition, you insist, between the Government itself communicating with the soviet government and the anarchists of New York communicating with their comrades in Petrograd. Perhaps so. But, beyond this, what did we do? With an authoritative and an official communication before us, which we were advised meant if we replied favorably that the soviet government would make war upon Germany, we refused to respond at all. And yet just before the meeting of the Soviet congress which was fixed for the week of Tuesday, March 12, the President of the United States himself cabled the Soviet congress.

Oh, we could not touch this awful thing in Russia! We could not touch it, with the document before us by which war might have been renewed, and under which the Brest-Litovsk treaty might have been repudiated in the all-Russian Soviet congress in the week of March 12, 1918. We could not be contaminated by touching such a thing, even for so good an end. But on March 12 the Official Bulletin of the United States Government tells us this:

President assures Russia that United States will aid in restoring its sovereignty. Following message from the President of the United States to the people of Russia through the Soviet congress has been telegraphed to the American consul general at Moscow for delivery:

"May I not take advantage of the meeting of the Congress of the Soviets to express the sincere sympathy which the people of the United States feel for the Russian people at this moment when the German power has been thrust in to interrupt and turn back the whole struggle for freedom and substitute the wishes of Germany for the purposes of the people of Russia.

"Although the Government of the United States is unhappily not now in a position to render the direct and effective aid it would wish to render, I beg to assure the people of Russia through the congress that it will avail itself of every opportunity to secure for Russia once more complete sovereignty and independence in her own affairs, and full restoration to her great rôle in the life of Europe and the modern world.

"The whole heart of the people of the United States is with the people of Russia in the attempt to free themselves forever from autocratic government and become the masters of their own life." (Woodrow Wilson.)

During that week the meeting of the Soviet congress was postponed for several days in the hope that from the allied Governments would come a response to the proposition submitted, upon which a repudiation of the Brest-Litovsk treaty could be obtained from the congress. I do not care to speculate upon what might have transpired if the appeals of the Englishmen and Americans who were then in Petrograd to their Governments had been successful. I am relating to you only the facts. During this critical time in Russia the Germans were advancing through Finland. Marching and fighting with them were the Finnish White Guard. The army of the Bolsheviki were called the "Red Guard"; that of their opponents in Finland, the "White Guard."

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Colorado?

Mr. JOHNSON of California. I yield.

Mr. THOMAS. The Senator, of course, is familiar with the answer which was sent to the President's telegram. Does he intend to read it as a part of his remarks?

Mr. JOHNSON of California. No; I have not it here. I trust that the Senator from Colorado will put in the answer if he desires.

Mr. THOMAS. Mr. President, I would do so if I had it with me. I think the literal text should be placed in the RECORD, and I could only state the substance.

Mr. JOHNSON of California. I shall be delighted to put it in the RECORD too. I think the Senator does not mistake at all the point that is being made by developing this particular proposition; but if there are any other documents of any sort that the Senator wishes me to put into the RECORD in connection with these, I shall very gladly do it.

Mr. THOMAS. I shall be very glad to furnish it to the Senator later.

Mr. JOHNSON of California. I will search for it and put it in myself as well.

We have been very tender of Finland, and a part of the hundred million dollars recently appropriated to feed Europe is to be devoted to Finland. The historical fact, however, is that the only soldiers who fought the advance of the Germans were the Red Guard of the Bolsheviki. They whipped the White Guard, representing the so-called government of Finland, and they were forced back only when that government and the White Guard called the Germans to their aid. It is a historical fact, as well, that wherever the Red Guard fought those of their own country opposed to their revolution they won. They were whipped only when their opponents called in German troops. This was so not only in Finland but in Ukrainia, too. During this period repeatedly it was stated that the allies would intervene.

Intervention was never predicated upon the score of guarding supplies until the disingenuous August announcement of our Government. Intervention was suggested early in the year, and throughout the early months of 1918 it was a matter of common rumor and frequent discussion. During March the men who were most familiar with the Russian situation on the ground vigorously protested against this intervention, and no one protested more vigorously then, and at subsequent times, too, than did the ambassador of the United States Government. At Murmansk, early in March, because of the advancing Germans, the situation was acute, and then what happened? A mutual arrangement was made between the French and British and the Russian Soviets for the defense of the district of Murmansk. And during this month of March, nothwithstanding the horrible doctrine of the Bolsheviki, notwithstanding with an iron hand they were suppressing opposition, there was cooperation between them and the representatives of the Allied Governments in Petrograd. I learned, incidentally, that Maj. Thomas D. Thacher, of the law firm of Simpson, Thacher & Bartlett, New York, who was a member of the Red Cross mission to Russia, had been at Murmansk, and had seen the cooperation there existing between the French and British and the Bolsheviki, and on the 20th day of January I wired him, asking him succinctly to advise me of the facts. I received in response this telegram from him:

One company British marines, about 130, landed Murmansk March 5 or 6, pursuant invitation Murmansk Soviet, acting under telegraphic instructions Trotsky to accept all necessary aid from allies. Before landing supreme military command Alexandrovsk and entire Murman railway granted by Soviets to committee, composed of Bolsheviki sailors, French military officer, and British military officer. This committee subject, however, complete control Murmansk Soviet. From this time until my departure March 22, French, British, and American military authorities in daily cooperation and complete harmony with local Soviet. Seventeen guns fired by British ship *Glory* as salute to Russian flag. Only flag visible red flag. Salute answered same number of guns. Russian cruiser *Chesnar*. Red Cross received effective and invaluable assistance from Soviet authorities at Murmansk as well as everywhere else in protection and transportation of supplies. Five hundred Czecho-Slovak troops in Murmansk, assisted by Soviet authorities, returned to France. Sailed on my ship. I trust that this will give you the necessary information. I neglected to add a statement of the fact that the Soviet authorities cooperated with the allied authorities in the protection of supplies at Kandalaxia, as well as at Murmansk. The supplies at Kandalaxia were, of course, more exposed to the attack of Finnish white guards, who were then cooperating with the Germans.

I received yesterday a letter from Col. Raymond Robins concerning the closing paragraph in the story of George Creel recently published. That closing paragraph of Mr. Creel is as follows:

Russia was a hard fight to lose. It seemed for a while that we should surely win, and to this very day I believe that the people were with us then and are with us now. But the political control of Lenine and Trotsky abolished the freedom of the press and turned the power of the Government against us. Our men were the last to leave Petrograd and Moscow. Mr. Sisson stayed until the ultimate danger to secure the documents that proved Lenine and Trotsky to be German agents and then slipped out through the far reaches of Finland. Mr. Bullard and his force transferred to Vladivostok, from which point he began working back into European Russia with the allies.

One real result was achieved. Intensive work was carried on in the prison camps of Russia, and thousands of Czecho-Slovaks and Jugo-Slovaks learned of the purposes and power of America, receiving thereby the courage and inspiration that had its climax in the march of the Czecho-Slovak legion from the Ukraine to Vladivostok.

Col. Robins writes me:

The inclosed clipping from the last page of George Creel's eight pages of self-laudation in February's Everybody's Magazine suggests that Mr. Creel is unable to relate facts. The facts are:

The President's speeches were printed on the Bolsheviki government presses by special permission of that government. They were distributed under government frank and posted on the dead walls of Petrograd by the Bolsheviki posting service.

The money for this work was drawn from the Petrograd State Bank by special O. K. of the Bolsheviki government. The President's speech of January 8 was sent over the private wire of the Bolsheviki government to Brest-Litovsk by order of Lenine, and I secured the order for its transmission in the presence of Mr. Sisson.

Mr. Sisson fled from Petrograd on the 4th of March, 1918, shouting that the Germans would take the city within a few days in collusion with the Bolsheviki. The American Red Cross was feeding starving children and evacuating war supplies from Petrograd under Bolsheviki protection in quantity until the 1st of May, 1918.

The allied military missions were helping to train the Bolsheviki Red Army on the 1st of April, and the American ambassador was seeking, with the consent of the allied embassies, the cooperation of the American Railway Mission with the Bolsheviki government weeks after Mr. Sisson had fled in terror from Petrograd.

Mr. Bullard and all the American members of the committee on public information in Russia fled from Moscow on the 5th of May, reaching Archangel and suffering from the worst case of "buck fever" in my observation. They telegraphed the American ambassador to get them the permission of the British high commissioner, still in Petrograd, to get on the English ice breaker, which permission I secured for them, and they were on this ice breaker dressed in English uniforms for several weeks, while the American Red Cross was doing business as usual in Moscow, and English, French, and Japanese were still working for their Governments under the protection of the Bolsheviki government.

The American Red Cross mission did not leave Moscow until the 5th of October and Petrograd on the 16th of October in the full protection of the Bolsheviki government, some seven months after Mr. Sisson had fled in terror with his panic from reading some propaganda pamphlets and papers which were the amusement and contempt of honest and informed men.

Mr. REED. Will the Senator tell us why the Red Cross had to leave when it did?

Mr. JOHNSON of California. I think that one unit just came out of there. I am not sure whether the Red Cross has wholly left. I do not know just its attitude, and I would not undertake to speak of it. I know I saw an officer day before yesterday who said he had just come across on a boat with a Red Cross officer who had just come out of Russia. In fact, however, I know nothing about it except the remark he made.

Mr. CHAMBERLAIN. May I interrupt the Senator?

Mr. JOHNSON of California. Certainly.

Mr. CHAMBERLAIN. Will the Senator tell the Senate what the mission of Col. Robins was in Russia and how long he was there?

Mr. JOHNSON of California. He was on a Red Cross mission. He was there until May, 1918, and my impression is for about 10 months or a year prior to that time. I do not pretend to be wholly accurate, but he was there during the Kerensky government and until May, 1918.

Mr. CHAMBERLAIN. Can the Senator state whether or not after his return here he discussed the situation that has been so ably discussed by the Senator with either the Department of State or the President of the United States?

Mr. JOHNSON of California. Mr. President, I am very certain that he did not discuss the situation with the President of the United States. I do not know to what extent he discussed the matter with the Department of State. I am unable to say.

Mr. NEW. Will the Senator permit one more inquiry? Does he know why Col. Robins did not discuss it with the President?

Mr. JOHNSON of California. I might give my personal opinion upon that subject, but I prefer not to do so. So I hope the Senator will excuse me. At any rate I think I am authorized to say this much, that the President did not discuss the situation with Col. Robins, nor did he ask to discuss the situation with Col. Robins.

Mr. TOWNSEND. Was it not for the same reason that the President did not discuss with Gen. Bullard, who had been sent to Europe to investigate the situation there?

Mr. LA FOLLETTE. Mr. President——

Mr. JOHNSON of California. I yield to the Senator.

Mr. LA FOLLETTE. I will ask the Senator if he is not aware of the fact that Col. Robins remained in Washington after his arrival from Russia——

Mr. JOHNSON of California. Oh, he remained here a long period of time.

Mr. LA FOLLETTE. For several weeks?

Mr. JOHNSON of California. Yes.

Mr. LA FOLLETTE. And he had with him all the documents and waited here in the hope that he might have an audience with the President?

Mr. JOHNSON of California. I think that is absolutely accurate, Mr. President.

When last I addressed the Senate upon this subject I asked certain questions of the Government. It is unfortunate that there is no method by which our Government may be interrogated and no means, except that of a majority vote here, by which information may be obtained for our people. I wish it were possible so to amend our system that upon this floor the appropriate official could be asked legitimate questions and compelled to respond. No answer has been made, of course, to the questions that I asked, because the implication in every question is known by the department to be true. Men are in this country to-day who can establish every single fact suggested, and if this body or the Foreign Relations Committee really desire information, if they wish to tell the mothers and the fathers and the wives of the men who are freezing in Russia to-day just what the facts are, they have at their disposal the evidence, and it can be brought before them upon the briefest notice.

Russia, Mr. President, is a marvelous country. It contains one-sixth of the earth's surface, with fertility of soil and wealth in mineral resources surpassing those of any other part of the earth. This Soviet government to which our President for us spoke so kindly, begged us for economic aid and wished to make us the most-favored Nation. We, in the rigidity of our virtue, though asking the aid of the anarchists in our midst, with the Bolsheviki over there, and though publicly proclaiming our friendship and our love, would not accept the proffer. Weak and vacillating, stupid, and ignorant has been our policy with Russia. We solemnly promised we would not intervene, and then, prating of our love for the Russian people, we did intervene. Prating about guarding stores at Archangel we advanced from 100 to 300 miles from that port, took and burned little Russian towns, and upset little Soviet governments. In the name of protecting military supplies, which were offered to us again, and again, and again, and which we could have had for the asking, we shot down Russian peasants and our boys are shot down by them. The Senator from Nebraska insists our only purpose in landing at Archangel was to protect the stores. Our only advance beyond Archangel was to prepare military bases. He is wrong. We were marching down from Archangel—and the facts will demonstrate it—that we might make conjunction with the Omsk Government and might perfect the ring of steel which we had thrown around interior Russia, and which was starving innocent women and children. The Senator from Virginia gravely speaks of the German menace. What German menace since November 11? Are our people children to be lulled into repose by such stuff as this? The very learned and logical Senator from Colorado tells us that we are not making war upon Russia; that Russia is making war upon us. Apparently his argument seems to be that if the Russians had not resisted when we advanced into their territory there would have been no conflict and no killing. What a strange and fantastic doctrine is this! If an army landed in New York, marched to Buffalo, and the people in central New York resisted and fought them, by that fact, then, New York was making war upon the invading army and the invading army was innocent of wrong. The French are under no illusions in this matter.

They are for intervention, and they believe they are intervening upon a small scale, too small, as they put it, now. They make no pretense that they wish supplies guarded. They wish Russians killed and another government set up. What hypocrisy upon our part to say to our people, and to the Russians, in our pronunciamento last year when we commenced our intervention, that we contemplated "no interference with the political sovereignty of Russia, no intervention in her internal affairs, not even in the local affairs of the limited areas which her military force may be obliged to occupy, and no impairment of her territorial integrity, either now or hereafter." No sooner had we landed at Archangel than we shot the Soviet government there existing out of town and set up a government of our own. No sooner did we go into the interior than everywhere we found a local soviet we shot it to death and set up our own mode of government. Then we tell our people that we intend no interference with the internal or local affairs of Russia!

What a commentary it is upon the power of this body and upon the power of our people that the State Department and the Government can not and will not answer concerning our troops in Russia. How the iron must enter the souls of those who have relatives there; of the mothers and fathers and the wives of men who were drafted to fight Germany, and then, when the war with Germany was ended, were forced to fight a war with Russia. Our Government can not answer concerning our troops, although the great preponderance of the forces at Archangel are American. Of necessity it must respond in indefinite and general terms. These troops are now under English command, and the Americans who are in the vicinity of Archangel, like good soldiers, are obeying their English commanders. I venture the assertion that in Washington, in the departments here, they know no more about what military action is contemplated or what our troops are about to do than the veriest novice upon the floor of the Senate. The American troops are under English command. Perhaps justly so, and I have no doubt well commanded; but it is because of that fact that no answer can be made as to the position of these troops or their military activities. An occasional belated story is given to us, the last of which we read on January 25, as follows:

"We have reports from Archangel," said Gen. March, "which were received here on January 24, and have been decoded. We had at Shenkursk a force which, at last reports, consisted of a detachment of British, two American companies, and two Russian companies. Manifestly this force has had out in that vicinity small patrols at times. The towns mentioned in the report are so small that we can not find them on our largest maps. The force at Shenkursk was attacked on three sides, and the report which was received at Archangel that day stated that they were forced to evacuate.

"The troops at a place called Ust-Pedenga, which I can not find on the map, were also compelled to evacuate under attacks by strong Bolshevist forces. Our troops took up a position midway between Shenkursk and Ust-Pedenga. Under attacks of 1,000 of enemy troops we retreated from Tania to a point 10 miles away therefrom. Tania is 18 miles west of Shenkursk.

"Under an attack from 200 of the enemy forces we retreated from Kodema, which is 25 miles from Shenkursk, to a point within 13 miles of that town. The enemy has strong patrols from Shegovari to Tania. Shegovari is 20 miles north of Tania, and to the right of Shenkursk.

"The Americans lost 10 enlisted men killed in action, 17 wounded, and 11 missing in the retirement. Near Ust-Pedenga, and later at Shegovari an enemy attack on the west was repulsed."

"Do we plan," was asked, "to reinforce the American unit in Russia in view of the fact that it seems to be retiring?"

"Shenkursk," replied Gen. March, "as scaled on the map, is apparently 150 miles from Archangel, and the allied forces representing four Governments and the Russians, five Governments, have up there a force large enough to reinforce those men or have them fall back on them and hold the situation."

Gen. March was asked whether any recommendation had been received concerning the withdrawal of the American forces from the Archangel front.

The force now at Archangel—

He said—

was put in there by the allied Governments on the recommendation of Marshal Foch, and the military handling of that unit was thereupon turned over to the supreme commander; and whatever is done concerning reinforcing the unit will be done by him. The allies agreed upon a British commander in chief, and at the last reports he was in the front lines inspecting his troops, and I assume that the military part of it is in hand.

From this, apparently, all the roseate stories of the campaign in Russia may be discounted. Our brave boys had to retreat many miles through the ice and the snow and the rigors of an Arctic winter. They had to fight during this period in weather that few are accustomed to and none understand.

And what has been the result of it all? It is true we have a ring of steel that prevents food getting into Russia. It is true that we are starving women and children to-day in Russia, and that hands are lifted in supplication to God and in cursing this country for its activities. But is it not obvious to you that when we compel people in Russia to starve, who will starve? It will not be first the horrible Bolsheviki. It will not be your Lenines and your Trotskys. It will be the intellectuals and the bourgeois. It will be those whom we are pleased to term the very best people in Russia. As you contract this ring now, and as you prevent the natural flow of food from the granary of Russia, and you blockade her ports with gunboats, you are first starving the very people you do not wish to starve, and you are starving those who ought not to starve. If it had not been for this criminal policy of intervention, and this ring of steel that prevented food getting into internal Russia, Lenine and Trotsky, in my opinion, long ago would have fallen and the Bolsheviki would have been at an end. But by this foreign interference every base passion has been appealed to, every prejudice aroused, and even patriotism invoked. And the very act of intervention has enabled this grotesque government to last far beyond its allotted time, and to exercise its despotic sway in the name of public safety. How much have we contributed to the terror, to the rapine, plunder, slaughter, and massacre? There is a heavy reckoning some day for those who have been responsible for this wicked and this useless course in Russia. And the heaviest responsibility, the wrong which can never be atoned, is the shedding of American blood in Russia. It is to this phase I desire to arouse the Congress and to which, if I had the power and my voice would carry, I would arouse the people of the Nation. It is of American boys and American blood I am thinking. I would not give one American life in Russia for all the Bolsheviki spawned by centuries of tyranny and mad with the lust of a ruthless ephemeral power.

What I ask by this resolution is that our Government, which shrouds itself in mystery and which will not tell us or the people its intentions or its policies, may know our opinion that our troops should be withdrawn from Russia. I do not care how you view the situation, whether you favor armed intervention or whether you do not. If you favor armed intervention it is obvious that the scale upon which it has been undertaken is too small to accomplish lasting results. It has become painfully clear in the last few days that by the present intervention we merely hazard the lives of our men. It is equally clear that the people of England, and our own people, will not tolerate intervention upon a larger scale. Therefore, even if you favor intervention you should, for the protection of the lives of our soldiers, insist that those there, few in number and their position courting disaster, be immediately withdrawn. If you favor intervention, why do you not upon this floor, by resolution or otherwise, say so? If you believe in war with Russia, why not introduce an appropriate resolution and permit Congress to vote upon it in accordance with the Constitution, and permit our people to discuss it? Upon what theory can you justify war, without affirmative action by Congress? And that we are in an actual state of war at present in Russia the recent ominous news from there demonstrates only too plainly.

What a sorry spectacle we present! The distinguished chairman of the Foreign Relations Committee endeavors to make explanations of our policy with Russia, but hastens to assert that he does not speak officially or authoritatively. The chairman of the Committee on Naval Affairs gravely gives his views but prefaces them with the statement that he speaks neither officially nor authoritatively. Both of these gentlemen say we are simply protecting supplies. I reiterate that England is under no illusion respecting our purpose in Russia, and that France frankly proclaims it. The court organ, the New York World, says we are in Russia for the purpose of maintaining order. The various Russians who have showered us with pamphlets of late understand the situation full well. The most recent of the propaganda which has come to me is from a certain Col. Vladimir I. Lebedeff, who says:

Just at this time, the allied armies being at Vologda, the allies advised the officers' organizations to revolt simultaneously against the Bolsheviki in Ribinsk, Vladimir, Yaroslavl, and Murom, so as to encircle Moscow as with an iron ring.

In the declaration published by the State Department of our intervention it was stated "whether from Vladivostok or from Murmansk and Archangel, the only present object for which American troops will be employed will be to guard military stores which may subsequently be needed by Russian forces and to render such aid as may be acceptable to the Russians in the organization of their own self-defense." The charming naivete of this must have appealed to the Bolsheviki. We were landing troops for the sole purpose of guarding military stores which subsequently we would deliver to the Russians themselves. Of course, the intention of this utterance was to fool the people of the United States into believing American bayonets were necessary to protect Archangel stores from the Germans. It is never for an instant indicated nor is the language susceptible of any such meaning that these stores were to be protected from any kind of Russians who were not acting with the Germans. Our advance constantly into the interior, of course, makes it obvious that the guarding of supplies for Russians themselves was the veriest kind of pretense. In all of the months prior to our intervention daily the subject of intervention was hotly discussed.

In all these discussions there never was a question about protecting supplies except in the instance where the soviet government, in conjunction with the English and the French, at the very moment of the German advance in February and March, protected supplies at Murmansk. The distinguished chairman of the Foreign Relations Committee scoffs at the idea that any war exists in Russia now, or that we are there participating in war with the Russians. I take it what he means is that it is just a little war, and because it is such a little war, it ought to be disregarded. It is a little war. It involves the lives of something over 5,000 American boys only. It touches the hearts of perhaps three times that number of anxious relatives in the United States. It is true, perhaps, that it is such a little war it involves only a few hundred lives, a few hundred maimed, a few hundred American graves on Russian soil, but to me, sir, one of those lives in Russia and one of these hearts bowed in anguish in America are more precious than all of the pretense of diplomacy or the protection of any government from the just wrath of a righteous public opinion.

Opinion upon this subject has crystallized in England. You may have observed recently a delegation of soldiers called upon Lloyd George and expressed their fear that they might be sent to Russia. He assured them they would not be. I have been interested in following the discussion which has been going on in England, and a portion of it I wish to bring to your attention. Indeed, as evidentiary matter, I have selected two newspapers, one British the other American, because of their high standing and the accuracy of their statements. I have taken the Manchester Guardian, one of the few great independent newspapers in the world. It certainly will not be accused of bolshevism or sympathy with men like Lenine and Trotsky. I have taken as well from the sedate precincts of the Old Bay State the Springfield Republican with its recent reviews of the Russian situation, and, without at length reading either, I desire to refer to a few excerpts.

Perhaps, Mr. President, I would serve no good purpose in reading these excerpts, and, if the privilege will be accorded to me, I should like to put into the RECORD, as a part of my remarks, various articles from the Manchester Guardian, dated December 6, December 19, December 24, and December 27, 1918, and two articles from the Springfield Republican, one of them dated January 5 and the other dated January 12, 1919.

The PRESIDING OFFICER (Mr. GAY in the chair). Without objection, it will be so ordered.

The articles referred to are as follows:

[From the Manchester Guardian, Dec. 6, 1918.]

THE RUSSIAN SCANDAL.

Our present relations with Russia are about as indefensible as can be imagined. The foreign office, or those who control the policy of the foreign office, can hardly be ignorant of that—how should they be?—but, so far as appears, are preparing to cover one error with a greater error and to make bad worse. In the midst of the preoccupation of a great war the little war with Russia has received comparatively little attention, and it is hardly realized that, though the great war is over, the little war goes on, and, moreover, that if it is not stopped now or soon it is likely to become a very much larger war and a more and more intolerable and indefensible one, so intolerable and indefensible, indeed, that it is capable of producing grave reactions here, extending to the overthrow of a government. We originally embarked on this Russian adventure under wholly different circumstances, and for reasons, so far as reasons were given, which have no present application whatever. After the intervention by Germany in the civil war between the Reds and Whites in Finland and her virtual occupation of the country there was a real, if somewhat remote, danger that she might strike through Finland at the narrow strip of Russian territory which divides the north of Finland from the Arctic Ocean and establish for herself a naval station on the Murmansk coast, giving her access to the Arctic and a new outlet for her submarines. At a moment when the submarine war was at its height and Russia lay helpless and subservient there was reason, if not very urgent reason, since the district was extremely inaccessible and a long line of railway would have had to be built, for guarding against this peril. That was the extent of the danger and the extent of the need for our occupation. Its extension to Archangel, which is not ice free, and to a large stretch of country inland had no such justification. The occupation of Vladivostok, Russia's ice-free port in the Pacific, 5,000 miles away, followed by the advance with the cooperation of Japan westward into Siberia was, as a military measure, equally unjustified. Both these extensions of the original intervention were defended on quite other grounds. It was said that Russia had become the mere tool of Germany and that it was necessary, first, to prevent the further extension of Germany's influence and her increasing exploitation of Russian resources, and, secondly, to "reconstitute the eastern front." In this connection the happy discovery was made of scattered bands of Czecho-Slovak prisoners who, it was urged, must, in the first place, be rescued, and, in the second place, utilized in this process of reconstituting the eastern front.

So matters stood at the time of the collapse of Germany and the conclusion of the armistice. Obviously, every reason hitherto alleged, whether for the original occupation of the Murmansk coast or for the subsequent expedition to Archangel and Siberia had now disappeared. They were all in the nature of defenses against the attack of Germany, and there was no longer any attack or possibility of attack from Germany. Germany as a military power was dead; but were the defensive measures, the counterattacks, dead also? Not at all; they continue in full force. There is quite a prospect that they may be largely extended. For the moment, of course, there is a pause. Winter is no respecter of persons or of policies. Very soon Archangel will be frozen up and our army of occupation there will be frozen up also. In the east the Japanese have steadily and very sensibly refused to advance a mile farther. They have reached Lake Baikal, and beyond Lake Baikal they decline to go. So if we desire to extend our operations in this direction we shall have to do it ourselves, for America will certainly not assist us and will prudently follow the Japanese example. But there are other possible fields of operation. We have recently obtained access to the Black Sea. We are therefore now in a position to repeat in the extreme south of Russia our performances in the extreme north, and, as a matter of fact, it is credibly reported that the war office is now engaged in making a survey of the country. The Ukraine, under German and Austrian control, has become the refuge or dumping ground of a whole collection of Russian reactionaries of various sorts and sizes, and the same is true to a less extent of the Don country and other districts to the east. It would be easy to play into the hands of these gentry, as we have played into the hands of others of the same description in eastern Siberia, where a purely reactionary party has now dismissed the local popular (not Bolshevik) government and established a military government of its own.

But what conceivable justification, it may be asked, is there for any such proceedings? And how is it possible that any British Government should embark on so wanton and criminal interference in the affairs of another nation? Such questions may, indeed, well be asked, but it is doubtful if they will receive any presentable answer; for the fact is that the real, though unavowed, reason for our previous interference is entirely different from the avowed reasons, and it is a little awkward, now that the avowed reasons have disappeared, to produce the real one—the more so as this is not a very nice reason or one which is likely to commend itself to reasonable people in this country or to our working class. That reason, of course, is that the war against Russia has from the first really been a war against that particular form of socialistic theory known as bolshevism.

We are no admirers of that theory. Applied to any western European country, we believe it would be disastrously subversive. Even in Russia we may doubt its permanence. But there it is; it has established itself; it has existed for more than a year. It is not weakening in power; all trustworthy information goes to show that it is gaining in power; that it has established order; that it meets with general support from some 80,000,000 people, whom it controls; that it is grappling successfully with the food problem; that it is promoting the popular arts, music, and the drama, and is preparing a great scheme of popular education—that, in fact, it is performing most of the normal functions of a government, and performing them with increasing success. These are the facts, but they do not suit the policy—the policy at least hitherto pursued—of our freedom-loving Government. The telegrams of the few British correspondents, including our own, who are still in a position to give authentic information, are ruthlessly censored or suppressed, and the Government goes on in its blind and foolish way, a way that can, if persisted in, lead only to discredit and disaster. This is the situation as we understand it. Bolshevism is to be suppressed by armed force, and in order to prepare people's minds for it and to lend it some color of justification, not only is truth as to the condition of Russia suppressed but currency is given to all kinds of wild statements and palpable exaggerations. The Bolsheviks are not angels from heaven. They have, like most revolutionaries, executed a good number of their enemies, but these executions have mostly taken place since the intervention of the allies gave encouragement to the counter-revolutionaries and made them more formidable. Mr. Litvinoff, who is an honest man and a Tolstoyan before he is a Bolshevik, puts the total number of executions since the Bolsheviks came into power at 400, half of them of ordinary criminals. That is probably an underestimate. If information were allowed to come through from other sources, we might get nearer the truth. This, then, so far as there is a policy, appears to be the policy. It has got to be changed. Perhaps the Government are already awakening to the fact, but find it difficult to get out of the mess they have themselves created. Let them take heart. It is easier now than it will be later. Every week, every month, that they stay in Russia and wage a war on Russia, which has lost every shred of avowable reason and has no justification, will make it more difficult to escape. If with the coming of spring they should see fit to resume or extend their military operations, it is well they should understand that it will not be tolerated in this country. The workers here are not going to send their sons to slaughter and be slaughtered against the workers of another country, against which we have never even declared war, and for the purpose of destroying a form of social economy with which some of them, at least, are in sympathy. If it is sought to check the progress of bolshevism and prevent its spread to this country, that is precisely the way to defeat the object. We prefer not to consider the possible further consequences of such reckless folly.

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[From the Manchester Guardian, Dec. 19, 1918.]

ADMIRAL KOLTCHAK AND LORD MILNER.

The campaign of Admiral Koltchak, the Siberian "dictator," against his old comrades in arms is developing. He has arrested another 27 of them, including M. Tchnernoff, one of the foremost of the anti-Bolshevik socialists, and 12 other members of the constituent assembly. Their crime is that they do not accept him as dictator and that they proclaim him a sheer reactionary, a charge which has that sharpest of all stings—truth. The admiral's campaign against the Bolsheviks, however, is not moving equally prosperously. The chief Czech generals have resigned rather than do his work for him, and the whole Czech army is threatening to abandon the front and go home. That would mean the end of Admiral Koltchak's "dictatorship" and the whole miserable Siberian adventure. The admiral, however, expects the allies to induce the Czechs to stay on as his mercenaries (paid, of course, not by him but by the allies), to replace them, if and when they depart, by allied conscripts (thus doing their bit to make democracy safe), and to provide him liberally with the sinews of war. The finance of the "dictator" is characteristic. It will be remembered that the late Czar gained much credit at the beginning of the war by suppressing vodka. Vodka is the dictator's local financial stand-by. It brought in 1,000,000 rubles in August and 10,000,000 rubles in November, and its potentialities are "limitless," for there are a thousand million rubles of the stuff in stock. Thus, faithful to tradition, vodka is to be the rock on which the "dictator's" Russia is to be builded, just as it was of the Czar's Russia. Vodka and loans—for the "dictator's" foreign friends are to do most of the paying, though we should like somebody to tell us who is calling the tune. Koltchak is asking the allies to provide 60,000,000 rubles a month to keep him going. There is a further point. Many parts of Russia are starving. How many people realize that it is partly the allies who are responsible for starving Russia? We are blockading Russia so that no raw materials or machinery can enter the country or produce leave it. We are sustaining the blockade of Russia by the revolted provinces who used to supply her with most of her food and fuel. To what end this martyrizing of the Russian people? To what end this pouring out of British blood and British money?

To these questions, at long last, a British minister, Lord Milner, attempts a reply. Lord Milner does not say the Bolsheviks are German hirelings. He is not quite so ready as his colleagues to adopt, on the strength of forged documents, a theory which no competent authority sincerely believes. He says we went to Russia for two chief reasons—because the action of the Bolsheviks was assisting our enemies by releasing hosts of German troops and bringing Roumania down, and because we were under a moral obligation to save the Czecho-Slovaks. We are afraid that these reasons ignore a great many facts. We provided the Ukraine with money and arms to break away from Russia before the Bolsheviks made peace with Germany; indeed, our action was an important, perhaps the most important, factor in precipitating the treaty of Brest. Again, the Bolsheviks repeatedly expressed their willingness and their anxiety to let the Czecho-Slovaks leave Russia, and they contend that it was the allies who inspired them to stop in the hope of "reconstituting the eastern front." That, indeed, was the favorite argument for the expeditions to Russia—that it would bring Russia back into the war, whether the Russian people like it or not. We venture the assertion, in despite of Lord Milner, that the military adventures of the allies in Russia did nothing to bring defeat to Germany, but were in a military sense pure waste, to say nothing of the political loss. But be Lord Milner's reasons for intervention as good as they are bad, they no longer exist. The war with Germany is over. The Czecho-Slovaks can go home as soon as they like, or rather as soon as we let them, for it is the allies who are keeping them in Siberia when they want to go home. What then is our reason for maintaining war against Russia? Lord Milner says that we have induced some thousands of Russians—a very few thousand, in fact—to fight on our side and we can not abandon them to "the unspeakable horrors of Bolsheviki rule" until they can train, arm, and defend themselves. As the Bolsheviks have a large army and the anti-Bolsheviki parties are better at fighting one another than at fighting the Bolsheviks, it looks as though we shall be at war with Russia forever, on Lord Milner's principle. Would it not be cheaper to come to terms with the Bolsheviks, safeguarding the lives of our Russian friends, which would be perfectly easy? The Bolsheviks are begging for an armistice, but we will not condescend to listen to them. Why? The true reason peeps out at the end of Lord Milner's letter when he speaks of our duty to prevent "barbarism" spreading all over Russia. In Russia we are fighting neither against the Germans nor for the Czecho-Slovaks nor for the Russian anti-Bolsheviks. We are fighting against a form of the State and a conception of property which we dislike, and which we have good reason to dislike, but which it is not our business to overthrow by force of arms in another country. That is why we are in Russia.

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[From the Manchester Guardian, Dec. 24, 1919.]

THE OUTLOOK THIS CHRISTMAS.

The fifth Christmas since the war began is not yet the Christmas of peace. Fighting has been suspended between the original belligerents, nor is there any prospect of its being resumed. Turkey, Austria, Bulgaria, and Germany have neither the will nor the means to take up arms again before the final peace is ratified. All this is an immense boon, but we should not forget that the old war has either actually given place or is in danger of giving place to a new war. The allies are directing or sustaining several campaigns against the Moscow gov-

ernment, and the fragmentary States of the disrupted Russian and Austrian Empires are engaged in a conflict with one another, which is not the less ferocious because it is obscure. These, perhaps it will be said, are but small dark patches on an otherwise brilliant prospect. Nobody, however, knows what dimensions the war against Russia may take on, just as nobody knows what this war is about. Still more disturbing, nobody can foretell what vast explosive forces may be released and transmitted throughout the world by such a reckless enterprise. Old Europe was light of heart when it set out to extirpate revolution in France, and the end of it all was that old Europe collapsed in blood and fire under the blows of Napoleon. Of course, history may not repeat itself, but the statesman who stakes much on the chance that causes will not produce their probable consequences is not exactly prudent. All the miserable conflict in eastern and southeastern Europe between nation and nation has a very direct relation to events in Russia. Russia is girded round with primitive race passions, the fierce tyranny of intolerant pride and aggressive exuberance. That constitutes an immense mass of inflammable material. A cautious statesmanship would hasten to extinguish the war with Russia before it extends and consumes great part perhaps of Europe. When we see European statesmanship, on the contrary, planning to develop, instead of ending, hostilities against Russia, we can not think the outlook too comforting.

The moral flaw thus revealed is as unfavorable to excessive optimism as the intellectual flaw. The war against Russia has the two characteristic defects of the pre-1914 system—the secrecy of its inception, its conduct, and its aims, and the conviction that force is the best of arguments and can be trusted to prevail.

[From the Manchester Guardian, Dec. 27, 1918.]

THE ALLIES AND RUSSIA.

The allies, according to M. Pichon, are desirous of extirpating bolshevism in Russia, but they are not going to expand their military intervention. If the allies were united in extirpating poverty outside Russia, it would please the allied peoples and benefit them much more. Bolshevism inside Russia is the concern of the Russian people, not of the allied governments. We can not imagine anything more reckless than an adventure of this kind at a time like this. Some perception of this fact seems to have dawned upon the allied governments, perhaps with the help of President Wilson. That explains, presumably, the decision to resist the pressure of the Russian exiles anxious for an unlimited allied expedition. But the policy of a limited military commitment is a worthless compromise. No man knows where it will end, no man knows what result it will produce, no man can safely predict of it anything except that it will prolong civil war in Russia indefinitely, and delay indefinitely the ending of the starving of the Russian people by the blockade and the restoration of tolerable conditions. The allies can either have war with Russia or be at peace with Russia. There is nothing between. The allied governments must choose the one or the other. They would be wise to choose peace quickly.

[From the Springfield Republican, Jan. 5, 1919.]

FRENCH AND RUSSIAN SITUATION.

It now seems settled that France, at least, intends to persist in the unhappy half-way course which has worked such disaster in Russia. Last week mention was made of the reported abandonment of the great project of sending armies into Russia to overthrow the Lenine government. But apparently while the allies could not agree on this "thorough" method of dealing with bolshevism by attacking it at its supposed source, France can not make up its mind either to abandon intervention. Foreign Minister Pichon last Sunday flatly contradicted the inference of a Socialist deputy that this was what he had meant, and made the further statement that while intervention was inevitable its purpose "was not offensive for the time being but defensive." Later an offensive might be necessary to destroy bolshevism, but such an operation would be carried out by Russian troops, of whom there were at the present time, he said, 100,000 at Odessa.

By "defensive" operations he meant, of course, not defending French territory, but preventing the spread of bolshevism that is to-day preventing the extension of the Lenine government's power over those parts of the former Russian Empire, which it does not yet control. Yet this professed purpose hardly covers the case of the present intervention of the French, apparently without the cooperation of their allies in the Ukraine. For the Republican forces, which the French seem after some hesitation to have decided to attack are not pro-Lenine, and it is doubtful if they can be called Bolshevist except in the extended sense in which that term of opprobrium is coming to be applied to revolutionists in general. It will be recalled that a fortnight ago we had word of the sweeping progress of the Republican forces under the popular leader, Petlura. They took Odessa and other Black Sea ports and also occupied Kiev, the capital of the Ukraine. Apparently it was they and not, as an earlier modified or censored dispatch indicated, the White army of Gen. Denikin that overthrew the Cossack hetman, Gen. Skoropadkin, who with German support had carried on a counter-revolution in the Ukraine. On the contrary, Skoropadkin appears to have gone over to the allies after the collapse of Germany, and to have acted upon their advice in declaring for a reunion of the Ukraine under the government which he was to set up, with the Russian governments organized by the reactionary dictators, Gen. Denikin and Admiral Kolchak.

This was wholly contrary to the will of the people of the Ukraine, but a Pole of high rank, who lately escaped from Kiev, is probably mistaken in attributing the popular revolt which followed to this declaration for union. A much more probable cause is that Skoropadkin, Denikin, and Kolchak all represent the propertied interests and aim at undoing the work of the revolution, especially in regard to the distribution of the land. In the Ukraine, which takes in most of the famous "black-earth" belt, in which the great landlords stuck tighter to their vast estates than in northern Russia, the agrarian question is specially acute, and this issue seems to have united the peasantry and the lower and middle classes of the cities to a degree not found in Russia proper. The movement headed by Pettura, in short, has all the marks of a genuine popular movement, and the way in which it burst out everywhere all at once shows that it had gained much headway before the censors allowed mention of it.

When the new tidal wave of revolution swept down on Odessa and the other seaports the French, who had no adequate forces on hand, contented themselves with protecting the docks and wharves with their naval vessels, and later landing a force were said to have regained about a third of the city. Now we are told that a French army is to operate from Odessa, and that another army, under French command, but presumably in the main Roumanian, is marching from Roumania to attack Kiev, the capital of the Ukraine.

Of the military side of these operations it would be premature to speak, because so little is known of the force involved. But politically it can at once be said that the adventure inspires serious misgivings, if only because the French foreign office, in some ways the most reactionary now left in Europe, has shown such unlimited capacity for blundering in its dealings with the revolution. It is now supporting a reactionary "nationist" government, yet last year the Ukraine had hardly declared its independence when the French recognized its Government, lent it $35,000,000 (surely the worst bet ever made), and sent a military mission. The theory was that since the Ukraine was against the Bolsheviki, and since the Bolsheviki were pacifists and pro-Germans, the Ukraine must be proally and eager to go on fighting for the entente. But that military mission got to Kiev just in time to see the Ukraine break faith with the Bolsheviki and negotiate a separate treaty with the enemy. M. Pichon has a reason to feel sore about that $35,000,000, but it should be noted that the hasty advance of cash to a Government simply because it was revolting from the Bolsheviki showed a too rigid and fallacious logic. In real life things do not arrange themselves as this or that; they may be something else, and Ukraine was the something else. It may be added in extenuation that French policy in Russia has from the beginning of the revolution been under inconceivable pressure from the half-crazed investor. For people whose hard-earned savings are menaced by a social cataclysm in a remote country the utmost sympathy may be felt, but there is no worse influence for a statesman than a panic over investments.

It is in France, for this reason, that we must look for the bitterest hostility toward the revolution, and strange as this may seem in view of the preeminence of France in revolution. Of exceptional interest, now that France has drifted into war with Russia, is the frank account given by the historian, Ernest Lavisse, when the revolution was but two months old, of the friction between the two countries:

"If we have misunderstood the Russian revolution, the revolutionaries, on their side, have not been fair to us. We looked for some expression of warm sympathy toward France, who first proclaimed the rights of man, and whose successive revolutions have contributed so much in the downfall of the old régime in Europe. But the Russian revolutionaries have greeted us with black looks. They reproach our Republic with having made too easy a pact with czarism and with having permitted and even supported the very equivocal activities of the Russian police in France. On this last point they are only too well justified. But they don't appreciate in a spirit of fairness the reasons for the alliance between the French Republic and the Russian Czar. France lived under perpetual threat of a German attack. * * * Certainly this alliance was repugnant to our traditions, but sheer necessity forced it on us."

Hardly less serious than the situation in Ukraine is that in western Siberia, where a new danger is revealed in a dispatch from Carl Ackermann, who has been at Omsk, in which he states on November 24 the Czech soldiers "voted against an offensive against the Bolsheviki which had been planned and ordered." This is striking in the first place because it shows the Czechs, whose prowess and good conduct have won admiration, as having absorbed in Russia the Bolshevist idea of the referendum to the army of the orders issued by the high command. This detail gives point to what has been said of the infectiousness of bolshevism and its influence upon all the armies that are sent to fight the Bolsheviki.

But for the Czechs there is the justification that they feel, says Mr. Ackermann, that they have been betrayed by the allies. Their feeling may be unjust, but at all events the allies exploited the accidental presence of the Czechs in Russia without having worked out a plan or even having agreed on a general policy, and the Czechs, like the Roumanians and the Serbians, have been left in the lurch. When the decision to have them stay in Russia was announced attention was called in these reviews to the danger of making so immensely important a decision as allowing Russia, a nation torn by detonations broad lines, turn on the mere accident that a small force of foreign soldiers was occupying a good strategic position thousands of miles into the interior of the empire. There were 60,000 Czechs getting on very well in a land of 160,000,000 people, because there was no serious hostility; they were Russia's allies leaving Russia. Why should there be hostility? Here and there German agents stirred up trouble, but it has now tolerably clear that there would have been no difficulty in getting the Czechs out of Russia, if that had been desired. Even the treacherous hostility of Trotsky seems to have been due to the threats of intervention and his belief that if the Czechs get to Vladivostok they would join the invading entente armies.

Of the part played by the United States Government in this sorry affair it is too soon to speak, but it is certain that its action was taken in the supposed interest of the Russian people. But the fear that its action would be misunderstood in Russia has been borne out by the result, and is illustrated in a telegram sent by the president of the soviets of central Siberia, which Mr. Ackermann quotes:

"From Russia to Vladivostok are moving 60 echelons of Czecho-Slovak troops at the disposal of America, ostensibly on their way to France. In view of the hostile attitude of international imperialism and the threats of a foreign landing at Vladivostok the central executive committee of the Siberian soviets considers a concentration there of forces dangerous and inadmissible."

The American official shares in commitments which the allies did not in fact carry out is shown in a dispatch from Consul General Poole at Moscow to the Czechs at Samara:

"You may inform the Czecho-Slovak leaders that pending further notice the allies will be glad, from the political point of view, to have them hold their present positions. On the other hand, they should not be hampered in meeting the military exigencies of the situation. It is desirable, first of all, that they should obtain control of the Trans-Siberian Railroad, and, secondly, if this is assumed, at the same time, if possible, retain control over the territory they now dominate."

Is not this a curious dispatch to send—from Moscow? Has the Lenine government had altogether a square deal, to say nothing of the Czechs?

Their vote against another offensive fits with all that we have had from Siberia and helps to explain the hostility toward them shown by the London Times correspondent, who was specially angry at them for protecting the members of the constituent assembly from arrest by the new dictator, Kolchak. By their aid the delegates were able to escape to Ufa, in European Russia, where the all-Russian government had its capital before it went to join the Siberian government at Omsk. At Ufa, said the correspondent of the Times, they "continue to fulminate against the Omsk government," though their power for mischief there was limited by lack of the support of the Czechs. But this week the Moscow government claims the capture of Ufa. Was it a military victory, or have the leaders there abandoned the allies because of the Kolchak coup d'état and gone over to Lenine? If the allies have not been fair to the Czechs, have they been fair, either, to the Russian moderates who have been willing to cooperate in restoring Russia? There is much excuse for them if, after narrowly escaping arrest by a czarist military dictator, they have finally joined forces with the Bolsheviki; but why should the allies have let them be forced into that dilemma?

The refusal of the Czechs to attack the Bolsheviki also helps to interpret the announcement made to the French Chamber of Deputies by M. Pinchon last Sunday that Perm had been captured by an anti-Bolshevik army of Russians. It may be so; and it may even be that it was, as he declared, a tremendous victory, with 16,000 Bolsheviki killed or captured, though all news from Russia has to be scaled down. The victory, it is true, was suspiciously timely with a new adventure in the Ukraine being floated against protest, and M. Pinchon has not shone as an authority on events in Russia. But for the present we have no evidence one way or another. Vladivostok doubles the number of prisoners, but is a remote source. The point of interest is that the French foreign secretary made a virtue of the Russians acting alone and hid from the French Parliament the news, undoubtedly barred in France by the censorship, that the Czechs had been disgusted by the setting up of a dictatorship and had refused to fight for it. When the people of the entente countries learn how they have been tricked we must expect a strong revulsion of feeling, not in favor of the Bolsheviki, but in favor of stopping stupid interference of this sort and letting Russia settle for itself what its people want.

One of the unfortunate consequences of the French Government to continue to harass the Bolsheviki with minor military operations is that it gives excuse for a continuance of the censorship which has made possible the blundering policy of the allies. In our own country, now that the war has been won, we may look for a quick return to the publicity that Americans like. The only possible reason for secrecy would be that the allies were managing things badly and antagonizing the Russian people, and if this be true the fact should not be hidden, but get right. If the Bolsheviki are too strong to be overthrown, the question will arise how they are to be treated. Are they to be declared outlaws or recognized as representing Russia or put on the waiting list? These are questions depending on facts, and the democracies of France, Great Britain, and the United States are perfectly competent to decide when a foreign government has earned recognition. The public approved of the refusal to make a commercial treaty with the Czar while the passports of American Jews were dishonored; it can be trusted to judge Russia fairly if the facts are fully and impartially presented. We may confidently expect the administration soon to take measures to that end.

It was suggested last week that to get a coherent policy the allies would have to decide whether the menace of bolshevism was a matter of force or of ideas. Confusion upon this point has been growing since then, for the reason that as soon as the rumor got about that the allies had decided not to invade Russia the interventionists began to "play up" the dire peril of a Russian invasion. While they still hoped for intervention Trotzky's army was derided as fit only for Falstaff; as soon as the allies decided that it was indiscreet to attack the Bolsheviki the opposite tactics were adopted; the scarecrow Red Guard became overnight a superb army, millions strong, officered by German generals, and setting out unprovoked to conquer Germany and France by sheer force. One day Trotzky was packing up and a corporal's guard of allies, one might think, would do to take Moscow and save civilization; the next day the allies were invited to beat back countless Muscovite hordes, warlike, disciplined, well armed, well clothed, fanatically devoted to the propaganda of bolshevism.

For this mystery it is hard to find a parallel except in Russian finance. Financial history contains nothing more entertaining than the theory that the inexplicable strength of the Bolsheviki is due to German gold and that they are now using this illicit wealth to bribe Germany in turn, a financial operation equaled only in the town where the people lived by taking in each other's washing. But the past week has seen a diverting addendum to this theory in the explanation that the strength of the Bolsheviki is due to their control of the printing press. With that remarkable engine, it seems, they can produce money in unlimited quantities and Admiral Kolchak at Omsk is replying because many bales of paper money, neatly printed in America, are held up at Vladivostok pending developments. Apparently, then, the only hope of the anti-Bolsheviki is that the printing press at Moscow may break down from overstrain. For, while that operates, they are able to bribe all Russia and to maintain a huge army by paying in paper rubles, to be sure, fantastic wages to private soldiers, with surplus enough to bribe Germany, too.

No inbored explanation of the hold of the Bolsheviki on Russia is needed, however, if we assume (1) that despite denials it has steadily been growing in strength, and (2) that the allies by a wrong policy have played into the hands of the Lenine government. Of the actual facts we as yet know little, but by inference from known conditions we may correct some of the wildest distortions of the truth. We may conclude off-hand that as an offensive force the Bolsheviki are not formidable. They have small arms enough, but no such equipment of artillery and other elaborate apparatus as would nowadays be required for such a crusading war as the French Revolution waged when goaded into it by attacks very much like those which the French are now making. Nor have the Russians, who got thoroughly weary of the war, shown an aggressive spirit. Whatever the danger of bolshevism may be, it is not at present the danger of a march to the Rhine.

It is to be assumed, too, that Russia is weak because it is a tightly blockaded country. It can produce food enough and can manufacture certain articles, but it is industrially backward and has long been cut off from foreign trade. It must therefore be progressively impoverished and the less capable of attacking the right and well-equipped nations of the west, even if the Russians should be seized with a warlike spirit, which at present they fortunately do not show.

The military peril, then, may be dismissed except as it affects Russia itself, including, of course, Siberia and the territories which the enemy seized and are now evacuating. Of these the chief is Ukraine, and there, as we have seen, the French are combating a separate revolution, which is at present anti-Bolshevist, though under attack by foreign armies supporting the dictator, Denikins, it might in self-defense join forces with the Lenine government.

Next in importance to Ukraine come the Baltic Provinces, from which the German armies are retreating, followed by a wave of bolshevism. This is not wholly Russian in character, however, because the Bolshevist movement in Russia has found no stronger supporters than the great number of revolutionists, specially Letts, who were driven out of these Provinces by the Government, and having no home or job in Russia, very naturally entered the Red Guard; to suppose them to be mere mercenaries, as has been alleged, is part of the bribery myth already referred to. They are, in fact, ardent revolutionists, and it is to be presumed that they make the main force of the armies which are recapturing their countries as the Germans retire.

The case of Lithuania is specially interesting, because the issue there is complicated by Polish imperialism. Poland in its grand days held Lithuania in a manner curiously like that in which the Austrian Empire held the old kingdom of Bohemia, and great Russia the Ukraine, a union for defense was perverted by successive encroachments into subjugation. Now that the Poles have won their own freedom, at which we are all delighted, they are seeking also to reclaim their lost empire, and their plea for invading Lithuania is the necessity of defending it against the Bolsheviki. It is a convenient plea, but the Russian doctrine of self-determination has got so strong a hold in eastern Europe that a Polish invasion of non-Polish territory is sure to make mischief. Moreover, we are beginning to hear that the Poles, too, are being "infected."

This infection of all the armies, not excluding the Czechs, which have fought the Bolsheviki, is a very curious phenomenon, yet not inexplicable. It can be understood if we assume (1) that the common people in all countries are averse to further slaughter for imperialistic ends, and (2) that the allied Governments by their intense secrecy as to what they are up to have left the people at the mercy of Bolshevist propaganda. For the Bolsheviki have a very definite propaganda. They assert that the Germans and the allies are two of a kind, that both have been fighting for conquests, for annexations, for indemnities. They have, moreover, certain documentary evidence in the shape of the treaties found in the Czar's archives. This sort of propaganda, taken with the predilection of the allied diplomats for supporting czarist and reactionary Russians, is very unsettling to the average soldier, so long as his own Government keeps him in the dark. It is the issue of imperialism, therefore, which at present makes bolshevism a menace. The menace would be greatly reduced by a just peace.

[From the Springfield Republican, Jan. 12, 1919.]

The feeling grows that the whole problem, in fact, of dealing with the revolution has been badly handled, and no great surprise was caused by the announcement Tuesday of the decision of the British Government against further military intervention in Russia. Assurance was given that there was no purpose of sending more troops, and that steps had been taken toward recalling part of the 20,000 men already in Russia. No statement of the reasons for this change of policy or as to the course to be followed in the future has yet been made. To some extent the decision may have resulted from the discussions held while Mr. Wilson was in London, for Russia was uppermost at that time, and it was understood that the general question of intervention was to be among the first topics to come up. But weight must also be given to the strong feeling in Great Britain against a protraction of the war; victory has been won and the people want peace. In particular the men who were conscripted to fight Germany are clamoring for demobilization. They do not want to police the continent indefinitely, and still less do they want to be ordered abroad for a war against Russia, which is what intervention means at the present time. We need not overstress reports that fear of the spread of bolshevism in England led to the decision, but unquestionably it is now realized that intervention as the allies have actually applied it has been a potent means of fanning the flames of revolution—fanning them, be it noted, toward the west.

What might, perhaps, have been accomplished by really adequate intervention there has been no decision to discuss in these reviews, because at no time have the allies had resources and facilities for adequate intervention. While the war lasted they were restricted to roundabout routes of access, and when victory opened the Black Sea and the Baltic revolution had spread so widely as to make what might happen at Moscow or Petrograd an affair of minor moment. At present, with the temper of Europe what it is, even a strong international campaign against the Russian soviets might involve more risk than a statesman would care to run. Even France, where feeling is most bitter against the new régime in Russia, there is no willingness to send an army to Moscow, though the French Government persists in giving the counsel of fighting the revolution in Ukraine.

To say that intervention has failed is not to say that the Bolsheviki have won. Their government may collapse any day; and though unverified, the report is not incredible that Lenine has been arrested by Trotsky on the charge of readiness to compromise. Of the two Trotsky appears to be the more violent and the more vindictive; there seems to be some ground for the assertion from Russian sources that the savage reprisals for the attempt on Lenine's life would not have been made if he had not been laid up with his wound. Lenine is extreme enough in his theories, but seems less energetic in action than Trotsky, upon whom has devolved a great part of the executive side of the revolution, including the organization of the new army. Control of that would give him an obvious advantage over his colleague if there has been, as rumored, a clash between them. In any case the fall of the Lenine government is more likely if the allies leave it alone than if by invading Russia they rally millions of ignorant people to support against a foreign foe.

When a bad military policy has decisively failed it is well to go back and examine freshly the reasons assigned for undertaking it. For the Russian campaigns no better statement can be found than in an article by the Russian, Paul Vinogradoff, resident in London, which was published last June, and which not improbably had a decisive and unfortunate effect upon entente policy. He argued:

"The first requirement is to create a basis for operations by establishing points d'appui for military stores and opening up lines of contact with the Russian people. Convenient centers are indicated by geography and are partly equipped even now. I mean, primarily, the Murman line and Archangel; in a lesser degree Vladivostok and the Manchurian railway; in the future possibly the Persian front. As the Germans are taking advantage of their proximity to Russia by foraging freely in the cornfields of the south, Great Britain and her allies should take advantage of the command of the sea to establish military centers in the Murman and in Archangel; nor could there be any suspicion of selfish encroachment if the Japanese acted in conjunction with the Americans and British on the Siberian front * * * It would certainly be a grievous mistake on the part of the allies if they did not use the short summer season to create a strong base in northern Russia * *. * If Great Britain and France are able to spare men and material for Salonica, surely they ought to be able to send a few thousand volunteers to secure and develop their line in contact with Russia."

Two months later the allies seized Archangel by force, and the test of these theories began. It can now clearly be seen, and was suspected by close students of the war at the time, that the theories on which intervention was based were unsound in every particular.

To get at Germany the allies had to get through Russia. To get through Russia they had either to work through the de facto government or set up another; they refused to work through the de facto government, even had that been possible, therefore they could not get at the Germans until they had set up a new government in Russia. But this meant a new Russian revolution, simply as a preliminary to a new campaign against Germany, and while one may disturb an enemy by starting a revolt in his country, it is not so easy to get help from an ally by starting a civil war as a preliminary. But this was precisely what the allies undertook to do in Russia. Whether it was a legitimate thing to do or not is beside the point; it failed, because it was based on false assumptions. Not even the censorship could long hide the fact that conditions in Russia were not in the least as they were depicted in the international press, and that instead of raising Russian armies to fight Germany, the allies were rapidly drifting into war with the Russian people. That insane adventure is well abandoned; peace just now is the greatest need.

Mr. JOHNSON of California. Mr. President, the chairman of the Foreign Relations Committee in hot resentment recently replied to the strictures of the Senator from Iowa upon the corporation formed the "War Trade Board of the United States Russian Bureau." I listened with interest to his remarks then. The organization was incorporated November 6, 1918, for the purpose of accomplishing, as the Senator from Nebraska said:

> The economic penetration of Russia for the purpose of bringing relief to a country that was fairly weltering in distress and misery, many of whose social and political crimes were growing out of that misery.

Five million dollars was put aside for the purpose described by the Senator from Nebraska as—

> Friendly penetration, by the sending of American products into Russia and the bringing of Russian products out of Russia in exchange for them, to promote trade and create a prosperity that could not come about from natural causes.

All efforts ceased with the signing of the armistice, because, as the Senator from Nebraska said:

> We have come to the end of the war substantially.

What a marvelous situation! We prepared in the early days of November last to supply Russia with what she needed and to take from her what she could sell—a friendly economic penetration—and to aid the Russian people. How could it be done except in conjunction with the very people who were in control of Russia? We see, therefore, an elaborate scheme initiated by our Government, without consultation at all, apparently, for economic cooperation with Russia; and yet, when the offers in writing for economic cooperation were made again, and again, during 1918, by the very people with whom we would have to deal in November, our Government, apparently, would not respond or reply or have aught to do with the offers, because of the wickedness of their authors; and then, after repulsing these offers with contemptuous silence, prepares itself with $5,000,000 to do the very same thing. It ceased its efforts with the armistice. Just think of it! On the 6th day of November, 1918, in the language of the Senator from Nebraska, we had started on the enterprise with Russia of "bringing them shoes and food and clothes and the things they were without." Five days later we ceased our efforts and brought the Russians instead starvation and bullets and bayonets. Our efforts at charity and benevolence ended, because, as the Senator said:

> We have come to the end of the war substantially,

and I presume, for the same reason, because we had come to the end of the war substantially, and would not deal in friendliness and charity, we began to invade and to shoot and to starve and to kill. We "had come to the end of the war substantially," and we could not, therefore, economically penetrate Russia, but we could shoot Russians after we "had come to the end of the war substantially."

Mr. President, no one has less sympathy than I with the Bolsheviki of Russia, who there ruthlessly control with a hideous class tyranny. None will more scornfully reject their grotesque doctrine. But I will not permit my feelings for the men or their formulæ to blind me to our own wrongdoing, nor will I cloak our wrong with hypocritical denunciation. During the war it became fashionable to call all who disagreed with any governmental policy pro-German. Now the fashion has changed; and any man who will not accept the wrongful edict of intrenched power is by that token a Bolshevik. In making the world safe for democracy we have put our intellects in chains; and one of our first tasks with ourselves is to unlock the prisons in which we have confined our brains. I read of great statesmen of ours saying "Shoot them down" and others "Hang them." You can not shoot or hang a state of mind. When it becomes by open expression treasonable, under the law of the land you may punish it. But if men in high places imagine by invoking lawlessness against lawlessness they can make the world better, all history denies them. I think too well of my country to believe for one instant the doctrine of Bolsheviki Russia can ever find a foothold here. My faith in the Republic and in our people, in our democracy, will not permit me to be frightened by the fantasy of madmen elsewhere. I think I can with equanimity observe the servile part of the press apply to me for this speech the now familiar epithet of Bolsheviki. Its indiscriminate application is illustrated by a New York administration paper designating prohibitionists as the Bolsheviki of America. My appeal to-day will find no response with those newspapers and great men who preach anarchy when they demand killing and hanging out of hand; but it will have its answering approval with the inarticulate mass who ask but justice and the same honesty in governments as in men, it will find its echo in the hearts of the common folks whose sons and husbands in frozen Russia are paying the price of our Government's wrong and broken faith, and I am content.

Why did we enter Russia? I answer, for no very good reason; and we have remained for no reason at all.

What is our policy toward Russia? I answer we have no policy. We have engaged in a miserable misadventure, stultifying our professions, and setting at naught our promises. We have punished no guilty; we have but brought misery and starvation and death to the innocent. We have garnered none of the fruits of the victory of war, but suffer the odium and infamy of undeclared warfare. We have sacrificed our own blood to no purpose, and into American homes have brought sorrow and anguish and suffering.

Bring the American boys home from Russia.

Mr. POLLOCK and Mr. STERLING addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. STERLING. Mr. President, will the Senator from South Carolina yield to me for just a moment?

Mr. POLLOCK. I merely desire to make an announcement, if the Senator will indulge me.

Mr. STERLING. Very well.

Mr. POLLOCK. Mr. President, when I announced on yesterday that I would address the Senate immediately after the morning business to-day I was not aware of the fact that the Senator from California [Mr. JOHNSON] had already given a similar notice. In view of the lateness of the hour and the desire of the committee having charge of the bill which is now before the Senate to press the consideration of that measure as rapidly as possible, out of consideration for the committee, I shall postpone the remarks I had intended to submit at this time, and I shall ask the indulgence of the Senate for a short time to-morrow immediately after the morning business.

FRANCE AND THE BOLSHEVIKI.

Mr. STERLING. Mr. President, I do not desire to occupy the time of the Senate in speaking upon the subject of our duty toward or in Russia. I may at a later date ask the indulgence of the Senate for that purpose; but I find in the last number of the Outlook cable correspondence from Paris by Ernest Hamlin Abbott, giving the attitude of France toward the Bolsheviki. It is an official statement, and I ask that it may be read by the Secretary.

The PRESIDING OFFICER. In the absence of objection the Secretary will read as requested.

The Secretary read as follows:

FRANCE AND THE BOLSHEVIKI: AN OFFICIAL STATEMENT.

[Cable correspondence from Paris by Ernest Hamlin Abbott.]

The officially authorized statement following, expressly prepared for The Outlook, gives the position of the French Government concerning the situation of Russia in the peace conference:

"The French Government is of the opinion that Bolshevism is a permanent danger to peace and civilization, and that the government of the Soviets is actually at war with the allies. It is therefore impossible to renew diplomatic relations with that government, even taking it as a government de facto. The French Government feels justified in its attitude, because in fighting against Bolshevism France is not in the least interfering with the home politics of a foreign country but merely endeavoring to eradicate a system which is based on nothing but disorder and crime.

"Bolshevism can not be reasonably called a system of government, but the tyranny of a very small clique over the bulk of the nation. Fighting Bolshevism means, first and foremost, protecting Russia against a régime which all those who have escaped from Russia are unanimous in condemning. It also means protecting civilization in Europe, as the activity of Bolshevist propagandists is a menace, not only to the immediate neighbors of Russia but also to the allied and neutral countries, one of the conditions of the very existence of Bolshevism being its expansion abroad.

"For the allies to remain passive, therefore, would mean to lose ground and leave whole countries, especially those in which over four years' disturbed political and economic conditions may have created a certain nervousness, the prey of a propaganda which has nothing in view but disorder and, as far as can be ascertained, is unable to find a basis of normal government.

"Bolshevism has already endeavored to promote anarchy in neutral countries, such as Sweden, Spain, and Switzerland, and in Berlin. Bolshevist money and literature are not spared to create in foreign countries a favorable atmosphere, while arms are ready to be sent into countries shaken by the propaganda. Bolshevist troops are already

invading the countries which all the allies are desirous of bringing into existence, such as Poland, and thus to prevent the organization of nations that have long been kept under the yoke of Germany, which is determined to accept the help of Bolshevism to prevent their emancipation. The true statesman is he who has not only in view the immediate future, but especially he who foresees the further development. It would be a short-sighted policy to abandon Russia and to prolong anarchy. This would only tend to absolute disorganization of the country and to leave her an open field of German expansion and colonization. Crushing Bolshevism does not mean for the French Government a return to Czarism and reaction. In fact, the French Government has refused to accept the help of the reactionaries in Russia and has even required guarantees from the influential organizations which France has helped that they are only collaborating in a common program of fighting Bolshevism as the enemy of democracy.

"And the French Government has done this because it realizes that the restoration of anything like the old régime in Russia would be a calamity. There is a whole world between Czarism and Bolshevism, and what France wants is what all the allies want, a true democracy compatible with the new order that has come out of the war, and which President Wilson has helped so much to create. France has always been ready to fight for the liberty of others; in fact, her great revolution opened the door to democracy in Europe. Bolshevism is not democracy, but a régime of terror and tyranny.

"France welcomed, and still welcomes, the revolution in Russia, and to such an extent that she has always refused to support the reactionary element, which, although desirous of restoring order in Russia, has not given sufficient guarantee for free development of democratic ideas and institutions in that country. Accusations that France lent money to Russia while she had a despotic government and now wants dividends from Russia while she is still suffering from reaction against the old despotism apply equally to all nations that have lent money to Russia or other despotically ruled countries, such as Turkey. But it must be remembered that France's object in lending money to Russia was to reinforce the economic, moral, and military strength of her ally against the German menace to the world. While it is in the interest of the world's stability that governments should observe their obligations, France's interest in the restoration of order in Russia under a democratic government is altogether apart from any financial considerations.

"It is the interest of preserving in Russia and her neighbors, including all the allies, liberty as against anarchy. France on this point, as on others, is at one with her allies, with whom she will always collaborate in order to promote sound democracy in Russia against Bolshevism.

"The only divergences that may exist are merely on questions of ways and means, but not principles."

PARIS, FRANCE, *January 16, 1919.*

REORGANIZATION OF THE ARMY.

Mr. CHAMBERLAIN obtained the floor.

Mr. NEW. Mr. President, will the Senator yield to me for just a moment?

Mr. CHAMBERLAIN. I yield to the Senator from Indiana.

Mr. NEW. Like the Senator from South Carolina [Mr. POLLOCK], I had given notice of an intention to address the Senate on the subject of the reorganization of the Army, taking advantage of the first opportunity. I had expected to proceed to-day, but the hour has grown so late that I am unwilling to take further time from the consideration of the very important measure which is now before the Senate. Following the Senator from South Carolina to-morrow, if there be sufficient time remaining during the morning hour, I shall speak for a few minutes; if not, then on the first day following, at the close of the morning hour.

CONSTRUCTION OF SHIPS ON FOREIGN ACCOUNT.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Washington?

Mr. JONES of Washington. It will only take me a moment.

Mr. CHAMBERLAIN. I yield, then; but I am very anxious to get this bill up.

Mr. JONES of Washington. It will take me just a moment.

A few days ago I submitted to the Senate some remarks in reference to the policy of refusing our shipyards the right to enter into contracts for the construction of ships on foreign account. I had given a copy of the report of the Shipping Board, made pursuant to a Senate resolution, which set out the applications that had been made and the action taken upon them, to Mr. H. P. Wilson, of the Foundation Co., the company to which I referred as having built some yards in this country for the French Government. I have a letter from Mr. Wilson with reference to this matter, and also some copies of letters written by him and received by him to and from the Shipping Board bearing up this subject. There are some very interesting facts set out in these communications, and I ask that they may be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

NEW YORK, *January 23, 1919.*

Hon. WESLEY L. JONES,
United States Senate, Washington, D. C.

DEAR SENATOR JONES: I have analyzed the memorandum you gave me last Saturday, which was a reply from the United States Shipping Board to Senate resolution 334, "Construction of ships in American yards for foreign account."

The statement of the Shipping Board verifies my representations to you that the construction of steel ships in American yards for foreign account is one squarely up to the President, and that the present and future policy appears to be solely and entirely in his individual hands.

The list of applicants for permits, as set forth in the memorandum, does not appear to include certain applications of the Foundation Co., as per correspondence hereunto attached.

In talking with you the other day, I was under the impression that no official application had been made by our company for the conversion of our Portland and Tacoma yards from wood to steel, and for the construction therein of a large number of steel ships for French account. I find, however, that on December 4, as per copy inclosed, we filed with the acting chairman of the Shipping Board an application in writing, and that on December 7, as per copy likewise inclosed, we received official reply rejecting our application.

We also find that our application of last July for the construction of wooden ships at these yards is not listed in this memorandum. To what extent the list may be in error beyond the instances cited is a matter for conjecture. These specific applications of our own cover larger contract items than any of those appearing on the list, hence the omission thereof makes a very radical change in the showing as presented to the Senate.

Our yards at Portland, Oreg., and Tacoma, Wash., were started in July, 1917, and while at that time no official permission from the Shipping Board for the construction of yards was necessary, the said board was made fully cognizant of our plan, and verbally approved our construction program.

We also filed with the Shipping Board full correspondence in connection not only with the yards but with our French contracts which we proposed to execute therein. These contracts called for 20 wooden ships to be built in each of the two yards, with an option to the French Government to build 40 more in each yard, and with the consent and full approval of the Shipping Board the French Government invested their money in the construction of these two yards.

During 1918 these two yards turned out as many wooden boats as all of the other wooden shipyards on the Pacific coast. I am attaching hereto a newspaper clipping showing the number of boats actually delivered from the Seattle district, and indicating that the Tacoma yard alone turned out 20 of the 50 boats delivered, both wood and steel. I mention this latter feature more particularly to show you that these yards were operated under the highest efficiency during the period that tonnage was most seriously needed.

In due course the Shipping Board was notified that the Franch Government had elected to exercise its option to build more ships at these yards. Notwithstanding the fact that the yards had been constructed with French capital under the full approval of the Shipping Board, and with full understanding of the contract with us under which the said yards were constructed, and notwithstanding the fact that at the time the said notification was made the Shipping Board had adopted a policy of constructing as few wooden vessels as possible, the application for the building of further ships under said option was denied.

This meant the laying off of approximately 8,000 men, and the closing up of these two yards, and it was this refusal on the part of the Shipping Board that necessitated our going to Victoria, British Columbia, for the construction of additional boats under our said French contract.

After the armistice was signed and the construction of these boats had been started at Victoria the Shipping Board issued a general permit for the construction of wooden ships for foreign account. In so far as this particular contract was concerned, the relief came too late, and the net result is that our being compelled to go to Victoria required a large additional investment in construction of plant and threw out of work in our yards at Portland and Tacoma not less than 4,000 men who would otherwise have been employed for a period of 18 months, and the closing down of two of the most efficient shipyards in the United States.

The general permit to build wooden boats for foreign account came too late to be of material benefit to American shipyards. You are, of course, aware of the fact that wooden seagoing vessels are purely an emergency proposition, and that had ample steel been available for steel construction the probabilities are that construction of this character would have been reduced to the minimum, if such construction had occurred at all. At the time, however, that the permit for the construction of wooden vessels was issued, when permits covering steel construction were withheld, there was available in this country all classes of materials, including steel and labor, for the carrying out of a comprehensive steel construction program for foreign account. As an example, we were given, almost immediately following the signing of the armistice, a permit from the War Industries Board to purchase 100,000 tons of steel, plates and angles, for ship construction. Having this amount of steel immediately available we made application to the Shipping Board, as above, for the conversion of the Portland and Tacoma yards for the purpose not only of constructing such steel ships as the French Government were willing to purchase from us, but to prevent the original investment in these yards from becoming a loss to the French Government. Notwithstanding, however, this availability of labor and materials, and the moral obligation on the part of the United States Government, after permitting the French Government to invest its money in these two yards, to allow them to make adequate use thereof to the extent, at least, of justifying the said investment, the application for the conversion of these yards was denied.

Other Governments had signified their willingness to contract with us for the construction of additional steel ships, but owing to the policy adopted by the Shipping Board, although evidently under the instructions of the President of the United States, these foreign Governments have been compelled to establish yards in their own countries, and our company is now engaged in negotiating contracts for the establishment of no less than four foreign yards and the operation thereof in the construction of steel merchantmen.

During this time, when labor's demands are so insistent for employment and we are threatened with an army of unemployed skilled labor, it seems almost incomprehensible that the shipbuilding industry in this country should be forced into foreign fields, more particularly so when ample materials for all requirements are immediately available here.

Due to this policy contracts are now being placed in foreign countries, and as soon as the present acute demand for steel ships is over this country will be unable to obtain prices commensurate with anything approximating costs of labor and material as at present existing throughout this country, and it will mean that American shipyards will be totally unable to take orders for long deliveries in competition with foreign yards.

At the present time foreign governments are willing to pay for quick delivery prices within the possibility of American shipbuilders, but the attitude of the Shipping Board compels the latter to hold their hands in idleness and to see this vast business go elsewhere.

You may be interested in knowing that the Foundation Co. has constructed and put into actual service about 65 per cent as many wooden ships during the period of the war and up to December 1, 1918, in four shipyards, as the Emergency Fleet Corporation has produced and put into actual service during the same period from 81 yards. The Portland and Tacoma yards alone have turned out 40 during the last year, which is approximately the same number as the Emergency Fleet Corporation has built in all of the wooden yards on the Pacific coast.

Only prompt action on the part of the Shipping Board will save the shipbuilding industry in this country, in so far as it applies to foreign account, from utter disaster. Relief at the end of a further waste of material time will be without benefit to the American shipbuilder, as was the case in the matter of wooden construction.

The actual condition existing to-day in the steel-ship building industry is that many yards are idle, due to cancellation of contracts made with the Shipping Board. While American builders are permitted under present rulings of the Shipping Board to take contracts for private owners under United States registry, private owners are dubious about placing contracts in advance of some definite policy being established by the Shipping Board. This, of course, leaves many yards and thousands of men idle. From our viewpoint it is difficult to explain why the Shipping Board, proceeding under a limited construction program, should continue to spend public moneys in the construction of merchant ships without a fixed shipping policy, and why, after the emergency which created it has ceased to exist, it should be permitted to exercise arbitrary control over privately owned yards, forcing them into idleness, in the face of ample business being offered to them.

The subject is a big one, and I could write on indefinitely regarding it, but I think you are sufficiently familiar with it to make unnecessary further comment on my part.

In conclusion, therefore, permit me to say that the memorandum from the Shipping Board is, to say the least, vague and indefinite, to say nothing of its inaccuracies in the figures furnished.

Permit me to subscribe myself,

Respectfully, yours,

H. P. WILSON.

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[From the Daily Commercial News, Wednesday, Jan. 8, 1919.]

LAUNCH 84 SHIPS—TACOMA SHIPBUILDING RECORD FOR 1918 COMPRISES VESSELS VALUED AT $27,000,000.

TACOMA, *January 7.*

Tacoma closed 1918 with its greatest shipbuilding record.

The total cost of vessels constructed can be approximately placed at $27,000,000, with the tonnage at 185,000, and the number of vessels launched for the year at 50. This included 8 steel vessels, 20 auxiliary schooners, and 22 Ferris type ships. In 1917 there was an average of 4,540 men employed in the Tacoma shipyards; in 1918, 14,896.

Name.	Yard.	Tonnage.
Quinault	Seaborn	3,500
Wauwinkum	do	3,500
Mahaska	Balfare	3,500
Mosave	Seaborn	3,500
Gerbeviller	Foundation	3,500
Yakima	Wright	3,500
Cheron	Seaborn	3,500
Beloit	Tacoma	3,500
Nowom	Foundation	3,500
Chehalup, ex-Tacoma	Todd	7,500
Masuda	do	7,500
Reve	Foundation	3,500
Eyota	Wright	3,500
Masama	Seaborn	3,500
Dannermark	Foundation	3,000
Reims	do	3,000
Arras	do	3,000
Chamo	Seaborn	3,500
Bourneville	Wright	3,500
Coloma	Tacoma	3,500
Dunkerque	Foundation	3,000
Anacortes	Todd	7,500
Thann	Foundation	3,000
Puget Sound	Todd	7,500
Fossett	Tacoma	3,500
Toul	Foundation	3,000
Amiens	do	3,000
Wauwanna	Seaborn	3,500
Democratic	Foundation	3,000
Fraternite	do	3,000
Republique	do	3,000
Dauneness	Seaborn	3,500
Beaumont	Wright	3,500
Verite	Foundation	3,500
Bellingham	Todd	7,500
Bottineau	Barbare	3,500
Soubise	Foundation	3,000
Wico	Tacoma	3,500
Seattle	Foundation	3,500
Fort Riley	Seaborn	3,500
Vailly	Foundation	3,500
Yukon	Todd	7,500
Justice	Foundation	3,000
Fort Russel	Seaborn	3,500
Givenchy	Foundation	3,000
Liberte	do	3,000
Tacoma	Todd	7,500
Cascade	do	7,500
Electra	Wright	3,500
Fort Harrison	Tacoma	3,500

THE FOUNDATION CO.,
New York, December 4, 1918.

JOHN A. DONALD, Esq.,
Acting Chairman United States Shipping Board,
Washington, D. C.

DEAR SIR: On behalf of the Foundation Co. I respectfully ask permission of the Shipping Board to build steel ships in the yards of the French Government located at Portland, Oreg., and Tacoma, Wash.

I am sailing for France to-morrow and would like to be in a position on my arrival at Paris to negotiate with the French Government for the construction of a large program of steel ships in the United States.

I expect to meet strong English competition, but I feel confident that on account of greater speed in building we can bring this business to this country if we are given a permit to build the vessels here.

I respectfully urge that the matter be given immediate consideration by your board.

Yours, very truly,

(Signed) FRANKLIN REMINGTON,
President.

—

[Copy.]

UNITED STATES SHIPPING BOARD,
Washington, December 7, 1918.

FRANKLIN REMINGTON,
President the Foundation Co.,
Woolworth Building, New York, N. Y.

MY DEAR SIR: Receipt is acknowledged of your letter of December 4 requesting the permission of the Shipping Board to construct steel ships in the yards of the French Government located at Portland, Oreg., and Tacoma, Wash.

In reply, you are advised that at a meeting of the Shipping Board held yesterday a resolution was passed permitting the construction of steel ships in our yards for the account of private owners or corporations having their domicile in the United States, and therefore with United States registry when completed.

For certain reasons, which it is not possible for me to define at present, the construction of steel tonnage to be owned by foreign interests has for the time being been held up.

I am not in position to say when the restrictions on building for foreign registry will be rescinded, but should any change take place in the policy of the board you will be duly advised. Meantime the policy of permitting foreigners to construct wooden ships in this country is unrestricted.

Very truly, yours,

(Signed) JOHN A. DONALD,
Acting Chairman.

—

[Copy of telegram.]

JANUARY 31, 1918.

Mr. E. REMINGTON,
Room 585, New Willard Hotel, Washington, D. C.:

Plies turns down 30 schooners account of difficulty in getting timber and because corporation considers auxiliary schooners unsuited. Suggest you sound them on English steamer type.

THE FOUNDATION CO.

—

WASHINGTON, D. C., *February 7, 1918.*

UNITED STATES SHIPPING BOARD
EMERGENCY FLEET CORPORATION,
Washington, D. C.

(Attention of Mr. Carey, director of operations.)

GENTLEMEN: Complying with your request, I inclose herewith outline plans of the ships which we are building for the British and French Governments, and also information covering tonnage, cost, etc.

Should the Shipping Board desire it, we can build either type of vessel in large quantities. We are at present building 40 ships of the French type and expect to turn these out at the rate of one every four days, beginning next month. We have already launched one of the British type of vessels.

French ships: This ship is an auxiliary schooner 3,000 tons deadweight. She is equipped with twin screws, 700 horsepower engines, and will steam at the rate of 7 to 9 knots. Under steam and sail the speed will run as high as 12 knots, depending on the velocity of the wind. This ship carries only lower sail; has big hatches, and needs a crew of only 12 to 15 men to operate it. It is especially well adapted for the coastwise trade, the South American trade, the Australian trade, and for carrying bulk cargoes, such as coal, nitrates, etc. It is a practical ship, good for "after-the-war" conditions. It is a small coal consumer, which, at this time, is an important factor. The ship can be operated to advantage where the submarine danger does not exist and can be used to replace ships which are more desirable for the trans-Atlantic service. The ship can be built for $475,000, and we can build 30 of these vessels at the above price and deliver the full number of 30 boats within 21 months' time.

British ships: This ship is a straight steamer, 250 feet long, with a dead-weight capacity of 2,800 tons; speed 9½ to 10 knots, equipped with 1,000 horsepower engines. This vessel is designed by one of the best British architects, and is a very fine ship in every way. She is classified A-1 under Lloyd's. She has a heavy steel keelson running the length of the vessel. This ship is an all-around practical boat, and can be used to advantage in any part of the world not frequented by submarines. We can build a large number of these vessels if the Shipping Board desires them, at a cost of $550,000 each.

Lumber and labor conditions on the Pacific coast: I inclose herewith a letter written by the West Coast Lumber Emergency Bureau regarding the lumber conditions on the coast to-day. From this letter you will note that the cut of fir this year will be approximately 4,000,000,000 feet, of which about 15 per cent, or 600,000,000 feet, will be suitable for shipbuilding. The vessels I have described above each take about 125,000,000 feet of lumber. It will be seen therefore that the lumber output for this year should be sufficient to build about 500 ships. I call your attention also to the last paragraph in his letter, in which he states: "I believe we can furnish all the firm timber for all the wooden ships that our shipyards on the Pacific coast can produce and still have a large amount of big sizes left suitable for the shipbuilding on the Atlantic and Gulf coasts." This information checks up with our own investigation. The representative of the Shipping Board at Portland—Mr. Wentworth—if requested to do so, will certify that there is room at Portland, so far as lumber and labor is concerned, for 10 additional

ways, and that 30 ships can be built on these 10 ways without affecting existing construction.

We feel, therefore, that, by adding 10 ways to the amount of shipbuilding we are now doing in Portland, we can turn out 30 vessels for the Shipping Board, of either the French or British type, more rapidly than any other shipbuilders in the country can do, and we are positive that we can get the lumber and men for this work without upsetting in any way existing conditions.

Trusting that this gives you the information which you desire, we are

Very truly, yours,

THE FOUNDATION CO.,
By ———, *President.*

—

THE FOUNDATION CO.,
New York, August 21, 1918.

Mr. M. D. FERRIS,
Manager Contract Division, Emergency Fleet Corporation, 120 North Broad Street, Philadelphia, Pa.

DEAR SIR: Referring to our conversation of yesterday regarding construction of wooden ships for the Emergency Fleet Corporation in yards operated by us for the French Government at Portland and Tacoma, beg to advise we have a complete 10-way yard at both Portland and Tacoma for turning out a complete ship, and we are now closing a contract with the French Government and completing the deliveries of 40 complete ships for them. We have idle ways at both yards at the present time

We have received word from the French commission that they desired to place additional boats in these yards, but they advise us they have received word from the Shipping Board that they will not be permitted to complete any further boats in this country, and they ask us what arrangements can be made for the disposal of the yards.

We propose to build for the Emergency Fleet Corporation 10 boats in each yard, making arrangements with the French Government for a yard rental or a depreciation charge for the use of the yard for this construction, and we would like to close contracts with the Fleet Corporation on a basis proportionate to that arranged for for barges in our Newark yard, as they will be operated under similar conditions and would occupy the yard at the same time with the French boats we are already constructing on a similar basis.

We would be pleased to discuss this matter with you in detail at an early date.

We have understood in conversation with Mr. Schwab that he desired what additional wooden boats the Fleet Corporation would build, to be built in the Northwest, and we believe we have two of the most complete and efficient yards in this territory, employing in the neighborhood of between 5,000 and 6,000 men.

Yours, very truly,

THE FOUNDATION CO.

—

[Copy of telegram.]

AUGUST 28, 1918.

M. D. FERRIS,
Contract Division, United States Shipping Board, Emergency Fleet Corporation, Philadelphia, Pa.:

Can you give us any further news regarding contract with the Fleet Corporation for wooden ships in our Portland and Tacoma yards as per our proposal of August 24?

THE FOUNDATION CO.,
W. C. HEBARD.

—

[Copy.]

UNITED STATES SHIPPING BOARD,
EMERGENCY FLEET CORPORATION,
Philadelphia, Pa., September 4, 1918.

THE FOUNDATION CO.,
Woolworth Building, New York City.

GENTLEMEN: Receipt is acknowledged of your telegrams of August 28, relative to your proposal of August 21 to construct for the Shipping Board 10 vessels each in your Portland, Oreg., and Tacoma, Wash., yards upon ways erected and operated for the French Government.

In reply you are advised that our present program includes only a sufficient number of vessels of the type that you desire to construct to keep the ways busy in those yards which are now building for the corporation.

It is regretted, therefore, that we can not at this time consider the construction of vessels at the plants above named.

Yours, very truly,

HOWARD COONLEY,
Vice President.

—

[Copy of telegram.]

NEW YORK, *September 18, 1918.*

Mr. JOHN W. DOTY,
The Foundation Co., New Orleans, La.:

Hebard phones from Washington just had final conference with Schwab, with result nothing for the French. Tacoma must be closed up. Portland will be given work for the Fleet Corporation. Hebard writing you full particulars to San Francisco.

THE FOUNDATION CO.,
A. R. MURRAY.

—

THE FOUNDATION CO.,
New York, September 9, 1918.

Mr. CHARLES M. SCHWAB,
Director General United States Shipping Board, Emergency Fleet Corporation, Philadelphia, Pa.

DEAR SIR: We wish to call your attention to the 10-way shipyards at Portland and Tacoma owned by the French Government and operated by us. The French Government closed a contract with us for forty (40) wooden vessels in these yards, with an option of two lots of 40 more, and at the time of the expiration of their option with us they expressed a desire to exercise this option and build additional wooden vessels, but they were advised by Mr. Hurley that no more wooden vessels could be built in this country for France. Naturally our thought and the thought of the French Government was that the output of these yards was to be utilized by the United States Government and with their consent we proposed to the Fleet Corporation to build boats in these yards for the United States Government.

We were informally advised by Mr. Ferris yesterday that it was not the policy of the United States Government to build any wooden vessels in these yards, but suggested to us that we secure contracts to build for private account.

If the policy of the Emergency Fleet Corporation now is to cut down on further wooden-ship construction, and the Fleet Corporation for this reason has no use for our Portland and Tacoma yards, can we not in this case be given permission to build ships for the French Government and in this way keep these two organizations going?

We understand from the French Government officials that they are in most urgent need of ships. We have established for them on the Pacific coast these two yards, which are among the most efficient wooden yards in this country.

We have launched to date 25 vessels and have delivered 17 finished ships to them. We have eight vacant ways at the present time, and are launching and delivering two vessels about every 10 days.

We have built up an efficient organization of some 6,000 men, experienced in the construction of wooden vessels, and the people at Portland and Tacoma have all given us their earnest support in the matter of accommodations, with the understanding and desire that this venture be made as permanent as possible, and the question of closing down of these yards, in the face of the fact that our allies are in such urgent need of additional tonnage, seems worthy of your earnest consideration.

We would respectfully ask, therefore, that we be permitted to build 20 wooden steamers of about 3,000 tons dead-weight capacity in each of these two yards for the Government of the Republic of France, and would be pleased to know what your views are on this matter.

Very truly, yours,

———
President.

VALIDATION OF WAR CONTRACTS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

Mr. CHAMBERLAIN. Mr. President, at the time the Senate took a recess last evening there was pending before the Senate a proposed amendment to this bill offered by the junior Senator from Nevada [Mr. HENDERSON], and the Senator from Utah [Mr. SMOOT] had proposed an amendment to it, which was accepted by the Senator from Nevada. I am willing to accept, so far as I am able to do so, the proposed amendment and let it go to conference.

The PRESIDING OFFICER. Is there any objection?

Mr. WOLCOTT. Mr. President, before that amendment is adopted I desire to offer an amendment to the amendment offered by the Senator from Nevada.

On page 2 of the amendment offered by the Senator from Nevada, as printed, on line 7, I move to strike out all of the remaining portion of the paragraph, beginning with the word "the"—that is, I move to strike out the words "the production of which was requested or demanded by the War Industries Board, the Shipping Board, the Department of the Interior, or other agency of the Government"—and insert in lieu thereof the matter which I send to the desk.

The PRESIDING OFFICER. The Senator from Delaware offers an amendment to the amendment of the Senator from Nevada, which will be stated by the Secretary.

The SECRETARY. In the amendment offered by the junior Senator from Nevada it is proposed to strike out the words "the production of which was requested or demanded by the War Industries Board, the Shipping Board, the Department of the Interior, or other agency of the Government," and to insert in lieu thereof the following words:

the production of which by any claimant or claimants was requested or demanded by personal solicitation of or personal inducement to such claimant or claimants made by the War Industries Board, the Shipping Board, or the Department of the Interior.

Mr. HENDERSON. Mr. President, I realize the urgent necessity for early action on this bill by the Senate. I agree with the Senator from Oregon [Mr. CHAMBERLAIN] that the Senate should take quick action and get this bill passed and to conference. Therefore I am not going to delay the passage of the bill so that it may go to conference, and I will accept the amendment offered by the Senator from Delaware in order that we may get to conference with it.

Mr. LENROOT. Mr. President, in a matter of this importance, involving, as this amendment does, several millions of dollars, it does not seem to me that it should go through the Senate merely upon acceptance on the part of the Senator who offers the amendment. I should like to have the Senator who offers this amendment explain what his amendment accomplishes and how it changes the pending amendment.

Mr. WOLCOTT. Mr. President, I had not expected to make any remarks on the amendment offered after I learned that the Senator from Nevada was willing to accept the amendment. My opinion was that the amendment as introduced by the Senator from Nevada was entirely too broad in its scope. The thought occurred to me that under the language of the amendment as submitted by the Senator from Nevada certain cases could be compensated for which have no standing in law or equity entitling them to any compensation.

I will illustrate my thought by putting a case. Let us suppose that somebody embarked upon a plan of business expansion and laid out money, not as a result of any inducement

offered by any Government department or any Government agent but simply in response to some sort of general propaganda that was carried on by the Government in the form of publicity, advertisements urging people to produce and work and get busy to help win the war; and let us suppose that a person induced by that very indefinite solicitation embarked upon that program, as I say, of business expansion and lost by the operation. It occurs to me that that individual ought to receive no remedy under this bill. Therefore it seemed to me that the amendment as drawn was entirely too broad, and the amendment which I have offered to the amendment is designed to limit the remedies which might be availed of under the amendment offered by the Senator from Nevada.

I will say to the Senator that my purpose was not by any means to extend this remedy, but rather to restrict it, and I think the language that I have drawn to an extent undoubtedly does restrict it.

Mr. FRELINGHUYSEN. Mr. President, I shall not make any objection to the amendment of the Senator from Nevada; but I simply want to point out to the Senate that attaching to a bill an amendment of this character, which is not germane to the subject of the bill, is a practice which should be stopped. Matters of this character delay the progress of a bill, because they involve additional controversy in the conference committees.

Here is a bill which affects the business interests of the country to a far greater extent, I think, than the Senate realizes. For two months we have been considering this measure in committee. It is nearly three months since the armistice was signed. At that time the business interests of the country and the manufacturing interests of the country had to face a reduction in production and had to face the cancellation of orders, and for that period of time they have been awaiting the adjustment of the Government contracts. Now, the business man or manufacturer desirous of converting his factory or his house to the civilian trade can not do so while the payments for the large contracts he has made with the Government are in abeyance.

It is necessary, therefore, that this bill should be passed, in order that relief may be granted these business men and manufacturers in the country. Two billion dollars are involved in the bill. There are several billion more involved in contracts that are lawful contracts awaiting settlement. Let us assume it is $7,000,000,000 that must very soon be released to the manufacturers and business men in this country or else we will have an industrial panic, and it is imminent. I do not believe there is a Senator on this floor who is not directly interested in the bill who has not some manufacturer or business man in his State or community who is striving now to get a settlement with the Government for the goods he has sold to it or manufactured for it.

The Assistant Secretary of War told me this morning that the passage of this bill is imperative, because the failure to pass it will increase the idleness that now exists in the country. He said these manufacturers can not continue the employment of labor unless these contracts are settled.

I was also informed this morning that there is such a surplus of labor that 800,000 soldiers who have been discharged by the Army are roaming the streets seeking employment and can not find it. They have been in many of the cities assembled by the Bolsheviki, and through that sympathy they have been induced to form soldiers' societies to protest against the treatment of the Government in bringing them back here and discharging them and not providing employment for them. You can readily see that the most beneficent thing we can do for these men is to release these funds to the manufacturers of the country so that they may continue the employment of men who have been thrown out of employment by reason of the suspension of the activities of these manufacturing concerns. The situation is imminent. There is trouble ahead, and we will have been fiddling here while Rome was burning. I think there ought not to be one moment's delay in passing the bill. I feel that we should not put an amendment on the bill which is entirely foreign to the subject matter which is contained in it as a contract bill.

Mr. HENDERSON. Mr. President, I am not going to take up the time of the Senate to reply. The men who come within this amendment and will be granted relief are just as loyal and as patriotic and need the assistance just as badly as the contractors referred to by the Senator from New Jersey. I would not think of introducing this amendment and asking for its passage if I thought it would seriously interfere with the passage of the bill now before the Senate. But I do not believe it will. I am not going to take the time of the Senate, because I realize the urgency of quick action on the measure.

Mr. FRELINGHUYSEN. In this connection I am going to ask the chairman of the committee in charge of the bill whether he believes this amendment would delay the action of the conferees on the bill?

Mr. CHAMBERLAIN. I do not think so, Mr. President. If it does, of course if the Senator desires to make a point of order, that course is open to him. I want to agree with the Senator from Nevada in his statement that the men who are affected, while not numerous, will be just as seriously affected as the larger contractors of the Government. As a matter of fact a number of the governmental institutions which are mentioned in the amendment have asked men in the West to contract for manganese ore, for instance, and for chrome ore, and they have gone to a good deal of expense in undertaking to do so. They complied with all the demands the Government made upon them. I do not think it will interfere with the proceedings under the bill itself.

Mr. FRELINGHUYSEN. With that statement, I am perfectly willing to have the amendment agreed to.

The PRESIDING OFFICER (Mr. WALSH in the chair). The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. FLETCHER. I should like to ask unanimous consent to correct what is plainly an error, as I think the RECORD will show. There ought to be a comma after the word "profit," on line 9, page 11. The Senator from Wisconsin [Mr. LENROOT] was the author of that amendment, and I believe he agrees to the correction. I ask unanimous consent, therefore, that that amendment, page 11, line 9, be corrected, so that there will be a comma after the word "profit." I am using the reprint of the bill. Then I ask that the words "so canceled," the last words in line 12, on page 11, which are unnecessary and somewhat ambiguous and confusing, be eliminated, so that the sentence would end with the word "order," in line 12.

Mr. CHAMBERLAIN. I have no objection to that amendment.

The PRESIDING OFFICER. Can the Senator refer to the original bill and not to the reprint?

Mr. FLETCHER. It does not appear in the original bill. It is an amendment. I am referring to the reprint which was laid on our tables this morning.

The PRESIDING OFFICER. The Chair inquires if the Senator refers to the last two words in section 2?

Mr. FLETCHER. Precisely. The words "so canceled" should be eliminated, and a comma should be inserted after the word "profit," in line 9.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so amended.

Mr. LENROOT. Mr. President, with reference to this same proviso, the reprint does not show a proviso I offered that was accepted by the Senator from Tennessee, reading as follows:

Provided further, That the foregoing proviso shall not apply to any contract executed in compliance with all statutory requirements.

I looked at the RECORD, and I think the Senate did adopt it, but I will reoffer the amendment to clear it up inasmuch as it does appear. It was accepted by the committee yesterday.

Mr. CHAMBERLAIN. May I ask if the Senator is offering that to the reprint or to the original?

Mr. LENROOT. To the reprint, on page 11.

The PRESIDING OFFICER. The Secretary will state it.

The SECRETARY. On page 11 of the reprint of the bill, after line 12, insert:

Provided further, That the foregoing proviso shall not apply to any contract executed in compliance with all statutory requirements.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. LENROOT. I wish to call the attention of the chairman to what seems to me requires a verbal amendment on page 9 of the reprint, line 9. The word "to" should be inserted after the word "as" so as to read "as to the interpretation."

Mr. CHAMBERLAIN. I think that suggestion is proper, Mr. President.

The PRESIDING OFFICER. Without objection, that change will be made.

Mr. JONES of Washington. I wish to ask the chairman of the committee about the situation as developed in our State to see whether or not the bill covers it. I ask the chairman whether the bill would cover contracts made with the United States Spruce Production Corporation for the production of spruce in connection with airplanes?

Mr. CHAMBERLAIN. If there was an agency of the War Department——

Mr. JONES of Washington. I understand there was.

Mr. CHAMBERLAIN. I think the bill is broad enough to cover it. The Senator is referring to a telegram he received from the West this morning?

Mr. JONES of Washington. No; I did not receive any telegram this morning, but I received a letter the other day setting out that certain firms in our State were directed to get out spruce for the Army. I will read an extract from the letter of one of the attorneys who has been representing those people. He names the parties, and he says:

Each of these parties cut spruce logs to short noncommercial lengths upon written orders from Gen. Disque. The logs were ordered stocked and not sold on the general market. In some instances the logs were removed by the Government. Shortly before the armistice was declared a general order was made releasing all such logs, so that the owner could sell in the general market. Owing, however, to the logs being of short length and the general market having been closed by Government orders for so long, the logs were not and are not merchantable except at a great loss.

Then he says further:

A large amount of spruce logs was cut to Government order in logging camps under the actual direction of the Government at wages fixed by the Government. When under these circumstances the owner is forbidden to sell in the general market, and the market is thus destroyed, I consider that there is a legal obligation, as well as a moral obligation, upon the Government to take the logs so cut.

Further he says:

The War Department has appointed a contract board, to whom claims based on contracts are to be presented. But this board takes a position that it has no authority to allow any claim where there is no written contract.

This letter was referred to the War Department by Representative JOHNSON of our State, and he received a reply from the War Department under date of January 28, 1919, signed by Paul D. Elgin, second lieutenant, A. S., A. P., in which he says:

In this connection please be advised that all spruce operations were under the auspices of the United States Spruce Production Corporation, which was formed for the purpose of getting out spruce in the Pacific Northwest. There has been organized by this corporation a regular contract board, the functions of which are to make decisions and awards in such cases. It therefore appears as though, should the decisions of this board not be satisfactory to claimants holding contracts, that these claimants would have recourse to the courts, as in the case of any corporation, and the United States Spruce Production Corporation has a separate entity from the United States Government.

In case of intangible claims it is believed that there is no authority of law to pay on same. However, it is the principle of the officers of the United States Spruce Production Corporation to submit a list of worthy claimants to whom it is believed the Government owes a moral obligation.

Your letter has been referred to the United States Spruce Production Corporation and no doubt will receive due consideration.

That second lieutenant seems to take the position that this United States Spruce Production Corporation is an entirely different entity, and I suppose that that is true, although it must have certainly been an agency of the War Department; and he takes the position that if its award or action is not satisfactory these people have a right to go to the Court of Claims. I understood that this bill was to cover situations like that. I really did not know that a corporation had been organized to get out spruce. I am satisfied that a great many people out there thought they were acting directly for the War Department. This writer says in the letter that a great deal of this work was done under the orders of a general officer—Gen. Disque—who was a general in the Army.

I want to be sure that the legislation proposed here would cover cases of that kind, and I desire the opinion of the chairman, because, of course, he has gone into the subject very carefully.

Mr. CHAMBERLAIN. Mr. President, I am inclined to believe that the bill is broad enough to cover it, but no man can guard any legislation against the decisions of the Comptroller of the Treasury. He might rule that such a claim as that did not come within the provisions of the bill. But assuming, as the Senator has said, that the corporation was formed under the law providing therefor, which was suggested by Mr. Ryan, former Assistant Secretary of War, while he was head of the aircraft production, I do not see anything in the bill which would preclude claimants from pursuing their remedies in the civil courts to establish a claim against the Government for the damages that they suffered; and if a claim were established against the corporation it would really be a claim against the Government, and it seems to me that there would be no court which would decline to order the payment. If the claimant preferred to pursue the remedy provided by the present bill, I think he could do so.

Mr. JONES of Washington. These people are needing the relief just as much as anybody else covered by the bill. If the other people are not sent to the Court of Claims and to the almost endless operations of the court, these spruce people ought not to be sent there.

Mr. CHAMBERLAIN. This corporation was simply an agency of the War Department, Mr. President.

Mr. JONES of Washington. I think so.

Mr. CHAMBERLAIN. It was duly organized; and taking that view of it, it seems to me these persons would come within the provisions of the bill where they had contracted with a governmental agency. And it was a governmental agency; it was established at the request of the War Department.

Mr. JONES of Washington. That is true.

Mr. LENROOT. Will the Senator yield?

Mr. JONES of Washington. Yes.

Mr. LENROOT. May I suggest to the Senator that if the corporation he speaks of is a separate entity, then there can be no question as to the invalid contracts that are taken care of by the bill? Their contracts with a corporation would not be subject to the statutory requirement, and the corporation would settle at once. If they are not a separate entity, then of course they do come under the provision of the bill as an agency of the War Department.

Mr. JONES of Washington. I want to call the Senator's attention to the statement contained here in the letter that these people furnished spruce logs at the direct request and under the orders of Gen. Disque, and that a board of award of this corporation is taking the position that they can not recognize any contract that is not a written contract.

Now, I do not want these people to be left out of the provisions of the bill if they are not covered by it because they were getting this spruce, of course, for the War Department, directed to do so by the Government of the United States. They were acting directly under the orders of the Army officials, although those Army officials may have been officials of a corporation that was organized under legislation passed by Congress.

Mr. LENROOT. May I ask the Senator whether Gen. Disque, in any of those orders, was acting as a member of the corporation or as a member of the War Department?

Mr. JONES of Washington. They dealt with him as Gen. Disque, of the War Department, but I presume that really he was an official not only of the War Department but of this corporation that was organized apparently within the War Department. I do not know very much about the organization of the corporation. I did not know that it had been organized until I saw the letter from this second lieutenant of the Army.

Mr. McKELLAR. Mr. President——

Mr. JONES of Washington. I yield to the Senator.

Mr. McKELLAR. If the Senator will look at the first paragraph on page 4 and the first paragraph on page 5, he will see they are very similar and broad enough to cover the case he mentioned. On page 4 it reads:

That whenever during the war emergency and prior to November 12, 1918, any individual, firm, company, corporation, or foreign government has made an agreement with the Secretary of War, or with any officer or agent acting under his authority.

If this Spruce Corporation is an agent of the Secretary of War, and unquestionably it is, it comes directly within the provisions of the bill beyond the shadow of a doubt.

Mr. JONES of Washington. I wanted to get some expression like that from the members of the committee having the measure in charge. It seems to me that the language of the bill clearly covers this corporation.

Mr. McKELLAR. Absolutely.

Mr. JONES of Washington. As an agency of the War Department?

Mr. McKELLAR. Absolutely.

Mr. JONES of Washington. I hardly know how language could be made very much plainer, but I wanted to get some expression from members of the committee.

Mr. FLETCHER. There would seem to be no question about it, under the policy referred to by the Senator from Tennessee, because the very next clause reads:

Or with any agency of the Government authorized to procure for the War Department.

This was certainly an agency authorized to procure this spruce.

Mr. POMERENE. I wish to offer an amendment to section 4.

The PRESIDING OFFICER. Before we proceed with that the Chair announces that the amendment to section 2 as amended will without objection be agreed to.

Mr. POMERENE. May I have the attention of the chairman of the committee? In section 4, line 15, and I am referring to the reprint of this morning, after the word "construed," I move to insert:

To validate any agreement, contract, or order procured by fraud or.

The PRESIDING OFFICER. Without objection the amendment will be agreed to.

Mr. McKELLAR. After line 26, on page 14, I propose the following amendment:

And provided further, That the names of such contractors and the amounts of such partial or final settlement shall be filed with the Clerk of the House for the information of Congress and printed in the CONGRESSIONAL RECORD or as a public document 10 days before the confirmation and payment is authorized by the board.

Mr. CHAMBERLAIN. Mr. President, it does not seem to me that it ought to be necessary to tie up these claims further by the publication of information which can be obtained at any time. I can not say too often and insist too strenuously that this measure is of very vital importance to the industrial and economic life of the country at this time. Here are $2,000,000,000 of capital that ought to be liquid which is absolutely tied up, and many of the industrial corporations that complied with the demands of the Government and came to the relief of the Government at a time when their assistance was needed are in practical bankruptcy now.

Mr. McKELLAR. In view of what the Senator says, if he will allow me to interrupt him, I will perfect the amendment by changing the last line. I will strike out all after the word "document" and add "within 10 days after such confirmation." That is not going to hold up anything at all.

Mr. President, this is a provision of the House bill, and its purpose is to provide for publicity as to these contracts. It is a very valuable provision and it ought to remain in the bill. I do not want to tie them up, and I have changed the language so as to prevent tying up payments at all. What it will do will be to furnish publicity, which after all is the greatest deterrent in the world against fraud and in the matter of deception on the Government.

Mr. CHAMBERLAIN. I still do not see the necessity of putting that amendment on the bill. The information which it is sought to give and the publicity which it is intended it shall give can be obtained at any time by a resolution of the House or Senate or by a concurrent resolution of the two Houses or upon the demand of any Senator or Member of the House, who can call upon the War Department every day or every week if he wants to know the progress of these adjustments. It simply ties up the payment of these claims.

Mr. McKELLAR. It does not.

Mr. CHAMBERLAIN. I take a little different view, possibly it is the wrong view, from the Senator from Tennessee. I believe there is still some honesty in the War Department and in the officials of the Government. I believe that the great mass of men are honest. I believe that this law will be administered honestly and I believe it will be administered efficiently under the stringent provisions of the bill as it has been so far agreed upon. I do hope the Senator will not undertake to further encumber the adjustment of these accounts, which it is absolutely necessary to settle as quickly as possible.

Mr. TOWNSEND. Will the Senator from Oregon yield for a question?

Mr. CHAMBERLAIN. Certainly.

Mr. TOWNSEND. I have not been able to be present at all the discussion or much of it on these two bills. I am as heartily in sympathy with an early adjustment as possible of these accounts as can be had. I know the necessity of it. I want to ask the Senator from Oregon if he can tell me in a few words the difference between the Hitchcock bill and the committee bill?

Mr. CHAMBERLAIN. The Senator from Nebraska [Mr. HITCHCOCK] is going to offer his amendment and he will point out the differences, I think, from his viewpoint, and I shall be glad to make a statement in reply.

Mr. TOWNSEND. Very well.

Mr. CHAMBERLAIN. I assume the Senator from Nebraska is going to do that now.

Mr. HITCHCOCK. That is my intention.

Mr. CHAMBERLAIN. I am sure the Senator from Michigan will have the differences pointed out.

Mr. TOWNSEND. That is very satisfactory.

Mr. FLETCHER. Mr. President, with reference to the pending amendment, I will say I am in accord with the Senator from Oregon. I wish the Senator from Tennessee could see his way clear to omit the amendment, because, as the Senator from Oregon has pointed out, it is information available to any Senator or available to Congress at any time. To provide in the law that the whole detailed statement, giving the names of all the contractors and the amounts of the partial or final settlements, shall be filed with the Clerk of the House and published for the information of Congress in the CONGRESSIONAL RECORD within a limited time, 10 days after the confirmation of the settlement, seems to me to be an unnecessary requirement.

I have no objection to the publicity idea, and I think perhaps all this information will either actually be called for, and it can be called for; but why put in a provision of that kind and impose upon the board and the machinery here organized for the adjustment of these claims all this work and require them to do it within a limited time after the confirmation of the settlement? I think it is unnecessary, and it will simply impose additional work and a lot of details that the situation does not call for.

I would be glad if the Senator from Tennessee would withdraw the amendment and let us vote on the bill. His amendment requires that within 10 days after the confirmation of any of the settlements or adjustments a detailed report must be made. Does not that hold up the entire work?

Mr. McKELLAR. The Senator did not read the amendment. It does not apply to that at all. It provides that they shall merely report within 10 days after the confirmation. I have changed the language of the House.

Mr. FLETCHER. I know that.

Mr. McKELLAR. I will wait until the Senator gets through.

Mr. FLETCHER. I understand the change the Senator made was not to strike out "ten days" but to strike out the word "before" and insert the word "after."

Mr. McKELLAR. No; it is very different; it strikes out the word "payment." The payment can be made just as it is under the bill. It does not interfere with payment at all, but merely gives the country and Congress information as to what is done.

Mr. FLETCHER. But it must be all furnished 10 days after confirmation.

Mr. McKELLAR. Absolutely. I take it the Senator would not believe that it would do any good if furnished 10 years after confirmation.

Mr. FLETCHER. Of course not, but it is to be furnished 10 days after the confirmation of such contracts. You can not make a settlement with A; you can not make a settlement with B; you can not close any transaction at all; you have got to wait until all the contracts are adjusted and then make the settlement.

Mr. McKELLAR. The Senator does not understand the amendment. It does not provide any such thing. Those words have been stricken out. I ask the Secretary to read the amendment, and I am sure the Senator will find that his objections to it are wholly without any ground.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. At the end of line 26, page 14, of the reprint, following the word "agreement" and before the period, insert:

And provided further, That the names of such contractors and the amount of such final or partial settlement shall be filed with the Clerk of the House for the information of Congress and printed in the CONGRESSIONAL RECORD or in the Official Bulletin or as a public document within ten days after such confirmation.

Mr. FLETCHER. That means exactly what I said, that we have got to take the names of all the contractors and the names and amounts for such partial or final settlement, and all those must be filed with the Clerk of the House or otherwise be disposed of according to the amendment within 10 days after such confirmation. In other words, it seems to me that you can not close with one contractor or with two or three contractors, but you must wait until you are prepared to file this statement, and it must be done within 10 days after all the adjustments are made.

Mr. McKELLAR. Mr. President, I think the criticism of the Senator from Florida and the Senator from Oregon applies to the part that is stricken out of this amendment. This is a House provision, and it is reasonable to suppose that the House had some purpose in adopting it. It is a very wise amendment.

The Senator from Oregon says he still believes that there are some people who are honest. I do, too; but we are providing for those who may be dishonest, and there may be some. There have been some in the past. We are enacting this kind of a law every day. If all people were absolutely honest we would not need laws of this kind; we could just proceed without them.

This is a reasonable provision, and I will say to the Senator that it is a very necessary provision. It will take very little time to put in the names of the contractors, and the amounts that contractors have received at the hands of the Government, and have it published in the CONGRESSIONAL RECORD or in the Official Bulletin. I want to stop here long enough to say that I struck out the words "Official Bulletin," because I do not think that they ought to be there. I do not think that publicity would be sufficient, but it will be the simplest matter to comply with it. It puts no hardship on the contractor, and surely no contractor in the country is going to object to publicity as to the amount paid him.

I am standing by the contractor. I do not believe that any honest contractor in this country will for a moment object to having his name put in the RECORD with the amount that has been paid to him. I know they will not do it, and I am surprised at Senators saying that it is a reflection upon the contractor. They should be delighted to have the amount published and their names published showing what they received. No honest contractor will object to it.

Mr. FLETCHER. May I ask the Senator if he means that adjustment and settlement be made with contractors, say one, two, three, four, or five, and then that communications be sent to Congress giving the lists of names, the amounts, and so forth?

Mr. McKELLAR. Of course, that is all it is.

Mr. FLETCHER. Then, that would mean that the department must be continually sending down lists of contractors with whom the department has settled?

Mr. McKELLAR. Of course; and that is what the departments are for.

Mr. FLETCHER. And that may either be published in the shape of a public document or in the CONGRESSIONAL RECORD?

Mr. McKELLAR. Certainly. I am sure when the Senator comes to think about it he will not object, and that no other Senator will object to a provision which is so manifestly right and proper when we realize how much money is going to be paid out upon these contracts.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Tennessee [Mr. McKELLAR]. [Putting the question.] The noes seem to have it.

Mr. McKELLAR. I ask for a division, Mr. President.

The PRESIDING OFFICER. A division is called for. Those in favor of the amendment will rise and stand until they are counted. [A pause.] Those opposed will rise. [A pause.] The amendment is lost.

Mr. McKELLAR. I ask for the yeas and nays, Mr. President.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. THOMAS (when his name was called). I transfer my general pair with the Senator from North Dakota [Mr. McCUMBER] to my colleague, the Senator from Colorado [Mr. SHAFROTH], and vote "nay."

Mr. WARREN (when his name was called). I ask if the junior Senator from North Carolina [Mr. OVERMAN] has voted?

The PRESIDING OFFICER. He has not.

Mr. WARREN. Then I withhold my vote, as I have a pair with that Senator.

Mr. WOLCOTT (when his name was called). I have a general pair with the senior Senator from Indiana [Mr. WATSON]. I transfer that pair to the senior Senator from California [Mr. PHELAN], and vote. I vote "yea."

The roll call was concluded.

Mr. BRANDEGEE. I have a pair with the senior Senator from Tennessee [Mr. SHIELDS]. In his absence, I transfer that pair to the junior Senator from New Jersey [Mr. BAIRD], and vote. I vote "yea."

Mr. STERLING. I have a general pair with the Senator from South Carolina [Mr. SMITH], which I transfer to the Senator from Minnesota [Mr. NELSON], and vote. I vote "yea."

Mr. POLLOCK. I desire to announce the absence of the senior Senator from South Carolina [Mr. SMITH], who is detained on account of illness. I should like this announcement to stand for the day.

Mr. SHEPPARD. I desire to announce that the Senator from Nevada [Mr. PITTMAN], the Senator from Rhode Island [Mr. GERRY], the Senator from Kansas [Mr. THOMPSON], the Senator from Colorado [Mr. SHAFROTH], and the Senator from Georgia [Mr. SMITH] are detained on official business.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Ohio [Mr. HARDING] with the Senator from Alabama [Mr. UNDERWOOD]; and

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED].

The result was announced—yeas 41, nays 12, as follows:

YEAS—41.

Ashurst	Curtis	Hale	King
Bankhead	Fernald	Hardwick	La Follette
Beckham	France	Henderson	Lenroot
Borah	Gay	Hitchcock	McKellar
Brandegee	Gore	Jones, N. Mex.	Martin, Ky.
Cummins	Gronna	Kellogg	New
Nugent	Smith, Ariz.	Townsend	Weeks
Page	Spencer	Trammell	Wolcott
Pollock	Sterling	Vardaman	
Pomerene	Sutherland	Wadsworth	
Sheppard	Swanson	Walsh	

NAYS—12

Calder	Frelinghuysen	Moses	Sherman
Chamberlain	Jones, Wash.	Penrose	Thomas
Fletcher	Kirby	Robinson	Williams

NOT VOTING—43.

Baird	Kendrick	Norris	Simmons
Colt	Kenyon	Overman	Smith, Ga.
Culberson	Knox	Owen	Smith, Md
Dillingham	Lewis	Phelan	Smith, Mich.
Fall	Lodge	Pittman	Smith, S. C.
Gerry	McCumber	Poindexter	Smoot
Goff	McLean	Ransdell	Thompson
Harding	McNary	Reed	Underwood
Hollis	Martin, Va.	Saulsbury	Warren
Johnson, Cal.	Myers	Shafroth	Watson
Johnson, S. Dak.	Nelson	Shields	

So Mr. McKELLAR's amendment was agreed to.

Mr. SMITH of Arizona. Mr. President, I desire to make a parliamentary inquiry. I have been detained from the Senate on business and do not know whether or not the amendment to this bill proposed by the Senator from Nevada [Mr. HENDERSON] has been adopted.

The PRESIDING OFFICER. It has been adopted.

Mr. SMITH of Arizona. I offer to add, as an amendment at the end of that amendment as adopted, what I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Arizona will be stated.

The SECRETARY. At the end of the amendment submitted by Mr. HENDERSON it is proposed to add—

That the importation of Egyptian long staple cotton into the United States is hereby prohibited for the term of six months from the date of the passage of this act.

Mr. SMITH of Arizona. Mr. President, we see in the adoption of the Henderson amendment, as I will call it, and the amendment which I have proposed, the ramifications of that injustice which has been done under the cry of necessity for instant preparation for the greatest war in the history of all time. I am not here complaining of any mistakes which have been made; I only wonder that more have not been made, when we stop to consider the enormous responsibilities which have been resting on the Government and on the country.

Take the question which my amendment is supposed to cover—and it is not a part of the Henderson amendment, but is a mere addition at the end of that amendment in the pending bill. The United States commandeered, as I understand, all the spindles that were used in the weaving or the spinning of long staple cotton. The growth of that commodity is limited to a small point in the State of South Carolina, I think; to the southern part of the State of California; and to a large part of the irrigable lands in Arizona. Agents of the Government from the different departments went to the people of Arizona who were raising this cotton and insisted that it was just as important to raise long staple cotton as it was to contribute to a liberty loan. They were told that they were standing there doing nothing while their boys were fighting for their country in Europe; that they could raise cotton there which it was necessary for the Government to have. That cotton has been proven to be the strongest-fibered cotton in the world; it is not of the highest grade in some particulars, but in fiber it is the strongest cotton in the world. Those people were told to put in every acre of that cotton they could; that the Government would need it for gas masks which were found to be superior to any other in the world; and that the Government would need it, especially on account of the strength of its fiber, in airplanes, in balloons, and in all of those aerial necessities which became so important as the war advanced.

Acting under that suggestion, the people of my particular locality—the people of Salt River Valley—almost quintupled, and certainly quadrupled, the planting of this variety of cotton. That was done under the influence of those who had come from the United States Government, putting the argument in the terms I have already stated, but, as I believe, in a much stronger way.

Now, the question arises as to the commandeering of the spindles which afforded the only market for this cotton. There was the persuasion of the agents of the United States to those people to put more and more—every available acre—of their land into this cotton for Government purposes, with the assurance—I can not say there was any absolute guarantee, but with the assurance—that they could not lose on it.

But the armistice came; the war stopped, and these people are now left with the cotton crop of two years on their hands, which was selling, before the Government commandeered these

spindles, at 70 cents a pound. Since then, with the cotton there, the cotton weavers have concluded that they will not pay 70 cents, or any other number of cents, per pound for the cotton. The result is that the owners of the cotton are subject to any reduction in price which the cotton spinners may now impose upon them.

This proposed inhibition of the importation of Egyptian cotton is not in any sense the imposition of a protective duty. It is the only way I can conceive whereby these cotton raisers can obtain redress from a condition which the persuasion of the agents of the Government brought upon them, which induced them to put all they had into cotton. However, it means bankruptcy if this remedial legislation is not adopted. They have been placed in their present position by an effort to help the Government in the hour of its need. I think there are some 35,000 bales, probably 70,000 bales, being imported from Egypt for the very purpose of enabling the spinners to take advantage of this condition and thus bankrupting these men; and yet the Government of the United States stands aside and permits the introduction of this competing cotton into the United States. This is evidently wrong. It seems to me that some obligation rests on the Government to protect these cotton growers from that calamity.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Idaho?

Mr. SMITH of Arizona. Yes.

Mr. BORAH. It seems to me that the Senator from Arizona makes out a pretty strong case, but would the Senator be willing to incorporate in his amendment a nonimportation clause for wool also?

Mr. GAY. And for sugar?

Mr. SMITH of Arizona. No, I would not, for I do not know that wool, according to the prices, has suffered any and I do not know that sugar has suffered any.

Mr. BORAH. But here is the situation with reference to wool: The Government took over the wool, has possession and control of it, and now is not only selling its wool at auction to the manufacturers but is permitting the importation of wool from other countries, which destroys entirely the wool market of the western woolgrower.

Mr. SMITH of Arizona. That may be very true; but there was no effort made by the United States Government to induce the growing of wool in one particular part of the country where only a certain peculiar kind of wool could be grown, a kind that could only be used for certain articles essential to the Government. The Senator's illustration is much too broad for him to attempt to apply it to the remedy that I am now seeking.

Mr. SMOOT. Mr. President, I know the Senator from Arizona wants to be correct in any statement that he makes. I desire to say to him that the Government of the United States bought every pound of wool that was produced in the United States during the year 1918, and it finds itself now with 400,000,000 pounds of wool on hand. The program at first was to throw the wool on the market and sell it for whatever it would bring, or, in other words, to salvage it. The woolgrower had been encouraged in every possible way to produce every pound of mutton and every pound of wool that he could produce, without guaranty as to prices. So far as last year's clip was concerned, the prices paid were satisfactory under conditions existing, although if they had been allowed to sell at the world's market prices they would have received much more than they did.

Mr. SMITH of Arizona. Now, will the Senator permit me right there to ask him what relation that bears to the matter I am discussing? Why, in the argument that I am attempting to make for the relief of suffering people, should there be injected the question of wool or of wheat? Whatever was done with them has been done. The wool has been bought under guaranty, and it is held under guaranty, which applies to the whole production of the United States. There was not a separate distinct quality of wool that the Government had to have in order to carry on the war itself, as was the case with the long-staple cotton to which I have referred.

Mr. SMOOT. Mr. President, the Government did not only have to have one grade of wool, but it had to have every grade of wool.

Mr. SMITH of Arizona. I understand that; and that wool was grown everywhere.

Mr. SMOOT. That makes no difference where the wool was grown.

Mr. SMITH of Arizona. If it does not, the Senator and I can not see an argument when it faces us.

Mr. SMOOT. The Senator asked me what relation the wool had to the cotton. This is the relation: They are both used for the manufacture of cloth——

Mr. SMITH of Arizona. Long-staple wool and short-staple wool are grown in every State of the Union. They have no relation at all to the particular kind of cotton to which I am referring, grown nowhere in the world except in Egypt and in certain small areas in the United States, and an absolute essential to the Government.

Mr. SMOOT. Mr. President, long-staple wool is not essential in war any more than the short-staple wool; in fact——

Mr. SMITH of Arizona. I know that, and neither one of those commodities has anything to do with this case. They are both like the "flowers that bloom in the spring."

Mr. SMOOT. If they have nothing to do with the case, I do not see why there should be any legislation to affect any of them.

Mr. SMITH of Arizona. I am not asking for any legislation in regard to short-staple wool, or any of the other matters of which the Senator speaks.

Mr. SMOOT. I am speaking of short-staple cotton and long-staple cotton.

Mr. SMITH of Arizona. My amendment has not a thing to do with short-staple cotton. I would not have a word to say if it was the short-staple cotton that was affected.

Mr. SMOOT. No; I presume not; but I can not see a particle of difference between cotton and wool.

Mr. SMITH of Arizona. Well, I can; and that is the difference between us.

Mr. SMOOT. The Government owns 400,000,000 pounds of wool, and they are going to sell it in competition with the woolgrower the coming year. The domestic production of long-staple cotton, what little there is of it raised in the United States, will only answer the demand of America to a limited extent; whereas the 400,000,000 pounds of wool on hand will be about all domestic wool that will be consumed within the coming year.

Mr. SMITH of Arizona. How does the Senator know what the Government proposes to do with the wool?

Mr. SMOOT. I know, because the sales have been advertised, and some of them have already taken place.

Mr. SMITH of Arizona. Well, then, I presume the wool which the Government bought at a good high price has been sold at a good high price, for I have not seen any very serious decline in that market.

Mr. SMOOT. It is not a question of what the Government owns now; it is a question of what effect the prices obtained at forced sales of wool will have upon the wool that is yet to be grown and clipped this year.

Mr. SMITH of Arizona. I understand that; but I am not talking about wool, which, I repeat to the Senator, can be grown and sold in every State of the Union and imported from practically every country on earth. I am talking about a specific commodity, the production of which is confined to a limited number of acres and which the Government has simply set aside for its own use.

Mr. FLETCHER. Mr. President, may I ask the Senator if it is not a fact that the price fixed for wool was with the consent of the woolgrowers?

Mr. SMITH of Arizona. Unquestionably.

Mr. FLETCHER. And under agreement with the woolgrowers?

Mr. SMITH of Arizona. Unquestionably.

Mr. SMOOT. I wish to say, in answer to the Senator, that if the Government had not controlled the price of wool, wool would have advanced to a dollar a pound.

Mr. FLETCHER. I am not questioning that; but I am saying that an agreement between the woolgrowers and the Government was reached as to the price. That is how it was adjusted.

Mr. SMITH of Arizona. I thank the Senator for his suggestion.

Mr. FLETCHER. I wish to say further, as the Senator from Utah speaks about the domestic production of long-staple cotton being only sufficient to supply in a limited way the demands of the country, that, as a matter of fact, the sea-island cotton growers, the long-staple cotton growers, have last year's crop largely on hand and this year's crop in the warehouse. The demand for cotton here is not equal to the supply; there is produced in this country more than the country needs, and to some extent it is exported; but not only is the home market for our home product taken away from us by the importation of Egyptian cotton but the price is reduced to a point where the grower can not produce it. That is the situation with

reference to long-staple cotton. When we were short in tonnage, when the world was crying and begging for ships, the ships were used to bring in 90,000 bales of Egyptian cotton, 750 pounds to the bale, last year, to take the market away from the long-staple cotton growers in our country. That is the fact about it.

Mr. SMOOT. Mr. President, in answer to the Senator from Florida——

Mr. SMITH of Arizona. I have the floor, Mr. President, and I decline to wait until this debate is ended.

Mr. SMOOT. Will the Senator yield to me to answer one of the statements made by the Senator from Florida?

Mr. SMITH of Arizona. Yes; I will yield to the Senator once more.

Mr. SMOOT. Mr. President, I simply wish to say, in answer to the Senator from Florida, that so far as the wool growers of this country are concerned, they were asked to send representatives here and agree upon a price with the Government. No objection was voiced on the floor of the Senate to the Government compelling in a way the wool producers to accept the price put upon wool, but when the question of putting a price upon cotton was raised in this country there was an objection from every cotton State in the Union.

Mr. SMITH of Arizona. What has that to do with this argument? The Senator insists on putting all the objections and criticisms he can possibly find into my contention for an absolutely just and equitable provision.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Wyoming?

Mr. SMITH of Arizona. I yield.

Mr. WARREN. Mr. President, without regard to the cotton end of this colloquy, I wish to say that the RECORD should show a correct statement about wool. The Senator from Florida is mistaken in supposing that the Government entered into an agreement with the wool men that was satisfactory to them. The Government insisted that the woolgrowers should handle their wool in a certain way, but did not make any price. The Government insisted that the most it would do would be to act with the dealers, that there would have to be licenses for them to sell any wool; that growers could ship the wool to the commission men, and that the Government would then examine the wool, grade it, and pay whatever the price was supposed to be on the 30th day of the previous June, which was 10 to 25 per cent less than the market was on the day that this proposition was made.

Mr. SMITH of Arizona. Now, Mr. President——

Mr. WARREN. If the Senator will let me finish——

Mr. SMITH of Arizona. But I care nothing about the wool situation.

Mr. WARREN. Mr. President, I presume the Senator does not.

Mr. SMITH of Arizona. Well, we raise as much wool in my section of the country as is raised in the Senator's section.

Mr. WARREN. I wish that were true, but it is slightly incorrect. I shall finish my remarks unless the Senator requests me not to do so.

Now, so far so good. The wool of last year went to the Government, the cessation of the war prevented the use of the larger share of it, and the Government was overstocked.

The Senator states that there was no encouragement offered the woolgrowers to increase sheep and wool. On the contrary, the Agricultural Department of the Government has been urging repeatedly and insistently, month after month for more than two years, that there should be more sheep and wool grown; the matter has been advertised, and inducements and enticements have been given for men to raise more and more.

I have not said anything about cotton, and I am not going to do so; that stands by itself; but I want the RECORD to show the wool situation correctly. The wool men have been in exactly the same condition as are the long-staple cotton growers, so far as being encouraged to grow a great crop is concerned. That crop is now a surplus, and is not only being sold to-day at auction but it is understood—in fact, the Government has stated positively—that it will be sold from time to time at a rate as nearly as possible like that which wool brings in foreign countries.

Mr. SMITH of Arizona. Mr. President, I hope there is no man with better temper or with more patience than myself, but I give warning now that I will not be interrupted by any other woolgrower nor anyone else who seeks to apply to wool the argument that I am attempting to make. Everybody in the two Houses of Congress knows the history of wool for the last 60 years, and everyone knows, coming to politics, that as soon as the miserable prohibitory tariff was taken off of wool that commodity went up. That is going to settle the wool argument so far as I am concerned.

Mr. President, let me get back to my argument. The growers of long-staple cotton, to whom I have referred, acting under the impetus given by the Government and under the implied promise of the Government, exerted themselves to produce this cotton. It was at the time selling for 70 cents a pound, and to-day in the open market it is worth 70 cents a pound; but the gentlemen who do the spinning, relying on an importation from Egypt through England, are disposed to wait until they can supply themselves with the cheaper Egyptian cotton, after the farmers in the Salt River Valley and those in southern California spent as much as $5 a day for a man to pick cotton, and an inexperienced picker at that, on land that would pay them $200 an acre for hay alone. They responded to the plea made to them, quadrupled the planting of cotton, and now, following the armistice, they find themselves left without a market, with two years' cotton on their hands, and with the prospect of being absolutely ruined by the importation of Eyptian cotton through England.

My amendment only goes to the question of stopping that importation for six months, to squeeze the gentlemen who are trying to beat these men down to a price that they will pay, the legitimate price, for that sort of cotton in the industries that they are now conducting. That can be done by stopping the importation for six months, and then they will come and give the usual price for this cotton. If you do not do it, they will stand and absolutely be smothered by the Egyptian-raised cotton imported into the United States. I should like to say to my friend the Senator from Utah, imported without any duty on earth, and that against men paying $5 a day for labor to pick it alone.

I ask that that importation be prohibited for six months. A limited portion of South Carolina, probably one of the other Southern States, and every one of the western-southern growers of cotton, as I said, quadrupled the amount of their land devoted to it for the purpose of meeting the Government's demand; and when the armistice is declared they get notice that the Government does not want it and will not take it! I am simply asking that that importation be stopped until these men have a chance at the market; and these gentlemen will sell their woven long-staple goods at just as high a price with the Egyptian product as they will sell them with the Arizona product paid the legitimate 70 cents a pound.

So, Mr. President, it seems to me that if we are adjusting the rights of people we should look a little to those in my country, who have gone away beyond every demand of this Government in every liberty loan, who have gone away beyond every demand of the Red Cross, who have gone beyond every demand of any people asking money for the purpose of protecting our wounded or caring for our sick on the battle fields of Europe. I am asking for this measure of relief for those induced by the Government to plant this cotton, and then ruined by the Government through the importation of English cotton.

My friends, it seems to me that no stronger appeal could be made under any sort of case than is made by these people, who, under what they call the hottest sun in the world, are striving every day of their lives to convert the desert into habitable homes. And now, when they have contributed liberally to every relief the Government ever asked, and have made an oversubscription, and a large oversubscription, to liberty bonds—I think probably exceeding, taking it county by county, any State in the Union—when we come to the staple product of all those men, who contributed largely, many of them borrowing the money on their cotton crops, to buy great amounts of Government bonds, they are to be told: "Your market is to be killed, your money to be taken from you, that the Egyptian cotton grower or the American spinner may use your disaster to his own advantage."

Mr. SMITH of Georgia. Mr. President, I wish the Senate to understand distinctly the difference between long-staple cotton and cotton as it is ordinarily termed.

The amendment of the Senator from Arizona applies to long-staple cotton. It is as different from the ordinary lint cotton, the great southern crop, as wool is different from long-staple cotton. It is raised largely in southern California, in Arizona, somewhat upon the coast of South Carolina, a small amount—probably 20,000 bales—in the coast counties of Georgia, and some in Florida. The total production of long-staple cotton in the United States amounts, I think, to about 200,000 or 250,000 bales.

Mr. SMOOT. I do not think it is quite that much.

Mr. SMITH of Georgia. Probably about 200,000 bales; and this amendment does not apply to the great cotton crop of over 11,000,000 bales. This amendment proposing to protect long-staple cotton comes from the Senator from Arizona. It does not

come from the southern cotton growers, seeking protection for their crop. But I want to mention to you a few facts about long-staple cotton, and the just complaint that the people of Arizona and southern California and other long-staple cotton growers have with reference to it as compared with other cotton.

Ninety thousand bales of Egyptian long-staple cotton, 750 pounds to the bale, have been admitted to the United States by the War Trade Board this year already. They admitted freely Egyptian long-staple cotton, while they were refusing licenses and restricting licenses for the exportation of our great short-staple crop. The War Trade Board, as late as the latter part of November, was rationing even Spain in its consumption of cotton, limiting exportation to 35,000 bales a month and requiring the shipper, before he could obtain a license to export, to show the name of the manufacturer to whom he had sold the cotton and to further show that the manufacturer was not receiving more than his pro rata of the amount that was being rationed to Spain.

Mr. HITCHCOCK. Mr. President, does not the Senator think he should say, on behalf of the judgment of the War Trade Board, that the enormous demand was for cargo space going to Europe for export, and it was difficult to find any space in export cargo but a comparatively easy matter to find space in ships coming to the United States?

Mr. SMITH of Georgia. If there was not cargo space going to Europe, why did they restrict the licensing of cotton going abroad? If we could not get the cargo space to go to Spain, why refuse to permit our cotton growers and our cotton merchants licenses to export if they could get the space? I do not think the Senator from Nebraska is right about it. I think it was a deliberate purpose to restrict shipments of short-staple cotton.

Mr. HITCHCOCK. The Senator does not deny that our exports are enormously in excess of our imports, and have been for the last three or four years, and that it has been a much harder matter to find cargo space for export purposes than cargo space for import purposes?

Mr. SMITH of Georgia. That was undoubtedly true before the armistice, but not since; but when the cotton merchant found his space and had his ship there was no reason why he should not have been given a license to ship his cargo; and my complaint is that when cotton merchants had the ships and were prepared to export, the War Trade Board restricted the trade and suppressed exportation without just cause, to the damage of one-fourth of the country at least and, indirectly, to the damage of the entire country, because the exported cotton sold abroad at liberal prices would help make our international balances and bring back gold to enrich and give vitality and life to all the industries of the country.

I do not know that this amendment would help much the people of Arizona now, because 90,000 bales of 750 pounds each of long-staple cotton have already been brought in; but the rationing of Spain in November to 35,000 bales a month, and requiring the party shipping to show a manufacturer as purchaser before a license would be issued, and that the manufacturer only had his pro rata portion, was utterly indefensible. Why?

The excuse was given that they were afraid Spain would accumulate a large amount of lint cotton and, after the blockade was raised and the war was over, sell it to Germany. Well, why should they not do so? If the blockade was raised and the war was over, and, according to the agreements settling the peace terms, Germany or Austria was entitled to buy cotton, if Spain wanted to buy it in the meantime and accumulate it, why should she not do it?

The trouble is that whenever you suppress an exportation of an American product by regulation, while you may injure an enemy abroad or you may interfere with somebody's foreign trade, you certainly strike a blow at your American producer as well. I view this subject from the standpoint of American interests. I view the right to do an export trade, not in the interest of the foreign country that buys but in the interest of the American exporter who sells; and, again, when we buy from a foreign country we buy because we believe the product will help our own country; and, again, if our citizens desire to buy I view it from the standpoint of the interest of the American citizen who desires the product, and if the product is needed here you injure our country by hindering importation.

The Senator from Utah said that the suggestion of fixing a price on cotton raised objection from all over the country. I wish he would mention the exact time to which he refers. Does the Senator refer to the proposed price-fixing by the War Trade Board last fall?

Mr. SMOOT. I do.

Mr. SMITH of Georgia. I wish to reply, then, briefly.

Mr. SMOOT. The Senator does not deny the fact that there was a discussion as to the fixing of a price?

Mr. SMITH of Georgia. Undoubtedly there was; and I wish to make a few remarks on that subject.

Mr. SMOOT. And the Senator objected, and I had no objection to his objecting.

Mr. SMITH of Georgia. I wish to make just a few remarks upon that subject. I wish to show that it was right to object and protest against the proposed price fixing referred to by the Senator from Utah.

The War Trade Board had as much right to fix a price on cotton last fall as the man in the moon had, and no more, and it had no more power to maintain the price if fixed.

Mr. SMOOT. And they had just the same right to fix it on cotton as they had on wool.

Mr. SMITH of Georgia. The relation was entirely different. They had no right to fix the price on wool.

Mr. SMOOT. That is what I say.

Mr. SMITH of Georgia. They did not. They agreed with the woolgrower as to what the Government would pay for the wool that the Government bought. They did not fix the price on wool except in that way.

Mr. SMOOT. Why, Mr. President, they demanded that they buy every pound of wool produced in the United States; and not only that, but no one was allowed to buy a pound of wool unless he was licensed by the Federal Trade Board, nor could he sell a pound.

Mr. SMITH of Georgia. Was there any act of Congress authorizing such a procedure?

Mr. SMOOT. Oh, I have not said that they were authorized.

Mr. SMITH of Georgia. They had no more right to prevent you from selling where you pleased than I have, as a private citizen, if no act of Congress controlled the subject.

Mr. SMOOT. But they did say to every dealer and to every person in once put in the United States, "You can not buy a pound of wool unless you hold a license for it, nor can you sell a pound of it unless you are granted a license."

Mr. SMITH of Georgia. The Government traded with the woolgrowers and agreed on a price.

Mr. WARREN. Mr. President, I know the Senator wants to be right.

Mr. SMITH of Georgia. I do.

Mr. WARREN. That is not quite correct.

Mr. SMITH of Georgia. What was the price they agreed on?

Mr. WARREN. No price whatever was agreed upon, except that, as the Senator said a moment ago, they first said that unless the United States Government's proposition was accepted by the wool men they would provide that nothing could be done in the wool business except under license. That was the first proposition. The second proposition was that if the woolgrowers could find ways to raise the money by shipping their wool through commission houses the Government would then grade that wool, or have it graded, and have it appraised, and would pay then, as near as could be on each grade determined, the rate of the year before on the 30th of June. The wool men, after a few days' consideration, said that although there was no law for it, they understood the power of the Government to destroy the market; and while they felt that it was too low, they were willing to accept it if the Government would protect the market until it became normal again, which the Government, of course, has not yet done. They discovered a willingness on the part of the War Industries Board to support the market for another year by asking Congress to continue the powers of the War Board through the year to enable them to do it, which I believe was finally considered unconstitutional, and it has fallen to the ground, and wool with it; and the wool will have to go on to the market for whatever it will bring.

Mr. SMITH of Georgia. What I am really interested in doing just at this time is protesting against any authority placed in the Government anywhere to take any private citizen's goods at an arbitrary price. I deny that the Government can legally do it, or that Congress can give them the right to do it.

Mr. WARREN. The Senator is right about that; but under the circumstances, with the war on, they could during active war indirectly accomplish exactly what they sought to do; and the growers of wool, as patriotic as the cotton growers and as all other people in the country, simply accepted the situation.

Mr. SMITH of Georgia. I regret to have an impression go over this country that we live under a Constitution that allows Congress or the administration to take the property of a private citizen at an arbitrary price. It "riles" me to have the suggestion made.

Mr. WARREN. I want to agree with the Senator just as emphatically as he has stated the matter, but I think the Senator will remember that we sang very low and whispered rather

than shouted and did pretty much as we were commanded to do during the stress of war, and I do not know that we regret it.

Mr. SMITH of Georgia. Yes; and it is a marvelous record of patriotism by the people of this country—their willingness or their readiness, without complaint, to submit to things that I do not think ought to have been done in many instances.

Mr. WARREN. High and low, without regard to parties, vocations, or circumstances.

Mr. SMITH of Georgia. But I just did not wish to let the opportunity pass without expressing my protest against the view that the Government can arbitrarily take any man's property by a price fixed either through Congress or through the President.

Mr. WARREN. I agree with the Senator.

Mr. SMITH of Georgia. It may be valuable in the future to have it known that no such power is vested in our Government.

I wish to say that one of the most remarkable occurrences of this character happened with regard to linters in connection with cotton. Linters were selling at about 6 or 7 cents a pound. Linters are the small fibers scraped at the cotton-oil mill from cotton seed, left on the seed by the cotton gin. The gin takes off the spinnable cotton; and this substance, called linter, is a very small, fine fiber that is not removed by the gin and can not be spun.

Mr. SMITH of Arizona. Just a fuzz on the seed.

Mr. SMITH of Georgia. They were selling for about 6½ or 7 cents a pound when the Government determined, with the war inaugurated, that the Government needed linters to make munitions. The Government went further. It determined that it wanted more linters than the seed normally scraped would produce, and desired part of the hull scraped off, adding a sharp fiber, which made the linters more valuable for munition purposes, and the oil men put in machinery for the purpose. They agreed first with the War Industries Board on a price of 4.62 cents per pound, substantially less than the market price. They at once put in the machinery preparatory to producing these additional linters, and they made a sort of a contract for the sale of their linters. After the armistice came about it was really an amusing thing to see the kind of contracts they had made. A little organization had made the contract for all of it for the Government. They had no contract with the Government that was worth anything, and the little concern that had made it could not have financed any of it; and yet these splendid business men just absolutely took anything they were told to take and did anything they were called upon to do, and the explanation of it was, "We did not consider our rights. We were told by our Government that something was needed of us, and we proposed to carry it through"; and I have no doubt the wool men were moved in very much the same way.

Mr. WARREN. It was all "the war." Everything in the last two years up to the time of the armistice has been "the war." The swing of the small whip, the words "it is for the war," have been all that was necessary to carry through almost anything, no matter how absurd or expensive, and have it become the law of the land for the time being.

Mr. SMITH of Georgia. Now, I have come down to the remark of the Senator from Utah [Mr. SMOOT], to which I wish to refer and which I desire to distinguish from all these other conditions.

The wool was needed by the Government, and the wool men gave it up for whatever the Government called on them to give it up for. The cotton linters were needed by the Government, and the oil men and the cotton men gave it up, under contracts that were worth little, after expending large sums of money to fit their oil mills to handle it, and I approved their patriotic course; but when the proposition was made for the War Industries Board to raid the ordinary lint cotton the Government was not using a bale of it. The Government did not want a bale of it. The Government never has taken a bale of it. The Government had bought its supplies of cotton manufactured goods by contract from cotton manufacturers. They bought the cotton. The entire Government consumption would not amount to 10 per cent of the cotton crop. The Government consumption, I am informed, would not amount to 10 per cent of the lint cotton raised in our country. Now, when they proposed for the War Industries Board to fix the price of lint cotton the Government did not intend to buy it and stabilize the price. It did not offer to. It did not have any need for it. There was no act of Congress authorizing the Government to underwrite the price, and I want the Senator from Utah to follow my distinction.

It occupied an entirely different situation from the linters. The Government wanted none of it. It did not intend to buy a bale of it. It had no authority to underwrite the price of a bale. It was in the market for none of it; and for the War Industries Board to undertake to fix a price upon a commodity which the Government did not need nor wish to use, which the Government was not authorized to buy, and which, if the Government fixed a price upon it, it had no authority to maintain, was arbitrary and indefensible. I said at the time that the Government could not fix a price on cotton that anybody was obliged to take or that anybody was obliged to pay. The Government itself needed none of it and was not going to buy any of it, so the Government was not in the market to maintain the price at all; and the whole suggestion and the whole movement was inexcusable. I knew that if they fixed a price nobody would be obliged to sell at it and nobody would be obliged to pay it.

As to the linters, the situation was entirely different. The Government needed them, and I helped induce and advised those producing linters to do whatever the Government wanted and let the Government have them; but the lint cotton proper occupied an entirely different situation, and therefore I did without hesitation say that the suggestion was preposterous. If the Government had wanted 10,000,000 or 6,000,000 bales of the cotton, then the situation would have been entirely different.

Mr. WEEKS. Mr. President——

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from Georgia yield to the Senator from Massachusetts?

Mr. SMITH of Georgia. I yield to the Senator.

Mr. WEEKS. I am not sure that I see the connection between the proposition which is pending and this bill; but I want to ask the Senator from Georgia, who knows so well about the cotton situation, if we import any long-staple cotton from any other locality than Egypt?

Mr. SMITH of Georgia. I think not.

Mr. WEEKS. The reason why I am led to ask that question is that we have a rather serious trade complication pending now relative to action taken by Great Britain prohibiting the importation of shoes into Great Britain. That was taken as a war measure, I understand. The United States in the past has sold very considerable quantities of shoes to Great Britain. At least half a dozen of the large manufacturers have maintained stores there, some of them several stores, and they feel materially the effects of this prohibition. If we prohibited the import of long-staple cotton, does the Senator believe that it would have any effect on this prohibition of the importation of shoes into Great Britain?

Mr. SMITH of Georgia. I think that the brightest traders in the world live on British Isles, and they will always take care of themselves; and if they have something that they wish to sell you that you will not buy unless they give you a chance to sell to their people what you wish to sell, I think they could undoubtedly be reached by action of that character.

Mr. WEEKS. Mr. President, I presume this may sound a little like a foolish question; but I presume the Senator would object to a prohibition of the exportation of our cotton to Great Britain for 30 days, or thereabouts, until some arrangement was made about the shoe question?

Mr. SMITH of Georgia. I certainly would, because that would do a great injustice to our people.

Mr. WEEKS. But the Senator does think that if we prohibited the importation of long-staple cotton it might have some influence in adjusting the other question?

Mr. SMITH of Georgia. I think the suspension of the exportation of short-staple cotton would have a tremendous influence upon it.

Mr. WEEKS. I suppose it would.

Mr. SMITH of Georgia. I think that to suspend the shipment of foodstuffs to Great Britain would have even a controlling effect. I think we are in a position absolutely to make Great Britain treat us fairly in all matters of trade if we have the nerve and force to do it. I would think it improper to pick one product of the United States, to the exclusion of all others; but if it were deemed advisable to say that no American products should go to Great Britain until she admitted our shoes and other products fairly, I would be willing for cotton to take its place among all the others and bear its part of the burden. I would not be willing for it to be singled out to be deprived of a market unless we followed the same course as to other commodities.

Mr. KING. Will the Senator yield?

Mr. SMITH of Georgia. Yes.

Mr. KING. I have listened to a portion of the argument of the Senator from Georgia.

Mr. SMITH of Georgia. No; I have not been making an argument.

Mr. KING. I think the Senator has been making a very persuasive one. It has been so persuasive and so eloquent

that I am inclined to think that perhaps other products ought not to be overlooked, and I suggest to him the advisability of including in the amendment the words "potash, manganese, and pyrites," because those products are in substantially the same situation as the products for which the Senator has been contending. I ask the Senator if he will consent that those words be added to the amendment, after the word "potash"?

Mr. SMITH of Georgia. This is not my amendment. It is the amendment of the Senator from Arizona. I have not been speaking in behalf of the amendment. I have been speaking really as the result of a remark made by the Senator from Utah [Mr. SMOOT] that the suggestion of putting a price on cotton raised great objection from all over the country. I wanted to take this opportunity of drawing a distinction between the status of cotton and many other commodities which the Government handled, and to justify the position which I took last September, when the President and the War Trade Board broke the price of cotton to the injury of the South of $500,000,000. Cotton was selling at 38 cents a pound when they undertook to interfere with it. They announced that they were going to fix the price or stabilize it or regulate the sale of it or create a single purchasing agent who should buy for our allies and all purchasing supplies in our country, thereby eliminating all competition among purchasers in the United States, and thereby forgetting that the Sherman Antitrust Act was ever passed. When that was done they broke the price of cotton. They broke the market and drove it down to a loss on the crop of over $500,000,000.

Then, finally, when they announced at the end of about six weeks that they had nothing to do with it, that they had no power to fix the price, no power to maintain a price, no money with which to buy any of it, no desire to buy any of it, the War Trade Board stepped in and was restricting the issue of licenses and checking the export of cotton.

I condemned, then, the talk of price fixing for cotton, because, really, they had no power to do it. I knew they would not buy it. I knew the Government did not buy it. I knew the Government had no money to buy it with, and it could not make anybody use it, and could not make anybody buy it, and that the suggested manipulation of the crop would break the market down, as it did. I was not discussing the merits of the amendment of the Senator from Arizona. I have pointed out the unauthorized interference with cotton, to the damage of the cotton grower and our entire country.

Mr. BORAH. I understand the Senator from Arizona is willing to include wool.

Mr. SMITH of Arizona. No; I have told three or four Senators that I am not. I should like to have a vote on the amendment. I expect in the heat of debate, as we often do, I may have referred somewhat roughly to the fact that I would not be interrupted any more in this particular argument by the question of wool. If I have any number of friends anywhere in the world it is among the woolgrowers of Arizona. If I have political friends anywhere in the world, even my attitude on free wool never broke them down in their kindness to me. So no accidental or unthoughted remark of mine in debate could be construed by the Senator from Wyoming, with whom I have been acquainted in public life for over 30 years, or my friend from Utah, who knows my kindliness toward him, to be any lack of appreciation of my friends. I publicly express my apology, if such is necessary, and disclaim any intent of ever having alluded in any but the kindliest and the pleasantest terms to either of the friends I have mentioned.

Mr. SMOOT and Mr. BORAH addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. CHAMBERLAIN. Mr. President, while this discussion is intensely interesting, I do hope we may be able to get a vote on the bill to-night so that it may go to conference. Therefore I ask that we may have a vote on this amendment.

Mr. SMOOT. Mr. President, I did have the intention of referring to some statements that have been made here to-day, but I do not think any good would come from a discussion of the merits of the protection of the wool interests and the long-staple cotton growers of the country. We know that both of them find themselves in a rather precarious situation. I do not know what is going to happen to the woolgrowers of this country in the coming year. Nobody can tell; nor can I say what is going to happen to the long-staple cotton growers of the country; nor, Mr. President, can I say what is going to happen to the general business of the country. I have taken a little of the time of the Senate in the past to call attention to facts and to express the opinion that it will not be long before there will be a great deal of suffering not only among the growers of wool and cotton but among the laborers of the country as well. Conditions are such that it could hardly be otherwise.

So whatever has been said here to-day I know that the Senator from Arizona will not claim that it has been said in any spirit of criticism. The statement made by the Senator from Arizona in relation to long-staple cotton embraced facts that I am fully aware of. I know what an important crop it is. I have bought hundreds and hundreds of bales of it and used it in the manufacture of what we term tricot longs, sold in this country from one end to the other.

I think the Senator from Arizona perhaps will remember that upon this floor I have stated time and time again that a thousand times rather would I as a manufacturer use long-staple cotton than the mungo and shoddy that is used so much by manufacturers of woolen goods in the United States, and not only in the United States but in all the world.

So, Mr. President, when the amendment was offered I immediately thought, as I stated, of the condition of the woolgrower. I immediately thought of our potash producers in the State of Utah. I immediately thought of the manganese miners of the country, who by the Government were pleaded with and almost commanded to open their properties and who borrowed money and erected plants to produce it because it was wanted so badly by the Government for carrying on the war.

Mr. President, I know men who have not only put every cent they have on earth in the plant, but they have borrowed every cent they could from their friends and put up everything in the way of security they had for the loans they had to make. I wish to say that those same men had scarcely produced the first carload of manganese ore before the armistice was signed, and they were closed down.

Mr. SMITH of Georgia. I know three men in my State who put up $200,000 that they had of their own and borrowed $500,000, and now unless the Government accepts it as a burden upon all the people they will lose it.

Mr. SMOOT. That is only one case out of hundreds.

Mr. SMITH of Georgia. They did it at the earnest request of the Government for immediate action, stating that the legislation was going to be passed and that they must not wait until the legislation which authorized the contract was passed.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Idaho?

Mr. SMOOT. I do.

Mr. BORAH. The wool situation and the long-staple cotton situation, of course, are both very serious. I think, aside from all humorous remarks, we all concede that to be the case. But could it not all be remedied by appropriating $100,000,000 and purchasing the wool upon hand and keep the people of Europe from freezing to death? It seems to me that while it is yet difficult to get through a nonimportation clause we would not have any difficulty in passing an appropriation bill to buy the wool and the long-staple cotton, and why not buy the manganese and potash? There is no bottom to the Treasury.

Mr. SMITH of Georgia. Does the Senator think the destitute of Europe require it?

Mr. SMOOT. I suppose the Senator asks that as a general question.

Mr. BORAH. I ask it as a general question, and I ask it as a serious question, because the precedent in that respect has been established.

Mr. SMOOT. I think there is quite a difference between buying food—for a person has to have food or starve to death—and giving a man a new suit of clothes where he has an old suit to keep him warm.

Mr. BORAH. Suppose he has no suit at all?

Mr. SMOOT. Then I think the country in which he lives should take care of him and clothe him.

Mr. BORAH. It is not only a question of humanity, but a question of decency.

Mr. SMOOT. I know exactly how the Senator from Idaho feels in relation to the $100,000,000 appropriation, and I want to say, as I said the other day, that I sympathize with him a great deal in what he said.

Mr. BORAH. I am trying now to invoke the precedent. I want the benefit of the combined wisdom of 53 votes. I am perfectly willing to surrender my judgment and have the precedent carried to its lawful conclusion and take care of the wool men, because they will be ruined, there is no doubt about it, and to take care of the cotton men, and to take care of the potash men. There is one way to do it, and that is to appropriate money and buy the product.

Mr. CUMMINS. I desire to suggest that the Senator from Utah ought to include the hog men as well. They may suffer because the price of hogs may go down presently.

Mr. SMOOT. They will not suffer in the price of hogs, at least for the month of February, because I notice in the morning press that the price will be 17½ cents for the month of February.

Mr. CUMMINS. They will want it after February.

Mr. SMOOT. Oh, yes; but I say there is quite a difference between financial ruin and death. I would a thousand times rather lose every dollar I have on earth than to lose my life. I take it for granted that the $100,000,000 that was appropriated was for the purpose of saving lives. Nobody will lose his life if the Government does not appropriate for the purchase of wool and nobody will lose his life if we do not purchase the manganese or the potash. That is the difference.

Now, I ask the Senator from Arizona if he wants a separate vote on his amendment without putting potash and manganese and pyrites and wool upon it?

Mr. SMITH of Arizona. I should very much prefer a vote on my amendment, because I believe——

Mr. SMOOT. I am perfectly willing, as far as I am concerned, to have the Senate vote on the amendment. Then if the Senate agrees to it, I wish to say to the Senator I shall reserve the right to offer an amendment to the amendment, because that certainly can not hurt, and the whole question then will be in conference.

Mr. SMITH of Arizona. I appreciate that.

Mr. BORAH. I do not think it is a fair way to treat long-staple cotton, to compel it to make this fight single handed and alone. We ought to give it what support we can, and therefore it ought not to be permitted to die in isolation and without assistance from those who are in like condition. I wish the Senator from Utah would put in wool.

Mr. SMOOT. I reserve the right to put it in if the amendment of the Senator from Arizona is agreed to. If the Senate adopts the principle of it, then I want, of course, to offer my amendment; but I think it is fair to the Senator from Arizona to comply with his request.

Mr. SMITH of Arizona. I simply request a separate vote on my amendment. I appreciate the humorous efforts of my distinguished friend from Idaho [Mr. BORAH]. He does not seem to treat it with the seriousness he displays when advocating other matters. When it comes to the question of bringing men to ruin by reason of the action of the Government itself he treats it humorously. And this is not a prospective ruin, it is a present ruin. If anything bad happens to wool I shall regret it as much as any Senator on the floor. If anything bad should happen to many industries of the country I should regret it as much as any Senator on the floor. I am only asking for that article which relates to my part of the country. I am pleading for those who have been induced to go into bankruptcy, pledging their money on the hope of selling their cotton, investing it in bonds, and they stand to-day under the hammer of the sheriff if we do not prevent the importation of English cotton here, with the heartlessness of the cotton manufacturers using this English importation as a means of breaking them and at the same time England prohibiting the importation of American shoes.

I hope the Senate will give me a vote on the amendment separately, and I sincerely contend that for those whose hopes stand in the balance now it is a question of salvation from absolute ruin. I should like the sense of the Senate on the necessity of the amendment.

The PRESIDING OFFICER. The question is on the adoption of the amendment of the Senator from Arizona.

Mr. SHERMAN. Mr. President, may I inquire from the Senator who offered the amendment whether he will accept this amendment to the amendment:

> Nor shall any Indian corn be imported into the United States during that period.

Mr. SMITH of Arizona. Is that suggestion made in humor or in earnest?

Mr. SHERMAN. No; I am in earnest.

Mr. SMITH of Arizona. I did not know.

Mr. SHERMAN. I never jest in this body.

Mr. SMITH of Arizona. The Senator makes some very humorous suggestions sometimes.

Mr. SHERMAN. The trouble is with the interpretation the audience puts upon the suggestions. I am a little ahead of the procession sometimes.

Mr. SMITH of Arizona. I thought we were the greatest exporters of corn in the world. I speak to the Senator in all seriousness. In view of the immediate effect of the amendment, in which I am deeply interested. I ask him as a favor to me to let us have a vote on the amendment independently. Then if the Senator thinks his amendment is of sufficient importance he can offer it.

Mr. LEWIS rose.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. SHERMAN. I have not yielded the floor, but I will yield to my colleague if he desires.

Mr. LEWIS. No, Mr. President, I rose to address the Senate upon the bill for a moment or two. I do not wish to interrupt the Senator. I prefer to yield to the request of the Senator from Arizona for a vote before I take the floor.

Mr. SMITH of Arizona. I hope we will have a vote.

Mr. SHERMAN. Mr. President——

Mr. CHAMBERLAIN. May I interrupt the Senator?

Mr. SHERMAN. Yes, sir.

Mr. CHAMBERLAIN. This bill is of such very great importance that I shall ask the Senate to remain in session this evening until a vote is had upon it if Senators will stay and help it through.

Mr. SHERMAN. Mr. President, I shall not take much time, I will say to the Senator from Oregon. I am in dead earnest about my amendment, notwithstanding what my friend from Arizona may think.

Corn is now coming through the Atlantic coast ports from Argentina. Those imports have broken the price of corn. Farmers in the northern Mississippi Valley have loaded up, under the request of the Government, on both stock hogs and hogs now almost ready to go into the market, into which are fed high-priced corn. The farmer last year put out a large acreage of corn. A good deal of his surplus corn is in the crib yet, especially in the case of the farmer who is raising a large quantity of it. About the time he begins to think of marketing his hogs the price is broken upon all the primary markets of the country because of the Argentine importation. I think it would be fair to stop some of the other agricultural importations in order to protect him and make it rather a symmetrical system all around.

No doubt I will surprise the Senator from Arizona by saying to him that I am going to vote for his amendment. I believe in the particular application but not in quite so intense a form. In the summer of 1913, if you will refer to the CONGRESSIONAL RECORD, I proposed on the tariff bill then pending to protect the long-fiber cotton of the United States and said it ought to be done. Since the English engineers built the dam at the second cataract in the Nile they have doubled the entire arable tract of the Nile Valley. There was only a limited area there from the time of the Pharaohs down to the present, because it was natural irrigation. This artificial addition to the cotton land has doubled the area, and not all but the greater part of the long-fiber cotton, outside of the areas named by the Senator from Georgia, come from this one competitive district. England is merely a port of transshipment.

Long-fiber cotton, as every one in the cotton trade or every cotton spinner knows, is used in the higher forms of cotton manufacture. Laces and the higher forms of ladies' lingerie of all kinds, requiring a particular form of cotton, draw on this supply. The importation of 90,000 bales, at an average of 750 pounds to a bale, is a very serious blow to the long-fiber cotton industries of this country.

I said in the summer of 1913 that I believe in protecting this form of cotton. As to the short fiber, the upland cotton, you can compete with the world; you fear nothing from any competitor; but on this particular kind of cotton I believe in the principle. It was rejected at that time, but merely because it was unsenso-nable. I have not changed my adherence to the principle.

I intend to vote for the amendment offered by the Senator from Arizona, particularly. The protection is a little high. Absolute prohibition is not quite my idea of a tariff schedule. But it is temporary, and I hope by an application of the intensive form of a remedy a more diluted form will permeate the earth and will afterwards percolate its way into the majority in this Chamber.

Mr. THOMAS. Let the amendment be read.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. At the end of the amendment offered by the junior Senator from Nevada [Mr. HENDERSON] insert:

> That the importation of Egyptian long-staple cotton into the United States is hereby prohibited for the term of six months from the date of the passage of this act.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. TOWNSEND. Let us have a yea-and-nay vote on the proposition.

The yeas and nays were ordered.

Mr. THOMAS. Mr. President, as there is to be a yea-and-nay vote upon this amendment I wish to say a word before the

vote is taken. I did not intend to speak upon the bill because I realize how vastly important its early passage is.

The purpose of the bill is to meet a great emergency, arising from the sudden termination of hostilities and of contracts for munitions and other supplies needed for the proper prosecution of the war. That emergency is a great one. It affects thousands of contracts and hundreds of millions of dollars. The Committee on Military Affairs held hearings and received a great deal of information from different parts of the country as to the character of these contracts and the imminence of the necessity for taking some care of them. Among other things we were informed that unless this measure or some similar one should be enacted into law by or before the 1st day of February a great many institutions would have to shut down, resulting in throwing to idleness literally hundreds of thousands of employees, particularly in great manufacturing centers like Cleveland, Detroit, Pittsburgh, and similar places throughout the country on the Atlantic seaboard.

Mr. President, this bill should not be encumbered, however great the necessity, however meritorious the condition, with so many of these extraneous matters. They not only take up an immense amount of time for their consideration but in the event they become component parts of the bill they will make the administration of the bill so much more cumbrous and dilatory.

Moreover, Mr. President, I do not believe in converting a bill of this kind into a protective-tariff measure. I conceive that there is abundant ground for the Government taking care of certain producers in the country who not only at the invitation but almost at the command of the Government invested a great deal of money in the effort to produce and for the purpose of producing things which before the war we obtained from other countries and which are not at present available but absolutely indispensable.

They ought to be taken care of, but to load this bill down with all these subjects is going to postpone its enactment. It is going to make its administration extremely difficult. The very emergency which we are now seeking to avoid will be upon us before we know it unless we forget these other matters and devote ourselves to the enactment of the bill practically as it was reported from the committee.

So, Mr. President, I hope that these conditions will be borne in mind when the vote is taken upon the pending and similar amendments. I do not know what the condition of long-staple cotton is, nor the condition of wools, nor the condition of some other commodities which may need and probably do need the immediate attention of Congress, but let us take those things in their order. Let us get rid of this exigency as soon as possible and then proceed with the business of the Senate.

The PRESIDING OFFICER. The Secretary will call the roll on agreeing to the amendment of the Senator from Arizona.

The Secretary proceeded to call the roll.

Mr. KING (when his name was called). I have a general pair with the junior Senator from Tennessee [Mr. McKELLAR]. Not knowing how he would vote on this question, I withhold my vote.

Mr. MARTIN of Kentucky (when his name was called). I have a general pair with the junior Senator from New Hampshire [Mr. MOSES]. Not knowing how he would vote on this question if present, I withhold my vote.

Mr. THOMAS (when his name was called). I transfer my pair with the Senator from North Dakota [Mr. McCUMBER] to the senior Senator from New Hampshire [Mr. HOLLIS] and vote "nay."

Mr. UNDERWOOD (when his name was called). I desire to inquire whether the junior Senator from Ohio [Mr. HARDING] has voted?

The PRESIDING OFFICER. He has not voted.

Mr. UNDERWOOD. I have a general pair with the junior Senator from Ohio, and not knowing how he would vote if present, I withhold my vote.

Mr. WOLCOTT (when his name was called). I transfer my pair with the senior Senator from Indiana [Mr. WATSON] to the senior Senator from Virginia [Mr. MARTIN] and vote "nay."

The roll call was concluded.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Ohio [Mr. HARDING] with the Senator from Alabama [Mr. UNDERWOOD];

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED]; and

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS].

Mr. OVERMAN. I notice the absence of my pair, the senior Senator from Wyoming [Mr. WARREN]. I have a general pair with that Senator and therefore withhold my vote.

Mr. KELLOGG (after having voted in the negative). I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS]. I transfer that pair to my colleague [Mr. NELSON] and will let my vote stand.

Mr. MYERS (after having voted in the negative). Has the Senator from Connecticut [Mr. McLEAN] voted?

The PRESIDING OFFICER. He has not.

Mr. MYERS. I have a pair with that Senator, but I transfer it to the Senator from California [Mr. PHELAN] and will let my vote stand.

Mr. STERLING. I have a pair with the Senator from South Carolina [Mr. SMITH]. Not knowing how that Senator would vote if present, I withhold my vote.

Mr. WILLIAMS. I have a standing pair with the senior Senator from Pennsylvania [Mr. PENROSE]. I understand he has not voted.

The PRESIDING OFFICER. He has not.

Mr. WILLIAMS. I transfer that pair to the Senator from Oklahoma [Mr. GORE] and vote "nay."

The result was announced—yeas 10, nays 42, as follows:

YEAS—10.

Ashurst	Johnson, Cal.	McNary	Trammell
Bankhead	Jones, N. Mex.	Sherman	
Fletcher	Lewis	Smith, Ariz.	

NAYS—42.

Beckham	Henderson	Nugent	Swanson
Borah	Hitchcock	Pittman	Thomas
Chamberlain	Jones, Wash.	Poindexter	Thompson
Cummins	Kellogg	Pollock	Townsend
Curtis	Kenyon	Pomerene	Wadsworth
Fernald	Kirby	Ransdell	Walsh
France	Knox	Robinson	Weeks
Frelinghuysen	La Follette	Shafroth	Williams
Gay	Lenroot	Sheppard	Wolcott
Hale	Myers	Smoot	
Hardwick	New	Sutherland	

NOT VOTING—44.

Baird	Harding	Moses	Simmons
Brandegee	Hollis	Nelson	Smith, Ga.
Calder	Johnson, S. Dak.	Norris	Smith, Md
Colt	Kendrick	Overman	Smith, Mich.
Culberson	King	Owen	Smith, S. C.
Dillingham	Lodge	Page	Spencer
Fall	McCumber	Penrose	Sterling
Gerry	McKellar	Phelan	Underwood
Goff	McLean	Reed	Vardaman
Gore	Martin, Ky.	Saulsbury	Warren
Gronna	Martin, Va.	Shields	Watson

So the amendment of Mr. SMITH of Arizona was rejected.

Mr. LEWIS. Mr. President, I beg the Senate to indulge me for, I trust, not any length of time, to express the hope that this measure may receive immediate and earnest consideration from the Senate. Let me not mask the fact that the constituency of my eminent colleague [Mr. SHERMAN] and myself, representing the State of Illinois, and particularly the city of Chicago, is largely interested in what would be the outcome of this measure, and naturally I am interested in seeing it pass, but, Mr. President, I am interested to see it pass for another reason.

It has been shown by the Senator from Colorado [Mr. THOMAS], in an observation here a moment past, that there is a threat that thousands of men, indeed hundreds of thousands, would likely be thrown out of employment if this measure should fail to remedy wrongs which those who are interested feel that it will remedy.

Mr. THOMAS rose.

Mr. LEWIS. I yield to the Senator.

Mr. THOMAS. I said not a "threat," but an "apprehension."

Mr. LEWIS. I accept the substitute, that there is a fear, an apprehension, that such will be the result. For that reason, Mr. President, I naturally agree with the Senator that we should take any steps that could avoid it.

But, Mr. President, at this particular juncture, if the chairman of the committee will allow me a moment to refer to a subject cogent with this measure, it is this: I wish to deprecate the tendency which we gather here and there from expressions from the Senate as well as from other parts of the country that we are on the eve of some great industrial depression. I wish to oppose my view against that alarm. I wish to stand against Congress converting itself into the "Reds" against industry.

Mr. President, this measure has been made necessary because it seeks to remedy a wrong. It is not being brought forward merely to give employment to men. It is brought forward to prevent losses. There has been a general cry going out from different quarters of the country that we are likely to have a great industrial depression. You are frightening the toilers of the country into the belief that they are to be hungry; there are those who circulate, in their sincerity, the impression that there are to be bread lines. The eminent secretary of the Federation of Labor, a kindly hearted, sincere-souled gentleman, made such a statement before committees of Congress. It was flashed all over the world. You have struck terror by these statements into the minds of millions of toilers of this land, and created the belief that they are soon to be out of employment and walk the streets. They can not see ahead of them the developments of to-morrow. They simply stand affrighted and riven to the spot in the terror of a threatened hunger.

We have made the business man feel that there is bankruptcy that impends over him like a cloud. We have caused the commercial and the industrial man to feel that, for reasons of our own, from some knowledge we have of our international policy or of some domestic course we are about to take, we are conscious that he is to be driven into a distress of commercial depression that may mean his whole business loss.

Mr. President, nothing has been afflicted upon public life that is so startling, so wrong, and so unjustified as are these declarations. I invoke the eminent Members of this body to reflection, and it is to the thought that in the next 10 years this land of ours will have the greatest prosperity in all forms of industry and pursuit that it has ever enjoyed in any decade of its history. Why? Because, if Senators will reflect, and those who have sent out these alarms of danger will but contemplate a moment, here is central Europe like a burned habitation; it still smolders in its ruins, and it has got to be supplied. We are the richest Nation in the world. We are the only people with the money, the only people so situated by our opportunities as to be able to supply them. We have the resources of men; we have the money; we have the toilers; and, Mr. President, we have the genius.

Mr. President, not only will we supply central Europe but Britain and France will likewise be dependent upon us.

You need only move a step further yonder in the Orient, and by the newly knitted relations between Japan and China the doors of a more liberal trade will be now open to us, which before has been denied. That land, also, these manufacturers will supply, giving great demands for new toil. Sir, millions of men will be called into action. Sir, there is South America. Let the thoughtful man feel and reflect that heretofore Germany has had that trade, and that now, because of our contiguity and our relation to those countries, this trade must come to the United States.

Mr. President, it must be plain, therefore, that we are to be the supply house of the earth. Here in our own land I make bold to speak of what is a clear policy of our own just ahead. With the Government taking charge of the railroads, if it shall continue that policy, millions and millions of dollars' worth of new construction must be had; new improvements must be undertaken; millions of men upon railroad development alone must be called. As to the telegraph and the telephone, the same thing is to be repeated.

Mr. President, it is evident that in mechanics, in science, in shipbuilding, particularly, there will be still more hundreds of thousands to be engaged and employed.

Then, sir, let us reflect, let us contemplate, and let us cease this cry of distress. Let there be no more proclaiming of havoc to our country when it must be apparent to all that in supplying all of these demands we will be the country to which all having these desires must take their resort and refuge.

Sir, with the passage of the bill that repairs the wrongs to these manufacturers, coupled with the things that will transpire in the immediate future, let our people be patient and remember that all we are doing is transferring the world from a war status to a peace status; from war industries over to peace industries. In the meantime there is a little confusion; in the meantime there may here and there some distress. There are, of course, complications, but that there is any impending commercial disaster upon our country for the days to come none but a thoughtless man will assert, and that we are to have the greatest era of prosperity and success for our country, for our workingmen, our toilers, our business men, and our captains of industry, so called, every reflecting man must concede.

Therefore, Mr. President, for the passage of this measure I invoke the Senate that we cease sounding alarms and call the attention of our country to the truth around us; that the present policies of this Government promise a prosperity in the next decade unequaled in any of the past. What we should do before the country and the world is to invite them to the truth and to proclaim "all is well."

I trust the measure may have a speedy passage.

Mr. KENYON. Mr. President, may I ask the Senator from Illinois a question? I intended to do so before he concluded.

Mr. LEWIS. I yield to the Senator from Iowa.

Mr. KENYON. I am greatly interested in what the Senator from Illinois has said and I am in accord with his idea that we are to see the greatest prosperity in this country that perhaps we have ever experienced. We have the historic assurance of such fact in the events in our country after the Civil War. But I wish to get the Senator's viewpoint. That prosperity is to come, undoubtedly, in the course of several months or possibly a year; at any rate it is not far away. Now, does the Senator mean that during this transition period we must have nothing to say, nothing to do, and nothing to propose here about the question of unemployment? I have been concerned about that, perhaps needlessly. We have had hearings before the Committee on Education and Labor. The Assistant Secretary of Labor this morning and statisticians from the Labor Department appeared before us, showing that whereas on December 10—I think the report was of that date—there were about 10,000 unemployed men in the country, a week ago to-day there were 212,000, and the reports for to-day, not all in, show that there will be more this week.

We will have to pass through the transition period; men will be out of employment; and I have thought Congress ought to do something in the way of a commission of public works, which I have proposed, to carry on the delayed public works in this country, the Government in cooperation with the States, in communities where there is a labor surplus, and purely as a remedy, you might say an insurance policy, against unemployment. Does the Senator feel that in urging those things we are disturbing the conditions in the country?

Mr. LEWIS. Mr. President, if the Senator has concluded his inquiry, let me make my position clear to him. In the first place, I quite approve of the continuance of public works, particularly when necessary for the public benefit. What I was seeking to explain and what I am very anxious to have the Senate quite appreciate is that however much during the transition period there may be necessity to provide for the temporary distress to which I have alluded we should have it understood that it is but a temporary stage; that Congress does not believe that such will be the general condition for the indefinite future, but that it only arises because this period of transition in transferring from the mechanisms necessary for war to those which will be necessary for peace uses. In the meantime I accept anything that can legitimately be undertaken to continue workmen in employment; but I would that the suggestions were given to us so soon as possible by men such as the able Senator from Iowa now addressing me, who must know, being familiar with the history of his country, that these conditions are but temporary and that the immediate future is filled with the promise of complete prosperity to the toiler, the business man, and the country at large. I am only anxious that we shall not by making these provisions for temporary necessities leave the impression that anyone here is suffering from the fear or indulging the terror that bankruptcy, or distress, or general devastation is to be visited upon our country.

Mr. KENYON. Mr. President, I do not think anyone indulges in that, but I do think there is need of action along the lines I have indicated to meet the temporary situation until we come to the era of prosperity.

Mr. LEWIS. I assume, if I may be pardoned—and then I will yield the floor—that the Senator caught my observation, that should the Government continue the policy which I have advocated of taking control of the railroads, the telegraph and telephone lines, and the building of ships, in these there should be extension and enlargement of the undertakings that would give employment to all idle workmen.

Mr. WEEKS. Mr. President, it is not a gracious position to interpose comment adverse to the picture which has been held before the Senate by the Senator from Illinois [Mr. LEWIS]; yet I am in very considerable doubt about the correctness of his view. I am not going to take the time now to discuss the question in any great detail, because I hope this bill may be considered and passed this afternoon; but I want to call his attention to the fact that the situation in this country and in the world now is quite different from what it was after the Civil War. A comparison of the two periods can not be easily made. For four years previous to the Civil War we had had unusual depression in the United States; we had been going through a

panic. We were just recovering from that condition and the business of the country was ready to go ahead when the Civil War came on. Then we were a developing country short of labor, and there was every incentive for good times for a period after the war. Conditions to-day are quite different, in my opinion, and unless business men take cognizance of world conditions to-day and prepare to meet them they are living in a fool's paradise, and I do not think it is wise to induce anyone to conduct his business under those conditions.

Mr. HITCHCOCK. Mr. President, I should like to inquire whether the committee bill has now been perfected?

Mr. CHAMBERLAIN. I do not understand that there are any other amendments to be offered except the amendment of the Senator from Nebraska.

The PRESIDING OFFICER. The Chair will state that there are no amendments pending.

Mr. HITCHCOCK. Mr. President, my amendment is in the nature of an amendment to the House bill; and after it is adopted, if it shall be adopted, a vote will then come as between the committee substitute for the House bill and my substitute for the House bill. I have therefore waited until the Senate committee substitute could be fully perfected. I shall therefore ask, Mr. President, for the reading of my proposed substitute, for I think it has not been read.

The PRESIDING OFFICER. The Secretary will read the amendment offered by the Senator from Nebraska.

The SECRETARY. In line 3, page 1, after the word "That," it is proposed to strike out all down to and including line 24, on page 3, and insert:

Where during the present war and prior to November 12, 1918, officers or agents acting under authority of the Secretary of War have placed orders or made contracts with manufacturers or contractors for war supplies or materials, or for the performance of work thereon, or for the construction or enlargement of plants or other preparation necessary to furnish supplies or materials for the War Department, the procurement of which has heretofore been authorized by Congress, and any of said orders or contracts has been partly or wholly performed, or expense has been incurred by the manufacturer or contractor prior to the 12th day of November, 1918, in preparation or partial execution of said contract or order, the fact that any such contract or order or agreement has not been made in the form or signed in the manner required by law shall not invalidate the same if it was entered into in good faith and lacked only the sanction of a contract in legal form. Nothing herein provided, however, shall be held to validate any contract, order, or agreement given or made by an officer or agent of the War Department not legally qualified or authorized to give a formal legal contract, except where such officer has acted as the representative of a superior officer authorized to make such contract, nor to permit an officer to make such contract with any company, corporation, or firm in which he has, or had at the time, directly or indirectly, any interest.

SEC. 2. That in all cases as above included it shall be lawful to make payments under the terms of the contracts or orders so made or given to the extent that performance thereof has been made, expenditures incurred, or supplies thereunder have heretofore been received and accepted by the United States, provided that payment in such cases shall not exceed the fair value of the supplies or materials delivered to and accepted by the United States, together with remuneration for expenditure properly incurred in preparing to perform said contract, orders, or agreements.

SEC. 3. That in case of the cancellation, suspension, or annulment of any contract, order, or agreement as described in this act by the Secretary of War, or officers or agents acting by his authority, and in cases where no property or supplies have been delivered to and accepted by the United States, or where only partial delivery and acceptance has been made, contractors shall file with the Secretary of War within 60 days after the passage of this act any claim for remuneration arising out of the discontinuance, cancellation, or suspension of such contract, agreement, or order, properly itemized and set forth. Each claim shall thereupon, or as soon as possible, be transmitted to and filed with the commission hereinafter provided for, together with a statement attached thereto showing the amount, if any, which the War Department deems to be justly due to said claimant. If the claimant shall file a statement offering to accept the amount awarded by the War Department in full for said claim, the commission shall, within 10 days, order the same paid in the absence of evidence that it is excessive.

SEC. 4. That for the adjustment of all claims arising out of the cancellation of contracts, orders, and agreements for supplies or materials of war, as described in the foregoing paragraphs of this act, there is hereby created an adjustment commission to be composed of three members to be appointed by the President and confirmed by the Senate, one representing the War Department, one representing the Department of Justice, and one representing the business interests of the country, none of whom shall be interested in any contracts with the Government or have an interest in any firm or corporation having war contracts, who shall hold their offices for one year and receive as compensation a salary of $10,000 each. It shall be the duty of said commission promptly to examine and pass upon all claims for compensation and reimbursement arising out of cases as set forth in this act for supplies furnished, expenditures or obligations necessarily incurred, or materials purchased under faith of contracts in legal form or orders received from officers and agents of the Secretary of War as heretofore set forth.

SEC. 5. That in each case, as soon as the commission has made an award, the contractor shall be entitled to receive the same upon giving receipt in full of all demands against the United States arising out of the transaction, or if the contractor is not satisfied with the amount so awarded he shall be entitled to receive, and shall receive at once, 75 per cent of the amount that has been awarded him and he shall thereupon be entitled to appeal the case to the Court of Claims which is hereby given jurisdiction to hear the case and render final judgment in such sum as may be required to reimburse the contractor for supplies and materials delivered to and accepted by the United States and expenditure necessarily incurred in good faith in the partial performance of the contract or order above referred to, or in preparing for the same.

SEC. 6. That in no case, however, shall any award either by the commission or the Court of Claims include prospective or possible profits on any part of the contract beyond the goods and supplies delivered to and accepted by the United States, and a remuneration for expenditures necessarily incurred in preparing to perform said contract or order so canceled.

SEC. 7. That the purpose of this act being to secure prompt settlement of claims, the commission is authorized to make its own rules and regulations and to hear and determine the issues informally and promptly upon presentation of the case. The commission is authorized to appoint, under such rules and regulations as it shall prescribe, one or more regional boards of examiners to serve in such districts throughout the country as the commission shall fix and determine, to investigate and determine the facts concerning claims, legal or equitable, that may be presented as herein prescribed. The members of such board shall be composed of one representative of the War Department, one representative of the Department of Justice, and one from the business interests of the region, none of whom shall have any interest in the contract, directly or indirectly, and receive no compensation, save and except such per diem compensation as shall be fixed by the commission. Whenever the commission shall refer to any such regional board of examiners any claim, they shall proceed informally to hear the parties, take the proofs, and return the same promptly to the commission with their recommendation thereon.

SEC. 8. That the sum of $50,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the reasonable expenses of said commission, to be paid out upon the warrant of the chairman, who shall be chosen by the commission from among their own members, and approved by the secretary, who may be selected by the commission, and who shall receive a salary of not exceeding $5,000 for the period of one year, or so much thereof as may be necessary, to be determined by the commission.

Mr. HITCHCOCK. Mr. President, there is a very radical difference between the bill as reported now from the Committee on Military Affairs and the bill which I introduced and which the committee unanimously reported several weeks ago. There is also a very decided difference between these two bills and the bill which has come over from the House of Representatives. All of these bills assume to do the same thing, but they do not as a matter of fact do it, and what is attempted in each case is attempted in an entirely different way.

The bill which I introduced purports to validate about 7,000 defective contracts, and it relates in its provisions to none but defective contracts. These contracts aggregate in their possibility something in the neighborhood of two thousand million dollars—an amount of money large enough, it seems to me, to cause the Congress to provide for the adjudication of the amounts due with care and caution.

The bill which has been before the Senate, and which is now fathered by the committee, does the most unheard-of thing of making the War Department, which entered into these illegal contracts—some of them in direct violation of law, and some of them, as the Senator from Tennessee [Mr. McKELLAR] has intimated, probably made by officers having interests in the concerns with which they contracted—the tribunal to decide what is due under these contracts. Now, if that were a proposal to make the Secretary of War the judge, I, for one, would be willing to accept it, or to accept the decisions of any other responsible man or men. But to say that an executive department, composed of thousands of employees and hundreds of officers shall be a tribunal to pass upon contracts that it has made strikes me as something which the country will not consider safe, and which is certainly most extraordinary.

The bill which I have introduced, and which the committee at first reported, first provides for the validation of all these contracts or informal orders made in good faith upon which the contractor has proceeded to the expenditure of money or to the delivery of supplies. Those are all to be validated if they were made in good faith, however irregular, and if the contractor has proceeded on that good faith to carry out his side of it.

The second provision sets forth the rules of payment. The contractor shall be paid for all that he has delivered to the Government, and he shall be remunerated for all materials purchased and obligations incurred, and for all expenditures undertaken in the performance of the contract which the War Department has canceled.

The third provision provides for the cancellation of the contracts, and provides that within 30 days after the passage of the bill contractors shall file their claims with the War Department, and that thereupon the War Department shall examine them with the machinery that it has, and shall attach to each claim a statement of what the department feels is due. Then the claim, with the attached statement, is to be filed with the commission which this bill creates—a commission of three men appointed by the President, one representing the War Department, one representing the Department of Justice, and one representing the business interests of the country. If the contractor files with the commission at the same time or subsequently an offer to accept the award which the War Department has made, the amount of money shall be paid to him within 10 days,

unless evidence has meanwhile come to the commission that the claim is excessive. That makes this commission of three men responsible, with the aid of the War Department, for any award made. It puts the War Department in a position where none of its officers will be able to render an award for an excessive amount, because what they say is merely a recommendation, and must have the sanction of the commission before the contractor becomes entitled to it. If the contractor refuses to accept the amount, however, the commission shall hear both sides; and if the department already has its evidence ready, and the contractor will have his evidence ready, it is a very simple matter for three business men informally, as the bill provides, to decide what is right, or reasonably so; and when the decision is reached, if the contractor chooses to accept it, he gets his money at once. If he wants to appeal to the Court of Claims, he shall be paid 75 per cent of what has been awarded him, and then the Court of Claims will merely pass upon the disputed part.

Mr. BORAH. Mr. President——

Mr. HITCHCOCK. I yield to the Senator.

Mr. BORAH. This presents the real crux of this legislation, and there is practically no one in the Chamber except those who are committed to the other side of the controversy. I am going to suggest the absence of a quorum. I do not do it for the purpose of delay, but I see nothing to be gained by a discussion when there is practically no one here to hear it.

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from Nebraska yield for that purpose?

Mr. HITCHCOCK. I have not any objection, Mr. President.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, S. Dak.	Overman	Sutherland
Bankhead	Jones, N. Mex.	Page	Swanson
Beckham	Jones, Wash.	Pittman	Thomas
Borah	Kellogg	Poindexter	Townsend
Chamberlain	Kenyon	Pollock	Trammell
Curtis	King	Pomerene	Wadsworth
Fletcher	La Follette	Robinson	Walsh
France	Lewis	Saulsbury	Warren
Gay	McKellar	Shafroth	Weeks
Gerry	McNary	Sheppard	Williams
Hardwick	Martin, Ky.	Sherman	Wolcott
Henderson	Moses	Smith, Ariz.	
Hitchcock	New	Smoot	
Johnson, Cal.	Nugent	Spencer	

Mr. McKELLAR. I announce the absence of the senior Senator from Tennessee [Mr. SHIELDS] on account of illness.

The PRESIDING OFFICER. Fifty-three Senators have answered to their names. A quorum is present.

Mr. HITCHCOCK. Mr. President, my bill provides that within 30 days after its passage the contractors shall file all their claims with the department; that the department shall use its machinery to make up a statement as to what is due on each claim, and send each claim to the commission; that if the contractor is willing to accept it, within 10 days the money shall be paid him, unless evidence develops that it is excessive; that if he is not willing to accept it, the commission shall promptly hear the case. If he accepts the award by the commission, it shall be paid him. If he declines to accept it, he shall be entitled to 75 per cent and take the balance to the Court of Claims. My bill also provides, however, that no future profits or possible or prospective profits shall be taken into account; that the contractor shall receive simply profits upon what he has delivered to the Government, or remuneration for expenditures which he has incurred in getting ready to perform the contract. In other words, he is to be made good for any expenditures, and have a profit on everything he has delivered.

I have referred to the other bill. The other bill makes the War Department the judge, the tribunal, to try these cases, involving two thousand million dollars and 6,000 contracts. The War Department, which made the contracts, is to be empowered under the present committee bill to try them and to decide on the right and the wrong—not any one man or any three men in the War Department, but possibly 150 or 200 officers, some passing upon one, some passing upon another, and nobody responsible for the result.

I am not disposed to criticize the War Department. I think the War Department, as at present organized, is immensely improved over what it has been; but I do say that the people of the United States who have the taxes to pay will resent the idea of intrusting to this department, composed as it is of so many different branches and officers, the performance of acts which must necessarily be judicial acts in deciding what is due on a contract.

That is not all. This bill contains carte blanche authority to the Secretary of War to validate contracts, even when the contractor has not spent a cent nor delivered a single dollar's worth of goods. In other words, if he has made a contract for $10,000,000 worth of goods with a contractor, under the first paragraph of section 1 the Secretary of War is authorized to validate that contract, which may be illegal or defective, and carry out the contract, or settle it in any way he pleases.

Is that a proper power for Congress to intrust to the Secretary of War, or anybody else, in dealing with a contractor who has merely received a contract, who has not spent a dollar under it, who has not delivered a dollar's worth of goods under it? Why, it might be a contract entered into only the day before the armistice; and yet in that first paragraph the Secretary of War is given carte blanche authority to validate it, and go on with it as he pleases. Now, I do not think any contract defective in form should be validated unless the contractor has incurred obligations or has spent money on it.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. HITCHCOCK. I yield to the Senator.

Mr. BORAH. Under this authority of which the Senator speaks, could the Secretary of War validate and go ahead and carry out these contracts which we have had up heretofore incidentally with reference to purchasing cantonment sites, and so forth?

Mr. HITCHCOCK. As the bill was first drawn that authority existed. I am inclined to think it has been eliminated, as far as real estate is concerned; but there is practically no limit to the power of the Secretary of War to validate a contract, even when the contractor has not turned a wheel or done a thing toward carrying it out.

Mr. THOMAS. Mr. President——

Mr. HITCHCOCK. I yield to the Senator from Colorado.

Mr. THOMAS. Let me ask the Senator if the last three lines on page 4 of the reprint of the Chamberlain bill do not obviate that criticism?—

That such waiver shall not validate such contract or procurement order in so far as any claim for unearned profits may be involved.

Mr. HITCHCOCK. Mr. President, I do not think they do; and that particular provision is entirely contradictory of a provision later ingrafted into the bill, which provides that profits on the unearned part of the contract may be taken into account. For instance, it says:

That in no case shall any award either by the Secretary of War, the commission, or the Court of Claims include prospective or possible profits on any part of the contract beyond the goods and supplies delivered to and accepted by the United States and a remuneration, which may include a reasonable profit for expenditures and obligations or liabilities necessarily incurred in performing or preparing to perform said contract or order so canceled.

That is directly contradictory to the provisions of section 1, and I do not know how they would be construed.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska further yield to the Senator from Colorado?

Mr. HITCHCOCK. I yield to the Senator.

Mr. THOMAS. I think the provision last read by the Senator applies to contracts which are partially performed, and only those.

Mr. HITCHCOCK. Under one construction of the provision that is so; but I think there is some question about his right even then. In fact, there are now so many contradictions that have crept into the bill that it is not consistent with itself. It was, to my mind, a rather preposterous document the way it was drawn—to create an executive branch of the Government into a tribunal and allow it to award claims of two thousand million dollars by men who are not known to the country, and by a department in which the responsibility for any act is not fixed.

It has been claimed that the advantage of this particular bill is that it would hurry the settlement of these claims. I deny that. The very machinery in the War Department which is depended upon to act as a judicial machinery can and will be used by the department to decide what in its opinion should be paid. If that decision is reached and the contractor accepts it and nothing comes before the commission within 10 days to indicate that it is excessive, the commission will order the payment and be responsible for the payment; and the country will know that this commission, composed of three men named by the President and confirmed by the Senate, has ordered the payment.

But that is not all of the very extraordinary provisions of the committee bill.

After creating the War Department into a tribunal to hear and try and pass upon and render a decision on its own contracts, to which it was a party, this extraordinary bill provides that the Department of Justice, another executive branch of the Government, may appeal to the commission from the decision of the War Department—a most contradictory and preposterous situation, having one executive branch of the Government step in and censor another branch of the Government and appeal from it. It will compel the Department of Justice to examine all of the contracts made by the War Department, if it performs its duty to the public.

Mr. TOWNSEND. Mr. President——

Mr. HITCHCOCK. I yield to the Senator from Michigan.

Mr. TOWNSEND. May I ask the Senator what is the shortest time, under his bill, within which claims may be paid?

Mr. HITCHCOCK. The shortest time under my bill might be 15 days. A contractor is permitted to file his claim with the War Department within 30 days after this bill passes. The War Department says it has machinery to say what is due on it. It says it can act quickly. If it can, it can attach to that claim a statement of what it says is due, and file it with the commission. If the contractor accepts it, it can be paid within 10 days. If the contractor objects to it, then it will be heard by the commission.

Mr. TOWNSEND. Has this commission an indefinite life?

Mr. HITCHCOCK. No; one year.

Mr. TOWNSEND. It could not be continued, then, like the old Spanish War Claims Commission, for a number of years?

Mr. HITCHCOCK. Not with my consent. I believe that a commission of men giving their whole time to the matter can pass upon all the controverted questions. I believe that a very large percentage of the decisions reached by the War Department, when they say "So much is due on this contract," will be accepted by the contractors, and they will be ordered paid by the commission within 10 days; and if the contractor is not willing to accept that amount he can take 75 per cent of it and appeal the rest.

To my mind, it is a very important matter that these cases should be heard quickly; it is a very important matter that whatever is due these contractors should be paid to them soon; but it is also a very important matter that the Congress of the United States should avoid giving an executive department of the Government, composed of so many officers whose names are not known to the public, carte blanche authority to settle these contracts and compound them.

My bill deals only with the six or seven thousand contracts that are invalid now. It deals only with the contracts that the Secretary of War cancels. It gives money to the contractor only when he has expended money upon the good faith of the contract which he has made. But this committee bill, as it is proposed here, authorizes the Secretary of War to validate any contract in writing, however defective, even if the contractor has not expended a dollar under it or delivered a dollar's worth of goods to the Government; and I say that is giving too much power to any executive officer. Of course, too, as the Senator from Tennessee [Mr. McKELLAR] says, the worst part of it is that we do not intrust it to the Secretary of War. There are so many of these cases that when we say "the Secretary of War" we mean perhaps 20, 30, 40, or 50 different officers under him, to each one of whom these matters may be assigned. It is an irresponsible way of reaching decisions, in a manner which is just going to open the door to all sorts of fraud and favoritism.

Naturally this department, with all these various officers, has its favorites, its prejudices, and its friendships. I do not think it is right for these unnamed individuals to be given in this bill carte blanche authority to act as judges in cases on which they have already passed.

The committee could not very well avoid the commission idea which the Senator from Tennessee [Mr. McKELLAR] and I have introduced into the bill, but they make it a commission of appeals, and make the difficulties of appeal so great that there is no protection for the public. There is no appeal unless the Department of Justice steps into the War Department and makes an appeal. A real affront has got to be perpetrated by the Department of Justice against the War Department in order to protect the public where an appeal is necessary.

There is only one way, in my opinion, Mr. President, for this legislation to be done safely, and that is to do as we did after the Civil War, create a responsible commission to hear these cases, to give to the War Department full machinery to decide cases quickly, to provide for the earliest possible payment to the individual, and if he is not satisfied with all of it give him 75 per cent of what the commission awards and let him appeal on the balance.

Mr. LENROOT and Mr. McKELLAR addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Nebraska yield; and if so, to whom?

Mr. HITCHCOCK. I yield to the Senator from Wisconsin. I think he rose first.

Mr. LENROOT. I am informed that during my absence from the Chamber the Senator argued that the amendment adopted yesterday at my instance, excepting from the validation of contracts any unearned profits, was inconsistent with the McKellar amendment, which permitted a reasonable profit upon expenditures and obligations actually incurred. Am I correct in that?

Mr. HITCHCOCK. It struck me as inconsistent, although it might be construed as applying only to this particular paragraph.

Mr. LENROOT. It does; but even applied to that paragraph it is not at all inconsistent, because where the expenditures are made profits may be earned and would be earned; and in allowing under the McKellar amendment a reasonable profit, it is an earned profit we are allowing and not an unearned one.

Mr. HITCHCOCK. That is not an important matter.

Mr. McKELLAR. I suppose it is in order now to perfect the amendment of the Senator from Nebraska. I will ask the Senator to take the print of the committee bill as amended and turn to page 11. I desire to offer section 3 of the committee bill as amendment No. 1, to come in its regular order, section 4 of the committee bill to come in its regular order, and section 5, on page 14 of the committee bill, to come in its regular order, as amendments to the bill; then, on page 3, the proviso at the bottom of the page, being a part of the House bill as amended by the Senate this morning. I offer those four as amendments to the Senator's bill, and I hope he will accept them.

Mr. HITCHCOCK. I understand that the amendments to which the Senator from Tennessee refers are all amendments that have been put in upon the floor of the Senate as safeguards to the committee bill.

Mr. McKELLAR. That is true.

Mr. HITCHCOCK. I am willing to accept them.

The SECRETARY. Insert section 3 as amended in Committee of the Whole, all of section 4, and all of section 5, with the proviso added at the end:

Provided further, That the names of such contractors

And so forth.

Mr. McKELLAR. That is right. The amendments have been accepted. Let the Chair put the question.

The PRESIDING OFFICER. The Chair understands that the Senator from Nebraska accepts the amendments offered by the Senator from Tennessee as parts of his amendment.

Mr. HENDERSON. I also ask the Senator from Nebraska if he will accept the amendment I offered, which was also adopted.

Mr. HITCHCOCK. I am willing to accept the amendment of the Senator from Nevada which he offered and which was adopted by the Senate.

Mr. McKELLAR. The subcontractor's amendment was not put in. I call the attention of the Senator from Ohio, if he desires to put it in.

Mr. POMERENE. I certainly do.

Mr. McKELLAR. I think it ought to go in.

Mr. POMERENE. There were two amendments which I had offered to section 4.

Mr. HITCHCOCK. I will accept both of those. They have been adopted by the Senate and are properly a part of the bill, just the same as they were of the other bill.

The PRESIDING OFFICER. The Chair understands that the Senator from Nebraska has accepted all the amendments referred to by the Senator from Tennessee, the Senator from Ohio, and the Senator from Nevada.

Mr. CHAMBERLAIN. Mr. President, I am not going to object to the acceptance of any of these amendments to the so-called Hitchcock bill, but I think that they ought to be discussed separately before they are accepted, because I question very much if some of them will fit into the terms of the pending Hitchcock amendment. However, if the Senator from Nebraska is willing to accept them as they are I make no objection.

The PRESIDING OFFICER. Without objection, the amendments suggested will be considered as having been accepted as a part of the original amendment of the Senator from Nebraska.

Mr. CHAMBERLAIN. Mr. President, the criticisms which the Senator from Nebraska levels against the bill which has been pending in the Senate for the last two days, that it is a jumble and unintelligible, will more than apply to his proposed amendment with the amendments which have been adopted and which do not fit into the bill which he has before the Senate now.

Mr. President, I have not yet called the attention of the Senate to the tribunal which is to adjust these claims. The Senator from Nebraska makes the sweeping charge that there has been turned over to the War Department, an executive or administrative branch of the Government, the determination of matters which have been illegally done by them, and wherever illegality is found it is due to the inefficient methods of that department.

Mr. President, that is not entirely correct. In order to show exactly the tribunals which adjust these claims and that have been working on them since the 11th day of November I present and ask to have inserted in the RECORD a diagram showing the different tribunals that are adjusting these claims now that are sought to be validated by the pending measure. It takes a vote of the Senate to permit the diagram to go into the RECORD.

The PRESIDING OFFICER. The Senate has heard the motion of the Senator from Oregon that the diagram which he presented shall go into the RECORD as a part of his remarks. [Putting the question.] The ayes have it, and the motion is agreed to.

The diagram referred to is as follows:

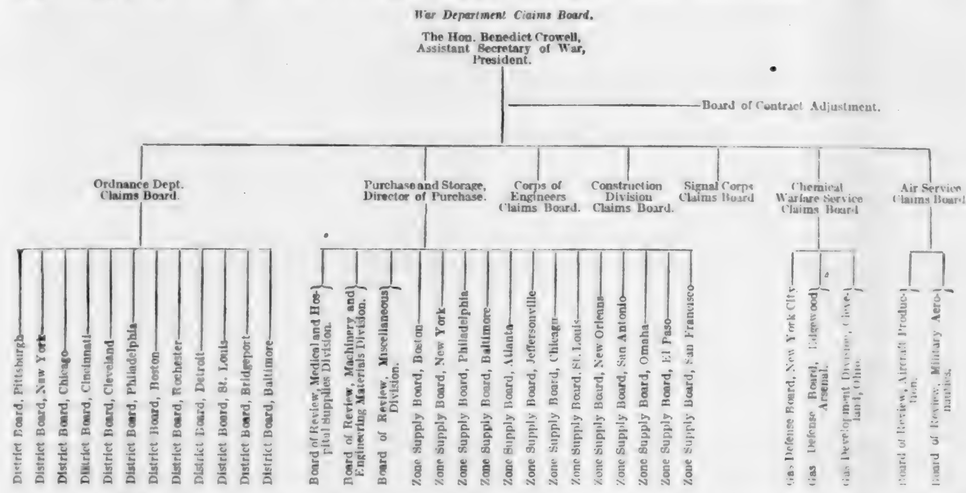

Mr. CHAMBERLAIN. Mr. President, let me call attention to the fact that the Hitchcock bill does not validate any claims. As a part of that diagram and to go in juxtaposition with it I ask to have inserted in the RECORD the list of persons who constitute the several boards and the titles of the boards which are to hear and determine these claims.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon? The Chair hears none, and it is granted.

The matter referred to is as follows:

List of boards supervising and passing upon the adjustment of contracts in the War Department.

WAR DEPARTMENT CLAIMS BOARD.

President, Hon. Benedict Crowell, the Assistant Secretary of War, director of munitions.

Mr. G. H. Door, assistant director of munitions.

Brig. Gen. George W. Burr, assistant to Maj. Gen. Goethals, director of purchase, storage, and traffic.

Brig. Gen. Herbert M. Lord, director of finance, purchase, storage, and traffic division.

Lieut. Col. Herbert H. Lehman, assistant to Maj. Gen. Goethals, director of purchase, storage, and traffic.

Special members: Mr. W. H. Davis, Col. C. A. McKenney, Maj. H. L. Geodhart, Maj. Harry D. Rawson, Capt. Arthur Day.

Recorder: Maj. Erskine Bates.

The function of this board is to supervise and coordinate the work of contract adjustment throughout the department. Through its special representatives sitting with the bureau boards all contract adjustments of the department are subject to its scrutiny and approval, and adjustments involving matters of policy and of particular difficulty and importance are brought before the full board for decision.

BOARD OF CONTRACT ADJUSTMENT.

Lieut. Col. Herbert H. Lehman, assistant to Maj. Gen. Goethals, director of purchase, storage, and traffic.

Lieut. Col. E. F. Malone.

Lieut. Col. C. B. Garnett.

This board passes on the questions of contract adjustment on which the contractor and the local and bureau boards of the department have been unable to reach agreement.

ORDNANCE BUREAU.

Ordnance claims board: Brig. Gen. W. S. Peirce, Col. R. P. Lamont, Col. G. H. Stewart, Col. Earl McFarland, Maj. John R. Delafield.

This board reviews the action of the ordnance district boards.

DISTRICT CLAIMS BOARD.

1. Baltimore—Maj. A. V. Barnes, Capt. R. W. Smith, Maj. L. B. Webster, Capt. F. E. Baldwin, Mr. J. J. Nelligan, Mr. E. G. Baetjer.

2. Bridgeport—Maj. B. A. Franklin, Maj. Frederick Payne, Capt. Miller Brainard, Charles G. Senford, Edmund C. Wolfe, David H. Day, Charles W. Graham.

3. Boston—Lieut. H. Greenwood, Lieut. Col. O. S. Lyford, Maj. Herbert S. Brussel, Maj. A. S. Douglass, Mr. Stuart W. Webb, Mr. Charles M. Davenport, Mr. Atherton D. Converse.

4. Chicago—Mr. Edmund A. Russell, Lieut. Col. E. E. Arison, Maj. Frank R. Bacon, Mr. James W. Lyons, Mr. John J. Mitchell, Maj. F. R. Schenck, Mr. George S. Pines.

5. Cincinnati—C. L. Harrison, George S. Raydock, B. W. Lamson, R. K. Leblond, O. De Gray Vanderbilt, Carl M. Jacobs, Stanley G. Rowe, F. H. McClellan.

6. Cleveland—Samuel Scovil, W. B. McAllister, Phillip P. Merrill, Amos B. McNairy, Joseph H. Scobell, Judge Thomas H. Strimple, Maj. M. F. Loomis.

7. Detroit—F. J. Robinson, C. C. Huyette, C. C. Jenks, Maj. C. W. Owston, Maj. P. C. Thomas, Henry M. Campbell, Maj. S. L. Depew, Capt. J. G. Dalgleish.

8. New York—Mr. G. J. Roberts, Maj. C. S. Reed, Mr. B. Goldsmith, Maj. C. C. Smith, Mr. R. A. C. Smith, Lieut. Col. Arthur Adams.

9. Philadelphia—John C. Jones, Capt. Malcolm F. Ewen, Maj. R. M. Appleby, Isaac Hathaway Francis, Maj. F. M. Masters, John Dickey, jr., Mr. Alexander H. Carver.

10. Pittsburgh—R. M. Drave, Maj. H. B. Scovil, Maj. J. F. Drake, Harrison Nesbitt, George S. Oliver, Charles Guientz.

11. Rochester—Frank S. Noble, Maj. J. L. Crane, Mr. Langdon Albright, Maj. J. J. O'Connell, Mr. Herbert J. Sinn, Joseph W. Taylor, George A. Carnahan.

12. St. Louis—Mr. M. E. Singleton, Maj. E. S. Ready, Maj. B. S. Bope, Mr. W. F. Carter, Mr. C. W. Nelson, Mr. Davis Biggs.

OFFICE OF THE DIRECTOR OF PURCHASE AND STORAGE.

All final contract agreements or settlements are personally approved by Brig. Gen. William H. Rose, Director Purchase.

Board of Review for Termination Agreements handled by the following divisions under the office of the director of purchase: Clothing and Equipage Division, General Supplies Division, Subsistence Division, Remount Division, Motors and Vehicles Division, Raw Materials Division—Col. H. S. Kilbourne, Capt. William E. Lee, Capt. R. D. Stephens.

Board of Review for Medical and Hospital Supplies Division, office of the director of purchase—Lieut. Col. J. F. Fletcher, Capt. J. Van Putten, jr., Maj. Frank L. McCartney, Maj. G. W. Wallerich, Capt. Harry G. Gunther, Capt. John C. Schweiger.

Board of Review for Machinery and Engineering Materials Division, office of the director of purchase—Col. Earl Wheeler, Lieut. Col. J. E. Long, Maj. George A. Bentley, Maj. Ira D. Hough, Maj. H. W. Eels, Maj. C. B. Loomis, Maj. H. McC. Yost, Capt. B. H. Arnold.

ZONE BOARD OF REVIEW.

Atlanta, Ga., Transportation Building—Maj. G. M. Alden, Quartermaster Corps; Maj. L. M. Thibodeau, Quartermaster Corps; Maj. E. de T. Ellis, Infantry; Capt. J. A. Graham, Quartermaster Corps.

Boston, Mass., 108 Massachusetts Avenue—Maj. J. W. Blunt, Quartermaster Corps; Maj. W. H. Rhoads, Quartermaster Corps; Capt.

Leroy Holder, Quartermaster Corps; First Lieut. A. A. Lucey, Quartermaster Corps; Mr. George E. Barnard.

El Paso, Tex.—Capt. F. C. Allen, Quartermaster Corps; Capt. F. C. Shelley, Quartermaster Corps; Mr. W. H. Dent.

Jeffersonville, Ind., Meigs Avenue—Maj. M. T. Levey, Quartermaster Corps; Maj. L. L. Sims, Quartermaster Corps; First Lieut. Henry Pirtle, Quartermaster Corps; First Lieut. L. C. Clarke, Quartermaster Corps.

New Orleans, La., Audubon Building—Maj. P. T. Murphy, Quartermaster Corps; Maj. E. I. Sharp, Quartermaster Corps; Capt. F. L. Hester, Quartermaster Corps; Second Lieut. S. Roccaforte, Quartermaster Corps; Mr. Benjamin Coswell Cassens.

Omaha, Nebr., Army Building—Maj. William H. Faringly, Quartermaster Corps; Lieut. Col. F. P. Holcombe, Quartermaster Corps; First Lieut. George E. Comins, Quartermaster Corps; Mr. C. E. Adams, Inspector, Quartermaster Corps; Mr. Fred S. Knapp.

Philadelphia, Pa., Twenty-first and Oregon Avenue—Maj. Remi Hueper, Quartermaster Corps; Maj. Archibald H. Bronson, Quartermaster Corps; Maj. Herbert Knox Smith, Quartermaster Corps; Maj. James M. Taft, Quartermaster Corps; Capt. Otis S. Carroll, Quartermaster Corps.

St. Louis, Mo., Second and Arsenal Streets—Maj. R. Field, United States Army, retired; Maj. J. W. Byrnes, Quartermaster Corps; Capt. J. P. Kelcher, Quartermaster Corps; Second Lieut. G. Rosenbaum, Quartermaster Corps; Mr. A. J. Davis.

San Antonio, Tex., General Supply Depot—Maj. E. O. Baldwin, Quartermaster Corps; Maj. T. O. Baker, Quartermaster Corps; Capt. E. N. Purvis, Quartermaster Corps; First Lieut. E. A. Mechling, Quartermaster Corps; Mr. Ray Mackey.

Chicago, Ill., 1819 West Thirty-ninth Street—Col. Roy B. Harper, Cavalry; Capt. J. M. Griffith, Quartermaster Corps; Capt. John A. Bussom, Quartermaster Corps; Mr. Frederick C. Hack; Maj. E. J. Zimmerman, Quartermaster Corps; Maj. E. H. Caswell, Quartermaster Corps; Maj. George F. Mayer, Quartermaster Corps; Capt. J. C. Shugert, Quartermaster Corps; Capt. H. M. Rodgers, Quartermaster Corps; Capt. E. A. Bey, Quartermaster Corps; Capt. Edward Rosing, Quartermaster Corps; Capt. George H. Bussman, Quartermaster Corps.

San Francisco, Cal., Fort Mason—Maj. Gen. C. A. Devol, United States Army; Col. Charles A. Varnum, United States Army, retired; Mr. Clay Miller.

San Francisco, Cal.—Mr. William Thomas; Mr. Milton H. Esbert.

Baltimore, Md.—Maj. D. W. O'Neil; Maj. J. L. Beatie; Capt. S. T. Griffith.

New York, N. Y.—Lieut. Col. Benjamin I. Jacobson, Maj. Joseph E. Lee, Quartermaster Corps; Mr. William R. Collins; Mr. John H. Love; Mr. Henry Dilleson; Second Lieut. William C. Lovett, Quartermaster Corps.

Washington, D. C., Seventeenth and F Streets NW.—Capt. W. J. Schaefer, Quartermaster Corps; Maj. H. A. Barnard, Quartermaster Corps; Capt. C. F. Young, Quartermaster Corps; Capt. R. A. Burbank, Quartermaster Corps; Mr. Ben J. Miller.

SIGNAL CORPS.

Board of Contract Review—Lieut. Col. R. H. Morse, Maj. R. A. Klock, Maj. J. R. Whitehead, Capt. Lawrence Thompson, Capt. S. M. Conant, Capt. W. S. Kelly, Capt. Milhau.

CHEMICAL WARFARE SERVICE.

Board of Review—Maj. Gen. W. L. Sibert, Col. N. T. Bogart, Maj. C. C. Comis, Capt. William K. Jackson, Capt. H. S. Brown.

Board of Review, Gas Defense, New York City—Col. Besse, Maj. Schulz, Capt. Kay, Lieut. Mitchell.

Board of Review, Gas Offense, Edgewood Arsenal—Col. William H. Walker, Maj. H. E. Free, Capt. R. D. Gordon.

Board of Review, Gas Development Division, Cleveland—Col. Dorsey.

AIR SERVICE.

Board of Review of the Bureau of Aircraft Production—Lieut. Col. A. C. Bowney, Lieut. Col. H. S. Brown, Lieut. Col. F. E. Smith, Capt. F. B. Schmaske, Capt. S. M. Wiley.

Board of Contract Review of Division of Military Aeronautics—Lieut. Col. Harold Bennington, Maj. Edw. Burns, Maj. W. G. Roberts, Capt. Otis Van der Mark, Capt. William G. Dean.

ENGINEER CORPS.

Board of Contract Review—Maj. C. M. Goodrich, Capt. H. L. Beach, Capt. M. B. Keeler, Capt. J. B. Hall, Capt. Grove Ketchum.

CONSTRUCTION DIVISION.

Board of Review—Col. J. N. Willcut, Lieut. Col. J. N. Pease, Lieut. Col. H. F. Durant, Lieut. Col. E. L. Calvert, Maj. H. J. Burke, Maj. C. F. Neff, Maj. L. G. Kelly, Capt. C. N. Foster, Capt. William B. F. Manice, Capt. J. B. Hudgins.

Mr. CHAMBERLAIN. The highest tribunal of all is the War Department claims board. The Senator from Nebraska has said if the settlement or the final adjudication of claims had been left to the Secretary of War he would not make any objection to such proceeding. The bill that is pending does that very thing and vests the final adjudication of these claims in the following gentlemen, who constitute the War Department claims board:

Benedict Crowell, the Assistant Secretary of War, Director of Munitions; G. H. Dorr, Assistant Director of Munitions; Brig. Gen. George W. Burr, assistant to Maj. Gen. Goethals, Director of Purchase, Storage, and Traffic; Brig. Gen. Herbert M. Lord, Director of Finance, Purchase, Storage, and Traffic Division; Lieut. Col. Herbert H. Lehman, assistant to Maj. Gen. Goethals, Director of Purchase, Storage, and Traffic; and the following special members: W. H. Davis, Col. C. A. McKenney, Maj. H. L. Goodhart, Maj. Harry D. Rawson, Capt. Arthur Day, and Maj. Erskine Bains, recorder of the War Department Claims Board.

The function of this board is to supervise and coordinate the work of contract adjustment throughout the department. Through its special representatives sitting with the bureau boards all contract adjustments are subject to its scrutiny and approval, and adjustments involving matters of policy and of particular difficulty and importance brought before the full board for decision. The War Department has had functioning in the different districts, in the adjustment of these claims, the district board in Pittsburgh, the district board in New York, the district board in Chicago, the district board in Cincinnati, the district board in Cleveland, the district board in Philadelphia, the district board in Boston, the district board in Rochester, the district board in Detroit, the district board in St. Louis, the district board in Bridgeport, and the district board in Baltimore, all of which come under the Ordnance Department claims board.

These district boards adjudicate the claims which are supervised by the Ordnance Department claims board. Before the finding is finally acted on it goes up to the board of contract adjustment, and from them to the War Department proper. The names of the officers and civilians composing all these boards are inserted in the RECORD.

There must be, in the very nature of things, on these several boards that have to do with ordnance, some honest men in the War Department and in the Army and some honest men who are appointed from civil life. So matters or claims in dispute in the Ordnance Department go through all these district boards, and through them to the higher board, and from that board to a still higher board, and from that to the Assistant Secretary of War, to civilians and officers who occupy that final adjustment board.

Mr. HITCHCOCK. Will the Senator permit an interruption?

Mr. CHAMBERLAIN. Yes.

Mr. HITCHCOCK. The Senator's description of the way claims go from one board to another and from one officer to another is exactly like the work he and I have been criticizing—the paper work in the department, red tape by which a thing that is a mere formal matter has gone from one department to another for weeks.

Mr. CHAMBERLAIN. That is not correct in reference to the position I have heretofore taken.

I call attention to these things to show that if you adopt any other policy than that outlined in the bill pending before the Senate and known as the committee bill you will not within the year, I venture to say, get any of these claims adjusted.

I am going to call attention to one peculiarity in the so-called Hitchcock amendment in this connection in a short while.

Now, taking the director of purchases, there come under him board of review medical and hospital supply division; board of review machinery and engineering, materials division; board of review miscellaneous division; the zone supply board, Boston; the zone supply board, New York; the zone supply board, Philadelphia; and all these other cities where there are regional boards; and the names of those gentlemen are inserted in the RECORD.

Over these several boards that I have just mentioned, covering other things than the Ordnance Department, there is a director of purchase and storage. He is above them and scrutinizes the findings of these different boards. Still above him is the board of contract adjustment and the War Department proper; so that these contracts pass under the scrutiny of all these regional and zone boards and then up through to the War Department. Then, there are still other boards covering other supply departments of the Government where contracts have been let, and the names of these several boards are given and will be published in the RECORD. I invite the attention of the Senate to the names of these men, because they represent the very highest intelligence of the Army and the highest intelligence of civil life in the communities where these several boards are located.

The peculiar thing about the so-called Hitchcock bill is this, Mr. President: It trusts the War Department absolutely up to a certain point. The Senator criticizes leaving these matters to the War Department; yet up to a certain point he trusts absolutely in the functioning of the War Department, and then branches off on an inconsistent proposition of creating a commission to do again what he has practically intrusted the War Department to do up to a certain point.

I call the attention of the Senate to the provision of the Hitchcock bill to which I am now referring. Section 3 of the bill provides:

Each claim shall thereupon, or as soon as possible, be transmitted to and filed with the commission hereinafter provided for, together with a statement attached thereto showing the amount, if any, which the War Department deems to be justly due to said claimant.

So it allows the War Department to adjust these claims and say how much is due. Now note:

If the claimant shall file a statement offering to accept the amount awarded by the War Department in full for said claim, the commission shall, within 10 days, order the same paid in the absence of evidence that it is excessive.

Up to that point the measure of the Senator from Nebraska absolutely indorses and approves all that the War Department

and its subordinate boards pass upon. Up to that point there is practically little difference between the two bills except that the bill of the Senator from Nebraska does not validate any of these claims which it is sought to validate because of some irregularities in their execution or other irregularities which the act specifically points out. Section 4 of the Senator's bill provides:

SEC. 4. That for the adjustment of all claims arising out of the cancellation of contracts, orders, and agreements for supplies or materials of war, as described in the foregoing paragraphs of this act, there is hereby created an adjustment commission to be composed of three members to be appointed by the President and confirmed by the Senate, one representing the War Department, one representing the Department of Justice, and one representing the business interests of the country, none of whom shall be interested in any contracts with the Government or have an interest in any firm or corporation having war contracts, who shall hold their offices for one year and receive as compensation a salary of $10,000 each. It shall be the duty of said commission promptly to examine and pass upon all claims for compensation and reimbursement arising out of cases as set forth in this act for supplies furnished, expenditures or obligations necessarily incurred, or materials purchased under faith of contracts in legal form or orders received from officers and agents of the Secretary of War as heretofore set forth.

In other words, while the bill pretends in one section to adopt the action of the War Department and its subordinate boards, in another provision it practically provides that all these things must be reinvestigated and adjudicated by the commission which the bill proposes to create. So even if the first section of the Senator's bill, approving the action of the War Department, were in force, it is inconsistent with section 4 which requires this board or commission to reinvestigate and report on these claims. In other words, it would require the board created by his bill to reinvestigate all of the claims that have been filed by the commission, and in the very nature of things do over again exactly the thing that the War Department has done through its officers and agents.

Mr. HITCHCOCK. The Senator does not mean to say that the commission is compelled to try all of the claims when the contractor and the War Department agree?

Mr. CHAMBERLAIN. It says so in section 4.

It shall be the duty of said commission promptly to examine and pass upon all claims.

Mr. HITCHCOCK. It passes on them, and they are instructed when the War Department and the constructor agree that payments shall be made within 10 days.

Mr. CHAMBERLAIN. I am calling attention to the inconsistency of it.

Mr. HITCHCOCK. There is no inconsistency.

Mr. CHAMBERLAIN. Absolutely there is.

Mr. HITCHCOCK. It passes on each one and orders it to be paid within 10 days.

Mr. CHAMBERLAIN. Taking the bill by the four corners and reading it, it requires this commission to reinvestigate every claim that the officers of the War Department have already adjudicated or adjusted with the party.

Mr. President, the hour is so late that I do not care to go into a further comparison of the two bills. The only serious difference between the two is that the Senator's bill provides for the creation of a commission that shall investigate all these claims, and that commission can not get to functioning before the 1st of July; while the bill which the Senate has practically adopted to-day provides that the War Department, through its agencies, shall adjudicate these claims, and there is the right of appeal to the aggrieved party.

It seems to me, Mr. President, that the only sensible and efficient way to adjust these claims is through the agencies that the War Department has created, and which have practically determined these matters now except in some instances where there will be more or less of litigation.

Mr. HITCHCOCK. Before the Senator sits down will he not state what is his opinion of the power given in the first paragraph of the bill to the Secretary of War to validate the contracts upon which no money has been expended and the contractor has delivered no goods?

Mr. CHAMBERLAIN. There is no provision in the bill which authorizes that. There is the provision which authorizes what ought to be authorized. If a man, acting upon the representations of an agent of the War Department or acting upon the authority of the War Department, has given an individual or a firm or a corporation an order and that individual, firm, or corporation has gone to work and made some expenditures but has not delivered a dollar's worth of goods to the Government the contract ought to be validated and the man, firm, or corporation ought to be paid what he or it is reasonably entitled to receive for expenditures made.

Mr. HITCHCOCK. But this paragraph does not cover such a case.

Mr. CHAMBERLAIN. But the bill does in its entirety, does it not?

Mr. HITCHCOCK. No; this paragraph proposes to authorize the Secretary of War to validate contracts, although no money has been expended and no property delivered.

Mr. CHAMBERLAIN. I wish the Senator would call my attention to that.

Mr. HITCHCOCK. I will read it to the Senator. The language is:

That whenever during the war emergency and prior to November 12, 1918, any individual, firm, company, corporation, or foreign government has made an agreement with the Secretary of War, or with any officer or agent acting under his authority, or with any agency of the Government authorized to procure for the War Department, for the production, manufacture, sale, acquisition, or control of equipment, materials, or supplies, or for services, or for facilities, or other purposes connected with the prosecution of the war, and such agreement was reduced to the form of a contract or accepted procurement order and executed or signed on behalf of the Government, but the agreement did not comply with statutory requirements, in every such case the Secretary of War is authorized and directed to waive, on behalf of the Government, such noncompliance——

Mr. CHAMBERLAIN. But there is a proviso.

Mr. HITCHCOCK. It continues:

Provided, That he finds such waiver is not inconsistent with the public interest, and in this event the said agreement shall have the same validity and effect it would have had if such statutory requirement had been complied with.

Mr. CHAMBERLAIN. There was an amendment to that, as the Senator from Nebraska will observe, which fully protects the Government in relation to claims of that sort.

Mr. HITCHCOCK. It reads:

And provided further, That such waiver shall not validate such contract or procurement order in so far as any claim for unearned profits may be involved.

Mr. CHAMBERLAIN. There is not a single word in the bill which the Senator has read which validates any claim where nothing whatsoever has been done by a contractor with the Government.

Mr. HITCHCOCK. There is no limitation on whether a contractor has entered upon the contract or not. It gives the Secretary of War absolute authority to validate a contract that is still absolutely in the future and toward which the contractor has done nothing at all.

Mr. CHAMBERLAIN. I insist that it does not.

Mr. HITCHCOCK. It takes the power of legislation away from Congress, where it now is, and places it with the Secretary of War. If a man has a contract for a million shells that was made on the last day of the armistice and not a thing had been done about it, the Secretary of War can validate it, and that contract will go into effect.

Mr. CHAMBERLAIN. But would the Secretary of War be foolish enough to validate a contract entered into between him or his agents and a party who promised to manufacture a million shells and had done absolutely nothing in the performance of that contract? If he would do such a thing as that, or his agents would do such a thing as that, he or they ought to be impeached or court-martialed; but if a man has made a contract with the Government to manufacture a million shells and has not manufactured a single shell, but in order to perform the contract had done work and put up buildings, he ought to be compensated for his expenditure. There is not any question about that.

Mr. WILLIAMS. Mr. President, if the Senator from Oregon will pardon me, the very language of the bill is "an agreement."

Mr. CHAMBERLAIN. Yes; an agreement, contract, or order.

Mr. WILLIAMS. Yes; an agreement. The man who has a contract with the Government must be kept safe upon his agreement.

Mr. CHAMBERLAIN. Certainly; there is no doubt about that, I will say to the Senator from Mississippi.

Mr. President, there is nobody who is connected with this Government, there is no officer or agent of the Government, who would for a moment consider a contract that had been entered into between the Government and a contractor when nothing on earth had been done. That is the case the Senator from Nebraska undertakes to put. Even if a contract had been validly entered into, the right of cancellation exists, and a safe and sane Secretary of War or a sane officer of the Army would see to it that such a cancellation was had; but if an expenditure was made for preparation for manufacture and yet no goods delivered under the contract the contractor would be entitled to receive some compensation or remuneration for the expenditures actually made. That is the extent to which this bill goes, but the bill of the Senator from Nebraska does not even validate any contract. It simply says it shall not invalidate them, but it does not validate the contracts.

The remaining paragraph of this bill validates other contracts partially executed or improperly executed. Taking the

bill together, it fully protects not only the right of the contractor but the right of the Government; but under the provisions of the bill of the Senator from Nebraska these matters can not be adjusted, I venture to say, inside of six months or a year. In the meantime men will be going out of employment; and not only that, but men who have performed these services for the Government in manufacture, and so forth, will probably go into bankruptcy.

Mr. McKELLAR. Mr. President, just for a moment I want to explain to the Senate the precise difference between these two bills, if I may. The War Department is, of course, responsible for our having to legislate at all. Let us all remember that. It has failed to make proper contracts, and it is for the relief of the contractors that this legislation is proposed. We are to validate that which the War Department has failed to do.

Our committee, when the matter first came up, turned the subject of the validating of contracts over to a subcommittee, which was composed of the Senator from New Jersey [Mr. FRELINGHUYSEN], the Senator from Nebraska [Mr. HITCHCOCK], and myself. We worked faithfully on the matter. We heard testimony, and we reported what is known as the Hitchcock bill back to the full committee, and the full committee unanimously reported that bill to the Senate. Since that time various gentlemen have felt that there ought to be changes made.

Mr. FLETCHER. Will the Senator allow me to interrupt him?

Mr. McKELLAR. Just one moment, and I will do so. I have something on my mind that I want to tell the Senate, and when I get relieved of that I shall be delighted to yield.

The committee reported unanimously the Hitchcock bill, but the War Department felt that that was taking this matter out of their hands, and a measure was presented which put it entirely back into their hands. However, finding that that could not possibly pass, they then apparently yielded to the demand for a commission, and provided for an appellate commission. That appellate commission is embodied in the Chamberlain bill.

The difference between the two commissions is that if you pass the Hitchcock bill you turn the settlement of all these matters over to a fair and an impartial tribunal. If you vote for the Chamberlain bill you turn about 95 to 99 per cent of the contracts back into the hands of the War Department, whose negligence is the cause of this proposed legislation. It is up to you to say whether you are going to do it or not. If you want to say that the War Department has done its duty in the matter and are willing to stand by the War Department, pass the bill which was last reported by the committee. If you want to see that every one of the contractors gets fair and impartial treatment before a commission to be appointed by the President and confirmed by the Senate, not one that has simply appellate jurisdiction—and it is very hard to get that appellate jurisdiction under the terms of the Chamberlain bill, as it is called—if you merely want to turn over a few cases to this commission, with a technical jurisdiction, you should vote for the Chamberlain measure. If you want to turn it all over to a commission to do fair, even, and equal justice as to all these claims, vote for the Hitchcock bill, as I propose to do.

The Senator from Oregon says: "Here is all this machinery in the War Department." They have that machinery in the War Department; all those boards have been in existence for quite a long time in the War Department; but if they do not act with more care in the carrying out of the authority we are proposing to give them now than they have in executing these contracts I am afraid we are engaging in a very poor business in turning the matter over to them.

Mr. CHAMBERLAIN. Mr. President, the Senator wants to be fair.

Mr. McKELLAR. Certainly.

Mr. CHAMBERLAIN. Will he permit me to interrupt him?

Mr. McKELLAR. Yes.

Mr. CHAMBERLAIN. They have been in existence only since the armistice; and since that time they have practically reached an agreement with nearly all of the contractors.

Mr. McKELLAR. The Senator is mistaken. The matter is in the hands of precisely the same men, the same officers, and the same boards as heretofore, with one exception, namely, that since the armistice the Secretary of War has appointed three gentlemen whose names I do not remember—they may be very excellent gentlemen—to constitute an appellate commission. I doubt if there is a Senator here who can remember the names of those three men.

Mr. CHAMBERLAIN. May I say to the Senator——

Mr. McKELLAR. In just one moment. The Secretary of War appointed this commission, notwithstanding the order of November 11. If they were appointed before November 11, I do not know, and if they were he, of course, did not violate the order; but if they were appointed since that time they were appointed officers of the Army, and it is a board composed of Army officers appointed especially for the purpose of sitting on these cases. Now, let us see what they do.

Mr. CHAMBERLAIN. May I interrupt the Senator?

Mr. McKELLAR. Certainly.

Mr. CHAMBERLAIN. The Senate will probably not be able to secure a vote on this bill this afternoon, and I desire Senators to look at the names of the members of the boards organized in any of the communities where any work has been done for the Government of the United States, and they will find that they are the peers of any men in the community, including the board appointed since the 11th of November.

Mr. McKELLAR. I have not a word of criticism to make of those men. Whatever they are doing their work will inure to the benefit of the Government and the contractors under the Hitchcock bill as well as under the other bill. The only difference between these two bills, Senators, is that under the Hitchcock bill these contracts, in connection with which the War Department admittedly has not done its duty, will all go to the commission to be created, while under the Chamberlain bill, which is a substitute amendment, only a very small percentage of these contracts will be acted upon by the commission. Contracts which have been made in a topsy-turvy manner by Tom, Dick, or Harry, by some lieutenant or some civilian giving an order—some orders being in writing, some over the telephone, and some by word of mouth—are the contracts we are validating; and if the Senate votes for the Chamberlain bill we are turning them back to the very men who have neglected their duty. Now, let us not make any mistake about what we are doing.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. SMOOT. The Senator said a while ago that the committee had unanimously reported the Hitchcock bill.

Mr. McKELLAR. It was unanimously reported; yes, sir.

Mr. FLETCHER. All the committee was not present. That is what I wanted to say a few moments ago. The Senator talks about a unanimous report from a committee, when it is only the unanimous report of a quorum.

Mr. McKELLAR. I am not responsible for Senators not being present. I recall the fact that the bill was first referred to a subcommittee that took days and weeks to study the matter, gave it the best thought and attention that they knew how to give it, and reported back to the full committee. Following discussion the committee, after making amendments, unanimously reported it to the Senate, so far as the members present were concerned. It was after that bill was published that others came before the committee. I have no doubt with the best intentions, some gentlemen of the finest order of ability, who seemed to be absolutely fair and who were instrumental, I will say, in securing the adoption of some of the very valuable amendments that have been placed in both bills. Those are the facts concerning this measure.

Mr. SMOOT. Mr. President, I will ask the Senator how it is that the bill as it was reported to the Senate only includes the so-called Chamberlain amendment?

Mr. McKELLAR. Because the committee met afterwards and by a majority of one, as I recall, voted to substitute the Chamberlain amendment for the Hitchcock amendment previously reported.

Mr. SMOOT. Reported to the Senate or reported to the committee?

Mr. McKELLAR. Reported to the Senate.

Mr. KIRBY, Mr. FRELINGHUYSEN, and Mr. SMITH of Georgia addressed the Chair.

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Does the Senator from Tennessee yield to the Senator from Arkansas, who has been standing on the floor for some time?

Mr. McKELLAR. I promised the Senator from Georgia that I would yield to him.

Mr. FRELINGHUYSEN. Mr. President, will the Senator yield to me for a moment?

Mr. McKELLAR. Very well; I yield to the Senator from New Jersey.

Mr. FRELINGHUYSEN. Mr. President, I was absent from the Chamber when the Senator made his statement regarding the unanimous report of the subcommittee. I was a member of the subcommittee——

Mr. McKELLAR. I did not make that statement, although I supposed the report had the concurrence of the Senator from New Jersey. I said that the bill reported by the subcommittee, known as the Hitchcock bill, was unanimously reported by the Committee on Military Affairs to the Senate.

Mr. CHAMBERLAIN. Without discussion.

Mr. McKELLAR. Well, there were several amendments made in the committee, and to that extent it was discussed. I understand that to be a discussion.

Mr. BORAH. Mr. President, may I ask whether or not it is the purpose of the Senator from Oregon to force this measure to a vote to-night?

Mr. CHAMBERLAIN. Mr. President, I think that can not very well be done. There are quite a number of Senators who are not present.

Mr. BORAH. The debate is getting more interesting all the time.

Mr. CHAMBERLAIN. I hardly think we can get a vote on the bill to-night.

Mr. FRELINGHUYSEN. Mr. President, if the Senator from Tennessee will yield to me further, I wish to state that I was a member of the subcommittee, but I was absent from the city when the bill was considered, and was not informed that it was to be reported. I in no way concurred in reporting the Hitchcock bill, because I am opposed to it. I did assist several committees that came here and pointed out defects in the Hitchcock bill. I stated to the committee that the provisions of that bill would cause unnecessary delay and hardship on the business men of this country who were transacting business with the War Department. It was pointed out that a commission hearing these cases de novo would probably cause a delay of at least a year or a year-and-a-half before the cases could be properly adjudicated. Therefore, I joined with the committee in reframing the bill and reporting the Chamberlain bill, which I believe is the only practical bill, which will be successful in settling these claims promptly, which is the principal problem that we have to deal with at this time.

Mr. KIRBY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Arkansas?

Mr. McKELLAR. I yield to the Senator from Arkansas.

Mr. KIRBY. Since the bill is not to be pressed to a vote this afternoon, I will make an explanation of it in my own time to-morrow.

Mr. McKELLAR. All I have to say in conclusion, is that, in my judgment, what is known as the Hitchcock bill, as amended, protects the rights of the contractors and the rights of the Government in a fuller and ampler manner than the other bill, and I hope that the Hitchcock bill will be adopted.

I wish to call especial attention to the boards. Senators will see the membership of these boards printed in the RECORD to-morrow. These boards will pass on these claims. Consider how the matter has been handled heretofore. These boards have been in existence all the time. It was their duty to prepare contracts. Congress furnished ample money to pay all the necessary legal expenses, including legal employees, to draw the contracts and agree upon them as they were made; but the department has neglected its duty, and now it comes in and wants us to turn back to it the settlement of the contracts about which it has been negligent. I do not think we ought to do it. I think we ought to put it in the hands of an independent commission, such as is provided for by the bill reported by the subcommittee, and adopted once by the full committee.

Mr. SMITH of Georgia. Mr. President, the Senator does not claim that all of these contracts were negligently made or not legally made, does he? Does not this bill apply to a very much larger number, a majority in fact, of transactions where the contracts were legally made and where the department has canceled them because the war ended?

Mr. McKELLAR. The Senator is mistaken about that. It applies only to those that have been formally executed, or where there has been no contract at all. I will say to the Senator that it applies to two classes of contracts, or perhaps three. The first is where there is a formal contract that has not been properly signed. The second is where there has just been a written order for the material, and, of course, not signed properly. The third class is verbal contracts; and this undertakes to validate all three. Now, it has been variously estimated that there are all the way from ten to sixty thousand of these kinds of contracts. If there are, if the War Department has so neglected its duty as to leave this vast number of contracts not even properly signed, not even properly given, we had better go very slowly about turning over the settlement of all these contracts to that department.

Mr. SMITH of Georgia. Mr. President, is not the Senator entirely mistaken about those figures?

Mr. McKELLAR. I am just stating what the proof before us has been. There have been various estimates. As I recall, the number has been variously estimated from 10,000 up as high, some witnesses say, as perhaps 60,000. Now, I can not conceive that there are that many; but I am telling you what has been stated before our subcommittee.

Mr. FRELINGHUYSEN. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. FRELINGHUYSEN. The Assistant Secretary of War stated to me this morning over the telephone that there were 6,000 of these invalid contracts and orders involved.

Mr. McKELLAR. How many verbal ones?

Mr. FRELINGHUYSEN. Six thousand, including the verbal contracts. A large proportion of those contracts—at least 60 per cent, I believe—are formal contracts, but were not signed by the proper statutory officials. Those 6,000 contracts involve $1,766,000,000. There are not 10,000 contracts, there are not 60,000 contracts, but 6,000 contracts that are invalid, according to Assistant Secretary Crowell's statement to me this morning.

Mr. McKELLAR. How much is involved in the 6,000 contracts?

Mr. FRELINGHUYSEN. One billion seven hundred and sixty-six million dollars.

Mr. McKELLAR. Mr. President, it may be possible that my informants were not correct in their information; and therefore, as the Senator says that he has this information directly from the Assistant Secretary of War, I accept it absolutely. But here we have 6,000 of these contracts, with nearly $2,000,000,000 involved, and no contracts signed for it—nobody there looking after the interests of the Government when these contracts were signed——

Mr. SMITH of Georgia. Oh, yes.

Mr. McKELLAR. And yet we are asked to turn over to this department, whoever it may be, this vast sum in dispute to be settled. How do we know that they are going to do it? What objection can any Senator raise to a fair and impartial commission, with full jurisdiction to do equal and exact justice to all the parties? What objection can be made to such a commission?

Mr. SMITH of Georgia. Because the trial of 6,000 cases before a commission would take more than 6,000 days. It would probably take 6,000 weeks.

Mr. McKELLAR. Oh, quite the contrary.

Mr. SMITH of Georgia. Still, I gave the Senator an answer.

Mr. McKELLAR. I know; but that is a very far-fetched one, it seems to me, with all due respect. Many of these contracts, according to the proof, have been already examined by the War Department, and they are ready to report. They can be settled just as quickly and just as expeditiously by this committee with full jurisdiction as they can with partial jurisdiction.

Mr. FLETCHER. Mr. President, the Senator has stated that the officers who compose these boards in the War Department have been negligent about these contracts and about these adjustments. I think the Senator will admit that the War Department has been industriously endeavoring to reach adjustments, and that the lack of authority is what has stopped them.

Mr. McKELLAR. Ah, Mr. President, it had ample authority. There may be reasons sometimes why these officers have not signed the contracts. The law requires these contracts to be signed in a particular way, and it requires an oath that there is no interest in them.

Mr. CHAMBERLAIN. Mr. President, in a moment I am going to move for a recess until to-morrow at 12 o'clock noon; and I give notice now that when the Senate reassembles I shall endeavor to keep it in session until this bill is disposed of. I want to say, however, in answer to the Senator from Tennessee, that he forgets absolutely and entirely the emergency which caused the War Department to order supplies and matériel without the execution of formal contracts. Cablegrams were coming over here from Gen. Pershing, demanding that certain things be supplied him forthwith; and the War Department, in the very nature of things, did not have time to execute these contracts.

THE AMERICAN MERCHANT MARINE.

Mr. RANSDELL. Mr. President, on the 22d and 23d of this month a very important conference was held in this city, which discussed the question of the American Merchant Marine. It was addressed by several Members of Congress, including two Members of the Senate. I submit the proceedings of that conference, which I desire to have printed as a public document; and I ask that the matter be referred to the Committee on Printing for action.

The PRESIDING OFFICER. The matter presented will be referred to the Committee on Printing with a view to having it printed as a public document.

RECESS.

Mr. CHAMBERLAIN. I move that the Senate take a recess until to-morrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 45 minutes p. m.) the Senate took a recess until to-morrow, Thursday, January 30, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, January 29, 1919.

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father who art in heaven, whose goodness never failing, pours out upon us day by day innumerable blessings, accept our heartfelt gratitude, forgive our sins, and help us hour by hour, day by day, willingly, faithfully, efficiently, to fulfill all the duties Thou hast laid upon us. In the spirit of the world's Great Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 13708. An act providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, German Austria, Hungary, Bulgaria, and Turkey, as may be determined upon by the President as necessary.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 2784. An act to authorize the purchase by the city of McMinnville, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916; and

S. 3384. An act to amend the public-building act, approved March 4, 1913.

FOURTEENTH AND SUBSEQUENT DECENNIAL CENSUSES.

Mr. HOUSTON. Mr. Speaker, I call up the conference report on the bill H. R. 11984, to provide for the Fourteenth and subsequent decennial censuses.

Mr. SHERLEY. May I inquire of the gentleman how much time he expects to take in connection with this report?

Mr. HOUSTON. I am not able to say how much time.

Mr. MANN. I understand there is to be some opposition to it.

Mr. SHERLEY. I am anxious to get through with the appropriation bill in order that I may resume the hearings that must be had on a number of other bills. While I do not like to put my personal convenience before the House, yet it being a matter of importance to the House itself, I was hoping that we might go forward with this deficiency bill this morning.

Mr. DYER. Will the gentleman yield? I will say that I desire that there shall be a separate vote on some amendments. I shall ask for a separate vote on amendment No. 12.

Mr. HOUSTON. There was an understanding that there should be a separate vote on amendment No. 12, and I should think we ought to get through with this within the hour.

Mr. DYER. I shall ask for a yea-and-nay vote on that proposition.

Mr. FERRIS. How can there be a yea-and-nay vote on that proposition? You will have to vote the whole report down.

Mr. MANN. There can not be a yea-and-nay vote on that proposition without rejecting the conference report.

The SPEAKER. The only vote that could be had is voting the conference report up or down.

Mr. MANN. There will undoubtedly be some controversy over the conference report.

Mr. HOUSTON. I am not able to tell how much time will be consumed. I do not want to get in the way of appropriation bills, but I think we can get through within the hour.

Mr. CANNON. Oh, no; in the first place, we will have to have a quorum, and in the next place, you can not get through in any hour, for I have no doubt there will be a roll call, and in the third place, there will be something of debate.

Mr. HOUSTON. Mr. Speaker, I am inclined to yield on this proposition, but after this appropriation bill is through I understand the Agricultural bill is ready to go on.

The SPEAKER. The Chair will explain to the gentleman from Tennessee the difference between the gentleman from Kentucky and the gentleman from South Carolina. The gentleman from Kentucky has more of these appropriation bills that are to be wrought out in committee, and the gentleman from South Carolina has no more.

Mr. HOUSTON. I am willing to yield my request for the present not to interrupt the progress of the bill of the gentleman from Kentucky, but I would like to come in right after the disposition of that bill.

Mr. FERRIS. But, Mr. Speaker, there is a more serious matter than the sweeping of this conference report aside. On January 21 the gentleman from Tennessee [Mr. HOUSTON] made a hard and fast agreement to bring back this amendment for a separate vote.

The SPEAKER. The Chair has nothing to do with agreements; the conference report is brought in and has to be considered as a whole.

Mr. HOUSTON. I did agree on amendment No. 12, and entered into an agreement to have a separate vote, and also on another amendment, but the other amendment was agreed to, and there is no occasion for a separate vote on that.

The SPEAKER. Does the gentleman from Tennessee withdraw his request?

Mr. HOUSTON. I ask the gentleman from Kentucky to yield to me for a minute.

The SPEAKER. The gentleman from Kentucky has not the floor yet.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FERRIS. I yield to the gentleman from Tennessee [Mr. HOUSTON].

Mr. HOUSTON. The agreement was made on the floor of the House that there should be a separate vote on two amendments. One amendment has been agreed to, and hence that occasion no longer exists. As to the other amendments we did not agree to the Senate amendment, but agreed to it in a modified form in a substitute that I thought might be satisfactory. I came to these gentlemen who wanted a separate vote, and they said they would rather have a separate vote. I am willing to have a separate vote, and I will ask unanimous consent that they have a separate vote on that proposition.

Mr. MANN. How can you do that? The conference report is acted on by the House and the Senate. The House can not provide for a separate vote on any amendment on a conference report. The only way for that to be done is for the House to reject the conference report and then have a separate vote and send it back to conference.

Mr. FERRIS. I think the gentleman from Tennessee ought to do that.

Mr. MANN. I think so, too.

Mr. DYER. That was the agreement.

Mr. HOUSTON. If the gentleman will permit, I understand we can do almost anything by unanimous consent. By unanimous consent we can agree to vote on this proposition, and if it is voted down, then, as a matter of course, that is a rejection of the conference report and takes the bill back to conference.

Mr. MANN. If the House and Senate were assembled together, they might possibly bind both bodies by unanimous consent; but the House can not by unanimous consent change a conference report agreed to by the Senate managers and presented to the Senate as a whole. The House can not change that in any way. The only thing that can be done is to vote down the conference report. If a separate vote is to be had, the only way is to vote down the conference report, and then have a separate vote on this amendment, and then send it to conference again. There is no other way of doing.

Mr. GARNER. If you are going to go back to conference, had you not better do it this morning, so that you will be ready to come back to-morrow with another conference report?

Mr. FERRIS. I hope the chairman of the committee will consent to do that. This deals with a matter that is very important. Here is a proposition to give to some 4,000,000 soldiers preference in employment in the Government after they come out of the war, and the hard-and-fast promise was made that we might have a separate vote upon it. But the committee have brought in an entirely independent proposition, which I fear does not render any relief at all to the soldiers.

Mr. DYER. And could deprive every one of the soldiers of getting any job.

Mr. FERRIS. I know the gentleman from Tennessee and the conferees did not intend to do anything of that kind.

Mr. HOUSTON. I am perfectly willing to take any course that will put the conferees in the attitude of keeping perfect good faith with the House, because that is all we have been trying to do. We have offered a substitute the merits of which we thought would be satisfactory. Now, if the proponents of the proposition involved in the separate vote are not willing to accept it, we are not going to insist on it.

Mr. MANN. In view of the gentleman's statement, I suggest to him that he ask unanimous consent to have the conference report considered and rejected.

Mr. FERRIS. Have this report unanimously rejected. That will give us a chance to ask for another conference, and then

you can bring back a different agreement on that one matter and let us have a vote on it.

Mr. MANN. I suppose that would come up later possibly, if there is to be a discussion on that separate amendment.

Mr. HOUSTON. How are we to get a vote on that proposition in the House?

Mr. FERRIS. Report a disagreement as to Senate amendment numbered 12. I greatly hope Senate amendment numbered 12 can be agreed to just as it is. I hope it will not be changed at all. The soldiers are entitled to this preference. It should be given willingly. It is not too much.

Mr. MANN. If the conference report is rejected, then the Senate amendments are pending before the House, and it is in order to move to concur in the Senate, either directly or with an amendment. Perhaps the gentleman does not want to do that right now, but may when he gets to the consideration of it later.

Mr. HOUSTON. Very well, Mr. Speaker, in the interest of peace and harmony I am going to ask that the report may be disagreed to and sent back to conference.

Mr. MANN. I would not do it right now.

Mr. SHERLEY. I suggest to the gentleman not to make that motion at present. After conversation with the various parties in interest the matter may be adjusted.

Mr. HOUSTON. Mr. Speaker, I withhold the conference report for the present.

DEFICIENCY APPROPRIATIONS.

On motion of Mr. SHERLEY the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, with Mr. GARNER in the chair.

The Clerk read as follows:

NAVAL ESTABLISHMENT.

GENERAL EXPENSES.

Pay, miscellaneous: For commissions and interest, transportation of funds, exchange, etc., including the same objects specified under this head in the several acts carrying appropriations thereunder for the fiscal years 1917 and 1918, $1,648,502.72.

For commissions and interest, transportation of funds, exchange, etc., including the same objects specified under this head in the naval appropriation act for the fiscal year 1919, $5,000,000.

Mr. SHERLEY. Mr. Chairman, the first item is "Pay, miscellaneous," and it represents an actual deficiency incurred during the years 1917 and 1918.

The second item, of $5,000,000, is an estimated deficiency for the current year, based upon this fact, which pertains to many other items in connection with naval matters: The estimates for the Navy as submitted for the fiscal year 1919 were predicated upon a naval strength of 314,000 men, while the average strength of the Navy for this year will be 445,000 men. In point of fact the Navy strength reached a maximum of 490,000 men. Now, the difference between those two figures results in making deficiencies in a number of items in connection with "Pay, miscellaneous," "Pay of the Navy," and other matters which are dependent upon the size of the personnel for the amounts that need to be expended.

Mr. BUTLER. Will the gentleman allow me to ask him a question, please?

Mr. SHERLEY. Certainly.

Mr. BUTLER. That is based upon the number of men that we are supposed to have and are likely to have in the service during this fiscal year?

Mr. SHERLEY. Yes. There will be an average this fiscal year of 445,000 men for the Navy, it is estimated. There has been a peak of four hundred and ninety thousand and odd men in the Navy. The estimates as submitted to the Congress were based on a naval strength of 314,000 men for this year.

Mr. BUTLER. I thought the first estimate was for 350,000 men.

Mr. SHERLEY. My information from the hearings is that it was 314,000 men.

Mr. BUTLER. I do not think it is any violation of the rules for me to say to the gentleman that the Naval Affairs Committee have already agreed to report a bill to continue the Navy at 225,000 men. I think the gentleman made reference to that yesterday.

Mr. SHERLEY. That relates, of course, to the coming fiscal year.

Mr. BUTLER. I understand, the next fiscal year.

The Clerk read as follows:

NAVAL EMERGENCY FUND.

For the payment of obligations incurred prior to November 11, 1918, under the naval emergency fund, including the same objects specified for this purpose in the deficiency appropriation act approved October 6, 1917, and the naval appropriation acts for the fiscal years 1918 and 1919, $33,000,000.

Mr. SHERLEY. Mr. Chairman, as I stated in the explanation of the bill in connection with the naval emergency fund, there was appropriated by the Congress $315,000,000 for naval emergency purposes. Two hundred and fifteen million dollars of that amount was carried in bills reported by the Committee on Naval Affairs and $100,000,000 of it was carried in a bill reported as a deficiency bill by the Committee on Appropriations, and which became law in October, 1917. There will be found on page 1184 of the hearings a table undertaking to set out in some detail allotments that were made under this appropriation of $315,000,000. In point of fact, there had been an overallotment of some $96,600,000, so that if the Government had carried out at the cost estimated all of the projects that were undertaken in connection with this naval emergency fund the Congress would have been called upon to appropriate an additional amount of $96,000,000. There has been expended out of this fund, as of November 1, 1918, $225,404,963.77. There were unpaid obligations of $186,199,812.11, or an overobligation of $96,604,775.88. There have been deductions by cancellations of $46,710,725. There have been reductions in work that was contemplated, but for which the Government was not obligated, of $16,580,178.81. So that there was a total reduction thereby of $63,290,903.81, which taken from the overobligation of $96,604,775.88 makes an existing deficiency of $33,313,872.07. We carry in this bill $33,000,000 in round figures because necessarily the estimates of odd dollars and cents were simply bookkeeping estimates, and there will be a variation more than sufficient one way or the other to deal with that. The purpose of carrying this money in this bill was to complete the building of destroyers that had been undertaken by the department. There will be found a statement in the hearings as to the amount of construction work that was undertaken by the Navy in connection with the appropriations under the naval emergency fund, and there will be found in the hearings of the Naval Committee, in connection with the Navy bill for 1920, a list of all of these various vessels. The Committee on Appropriations did not duplicate those tables, having before them the knowledge that they had been put into the hearings by the Committee on Naval Affairs. This is the situation briefly as I recall it, and I now refer to the hearings before the Committee on Naval Affairs. There were 76 destroyers, *Nos. 110* to *185*, inclusive, being built under the emergency fund, and destroyers, *Nos. 186* to *335*, inclusive, built under the appropriation "Increase of the Navy." Destroyers, *Nos. 336* to *33½*, inclusive, are being built under the emergency funds that we are now dealing with. All of the destroyers that were being built as a result of the Navy emergency fund were in a state of completion running all the way from completion to as low as 22 per cent of completion in the way of hulls and machinery. A number of them had actually been completed. It was stated before the committee that these destroyers were of the modern type, 35-knot speed, that it was the desire of the department to finish them all; that not to finish them would be to waste a great deal of very valuable machinery and material that was in process of construction.

The impression has been held by some that this deficiency was to take care of matters relating to what are commonly described as Eagle boats, or submarine chasers. This is true, that this fund of $315,000,000, voted for the Navy to be spent in the discretion of the President for any purposes in connection with the prosecution of the war by the Navy, as he might see fit, was used for many purposes, including the building of Eagle boats. It is also true that if they were to take the balances that they are holding for the payment of certain work and use them for the payment of other work they could, for instance, pay for these destroyers and then leave to be paid for Eagle boats, or something else. But the matter as presented to the Committee on Appropriations—and there is no conflict. I may say, in the testimony before the Committee on Appropriations and before the Committee on Naval Affairs—showed certain expenditures and certain obligations that had to be met, and among the obligations that had to be met in order to bring them out whole under the emergency fund was $33,000,000 which they figure necessary for the completion of these destroyers. They first stated it as $36,000,000, and they came before the committee and said they expected to get from the naval appropriations committee the $36,000,000 with $25,000,000 more, the latter amount being to put back into condition various boats that had been chartered and taken over by the Navy from private owners, which, under the agreement by which they were taken over, had to be restored to their original condition.

Mr. BUTLER. Made over again.

Mr. SHERLEY. They said they would get the $36,000,000 and the $25,000,000 from the Committee on Naval Affairs in connection with this year's appropriations. I found on examination that they were $3,000,000 too high in their estimate of

the item that is spoken of as the $36,000,000 item, so I brought to the attention of the chairman of the Committee on Naval Affairs that fact, and said that if he were going to allow these two items, instead of allowing $61,000,000 they ought to allow $58,000,000, because the Navy did not need the $3,000,000. Subsequently I was advised by the chairman of the Committee on Naval Affairs that the committee thought the $33,000,000 was a deficiency and as such ought to be carried by the Committee on Appropriations in this deficiency bill rather than carried in the appropriation for the Navy for the next fiscal year. I thereupon carried this item, and it is my understanding that the Committee on Naval Affairs has cut down the item they were going to carry of $61,000,000 to $25,000,000.

Mr. BUTLER. Twenty million dollars.

Mr. SHERLEY. For the sole purpose that I have indicated, of restoring vessels to the condition they were in when taken over from their owners. Mr. Chairman, the Committee on Appropriations has had no option in regard to these matters, and by that I do not mean to imply that there has been anything necessarily done by the Navy in the use of this fund that ought not to have been done under the emergency which existed and confronted the country at the time when we were at war, but they got $315,000,000 and they got it largely upon the proposition that it was to be used for the purpose of building destroyers and other vessels to be used against the submarine menace.

They actually have used this money for a great many purposes. Gentlemen will find by looking at the table in the hearings to which I have referred that a lot of this money went not only to new construction, but it went to supplies and accounts, contingent, vessels purchased, charter of vessels from the Shipping Board, water supply, Hampton Roads, ordnance, navigation, and yards and docks. In point of fact the fund was used as an emergency fund for all manner of purposes in connection with the Navy and the various bureaus of the Navy, and the hearings disclose somewhat in detail all of the uses for which this money was expended and the condition of the balances. Now, when the naval representatives first came before the committee they came with the statement that they needed $125,000,000 as a deficiency to make good their overobligations under the Navy emergency fund. When they got through with the Committee on Appropriations they were satisfied that they needed only the $33,000,000 which we are here appropriating, and that is one of the instances of the value of a detailed examination on the part of officers bringing estimates before the Congress and the requiring of an actual financial showing as to balances.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHERLEY. I ask for two minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SHERLEY. There will be found in the hearings a statement as to cancellations, and it will be found as to the number of Eagle boats which were being built by the Ford Co. that they have canceled 72 out of 112 of Eagle boats for which they had contracted. The committee did not go into the question in detail as to whether they could cancel an additional number of these boats, although the statement was made that they had canceled, as far as the physical condition permitted the cancellation, and upon the showing made of the need of this money to complete these destroyers the committee recommends this amount to the Committee of the Whole for its approval.

Mr. BUTLER. Mr. Chairman, I move to strike out the last word—just a formal motion. Mr. Chairman, I wish the chairman of the Committee on Appropriations would permit me to ask him, or I wish that he would make a statement here now in connection with this item, touching any plan he may have in his mind, if he has a plan, by which a nearer association could be had between these military committees and the Committee on Appropriations in the consideration of deficiency appropriations. Before the chairman makes it, however, I want him to know there is no criticism whatsoever of this appropriation. The Navy Department has expended a great deal of this money and obligated the Government to pay more than it has already expended, I suppose. This fund has to be created and made up, and has to be paid out. I very greatly regret, Mr. Chairman, that the chairman of this committee will not be a Member of the next House of Representatives. While he and I are not, perhaps, in entire accord all the way through politically, I want to bear open testimony not only to his diligence while he has been a Member of this House but to his absolute reliability and sensible—yes, brilliant—service, and I do not feel like criticizing any item he might report. The country will need him, as the gentleman from Illinois yesterday well said, badly. While his successor is a Republican and comes on this side, it is my regret that both of them could not be Members of this House. I believe the country will need Mr. SHERLEY in the next session; need men like him. I know it is not fashionable to be an economist and I know it is not popular to stand between the bureaus and the Treasury. Everybody is against such a man; but, nevertheless, we have to drift back to the time when we must be economical or else the people of this country will make up their minds that men who are not at all times doing their best to obtain relief from oppression will be excused from membership in this House. Now, Mr. Chairman, it does seem to me—and I am not looking to any prospective interest whatever, because I do not know I will even be a Member of the House of Representatives or be a member of the Committee on Naval Affairs hereafter—I do want the gentleman before he goes away to say whether or not he has in his mind some plan, some way, by which the appropriations committees can be brought in closer touch with each other when considering deficiency appropriations. I say, without reflection upon anyone connected with these military bureaus, and have absolute confidence in them; but, notwithstanding, I do believe at times appropriations are asked for from these regular committees when the gentlemen asking for them have made up their minds that they would go to another committee and ask a deficiency, and therefore do not submit to the committee having charge of the appropriation originally all of the necessities which required a greater appropriation. If the gentleman will make a reply, I shall be very greatly indebted to him.

Mr. SHERLEY. I shall be glad very briefly to state to the gentlemen and the committee what the situation is as I see it, and what the remedy in a measure is. It is not, of course, fair to judge the work of either the Congress or the departments by the conditions that have existed for the past year, because of the war breaking as it did and the need for action all of us were willing that the departments might have a leeway and might go forward with necessary work rather than to wait upon the deliberations of legislative action. I think that where the departments have exercised proper judgment in things they undertook they are not to be censured, because they did not always wait to have the exact amount of money provided. There have been, however, a few instances in which the disposition on the part of Congress apparently has been availed of by the departments to go forward when they could not come to the Congress in respect to every case.

Now, personally I have never believed in the distribution of appropriation matters among many committees, because I believe that it is impossible for any committee dealing simply with appropriations along certain lines to have that vision touching general expenditures that is necessary to a sound judgment as to whether or not a given thing should be appropriated for. Two questions are always involved in every appropriation. First, is the thing itself desirable? And, second—and frequently the second consideration is more important than the first—assuming that it is desirable, is it permissible, having in view the need of doing other things and the aggregate of the burden that will be placed upon the people if these various things are carried out? In other words, the real thing that is difficult for a legislative body to determine is not simply the value of a proposal itself, but the sum total of burdens that you have a right to place upon the people, having in mind that the Government has nothing of itself and only gets its moneys through tax burdens laid upon the people. Even with our archaic method of appropriations through many committees, I believe that in normal times, and from now on, it ought to be possible for the different bureaus so to present their estimates that they would not create deficiencies. I think there ought to be brought home to them that hereafter men who come with deficiencies will come with a knowledge of the penal statute that has been passed touching the making of deficiencies.

I have endeavored as chairman of the Committee on Appropriations to consult informally whenever I could with the chairman of the Committee on Naval Affairs and the chairman of the Committee on Military Affairs and other appropriation committees, in order that the committee might not do the very thing that the gentleman suggests has been possible, giving something that had been refused by the other committees. The Committee on Appropriations ought not to be a court for a rehearing of matters which have been refused by committees having the power to appropriate in the first instance. And I think I can say that it has not been such in the days that I have had charge of it. My own judgment is that you can consolidate appropriations in the hands of one committee, or, at least, you can consolidate the total that may be appropriated by any committee in the hands of one committee. Whenever that is suggested men say, "How on earth are people going to do the work when they have difficulty in doing the work that is even

before them now?" The answer to that lies in this fact, that nine-tenths of the work that is done in the way of examination, the question and answer, would be unnecessary if you had a modern system of bookkeeping and would have a statement of estimates, and an independent audit answerable to the Congress of the United States and not to the administrative branch of the Government. You would then be able by that audit to put your finger upon the sore spot and investigate it. The trouble now is that the Congress, having no other medium, undertakes to prevent abuses by detailed appropriation and detailed restriction, and its time is taken up with many matters that ought to be passed pro forma, with the result that great policies of government can not be dealt with and determined by Congress. And as the years roll around more and more the executive branch of the Government is determining a policy and Congress is being called upon to carry it out by appropriation of money.

Mr. MADDEN. It will be perfectly feasible, I have no doubt, to have subcommittees of the Appropriations Committee to represent each department, and then have the committee itself coordinate all the appropriations?

Mr. SHERLEY. I think that is true, and I think the very fact that you have all matters coming into a central committee would result in the clerical force of that committee keeping check on things for the benefit of the various subcommittees. I know that every subcommittee of the Committee on Appropriations constantly has brought to its attention by the clerk and his assistants matters that come in some other bill and yet have a bearing, so that these subcommittees may not cross each other's program or may not recommend something in conflict with the view of another subcommittee. And I want to say now that the Committee on Appropriations, I think, has earned a reputation for efficiency in the Congress, and I do not mean the committee since I have been the chairman of it. It earned that long before I ever came to Congress. For many, many years it has justified the faith of the Congress in its conservatism and its industry. A reason for that is very largely the atmosphere which has grown up in that committee and which every new member, when he comes on it, feels; and it has been handed down from man to man and been made possible largely through the continuity of action and of purpose brought about by the very splendid services of the former clerk and the present clerk of that committee. And much of this efficiency is due to the fact that there is kept for the benefit of the committee continuous information in regard to the activities of the Government that enables the members to pursue a consistent policy. I have seen man after man come on that committee rather liberal in their views touching expenditures, and after coming in touch with the experience of that committee, which runs back forty and more years, become the most conservative, constructive members of the committee.

Mr. BANKHEAD. Will the gentleman yield?

Mr. SHERLEY. Certainly.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent for two minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. BANKHEAD. We are all very much interested in this question, and I would like to ask the chairman whether or not these reforms which he suggests would come in a large measure by changing the rules of the House relative to the matter, or would it require substantial legislation in the nature of a statute?

Mr. SHERLEY. I believe some of them could be made by changing the rules of the House, but I believe it would be reenforced by virtue of the last year's experience. We ought to undertake to do for the Government in connection with the estimates of appropriations exactly what we undertook to do in connection with the financial system of the Government. Men may differ one way or another with the recommendations that were made by the Commission on Monetary Reform, but no man who wants to be frank and candid but what knows that the work that that commission did laid the groundwork that made possible the present banking and currency system.

Now, I believe that it is easily possible—and I hope to do so, if the committee agrees with me—to present to the House, in connection with one of the final deficiency bills, a proposal looking to the appointment of a commission composed of a limited number of Members of the House and the Senate and the Secretary of the Treasury, and giving to them a fund of $100,000 or $200,000, in order that they may have the clerical force necessary to gather together the data to report back to Congress a plan for a financial system.

I do not believe that any plan that is suggested will meet the views of everybody. There will be much that men will take exception to. But if that commission does its work intelligently and has available the technical assistance that it can obtain, it ought to be able to present to the Congress the fundamentals for such a reform. Some of those reforms will require statutory enactment, and some of them will require a change in the rules. If it had been my fortune to be a Member of the next Congress I had hoped to give a great deal of my time to that sort of a reform, which I believe will be the greatest that could possibly be brought about. And if it is brought about, there ought to be easily made a system whereby Congress can ascertain the facts that it is entitled to know without having to try each estimate as we would try a lawsuit. To-day the Parliament of Great Britain does not undertake to specify in detail anything like what Congress does, but the most powerful body in England is the independent audit that exists there, and that is always available to committees on expenditures in Parliament, and through its recommendations and suggestions it enables those committees to go to the sore spots and correct conditions.

Now, we can not adopt the English system as such for many reasons, and we ought not to want to. Every nation works out a plan of its own. It has habits and an evolution that can not be disregarded. But the American people certainly have enough constructive statesmanship to enable them to work out a modern system that will not be out of harmony with our divisions of power and our double legislative bodies. [Applause.]

The CHAIRMAN. The time of the gentleman from Kentucky has again expired.

Mr. BUTLER. Mr. Chairman, will the committee allow me two or three minutes, to ask another question of the gentleman from Kentucky and also obtain his answer in that time?

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. BUTLER. It has been a little bit disappointing to me, Mr. Chairman, while sitting on this one committee that I have served on for 22 years, to find out, after a great effort to limit appropriations to the needs of a department or a particular bureau, that it transpires or appears in the making of the next appropriation bill that the same bureau officers had gone to the Committee on Appropriations for a deficiency. Until the reform that the gentleman speaks of—and I am in entire accord with him, and I know that it is in the right direction—could be brought about, would it not be well to have a subcommittee of the Committee on Naval Affairs and a subcommittee of the Committee on Military Affairs meet with a subcommittee of the Committee on Appropriations at the time these deficiencies are being considered, so that these committees having in charge those subjects originally might be able further to inform the Committee on Appropriations what their views might be and what the actions of their committees had been?

Mr. SHERLEY. I have tried a number of times to get members of other committees to confer with me, and I have had difficulty in bringing it about promptly enough to enable me to attend to the business before the committee. I think it ought to be possible to have informal conferences, and a practice might very well grow up of having the Committee on Appropriations present informal memoranda of estimates that are sent to it from the Navy Department to the Committee on Naval Affairs and receive information from the Committee on Naval Affairs, if that committee wanted to submit its views or information in connection with the estimates. They have always been welcome to do it heretofore, and I have welcomed them when they came to me with reference to supplemental estimates that had been submitted. But you are going to get a reform in the way of total expenditures when you determine first the total amount that you will spend for a given purpose.

Mr. BUTLER. Exactly.

Mr. SHERLEY. For instance, if the Navy Department found that it was to have $500,000,000 to spend during a given year and knew that that was going to be the sum total, then you would have every department of the Navy working against every other department to get its share and suggesting methods by which you could cut out unnecessary things. Instead of that, what you have now is each one of the departments pulling together to help increase the sum total.

Mr. BUTLER. Would not that be worked out through the gentleman's plan of a budget system?

Mr. SHERLEY. Yes. I think that could be worked out through the budget plan I suggested to the Congress a good many years ago and got defeated on.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. CANNON. Mr. Chairman, I make a pro forma amendment in order to obtain some time.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last two words.

Mr. CANNON. I do not want to take up too much of the time of the House. I have listened to the gentleman from Pennsylvania [Mr. BUTLER] and the gentleman from Kentucky [Mr. SHERLEY] with much interest. A budget system is frequently talked about without much of knowledge. Perhaps you could work it out through the audit referred to, and I have no objection to a commission being created to investigate. The trouble about it, however, is that the term of the Executive is for four years, and the term of a Senator is for six years, and the House entirely must come in or go out every two years.

Now, in Great Britain and, so far as I know, in all other countries having a budget system, so called, when the budget is turned down the ministry preparing it goes to the country and inside of 60 or 90 days the ministry is either sustained or turned down. If it is not sustained, when they come to return the members of the House of Commons, for instance, of Great Britain a new ministry is formed, and there you have a response to the public sentiment by a fairly prompt change of the policy of the Government touching the matter or general matters that are referred to. Without an amendment to our Constitution we can not have that.

I should be very glad to see—and still I do not have much hope for it—all the appropriation bills handled by one committee. I think perhaps you might make a committee of 12 or 14 or 16 and then let the various committees charged with legislation take the chairman of the committee and the head of the minority into consultation when the bill for that department is being perfected, and after full consideration you could come to some kind of an agreement.

I had some experience away back yonder when Speaker Carlisle was first elected Speaker. There was a contest as to whether Carlisle or Randall should be Speaker. Both were good Democrats, except that Randall was not "orthodox"; he was a protection Democrat. Mr. Carlisle defeated him, under the leadership, in their caucus and in the House, of my former colleague, William R. Morrison, a man of extraordinary ability. He wanted to go at the head of Ways and Means, and did. You could not turn Randall down, because he had a very strong following on his own side of the House, and he went to Appropriations.

Morrison, as chairman of the Committee on Ways and Means, reported a tariff bill which bore his name and was popularly known as the Morrison horizontal bill. It was supposed to have the support of the Democrats in the House and that of the President, but Mr. Randall, who was an outspoken protectionist, and a score more of Democrats voted with the Republicans and struck out the enacting clause, defeating the first effort of a Democratic House to enact tariff legislation. Morrison did not forget nor forgive Randall, and when the Forty-ninth Congress met he proposed a new rule distributing the appropriation bills. That rule was adopted, not as an economic reform, but as political revenge, to cripple the man who had been three times Speaker and was then chairman of the Committee on Appropriations. The Democrats concluded to cripple him, and divided the bills as they are now divided under the rules of the House. Well, what was the result? In the Fifty-first Congress I was chairman of the Committee on Appropriations, and we had followed suit, you know. They had divided on the bills when Mr. Carlisle was Speaker. I called together all the chairmen of committees that had appropriation bills to consult as to what the revenues were and see if we could not come to an agreement. Nothing doing. Each chairman was like a hen with one chicken. You know a hen with 1 chicken makes more fuss than a hen with 16 chickens. The motherly hen with 16 chickens marches with dignity and clucks occasionally, and the chickens follow; but the hen with one chicken runs the legs off her poor little chick, worrying and bothering around, and does not have any regard for any other mother hen with 16 chickens.

Mr. BUTLER. How about a hen with no chicken at all?

Mr. CANNON. The gentleman is an expert in poultry matters, and I will not answer his question according to the facts. In private I will answer him. [Laughter.]

Now, what has happened? As it was under the former rules the Committee on Military Affairs, the Committee on Naval Affairs, and so on, were chargeable with legislation. When the appropriation bills were reported they could come into the Committee of the Whole House on the state of the Union and criticize and move to amend, and the Committee of the Whole, after discussion, amended or failed to amend, according to conditions. Well, now, what has happened? The practice has grown up that each committee chargeable with legislation just hitches its appropriation onto the legislation, and as the money has got to be appropriated, the legislation is frequently dragged through without sufficient consideration. That does not result to the public good. If I had power I would go back and adopt the rules that we had before the disagreement between the two wings of the Democratic Party in the Forty-ninth Congress, which divided these bills. I would go back and adopt the rules that we had then. Oh, there are 435 of us now, and I have no idea that I can work it out. We will have to have a commission and full consideration; but I would have responsibility with power concentrated, so as properly to organize the House of Representatives, subject to the action of the House in indorsing the organization.

The CHAIRMAN. The time of the gentleman has expired. The Clerk will read.

The Clerk read as follows:

Naval training station, Great Lakes: For maintenance of naval training station, Great Lakes, including the same objects specified under this head in the naval appropriation act for the fiscal year 1919, $457,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. Will the chairman of the Committee on Appropriations inform the House as to what is contemplated in the way of improvements at this largest of all naval training stations, that located at Great Lakes, Ill.? I know they have had as high as nearly 50,000 apprentices and seamen there during the peak of the training season for the war. What is contemplated now in this appropriation aggregating nearly half a million dollars?

Mr. SHERLEY. This particular item of $457,000 is purely for maintenance. They submitted an item for $1,250,000, which included both maintenance and betterment at the Great Lakes Naval Training Station. The committee had pretty full hearings in connection with all of the training stations, and I do not know anything concerning which we had as much difficulty in coming to a real understanding and conclusion.

Now, the situation broadly is this: The Navy went ahead with all of these various training stations and created them and enlarged them by various work, undertaken without having come to Congress for any appropriation; and twice in the past they came to the Committee on Appropriations and represented that they had spent certain moneys and that we must appropriate to pay the bills because the money was actually spent. They came once just two days before an adjournment was to take place, with an estimate that the committee very promptly threw out of doors because we were furnished with no information as to the money that the department wanted to spend. The result of that was that they just went ahead and spent it anyway and came back with estimates for actual deficiencies. Now, I can not tell the gentleman from memory what is the situation at Great Lakes Training Station, but the gentleman will find on page 453 of the hearings a statement totaling $1,750,000 for various and sundry purposes in connection with Great Lakes Training Station. Instead of allowing that, what we did was to allow the amount of $457,000, which it was estimated was necessary as a maintenance fund proper, and then when it came to the question of maintenance under the Bureau of Yards and Docks for all of the naval stations we gave them $6,000,000, which amount was supposed to be sufficient to take care of the construction work that had to be carried through at these various stations. Now, I have this impression in regard to these various naval stations: That a great deal of work incident to the war has been undertaken, and that every commandant at every one of these yards is now desirous of going forward with that work irrespective of the termination of the war, and I believe that the Committee on Naval Affairs, who seem to be desirous of undertaking additional work, including the deficiency estimates, could do no better work than to go into all these expenditures. In point of fact I am not at all sure but what it would be well worth the while of the Congress to have a committee of two or three members of the Committee on Naval Affairs to visit these various stations and to ascertain the actual conditions. It is almost impossible to obtain the information from a recital by witnesses. We cut down the amount quite considerably.

Mr. STAFFORD. Will the gentleman inform the House what was the total estimate asked by the Bureau of Yards and Docks, which, I believe, has charge of the building and enlargement of these various stations?

Mr. SHERLEY. The Bureau of Yards and Docks asked for $6,500,000, as I recall, and in asking that they figured an expenditure of about $1,000,000 at Great Lakes. To that extent that $1,000,000 was a duplicate of estimates made for the Great Lakes. What we did was to give them $6,000,000, as against the

$6,500,000 they asked for, and to eliminate $700,000 of the estimate from the Great Lakes Station. So that if you were to take all of the estimates made by the various training stations and the Bureau of Yards and Docks together it would total in round figures nearly seven and a quarter million dollars.

Mr. STAFFORD. The committee virtually shaved the estimates to the extent of a million and a quarter dollars.

Mr. SHERLEY. That is all we could do. It was not possible to come to a conclusion without a physical examination and very detailed statements. We had the various commandants of these yards come before us. There are a good many pages of testimony as to conditions, but here is the situation, the gentleman is familiar with it: A man says certain work has been undertaken and that it is necessary to complete it. You may think it is unnecessary to complete it, but unless it is a very glaring case and the fellow lacks the ingenuity that most of them possess of making a plausible case, you are defenseless. What we thought is this: I got an impression from the hearings before the committee that the present head of the Bureau of Yards and Docks has a real appreciation of economy and desires to hold down expenditures. He was one of the few officers who voluntarily called to the attention of the committee moneys not needed which could be eliminated. Therefore, instead of giving to this particular station the money that could be expended, we lumped the money under the control of the Bureau of Yards and Docks and placed the responsibility upon him, to see to it that the moneys are expended only as needed. Then, by giving him an amount less than all the yards needed, we put the yards bidding against each other and thereby bringing about economy.

Mr. STAFFORD. I think that was the only practical course to follow.

Mr. BUTLER. Mr. Chairman, I move to strike out the last two words. I want to call the attention of the chairman of this committee to one item in this bill, and I hope what I may say will make an impression on him. That is in regard to this appropriation for the little training station in California at Yerba Buena Island. It is found on page 11. I know that this money has been spent or obligated at this point—I believe honestly spent—and I have no criticism to make, but it is a disappointment to find a definite appropriation for a place that we anticipate may soon be abandoned.

Mr. SHERLEY. If the gentleman will permit, that was a deficiency that occurred last year.

Mr. BUTLER. I have been endeavoring, with my colleague from Michigan [Mr. KELLEY] and others, to hold down appropriations on these small places.

Mr. SHERLEY. This was the situation here——

Mr. BUTLER. I do not ask the gentleman to make any explanation, for I know his explanation will be reasonable.

Mr. SHERLEY. They had 4,500 men there, and it required a great deal of maintenance and construction in order to take care of them, and they ran over to the extent of $22,000.

Mr. BUTLER. If we had our hand on it and had it in mind, if they had stated to us in the last appropriation bill that they would need this money and that they would like to have us make that appropriation——

Mr. SHERLEY. I doubt very much if they knew it. They were expending so fast and working at these places under such pressure that they never knew from week to week what their balance was.

Mr. BUTLER. I have no criticism to make; I know what we have gone through. We have all been feverish, greatly disturbed and agitated, but I want to promise the gentleman from Kentucky that if I am a member of the Naval Committee in the next House I will, for one, make an effort to have methods of proving estimates and obtaining appropriations corrected.

Mr. SHERLEY. While I am on my feet I want to make a suggestion to the gentleman from Pennsylvania and the Committee on Naval Affairs, and that is I believe that if they will investigate into the practice that has grown up under the authority given some years ago at the instance of the Committee on Naval Affairs, touching general account of advances, they will find that it is a method that does not give the Congress proper control over funds but enables the Naval Establishment to build up reserves without the knowledge of this House and puts a premium on expenditure of all moneys that are appropriated here rather than to have any balances turned back into the Treasury. Every time you examine a naval officer upon that point he squirms and boxes the compass, but the fact remains that they are constantly building up reserves through that medium, and you can not make something out of nothing.

Mr. LITTLE. Mr. Chairman, I move to strike out the last word. I would like to ask a question about the item on page 12, the naval training station on the Great Lakes. I have just sent for the appropriation act for 1919. What is the exact purpose of this appropriation?

Mr. SHERLEY. I explained that a few moments ago.

Mr. LITTLE. I was not in the House at that time.

Mr. SHERLEY. The purpose was to take care of the maintenance for the balance of the year—maintenance, buildings, repairs, water system—just the upkeep account.

Mr. LITTLE. Is this to be a permanent station?

Mr. SHERLEY. It has been a permanent station and will always be, probably, one of the great stations of the Navy.

Mr. LITTLE. There have been a great many boys sent there from our country to be trained for the war and they have not been sent home. Can the gentleman give us any information as to when and how soon they are to be sent home? The officers seem to think that though the boys were sent there to learn something of war they ought to be kept there indefinitely, at their sweet will. Of course, I understand the station is a permanent one. What I seek to ascertain is as to the disposition to make the temporary war-time conditions permanent, so that some officers shall have more authority and larger commands.

Can the gentleman give me any information as to when they are going to send those boys home? What the plans are?

Mr. SHERLEY. Mr. Chairman, the committee had some hearings about that from the Bureau of Navigation and from various officers. The Navy claims that it is in a situation that is different from that of the Army, that a good part of its task increased or at least remained as great after the armistice as during the war time, that they have to move all of the soldiers back home, and that they are also looked to to supply the personnel for the merchant marine. They insist that they can not demobilize down to the last man or go back immediately to the condition that existed prior to the war, that as far as they are concerned they are practically operating upon a war basis, excluding the ships that were overseas in active war work, just as much now as they were some months ago, and I think it is somewhat true.

I realize the protests that have been made. I have received a number of them myself, as all of us have, and I have been told—and this is in the hearings—that these commandants at these various stations will investigate the conditions surrounding the individual applicant for discharge, and where they can without hurt to the service release him, they will do so, but that of necessity it is going to be a slower process than it would seem necessary to the average man, who does not know what the burdens are that have been placed upon them.

Mr. LITTLE. Mr. Chairman, there seems to be a tendency down there to believe that they can keep men indefinitely who were sent there for war purposes. If the officers have such an exaggerated idea of their power as that, and show this arbitrary disposition to handle the young men from out West, who ought now to be in school or at work, whom they are arbitrarily keeping from school or from useful occupations—keeping them there at such work as shoveling coal when they could secure in Chicago plenty of men who are out of work to do it—then it is a most unfortunate situation. There can be but one result of that, and that is to bring to the American mind, at least to the mind of the people whose sons are held in violation of the contract, the idea that these men are purely an arbitrary set of men, who are not fit to be intrusted with the funds or the youth of this Republic. If the friends of the Navy expect very much support from the agricultural sections of the country, where the people pay the taxes to support the Navy, they may believe that when war is on we will do everything we can; but they should also realize that when peace comes the Navy becomes of comparatively small moment as compared with the general necessities. The farmers and the business men run the schools and support this Navy, and if the Navy is going to proceed in the way of getting in the way of the schools and the farmers, then that attitude is bound to result in the feeling against it that will make it difficult for any Congressman from such a community to support it. If the Navy has any friends in this House, and it has many, I hope they will explain to these people that they can not expect to get good results from the taxpayers who are treated in this arbitrary manner. I shall not make any objection to this appropriation, although sometimes I think it ought to be done; but I do hope we will not be placed in a position where we can not do for the Navy what we want to do because of arbitrary, egotistical, martinet methods of some petty gentlemen who do not seem to realize that in time of peace they are about the smallest cogs in the machinery of this great Republic. This country is conducted purely for the benefit of those who fight its battles in war, pay its taxes in peace, and support its families from generation to generation, not to please

immaculate personages whose existence actually depends on the labors of those whose sons they appropriate when they should be in school or at work earning the money to pay the salaries of the immaculates.

The Clerk read as follows:

BUREAU OF STEAM ENGINEERING.

Engineering: For repairs, preservation, and renewal of machinery, etc., including the same objects specified under this head in the naval appropriation act for the fiscal year 1916, $30,882.14.

For repairs, preservation, and renewal of machinery, etc., including the same objects specified under this head in the naval appropriation act for the fiscal year 1919, $4,300,000.

Mr. ROWE. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee about this entire appropriation for steam engineering, the whole amount being $4,300,000. Just what is it for?

Mr. SHERLEY. Mr. Chairman, it is really a repair item in connection with the ships that have been in commission and that need to be repaired, and the gentlemen will find on page 565 of the hearings the statements of Rear Admiral Robert S. Griffin, Chief of the Bureau of Steam Engineering, and Admiral Taylor, Chief of the Bureau of Construction and Repair. As I recall the testimony, they had had under the heading of engineering something like $107,000,000 and they had expended about $65,000,000 and had about $42,000,000 as an unexpended balance. They had $13,000,000 worth of outstanding obligations, which left them a free balance of something over $28,000,000. They estimated that with the number of ships that had been in commission and that were coming in for repairs that sum would be insufficient, and they asked for this additional amount in order to make these repairs. I did my best to convince Admiral Griffin that he would not need all of that amount of money, and in point of fact the committee did cut him down from an estimate of something like $8,000,000 for additional moneys to $4,300,000. Three million dollars of that cut, however, represents $3,000,000 which was intended to be expended in the creation of a radio station south of the sleet line, and I am very glad the gentleman's inquiry has brought this to my attention. It is proper that I call attention to it in order that the House, if it does not agree with the judgment of the committee, may increase the amount by $3,000,000. It was testified by Admiral Griffin that it was desirable to have an additional wireless station. It was originally undertaken as a war measure, having in mind the difficulty of always using wireless stations now owned by the Government in time of severe winter weather.

The severe weather of last winter seriously handicapped, at times, the use of wireless. It was determined, therefore, that it was desirable to have a station south of the sleet line, and that it was also desirable to have a very powerful station for use in connection with the South American countries. It developed before the committee that no moneys had actually been expended in regard to the building of this station. It may be that moneys had been expended under other appropriations in the procurement of land, but no money had been expended for the building of the station proper. The committee felt, under those conditions—although it was very strongly urged by the Navy Department that this should be carried out as a peace-time proposal and as a desirable thing—that it was a matter that ought to be left to the Committee on Naval Affairs to function on, and if, after a hearing, they saw fit to appropriate the money for that purpose, that they could do so. We were taking back moneys that were not needed. If this matter had been one in which expenditures had been made to such an extent as to make it necessary that it be completed, the committee would have acted. It is the one instance in which they found a situation involving a large sum of money proposed to be expended but which has not been expended at all, and they therefore cut the estimate of the Bureau of of Steam Engineering $3,000,000 in order to eliminate this expenditure until Congress should affirmatively authorize it.

Mr. ROWE. Did the committee understand that of this sum mentioned in the second line, page 17, $4,300,000, that $1,450,000 had been paid for the purchase of the ship-to-shore stations of the Marconi Co.?

Mr. SHERLEY. They understood there had been paid a million and a half dollars for the Marconi stations. The gentleman will find that in the testimony on page 565.

Mr. ROWE. I have that testimony. Does the gentleman know what those stations are used for?

Mr. SHERLEY. Well, I assume they are used——

Mr. ROWE. Are they part of the Navy?

Mr. SHERLEY. Well, if they take them over they are a part of the Navy. Now, there was a situation like a good many others that came up. The Committee on Appropriations did not feel that it had the right to undertake to determine upon whether or not the Marconi stations ought to have been taken over. To have come to a conclusion about that would have required very considerable hearings.

Mr. ROWE. Did the gentleman know that such a bill had been introduced and had a hearing before the Merchant Marine and Fisheries Committee?

Mr. SHERLEY. Yes.

Mr. ROWE. On January 17; and they refused to report it.

Mr. SHERLEY. Yes, I know; but I did not know they had refused to report it. I knew they had not reported it.

Mr. ROWE. That was for the very purpose of purchasing these stations?

Mr. SHERLEY. I have no doubt what the gentleman says is accurate. What does the gentleman think the committee ought to have done?

Mr. ROWE. Admiral Griffin testified before the Appropriations Committee, did he not, that the Marconi Co. had not been paid for these stations?

Mr. SHERLEY. What he said was this:

We have recently taken over all the Marconi stations, but have not paid for them yet. We will pay for them from this appropriation.

Then I asked him:

At what cost?

And he answered:

A little less than $1,500,000.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROWE. I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. ROWE. Your hearing was on December 10, and on December 12 Secretary Daniels, before the Committee on the Merchant Marine and Fisheries, testified, in talking about the Marconi system:

We paid $1,400,000.

And he was corrected, and said "$1,450,000."

That is in reference to Marconi stations; and then he also testified they paid $1,600,000 for the Federal Co. Is that also a part of this appropriation under the Bureau of Steam Engineering?

Mr. SHERLEY. No; it is none of it a part of the $4,300,000, except in this sense: We assumed if they did not pay for these various things they probably would have money to that extent so as to reduce the $4,300,000, but they did not say they wanted the $4,300,000 for this direct purpose, but I got the impression that, whether or not they were going actually to pay for these, they had entered into obligations for the purchase of these Marconi stations, and, therefore, that will be an obligation upon the Government. Now, I have no opinion one way or the other whether they ought or ought not to pay for these stations, except the general belief that the less we buy of commercial enterprises the better for the Government. We developed the facts as best we could as to what uses they had made of the various sums, but the committee did not feel that it was warranted in undertaking affirmatively to say that a thing of that sort should not be done. We developed the facts, and then if the Committee on the Merchant Marine and Fisheries wants to report out a bill or take any action to prevent this, why I should think they would proceed so to do.

Mr. ROWE. In the hearings before the Committee on the Merchant Marine and Fisheries Mr. HADLEY asked the Secretary of the Navy:

I would like to ask the Secretary at this point what is the specific item in the naval appropriation bill which carries the fund for that payment?

Secretary DANIELS. I have forgotten the title of it, but it is in the appropriation under the Bureau of Steam Engineering, which has direction and control of all radio matters. Under that appropriation we buy a tug, under that appropriation we buy a radio station whenever the Chief of Operations of the Navy and the General Board feel it ought to have them.

Mr. SHERLEY. No; the gentleman is mistaken in that statement. What happened is this: We asked these departments to get up a table showing the amount of moneys they had received for different purposes. They made a statement showing the amount of money that they had received for engineering under the Bureau of Steam Engineering. Then they showed of that sum of money a given sum had been expended and that there was a Treasury balance of a certain sum and that they had obligations to a certain amount. We then undertook as far as we could to ascertain what the available balance was to be used for, but we did not go into the question of what moneys had already been expended, because as far as the committee's work was concerned that was water that had passed under the bridge and there was nothing we could do about it.

Now, they set out the various expenditures that they have made or have to make, and they showed that in order to go

forward, assuming they carried on these various activities, they would require a certain amount of money for the rest of the fiscal year. That amount was stated as $8,000,000. Now, one of the items that went to make that $8,000,000 was this $3,000,00 I have spoken of. Inasmuch as that was a new thing, that had not been started, with no third-party obligation involved, we said, "You will not need that, and we can cut that much. And we think some of the other general statements as to the cost of repairs of ships, and so forth, and maintenance of radio stations could stand a little paring." And so we cut them, leaving the amount of $4,300,000.

But in order that we might not be misunderstood I took care in writing the report for the committee to expressly state that moneys that we left we did not mean should be usable for any particular purpose, and that we neither recommended nor disapproved those purposes. We left it for Congress to take such action as it saw fit in trying to develop the fact. Now, I am perfectly willing that Congress, if it does not desire to have these stations taken over, and knows how much obligation the Government has incurred that it can be relieved of, should legislate and say so. But it seems to me it would be asking almost an impossible task of the Committee on Appropriations to function on all of these various activities.

Mr. ROWE. I would like to ask one other question. Would the Committee on Appropriations feel under obligation to the Director of Railroads if he had bought the Baltimore & Ohio to appropriate the sum in a deficiency bill?

Mr. SHERLEY. If the Director of Railroads had bought the Baltimore & Ohio under authority of law.

Mr. ROWE. You are putting in a word there——

Mr. SHERLEY. I want to answer. If he had bought the Baltimore & Ohio under authority of law, so as to make a valid obligation upon the Government, I think the Congress would have to appropriate the money to pay that obligation.

Mr. ROWE. Suppose he had not that authority?

Mr. SHERLEY. If he had not the authority of law, I would not vote him the money for that purpose, and I am not voting any money yet for the purpose of paying for Marconi stations.

Mr. WHITE of Maine. Will the gentleman yield there?

Mr. SHERLEY. Yes.

Mr. WHITE of Maine. Does the gentleman understand that under this item for the Bureau of Steam Engineering in the last naval appropriation bill there is any authority given to the Secretary of the Navy to take over this Marconi system throughout the country?

Mr. SHERLEY. I neither know whether there is or is not. I have not examined into the question.

Mr. WHITE of Maine. My impression is that there is not, and I find that at the end of that particular section it provides that the sum to be paid out of the appropriation for purchase of land or sites for radio shore stations shall not exceed $10,000. The difficulty, it seems to me, is that the Navy Department goes out and expands and arrogates to itself powers the Congress has never given to it, and then it comes in here and asks that the things it has done without authority of law shall be ratified by an appropriation to take care of its expenditures.

Mr. SHERLEY. The gentleman is drawing a conclusion that is not warranted by facts in this instance. The appropriation of $4,300,000 does not add one iota to the power that may or may not exist in regard to the expenditure of money for stations. And the $10,000 limitation to which the gentleman refers would be a limitation on this $4,300,000 just as much as it was on the original sum.

Mr. WHITE of Maine. The trouble, as I understand the situation, is that in asking for this $4,300,000 it was suggested that one of the purposes to which that fund should be applied was to pay for the Marconi station which had been purchased by the department at the expenditure of approximately $1,500,000.

Mr. SHERLEY. I think the gentleman has misread the hearings.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SHERLEY. The hearing does not disclose that all or any part of this $4,300,000 was asked. In point of fact, that was not the sum they asked. What they testified was that with the moneys they heretofore received they expected, at a cost of $1,500,000 to take over the Marconi system. Now, as to whether they have the power or not, I have only this to say—that if they have not, they will not get by the Comptroller, and they can not use that fund. If they have, unless Congress indicates that they should not use it, I presume they can and will. The committee has no recommendation, because it did not undertake to function on whether or not the Marconi system should be taken. Now, we developed all the information we could—and that was simply incidental to a lot of other matters—as to expenditures that were to be made on properties to be bought by the Bureau of Steam Engineering. And if the Committee on the Merchant Marine and Fisheries feels itself justified in recommending to the Congress that the money should not be spent for such purpose, why, then, I hope they will bring such a matter to the House for consideration. If they say there is no law by which it can be spent, then I answer by saying that nothing in this bill creates the power.

Mr. WHITE of Maine. If the gentlemen will yield, I wish to say that in my judgment that is precisely what the Committee on the Merchant Marine and Fisheries has in effect done. In the last Congress the Secretary of the Navy appeared before the committee and asked for legislation authorizing the taking over of the radio stations of this country, and the Committee on the Merchant Marine and Fisheries at that time refused to report any such bill. The department came before the committee in the pending session of Congress and asked for like legislation.

The Committee on the Merchant Marine and Fisheries unanimously laid that proposed legislation upon the table. The Secretary told us at that time that they had done this thing under the appropriation for steam engineering, carried in the naval appropriation act. As I read that act there is no authority for that action on the part of the Navy Department, and it looks to me as though it was now coming in here in this deficiency bill and getting a sum of money to pay for a thing which it had no right to buy; and when an appropriation is made and a sum of money is placed at its disposal which can be used for that purpose, then the Congress, so it seems to me, is ratifying an unjustifiable action on the part of the department. I express that opinion with great deference, because I have had very little experience here.

Mr. SHERLEY. I may be mistaken as to this, because I have not gone into this particular matter, but it is my understanding and my certain knowledge that the voting of this $4,300,000 does not in any sense enlarge the power which may or may not exist on the part of the Secretary of the Navy to take over the Marconi stations, because the language of the appropriation is this:

For repairs, preservation, and renewal of machinery, and so forth, including the same objects specified under this head in the naval appropriation act for the fiscal year 1919, $4,300,000.

Now, if the naval appropriation act for the fiscal year 1919 does not confer the power to take over these stations, manifestly the voting of moneys for the same purpose can not confer the power.

Now, here is the difficulty that confronts the Congress, not only as to this instance, but as to many others, and as to which I think there ought to be affirmative functioning by the Congress: As to any matter which the Navy or the Army proposes to go forward with that the Congress thinks it ought not to go forward with, the Congress ought by affirmative legislation to say to the departments that they shall not go forward, for this reason: It is practically impossible to reach the matter financially. Here great sums have been appropriated for broad, general purposes. The taking away of any particular sum from these large amounts would still leave sums so vast that they could still be used for some purpose that the Congress would not want them to be used for. We are very much in the situation of a man who may have a lake of many hundreds of acres that can be used for the irrigation of thousands of acres of land. If he draws off a certain amount of water on the theory that he does not want to irrigate a certain section of the land it does not follow that there is not still enough water to irrigate that section, although some other section may be neglected. The same is true here. If you take away a little sum from them they have still got moneys enough to go ahead with those things; and the way to reach them is to affirmatively prevent them from doing it.

Now, if the Committee on Appropriations had come in here and said that they shall not do this or that or the other thing, every committee in this House would have been on our backs, saying that we undertake the functions of the entire House. I share very much the gentleman's own view, without having gone into it very much, against taking over the Marconi stations. My impression has been against it, just as my impression has been against the taking over of many other commercial activities by the Government. But for the committee to have refused to grant this sum of money would simply not have reached the matter, but would have denied them moneys which they claimed they needed for certain purposes.

Mr. ROWE. But this is not the only item—this item of $4,300,000. There is an item of $1,000,000 besides that spent for the purchase of the Federal Co., which, before the Committee on the Merchant Marine and Fisheries, the Secretary himself testified he had purchased and paid for. That is coming out of some fund or other. If we are to pass appropriations like this for deficiencies we thereby pay for something that we would not have done as a House and which we had not authorized.

Mr. SHERLEY. The gentleman in one breath says that the Navy Department has bought something and then in the next breath he says we pass over a fund to buy something that we would not have authorized the payment for.

Mr. ROWE. The gentleman is mistaken. The Federal Co., he testified, he had paid for.

Mr. SHERLEY. I will ask the gentleman what he would do?

Mr. ROWE. I would strike out the appropriation on the next page of $4,300,000.

Mr. SHERLEY. What effect would that have as to money paid to the Federal Co.?

Mr. ROWE. It would be notice to the Secretary of the Navy not to go on and buy other plants. It would not give them the money.

Mr. SHERLEY. That may be. We have not given them the money to squander, assuming that it has been squandered, for the purpose of buying these various wireless stations.

Mr. MANN. They say they are going to do it out of this money.

Mr. SHERLEY. They say that out of the moneys they now have certain amounts are to be expended for certain purposes.

Mr. MANN. Mr. Chairman, it may be possible that we are discussing the paragraph a little early, because it is to the next paragraph in the bill that we are really directing attention. The current naval appropriation act contains an item under the head of "Bureau of Steam Engineering," which I shall not read in full, because it is a long item, but I shall read all that in any possible way could be taken as referring to the subject matter. I read:

Engineering: For repairs, preservation, and renewal of machinery, auxiliary machinery, and boilers of naval vessels, yard craft, and ships' boats, distilling and refrigerating apparatus; repairs, preservation, and renewals of electric interior and exterior signal communications and all electrical appliances of whatsoever nature on board naval vessels—

Except certain things; then—

searchlights and fire-control equipments for antiaircraft defense at shore stations; maintenance and operation of coast signal service, including expenses of office of director of naval communications and the purchase of land as necessary for sites for radio shore stations—

And so forth—

instruments and apparatus, supplies, and technical books and periodicals necessary to carry on experimental and research work in radiotelegraphy at the naval radio laboratory.

The paragraph is long and goes into very detailed particulars. It authorizes repairs, preservation, and renewals of electrical interior and exterior signal communications and all electrical appliances of whatsoever nature on board naval vessels, except certain electrical appliances on vessels, purely internal. Then it provides for purchase of technical books and apparatus for experimental and research work in radiotelegraphy at the naval radio laboratory. It authorizes the purchase of land for radio stations, with a proviso that not more than $10,000 of the appropriation shall be used for that purpose, and it makes an appropriation for everything of $50,000,000.

Mr. JUUL. From what is the gentleman quoting?

Mr. MANN. I am reading the paragraph in the naval appropriation law now current. Now, there is not a line in this particularly detailed appropriation which authorizes the Secretary of the Navy to buy anything connected with the radiotelegraph, except for maintenance and certain things for experiment, and $10,000 for land.

Utterly regardless of law, in violation of the law, for which he ought to be impeached and removed from office—and it is not unlikely that he may be—he has gone ahead and spent money out of this appropriation for the purchase of radio systems—or at least, it is stated, one system—and has agreed to spend $1,500,000 for the purchase of another system. He came before this Congress and asked authority to make these purchases and was refused the authority. If he had the authority he did not need to ask Congress for it, and the failure of Congress to legislate on the subject is a refusal of authority. He was refused the authority, and then calmly, without any excuse except his own will, he proceeds, in violation of the law and in contempt of the Appropriations Committee and of Congress, to spend part of the money appropriated, and to obligate the Government, as he says, to make a further appropriation to carry out his illegal program.

Now, I am not criticizing the Committee on Appropriations. They did not have very much information before them on this subject. The Appropriations Committee, in the consideration of a deficiency bill, consider practically all the activities of the Government. They do not have a great deal of time to spend on one item.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I ask unanimous consent for five minutes more.

The CHAIRMAN. Without objection, the gentleman's request will be granted.

There was no objection.

Mr. MANN. They had short hearings on this subject. The Navy Department sent an estimate asking for a little over $8,000,000 and a deficiency appropriation under this item, the Bureau of Steam Engineering. I now read from their estimate:

For repairs, preservation, and renewal of machinery, etc., including the same objects specified under this head in the naval appropriation act for the fiscal year 1919, $8,109,433.

There is nothing in that to call the attention of the Committee on Appropriations to what it was for. There is nothing in the original item to call the attention of anybody to what it is proposed to use this money for. The wildest dreamer in a nightmare would not have supposed that there was any authority in this original $50,000,000 appropriation for the purchase of radio systems, and there is not any such authority. But the Secretary of the Navy, having been turned down by the committee of the House with legislative jurisdiction over this subject, the House committee having unanimously rejected his proposals, he proceeds in another way, and an admiral—I suppose he was an admiral—comes before the Committee on Appropriations and makes several statements. Under the request for this item in this bill, "Marconi stations," the chairman says:

None of that has been paid for.

Admiral GRIFFIN. Some has. I suppose five or six hundred thousand dollars. We have recently taken over all the Marconi stations, but have not paid for them yet. We will pay for them from this appropriation.

He is talking about the estimate of $8,000,000 that he is asking for—

The CHAIRMAN. At what cost?

Admiral GRIFFIN. A little less than $1,500,000.

The CHAIRMAN. They are to be Government owned?

Admiral GRIFFIN. Yes, sir.

The CHAIRMAN. Is it proposed to own all the wireless stations in America?

Admiral GRIFFIN. I think the Secretary wants to do that.

And so forth.

Mr. SHERLEY. Will the gentleman permit?

Mr. MANN. I will when I am through here. I think we will make better progress in that way. Then I will be very glad to yield.

Admiral Griffin, again in another part of the hearing a little later, talking about the amount of money that he wanted for a deficiency appropriation, says—

To this are added the issues to ships, the upkeep of radio stations, new radio stations, the purchase which we have made of the Marconi stations, and an estimate for our European expenditures.

Still talking about the appropriation he was asking for, including the purchase from the Marconi Co. And again, on page 577—

The CHAIRMAN. What amount of money are you figuring to spend on radio stations?

Admiral GRIFFIN. We will spend $4,550,000.

The CHAIRMAN. What is the occasion for all that expenditure?

Admiral GRIFFIN. One million four hundred and fifty thousand dollars is for the purchase of the Marconi shore stations, which we have already effected. Three million dollars is for the erection of radio stations at Monroe, N. C.

The CHAIRMAN. Who authorized that?

Admiral GRIFFIN. The President.

The CHAIRMAN. To be paid for from what funds?

Admiral GRIFFIN. From "Engineering."

The CHAIRMAN. Did Congress ever authorize it?

Admiral GRIFFIN. No, sir.

The CHAIRMAN. What do you mean by the President has authorized it?

Admiral GRIFFIN. He approved it. The Secretary took that up with him and he approved the erection of a station there.

Seeking to lay the blame on the President, whom I am willing to acquit. The President approved the location of a radio station at Monroe, N. C., but the President did not undertake to say there was any appropriation for it. He was lied to by somebody. He did not examine the appropriation bill to find that there was no such authority there in the law. On the contrary, there was authority to spend $10,000, and only $10,000, out of $50,000,000 for the purchase of land for a radio station. They seek to hide under the cover of the President authorizing this to be done. He did not authorize it. He approved the location.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MANN. I ask for five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. MANN. Now, the Committee on Appropriations cut out the $3,000,000 for that station, properly, and I think the House ought to cut out the balance of it.

Mr. BUTLER. Every dollar of it.

Mr. MANN. It is proposed to spend $1,450,000 out of this appropriation to pay the Marconi system people for the job that they have unloaded on the Government. Of course, we could refuse to appropriate the $1,450,000, but that would not do any good. They would pay the Marconi system out of the appropriations already made, and use the deficiency appropriation for necessary things between now and June 30. The only way to prevent them from spending the $1,450,000 is to strike this paragraph out of the bill entirely. This is not the last deficiency bill that will be reported to this House. There will be a general deficiency bill at the end of this session of Congress. There will be plenty of time for the Committee on Appropriations to ascertain from these men in the Navy Department—and I came pretty near using another word than men, crooks in this connection—what they want the deficiency appropriation for, and to provide that it shall not be given to them if they have meanwhile squandered, stolen, the $1,450,000 which they have illegally agreed to pay to the Marconi system. [Applause.] We will give them all the money they legally and properly need; we will give them all the money that they can legitimately use. I never in my experience in this House have seen such wanton contempt of Congress as is exhibited in this transaction. The Secretary of the Navy, swelled with his important position, properly so, probably, desires to have the Navy control all the wireless systems, as another gentleman desires to have the Government control all the land telegraph systems, and Congress having declined to give him that authority, he goes ahead and executes his authority regardless of law. When Congress has turned him down in its legislative committee he walks into the appropriation room and, through subterfuge, attempts to get the money to carry out the transaction, illegal to begin with, and only made legal when we appropriate money for it. If we appropriate the money for it, the transaction is legitimatized. If we do not appropriate the money, he has been guilty of a high misdemeanor in his office, for which he ought to be punished. [Applause.]

Mr. LITTLE. Mr. Chairman and gentlemen of the House, almost every day I am here I have more reason to think that this House should be more careful in investigating the evidence upon which it appropriates money. Oftentimes it is based purely on the statement of some little fellow down in the department, the value of whose statement depends on the common sense of the man who makes it. I have in my hand a clipping from a paper known as the Official Bulletin of the Great Lakes Station handed me by the gentleman from Oklahoma [Mr. CHANDLER], who is under the weather to-day, and does not feel like giving it the attention it deserves. This bulletin is a paper that is evidently paid for by the taxpayers' money appropriated by this Congress, and placed in the hands of the naval authorities. I find one of its principal purposes is to discredit the representatives of the American people with the money that the representatives vote from the taxpayers to enable these little fellows to print these bulletins. They say here, at the top of the column, "Orders and notices appearing under this heading have received the approval of the commandant and are official." The commandant is discussing the question of discharging men from the service who enlisted with the expectation of serving through the war and who want to go home, go to school, or go to work. It appears that they have, so this clipping reads, a "plan now being observed which seeks to effect the granting of such requests according to the degree of urgency existing in each case as determined by the statements of the applicants, supporting affidavits, and the investigation of the heads of departments, regimental commanders, and other immediate superiors." If these men have any explanation of what appears to be a gross breach of discipline on their part, they should make it.

It appears that the boy can file an application and bring an affidavit from anybody he knows with one exception. He can bring a letter from the mayor of his town, but not from a Member of Congress, as you will see in a moment. If a Member of Congress who knows the boy writes a similar letter to that of the mayor or the sister, the boy will be relegated to the bottom of this list. That seems to be the penalty attached to the boy who solicits a statement from some Congressman he happens to know. Heads of departments, regimental commanders, and other "superiors" can be heard without injury to the service, but when inferiors like Congressmen say a good word for the boy the lash is laid across his back. Upon what meat doth this our Cæsar feed that he hath grown so great that a representative of the people endangers their safety by lending to the support of their petitions such information as he possesses? Can such things be and not overcome us like a summer's dream? Where did this bespangled wosbird get the idea that he is authorized to spend the money Congress gives him telling Congressmen they have not the same rights as other American citizens?

They say officially, "inasmuch as it would be manifestly unjust to give preferred consideration to an applicant merely because he has solicited political or other pressure to bear upon his case, and in view of the fact that letters designed to do so can serve no useful purpose, but, on the contrary, simply add to the burden, confusion, and delay of the office personnel."

Gentlemen, it is with profound regret that I see so many of you adding to these personnel burdens—"the enlisted and enrolled men are informed that, all other things being equal, an attempt to secure preferred consideration by the exercise of the means hereinbefore specified, is likely to prejudice their cases in the eyes of the commandant. Signed C. S. Roberts, lieutenant commander, United States Navy, executive officer. Approved, A. H. Scales, captain, United States Navy, commandant."

Then he continues, editorially in the Bulletin, "every man with the Naval Reserve Force enlisted for the duration of the war and became a party to the contract with the United States of America when he took the oath and donned the uniform." The editorial concludes: "God Almighty hates a quitter; and so does the American Navy." Our commandant-editor says: "Every man entering the Navy pledged himself on his honor to serve the Navy of the Stars and Stripes until 'finis' has been written to the last chapter of the great war." The commandant-editor, on the paper bought by the congressional appropriation, tells us that will not happen "until the last American soldier has been brought back safely from the fields of Europe." Is this officer employed as a sailor or a diplomat? Was he taught the duties of a sailor or the duties of a statesman? The first duty of an officer of the Navy is to obey the laws made by Congress, and the second duty is to carry out the instructions of officers of higher rank, the highest of whom is a civilian and a politician.

Then, not content with having trod the boards in all the play-acting apparel becoming to one who mouths big words while the brothers and friends of the young men we have intrusted to his care for training in Chicago have gone to Europe to die for their country, this fellow, with the people's money, proceeds to traduce and villify their children, our gallant boys. This commandant-editor, because they want to go home and go to work and go to school, says of them:

"They have attempted to obtain political influence; they have secured false affidavits as to equally false dependency claims, which proved on investigation to be the most barefaced of lies, and the number of dying grandmothers mentioned would indicate to the unsophisticated that nothing short of Persian pox or the bubonic plague is raging throughout the Middle West."

Great God, gentlemen, must our constituents endure all this from the meanest of their servants? They have cast their pearls before swine. These boys that he is talking about are volunteers and gentlemen. They were not trained by the Republic at the expense of its workingmen and given big salaries at life jobs with nothing to do but villify and abuse better men. When there is no chance to die for the Nation they seek to go home and labor in its service. If this parasite gets justice, he will soon be sent by a court-martial to a place where he will earn by honest labor every meal he eats and he will march to everyone in the lock step which he would like to teach the crown princes of the Republic. The heirs of Abraham Lincoln, of the Middle West, in whose day no such vile thing could come to pass.

"The land that loves him guards his rest; the West, the West, the rowdy West."

That order and that editorial are the kind of slush you are spending money to print. Gentlemen, a Congressman of the United States is the accredited spokesman for and the legal Representative of 300,000 of the best people the world ever saw. They send him to express their wishes and protect their rights and their children wherever they can not go. They have a perfect right to join with a boy's kin and friends in explaining why he should be at home in school or at work. They would fail in their duty if they failed to support a just claim in response to the requests of those who send us here, and whenever a little fellow like that endeavors to throw contempt and

disgrace and insult at the Congress of the United States because some of its Members have endeavored to secure the return to their communities of some boy who wants to be there there ought to be some investigation of it.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. KNUTSON. Does not the gentleman think that a lot of this foolishness will be cut out after March 4 next?

Mr. LITTLE. I hope so. It never happened from 1861 to 1865 or in 1898 and 1899, and I am going to try to cut some of it out now, or lay the foundation for it. The trouble with these fellows is that when a captain goes to sea he naturally must have exceptional powers, and he naturally gets an exaggerated idea of his own importance on land. That affects the whole Navy, until it reaches the very top it now develops, apparently.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. LITTLE. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LITTLE. Take these people for example. They remind me of a captain of a transport on which I once crossed the ocean, having with me 500 American soldiers. It seemed that I did not have what he considered the proper respect for him; but I had 500 soldiers back of me, so it did not make very much difference whether I had any respect for him or not, as he soon found out.

He told a friend of mine in Manila, "That fellow does not understand the powers of a captain at sea; he does not know that I am a little god on my ship." No; I do not; and I do not propose to let any little head at Chicago, swelled with a little brief authority, teach me that he is "a little god." The people of America run this Republic; they pay the taxes and they support the Navy. As long as the alarms of war sweep the land they will send every son they have and every dollar, if needed; but when the time comes that the war ends, when the roll of the drums is heard no more, then the Navy becomes a very small cog in the machinery of this country, not comparable in importance and power and rights with the taxpayer, with the farmers, with the business men, with the schoolboy, or any man that goes to make up the great Republic. These people bear all the burdens in peace and fight all the battles in war of our great country, and we expect the Navy to make as little trouble as it can for the people who support it. They are not "little gods" in the Navy. If we are to be confronted here with statements like this, if every man dressed in a little brief authority is to play such tricks before high Heaven as make the angels weep, it is time that Congress should give some attention and consideration to it. There is no reason why a Congressman of the United States should not have the same right to write a letter to some little commandant telling why a boy ought to go home as anyone else. This is, it appears, almost the same situation that we have just heard from with respect to a higher authority in the Navy, from the gentleman from Illinois [Mr. MANN]. It is time that the people in the departments of this country understand that the Congress of the United States is the highest authority in the Republic, that it represents by direct certificate the men who own and control the Republic and by whom all features of it are provided. There is no reason why this House should not stand upon its rights as representatives of the people of this great Nation.

Why should we be instructed in this fashion, through money of the people spent in the publication of this Official Bulletin, by permission of the House, without which he had no right to spend the money, as to what rights we have? Who makes the laws of this great Republic? By whose authority is that little chap up there in Chicago presuming to dictate to the Congress of the United States? So far as I am concerned, I propose to begin right now to see how many there are in the United States Navy who should not be there. This man talks about the war and what they should do, and what does he know about it? What war did he ever fight in? On what battleship did he ever go into battle? Possibly he has been under fire, and if he will bring me a certificate that he has risked his life in battle for the Republic, then I shall give him a little leeway to declare himself over the Congress of the United States, but if it turns out, as I anticipate it, that this is a little chap who was educated at the expense of the taxpayers over here at Annapolis, who has a life job with no work in peace of any practical importance, as compared with the taxpayers, who is now swelled up with the job he has, so that he wants to dictate to the taxpayers and their representatives, he is altogether too auspicious, and I am going to do all I can to see that he gets out of the Navy and goes to work like the rest of them, as he should. [Applause.] If he thinks so little of Congress, he should not be forced to remain in its service, and since he thinks he has so much literary talent, he should be allowed opportunity to give it ample room and verge enough to give it full play. This is his maiden effort, I presume, published at the taxpayers' expense, just as it follows:

[Orders and notices appearing under this heading have received the approval of the commandant and are official. Copies of these orders and notices are not sent in letter form to the officers or persons addressed.]

NOTICE.

It has come to the knowledge of the commandant that there are numerous instances where applicants for discharge or release from active duty have themselves written or had relatives or friends write to Members of Congress and other presumably influential persons in an effort to bring pressure to bear upon the naval authorities to secure preferred consideration and early favorable action upon their applications.

In view of the large volume of correspondence now being received as a result of these solicitations, and the consequent heavy demands made upon the time and attention of the personnel of the commandant's office, it is imperatively necessary that all men should clearly understand that letters of this kind, importuning the naval authorities to grant requests for discharge or release, can in nowise operate to secure more speedy action than is contemplated by the plan now being observed, which seeks to effect the granting of such requests according to the degree of urgency existing in each case, as determined by the statements of the applicants, supporting affidavits, and the investigations of heads of departments, regimental commanders, and other immediate superiors.

Inasmuch as it would be manifestly unjust to give preferred consideration to an applicant merely because he has solicited political or other pressure to bear upon his case, and in view of the fact that letters designed to do so can serve no useful purpose, but, on the contrary, simply add to the burdens, confusion, and delay of the office personnel, enlisted and enrolled men are informed that, all other things being equal, an attempt to secure preferred consideration by the exercise of the means hereinbefore specified is likely to prejudice their cases in the eyes of the commandant.

C. S. ROBERTS,
Lieutenant Commander, United States Navy,
Executive Officer.

Approved.

A. H. SCALES,
Captain, United States Navy, Commandant.

Our billions were not expended, our boys did not die on the fields of France, to make the world easy for men who wear shoulder straps and so feel themselves better than their fellow men. The Department of the Navy is right now asking this Congress for billions of dollars to build ships, some of which this commandant and lieutenant commander—these official scribblers—might command. Men who will use the money of our taxpayers to publish these slanders with regard to their gallant sons, the unstained youth of the Republic, are not proper persons to be trusted with a great ship that cost $20,000,000 or with the lives of its crew. No ship should be built until we know just how many more of them have been educated at the public's expense and that not one remains in the public service. The King of France, the King of England, the Czar of Russia lost their thrones and lives when they undertook to contest with the people's representatives. Is it possible that somewhere in this Republic this propaganda to minimize the constitutional powers of the people's representatives and establish a military caste has a support which is encouraging such attacks on the lawmaking power, and such malicious, malevolent assaults upon the young men who really do all the fighting that is done when our flag is carried over the field of battle? The Congress of the United States owes it to its constituents to see that the men who committed this offense are properly punished.

Mr. SHERLEY. Mr. Chairman, referring to the statement made by the gentleman from Illinois [Mr. MANN] I want to repeat what I said a few moments ago. In connection with all of these deficiencies we asked the Navy Department for a statement showing all of the moneys which they had received and had available for the various purposes enumerated. They brought in such sheets, showing a given sum appropriated, so much of that sum expended as of a given date, so much in the Treasury. Against the amount that was in the Treasury were certain obligations, and then they had estimates as to what they needed to do in the way of meeting all of these obligations or canceling some of them or taking on new activities for the balance of the fiscal year. The testimony which the gentleman has correctly read was testimony relating not to the amount that was being asked as a deficiency but in explanation of the moneys which had been heretofore voted and which they were explaining the expenditure of. I do not know that it is material because it amounts to the same thing, because when an appropriation is here made it becomes a part of the funds heretofore appropriated for that purpose, but it illustrates what I stated awhile ago that, in my judgment, Congress can not control the situation simply by reducing amounts. The gentleman from Illinois says that if we do not vote the $4,300,000 we deal with the situation. I do not think we do anything of the kind. There is $42,000,000 remaining under the head of steam engineering. They could still use part of that money in payment for these Marconi stations if they saw fit to do it, and

the nonvoting of this $4,300,000 would not in any way prevent the payment for the Marconi stations. The way to prevent that is for Congress affirmatively to say that they shall not do it, and the Committee on Appropriations tried to develop whatever facts they could so that Members of the House in reading the statements as to the purposes intended, as to moneys heretofore voted, might, if they saw fit, have Congress take such action as was deemed wise to prevent the continuation of matters.

Now, I do not know whether the language of appropriations under the head of the Bureau of Steam Engineering can be construed to authorize expenditures for these Marconi plants or not. Certainly I share the impression that most men would have, that it could not be; but if it can not be, then the comptroller will prevent any funds from that appropriation being expended for that purpose. What I wish the Congress would do, and what I think it ought to do, is where it finds departments proceeding to do something that it thinks they ought not to do, it ought to legislate to prevent it, because the cutting off of this fund with these large balances does not reach the evil. Now, I am not expressing an opinion touching the taking over of the Marconi stations. As I stated a while ago, my inclination and prima facie judgment is always against the taking over of commercial activities, particularly after the war has passed. I want to see the Government have as little to do with what the individual can do as possible. [Applause.] But there are men who do not share that view and who believe that in the matter of the wireless there ought to be and must be a monopoly. Now, it seems to me that the way to reach this matter is to have some proper legislative committee bring in a resolution preventing the expenditure of the money for that purpose.

Mr. HUMPHREYS. Will the gentleman yield?

Mr. SHERLEY. I do.

Mr. HUMPHREYS. The Navy Department asked for legislation authorizing the purchase of this Marconi system. They wanted to take over all the wireless, and the legislative committee to which it was referred refused to give them the authority. We thought that it would require legislation to authorize them to do it and not that it would require legislation to prevent them from doing it.

Mr. SHERLEY. I think that was a proper conclusion.

Mr. HUMPHREYS. And that is why——

Mr. SHERLEY. But it turns out that they have gone ahead. Now, we are dealing with a concrete situation, and I have nothing to say whether the Navy Department ought to have done it or not. I am neither advocating nor criticizing it at this moment, but I am trying to impress upon the committee that the practical way to deal with the situation which has arisen is affirmatively and not by simply striking out this amount of money, because I do not think that will accomplish the purpose.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHERLEY. I ask for five minutes, and I hope not to use all of that time.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. HUMPHREYS. I just want to state this, if the gentleman will yield, in justification of the legislative committee having jurisdiction of the matter.

Mr. SHERLEY. I have not criticized it. I am just stating the condition which now confronts the Congress.

Mr. HUMPHREYS. I just wanted to state that the committee refused during the war to give them the authority, thinking that ended it. They proceeded upon some other legislation, whether it really authorized them or not I am not able to say, but they proceeded to take over these stations. Then, after the war is over—that is to say, after the armistice was signed—they came before the committee again with still another bill to take over all this radio business, and there were very elaborate hearings on both of those propositions, and the committee, after hearing all that was to be said, was unanimously of the opinion that that authority ought not to be given, so that, as far as that committee is concerned, they thought they had done all that ought to be done by simply withholding legislative authority.

Mr. SHERLEY. I am not quarreling with the committee, and I am frank to say that had I been Secretary of the Navy, and I had come to Congress and asked the power and they had not given it to me, I would not in peace time, certainly would not in war time, except as a matter of absolute necessity, have disregarded what seemed to be the plain intent of the Congress that the department should not go forward. But it develops that the department has gone forward. Now, it seems to me, if you want to correct the matter the way to do it is to prevent the spending of the moneys, and that you ought not to do that simply by cutting out this item, because there is still a lot of money which they can use if they are determined to do so.

Mr. MANN. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. MANN. If there is so much money there which they can use, then it will not really materially damage them by waiting another month, probably not more than six weeks' time, when the two bills become a law, and get the money, would it——

Mr. SHERLEY. No.

Mr. MANN. Why not let it go out of this bill and put it on the general deficiency bill? This bill can not become a law, at the best, before the middle of February, even if it passes both houses, because the President will not be back before that time. The general deficiency bill will certainly become a law, because that will be passed, whether anything else is or not, by the 4th of March. Now that a controversy exists here, why not let it go out of this bill and let the committee make a further examination and put it, if necessary, on the general deficiency bill?

Mr. SHERLEY. In the first place, I am not willing to have placed on myself the labor of passing upon the Marconi wireless-system controversy.

Mr. MANN. The gentleman can ascertain the facts about the purchase and more carefully determine as to whether it shall be made. Now, the gentleman stated it is easier for Congress to prohibit a thing being done. I am glad that the gentleman never made that statement in the House before, and I take it that is one of the humorous things he throws out as he is leaving us. The authority of the Government depends upon the authority given to them, and to say that whenever it is proposed to do something which Congress has not authorized, that Congress must legislate in order to prohibit, the gentleman knows it is theoretically impractical and physically impossible.

Mr. SHERLEY. Now, the gentleman——

Mr. MANN. The gentleman knows it is not practicable until we pass a bill on the subject.

Mr. SHERLEY. If the gentleman will permit, I try to be practicable, and I am not trying to be humorous with the House. I am dealing with a situation of which this is simply an incident and illustration, and which I think that Congress ought clearly to understand. We have voted huge sums of money under language permitting almost everything under the sun to be done by the various departments. Whether we ought to have done it or not men may differ, but all of us, without any great division, agreed we had to do it under the emergency of the war.

Now, these funds are there. They can be used. They are so great in quantity that there can be found out of various funds money enough to carry on a number of projects that you might want to stop. And therefore I suggested to the House in perfect good faith, and I repeat it, that you are not going to be able to reach them by simply the reduction of amounts in the bill. We are repealing here $7,000,000,000 of money, but we are leaving more than that amount of money with the departments to expend. Now, the reduction or increase of particular items will rarely so narrow the department, if it does not want to be narrowed, as to prevent them going forward with some proposition.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SHERLEY. Now, the very value of this hearing was to develop some of the activities that the department was going forward with, so that if Congress thought they ought not to go forward with them they might indicate in some manner that they should not do it. I am perfectly free to say this, and I have said it to the Secretary of War in talking with him about another matter, with which I shall deal later, that I feel the attitude of all the department heads ought to be that when the Congress indicates, even informally, that certain things ought not to be pursued the departments ought to refrain from pursuing them until they can ask of the Congress affirmative authority for doing them, because we have given these great sums without limitation, and unless the departments show that nice good faith with the Congress it will force us either to a repeal of all sums, with the chaos that would follow from that, or passing resolutions by Congress repeatedly that this department or that department shall not go forward with this, that, or the other thing.

Mr. MANN. If, as the gentleman says—and I think he is correct about that—the department would still have money enough to pay for the Marconi system out of the money they have on hand, then it would not seriously damage the depart-

ment to postpone the deficiency appropriation, which they say they need, for two or three weeks, would it?

Mr. SHERLEY. No; I do not think there would be any great damage if the item went out, but I do not think anything would be accomplished by its going out. I hope the debate here will have accomplished the purpose of calling the matter to the attention of the department.

Mr. MANN. I have great confidence in the gentleman's committee. Now, it is the fact that we have appropriated billions of dollars without much limitation. In this particular case I believe, however, the appropriation of $50,000,000 was made in practically the same language that has been carried for years under the Bureau of Engineering in the Navy Department, and there was no enlargement of authority. But having appropriated these immense sums of money largely without any limitation upon them, when occasion arises does not the gentleman and the House think that it is proper for Congress to pause for a moment and take into consideration the subject?

Mr. SHERLEY. Absolutely. And I am not complaining in the slightest degree of that.

Mr. MANN. And the only way to do it is to strike it out of this bill.

Mr. SHERLEY. Where the gentleman and I part in our routes is that he thinks we will accomplish the purpose by striking out this $4,300,000 and I do not.

Mr. MANN. Where the gentleman and I part is here: It is the gentleman's duty, and he always attempts to faithfully perform his duty, to defend his bill on the floor of the House regardless of meritorious propositions that may be offered, and it is my duty to get the House to do the right thing regardless of what the Committee on Appropriations has reported.

Mr. SHERLEY. The gentleman is mistaken. We brought in this item, as the statement shows, and we cut it down from $8,000,000 to this $4,300,000. For instance, there is going to be spent out of this fund, if the department carries out its present intention and is not prevented by action of Congress, quite a considerable amount of money in an argon plant at Fort Worth. Now, as far as the money goes the department could take that money and spend it for the Marconi business and leave subsequent appropriation to be made for the argon plant at Fort Worth. And the committee did not see how it could deal with such matters simply by denial of the money.

Mr. McKENZIE. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. McKENZIE. Are we to understand that in this item calling for $4,300,000 there is included an appropriation for the construction and development of what is known as argon gas?

Mr. SHERLEY. The gentleman is not to conclude that but he is to conclude this: We have appropriated since the war started something like $107,000,000 under the head of engineering. They had expended up to November 1, $65,000,000 and some odd, and they had a Treasury balance on that date of $42,000,000. Now, out of that Treasury balance it is proposed to do quite a number of things, and among the things which they enumerate is this argon plant at Fort Worth, the payment for taking over the wireless Marconi stations, and a great many other things. The fact that you should eliminate $4,300,000 from that fund would not necessarily prevent their doing any one of the things, though it would prevent, to the extent of $4,300,000, the doing of all of them.

Mr. BANKHEAD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BANKHEAD. What is the matter now pending before the committee?

The CHAIRMAN. A motion to strike out the last word.

Mr. SHERLEY. I will say to the gentleman from Alabama——

Mr. BANKHEAD. I ask the question in good faith. I want to find out what the parliamentary status is. I do not want to prevent discussion.

Mr. McKENZIE. Does the gentleman from Kentucky know whether this so-called argon plant is the same thing as is sometimes called helium gas?

Mr. SHERLEY. My understanding is that it is the same, but I do not know anything about it.

Mr. McKENZIE. Is it not a fact that that is only in the experimental stage at the present time?

Mr. SHERLEY. Well, the testimony did not leave that impression on my mind. I have gotten the impression either from this testimony or from other sources that we had developed this gas to the point of efficiency, and that it was a noninflammable gas. But I really do not know much about it.

Mr. McKENZIE. I think that is the condition of Members of the House, and my point is that if there is any possible way or means that we can adopt to stop the appropriation of $3,000,000 for the construction of a plant to develop anything that is yet to any extent in the experimental stage it will be a good thing to stop it.

Mr. SHERLEY. I felt very much the way the gentleman did, but the committee did not feel warranted, in view of the fact that they have gone on with the proposition and it was nearly completed, to stop it short. We developed the facts so that the Congress might do it if it wanted to.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. COOPER of Wisconsin. Will the gentleman inform the committee as to the location of these Marconi stations?

Mr. SHERLEY. They are along the coast, but I do not know just where they are.

Mr. COOPER of Wisconsin. Are they all on the coast?

Mr. SHERLEY. I think they are.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For repairs, preservation, and renewal of machinery, etc., including the same objects specified under this head in the naval appropriation act for the fiscal year 1919, $4,300,000.

Mr. LITTLE. Mr. Chairman, I move to strike out the paragraph.

Mr. MANN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment.

Mr. BANKHEAD. Mr. Chairman, I offer a substitute.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Amendment offered by Mr. MANN: Pages 16 and 17, strike out lines 25 and 26 on page 16 and lines 1 and 2 on page 17.

Mr. MANN. Mr. Chairman, if the gentleman from Alabama wants to move an amendment, he can do so, but he can not amend the amendment by a substitute.

Mr. BANKHEAD. It is a preferential motion to perfect the text.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. BANKHEAD: Strike out "$4,300,000," on page 17, line 2, and insert "$1,250,000" and the following: "*Provided*, That no part of the money appropriated herein shall be used for purchase of radio stations."

Mr. BANKHEAD. Mr. Chairman, I would like to be heard briefly on the amendment.

The CHAIRMAN. The gentleman from Alabama offers an amendment to perfect the text.

Mr. BANKHEAD. Mr. Chairman, I desire to state to the committee, as a member of the Committee on the Merchant Marine and Fisheries, that the statements submitted to the House by the gentleman from New York [Mr. ROWE], and the gentleman from Maine [Mr. WHITE], and the gentleman from Mississippi [Mr. HUMPHREYS] represent the action that was taken by that committee with reference to this general proposition. I do not know of and I have been unable to locate any authority of law conferring upon the Secretary of the Navy the power to purchase radio stations. The hearings disclose the fact that he has entered into an agreement to purchase not only the Marconi system of radio stations but also those owned by the Federal Radio Systems. Those are the only two purchases involved in any scheme or plan proposed by the Secretary of the Navy. The aggregate sum of these two contracts to purchase amounts to $3,050,000,000, and I assume that the balance over and above that sum, carried in this paragraph, is made up of other items that are really authorized by law.

The purpose of my amendment and the effect of the amendment is to reduce the appropriation proposed in the paragraph by exactly the amount of the proposed sums to be paid for the purchase of these radio systems, and it has a proviso, Mr. Chairman, to the effect that the amount left in, to wit, $1,250,000, shall not be used for the purchase of radio stations. In other words, it seems to me that until some further investigation, such as might be thought to be desirable, can be given, if the matter is to be carried in a subsequent deficiency bill, my amendment corrects any abuse that might have been indulged in by the Secretary of the Navy or any unauthorized power he may have used in the purchase of these stations, and leaves an amount in the paragraph sufficient for uses that might be legitimate and necessary for the other purposes brought out by the committee and, as a matter of fact, authorized by law. I trust that the gentleman from Illinois will see fit in his sound judgment to accept this amendment, because, it seems to me, it protects the interests of the Treasury.

Mr. MANN. I will say to the gentleman that I shall vote for his amendment and then for my own amendment.

Mr. BANKHEAD. I hope my amendment will meet with the gentleman's entire approval.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Alabama.

Mr. SHERLEY. Mr. Chairman, the gentleman's amendment would simply affect $1,250,000 of money, and would still leave all the forty-odd million dollars they have available for this purpose, if it be available. The way to get at it, if you wanted to get at it and express the opinion of the House, would be to put a limitation on all moneys.

Mr. BANKHEAD. Mr. Chairman, I ask unanimous consent, then, to modify my amendment and make it apply to all moneys.

Mr. SHERLEY. That, however, I suggest to the gentleman, makes his amendment subject to a point of order. I shall not personally make the point, because I think if the House wants to express its view on the matter it is all right that it should.

Mr. BANKHEAD. Mr. Chairman, I ask unanimous consent to modify my amendment so as to provide for appropriations heretofore or hereafter made.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to modify his amendment.

Mr. BUTLER. How will it read?

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Page 17, line 2, strike out "$4,300,000" and insert "$1,250,000: *Provided*, That no part of the money appropriated herein or heretofore shall be used for the purchase of radio stations."

Mr. SHERLEY. I would not agree to that amendment, and I reserve a point of order on it. If the gentleman will make the language read so as to apply to the amendment for repairs, preservation, and renewals of machinery, and so forth, under the head of the Bureau of Steam Engineering——

Mr. STAFFORD. Why not let it read, "heretofore appropriated under this item"?

Mr. BANKHEAD. I am willing to do that. What I want to meet is the present situation.

Mr. STAFFORD. I want to meet the objection of the gentleman from Kentucky.

Mr. SHERLEY. The gentleman ought to limit it to the Marconi stations, because there is certain work in connection with our own stations that ought not to be interfered with.

Mr. BANKHEAD. I want it to cover the Federal system that has been contracted for.

Mr. SHERLEY. That is a closed incident, apparently. Mr. Chairman, in view of the uncertainty of the matter, I do not feel at liberty to permit the modification of the amendment to the extent that the gentleman has indicated.

Mr. COOPER of Wisconsin. Mr. Chairman, I move to strike out the last word. I wish to ask the gentleman from Kentucky a question. Is it the gentleman's understanding that these Marconi wireless stations are located on the seaboard?

Mr. SHERLEY. That is my impression. I have not very much information about it. There has been a committee working on this matter for weeks that ought to be prepared to give you that information.

Mr. COOPER of Wisconsin. Mr. Chairman, is it also the gentleman's understanding—I believe it is, from what he intimated a moment ago—that the passage of the amendment just offered by the gentleman from Alabama would be equivalent to the House saying that it prefers to have the Marconi wireless stations left in private hands?

Mr. SHERLEY. I would consider that that was a fair conclusion to be drawn from the amendment offered by the gentleman.

Mr. BANKHEAD. If the gentleman will pardon me, I do not think that necessarily follows as a conclusion. The purpose of this amendment is to limit the appropriation to amounts already authorized by law.

Mr. SHERLEY. The effect of the amendment and the purpose of it are very different things. Unfortunately the gentleman has not presented an amendment which would prevent the taking over and paying for the Marconi stations.

Mr. COOPER of Wisconsin. It is my understanding from the discussion here, and especially from the statement made by the gentleman from Kentucky [Mr. SHERLEY], that the passage of the amendment proposed by the gentleman from Alabama [Mr. BANKHEAD] would be equivalent to the House saying that, in its opinion, the Marconi wireless stations should be left in private hands. Now, we should keep clearly in mind the question before us. It does not, as I see it, involve the general question of Government ownership as against private ownership. For these Marconi stations upon the seaboard present a very unique problem—one sui generis. There is no other like it. These stations convey information to and from warships or commercial vessels, hostile or friendly, a thousand or two thousand miles out from our shores. The question is: Is it wise to leave an agency of that kind in private hands? This is a question very different from the question of leaving an inland telegraph system—say, a line from Chicago to Omaha—in private hands. To leave in private hands a row of wireless stations along the Atlantic or the Pacific seaboard, with their ability to communicate in the daytime or in the nighttime with hostile ships 1,500 or 2,000 miles from our shores, suggests a problem of an exceedingly important and serious character; and therefore it is perhaps not surprising that the Navy Department desired to secure control and beyond peradventure to retain control.

Mr. MANN. Will the gentleman yield?

Mr. COOPER of Wisconsin. Yes.

Mr. MANN. Is the gentleman aware that the Navy already have full control of all these stations and are and have been in operation of them?

Mr. COOPER of Wisconsin. Yes; but, as I understand it, they wanted to buy them, so that the ownership would be in the United States Government, to prevent beyond any doubt the transfer to private hands of these vastly important stations. The question is, as I have said, unlike any other.

Mr. SCOTT of Michigan. The gentleman knows that not only do the Navy have control of the stations on the shore, but that they have naval officers in control of the stations on shore, and also naval officers sworn in——

Mr. COOPER of Wisconsin. Yes. But I am not talking about what has been—about the past. I am merely suggesting the question as to whether we will indicate by this vote that in the judgment of the House the proper future policy for the United States Government would be to have the Marconi wireless stations upon the seaboard left in private hands. The gentleman from Kentucky [Mr. SHERLEY] intimated that the adoption of the amendment offered by the gentleman from Alabama would be equivalent to the House declaring in favor of such a policy.

Mr. SCOTT of Michigan. The Marconi Co. is an American corporation. A small amount of stock is owned by the British Marconi system, but the British owners are not allowed to participate in the control of the company; they are not allowed to vote.

Mr. COOPER of Wisconsin. That arrangement need not be permanent.

Mr. SCOTT of Michigan. And therefore the Marconi system in the United States in the event of war would come under the conditions that prevail in this country and could be taken over and would be taken over.

Mr. COOPER of Wisconsin. But before war might be declared there could develop a situation dangerous to the United States, and especially dangerous if the Marconi system on the seaboard were in private ownership.

Mr. ALEXANDER. Mr. Chairman, I think it would be a grave error to adopt the amendment of the gentleman from Alabama if it involves the future policy in regard to the ownership of the wireless. Under the radio act of 1912 the Government took over all of the radio stations in the United States and has them in control now as completely as if they were Government owned and may retain control until after peace is declared by proclamation by the President of the United States.

The Committee on Merchant Marine and Fisheries has had under consideration a bill proposed by the Navy Department, the purpose of which was to give the Navy Department the control of wireless, or rather to give the Government the ownership, control, and operation through the Navy Department of all wireless stations. Every phase of the question was considered. All the interests were heard and the bill was finally tabled because, among other reasons, it was so late in the session that it could not be given due consideration. I may say, however, that the committee were not willing to approve a bill that the Government, through the Navy Department, should be given the monopoly of radio communication. That is the present status of the matter, so far as the Committee on the Merchant Marine and Fisheries is concerned.

The Navy Department has purchased the Marconi ship-to-shore stations, and has a monopoly of that service at this time. There is only one other company that has wireless stations engaged in ship-to-shore service, and that is the United Fruit Co. They have a station at New Orleans, built for operation in connection with their business. I understand the Navy Department in any event has no disposition to interfere with that service. But reflecting, as I believe I do, the opinion of the committee that has given such thorough consideration to that question, they are not ready to commit the Government to the ownership and control and monopoly of this service, and especially the high-power stations.

There are cogent reasons why the Navy Department should control the ship-to-shore service. It is absolutely necessary that the Navy Department should have efficient ship-to-shore service, as far as the Navy is concerned, and there seems to be

a good reason why the service might be extended to the merchant marine. But beyond that it is not so clear that the Government should have jurisdiction of and control of operation of the service, except as now authorized by law.

After the hearings were concluded and printed I received a communication from the War Department, in reference to the bill, in answer to a request, on my part, for an expression of the views of that department as to the propriety of the Navy Department having monopoly of that service. As I anticipated, the War Department insists that the Navy Department should not have a monopoly of the service, and gives many very good reasons why that should not be done. The War Department suggests that it should be a triple control by the Navy Department, the War Department, and the Department of Commerce. But the Committee on Merchant Marine and Fisheries have left the matter in status quo, and, in my opinion, that is the proper place to leave it for the present.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last two words. I favor the amendment offered by the gentleman from Alabama, and also that offered by the gentleman from Illinois, because I believe the time has come when we ought to return to the ordinary practice of having the departments recognize the law once the law is enacted. During the war it has become the custom for departments to do very much as they please with lump-sum appropriations made by Congress. Many things have been done under the stress of war that would not be tolerated by Congress in ordinary times. The people are asking that Congress keep on the job and attend to its own business, and that it check up expenditures. I believe that where specific appropriations are made—and I think we should return to specific appropriations—the department should be held to a strict accountability for the expenditure of those appropriations that Congress intended. There should be no diversion of the funds. The gentleman from Illinois has made a statement startling in its nature with respect to a department proceeding to make purchases depending on the future without regard to Congress at all, to make expenditures on the assumption that Congress would ratify them once they were made without authority.

Now, I have here a case that leads me to talk briefly and specifically. It is the matter of an appropriation for the construction of an armor-plate plant. Gentlemen who have been in the House for several terms will recall that armor plate has been a bone of contention for years between the department and Congress and the manufacturers, and that finally on August 29, 1916, an act was signed and became a law which was intended to put the Navy Department in a position to manufacture armor plate in competition with private manufacturers.

I am not intending to discuss the old controversy, but I desire to put in the RECORD the specific provision of law under which authorization was made for the expenditure of $11,000,000 for the manufacture of armor plate for the vessels of the Navy.

I wish to say that in this year 1919 succeeding the armistice we should see to it that the $11,000,000 is expended specifically for the purpose for which it was intended when the appropriation was made in August, 1916. What are the facts?

I have some information that I am not prepared at this time to verify, and I am very regretful that it should apply to the Navy Department, whose record has been so excellent during this war—that the $11,000,000 for the construction of an armor-plate plant had been disposed of and that contracts or appropriations have been made equal to $24,000,000, and that we have no armor-plate plant. The gentleman from West Virginia [Mr. LITTLEPAGE], who is on the floor, and the chairman of the Committee on Appropriations, the gentleman from Kentucky [Mr. SHERLEY], may have more information about the work which has been done toward the construction of the armor-plate plant for which $11,000,000 was appropriated in August, 1916, than I have. I am not making charges; I am simply saying that it has been represented to me that the money has been spent, and that we have no armor-plate plant. I have before me certain information that was handed to me this morning by a Member of Congress—I do not know whether I am permitted to use the information or not——

Mr. BUTLER. Yes.

Mr. MOORE of Pennsylvania. With respect to the manner in which some of this money has been expended. My distinguished colleague, the gentleman from Pennsylvania [Mr. BUTLER], who is a member of the Committee on Naval Affairs, endeavors to keep thoroughly well posted upon all naval matters and upon expenditures by the Navy Department, and very properly so, and I found that while this information with regard to expenditures and the diversion of funds has come to me, he has been making inquiry along similar lines.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Chairman, I find in a letter addressed to my colleague [Mr. BUTLER] that Rear Admiral Earle, Chief of the Bureau of Ordnance, undertakes to explain this very situation. With the consent of my colleague and the committee, I insert the letter at this point:

NAVY DEPARTMENT, BUREAU OF ORDNANCE,
Washington, D. C., January 24, 1919.

MY DEAR MR. BUTLER: Your letter of the 16th instant was only handed me yesterday upon my return from duty in New England and this will explain the delay in replying.

The Naval Ordnance Plant at South Charleston, W. Va., has developed in the natural course of events into more than a mere armor plant. Congress appropriated the funds for the projectile plant and it was deemed advisable, in the interest of economy and good management—lessening the running expenses, etc., as well as the cost of the original project—to build this plant at South Charleston, W. Va. Later on the decision to use 16-inch 50-caliber guns forced the department to either provide facilities for forging these guns at a station of its own or to further increase the facilities of the Midvale or Bethlehem plants which had already been increased at much expense to handle these heavy guns. Decision was therefore made to equip a large plant at South Charleston for this purpose. Hence, the Naval Ordnance Plant at South Charleston comprises a projectile plant, which is now completed and operating at a capacity of about 10,000 tons of projectiles per annum; a gun-forging plant, with a capacity of 10,000 tons per year, or one 16-inch gun per month, now under construction; and an armor plant, with an ultimate capacity of 20,000 tons per year, also under construction.

There is inclosed herewith a photostat showing the plant at South Charleston, W. Va., as it will appear when completed.

As previously noted the projectile plant is in operation and has fabricated over 4,000 tons of steel; the armor plant was commenced actively about October 1, 1918, no general contracts for the construction of the plant being entered into because of the high cost of such construction, the Navy undertaking to do most of the work by day labor. General excavation, grading, and trackage is well under way and the construction plant has been erected. Temporary storehouses, stables for about 300 head of live stock, and barracks and quarters for about 800 men engaged in the construction of the plant are finished. Excavation for the open-hearth building is well under way, together with some of the concrete footings. A large amount of material for this work has also been assembled.

Unless unforeseen delays and greater difficulty in the procurement of materials than is now anticipated are encountered, it is anticipated that the manufacture of 16-inch guns will begin in January, 1920, and production secured about March, 1920. The casting of armor will commence about July, 1920, with production in quantity in December of that year.

The appropriations and allotments for this plant are as follows:

(a) Projectile plant:	
Act of Aug. 29, 1916, Public, 241	$705,611
Act of Mar. 4, 1917, Public, 391	1,375,345
(b) Armor plant:	
Act of Aug. 29, 1916, Public, 241	11,000,000
(c) Gun-forging plant:	
Presidential allotment, dated June 27, 1918, from appropriation "Increase of the Navy, armor and armament"	4,121,200
(d) Allotment of the Secretary of the Navy from appropriation "Extension of facilities at navy yards and stations"	100,000
Total appropriated and available	17,302,156

Of this amount $7,500,000 has already been allotted to the Bureau of Yards and Docks for the erection of buildings for the armor plant, gun-forging plant, and extension to facilities, and about $7,750,000 is to be expended under the direction of this bureau. Of the sum allotted to the Bureau of Yards and Docks, up to the present time, there has been obligated approximately $3,500,000, and the Bureau of Ordnance has obligated approximately $5,000,000. The projectile plant has been completed and the amount of $2,080,956 appropriated by the acts of August 29, 1916, and March 4, 1917, for its construction has been exhausted. It will thus be seen that there remains approximately $7,000,000 yet to be obligated under items (b), (c), and (d) above.

In the detail design work of this plant as a whole the strictest economy has been exercised and the department has endeavored to obtain the plant within the sum allotted, but it is evident that at least $3,500,000 additional must be provided. This is a much smaller increase over the original estimate than had been anticipated and indicates a lower percentage of advance in cost of labor and materials than has been shown in other projects handled by the Navy during recent years.

Trusting that this information is presented in sufficient detail for your purpose, I am,

Very respectfully,

RALPH EARLE,
Rear Admiral, United States Navy, Chief of Bureau.

Hon. T. S. BUTLER, M. C.,
House of Representatives, Washington, D. C.

My information as to the armor-plate plant is that down at Charleston, W. Va., where this money seems to be going, we have now about 200 acres of land, and that on that land we have three buildings. I will ask the gentleman from West Virginia if I am correct as to that.

Mr. LITTLEPAGE. Mr. Chairman, I would very much prefer, since the gentleman from Pennsylvania says he has no reliable information on the subject, that he talk with an officer of the Navy Department who is on his way to the Capitol before he indulges in a statement borne out by anonymous letters. I think the Government has at Charleston, in West

Virginia, one of the best foundations for a plant of the character the gentleman has mentioned in the whole country. That plant is located in the center of what might be termed the coal, oil, and gas belt of West Virginia, where the item of fuel alone, it is estimated, will pay for the plant in 15 years.

Mr. MOORE of Pennsylvania. I grant that it is a delightful site, and eligible for this purpose; but I ask the gentleman how many buildings are there and if we have more than 200 acres of land.

Mr. LITTLEPAGE. I think we have about 200 acres of land all told. I delivered to the Navy Department a deed to 180 acres of land, and I understand that they acquired some 20 acres additional. I understand that there are four buildings completed. I have not been in them, but they are tremendous.

Mr. MOORE of Pennsylvania. Are they projectile factories or an armor-plate factory, for which we appropriated $11,000,000?

Mr. LITTLEPAGE. I think because of the necessity of the Navy Department in war they undertook to develop the projectile factories first and work on the armor-plate plant was delayed, but is now going forward rapidly and will be completed in due time.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. LITTLEPAGE. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for five minutes.

Mr. JOHNSON of Washington. Mr. Chairman, I ask for the regular order.

The CHAIRMAN. The gentleman from West Virginia asks unanimous consent that the time of the gentleman be extended for five minutes. Is there objection?

Mr. JOHNSON of Washington. I object.

The CHAIRMAN. The gentleman from Washington objects. The question is on the amendment offered by the gentleman from Alabama.

Mr. LITTLEPAGE. Mr. Chairman, I ask for five minutes time.

Mr. JOHNSON of Washington. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The regular order is the question on the amendment.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Illinois as amended.

The amendment as amended was agreed to.

Mr. LITTLE. Mr. Chairman, I ask leave to extend my remarks and print additional parts of the clippings from which I read.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. HICKS. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on the life and career of Theodore Roosevelt.

The CHAIRMAN. This is the Committee of the Whole House on the state of the Union, and the gentleman should submit his request to the House.

The Clerk read as follows:

ST. ELIZABETHS HOSPITAL.

For general repairs and improvements, $30,000.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I realize that this item for general repairs and improvements is simply one of routine, but, nevertheless, as long as it has to do with St. Elizabeths Hospital it seems to me that some explanation ought to be offered here of the various criticisms which have been in the press in the last few days in connection with the management of that institution as applied to the care of returned soldiers. As I understand, St. Elizabeths Hospital is the insane asylum of the District, conducted by the Government, and paid for by the Government. This morning one of the New York papers contained a very severe criticism of the care or lack of care extended to returned soldiers, some of them, perhaps, in a nervous condition but not regarded as insane, as receiving no care or treatment whatsoever at St. Elizabeths Hospital. That item is copied in a Washington paper of this afternoon and ought, I think, to receive some attention from this body. If the accounts are entirely sensational we should know it for the benefit of the men who are there, and I therefore would ask if any information can be given by any Member of the House as to the conditions at St. Elizabeths Hospital, particularly as to the care soldiers have received there. I only ask for information. I know absolutely nothing of the circumstances myself.

Mr. SHERLEY. Mr. Chairman, I have not even seen the article which the gentleman says is in the New York Sun of to-day, so of course I can not reply to it, not knowing what it contains, and I have no particular information touching St. Elizabeths, except that it is my understanding that men who are there are men who are mentally unsound and they themselves frequently do not know it. I know of one instance in which I received a letter from a man complaining about his being confined there, and, having had past experience with people confined in an asylum, before I undertook to get him removed I made inquiry, and I found he was suffering from a mental complaint which made it very desirable that he be retained in that asylum, although he does not think so, and he writes very bitterly about it. But I have no specific information in reference to the gentleman's inquiry touching the management of St. Elizabeths.

Mr. TREADWAY. May I ask the gentleman one question?

Mr. SHERLEY. Certainly.

Mr. TREADWAY. Whether or not he knows in regard to the care of the soldiers they are made a part of the regular patients and placed in wards with the regular men who are there and are shown no other care than that regularly accorded to any inmate of the asylum?

Mr. SHERLEY. The committee has had no hearings at this time touching St. Elizabeths that I am aware of, unless the committee on the sundry civil bill, of which I am chairman, had a hearing, and I have not been able to attend the hearings of that committee recently. The gentleman from South Carolina [Mr. BYRNES] has been conducting most of those hearings. I do not know whether they went into the matter as it is related to returned soldiers or not.

Mr. TREADWAY. It seems to me, Mr. Chairman, that we ought to have some information on this score in view of the articles which have been carried in the press not only to-day but previously. It is a matter which has been referred to frequently in recent press accounts, and, while I am not one of those disposed to give undue attention to what may appear like sensational accounts, if there is any basis of truth in the method by which returned soldiers have been cared for at that institution, we should be informed of it and govern ourselves accordingly.

Mr. FAIRFIELD. Will the gentleman yield?

Mr. TREADWAY. I would be glad to do so, but I have not the floor—I do not think I have.

Mr. FAIRFIELD. I desire to say I had a little experience in that matter myself.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FAIRFIELD. Mr. Chairman, I move to strike out the last word. I had occasion recently to take up the matter of St. Elizabeths Hospital in the interests of a man who was remanded there suffering from shell shock. My attention was called to it by the friends of this man going down to the hospital and securing a leave of absence and bringing him up to the office. I am not an expert on insanity, and insane people may deceive the very elect at times, I am told.

However, I took the matter up with The Adjutant General and I corresponded with the boy's people at home. After two or three days this man was taken out of the ward for the incurably insane. He assured me that if he was not relieved soon from that position he would be insane. After another week or 10 days we succeeded in getting a furlough for him for 30 days, and he is now at home under the direction of his own brothers, who are physicians. I think that if each particular case that is called to the attention of the Member was taken up in person with the proper authorities there would be a disposition to inquire into it carefully and to do the right thing. At least, I had the most courteous treatment, though in this case it required a little time before action was secured.

Mr. IGOE. Will the gentleman yield?

Mr. FAIRFIELD. Certainly.

Mr. IGOE. What about those men who have not anybody to go and appeal for them to The Adjutant General? What is it proposed to do for these hundreds who can not come to the gentleman and others for assistance?

Mr. FAIRFIELD. The gentleman's question is certainly pertinent. I had reference only to any difficulties that particular Members might have. Unquestionably there should be some sort of investigation into that condition. If it is merely a sensational report, no harm will have been done, but, indeed, great good will have been done. And if there are conditions there such as have been reported they ought to be rectified.

Mr. McKEOWN. Was there any complaint in the case which the gentleman looked into as to their food and clothing at St. Elizabeths?

Mr. FAIRFIELD. The gentleman said the food was abominable.

Mr. McKEOWN. I have had a case where they complain of the food and lack of bed clothing. I wanted to know if the gentleman had heard anything of that kind.

Mr. FAIRFIELD. I may say that I thought the action was a little slow in the case I referred to on the part of the department. I have been loath, however, to bring a matter of that kind before the House without being thoroughly convinced that there was real cause for complaint.

Mr. SLOAN. Mr. Chairman, I move to strike out the last word. I desire to say that I had one experience in relation to this hospital. One swallow does not make a summer or one case make an excellent hospital or a bad one. In the case I refer to, a young soldier from my district was an inmate, and in looking the matter over I found that he had the best of care and had improved very much during the time he was there. He was released very shortly after I called upon him and he went home with his parents a few days ago. The surroundings of that portion of the institution where he was located seemed to be almost ideal. But, of course, I want to observe that this statement is based only on the particular case with which I had experience. I thought I should say this in deference to an institution upon which we have to rely a great deal. I believe it is the only one we have anywhere near here to fill the demand of the emergency.

Mr. FAIRFIELD. Will the gentleman yield?

Mr. SLOAN. I yield.

Mr. FAIRFIELD. I ought to say with regard to the case I had in hand that the person is very erratic, to say the least, and that he suffered from a disease that was being treated there. I felt, on the whole, that due care ought to be exercised by those in authority and that they should be thoroughly convinced that a man is sane enough to be discharged from the hospital.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

Mr. MONDELL. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I just arrived on the floor of the House and am not therefore fully informed of what has been said, but I understand there has been some discussion of an article which appeared in a Washington paper, said to have been copied from a New York paper, reflecting upon the management of St. Elizabeths Hospital. Some little time ago there was some criticism in the newspapers of that institution on the ground that soldiers suffering from shell shock, so called, were being confined there. Dr. White, in charge of that institution, appeared before the Committee on Appropriations a few days ago, the subcommittee having to do with the sundry civil bill, and the members of the committee interrogated him at length with regard to the institution and in regard to that particular claim, assertion, or charge. The doctor assured us that there had been no soldiers or ex-soldiers admitted to the institution suffering from what is popularly called "shell shock." He said there were two men among the many hundreds brought there who were suffering from disorders that might, to a certain degree, be classified as shell shock, but that these two men were also suffering from mental disorders that could not properly be classified as shell shock. One of those men was detained but a very few days in the institution. He was detained in a ward or building not occupied by violently insane patients. He remained there but a few days. The other man remained in the institution, but not in contact with the ordinary insane patients, for a couple of weeks and then was discharged as cured. He said that with the exception of these two cases, that might possibly be said to have been cases where so-called shell shock was a part of the trouble, there have been no men brought to the institution and detained there suffering from shell shock, so called.

I saw the headlines of and read very hurriedly, indeed, an article that appeared in to-day's issue of a Washington newspaper. I am sorry I did not read it more carefully, in view of the fact that it seems that it has been deemed worthy of attention by some one in the House. But I want to say this about St. Elizabeths. I have visited that institution. I have been a member of the subcommittee that appropriates for it for a number of years. I and other members of the subcommittee have very carefully and thoroughly and painstakingly interrogated Dr. White one time and another with regard to the institution. In order to verify his statements and satisfy myself, I have visited the institution, and my opinion is that it is one of the best-managed, best-conducted institutions of the kind in America, if not in the world.

Mr. PAIGE. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. I yield to the gentleman.

Mr. PAIGE. I want to cite to the gentleman a case that occurred in my district, of a young man who was an inmate of St. Elizabeths Hospital. A man at the head of the Red Cross stated to me and to his parents that he was not insane at all, and Dr. White insisted that he was, and after a great deal of correspondence back and forth they decided to let him out on a furlough. His father, a poor man, was subject to great expense, after long correspondence, in coming to Washington, and he brought the boy to yonder door, and if there ever was a bright and intelligent young man, it was that boy. They let him go home, and after he had been home about a week a notice came from the hospital that unless the parents stood for the expense incurred in connection with his trouble he must be returned to St. Elizabeths. That is what I understand; he has got to come back to St. Elizabeths. The man at the head of the Red Cross has told me, and his father has told me, that that young man is not at all insane; and it is a shame to keep him there.

Mr. TREADWAY. Was the young man, or is the young man referred to, a soldier?

Mr. PAIGE. Yes.

Mr. MONDELL. Mr. Chairman, controversies relative to the sanity or insanity of individuals have gone on since the beginning of the care of insane people by the public, and will be agitated, no doubt, to the end of time.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. MONDELL. Dr. White is not only a conscientious and capable man, but he has a high reputation in the profession as an alienist. It is possible that Dr. White may be mistaken in some cases. I have never seen a mortal anywhere that was not at some time or other mistaken about something, providing that he had any considerable responsibility. I think it is possible that Dr. White may have been mistaken about the sanity of some individual person, but I know, and we all know—it is notorious—that a large proportion of insane people always protest, with more vehemence than a sane person can command, their sanity, and there are very few relatives and friends of insane people who will admit, except with very great reluctance, that those people are insane. They frequently become violent before insanity is admitted by relatives and friends.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. And it is not a proper charge against an institution that there may be some question in some cases as to the sanity of a patient.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. I have only five minutes. I did not rise to discuss the question of who is going to pass upon questions of sanity.

Mr. KNUTSON. Let us suppose that the doctors pass upon it.

Mr. MONDELL. In the case referred to the doctors did pass upon it, and the doctor held that the man was insane.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield for another question?

Mr. MONDELL. Yes.

Mr. KNUTSON. Does the gentleman think St. Elizabeths was the proper place to send a soldier for ear and eye trouble? The doctor says they were treating him for that. I called the doctor up.

Mr. MONDELL. I do not know who sent the particular man that the gentleman has in mind to St. Elizabeths; no entirely sane man should be committed to an institution of that kind; yet the surroundings of St. Elizabeths are such that no harm will come to him while the question of his sanity is being considered. Some one may have been sent there who was not insane, but that is not the question. The question is as to the management of this institution maintained by the Government.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Wyoming yield to the gentleman from Massachusetts?

Mr. MONDELL. I will yield.

Mr. TREADWAY. The gentleman has had more intimate information as to the facts from his experience on the subcommittee than any of the others of us, and I would like to ask him this question purely for information: Does the gentleman consider that St. Elizabeths is a suitable place and a desirable place for returning soldiers to be committed, even if they have only what may be regarded as nervous disorders?

Mr. MONDELL. If the gentleman had listened to the beginning of my remarks, his question would not be necessary.

Mr. TREADWAY. I have listened to every word of them.

Mr. MONDELL. He would know that they are not sending soldiers for what is known as shell shock to St. Elizabeths. I do not know what the gentleman has in mind when he says "nervous disorders." St. Elizabeths is an institution for the care of those who are suffering from mental diseases and disorders. There may be a question in some particular case as to the admissability or the propriety of admitting or detaining in this institution certain men, but that is not the question now before us.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. And even in regard to that question let me make this suggestion.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The gentleman declines to yield.

Mr. KNUTSON. I will ask that the gentleman be given five minutes.

Mr. MONDELL. Well, I will yield to the gentleman.

Mr. KNUTSON. What is the gentleman's definition of an insane person?

Mr. MONDELL. I am not an expert on insanity or definitions of insanity. I commend to the gentleman the various dictionaries that are available in the library adjacent to the Hall.

Now, gentlemen, this is true, and let us not forget it, that no one desires to have a friend or relative confined in an institution which is known as an insane asylum. One reason for changing the name of St. Elizabeths was that the name it now bears does not necessarily carry with it the idea that it is an insane asylum; but it is an asylum where people suffering from mental diseases are cared for, and cared for well.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. I ask that I may have five minutes more.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent that his time be extended five minutes. Is there objection?

Mr. SHERLEY. Mr. Chairman, I hope the gentleman will conclude as soon as possible. It is very necessary to proceed with the bill.

Mr. MONDELL. I will conclude in five minutes.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. MONDELL. I realize that the friends and relatives of soldiers regret and are loath to believe that their soldier friends or relatives are suffering from mental disorders. But if soldiers are suffering from mental diseases or disorders there is no other place in this part of the world except St. Elizabeths to which to send them, and I want to repeat and emphasize that it is a well-conducted institution.

Mr. LANGLEY. Will the gentleman yield for a question?

Mr. MONDELL. I yield to the gentleman from Kentucky.

Mr. LANGLEY. I know of one case of a soldier being held in St. Elizabeths because the doctor says he is a psychopathic liar. Now, is that a proper case for confinement there?

Mr. MONDELL. Well, is he or is he not? I do not know about that sort of a liar. I am not an expert on insanity. I know that since time began there has been a controversy as to whether certain people ought to be in any insane asylum or not. That is not a part of the issue here. The issue raised by the newspaper article is as to whether men are well cared for and properly treated in St. Elizabeths, and I rise to say I believe they are. We would every one of us be more or less responsible if they were not. We maintain that institution. We pay for its upkeep, and, in my opinion, it is well managed and conducted in a humane way. I have no doubt about that.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. I yield.

Mr. KNUTSON. Can the gentleman give this House any information as to whether or not they have dungeons out there where soldiers are kept in solitary confinement?

Mr. MONDELL. My opinion is that all of those statements or the major part of the statements contained in that article are without any foundation whatever. There is no basis of truth or fact for them. Some newspaper correspondent has evidently been taken in by some one who wanted to tell a sensational story. The Federal Government has a great institution within sight of the dome of the Capitol, in which institution there are many hundreds of unfortunate people, members of the Army and the Navy and others, and I want to emphasize the fact that at the head of it is a man who has proven himself to be competent and capable. That institution, supported by the Federal Government, is one of the best of its kind on earth. It is beautifully located. Its buildings are well adapted to their purpose, its equipment is good, and the people there are, in my opinion, receiving the very best possible care and treatment. I think that ought to be said for the comfort and satisfaction of those people whose friends and relatives are in the institution.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. KNUTSON. Mr. Chairman, I move to strike out the last two words.

Mr. SHERLEY. Mr. Chairman, pending the gentleman's motion, I desire simply to say this: I have tried to be liberal in regard to debate. There is nothing in the bill that makes it in order to go into a discussion of this newspaper article, and I hope that the committee will realize the necessity of making progress with the bill. There have been 20 minutes' debate in connection with an article that is altogether extraneous to any matter now pending before the committee. I hope the gentleman will refrain from speaking at this time.

Mr. KNUTSON. In view of the gentleman's appeal, I will withdraw the pro forma amendment. [Applause.]

The Clerk read as follows:

To pay the widow of JACOB E. MEEKER, late a Representative from the State of Missouri, $7,500.

Mr. BUTLER. Mr. Chairman, will the gentleman object to my offering an amendment there to pay the widow of our late colleague, Mr. ROBBINS, a sum equal to one year's salary?

Mr. SHERLEY. I was just about to offer that amendment myself. I offer an amendment, to follow line 24, on page 18, to pay the widow of EDWARD E. ROBBINS, late a Representative from the State of Pennsylvania, $7,500.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SHERLEY: At the end of page 18 insert a new paragraph, as follows:

"To pay the widow of EDWARD E. ROBBINS, late a Representative from the State of Pennsylvania, $7,500."

The amendment was agreed to.

The Clerk read as follows:

Total, appropriations and authorizations recovered, Signal Service, $128,373,200.04.

Mr. SHERLEY. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SHERLEY: On page 20, after line 13, insert the following:

"Office of the Provost Marshal General: For all expenses necessary in the registration of persons available for military service and in selection of certain such persons and their draft into the military service, fiscal year 1919, $12,047,047."

Mr. SHERLEY. Mr. Chairman, by an oversight the committee failed to have before it the Provost Marshal General in connection with appropriations which he had received and the amounts of money which he had expended; but in checking the matters up that oversight was ascertained, and the committee then asked of the Provost Marshal General a statement in regard to appropriations and expenditures, and what might be necessary for the balance of the fiscal year. There had been appropriated for his use in connection with the draft a total of $35,762,000. There had been disbursed up to November 30, 1918, $5,985,952.70. There is an estimate of expenditure for the balance of the year of $17,730,000, and an explanation given as to what constitutes that estimate of expenditure. It is predicated on the employees, rental, traveling expenses, and miscellaneous, and then general reservation is made of $8,000,000 for the payment of unpaid claims, and that is to be spent with this statement generally. Under the law as it existed the Provost Marshal General was authorized to pay not exceeding certain sums to the various members of these draft boards throughout the different States, and also, of course, to pay for rental of buildings. In many instances the buildings had been given without any charge having been presented, and in many instances services have been rendered without a charge yet being made by the persons for such service. But the Provost Marshal General said he would not like to surrender so much money as to prevent his being able to meet such obligations if they should be presented. It was his belief that there would not be need for all the money that is being held out. It is proposed now that the various State headquarters and boards throughout the country shall correct the records, devoting special attention to those recorded as delinquent and deserting, and under present instructions, after the records are corrected, they are to be tied in packages, sealed, and sent to The Adjutant General at Washington at such time as The Adjutant General is able to secure suitable buildings in which to establish them. It is estimated that the correction of the records will be completed and they will be ready for shipment from the 4,540 local boards on the following dates: Two thousand three hundred by February 15, 3,500 by February 22, and 4,540 by March 1, 1919. I shall, under leave to print, submit the entire letter of the Provost Marshal General.

The letter is as follows:

WAR DEPARTMENT,
OFFICE OF THE PROVOST MARSHAL GENERAL,
Washington, January 27, 1919.

Memorandum for the Hon. SWAGAR SHERLEY, chairman Committee on Appropriations, House of Representatives.

Subject: Unexpended appropriations, Office of Provost Marshal General, fiscal year 1919.

The several State headquarters and boards throughout the country are now engaged in correcting all records in their possession, devoting especial attention to those listed as delinquents and deserters. Under present instructions, after the records of the boards have been corrected, they are to be tied into packages, sealed, and held in readiness for shipment to The Adjutant General at Washington at such time as The Adjutant General is able to secure suitable buildings in which to establish them. It is estimated that the correction of the records will be completed and that they will be ready for shipment from the 4,540 local boards on approximately the following schedule: 2,300 by February 15, 3,500 by February 22, 4,540 by March 1, 1919.

If the selective-service boards complete the work according to this schedule, which, of course, can not be confidently predicted, we might contemplate a cessation of all expense on account of board members' compensation and the reduction of expenses for clerk hire to the salary of one chief clerk, who ought to be retained by each board, in charge of the records and to answer inquiry, which will not wholly cease for some time. The average salary of each clerk is estimated at $125 per month. There will also be an average monthly rental expense that is estimated at $30,000; miscellaneous expense, $50,000; traveling expenses, $10,000.

All State headquarters (except Alaska, where local boards can not be reached before July 1) should complete their work and be ready to resume operations by April 20; however, they must be kept in operation to supervise the shipment of records from the local boards. This shipment is dependent upon the arrangements that can be made by The Adjutant General of the Army for the proper storage of the records in Washington. While the records are in the possession of the boards there will be a constant source of expense for clerk hire, rentals, traveling expenses of inspectors, and small incidental expenses, which will total, approximately, $600,000 per month.

SHIPMENT OF RECORDS.

The records of the draft are now stored in State headquarters, district and local board quarters in the several States in filing equipment shown in the following table:

Questionnaires, 63,000 wooden filing cabinets, 27,000 steel filing cabinets.

Registration cards, 24,000 wooden cabinets.

These cabinets must each be placed in a crate or a box, and special boxes must be constructed to contain those records for which no filing cases have been provided. The total estimated cost of crating and boxing will be—

63,000 boxes (wooden questionnaire cases), $3 each	$189,000
6,000 boxes (24,000 registration card cabinets), $3 each	18,000
27,000 crates (steel questionnaire cases), $2 each	54,000
9,600 special boxes, $12.50 each	121,000
Boxing and crating of miscellaneous records of State headquarters and of Territories of Alaska, Hawaii, and Porto Rico	118,000
Total	500,000

Disbursements, fiscal year 1919.

	Board members.	Employees.	Rental.	Traveling expenses.	Miscellaneous.	Total.
July	$2,211.75	$143,428.20	$671.20	$968.17	$4,624.74	$154,907.06
August	2,515.51	809,244.54	14,430.12	7,977.20	83,020.40	858,186.77
September	2,568.84	621,531.79	13,276.84	16,490.40	183,020.14	891,486.20
October	726,887.42	751,046.77	34,505.30	19,560.98	153,166.79	1,674,231.67
November	1,138,934.21	987,271.69	25,511.49	9,044.87	189,472.95	2,370,136.61
						5,985,952.70

Estimated disbursements, balance of fiscal year 1919—from December, 1918, to June, 1919.

	Board members.	Employees.	Rental.	Traveling expenses.	Miscellaneous.	Total.
December	$1,500,000	$1,000,000	$30,000	$30,000	$150,000	$2,710,000
January	1,200,000	1,000,000	30,000	10,000	100,000	2,340,000
February	750,000	750,000	30,000	10,000	50,000	1,590,000
March		600,000	30,000	10,000	50,000	690,000
April		600,000	30,000	10,000	50,000	690,000
May		500,000	30,000	10,000	50,000	590,000
June		500,000	30,000	10,000	50,000	590,000
						9,230,000
Packing, crating, and preparation for shipping records						500,000
Payment of unpaid claims [1]						8,000,000
						17,730,000

[1] This item is to provide for payment of held-back claims of every kind that may be presented, such as compensation of board members who have not yet presented any claims, payment of registrars for services, and payment of bills of every kind that have not yet been presented, and to meet any now unforeseen demands that may be made upon the boards for services in connection with investigation for and furnishing information to any of the other branches of the Federal Government, such as the State Department in connection with alien registrants; the Treasury Department, War Risk Insurance Bureau, in connection with allotments, payment of claims, etc.; the Department of Justice, in connection with evidence required in the prosecution of deserters; and for any other legitimate service that might be required of the boards during the time records are in possession of the States.

Also demands not now definitely foreseen but which may be made upon the selective-service machinery in connection with the demobilization of the Army, and particularly in connection with the service of the war-risk insurance. There is much agitation in the press of the country on this subject, and it would be unfortunate if the further duties and demands should be imposed upon the selective-service machinery without adequate funds to meet the expenses incident thereto.

Statement of appropriations made fiscal year 1919.

Title.	Appropriations.	Disbursements Mar. to Nov. 30, 1918.	Estimated additional cash needs balance fiscal year 1919.	Balance of appropriations not required.
Office Provost Marshal General	$15,762,000	$5,985,952.70	$17,730,000	$12,046,047
Act July 9, 1918, and act Nov. 4, 1918	20,000,000			
	35,762,000	5,985,952.70	17,730,000	12,046,047

E. H. CROWDER,
Provost Marshal General.

Mr. MANN. May I ask the gentleman, Does the Provost Marshal General believe the money remaining under his control will be sufficient?

Mr. SHERLEY. Yes; and in point of fact I think a greater sum might have been taken with safety, but in view of the desirability of cleaning up the matter without subsequent deficiency we left the amount as requested.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky [Mr. SHERLEY].

The question was considered, and the amendment was agreed to.

The Clerk read as follows:

QUARTERMASTER CORPS.

For general appropriations, Quartermaster Corps, fiscal year 1919, $2,996,414,707.14.

Mr. LITTLE. Mr. Chairman, I move to strike out the last word. Has the gentleman from Kentucky made a full statement of the necessity of this item?

Mr. SHERLEY. I would say to the gentleman that we are dealing with the amount that we are covering back into the Treasury.

Mr. LITTLE. I understand, but why?

Mr. SHERLEY. I did not quite catch the gentleman's question.

Mr. LITTLE. Did the gentleman in his opening statement make a thorough explanation of this amount mentioned on the top of page 21, Quartermaster Corps, $2,996,414,707.14?

Mr. SHERLEY. As to the general appropriations for the Quartermaster Corps I did undertake to give to the committee information as to the major items that went to make up that sum.

Mr. LITTLE. Then it is unnecessary to repeat it. I can look it up in the morning RECORD.

Mr. SHERLEY. I shall not repeat it in full, but the gentleman will find on page 1176 of the hearings a table in regard to the Quartermaster Corps that I think will indicate the big amount of items that go to make up this huge sum—$700,000,000 for subsistence, $908,000,000 for clothing and equipage, and $654,000,000 coming from pay, and so forth, of the Army.

Mr. LITTLE. Can the gentleman explain why there was this misestimate

Mr. SHERLEY. I would not say there was a misestimate. The estimates were predicated on an army totaling 4,800,000 men by next June. The Army has been constantly reduced from its maximum and the reduction in size reduced the amount of money for subsistence, pay, and for the Army in other items.

Mr. LITTLE. Then it is due to the discontinuance of the war?

Mr. SHERLEY. Yes. That is not true altogether because there are some places in which I think they did overestimate that I called attention to last fall, but the great big items in the Quartermaster Corps are due to the fact of the reduction in the size of the Army.

The Clerk read as follows:

Total, appropriations and authorizations recovered, Quartermaster Corps, $3,756,135,307.76.

Mr. SHERLEY. Mr. Chairman, there is a statement I desire to make to the committee in connection with three artillery camps, in view of the action of the House heretofore and

the subsequent events that have transpired since, and by virtue of the instruction of my own committee. The House will recall that when a deficiency bill in October carried two items, one for the purchase of land at West Point, Ky., and one for the purchase of land at Fayetteville, N. C., but did not carry a recommendation of the War Department for the purchase of land at Columbus, Ga. There was some discussion in the House as to the desirability of carrying an appropriation, which amounts in the West Point case to $1,600,000 and in the Fayetteville case to $1,500,000, and after debate and motion to strike out the amounts were carried. The Senate struck out the two items, and the House conferees finally agreed to the position taken by the Senate in striking those two items from the bill. I reported to the House in connection with the report upon that deficiency appropriation bill that we had acquiesced in the Senate's action in striking out of the bill those two specific appropriations, and that the Senate had insisted that they had not put them in, because they did not feel that the Congress at this time should determine upon the permanent retention of camps by the purchase of land; that the House conferees, while feeling that it was a matter of wisdom to buy the land as an incident to the very large expenditures that were being made, and were proposed to be made at these camps, had finally acquiesced in the viewpoint of the Senate. I assumed, as I suppose most Members of the House did, that that meant that until Congress should otherwise determine no moneys should be expended in the purchase of the land, though all of us knew that the building was going forward in connection with the construction of these camps. The West Point camp and the Fayetteville camp were intended as Field Artillery camps, where large bodies of artillery troops could be maneuvered and where the guns could be actually fired and used. As I recall, each was to be a camp for six brigades. The camp at Columbus, Ga., it was proposed should be an Infantry camp for small-arms practice, machine-gun practice, tanks, and so forth. It developed in connection with a review of the appropriations that had been made for the various camps that the department was going forward with the purchase of land at Fayetteville, West Point, and in Georgia. Immediately on behalf of the committee, and with their instruction, I went to the Secretary of War and stated to him that in view of the action of Congress in refusing the appropriations, we were surprised to learn that moneys were being expended in the procurement of land, and said that we would like to have the Secretary come before the committee in order that the subject might be gone into.

He stated that he would be very glad to come, but he would like opportunity of a day or two to make inquiry in regard to the actual facts. I then stated to him that the committee was busily engaged and would be for quite a while in connection with the hearings on other matters in connection with the bill, but that we did not want to have the matter foreclosed by our failure to hear him; that we would be very glad to suit his convenience; that the matter would be held in abeyance until the committee could go into the matter. He accordingly wrote two letters, dictating them in my presence, one to the Assistant Secretary of War and one to the Chief of Staff, asking that the data might be gathered touching these camps, and that, pending procurement of these data and the consideration of the information by the Appropriations Committee of the House and of the Senate, the matters be held in abeyance. I reported that action back to the Committee on Appropriations. Some time later I learned that they were going forward with the camps at West Point and at Fayetteville in the matter of the procurement of land, that the Georgia camp had had the work stopped upon it and as the matter then stood it was proposed to abandon that project. I immediately brought the matter to the attention of the Secretary, and told him that in view of the letters which had been dictated in my presence, the committee was surprised that this matter was going forward, and asked that he come before the committee to make a statement in connection with the matter. He did come, and stated in substance this: That in the first instance, the War Department had concluded that the failure of Congress to appropriate the moneys specifically asked for the purchase of land was not meant as an intention by the Congress that the land should not be bought, but simply that they did not consider it was necessary to appropriate the money at that time, and that the department, finding the money available, and feeling they could go forward with the purchase of the land, had gone forward; that he had been absent from the country at the time that the bill had passed; and that he had simply gathered that impression without having particularly looked to the congressional debates. I called his attention to the statement that I had made on the floor in regard to the matter. He then said touching the subsequent action of the department that he had gone before the Committee on Military Affairs of the House and the Committee on Military Affairs of the Senate, he and the Assistant Secretary of War; that they had there discussed pretty generally the policy that should be pursued in connection with cantonments and camps and also in regard to these three camps; that they had gathered the impression from the discussion that had taken place both formally and informally in the Senate committee and in the House committee; that it was their judgment that they should proceed with these two camps at West Point and at Fayetteville; and that the Committee on Military Affairs of the Senate had adopted a resolution that further carrying out of the project of the Georgia camp should be abandoned, and that upon notice of that fact the department had abandoned that project, although it was subsequently stated, by either the Chief of Staff or the Assistant Secretary of War, that they had understood that there was a number of persons who were desirous of having the Committee on Military Affairs of the Senate reconsider its action, and that the committee had made a request, as I recall it, of the department to send some officers to further look into that project, and that they had sent some officers for that purpose.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SHERLEY. Mr. Chairman, the Committee on Appropriations then went into a rather full hearing as to the amount of money that had been expended at these three camps, the amount of money it was proposed to expend in their completion, the amount of money that was involved in the purchase of land, the amount of money that would probably have to be paid in the way of damages in the event that the land was not purchased, and they came to this conclusion—and I desire at this point to say that touching these camps, I did not undertake to function, just as I have said to the committee before I would not do, in view of the fact that the West Point camp was near my home city, and I did not care to be in the position of acting where anyone might think my judgment would be swayed by the locality of the camp concerned, but I asked the subcommittee very fully to investigate into the facts and to take such action, if any, as they saw fit touching the matter.

Before telling you the conclusions that they arrived at it might be well to give to the committee a statement in round figures as to the expenditures that have been made. Upon the signing of the armistice it was determined to reduce the size of the camp at West Point, known as Camp Knox, from a six-brigade camp to a four-brigade camp. The project contemplates the expenditure, exclusive of land, of sixteen and one-half million dollars. There has been expended in the way of buildings, roads, walks, sewers, and other accessories incident to the plant some $12,500,000. The site of the camp is not really at West Point, Ky., but it is at the little town of Stithton, Ky., just about 20 miles or less, I should think, from West Point, Ky., and about 40 miles or more from Louisville. They proposed to expend $4,000,000 in completing this camp. This is all exclusive of land. The original estimate was for 40,000 acres of land, to cost $1,000,000. By virtue of the location of the camp, and particularly certain buildings on the two sides of Stithton, they believed it was necessary to absorb the little town of Stithton and some 3,000 or 4,000 acres in addition to the original 40,000 acres of land, which would involve in the proposition as carried through the cost of $2,500,000 as against the original estimate of $1,000,000. The people upon this land have been instructed to move off this land, and the statement has been made that the Government expected to acquire the land, and in some instances houses have been torn down and in other instances considerable damage has been done to farms and to outbuildings and houses, and the little town of Stithton has in large measure been absorbed by the contracting quartermaster and contractor's force in the building of this camp.

The amount of money which has now been paid out for the purchase of land amounts, as I recall it, to about $154,000, but there have been acceptances of title to about $581,000 more for land for which the money has not been paid as yet, so the department proposes to go forward in the settlement of these land claims by paying for them and taking title as fast as title can be made and the lands to be paid for can either be agreed to or settled, where agreements can not be reached, by condemnation proceedings. At Fayetteville there is a camp which is proposed shall cost $11,000,000. It is to be a two-brigade camp, and there has actually been spent $7,500,000, leaving $3,500,000 remaining to be expended on the camp proper. The land will cost, they think, as originally estimated, $1,500,000. There has

been actually paid out $48,000, and the balance it is proposed to pay as fast as they can get title and reports upon the balance of the land. Here, as at West Point, the people have in large measure been moved, though not to the same extent or character as happened at Camp Knox, because at Camp Knox for more than a year past in connection with some 10,000 acres of land the Army has been in possession and has been firing over it and using it as an artillery camp. Now, touching these two camps the War Department states that it was their desire under any condition that might arise to have two camps, in addition to the camp at Fort Sill, Okla., for the training of large units of artillerymen in the use of their guns and for a firing range for such maneuvers. They stated that if the program looking to an army of 500,000 men should be carried out there would be 20 brigades of field artillery that would go with an army of that size, and that with the facilities that exist at Fort Sill and at those two camps as it was proposed to complete them there would be facilities for taking care of 8 brigades, but that there would have to be rotation of brigades in order that all of them could receive this contemplated training; and that even if the army should be reduced to its present authorized strength that there would not be any greater facilities for the handling of field artillery troops than what already existed and that then not all of them could be at one time trained in this work. They very strenuously insisted that they desired to go forward with these camps and asked them as permanent camps; that if they were to have them as permanent camps they ought to buy the land and not to hold it as leased land. But if the camps were to be abandoned they thought the expense in the way of claims and of damages was such as to make the difference between the purchase and the settlement of claims not very great, and that the salvage that would flow from the buildings and the disposition of the whole plant would probably not be greater than what would have been obtained if they had the ownership of the land. In point of fact it is the view of the War Department we ought to acquire the land to the camps and cantonments we have now, and the question of their salvage——

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHERLEY. I ask again that I may have five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky? [After a pause.] The Chair hears none.

Mr. SHERLEY. They stated that if the camp in Georgia was abandoned, and they hoped that it might not be, but if it was abandoned it was then stated, I think by the Assistant Secretary of War, that it was proposed to make Camp Bragg a camp for the use of small-arms practice and maneuvers for tank and infantry work, and to occupy simply West Point and Fort Sill as the two camps for artillery.

Now, the committee considered the matter very fully. The hearings, I think, give all of the information as to the expenditures made and which are proposed to be made that is obtainable. I think I state accurately the conclusions of the committee, in which I desire to say again I took no part, that as to Camp Knox, Ky., and Camp Bragg, in Fayetteville, N. C., in view of the amount that had been expended there in the creation of the camps and in view of the insistence of a military need for the camps as an incident to the peace organization and training of the Army, they considered it justifiable to go forward with those camps to completion and for the acquirement of the land; that as to the camp in Georgia, the situation was one in which the amount that had been expended was $1,500,000. The amount that it was first proposed to spend was $10,855,000, and $3,000,000 for the land, which have been since reduced, and that in view of the very limited expenditure that had been made in Georgia, the committee thought that that project ought not to be further prosecuted. The gentleman from Illinois [Mr. CANNON] and the gentleman from Mississippi [Mr. SISSON], as well as the other members of the committee, I think, will agree that I have stated the situation.

Mr. CANNON. The gentleman has stated it accurately, and I agree with him. I think in point of merit, and I believe for the good of the service, that West Point is the best proposition—better than Fayetteville—but I think Fayetteville is second, one for a four-brigade and the other for a two-brigade camp. As to Columbus, Ga., considering we have Fort Sill, and have one on the west coast, I think we had better lose the amount that has been expended than to proceed to its completion.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

The authorization of $65,000,000 for medical and hospital supplies of the Army, contained in the first deficiency appropriation act, 1919, is repealed.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, there are three items here, amounting to about $135,000,000, I think—reducing the funds available to that extent—for hospitals and medical supplies. While I do not doubt the committee gave full consideration to that subject, I would like to ask whether the Quartermaster's office and the Surgeon General's office think there will be sufficient money to fully take care of the needs of the returning soldiers for hospitals and hospital attendants? We passed a bill here the other day authorizing an appropriation of $10,500,000, and had quite a contest over it. We are reducing the appropriations now to the extent of $135,000,000, which is all right, but I think it is very essential that we do not cripple the Army in its ability to take care of returned soldiers in the hospitals where necessary, and in view of the fact that they have men, it is said, in St. Elizabeth's who ought to be in hospitals, and that men in the most modern army hospital in the world have to do their own washing. Various things of that sort have come to me from different directions, some of them through the press and some of them through private letters; and I hope we are not crippling the Medical and Quartermaster's office as to hospitals and hospital supplies.

Mr. SHERLEY. Mr. Chairman, I wish I was always certain that the voting of money for a given purpose accomplished that purpose. Unfortunately, it frequently does not. The Committee on Appropriations, from the very day that the war broke out to this hour, has given every dollar—and I mean that in its most liberal sense—that the Medical Department has ever asked in the way of building of hospitals, equipment of hospitals, purchasing of medical supplies, or anything else for the treatment and care of the soldiers. They did it from the very natural desire that they not only had but which they were sure the American people had, that there should be no failure through lack of funds in properly caring for the men who went into the Army of the United States.

Mr. MANN. I will say to the gentleman that nobody questions that.

Mr. SHERLEY. I am coming to the exact point the gentleman is speaking about.

Now, unfortunately, I hear, as the gentleman does, every now and then, of instances here, there, and other places, where things are not as they should be, and occasionally it has carried with it the suggestion that particular places have been short of funds. I was told, in a personal conversation with a lady the other day, that in connection with the Walter Reed Hospital there had been an absence of funds. Now, I do not know how much money has been allotted to Walter Reed Hospital, but I do know that all the money anybody in the Medical Department has ever said was necessary for all the hospitals has been given, and it ought to have been given to Walter Reed Hospital if it has not been given, in order to maintain it properly. As to these items, every one was conceded by the Medical Department on their own motion.

Mr. MANN. I do not want the War Department hereafter, as I have noticed departments are prone to do, to say, "Well, Congress did not give us the money," or, as in this case, "Congress took it away from us."

Mr. SHERLEY. I do not, either. That is the reason I am emphasizing this statement now. The Committee on Appropriations voted moneys in connection with the supplies when there was not a man who believed they were necessary. There were amounts carried in the second deficiency bill of 1919 in connection with surgical dressings that were so extreme that I knew no human being could justify them and no human being did.

I stood on the floor here and called the attention of the House to the fact, and I said to the House that I was not willing, and the committee was not willing, to deny the moneys in regard to a matter that related to the health and care of the soldiers of our Army, and therefore we voted these sums. And the very supplies they have on hand to-day is proof positive of the judgment of the committee that they did not need the large quantities of many things they have obtained. They have bandages, ligatures, and other supplies in many instances away beyond any possible need.

Mr. MANN. That is a question of contemplation.

Mr. SHERLEY. The question of caring for the soldiers and sailors of America is a question of administration, not a question of money. Congress has always given the money in every single instance.

Mr. MANN. Mr. Chairman, I take it that the Army regulations do not provide that a man on his back, in bed, unable

to move, shall do his own laundry work, or that a man with both arms off shall wash his own underclothing. It would be a foolish regulation if such exists, and if there is a law of Congress to that effect it would be still more foolish.

Now, I do not know, except what I am told by newspapers and private patients, what the situation is at the Army hospitals, but if it be true that one-armed men are compelled to wait in order, with a long waiting list, to get a chance at the bathtub in order to wash their dirty clothes in Walter Reed or any other military hospital, it is a sad reflection on somebody. If they have the money and refuse to use it, it seems odd. I can understand why men in the Army—well men—are not provided with laundry help. A good many of them do not have much else to do except to do servant's work for themselves and for the officers, and most of them would rather do it for themselves than for the officers. But I should not suppose that it was necessary in the hospitals for ill men or wounded men or crippled men to do that work. Of course, probably this matter was not before the Committee on Appropriations. But I do not want the Army to be able to say that they have not got money enough to do this because Congress repealed the appropriations which it had made.

Mr. SHERLEY. I do not, either. We have carried these sums with the statements made and submitted by the Medical Corps as to the amounts that could be given up. This bill has been printed now for two or three days. There is not a department in the War or Navy Department that ought not to be familiar with its provisions. I have heard not a word from the Medical Department in protest against these figures. I repeat that the committee has never yet, even though its judgment indicated otherwise, refused a dollar that they have asked.

Now, they may get short at some particular place. A man may say, "We did not have money enough." It does not mean that Congress has not given money enough, but it simply means that there has been some bad administration or bad allotment in the distribution of the funds, and that a lot of money has been spent for a lot of ideas of particular men that bear no relationship to the actual well-being and the protection and care of sick soldiers. I know of nothing that requires more common sense, as well as technical skill, than matters relative to the health of men.

Mr. FAIRFIELD. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. FAIRFIELD. Is the gentleman aware that there is no provision made in the Army regulations for the washing of the underclothes of men who are sick in the hospital?

Mr. SHERLEY. If that be true, all they have got to do is to change the Army regulations.

Mr. FAIRFIELD. As a matter of fact, I was talking to a man who was in one of the hospitals five weeks. This matter was up yesterday. He said, "We did not think about it at the time, but I was in the hospital five weeks and not a bit of washing was done for me, and I could not get it sent out."

Mr. SHERLEY. Now, in response to the gentleman's suggestion, there is in the statement of estimated needs for the balance of the fiscal year something over $1,800,000 carried for laundries at hospitals; and I repeat if there is any regulation which prevents provision being made for the laundering of a sick soldier's laundry the remedy is perfectly simple. All that it requires is some common sense on the part of the men responsible for Army regulations to change them. Congress can not be expected to be able to foresee and make provision against the lack of common sense of men in connection with Army regulations.

Mr. FAIRFIELD. The gentleman is exactly right about that; but this man insisted that they told him that the funds could only be applied to the washing of the linen for the use of the beds in the hospitals.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For purchase, manufacture, and test of ammunition, subcaliber guns, and other accessories for mountain, field, and siege artillery practice, fiscal year 1917-18, and fortification appropriation act approved July 8, 1918, $85,418,177.38.

Mr. LONGWORTH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Ohio moves to strike out the last word.

Mr. LONGWORTH. I would like to have the attention of the gentleman from Kentucky.

Mr. SHERLEY. Very well.

Mr. LONGWORTH. Is this the item from which the various appropriations to build nitrate plants have been taken?

Mr. SHERLEY. It is one of the items.

Mr. LONGWORTH. Is it not the only item?

Mr. SHERLEY. No. The gentleman will find in the hearings a statement as to the amount of moneys that have been expended on the four nitrate plants, the funds from which they have been obtained, the total of them, and what it is proposed to expend in the future.

Mr. LONGWORTH. Then I will modify my question. Is it not the item from which all appropriations were taken, except only the $20,000,000 nitrate item?

Mr. SHERLEY. No; I think that is not quite accurate. But I think it is the fund from which the major portion of the appropriation has been paid.

Mr. LONGWORTH. It is the fund, I will ask the gentleman, is it not, from which the appropriation to build plants 2, 3, and 4 were taken?

Mr. SHERLEY. I think that is true.

Mr. LONGWORTH. That is, the Muscle Shoals plant and the two Ohio plants?

Mr. SHERLEY. As to No. 2 nitrate plant there has been some $60,000,000 spent or committed on it, and it has been obtained from "Armament of fortifications (c)," which is this item.

Mr. LONGWORTH. Yes; and that is true also of plants 3 and 4?

Mr. SHERLEY. Yes. I think that is true of both of them.

Mr. LONGWORTH. In other words, from this item $110,000,000 in round numbers has been taken for the building of nitrate plants?

Mr. SHERLEY. No; the gentleman's total is too large.

Mr. LONGWORTH. I will put it this way: Sixty-odd million dollars for the Muscle Shoals plant and $23,000,000 for each of the two Ohio plants?

Mr. SHERLEY. No. There has been actually taken and spent——

Mr. LONGWORTH. I am not speaking of what has actually been spent——

Mr. SHERLEY. Then of what is proposed to be spent there is proposed to be spent for nitrate plant No. 2 $60,000,000 and $5,000,000 additional in connection with the transmission of power, which would make $65,000,000 there; for nitrate plant No. 3, $9,000,000.

Mr. LONGWORTH. For nitrate plant No. 3, $22,000,000.

Mr. SHERLEY. No; I am talking about what it is going to cost now.

Mr. LONGWORTH. I am speaking about what amounts were allotted from this appropriation.

Mr. SHERLEY. That may be.

Mr. LONGWORTH. Then I think my statement is correct that $110,000,000 were appropriated from this fund for the completion, if completion took place, of these three nitrate plants.

Mr. SHERLEY. It depends on what the gentleman means by "appropriated."

Mr. LONGWORTH. The heading here is "Appropriated and expended."

Mr. SHERLEY. That heading is a little misleading. There was allotted originally a total amount which looked to the expenditure of $157,000,000 for 18 projects in connection with the nitrate division of the Ordnance Department.

Mr. LONGWORTH. I still think the statement I made in the beginning was correct, that $110,000,000 was allotted from this appropriation for the purpose of building plants 2, 3, and 4. Now I want to ask the gentleman this question: When this appropriation was originally made, was it suggested by the War Department or by any Government official that any of this money appropriated for purchase, manufacture, and test of ammunition, and so forth, was to be used for the erection of nitrate plants?

Mr. SHERLEY. In the first instance, I suppose, when the amounts figured were very small. When the amounts got very large I do not recall whether anybody suggested the amount of money that was to be used in the creation of nitrate plants. But I will say this to the gentleman: Without passing judgment on how wisely money may have been expended at particular localities for particular plants, in view of the very serious situation, and what at one time looked as though it might be almost the tragic situation of this country in regard to a shortage of nitrates, in my judgment the War Department would have been singularly remiss in its duty to the country if it had not taken steps looking to the supplying of the Army with the necessary nitrates for the manufacture of ammunition.

Mr. LONGWORTH. I quite agree with the gentleman; but that is not my question.

Mr. SHERLEY. No; but the gentleman's question implies that something ulterior lay in the fact that the department used moneys for the purchase, manufacture, and test of ammu-

nition in creating plants for the making of one of the ingredients to make this ammunition.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LONGWORTH. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. LONGWORTH. The gentleman quite misinterprets my position. I was quite as much as he was in favor of the use of some fund somewhere to relieve the situation caused by the falling down of our Chile nitrate supply. I simply asked the gentleman whether it was contemplated to use this fund for that purpose, and the gentleman says no. Then I asked him, Why would it not have been possible to pass very speedily through Congress an appropriation designed for that purpose?

Mr. SHERLEY. In the first place, I did not say no, and, in the second place, I do not believe anybody had the knowledge, not even the gentleman from Ohio, as to the amount of money that ought to have been put into nitrate plants. It was a problem, like many other acute problems in connection with the war, that grew from week to week and month to month, and I doubt whether there was a man alive in America who had vision enough to foresee anything like the demand that was made upon America in the way of ammunition, and if this war had lasted a year more, no man could tell the amount which we would have had to supply. It was away beyond the dreams of the most extravagant advocate of extreme preparation.

Mr. LONGWORTH. Of course, as the gentleman states, it was absolutely impossible at that moment to have definitely contemplated the amount we might need for the production of nitrates. The fact is that we have actually spent now about $60,000,000 at Muscle Shoals, and we are committed to spend not less than $9,000,000 each in the two Ohio plants. I happen to be acquainted with the situation at the so-called Anchor plant in Ohio. It is merely a desert waste. Five million dollars has been expended there. Four million dollars more is to be spent, and the result is a ruin. It has ruined the entire surrounding country. It is of no conceivable use to any human being, yet the Government is going on spending money there to-day building some buildings, for what purpose the Lord only knows. And with all of that, not one cent has ever been paid to any property owner whose land was taken for this purpose. Those plants have been abandoned. They are ruins. The plant at Muscle Shoals is practically completed. A moment ago I saw on the floor the distinguished gentleman [Mr. ALMON] who represents that district. Now, what is the Muscle Shoals plant going to be used for? Is there any gentleman here who would have advocated the expenditure of $60,000,000 to build a fertilizer plant there in time of peace?

And yet that plant lies there, still the property of the Government, but which can be operated for no conceivable use whatever except to make a very inferior quality of fertilizer. Col. Joyes testified before the Appropriations Committee with regard to the use of ammonium nitrate, which is the sole product of this plant, for fertilizing purposes. It is not even good for fertilizer.

Col. JOYES. Ammonium nitrate is useful to some extent for fertilizer, but it has never been used very much for that purpose. Its prime purpose was for the war—for high explosives, for shell filler.

Mr. CANNON. And when the war is over——

Col. JOYES (interposing). It has no further usefulness in that connection except as it may safeguard us in a future war; and the real—

Mr. BUTLER. Will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. BUTLER. Did I understand the gentleman to read that Col. Joyes said we would not use the plant——

Mr. LONGWORTH. For the production of anything except fertilizer—and an inferior quality of fertilizer. What, gentlemen, is the use in taking from another fund—the fund which Congress deliberately, and the only fund which it deliberately, appropriated for the manufacture of nitrate, the fund of $20,000,000 carried in the act of 1916—and spending that money in the making of a dam at Muscle Shoals? For what purpose? To furnish power to run this fertilizer plant; and which dam can not be completed, according to the Secretary of War, for three years from now. We have not only spent $60,000,000 there already, but we are in the process of spending $14,000,000 more to furnish power to run this plant, even if we agree entirely with what the gentleman from Kentucky said—that we were justified in using appropriations never designed for the purpose to supply necessities of war——

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. LONGWORTH. I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LONGWORTH. We were justified, perhaps, in using this fund of three hundred and odd million dollars for the purpose at that time. But the money has been spent; and now by Executive order we are using the money which is appropriated for nitrate plants in time of war to complete a dam whose sole purpose is to furnish power to produce fertilizer in time of peace, and the total amount of power it can supply can only be used for this one plant alone, according to the letter of the Secretary of War, which I introduced in the RECORD the other day.

There is $74,000,000 of the people's money being spent at this one particular place, and it can not be used for any other purpose except for the benefit of a private corporation to make an inferior quality of fertilizer. Why, the power generated by the steam plant which cost $15,000,000 makes it so expensive to operate this plant that it can not possibly compete with Chile nitrates, or any of the modern and up-to-date processes of making nitrogen.

But after we have spent $14,000,000 for the benefit of this one locality it is estimated that the cost will be reduced from $30 the horsepower a year to $5, according to Col. Joyes, which might make it possible, gentlemen, for this Air Nitrate Corporation to put over on the Government the scheme it expects to be able to—buy the plant at a scrap price and eventually to have furnished them without expenditure on their part a water-power plant which will produce power at $5 a year instead of $30. If they can buy the plant at a scrap price, it may be that they will be able to conduct a profitable business, and the result will have been that the American people will have paid $75,000,000 to accomplish only the result that the Air Nitrate Corporation may be able to make a going concern out of the Muscle Shoals plant, because they have not had to spend one cent of money in the development of the plant or the power to operate it.

I am not going into this matter fully to-day. It is a long story. When I do go into it fully, it is going to justify, in my judgment, a congressional investigation as to why this money was ever spent in this locality. I shall not make one statement in connection with it that is not borne out by information furnished by the proper officials of the War Department. Among other things, I will tell gentlemen interested that I propose to show that from the point of view of the three necessities of nitrate production—coal, coke, and limestone—there is a haul of anywhere between 30 and 100 miles to get that product there where the nitrate plant is located. I am not going to detain the committee longer, but I thought it wise now to bring out a part of the history of this transaction. [Applause.]

Mr. ALMON. Mr. Chairman, the House has been furnished another contribution of misapprehension and misinformation by the gentleman from Ohio [Mr. LONGWORTH] about the Government nitrate plants and the great water power at Muscle Shoals, on the Tennessee River in north Alabama. I am sure that the Members of the House, and in fact the country, will feel disappointment and regret that the gentleman feels it necessary to postpone placing in the RECORD the answer of the War Department to his "57 varieties" of questions to the Secretary of War, since I understand the Secretary of War answered his questions. I have postponed addressing the House at some length on the subject of the nitrate plants at Muscle Shoals and the development of water power there, hoping that the gentleman from Ohio [Mr. LONGWORTH] would be able by this date to go into this subject fully, and I am sorry he now tells the House:

I am not going into this matter fully to-day.

As the representative of the district in which Muscle Shoals is located, I feel unable to postpone longer a correction of some of the misinformation and misapprehension which the gentleman from Ohio [Mr. LONGWORTH] so insistently and repeatedly presses upon the attention of the House. The very great solicitude and anxiety which the gentleman exhibits with respect to the Government developments at Muscle Shoals are well known to this House, for the gentleman told the House, as we find in the RECORD on the 25th day of April, 1916, that the first poem he ever committed to memory when he was a very young boy was this:

If 'tis a sin to steal a pin,
How much more great to appropriate
The electoral vote of a sovereign State.

And the gentleman has been industriously trying to find the "pin" at Muscle Shoals ever since. He told the House on the day he repeated this poetry that, proceeding by analogy, it was a great sin to obtain the people's money out of the Public Treasury on false pretenses, and he declared upon the same date, in referring to what is known as the nitrate provision in the national-defense act, approved June 3, 1916, the gentleman having Muscle Shoals in mind and never forgetting it, made this statement on the floor of the House:

This matter is the old wolf in sheep's clothing.

He told the House that the provision designed and proposed to provide a nitrogen supply for the defense of the country in time of war was an effort to take the money of the people under false pretenses, and the gentleman opposed the provision. He said to the House on April 25, 1916:

I tell you, gentlemen, water power as an instrument for making nitrogen is obsolete.

Against this statement by the gentleman from Ohio [Mr. LONGWORTH], a distinguished scientist, Dr. Allerton S. Cushman, of this Government's research bureau, stated before the American Institute of Electrical Engineers April 26, 1916, the very next day after the statement of the gentleman from Ohio that—

The production of nitrogen, which is one of the three principal fertilizer ingredients, is distinctly a water-power proposition involving the fixation of atmospheric nitrogen.

I will leave the Members of this House to decide for themselves and the people of this country to decide for themselves which is the more reliable authority with respect to the problem of air-nitrogen fixation, the gentleman from Ohio [Mr. LONGWORTH] or Dr. Cushman.

The gentleman from Ohio [Mr. LONGWORTH] was so distressed when he read in the newspapers that the work on the Muscle Shoals Dam had been ordered resumed that he wrote the Secretary of War asking whether the statement published in the newspapers was true or not, and obviously the gentleman's inquiry of the Secretary of War was prompted by the gentleman's intention to further oppose the progress and construction of the Muscle Shoals Dam and criticize it in the future as he has in the past. Will the House please contrast the gentleman's opposition to the building of this dam and contrast his questions addressed to the Secretary of War with reference to the resumption of work on this dam with the resolution passed by the National Board of Farm Organizations in Washington on August 27, 1918, representing 17 different farm organizations in the country, and with 172 delegates representing 40 States of the Union present, as follows:

Whereas the building of the great nitrate plants at Muscle Shoals, together with the water power which will make these plants available in time of peace for the manufacture of cheap fertilizer, is the one outstanding feature of necessary war development that will have a permanent influence upon the agricultural industry of the country; and

Whereas we hear with regret that work on this dam has been suspended and thus will prevent the realization of the hopes of the farmers that the product of these plants might be available during the reconstruction period at the close of the war, when it would be most valuable:

Therefore we most respectfully appeal to the President of the United States that some method be adopted by which this work can be at once resumed, if consistent with the effective prosecution of the war, with priority orders, if necessary, only for such material as will be required for the construction that can be accomplished at once, so that these plants, with their potential possibilities, shall not lie idle when their product is no longer needed for destruction, but can at once become an asset to the Government and of vital assistance to the farm lands of the Nation that have been and will continue to be called upon to yield and yield again that man may be fed.

The gentleman from Ohio [Mr. LONGWORTH] was no doubt glad when the work on the Muscle Shoals Dam was stopped and was sorry when the work was resumed, but the national board of 17 farm organizations regretted that the work was stopped and appealed to the President of the United States that some method be adopted by which this work could be resumed, and the President found a method to resume the work.

The gentleman from Ohio [Mr. LONGWORTH] is as constant as he is inconsistent in his opposition to the building of the dam at Muscle Shoals, and the farmers of this country are as consistent as they are constant in pressing the construction of this dam to its earliest completion in order that they may get cheaper and higher-grade fertilizers, as Congress intended they should when Congress passed the so-called nitrate provision in the national-defense act of June 3, 1916, and as the President intends they shall have when he ordered the work on the dam started and when he ordered, through the Secretary of War, the work on the dam resumed, and when he located the nitrate plants at Muscle Shoals as the best location in the United States for the nitrate plants.

In the discussion of the rivers and harbors bill in the House on January 11, 1919, the gentleman from Ohio [Mr. LONGWORTH] said:

I have in mind a river improvement now in progress in the sunny southland, in comparison of which any item of this bill is utterly insignificant.

The gentleman's opposition to the joint improvement of the navigation of the Tennessee River and the development of water power by the Government at Muscle Shoals has gone so far, and his feeling of opposition is so intense, that he made the amazing extreme assertion to this House on April 4, 1918, that—

I myself have come to hate the words "Muscle Shoals."

Among the criticisms made of Muscle Shoals by some is that the spelling of "Muscle" is wrong and that it should be "Mussel." Some very interesting historical arguments have been made in support of changing the spelling to "Mussel," and some surprise has been felt that the gentleman from Ohio [Mr. LONGWORTH], in asking his "57 varieties" of questions of the Secretary of War, did not ask the Secretary why "Muscle" is not spelled "Mussel." In the course of the investigations which the gentleman tells the House he proposes to have made he may have this spelling investigated also.

Can any Member of this House—can even the gentleman from Ohio [Mr. LONGWORTH]—treat this great development and national opportunity at Muscle Shoals with fairness and with justice who hates the words "Muscle Shoals"? He has been pleased to characterize the people of the Tennessee Valley and their organization, the Tennessee River Improvement Association, as "lobbyists." Will he be consistent and confess to this House that the Ohio River Improvement Association is also an organization of "lobbyists"? The people of the Tennessee Valley, in acting through their organization, the Tennessee River Improvement Association, now more than 20 years old, have been doing the same kind of work and striving to secure the very same ends, namely, the improvement of the navigation of the Tennessee River, just as the Ohio River Improvement Association has worked to secure the improvement of the navigation of the Ohio River; but the Ohio River Association has been most remarkably successful and the Tennessee River Improvement Association has been, unfortunately, very unsuccessful. A comparison of the appropriations by Congress for the improvement of the Ohio River and the Tennessee River discloses how successful the Ohio River Improvement Association has been and how the efforts of the Tennessee River Improvement Association have failed.

The first appropriation made by Congress for the improvement of the navigation of the Tennessee River was made in 1827 and the first appropriation made by Congress for the improvement of the navigation of the Ohio River was made in 1826. Since the year 1826 appropriations for the improvement of the Ohio River, and brought down to and including July 18, 1918, exclusive of appropriations for the improvement of the tributaries to the Ohio River, have amounted to $74,471,955.74, while appropriations for the improvement of the Tennessee River, exclusive of the tributaries to that river and brought down to and including July 18, 1918, amount to only $14,018,631.54.

The "lobbyists" of the Ohio River Improvement Association have been able to secure appropriations in 92 years at the rate of approximately $810,000 per year, while the "lobbyists" for the Tennessee River Improvement Association have been able in 91 years to secure approximately only $155,000 per year, but neither the members of the Ohio River Improvement Association nor the members of the Tennessee River Improvement Association are "lobbyists." They are the leading progressive people of the Ohio and Tennessee Valleys, and they properly desire and support the navigation improvement of the rivers in these valleys.

If the gentleman from Ohio [Mr. LONGWORTH] is willing to support and advocate the improvement of the tributaries to the upper Ohio River, how can he so unfairly carry his opposition to the improvement of the Tennessee River, also a tributary of the Ohio River, to the extreme point of saying to this House that he hates the words "Muscle Shoals," which is the greatest obstruction to the navigation of the Tennessee River?

Senator John T. Morgan, of Alabama, when he had completed his long years of distinguished service in behalf of the Panama Canal, turned his attention in his last days to the Tennessee River and the importance of its navigation improvement, and in a report upon the "navigation of the Tennessee River," which the Senator prepared and presented to the Senate in 1905, he also turned "lobbyist," like the Tennessee River Improvement Association, in favor of the Tennessee River, and in seeking to find to what these discriminations against the Tennessee River, as compared with the Ohio River, could be ascribed, says in his report:

Nor are such wide discriminations due to the difficulties or the proper expense required to make these watercourses equally navigable at any given depth of water. Nor are they due to the characteristics of the population of the watershed of either river, or to the topography, or healthfulness, or water supply, or the forests, or the fertility of the lands in these areas, or to the beauty of these regions, respectively; for there is no country in the world more beautiful than the valleys, hills, and mountains that are interacted and watered by the Tennessee River and its many affluents, great and small.

The committee are not in search of the reasons for the neglect of Tennessee River by Congress in the past history of the country, but they are impelled by a sense of duty to the whole country to present the facts that appeal to Congress for a just, wise, and national policy that will give to the Tennessee River its rightful position as the foremost of the tributaries of the Mississippi River as a contributor to the wealth and commerce of the country.

Woodrow Wilson, authorized by Congress to do so, and with a vision like Morgan's vision, has shown the courage and wisdom to adopt "a just, wise, and national policy that will give to the Tennessee River its rightful position as the foremost of the tributaries of the Mississippi River as a contributor to the wealth and commerce of the country."

Now, in regard to the nitrate plants at Muscle Shoals, which seem to be an affliction to the gentleman from Ohio [Mr. LONGWORTH], I am utterly unable to understand why he singles out the nitrate plants as a case of war extravagance and why he insists that the Muscle Shoals project has been repeatedly turned down by Congress, when the RECORD does not show anywhere that Congress at any time ever turned down the Muscle Shoals project. Can it be because these plants are located in the "Sunny Southland," or is it because it is the purpose of the Government to carry out the intention of Co. gress that these nitrate plants in times of peace shall produce cheaper and higher grade fertilizers for the farmers of this . untry? Let him answer. He indicates to the House that it is his purpose to have an investigation made with respect to the nitrate plants at Muscle Shoals and the building of the dam there. Speaking for myself and, I believe, for all of the friends of the great Muscle Shoals development, I have no objection to any investigation he may propose, and I do not fear that he will find anything except that which will commend the United States engineers in their conclusions and recommendations for the joint improvement of the navigation and development of water power at Muscle Shoals, for the reports of the United States engineers on the Muscle Shoals project will ever be a credit to the Engineer Corps, and they never can be justly or fairly criticized for their reports and recommendations on the Muscle Shoals project.

It may be shown, and no doubt will be, if an investigation is made of the cost of the construction of the nitrate plants at Muscle Shoals, that these plants, like all other Government enterprises during the war, have cost more than they would have in peace times, and more perhaps than they should have cost, but whatever may be discovered or disclosed by any investigation that may be made touching the construction of the nitrate plants at Muscle Shoals, I feel certain that it never will be discovered by any investigation that the Ordnance Department, in building the nitrate plants at Muscle Shoals, failed to perform their duty, and I also feel certain that an investigation will disclose the fact that Col. J. W. Joyes, the ordnance officer who has been immediately responsible for the construction of the nitrate plants at Muscle Shoals, performed a service for his country in a time of emergency second to none in the Government's entire war construction program. The Ordnance Department was called upon to meet the most unusual emergency connected with all of the country's war endeavors, and that was to provide the one thing that the country did not have to carry on the war with, namely, nitrogen with which to manufacture explosives and munitions for our armies in France. We had steel and steel plants, and the country possessed nearly all of the facilities and utilities for carrying on the war against Germany, but the country had no nitrogen plants to supply the great powder plants the Government was building for the manufacture of explosives. The Ordnance Department met the nitrogen emergency in a most praiseworthy and forceful way. The American Cyanamid Co., an American corporation with a large plant at Niagara Falls, on the Canadian side, owned an air-fixation process and had a technically trained staff and skilled operatives. This process was the only established and successful air-fixation process available to the Government. The Ordnance Department would have failed in its duty to protect this country with its needed supply of nitrogen if it had not secured this process and built a plant with which to operate this process. Whether the Air Nitrates Corporation received from the Government and charged the Government too high a fee for the use of the American Cyanamid Co.'s process and for the services of its trained technical staff and operating organization will be a question about which there will no doubt remain a difference of opinion, but there will be no division of opinion about the patriotic and prompt action of the Ordnance Department in the matter, even if the Government did have to pay the Air Nitrates Corporation more than should have been paid, and if more was paid to the Air Nitrates Corporation in the way of a fee and for operating experience than should have been paid the case is not different from other similar cases, and there is no reason why the gentleman from Ohio [Mr. LONGWORTH] should single out Muscle Shoals and nitrate plant No. 2 there as a horrible example any more than Hog Island, the powder plants, the cantonments, and the Government's aircraft construction. The Government paid a terrible bill for all of them, but the Government had to pay to win the war and the Government paid and won the war.

The nitrate plants at Muscle Shoals cost the Government a very large sum of money, but these plants, unlike nearly all of the war plants built by the Government, will not have to be scrapped. On the contrary, these great nitrate plants at Muscle Shoals will be operated and be of great value in time of peace, and though they were built as a national war necessity they will, I believe, prove a peace-time national blessing in the production of fertilizers, always needed but never more so than at the present time.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. ALMON. I have but little time.

Mr. LONGWORTH. I will ask that the gentleman have as much time as I had.

Mr. ALMON. I yield for a brief question.

Mr. LONGWORTH. In the first place, I will ask this question——

Mr. ALMON. I think the gentleman said the other day in his speech that he had prepared about 55 questions to be put to the Secretary of War.

Mr. LONGWORTH. Yes.

Mr. ALMON. Has the gentleman received answers to them?

Mr. LONGWORTH. I have.

Mr. ALMON. Will the gentleman insert them in the RECORD?

Mr. LONGWORTH. I will when the time comes. What I have said to-day is confirmed. Let me ask the gentleman this question. Let us leave out this business about war preparations. Let us grant we had put money in a nitrate plant——

Mr. ALMON. All right, sir.

Mr. LONGWORTH. I am not criticizing the gentleman, but would the gentleman have voted or would he now vote for an expenditure of $75,000,000 at Muscle Shoals or elsewhere to build a fertilizer plant in time of peace?

Mr. ALMON. If it was necessary to get fertilizer for the benefit of the farmers of this country in the production of food crops we are going to need in the next few years, I would have done so.

Mr. LONGWORTH. The gentleman is criticizing what he has called the Chilean Nitrate Fertilizer Trust who are oppressing the farmer. Does the gentleman know what the cost of Chilean nitrate is per pound?

Mr. ALMON. The Government is paying $81 a ton for it, and a private individual, the farmer, can not get it for less than $100 f. o. b. at the port where it is shipped to this country.

Mr. LONGWORTH. That is a war-time question, of course, when we had to have Chilean nitrate; but what was the price of Chilean nitrate per pound before the war and what is the lowest price at which it can be produced at this plant? Now I make the assertion——

Mr. ALMON. I do not care for the gentleman to make an assertion.

Mr. LONGWORTH. Then I ask the gentleman if he knows the price of Chilean nitrate in ordinary times?

Mr. ALMON. No.

Mr. LONGWORTH. I will inform the gentleman it is 2 cents per pound.

Mr. ALMON. I will say, in answer, we will make it at Muscle Shoals for less than we get it from Chile.

Mr. LONGWORTH. I will read the gentleman——

Mr. ALMON. I hope the gentleman will not take up my time.

Mr. LONGWORTH. Col. Joyes testified that the lowest cost of manufacturing ammonium nitrate at that plant is 6 cents per pound—three times the price of Chilean nitrate.

Mr. ALMON. The gentleman does not know what it is going to cost after the war is over and after labor conditions settle and after the price of coal goes down. You do not know what the cost of nitrates will be. I declare that I believe that fertilizers can be manufactured at the nitrate plants at Muscle Shoals, when the water power is developed and available, much cheaper than the farmers have been paying for Chilean nitrates. Nitrate plant No. 2 at Muscle Shoals is the greatest nitrate plant in the world, and the Muscle Shoals possible water-power development is one of the greatest power possibilities known to hydroelectric engineers; and the Muscle Shoals nitrate plants when operated with cheap water power will produce fertilizers and other products as much needed in times of peace as in times of war, and no war development or war enterprise in which the Government has engaged promises so great a contribution to the economic welfare of the country in the future as these Muscle Shoals developments. No doubt it will prove true, in

spite of the fact that the gentleman from Ohio [Mr. LONGWORTH] will continue his criticisms of the President and the War Department for building the nitrate plants at Muscle Shoals and for developing the water power there to operate these plants with; but he will stand alone in his criticisms and will be left with no one to cheer him and no one to sympathize with him in his hate of the words "Muscle Shoals."

The farmers of the country will look upon him as their enemy and will turn to the President and to the War Department and to their friends in Congress.

President Wilson, under the authority given him by Congress, located and built the nitrate plants at Muscle Shoals, and is developing water power there with which to operate these plants for the people of the United States and to free the country from its dependence upon a foreign source of nitrogen supply. The gentleman from Ohio [Mr. LONGWORTH] stated in his speech here the other day that this plant had been turned over to a private corporation. There is nothing upon which to base such a statement.

Mr. LONGWORTH. I made no such statement.

Mr. ALMON. Then it is in the RECORD. I do not know whether you said it or not.

Mr. LONGWORTH. The gentleman never read such a statement from me. The Government still owns it, and it is to be operated by a private corporation, and it will be.

Mr. ALMON. I may be mistaken about you saying the plant had been turned over to a private corporation, but you did say in a speech here on the 11th day of January that this dam was being built by the Government for a private corporation to produce fertilizer at Muscle Shoals. You have nothing upon which to base your statement that this plant will be operated by a private corporation.

Mr. GOOD. If the gentleman will permit, I think the testimony is the Government has closed down on the manufacture of ammonium nitrate.

Mr. ALMON. That is where the gentleman is mistaken.

Mr. GOOD. That was the testimony before the committee on yesterday, that the plant had been closed down for the manufacture of ammonium nitrate for fertilizer purposes because no scientific way had been discovered to manufacture that ammonium nitrate so that it would not cake, and that is the problem they are now trying to solve.

Mr. ALMON. If my friend, Mr. LONGWORTH, will just now insert in the RECORD his 55 questions to the Secretary of War and Col. Joyes's answers they will give the House a great deal of information on this question.

Mr. LONGWORTH. I will say that the information given is quite contrary to the information the gentleman is now giving to the committee.

Mr. ALMON. Muscle Shoals was selected for the location of this nitrate plant upon its merits. We had the water power, the transportation facilities, the raw materials, and the best climatic conditions, far distant from the Gulf and Atlantic coast in the event of an invasion of this country by a foreign enemy. There was no place in the United States where you could locate a plant and have water power with which to run it during the war if the war had continued as expected.

Mr. LONGWORTH. I want to ask the gentleman a question. He said they had water power in time of war.

Mr. ALMON. Yes; but not developed. There was no place in this country where there was developed water power and where a nitrate plant could be built and operated by water power during the war.

Mr. LONGWORTH. Then, why did the Government spend $15,000,000 to build a steam plant there for any purpose?

Mr. ALMON. They had to build a nitrate plant somewhere and operate it with steam power during the war, and why should they not operate it with steam power at Muscle Shoals as well as anywhere else?

Mr. LONGWORTH. Why did they select Muscle Shoals—because there was water power there?

Mr. ALMON. Yes; there is a great water power at Muscle Shoals, and the nitrate plants were located there because of this great water power, and when this water power is developed it will be used in peace time for the manufacture of fertilizers and other useful products, as Congress intended, and for the operation of the nitrate plants there in time of war for the production of nitrogen needed in the manufacture of explosives. The gentleman from Ohio [Mr. LONGWORTH] has offered no evidence in support of his statement that only an inferior grade of fertilizer can be produced at the Muscle Shoals nitrate plants. On the contrary, successful manufacturers of air nitrogen fertilizers testified before the Military and Agricultural Committees of the House in February, 1916, that at Muscle Shoals, with cheap water power and with phosphate rock and other raw materials near by, high-grade fertilizers can be manufactured and sold to the farmers of the country for perhaps one-half of what they paid for them in normal times. These statements made by expert manufacturers before these committees of the House have remained unquestioned and undisputed by any competent authorities. As between the unsupported assertion of the gentleman from Ohio [Mr. LONGWORTH] that only inferior fertilizers can be manufactured at the nitrate plants at Muscle Shoals and the undisputed statements of expert manufacturers that high-grade fertilizers can be manufactured there with cheap water power the farmers of the country prefer to accept the opinion of the successful manufacturers. [Applause.]

The Clerk read as follows:

For ordnance stores and supplies, Army appropriation act approved July 9, 1918, and first deficiency appropriation act, 1919, $372,299,200.

Mr. LONGWORTH. Mr. Chairman, I move to strike out the last word for the purpose of clearing up a little difference of opinion as to prices of nitrates between the gentleman from Alabama [Mr. ALMON] and myself. And I am quoting from Col. Joyce as to the question of the price of ammonium nitrate as produced in this plant and as to what Chilean nitrate costs in normal times.

In answer to the question put by Mr. SHERLEY—

What is the cost?

Col. Joyce said:

The cost has not been definitely determined, and can not be determined until we have had a more extended period of operation, but it is estimated that the cost of ammonium nitrate at full operation would be about 6 cents per pound, and possibly a trifle higher, but it is claimed by the owner of the process that the cost will not be as great as that. Experience to date, running at about one-fifth capacity and for a short period with the operatives green and with the plant overstaffed (because we were getting men ready for larger operation), indicates that even at this partial operation ammonium nitrate can be produced for a little over 8 cents per pound.

In answer to the question asked by Mr. CANNON, "What is the cost of Chilean nitrate in normal times?" Col. Joyce said:

Before the war the cost of Chilean nitrate was a little above 2 cents a pound.

That is an answer to the whole proposition, gentlemen. If this fertilizer trust from Chile has been crushing the farmers of this country, as the gentleman from Alabama says, by selling nitrate at 2 cents a pound, how will they benefit when it is proposed to sell it in this plant for something over 8 cents?

Mr. ALMON. What was the Government paying for Chilean nitrate during the war for ammunition purposes?

Mr. LONGWORTH. At what cost did the Government produce it?

Mr. ALMON. What has been made at Muscle Shoals, it seems, cost about 6 or 8 cents in war times, when the Government has been paying 15 cents during the war for Chilean nitrate.

Mr. LONGWORTH. The Government was contracting for all ammonium nitrate at 15 cents.

Mr. ALMON. You say 15 cents we are to pay for something that we can make in Muscle Shoals in war time at 8 cents a pound?

Mr. LONGWORTH. The gentleman is talking about his plant in peace times as a benefit to the farmer, and it shows that it will cost the farmer at least three times as much if he buys it at that plant as it would cost him in the market.

Mr. ALMON. It is shown that in peace times we can make it cheaper than the Chilean nitrate.

Mr. LONGWORTH. The only reason we built this plant at all was because we were out of Chilean nitrate, and the cost was enormous if we could buy it at all. That is the reason we built the plant. I was talking about the price of fertilizer in normal time.

Mr. ALMON. If the Government can make fertilizer as good as that made in Chile, are you opposed to our Government making it because we can get it cheaper from a foreign country?

Mr. LONGWORTH. I am opposed to the expenditure of $75,000,000 of the people's money to furnish nitrates for any purposes except war purposes.

The CHAIRMAN. Does the gentleman from Ohio yield the floor?

Mr. LONGWORTH. Yes; I yield the floor.

Mr. SHERLEY. Mr. Chairman, I want to say just one word about these plants and Chilean nitrate, and then we will go on with the bill.

Without expressing an opinion as to the value of this plant for fertilizer uses in peace times, I think the gentleman from Ohio [Mr. LONGWORTH], who is a fair man, will admit that it is not a fair statement to say that the Government has expended, or proposes to expend, $75,000,000 in order to go into the manufacture of fertilizer for agricultural uses. The truth of the business is, as the gentleman realizes, that whether the selec-

tion of the particular site was wise or unwise, the expenditure of $60,000,000 in connection with the plant was because of the then pressing war need, which, if the war had not ended when it did end, would have more than justified that much of the expenditure in order to relieve this country from a shortage that it dared not have in connection with so important a matter as ammunition.

Mr. LONGWORTH. If the gentleman will yield, I will say I am exactly in accord with the gentleman.

Mr. SHERLEY. The reason I state that is because the gentleman repeatedly talks about a $75,000,000 investment for fertilizer purposes, and the gentleman knows, because he has admitted it, that the $60,000,000 investment was not made with that end in view, but was made because of the war situation.

Mr. LONGWORTH. So far the gentleman and I are together, and I will ask the gentleman, he being a fair man, whether he supports the expenditure of $15,000,000 in the building of a dam to furnish, three or four or five years from now, power for this plant?

Mr. SHERLEY. I will answer the gentleman with perfect frankness in this way: I have always questioned the advisability of the expenditure of as much money as seems to be necessary for the development of the Muscle Shoals water power. But I want to say to the gentleman that the development of that power differs, so far as I know, in no particular from the development of many other water powers and the improvement of many other streams in America the commercial justification of which has yet to be clearly demonstrated.

The CHAIRMAN. The Clerk will read.

Mr. AUSTIN. Mr. Chairman, may I ask the gentleman from Kentucky if Congress did not authorize the expenditure of $60,000,000 to improve the navigation of the Ohio River?

Mr. BANKHEAD. Ninety millions in all.

Mr. SHERLEY. I do not remember the total amount. I have believed that that was one of the rivers that might justify improvement, although I have in late years come to the conclusion that until we change basically our policy touching river navigation none of our investments in river improvement is going fully to be justified. I do not care to go into the question of river improvement at this time.

Mr. AUSTIN. This appropriation for Muscle Shoals was a joint affair, for not only the development of the water power but also to improve the navigation of the Tennessee River, which is really a larger river than the Ohio River.

Mr. SHERLEY. I am not either attacking or defending the improvement of Muscle Shoals. The gentleman from Ohio asked me about it, and I very candidly expressed my opinion. All that I rose for was to correct the impression that might be produced by the gentleman's reiterated statement that $75,000,000 was put in for a commercial purpose, and I knew that he was too fair a man to be willing to stand by such a statement.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Total appropriations to be covered into the Treasury, Bureau of Ordnance, $164,833,843.69.

Mr. GOOD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Iowa moves to strike out the last word.

Mr. GOOD. Mr. Chairman, the appropriations for last year for the United States Employment Service amounted to about six and one-half million dollars. There is an estimate this year for that service of $14,801,382. As I understand it, it is proposed to expend that sum in finding work for the unemployed in the United States.

I have here a clipping from the Washington Star of last night entitled "Unemployment area spreading." It reads:

UNEMPLOYMENT AREA SPREADING—GOVERNMENT SERVICE SHOWS CONDITIONS IN COUNTRY BECOMING SERIOUS—GETS REGULAR REPORTS.

Conditions of unemployment are becoming serious in all parts of the country, according to telegraphic reports received by the United States Employment Service.

"The area of unemployment is spreading all over the country," the report stated. "Up to December 21 only six States were reporting any considerable amount of surplus labor. During the current week 20 States reported a surplus. On December 28, 28 cities reported labor shortages, and this number has been cut down in the current week to 15."

On December 10, it is stated, 25 per cent of the cities reporting on shortages and surpluses declared a shortage of labor, 12½ per cent reported a surplus of labor, and 60 per cent reported that the supply about equaled the demand.

SURPLUSES STEADILY INCREASE.

"From that date on until the current week there has been a steady and consistent decrease in the shortages reported and in localities where the supply equaled the demand, while the surpluses have been steadily increasing," the report says.

For the current week the percentage of cities reporting shortages has dropped to 13, the percentage reporting surpluses has increased to 44, while the cities reporting that supply equals demand have dropped to 43 per cent.

On December 3 there was reported a total shortage of labor of 34,000 and surpluses totaling only 12,000. During the following eight weeks this shortage was reduced to 12,000, while the surpluses reported reached the figure of 210,000.

The report deals specifically with various sections of the country. In Connecticut the surplus over demand is increasing. New Britain alone reports a slight shortage. In Massachusetts there is a surplus of about 3,000 boot and shoe workers, 700 factory hands, and 11,000 machinists.

NEW YORK STATE POINTS.

The surplus of labor in Buffalo has jumped from 13,000 to 15,000, and the surplus in Albany has increased from 3,000 to 4,000.

New Jersey reports much unemployment, with Trenton alone having 4,000 out of work. Erie, Pa., reports a large surplus.

In Cleveland the 40,000 unemployed of last week have been augmented by 15,000 more. Toledo reports a surplus of 10,000 and Dayton 7,000 more. The conditions throughout Ohio grow steadily worse.

In Detroit last week's surplus has increased from 25,000 to 30,000. The expected lay off in the Rock Island Arsenal will affect both Illinois and Iowa. Indianapolis reports a surplus of 4,400 and Minneapolis, Minn., 4,000. Butte, Mont., has 10,000 unemployed, and in Arizona 125 mining companies are cutting down their forces, while a large amount of unemployment is reported already throughout the State.

Heavy surpluses are reported in Pacific Coast States, San Francisco alone having a surplus of 8,000. Portland has 7,000 unemployed. In Washington there is great unrest in the shipyards at Puget Sound.

Notwithstanding the very serious condition presented by the United States Employment Service under the Department of Labor, I had only to turn over the paper to find another article to the effect that the Secretary of Labor is in favor of importing laborers who would take the place of discharged soldiers and other citizens.

The article is as follows:

WOULD IMPORT ISLAND LABOR FOR UNITED STATES FARMS—COMMISSIONER OF IMMIGRATION CAMINETTI SAYS 100,000 AVAILABLE IN PORTO RICO ALONE.

The use of labor from the island possessions of the United States in helping to produce a record food crop this year has been suggested by Commissioner General Caminetti of the immigration bureau. Extension of the plan of Commissioner Caminetti has been authorized by Secretary Wilson of the Labor Department to include Mexican and Bahama negroes to help in farm work in Texas and Mexico.

"The insular possessions of the United States are thickly populated," says Commissioner Caminetti. "Many of the people there are following occupations under the head of common labor, and large numbers of them are out of employment.

"There must be at least 100,000 laborers available in Porto Rico alone, and there is a considerable number in the Virgin Islands. Undoubtedly a vast number could be depended on from the Philippines."

The commissioner points out that these people are not barred from continental United States by immigration laws, and that they could be landed on both the Atlantic and Pacific coasts.

Think of it! Fourteen million eight hundred and one thousand dollars demanded by Secretary Wilson to provide the machinery to find jobs for the unemployed of America, and at the same time he is asking that the bars be let down in order to bring in from Mexico and the Bahamas negroes from those places to help perform the farm labor. Why, any man who has sense enough to know anything about the employment of labor knows that these boys who are coming back from France and the boys who are to be discharged from our cantonments will go out upon the farms and become most efficient farm laborers. We want to give them employment, and the Secretary of Labor on one hand wants $14,000,000 to aid in that. Yet, on the other hand, he wants to take that employment away from them by bringing in negroes from Mexico and other places. I am inclined to think that the gentleman who wrote to me from my State a few days ago was correct. He is a banker, and he used this language:

To my mind, we now have a large Cabinet of small men, and what is advisable is a small Cabinet of large men.

Here is a Cabinet officer asking for $14,000,000 to find employment for the unemployed labor of America, and at the same time he wants to let down the bars to bring in foreigners to take away the jobs which Americans should have. I can readily see how the Secretary of Labor can expend $14,000,000 if he is to find a job for every American, and as soon as every American gets a job to displace him with a negro from Mexico. When did it become a part of our duty to find a job for every man in Mexico? Has it come to this, that it is the duty of the United States not only to find work for all its citizens but to find work in America for every man, no matter where he belongs? That seems to be the plan, and it is all wrong.

Mr. CANNON. Will the gentleman yield?

The CHAIRMAN. The gentleman's time has expired.

Mr. CANNON. I ask for half a minute to ask the gentleman a question. Does not the gentleman think the $14,000,000 for the Department of Labor will be spent in finding jobs until the money is gone?

Mr. GOOD. Yes; every dollar we appropriate will be spent in finding jobs. I quite agree with the gentleman, for the money we appropriate will be spent in holding fat jobs.

Mr. CANNON. Precisely.

Mr. GOOD. That is one of the principal things for which the money is asked. But what I call attention to is the fact that this Department of Labor does not seem to be functioning at all. It does not seem to have a clear-cut program. On the one hand, it deplores the fact that there is unemployment in America. On the other hand, it wants to bring in more men—100,000 foreign laborers—to take the jobs of an equal number of our own citizens who are now profitably employed. If there is unemployment in the United States, and if we are in danger of being compelled to resort to public soup houses and bread lines, why add to our problem by the importation of foreign labor to take the place of American labor? So long as our condition is such that the Secretary of Labor can advocate the importation of foreign labor there is no grounds for an appropriation to find places for America's unemployed.

Mr. AUSTIN. Mr. Chairman, I move to strike out the last two words. In connection with the statement about the unemployed I send to the Clerk's desk to have read a statement given out by one of the ablest public men in the United States. I think it is opportune to have this article read and given the greatest possible publicity in the interest of the American people.

Mr. FOSTER. Will the gentleman yield?

Mr. AUSTIN. I yield to the gentleman from Illinois.

Mr. FOSTER. Has the gentleman verified this article to know whether it is true or not?

Mr. AUSTIN. There is so much good common sense and patriotism in it that I think it will be beneficial to all the Members of Congres.

Mr. FOSTER. There are so many newspaper statements printed that are untrue, does the gentleman know whether there is any truth in this article?

Mr. AUSTIN. I take pleasure in vouching for the truthfulness of the article and the high standing of the author, who is one of America's truly great men.

The CHAIRMAN. Without objection, the Clerk will read as requested by the gentleman from Tennessee.

The Clerk read as follows:

JOB PROBLEM IS NOT SERIOUS, ASSERTS GARY—BUSINESS WILL BOOM ITSELF IF PESSIMISTS KEEP SILENCE, HE SAYS—OUTLOOK IS PROMISING.

NEW YORK, *January 27.*

Building of roadways in the South, reconstruction of railroads throughout the country, and all other public improvements contemplated by the Government should be begun at once in the opinion of Judge Elbert H. Gary, chairman of the board of directors of the United States Steel Corporation.

Judge Gary yesterday deprecated any suggestion that the country is facing a serious unemployment problem. On the other hand, the country is on such a prosperous basis that it does not need any "booming," he said.

"Why should there be any talk about unemployment?" said Judge Gary. "The country never was more in need of its workers than it is now, and it will use all the workers it can get. I don't think there is going to be any permanent or menacing unemployment problem.

"Our country never has been so prosperous as it is now. We have resources of $15,000,000,000 annually coming out of the ground—more than we ever had before; we have more than $16,000,000,000 cash in our banks; we are a creditor nation to the extent of $15,000,000,000 or more, and our per capita wealth has jumped up to $56, as compared to $35 before the war. We are in an era of prosperity hitherto undreamed of.

"What we need is simply to get to work and not talk about unemployment. Psychology has a good deal to do with it. Pessimistic talk will do more to bring about unemployment than it will do to prevent it.

"But there isn't going to be any. Our men who have been fighting abroad will be taken back into industry just about as fast as they return. Of course, there may be a little talk here and there about a few not being able to find employment, but this will not be serious."

"Do you think the business men of the country at large should begin doing business on a large scale, so as to tide over any period of depression, as suggested by Secretary of Labor Wilson?" Judge Gary was asked.

"We don't need any booming," he replied. "Business will take care of itself. This time of the year is always cleaning-up time. It is not necessary for industry to do more than the demand requires. Business is going to boom itself without any help from anybody. There is no doubt about that.

"I do believe that all the public improvements that have to be done should be done now. Men should be at work all this winter on the roads that are to be built in the Southern States. The Government should begin the great reconstruction work necessary on the railroads of this country, and wherever there is public work to be done it should be done without delay.

"As for the steel industry, we are not thinking of any depression. We had a great many men in the war, and we are taking them back as fast as they return."

The Clerk read as follows:

Navy yard, Charleston, S. C.: For storage facilities, $17,000.

Mr. SHERLEY. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 29, lines 12 and 13, strike out the words "storage facilities" and insert in lieu thereof the following: "New superstructure for pier No. 314."

Mr. SHERLEY. Mr. Chairman, that is to correct a mistake in designation.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

The Clerk read as follows:

Naval training station, Great Lakes, Ill.: For additional land, $400,000.

Mr. LITTLE. Mr. Chairman, this provision, on page 29 of the bill, for returning this sum of $400,000 to the Treasury from the Great Lakes Training Camp is ample demonstration that they will not need all the young men they are holding there, and, it seems to me, with this provision in the bill they ought to discharge the boys and send them home if they are not going to use the money. If they did not need it, they might spend some of it in employing people in Chicago who are out of work to shovel the coal. I read the other day in the Journal-World of Lawrence, Kans., that—I am not sure whether it was the Great Lakes people or not—a young officer said to a boy who sought dismissal that if he did not quit procuring assistance from these "damned civilians" he would get into trouble. The civilians of the class the officer mentions are taxpayers and parents of fighting men. Their boys must fight because the experts are needed at home. We have reached a point where it becomes a serious question, and I think it is time for these men to get a little real information as to where the beneficiaries of the people's taxes stand and to peg away on the soft pedal. During the Civil War the Government necessarily put on many restrictions. They put them in execution, and the people of America in 1861, 1862, 1863, and 1864 were halter broke, taught to stand hitched, and pull single and double. In this war for the first time in history the American people have been saddled and bridled, bitted and spurred, cruppered and surcingled, and kicked in the belly. [Laughter.] Wherever the boys are not absolutely needed, as in this Great Lakes Training Station, the American people want their boys sent home. Pharaoh received mighty patient handling when he was notified five times to "Let my people go." He did not have sense enough to take a hint, and his fate should be lesson enough for any man who is fed and clothed and housed by the fathers of these soldiers of the Republic. If these gentlemen at the Great Lakes want to know what the American people think of such methods and what will happen to them if they keep on, let them look over the November elections and they will get the information that may be useful to them. [Laughter and applause.]

The Clerk completed the reading of the bill.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent that the Clerk be authorized to correct the totals.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that the Clerk be authorized to correct the totals. Is there objection?

There was no objection.

Mr. SHERLEY. Now, Mr. Chairman, I ask that we go back to page 9 where an amendment was offered by the gentleman from Missouri [Mr. DYER], to which a point of order was made by myself, and, at the instance of the Chair, went over.

The CHAIRMAN. The point of order on the amendment went over until to-day at the request of the Chairman. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, end of line 3, strike out period, insert colon, and add the following:

"*Provided*, That no part of the appropriation herein shall be used unless all former Government employees who have been drafted or enlisted in the military service of the United States in the war with Germany shall be reinstated on application to their former positions appropriated for herein if they have received an honorable discharge and are qualified to perform the duties of the position."

Mr. SAUNDERS of Virginia. Mr. Chairman, may I say a word in connection with the point of order?

The CHAIRMAN. The Chair will hear the gentleman.

Mr. SAUNDERS of Virginia. Looking at the RECORD this morning I noted that a point of order had been raised as to whether the amendment of the gentleman from Missouri [Mr. DYER] was a limitation, or was subject to a point of order. It further appeared that the gentleman from Missouri, Judge ALEXANDER, had made a ruling a day or two since which was regarded as supporting the contention that this amendment was a limitation, and therefore not subject to a point of order.

I wish to suggest in this connection that possibly the gentleman from Missouri failed to draw the distinction between the effect of the words "until," and "unless," as they are found in the amendments which have been made the subject of rulings. In the very precedent relied on by Chairman ALEXANDER to support his ruling, the word "until" is found, whereas the amendment on which he ruled, uses the word "unless."

The word "unless," is also found in the pending amendment. I submit that there is a very material difference between the two words when the Chair comes to determine whether an amendment is, or is not, a limitation. All limitations are intended to accomplish the result intended by indirection. Hence a good deal of refining may be found in some of the precedents. It is competent to say that no part of an appropriation may be used for the construction of a sea-level canal. That is a limitation, but it is not competent to say in an amendment to an appropriation bill that this money provided shall be used to construct a canal with locks. Yet the very design of the first amendment is to secure by indirection the construction of a canal with locks. It is often said that the House can do what it pleases with respect to appropriating, or not appropriating. True. Further it can always say how an appropriation may not be used. But it is not equally true that the House can say affirmatively how the appropriation may be used. The House in an appropriation bill can not announce in direct terms to a bureau head, that the money appropriated, shall be used specifically to employ red-headed clerks, but it can secure this result by indirection.

The very moment that it is proposed to accomplish some specific end by direct compulsion, upon some official, or department at that very moment the amendment ceases to be a limitation. The House can say to a department, this money shall not be expended until certain conditions exist, or that the fund shall not be expended in the test of a certain machine (4 Hinds, p. 620). These would be limitations. But we can not say to a department, you shall not expend this money unless you affirmatively take a certain line of indicated action. That would be dealing with the situation, directly, and not indirectly. The very essence of a limitation is indirection. Take the famous precedent with respect to canteens. In that case an amendment was offered to the effect that no part of the appropriation should be apportioned to any national home for disabled volunteers, that contained a canteen where intoxicating liquors were sold. The amendment did not undertake to say to the trustees of these soldiers' homes, that they should abolish the canteens before they secured the benefit of the appropriation. The amendment did not require the trustees to do anything; it merely contented itself with saying that in those homes in which canteens were found the appropriation should not be expended.

Mr. DYER. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

My DYER. I am perfectly willing to substitute that word. There is nothing in this that would prevent it. I have no special reason for using the word. I will make that request.

Mr. SAUNDERS of Virginia. Mr. Chairman, I am dealing with the amendment in its present form. Of course if the gentleman offers it in a different form, it may be in order. I take it for granted that we would be all agreed that if the canteen amendment had been so phrased that it directed the trustees to remove the canteens as a condition precedent to securing the benefit of the appropriation, a point of order to the same would have been sustained. The result desired was secured by indirection. A matter of phrasing, you say. Yes. But all limitations must be accurately phrased so as to accomplish indirectly, what they may not accomplish directly. Even as it was, there was a very vehement contention over the amendment. The gentleman from Illinois [Mr. MANN] insisted that the amendment "was positive legislation, although in the form of a limitation." He said further: "It is true that Congress can refuse to appropriate, but it is also true that Congress can not against a point of order, by a limitation change the organic law. Here is a provision that though Congress has created these homes, a proposition through the form a limitation may take away the control of the board of managers, and by affirmative legislation in the guise of a limitation change the statute. The Chair might well rule, it seems to me, that while limitations are favored, a limitation in this guise changing the law, is positive affirmative legislation, as it would undoubtedly be construed by the comptroller, and therefore subject to a point of order."

The Chair overruled the point of order, and held that the amendment was a pure limitation, as it undoubtedly was—but if that amendment in anywise resembled legislation, by how much the more is the amendment now pending, obnoxious to this objection.

I do not say of course that an amendment can not be framed to this paragraph which would be a limitation, but I am dealing entirely with the amendment in its present form. I submit to the Chair that this amendment is certainly not an indirect way of securing a result. It does not limit the appropriation to be used only in a bureau, or department where certain conditions exist. It proposes in substance to compel those conditions, to bring them to pass directly. In substance it says to the authorities who would otherwise expend this money, that they shall not secure the same, unless they reinstate every soldier who has been honorably discharged from the Army, and who prior to that time had a position in that particular service. It matters not what may have been the record of the soldier since he was discharged, however unworthy he may have proved to be, the authorities without any exercise of discretion whatever must reinstate him, and all others once holding positions in that service, before the appropriation becomes available for any form of general or specific expenditure. Is not this amendment in substance a requirement, direct, positive, and emphatic, that the authorities shall restore these soldiers, before the fund becomes available for any purposes? Does this specific, and positive requirement, smack in anywise of indirection? If the amendment requires direct, affirmative action, then it is not a limitation, and the point of order is good. It is not a question of giving the discharged soldiers this preferred status. We are all agreed to do this. The question is whether it can be done by this amendment, which is in plain violation of the rules, and of the precedents. There are many rulings in this connection to which I can direct the attention of the Chair.

The CHAIRMAN. Will the gentleman permit an interruption by the Chair?

Mr. SAUNDERS of Virginia. Certainly.

The CHAIRMAN. The Chair is in full sympathy with the views expressed by the gentleman from Virginia, but the Committee of the Whole House on the state of the Union is entitled to have uniformity of ruling, and, after all, our rules in the House and in committee are based largely on the precedents made. This identical amendment was offered by some one to the legislative bill. The gentleman from Missouri [Mr. ALEXANDER] was in the chair at the time, and after an exhaustive debate he held the amendment in order. The Chair feels inclined to follow that precedent in order that there may be uniformity of ruling and in order that we may not have a chaotic condition. For instance, in the case referred to the amendment, having been held in order, it was adopted to a former bill. In this instance, if it should be ruled out of order and for that reason not adopted, it would bring about a very anomalous condition. There seems to be a very serious difference of opinion among the best parliamentarians of the House as to the point of order—that is, as to whether or not the amendment is in order—and so far as the present occupant of the chair is concerned he concurs with the opinion of the gentleman from Virginia, but other parliamentarians of equal knowledge and probably superior logic have held otherwise. It seems to me in a case like this the committee itself ought in some way to settle what the future policy of the committee shall be. The Chair merely makes that suggestion for the benefit of a solution of the problem.

Mr. SAUNDERS of Virginia. May I say to the Chair in this connection, that while it is true that if the Chair should rule in accordance with his indicated attitude, he would overrule a prior occupant of the chair. Yet on the other hand I call the attention of the Chair to the further fact that the prior occupant of the chair appears to have overruled an occupant of the chair who preceded him.

The CHAIRMAN. But not with the identical amendment. The Chair calls the gentleman's attention to that fact. This is identical, word for word, with the amendment that was offered to a prior bill, and after a lengthy discussion in Committee of the Whole the Chair held the amendment to be in order. If on each one of these bills a different ruling should be made, we would be in a very bad condition. For instance, suppose the present occupant of the chair should sustain the point of order, and then suppose later in the consideration of the sundry civil bill, when a similar amendment was offered, the then occupant of the chair should overrule the point of order.

Now, we would have a condition in the Committee of the Whole House on the state of the Union where the membership would be entirely at sea as to what was likely to be the ruling there, but it does seem to the Chair the present practice is where a ruling has been made on an identical amendment like this, if there is any doubt about it, it is the duty of the Chair to follow the precedents that have been set. In this particular case the Chair on this question would be inclined to do this with the suggestion that he would be very glad if the committee in its wisdom should see fit to overrule the Chair, because that would be but his judgment.

Mr. SAUNDERS of Virginia. Mr. Chairman, with the permission of the Chair I will conclude what I have to say in this connection. I have no personal interest in this question. It

has not arisen in connection with any bill that I have had in charge, or in which I have other than a general interest. I am only concerned in maintaining a consistent body of precedents in this connection. It is more important for the precedents of the House to be established on a solid foundation of reason, than for the Chair to follow a single precedent which in the judgment of the Chair, as stated is totally wrong. Amendments offered as limitations frequently present questions of the very greatest difficulty to the Chair. Some of these amendments are so plainly limitations that they leave no room for controversy. Other amendments are so plainly not limitations, that the Chair is not in doubt a moment as to their proper determination. Then there are other amendments that approach the dividing line the twilight zone, so closely, that it is very difficult for the Chair to determine the head under which they fall. But I submit that the appropriate controlling principle to be followed by the Chair in passing on amendments of this character, should be that the artificial creation, known as a limitation, should not be so highly regarded, or carefully cultivated by favoring interpretation, as practically to destroy the rule of the House against legislation on an appropriation bill. This may easily be done, if we lose sight of the fundamental principle relating to limitations, which is that they seek to accomplish some desired end by indirection. It is not in order to legislate as to the qualifications of the recipient of an appropriation, but it is in order to specify that no part of an appropriation shall go to recipients lacking certain qualifications. (IV Hinds, 3942–3952.) A refined distinction, you say, admittedly, but after all a very real distinction. The rule against legislation on an appropriation bill is one so sound in principle, that it is likely to be followed in this House, whatever its political complexion.

We are not dealing with the merits of this amendment, but engaged in determining whether it is in order at this time under our rules. It is perfectly competent for the House to repeal the rule against legislation on an appropriation bill, but so long as the rule stands, it should be enforced.

The controlling feature of a limitation is that by indirection it brings to bear some compulsion, upon officials charged with the expenditure of public moneys. But indirection is not a principle to be admired either in an individual, or a legislative body. Hence indirection should neither be favored, nor cultivated. If an amendment is clearly a limitation, the Chair should readily hold it in order. But if the question is one of difficulty, it should bear in mind that every refining distinction which puts an amendment over the dividing line, and on the limitation side, is in further aid of indirection, and in derogation of the fundamental principle which prefers direction, to indirection. It seems to me that having these principles and the precedents in mind, this amendment is plainly not a limitation. The distinction afforded in IV Hinds, sections 3957–3960, is an obvious one, namely that when you are seeking to secure some result in the way of action, by an amendment to an appropriation bill, it must be done not affirmatively, not by direct compulsion, but by a simple negative on the use of the appropriation.

Mr. SHERLEY. Mr. Chairman, I shall detain the committee but a moment. It does not seem to me because a ruling has been made which is wrong, assuming it is wrong, that it must be followed because it has been made. We will never have any progress on earth on that basis. I am not a believer in chaos in either substantive or parliamentary law. I recognize the weight of precedents, and it is because I recognize the weight of precedents that I do not want what, to my mind, is clearly and distinctly and beyond dispute a bad ruling to become crystallized by being again followed within a short period of time.

It is perfectly patent upon the reading of the amendment offered by the gentleman from Missouri [Mr. DYER] that it requires affirmative action and is stated in an affirmative way on the part of the department in regard to the reemployment of former men of the Army before these funds can be expended. Now, the question of the desirability of accomplishing that is one thing, and the question of parliamentary law is quite another. And the way to accomplish that, anyhow, is, I think, other than by the proposal of the gentleman, even if it were in order. But I am so clearly convinced it is not in order that I think the Chair ought to determine the matter according to his own judgment.

The CHAIRMAN. The Chair, as indicated by the gentleman from Virginia [Mr. SAUNDERS], is thoroughly of the opinion that this is an encroachment on the legislative prerogative of the House, and that the better part is to construe the rules of the House, or rules governing the Committee of the Whole, so as to prevent, so far as possible, legislation on appropriation bills, or else the other committees of the House will finally be absorbed by the various appropriation committees of the House. But the Chair is confronted with this situation, suggested by the gentleman from Virginia, that the committee ought to possibly in some way arrive at this conclusion. The Chair will be glad to make a ruling either way if by so doing he could get the expression of the committee. His own individual opinion is, however, that this is not in order, and when he makes that ruling he is in direct conflict with the ruling made a few days ago on an amendment of this kind, and, unless a special ruling comes from the House itself, there will be a difference of opinion.

Mr. SHERLEY. The Chair is not responsible for another man's ruling. He is responsible for his own judgment. If the Chair feels that this is out of order he ought so to rule. The precedents are overwhelmingly in favor of the point of order.

Mr. MANN. Well they are not.

Mr. SHERLEY. The gentleman makes that assertion.

Mr. MANN. The gentleman makes one assertion and I make another. They are probably of equal value to ourselves. But the gentleman is seeking on his statement to overrule a decision which nobody disputes by his mere statement that the precedents are the other way. And I say they are not the other way. The precedents sustain the position taken by Chairman ALEXANDER the other day. That is the latest ruling.

Mr. SAUNDERS of Virginia. If the gentleman from Illinois raises the proposition that the precedents are the other way, I would like to submit about 25 precedents to the Chair.

Mr. MANN. And I will undertake to submit on any question of limitation a hundred precedents that tend either way and do not cover the case.

Mr. SAUNDERS of Virginia. Very well. The precedents are here. If you have something to cover the case, you can submit it. I will cover my case by submitting others.

The CHAIRMAN. The Chair undertook to look up the precedents as best he could, but there is a later precedent that can be found on an identical amendment, which was made not over 10 days ago. There was no appeal made. It is the latest opinion expressed on the subject. And the Chair is going to overrule the point of order. The Chair would be willing to see it appealed from in order to ascertain the opinion of the committee.

Mr. SAUNDERS of Virginia. Mr. Chairman, I appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from Virginia appeals from the decision of the Chair. The question is: Shall the decision of the Chair stand as the judgment of the committee?

Mr. SAUNDERS of Virginia. Mr. Chairman, I think that this appeal is debatable under the five-minute rule. I do not know that I wish to take up much time in this connection, but I do desire to call the attention of the Committee of the Whole to some precedents.

In Hinds' Precedents, volume 4, page 676, an amendment was offered:

Provided, That no part of this sum shall be expended in the further maintenance of the Army and Navy Hospital at Hot Springs, Ark.

That would seem to be a clear limitation, yet the Chairman who was presiding at that time, sustained the point of order, and held that the amendment was not a limitation.

Let me call the attention of the committee to Hinds' Precedents, volume 4, page 675, section 3991:

That no part of the money hereby appropriated shall be paid to any employee who, in the opinion of the chief of the division of which he is employed, is incompetent and inefficient for the work in which he is engaged.

This amendment is apparently a limitation, but it was not so regarded by the Chair. I read from IV Hinds, page 679, in which an amendment provided that no part of the appropriation should be paid until the passing of a title. That language using the word "until," was held to be a limitation.

The limitation permitted on a general appropriation bill, must be a negative prohibition on the use of the money, not an affirmative direction to an executive officer, IV Hinds, section 3975. Mr. WEBB of North Carolina offered an amendment that certain money should not be expended, until a test was made to ascertain the hardness of certain armor plate. The Chair held that this amendment implied that the Secretary must do certain things to get the money, IV Hinds, section 3975. This precedent is precisely in point. Mr. Macon of Arkansas offered an amendment that no part of a certain appropriation should be used to pay transportation charges on American vessels where the transportation charges were in excess by as much as 20 per cent of similar transportation charges on foreign vessels, IV Hinds, section 3982. Held out of order. Mr. Olmsted of Pennsyl-

vania proposed an amendment that no part of a certain appropriation shall be paid the Public Printer unless he conformed the spelling in his documents to the rules of orthography in accepted dictionaries, IV Hinds, section 3985. Held not to be a limitation. Mr. Kerr offered an amendment that no part of an appropriation should be paid any employee who in the opinion of the chief of his division was incompetent, IV Hinds, section 3991. Held out of order. Mr. Hull offered this amendment that no part of an appropriation should be expended in further maintenance of the Army and Navy Hospital at Hot Springs, IV Hinds, section 3993. Held out of order. A proposition that no part of an appropriation should be paid until the passing of a title was held to be a limitation, IV Hinds, section 3999. Mr. CLARK of Missouri offered an amendment that no part of an appropriation for stamped envelopes should be expended in printing return cards on them, IV Hinds, section 4006. Held out of order.

An amendment that no proposals to build vessels should be considered unless the bidder then had an adequate plant, was held out of order, IV Hinds, section 4007. An amendment limiting the purchase of seeds to rare and uncommon seeds was held out of order, IV Hinds, section 4014. An amendment using the word "until," was held to be a limitation in IV Hinds, section 3940. There are many other precedents to the like effect as those cited.

The CHAIRMAN. The question is, Shall the decision of the Chair stand as the judgment of the committee?

Mr. MANN. Mr. Chairman, as it seems to me to be the manifest purpose of the other side of the House to kill time, I ask to be recognized for an hour.

The CHAIRMAN (Mr. CRISP). The Chair would hold that inasmuch as the committee is considering bills under the five-minute rule, the five-minute rule applies to appeals. The Chair will be glad to recognize the gentleman for five minutes.

Mr. MANN. I think the Chair's ruling at this time is correct. I am only going to take five minutes. The present distinguished occupant of the Chair asked me a few days ago, when this matter came up, whether in my judgment the man who took the floor on an appeal was entitled to an hour or to five minutes. I said to him, "Under the old rulings of the House in practice when I came here a man who took the floor on an appeal in committee was entitled to an hour's time, but under the recent ruling he is only entitled to five minutes." I could go through the precedents and find plenty of precedents giving me an hour's time, as the gentleman from Virginia can go through the precedents and find plenty of precedents on either side of a question of limitation on an appropriation bill. But the recent ruling just made on this matter by the present distinguished occupant of the Chair is right now, and the recent ruling made by the gentleman from Missouri [Mr. ALEXANDER] was right on this limitation. The gentleman from Texas [Mr. GARNER] was right in following him.

We can provide on an appropriation a limitation that it can only be expended by redheaded girls. That is a matter of judgment as to whether we can do it or not. We can not under the form of a limitation require an executive to do something he is not previously authorized to do, but if he is authorized to do it we can say he can not spend the money unless he does it.

All these various rulings in the past have, as a usual thing, turned upon the effort of Congress to give to an executive officer additional authority over what he then had and require him to do something which he was not entitled to do before. Of course, if we put in the form of a limitation a requirement that an executive official spending the money shall do it in a certain way, he has to do it. That is his new authority. But we can provide such limitation as we please, that they shall not spend it otherwise.

Here is a case; here is an appropriation of a small amount of money for temporary employees of the Government, and the question is whether by limitation we can say to the department, "You must employ, in the expenditure of that money, old soldiers and sailors who have been discharged."

Mr. CARTER of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. MANN. I regret I have not the time. We have a right to say that. There is no other way to reach it. We can not require by positive enactment that they shall do it, but we can put it in the form of a limitation that the money shall not be expended unless they give employment to those people. That is the only way we can really do it. That is a limitation. They can do it or not do it, as they please, now under the law. They have the power to do it or to refuse to do it. But if we say that they must give priority to the boys coming home in this employment, if they spend the money they will have to give them priority. That is the only way and it is a limitation pure and simple. We ought to sustain the Chair in holding that it is a limitation. [Applause.]

Mr. DYER. Mr. Chairman, I want to call the attention of the committee to the fact that this amendment is offered at the end of the paragraph which provides $4,000,000 for temporary employees of the War Department. The law now provides that men who are in the civil service and who resign can be reinstated. I think the provision of the law is that this may be done within one year. The President by executive order, I think, has extended that to five years, so far as soldiers, sailors, and marines are concerned. Now, all this amendment does is to provide not that they may be reinstated, but that they must be. As the gentleman from Illinois [Mr. MANN] has said, it is only a direction to the executive department. Now, gentlemen, that is a limitation, and the purpose of it, of course, is to give these men an opportunity to get their positions back.

The law is already on the statute books covering that in effect. You and I and the majority of the Members of this House voted to take these men out of their positions in the Government establishments under the selective-draft law. We urged it as a matter of national defense and a necessity to preserve the honor of our Nation. These men have been taken out of their positions. They have gone into this war, and some of them come back and find that others have been put in their places, and when they go and ask to have their positions back as the law says they may be reinstated they find others holding their positions, and the Civil Service Commission says, "We can not give you any relief. We can not put you back and we can not compel the executive departments to put you back."

Gentlemen, there is a good deal to this proposition beside a mere parliamentary situation. There is a good deal to this beside a mere point of order as to what is the thing to be done; and I submit in all fairness and in all justice that not only is the decision of the Chair justified by law but it is justified by what is right as to our duty as a Congress to the men whom we took out of the departments and sent to war. It will be, I hope, an example that will be followed by the industries. We owe them a duty. The distinguished chairman of the Committee of the Whole a few day ago [Mr. ALEXANDER] in deciding this question decided it also according to the law, and it ought not to be necessary now to rise in our places and make technical objections to a question upon which you can find precedents upon both sides and all phases. We ought to submit this as a matter of right and justice. It is not that we shall create new positions for men who have been in the war. I am ready and willing, and I think Congress ought to be ready and willing, to go to the extent of enacting a law to provide that every honorably discharged soldier, sailor, and marine of our wars shall receive preference in employment under the Government. [Applause.] But that is not this question. This is only the carrying out in substance of the law as it is written.

The CHAIRMAN. The question is, Shall the judgment of the Chair overruling the point of order to the amendment proposed by the gentleman from Missouri stand as the judgment of the committee?

The question being taken, the decision of the Chair was sustained.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Missouri.

Mr. SHERLEY. Mr. Chairman, in view of what the gentleman from Missouri [Mr. DYER] has said, I desire simply to say this: It is known to every man who has had the responsibility of handling bills upon the floor that it is the peculiar duty of the chairman of the committee to make a point of order, irrespective of his judgment as to the merits of the proposal, if, in his judgment, it is subject to a point of order. It is very easy and it is very usual, particularly touching a popular matter, for men to rail at parliamentary points of order and the rules of the House; yet the experience of all legislative bodies from the beginning has shown that nothing is so conducive to wise legislation as a strict observance of the rules that are established by a legislative body. Without that observance you have more or less chaos. Therefore in considering whether a thing is in order or not men must consider something beyond the merits of the proposal itself. They must consider that the letting down of the rules that wisely prevent legislation upon appropriation bills, even for a good cause, will lead to results that frequently are far-reaching and very detrimental. Every older Member of this House who has had charge of bills has repeatedly made points of order irrespective of his personal predelictions touching any particular proposal. It seems to me, therefore, that it is hardly becoming in the gentleman to criticize anyone in charge of the bill for performing a duty that is recognized as necessary by every Member familiar with parliamentary procedure and what it stands for and means.

The CHAIRMAN. The question is on the amendment of the gentleman from Missouri.

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the amendment proposed by the gentleman from Kentucky [Mr. SHERLEY], to which a point of order was reserved.

The Clerk read as follows:

Amendment offered by Mr. SHERLEY: Page 9, after line 9, insert:

"The Secretary of War is directed to consider, ascertain, and recommend to Congress the amounts which in his judgment are due on claims of persons, not employees of the United States, for compensation for disability or death resulting from personal injury sustained from the recent explosions and fire at the plant of the T. A. Gillespie Co. at Morgan, N. J.: *Provided*, That claims shall not be recommended hereunder for persons or in amounts which would not be allowable under the United States employees' compensation act if the individual were an employee of the United States."

Mr. STAFFORD. Mr. Chairman, this paragraph was passed over in order that I might have a chance to examine the workmen's compensation act. I have examined it and prepared an amendment to the amendment and I withdraw the point of order.

Mr. SHERLEY. Mr. Chairman, I understand the gentleman from Wisconsin suggests a proviso to the proposal which is entirely agreeable to me and I offer it as an amendment to the amendment which I have offered.

The Clerk read as follows:

Amendment to the amendment of Mr. Sherley:

"*Provided further*, That the report to be made hereunder shall contain a full statement of the facts in connection with the inquiry or death of any person for whom payments may be recommended."

The CHAIRMAN. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

The CHAIRMAN. The question now is on the amendment as amended.

The amendment as amended was agreed to.

Mr. SHERLEY. Mr. Chairman, I move that the committee do now rise, report the bill with sundry amendments to the House, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to; accordingly the committee rose and the Speaker having taken the chair, Mr. CRISP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years and for other purposes, and had directed him to report the same back with sundry amendments, with the recommendations that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? If not the Chair will put them in gross.

There was no demand for a separate vote and the amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed.

On motion of Mr. SHERLEY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

FOURTEENTH AND SUBSEQUENT DECENNIAL CENSUSES.

Mr. HOUSTON. Mr. Speaker, I call up the conference report on the bill H. R. 11984, and I ask unanimous consent that the House reject the report and ask for a further conference.

The SPEAKER. The Clerk will report the title.

The Clerk read as follows:

A bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

The SPEAKER. The gentleman asks unanimous consent that the conference report be disagreed to.

Mr. MANN. Mr. Speaker, the gentleman from Tennessee has asked unanimous consent that the House disagree to the conference report, and I think he coupled with it the request that the House further insist on its disagreement to the Senate amendments and ask for a further conference.

Mr. HOUSTON. That is the request.

Mr. MANN. I want to ask the gentleman. There were several gentlemen in the House who wished to be heard or make some motion on Senate amendment No. 12.

Mr. GARNER. Will the gentleman permit an interruption?

Mr. MANN. Yes.

Mr. GARNER. Would it be in order to disagree to the conference report and instruct the conferees? Would a motion to that effect be in order?

Mr. MANN. It is in order to move to recommit the conference report or reject the conference report, and then it is in order to agree to the Senate amendments or to amend them or ask for a further conference, and it is in order to instruct the conferees.

Mr. GARNER. I asked the question because there has been a ruling by the Speaker both ways on the motion to recommit, and it is liable to come up on a very important bill, the revenue bill.

The SPEAKER. The gentleman from Texas is wrong.

Mr. MANN. The gentleman is aware that it is in order to recommit the conference report which the Senate has not acted upon. It is not in order to move to recommit a conference report that has been disposed of by the Senate. Here is the Senate amendment, and the language of the bill was that "whenever possible women and honorably discharged soldiers and sailors shall be employed in the positions herein provided for."

The Senate amendment was to strike out that language and insert:

That after the passage of this act preference shall be given to honorably discharged soldiers, sailors, and marines, and widows of such, in making appointments to clerical and other positions in the executive departments and in independent governmental establishments.

The conferees agreed upon an amendment providing that "wherever possible, women and honorably discharged soldiers, sailors, and marines shall be employed in the positions herein provided for."

Several gentlemen of the House desire either to be heard or to have a vote or to make a motion in reference to this matter. I am told that gentlemen who have been taking an active interest in the Senate amendment have practically reached an agreement with the members of the committee who will be the conferees, and that if the bill goes back to conference that agreement will be incorporated in the conference report and will be satisfactory to the friends of the soldiers, sailors, and marines. So far as I am concerned, I am perfectly satisfied with the statement which has been made to me upon that subject; otherwise, of course, there would be a vote in the House. I have not conferred with the gentleman from Tennessee [Mr. HOUSTON] about it.

Mr. HOUSTON. Mr. Speaker, I desire to make a statement in regard to this matter, as to why it is that I have made the request I have. When the bill was sent to conference in the first instance, it was done by unanimous consent. I was asked at that time if I would be willing to grant a separate vote upon this Senate amendment No. 12. I said that I would be willing to do that. It was the understanding of the House, I suppose, that we were to have a separate vote upon that. When the conferees considered the matter we prepared a substitute embodying some of the features of that amendment, which we thought would be satisfactory to those who wanted a separate vote. However, it was not satisfactory. Then we also thought that a motion could be made by one of those gentlemen to recommit this bill with instructions on this one amendment, and that that would settle the question and give them an opportunity to vote upon the question that they understood they were to vote upon. That brings it up to the present point, when there is some confusion about it. I make the request that we disagree to the report and send it back to conference, and ask for a further conference.

Mr. MANN. But, Mr. Speaker, we accomplish nothing by that, unless——

Mr. HOUSTON. If there is a proposition involved that any Member of the House wants incorporated it seems to me that he can have a vote on that proposition now before we go to conference.

Mr. MANN. Of course, now is the time when you can have a vote. If the conference report is rejected, which, in fairness to the House, in view of the statement made by the gentleman when the matter was sent to conference, he would agree to——

Mr. HOUSTON. Certainly.

Mr. MANN. If the conference report is rejected, any Member of the House can get a separate vote upon any Senate amendment. Any Member of the House can have a separate vote on Senate amendment No. 12. He can move to concur with an amendment in the Senate amendment and have a vote on that. To merely send it back to conference with no further information given to the Members of the House would not advance the matter any, because it is assumed under such circumstances that the conferees will bring the conference report back to the House again identically as they have heretofore, and no separate vote can be taken when the conference report is made.

Mr. CRISP. Mr. Speaker, will the gentleman yield?

Mr. MANN. Yes.

Mr. CRISP. I have been in conference with the gentlemen in connection with this matter, and I can state to my friend

from Illinois that the object of this motion is to get the matter back to conference, that the majority of the House conferees and the Senate conferees have agreed upon a provision that is satisfactory to the friends of the soldiers, sailors, and marines.

Mr. MANN. I will say to the gentleman that I made the same statement a while ago, that I understood that it had been settled satisfactorily, and I have been taking a little time in the House since then trying to get that statement into the RECORD from somebody else, because my information was purely hearsay.

Mr. CRISP. That is why I am making the statement. I would say to the gentleman from Illinois that the gentleman from Tennessee [Mr. HOUSTON] is opposed to this proposition, and that the House conferees will be the gentleman from Tennessee [Mr. HOUSTON], the gentleman from Louisiana [Mr. ASWELL], and the gentleman from Michigan [Mr. NICHOLS], and I understand from my friend, Mr. VAN DYKE, who is the author of the compromise amendment and very much interested in it, that the gentleman from Louisiana and the gentleman from Michigan have agreed with the Senate conferees that if the bill is sent back in conference they will agree to this proposition that the friends of the soldiers have agreed upon.

Mr. MANN. The gentleman from Michigan has made the same statement to me—not that they have agreed with the Senate conferees but that a majority of the House conferees had agreed—and, as far as I am concerned with that statement, I have no desire further to put the House conferees on record in the RECORD.

Mr. HUMPHREYS. Mr. Speaker, will the gentleman yield?

Mr. MANN. Yes.

Mr. HUMPHREYS. The statement made by the gentleman from Illinois, and also by the gentleman from Georgia, that some matter had been agreed to that is satisfactory to the friends of the soldiers, sailors, and marines I assume to mean is satisfactory to everybody.

Mr. MANN. Well it is certainly satisfactory to the men who are special friends——

Mr. HUMPHREYS. If the gentleman will permit, that being true, it occurs to me it ought not to go into the RECORD that it is satisfactory to the friends of the soldiers, sailors, and marines, and it is unsatisfactory to some Members here of the House.

Mr. MANN. Oh, well, of course, the gentleman from Tennessee is a friend of the soldiers, sailors, and marines.

Mr. HUMPHREYS. There is no question about that, but the RECORD ought to show that or it ought not to show the contrary.

Mr. ASWELL. Mr. Speaker, I merely wish to confirm the statement made by the gentleman from Georgia that an agreement has been reached as far as possible for the conferees to reach it and that it is entirely satisfactory as far as we can ascertain.

Mr. FERRIS. Will the gentleman yield? Is it the thought of the conferees, that if they do not get substantially the Senate amendment to bring it back and let us have another vote upon it?

Mr. ASWELL. Yes.

Mr. HOUSTON. Mr. Speaker, I want to make a statement in reference to the matter of anyone being a friend of the soldiers and sailors. As that matter has been brought out by remarks I want to state this, I am as much a friend to the soldiers, sailors, and marines as any man who stands on the American continent. The only question in this matter was to what extent soldiers, sailors, and marines who have been honorably discharged from the Army should be made eligible to appointment. One amendment is favored by a portion of the Members that absolute preference should be given to those who are honorably discharged. I insisted on the provision that provided that the director should select these men if they were otherwise qualified and competent to discharge the duties. Now, I want the soldiers and sailors to have preference in everything, but the real soldier, the good sailor, the real patriotic man ought not to want to get an opportunity to get a Government position in which he can not render good service. There might be some man who had a uniform and who might want an easy job, who might have had an easy job lately in some clerical position, and he might be swift to get one of these positions, and I did not want to have those men put upon the same footing as the men who fought at Chateau-Thierry and in the Argonne Forest, whether capable or fitted for the work or not. [Applause.]

Mr. DYER. Will the gentleman yield? I ask that the Clerk may read just what, substantially, they have agreed upon so that we may know as a matter of information.

Mr. HOUSTON. I am perfectly willing. I preferred the other amendment, as reported by the conference committee; other gentlemen preferred that, and that seems the end of it.

Mr. DYER. The gentleman from Minnesota [Mr. VAN DYKE] has the substance of it.

Mr. VAN DYKE. This is the amendment.

Miss RANKIN. Mr. Speaker, I desire to ask the chairman of the committee what is in the amendment in regard to women?

Mr. VAN DYKE. The amendment will be read, and the lady from Montana can understand exactly what it is.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

That hereafter in making appointments to the classified and other positions in the executive departments and in independent governmental establishments preference shall be given to honorably discharged soldiers, sailors, and marines, and widows of such if they are qualified to hold such positions.

Mr. DYER. Mr. Speaker, I want to make this one observation: That amendment, of course, can not be otherwise than satisfactory to the membership of this House. Now, that provision, provided they are qualified, is a mere statement of what the law now is. No man can be employed, no woman can be employed in the Government service unless they are qualified for the position that they seek; and putting that in there, in my judgment, is unnecessary. It is now the language of the law, and I can not see anything that can be accomplished by it. It is mere surplusage.

Mr. HOUSTON. Mr. Speaker, I insist on my request that the House further insist on its disagreement and ask for a conference.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the House insist on its disagreement and ask for a conference.

Miss RANKIN. Mr. Speaker, the House amendment included women and the Senate amendment included women, and I think it is not fair to include merely the widows of soldiers, inasmuch as there are many sisters and mothers of soldiers who would like this work. It seems to me that leaving out women, instead of including them, as both the House and Senate did——

Mr. HOUSTON. I will state to the lady from Montana that women were not included in the Senate amendment. This is the Senate amendment exactly, so far as reference is made to women.

Mr. STAFFORD. Mr. Speaker, if the gentleman will permit me, I believe the lady from Montana refers to the amendment in the conference report that was submitted to the House and is now under consideration. The report did agree to include women, even though not related to soldiers, and to be given preferential consideration.

The SPEAKER. Is there objection?

Miss RANKIN. I object.

Mr. HOUSTON. Mr. Speaker, I call up the conference report and move to reject it; and on that I ask the previous question.

Mr. MANN. Several things would have to be done first. The gentleman would have to ask unanimous consent to dispense with the reading of the conference report.

Mr. HOUSTON. I call up the report, Mr. Speaker.

Mr. MANN. It has been called up.

The SPEAKER. The Clerk will report it.

Mr. MANN. It has been reported.

The SPEAKER. The question is on agreeing to the conference report.

Mr. MANN. It has not been read. He would have to dispense with the reading of it. It was only reported by title.

The SPEAKER. The gentleman asks unanimous consent to dispense with the reading of the conference report. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the conference report.

The question was taken, and the conference report was rejected.

Mr. HOUSTON. Mr. Speaker, I move to disagree to all the amendments en bloc except No. 12, and to further insist upon the disagreement on that.

The SPEAKER. The gentleman moves to disagree to all the Senate amendments en bloc except No. 12, and to insist on the disagreement to No. 12.

The motion was agreed to.

Mr. VAN DYKE. Mr. Speaker, I move to concur in the Senate amendment No. 12 with an amendment which I send to the Clerk's desk.

The SPEAKER. The gentleman from Minnesota moves to concur in the Senate amendment No. 12 with an amendment which the Clerk will report.

The Clerk read as follows:

Mr. VAN DYKE moves to concur in Senate amendment No. 12, as follows: In lieu of the matter proposed by the Senate insert the following:

"That hereafter in making appointments to clerical and other positions in the executive departments and in independent governmental establishments preference shall be given to honorably discharged soldiers, sailors, and marines, and widows of such, if they are qualified to hold such positions."

Mr. VAN DYKE. Mr. Speaker, on that I move the previous question.

Mr. BLANTON. Mr. Speaker, a parliamentary inquiry. Is it in order to amend this?

The SPEAKER. The gentleman from Minnesota [Mr. VAN DYKE] has just moved the previous question.

Mr. MANN. Give the lady from Montana a chance to offer an amendment.

Mr. CRISP. Mr. Speaker, the motion for the previous question is pending.

The SPEAKER. That is just what the Chair stated a moment ago. The question is on ordering the previous question.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. DYER. Division, Mr. Speaker.

The House divided; and there were—ayes 46, noes 41.

Mr. DENISON. Mr. Speaker, I ask for tellers.

The SPEAKER. On this vote the ayes are 46 and the noes are 41, and the gentleman from Illinois [Mr. DENISON] demands tellers. Those in favor of taking this vote by tellers will rise and stand until they are counted.

Mr. CRISP. Mr. Speaker, I think we can settle this quicker by a yea-and-nay vote, and I make the point of no quorum.

The SPEAKER. The gentleman from Georgia makes the point of no quorum. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. The question is on ordering the previous question. Those in favor of ordering the previous question will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 177, nays 77, answered "present" 1, not voting 174, as follows:

YEAS—177.

Almon	Eagle	Lazaro	Romjue
Anderson	Essen	Lea, Cal.	Rouse
Ashbrook	Ferris	Lee, Ga.	Rubey
Aswell	Fields	Lesher	Rucker
Bankhead	Fisher	Lever	Sanders, Ind.
Barkley	Flood	Little	Sanders, N. Y.
Barnhart	Fordney	Lobeck	Sanford
Beakes	Foster	London	Shallenberger
Bell	Gallagher	Lonergan	Sisson
Beshlin	Gandy	Longworth	Slayden
Black	Garner	Lufkin	Small
Bland, Ind.	Garrett, Tex.	Lundeen	Smith, T. F.
Bland, Va.	Glynn	McArthur	Snook
Brand	Goodwin, Ark.	McFadden	Snyder
Brodbeck	Gordon	McKeown	Stafford
Browning	Gray, Ala.	McLemore	Steagall
Buchanan	Green, Iowa	Magee	Stedman
Burnett	Greene, Vt.	Mann	Steele
Burroughs	Hamlin	Mansfield	Stephens, Miss.
Byrnes, S. C.	Harrison, Va.	Martin	Sumners
Byrns, Tenn.	Hastings	Mays	Taylor, Colo.
Caldwell	Haugen	Merritt	Thompson
Campbell, Pa.	Hayden	Moon	Tillman
Candler, Miss.	Heflin	Moore, Pa.	Tilson
Carlin	Holland	Morgan	Towner
Carter, Okla.	Houston	Morin	Van Dyke
Cary	Huddleston	Oliver, Ala.	Venable
Chandler, Okla.	Hull, Tenn.	Oliver, N. Y.	Vinson
Cleary	Humphreys	Olney	Wason
Collier	Hutchinson	O'Shaunessy	Watkins
Connally, Tex.	Ireland	Overstreet	Watson, Pa.
Crisp	Jacoway	Parker, N. J.	Watson, Va.
Crosser	Jones	Phelan	Weaver
Dallinger	Kearns	Platt	Welling
Darrow	Keating	Polk	Whaley
Decker	Kehoe	Purnell	White, Me.
Dempsey	Kettner	Quin	Wilson, Ill.
Denton	Kiess, Pa.	Ragsdale	Wilson, La.
Dickinson	Kincheloe	Rainey, H. T.	Winslow
Dies	Kitchin	Rainey, J. W.	Wright
Dixon	Knutson	Ramsey	Young, Tex.
Dominick	Kraus	Ramseyer	Zihlman
Doughton	Kreider	Rayburn	
Dyer	LaGuardia	Robinson	
Eagan	Larsen	Rogers	

NAYS—77.

Anthony	Davis	Greene, Mass.	King
Austin	Denison	Griest	Kinkaid
Bachmann	Dillon	Hadley	La Follette
Baer	Dowell	Hamilton, Mich.	Lampert
Blanton	Elliott	Haskell	Langley
Bowers	Esch	Hollingsworth	McCulloch
Cannon	Fairchild, B. L.	Hull, Iowa	McLaughlin, Mich.
Clark, Pa.	Fairfield	Igoe	Mapes
Classon	Focht	James	Miller, Minn.
Cooper, Wis.	Foss	Johnson, Wash.	Miller, Wash.
Currie, Mich.	French	Juul	Mondell
Curry, Cal.	Good	Kelley, Mich.	Moores, Ind.
Dale	Graham, Ill.	Kelly, Pa.	Mott
Nelson, A. P.	Rankin	Sloan	Volstead
Nelson, J. M.	Reed	Smith, Mich.	Ward
Nichols, Mich.	Rose	Steenerson	Wheeler
Osborne	Rowe	Sweet	Wood, Ind.
Paige	Scott, Iowa	Temple	
Raker	Scott, Mich.	Timberlake	
Randall	Sherwood	Vestal	

ANSWERED "PRESENT"—1.

Littlepage.

NOT VOTING—174.

Alexander	Elston	Kahn	Sears
Ayres	Emerson	Kennedy, Iowa	Sells
Benson	Estopinal	Kennedy, R. I.	Shackleford
Birch	Evans	Key, Ohio	Sherley
Blackmon	Fairchild, G. W.	Lehlbach	Shouse
Booher	Farr	Linthicum	Siegel
Borland	Fess	Lunn	Sims
Britten	Flynn	McAndrews	Sinnott
Browne	Francis	McClintic	Slemp
Brumbaugh	Frear	McCormick	Smith, Idaho
Butler	Freeman	McKenzie	Smith, C. B.
Campbell, Kans.	Fuller, Ill.	McKinley	Snell
Cantrill	Fuller, Mass.	McLaughlin, Pa.	Stephens, Nebr.
Caraway	Gallivan	Madden	Sterling
Carew	Gard	Maher	Stevenson
Carter, Mass.	Garland	Mason	Stiness
Chandler, N. Y.	Garrett, Tenn.	Montague	Strong
Church	Gillett	Mudd	Sullivan
Clark, Fla.	Godwin, N. C.	Neely	Swift
Claypool	Goodall	Nicholls, S. C.	Switzer
Coady	Gould	Nolan	Tague
Connelly, Kans.	Graham, Pa.	Norton	Taylor, Ark.
Cooper, Ohio	Gray, N. J.	Oldfield	Templeton
Cooper, W. Va.	Gregg	Overmyer	Thomas
Copley	Griffin	Padgett	Tinkham
Costello	Hamill	Park	Treadway
Cox	Hamilton, N. Y.	Parker, N. Y.	Vare
Crago	Hardy	Peters	Voigt
Cramton	Harrison, Miss.	Porter	Waldow
Davey	Hawley	Pou	Walker
Delaney	Hayes	Powers	Walsh
Dent	Heaton	Pratt	Walton
Dewalt	Heintz	Price	Webb
Dill	Helm	Reavis	Welty
Donovan	Helvering	Riordan	White, Ohio
Dooling	Hensley	Roberts	Williams
Doolittle	Hersey	Rodenberg	Wilson, Tex.
Doremus	Hicks	Rowland	Wingo
Drane	Hilliard	Russell	Wise
Drukker	Hood	Sabath	Woods, Iowa
Dunn	Howard	Saunders, La.	Woodyard
Dupré	Husted	Saunders, Va.	Young, N. Dak.
Edmonds	Johnson, Ky.	Schall	
Ellsworth	Johnson, S. Dak.	Scully	

So the previous question was ordered.

The Clerk announced the following pairs:

Until further notice:

Mr. DEWALT with Mr. DUNN.

Mr. BOOHER with Mr. TREADWAY.

Mr. MAHER with Mr. TINKHAM.

Mr. CAREW with Mr. GOODALL.

Mr. DOOLING with Mr. STRONG.

Mr. ESTOPINAL with Mr. EMERSON.

Mr. LITTLEPAGE with Mr. COOPER of West Virginia.

Mr. RIORDAN with Mr. KENNEDY of Rhode Island.

Mr. CARAWAY with Mr. BROWNE.

Mr. WHITE of Ohio with Mr. NORTON.

Mr. HARRISON of Mississippi with Mr. REAVIS.

Mr. KEHOE with Mr. MUDD.

Mr. SAUNDERS of Virginia with Mr. WALSH.

Mr. NICHOLLS of South Carolina with Mr. GARLAND.

Mr. GRIFFIN with Mr. PORTER.

Mr. DONOVAN with Mr. HAMILTON of New York.

Mr. HAMILL with Mr. LEHLBACH.

Mr. SCULLY with Mr. MASON.

Mr. BENSON with Mr. STINESS.

Mr. BRUMBAUGH with Mr. COSTELLO.

Mr. POU with Mr. WOODYARD.

Mr. HELM with Mr. BUTLER.

Mr. JACOWAY with Mr. HICKS.

Mr. HELVERING with Mr. EDMONDS.

Mr. MCANDREWS with Mr. GOULD.

Mr. MONTAGUE with Mr. HUSTED.

Mr. LUNN with Mr. KAHN.

Mr. NEELY with Mr. MCKENZIE.

Mr. OVERMYER with Mr. MCKINLEY.

Mr. PARK with Mr. NOLAN.

Mr. PRICE with Mr. RODENBERG.

Mr. SABATH with Mr. SIEGEL.

Mr. TAGUE with Mr. SMITH of Idaho.

Mr. TAYLOR of Arkansas with Mr. SNELL.

Mr. WEBB with Mr. SWIFT.

Mr. THOMAS with Mr. WILLIAMS.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will unlock the doors. The previous question is ordered, and the

question is on concurring in Senate amendment numbered 12 with the Van Dyke amendment.

Mr. MANN. Upon that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. KREIDER. Mr. Speaker, may we have that amendment read?

The SPEAKER. Without objection the Clerk will report the Van Dyke amendment.

The Clerk read as follows:

Mr. VAN DYKE moves to concur in Senate amendment No. 12, with an amendment, as follows: In lieu of the matter proposed by the Senate, insert the following:

"That hereafter in making appointments to clerical and other positions in the executive departments and in independent governmental establishments preference shall be given to honorably discharged soldiers, sailors, and marines, and widows of such, if they are qualified to hold such positions."

The question was taken; and there were—yeas 244, nays 1, answered "present" 0, not voting 184, as follows:

YEAS—244.

Almon	Edmonds	Knutson	Ramsey
Anderson	Elliott	Kraus	Ramseyer
Anthony	Esch	Kreider	Randall
Ashbrook	Essen	La Follette	Rankin
Aswell	Fairchild, B. L.	LaGuardia	Rayburn
Austin	Fairfield	Lampert	Reed
Bacharach	Ferris	Langley	Robinson
Bager	Fisher	Larsen	Rogers
Bankhead	Flood	Lazaro	Romjue
Barkley	Focht	Lea, Cal.	Rose
Barnhart	Fordney	Lee, Ga.	Rouse
Beakes	Foss	Lesher	Rowe
Bell	Foster	Lever	Ruley
Beshlin	French	Little	Rucker
Black	Gallagher	Lobeck	Sanders, Ind.
Bland, Ind	Gandy	Loudon	Sanders, N. Y.
Bland, Va.	Garner	Lonergan	Sanford
Blanton	Garrett, Tex.	Longworth	Scott, Iowa
Bowers	Glynn	Lufkin	Scott, Mich.
Brand	Good	Lundeen	Sherwood
Brodbeck	Goodwin, Ark.	McArthur	Sinnott
Browning	Graham, Ill.	McCulloch	Sloan
Buchanan	Gray, Ala.	McFadden	Small
Burnett	Green, Iowa	McKeown	Smith, Mich.
Burroughs	Greene, Mass.	McLaughlin, Mich.	Smith, T. F.
Byrnes, S. C	Greene, Vt	Magee	Snook
Byrns, Tenn.	Griest	Mann	Snyder
Caldwell	Griffin	Mansfield	Stafford
Campbell, Pa.	Hadley	Mapes	Steagall
Candler, Miss.	Hamlin	Mays	Stedman
Carlin	Harrison, Va	Merritt	Steele
Carter, Okla.	Haskell	Miller, Wash.	Stephens, Miss.
Cary	Hastings	Mondell	Summers
Chandler, Okla.	Haugen	Moon	Sweet
Clark, Fla.	Hayden	Moore, Pa.	Taylor, Colo.
Classon	Heflin	Moores, Ind.	Temple
Clenry	Holland	Morgan	Thompson
Collier	Hollingsworth	Morin	Tillman
Connally, Tex.	Houston	Mott	Tilson
Connolly, Kans.	Huddleston	Nealy	Timberlake
Cooper, Wis.	Hull, Iowa	Nelson, A. P.	Towner
Crisp	Hull, Tenn.	Nelson, J. M.	Van Dyke
Crosser	Humphreys	Nichols, Mich.	Venable
Currie, Mich.	Hutchinson	Oliver, Ala	Vestal
Curry, Cal.	Igoe	Oliver, N. Y	Vinson
Dale	Jacoway	Olney	Volstead
Dallinger	James	Osborne	Wason
Darrow	Johnson, Wash	O'Shaunessy	Watkins
Davis	Jones	Overstreet	Watson, Va.
Decker	Juul	Paige	Weaver
Dempsey	Kearns	Parker, N. J.	Welling
Denison	Keating	Phelan	Whaley
Denton	Kehoe	Platt	Wheeler
Dillon	Kelley, Mich.	Polk	White, Me.
Dixon	Kelly, Pa	Pou	Wilson, Ill.
Dominick	Kettner	Purnell	Wilson, La.
Doughton	Kless, Pa.	Quin	Winslow
Dowell	Kincheloe	Ragsdale	Wood, Ind.
Dyer	King	Rainey, H. T.	Woodyard
Eagan	Kinkaid	Rainey, J. W.	Wright
Eagle	Kitchin	Raker	Young, Tex.

NAYS—1

Gordon

NOT VOTING—184.

Alexander	Cooper, W. Va.	Emerson	Gregg
Ayres	Copley	Estopinal	Hamill
Benson	Costello	Evans	Hamilton, Mich.
Birch	Cox	Fairchild, G. W.	Hamilton, N. Y.
Blackmon	Crago	Farr	Hardy
Booher	Cramton	Fess	Harrison, Miss.
Borland	Davey	Fields	Hawley
Britten	Delaney	Flynn	Hayes
Browne	Dent	Francis	Heaton
Brumbaugh	Dewalt	Frear	Helgesa
Butler	Dicklison	Freeman	Helm
Campbell, Kans.	Dies	Fuller, Ill.	Helvering
Cannon	Dill	Fuller, Mass.	Hensley
Cantrill	Donovan	Gallivan	Hersey
Caraway	Dooling	Gard	Hicks
Carew	Doolittle	Garland	Hilliard
Carter, Mass.	Doremus	Garrett, Tenn.	Hood
Chandler, N. Y.	Drane	Gillett	Howard
Church	Drukker	Godwin, N. C.	Husted
Clark, Fla	Dunn	Goodall	Ireland
Claypool	Dupre	Gould	Johnson, Ky.
Cooly	Ellsworth	Graham, Pa.	Johnson, S. Dak.
Cooper, Ohio	Elston	Gray, N. J.	Kahn
Kennedy, Iowa	Norton	Sells	Taylor, Ark.
Kennedy, R. I.	Oldfield	Shackleford	Templeton
Key, Ohio	Overmyer	Shallenberger	Thomas
Lehlbach	Padgett	Sherley	Tinkham
Linthicum	Park	Sisson	Treadway
Littlepage	Parker, N. Y.	Siegel	Vare
Lunn	Peters	Sims	Voigt
McAndrews	Porter	Slayden	Wahlow
McClintic	Powers	Slemp	Walker
McCormick	Pratt	Smith, Idaho	Walsh
McKenzie	Price	Smith, C. B.	Walton
McKinley	Reavis	Steenerson	Ward
McLaughlin, Pa.	Riordan	Stephens, Nebr.	Watson, Pa.
McLemore	Roberts	Sterling	Welsh
Madden	Rodenberg	Stevenson	Welty
Maher	Rowland	Stiness	White, Ohio
Martin	Russell	Strong	Williams
Mason	Sabath	Sullivan	Wilson, Tex.
Miller, Minn.	Sanders, La.	Switzer	Wingo
Montague	Saunders, Va.	Tague	Wise
Mudd	Schall	Thomas	Woods, Iowa
Nicholls, S. C.	Scully	Tinkham	Young, N. Dak.
Nolan	Sears	Treadway	Zihlman

So the amendment was agreed to.

The following additional pairs were announced:

Until further notice:

Mr. CANNON with Mr. SLAYDEN.

Mr. WALSH with Mr. MARTIN.

Mr. LUFKIN. Mr. Speaker, the gentleman from Massachusetts [Mr. TREADWAY], my colleague, was called away. If he were here he would have voted "aye."

The result of the vote was then announced as above recorded.

Mr. HOUSTON. Mr. Speaker, I move that the House ask for a further conference with the Senate on the disagreeing votes of the two Houses, and on that I demand the previous question.

Mr. MANN. While that technically does not send the Senate amendment No. 12 to conference, I suppose the conferees will consider it.

The previous question was agreed to.

The motion was agreed to.

The SPEAKER appointed as conferees on the part of the House Mr. HOUSTON, Mr. ASWELL, and Mr. NICHOLS of Michigan.

BRIDGE ACROSS THE DELAWARE RIVER.

Mr. HUTCHINSON. Mr. Speaker, I ask that the Speaker lay before the House the bill S. 5354, to extend the time for completing the bridge across the Delaware River, a similar bill being on the House Calendar.

The SPEAKER laid before the House the bill (S. 5354) extending the time for completion of the bridge across the Delaware River authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the 24th day of August, 1912.

The Clerk read the bill, as follows:

Be it enacted, etc., That the time for the completion of the bridge now in course of construction across the Delaware River, which the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, were authorized to construct, maintain, and operate by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the 24th day of August, 1912; and for which the time of completion thereof was extended until the 24th day of August, 1919, by an act approved the 27th day of December, 1916, be, and the same is hereby, extended for a period of three years from the 24th day of August, 1919: *Provided*, That in all other respects said bridge shall be completed and shall be maintained and operated in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

House bill 14508, a similar bill, on the House Calendar, was laid on the table.

EXTENSION OF REMARKS.

Mr. LANGLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Van Dyke amendment.

Mr. GORDON. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from Kentucky and the gentleman from Ohio ask unanimous consent to extend their remarks in the RECORD on the Van Dyke amendment. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

Mr. SMITH of Idaho, at the request of Mr. FRENCH, was given leave of absence for the day on account of illness.

MEMORIAL EXERCISES FOR THE LATE SENATORS HUGHES AND JAMES.

Mr. EAGAN. Mr. Speaker, I ask unanimous consent that Sunday, February 23, be set aside to hold memorial exercises on the life, character, and public services of the Hon. WILLIAM HUGHES, late Senator from the State of New Jersey.

Mr. BARKLEY. Mr. Speaker, I make the same request on the same date for memorial exercises on the late Senator OLLIE JAMES, of Kentucky.

The SPEAKER. The gentleman from New Jersey asks unanimous consent that February 23 be set aside for holding memorial exercises on the late Senator HUGHES, of New Jersey, and the gentleman from Kentucky [Mr. BARKLEY] makes the same request touching the late Senator JAMES, of Kentucky. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

Mr. GARNER. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. GARRETT] may be excused for the day on account of illness, and I wish to announce that if he had been here he would have voted "aye" on the previous question and also for the Van Dyke amendment.

EXTENSION OF REMARKS.

Mr. ALMON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks made this afternoon.

The SPEAKER. Is there objection?

There was no objection.

AGRICULTURAL APPROPRIATION BILL.

Mr. LEVER. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the Agricultural appropriation bill.

Mr. MANN. Pending that, will the gentleman permit me to ask him a question?

Mr. LEVER. Certainly.

Mr. MANN. Whether he desires to have the House meet at an earlier hour to-morrow?

Mr. LEVER. Pending that, Mr. Speaker, I ask unanimous consent that when the House adjourns to-night it adjourn to meet to-morrow at 11 o'clock a. m.

The SPEAKER. The gentleman from South Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?

Mr. MANN. Reserving the right to object, how long does the gentleman expect this evening session to last?

Mr. LEVER. We have 1 hour and 53 minutes left for general debate, and I thought we would conclude that.

Mr. MANN. The gentleman does not expect to proceed under the five-minute rule?

Mr. LEVER. No.

Mr. MANN. And there will be no other business come before the House?

Mr. LEVER. No other business that I know of.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina to meet at 11 o'clock a. m. tomorrow?

There was no objection.

The motion of Mr. LEVER was then agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. HAMLIN in the chair.

The CHAIRMAN. The Clerk will report the title of the bill.

The Clerk reported the title of the bill.

Mr. LEVER. Mr. Chairman, I will ask the gentleman from Iowa to yield some of his time.

Mr. HAUGEN. Mr. Chairman, I yield 25 minutes to the gentleman from South Dakota [Mr. DILLON].

Mr. DILLON. Mr. Chairman, shall we destroy monopoly in land ownership and at the same time furnish farms for the soldiers, sailors, and marines?

For years we have been wantonly wasting our landed resources while our tenant system has been robbing the fertility of the soil. Land monopoly has been wrecking the small farmer and driving him into the city. While these processes have been going on the farmer has been left to shift for himself. He looks for an honest market in vain, as there is none. He finds the speculators in control of his markets, and through their agencies the products are followed from the farm to the consumers.

The Government is spending millions of dollars in an effort to stimulate production on the farms. Much of these vast appropriations is of doubtful value. What the farmer needs is protection from the combination of speculators that is exacting nearly 54 per cent of the cost to the consumer of farm products.

Years ago when competition existed the farmer dealt largely with the consumer, but now the transportation companies, the packing companies, the grain exchanges, and the gamblers in food products have erected toll gates all along the market routes from the farmer to the consumer and are exacting unheard-of profits. They do so without any fear of action on the part of the Department of Justice.

In order to break up monopoly in land ownership, to reduce tenantry and assist those soldiers, sailors, marines, and others who desired to become farm owners I introduced, on December 12, 1918, House joint resolution 366. As a basis for this resolution I cite certain facts showing the extent of land monopoly in the United States. I cite the facts that there is in the United States a constant increase in landlord ownership and a constant centralization of ownership of lands in monopolies controlling vast areas, as evidenced by the following: Fifty-four foreign corporations and individuals own an area of land in the United States exceeding the combined areas of the States of New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New Jersey, and Delaware; 63 owners, individuals and corporations, in the United States have holdings of land exceeding the combined areas of the former German Empire, Denmark, Belgium, Holland, and Switzerland; the Southern Pacific Railroad Co. has 4,381,000 acres of land in California and Oregon; the Northern Pacific has 3,017,000 acres of timberland and millions of untimbered land; the Weyerhauser Timber Co. owns 1,945,000 acres of timberland; in Florida five holders have 4,600,000 acres of timberland and 187 largest timber holders have over 15,800,000 acres of timberland; the Government has granted to railroads and for internal improvements subsidies of 337,740,000 acres, equal to one-sixth of the total area of the United States; the Texas Land Grant Syndicate owned 3,000,000 acres in Texas; a British land company owns 300,000 acres in Kansas; Sir Edward Reed controls 1,000,000 acres in Florida; an English syndicate controls 2,000,000 acres in Mississippi; 100 men in Sacramento Valley, Cal., own 17,000,000 acres; four men in one county in California own 1,500,000 acres, while 433 own 5,968,556 acres.

In addition to the citations in the resolution the following can be added: There are 35,000,000 acres of land in the United States that are rented out by owners, each of whom owns more than 1,000 acres; 32 men own 45 per cent of the northern peninsula of Michigan; 16 families own more than 47,000,000 acres of land in the United States; two English syndicates own 1,300,000 acres in the State of Missouri. The report of the Federal Bureau of Corporations shows that 105,000,000 acres, one-twentieth of the whole land area of the United States, is owned by 1,694 persons.

The legislative part of my resolution reads as follows:

Resolved, etc., That the Secretary of the Interior is hereby authorized and directed to acquire title by purchase, condemnation, or otherwise to large holdings of lands suitable for agriculture and take title thereto in the name of the United States: *Provided*, That all purchases of such lands must be at a reasonable value. That the land so acquired shall be divided in units of such size as the Secretary of the Interior may determine, and he shall have authority to place thereon necessary buildings and other appropriate improvements. The units thus provided shall be sold by the Secretary of the Interior to bona fide settlers, preference being given to honorably discharged soldiers, sailors, and marines. The sale price shall be sufficient to cover the full cost of the land, improvements, and administration. Five per cent of the sale price shall be paid in advance and the remainder shall be distributed over a period of 40 years commencing two years after the date of the initial payment. There is hereby authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated the sum of $100,000,000, or so much thereof as may be necessary, to carry out the provisions of this joint resolution, and the money received for the land sold under the foregoing provisions shall be placed in a revolving fund and used as necessary in the further administration of this joint resolution. The Secretary of the Interior is hereby authorized to promulgate such rules and regulations as may be required to give full force and effect to this joint resolution.

Home ownership of land will become impossible if monopoly of land ownership is not in some way restricted in the near future. The policy of this Government ought not to be in favor of unrestricted alien ownership of our land. Neither should the Government allow foreign or domestic corporations or individuals to obtain a monopoly on millions of acres of our best land, to the detriment of those who are anxious and willing to make their homes on and develop these lands in small tracts.

In 1880, 25.6 per cent of the farms were operated by tenants, while at this time the percentage of tenant farmers has risen to about 40 per cent. It is a startling fact that prior to the war we were losing 100,000 of our people every year by emigration to Canada. They were American farmers, and their incentive was to secure land on which to make their homes. This emigration is likely to continue unless we recognize the necessity of providing these people an opportunity to become home owners in this country. We must take action to retain our people, reduce tenancy, and make it possible for those who desire to become home owners.

We need not go far to ascertain the reason for the decadence of agriculture in the United States. When the public domain was opened for settlement the farmers largely refused to continue being tenants. It was natural that they should prefer ownership to tenancy, and they became homesteaders. From every section of the country came these homesteaders, ready to endure droughts, hardships, and trials as pioneers. Nothing could dampen their tireless energies in their effort to obtain homes for themselves and families.

But now since the good land open for homestead is practically exhausted, tenancy has increased year by year until it presents a perilous situation in this country. It is a startling fact that is everywhere recognized that eastern farms are rapidly being abandoned. It is said that 800,000 acres of agricultural land in the State of Connecticut alone have been practically abandoned. New Hampshire has 2,000 idle farms, many of which can be purchased for less than the cost of the buildings. Idle farms in great numbers are found in every Eastern State.

It might be well to inquire why farming in the Eastern States has ceased to be profitable and why the farms are being abandoned. The real fault lies with our present marketing and distributing system. When those in control of the terminal markets destroyed the local markets of the farmers and brought the farmers of the East in competition with the farmers of the South and West the opportunity for the eastern farmer to make a living was destroyed and he was compelled to retire. This in addition to the fact that industries in the cities offered better opportunities for the small farmer to make a living caused him to move into great manufacturing centers. When eastern farmers were in a large measure eliminated then these combinations became actively engaged in securing absolute control of the distribution of food products.

The tenancy system also in a large measure was a factor in the abandonment of farms. There is no incentive for the tenant to improve the farms. The more he increases the fertility of the soil, and the more he increases the improvements of the premises, the more rent the landlord requires him to pay. For that reason the tenancy system permits improvements to decay and does not conserve the productiveness of the soil.

Home ownership for the farmers becomes impossible if corporations and individuals, both domestic and foreign, are permitted to monopolize all the valuable lands. Alien ownership should be prohibited. It is said that 89 per cent of the farmers in Denmark are home owners, while in Great Britain 87 per cent of the farms are tilled by tenants. In one country we have home owners and in the other landlords.

History is but repeating itself. Ancient Italy was a country of small farms during the prosperous days of the Roman Empire. The money lenders made loans at usurious rates of interest, foreclosed the mortgages, and ejected the farmers. The lands became vested in landlords who imported slave labor to carry on the farming industry. This constituted the beginning of the decay of the Roman Empire. The Latin writer, Pliny, says that the large estates were the ruin of Italy and of her Provinces.

Let us look a moment at England. A few years ago the average duke owned 142,264 acres, the average marquis owned 47,500 acres, the average earl owned 30,217 acres, and the average baron 14,152 acres. Absentee landlordism was responsible for the emigration which drained Ireland of one-half of her population. England has seen the error of landlordism. The process of eradicating landlordism in Ireland commenced in 1903, and now a commission is at work preparing plans for doing the same in England and Scotland.

Since 1903 the English Government has expended $550,000,000 in the purchase from landlords of an acreage of land equal to one-third the total area of Ireland, and subdivided it for sale, and thus distressed Ireland has been converted into a nation of home-owning farmers. This plan will not cost the Government anything, as the purchasers are repaying the amount appropriated by paying for this land in installments with interest.

New Zealand has appropriated over $65,000,000 for the purchase of large estates, which have been subdivided and sold to home owners. Since this policy was adopted the agricultural population has increased more rapidly than the population of the cities. This same policy has been adopted by Australian States, and has been a great factor in increased production. Before the war commenced the Russian Government equipped farms for 3,000,000 home settlers and purchased millions of dollars' worth of farm machinery. Let it be remembered that the lands so provided for the farmers for homes was of the better class of land, and not land that had to be reclaimed.

My resolution creates no commission, but authorizes the Secretary of the Interior to purchase large holdings of agricultural land, and to resell it in small tracts to those desiring to become home-owning farmers, giving preference to our soldiers, sailors, and marines, who constituted the best Army the world has ever known. This will cost the Government nothing, as the purchasers will repay any expenditures made by the Government by making small annual payments for 40 years. The purpose of the resolution is not only to provide homes for soldiers, sailors, and marines, but, in addition thereto, it seeks to destroy landlordism and land monopoly.

If the policy I am urging is adopted, it will make immediately available for our soldiers, sailors, and marines millions of acres of the best agricultural land in this country, and it will not be necessary to wait for the reclamation of swamp, stumpage, and arid land.

Mr. BAER. Mr. Chairman, will the gentleman yield?

Mr. DILLON. I yield.

Mr. BAER. I presume the gentleman is receiving hundreds of letters from soldiers asking what the Congress is doing with reference to providing lands for them. Does not the gentleman believe there will be a great deal of criticism of the present administration unless it brings some bill on the floor before long to improve or reclaim lands?

Mr. DILLON. I have received numerous letters on that subject, but if we are to rely upon reclamation of stumpage lands, arid lands, or swamp lands, we will not be able to furnish immediate land for the soldiers.

Mr. BAER. The gentleman's plan is to use the right of eminent domain?

Mr. DILLON. Yes; go out and condemn the land and buy it from these big landowners.

Mr. BAER. The gentleman is aware that Canada is doing that now, and I think in Australia they are also using the right of eminent domain, and they have appropriated $200,000,000 for that purpose, the equivalent in this country, according to proportionate wealth, of $2,000,000,000.

Mr. DILLON. No matter what kind of land is furnished, it will be necessary to reorganize our marketing system by breaking up combinations at the terminals and the control by combinations of the routes which farm products must take to reach the consumer if we intend to keep the people on the farms. It is useless to talk about placing the people on the farms unless they can be kept there. The decay of agriculture in this country is year by year becoming a menace and something must be done to make farm life more attractive. No nation can long survive and escape decay that has not a policy that will insure home-owning farmers. We should now adopt a progressive policy that will insure the stability of our Government. [Applause.]

Mr. LEVER. Mr. Chairman, I yield 20 minutes to the gentleman from Oklahoma [Mr. THOMPSON], a member of the committee.

Mr. THOMPSON. Mr. Chairman and gentlemen of the committee, this bill carries an appropriation of $31,691,562. The last-year bill carried $27,875,353. The increase in the present bill over that of last year is apparently $3,816,209. Under various food-stimulation acts, however, we added to the last-year bill until the department was authorized to spend $38,907,216. Not all this sum was spent, and we have transferred the unexpended balance of $2,102,880 to this bill. While the present bill carries $3,816,209 in excess of that of last year, it is in fact $7,215,654 less than was available to the department during the last fiscal year. The Agricultural Department is not a leech on the people, like the War and Navy Departments. We appropriate billions to support and carry on the activities of those departments, and no good comes from them. That which goes in does not come out again. We sustain them simply because the evil of war is still abroad in the world. Not so with agriculture. Whatever goes into the improvement and the increase of its activities returns multiplied manifold. The Department of Agriculture at this time collects and turns into the Treasury $8,802,836 receipts from the national forests, the sale of seed and of nitrate of soda to farmers, and various other minor items—more than one-fourth of the amount it costs the department.

The importance of this bill can not be overestimated. All the activities of the Government as they relate to the importance of agriculture and farm life are under the supervision of and receive the sympathetic advice, support, and assistance of the department. The activities of the department are directed by different bureaus, the most important of which are the Weather Bureau, Bureau of Animal Industry, the Bureau of Plant Industry, Forest Service Bureau, Bureau of Chemistry, Bureau of Crop Estimates, Bureau of Public Roads, and Bureau of Markets, though there are a number of other bureaus whose work is quite as important.

BUREAU OF FARM MANAGEMENT.

Here a systematic and scientific study is ceaselessly carried on to assist the farmer in improving the methods of farming and managing his farm. The example of those who have succeeded and their methods are carefully studied by experts, and the result is given to those less successful. The economic use of animals, the cost of production with respect to animals and crops, the profits, and so forth, are all carefully gathered and distributed to the farmers throughout the country.

WEATHER BUREAU.

The work of this bureau is so well known and has become so valuable to all classes of our citizenship that a recitation of its activities would be a work of supererogation.

BUREAU OF ANIMAL INDUSTRY.

This is one of the most important bureaus in the entire Government, and the capable and conscientious work performed by it, silently and unknown to most of us, has been of more importance to our country in the life and health not alone of animals, but of the people as well, than could possibly be measured by the dollar mark.

Under its control is the quarantine inspection, the eradication of animal tuberculosis, tick eradication, dairy products—in value second only to corn. The corn crop last year was estimated to be of the value of three and one-half billion dollars; dairy products, two billion; wheat, one billion eight hundred million; cotton, one billion six hundred million. Such a large income to our people can not be too carefully safeguarded—animal husbandry, the stamping out of the foot-and-mouth disease, dourine eradication, hog cholera, and related work of every kind. It is safe to assert that 10 times the cost of the department is saved to the American people annually by the work of this bureau alone.

On this bureau there also devolves the important work of inspecting every pound of meat which is slaughtered by the packing houses. When we reflect that this runs into millions of animals, weighing hundreds of billions of pounds and mounting into billions in value, we catch some glimpse of the magnitude of the task. On the importance of this work and its careful and painstaking execution depends to a large extent the life and health of the people, not alone of our own country but the entire world. Millions of tons of these products have been consumed since the beginning of the war, and there has been no "embalmed beef" scandal, largely due to the faithfulness and efficiency of this service. The employees, 2,950 in number, scattered throughout the country, are among the most able, skilled, and competent in the Government service. They are engaged in a peculiarly hazardous task; their work takes them over floors shoe-mouth deep in blood. They go from rooms of extreme heat immediately into those icy cold. They handle meat affected with every character of disease—tuberculosis and other infectious germs. By exposure to such germs they are likely at any time to contract typhoid, tuberculosis, and other forms of disease. They are called to their work at all hours of the day and night, to which no other class of Government employees are subjected. They are working in the great packing houses of the country, and are liable at any time to be injured by machinery or to contract blood poisoning from accidental wounds.

Moreover, the larger part of them receive pay ranging from $1,080 to $1,600 per year. We increased the basic pay of 2,932 of these men by $120 a year, which, when added to $240 increase temporarily carried in the legislative, executive, and judicial appropriation bill, will give them a living wage. Laborers everywhere are entitled to receive a living wage. It is a short-sighted Government that will not come to the relief of those who toil. I am glad to say that this administration has exerted its every effort to better the conditions of the working people by fixing eight hours as a basic day's work, establishing a living wage, prohibiting child labor, and providing sanitary conditions. We hear some complaint, it is true, emanating from uninformed sources relating to the wages paid working people. It is complained that at a wage ranging from 30 cents to 80 cents an hour, according to the skill of the laborer, from $2.40 to $6.40 can be earned in a day of eight hours. Ought not a laborer receive this amount? The man who receives the highest wage, $6.40, is evidently a skilled laborer. Deducting 52 days from the 365 days in a year, for Sundays, there is left 313, allowing no holidays and no Saturday afternoons off. The working man is also supposed to be well at all times and to be able at all times to secure a job. If it were possible for such a condition to exist, his income during the year would be $2,003.20. Out of this he must purchase clothing for his family, feed them, send the children to school, and furnish them with such amusement as is possible. I am quite sure that no responsible person would complain that this was too large an income. I am not so much interested in seeing a few pile up great fortunes as I am that all should be reasonably prosperous. We hear a great deal these days about bolshevism. It seems to be an odious word. I feel—I am sure as all others do—that where conditions to which it applies exist there must be something radically wrong, but in our condemnation we should draw a distinction between the few wily agitators who have inaugurated that situation and the great masses who are its ignorant and unwilling victims. Even these agitators are not solely responsible for the conditions that have made possible the situation. Those conditions have their roots back through the centuries, when those who understood the great forces in human life, that controlled the feelings in living people were in control. This feeling can be kindled by the presence of one or several of a series of factors: A common country, especially if it is a well-defined physical region, like an island, a river basin, or a mountain mass; a common language, especially if it has given birth to a literature; a common religion; and that much more impalpable force, a common tradition or sense of memories shared from the past.

In Russia, by the exercise of all the prejudice growing out of these conditions, autocracy kept itself in the saddle and ruthlessly rode down the people for many centuries. The Government thus carried on became to those people a synonym of oppression, corruption, and plunder. They saw their earnings taken, their homes destroyed, and their families outraged and violated by the power of might. The great masses of the people where bolshevism prevails are ignorant and superstitious and do not know the truth. Vast bodies of people with brains and money at their disposal have been interested in obscuring the truth from them, and have used every instrument in their power to do so. In this situation they were easy prey for the agitator, who is interested in them just so long as they serve his purpose. As between the agitator, on the one hand, and the exploiter, on the other, as a disinterested people we can have no choice. Our interest is in the great masses that have been exploited by both. The time has arrived when the world is not so much interested in what a man has as in the use he makes of it. We are living in a new age and amidst a new civilization, though it may not yet be perceptible. We have not yet attained to the lofty heights of the golden rule, "Whatsoever ye would that men should do unto you, do ye even so to them," but we are growing better from age to age. The best way to destroy socialism, bolshevism, and anarchy is to remove the cause. We can destroy neither by denunciation or destruction. "Faith without works is dead." There is no danger of bolshevism in this country, for our people are a reading and intelligent people. The great masses of them may not dress so fine, nor be possessed of so much of this world's goods as some, but they are quite as patriotic and perhaps much more intelligently interested in the welfare of their country and of mankind. One of the most dangerous menaces of our country is partisanship. Just a few days ago one of the leading men in my State, a Republican, who knew better, or could for the asking have known better, asserted by editorial and in a published interview that it was in the air not to make good the guarantee to farmers on their wheat. No such thought ever entered the head of anyone here. On the contrary, the matter has already been submitted to the Congress and is now before the Committee on Agriculture. Just as soon as we dispose of the pending bill a bill to make good that guarantee will be introduced, promptly reported, and will pass Congress and become a law before the 4th of March.

Mr. LEVER. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON. Yes.

Mr. LEVER. And that bill will pass probably without a dissenting vote in the House.

Mr. THOMPSON. I do not think there will be a dissenting vote on either side of the House.

Those in authority, as well as the American people, have their honor at stake in this guaranty, and there will be no question about making it good. And again, now the foremost man of the world to-day, and not only of to-day but of all time, is across the sea devoting all the energies and resources of his giant mind to the establishment of a league of nations, which will forever drive war from the world. Every partisan big and little throughout the country is barking at his heels trying to discredit him in the eyes of the world, and bring shame on their own country. No matter what they may say, he is representing the sentiment of the American people at Versailles.

BUREAU OF PLANT INDUSTRY.

This bureau has to do with the protection of plants of all kinds from different diseases, investigation of soil fertilizing, crop climatization, dry-land agriculture, foreign seed and plant introduction, new and rare seed, forage-crop investigation, and kindred activities, and is one of the most important of our Government's activities.

BUREAU OF CROP ESTIMATES.

Among the most important activities of the Government is the work of the Bureau of Crop Estimates. The public at large, however, is so well acquainted with the work of this bureau that I will not enter into any detailed explanation. It is sufficient to say that under the activities of this department, the condition of the different crops of the country—corn, cotton, wheat, oats, and so forth—is estimated from time to time, and finally the amount of production is estimated. The work has been so conscientiously performed that I have heard no complaint against it. Both the producer and the consumer accept as approximately correct the conscientious work of this bureau.

Mr. BAER. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON. Yes.

Mr. BAER. That statement seems to be contrary to the reputed statement of the Secretary of Agriculture, Mr. Houston, who seems to give out the impression through the newspapers that we have an overamount of production in this country all of the time, that we do not need wheat, or that we do not need something else. I do not know that Secretary Houston made that statement, but there are such reports in the newspapers.

Mr. THOMPSON. I do not know whether the Secretary made such a report or not. We ought to have more production, and I think the Secretary has made that statement. I am sure the gentleman from North Dakota [Mr. BAER], who ought, if he does not, to represent the farmers of that State, should do what he could to encourage the Secretary in that statement.

Mr. BAER. Oh, I am discouraging him in the statement that he is not encouraging production.

Mr. THOMPSON. The gentleman is entirely inaccurate. The Secretary is trying to encourage production, and if the gentleman from North Dakota has made a statement to his people that there ought not to be production, he is in error altogether.

Mr. BAER. But I am trying to counteract the reports that are coming out from the Department of Agriculture.

Mr. THOMPSON. The Department of Agriculture has never made any such report.

Mr. BAER. That we do not need wheat. He is not encouraging the production of wheat.

Mr. THOMPSON. The Secretary of Agriculture has never made that statement.

Mr. BAER. The newspapers report him as saying that, and I presumed it was on account of high prices.

Mr. THOMPSON. I wish the gentleman would bring them in.

Mr. BAER. I shall, and I shall insert them in the RECORD.

Mr. GOODWIN of Arkansas. Mr. Chairman, if the gentleman will yield, the report I saw was to the effect that the Secretary of Agriculture had made a report that production of wheat this year would possibly exceed the production of wheat made in any past year, owing to the increased acreage, and the very splendid condition of the wheat crops. I have never yet seen where the Secretary of Agriculture discouraged it.

Mr. BAER. He said that he did not especially encourage wheat production

Mr. GOODWIN of Arkansas. I have not seen that statement.

Mr. LEVER. If the gentleman will yield to me, the Secretary has sent out a notice to the effect that he thought it wise for the farmers to increase their production of feed crops and things of that kind rather than to increase their wheat crop and I think the Secretary is entirely right about it because there is a great shortage in feeds.

Mr. THOMPSON. Well, I do not know whether that is true or not, Mr. Chairman; and a little later on in my speech I will quote a statement from Mr. Hoover appealing to the American farmer to produce. We never have been in this country, Mr. Chairman and gentlemen of the committee, in need, we have always been appealed to from an international standpoint. The American people at all times have fed themselves, but there has been an appeal to the American people to which the American farmer has patriotically responded to take care of an international situation, a situation brought about by war.

Now, I want to say to the gentleman who asked the question, the gentleman from North Dakota [Mr. BAER] and my good friend, the chairman of this committee, that if it were merely a matter of taking care of the American situation there never has been such a situation that would have appealed to the American farmer to produce more. They have been appealed to to take care of a situation brought about by war. We did that during the war and now that the war is over, however, there are a great many of our enemies—the central empires, Germany, Austria-Hungary, the Polanders, Bulgaria, and Turkey—who must be taken care of. Now, I do not think, when we come to guarantee this wheat price—which we are going to do, and no Republican over there need worry about that, the gentleman from North Dakota [Mr. BAER] need not worry about that—we are going to take care of those farmers in this guarantee of wheat we have made. I do not think, regardless of that, that the wheat demand will be less than what it has been in the past.

Mr. LEVER. I agree with the gentleman entirely.

Mr. THOMPSON. I think the central empires will consume all we have, all our surplus, and consume it at the price at which we guarantee it.

Mr. HAUGEN. If the gentleman will permit, I would like to suggest I do not believe it is fair to assume that any Member of Congress would for a minute contend that this Government should repudiate any contract or that there can be any question of what a Member of Congress would have done in that respect. I take it that everybody will agree that the Government would be the last to repudiate a solemn obligation.

Mr. THOMPSON. I am sure, and the gentleman need not elaborate that any more, that we all agree to that.

Mr. HAUGEN. I do not believe the gentleman should refer to one side of the House in the language that he has, that anyone on that side of the House need not have any concern about it, which is implying that there is only one side of this House that stands for integrity.

Mr. THOMPSON. Oh, I do not for a moment refer to the other side of the House for that purpose. I simply referred to the gentleman from North Dakota, who apparently to me is attempting to make a partisan issue of this question.

Mr. BAER. Not in reference to price fixing. I simply wanted to bring up the fact of increased production, and I agree with the gentleman, when he reads Mr. Hoover's statement that he will find I agree with Mr. Hoover, that we want to increase production; but in the same report I read Mr. Hoover's statement I read a statement of Secretary Houston, who said it was not necessary to raise much more wheat.

Mr. THOMPSON. I read Mr. Houston's statement at St. Louis the other day saying that it would not be necessary to encourage spring planting. I presume that is the matter to which the gentleman referred?

Mr. BAER. Yes.

Mr. THOMPSON. That is quite a different proposition from what the gentleman made in his statement; the matter of encouraging spring production and the matter of the necessity of spring production are two different matters entirely.

Mr. BAER. I am in perfect agreement with the gentleman, and I certainly want to be fair with him.

Mr. THOMPSON. I will be glad to be questioned, but I want the gentleman to be fair entirely.

BUREAU OF PUBLIC ROADS.

There is no more important bureau in the Department of Agriculture, or, in fact, in the entire Government than this. It has to do with the construction of good roads—not peacock boulevards constructed from the Great Lakes to the Gulf, or from the Atlantic to the Pacific—but country roads, community roads, leading from the farm to the local market. No greater incentive to production can be extended than by the construction of a system of public roads which will enable the farmer at all periods of the year and under all weather conditions to haul his products to the local market or shipping point. If this can be done easily and expeditiously over a system of good roads, it will add materially to the production of the country, will increase the number of our population residing on the farms and decrease the incentive to remove from the farm to the city.

It is a demonstrated fact that consumption of farm products is increasing at a much more rapid rate than production. If this consumption continues to increase in proportion to the production during the next three decades as it has during the past three, we will be face to face in this country with famine. If we, as we should, are willing to look into the future and face this problem, we will begin at this time to encourage and promote every movement that looks toward making farm life more pleasant and agricultural pursuits more profitable. I do not believe there is any other one thing that would more promote a "back-to-the-farm" movement than the building of good roads. It has been often said that we have in the United States the best railroads in the world and the poorest dirt roads, and this is true. We have been, during all the history of this country, neglecting the farmers of the country, the source from which originates all wealth, and giving our attention, governmental and otherwise, to the promotion of the interests of those engaged in other lines of business.

Mr. LAZARO. Will the gentleman yield in this connection?

Mr. THOMPSON. I will be glad to do so.

Mr. LAZARO. I take it that when the gentleman advocates good roads, of course in order to help the farmers of the country, he means to give them better transportation?

Mr. THOMPSON. That is exactly what I mean; from the farm to the local place of shipment.

Mr. LAZARO. The gentleman will admit, I think, that in order to have real transportation you have to have not only good roads, but railroads and waterways? You have to have a combination, do you not?

Mr. THOMPSON. I agree with that.

Mr. LAZARO. Do not leave out waterways.

The CHAIRMAN. The time of the gentleman has expired.

Mr. THOMPSON. Will the gentleman from South Carolina yield me more time?

Mr. LEVER. I will be very glad to yield to the gentleman 10 minutes more, because he is making a very interesting speech.

Mr. THOMPSON. In 1900 we produced 1,619,415,263 pounds of butter; in 1910, 1,491,652,602 pounds. In 1900 we produced 298,344,642 pounds of cheese; in 1910, 320,532,181 pounds, an increase of only 0.07 per cent. In 1900 we exported 209,348,284 bushels of corn; in 1910 we exported 36,802,374 bushels, a decrease of 172,545,910 bushels within the 10-year period.

By comparison it will be found that the quantity of the present crops produced in the United States increased about 10 per cent between 1900 and 1910. This increase is substantially the same rate as the increase in the number of farms, which is 10.9 per cent, and the increase in the acreage, which was 9.9 per cent, the aggregate average production of these crops per farm and per acre remaining substantially unchanged during the decade, while the population of the country increased at a rate more than twice as great as the crop production, and the increase in the population of our cities being three and one-half times as great. These figures need no elaboration; no comment. They speak a condition which, if permitted to continue even for an inconsiderable length of time, as we reckon time, with the rapid increase in population, will bring want and hunger to the country. There were 6,361,502 farms in the United States, according to the census of 1910. Of these 1,327,439, valued at $6,330,236,951, were mortgaged for $1,736,172,351, or 27.3 per cent of their value.

The world has not produced in all the tide of time another genius so great, so masterful, so overpowering as Napoleon. In war he was its foremost marshal; in peace its greatest constructive statesman; in literature and art its most generous patron; in law, the author of a code which for simplicity, brevity, and comprehension is without a peer; at all times the faithful friend and patron of agriculture. In the last days of his restless and eventful life he looked back with more pride on the encouragement that he had extended agriculture than on any other achievement of his illustrious career.

At the close of his life, when asked what he considered the greatest and most beneficial acts of his career, after a pause he replied: "The system of roads and agricultural fairs I have given France will be most beneficial to her."

Mr. LAZARO. Will the gentleman yield in that connection?

Mr. THOMPSON. I will be glad to do so.

Mr. LAZARO. Napoleon also recognized the importance of building up the sugar industry in France at that time, did he not?

Mr. THOMPSON. I am not acquainted with that. If the gentleman says it is so, I will be glad to accept it.

Mr. LAZARO. Yes; he did.

Mr. THOMPSON. It required almost a century of time and the recurrence of war to corroborate that statement; but there are none among us now who will not agree that the roads of France and her agricultural system saved her and civilization in the great cataclysm through which the world has just passed. [Applause.]

A few months ago I stood before his tomb and wandered about the galleries of the great dead. I saw no reference there to his achievements on fields of glory. His claims to immortality were based on achievements in civil life. I read the inscriptions surrounding the tomb of this man of immortal memory. They were:

1. The Legion of Honor. "I have aroused every possible emulation, rewarded every merit, and extended the confines of glory."
2. Public Works. "Everywhere that my rule has passed it has left lasting traces of its benefits."
3. Protection of Commerce and Industry. "Free trade favors all classes, excites all imaginations; it is identical with equality and conduces naturally to independence. True industry does not consist in working with all means known and bestowed; art and genius consist in accomplishing in spite of difficulties and in thus finding little or nothing impossible."
4. The Chamber of Finance. "It is my desire that, by means of an active supervision, infidelity may be repressed and the legal use of the public funds guaranteed."
5. The University. Decree of May 10, 1806: "There shall be formed, under the name of Imperial University, a body intrusted exclusively with the public instruction and education in the whole empire."
6. The Concordat. "The Church of France is reborn in light and concord."
7. The Napoleonic Code. "My one code, by its simplicity, has done more good to France than the mass of laws that preceded me."
8. Creation of the State Council. "Cooperate in the plans I form for the prosperity of the nations."
9. The Reformed Administration. "Without order, administration is but chaos."
10. Restoration of Public Order. "The principles of the unruly leaders vanish; faction bends; parties are blended; wounds are healed; order seems once again to emerge from chaos."

Not one relates to fields of blood. I am persuaded, Mr. Chairman, that long after the puny reputation of the best of us has faded away, we will be remembered by posterity by what we left rather than by what we consumed ourselves.

THE BUREAU OF MARKETS.

Perhaps of more importance than any of the other bureaus is that of the Bureau of Markets. We increased the appropriation for this bureau in this bill from $2,023,255 to $2,689,365.

At the very threshold of the question of production is the one of finding a market for that production. Without a market, and a profitable market, the farmer will soon cease to produce. Not only will he soon cease to produce but he will also soon cease to be a farmer. He will move away to the city and engage in some other occupation.

The last census discloses some startling facts in this connection. The increase of population in the rural districts is not keeping pace with the increase in the cities. The ratio of increase during the decennium between 1900 and 1910 was 3 to 1 in favor of the cities. During the same decade the increase in population in the United States was more than twice as great as the increase in farm products. During the same 10-year period the supply of meat animals—sheep, swine, and cattle—decreased a little more than 7 per cent. The census figures for the same period further disclose that the number of tenant farmers also increased. The average profit of the farmer on invested capital is about 5½ per cent, and the fact that he is compelled to pay an interest rate greatly in excess of his profits explains why so many farmers are abandoning the farms and moving to the congested centers of population. More than 60 per cent of our population reside in cities and towns having a population of more than 2,500, and less than 40 per cent reside in the country and towns containing a population of less than 2,500, and there is actually residing on the farm not to exceed one-third of our population.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. THOMPSON. I can get through, I think, in about five minutes.

Mr. LEVER. Well, if the gentleman thinks he can I will yield him all the time I have—five minutes more.

Mr. THOMPSON. I do not like to take that.

Mr. LEVER. I will be glad to have the gentleman go on. He is making an interesting speech.

Mr. HAUGEN. I will be glad to yield some of my time to the gentleman.

Mr. LEVER. I will yield five minutes to the gentleman.

Mr. THOMPSON. The gentleman from Iowa [Mr. HAUGEN] yields me five minutes, and the gentleman from South Carolina can reserve his time.

Farming is the most important industry in the world. Without the farm all other business would stagnate and die, the railroads would cease to run, the banks and mercantile establishments could no longer operate, and grass would grow in the streets of our cities. No other business can succeed without the farmer, but the farming business can succeed, if left unfettered, without the aid of any other business.

The establishment of a marketing system I regard as of the utmost importance. We can not hope to encourage agriculture except by making it a profitable pursuit. It struggles, naturally, under many handicaps. It is a year in and year out job. The work is hard and must be carried on during all kinds of weather conditions. The investment is large in proportion to the expected returns. The hazard is great. All character of pests and blasts constantly threaten the farmer. Drought and flood alternately injure or destroy his crops. He and his family are isolated. Schools are bad and inaccessible. The roads are impassable. There is no social diversion for his family. He produces without an assurance that he will receive a profit on that production. His production is subject to the whims of the board of trade gambler. He has no marketing system. He does not know to-day what market was flooded yesterday and where there was a demand for his production. He is a prey of the middleman. Every industry has been looked after and some governmental step taken to protect it, except the farmer. This bureau is busy right now trying to remedy these evils. Money appropriated is being used in an effort to bring the producer and consumer together, thereby reducing the overhead

charges, doing away with the middleman, and procuring for the producer a greater price for his product while at the same time the consumer is enabled to purchase at a reduced price.

The importance of sustaining the farmer and continuing him in that important business is suggested in the headlines of the Washington Post of Monday morning over an interview given out by Herbert Hoover at Paris on the day before. These headlines read:

Aid farmers, he says—Hoover declares problem of food production serious—World will need it all—Serious thinking required to prevent prices falling below a fair return during the transition period before signing of peace—Thereafter economic law to rule.

There is a new element in the agricultural problem which we will shortly be called on to face. More than four millions of men who were called into the Army will shortly return to take up life anew. A large part of these men went to war from the farm. They have made sacrifies for us. While we remained safe at home, they went forth, some to come again wounded, some with an arm or leg gone, others blind, others still in health but with positions gone, and some will never return. They have answered the final call. These heroes, one and all, whether they return in safety or died at the front, offered all that we might be protected and that our country might live. I am among those who believe that a grateful country can not afford to be niggardly with these men. I favor giving each of them—officers and men alike—a year's pay, dating from their discharge, at the rate of $30 per month. This will amount to $360 each and be all too small for the sacrifice they have made. [Applause.] It will amount to about a billion and a half dollars, but what if it does? There has just been reported from the Committee on Appropriations and passed by the House a bill turning back into the Treasury $7,179,156,944 in cash and canceling authorization of contracts aggregating $8,221,029,294, making a total of $15,400,186,238 appropriations already made and authorized to carry on the war. This vast sum was saved by the heroism of these, our sons; and even if it costs a billion and a half dollars to give them a year's pay, they have saved us thirteen and a half billion dollars by the amount we are just now returning into the Treasury.

We must also immediately enact the law prepared by Secretary of the Interior Lane and recommended by President Wilson, which will provide for the irrigation of the dry and draining of the swamp land. This, together with the cut-over land of our national forests, will provide for these heroes a home. The money expended in the draining and irrigation projects will provide work for them and prevent a period of unemployment, which, if permitted, is likely to produce in this country what we are all striving to avoid—bolshevism. It comes with poor grace from us who remained safe at home to talk about high taxes when it comes to taking care of those who offered their lives for us. We can not do too much for them.

Mr. Chairman, he would be a poor patriot who would advance the welfare of one class of our people to the injury of another. He would be an enemy rather than a friend of his country. We have attempted to carefully avoid such in this bill. Instead I fear we have stopped short of giving the farmers that to which they are justly entitled. We have not yet traveled so far from the tragic circumstance of war that we can forget the debt of gratitude the world owes the sturdy farmers for the great part they played in the victory the allies have just won. The Nation owes a debt to itself to see that these faithful men are not driven from farm life.

> Ill fares the land, to hastening ills a prey,
> Where wealth accumulates and men decay;
> Princes and lords may flourish or may fade;
> A breath can make them, as a breath has made;
> But a bold peasantry, their country's pride,
> When once destroyed can never be supplied.

[Applause.]

Mr. LEVER. Mr. Chairman, I ask the gentleman from Iowa [Mr. HAUGEN] to use some time.

Mr. HAUGEN. Mr. Chairman, I had agreed to yield time to the gentleman from North Dakota [Mr. BARR], but he has so generously yielded his time to the gentleman from Oklahoma [Mr. THOMPSON] that I believe we will not ask for any more time now.

Mr. LEVER. I ask that the Clerk read the first paragraph.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the following sums be, and they are hereby, appropriated, out of any money in the Treasury of the United States not otherwise appropriated, in full compensation for the fiscal year ending June 30, 1920, for the purposes and objects hereinafter expressed, namely:

Mr. LEVER. Mr. Speaker, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. RUBEY having taken the chair as Speaker pro tempore, Mr. HAMLIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 15018) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920, had come to no resolution thereon.

ADJOURNMENT.

Mr. LEVER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 55 minutes p. m.) the House, under its previous order, adjourned until Thursday, January 30, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Navy, transmitting tentative draft of a bill to regulate the precedence of temporary officers in the Navy (H. Doc. No. 1741); to the Committee on Naval Affairs and ordered to be printed.

2. A letter from the president of Washington & Old Dominion Railway Co., transmitting report for the 12 months ending December 31, 1918 (H. Doc. No. 1742); to the Committee on the District of Columbia and ordered to be printed.

3. A letter from the Acting Secretary of War, transmitting the report of an inspector of the National Home for Disabled Volunteer Soldiers (H. Doc. No. 1743); to the Committee on Military Affairs and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. TILLMAN, from the Committee on the Public Lands, to which was referred the bill (H. R. 11715) to authorize the drainage of certain lands in the State of Arkansas, counties of Mississippi and Poinsett, reported the same with amendment, accompanied by a report (No. 1009), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. JONES, from the Committee on Reform in the Civil Service, to which was referred the bill (H. R. 15145) providing for the employment by the United States Government of soldiers and sailors of the United States and prescribing the preference to be extended them in filling clerical and other vacancies, reported the same with amendment, accompanied by a report (No. 1016), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MOON, from the Committee on the Post Office and Post Roads, to which was referred the resolution (H. J. Res. 368) extending the period of Government control and possession of the telegraph and telephone systems of the United States, reported the same with amendment, accompanied by a report (No. 1012) which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BURNETT, from the Committee on Immigration and Naturalization, to which was referred the bill (H. R. 15302) to prohibit immigration for a period of four years, and for other purposes, reported the same with amendment, accompanied by a report (No. 1015), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. TIMBERLAKE, from the Committee on the Public Lands, to which was referred the bill (S. 2487) permitting Frances Mack Mann to purchase certain public lands, reported the same with amendment, accompanied by a report (No. 1006), which said bill and report were referred to the Private Calendar.

Mr. TILLMAN, from the Committee on the Public Lands, to which was referred the bill (H. R. 13400) granting to certain claimants a preference right to purchase certain public lands in the State of Arkansas, reported the same without amendment,

accompanied by a report (No. 1007), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 13800) for the relief of the claimants of certain unsurveyed lands in Mississippi County, Ark., reported the same without amendment, accompanied by a report (No. 1008), which said bill and report were referred to the Private Calendar.

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (H. R. 14208) for the relief of Mrs. Mamie Duffer, of Shannon, Miss., reported the same with amendment, accompanied by a report (No. 1010), which said bill and report were referred to the Private Calendar.

Mr. CRAMTON, from the Committee on the Public Lands, to which was referred the bill (H. R. 11919) for the relief of Rebecca C. Pepper, reported the same without amendment, accompanied by a report (No. 1011), which said bill and report were referred to the Private Calendar.

Mr. MERRITT, from the Committee on Claims, to which was referred the bill (H. R. 13189) for the relief of Susie Currier, reported the same without amendment, accompanied by a report (No. 1013), which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII,

Mr. BLANTON, from the Committee on Claims, to which was referred the bill (H. R. 11964) for the relief of the P. J. Carlin Construction Co., reported the same adversely, accompanied by a report (No. 1014), which said bill and report were laid on the table.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CLEARY: A bill (H. R. 15325) to amend section 6 of the act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918; to the Committee on Interstate and Foreign Commerce.

By Mr. FARR: A bill (H. R. 15326) proposing an amendment to the United States Criminal Code; to the Committee on the Judiciary.

By Mr. LEVER: A bill (H. R. 15327) to authorize the Secretary of Agriculture to establish standards of classification for fertilizer, to regulate the sale and shipment thereof in interstate and foreign commerce, to prevent deception with reference thereto, and for other purposes; to the Committee on Agriculture.

By Mr. TOWNER: A bill (H. R. 15328) providing for the purchase of a site for a public building at Osceola, Iowa; to the Committee on Public Buildings and Grounds.

By Mr. ZIHLMAN: A bill (H. R. 15329) to provide for the enlargement of the public building at Cumberland, Md.; to the Committee on Public Buildings and Grounds.

By Mr. MERRITT: A bill (H. R. 15330) to provide for the purchase of a site and the erection of a public building thereon at Norwalk, Conn.; to the Committee on Public Buildings and Grounds.

By Mr. POU: A bill (H. R. 15331) for the purchase of a site and the erection of a post-office building at Louisburg, N. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15332) for the purchase of a site for and the erection of a post-office building at Smithfield, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. RAKER: A bill (H. R. 15333) requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

By Mr. ROBINSON: A bill (H. R. 15334) authorizing the Secretary of War to donate to the city of Thomasville, N. C., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15335) authorizing the Secretary of War to donate to the city of Wadesboro, N. C., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15336) authorizing the Secretary of War to donate to the city of Monroe, N. C., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15337) authorizing the Secretary of War to donate to the city of Lexington, N. C., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. MADDEN: A bill (H. R. 15338) to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof, by providing for equal and identical rights, accommodations, and privileges for all persons applying for interstate transportation, and prohibiting discrimination on account of race, color, or previous condition of servitude, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MOTT: A bill (H. R. 15339) authorizing the Secretary of War to donate to the village of Pulaski, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SCOTT of Michigan: A bill (H. R. 15340) increasing the limit of cost for a Federal building at Cheboygan, Mich.; to the Committee on Public Buildings and Grounds.

By Mr. STINESS: A bill (H. R. 15341) authorizing the Secretary of War to donate to the town of West Warwick, R. I., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15342) authorizing the Secretary of War to donate to the town of Narragansett, R. I., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. RUBEY: A bill (H. R. 15343) to provide for the erection of a post-office building at Mountain Grove, Mo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15344) to provide for the erection of a post-office building at Lebanon, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. SANFORD: A bill (H. R. 15345) to increase the limit of cost for the Federal post-office building at Cohoes, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. GRIEST: A bill (H. R. 15346) providing for the erection of a public building at the city of Lancaster, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. SINNOTT: A bill (H. R. 15347) authorizing the Secretary of War to donate to the city of Vale, Oreg., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15348) authorizing the Secretary of War to donate to the city of Pendleton, Oreg., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SMITH of Idaho: A bill (H. R. 15349) to provide for the preparation of plans for designs for a memorial or statue of Theodore Roosevelt, in the city of Washington, D. C.; to the Committee on the Library.

By Mr. ESTOPINAL: A bill (H. R. 15350) making an appropriation for erecting and equipping and otherwise providing a quarantine station at or near New Orleans, La.; to the Committee on Public Buildings and Grounds.

By Mr. DOWELL: A bill (H. R. 15351) to provide for the erection of a public building in the city of Knoxville, Iowa; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15352) to provide for the erection of a public building in the city of Indianola, Iowa; to the Committee on Public Buildings and Grounds.

By Mr. SCULLY: A bill (H. R. 15353) for the erection of a Federal building for the United States post office at Red Bank, N. J.; to the Committee on Public Buildings and Grounds.

By Mr. CONNALLY of Texas: A bill (H. R. 15354) for the purchase of a site for the erection of an addition to the post-office building at Waco, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. HUSTED: A bill (H. R. 15355) to provide for the erection of a public building in the village of Nyack, N. Y.; to the Commitee on Public Buildings and Grounds.

Also, a bill (H. R. 15356) authorizing the purchase of a site and to provide for the erection of a public building in the city of White Plains, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. BOWERS: A bill (H. R. 15357) donating a captured German cannon or field gun and carriage to the city of Belington, Barbour County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15358) donating a captured German cannon or field gun and carriage to the city of Shepherdstown, Jefferson County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15359) donating a captured German cannon or field gun and carriage to the town of Berkeley Springs, Morgan County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15360) donating a captured German cannon or field gun and carriage to the town of Moorefield, Hardy County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15361) donating a captured German cannon or field gun and carriage to the town of Terra Alta, Preston County, W. Va., for decorative purposes; to the Committee on Military Affairs.

By Mr. HICKS: A bill (H. R. 15362) to provide for the erection in the city of Washington, in memory of Theodore Roosevelt, of a museum of history and the arts; to the Committee on Public Buildings and Grounds.

By Mr. PRICE: A bill (H. R. 15363) for the purchase of a site and the erection thereon of a public building at Easton, Md.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15364) for the purchase of a site and the erection of a public building thereon at Elkton, Md.; to the Committee on Public Buildings and Grounds.

By Mr. KINCHELOE: A bill (H. R. 15365) authorizing the Secretary of War to donate to the city of Owensboro, Ky., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. SNYDER: A bill (H. R. 15366) providing that Indians and other persons residing on Indian reservations shall be subject to the State and Territorial laws relating to marriage, health, and education; to the Committee on Indian Affairs.

By Mr. EVANS: A bill (H. R. 15367) for the purchase of a site for and the erection of a building for the use of the post office and other Government offices at Lewistown, Mont.; to the Committee on Public Buildings and Grounds.

By Mr. SANDERS of Indiana: A bill (H. R. 15368) for an extension to the post-office building at Terre Haute, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. VESTAL: A bill (H. R. 15369) providing for the purchase of a site and the erection of a public building at Winchester, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. DICKINSON: A bill (H. R. 15370) to authorize the Secretary of War to furnish a German cannon with carriage and cannon balls to the Young Men's Christian Association at the city of Clinton, Mo.; to the Committee on Military Affairs.

Also, a bill (H. R. 15371) to authorize the Secretary of War to furnish a German cannon with carriage and cannon balls to the city of Urich, Mo.; to the Committee on Military Affairs.

Also, a bill (H. R. 15372) to authorize the Secretary of War to furnish a German cannon with carriage and cannon balls to the Warrensburg State Normal School, Warrensburg, Mo.; to the Committee on Military Affairs.

By Mr. GOULD: Resolution (H. Res. 534) directing the United States Food Administration to furnish the House of Representatives with certain information; to the Committee on Agriculture.

By Mr. PARK: Resolution (H. Res. 535) authorizing a clerk to the Committee on Expenditures in the Department of Commerce; to the Committee on Accounts.

By Mr. BENSON: Resolution (H. Res. 536) to pay Benjamin C. Green, clerk to the late J. F. C. Talbott, a Representative in Congress, $166.66; to the Committee on Accounts.

By Mr. BURNETT: Resolution (H. Res. 537) providing for the consideration of H. R. 15098; to the Committee on Rules.

By the SPEAKER: Memorial of the Legislature of Idaho urging Congress to provide a more equitable application of Federal aid in the construction of post roads in the sparsely settled States; to the Committee on the Post Office and Post Roads.

Also, memorial of the Legislature of Idaho asking that a day be set apart for memorial services in honor of Hon. Theodore Roosevelt; to the Committee on the Judiciary.

By Mr. DILLON: Memorial of the Legislature of the State of South Dakota requesting Congress to make appropriations to indemnify owners of lands inundated by waters from Lake Andes, Charles Mix County, S. Dak.; to the Committee on Indian Affairs.

By Mr. FRENCH: Memorial from the Legislature of the State of Idaho recommending the passage of S. 5088 and H. R. 13354; also other good-roads aid in sparsely settled States; to the Committee on the Post Office and Post Roads.

Also, memorial from the Legislature of Idaho on Col. Theodore Roosevelt; to the Committee on the Judiciary.

By Mr. JOHNSON of Washington: Memorial of the Legislature of the State of Washington favoring the passage of the revenue bill, with the exemption of grape, loganberry, and apple juices from taxation; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND of Indiana: A bill (H. R. 15373) granting a pension to Sarah E. Dillon; to the Committee on Pensions.

By Mr. MASON: A bill (H. R. 15374) granting a pension to Miranda McKnight; to the Committee on Invalid Pensions.

By Mr. MOTT: A bill (H. R. 15375) tendering the thanks of Congress to Gen. John J. Pershing, United States Army, and the officers and men under his command; and to Maj. Gen. Enoch H. Crowder, Provost Marshal General, and the members of the local and district boards throughout the United States, Alaska, Hawaii, and Porto Rico; to the Committee on Military Affairs.

By Mr. OLIVER of New York: A bill (H. R. 15376) granting a pension to Charles T. Winans; to the Committee on Invalid Pensions.

By Mr. HENRY T. RAINEY: A bill (H. R. 15377) granting an increase of pension to John Purkaple; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15378) granting an increase of pension to John McCormick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15379) granting an increase of pension to John Reynolds; to the Committee on Pensions.

Also, a bill (H. R. 15380) granting an increase of pension to Amanda L. Sevier; to the Committee on Pensions.

Also, a bill (H. R. 15381) granting a pension to Hannah Lovell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15382) granting a pension to Henry Gass; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15383) granting a pension to Elizabeth Barnes; to the Committee on Invalid Pensions.

By Mr. RIORDAN: A bill (H. R. 15384) for the relief of the owners of the steam lighter *Rudolph*; to the Committee on Claims.

By Mr. SMALL: A bill (H. R. 15385) to provide for the reappointment of Walter Chamberlain as captain of Infantry, in the United States Army; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Petition of Knox Lodge No. 654, Brotherhood of Railway Clerks, Freight Handlers, and Station Employees, of Mount Vernon, Ohio, favoring continued control of the railroads by the Government; to the Committee on Interstate and Foreign Commerce.

Also, evidence to accompany H. R. 3573, granting increase of pension to Mary A. Nichols; to the Committee on Pensions.

By Mr. BROWNING: Petition of teachers of public schools, Paulsboro, N. J., favoring Senate bill 4987, providing for the establishment of a department of education; to the Committee on Education.

By Mr. CAREW: Petition of New York State Federation, requesting immediate establishment of an equitable retirement system for Federal employees; to the Committee on Reform in the Civil Service.

Also, petition of New York Produce Exchange, appealing to the President of the United States to remove war measures and restrictions and practice of price fixing; in addition the board of managers of the flour trade request the Food Administration to issue statement that the present method of handling the 1918 wheat crop and prices thereon will not be changed; to the Committee on Agriculture.

Also, petition of fifty-fifth annual convention of the New York State Federation of Labor, demanding repeal of postal zone law; to the Committee on Ways and Means.

Also, petition of executive council of the New York Federation of Labor, favoring the repeal of the postal zone law at earliest possible date; to the Committee on Ways and Means.

By Mr. GRIFFIN: Petition of Bronx Board of Trade, Third Avenue and One hundred and thirty-seventh Street and Lincoln Avenue, New York City, favoring legislation on the control of wires by the Government; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Merchants' Association of New York City, relating to revalidating of contracts; to the Committee on Military Affairs.

Also, memorial of Bronx Congress, 914 Prospect Avenue, New York City, adopted at its one hundred and thirty-fourth session January 19, 1919, affirming faith in a democratic universal league of nations; to the Committee on Foreign Affairs.

By Mr. HAMILL: Petition of Rotary Club of Jersey City, N. J., to change the name of the Panama Canal to the Roosevelt Canal; to the Committee on Railways and Canals.

By Mr. HAMLIN: Papers to accompany House bill 15136, granting a pension to Leonard Walker, guardian of Flora Wall; to the Committee on Invalid Pensions.

By Mr. HUTCHINSON: Petition of Engineers' Club, of Trenton, N. J., favoring the enactment of legislation which will continue control and operation of the wire systems by the Government until Congress shall have studied the question and determined upon a proper and safe procedure to be followed when they are returned to private ownership; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of Washington: Petition of traffic and transportation bureau, Tacoma Commercial Club, and Chamber of Commerce, Tacoma, Wash., favoring the revival and restoration to the Interstate Commerce Commission of certain powers taken away or suspended by the Federal control act approved March 21, 1918; to the Committee on Interstate and Foreign Commerce.

By Mr. MOTT: Petition of Chamber of Commerce, Oneida, N. Y., urging continuation of Federal control over lines of communication until Congress has time to determine upon permanent policy; to the Committee on Interstate and Foreign Commerce.

By Mr. NEELY: Petition of Royal Window Glass Co., Grafton, W. Va., urging that pending tax bill be kept down to $4,000,000,000; to the Committee on Ways and Means.

Also, petition of Bank of Mount Hope, W. Va., urging that new tax bill be kept down to $4,000,000,000; to the Committee on Ways and Means.

Also, petition of National Bank of Fairmont, W. Va., urging that the tax bill be kept down to $4,000,000,000; to the Committee on Ways and Means.

Also, petition of officers of Lodge No. 326, International Brotherhood of Boilermakers and Iron Shipbuilders, Grafton, W. Va., urging Government control of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. POLK: Petition of Wilmington Clearing House Association and members of savings banks relative to forthcoming liberty loan; to the Committee on Ways and Means.

Also, petition of Farmers' Institute, held at Selbyville, Del., indorsing plan for league of nations; to the Committee on Foreign Affairs.

Also, petition of Manufacturers' Association of Wilmington, Del., relative to revenue bill; to the Committee on Ways and Means.

By Mr. WASON: Resolutions adopted at a regular meeting of the Manchester, N. H., Council, No. 195, of the Order of United Commercial Travelers of America, favoring the return of the railroads of the United States to their original owners; to the Committee on Interstate and Foreign Commerce.

Also, resolutions adopted by the New Hampshire State Federation of Labor, favoring the enactment of a law which will bring about Government ownership of railways; to the Committee on Interstate and Foreign Commerce.

SENATE.

THURSDAY, *January 30, 1919.*

(*Legislative day of Tuesday, January 28, 1919.*)

The Senate met at 12 o'clock noon, on the expiration of the recess.

Mr. CHAMBERLAIN. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Henderson	Nugent	Spencer
Brandegee	Hitchcock	Overman	Sutherland
Chamberlain	Johnson, Cal.	Penrose	Swanson
Culberson	Jones, Wash.	Pollock	Thomas
Curtis	Knox	Ransdell	Thompson
Fernald	La Follette	Robinson	Trammell
Fletcher	Lenroot	Saulsbury	Vardaman
France	McKellar	Shafroth	Wadsworth
Gay	McNary	Sheppard	Walsh
Gerry	Martin, Va.	Simmons	Wolcott
Hale	Nelson	Smoot	

The VICE PRESIDENT. Forty-three Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. FRELINGHUYSEN, Mr. KIRBY, Mr. NEW, Mr. POINDEXTER, Mr. SHERMAN, Mr. SMITH of Arizona, Mr. STERLING, and Mr. WOLCOTT answered to their names when called.

Mr. POLLOCK. I desire to announce the absence of the senior Senator from South Carolina [Mr. SMITH] on account of illness. I should like to have this announcement stand for the day.

Mr. MCKELLAR. I announce the absence of the senior Senator from Tennessee [Mr. SHIELDS] on account of illness.

Mr. SUTHERLAND. The senior Senator from West Virginia [Mr. GOFF] is absent owing to illness.

Mr. PITTMAN, Mr. KING, Mr. HARDWICK, Mr. WARREN, Mr. MARTIN of Kentucky, and Mr. POMERENE entered the Chamber and answered to their names.

Mr. SAULSBURY. I wish to announce that the senior Senator from Maryland [Mr. SMITH] is detained by illness.

The VICE PRESIDENT. Fifty-six Senators have answered to the roll call. There is a quorum present.

RESPONSE OF SOVIET GOVERNMENT OF RUSSIA.

Mr. JOHNSON of California. Mr. President, yesterday, in the course of my remarks, I was asked by the Senator from Colorado [Mr. THOMAS] if a certain response that had been made by the Soviet government of Russia had been put in the RECORD or was intended to be put in the RECORD by me. I responded then that I did not have such a response. This morning the Senator from Colorado has handed to me the response to which he then referred, and because of his suggestion yesterday and his request that it be put in the RECORD, I ask that it be printed without reading in the RECORD this morning.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

The all-Russian congress of Soviets expresses its appreciation to the American people, and first of all to the laboring and exploited classes in the United States for the message sent by the President of the United States to the congress of the Soviets in this time when the Russian socialistic Soviet republic is living through most difficult trials.

The Russian republic uses the occasion of the message from President Wilson to express to all peoples who are dying and suffering from the horrors of this imperialistic war its warm sympathy and firm conviction that the happy time is near when the laboring masses in all bourgeois countries will throw off the capitalist yoke and establish a socialistic state of society, which is the only one capable of assuring a permanent and just peace as well as the culture and well-being of all who toil.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the bill (S. 5354) extending the time for completion of the bridge across the Delaware River, authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River, approved the 24th day of August, 1912."

The message also announced that the House disagrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses; recedes from its disagreement to the amendment of the Senate No. 12 to the bill and agrees to the same with an amendment, in which it requested the concurrence of the Senate; further insists upon its disagreement to the remainder of the amendments; requests a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HOUSTON, Mr. ASWELL, and Mr. NICHOLS of Michigan managers at the further conference on the part of the House.

The message further announced that the House had passed a bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. GERRY presented a petition signed by sundry citizens of Newport, R. I., praying for the enactment of legislation providing for the national ownership and Government operation of all railroads in the United States necessary for the furnishing of transportation to the people of the United States, which was referred to the Committee on Interstate Commerce.

Mr. THOMPSON. I present petitions in the form of telegrams pertaining to good-roads legislation, one from the Kansas Editorial Association in convention at Topeka, another from the Kansas Good Roads Association, and another telegram from the governor of Kansas, transmitting information relative to the action of the Kansas Legislature. The telegram from the governor of Kansas is very short, and I should like to have it printed in the RECORD.

Mr. SMITH of Arizona. On what subject are the telegrams?

Mr. THOMPSON. On good-roads legislation and the action of the Kansas Legislature in regard thereto. I only ask to have printed in the RECORD the telegram from the governor of the State, transmitting the action of the legislature and requesting Federal legislation.

Mr. SMITH of Arizona. To the telegram transmitting the action of the legislature, I raise no objection, but to the printing of the other telegrams I object.

Mr. THOMPSON. I should like to have them noted. I do not ask to have them printed in the RECORD.

Mr. SMITH of Arizona. They can be noted by a presentation for reference.

Mr. THOMPSON. That is all I have asked.

Mr. SMITH of Arizona. All right.

Mr. THOMPSON. I ask that the telegram from the governor of Kansas be printed in the RECORD and, with the other two telegrams, referred to the Committee on Post Offices and Post Roads.

There being no objection, the telegrams were referred to the Committee on Post Offices and Post Roads, and the one from the governor ordered to be printed in the RECORD, as follows:

[Telegram.]

TOPEKA, KANS., January 29, 1919.

Hon. WILLIAM H. THOMPSON,
United States Senate, Washington, D. C.:

Kansas Legislature to-day adopted resolution requesting Congress to pass bill granting additional Federal aid for construction of highways. This is vital to the plans for immediate employment of returning soldiers.

HENRY J. ALLEN, *Governor.*

Mr. LODGE presented a resolution adopted by the Chamber of Labor of Lynn, Mass., and a resolution adopted by the City Council of Peabody, Mass., favoring the granting of six months' pay to honorably discharged soldiers and sailors, which were referred to the Committee on Military Affairs.

Mr. TOWNSEND presented a petition of the Federation of Labor of Detroit, Mich., praying for the establishment of a department of education, which was referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of St. Clair County, Mich., praying for the proposed extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

Mr. HALE presented a petition of the Maine State Poultry Association, praying for an appropriation to carry out the poultry extension work by the Bureau of Animal Industry, which was referred to the Committee on Agriculture and Forestry.

Mr. WARREN presented a resolution adopted by Local Union No. 900, Brotherhood of Railway Carmen of America, of Cheyenne, Wyo., favoring Government ownership of railroads and other public utilities, which was referred to the Committee on Interstate Commerce.

ST. CROIX AND CHIPPEWA INDIANS.

Mr. LA FOLLETTE, from the Committee on Indian Affairs, to which was referred the bill (S. 4699) for the relief of the St. Croix and Chippewa Indians of Wisconsin, reported it with an amendment and submitted a report (No. 672) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 5480) to increase the cost of the public building at Park City, Utah; to the Committee on Public Buildings and Grounds.

A bill (S. 5481) granting a pension to William E. Hughes (with accompanying papers); to the Committee on Pensions.

By Mr. POMERENE:

A bill (S. 5482) providing for the refund of taxes collected for stamp tax on certain policies under the emergency-tax act of October 22, 1914, under the proviso to which act such policies were exempt; to the Committee on Claims.

A bill (S. 5483) granting an increase of pension to James Rowland; to the Committee on Pensions.

By Mr. REED:

A bill (S. 5484) to authorize the commissioning of Maj. Robert W. Barr (with accompanying papers); to the Committee on Military Affairs.

AMENDMENT TO APPROPRIATION BILLS.

Mr. JONES of Washington submitted an amendment authorizing the Indian tribes and individual Indians residing in the State of Washington and west of the summit of the Cascade Mountains to submit to the Court of Claims certain claims growing out of treaties and otherwise, intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. PENROSE submitted an amendment proposing that the officers and members of the fire department of the District of Columbia be divided into two bodies or platoons by the Commissioners of the District of Columbia, which shall be designated as a day force and a night force, etc., intended to be proposed by him to the District of Columbia appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

HOUSE BILL REFERRED.

H. R. 15140. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

VALIDATION OF WAR CONTRACTS.

Mr. CHAMBERLAIN. Mr. President, I must say that hereafter I shall request that the Senate proceed with the regular order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

The VICE PRESIDENT. The question is on the amendment of the Senator from Nebraska [Mr. HITCHCOCK].

Mr. KIRBY. The Committee on Military Affairs had this bill under consideration for some time. It had the views of the War Department about it; it had the views of the different chambers of commerce and boards of trade of the great cities of the country; it had the views of their legal departments about the effect and scope of the bill.

The subcommittee reported the bill as insisted upon by the Senator from Nebraska [Mr. HITCHCOCK], and so far as I know that bill was considered and reported by the full committee without taking into consideration the views of either the contractors, who were supposed to be given a remedy, or the War Department, which had authority or was to be given authority to settle these matters. At least, there was no statement——

Mr. McKELLAR. Mr. President, I merely wish to correct the Senator. I know he does not want to present the matter in any other than the true way. The committee heard representatives of the War Department and representatives of the contractors.

Mr. KIRBY. The statement of their views was not referred to the entire committee with the bill, so far as I know, and that is the reason I made the statement.

But coming down to the main proposition, and we had just as well face this matter and get through with it, I wish to say just a few words. These informal and defective contracts it is urged ought to be validated, that the men who made the contracts and did the work and expended money in compliance with them are not at fault and ought to be compensated. They are, however, asking for an additional and a better remedy than is vouchsafed under existing law to men who had valid contracts and whose contracts were canceled because the Government could not use the munitions and supplies that had been ordered and contracted for after the armistice. Those men who had valid contracts and whose contracts have been canceled because of the armistice having been signed must resort to the regional boards which have already been constructed. The claim comes through the regional board to a central board that has been established in the War Department here, then through the hands of the Secretary of War and then to the Court of Claims if the parties are not satisfied with the award made. These men came and said, "We want a remedy here for the validation of our contracts; we must be provided a remedy, we have none whatever; our contracts are invalid or informal or have not been completed, and we have expended our efforts and expended our money and we are entitled to compensation."

The bill as reported by the subcommittee, insisted upon by the Senator from Nebraska [Mr. HITCHCOCK] and the Senator from Tennessee [Mr. McKELLAR], provides, as the other bill proposed by the committee does, that only when he regards that the public interest requires it the Secretary of War shall validate the contract.

The first bill introduced did not provide that on a quantum merult a man might recover who had no contract at all, who had been ordered to produce certain stuff, and had, in fact, expended money in producing it.

The bill as proposed here provides that both the men whose contracts were valid and have been canceled and those who claim rights under informal contracts may have the benefit of this additional board, this commission of appeals or board established down here, to pass on these claims. They all may have that, as I understand it. The claim goes through the regional board, composed of the best men in the district—business men; it goes through the central board already created in the operation of the War Department; and it goes to the Secretary of War for a final determination, and then it will go to this new board proposed to be created in the Chamberlain bill, and from there, if the parties are not satisfied, it can be taken to the Court of Claims.

That certainly is providing enough machinery and a sufficient remedy for any man who has no valid contract to start with. This has been done in order that the matter may be handled expeditiously.

It is objected that the War Department ought not to be permitted to settle these matters, because it was through its fault that the contracts were not legally made in the first instance. That may or may not be true. The contracts certainly were not made through any intentional mistake of the War Department nor were they invalid on that account. It may be that there was not time enough to prepare and properly execute the contracts, and certainly the orders have not been regarded as executed contracts and could not be, the parties not having had time to reduce the terms of the contracts to proper form, the speedy delivery of the things that were necessary being insisted upon.

The War Department, under the law as it is, settles for the Government all the claims for compensation and damages under canceled valid contracts until there is some additional legislation provided. Why should not the War Department have also been permitted to settle with the contractors who have invalid and informal claims, as it is allowed to settle all of the claims under canceled valid contracts. The War Department is familiar with the whole transaction from its beginning to its completion, and has the machinery arranged for the settlement of such claims; but it is contended that in the settlement of claims arising out of these informal illegal contracts the War Department might be overreached or that some man in the War Department might be in collusion with the contractors and claimants. Certainly the very same objection would apply to settlement of claims under other contracts.

But grant that is an objection which is to be considered. We have had to trust the War Department for the making of previous contracts; we have trusted the War Department for the cancellation of valid contracts; and we, under the law, must trust the War Department for the settlement of claims for damages under valid contracts, subject only to appeal to the Court of Claims.

Now, the contractors who have these invalid contracts want an additional remedy over the remedy which was provided even for the settlement of valid contracts or claims thereunder. They say, "We distrust the War Department; we do not believe that they will do justice." But they do not distrust the War Department for the same reason which the Senator from Nebraska [Mr. HITCHCOCK] and the Senator from Tennessee [Mr. McKELLAR] do. They, the contractors, distrust the War Department for fear that the War Department will do its duty by the Government too strictly and will allow them too small a margin on their claims. They say, "We want this additional court here," and their attorneys and the representatives of the 6,000 contractors say that they believe this constitutes a fair tribunal for the adjustment of differences that must necessarily arise under the conditions which now exist, and that they believe it will act speedily and give them that measure of relief which they ought to have. That is their understanding.

The War Department believe that under the system provided and proposed in the bill reported by the majority of the committee they can get these matters settled within a reasonable time, and if there is any complaint of favoritism shown by the War Department, or if there is any complaint of anything having been done wrong or by collusion with the War Department, that can be objected to and appealed to the commission that is proposed to be created. After the case has gone to the commission, if the claimants are not satisfied with the award that is made, they can then appeal to the Court of Claims. There is that much machinery to take care of the men who had not valid contracts in the first instance, and this is but an additional commission of claims that is created in order that they may have absolutely a fair deal, and they can not complain that they have not been fairly treated, that they have been paid too little, or their rights have been disregarded by the War Department.

Now, let us see whether or not there is necessity for it. The Senator from Nebraska and the Senator from Tennessee say that there ought to be a new and entirely different system; that their commission of claims should investigate the conditions by agencies established by the commission—regional boards here, there, and yonder—and then let all of the cases go to the commission of claims, let them all be settled in that way, and that then the Government will be fairly treated and the contractors protected. Let us see what will be the effect of that.

Mr. President, there are 6,000 contracts which it is proposed to validate, which it is proposed to recognize as obligations upon the part of the Government, perhaps. In any event there will be 6,000 claims which necessarily will arise for compensation under these contracts. Under the Hitchcock bill as proposed they will go to this commission, and the argument of the Senator from Nebraska about the operation of the commission created by his bill is that the cases will go to the commission already passed upon by all of the agencies of the War Department, with a report stating whether they approve or disapprove of any particular thing. His idea seems to be that the commission will go into an examination of these matters, pass upon the justice of the award, and that there can then be no question but that the contractors and the Government will both be protected.

What will be the effect of it? Six thousand claims are to come before the proposed commission. The Supreme Court of the State of Arkansas consists of five judges, good lawyers, and most efficient in the transaction of the business coming before them, and yet that court can pass on—and does generally pass on—but 625 cases a year. In those cases transcripts are provided, and abstract of the testimony is made, showing just exactly what the claim is; the judgment of the lower court is filed, and the briefs of the attorneys, and yet it takes the Supreme Court of Arkansas—and I do not believe there is a more efficient court in the United States to-day—10 or 11 months to pass on and decide 625 cases and write the opinion therein. There are 6,000 cases here, and it will take the proposed commission—if they examine the cases that are brought before them—10 years to pass upon the justice of all the claims. At any rate, it can not be done, in my opinion, at all within less than six or seven years, if an examination is made such as would give the commissioners any idea of the fairness and justice of the claims.

That is the condition, I believe, that confronts the people who are asking for this remedy and who say that it is absolutely necessary not only to their own financial safety but to the prosperity of the country. A billion and a half of dollars are tied up in this kind of contracts in this kind of claims. It is provided in the bill that is proposed by the committee that, if the claimants are not satisfied with the award handed down by the commission of claims, they may appeal to the Court of Claims after being paid 75 per cent of the award. I do not believe they ought to be paid one cent of the award in case of appeal. I believe the Government ought to have a reasonable opportunity to settle these cases at what it believes is the right amount that ought to be paid under all the circumstances; but when it comes down to a settlement, if the Government says, "We will pay you so much," and the claimant says, "I ought to have so much more," and the Government says, "We will pay you that or you can go to the Court of Claims," then a man would take some little thought before he appealed to the Court of Claims, thus delaying the matter further. If he were offered a reasonably fair settlement he would settle, and the Government and himself would both be protected, and their interests promoted by the immediate settlement of the cases.

As to the Hitchcock bill, if there was ample time, I do not know that there would be any great objection to it. So far as I am concerned, I should like to see that court or commission stricken out of the bill entirely. It is said, "We ought not to let the War Department settle a claim where it has made the contract." Why not? They were authorized to make the contract in the first instance, and every officer is presumed to do his duty; then, why not let them settle it? If you and I have a contract in regard to a certain matter and I am to furnish you so much lumber and you come to me next week and say, "I do not want that lumber, I do not need it, I have changed my plans," and I say: "Yes; but you agreed to take it; here is your contract," and you say: "All right, I will not take the lumber, but I am going to pay you the damages; what are the damages?"

Then the two contracting parties get together and see if they can agree on the amount of damages. That has always been the practice; that is right, and it ought to be so, but every man must minimize his damages as much as he possibly can. That is the condition of the people who have made contracts with the Government. They, the War Department, say, "We are ready to negotiate with you about a settlement; we understand the whole thing." Then, under these circumstances, the bill proposes to provide a new commission that can hear these cases at some time in the near future and hope to conclude the consideration of them all without unreasonable delay.

It is provided that the commission proposed by the Hitchcock substitute shall enter upon the hearing of these claims, and I

say it will take it from six to seven years to finish them up if the commission learns enough about each claim to pass intelligent judgment upon it.

It does not make any difference to me whether one or the other measure is passed, except from the standpoint of promoting the public interest and of dealing fairly and justly with the men who have expended money and delivered material for the Government's benefit in a time of emergency. I believe they ought to be reimbursed, but I do not believe that under the Hitchcock bill it can be done in anything like time enough to save the contractors and promote the interests of the country.

LEAGUE OF NATIONS.

Mr. POLLOCK. Mr. President, it is extremely unfortunate that the Congress of the United States should be called upon to consider legislation, such as that which is before the Senate, involving the payment of perhaps more than $2,000,000,000 on so-called illegal or irregular contracts. That situation could not have arisen under normal conditions, and we would not to-day be called upon to consider a bill such as that which is now before the Senate had it been possible for the United States to have remained out of the great war which has shaken the whole world. Therefore, it may not be inappropriate at this time to submit some remarks on the general situation which confronts the whole world at this time, especially in regard to the effort that is being made by peoples all over the world to try to work out some plan whereby war may be made a thing of the past.

Mr. President, it is not as a former Secretary of State who has well and ably guided our Nation in its international relations, nor as a distinguished member of the Foreign Relations Committee who has displayed great learning and ability in shaping our foreign policies in the Senate, nor yet as a great orator of long service and recognized ability the world over in this body, that I would address you to-day, but merely as an ordinary man and as a humble Member of the United States Senate, unknown largely beyond the limits of my own State, fresh from contact with the plain people of America, that I would try to-day to voice the sentiments and express the hopes of the plain peoples of America and the world on the question of a permanent peace of the world, as near as that may be attained, and to submit my views on the effort that is being made to organize a league of nations to secure and maintain the peace of America and of the world.

I feel some delicacy, sir, in imposing upon the time of the Senate, but each of us in this body, composed of 96 out of a population of more than 100,000,000 of free American people, has the voice and the vote of more than 100,000,000 citizens of this great Republic, and I feel, sir, that when this most momentous question of all the ages is hanging in the balance that I should be recreant to my duty and shirking a responsibility did I not raise my voice in protest at much which has been said in this Chamber and elsewhere in regard to this supreme question, which is in the mind of thinking people everywhere.

I have listened with some impatience at the petty partisan criticisms of the President of the United States indulged in by some Senators on account of his visit abroad to confer with the leaders of the other great nations of the world, with whom we have been associated, in regard to the great settlements that must come as a result of the great world war just ended. I have noted with pity the action of certain Senators in having inserted in the RECORD newspaper clippings and other articles tending or attempting to bring the President of the United States into disfavor and contempt and ridicule of the world. I have pitied these men because they are injuring not the President in his great undertakings, but they are making themselves small indeed in the estimation of the American people.

The question of establishing a league of nations to maintain the peace of the world is not a political or partisan question; it is earnestly championed and advocated by the only two living Presidents of the United States—the one a Democrat, the other a Republican; but both, sir, of the very finest type of patriotic Americans—the one with power to act for America while he speaks, the other with power only to help create the proper sentiment in the country and to counsel and advise with those who have the power to act. All honor to William Howard Taft along with Woodrow Wilson. They are both playing their part in this great hour when the world needs men, high-minded men who would advance rather than retrograde, who would build up rather than tear down.

It is very easy to find fault, but it seems to be very hard for a partisan to be fair. It is very easy to tear down, but very hard to build up. It is easy to be destructive, but impossible for the narrow-minded bigot to be constructive. There has been enough of destruction and death in the world during the past four years to satisfy even the most savage. It is now time for us to turn aside from war with all its ruin and misery and see to it, if possible, that nations are controlled as our Nation controls the several States and as our several States control the individuals in those States. There was a time when individuals settled their differences by might, regardless of right; likewise families and neighborhoods and clans settled their differences; but the human race has advanced, civilization has progressed, and law and order has evolved out of brute force. Men formerly fought duels, and thus settled their disputes. To-day he who kills his fellow man in a duel is an outlaw and a murderer, and the time will come—aye, it has already come—when a nation that makes war upon another except in self-defense or in the defense of civilization will be an outcast, an outlaw, and a murderer amongst the civilized nations of the world. The great anthem of the world to-day is peace—peace on earth, good will toward men. Every nation that has been at war has disclaimed responsibility for this war and declares that it only fought that fighting might be no more.

Every nation on earth yearns for perpetual peace, and I say that when the whole world wants the same thing at the same time for the whole world, then the world can and it will get that thing, and by the help of the great God of nations all the forces of hell can not prevail against it. This yearning for peace is in the hearts of the civil populations of the world, who have seen their loved ones wounded and bleeding and dying on the battle fields, who have seen their homes destroyed and their lands desolated, and who have seen their women violated and their innocent children tortured and crucified. This yearning for peace is in the hearts of the brave men who have gone forth to do and die for the cause of human liberty and freedom. They have seen the horrors of war; they have endured its agonies; they have witnessed its sufferings; they know the uselessness, the folly, the criminality of war except as it is fought in defense of home and country and civilization. They realize the crime of making unnecessary war, and he who to-day sneers at peace and every honest effort that can be made to effectuate the peace of the world as "a sort of international mutual admiration society, with the Sermon on the Mount for a constitution and the Apostolic Creed for a guide," will find that he is completely out of harmony with the spirit of the great American people, and especially that gallant army of 2,000,000 heroes who crossed the Atlantic Ocean to stop the mad dog of Europe in his wild orgy of destruction and murder. Let such a one read the letters from the men who have been over there, who have endured hardships beyond expression, who have laid out in mud-filled, water-soaked trenches for weeks at a time without changing clothes, who have gone out finally over No Man's Land and have witnessed the death of comrades all around them, who have finally fallen wounded on the field of honor with no one to render succor; fighting for you and fighting for me, fighting for loved ones, fighting for home, fighting for country, and fighting for humanity; read what these men say, learn what they have learned, see what they have seen, get their viewpoint, and you will no longer sneer at this great longing of the human race.

And he who sneers at peace is not much, if any, worse than that man who criticizes and finds fault with every effort, every suggestion for the accomplishment of peace. The conscience of the world is awake, the wisdom of the world is aroused, the mind of man has taken up the great problem, and it befits every man, and especially every one in high responsible position, to cease finding fault with others' ideas, except as he may point out other ideas that will the better effectuate the purposes of the world, and the greatest purpose of the world to-day is the peace of the world.

The President of the United States has been harshly criticized for going abroad at this time and not remaining here to advise the Congress by those partisans who would not heed and follow his advice if he were here. He has been criticized for not disclosing to these enemies of the administration what terms of peace he may have in mind when they well know that neither Woodrow Wilson nor the combined peace delegates from this country can dictate the terms of peace. He has been attacked by Senators in a partisan spirit for not telling them what are the details of his scheme for a league of nations for the preservation of the peace of the world when they well know that such details must be the result of the combined wisdom and judgment of the representatives of all the allied nations, and possibly later of the representatives of the greater neutral countries of the world. They say that they want a lasting peace, but they are unwilling that the President shall go amongst the peoples whose support we must have to attain that result to get their opinions and to give them his judgment in order that an overwhelming sentiment may be created throughout the world for that peace which all true men must wish.

They demand that he shall give them advice which they will not take rather than confer with our partners in this great affair, to the end that out of the common councils of mankind some plan may be evolved that shall insure the world against a recurrence of the awful carnage that has desolated a continent and put the whole world in mourning.

Sir, those whose voices and whose words are potent to fix the opinions and direct the actions of a considerable part of our people, and who have some influence over the people of foreign lands by reason of holding for the time being high positions at the hands of the American people, have a great, an awful responsibility resting upon them. They can aid or they can retard the progress of civilization. If they would but forget self for a while, if they would rise to the true stature of full manhood, if they would but consider the men in the Army and the Navy, if they would look upon the sick, the wounded, and the dying who have sacrificed the comforts of life that this free Nation might still endure, that we might still have the opportunity to declare the policies and enact the laws by the suffrage of these people for the conduct of this great Republic, if they would but look upon the almost endless rows of new-made mounds mid the poppy fields of Flanders, if they would but look into the once happy homes of the world and see there the vacant chairs that stand "mute witnesses of the dissolution of the grave," it does seem to me that at this time, when the fate of the human race is in the balance, that Senators could forget that they are Democrats or Republicans; that they would remember that they are first of all Americans—Americans above State or section or party and as true Americans they are citizens of the world, with the interest of the whole human race at heart.

Our soldiers and sailors were neither Republicans nor Democrats. They came from no State nor section. They went into the Army and Navy as Americans, and when they had gone to the fields of battle they were brigaded with the men of our allies. They fought under the supreme command of that greatest of all modern commanders, Gen. Foch. They fought as soldiers of civilization side by side with the men of other countries, having the same end in mind, saving the world for liberty and freedom, and making the world a decent place for the habitation of man.

Did America lose her dignity or sacrifice any of her sovereignty when Gen. Pershing placed at the disposal of the allied high command the whole of the American forces? Did America in any degree lose any of her independence when by an almost unanimous vote of the American Senate and Congress, under the advice of the President, she cast her lot with the peace-loving, law-abiding nations of the world against the brutal, savage forces of the central powers that would have destroyed free governments from the world and set up military despotisms in their place?

If that be true, then the vast majority of this body, the vast majority of the other branch of the Congress, the vast majority of the American people who indorsed and applauded your action, must plead guilty to the charge of treason to our country, and the soldiers and sailors who have written a new chapter of glory into the pages of world history must admit that they fought as they had no right to fight. We went into this war not alone to avenge our own wrongs, not alone to defend our own rights, but, in addition to this, to protect and preserve the freedom and liberty of the world. To quote the words of Henry W. Grady:

> We, sir, are Americans, and we fight for human liberty. The uplifting force of the American idea is under every throne on earth. France, Brazil; these are our victories. To redeem the earth from kingcraft and oppression; this is our mission, and we shall not fail. God has sown in our soil the seed of His millenial harvest, and He will not lay the sickle to the ripening crop until His full and perfect day has come. Our history, sir, has been a constant and expanding miracle from Plymouth Rock and Jamestown all the way, aye, even from the hour, when from the voiceless and trackless ocean a new world rose to the sight of the inspired sailor. * * * Let us resolve to crown the miracles of our past with the spectacle of a Republic, compact, united, indissoluble in the bonds of love, loving from the Lakes to the Gulf, the wounds of war healed in every heart as on every hill, serene and resplendent at the summit of human achievement and earthly glory, blazing out the path and making clean the way up which all the nations of the earth must come in God's appointed time.

I sprang from the loins of Virginia, where my father entered the service of the Southern Confederacy. I was born of a South Carolina mother in that State, which was one of the original thirteen Colonies that formed this wonderful Union, that State that was first to secede from the Union. I am a product of the Civil War; had it not been for it my parents would probably have never met and I would never have been. I love the State of my father. I love the State of my mother. I love my own State, and I glory in its people and its history, but I love my country more than I love any State, and I thank God that it was not in the divine American plan that there should be two countries where only one now exists. I find pride in Bunker Hill as I do in Kings Mountain. I find satisfaction in Appomattox, as I find joy in Yorktown. And when I say to you to-day that I am glad there is no Southern Confederacy, and I am overjoyed that the Union was preserved and has become forever indissoluble, I believe that I express the sentiments not only of the younger generation in the South but also the sentiments of the few remaining gallant men who wore the gray in the sixties and who after four years of brave fighting for what they conceived to be their rights returned to their desolated lands and ruined homes broken in fortune but undismayed in spirit, and beat their swords into plowshares and took up again with the same fortitude that had sustained them in war their peaceful pursuits as citizens of this great country to which they again had sworn their allegiance. And I call upon the whole world to witness that my people have been true to that allegiance; they have paid their share of the burdens of Government when they had but little from which to pay; they have poured their paltry earnings into the lap of industry; they have furnished all sections of this land with many of its brightest minds; they have furnished much of the very finest of American character uncontaminated by evil foreign influences; they have supplied their full quota of men for the Spanish War and for the great world war that is just happily coming to an end; those men joined with the men from all sections of America to make up the great American Army of freedom, liberty, and peace. They fought side by side with the men from every State in the American Union under the same flag that is loved in South Carolina as ardently as it is loved in New England. They mingled their life blood with the blood of all America on the battle fields of Europe, and the pages of American history are the richer for the sacrifice, and so to-day the American people are nearer one in purpose and in spirit than they have been for more than a half century.

The Army, with a northern man at its head, and the Navy, with a southern man at its head, know no North, no South, no East, no West—they know no section nor creed except America and what for America and the world is best. And, sir, in the Army and the Navy there are no Democrats nor Republicans—there are only American patriots, in civil life of all creeds and faiths and peoples banded together for a common purpose—the freedom and liberty and peace of the world, and I say to you to-day that the world can not be satisfied with anything less than the full fruits of all the sacrifices that the world has made—I say to you that we did not go into this war merely to humble the proud spirit of the central powers—we did not go into this war merely to tear down empires and thrones—we did not go into this war merely to banish kings and kaisers, but above all we went into this war to destroy militarism and destroy it for all time, and that can be done and it will be done by the creation and establishment of a league of nations to preserve and enforce the peace of the world. This is no new idea with me. As far back as the Fourth of July, 1912, speaking in South Carolina on the Nation's birthday I used this language, and these figures seem so small in the light of the present:

> The total ordinary disbursements of the United States for last year amounted to more than $650,000,000. Of this amount about 70 per cent was for the War and Navy Departments and for the payment of pensions growing out of former wars. In other words, my friends, the idea of war—wars of the past and preparation for wars of the future—is costing the American people $438,000,000 annually, and this, my friends, is growing every year. This appalling statement of itself, it seems to me, is enough to make a practical, common-sense people stop and think.

Permit me to say right here that when we consider that this war has cost the American people more than $30,000,000,000—more money than has been spent by this Government since its beginning up to the outbreak of this war—when we consider that England has spent more than $40,000,000,000 and France a corresponding amount, if for no other reason the people of America and the people of the whole universe ought to stop and think of the burdens that are being placed upon the present generation, and upon generations yet unborn.

> But when we consider that war never settles a controversy according to the justice of the cause—when equity and righteousness have no place in the final termination—when power and force are after all the determining factors in the question, and when the green valleys are painted a rich red with the lifeblood of thousands and tens of thousands of human beings who are called upon to sacrifice home and family and life on their country's altar, is it not time for us, a great Christian Nation, the hope of the world, in the great march of progressive thought and of civilization to seek about for a way to abolish war from the face of the world?
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> Just as 50 years ago, on the old muster field, the biggest man in the eye of young America was the one who could lick any other lully—just as a few years ago the biggest man was the one who, after a quarrel with his neighbor, could shoot the truest in the duel, just as the result of force settled differences between man and man, so still to-day the most powerful nation, with the greatest navy and the biggest army and the fullest treasury, lords it over the weaker nations of the earth, and every big nation feels called upon to be as fully

prepared for war that may never come as its strongest competitor for world power.

In the great Civil War the Federal Government put in the field 2,722,000 men—the Confederate Armies numbered about 750,000 men—the Federal Government lost about 350,000 men and the Confederate Army lost about 133,000 men. Think also, my friends, of the other wars of the United States and of the other nations of the world. Remember that it is to the advantage of every country on earth that the enormous expenses of war and fearful sacrifice of human life should cease, and I ask you is it hoping for too much when I suggest that this Government should take the initiative and try to get the other nations of the earth to join in a treaty whereby they would agree to submit all their differences to an international court of arbitration in which all nations have a representative except those who might be parties to the controversy—disband their armies except enough to insure domestic tranquility—disarm their navies except to jointly maintain a navy sufficient to cope with the navy of any one country which refuses to enter into the compact, and then say to the world, "Thou shalt not commit murder."

South Carolina has always been progressive; she has always dared lead the way; she can on this anniversary of the Nation's birthday send out a message to the Nation and to the world of "Peace on earth, good will toward men," and I verily believe that that message taken up by the great Democratic Party and carried to the four corners of the earth by that greatest of American statesmen, William Jennings Bryan, who, like Clay and Webster and Calhoun, is too great to be president, commissioned by that other great man, Woodrow Wilson, the next President of the United States, will be received and acted upon by all the great Christian nations of the earth.

A part of my prophecies in that speech have come to pass. Woodrow Wilson has twice since that been elected President of the United States. Bryan was made Secretary of State and sought to draw the Christian nations of the world together in treaties that would have made war a remote possibility, if not an impossibility; but Germany, fully prepared for war, would not enter into such a treaty as was proposed. She had her great army and navy and her ambition for world domination staked upon her power, which was being increased daily; she had to justify her military preparations, with its enormous burden of taxes, before the German people, who were groaning under the burden, and so it was not given to the world to see that peace for which the plain people of the world prayed without another, and, we all hope, a final trial of armed force.

But to-day the only country, Germany, that stood in the way of the peace of the world lies prone and prostrate at our feet, stripped of all her power for evil and compelled to make any kind of peace that the conscience of the world may dictate, and I say, sir, that we, the American Senate, whether we be Republicans or whether we be Democrats, will be recreant to our duty and false to our people and traitors to the human race if we do not here and now highly resolve that we will lay aside all partisanship and all carping criticism, all faultfinding, unless we can suggest something better, and encourage, and advise with our representatives at the peace council at Versailles as to the best way to effectuate the hopes of mankind and the plans of God for the peace of the world for to-day, to-morrow, and forever. We have the great nations of the world banded together now in a way they have never been before—we see them linked together by a common purpose and a mutual interest that was never before conceived—we find them hating together the common foe of humanity and loving together the purest dream of the world, and while they are so banded and linked together there can be nothing of so great consequence as the perpetuation of the peace of the world. To-day is the time, to-morrow may be too late, and so I say that he who would postpone the consideration of the creation of a proper league of nations is hardly less an enemy to the human race than he who comes out boldly in full opposition and prates about the sovereignty of the United States and declares that he will not consent to arbitrate the Monroe doctrine and will not agree to send American boys to fight other peoples' battles thousands of miles away.

I shall not attempt to go into minute details as to the exact terms and provisions of a treaty or agreement for a league of nations. That must be worked out, if at all, by the peace delegates at the council, but, Mr. President, as I think of the world my mind turns back to nations; as I consider nations the United States of America rises before my vision, and I see here 48 sovereign States, originally 13 sovereign independent States or countries, bound together into the greatest Nation of the world. How came this about? When the Declaration of Independence was published to the world on the 4th day of July, 1776, 13 free and independent States were born, and until the adoption of the Articles of Confederation on the 15th day of November, 1777, there was nothing to bind these States together save the Declaration of Independence and the words therein contained, "We mutually pledge to each other our lives and fortunes and our sacred honor."

Then, Mr. President, on the 15th of November, 1777, was adopted the Articles of Confederation by the delegates of the United States of America, wherein it was provided "that each State retains its sovereignty, freedom, and independence," and wherein it was provided that "the said States hereby severally enter into a firm league of friendship with each other for their common defense, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other against all force offered to or attacks made upon them or any of them on account of religion, sovereignty, trade, or any other pretense whatever." It was also provided that "no State shall be represented in Congress by less than two, nor by more than seven Members." Again, it was provided that "no two or more States shall enter into any treaty, confederation, or alliance whatever between them without the consent of the United States in Congress assembled," and again it was provided that "no vessels of war shall be kept up in time of peace by any State, except such number only as shall be deemed necessary by the United States in Congress assembled, for the defense of such State or its trade; nor shall any body of forces be kept up by any State in time of peace, except such number only as in the judgment of the United States in Congress assembled shall be deemed requisite to garrison the forts necessary for the defense of such State."

Again, it was provided that "no State shall engage in any war without the consent of the United States in Congress assembled, unless such State be actually invaded by enemies * * * and the danger is so imminent as not to admit of a delay till the United States in Congress assembled can be consulted." Further, it was provided that "all charges of war, and all other expenses that may be incurred for the common defense and general welfare, and allowed by the United States in Congress assembled, shall be defrayed out of a common treasury which shall be supplied by the several States" proportionately as the Congress of the United States shall from time to time direct and appoint, and finally it was provided in Article IX: "The United States in Congress assembled shall have the sole and exclusive right and power of determining on peace or war" except in cases of invasion or imminent danger of invasion, and of "entering into treaties and alliances, provided that no treaty of commerce shall be made whereby the legislative power of the respective States shall be restrained from imposing such imposts and duties on foreigners as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever." And, further, it is provided that "the United States in Congress assembled shall also be the last resort on appeal in all disputes and differences now subsisting or that may hereafter arise between two or more States concerning boundary, jurisdiction, or any other cause whatever," which authority, it was provided, was to be by arbitration fully set out in the Articles of Confederation, and was to be "final and conclusive."

The Congress was further given the power "to build and equip a Navy, to agree upon the number of land forces, and to make requisitions from each State for its quota."

Such were some of the provisions of the Articles of Confederation, adopted November 15, 1777, and ratified by all of the 13 States, save Georgia, by their respective delegates July 9, 1778, and ratified by Georgia about two weeks later. Such was the compact of peace and friendship among the States until the adoption of the Constitution of the United States in a convention held for the purpose on the 17th of September, 1787, and ratified by the requisite number of States in June, 1788.

And what changes in the scheme of the league of States for "to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity" were made in the Constitution from that provided in the Articles of Confederation? Turn to Article I, section 10, and you there find "No State shall enter into any treaty, alliance, or confederation." "No State shall, without the consent of Congress, keep troops or ships of war in time of peace, enter into any agreement or compact with another State or with a foreign power, or engage in war unless actually invaded or in such imminent danger as will not admit of delay."

A Congress is provided, composed of two Houses, in which each State has equal representation in the one and proportionate representation in the other. The Congress is given power "to declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water." "To raise and support armies." "To provide and maintain a Navy. To make rules for the government and regulation of the land and naval forces. To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions. To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States." "To make all laws which shall be necessary and proper for carrying into execution the foregoing powers and all powers vested by this Constitution in the Government of the United States or in any department or officer thereof."

A Chief Executive is provided, elected by the States, not according to population alone, but by reason of the sovereignty of the State; each State has two electoral votes in addition to what it might have if the electoral vote were based on population alone. He is made Commander in Chief of the Army and Navy of the United States.

A Supreme Court is provided, with "such inferior courts as the Congress may from time to time ordain and establish," and the judicial power extends "to controversies between two or more States; between a State and a citizen of another State; between citizens of different States; between citizens of the same State claiming lands under grants of different States; and between a State or the citizens thereof and foreign States, citizens, or subjects."

This, Mr. President, is the plan adopted by the fathers of our country to provide peace on the North American Continent. This plan, conceived in the minds of the pioneers of democracy, has kept the peace of America for nearly a century and a half, except for the unfortunate Civil War, and that war would probably never have occurred had the right or absence of the right to secede been made clear in the Constitution. The framers of the Constitution and the authors of the Articles of Confederation had nothing similar to guide them, they had no experience of a great Republic, such as ours, to point the way. They had but to trust in the God of Nations to guide their intellects, circumscribed as the human understanding must be. They went out into the trackless ocean and uncharted seas and made the greatest human experiment in political government that has ever blessed the world, and while they groped in the dark with a divine faith in the wisdom and integrity of their purpose, we of to-day have the benefit of more than a century of the light of experience to guide us and the whole human race in the greatest governmental venture of the ages.

It seems to me, Mr. President, that the fathers of the Republic have written out the chart and have pointed us the way to the peace of the world to-day, to-morrow, and forever. When they thus provided for the American States we were far away from the balance of the world. We had no steamships, no telegraphs nor cables, no wireless that flashes the happenings of the whole world through distance, and it was because of these things that George Washington warned the American States "to steer clear of permanent alliances with any portion of the foreign world," and it was because of this that he directed the attention of America to the fact that—

> Europe has a set of primary interests, which to us have none or a very remote relation.
>
> Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities.

It was because of our "detached and distant situation," as it then existed, that he wisely asked:

> Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

To those who would to-day say that America should not form a league of nations to preserve, maintain, and enforce the peace of the world I would say that conditions have changed, our situation has been altered, distance has been destroyed, and time has been annihilated; we do not longer occupy a position of aloofness and isolation from the balance of the world; we to-day have reached that position in our upward march that we are not only a great country and a wonderful Nation, but we are to-day a very large and important part of the whole world and of the whole human race.

And this leads me, sir, to say that we have not followed this advice at all times, neither does that advice conjure us not to enter into temporary alliances nor to stay out of the extraordinary vicissitudes of the world. And surely no one will say that the present European conditions are "ordinary vicissitudes of her politics or the ordinary combinations of her friendships or enmities."

I would direct attention to the fact that we entered into a temporary alliance with France to obtain our freedom and independence—our country was born out of an alliance with France, whose aid in the American Revolution was so timely; we entered into an agreement with England to prevent the French settlement of the great country beyond the Mississippi, and thereby made possible the great Louisiana Purchase from France. We entered into an agreement or alliance with England whereby we were able to announce and maintain the Monroe doctrine—we, by that doctrine, practically set up a protectorate over the American hemisphere—we committed ourselves, for our own protection, to the preservation of the sovereignty and integrity of the American countries in Central and South America—all foreign countries—and we have in this great world war formed an alliance with the great civilized nations of the earth against the central powers of Europe. So that to those who quote Washington's Farewell Address I reply, conditions have changed and our situation is altered; that this is no ordinary condition that might menace our peace by entrance into a league of nations, but it is an extraordinary condition out of which we seek to preserve and protect the peace, not only of America but of the children of men the world over.

It has been asked, "Would you be willing to arbitrate the Monroe doctrine?" Let me first ask, what is that doctrine and what stands behind it? The Monroe doctrine is merely the declaration of this Government that the American Continents are not to be considered as subjects for future colonization by any European power, and that we should consider any attempt on their part to extend their systems to any portion of this hemisphere as dangerous to our peace and safety, and that we could not view any interposition for the purpose of oppressing any of the established, recognized governments of America, or controlling in any other manner their destiny by any European power, in any other light than as the manifestation of an unfriendly disposition toward the United States.

This doctrine, enunciated by President Monroe December 2, 1823, could not have been maintained and enforced by the United States alone, and would never have been proclaimed even had it not been for the fact that the British Government, speaking through George Canning, its minister of foreign affairs, proposed to the United States that Great Britain and the United States should jointly announce that they could not see any South American territory transferred to any power "with indifference," and the British Government pledged itself to aid in the enforcement of this declaration. When President Monroe received this assurance he turned to Thomas Jefferson for advice, and Jefferson's reply to Monroe, upon which Monroe acted, shows that we have maintained the integrity of the Western Hemisphere and the peace and safety of the United States only by the acquiescence and assistance of Great Britain. Jefferson said:

> One nation, most of all, could disturb us in this pursuit; she now offers to lead, aid, and accompany us. By acceding to her proposition we detach her from the bands, bring her mighty weight into the scale of free government, and emancipate a continent at one stroke which might otherwise linger long in doubt and difficulty. Great Britain is the one nation which can do us the most harm of any one, or all, on earth; and with her on our side we need not fear the whole world. With her, then, we should most sedulously cherish a cordial friendship, and nothing would tend more to unite our affections than to be fighting once more side by side in the same cause.

From that day to this the British Navy has been our first line of defense, alike in our youthful weakness and our matured strength, and we have at last fought "side by side in the same cause"—the cause of liberty and freedom and civilization—the bonds of friendship have been strengthened; they have been cemented by the mingled blood of Briton and American, shed on a soil foreign alike to both, made sacred alike to each.

You ask, "Would we be willing under a league of nations to arbitrate the Monroe doctrine or questions that might arise under it?" I reply, sir, that there can be no such thing as arbitration of the Monroe doctrine. It is merely America's statement of her will or pleasure, but the enforcement of it might raise questions that would have to be settled by force, by diplomacy, or by arbitration; and I take it that if a league of nations for peace shall be formed that the principles enunciated in President Monroe's message are so clearly a statement of justice to the United States and to the other American countries over whom we single-handed and alone, with the friendly assurances of Great Britain as our sole hope of assistance, have stood guard that this statement of principle would be incorporated into any compact that may be entered into not only for the countries of the Western Hemisphere but for all countries of the world. If a league of nations shall be formed, the combined nations of earth would enunciate and promulgate a new Monroe doctrine—a Wilson doctrine—that all the allied nations of the world "could not view any interposition for the purpose of oppressing any free nations or controlling in any other manner their destiny by any power on earth in any other light than as the manifestation of an unfriendly disposition toward the people of the world," or, to paraphrase the statement of the Monroe doctrine by President Roosevelt: "The doctrine is simply a statement of our very firm belief that the nations now existing on earth must be left to work out their own destinies amongst themselves, and that free countries are no longer to be regarded as the colonizing ground of any foreign power." Thus, Mr. President, if a league of nations shall be formed, instead of a

doctrine for free peoples of the American Continent, upheld and maintained by the United States alone, we would substitute a broader doctrine for all the free peoples of the world, upheld and maintained by the combined civilized nations of the world who may enter into the league of nations; and the Monroe doctrine will be the safer, for that it would have more sponsors.

It is objected, Mr. President, that a league of nations to preserve and enforce peace must be backed by force, and that we would have to make war to restore peace. I agree that to have a league that will be effective there must be force to back up the decrees of civilization and justice. We have our police to put down crime and disorder in our cities, we have our sheriffs and constables to put down crime and disorder in our States, and they are armed, that the citizens generally may go unarmed and safe. We would need a limited national police force, and we would need an international police force to preserve the peace of the world and to enforce the decrees and judgments of the courts of the international league; but, sir, with armies reduced and navies dismantled, and an absolute prohibition to the countries of the world of the manufacture and having more than a supply of arms and munitions to meet the reasonable immediate needs of any country for its purely domestic peace and safety—that to be determined by the parliament of the world—a very small quota of men from each of the contracting nations would be able to bring law and order and obedience to the findings and decrees of the league of nations should any nation attempt to break the peace of the world.

It was objected by the distinguished Senator from Idaho [Mr. BORAH] that to raise this quota for service in international fields conscription would have to be resorted to. That, Mr. President, in my judgment, is not correct. There are enough of adventurous men—soldiers of fortune in every land on earth—to make up the quota that such country would be called upon to supply, and especially would this be true if the standing army was small and the pay increased to such an amount as would be attractive, and with greatly reduced military and naval forces every nation could pay its men liberally. But, sir, even if the draft should be resorted to, I say that it is far better to carefully select 50,000 men and compel them to serve for a few years to preserve the peace of the world than to be called upon to draft millions upon millions of men to restore peace after war with all its horrors and hardships has drenched the world in blood.

Mr. President, I have spoken too long, but I shall not be in this body much longer. I fear that the treaty of peace, embodying a reasonable and proper league of nations for the preservation of peace, will not be concluded and submitted to the Senate for ratification before my term of service shall have expired. I have spoken from the depths of my heart; I have tried to express the hope of the world; I have tried to utter the prayer of humanity; I have tried to aid, in my feeble way, in pointing out the path marked out by the teachings of Him who came to save and not destroy; I have tried to voice the sentiments of the plain people everywhere, who see in war, in most cases, a useless sacrifice of the children of God on earth.

I can not close my remarks without expressing my sorrow and disappointment at the utterances of some of the most distinguished Members of this body. As I have noted the great learning and scholarly attainments and giant intellects of the Senator from Massachusetts [Mr. LODGE], who has so long led the Republican Party, and at times the Nation in our foreign relations in the Senate, and of the Senator from Pennsylvania [Mr. KNOX], who has in days past so ably and creditably represented my country and his as Secretary of State; as I have sat in rapt admiration of the massive intellects and dynamic force of appealing oratory of the Senator from Missouri [Mr. REED] and the Senator from Idaho [Mr. BORAH]; as I have noted these first two gentlemen advocating procrastination, and the other two not only advocating procrastination but declaring that a league of nations for the preservation of peace can not and should not be adopted, I wonder why, in this supreme hour of the world, the wonderful endowments of these gentlemen could not be used for construction rather than for destruction, why they do not use their great powers to build up rather than tear down, why they do not aid rather than criticize. They have an opportunity, this whole body has an opportunity, the Nation, the world, has an opportunity that was never afforded before to hasten the coming of the kingdom of God on earth.

There is a tide in the affairs of men, which, taken at the flood, leads on to fortune; omitted, all the voyage of their life is bound in shallows and in misery. On such a full sea are we now afloat, and we must take the current when it serves or lose our ventures.

I warn the gentlemen in this body that this is no ordinary political question. I warn the gentlemen that the American people will not look with favor upon any man who would play politics in the people's blood. I do not question the motive that actuates those who oppose the advanced thought of the age—who assert opposition to the policies of Wilson and Lloyd George and Clemenceau, as expressed at the greatest feast since the Passover—but the American people, the people of the world, the God of the universe will hold them responsible if they place obstacles and obstructions in the way of saving the world from a repetition of its anguish of the past four years.

ADDRESS BY ASSOCIATE JUSTICE CLARKE.

Mr. WALSH. Mr. President, on Monday last there was ordered printed in the RECORD, on motion of the Senator from Pennsylvania [Mr. KNOX], an address by Hon. Albert J. Beveridge, at one time a member of this body, on the subject of a league of nations. I ask unanimous consent that there be printed in the RECORD an address on the same subject by Hon. John H. Clarke, Associate Justice of the Supreme Court of the United States, delivered before the American Bar Association in the month of August last. I submit this address at this time, Mr. President, because it seems to me exceedingly appropriate, in connection with the eloquent and inspiring address to which we have just listened from the Senator from South Carolina [Mr. POLLOCK].

There being no objection, the address was ordered to be printed in the RECORD, as follows:

A CALL TO SERVICE.

THE DUTY OF THE BENCH AND BAR TO AID IN SECURING A LEAGUE OF NATIONS TO ENFORCE THE PEACE OF THE WORLD.

(By Hon. John H. Clarke, Associate Justice of the Supreme Court of the United States.)

In January the last week of August seems so far away, and it is no difficult to deny Mr. Whitelock anything upon which he has really set his heart, that not long since I awoke to find myself face to face with an outstanding promise to address you here this evening, but without anything formulated or even formulating in my mind which seemed in the least likely to prove of interest to you.

As I sat in my study, confronted by this situation, my eye fell upon the forty-odd volumes of the reports of the American Bar Association, and as I reflected upon the hours and days of intense and intelligent labor which is there buried—I weigh my words—I forthwith determined not to discuss any of the recondite problems of the law, any of those things which Stephen Leacock would say lie "behind the beyond"—but that I would speak to you of some phase of the subject which fills the minds and hearts and souls of us all.

And so my subject has become, the duty of the bench and bar of the country to awake, as it is not yet awake, I am sure, to the responsibility which the great war has cast upon us, as an influential and learned profession, of putting forth all of the power and influence which we possess for the purpose of securing, as the most important result of the war, the establishment of "a league of nations to enforce the peace of the world."

I am quite aware that there is nothing new that I can say upon this subject, which has been the dream of mankind for centuries, but the theme of wide discussion for many recent years, but the selection is made because of the conviction on my part that new conditions have made the times ripe for such a league and because I believe that, next after the winning of the war, the matter of first importance to our country and to mankind is the securing of a peace so guarded by new sanctions that the unspeakable calamity of such a war, the shock which we are now passing, may not again return to desolate the world.

I shall not address myself, gentlemen of the bench and bar, to the expert international lawyers among you, but rather to those of the rank and file of the profession, upon whom will fall the duty of creating and giving leadership to that public opinion of our country, without which it will not be possible to take this fateful step forward in the organization of the international relations of the world. The detail of the constitution and organization of such a league will be for statesmen and international lawyers, but the securing of the acceptance of the principle involved and the answering of the objections to it will be for the general practitioners of the land, trusted counselors that they are of their neighbors in all matters of great public concern.

Fundamental to all that I shall say are these assumptions: That the German autocratic government shall be beaten to its knees and shall be definitely convinced that never again can a war of aggression be predicable in this modern world; that its military and naval establishments, as well as those of the other great nations, shall be greatly reduced and their arming for the future be greatly and strictly limited; and that after the war the German people, chastened as they will be in spirit and in purpose, shall be invited to share in a just, even in a generous, peace, without which the permanent peace of the world can never be secured.

Public international law, as we all know, first assumed definite form in the writings of the great philosophical jurists of the sixteenth and seventeenth centuries. It is made up of a blending of moral principles of natural justice and reason—with the customs and practices of the more enlightened nations of the world in their dealings one with another.

With such an origin, naturally, some of the principles of this law had become more clearly defined than others prior to the outbreak of the present war, but none had been more generally accepted and observed than this: That the open seas are not the territory of any nation and are not subject to the jurisdiction of any power, but that they are the public highway of all nations, provided by God and nature for carrying on the business and intercourse of the world. It was determined with equal definiteness that the open or high seas comprise all that part of every ocean which lies without a line drawn parallel to the shore and distant 1 marine league from low-water mark. To that boundary the jurisdiction of the sovereign of the adjacent shore extends, but beyond it all waters are the common property of all nations. Long prior to this war it had also become the perfectly settled law of nations that private citizens of neutral States should be allowed to go to and fro on this ocean highway on peaceful errands in neutral ships or even in

belligerent ships, not men-of-war, as safely in time of war as in time of peace, subject only to visit and search and to the law of blockade.

The German Government had frequently and solemnly assented to all this as perfectly established international law, but nevertheless, in arrogant defiance, it proclaimed exclusive dominion over more than a hundred thousand square miles of the open ocean adjacent to the British Isles and, without notice or mercy, proceeded, to the limit of its power, to destroy every neutral ship, its passengers and cargo, which had the temerity to enter the area thus proscribed.

The right of every nation to remain neutral during the war and the duty of every belligerent to respect such neutrality has long been a rule of the customary or unwritten law of nations. When to this we add that in 1839 and again in 1870 the Kingdom of Prussia bound itself by solemn treaties to guarantee the neutrality of Belgium, and that in 1899 and again in 1907 the Imperial German Government, by Hague conventions, bound itself in equally solemn agreement with many nations to respect that neutrality, the utter lawlessness of the invasion of Belgium would stand confessed even if the chancellor of the German Empire had not publicly and scoffingly proclaimed it to be in open defiance of international law. "German faith," not "Punic faith," for all time to come will be the world symbol for international perfidy and dishonor.

In a Hague convention the German Government and its allies agreed with the other civilized nations that in case of war undefended towns or villages should not be bombarded in any manner whatever; that in sieges and bombardments measures should be taken to spare as far as possible buildings dedicated to religion, art, science, or charitable purposes, and hospitals in which the sick and wounded are collected for treatment; and the use of poison or poisoned weapons, projectiles, and materials calculated to cause unnecessary suffering were expressly prohibited.

And yet, further flouting this law which it had shared in making, the German Government has now for four years persistently bombarded undefended towns and villages, used poison gases, and selected libraries, churches, and hospitals as special targets for destruction.

These instances, a few from many, will suffice to recall to us all how completely international law has broken down under the stress of the great war. It has been trampled upon as ruthlessly by the central powers as it was by Napoleon a century ago; and in presence of the international anarchy which is the result men who prefer reality to self-delusion must be convinced, reluctantly but definitely convinced, that moral sanctions are not enough to restrain great nations engaged in war within the boundaries prescribed by civilization in time of peace, and that unless the coming settlement is to prove but an angry truce, a time of preparation for another war, the most pressing problem now before us is how we may furnish new and effective sanctions which will cause international law to be respected and obeyed as fully in time of war as it has been heretofore obeyed in time of peace.

But what is this next war to be?

Military writers of Europe, obsessed with the belief that it is impossible for the future to improve upon the past and that another general European war is inevitable, are already busy discussing what its character shall be, and, in barest outline, this is the picture which they draw:

The Prussian military system, adopted by the other nations in this war, will be continued in preparation for the next and will result in creating armies of unprecedented size. So organized Russia should yield an army of 35,000,000 of fighting men, Germany and Austria 25,000,000, Great Britain, France, and Italy 25,000,000; and to go no further, our Army should exceed 20,000,000 of trained soldiers. To support such armies the industries of all of these countries must be organized primarily for purposes of war and the best energies of their peoples must be devoted to devising means for the destruction of human lives. Women must be conscripted for industry, men for fighting, and noncombatants will be destroyed as ruthlessly by other nations as they have been by Germany in the present war. Great guns now used by thousands will be numbered by tens of thousands, and machine guns by millions. Submarines will infest every sea and hundreds of thousands of airplanes and dirigible ships will fill the air. Chemists confidently declare that, released from the restraints of civilization, poisonous gases will be devised which, used by aerial flotillas and by guns of constantly increasing range, will destroy whole armies and cities in a single night. And, finally, revolting though the thought of it be, other nations, driven by desperation to the use of disease germs, now hinted at as the lowest depth to which Germany has sunk, will let loose a scourge upon the world, the ultimate effect of which upon the human race no man can measure.

The mind turns away in horror from this prospect of another war which would involve the destruction of modern civilization, if not of the human race. And yet in the presence of the experiences of the past four years, of the unprecedented extent and merciless ferocity of the present war, it would be rash to say that this picture has been overdrawn, that it is not a probable description of the abyss that lies before us if measures be not taken to prevent the coming of another war.

Three solutions have been proposed to avert this measureless calamity:

The first, made in Germany, aims to establish a consolidated empire extending from the North Sea to the Persian Gulf, sufficient in extent to be self-sustaining in time of war and peace and with vassal populations great enough in numbers to support a German military establishment which it is believed could dominate the other nations, separated as they are, and thus be able to impose a permanent even though a sullen peace upon the world. To state this is to reject it.

The second, advocated sometimes by combinations of statesmen and men of business and sometimes by labor unions, proposes to strip the central powers of their military and naval strength and of their colonies, to impose upon them huge indemnities for the crimes against civilization of which they are so clearly guilty, and then by boycotts to continue against them a trade war after the present war, and thus to hold these powerful nations in permanent poverty and thereby in an unrighteous, which can not be an enduring, peace.

The third is a league of nations to enforce the peace of the world. The aim of such a league is to substitute conference for strife, justice and peace for cruelty and war, and in the happy phrase of President Eliot to bring "Peace on earth to men of good will."

This dream of mankind for centuries has been brought within the grasp of practical statesmanship by the declaration of President Wilson, assuredly voicing the desire and purpose of our whole great Nation, that the period of American isolation has passed, and that we are ready to unite with the other nations after the war in an international concert which shall hold the world at peace and render it impossible that such a catastrophe as is now upon us shall overwhelm us again.

Ladies and gentlemen, I have dwelt thus at length upon the necessity for a league of nations and upon the desperate alternatives of our failing to obtain it, nor because I think that your choice, or that of the country, could be different from that which has been made for us by our President, but because when we shall come to the adoption of the difficulties must be met that we shall be obliged to resort for encouragement and resolution, perhaps again and again, to what the result will be if we reject this which now seems the last, best hope of the world—and to that end we should keep it vividly in mind.

For us, as a Nation, there are grave constitutional questions involved, which it will be the duty of the bar to argue to a conclusion with the people and in the courts, but of which it would be obviously improper for me to speak beyond recalling that the Supreme Court has declared that the Constitution is not a strait-jacket by which the past is to be imposed upon the present, and that it is not a mathematical formula of undeviating application of public affairs. I may be permitted to add that it is the result of the decisions of that court that the Constitution is a working charter for a living Government, which has proved in experience perfectly adaptable to conditions of life and society of which its framers never dreamed.

For other governments there are questions of dependent nationalities; the extent to which existing alliances may be continued without being inconsistent with such a league; and what prospects of fair treatment the nations falling in the war would have in its councils for many years to come.

There are difficulties for all the nations in determining what the membership of the league shall be, and what the system of law which shall govern its deliberations. There must be delegation, if not surrender, of power, a difficult thing with men and nations, and a new restraint must be put upon national ambitions and pride. But above all there must be cultivated here and throughout the world a larger sympathy and vision—no less than an international mind. We must learn to look beyond frontiers and to find our national welfare in the general welfare of the world.

Yes; the difficulties in forming the league, in devising a constitution for it and in putting it into practical operation are many and grave, but they are not greater than were met and solved by our forefathers when they formed the league of the thirteen original States, framed and adopted our Constitution, and established this indissoluble Union of indestructible States. The problem before us now is more complex and, if possible, more fateful, but it is in character the same, and with this experience to guide us, ours is the Nation which least of all should be discouraged or dismayed. The crisis is unprecedented in the history of mankind and the difficulties in meeting it, here, as on the field of battle, constitute a challenge to all that is strongest and best in the free nations of the world.

But what is this league of nations to be?

The representative men of many nations are in singular accord in the conclusion that an international organization will not be accepted which goes further than to imperatively provide that war shall not be commenced until the subject in dispute shall have been submitted to an investigation by an impartial tribunal and its merits reported upon, with a further delay after such report, for new negotiations and for the public opinion of the nations involved to assert itself, informed as it would be by the disinterested investigation and opinion of the league.

It is widely believed that rarely would a nation assume the moral odium of going to war against the impartial conclusion of such a report, but it is also believed that in the present development of world opinion upon the subject the governments would not consent to unite in an agreement to enforce the acceptance of such a report upon an unwilling and dissatisfied nation.

In this belief a group of distinguished American statesmen, lawyers and publicists, with former President Taft as their leader, have rendered a great public service by formulating a constitution or convention for such a league, which may serve as a starting point for discussion now and when the time shall come for settling the terms of the treaty of peace.

The fundamental principles of this constitution are only two and they are very simple:

The first is that no nation which enters the league shall make war upon any other member until the question in dispute between them shall have been submitted to an international court, yet to be constituted, if the question in dispute is a justiciable one, or to a council of conciliation if the question involved is nonjusticiable in nature. The disputed question shall be investigated, with every assistance from the parties in the way of evidence and argument which the tribunal may desire, and a decision or report on the merits of the controversy shall be rendered in a written opinion, which shall be published. Such decision or report shall be published within a year after the case is submitted, and neither party shall commence war against the other within six months after it is rendered.

The acceptance of this principle should present little difficulty, for 30 nations have already accepted it in treaties with our Government which with great propriety have been officially termed "Treaties for the promotion of peace." These treaties have all been executed since August, 1913, and all of the important nations at war have joined in them excepting Germany, Austria-Hungary, and Turkey—a significant circumstance in fixing the blame for precipitating upon the world the calamity of the present war.

The second principle of the proposed league is that if any member shall commence war upon another without submitting to the preliminary investigation and decision or report provided for, all of the others shall unite in the use of their economic resources and, if necessary, their military power to punish the recalcitrant member for violation of its pledged international faith.

Four years ago the first of these principles marked the extreme verge to which nations could be induced to go in the interest of peace, but the harsh teaching which they have received in the hard school of experience during the past four years has brought the responsible statesmen of the great nations to such a new sense of social duty and of international responsibility that the incomparable statement of President Wilson in favor of coercion to secure the peace of the world has called forth acceptances of it in principle from leading statesmen of Great Britain, France, Italy, Austria-Hungary, and for what it is worth from a chancellor of the German Empire, as well as from leaders of many of the lesser and neutral States.

The constitution proposed contains many administrative provisions, but these two are the fundamental principles on which it proceeds. It is to be observed that the agreement to resort to economic coercion and to war is only to compel delay until there shall be investigation and decision or report, and that it does not extend to enforcing such decision or report when either shall be rendered. After the requisite delay,

without incurring the odium of violating any covenant of the league, the savage tribunal of war would still remain open for any nation which should choose to resort to it.

While such a league would be a great advance toward permanent peace and should be accepted if a better can not be secured, yet personally I prefer the counsel of those who would strive to have the covenant of the league provide not only for delay until there shall be investigation and decision or report, but also that all of the resources, military and economic, of the members shall be used to compel its acceptance when made and obedience to all of its commands.

This, not only because I do not share the confidence which many have that a year's delay would suffice to prevent war by cooling fierce national hatreds, such, for instance, as exist among the Balkan States or within the Austro-Hungarian Empire, or by calming national ambition such as that of Germany, which has been half a century in cultivation and development, but also because I believe that the world is ready for this longer and firmer step forward toward permanent international peace.

Millions of men will return to their homes in every one of the important nations which should be members of the league, convinced by the lapse into savagery which they have seen with their own eyes, that trial by battle is as irrational a manner of settling a national as a private quarrel, and that the nearest approach to securing a just decision of a dispute by human agency is to be found in a council of conciliation or a court selected from the wisest and best of the citizenship of the advanced nations of the world. In the free nations these men will return to a deserved and dominating leadership as the saviors of free government, and in the enemy countries they will be all that will remain not disastrous by defeat. Yes, I would confidently put my faith in the men who have seen the most of war, not at a distance, but in the trenches, "on the red edge of battle," as competent and willing to enforce a conclusion which makes for the enduring peace of the world.

Neither do I share the confidence which many persons have that our experience with our Supreme Court in settling disputes between States is conclusive evidence of what may fairly be expected of a similarly constituted international court dependent wholly on moral sanctions for the enforcing of its decrees. Not to dwell upon the futility of the Dred Scott decision, so hopefully relied upon to avert civil war, or the unfortunate party division of the judges of the Electoral Commission of 1877, it is sufficient to say that it may be convincingly advanced that the Supreme Court from very early times to decisions rendered in the current year has steadily declined to take jurisdiction over questions falling within the scope of the powers of the political—the executive and legislative—departments of our Government, and that it has been from political, not from justiciable, disputes that most of the past wars have sprung.

Here, if there were no other, is furnished to the bench and bar ample opportunity to serve our country in assisting our neighbors in determining whether this fateful league shall be one merely to enforce delay and investigation, or one the decisions of which shall have a sanction which will make them the accepted and obeyed international law of the world.

But whether this wider or the narrower scope shall be given to the league, the chief opportunity for service on the part of our profession will be in counsel with our fellow citizens as to its constitutionality and its membership, as to the wisdom of our country entering into any covenant—an entangling alliance it will be called—to engage in war it may be, to settle a quarrel which, it will be urged, may be no concern of ours, and as to the answers which should be given to objections which will range from those of the hopeless and timid who think progress impossible and that future wars are inevitable, to the Chauvinists and selfish who declare that war is not an evil, but is a discipline necessary for the development of all that is best in the physical and spiritual qualities of mankind.

To the objection that we should not expose ourselves to the risk of becoming a party to the future wars of others, the sufficient answer is that it is no longer possible for us to avoid being a party to them. For three years our Government strove with indomitable resolution to avoid participation in the present war, protesting, reasoning, warning, that there was a limit to our endurance of injury and insult, but with the result at last that we were obliged to take up arms "to conquer or submit." These years of experience have demonstrated that the modern world is so knit together that our frontiers touch those of every other important nation; that the innocent must so suffer from future wars; that self respecting neutrality has become impossible in any general war; and that all wars are likely to become general, and that therefore it has become the chief concern of all the peace-loving nations of the world that all war shall cease. Unless the league shall utterly fail of its purpose, membership in it will involve a covenant on our part to join the honorable nations of the world to protect ourselves and them from nations which are predatory and false, and waiving aside all higher motives, it is the part of prudence if we must make war to make it for a just cause and in the company of honest nations.

Shall Germany be an accepted member of this league of peace? Yes; by all means, yes! and Austria-Hungary also, and necessarily the six other great powers of the world—France, Great Britain, Italy, Japan, Russia, and the United States—for without all of these the league would not be able to enforce the peace of the world at all, but an alliance offensive and defensive to prepare for the next war. Alliances and coalitions of nations rarely have long lives. Great Britain and Germany were allies in the Napoleonic wars and France was their enemy; Great Britain, France, and Turkey were allies in the Crimean war and Russia was their enemy; Germany and Austria were enemies in war in 1866; Russia and Japan, allies in this war, were enemies in 1905; the friendship of Great Britain for France and Russia is of recent origin, and Italy was in terms an ally of Germany and Austria when the present war began. The teaching of this reference to the experience of a hundred years is plain. If Germany and Austria shall be excluded from the league, all of the ingenuity and resource and power which they possess will forthwith be used to strengthen their alliance and to sow discord in and weaken that of their adversaries, and all Europe, divided again into hostile groups, will inevitably return to the old suspicions and to rivalry in arms and armaments in preparation for another war.

This also must be accepted as fundamental, that no peace can be enduring which is not a just peace and that no league can be permanent which does not afford a reasonable prospect of just treatment to every member of it.

To exclude the German and Austrian people from the league, to attempt to impoverish two such great nations and to hold them permanently poor, possessed as they have proved themselves to be of approximately one-half of the military power of the world, would be to invite new coalitions and alliances and would render inevitable that next war which the prophets of evil so confidently predict.

Equally unfortunate would it be to confine the membership of the league to the great powers. The presence in the league of the secondary and now largely neutral powers, including from America at least Argentina, Brazil, and Chile, will be clearly necessary to persuade Germany and Austria to enter it, for otherwise they would see themselves opposed in the league, as they are now on the field of battle, by the six other great powers, and it would be futile to try to persuade them that for many years to come they could expect from such a court that impartiality and freedom from prejudice so necessary to securing a just settlement of any disputed questions by conference and argument. But in such larger group suggestions of disinterested fairness and sympathy would be possible on which all of the present combatants might confidently rely for an impartial hearing and a just decision.

It is just as necessary to the success of the league that every member nation shall believe that it will receive just treatment as that it actually shall receive it when the time of test shall come. We must aim at a constructive and healing peace—not at an angry, sullen truce which will lead to further war.

There is evidence enough of opposition in this view abroad in the world to make the cultivation of it an opportunity for fruitful service by the members of our profession, natural leaders that they are of that public opinion of our country, to which the responsible statesmen of the allied powers have already shown the greatest deference, as it has been formulated on this subject by President Wilson, in statements which it is not exaggeration to say have been "heard 'round the world."

Shall all questions in dispute between nations be submitted to the league, or shall those relating to vital interests, to independence, or to national honor be excepted, as they have been in arbitration treaties of the past? Or, differently and specifically, are we ready to submit the validity of the Monroe doctrine or the necessity for our going to war with France or Great Britain, with Argentina or Brazil, to the decision of a body in which we should have no greater vote than each of the seven other great powers would have?

Here is the test of our faith—the measure of our confidence in that international tribunal of peace and justice which we are recommending to the other nations of the world.

Not until our allies and friends shall become as internationally faithless as the Germans are can we be called upon by the league to make war upon them, and that is a contingency which we refuse to consider.

Do we lack confidence in the moral basis of the Monroe doctrine? There is one of us who does not. Whatever infirmity may have been thought to be in a doctrine of such comprehensive scope when it was announced has disappeared in the experience of almost a century in which it has preserved all America from sharing in the conditions which precipitated the conflagration in Europe and South America from the untoward fate which the partition of Africa has brought upon that unhappy continent. The noble conception which set apart this hemisphere to development under institutions of its own creating, which cut it off from the intrigues and jealousies of Europe, and which, insuring it from alien influences, has made possible the development of the strong and free States which have emerged one after the other in the south of us has so justified itself that the doctrine could confidently be submitted for approval to any tribunal which such a league would constitute. We all submit our private differences, involving our lives, our fortunes, and our honor, to domestic tribunals, and many of us with equal confidence often submit our rights to the determination of the tribunals of foreign States. Why should we prefer the gun and the torch for the settlement of public controversies? Does the cynical definition of a question of honor still hold true, on one which men refuse to solve by reason?

But I can not pursue objections further in an address which I am admonished must be short. Their name is legion; they will come from the genuine and from the false in every part of our land, and I am pleading with my professional associates that we accept it as our patriotic duty to be ready in every town and hamlet to answer them and to advocate the taking of this step forward toward the realization of the reign of law, without which the allied nations will have fought this desperate war in vain.

The President calls us to this service in his declaration that "mere agreements may not make peace secure. It will be absolutely necessary that a force be created as a guarantor of the permanency of the settlement so much greater than the force of any nation now engaged or any alliance hitherto formed or projected that no nation, no probable combination of nations, could face or withstand it. If the peace presently to be made is to endure, it must be a peace made secure by the organized major force of mankind."

The young men going forward to take their places in the line of battle call us to this service. In every land, with a unanimity which makes it all but a battle cry, they declare that for them this is a war to end all wars; that if shall not cease until the authors of it are punished and freedom and justice and peace are made secure in the world; and that never again shall such a calamity return to desolate the earth. These men will return to dominate, I repeat, to deservedly dominate, the governments which they have saved, and they will not be balked in the accomplishment of their purpose.

But, nevertheless, it is believed that there is as yet no such general thinking or discussion of this vital subject throughout our land as is necessary to the creating of a public opinion sufficient to sustain the President when he shall press it upon the attention of the nations as the most important provision of the treaty of peace—and assuredly there is no agency for the creating of such public opinion comparable to the bar of the United States.

Ladies and gentlemen, the achievement of our country since we entered the war has been very great. Overwhelmed by the magnitude and horror of the struggle, the European nations did not realize the ultimate purpose of the evil genius of the German Government until, in accepting the challenge of the central powers, President Wilson put a new face upon the war and raised it to a new level by declaring, what all the world instantly recognized as true, that this is the fateful, final contest between autocracy and freedom; that it is a war on Germany's part to restore the dominion of kingly government throughout the earth, and on our part and that of our allies to make the world "safe for democracy." This definition alone, watchword and ideal of the free nations that it has become, has proved a moral inspiration to them all equal to the winning of many battles.

When the failure of Russia released great armies for use upon the western front, how splendidly did our country respond to meet the crisis thus precipitated in the fate of freedom and of mankind! By

a marvel of energy and organization, a million of men, since proved to be as good soldiers as any in the world, were safely and swiftly transported over 3,000 miles of stormy and pirate-infested seas to meet the savage onslaught upon heroic France. They met and turned back the tide of invasion, and with our brave allies made the Marne "a river more fateful than the Rubicon," and gave us sure promise of abundant military glory yet to come.

But a greater honor lies beyond. When the war shall end and the roar of the great guns shall cease there is reserved the supreme distinction of all history for the nation which shall have the inspiration of vision and the greatness of soul to lead the other nations of the world out of the valley of the shadow of death of recurring wars into the haven of enduring peace. Pray God that nation may be ours!

CALLING OF THE ROLL.

Mr. FRANCE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GAY in the chair). The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Hitchcock	Martin, Va.	Smith, Ga.
Beckham	Jones, Wash.	New	Smoot
Borah	Kellogg	Nugent	Spencer
Chamberlain	King	Overman	Sterling
Fletcher	Kirby	Page	Sutherland
France	Knox	Penrose	Thomas
Frelinghuysen	La Follette	Pittman	Trammell
Gay	Lenroot	Poindexter	Underwood
Gerry	Lewis	Pomerene	Walsh
Gronna	McKellar	Shafroth	Warren
Hale	McNary	Sheppard	Wolcott
Henderson	Martin, Ky.	Smith, Ariz.	

Mr. McKELLAR. I wish to announce the absence of my colleague, the senior Senator from Tennessee [Mr. SHIELDS] on account of illness.

Mr. SUTHERLAND. My colleague, the senior Senator from West Virginia [Mr. GOFF] is absent on account of illness.

Mr. SHEPPARD. I wish to announce that the Senator from Arkansas [Mr. ROBINSON] and the Senator from Kansas [Mr. THOMPSON] are detained on official business.

The PRESIDING OFFICER. Forty-seven Senators have answered to their names; there is not a quorum present.

Mr. CHAMBERLAIN. I suggest that the names of the absentees be called.

The PRESIDING OFFICER. The Secretary will call the names of absent Senators.

The Secretary called the names of the absent Senators, and Mr. POLLOCK, Mr. SAULSBURY, and Mr. SWANSON answered to their names when called.

Mr. CUMMINS, Mr. RANSDELL, Mr. FERNALD, Mr. NELSON, and Mr. KENYON entered the Chamber and answered to their names.

Mr. KENYON. I desire to announce the absence of the Senator from Nebraska [Mr. NORRIS] on official business.

The PRESIDING OFFICER. Fifty-five Senators have answered to their names. There is a quorum present.

VALIDATION OF WAR CONTRACTS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

Mr. THOMAS. Mr. President, the Hitchcock bill was considered by the Committee on Military Affairs, as has been stated, and reported by a majority of the committee and the unanimous vote of those present, and therefore took its place upon the calendar. The fact that the committee took such action, and afterwards the inconsistent one of favorably considering a bill largely different in its character and scope needs a word of passing explanation.

The Hitchcock bill was very carefully considered by the subcommittee; indeed, the senior Senator from Nebraska [Mr. HITCHCOCK] does his full duty upon every committee of which he is a member. The Senator gives his best thought and his best work to every task that is imposed upon him by his senatorial duties; and it is no reflection upon him that the bill now before the Senate was recommended in its place, but the attention of the committee was called to some of the operating features of the proposed measure, which convinced me that the bill which was offered as a substitute for the measure advocated by the Senator from Nebraska, and which the committee subsequently reported as a substitute for the House bill was, as an operating measure, not only a more effective but perhaps the only effective one of the two.

Mr. President, the subject matter of this bill is composed of a large number of items; that is to say, of different contracts—contracts executed improperly, contracts written but not executed, and oral contracts. It also embodies a geographical condition, these contracts being spread over a large portion of the United States, and involving a detail of production comprehending practically every element essential to the necessary prosecution of the war.

There is no question that these contracts should ordinarily have been signed, and signed in the manner required by the statutes. As an abstract proposition, no one can gainsay this. The statutes of the United States necessarily require care in the execution of contracts calling for an expenditure of public money and in accordance with formulas deemed by Congress to be essential to the public welfare and protection. These were not so executed, and I think for the best of reasons. When engaged in a great war, when in the midst of a great offensive, when conditions crowd upon each other with tremendous rapidity, and when emergencies arise requiring the utmost expedition to meet them, the department would have been false to the country and to itself if it had done otherwise than to act as the emergency required, notwithstanding the necessary disregard of statutory requirements. To have done otherwise might have involved the country in disaster; and I do not think it is fair to reflect upon the action of the department in the making of these contracts in view of these conditions.

There are times, Mr. President, when to follow the law may mean disaster; there are times when to disregard it and take the chances is the highest form of patriotism; and I am satisfied that the course pursued by the War Department with regard to the great, the overwhelming majority of these contracts was the only one to take, and without which the country, indeed, the allies, might have suffered very seriously. And because, Mr. President, they shouldered this responsibility, we should applaud them.

On the other hand, the contractees, men and corporations, who took the chances and came to the help of the Government under these circumstances are entitled to our gratitude and to our thanks; and the least we can do is to save them from the loss with which they are now confronted, and to do it as expeditiously as possible. So that the situation is an unavoidable one. If anybody is to blame for it, it is the nation or the nations responsible for the war. It is not to be attributed to any lack of conscientiousness upon the part of public officials or to any disregard of the law, but to the necessity of the situation, which is said to know no law.

Nor, Mr. President, am I impressed with the idea that the War Department, in its transaction of the public business during the last two eventful years, should be subject to no general criticism of dishonesty or laxity in the performance of its public duties. This department has been intrusted with the expenditure of somewhere in the neighborhood of twenty or twenty-five billions of dollars, the largest sum of money ever intrusted to any department in this country or any other.

There may have been, and probably are, instances—it would be remarkable if it were not so—where men engaged in the public service have, directly or indirectly, profited by their positions. It may be—it would be singular indeed if, under the temptations everywhere surrounding them, in view of the enormous amounts of money at their disposal and the opportunities coming their way—some official here and there did not yield to the surrounding temptations and fall by the wayside. I do not know of any individual instance myself; but, as I say, I shall be immensely surprised if numbers of them are not developed as these contracts are considered and allowed or rejected.

Mr. President, I want to say as a general fact that in the management of this great enterprise, from its commencement to its successful termination, speaking broadly and generally, the War Department has administered the affairs of the Government with honesty, with efficiency, and with success. It is entitled to, and should receive, the warm thanks and gratitude of the people of the United States; and, because here and there a man is under suspicion, I do not think that the Secretary and his able assistants should be subject to a reflection resulting from these individual instances, however well founded they may be. In other words, I am willing to trust the War Department, which made these contracts, with the duty of adjusting them and making appropriate settlements. Indeed, I do not think any other department is so competent to do it, or any other commission which we may provide for or which the President may appoint.

The purpose of this bill is to provide for the settlement of contracts, not their adjudication. It is to provide for the setting aside of those statutory requirements, the nonobservance of which invalidates the contract. It is very much as though you and I were face to face with a contract which we had made and which for some reason was invalid, but which nevertheless we entered into in good faith in an emergency and which, therefore, should be recognized. Now, who are the best people to consider that situation if our minds run in the same direction? Who besides we, who are parties to the contract, should interfere, or can interfere, in the absence of controversy? I do not think, Mr. President, that there will be much controversy with

regard to the bona fides of these transactions. I do not see how there can be. If a man has a contract irregularly executed, or not executed at all, but upon which nevertheless he has acted, there is no ground for adjudication but for recognition and for action upon such recognition; and this brings me, Mr. President, to that feature of the Hitchcock bill which my better-informed judgment has forced me to reject. I refer to that provision of the bill which creates a commission and refers all these contracts to it for adjustment.

The idea is an excellent one, and if but half a dozen, or even a hundred or a thousand contracts were involved it might be the better one; but I am afraid, Mr. President, that in practical operation it will prove to be not only unsatisfactory but delusive, and that instead of granting a remedy it will virtually interpose an obstacle to the ultimate determination of these very insistent matters.

Now, let us see.

It was stated here yesterday afternoon by the Senator from New Jersey [Mr. FRELINGHUYSEN] that the Assistant Secretary of War had informed him yesterday morning that there were 6,000 of these contracts, involving $1,766,000,000. The State of Colorado was admitted into the Union on the 1st of August, 1876, or 43 years ago. Its Federal district court has been one of the busiest in the land, and the amount of business it has transacted is enormous; yet I think its general docket numbers scarcely exceed 6,000 up to this time. The Supreme Court of the United States has been in existence since the Constitution was adopted. I think its general docket number is under 20,000, although it has been doing business for a century and a quarter. Six thousand contract cases, Mr. President, present to the mind a number the magnitude of which it does not fully comprehend, except upon reflection; and when these 6,000 contracts represent an average of $294,333 apiece in amount, then the number of the contracts assumes additional dignity and importance because of the average amounts they involve. Of course, many of them involve far more and many far less than this average; but I undertake to say that it would be difficult to conceive of an aggregation of 6,000 controvertel cases, the average of which are nearly $300,000 apiece, except the one which we here are considering.

Mr. President, how long would it take a commission doing its duty between the Government on the one side and the contractors on the other to dispose of these 6,000 cases? First, they must investigate the facts concerning the execution of the agreement—the manner, in other words, in which the contract was evolved—and the circumstances surrounding it; second, the amount of money to be allowed as a fair adjustment upon its recognition. How long will each case take? The average case of importance tried in the courts requires more than one day. There are 300 working days in a year; and if this commission were able to dispose of one case per day, or 300 cases per year, it would have to be in session for 20 years before the 6,000 contracts would be disposed of.

It is true that the Hitchcock bill provides for the appointment of regional boards of examiners; but these regional boards have not the power of determining upon the facts. They take testimony, and the board or the commission, in order to acquaint itself of the facts, must read that testimony, must digest it, and then pass upon it.

Suppose that the commission tried two cases a day; there is 10 years. Ten cases a day would take 2 years; 20 cases a day would require 12 months after the commission is appointed to dispose of these 6,000 cases, and of course that is an absolute impossibility.

To my mind, therefore, the creation of a tribunal of any sort to handle exigent matters of such tremendous scope, comprehending so many items and so much money, would be a practical denial of justice to the holders of these claims against the Government.

On the other hand, the War Department has its machinery already in operation, and only awaiting congressional action to go ahead with this important business and transact it as expeditiously as possible. Up to the time that the question of the validity of these contracts was raised and determined adversely, they were proceeding, and proceeding very expeditiously, to dispose of the matters. The Senator having charge of the bill yesterday inserted, at page 2289 of the CONGRESSIONAL RECORD and following, an outline of the staff of the commissions or boards, or whatever they may be called, which have already been provided for, and which, upon the enactment of this measure, can in their respective jurisdictions take hold and dispose of these claims.

I am willing to trust the Secretary of War, I am willing to trust the boards, the commissions, and the individuals that have been selected for the purpose of transacting this very important business. I know that with the possible exceptions that may occur, the great body of these men are just as anxious to serve the Government and just as honest as you or I.

Mr. President, in a matter of this sort, time is of the utmost importance. As lawyers say, it is of the essence of the situation. Delays are expensive, not only to those having claims against the Government but to the Government itself. Every day that these claims remain undisposed of is an added expense of millions of dollars to the Government of the United States. In France alone there are claims involving over three-quarters of a billion of dollars—claims which, in my judgment, are not affected by the statutory requirements relating to the execution of contracts in the United States; claims needing adjustment there and here to save from bankruptcy men and corporations who have tried to help the Government, and have taken these chances; claims the settlement of which is necessary to the continued employment of labor in this country; claims the justice of which is beyond doubt in most cases; claims the settlement of which is essential to the welfare of the Government and to those who hold them.

That being so, let us give jurisdiction to that tribunal whose machinery will enable it to act upon these things at once, and have them all practically determined and disposed of within the next four or five months. That is beneficial to the Government. That, and that alone, Mr. President, is the extension of true and adequate justice to the men and the corporations who need this legislation so badly.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Nebraska.

Mr. HITCHCOCK. Mr. President, I shall ask for a roll call on the vote between the committee bill and that which bears my name. I should like to ask the chairman whether he has any objection to substituting my bill for the House bill without a record vote. If by consent it can be substituted for the House bill, then we will have only one record vote.

Mr. KIRBY. I should object to that. It would be adopting the Hitchcock substitute.

Mr. FLETCHER. I think the question first comes on substituting the amendment of the Senator from Nebraska.

Mr. HITCHCOCK. No; my amendment is an amendment to the House bill; that is, it is perfecting the House bill; and after it is perfected the Senator from Oregon will move to substitute his bill for the House bill as perfected.

Mr. CHAMBERLAIN. I think probably the record vote had better come on the pending question.

Mr. HITCHCOCK. Yes; but I was just suggesting that we will avoid that by adopting my amendment as a substitute for the House bill at this time.

Mr. CHAMBERLAIN. I will say to the Senator that I think the record vote had probably better come on substituting his measure for the House bill.

The PRESIDING OFFICER. The Chair understands that the question is on the amendment offered by the Senator from Nebraska.

Mr. HITCHCOCK. As a preliminary, then, to a vote, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Johnson, Cal.	Nelson	Smoot
Beckham	Johnson, S. Dak.	New	Spencer
Chamberlain	Jones, N. Mex.	Nugent	Sterling
Culberson	Jones, Wash.	Page	Sutherland
Cummins	King	Penrose	Swanson
Fletcher	Kirby	Poindexter	Thomas
France	Knox	Pollock	Townsend
Frelinghuysen	La Follette	Reed	Trammell
Gay	Lenroot	Shafroth	Underwood
Hale	McKellar	Sheppard	Wadsworth
Hardwick	McNary	Simmons	Walsh
Henderson	Martin, Ky.	Smith, Ariz.	Weeks
Hitchcock	Moses	Smith, Ga.	Wolcott

Mr. SHEPPARD. I desire to announce that the Senator from Rhode Island [Mr. GERRY] and the Senator from Virginia [Mr. MARTIN] are detained on official business.

Mr. SIMMONS. I wish to announce the unavoidable absence of my colleague [Mr. OVERMAN] on official business.

The PRESIDING OFFICER (Mr. JONES of New Mexico in the chair). Fifty-two Senators have answered to their names. There is a quorum present.

Mr. LENROOT. Mr. President, the principal difference now between the substitute amendment of the Senator from Nebraska [Mr. HITCHCOCK] and the committee bill is the original jurisdiction of the commission which is provided for in both bills to determine these claims, the Hitchcock amendment giving full and complete jurisdiction to the commission, with certain limi-

tations, which I shall refer to in a moment. The committee bill provides that the Secretary of War shall in the first instance adjust these claims and with the approval of a representative of the Department of Justice may pay them to the contractor, but the contractor, and in certain cases the Department of Justice, may appeal to the commission.

I think we are all in sympathy with the purpose the Senator from Nebraska desires to accomplish if it were practical, but even the Senator who proposes this amendment recognizes the fact that it is not practical to give original jurisdiction to this commission to investigate fully and determine all these claims, because to do so would involve months and months of delay and disaster to many, many industries in the country.

The Senator from Nebraska has sought to avoid that very serious difficulty by the provision in his amendment which provides that the Secretary of War shall file with the commission a statement of the award that he believes to be just and the amount which the claimant is entitled to. Then he provides that if the claimant shall file a statement with the commission "offering to accept the amount awarded by the War Department in full for said claim the commission shall, within 10 days, order the same paid in the absence of evidence that it is excessive."

Mr. President, to my mind this language, if it shall be adopted, will prevent the commission from examining the very cases that it ought to examine and investigate. It will deprive the commission of the jurisdiction where it will be beneficial to the Government and give it to the commission only where it is in the interest of the contractor. Why do I say that? Because with the very minimum number that has been suggested of 6,000 claims, and the Senator from Tennessee suggested it might run from 10,000 to 60,000 claims, with the War Department now prepared with a very large percentage of them to immediately make adjustments, what would happen if the amendment of the Senator from Nebraska is adopted? We would have immediately filed with this commission some thousands of claims. Supposing there were only 100 claims a day, every one of those claims under the Senator's amendment must be paid at the end of 10 days, unless there is evidence produced before the commission that the claim is excessive.

Mr. President, it would be a physical impossibility for this commission to get before it evidence that these claims were excessive within the period of 10 days. The commission would have no authority to retain jurisdiction of these claims longer than 10 days, unless after the filing of the claim it had proceeded upon investigation of that claim and had before it some evidence that the claim was excessive.

It may be said that it might call upon the War Department for all the files and testimony and records. I call attention to the fact that under the amendment of the Senator from Nebraska the War Department is not required to file any papers other than a statement of the amount awarded and the name of the contractor. But suppose the commission pursued that plan and asked the department for all the files and all the claims and all the testimony it had upon file before it, the commission certainly would not go upon the theory that some of the claims were excessive and permit payment of same, and take jurisdiction of others, because if it had only 100 claims a day for 10 days what would it mean? It would give the commission about six minutes for the investigation of a claim to find out whether, in its judgment, there was some evidence that the award was excessive—an absolute impossibility.

So the result would be, in my judgment, under the Senator's amendment, that, if there are awards that are excessive by the War Department, the contractor, of course, would immediately file his acceptance of that award, and the commission would have no opportunity within the 10 days to secure or produce evidence that it was excessive, and it would then become mandatory upon the commission to pay that excessive claim.

Now, contrast that with the provision in the committee bill. In my judgment, the phraseology is not happily worded, but I do not think there can be any question as to the construction. Under the committee bill the provision is as follows:

> That within 30 days of the date when the Secretary of War tenders any contract or compensation as provided in this act, or refuses to tender such contract or compensation, the party to whom said contract or compensation is tendered or refused or the Government, by a duly authorized officer from the Department of Justice, may file with the chairman of the commission a notice of appeal: *Provided, however*, That if the representative of the Department of Justice agrees with the action of the War Department there shall be no appeal by the Government, but settlement can be made at once.

As I construe the committee bill, it is contemplated that representatives of the Department of Justice shall work with the War Department at all times, acting as counsel for the Government in the investigation of these claims; that when the Secretary of War shall make an award if counsel for the Government shall be of the opinion that that award is or may be excessive he then has 30 days in which to further investigate that question and make an appeal. Then if he believes that it should be investigated by the commission he files his appeal.

In other words, under the committee proposition counsel for the Government sits in and is familiar, as counsel for a private party would be, with all the proceedings, and then when the award is made he still has 30 days within which to file his appeal, unless he is satisfied that justice is done to the Government and that the interests of the Government are protected.

As I said, I do not think that this provision is happily phrased. I do not think that the word "tenders" is a proper word to use in this connection. Certainly, it is not used here, I think, in the ordinary sense of a legal tender. The phraseology later on is absolutely contrary to any such idea, because to tender compensation ordinarily would mean that the party to whom compensation is tendered could immediately accept it. When it is said in the same paragraph that if the representatives of the Department of Justice agree with the War Department a settlement may be made at once, it seems to me that that negatives the idea that the word "tenders" is not used in its ordinary meaning. It does seem to me that that should be cleared up, and I think the word "offers" or "proposes" should be used.

Mr. KNOX. Where is that to be found?

Mr. LENROOT. On page 7.

Mr. McKELLAR. In what line?

Mr. LENROOT. In line 20 of the reprint.

I wish to ask the chairman of the committee whether in his opinion I have given the interpretation to this language he thinks the committee intended to give to it?

Mr. CHAMBERLAIN. That was the intention of the committee.

Mr. LENROOT. Does not the chairman think that there should be some other word than the word "tenders" to express the purpose?

Mr. CHAMBERLAIN. If the Senator can suggest a word, I will be glad to accept such an amendment, because that was the purpose of the committee.

Mr. LENROOT. Will the Senator then agree to strike out the word "tenders" and insert the word "offers"?

Mr. CHAMBERLAIN. I have no objection.

Mr. LENROOT. I think that that would clear it up. I will then offer an amendment on page 7, line 20, to strike out the word "tenders" and insert the word "offers."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In the original print, page 7, line 12, after the word "War," strike out the word "tenders" and insert the word "offers."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. LENROOT. My next amendment is to strike out the word "tender" and insert the word "offer" after the word "to" in the next line.

The SECRETARY. On page 7, line 13, before the word "to," strike out the word "tender" and insert the word "offer."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. LENROOT. I think it must be very clear that before payments can be made under the committee bill the counsel for the Government must agree that the payment is proper and the interest of the Government is protected. If he is not so satisfied, under the committee bill he has 30 days in which to further investigate, and either agree or appeal, while under the amendment of the Senator from Nebraska these things must be determined within 10 days, and in cases where an award is excessive the interests of the Government are not protected under his proposition.

For these reasons, Mr. President, I feel very clear that for the protection of the Government the bill as reported by the committee is preferable to the amendment offered by the Senator from Nebraska.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Nebraska [Mr. HITCHCOCK].

Mr. HITCHCOCK. Before the question is put, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Gay	Jones, N. Mex.	Lenroot
Beckham	Gore	Jones, Wash.	McKellar
Borah	Hale	Kenyon	Martin, Ky.
Chamberlain	Henderson	King	Moses
Culberson	Hitchcock	Kirby	Nelson
Cummins	Johnson, Cal.	Knox	Nugent
Frelinghuysen	Johnson, S. Dak.	La Follette	Page

Poindexter	Sheppard	Sutherland	Vardaman
Pomerene	Smith, Ariz.	Thomas	Walsh
Reed	Smoot	Townsend	Warren
Saulsbury	Spencer	Trammell	Weeks
Shafroth	Sterling	Underwood	Wolcott

The VICE PRESIDENT. Forty-eight Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. LEWIS and Mr. SWANSON answered to their names when called.

Mr. FERNALD entered the Chamber and answered to his name.

The VICE PRESIDENT. Fifty-one Senators have answered to the roll call. There is a quorum present. The question is on agreeing to the amendment of the Senator from Nebraska [Mr. HITCHCOCK].

Mr. HITCHCOCK. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. SAULSBURY (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. COLT]. In his absence, I refrain from voting.

Mr. STERLING (when his name was called). I have a general pair with the senior Senator from South Carolina [Mr. SMITH]. In his absence, I withhold my vote.

Mr. THOMAS (when his name was called). I transfer my general pair with the senior Senator from North Dakota [Mr. MCCUMBER] to the senior Senator from New Hampshire [Mr. HOLLIS] and vote "nay."

Mr. CHAMBERLAIN (when Mr. WILLIAMS's name was called). The senior Senator from Mississippi [Mr. WILLIAMS] is on his way here, but he has been unavoidably detained. He stated to me that he would vote "nay" on this question.

Mr. WOLCOTT (when his name was called). I transfer my general pair with the Senator from Indiana [Mr. WATSON] to the Senator from California [Mr. PHELAN] and vote "nay."

The roll call having been concluded,

Mr. UNDERWOOD. I have a general pair with the senior Senator from Ohio [Mr. HARDING], but I am authorized to vote on this question. I vote "nay."

Mr. PENROSE (after having voted in the negative). I have a general pair with the senior Senator from Mississippi [Mr. WILLIAMS]. I know that that Senator has not voted, but in view of the statement of his attitude made by the chairman of the committee, I will permit my vote to stand.

Mr. MYERS. Has the Senator from Connecticut [Mr. MCLEAN] voted?

The VICE PRESIDENT. He has not.

Mr. MYERS. I have a pair with the Senator from Connecticut [Mr. MCLEAN], which I transfer to the Senator from Arizona [Mr. ASHURST] and vote "nay."

Mr. LODGE. I desire to announce that the Senator from Kansas [Mr. CURTIS] is detained on official business.

Mr. SHEPPARD. I wish to announce that the Senator from Kansas [Mr. THOMPSON] is necessarily absent on official business. If present, he would vote "nay" on the passage of the bill.

Mr. POLLOCK. I desire to announce that my colleague, the senior Senator from South Carolina [Mr. SMITH], is detained on account of illness.

Mr. LODGE. I have been requested to announce the following pairs:

The Senator from New York [Mr. CALDER] with the Senator from Rhode Island [Mr. GERRY];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK]; and

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN].

The result was announced—yeas 8, nays 55, as follows:

YEAS—8.

Borah	Hitchcock	La Follette	Nugent
Gore	Jones, Wash.	McKellar	Reed

NAYS—55.

Bankhead	Johnson, S. Dak.	Overman	Smoot
Beckham	Jones, N. Mex.	Page	Spencer
Chamberlain	Kirby	Penrose	Sutherland
Culberson	Knox	Pittman	Swanson
Cummins	Lenroot	Poindexter	Thomas
Fernald	Lewis	Pollock	Townsend
Fletcher	Lodge	Pomerene	Trammell
France	McNary	Ransdell	Underwood
Frelinghuysen	Martin, Ky.	Shafroth	Wadsworth
Gay	Martin, Va.	Sheppard	Walsh
Hale	Moses	Sherman	Warren
Hardwick	Myers	Simmons	Weeks
Henderson	Nelson	Smith, Ariz.	Wolcott
Johnson, Cal.	New	Smith, Ga.	

NOT VOTING—33.

Ashurst	Goff	McLean	Smith, S. C.
Baird	Gronna	Norris	Sterling
Brandegee	Harding	Owen	Thompson
Calder	Hollis	Phelan	Vardaman
Colt	Kellogg	Robinson	Watson
Curtis	Kendrick	Saulsbury	Williams
Dillingham	Kenyon	Shields	
Fall	King	Smith, Md.	
Gerry	McCumber	Smith, Mich.	

So Mr. HITCHCOCK's amendment was rejected.

Mr. CHAMBERLAIN. I believe the vote now is on the committee amendment as amended.

The VICE PRESIDENT. The vote is on the committee amendment as amended.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes."

POST-OFFICE APPROPRIATIONS.

Mr. BANKHEAD. I move that the Senate proceed to the consideration of House bill 13308, known as the Post Office appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes, which had been reported from the Committee on Post Offices and Post Roads with amendments.

Mr. BANKHEAD. I ask unanimous consent that the formal reading of the bill be dispensed with, that the bill be read for amendment, the committee amendments to be first acted on.

The VICE PRESIDENT. Is there objection to the request of the Senator from Alabama? The Chair hears none, and it is so ordered.

Mr. SMITH of Georgia. I ask the Senator from Alabama to consent to have his bill laid aside temporarily in order that I may secure the disposition of a conference report.

Mr. BANKHEAD. How long does the Senator think it will take?

Mr. SMITH of Georgia. About five minutes.

Mr. BANKHEAD. Very well. I ask unanimous consent that the Post Office appropriation bill may be temporarily laid aside for that purpose.

The VICE PRESIDENT. Without objection, the Post Office appropriation bill will be temporarily laid aside for the purpose indicated by the Senator from Georgia.

SALARIES OF JUDGES—CONFERENCE REPORT.

Mr. SMITH of Georgia. Mr. President, I ask unanimous consent that the conference report on House bill 12001 be laid before the Senate.

The VICE PRESIDENT. The Chair lays before the Senate the conference report referred to by the Senator from Georgia, which will be read.

The Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 7.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 5, 6, 9, 10, 11, 12, 13, 14, and 15, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SEC. 3. That the judges of the Supreme Court of the District of Columbia shall receive salaries the same as salaries provided by this act to be paid to judges of district courts of the United States, and such salaries shall be paid as now provided by law.

"The judges of the Court of Appeals of the District of Columbia shall receive salaries the same as the salaries provided by this act to be paid to judges of the Circuit Court of Appeals of the United States, and such salaries shall be paid as now provided by law."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following:

"SEC. 5. That the judges of the United States Court of Customs Appeals shall receive salaries equal in amount to the salaries provided by this act to be paid judges of the Circuit Court of Appeals of the United States, payable monthly from the Treasury."

And the Senate agree to the same.

HOKE SMITH,
WILLIAM H. KING,
J. O. WOLCOTT,
FRANK B. BRANDEGEE,
LEBARON B. COLT,
Managers on the part of the Senate.

E. Y. WEBB,
C. C. CARLIN,
H. J. STEELE,
A. J. VOLSTEAD,
GEORGE S. GRAHAM,
Managers on the part of the House.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

THE CENSUS—CONFERENCE REPORT.

Mr. SHEPPARD. Mr. President, will the Senator from Alabama yield to me, in order that I may make a motion in reference to the conference report on the so-called census bill heretofore submitted by me?

Mr. BANKHEAD. I yield to the Senator from Texas for that purpose, if it will take only a few minutes.

Mr. SHEPPARD. A few days ago I submitted the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses. I now ask unanimous consent to withdraw that report.

The VICE PRESIDENT. The conference report is withdrawn.

Mr. SHEPPARD. I ask that the action of the House of Representatives on the census bill be laid before the Senate.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses, receding from its disagreement to the amendment of the Senate numbered 12 to the bill, and agreeing to the same with an amendment, in which it requested the concurrence of the Senate; further insisting upon its disagreement to the remainder of the amendments to the bill, and requesting a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SHEPPARD. I move that the Senate still further insist upon its amendments and agree to the further conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. SHEPPARD, Mr. ASHURST, and Mr. LA FOLLETTE conferees at the further conference on the part of the Senate.

POST OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

Mr. BANKHEAD. Mr. President, before the Senate proceeds with the consideration of the pending bill I think I can make a statement which perhaps will facilitate that consideration.

It will be observed that quite a number of changes have been made in the figures as printed in the bill. That is made necessary by reason of the fact that the House of Representatives in passing the bill made its estimates upon the basic law without reference to increases which have been made, and when the House came to run out its figures and make its totals there was a failure to carry out the figures which should have been carried out in order to meet the appropriations. Therefore the Committee on Post Offices and Post Roads on the part of the Senate had to correct those figures, and they are indicated in the bill. I make the statement in order that Senators may understand why it is that, as I have said, there are so many changes in the figures as presented in the House bill.

Mr. POMERENE. Mr. President, I desire to ask the Senator from Alabama what increases were allowed by the committee in the case of carriers and clerks of post offices?

Mr. BANKHEAD. The increase is the same as that contained in the bill of last year, $200, and the bill restores automatic promotions.

IMPROVEMENT OF PUBLIC ROADS AND HIGHWAYS.

Mr. SWANSON. Mr. President, there is a provision in the bill to increase the appropriation for good roads, to which I desire to address myself for a few moments.

Mr. President, there is no question pending in America to-day more important to the well-being and development of her people than the improvement of public roads and highways. I have always considered this as the most paramount of our unsolved practical problems. One of the first measures introduced by me when I became a Member of the Senate in 1911 was a bill to extend over a period of five years an appropriation by the Federal Government to aid the several States in the construction and improvement of their public roads. Upon the presentation of this bill I made a very extended speech urging Federal aid to road improvement and pointing out both the justice of such action and the great advantages which would accrue from Federal participation in road improvement. Those of us who were deeply and earnestly interested in this subject in season and out of season persistently continued our efforts and finally achieved success when the Congress, in 1916, enacted legislation extending Federal aid for five years to road improvement in the States. There is no act of Congress in the passage of which I actively aided and participated that I take more pride in than this piece of legislation. I was a member of the Post Offices and Post Roads Committee from which the legislation was reported to the Senate and a member of the conference committee which finally determined its provisions. We were content to commence with small appropriations until the Federal Government and the States obtained suitable road organizations and methods, thus insuring that the money would not be wasted and that its expenditure would result in substantial benefits. We expected when these organizations had been perfected that the Federal Government would largely increase these appropriations. We were satisfied that the great benefits accruing from the cooperation of the Federal Government with the States would be so apparent and so marked that there would soon be a demand for a large increase in the Federal appropriations. Our expectations have been fully justified. An impetus has been given to road construction and improvement which previously did not exist. The benefits from Federal aid have been so immense that the President of the United States and the Secretary of Agriculture, under whose direction the expenditures have been made, have earnestly recommended the increase in the appropriations granted under this legislation.

The pending bill proposes to largely increase the appropriations granted by the Federal Government under the provisions of the existing law. I was a member of the subcommittee that examined the matter thoroughly and favorably reported this measure to the full Committee on Post Offices and Post Roads of the Senate, which committee, after hearing the report of the subcommittee, practically unanimously recommended the increases provided for in the bill. I had previously introduced an amendment to the pending bill carrying provisions substantially similar to these now reported.

The amendments contained in the pending bill increase the appropriations made by the act of 1916 to the extent of $50,000,000 for the fiscal year ending June 30, 1919; $75,000,000 for the fiscal year ending June 30, 1920; and $75,000,000 for the fiscal year ending June 30, 1921, making an aggregate increase over the amount heretofore appropriated of $200,000,000. The amount unexpended out of the appropriations heretofore made is about $75,000,000. This, added to the $200,000,000 increase provided by the pending bill, will make a total of $275,000,000 to be expended by the Federal Government up to June 30, 1921, toward aiding communities and States in the construction and improvement of their public roads and highways.

Under the method of distribution adopted Virginia would receive out of these appropriations up to June 30, 1921, the sum of $5,458,162.37, to be added to a like amount from the State and local communities, to improve and develop her public roads. Thus, the practical effect of this amendment, if adopted, would

be to secure for road improvement in the State of Virginia to June 30, 1921, the sum of approximately $10,900,000.

In addition the bill authorizes the Secretary of War to transfer to the control of the Secretary of Agriculture all available war material not needed for the present purposes of the War Department and suitable for use in the improvement of highways, to be used on the roads constructed in whole or in part through Federal aid. This provision, if enacted, will cause to be furnished immediately to the State authorities a large amount of road material and machinery which will be of inestimable benefit. This will make available a large quantity of valuable material and machinery that otherwise would be of little benefit to the Government and might ultimately be wasted.

Mr. President, there is no bill pending in the present Congress the passage of which I more earnestly favor than this measure, and none that I believe will obtain for the various sections of our country more beneficial results and advantages. The world is entering upon a great era of competition in production and sale of agricultural, mineral, and manufactured products. This future commercial competition will far exceed all such conflicts of the past. The nation that is best equipped will be better prepared to successfully produce and sell. The progress of this Nation in nearly all directions has been phenomenal. We are to-day the greatest manufacturing people in the world. The products of our factories exceed those of Britain and continental Europe combined. Our mines furnish the world more than one-half of its mineral products and wealth. Our plains and prairies are recognized as the granaries of the world. Cotton continues the king of plants, and the world's comfort and clothing are dependent upon the white fields of the South. We occupy to-day the foremost place in the world's commerce. Our exports now exceed those of Great Britain. Our wealth to-day far exceeds that of any other two nations combined. We have become supreme in finance, our banking capital and supply of gold being the greatest possessed by any people. In miles of railroads, navigable rivers, and improved harbors we are unsurpassed. We have shown recently in an amazing degree our ability to mobilize in a very short time a great army and navy, win great victories, and successfully conclude a world war. These are achievements of which any nation may well be proud.

Yet, Mr. President, with all these wonderful material advantages, it is admitted to-day that we have the poorest system of public roads and highways of any civilized nation. We have to-day, roughly estimating, 2,500,000 miles of highways in the United States, and of this mileage about 295,000 miles, or 12 per cent of the total, are surface roads. No other civilized nation possesses such a wretched condition of public highways. With our wonderful energy displayed in every other field of human endeavor, with our amazing wealth, there is no justification for such wretched road conditions. Our energy and our money have been generously expended in every other direction except in the betterment of our highways. After careful examination and thoughtful consideration of this subject, I am satisfied that our neglect in this respect has been one of the greatest misfortunes that has affected us as a people and should be remedied as quickly as possible.

No one can estimate the annual loss incurred by our people in traveling and hauling over these wretched public roads. Our internal commerce exceeds the interforeign commerce of the entire world. It is estimated that 90 per cent of our internal commerce must, first or last, be hauled over the public roads. The average haul of this vast commerce over the public highways, after a careful investigation, has been estimated at a little more than 9.4 miles. Careful investigation fixes the cost of hauling these products at 23 cents per ton per mile. The cost of hauling per mile over the splendid roads of France is, on an average, 7 cents per ton; the average cost in England about 11 cents per ton per mile.

If the more important and main lines of our public-road system were improved equal to those of France and Britain, it is estimated by good authorities that our products could then be hauled over our entire system of roads at a cost of 12 or 13 cents per ton per mile. A joint commission of Congress on Federal aid in the construction of post roads, of which commission I was a member, reported it was estimated that in 1914 718,000,000 tons of produce were hauled over our public roads. The amount now hauled over our public roads will exceed 900,000,000 tons each year. If our main lines were improved, as suggested, we would certainly save, under all conditions about 8 or 9 cents per ton per mile in hauling this immense tonnage, which would save in transportation cost over $700,000,000 per year. Our loss in transportation over wretched roads certainly aggregates yearly this vast amount. In other words, the United States pays annually a mud tax of $700,000,000. If half of this loss was annually appropriated for road improvement for many years, all of our main and important lines of roads could be splendidly improved. We can not compete with other nations in the marketing of agricultural, mineral, and manufactured products unless we promptly remedy the seriously wretched condition of our highways.

But the foregoing does not include all of the loss occasioned this country by its bad country roads. The poor condition of the highways renders it impossible to market much of the products of the farm. When the cost of transportation and the cost of production exceed the selling price it is impossible for the producer to dispose of his products at a profit; hence production is arrested. In many sections farmers fail to raise certain important crops because the cost of hauling them over miserable country roads is so great that they sustain loss instead of profit. It has been estimated that more than one-third of our perishable foodstuffs never reach the consumers on account of bad roads. This country sustains a loss of many, many million dollars each year, to both producer and consumer, on account of this wretched condition. Our bad roads have also made it impossible in many sections to raise a great diversification of crops, such as is done in France and England, with their splendid road system.

Another great detriment to this country which has resulted from its miserable country roads is the forcing of the people to leave the rural sections and congregate in towns and cities. This fact is strikingly disclosed by the census returns. In 1790 only 3.4 per cent of our population dwelt in cities. In 1910, 46 per cent of our population lived in cities. This explains why so many acres of fertile land remain untilled, while the city, with its insanitary and unwholesome tenements, is crowded with human beings whose standard of living and methods of life result in their mental, moral, and physical decay. Statistics show that wherever the country is blessed with good country roads the rural population is increased in number, in comfort, and in wealth. School attendance, with all educational advantages, accompany improved roads. Good schools and good roads go hand in hand.

We have in this country more than 400,000 acres of undeveloped and uncultivated lands, which good roads would make available and profitable for agricultural purposes. Good roads would bring to these sections thrifty and prosperous farmers, greatly adding to the national wealth.

The farmers of our country can not successfully compete with the farmers of other countries unless we improve their roads, cheapen transportation, and thus reduce the cost of production. In a few years we will have a merchant marine equal to that of Britain, which nation for many years has had a monopoly of shipping. This will insure us fair rates from our ports and enable our products to reach all the markets of the world; but this great advantage will almost be destroyed unless we build good roads and lessen the cost of transportation from the farm to the depot, river, or port. Water transportation had so decreased prior to the beginning of the recent war that it cost the farmer 1.6 cents less to ship a bushel of wheat from New York to Liverpool, a distance of 3,100 miles, than it did to haul that bushel of wheat 9.4 miles, the average haul from his barn to the depot. We can not expect our farmers to sell their products of their farms in the markets of the world unless we reduce the cost of transportation by the improvement of our roads.

Mr. President, in addition to this, justice and fair dealing to the farmer demand that the Federal Government should extend him generous aid in road improvement. Next to our brave and gallant soldiers and sailors, no class of our citizens are more deserving of commendation for winning the great war in which we were engaged than the farmers.

The Government told him that our allies were destitute of food, that the world was confronted with starvation, and that our military success was dependent upon his energy and efforts. What the farmer accomplished can not be told in mere figures, but some conception may be had when I tell you that during 1917, the first year of the war, he increased the acreage of farm crops 22,000,000 acres over that of 1916, and not content with this great showing, added another 6,000,000 acres in 1918. During the two years of war the average yield of cereals was 5,717,000,000 bushels as compared with 4,719,000,000 bushels in 1916, or nearly 1,000,000,000 bushels increase. Over the wretched highways of this country last year the farmer moved more than 4,000,000,000 pounds of food, his patriotic response to the call for a supreme effort that our armies in Europe, our allies, and ourselves might be fed. How wonderful is this achievement when we consider that in doing all this the American farmer was handicapped by shortage of fertilizer for his land, by isolation from markets and shipping points, due to bad roads, made doubly trying by the hardest winter of the past quarter century, and, finally, that he had to do this great task almost single handed, because his hired men and his able-bodied sons were at the front in France. It is a record of patriotic work of which the farmer may indeed be proud and which entitles him to every consideration at the hands of his Government. It should compel his Government to fulfill faithfully every promise made him and to extend in the future every generous aid and assistance to him. This wonderful achievement not only entitles the farmer to every consideration at the hands of the National Government, but it demonstrates conclusively the vital part which farm life plays in the welfare of the Nation and of the world and makes clear our duty to do everything possible to foster and protect this great industry upon which our existence depends. The best assistance we can now render him is prompt and generous national aid in road construction and improvement.

Mr. President, the travel over our highways at the present time is national, State, and local. It is not just to expect local communities to construct and maintain roads over which the travel of State and Nation far exceeds the local traffic. It is utterly impossible for local communities to bear the expense of constructing macadam or hard-surface roads. To do so would require such heavy taxes as to practically bankrupt the local communities. A system must be devised whereby this expense can be fairly distributed. The only way in which this can be accomplished is by the appropriation of money out of the State and National treasuries. By this means the cities and rich communities are enabled to share with the country sections their full burden of road construction and improvement. Since both country and city receive benefits alike from good roads, each should share the burden.

The Federal Government is further interested in good road improvement, since it can more cheaply and more efficiently carry its mails and parcel post over good roads than bad. I believe the cost of carrying the mails in rural sections will be reduced more than one-third when this country possesses good country roads.

Besides, the large appropriations contained in the pending measure will do something tangible and helpful in the giving of employment to our returning soldiers and sailors and the men temporarily out of employment by reason of the transition from war to peace conditions. A better time could not be selected for the institution of a vigorous and generous system of road improvement than the present. Let me also suggest that the Government in aiding in building roads will be engaged in a definite and useful enterprise very much needed and of primary importance, even if the question of keeping labor employed is left entirely out of consideration. I commend this sort of an enterprise to the Members of the Senate as much more worthy of support than any miscellaneous and aimless appropriations of money for public works solely to keep labor employed. In the one case we are working for a purpose—a purpose which contemplates permanent results; in the other case we are working to a palliative, a temporary makeshift undertaking. Road building will employ directly a large number of men and these men will, for the most part, be unskilled laborers—those whom it is hardest to place in times of widespread unemployment. It is a conservative estimate to say that at least half of the total amount expended for highway construction goes for the direct employment of labor.

Mr. President, the passage of this bill, with the amendments contained therein for Federal aid in road construction and improvement, will mark a great epoch in the history of this Nation. It will indicate a determination by the Federal Government to bear its fair share of the burden of improving our public roads and will mark the beginning of the end of bad roads in this country. It will open a new chapter in our history, each leaf of which, when turned, will gleam with more happy country homes, better schools and churches, and larger and more prosperous rural communities. Imagination will be powerless to picture through the vista of coming years the increased health and happiness, the increased wealth and power, and the great moral and material advance which will come to this Republic upon the completion of a great national policy of road construction and improvement.

Mr. KENYON. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Iowa?

Mr. SWANSON. I yield.

Mr. KENYON. I should like to ask the Senator if, in his address, he shows what have been done under the appropriations we have heretofore voted for this plan of road construction?

Mr. SWANSON. I have not made a detailed statement as to that, but that is set out in the report of the committee.

Mr. KENYON. Have roads under Federal appropriations been built under any plan or merely in a haphazard manner?

Mr. SWANSON. They have been built under a good plan.

GERMAN COLONIAL POSSESSIONS.

Mr. BORAH. Mr. President, I desire to occupy the attention of the Senate for only a moment, not to make an extended speech but simply to record early my protest—an easy thing to do, and generally a fruitless thing to do. But I do not propose to be caught by the law of estoppel.

I read in this morning's newspaper the following:

> As the result of a private meeting to-day between Gen. Smuts and Col. House, virtual agreement has been reached on the troublesome questions involved in the insistence of Japan, Australia, and New Zealand that the conference confirm the secret understanding reached between Great Britain and Japan for disposition of the captured German colonial possessions.
>
> Mr. Lloyd George spent most of the day endeavoring to persuade the British colonial ministers to recede from their position in favor of observing the secret arrangement.
>
> In consequence of these occurrences it is not going beyond the bounds of probability to say that the principle of internationalizing the German colonies, with a future administration intrusted to governments designated by the league of nations, will be recognized by the peace conference.
>
> It is impossible to exaggerate the importance of this outcome of the greatest diplomatic battle fought behind the closed doors of the Quai d'Orsay.

Mr. President, the first thing to which I call attention is the fact that these stupendous arrangements are being consummated behind closed doors, and that the American delegation have not only acquiesced in the proceedings being behind closed doors but that they are now engaged in confirming and sustaining secret agreements heretofore made. The vice of the secret meeting is beginning to reveal itself. It would have been bad enough if we had been compelled and had acquiesced in the matter of holding secret meetings for this particular conference; but it is going a long way for our delegation to engage, through secret meetings and private understandings, in the confirmation of secret treaties heretofore made, for the purpose of disposing of the most vital affairs of the different nations engaged in this late war.

Mr. President, while I do not, of course, know the local conditions which surround the delegation, I wish it were possible for the delegation once and for all to insist that without the maintenance in all of its integrity of the first of the 14 principles announced by the President it will be practically impossible to realize any of the other 13. If we concede that these matters may be arranged and consummated in secret, the principles announced in the other 13 propositions will never come to fruition as a result of the conference at Versailles. The President was quite correct in announcing his 14 principles, in announcing his first as precedent to all others—that it was necessary to arrive at these agreements openly, because without that program and that process of arriving at conclusions there it will be practically impossible to realize any part of the other 13 principles.

Mr. KING. Mr. President, will the Senator yield?

Mr. BORAH. I yield to the Senator from Utah.

Mr. KING. I do not quite understand the basis of the Senator's criticism of the procedure at the Versailles conference, wherein he complains that there is a lack of information; that the peace negotiations negative the promise made that there should be open diplomacy. Exactly what is being done and the steps which are being taken are not only revealed to the country from day to day by the very newspaper from which the Senator has just read, but dispatches containing similar information are doubtless sent throughout the world each day. As a result, from day to day we know precisely the steps that are being taken by the respective parties in attendance upon the peace conference in their efforts to agree upon terms of peace. Obviously, the Senator would not require that Col. House or other representative of our Government and representatives of other nations should conduct all of their conversations, all preliminary talks and negotiations, in the open, upon the housetops, and in the presence of the representatives of the press of the world. There must be of necessity private conversations and informal discussions between the various representatives, which if open to all would inevitably lead to strife and jealousies and misunderstandings that might work irreparable harm. Informal discussions between a portion or all of the peace delegates must be had, and publicity in all cases would defeat the ends of justice and provoke animosities and delay a final agreement. To present coherent and tangible propositions for consideration in the conference there must be preliminary discussions which, if conducted in public, might prove highly disadvantageous. A working program for the conference must be prepared—something concrete. The delegates can not profitably

proceed en masse without some plan or thought-out propositions to be submitted and then discussed, after throwing everything into the hopper, the propositions to be embodied in the peace treaty. It would not be the rational or the sensible or the proper thing to do.

Mr. BORAH. Mr. President, that is the argument for secret diplomacy which has been made for 100 years. There is nothing new or original in the proposition. Nobody contends that every particular individual interview should be held in the open, and I care nothing about individual interviews. What I contend is that when they are sitting as delegates, and conferring and agreeing as delegates, the same as we do here, their proceedings should be in the open, and we should not be compelled to rely upon the construction put upon the proceedings by a reporter. That is what we have here. We have no authoritative statement at all, and we have no details as to what were the considerations which led up to the final agreement or understanding, or what the obligations are. We are simply confined to what the reporter could gather from the conversations in the lobbies, and so forth.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). Does the Senator from Idaho yield to the Senator from Ohio?

Mr. BORAH. I yield.

Mr. POMERENE. Have the terms of the so-called secret treaty between Great Britain and Japan with reference to the German colonies been made public?

Mr. BORAH. I have not seen them. They may have been. If the Senator from Utah will take up, for instance, and read that which was given out authoritatively this morning, you get nothing out of that. There is no information whatever there; and you have to turn to that kind of authority which is no different from what the Senator or I would gather if we were about the hotel lobbies, and so forth, picking up this and that in the way of information. I maintain that the Senator can not regard that as in any sense complying with the first of the President's 14 principles.

What did the President mean when he said "open covenants, openly arrived at"? He knew precisely, and he was very careful to use language which would exclude a program which gave to the people who were to be bound by it nothing until the binding obligation had been entered into. Col. House does not state that this conclusion has been arrived at. Gen. Smuts does not state that this conclusion has been arrived at. No one authoritatively states it; but it is gathered there in the way of inferences, and so forth, and you call that "open covenants, openly arrived at"?

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho further yield to the Senator from Utah?

Mr. BORAH. I yield.

Mr. KING. I make bold to assert that there will not be a treaty of peace signed until the world knows every term that is to be incorporated in it, and they will know just as soon as any term is agreed upon; we will not have to wait until all of the terms of the treaty have been agreed upon.

It seems to me that the Senator is highly technical in criticizing the proceedings because of a lack of "openness." We know substantially everything that is being done. If any agreement has been reached upon any point we will know it.

Mr. BORAH. We will.

Mr. KING. It will be announced.

Mr. BORAH. Of course.

Mr. KING. It will be announced before it becomes binding upon the parties, because the reaching of an agreement as to one matter will not bind them to a treaty until the complete treaty or agreement has been accepted and submitted for their consideration and for their signatures; so that the Senator, I submit, will know as the proceedings go on from day to day just what is being done and what terms are being reached. So the conference and the proceedings proper are in the open. There is no secret agreement or term secretly agreed upon. We are advised when anything is agreed upon. If the Senator will pardon me with reference to another matter to which he referred, we have nothing to do with the agreements that were entered into between our allies when they were fighting with their backs to the wall against the most formidable foes that the world had ever seen. I do not know that it lies within our mouths to criticize England and France and Japan for any agreements which they made touching their relationship, and which brought them together in order to resist the great force that threatened their destruction.

Mr. BORAH. The Senator is digressing. The Senator from Idaho has not criticized Great Britain or Japan. It is none of the business of the Senator from Idaho as to what Japan or Great Britain do. I am perfectly willing that, if they see fit, they may have their secret agreements and secret arrangements, and it is not my purpose to criticize it. I am contending that so far as we are concerned we are entitled to all the facts that make up the different steps in the program. We are entitled to them as the program proceeds. Public opinion is entitled to the benefit of the facts as it is concluding itself. It is no satisfaction for a people to know what a treaty is after all the different powers have agreed to it, and they thereby practically, if not technically, are bound by it. If the treaty should be agreed upon and brought out of secret and published, and it has been signed by all the different powers, the tremendous pressure which would be brought to bear to ratify it by reason of the fact that it had been agreed upon would be such that it would be impossible to overcome it.

Mr. KING. Mr. President, will the Senator yield for a question?

Mr. BORAH. Yes.

Mr. KING. In order to make my position clear, may I propound a question to the Senator in the shape of a concrete illustration which the news this morning presents for consideration?

It is reported that some of the allied governments feel that the German colonies should be divided amongst them, and that they should have the power to govern and control them without reference to any league of nations that may be entered into. As I understand the press dispatches, it is the contention of President Wilson and others that the legal title—if I may be permitted that expression—of these colonies should vest in the league of nations, and the equitable title should vest in the various nations which might be constituted under the league-of-nations trustees, and given the power of administration.

Suppose that Mr. Wilson and others who share the views which it is reported he entertains should contend and argue with the various representatives in their hotels, in their meeting places or wherever opportunity afforded, trying to secure the acceptance of the views which he suggests, and, after a multitude of conferences and casual conversations and accidental meetings at which conversations occur, President Wilson should so impress his views upon the allied nations that they accepted them, and it was then in open conference stated that the allied nations had receded from the position which they formerly had taken, and were willing to accept the views suggested by President Wilson, and pursuant to that understanding a provision was prepared embodying the proposition that the league of nations should accept the trusteeship of Germany's colonies, and one of the allied nations was designated to administer them: Does not the Senator think that that would be open negotiation and open covenants openly arrived at?

Mr. BORAH. No; I do not; neither does the Senator from Utah.

Mr. KING. Yes; I submit that I do.

Mr. BORAH. No. The thing that the Senator from Utah is doing now is emasculating the first point of the 14 principles without saying so. Now, there is no misunderstanding of this language. If the Senator from Utah and his friends are ready to abandon it, to renounce it, that is one thing, and there may be a good reason for doing it—that is, a reason satisfactory to those who are in favor of doing it. But it will not do, Mr. President, to contend that the statement which has been made by the Senator is in compliance with the principle which President Wilson has stated has been recognized and adopted by the different nations of the earth as a fundamental basis upon which to proceed to the realization of a permanent peace.

I do not care anything about a private conversation which takes place in a hotel or incidental gathering or anything of that kind. I am not speaking of that at all. I am speaking of those conversations or those proceedings which take place when as delegates they are congregated together, and met as delegates and acting as delegates, the same as when we are here in the Senate acting as the Senate. I do not ask, in the matter of publicity, that the private conversations of the cloakroom be made a part of the publicity or the public proceedings of the Senate; but when we are here gathered as a Senate, dealing with the people's affairs, everything that we do should be known to them; and it is the same way with the peace conference. When they sit as a peace conference, as a body disposing of nations and of territories, and placing obligations upon people which may lead to tremendous consequences and great sacrifices, those things should be unmistakably in the open.

Now, I ask the Senator in return a question. Does he think that "open covenants of peace, openly arrived at," permits of arriving at those covenants in secret meetings?

Mr. KING. Mr. President——

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). Does the Senator from Idaho yield to the Senator from Utah?

Mr. BORAH. I do.

Mr. KING. Replying to the interrogation of the Senator, I do not place the narrow and illiberal—and I do not use the words in any offensive sense at all—meaning or interpretation upon the words which the question and the former very able argument of the Senator would imply. I do not think that in order to reach convenants in an open way, every meeting that may be held by the delegates who may participate in the discussion should be or must be in the open. We legislate here, and many of the discussions of the committees relative to measures are in executive session, are not open. I understand that "open convenants, openly arrived at," means that the public, the nations involved, shall be advised as to those agreements before they shall become binding, before they shall be incorporated into a treaty of peace for the signature of the powers who participate in negotiating them.

Mr. BORAH. Mr. President, the Senator from Utah was of opinion a few minutes ago that I was indulging in a criticism of the delegation. If I understand the press reports correctly, or the attitude which the President has taken from the beginning, I am not in conflict with the President's views as to what should be done, or as to how it should be done. When they undertook to close the doors, and did close the doors, upon that conference, we were advised by the public press throughout the country that it was over the protest of the President; that it was not in compliance with his interpretation of the first of the 14 points, and we were further advised that from time to time he would keep up the controversy for open sessions until they were forced, and the people were given what he had promised them. I do not regard myself as in conflict with the President at all. I suppose, if the press be correct, that I am in perfect harmony with what he would like to see. I will venture to say that if we are to take the President's interpretation of this, as I understand it, the President of the United States has no conference upon this subject that he is not willing for the public to have.

Mr. LEWIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Illinois?

Mr. BORAH. I yield.

Mr. LEWIS. Would the Senator from Idaho permit me to intrude upon him to the point of asking what is the particular thing to which he now addresses his protest? I was out of the Chamber, and am very much interested to know what is the particular thing against which he is protesting.

Mr. BORAH. I read from Mr. Oulahan's article in the New York Times this morning that Gen. Smuts and Col. House to-day at a private meeting had come to a virtual agreement on the troublesome questions involved in the insistence of Japan, Australia, and New Zealand that the conference confirm the secret understanding reached between Great Britain and Japan for disposition of the captured German colonies. It was that subject matter which I was discussing.

Mr. LEWIS. I thank the Senator for the information.

Mr. BORAH. Now, Mr. President, as the Senate knows, immediately after the President announced his policy of "open covenants of peace, openly arrived at," I expressed myself here upon the floor of the Senate as thoroughly in accord with that view, and I am so constituted that when I am once settled in my conviction that a principle is correct, it is difficult for me to modify my position, and I have not modified my views in the slightest. I think secret diplomacy is the nesting process by which the germs of war are retained in the social system from decade to decade and from century to century, and that the Senate of the United States, and the Congress, and the people of the United States, understood the President to be denouncing that system when he announced the first point of the 14 principles.

While I may differ with him, as I do with reference to the league of nations, I do not differ with him at all upon the first proposition, and I support him in it just as earnestly as I would oppose him if I thought he were incorrect in principle. The fact that he is the Democratic President cuts no figure with me whatever. In this proposition of open diplomacy he is representing a principle indispensable to the peace and security of the great mass of the people of the world. I therefore support him, as I have always done when I agree with him.

I repeat, as I said before the Senator from Illinois [Mr. LEWIS] came in, if the President is finally compelled to yield upon the first point of the 14 points, the other 13 will be whittled away in secret arrangements and agreements which they will finally consummate. A league of nations with an army at its command, with the infamous principle of secret diplomacy embodied in its very nature—could the human mind conceive of a more arbitrary and infamous institution among men? And yet a league of nations, with absolute open diplomacy, might be made a tolerable proposition.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. BORAH. I yield.

Mr. KELLOGG. I have not heard the entire discussion of the subject, but does not the Senator think that one of the worst aspects of this case is any proposition emanating from any authority for this country to enter into a partnership to control African colonies and operate them?

Mr. BORAH. Of course, I was coming to the particular step now taken, which, as I understand, contemplates the conference coming to this kind of an understanding, that the colonies will be transferred as to their legal title, as has been said here, to the league of nations, and then that the league of nations will select the particular member of the league of nations which is to oversee and to dominate or control or be responsible for a particular colony or a particular class of colonies. I wish that I had a copy of the last Round Table, published in England, in which there is to be found a very illuminating article. In that article they have already proceeded to segregate and separate the different colonies and to distribute them among the different nations for watching, and so forth. We have assigned to us Mesopotamia and some of the countries in that region, and we are particularly assigned Russia. The article goes on to say that the United States is in a better position to deal with the Russian situation—to bring order out of chaos—and to establish a sane and stable government than any other member of the league, and therefore, while we are to have a certain number of German colonies, we are to have thrown in, as a side diversion, the task of establishing order and sane government in Russia.

Those who heard upon yesterday the able address of the Senator from California [Mr. JOHNSON] will realize something of the task which has been assigned to the United States. What we are doing now in Russia would be what our boys might be called upon to do in Africa or Mesopotamia if it so happened that under this league of nations in the assignments we were assigned to the possessions which Germany now has in Africa and other parts. It is a matter of vital concern. So far as I am concerned, I agree thoroughly with the statement of the Senator from California yesterday that we should come home and attend to the affairs that vitally concern us here. I am utterly opposed to policing Russia, or policing Africa, or taking over under our control any part of the German colonies.

I want to read from a statement by the prime minister of Australia. Hon. W. A. Watt, acting prime minister, says:

> The question of the disposal of Germany's former overseas dominions is now under consideration at the allied peace conference. I wish to state plainly the attitude adopted by the Government of the Commonwealth in respect to the Pacific Islands.
>
> Shortly after the conclusion of the armistice both houses of the Federal Parliament unanimously carried a resolution "that the senate and the house of representatives of the Commonwealth of Australia declare it is essential to the future safety and welfare of Australia that the captured German possessions in the Pacific occupied by Australian and New Zealand troops should not under any circumstances be restored to Germany, and that in the consideration and determination of proposals affecting the destination of those islands Australia should be consulted."
>
> The time for consultation having arrived, the Government should make its views plain. It is the desire and hope of the Australian Government that the islands of the Pacific formerly held by Germany and now occupied by Australian and New Zealand forces should for the future be controlled either by Great Britain or Australia and New Zealand.
>
> In expressing this desire we are not influenced by an ambition to extend our territory, but feel that this free, young nation must safeguard itself against molestation. The only form of insurance which is open to us is government under the British flag, as the Commonwealth already governs a substantial area in Oceania adjacent to the late German possessions of New Guinea and Bismarck Archipelago.
>
> We feel that success has attended our development of these islands. [Parts of New Guinea and the Bismarck Archipelago have been under the administration of an Australian governor general for four years.]
>
> We must appeal to the nations who have to judge our claims. We do not seek to exploit the natives, but to develop the productive and industrial possibilities of these possessions for the future good of the present inhabitants as well as the safety of this island continent.
>
> Many evidences have been tendered to the Government that this is practically the unanimous view of the people of Australia. I can only express the hope that the presentation of our case by Prime Minister Hughes will so influence the statesmen of the allied countries that Australia's position will be safeguarded.

Mr. President, Australia has her Monroe doctrine. She has here outlined it in this brief interview to the conference at Versailles. If we as a Nation, by reason of our membership of a league of nations, interfere with the Monroe doctrine of

Australia or the Monroe doctrine of Japan, as it has been established by our consent, or the Monroe doctrine of some other nation looking to the preservation of its integrity, how long will it be after we have entered upon that program, if we are successful, before they interfere with the Monroe doctrine of the United States?

So I am not only opposed to the manner in which these agreements are being made, the methods by which these understandings are being arrived at, but I am opposed to the United States assuming any obligation to control or govern or be responsible for any part of the German possessions. I am opposed to any scheme or plan which will keep our soldiers in Europe an hour longer than necessary to clean up this particular war with Germany.

LIGNITE COALS AND PEAT—CONFERENCE REPORT.

Mr. HENDERSON. I ask the Senator from Alabama [Mr. BANKHEAD], who has charge of the pending appropriation bill, to allow it to be temporarily laid aside while I present a conference report upon Senate bill 3220.

Mr. BANKHEAD. I will consent, provided it does not provoke discussion.

The PRESIDING OFFICER (Mr. McKELLAR in the chair). The appropriation bill will not have to be temporarily laid aside, but the Senator from Nevada asks unanimous consent to take up the conference report. Is there objection?

Mr. SMOOT. I should like to know what the conference report is.

The PRESIDING OFFICER. The bill will be read by title.

The SECRETARY. A bill (S. 3220) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat, to determine the practicability of their utilization as a fuel and in producing commercial products.

The Senate, by unanimous consent, proceeded to consider the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3220) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat, to determine the practicability of their utilization as a fuel and in producing commercial products, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment numbered 1.

That the Senate recede from its disagreement to the amendments of the House numbered 2 and 3, and agree to the same.

CHARLES B. HENDERSON,
T. J. WALSH,
MILES POINDEXTER,
Managers on the part of the Senate.

M. D. FOSTER,
OTIS WINGO,
E. E. DENISON,
Managers on the part of the House.

Mr. HENDERSON. I will state in just a word what the report is. The bill passed the Senate some months ago, last fall, and it included lignite and peat, with an appropriation of $150,000. The House struck out peat and reduced the appropriation from $150,000 to $100,000. We have accepted the House amendment reducing the appropriation and they have accepted our bill leaving peat in, the two to be investigated with the appropriation of $100,000 instead of $150,000.

Mr. SMOOT. The other $50,000 is to be appropriated later.

Mr. HENDERSON. Probably not. I do not know anything about that. It is not appropriated in this bill.

Mr. SMOOT. I can assure the Senator that it will be appropriated.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

PUBLIC BUILDING AT YONKERS, N. Y.

Mr. REED. I ask the chairman of the Committee on Post Offices and Post Roads to yield to me that I may submit a report from the Committee on Public Buildings and Grounds.

Mr. BANKHEAD. I will yield for that purpose.

Mr. REED. The Committee on Public Buildings and Grounds have had under consideration a bill that affects the post-office site at Yonkers, N. Y. There are some reasons why it ought to be acted upon at this time. On behalf of the committee, I report back favorably without amendment the bill (H. R. 8828) increasing the limit of cost for the acquisition of a public building at Yonkers, N. Y., and I ask for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read as follows:

Be it enacted, etc., That the existing legislation authorizing the acquisition of a public building site at Yonkers, N. Y., at a limit of cost of $250,000, be, and the same is hereby, amended so as to fix a limit of cost of $338,500 for the said site, and the appropriations heretofore made under separate limits of cost are hereby made available for the acquisition of said site within the limit of cost hereby prescribed.

SEC. 2. That the Secretary of the Treasury is hereby authorized, in his discretion, when said site shall have been acquired, to sell to the city of Yonkers, N. Y., for such price, at such time, and upon such terms as he may deem for the best interests of the United States, such portions of said site fronting on Buena Vista Avenue and Market Place as he may deem it advisable to spare for the purpose of widening the abutting streets, to convey said land to the city by the usual quitclaim deed, and to deposit the proceeds of said sale in the Treasury of the United States as a miscellaneous receipt.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

POST-OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Post Offices and Post Roads was, under the subhead "Office of the Postmaster General," on page 2, line 6, before the word "each," to strike out "$3,000" and insert "$3,275"; in line 7, before the word "each," to strike out "$2,400" and insert "$2,625"; in line 8, before the word "each," to strike out "$2,250" and insert "$2,450"; in line 13, after the words "in all," to insert "including increases hereinafter provided"; and in the same line, after the word "provided," to strike out "$783,700" and insert "$878,000," so as to make the clause read:

For salaries of post-office inspectors: For salaries of 15 inspectors in charge of divisions, at $3,275 each; 30 inspectors, at $2,625 each; 20 inspectors, at $2,450 each; 32 inspectors, at $2,100 each; 20 inspectors, at $2,000 each; 30 inspectors, at $1,900 each; 90 inspectors, at $1,800 each; 60 inspectors, at $1,700 each; 60 inspectors, at $1,600 each; and 65 inspectors, at $1,500 each; in all, including increases hereinafter provided, $878,000.

The amendment was agreed to.

The next amendment was, on page 3, line 6, after the words "in all," to insert "including increases hereinafter provided," and in line 7, after the word "provided," to strike out "$134,000" and insert "$151,500," so as to make the clause read:

For compensation to clerks at division headquarters, 15, at $1,800 each; 15, at $1,600 each; 20, at $1,400 each; 30, at $1,200 each; 10, at $1,000 each; and 10, at $900 each; in all, including increases hereinafter provided, $151,500.

The amendment was agreed to.

The next amendment was, under the subhead "Office of the First Assistant Postmaster General," on page 4, in line 18, after the word "postmasters," to strike out "$35,000,000" and insert "$36,500,000," so as to make the clause read:

For compensation to postmasters, $36,500,000: *Provided*, That the Postmaster General is hereby authorized to readjust the salaries of postmasters at offices of the first, second, and third class, effective July 1, 1919, in accordance with the law in effect prior to the war: *And provided further*, That in making such adjustment no allowance shall be made for the revenue derived from increased rates on first-class mail.

The amendment was agreed to.

The next amendment was, on page 5, line 3, before the word "at," to strike out "50" and insert "60"; in the same line, before the word "each," to strike out "$3,000" and insert "$3,250"; in line 4, before the word "each," to strike out "$2,500" and insert "$2,700"; in line 15, after the words "in all," to insert "including increases hereinafter provided"; and in line 16, after the word "provided," to strike out "$3,680,000" and insert "$4,281,500," so as to make the clause read:

For compensation to assistant postmasters at first and second class offices, 5 at not exceeding $4,000 each; 60 at not exceeding $3,250 each; 10 at not exceeding $2,700 each; 10 at not exceeding $2,000 each; 15 at not exceeding $1,900 each; 50 at not exceeding $1,800 each; 100 at not exceeding $1,700 each; 200 at not exceeding $1,600 each; 215 at not exceeding $1,500 each; 175 at not exceeding $1,400 each; 360 at not exceeding $1,300 each; 600 at not exceeding $1,200 each; 550 at not exceeding $1,100 each; 350 at not exceeding $1,000 each; 100 at not exceeding $900 each; 70 at not exceeding $800 each; in all, including increases hereinafter provided, $4,281,500.

The amendment was agreed to.

The next amendment was, on page 5, line 24, before the word "each," to strike out "$3,200" and insert "$3,500," so as to make the clause read:

Superintendents of delivery, superintendents of mails, superintendents of money order, and superintendents of registry, 10 at not exceeding $3,500 each.

The amendment was agreed to.

The next amendment was, on page 6, line 2, before the word "each," to strike out "$3,000" and insert "$3,275," so as to make the clause read:

Auditors and superintendents of mails, 15 at not exceeding $3,275 each.

The amendment was agreed to.

The next amendment was, on page 6, line 5, before the word "each," to strike out "$2,700" and insert "$2,950," so as to make the clause read:

Assistant superintendents of mails, superintendents of delivery, and superintendents of mails, 25 at not exceeding $2,950 each.

The amendment was agreed to.

The next amendment was, on page 6, line 8, before the word "each," to strike out "$2,600" and insert "$2,850," so as to make the clause read:

Assistant superintendents of mails, cashiers, superintendents of delivery, and superintendents of mails, 35 at not exceeding $2,850 each.

The amendment was agreed to.

The next amendment was, on page 6, line 12, before the word "each," to strike out "$2,500" and insert "$2,725," so as to make the clause read:

Assistant superintendents of mails, cashiers, superintendents of delivery, superintendents of mails, and superintendents of stations, 40 at not exceeding $2,725 each.

The amendment was agreed to.

The next amendment was, on page 6, line 19, before the word "each," to strike out "$2,400" and insert "$2,625," so as to make the clause read:

Assistant superintendents of delivery, assistant superintendents of mails, assistant superintendents of money order, assistant superintendents of registry, bookkeepers, cashiers, finance clerks, stenographers, superintendents of delivery, superintendents of mails, superintendents of money order, and superintendents of registry, 65 at not exceeding $2,625 each.

The amendment was agreed to.

The next amendment was, on page 10, line 24, after the words "in all," to insert "including increases hereinafter provided," and in line 25, after the word "provided," to strike out "$55,000,000" and insert "$67,200,000," so as to make the clause read:

Substitutes for clerks and employees absent without pay: *Provided*, That there may also be employed at first-class post offices foremen and stenographers at a salary of $1,300 or more per annum; in all, including increases hereinafter provided, $67,200,000.

The amendment was agreed to.

The next amendment was, at the top of page 11, to strike out:

And to provide for the promotion of 85 per cent of the clerks in first-class post offices from the fifth to the sixth grade; and for the promotion of 15 per cent of the clerks in the sixth grade to the designation of "special clerk" in the $1,300 grade; and for the promotion of 15 per cent of the designated "special clerks" in the $1,300 grade to the designation of "special clerk" in the $1,400 grade; and to provide for the promotion of 85 per cent of the clerks in second-class offices from the fourth to the fifth grade, and for the promotion of 15 per cent of the clerks in second-class post offices from the fifth to the sixth grade: *And provided further*, That there may also be employed at first-class post offices foremen and stenographers at a salary of $1,300 or more per annum; in all, $55,000,000.

The amendment was agreed to.

The next amendment was, on page 11, in line 19, after the word "act," to strike out "and also the act of March 2, 1907, classifying clerks and city letter carriers in first and second class post offices"; in line 23, after the word "That," to strike out "thereafter" and insert "hereafter"; and on page 12, in line 2, after the word "whenever," insert "practicable," so as to make the proviso read:

Provided, That hereafter the appointment and assignment of clerks hereunder shall be so made during each fiscal year as not to involve a greater aggregate expenditure than the sum appropriated; and to enable the Postmaster General to carry out the provisions of this act he may hereafter exceed the number of clerks appropriated for for particular grades: *Provided further*, That hereafter the 15 days' annual vacation allowed by law to clerks and other employees in first and second class offices shall be credited at the rate of one and one-quarter days for each month of actual service: *Provided further*, That hereafter whenever practicable in case of emergency or otherwise a substitute is available the postmaster is prohibited from employing a regular clerk overtime: *Provided*, That the number of clerks in the aggregate as herein authorized be not exceeded.

The amendment was agreed to.

The next amendment was, on page 12, line 9, after the words "in all," to insert "including increases hereinafter provided," and in line 10, after the word "provided," to strike out "$61,800" and insert "$71,100," so as to make the clause read:

For compensation to printers, mechanics, and skilled laborers, 22, at $1,200 each; 4, at $1,100 each; and 31, at $1,000 each; in all, including increases hereinafter provided, $71,100.

The amendment was agreed to.

The next amendment was, on page 12, line 13, after the words "in all," to insert "including increases hereinafter provided," and in line 14, after the word "provided," to strike out "$1,912,500" and insert "$2,200,000," so as to make the clause read:

For compensation to watchmen, messengers, and laborers, 2,125, at $900 each; in all, including increases hereinafter provided, $2,200,000.

The amendment was agreed to.

The next amendment was, on page 12, line 20, after the words "post offices," to strike out "$6,500,000" and insert "$5,000,000," so as to make the clause read:

For temporary and auxiliary clerk hire and for substitute clerk hire for clerks and employees absent with pay at first and second class post offices and temporary and auxiliary clerk hire at summer and winter resort post offices, $5,000,000.

The amendment was agreed to.

The next amendment was, on page 13, line 21, after the words "City Delivery Service," to insert "including increases hereinafter provided"; in line 22, after the word "provided," to strike out "$41,000,000" and insert "$50,500,000"; in the same line, after the word "*Provided*," to strike out:

That hereafter all days set aside by the President of the United States as holidays to be observed by other departments of the Government throughout the United States shall be construed as holidays within the meaning and intent of the postal holiday laws, and postal employees performing service on such holidays shall be granted either compensatory time off or pay for overtime.

And insert:

That hereafter all days, other than the holidays enumerated in the act of July 28, 1916, making appropriations for the Postal Service for the fiscal year ending June 30, 1917, set aside by the President of the United States as holidays to be observed by the other departments of the Government throughout the United States shall be construed as applicable to the Postal Service in the same manner and to the same extent as the executive departments.

So as to make the clause read:

For pay of letter carriers at offices already established, including substitutes for letter carriers absent without pay, City Delivery Service, including increases hereinafter provided, $50,500,000: *Provided*, That hereafter all days, other than the holidays enumerated in the act of July 28, 1916, etc.

Mr. TOWNSEND. I wish to call the attention of the chairman of the committee to line 11, on page 14. It seems to me that the word "other" should be inserted before "executive," so as to read "and to the same extent as the other executive departments."

Mr. BANKHEAD. I think that word ought to be inserted.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 14, line 17, after the word "year," to insert "including increases hereinafter provided," and in line 18, after the word "provided," to strike out "$74,000" and insert "$94,000," so as to make the clause read:

For pay of letter carriers, substitute and auxiliary letter carriers at offices where City Delivery Service is established during the year, including increases hereinafter provided, $94,000.

The amendment was agreed to.

The next amendment was, on page 15, line 3, after the words "*Provided further*," to strike out:

That not to exceed $60,000 of the amount herein appropriated shall be immediately available for the erection and equipment of a garage on the site owned by the Government in the rear of the main post-office building in the District of Columbia—

And insert:

That the Postmaster General is authorized, in his discretion, to contract for pneumatic mail tube service in the cities of New York, N. Y., and Brooklyn, N. Y., or for any portion in such cities, upon such terms as may be agreed upon, the cost therefor to be paid out of any unexpended balance of any appropriation for the Postal Service: *Provided further*, That the properties and equipment of the pneumatic mail tube service located within the basements and subbasements of post-office buildings in the cities of Philadelphia, Pa., Boston, Mass., New York, N. Y., Brooklyn, N. Y., Chicago, Ill., and St. Louis, Mo., be not removed pending further action by Congress, but without expense to the Government.

So as to make the clause read:

For vehicle allowance, the hiring of drivers, the rental of vehicles, and the purchase and exchange and maintenance, including stable and garage facilities, of wagons or automobiles for and the operation of screen-wagon and city delivery and collection services, $9,750,000: *Provided*, That the Postmaster General may, in his disbursement of this appropriation, apply a part thereof to the leasing of quarters for the housing of Government-owned automobiles at a reasonable annual rental for a term not exceeding 10 years: *Provided further*, That the Postmaster General is authorized, in his discretion, to contract for pneumatic mail tube service in the cities of New York, N. Y., and Brooklyn, N. Y., etc.

The amendment was agreed to.

The next amendment was, under the subhead, "Office of the Second Assistant Postmaster General," on page 16, in line 13, after "$1,185,000," to insert:

Provided, That hereafter the compensation for the carrier of mail on Lake Winnepesaukee from the post office at Laconia, N. H., who furnishes his own equipment shall be $1,800 per annum.

So as to make the clause read:

For inland transportation by steamboat or other power-boat routes, $1,185,000: *Provided*, That hereafter the compensation for the carrier of mail on Lake Winnepesaukee from the post office at Laconia, N. H., who furnishes his own equipment shall be $1,800 per annum.

The amendment was agreed to.

The next amendment was, on page 16, line 22, after the words "*Provided further*," to strike out:

That out of this appropriation the Postmaster General is authorized to expend not exceeding $300,000 for the purchase of aeroplanes and the operation and maintenance of aeroplane service between such points as may be determined. That the Postmaster General in expending the appropriation herein for aeroplane service shall purchase, so far as possible, the aeroplanes, motors, equipment, and supplies from the War Department and Navy Department when no longer required because of the cessation of war activities. It shall be the duty of the Postmaster General before purchasing any of such articles to ascertain whether the War or Navy Department has articles of the character described that are serviceable. And articles purchased from either of said departments, if the same have not been used, shall be paid for at a reasonable price, not to exceed actual cost, and if the same have been used, at a reasonable price based upon length of usage. Said departments are authorized to sell such articles to the Post Office Department under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as a miscellaneous receipt: *Provided further*, That the Secretary of War is hereby directed to deliver immediately to the Postmaster General 100 De Havilland four aeroplanes, 100 Handley-Pages, 10 Glen Martin day bombers, all planes completely assembled and with the necessary spare parts; also 100 extra Liberty engines with spare parts, 50 Hispano-Suiza engines with 300-horsepower motors, and 20 Hispano-Suiza engines with 150-horsepower motors, the same to be out of any equipment that the War Department has on hand or under construction, the War Department appropriation to be credited with the equipment turned over to the Post Office Department: *And provided further*, That separate accounts be kept of the amount expended for aeroplane service, and that no part of said sums shall be expended for the maintenance or operation of the aeroplanes above directed to be delivered to the Postmaster General by the Secretary of War, but such machines shall be operated and maintained by the personnel of the Air Service of the Army, under the control and direction of the Postmaster General.

And to insert:

That out of this appropriation the Postmaster General is authorized to expend not exceeding $850,500 for the purchase of aeroplanes and the operation and maintenance of aeroplane mail service between such points as he may determine. The Postmaster General in expending this appropriation shall purchase, as far as practicable, such available and suitable equipment and supplies for the aeroplane mail service as may be owned by or under construction for the War Department or the Navy Department when no longer required because of the cessation of war activities, and it shall be his duty to first ascertain if such articles of the character described may be secured from the War Department or the Navy Department before purchasing such equipment or supplies elsewhere. If such equipment or supplies are purchased elsewhere than from the War Department or the Navy Department, the Postmaster General shall report such action to Congress, together with the reasons for such purchases. All articles purchased from either of said departments, if the same have not been used, shall be paid for at a reasonable price not to exceed actual cost, and if the same have been used, a reasonable price shall be paid therefor, considering wear and tear and general condition. Said departments are authorized to sell such equipment and supplies to the Post Office Department under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts: *Provided further*, That the Secretary of War and the Secretary of the Navy are hereby authorized and directed to deliver immediately to the Postmaster General, as he may request, and as hereinbefore provided, such aeroplane machines, supplies, equipment, and parts as may be serviceable and available for the aeroplane mail service, the same to be out of any equipment that the War Department or the Navy Department has on hand or under construction, the War Department and the Navy Department appropriations to be credited with the equipment turned over to the Post Office Department: *And provided further*, That separate accounts be kept of the amount expended for aeroplane mail service.

So as to make the clause read:

For inland transportation by railroad routes and aeroplanes, $59,625,000: *Provided*, That not to exceed $1,000,000 may be expended for payment of freight and incidental charges for the transportation of mails conveyed under special arrangement in freight trains or otherwise: *Provided further*, That out of this appropriation the Postmaster General is authorized to expend not exceeding $850,500 for the purchase of aeroplanes, etc.

Mr. JONES of Washington. I ask that this amendment may go over until to-morrow.

The PRESIDING OFFICER. The Senator from Washington asks unanimous consent that the amendment may go over until to-morrow. Is there objection? The Chair hears none, and the Secretary will proceed with the reading.

Mr. NEW. I wish to offer an amendment to the amendment of the committee, but if it is to go over until to-morrow I shall withhold it until that time.

Mr. CUMMINS. It is understood that the amendment will go over until to-morrow?

The PRESIDING OFFICER. It has gone over until to-morrow.

Mr. BANKHEAD. I did not understand that it was to go over until to-morrow.

The PRESIDING OFFICER. The Chair so announced.

Mr. BANKHEAD. If we should be able to come back to it this afternoon, I would like to do so.

Mr. JONES of Washington. I would like to have it go over until to-morrow, because I did not expect the amendment to come up this afternoon, and I want to try to get an amendment drawn to cover the proposition.

Mr. BANKHEAD. All right, then; let it go over until to-morrow.

The PRESIDING OFFICER. The Chair understood that to be the request of the Senator from Washington. The amendment will go over until to-morrow.

The next amendment was, on page 20, line 2, before the word "each," to strike out "$3,250" and insert "$3,550"; in line 3, before the word "each," to strike out "$2,350" and insert "$2,550"; in line 4, before the word "each," to strike out "$2,250" and insert "$2,450"; in line 19, after the words "in all," to insert "including increases hereinafter provided"; and in line 20, after the word "provided," to strike out "$28,385,500" and insert "$33,904,000," so as to make the clause read:

Railway Mail Service: For 15 division superintendents, at $3,550 each; 2 assistant superintendents, at $2,550 each; 15 assistant division superintendents, at $2,450 each; 115 chief clerks, at not exceeding $2,400 each; 452 clerks, grade 10, at not exceeding $1,800 each; 1,922 clerks, grade nine, at not exceeding $1,700 each; 375 clerks, grade 8, at not exceeding $1,600 each; 7,703 clerks, grade 7, at not exceeding $1,500 each; 952 clerks, grade 6, at not exceeding $1,400 each; 1,737 clerks, grade 5, at not exceeding $1,300 each; 2,721 clerks, grade 4, at not exceeding $1,200 each; 60 clerks, grade 3, at not exceeding $1,100 each; 4,666 clerks, grade 2, at not exceeding $1,000 each; 1,164 clerks, grade 1, at not exceeding $900 each; in all, including increases hereinafter provided, $33,904,000: *Provided*, That railway and substitute railway postal clerks shall be credited with full time when deadheading under orders of the department, and the appointment and assignment of clerks hereunder shall be so made during the fiscal year as not to involve a greater aggregate expenditure than this sum; and, to enable the Postmaster General to reclassify the salaries of railway postal clerks and make necessary appointments and promotions, he may exceed the number of clerks in such of the grades as may be necessary: *Provided*, That the number of regular clerks in the aggregate as herein authorized be not exceeded.

The amendment was agreed to.

The next amendment was, on page 21, in line 8, after the word "clerks," to strike out "$1,613,959" and insert:

$2,689,931: *Provided*, That the act of August 24, 1912 (37th Stats., p. 548), amended by the act approved March 3, 1917, be further amended to read as follows:

"That hereafter, in addition to the salaries provided by law, the Postmaster General is hereby authorized to make travel allowances in lieu of actual expenses, at fixed rates per annum, not exceeding in the aggregate the sum annually appropriated, to railway postal clerks, acting railway postal clerks, and substitute railway postal clerks, including substitute railway postal clerks for railway postal clerks granted leave with pay on account of sickness, assigned to duty in railway post office cars, while on duty, after 10 hours from the time of beginning their initial run, under such regulations as he may prescribe, and in no case shall such an allowance exceed $2 per day."

So as to make the clause read:

For travel allowances to railway postal clerks and substitute railway postal clerks, $2,689,931: *Provided*, That the act of August 24, 1912 (37th Stats., p. 548), amended by the act approved March 3, 1917, be further amended to read as follows.

And so forth.

The amendment was agreed to.

The next amendment was, under the subhead "Office of the Fourth Assistant Postmaster General," on page 25, in line 16, after the word "devices," to strike out "$420,000" and insert "$560,000," so as to make the clause read:

For wrapping twine and tying devices, $560,000.

The amendment was agreed to.

The next amendment was, on page 27, in line 17, after the words "District of Columbia," to strike out "$2,435,000" and insert "$1,500,000," so as to make the clause read:

For the purchase, manufacture, and repair of mail bags and other mail containers and attachments, mail locks, keys, chains, tools, machinery, and material necessary for same, and for incidental expenses pertaining thereto; also material, machinery, and tools necessary for the manufacture and repair in the equipment shops at Washington, D. C., of such other equipment for the Postal Service as may be deemed expedient: for compensation to labor employed in the equipment shops at Washington, D. C., $1,500,000.

The amendment was agreed to.

The next amendment was, on page 28, in line 7, after the word "thereof," to strike out "$55,445,000" and insert "$68,800,000," so as to make the clause read:

For pay of rural carriers, substitutes for rural carriers on annual leave, clerks in charge of rural stations, and tolls and ferriage, Rural Delivery Service, and for the incidental expenses thereof, $68,800,000.

The amendment was agreed to.

Mr. BANKHEAD. At this point I submit the amendment I send to the desk.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. Strike out the period and insert a semicolon at the end of line 7, page 28, and add the following:

Provided, That hereafter rural carriers assigned to horse-drawn vehicle routes on which daily service is performed shall receive $24 per mile per annum for each mile said routes are in excess of 24 miles or major fraction thereof, based on actual mileage, and rural carriers assigned to horse-drawn vehicle routes on which triweekly service is performed shall receive $12 per mile per annum for each mile of said routes in excess of 24 miles or major fraction thereof, based on actual mileage: *Provided further*, That hereafter the pay of carriers who furnish and maintain their own motor vehicles and who serve routes not less than 50 miles in length may be fixed at not exceeding $2,250 per annum.

Mr. SMOOT and Mr. WADSWORTH addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

Mr. SMOOT. I will yield to the Senator from New York.

Mr. WADSWORTH. I was going to make some inquiry as to what this amendment would actually result in.

Mr. SMOOT. That was the object for which I rose.

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New York?

Mr. SMOOT. I will yield the floor and let the Senator from New York make the inquiry.

Mr. WADSWORTH. I make that inquiry.

Mr. BANKHEAD. What is the inquiry?

Mr. WADSWORTH. I desire to have an explanation of the amendment, as to what it will result in, how many men are to be affected, and what its cost will be.

Mr. BANKHEAD. Does the Senator have reference to the automobile routes?

Mr. WADSWORTH. No; to the horse-drawn vehicle rural routes.

Mr. BANKHEAD. This amendment simply restores the language of the last bill; that is all it does. It was omitted in the print of the bill with reference to the payment of routes of 24 miles and additional service of 24 miles, and we have simply restored it. The last amendment has reference to the automobile routes over 50 miles in length. It is the language of the last bill, except it does makes an increase of 5 per cent, which was given to the other carriers.

Mr. SMOOT. Then, the $13,000,000 increase asked for, or, to be accurate, $13,355,000 increase, is necessary on account of the amendment which has just been presented by the Senator from Alabama?

Mr. BANKHEAD. No; this amendment does not increase the appropriation at all.

Mr. SMOOT. I notice it is for the pay of rural carriers and that the amount appropriated by the House was $55,445,000, which is increased to $68,800,000.

Mr. BANKHEAD. Mr. President, those increases are all due to section 2, which includes a great many increases. For instance, that section increases the pay of the city clerks at first and second class post offices and the city carriers. That amendment was inserted in the other House. I do not think it ought to have gone in; but it did. It is the House proposition, and the increase in these figures simply indicates the amount which ought to have been put into the bill; but the House left it for the Senate to work out.

Mr. SMOOT. I really do not yet understand from what the Senator has said of what this increase really consists. It is—

For pay of rural carriers, substitutes for rural carriers on annual leave, clerks in charge of rural stations, and tolls and ferriage, Rural Delivery Service, and for the incidental expenses thereof.

For those purposes the House provided an appropriation of $55,445,000.

Mr. BANKHEAD. Will the Senator from Utah let me explain that right here?

Mr. SMOOT. Yes.

Mr. BANKHEAD. The figures inserted in the bill by the other House were for the pay of rural carriers on the basic law; but last year they were given a 20 per cent increase. The House, however, did not include that in this bill at all.

Mr. SMOOT. There is included a little over $2,000,000 more than the 20 per cent increase in the House.

Mr. BANKHEAD. We only increased it this year 5 per cent over what it was last year. We did that because the House had increased the pay of city carriers and clerks in first and second class post offices by $200, I think is the amount.

Mr. SMOOT. Then I understand that this covers——

Mr. BANKHEAD. If the Senator from Utah will turn to section 2 of the bill he will there find the basis of this increase of which he desires an explanation. Section 2 is on page 29.

Mr. SMOOT. Mr. President, it would take too much of the time of the Senate to read section 2 and figure out just exactly what it means; but I will take the statement of the Senator from Alabama for granted, and shall not detain the Senate any longer on the matter.

Mr. BANKHEAD. I am quite sure I have stated it correctly.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Alabama.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, on page 28, in line 9, after the words "third class," to strike out "and in communities adjacent to cities having city delivery, $1,250,000" and insert "$720,000," so as to make the clause read:

For village delivery service in towns and villages having post offices of the second or third class, $720,000.

The amendment was agreed to.

The next amendment was, on page 28, after line 10, to strike out:

For experimental motor vehicle truck service in such localities of the United States as the Postmaster General may select, the establishment and extension of such service, the purchase, manufacture, exchange, and repair of equipment, supervision and maintenance, and expenses incidental to conveyance and marketing of produce and commodities, $1,000,000.

And insert:

That to promote the conservation of food products and to facilitate the collection and delivery thereof from producer to consumer and the delivery to producers of articles necessary in the production of such food products, the Postmaster General is hereby authorized to conduct experiments in the operation of motor-vehicle truck routes, to be selected by him. The Postmaster General is further authorized to conduct experiments in the operation of country motor express routes, which shall be primarily operated as a means of expediting the transportation of fourth-class mail between producing and consuming localities and shall not displace or supplant any existing methods of mail transportation or delivery. These two classes of experiments shall be conducted under such rules and regulations, including modifications in rates of postage and in packing and wrapping requirements, as the Postmaster General may prescribe, and to defray the cost thereof the sum of $300,000 is hereby appropriated:

Provided, That mail other than that of the fourth class shall not be dispatched on experimental motor vehicle truck routes or on experimental country motor express routes unless the same can be expedited thereby in delivery at destination:

Provided further, That separate accounts shall be kept of the amount of all the mail of all classes carried on such routes. The Postmaster General shall report to Congress the result of such experiments at the beginning of the next regular session.

Mr. McKELLAR. At the request of the present occupant of the chair [Mr. KING], I ask unanimous consent that this amendment may go over.

Mr. BANKHEAD. Very well; let it go over.

The PRESIDING OFICER. The amendment will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, in section 2, page 29, line 24, after the word "That," to strike out "on and after July 1, 1919," and insert "during the fiscal year ending June 30, 1920," so as to make the clause read:

SEC. 2. That during the fiscal year ending June 30, 1920, clerks in first and second class post offices and letter carriers in the City Delivery Service shall be divided into six grades, as follows:

Mr. McKELLAR. Mr. President, this amendment brings up the question of making the present salaries of the employees in the department permanent. This amendment makes them simply temporary. I want to say just a word about this matter.

I think that these salaries ought to be made permanent. We have recently passed a bill, and probably very properly so—I am not criticizing it in the least—increasing very largely the salaries of our Federal judges, the necessity for such increase being brought on by the conditions that exist as to all salaried men in this country. We have recently passed other large increase, and we have made those salaries permanent—much larger or quite as large in proportion as the salaries that are here asked to be made permanent. We have recently appropriated $100,000,000 of our money for looking after people in Europe and for looking after the interests of the packing people over on this side of the water. Under these circumstances, it seems to me, it is as little as we can do to make this legislation permanent for these employees of the Government. I therefore hope that this amendment will not be agreed to.

I call attention to the fact that on page 32 virtually the same language is used, also on page 33, and again in the proviso from line 17 to line 26 on page 33 of the bill. I suppose every Senator knows the question at issue. It is merely a plain question of whether we are going to make these salaries permanent. The other House provided for making them permanent, and it seems to me the Senate ought to agree to that proposition in common justice to these employees of the Government. I hope the Senate committee amendment will not be agreed to.

Mr. BANKHEAD. Mr. President, I hope the desire of the Senator from Tennessee [Mr. McKELLAR] will not be acceeded to. The condition in the Post Office Department—as it is in nearly every other department of the Government—is chaotic. We

have made the advances in these appropriations temporary; and we have inserted in the bill a provision to create a commission to investigate the whole question of salaries in the Post Office Department, to undertake to equalize them, and to put them all upon a fair and a just basis.

I do not think this amendment ought to be disturbed. I think the matter ought to go along. Let us agree to the creation of the commission which is provided for in the bill; let that commission take up the whole question of salaries in the Post Office Department, go over them all thoroughly in every branch of the Postal Service, and equalize them. Some of them may be higher than they ought to be, and some of them may be lower than they ought to be under the conditions. Nobody now, Mr. President, can tell what the conditions are going to be a year from now. It may be then absolutely necessary to reduce some of the salaries which we have now provided for under the existing extraordinary conditions. I say, leave that all to the commission, and let them work it out. I hope, therefore, the amendment proposed by the committee will not be disturbed.

Mr. SMOOT. Mr. President, I think the amendment reported by the committee is a very wise one for this reason: The increases which have been given to the employees in all of the other departments of the Government have been what may be termed temporary increases. Last year the increase was $120. The basic rate of payment was not interfered with at all; but there was a temporary increase on account of the conditions existing. If the legislative appropriation bill this year becomes a law, I do not think it is out of the way for me to say that so far as the subcommittee of the Appropriations Committee have acted it is in favor of increasing the $120 of last year to $240 for this year. I have not any doubt the committee would absolutely refuse to consider an increase of all statutory rates of pay by $240, to be hereafter paid, but it is left to Congress to decide what may be done under the conditions which may exist a year hence; whether the increase shall be $120 or $240 or $360. That question is to be decided at that time. I see a provision is contained in this bill for the creation of a commission for the very purpose of examining into the whole question of salaries to be paid the employees of the Government.

As I said a year ago, Mr. President, there ought to be a commission appointed, and appointed quickly, to go into the question of the rearrangement of the salaries paid in every department of this Government. I assert that there are now some of the most glaring discriminations in the salaries paid in the different departments of our Government of which it is possible for the human mind to conceive. The quicker a commission is appointed to go into this question the better it will be. I do not mean merely to skim the question over or to make some report that a certain head of a certain division ought to receive an increase of salary because of the work that he may be doing at that particular time, but I mean that the investigation of such a commission ought to be so thorough that it would be acceptable to any man who made an examination of the matter; I might say that it should be just as thorough as if the Government of the United States were a great, big business concern, and the investigation was made upon business principles and not upon favoritism or upon political "pull."

Mr. BANKHEAD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Alabama?

Mr. SMOOT. I yield.

Mr. BANKHEAD. I desire to ask the Senator from Utah a question. I understood the Senator a while ago to say that the Appropriations Committee had increased certain salaries?

Mr. SMOOT. Statutory salaries; yes.

Mr. BANKHEAD. Temporarily?

Mr. SMOOT. Temporarily; for this year.

Mr. BANKHEAD. Has the committee not also provided for the appointment of a commission?

Mr. SMOOT. It will provide for it if the House conferees yield.

Mr. BANKHEAD. I mean that the Senator's committee is in favor of the appointment of a commission to adjust this whole matter, is it not?

Mr. SMOOT. Absolutely; and I am in favor of a commission in this case to adjust salaries in the Post Office Department. I think it would be a very wise thing to do, to have a commission created, if the House agrees to the Senate provision and the Senate agrees to the action taken by the subcommittee of the Appropriations Committee. Then, of course, such action would cover all of the other departments of the Government.

I know it is said that perhaps this ought not to be done at this particular time on account of the unusual conditions existing in the United States; but I have had enough experience in my service here in the Senate to know that if the commission were appointed this year, before a thorough examination could be made—and unless it is a thorough one it will be of no value whatever—conditions more than likely will be normal; and this is the time that we want to know just what to do in order that equal and exact justice may be rendered to all of the employees of the Government. Therefore, Mr. President, I really think that the amendment of the committee is a very wise one, and I hope the Senate will agree to it.

Mr. THOMAS. Mr. President, I do not think it would be wise to legislate a permanent salary list, but for reasons somewhat different from that expressed by my associates. My objection is that, if we should do so, the permanency would end with the next fiscal year. The constant demand for increased salaries will find favorable response here just so long as there is any money in the Treasury to devote to that purpose, and to speak of a permanent salary list is to express a contradiction in terms; as a celebrated nurse in one of Dickens's novels said, "There ain't no such thing."

Mr. President, I am aware, and, of course, have been so ever since the war began, that the rise in the cost of living bears very hard upon the salaried elements of society. Their compensation being fixed and the price of all the necessities of life being in a state of constant upward progression, this class necessarily feels the consequences of the disarrangement more severely, and perhaps more generally, than any other class. The time was when the wage earner suffered similarly, but in these days of organization he has been able not only to take care of himself but to utilize the emergency by securing a large increase over and above the cost of living. Hence I sympathize very deeply with the demand of the salaried classes for additional compensation, notwithstanding the fact that the giving of it brings no relief whatever.

This bill provides for an increase aggregating $12,500,000 over and above the amount provided in the bill of last year, which was in turn an increase over its predecessor, and that in turn contained increases over the bill which preceded it. I am not a prophet, and never pretended to be; indeed, it required no prophet at that time to predict that the relief sought for would prove in practice of no avail, and it did not.

Mr. President, you have probably noticed that every request for an increase of salary is backed by the enthusiastic approval of the press, by the commercial bodies, by the landlords, by the grocers, and by the dry-goods people. Why? Because they know that these increases will bring a profit to them and to nobody else. The Government clerk becomes merely a conduit through which the money of the United States passes from its Treasury to the purveyor. So it has been, so it is, and so it ever will be.

Mr. McKELLAR. Mr. President, may I interrupt the Senator?

Mr. THOMAS. Certainly.

Mr. McKELLAR. Assuming that that is the case, should that prevent us from giving to the clerk, through whom it is conveyed, a living wage?

Mr. THOMAS. Mr. President, if the Senator will only define what is a "living wage," I would be better able to answer his question.

Mr. McKELLAR. With the ordinary expenses that I have upon me I find that $7,500 quickly disappears in this city, and I wonder how the clerks with such small salaries get along at all.

Mr. THOMAS. That is undoubtedly true; and if the Senator were receiving $10,000 a year he would find himself in the same condition.

Mr. McKELLAR. On that theory, then, we had better cut all salaries down to nothing.

Mr. THOMAS. It would be just as logical and just as efficient. Why, Mr. President, the business of extorting money—perhaps I use too strong an expression—the business of securing money for the necessities of life from the salaried class has developed into an exact science.

Mr. McKELLAR. I am obliged to agree with the Senator about that.

Mr. THOMAS. The Senator, who gets $7,500 a year, finds that it costs him at least that to live here. If he only got $1,200, the purveyors would still accommodate him, or attempt to do so; but I have not a particle of doubt that if the Congress should seriously consider the propriety of advancing the salaries of its Members to $10,000 every landlord, the proprietor of every department store, and the proprietor of every grocery store would hail it with great satisfaction; in fact, with unalloyed enthusiasm, because they would see an additional $2,500 apiece for something over 425 Members of Congress for their annual incomes. I am in favor of fixing a living wage if it were possible, but it is not. No man can obtain a salary raise fast enough to catch up with, to say nothing about overtaking, those who furnish the supplies of life. For that reason I have opposed the raising of these salaries, because the recipients of them are just as well off as they are after this money has been appropriated from the Treasury.

There is a way of meeting it, in my judgment. I think the Government should provide, even though it may result in a deficit or in added public expense, a rate for shelter by furnishing the shelter and a rate for the necessities of life by furnishing the necessities of life under a living wage, and then pay that wage. The Government would not lose anything like as much as it does under the prevailing system. Talk about a permanent wage scale! It is impossible.

This is a real need; I recognize that; but a year from now the need will be just as real, and we will have to give just as much more, because, to use an expression I once heard used by a prominent business man here, the slack will be taken up long before Congress makes another appropriation. So that the whole business, Mr. President, of increasing salaries consists of a losing race between the salary earner and the purveyor; and, of course, there is an added incentive to the purveyor to increase his prices, because he knows from experience that we will meet the increase by giving the employee a little more. He can deprive the wage earner or the receiver of the salary during the next fiscal year of the benefit of the increase.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. THOMAS. I yield.

Mr. McKELLAR. The natural effect of the bill which we passed the other day appropriating $100,000,000 to European sufferers is to keep up the price of meat nearly to the present standard. This was admitted by Senators upon this floor.

Mr. THOMAS. I think so; but the prices will stay up anyhow—certainly in the District of Columbia.

Mr. McKELLAR. That bill has the effect of increasing the price of meat. Having enacted that legislation, does the Senator think it would be unfair, looked at even from his standpoint, to give the very poorly paid Government clerks sufficient salary to enable them to get meat at the price to which we have seen fit to increase it?

Mr. THOMAS. The Senator can not reproach me for the $100,000,000 legislation.

Mr. McKELLAR. I am delighted to know that I can not.

Mr. THOMAS. I did not vote for it, and if there is anything wrong in its enactment my conscience is clear.

Mr. McKELLAR. I am not reproaching the Senator for it; I remember his vote; but I was just asking how he makes his present reasoning jibe with that bill?

Mr. THOMAS. I do not want to leave that statement incomplete. Because of the exigency I would have voted for it if I had thought we had the constitutional power to enact it; but I can never understand why, if the Congress appropriates $100,000,000 for one purpose, that is a justification, or even an excuse, for appropriating millions of dollars for some other purpose. I know that the precedents are established, and that in consequence of them we are multiplying our expenditures very rapidly, so that now we are making appropriations by millions upon millions, and the Almighty Himself can hardly predict what the total will be between now and the 4th of March.

Mr. McKELLAR. Mr. President, perhaps the Senator misunderstands my position. I will say that my proposition is that if by legislation we have kept up the price of meat—the meat which the Government clerks must have upon which to live—it is absolutely right that we should also place their salaries at such a rate that they can get meat occasionally.

Mr. THOMAS. The sum of $100,000,000 is very large in the abstract, but it is relatively very small in the effect that it will have upon the price of commodities in this country; it is not a drop in the bucket, so to speak. Moreover, prices are sustained in these days not so much by the demand for the commodity as by the control of the product. I do not think that the purchase by the Government of $100,000,000 worth of foodstuffs, which must be made in large part from those having control of them, will sensibly affect the current prices for these commodities. But whether that be true or not, I can perceive no argument whatever in the proposition that because large sums of money have been appropriated for one purpose, the indirect effect of that purpose will justify other large appropriations.

I might say to the Senator, to comfort him, that my opposition to this measure is the very surest way to make it effective, for I am not sensible yet of having ever opposed successfully an appropriation in the Senate of the United States, and I do not know that I ever shall. I will say very frankly that this appropriation has the merit of necessity behind it, my objection being that it will not accomplish the purpose that its advocates seem to think. If I thought it would, I would vote for it in a moment, but sad experience tells me that we are merely by these indirect processes furnishing money to those who do not need any assistance from us.

We have expended a great deal of money here in the District in the building of public structures for the sheltering of employees of the Government. I do not know whether they are occupied yet or not. I think it is a good start in the proper direction; and if we will follow it up by provisioning these places and bringing the cost of livelihood down where it ought to be, we will not only by that means confer a boon upon the public officials, but we will also sensibly affect the price of the necessities of life to the residents of this District. That, however, is perhaps too obvious a method of proceeding to justify its successful consideration by the Congress.

This will go through; there is no doubt about it; but do not try to make it permanent, because it is simply a waste of time and a waste of breath. It will be as temporary as the bill itself, to be followed next year by appropriations of similar, if not greater, increases to meet the added cost of living; and the local press and the purveyors, as usual, will be behind that with all their energy and all their enthusiasm, shedding crocodile tears over the terrible condition of the poor wage earner, but having their claws extended in anticipation of the harvest that is to come to them when the bill becomes a law.

The PRESIDING OFFICER (Mr. SWANSON in the chair). The question is on the amendment of the committee.

The amendment was agreed to.

CARE OF SOLDIERS WHEN TRAVELING.

Mr. SUTHERLAND. Mr. President, I apologize for calling the attention of the Senate to a matter which is extraneous to the pending bill, but there seems to me to be no subject that is more worthy of our immediate consideration at any time than this.

I ask the Secretary to read from the desk a communication which I have received from the chairman of the Red Cross Chapter of Parkersburg, W. Va.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

WOOD COUNTY (W. VA.) CHAPTER,
THE AMERICAN RED CROSS,
Parkersburg, W. Va., January 28, 1919.

Hon. HOWARD SUTHERLAND,
Washington, D. C.

DEAR SENATOR: At a conference of the chairman and other members of the canteen committee of our local chapter of the American Red Cross it was decided that I should most earnestly call attention to the proper authorities of the Government to the lack of care being given wounded soldiers transported via Parkersburg.

Complaints are made from time to time of lack of water, heat, and proper food on the trains. During this month the canteen here has furnished 5,150 men with some character of food and refreshment. There is a lack of system and uniformity with reference to the arrangements, and therefore a great deal of confusion exists, and the canteen is being called upon to bear expenses out of all proportion to the size of our chapter and the condition of our treasury.

We think that the Government should provide some character of service on hospital trains which would insure wounded soldiers having proper food and nourishment, without depending solely on canned food and canteen service. If the canteen, however, is expected to furnish meals and food in the amount which we are now doing, some provision should be made for compensation. It is true that occasionally officers reimburse the canteen, but there is no system or uniformity with regard to the matter.

We respectfully request information as to the policy and practice of the Government with reference to these matters, and in our particular case we would like to have telegraphic information in advance what character of food is desired, whether or not soldiers have equipment, and general instructions. We likewise feel that a train should be in charge of some one responsible officer or person. Our present experience is that at times Young Men's Christian Association men are seemingly in charge, and in one instance, particularly, our experience was extremely disagreeable. It is probable the Government has definite rules with reference to these matters, but if so they are not being carried out, and in very few instances has the canteen been reimbursed for any outlay which it has made.

Referring again to the cost which we are undergoing, our budget provides $100 a month for canteen work, and it can be readily seen that to carry out the work as we are now being compelled to do is absolutely out of the question.

Very truly,

JOHN MARSHALL,
Chairman Wood County Chapter,
American Red Cross.

Mr. SUTHERLAND. Mr. President, it seems that soldiers are being transported to and fro over our railroad systems, particularly those now returning from Europe, many of them wounded soldiers, without adequate preparation being made en route for their care and feeding. It seems to me that this is a situation that should not exist. It seems to me that to require the communities through which these soldiers pass to provide for the food and care of these men as they pass through the several stations en route to their final destination is an injustice which this Government should not contemplate. We have appropriated, and are appropriating, large sums of money for the support of the War Department, and the virtual quartering of

these soldiers upon these communities in time of peace is an injustice which is not contemplated even by the Constitution, and which is practically prohibited. It is not exactly a quartering, but it is virtually a quartering upon the population of soldiers in time of peace.

It would seem to me that those in the War Department in charge of the transportation of those soldiers should adopt some policy by which advance information could be sent to those stations where they are to be stopped for feeding, so that proper food can be arranged for; and this service should be paid for by the Government rather than by the communities through which these soldiers pass. It is most deplorable that these hospital trains, carrying wounded men from the battle fields in France, should be found to be absolutely lacking in the essentials for the comfort of these wounded men.

I desire to call the attention of the Senate, and not only of the Senate but of the country at large, to this question, which is no doubt pressing upon many communities besides the one which is immediately complaining in this case; and I desire particularly to call the attention of the Quartermaster Department of the War Department to the necessity of better arrangements for sending these men to their destinations over our railroad systems.

WOMAN SUFFRAGE.

Mr. SHAFROTH. Mr. President, I have here a joint memorial of the Legislature of Colorado, which I ask to have read.

The PRESIDING OFFICER. The Secretary will read the memorial, in the absence of objection.

Mr. BANKHEAD. I object to the reading of the joint memorial at this time. I want to proceed with this bill and dispose of certain sections of it, and then I shall be perfectly willing to yield to the Senator.

Mr. SHAFROTH. It will take me but a minute to do it.

Mr. BANKHEAD. Will not the gentleman permit it to be printed in the RECORD?

Mr. SHAFROTH. I think it ought to be read.

The PRESIDING OFFICER. Does the Senator insist upon it now, or will he wait until later?

Mr. BANKHEAD. Mr. President, I am helpless. If I object to it going into the RECORD, the Senator will read it himself.

Mr. SHAFROTH. Certainly I can read it.

The PRESIDING OFFICER. The Secretary will read the memorial.

The Secretary read as follows:

(House joint resolution 2. By Mabel Ruth Baker.)

Resolved by the house of representatives (the senate concurring):

Whereas Colorado has long enjoyed the help and counsel of its women in all matters of citizenship, and has by these years of experience demonstrated the benefits to be derived by equal suffrage; and

Whereas there is now pending in the Senate of the United States a constitutional amendment providing for national woman suffrage: Therefore be it

Resolved, That we urge the United States Senate to take up and pass at the earliest possible date this constitutional amendment, in order that all the women of the Nation may have the right of suffrage, which they have so completely earned, and the Nation have the benefit of their citizenship; and be it further

Resolved, That we commend our United States Senators and Members of Congress for the work they have done in behalf of the Federal suffrage amendment, and urge them to continue their endeavors until success shall crown their efforts.

This is to certify that the above house joint resolution No. 2 was duly passed in both the Senate and House of Representatives of Colorado on January 3, 1919, by the following vote:

In the senate: Yeas, 31; nays, 1; absent or excused, 3.

In the house: Yeas, 65; nays, none; absent or excused, none.

Respectfully,

HARRY F. MASON,
Chief Clerk, House of Representatives.

Mr. SHAFROTH. Mr. President, I desire to call attention to the fact that the one vote given by a senator against the adoption of that joint resolution was cast by a man who stated that he had no objection to the joint resolution itself, but was opposed to voting upon any joint resolution memorializing Congress.

POST OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

The PRESIDING OFFICER. The Secretary will resume the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, on page 31, line 6, after the word "to," to strike out "$1,700" and insert "$1,800," so as to make the clause read:

The Postmaster General shall classify and fix the salaries of railway postal clerks, under such regulations as he may prescribe, in the grades provided by law; and for the purpose of organization and establishing maximum grades to which promotions may be made successively, as hereinafter provided, he shall classify railway post offices, terminal railway post offices, and transfer offices with reference to their character and importance in three classes, with salary grades as follows: Class A, $1,100 to $1,500; class B, $1,100 to $1,600; class C, $1,100 to $1,800. He may assign to the offices of division superintendents and chief clerks such railway postal clerks as may be necessary and fix their salaries within the grades provided by law without regard to the classification of railway post offices.

The amendment was agreed to.

The next amendment was, on page 32, line 1, after the word "That," to strike out "on and after July 1, 1919," and insert "during the fiscal year ending June 30, 1920," so as to read:

Provided further, That during the fiscal year ending June 30, 1920, the compensation of each rural letter carrier for serving a rural route of 24 miles and over, six days in the week, shall be, etc.

The amendment was agreed to.

Mr. BANKHEAD. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 32, line 4, it is proposed to strike out the words "and over."

The amendment was agreed to.

The next amendment of the Committee on Post Offices and Post Roads was, on page 32, line 5, after the words "shall be," to strike out "$1,440 and $24 per mile for each mile or major fraction thereof over 24 miles per annum, payable monthly"; in line 8, after the word "miles," to strike out "$1,382" and insert "$1,440"; in line 9, after the words "miles," to strike out "$1,296" and insert "$1,350"; in line 10, after the word "miles," to strike out "$1,152" and insert "$1,200"; in line 11, after the word "miles," to strike out "$1,008" and insert "$1,050"; in line 12, after the word "miles," to strike out "$864" and insert "$900"; in line 13, after the word "miles," to strike out "$806" and insert "$840"; in line 14, after the word "miles," to strike "$748" and insert "$780"; in line 15, after the word "miles," to strike out "$691" and insert "$720"; in line 16, after the word "miles," to strike out "$633" and insert "$660"; in line 17, after the word "miles," to strike out "$576" and insert "$600"; in line 23, after the word "That," to strike out "hereafter" and insert "during the fiscal year ending June 30, 1920"; on page 33, line 6, after the word "law," to insert "*Provided further*, That no office shall be advanced to third class by reason of the temporary increases herein provided: *Provided further*"; in line 8, after the word "That," to strike out "hereafter" and insert "during the fiscal year ending June 30, 1920"; and in line 13, after the word "mentioned," to strike out "herein" and insert "in this section and certain assistant postmasters at first and second class post offices and certain supervisory officials whose salaries are specifically increased by this act: *Provided further*, That the provisions of this section shall not apply to employees who receive a part of their pay from any outside sources under cooperative arrangement with the Post Office Department or to employees who serve voluntarily or receive only a nominal compensation: *And provided further*, That the increased compensation at the rate of 5 per cent, 10 per cent, and 15 per cent for the fiscal year ending June 30, 1918, shall not be computed as salary in construing this section. So much as may be necessary for the increases provided for in this act is hereby appropriated," so as to make the clause read:

Clerks in class A shall be promoted successively to grade 3, clerks in class B shall be promoted successively to grade 4, and clerks in class C shall be promoted successively to grade 5, at the beginning of the quarter following the expiration of a year's satisfactory service in the next lower grade. Promotions above these grades within the maximum grades of the classification may be made in the discretion of the Postmaster General for meritorious service. No promotion shall be made except upon evidence satisfactory to the Post Office Department of the efficiency and faithfulness of the employee during the preceding year: *Provided further*, That clerks assigned as clerks in charge of crews consisting of more than one clerk shall be clerks of grades 6 to 10, inclusive, and may be promoted one grade only after three years' satisfactory and faithful service in such capacity: *Provided further*, That during the fiscal year ending June 30, 1920, the compensation of each rural letter carrier for serving a rural route of 24 miles, six days in the week, shall be $1,500; on routes 22 miles and less than 24 miles, $1,440; on routes 20 miles and less than 22 miles, $1,350; on routes 18 miles and less than 20 miles, $1,200; on routes 16 miles and less than 18 miles, $1,050; on routes 14 miles and less than 16 miles, $900; on routes 12 miles and less than 14 miles, $840; on routes 10 miles and less than 12 miles, $780; on routes 8 miles and less than 10 miles, $720; on routes 6 miles and less than 8 miles, $660; on routes 4 miles and less than 6 miles, $600. A rural letter carrier serving one triweekly route shall be paid on the basis for a route one-half the length of the route served by him, and a carrier serving two triweekly routes shall be paid on the basis for a route one-half of the combined length of the two routes: *Provided further*, That during the fiscal year ending June 30, 1920, postmasters of the fourth class shall receive the same compensation as now provided by law, except that they shall receive 100 per cent

of the cancellations of the first $100 or less per quarter: *Provided further*, That if the compensation does not exceed $75 for any one quarter, fourth-class postmasters shall be allowed an increase of 20 per cent of the compensation allowed under existing law: *Provided further*, That no office shall be advanced to third class by reason of the temporary increases herein provided: *Provided further*, That during the fiscal year ending June 30, 1920, the increased compensation provided in section 2 of the act approved July 2, 1918, making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes, shall remain the same for employees other than those mentioned in this section and certain assistant postmasters at first and second class post offices and certain supervisory officials whose salaries are specifically increased by this act: *Provided further*, That the provisions of this section shall not apply to employees who receive a part of their pay from any outside sources under cooperative arrangement with the Post Office Department, or to employees who serve voluntarily or receive only a nominal compensation: *And provided further*, That the increased compensation, at the rate of 5 per cent, 10 per cent, and 15 per cent for the fiscal year ending June 30, 1918, shall not be computed as salary in construing this section. So much as may be necessary for the increases provided for in this act is hereby appropriated.

Mr. KING. Mr. President, I should like to ask the Senator if there have been any increases in any of these salaries, except temporary increases of a certain per cent, so as to reach the same level of advancement that has been reached in the other departments?

Mr. BANKHEAD. All the increases that have been made in this bill are temporary. No permanent increases have been made.

Mr. KING. And what has been the general increase in salaries?

Mr. BANKHEAD. I suppose I might say the general increase has been about $200.

Mr. KING. What is the amount of the appropriations carried by this bill in excess of the Post Office appropriation bill for the preceding year?

Mr. BANKHEAD. About $40,000,000, exclusive of the good-roads item.

Mr. KING. And is that all in salaries, or are there other items?

Mr. BANKHEAD. Practically all in salaries.

Mr. KING. In view of the tremendous obligations which this Government has assumed, those paid and those unpaid, the difficulty that we will experience in collecting the $6,000,000,000 which the present revenue bill levies upon the people, and in view of the fact that billions of dollars are to be met in the future, I ask the Senator whether he thinks we are justified in adding to this appropriation $40,000,000 for one year?

Mr. BANKHEAD. I think we are, under the conditions, so long as we are adding this amount to the pay of employees of all other departments of the Government.

Mr. KING. And what is added by way of appropriation for roads?

Mr. BANKHEAD. Two hundred million dollars in three years—$50,000,000 this year and $75,000,000 during each of the two next fiscal years.

Mr. KING. Has the committee having this bill in charge taken into account the ways and means by which the revenue is to be obtained to meet these rapidly increasing expenditures?

Mr. BANKHEAD. That is the business of the Ways and Means Committee of the House and the Finance Committee of the Senate. They will attend to that.

Mr. KING. The Senator is of the opinion that the majority of us—those who do not belong to the Finance Committee—may devise ways and means of spending money, but the sole responsibility of devising ways and means of raising money will rest upon that committee?

Mr. BANKHEAD. Oh, we are all going to support the report of the committee when it comes in. So is the Senator from Utah.

Mr. KING. Oh, obviously this Government will have to meet the expenditures which an extravagant Congress makes. We can not repudiate the obligations that will be incurred by appropriation bills of that character. It does seem to me, though, that somebody in this Chamber ought to be protesting against the extravagant expenditures that are constantly being made. I do not refer particularly to this bill, but to other bills. There seems to be no plan by which to conserve the resources of the Government, to cut down expenses; and we justify these growing expenses upon the ground that prices have gone up, and therefore we must increase the expenditures of the Government. It seems to me that we will have an empty Treasury long before all of these obligations have been met.

Mr. BANKHEAD. Mr. President, I hope to be able to proceed with one or two more sections of the bill to-night; and when we reach the good-roads amendment, which the Senator from Utah has in his mind, I shall move to adjourn until to-morrow. I just want to finish up the part of this bill which provides the appropriations for the Post Office Department. There are only one or two more pages of it, on which there will be no trouble.

Mr. KING. I suppose it is futile to attempt any emendation of this bill. I know how obnoxious a Senator makes himself if he opposes an appropriation. I have seen the distinguished Senator from Colorado [Mr. THOMAS] and others who have tried to effectuate reforms run over by this juggernaut time and time again. I suppose the prostrate forms of these undying heroes will be found occasionally; but those forms will not even be reminders of the solemn duty which rests upon the Senators to try to have economical Government.

Mr. BORAH. Mr. President, I desire to say that there are some of us carrying recent bruises from the juggernaut car.

Mr. KING. I think that is true.

The PRESIDING OFFICER. The question is on the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, at the top of page 34, to strike out:

SEC. 3. That a commission consisting of five members of the Committee on Post Offices and Post Roads of the United States Senate and five members of the Committee on the Post Office and Post Roads of the House of Representatives, to be appointed by the chairman of the respective committees, is hereby authorized to investigate the salaries of postmasters and employees of the Postal Service with a view to the reclassification and readjustment of such salaries on an equitable basis; and said commission shall make a report with recommendation to Congress at the first day of the next regular session. The expense of such inquiry shall be paid from the unexpended balance of any appropriation for the Postal Service for the fiscal year ending June 30, 1919.

And to insert:

SEC. 3. That a commission consisting of five members of the Committee on Post Offices and Post Roads of the United States Senate, to be appointed by the President of the Senate, and five members of the Committee on the Post Office and Post Roads of the House of Representatives, to be appointed by the Speaker of the House, is hereby authorized to investigate the salaries of postmasters and employees of the Postal Service with a view to the reclassification and readjustment of such salaries on an equitable basis. Vacancies occurring in the membership of the commission shall be filled in the same manner as the original appointments.

The commission is authorized to sit during the sessions or recess of Congress, to send for persons and papers, to administer oaths, to summon and compel the attendance of witnesses, and to employ such clerical and expert services and incur such expenses as may be necessary to carry out the purpose of this investigation.

The heads of the Post Office Department, postmasters, supervising officials, and employees of the Postal Service shall furnish data and information and make investigations upon request of the commission.

It shall be the duty of the commission to report by bill or otherwise, as soon as practicable, the results of its investigation and what reclassification and readjustment of compensation should be made. The expense of such investigation shall be paid from the unexpended balance of any appropriation for the Postal Service for the fiscal year ending June 30, 1919, or for the fiscal year ending June 30, 1920, and disbursed upon vouchers approved by the commission, which approval shall be conclusive upon the accounting officers of the Treasury Department. Funds necessary for the expenses of the commission shall become available upon the approval of this act.

The amendment was agreed to.

Mr. BANKHEAD. Mr. President, I believe we are about to begin the consideration of section 5.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The Senator is correct.

Mr. BANKHEAD. It will be impossible to proceed much further with the bill to-night. There are a number of Senators here who want a morning hour. Therefore I move that the Senate adjourn until 12 o'clock to-morrow.

Mr. SHAFROTH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama withhold his motion?

Mr. BANKHEAD. Yes.

Mr. SHAFROTH. I have here an address of about 10 minutes which was delivered by Mr. John L. Lentz, a former Member of the House of Representatives, at the Coliseum in Rome. It is a very patriotic address, and will occupy but a very small space in printed form. I ask that it be printed as a public document.

Mr. SMITH of Arizona. I move that it be referred to the Committee on Printing.

The PRESIDING OFFICER. Is there objection to the request?

Mr. SHAFROTH. Mr. President, I move that it be made a public document.

Mr. BANKHEAD. Mr. President, I believe I have the floor.

The PRESIDING OFFICER. The Senator from Alabama has the floor.

Mr. BANKHEAD. I renew my motion that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 50 minutes p. m.) the Senate adjourned until to-morrow, Friday, January 31, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January 30, 1919.*

The House met at 11 a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty Father, infinite in all Thine attributes, gracious in Thine acts, generous in Thy gifts, make us more appreciative of Thy goodness and wonderful works to the children of men, and responsive to all that is good and pure in our being, that we may fulfill the duties and obligations of life this day and always, in the name of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

COMMERCIAL CABLE CO.

Mr. MOON. Mr. Speaker, I want to ask unanimous consent to have printed in the CONGRESSIONAL RECORD a short letter of 10 or 12 lines from the Solicitor of the Post Office Department, together with an attached letter from Postmaster General Burleson to Mr. George G. Ward, the vice president of the Commercial Cable Co., of New York.

The SPEAKER. The gentleman from Tennessee asks leave to print certain letters from the Postmaster General, and so on. Is there objection?

There was no objection.

Following are the letters referred to:

POST OFFICE DEPARTMENT,
OFFICE OF THE SOLICITOR,
Washington, January 29, 1919.

Hon. JOHN A. MOON,
Chairman Committee on the Post Office and Post Roads,
House of Representatives, Washington, D. C.

MY DEAR MR. MOON: In connection with the letter of January 25, 1919, from Mr. George G. Ward, vice president of the Commercial Cable Co., to the Postmaster General, relative to certain orders received by that company from the war department of the British Government, which I understand has been put in the CONGRESSIONAL RECORD, I inclose herewith for your information, and in order that you may, if you see fit, put it also in the RECORD, a copy of the Postmaster General's reply to Mr. Ward's letter.

Very truly, yours, W. H. LAMAR,
Solicitor.

JANUARY 28, 1919.

Mr. GEORGE G. WARD,
Vice President Commercial Cable Co.,
253 Broadway, New York, N. Y.

SIR: Your letter of the 25th instant quoting order issued to your company by the war department of the British Government received. In reply to your inquiry with respect thereto it seems only necessary to state that the English Government is exercising control over the property of and persons connected with the Commercial Cable Co. located in the British possessions. And under the joint resolution of Congress this Government, through the Postmaster General, is controlling the operations of the cable properties within its jurisdiction. You have been relieved by me of all duties affecting the operation of cables of your company, so far as the jurisdiction of this Government is concerned over the cables of the Commercial Co. I have no instructions to issue to you in regard to any requirements that the British Government may require of you as an officer of the Commercial Co. as a corporation and relating to the property of the company or the conduct of its officials or agents located and operating in the British possessions and with respect to which that Government has assumed control.

Respectfully,

A. S. BURLESON,
Postmaster General.

IMMIGRATION BILL.

Mr. BURNETT. Mr. Speaker, I ask unanimous consent that the minority of the Committee on Immigration and Naturalization may have five days within which to file a minority report on the bill H. R. 15302, the exclusion immigration bill.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the minority of the Committee on Immigration and Naturalization have five days within which to file a minority report on the new immigration bill. Is there objection?

There was no objection.

Mr. BURNETT. I would like further, Mr. Speaker, to ask unanimous consent that there be a reprint of 2,000 copies of the bill and report. It is a very important measure, and the number of copies now available is altogether inadequate.

The SPEAKER. How many did the gentleman say?

Mr. BURNETT. Two thousand.

The SPEAKER. That 2,000 copies of the bill, together with both reports, be printed as a House document. Is there objection?

Mr. STAFFORD. Do I understand that the gentleman desires to have the bill printed in document form?

Mr. BURNETT. I simply wanted to have it available for the Members.

The SPEAKER. The Speaker included the bill in document form by inadvertence. The request is for a reprint of the bill and the reports. Is there objection?

There was no objection.

ST. ELIZABETHS HOSPITAL.

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent to proceed for six minutes.

The SPEAKER. The gentleman from New York asks unanimous consent to proceed for six minutes. Is there objection?

Mr. GRIFFIN. Reserving the right to object for a moment, may I ask the gentleman to yield to me? I have a correction of the RECORD that I want to make.

The SPEAKER. The Chair will attend to that if leave is given to the gentleman from New York; and if not, he will attend to it anyway. Is there objection?

There was no objection.

The SPEAKER. The gentleman from New York is recognized for six minutes.

Mr. LAGUARDIA. Mr. Speaker and gentlemen, several Members called the attention of the House yesterday to conditions at St. Elizabeths Hospital in Washington. I spoke to some of the Members who referred to the matter and their information was based upon articles appearing in one of the local papers and in a New York newspaper.

I went to St. Elizabeths Hospital yesterday afternoon and made a personal inspection of that institution. I know there are a good many Members who were quite concerned as to the nature of the reports made, and I want to say that, in my opinion, the reports appearing in the local papers and in the New York paper are not justified.

The St. Elizabeths Hospital is an institution for the insane. It is an insane asylum and a typical institution of that character. There are no shell-shock soldiers there at all. There are no soldiers there for medical treatment. Of course, some mental cases may also require medical treatment and they receive it. They are all mental cases. It is true that there are a good many mild cases there, but it is necessary to send them to some institution where they can remain under observation and later be discharged if they go back to normal condition.

Now, the only objection that might be found might be that it is improper to send mild cases to St. Elizabeths and keep them there for a short period. The answer to that is that we have no other institution in the United States where military mental cases may be sent. These cases have been through various local hospitals and have been under the observation of regimental and base hospital doctors, and owing to their mental condition are recommended for treatment at St. Elizabeths.

The new buildings, the pavilions erected since the war, are ideal buildings. They are one-story cement structures and they are up to date in every respect. Some of the older buildings were put up in 1855 and some in 1873. Of course, they are not as up to date as the new barracks and are rather gloomy. But I want to say this, that there is nothing at St. Elizabeths that requires congressional attention or is sufficient to warrant any uneasiness on our part.

Mr. SHERWOOD. How many are there of those soldiers?

Mr. LAGUARDIA. There are 3,775 patients in all, civilian and soldiers, and about half of those are soldiers from all over the United States, at all times, all together, and there are about 1,400 soldiers that have been sent there since the war. These men have been dragged out of 4,000,000 men that we drafted. All of them are not from overseas service.

The food is reasonably good. It is the usual food of such institutions. I was there at supper time last night, and both the bed patients' food and the ward patients' food was substantial and the kitchen and the service clean.

Now, I want to point out to the House that the superintendent of that institution will have his hands full to-day and to-morrow and the next day owing to the reports that appeared in the papers. Every one of the patients that I spoke to yesterday referred to these articles in the papers. It is going to cause no little uneasiness on the part of those 3,775 patients that the superintendent and staff have on their hands.

We get all sorts of complaints here, and I think that when complaints come in, before we take them up on the floor, we might well go out and see for ourselves. I inspected one institution in New York recently and St. Elizabeths yesterday. There are a good many complaints coming now concerning Walter Reed Hospital. I would suggest to the Members to go there.

Mr. SHERWOOD. What is the nature of their complaints?

Mr. LAGUARDIA. Of the Walter Reed Hospital?

Mr. SHERWOOD. Yes.

Mr. LAGUARDIA. The complaints about the Walter Reed Hospital are, briefly, that there are no laundry facilities for crippled men, that the food is not up to the standard, that they are crowded, and that there is insufficient medical treatment.

Mr. SHERWOOD. There are about 2,000 patients there?

Mr. LAGUARDIA. I do not know. I have not been at the Walter Reed Hospital. I would prefer that some other Member

go there and see for himself. It is not necessary to get a resolution for a congressional investigation. We can go and see for ourselves. I have seen two of these hospitals, and I would prefer that some other Member go there and then come back and tell us about it. All of these institutions have a hard job on their hands at this time. If criticism is just, we want to get a remedy. If I understand our duty, it is not enough to get up and criticize. We want to criticize where criticism is deserved, and we want to discourage criticism where it is not warranted.

Mr. LAZARO. Will the gentleman yield for a question?

Mr. LAGUARDIA. Certainly.

Mr. LAZARO. What does the gentleman mean when he says Members ought to visit an institution like Walter Reed Hospital? How long would you stay there, and what kind of a visit would you have up there, in order to get the information?

Mr. LAGUARDIA. I would do it in this way: A Member has eyes, ears, a nose, a mouth. He can taste the food, he can observe conditions, he can talk to the men, he can look around. I believe it is a good thing to do.

Mr. LAZARO. I agree with the gentleman about that, but the gentleman will admit that one would have to spend a good deal of time.

Mr. LAGUARDIA. Yes, indeed; I work 18 hours a day, but I consider such work part of my duties.

The SPEAKER. The time of the gentleman has expired.

THEODORE ROOSEVELT.

Mr. SMITH of Idaho. Mr. Speaker, I ask unanimous consent to have printed in the RECORD a senate joint memorial of the Idaho Legislature, eulogizing the late Col. Roosevelt.

The SPEAKER. The gentleman from Idaho asks to have printed in the RECORD a resolution of the legislature of his State eulogizing the late Col. Roosevelt. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, has not this resolution been printed in the RECORD by action of the other body?

Mr. SMITH of Idaho. No; I looked through the RECORD and found that it had not been printed.

Mr. MANN. It probably will be printed two or three times before we are through with it.

The SPEAKER. Is there objection?

There was no objection.

The joint memorial is as follows:

STATE OF IDAHO,
DEPARTMENT OF STATE.

I, Robert O. Jones, secretary of state of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of senate joint memorial No. 1 (by Whitcomb), which was filed in this office on the 21st day of January, A. D. 1919, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the capital of Idaho, this 22d day of January, in the year of our Lord 1919 and of the Independence of the United States of America the one hundred and forty-third.

[SEAL.] ROBERT O. JONES,
Secretary of State.

Senate joint memorial 1.

To the Hon. D. W. Davis, governor of Idaho:

Your memorialists, the Legislature of the State of Idaho, respectfully represent that—

Whereas the telegraphed announcement of the death of Hon. Theodore Roosevelt brings to each of us a sense of personal and general loss in the passing away of him whom we believed to be the greatest American citizen of his generation; and

Whereas Hon. Theodore Roosevelt, as a public official, a brave soldier, President of the United States, and, finally, as the leading private citizen of his country, has, through the force of his utterances and example of his life, been the chief factor in remodeling and reviving the plans and purposes of our Government and bringing home to its people more clearly the need for civic righteousness; and

Whereas the American public will hold his memory in grateful regard, we feel that the people of this State, in commemoration of the passing of this great American, will desire to show their sorrow and regard in a becoming way: It is therefore

Resolved, That his excellency, Hon. D. W. Davis, governor of Idaho, is hereby petitioned to declare, by executive proclamation, the day appointed for the funeral obsequies a public holiday, when all public offices shall close; and we express the hope that in this proclamation it shall be requested that business, so far as possible, shall cease for a time on that day, and that appropriate memorial services shall be held in the churches and schools.

Resolved, That the secretary of the State of Idaho is hereby instructed to present this memorial to the governor of the State, Hon. D. W. Davis, as soon as it shall have been passed by the Senate and House of Representatives of Idaho; and shall also be instructed to forward this memorial to the Senate and House of Representatives of the United States of America, and a copy of the same to the Senators and Representatives in Congress from this State. He is also hereby instructed to forward a copy of this resolution to Mrs. Theodore Roosevelt.

This joint memorial passed the senate on the 8th day of January, 1919.

C. C. MOORE,
President of the Senate.

This joint memorial passed the house of representatives on the 8th day of January, 1919.

M. A. KIGER,
Speaker of the House of Representatives.

I hereby certify that the within senate joint memorial No. 1 originated in the senate during the fifteenth session of the Legislature of the State of Idaho.

PAUL DAVIS,
Secretary of the Senate.

LEAVE TO FILE MINORITY VIEWS.

Mr. BLANTON. Mr. Speaker, as a member of the Committee on Claims, I ask unanimous consent to file a minority report (No. 905, pt. 2) on S. 2885, favorably reported from the committee.

The SPEAKER. How many days does the gentleman want in which to file the views of the minority?

Mr. BLANTON. Two days.

The SPEAKER. The gentleman from Texas asks unanimous consent for two days to print a minority report on S. 2885, reported from the Committee on Claims. Is there objection?

There was no objection.

LEAVE TO EXTEND REMARKS.

Mr. BLANTON. Mr. Speaker, further I ask unanimous consent to extend my remarks in the RECORD concerning minority reports that I will file against claims which I do not consider meritorious.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks on minority reports that he has made on certain claims. Is there objection?

There was no objection.

ST. ELIZABETHS HOSPITAL.

Mr. MANN. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER. The gentleman asks for two minutes. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, in connection with the discussion which has taken place relating to St. Elizabeths Hospital, I do not know whether one of the difficulties out there has been the fact that they have detailed a number of soldiers to act as attendants at the hospital, men who have had no training, no experience with insane cases, no special knowledge regarding the care of insane patients. One soldier called on me here the other day stating that he had been detailed there as an attendant much against his wish; that he had no knowledge or experience relating to such matters; that he had been assaulted by insane patients, and was really in fear of trouble either to himself or to the insane patients with whom he might come in contact. I do not know the reason for this, but it strikes me as rather peculiar and odd that in an insane hospital supported by the Government, and heretofore, at least, amply supported by the Government, it should be necessary to detail private soldiers who have had no experience at all in such matters to act as attendants in an insane hospital.

AGRICULTURAL APPROPRIATIONS.

On motion of Mr. LEVER, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15018) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920, with Mr. HAMLIN in the chair.

The CHAIRMAN. The Clerk will proceed with the reading of the bill for amendment under the five-minute rule.

The Clerk read as follows:

DEPARTMENT OF AGRICULTURE.

OFFICE OF THE SECRETARY.

Salaries, Office of the Secretary of Agriculture: Secretary of Agriculture, $12,000; two Assistant Secretaries of Agriculture, at $5,000 each; solicitor, $5,000; chief clerk, $3,000, and $500 additional as custodian of buildings; private secretary to the Secretary of Agriculture, $3,000; executive clerk, $2,250; executive clerk, $2,100; stenographer and executive clerk to the Secretary of Agriculture, $2,250; private secretary to the Assistant Secretary of Agriculture, $2,250; one appointment clerk, $2,000; one assistant in charge of information, $3,000; one officer in charge of supplies, $2,000; one assistant, $2,000; one inspector, $3,000; one inspector, $2,250; one attorney, $3,500; two attorneys, at $3,250 each: *Provided*, That hereafter the position of attorney in the Department of Agriculture shall be and remain in the competitive classified civil service, anything in the law or in the civil-service rules and regulations to the contrary notwithstanding, and the law clerks now in said department who may be appointed or promoted to said positions of attorney shall retain all the rights of competitive employees, and the Secretary of Agriculture may detail said attorneys for service in or out of the District of Columbia; 2 law clerks, at $3,000 each; 2 law clerks, at $2,750 each; 4 law clerks, at $2,500 each; 8 law clerks, at $2,250 each; 1 law clerk, $2,200; 5 law clerks, at $2,000 each; 3 law clerks, at $1,800 each; 2 law clerks, at $1,600 each; 1 assistant editor, $2,000; 4 assistant editors, at $1,800 each; 1 assistant editor, $1,600; 1 expert on exhibits, $3,000; 1 assistant in exhibits, $2,000; 1 telegraph and telephone operator, $1,600; 1 assistant chief clerk and captain of the watch, $1,800; 5 clerks, class 4; 14 clerks, class 3; 21 clerks, class 2; 27 clerks, class 1; 1 auditor, $2,000; 1 accountant and bookkeeper, $2,000; 1 clerk, $1,440; 2 clerks, at $1,100 each; 1 clerk, $1,020; 7 clerks, at $1,000 each; 18 clerks, at $900 each; 2 clerks, at $840 each; 14 messengers or laborers, at $840 each; 12 messengers or laborers, at $720 each; 1 messenger or laborer,

$660; 1 mechanical superintendent, $2,500; 1 mechanical assistant, $1,800; 1 mechanical assistant, $1,400; 1 mechanical assistant, $1,380; 1 engineer, $1,400; 1 electrical engineer and draftsman, $1,200; 2 assistant engineers, at $1,200 each; 2 assistant engineers, at $1,000 each; 1 fireman, $840; 8 firemen, at $720 each; 1 chief elevator conductor, $840; 16 elevator conductors, at $720 each; 3 elevator conductors, at $600 each; 1 superintendent of shops, $1,400; 1 cabinet shop foreman, $1,200; 5 cabinetmakers or carpenters, at $1,200 each; 3 cabinetmakers or carpenters, at $1,100 each; 9 cabinetmakers or carpenters, at $1,020 each; 3 cabinetmakers or carpenters, at $900 each; 1 instrument maker, $1,200; 1 electrician, $1,100; 2 electrical wiremen, at $1,100 each; 1 electrician or wireman, $1,000; 1 electrical wireman, $900; 1 electrician's helper, $840; 3 electrician's helpers, at $720 each; 1 painter, $1,020; 1 painter, $1,000; 5 painters, at $900 each; 5 plumbers or steamfitters, at $1,020 each; 2 plumber's helpers, at $840 each; 2 plumber's helpers, at $720 each; 1 blacksmith, $900; 1 elevator machinist, $900; 1 tinner or sheet-metal worker, $1,100; 1 tinner's helper, $720; 1 lieutenant of the watch, $1,000; 2 lieutenants of the watch, at $960 each; 73 watchmen, at $720 each; 4 mechanics, at $1,200 each; 1 mechanic, $1,000; 1 skilled laborer, $1,000; 2 skilled laborers, at $960 each; 1 skilled laborer, $900; 2 skilled laborers, at $840 each; 2 skilled laborers, at $720 each; one janitor, $900; 14 messengers or laborers, at $800 each; 1 carriage driver, $600; 8 messenger boys, at $600 each; 24 messenger boys, at $480 each; 1 messenger boy, $360; 1 charwoman, $540; 3 charwomen, at $480 each; 1 charwoman, $360; 15 charwomen, at $240 each; for extra labor and emergency employments, $20,000; in all, $501,020.

Mr. CRAMTON. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman from South Carolina as to these numerous editors provided on page 3, lines 3 and 4. Are all of these editors provided for in the existing law?

Mr. LEVER. Yes; there is no change.

Mr. CRAMTON. And with the new publications that the department is putting out, which are very numerous, they have not increased the force of the department?

Mr. LEVER. I think not. Most of the editorial work is now concentrated in the Secretary's office, except the Bureau of Publications.

Mr. STAFFORD. If the gentleman will yield, there is one additional editor provided for later on in the bill.

Mr. LEVER. Yes.

Mr. CRAMTON. I am not informed how they are edited, but there is an increasing number of publications in all the departments. They have become so numerous in the departmental desire to give publicity that they are defeating their own purpose. The newspapers are so overwhelmed with them that they have no time to read them, and it has become a waste of paper and good printers' ink.

Mr. MANN. Does any gentleman in the House, or anybody else, know how many serial publications the Government is now conducting in the various departments?

Mr. CRAMTON. I started to make a collection of those that came to my office, but they came to me so fast and the collection became so voluminous that I had to give it up to make room for other things.

Mr. LEVER. I think there is a great deal of force in the suggestion that the various departments are flooding the country with publications so numerous that the people are not reading them. I do not know that that is true of the Department of Agriculture, because I think the publications have been very valuable the past year.

Mr. CRAMTON. I know that some of them are valuable; but each bureau is aspiring to get out a more pretentious magazine than the others, and the newspaper offices of the country are flooded with them, with the result that they are so numerous that they have not time to read them, and all go into the wastebasket. If there is any new editor provided for in this bill, I would like to make a point of order against it.

Mr. STAFFORD. Will the gentleman from Michigan permit?

Mr. CRAMTON. Certainly.

Mr. STAFFORD. Is the gentleman aware of the practice of one bureau in the Department of Agriculture furnishing to the newspapers of the country not only material to fill the inside——

Mr. CRAMTON. Boiler plate.

Mr. STAFFORD. Boiler plate, so that it can be printed in the weekly and daily editions? Can the chairman advise the House how much money is being expended by the Department of Agriculture for publications?

Mr. LEVER. I can not offhand.

Mr. STAFFORD. Has the committee ever made any inquiry of anybody connected with the department in regard to it?

Mr. LEVER. Not within the last two years. The gentleman knows that there was carried in one of his bills an appropriation of $300,000 for farmers' bulletins.

Mr. STAFFORD. Yes; that is for the use of Members of Congress, and those bulletins are distributed throughout the country and are a benefit to agriculture. But the gentleman from Michigan is directing the attention of the House to the practice of the departments, and this department in particular, in publishing serial magazines, furnishing articles weekly to newspapers throughout the country and in going to the extent of furnishing so-called boiler plate for insertions in their papers.

I think some investigation should be made. We have a Committee on Expenditures in the Department of Agriculture. They have a clerk, but I question whether they have had a meeting during this Congress.

Mr. LEVER. That brings up the old question of the activities of the Expenditures Committee. I wish they would look into these matters. It is almost impossible for a big Appropriation Committee to go into all of these things.

Mr. STAFFORD. The gentleman's committee could have made the inquiry of the chief clerk or somebody connected with the department and got that information.

Mr. LEVER. We might have done so.

Mr. MANN. Does the gentleman think he could get the information as to how much money the Agricultural Department is spending on publications if he searched for a year?

Mr. LEVER. I think it would be difficult, but I believe we could approximate it.

Mr. MANN. You might guess at it. May I ask the gentleman a question? I see the bill provides for two Assistant Secretaries of Agriculture. We have had for a long time an Assistant Secretary of Agriculture, and I guess very capable gentlemen have filled the office. They have no duties to perform except to travel around the country and occasionally instruct the people about agricultural matters, generally not knowing very much about it themselves. What is the occasion of providing two supernumeraries over there instead of one?

Mr. LEVER. I hope the new Assistant Secretary will not be considered a supernumerary. The gentleman recognizes that the department has grown very rapidly.

Mr. MANN. I do know that the department is efficient, the bureaus are efficient, and the efficiency has increased in the past very largely by the fact that they are not interfered with above the chief of the bureau. The old Secretary of Agriculture, under whom the great developments took place, Mr. Wilson, considered it largely his duty to stand by the work that the chief was doing.

Mr. LEVER. I think that is the policy of the present Secretary, and yet the work of the office of the Secretary of Agriculture has increased enormously and the detailed work of the Secretary's office has grown so much that I am convinced as a Cabinet officer he ought to be given some time to think, rather than to be asked to fool with small details, and it was for that purpose that I was willing to consent, and the committee agreed to allowing an additional secretary, who may take some of the detail work off the shoulders of the Secretary.

Mr. MANN. The gentleman knows that the Assistant Secretary of Agriculture, at least ever since I have been here, when there was an Assistant Secretary, spent a large part of his time traveling around the country delivering useless lectures—perhaps not useless, but delivering lectures.

Mr. LEVER. The present Assistant Secretary is on some commission to study farm conditions in Europe.

Mr. MANN. And out of the country, and has just now resigned because he does not want to come home, so the papers state, but as far as doing any practical work in the office of the Assistant Secretary is concerned, if he has ever done it, I never have happened to hear of it. Perhaps he has. Without any trouble at all, and so far as I know without any detriment to the Agricultural Department, he went abroad and engaged in other work. Now comes along a proposition to put in two assistant secretaries, done, so far as I can see, for the purpose of providing an additional job for some ex-Member of Congress, or some one else, shortly to be an ex-Member, probably.

Mr. LEVER. I submit that the man who is to be appointed Assistant Secretary of Agriculture is one of the great agricultural experts of this country and is now one of the assistant secretaries.

Mr. MANN. How many assistant secretaries have they now?

Mr. LEVER. Three.

Mr. MANN. Where did they get authority for three Assistant Secretaries of Agriculture?

Mr. LEVER. Under the food-stimulation act.

Mr. MANN. They just appoint them without authority?

Mr. LEVER. Oh, no; we provided for that in the food-production act. It is in existing law.

Mr. MANN. That expires with the war?

Mr. LEVER. Yes.

Mr. MANN. Who is that assistant? I do not happen to be familiar with the personnel there, for I have been away for a while, as the gentleman knows.

Mr. LEVER. The present assistant secretaries are Mr. Christie, of Indiana; Mr. Ousley, of Texas; and, up until yesterday, Mr. Vrooman, of Illinois.

Mr. MANN. I know nothing against any one of them; I know nothing about any one of them.

Mr. LEVER. I think they are all able men. I was very much impressed with Mr. Christie in his statement before the committee.

Mr. MANN. I suppose it is inevitable that we will increase these places, and I think it will be to the detriment of the service.

Mr. LEVER. I hope not, and I should not think so.

Mr. MANN. Wherever you have an assistant secretary, it is just one more step up the ladder along to the top. There is hardly a branch of the Government where that is not true. A matter has to go through the chief of a bureau, and then something has to be done by the assistant secretary, who knows nothing about it as a rule, and when he does know anything about it he is generally misinformed.

Mr. STAFFORD. Mr. Chairman, I question whether we should adopt the policy of providing additional assistant secretaries for peace-time conditions. Everyone knows that the Navy Department has had tremendous burdens cast upon it by reason of the war, and yet the Navy Department has not come to Congress asking for additional assistant secretaries, even for the management of the Navy and its operations during war time. The Department of Commerce has had additional burdens thrown upon it, and it has only one assistant secretary. The Department of Labor has been very active during war times, and it has but one assistant secretary. There were additional burdens thrown upon the Department of Agriculture by reason of the food act and activities connected with the war that might have necessitated additional assistant secretaries, but I hope the gentleman will realize now that the war is over that we should get back to peace times. If we are going to grant two assistant secretaries to the Department of Agriculture we will have other departments coming before us, with just as good grounds, asking for additional secretaries.

Mr. LEVER. Let me suggest this to the gentleman: The Department of Agriculture is peculiar to itself; it studies practically everything from the growth of a vegetable to the life of the bison on the ranges out West. Its activities are numerous and its studies varied. There are more small items carried in this bill for $500 or $5,000 or $50,000 for carrying on sundry and various activities than can be found in the appropriation bill of any other department of the Government. More than that, the Department of Agriculture is the scientific department of the Government, highly scientific, and you can not compare this department with the War Department or with the Post Office Department where you have assistant secretaries. In the Post Office Department I think there are four assistants.

The Secretary must have somebody, or should have somebody, to whom he is willing to trust some of these minor details, so that he may give his time to the study of larger problems in respect to the agriculture of the country. I feel that the committee was justified in this proposition. I think there is a good deal in what the gentleman from Illinois [Mr. MANN] has said, but I am trusting that in the future the policy will be different and that the Secretary himself will shift from his own shoulders some of these smaller burdens so that he can give more attention to the larger duties of his office. A practice has grown up here of recent years of placing upon Cabinet officers burdens which ought to be borne by a specially appointed commission. For instance, the commissioner of agriculture is on the nitrate board and various and sundry boards to locate reserve banks, to locate farm-loan banks throughout the country, and so forth, and it seems to me that we are piling a good deal on these men and that they ought to have some assistants in the smaller things of the offices.

Mr. STAFFORD. I can not bring myself to the belief that if the Navy Department only requires one Assistant Secretary, and the Department of Commerce, with its increased activities under the Bureau of Standards and all the other bureaus, only requires one Assistant Secretary, that we should provide in an appropriation bill an additional Secretary of Agriculture. Mr. Chairman, I also rise to inquire what is the reason for increasing the salary of the private secretary to the Secretary of Agriculture from $2,500 to $3,000?

Mr. LEVER. The committee of its own initiative, I desire to say, made this increase. The Secretary did not estimate for it nor request it. It was not suggested by the gentleman who is filling the place, but for several years now he has presented the estimates of the Department of Agriculture to the Committee on Agriculture, and I think every member of the committee, regardless of party affiliation, will concur in the statement I make, that there is no more efficient man in the public service than he. He has been of immense value to the committee in the preparation of its bills, and of the committee's own initiative we gave this increase.

Mr. STAFFORD. That argument, presumably, might be made for every one of the secretaries, because they are valuable to the department——

Mr. LEVER. But this is not that type of man; he knows all the details of the Department of Agriculture.

Mr. STAFFORD. The gentleman is aware we pay the private secretaries to the Secretary of the Interior, the Secretary of the Navy, and the Secretary of Commerce $2,500?

Mr. LEVER. Well, I do not think either one of those departments compares in importance with the Department of Agriculture.

Mr. STAFFORD. Naturally the chairman of the committee, who has done such great work during the years he has had charge of this bill, would think that the work of this department excels all others, but there must be some harmony of salaries.

Mr. LEVER. Does the gentleman know what the private secretary of the Secretary of War gets?

Mr. STAFFORD. I think the private secretary of the Secretary of War gets $3,000. The private secretaries of the Secretary of the Interior and the Secretary of Commerce get $2,500. If this man is such an exceptional man, perhaps it might be well to provide $500 additional while the office is held by the same individual.

Mr. LEVER. I would be perfectly willing to do that.

Mr. MANN. Why not do that?

Mr. STAFFORD. If he is such an exceptional man. We have instances in the departmental service where there are exceptional men filling positions, and we sometimes recognize them by providing additional salaries while the office is held by that particular individual.

I would like also to inquire what the thought of the committee was in increasing the salary of the inspector from $2,750 to $3,000, and in providing additional attorneys, one at $3,500 and two at $3,250 each?

Mr. LEVER. We did not increase the salary of the inspector.

Mr. MANN. Oh, yes.

Mr. STAFFORD. Yes.

Mr. MANN. Over the bill carried last year.

Mr. STAFFORD. Page 2, line 14.

Mr. LEVER. Yes. This was very strenuously urged by the Secretary in a statement sent to me. This man is in charge of the office of inspection. He reviews all personnel matters, has supervision of the fiscal operations of the department, advises as to financial procedure, and prepares important financial reports for submission by the Secretary to Congress. He served 23 years in the department, receiving his last promotion July 1, 1912, so that he has not had a promotion in six years, and we thought in view of his long and efficient services that he ought to be promoted.

Mr. STAFFORD. The gentleman recognizes in the legislative bill the heads of departments and bureaus are asking us to raise salaries, but we did not think this was the time to raise salaries on a wholesale scale.

Mr. LEVER. Well, I think Congress ought to adopt the policy of trying to compensate the men who are really efficient.

Mr. STAFFORD. I think Congress should have adopted a policy of having salaries equalized instead of allowing one grade of salary to pertain to the Agricultural Department and another grade pertain in the other departments.

Mr. LEVER. I hope the commission appointed by the joint law will work out the question of salaries, because it is a burden upon the appropriation committees, I am sure.

Mr. STAFFORD. May I inquire what is the purpose sought to be accomplished by the proviso in throwing the mantle of the civil service about certain departmental employees?

Mr. LEVER. The purpose there is to retain these attorneys in the classified service. We did not want to make it a political job, and this proviso does that. They retain the civil-service status in this connection.

Mr. ANDERSON. There is a change of designation from law clerk to attorney. The classification of attorney is not under the classified service, and in order to make this change of title and keep the position in the classified service the proviso to which the gentleman refers was inserted, but it is not a change of the situation at all.

Mr. MANN. Will the gentleman yield?

Mr. STAFFORD. Surely.

Mr. MANN. I can not see what the purpose is and what is the object in giving the title of "attorney." Is there any attorney in any other department of the Government? Is there an attorney in any other department of the Government?

Mr. LEVER. Yes.

Mr. MANN. Where?

Mr. LEVER. The Department of Justice——

Mr. MANN. Oh, well——

Mr. LEVER. And the Post Office Department.

Mr. MANN. The gentleman is speaking about a law department. Is there an attorney anywhere else in any other department of the Government?

Mr. LEVER. I think I can show it to the gentleman.

Mr. MANN. Now, the fact is the Department of Agriculture has a solicitor not under the jurisdiction of the Department of Justice. He is the only law officer of the Government in any department not under the jurisdiction of the Department of Justice as such, but we have law clerks in the Treasury Department and law clerks in various other departments. I am not sure but there is a solicitor in the Department of Commerce not under the Department of Justice. Now, does the committee propose to inaugurate a policy of the giving of private attorneys in the various departments who have no relation whatever to the Attorney General or to the Attorney General's office? I think the word "attorney" ought to be supposed to come from the Attorney General's office.

Mr. LEVER. Let me say this, that the kind of men we have here designated "attorneys" have heretofore been under the designation of "law clerks," but they are not law clerks at all. They are all doing genuine attorneys' work.

Mr. MANN. I have no doubt of that.

Mr. LEVER. They appear in court and conduct cases for the Department of Agriculture.

Mr. MANN. Yes.

Mr. LEVER. And yet they go there in the capacity of law clerks.

Mr. MANN. Yes.

Mr. LEVER. We felt that the change of name should be made.

Mr. MANN. They go there in the capacity of solicitors to the Department of Agriculture.

Mr. LEVER. And then the law designates them——

Mr. MANN. As law clerks.

Mr. LEVER. It may have been better to call them assistants.

Mr. MANN. The same is true of the Treasury Department and various other departments of the Government. The Treasury Department is filled with lawyers designated as law clerks passing upon the most important propositions which the Government has relating to the collection of internal revenue, and so forth. They are not designated as attorneys.

Mr. LEVER. Omitting the Department of Justice, I notice here the Federal Trade Commission has 11 attorneys, examiners, and special examiners; 19 attorneys, special attorneys, examiners, special agents; 5 attorneys, examiners; and so forth.

Mr. MANN. So has the Interstate Commerce Commission.

Mr. LEVER. And the Department of the Interior has 3 attorneys, 1 assistant attorney, 2 assistant attorneys, and the Post Office Department has 1 assistant attorney, 3 assistant attorneys, 1 assistant attorney, and 1 law clerk. The Navy Department has none. The Judge Advocate General's office has none.

Mr. MANN. They have a lot of attorneys, too?

Mr. LEVER. I said none.

Mr. STAFFORD. They have law clerks.

Mr. MANN. They have a great many.

Mr. LEVER. They have law clerks.

Mr. MANN. They have colonels and majors and captains and lieutenants and maybe brigadier generals, for all I know. Are these others designated as attorneys?

Mr. LEVER. I am reading from the statements prepared by the Solicitor of the Department of Agriculture.

Mr. MANN. Of course.

Mr. LEVER. And I do not think he would misrepresent the subject.

Mr. MANN. I do not think he intended to misrepresent it. These people are actually attorneys.

Mr. LEVER. The Department of the Interior has three attorneys, a board of appraisers, each $4,000; one assistant attorney, $3,000; two assistant attorneys, $2,750 each.

Mr. MANN. There is a board of appraisers in the Department of the Interior? Is that it?

Mr. LEVER. I presume so.

Mr. MANN. How are they designated? As a board of appraisers or attorneys?

Mr. LEVER. Attorneys on the board of appraisers.

Mr. MANN. I think they are attorneys but I doubt if they are so designated.

Mr. LEVER. So there are attorneys established throughout all these departments.

Mr. MANN. There are attorneys in every branch of the Government service doing legal work, law clerks usually, or else men employed in the office of the solicitors of the various departments, the solicitors being under the Attorney General.

Mr. LEVER. I would not object at all to assistant solicitors if it would satisfy the gentleman's desire in the matter.

Mr. STAFFORD. Then your salaries are out of range with salaries being paid to assistant solicitors in the departments. For instance, the Assistant Solicitor in the Department of Commerce receives $3,000. Now, you propose to increase the salary of a law clerk from $3,250 to $3,500, and call him an attorney. It is not the practice, as has been pointed out by the gentleman from Illinois [Mr. MANN], to describe these employees as attorneys, except in the Department of Justice.

Mr. LEVER. I assure the gentleman that statement is inaccurate.

Mr. STAFFORD. I can call the attention of the gentleman to the fact that under the classification of employees under the solicitors of the respective departments they are known as law clerks.

Mr. Chairman, I am going to make a point of order on the positions of two Assistant Secretaries of Agriculture, at $5,000 each.

Mr. LEVER. I do not concede that that is subject to a point of order.

Mr. STAFFORD. I will argue that.

Mr. LEVER. The Department of Agriculture has full authority to employ persons to carry on its business. That matter has been settled time and time again and ruled upon by the present occupant of the chair. The other is subject to a point of order. I ask for a ruling on that, Mr. Chairman.

Mr. STAFFORD. Does the gentleman mean to claim that he has authority to bring in on an appropriation bill authorizations for officials that are not provided by law, just because we have created a Department of Agriculture, and that he would have authority to provide for 10 Assistant Secretaries of Agriculture without an authorization of law? He certainly does not mean to contend that?

Mr. LEVER. It is simply increasing the number; that is all.

Mr. STAFFORD. If that is the case, then you could provide for more than one Secretary of Agriculture: instead of providing for one, you could provide for two.

Mr. LEVER. The number of assistant secretaries is not fixed by law. The Secretary is fixed by law.

Mr. STAFFORD. The number is fixed by law.

The CHAIRMAN. The Chair would like to ask the gentleman from South Carolina where he finds the authority to which he refers?

Mr. LEVER. In section 522 of the Revised Statutes, where it says:

The Commissioner of Agriculture shall appoint a chief clerk with a salary of $2,200.

And so on. And then it goes on:

And he shall, as Congress may from time to time provide, employ other persons for such time as their services may be needed, including chemists, botanists, and entomologists, and other persons skilled in the natural science pertaining to agriculture.

The CHAIRMAN. The question is, Has the Congress otherwise provided for giving him permission to appoint any number of assistants?

Mr. LEVER. I know of no such authority, no such specific act. I presume that this place has been filled under this general authority here.

Mr. MANN. Mr. Chairman, there is no doubt that in the appropriation bill we could increase the number of employees in the Department of Agriculture. In all of the organic acts creating all the various departments provisions are made for the employment of clerks and various other persons in the departments as Congress may from time to time provide, different language being used in different organic acts; but the substance and purport are the same, and under this organic act we have the authority in the appropriation bill to increase the number of clerks, to increase the number of chemists, to increase the number of scientific men working in the Department of Agriculture, and have so authorized in the organic act; and in the same way we have authority in the Post Office appropriation bill to increase the number of clerks, to increase the number of carriers, to increase the number of the personnel of the department. But there are limitations to that, it seems to me. These organic acts refer not to the superior officer at the head of the department but to the personnel of the department. In the language of the organic act creating the Commissioner of Agriculture the language relates to certain under employees or officials. It does not relate to the men who are supervising officials

at the top. And it seems to me that while it is in order to increase the number of employees of the department below, it is not in order to increase the number of officials at the top, which are not covered by the language of the organic act.

The CHAIRMAN. The Chair has no personal recollection of having passed on this or a similar proposition at any previous time.

Mr. LEVER. Not on this proposition, I will say to the Chair, but on the general proposition.

The CHAIRMAN. The organic act undoubtedly gives the Secretary of Agriculture authority to increase any given number of employees in the different places provided for by law, but that does not apply to administrative positions such as an assistant secretary to the department. For instance, the Chair thinks that the position of First Assistant Secretary is one position, and that of Second Assistant Secretary is a different position, and the Third Assistant Secretary is still a different position, and so on. The Chair does not think that the organic act gave the Secretary of Agriculture authority to increase the number of assistant secretaries, and you can not appropriate for such a position against a point of order unless Congress had authorized or created the particular position. The Chair therefore sustains the point of order.

Mr. LEVER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

Mr. STAFFORD. Mr. Chairman, I have other points of order to make, but I have no objection to having the gentleman's amendment pending, and having it read for information.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. LEVER: Page 2, line 4, after the semicolon, insert "Assistant Secretary of Agriculture, $5,000."

Mr. STAFFORD. Mr. Chairman, I make a point of order on "one inspector, $3,000"; "one attorney, $3,500"; two attorneys, at $3,250 each"; and the proviso——

Mr. LEVER. I concede those points of order.

The CHAIRMAN. The point of order is sustained.

Mr. LEVER. Would the gentleman from Wisconsin be willing to except from his points of order the "private secretary to the Secretary of Agriculture" if I shall use this further language, "and $500 additional as long as the present incumbent holds the position"?

Mr. STAFFORD. I am perfectly willing, in view of the statement of the committee that this is an exceptional man.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina.

The amendment was agreed to.

The CHAIRMAN. The Clerk will report another amendment which the gentleman from South Carolina has sent to the desk.

The Clerk read as follows:

Amendment offered by Mr. LEVER: Page 2, line 8, after the figures "$2,000," insert "and $500 additional as long as the present incumbent holds the position."

Mr. STAFFORD. It should be "$2,500," with "$500 additional."

The CHAIRMAN. Without objection, the amendment will be modified as indicated.

There was no objection.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from South Carolina.

The amendment was agreed to.

Mr. LEVER. Mr. Chairman, I offer the following amendment:

On lines 13 and 14, "one inspector, $3,000; one inspector, $2,750."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. LEVER: Page 2, lines 13 and 14, after "$2,000," where it occurs the second time, insert "one inspector, $2,750."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. Has the gentleman from South Carolina another amendment to offer?

Mr. LEVER. Mr. Chairman, if the gentleman from Wisconsin or the committee will permit, I ask that we pass over this attorney matter, because we will have to rewrite most of this language.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to pass over the matter indicated.

Mr. MANN. Why not put in the language in the present law by increasing the present law clerk?

Mr. LEVER. I prefer to come back later. The clerk will prepare it.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to pass over the matter in lines 14 and 15, page 2, for the present. Is there objection?

There was no objection.

The Clerk read as follows:

General expenses, Office of Farm Management: For the employment of persons in the city of Washington and elsewhere, furniture, supplies, traveling expenses, rent outside of the District of Columbia, and all other expenses necessary in carrying out the work herein authorized, as follows:

To investigate and encourage the adoption of improved methods of farm management and farm practice, $218,160: *Provided*, That of this amount $23,873 may be used in ascertaining the cost of production of the principal staple agricultural products.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I have no doubt that the members of the committee will have a rational explanation, but this item strikes my funny bone. Here is a direction that the cost of production of the principal agricultural products shall be obtained at an expense of $23,873. From the beginning of time so far as history records people have endeavored to learn the cost of production especially of agricultural products. Along comes the Agricultural Department and proposes to ascertain the cost of production of all the principal agricultural products and to charge only $23,873 for it. They know just what it is going to cost, down to the odd three dollars. Now, the gentleman from South Carolina [Mr. LEVER] knows that the Agricultural Department can not obtain information which begins to tell the cost of production of the agricultural products for any such sum of money, and I beg to inquire what the real purpose of this item is.

Mr. LEVER. I will tell the gentleman what the real purpose is. Speaking for myself now, and not for the committee, I think the proposition to obtain the cost of the production of farm products is almost an impossible proposition. I feel that I ought to say that much. But there has been a tremendous demand through certain farm organizations that some effort be made at least to approximate the cost of certain stable agricultural products. When Assistant Secretary Christie was before the committee, the committee ascertained that the department had been expending this sum of money, $23,873, in that line of work during the past fiscal year.

Mr. MANN. Without authority of law?

Mr. LEVER. Under this same item.

Mr. MANN. If they have expended it in the past with due authority, why do you now give the authority here?

Mr. LEVER. It was at the suggestion of certain members of the committee. On account of this large demand for this kind of work, made by these organizations, we ought to set it out in the bill and make it specific and certain that they are going to do this work. As far as I am concerned, I am inclined to think that they have a big job on their hands.

Mr. MANN. We made an appropriation for the current fiscal year of $221,660, to investigate and encourage the adoption of improved methods of farm management and farm practice. It would take a man with a very wild dream to suppose that the ascertainment of the cost of production of the principal staple agricultural products is authorized by an appropriation—

to investigate and encourage the adoption of improved methods of farm management and farm practice.

And if the department has diverted the sum of $23,873 from the investigation and encouragement of improved methods of farm management and farm practice, in order to chase will-o-the-wisps, now it is proposed to encourage them to do it. The sum appropriated for the study of farm management and improved methods of farm practice was not very great, but apparently greater than they could expend for that purpose, so they diverted it to something that is a pure chimera. While I have no objection to studying the cost of production of agricultural products and getting information which is of value, the language of the bill is that it can only be used in ascertaining the cost of production, and under the strict language of the law they could not use any of it unless they did ascertain the cost of production.

Mr. LEVER. I think the gentleman is correct in that.

Mr. MANN. It is not for the study of the cost of production. It is "to ascertain" the cost of production, an impossible feat. They are not desired to obtain for public use information about the cost of production, but they are to ascertain the cost of production, which will not be ascertained long after we are dead and buried.

Mr. HAUGEN. I may state to the gentleman that this work has been carried on for a number of years by the department, and at the suggestion of the representatives of the farm organizations this paragraph was put in the bill. The act provides for the adoption of improved methods of farm management and farm practice.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAUGEN. I ask to be recognized for five minutes.

The CHAIRMAN. The gentleman from Iowa is recognized for five minutes.

Mr. HAUGEN. The department has held that in order to advise the farmer what to plant it is necessary to ascertain the cost, to enable them to advise him whether to plant a particular cereal as, for instance, whether to plant oats or corn, and so on. That is the construction placed upon the language.

Mr. MANN. I have no doubt the gentleman is correct, and I have no objection to studying the cost of production, as people desire to have it studied, though plainly the original language did not authorize the expenditure of the money for that purpose.

Mr. HAUGEN. I am, of course, aware of the fact that other commissions are doing that work and that this is an overlapping or a duplication of activity, but this is only one of the many duplications in the departments. You can hardly touch one item in this bill without finding duplication of activities of other bureaus and departments.

Mr. LEVER. Mr. Chairman, I ask unanimous consent to return to page 2.

The CHAIRMAN. Without objection the pro forma amendment will be withdrawn. The gentleman from South Carolina asks unanimous consent to recur to page 2, line 14. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LEVER: Page 2, line 14, after the figures "$2,250," strike out "one attorney, $3,500," and insert in lieu thereof the words "one law clerk, $3,250."

Mr. LEVER. That is the exact language of the law now.

The CHAIRMAN. The question is on the adoption of the amendment.

The amendment was agreed to.

Mr. LEVER. I offer the following amendment.

The CHAIRMAN. The gentleman from South Carolina offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LEVER: Page 2, line 15, strike out "two attorneys, at $3,250 each" and insert in lieu thereof the words "two law clerks, at $3,000 each."

Mr. MANN. Mr. Chairman, I suggest to the gentleman that if he is going to provide four law clerks, at $3,000 each, he do it by providing for four law clerks, at $3,000 each, instead of putting in one item "two law clerks, at $3,000 each," followed by another item "two law clerks, at $3,000 each," as the bill would read if the gentleman's amendment were adopted. I suggest that he amend, in line 24, by striking out "two" and inserting "four," so that it will read "four law clerks, at $3,000 each."

Mr. LEVER. That ought to be two law clerks, at $3,000 each.

Mr. MANN. In line 34 there is an item now in the bill, an increase of two law clerks, at $3,000 each.

Mr. HAUGEN. May I suggest that I believe it should read three law clerks, at $3,000 each, if you intend to make the number that is carried at the present time and as suggested by the solicitor.

Mr. LEVER. The present law carries two, at $3,000.

Mr. MANN. The amendment is precisely the same language as in line 24, only the gentleman proposes to insert it in line 15. If it is the intention of the gentleman to have it appear twice——

Mr. LEVER. It should be three laws clerks, at $3,000 each.

Mr. MANN. I am willing to make it three law clerks. The present bill provides for two extra law clerks, and if the gentleman wants to provide for two extra law clerks he should change the "two" to "four."

Mr. LEVER. I understood the gentleman from Wisconsin objected to the title and number.

Mr. MANN. He made a point of order on the title; he could not make a point of order on the number.

Mr. HAUGEN. I think the gentleman would not object to making it three law clerks.

Mr. LEVER. I think we had better leave it as it is in the present law. The purpose of having two new clerks or attorneys was for the purpose of getting two additional men into the service and, in a way, opening up promotions for those below.

Mr. MANN. Then the gentleman does not want to offer his amendment at all.

Mr. LEVER. I think that is true. The last amendment is not necessary, and, Mr. Chairman, I withdraw the amendment.

The Clerk read as follows:

For investigating the disease of tuberculosis of animals, for its control and eradication, for the tuberculin testing of animals, and for researches concerning the cause of the disease, its modes of spread, and methods of treatment and prevention, including demonstrations, the formation of organizations, and such other means as may be necessary, either independently or in cooperation with farmers, associations, State or county authorities, $993,520: *Provided, however*, That in carrying out the purpose of this appropriation, if in the opinion of the Secretary of Agriculture it shall be necessary to destroy tuberculous animals and to compensate owners for loss thereof, he may, in his discretion, expend in the city of Washington or elsewhere out of the moneys of this appropriation such sums as he shall determine to be necessary for the reimbursement of owners of animals so destroyed, in cooperation with such States, counties, or municipalities as shall by law or by suitable action in keeping with its authority in the matter and by rules and regulations adopted and enforced in pursuance thereof, provide inspection of tuberculous animals and for compensation to owners of animals so destroyed, but no part of the money hereby appropriated shall be used in compensating owners of such animals except in cooperation with and supplementary to payments to be made by State, county, or municipality where destruction of such animals shall take place; nor shall any payment be made hereunder as compensation for or on account of any such animal destroyed if at the time of inspection or test of such animal or at the time of condemnation thereof it shall belong to or be upon the premises of any person, firm, or corporation to which it has been sold, shipped, or delivered for the purpose of being slaughtered: *Provided further*, That out of the money hereby appropriated no payment as compensation for any tuberculous animal destroyed shall exceed one-third of the difference between the appraised value of such animal and the value of the salvage thereof; that no payment hereunder shall exceed the amount paid or to be paid by the State, county, or municipality where the animal shall be condemned; and that in no case shall any payment hereunder be more than $25 for any grade animal or more than $50 for any pure-bred animal, and no payment shall be made unless the owner has complied with all lawful quarantine regulations: *And provided further*, That the act approved May 29, 1884 (23 Stat. L., 31), be, and the same is hereby, amended to permit cattle which have reacted to the tuberculin test to be shipped, transported, or moved from one State, Territory, or the District of Columbia, to any other State, Territory, or the District of Columbia for immediate slaughter in accordance with such rules and regulations as shall be prescribed by the Secretary of Agriculture: *And provided further*, That the Secretary of Agriculture may, in his discretion, and under such rules and regulations as he may prescribe, permit cattle which have been shipped for breeding or feeding purposes from one State, Territory, or the District of Columbia, to another State, Territory, or the District of Columbia, and which have reacted to the tuberculin test subsequent to such shipment, to be reshipped in interstate commerce to the original owner.

Mr. LEVER. Mr. Chairman, I offer several amendments.

The Clerk read as follows:

Page 13, line 20, after the word "State," insert the word "Territory."

The amendment was agreed to.

The Clerk read as follows:

Page 14, line 3, after the word "States," insert the word "Territories."

The amendment was agreed to.

The Clerk read as follows:

Page 14, line 11, after the word "State," insert the word "Territory."

The amendment was agreed to.

The Clerk read as follows:

Page 14, line 25, after the word "State," insert the word "Territory."

The amendment was agreed to.

Mr. SLOAN. Mr. Chairman, I move to strike out the last word for the purpose of making a few remarks on the general subject of eradication and control of tuberculosis in live stock. The first appropriation for this purpose was placed in the Agricultural appropriation bill a year ago, and as finally amended it provided for $500,000 to be used in cooperation with various States in combating through control and eradication processes this one of the oldest diseases not only in the human family but of the brute creation. It is practically doubled this year in response to a zealous interest and cooperation manifested by nearly every State in the Union.

It is not necessary for me to suggest, as we are now nearing the close of the greatest war in history, the importance of the food problem. The largest source of loss in food animals existing in this country for the last 15 years and throughout Europe for centuries is the ravage of tuberculosis. It is a fact that tuberculosis is less destructive in America, however destructive it may be here, than it is in any of the leading live-stock nations of Europe. While our losses have been large, Germany's has been much larger as expressed in percentage. In some States of Europe, such as Denmark, tuberculosis has not only attacked cattle, where we usually expect to find it, but nearly 50 per cent of the horses of that country are afflicted with tuberculosis, communicated, it is thought, largely through the horses drinking milk from tubercular cows.

That is suggestive of what might be a large source of loss to the human family, and might be discussed with some propriety, but as far as this bill is concerned the discussion is purely economic.

In some extended remarks a year ago on this matter I pointed out what I thought would be the condition in Europe at the close of the war. I predicted that out of the ravages of war, the lack of opportunity to build up the herds, the ruin and destruction that would occur from disease, and the over-

riding by the conquering armies there would be a very large decrease of herds, and the result of it would be a great demand for American cattle and hogs and, to a limited extent, sheep, because sheep is the only food animal practically immune from this scourge.

Statistics are being given out now as to the condition of live stock in Europe. Britain, isolated as she was from the trend of armies and drawing from America largely for her beef, has been wise enough to keep up her herds. But no country of continental Europe has been able to do that. France has lost in flocks and herds from 15 to 25 per cent. It is thought that Germany, on account of her blockade and the demand not only for her own armies and people but for the armies of those cooperating with her, lost more largely of her herds than did France. Italy's flocks and herds were largely depleted. Holland, Denmark, Spain, and Switzerland were drained, while Russia, Turkey, and the Balkans lost more than a third of their food animals. Each of these to feed their people and retain the fertility of their soil desire to replenish their flocks and herds.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. SLOAN. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that debate upon this paragraph and all amendments thereto close in 20 minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that debate upon this paragraph and all amendments thereto close in 20 minutes. Is there objection?

There was no objection.

Mr. SLOAN. The result is, Mr. Chairman, that there will be a tremendous demand for the live stock of America. They will be careful to obtain practically disease-free live stock for breeding purposes. For that reason if America would maintain her own herds and not allow them to be depleted through disease or too much shipping it is important that the eradication movement go on under the impetus of this appropriation to the highest possible extent.

The following is one of the effective methods of discouraging tuberculous herds and encouraging those free from it, known as accredited herd method:

UNIFORM METHODS AND RULES FOR TUBERCULOSIS-FREE ACCREDITED HERDS OF PURE-BRED CATTLE.

(Unanimously adopted by the United States Live Stock Sanitary Association and by representatives of pure-bred cattle breeders' associations and approved Dec. 23, 1917, by the United States Bureau of Animal Industry.)

1. A tuberculosis-free accredited pure-bred herd is one which has been tuberculin tested by the subcutaneous method, or any other test approved by the Bureau of Animal Industry, under the supervision of the Bureau of Animal Industry or a regularly employed veterinary inspector of the State in which cooperative tuberculosis-eradication work is conducted jointly by the United States Department of Agriculture and the State. Further, it shall be a herd in which no animal affected with tuberculosis has been found upon two annual or three semiannual tuberculin tests, as above described, and by physical examination.

2. The entire herd, or any cattle in the herd, shall be tuberculin tested or retested at such time as is considered necessary by the Federal and State authorities.

3. No cattle shall be presented for the tuberculin test which have been injected with tuberculin within 60 days immediately preceding or which have at any time reacted to a tuberculin test.

4. No herd shall be classed as an accredited herd in which tuberculosis has been found by the application of the test, as referred to in paragraph 1, until such herd has been successfully subjected to two consecutive tests with tuberculin, applied at intervals of not less than six months, the first interval dating from the time of removal of the tuberculous animal from the herd.

5. Prior to each tuberculin test satisfactory evidence of the identity of the registered animals shall be presented to the inspector. Any grade cattle maintained in the herd or associated with animals of the herd shall be identified by a tag or other marking satisfactory to the State and Federal officials.

6. All removals of registered cattle from the herd, either by sale, death, or slaughter, shall be reported promptly to the said State or Federal officials, giving the identification of the animal and, if sold, the name and address of the person to whom transferred. If the transfer is made from the accredited herd to another accredited herd, the shipment shall be made only in properly cleaned and disinfected cars. No cattle shall be allowed to associate with the herd which have not passed a tuberculin test approved by the State and Federal officials.

7. All milk and other dairy products fed to calves shall be that produced by an accredited herd, or, if from outside or unknown sources, it shall be pasteurized by heating to not less than 150° F. for not less than 20 minutes.

8. All reasonable sanitary measures and other recommendations by the State and Federal authorities for the control of tuberculosis shall be complied with.

9. Cattle from an accredited herd may be shipped interstate, by certificate obtained from the office of the State live stock sanitary officials of the State in which the herd is located or from the office of the Bureau of Animal Industry, without further tuberculin test for a period of one year, subject to the rules and regulations of the State of destination.

10. Strict compliance with these methods and rules shall entitle the owners of tuberculosis-free herds to a certificate, "Tuberculosis-Free Accredited Herd," to be issued by the Bureau of Animal Industry and the State live stock sanitary authority. Said certificate shall be good for one year from date of test unless revoked at an earlier date.

11. Failure on the part of owners to comply with the letter or spirit of these methods and rules shall be considered sufficient cause for immediate cancellation of cooperation with them by the State and Federal officials.

The other day I heard on the floor of the House a very interesting speech from a gentleman whom we have often heard, the gentleman from Alabama [Mr. HEFLIN], in which he stated that a new policy with reference to the great staple products of his section of the country would be adopted. He suggested that there be a diminished planting of the great cotton staple, and also that there should be an increasing production of food, especially of beef and pork, in the southern part of this country. That is one of the wisest suggestions ever made by a gentleman who is a member of the Agricultural Committee on the floor of this House in behalf of what has been too long a one-crop section. There will be, of course, a large movement from the herds of the North to the herds of the South on the part of those who would build up that great industry. That industry has greater possibilities in the southern part of the United States than we have in the North.

Year after year the rigor of our winters demands that we burn up a large portion of our corn fed to our cattle, not for the purpose of adding flesh or food to the brute but to keep him warm. That is eliminated in the South. When the great pastures of the South, with their extended summer and limited winter, where the brutes can be comfortable throughout the whole year and at the same time enjoy pure air and water, are taken into consideration one can easily grasp the possibilities for the southern farmer. There is a great opportunity there to keep herds free from tuberculosis, and therefore from a source of great damage and loss.

Tuberculosis affects cattle not more than hogs. Later we will discuss another item in respect to hog cholera and its eradication. It is true that more hogs throughout the country suffer from tuberculosis than do from hog cholera. We do not usually think of it that way, because tuberculosis is an insidious disease and is not marked by sudden death, as is the case with cholera. It shows itself in a reduced condition and finally death. The discovery of the existence of the disease is usually made only after slaughter. The loss, of course, in hogs is not so great in tuberculosis as in cholera, because tuberculosis, unless in the extreme cases, does not entirely destroy the carcass. There is a great deal of salvage at all of the great slaughterhouses from hogs and cattle where tuberculosis affected the animal.

Commissioner Smith presented among other things the following statement as to losses and prevalence of disease in the United States:

LOSSES CAUSED BY THIS DISEASE.

According to the records of the meat inspection division of the United States Bureau of Animal Industry, there were 25,675 beef carcasses and 44,492 pork carcasses condemned as inedible for tuberculosis alone at the seven leading Middle West markets—Chicago, Kansas City, Omaha, East St. Louis, St. Paul, Sioux City, and St. Joseph—during the fiscal year 1916. This is the equivalent of 50 trainloads of cattle and hogs of 40 cars each that were consigned to the rendering tanks at these markets during one year because of having tuberculosis in so generalized a condition as to make the entire carcasses fit only for grease and fertilizer. There were a still greater number of carcasses passed for sterilization and sold as second-class canned beef and pork, upon which the loss was approximately 50 per cent.

Station.	Slaughter.	Retained for tuberculosis.	Per cent of total kill retained.	Sterilized for tuberculosis.	Per cent of total kill sterilized.	Condemned for tuberculosis.	Per cent of total kill condemned.
CATTLE.							
Omaha	707,365	14,157	2.00	832	0.12	2,207	0.31
South St. Joseph	248,858	2,285	.91	74	.03	661	.26
Kansas City	934,111	7,415	.79	421	.05	1,876	.20
National Stock Yards	540,429	3,202	.59	301	.06	996	.18
Sioux City	217,022	8,676	3.99	336	.15	1,196	.55
Chicago	1,931,962	87,192	4.50	4,742	.25	16,498	.85
St. Paul	228,172	10,829	4.57	86	.03	2,449	1.05
SWINE.							
Omaha	2,176,215	176,312	8.10	8,095	.37	4,794	.22
South St. Joseph	1,866,207	66,742	3.89	957	.05	3,299	.18
Kansas City	2,730,977	89,841	3.23	3,234	.12	4,042	.15
National Stock Yards	1,552,196	119,291	7.68	2,983	.20	2,901	.19
Sioux City	1,165,249	177,865	15.27	7,691	.66	2,545	.30
Chicago	7,343,746	1,161,339	15.81	36,273	.50	24,526	.33
St. Paul	1,508,074	81,254	5.4	1,453	.09	3,056	.20

The above table from the Bureau of Animal Industry shows that the disease is more prevalent at the northern markets. A total of 40,000,000 hogs were slaughtered during the year 1916 at all packing plants in the United States where Federal inspection is maintained. Approximately 10 per cent of these were found on post-mortem examination to be affected with tuberculosis.

PREVALENCE OF THE DISEASE IN THE UNITED STATES.

Tuberculosis is found among cattle and hogs from the Atlantic to the Pacific coast. It is not as prevalent in the Southern States as in the Northern States. Cattle are much less numerous in the South, are not so closely confined, making the conditions less favorable for the spreading of the infection, and because of the prevalence of the cattle "tick" causing Texas fever fewer well-bred imported cattle have gone into the South up to this time. The following table shows the number of cattle and hogs slaughtered at the seven leading Middle West markets during the fiscal year 1916, and the number retained for tuberculosis (affected with the disease), and the number sterilized and condemned for tuberculosis.

Dairy cattle are more tuberculous than beef cattle, and the percentage of infected cattle is usually higher in the States where more dairy cattle are owned. The disease is found to be quite prevalent in beef cattle even in the so-called range States.

The reason why this disease has not made the inroads in America is because we have such broad areas, such wide expanse of country, that it naturally prevents tuberculosis becoming intensified, as in Germany, France, Holland, and Denmark, but that time is going by. Tuberculosis has not only become prevalent throughout the States through the Middle East and Middle West, but there are few range sections throughout the West that are not now more or less affected with tuberculosis. The reason why it has not been kept back more than it has is because there has been no concerted action. Action to be effective and be successful must be when the Government itself cooperates with the various States, and if the States do not act as units, then with the counties and municipalities, in order to control and eradicate, or at least reduce to the irreducible minimum, this scourge. That can be done, I think, in the course of 10 or 12 years. I suggested a year ago that to spread twelve to fifteen million dollars over that period of time, which would cover three or four generations of cattle and more than twice that many of hogs, tuberculosis in the United States could be practically eradicated. I still hold that view, and I am pleased that the committee has taken a broad vision and has doubled last year's appropriation for that purpose.

As evidence of what the country is willing to do, there will probably be more than $2 collectively appropriated by the various States of the Union for every dollar appropriated by the Government of the United States.

Annual appropriations available for tuberculosis work in 10 States.

Connecticut	$25,000
Maine	40,000
Massachusetts	43,000
Minnesota	40,000
New York	150,000
Pennsylvania	100,000
Vermont	65,000
Ohio	100,000
Wisconsin	25,000
Kentucky	15,000
Total	603,000

Michigan paid out last year $62,815 and Missouri $29,000 for this work.

Under this bill the Government is expected to stand one-third of the slaughter loss, the State one-third, and the owner one-third. I think, under all the circumstances, that a million dollars is a fair and generous sum.

Iowa, Nebraska, and many other States are appropriating large sums for this work, and nearly all the States are expected to cooperate during this coming year.

The following summary issued by the Bureau of Animal Industry for December, 1918, suggests the interest of 39 States.

Summary of tuberculosis eradication work in cooperation with the various States, month of December, 1918.

Station.	States.	Tuberculin tests.					Employees.		Inspector in charge.
		Number of lots.	Number of cattle tested.	Number reacted.	Number slaughtered.	Increase in number tested over previous month.	Bureau.	State.	
Albany, N. Y.	New York	9	517	12	4	119	1	1	Dr. H. B. Leonard.
Atlanta, Ga.	Georgia	18	614	17	16		3	1	Dr. W. M. MacKellar.
Birmingham, Ala.	Alabama	42	1,165	24	30		7	1	Dr. R. E. Jackson.
Bismarck, N. Dak.	North Dakota	58	1,378	57		742	2	18	Dr. H. H. Cohenour.
Boston, Mass.	Massachusetts	10	137	3	1		3		Dr. E. A. Crossman.
Do	Maine	32	602	7	9	262	2	2	Do.
Do	Rhode Island	2	43	5	3	41	1		Do.
Do	Connecticut	11	314	8	25	127	1		Do.
Do	New Hampshire	1	42				1		Do.
Chicago, Ill.	Illinois	41	693	70	90		7	1	Dr. J. J. Lintner.
Clarksburg, W. Va.	West Virginia	7	167	8		167	1	1	Dr. W. R. Van Ness.
Columbia, S. C.	South Carolina	10	252	5	5		3	1	Dr. W. K. Lewis.
Denver, Colo.	Colorado	4	71	2		61	1		Dr. W. E. Howe.
Do	Wyoming	21	93				1	1	Do.
Des Moines, Iowa	Iowa	8	254	11			3	2	Dr. F. H. Thompson.
Harrisburg, Pa.	Pennsylvania	40	522	22	15		4	1	Dr. F. E. Quinn.
Indianapolis, Ind.	Indiana	20	440	28	15		3	5	Dr. J. E. Gibson.
Do	Ohio	33	604	54	37	228	5	5	Do.
Do	Wisconsin	8	252	16	16		2	5	Do.
Do	Kentucky	17	359	24	6		4	4	Do.
Jackson, Miss.	Mississippi	134	951	10	24	245	4		Dr. J. A. Barger.
Kansas City, Kans.	Kansas	17	364	13	69		3		Dr. T. J. Eagle.
Lansing, Mich.	Michigan	28	747	37		141	5	1	Dr. T. S. Rich.
Montpelier, Vt.	Vermont	53	1,529	197	239		6	3	Dr. A. J. De Fosset.
Nashville, Tenn.	Tennessee	41	839	13	6		4	1	Dr. W. B. Lincoln.
New Orleans, La.	Louisiana	30	506	46	62		2		Dr. R. W. Tuck.
Omaha, Nebr.	Nebraska	16	422	18	10	317	4	1	Dr. H. Busman.
Pierre, S. Dak.	South Dakota	8	436	48	28		1	1	Dr. J. O. Wilson.
Portland, Oreg.	Oregon	13	195	2	3		4	1	Dr. S. B. Foster.
Do	Washington	20	504	28	3		1	3	Do.
Richmond, Va.	Virginia	61	1,346	41	42	53	7		Dr. R. E. Brookbank.
Do	North Carolina	17	388	3	4	39	2		Do.
St. Paul, Minn.	Minnesota	46	1,772	64		609	10	4	Dr. W. J. Fretz.
Do	do	[illegible]	1,414	195	165	371			Do.
Salt Lake City, Utah	Utah	11	108	8	11		5	2	Dr. F. E. Murray.
Do	Idaho	1	12						Do.
Tallahassee, Fla.	Florida	29	709	7		509	5	2	Dr. J. G. Fish.
Trenton, N. J.	New Jersey	8	102	11	2		1		Dr. W. G. Middleton.
Do	Delaware				1				Do.
Washington, D. C.	District Columbia	12	17				2		Dr. J. A. Kiernan.
Do	Maryland	36	682	21	8	281	5		Do
Do	Miscellaneous	12	198	8	9	168	1		Do
Total		1,052	21,651	1,142	2,068		133	68	

NOTE.—The first line of Minnesota is accredited herds; the second, area work.

This is not a matter of investigation. We know how to accomplish the eradication of tuberculosis. It prevailed in the District of Columbia 12 or 15 years ago, so that 18 to 20 per cent of the bovines of this District were afflicted with tuberculosis, while now less than 1 per cent are so afflicted. I am convinced that what has been done in the District of Columbia can be accomplished through the work of the Government of the United States and the various States in cooperation. We are all now especially aroused to the production of beef, pork, and mutton, and that is evidenced by the very great demand we had during the great world war. To conserve and increase our meat supply is important to producer and consumer as well. [Applause.]

Under leave of extension granted, I herewith append an interesting and illuminating statement by Dr. J. A. Kiernan, chief of the tuberculosis-eradication division:

COOPERATIVE TUBERCULOSIS ERADICATION WORK IN THE UNITED STATES.

The eradication of tuberculosis from our live stock is one of the greatest pieces of constructive live-stock sanitation work that has ever been undertaken in any land. This work has passed the experimental stage. The Bureau of Animal Industry has demonstrated for more than 10 years that when live-stock owners were interested in exterminating the disease and would follow the instructions laid down by the department tuberculosis could be eradicated from any herd, even though it was 75 per cent diseased.

More than 10 years ago the Bureau of Animal Industry undertook to eradicate tuberculosis from the cattle within the District of Columbia and nearby points in the State of Maryland and Virginia. At that time within the District there were approximately 1,200 cattle, and upon the application of the tuberculin test 18.87 per cent of the animals were found affected with tuberculosis. Each year since that time all of the herds within the District have been subjected to the test, and during 1918 it was revealed that less than 1 per cent of the animals were affected. This small amount of infection that persists from year to year is due largely to the introduction of cattle from other States. These new additions to the herds, although they are subjected to the tuberculin test, at times prove to be diseased upon the application of a retest. If no additions were made to the native herds of the District for a period of five years, it is confidently believed that tuberculosis would be absolutely exterminated. Similar progress has been made in the herds under the supervision in Maryland and Virginia and, in fact, wherever and whenever owners have placed their herds under supervision for the eradication of tuberculosis and have followed the prescribed rules they have succeeded in getting rid of the disease.

With the above-mentioned information at hand Congress appropriated $500,000 for the fiscal year ending June 30, 1919, but this money did not become available until October 1, 1918, when the annual agricultural appropriation bill was approved. This item appropriating funds for the eradication of tuberculosis authorizes the Secretary of Agriculture to compensate owners for cattle that are destroyed on account of tuberculosis.

The tuberculosis-free accredited-herd plan is one project of the general plan of a campaign which has been inaugurated in eradicating tuberculosis from live stock in the United States. This plan was jointly adopted in December, 1917, by the live-stock sanitary officials of all the States in the Union and the United States Bureau of Animal Industry.

Progress in eradicating any widespread animal disease depends not only on suitable methods of control, but also in large measure on the desire of live-stock owners to cooperate. It is important that they understand clearly why the work is done, the methods of conducting it, and the benefits which the completed work will bring.

Eradication of tuberculosis from live stock means primarily the removal of a constant source of danger to the health of mankind and of its animals; also, it will reduce sharply the economic losses from animal disease.

To accredit a herd as free from tuberculosis means briefly to certify officially that the owner has complied with specified requirements. Best results may be expected only when every live-stock owner becomes familiar with the provisions of the accredited-herd plan.

The idea and advantages of accrediting herds of cattle found to be free from tuberculosis has gained wide publicity and popularity among cattle breeders during the first year's work. They appreciate the fact that a certificate of approval indorsed by the State in which the herd belongs and the further indorsement by the United States Department of Agriculture gives prospective purchasers confidence that the animals are free from the disease, and they are in consequence willing to pay a considerable advance in price for such animals.

During the first year's operations 296 herds, comprising 9,284 cattle, have been fully accredited as free from tuberculosis; and 1,462 herds, having 35,052 cattle, passed one successful test in preparation for certification; in addition, 4,622 herds, both pure bred and grade, totaling 98,002 animals, have been under supervision for the eradication of tuberculosis. Each month a large number of additional herds are taken under supervision.

List No. 1 of herds officially accredited as free from tuberculosis and of herds that have passed one successful test with a view to certification was issued in pamphlet form and 50,000 copies have been distributed to cattle owners throughout the country. It is proposed shortly to revise the list and publish list No. 2, which will contain the names of the owners of the additional herds that have been fully accredited as well as those that have passed one successful test.

Tuberculosis eradication work is being carried on in more than 40 States in cooperation with the State live-stock sanitary officials and the stock owners. Joint agreements between the State and the Bureau of Animal Industry governing the application of the tuberculin test and the handling of the herd of cattle are forwarded to each owner interested in having his herd freed of tuberculosis or in having it accepted as officially accredited. Applications for the joint agreement may be made to the proper State sanitary official or to the Bureau of Animal Industry, Washington, D. C.

It has been found by very careful experiments and practical work that tuberculosis can not be detected to any great extent among animals by a physical examination. Herds which seem apparently healthy may be extensively affected with tuberculosis. The most reliable method for definitely determining whether tuberculosis exists or not is the tuberculin test applied by a trained operator. Tuberculin, while it is the most accurate diagnostic agency known to science, is safe only in the hands of a trained and skillful operator who is acquainted with its limitations and with the symptoms it produces in the animals to which it is applied.

It is proposed to carry on the accredited herd plan until practically all pure-bred herds of cattle in the United States are under State and Federal supervision for the eradication of tuberculosis. Thus it will be possible for an owner in one State to purchase cattle in another State with the assurance that he will receive animals that may be introduced into his herd with perfect safety so far as tuberculosis is concerned. Under former conditions many such animals proved to be a menace in place of an asset.

In addition to the accredited herd plan, the eradication of tuberculosis from live stock will be carried on in circumscribed areas comprising one or more counties. The disease will be eliminated from cattle and swine in such areas and the campaign extended until it takes in entire States.

In order that the work may progress satisfactorily, it is necessary that live-stock owners cooperate to the fullest extent. The success of the movement for eradicating tuberculosis rests upon the live-stock owners of the country to a greater degree than on any other force. Whenever they are ready and willing to "get behind" the work success is bound to follow.

The legislatures in 23 States convene during the present winter, and from present indications the amount of money that will be appropriated by them for the eradication of tuberculosis from live stock will be nearly $2,000,000, much of which will be used for indemnifying owners for cattle that are destroyed on account of tuberculosis. The appropriations for indemnity are in most cases being made with the understanding that partial indemnity will be made by the Federal Government if States provide for partial indemnity themselves. In States where it is necessary to change the laws relating to tuberculosis eradication in order to cooperate with the Federal Government and receive some Federal assistance in the way of indemnity, the necessary changes will in all probability be made. From the great interest that is being shown by the State legislatures it is very evident that the importance of tuberculosis eradication is realized and the Federal cooperation appreciated.

The great importance of eradicating tuberculosis from our live stock can be appreciated when we know that the value of the cattle in the United States on January 1, 1919, was $3,796,725,000 and the estimated value of swine on the same date was $1,605,987,000.

PROGRESS, TUBERCULOSIS ERADICATION, DURING YEAR 1918.

The tuberculosis-free accredited-herd plan, which was inaugurated in December, 1917, and has been worked out in cooperation with the United States Bureau of Animal Industry, was slightly changed at the twenty-second annual meeting of the United States Live-Stock Sanitary Association, held in Chicago, Ill., December 2-4, 1918. It was agreed to strike out the word "pure bred" so as to admit to certification grade herds in addition to registered cattle.

The annual conference between representatives of the United States Live-Stock Sanitary Association and the pure-bred cattle breeders' associations resulted in the further indorsement of the tuberculosis eradication campaign and a recommendation that the work be extended as rapidly as possible.

Very satisfactory progress has been made during the first year of the work, and prospects for the future are exceedingly bright. During the year 296 herds, comprising 9,284 cattle, have been fully accredited as free from tuberculosis, and 1,462 herds, having 35,052 cattle, passed one successful test in preparation for certification. In addition, 4,622 herds, both pure bred and grade, totaling 98,002 animals, have been under supervision for the eradication of tuberculosis. Each month additional herds are added to the list. A revision of list No. 1 of accredited herds will be made in the near future, and when printed will be widely distributed, as was the original list, the supply of which is now exhausted.

Details by States.

State.	Pure-bred herds accredited.		Pure-bred herds once tested without reactors.		Pure-bred herds containing one or more reactors.		Grade herds under supervision.	
	Herds.	Cattle.	Herds.	Cattle.	Herds.	Cattle.	Herds.	Cattle.
Alabama			23	655	12	682	88	4,102
District of Columbia	1	134					200	1,206
Florida			24	644	4	198	2	14
Georgia			14	916	11	953	212	5,379
Illinois	2	163	19	445	21	801	3	44
Indiana	17	377	64	1,245	39	989		
Iowa			4	77	8	395		
Kansas			18	345	12	261	4	19
Kentucky			57	1,569	23	1,264	2	88
Louisiana	1	18	15	1,030				
Maryland	2	21	28	723	37	1,122	90	1,565
Michigan	13	260	61	1,561	54	2,250		
Minnesota	88	2,987	186	5,031	131	4,826	374	5,228
Mississippi			42	1,063				
Missouri					3	127		
Montana	11	262	19	548	21	1,076	821	14,873
Nebraska			1	2	13	458		
New York			7	160	10	366	2	97
North Carolina	1	37	63	997	22	832	144	2,101
North Dakota	59	1,654	107	2,731	53	2,032	341	3,244
Ohio	1	25	55	1,495	94	4,225	8	15
Pennsylvania			50	675	26	801	10	119
South Carolina			26	756	12	610	78	2,512
South Dakota			8	241	23	708	101	621
Tennessee	2	99	20	595				
Texas			2	71				
Utah	4	155	16	300				
Vermont	8	294	72	1,888	67	2,551	162	2,954
Virginia	54	2,062	155	4,186	75	3,338	659	14,060
West Virginia			10	225	2	82	7	77
Wisconsin	9	314	50	1,374	29	1,265	2	25
New Hampshire	11	147	97	1,551	75	2,465	209	2,478
Connecticut								
Rhode Island								
Delaware			8	179	8	855	1	27
New Jersey	12	245	52	1,684	22	820	6	148
Washington								
Total	296	9,284	1,462	35,052	907	36,308	3,715	61,634

Mr. LEVER. Mr. Chairman, this is one of the most important items in this bill and to my mind in the years to come will be regarded as one of the wisest pieces of work that this body has ever proposed. I would not feel justified in letting this occasion pass without saying that this item in this bill is due, not in whole but in large measure, to the far-sightedness, the energy, and the perseverance, of the gentleman from Nebraska [Mr. SLOAN]. [Applause.] It has always been a happy thought to me that the Committee on Agriculture knows no party lines. This item was suggested by the gentleman from Nebraska. He

urged it with all of the force of his eloquence and logic and good horse sense, as we say south of this river, with the result that he convinced the committee and convinced the Congress. The work has progressed so nicely, it has proven itself to be so beneficial, and is meeting with such hearty response from thoughtful men everywhere that the committee of its own initiative at this session of Congress in preparing this bill increased the appropriation by $500,000 over the estimates submitted by the Department of Agriculture, and that action had the very hearty concurrence of the Department of Agriculture.

I feel that when the gentleman from Nebraska leaves Congress he can go before his people and receive from them the commendation of "Well done, thou good and faithful servant." [Applause.]

Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has one minute remaining.

Mr. LEVER. I yield that to the gentleman from North Dakota [Mr. YOUNG].

Mr. YOUNG of North Dakota. Mr. Chairman, the people of our State were among the first to realize the danger of tuberculosis to our herds, and I am glad to say have made commendable progress toward its eradication. The States of North Dakota and Minnesota have made the greatest progress of any area in the United States. This has been accomplished by the application of the tuberculin test and the slaughter of reactors, for which State indemnity has been paid.

The testing of herds in Minnesota and North Dakota has been voluntary rather than compulsory, and the testing is now being confined largely to pure-bred herds. No indemnity is paid by the State unless the entire herd is tested annually and the owner complies with certain regulations specified by the live-stock sanitary boards. The fact that Minnesota and North Dakota have the largest number of tuberculosis-free accredited herds, and the further fact that these States have also required the pasteurization of skim milk and other creamery by-products before it is fed to hogs, undoubtedly explains in large measure the cause of the low percentage of condemnations for tuberculosis among both cattle and hogs at the St. Paul market, as compared with all other northern markets. The records of the Division of Meat Inspection of the Department of Agriculture show that 3.8 per cent of all the cattle slaughtered at the Chicago, Sioux City, and Milwaukee markets during the fiscal year ending June 30, 1918, were found on post-mortem to be affected with tuberculosis, whereas only 1.9 per cent of all the cattle slaughtered at the St. Paul market during 1918 were found on post-mortem to be affected with tuberculosis. These statistics also show that 17 per cent of all the hogs slaughtered under Federal inspection at the Chicago, Sioux City, and Milwaukee markets during the year 1918 were found on post-mortem to be affected with tuberculosis, whereas at the St. Paul market during the same year but 5 per cent of the hogs slaughtered were found on post-mortem to be affected with tuberculosis. The pamphlet issued by the Bureau of Animal Industry on July 1, 1918, entitled, "The Control and Eradication of Tuberculosis," asserts that North Dakota and Minnesota have by far the largest number of tuberculosis-free accredited herds of any States of the Union.

Mr. Chairman, it is very plain that this problem must be attacked upon a national scale in order to bring complete success. So long as other States are careless or neglect to protect their herds our State will be in danger. I ask leave to print in the RECORD a letter received from our North Dakota State veterinarian, Dr. W. F. Crewe.

The CHAIRMAN. Is there objection?

There was no objection.

DR. CREWE'S LETTER.

STATE OF NORTH DAKOTA,
LIVE STOCK SANITARY BOARD,
January 22, 1919.

Hon. GEORGE M. YOUNG,
House of Representatives, Washington, D. C.

DEAR MR. YOUNG: I have received your communication of the 18th instant relative to the eradication of bovine tuberculosis.

It would seem superfluous to quote statistics regarding the prevalence of this disease in this country, as no doubt same have been furnished your committee by the Federal department. Our experience contending with this disease in this State during the past seven years and our knowledge of the prevalence of the disease in other States leads us to believe that the eradication of bovine tuberculosis is a national problem.

Work on this disease is being and has been carried on in a more or less irregular manner in many of the States with little or no uniformity. In some States practically nothing has been done. The disease is becoming more extensive every year until it is a serious menace to the cattle and swine industries.

On account of the enormity of the cattle and swine industries in this country the control and eradication of this disease presents the greatest undertaking that has been placed before sanitary authorities.

Scientific investigators, sanitary authorities, and stock owners practically agree on plans for this undertaking. The entrance of the Federal Government into this work in cooperation with the different States means the establishment of uniformity of these methods. The cooperation of the Federal authorities will add a great stimulus to the efforts of the different States.

The suppression of this disease means the reduction of the annual loss incurred. Neglect to control and suppress this disease means increased loss.

A liberal appropriation by the Federal Government means increased appropriations by the States and a corresponding decrease in the loss by disease.

North Dakota is expending effort in the endeavor to eradicate tuberculosis from our pure-bred herds and keep them free from this disease. We find that many pure-bred animals shipped from other States are diseased in spite of being accompanied by health certificates. To illustrate: Of 6,890 pure-bred cattle tuberculin tested in this State within the year, 4½ per cent were found tuberculous. Within the year, 598 pure-bred cattle imported into the State were retested and 65 were found to be tuberculous, or over 11 per cent. In conjunction with our own efforts we are anxious to see this disease eliminated from other States and be thereby given better protection.

I might state that the budget committee has recommended an increase of our appropriation for tuberculosis of $30,000 to $40,000.

Thanking you for your kind interest in this subject, I remain,

Very respectfully, yours,

W. F. CREWE.

Mr. Chairman, I am sorry that our colleague from Nebraska [Mr. SLOAN], who has again spoken so convincingly in favor of this appropriation item for the eradication of tuberculosis in cattle is not to be with us in the Sixty-sixth Congress. He pioneered the movement looking to the eradication of tuberculosis in both cattle and hogs, and the campaign against hog cholera, and his face became so familiar in our Agricultural Committee room that one day our chairman forgot to ask him to leave when we were to have an executive session. Now that he has succeeded in boosting the appropriation items for the eradication of tuberculosis in both cattle and hogs I assume that he will retire from Congress feeling that the purposes for which he came down here have been accomplished. Perhaps that is not true and that he had other ambitions in respect to legislation. If so, the members of the Committee on Agriculture were never taken into his confidence and never permitted to forget the commanding importance of caring for the health of our cattle and hogs.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota for three minutes.

Mr. ANDERSON. Mr. Chairman, I am very glad indeed to concur in what the chairman of the committee has said with respect to my distinguished colleague from Nebraska [Mr. SLOAN] and his efforts to promote the work under this item. The item itself and its present proportions are due more to the industry and the careful preparation and study of the gentleman from Nebraska than to any other one man or thing, and I am very glad myself to testify to the fact; and I can do that with particular fitness, because the State which I have the honor to represent, in part, has more accredited herds, has more herds in process of becoming accredited, has more herds under agreement with owners, and more herds on the waiting list than any other State in the Union, although the State of Minnesota has by no means yet the largest number of pure-bred cattle. The work is of very great interest and of very great importance to the State of Minnesota, and that State, like I think every other State in the Union in which stock raising or dairying is of any importance, will do its part, and more than its part, in the work of eradicating this disease.

Mr. Chairman, I ask unanimous consent to extend my remarks by incorporating in the RECORD a letter from a member of the live-stock sanitary board of the State of Minnesota touching the cooperative work done under the item in that State.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to extend his remarks by inserting certain material mentioned. Is there objection? [After a pause.] The Chair hears none.

The letter is as follows:

STATE OF MINNESOTA,
LIVE STOCK SANITARY BOARD,
St. Paul, January 17, 1919.

Hon. SYDNEY ANDERSON,
House of Representatives, Washington, D. C.

DEAR SIR: In the absence of our secretary, Dr. C. E. Cotton, I am asked by our board, in session to-day, to report our response to your request of January 9 for information concerning tuberculosis-control work in Minnesota.

During the year ending July 31, 1916, we expended $28,283.81 in reimbursing owners for cattle killed on account of tuberculosis and approximately $9,000 for veterinary services, including traveling expenses.

During the year ending July 31, 1917, we expended in reimbursement of owners for cattle killed on account of tuberculosis $39,621.35, and approximately $9,250 for veterinary services and traveling expenses.

For the year ending July 31, 1918, for tuberculous cattle, $40,094.82, and approximately $8,500 for veterinary services and traveling expenses.

It should be understood that no charge is made to the owner for veterinary services in this or any other similar State work.

The opportunity for enlarging this work is limited only by available funds. The sentiment among Minnesota breeders is such that an almost unlimited work could be done upon urgent request from owners. To

illustrate this, I would call your attention to the fact that Minnesota has now about 88 pure-bred herds on the fully accredited list; 182 herds have passed the first completely negative test and 131 other herds have had one test and are approximately clean.

The State and Federal bureau together have now work under way with about 562 herds. We have a waiting list of about 400 herds that have not been touched. There is absolutely no important opposition whatever, and the only objections and criticisms coming from Minnesota are that we do not get to the herds sooner. As to the present condition of Minnesota herds, I would offer the following quotation from a recent statement by a Bureau of Animal Industry official:

"According to a report rendered by the bureau ending December 1, 1918, Minnesota leads all States in tuberculosis-control work, with North Dakota a close second. At the present time there are over 820 herds under Federal-State supervision. The splendid position Minnesota holds along this particular line is due to the hearty cooperation of the past personnel of the live stock sanitary board, which has recently selected Dr. C. E. Cotton as secretary and executive officer, to fill the vacancy caused by the death of Dr. S. H. Ward."

This is certainly a fine showing for Minnesota, and the Minnesota State Live Stock Sanitary Board and the veterinary division of the State agricultural college and experiment station, which two institutions have been working in perfect harmony, take a great deal of pride in the showing.

I would also call your attention to the fact that Minnesota's pure-bred, clean herds are constantly threatened by importations from herds in other States that are not so clean as Minnesota herds; for example, in 1917–18 of 442 pure-bred herds tested, containing about 14,200 cattle, 340 animals, or 2.4 per cent reacted. This is a very low average for pure-bred cattle, but our average reactions for several years with Minnesota pure-bred cattle that have been previously known and tested, has ranged about 1 per cent. A seriously large proportion of these reactions in 1917–18 were of cattle recently brought into the State. Minnesota pure-bred cattle raised in Minnesota herds have continued very clean. The point is that we are getting too many reactions among imported cattle and this lowers our per cent showing for the State. In addition to this, it is endangering our clean Minnesota herds. At a certain sale in Sioux City 19 animals were purchased by Minnesota breeders subject to test. Of the 19 animals only 9 were shipped into Minnesota after the test, and of these 9, 5 subsequently reacted on Minnesota home test. During the year ending July 31, 1918, we had 207 tuberculin test reactions in cattle imported almost entirely from six States.

As a representative of Minnesota, we are sure you will take pride in knowing that Minnesota has now more Federal-State accredited herds, more herds in the process of becoming accredited (having passed one clean test), more herds under agreement with owners, and more herds on the waiting list than any other State in the Union, and Minnesota is not as yet the biggest pure-bred cattle State in the Union by any means.

We have under way in Minnesota, in cooperation with the Federal Bureau of Animal Industry, these three projects:

1. Federal and State accredited pure-bred herds project.
2. The circumscribed area tuberculosis eradication project.
3. Swine tuberculosis eradication work.

The swine tuberculosis is reducing automatically with the eradication of tuberculosis in cattle. I mean by this that just in proportion as we remove tuberculosis from our cattle we will at the same time remove tuberculosis from our Minnesota swine.

Trusting that this may be of some assistance to you in an extremely important movement, I am,

Very truly,

M. H. REYNOLDS,
Member University Department of Agriculture and State Live Stock Sanitary Board.

The CHAIRMAN. The gentleman from New Hampshire is recognized for three minutes.

Mr. WASON. Mr. Chairman, I desire to rise to supplement with a word the remarks of the chairman of our committee. Well do I remember about a year ago the suggestion of the distinguished Member from Nebraska [Mr. SLOAN] regarding an increase of the appropriation for the eradication of tuberculosis in animals. He has worked in time and out of time almost gathering statistics and information from all parts of the country regarding this disease, and when he delivered his speech here upon this floor it was a forceful, complete, and a comprehensive presentation of the subject. As the chairman has well said, we were impressed with his remarks, his sincerity, and the ability with which he presented this subject. This year the lingering impression of his reasoning assisted the committee and we were willing and glad to increase the appropriation which we hope will result in greater benefits to the producer of beef and pork and the consumers of these food products.

CHARLES H. SLOAN leaves this body at the close of this session, and we wish he were to return and be with us during the next session. He will leave the impress of his ability, fidelity, valuable service here, which his people must admire and appreciate, and the people of the entire country will long remember him for his successful efforts in attempting to enact legislation tending to decrease the ravages of this dread and devastating disease among the live stock of our country. [Applause.]

Mr. HAUGEN. Mr. Chairman, I rise simply to say I heartily concur in what the chairman and others have said about our worthy and distinguished colleague from Nebraska [Mr. SLOAN]. His ability, industry, and fidelity to duty is recognized by all, and it is due that it should be stated here that the item carried in this bill is the result of the industry and efforts of that distinguished gentleman. [Applause.]

Mr. LITTLE. Mr. Chairman, last year when the gentleman from Nebraska [Mr. SLOAN] offered the amendment for the eradication of tuberculosis, which would have very materially increased the appropriation, enough to have been effective, it gave me great pleasure to follow his leadership and to get in and make as hard a fight as I could in support of his contention. It is peculiarly gratifying to me, Mr. Chairman, to find this year he has induced the committee to appreciate the importance of the industry, which is so important to his community and to my own, and I want to thank him in behalf of the farmers of Kansas for the great aid he has given us and the country's cattle interests generally. I have seen in the newspapers of this country many criticisms of Congress and many fine suggestions, I presume, of what we ought to do here, but I am not familiar with any editorial that has ever been published that has been of such utility to the people of this country as this suggestion of the gentleman from Nebraska; and I am sorry that he has decided not to remain with us this year. As the newspapers have not been able to make any suggestions as valuable as his, I might suggest that they take up this valuable suggestion, very helpful expenditure, an idea of a Nebraska Member of this Congress, and tell the people about it. If they have any suggestions to offer equally as good, I would like to have them brought out and many of us would be glad to follow them. When we are at home we always think we can run a newspaper better than the editor can, but now that the price of paper has increased so very likely not anybody here has the qualifications to run a newspaper at all unless it is perhaps the gentleman from Illinois [Mr. MCKINLEY]. On the other hand, the editors, by way of reciprocity, I reckon, they think they can run Congress better than Congressmen can. Perhaps there is some doubt about the correctness of that, too. And it is peculiarly pleasing to me to see one plan that after a year has fixed itself upon the House committee's bill and to anticipate the excellent results that will come from a proposition that is as beneficial as this. This plan will go far to getting rid of tuberculosis in cattle, and that will do more good for the country than any New York City daily has accomplished in 10 years.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LITTLE. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. JUUL. Mr. Chairman, H. R. 15018, a bill making appropriation for the Department of Agriculture for the fiscal year ending June 30, 1920, and carrying appropriations totaling $31,691,562 is, as far as I can see, a very meritorious measure, and yet contains matters that my conscience will not permit me to let pass without a word of protest.

I listened with a great deal of interest to the remarks of the gentleman from Nebraska [Mr. SLOAN], and, coming, as I do, from an agricultural State, I am naturally in sympathy with everything he said about tuberculosis in cattle and in pigs. But tuberculosis, Mr. Chairman, is a disease that is brought about in humans by virtue of bad housing and undernourishment, and I want to know from the chairman of the Agricultural Committee, if he will give me his attention for half a minute, what he expects will result but tuberculosis to humans from a bill that contains items like $240 a year to charwomen? I can fancy to myself a home where the woman earns $240 annually, working as these women do, and, as I am informed, for five hours per day, and even those that are paid as high as $300, and some of them $360 per year—the United States Government sending women home with 60 cents per day, out of which to pay car fare and luncheon, and then working in offices and elsewhere for 60 and 70 cents a day, when at the same time we are appropriating money to destroy tuberculosis in animals.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JUUL. Just half a minute more. I do not get much time on this floor, and, while I realize that the Chairman has got to be strict in the matter of time, the hammer in my case is entirely out of order. I sit here from day to day and see men get up a hundred times a day and talk——

The CHAIRMAN. The committee has fixed the time for debate.

Mr. HAUGEN. Mr. Chairman, I ask that the time be extended so that the gentleman may have five minutes.

Mr. LEVER. If that is the case we will have to make it eight minutes. The gentleman from Maryland desires three minutes.

The CHAIRMAN. The gentleman from South Carolina [Mr. LEVER] asks unanimous consent——

Mr. LEVER. Mr. Chairman, there are a great many fingers going up. I wonder if we could not take the time on the next item?

Mr. HAUGEN. The gentleman from Illinois does not take much time.

Mr. LEVER. I appreciate that. I wondered if the gentleman could not take it on the next item just as well.

The CHAIRMAN. The gentleman from Iowa [Mr. HAUGEN] asks unanimous consent that the time of the gentleman from Illinois [Mr. JUUL] be extended five minutes. Is there objection?

Mr. LEVER. Mr. Chairman, I ask that the time be extended 10 minutes, so that the gentleman from Nebraska may have two minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the time be extended 10 minutes, 5 to be occupied by the gentleman from Illinois [Mr. JUUL], 3 minutes by the gentleman from Maryland [Mr. LINTHICUM], and 2 by the gentleman from Nebraska. Is there objection?

There was no objection.

Mr. JUUL. Mr. Chairman, I maintain that the Congress of the United States is placing itself in a false light before the people, particularly the working people of this country, by permitting a bill to go out with items in it like some which are contained in this bill. There is nothing else the matter with the average family when tuberculosis invades it than that they are not able to get proper nourishment and they are not able to get proper housing. I do not know what the circumstances are in a family where women are willing to tender their services for $240 per year, but I can imagine that nothing but dire poverty compels them to accept the employment; and I would like to ask the chairman of the committee and the members of it to revise that part of the bill dealing with the charwomen.

Mr. LEVER. Let me say to the gentleman from Illinois that these $240 charwomen are doing half-time work.

Mr. HAUGEN. And they get the benefit of the bonus also.

Mr. LEVER. And get the benefit of the bonus also.

Mr. JUUL. I would like to ask the gentlemen if these women are not required to work five hours per day, and that they must in coming and going from their places of employment pay their own car fare; and if the gentleman will take $240 and divide the sum by 365 days he will find we are paying an amount so scant that it reflects absolutely upon the humane thoughts and feelings of this Congress to retain such items in the bill, and I sincerely hope that the gentleman, before the bill goes to final passage, will remedy this evil. It is a crying disgrace that we should sit here and pass legislation carrying items like this.

Mr. LEVER. I would say to the gentleman from Illinois that this committee some years ago, again on its own initiative, took the bit in its teeth and raised the salaries of a great many low-grade salary people. Now, without any specific information on this proposition, I am satisfied that these individuals are doing probably half-time work. The salary may be too little, and probably is too little. I think that the next Congress ought to provide some remedy for this whole question of salaries in the various departments of the Government, and I trust that a committee of the two bodies may secure the information and make a report back at the next session.

Mr. JUUL. I would like to ask the gentleman if this Government has money to stamp out tuberculosis in cattle and at the same time has no money to stamp out tuberculosis among human beings? You can not get anything else but tuberculosis out of $240 a year for pay for a woman devoting five hours a day for 365 days a year to Government service. Allow me to tell you this, Mr. Chairman, that no woman can accept five hours per day employment from the United States Government and at the same time contract for employment elsewhere. She is barred from doing it. And I sincerely hope the gentleman will take the credit of remedying this bill instead of waiting for the Republicans to come in next year to do it.

Mr. ROSE. Will the gentleman yield to me for a moment?

Mr. JUUL. Yes.

Mr. ROSE. I was once impressed, just as the gentleman from Illinois is. I undertook once to make an investigation of the pay of the charwomen about the House Office Building and Capitol, and I was informed that they work three hours a day at such work, leaving them the balance of the day to take up other kinds of employment. I felt satisfied the wages they were receiving were entirely too low and that they would only result in the manner the gentleman from Illinois [Mr. JUUL] has suggested. I thought it might be well for the gentleman to know that one feature, that they are not working five hours per day.

Mr. HAUGEN. The salary is $480 besides the bonus, and I submit that, considering the character of work they are doing, that salary is away above what servants are receiving in our houses when we hire charwomen at $480 a year.

Mr. JUUL. I want to say to the gentleman that almost any servant in the house of any decent white man gets her food and lodging in addition to the wages she receives.

Mr. HAUGEN. But the charwomen get $20 a month and $60 bonus for the time they spend.

Mr. JUUL. If the gentlemen will kindly look at this bill, page 4, line 23, they will find 1 charwoman at $360, 15 charwomen at $240; and if they will look further on page 5, line 9, 1 charwoman, $480; page 5, line 10, 5 charwomen at $240 each.

If the gentleman from Iowa [Mr. HAUGEN] will kindly look at his bill, page 7, line 4, he will find 1 charwoman at $360, 3 charwomen at $240 each. If the gentleman will take a look at page 11, line 7, he will find 16 charwomen at $480 each, 5 charwomen at $360 each, 2 charwomen at $300, 7 charwomen at $240 each; and the case becomes still more aggravated by examining page 21 and finding, in line 2 and line 3, 21 charwomen at $240 each, and so on through the bill.

Now, if the gentlemen will take their pencils, they will find by doing a little bit of figuring that these women receive barely 66 cents a day, out of which to pay car fare, for it is reasonable to suppose that they can not afford to live on Capitol Hill out of the compensation furnished by the Government. I want to do all in my power to join the gentlemen from the country districts in stamping tuberculosis out among the farm animals, but I think we might take time occasionally listening to the voices within us that tell us that to proceed along lines here indicated is cruel, and that to sit here comfortably making appropriations for the stamping out of tuberculosis among cattle and yet denying time for those who would like to prevent the same dread disease among humans is hardly in keeping with the high standard of thought that should prevail in this House.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. LAZARO. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois be given one more minute.

The CHAIRMAN. The committee has just fixed the time for debate on this paragraph.

Mr. JUUL. I suppose it will be passed now as usual.

Mr. LINTHICUM. Mr. Chairman, I want to congratulate the committee for having inserted in the bill this paragraph for the purpose of eradicating tuberculosis in cattle. I have been speaking to this House for some time about the great importance of this subject, and it is inspiring to me that the gentlemen of the committee have seen the vision. The gentleman from Nebraska [Mr. SLOAN] has done splendid work, along with the chairman of the committee, and also the gentleman from Iowa [Mr. HAUGEN] and the gentleman from Pennsylvania [Mr. McLAUGHLIN] have done good work.

I believe it is one of the most important items that this Congress will pass at this session or that has been passed at any other session. It provides for safeguarding the purity of those necessities of life which the young consume. I think that when this inspection has been in vogue for a few years, after we have been able to enforce its provisions throughout the country, the inspection will cover all milk products that are consumed by the young—not only milk in its original state but butter and cheese. We will then have been able very largely to eradicate tuberculosis throughout the United States. It is a subject in which everybody is interested. It is a subject in which we are more interested to-day, perhaps, than ever before in the history of the country, because "the boys" are coming home, many of them in a condition which needs absolute attention and pure food, so that they may not be contaminated with any diseases, and particularly with the germs of tuberculosis.

The item will go far toward perfecting the desired condition of which I have been speaking for several years. I want to extend to the American Federation of Labor, and particularly to the Federation of Labor of Maryland, my sense of appreciation of the assistance they have given in this work, in that their lodges throughout the whole United States have adopted resolutions asking Congress to provide against tuberculosis in animals. My good friend from Nebraska, Mr. SLOAN, has worked in season and out of season for this proposition, and I am sure the consumers of his State and the consumers of the entire country will appreciate his work more and more as the years roll by. It is a provision in which Congress can well feel pride in that it protects and cares for the young children who consume these products in their raw state, and particularly the sick, who are compelled to consume milk products during their illness because those products are perhaps the only things they can digest. It is a proposition which the country at large will applaud, and there will not go up a single voice from the Atlantic to the Pacific or from the Canadian boundary to the Gulf of Mexico against this proposition. [Applause.]

I tell you, gentlemen, you are building greater than you realize, and generations yet unborn will rise up to call you blessed for the protection and purification of this all-important

food product. Important to the young, when they are unable to care for themselves or look out for their interests; important to the sick, when they must rely upon the good judgment of their fellow beings for those things which they can use for their sustenance; a blessing to old age, when milk and its products perform such an important part of their daily food.

The time will come when the people will wonder why Congress delayed in the protection of the milk supply from the ravages of tuberculosis in the cattle, when they will wonder why we delayed in eradicating this dreadful disease among the cattle, in the face of medical testimony that it is largely transmitted to humanity, and when they realize that a vast part of this white plague which has ravaged man for innumerable years will have been discontinued through this protection afforded by Congress.

Not only will they appreciate the fact that you have provided against the spread of tuberculosis and the elimination thereof in the cattle, but the further fact that by the next item of your bill you have also provided for the investigation of the dairy industry and particularly for the inspection of renovated butter factories and markets. Renovated butter has perhaps carried more dirt and disease than any dairy product, second alone to infected milk. Now that you have provided for the inspection of these all-important factories I believe that the butter furnished the public will rapidly improve and that people shall again feel safe in eating that most nutritious of the milk products. Many people, by reason of cost, and sometimes by reason of fear of disease, have entirely eliminated the use of butter, and have substituted those new inventions which in many instances splendidly replace butter.

Congress saw the light in the inspection of beef; it has now seen the light and the wisdom in the protection of milk and milk products. I hail the day when the percentage of tuberculosis in cattle will be so low that it will be negligible. It is my proud privilege to again congratulate the committee and the workers of the same for the results they have brought about. It has been a long fight, but what a worthy one.

That my good friend from Nebraska [Mr. SLOAN] will not participate in the formation of future agricultural bills, but has voluntarily left this body, is a regret, I know, to each and every one of us. I have crossed swords with him on several occasions, fighting in the interest of the purity of milk, but I am glad to relate that it was not a difference of desire, but a difference of method only that caused these combats. To-day we stand together as one, united with the other workers for the cause in the betterment of milk and milk products and their purification. [Applause.]

I am thankful that the great war has ceased, that no longer do we murder and destroy the white races of the earth, but that conservation not alone of property but of the human race as well has begun. This appropriation will go a long way toward saving the lives of those 6,000 babies who have died from bovine tuberculosis each year. May the good work go on.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. LINTHICUM. I ask unanimous consent, Mr. Chairman, to extend my remarks.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LOBECK. Mr. Chairman, it is a great pleasure to me to listen to the compliments that are being paid to my colleague from Nebraska [Mr. SLOAN]. He and I came here to Congress eight years ago and will leave at the same time. We have known each other intimately, and we have worked together for the interest of the farming communities and agricultural sections, especially in the trans-Missouri country. During that time there has been no one Member of Congress who has been more faithful to the agricultural portion of our country than my colleague from Nebraska.

When a year ago he took up this work to get an appropriation for the eradication of tuberculosis, he not only made a great speech, because he had made a careful study of the subject, but individually sought out every Member of this House and took a personal interest in the making of the appropriation. And he followed the course of that legislation to the Senate and there secured an increase of the amount which this House had given. Nebraska and every other State in this Union that is engaged in the production of cattle for human food or otherwise can be congratulated on the fact that my fellow Member from Nebraska was here and on the job attending to their needs. [Applause.]

The CHAIRMAN. The time of the gentleman from Nebraska has expired. The pro forma amendment will be withdrawn, and the Clerk will read.

Mr. LOBECK. Mr. Chairman, I ask unanimous consent to extend my remarks.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For all necessary expenses for investigations and experiments in dairy industry, cooperative investigations of the dairy industry in the various States, inspection of renovated butter factories and markets, $350,370.

Mr. LEVER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. LEVER offers an amendment: Page 16, line 14, after the word "markets," strike out the figures "$350,370" and insert in lieu thereof the following: "$410,370: *Provided*, That the sum of $60,000 may be used for stimulating the utilization of dairy products and by-products as human food."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order on the amendment.

Mr. LEVER. Mr. Chairman, the purpose of this amendment is to enable the Department of Agriculture, through its Dairy Division, to stimulate the use of dairy products. When the food-production act was under consideration last year it carried an item of $60,000, I think, for cottage-cheese work. That item met with a good deal of ridicule by Members of the House, but at the time I tried to impress on the House the fact that the matter of encouraging the production and use of cottage cheese alone, to say nothing of the encouragement of the use of other dairy products, would be worth the expenditure.

This is not a committee amendment. I reserved the right to offer it myself without the indorsement of the committee. The committee did not pass upon it.

I was reading one of the pamphlets of the Public Health Service the other night, where they bring out the fact very forcefully that pellagra is most likely caused by an unbalanced ration. It is caused largely by a lack of milk or lack of milk products in the diet.

Cottage cheese is one of the most delightful of all cheeses, and yet it is almost impossible to get it in the markets. The average person in the city of Washington does not know what it is and has never eaten it, and, strange to say, the great majority of farmers in this country producing milk have not brought themselves to a very large use of cottage cheese. Of course, the processes of making it are very simple. My grandmother made it when I was a boy. Yet very little of it is used in my own family now. It is hard to get. The average consumer of milk products does not know anything about it. The farmer himself does not produce it. If we could teach our farm demonstration agents to encourage the production of it, and then teach the city people to eat it in its various forms, I think we would be performing a service to this country that would be well worth the appropriation that we desire to have made for this purpose.

Mr. MANN. Mr. Chairman, I am told that the gentleman's amendment is largely for the purpose of promoting the use of so-called cottage cheese.

Mr. LEVER. That and all dairy products. I should say about $25,000 would be used for that.

Mr. MANN. It may be a useful thing. I do not know. Cottage cheese happens to be an article which is recommended to me by my doctors to eat. My difficulty has been to get it.

Mr. LEVER. That is it.

Mr. MANN. I had a standing order all last summer with a high-grade dairy concern in Chicago to deliver cottage cheese to me, and I never got an ounce of it all summer.

Mr. LEVER. I got my first in Washington the other day.

Mr. MANN. What is the use of stimulating the consumption of cottage cheese when you can not get it now? It is made from surplus milk.

Mr. LEVER. That is just one part of the proposition. I want to encourage the production of cottage cheese. I want to encourage our farmers and dairymen to save this waste milk and make it into cottage cheese and also to encourage people to eat it.

Mr. MANN. Cottage cheese is something that will not keep any length of time. It has got to be used promptly when it is made. The Bureau of Food Control issued pamphlet after pamphlet——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I ask unanimous consent that the gentleman's time be extended five minutes.

Mr. LEVER. I do not want it extended as much as that.

Mr. MANN. I do.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the time of the gentleman from South Carolina be extended five minutes. Is there objection?

There was no objection.

Mr. MANN. The Bureau of Food Control issued pamphlet after pamphlet at great expense urging people to eat cottage cheese when they could not even get milk, and milk is cheaper to eat than cottage cheese. Cottage cheese is made from surplus milk. If there is an extra amount of milk, then they turn it into cottage cheese.

Mr. LEVER. It is a waste product.

Mr. MANN. I would not say a waste product.

Mr. LEVER. A by-product.

Mr. MANN. But it is rapidly taken up when you can get hold of it. Now it is proposed to spend $60,000 to urge people to eat cottage cheese, which they can not get.

Mr. HAUGEN. Which they will not eat.

Mr. MANN. They would eat it if they could get it.

Mr. LEVER. The statement is made that last year it cost $38,000, and that 38,000 farmers in 38 States have taken up the systematic making and use of cottage cheese on their farms. And it is certain that thousands more not heard from have done likewise.

Mr. MANN. Oh, my mother made cottage cheese when I was not that high [indicating].

Mr. LEVER. Certainly.

Mr. MANN. And taught me to eat it.

Mr. LEVER. Certainly. Mine did, too. All you have to do is to take a cheesecloth bag and pour clabber milk into it and hang it up and let it drip until the next morning; then you have a very good article of cottage cheese in the bag.

Mr. MANN. But if it is more profitable to make butter, they will make butter. If it is more profitable to sell the milk, they will sell the milk.

Mr. LEVER. Very true; but they do not make cottage cheese out of the milk that they use to make butter from.

Mr. MANN. Oh, yes.

Mr. LEVER. Cottage cheese is made from sour milk, or clabber milk, as we call it in our part of the country. I strongly believe that, while this matter can be easily ridiculed, I have a duty to perform. I feel very strongly that people ought to be encouraged not only to produce cottage cheese but to use it, because it is one of the most delightful of milk products. I would rather have it than butter. I would rather have it than milk, but you can not get it. The farmers do not produce it.

Mr. MANN. But cottage cheese can not be made out in the country and shipped to the city to any advantage.

Mr. LEVER. Why can not the dairies around Washington be induced to make it?

Mr. MANN. They can if they do not sell their milk at a higher rate than people would pay for cottage cheese. You can get cottage cheese at the Center Market here.

Mr. LEVER. It is hard to get.

Mr. MANN. Now, if the gentleman's proposition was to teach people to make other kinds of cheese, to make cheese that would keep, there might be something to it. I have had occasion to study the food value of various cheeses. I got a long list showing the food values of cheeses, from examinations made by the Department of Agriculture, and practically none of the cheeses mentioned are to be had. You can not find out anything about the food value of those that are to be had.

Mr. LEVER. As a matter of fact, a portion of this sum will be used to teach the people of this country to eat more cheese. On looking over this article I find that the people of the United States per capita consume less cheese than any other people in the world, and there is no reason for that except we have had other things in such great abundance.

Mr. PLATT. It seems to me it is foolish to try to teach people to make something out of waste milk when milk is selling at such a high price that all the milk will be sold and there is no waste milk. You have got to stop guaranteeing wheat at $2.20 and get it down so that people can buy it.

Mr. LEVER. Let me suggest to the gentleman that this is anticipating peace.

Mr. PLATT. We had better wait until we get peace.

Mr. LEVER. We shall have the price of wheat taken care of pretty soon.

Mr. PLATT. Butter is so high that the people do not eat it and have to eat substitutes.

Mr. CARTER of Oklahoma. Will the gentleman yield?

Mr. LEVER. Yes.

Mr. CARTER of Oklahoma. Is it not a fact that cottage cheese is made from milk that has soured and that could not be disposed of otherwise, so that when it has become sour, and there is a market for cheese, it can be made into cottage cheese?

Mr. LEVER. Yes.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. LEVER. Yes.

Mr. GREEN of Iowa. How much was spent last year in trying to teach the people this extremely elaborate method of making cottage cheese?

Mr. LEVER. Thirty-eight thousand and some-odd dollars.

Mr. HAUGEN. I beg the gentleman's pardon, the total amount was $65,141. The statement of Dr. Rawl, on page 32, as to this matter is as follows:

We spent on it last year—1918—out of the emergency fund, $23,066 on the factory work, $38,167 on the farm work, and $3,907 on the city work, making, all told, $65,141.

Mr. LEVER. The gentleman is correct. I had the figures before me, but I had not added them.

Mr. HAUGEN. Mr. Chairman, I would like to be heard on this proposition.

Mr. LEVER. I have two minutes remaining, but I do not care to use the time now.

Mr. HAUGEN. Mr. Chairman, as stated by the chairman of the committee, this proposition has been ridiculed in Congress, not only here, but it has been ridiculed from one end of the country to the other, and most properly so. Of all the absurd propositions ever suggested by Congress this is certainly the most ridiculous one that ever came before it.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. GREEN of Iowa. Would not the gentleman go further and say it has brought ridicule on Congress?

Mr. HAUGEN. Certainly; not only cottage cheese has been ridiculed but Members of Congress have been ridiculed as well, and properly so. As stated by the chairman, the process of making cottage cheese is very simple. On page 31 of the hearings the chairman, speaking of cottage cheese, says:

I can take an old cheesecloth and make the finest in the world.

That is all there is to making it. You remember the testimony of Dr. Rawl two years ago. He described the process. His proposition was to send out an agent to teach how to make cottage cheese, next to fill them up with cottage cheese, return in a few days and again pump them full, and to repeat the process three or four times; then it was believed, after the process had been repeated four times, that they could be made to eat that precious product. [Laughter.] We have carried this ridiculous, absurd, proposition a number of years and spent $65,141 last year, and yet the distinguished gentleman from Illinois [Mr. MANN] says he had an order in for cottage cheese and not one pound could be procured.

We have been trying to teach people what they have known for hundreds of years. There is scarcely a woman or child in the country who does not know how to make cottage cheese. They do not make it because there is no market for it. They make all that is needed at home and all they can find a market for. As stated by one representative of the department, they did stimulate production, I believe, in Detroit, but found no market, and it was found necessary to send their agents there to stimulate a market for it.

Like many other unworthy and foolish appropriations this unfortunate child was ushered into this world. It was accepted as a war measure. Now, after masquerading as such, and now that the war is over, we find that it has not only been discredited and ridiculed in general but deserted by its own parent, Dr. Rawl. No estimates have been submitted for its continuance. It has been turned down, turned out into the cold, relegated to the rear, to be consigned into oblivion. Here it is, without parentage, without that loving protection and influence of the Department of Agriculture, and would have been left to sleep undisturbed had it not been for its godmother coming to its rescue. Through his generosity and his tender heart and sympathy for the fallen and unfortunate, he has taken this unfortunate skim-milk member of society under his protecting wing, offering it shelter and sustenance. With due regard for its present sponsor and due appreciation of his deep sympathy for the unfortunate, now that it has been given a thorough trial and has failed to make good, disowned and humiliated, I repeat it is the most absurd proposition ever suggested. Why should we make ourselves even more ridiculous?

Mr. CANNON. Will the gentleman yield?

Mr. HAUGEN. Certainly.

Mr. CANNON. If you enter upon this, why not get a judicial writ, a mandamus, and make everybody eat it?

Mr. HAUGEN. If it is necessary to make an appropriation, by all means we should make it mandatory and compel them to do so.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I trust this amendment, offered by the gentleman from South Carolina, will not be adopted. I do not oppose it altogether for the reasons suggested by other gentlemen. A year ago some attention was called to the work done by the Department of Agriculture and to the result of literature sent out urging farmers to make cheese, and to make cottage cheese of their sour milk, and the reports were very gratifying. It was shown that tons of additional food were produced—tons of nutritious and wholesome food produced during the war—practically from what would have been but for this a waste product. But the sum proposed by the gentleman from South Carolina is not necessary, because that kind of work is provided for in this and other appropriations. We are providing for the employment of a man in almost every county in the United States and for a woman in almost every county in the State, the man to advise the farmers respecting their work and the woman to advise the women as to their work in the house, the preparation and use of food, and the use of material in the making of clothes. It seems to me, if we wish to make the appropriation and provide it shall be used as the gentleman from South Carolina suggests, there will be a duplication, and I believe there would be the taking up of work that the Federal Government ought not to engage in. I doubt very much the right or authority or advisability of the Government of the United States to engage and send agents into the homes to oversee the preparation of meals, see to the making of clothing, or to aid as suggested in the bill—to go out among the people of the country and organize sewing clubs to teach the women how to sew and make the ordinary garments for members of the family.

There is a limit to Government activities—or there ought to be—and in this particular case, if this money were provided and the agents of the Government were engaged and sent out, there would be a duplication of work. Agents—men and women—are to be employed to go around now, and if they know enough to hold their jobs and earn their money they are able to give all the advice necessary as to the making of cottage cheese. In fact, advice and instruction are not necessary. If there is a demand for further production of cottage cheese, a suggestion merely is enough, because, as gentlemen on the floor have well said, every housewife in the country knows how to make cottage cheese, and knowledge of the necessity for making it for the purpose of increasing the supply of food is all that is necessary. A suggestion is enough. It is not necessary to hire men or women to invade the home, to interfere with domestic affairs, and to urge and teach the making of this product, valuable though it may be. I trust that the amendment will not be adopted.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. CANNON. There are 100,000,000 people in the United States. Everybody knows about cottage cheese and all the difficulties there are in producing it; but does not the gentleman think it would be cruel to deny this appropriation or fail to make this appropriation which has once been utilized in instructing in the making of cottage cheese? What is going to become of the people who will get this $50,000? There are two sides to this question, I submit to the gentleman. [Laughter.]

Mr. McLAUGHLIN of Michigan. It is true that during the war emergency a very large number of men and women were employed in the department, and there is a tremendous effort on the part of the department to retain their services, to find something for them to do, and money is asked in these various items in order that many of these men and women whose services are not now needed may be retained. When the Government undertakes an activity it is almost impossible to induce it to lay it aside. When a man has once attached himself to the pay roll of the Government, it takes a major surgical operation to separate him from it, although there may be absolutely no need for his services. I suggest there is no need of the services of these people and that the appropriation ought not to be made.

Several Members rose.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that debate upon this paragraph and all amendments thereto close in——

SEVERAL MEMBERS. Oh, no.

Mr. LEVER. Mr. Chairman, it is very apparent that the committee is against this proposition. Why not have a vote upon it?

Mr. MANN. Why not withdraw it.

Mr. LEVER. Let us vote.

The CHAIRMAN. The gentleman from South Carolina asks for a vote.

Mr. HOWARD. Oh, Mr. Chairman, there is no more important question before this country, and it ought to be thoroughly debated.

Mr. GREEN of Iowa. Mr. Chairman, I would like to be heard before we take a vote.

Mr. CARTER of Oklahoma. Mr. Chairman, I desire to offer an amendment to the amendment.

The CHAIRMAN. The gentleman from Oklahoma desires to offer an amendment to the amendment. The Chair will recognize the gentleman for that purpose.

Mr. CARTER of Oklahoma. Mr. Chairman, I move to strike out the first two lines of the proposed amendment offered by the gentleman from South Carolina, being the following language:

The figures "$350,370," and insert in lieu thereof the following: "$410,370."

And to retain the following language:

Provided, That the sum of $60,000 may be used for stimulating the utilization of dairy products and by-products as human food.

The CHAIRMAN. The Clerk will report the amendment.

Mr. MANN. Mr. Chairman, I suggest that an amendment is not now in order, because a point of order is pending.

The CHAIRMAN. That is true. The Chair had overlooked the fact that a point of order is reserved against the amendment. Does the gentleman from Wisconsin insist upon the point of order?

Mr. STAFFORD. Mr. Chairman, I prefer to reserve it so as to get further information upon the subject.

Mr. LEVER. I insist that the gentleman make his point of order.

Mr. STAFFORD. Mr. Chairman, being of the same mind as the gentleman from South Carolina, that the sentiment of the committee is overwhelmingly opposed to this, I withdraw the reservation of the point of order.

Mr. LEVER. Mr. Chairman, I ask for a vote.

Mr. MADDEN. Mr. Chairman, I make the point of order against this amendment.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

For investigating the disease of hog cholera and for its control or eradication by such means as may be necessary, including demonstrations, the formation of organizations, and other methods, either independently or in cooperation with farmers, associations, State or county authorities, $641,045: *Provided*, That of said sum $163,500 shall be available for expenditure in carrying out the provisions of the act approved March 4, 1913, regulating the preparation, sale, barter, exchange, or shipment of any virus, serum, toxin, or analogous product manufactured in the United States and the importation of such products intended for use in the treatment of domestic animals: *And provided further*, That of said sum $30,620 shall be available for researches concerning the cause, modes of spread, and methods of treatment and prevention of this disease.

Mr. JUUL. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. RUBEY. Mr. Chairman, I move to strike out the last word for the purpose of having inserted in the RECORD at this point a letter from the Bureau of Animal Industry as to the progress of the work that has been done in respect to hog cholera during the past year. I ask unanimous consent to extend my remarks for that purpose.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to extend his remarks by inserting the data referred to. Is there objection?

Mr. TOWNER. Mr. Chairman, I suggest to the gentleman, if the letter is not long, that it be read for the information of the House.

Mr. RUBEY. Very well. I ask that the Clerk read the letter in my time.

The CHAIRMAN. Without objection, the Clerk will read.

There was no objection, and the Clerk read as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF ANIMAL INDUSTRY,
Washington, D. C., January 16, 1919.

Hon. THOMAS L. RUBEY,
House of Representatives.

DEAR MR. RUBEY: In accordance with your telephone conversation yesterday, the following data are submitted:

The hog-cholera appropriation in the regular bill for the current year provides $247,600 for the control of hog cholera in the field; $32,040 for researches concerning the cause, etc., of hog cholera; and $167,240 for regulating the preparation of hog-cholera serum and similar products. In addition, the food-production act of November 21 carries an item of $202,905, which supplements the regular funds.

During the year ending March 31, 1914, there were 7,004,756 hogs lost from cholera, or approximately 119 hogs out of every 1,000. Through the efforts of the bureau, in cooperation with various State agencies, this loss has been gradually reduced until the death rate for the year ending March 31, 1918, was 3,280,161, or 42.1 per 1,000,

the lowest rate recorded by the department in the history of the swine industry. The aim of the bureau is to reduce these losses to a minimum, and if the funds made available by the food-production act are not continued next year the bureau will have available approximately $250,000 for field work, or 50 per cent less than the amount that will be expended during the current fiscal year.

This work is in the nature of an investment, and it is simply a question how rapidly the Nation wishes it to develop. It is believed that an additional sum equal to the amount provided by the food-production act could be efficiently expended during 1920.

The work looking to the control of hog cholera has been continued along the general lines adopted in 1917 and has been extended from a certain number of counties in 14 States to State-wide efforts in 34 States, the work in 30 of these States consisting of control measures. In California, Colorado, Florida, Georgia, Kansas, Ohio, Oklahoma, and Utah, in addition to control work, a veterinarian has been assigned to each State with the extension division of the agricultural college, with the object of giving his entire time to educational activities in the field. In Louisiana, South Dakota, New Mexico, and West Virginia the efforts are principally educational in character.

The following information may be of interest to the committee in connection with its consideration of this matter:

Number of States in which work is conducted	34
Arkansas, Alabama, Arizona, California, Colorado, Delaware, Florida, Georgia, Idaho, Indiana, Illinois, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Montana, Missouri, Maryland, Nebraska, North Carolina, North Dakota, New Mexico, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, West Virginia, Wisconsin.	
Number of veterinarians assigned	185
Number of investigations of reported outbreaks	38,946
Number of visits and interviews with farmers and stockmen	571,792
Number of hogs treated in connection with the work by bureau veterinarians, practicing veterinarians, and others cooperating	5,500,000

An important phase of the work has been to assist in formulating and applying rules and regulations covering the immunization and handling of stocker hogs at public stockyards intended for feeding purposes on farms in order that these animals may be returned to localities where feed is available without danger of spreading infection and where they may be subject to reinspection from time to time, assuring safety to the feeder while these hogs are being finished for market.

Of the 34 States in which we are working only a few are financially equipped to render any material assistance. Probably the most efficient cooperation received is the system in vogue in Missouri, where a number of practicing veterinarians are deputized by the office of the State veterinarian to assist the bureau inspectors in the investigation of outbreaks of hog cholera and the application of the serum treatment. Florida, Georgia, Arkansas, Texas, Oklahoma, Ohio, Mississippi, Kentucky, California, Kansas, and Indiana are lending material assistance, as these States have appropriated State funds for this class of work. The remaining 23 States are lending moral support only, but it is the understanding that in several of these efforts are being made to encourage the legislatures to set aside funds for the control of hog cholera.

The following are tables showing the number of hogs raised and the monetary loss from cholera for the State of Missouri and the United States extending over a period of five years.

	Hogs on farms January 1.	Hogs lost from cholera.	Monetary loss. March 31.
Missouri			
1913	4,087,000	643,680	$5,471,280
1914	4,250,000	344,250	2,926,125
1915	4,250,000	353,813	2,765,885
1916	4,505,000	385,178	3,334,764
1917	4,280,000	200,304	2,003,040
United States.			
1913	61,178,000	6,064,470	58,833,431
1914	58,933,000	6,304,320	67,697,431
1915	64,618,000	5,341,971	54,322,349
1916	67,766,000	4,057,884	33,943,443
1917	67,453,000	2,959,322	31,475,190

Very truly, yours,

J. R. MOHLER,
Chief of Bureau.

Mr. TOWNER. Mr. Chairman, at this time I desire to express my satisfaction that the committee has wisely continued this appropriation. I think the success of the work of the National Government in the eradication of hog cholera throughout this country has been one of its most notable achievements. In nothing has the Department of Agriculture more commended itself to the farmers of the country than in this work. In nothing, I think, has there been a greater measure of success. There is now, comparatively speaking, on a percentage basis, less hog cholera in the country than there has been for probably 25 years. I think that to-day, when we have been able to reduce to the present minimum the ravages of hog cholera, we should recognize the fact, when the malady is at its lowest strength, that now is the time when we should most vigorously look to bring about its entire extinction. I am very glad indeed that the temptation that might exist, because of the small comparative amount of hog cholera in this country, to cut down the appropriation has not led the committee to make unnecessary and dangerous reductions, for I believe such reductions, if made, would lead to wider extension and greater percentage of mortality from hog cholera.

There is nothing that this country can do to reduce the high cost of living, as it pertains at least to the meats and fats, as to encourage the production of hogs in the country. Not only is it the farmers most profitable work, the most profitable stock that he can handle, but it is to the ultimate consumer the cheapest meat that he can obtain. It is the best meat that can be furnished to our armies in the field, because it can go to them in the best condition. It is not necessary that it should be refrigerated, it is not necessary that great losses should be incurred, but it can be taken to them in an appetizing, attractive form and at the same time with entire safety and without loss. So, Mr. Chairman, nothing that can be done by the Department of Agriculture, in my judgment, will be of more direct benefit to the farmers of the land than continuing this work for the purpose of saving the herds of hogs that are left in the country, and there can be nothing that would more directly contribute to this than the eradication of hog cholera. [Applause.]

Mr. SLOAN. Mr. Chairman, I move to strike out the last word. In doing this I shall not extend my speech as I did on the tuberculosis item. I have sat here under very flattering compliments of my friends and colleagues, unable to do more than blush. You know a man is not entirely bad as long as he can blush. I desire to say of this item it is important to the producing and consuming public. It gives me an opportunity to say of the chairman of the Agriculture Committee, and say it truthfully and sincerely, that one of the first important acts of his administration, really performed a few weeks before he became its active chairman, was to use the force of his influence in committee to bring about the first appropriation for this important enterprise. He will have been six years chairman of the great Agricultural Committee. The Agriculture Department has been the most progressive department of the Government. I am convinced. That never in the history of agriculture legislation did this body ever present more important measures than have been prepared in the last six years under the leadership of the able, eloquent, efficient, devoted, and patriotic chairman of the Committee on Agriculture. [Applause.] This particular item was started about the time the gentleman from South Carolina became chairman of the committee, and the results which have followed the activities are marvelous. Listen, if you will, to some figures based upon those taken from those furnished by the department, but so presented as to give a little different angle from that presented by the department's tabulations. In the United States for 29 years before this activity was begun the average annual loss was 74 per thousand. During that time the lowest loss was 49 out of every thousand, while the highest was 144.

I have from Dr. Hess an estimate of the last year's activities. The last hog year ended with March 31, 1918. Every dog has his day and a hog has his year, ending just ahead of April 1. And the rate for the last year—1918—is figured here at 36 per thousand. That is important, and more important is the following fact, that during the activities of this department, cooperating with the various States of the Union, the hog census has shown a large increase. A large increase in meat animals has not occurred anywhere in the world during the last five years except in the United States, and in the United States the increase of quadruped food-producing animals, hogs are the only kind that showed a marked increase.

In 1914 there were only 58,000,000 hogs in the United States. In 1918 there were 74,000,000 hogs. That increase occurred notwithstanding the attractive prices that had been going on and the tremendous drain of the European war. Men look at the price of their bacon and ham and say it has been high. I venture to say that if this cooperative Government and State activity had not been going on during the last five years there would have been no such encouragement to the hog producers. Instead of having 74,000,000 hogs in the United States we would have had 44,000,000. I submit to you, gentlemen, that would have made your bacon and ham twice the price you have been paying for it during the war. As a matter of preparedness for the great struggle in which the United States took its part the Committee on Agriculture and every one of its members in encouraging the production of this great product surpassed any department of the Government.

Let me call your attention to figures for a number of States. I begin with Iowa. Iowa is my native State; that is where I began. It is the greatest hog State of the Union. The average of its loss for 29 years before these activities was——

The CHAIRMAN. The time of the gentleman has expired.

Mr. SLOAN. Mr. Chairman, I ask for five minutes more.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in eight minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SLOAN. The average rate during all these years in Iowa was 80 out of every thousand. For 1912 and 1913, in which years there was no activity, it was 180 out of every thousand. The average for the last two years, namely, 1916 and 1917, under the activities in Iowa is 42 out of every thousand. During the whole period of 29 years the highest loss in Iowa was 329 out of every thousand, nearly 1 out of 3; and the lowest in that time was 42. The lowest in all its history was 35, in 1917. Figures for none of the States for 1918 are available.

I read the other day the statement of the gentleman from Iowa [Mr. HAUGEN], the ranking member of the committee, that his county of Worth had no loss from hog cholera during the last year. He is to be congratulated on that; but I want to say that of all the diseases that inflict themselves upon the food-producing animals of the world, as was said of the serpent in the Garden, the hog cholera is the most subtle of them all. The hog-cholera germ undoubtedly knew who was going to be the chairman of the great Agricultural Committee next year. It was warned, and it stayed out of Worth County. [Laughter.]

I here present similar statements from 9 other States of the Union. These with Iowa in their order constitute the 10 States that produce more than half the hogs in the country:

ILLINOIS.

Average loss per thousand for 29 years before national activities	90
Average for 1912 and 1913	100
Average for 1916 and 1917	63
Lowest for 29 years before activities	41
Highest for same period	242
Lowest in history (in 1917)	36

NEBRASKA.

Average loss for 29 years before activities	87
Average for 1912 and 1913	80
Average for 1916 and 1917	40
Lowest for 29 years before activities	36
Highest same period	170
Lowest in history, 1917 (except 1911)	40

INDIANA.

Average for 29 years	79
Average for 1912 and 1913	130
Average for 1916 and 1917	75
Lowest for 29 years	30
Highest	238
Lowest (recent history), 1917	50

MISSOURI.

Average for 29 years	90
Highest	200
Lowest	44
Average for 1912 and 1913	155
Average for 1916 and 1917	74
Lowest in recent history (1917)	53

OHIO.

Average, 29 years	53
Highest, 29 years	108
Lowest, 29 years	33
Average for 1912 and 1913	72
Average for 1916 and 1917	56
Lowest in history (1917)	34

TEXAS.

Average, 29 years, for activities	60
Lowest	30
Highest	200
Average, 1912 and 1913	37
Average, 1916 and 1917	48
Loss for 1917	42

GEORGIA.

Average for 29 years	96
Highest	150
Lowest	50
Average for 1912 and 1913	119
Average for 1916 and 1917	78
Loss for 1917	76

UNITED STATES.

Average loss for 29 years before activities	74
Average for 1912 and 1913	94
Average for 1916 and 1917	44
Lowest for 29 years before activities began	49
Highest, same period	144
Lowest in history (1918)	36

How losses were reduced by activities begun.

1914	58,933,000
1915	64,618,000
1916	67,766,000
1917	67,453,000
1918	74,324,000

As I said before, referring to different sections, two of these States are those that are not usually considered hog States. Georgia and Texas are on that list. So that what was said about the cattle is going to be true about the swine. The United States in the years to come, under these two great activities, will look to the Southland for its beef and for its pork nearly as much as it has heretofore been looking for its cotton.

Mr. Chairman, I ask leave to extend my remarks in the Record by presenting a number of statistics which I have figured out myself, and a communication from Dr. Hess of the Department of Agriculture, who has special charge of this work, and to insert some other matters that I think would be pertinent to the subject under consideration.

The following embodies facts and views of Dr. Hess, who has charge of cholera eradication work in the Bureau of Animal Industry, and is entitled to great credit for his industry and achievements:

The work of controlling hog cholera has extended from experiments in three counties in 1913 to State-wide activities in 34 States, comprising the principal hog-raising sections of the country. The work in its present scope involves sanitary surveys, the investigation of reported outbreaks of hog cholera, supervising and assisting in the treatment of infected herds, cleaning and disinfecting premises, establishing quarantine when necessary, applying State and Federal regulations, and furnishing assistance and advice to farmers, stockmen, practicing veterinarians, and others concerning the proper disposal of dead animals and methods of prevention and control of hog cholera.

An important phase of the work has been to assist in formulating and applying State and Federal rules and regulations that require the immunization and proper handling at public stockyards of stocker hogs intended for feeding purposes on farms, in order that they may be returned to localities where feed is available without danger of spreading infection. These animals are subject to reinspection from time to time, thus assuring safety to the feeder while the hogs are being finished for market.

The following States are receiving the benefit of the work: Arkansas, Alabama, Arizona, California, Colorado, Delaware, Florida, Georgia, Idaho, Indiana, Illinois, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Montana, Missouri, Maryland, Nebraska, North Carolina, North Dakota, New Mexico, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, West Virginia, and Wisconsin.

For the year ending March 31, 1914, out of a hog population of 61,178,000, cholera destroyed 118 in every 1,000, or a total of 7,204,756. March 31, 1918, according to the Bureau of Crop Estimates of the Department of Agriculture, there were on the farms of the United States 74,324,000 hogs. Assuming that these hogs were marketed at an average weight of 200 pounds each, they would return to the producers not less than two and a quarter billion dollars, or approximately one-third of the largest loan ever floated during the history of the Government. Through the efforts of the Bureau of Animal Industry, in cooperation with State authorities, losses have been reduced over 60 per cent, or to 42 per 1,000, in the year 1918.

Even though the number of hogs lost has been greatly reduced, the monetary loss is still great, owing to the high value of this class of animals, and particularly at this time and stage of development of this very important industry we can not afford to neglect the protection which this hog-cholera work is offering. The monetary loss from hog cholera for last year, although the number of hogs lost was greatly reduced, represents probably seventy-five times the amount that is being asked for for the continuation of this work, or sufficient to maintain the work in its present scope for a period of more than 60 years. Without the protection that has been provided to the swine industry, the millions of pounds of pork products that have been added to the Nation's supply, through the increased number of hogs raised during the period of the war, would not have been possible.

The following is a table taken from Farmers' Bulletin 834, prepared by Drs. Marion Dorset and O. B. Hess. It may be proper to state that Dr. Dorset was one of the scientists who discovered and developed the hog-cholera serum.

Estimated number of hogs in each State on Jan. 1, and losses from hog cholera for year ending Mar. 31, 1913 to 1918.

State.	1917		1916		1915		1914		1913	
	Hogs on hand.	Losses from cholera.	Hogs on hand.	Losses from cholera.	Hogs on hand.	Losses from cholera.	Hogs on hand.	Losses from cholera.	Hogs on hand.	Losses from cholera.
Iowa	9,370,000	337,320	9,060,000	448,916	8,720,000	1,216,440	6,976,000	1,601,010	8,720,000	1,253,040
Illinois	4,444,000	163,984	4,499,000	404,010	4,358,000	470,684	4,358,000	549,000	4,315,000	563,080
Nebraska	4,309,000	174,514	4,205,000	191,970	3,809,000	385,661	3,228,000	508,410	3,798,000	376,020
Missouri	4,280,000	200,304	4,505,000	385,178	4,250,000	353,813	4,250,000	344,250	4,087,000	643,680
Indiana	3,970,000	314,380	4,010,000	408,783	4,167,000	457,537	3,909,000	482,220	3,709,000	546,780
Ohio	3,527,000	120,623	3,713,000	250,628	3,640,000	282,080	3,467,000	295,240	3,399,000	283,070
Texas	3,229,000	135,587	3,197,000	172,633	2,880,000	174,960	2,619,000	176,700	2,495,000	199,280
Georgia	2,585,000	189,120	2,348,000	190,188	2,042,000	165,402	1,945,000	157,500	1,890,000	249,354
Kansas	2,535,000	63,962	2,615,000	130,641	2,656,000	144,649	2,330,000	122,650	2,610,000	280,970
Wisconsin	2,460,000	48,204	2,142,000	48,195	2,255,000	76,196	2,050,000	92,250	2,030,000	34,129

Estimated number of hogs in each State on Jan. 1, and losses from hog cholera for year ending Mar. 31, 1918 to 1917—Continued.

State.	1917		1916		1915		1914		1913	
	Hogs on hand.	Losses from cholera.	Hogs on hand.	Losses from cholera.	Hogs on hand.	Losses from cholera.	Hogs on hand.	Losses from cholera.	Hogs on hand.	Losses from cholera.
Alabama	1,850,000	116,550	1,715,000	100,328	1,559,000	115,796	1,485,000	133,650	1,436,000	144,180
Minnesota	1,733,000	34,313	1,716,000	46,332	1,716,000	188,417	1,430,000	273,400	1,702,000	86,249
Mississippi	1,698,000	99,333	1,617,000	87,318	1,540,000	140,140	1,467,000	137,340	1,482,000	205,380
Louisiana	1,584,000	149,688	1,553,000	118,805	1,412,000	133,434	1,398,000	157,320	1,412,000	139,776
Kentucky	1,560,000	85,930	1,700,000	107,667	1,562,000	113,904	1,367,000	122,040	1,638,000	140,040
Arkansas	1,575,000	184,275	1,562,000	154,451	1,573,000	173,920	1,498,000	168,480	1,549,000	220,140
North Carolina	1,550,000	66,750	1,550,000	72,045	1,525,000	68,025	1,362,000	61,200	1,335,000	60,660
Tennessee	1,485,000	101,574	1,501,000	115,744	1,501,000	131,037	1,490,000	137,610	1,495,000	133,200
South Dakota	1,432,000	34,596	1,314,000	47,304	1,195,000	145,190	1,039,000	245,100	1,184,000	40,410
Michigan	1,345,000	30,268	1,402,000	47,368	1,392,000	61,367	1,343,000	53,240	1,313,000	47,250
Oklahoma	1,372,000	55,566	1,491,000	112,720	1,430,000	98,400	1,352,000	85,140	1,325,000	96,570
Pennsylvania	1,174,000	46,981	1,210,000	60,492	1,186,000	37,950	1,130,000	42,750	1,150,000	43,740
Florida	1,100,000	99,000	986,000	98,601	989,000	111,331	904,000	122,040	878,000	134,970
Virginia	1,023,000	34,867	1,023,000	43,273	986,000	40,000	869,000	38,000	885,000	36,000
California	994,000	41,344	947,000	34,944	877,000	37,097	797,000	37,080	822,000	26,980
South Carolina	920,000	46,662	870,000	41,205	810,000	42,304	780,000	45,000	765,000	51,663
New York	799,000	18,662	799,000	16,539	768,000	19,008	753,000	21,600	781,000	20,520
North Dakota	650,000	17,550	700,000	17,791	642,000	29,757	428,000	28,800	396,000	6,570
West Virginia	380,000	9,918	376,000	15,309	374,000	15,484	367,000	15,400	356,000	23,470
Maryland	350,000	19,063	350,000	23,900	340,000	23,871	332,000	23,310	335,000	27,140
Colorado	332,000	8,970	329,000	7,776	296,000	5,900	288,000	4,860	268,000	18,450
Oregon	315,000	5,670	370,000	8,910	360,000	7,200	360,000	5,400	298,000	7,200
Idaho	292,000	5,256	344,000	10,836	328,000	12,505	252,000	11,340	233,000	7,740
Washington	283,000	4,075	314,000	5,087	327,000	5,502	284,000	5,130	298,000	5,130
Montana	269,000	5,368	298,000	5,930	276,000	6,456	184,000	4,950	153,000	2,700
New Jersey	163,000	4,401	161,000	7,535	161,000	7,200	158,000	7,110	160,000	5,760
Vermont	115,000	2,544	113,000	2,034	108,000	2,430	108,000	2,880	107,000	1,890
Massachusetts	112,000	2,520	112,000	1,024	108,000	3,045	108,000	4,320	115,000	4,140
New Mexico	101,000	1,273	91,000	1,065	73,000	1,117	56,000	1,080	52,000	1,200
Utah	101,000	2,000	112,000	2,023	98,000	2,070	85,000	2,430	81,000	1,800
Maine	100,000	1,800	102,000	2,244	95,000	3,501	97,000	5,220	101,000	2,520
Arizona	80,000	2,160	40,000	720	41,000	1,045	24,000	1,170	23,000	270
Wyoming	60,000	745	70,000	630	64,000	864	51,000	900	41,000	540
Delaware	60,000	3,240	61,000	1,569	60,000	3,375	58,000	3,150	58,000	2,610
Connecticut	58,000	783	59,000	936	58,000	1,305	57,000	1,800	58,000	1,620
New Hampshire	53,000	954	55,000	1,040	52,000	1,310	51,000	1,620	52,000	1,170
Nevada	37,000	500	40,000	1,044	38,000	1,037	33,000	1,080	32,000	630
Rhode Island	14,000	227	15,000	311	15,000	324	14,000	360	14,000	360
United States	67,453,000	2,959,322	67,766,000	4,057,884	64,618,000	5,541,971	58,933,000	6,304,320	61,178,000	6,064,470

On hand March 31, 1918, 74,324,000. Losses from cholera year ending March 31, 1918, 2,701,825 hogs.

In this connection I desire especially to thank the members of the committee and others who have said the beautiful, complimentary, and flattering things concerning myself. I expect to leave Congress at the end of this term, voluntarily of course. Having always while here been a minority member, that meant pulling hard against the stream. I have tried during all that time in a modest way to impress some of my views upon constructive legislation. It is difficult to establish credit to much accomplishment, but among the measures of constructive legislation for the good of the whole country, while having special application to my own district and State, I consider having a creditable part in starting the two great National and State cooperative enterprises, namely, to eradicate hog cholera and tuberculosis, among the best measures upon which I lavished my study and industry. I shall leave behind me, I trust, many friends upon this floor upon either side of this great party aisle. I am convinced that if the future of this Republic is left to Members such as we have now and will have in the coming Congress, and they live up to their great opportunities, duties, and responsibilities, the measure of the years of the Republic has not been taken, nor will it until many centuries have been added to our history. [Applause.]

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. CRISP having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary, approved March 3, 1911."

The message also announced that the Senate had further insisted upon its amendments to the bill (H. R. 11984) to provide for the Fourteenth and subsequent censuses disagreed to by the House of Representatives, had agreed to the further conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHEPPARD, Mr. ASHURST, and Mr. LA FOLLETTE as the conferees on the part of the Senate.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Meat inspection, Bureau of Animal Industry: For additional expenses in carrying out the provisions of the meat-inspection act of June 30, 1906 (34 Stats. L., 674), there is hereby appropriated for the fiscal year ending June 30, 1920, the sum of $803,960: *Provided*, That hereafter the Secretary of Agriculture is authorized, in his discretion, to pay employees of the Bureau of Animal Industry employed in establishments subject to the provisions of the meat-inspection act of June 30, 1906, for all overtime work performed at such establishments, at such rates as he may determine, and to accept from such establishments wherein such overtime work is performed reimbursement for any sums paid out by him for such overtime work.

Mr. MADDEN. Mr. Chairman, I move to amend by striking out all the language after the word "determine," on line 3, page 19, down to and including the word "work," in line 6.

The Clerk read as follows:

Amendment by Mr. MADDEN: Page 19, line 3, after the word "determine," strike out the remainder of the paragraph.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. MADDEN. Mr. Chairman, when the meat-inspection law was first passed, as the result of a nation-wide agitation, the then President of the United States, Mr. Roosevelt, anxious to see that American meats were prepared in such form as to be acceptable to the meat buyers of the world, fearful that Congress would fail to appropriate the needed money, suggested that the cost of the inspection should be paid by the packers. The reply to the suggestion was that the payment of the inspection cost by the packers would indicate that the inspection was a packers' inspection. The law provides that every packer who fails or refuses to pack the meats according to the regulations commits a crime, for which he is liable to be punished.

I take it that the meat inspector is nothing more nor less than a detective, although he has special knowledge of the manner in which the meat should be packed. But the main purpose for the employment of the inspector is to see that the meat is so packed as to comply with the law, and for failure to pack the meat in such form it is his business to accumulate evidence to be used in the courts against the man who violates the law.

Now, who is liable to violate the law? Is it not the packer? And if the packer is called upon to pay any part of the compensation of the inspector, you have taken away the incentive of the inspector to see that the law is observed. And you have

also compelled the man who may commit the crime to pay the man who is employed to get evidence against him, if I may so put it, to furnish the evidence upon which to convict himself. And this provision of the law reported by the committee would do just that.

Now, I maintain that this is an iniquitous suggestion. If the men who are employed by the Government of the United States to inspect the packing of the meats to be consumed by the people of the United States or by the meat users of the world are entitled to overtime pay, the Government of the United States ought to pay them. And I have no objection to their payment for overtime; but I do object to placing the matter of the payment of these men for overtime work in the hands of the men whom they are employed to accumulate evidence against in case of their failure to pack the meats as they should be packed according to the provisions of the law.

Mr. CANNON. Will the gentleman allow me a question?

Mr. MADDEN. Yes.

Mr. CANNON. Does the Government pay or the packer pay for the time that is not overtime?

Mr. MADDEN. The Government pays. And if the Government did not pay, the inspection would not be considered worth a cent anywhere in the world. Why, everybody knows if the packers were permitted to pay, the people everywhere would consider it a packers' inspection and not worth the paper it was written on.

When this law was up for consideration originally I recall that President Roosevelt sent for me to talk the matter over. He said then that he wanted a provision placed in the bill to provide that the packers should pay the cost of the inspection, and that the amount of money received from that source should be placed in the hands of the Secretary of Agriculture, to be used by him without being appropriated by Congress. And he wanted me to support it. I said, "I will not do it. The proposal that you make is untenable."

The people of England fought for 400 years to take the power away from the King to expend money that was not appropriated by Parliament, and at the end of the 400 years' fight the people won, and the King of England has never had the power to expend any money since that time except such money as was appropriated by the Parliament. When we organized this Government we included a provision in the Constitution of the United States that no executive officer of the Government should expend money except that appropriated by the Congress. And the Secretary of Agriculture ought not to be permitted to expend any money received from any source that does not go through the Treasury of the United States and which is reappropriated by the Congress.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MADDEN. And this item here, although the money would go into the Treasury of the United States if it was received from the packers, and be paid by the Government from those receipts, yet it is an indirect payment of the men by the packers for the overtime work they are called upon to do. And it is not the way to do the business. If the Government of the United States feels that its employees are entitled to more compensation for additional work done, then the Treasury of the United States ought to be drawn against for what it costs, and no outside interest should be compelled or required or permitted to contribute any part of the money necessary to be paid for that purpose except through the ordinary methods of taxation.

Mr. TOWNER. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman.

Mr. TOWNER. Is it not within the power of the packers under the arrangements for inspection that they can in fact determine how much overtime work is performed and when the overtime work shall be performed, so that it is within their power to favor or not to favor the men who are inspecting the meat products?

Mr. MADDEN. That may be the case. I really do not know. But the main thing with me is that I object to any private individual being required or permitted to pay any part of the Government expense for men who are employed to inspect the work which those private individuals are called upon to do.

Mr. LEVER. Mr. Chairman, I was a member of the Committee on Agriculture, a new member, when the original meat-inspection law was passed. The contest in committee was as has been described by the gentleman from Illinois [Mr. MADDEN], namely, as to who should pay the expense of inspection. It was a contest long drawn out and bitterly fought. I remember the distinguished gentleman from Illinois, a Member of the House, came before the Committee on Agriculture and made a very earnest plea for some action at the hands of the committee.

When this proposition first came to my attention I felt exactly as the gentleman from Illinois does about it. I felt that it would be a most unwise policy to have the packers pay the expense of this overtime, but after looking into the matter I saw that the payment was so indirect that there could not be any possible influence upon the character of the work of the inspection force. We had before the committee Dr. Mohler, Chief of the Bureau of Animal Industry, and we cross-examined him at considerable length, and he informed us that the Canadian Government has exactly the same system, recently put in force, for the packers to pay the overtime work. And the Canadian officials have recently informed him that the system works beautifully.

These inspectors, these employees of the Government at the packing houses, frequently work from 7 o'clock in the morning until 8 o'clock at night. There is no incentive on the part of the packing establishments to speed up their work. They may keep these men there as long as they please.

I feel now, after thoroughly considering the matter, that it would very much inure to the benefit of the inspector himself; it would save him time. It would really reduce overtime work in these packing houses if the packer himself is made to pay the burden of the expense of the overtime work. If the proposition were to pay these men directly, I would oppose it just as vigorously as the gentleman from Illinois. But the payment for this overtime work is turned over to the Secretary of Agriculture. He must accept and pay for this overtime just as he does under the present law, and I do not see how there can be any possible influence by the packer over the inspector by an arrangement of that kind. For example, one or two years ago in the Forest Service we permitted certain lumber companies to cover into the Treasury, or we allowed the Secretary of Agriculture to accept from these lumber companies, payment for brush being burned. It is a matter of similar nature, and no harmful results have come from that kind of an arrangement.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. LEVER. Yes.

Mr. MADDEN. There is quite a difference between the burning of brush and the packing of meats that all the people of the world must use, and the value of the inspection depends upon whether it is a Government inspection or a private individual's inspection.

Mr. LEVER. Yes; I appreciate that, and the whole inspection law is based on that theory. If this in any wise would break down the inspection service of the country, I would be opposed to it, but I do not think it can possibly do so.

Mr. TOWNER. Mr. Chairman, will the gentleman yield?

Mr. LEVER. Yes.

Mr. TOWNER. Does not the gentleman think that if it becomes generally understood that the packers pay in part at least for the inspection it will militate against their faith in the efficiency of the inspection in the eyes of purchasers all over the world?

Mr. LEVER. I do not see how that can be possible, because the whole inspection proposition is under the Government control all the time. These inspectors are very carefully supervised in their work. They have their efficiency commissions and all that kind of thing, which makes it certain that the inspection will be efficient.

I am informed from the testimony that the overtime work is now costing $345,275 a year, and that would be the expense that the Government would have to pay if it paid for overtime.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. LEVER. I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. LEVER. Yes.

Mr. MADDEN. It is not a question of the amount involved. The amount involved ought not to make any difference. It is the moral side of the question that is under discussion here, and that is the only side that ought to receive consideration.

Mr. SABATH. Mr. Chairman, will the gentleman yield?

Mr. LEVER. Yes.

Mr. SABATH. Can the gentleman inform me if there is any other food industry in the United States that is examined or that has this inspection system for which the Government pays?

Mr. LEVER. Well, the enforcement of the food and drugs act, of course, is paid for by the Government. We have inspectors who go into the markets and get samples and see whether there is adulteration or misbranding. But there is no other Government service just like this meat-inspection service.

Mr. SABATH. This applies to the meat industry of the United States?

Mr. LEVER. Yes.

Mr. SABATH. Is this amount of $803,960 the entire amount that the Government expends on the meat-inspection service?

Mr. LEVER. No. The original law carries an annual appropriation of $3,000,000.

Mr. SABATH. This is additional to the $3,000,000?

Mr. LEVER. Yes. This is put in here for the purpose of providing additional inspectors, and also for the purpose of increasing the salaries of some of the low-grade inspectors.

Mr. SABATH. And all you desire is that the industry pay that small portion which is being paid in addition to the regular service of those who are obliged to work overtime?

Mr. LEVER. That is all that there is to this proposition.

Mr. LOBECK. It says here—

Total for Bureau of Animal Industry, $5,127,033.

Mr. LEVER. That includes this and other activities of the Bureau of Animal Industry. The total for meat inspection, if this item passes, will be $3,803,960.

Mr. MADDEN. It was $3,000,000 to begin with.

Mr. LEVER. It was $3,000,000 to begin with, and this is an additional appropriation.

Mr. HAUGEN. Mr. Chairman, when the meat-inspection law was enacted, as stated by the gentleman from Illinois, it was provided that the Government should pay the expense of inspection. We were confronted with this situation: Limited appropriations were made. The appropriations were inadequate to meet the demand, and as a result certain packers—in most instances the large packers—were provided with inspection. The smaller plants throughout the country were not provided with inspection. The suggestion was either that the Government make adequate appropriations or that it permit the packers to pay for the inspection. They objected to coming before Congress every year on bended knees and asking for these small appropriations. It was then suggested that a permanent appropriation be made large enough to meet the expense for all time to come. The chief of the bureau estimated that $1,800,000 would meet the demand. Later he revised the estimate to $2,200,000, and it was suggested that a permanent appropriation be made of $3,000,000, so that that question would never arise, but every packer would be supplied with the inspection. We have met that demand, but the business has so grown that it now requires about $4,000,000. Now, it is suggested that all the packers be treated alike. Each packer is to be provided with inspection on an eight-hour schedule, and if additional service is required or desired it is proposed that the packers are to pay that additional amount, or pay for the overtime. As suggested here, the $400,000 is, of course, a small percentage of $4,000,000. We are simply following the policy of Canada, and following the policy adopted as to other inspections.

Mr. LOBECK. I move to strike out the last word. I should like to ask the chairman a question. In the report here it says:

There is an apparent increase in this item of $326,760, but, as $27,720 has been transferred to statutory rolls, there is an actual increase of $354,480. This sum will be used for increasing the salaries of 2392 employees of the meat-inspection service by $120 per annum each and of 11 employees of said service by $240 per annum each.

Why the difference?

Mr. LEVER. Does the gentleman mean between $120 and $240?

Mr. LOBECK. Yes.

Mr. LEVER. These 11 men are higher-salaried men.

Mr. RUBEY. The others get the benefit of the $120 bonus.

Mr. LEVER. We just give these 11 men $240 and the others get the $120 bonus.

Mr. LOBECK. Mr. Chairman, by this section I judge that the Secretary of Agriculture has the power to determine the wage to be paid. I am glad to see that he has that power, because for several years past I have taken an active interest in it to see that in some way these lay meat inspectors and veterinarians were paid a reasonable wage for their work. Therefore I am glad to vote for this section, for it does look to me like the Secretary of Agriculture has been given the power in this portion of the Agricultural bill to get a reasonable inspection and to pay a reasonable and equitable wage for the meat inspection and that the men may get a living wage for work and service rendered. In the Sixty-fourth Congress I made untiring and persistent efforts to get the Lobeck bill passed, which would classify the wage of the inspectors and veterinarians. The opposition to the bill was very active, and finally, on account of the limited time for discussion in the House, it did not come to a vote and under the rules the Agricultural Committee could not have another day for consideration. During the Sixty-fifth Congress, on account of war legislation no classification bills or scarcely any legislation not known as war legislation has been enacted into law. Therefore I am glad to be present to-day and by my voice and vote favor this legislation, which, I hope, will be of real value to these men, who are and have been rendering valuable and splendid service to the inspection bureau of the Bureau of Animal Industry.

Mr. GALLAGHER. Mr. Chairman, I want to speak to the amendment for just a moment, because I think it is a very wise amendment, and I believe if you want to keep the inspectors independent of the packing influence this is one of the ways of doing it, because I am of the opinion that nothing would suit the packers better than to have the privilege of providing for the overtime for these inspectors. For that reason I hope the amendment will pass.

Mr. CANNON. I have just come in. What is the amendment?

Mr. LEVER. The amendment of the gentleman from Illinois [Mr. MADDEN] would compel the Government to pay for the overtime proposition.

Mr. CANNON. Then, if I understand it, the provision as reported by the committee appropriates for eight hours' work, for reasons that I have heard assigned here, so that the packers can not tamper with them. But for overtime, which is time and a half, as I understand it, the packers are to pay; so that the Government would pay part and the packers would pay part. It seems to me that there is no sound reason why the packers would not pay all or the Government pay all.

Mr. LEVER. There is this distinction between overtime work and regular work: Overtime work is more largely in the interest of the packers than it is in the interest of the public. The packer has a large accumulation of hogs or cattle on hand, and he wants to get rid of them. He wants to have them butchered, but must have them inspected before and after they are slaughtered. Therefore he works these inspectors overtime. For that reason I think he should bear some of the expense of the benefit we are giving him.

Mr. CANNON. After all is said and done, if it would work harm to pay for eight hours, because it might put the inspector under an unworthy influence, it would work harm to pay for time and a half for over eight hours, so far as I can see.

Mr. GALLAGHER. The idea is to have the packers pay everything or the Government pay everything.

Mr. CANNON. Precisely. It ought to be one way or the other.

Mr. GALLAGHER. I have no objection to the packers paying it all, if you want to put it on the packers, but it is a matter of principle.

Mr. LOBECK. The fact is the people have got to pay it finally anyway.

The CHAIRMAN. The question is on the amendment of the gentleman from Illinois.

Mr. YOUNG of North Dakota. Mr. Chairman, on January 27 there was an article printed in the Washington Post, written by Mr. Herbert Hoover, which was an interesting discussion of some farmers' problems. In that article he makes this statement:

If the farmers' prices threaten to fall below the level of a fair return, it behooves the country to do some quick, clear thinking.

And he goes on to discuss some problems of marketing of cattle and hogs in connection with the packing industry. The packers are not the only offenders. The men who trade with them, the commission men at the stockyards, often treat the shippers very unfairly.

I want to call the attention of the House to one particular case. A farmer in North Dakota made a shipment of his cattle to St. Paul, to George Hawkinson. The farmer followed up the shipment and reached St. Paul the morning after the cattle had arrived. He called to see Mr. Hawkinson before the market opened, and Mr. Hawkinson told him that he had sold the cattle for 6¼ cents a pound. A little later he walked over to the cattle yards to see where the cattle were. He found them in one yard not mixed in with other cattle. Another commission man belonging to the same board or exchange came along and the farmer said, "How much can I buy these cattle for?" He said, "I just sold them for 8 cents a pound." The farmer said, "I guess you are making good money, for I sold them at 6¼ cents a pound." "Well," he said, "you know I had to mix them with other cattle to bring them up." The farmer examined them and found every single one in the yard was

marked with his brand and there were no other cattle mixed with them. This figured up a loss to him of $2,000 on that one shipment of 130-odd cattle.

Mr. YOUNG of Texas. That is just a case of an ordinary crook handling this fellow's stock.

Mr. YOUNG of North Dakota. Yes; an ordinary shyster, as my father would say.

Mr. YOUNG of Texas. The farmer consigned them to a crook.

Mr. YOUNG of North Dakota. Does the gentleman find that condition in his section of the country?

Mr. YOUNG of Texas. Oh, we run into crooks sometimes down there.

Mr. YOUNG of North Dakota. Do you not think that Congress ought to give some attention to this when we are trying to find out why things are costing so much?

Mr. LOBECK. Are not the stockyards of St. Paul under the regulation of the State of Minnesota, giving them the privilege to do business and coming before the legislature every year as to the price they can charge for corn, hay, and feed?

Mr. YOUNG of North Dakota. I presume, like other stockyards, it is under regulation by the State, and now it gets some regulation under the license system.

Mr. LOBECK. We had hearings whether the Government should take over the stockyards and run them themselves.

Mr. HAUGEN. They have taken them over to the extent of licensing them.

Mr. LOBECK. I have seen the time when I proposed to sell and my commission man said I could get a better price the next day, but it did not turn out so.

Mr. YOUNG of North Dakota. The facts concerning the case I have just been telling about are set forth in a letter from U. L. Burdick, a prominent and successful stockman of Williams County, N. Dak., to the Equity Cooperative Exchange of St. Paul, Minn. This concern is sound financially, with capital of upward of $2,000,000, and is honestly managed. It is owned by farmers—a great many of them—each one owning a small portion of the capital. This concern, having done a successful business at St. Paul and performing there a real service for northwestern stock raisers, has recently opened a branch at the Union Stockyards, Chicago, Ill., under the management of an old and trusted friend of mine, Fred E. Osborne. If the stockmen generally knew about this honest and efficient farmers' agency there would be no trouble, but many of them do not, particularly in the Chicago territory. It seems to me steps should be taken to prevent a return after the war to conditions which obtained in the stockyards prior to the war. I ask for permission to print the letter of Mr. Burdick in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

LETTER OF U. L. BURDICK.

WILLISTON, N. DAK., *February 5, 1918.*

Mr. F. B. Wood,
Manager Live Stock Department, Equity Cooperative Exchange,
South St. Paul, Minn.

DEAR SIR: Referring to the report that I shipped you 130 head of steers last September and that I lost approximately $2,000 on them, I wish to state that this is not true as to the first part of the proposition.

I have never shipped you any cattle at any time. The second part of the proposition is true, and the facts are as follows:

On or about the 1st day of September, 1917, I shipped to South St. Paul 130 head of steers, all branded with U bar on the right shoulder, same being a brand I use in Williams County, N. Dak.

In making up my mind where to ship these cattle, I at once decided to ship them to an old friend of mine—George Hawkinson, of South St. Paul. These steers would average about 900 pounds on the first 75 head and probably 750 pounds, or thereabouts, on the balance.

I arrived at the South St. Paul stockyards at 9.30 a. m. on the day which the cattle were sold, and at once went to the yards of the Hawkinson Commission Co. I arrived there before the general market had opened up, or at least had apparently opened up. When I came I was informed by Mr. Hawkinson that he had sold the cattle—to whom I did not know; that he had sold them at $6.75 for the top end and $6.25 for the poor end. I was, of course, surprised at the sale, but as I had consigned them to him I did not think at the time that I could stop the sale.

I investigated the market and found on that day that the general run of prices for the top end of my bunch was 8 cents. I then investigated to find out where the cattle were, and discovered that Mr. Hawkinson had sold them to Paul Thuet. In company with Peter Knutson, of Williston, N. Dak., I then went to the Thuet yards, and, as he did not know me, I looked over my own cattle and asked him what he would take for them. He said, "I have just sold them to a party in Iowa for 8 cents." I said, "That is pretty good business. I just got $6.75 for the same bunch." He said, "Well, of course, I had to mix them with other cattle to bring the grade up." I examined the bunch and found that every single steer in the pens had the U-bar brand on them. I said, "Mr. Thuet, you know you lie when you say you had to mix the bunch, because you couldn't brand them and have the brands heal up on them within one hour."

I have not calculated to the exact figure just how much I lost on this transaction, but approximately $2,000 on the bunch.

I then discovered that Paul Thuet made a regular business of making rounds of the stockyards early on market days and buying up all the cattle he could buy, taking them over to his pens and reselling them on the same day. I presume, while I don't know, that I am not the only victim of the speculator who operates on the South St. Paul stock market.

I complained of the same to Mr. Hawkinson, but he said to me that he got all the cattle were worth. I asked him why it was, then, that the general price of cattle on that day (which anyone can now look up) for the same class of cattle was approximately 8 cents. "Well," he said, "cattle vary so much. Your cattle were not extra good ones." I replied that they were fat and averaged 900 pounds. "Well," he said, "I did the best I could, and I am sorry that you lost so much money, but if you will ship to me again I will do my best to make a sale next time that will represent the full value of the cattle."

Very truly, yours,

(Signed) U. L. BURDICK.

Mr. YOUNG of North Dakota. I also desire to call attention to a plan for correcting the abuses of future selling on the great exchanges prepared by Gen. A. P. Peake, of Valley City, N. Dak. During the war we have not had occasion to give much attention to this subject, because the exchanges have been closed as to option trading in wheat. At the end of this crop year we may face lower prices for wheat, and it behooves the wheat growers and those who represent them to study out or work out some plan to put a stop to gambling in the market places. Gen. Peake, who has made a special study of this subject, believes that any plan adopted should protect both the farmers and the flour millers. He believes that any injury to the flour industry will be reflected back to the wheat growers. He therefore proposes that the flour millers and others legitimately connected with the trade shall be permitted to make contracts for future delivery of grain under conditions which will prevent uneconomic speculation. In order that Members may have the opportunity of examining Gen. Peake's plan, I desire to have permission to print the same in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

GEN. PEAKE'S PLAN FOR PREVENTION OF SHORT SELLING OF GRAIN.

Situation: Farm products are now unprotected against short selling of nonexistent quantities by speculators.

Problem: To prevent the selling of contracts for future delivery of nonexistent grain and other farm products without interfering unduly with hedging by warehousemen and grinders, including country and terminal elevators, mills, and packers.

Solution of problem proposed:

First. Provide a form of warehouse receipt signable by the bonded agents of elevators, packers, and mills.

Second. Provide that any sale contract made on any grain or produce exchange or branch office thereof for sale of any farm product for future delivery must be completed by the delivery to the clearing house of such exchange within five days from date of such sale contract of a warehouse receipt showing such grain or produce actually in store, in a warehouse, or terminal or country elevator in charge of a bonded agent.

Third. Provide rules for the conduct of exchange clearing houses which will compel the keeping of such a file and record of warehouse receipts that the gross amount of warehouse receipt covering grain or produce in any warehouse or elevator will be shown by balance each day in so far as that exchange is concerned.

Fourth. Provide that the warehouse receipts contain an agreement for the payment of delivery charges to contract point by outside warehouses and elevators.

Fifth. Provide for inspection of files, records, and warehouses by agent of the Department of Agriculture and for frequent reports to said department, arranging severe penalties for allowing warehouse receipts to remain in exchange clearing houses after grain or produce is shipped beyond the period necessary to deliver grain or produce at the terminal where the contract provides for delivery.

Sixth. Provide penalties for failure to comply with these rules, including the forfeiture of contract, heavy fines, and imprisonment.

Suggestions: To allow mills to continue selling wheat to hedge flour, it might be made allowable for them to have warehouse receipts issued for wheat at the rate of 3½ bushels per barrel of flour.

Mr. MANN. Mr. Chairman, I would like to say to the gentleman, if he will yield, that the transaction such as he has narrated, in my judgment, if it took place in the Chicago Live Stock Exchange and became known, the men who participated in it would be expelled promptly from membership of the exchange, because the whole basis is the personal honesty of the men who operate the live stock exchange in buying and selling cattle, and without it they can not do business very long.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on the paragraph and amendments thereto close in five minutes. Is there objection?

There was no objection.

Mr. JOHN W. RAINEY. Mr. Chairman and gentlemen, this is an age when legislators must recognize as they have never recognized before the necessity of doing impartial justice to the man who works for a living, and particularly the man who works in the great industries.

I have the honor to represent a constituency containing 200,000 working men and women, and it is the center of one of the most important industries in the entire world. I represent the voters of that great district, the men who send me here, and in no sense do I hold a brief for the great packers or the packing industries, yet I believe it to be my duty and privilege to see

that these industries are both fairly and justly dealt with. The immediate question—overtime and increased compensation for the employees of the Bureau of Animal Industry—has been thoroughly discussed by the Members, and I believe the consensus of opinion is that both the overtime and the increased compensation should be granted, as asked in the bill before the House.

Mr. Chairman, I take it that the committee itself wishes the House not to show any partiality as far as appropriations or assessments are concerned. I would like time to perfect an amendment so that in this part of the bill we may treat all alike. It has been suggested by my colleague [Mr. MADDEN] that he is opposed to the packers paying overtime. I likewise hold the same position. It is not my desire to give the packers an opportunity to put their hands or fingers on the employees in the inspection of meat, where they might influence the opinion and judgment of these men, but if it is the wish of a majority of the Members of this House to so assess the packers for overtime, why not be fair and assess all the people of this country who are using the time of the veterinarians engaged in this important work. The farmer has a sick cow or a sick horse, and I am told that he calls a veterinarian on a Sunday morning; the veterinarian, perhaps after four or five hours, arrives at the farm, attends to the hog or the cow, and maybe stays until 1 o'clock the following morning.

Mr. LEVER. The argument of the gentleman falls for the reason that the veterinarian is in private practice and not a Government employee.

Mr. JOHN W. RAINEY. I say this, because I am not as familiar with the work of this bureau as the distinguished gentleman from South Carolina, and I bow to any suggestion he offers. But I am informed that the veterinarians employed by the Department of Agriculture from time to time are called upon by the farmers to attend their sick cattle. Am I correctly informed that the farmer has the right to call for veterinarians employed by the Bureau of Animal Industry or Department of Agriculture.

Mr. LEVER. That is not my information. I might have to refresh my memory about it.

Mr. SMITH of Idaho. Let me say that it is the custom, at least out in our country, for any farmer having cholera among his hogs to call up the veterinarian as they would a physician to come and visit his family.

Mr. JOHN W. RAINEY. And he is a Government employee?

Mr. SMITH of Idaho. Yes.

Mr. HAUGEN. That is for hog cholera, but he is not to practice outside of that.

Mr. SMITH of Idaho. Of course, I had reference to hog-cholera work.

Mr. JOHN W. RAINEY. Mr. Chairman, I would like to be correctly informed on that. I have been informed by veterinarians engaged by the bureau that they are called upon by farmers from time to time to attend their herds of cattle or swine or sheep—their sick animals.

Mr. LEVER. I should say that as to their ordinary work as Government employees that may be true, in their hog-cholera work and their tuberculosis work, and things of that kind. That is true, but when they are called upon by some individual to treat a sick animal at night, I imagine they are called upon as individuals and not as Government employees.

Mr. LESHER. The testimony shows that they dare not even do that.

Mr. LEVER. Yes; I am reminded by my colleague from Pennsylvania that the testimony shows that they can not even do a private practice.

Mr. JOHN W. RAINEY. I know they are not permitted to engage in private practice.

Mr. WOOD of Indiana. Mr. Chairman, I know that this is the practice, so far as the veterinarian is concerned, connected with the United States Government station at Purdue University. When the foot-and-mouth disease broke out the veterinarians, with all of their assistants, were busy throughout the State of Indiana until the thing was finally allayed. I know that whenever any new disease breaks out among animals the first report is made to that institution and the veterinarians are sent out from there for that purpose—for the purpose of making investigation and report.

Mr. LEVER. They go as Government employees?

Mr. WOOD of Indiana. Yes.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. JOHN W. RAINEY. Mr. Chairman, I ask unanimous consent to proceed.

Mr. LEVER. Mr. Chairman, the time has been fixed, but the gentleman is a very modest member of the committee and is not going to take up much time, so that if this does not set a precedent I shall not object; but it is with the understanding that at the conclusion of his remarks debate upon the paragraph and amendments shall close.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed. Is there objection?

There was no objection.

Mr. JOHN W. RAINEY. Mr. Chairman, again the chairman of the committee overwhelms me with his kindness. The point that I want to impress upon the minds of the Members of this House is this: I come from the stockyard district. As I have said, I hold no brief for the packers. As we all know, they are now under investigation by a congressional committee. The other day on the streets of Washington I had my first opportunity to meet two of the most prominent men in this industry. That is an illustration of how little I know of the packers personally; yet the packing industry is in my district and I can not refrain from saying that it seems to be the will of some Members of both branches of Congress whenever they desire to break into public print to attack these large industries in the most reckless and unjustifiable manner.

All that I ask for these industries, as a matter of justice, is that they shall receive fair treatment at the hands of the Members of this House.

Again, I know that the farmers of this country have a few friends in this House; at least my observation has convinced me of that fact. Therefore I suggest that if we are going to assess the packers or any other industry for investigational work, or for labor performed by the Department of Agriculture, such assessment should be spread upon all who receive the same benefit, and that means the farmer as well as the packer. If I am misinformed and the farmers do not have the advantage of the services of veterinarians engaged in this work, then we can not ask the farmer to pay for the services; but, gentlemen, I know that the farmer has the benefit of these services, and if you care to hear me I will go into that at greater length.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. JOHN W. RAINEY. Yes.

Mr. MADDEN. Of course, if the amendment such as my colleague proposes were embodied in the bill and the farmers were not called upon to use the services of the veterinarian, they would not have to pay, so there could be no harm in it.

Mr. JOHN W. RAINEY. Mr. Chairman, I will ask for time to offer this amendment as soon as I can perfect it.

After the fullest investigation and the best consideration I have been able to give this question, I want to say that I am not in favor of either assessing the packer for the overtime of veterinarians, nor am I in favor of assessing the farmer for the services he receives from these governmental employees. I am firmly convinced the Government of the United States has a duty in such matters, and that duty is to pay its own employees in order to retain the fullest control over their actions.

When this question first came up in 1906 President Roosevelt at that time favored payment by the Government for all meat inspection, and he is quoted to this effect in the House hearings of that date on the Chicago stockyards.

I do not believe in any business or industry paying for Government inspection of its own work. Such a practice is wrong in principle, and it would be disastrous in practice. In order to secure undivided allegiance the Government must pay and control its own employees.

With reference to the amendment I propose to introduce, Mr. LEVER has suggested and the Chairman intimates that it is subject to a point of order, and consequently it would be a waste of valuable time for me to attempt to offer same under these circumstances.

Now, I would ask you to bear with me while I discuss the necessity for the increase of pay to the inspectors and veterinarians of the Bureau of Animal Industry.

There are at this time employed by the United States Department of Agriculture approximately 1,700 veterinarians, whose duties are to inspect live stock and to aid live-stock owners and State live-stock sanitary officials in the control and eradication of contagious, infectious, and communicable diseases of animals.

The meat-inspection service, in which bureau veterinarians are employed, consists in the examination of cattle, sheep, swine, and goats from the moment they are received at public stockyards, where they are unloaded from stock cars, through the commission merchants' pens, into the packing houses, where they are slaughtered; thence to the innumerable sections of packing houses, where the meat is prepared in various ways for human consumption. In other words, these servants of the Government inspect and are charged with the responsibility of seeing that only wholesome meat food products enter into commerce for

interstate shipment, as well as meats which are consumed within the States, and other meat products which may be exported.

As testimony of the efficiency of the Government meat-inspection service, not one valid complaint has been sustained against the service since the outbreak of the great world war in 1914, notwithstanding that these products, which have been labeled with the stamp of Government approval, have been sent to every corner of the world. From several sources complaints have been received, and upon investigation have been confirmed, of shipments of meat to Army camps from some small plants where Government inspection is not maintained.

This work was inaugurated many years ago, but the principal meat-inspection act under which the work is now being carried out did not become effective until 1906.

A corps of veterinarians are employed in the control and eradication of diseases of live stock, such as hog cholera, tuberculosis, the eradication of the cattle tick, the eradication of scabies of sheep and cattle, the eradication of glanders from horses and several other maladies which live stock may contract.

Twenty years ago the sheep industry of the United States was rather a precarious one on account of the excessive existence of scabies. At that time there was really no true type of sheep in the United States. Sheep developed much like wolves and coyotes; they multiplied, but without any appreciable upbreeding. It was a case of "survival of the fittest." Oregon sheep were long-legged and thin and could be recognized in contrast with Montana sheep. Texas sheep were different from those raised in California, and the sheep from the plains of New Mexico were unlike those from Utah and Idaho. The disease known as scabies, which is caused by a parasite, not visible to the naked eye and which causes scabs to appear upon the hides and also causes the shedding of the wool, existed in practically every State, and not very much attention was paid to it. It was spreading so rapidly that, if no concerted effort had been made to control it, is it not reasonable to suppose that the industry would have been so seriously handicapped that it would have proved entirely unprofitable?

The United States Department of Agriculture took up the question of the controlling of this disease with State live-stock sanitary officials and the sheep owners, experiments were conducted by treating the sheep with disinfectant to kill the bug which was the cause of the trouble. From those experiments evolved a very practical method of freeing the sheep from the disease by a process of dipping them in a solution of lime and sulphur. Dipping vats were constructed on the sheep ranges and at all of the public stockyards, and whenever a band of sheep were found diseased they were prohibited from being shipped through the country unless they were properly disinfected under supervision. This work developed very rapidly because it proved of vital benefit to the sheep owners.

In the course of 10 or 12 years this disease was practically exterminated, and the quarantine under which many of the States had been placed was removed, thus permitting the free traffic anywhere in the United States. Veterinarians were removed from the work to be placed on work of greater emergency at that time, and in consequence the disease began to spread again, and it became necessary, and, in fact, the sheepmen demanded, that the inspectors be returned to the field to direct the eradication work.

Sheep scabies exists to but a moderate degree in the United States to-day, and out of the hazardous business, which was despised by most live-stock men 20 years ago, there has developed one of the most lucrative and interesting branches of the live-stock industry. There have been developed in the United States true types of sheep. Sheepmen are progressing along definite, well-planned lines, and they are not handicapped now by a disease which, but a few years ago, threatened them with bankruptcy, for it is impossible for sheep to thrive that are affected with scabies and other parasitic diseases.

In 1906 the bureau veterinarians were sent into the Southern States to aid the farmers in the boll-weevil stricken areas in the eradication of the cattle tick. It has been proven beyond peradventure that a profitable cattle industry could not be developed where the cattle tick existed. It has been found by the Bureau of Animal Industry that this parasite, which transmits the organism which causes a fatal disease known as Texas fever, could be eradicated by dipping the cattle which harbored the pest. This work has proven one of the most popular and successful pieces of live-stock sanitary work ever undertaken in any part of the world. More than 70 per cent of the original area quarantined on account of the Texas fever has been freed of the tick, and in the freed counties and States there has been developed, and will continue to be developed, a high class of cattle husbandry. Cattle which in 1906 were valued at about $10 per head in the tick-infected area are now worth $40 per head, and the increased valuation is not entirely due to the high price of cattle everywhere, but these animals are worth more because they are in better condition to be used for beef; that is, while the animals are covered with ticks the parasites suck the blood, and in consequence the host always remains in an unthrifty condition, unsuited for beef purposes. This work will be carried on until there are no cattle ticks left in the United States. This one piece of live-stock sanitation is worth at least $50,000,000 in the additional beef that the Nation conserves thereby.

Other veterinarians in the Bureau of Animal Industry are engaged in the eradication of hog cholera, a disease which, a few years ago, was cause of an annual loss to the Nation of $100,000,000. It was discovered by the Bureau of Animal Industry that swine could be immunized against the infection of cholera. This immunization consists of injecting the hogs with a serum obtained from swine which, through treatment, have become highly immunized against the disease. Millions of hogs are treated annually by veterinarians of the bureau, and thereby the losses have been reduced to a very large degree.

Another field in which veterinarians are engaged is in the eradication of tuberculosis. It was absolutely necessary that some agency inaugurate a campaign to check the ravages of this insidious disease. It was spreading from State to State and from herd to herd, as may be judged from the amount of infected animals found in the abattoirs in 1918, where Government inspection was demanded. Out of 35,000,000 swine slaughtered in those establishments, practically 3,500,000 animals were found tubercular to some extent. Likewise with the cattle which were killed, more than 200,000 cattle were found to be infected with tuberculosis in those abattoirs. The owners of live stock from every section of the United States demanded that this work of controlling the eradication of this disease be taken up by the Federal Government. While the campaign has been in existence only a little more than a year, there is sufficient evidence to show that it is making satisfactory progress and is proving to be a very popular work with the farmers.

The Bureau of Animal Industry has in its organization a pathological division, in which veterinarians are engaged in scientific investigations dealing with live-stock diseases. Every year thousands of samples of diseased specimens are forwarded to the bureau, where they are examined microscopically and by animal inoculation, so as to determine the exact nature of the malady.

There are a number of other branches of the live-stock industry to which the veterinarians of the bureau are assigned, such as the supervision of the manufacture by private concerns of hog-cholera serum, virus, and other biological products, such as black-leg vaccine, tetanus antitoxin, tuberculin, mallein, and so forth.

The entrance salary of the veterinarians in the Bureau of Animal Industry is $1,500 per annum, and, of course, with this parsimonious stipend the bureau is having great difficulty in obtaining the services of professionally trained veterinarians. The future opportunities for veterinarians in the Bureau of Animal Industry is anything but attractive to an earnest, competent, and energetic employee. Of course, the lack of appreciation of the Federal Government for this class of employees has caused hundreds of them to resign every year to take up positions which enable them to support their families and bring them up in a true American way. The average veterinarian in the Bureau of Animal Industry does not receive sufficient compensation to properly feed and clothe the average-sized family.

Many of the best-posted live-stock owners and other persons interested in that industry have grave apprehensions as to how their immense industry is going to be properly protected in the future. Veterinary colleges are closing their doors because young men are not attracted to the profession, simply because there is no opportunity for them to gain a respectable livelihood in it. During the past 12 months four veterinary colleges in the United States terminated their careers. These institutions were known as the George Washington Veterinary College, Washington, D. C., the Kansas City Veterinary College, the San Francisco Veterinary College, and the Terre Haute Veterinary College. It is believed that it will be necessary within the next 12 months for other schools to discontinue.

A veterinarian to-day is a trained man who receives an education of the same completeness as a medical man receives at colleges for physicians. The veterinarian is required to be a high-school graduate, and the course in the veterinary college is fixed at four years of nine months each. Can you imagine a vigorous, intelligent, ambitious high-school graduate being attracted to take up the veterinary profession when the best prospect that he has in sight as an employee of the Federal Government is $1,500 per annum? Such men will spurn any such proffer for a lifetime career. They need not complete a

high-school course or a grammar-school course to become a butcher, which trade will give them $60 to $90 per week, or a puddler in a steel factory, which will pay them $400 a month, or any other line of industry. The Federal Government, if it does appreciate the services of its employees, should have enough business acumen to see that the efficiency of the whole structure of the Nation will be greatly diminished unless efficiency is recognized and equitable compensations made. Unless the Government is aspiring to inefficiency and failure, it must be willing to at least go part of the way in increasing compensations to its employees as the merchants and manufacturers and every other person, firm, and corporation throughout the length and breadth of the land have done in recognizing the services of the employee.

The veterinarian is the agency upon which the live-stock industry of the Nation, valued at $10,000,000,000, must place its faith to preserve that gigantic business from the ravages of disease. What would it profit this country to go on building up the cattle, swine, and sheep industry if at the foundation of the industry it was rotten with disease? We are coming to an era now where European countries and South American countries will be seeking for breeding cattle, swine, and sheep. If they come to our land and buy these animals and later they are found to be diseased, our reputation and industry along that line are ruined for all time to come; whereas if we sell them the right kind of live stock free from disease, the Nation will build up a reputation throughout the world that will assure for all time a prosperous industry.

The grade lay inspectors are men who through years of practical experience have gained a wide knowledge of the meat industry. They are men who are qualified to serve the United States Government in the capacity of inspectors or as foremen of various branches of the packing-house industry. A great many of this class of employees have left the Government service to fill positions of more lucrative nature with the meat packing concerns.

Sometime ago I took up with Secretary Houston and also suggested to his assistant, Mr. Harrison, the imperative need of a substantial increase for the lay inspectors and veterinarians in the Bureau of Animal Industry.

I desire to urge upon you the imperative need of increasing the salaries of these employees. I know something of their work. I know that these men report at their post of duty long before 7 each working day, that they work from 9 to 12 hours, and during the busy season often work both Sundays and holidays.

I know that the veterinarians are responsible for all the work in the enforcement of the regulations pertaining to the meat-inspection laws, that they are directly responsible for all work performed by inspectors under their supervision, and that they are responsible for the enforcement of all the sanitary regulations at the packing houses.

I know that the receipts of animals of recent months have been unprecedented.

I know that many have resigned to take up work in commercial fields where the compensation is considerably greater. This has necessitated a greater responsibility on the older employees. I know that a great number of them have not been advanced for several years; and I also know that by comparing the salaries of the Bureau of Animal Industry employees to packing-house employees, that the employees of the packing industries receive from 50 to 100 per cent more than do the Government employees for equal responsibilities.

Safeguarding the health of the consumer of packing-house products is of greatest importance, and I feel that I am extremely conservative in urging that this be appropriated for the fiscal year 1920.

I want to say something now about the comparison between wages paid by the United States Government and wages paid by private concerns. We know what the veterinarians and inspectors of the Bureau of Animal Industry receive, but take, for instance, the cattle and hog butchers; their weekly wages for weeks ending, respectively, October 12, 19, 26, November 2, 9, 16, and 23, amounted to $63, $62, $60, $62, $59, and $62 each. In addition to wages, many of these men received a bonus amounting in some instances from $200 to $300.

The above wage is an average of what is being paid to skilled labor and includes floor men, rumpers, packers, cutters, splitters, hide droppers, and chuck splitters. When you compare their wages with the salary of the Government inspector who has spent the best of his young days in educating and preparing himself for his life's work—namely, the preservation of the health of humanity in the preparation of meat-food products—you will readily see even under normal conditions these inspectors are very unjustly treated.

Let me further submit the following table of wages paid to beef boners for the same weeks suggested heretofore:

Loin rib chuck and plate boners average $50 to $100; $50 to $105.11; $50 to $103; $37 to $70; $47 to $104; $50 to $80; $50 to $120.

Common laborers in the beef cutting, who as a class are men composed of uneducated Mexicans and the like, receive weekly wages from $25 to $38. The same class of laborers in dry salt curing cellars receive from $28 to $40 and in the sweet pickle curing cellars from $30 to $45. Foremen and assistant foremen in these departments, whose duties are not more arduous than inspectors and who at all times have advantages for promotion, receive from $40 to $65 per week, and it can easily be said that the lay inspectors in educational and executive ability measure up to the standards of these foremen.

The award made by Judge Aischuler in the arbitration between the packers and their employees convinces me that the Government employees are the lowest-paid men in the packing industry, and they are the men that the public holds responsible for the condition of every piece of meat and all meat products that leave the packing house.

I am indebted for some of my information with reference to the Bureau of Animal Industry to Dr. S. J. Walkley and Dr. Hess, who have willingly responded to numerous inquiries made by me.

Let me cite a few reasons why men engaged in the work should receive an increase of salary.

A friend of mine in Chicago—a high-grade gentleman named Richard Walsh—has been in the service of the Bureau of Animal Industry for 24 years and is now receiving $90 a month. How can he support and educate a family on this salary?

I know another gentleman who associated himself with the Bureau of Animal Industry some twenty years ago. The salary at that time for a young man was attractive—$60 per month. After being in the service a few years his mother died and left him the family home, worth approximately $2,000 to $3,000. Not long afterwards he married, and God blessed him, as he does most of the people of my district, with a large family. Sickness followed; doctor bills and many other incidental expenses accumulated. It finally became necessary for him to mortgage his little home. Unable to keep up the interest the mortgage was finally foreclosed and he had to sacrifice his place of abode.

After 20 years' faithful and efficient service with the Government he is now receiving the enormous salary of $1,200 a year. I have talked with him a number of times and tried to convince him that he should discontinue his services with the Government and attach his name to some pay roll where his work and efforts would be appreciated, but like many others, after being associated with the Government for a great number of years, he lives in hope the Government will do something substantial for him. These men seem to lose initiative and are fearful because they know nothing but Government work, and fear they may not be able to do as well on the outside.

The gentleman I last spoke of was compelled, on account of the high cost of living, to take his children out of school as they reached the age where State laws would permit them to go to work and send them into factories, thus depriving them of an education so necessary to-day, and practically making impossible an opportunity for them to advance and progress.

Other concrete examples that have been brought to my personal attention:

A gentleman entered the service; lived out in Iowa; owned his own home, worth about $1,800, with a mortgage of $600 he had borrowed to improve the property. After he was in the service a year he had to increase the mortgage $100. The taxes and interest were too much for him, the mortgage was foreclosed in the summer of 1918, and he lost the property. In 1909 he was transferred to another town in Iowa at his own request, figuring that he could do considerably better. He borrowed $100, which he still owes. After he was in this town for a while it was necessary for him to take his daughter, 16 years of age, out of high school and put her to work. The establishment in Iowa closed down and he was transferred to Chicago. His next oldest daughter was attending high school, but when they came on to Chicago he found expenses so high daughter No. 2 was compelled to leave her studies and start to work. Grocery bills approximated $55 to $60, the monthly rent $35. Of course, cheaper homes, rather more reasonable rates for rent could be had, but this gentleman was anxious to rear his family in a respectable neighborhood. It costs this man about $120 a month to live. If sickness occurs, doctor and medicine bills accrue, and it is absolutely impossible for him to keep his head above water.

In the case of a man who entered as meat inspector in 1906 at $1,000. He was 26 years of age when he started. Seven years after his appointment he received an increase of $200. In order to live it was necessary for him to have his wife find employment. They had three children. His wife had to accept a position with hours from 3 p. m. until 12 o'clock midnight. It was necessary for this gentleman to prepare dinner for himself and the children; also to go about 1 o'clock every morning and meet his wife when she returned from her work.

Another letter from a gentleman who has been a meat inspector for four years. He receives $1,200 and is unable to meet his obligations. He had to place his household goods in storage and send his wife and three children to be supported through the generosity of relatives.

Another gentleman has been in the Bureau of Animal Industry for 10 years. He now gets $1,200. He has no children. It takes every dollar he earns to get along. His wife took sick last summer; a doctor's bill resulted, and up to the present time he has been unable to make any payments to the doctor who took care of his wife through her illness.

Another letter from a gentleman who started to work two years ago at a salary of $840; he is now receiving $1,080. He has a family of five children. If it were not for the assistance he receives from his parents and the fact that he engages in outside employment several nights a week he would be unable to keep going. Sickness in the family has incurred obligations to the amount of about $500 in the last two years.

And so on, gentlemen, I could furnish any number of cases such as these from letters I have received; but I do not care to take up your time any longer. The Good Book says, "Feed the hungry and clothe the naked." That suggestion is offered in the spirit of charity. It is not charity that I ask when I request that you take care of the men in this important branch of governmental work; that their families may have an opportunity to receive an education; that they might enjoy some of God's sunshine; that they might have the advantages of a few luxuries; that they get sufficient bread and butter, and occasionally squeeze in a little jam; it is in the spirit of justice I make this request.

Another suggestion: These men suffer many hardships in their line of duty. Working in blood and water in the killing floors, in dry salt and sweet pickle cellars, coolers, and freezers, where temperatures are often 10 degrees below zero. They must be warmly clad for this work, as they are exposed to low and high temperatures which endangers their health. In many cases these men can not afford to buy proper clothing. Boots, shoes, woolens, and leathers have increased over 100 per cent, and the blood, salt, and water conditions wear out the clothing very quickly. Suffering and sickness frequently result on account of their inability to purchase proper clothing. Now, the packers provide men doing this kind of work with suitable clothing, and I think the Government should take this under advisement, and I hope in the near future they will equip men engaged in this capacity with proper raiment that will prevent any ill effects as a result of their work.

Out in Chicago it is often suggested by business men that it is not a question of salary, but a question of getting the right man to fill the job; that they would be willing to pay any price for the right man. If the opportunity is afforded me to meet any who offer this suggestion in the future I am going to refer them to some of the men in the Government service and associated in the Department of Agriculture.

A young man named Harrison, for whom, I am happy to say, a deserved increase was provided, can intelligently and correctly answer more questions than anyone I ever met. Dr. Mohler, connected with this department, a most capable and able gentleman, a master of every detail; Dr. Kiernan, who impresses me as an intellectual giant, and I am advised that he is an authority in his profession. In Chicago, since my election to Congress, I made the acquaintance of a Dr. W. N. Neil, in charge of the Chicago office. All lay inspectors and veterinarians are under his direction; he is interrogated and cross-examined continuously by men engaged by the packers to look after their interests, and the packers pay their representatives from two to three times the salary paid Dr. Neil, who has devoted more than 20 years to the service of the Government. He has won the respect and admiration of all with whom he has come in contact and has received several tempting offers to leave the service. I feel absolutely certain that these gentlemen—and when I speak of them I know this is true of the great majority of men engaged in this bureau, veterinarians and lay inspectors—if they were associated with some large corporation their services would be appreciated, their ability recognized, and their salaries would at least be doubled.

So in conclusion, gentlemen, let me urge upon you the adoption of the amendment I offered in our committee, and while the amount I requested was materially reduced, the sum suggested here, I am pleased to state, is the unanimous report of the committee and it in a small way manifests our appreciation of the great work these men are doing and for the adoption of which I will be thankful and the employees in this department exceedingly grateful.

May I add this poem of T. P. White, an employee of the bureau, which appeared recently. It suggests far more eloquently than I am able to the status of the employees in the Bureau of Animal Industry, commonly referred to as the B. A. I.

YE MORTALS WHO WORKED FOR THE B. A. I.

The day of judgment at last had dawned,
And millions of souls had stretched and yawned;
Had passed in ranks called by trumpet horn,
The souls of sinners and babes unborn.
And amid the few to be glorified
Were the souls of men not yet "classified."

The Master, He judged, and 'twas done well,
Sending souls on to heaven or hell.
With careful thought he reviewed their creeds,
And the record book for acts and deeds
Till he came to a horde of souls most shy
Of the men who had worked for the B. A. I.

"Recording Angel," the Master said,
"Why are the souls of these men dead
So humble in men, so dreary, so sad?
Are their records filled with actions bad?"
"These souls," said the Angel, and heaved a sigh,
"On earth were employed by the B. A. I.

"Their records are filled with noble deeds;
They have labored long with many needs;
Through their mortal lives they have done their share
To assist mankind, and have dealt fair,
While they struggled on with wage not high,
As they worked on earth for the B. A. I.

"In the cities' marts where meats were sold,
In slaughterhouses, in the heat and cold,
They applied their skill, under sworn oath bound,
To the end that food be pure and sound,
Thus protecting health when danger drew nigh,
These trusty men of the B. A. I.

"In the field they worked both day and night,
Preaching the gospel of wrong and right
To stock raisers and tillers of soil,
That costly plagues they might learn to foil.
If failure came, once again they d try,
These faithful men of the B. A. I."

A stroke of the pen canceled all debts,
And He smiled on clerks and "lags" and "vets,"
Who stood near the throne with gave steadfast,
Hoping a "raise" had come at last
Then the sentence came, "remain on high,
Ye mortals who worked for the B. A. I.

And let me add:

That all you Congressmen answer "Aye,"
And increase the pay of the B. A. I.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn.

Mr. LEVER. Mr. Chairman, I suggest to the gentleman that I would make the point of order against the amendment anyway as not being germane.

Mr. MADDEN. But the gentleman from Illinois might just as well give the gentleman a chance to do something, notwithstanding the point of order which was made against it.

Mr. LEVER. I am ready to receive the gentleman's amendment, but I do not want to stop the reading of the bill until it is prepared.

The CHAIRMAN. Does the gentleman ask that the matter be passed over?

Mr. LEVER. No; I would not want to do that. I think it is an unnecessary waste of time, because it is subject to a point of order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

BUREAU OF PLANT INDUSTRY.

Salaries, Bureau of Plant Industry: One physiologist and pathologist, who shall be chief of bureau, $5,000; 1 assistant to the chief, $3,000; 1 executive assistant in seed distribution, $2,500; 1 officer in charge of publications, $2,250; 1 landscape gardener, $1,800; 1 officer in charge of records, $2,250; 1 executive clerk, $2,000; 2 executive clerks, at $1,980 each; 1 seed inspector, $1,900; 1 seed warehouseman, $1,400; 1 seed warehouseman, $1,000; 1 seed warehouseman, $840; 9 clerks, class 4; 14 clerks, class 3; 4 clerks, at $1,500 each; 25 clerks, class 2; 3 clerks, at $1,320 each; 73 clerks, class 1; 2 clerks or draftsmen, at $1,200 each; 2 clerks, at $1,100 each; 4 clerks, at $1,080 each; 1 clerks, at $1,020 each; 30 clerks, at $1,000 each; 42 clerks, at $900 each; 1 clerk or draftsman, $900; 11 clerks, at $840 each; 1 laborer, $780; 42 messengers or laborers, at $720 each; 8 messengers or laborers, at $660 each; 16 messengers or laborers, at $600 each; 1 artist, $1,620; 1 artist, $900; 1 clerk or artist, $1,400; 2 clerks or artists at $1,200 each; 1 photographer, $1,200; one photographer, $840; 2 laboratory

aids, at $1,440 each; 1 laboratory aid, $1,380; 4 laboratory aids or clerks, at $1,260 each; 1 laboratory aid, clerk, or skilled laborer, $1,080; 3 laboratory aids, clerks, or skilled laborers, at $1,020 each; 2 laboratory aids, at $960 each; 1 laboratory aid, $900; 4 laboratory aids, at $840 each; 7 laboratory aids, at $720 each; 1 laboratory apprentice, $720; 1 map tracer or laboratory aid, $900; 2 gardeners, at $1,440 each; 4 gardeners, at $1,260 each; 8 gardeners, at $1,100 each; 15 gardeners, at $960 each; 19 gardeners, at $780 each; 1 skilled laborer, $1,100; 1 skilled laborer, $960; 2 skilled laborers, at $900 each; 3 skilled laborers, at $840 each; 1 assistant in technology, $1,400; 1 assistant in technology, $1,380; 1 mechanician, $1,080; 1 mechanical assistant, $1,200; 1 blacksmith, $1,200; 1 carpenter, $900; 1 painter, $900; 1 teamster, $840; 1 teamster, $600; 21 laborers, at $540 each; 20 messengers or laborers, at $480 each; 3 messenger boys, at $660 each; 14 messenger boys, at $600 each; 10 messenger boys, at $480 each; 5 messenger boys, at $420 each; 16 messenger boys, at $360 each; 4 charwomen, at $480 each; 21 charwomen, at $240 each; in all, $491,280.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I hesitate to take the time of the committee on anything, but we are making very good progress on this bill. I would ask the gentleman from South Carolina, or any other gentleman a member of the Committee on Agriculture, if he knows anything about this new order issued forbidding the importation of nursery stock into the United States after June 1 next?

Mr. LEVER. Mr. Chairman, I would say to the gentleman that if he will permit me to get it from my office I shall be very glad to give him a very full statement of the matter. It came to my office this morning, I think, but I have not yet had time to read it. It is not involved here. The Secretary sent me a very full statement about it.

Mr. MANN. I am very much obliged to the gentleman, because I intended to go over to the Horticultural Board and ascertain, as the country is very anxious to know, whether this order is to stand or not. No one defends the form of it, except to say it may be the best they can do. It allows the introduction of a seedling tree and forbids the introduction of a grafted tree, it allows the introduction of a tulip bulb and forbids the introduction of a peony root, and it affects a great many nurserymen and florists throughout the United States disastrously. Now, I do not undertake to say whether the order is justified or not, but somebody ought to be prepared to say they are certain that it is justifiable; and, gentlemen, there will be a roar going up in this country against this order when it takes effect such as we have not heard even about the hog cholera or tuberculosis in cattle, which swept the House off its feet.

Mr. LEVER. As a matter of fact, the roar has already come, as would be seen if the gentleman could see some of the letters I have received.

Mr. MANN. I know the roar has come, but the roar really has not commenced yet, as the order has not taken effect and they can still import until June 1. Now, it is going to be utterly unfair to the business interests involved if they start this thing and then stop it because somebody protests. It may ruin many a man, and the department ought to be very certain of its ground both as to its desirability and its legality and its power to withstand the roar that will come up from Members of Congress.

Mr. TOWNER. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. TOWNER. Under what authority is this order issued?

Mr. MANN. I think very likely they have the authority. We have an insecticide law not only prohibiting the importation from foreign countries but prohibiting the transportation of anything from an oak tree to an acorn or a smaller seed from one county to another or from one State to another.

Mr. TOWNER. But for some particular purpose; I was wondering what the particular purpose was that would be assigned in this case.

Mr. MANN. The purpose in this case is not protection of home industries but to prevent the introduction of insects or disease in plants.

Mr. TOWNER. I was going to ask the gentleman in that connection if a wholesale order of this kind could be justified for such a purpose. That was the thought I had in my mind.

Mr. MANN. Of course, the order as it is framed started out with the idea, I think, that it would prohibit the importation of any plants that had any dirt upon them, on the idea that the diseases might be in the dirt, although we permit the introduction of a great many plants, the roots of which are taken right out of the dirt in the native soil. But what I wanted to get at also, if the gentleman's letter covers it, is whether any method is provided by which importations can be made through the Department of Agriculture.

Mr. LEVER. These prohibited plants?

Mr. MANN. Yes.

Mr. LEVER. I have not read this communication, but I will ask unanimous consent to insert it in the RECORD so we may have it at this point. It is a memorandum prepared by the department.

Mr. MANN. Is it a printed memorandum?

Mr. LEVER. No; it is merely a memorandum, one just sent up.

Mr. MANN. I would like to get it before it goes in the RECORD——

Mr. LEVER. I ask unanimous consent to insert it at this point.

Mr. MANN. Because I hate to destroy my eyes by reading the small type in the RECORD.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to extend his remarks in the RECORD by inserting the matter indicated. Is there objection? [After a pause.] The Chair hears none.

The matter referred to is as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
FEDERAL HORTICULTURAL BOARD,
Washington, D. C.

MEMORANDUM OF INFORMATION CONCERNING QUARANTINE NO. 37, RESTRICTING THE IMPORTATION OF NURSERY STOCK AND OTHER PLANTS AND SEEDS ON AND AFTER JUNE 1, 1919.

A HISTORY OF THE ACTUAL STEPS LEADING UP TO THE ISSUANCE OF THE QUARANTINE.

The need for additional restrictions on the importation of nursery stock and other plants and seeds has been under careful consideration by the board for several years. This need has been emphasized by numerous requests for greater restrictions on plant importations from official bodies representing the State departments of agriculture, the inspection officials of the States, entomological and phytopathological associations, forestry, horticultural, and other associations, etc. As a basis for such additional restrictions, a public hearing was conducted at this department May 28, 1918, and the proposed restrictions were thoroughly discussed with all the interests involved, including, in addition to the above, both importing nurserymen and seedsmen as well as producing nurserymen in this country.

Following this hearing, and at the request of the board, the subject was given careful study in all of its phases by the plant experts of the Department of Agriculture over a period of several months, in the course of which many of the principal nursery and florist establishments of the United States were visited by these experts, and the details of the proposed quarantine were discussed with the persons in charge of these establishments. As a result of this extended inquiry, a tentative draft of proposed regulations was formulated and submitted to the principal nurserymen of the country. A final conference was then held in the office of the chairman of the board October 18, 1918, at which all interested parties were invited to submit criticisms or suggestions either in person or by letter. The quarantine and regulations as finally adopted represent the best judgment of the plant experts of this department after a thorough reconsideration of the entire subject.

In formulating the quarantine and regulations the idea that has been kept constantly in mind is to reduce the danger of introducing injurious insects and plant diseases to the minimum with the least possible disturbance to the interests involved. The classes of nursery stock and other plants and seeds, the commercial entry of which is to be continued, are those represented by importers and other trade interests as being most essential to the horticulture and floriculture of this country under existing conditions.

DISCUSSION OF PRINCIPAL OBJECTIONS IN LETTERS OF PROTEST AGAINST THE QUARANTINE.

Recently numerous letters have reached the department protesting against the enforcement of the quarantine. Practically all of these letters are in response to a printed circular entitled "Protest against the horticultural import prohibition," signed by Henry A. Dreer, of Philadelphia, and sent to nurserymen all over the country. Most of the letters received simply repeat the information contained in Mr. Dreer's circular letter.

In that letter reference is made to what is considered inconsistencies in the regulations in that they permit the entry of rose stocks for propagation and of six varieties of bulbs, while they exclude budded or grafted roses and all bulbs with the exception of the six varieties referred to.

During the period when the quarantine was under discussion the Federal Horticultural Board was urged very strongly by many advisers, including horticultural and forestry associations and State plant inspectors and their organizations, to prohibit entirely the importation of all plants, bulbs, and other classes of nursery stock on the ground that all of them were sources of risk of introducing dangerous insects and plant diseases.

Such dangers do exist. They are greatest in importations from distant or little-known countries, many of which do not maintain any system of inspection. The dangers are proportionally greater among the miscellaneous classes of nursery stock and other plants, including bulbs, which are imported in smaller quantities, but which represent numerous genera and species and bring in a corresponding number of new parasites.

While complete exclusion undoubtedly affords the greatest measure of safety, the governing principle in the quarantine as issued was to limit plant introductions to the classes of plants which were represented by the plant interests concerned in this country as being essential to plant production; in other words, the raw material out of which salable fruit trees, roses, etc., are made. To this were added certain classes of plants, including bulbs and seeds, which could be safeguarded by inspection and disinfection. In the case of bulbs it was realized that a danger existed, and the entry was restricted to classes of bulbs least subject to risk of bringing in new pests and which from their nature could be most readily inspected and certified as clean and, for the most part, originating in countries where the least risk of danger attaches. The excluded bulbs involve the less important and miscellaneous importations coming from widely scattered sources over the world, and the entry of which is attended with much greater risk of introduction of plant diseases or insect pests.

The quarantine makes provision for the entry of these miscellaneous other bulbs and other prohibited articles in limited quantities through the office of foreign seed and plant introduction, this department, for the purpose of keeping the country supplied with new varieties and creations and the necessary breeding or propagating stock, such entry necessarily being safeguarded by the highly developed inspection and quarantine service which has been organized by this department. It is impracticable to give this type of inspection to commercial importations. The cost would be prohibitive, especially under conditions which would require very frequent provision for holding the imported material in quarantine for a period of months or years and the necessity for very high-grade and expert inspectors. Furthermore, inspectors with the training required are not available.

The distinction between rose stocks, on the one hand, and budded or grafted roses on the other, was made with a view to accomplishing two objects: (1) To reduce the number of roses imported, thus reducing the risk involved, and (2) to limit importations largely to such stock as is usually grown in commercial nurseries where special care is exercised to control and eradicate pests. The stocks permitted entry under item 3 of regulation 3 are practically always grown in commercial nurseries, while budded and grafted roses may, immediately upon their arrival in the United States, be shipped broadcast over the country to consumers who pay little or no attention to the eradication of any insects or diseases the plants may carry.

Mr. Dreer's letter also conveys the impression that at the hearing and conference the information given the board was against the advisability of putting the quarantine into effect. On the contrary, at the hearing, which was largely attended and of which a stenographic record was kept, the argument was strongly in favor of the quarantine, and, as indicated in the early part of this statement, the restrictions which have been embodied in this quarantine have been strongly urged and indorsed by many representatives of the nursery trade and unanimously by letters received from officials representing the forest, agricultural, and horticultural interests of the several States.

The argument that this action is unjust to European countries, particularly at this time when they are just released from the restrictions on commerce caused by the war, has its force and is emphasized by the keen sympathy which we all feel, especially for Belgium and France. If, however, there are important dangers to be guarded against and therefore a real need for these restrictions, mere sentiment, however strongly warranted, has no place. The point of fact, with respect to the two countries which have suffered most from the war—France and Belgium—the latter is the only one which is much affected by this quarantine. The plant exports of France are largely fruit-tree stocks, which are still permitted entry. Unfortunately the plant exports of Belgium are largely ornamentals, shipped with earth about the roots, and are therefore the ones which entail greatest risk to the United States; and, furthermore, the inspection service of Belgium is inferior to that of both France and Holland. In the case of Holland the argument from the war standpoint does not apply to the same extent, and, furthermore, the bulb exports of Holland are not materially interfered with. The potted and baled plants, however, from Holland convey the same dangers that they would from Belgium and other foreign countries.

In general, with respect to this action and to European countries, it should be remembered that this quarantine merely places the United States in more close alignment with action long since taken by these countries relative to plant imports from the United States. France, Holland, Germany, and to a less extent Belgium, have long maintained practically complete prohibition of plant imports from the United States.

DISCUSSION OF THE CONDITIONS WHICH HAVE RENDERED SUCH QUARANTINE RESTRICTIONS NECESSARY.

With respect to the actual condition of nursery stock and other plants hitherto received from foreign countries, it is appreciated that the countries which have been most concerned in such exports to the United States have established inspection and certification service, with the result of very greatly reducing the amount of infestation on such exported plants. The conditions in this respect prior to the passage of the plant-quarantine act and the requirement of inspection and certification on the part of foreign countries, and the rigorous holding of these countries up to as high a standard as possible, were deplorable. Brown-tail moth nests and gipsy-moth egg masses and numerous other insect pests in various stages were coming into the United States in quantity, and in one season thousands of such brown-tail moth nests were found in nursery stock, particularly from Holland, Belgium, and France.

The improvement since the establishment of this service, as indicated, has been very great, but it has not by any means eliminated the danger. Of these principal export countries Holland has perhaps as good an inspection service as any, if not the best. The service of France is nearly as good as that of Holland. The service of Belgium is inferior, and the risk from other countries is even greater.

The status as to freedom from insects and diseases of plant imports from Holland probably represents, therefore, the best work that can be expected under existing conditions of inspection and certification. Notwithstanding the supreme effort of the Netherlands Government to safeguard its plant exportations to the United States, a great many injurious insects have been found on stock imported from that country since August, 1912, when the Federal plant-quarantine act became effective. During this period of six years of enforcement of this act and inspection of imported plant materials no less than 148 different species of injurious insects have been collected on nursery stock imported from Holland. Some of these have been found in over 1,100 different shipments of plants. Many have been detected hundreds of times. It is true that many of these are insects which have already become established in the United States, but many others are insects which have not been so established and which are new elements of danger to the horticulture and agriculture of this country. For example, the European tussock moth (Notolophus antiqua) has been found in connection with no less than 67 different shipments of plants from Holland, representing over 16 different kinds of ornamental plants. Similarly, many other injurious leaf-feeding and wood-boring insects have been collected on from one to many different shipments of plants.

This list of 148 different kinds of insects on Holland stock includes comparatively few of the soil-infesting species, because it has not been possible without destruction of the plants to disintegrate and make adequate examination of the soil imported with baled and potted plants. The danger is probably much greater from such insects concealed in the soil than it is from the insects which are found on the aerial portion of the plants. Dr. T. J. Headlee, New Jersey State entomologist, reported at the hearing conducted by this department in May, 1918, on the subject of this quarantine, that his office two years before had made a limited study of the insect fauna in baled plants from Europe, and a short examination of perhaps two dozen baled plants had resulted in the finding of over 20 different species of insects in the soil.

There is risk of entry from foreign countries through the medium of such soil of a vast number of insects, many of which may have no relation to the plants imported but are possibly important enemies of field crops, such as clover, alfalfa, and other forage crops and the grains. For example, there are more than a score of European weevils and root borers known to infest clover, alfalfa, and related plants. Several of these have already been introduced into this country and are now among our most serious forage insect pests. Examples of these are the alfalfa weevil now invading half a dozen States surrounding Utah, its point of introduction, and the clover-leaf weevil now widely distributed throughout the United States. Of the same nature are many insects likely to be brought in with soil which affect common truck crops. Several of these have already been introduced with plants imported with soil, such as the European mole cricket, the European earwig, and various wireworms. The list of such European truck-crop insects possible of introduction with soil is a very long one. There are also many important European fruit insects which can be introduced with soil about the roots of nursery stock. These include apple, pear, and plum weevils, fruit and bud weevils, twig and stem borers, and various leaf feeding insects which hibernate in the soil.

With respect to plant material which it is necessary to bring in with the soil, it should be borne in mind also that no system of effective disinfection of the soil about such plants without destroying the plants is known.

The risk from importations from Oriental countries, such as China and Japan, and other quarters of the world where the insect enemies and diseases of plants have been very meagerly studied, is illustrated by the establishment in this country from such sources of many of our most important injurious insect pests and plant diseases. Few of these were known prior to their appearance in this country, and therefore could not specifically have been looked out for and guarded against. Among such introduced insects are the San Jose scale, the citrus white fly, the oriental peach moth, and the Japanese beetle. The peach moth and the Japanese beetle, furthermore, illustrate insects which it is apparently impossible to kill by any practicable fumigation in their hibernating condition.

The list of insects introduced from such little-explored countries is already very large, and the new pests constantly being intercepted on such stock now coming in represent a constant and very serious menace to this country. A recent illustration of this state of affairs came in last month's report of Mr. E. M. Ehrhorn, a collaborator of the board and chief of the division of plant inspection of the Board of Commissioners of Agriculture and Forestry of Hawaii. Mr. Ehrhorn reports that in December, 1918, he made a thorough examination of two small pots of a dwarf Chinese arbor vitæ (Thuya orientalis) offered for entry at Honolulu and took from the soil about the roots of these plants no less than 122 grubs of a curculionid beetle, a near relative of such injurious insects as the alfalfa weevil, plum and apple curculio, etc.

The danger of introducing plant diseases is just as great if not greater than that of introducing new insect pests, and with respect to such diseases inspection is a safeguard of no importance. Very often these diseases are not discoverable by inspection, or may develop to a visible stage only after a period of months or years after the plants have been imported. Notable examples of such diseases received from the Orient are the chestnut blight and citrus canker from Japan and China. With respect to the risk of introduction of dangerous diseases from Europe, it is significant that of the three serious forest diseases that have been imported into this country in recent years, two of them, the white-pine blister rust and the European poplar canker, have come from Europe, where both these diseases are well known, and in spite of the protection of the European inspection service.

The manual describing the dangerous insects likely to be introduced into the United States has recently been published by the Department of Agriculture. It was designed for the information of Federal and State inspectors, and lists and describes over 3,000 distinct insect pests. Probably half of these are Old World insects injurious to forest and shade trees, and the balance insects injurious to fruit and ornamental trees and to the various farm and garden crops. A similar manual is in preparation on the fungous diseases on plants likely to be introduced into the United States.

LOSSES OCCASIONED BY INTRODUCED PESTS.

In this discussion the actual losses now being suffered from plant enemies, insects and disease, which have been introduced from foreign sources have not been considered. These losses, occasioned by insect pests to agriculture in this country, have been carefully worked out by experts to cover both the actual damage of these pests to the crops concerned and also the cost of the control operations. This is not the place for an extended discussion, but a few illustrations may be given.

Typical examples of insect pests introduced with nursery stock or other plant material are the San Jose scale, the oriental peach moth, and the Japanese beetle. The San Jose scale has been in this country for certainly 40 and perhaps 50 years. It became widespread throughout the United States in the late nineties, and at the present time there is practically not a commercial deciduous orchard in the United States that it is not necessary to spray at least once annually to control this pest. The expenditures for apparatus and spraying alone in the United States amount to approximately $10,000,000 annually. In addition to this are the losses which the insect causes in spite of this control treatment, and they are very large, especially in small orchards and household plantings, where spraying is not always practiced. This insect alone undoubtedly has cost this country during these years upward of $100,000,000.

The oriental peach moth, which gained entry in 1912 with imported ornamental cherry trees from Japan, has just begun its spread and depredations. It affects practically all deciduous fruits, and bids fair to be a much more destructive pest in the long run than the San Jose scale.

The Japanese beetle, brought in about the same time as the peach moth, has already obtained such firm foothold that in view of its habits and powers of prolonged flight it is probably incapable of extermination, and will no doubt ultimately overspread the United States. It attacks not only practically all fruits but also many garden vegetables and corn. The amount of damage which it will ultimately cause to American agriculture is undoubtedly tremendous. It is worthy of note that this beetle, in the opinion of the experts of this department and of the State of New Jersey who have investigated the matter, was brought in by the Dreer Nursery with importations of iris from Japan. The insect first appeared in the heart of the Dreer Nurseries, and has

spread from this center over an area of approximately 25,000 acres, involving four townships in New Jersey, opposite Philadelphia.

The annual cost to this country of the San Jose scale and the probable ultimate annual cost of these other two recently introduced oriental pests, would probably pay for the total importations since the foundation of this Republic of ornamental, nursery, and florist stock. The declared value of the importation of such stock for the year 1914 was only $3,000,000. It should be understood that the plant stocks still permitted entry represent much of this value.

These insects are mere examples of a vast horde of introduced insect pests. Upward of 100 different imported injurious insects to agriculture and forestry have been thus introduced, and in addition to these, hundreds of other minor insect pests. The total annual loss occasioned by these introduced insect pests to our national forest and farm crops, etc., from careful estimates which have been made, very much exceeds a million dollars a day—in other words, approximately $500,000,000 a year.

It is true that many of these foreign insect pests have come in independently of nursery stock, as, for example, the Hessian fly, the pink bollworm of cotton, and European corn borer. Nevertheless, the bulk of the introductions have been with living plant material of all sorts. Losses correspondingly large are chargeable to introduced plant diseases. Nursery stock and other plant importations are responsible for such important diseases as the chestnut blight, which has already destroyed the chestnut forests over much of eastern United States, and threatens the existence of the entire chestnut growth of the country, the white-pine blister rust, a disease already widespread in the eastern white pine area, and the citrus canker recently introduced from Japan and Asia and threatening the very existence of much of the American citrus development of Florida and the Gulf coast. The attempt in Florida and elsewhere in the United States to eliminate this disease has necessitated the burning of nurseries and hundreds of established orchards. Giant oil torches have been devised which will lick up and utterly consume large fruiting trees in a few minutes, and the entire orchards in a few days. This, of course, means the destruction of property which represents thousands of dollars of expenditure and years of labor. Furthermore, Congress has appropriated and is still appropriating considerable sums to aid the control of these pests.

INADEQUACY OF SPECIAL QUARANTINES.

To prevent the entry of like plant pests quarantines and restrictions have been applied under the plant quarantine act to all important diseases as they appear, and in this piecemeal fashion some 20 restrictive orders or quarantines are now in force against foreign plants and plant products. Such piecemeal action can only be taken, however, when the enemy is known and gives no security against such unknown or unanticipated enemies as the San Jose scale, the oriental peach moth, and the alfalfa weevil.

NECESSITY OF GENERAL QUARANTINE.

It certainly would seem to be good business and practical common sense to stop as far as possible such dangerous introductions to the agriculture and horticulture of this country. This is the primary object of the action taken in quarantine No. 37. The experts of this department are convinced that it will be possible very promptly for the producers of this country to supply practically all the needs for plants prohibited by this quarantine, and this opinion has been indorsed by leading nurserymen and florists.

After having studied this subject for many years, and after giving earnest consideration and practical trial to the possible alternatives of inspection and disinfection of plant imports, the department and the country at large have reached the conclusion that the only possible solution of this problem, which is constantly becoming more serious with the widening of commerce, is in the policy of practical exclusion of all stock not absolutely essential to the horticultural and floricultural needs of the United States. The conclusion is absolutely a forced one that no other system will give adequate protection to the great fruit and agricultural interests of the country, and these interests are so paramount as to fully warrant the restriction prescribed at this time in quarantine No. 37.

The main lines of this quarantine are undoubtedly justified, but it is entirely proper at any time for the interests affected to make any suggestion of modification which may appeal to such interests as being warranted to meet essential needs and which can be granted without opening up dangers which quarantine No. 37 is designed to guard against. Correspondingly, should it develop that the entry of any of the plants or classes of plants now permitted should be accompanied with dangers which can not be otherwise safeguarded, on such showing the restrictions must necessarily be extended to cover such plants. In this connection the department now has prepared an amendment to regulation 3, permitting the use of sand, soil, or earth in packing the bulbs specified in item No. 1 of that regulation, when such sand, soil, or earth has been previously sterilized in accordance with methods prescribed by the Federal Horticultural Board.

C. L. MARLATT,
Chairman of Board.

The CHAIRMAN. The pro forma amendment is withdrawn.

The Clerk read as follows:

For conducting such investigations of the nature and means of communication of the disease of citrus trees, known as citrus canker, and for applying such methods of eradication or control of the disease as in the judgment of the Secretary of Agriculture may be necessary, including the payment of such expenses and the employment of such persons and means in the city of Washington and elsewhere, and cooperation with such authorities of the States concerned, organizations of growers, or individuals as he may deem necessary to accomplish such purposes, $186,429, and, in the discretion of the Secretary of Agriculture, no expenditures shall be made for these purposes until a sum or sums at least equal to such expenditures shall have been appropriated, subscribed, or contributed by State, county, or local authorities, or by individuals or organizations for the accomplishment of such purposes: *Provided*, That no part of the money herein appropriated shall be used to pay the cost or value of trees or other property injured or destroyed.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I do so to obtain information from the committee as to the condition of the citrus canker and its ravages throughout the South. As I recall, a year ago when this item was under consideration the gentleman stated that this pest was under control and it would be but a short time when there would be no further need of this appropriation.

Mr. LEVER. In a measure that is very true. The citrus canker has been largely eliminated from Florida and a number of the other Southern States. They have, however, a rather serious outbreak in the Rio Grande Valley in Texas. The work being done now in Florida and other States is largely a matter of investigating and inspecting certain nursery stock to see if there is any left. It will take a few years before the work is complete. Dr. Kellerman, testifying before the committee, stated that two years would probably complete this work.

Mr. STAFFORD. Of this $196,000 appropriation how much is contemplated to be used in Florida and the adjoining States, where the pest was most virulent a few years ago?

Mr. LEVER. My recollection is that it is a very small percentage.

Mr. STAFFORD. So that the greater percentage of this appropriation is to be placed for emergency use in the Rio Grande Valley?

Mr. LEVER. In real eradication work.

Mr. STAFFORD. I withdraw the pro forma amendment.

Mr. LEVER. The gentleman will observe there is a decrease of $50,000.

The Clerk read as follows:

For soil bacteriology and plant nutrition investigations, including the testing of samples, procured in the open market, of cultures for inoculating legumes, and if any such samples are found to be impure, nonviable, or misbranded, the results of the tests may be published, together with the names of the manufacturers and of the persons by whom the cultures were offered for sale, $39,060.

Mr. RAYBURN. Mr. Chairman, the civilized world has just passed the supreme crisis in its history. Civilization and its right to exist has been put to its bitterest test. War has been waged between two antagonistic and irreconcilable systems of government—on the one hand a government of brute force administered by the few, and on the other government by designated representatives of the masses. Out of this clash of contending systems may we hope that lasting good to all the world may flow.

In this great conflict in which right and justice contended successfully and victoriously against all the minions of autocracy and infamy the United States played no small part. A more magnificent army of brave and sturdy young men never went to battle with a sublimer courage nor in a juster cause. All honor to them for the part they have played. Nothing that we can do will be too good for them when they return nor in the years that are to follow. Nothing that we can do for them will be more gladly received by them nor do them and their posterity as much and lasting good as to preserve for them the best government ever devised by statesmen.

These intrepid young men went forth to fight for this Government and its rights, not for some other form of government or its rights. They went forward with zeal and glee to fight for this Republic and its great institutions. We should make it our highest hope and our first ambition to preserve for them when they return a representative Republic and not a conglomerate mass of socialism and all the other isms.

The great work of this war has been finished, and let us hope that in finishing this task we have put war so far in the future that none now living will ever again be called from the wonderful arts of peace by the dreaded note of martial music.

With this task now completed, we turn to the tragic days of reconstruction. I say "tragic" because I think they are the most momentous days that this Republic has faced since the curtain rose on American history. The coming months are freighted with more opportunity for evil than any ever faced, not excepting those following the great War between the States, when so many foolish and unnecessary things were done by people in the atmosphere of passion and prejudice.

I fear that the trend of the times is a sinister portent for the preservation of the Government that our soldiers fought to continue. Instead of the established way of curing evils that grow up in industry, by legislating to correct those evils, from many quarters the only suggestion that comes is for the Government to take over, own, and operate the industry—and every time some sick and tottering makeshift of an industry gets into the deep waters of real affairs it comes running to the Government, crying "Take me ere I perish."

When the Federal Trade Commission had a short time ago conducted an investigation into the packing industry of the country and found that evils existed—and I do not doubt there are many that should be corrected—they did not come to Congress with a recommendation of a program of legislation to correct these evils and divorce the packing industry from some of the many lines they have taken up, which the commission reports is not just and right to the public, but they came with a single recommendation that the Government take over and operate the allied lines of the packing industry.

Then comes the assertion that the telephones and telegraphs are not performing the functions for which they were intended and that evils have grown up in their operation, which I believe is correct. Does a recommendation come from the Postmaster General, who now has charge of the telegraphs and telephones under the war power, of a program of legislation to correct these evils and force the telegraphs and telephones to well serve the people and the Government? No; but the single recommendation that the Government take over, own, and operate the telegraph and telephone lines. What do we find in connection with the telegraph and telephone lines? Complaint from every portion of this land comes of the poorer service and a higher rate. I want to say that I am in favor of restoring the telegraphs and telephones to private control, under Government regulation, at the earliest possible moment.

Mr. Chairman, the greatest problem that we face to-day is the railroad question. The question is, Shall we keep the railroads or with proper legislation turn them back to private control? I am not now nor have I ever been in favor of Government ownership of railroads, and nothing that has happened in the recent past in Government operation has caused me to lessen my opposition to Government ownership of railroads, but has intensified that opposition. I here and now make the broad assertion and defy successful contradiction that Government ownership in practical results has been a dismal failure the world over. Everywhere it has brought higher rates, more unsatisfactory service, and a lower wage to labor. I am within the facts when I say that every country in Europe except England has now or has had in the past some form of Government ownership of railroads, and I am further within the facts when I say that statistics show beyond a doubt that in the whole of Europe it costs as much to haul a ton of freight 1 mile as it does to haul a ton of freight 2 miles in the United States, with a poorer and more unsatisfactory service, both for freight and passengers.

Take Prussia, where Government ownership is at its best, where it is operated under the best conditions anywhere in the world, the haul on the same commodity is just about twice as much as it is in the United States. These conditions exist in Europe, where the railroads are standardized, and where the country is fully developed—where all the railroads that are needed or wanted have already been built and are in operation. How much more burdensome and expensive would Government ownership be in a country like ours, where so much of our country is practically undeveloped, and where people are crying for the expenditure of enormous sums to extend existing lines and to build new roads that are necessary for the development of virgin territory? How much higher would freight and passenger fares mount here, when the Government can not now run the roads without an enormous deficit, even though the rates have been increased to an unheard-of extent? Private initiative and the hope of ultimate profits only will cause the hazard of new roads into new and undeveloped territory. Individuals always operate industry more economically than government.

What magic has been wrought anywhere at any time with Government ownership of anything that would cause this wild shriek of the centralizationist in favor of plunging this country into this maze of destruction to the fundamental principles of this Republic? I make the assertion here and now that under the Interstate-commerce clause of the Constitution the Government has all the regulatory power over the instrumentalities of interstate transportation that it would have under Government ownership. If the Government should encumber itself with the ownership and operation of all the railroads, it would involve itself in political confusion and corruption unspeakable, which alone would offset any possible advantage suggested by the disordered mind of the wildest theorist. Government ownership has been the football of politics everywhere. The man who thinks for a moment that Government ownership and operation will take the railroads out of politics is indeed a shortsighted man. If we had Government ownership of railroads there would be more political logrolling by Members of Congress and influential organizations to get new roads built, existing lines extended, and ornate depots built in ambitious towns than there has ever been with the rivers and harbors or with public buildings, with all the reported stench of "pork barrel."

Gentlemen talk of Government ownership lightly and seem to think that it would be an easy transition from private ownership and control to Government ownership and operation. They seem to forget that at one fell swoop they would add more than $20,000,000,000 to our national debt. On December 13, 1916, the latest date for which the Interstate Commerce Commission has complete figures, the total outstanding capitalization of all the railroads in the United States amounted to $20,679,350,501, of which $8,958,815,801 was stock and $11,720,534,690 was bonds. There are in the United States to-day 503,833 stockholders, and the Interstate Commerce Commission reports that they do not have a definite number of bondholders, but there are probably as many bondholders as stockholders.

Do you think that it is a small question when we start out to try to deal with these billions worth of property and with a million stock and bond holders of this country? It matters not whether the stock and bonds which they hold represent value or not, at least all the small stock and bond holders have paid value for their holdings. You would also by this one stroke add 2,000,000 employees to the Government, which would again add to the politics of the situation. The politicians would at that time be torn between two contending factions—the public on the one hand demanding better service and a lower rate, with 2,000,000 employees on the other hand demanding increased wages. I believe that every laboring man should have a wage that is a living wage, provided he earns it. I think that wages in many lines, and especially in the railroad service, have been too low in the past; some of them have probably been high enough. It is not because I want to defeat the ends of labor, whereby a man may receive a wage that he can support himself and his family decently, that I oppose Government ownership of railroads, but I believe that a great many employees of the railroad companies have been misled into supporting Government ownership of railroads on the one ground only, and that is that under the recent Government operation they have received a higher wage than they did in the past. Does labor want to go on under a system where merit commands promotion and where the humblest man may aspire to the highest place in the service, or does he want the good jobs to be handed around as political plums to some one because he supported some particular man or some political party?

In the United States under private control, even before the recent increase in wages to the employees, the employees of railroads received the best wages and had the best hours of labor of any class of railway employees on earth; but with the Government owning the railroads, with 2,000,000 men on one side demanding higher pay, with the other millions of Americans on the other side demanding better and cheaper service—does the railroad employee believe that he would be able to command higher wages when the organized taxpayers of the country felt the tremendous burden of increased rates that always goes with Government ownership and operation of railroads?

Talk of taking railroads out of politics by Government ownership! Gentlemen have only to refer to the history of countries that have tried it. In some of the countries that have Government ownership of railroads the politics of the situation has become so bad that every person high or low employed by a railroad has been denied the right to vote for any member of the legislative branch of the government. It would build up here at Washington a bureau government the like of which has never been seen in the world, and no one who has read history with any degree of understanding will deny that a government by bureau is the worst and meanest autocracy upon the earth.

Ah, gentlemen, shall we send forth our gallant young men to fight and die to destroy autocracy and tyranny in a foreign land, and at the same time allow to be built up in our own land another kind of autocracy? In this hour of reconstruction and hysteria we had better go slow in throwing off the tried and tested and taking on the new and untried. Every consideration of the public welfare, it seems to me, argues against government going into any more business than it is now in. It is the province of government to govern business where there is need, not go into business. If the American people are ready for higher taxes, higher, more expensive, and more unsatisfactory service, they are ready for full Government ownership and operation of industry.

If the cotton farmers of the South want higher rates on cotton shipments, which will be taken from the price of cotton, and hence a lower price, they are ready for Government ownership of railroads. If they want a system under which the service will be poorer, as is the case in all countries that have had Government ownership and operation, then they are ready for Government ownership. I do not believe they are ready for this or want it.

Everyone knows who is not blind to the facts that we have race feeling in some sections of the country, where whites and blacks are not now and never will be on an equal social plane. Do the people of these sections want the separate coach law abolished and whites and blacks made to ride in the same cars? I tell you frankly, this is what will happen, as Congress will never pass a law nor uphold one forcing whites and blacks to ride in separate coaches. This matter alone would add fire and action to this question that we are all seeking to keep from flaming into destruction.

Is it possible that government is so impotent that it can not deal in a legislative way with the great problems of industry, or will the statesmen of this hour acknowledge their inability to cope with the situation and surrender to this form of bureau autocracy that is against the genius of our Republic and its institutions and which will, if adopted, ultimately destroy our form of government?

Government ownership of railroads would destroy every sort of competition in facilities and service, and no one who knows the situation will argue but that the conveniences to the public in travel are brought about by the competition in service and facilities.

Under private ownership we have built up the greatest and most efficient and extensive railroad system in the world. In America we have, by the latest official report, 252,029 miles of railroad. The next country approaching this in number of miles of railroad has about one-sixth as many miles of railroad as the United States. There are only seven countries in the world that have more miles of railroad than the State of Texas. Do you think that under Government ownership, with all of its attendant ills, we would to-day have the great system that we have? I warn the people of the undeveloped sections that they had better think twice before they embrace this Government ownership theory. All the money that could be raised would not be enough to make the improvements wanted in the developed sections where they have enough representation here to outvote the sparsely settled sections. I here put in the RECORD the number of miles of railroad in the leading countries of the world:

Number of miles of railroad in the leading countries of the world.

Country.	Year.	Miles.
Russian Guardian	1914	33,701
Germany	1913	37,934
France	1913	25,478
Hungary (State)	1912	2,413
Holland	1914	2,389
Switzerland	1915	3,292
Italy (State)	1913	8,461
Austria	1913	14,431
Bavaria	1913	13,520
Denmark (State)	1914	2,333
Norway	1917	1,975
Sweden	1912	8,650
Spain	1912	9,291
Portugal	1910	1,521
Russia	1914	41,622
Western Australia	1917	3,379
Russian State	1914	1,242
Roumania	1914	2,205
Canada	1917	38,604
Japan	1912	11,821
Argentina	1914	21,104
Java	1917	5,955
India	1915	35,245
Egypt (State)	1912	1,845
South Africa	1915	9,310
New South Wales	1917	4,313
New Zealand	1917	2,970
Queensland	1917	4,930
Victoria	1917	4,110
South Australia	1917	2,221
United States	1917	252,029

During the next two years the opponents of these doctrines must be vigilant, as there is going to be conducted a campaign for Government ownership the like of which this country has seen few times in the past. I know not what course others may take, but as for me I intend to resist with all the force I possess any attempt to commit the party of which I am a member to this destructive and socialistic heresy.

I thought when we passed the railroad-control act that the railroads should be held a reasonable time after the war for good reasons, and the principal of these was that whatever remedial legislation was desired should be passed. The act provides 21 months after the formal ratification of peace. I thought then, and think yet, that this period was long enough, and I sincerely hope that the necessary legislation may be passed and that they may be turned back to private control at even an earlier date. I therefore do not favor the recommendation of the Director General of Railroads to extend the Government operation for five years after peace is declared, for I know if Government control is extended for five more years that it means permanent Government ownership and operation. Millions of money must be spent upon the railroads within the coming five years, and I know that with all of these millions of Government money in the railroads that we will be so enmeshed in Government operation and control financially that we can never get out.

The retiring Director General of Railroads says that he wants this five-year extension of Government control in order to take the question out of politics, yet a five-year control would place it beyond two more presidential elections. The incoming Director General of Railroads says that he wants a five-year extension of Government control so that the question may be fully discussed in the political campaigns that are to come. The same as I am against a five-year extension of Government control because I know that the question is to be unsettled and in the politics of the country for five more years, I am also against the recommendation of the railroad executives that a secretary of transportation be named as a member of the Cabinet, and as others argue the railroad executives say they want to take the question out of politics, yet they would name a Cabinet officer secretary of transportation as the supervisor of railroad operations in this country, whose office would change with each changing administration and would plunge the question into politics and keep it there continuously.

Much has also been said about regional control. I have not yet heard a plan announced for regional control and operation of railroads that I believe is feasible. If we have regional operation of railroads we must do one of three things, in my opinion. We must first have one control and one ownership in the region which would be necessary if we are to have a region, in order that poor roads and rich roads alike may survive; for under one single system the profit or loss would be spread out over the whole system; or, second, in this region rates must be set high enough, if there are to be separate systems, that the poor road can get enough money to maintain itself, which rate would allow the rich road to make more than would be just and fair, and the only way that this could be equalized would be to tax out of the rich road above a certain percentage of its earnings the remainder of its earnings; or, third, a rate must be set in that region on all railroads, considering the rich and the poor road, which would be presumably just and reasonable, but under which the rich road would make money and the poor road would lose money, and that the surplus of the rich road would be taken and applied to the deficit of the poor road.

These are the only three ways that I can understand or that I have heard advocated that a region be adopted and operated, and I can not subscribe to either. Instead of destroying the State commissions, as some would advocate, they should be used for all of the valuable information that they may possess and allowed to exercise their proper functions, and in this way make the State commissions the directors for the State regions. I quite agree, therefore, with the recommendation of the Interstate Commerce Commission that a better understanding should be brought about between the State and Interstate Commissions. They are both great instrumentalities for good, and instead of the antagonism that has heretofore existed between them they should work in the fullest harmony. I believe further that when the Interstate Commission is considering a case that affects a railroad that enters a State that the commissions of those States should be officially notified and allowed to appear either in person or by representative.

Mr. Chairman, I can see nothing in the present situation that make it any supertask as to turning the railroads back to private control, and I fear that the idea that is so prevalent that some radical changes must be made and a maze of new law enacted will cause the advocacy and probable passage of wild and needless legislation. There are some things that I am definite should be done and some that should be given our best consideration, which at this time I am not sure as to the wisdom. When I say that I think private control and ownership is much preferable to Government ownership and control, I do not mean to justify many acts of railroad management for many things done in the past, nor acquit them of the injustices that they have practiced toward the public. A railroad wrecker is a commercial highwayman and should be dealt with as any other robber. He should have the extreme penalty of an extreme law.

Much complaint has come from the railroads that they have been unable to raise money by sale of their securities to make needed improvements. This lack of confidence of the investing public in railway stocks and bonds has been the fault of the railroad owners themselves. In the past they have issued and sold securities based on nothing but wind and water that represented nothing in the hands of innocent purchasers but hope, and that has usually been a vanishing hope.

In 1914 I introduced a bill to give the Interstate Commerce Commission control over the issue of securities of railroads, which bill passed the House almost unanimously but never got through the Senate. I still advocate the measure as one of the vital things that should be done before the railroads are turned back to private control. I believe that before the railroads should be allowed to issue any additional securities, that they should come before the Interstate Commerce Commission, present their full case, and be forced to justify the issuance of

these securities; lay before the Interstate Commerce Commission what they intended to do with the money and receive the approval of the Interstate Commerce Commission of the issue before they are allowed to put them upon the market.

After these securities have been put upon the market and sold, the railroads should then, at the call of the Interstate Commerce Commission, be compelled to go in and show that they spent the money for the purposes for which they asked that the issue be made. I believe that it should be made so that railroad securities in this country should represent value the same as any other sort of security. The railroad companies should have no secrets from the public; therefore their books and papers, letters, files, and all should be open to the inspection of the accredited representatives of the Government. When the railroads make an application to the Interstate Commerce Commission under this system for approval of an issue of securities, the different State commissions, through which the railroad runs, should be notified of the application and of the hearing, and be allowed to appear in person or by designated representatives to present the facts as they get them from their supervision of the railroads in their State. And while I am upon this point I desire to say that power should be given so that there may be a complete and a definite understanding between the Interstate Commerce Commission and the different State commissions. In other words, I would adopt the recommendation of the Interstate Commerce Commission, which is as follows:

That, without abdication of any Federal authority to finally control questions affecting interstate and foreign commerce, the commission be authorized to cooperate with State commissions in efforts to reconcile upon a single record, the conflicts between the State and the interstate rates.

There should be a better unification of service and especially of terminal facilities. The railroads should be allowed or should be forced to have common terminals, operated so that there will be no discrimination between roads. There should also be a unification of ticket offices, which would, indeed, effect a saving. I also believe that under the strict supervision of the Interstate Commerce Commission that some forms of pooling of traffic and equipment should be allowed.

Furthermore, I think that under proper supervision freight should be routed over the shortest or the least-congested lines, to the end that it will reach its destination in the shortest time and hence in the least expensive way. Then, I think that the question should be taken up and well considered as to giving the same body that controls the rates the power of control over wages. This is a question upon which I express no definite belief at this time, but one that I think within the 21 months that we have for Government operation should be considered. Federal incorporation is advocated from many quarters. This is a question that should be taken up and given the fullest consideration. However, I at this time express doubt as to its wisdom or as to the country being ready to receive it.

There should be some way devised in railroad operation under which there would be a better understanding between employer and employee. It should no longer be that each should think that the other is his enemy. I sometimes think that probably the man who gets promoted to one of the higher positions forgets that the fellow down in the ranks from which he came is the same kind of a fellow that he was when he was also down in the ranks.

Mr. Chairman, the railroad question is only one of the many seriously important ones that will come before the Congress for consideration. None are so tremendous that they can not be solved if the statesmen of this day will, without fear, speak their minds and vote their convictions. This I intend to do. I know if I am right that my people will sustain me. I have supreme confidence in the fairness and intelligence of the American public, and I would warn the politician of this time that the great heart of America is sound and will stand for no attempt at deception. We have a great opportunity and a great work to do. Let us put our hand to the plow and not look backward until this labor is done.

Mr. Chairman, I believe in this Government and its institutions. On my desk and in my room at my hotel and also on my desk at home, down on the farm in Texas, I keep a copy of the Constitution. When I read it I many times think that the men who wrote must have been inspired by the One who notes even the sparrow's fall and knows all things. We should wait long before we do anything that would change the fundamentals of the Republic. Next to my religion, I believe in my Government, and if I should ever attempt knowingly and purposely to strike at its foundation, I hope that my best arm may fall useless to my side and that my tongue may speak no more.

Give us men at this tragic hour with strong hearts and true; men who are willing to sacrifice; men who are willing to lay political ambition on the altar of right and justice; men who will use their God-given talents to a fearless solution of these mighty problems and to the preservation of the best and freest Government ever devised by the wisdom of statesmen or wrought in the blood of heroes.

For the information of Members, I here insert in the RECORD the bill as introduced by me for the control of the issuance of securities by common carriers and which passed the House in June, 1914:

SEC. 20a. That from and after the passage hereof it shall be unlawful for any common carrier subject to the act to regulate commerce, as amended, to issue any capital stock or certificate of stock or any bond or other evidence of interest in or indebtedness of the carrier (hereinafter collectively termed "securities"), or to assume any obligation or liability as lessor of another carrier, or as lessee, guarantor, surety, or otherwise in respect of the securities of any other person, natural or artificial, if connected with or relating to that part of the business of such carrier governed by the act to regulate commerce as amended, even though permitted by the authority creating the carrier corporation—

(a) unless it be for some purpose within its corporate powers and in the public interest, necessary or appropriate to the proper performance of its service for the public, and not intending to impair the financial ability of the carrier to discharge its duty to the public; and

(b) unless and until, and then only to the extent that, upon application by the carrier, and after investigation by the commission of the purposes and uses of the issue and the proceeds thereof, such issue is approved by order of the commission as reasonably necessary or appropriate for the purposes stated.

"Each such application shall be made in such form as the commission may from time to time determine and prescribe, and shall set forth such matters as the commission may require, including:

"First. (a) The total amount of proposed issue, and how authorized by or on behalf of the carrier;

"(b) The number and amount of all of its securities outstanding at any time prior to the date of such application, the amount thereof retired prior to said date, the amount thereof then undisposed of, and whether such amount is held in the treasury of the corporation as a free asset or pledged, and, if pledged, the terms and conditions of such pledge;

"(c) The number and amount of securities then to be issued, and whether to be sold, pledged, or held in the treasury of the corporation as a free asset, or otherwise disposed of or applied, as the case may be, specifying number and amount in each case; if any such securities are to be sold, the terms and conditions of sale; if any part of the consideration to be received therefor is other than money, an accurate and detailed description of such consideration; if any such securities are to be pledged, the terms and conditions of pledge; or if other disposition or application is to be made, a full and detailed explanation thereof;

"(d) The number and amount of its securities so authorized, but not then to be issued;

"(e) If the issue is of shares of stock, the number thereof, the face or par value thereof, if any, specifying whether common or preferred, and the number and kinds of then outstanding shares previously issued.

"Second. The preferences or privileges granted to the holders of any such securities; the dates of maturity, rates of interest, or fixed dividend, whether cumulative or not, and any conversion rights granted to the holders thereof, and the price, if any, at which any such securities may be retired or redeemed.

"Third. The purposes to which the proceeds of the issue are to be devoted, in such detail as the commission may require.

"Fourth. In case of proposed assumption of any obligation or liability in respect of the securities of any other person, natural or artificial, like showing shall be made as to the financial condition of said other person, as also of the objects sought and benefits to be realized by the carrier from such assumption, to be accompanied by copies of any agreements or contracts therefor.

"Every application for authority, as also every certificate of notification hereinafter provided for, shall be made out under oath, signed, and filed on behalf of the carrier by its president, a vice president, auditor, comptroller, or other executive officer having knowledge of the matters therein set forth and duly designated for that purpose by the carrier.

"Whenever any securities set forth and described in any application for authority or certificate of notification as pledged or held as a free asset in the treasury of the carrier shall, subsequent to the filing of such application or certificate, be sold, pledged, repledged, or otherwise disposed of by the carrier, such carrier shall, within 10 days after such sale, pledge, repledge, or other disposition, file a certificate of notification to that effect, setting forth therein all such facts as are required by subdivision (c) of the foregoing first paragraph, or as may be required by the commission.

"Upon application to the commission for approval of proposed issues of securities the commission shall cause notice to be given to the railroad commission or public service or utilities commission, or other appropriate authority, of each State in which the applicant carrier operates. The railroad commission, public service or utilities commission, or other appropriate State authority, thus notified shall have the right to present before the commission such representations as they may deem just and proper for preserving and conserving the right and interests of their people and the States, respectively, as involved in such proceeding. The commission may hold hearings, if it sees fit, to enable it to determine its decision upon the application for authority.

"Nothing herein shall be construed to imply any guaranty or obligation as to such issues on the part of the United States.

"The foregoing provisions of this section 20a shall not apply to notes to be issued by any said carrier maturing not more than two years after the date thereof and aggregating not more than 5 per cent at any time of the securities of said carrier then outstanding. Within 10 days after the date of such notes the carrier issuing the same shall file with the commission a certificate of notification, in such form as may from time to time be determined and prescribed by the commission, setting forth as nearly as may be the same matters as those required in respect of applications for authority to issue other securities.

"The commission shall require periodical or special reports from all carriers hereafter issuing any securities, including such notes, which shall show, in such detail as the commission may require, the disposition made of said securities and the application of the proceeds thereof.

"All issues of securities contrary to the provisions of this section may be enjoined by any court of competent jurisdiction at the suit of the United States, the Interstate Commerce Commission, or of any direc-

tor, officer, or stockholder of the carrier proposing to make the issue; and any director, officer, attorney, or agent of such corporation who assents to, or concurs in, any issue of securities forbidden by this section 20a shall upon conviction be punished by a fine of not less than $1,000 nor more than $10,000, or by imprisonment for not less than one year nor more than three years, or by both such fine and imprisonment, in the discretion of the court.

"From and after the passage hereof it shall be unlawful for any officer or director of any operating carrier to receive for his own benefit, directly or indirectly, any money or thing of value, in respect of the negotiation, hypothecation, or sale of any securities issued or to be issued by said carrier, or to share in any of the proceeds thereof, or to participate in the declaring or paying of any dividends of an operating carrier from any funds properly included in capital account, or otherwise than from the revenues of said carrier. Any violation of these provisions shall be a misdemeanor and on conviction in any United States court having jurisdiction shall be punished by a fine not less than $1,000 nor more than $10,000, or imprisonment for a term not less than one year nor more than three years, or by both such fine and imprisonment, in the discretion of the court."

I here insert in the RECORD a statement made by the Hon. W. C. Adamson, at that time chairman of the Interstate and Foreign Commerce Committee of the House. This statement was made at the time Judge Adamson was retiring from Congress and from membership on the Newlands committee. It is so full of wisdom and good common sense, for which he was famed, that I can not refrain from here again calling the attention of Members of the House to it:

STATEMENT OF W. C. ADAMSON, VICE CHAIRMAN AND MEMBER OF THE JOINT SUBCOMMITTEE.

Mr. ADAMSON. Mr. Chairman and associate members of the joint subcommittee, inasmuch as I am to sever my connection with the committee and not be present to join in a report, I shall embrace the opportunity afforded by the committee to express a few of my impressions.

It is obvious to me from the investigations held in San Francisco and general conditions that during the war it is not practicable to give satisfactory consideration to the subjects before the committee, much less a final report. The public attention is so engrossed in subjects connected with the war as to be reflected in the testimony of every witness. Naturally, witnesses are considering war conditions, and when we try to consider permanent peace practices and regulations the tendency is to try to apply to them the same treatment that is appropriate to war conditions, which is a mistake.

The truth is, all consideration should be given now to war conditions until we win the war, which we must and shall win sooner or later at all hazards regardless of cost. Until that is done all other considerations must be subordinated and all plans and arrangements for peace conditions, such as conducting business in time of peace and the securing of prosperity through private and public enterprise, must be postponed until that period arrives. The mischief of confounding plans for operation in time of peace with war conditions is that diametrically opposite conditions require entirely different treatment. In time of war we need centralization and consolidation, national mobilization of all instrumentalities and all lines of business, and individual enterprise must submit to such conditions of regulation and control as will support war purposes, whereas in time of peace we need general diversification and dissemination of enterprise and energy so as to enliven every portion of the country, stimulate every avenue of business, and production and distribution through individual and local enterprise under local control, which make the ideal conditions of peace.

We have already provided for the mobilization of our industries and resources during the war with a dispatch and efficiency unrivaled by any democracy, if not unrivaled in history, and this in spite of the fact that pessimists have prophesied this was impossible. We must not allow special and designing interests to take advantage of feverish and abnormal conditions during war to perpetuate these conditions to fetter and cripple honest private enterprise, investment, and prosperity when peace comes. During the war discussion of matters in time of peace hereafter to come can be at best but academic—in fact, if indulged in should be only academic, else it might produce either one or two evils—first, diversion of attention necessary to war maneuvers; second, perpetuation of war methods and application of them to peace times.

The propositions of the railroads were made before our participation in the war, and we entered upon their consideration. I hope my views on their propositions may be of some value in the final conclusions of the committee.

The basis of the railroad propositions is the lack of sufficient revenue and repressive, punitive, and unfriendly legislation. It is obvious that the railroads need revenue, but it is equally obvious that their representations have grossly exaggerated the situation and placed it before the committee in an imperfect light, not discriminating between strong and weak railroads and not disclosing to the committee the different figures and conditions of different roads nor assigning the true causes of such financial straits as exist.

Our railroad system is the pride of the country, the best and greatest in all the world, even after making allowance for the lamentations of all the pessimists. It must be preserved, but admission of the fact that it must be preserved does not logically lead to the conclusions insisted upon. I think every railroad in the country should be made safe to the public, safe for life and limb of travelers, and safe for prompt and expeditious carriage and delivery of all property, and it should be safe to the investors in the sense that they are allowed to enjoy profitable return on their money invested, and safe to the operators who depend upon their personal labor and attention for the daily bread of themselves and their families.

The excuse for appealing to Congress for redress is that the Government has hampered the attainment of these ends by repressive and restrictive regulation.

The carriers, in order to insure an ideal system conforming to the conditions which I have already stated, should be enabled to furnish in some places three and four tracks and more, and in all places double tracks, sufficient terminal facilities, and motive power promptly to transport all passengers and freight. It is believed that fair treatment of the public, such as they are entitled to, would insure to the railroads revenues, enough to meet all these demands.

Is it true that the railroads have been deprived of realizing these necessary revenues through unjust and punitive regulation? I deny it. When attention has been called to particular measures for regulation, it has been admitted by the advocates of this revolution that such has not been the result of a single Federal statute. The basic principle of our system of regulation is that rates and practices must be "reasonable and just." No honest man can object to that. Railroads should not make money by rates and practices that are not "reasonable and just."

They can not complain of a general system of regulation, because, although fighting such regulation at every step, the carriers themselves now generally admit the wisdom of the legislation. It can not be claimed that the prevention of rebates and special privileges was injurious or repressive, because many of the carriers themselves advocated that legislation. They can not deny that the law prohibiting the issuing of free passes resulted to their benefit. In fact, they told the House Committee on Interstate and Foreign Commerce that if relieved of that burden they would carry passengers at a much lower rate. Free transportation should be forbidden. The transportation of employees should not be called free transportation. It should be provided for as a part of compensation.

They can not complain at the safety-appliance laws, for the carriers have generally participated in that legislation and have sanctioned the general principles, claiming usually that they have voluntarily been doing all that legislation or necessity required.

Without further enumeration it is safe to say, as I have already done, that no particular act can be justly criticised by the carriers as punitive and unduly restrictive.

Then they reduce the statement to the general complaint that they can not make profits because we control their practices, their rates, and their revenues, and that it is all done by politicians and not by business men. That statement is refuted by the fact that the Committee on Commerce in the two Houses have been composed for generations of the very best business men in the country, not only able lawyers, but men who have had experience in all sorts of litigation concerning transportation and other business, and they have had the advice and assistance in every instance of all the available skill and experience of the railroad experts both in administrative and operating departments of carriers in the United States.

When driven, however, from criticism of Federal regulation they say the trouble is with State regulation, and they want to be freed from 48 different masters. Well, if we taken your position and viewpoint with the millionaire investor, with no interest in the carriers or in the public except to derive dividends from stock or bonds, or take our place with the high-salaried directors and officers of the companies who wish to avoid all regulation possible, and all friction and labor possible, in transacting their business, we may be able to reconcile our minds to revolutionizing our system of government, denying and dethroning the authority of the 48 States, depriving local communities of conveniences and assurance of proper consideration and service in order for one central authority at Washington to make easy corporate operation and render certain large dividends by the proposed step. That view of the case, however, assumes and sanctions a historical and political revolution of our system.

The sovereign States were here first. They made the Government. With them rests the propagation of natural persons and the creation of artificial persons or corporations. Before railroads were ever dreamed of the makers of the Constitution realized that some States were discriminating against other States and that it was desirable that interstate commerce should operate throughout all the States. In order to overcome the discrimination of one State against another State, the commerce clause of the Constitution was enacted, giving the Federal Government the power to regulate interstate commerce.

It was not adopted for the purpose of destroying the power of the States to regulate transactions wholly within their borders, but for the purpose of enabling each State, while surrendering the power of discrimination against other States, to do business in all other States on equal terms. No purpose of the Constitution has been so widely perverted as has this particular proposition, intended solely for the purposes stated.

When we examined the great and able lawyer who represents the committee of 15, representing a portion of the railroads in the United States, he in his honesty and candor admits that that power of the Constitution does not authorize Congress to go into the internal affairs of any State in railroad matters or otherwise. He proposes, at the behest of the committee which he represents, a system of Federal incorporation, and then he admits, as a lawyer, that a Federal corporation will have no more rights under the commerce clause of the Constitution than a State corporation. Congress, under that clause of the Constitution, has plenary power over all instrumentalities alike, no matter where a man is born nor where a corporation is chartered nor where a partnership has its headquarters, for physical and sovereign control over all such instrumentalities applies alike to all, without exception or qualification. The qualification applies not to the form or person of the instrumentality or its origin but only to a line of demarcation, to wit, is the operation within a State exclusively or does it appertain to more than one State?

The truth is that the idea, not of the distinguished lawyer who represents the railroad committee—he would not entertain such a thought—but it is prevalent throughout the country that there is a glamour and potentiality apparently inherent in anything with a Federal name that carries irresistible force everywhere that, bearing such credentials, an agent claiming Federal authority will infringe and fudge and the people will yield. Something akin to moral intimidation will break down local opposition and barriers and that a Federal incorporation would enable things to be done with less friction and resistance. That idea is fortified by a long historical list showing different assertions about the intendment of the clause and the manner of its construction—a long list dangerous to our liberties in connection with the Federal Government.

When that compromise was agreed upon Jefferson and his disciples apprehended and Hamilton and his disciples fully anticipated that Federal construction would lead to the extension of the powers conferred by Federal Constitution, and that accordingly by construction the centralizing idea which seemed to fail of expression in the Constitution would reap full fruition by construction. For strict construction a large number of wise patriots in the country have always contended. Unless we stand with that body of wise patriots we will hasten the destruction of the Republic, which will inevitably come sooner or later through liberal construction which permits Federal legislation and enforces it by more liberal construction.

Entertaining such views, I regard Federal incorporation not only as dangerous but as entirely unnecessary. The proposition "to rid the carriers of 48 masters" is a misleading statement. The persons who bought up these railroads have done so of their own volition, which they had a right to do and operate them cum onore, induced thereto solely by financial considerations. The proposition to change

our form of government to add to their convenience or gains is entirely untenable. The charters granted by the States were intended for local purposes and were consented to by the people from considerations of local conditions, convenience, and profit. Rights of way, local concessions, local control of schedules and connections, the prosperity of towns and communities based on such considerations were all moving factors in original construction.

The fact that final ownership of these railroads has passed to bondholders, stockholders, and other chance investors does not justify disregard or destruction of these conditions. To say that our transportation is a national question is a misleading catch word. It sounds big and is useful in time of war, as has already been shown. In time of peace it is a matter for local consideration. The country is made up of local population and local and individual interests. Its greatness depends on local enterprise and local prosperity. It is sometimes convenient for a tourist or commercial man to hurry from Boston to California, but it is irritating to the local communities, on which the carrier is dependent for its prosperity, to see these palace trains dash by without noticing the localities on which they depend for revenue and verdicts in the courts while relegating the local population to second-class trains, which run before day and after dark, and which often make long waits at connecting points for those selfsame through trains. It would be profitable to the carriers to stop and study considerations of sound policy right there. Furthermore, it is not true that any of these carriers have as yet succeeded in dominating 48 States by ownership of all the railroads. It will be a sad day when they do; but if they should, it would not justify them in changing all laws to suit their convenience in all States.

Every business man has a right to do business in every State, but when he goes away from his own State he must behave himself as a gentleman and conform to the local police regulations for morality and good conduct in all those States. The owners of railroad stocks and bonds and the officials of the carriers are mere humans, citizens of the United States and of the various States, and have no superior right to claim any greater immunity from local submission than have other citizens.

The restrictive provisions contained in Federal and State laws are all leveled at bad men, not good ones. They do not inflict injustice and are not offensive to any honest railroad man any more than laws against immorality and crime are offensive or repressive to preachers and other good men in the country. Such laws are made for the protection of good men by curtailing the evil conduct of bad men.

All benefits of the commerce clause of the Constitution can be easily secured under the present plan of regulation. If we destroy the present Commerce Commission and establish regional commissions, the regional commissioners would be appointed at Washington. They would not be representative of the localities. They would not necessarily be representative of the public view in any locality, and under any suggested plan of review or appeal ultimately all authority would be exercised by some sort of commission at Washington. The new plan like the present plan must be executed by mortal men and their efficiency depends on their personal merits and efforts. The Federal Government can secure just as good men under the present system as under the proposed new plan. The trouble with reformers now and always has been, if you can call this a reformation, is that instead of trying to correct abuses by amending existing systems and executing existing laws they always want to do away with what exists already and undertake new legislation and new systems. If the reformers would first try to enforce present laws awhile, at least far enough to give them a fair trial, and suggest necessary amendments, it would be found much wiser and better.

We have lately amended the present law by adding two commissioners and authorizing subdivisions of the commission, each with power of the commission, with the action of each subdivision subject to revision by the entire commission. The membership should be increased to 15, and they should be selected from every part of the country. They would be no difficulty in providing for and carrying out the present scheme, and it would be better if the commissioners should hold investigations in all parts of the country and discontinue the present system of making these investigations through agents and examiners. If $10,000, the present salary, will not secure the best men in the country, we should be prepared to increase that salary. It is the most important body in the country and should be composed of the ablest and best men, and that could and would be accomplished as easily as with any other possible board.

Every benefit possible under the commerce clause of the Constitution can be realized under the present system. The line between interstate commerce and the exercise of police authority is not definitely defined. It is a matter for ascertainment in each particular case. It is certain the Federal Government is the final arbiter as to where that line can eventually rest. If the present commission has not sufficient authority to condemn every State act which interferes in any way with interstate commerce, Congress can easily make that power clear. When Congress enacts such a statute and the Supreme Court construes it, then it is final.

I apprehend that ultimately the action of the Federal Government will leave very little control over transportation in the States themselves. Every transportation company, railroad or otherwise, which is necessary to the service of the people can be made a participant in interstate commerce, whether it desires so or not, for it can be connected with interstate carriers. Then every act of a State touching that carrier which interferes in any way with the free operation of interstate commerce will be illegal and void when the Federal Government occupies the field. It is certain it may do so and it seems inevitable it will do so. If so, let it come in an easy, progressive, constitutional, and natural way and not be precipitated by sudden and violent action.

So far as the financial operations of interstate carriers are concerned, there is no doubt of the power of Congress to enact appropriate legislation at least far enough to protect the carriers against themselves and one another against frenzied finance and misappropriation of funds, compelling wise application of funds so that the physical condition of the carriers will be improved instead of impaired by irresponsible operation and administration at the expense of the properties themselves and the safety of the public.

The House has once passed the Rayburn bill and the House committee has reported it a second time. If that bill should be enacted into law, in my judgment, it would meet all the necessities of the case, provided the carriers will adjust their rates and practices to insure fair treatment of the different communities in the United States and the development of those parts of the country which need development, thereby creating new and larger and more profitable fields for revenue instead of scrambling for revenue and traffic already created and depleting the revenues of other carriers by such a scramble.

So far as the proposition for Government ownership is concerned, it is absolutely useless in the first place, because whatever regulatory power the Government would have as a sovereign it may have and exercise over the operation of everything within its boundary regardless of ownership. It would have no more power over the recreation of interstate carriers as the owner of the carriers than it does have as the sovereign. It would have no more sovereignty over its own properties than it has over the holdings of other owners, and it would not exercise its power of sovereignty over its own properties to the detriment of the properties of private citizens. If the Government should encumber itself with the operation of all the railroads it would involve itself in political confusion and corruption unspeakable, which alone would offset any possible advantage suggested by the disordered mind of the wildest theorist.

I wish to call the attention of the committee to what I consider the most important subject, next to destroying the Kaiser, in time of war and of peace, and that is the liberalizing of the general dam act so as to induce private capital to improve the navigable streams. The possibilities of development in this country are so great that even if only partially realized the existing transportation facilities will be totally inadequate to distribute the products of our farms, mines, and factories. The navigable waters of the country should be made to carry most of the heavy freight. It is not probable that the Government will make all these improvements in a hundred years. They are very expensive and the number is large.

Almost every navigable stream in the country, however, is interrupted or broken by shoals, which attract capital to develop water power for the generation of hydroelectricity. Almost every such stream can be made to pay at least the expenses of its own improvement for navigability. In addition to that, they would be dotted with all sorts of factories. The electricity generated would electrify most of the railroads in the country and save coal. It would manufacture almost all commodities. It would not only produce from the air nitrates for war purposes and for agriculture, but it would be used to manufacture steel in the most approved methods and soda and aluminum, and cotton goods and woolen goods, and almost every conceivable thing needed for foreign and domestic trade, all of which furnish inducements to private capital to improve the shoals. Up to this time little streams which are nonnavigable have been relied upon, and the proposition has been clouded and confused with the question of dealing with power sites on the public domain of which the United States is the owner as well as the sovereign. These public-land sites and the nonnavigable streams are capable of comparatively small development and benefit, and those who promote water-power development should be induced, if not compelled, to develop the navigable rather than the nonnavigable streams, and the inducements are so much greater because of the much larger power obtainable. If permitted by law, they would be developed instead of the minor streams.

We enacted a general dam law in 1906, of which capital was rapidly availing itself. Many consents of Congress were granted and a great many companies were formed. With several projects constructed under that law, further development was suspended because certain persons in the country started a propaganda to the effect that we were giving away something to private monopoly. Our committee conferred with the authors of that propaganda and tried to agree with them on certain. For instance, they demanded that the Government should retain the power to regulate production, practices, and charges. We arranged to provide that. They insisted that the Government should retain the right to impose all conditions requisite to the public good. We agreed to provide that. It was insisted that the Government should reserve the right to charge an annual amount, based on the benefits to the promoter or grantee, with due reference to the benefits to navigation, and we agreed to that. Finally objection was reduced to the concrete form of demanding that the grantee should submit to a stipulation that he should not only construct such locks, dams, and other structures as required at the time of approval of his plans and specifications, but should thereafter put in such other structures at his own expense as might be required by the Government at any time during the life of his grant, and the further demand that annual charges might after 20 years be changed by the Government without the consent of the grantee, and might be changed each 10 years thereafter without the consent of the grantee. Of course, such stipulations would induce no capital to build dams. Other potent obstruction comes from existing electric companies, who assume an attitude similar to that assumed by the leading railroads, to wit, that development is practically finished.

The railroads say no other railroads should be built unless the present railroads need them and also the buildings. The present electric companies object to the further development of other electric enterprises through fear that competition would reduce the price of electric current, although such reduction would be of great benefit to the public in the building up of the country and break their strangle hold on prices and popular prosperity. They are willing for extensions to be made provided they can control extensions and prices. This suspension of construction has enabled them to acquire property rights at most of the sites, for the original owners were unable to hold unprofitable property, and sold it to the water-power trusts, the only purchasers in the restricted market. It is necessary to liberalize our legislation to provide for condemnation proceedings, so that other investors may secure these sites for improvement if the companies holding them persistently refuse or fail to develop them. I commend the entire subject to the committee for the consideration its transcendent importance deserves.

I shall attach to my statement nine exhibits, showing some efforts of the House Committee on Interstate and Foreign Commerce to amend the general dam law and also to control railroad securities.

Mr. MANN. I understand. The opportunity has not been very great during the last week or so, but we are now on the Agricultural bill, making rather rapid progress upon it, and no other appropriation bill is pressing. There is no other appropriation bill that has been reported, except the pension appropriation bill, which would not take 15 minutes to pass, except for the general debate, probably, and there is no likelihood of the Army bill being reported very soon; and I do not know when the naval bill will be in, but it never comes in on time, or it never has in my experience.

Mr. STAFFORD. Will the gentleman yield?

Mr. MANN. I am not going to object to the gentleman's request, but I had hoped that the gentleman would make his

speech in the House, because the members of the committee upon which the gentleman serves tell me it would be in all probability a very interesting and elucidating speech.

Mr. STAFFORD. Mr. Chairman, reserving the right to object, I know I voice the sentiment of many Members on this side of the aisle who would like to hear the gentleman from Texas deliver this speech on the all-important subject of Government ownership of railroads. I think the membership of this House would be willing to stay here half an hour longer and allow the gentleman now to proceed to deliver that speech. Would the chairman of the committee have any objection, in view of the manifest expression of interest in the gentleman's remarks, to permitting him to proceed for half an hour?

Mr. LEVER. Well, Mr. Chairman, I think it is hardly fair to the Committee on Agriculture, as much as we would like to hear the gentleman's speech. I regard him as one of the ablest men in this House, but the Committee on Agriculture has important business ahead of it. I have arranged for a conference with certain gentlemen touching the wheat-guaranty price on Saturday, and I am very anxious to finish this bill in time to attend to that matter. Next week the committee is going to be engaged practically all the week in trying to work out some plan by which the Government can keep its faith with the wheat farmers of this country.

In addition to that the Committee on Agriculture has other matters that it ought to give attention.

Mr. SABATH. Mr. Chairman, I ask for the regular order.

The CHAIRMAN. The regular order is demanded.

Mr. STAFFORD. Will the gentleman just withhold that for a moment?

Mr. SABATH. Yes.

Mr. STAFFORD. The chairman will agree that we are making very good headway on his bill. There are not very many items that will provoke debate. Does not the gentleman feel certain that we shall finish this bill at an early hour to-morrow afternoon?

Mr. LEVER. I hope so.

Mr. STAFFORD. Why would the gentleman not be willing to make an exception now?

Mr. LEVER. Why not agree that at the conclusion of the consideration of this bill the gentleman from Texas may have his time?

Mr. STAFFORD. That would prevent the gentleman from Texas attending very important committee meetings.

Mr. LEVER. If the gentleman from Texas will do that, I shall be glad to promise to help make a quorum and secure him an audience.

Mr. STAFFORD. I suppose it would be more agreeable to the gentleman from Texas to go on right now, and we could stay an hour later this evening.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. MANN. I have read the letter from the Federal Horticultural Board in regard to the plan for international prohibition, and, while it has some facts in it that might be new to me, the scope of the letter is in no wise new and it does not throw light on the question that I sought information about.

Mr. LEVER. I have not read it myself.

Mr. MANN. Well, the letter is misinforming in one respect. It says the objection comes because of a letter sent out by Henry A. Dreer, of Philadelphia, one of the great seed merchants of the country. This regulation has been discussed in a great many florists' and gardeners' journals, regardless of the statement of Mr. Dreer. I have not seen the statement of Mr. Dreer, but I have had communications from a great many people who, like myself, are interested in amateur gardening, and letters from a great many people who, knowing my interest in the subject, have written me because of their interest in commercial propositions. In the main, while they criticize the order, I think the desirable thing they wish to know is whether this order is absolute and is going to stand; whether the Federal Horticultural Board, vested with power, has made up its mind that it is going to enforce the plant quarantine for protection to American industries in the florists' and nurserymen's lines, or whether, as suggested by the latter end of this letter, it is going to yield on nearly everything that anybody kicks about—because that is the intimation in this letter.

Mr. LINTHICUM. Mr. Chairman, will the gentleman yield for a question?

Mr. MANN. Yes.

Mr. LINTHICUM. In some letters that I have received they seem to have objected to this order as to certain plants, azaleas, and things of that kind. Has the gentleman any information on that subject?

Mr. MANN. Most of our azaleas and fancy rhododendrons and most of the foliage plants and everything of that sort, for both outside and inside, we import from Belgium, or did import from Belgium in the past. We have not imported any in the last few years. They come to us in the main wrapped up with the balls of earth around the roots. They are wrapped. The Department of Agriculture claims, and perhaps justly—and I am not criticizing the claim at all—that the importation of diseases and insects in the dirt is very dangerous, not to mention the importation of the same things in the superstructure of the plant. But those things will be absolutely cut out. They can not raise those things in this country profitably.

Mr. LINTHICUM. The Gardeners' Club of my State are going to hold a meeting in February, and they are going to take up the subject. They think it will injure the business.

Mr. MANN. It is going to revolutionize the business of the florists and nurserymen if it is enforced. That is what I am trying to find out—whether they had made up their minds to keep it or whether this is a tentative proposition to find out how much kicking there will be. They need not solace themselves with the idea that the kicking is going to come only from Mr. Dreer, of Philadelphia. It is universal, I may say.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For acclimatization and adaptation investigations of cotton, corn, and other crops introduced from tropical regions, and for the improvement of cotton and other fiber plants by cultural methods, breeding, and selection, and for determining the feasibility of increasing the production of hard fibers outside of the continental United States, $104,410: *Provided*, That not less than $7,500 of this sum may be used for experiments in cottonseed interbreeding: *Provided further*, That of this amount $3,000 may be used for experiments in the production of New Zealand flax in the United States and for its utilization in the manufacture of binder twine.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Michigan moves to strike out the last word.

Mr. McLAUGHLIN of Michigan. I do so for the purpose of calling the attention of the chairman of the committee to the wording on page 24, line 14, a matter that we have passed, where the words are unusual, and such as we have refused in other places to use.

Mr. LEVER. On what line is it?

Mr. MANN. Line 14, page 24, "That not less than $7,500 of this sum may be used," and so forth.

Mr. LEVER. I suggest that the gentleman offer an amendment to cure that.

Mr. McLAUGHLIN of Michigan. It should say, "Of this sum $7,500 may be used."

Mr. LEVER. That is in my print of the bill now.

Mr. McLAUGHLIN of Michigan. It says, "not less than $7,500."

Mr. LEVER. That "not less than" ought to be cut out.

Mr. McLAUGHLIN of Michigan. I think it should read—and I think the committee will agree with me—"that of this sum $7,500 may be used."

Mr. LEVER. That is correct.

The CHAIRMAN. The gentleman from Michigan [Mr. McLAUGHLIN] offers an amendment. Will the gentleman repeat his amendment?

Mr. McLAUGHLIN of Michigan. It should read, "of this sum $7,500 may be used."

Mr. MANN. It depends on what is intended by it. It is easy to see how the language in the bill to which the gentleman calls attention is not correct. The last Congress required that $7,500 be used. I take it that this committee did not intend to require that $7,500 be used, but only to permit it to be used.

Mr. McLAUGHLIN of Michigan. The gentleman is correct.

Mr. MANN. Of course, in that event the gentleman's amendment is correct.

The CHAIRMAN. The gentleman from Michigan [Mr. McLAUGHLIN] asks unanimous consent to return to line 14, page 24, for the purpose of offering an amendment, which the Clerk will report. Is there objection?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. McLAUGHLIN of Michigan: Page 24, line 14, after the word "not," strike out the word "less" and insert the word "more," and transpose the words "of this sum" to follow the word "that," so that it will read: "That of this sum not more than $7,500 may be used for experiments in cottonseed interbreeding."

Mr. McLAUGHLIN of Michigan. That is not as I offered it, but it will do.

Mr. LEVER. That is all right.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. McLAUGHLIN].

The amendment was agreed to.

The Clerk read as follows:

For testing and breeding fibrous plants, including the testing of flax straw and hemp, in cooperation with the North Dakota Agricultural College, which may be used for paper making, $16,760.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. Certain Members of the House who served on the famous Mann pulp and paper investigating committee are interested in the investigation and development work provided for in this paragraph:

For testing and breeding fibrous plants, including the testing of flax straw and hemp, in cooperation with the North Dakota Agricultural College, which may be used for paper making, $16,760.

Can the gentleman from South Carolina tell the House of the status of this work, and whether this is a perennial appropriation that results in any good at all to the paper industry?

Mr. LEVER. The testimony before the committee was to the effect that the principal work now being done is on flax, with a view to manufacturing paper for the making of paper money, and that their work is progressing very satisfactorily. Of course, we did not hold very extensive hearings on this bill, but I was more encouraged by the brief statement that was made about this than I have been for some time. I think they are going to get some results out of flax.

Mr. STAFFORD. Have they progressed to any extent in the commercial manufacture of paper of any kind out of flax or hemp?

Mr. LEVER. No; not at all.

Mr. STAFFORD. They are just merely doing laboratory work?

Mr. LEVER. Yes.

Mr. STAFFORD. I suppose the gentleman can assure us that this appropriation will continue for many, many years?

Mr. LEVER. This appropriation, like all appropriations for investigation work, for the solving of such problems, is quite likely to continue.

Mr. CRISP. It is like Tennyson's brook—it goes on forever.

Mr. STAFFORD. After the very illuminating information I have received from the gentleman from South Carolina, I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn, and the Clerk will read.

The Clerk read as follows:

To cultivate and care for the gardens and grounds of the Department of Agriculture in the city of Washington, including the keep and lighting of the grounds and the construction, surfacing, and repairing of roadways and walks; and to erect, manage, and maintain conservatories, greenhouses, and plant and fruit propagating houses on the grounds of the Department of Agriculture in the city of Washington, $11,690.

Mr. MADDEN. Mr. Chairman, I make a point of order against that item. The Committee on Agriculture has no jurisdiction to report appropriations for the city of Washington or any part of the expenses of running the Agricultural Department within the District of Columbia.

Mr. LEVER. I think the gentleman's point of order is probably good, but I trust he will not make it. This item has been carried in this bill ever since I have been a member of the Committee on Agriculture, and it provides only for the keeping up of the grounds, buildings, and greenhouses, and the like of that, on the Agricultural Department grounds.

Mr. MADDEN. The Park Board have jurisdiction over all that work, and they are no doubt doing it very satisfactorily.

Mr. LEVER. I do not understand that they are doing anything of the kind. As I say, this appropriation has been carried in this bill ever since I have been a member of the Committee on Agriculture, for 16 years. I suppose it is subject to a point of order if the gentleman wants to make it. I have not looked into it lately——

The CHAIRMAN. The Chair will state that it is not his first impression that this item is subject to a point of order; but if the gentleman from Illinois has any authority, the Chair will be glad to hear him.

Mr. MADDEN. The Committee on Appropriations has jurisdiction over the appropriations for all the departmental expenses and everything connected therewith within the District of Columbia. This Committee on Agriculture has no jurisdiction over appropriations except outside of the District of Columbia.

Mr. LEVER. I made the statement that this is probably subject to a point of order. I remember some years ago, before I was chairman of the committee, this bill was all cut to pieces on the floor of the House by some one making points of order that this committee had no power to report appropriations for purposes within the District of Columbia. This item may stand in a different light from that general proposition. It seems to me that if we are going to have an Agricultural Department, and going to have greenhouses and things of that kind, there ought to be power somewhere to appropriate for their upkeep, and that is all this does.

The CHAIRMAN. When the Chair made the remark that he made, he did not quite understand the point of order of the gentleman from Illinois. The Chair will ask if there is any committee reporting appropriations for the care of the grounds and immediate surroundings of the different public buildings.

Mr. MADDEN. The Committee on Appropriations, in the District of Columbia appropriation bill, report appropriations for all improvements within the District of Columbia.

Mr. MANN. No other bill carries an appropriation for the care of the grounds of the Agricultural Department. The District of Columbia appropriation bill carries items for the care of various grounds, and the sundry civil bill carries an appropriation for the care of the Smithsonian grounds, but there is no other committee that takes care of the Agricultural Department grounds. Probably the only thing that is subject to a point of order here is the words "to erect."

Mr. LEVER. Of course, if the gentleman from Illinois [Mr. MADDEN] desires to press the point of order, I would rather cure it somewhere else, because it is necessary for them to erect small buildings for greenhouse purposes.

Mr. MANN. The item was carried in the bill when they were erecting greenhouses as they needed them. Probably they not not need any this year.

Mr. LEVER. I hope the gentleman from Illinois will withdraw his point of order. I am satisfied that there is no duplication.

Mr. MADDEN. I think the Department of Agriculture goes to a lot of extravagant expense in maintaining the surroundings of buildings in which clerks are occupied and which is entirely unnecessary.

Mr. MANN. Will my colleague yield for a moment?

Mr. MADDEN. Yes.

Mr. MANN. Mr. Chairman, I am one of the few who goes through the conservatories or greenhouses, properly so called, of the Department of Agriculture on the grounds. They have a few men there who are expert hybridizers. The head of the greenhouses is a wonderful man, and he has a number of men under him who have developed more benefit to the country for the same expenditure than can be found anywhere else in the country. All sorts of plants are hybridized by hand fertilization; the seed is saved and planted and the greenhouse records kept. They keep developing some new kind of plant, some new kind of bean or wheat, or something of that sort, that is of inestimable value. That work has not been anywhere else in the world as efficiently done as it is done here. Any Member of the House who wants to get intensely interested in that subject should go down there and try to get hold of Mr. Peters, or some other man under him in the greenhouses, and he will learn more about the wonderful possibilities of the development through cross fertilization and hand fertilization and hand hybridizing than anywhere else in the world, unless he goes to Dr. Van Vleeck out here in Maryland.

Mr. LEVER. Mr. Chairman, I hope that my friend from Illinois will withdraw his point of order.

Mr. MADDEN. Mr. Chairman, I was wondering what prompted my colleague to make such wonderful observations of the beautiful flowers that are propagated at the agricultural gardens around the office of the Secretary of Agriculture in order that the aroma may pass through the windows of the Secretary on a warm day and give him something of pleasure. I take it that most of the items for which money would be expended under this provision of the bill would have nothing to do with the raising of flowers at all. It includes the heating and lighting of the grounds. That I suppose is done by electricity drawn from the power plant of the Potomac Electric Power Co., and it does not require any of these artistic means that my colleague speaks about to change the colors of the flowers to that of the rainbow to do that work. I see, too, that this expenditure provides for the resurfacing and repairing of the roadways and walks, and I assume that they are made of gravel and cement and that no flowers are mixed with the gravel and cement, and hence there is no necessity for hybridizing flowers in that connection.

Then, I see, too, the paragraph provides for the erection of buildings, the management of buildings, conservatories, greenhouses, propagating houses and grounds, but nowhere do I see

anything about raising flowers or the wonderful genius that may be needed for that purpose. But, notwithstanding my failure to understand the necessity for this great work of art about which we have heard, I am persuaded by the smiling countenance of the gentleman from South Carolina and the persuasive argument of my colleague that nothing would be gained by insisting on the point of order, and hence I withdraw it.

The Clerk read as follows:

For the purchase, propagation, testing, and distribution of new and rare seeds; for the investigation and improvement of grasses, alfalfa, clover, and other forage crops, including the investigation of the utilization of cacti and other dry-land plants; and to conduct investigations to determine the most effective methods of eradicating weeds, $139,780: *Provided*, That of this amount not to exceed $57,800 may be used for the purchase and distribution of such new and rare seeds.

Mr. MANN. Mr. Chairman, I move to strike out the last word. May I ask why the amount of the appropriation here is reduced for the purchase of new and rare seed?

Mr. LEVER. That is due to a transfer to the statutory roll. It is really not reduced. It is due to a transfer to the statutory roll of two clerks, class 1, and one clerk at $1,000.

Mr. MADDEN. So it had nothing to do with the purchase of seed, but it was to give a permanent job to somebody on the temporary rolls.

The Clerk read as follows:

For general administrative expenses connected with the above-mentioned lines of investigation, including the office of the chief of bureau, the assistant chief of bureau, the officers in charge of publications, records, supplies, and property, and for miscellaneous expenses incident thereto, $29,040.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I want to ask the gentleman from South Carolina if this apparent reduction in the bill is occasioned in some way by the transfer of clerks to the statutory rolls?

Mr. LEVER. Yes.

Mr. MANN. The current bill carried $91,000 and this bill $82,700. As a matter of fact, it ought to be twice that.

Mr. LEVER. Eight thousand seven hundred and forty dollars has been transferred to the statutory rolls.

Mr. MADDEN. Let me ask the gentleman a question, if I may. I move to strike out the last word. How much did the gentleman say had been transferred to the statutory roll?

Mr. LEVER. Under that item, $8,740.

Mr. MADDEN. That would make the two items come to about $38,000.

Mr. LEVER. Yes.

Mr. MADDEN. How much of an expenditure does this general administrative bureau have jurisdiction over?

Mr. LEVER. This takes care of the office force of the chief of the bureau—his own immediate administrative force.

Mr. MADDEN. I mean the total expenditures under the jurisdiction of the administrative branch of the bureau?

Mr. LEVER. That is $29,000 and odd.

Mr. MADDEN. I do not think the gentleman understands me. Of course, he would not spend $29,000 to run the office force without some duties. What duties do they perform?

Mr. LEVER. They perform the ordinary duties of an administrative officer.

Mr. MADDEN. Over what branch of the service? How much money do they get altogether?

Mr. LEVER. I do not think I get the gentleman's point.

Mr. MADDEN. For example, this says "for general administrative expenses connected with the above-mentioned lines of investigation." How much money is expended altogether in this investigation?

Mr. LEVER. None of this money would be expended on investigation. This money would be expended on clerical hire.

Mr. MADDEN. I understand that. What I want to get at is, What percentage of the total amount of money expended under the jurisdiction of this bill in this bureau does this amount to?

Mr. LEVER. The gentleman will see below that the total is $3,204,000, so that this $29,000 would be a little more than 1 per cent. That is about the way it runs ordinarily.

Mr. MADDEN. It is a little over 1 per cent.

Mr. LEVER. Yes.

The Clerk read as follows:

Purchase and distribution of valuable seeds: For purchase, propagation, testing, and congressional distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants; all necessary office fixtures and supplies, fuel, transportation, paper, twine, gum, postal cards, gas, electric current, rent outside of the District of Columbia, official traveling expenses, and all necessary material and repairs for putting up and distributing the same; for repairs and the employment of local and special agents, clerks, assistants, and other labor required, in the city of Washington and elsewhere, $358,980. And the Secretary of Agriculture is hereby directed to expend the said sum, as nearly as practicable, in the purchase, testing, and distribution of such valuable seeds, bulbs, shrubs, vines, cuttings, and plants, the best he can obtain at public or private sale, and such as shall be suitable for the respective localities to which the same are to be apportioned, and in which same are to be distributed as hereinafter stated, and such seeds so purchased shall include a variety of vegetable and flower seeds suitable for planting and culture in the various sections of the United States: *Provided*, That the Secretary of Agriculture, after due advertisement and on competitive bids, is authorized to award the contract for the supplying of printed packets and envelopes and the packeting, assembling, and mailing of the seeds, bulbs, shrubs, vines, cuttings, and plants, or any part thereof, for a period of not more than five years now less than one year, if by such action he can best protect the interests of the United States. An equal proportion of five-sixths of all seeds, bulbs, shrubs, vines, cuttings, and plants, shall upon their request, after due notification by the Secretary of Agriculture that the allotment to their respective districts is ready for distribution, be supplied to Senators, Representatives, and Delegates in Congress for distribution among their constituents, or mailed by the department upon the receipt of their addressed franks, in packages of such weight as the Secretary of Agriculture and the Postmaster General may jointly determine: *Provided, however*, That upon each envelope or wrapper containing packages of seeds the contents thereof shall be plainly indicated, and the Secretary shall not distribute to any Senator, Representative, or Delegate seeds entirely unfit for the climate and locality he represents, but shall distribute the same so that each Member may have seeds of equal value, as near as may be, and the best adapted to the locality he represents: *Provided, also*, That the seeds allotted to Senators and Representatives for distribution in the districts embraced within the twenty-fifth and thirty-fourth parallels of latitude shall be ready for delivery not later than the 10th day of January: *Provided, also*, That any portion of the allotments to Senators, Representatives, and Delegates in Congress remaining uncalled for on the 1st day of April shall be distributed by the Secretary of Agriculture, giving preference to those persons whose names and addresses have been furnished by Senators and Representatives in Congress and who have not before during the same season been supplied by the department: *And provided, also*, That the Secretary shall report, as provided in this act, the place, quantity, and price of seeds purchased, and the date of purchase; but nothing in this paragraph shall be construed to prevent the Secretary of Agriculture from sending seeds to those who apply for the same. And the amount herein appropriated shall not be diverted or used for any other purpose but for the purchase, testing, propagation, and distribution of valuable seeds, bulbs, mulberry, and other rare and valuable trees, shrubs, vines, cuttings, and plants.

Mr. YOUNG of North Dakota. Mr. Chairman, I move to strike out this entire section. I make this motion for the reason that I think the best opinion throughout the country is that this is a very unwise and unnecessary appropriation or expenditure of money. If anybody here could assert truthfully that the Government was going to furnish the farmers or others a quality of seed which they could not buy from ordinary dealers, there might be some excuse for making the appropriation, but it is common knowledge that the seed that is distributed from year to year in this way is of exactly the same quality as they can buy at the store at the nearest town. I have had a good many letters each year from my district from people asserting that the seed was not even as good as the average quality of seed sold by reputable houses. But assuming that it is as good, I am absolutely unable to see any reason why we should furnish at big expense something which a farmer can buy for a few cents with the utmost convenience as he goes to town to get his mail. It does not seem to me that there is any excuse at all for the appropriation. It will be noticed also that this year we are proposing to expend 50 per cent more than we have expended before. Is not that correct, I will ask the chairman of the committee?

Mr. LEVER. Yes; that is correct.

Mr. YOUNG of North Dakota. It is proposed now to add 50 per cent to an appropriation item which always has been attacked here every year since I have been here.

Mr. HEFLIN. Mr. Chairman, if the gentleman will yield, the answer that the chairman of the committee made probably is misleading to the committee.

Mr. YOUNG of North Dakota. I can not yield to the gentleman, as my time is very limited.

Mr. HEFLIN. Then I shall follow the gentleman and make a statement.

Mr. YOUNG of North Dakota. I have made only two statements since I got up. One is that this seed is of no better quality than the farmers can buy anywhere, and the other that the appropriation has increased 50 per cent. I do not see how the gentleman can correct either. I am unable to see why anyone can feel that he is adding in any way to his prestige in his district by sending out these small packages of seeds to the farmers. I am partly of the opinion that it is a political liability to send them out, because an increasing number of farmers from year to year are getting to understand——

Mr. WASON. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of North Dakota. Yes.

Mr. WASON. Do I understand my colleague to say that the distribution of these seeds is a liability? Did he use the seed accredited him under previous acts by sending them into his district?

Mr. YOUNG of North Dakota. I will tell the gentleman that last year I passed the buck to others. I reached the conclusion that personally I did not care to select those to whom they might be sent, and I sent them to some people who gave it out that those who thought they could use them could come and get them.

I realize that some one is going to follow me now and say that those who happen to object to this appropriation ought not to use any of the seed. I do not think there is anything inconsistent about distributing the seed if voted by Congress and a certain quantity is set apart for each congressional district in the country. As long as Congress buys the seeds and places them at our disposal, I think the people of my district are entitled to their share. There may be some trifling value to them, and whatever value there is, I propose they shall have, but it does seem to me that it is a waste of money.

Mr. WASON. Mr. Chairman, will the gentleman yield there?

Mr. YOUNG of North Dakota. It seems to me that it is a waste of money to buy these seed and send them out, when perhaps three out of every four men who get them do not want them or have no use for them and would sooner buy them at the store. If it were proposed to use the money for rare or new kinds of field seed, such as the farmers could not otherwise secure, I would not object to the appropriation.

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

Mr. LEVER. Mr. Chairman, this item brings up the annual discussion about free seeds. I ask unanimous consent that the debate on this paragraph and all amendments thereto be concluded in 10 minutes, the gentleman from Alabama [Mr. HEFLIN] to have five.

Mr. MANN. There are several gentlemen here who desire to be heard.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 25 minutes.

Mr. MANN. I think the gentleman had better make it 30 minutes, and then he will be getting off lightly.

Mr. LEVER. I will make it 30 minutes with the understanding that the gentleman from Mississippi [Mr. CANDLER] shall have five.

Mr. MANN. Make it 35.

Mr. LEVER. No; I include him in the 30 minutes.

The CHAIRMAN. Will the gentleman from South Carolina indicate who is to have time?

Mr. LEVER. The gentleman from Alabama [Mr. HEFLIN] to have five minutes, the gentleman from Michigan [Mr. McLAUGHLIN] to have five minutes, the gentleman from Minnesota [Mr. STEENERSON] to have five, the gentleman from Oklahoma [Mr. MORGAN] desires five, and the gentleman from North Dakota [Mr. BAER]——

Mr. MANN. The gentleman from North Dakota was to have five minutes.

Mr. LEVER. How much is that?

The CHAIRMAN. Twenty-five minutes.

Mr. LEVER. Mr. Chairman, I make the request that debate close in 30 minutes. That takes care of everybody.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this paragraph and all amendments thereto close in 30 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 30, line 8, strike out "$358,980" and insert "$239,320" in lieu thereof.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, if this amendment be adopted it will provide the same amount of money as was available last year for this purpose. The Secretary of Agriculture in making his estimates and suggestions to the committee asked for $239,320 for this work. The committee added 50 per cent, or $119,660. I think that increase was unwise, and I think the whole thing is a very cheap proposition.

Mr. MORGAN. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. In just a moment. I would like to have the whole thing stricken out, but I believe the temper of the House is to make some appropriation for this work, and I believe, and I hope, it will agree with me that the amount of money that was available last year, the very large sum of $239,320, will be enough. I now yield to the gentleman.

Mr. MORGAN. What was the object of increasing the fund? Was that occasioned by the increased cost of seed?

Mr. McLAUGHLIN of Michigan. No; I think it was not on account of increase of cost of seed. It was made to increase the amount of money available to add to the allotment of seed which each Member will receive. There was some talk about the increased price of seed, but there is a difference of opinion about that. Some well-informed men say that the price will be higher; others, I believe just as well informed, say the price will be lower. In fact, I heard the gentleman from Illinois [Mr. MANN], who has large information on this subject, express the opinion that seeds will likely be lower than they were, so that the idea that the seeds may be high in price will not justify the increase of this appropriation by $120,000. The increase was made in the committee for the purpose of providing a larger allotment for each Member under this distribution, and it is very questionable indeed whether an appropriation of this kind ought to be made at all. I trust that the committee will decide that the old amount is sufficient, and that amount can be had by adopting my amendment.

Mr. HEFLIN. Mr. Chairman, this increase is only 50 per cent over the amount provided for in the last appropriation bill. Members who really represent agricultural districts have complained that the provision in the old bill did not furnish seeds sufficient to go around. This provision as it now stands restores the provision that was in the law prior to the last appropriation bill, and I submit to gentlemen if we are going to distribute these seeds at all they ought to be supplied in sufficient number to cover those districts where people really need them and want them. The gentleman from Michigan [Mr. McLAUGHLIN] suggests by his amendment that we cut out this additional amount and leave the old amount that was in the bill before. Now, unless you could find out who in the district wants seeds and needs seeds, his amendment should not be adopted, because if you are going to send seeds out in this way you are liable to send them to people who do not want them, and you are liable to leave those who do want them and need them without seeds. So I submit to this committee that with the vast appropriations that this Congress is making for things that help every other class of people, that we ought at least to be willing to expend this small amount for rare seeds, the best seeds that the Government can buy from time to time, to send out to the farmers in the various sections of this country, and I think it were much better if gentlemen could suggest economy along other lines, rather than to follow the suggestions of the great seed houses, who have always fought this appropriation, and who have always tried to cut it down, because they hoped to be able to sell seed in the localities where the Government now sends this high character of vegetable seeds. [Applause.]

Mr. BARKLEY. Will the gentleman yield?

Mr. HEFLIN. I will.

Mr. BARKLEY. Under the old arrangement each Member obtained 25,000 packages of garden seed and 3,000 packages of flower seed. This year we get only 14,000 packages of garden and I do not remember how many flower seed, but we do not have the privilege of exchanging garden seed or flower seed one for the other, and does not the gentleman think if we are going to send these seed out and attempt to cover the district that instead of leaving it as it was before it ought to be doubled, so as to be enough to go around to the people of the various districts?

Mr. HEFLIN. I would support a proposition to give even a larger amount of these seeds to the various Members, to be distributed among the Members generally, than we have provided for in the bill. I hope what we have in it will remain there.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEENERSON. Mr. Chairman, I can speak as one coming from an agricultural district in regard to this item. Perhaps the conditions there are quite different from some others, but we regard this as a very important provision. I have in the years that I have been here received only one or two letters opposed to this appropriation, and they came, as I found out on investigation, from what you might call "bonanza" farmers, like the Grandins and the Dairymples, who have large estates, with fine buildings, with automobiles and all the accouterments of wealth, like so many of the farmers in the district of my friend from North Dakota [Mr. YOUNG]. But in my district we have probably two or three thousand new settlers. They settled in the timber country, where it takes time as well as lots of labor to develop farms, and they have only a few acres cleared. They have to go out into the "bonanza" district of North Dakota to work in the summer in order to earn money with which to pay living expenses and to gradually develop their lands. These small farmers are all anxious for these seeds. And the statement made by the gentleman from North Dakota that these seeds are for sale at near-by stores is hardly justified. Especially is it unwarranted so far as my district is concerned. The people who want these seeds are in many cases, I think, 25 to 30 miles from where the seeds can be bought. If any of these stores have garden seed, they get them without any skilled assistance in selecting them. The bill here is to authorize the department to purchase and propagate and test for congressional distribution valuable seeds and bulbs and vines. Where can you buy bulbs and vines in a country store? They have got to be selected and distributed in

accordance with the suitability of the seeds to the different localities. They can not be purchased by the department without an investigation as to the suitability and value of these seeds for a particular locality. Now, the seeds that are sent promiscuously from the seed houses to the stores are not selected with the care with which these seeds are selected. Therefore, the contention the gentleman makes, that you can buy equally as good seeds in the stores as can be secured from Government distribution, is unwarranted.

Another class of people outside of the new settlers that want these seeds, as I have found from experience, are the people who have small gardens, the people in villages and towns who are, perhaps, mechanics and employed in the mills and factories, and who have a little plot of ground which they can cultivate. And the encouragement by the Government of war gardening has stimulated the demand for this seed, which everyone found out who had charge of this distribution last year. In addition to that, I have in my district from 7,000 to 8,000 Indians, whose original occupation was that of hunting and fishing and war, but whom the Government has gradually sought to train to a life of civilization by teaching them industry, and especially agriculture. The children gradually acquire a taste for the cultivation of the soil. The greatest demand I have for seeds has come from the people on White Earth and the Red Lake Indian Reservations, and especially from the schools. The school-teachers there tell me the children manifest a wonderful desire to have seeds and to watch their development and growth, and the crops raised from them, and this helps the very work the Government is carrying on, and upon which it is spending millions of dollars in the United States, to encourage civilization and self-support among them.

The only opposition I have discovered to this item comes from the rich farmers and, perhaps, from those who read too seriously the farm journals. These farm journals generally ridicule the items more effectually than anybody has ever done on the floor here. But if you turn over the pages of these periodicals you will find page after page of seed advertisements. So it is perfectly plain that the motive for it is not for the benefit of the people but for the benefit of the seed houses.

I hope the appropriation will remain in the bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MORGAN. Mr. Chairman, in the discussions of this question on former occasions I have never expressed my views, but I have always voted for an appropriation of this kind. I am in favor of this appropriation as it is proposed by the committee, and I am opposed to the amendment offered by my distinguished friend from Michigan [Mr. McLAUGHLIN]. This year we have but 14,000 packages of seeds allotted to each congressional district. This is only half enough for an agricultural district. I think if we send out these seeds at all we ought to have a quantity sufficient to go to practically all our farmers. And I assume if seeds go down in price the Secretary of Agriculture will not need to expend this entire amount.

Now, it is true that I have occasionally had letters from men who seem to be opposed to this so-called congressional seed distribution, but now, after 10 years of experience and somewhat intimate association with the people of my district, I believe that a very large majority of the people in my district, in the cities and towns as well as in the country, are in favor of this appropriation and of this distribution of seeds. I have been surprised how many men in the cities—lawyers, bankers, merchants—have written me special letters asking me for these seeds, not that they were not able to pay 10, 15, or 25 cents for seeds, but they wanted some from the congressional distribution. They have written me often for them, and I receive every year thousands of letters asking me for such seeds. Of course there are some of my constituents who get them who perhaps do not care for them, but there are thousands who write me for them. Now, then, there are some who believe, on account of the propaganda carried on by certain papers, that this distribution is made solely to help reelect Congressmen.

In all candor I do not believe that is true, and I say here honestly and truly that if I thought this appropriation was made and I voted for it simply to help elect myself to Congress I would be unworthy of a seat in the House of Representatives if I voted for it. But I have believed and I believe to-day that this distribution of seeds, when it is properly done, is a means of linking the farmers of this country to the National Government, and there is nothing so important to the stability and the welfare of this Nation as to have the farmers of this Nation in a friendly attitude toward the Federal Government. It is not the value of the seeds, but it is in a way a recognition of the farmer and his industry.

So I am for this appropriation, because I believe it is in the right direction and in accordance with the right policy.

I had a letter a year ago from the editor of the leading daily paper of my State asking me to turn a portion of my seed distribution over to that city, although it is not in my district. A few days ago I had a similar letter, and the writer goes on at length to tell how, by the use of the seed in that great city in developing home gardening among the poor, he has been able to do a great deal of good. I am for this entire appropriation. I am opposed to reducing it. I think it is a proper expenditure of the public money. [Applause.]

Mr. BAER. Mr. Chairman, before I was elected to Congress there were criticisms in certain periodicals, such as the Searchlight on Congress, criticizing Congress for the sending out of free seeds, books, and pamphlets as a perverted system of politics. Several of my constituents have told me that when I got down to Congress they wished I would not send them any seeds. They preferred to have enacted good legislation, such as a grain-grading law and other matters relative to the distribution and marketing of farm products. In order to ascertain the popularity of free seeds, I sent out a letter, in which I embraced a statement asking whether or not these seeds were desired. I inclosed a list of bulletins issued by the Department of Agriculture. Out of 30,000 letters sent to my district I received 1,200 replies. These names constitute my live list for seeds.

But since the war began I found a new manner in which we can very usefully distribute these seeds. I had the pleasure of dining with Dr. Francis, who is the head of one of the school-garden commissions in this country, and it is surprising to know what they have done in this country toward encouraging the children in the schools to grow gardens. This is of great consequence to this Nation. We talk of the "back to the land" movement, but sometimes we do not act just as we preach. I think that the school-garden movement is inciting in the children an appreciation of the value of land and encouraging and inspiring them to ultimately become landowners. It is an excellent and worthy movement, which demands greater appropriations and more earnest attention of Congress. I am taking the balance of my seeds and sending a number of packages to each school, with a letter encouraging the children to see how much they can raise in their little gardens this year.

Mr. PLATT. Mr. Chairman, will the gentleman yield?

Mr. BAER. Certainly.

Mr. PLATT. Has the gentleman ever succeeded in getting the Bureau of Plant Industry to put up seeds that are peculiarly adapted to the school gardens? I find that they are inclined to put up seeds such as the children can not use.

Mr. BAER. No; I do not favor the attempt to produce butterfly effects and flower seeds. We want something that the children can raise to show them the actual value which they can receive from the soil by cultivating it.

If we are to have free seeds, I believe we should have the full amount of this appropriation and should not cut it down at all. But if we are going to do away with the proposition in the Department of Agriculture, I would prefer that it be transferred to the Bureau of Education, so that the seeds can be distributed directly to the schools and superintendents through the head of this school-garden movement. [Applause.]

Mr. MANN. Mr. Chairman, how much time did the gentleman from North Dakota use?

The CHAIRMAN. He had two minutes remaining.

Mr. MANN. Perhaps the gentleman from Kentucky [Mr. LANGLEY] could use those two minutes.

The CHAIRMAN. Without objection, the gentleman from Kentucky will be recognized for the two minutes remaining of the time allotted to the gentleman from North Dakota [Mr. BAER].

There was no objection.

Mr. LANGLEY. Mr. Chairman, I have always been enthusiastically and overwhelmingly for this garden-seed appropriation. [Applause.] I want to say further that I am bitterly and uncompromisingly opposed to any amendment reducing the amount [applause]; which means, of course, that I propose to fight all these amendments that have been offered. [Applause.] I wish I had it in my power to increase the appropriation, because the amount reported by the committee will not be sufficient to give each Member a quota large enough to enable me to send a package to each housekeeper in my district, and that means that I will have to keep up my former practice of begging and borrowing them. [Laughter and applause.] My judgment is that no greater harm could be done in the estimation of the public to this great Department of Agriculture, which is doing such magnificent work for the farmers of the country, than would result from the abolition or even the further curtailment of this garden-seed distribution. [Applause.] I have private information to the effect that this seed distribution next spring will have a lot more

corn and beans in it than heretofore. Of course, we all want the beans, of which there has been a dearth for a good while, and I imagine that all are interested in helping to avoid a fall off in the corn crop for one reason and another. [Applause.]

Some reference has been made in the debate on this paragraph to the fact that a great many people do not want these seeds sent to them, and when they are sent they do not use them. I have found very few cases like this in my district. Wherever I hear of a fellow who makes fun of the garden-seed distribution or indicates in any way that he does not want them, I take particular pains to strike him off my seed list. I send them only to those who want them, and that means practically everybody in the tenth Kentucky district. [Applause.]

Referring to those Members of Congress who are always opposing this appropriation, I think it would be a good idea, and certainly a just one, to amend the bill so as to take their quotas away from them and pro rate what they would otherwise get among the balance of us Members who do want them. [Applause.]

I realize that there are some sections of the country, particularly in large cities, where they do not raise much garden stuff, and some sections where they prefer hops and other agricultural products not included in the congressional distribution. Now that these other products are less profitable than they used to be, that is no reason why they should raise Cain with us farmers who still want the garden seed sent out.

Some gentleman remarked a few moments ago that he was not voting for continuing the distribution of garden seeds, because it helped him in his races for reelection to Congress, and that if that was his reason he would be unworthy of his seat. I do not mind confessing, incidentally, that I am conscious of the fact that sending everybody in my district a package of garden seed does not decrease my popularity. If I thought it would have that effect I might hesitate long and seriously before I would vote for the seed distribution [applause], and I imagine that a good many others would do likewise. But speaking seriously, gentlemen, I am for the continuance of this custom and for its enlargement, because I know it is of great value to the people of the country, and especially to the farmers. It increases their interest in agriculture and stimulates production, and it also makes the people out in the country feel that the Government at Washington is interested in their welfare and that their Congressman remembers them and is desirous of helping and serving them. [Applause.] But, Mr. Chairman, I see that the Chair and the House are impatient to hear the immortal bard from the Tombigbee, the distinguished gentleman from Mississippi [Mr. CANDLER], and I give way to him. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. SISSON having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed with amendment bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 13274. An act to provide relief where formal contracts have not been made in the manner required by law.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3220) authorizing the Secretary of the Interior to make investigations through the Bureau of Mines, of lignite coals and peat, to determine the practicability of their utilization as a fuel and in producing commercial products.

The message also announced that the Senate had passed without amendment the bill of the following title:

H. R. 8828. An act increasing the limit of cost for the acquisition of a public building site at Yonkers, N. Y.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

The CHAIRMAN. The gentleman from Mississippi [Mr. CANDLER] is recognized. [Applause.]

Mr. CANDLER of Mississippi. Mr. Chairman, I am very grateful, indeed, to be thus called out from the Speaker's chair to discuss this important question. [Applause.] Of course it is absolutely necessary each year in Congress to have me express my views on this great question, in order that it may be properly settled and determined in the interests of the country and for the welfare of the people. [Applause.] For that reason I deem it my duty at all times to be present upon occasions like this in order that I may promptly respond to invitations from the Chair as well as from my numerous friends on both sides of this House, who desire to hear me speak for the entertainment as well as the edification of my fellow Members. [Applause.]

I have been quite ill lately. In addition to that my wife has been seriously ill. My secretary in my office has been seriously sick also, all of us with the influenza. For these reasons I have not been able to attend promptly to my public duties on the floor of the House or in the departments, or even in my office. I regret this very much, because it is my earnest desire to be prompt and efficient at all times. If there is one thing I have tried to do at all times it has been to be prompt and faithful in discharging every duty devolving upon me as a representative of the people. Therefore I am here now under these difficult conditions to protect, if I can, the interests of the plain people. [Applause.]

I always take notice—and I take notice to-day—of the great statesmen on the floor of the House of Representatives. I love them all. I have served with them during all these years in pleasant association. I have seen gentlemen who did not measure up to the high standard of genuine statesmanship arise upon the floor of the House year after year and move to strike out this very important item. [Laughter.] I have seen the real statesmen—among whom I am one—arise year after year upon the floor of the House to advocate and to defend this appropriation. I am glad that in times gone by the statesmen have always prevailed in the advocacy of the expenditure of this small sum in the interest of the plain people of the United States of America. [Applause.] Many efforts have been made to eliminate it, but they have not succeeded, and they will not succeed to-day. [Applause.] The truth of it is, my friends, that this is not only an appropriation that appeals to the people themselves but it is an appropriation that accomplishes real and genuine good. I have heard it said to-day—or insinuated—that these seeds have no value. In order to demonstrate their value I took some packages and put them away last year in my office. This year I took a small box and put it in my office, filling it with soil that I got just outside the House Office Building. In this soil I planted those seeds, which were nearly or about 2 years old, and put a little water on the soil, and every one of those seeds germinated and brought forth the identical plant the name of which was printed on the outside of the package. [Applause.] Still some people say these seeds are no account. The truth is they are the best seed you can get anywhere. [Applause.]

I hope this provision carrying this appropriation will be adopted, and I have no doubt it will be. Then let the other provisions of this splendid bill be approved and the bill in its entirety be promptly passed. Why delay and take unnecessary time in its consideration? There is not a line in it which is not in the interest of the people and for the good of the farmers of the country. That being true, it deserves and should receive the vote of every Member. Stand by the farmers and they will stand by the country, and prosperity and happiness will result. So let us hurry this bill along and pass it, and in doing so render a real service to our constituents and to the country. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The question is on the amendment of the gentleman from Michigan [Mr. McLAUGHLIN].

The question was taken; and on a division (demanded by Mr. McLAUGHLIN of Michigan) there were—ayes 17, noes 60.

Accordingly the amendment was rejected.

The CHAIRMAN. The question now is on the motion of the gentleman from North Dakota [Mr. YOUNG] to strike out the paragraph.

The question being taken; on a division (demanded by Mr. YOUNG of North Dakota) there were—ayes 16, noes 61.

Accordingly the amendment was rejected.

The Clerk read as follows:

General expenses, Forest Service: To enable the Secretary of Agriculture to experiment and to make and continue investigations and report on forestry, national forests, forest fires, and lumbering, but no part of this appropriation shall be used for any experiment or test made outside the jurisdiction of the United States; to advise the owners of woodlands as to the proper care of the same; to investigate and test American timber and timber trees and their uses, and methods for the preservative treatment of timber; to seek, through investigations and the planting of native and foreign species, suitable trees for the treeless regions; to erect necessary buildings: *Provided*, That the cost of any building erected shall not exceed $800; to pay all expenses necessary to protect, administer, and improve the national forests; to ascertain the natural conditions upon and utilize the national forests; and the Secretary of Agriculture may, in his discretion, permit timber and other forest products cut or removed from the national forests to be exported from the State or Territory in which said forests are respectively situated; to transport and care for fish and game supplied to stock the national forests or the waters therein; to employ agents, clerks, assistants, and other labor required in practical forestry and in the administration of national forests in the city of Washington and elsewhere; to collate, digest, report, and illustrate the results of experiments and investigations made by the Forest Service;

to purchase necessary supplies, apparatus, and office fixtures, and technical books and technical journals for officers of the Forest Service stationed outside of Washington, and for medical supplies and services and other assistance necessary for immediate relief of artisans, laborers, and other employees engaged in any hazardous work under the Forest Service; to pay freight, express, telephone, and telegraph charges; for electric light and power, fuel, gas, ice, washing towels, and official traveling and other necessary expenses, including traveling expenses for legal and fiscal officers while performing Forest Service work; and for rent outside of the District of Columbia, as follows.

Mr. LEVER. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from North Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. LEVER: Page 36, line 4, strike out the word "and" between the words "fixtures" and "technical" and insert in lieu thereof the words "law books."

Mr. LEVER. Mr. Chairman, the comptroller has held that the Forest Service, under the words "technical books," has no authority to buy law books and has turned down their vouchers. This is to cure that situation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina.

The amendment of Mr. LEVER was agreed to.

The Clerk read as follows:

In all, for the use, maintenance, improvement, protection, and general administration of the specified national forests, $2,069,201: *Provided*, That the foregoing amounts appropriated for such purposes shall be available interchangeably in the discretion of the Secretary of Agriculture for the necessary expenditures for fire protection and other unforeseen exigencies: *Provided further*, That the amounts so interchanged shall not exceed in the aggregate 10 per cent of all the amounts so appropriated.

Mr. MANN. Mr. Chairman, I move to strike out the last word. We carry something over $2,000,000 for general administrative purposes of the national forests. In addition to that we carry total appropriations of about $6,000,000. What are the receipts from the national forests now?

Mr. LEVER. I am happy to state to the gentleman from Illinois that the receipts from the national forests are constantly increasing. The total receipts of the national forests for the last fiscal year amounted to $3,574,930.07. That is divided as follows: From timber, $1,621,000; for grazing, $1,735,000; for special uses, $227,000; so that the total is $3,574,000.

Mr. MANN. I am rather surprised that there has not been a greater receipt from timber during the last fiscal year. There was a very large demand for timber on account of the war, much of it of a character which was furnished by some of the national forests and at rather high prices. We have forests that are costing $6,000,000 a year, and having the timber under these conditions and have it only amount to one million and a half dollars seems to me rather strange.

Mr. LEVER. We made inquiry as to whether or not the Government got out much timber for aeroplane work from the national forests, and they said no, because it is too far removed from railroad facilities. Most of it was gotten from private property. They said that the prospect for timber sales next year is much larger than ever before, and the receipts for timber for the next fiscal year will be very largely increased. The promise was made years ago that the service would become self-sustaining, and I am glad to say that I think the receipts of the national forests show an increase from year to year.

Mr. MANN. As far as I am concerned, that does not concern me. I doubt whether they will ever get self-sustaining or whether they ever should be.

Mr. LEVER. Except for the permanent improvement, such as trails, roads, and bridges, and things of that kind, that ought to be regarded as permanent improvements, the national forests are pretty nearly on a self-sustaining basis now.

Mr. MANN. I think they are a good ways from it.

Mr. LEVER. That is the statement of the forester before the committee.

Mr. MANN. I have no doubt he is honest about it, but it depends upon what is covered by maintenance. Probably they do not cover a great many items, and as a matter of fact the estimate for trails is maintenance, and roads are largely maintenance.

Mr. LEVER. The methods of wood distillation should not be charged to it.

Mr. MANN. Methods of wood distillation ought not to be charged against the account.

Mr. LEVER. The purchase of tree seeds and cones I regard as permanent improvements.

Mr. MANN. Not at all, the purchase of tree seeds for planting trees in the national forests is not permanent improvement; that is current expense.

Mr. LEVER. Then there is the item for silvicultural and dendrological and other investigations.

Mr. MANN. One is for the purpose of investigating the best methods for the conservation and management of forests and forestry lands, and that certainly is current expenses, an investigation of how to manage the thing you have got. That is certainly current expense.

Mr. LEVER. A good deal is spent on the national forests for silvicultural purposes. I feel encouraged at the outlook for the national forests.

Mr. MANN. I have never been discouraged about it. I believe in the national forests and I am not worried as to whether they pay an income at present or not, because they are maintained in the main for the future, but I did think that probably they would dispose of more timber than they have during the war.

Mr. LEVER. They say on account of the location they disposed of very little.

Mr. JOHN W. RAINEY. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MADDEN. Mr. Chairman, I move to strike out the last two words. I have always been more or less interested in the national forest reserves under the control of the Agricultural Department, and it has been my understanding for a good many years that they were going to be put on a profitable basis. But I notice that every year as the bill comes in there are appropriations for new activities, and the service runs behind anywhere from two to three million dollars. Here we are told that the prospect for the succeeding year is brighter; that the sun is shining more clearly in the West than it shone the year before; that the rains are wetter than ever before; that the grass is greener and the trees bigger than they have ever been, and the receipts from the sale of timber are greater and the expenses are less. But as the bill comes in from time to time they have appropriations for new activities.

The salaries of the foresters are increased, perhaps the number of foresters is increased, the number of roads to be built up are on a larger mileage, the forest fires perhaps blazed more than they used to blaze, and there is always, first one reason and then another, why the Forest Service continues to run behind. I have rather hoped that we would be able to see the light of day some time in the not distant future, but when one calls attention to that the answer is that the trees are growing higher than they used to and they shut out the light of the sun.

Mr. LEVER. Mr. Chairman, the gentleman is always humorous. Let us see what the facts are.

Mr. MADDEN. Of course, facts are very interesting things on occasion.

Mr. LEVER. In 1907 the receipts from the national forests were $3,457,000. In 1914 the receipts were $2,457,000.

Mr. MADDEN. That is something of a decrease in receipts. What was the increase in expenditures?

Mr. LEVER. The receipts from 1918 were $3,574,000, in round numbers $120,000 increase over last year. The estimated receipts for 1919 are $4,400,000.

Mr. MADDEN. Mr. Chairman, before the gentleman proceeds further, will he be kind enough to tell me how near his estimates have come to the facts in the past.

Mr. LEVER. Oh, they are not my estimates. They are the estimates of some one else.

Mr. MADDEN. Oh, I understood the gentleman to say they were his estimates, or the estimates of his committee, and I assumed, of course, that his committee had become so proficient in estimating the outcome of its activities that by this time it had reached such a state of perfection that its estimates, as related to the facts, would be beyond doubt.

Mr. LEVER. I think the committee as a whole has reached that state of perfection, though I doubt that the chairman has.

Mr. MADDEN. Seriously, Mr. Chairman, I think the committee is to be congratulated upon its great efficiency.

Mr. WASON. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. WASON. Does the gentleman want to require a higher standing for the Committee on Agriculture relative to estimates than is exhibited by the Committee on the Post Office and Post Roads?

Mr. MADDEN. If I did, I would have to look up to the gentleman who has just propounded the inquiry. I want to say of the committee that it really has displayed a great deal of wisdom, in some senses conservatism, although extravagant in other senses. As a whole, the committee has been one of the great committees of the House, composed of men of high patriotic purpose. The gentleman from South Carolina [Mr. LEVER] has occupied the position of chairman of this committee for a good many years. He is soon about to retire

from the chairmanship, and I want to say of him that I have never known a man acting as chairman of any committee of the House during my membership who has qualified for the position better than he. [Applause.] He not only knows what he is about, but he has given painstaking care to every activity in which he has been called upon to participate. He knows everything connected with the agricultural activities of the country. He has been patriotic, painstaking, conservative, clean, forceful, intelligent, and, on the whole, has earned a right to the confidence not only of the membership of the House but of the people of the United States. [Applause.] I congratulate him upon the great services he has rendered to the American people, and the greatest regret that I have to express is that although I want him to sit beside me as an associate he is not going over to the body at the other end of the Capitol, to which he is so much entitled to go. [Applause.]

The Clerk read as follows:

For investigations of methods for wood distillation and for the preservative treatment of timber, for timber testing, and the testing of such woods as may require test to ascertain if they be suitable for making paper, for investigations and tests within the United States of foreign woods of commercial importance to industries in the United States, and for other investigations and experiments to promote economy in the use of forest products, and for commercial demonstrations of improved methods or processes, in cooperation with individuals and companies, $173,260.

Mr. MANN. Mr. Chairman, I move to strike out the last word, and I beg the pardon of the committee for having to ask information of it in this respect. In view of the claimed scarcity and rather high price of various kinds of print paper and other papers, may I ask the gentleman from South Carolina if he happens to recall what the paper testing bureau is doing now?

Mr. LEVER. Mr. Chairman, I must say very frankly to the gentleman that we did not make any inquiry about that this year.

The Clerk read as follows:

For the purchase of tree seed, cones, and nursery stock, for seeding and tree planting within national forests, and for experiments and investigations necessary for such seeding and tree planting, $145,640: *Provided*, That of this sum the Secretary of Agriculture is authorized to use so much as may be necessary, but not to exceed $200, to acquire by purchase land now used as a forest nursery site for the Michigan National Forest.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph. I rise for information for, though Michigan is an adjoining State to Wisconsin, I must confess I am not apprised of the Michigan State Forest.

Mr. LEVER. Mr. Chairman, I had intended to yield on this proposition to the gentleman from Michigan; I do not happen to see him at the moment——

Mr. STAFFORD. He was here a moment ago. Will the gentleman ask unanimous consent to have that passed?

Mr. LEVER. I shall be glad to do so.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to pass the paragraph, page 45, lines 15 to 22, inclusive. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

BUREAU OF CHEMISTRY.

Salaries, Bureau of Chemistry: One chemist, who shall be chief of bureau, $5,000; 1 chief clerk, $2,500; 1 administrative assistant, $2,500; 3 executive clerks, at $2,000 each; 10 clerks, class 4; 13 clerks, class 3; two clerks, at $1,440 each; 20 clerks, class 2; one clerk, $1,300; 75 clerks, class 1; 1 clerk, $1,100; 13 clerks, at $1,020 each; 15 clerks, at $1,000 each; 2 multigraph operators, at $1,000 each; 1 clerk, $960; 11 clerks, at $900 each; 2 food and drug inspectors, at $2,500 each; 2 food and drug inspectors, at $2,250 each; one food and drug inspector, $2,120; 13 food and drug inspectors, at $2,000 each; 13 food and drug inspectors, at $1,800 each; 1 food and drug inspector, $1,620; 11 food and drug inspectors, at $1,600 each; 10 food and drug inspectors, at $1,400 each; 1 assistant, $1,600; 4 laboratory helpers, at $1,200 each; 1 laboratory helper, $1,020; 4 laboratory helpers, at $1,000 each; 4 laboratory helpers, at $960 each; 3 laboratory helpers, at $900 each; 7 laboratory helpers, at $840 each; 2 laboratory helpers, at $780 each; 24 laboratory helpers or laborers, at $720 each; 2 laboratory helpers or laborers, at $660 each; 27 laboratory helpers or laborers, at $600 each; 1 laboratory assistant, $1,200; 1 toolmaker, $1,200; 3 samplers, at $1,200 each; 1 janitor, $1,020; 1 mechanic, $1,800; 2 mechanics, at $1,400 each; 1 mechanic, $1,200; 1 mechanic, $1,020; 1 mechanic, $1,000; 1 mechanic, $960; 1 mechanic, $900; 2 student assistants, at $300 each; 2 messengers, at $840 each; 1 skilled laborer, $1,050; 1 skilled laborer, $840; 7 messenger boys, at $600 each; 3 messenger boys, at $540 each; 6 messenger boys, at $480 each; 3 messenger boys, at $420 each; 2 messenger boys, at $360 each; 7 laborers, at $480 each; 13 charwomen, at $240 each; in all, $411,670.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph. I notice there is a new position created that is designated as one administrative assistant at a salary of $2,500.

Mr. LEVER. That is a transfer from the lump sum of the food and drugs act.

Mr. STAFFORD. Is he receiving the same salary?

Mr. LEVER. Yes.

Mr. STAFFORD. I notice in this bill the bureau has also three executive clerks at $2,000. There is a chief clerk at $2,500, and the gentleman now proposes to have an administrative assistant at $2,500 in addition to three executive clerks.

Mr. LEVER. The same number is carried.

Mr. STAFFORD. What is the necessity of having so many supervisory officials over a clerical force that is not very large?

Mr. LEVER. Well, I confess I do not know the exact details.

Mr. STAFFORD. There are divisions in some auditors' offices where they have only one chief clerk, but here in this bureau you have three executive clerks and a chief clerk besides, and now you intend to create an administrative assistant. Is there not danger of the force toppling over by reason of having too many at the head?

Mr. LEVER. I would not want to admit what the gentleman said before looking into the matter and finding out what these men are doing. It may be they are looking after the food and drug act in some city like New York or Boston. I am not sure as to that.

Mr. STAFFORD. The gentleman is certain this man is receiving the same salary at the present time?

Mr. LEVER. Yes.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

Mr. MANN. Mr. Chairman, I move to strike out the last word. Mr. Chairman, for nearly a year now I have intended, as soon as I could, to prepare some information to suggest to the Congress that it provide an authorization, and if necessary an appropriation, to investigate food values. I have been on a diet personally for over a year, and very likely will be for the balance of my life in a way, with at least a suggestion from doctors as to how much of food values I shall take in the way of proteins, fats, and carbohydrates, which mean sugars, sweets, and starches. The Department of Agriculture some years ago made an investigation of the subject, which is still in the main the standard authority. The Connecticut agricultural department has made an investigation of the subject and various other people have, but the main authority is the report made a number of years ago by the Department of Agriculture. There are various books published giving details of food values. To most of you those are of absolutely no importance, but to many people in the country they are of vital importance. The trouble we have is that they are inaccurate and conflicting. There is a standard book—Locke on Food Values—which is the standard used by many hospitals, and while I was in the hospital at Baltimore passing away the time, in the main feeling very well, I used to read this book and, having a rather retentive memory for things that I try to remember, when I would come to some item in the middle or the latter part of the book which absolutely contradicted a statement in a former part of the book I would return to it, and I amused myself quite a good deal while at the hospital asking my doctor, who had told me to study the food values of this book and to prepare a diet accordingly, which food values he would take in the book, whether the one on page so and so, giving the food value of a certain article of food, or vegetable or fruit, or one on page so and so, giving an entirely different food value.

The only response that I really ever got out of my doctor, I believe, was once when I asked him about grapefruit, which they were feeding me at the hospital. In one place in the book they said that grapefruit was to be charged with 15 per cent of carbohydrates, and in another place they said it was to be charged with 3 per cent of carbohydrates. I said to the doctor, "You are giving me grapefruit here. It makes a good deal of difference, under the tables you give me, as to which percentage is correct." He smiled at me and said, "Mr. MANN, if I were you I would not eat so much grapefruit, but would eat oranges instead." But there is just as much difficulty about oranges.

Now, this is a work that can only be done correctly by the National Government. Tables which were published years ago by the Agricultural Department, in a bulletin which is not now obtainable, are themselves very disappointing.

We had the subject up a while ago of cottage cheese and other cheeses. In these tables that are now published, even in the tables that are in the new books, no lists of cheeses which you can find anywhere in this country or probably on earth by the name are given, and the cheeses you can find you will not find any tables for, usually. They are out of date.

We are always preached to. Food values used to fall from me like water from a duck's back. Farmers know something about food values for the stock they feed. Occasionally they or their wives know something about the food values of the food which they eat in their families, but only in a general way. A man may eat too much protein, which will be extremely deleterious to his health; he may eat too much of fat, which will

be extremely deleterious to his health; he may eat too much of sugar, or starch, or of carbohydrates, which will be extremely deleterious to his health; but he has no way of knowing now how much he is eating.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

For the investigation and development of methods for the manufacture of table sirup and of methods for the manufacture of sweet sirups by the utilization of new agricultural sources, $12,000.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order. I notice this is a new activity of the department. What is proposed to be undertaken by the Bureau of Chemistry in the investigation of methods for the manufacture of table sirup and of sweet sirups by the utilization of new agricultural sources?

Mr. LEVER. The department proposes to make some investigation of the methods of manufacturing sweet sirups from grapes, apples, and other fruits. The department is now doing its work as to the manufacturing of table sirups, but it wants to extend its activities to these various fruits from which other sirups can be had.

Mr. STAFFORD. Is that predicated on the idea that the country is going dry next July?

Mr. LEVER. The committee felt we might hope for some relief through this.

Mr. STAFFORD. There are all kinds of substitutes being suggested to appease the thirst, especially in the arid districts of the country. I hope there will be some oases where they may continue to be quenched even after July 1.

Mr. LEVER. I expect that this is rather important work. I never ate any grape sirup, I confess, but I do not see why grapes should not make very fine sirup.

Mr. CRISP. They make good wine.

Mr. LEVER. They make good wine, my prohibitionist friend from Georgia says.

Mr. STAFFORD. Of course, prohibitionists are generally authority on wines.

Mr. HUMPHREYS. Perhaps this is with a view of making some other city "famous."

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The Clerk read as follows:

For experiments in the manufacture of rare chemicals for use in chemical research, including investigation of domestic sources of supply, $10,000; and the Secretary of Agriculture may furnish, upon application, samples of rare chemicals to investigators for research work and charge for the same a price to cover the cost thereof, such price to be determined and established by the Secretary, and the money received from sales to be deposited in the Treasury of the United States as miscellaneous receipts.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph. I am quite interested to ascertain whether this activity could not be more properly performed by the Bureau of Standards. The Bureau of Standards has a large chemical laboratory. It is supposed that their function is to determine the standards of physical contents and, I assume, of chemical contents. You purpose here, in language at least, to have the Bureau of Chemistry perform work that, from my information, should be performed by the Bureau of Standards.

Mr. LEVER. This is the statement that was made to the committee: It is proposed under this new language to enable the Bureau of Chemistry to manufacture certain very rare chemicals, the quantities of which that are used being so small that commercial enterprises will not manufacture them, and they gave us as an illustration a very rare chemical of which the Bureau of Standards itself had on hand a little phial full, sufficient for a whole year in its work. It is to take care of these rare chemicals that the Bureau of Chemistry desired to do this work. It is not contemplated at all that it shall be done on a commercial scale. Dr. Alsberg says this about it:

The situation which led me to suggest to the Secretary of Agriculture the insertion of this item is something like this: There are a great many rare and unusual chemicals and reagents which are absolutely necessary in research that are not being made in the United States and for which we used to depend upon importations from Europe. When the embargo on importations came along an immense amount of research had to stop because the necessary chemicals with which to do it could not be obtained. These are rare materials that are produced in very small quantities and are not matters of ordinary manufacture, but are absolutely necessary if the country is to carry on any extensive chemical research. Now, if we are to hold our own in the chemical industries permanently, I think there is nothing that can be done by the Federal Government that will add more to the development of chemical research and to establishment of a self-reliant chemical industry in the United States than to put some agency of the Government into the position of assisting in research by furnishing to investigators and to others doing research work these rare and unusual chemicals which can not be obtained in the markets.

Then he goes on to give some illustrations.

Mr. STAFFORD. The statement that the gentleman has just read by Dr. Alsberg would confirm my position that the work should be performed by the Bureau of Standards rather than by the Bureau of Chemistry.

Mr. LEVER. Why?

Mr. STAFFORD. Because that is the very purpose of the Bureau of Standards—to ascertain standards of chemicals, as well as physical contents.

Mr. LEVER. This is a process of manufacture, not a standardizing of chemicals at all. It is a proposition to manufacture these chemicals in very small quantities and sell them to people engaged in research work.

Mr. STAFFORD. Oh, well, in the Bureau of Standards they are manufacturing certain standards and selling them to the trade. For instance, they are manufacturing standards of certain chemicals that are used in the manufacture of steel and selling those standards. They have a large chemical laboratory. All the activities of the Government during the war to determine the proper content of textiles and manufactured articles was performed by the Bureau of Standards. From the President's emergency fund the Bureau of Standards was advanced something like $300,000 or more. Large buildings have been erected. Those activities are going to continue in peace times. Why should we throw some of that work into the Bureau of Chemistry when we have accommodations in the Bureau of Standards to develop it?

Mr. LEVER. I did not understand from the statement of Dr. Alsberg that the Bureau of Standards is prepared to do this work. As I understand it, there is a pretty clear line of demarcation between the work of the Bureau of Standards and the work of the Bureau of Chemistry in the Department of Agriculture. Of course, this work might as well be done in the Bureau of Standards as in the Bureau of Chemistry, but what is the difference?

Mr. STAFFORD. There should not be any duplication of effort.

Mr. McLAUGHLIN of Michigan. There is no duplication here. This is simply making things in such small quantities that they can not be manufactured elsewhere. The Bureau of Standards is reaching out and encroaching on the Department of Agriculture in many directions, but there are many things that the Bureau of Chemistry in the Department of Agriculture ought to be permitted to do in its own sphere.

Mr. STAFFORD. This is not limited, however, to agricultural work. It is to manufacture chemicals that can be used in any line of activity.

Mr. McLAUGHLIN of Michigan. It is to manufacture chemicals that are useful in lines of activity in which the bureaus of the Department of Agriculture are engaged.

Mr. LEVER. If you wanted to manufacture chemicals, you would not go to the Bureau of Standards, but to the Bureau of Chemistry in the Department of Agriculture.

Mr. McLAUGHLIN of Michigan. This work is too particular and too fine for the Bureau of Standards. It has to be intrusted to the hands of real chemists who know something about agriculture.

Mr. STAFFORD. Oh, when it comes to finesse of operation, of course the Bureau of Standards excels any other bureau engaged in any Government activity. The gentleman shows by that statement that he is thoroughly unfamiliar with the character of the work performed by the Bureau of Standards.

Mr. Chairman, for the present I make the point of order, unless we can have positive testimony that it does not conflict with the work of the Bureau of Standards.

Mr. LEVER. If the gentleman will permit, I will ask unanimous consent to pass this item over until to-morrow. I am satisfied that there is no duplication, but I will get a positive confirmation of it.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that this paragraph be passed without prejudice. Is there objection?

Mr. GREEN of Iowa. Mr. Chairman, reserving the right to object, I should like to inquire just a little further of the gentleman how is it that the Bureau of Chemistry has anything to do with this matter? Is not the work of the Bureau of Chemistry confined to chemistry connected with agricultural operations?

Mr. LEVER. The work of the Bureau of Chemistry is not confined entirely to matters connected with agriculture, but a large part of the work of that bureau is connected with what is called organic chemistry.

Mr. GREEN of Iowa. That would apply, however, to the Department of Agriculture, of course?

Mr. LEVER. Yes. The bulk of their work is agricultural chemistry. This is merely a proposition that some agency of

the Government shall manufacture these very rare chemicals, which can not be had in the commercial trade, because the quantity used during any one year is so very small that no manufacturing concern will bother with it.

Mr. GREEN of Iowa. I understand that perfectly; but the trouble is, it seems to me, that this is simply an entering wedge to enlarge the work of the Bureau of Chemistry in the Department of Agriculture, which properly has to do only with the chemistry connected with agricultural operations and has nothing to do with minor chemical operations.

Mr. BAER. It is my understanding that in the organic chemistry that is practiced in the Department of Agriculture they have use for certain acids and reagents that are not required in inorganic chemistry, and that is the reason they want those chemicals, to make the tests on proteids and other things, which are not needed in ordinary inorganic chemistry.

Mr. GOOD. If the gentleman will permit, the very language of this appropriation says that it is to standardize something for use in the Department of Agriculture. Now, just as the gentleman from Wisconsin said, that is the province of the Bureau of Standards, which is standardizing for every department of the Government—the War Department, the Navy Department, the Treasury Department, and so on. Now, this is for experiments in the manufacture of rare chemicals. That is the very work that the Bureau of Standards was created to perform.

Mr. LEVER. Why have a Bureau of Chemistry at all, then? Why not abolish it?

Mr. GOOD. Oh, I can see how there should be a Bureau of Chemistry in the Department of Agriculture.

Mr. LEVER. Then why are you asking the Bureau of Standards to do chemical work? The very name indicates that it is not a chemical department at all.

Mr. GOOD. This means to make analyses and to enter upon experimental work and discover something and standardize something. That is the province of the Bureau of Standards.

Mr. ANDERSON. I think the gentleman from Iowa is entirely mistaken as to the purpose of this item.

Mr. LEVER. Absolutely so.

Mr. ANDERSON. The purpose is to manufacture certain rare chemicals which are used by chemists in order to produce certain reactions. These rare chemicals are not manufactured commercially at all. They are necessary in the trade, but they are used in such small quantities that they are not manufactured on a commercial scale. The purpose of this item is to permit the Bureau of Chemistry to manufacture these chemicals, in order that the trade may have them when it is desired to produce these reactions.

Mr. LEVER. They are to be sold and the money turned into the Treasury.

Mr. GREEN of Iowa. This item says it is for research work and experimental work, as we are to understand.

Mr. LEVER. Would you not have the Bureau of Chemistry conduct research work with reference to very rare chemicals, as well as furnish them to the trade?

Mr. GREEN of Iowa. No; that is the work of the Bureau of Standards. Of course, the Bureau of Chemistry in the Agricultural Department, I think, ought to confine its work to biological chemistry, the chemistry which applies to that department. Otherwise you will have these two departments overlapping each other.

Mr. LEVER. We have been getting these rare chemicals from Germany. That is the truth about the matter. We have been importing them, and unless we want to depend in the future, as we have in the past, on foreign nations for things of that sort some one has to do the work. It seems to me that, it being for chemical purposes, it ought to be the Bureau of Chemistry.

Mr. GREEN of Iowa. This is experimental work and peculiarly within the province of the Bureau of Standards.

The CHAIRMAN. Does the gentleman from Wisconsin withdraw his point of order?

Mr. STAFFORD. By no means.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that this paragraph be passed over.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk read as follows:

BUREAU OF SOILS.

Salaries, Bureau of Soils: One soil physicist, who shall be chief of bureau, $4,000; 1 chief clerk, $2,000; 1 executive assistant, $2,000; 4 clerks, class 4; 2 clerks, class 3; 5 clerks, class 2; 1 clerk, $1,200; 10 clerks, class 1; 7 clerks, at $1,000 each; 1 soil cartographer, $1,800; 1 chief draftsman, $1,600; 1 soil bibliographer or draftsman, $1,400; 1 photographer, $1,2000; 5 draftsmen, at $1,200 each; 1 clerk-draftsman, $1,200; 2 draftsmen, at $1,000 each; 1 laboratory helper, $1,000; 3 laboratory helpers, at $840 each; 1 machinist, $1,440; 1 machinist, $1,380; 1 instrument maker, $1,200; 1 machinist's helper, $900; 1 messenger, $840; 1 messenger or laborer, $480; 2 messenger boys, at $480 each; 3 laborers, at $600 each; one laborer, $300; one charwoman or laborer, $480; in all, $74,160.

Mr. LEVER. Mr. Chairman, I offer an amendment to correct a typographical error.

The Clerk read as follows:

Page 53, at the end of line 18, strike out $1,2000 and insert in lieu thereof $1,200.

The amendment was agreed to.

The Clerk read as follows:

BUREAU OF ENTOMOLOGY.

Salaries, Bureau of Entomology: One entomologist, who shall be chief of bureau, $5,000; 1 chief clerk and executive assistant, $2,250; 1 administrative assistant, $2,250; 1 editor, $2,250; 1 financial clerk, $1,800; 4 clerks, class 4; 7 clerks, class 3; 16 clerks, class 2; 22 clerks, class 1; 8 clerks, at $1,000 each; 1 insect delineator, $1,600; two insect delineators, at $1,400 each; 2 entomological draftsmen, at $1,400 each; 1 entomological draftsman, $1,080; 1 photographer, $1,200; 1 entomological preparator, $1,000; 4 entomological preparators, at $840 each; 8 entomological preparators, at $720 each; 7 entomological preparators, at $600 each; one laborer, $1,080; 2 messengers or laborers, at $900 each; 1 messenger or laborer, $840; 3 messengers or laborers, at $720 each; 6 messenger boys, at $480 each; 1 laborer, $540; 1 laborer, $480; 2 charwomen, at $480 each; 3 charwomen, at $240 each; in all $124,010.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. Is the entomologist, whose salary you propose to increase, the same person recommended for an increase last year?

Mr. LEVER. Yes; he has been in the Government service many, many years.

Mr. STAFFORD. Mr. Chairman, I make the point of order.

Mr. LEVER. I concede it.

Mr. McLAUGHLIN of Michigan. Will the gentleman reserve his point of order?

Mr. STAFFORD. I will reserve it.

Mr. McLAUGHLIN of Michigan. The committee made the recommendation to increase the salary $500, took testimony on it, and considered it very carefully. In our judgment the increase in salary ought to be made for an official who has been in the department, as the chairman says, for a long time at the head of this bureau. He has performed able and faithful services. The salary is less than the salary paid to the heads of other bureaus. We felt, after listening to all that was said, and with a knowledge of the work he has been doing and has done, the salary proposed is not too large. We realize that it is subject to a point of order, but it was not put in carelessly and was not arrived at without due deliberation, and it was the unanimous vote of the committee that the salary should be increased.

Mr. STAFFORD. How long has he been there?

Mr. LEVER. He has been there 42 years.

Mr. STAFFORD. What is his age?

Mr. LEVER. Over 60, perhaps nearer 70, but he is still vigorous and able to do good work. He is one of the greatest entomologists in the world.

Mr. STAFFORD. Mr. Chairman, I make the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. LEVER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 5, line 23, after the colon, insert "one entomologist, who shall be chief of the bureau, $4,500."

The amendment was agreed to.

The Clerk read as follows:

For investigations of insects affecting cereal and forage crops, including a special investigation of the Hessian fly and the chinch bug, $147,000, of which sum $10,000 shall be immediately available.

Mr. WHITE of Maine. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman a question with reference to this item. My understanding is that this lump sum of $147,000 includes an estimate of $25,000 for investigation of and the eradication of the European corn borer. Will the gentleman confirm that?

Mr. LEVER. That is true, and we propose making $10,000 available for that purpose.

Mr. WHITE of Maine. I understand $10,000 is made immediately available for the work in that connection.

Mr. LEVER. It is.

The Clerk read as follows:

For investigations of insects affecting truck crops, including insects affecting the potato, sugar beet, cabbage, onion, tomato, beans, peas, etc., and insects affecting stored products, $84,960.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. Will the chairman of the committee explain the reason for the large increase in this item of investigational work?

Mr. LEVER. Mr. Chairman, the gentleman will recall that last year the Senate put in this bill in the miscellaneous items an appropriation of $20,000 for certain sweet-potato work. We

have transferred that $20,000 from the miscellaneous funds to this item, where it properly belongs. In other words, we have corrected an error in respect to the proper place it should appear in the bill.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

Preventing spread of moths, Bureau of Entomology: To enable the Secretary of Agriculture to meet the emergency caused by the continued spread of the gypsy and brown-tail moths by conducting such experiments as may be necessary to determine the best methods of controlling these insects; by introducing and establishing the parasites and natural enemies of these insects and colonizing them within the infested territory; by establishing and maintaining a quarantine against further spread in such manner as is provided by the general nursery-stock law, approved August 20, 1912, as amended, entitled "An act to regulate the importation of nursery stock and other plants and plant products, to enable the Secretary of Agriculture to establish and maintain quarantine districts for plant diseases and insect pests, to permit and regulate the movement of fruits, plants, and vegetables therefrom, and for other purposes," in cooperation with the authorities of the different States concerned and with the several State experiment stations, including rent outside of the District of Columbia, the employment of labor in the city of Washington and elsewhere, and all other necessary expenses, $304,060.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. At the top of page 58 there is an item providing for investigational work under the direction of the Federal Horticultural Board. Early in the afternoon the gentleman from Illinois [Mr. MANN] directed attention to the ban placed by this board upon the importation into this country of certain flowers and plants which are generally used, most of them coming from Belgium. I rise to inquire whether this appropriation of $304,060 is the item from which the activities of this Federal Horticultural Board are paid?

Mr. LEVER. No; that item is carried further on in the bill, under the heading "Horticultural Board." It is on page 86.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

BUREAU OF BIOLOGICAL SURVEY.

Salaries, Bureau of Biological Survey: One biologist, who shall be chief of bureau, $4,000; 1 chief clerk and executive assistant, $1,800; 1 administrative assistant, $2,250; 1 executive assistant, $1,800; 1 financial clerk, $1,600; 3 clerks, class 3; 6 clerks, class 2; 1 clerk, $1,260; 10 clerks, class 1; 1 clerk, $1,100; 1 clerk, $1,080; 3 clerks, at $1,000 each; 4 clerks, at $900 each; 1 clerk, $840; 1 clerk, $720; 1 preparator, $1,200; 1 preparator, $900; 1 messenger, $720; 1 photographer, $1,300; 3 game wardens, $1,200; 2 messenger boys, at $480 each; 1 messenger boy, $360; 1 laborer, $600; 2 charwomen, at $240 each; in all, $55,970.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph. Will the chairman of the committee inform the House as to how long this biologist has been in the service of the Government, and how long he has been receiving the present salary of $3,500, on which you recommend an increase of $500?

Mr. LEVER. Mr. Chairman, this gentleman, whose name is Nelson, has been in the service of the department since November, 1890, a period of 28 years. He has served as chief field naturalist from 1907 to 1912, and was assistant in charge of the biological investigation from 1913 to 1914. On August 6, 1914, he was appointed assistant chief of the bureau, and on December 1, 1916, was made chief of the bureau. He took the place of Dr. Henshaw.

Mr. STAFFORD. And the salary has been $3,500 since 1916?

Mr. LEVER. Yes.

Mr. STAFFORD. What is his age?

Mr. LEVER. I should think that Dr. Nelson is around 50 years of age.

Mr. STAFFORD. He is not superannuated?

Mr. LEVER. Oh, no; he is a very vigorous man.

Mr. STAFFORD. Mr. Chairman, I withdraw the point of order.

Mr. SUMNERS. Mr. Chairman, I move to strike out the last two words for the purpose of asking unanimous consent that I may print in the RECORD for the information of members of the committee an amendment which at the proper place I propose to offer.

The CHAIRMAN. Is there objection?

There was no objection.

The amendment referred to is as follows:

For establishing and operating a farm produce exchange, the sum of $1,000,000, or so much thereof as may be required, and the Secretary of Agriculture is hereby authorized and directed to establish, at as early a date as practicable, a farm produce exchange, with such branches thereto as may be necessary, in order to afford a medium through which the economic and systematic sale and distribution of farm products may be effected.

Such exchange shall be divided into four sections, designated, respectively, as the grain, cotton, fruit and vegetable, and miscellaneous sections, and such additional sections as Congress may from time to time provide for by specific appropriation.

The commissioners of agriculture of the several States may select, and are requested to select, an advisory committee for each of said sections, other than the miscellaneous section, composed of three of their number, to act with the Secretary of Agriculture in connection with the sale of the farm products to be sold through the section for which they may be respectively selected, provided, however, the members of said committees shall have been selected by a majority vote by such commissioners based upon the average value, as determined by the Secretary of Agriculture, of the production of their respective States during the five years preceding such selection of the product or products to be dealt in through the section for which they may be selected. Nothing herein shall prevent an individual commissioner from being selected for the advisory committee of more than one section.

It shall be the duty of the Secretary of Agriculture to determine the time for the first selection of advisory committees shall be made, and to notify the commissioners of agriculture of the several States of his action with regard thereto; and upon request by a majority vote, based upon production as herein provided, of the commissioners of agriculture shall designate the place where the selection of the several committees shall be made: *Provided, however*, That upon request of such majority vote the Secretary of Agriculture may provide for such selection otherwise than by a meeting of the several commissioners entitled to make such selection.

In the operation of such exchange the Secretary of Agriculture, as far as practicable, shall cooperate with the several States and the various agencies therein which may be utilized and may formulate plans and regulations for exchange of service between them and such exchange.

It shall be the duty of each of the departments of the Government to furnish the Secretary of Agriculture with such statistics and data as may be required which would be useful in the operation of such exchange and to render such other service in the sale and distribution of farm products through such exchange as it would be practicable to render.

The Secretary of Agriculture, as rapidly as possible, shall provide standards as to quality, and, where practicable, as to containers of agricultural products not heretofore standardized and subject to subsequent standardization by Congress.

The Secretary of Agriculture shall keep advised as nearly as practicable of the details of the quantity, quality, location, and price at which held of agricultural products and the volume and location or demand in the United States and abroad and the price at which such products may be sold, and shall make such information available to producers and purchasers of such products and to the general public and shall endeavor to bring about such system in the sale and distribution of farm products as shall eliminate the waste and extremes in prices resulting from the present lack of system therein and from the undue influence of price manipulation in relation thereto.

Those desiring to offer products for sale through such exchange may do so by grade or by sample, delivered to such exchange under such rules and regulations as the Secretary of Agriculture may prescribe. Those desiring to purchase farm products may in like manner submit offers to purchase, and it shall be the duty of the Secretary of Agriculture to endeavor to establish trading relationship between those desiring to purchase and those desiring to sell and to procure the transfer of title and possession under such sales as may be effected at points along the natural line of movement of farm products moving to points of consumption and to direct such movement so that such products shall move as nearly as practicable from the first point of concentration to the point of ultimate need by the shortest and most economical route and in quantity and quality in accord therewith. And to this end may designate points for inspection and of delivery, and shall exercise such intermediary inspection and supervision of delivery as shall inspire general confidence in the integrity of transactions consummated through such exchange.

The Secretary of Agriculture is authorized to require such deposits in money, such bonds, or other guaranties of compliance with the obligation to deliver according to tender, or to receive and pay according to offer, as in his judgment may be necessary to insure compliance with the contracts made through such exchange.

All information furnished by such exchange shall not be at a higher cost than that necessary to pay the expenses of transmission.

No charges shall be made to individual producers or to producers' organizations for services rendered in effecting sales of products grown by them or by their members, as the case may be.

The Secretary of Agriculture is authorized to establish such additional rules and regulations governing transactions through such exchange and the service rendered by such exchange as in his discretion may be deemed necessary.

The Clerk read as follows:

For all necessary expenses for enforcing the provisions of the migratory-bird treaty act of July 3, 1918 (Public, No. 186, 65th Cong.), and for cooperation with local authorities in the connection of migratory birds, and for necessary investigations connected therewith, $147,000: *Provided*, That of this sum not more than $22,000 may be used for the enforcement of sections 241, 242, 243, and 244 of the act approved March 4, 1909, entitled "An act to codify, revise, and amend the penal laws of the United States," and for the enforcement of section 1 of the act approved May 25, 1900, entitled "An act to enlarge the powers of the Department of Agriculture, prohibit the transportation by interstate commerce of game killed in violation of local laws, and for other purposes," including all necessary investigations in connection therewith.

Mr. STAFFORD. Mr. Chairman, on that I reserve the point of order.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee with reference to this paragraph which carries an appropriation of $147,000 for the purpose of enforcing the migratory game law, whether anyone has ever been convicted under the provisions of that law?

Mr. LEVER. Mr. Chairman, I do not know about that. Of course the Supreme Court has dismissed the case which came to it from one of the lower courts on the migratory game law itself. This is the first time that we have appropriated anything for the purpose of enforcing the migratory game treaty provision. I did not make any inquiry about it. There have been convictions, because these cases have come to the Supreme Court.

Mr. GREEN of Iowa. The statement of the gentleman leads to another inquiry. I have not followed the recent decisions of

the Supreme Court on this subject. The gentleman's statement that an appeal from the Supreme Court was dismissed does not tell me whether the court held the law valid or invalid.

Mr. LEVER. The Supreme Court did not pass on that, as the law had been superseded by another.

Mr. GREEN of Iowa. As far as I know, the lower courts have uniformly held the law to be invalid.

Mr. LEVER. I think there was a conflict there. One court held it valid and another invalid. I think there has been a conflict as to that, but not on this proposition. Of course that was the migratory game law, and not the migratory game treaty for which this item provides.

Mr. GREEN of Iowa. Well, this is for the purpose of enforcing the law, as I understand, which was passed for the purpose of carrying out this treaty?

Mr. LEVER. That is true. The enforcement of this act will not begin until the next fiscal year.

Mr. GREEN of Iowa. Very true; but they have been trying to enforce this same law—well, not the same law but a similar law?

Mr. LEVER. Yes. They have been enforcing the law which Congress passed and which one of the lower courts held to be unconstitutional and another court to be constitutional. One case finally came to the Supreme Court, but the migratory bird treaty was entered into, so the Supreme Court dismissed the case.

Mr. GREEN of Iowa. All I care to say in this connection is it is an utter waste of money, because nothing is accomplished by it.

Mr. PLATT. The gentleman is mistaken about that.

Mr. STAFFORD. Mr. Chairman, I wish to inquire of the gentleman what is purposed in the expenditure of this large appropriation of $147,000 for the enforcement of the provisions of the migratory bird treaty with Great Britain?

Mr. LEVER. Seventy-five thousand dollars of that will be used for that purpose.

Mr. STAFFORD. What is purposed in the minutia of the enforcement of that treaty? Is it intended to employ game wardens throughout the entire country?

Mr. LEVER. Certainly.

Mr. STAFFORD. And under the guise of this treaty try to enforce the migratory bird law?

Mr. LEVER. Exactly. This will enable them to employ more game wardens than they have had under the old law.

Mr. STAFFORD. Under the former law we only appropriated something like $50,000.

Mr. LEVER. Yes; we increase it $25,000.

Mr. RUBEY. Will the gentleman yield?

Mr. STAFFORD. I will yield to the gentleman for further information.

Mr. RUBEY. The department have always asked a larger sum than we have allowed. A year ago they asked for $100,000 for the enforcement of the law, and the committee or the House, I forget which, cut it down to $50,000. They have always asked for a larger appropriation than we have allowed.

Mr. STAFFORD. Can the gentleman give any information as to what is planned by the department in the enforcement of the law under the guise of this treaty?

Mr. LEVER. As I understand it, they intend simply to increase their force of game wardens and pursue the same policy of enforcing this act as they have been doing in reference to the act under which a case was dismissed by the Supreme Court.

Mr. STAFFORD. The gentleman from Missouri says that the department has heretofore requested a much larger amount than was granted.

Mr. LEVER. That is true.

Mr. STAFFORD. Has the department requested a larger amount this year for the enforcement of the treaty?

Mr. LEVER. The department asked for an appropriation of $125,000 for that purpose, and we gave $75,000. We cut it $50,000.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The CHAIRMAN. The point of order is withdrawn.

Mr. CURRY of California. Mr. Chairman, I make the point of order against the section; it is subject to the point of order.

Mr. LEVER. Oh, it is not subject to the point of order; it is existing law.

Mr. CURRY of California. It is existing law?

Mr. LEVER. Certainly.

Mr. CURRY of California. Then, I move to strike out the section.

Mr. LEVER. And upon that I ask that all debate close in six minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this paragraph and all amendments thereto close in six minutes. Is there objection?

Mr. STAFFORD. Reserving the right to object, make it 10 minutes.

Mr. LEVER. Mr. Chairman, I will make it 12 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman that all debate on this paragraph and all amendments thereto close in 12 minutes? [After a pause.] The Chair hears none.

Mr. CURRY of California. Mr. Chairman, I do not care about taking up the time of the committee so late this afternoon on a matter of this kind. Every person understands the section, what it refers to, why it is there, and why it ought not to be there. They are opposed to it or else they are in favor of it. I think a mistake was made in approving the treaty between Great Britain and the United States in reference to birds that migrate between Canada and this country. It has not resulted in any good, but it has resulted in bad local conditions.

Birds do the farmer some good, or at least the insectivorous birds do; but most of them are not migratory or do not migrate between Canada and the United States. Birds also do the farmer much harm. They carry and spread wheat smut, citrus canker and scale, pear blight, and domestic animal diseases.

In the Sacramento and San Joaquin Valleys in California wild ducks and geese destroy millions of dollars worth of grain, particularly wheat and rice. The Secretary of Agriculture, on application, may issue licenses to farmers injured by wild birds to shoot them on his farm or ranch, but the farmer is prohibited from selling, giving away, or transporting the birds they shoot. The result is that millions of ducks and geese rot on the ground of the ranches where they are shot.

The States themselves are in a better position to legislate on migratory birds and as to the time of the open and closed season than this Congress is. The California game laws protect all wild birds, except game birds, during the open season; that is, the killing of all birds except game birds named in the act is prohibited all the time and game birds can only be shot during the open season. Giving Congress the right to enact game laws is a centralization of power that is unwarranted and that a few years ago would not have been attempted. This treaty never should have been ratified in the first place. It has been adopted, and it was done for two purposes only—one to protect the game for the gentlemen sportsmen from the cities and the other was a surrender to the theorists and idealists of the Audubon Society. They both worked together and they worked this proposition through Congress. It is not in the interest of the people at all. It is only in the interest of a theory and idea and in the interest of the rich man in large cities who can afford to own preserves and employ men to go out there and stock the preserves with feed for the game. It is not in the interest of the public. Therefore I have made the motion to strike out the section.

Mr. PLATT. Mr. Chairman, I disagree entirely with the gentleman from California. The States are absolutely not in a position to legislate in regard to migratory birds, and neither is one country alone. The great migratory game birds, like the ducks and the geese, as I have said before on several occasions, do not belong to this country. If a person lives where his home is, then the ducks, most of them, live really in Canada. That is where they raise their young. They come down into the United States and spend the winter, just like our rich people go to Florida or to California.

Mr. CURRY of California. Will the gentleman yield for a moment?

Mr. PLATT. But the ducks and geese are a comparatively small part of the birds which are protected by the treaty. There are hundreds of varieties, or at least something over 100 species, of migratory birds that are small and that are of great economic use in destroying insects. And many of those birds nest in Canada. Many simply pass through the United States and go way down to South America in winter, some as far as Brazil and the Argentine.

I have already spoken several times on the subject of migratory birds, and I do not want to take up too much of the time of the House on that subject. Migratory birds rest sometimes only over a day or a night in a State, or they fly to it and perhaps spend a few weeks there. I have amused myself every spring by going out into the woods and fields with members of the Audubon Society and others in order to see how many birds I could identify. There are some that pass through rapidly. If you do not happen to see them in a certain week in April or May, you are not likely to see them during the whole year, unless you catch them on their return in the fall, when they are silent and do not sing and are generally harder to identify.

Mr. CURRY of California. Does not the gentleman know that more ducks and geese nest in California and Oregon than in Canada, and that the ducks and geese destroy millions of dollars' worth of cereals—wheat and rye—in that State, and that while the farmers are permitted to kill the ducks, if possible to keep them off their ranches, they are not permitted to sell or give away or transport them? And there are millions upon millions of ducks and geese in the State of California that are killed and allowed to lie right on the ground simply on account of this law.

Mr. PLATT. If they are allowed to kill them they should be allowed to dispose of them. There are ducks and geese that nest in this country. But the great bulk of migratory ducks and geese to-day nest in Canada and along the northern border of the United States. A few species are nearly entirely resident in the United States. But the mallards and the canvasbacks and the most of the ducks that we see down here on the Potomac nest in Canada.

Mr. GREEN of Iowa. The gentleman has made a study of this subject and is much better informed than I am; but I had supposed that every State in the Union forbade the killing of song and insectivorous birds, and that there was not any necessity of further legislation on that subject. I do not understand that the national game wardens pay any attention to that part of the law.

Mr. PLATT. The gentleman is mistaken. For instance, take the bobolink. The bird we call the bobolink in the North, where he nests, is a rather famous song bird. After the nesting season he migrates down here into Maryland and Virginia and changes his plumage, and in the fall of the year is called a "reed bird." Then he looks entirely different, and before the Lacey Act was passed thousands of reed birds used to be shot by pot hunters to be served on our tables here in Washington and elsewhere. "Reed birds on toast" were to be found in every high-priced restaurant. The States did not generally prohibit the destruction of these birds, but as a rule their protection was made effective through the enforcement of the national law, at first by the Lacey Act, which has recently been superseded by the migratory bird act. There used to be also thousands of little birds of brilliant plumage, little warblers, killed to ornament women's hats.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. PLATT. Certainly.

Mr. McLAUGHLIN of Michigan. Speaking of birds being destructive of farm crops, the gentleman knows, I presume, that the authorities on that subject say that there is only one bird, the English sparrow, that does more harm than good?

Mr. PLATT. I do not know that even the English sparrow does more harm than good, though we have more of them than we need in most cities; but I understand there are certain species of hawks that do more harm than good. It has been conclusively shown, however, that most hawks do more good than harm. You will find down in the Biological Survey of the Department of Agriculture there are experts who spend all their time examining through microscopes the contents of the stomachs of birds. These men can determine what kind of a caterpillar a bird has been eating; and they can make a pretty close estimate of how many worms or bugs in a day or in a year a certain kind of bird eats, and how many seeds of a certain kind a bird has been eating, and so can determine pretty clearly whether it does good and how much good it does.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. PLATT. Yes; I yield to the gentleman from Ohio.

Mr. FESS. Referring to the destructiveness on the part of birds of agricultural products, has the gentleman any knowledge of how much the birds save by their destruction of insects and other pests which afflict vegetation?

Mr. PLATT. I have seen various estimates. They certainly save millions and millions of dollars' worth.

Mr. FESS. More than they destroy?

Mr. PLATT. Yes; vastly more.

The CHAIRMAN. The time of the gentleman from New York has expired. The question is on agreeing to the amendment of the gentleman from California [Mr. CURRY].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

DIVISION OF PUBLICATIONS.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. STAFFORD. The next paragraph will provoke some discussion, and I would suggest to the gentleman from South Carolina that, having covered two-thirds of the bill, it might be an opportune place for the committee to rise.

Mr. LEVER. I will be very glad to make the motion to rise. The committee has been very kind, and there is a prospect that we can get through to-morrow. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HAMLIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15018) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920, and had come to no resolution thereon.

HOUR OF MEETING TO-MORROW—11 O'CLOCK A. M.

Mr. LEVER. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER. The gentleman from South Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

Mr. WINGO, by unanimous consent, was granted leave of absence for the day on account of illness.

ADJOURNMENT.

Mr. LEVER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 59 minutes p. m.) the House adjourned, pursuant to the order made, until to-morrow, Friday, January 31, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of Commerce submitting a supplemental estimate of appropriation required to complete the pending purchase of land for the Bureau of Standards (H. Doc. No. 1744); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of War, transmitting report of expenditures on account of appropriation for contingent expenses of the War Department during the fiscal year ended June 30, 1918 (H. Doc. No. 1745); to the Committee on Expenditures in the War Department and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting list of extensions of Federal buildings which have been authorized by Congress but have not so far been constructed (H. Doc. No. 1746); to the Committee on Public Buildings and Grounds and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk and referred to the several calendars therein named, as follows:

Mr. CLARK of Florida, from the Committee on War Claims, to which was referred the bill (H. R. 6019) to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the acts of Congress approved July 1, 1862, March 7, 1864, July 13, 1866, and March 2, 1867, reported the same without amendment, accompanied by a report (No. 1017), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. EAGLE, from the Committee on Banking and Currency, to which was referred the joint resolution (S. J. Res. 179) authorizing national banks to subscribe to the United War Work campaign, reported the same without amendment, accompanied by a report (No. 1018), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CANNON: A bill (H. R. 15388) authorizing the Secretary of War to donate to the Neoga Township High School, Neoga, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15387) authorizing the Secretary of War to donate to the city of Hoopeston, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15388) authorizing the Secretary of War to donate to the city of Manteno, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ROWLAND: A bill (H. R. 15389) authorizing the Secretary of War to donate to the town of State College, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15390) authorizing the Secretary of War to donate to the town of Oscelo Mills, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. STRONG: A bill (H. R. 15391) authorizing the Secretary of War to donate to the E. D. Sharp Post, No. 267, Grand Army of the Republic for the E. D. Sharp soldiers' plot in the cemetery at Rimersburg, Clarion County, Pa., two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. ASHBROOK: A bill (H. R. 15392) to authorize the Secretary of War to furnish a German cannon, with carriage and cannon balls, to the village of Johnstown, Ohio; to the Committee on Military Affairs.

Also, a bill (H. R. 15393) authorizing the Secretary of War to furnish a German cannon, with carriage and cannon balls, to the city of Mount Vernon, Ohio; to the Committee on Military Affairs.

Also, a bill (H. R. 15394) to authorize the Secretary of War to furnish a German cannon, with carriage and cannon balls, to the city of Mansfield, Ohio; to the Committee on Military Affairs.

Also, a bill (H. R. 15395) authorizing the Secretary of War to furnish a German cannon, with carriage and cannon balls, to the city of Delaware, Ohio; to the Committee on Military Affairs.

Also, a bill (H. R. 15396) to authorize the Secretary of War to furnish a German cannon, with carriage and cannon balls, to the city of Coshocton, Ohio; to the Committee on Military Affairs.

Also, a bill (H. R. 15397) authorizing the Secretary of War to furnish a German cannon, with carriage and cannon balls, to the city of Ashland, Ohio; to the Committee on Military Affairs.

Also, a bill (H. R. 15398) to authorize the Secretary of War to furnish a German cannon, with carriage and cannon balls, to the Grand Army of the Republic Club at the city of Newark, Ohio; to the Committee on Military Affairs.

By Mr. JONES: A bill (H. R. 15399) to regulate the sale of stock of private corporations in States or Territories of the United States other than those in which such concerns are incorporated, and to regulate the sale of lots by oil, mining, gas, or township corporations in States other than those in which such concerns are incorporated and providing that such corporations shall secure a permit from the Federal Trade Commission, and providing a penalty against the organizers, agents, and representatives violating the provisions of this act; to the Committee on Interstate and Foreign Commerce.

By Mr. TOWNER: A bill (H. R. 15400) to create a department of education, to authorize appropriations for the conduct of said department, to authorize the appropriation of money to encourage the States in the promotion and support of education, and for other purposes; to the Committee on Education.

By Mr. HAYES: A bill (H. R. 15401) increasing the limit of cost for a Federal building and site at San Luis Obispo, Cal., to the Committee on Public Buildings and Grounds.

By Mr. BANKHEAD: A bill (H. R. 15402) to promote the education of native illiterates, of persons unable to understand and use the English language, and of other resident persons of foreign birth; to provide for cooperation with the States in the education of such persons in the English language, the fundamental principles of government and citizenship, the elements of knowledge pertaining to self-support and home making, and in such other work as will assist in preparing such illiterates and foreign-born persons for successful living and intelligent American citizenship; to the Committee on Education.

By Mr. GOOD: A bill (H. R. 15403) authorizing the Secretary of War to donate to the town of Wyoming, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KEHOE: A bill (H. R. 15404) increasing the limit of cost for a Federal building at Marianna, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15405) increasing the limit of cost for a Federal building at Apalachicola, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15406) for the purchase of a site and the erection of a customhouse and post-office building at St. Andrews, Fla.; to the Committee on Public Buildings and Grounds.

By Mr. HAMILTON of Michigan: A bill (H. R. 15407) providing for the erection of a public building at the city of St. Joseph, Mich.; to the Committee on Public Buildings and Grounds.

By Mr. BLAND of Indiana: A bill (H. R. 15408) to make additions, extensions, and improvements to the post-office building at Vincennes, Ind., to be used for post-office and mine-rescue purposes; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15409) for the erection of a public building at Linton, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. ROBINSON: A bill (H. R. 15410) to provide for the acquisition, by purchase, condemnation, or otherwise, of a site for a public building at Sanford, N. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15411) to provide for the acquisition, by purchase, condemnation, or otherwise, of a site for a public building at Hamlet, N. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15412) to increase the limit of cost of a public building at Thomasville, N. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15413) to provide for the erection of a public building at Wadesboro, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. MOTT: A bill (H. R. 15414) authorizing the Secretary of War to donate to the village of Dexter, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PURNELL: A bill (H. R. 15415) to provide for the erection of a post-office building at Lebanon, Ind.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15416) to provide for the erection of a post-office building at Noblesville, Ind.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15417) to provide for the erection of a post-office building at Tipton, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. ALMON: A bill (H. R. 15418) for the purchase of a site and the erection of a public building at Athens, Ala.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15419) to increase the limit of cost of a public building at Decatur, Ala.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15420) for the purchase of a site and the erection of a public building at Sheffield, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. HERSEY: A bill (H. R. 15421) authorizing the Secretary of War to donate to the town of Milo, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MANSFIELD: A bill (H. R. 15422) to authorize the acquisition of a site and the erection thereon of a Federal building at San Benito, Tex.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15423) to authorize the acquisition of a site and the erection thereon of a Federal building at Alvin, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. PHELAN: A bill (H. R. 15424) authorizing the Secretary of War to donate to the city of Lawrence, Mass., one German cannon or field gun and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 15425) authorizing the Secretary of War to donate to the city of Lynn, Mass., one German field gun and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 15426) authorizing the Secretary of War to donate to the city of Peabody, Mass., one German cannon or field gun and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 15427) authorizing the Secretary of War to donate to the city of North Reading, Mass., one German cannon or field gun and carriage; to the committee on Military Affairs.

By Mr. WHALEY: A bill (H. R. 15428) for the purchase of a site for a public building at Summerville, Dorchester County, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15429) for the purchase of a site for a public building at Walterboro, Colleton County, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15430) for the purchase of a site for a public building at St. George, Dorchester County, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15431) for the purchase of a site for a public building at Manning, Clarendon County, S. C.; to the Committee on Public Buildings and Grounds.

By Mr. PADGETT: A bill (H. R. 15432) for the purchase of a post-office site at Dickson, Tenn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15433) for the purchase of a post-office site at Lawrenceburg, Tenn.; to the Committee on Public Buildings and Grounds.

By Mr. BURROUGHS: A bill (H. R. 15434) to acquire by purchase, condemnation, or otherwise additional land for the Federal building at Manchester, N. H., and to construct an addition thereon; to the Committee on Public Buildings and Grounds.

By Mr. STEENERSON: A bill (H. R. 15435) directing the Secretary of the Treasury to withhold temporarily Federal aid to States for the construction of post roads under certain conditions; to the Committee on the Post Office and Post Roads.

By Mr. GOODWIN of Arkansas: A bill (H. R. 15436) for the erection of a public building at El Dorado, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15437) for the purchase of a site for a public building at Warren, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15438) increasing the limit of cost for a Federal building at Prescott, Ark.; to the Committee on Public Buildings and Grounds.

By Mr. HERSEY: A bill (H. R. 15439) authorizing the Secretary of War to donate to the town of Dexter, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CRAGO: A bill (H. R. 15440) for the purchase of a site and the erection of a public building thereon at Somerset, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. DIXON: A bill (H. R. 15441) for the erection of a public building at Greensburg, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. ELLIOTT: A bill (H. R. 15442) increasing the limit of cost for a Federal Building at Shelbyville, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. HOLLAND: A bill (H. R. 15443) to authorize the Secretary of the Treasury to acquire, by condemnation or otherwise, such additional land in the city of Norfolk, Va., as may be necessary for the enlargement of the post-office building in said city, to cause said building to be enlarged, and making an appropriation therefor; to the Committee on Public Buildings and Grounds.

By Mr. McKINLEY: A bill (H. R. 15444) to appropriate additional money to build an addition for the increase of postal facilities at the present post office at Decatur, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. FAIRFIELD: A bill (H. R. 15445) to enlarge the post-office building at Fort Wayne, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. GRIEST: A bill (H. R. 15446) to provide for the purchase of a site for a public building at Columbia, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. TAYLOR of Colorado: A bill (H. R. 15447) to require publicity in prospectuses, advertisements, and offers for sale of securities; to the Committee on the Judiciary.

By Mr. WELLING: A bill (H. R. 15448) for the purchase of a post-office site at Tremonton, Utah; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15449) for the purchase of a site and the erection of a public building at St. George, Utah; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15450) for the purchase of a post-office site at Cedar City, Utah; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15451) for the purchase of a post-office site at Mount Pleasant, Utah; to the Committee on Public Buildings and Grounds.

By Mr. HAYDEN: A bill (H. R. 15452) granting public lands to the State of Arizona for the construction, repair, and maintenance of public roads and highways; to the Committee on the Public Lands.

By Mr. CLARK of Missouri: A bill (H. R. 15453) authorizing the Secretary of War to donate to the city of Wellsville, Mo., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PARKER of New York: A bill (H. R. 15454) authorizing the Secretary of War to donate a captured German cannon or fieldpiece to the town of Luzerne, in the State of New York; to the Committee on Military Affairs.

Also, a bill (H. R. 15455) authorizing the Secretary of War to donate a captured German cannon or fieldpiece to the city of Glens Falls, in the State of New York; to the Committee on Military Affairs.

Also, a bill (H. R. 15456) authorizing the Secretary of War to donate a captured German cannon or fieldpiece to the village of Ballston Spa, in the State of New York; to the Committee on Military Affairs.

By Mr. BURNETT: Resolution (H. Res. 538) providing for the consideration of House bill 15302; to the Committee on Rules.

By Mr. KNUTSON: Resolution (H. Res. 539) authorizing the appointment of a select committee to investigate charges made against the management of the St. Elizabeths Hospital; to the Committee on Rules.

By Mr. CANTRILL: Resolution (H. Res. 540) authorizing the payment of $1,200 to G. D. Ellis for extra and expert services rendered in the office of the Clerk of the House of Representatives during the second and third sessions of the Sixty-fifth Congress; to the Committee on Accounts.

By Mr. ANTHONY: Joint resolution (H. J. Res. 401) to express the opinion of the Congress of the United States in reference to continued expenditures of public money heretofore appropriated for the construction of military camps and cantonments during time of war; to the Committee on Military Affairs.

By the SPEAKER: Memorial of the Legislature of the State of Alabama praying Congress to retain the training in the use of small arms and tanks at Fort Benning in the State of Georgia; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. GOULD: A bill (H. R. 15457) for the relief of certain officers and members of the crew of the U. S. S. *San Diego;* to the Committee on Ways and Means.

By Mr. KNUTSON: A bill (H. R. 15458) granting an increase of pension to Alonzo Green; to the Committee on Invalid Pensions.

By Mr. PARKER of New York: A bill (H. R. 15459) for the relief of Glens Falls Pharmaceutical Co.; to the Committee on Claims.

By Mr. STRONG: A bill (H. R. 15460) granting a pension to John Bohntinsky; to the Committee on Pensions.

By Mr. THOMAS: A bill (H. R. 15461) granting a pension to Willie E. Vaughan; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BURROUGHS: Petition of Mrs. T. E. Ingalls, of Manchester, N. H., for the repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of L. B. Ackerman and M. M. Ackerman, of Derry, N. H., for the repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of Rev. D. P. Ganle, pastor first Baptist Church, Keene, N. H., for the repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also petition of Benjamin A. Nelson and three others, of Keene, N. H., for the repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of Rev. B. J. Glazier, pastor Advent Christian Church, Northwood Narrows, N. H., for the repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of H. J. Farnham and four others, of Derry, N. H., for the repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of Walter H. Lewis and three others, of Manchester, N. H., for the repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of Charles H. Perkins and W. L. Woodworth, of Lakeport, and Albert C. Moore, of Laconia, all in the State of New Hampshire, for the repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of Draftsmen's Union, Local No. 15767, Portsmouth, N. H., signed by W. B. Collier, recording secretary, and 17 others, for the repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of Mrs. Alice A. Haynes and 13 other residents of Pittsburg, N. H., for the repeal of the postal zone rate bill; to the Committee on Ways and Means.

By Mr. CARY: Petition of Bluemound Country Club, protesting against the proposed raise in war tax on club dues; to the Committee on Ways and Means.

Also, petition of Rotary Club of Milwaukee, Wis., approving of the change of the name of the Panama Canal to Roosevelt Canal; to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Milwaukee, Wis., favoring the proposition of converting a portion of the T. N. T. plant at Ives, Wis., into a "zoological garden," and asking an investigation of status of said property; to the Committee on Public Buildings and Grounds.

Also, petition of Reel Quality Shop, of Milwaukee, Wis., protesting against the luxury tax; to the Committee on Ways and Means.

By Mr. CLAYPOOL: Petition of citizens of State of Ohio urging national ownership and government of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. CRAGO: Petition of Philadelphia Produce Exchange favoring the determination by Congress of the scope of the work to be done by the Bureau of Markets, Department of Agriculture; to the Committee on Agriculture.

Also, petition of Rotary Club, of New Castle, Pa., favoring continuation of Federal control of wire systems until Congress shall have studied the question further; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: Petition of Wisconsin State legislative board of the Brotherhood of Locomotive Firemen and Enginemen, of Milwaukee, demanding new trial for Thomas J. Mooney; to the Committee on the Judiciary.

Also, petition of legislative boards of the Brotherhood of Locomotive Firemen and Enginemen and Brotherhood of Railroad Trainmen of Wisconsin, opposing General Order No. 42, which denies to railroad employees their constitutional rights; to the Committee on Interstate and Foreign Commerce.

By Mr. HERSEY: Petition of Britton Leather Co., Brewer, Me., urging repeal of the periodical postage amendment to revenue law; to the Committee on Ways and Means.

By Mr. HOLLINGSWORTH: Memorial of Oscar Marietta and 10 other residents of Salem, Ohio, asking for repeal of postal zone rate bill; to the Committee on Ways and Means.

By Mr. KAHN: Petition of Northern California Hotel Association, urging the return of the railroads to private ownership; to the Committee on Interstate and Foreign Commerce.

Also, petition of San Francisco Chamber of Commerce, protesting against Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. KINKAID: Petition of P. E. Fitzgerald and others of Pleasanton, Nebr., asking repeal of postal zone law; to the Committee on Ways and Means.

Also, petition of Mrs. Dema Marsh and citizens of Westerville and Arcadia, Nebr., asking for repeal of postal zone rate bill; to the Committee on Ways and Means.

By Mr. MAGEE: Petition of Mr. and Mrs. L. D. Palmer, of Syracuse, N. Y., favoring repeal of the postal zone rate provision; to the Committee on Ways and Means.

By Mr. MANSFIELD: Petition of Cuero Chamber of Commerce and Agriculture, Cuero, Tex., urging Congress to enact such laws that all transportation by rail or water and the wire system shall be released from Government control and returned to individual or corporate owners; to the Committee on Interstate and Foreign Commerce.

By Mr. MORIN: Petition of the Pittsburgh Board of Trade, asking for the creation of a Federal highways commission, that the present appropriations for Federal aid to the States be continued and increased so as to keep pace with the development of the country, and that all governmental activities with respect to highways be administered by the Federal Highways Commission; to the Committee on Roads.

Also, petition of the Pittsburgh Board of Trade, urging legislation to prevent any German or Austrian reservist or any other person who was engaged in any manner in opposition to the United States and its allies returning to the United States for any purpose whatever, and that all enemy aliens be deported and forever debarred from returning to this country; to the Committee on Immigration and Naturalization.

Also, petition of Pittsburgh Board of Trade, urging that Turkish authority should not be reestablished, and that the new Syria shall be federated union of provinces; to the Committee on Foreign Affairs.

By Mr. MOTT: Memorial of senate of State of New York, urging that Congress enact legislation giving pay bonus to men discharged from the Army and Navy; to the Committee on Military Affairs.

By Mr. NEELY: Petition of George T. Watson, Fairmont, W. Va., requesting that tax bill be kept down to $4,000,000,000; to the Committee on Ways and Means.

Also, petition of J. Clyde Lewis, Grafton, W. Va., protesting against new tax bill being more than $4,000,000,000; to the Committee on Ways and Means.

Also, petition of L. B. Brydon, Grafton, W. Va., requesting that tax issue be kept down to $4,000,000,000; to the Committee on Ways and Means.

By Mr. NOLAN: Petition of San Francisco Chamber of Commerce and the Northern California Hotel Association, favoring the return of the railroads to private ownership; to the Committee on Interstate and Foreign Commerce.

By Mr. POLK: Petition of Local Lodge, No. 441, International Brotherhood of Boiler Makers, Iron Ship Builders, and Helpers of America, approving of Government ownership of railroads in the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: Petition of Northern California Hotel Association, urging the return of the railroads to private ownership; to the Committee on Interstate and Foreign Commerce.

Also, petition of San Francisco Chamber of Commerce, favoring the return of railroads to private ownership; to the Committee on Interstate and Foreign Commerce.

Also, petition of California Federation of Women's Clubs, indorsing the league of nations; to the Committee on Foreign Affairs.

Also, petition of Mississippi Valley Association, for the development of foreign and domestic trade; to the Committee on Interstate and Foreign Commerce.

By Mr. RANDALL: Petition of Central Labor Council of Los Angeles, Cal., protesting against construction of vessels for the United States Shipping Board in Japanese and Chinese ports by Asiatic labor and the consequent increase of unemployment in the United States; to the Committee on the Merchant Marine and Fisheries.

By Mr. STRONG: Petition of citizens of Brookville, Pa., favoring Government ownership of railroads within the United States and its possessions; to the Committee on Interstate and Foreign Commerce.

Also, petition of members of St. Nicholas Church, Mayport, R. F. D., Clarion County, Pa., favoring self-determination for Ireland; to the Committee on Foreign Affairs.

By Mr. TAYLOR of Colorado: Petition of citizens of Cimarron, Colo., asking for Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of Local Lodge No. 406 of the Brotherhood of Railroad Trainmen, of Colorado Springs, Colo., urging Government control of railroads; to the Committee on Interstate and Foreign Commerce.

SENATE.

FRIDAY, *January 31, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come to Thee, the Changeless One, in whom there is no variableness, neither shadow of turning. Our little systems have their day. They have their day and cease to be. Thy law standeth sure unto all generations. Thy will concerning men is their happiness, their prosperity, and their peace. We worship Thee and put ourselves under Thy divine command. We pray Thee to direct us in the discharge of all the sacred duties of this high and holy office. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Tuesday, January 28, 1919, when, on request of Mr. SHEPPARD and by unanimous consent, the further reading was dispensed with and the Journal was approved.

SENATOR FROM WEST VIRGINIA.

Mr. SUTHERLAND. I present the credentials of Hon. DAVIS ELKINS, chosen by the qualified electors of the State of West Virginia a Senator to represent that State for the term of six years beginning on the 4th day of March, 1919, which I ask to have read and placed on the files of the Senate.

The credentials were read and ordered to be placed on the files, as follows:

THE STATE OF WEST VIRGINIA.

To all to whom these presents shall come:

This is to certify that on the 5th day of November, 1918, DAVIS ELKINS, of the county of Monongalia, was duly chosen by the qualified electors of the State of West Virginia a Senator from said State to represent said State in the Senate of the United States for the term of six years beginning on the 4th day of March, 1919.

Given under my hand and the great seal of the said State of West Virginia this 17th day of January, 1919.

JOHN J. CORNWELL, *Governor.*

By the governor:
[SEAL.]

HORSTON G. YOUNG,
Secretary of State.

WAR EMERGENCY EMPLOYMENT SERVICE (S. DOC. NO. 365).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of Labor, submitting a supplemental estimate of appropriation in the sum of $2,032,849.53 required by the War Emergency Employment Service for the fiscal year 1919, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

TAX ON CHILD LABOR (S. DOC. NO. 364).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of Labor, submitting an estimate of appropriation in the sum of $184,160 to carry out the provisions of that portion of the revenue bill now in conference which relates to the tax on the employment of child labor, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

COST OF THE WAR (S. DOC. NO. 363).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, in response to a resolution of December 15, 1918, a report giving full information and findings, as far as the Department of Agriculture is concerned, relative to the cost of the war with Germany and Austria, which, with the accompanying paper, was ordered to lie on the table and be printed.

WASHINGTON & OLD DOMINION RAILWAY.

The VICE PRESIDENT laid before the Senate the annual report of the Washington & Old Dominion Railway for the year ended December 31, 1918, which was referred to the Committee on the District of Columbia and ordered to be printed.

NATIONAL PROHIBITION.

The VICE PRESIDENT. The Chair lays before the Senate resolutions adopted by the Legislatures of the States of California, Iowa, Tennessee, and New Mexico, ratifying the proposed prohibition amendment to the Constitution of the United States, which will be placed on the files of the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. DENT, Mr. FIELDS, and Mr. KAHN managers at the conference on the part of the House.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, and it was thereupon signed by the Vice President.

VALIDATION OF WAR CONTRACTS.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives, disagreeing to the amendments of the Senate to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. CHAMBERLAIN. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to, and the Vice President appointed Mr. CHAMBERLAIN, Mr. FLETCHER, Mr. THOMAS, Mr. WARREN, and Mr. KNOX conferees on the part of the Senate.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT laid before the Senate a resolution adopted by the Legislature of the State of Alabama, petitioning Congress to retain the established school of training in the use of small arms and tanks at Fort Benning, in the State of Georgia, which was referred to the Committee on Military Affairs and ordered to be printed in the Record, as follows:

MONTGOMERY, ALA., *January 30, 1919.*

The PRESIDING OFFICER,
United States Senate, Washington, D. C.:

I, Fred H. Gormley, clerk of the House of Representatives of Alabama, do hereby certify that the following resolution has passed both houses and that the same has been signed by the proper officers. Copy of resolution H. J. Res. No. 23, by Mr. Waddell, memorializing Congress to retain the school of training in the use of small arms and tanks at Fort Benning, in the State of Georgia:

"*Resolved by the House of Representatives of the Legislature of Alabama (the Senate concurring)*, That the Congress of the United States of America is hereby respectfully petitioned and memorialized to retain the established school of training in the use of small arms and tanks at Fort Benning, in the State of Georgia, and that a copy of this joint resolution be forwarded to each the Vice President of the United States, the President of the Senate, the Speaker of the House of Representatives, to each Senator from the State of Alabama, to each Senator from the State of Georgia, and to each Representative in the Congress from the State of Alabama and from the State of Georgia."

FRED H. GORMLEY,
Clerk, House of Representatives.

Mr. McKELLAR. I present a number of memorials from public bodies in Tennessee and two or three telegrams on the subject of turning back the telegraph and telephone to private ownership, which I ask may be printed in the RECORD without reading.

There being no objection, the memorials and telegrams were ordered to be printed in the RECORD as follows:

MEMPHIS, TENN., *January 30, 1919.*

Senator K. D. McKELLAR,
Washington, D. C.:

We, the undersigned business men of Memphis, earnestly request that you use your efforts toward turning the telegraph and telephone back to private ownership immediately.

Chappell Harris, A. R. Hudson, Wells & Gustafson, J. A. Evans, jr., W. J. Britton, W. M. King, B. F. Powell, W. W. Harbour, G. K. Eckert, Leroy Cooper, B. P. Snyder, H. F. Arnold, W. R. Bond, F. D. Farabee, W. T. Cole, Irwin Leatherman Cotton Co., M. Mass, W. O. Pharr, M. Lowenthal, Thomas A. Goodwin, Gwynne Yerger, F. L. Page, W. A. Jones, jr., A. J. Warwick, W. L. Oates, E. C. Sledge, Geo. W. Pease, J. A. Gorman, Tom P. Beane, J. A. Sprolee, W. P. Maury, C. W. Loeb, C. H. Fried, W. A. May, W. M. Robinson, Jas. S. Patteson & Co., J. A. Brown, L. D. Falls, J. S. Williams, T. W. Carter, H. B. Weisiger, J. S. Dinsman, A. H. Campbell, Leo G. Carter, Geo. Williamson, A. A. Adams, Wm. Rhett, Fern Wood Mitchell, L. Eustis, C. L. Wilkinson, John A. Rawson, Ed Frohlich, J. A. Evans, J. W. Falls, T. H. Morris, W. H. Raney, W. D. Mallory, Louis M. Browne, John D. Massey, J. B. Hurt, J. F. Mathis Co., Porter Weaver & Co., J. H. Farrar & Co., G. E. Reid, J. F. Maury, H. B. Albro, J. S. Finley, R. P. Fargason, W. M. Drake, S. B. Wilson, F. A. Gaston, Shepard & Gluck, W. E. Richmond, manager, G. M. Schloss, J. P. McGhee, C. P. Twiford, V. M. Crooker.

—

JACKSON, TENN.

Whereas the extraordinary problems produced by the war and the coming reconstruction period render it extremely difficult, if not impossible, for the owners of the great wire systems now under Federal control to successfully resume the operation of the same without remedial legislation and the provision of some reasonable period in which to allow for the necessary preparation and readjustment; and

Whereas to properly consider these problems will require more time than is available during the present short session of Congress; and

Whereas unless some action is taken at this time the properties will be returned to the owners upon proclamation by the President of the ratification of peace treaties, without any advance notice and without any period for readjustment; and

Whereas this would clearly be a manifest injustice to the owners thereof and a menace to the business interests of the country: Now, therefore, be it

Resolved, That this organization, the Jackson Association of Commerce, go on record as favoring the enactment by Congress of some law which will continue the control and operation of such utilities by the Government until Congress shall have studied the question and determined upon a proper and safe procedure to be thereafter followed.

Be it further resolved, That a copy of this resolution be sent to the Senators of this State and to the Representative of this district.

THE JACKSON ASSOCIATION OF COMMERCE,
A. J. MCGHEE, *Secretary.*

—

WINCHESTER, TENN.

Whereas the extraordinary problems produced by the war and the coming reconstruction period render it extremely difficult, if not impossible, for the owners of the great wire systems now under Federal control to successfully resume the operation of the same without remedial legislation and the provision of some reasonable period in which to allow for the necessary preparation and readjustment; and

Whereas to properly consider these problems will require more time than is available during the present short session of Congress; and

Whereas unless some action is taken at this time the properties will be returned to the owners upon the proclamation by the President of the ratification of peace treaties, without any advance notice and without any period for readjustment; and

Whereas this would clearly be a manifest injustice to the owners thereof and a menace to the business interests of the country: Now, therefore, be it

Resolved, That this organization, the Winchester Chamber of Commerce, go on record as favoring the enactment by Congress of some law which will continue the control and operation of such utilities by the Government until Congress shall have studied the question and determined upon a proper and safe procedure to be thereafter followed.

Be it further resolved, That a copy of this resolution be sent to the Senators of this State and to the Representative of this district.

F. B. ALEXANDER, *President.*
T. A. EMBRY, *Secretary.*

—

COMMUNITY CLUB,
Gallatin, Tenn.

Whereas the great wire systems now under Federal control will be returned to the owners upon the proclamation of the President of the ratification of the peace treaties; and

Whereas sufficient time is not available during the present short session of Congress for the proper consideration and solution of this great question as to what is the best course to take; and

Whereas it would clearly be a manifest injustice to the public, the employees, and to the owners, as well as a menace to the business interests of the country, without some remedial legislation and the provision of some reasonable period in which to allow the study and careful consideration by Congress of a matter of such great importance and to make necessary arrangements and preparation for the readjustments that are sure to come in the proper settlement of this question: Now, therefore, be it

Resolved, That the board of directors of the Community Club, of Gallatin, Tenn., go on record as favoring the enactment of some law by the present Congress which will continue the control and operation of

such utilities by the Government until Congress shall have studied the question thoroughly and determined upon some proper and safe procedure to be thereafter followed; be it further

Resolved, That a copy of this resolution be sent to the Senators of this State and to the Representative of this district.

H. A. HOLDER,
President.

E. B. HOUSE,
J. T. BASKERVILLE,
L. M. ROSS,
T. S. PIERCE,
R. T. GUTHRIE,
OSCAR V. SMITH,
W. P. MORTON,
W. T. WALKER,
Directors.

—

MEMPHIS, TENN., *January 29, 1919.*

Senator KENNETH McKELLAR,
Washington, D. C.:

For the best interest of the public I urge immediate return of telephone and telegraph companies to their owners.

W. G. CAVETT.

—

MEMPHIS, TENN., *January 29, 1919.*

Senator KENNETH McKELLAR,
Washington, D. C.:

As a large user of the telegraph and telephone, I believe absolutely that it is to the interest of the business public to have the wire systems returned to their owners and operated by them immediately. Please do what you can to have the lines returned.

A. C. HUTCHINSON,
Foreign Freight Broker.

—

MEMPHIS, TENN., *January 29, 1919.*

Senator KENNETH McKELLAR,
Washington, D. C.:

Use your influence to have telegraph and telephone companies returned to their owners at once. It will be greatly appreciated.

H. B. JONES.

—

MEMPHIS, TENN., *January 29, 1919.*

Senator KENNETH McKELLAR,
Washington, D. C.:

For the best interest of the public we urge immediate return of telephone and telegraph companies to their owners.

R. G. & W. H. BELCHER.

Mr. THOMAS. I present two joint memorials of the Senate and House of the Legislature of Colorado on the subject of the drainage of the San Luis Valley in southern Colorado and for the adoption of reclamation projects for the benefit of returning soldiers and sailors, which I ask may be printed in the RECORD.

The memorials were referred to the Committee on Irrigation and Reclamation of Arid Lands and ordered to be printed in the RECORD, as follows:

HOUSE OF REPRESENTATIVES,
STATE OF COLORADO,
Denver, January 27, 1919.

Hon. CHARLES S. THOMAS,
United States Senate, Washington, D. C.

SIR: I am transmitting herewith one certified copy each of house joint memorials Nos. 2 and 3, in accordance with the terms thereof.

Respectfully,

HARRY P. MASON, *Chief Clerk.*

House joint memorial 2.

To the honorable the Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the General Assembly of the State of Colorado, respectfully represent that—

Whereas in the San Luis Valley, in southern Colorado, are 600,000 acres of excellent agricultural land that has become so water-logged for the want of drainage that one-half of it has become entirely unproductive and the other one-half largely so; and

Whereas prior to the time that these lands become water-logged they were occupied, cultivated, had an established record of great production, and have decreed water rights already available under constructed systems of distribution; and

Whereas the drainage of this land would release a very large amount of water, greatly enhancing the supply in the Rio Grande River for repeated use below; and

Whereas the situation in this area is such that little, if any, of the added supply of water gained from such drainage could be used in Colorado, but would be of vast benefit to the lands in New Mexico and Texas; and

Whereas surveys and sufficient drainage work has been accomplished in this locality to show that the project is not only feasible but that the supply of water returned would be so great as to make its value to the Government, cost considered, greater than any reclamation project so far constructed by it: Now, therefore,

Your memorialists, believing this to be a truly interstate enterprise of as much benefit to lands beyond our borders as it is to those within our State, most urgently recommend that the Reclamation Service be authorized and directed to proceed with the drainage of the San Luis Valley without delay.

It is directed that this memorial be enrolled and one copy sent to the President of the United States, one copy to the honorable Secretary of the Interior, one copy to the House chairman of the Committee on Irrigation of Arid Lands, one copy to the Senate chairman of the Committee on Irrigation and Reclamation of Arid Lands, and one copy to the Senators and Congressmen representing the State of Colorado.

This is to certify that the foregoing is a true and correct copy of house joint memorial 2, as passed by the Senate and House of Representatives of the State of Colorado.

HARRY P. MASON,
Chief Clerk of the House of Representatives of Colorado.

House joint memorial 3.

To the honorable the Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the General Assembly of the State of Colorado, respectfully represent that—

Whereas the honorable Secretary of the Interior has requested the immediate passage of a bill appropriating the sum of $100,000,000 to be employed on reclamation projects for the benefit of returning soldiers and sailors; and

Whereas such an undertaking is not only commendable as a practical recognition of a patriotic service rendered, but alike meritorious, in that it would place unproductive land in the productive lists, a distinctly governmental function: Now, therefore

Your memorialists do advise, recommend, and request that the measure herein referred to be passed by your honorable body with the celerity that its merit justifies, and thus meet a situation that has already arisen, the importance of which is being daily emphasized at every American port of debarkation.

It is directed that this memorial be enrolled and one copy sent to the President of the United States, one copy to the honorable Secretary of the Interior, one copy to the House chairman of the Committee on Irrigation of Arid Lands, one copy to the Senate chairman of the Committee on Irrigation and Reclamation of Arid Lands, one copy to the Senators and Congressmen representing the State of Colorado.

This is to certify that the foregoing is a true and correct copy of House joint memorial No. 3, as passed by the Senate and House of Representatives of the State of Colorado.

HARRY P. MASON,
Chief Clerk of the House of Representatives of Colorado.

Mr. CHAMBERLAIN. I present a joint memorial of the Legislature of Oregon, which I ask to have printed in the RECORD and referred to the Committee on Military Affairs.

There being no objection, the memorial was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

House joint memorial 7.

To the honorable the Senate and the House of Representatives of the United States of America in Congress assembled:

Your memorialists, the Legislative Assembly of the State of Oregon, respectfully represent that—

Whereas there are many wives and families of soldiers and sailors in the State of Oregon who have failed to receive from the Bureau of War Risk Insurance of the Treasury Department of the Federal Government the allotments made unto them by said soldiers and sailors; and

Whereas many policies of insurance have been taken out by soldiers and sailors which have not been delivered by said bureau to the beneficiaries therein provided for; and

Whereas said bureau has in numerous instances either failed to answer inquiries of such beneficiaries with respect to allotments or policies of insurance and in many other instances have been dilatory and unsatisfactory in their responses, notwithstanding the fact that said bureau has a sufficiently large clerical force, reported to be in excess of 14,000 clerks and assistants; and

Whereas such conduct of said bureau would appear to be inexcusable and due to an unjustifiable system of red tape, apparent incapacity, and incompetency: Now, therefore, be it

Resolved by the house of representatives (the senate concurring), That our Senators and Representatives in Congress and the Congress of the United States of America be, and they are hereby, memorialized and requested to cause an investigation to be made as to the conduct of said bureau with respect to the matters aforesaid and to determine and fix the responsibility therefor, and that thereupon proper legislation be enacted to increase the efficiency of said department and to expedite the business thereof; be it further

Resolved, That the chief clerk of the house be, and he is hereby, directed to forward a copy of this joint memorial to each Senator and Representative from Oregon in the Congress of the United States.

Adopted by the senate January 23, 1919.

W. T. VINTON,
President of the Senate.

Adopted by the house January 21, 1919.

SEYMOUR JONES,
Speaker of the House.

I hereby certify that the foregoing house joint memorial 7 is a true copy as passed by the house and senate as above indicated.

W. F. DRAGER,
Chief Clerk of the House.

Mr. CHAMBERLAIN. I also present a joint memorial of the Legislature of Oregon, which I ask to have printed in the RECORD and referred to the Committee on Indian Affairs.

There being no objection, the memorial was referred to the Committee on Indian Affairs and ordered to be printed in the RECORD, as follows:

House joint memorial 1.

Whereas in 1894 the United States Government caused to be issued trust patents to the Indians to certain lands in the Siletz Indian Reservation, in Lincoln County, State of Oregon, with the provision and understanding that at the expiration of 25 years fee simple patents would issue to the Indian allottees in lieu of said trust patents; and

Whereas the 25-year period mentioned in the said trust patent has expired; and

Whereas the Indians on said former Siletz Reservation are practically all educated and competent to manage their own affairs, and all Government schools have been abandoned on said Indian reservation, and the Indians are attending the public schools of the county, situated on said reservation, which are kept up by taxes imposed upon the taxpayers of the State and county; and

Whereas said Indians are subject to the civil courts and practically all the criminal business concerning said Indians is had in the civil courts of Lincoln County, Oreg., at the cost of the taxpayers thereof; and

Whereas the said allotted Indian lands are not taxable, and the approximate valuation of said Indian lands is about $2,000,000, and the cost and burden of Government has been transferred from the United States to State and county government; and

Whereas the people are taxed for the purpose of building roads through these lands, and the State and county receive no benefit whatever from said lands: Be it

Resolved by the House of Representatives of the State of Oregon (the Senate concurring), That we respectfully memorialize the Congress of the United States to enact a law authorizing and directing that patents in fee simple be issued to all the allottees of Indian lands or their heirs to whom trust patents were issued to lands within the boundaries of the former Siletz Indian Reservation, in Lincoln County, Oreg.

Adopted by the Senate January 23, 1919.

W. T. VINTON,
President of the Senate.

Adopted by the House January 15, 1919.

SEYMOUR JONES,
Speaker of the House.

I hereby certify that House joint memorial No. 1 is a true copy as passed by the house and senate as above indicated.

W. F. DRAGER,
Chief Clerk of the House.

Mr. TOWNSEND presented a petition of sundry citizens of Port Huron, Mich., praying for the proposed extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

Mr. MOSES presented a petition of Commodore Barry Council No. 533, Knights of Columbus, of Brooklyn, N. Y., praying for the freedom of Ireland, which was referred to the Committee on Foreign Relations.

Mr. CURTIS presented resolutions of the Kansas State Board of Agriculture, in session at Tokepa, Kans., relative to the early discharge of soldiers, compulsory military training, continuation of Government-fixed prices, and reduced fares for harvest hands, which were referred to the Committee on Military Affairs.

He also presented a petition of sundry citizens of Lawrence, Kans., praying for the repeal of the present zone system of postal rates, which was referred to the Committee on Post Offices and Post Roads.

He also presented resolutions of Local Council No. 356, Amalgamated Sheet Metal Workers, of Parsons; of Local Lodge No. 462, Brotherhood of Locomotive Engineers, of Arkansas City; and of the Trades and Labor Assembly of Wichita, all in the State of Kansas, favoring the proposed extension of Federal control of railroads, which were referred to the Committee on Interstate Commerce.

He also presented resolutions adopted by Local Lodge No. 293, International Association of Machinists, of Parsons; of Local Lodge No. 880, International Association of Machinists, of Pittsburg; and of sundry citizens of Wichita, all in the State of Kansas, favoring Government ownership of railroads, which were referred to the Committee on Interstate Commerce.

Mr. LODGE presented resolutions adopted by the city council of Cambridge, Mass., favoring the granting of six months' extra pay to honorably discharged soldiers, sailors, and marines, which were referred to the Committee on Military Affairs.

Mr. SUTHERLAND presented resolutions adopted by the Chamber of Commerce of Charleston; of the Board of Commerce of Parkersburg; of the Chamber of Commerce of Sistersville; of the Board of Trade of Elm Grove; of the Rotary Club of Wheeling; of the Rotary Club of Weston; of the Business Men's Association of Morgantown; of the West Virginia Retail Clothiers Association, in convention at Wheeling; of the Lansing Telephone Co., of Lansing; of the Mount Cove Telephone Co., of Mount Cove; of the town council of Thurmond; of the Wetzel County Bank of New Martinsville; and of the Kiwanis Club of Wheeling, all in the State of West Virginia, favoring the enactment of legislation continuing Government control of public utilities until Congress shall have studied the question and determined upon a proper and safe procedure to be thereafter followed, which were referred to the Committee on Interstate Commerce.

DEMOBILIZATION OF TROOPS.

Mr. JONES of Washington. Mr. President, I have received several letters in reference to the demobilization of troops, urging that the troops be sent to their homes before discharge. I received a letter from the secretary of the soldiers' and sailors' placement bureau regarding this matter. I referred it to the War Department. I think the answer of the War Department would be of considerable interest not only to my section of the country but elsewhere. So I ask that it may be printed in the RECORD. It explains the situation quite fully from the standpoint of the War Department.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
Washington, January 28, 1919.

Hon. W. L. JONES,
United States Senate, Washington, D. C.

MY DEAR SENATOR: The Secretary of War directs me to acknowledge receipt of your communication of January 24, 1919, inclosing a telegram from Mr. Frank Gages, secretary soldiers' and sailors' placement bureau, urging discharge of soldiers at their homes rather than near a large city, and to advise you that this matter has been given careful consideration by the War Department.

In order to accomplish what Mr. Gages suggests it would be necessary to establish at or near the homes of the men the necessary facilities for demobilization, including medical and other personnel for the purpose of preparing records, conducting physical examinations, and making final payment, and in addition maintaining facilities for housing and feeding men and furnishing hospital treatment, if necessary, while the soldiers were awaiting discharge.

To discharge men at a camp and send them to their homes for the receipt of their discharge certificate and final payment is unauthorized. The soldier is entitled to his discharge certificate and final payment at place of discharge. To discharge soldiers in camp and deliver their discharge certificates to them at that place and to send them to their homes for payment is equally unauthorized, since it infringes upon the rights of freedom of action of the discharged soldier, who may, as a matter of fact, desire to go to some place other than his home.

The suggestion has been received from time to time that the local draft boards might be utilized for the purpose of demobilization. You can readily understand that if the War Department, after the careful consideration which it has given to this problem, found that by handling demobilization through these instrumentalities the discharge of soldiers would be facilitated and the interests of the men and the Government would be protected, this method would have been utilized. It is believed, however, that the contrary is true. Under this system there would be as many demobilization centers as there are local draft boards, each with a more or less elaborate overhead, depending upon the number of men to be discharged.

The best solution, which was considered not only lawful but practicable, was considered to be arrived at by placing the men in a camp already established in or nearest the State from which they entered the service and there discharging them. This plan places men so near their homes that they may easily return thereto if they so desire.

An officer from the War Department recently visited Camp Dix, Wrightstown, N. J., which is located a short distance from New York City, and there found that of 1,200 men discharged in one day whose homes were within a radius of 350 miles of Camp Dix, 805 purchased their railroad tickets to place of induction or enlistment immediately after receiving their pay, the ticket office being at one end of the pay room. All men whose payment was witnessed had ample funds remaining after purchasing their tickets to pay all legitimate expenses.

It is appreciated that many men who have had the attractions of a large city unfolded before their eyes for the first time have a natural desire to see them. This is common to all men. It is believed, however, that those whose homes have been attractive to them, or those who have positions awaiting them at their homes, will in most cases return to their homes. On the other hand, it is quite reasonable to suppose that many young men who have been away from home for the first time and have found other places more attractive to them will not return to their former surroundings at all, while some, if they do return to their former homes, will not remain there permanently. It is believed that this condition could not altogether be modified, even though men were sent to their home towns and there discharged.

Thanking you for bringing this matter to the attention of the War Department, and assuring you that the present plan of demobilization was not arrived at until it was viewed from all angles, and with the interests of the Government, the soldier, and the general public in mind, I remain,

Sincerely, yours,

E. D. ANDERSON,
Brigadier General, General Staff,
Acting Director of Operations.

LETTER FROM FREDERICK A. BUSHEE.

Mr. THOMAS. Mr. President, I have received the following letter from one of my constituents in Colorado, and I deem it my duty to read it into the RECORD:

I was much surprised to see my name included in the list of persons holding "radical or pacifist views," which Mr. Stevenson presented to the Senate committee. Permit me to say that there is absolutely no reason for such a charge against me. I consider it a slander, and I want the matter made right. As Mr. Stevenson can not substantiate such a charge with any reasonable evidence, he should publicly retract his statement. I have been strongly proally from the beginning of the war and have been an ardent supporter of the war, and shortly after we entered the contest I offered my services to the Government. As to the question of radical views, I hold just about as radical views as President Wilson does. I voted for President Wilson and have actively supported him throughout his administration; and when Mr. Stevenson puts my name in a list of suspected persons he does not know what he is talking about. The Senate has no business to permit names to be printed as suspicious when they know no more about them than they evidently do about me.

* * * * * * *

I ask that you investigate this matter and if possible have my name taken from the list and set the matter right before the public. The error is likely to do me and the University of Colorado much harm.

The letter is signed by Frederick A. Bushee, who is a professor in the department of economics and sociology in the university of my State. I am not acquainted with Dr. Bushee, but I have a letter from Dr. Willard, of the department of history, whom I know very well and who testifies to the loyalty and political integrity of Dr. Bushee.

I should add that a day or two ago I called this letter to the attention of the chairman of the subcommittee having these investigations in charge, and he will insert it in the record of the investigations.

I do not care to comment further upon the incident, except to say that in view of the attitude taken by the Secretary of War regarding Stevenson, it would seem that that gentleman allowed his enthusiasm to get away with his judgment.

OLD RIVER DAM, TEX.

Mr. SHEPPARD, from the Committee on Commerce, to which was referred the bill (H. R. 7362) to authorize construction of a lock and dam in Old River, in the State of Texas, and the making of improvements enabling the passage of fresh water

from a portion of Trinity River above the mouth of Old River into Old River above such lock and dam, and for the protection of rice crops against salt water, reported it without amendment and submitted a report (No. 676) thereon.

PANAMA CANAL ZONE.

Mr. THOMPSON. From the Committee on Interoceanic Canals I report back favorably with amendments the bill (S. 5224) to prohibit intoxicating liquors and prostitution within the Canal Zone, and for other purposes, and I submit a report (No. 677) thereon. I have a letter from the general commanding the troops in the Canal Zone, which I should like to have made a part of the report, showing the importance of early action on the bill.

The VICE PRESIDENT. It will be so ordered, and the bill will be placed on the calendar.

SENATOR FROM MICHIGAN.

Mr. THOMPSON. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably without amendment Senate resolution 415, referring the petition of Henry Ford, contesting the election of Truman H. Newberry as a Senator from Michigan, to the Committee on Privileges and Elections, authorizing said committee to take possession of the ballots, poll books, tally sheets, documents, and so forth.

The VICE PRESIDENT. The resolution will be placed on the calendar.

LEGISLATIVE, ETC., APPROPRIATIONS.

Mr. UNDERWOOD. From the Committee on Appropriations I report back favorably with amendments the bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and I submit a report (No. 679) thereon.

The VICE PRESIDENT. The bill will be placed on the calendar.

MISSISSIPPI RIVER BRIDGE AND TUNNELS.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 13143) extending the time for the construction of a bridge across the Mississippi River near and above the city of New Orleans, La., or for the construction of a tunnel or tunnels under said river in lieu of said bridge, and I submit a report (No. 675) thereon. I ask for the immediate consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by the act of Congress approved August 8, 1916, to be built across the Mississippi River near and above the city of New Orleans, La., by the city of New Orleans, or for constructing a tunnel or tunnels under said river in lieu of the bridge, are hereby extended to two and five years, respectively, from the date of the approval of this act.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

COLUMBIA RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (S. 5316) granting the consent of Congress to the Wenatchee-Beebe Orchard Co. to construct a bridge across the Columbia River at or within 4 miles northerly from the town of Chelan Falls, in the State of Washington, and I submit a report (No. 674) thereon. I ask for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to Wenatchee-Beebe Orchard Co., a corporation organized under the laws of the State of Maine, and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Columbia River at a point suitable to the interests of navigation, at or near a point within 4 miles northerly from the town of Chelan Falls, in the county of Chelan, in the State of Washington, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MISSOURI RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 13004) extending the time for construction of a bridge and for the maintenance of a pontoon and pile bridge by the Chicago, Milwaukee & St. Paul Railway Co. across the Missouri River at or near Chamberlain, S. Dak., and providing additional requirements for the bridge to be constructed, and I submit a report (No. 673) thereon. I ask for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of the bridge authorized by section 1 of the act of Congress approved April 28, 1916, are hereby extended two and five years, respectively, from April 28, 1917.

SEC. 2. That if the bridge built under the provisions of said act shall be found, in the judgment of the Secretary of War, to be so construed that it does not reasonably meet the requirements for continuous and uninterrupted railroad traffic, then and in such event, he may order such changes as in his judgment may be necessary to make said bridge meet such requirements. All the privileges herein conferred and the right to maintain the bridge to be built hereunder shall cease and determine unless such changes as the Secretary of War shall direct shall be commenced within six months and completed within two years next following the date of service of such order.

SEC. 3. That the time during which the Chicago, Milwaukee & St. Paul Railway Co. was authorized to maintain its pontoon and pile bridge across the Missouri River at or near Chamberlain, S. Dak., by section 2 of the said act of April 28, 1916, is hereby extended for one year from date of approval hereof.

SEC. 4. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time and referred as follows:

By Mr. SHEPPARD:

A bill (S. 5486) to amend section 2 of an act entitled "An act to pension the survivors of certain Indian wars from January 1, 1859, to January, 1891, inclusive, and for other purposes," approved March 4, 1917; to the Committee on Pensions.

A bill (S. 5487) to authorize the city of Beaumont, Tex., the Neches Canal Co., and the Beaumont Irrigating Co. to construct and maintain a dam across the Neches River about 8 miles above the city of Beaumont, Tex.; to the Committee on Commerce.

By Mr. KNOX:

A bill (S. 5488) granting the consent of Congress to the Pittsburgh Junction Railroad Co. to construct a bridge across the Allegheny River at Pittsburgh, Pa.; to the Committee on Commerce.

By Mr. JONES of Washington:

A bill (S. 5489) providing for the investigation of certain lands in the State of Washington with a view to their reclamation; to the Committee on Irrigation and Reclamation of Arid Lands.

By Mr. TRAMMELL:

A bill (S. 5490) to authorize the Secretary of War, in his discretion, to deliver to certain towns and cities in the State of Florida captured German cannon and cannon balls or shells; to the Committee on Military Affairs.

By Mr. WEEKS:

A bill (S. 5491) authorizing the Secretary of War to donate to the city of Taunton, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ROBINSON:

A bill (S. 5492) granting to certain claimants a preference right to purchase certain public lands in the State of Arkansas; and

A bill (S. 5493) authorizing local drainage districts to drain certain public lands in the State of Arkansas, counties of Mississippi and Poinsett, and subjecting said lands to taxation; to the Committee on Public Lands.

By Mr. CURTIS:

A bill (S. 5494) donating captured cannon and cannon balls to the city of Osage City, Kans.;

A bill (S. 5495) donating captured cannon and cannon balls to the city of Independence, Kans.;

A bill (S. 5496) donating captured cannon and cannon balls to the city of Emporia, Kans.;

A bill (S. 5497) donating captured cannon and cannon balls to the city of Hays, Kans.;

A bill (S. 5498) donating captured cannon and cannon balls to the National Guard at Liberal, Kans.; and

A bill (S. 5499) donating captured cannon and cannon balls to the Kansas Wesleyan University, Salina, Kans.; to the Committee on Military Affairs.

By Mr. CALDER:

A bill (S. 5500) to amend the act of June 3, 1916, entitled "An act for making further and more effectual provision for the national defense and other purposes"; to the Committee on Military Affairs.

By Mr. CHAMBERLAIN:

A bill (S. 5501) granting an increase of pension to Edward D. Hamilton; and

A bill (S. 5502) granting a pension to Joseph B. Doan; to the Committee on Pensions.

By Mr. CALDER:

A joint resolution (S. J. Res. 217) admitting into the United States 500 barrels of Spanish wine ordered by Luigi Bick, of New York City, before the passage of the food-control act prohibiting the importation of distilled spirits, the delivery of which was delayed on account of war conditions until after that act went into effect; to the Committee on Finance.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. LODGE submitted an amendment proposing to appropriate $5,000 to pay Mrs. Natalie Summers, widow of Madden Summers, late consul general to Moscow, being one year's salary of her deceased husband, who died at his post of duty, intended to be proposed by him to the Diplomatic and Consular appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. CALDER submitted an amendment proposing to appropriate $6,000,000 to enable the Secretary of Agriculture to join in the construction of a tunnel or tunnels under the Hudson River between Manhattan, N. Y., and some point in Hudson County, N. J., etc., intended to be proposed by him to the Post Office appropriation bill, which was ordered to lie on the table and be printed.

He also submitted an amendment providing that for the fiscal year ending June 30, 1920, each fourth-class postmaster shall be paid a sum not less than 20 per cent of his or her compensation under existing law, and not more than 25 per cent thereof as allowance for rent, light, and fuel, etc., intended to be proposed by him to the Post Office appropriation bill, which was ordered to lie on the table and be printed.

BREWING AND LIQUOR INTERESTS AND GERMAN PROPAGANDA.

Mr. OVERMAN submitted the following concurrent resolution (S. Con. Res. 29), which was read and referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there shall be printed 10,000 copies of the hearings entitled "Brewing and Liquor Interests and German Propaganda," held before a subcommittee of the Committee on the Judiciary, United States Senate, in the second and third sessions of the Sixty-fifth Congress, pursuant to Senate resolution 307, of which 3,500 copies shall be for the use of the Senate, 6,000 copies for the use of the House of Representatives, and 500 copies for the use of the Senate Committee on the Judiciary.

FEDERAL TRADE COMMISSION.

Mr. JONES of Washington. I submit a resolution, which I ask may be read and lie on the table.

The resolution (S. Res. 431) was read and ordered to lie on the table, as follows:

Resolved, That the Federal Trade Commission be, and it is hereby directed, under the authority of the act entitled "An act to create a Federal Trade Commission, to define its purposes and duties, and for other purposes," approved September 26, 1914, to investigate, ascertain, and report to the Senate the facts relating to the production, manufacture, profits upon, and sale of milk products in the United States since January 1, 1914, with particular reference to the condensed milk industry, its methods, practices, profits, and interlocking interests, and submit its recommendations to the Senate, for the prevention of fraudulent and discriminatory practices and unreasonable profits connected therewith, and also to investigate and report to the Senate to what extent the Food Administration fixed the price of milk and milk products, the fairness of such prices to the producers of the milk and to the consumers of the finished products, and what effect the prices fixed or the action taken by the Food Administration had upon the producers of the milk and the prices paid by the consumer for the manufactured products, and what relation to or interest in any particular line of the industry was held by any and all of the officials of the Food Administration who had to do with the price fixing of milk or milk products.

EMPLOYMENT OF ADDITIONAL CLERKS.

Mr. CALDER submitted the following resolution (S. Res. 432), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That Senate resolution No. 75, agreed to on April 3, 1918, being a resolution authorizing the employment of an additional clerk by each Senator having no more than one clerk, one assistant clerk, and one messenger for himself or for the committee of which he is chairman for the remainder of the second session of the Sixty-fifth Congress, at the rate of $100 per month, said compensation to be paid out of the miscellaneous items of the contingent fund of the Senate, and which said resolution was extended and continued, under authority of Senate resolution No. 328, agreed to on November 15, 1918, until the end of the Sixty-fifth Congress, be, and the same is hereby, further extended and continued in full force and effect until otherwise provided by law.

ORDER OF PROCEDURE.

Mr. NEW. Mr. President, if it is at this time in order, two or three days ago I gave notice that at the conclusion of the morning business the first day when the morning hour was observed I would submit some remarks to the Senate upon the subject of the reorganization of the Army.

The VICE PRESIDENT. If there is no further morning business, the morning business is closed.

REORGANIZATION OF THE ARMY.

Mr. NEW. Mr. President, the time has come when Congress, the War Department, and the people must give serious thought to the reorganization of our military forces, if not to defining the future military policy of the country. That the War Department realizes the truth of this is evidenced by the fact that it several days ago submitted a plan for reorganization to the House of Representatives. After a brief discussion, which developed marked differences of opinion concerning its merits, the subject was passed over to the next Congress, which is well enough, for it is manifest that insufficient time remains of this session to digest and adopt a plan. Until Congress acts we must retain a considerable portion of our present force. In creating the Army now in the field it was expressly provided that it was for the emergency only, and that the period of service should be limited to a date four months after the signing of the declaration of peace, or as early as transportation home could be supplied the troops overseas. When this proclamation may be issued is of course a matter of doubt. It may be months away or it may come much sooner; events alone can determine that. It now appears that it is not imminent; but, Mr. President, 90 days ago there were few who anticipated the imminence of the armistice. Whenever it comes, the men now under arms have a right to assume that the law will be respected and observed and their Government's contract with them lived up to. If it is not, I fear we shall find ourselves with a dissatisfied and discontented lot of soldiers and, to put it mildly, an indignant and protesting lot of parents and wives in every walk of life from which those soldiers were drawn. Without reference to final proclamations, they all consider the war as over; they want their soldiers sent home, and any alteration of plans which will result in holding the boys in the ranks for a protracted period is not going to be received with favor. It will be well to bear that in mind.

But in the absence of a plan it is proposed, according to announcement, to provide by a paragraph in one of the bills yet to be considered authority for the President to retain indefinitely "as much of the present armed forces as he sees fit." I have not had opportunity to read the bill. The details of this proposition, assuming that there may be details, have not been given out, but if they work to the annulment of the four months' contract I unhesitatingly venture the prediction that they will prove far from popular either with the Army or the folks back home. Whenever the time comes for discharging the conscripted men and those who volunteered for the emergency there will remain in the Army of the United States only those who were in the Regular Army previous to April 6, 1917, and whose terms of enlistment have not then expired, a force utterly inadequate to cope with any real emergency, for the maintenance of a sufficient force in our island possessions and the Canal Zone, to govern our established posts, and to patrol the border.

Obviously, therefore, the adoption of a well-defined scheme to rehabilitate our armed forces is a prime necessity. And this brings me to what must be a very superficial consideration of the plan presented to the House committee. I have already said that I have not been privileged to read the bill, and I shall therefore confine myself to those features of it which have been given to the public through the newspapers and which I assume to have been correctly stated. Initially it provides for an army of more than half a million men—500,000, to be exact. Mr. President, I have always been and am still a believer in and advocate of real military preparedness. The enormous and excessive cost, the loss of time, and the unnecessary hardships to the men encountered in our latest effort, conceding to it the fullest measure of success to which it is entitled, all strengthen my conviction that preparedness is the part of wisdom. I believe with our greatest American tactician, Gen. Upton, who said in effect that "the nation which goes to war unprepared educates its statesmen at greater expense than its soldiers." But, sir, preparedness does not necessarily imply the permanent maintenance of a great standing army. For one, I do not believe an army of anything approaching the size of that contemplated in the War Department bill is either necessary or desirable. Moreover, unless I entirely misconceive the temper of the people of the United States, they will not have it; and, if they would, I do not believe it even remotely possible to obtain anything like a volunteer army of that size unless indeed we are to pay our soldiers a wage that would make the maintenance of such a force too burdensome from the standpoint of operating cost. The cost of maintaining such an army on the basis of the present emergency pay will reach $797,000,000; on the basis of pay before the war $713,000,000, while the total expense of the universal military training plan would be only about $450,000,000 for the training of 700,000 men annually.

But that, after all, is not the most serious objection to it. The chief objection is that it smacks too much of that very militarism which is righteously abhorrent to our national ideals and which we have denounced from every stump and housetop in the country. That is an army approximately as great as that maintained in the permanent establishment of Germany prior to its entrance upon the world war. It may be that the Secretary of War, who presented the bill, does not mean that a force of the size contemplated shall be made permanent; that he thinks the present extraordinary emergency is to endure indefinitely, and that the army to be thus created is to meet this condition only; but if that be the case it is a mere expedient. Even in that event it would partake largely of the character of a professional army.

What is needed is a fixed and permanent policy, something real, something at once definite, effective, sufficient. And, Mr. President, I confidently believe that this is easily attainable. In my opinion it is readily and comparatively inexpensively obtained through the adoption of the policy of universal military training.

Mr. President, the public mind needs to be disabused of whatever impression prevails in it that universal military training presupposes a large standing army. On the contrary, it presupposes the exact opposite. In case of war, it follows as a necessary sequence that the young men of the country must comprise its armies. Universal military training guarantees that the youth who is to be conscripted or who shall volunteer in such a case shall go prepared for the various phases of the ordeal he is to face rather than that he shall be taken unprepared and unfit. It provides the only guaranty against any occasion for the maintenance of a Regular Army of greater proportions than the country needs or is willing to support. Under the operation of this system the soldier is in reality a citizen, free to follow his chosen vocation except for the period required for his proper training. We should have at all times something like 200,000 men capable of being officers. This is about the number we have had in this war. They can be developed under the universal training system, and like the enlisted personnel they may be passed into a reserve force, subject to instant call if occasion requires.

At this moment the country is in condition to develop such a policy at less expense and to better advantage than ever before. The cantonments necessary are already in existence, and at comparatively small expense may be made to answer our needs for several years. To be sure there may be, and doubtless will be, some expense attached, in some instances, for the purchase of lands now under lease; but comparatively speaking, the outlay will not be great. We have great surplus stores of clothing, arms, munitions, much of which will deteriorate and become worthless within a short time and be a total loss if not used, and it might better be employed to a useful purpose than permitted to go to waste.

Far be it from me to detract by a single word from the amazing accomplishments of the American forces on land and sea in the great world war. Every American citizen feels a towering pride in all they did. Neither is it my present purpose to indulge in criticisms of administrations or of individuals for the lamentable state of unpreparedness in which our entrance into the war found us, but it is a matter of common knowledge and infinite regret that we were unprepared. Speaking in this Chamber a few days ago, the senior Senator from Pennsylvania made reference to troops from that State who were sent into battle without having been previously taught the use of the weapons they bore. What is true of them is equally true of the troops from other States. Few of them had ever seen machine guns until they were forced to face them, so few that it was pathetic. It was the inevitable consequence of our smug complacency. It could have been prevented in this instance; it must be in the next, if there is to be a next, and no idealistic dreams of leagues of peace and the brotherhood of man convey guaranties that there will not be, and even if made, no league of nations can be made effective without a force sufficient to enforce its decrees. Unless occasion comes, the citizen army need never be mobilized, but its members will have had the benefits that accrue from judiciously applied physical training, of discipline, and the improved conception of the obligations of citizenship that military training brings.

Mr. President, by the passage of legislation providing for the selective draft we affirmed the military obligation of our citizens. They are under the obligation to fight for our country in its need, but under this obligation they have acquired correlative rights; their fathers, their mothers, their children, and their wives demand that we shall not send them naked and untrained against the foe.

We have proclaimed their obligations. I affirm their right of preparation to fulfill those obligations.

We are now called upon to pass emergency legislation to meet the military conditions abroad. We are called upon to replace emergency legislation by further emergency legislation, but with the expiration of this emergency the provisions of the new legislation must also expire. As matters stand to-day, within four months after the date of the proclamation of peace we shall have no army. Extend the provisions of the existing law, and again there will come a date when the system created by it will cease by legislative limitation. Let us confront the facts. We do not know what obligations are being prepared for us in Paris, but we do know that we have duties toward ourselves and toward posterity. It may be well to make the world safe for democracy. Let us first make it safe for ourselves.

On February 7, 1918, the present Secretary of the Treasury, Mr. Glass, stated in the House of Representatives, of which he was then a Member, that—

> The truth of the matter is that for a century and a half we have emphasized the single warning of Washington against "entangling alliances abroad" and sadly neglected his admonition about a sane preparation against war. Our aversion to a large standing army is traditional and constitutional, bred in the blood and bone of successive generations. The whole policy of the Nation for all these years has been antagonistic to preparation. No one group of men is to blame. No one political party above another is to be censured. Indeed, now in 1918 some of the most frantic protestants against our plight share tremendously the responsibility for our condition.

This is a national issue, and I am firmly convinced that now—not at some nebulous future indeterminate date—is the time to come to a decision concerning our military policy for the future. To-day we can take advantage of the experience which has been gained and continue the application of its lessons. To-day we can come to a decision concerning the employment of the sites and material which during the present emergency has passed into the possession of the United States. Demobilize completely, and it will be too late. We shall have to start all over again, and I, for one, am not willing to permit the loss of what we have gained.

Mr. President, I would again repeat my opposition to a large professional army. Holding these views, I have prepared a bill providing for the adoption of a system of universal military training. I have given the subject much thought, and in the preparation of the bill have taken counsel of military men in whose judgment I place reliance, and yet I wish to frankly state that I regard the bill as the nucleus only for a complete system. If I may have unanimous consent for its introduction at this time, out of order, I will send it to the desk for reference to the Committee on Military Affairs, to which I would add that I shall in turn ask the committee to refer it to the General Staff of the Army, with the request that it make a detailed study of the subject and report it back to the committee as soon as it consistently can, with such amendments, alteration, or substitutions as it may deem necessary and consistent with the country's needs.

In conclusion I want to say that I thoroughly agree with the Senator from New York [Mr. WADSWORTH], who said in his very admirable address of a few days ago that the general staff of the American Expeditionary Forces should be consulted with reference to this matter. They are the men who have commanded this great Army of ours and the only men living who have had the actual experience qualifying them to give dependable, expert opinion as to the real merits of this question. No plan that may be considered will be complete until it has been submitted to them, and I shall ask that they be consulted with reference to this one of mine in conjunction with the General Staff. It may not be necessary to await their return to the United States. Their recommendations may be forwarded here. Representatives of the General Staff may easily go over for conference with them and the courier service be employed for full and frequent exchange of views. It is unlikely that the question can be considered in the limited time remaining to this session, but I shall ask that the report shall in that case be made to the Military Affairs Committee of the next Senate in order that no time may be lost and the day for action thereby much advanced.

Mr. KNOX. Mr. President, may I ask the Senator a question?

Mr. NEW. Certainly.

Mr. KNOX. I should like to know from the Senator whether in forming his judgment as to the size of the Military Establishment that should be maintained by the United States he has taken into consideration the recent developments at the Paris peace conference, by which it is proposed that the United States shall take over, as a sort of receiver or trustee, all of the German colonies, and, what is even more startling, I see by

this morning's New York Tribune, a copy of which is lying here on my desk, that it is the plan of both Great Britain and France that the United States is to become the guarantor of the peace of the world, and that the peace of the world is to be maintained by the forces of the United States?

Mr. NEW. Well, Mr. President, I think if we are to engage in that kind of a program we shall need a system of universal military training to apply to a great many more than the oncoming youth and young manhood of the country.

Mr. President, I send to the desk the bill to which I have referred, and ask that it be printed at the conclusion of my remarks and that it be referred to the Committee on Military Affairs.

The bill (S. 5485) to provide for a system of universal military training and to improve the manhood and citizenship of the youth of the United States was read twice by its title, referred to the Committee on Military Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That all male citizens over 18 years of age, or those persons who have declared their intention of becoming citizens of the United States, capable of full or modified military service, shall be trained for the land and military forces of the United States for a single period of not to exceed one year, under such regulations as the President may prescribe: *Provided*, That under no circumstances shall the training period be divided into two or more periods, but that such period as determined upon shall be continuous.

SEC. 2. That liability for training under this act shall not begin before the nineteenth year, and shall not terminate until the end of the twenty-sixth year, for all males liable under section 1 of this act, except for those who have taken their training in some one year of this period or who have been excused as hereinafter provided. Training should be given preferably in the first year in which liability for training becomes effective, i. e., the nineteenth year.

SEC. 3. That no one liable for training under section 1 of this act shall be excused from training unless he is the sole support of parents, wife, or child, and then only in the event that equivalent support to dependents is not provided by the Congress: *Provided*, That such equivalent shall represent the net contribution made to the support of dependents in the case of each youth liable under this act.

SEC. 4. That the President be, and hereby is, authorized to divide the territory of the United States into such training zones or districts as may be necessary for the purposes of this act.

SEC. 5. That the President is hereby authorized to appoint such boards as may be found to be necessary for the purpose of registering and examining all persons of training age, and that such boards, under regulations to be prescribed by the President, shall pass upon all applications for exemption from training for any particular year: *Provided*, That any person exempted is not relieved from liability under this act, but must come again at the next registration for examination, and if the disability under which he was first excused has disappeared he shall then be certified for training; but if this disability still obtains he is to be exempted as before, and so on until the end of the twenty-fifth year, when he shall automatically pass into the unorganized militia.

SEC. 6. That all persons trained under this act shall automatically become members of the national reserve, without compensation, upon the completion of training: *Provided*, That each class so graduated into the national reserve shall be given a number, and that the youngest class, in the event of necessity, be called first.

SEC. 7. That all members of the national reserve shall be liable to service by classes in time of war or other grave emergency, and that these classes be called in rotation, as provided in section 6 of this act.

SEC. 8. That the notice of the time and place of examination and training or service shall be deemed to have been made known to all persons liable under this act when such notice is issued by proclamation by the President, and shall be deemed sufficient to bring within its provisions and penalties all persons liable under this act.

SEC. 9. That training is a duty of citizenship, and no person liable under this act, while in training, shall receive pay, but shall be entitled to subsistence, clothing, transportation, laundry, medical attendance, shelter, and such other allowances as may from time to time be established: *Provided*, That a gratuity of $5 per month be, and hereby is, granted to each member while in training.

SEC. 10. That 20 per cent of commissioned and other grades necessary for training shall be permanent, but 80 per cent shall be temporary, and for not more than a period of three years: *Provided*, That all temporary grades for the training period shall be filled by appointment only from men that have had training as prescribed in this act: *And provided further*, That all persons serving in the land and naval forces since April 6, 1917, shall be considered as having had training as contemplated by this act: *And provided further*, That no temporary commission shall be to a higher grade than major or lieutenant commander.

SEC. 11. That at the end of all temporary service all commissioned, noncommissioned, and enlisted personnel shall be passed to the national reserve with the grade for which their individual service has demonstrated them to be fitted.

SEC. 12. That all members of the national reserve called to the colors for service shall receive transportation and subsistence to the point of mobilization, and from date of reporting at such mobilization center, and during the period of service, they shall receive the same pay and allowances as established for corresponding grades in the regular land and naval forces.

SEC. 13. That any person or persons, combination of individuals, corporation, firm, partnership, or association evading, aiding, or abetting in the evasion of any provision of this act shall be considered guilty of a misdemeanor, and upon conviction by a competent tribunal therefor shall be punished by a fine of not more than $5,000 or imprisonment for not more than five years, or both.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Massachusetts?

Mr. LODGE. I thought the Senator had yielded the floor.

Mr. NEW. No; I thought the Senator desired to ask me a question.

Mr. LODGE. I was going to ask a question in connection with what the Senator from Pennsylvania [Mr. KNOX] has said. I have seen these dispatches, and apparently we are going to take a part in managing the German colonies in South Africa and also the Pacific Islands. I wanted to ask the Senator from Pennsylvania, as he asked his question in regard to the Army, whether he understands that we are to use American troops to keep order in the Kameruns and in East Africa?

Mr. KNOX. Certainly. Otherwise how could we maintain order? Those people can not be ruled by moral suasion.

Mr. LODGE. Well, the conception is that we are going to rule them by moral suasion, I suppose, is it not?

Mr. KNOX. That perhaps may be the theory; but we all know that in uncivilized countries, such as those that have been mentioned by the Senator from Massachusetts, force is the only factor by which peace can be really and permanently secured, and, besides, it is not a question of the number of troops we may have to send to the German colonies in South Africa. It is avowed here in this dispatch, which is signed by Arthur S. Draper and published in the New York Tribune of this morning, that—

The situation is as follows:

1. Great Britain and France, especially the former, are working to get America committed to the policy of expansion and endeavoring to shoulder upon the United States a large measure of the responsibility for preserving world peace.

2. The European great powers are strongly supporting the league-of-nations scheme, because through it they see the possibility of drawing America out of what they term her "splendid isolation."

3. Territorial questions have become of secondary importance to the European great powers. The same is true of indemnities.

4. Russia is the allies' great worry. America their greatest hope, bolshevism and the general unrest of Europe being the predominating influences in the peace congress.

5. The Far Eastern question is hardly less difficult of solution than the remaking of Europe.

One can scarcely read this without reaching the conclusion that if it is true it is the purpose of the allied powers not only to allow us to conduct operations in the German colonies and take them over under a trusteeship or receivership, as I said a moment ago, but that the burden of the maintenance of the peace of the world is to rest upon us. If that is true, of course, there is no army which this country could raise that would be sufficient for such a purpose; and there is no burden of taxation that could be laid upon the people of the United States that would be adequate to maintain such a force.

I hope that these stories are not true; I can not believe, Mr. President, that they can be true; I can not believe that, without consulting the Congress of the United States, without consulting the members of the committees that have charge of these special matters, without consulting the people, the United States can be pledged to any such stupendous and preposterous undertakings.

Mr. LODGE. Mr. President——

Mr. VARDAMAN. May I ask the Senator from Pennsylvania a question just at that point?

Mr. LODGE. I believe I have the floor.

Mr. VARDAMAN. I merely wish to ask, admitting that the stories are true, does the Senator think it is remotely possible that the Senate shall be so neglectful of the interests of the American people as to approve a treaty containing such provisions?

Mr. KNOX. Mr. President, if I may be permitted to answer that question, of course, it is the wildest kind of guessing as to what the Senate will do. I have made a futile effort to try to get the Senate to express an opinion on two or three fundamental propositions to which I did not suppose there was any objection, but I can not even get the matter out of the Committee on Foreign Relations.

Mr. LODGE. Mr. President, I asked that question of the Senator from Pennsylvania. Of course, if the Senator from Indiana has not concluded, I will withhold what I was about to say.

Mr. NEW. I have concluded.

Mr. LODGE. I was glad that the Senator from Pennsylvania called attention to this matter. I have felt from the beginning that the important thing to do, the one thing to do, was to make the peace with Germany, and I was prepared to have the United States do everything that was necessary to carry out that peace. Instead of that the time has been spent over there in discussing questions not one of which has been essential to the making of peace with Germany, ending the war, getting a proclamation of peace, and enabling us to bring our men home and put an end to all this legislation which hinges on the proclamation of peace. And now, Mr. President, come these reports of the last two or three days, some of which seem to me absolutely unbelievable.

I know that the dispatches are colored, almost all of them colored for a certain defined purpose; and yet it seems incredible that some of the things should be pure invention. We apparently are being involved in some sort of guaranty, either with force or without force, to take care of the German possessions in Africa and in the Pacific Ocean. We seem to have involved ourselves already in serious differences with the Australians and the Boers of South Africa—populations with which we have always been most friendly and sympathetic. Our good relations with Australia are of enormous importance. I do not know exactly what we are doing, but we seem to be annoying them very much; and in some method we are apparently going to guarantee and sustain and watch over republics or States made up of Bantus and Hottentots, and we are to be meddling with it all the time in an indefinite future.

I do not think the safety of the world, or the making of peace, which is our first duty, is concerned very much with what happens in Africa and in New Guinea and in the Marshall Islands and in the Caroline Islands. We must protect our own interests there, which consists of the Island of Guam; that is a different thing; but apparently we are to be invited to take part in the management of all those territories.

I say these things with hesitation, because I do not know what the facts are. The Senate is kept absolutely in the dark. It has nothing to go upon except these casual dispatches; and I merely express this as the feeling of one person who takes a great interest in it, who wants to see peace made with Germany and proclaimed, and thus give us the opportunity to go to work here to readjust the really grave situation which exists in this country in regard to industry and business and bring the war to an end; and yet we are entertained with discussions about the Kamerun and New Guinea and quarrels with the Australians.

I wish we could have some explanation from an authoritative source.

Mr. THOMAS. Mr. President, may I ask the Senator a question before he takes his seat? I fully agree with the Senator that the primary duty of the conference in Paris is to settle the terms of a treaty of peace with Germany; but I want to ask the Senator whether he does not think that one of the indispensable elements involved in the making of that treaty is the disposition to be made of the German colonies?

Mr. LODGE. I think the German colonies ought to be taken away from Germany. I have said that over and over again.

Mr. THOMAS. I know the Senator has.

Mr. LODGE. And they can turn them over to the people who captured them, who are the Boers of South Africa, if the allies and the United States take the African colonies from Germany, or to the Australians, in the case of the South Sea colonies, under suitable guaranties. But should we hand them over to a league of nations not yet in existence, why should we be involved in guaranteeing them for an indefinite future?

Mr. THOMAS. Aside from that question, which is a debatable one, does the Senator think that these colonies should be arbitrarily disposed of to the particular nationalities which captured them?

Mr. LODGE. Personally, I think that all that concerns us is to see that they do not go back to Germany, and that in that way a barrier is established against German aggression.

Mr. THOMAS. But that is a common duty to every party to this treaty.

Mr. LODGE. But to say that we must see that they are properly disposed of is one thing; to make an agreement that we shall look after them for all the rest of time is another.

Mr. THOMAS. Oh, I am not entering into that subject at all. I do not know but that I am in sympathy with the Senator in regard to that, but one of the complications which seems to me to be immediately before this conference is the disposition that shall be made of these colonies and possessions, one of the most serious of which is the German principality in China, which was captured, as the Senator knows, very early in the war by Japan. Now, China demands the return of Kiaochow to her, not only upon the proposition that it is part of her territory but also upon the assurance of Japan that her purpose in wresting the colony from Germany was ultimately to restore it to China. Certainly the Senator will not go so far as to say that our commission in Paris is not interested in the disposition ultimately to be made of that important principality.

Mr. LODGE. Far from it, Mr. President. I think the question of China and Japan is one of the most momentous there is and concerns us in the most direct way. I have not mentioned that question at all.

Mr. THOMAS. I am not at all in sympathy, as I am now advised, with the notion that we are to enter into an agreement for administering these colonies, but I do think that the disposition of them is one of the vital elements entering into a treaty with Germany.

Mr. LODGE. I think we might dispose of them, and it seems to me that these wild tribes are to be under somebody's control. I do not believe they can form a government.

Mr. THOMAS. There is no question about that, in my judgment.

Mr. LODGE. My disposition would be to put them under the control of the South African Republic, but what I am objecting to is this launching out on an indefinite guaranty, we do not know exactly what, which involves eternal meddling in the affairs of Africa. There are other questions which concern us very nearly and which are of great moment and which will require all the strength we have and all the intelligence we have to deal with them, but I do not think New Guinea and South Africa are in that list.

Mr. BORAH. Mr. President, we seem to be discussing this matter without sufficient information. I trust that the Senator from Massachusetts and the Senator from Pennsylvania will realize that one of the most necessary things in regard to it is open negotiations, open covenants of peace, openly arrived at, so that we may know before we discuss the matter what the real facts are.

Mr. LODGE. The Senator does not mean to imply that we are not having open covenants?

Mr. BORAH. I understood the Senator to say that the trouble of it was that we did not know what the facts were.

Mr. LODGE. That is the trouble with me.

Mr. BORAH. That is precisely the trouble with the whole situation.

Mr. JOHNSON of California. Mr. President, I desire to call to the attention of the Senator from Idaho and the Senator from Pennsylvania the very crux of this situation, and that is found in the communique that was yesterday given out by the peace conference in Paris. Permit me to read to you what it has to say, and permit me to call to the attention of my brethren upon the other side of the Chamber the knowledge that is accorded us of what is transpiring abroad. Here is the portion dealing with the German colonies and Turkey, concerning which, the correspondents assert, the most momentous decisions were made yesterday.

In the afternoon—

I am reading now the official communique—

In the afternoon satisfactory provisional arrangements were reached for dealing with the German colonies and the occupied territory in Turkey in Asia.

The Senate of the United States and the people of the United States are singularly fortunate in having the illuminating news sent by the delegation who represent democratic America that satisfactory arrangements yesterday were made by their peace commissioners in Paris. Just think of it, Mr. President, when we emblazon to the world that this democracy speaks with frankness, that it believes in open covenants of peace, openly arrived at, and that we will not tolerate under any circumstances secrecy in arriving at those peace terms, how fortunate we are to know that yesterday "satisfactory arrangements" were made for dealing with the German colonies and with Turkey in Asia. The correspondents tell us—I do not comment upon that, because I do not know whether it be accurate or not—that those satisfactory arrangements were that American troops should take care of these German colonies and should take care of Turkey in Asia.

I amount to little in this body; my voice will not carry far; but there will be one vote in this body when the treaty comes to us that never will vote for American troops to take care of Turkey in Asia or German colonies in Africa.

Mr. WALSH. Mr. President, the discussion to which we have listened was precipitated by an inquiry addressed by the Senator from Pennsylvania [Mr. KNOX] to the Senator from Indiana [Mr. NEW] as to what increase we would need in our Military Establishment if the United States should undertake as the mandatory of the league of nations supervision of all the German colonies. I can not conceive that our commissioners at the peace conference will ever undertake to impose upon the Government of this country any such burden, and I apprehend that any alarm concerning any such condition as that will probably be found to be without much foundation.

But, Mr. President, it is not so serious a matter, so far as the Senator's question is concerned, as might seem, namely, the question of what increase in the Military Establishment would be requisite in such an event, because the governments controlling colonies in Africa practically supply only the officers of the military establishment they maintain there; the rank and file are native troops.

I had a very interesting interview with a distinguished English officer, who had fought in the Kamerun, while he was in this country recuperating from malaria which he had contracted in

the English service in the war in that section. He tells me that all the English troops as well as all the German troops opposed to them were native blacks.

In "In the Fourth Year," by Mr. Wells, a book which has been repeatedly referred to in the discussion of the general question of a league of nations on the floor here, he adverts to the real peril that there exists to the world in the possible militarization of the natives of the Dark Continent. He says:

> The first most obvious danger of Africa is the militarization of the black. Gen. Smuts has pointed this out plainly. The negro makes a good soldier; he is hardy, he stands the sea, and he stands cold. (There was a negro in the little party which reached the North Pole.) It is absolutely essential to the peace of the world that there should be no arming of the negroes beyond the minimum necessary for the policing of Africa.

Mr. President, I do not advert to this condition of things for the purpose of making more tolerable the idea that we should become the mandatary over the African Provinces. I rather desire to suggest to the Senate that the solution of the troublesome problem of the German colonies in South Africa is nowhere near so simple as one might gather from the remarks of the distinguished Senator from Massachusetts [Mr. LODGE], the ranking minority member of the Committee on Foreign Relations. Those colonies are adjacent to territory claimed by four rivals among the allies—Great Britain, Belgium, Portugal, and France. The Senator from Massachusetts would, were he intrusted with the duty of devising a plan for their disposition, solve it by turning them over to the Boer Republic. I apprehend that solution would be entirely unsatisfactory to either France, Belgium, or Portugal. I undertake to say that it would be rather difficult to divide up those territories in such a way as to be entirely satisfactory and quite objectionable to assign them all to any single power.

It may be that the plan of putting them in trusteeship may not work; but, Mr. President, if it should be entered upon I feel entirely confident that the American commissioners will assume no such burden as that for the United States, unless it is absolutely impossible to escape it. Doubtless some power more directly interested will be found ready to assume the responsibility.

Mr. LODGE. If the Senator will allow me, will he tell me on what authority he says France, Belgium, and Portugal would resist it?

Mr. WALSH. I do not say that they do.

Mr. LODGE. I mean resist giving East Africa to the Boer Republic?

Mr. WALSH. I do not say that they are resisting it. I say I apprehend that they would.

Mr. LODGE. I thought the Senator said that they were.

Mr. WALSH. No; but the Germans have the Kameruns, and they have southwest Africa and southeast Africa.

Mr. LODGE. I understand, and the French will take control undoubtedly of some of these western colonies, the Kameruns, probably; but I have not heard that France or Portugal or Belgium were making any resistance at all. The objections that have been published in the papers—and I know how inaccurate dispatches are—state that Australia and South Africa are resenting very much this attempt to take the adjoining territories and put them in control of a league of nations, to be policed by the United States and other powers.

Mr. WALSH. I understood the Senator said so, but——

Mr. LODGE. I do not know that that is correct.

Mr. WALSH. The Senator seems to think that the disposition of the German-African colonies is a very simple matter. It would occur to me as a very troublesome problem.

Mr. LODGE. I do not say that it is a simple matter. I think it is one that should be decided without involving us in more negro problems.

Mr. LEWIS. Mr. President, I beg the Senate to indulge me for a contributive thought not particularly impressive, but which I feel should be stated as most appropriate.

It is very natural that the Senator from California [Mr. JOHNSON], the Senator from Idaho [Mr. BORAH], indeed the Senator from Massachusetts [Mr. LODGE], however much they may have occasion to doubt the absolute accuracy of the reports, were influenced by them. This because it is natural that any of us would be influenced by first information we have which appears to come from an authoritative source.

Mr. President, I would not like to have the United States impressed with the belief at this time merely from these reports that Woodrow Wilson, President of the United States, has really entered into any kind of a final understanding that would take one set of people without a voice from them in any way whatever and hurl them into some community lap as one would throw peas and potatoes in a market basket to be thereafter carted away and distributed to such beneficiaries as may bid for them.

One of the very fundamental doctrines which President Wilson announced to this body in the presence of both Houses as one of the basic things for which he purposed contending for in our name was that there should be no trading of peoples without a voice from them and no sovereign humanity bartered at the dictation of some people and transferred without a voice from them or an expression of their will in their behalf.

It may be as the report comes to us accurate that an arrangement has been made. I assert that if such be true it is one by which these people or these colonies are to be transferred to a form of temporary government spoken of as a league of nations. Mr. President, I will not subscribe at this time to the belief that the United States, through its emissaries, have really violated that fundamental, humane promise and pledge, which was given in behalf of this country time and time again, opposing the transfer of peoples to sovereignties not of their consent or concerning which they did not have a voice.

I rather beg to say that I assume, when we come to investigate this question, it will be found that what the agreement really is is that temporarily the administration of the colonies is transferred to the concentrated order or combination of nations called a league merely for the purpose of a temporary administration of a people now without head, government, or sponsors until there shall come the opportunity to make such disposition as their permanent welfare would disclose as necessary. I am unwilling for myself, Senators, to believe that at this time and up to this moment the United States has pledged itself to any permanent distribution of these colonies and the transfer of these people and of their fates into the hands of other nations without a voice from those who are affected and whose destinies are cast in the balance.

Mr. President, the eminent Senator from Montana [Mr. WALSH] called attention to a problem which, as he says, is brought about by the inquiry of the able Senator from Indiana [Mr. NEW] in respect to what military force would be called into action if we were to assume the administration or domination of these colonies.

Mr. President, I agree with the observation of the Senator from Montana. I do not feel the time will ever come when this Government will be called into the adoption of some military army for the purpose of administering these colonies of Germany or any other foreign territory.

There will come a time, Senators, as I behold it, when if there shall be an arrangement for the policing of nations and the avoiding of war, this for the entrenching and establishment of peace, to this purpose I urge that to each continent there be left the question of controlling its own local or internal affairs. For myself I certainly feel that now is the moment to say that there ought not to be any disposition on the part of America to indicate to the European or the Asiatic Hemispheres that we are ready to have either of those come into this continent and to merely police purely local difficulties and local disturbances on this continent, nor will we inject and intrude ourselves on other continents for similar purposes as against them.

I make bold to offer a suggestion for reflection, for I will not interfere more than a moment with the eminent chairman in control of the Post Office appropriation bill. It is this: Public report tells us that the German Navy is now in the balance as to the disposition of it. Let me suggest, sir, that instead of a military force being proposed as a police agency the German Navy be not given to any one of the victors, but that if the league of nations be constituted and be brought into action upon any permanent basis the German Navy be turned over to it as its police force to be administered by it and used there in Europe or in a foreign continent wherever necessity would justify that use, and that that be the police agency. We thus neutralize that navy. It becomes no property of any one victor. It awakens none of the rivalry and resentment which will surely follow by attempting to give it to any one victor nation as against another.

By this we do not assume to distribute among ourselves other nations or peoples to control this navy. We leave this navy intact as a police power and avoid the result of difficulties which the Senator from Indiana and the Senator from Massachusetts would clearly call up by their suggestions. In this way we avoid the militarism of either blacks in Africa or whites in America or in any other country.

I merely rose to say that which I reassert: That I can not accept in behalf of this country as a verity and an established fact that President Wilson has in behalf of this Nation agreed to

any permanent policy of transferring any people, of colonies or elsewhere, into the sovereignty of any other nation without any voice from them or any consideration of their personal welfare, from the consideration of their interests and without an expression of their own will.

I thank the Senate for allowing me to intrude.

Mr. KIRBY. Mr. President, I think the occasion warrants a short expression from me that seems to be needed here.

We have fought this war and won it. We have expended over $30,000,000,000 in waging it. We have had 263,000 of our men slain yonder on the battlefields of France or cut to pieces and crippled for life. The war has been won. And for what? Did we fight Germany, I will ask the distinguished Senator from Massachusetts, that the South African possessions should be given to England? Did we fight the central powers that Alsace-Lorraine should be given to France? Did we fight the central powers and conquer them for that purpose? For without our going into the war the allies were absolutely powerless to prevent their own subjugation; they were already beaten by the German forces. Did we fight and win the war to give Trieste and Trent back to Italy, or did we fight and win the war to give the Chinese provinces to Japan?

The learned and distinguished Senator from Massachusetts does not know everything; he admits that he has some limitations. He says he does not know what ought to be done with the German South African colonies, but he is unstinted in his criticism of the course of our representatives yonder in the great world conference to-day, and he is joined by other Republicans on that side and by Democrats here, which ought not to be.

The condition exists. Our representatives are on the ground for what? To procure as much benefit to this country and mankind because of our expenditure in blood and treasure as we are entitled to out of the great peace conference yonder, and it seems that ours is the only delegation on the face of the earth that has mankind and humanity's future at heart. All has been forgotten by the others except a disposition to clutch and hold what they have in hand. We have helped to destroy the balance of power of the Old World, and but for our entrance into the war it would have been destroyed by Germany and other lands acquired by her.

If we shall withdraw from this peace conference without establishing some kind of a league of nations that will guarantee in some sort of effective way pence to the world and fair treatment to the weak and small and subject peoples of the earth and protection from exploitation by the strong and powerful, we may have done a disservice to mankind instead of a benefit in helping to vanquish the central powers.

To say the least of it, what have our people been taught to believe caused us to go into the war? That our rights on the seas were infringed, and the freedom of the sea * must be safeguarded yonder. The war was fought for that purpose, and what else? That there might be a league of nations to enforce peace and settle forever the question of armaments and to destroy militarism as it has flourished to now and cursed the world with the greatest war of all time. If we have not fought for those other things and have fought for these two, have conquered the enemy and are now laying down terms of peace, why should we not insist upon these things being regarded and accomplished there, and why should we not insist with a united voice?

I say the President of the United States ought to speak to the peace conference yonder as one having authority, as one who has 110,000,000 people behind him and the most powerful country on the face of the earth, a country that has gone into the war 3,000 miles away for the things that I have just spoken about. Would you have us withdraw quietly without accomplishment of the purpose, with a policy of cringing cowardice that would be a disgrace to the blood our heroic sons shed on the battle fields of France?

Incidentally, just there, I saw in the paper this morning a statement by an admiral of the United States Navy, while the President, the Commander in Chief of the Army and Navy of the United States, the President of the United States of America, the head of the peace delegation, is yonder at the great conference insisting upon a league of nations, and here is this admiral in our Navy, while the negotiations are going on and without knowing what may come of them, saying for publication that the league of nations has descended to the importance and prominence of an old ladies' sewing circle.

What did we spend all this blood and money for? Shall it have been expended in vain? If I were the Commander in Chief of the Army and the Navy and one of my subordinates should make a statement like that in this country for publication at this time, I might think it was for the good of the service to reduce him to a rank so low that he would forget what the Navy is for.

Why should it be done? It is about time the United States Senate, in my judgment, should have regard for the great sacrifices this country has gone through and the immense burdens it must bear hereafter, and what ought to be gotten for this country and the benefit to the future of mankind out of the great peace conference. It can not be gotten after the conference is ended. We ought not to embarrass and obstruct our representative, who is on the ground and understands the situation. I say let him continue to speak as one having authority, and the United States Government and all the people will be with him in the declaration, notwithstanding this unwarranted criticism by Senators.

Mr. MYERS obtained the floor.

Mr. JOHNSON of California. Mr. President——

Mr. MYERS. If the Senator from California desires to address his remarks to the subject under consideration, I will yield to him.

Mr. JOHNSON of California. I thank the Senator from Montana. I wanted just one moment, for I thought it was illustrative of the argument that has proceeded in the days past. I think this morning's interesting debate but emphasizes the force of what has been so eloquently said by the Senator from Idaho [Mr. BORAH] upon the first of the peace terms. I do not think there is any substantial difference between the views of the Senator from Illinois [Mr. LEWIS] and those that I possess concerning those peace terms. I doubt, indeed, if the Senator from Arkansas [Mr. KIRBY] differs from either of us; but what we have demonstrated this morning is the unfortunate situation in which we and the country find ourselves to-day during the progress of these negotiations. I want to read to the Senate just a line that to me was most appropriate, and that I kept in mind during the remarks on the President's absence, and which I thought, of course, would be all controlling in the days of this peace conference—a line from the farewell address that was made to us by the President just prior to his departure. He then said:

> I shall be in close touch with you and with affairs on this side the water, and you will know all that I do.

Of course, that is an error, for we know nothing; but that, taken in conjunction with the first of the peace terms concerning "open covenants of peace openly arrived at," led me to believe—and, I am sure, led many other Senators to exactly the same belief—that we would at least substantially understand what was transpiring abroad which touched us so intimately and bore upon our future destiny.

Mr. WALSH. Mr. President——

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Does the Senator from California yield to the Senator from Montana?

Mr. JOHNSON of California. I yield.

Mr. WALSH. I should like to inquire of the Senator from California if it is his view that the secrecy, of which he complains and which everybody deplores, is attributable to the American commissioners?

Mr. JOHNSON of California. I have no information upon that subject at all. I should say, were I to express an opinion, that it was not, for I assume, of course, with the announcement that the President made upon that subject, that he endeavored with all his power to prevent that sort of thing. I would not indulge for an instant in any other assumption concerning the President of the United States.

But the situation exists as a fact, nevertheless. It is most unfortunate. We here, a part of the treaty-making power, with the intensity of interest that every one of us has in what is transpiring abroad, with the hope, at least, that we were to know substantially what was transpiring as it transpired, with the words of the President ringing in our ears and before us, the solemn assurance given to the world, accepted by every power on earth, that there should be "open covenants of peace, openly arrived at," are to-day told, when they are dealing with the very blood and bone of this Republic, "that satisfactory arrangements yesterday were made." There ought to be some means by which there would be some information authentically brought to this body. I do not know how it can be accomplished. We are dependent upon the newspaper correspondents, and I hesitate to comment upon much that they say; but, nevertheless, we are left in confusion and in doubt and without the facts. We do not know what is transpiring, when to all the world we have said that not only the world but we ourselves should know just exactly what was occurring from minute to minute and from day to day.

Mr. LEWIS and Mr. BORAH addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana [Mr. MYERS] has the floor.

Mr. MYERS. I will not claim the floor at this time, Mr. President.

The PRESIDING OFFICER. Then the Chair will recognize the Senator from Illinois.

Mr. LEWIS. Mr. President, I beseech the Senator from California [Mr. JOHNSON] to regard a situation, and I ask him if he can see from the situation where there has been any violation on the part of that covenant given by the President in his concluding observations, or what has been termed by the Senator from California the President's farewell address to us?

Mr. President, the President of the United States did say that he would be in constant touch with this country and that he would keep us informed as to those matters which transpired. We ought not to leave the country under the impression that these things have really officially transpired merely because the newspaper correspondents, catching the very first rumor that they thought reliable, and in their diligence giving it to the country, as became their office. The report says "it is currently rumored" that it has been agreed upon. But I invite the Senator from California to notice that France does not say such has happened; Britain does not say so; nor do any of the authoritative sources give it out as having transpired or having been officially adopted by any of those Governments.

Mr. JOHNSON of California. Mr. President——

Mr. LEWIS. I will yield to the Senator in a moment. But might I submit to the Senator this thought: If really these matters have been concluded, have really been decided upon, have been finally ascertained and settled, will not the Senator assume that, were such to be the circumstance, the President then would have communicated to this country? Will we not assume, sir, that the report we have is based upon the best information that the newspaper representatives have; but may we not also assume that it is a mere statement tentatively of what they understand has transpired, and not until we really know that a thing of this kind or any other thing of this importance has actually been arrived at and accepted, is the President of the United States under any obligation by his word to remit the facts or to transmit the information to us?

I inform the able Senator from California that there are reasons by which a few—indeed, all—of the Senators may rest assured that, as fast as any one thing is done, is in itself in a completed state, that will be communicated promptly by the American commissioners and by the President himself to anybody, whether it be the Senate or the other House or any agency of this Government, that has, in the nature of our administration, the right to have it, and to the American public, at the very first moment that it is convenient and appropriate.

I wish to press upon the Senator from California this thought as I now yield to him: Is it just to assume that there has been any violation on the part of the President or of the American commissioners in the promise to transmit information here merely because we have a general information of the presumption that things have been done of which we have no official statement from any official source anywhere at any time that they have officially been concluded?

I now yield to the Senator from California for reply.

Mr. JOHNSON of California. Mr. President, in response to the Senator from Illinois I will say just a word. The vice of the able Senator's argument is that he would have us have no knowledge, in any event, until the entire transaction has been concluded. Then, of course, discussion would be futile and useless. But that is apart from what I was speaking of a moment ago.

The Senator from Illinois is in error when he says that we have assumed that certain things have occurred. I read the official communique yesterday issued, and the official communique says that "satisfactory provisional arrangements were reached" as to Turkey and as to the German colonies. If the arrangements were yesterday made, under what was said to us by the President, that we should know all that he knows, ought we not or—eliminating ourselves because of the position into which the supposedly popular branch of the Government has fallen—ought not the people of the United States know, the event having transpired, just exactly what has been done?

Mr. LEWIS. Mr. President, I reply to say that the mere expression on the part of diligent correspondents announcing that a satisfactory arrangement or some temporary administration has been made is a mere conclusion on the part of those gentlemen.

Mr. JOHNSON of California. Mr. President, will the Senator pardon an interruption?

Mr. LEWIS. I yield again.

Mr. JOHNSON of California. I am not speaking of correspondents, if the Senator will pardon me; I am speaking of the official communique issued by the Governments participating in the peace conference—not about what the correspondents are saying at all.

Mr. NEW. Mr. President——

The PRESIDING OFFICER. The Senator from Illinois has the floor.

Mr. NEW. Will the Senator from Illinois yield to me for a question?

Mr. LEWIS. Yes; at this juncture I yield.

Mr. NEW. I should like to ask the Senator from Illinois if, to his knowledge, there has yet been any communication of any character from the President of the United States to either House of the Congress? Negotiations have been in progress for some time, and I should like to ask if there has been a single word from the President to either House of Congress concerning those negotiations?

Mr. LEWIS. Mr. President, I answer both Senators. In the first place, the communique to which the Senator from California refers is, I repeat, sir, a statement of the newspaper correspondents giving the best information they had at hand, and in announcing the communique they state their conclusions that some satisfactory arrangements have been reached as to the matters referred to; but I appeal to the Senator from California again to notice that there is no statement anywhere that there has been any arrangement made by the President of the United States concluding any subject, and I must assume again that if anything has been entered upon by him and concluded it would be reported promptly to that particular agency of our Government where under our laws and customs the report should be made.

Now, says the Senator, there are proceedings daily transpiring. That I concede, and I have stood on this floor, as did the Senator from Montana [Mr. WALSH] and Senators on the opposite side of the Chamber, deploring that any rule should be adopted by the convention that would prevent the daily proceedings from being heard; but, Mr. President, it appears that these daily proceedings are reported in so far as whatever transpires day by day is concerned. What A or B may say and what response C or D may make may not come to us each moment by telegraph any more than what we are saying here each moment is being reported each moment back there.

But, answering the Senator from Indiana, who asked if there had been any report from the President to either House of Congress, let this be the answer: The only thing that has transpired has been a mere convention, a gathering, that has been as open as the proceedings transpiring here. Every agency of the world has reported it. There was not a thing the President could communicate that was not known to the various citizens of our land. Since then nothing has transpired of a completed character affecting our Government, that I can see, which called upon the President to report it. It is not yet in a shape or condition when upon a point of honor or a point of duty it would be expected that he would pause to communicate it fully to us. The reason clearly, I may say, is that until he has full information to impart, information in mere fragments would be misleading and most unsatisfactory. I think there has not yet arisen a time when it can be said that it was his duty by any form of obligation or undertaking to have communicated to us anything that we do not now know.

I think what we need is a little patience; I think also what we need is some confidence in those who represent us, and not to assume that they are employing every opportunity to trick and betray us; but to place some hope in mankind, some trust in the solemn oath of officials, some belief that in the honor of the men the same obligations will be complied with at a distance that we know were ever complied with at home. As we have had no real reason for ever lodging any complaint, we are not justified now in this honorable place in expressing a suspicion.

Mr. BORAH obtained the floor.

Mr. JOHNSON of California. Mr. President, will the Senator from Idaho yield for a moment?

Mr. BORAH. I yield.

Mr. JOHNSON of California. I do not wish to prolong the discussion, but because of his repeated statement, which leads me to believe that the Senator from Illinois has misapprehended what I have said, I read:

COMMUNIQUE TELLS DECISIONS OF COUNCIL.

[By the Associated Press.]

PARIS, *January 30.*

The official communication on the peace proceedings to-day reads:

"The President of the United States, the prime ministers, and ministers of foreign affairs of the allied and associated powers, as well as the Japanese representatives, to-day held two meetings at the Qual d'Orsay, the first from 11 a. m. until 1 p. m. and the second from 3.30 to 6 p. m.

"The exchange of views continued on the German colonies in the Pacific and in Africa, in the presence of the representatives of the dominions and of M. Simon, French minister of the colonies, and of the Marquis Salvago Raggi (Italy).

"In the afternoon satisfactory provisional arrangements were reached for dealing with the German colonies and the occupied territory of Turkey in Asia."

I am reading the official declaration.

Mr. LEWIS. I think, Mr. President, the Senator will see the United States was not mentioned as having taken any part whatever, and therefore could not have been under any obligation to make report to us.

Mr. MOSES. Mr. President——

The PRESIDING OFFICER. The Senator from Idaho has been recognized.

Mr. MOSES. If the Senator from Idaho will yield to me for just a moment. I have no wish, Mr. President, to administer any kindergarten instruction in diplomatic practice to the eminent and able Senator from Illinois, but, speaking from my own personal experience, having assisted, in the French sense, at one peace conference, I wish to say that the communique which the Senator from California has read is an official document emanating from an officer of the conference who is known as the chef du protocol, who puts out a statement each day in skeleton form of the doings of the conference. In this instance the chef du protocol, who issued the communique which the Senator from California has read, is, as I understand, M. André Tardieu, who is well known to many people in this country because of his presence here as the French high commissioner a year ago.

Mr. LEWIS. Still that merely verifies the assertions I have made and the conclusions I have heretofore drawn.

Mr. BORAH. Mr. President, it is impossible for Senators to feel other than a deep interest in everything which is transpiring at Versailles. The nature of the questions which are there being considered and the consequences which may follow from a decision this way or the other are such that no one can be indifferent to what is transpiring, and it must be understood that Senators here will continue to discuss these matters from day to day, either upon insufficient information, if we can have no other, or upon sufficient information to enable us to discuss them correctly, if it can be had. In other words, Mr. President, no Member of this body would think of remaining silent while these matters are transpiring. He would be unfit to occupy a place in this Chamber if he did.

Mr. President, it is not a question of confidence in the President. Those of us who may have views contrary to the views which the President entertains with reference to these things ought not to be charged with having a lack of confidence in the man or anything of that nature. The President has said that he is in favor of the league of nations. I am uncompromisingly opposed to it. That is my position. It is not a question of personality at all; it is a question of policy for my Government, and that I decide regardless of individuals or persons.

When the President of the United States declared in favor of "open covenants of peace, openly arrived at," if I may be permitted to make the statement, he simply announced a doctrine that some of us here had been advocating in the Senate Chamber for eight years. I did not modify my position because a Democratic President had announced his position to be in harmony with that view. I continued to support it because I believe in it as a principle, aside from the fact that this or that individual may be in favor of it, or this or that individual may be opposed to it. In fact, it amounts to but very little in this world, through the sweep of the ages, what this or that particular individual believes, but it is of tremendous importance as to what particular principle or policy of government is to obtain. And so, sir, we are dealing with policies and principles, and not with individuals; and I suspect that some of us here have supported the President as earnestly in critical times in his administration as others who have been of the same party. So it is not a question, sir, of confidence or lack of confidence in the President. It is a question of whether or not certain policies should obtain. It is a profound disagreement upon a far-reaching policy of the Government.

Mr. President, the difficulty of the situation arises out of this condition of affairs, in my humble judgment, expressing myself as I must in my own way, that we have entered upon a boundless sea, without chart or compass to indicate where we are going. When we declared that we would take part in readjusting the territorial boundaries and the governmental conditions of Europe, we broke away from the fundamental principle upon which the foreign policy of this Government was established a century ago, and we have had neither chart nor compass for our sea since that hour. Let us get back to our safe and ancient moorings. Let us recur to those great policies which enabled Washington to direct our course in safety in times just as turbulent and dark as these.

I do not care what kind of a league of nations you form. It may, as Admiral Mayo said, be nothing more than an old ladies' quilting society; but it will finally lead us into all kinds of entangling obligations and conditions with European affairs. If we sit in the council chamber with nothing more than our moral influence and our moral suasion and exercising our intellectual powers, we are still dealing with European affairs and creating corresponding obligations upon our part, against which the Father of his Country declared. If we take possession of the German colonies and undertake to administer them and become mandatory for them, we have in that very hour—I do not care whether there is any declaration to that effect or not—abandoned the Monroe doctrine. Is human nature so constituted that Europe would permit us to interfere with the Monroe doctrines of Europe and Europe never have anything to say with reference to the Monroe doctrine of the United States? Certainly not.

So, Mr. President, it is against the fundamental principle of a league of nations that I inveigh, and not a challenge of the confidence or the integrity or the intellectual power of the President of the United States. He is perfectly entitled to his views, and I do not criticize him for urging them—not at all. I simply want to present the question to the only tribunal upon the face of the earth that shall decide it; and that is, to the tribunal of public opinion in the United States. If the public opinion of the United States shall finally ratify that course after it is thoroughly presented to the people, then I must, as an American, bow to the majority opinion of my countrymen and abide by it and watch, as I shall with deepest anxiety, for its consequences. But until the final decision is taken, I propose to present to that tribunal in my humble way, at every opportunity I have, my firm, even my religious, belief that such a policy is the end of the Republic as the fathers made it.

So believing, I shall not remain silent out of fear of being called a carping critic. Therefore, when the news came across the water that in all probability we were to take charge of the German colonies, I raised my voice against it, because I was against the policy. I know of no higher duty devolving upon a Senator than, with courtesy, with proper consideration for the personal feelings of others, and for the due respect belonging to the man who occupies the position of Commander in Chief, to advocate his own beliefs and his own views, regardless of the awe which surrounds that high office. These are not the times for intellectual timidity or spineless opposition.

HOMESTEADS FOR SOLDIERS AND SAILORS.

Mr. MYERS. From the Committee on Public Lands, I report back favorably without amendment the bill (S. 5071) extending the benefits of sections 2304, 2305, and 2309, Revised Statutes of the United States, to those who rendered military or naval service during the Mexican border troubles and the war with Germany and its allies, and I submit a report (No. 678) thereon. I desire to say a few words concerning the bill.

It was prepared by the Secretary of the Interior and introduced by me at his request. It relates to a matter of considerable urgency. There is now a law which provides that the veterans of the Civil War, the Spanish-American War, and the Philippine insurrection, when they enter land as homesteaders, may have counted in their favor, as part of the period of residence on those homesteads, the time they served in the armed forces of the United States. That applies to veterans of the Civil War, the Spanish-American War, and the Philippine insurrection. But there is no such law applicable to soldiers who served on the border during the Mexican trouble, nor to soldiers or sailors in the forces of the United States during the present war. This bill is simply to extend to soldiers and sailors of the present war the same privilege that has been granted to the veterans of the Civil War, the Spanish-American War, and the Philippine insurrection, to put them on the same footing.

I will read briefly from the communication of the Secretary of the Interior:

DEPARTMENT OF THE INTERIOR,
Washington, November 27, 1918.

Hon. HENRY L. MYERS,
Chairman Committee on Public Lands, United States Senate.

MY DEAR SENATOR: I have the honor to submit, with the request that you introduce the same, draft of a bill extending the benefits of sections 2304, 2305, and 2309, Revised Statutes of the United States, to those who rendered military or naval service during the Mexican border troubles and the war with Germany and its allies.

The three sections named grant credit, in lieu of actual residence and cultivation, in connection with homestead entries initiated after

such service has terminated, for military or naval service rendered during the Civil War, the Spanish War, and the insurrection in the Philippines, and authorize the soldier or sailor to file a declaratory statement, in person or by agent, in advance of entry and settlement.

Public resolution No. 32 and the act of July 28, 1917, referred to in the draft, are protective measures affecting claims initiated prior to entering the service, and reference is made to them as defining the character of service for which credit is to be given.

There is no existing law under which credit may be given for military service rendered during the Mexican border troubles or the war with Germany in connection with homestead entries made after the service has been rendered, and the Land Department is receiving many letters on the subject from persons who have so served or are now serving.

I am submitting a like draft to Hon. SCOTT FERRIS and earnestly hope that the legislation may be pushed to early enactment.

Cordially, yours,

FRANKLIN K. LANE, *Secretary.*

The Secretary of the Interior is taking a great interest in directing the settlement of returned soldiers and sailors on the public lands of the country, and this measure is in line with that idea. It simply puts the soldiers and sailors of the present war on the same footing with soldiers of past wars.

I ask that the bill may be read, and then I ask for its immediate consideration.

Mr. FRANCE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Johnson, S. Dak.	New	Sutherland
Calder	Jones, N. Mex.	Nugent	Swanson
Colt	Jones, Wash.	Overman	Thompson
Curtis	Kellogg	Page	Trammell
Fletcher	Kenyon	Penrose	Underwood
France	Kirby	Ransdell	Wadsworth
Gay	La Follette	Shafroth	Walsh
Gronna	Lewis	Sheppard	Warren
Hale	McKellar	Smith, Ariz.	Weeks
Henderson	McNary	Smoot	Wolcott
Hollis	Myers	Spencer	

Mr. BANKHEAD. I wish to announce that the Senator from Maryland [Mr. SMITH] is detained by illness.

Mr. LEWIS. I desire to announce that the Senator from Kentucky [Mr. MARTIN] is necessarily detained on official business.

Mr. OVERMAN. I wish to announce that the Senator from North Carolina [Mr. SIMMONS] and the Senator from Georgia [Mr. SMITH] are detained on official business.

Mr. SHEPPARD. I wish to announce that the Senator from South Carolina [Mr. SMITH] is detained by illness.

Mr. HENDERSON. I desire to announce the absence of the senior Senator from Oregon [Mr. CHAMBERLAIN] on account of official business.

Mr. McKELLAR. I announce the absence of the senior Senator from Tennessee [Mr. SHIELDS] on account of illness.

Mr. KENYON. I wish to announce the absence of the junior Senator from Nebraska [Mr. NORRIS] on official business.

Mr. SUTHERLAND. My colleague, the senior Senator from West Virginia [Mr. GOFF], is absent on account of illness.

The PRESIDING OFFICER. Forty-three Senators have responded to their names, a quorum is not present. The Secretary will call the names of absentees.

The Secretary called the names of the absent Senators, and Mr. PITTMAN, Mr. SIMMONS, Mr. STERLING, and Mr. VARDAMAN answered to their names when called.

Mr. KIRBY. I wish to announce the absence of the Senator from Delaware [Mr. SAULSBURY], the Senator from Ohio [Mr. POMERENE], and the Senator from Arkansas [Mr. ROBINSON], who are necessarily absent on official business.

Mr. THOMAS, Mr. FERNALD, Mr. REED, Mr. GORE, and Mr. BECKHAM entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-two Senators having answered to their names, there is a quorum present. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

Mr. MYERS. Mr. President, the Senate spent an hour and three-quarters this morning in talking when nothing was before the Senate and accomplished nothing. There was one hour and three-quarters of time spent in absolutely idle talk. At a few moments before 2 o'clock I rose and explained that I wished to ask the immediate consideration of a bill which would do something for the soldiers and sailors of this country who had exposed their lives, that in a sense would confer some benefit upon them. It would have taken only a minute to consider the bill. The Senator from Maryland [Mr. FRANCE] very kindly interfered, and suggested the absence of a quorum, which took all the time up to 2 o'clock, when the unfinished business comes on. The Senator from Maryland has had the distinction of interfering with doing something in this body for our soldiers and sailors.

AMENDMENT OF THE RULES.

Mr. BORAH. Mr. President, I rise to give notice of a motion for the suspension of the rules with reference to permitting legislation upon an appropriation bill. I give the notice now, although I desire to say to the Senator in charge of the bill that it is not my purpose to utilize this notice to delay the Post Office appropriation bill. If the appropriation bill should go over until to-morrow, one day being necessary, I shall avail myself of the virtue of the notice. If the Senator from Alabama can conclude the consideration of his bill to-day, I will not take advantage of this notice to delay it.

I should have given the notice sooner, but I did not anticipate that this bill would go through so rapidly as it apparently is going through at this time, so I give this notice now, and I will avail myself of it, if I can, later.

I ask that the notice may be read.

The VICE PRESIDENT. The Secretary will read the notice.

The Secretary read as follows:

Mr. BORAH. Mr. President, I desire to give notice that on Saturday, February 1, 1919, or as soon thereafter as possible, I shall move to suspend that provision of paragraph 3 of Senate Rule XVI, prohibiting any amendment proposing general legislation to any general appropriation bill, for the purpose of offering the following amendment to the Post Office appropriation bill, H. R. 13308, now pending, by adding a new section to the bill, as follows:

SEC. —. That sections 1, 2, and 3, title 12, of an act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," passed and approved June 15, 1917, which sections read as follows:

"SECTION 1. Every letter, writing, circular, postal card, picture, print, engraving, photograph, newspaper, pamphlet, book, or other publication, matter, or thing of any kind, in violation of any of the provisions of this act is hereby declared to be nonmailable matter and shall not be conveyed in the mails or delivered from any post office or by any letter carrier: *Provided*, That nothing in this act shall be so construed as to authorize any person other than an employee of the Dead Letter Office, duly authorized thereto, or other person upon a search warrant authorized by law, to open any letter not addressed to himself.

"SEC. 2. Every letter, writing, circular, postal card, picture, print, engraving, photograph, newspaper, pamphlet, book, or other publication, matter, or thing of any kind containing any matter advocating or urging treason, insurrection, or forcible resistance to any law of the United States is hereby declared to be nonmailable.

"SEC. 3. Whoever shall use or attempt to use the mails or Postal Service of the United States for the transmission of any matter declared by this title to be nonmailable shall be fined not more than $5,000 or imprisoned not more than five years, or both. Any person violating any provision of this title may be tried and punished either in the district in which the unlawful matter or publication was mailed, or to which it was carried by mail for delivery according to the direction thereon, or in which it was caused to be delivered by mail to the person to whom it was addressed," be, and the same are hereby, repealed.

SEC. 2. That section 4 of an act entitled "An act to amend section 3, title 1, of the act entitled 'An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes,' approved June 15, 1917, and for other purposes," passed and approved May 16, 1918, which section reads as follows:

"'SEC. 4. When the United States is at war the Postmaster General may, upon evidence satisfactory to him that any person or concern is using the mails in violation of any of the provisions of this act, instruct the postmaster at any post office at which mail is received addressed to such person or concern to return to the postmaster at the office at which they were originally mailed all letters or other matter so addressed, with the words, 'Mail to this address undeliverable under espionage act,' plainly written or stamped upon the outside thereof, and all such letters or other matter so returned to such postmasters shall be by them returned to the senders thereof under such regulations as the Postmaster General may prescribe," be, and the same is hereby, repealed.

POST OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

Mr. NUGENT. I present a memorial of the Legislature of the State of Idaho in favor of Federal aid for post roads, a subject embraced in the pending bill, and I ask that it be read.

The PRESIDING OFFICER (Mr. McKELLAR in the chair). Without objection, the memorial will be read.

The Secretary read as follows:

STATE OF IDAHO,
DEPARTMENT OF STATE.

I, Robert O. Jones, secretary of state of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of house joint memorial No. 2, by McDonald, which was filed in this office on the 21st day of January, A. D. 1919, and admitted to record.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the capital of Idaho, this 22d day of January, A. D. 1919, and of the Independence of the United States of America the one hundred and forty-third.

[SEAL.] ROBERT O. JONES,
Secretary of State.

House joint memorial 2.

A joint memorial memorializing the Congress of the United States for the passage of an amendment to the bill introduced by Senator BANKHEAD in the United States Senate on December 4, 1918, known as S. 5088; also the same amendment to a bill introduced in the United States Senate by Senator SWANSON on December 5, 1918, known as S. 5098; also the same amendment to a bill introduced by Mr. SHACKLEFORD in the House of Representatives of the United States on December 12, 1918, known as H. R. 13354; and also to any other similar bills introduced in Congress, in order to provide a more equitable application of Federal aid for post roads in the sparsely settled States, and to provide a more reasonable time limit for the availability of such Federal aid.

We, your memorialists, the house of representatives and senate of the State of Idaho, respectfully represent that—

Whereas there are pending in the Congress of the United States bills known as S. 5088, S. 5098, and H. R. 13354, all of which provide for additional Federal aid for post roads under the terms of the act of Congress approved July 11, 1916, and commonly known as the Federal-aid road act; and

Whereas section 6 of said Federal-aid road act provides that the United States shall not cooperate in any road project in an amount greater than 50 per cent of the total estimated cost thereof; and

Whereas although additional Federal aid for road building at the present time is highly desirable, nevertheless those States having large areas and relatively small populations will be unable to avail themselves of the benefits of this act as amended to provide additional Federal aid without a disproportionate burden of taxation: Now, therefore,

Your memorialists urgently request that the said bills, and other similar bills which may be introduced in the Congress of the United States, be so amended that section 6 of the said Federal-aid road act will provide that in those States where the average population per square mile of the area is 100 persons or more, based upon the census of 1910, the United States shall not cooperate in any road project in an amount greater than 50 per cent of the total estimated cost thereof; and that in those States where the average population per square mile of area, based on the census of 1910, is less than 100 persons the share of the United States shall be increased one-fourth of 1 per cent for each person or major fraction thereof less than 100 per square mile; and, furthermore,

Whereas section 3 of said Federal-aid road act provides that so much of the appropriation apportioned to any State for any fiscal year as remains unexpended at the close thereof shall be available to such State only until the close of the succeeding fiscal year; and

Whereas on account of the said provision of section 3 of said act, local conditions existing in some States render it practically impossible to comply with the terms of the act: Now, therefore,

Your memorialists also request that said bills now pending in Congress, and any other similar bills which may be introduced, be amended so that section 3 of the said Federal-aid road act will provide that so much of the appropriation to any State for any fiscal year as remains unexpended at the close thereof shall be available to such State until the close of the second succeeding year: And be it

Resolved, That a copy of this memorial be sent to each of the Members of the congressional delegation from the State of Idaho, to the Congress of the United States, and to each body of said Congress.

This memorial passed the house on the 15th day of January, 1919.

M. A. KIGER,
Speaker of the House of Representatives.

This memorial passed the senate on the 16th day of January, 1919.

C. C. MOORE,
President of the Senate.

This memorial received by the governor on the 21st day of January, 1919, at 10.55 o'clock a. m., and approved on the 21st day of January, 1919.

D. W. DAVIS, *Governor.*

I hereby certify that the within house joint memorial No. 2 originated in the house during the fifteenth session of the Legislature of the State of Idaho.

DAVID BURRELL,
Chief Clerk of the House of Representatives.

(Indorsed: Received and filed January 21, 1919. Robert O. Jones, secretary of state.)

The PRESIDING OFFICER. The pending question is on the amendment of the committee to insert a new section, to be known as section 5.

SEVERAL SENATORS. Let it be read.

The PRESIDING OFFICER. It will be read.

The SECRETARY. On page 36, after line 16, the committee report to insert the following as an additional section:

SEC. 5. That the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, is hereby amended to provide that the term "rural post roads," as used in section 2 of said act, shall be construed to mean any public road which is now used or may be made suitable for the transportation of the United States mails, excluding every street and road in a place having a population, as shown by the latest available Federal census, of 2,500 or more, except that portion of any such street or road along which the houses average more than 200 feet apart.

Mr. BANKHEAD. I desire to offer an amendment to the amendment of the committee.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. At the end of the amendment, at line 3, page 37, strike out the period and insert a colon and add:

Provided, That section 6 of said act be further amended so that the limitation of payment not to exceed $10,000 per mile, exclusive of cost of bridges of more than 20 feet clear span, which the Secretary of Agriculture may make, be, and the same is, increased to $20,000 per mile.

Mr. SMOOT. Mr. President——

Mr. THOMAS. I should like to make an inquiry of the Senator from Alabama.

Mr. BANKHEAD. If the Senator will yield just a moment, I will make a brief explanation and give the reason why it is thought necessary to offer this amendment to the amendment.

Under the existing law the Secretary of Agriculture can not expend more than $10,000 out of the present appropriation to aid in the construction of roads. There are quite a number of States that desire to build roads that cost more than $20,000 per mile, and the Secretary of Agriculture thought this amendment to the amendment would be very advisable, because it would authorize him, in each State where they desire to build better roads than they can for $20,000, to expend more money in their construction.

In other words, if the State of New York or the State of Massachusetts or any other State desires to build a road or improve or reconstruct a road that costs more than $20,000 a mile, it can only receive from the Federal appropriation $10,000. I think, and the committee thought, that States which desire to build roads more expensive than $20,000 per mile should be permitted to spend $30,000 or $40,000 a mile and get their pro rata share from the Federal appropriation. That is the purpose of the amendment to the amendment.

Mr. SMOOT. I rose to ask the Senator a question. I am not opposed whatever to the amendment the Senator has just offered. I think it is a very wise amendment. What I wanted the Senator to do was to explain the difference between the existing law and the law as amended by section 5 of the bill.

Mr. BANKHEAD. There is no difference, except that section 5 increases the appropriation heretofore made.

Mr. SMOOT. No; there is no increase of appropriation in section 5.

Mr. BANKHEAD. Does the Senator mean with reference to construction?

Mr. SMOOT. Yes; I mean all the amendments. Section 5 provides:

That the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, is hereby amended to provide that the term "rural post roads," as used in section 2 of said act, shall be construed to mean any public road which is now used, or may be made suitable, for the transportation of the United States mails.

Mr. THOMAS. It adds the words "may be made suitable."

Mr. BANKHEAD. Yes; "may be made suitable." That is a definition or an explanation of the words in the original act, which were "may or can be used." The Secretary of Agriculture, in discussing this matter with me, regards this as a very important amendment because it relates to roads over which rural mail goes on the major part of the road. It may go over both ends of a road, but there may be a short link in the middle where the conditions up to this time had not made it possible or desirable to carry the rural service.

Mr. SMOOT. Of course, the object is to make any road in the United States fall under this law.

Mr. BANKHEAD. Yes; wherever mails go.

Mr. WADSWORTH. Will the Senator yield?

Mr. BANKHEAD. I yield.

Mr. WADSWORTH. I was going to ask, in view of the suggestion that that phrase be inserted—to wit, any road which "may be made suitable"—why not wipe out all reference to post roads, because, from the explanation which the Senator made just a moment ago, it is intended to cover and include roads which are not to be used for carrying the mail?

Mr. BANKHEAD. That is a construction which might be put on it by the Senator from New York, but I do not think the department meant that. I am sure I would not put that construction on it.

Mr. WADSWORTH. If I know the meaning of the English language, it seems very clear to me. I am convinced that any road that can be made suitable for carrying mail includes any and every road in the United States.

Mr. BANKHEAD. It might.

Mr. WADSWORTH. I have suspected that would be the outcome of the legislation, anyway. I am glad that it comes so quickly, so that we may know what we are confronting. We might just as well strike from the statute enacted two years ago all reference to post roads and say "any road in the United States," and let the American people understand it frankly.

Mr. SMOOT. I think that is a fair construction of the amendment, and I really believe that is what will be done.

Mr. SWANSON. Under the existing law you have to get an affirmative opinion from the Post Office Department that it is practical to be used for carrying the mail before certain parts of the road can be improved, and unless that affirmative action of approval is given by the Post Office Department it is impossible to use any of this money for that purpose. The reason

why it is desired to retain that language is to let it be known that the general purpose is to include post roads. As the Senator from Alabama well says, sometimes there are 4 or 5 miles which the Post Office Department are not willing to say they contemplate using for a post road. Then the entire system would fail. I have not read the opinion, but my information is that the solicitor decided that unless that was done it was impossible to use the money for that purpose. There were cases in which connecting links were left out because they did not get their certificate from the Post Office Department that the department contemplated using them for a post road.

Mr. WADSWORTH. Will the Senator yield?

Mr. SWANSON. Certainly.

Mr. WADSWORTH. Could not the community build the connecting link? Must the Federal Government do all this?

Mr. SWANSON. The Federal Government is to contribute one-half. We think it is wise and proper.

Mr. WADSWORTH. We legislated on the theory that the Federal Government has a direct interest in the carrying of mail.

Mr. SWANSON. The word "may" was thought to cover the case, but on account of the solicitor's opinion and that of the Comptroller of the Treasury, the word "may" would mean that any time in the future it might be done. It was on account of the narrow construction given the word "may" under existing law that we thought there ought to be substituted "can" or "suitable." That was the condition. It was because of the narrow construction given to the word "may." I understand it is the law that mail may be carried, and it was construed that that must indicate the purpose on the part of the Post Office to do it, and unless that purpose was stated these short links could not be connected up. It proved to be an embarrassment in the administration of the law. Everybody thought the word "may" would be construed as "can" or "suitable." It was the narrow interpretation given to it that necessitated this amendment.

Mr. WADSWORTH. The Senator will concede that there is no intention to carry mail on the so-called short links.

Mr. SWANSON. The department said at the time it may be three or four years or five years before they do it, but under the amendment they would have the right to do it.

Mr. WADSWORTH. The Senator will concede that when the time came they would improve the roads?

Mr. SWANSON. If there were any such necessity it would require an investigation by the Post Office Department to determine years ahead what its policy would be as connected with our rural-route delivery.

Mr. THOMAS obtained the floor.

Mr. KELLOGG. I wish to make an inquiry.

The PRESIDING OFFICER. Does the Senator from Colorado yield for that purpose?

Mr. THOMAS. I yield.

Mr. KELLOGG. Leaving out the words "may be suitable," the law would be that it would include only roads which are now used, but when the roads come to be improved, in a couple of years from now, the fund would be available for that purpose.

Mr. WADSWORTH. I think the Senator is not entirely familiar with the existing law. The existing law is found on page 3 of the committee report:

> Any public road over which the United States mails are now or may hereafter be transported—

The phrase "may hereafter be transported" is to be stricken out, and in its place is put "or may be made suitable," which is a very different story.

Mr. THOMAS. The act to which the proposed act is amendatory is entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes." Under that designation Congress passed an act appropriating $75,000,000 under certain circumstances for the construction of rural post roads. This is a Post Office appropriation bill, and in a bill making appropriations for the service of the Post Office Department, and for other purposes, it is proposed to add $200,000,000 to the appropriation of two years ago, and by the amendment of section 2 of that act to make the $200,000,000, plus the unexpended previous appropriation of $75,000,000, available for the construction of all roads of every kind, nature, and description.

It may be that the department gave to the committee the reason which has been set forth here, and of course the phraseology of the proposed amendment will permit the department to act in the instances cited, but it does not stop there. It is a radical and fundamental departure from the policy entered upon two years ago. As the Senator from New York [Mr. WADSWORTH] says, if it is enacted it commits the General Government and the Treasury of the General Government to the policy of universal highway construction. Of course, the time is coming when the States are going to be relieved of their proportion of this burden. Indeed, some people in my State sometime ago requested me to initiate proceedings whereby the State could be relieved of its 50 per cent burden under the act of 1916, the idea being that inasmuch as these roads were post roads, and inasmuch as the Government has exclusive jurisdiction of the post offices and post roads, ergo, the State treasury should be relieved from the incubus placed upon it by the act of 1916.

It may be perfectly proper, indeed necessary, for the United States at this time to assume the new burden of highway construction, unlimited in its character and extent, and to place the expense of this construction upon the shoulders of the taxpayers of the United States. If so, then let us do it with our eyes open, and labor under no misconception as to the real purpose sought to be obtained in this apparently unimportant amendment of section 2 of the existing law.

Mr. SMOOT. May I ask the Senator a question?

Mr. THOMAS. Certainly.

Mr. SMOOT. I have no doubt that the construction placed upon those words by the Senator is correct. I construe them exactly as he does. I was going to ask the Senator, if it is desirable to accomplish even what the Senator from Virginia [Mr. SWANSON] said it was the intention of the department to accomplish, would it not be better to strike out the word "or" and insert the word "and," so that it would read:

> Shall be construed to mean any public road which is now used and may be made suitable for the transportation of the United States mails.

Mr. THOMAS. That would improve the phraseology of the section.

Mr. SMOOT. Certainly it would.

Mr. THOMAS. But it would not relieve it from the operation which I contend must necessarily result and which by the department, at least, is designed to result from this amendment.

Mr. SMOOT. I recognize that, but I do believe that it would be a limitation.

Mr. THOMAS. It may be.

Mr. SMOOT. I think it would greatly improve the amendment.

Mr. THOMAS. I am willing to take chances on it, but under the suggestion made by the Senator from New York, or another Senator, the State itself surely ought to be willing, or the community should be willing, when these little spaces or stop gaps, so to speak, exist in a general system, which are not suitable for rural postal purposes, to make the improvement itself.

Mr. SMOOT. I agree with the Senator entirely, and I am perfectly willing to vote against section 5 of the bill; but as we are now considering it, I simply wanted to suggest at this time, if the Senator has no objection, that the word "or" be stricken out and the word "and" be inserted, which I am quite sure will improve the amendment.

Mr. THOMAS. The Senator from Alabama has charge of the bill.

Mr. BANKHEAD. I have no objection to that.

Mr. THOMAS. I move that on line 22, page 36, the word "or" be stricken out and the word "and" inserted.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. In line 22, page 36, after the comma, strike out the word "or" and insert the word "and."

The PRESIDING OFFICER. Without objection, the amendment to the amendment is agreed to.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Will the Senator from Colorado yield to the Senator from Minnesota?

Mr. THOMAS. I yield to the Senator from Minnesota.

Mr. KELLOGG. As section 5 is now amended, this aid can only be extended to a road which is now used for this purpose. The provision to which the Senator from New York calls attention, which was in the original bill, is cut out, and no road, however important, which should be hereafter, during these three years or any other time, used for post roads could be aided under this clause.

Mr. BANKHEAD. If that is a proper construction, I do not so understand it. Personally I do not care anything about this amendment, so far as I am concerned. It is offered here at the urgent request of the Secretary of Agriculture, who has charge of the work. He said the construction put upon the language of the original act by the solicitor was very embarrassing to the department. It was, he thought, very narrow, and he said the language ought to be changed so that he might apply his pro rata share to a link of a road over which the mails may hereafter go. I think every Senator on the floor knows that there will be a rural route over every good road in this country, so far as that is concerned.

Mr. KELLOGG. The amendment as it is now amended amends the act of 1916, and the aid can only be granted to a rural post road, which shall be construed to mean any public road which is now used and made suitable, while the original act——

Mr. BANKHEAD. That being true, I move to reconsider the vote by which the amendment to the amendment was adopted. I do not understand it, and I do not think that any other Senator does.

Mr. SMOOT. I wish to say to the Senator that I had no ulterior motive in offering the amendment.

Mr. BANKHEAD. I appreciate that.

Mr. SMOOT. I listened to the statement made by the Senator from Virginia that there are roads now where there might be a part of the road used at each end only, and a gap between those two used roads upon which, under the construction of the department, no money could be expended, and therefore I simply wished to limit it to cover such roads.

Mr. SWANSON. Could it not be very easily covered by inserting the words "or forming a connecting link"?

The PRESIDING OFFICER. Is there objection to reconsidering the vote by which the amendment to the amendment was adopted? The Chair hears none. It is reconsidered, and the question is on the amendment to the amendment of the committee.

Mr. SMOOT. Mr. President, I do not want to take the Senator from Colorado off the floor, but——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Utah?

Mr. THOMAS. I yield.

Mr. SMOOT. As it has been reconsidered, I ask that it may go over until the Senator concludes his remarks. I want a yea-and-nay vote upon it, and I do not wish to call for a quorum now.

Mr. THOMAS. I do not care to take up the time of the Senate in discussing a provision of a bill or an amendment which may be subject to a point of order, and consequently before I proceed further I want to raise a point of order against section 5, in that it is the inclusion of general legislation upon an appropriation bill.

The PRESIDING OFFICER. The Chair will hear the Senator on the point of order, if he desires.

Mr. THOMAS. It is too clear to my mind to require any elucidation. It is general legislation. The precedents are abundant upon it. There is no exception to it. It is clearly within the prohibition of Rule XVI, subdivision 3.

Mr. STERLING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from South Dakota?

Mr. THOMAS. I yield.

Mr. STERLING. I thought the Senator had concluded; but I hope he will not insist upon his point of order.

Mr. THOMAS. I shall not only insist upon it as to this section, but I am going to make a point of order as to the next section when that comes up.

Mr. STERLING. I think Federal aid to the post roads of the country is a beneficent thing, a beneficent activity upon the part of the Government, and my thought is that the Senator's main objection to the amendment and to section 5 was because of the words "or may be made suitable."

Mr. THOMAS. Oh, no; that is merely a trivial incident.

Mr. STERLING. It is an extension of a system which is already established; and I may say to the Senator that I think the country has been benefited by it; that it approves of the legislation, and that there is a demand for this Federal good-roads legislation.

Mr. KING. Mr. President, will the Senator yield to me?

Mr. STERLING. I yield to the Senator from Utah.

Mr. THOMAS. Who has the floor, Mr. President?

Mr. STERLING. I am speaking, I know, in the time of the Senator from Colorado.

Mr. KING. The Senator will pardon me. I had forgotten the Senator from Colorado had the floor.

Mr. STERLING. I have finished all I care to say. I simply hope that the Senator from Colorado will not insist upon his objection to this amendment.

Mr. THOMAS. I may say, Mr. President, that all of the appropriations of public moneys since I have been here have been for beneficent purposes, and the more beneficent the purpose the greater the appropriation. I shall address myself to the beneficence of this appropriation after the point of order shall have been disposed of.

Mr. BANKHEAD rose.

The PRESIDING OFFICER. The Chair will hear the Senator from Alabama on the point of order.

Mr. BANKHEAD. Mr. President, I can not quite understand why this provision of the bill is subject to a point of order. It is an amendment, it is true, to an appropriation bill, but it is amending a general law as to which the appropriation is made. It is estimated for by the Department of Agriculture, it was regularly introduced, it went to the Committee on Post Offices and Post Roads, and it is reported as an amendment to the bill. It seems to me that clearly takes it out of the category of being subject to a point of order.

Mr. SWANSON. Mr. President, in addition to what the Senator from Alabama has said, I desire to say that the margin between general and special legislation is sometimes very narrow. Take the view which the Senator from Colorado [Mr. THOMAS] has presented. This is not general legislation, because it is a special limitation of a special appropriation for good roads. It has been held repeatedly that limitations and conditions upon which expenditures are made for special purposes are not general legislation. The margin is so narrow as between what is considered general and what is considered special legislation that frequently when legislation applied to a special appropriation, such as good roads, or a special thing, such as a building—something that is special and not general in all of its characteristics—it has been held special legislation, especially if it came from a committee that had charge of the subject.

Mr. THOMAS. Mr. President, the claim that this is a special appropriation——

Mr. SWANSON. As I understand, the Senator's objection does not go to the appropriation, but simply to section 5 as an amendment to the existing law.

Mr. THOMAS. I can not very well make the point of order as to the succeeding sections until they are reached.

Mr. SMOOT. It is true that if this amendment were applied only to one road in the United States it would be special legislation; but it does not apply to one road; it applies to every post road in the United States, and so it is an amendment embodying general legislation.

Mr. THOMAS. I do not think there is any question about it.

Mr. SWANSON. I should like to ask the Senator from Colorado a question.

Mr. THOMAS. I yield to the Senator from Virginia.

Mr. SWANSON. General legislation, as I understand, would be legislation controlling all kinds of appropriations. For instance, if it were provided that no appropriation should be made for anything until the money is provided, that would be general in its character, whether it applied to roads, colleges, or what not; but this is something that applies especially to certain roads; it is especially road legislation. The only way to make it general is to say that it applies to all roads.

Mr. THOMAS. That would make an appropriation for the Navy Department special legislation for the Navy Department.

Mr. SWANSON. It has been so held in some cases. We have had cases here where it has been held that certain legislation in reference to the Navy Department was not general. It is a difficult question to determine, but such has repeatedly been the decision. There have been no consistent decisions about it. If legislation applied to everything in the Navy Department it was considered as general, but if it applied to a special thing in the Navy Department or to a special employee in the Navy Department or to a special class of employees, it was held to be special legislation.

Mr. THOMAS. Mr. President, the illustration which has been given by the Senator from Utah [Mr. SMOOT] is so complete that I can not add to it.

Mr. WALSH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Montana?

Mr. THOMAS. I yield to the Senator from Montana.

The PRESIDING OFFICER. The Chair begs pardon of the Senator from Colorado. The Chair overlooked the fact that that Senator had the floor.

Mr. THOMAS. That is not necessary, Mr. President.

Mr. WALSH. I also ask pardon of the Senator from Colorado.

Mr. THOMAS. That is not necessary.

Mr. WALSH. This thought has occurred to me in connection with the point of order now raised: I do not believe that the point of order can be successfully controverted, that the appropriation provided for in the succeeding sections—sections 6, 7, and 8——

Mr. SMOOT. That is another question.

Mr. WALSH. Well, we shall reach that directly.

Mr. THOMAS. I will say to the Senator from Montana that we are only considering one section.

Mr. WALSH. I understand the Senate is considering section 5, and the point of order is directed against and lodged at section 5. However, I was going to say to the Chair that I do

not believe a point of order could be successfully made against the appropriations provided for in the succeeding sections. I have no doubt that an appropriation for the purpose of improving post roads is entirely appropriate in a general appropriation bill; that is, in the general Post Office appropriation bill. Appropriations have frequently been made for the construction and maintenance, for instance, of pneumatic-tube routes for the transmission of mails; they have been made for the railway transmission of mails; and I do not doubt that in a general Post Office appropriation bill appropriations may properly be made for those purposes.

These appropriations follow, as provided for in sections 6, 7, and 8; and section 5, it occurs to me, is intended simply as a limitation upon the use of the money provided for in the succeeding sections. That, Mr. President, it has frequently been held is entirely proper—that an appropriation may be made and a limitation may be put upon the use of that appropriation.

Mr. THOMAS. In this instance the limitation is an extension. Let me ask the Senator from Montana right there, if he will permit me, this question: Suppose section 5 shall go out upon a point of order, will not the appropriation provided for in section 6 be equally effective? Is it in any way dependent upon section 5?

Mr. WALSH. It will be equally effective; but, Mr. President, the appropriations then provided for in the succeeding sections will not be expended in the way that they would if section 5 remained in the bill. In making appropriation for one of these purposes Congress has power to direct how that appropriation shall be used. In other words, if section 5 goes out, then the appropriations provided for in sections 6, 7, and 8 can be used only upon rural post roads as defined in the existing law. If section 5 remains in, then these appropriations will be used in another way and upon an extended class of roads. Therefore, Mr. President, to my mind section 5 operates as a limitation upon or a direction concerning the manner of the expenditure of the appropriations provided for in the succeeding sections.

Mr. THOMAS. Mr. President, section 5 is either a distinct amendment or it is not. We are treating it as a distinct amendment. Section 6, of course, is germane to the subject matter, as is also section 7, and perhaps the succeeding sections providing another appropriation for roads in the forest reserves.

The PRESIDING OFFICER. May the Chair ask the Senator a question? If sections 6 and 7 are germane why is section 5 not germane?

Mr. THOMAS. It is germane, but it is not a necessary part of either. These sections each stand by themselves. The Senate is now considering section 5. Section 5 assumes to amend a specific section of a preexisting act. Let us suppose there were no sections 6, 7, and 8 at all, would not this point of order be good? The amendment would be general legislation.

Mr. WALSH. I have no doubt about that.

Mr. THOMAS. The Senator from Montana says he has no doubt about it. Now, we are considering the section as a distinct section. I do not think there can be any question about it, whether it be considered in connection with section 6 or not.

Mr. WALSH. But, Mr. President, if the Senator will pardon me, I do not think we are permitted to consider it as a separate and distinct thing, as if there were nothing else in the bill.

Mr. THOMAS. I understand that.

Mr. WALSH. That would violate every rule of statutory construction, which requires us to take the whole thing into consideration in construing it.

Mr. THOMAS. I understand that that is the Senator's position; but, unfortunately for him, we are doing it.

Mr. SMOOT. Mr. President, will the Senator from Colorado yield to me?

Mr. THOMAS. I yield to the Senator from Utah.

Mr. SMOOT. Mr. President, I desire to say that, if the contention of the Senator from Virginia [Mr. SWANSON] is correct, then all of these sections will go out on a point of order; but I doubt whether he is correct.

The PRESIDING OFFICER. The Chair would like to ask the Senator from Utah a question. The Senator is a parliamentarian. This is something which bothers the Chair; and the Chair would like to have the Senator from Utah address himself to it. Why should not sections 5, 6, 7, and 8 all be considered as a whole?

Mr. SMOOT. There is no necessity for considering them as a whole. Section 5 simply proposes to amend the existing law so that certain moneys which are appropriated may be spread over roads that are now not entitled to any appropriation made by Congress. Therefore it is changing a general law.

Mr. STERLING. Mr. President, will the Senator from Utah yield to me?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from South Dakota?

Mr. SMOOT. I yield.

Mr. STERLING. I desire to ask the Senator a question right there. Do not the appropriations provided for in section 6 depend upon the limitations in section 5?

Mr. SMOOT. No, Mr. President. Every cent of those appropriations can be expended whether section 5 remains as it is or whether it is amended.

Mr. STERLING. That may have been the moving consideration for the adoption and reporting of section 6.

Mr. THOMAS. It may be, but it is not the controlling feature of the point of order.

Mr. SMOOT. The only question——

The PRESIDING OFFICER. The Chair desires to ask the Senator from Utah, who is well versed in parliamentary law, a question. Suppose all of this question were embodied in one section—that is, that sections 5, 6, 7, and 8 were a whole instead of being divided up into four sections—would the amendment be germane or would it not?

Mr. SMOOT. Any Senator could then ask for a division of the question; I have no doubt about that. This is the subject, and I invite the attention of the Chair to the volume containing the precedents in the Senate of the United States. On page 60 it reads:

> No subject is more widely discussed in the Senate during the consideration of appropriation bills and amendments thereto than the question, "What is general legislation on a general appropriation bill?"

Then it goes on to define "general legislation."

> General legislation, that legislation which is applicable throughout the State generally, as distinguished from special legislation, which affects only particular persons or localities.

Mr. President, this amendment affects all of the States of the Union. It is therefore general legislation. There are no specific items to take into consideration. It is amending general law, and to-day that law is general legislation. I can not see but that the point of order to section 5 is well taken.

Then, further down on the same page of this volume, it is stated:

> "General," with reference to the subject matter of the statute, is synonymous with "public" and opposed to "private," but with reference to the extent of territory over which it is to operate is opposed to "local" * * * and means that the statute to which it applies operates throughout the whole of the territory subject to the legislative jurisdiction.

That is exactly what this amendment does. It operates in every State of the Union, not as to one State or one road, but it operates on every road in every State of the Union.

Mr. WALSH. Mr. President——

The PRESIDING OFFICER. Before the Senator from Montana proceeds the Chair would like to ask a further question of the Senator from Utah. The Senator says that the other three sections are not dependent upon section 5. The Chair will call the attention of the Senator to lines 4 and 5, on page 37, which read:

> That for the purpose of carrying out the provisions of said act, as herein amended—

That would indicate that these sections are interdependent.

Mr. SMOOT. Mr. President, I have not said that the appropriation is not for the purpose of building roads, as provided in the amendment to section 2 of the existing law; there is no doubt about that; but if section 5 went out and this appropriation were made, by striking out the words "That for the purpose of carrying out the provisions of said act, as herein amended"—that is, section 2 of the act of July 11, 1916—it would be used the same as similar appropriations have heretofore been used and only upon the class of roads that are now being improved.

Mr. SWANSON. Mr. President, if the Senator will allow me for just a moment, it has been conceded that a limitation upon an appropriation as to its expenditure is not general legislation.

Mr. THOMAS. Who has conceded that?

Mr. SWANSON. The Vice President has so ruled repeatedly. If this is a limitation upon the expenditure of money, it is not general legislation, even from the Senator's standpoint. Now, let us see whether it is a limitation upon the expenditure. We have $75,000,000 to be expended, whether section 5 prevails or not. This limitation upon the expenditure applies also to section 5, which stipulates that the appropriation can be expended only on a certain kind of road. It is a limitation as to the nature of the expenditure, as the Senator from Montana [Mr. WALSH] has well said. It simply limits the conditions under which this money is to be spent.

Mr. THOMAS. In other words, in the Senator's vocabulary "a limitation" and "an extension" are synonymous terms.

Mr. SWANSON. This amendment simply limits the character of roads on which the money can be expended.

Mr. THOMAS. It limits it to all the roads in the United States.

Mr. SMOOT. All that is necessary to answer that is to call attention to the fact that the amendment in section 5 is an amendment not by way of limitation, but to extend the number of roads on which this money can be expended.

Mr. SWANSON. A limitation may either extend or contract. The amendment provides certain channels where this money shall be spent. It defines the conditions under which this money must be expended. The department will have no right to spend it for every purpose or for every kind of road. This section provides a limitation upon the expenditure. There is a limitation provided in the present statute, if the Senator will permit me, and the amendment we propose now is likewise a limitation. Is not that true?

Mr. THOMAS. Mr. President, if I may ask the Senator a question, what class of roads in the United States, if this section is adopted, will be excluded from this appropriation?

Mr. SWANSON. Those that are not suitable for carrying the mails.

Mr. THOMAS. That is the very amendment that you have offered.

Mr. SWANSON. No; the provision says, "roads which are suitable." So the appropriation is limited to roads suitable for the carriage of the mail. If a road is not suitable for that purpose, the money can not be expended upon it.

Mr. THOMAS. It reads, "any public road which is now used, or may be made suitable, for the transportation of the United States mails."

Mr. SWANSON. If it is made suitable some of the appropriation may be expended upon it, but if it can not be made suitable to carry the mails, the department can not spend any money on it. It is perfectly plain.

Mr. THOMAS. It is as plain as mud.

Mr. WALSH. Mr. President——

Mr. THOMAS. I yield the floor to the Senator from Montana.

Mr. WALSH. Mr. President, I wish to follow the suggestion made by the Senator from South Dakota [Mr. STERLING] for the information of the Chair. Section 6, as the Chair has said, reads:

> That for the purpose of carrying out the provisions of said act as herein amended, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the following additional sums—

If section 5 goes out and sections 6, 7, and 8 are adopted, then the bill provides that the appropriations made by sections 6 and 8 are to be expended in accordance with the act "as hereby amended." Those appropriations can not be expended under the act as it was before; a limitation is put upon the use of the money appropriated by sections 6 and 7; and I insist that sections 6 and 7 would be utterly inoperative, even if adopted in this bill, if section 5 were taken out, unless, of course, they were amended so as to eliminate the words "as herein amended." That is to say, Mr. President, in construing the act the court would be obliged to say, "You can not spend this money in accordance with the act as it was passed a year or two ago, because it must be expended only under the provisions of that act as amended.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Colorado?

Mr. WALSH. In just a moment. Therefore, I insist that we can not dissociate these three sections; we must construe them together in order to arrive at a just conclusion upon this matter.

I now yield to the Senator from Colorado.

Mr. THOMAS. In the event the point of order is sustained, could not the Senator from Montana or some other Senator very easily move to strike out the words "as herein amended" in the second line of section 6?

Mr. WALSH. Quite so.

Mr. THOMAS. And would not the appropriation which it carries then be applicable under the bill?

Mr. WALSH. Undoubtedly. It would be then expended under the law as it now stands; but, Mr. President, I desire the Senator from Colorado to assume that the subsequent section is not amended and that those words are left there.

Mr. THOMAS. Before that, let me ask the Senator another question. Let us assume, for the sake of the argument, that there were no sections dividing the subjects matter, would not that part of it now included in section 5 then be subject to a demand for a separate vote or to a point of order?

Mr. WALSH. I dare say it would; but then the question would be squarely put up to the Senate as to whether they desired to make this appropriation expendable under the provisions of the law as it stands or to make it expendable only under the amended act.

Mr. THOMAS. Then, Mr. President, if I understand the position of the Senator, it leads to this necessary result, that a point of order that a certain proposed amendment is general legislation depends upon whether it is accompanied by an appropriation the expenditure of which depends upon whether or not that point of order is sustained. If it carries an appropriation, even in another section, the appropriation and the purpose of it must necessarily be considered in connection with the point of order for the purpose of determining whether it was within or without the rule of the Senate.

Mr. WALSH. The Senator is quite right in the general idea expressed in his language, although I do not approve of the language; but it has been repeatedly determined in this body that when an appropriation is made with a provision accompanying it limiting or directing the manner in which that appropriation is to be used, it is immaterial that it amends a general law; in other words—I have not expressed it quite right—it is immaterial that it directs the expenditure of that money in a way that is different from the general law.

Mr. THOMAS. I will say to the Senator that if he can find a precedent which sustains that proposition I will concede the point. It does not exist; it is incredible, Mr. President—and I am sorry that I am unable to express myself in appropriate language: I try to—it is incredible to me that the question of whether a proposed amendment is or is not general legislation shall depend upon whether it is or is not accompanied by an appropriation. Certainly there is nothing in the rule to justify that contention; and if it were so, then by the simple device of adding an appropriation to the proposed change we might put anything on a general appropriation bill in the way of general legislation, notwithstanding the inhibition of the rule.

Mr. STERLING. Mr. President, just one word. I think I have heard it ruled in the Senate again and again that words which limit an appropriation, the uses and application of that appropriation, are not words of general legislation.

Mr. THOMAS. Can the Senator find a precedent to that effect?

Mr. STERLING. The tendency is to construe the word "limitation" as meaning "to cut down." The word "limitation" as we use it here bears no such construction. The word "limitation" means to prescribe, to fix limits. They may be broad or they may be narrow, so far as that is concerned; but words which define to what the appropriation shall go are words of limitation, be they never so broad or be they limited or narrow. I think the word "limitation" is often used in that sense when we come to construe a statute. I call attention to the definition of the word, as follows:

> Limitation: To bound; the act of bounding; circumscribing; the fixing of a limit or restriction.

The language in section 5 does fix a limit or a restriction. It provides that the appropriation shall be expended on those roads which are now post roads or on those roads which may be made suitable for post roads. That limits the appropriation, and I think nothing can be clearer. It is my clear recollection, without being able to refer to specific cases now, that the Chair has ruled again and again that language in the bill by way of an amendment which limits the expenditure of an appropriation provided for in the bill is not general legislation.

Mr. THOMAS. Mr. President, may I ask the Senator if the word "limitation" does not imply something outside of—something beyond—the particular thing limited?

Mr. STERLING. I think it does; certainly.

Mr. THOMAS. If you include post roads and any road "that may be made suitable," what remains outside of that definition?

Mr. STERLING. I am taking the language now as it is. It is limited to those roads that are post roads and those that may be made suitable for post roads. That is a limitation, whatever you may say about the extent of the limitation.

Mr. WALSH. Mr. President, if the Senate will indulge me for just a moment, the Senator from Colorado asked for a precedent.

Mr. THOMAS. Yes.

Mr. WALSH. I refer the Chair to pages 22 and 23 of the second volume of Precedents, in which the views of former

President pro tempore Clarke, of Arkansas, are found. I read from the Precedents as follows:

[Sixty-third Congress, second session.]

MAY 2, 1914.

On motion, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13679) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1915.

On an amendment increasing the salary of the Assistant Secretary of Agriculture to $6,000, as follows:

"*Provided*, That if the position is held by any other than the present incumbent the salary shall be reduced to $5,000."

Mr. CLARK of Wyoming. I make the point of order against the proviso that it is legislation upon an appropriation bill.

Mr. GORE. I think the proviso is subject to a point of order.

The PRESIDENT pro tempore (Mr. Clarke of Arkansas). The Chair is not disposed to take the view that this limitation or direction as to the manner in which a specific sum of money is to be expended is general legislation in the sense of our rule on the subject. The Senator from Wyoming [Mr. Clark], however, spoke to the contrary with such confidence that he has raised a doubt in the mind of the Chair.

The Chair will state that his ruling is in line with a precedent made when we had under consideration an item in an appropriation bill providing that certain officers should be exempt from the operation of the civil-service law. The appropriation was designed to make a certain investigation in connection with this class of officers, and the Senator from North Carolina made the point, and the Vice President sustained it, that any legislation which sought to give direction for the expenditure of, or place a limitation upon, a particular item of appropriation was not subject to that point of order; that it was not general legislation. If Congress has power to appropriate the money, it has an incidental right to say how it shall be actually expended. The Chair holds that the point of order is not well taken.

Mr. SMOOT. Mr. President, I remember the case very well. That was no general legislation, and Senator Clarke was perfectly correct in deciding the way he did. That was an appropriation of $6,000 for one individual. It was special legislation and not general legislation; and therefore the President pro tempore ruled exactly right.

Mr. CALDER. Mr. President, if the Senator will kindly yield——

Mr. SMOOT. I yield to the Senator from New York.

Mr. CALDER. It is necessary for me to attend a meeting of the Committee on Appropriations. I desire to offer an amendment to the next section, and have it lie on the table and be noted. I desire to ask the Chair to have me notified before the next section is disposed of.

The PRESIDING OFFICER. Without objection, that will be done.

Mr. SMOOT. Mr. President, just a word in relation to a statement that was made by the Senator from South Dakota, and that was that whenever there was an appropriation made it was held that it was not general legislation.

Mr. STERLING. No.

Mr. SMOOT. I understood that to be the Senator's statement. What did the Senator say?

Mr. STERLING. No; I said the words of limitation prescribing the extent or the manner in which the appropriation should be used are not general legislation.

Mr. SMOOT. Why, Mr. President, general legislation, as it has been held in this body ever since I have been a Member of it, is legislation that is general in character, which does not apply to any one section of the country, or to any one class of employees of the Government, or to one person employed by the Government, but legislation general in its scope, applying to all parts of the United States and to every State in the Union alike. That is general legislation.

As far as I am concerned, I will say that I can not for the life of me see why this is not general legislation. It is claimed that the amendment is a limitation. The present law limits the expenditure of money to certain routes. The object of the amendment is that that limitation shall not be further limited or restricted, but that it shall be expanded so as to take in all of the roads of the United States. As far as that is concerned, Mr. President, the wording as it is in this section is unlimited, and therefore the question of limitation does not apply in the least.

Mr. STERLING. Mr. President, if there is any road in the United States that may not be made suitable as a post road, this will not apply. It is to that extent a limitation.

Mr. SMOOT. I will ask the Senator if there is a road in the United States that can not be made suitable for a post road?

Mr. STERLING. I do not know whether there is not, but there could might be.

Mr. SMOOT. I can not conceive of one.

Mr. STERLING. I think perhaps this would be taken into consideration, as to whether the postal business will warrant the construction of a post road.

Mr. SMOOT. But it does not say so. It is unlimited.

Mr. SWANSON. Mr. President, I should like to ask the Senator a question. To my mind there is no doubt that this $200,000,000 is absolutely in order. It seems to me that there can be no question about that. First, it is estimated for, which makes it in order under the rule; second, it is reported by a standing committee of the Senate. Consequently you agree that section 6 is in order.

Mr. THOMAS. I do not.

Mr. SWANSON. I am addressing myself to the Senator from Utah.

Mr. THOMAS. But the Senator said it was agreed.

Mr. SWANSON. I mean by the Senator from Utah. I suppose the Senator from Utah will agree that under the rules the $200,000,000 appropriation is in order, being estimated for, and being reported by a standing committee of the Senate, as a new item.

Mr. SMOOT. I think myself that if it has been estimated for and reported by a standing committee of the Senate on an appropriation bill, it is in order, and the point of order will not lie against it.

Mr. SWANSON. Now, that is plain. It has been reported by a standing committee of the Senate, and is included in this bill, and therefore it is in order.

The PRESIDING OFFICER. In other words, as the Chair understands the Senator from Utah, the point of order would not lie as to sections 6, 7, and 8.

Mr. SMOOT. No; that is my opinion only; but I wish to say that it does not necessarily follow that no amendment could be made to those sections.

Mr. SWANSON. Of course; but it is in order for discussion, and the point of order can not be made against it, because it has two things that put it in order: It has been estimated for and it is reported by a standing committee of the Senate under the rules. Now, if that is in order, section 5 simply limits the conditions under which the money appropriated in sections 6 and 7 can be expended.

Under the rules, whether it is a general limitation or a special limitation makes no difference. Limitations can be either broadening or they can be narrowing. The Senator has an idea that it is not a limitation unless it is narrowing. A limitation is something that fixes the method in which money is spent.

Sections 6 and 7 are clearly in order. There can not be any dispute about that, it seems to me, for two reasons. Now, then, all that section 5 does is to limit the conditions under which the money appropriated under sections 6 and 7 can be used. To my mind it is clearly a limitation.

Mr. SMOOT. Mr. President, it is an amendment of a law on the statute books to-day, and that law limits any appropriation that has been made for the purpose of building roads.

Mr. SWANSON. If the Senator will permit me——

Mr. SMOOT. And now it is proposed to amend section 2, and the amendment is not a limitation, but it is a broadening provision, and there is no limit on it. There is not a road in the United States that can not be made suitable for a post road.

Mr. SWANSON. Let us see what would be the result of the contention made by the Senator from Utah. He concedes that you can appropriate money, but he contends that you can not change the limitations under which it has to be spent; that when an appropriation of money is made by a new item, for all time in the future it must be subject to the old limitation of expenditure.

Mr. SMOOT. Mr. President, the Senator is wrong. There is a way of changing general legislation; but our rules have said that it shall not be upon an appropriation bill. There is no question but that a bill could be introduced into Congress amending section 2 of the act of July 11, 1916, in any way—limiting it, or extending it, or making any change even to the repeal of it—but the rules say that you shall not do it upon an appropriation bill.

Mr. SWANSON. No; the rules forbid general legislation on an appropriation bill, which would mean that you could not put an entire road law on this.

Mr. SMOOT. Why so?

Mr. SWANSON. But if we come here and simply change the limitation in the old law, and this same limitation is applied with an amendment to this expenditure, the Senator admits that that is in order. To decide otherwise would be to say that Congress has the power to increase an appropriation and make it larger, but that it can not alter the limitation under which it is spent.

The PRESIDING OFFICER (Mr. MCKELLAR). A point of order is raised by the Senator from Colorado [Mr. THOMAS] to section 5 of the bill because he states it comes within the prohibition of subsection 3 of Rule XVI. That subsection reads as follows:

No amendment which proposes general legislation shall be received to any general appropriation bill, nor shall any amendment not germane or relevant to the subject matter contained in the bill be received; nor shall any amendment to any item or clause of such bill be received which does not directly relate thereto; and all questions of relevancy of amendments under this rule, when raised, shall be submitted to the Senate and be decided without debate; and any amendment to a general appropriation bill may be laid on the table without prejudice to the bill.

That rule has come up very frequently for a ruling by the Chair, as it seems from the precedents, and apparently there is a good deal of confusion as to the rulings of previous presiding officers; and very naturally so, because the rule itself is neither clear nor accurate, and it does seem to the Chair that the rule itself needs amendment and clarification. The Chair calls attention of the Senate to pages 60 and 61 of the Precedents of the Senate, which apparently forms a good rule by which this matter should be determined:

In deciding whether or not a given law is general, the purpose of the act and the objects on which it operates must be looked to. If these objects possess sufficient characteristics peculiar to themselves and the purpose of the legislation is germane thereto, they will be considered as a separate class, and legislation affecting them will be general; but if the distinctive characteristic of the class have no relation to that purpose of the legislation, or if objects which would appropriately belong to the same class have been excluded, the classification is faulty, and the law not "general." The effect, not the form of the law, determines its character.

Upon an examination of the four sections which constitute this amendment, it is virtually conceded by Senator SMOOT, who is an able parliamentarian, that sections 6, 7, and 8 are not subject to points of order. If sections 6, 7, and 8 are not subject to points of order—and the Chair does not think that they are subject to points of order—then it seems to the Chair to be beyond controversy that section 5 is a limitation upon the other sections named, and therefore——

Mr. THOMAS. Mr. President, before the decision is announced, in view of what the Chair has said——

The PRESIDING OFFICER. Will the Senator just wait one moment until the Chair makes one other observation?

Mr. THOMAS. I simply wished to interpose a suggestion before the final decision was announced.

The PRESIDING OFFICER. The Chair will permit the Senator to do that.

The Chair is also of opinion that the ruling referred to by the Senator from Montana [Mr. WALSH] is in point. In that ruling there was an amendment increasing the salary of the Assistant Secretary of Agriculture to $6,000, which amendment read as follows:

Provided, That if the position is held by any other than the present incumbent the salary shall be reduced to $5,000.

After careful consideration, the President pro tempore of the Senate, Mr. Clarke of Arkansas—whom we all know to have been a great parliamentarian—decided that the point of order was not well taken. Later on, in connection with the same bill, a little lower down on the page, there was another amendment offered by the Senator from Oklahoma [Mr. GORE], as follows:

Provided, That no part of this sum of $628,240 shall be used in connection with any money contributed or tendered by the General Education Board or any like organization.

The Senator from Virginia [Mr. MARTIN] raised a point of order against that language, and that point of order was overruled. Surely, if those two matters were not general legislation, it seems to the Chair that section 5 is not general legislation.

The Chair also calls the attention of the Senate to a ruling made on May 15, 1914, where the provision was as follows:

Provided, That of the sum thus appropriated $100,000 shall be used for furnishing the primary markets in the cotton-growing States with a set of the samples as standardized by the Government and a sample of the bleached and unbleached yarns made from the different grades, showing the waste, tensile strength, and bleaching quality thereof.

And a point of order was overruled to that provision on the ground that it was not general legislation.

Mr. SMOOT. And that was right, too.

The PRESIDING OFFICER. The Chair will now hear the Senator from Colorado.

Mr. THOMAS. Mr. President, the Chair stated at the commencement of his opinion that, inasmuch as no point of order had been presented to the succeeding sections, the Chair would regard section 5 as a limitation upon the appropriation, and therefore not general legislation.

The PRESIDING OFFICER. The Senator misunderstood the Chair. The Chair said that, it being virtually conceded, because of the fact that those sections were reported from a standing committee, and because they were estimated for, that sections 6, 7, and 8 were not subject to a point of order, the Chair thought that section 5 was a limitation upon those sections.

Mr. THOMAS. That is a statement of the same thing in different language. I have a point of order, Mr. President, to section 6, which is founded upon section 2 of Rule XVI, which provides that—

All amendments to general appropriation bills moved by direction of a standing or select committee of the Senate, proposing to increase an appropriation already contained in the bill or to add new items of appropriation, shall, at least one day before they are considered, be referred to the Committee on Appropriations—

And the chairman of the committee in charge of this bill informs me that no such reference was made. Hence I think it is subject to a point of order, on the ground that the amendment has been reported without compliance with that section of the rule. So if that be a substantial point of order, and should be sustained, then the reasoning of the Chair, or, at least, the preliminary reasoning of the Chair, with regard to the subject matter of the first point of order falls to the ground.

The PRESIDING OFFICER. Subsection 3 of Rule XVI provides that this matter may be settled by the Senate without debate. The Chair first thought that that was the proper way to settle this matter, but the doubt the Chair had it no longer has. Therefore the point of order is overruled, and the Senator from Colorado may appeal from the decision of the Chair if he is not satisfied with it. The Chair trusts he may appeal, because the matter is doubtful and the Senate should decide it.

Mr. THOMAS. Oh, I shall not appeal. I know that the Senate is hungry for this $200,000,000. The position taken by the Chair will be sustained, and I shall not waste time upon it. But inasmuch as the Chair has virtually decided that these three sections are practically the same thing, I wish to submit, in the discharge of what I conceive to be my duty, the point of order to section 6 which I have just stated.

Mr. SMOOT. Mr. President, I am compelled to go to the Committee on Appropriations. That committee desires to report out the legislative appropriation bill and is in session now. I wanted to offer a substitute for section 6, and I am going to ask the chairman of the committee if he will not let section 6 go over until to-morrow, and take up the other questions that were passed over in the bill for the balance of the day.

Mr. THOMAS. Mr. President, I make the point of order.

Mr. BANKHEAD. I understand that the Senator from Utah desires to offer a substitute for section 6.

Mr. SMOOT. Yes.

The PRESIDING OFFICER. The Chair will call the attention of the Senator from Utah to the fact that he has an amendment pending to section 5.

Mr. SMOOT. I have already had my amendment printed, but, of course, I did not want to offer it until section 6 is finally decided upon, so that there are to be no further amendments to it.

Mr. THOMAS. Does the Senator from Utah want the point of order which I have suggested to section 6 also to go over?

Mr. SMOOT. Oh, no; I do not want the point of order to go over. The Senator can make that; but, as I have to leave the Chamber, I do want section 6 to go over to-night, and I want to offer a substitute for it when it is in order.

Mr. BANKHEAD. If section 6 is going over to-night, I want the point of order to go over, too.

Mr. SMOOT. That will be all right; and I think it will be just as well to let it go over.

The PRESIDING OFFICER. The Chair will call the attention of the Senator from Utah to the fact that the Senator has an amendment pending to section 5.

The SECRETARY. The amendment is to strike out "or" and insert "and" in line 22.

Mr. SMOOT. The Senator having the bill in charge has asked that that be reconsidered; and the whole matter can be settled in a very little while.

The PRESIDING OFFICER. Is there objection to the amendment of the Senator from Utah?

Mr. SMOOT. Yes; I understand that the Senator having the bill in charge objected to it.

Mr. BANKHEAD. Yes; I objected to that, and it was reconsidered, and it is now open, before the Senate.

Mr. SMOOT. And I want it all passed over until to-morrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KING. Mr. President, do I understand that section 5 is passed over, as well as the following sections relating to roads?

The PRESIDING OFFICER. Yes; it has all been passed over. The Secretary will resume the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, on page 39, line 3, to change the number of section from 5 to 9.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. FRANCE. Mr. President, I offer an amendment, which I think is acceptable to the chairman and which has the approval of the department.

The PRESIDING OFFICER. The Senator from Maryalnd offers an amendment, which will be stated.

The SECRETARY. On page 15, line 22, where it reads:

For street-car collection service, $9,000.

It is proposed to strike out the numerals "$9,000" and to insert in lieu thereof the following:

$19,000: *Provided*, Of this amount the Postmaster General, in his discretion, may expend not to exceed $10,000 in experimenting and testing a method of rapid collection of letter mail in suburban territory.

Mr. BANKHEAD. Mr. President, the amendment is strongly urged by the Post Office Department, and I see no objection to it; and as far as I am concerned I will accept it.

The PRESIDING OFFICER. The question is upon agreeing to the amendment offered by the Senator from Maryland.

Mr. WADSWORTH. Mr. President, may I have the amendment stated again?

The PRESIDING OFFICER. The Secretary will again state the amendment.

The Secretary again stated the amendment.

Mr. WADSWORTH. Can the Senator from Maryland give us some idea as to the nature of these experiments—what is had in mind by the department? I have noticed that when a sum is appropriated for carrying on an experiment it is the beginning of a large list of appropriations, which generally extend for many years in the future. What is this?

Mr. FRANCE. This will not involve any large expenditures in the future. It is merely to provide for experimentation with a device by which the mail may be easily collected by suburban trolley cars. I do not feel that it will involve any large expenditure.

Mr. VARDAMAN. Mr. President, I will ask the Senator to speak a little louder.

Mr. WADSWORTH. The Senator states that it is a device by which mail may be collected by suburban trolley cars?

Mr. FRANCE. A device by which suburban trolley cars easily collect the mail, bringing it in to a central point.

Mr. WADSWORTH. I assume that some one must alight from the car and take the mail out of the mail box.

Mr. FRANCE. Not at all. This is a device which can be placed upon either the front or the rear of the car, entirely uncovered and accessible to all, so that a letter can be dropped into the box without any difficulty; but the nature of the device is such that while it is entirely open and without top, the rain can not get to the mail. I shall be very glad to submit, in this connection, the letter from the Postmaster General.

Mr. WADSWORTH. I do not wish to criticize the device or any effort made to expedite the collection of mail; but it seems very strange that it should require $10,000 to put those things upon the front or rear of a trolley car.

Mr. FRANCE. The Senator will note from the language of the amendment that the whole of the sum of $10,000 need not be expended.

Mr. WADSWORTH. Oh, but it will be; the Senator from Maryland need not have any doubt about that.

Mr. FRANCE. It is within the discretion of the Postmaster General to determine how much of this sum will be required for this experiment. I hope the Senator will not object, as I have had the matter up with the department, and I feel that the department is quite in favor of this appropriation for this experimentation.

Mr. WADSWORTH. I have no doubt the department is, Mr. President. Did the Senator ask that a letter might be read?

Mr. FRANCE. I ask that the letter may be read.

Mr. WADSWORTH. It may explain it.

The PRESIDING OFFICER. The Secretary will read the letter, in the absence of objection.

The Secretary read as follows:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., January 25, 1919.

Hon. J. H. BANKHEAD,
Chairman Committee on Post Offices and Post Roads, United States Senate.

MY DEAR SENATOR BANKHEAD: In answer to your inquiry relative to an amendment proposed by Senator FRANCE to the Post Office appropriation bill, appropriating $10,000 for experimental street-car collection service, I wish to state that it is the judgment of the First Assistant Postmaster General that this appropriation should be made, as it is believed that a service of this character can be used to advantage in certain cities where the street cars all diverge from one center or point. An appropriation of the amount mentioned above would be sufficient to determine the feasibility of such service. Instead of making this a separate item, it is believed that it should be included in item 19, page 30, of the committee print of the bill, which can be done by increasing the amount for street-car collection service from $9,000 to $19,000.

The amendment, therefore, has my approval.

Respectfully,

A. S. BURLESON, *Postmaster General.*

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Maryland.

Mr. WADSWORTH. I simply desire to remark that after hearing the letter read, I know nothing more about it than I did before.

Mr. KING. I should like to ask the chairman of the committee or the Senator from Maryland if there is not a general fund provided which authorizes the Postmaster General and the various heads of departments to conduct legitimate and proper experiments with a view to improving the service? I understand there is a contingent fund at the disposal of the Postmaster General which would permit reasonable experimentation with respect to devices, and so forth, necessary for the improvement of the service.

Mr. BANKHEAD. There is such a fund, but it does not apply to experiments like this.

Mr. WADSWORTH. Can the Senator state something as to the nature of this experiment? What is so mysterious about this matter of collecting letters in mail boxes?

Mr. BANKHEAD. There is nothing mysterious about it. I do not care anything about it. I do not care whether it goes in the bill or not. The Postmaster General thought it ought to go in.

Mr. WADSWORTH. I know $10,000 amounts to nothing at all.

Mr. BANKHEAD. The Postmaster General explained it in the letter which has been read. He explains that you can not use this device on all the street railways of the country, but there are a great many places in the country where the cars congregate at one place and bring in mail from the country. The purpose of this device, I understand, is to attach it on the side of a street car which goes through the country and wherever it stops, wherever a passenger gets off or on, even when it goes by, if it is not going too fast, anybody can drop a letter into the box and it is delivered at the place where the cars congregate in the city. It is believed that it will be a very convenient and appropriate thing to experiment and try out. That is the view of the Post Office Department.

Mr. WADSWORTH. For the life of me I can not understand why there is anything original in the idea. It is simply tacking a mail box to a trolley car and letting people drop letters in it, so far as I can see, and now we are asked to appropriate, it is true, an infinitesimal sum. Ten thousand dollars means nothing, I suppose. I shall ask for a vote on the amendment.

Mr. KENYON. I would like to inquire if it is to be placed on the street cars of Washington?

Mr. BANKHEAD. No; the Postmaster General will not attempt to use it on the street cars of Washington. The Senator very well knows that, too.

Mr. KENYON. There might be more space for people to ride on. [Laughter.]

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maryland [Mr. FRANCE].

On a division, the amendment was rejected.

Mr. MOSES. I wish to offer an amendment.

Mr. BANKHEAD. I ask the Senate to return to page 16, line 22.

The PRESIDING OFFICER. The Chair will say to the Senator from New Hampshire that only committee amendments are now in order. The Chair will recognize the Senator from New Hampshire a little later. The amendment of the committee which was passed over will be read.

The SECRETARY. On page 16, line 22, after the words "*Provided further*," the committee report to strike out:

That out of this appropriation the Postmaster General is authorized to expend not exceeding $300,000 for the purchase of aeroplanes and the operation and maintenance of aeroplane service between such points as may be determined. That the Postmaster General in expending the appropriation herein for aeroplane service shall purchase, so far as possible, the aeroplanes, motors, equipment, and supplies from the War Department and Navy Department when no longer required because of the cessation of war activities. It shall be the duty of the Postmaster General before purchasing any of such articles to ascertain whether the War or Navy Department has articles of the character described that are serviceable. And articles purchased from either of said departments, if the same have not been used, shall be paid for at a reasonable price, not to exceed actual cost, and if the same have been used, at a reasonable price based upon length of usage. Said departments are authorized to sell such articles to the Post Office Department under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as a miscellaneous receipt: *Provided further*, That the Secretary of War is hereby directed to deliver immediately to the Postmaster General 100 De Haviland four aeroplanes, 100 Handley-Pages, 10 Glen Martin day bombers, all planes completely assembled and with the necessary spare parts; also 100 extra Liberty engines with spare parts, 50 Hispano-Suiza engines with 300 horsepower motors, and 20 Hispano-Suiza engines with 150 horsepower motors, the same to be out of any equipment that the War Department has on hand or under construction, the War Department appropriation to be credited with the equipment turned over to the Post Office Department: *And provided further*, That separate accounts be kept of the amount expended for aeroplane service, and that no part of said sums shall be expended for the maintenance or operation of the aeroplanes above directed to be delivered to the Postmaster General by

the Secretary of War, but such machines shall be operated and maintained by the personnel of the Air Service of the Army, under the control and direction of the Postmaster General.

And to insert:

That out of this appropriation the Postmaster General is authorized to expend not exceeding $850,500 for the purchase of aeroplanes and the operation and maintenance of aeroplane mail service between such points as he may determine. The Postmaster General in expending this appropriation shall purchase, as far as practicable, such available and suitable equipment and supplies for the aeroplane mail service as may be owned by or under construction for the War Department or the Navy Department when no longer required because of the cessation of war activities, and it shall be his duty to first ascertain if such articles of the character described may be secured from the War Department or the Navy Department before purchasing such equipment or supplies elsewhere. If such equipment or supplies are purchased elsewhere than from the War Department or the Navy Department, the Postmaster General shall report such action to Congress, together with the reasons for such purchases. All articles purchased from either of said departments, if the same have not been used, shall be paid for at a reasonable price not to exceed actual cost, and if the same have been used, a reasonable price shall be paid therefor, considering wear and tear and general condition. Said departments are authorized to sell such equipment and supplies to the Post Office Department under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts: *Provided further*, That the Secretary of War and the Secretary of the Navy are hereby authorized and directed to deliver immediately to the Postmaster General, as he may request, and as hereinbefore provided, such aeroplane machines, supplies, equipment, and parts as may be serviceable and available for the aeroplane mail service, the same to be out of any equipment that the War Department or the Navy Department has on hand or under construction, the War Department and the Navy Department appropriations to be credited with the equipment turned over to the Post Office Department: *And provided further*, That separate accounts be kept of the amount expended for aeroplane mail service.

So as to make the clause read:

For inland transportation by railroad routes and aeroplanes, $59,625,000: *Provided*, That not to exceed $1,000,000 may be expended for payment of freight and incidental charges for the transportation of mails conveyed under special arrangement in freight trains or otherwise: *Provided further*, That out of this appropriation the Postmaster General is authorized to expend not exceeding $850,500 for the purchase of aeroplanes, etc.

Mr. KING. The Senator from Washington [Mr. JONES] is interested in this amendment and I do not see him in the Chamber. It went over at his request. I ask the Senator from Alabama if he will not consent that the amendment may be passed over until the Senator from Washington is in the Chamber?

Mr. BANKHEAD. Can the Senator tell me when the Senator from Washington will be in the Chamber? He may not be here before next week.

Mr. KING. I will make inquiry and ascertain. I am sure he has not left the city.

Mr. NEW. I know the Senator from Washington is interested in this committee amendment. So am I on another matter. I will offer an amendment to the amendment. I move to strike out "$850,500," where it appears in line 12, on page 18, and insert the figures "$300,000."

Mr. KING. Will the Senator accept an amendment to make it $100,000? If not, I shall offer an amendment to his amendment.

Mr. NEW. I hesitate to accept the amendment. I shall not fight the Senator's amendment to my amendment very vigorously, however, if it is offered; but I offer the amendment to make the figure "$300,000" in place of "$850,500," in line 12 on page 18.

Mr. JONES of Washington entered the Chamber.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Indiana [Mr. NEW] to the amendment of the committee.

Mr. NEW. On this subject I should like to say just a few words. I am offering this amendment not because I do not believe the airplane is going to come into pretty general use in the transportation of mail—at least much more general use than is found for it now—but I am offering it because I believe, and, in fact, I am absolutely confident, that the Post Office Department is not equipped at present to carry on any extended operations of that character. I believe $300,000 is fully as much money as should be given for the kind of experimentation it has in mind at this time.

I have no doubt whatever that if $850,500, which is provided in the committee amendment, is given, the money will be spent, and it will be added to what has already been spent without compensating results in the field of airplane experimentation. I do not believe the service is at all constituted to spend $850,500 intelligently or to advantage at this time.

Mr. BANKHEAD. Mr. President, I wish to say one word with reference to this item.

In the last Congress $300,000 was appropriated for this experiment. The Postmaster General organized a route from here to New York and he has been experimenting with it. He came before the committee and insisted that he could not make a fair experiment on one short route, and he wanted to get an appropriation sufficient to enable him to experiment on two routes, suggesting that one should start at Boston and end at Norfolk and the other from New York and end in Chicago or some point in that vicinity. If he had money enough to make these two experiments and put on these two routes, he felt that he would be able to report to the next Congress whether it would be advisable to continue this service or whether it would be advisable to further experiment with it.

Now, that is the reason why the appropriation was increased from the $300,000 given last year to the amount contained in the bill as reported by the committee. With the appropriation provided in the last act he can establish only one route. With the increased appropriation that the committee reports he can establish two experimental routes of considerable length, his contention being that he can not make a fair experimental test on a short route and that he ought to be permitted to cover more territory and more extensively experiment as to whether the project is feasible and one that it would be desirable to continue.

That is the whole question, as I understand it. If the Senate of the United States thinks we ought not to enter upon these experiments on the subject of airplane mail the Senate can vote the amendment out or reduce the amount. My own judgment is that the Postmaster General ought to be permitted to make the experiment or the experimentation ought to be stopped entirely. He came before the committee and stated that he can not experiment on one short route; that he can not reach a conclusion that is satisfactory to himself or to the Post Office Department with the experiments that he is permitted to make with an appropriation of $300,000. It is perfectly evident from his statement that he can not put on any other route with an appropriation of $300,000, and he will have to continue with the one that he has established from here to New York. That route, he says, is too short to make a fair experiment.

Mr. FLETCHER. I wish to ask the Senator whether it is necessary to build special airplanes for this service. Have we not airplanes already constructed sufficient to supply the service?

Mr. BANKHEAD. If the Senator will read the provision in the bill he will ascertain how these airplanes must be obtained and from where. We provide in the amendment that the Postmaster General shall get airplanes from the Secretary of the Navy and the Secretary of War.

Mr. FLETCHER. What I am particularly interested in is whether it is necessary to build special planes for this service.

Mr. BANKHEAD. Oh, no.

Mr. FLETCHER. Then, another question occurs to me. The Senator seems to have based his contention that the item ought to be retained on the theory that it is necessary in order to make a full and complete experiment.

Mr. BANKHEAD. That is my contention.

Mr. FLETCHER. But the item says that it is for the purchase of airplanes, and the operation and maintenance of airplanes.

Mr. BANKHEAD. I ask the Senator to go on and read the balance of the amendment.

Mr. FLETCHER. That is the whole sentence. Then it proceeds:

That out of this appropriation the Postmaster General is authorized to expend not exceeding $850,500 for the purchase of aeroplanes and the operation and maintenance of aeroplane mail service between such points as he may determine.

Mr. BANKHEAD. The next part of the amendment shows how the Postmaster General may obtain planes.

Mr. FLETCHER. It does speak about how he shall obtain them, but the point I make is that it does not specify that the appropriation of $850,500 is for experimental purposes, but rather for the purchase of airplanes and the operation and maintenance of airplanes. That seems to be the language of the amendment.

Mr. BANKHEAD. That is the language of the last clause.

Mr. KELLOGG. Will the Senator inform us what the result of the experiment has been between Washington and New York, as to the amount of mail carried and as to the financial returns, because I suppose everybody knows——

Mr. BANKHEAD. The testimony before the committee and the report of the Postmaster General, which is found on pages 16 and 17 of the hearings, would indicate that the experiment as made was somewhat of a failure as to the revenues derived. Nobody claims that it is self-sustaining on the short route from here to New York. The Postmaster General does not make such a claim.

Mr. KING. Were we not assured by Mr. Praeger—I think he is the Second Assistant Postmaster General——

Mr. BANKHEAD. He is.

Mr. KING. Or at least by some one who assumed to speak for the Post Office Department, that there would be a revenue in the airplane mail service? As I recall the debate when the last appropriation bill was before the Senate, some statement was made which indicated that it would be profitable, that the people would avail themselves to a very large extent of the airplane service in the transmission of mail.

Mr. BANKHEAD. I think that was the original idea of the Second Assistant Postmaster General, but to be perfectly frank, the department has not had a fair opportunity to make the experiment and determine whether the service should be permanent.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). Does the Senator from Alabama yield to the Senator from Tennessee?

Mr. BANKHEAD. I yield.

Mr. McKELLAR. I wish to direct the attention of the Senator from Utah to the testimony of Mr. Praeger, who has this matter in charge. It is found on page 88 of the Senate committee hearings:

Senator HARDWICK. As I understand it, we only have one route actually established and in operation, and that is between Washington and New York.

Mr. PRAEGER. Yes, sir; only one route, and it carried seven thousand four hundred and odd pounds of aeroplane mail at the aeroplane rate of postage; and the receipts from that were $60,653.28.

Senator HARDWICK. You get that much in actual money from the mail you carried?

Mr. PRAEGER. Yes, sir.

Senator HARDWICK. And how much did it cost you to carry it?

Mr. PRAEGER. The cost of operation was $75,165.94, which includes a bookkeeping charge of 6 per cent interest on the investment, and 33⅓ per cent depreciation.

I call the Senate's attention to the fact that this route, which is confessedly an inadequate route in so far as the cost and the efficiency of it are concerned, lacked less than $15,000 of paying for itself last year. I think under the circumstances it is a splendid showing.

The Second Assistant Postmaster General goes on further to say in his examination that if he were permitted to extend the route from Boston to New York and to Washington and Norfolk, he believes that it could be made fully self-sustaining another year.

It seems to me, in the light of those figures, we should give him this extra amount for the purpose of extending the route. It appears to me that it is a splendid showing. No one expected it to pay, and the fact that there was a loss of less than $15,000 in one year shows the wisdom of Congress in undertaking it. The time will come when probably most of our mail will be carried by airplanes. I hope to see the day when we shall have airplane service all over this continent.

I hope the amendment of the Senator from Indiana will be voted down. It ought to be voted down. It is an amendment against progress. We discussed this question here a year ago. It was discussed fully by the distinguished Senator from Utah [Mr. KING] and others who were not in favor of the appropriation at that time. The wisdom of Congress in making the appropriation has, in my judgment, been fully established by the experiments that we have already made and the very small loss involved. We should always go forward in this work and not backward.

I trust the amendment of the Senator from Indiana will not be agreed to.

Mr. LEWIS. May I seek some information? I wish to ask members of the committee, the chairman, and the Senator from Tennessee if it is not a fact that foreign Governments have inaugurated this service, particularly in Great Britain and portions of France, and have they not developed a great deal of success with it, notwithstanding their first failure? Have we any evidence before the committee of the extent to which foreign Governments have proceeded? Is it not true that our program is, as it were, one in conjunction generally with the international carriage of mail by airplane?

Mr. NEW obtained the floor.

Mr. BANKHEAD. Mr. President——

The PRESIDING OFFICER. The Senator from Indiana has the floor. Will the Senator from Indiana yield to the Senator from Alabama?

Mr. NEW. Yes; to answer that question.

The PRESIDING OFFICER. The Senator from Alabama has the floor by the courtesy of the Senator from Indiana.

Mr. BANKHEAD. I rose to say that I have a statement of the Second Assistant Postmaster General, which gives the complete history of this service in all foreign countries that have it in operation as well as in this country, and I am going to ask to have it printed in the RECORD.

Mr. PENROSE. I suggest that the paper be read.

Mr. LODGE. I ask that the paper be read.

The PRESIDING OFFICER. Objection is made to the insertion in the RECORD without reading.

Mr. LEWIS. The only reason, I may say to the able Senator from Pennsylvania, why I would not ask to have it read is that I do not want to intrude upon the time of the Senator from Indiana, unless the Senator from Indiana desires to have it read.

Mr. KING. I should like to have it read.

Mr. NEW. I would like to have it read.

Mr. LEWIS. Then, of course, I shall be glad to have it read.

Mr. NEW. I yield for that purpose.

Mr. LODGE. I hope it will be read. It is a very important matter, and some of us are not fully informed about it. It is the general impression that the service between here and New York has been a total failure, owing to the uncertainty of the service.

The PRESIDING OFFICER. Is there objection to reading the paper? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

JANUARY 30, 1919.

MEMORANDUM ON AERIAL MAIL SERVICE.

The Aerial Mail Service was inaugurated May 15, 1918, and during the first six months of its existence its operations covered 68,892 miles, at a cost of $75,165.94, including 6 per cent on investment and 33⅓ per cent for depreciation. In that period it carried between Washington and New York 7,452½ pounds of aeroplane mail. The revenue derived was $60,653.28. The net deficit, not taking into account the 6 per cent interest on investment, was $8,969.08. In addition to the aeroplane mail carried there was dispatched between Washington, Philadelphia, and New York in the six months' period a total of 91,926½ pounds of first-class mail, aggregating 3,667,040 letters. This mail was advanced in dispatch from 6 to 16 hours, which many times made up for the small deficit in the operation of this service. This ordinary mail was letter mail from distant States, which was carried in addition to the aeroplane mail. Thus the ordinary mail put on the planes at Washington was usually mail from the South Atlantic Coast States and the Gulf States, distributed to carriers by the Railway Mail Service before reaching Washington, and by reason of aeroplane dispatch was delivered in New York on the same afternoon instead of the following morning.

The Washington-New York route was established not as a typical commercial line, but to solve the problems that had to be met to establish a daily dependable schedule. The flying record made on the New York Washington line has never been equaled in the history of aviation, and its operation by civilian fliers of the Post Office Department has far exceeded its operation while under military control, the civilian fliers having a record of but 7 forced landings in 100 consecutive flights and only 2 failures in that time on account of fog or storm conditions. The mail has been carried in blinding rain and hail, on fog-bound days with visibility of not over half a mile, and in the face of gales. Only two winter gales were strong enough to prevent the aeroplanes from completing their journey. On Thursday, January 23, the mail was brought south as far as Silverside, Del., in the face of a 65-mile gale at an altitude of a few thousand feet.

The fastest time of flight carrying the mail from College Park to Belmont Park, N. Y., a distance of 218 miles, was 1 hour and 30 minutes, and the slowest time for a continuous flight was 4 hours and 56 minutes. The average time is 2 hours and 40 minutes. The common experience of the users of aeroplane mail is that a letter posted in the down-town stations in Washington as late as 10.50 a. m., and leaving the aviation field at 11.30 a. m., is usually delivered between 4 and 4.30 in the afternoon, which is in ample time before close of business.

EXTENSION OF SERVICE.

The greater the distance between the points on an aerial mail route the greater is the service rendered to commerce and the greater is the patronage of the line. A mail service leaving New York at 6 in the morning and arriving in Chicago before 3 o'clock in the afternoon, in time to connect with carrier deliveries, will advance the mail between the two cities by 16 hours over any train dispatch that can be made after the departure of the Twentieth Century Limited from New York at 2.45 p. m. The department desires to establish this line immediately and extend it west to the foot of the Rockies during the coming fiscal year, with the view of reaching the seaports of Seattle and San Francisco, if Congress authorizes the appropriation necessary. The air mail time between New York and San Francisco will be less than 40 hours. It is desired that this transcontinental trunk line shall be tapped by lines from Minneapolis, St. Paul, St. Louis, Kansas City, and other points, and ultimately by a line from Boston, via Albany, Buffalo, and Detroit, to Chicago.

A north and south trunk line from Boston to Atlanta should likewise be established, with an ultimate extension from Boston to Montreal, Canada, and from Atlanta, via Key West, to Habana. Based on the accurate cost accounting kept in the operation of the Washington-New York air mail line, the cost of an east and west trunk line from New York as far west as Omaha and a north and south trunk line from Boston to Atlanta has been carefully estimated at $1,600,000. To this should be added $400,000 for several essential feeders that would connect up Detroit, Minneapolis and St. Paul, St. Louis, Kansas City, and other points, and would admit of an extension as far west as Salt Lake City, this extension, however, dependent upon the extent to which the Government equipment can be transformed into strong and safe mail-carrying machines.

For this reason it would be very desirable to obtain an appropriation of $2,000,000 for the ensuing fiscal year.

AERIAL PROGRAM OF FOREIGN COUNTRIES.

Such an appropriation and such a program will be found to be modest compared with the plans of the English, Italian, Canadian, French, and other Governments for the development and extension of aerial mail service during the present calendar year. The Italian Government is already operating commercial air lines three times as extensive as the single line now in operation in this country, in addition to the operation of several military air mail lines from Rome to the front. The

Canadian Government is preparing to go extensively into the aerial mail service and has advised the postal administration of the United States that it will send a representative to Washington to work out a plan of cooperation with this country. The following is a summary prepared by the publishers of Aviation on the aerial mail and passenger services in various foreign countries gathered from the latest information obtainable:

ITALY.

(1) Civitavecchia-Terranova, Sardinia (150 miles). Daily mail service by means of flying boats. Inaugurated June 27, 1917; temporarily discontinued during the winter of 1917–18; reopened in March, 1918. Average time, 2 hours.
(2) Venice-Trieste (70 miles).
(3) Venice-Pola (80 miles).
(4) Ancona-Fiume (130 miles).
(5) Ancona-Zara (90 miles).
(6) Brindisi-Cattaro (150 miles).
(7) Brindisi-Vallona (100 miles).
Organized shortly after the signing of the armistice with Austria; operating.
(8) Genoa-Nice (100 miles).
(9) Genoa-Florence (120 miles).
(10) Florence-Rome (140 miles).
(11) Rome-Brindisi (290 miles).
Air mail lines (8) to (11), now being worked out, will constitute the Italian section of an interallied air mail service to be established between London, Paris, Rome, and Constantinople.

FRANCE.

(1) Paris-Mans-St. Nazaire (250 miles). Daily mail service by means of twin-engined Letord biplanes (Hispano-Suiza engines). Inaugurated August 15, 1918. Average time, 3 hours. Postage, 75 centimes (15 cents).
(2) Paris-London (240 miles).
(3) Paris-Lyons (240 miles).
(4) Lyons-Marseilles (165 miles).
(5) Marseilles-Nice (140 miles).
Air mail lines (3) to (5), now being organized, will constitute the French section of an interallied air mail service to be established between London, Paris, Rome, and Constantinople.
(6) Nice-Ajaccio, Corsica (150 miles). Daily air mail service by means of flying boats about to begin operations.
Various air mail lines, operated by the military, are functioning in southern Algeria and Morocco, chiefly for carrying official correspondence. The organization of an air mail line from Marseilles via Algiers to Timbuctoo is now being worked out. The sections, Biskra-Wargla (240 miles), Wargla-Inifel (211 miles), and Inifel-In Salah (223 miles), are in operation.

GREAT BRITAIN.

(1) London-Paris (240 miles). Daily passenger service, weather permitting, by means of twin-engined DH–10 biplanes. Now being jointly organized by the Aircraft Transport & Travel (Ltd.), of London, and the Compagnie Generale Transaerienne, of Paris. Average time, two and one-half to three hours. Passage, both ways, $75.

GREECE.

(1) Athens-Janina (200 miles). Daily mail service; inaugurated August 8, 1918.
(2) Athens-Salonica (220 miles). Daily mail service projected.

DENMARK.

(1) Copenhagen-Odense-Fredericia-Esjerg (170 miles).
(2) Copenhagen-Kalmmiborg-Aarhus (165 miles).
(3) Copenhagen-Gothenburg-Christiania (330 miles). Daily mail service projected.

AUSTRIA.

(1) Vienna-Budapest (140 miles). Daily mail service, inaugurated July 5, 1918. Postage, 5.10 kronen ($1).

NORWAY.

(1) Christiania-Stavanger-Bergen-Trondhjem (670 miles). Oversea route.
(2) Christiania-Bergen (200 miles). Overland route.
(3) Stavanger-Bergen (100 miles). Oversea route.
Projected air mail lines to be operated by the Norwegian Air Routes Co.
(4) Stavanger-Aberdeen, Scotland (320 miles). Projected air mail line to be jointly operated by the Norwegian Air Routes Co. and Aircraft Transport & Travel (Ltd.), London.

SPAIN.

(1) Madrid-Barcelona (320 miles).
Barcelona-Palma, Baleares (170 miles).
Projected air mail lines to be operated by a Spanish company.

GERMANY.

(1) Berlin-Munich (350 miles). Daily mail and passenger service, weather permitting. Average time, four and one-half hours; passage, $1 per mile.
Several other mail and passenger services are operating between the larger cities, but no details are available.

EQUIPMENT.

The Post Office Department has made a sincere effort to comply with the general and natural sentiment that the war planes left over at the conclusion of hostilities should be utilized in carrying the mails. The attempt at once developed that the DH–4's, of which more than 1,000 are said to be available, are too lightly built for commercial work. They were produced in immense haste for light war purposes, to rise from a prepared field, drop a certain number of bombs, fire machine-gun ammunition, and return to a prepared aerodrome empty. When required to make forced landings because of engine trouble they crumple up in a majority of the cases, frequently crippling or killing the pilot. The single casualty and the single case of serious physical injury sustained in the operation of the aerial mail service in this country, covering 93,463 miles of operation, were sustained in the persistent and conscientious effort made by the Post Office Department to utilize the DH–4 for cross-country commercial work. Single-motor planes must be expected to occasionally develop engine trouble, which necessitates a forced landing for readjustments. These forced landings must be frequently made over fields that are soft from rain or with holes, gulleys, or small obstructions that will turn a plane upon its back while coming to a stop on the ground. Whenever this occurs to a strong commercial machine, such as is used on the New York-Washington run, the damage is usually slight and the delay not serious.

However, when a DH turns turtle in such landings it generally sustains more serious injury. In a majority of the cases it fairly crumples up, resulting in bad spills or injury for the pilots. This is the result of the light construction of the planes, which makes them unavailable except possibly for the special war purposes for which they were designed.

There are also in this country, which might be available for mail service, a number of twin-motor Handley-Paiges. These planes are of a slow type, with an average speed loaded of from 70 to 90 miles according to the characteristics of the individual plane. It requires the two engines to keep it in the air with a load, the result being that with one engine getting out of order the twin-motored Handley-Paige of the type that were built in this country will come to the ground, although the other engine is intact and operating under full power.

Just as the war was coming to a close certain American manufacturers created twin-motor planes which surpassed anything in that line on the battle front. These planes have sufficient speed to make better than fast railroad time against the severest windstorms; also they can continue on their course in the air with a load against head winds with one engine operating. They can be built strong enough for commercial purposes and will prove satisfactory mail machines.

In the expenditure of any appropriation made by Congress it would be the policy of the Post Office Department first to use such of the De Haviland machines as can be rebuilt and strengthened with reasonable cost. A rebuilt plane of this character has been completed and is undergoing tests to ascertain whether it will be a dependable and safe machine. The services of some of the best aeronautical engineers of the country generously have been placed at the command of the Post Office Department to assist in solving the problem of making the surplus war planes suitable for commercial cross-country work. Should all these efforts fail to develop out of the war material a practical mail-carrying machine, it would be the purpose of the Post Office Department to call upon manufacturers for designs and bids for a commercial twin-motor machine of reasonable cost for carrying the mails. It is believed that with readjusted conditions in the aircraft industry with the cessation of war orders it will be possible to obtain such machines for considerably less than $20,000 by utilizing surplus parts and engines which the War Department has put at the disposal of the Post Office Department.

ARMY COOPERATION.

It has always been the policy of the Post Office Department to seek the fullest cooperation with the Army and Navy Departments in their training programs, so that the military personnel and equipment used in military training might incidentally render a civic function in carrying the mails. The Post Office Department has offered to take details of Army fliers and Army mechanics and to utilize war equipment in carrying the mails to such an extent as the military authorities may deem the practice gained by its personnel in the mail service of training value. In this cooperation the Post Office Department has pointed out that the maintenance of mail schedules must be the prime consideration, and that this can be obtained only through placing the men detailed to the Post Office Department under the direction and control of the Postmaster General during the period of such detail. The service can be operated from the standpoint of maintaining mail schedules more efficiently by the Post Office Department. Likewise the service can be operated at a much less cost to the Government by the Post Office Department than it can be operated by a military branch, notwithstanding the higher wages paid to civilian aviators and mechanics, for the reason that it is the policy in the military branches to be more lavish with men and materials than obtains in civilian operations.

The extent of the expansion of the aerial mail program in this country will naturally depend upon the amount of cooperation that the military authorities may finally determine would be of value in their air training program. This factor, however, is a matter of uncertainty, and it is therefore desirable that Congress should make an appropriation of at least $2,000,000 that a substantial aerial mail service may be inaugurated, independent of the final determination of the military authorities as to the value and the extent of utilizing the aerial mail service as an adjunct to their training program. If this is not done it is probable that this country at the end of a year will find itself as far behind in the commercial development of aviation as it found itself in military aviation upon entry into the recent war.

OTTO PRAEGER,
Second Assistant Postmaster General.

Mr. NEW. Mr. President, I have previously seen the report which has just been read, and I have listened to its reading now with renewed interest. Certainly no Senator on this floor has greater faith in the future of aerial navigation than have I. I may be a dreamer on the subject, but, Mr. President, I think I foresee the day when the airplane will not only be used for the very general transmission of the mails but when Senators who live on the western coast will be taken to and from their homes by airplanes, if they will stand for it, before we see the end of the development of aerial navigation.

However, Mr. President, I do not believe that this is the time or the place to indulge in what I think is an extravagant experiment. I believe we should have a central and separate department of the Government devoted to aeronautics. Not only that, but I believe we shall have it before we get through with this thing. I think it is inevitable; and at another time—I do not mind revealing my intentions to press for the passage of the bill which I introduced here last August, and which has been on the calendar of the Senate since the 17th day of September last, calling for the institution of a separate and distinct department of aeronautics. I believe in that. Other nations of the world are making very extensive experiments, and with separate aircraft departments.

As I have said, I have read this report and have again listened to it here to-day. I know what those foreign nations are doing, but they are pursuing those experiments in an intelligent and a systematic way. Nearly every one of them has a separate

and distinct department of aeronautics, which has the direction of everything pertaining to the subject.

Here we have the War Department, that is making many experiments; the Navy Department, that is making experiments; the Marine Corps, that is making experiments; and the Post Office Department—four departments of the Government, at least, who are now each conducting their own lines of experiment in aeronautical navigation. Neither one of them to this hour is equipped to do it, not even the War Department.

The whole matter of aerial navigation as it has been worked out in this country in the last two years has been the one conspicuous failure that we have made, and I do not want to see that failure continued and enlarged, as it is to be if we are going to permit each one of four or more departments of the Government to be making separate and distinct experiments of their own, each at very great cost.

The Assistant Postmaster General, in this report, speaks of the establishment of lines between Chicago and San Francisco. That is all right. I believe that that is all possible and probable at some day; but, Mr. President, we have to-day not a single airplane field between Chicago and San Francisco. They can not inaugurate anything of that kind and maintain it without such fields. The whole matter as it is proposed by the Post Office Department here is so nebulous and so indefinite that, to my mind, it is perfectly apparent that the $850,500 which is asked for in this appropriation will be added to the money which we have already poured into that same hole, and the product of it will be to have added that much to what we have not got.

Mr. KING. Mr. President, will the Senator from Indiana yield to me?

Mr. NEW. I will yield to the Senator for a question.

Mr. KING. That is all I desire. I want to ask the Senator, who is a member of the Military Affairs Committee, and who has given a great deal of attention to the subject of aeronautics, if it is not a fact that, as a result of the war out of which we have just emerged, there has been somewhat of a change of opinion with regard to certain airplanes, and if the countries which have been using airplanes are not now attempting to revalue—if I may be permitted the expression—the uses of airplanes, and to determine those which would be the most serviceable for bombing purposes, for mail purposes, and for freight purposes, if freight may be carried? In other words, would it not be unwise to inaugurate this as a permanent system or to engage in experimentation so long as we have not yet made a true ascertainment of the virtues and the failure of aerial service up to the present time?

Mr. NEW. Oh, Mr. President, that is a pretty broad question and covers a great deal of ground. By way of a general answer to it I will say that I do not believe that I want the United States to refrain from any further investigation or experimentation, for that matter, along the line of the development of the science of aeronautics until some other nation shall have demonstrated what a great thing, I think, it is going to be. I am, however, talking to this one particular point—the appropriation here at this time and in this bill of $850,500 for the Post Office Department to play with.

The department speaks of the establishment of a route from Chicago to New York; they have undertaken that. Why, it is considerably more than a month—it is nearly two months ago—that they announced definitely that they were ready to proceed with the carrying of mails over that route; but up to this very minute, Mr. President, not one single letter has ever been delivered in either New York or Chicago from either end of that airplane route.

Mr. McKELLAR. Naturally, they could not, because they have not the appropriation with which to do the work.

Mr. NEW. Because they are not equipped to manage the route; that is the fact of it.

It is true the War Department has in this country now—well, I do not wish to be held to a strict accounting for what I am about to say—but I think it is something like 1,400 or 1,500 De Haviland four planes on hand. I do not know why they can not be used for these experimental purposes which are spoken of here. I am aware of the fact that some of them were delivered to the Post Office Department and were turned back. I know that, but the fact that they were turned back does not convince me that they were not serviceable.

Mr. President, we have something more than 6,000 trained pilots in the War Department and we have nearly 5,000 cadets who have been graduated for flying purposes. I do not see why the War Department can not be called upon to furnish such fliers and such machines as the Post Office Department needs for carrying on their experiments.

At this point, Mr. President, I should like to ask the Senator from Alabama why it is necessary for us to make a large appropriation here for one department of the Government to purchase planes and equipment from another department of the Government?

Mr. McKELLAR. Mr. President, if the Senator will permit me to answer that question, I should like to quote for him what Mr. Praeger, the Second Assistant Postmaster General, has to say about that very matter. I had the same idea which the Senator from Indiana seems to have when I asked this question:

> Senator McKELLAR. Don't you think that after this war is over you are going to be able to get those planes at a greatly reduced cost?
>
> Mr. PRAEGER. We had figured on being able to utilize the Army's aeroplanes without asking for an appropriation to buy any machines at all.
>
> Now, the status of the Army planes is this: You have to rebuild each one for commercial purposes. Take your Handley-Paige plane. That will cost between $10,000 and $15,000 to set up, because they are not set up; you simply have the machinery, woodwork, fuselage, and engines; you have to really build them up.
>
> Senator HITCHCOCK. Then your conclusion on that point is that the Post Office Department will have to buy or build its own planes for mail service?
>
> Mr. PRAEGER. We have got to modify all of the machines which were built primarily for the Army's use.
>
> Senator HARDWICK. Is it more economical to take these War Department machines over and modify them or buy new ones?
>
> Mr. PRAEGER. There are some War Department machines that we will probably be able to utilize with a less expense than it would cost us to buy a new machine. The war planes were all built under war conditions at a very high rate for labor, a very high rate for materials, and——
>
> Senator HARDWICK (interposing). Under rush order.
>
> Mr. PRAEGER (continuing). On the cost-plus basis; and these machines will all sell for a great deal less, possibly 40 per cent more off for depreciation.
>
> Senator McKELLAR. Let me ask you, Mr. Praeger, if we can not utilize these Liberty motors? I am afraid to say the number we have on hand, but it strikes me it is somewhere in the neighborhood of 20,000 or more. Now, can not they be utilized? They are in storage in Europe and in this country; and it seems to me they ought to be utilized in this service.
>
> Mr. PRAEGER. Yes. We have asked the Secretary of War to remit to us 100 of their engines, besides the 100 engines in the 100 De Havilands which they gave us. We are dealing right now with the Navy Department, which is going to sell us machines that we can change for about three-quarters of their values at 60 per cent off for depreciation for this purpose. Ordinarily they would have to sell them to the junkman, because they are obsolete as fighting machines; they are heavier than any of the Army machines that have gone across.

There the Senator will see just the situation. These Army machines have to be changed in order to carry the mail, and it requires money to change them. All of that is taken into consideration in the proposal mentioned in this bill.

Mr. NEW. Mr. President, I do not subscribe to the theory that there must be such numerous and expensive changes in machines which we have just finished building. It is true that they may not be entirely adapted to the purpose of carrying the mail, but they are adapted to the purpose of carrying on experiments and ascertaining whether or not the carriage of mail by airplane can be made successful.

Mr. President, getting back to the main subject again, I wish to renew my protest against this appropriation, on the ground that the Post Office Department is not equipped to carry on these experiments; there is no one connected with the department who knows enough about the subject of aviation to conduct these experiments intelligently and with a view to determining whether or not the service is a success.

This matter was discussed in the other House, and the House made an appropriation of $300,000, unless I am mistaken, and I do not think I am—and if I am I ask to be corrected——

Mr. McKELLAR. The Senator is correct.

Mr. NEW. The House made an appropriation of $300,000 for this service, and I think that is fully as large an appropriation as the Senate is justified in making at this time.

Mr. SWANSON. Mr. President, I wish to state to the Senate what controlled the committee in making this recommendation. As the Senator from Indiana [Mr. NEW] has already stated, $300,000 was appropriated last year for experimental purposes. The experiment was conducted on a route from Washington to New York, and the Senate has heard the result of that experiment. While it was not as satisfactory as was expected and a loss was occasioned by it, yet the department has stated that the reason why it was not a success was because the route was not long enough and did not afford an opportunity to make a favorable test.

When the bill came to the Senate the department recommended the establishment of two routes, which it said would give a fair test as to whether this service would or would not be successful. It recommended one route from New York to Omaha, which would cost $843,320, and it recommended another route from Boston to Atlanta, which would cost $757,400. The department was satisfied that if the experiment were made on these two routes it could come here next year having determined whether aircraft could be successfully used as a means for carrying the mail.

The committee did not determine on either route. The committee thought that the experiment had not been sufficient to justify establishing two routes, but the committee thought no progress would be made unless we gave the department money enough to make the experiments on at least one route which they thought would test the service. We thought it was wise to let them select their own route, the route on which they could make the best showing, taking into consideration distance, population, the amount of mail, and conditions generally that would enable mail to be carried by aircraft. Unless we give them enough to establish a route upon which they can further experiment, we will be no further advanced next year than we are now.

The committee was unwilling to make an appropriation for two routes, but they were willing to let the experiment be extended on one route. Now, it is for the Senate to decide whether they are willing to allow the department to make the experiment on a route which will afford a satisfactory test according to the department or whether they will restrict the department to the short route on which the mail is now being carried by airplane under an appropriation of $300,000. The committee made this recommendation to the Senate with the idea that it was better to let this matter be determined by increasing the appropriation and letting the department select the route, so that they might come in next year and state whether the service was a success or a failure. If it is a failure and it is demonstrated that aircraft can not successfully be used as a means of carrying the mail, then Congress will have afforded the opportunity of determining by experiments actual, full, and complete, and no excuses can then be made; but by making simply a small appropriation now for a route, which it is confessed can not be made a success, we get no further next year than we are this year. So we have simply recommended the one route, appropriating about half of the amount asked for, allowing the department to select a route anywhere in the United States which they think will afford a complete test and be successful.

Mr. WARREN. Mr. President, I have just come into the Chamber. When the Senator speaks of routes, what length routes are contemplated?

Mr. SWANSON. There were two routes contemplated, one from New York to Omaha, which is 1,225 miles, and the other from Boston to Atlanta, which is 1,100 miles. The department asked for an appropriation to make an experiment on these two routes, to determine whether mail could be carried successfully and profitably by aircraft.

Mr. WARREN. The intention being, having gone as far as Omaha and the middle section of the country, to go across and make it an ocean to ocean service?

Mr. SWANSON. Not at this time. The department did not recommend that.

Mr. WARREN. I am not speaking of this time, but of what it is the ultimate intention to do.

Mr. SWANSON. I am not acquainted with any ultimate intention; I have no information on that subject; but they thought that the test on these two routes, on account of business conditions and population, would afford the best opportunity to make a determination and decide whether it would be profitable or not for the Government to continue in the business of carrying the mail by aircraft.

Mr. JONES of Washington. Mr. President, may I ask the Senator a question

Mr. SWANSON. Yes.

Mr. JONES of Washington. I have not been able to be present during very much of this discussion, and have been so busy with other matters that I have not had time to read the testimony and the reports as much as I should like. Is it the understanding of the committee that this eight hundred and fifty and odd thousand dollars is to be used to establish the two routes the Senator has described?

Mr. SWANSON. No, it is going to be used to establish one. The department wanted one million six hundred and some odd thousand dollars to establish two routes.

Mr. JONES of Washington. That is in addition to the route between Washington and New York?

Mr. SWANSON. The route between Washington and New York would be included in the route from Boston to Atlanta. The route to New York would be extended to Boston, and the route from Washington would be extended to Atlanta. The department was satisfied that if the experiment was made on the two routes the service would prove profitable, and that Congress would be satisfied that airplanes ought to be used as a part of the mail service.

Mr. JONES of Washington. I wish to ask the Senator on what basis do they expect a route, for instance, between New York and Atlanta to be profitable?

Mr. SWANSON. From the amount of mail they have already been carrying on the present route between Washington and New York they are satisfied that that route, if extended to Boston on the north and to Atlanta on the south, would cover a sufficient distance to make a fair test and demonstrate whether or not the service could be made profitable.

Mr. JONES of Washington. I understood the Senator to say that, so far as the reports are concerned, they indicate that the route between Washington and New York is a failure?

Mr. SWANSON. I think there was a loss of about $15,000 in six months on that route, after charging 6 per cent for everything bought and 33⅓ per cent depreciation. Now, they have an idea that the route is too short to make a fair test, and that, if it is extended to Boston on the north and to Atlanta on the south, covering a sufficient distance and passing through proper sections of the country, a sufficient demand for such service will be created to make it profitable.

Mr. JONES of Washington. What is the cause of the loss between New York and Washington?

Mr. SWANSON. The expense of operation, and not having enough mail, I presume.

Mr. JONES of Washington. Do they expect to have more mail from Washington City to Boston than they do from Washington City to New York?

Mr. SWANSON. They have an idea that when the mail is brought through in that way, and then they have some collateral connections on the main line, it will prove very profitable. I could not reach a conclusion as to whether this would be true or not; but the consideration that controlled me was that until this is done, and an opportunity is given to try what is proposed, no progress will be made in determining as to whether aircraft can be used as a successful part of the Post Office Department or not.

Mr. McKELLAR. Mr. President, will the Senator yield to me to enable me to answer the question propounded by the Senator from Washington?

Mr. SWANSON. Yes.

Mr. McKELLAR. Why, of course, the necessity for rapid mail facilities between New York and Boston is greater than between New York and Washington. Washington is not a commercial city and Boston is, and they can yoke up these routes by making them longer, so that it will cause the quick mail service to be very much more greatly utilized.

Mr. SWANSON. They have an idea that by stopping at these cities, carrying the mail quickly, and assembling mail at the points where these airplanes will stop enough mail will be engendered to make it profitable.

Mr. WARREN. Mr. President, does the Senator think there is anywhere near as much mail on the route from Boston to Atlanta as there is on the other routes to the West?

Mr. SWANSON. We did not know which was the better route. We refused to put in any terms. The department said, "We can make a test of one route for $850,000, complete and absolute, and you can let the collateral lines come in." We said, "Now, it is useless to waste $100,000 or $200,000 on routes which it is confessed can not be a success. In order to test this matter, we will give you money enough for one route, and you can select it—from Boston to Chicago, from Chicago to San Francisco, or from Boston to Atlanta—but select your one route and make your test and have no excuse of not sufficient money for that one route."

Mr. WARREN. The matter is left entirely to the Postmaster General, is it?

Mr. SWANSON. Absolutely. We do not wish to select a route. When we come back here next year we do not want to have the department coming in here and saying, "We did not have money enough to show whether or not this route was a success." These two routes that they ask for are disconnected. They can select which of the two is better to make the test. Under this provision they will have their money; and if there ever was a time when the test could be made, and could be made cheaply, it is now. We have aircraft in our Army and Navy that can be used. We have men who are already expert in the management of aircraft who can be utilized.

In making this recommendation the committee is satisfied that if there ever was a time when the experiment could be made cheaply and under the best conditions it is now. It is for the Senate to decide whether they want to make the experiment or not. That is all we know about it. After considering the reports that have been submitted, the experiments made, and the recommendations of the department, we simply gave them half what they wanted, because they wanted two routes. We let them select any route they wished and gave them enough money to conduct it successfully, if it can be done.

Mr. KING addressed the Senate. After having spoken, with interruptions, for 25 minutes he said:

May I ask the Senator having the bill in charge how long he desires to continue in session?

Mr. BANKHEAD. That depends upon how long the Senator from Utah desires to speak.

Mr. KING. The Senator from Utah has not exhausted his subject.

Mr. BANKHEAD. It is a very interesting speech, and we might go on for an hour longer. I will leave it to the Senator's convenience.

Mr. KING. I think some Senators have exhibited impatience at the speech, notably the distinguished Senator from Tennessee.

Mr. McKELLAR. Quite the contrary. I have enjoyed it very much.

Mr. BANKHEAD. I am sure everyone is enjoying the speech of the Senator from Utah.

Mr. KING. I am quite sure that most Senators would be glad to take a recess at this time.

Mr. BANKHEAD. I think the Senator had better go on and finish his speech. The Senate would be delighted to hear the Senator further.

Mr. KING. The distinguished Senator from Alabama is very considerate.

Mr. McKELLAR. Let us go on.

Mr. KING. Upon this item I shall conclude in 15 minutes in the morning.

Mr. BANKHEAD. Could not the Senator go on and conclude now?

Mr. KING. I can stop now if the Senator desires.

Mr. BANKHEAD. If the Senator is through with his speech on this item I am willing to take a recess right now, but rather than that he should proceed to-morrow, I would prefer that he should conclude to-night.

Mr. KING. I would not want to promise that I shall say nothing on this item to-morrow. There may be some additional light that might be satisfactory to the Senator from Alabama, and I would be derelict in my duty if I did not bring it to his attention.

Mr. SHAFROTH. Let me suggest to the Senator from Alabama that if he gets the promise of the Senator from Utah that he will conclude in 15 minutes to-morrow morning, he will save time by taking a recess now.

Mr. KING. On this item I shall not take more than 15 minutes further.

Mr. BANKHEAD. I have a very great desire to oblige the Senator from Colorado. The Senator from Utah, I am sure, is a little wearied from his effort.

Mr. SHAFROTH. Yes; let us take a recess.

RECESS.

Mr. BANKHEAD. I move that the Senate take a recess until to-morrow at 11 o'clock.

The motion was agreed to; and (at 5 o'clock and 10 minutes p. m.) the Senate took a recess until to-morrow, Saturday, February 1, 1919, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

FRIDAY, *January 31, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord God, our Heavenly Father, take us into Thine everlasting arms and hold us close to Thee, that we may feel the pulsations of Thy loving heart, be uplifted, strengthened, purified, ennobled; that in the onward march of time we may satisfy our better self, for Thine is the kingdom and the power and the glory, forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

MILITARY ACADEMY APPROPRIATIONS.

Mr. DENT, from the Committee on Military Affairs, reported a bill (H. R. 15462) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1920, and for other purposes, which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and with the accompanying report (No. 1019) ordered to be printed.

Mr. McKENZIE. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Illinois reserves all points of order on the bill.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 12001. An act to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

RELIEF FROM INFORMAL CONTRACTS.

Mr. DENT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, disagree to the Senate amendments and ask for a conference.

The SPEAKER. The gentleman from Alabama asks unanimous consent to take from the Speaker's table a bill which the Clerk will report by title.

The Clerk read the title of the bill.

The SPEAKER. The gentleman from Alabama asks unanimous consent to disagree to the Senate amendments and ask for a conference. Is there objection?

Mr. HAMLIN. Mr. Speaker, reserving the right to object, I should like to ask the gentleman from Alabama a question. Recently we had before the Committee on Mines and Mining a bill relating to the settlement of mining claims, growing out of the bill we passed, which I think became a law on October 5 last. I have not had time to examine the bill as passed by the Senate carefully, but I understand that there was added to the bill in the Senate an amendment known, perhaps, as the Henderson amendment, covering the very thing that is covered in a bill that has been considered somewhat by the Committee on Mines and Mining of this House, but upon which our committee has taken no action. I think this is a very important matter. It has never been considered by the House for a moment, and no conclusion has been reached by the Committee on Mines and Mining; but we did go into the matter far enough to discover that it involved the expenditure, perhaps, of millions of dollars. Will the gentleman agree that in case the Senate does not recede from that amendment the House shall have an opportunity to consider it and vote upon it before an agreement is reached?

Mr. DENT. I hope the gentleman will not ask me to make an absolute promise in regard to that. My attention has recently been called to that amendment known as section 7 of the bill. I will state to the gentleman that so far as I am personally concerned I am not inclined to have an extraneous proposition like that incorporated in this bill. It does not come under the jurisdiction of the War Department. It is entirely foreign to the original purpose of the bill; but I would not like to make a hard and fast promise on the subject.

Mr. HAMLIN. In all the time I have served here I have never made this request before, and I am not now saying that I would not favor some plan to adjust these so-called mining claims; but I have gone into the matter just far enough to convince me that it involves a great amount of money, and I am not at all certain that there is a great deal of merit in these claims. I feel that under these circumstances we ought not to send this bill to conference, with the possibility that it will come back in such form that we will have to vote up or vote down the whole conference report in order to obtain consideration of this particular amendment. I think the House ought to have some opportunity to consider it before there is a possibility of agreement upon it.

Mr. DENT. I agree with the gentleman's general statement, but I hope he will not ask me to make any absolute assurance as to what the conferees will or will not do. I have had a conference with the Secretary of War and the Assistant Secretary of War, Mr. Stettinius, who has been representing the War Department in France for some time, and I can state that the contractual situation that we have entered into in England and in France is getting to be quite embarrassing. Unless some legislation is passed on this subject, and passed quickly, this Government is going to suffer some embarrassment.

Mr. HAMLIN. I appreciate all of that, and so far as the part of the bill that the gentleman is specially interested in, the House did consider that. I raise no question at all about that, and I am more than willing to trust to the gentleman's judgment. But upon this matter, which is largely extraneous and I think hardly germane——

Mr. DENT. I do not think it is at all germane——

Mr. HAMLIN. I want the House to have a chance to consider it.

Mr. GARNER. This mining proposition is a very important matter. I do not see any reason why the gentleman can not tell the House that on a matter of this importance if the Senate is not willing to recede from that amendment he will bring it back to the House.

Mr. HAMLIN. That is what I ask.

Mr. GARNER. I do not like to encumber the gentleman, but this is a big proposition, and the Senate may say to the gentleman, "Very well, now, if you are not willing to take this amendment you can not have any bill"; and if they do that, I for one am willing that we shall not have any bill. I think the gentleman ought to come back to the House before agreeing to a legislative proposition.

Mr. MANN. Why may we not have a vote on this proposition this morning?

Mr. GARNER. I am perfectly willing, as far as that is concerned. I will say to the gentleman from Alabama that I do not believe in making these requests of the conferees except on matters of tremendous importance, but this is a matter of tremendous importance, and the pressure that will be brought to bear upon the gentleman and upon the other conferees, owing to the desire to get this contract law on the statute books quickly, will be very great, and I do not know how far he would be inclined to yield on that proposition.

Mr. MANN. Why not take the sentiment of the House this morning upon it?

Mr. HAMLIN. I will say to the gentleman from Illinois that the trouble about that is that the House has not the information that it ought to have about it this morning. If the House will bear with me a minute, recently the miners of the country—the fellows who are going to present these claims—had a convention at Washington and prepared a bill which was introduced by request by the chairman of the Committee on Mines and Mining in this House. Our committee had taken it up and had one preliminary meeting. I as a member of the committee was present, and we tried to get all the information we could. I confess that I am not prepared to vote on it this morning.

Mr. MANN. The gentleman may not be prepared to vote on the proposition that is before the committee, but he may be prepared to vote whether it should go in as an amendment to this bill.

Mr. HAMLIN. Oh, I would vote against it this morning; against its going into this bill in the light that I have.

Mr. MANN. Everybody knows that on new propositions there will not be given great consideration in the remaining days of this Congress, because time renders that impossible. We have to do things offhand more or less, and why not take the sentiment of the House this morning on this proposition, not merely on a formal rejection, but have the House vote on it.

Mr. HAMLIN. I am willing to have the House vote on it.

Mr. DENT. Mr. Chairman, in order to facilitate the passage of the bill and get it to conference, I will promise the House that if the Senate does not recede on this proposition I will bring it back to the House for a vote.

Mr. MANN. I think it would be better to take the vote now.

Mr. HAMLIN. I think perhaps it is better this way, because the Senate may recede.

The SPEAKER. Is there objection to the request of the gentleman from Alabama? [After a pause.] The Chair hears none.

The CHAIRMAN appointed as conferees on the part of the House Mr. DENT, Mr. FIELDS, and Mr. KAHN.

LEAVE OF ABSENCE.

Mr. SCHALL, by unanimous consent, was given leave of absence for one week on account of delivering an address at McKinley Memorial at Niles, Ohio.

AGRICULTURAL APPROPRIATION BILL.

Mr. LEVER. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15018, the Agricultural appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union with Mr. HAMLIN in the chair.

The Clerk read as follows:

DIVISION OF PUBLICATIONS.

Salaries, Division of Publications: One chief of division, $3,500; 1 chief editor, $3,000; 1 assistant chief of division, $2,500; 1 superintendent of distribution, $2,500; 1 chief clerk, $2,000; 1 assistant, $2,000; 1 assistant, $1,400; one assistant in charge of indexing, $2,000; 1 indexer, $1,400; 1 assistant in charge of illustrations, $2,100; 2 draftsmen or photographers, at $1,600 each; 2 draftsmen or photographers, at $1,500 each; 3 draftsmen or photographers, at $1,400 each; 1 draftsman or photographer, $1,300; 10 draftsmen or photographers, at $1,200 each; 1 lantern-slide colorist, $840; 1 laboratory aid, $720; 1 assistant in charge of document section, $2,000; 1 assistant in document section, $1,800; 1 assistant in document section, $1,400; 1 foreman, miscellaneous distribution, $1,500; 1 clerk, class 3; 2 clerks, class 2; 10 clerks, class 1; 16 clerks, at $1,000 each; 40 clerks, at $900 each; 21 clerks, at $840 each; 5 machine operators, at $1,200 each; 5 skilled laborers, at $1,000 each; 2 skilled laborers, at $900 each; 7 skilled laborers, at $840 each; 4 skilled laborers, at $780 each; 1 chief folder, $1,200; 1 messenger or laborer, $900; 15 messengers or laborers, at $720 each; 1 skilled laborer, $720; 1 folder, $1,000; 2 folders, at $900 each; 2 skilled laborers, at $1,100 each; 1 skilled laborer, $1,000; 2 messengers, at $840 each; 7 messenger boys, at $720 each; 3 messenger boys, at $600 each; 2 messenger boys, at $480 each; 2 messenger boys, at $420 each; 2 messenger boys, at $360 each; 1 laborer, $840; 2 laborers, at $600 each; 3 charwomen, at $480 each; 3 charwomen, at $240 each; in all, $195,620.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. HOLLINGSWORTH. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. Will the gentleman from Ohio withhold his amendment?

Mr. STAFFORD. I rise to make an inquiry as to the two new positions provided for in this paragraph, one a "chief editor at $3,000" and a "superintendent of distribution at $2,500." The chief editor and the superintendent of distribution are new positions. Can the gentleman inform me whether they have heretofore been carried on a lump-sum roll?

Mr. LEVER. No; they are new places. The one for superintendent of distribution has been carried heretofore under another fund. The chief editor is a new place. The Assistant Secretary urged upon us the necessity for the chief editor. Heretofore the work of editing has been done by a committee sitting around the table. The Assistant Secretary says that the plan of editing the publications by a committee is not at all satisfactory; that there ought to be somebody who has the final word on the proposition. They will retain the committee, which will make its recommendations, and then the chief editor, who should be a practical newspaper man with agricultural training, shall have the final decision on any proposition before it goes into print.

Mr. STAFFORD. You pay him a pretty high salary for this work.

Mr. LEVER. It is a high salary.

Mr. STAFFORD. You give him a salary that for many years was paid to the chief of a division. Does this relieve the chief of the division of some work so that it makes his position a sinecure?

Mr. LEVER. Oh, no; the chief of the division is not an editor.

Mr. STAFFORD. Does he not pretend to exercise that function?

Mr. LEVER. No; not the functions of chief editor. Let me tell about the salary. The first recommendation by the department was for $2,750. The Assistant Secretary came before the committee and said it was absolutely impossible to get the type of man desired for this work at that salary.

Mr. STAFFORD. The Assistant Secretary has not had a long connection with the Government, has he?

Mr. LEVER. About 12 months.

Mr. STAFFORD. I do not think he realizes the tenacity with which persons connected with the Federal service retain their hold, and the desire of persons outside to get into the service; otherwise I think he would have a different viewpoint as to whether $2,750 would get a desirable man for this position. We are paying editors in other bureaus $2,000.

Mr. LEVER. What does the gentleman suggest?

Mr. STAFFORD. I do not want to put my judgment up against others. I am informed by the gentleman from Iowa [Mr. HAUGEN] that the chief of the bureau was only paid $2,500 for a great number of years.

Mr. LEVER. That information is true. Mr. Hill was paid $2,500 a year when the total appropriations for the Agricultural Department were only a few million dollars as against thirty millions now.

Mr. HAUGEN. He was an editor, and became recognized for his ability by the people in all sections of the world.

Mr. LEVER. He was a great man; no question about that.

Mr. STAFFORD. I would like to ask the gentleman from Missouri as to the necessity of the superintendent of distribution.

Mr. RUBEY. A year ago, when we passed the emergency appropriation act, or food-production act, they rearranged the work in this division and selected a man and gave him the title of superintendent of distribution. This man has held the position for 27 years; he entered the service in 1892 and had gone through every stage of promotion, and a year ago, when they wanted the best man they could find, they selected him and gave him the title of superintendent of distribution, at $2,500.

Now, the department is asking—and in their estimates they say that this employee's salary is now paid from the emergency

fund—that since his duties undoubtedly will be permanent, a place be provided for him on the statutory roll.

Mr. STAFFORD. What salary was this gentleman receiving before he became the beneficiary of the general fund?

Mr. RUBEY. Two thousand dollars. He was receiving $2,000 up to last year, when they gave him this work, and the gentleman knows the importance of this work. He is in charge of all the distributions and has under him 120 men, and you get letters from him every day. He is in entire charge of the congressional distribution and all other distributions in the Department of Agriculture. It is absolutely necessary to carry on this work; and if we do not do this, we are virtually dropping from the service a man who has been in the department for 27 years.

The CHAIRMAN. Did the gentleman withdraw the point of order?

Mr. STAFFORD. I am very much inclined to press the point of order on the chief editor.

Mr. LEVER. I have given the gentleman all I know about the situation. The committee thought, in view of the Secretary's very urgent request for it, that it was wise in giving it. If the gentleman wants to make the salary $2,750, I have no objection to that.

Mr. STAFFORD. I make the point of order on the position of chief editor.

Mr. LEVER. I concede the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. RUBEY. I hope the gentleman will not insist on the point of order.

Mr. STAFFORD. I will reserve it for the time being, if the gentleman from Iowa wants to make some inquiry.

Mr. HAUGEN. The item of $2,500, my understanding is——

The CHAIRMAN. Let the Chair understand the situation. The Chair sustained the point of order made by the gentleman from Wisconsin.

Mr. STAFFORD. I reserved the point of order on the entire paragraph and made a point of order as to one position, still reserving the point of order on the other.

Mr. HAUGEN. Mr. Chairman, if I may be recognized, I desire to call attention to the item of $2,500. My understanding is that the committee agreed to an increase of salary of $500; that this particular employee has been receiving $2,000——

Mr. RUBEY. Will the gentleman yield?

Mr. HAUGEN. Let me finish my statement—and it is now proposed to increase the salary to $2,500. Gentlemen, here we have an illustration of what is being done under lump-sum appropriations and emergency appropriations in lump sums. Here we had an employee drawing $2,000 a year transferred to the lump sum under the emergency bill, with an increase of salary of $500. Now, it is recommended that he shall be transferred to the statutory roll at $2,500, with an increase of $500.

It has generally been understood that Congress exercised its right of fixing salaries, but that is not the practice under lump-sum appropriations; furthermore, we find that the salaries fixed in the statutory roll are not always the salaries fixed for certain employees. We find that whenever it is desired to do so, transfers are made from the statutory roll to the lump-sum roll with an increase of salary and then back from the lump-sum roll to the statutory roll with the increase; the increased salaries are made permanent. I simply desire to call the attention of the committee here to the practice that has grown up in the department not with the view of criticising, but to point out that Congress does not exercise its power in the fixing of salaries. Mr. Chairman, I suggest that the $500 increase ought to be made; but, as before stated, my understanding was not that a new position should be provided for, but that the $500 increase should be made.

Mr. RUBEY. Will the gentleman permit?

Mr. HAUGEN. Certainly.

Mr. RUBEY. I would like to proceed, Mr. Chairman, and explain the whole matter. Now, I feel that the gentleman from Iowa, while he is usually right about these things, is simply in error in regard to this position. The committee created this position. I have called the attention of the committee to the language of the Department of Agriculture, which was read to the committee a moment ago, in which they say that this employee is now paid from the emergency fund, and, since his duties undoubtedly will become permanent, a place should be provided for him on the statutory roll.

Mr. HAUGEN. Exactly.

Mr. RUBEY. Wait a moment. I presented that matter to the committee and asked them to follow the recommendation of the Secretary of Agriculture in his estimates made to the committee. The committee, so far as I know, agreed to make this recommendation for the superintendent of distribution $2,500. This man now has been in the service for 27 years. He has been for the last year not on the lump sum of this appropriation, but he was paid out of the emergency fund and placed in charge as superintendent of distribution and has held that position. Previous to that time he had held a number of positions in the Department of Agriculture lasting over a series of years. For a long time he received $1,400. Then he received $1,500 a year, and was receiving $2,000 a year until they selected him for this particular position.

Mr. HAUGEN. There is no controversy as to the salary to be paid this official.

Mr. RUBEY. I do not care whether you call him superintendent of documents or call him a clerk, or what you call him, but he is there in the department; he is doing an important work that has to be done by somebody, and he is qualified to do it better than anybody else.

Mr. HAUGEN. I am perfectly willing that the agreement entered into in the committee should be carried out.

Mr. RUBEY. So am I.

Mr. HAUGEN. That is that this man should receive a salary of $2,500?

Mr. RUBEY. That is all I am asking.

Mr. HAUGEN. But I also remember the gentleman's statement in the committee to the effect that the salary should be increased $500, making it $2,500.

Mr. RUBEY. If he is increased $500, then he would get $3,000, because he is getting $2,500 now.

Mr. HAUGEN. I am talking about positions and salaries carried on the statutory roll.

Mr. RUBEY. Will the gentleman permit? I am perfectly willing now for you to say just what he shall be called and what title shall be given him and let him be placed in that at $2,500 a year.

Mr. HAUGEN. I am perfectly willing he shall have the title suggested, but I submit it is unfair to add a new place and suggest that if a new place is added at $2,500, then drop the place at $2,000, which he was holding. This is simply providing a new place at $2,500.

Mr. RUBEY. The position was probably dropped two years ago.

Mr. HAUGEN. It is in the bill. You have it at $2,000.

Mr. RUBEY. I will be glad to have you point it out to me.

Mr. HAUGEN. I take it that this assistant at $2,000 is the position he held before, and you should drop that assistant.

Mr. RUBEY. I do not know that. I doubt it very much. Now——

Mr. HAUGEN. Then it is up to the gentleman to ascertain what position should be dropped, because my understanding was that the salary should be an increase of $500.

Mr. RUBEY. The department asks that this new man be put on here in this new position.

Mr. HAUGEN. The department asked it, but when the gentleman made the motion the suggestion was that the salary be increased to $2,500.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RUBEY. I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. Is there objection. [After a pause.] The Chair hears none.

Mr. RUBEY. The Division of Publications submits the items here. These are all provided for in the bill. In addition to these items, they asked for this additional place at $2,500, so that evidently none of these places corresponds to that. This man is not the first assistant now.

Mr. HAUGEN. The gentleman is referring to the estimates and I am referring to what took place in the committee, and what took place in the committee was that there should be an increase of salary of $500, which does not mean that there should be an additional place at $2,500. And if the gentleman cares to ascertain which one of these $2,000 positions should be dropped, it is an easy matter to call up the department and ascertain what position this gentleman has been holding. And I take it he has been filling this position at $2,000—the one mentioned in the bill.

Mr. RUBEY. In the document section. I do not know what the title is or was. But evidently when he was placed in the present position somebody else was put in that position.

Mr. HAUGEN. My understanding is that his present position is exactly what it has been for years, that this emergency fund was drawn upon to the extent of $500, and it is now proposed to put him on the statutory roll at that $500 increase. The committee has agreed to that, and I am not taking exception to it. To the contrary, I am contending for the increase, but I sumbit that we should carry out the understanding of the committee.

Mr. RUBEY. I do not want the gentleman to come in here and say I am not trying to carry out the agreement.

Mr. HAUGEN. There is simply a misunderstanding about it.

Mr. RUBEY. I think I am carrying it out. It is a difference of opinion as to what the gentleman thought and what I thought.

Mr. HAUGEN. I have given my understanding of it. I remember exactly the statement of the gentleman before the committee, and if it is the purpose to increase the salary $500, very well. We can easily ascertain which one of the $2,000 items should be dropped.

Mr. LEVER. Mr. Chairman, I suggest we have important matters here. I hope the gentleman from Wisconsin [Mr. STAFFORD], if he is not going to press the point of order, will withdraw it.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

Mr. HAUGEN. I make the point of order for the present. I would like to confer with the chairman.

Mr. LEVER. I suggest that this item be passed over.

Mr. HAUGEN. That is satisfactory.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that this paragraph be passed over temporarily.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent for the privilege of revising and extending my remarks in the RECORD that I made two days ago in connection with the deficiency bill.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to revise and extend his remarks on the deficiency bill, which he made a few days ago. Is there objection? [After a pause.] The Chair hears none.

The gentleman from Ohio [Mr. HOLLINGSWORTH] is recognized. Does the gentleman desire to enter a motion?

AGRICULTURAL APPROPRIATIONS.

Mr. HOLLINGSWORTH. Mr. Chairman, I make a motion to strike out the paragraph.

The CHAIRMAN. The paragraph has been passed temporarily by unanimous consent, the Chair would suggest.

Mr. HOLLINGSWORTH. Then I move to strike out the last word.

I do this, Mr. Chairman, to obtain information from the chairman of the committee as to why it is necessary to increase this item by $16,700 this year, when economy is supposed to be the watchword more than when prices were soaring skyward last year, when it only amounted to $178,820.

The stupendous aggregate of the bill, $31,691,562, is startling to the plain farming classes. Farmers do not object to reasonable expenses on the part of the Government. They seldom complain, but occasionally one of an inquiring turn of mind asks troublesome questions. I represent a district of high-class, up-to-date, intelligent farmers, the master of the State grange being a resident. But so far I have received but one letter complaining of any item in the bill. This one is so unique and pointed that I ask leave to read it and also to read my reply in the time allotted to me.

I have been sending the writer department publications, but it seems he does not appreciate the activities of the Department of Agriculture nor the fact that this bill only carries for the whole of next year $31,691,562. I can certify, however, that he is a real farmer, an intelligent, capable man, a molder of public opinion among his associates, who once honored him by making him the Democratic candidate against me for Congress. I read:

CADIZ, OHIO, *January 28, 1919.*

MY DEAR MR. HOLLINGSWORTH: I have to thank you for documents sent me. The last is the Weekly News Letter of United States Department of Agriculture. It is an infernal fraud, but is there any convenient way you could get for me the number of employees and salaries paid in that department of the Government? I don't mean for you to go to any great trouble, but I would like the facts concerning this.

I am inclined to think there is enough money paid barnacles in the Federal and State agricultural departments annually to buy the corn crop of our country in any one year. Not one practical farmer in a thousand pays any regard to them, but they go on from year to year arrogating to themselves credit for all that the farmer accomplishes by long hours and persistent toil.

The accursed system should be aired.

Yours, etc., A. N. MCCOMBS.

I promptly mailed to Mr. McCombs a copy of the pending bill and the report of the committee, with the following letter:

HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
Washington, D. C., January 29, 1919.

Hon. A. N. MCCOMBS,
Cadiz, Ohio.

DEAR MR. MCCOMBS: In response to your favor of 28th, I am herewith inclosing copy of bill and report from the Committee on Agriculture, which we are now considering in the House, and which will fully, or probably substantially would be the better word, inform you as to the current expenses of the Department of Agriculture for the year ending June 30, 1920. Of course, it is liable to be changed before it is passed, but changes are more likely to increase than decrease it.

I have an open mind on many of the items, and if there be any of them specially objectionable from your standpoint I should be glad to hear from you.

Very truly, yours, D. A. HOLLINGSWORTH.

Mr. McCombs served for a number of years as State inspector of high explosives, under appointment of Gov. Harmon, of Ohio; but I am inclined to think the explosion in the quiet rural home where he now resides in sweet contentment liable to occur when he receives this bill and reads of the million-dollar items and hundreds of employees will excel any explosion he ever inspected. [Laughter.]

I ask that it be put in the RECORD if it arrives before the bill is completed.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. FESS. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended five minutes.

Mr. HOLLINGSWORTH. I thank the gentleman. I am through. I simply ask that it be put in the RECORD if it arrives before the bill is passed. Meanwhile, I withdraw my pro forma amendment.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

General expenses, Library: For books of reference, technical and scientific books, papers and periodicals, and for expenses incurred in completing imperfect series; for the employment of additional assistants in the city of Washington and elsewhere; for official traveling expenses, and for library fixtures, library cards, supplies, and for all other necessary expenses, $18,000.

Mr. LEVER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LEVER: Page 66, line 17, after the words "For books of reference," insert the words "law books."

Mr. LEVER. That is to take care of the situation I explained yesterday afternoon.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Michigan moves to strike out the last word.

Mr. McLAUGHLIN of Michigan. I do this, Mr. Chairman, for the purpose of answering the question of the gentleman from Wisconsin [Mr. STAFFORD], propounded during my temporary absence from the Hall yesterday.

Mr. LEVER. Before the gentleman does that, I think we had better return to the item.

Mr. McLAUGHLIN of Michigan. Yes. I ask unanimous consent, Mr. Chairman, that we return to that item, on page 45, at the end of the list of the forest reserves.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that the committee now return to the paragraph on page 45, relating to the Forest Service. Is there objection?

There was no objection.

Mr. McLAUGHLIN of Michigan. The proviso relates to $200 for the purchase of land used as a forest-nursery site for the Michigan National Forest. This land is, and has been, used for a nursery for the growth of forest trees, particularly pine and cedar.

This site the department wishes to buy is a small piece of land, with buildings and improvements, that for two years has been rented by the Forest Service at $20 per year. The owner refuses to renew or continue the lease, and has offered to sell the place for $175.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. STAFFORD. My inquiry was not directed to the purchase of the nursery site; it was to obtain information as to the location of this Michigan National Forest. I never heard of it, although I live in a State adjoining the State of Michigan. I wish to be informed where it is located and its extent.

Mr. McLAUGHLIN of Michigan. This piece of land adjoins a parcel that is being used as a forest reserve in Iosco County, Mich. The particular piece of land is block 14 of the Newman addition to the city of East Tawas. It has a tool shed and a small house and a small building for the necessary use and comfort of those who use and occupy the property.

Mr. STAFFORD. I am quite interested in the extent of the forest reserve.

Mr. McLAUGHLIN of Michigan. I do not know the exact area of the forest reserve itself, but the particular piece of property is small. As I say, it is one block of an addition to the city near which the forest reserve is located.

Mr. STAFFORD. I notice that in the bill we provide one of the smallest amounts carried in the bill for the maintenance of the Michigan National Forest, $1,981—a tremendous amount for the maintenance of a large forest reserve. Can the gentleman give us any information as to the extent of the national forest bearing the name of the State of Michigan?

Mr. McLAUGHLIN of Michigan. I do not know the exact area of the land devoted to forestry in Michigan, but there are considerable areas that are owned by the State and are under the direction of State authorities, and the Federal Forest Service is cooperating in the work which is done at this particular place. The area of it I do not know, but it is owned and operated by the Federal Forest Service. I supposed the gentleman wished information particularly as to the parcel of land proposed to be purchased by the Forest Service by this $200 item in the bill.

Mr. STAFFORD. No. If the gentleman will examine the Record he will notice that I directed my inquiry particularly as to the extent of the great Michigan National Forest. Now, I am not surprised that the State of Michigan is providing for having its cut-over lands developed by State forest reserves, just as the State of Wisconsin has; but I was quite interested as to what the policy of the National Government was, and whether it was pursuing a policy similar to that of the State of Wisconsin. We have no national forest in the State of Wisconsin, but we are doing good work and expending large sums of money for the reforestation of our State forest lands.

Mr. McLAUGHLIN of Michigan. As I stated, a large part of the forestry work in Michigan is done under the direction of the State authorities on State land. I believe the parcels of land are not contiguous, but are reserves covering about 10 townships of 6 miles square each. The Government still has the title to small areas of land within or adjoining the larger area owned by the State. And while the work is largely done by State authority, because a large part of the land is owned by the State, the Federal Government is assisting and cooperating and working particularly the small areas owned by the Government.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McLAUGHLIN of Michigan. I ask unanimous consent to proceed for five minutes more, if necessary.

Mr. STAFFORD. I withdraw the reservation of the point of order, because the gentleman has given me so much information about the Michigan forest reserve.

The CHAIRMAN. The gentleman withdraws his reservation of a point of order.

Mr. McLAUGHLIN of Michigan. I believe it is not subject to a point of order, but I am glad to give the gentleman the information he wishes.

Mr. STAFFORD. I am still waiting for information about the Michigan forest reserve.

Mr. McLAUGHLIN of Michigan. What more can I tell the gentleman than that the State is carrying on forestry work on an area practically 10 townships in extent; that the Federal Government's activities are by way of cooperation with the entire work, but particularly as to the small areas included within the limits of the large areas largely owned by the State; and that this particular piece of land mentioned here to be purchased by the Government is a nursery contiguous to a part of the area being operated by the Federal Government; and that it is to be purchased because the lease can not be continued?

Mr. McKENZIE. The trees grown in this nursery are furnished to the State, as well as to the United States, are they not?

Mr. McLAUGHLIN of Michigan. They have been furnished largely to lighthouse reservations, 250,000 of them having been furnished each year for the last two years, and the service expects to be able to furnish at least 400,000 of them this year. It seemed inadvisable to get another location and, perhaps, lose the benefit altogether of the nursery work that has been done up to this time on this particular location. Therefore the department wishes to buy it.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose and the Speaker resumed the chair.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, informed the House of Representatives that the President had approved and signed bills of the following titles:

On January 12, 1919:

H. R. 12916. An act to provide for the temporary promotion of commissioned officers of the Marine Corps serving with the Army; and

H. R. 12945. An act providing for the purchase of uniforms, accouterments, and equipment by officers of the Navy, Marine Corps, and Coast Guard and midshipmen at the Naval Academy from the Government at cost.

On January 13, 1919:

H. R. 11700. An act granting the consent of Congress to Norman County, Minn., and Traill County, N. Dak., to construct a bridge across the Red River of the North on the boundary line between said States.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

RENT IN THE DISTRICT OF COLUMBIA.

Rent of buildings, Department of Agriculture: For rent of buildings and parts of buildings in the District of Columbia, for use of the various bureaus, divisions, and offices of the Department of Agriculture, $158,689.

Mr. JACOWAY. Mr. Chairman, I move to strike out the last word.

When this item for rent in the District of Columbia was reached, and when the bill was being considered by the Committee on Agriculture, the entire committee was of the opinion that this item should be materially reduced. In response to that suggestion a committee composed of the gentleman from Kansas [Mr. DOOLITTLE], the gentleman from Texas [Mr. YOUNG], and myself were appointed to inquire into this particular item and to report back to the full committee. The first witness whom we called was Mr. Dorr, who is the assistant director of munitions and who is fully advised, and his testimony reflects the fact that there are enough buildings that have been constructed during the war emergency to house the various and sundry activities of the Government, so that in a great measure rented buildings can be given up and housed in Government-owned buildings on Government-owned land. That statement was concurred in in a manner by Mr. Reese, of the Department of Agriculture, who states that the following activities of the Agricultural Department which are now renting quarters can be housed in Government-owned buildings, and for the benefit of the committee I read from a letter written by Mr. Reese, chief clerk, which in concise form presents this matter in a way that will shed great light upon the matter. Appended to his letter is a detailed statement of those particular units of the Department of Agriculture which in his opinion may be removed into Government-owned buildings. It is as follows:

DEPARTMENT OF AGRICULTURE,
Washington, D. C., January 25, 1919.

Hon. H. M. JACOWAY,
House of Representatives.

DEAR MR. JACOWAY: I inclose herewith a statement of the buildings or parts of buildings now under rental by this department, which, in my opinion, may be vacated by the Department of Agriculture if it obtains the amount of space in Government-owned buildings which Mr. Dorr said this morning he thought we could depend upon getting by July 1, 1919. My recollection is that Mr. Dorr thought we could depend upon 100,000 square feet.

Is there not an impression in the minds of some of the committee that the department, in estimating for $158,000 for rent in the District of Columbia in the Agricultural appropriation bill for 1920, is asking for an increase? If so, permit me to point out that the amount estimated for is exactly the amount allowed for the fiscal year 1919.

I still venture to deprecate any cut in this appropriation for rent, not only because there is no increase asked over the current appropriation but because there is, to my mind, some uncertainty still as to what space we may get in Government-owned buildings. Mr. Dorr, for reasons which he set forth quite clearly, is apparently not able to guarantee any definite allotment of space. If, however, the committee in its wisdom decides that there must be a cut, I am of the opinion that the work now being performed in the buildings which I have listed in the attached statement can be done as well in a Government-owned building as in the present locations.

You will note that I show a total floor space in the attached statement of 52,708 square feet. Mr. Young's tabulation, as I recall it, showed something over 90,000 square feet. The difference, I think, is accounted for by Mr. Young including in his estimate the forty thousand-odd square feet which we are certain to get through Mr. Dorr, and of which we have actually in possession about 13,000 square feet. We had no intention of renting this amount of space; we expected to get it in Government-owned buildings. No question of expenditure for rent is involved in this forty thousand-odd square feet.

In the statement attached hereto I show a total amount paid for rent of $28,440. Please note that of this total $14,100 is paid from the current appropriation for rent in the bill for "Stimulating agriculture" and $1,800 from the fund "Administration of the United States warehouse act." The appropriation "Rent in the District of Columbia" in the Agricultural appropriation act pays the balance, $12,540. If the committee decides that a cut in this item "Rent in the District of Columbia" is necessary in the bill now under consideration, I venture to express the hope that such reduction will not exceed this $12,540.

Permit me to express my appreciation of the courteous and patient hearing which your subcommittee gave me. I fully understand the desirability of saving rent money wherever the department, without serious detriment to its work, can move into free quarters. I am only apprehensive lest it find itself unprovided with free quarters and with its rent appropriation reduced below the point where it can procure rented space for continuing activities.

I am sending a copy of this letter and statement to Mr. DOOLITTLE and to Mr. YOUNG of Texas.

Very truly, yours,

R. M. REESE, *Chief Clerk.*

Units of the Department of Agriculture which, in the opinion of the Chief Clerk, may be removed into Government-owned buildings.

Location of building.	Occupied by	Net floor space (square feet).	Annual rental.	Annual rental per square foot cost.	Appropriation from which paid.
Homer Building, 601 Thirteenth Street NW	Bureau of Markets	9,900	$8,500	$0.857	Stimulating agriculture
224 Twelfth Street SW	Office of Farm Management	9,164	2,500	.272	Rent in the District of Columbia
215 Twelfth Street SW	do	2,129	450	.211	Do
217 Twelfth Street SW	Farm Management, Office of Exhibits	2,065	450	.218	Do
Bank of Commerce & Savings, Seventh and E Streets NW.	Bureau of Markets	7,040	5,400	.764	Rent in District of Columbia ($1,500). Stimulating agriculture ($2,000). Warehouse act (Bureau of Markets) ($1,800).
Legal Building, Eighth and G Streets NW	do	8,100	7,000	.864	Rent in the District of Columbia
1120 Virginia Avenue SW	Bureau of Entomology	2,800	540	.192	Do
Basement 1227 F Street NW	Bureau of Markets	3,600	900	.25	Stimulating agriculture
Woolworth Building, 405 Seventh Street	States Relations Service	7,900	2,700	.341	Do
		52,708	28,440		

Rent in District of Columbia pays	$12,540
Stimulating agriculture pays	14,100
Warehouse act pays	1,800
	28,440

It will be seen that Mr. Reese states that 52,708 feet of space now occupied by the Department of Agriculture, for which a rental of $28,440 is now being paid, can be cut down so that the rent on this item can be decreased $12,540. In part, this is the opinion of Mr. Dorr, who has exclusive jurisdiction of all the buildings that have been constructed in Washington City as the result of the war. The committee went into this in a rather careful way and the record of the hearing covers some 62 pages. With that statement, I move that this item be decreased $12,540.

Mr. STAFFORD. Will the gentleman yield?

Mr. JACOWAY. I will.

Mr. STAFFORD. Will the gentleman inform the committee, after that reduction, what rented buildings will the department still continue to occupy? I think the gentleman should inform the committee as to whether these buildings for which we are providing rental can be vacated and those activities placed in some of these temporary buildings owned by the Government.

Mr. JACOWAY. I have just made a statement about that.

Mr. STAFFORD. It has been the policy of the legislative committee that has charge mostly of the rented buildings of the departments other than the Department of Agriculture to decline absolutely to provide rental for any of the departments of the Government, and so to force the vacation of privately owned buildings and the removal of governmental activities into the temporary buildings on the Mall and on other public grounds.

Mr. JACOWAY. I have just read a list of those buildings, and I have stated the amount of reduction which these gentlemen believe can be made.

Mr. STAFFORD. I am now rising for information as to the private buildings that will continue to be occupied under the proposed plan of the Government.

Mr. JACOWAY. I have mentioned buildings which are now occupied, and for which the Government is paying a yearly rent, and those activities which can be moved into Government-owned buildings and which will result in a saving to the Government for rent.

Stimulating agriculture pays $14,100. The wire act pays $1,800; that is an appropriation from the emergency fund. The items I have read make appropriation for a total rental of $12,540. According to Mr. Reese, who is chief clerk, he states that they can be housed in Government buildings, owned by the Government, on Government-owned lands.

Mr. STAFFORD. Will the gentleman favor the committee with the information as to what private buildings will be occupied by the Department of Agriculture under the rental provision that he now supports?

Mr. JACOWAY. I think this information can be supplied; and if so, I will take pleasure in giving it in detail.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, in my opinion this item can very properly be reduced by a much larger amount than that stated by the gentleman from Arkansas. In fact, from the information I have been able to get, it is my belief that the item can be stricken from the bill entirely. The Department of Agriculture has for a long time been renting a great deal of space; much of it I believe has been unnecessary because the Government owns buildings and has owned them and they are and have been unoccupied; they could very well be occupied by the Department of Agriculture.

Mr. DALLINGER. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. I will.

Mr. DALLINGER. May I ask the gentleman from Michigan why it is that there is no movement on the part of the Government to complete the Agricultural buildings according to the original plans so that these bureaus can be housed under one roof?

Mr. McLAUGHLIN of Michigan. That is a large proposition and involves the expenditure of a large sum of money. The building of a main building between the two wings would require a lot of money, a lot of time, and require action by Congress. During war times, particularly, it has not been thought advisable to embark upon such a large scheme and spend so much money.

Mr. DALLINGER. In the long run would it cost any more when you take into account the interest and time that is occupied in going from one bureau to another?

Mr. McLAUGHLIN of Michigan. As I understand the original plan of constructing a main building between the two wings when fully carried out it would not furnish anything like the room and space that the various activities of the department require. Even should the main building be constructed, or if we had it now, it would be necessary to occupy a great deal of outside space. But my contention, Mr. Chairman, is that there are Government-owned buildings that are now unoccupied and that the Department of Agriculture should be required to occupy some of them, and that money for the rent of other places should not be appropriated.

You find in this bill besides the appropriation in question an appropriation for the grain-standard work.

On page 84 it reads "including such rent and employment of such persons in the city of Washington as the Secretary may deem necessary," a very tidy sum of $598,000.

There is no limitation on the Secretary of Agriculture in the expenditure of that money, and he may expend a large amount of it for rent.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that at the end of the gentleman's statement, debate on this paragraph and amendments thereto be closed.

Mr. McLAUGHLIN of Michigan. There will be further discussion on this.

Mr. LEVER. Let us see if we can not reach an agreement for time.

Mr. MANN. Is there an amendment pending?

Mr. LEVER. Yes.

Mr. MANN. Will there be other amendments offered?

Mr. LEVER. I do not think so; not from this side.

Mr. McLAUGHLIN of Michigan. The gentleman from Minnesota [Mr. ANDERSON], who has just stepped out, wishes to speak on this matter.

Mr. LEVER. I ask unanimous consent, Mr. Chairman, that all debate on this paragraph close in 30 minutes—the gentleman from Michigan to have 5, the gentleman from Iowa [Mr. HAUGEN] to have 5, the gentleman from North Dakota [Mr. YOUNG] to have 5, the gentleman from Minnesota [Mr. ANDERSON] to have 5.

Mr. McLAUGHLIN of Michigan. I object, Mr. Chairman; I do not wish to continue the discussion unnecessarily. There is a good deal to be said on this, and a number of gentlemen wish to speak on it.

Mr. LEVER. I have provided in my request for gentlemen who wish to speak.

Mr. McLAUGHLIN of Michigan. Yes; but they are limited to five minutes. I hope the gentleman will not think I am trying to consume time unnecessarily.

Mr. LEVER. Oh, absolutely not. I wanted to get along on the bill. However, Mr. Chairman, I will withdraw the request.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, there are, as I have said, a number of unoccupied buildings in Washington, buildings that have been vacant for a long time. The Secretary of Agriculture has shown the same disposition as has been shown in other departments in refusing to occupy these buildings, preferring to come to Congress and ask for money to pay rent of other buildings. For a long time nearly all the buildings owned by the Federal Government in the block between Fourteenth and Fifteenth Streets on Pennsylvania Avenue, across the Avenue from the Willard Hotel, have been unoccupied. But the control of them, the actual occupancy of them, can be secured by the Federal Government if proper action is taken. There is space there available for the Department of Agriculture. The Maltby Building, the Senate Annex, has been vacant for a long time.

And there are other buildings I might name suitable and abundantly large to house all the extra activities of the Department of Agriculture.

Mr. MANN. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. MANN. Does not the gentleman know that the Maltby Building is generally considered unsafe, and that is one reason why it is not occupied?

Mr. McLAUGHLIN of Michigan. At one time the Maltby Building, as the gentleman from Illinois says, was considered unsafe, but I am told it has recently been reinforced, and is now considered entirely safe. The Government has been working on that building, as the gentleman from Iowa says, all summer, and it is now fixed up and made safe.

Mr. SLOAN. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. I will.

Mr. SLOAN. In reference to the Maltby Building, it was considered safe enough about three years ago to house about 100 Congressmen for several months, representing districts all over the United States.

Mr. McLAUGHLIN of Michigan. It was considered safe enough to house a very large number of Senators.

Mr. MANN. It housed a small number of Congressmen, and that is the reason we made them move out, because the building was unsafe.

Mr. McLAUGHLIN of Michigan. It was considered safe later when hundreds of Confederate veterans were housed there during their reunion in the city of Washington. There is a disposition on the part of the Department of Agriculture to continue all its war activities and involve the country in an enormous expense. Its officials show a disposition to refuse to return to normal times and to carry on their regular and proper activities that are proper for times of peace. But I understand the report made to the committee, of which the gentleman from Arkansas is chairman, is to the effect that there is space enough now owned, unoccupied, to house all the activities needing space or for which the Department of Agriculture is now paying rent in the city of Washington. In my judgment, we can get along now without the payment of any additional money for rent.

Mr. JACOWAY. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. I have only a short time.

Mr. JACOWAY. Mr. Chairman, I want to say in response to what the gentleman from Michigan has just stated that Mr. Dorr did say to the committee that in time there would be enough space in all of these Government buildings that have been constructed as a result of war emergency in which every activity of the Department of Agriculture could be handled that was now asking for additional floor space; but he said it could not be done now. He further made the observation that we were paying rent on the buildings we are now occupying up to the 30th of June. He said in addition to taking care of the activities of the Department of Agriculture that every other department of this Government was clamoring for space——

Mr. McLAUGHLIN of Michigan. Yes; every other department of the Government is spending all the money it can, and every other department of the Government is striving to continue its war activities, it is enlarging the scope of work, unwilling to return to normal times. In view of the expenditure of immense sums of money I think we ought to cut down to normal times and try to save a little money instead of trying to spend it wherever we can. [Applause.]

Mr. JACOWAY. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. My time is limited. I think my friend has reported the situation fully. There is space, and for a long time has been, to house all of these extra activities of the Department of Agriculture.

Mr. JACOWAY. Will the gentleman yield there?

Mr. McLAUGHLIN of Michigan. And the Secretary of Agriculture has not seen fit to transfer his work to Government-owned property and he does not like the idea now of having Congress refuse his request for large money to pay rent. He admits practically that there is plenty of room and that he can make transfer in time, and he has neglected for a long time to make any effort to make the transfer. When will the Secretary act? When will he be willing to use Government-owned property and avoid expense of renting property? When will he be willing to exert himself, if a little exertion shall be necessary, to effect some reasonable measure of economy in his department?

The CHAIRMAN. The time of the gentleman has expired.

Mr. McLAUGHLIN of Michigan. I think by refusing these very large appropriations we ought to make it necessary for him to act now. The Congress has waited long enough. I sincerely believe these large appropriations for rent are altogether unnecessary.

Mr. GREEN of Iowa. Mr. Chairman, I wish to say that I entirely agree with what the gentleman from Michigan has said. I observe that the Maltby Building is being put in first-class condition. Its weak points are being strengthened and the building made useful. I do not know why this was not done a long time ago instead of constructing buildings all over the city, a great many of which will be entirely unnecessary.

Mr. JACOWAY. Will the gentleman yield? Would the gentleman state to the committee in what particular building in the city of Washington that he would put these activities at the present time that is not now occupied?

Mr. GREEN of Iowa. Well, the gentleman certainly knows that the Maltby Building is not being occupied at the present time, if he has given any observation in regard to it, and we have a large number of other buildings.

Mr. HAUGEN. Mr. Reese, of the Department of Agriculture, called the attention of the committee to the fact there were 40,000 feet available on leased ground, and if it is desired the Government should occupy the 40,000 feet all that is necessary to provide for it is to pay the rent.

Mr. YOUNG of North Dakota. Mr. Chairman, I do not think the question is how much space is available but how much space now available can be properly used. The reference to the Maltby Building, I think, is just confusing the issue. There is no question but that there is going to be an amount of space available in these temporary buildings on Seventh Street in excess of what the Department of Agriculture can properly use. So the question of space over in the Maltby Building has nothing to do with this proposition at all. I think every fair-minded person here will admit that a certain portion of the offices of the Department of Agriculture could not be put in these temporary buildings on account of the value of their files. This matter of moving portions of the department's activities is merely a question of what the character of the work is that is being done and the value of the files. In some of the offices there are scientific files and data accumulated during many years, which should be protected from loss by fire.

Mr. HAUGEN. Will the gentleman yield?

Mr. YOUNG of North Dakota. I have only five minutes. In a minute I hope to be able to yield to the gentleman.

I think the Secretary of Agriculture has made a fair effort to meet the views of the committee and of Congress in regard to the matter of rentals. The gentleman from Arkansas read a list indicating where they are to move out—that is, from the Homer Building, and from the Bank of Commerce, and from the basement of 1227 F Street, and from the Woolworth Building. This totals 23,400 square feet of space where he is willing to move activities now in operation. In addition to that, there are 41,800 square feet that he is going to use for activities that are to commence hereafter. There is new work to be undertaken for the Bureau of Markets, which is going to occupy 20,000 feet of these temporary buildings. For the Bureau of Chemistry, new work, they are going to occupy 4,800 square feet, and for Crop Estimates, 8,000 feet.

That makes a total of 66,200 square feet which the Secretary of Agriculture is going to use in those temporary buildings. We ought not to overlook the fact that the greater portion of the space is to be used for new work. Now, it is barely possible that a very small amount of extra space could be properly utilized, but the committee checked that over very carefully, and it was our judgment, and we were unanimous, that the buildings for which a rental of $12,500 has been paid are the only ones from which the offices may be properly moved at this time. I do not have any disposition——

Mr. SNYDER. Will the gentleman yield?

Mr. YOUNG of North Dakota. I promised to yield to the gentleman from Iowa [Mr. HAUGEN], and I will do so at this time.

Mr. HAUGEN. I was going to suggest, in speaking about the fireproof buildings, that if any department has used great care in selecting fireproof buildings it is the Department of Agriculture, and certainly the Maltby Building is far superior to any other building hired by the department. It is the best building hired by the department outside of the one across from the Willard Hotel. Speaking about the safety of the Maltby Building, why expend these hundreds of thousands of dollars for its repair?

Mr. YOUNG of North Dakota. These temporary buildings on Sixth and Seventh Streets are perhaps no better. But it is not a case of quantity. The question is, how much space in the temporary buildings can be used to advantage and without endangering valuable records.

Mr. HAUGEN. The Maltby Building has been there for years, and it has been available, and has not been occupied, and it is time now for Congress to take action and make the direction so plain that it will be clearly understood as to what is intended.

Mr. YOUNG of North Dakota. The gentleman makes the mistake of believing that it is space of which we are short. There is any amount of space on Sixth and Seventh Streets. We can probably get over 100,000 square feet for the Department of Agriculture there. The question is, how much of our activities can properly be moved over there at this time. The Maltby Building has nothing to do with it.

Mr. SNYDER. I would like to call the attention of the gentleman to a building that I discovered yesterday and that I did not know was in the city of Washington. It is a new building on Fourteenth Street and Ohio Avenue, known as the War Industries Building, and there must be at least 20 acres of space in that building unoccupied by anybody. There is a small part of the Internal Revenue Bureau moving into it. It seems to me improper to rent more property when you have acres of floor space unoccupied.

Mr. YOUNG of North Dakota. The Department of Commerce is going to use that for taking the census. They require 350,000 square feet, and they are going into that very building of which the gentleman speaks.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, if I may be permitted to say so, either the Department of Agriculture or the Committee on Printing would render a service by inserting in the Congressional Directory the location of the various branches of the department. Nearly every other department of the Government indicates where its bureaus are located. The Department of Agriculture or the Committee on Printing does not do that. We know where the main building of the department is. I know where the old building is. I do not know what occupies either one of the buildings, and nobody else does, unless he goes and finds out or has recently been there. You do not know where the Bureau of Chemistry is; you do not know where the Bureau of Animal Industry is; you do not know where the office of the Farm Management Bureau is, or, if you do not know, you do not get any light from the Congressional Directory. And the same is true of all the other bureaus of the Department of Agriculture. It will be very easy to designate the location in the Directory. When I go to the Department of Agriculture I find it to be universally my experience that I go to two or three places before I find the one I want—always two, and sometimes more.

Now, having said that, and hoping it will have some effect on some callous hide that has to deal with the printing of the Directory, although my communications on that subject heretofore have had no effect, I want to say this: I am opposed to permanent occupation of the buildings erected on the parks in Washington, and that includes the Maltby Building. We purchased all the land around the Maltby Building. We own all those houses down there the other side of the building, north and west of it. We have acquired that property for the purpose of making a park, running from here to the Union Station, a fitting addition to the Capitol Grounds. We have put a lot of temporary buildings on the ground that was cleared off. The ground where these temporary buildings are located used to be covered with houses. Those houses were cleared off. Then we proceeded to get some temporary buildings there. That was for war purposes. The Maltby Building was ready to fall down, but for war purposes it has been provided that it be reinforced. It ought to be torn down, and all the rest of those buildings there ought to be torn down, at the earliest possible moment. The same is true of these buildings on the Mall, and if the Government of the United States or Congress starts to occupy those buildings permanently they will be there for years and years to come. I do not believe in letting somebody creep in to steal a public park temporarily and then, having gotten possession of it temporarily, claim they ought to keep possession of it permanently. [Applause.]

Those parks belong to the people of the country as parks. While it may have been proper to erect temporary buildings upon them for war purposes, I think it is a violation of all decency if Congress shall permanently undertake to have those parks occupied with public buildings. After having spent millions of dollars in acquiring this property over here as an addition to the Capitol Grounds, if we shall now undertake to locate permanently various bureaus and departments of the Government in the buildings that stand there it will not only have been a great loss financially in the purchase of the property, but I think it will be a disgrace to Congress in Washington. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. SNYDER rose.

Mr. LEVER. Mr. Chairman, I renew my effort to limit the debate on this proposition. I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes. Only two gentlemen appear to desire time. Let us not drag over an item of $148,000 after we have passed upon millions.

Mr. HAUGEN. I understand the gentleman from Minnesota [Mr. ANDERSON] desires five minutes.

Mr. McLAUGHLIN of Michigan. What is the gentleman's request as to when the debate on all amendments shall close?

Mr. LEVER. The gentleman from Minnesota informs me that he does not want any time at all.

Mr. McLAUGHLIN of Michigan. Would the gentleman stop debate on all amendments or only on this amendment?

Mr. LEVER. On all amendments. If the gentleman from New York [Mr. SNYDER] has an amendment, let him offer it and speak on it.

Mr. SNYDER. I have no amendment, but I want to speak on this proposition for a few moments.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that the debate on this paragraph and all amendments thereto close in 15 minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the debate on this paragraph and all amendments thereto close in 15 minutes. Is there objection?

Mr. STAFFORD. Reserving the right to object, how will that time be allotted?

Mr. LEVER. The gentleman from New York [Mr. SNYDER] will have five minutes and the gentleman from Wisconsin five minutes, and I will reserve five minutes and yield it to somebody.

Mr. STAFFORD. Reserving the right to object, the gentleman from Iowa [Mr. HAUGEN] says he wants five minutes.

Mr. LEVER. I will make it 20 minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the debate on the pending paragraph and all amendments thereto close in 20 minutes. Is there objection?

There was no objection.

The CHAIRMAN. Before the gentleman from New York [Mr. SNYDER] proceeds the Chair desires to state that the amendment of the gentleman from Arkansas [Mr. JACOWAY] has never been formally reported.

Mr. LEVER. I ask that it be reported.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. JACOWAY: Page 67, line 22, after the word "agriculture," strike out the figures "$158,689" and insert in lieu thereof "$146,189."

Mr. SNYDER. Mr. Chairman, in line with what the gentleman from Illinois [Mr. MANN] has just said with reference to taking up permanent quarters in these temporary buildings I agree with him absolutely. I just want to state that yesterday I had occasion to go to the Revenue Bureau, and discovered that the section of that bureau that I had some business with had been moved, and after walking about 3 miles, being directed from one place to another, I finally found they had moved into what is known as the new War Industries Building, down on Fourteenth Street and Ohio Avenue. It is a very large building, and that bureau has moved into one corner of it, and my impression was, from the information I got there, that the Revenue Bureau expects to take over that entire building for permanent use.

It seems to me that it is about time that we or somebody went on record in regard to what is proposed to be done with these temporary buildings. I had supposed that those buildings over here near the station were not to be used, but I notice

in passing there that many of them are already occupied. It strikes me that if we are going to continue to permit these structures to be occupied by the various bureaus we will find that the occupants are permanently located, and we will never be able to get them out.

Now, one thing that the people of this country are demanding is that superfluous employees and inefficient employees should be dismissed from these various departments. Another thing they are insisting upon is that those that are now in positions shall do something for the money they get. I favor good compensation for everybody who is employed to perform public service, but I also favor an honest day's work for it, and unless something is done soon to correct the present situation we will find something on our hands—a trouble on our hands other than unemployment—and I think that this administration should set its mind at the present time upon——

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. SNYDER. Yes.

Mr. MOORE of Pennsylvania. In regard to the question of unemployment, does not the gentleman think that one of the easiest ways to relieve the public distress on that score is to find places for the unemployed in the Department of Agriculture?

Mr. SNYDER. That is one way to do it. But I am opposed to it unless you find some necessary employment for the persons that you put in.

Mr. MOORE of Pennsylvania. Does not the gentleman think that the Department of Agriculture has taken over as many unemployed as any other department?

Mr. SNYDER. I think they have taken over more. I should think so. I think this $11,000,000 that was put through last fall was the biggest steal that was ever put through, and this bill provides a million and a half dollars for the same purposes.

Mr. MOORE of Pennsylvania. The gentleman will notice that a large number of extra clerks are provided for in this bill?

Mr. SNYDER. Yes. I do not see how the Committee on Agriculture could have the nerve to bring in a larger appropriation bill at this time than the last one.

Mr. MOORE of Pennsylvania. Does not the gentleman think that a great many unemployed soldiers could well be added to this vast corp of experts, professors, and lecturers, and other scholars that we are proposing to put into the Department of Agriculture to educate the farmer?

Mr. SNYDER. I think this thing of providing for the soldier is being overworked. I think if the soldiers are left to provide positions for themselves they will do it a good deal quicker than it can be done by this mistaken method of mothering and coddling that we see in operation.

Mr. MOORE of Pennsylvania. Does not the gentleman think we ought to make points of order against the unauthorized increases that are provided for here?

Mr. SNYDER. I do.

Mr. MOORE of Pennsylvania. Why not begin on this bill?

Mr. McLAUGHLIN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. SNYDER. Yes.

Mr. McLAUGHLIN of Michigan. I think the gentleman is entirely right in his statement that this bill carries improper amounts for continuing some of the war activities, but it is not entirely right to say that the bill carries a million and a half dollars in addition to the amount provided by the supplemental bill of $11,000,000 that was recently passed. The amount carried by the supplemental bill for the particular work the gentleman has in mind was $6,100,000, and this bill carries $1,500,000 for those purposes.

Mr. SNYDER. This bill, as I understand it, carries $1,500,000 in addition to the $11,000,000 appropriated last year for those purposes.

Mr. McLAUGHLIN of Michigan. No. The gentleman is entirely mistaken.

The CHAIRMAN. The time of the gentleman from New York has expired. Under the allotment of time the gentleman from Wisconsin [Mr. STAFFORD] is recognized for five minutes.

Mr. STAFFORD. Mr. Chairman, in the paragraph under consideration, as reported, for rental of private buildings for use of the Department of Agriculture in the District the same amount is carried as was carried last year, $158,000. They offer an amendment to reduce that sum by the measly amount of $12,540.

Anyone who has given any consideration whatsoever to the rental of buildings used by the Department of Agriculture knows that they are distributed in about 50 private buildings at an aggregate average rental greater than is paid by any other department of the Government. The legislative committee that has charge of the rental of all buildings for all the other departments save the Department of Agriculture adopted a policy of cutting out the rental and forcing departments into the Government-owned temporary buildings where there is 4,000,000 square feet of space available.

The gentleman from North Dakota [Mr. YOUNG] shakes his head. I say the testimony before the Appropriations Committee on the legislative bill shows that there are 3,994,900 feet available. I said 4,000,000 feet.

Mr. YOUNG of North Dakota. The gentleman means the total space in those buildings—not the unoccupied available space.

Mr. STAFFORD. Available in these temporary office buildings now for the various activities of the Government.

I do not subscribe to the idea advocated by the gentleman from Illinois [Mr. MANN] that these buildings which have been erected at the expense of millions and millions of dollars should now be torn down. They should be utilized during their serviceability, which will very likely be 10 years. The Alien Property Custodian is housed in the most expensive apartment building on Sixteenth Street.

The Federal Trade Commission and other governmental activities are now distributed through the District in private buildings. They should all be forced to move into these temporary office structures until the Government can find time to erect modern office buildings; not ornate buildings, as has been proposed by some, but modern office buildings, such as was purchased by the Secretary of the Treasury for use of the Internal-Revenue Bureau and the War Risk Insurance Bureau, the building on the Arlington Hotel site, or the building erected by the Interior Department. They are sensible modern office buildings.

Mr. YOUNG of North Dakota. Mr. Dorr, who has charge of the space available in the various buildings, said that there was only between 600,000 and 700,000 square feet available in the various buildings.

Mr. STAFFORD. I read from Mr. Dorr's testimony before the subcommittee on the legislative bill, from page 1054:

Mr. BYRNS. What is the total net available space for office purposes in all of these buildings

Mr. DORR. 3,994,900 net square feet.

Mr. ANDERSON. A great deal of that space is now occupied.

Mr. STAFFORD. That is the total available space. Now, there was a provision in the legislative bill apportioning this space, but it went out on a point of order. Mr. Dorr does not testify either before the gentleman's committee or before any other committee that there is no available space in these temporary buildings to house the activities of the Department of Agriculture; but instead of attempting to drive them out of these high-priced private office buildings—such as the Munsey Building, where you are paying more than a dollar per square foot—you come in here and propose a cut of $12,000 in a total appropriation of $158,000, a remarkably small reduction.

Mr. Chairman, these buildings that we have erected here on the Mall and in Potomac Park will be utilizable for 10 years, and now that we have spent millions and millions of dollars in erecting them it is good business policy to keep on utilizing them until they get into a state where the cost of repair and upkeep will be so great that it will be better to demolish them. In the meantime, let us adopt the policy of building modern office buildings to house the present and growing activities of the Government. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. McLAUGHLIN of Michigan: Page 67, line 22, substitute for the amendment of the gentleman from Arkansas [Mr. JACOWAY], as follows: "Strike out $158,689 and insert in lieu thereof $100,000."

Mr. HAUGEN. Mr. Chairman, the gentleman from Illinois [Mr. MANN] stated that if we start to occupy the temporary office buildings their occupancy will be made permanent. I submit that as long as we are issuing bonds at 4¼ per cent it would seem a good business proposition to occupy these temporary buildings that will accommodate the people employed in the Department of Agriculture better than they are, in many instances, provided for to-day. We have heard much about these buildings not being fireproof. As I stated a moment ago, the Department of Agriculture hires more buildings not fireproof than any other department. As I have said, these buildings are superior to those that we are now paying rent for. The Maltby Building and the whole block of buildings there, three or four stories high, are far superior to the majority of

the buildings that the Government is now hiring. The gentleman has asked, "Why not complete the department buildings of the Department of Agriculture?" My answer to the gentleman is that that plan was blocked by the Real Estate Trust of Washington, first by the erection of the buildings underground, and next by the erection of a five or six story building on the ground contemplated for the site of the department building. So that, of course, is out of the question unless a new site is selected and a proper plan and building is decided upon. I think nobody would now suggest the completion of the plan originally suggested.

Mr. DALLINGER. Do I understand, then, that it is the gentleman's idea that that Agricultural Department Building should never be completed?

Mr. HAUGEN. Not the one that is under construction. I can not imagine that any sane man would even suggest such a thing. As the gentleman knows, that building was put nearly two stories of it underground, and another thing, a large six-story building was erected on the site that had been selected for the department building, which would have to be condemned and removed, which would make the site too expensive.

Mr. DALLINGER. Then it is the gentleman's idea that those two wings are going to stay there with that little miserable brick building in the middle to be a disfigurement to the city.

Mr. HAUGEN. They can be disposed of in various ways.

The gentleman from Wisconsin has called attention to the space which is available. It is common knowledge that clerks are being discharged here and leaving the city, and space is being made available every day. The department called attention to 40,000 feet available now. Objection is made to the use of it because it is on leased ground. That ought not to stand in the way. If necessary, we could provide for paying rent of the real estate. The buildings are there; they have been constructed at large expense. As long as we are issuing bonds, it is well to consider and practice a little economy, especially at this time. I trust the amendment will carry.

Mr. JACOWAY. Mr. Chairman, I think there is no Member on the floor of this House more anxious to save money for the Federal Government than I am. I do not believe in paying rent on buildings not owned by the Government when buildings Government owned can be secured. But after looking into the testimony in this matter; after we have called Mr. Dorr before the committee, and who is thoroughly advised; and after the testimony of Mr. Reese is considered, as I stated before, in time I think the Government can save possibly $53,000 in rent on account of rent now paid for the activities of the Agricultural Department in buildings not owned by the Government and moving them into Government-owned structures. Mr. Dorr says that on account of the great demand for extra space by other departments they are short of space, but he thinks by December next that not only can the Agricultural Department be taken care of, but many other departments can be housed in buildings now owned by the Government and on land owned by the Goverment.

As I stated, I am as anxious to save money as any gentleman on this side or the other side of the House. The Secretary of Agriculture stated to the committee that to go ahead and take certain activities out of certain houses that are now in need of space that they are proposing to, he is fearful that when the end of the fiscal year comes he will find himself in a position of having no space and having no appropriation in which to house the activities of the department, and the great Department of Agriculture will find itself embarrassed.

He says to this committee if you will let him administer this matter he will move these Government activities out of the houses on which we are now paying rent at the earliest practicable moment. I think his wishes should be respected. I say that if we are to err we ought to err on the side of virtue. I do not want to do anything to cripple this great Agricultural Department, and I am positively sure I do not want to do anything that will subscribe to the doctrine of spending money uselessly on the part of the Government, and especially at the present time, when every dollar that can be saved should be saved.

Mr. DOOLITTLE. Will the gentleman yield?

Mr. JACOWAY. Yes.

Mr. DOOLITTLE. The gentleman heard the statement that Mr. Dorr said that there were 4,000,000 feet available in temporary buildings. Is it not a fact that Mr. Dorr said that all that space was now occupied?

Mr. JACOWAY. He said, as I recall, that all the space was occupied except a small portion on the corner of Sixth and B. The balance of the space was occupied, but he is of opinion that if given time that a great volume of money could be saved for the Federal Government by housing certain of these Government activities on property owned by the Government. But now it could not be done. Mr. Reese stated also that all these new items I have enumerated could go out of these places at the present time into houses owned by the Government, and in addition to that, he stated by the end of the fiscal year there will be other buildings becoming vacant that they could go into on Government-owned property. But at the present time we would run a chance of crippling the Agricultural Department and placing it in the anomalous position at the end of the fiscal year of being without space and no money to rent space. The subcommittee has gone into the matter in the limited time it had, taking testimony covering 62 pages, and I think out of abundant caution we ought to go slowly and be positively sure that no injustice is done the Agricultural Department in the question of ample quarters. I believe that at the end of the fiscal year, according to the statement of the Secretary of Agriculture, we can reduce it three or four times the amount of the decrease suggested by my amendment, and if it can be done we have the positive and unqualified assurance from the office of the Secretary of Agriculture that it will be done and every dollar possible saved to the Government. I am willing to risk the Secretary of Agriculture in this matter, and I know that the trust so placed in him will not be abused, but will be carried out to the letter conscientiously and in detail.

The CHAIRMAN. The question is on the substitute offered by the gentleman from Michigan [Mr. McLAUGHLIN].

The question was taken; and on a division (demanded by Mr. McLAUGHLIN of Michigan) there were 24 ayes and 35 noes.

So the substitute was lost.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Arkansas.

The amendment was agreed to.

The Clerk read as follows:

STATES RELATIONS SERVICE.

Salaries, States Relations Service: One director, $4,500; 1 chief clerk, $2,000; 1 clerk or chief accountant, $2,400; 1 financial clerk, $2,000; 1 clerk, $1,980; 1 clerk or proof reader, $1,800; 4 clerks, class 4; 11 clerks, class 3; 2 clerks, at $1,500 each; 13 clerks, class 2; 2 clerks, at $1,320 each; 1 clerk, $1,260; 36 clerks, class 1; 3 clerks, at $1,100 each; 39 clerks, at $1,000 each; 31 clerks, at $900 each; 1 clerk or lantern-slide colorist, $900; 3 clerks, at $840 each; 2 clerks, at $720 each; 5 messengers or laborers, at $720 each; 2 messengers or laborers, at $600 each; 3 messengers or laborers, at $480 each; 3 messenger boys, at $600 each; 13 messenger boys, at $480 each; 1 messenger boy, $390; 3 messenger boys, at $300 each; 1 skilled laborer, $960; 4 charwomen, at $480 each; 11 charwomen, at $240 each; in all, $203,840.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. I wish to inquire as to this new position, "one clerk or chief accountant, $2,400." What is the purpose of that peculiar phraseology at the bottom of page 67?

Mr. LEVER. This employee has been transferred from a lump-sum fund to the general administrative expenses and statutory roll with the same title—no change in the salary.

Mr. STAFFORD. Was he formerly on the statutory roll?

Mr. LEVER. No.

Mr. STAFFORD. How long has he been receiving a salary of $2,400?

Mr. LEVER. I can not say.

Mr. STAFFORD. If he is an accountant, what is the need of calling him a clerk? We do not generally pay clerks $2,400.

Mr. LEVER. I assumed that he may be clerk and chief accountant.

Mr. STAFFORD. There is no instance in this or any other bill where we are giving a salary of $2,400 to a clerk.

Mr. LEVER. I will move to amend that.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

Mr. LEVER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 67, line 25, strike out, after the word "one," the words "clerk or."

The amendment was agreed to.

The Clerk read as follows:

For cooperative agricultural extension work, to be allotted, paid, and expended in the same manner, upon the same terms and conditions, and under the same supervision as the additional appropriations made by the act of May 8, 1914 (53 Stats. L., p. 372), entitled "An act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture," $1,500,000; and all sums appropriated by this act for use for demonstration or extension work within any State shall be used and expended in accordance with plans mutually agreed upon by the Secretary of Agriculture and the proper officials of the college in such State which receives the benefits of said act of May 8, 1914.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order.

Mr. McLAUGHLIN of Michigan. What is it?

Mr. STAFFORD. The point of order is it is new legislation heretofore not authorized by existing law.

Mr. LEVER. Mr. Chairman, I think the gentleman is entirely wrong about that.

Mr. STAFFORD. I can be convinced if I am. I have read the hearings and I think I know, although I know I have not all the information which the gentleman has about it.

Mr. LEVER. Mr. Chairman, the situation with respect to this item is this. In the food-production act, which is now in force, there is carried a sum of $6,100,000 for county agent, farm, dairy, and home-economics work. In the supplemental estimates the Secretary of Agriculture requested an appropriation of $5,670,000, in addition to the funds available under the extension act. The committee, after a very full and earnest consideration of the whole proposition, agreed to bring in this item increasing the appropriation for farm-demonstration and home-economics work by $1,500,000 over the fund that would ordinarily be available for the next fiscal year. So that we have very considerably reduced the estimates of the department. We have reduced them by $4,500,000 in round numbers. This proposition here merely anticipates the maturity of the so-called Smith-Lever Act. The committee felt in refusing the estimates of the Secretary of Agriculture that it was acting wisely for this reason:

The testimony before our committee from time to time discloses the fact that one of the chief difficulties in the organization of the work under this act came as the result of the inability of the department to find suitable men and women for this character of work. And when it was suggested that we should provide for an appropriation of something over $4,000,000, the thought that forced itself upon the minds of members of the committee was this, that this organization, which is now in operation, had been built up under an emergency condition, under war conditions, hastily gotten together, and that of necessity there must be a good deal of inefficiency in it. We felt that we were justified, notwithstanding the earnest plea of extension workers and presidents of agricultural colleges, and the Department of Agriculture itself, that it was unwise to break down this organization and build it up again, and that we would be acting wisely in eliminating from this organization such inefficiency as of necessity had to get into it on account of the haste with which the organization was built. The total appropriations for farm-demonstration and home-economics work for the next fiscal year will amount to $5,776,320, which in large measure will be matched by the State, so that, as a matter of fact, we should have a fund for that purpose during the next fiscal year of between $10,000,000 and $11,000,000. They are expending at the present time during this fiscal year, in round numbers, $8,000,000 of Federal funds and $8,000,000 of funds contributed by States, counties, various business organizations, and so forth, so that the total expenditure for this work during this fiscal year is about $16,000,000. Under the proposal of the committee the total appropriations for the next fiscal year will be something in the neighborhood of between $10,000,000 and $11,000,000.

Mr. STAFFORD. Can the gentleman inform the committee as to how much is being expended by the Department of Agriculture, or is contemplated to be expended by that department, for the next fiscal year if the amounts carried in this bill are appropriated, together with the permanent appropriations that they have under substantive acts of legislation?

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEVER. I ask unanimous consent to proceed for three minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. LEVER. I will be very glad to give the information, although I just gave it a moment ago. Out of the Smith-Lever fund there will be $3,080,000 in round numbers. Out of the two items which we have just read for cooperative demonstration work we will have a fund of $1,196,320, and this proposal is $1,500,000, so that the total for the next fiscal year of Federal funds will be $5,776,320, which will be supplemented, of course, by State funds, which, as I stated a moment ago, would likely bring it up to between $10,000,000 and $11,000,000.

Mr. STAFFORD. That is not what I desired. The gentleman is only giving a small portion of the information I am seeking to obtain. I wish to ascertain the total of funds that will be available under the control of the Department of Agriculture for the next fiscal year under this bill if adopted as reported and also by reason of permanent authorizations?

Mr. LEVER. I thought the gentleman was referring to this class of work. It is set out clearly in the report—something like $31,000,000, which is found on the first page.

Mr. STAFFORD. The $31,000,000 only applies to the amount appropriated in this bill——

Mr. LEVER. The permanent appropriation is something like $62,000,000.

Mr. STAFFORD. Additional?

Mr. LEVER. No; the total.

Mr. STAFFORD. Thirty-one millions additional?

Mr. LEVER. It is about $62,000,000, in round numbers.

The CHAIRMAN. Does the gentleman make the point of order?

Mr. STAFFORD. I make the point of order.

Mr. LEVER. Mr. Chairman, I submit this is not subject to the point of order.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. LEVER. Does the Chair desire to hear me or the gentleman from Wisconsin?

The CHAIRMAN. The gentleman from Wisconsin.

Mr. LEVER. It is very clearly in order.

Mr. STAFFORD. Mr. Chairman, on the face of the bill it shows that it is a modification of existing law, namely, the Smith-Lever Act. It seeks to increase the amount of appropriations provided in the Smith-Lever Act, which carries a definite amount of appropriation each year which could be used by the National Government in cooperation with State organizations. As far as that law is concerned certainly it is a change of existing law. Read the paragraph:

For cooperative agricultural extension work, to be allotted, paid, and expended in the same manner, upon the same terms and conditions, and under the same supervision, as the additional appropriations made by the act of May 8, 1914.

It describes that act. It is admitted by the chairman of the committee that this money is in addition to the permanent amount appropriated by the Smith-Lever Act referred to in this paragraph.

Now, he justifies it on some other act. I have not been able to follow it. He may have the law in his hand. I have the original food-survey and food-control law. I have not been directed to any particular paragraph of that law which authorizes it. That law was limited to the war. It was an emergency measure providing merely for conditions while we were at war with Germany. I have not at my fingers the act referred to by the gentleman. If the gentleman will call attention to what law it is, I may be able to follow him. But certainly, so far as the face of the bill is concerned, it is new law, because the original law fixed the amount of appropriation that Congress was to vote each year. It was an appropriation measure, and that amount is carried independent of this paragraph. That amount has been appropriated. That is part of the $31,000,000 additional that the Department of Agriculture has at its disposal, besides the amounts carried in this bill.

The CHAIRMAN. The Chair catches what the gentleman says. The Chair will hear the gentleman from South Carolina [Mr. LEVER].

Mr. LEVER. Mr. Chairman, the organic act of the Department of Agriculture authorizes this kind of work. This is a method of disseminating information. The organic act authorizes the Secretary of Agriculture to collect and disseminate information. This language might have read, "For cooperative agricultural extension work, $1,500,000." Now, the remainder of the language in the paragraph is nothing more nor less than a limitation upon the appropriation bill.

Mr. ANDERSON. Is the Chairman ready to rule?

The CHAIRMAN. The Chair will hear the gentleman.

Mr. ANDERSON. It seems to me the point of order made by the gentleman from Wisconsin [Mr. STAFFORD] is clearly not well taken. All that the item referred to does is to mature the appropriations under an act already in existence. It matures the appropriations which would not otherwise be available under the Smith-Lever Act, and it provides that the sum shall be paid in accordance with the provisions of that act.

The Smith-Lever Act of itself sustains this appropriation. Suppose that act did not carry any appropriation at all; it would certainly be in order to carry an appropriation in this act putting into effect the provisions of the Smith-Lever Act, just as, for instance, in the meat-inspection act. That act originally carried an appropriation; it carries a permanent annual appropriation, and yet in this act we carry an additional appropriation for putting into effect the provisions of the meat-inspection law. The Chair will find that provision on page 18. It is almost identical in language with the paragraph against which the gentleman from Wisconsin [Mr. STAFFORD] makes the point of order. As I said before, all that this item does is to make an appropriation for the carrying out of a law which is already in effect, an appropriation which is an addition, it is true, to the appropriation carried in that act, but it does not make any new law at all. It

simply increases the appropriation which is already carried there.

Mr. STAFFORD. Now, Mr. Chairman, with all due respect to the positions taken by the two gentlemen, they have not advanced anything that shows that this is not a change of the existing law. I am well acquainted, as the gentlemen are, with the Smith-Lever Act. When it was agreed to in the House I protested against its policy. As my memory serves me, that act specifically provided the amount of appropriation that Congress should appropriate for these activities, and that amount is appropriated not by this bill but by that act. It is a continuing appropriation by Congress, and the department does not have to come to Congress to obtain the money, because it has been provided by that act. That was a permanent appropriation bill.

The gentleman refers to the meat-inspection act. That item on page 18 was subject to a point of order the same way. This amendment is akin to an attempt to increase the limit of cost on a public building. Congress has decreed that so much work——

Mr. LEVER. Mr. Chairman, has the gentleman finished?

Mr. STAFFORD. No. Congress has decreed that so much money shall be appropriated for this character of work. It is appropriated. Now they seek to increase that amount on this appropriation bill, just as if in a public-building bill it was provided that so much money should be provided for a building. An amendment that was put on an appropriation bill seeking to increase the limit of cost would naturally be legislation. You can not escape from it.

Mr. MANN. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. MANN. If a public-building bill appropriated half a million dollars for a public building, with no limit of cost fixed, would it not be warranted in——

Mr. STAFFORD. That is a different proposition.

Mr. MANN. Is there any limit of cost fixed in the Smith-Lever Act?

Mr. STAFFORD. There is a specific statement as to the amount of money that Congress should appropriate.

Mr. MANN. Is there?

Mr. STAFFORD. There is.

Mr. MANN. On the contrary, does not the Smith-Lever Act appropriate, itself, so much money each year without any limit of the amount which Congress may appropriate?

Mr. STAFFORD. It specifically states that Congress appropriates so much money, and it provides for increasing amounts as the years go on, to be matched by appropriation from the States.

Mr. MANN. I think the gentleman does not quite mean what he says. If I remember the Smith-Lever Act, and I am sure the gentleman's recollection will be correct, the Smith-Lever Act is not an authorization of an appropriation at all. In itself it appropriates so much money each year..

Mr. LEVER. That is true.

Mr. MANN. It is not an authorization of an appropriation and Congress does not appropriate each year the money. It at one time appropriated for the future, each year——

Mr. STAFFORD. It is perpetual——

Mr. MANN. Without any limitation on what the Congress may appropriate and without any authorization whatever as to the amount appropriated.

Mr. STAFFORD. Mr. Chairman, here is a matter of policy as to how much shall be appropriated for this work. Congress adopts a permanent policy and passes an act known as the Smith-Lever Act. That act for the first year appropriated so many thousands of dollars, and then, as the years go on, the amount increases, and for this year that act provides so much money. I believe it will reach its full effect in six or seven years. That is the amount of money appropriated by Congress for that work. There is no authorization by Congress to appropriate anything more, and you are attempting in this bill to appropriate more money for a purpose for which Congress said only so much shall be appropriated, and which has been appropriated.

Mr. LEVER. Mr. Chairman, if the gentleman is through, I want to say that the gentleman's argument is quite aside from the situation. We are not undertaking in this appropriation to mature the Smith-Lever Act. It so happens that $1,500,000 would be sufficient to mature that act this year, but that is simply a coincidence. We are not undertaking to amend the Smith-Lever Act. We are undertaking to make an appropriation of $1,500,000 for the dissemination of information. That is all we do.

Now, the gentleman from Wisconsin [Mr. STAFFORD] says we have fixed the amount of money that can be appropriated for this purpose, and that therefore any increase in that amount would be subject to a point of order. Yet in this bill, in two items already passed, one for $551,000 for farmers' cooperative demonstration work outside of the cotton belt, and one for $645,000 for farmers' cooperative demonstration work within the cotton belt, you have appropriated money to do the very same kind of work that is being conducted under the Smith-Lever Act. The gentleman's argument would make both of those items subject to a point of order.

Mr. STAFFORD. No. Congress has not authorized any activities such as the gentleman refers to.

Mr. LEVER. I will ask the gentleman this question as to that: Would this item be in order if we had never passed the Smith-Lever Act?

Mr. ANDERSON. Mr. Chairman, will the gentleman yield?

Mr. LEVER. Yes.

Mr. ANDERSON. It seems the gentleman is getting himself in a wrong position there, because this provision does provide that this money shall be expended in accordance with the Smith-Lever Act, and that language would be law unless the Smith-Lever Act did provide that the money should be spent in some way.

Mr. LEVER. That is a fact; but that language is nothing more nor less than a limitation on this appropriation bill. This language might read, "For cooperative extension work, $1,500,000."; but the committee, in its wisdom, adopted a limitation upon this so as to make it sure that this fund would be expended in accordance with the plan already outlined by Congress.

Mr. Chairman, I ask for a ruling.

The CHAIRMAN. The Chair is ready to rule. The Chair feels that the point of order raised by the gentleman from Wisconsin [Mr. STAFFORD] would turn very largely upon the wording of the Smith-Lever Act. If it should be thought to be on a par with an authorization of a limit of cost on a public building, the point of order would be well taken if an attempt were made to increase the amount of the limit. But the Chair, without looking at the Smith-Lever Act at the present time, is under the impression that that law simply permanently appropriated a certain amount to be available annually, but in no respect prohibited Congress from increasing the amount if they deemed it necessary. The recollection of the Chair is, briefly stated, that that bill assured the different States cooperating with the Federal Government that there will be available a certain sum of money from the Federal Government each year, but does not undertake to say that Congress may not from time to time increase that amount. The Chair therefore overrules the point of order.

Mr. McLAUGHLIN of Michigan rose.

Mr. LEVER. Mr. Chairman, does the gentleman from Michigan desire to discuss this?

Mr. McLAUGHLIN of Michigan. I desire to correct the wording of the paragraph from line 20 on page 70 to line 10 on the next page.

Mr. LEVER. I will say to the gentleman that I think that language superfluous. At least some of it can be stricken out. I mean this part—

and all sums appropriated by this act for demonstration or extension work within any State shall be used and expended in accordance with plans mutually agreed upon by the Secretary of Agriculture and the proper officials of the college in such State which receives the benefit of said act of May 8, 1914.

That is provided for in the Smith-Lever Act now in almost identical language. I am willing that it shall be stricken out.

Mr. McLAUGHLIN of Michigan. It says "all sums appropriated by this act," and that would include $645,000 for the boll-weevil work and other sums.

Mr. LEVER. I am sure the department did not contemplate that. If the gentleman will move to strike it out, I will accept it.

Mr. McLAUGHLIN of Michigan. I think it goes too far, and includes two items on page 70, and I doubt if it goes far enough in requiring the department to use the money and distribute the money among the States.

Mr. LEVER. Let me make this suggestion to the gentleman from Michigan: "All sums appropriated by this paragraph" would limit it.

Mr. McLAUGHLIN of Michigan. Yes. I think the language otherwise is loose, and it will not require the Secretary of Agriculture to distribute the money entirely in accordance with the Smith-Lever Act. The language on page 70 seems to be strong enough to require the distribution of the money in that way; but over on page 71——

Mr. LEVER. I would say to the gentleman that if he will move to strike out that language, I will accept his amendment.

Mr. McLAUGHLIN of Michigan. Will not the gentleman be willing to pass over that portion of it for the present, and return

later for the purpose of perfecting the language if we feel it should be perfected?

Mr. HAUGEN. I should like to ask the gentleman from Michigan if it is not possible that the department would construe the language to mean that this would give discretion to the Secretary to say how this money shall be expended, and that he might agree upon a plan to use 25 or 100 per cent of the money to be expended, and that plan might be pursued?

Mr. McLAUGHLIN of Michigan. I think it is uncertain, and that it places restrictions upon the Secretary of Agriculture in the expending of the money, whereas it was intended to restrict the use of the money to the carrying out of such projects as the Secretary of Agriculture and the head of the college shall agree upon.

Mr. HAUGEN. If agreeable to the chairman, I will move that the language be stricken from the bill.

Mr. LEVER. Beginning with line 4, page 71, after the figures "$1,500,000," all down to line 10, inclusive. I have no objection to that.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. LEVER: Page 71, beginning with line 4, after the figures "$1,500,000," strike out the remainder of the paragraph.

The amendment was agreed to.

The Clerk read as follows:

To enable the Secretary of Agriculture to establish and maintain agricultural experiment stations in Alaska, Hawaii, Porto Rico, the island of Guam, and the Virgin Islands of the United States, including the erection of buildings, the preparation, illustration, and distribution of reports and bulletins, and all other necessary expenses, $215,000, as follows: Alaska, $75,000, of which $10,000, or so much thereof as may be necessary, shall be immediately available for the erection of barns, purchase of breeding live stock, and other expenses connected with the stock breeding experiments on the island of Kodiak and at the Matanuska station; Hawaii, $50,000; Porto Rico, $50,000; Guam, $25,000, of which $5,000, or so much thereof as may be necessary, shall be immediately available to repair damage due to typhoon; and the Virgin Islands of the United States, $15,000; and the Secretary of Agriculture is authorized to sell such products as are obtained on the land belonging to the agricultural experiment stations in Alaska, Hawaii, Porto Rico, the island of Guam, and the Virgin Islands of the United States: *Provided*, That of the sum herein appropriated for the experiment station in Hawaii $10,000 may be used in agricultural extension work in Hawaii: *And provided further*, That hereafter employees of the Department of Agriculture assigned to permanent duty in the Virgin Islands shall be entitled to the same privileges as to leave of absence as are conferred upon employees assigned to Alaska, Hawaii, Porto Rico, and Guam by the act of June 30, 1914 (38 Stat. L., 441), and if any employee of the agricultural experiment stations of the United States in Alaska, Hawaii, Porto Rico, Guam, or the Virgin Islands shall elect to postpone the taking of any or all of the annual leave to which he may be entitled under the said act of June 30, 1914, he may, in the discretion of the Secretary of Agriculture, subject to the interests of the public service, be allowed to take at one time unused annual leave which may have accumulated within not to exceed four years, and be paid at the rate obtaining at the time the leave is granted.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on that paragraph.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order.

Mr. MANN. I move——

Mr. LEVER. If there is going to be any controversy on this, I move that the committee do now rise.

Mr. MANN. I do not think there will be any controversy about what I want.

The CHAIRMAN. The gentleman from South Carolina moves that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HAMLIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 15018) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920, had come to no resolution thereon.

THE REVENUE.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent to proceed for not to exceed 10 minutes, and after that I shall prefer a request for unanimous consent. I do not think it will take me 10 minutes to make my statement.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to proceed for not more than 10 minutes. Is there objection?

There was no objection.

Mr. KITCHIN. Mr. Speaker, on December 30, when I asked unanimous consent to send the revenue bill to conference, I made assurances to the House, first, that if the House conferees did not agree to the child-labor amendment which was put on by the Senate I would bring it back to the House. The House conferees have concurred in the Senate amendment.

I also said that whether we agreed to the bone-dry amendment or not we would come back to the House and give the House a vote on that, and also that we would come back to the House on the amendment relating to the tax on political contributions.

In regard to the bone-dry amendment, the House appeared to be perfectly willing to send the bill to conference; but just before the question was put the gentleman from California [Mr. KAHN] came in, and not being thoroughly conversant at that time with the entire situation he asked, before giving his consent for the conference, an assurance from me that before we came to a final agreement we should come back to the House on the bone-dry proposition; and this demand was also made by the gentleman from California [Mr. RANDALL]. When on January 2 following we were about to vote on a rule sending the revenue bill to conference I made the same assurances as I had on December 30. Now, subject to the approval of the House, the committee have agreed to the bone-dry amendment. I took the matter up with the gentleman from California [Mr. KAHN] this morning, and also with the gentleman from California [Mr. RANDALL], and with the gentleman from California [Mr. LEA], and the gentleman from California [Mr. NOLAN], who are interested in the matter, and they all assured me that they withdrew any demand that the conferees bring that amendment back to the House to have a vote upon it. So if there is no other demand by any Member in regard to that question, the House conferees will proceed to reach a final agreement with the Senate conferees on that matter. I hope there will be no demand, because it will save us at least two days on the revenue bill.

With respect to the Senate amendment providing a tax on political contributions, on the demand of the gentleman from Illinois [Mr. FOSTER] and the gentleman from Illinois [Mr. MADDEN] I agreed that before reaching any final agreement on that provision I would bring it back to the House. Now, the situation with respect to that amendment is this: I told the Senate conferees that I would have to bring that back to the House before reaching any final conclusion. We discussed that amendment several times. The Senate conferees said that if we were going to bring it back to the House they would recede, because it would mean a delay in the passage of the revenue bill, which they did not wish. I on behalf of myself and the gentleman from Indiana [Mr. DIXON], as members of the House conferees, made several propositions to the conferees. First, we proposed to them to concur in the Senate amendment with an amendment to insert, on page 86, in line 22, after the word "shall," the word "hereafter," so that the tax or penalty would not be retroactive. This was rejected. A majority of the Senate conferees and a majority of the House conferees rejected that.

We made a second proposition to insert the word "hereafter" after the word "shall" and to substitute "$1,000" for "$500." This was rejected by the conferees.

We made a third proposition to insert the word "hereafter" after the word "shall," and to insert the figures "$2,000" instead of "$500." This was rejected.

The fourth proposition was to insert the word "hereafter" after the word "shall" and to substitute "$2,500" for "$500." This was rejected.

Then to test the conferees we made the proposition to concur in the Senate amendment, which was rejected. I make no criticism for rejecting such a proposition, as it contained the retroactive tax; all these propositions, however, were made subject to the approval of the House, since I was under obligations to enter into no final agreement on the subject until I brought the matter back to the House for a vote. As I said, the Senate conferees said if we were going to take it back to the House they would recede, and so far as the Senate conferees could recede they did so yesterday.

I am here trying to keep faith with the House on my assurance that I would give the House an opportunity to vote on it before signing a report. I ask, therefore, unanimous consent that it shall be in order for the House to entertain a motion or motions to instruct the House conferees with respect to Senate amendment 222, relative to the tax on campaign contributions.

Mr. MOORE of Pennsylvania rose.

The SPEAKER. For what purpose does the gentleman from Pennsylvania rise?

Mr. MOORE of Pennsylvania. To reserve objection to the request of the gentleman from North Carolina in order that the gentleman may continue his statement.

Mr. KITCHIN. I have completed my statement.

Mr. MOORE of Pennsylvania. May I ask whether it is the intention to offer an amendment to insert the word "hereafter"?

Mr. KITCHIN. Yes; I will go further and state that if the House gives permission to entertain a motion or motions, Judge RUCKER, chairman of the Committee on Election of President and Vice President, will offer the following motion to instruct the House conferees:

That the House instruct its conferees on House bill No. 12863 to concur in the Senate amendment No. 222, with the following amendments: "On page 86, line 22, after the word 'shall,' insert the word 'hereafter,' and on page 88, in lines 5 and 6, strike out the words 'within 30 days after the passage of this act and thereafter' and insert in lieu thereof the word 'hereafter.'"

Mr. FERRIS. Is it proposed to modify the amount?

Mr. KITCHIN. No; that motion leaves the Senate amendment just as it is, except that it does not make the tax retroactive—that is, does not apply to elections and primaries in 1918. It places in it the word "hereafter."

Mr. GARNER. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. GARNER. In case you get unanimous consent for the purpose of offering that motion, you would not exclude any other motion?

Mr. KITCHIN. No.

Mr. GARNER. The way to get agreement here so that we may be certain to have a law is to concur in the Senate amendment, and then the Senate can not get away from it.

Mr. MOORE of Pennsylvania. I want to say and announce now that if this amendment is offered, making it effective by the word "hereafter," I shall offer an amendment which will make it retroactive in the following words: Strike out of this bill, which is in the present tense, and say, "have given, advanced, paid, expended, subscribed, or contributed during the taxable years since 1912."

That would require an examination of accounts in the way of political contributions in all the campaigns back to 1912, and I am frank to say would cover the period while this administration has been in power, and would probably give us a lot of valuable information that the public ought to have with respect to contributions made during campaigns since that time.

Mr. KITCHIN. I will say that if I can get the unanimous consent, that would be in order.

Mr. LONGWORTH. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. LONGWORTH. Did I understand the gentleman to say that the Senate had receded or would recede?

Mr. KITCHIN. The Senate conferees actually receded so far as they had the power, but the question is, Will the Senate permit them to recede? In my judgment it will.

Mr. LONGWORTH. As a matter of fact, as it stands now there is no such amendment to the bill.

Mr. KITCHIN. Yes; there is an amendment in the bill because it has finally to be ratified or rejected by the Senate itself in spite of any action of its conferees.

Mr. LONGWORTH. That is what I wanted to know.

Mr. GARNER. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. GARNER. If the conferees on the part of the House had concurred, or if the House had concurred in the Senate amendment when the bill was over here for consideration, it would have been as much a part of the bill as the enacting clause is at the present time. The House let it go to conference by unanimous consent on the theory that that provision of the Senate would become a law.

Mr. MANN. Oh, no.

Mr. GARNER. If we had concurred in this amendment when it was over here, it would have been in the bill, and the Senate could not have gotten away from it. It would have been a part of the law.

Mr. LONGWORTH. Of course, it would; but now the Senate recedes.

Mr. GARNER. The Senate has not receded, and the House can make it a part of the bill if it wants to concur in the amendment.

Mr. LONGWORTH. Is not the House then in the attitude of refusing to permit the Senate to recede from an amendment that the Senate put on?

Mr. GARNER. Yes; and that is what we intend to do if we concur and make it a part of the bill.

Mr. MOORE of Pennsylvania. It was put in there as pure buncombe, has no place in a revenue bill, and was put there for spectacular purposes.

Mr. GARNER. That may be true, but if the House had concurred when it had an opportunity to do so, or if the House to-day will give unanimous consent for the purpose of opening it up for amendment and for concurrence, it will be a part of the law.

The SPEAKER. The time of the gentleman from North Carolina has expired.

Mr. FORDNEY. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

Mr. MANN. The gentleman from North Carolina has occupied 10 minutes, and preferred a request for unanimous consent, to which objection was reserved.

Mr. MADDEN. In order that there may be no further waste of time, I will object now.

The SPEAKER. Object to what?

Mr. MANN. Will the gentleman let me make a statement to the House? The gentleman from North Carolina [Mr. KITCHIN] when the bill was sent to conference agreed with the House that the House should have an opportunity to vote on the Senate amendment. Now he is seeking to comply with that agreement by unanimous consent, so that the House may take a vote now instead of having the conference report brought to the House, excluding this item, and then the proposition sent back to conference.

I take it that while there has not been undue haste in reference to this bill, as far as the conferees are concerned, still that it is absolutely desirable to have the matter disposed of at as early a date as possible, and I do not see why it is not just as easy for the House to do it to-day as it will be to do it next Tuesday or next Wednesday.

Mr. KITCHIN. I trust the House will do it to-day, because it will save us from going back to conference the second time.

Mr. MANN. That is all the gentleman is asking unanimous consent for?

Mr. KITCHIN. Yes; so as to save two or three days.

Mr. MOORE of Pennsylvania. The gentleman goes one step further and announces that he proposes to have an amendment offered which would commit the House to this proposition.

Mr. KITCHIN. The House could vote against it if it is opposed to it, and other amendments or motions could be offered.

Mr. GILLETT. May I ask the gentleman if the House should express itself as opposed to this Senate amendment, then the Senate is ready to recede, and the amendment is finished in that way?

Mr. KITCHIN. Yes; and in my judgment, if you will permit me, I think the Senate, if we pass the amendment which the gentleman from Missouri [Mr. RUCKER] will offer, will still recede. I think it will put it upon the ground that to recede would be in the interest of time in getting the bill through.

Mr. GILLETT. So in the interest of speed the best thing is to reject the Senate amendment.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. GARNER. If the House concurs in the Senate amendment to-day on a vote, what position would the conferees then be in? Would not that then be a part of the bill?

Mr. KITCHIN. In my judgment under the circumstances, though I am not as skilled a parliamentarian as some others, I think the Senate itself could still recede or instruct its conferees to recede.

Mr. GARNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARNER. If the Senate puts on an amendment to a House bill and the House concurs in that amendment, does not that make it a part of the bill, the two Houses having come together on that one provision?

The SPEAKER. Yes.

Mr. KITCHIN. After the Senate conferees have receded?

Mr. GARNER. They have not receded.

Mr. MOORE of Pennsylvania. Yes, they have.

Mr. GARNER. They have not.

The SPEAKER. There is a question about whether they have receded or not.

Mr. LONGWORTH. Is not this the state of facts: If the House takes no action whatever to-day, this whole matter remains in exactly the same situation as when it passed the House?

Mr. KITCHIN. Yes. If the House takes no action at all.

Mr. LONGWORTH. The Senate will then recede and the matter is not in the bill. Therefore the bill will be exactly as it passed the House.

Mr. GARNER. But the gentleman from North Carolina and his conferees will be in the very embarrassing position of having agreed to bring it back to the House, and they have not yet brought it back to the House for the purpose of consideration.

Mr. KITCHIN. That is what I am trying to do now by the unanimous-consent request I have made.

Mr. GARNER. If anyone objects to the consideration of it by unanimous consent, then the conferees on the part of the

House are in honor bound to bring it back to the House for the purpose of giving us an opportunity to vote upon it.

Mr. MANN. Absolutely.

Mr. GARNER. Absolutely, and there is no getting away from it.

Mr. KITCHIN. And no one is trying to get away from it, but we are here trying to give the House a vote on the matter.

Mr. GARNER. I understand that.

The SPEAKER. Gentlemen should remember that the conference report is not before the House. When the gentleman from North Carolina asked unanimous consent to send the bill to conference, if the House at that time had agreed to the Senate amendment that this controversy is about, it would have been as much a part of the bill as any other part; but that is not the situation.

Mr. KITCHIN. Mr. Speaker, I am in honor bound to bring this matter to the House, so that it can have a vote upon it. I am seeking to have a vote upon it now rather than to compel us to report a disagreement and bring it back to the House, then vote on it or first discuss it, then have it carried to the Senate and discussed there, and then come back to the House with another report, all of which will consume at least two or three days, possibly longer. We can all know how we stand on this proposition to-day, and I am just asking it in the interest of time, so that we may settle the matter to-day.

Mr. FORDNEY. Mr. Speaker, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. FORDNEY. I want to say to the House that in my opinion this has no place in a revenue bill. It is political buncombe, pure and simple; but as the bill makes the taxes retroactive, if this becomes a part of this bill there is no reason why it should not be retroactive, and I am unalterably opposed to permitting this to be written into law without making it retroactive and go back and show up some of the contributions——

Mr. GARNER. Why does not the gentleman concur in the Senate amendment?

Mr. FORDNEY. Because I do not want it in the bill. This is buncombe in the bill, and we would make ourselves ridiculous to agree to any such thing in a revenue bill.

Mr. GARNER. Child labor may be buncombe.

Mr. FORDNEY. I agree with the gentleman that the child-labor proposition is buncombe, for this reason: You are imposing upon the manufacturers of this country adult labor, but at the same time admitting goods from a foreign country produced by child labor.

That is what you are doing now; you can not make anything but buncombe out of it.

Mr. GARNER. Will the gentleman yield?

Mr. FORDNEY. Wait a minute.

The SPEAKER. The gentleman declines to yield.

Mr. FORDNEY. A majority of the conferees are for striking this out of the bill. The Senate conferees want to yield and strike it out of the bill, and they are unanimous in that.

Mr. RUCKER. Will the gentleman yield now?

Mr. FORDNEY. I will.

Mr. RUCKER. The gentleman does not believe the House wants to yield, does he?

Mr. FORDNEY. I believe the House does want to yield, and I am expressing my own personal opinion, sir.

Mr. RUCKER. I understand, but——

Mr. FORDNEY. They want to yield, because in my candid opinion this is nothing but political bunk.

Mr. RUCKER. The gentleman's opinion is his own opinion——

Mr. FORDNEY. But my opinion will go as far as the opinion of the gentleman from Missouri; but I am expressing my own personal opinion and not attempting to do so for anybody else.

Mr. RUCKER. Will the gentleman yield further?

Mr. FORDNEY. I will.

Mr. RUCKER. The gentleman speaks of it being buncombe; that is, a provision that will have a tendency to stop debauching the people of this country in the future——

Mr. FORDNEY. Let me ask the gentleman a question; you have asked me a question. Do you——

Mr. RUCKER. The gentleman has the floor.

Mr. FORDNEY. Does my good friend believe that anybody on the face of God's green earth will pay a cent of tax under this provision if it becomes a law?

Mr. RUCKER. If they do not it will stop corrupting the people in elections——

Mr. FORDNEY. No; it will not; it will do just what such laws have done in the past; you will find a way to get around it. That is all you will do, and it has no place in this bill. It will make us ridiculous to agree to it; and if we do agree to it, I want it retroactive. I will not agree under any other circumstances.

Mr. TOWNER. Mr. Speaker, reserving the right to object, I want to call the attention of the chairman of the committee to this fact: The gentleman from Texas, in my judgment, is exactly right when he says that the Senate has not receded on their amendment. In fact, the Senate can not recede. They may agree to recede, but they have not done it. There is no way by which a recession can be made except it be part of the report. Now, if this House at this time should agree to the Senate amendment as it has been presented and is now in conference, there would be no possible way for the conferees on the part of the Senate to recede.

Mr. KITCHIN. I think the Senate could recede; I said the Senate could.

Mr. MOORE of Pennsylvania. My Speaker, reserving the right to object, the gentleman from North Carolina intends to have an amendment offered if his request for unanimous consent is conceded?

Mr. KITCHIN. Yes.

Mr. MOORE of Pennsylvania. Well, having made the objection, or reserved the objection, if that amendment is to be offered and I can offer my amendment, I withdraw the objection I made to the request.

The SPEAKER. Does the gentleman from Illinois [Mr. MADDEN] withdraw his request?

Mr. MADDEN. Yes.

The SPEAKER. The gentleman from North Carolina [Mr. KITCHIN] asks that notwithstanding the general rules of the House that it shall not be in order to offer a motion or motions to instruct the House conferees as to Senate amendment No. 222 to the revenue bill. Is there objection? [After a pause.] The Chair hears none.

Mr. GARNER. Mr. Speaker, I want to move to concur in the Senate amendment.

Mr. SAUNDERS of Virginia. Mr. Speaker, I suggest that that would not be in order, because unanimous consent was not given for any such purpose.

The SPEAKER. No; unanimous consent was not given for such purpose. The conference report is not before the House.

Mr. GARNER. I offer a motion that they be instructed to agree to the Senate amendment.

The SPEAKER. The gentleman [Mr. RUCKER] has a motion he wants to offer, which the Clerk will report.

The Clerk read as follows:

Mr. RUCKER moves that the House instruct its conferees on H. R. 12863 to concur in the Senate amendment No. 222 with the following amendment: On page 86, line 22, after the word "shall," insert the word "hereafter," and on page 88, in lines 5 and 6, strike out the words "within 30 days after the passage of this act and thereafter" and insert in lieu thereof the word "hereafter."

Mr. GARNER. Mr. Speaker, I want to move to instruct the conferees to concur in the Senate amendment. I think that has preference over the motion offered by the gentleman from Missouri.

The SPEAKER. The gentleman from Texas moves to instruct the conferees of the House to concur in the Senate amendment No. 222.

Mr. MOORE of Pennsylvania. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

Mr. RUCKER. Mr. Speaker, I make a point of order on the motion made by the gentleman from Texas.

Mr. MANN. I think we ought to have all the matter before the House at once.

Mr. RUCKER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. RUCKER. To make a point of order against the amendment offered by the gentleman from Texas.

The SPEAKER. What is the point of order?

Mr. RUCKER. The point of order is this, if I understand it: The gentleman from North Carolina asked unanimous consent that, notwithstanding the rules of the House, an amendment providing just exactly what this amendment offered by me does——

Mr. KITCHIN. No; my request was for a motion or motions.

The SPEAKER. "Motion or motions" was the language of the request.

Mr. MANN. Nobody can afford to take any fine tricks on this thing.

The SPEAKER. There is no doubt about the gentleman's motion being in order.

Now, for what purpose does the gentleman from Pennsylvania rise?

Mr. MOORE of Pennsylvania. To offer an amendment, which I have sent to the Clerk's desk.

The SPEAKER. The Clerk will report it for information.

The Clerk read as follows:

Amendment offered by Mr. MOORE of Pennsylvania: Page 86, line 22, after the word "shall," strike out the words "give, advance, pay, expend, subscribe, or contribute in the aggregate during any taxable year" and insert in lieu thereof the words "have given, advanced, paid, expended, subscribed, or contributed in the aggregate during any taxable year since April 1, 1912."

Mr. MOORE of Pennsylvania. Mr. Speaker, that amendment is offered as a substitute for the amendment of the gentleman from Missouri [Mr. RUCKER].

The SPEAKER. The vote comes first——

Mr. MOORE of Pennsylvania. Is that not debatable?

Mr. GARNER. All these motions are debatable, if I understand it.

Mr. MOORE of Pennsylvania. I desire to be heard briefly on the substitute.

Mr. GARNER. I have no objection to the gentleman from North Carolina controlling the time, but I want some time on this motion.

Mr. KITCHIN. Which motion here has preference?

The SPEAKER. The motion of the gentleman from Texas [Mr. GARNER].

Mr. KITCHIN. I have always understood heretofore that a motion to concur with an amendment has preference over a motion to concur. That has been the rule.

Mr. MANN. Mr. Speaker, the rule is perfectly patent, and I called attention to it when the gentleman asked to send this bill to conference. When the Senate amendment first comes before the House the preferential motion is to concur with an amendment; but after the Senate has agreed to the amendment and it comes before the House again, the preferential motion is to concur in the Senate amendment, which takes precedence over a motion to concur with an amendment, the design in each case being to bring the two bodies together in the easiest way. The way in which it comes up, by analogy, it seems to me, the motion of the gentleman from Texas takes precedence.

The SPEAKER. The Chair would state that the gentleman has stated the case precisely as it is.

Mr. KITCHIN. Mr. Speaker, I desire to be recognized. How much time does the gentleman from Texas wish?

Mr. GARNER. Five or ten minutes.

Mr. KITCHIN. I yield to the gentleman five minutes.

The SPEAKER. The gentleman from Texas [Mr. GARNER] is recognized for five minutes.

Mr. GARNER. Mr. Speaker, if I can have the attention of the House and the gentleman from Missouri, as well as the gentleman from Pennsylvania, I will say I do not know whether the House desires any legislation on this question or not. But I do want to impress upon the House this one thought: That if you desire legislation upon this question the only possible way to get it is to vote for the motion I have made. If you vote for the motion of either the gentleman from Missouri [Mr. RUCKER] or the gentleman from Pennsylvania [Mr. MOORE] it means that a complete report will be made on the revenue bill and this amendment will be stricken out, the Senate yielding, and there being a difference between the two Houses. But if you agree to the motion I have made, then you will have the minds of the two Houses meeting and there will be no possible way by which this legislation can be defeated, except for the Senate to back up and plead guilty to the fact that they were bluffing, pure and simple. Now, I want to call their bluff. They put this amendment on in the Senate. It comes to the House. The House permitted the bill to go to conference by unanimous consent.

Mr. GARRETT of Tennessee. Oh, no. The bill was sent to conference by a rule; but the gentleman from North Carolina [Mr. KITCHIN] agreed that, notwithstanding the rule, he would bring it back for a vote on this proposition.

Mr. GARNER. Anyhow, this bill went to conference with the idea that the House would agree to at least three propositions in the bill. I call you attention to them. One was the bone-dry amendment, another was the child-labor amendment, and the other was the one in reference to political contributions. Neither of these amendments ought to have been on the revenue bill, but they were all there, and when it came here we asked the conferees if they would not agree to them or they would bring it back to the House for a vote. I submit to the gentleman that there is just one way to get this legislation, and that is to concur in the Senate amendment; that is, to instruct your conferees at this stage of the procedure to agree to the Senate amendment. Now, if your conferees are instructed to agree to the Senate amendment, and they go back under direction of our House, and the Senate conferees agree to this amendment, how are you going to keep it from being law? In only one way, and that is for the Senate conferees to go back to their body with an official record of the fact that they withdraw the amendment and disagree to their own action.

If you vote on the amendment of the gentleman from Missouri [Mr. RUCKER], you have an amendment that makes a disagreement between the two Houses, and we are placed in the position of having refused to legislate on the question of political contributions. I want to put this before the House, so that no Member can say in the future that he would have been perfectly willing to legislate on this subject if he had had an opportunity. You have the opportunity now to either get this as a part of this bill or else the Senate will be compelled to recede and say to the world, "We placed this amendment on the revenue bill, but we did not act in good faith, and when you called our hand we backed down."

That is the only way.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. GARNER. Yes.

Mr. LONGWORTH. Does the gentleman think that this is good legislation?

Mr. GARNER. I will say to the gentleman from Ohio that I am so anxious to get some legislation on this question, some legislation that will protect the ballot box from the rich men of this country, that I am willing to accept this, and in the future it will enforce an amendment of it. [Applause.]

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. GARNER. In a moment. I do not know how you all feel about contributions to political campaigns, but I believe that it does more to create bolshevism in this country than any other one thing. Go up, we will say, to the State of Michigan, the State of my friend FORDNEY, and what have you? You have an affair that is brought before the Senate to investigate the election of a Senator, which is questioned by virtue of the fact that he has spent too much money.

Mr. MOORE of Pennsylvania. That is why I wanted to have it made retroactive.

Mr. GARNER. Will you vote with me?

Mr. FORDNEY. Will you follow me?

Mr. GARNER. I will, if you will undertake to get legislation on this question; and if the conferees on the part of the House will go back into conference and agree to the Senate amendment, you will put the burden on the Senate, will you not? Let me ask the gentleman from Michigan that question.

Mr. FORDNEY. I will say to the gentleman that I have stood for this amendment making it retroactive. I have so stated. I ask the gentleman if he will follow me. I will stand there. Where will the gentleman stand?

Mr. GARNER. I will stand for it.

Mr. FORDNEY. But I will not stand for it unless you make it retroactive.

Mr. GARRETT of Tennessee. Does not the gentleman's motion make it retroactive?

Mr. GARNER. It does.

Mr. FORDNEY. The present provision does not.

Mr. GARNER. The present provision does make it retroactive.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman again yield?

Mr. GARNER. Yes.

Mr. MOORE of Pennsylvania. If the gentleman would go up into the State of Michigan and make an investigation, would it not be well also to go down into the State of Georgia and see whether the Senator from that State was honestly elected?

Mr. GARNER. It does not make any difference to me what State you go to.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. GARNER. Mr. Speaker, I ask for five minutes more.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Mr. GARNER. I want to see enacted a law, and I take advantage of the situation to get some law in this country where we can stop large contributions. I heard complaining a good friend of mine, a member of the conference, who said he did not want to do it because it would be unjust to the people who had contributed in the past. Now, when you find a man who has contributed large amounts for a campaign fund for a Congressman or a Senator you will find one or other of two things: Either he has more money than he has any use for or he is trying to buy something. [Applause.] I want to stop that. I do not care how much a man paid for last year's

contribution. There is not a man who contributed more than $500 for a campaign fund in 1918 for a Congressman or Senator but he either had more money than he could use or he was trying to influence or get into the good graces of that Congressman or that Senator. I am willing to make him pay this tax. I think he is able to do it:

Mr. KELLEY of Michigan. Mr. Speaker, will the gentleman yield?

Mr. GARNER. Yes.

Mr. KELLEY of Michigan. Does this provision cover contributions for primary expenses?

Mr. GARNER. I think it does. Let me ask the gentleman from North Carolina. Does this provision cover contributions for primary expenses?

Mr. KITCHIN. Yes.

Mr. GARNER. He says it does. I had not carefully examined the amendment.

What I wanted to do, gentlemen of the House, was to direct your attention to the parliamentary situation with reference to this particular amendment. If you vote for this motion of mine you are likely to get a law, or else you will put the Senate in a hole. If you vote for the amendment offered by the gentleman from Missouri [Mr. RUCKER] you will put the amendment in conference, and the House conferees will contend for it, and the Senate conferees will not yield, and therefore the House conferees will have to yield.

Now, I understand you have this strange state of affairs: The Senate putting on an amendment, and according to the statement of the chairman, the entire conferees on the part of the Senate wanting to yield on their own amendment; they do not want you to concur in it. If the Senate itself had taken that action we would have them on record in the Senate that they refused to stand by their own amendment. But the only way we can do it now is to vote for this motion to instruct the conferees to agree to the amendment, and then the Senate conferees will have to go back into the Senate and get a vote through the Senate instructing them to recede.

Mr. KREIDER. Mr. Speaker, will the gentleman yield?

Mr. GARNER. Yes.

Mr. KREIDER. There seems to be a lack of information as to the wording of the amendment. Can we have it read so that we can know what the gentleman is talking about?

Mr. GARNER. It is No. 222. I supposed everybody had read this amendment.

Mr. KREIDER. I was trying to get it from the Clerk, and it was stated that the amendments are not printed.

Mr. GARNER. The substance of it is that you are to pay 100 per cent on all political contributions for campaigns of Congressmen and Senators in excess of $500. If a man has contributed $1,000, he would have to cover $500 into the Treasury as taxes.

Mr. FOSTER. Not the candidate.

Mr. GARNER. The one who contributes the money. It is the person who contributes to a candidate's campaign, aside from the candidate himself.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. GARNER. Yes; I yield.

Mr. MANN. I understand if a candidate for an office contributes $500 to any political committee—even his own—he would be required to pay an additional $500 for taxes?

Mr. GARNER. That is true; but the money that has been expended in his own behalf is not included.

Mr. BANKHEAD. Mr. Speaker, will the gentleman yield?

Mr. GARNER. Yes.

Mr. BANKHEAD. The gentleman from Texas, in answer to the query of the gentleman from Georgia [Mr. CRISP], said that if you wanted to make the effect of this amendment retroactive all you had to do was to vote for your motion.

Mr. GARNER. It makes it retroactive so far as last year is concerned.

Mr. BANKHEAD. I have just read the proposed amendment, and I fail to find in it any provision to that effect.

Mr. GARNER. This bill is to apply to 1918, and therefore it would apply to that year.

Mr. GOODWIN of Arkansas. Mr. Speaker, will the gentleman yield?

Mr. GARNER. Yes.

Mr. GOODWIN of Arkansas. How about contributions made to campaign committees? What effect will the Senate amendment have as to contributions made to National and State committees and not made directly to the candidate?

Mr. GARNER. Anything over $500 in the way of a contribution made to a committee or a candidate would be taxed. It means that you are going to limit contributions in this country to legitimate purposes; that is to say, $500 or less to a campaign fund.

Mr. FESS. Will the gentleman yield?

Mr. GARNER. Yes.

Mr. FESS. I notice the gentleman said "not to include contributions made by the candidate himself." A good many candidates are in some places assessed a certain amount for each county. When that assessment is made, if the candidate pays it, is that included?

Mr. GARNER. I do not know, but I imagine that $500 would be about as much as most candidates would be assessed.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. KITCHIN. I yield to the gentleman from Pennsylvania [Mr. MOORE] five minutes, and, of course, if he wants more time I will let him have another five minutes.

The SPEAKER. The gentleman from Pennsylvania is recognized for five minutes.

Mr. MOORE of Pennsylvania. Mr. Speaker, the gentleman from North Carolina [Mr. KITCHIN] has made an accurate statement as to the situation that confronted the conferees. There was a division of sentiment, and a majority of the conferees were for wiping this provision out altogether. They regarded it as bad business, as a fool amendment—buncombe, as it were—upon a great revenue measure. It is one of the weaknesses of another body to inject into measures of this kind propositions that come up from various sections of the country, and this one seems to have come from one particular section of the country, where one particular Senator appears to have had trouble with another candidate. The gentleman from Texas [Mr. GARNER] has made a forceful speech with regard to the desirability of stopping corrupt practices. No Republican will disagree with him as to that. But the gentleman from Texas has cited an election up yonder in Michigan, where, he observes, it is reported that large sums of money were spent on behalf of the respective candidates. The gentleman might just as well have referred to the recent election in the State of Georgia, where, I am told upon reliable authority, more than $100,000, some of it raised from officials of the Government backed by the President of the United States, was spent to elect a Senator—a candidate who, if I am not misinformed, obtained compensation from the Federal Trade Commission, from which he resigned, while he was a candidate for office, and who now holds a very good job, paying him a very large sum, under the auspices of the Alien Property Custodian. These are things which the gentleman from Texas might have called up, because he may have more information upon them than I have.

Mr. CRISP. Will my friend yield to me?

Mr. MOORE of Pennsylvania. Yes.

Mr. CRISP. Without either admitting or denying that there were large contributions made to a campaign in Georgia in a race for the Senate, I think if that is true it is a splendid place to get some revenue. [Applause.] And as a Georgia Member I shall vote for this amendment. If contributions for this purpose were made in Georgia, the contributors should pay the tax, just as they should pay it in any other State. [Applause.]

Mr. MOORE of Pennsylvania. I should not expect the gentleman from Georgia [Mr. CRISP], whom we all esteem highly, to take any other position with regard to a nefarious practice within the confines of his own State, and I question whether the gentleman from Georgia would balk at an investigation that ought to be had into the charges that this campaign in Georgia, which involves letters from the President of the United States, affecting the price of cotton, and the standing of candidates, which involves Col. Ed. Brown, which involves certain gentlemen who have apparently grown enormously rich in recent months—I question whether the gentleman from Georgia would hesitate to investigate all these things, as perhaps they should be investigated by a senatorial committee, if a senatorial committee, controlled by the party in power, were as active in investigating corrupt practices in Georgia as it seems to be active in investigating charges in Michigan. [Applause.]

Now, the gentleman from Texas [Mr. GARNER] inveighs against corrupt practices, and yet he has been one of the active spirits of the party in power on this floor for the last six years. With what legislation to check corrupt practices enacted by his own party, which has had the power to enact such legislation, is the gentleman from Texas dissatisfied? We have had one corrupt-practice act after another brought in by the gentleman from Missouri, who took the high ground that the gentleman from Texas takes. Is he dissatisfied with that legislation? Does it not go far enough? Has he left loopholes for high officials of the Government to make large contributions for candidates in Georgia, or elsewhere, or to enable Presidents to write letters affecting cotton prices and drive out all candidates not approved

by him one or two days before the polls close? Or is the gentleman dissatisfied because it is now proposed to reach the primary elections, which are final in certain sections of the country, by a measure which happens to be injected into the Senate because some Senator has a quarrel with somebody in his State?

Mr. GARNER. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes; I yield to the gentleman from Texas.

Mr. GARNER. Would not the gentleman like to see the names of the officials who contribute to the Georgia campaign fund published?

Mr. MOORE of Pennsylvania. Certainly.

Mr. GARNER. Let us vote for this, then.

The SPEAKER. The time of the gentleman has expired.

Mr. KITCHIN. I yield to the gentleman from Pennsylvania five minutes additional.

Mr. MOORE of Pennsylvania. Of course, I should like to see these names published. I should like to see published the name of every contributor to this senatorial campaign in Georgia, which deprived of his election to the Senate one of the most popular young Democrats upon that side of the House. I should like to see emblazoned in large letters on the front page of every newspaper published from Augusta to the sea, or from Jacksonville to New York, the names of public officials and other large contributors who were so anxious to take care of the President's senatorial candidate in Georgia that they were willing to violate even Democratic honor in order that that election might be accomplished. But I want to say that I am not quarreling with the gentleman from Texas nor with any gentleman from Georgia. All these matters could be reached under existing law. The gentleman's party has been in power for all these years, and the gentleman from Missouri [Mr. RUCKER] who brought in this amendment, chairman of the Committee on Election of President and Vice President of the House of Representatives, has been before this body time and time again suggesting a remedy for these corrupt practices, and we have given him all the legislation he desires. Why does the gentleman now want to go to the country with his demagogic proposition introduced as a matter of personal interest in another body, and tie this great House of Representatives up to it on the greatest revenue bill ever passed in the history of man.

Mr. FOCHT. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I will yield to the gentleman.

Mr. FOCHT. I would like to know of the gentleman whether this interpretation of the bill as amended would apply in specific cases like this. In my district where the Democratic postmaster admitted that he has paid $300 for a post office at Cedar Grove, another man demanded $300. Remember that was out of a fund of $20,000 that was up against me. I hope it will not happen, because I do not think they could pay it.

Mr. MOORE of Pennsylvania. When I said the amendment was put in for personal reasons I did not refer to the gentleman's particular district. [Laughter.] But I do not see any reason why we should get excited over this proposition. If we are going to have it at all, this inquisitorial system, let us get down to rock bottom. The gentleman from North Carolina, finding himself beaten in conference, is endeavoring to keep faith with the House; he is obliged to come back to the House and keep his word and give the House an opportunity to vote.

Mr. BUTLER. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. BUTLER. In the gentleman's judgment, is this retroactive and how far back will it run?

Mr. MOORE of Pennsylvania. It will not be if the motion of the gentleman from Missouri is carried, because he proposes to insert the word "hereafter." It will be if my amendment is carried, because I propose that it shall go back to April 1, 1912, about the time the Wilson administration was promising to do great things for the working people of the country by uprooting the tariff system.

Mr. BUTLER. It will make a great many people cough hard. [Laughter.] If the motion of the gentleman from Texas [Mr. GARNER] shall prevail in this House, it would become a part of the law unless the Senate recedes it some way.

Mr. MOORE of Pennsylvania. If the motion of the gentleman from Texas prevails, we would be bound to stand by.

Mr. BUTLER. This provision, then, would go back one year.

Mr. MOORE of Pennsylvania. Yes; in that event it would go back one year, but that would not tax the large contributors when the war began, when we were shipping munitions to Mexico unlawfully and contributions were made that helped along in presidential campaign matters wonderfully well. It would not go back to 1912, when we were not passing out promises "like molasses with which to catch flies." It would not go back when large contributions were being made by people connected with large steel corporations, people who used to be charged with contributing money for Republican purposes, but who seem to have been won over by the administration.

Mr. FOCHT. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I will yield for one question.

Mr. FOCHT. Just one question. Would not the gentleman think it would be outrageous and a most unjust thing to have this retroactive because it would take from the postmasters who were appointed on the arrival of the Democratic administration, when there were 19 or 20 candidates and only 1 was appointed, and what about the other 19?

Mr. MOORE of Pennsylvania. Yes; and if the gentleman will wait——

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. KITCHIN. I yield to the gentleman one minute more.

Mr. MOORE of Pennsylvania. Now, I will not yield during that one minute. Of course this ought to cover circulars sent out in the last campaign to postmasters and Federal officeholders asking contributions because the funds were low—some of them sent out not in the name of Vance McCormick, chairman of the Democratic national committee, but by some one close to Vance McCormick. The inquiry should cover those circulars referring to campaign deficiencies, which gently intimated that if people had any faith in the power that appointed them or in such jobs as came to them through Agricultural appropriation bills, and the like, where appropriations were doubled to take care of new employees, they ought to "cough up." All these things should be uncovered and will be uncovered if my retroactive amendment passes. [Applause.]

Mr. KITCHIN. I yield five minutes to the gentleman from Michigan [Mr. FORDNEY].

Mr. FORDNEY. Mr. Speaker and gentlemen, I believe every man in this House is anxious to have some law placed upon our statute books to, if possible, purify elections and to prevent the unlawful spending of money to corrupt the people who are voters of the country in a general election. I will vote for such a law at any time, at any place, brought up in a proper manner. As before stated, this provision has no place in a revenue bill, because every man, if honest, will admit that if this provision is put into law this Government will never get one penny of tax unless we make it retroactive. There will be some way to get around the law in the future. I said a few minutes ago, and I repeat, that this bill goes back and taxes the people of the country, manufacturers and individuals, on their incomes for the year of 1918, and Congress claims to have had the right of even going further than that and taxing the people in order to get revenue in the United States Treasury, to help pay these great debts incurred by the war and still going on. I say it has no place in this bill. This provision does not make the law retroactive. Although it seems the intention of the provision was for that purpose, yet it does not do it. The gentleman from Texas [Mr. GARNER] a few minutes ago referred to the great expenditure of money in the State of Michigan. What he would have you to understand is that he meant in the senatorial campaign in the primaries last year. He regrets exceedingly that that straddling-the-fence politician, Ford, failed to receive the nomination on either side, ran on everything political, and succeeded in nothing. Now, I want to go further than that. I am willing to go back to the expenditure of money last year in the State of Michigan in the primary campaign, but, like my good friend from Pennsylvania who suggested an amendment, I want to go back as far as 1912 at least, and further if you want to do so. Oh, if you will only make it retroactive and catch the fellows who contributed more than $500 to past political campaigns for the past 6, 8, or 10 years, this bill will yield more than $6,000,000,000, my friends. We know of plenty of campaign contributions above $100,000 to the presidential campaigns in the past.

Mr. SMITH of Michigan. Will the gentleman yield?

Mr. FORDNEY. And, as the gentleman from Pennsylvania has said, no one would be guilty—let me finish this sentence—no one would be guilty of saying that the embargo that was raised by the administration permitting arms and ammunition to go into Mexico had anything to do with permitting the selling of guns and ammunition going into Mexico by any man or any set of men who contributed money for the campaign of 1912. Oh, dismiss it from your mind; but it happened, it happened. Now I yield to the gentleman from Michigan.

Mr. SMITH of Michigan. What reason was given before the committee for limiting it just to last year? Why did they stop just at last year?

Mr. FORDNEY. They did not want to catch anything back of the primaries in Michigan last year, as I understand it; no other excuse was given. In fact that alone was not given, but

I think we can see by the handwriting on the wall what the intent was. Now, one Senator said to me, a member of the Finance Committee, that when the amendment was offered on the floor of the Senate he did not oppose it for he did not think for a moment it would be adopted; had he thought so he would have taken the floor and most earnestly and strenuously opposed the passage or the adoption of that amendment, and he now wants to get away from it. The conferees of the Senate want to be excused or relieved from voting for that amendment remaining in the bill.

The SPEAKER. The time of the gentleman has expired.

Mr. KITCHIN. I yield the gentleman three minutes more.

Mr. FORDNEY. I want to say to the gentleman, and I frankly state, that a majority of all the conferees are in favor of striking this paragraph from the bill because in our opinion it has no place in this law. It makes the conferees, it makes the Congress ridiculous to pass a measure of that kind in a revenue measure intended, my friends, to collect money to support our boys upon the battle fields of Europe, to bring such political buncombe into it. It makes the Members of Congress in both Houses, in my opinion, most ridiculous. Present to this House a measure of this kind to limit contributions to campaign funds and put as heavy a tax upon it as you may place and I will vote for it at any time. I have been elected to this House 11 consecutive terms. I never had more than $100 given to me for any one of those 11 campaigns and never in my life put $300 in the total 11 campaigns I have taken part in, and therefore there is nothing personal in this for me. Gentlemen, my skirts are as free from fraud in a campaign, I believe, as any man on earth and I want to keep it so, but I say this measure is ridiculous to include in this law. I yield back the balance of my time. [Applause.]

Mr. KITCHIN. I yield five minutes to the gentleman from Georgia [Mr. CRISP]. [Applause.]

Mr. CRISP. Mr. Speaker and gentlemen of the House, I want to discuss with you the practical question, so far as the parliamentary situation is concerned. Personally, if I had my way, I would prefer not to have the amendment retroactive. I do not believe, however, that a man who is able to contribute $500 or more to some friend for political purposes will be hurt if he does have to pay a tax on the contribution.

Now, our excess-profits, income tax, and many other taxes of the revenue bill are retroactive. Therefore I do not think it is going to do such grave injustice if those who had enough money so that they could contribute $500 or more to some campaign will be hurt if they pay a tax. But now I want to discuss with you the parliamentary situation.

The Senate proposed an amendment providing that those who contributed over $500 should pay 100 per cent tax. Now, that amendment is before the conferees and is at issue between the two Houses. If the House instructs its conferees to concur in that amendment without any change whatever, when the House conferees go back to the Senate conferees and say, "We accept that amendment," then the jurisdiction of the conferees over that matter ceases. And that amendment goes in the conference report, and when the conference report is presented to the Houses they must accept it or reject it in toto. But say that now we instruct the House conferees to concur in the amendment with an amendment. Of course, the House conferees will endeavor to carry out the instructions of this House, for I do not believe there is a man in this House who was instructed but that would obey those instructions. But suppose that the House conferees go back and say, "We want to concur in this amendment with the amendment of the gentleman from Missouri, my friend, Mr. RUCKER, or the amendment of my friend from Pennsylvania [Mr. MOORE]," and the Senate conferees say, "We will not accept it." Then the Senate conferees can say, "We will not accept it, but we will recede," and they can bring in the conference report, leaving it out.

But take even the other horn of the dilemma, and say that they could not reach any agreement at all, then they can report a disagreement as to that amendment, and when it goes back to the Senate the Senate could recede from its position and the House be left high and dry. Now, that is the situation. Now, my friends, if the membership of this House desires legislation on this subject, the wise thing for them to do is to vote for the motion of the gentleman from Texas [Mr. GARNER] to concur straight. If a majority of the House does not want legislation, if a majority of the House want to fix it so the Senate or Senate conferees can recede without rejecting the conference report, then they had best vote to concur with some amendment, which then will leave it where the Senate conferees can either recede or report a disagreement and make it possible to eliminate the whole matter without rejecting the conference report. [Applause.]

Mr. KITCHIN. Mr. Speaker, I yield 10 minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, I hope the House is not going to do a silly and ridiculous thing, although I have sometimes seen the House do that.

I want to say at the outset that I have never been in the habit of receiving campaign contributions to any extent; I never have solicited any; I never have received any, even from the packers, notwithstanding the statement that was recently made. [Applause.] In the last campaign there were sent to the man who was looking after my interests two campaign contributions, one of $100 and one of $150, which I duly reported, in accordance with a not very good custom, and, after the election, returned to the contributors. So that I am not at all fearful that a restriction of $500 would ever affect any contribution which I might want or receive personally. But let us see what this Senate amendment is, and then what the situation is here in the House. The Senate amendment, which, to begin with, was probably hastily and somewhat loosely drawn, without fixing any time whatever, provides for a tax upon every campaign contribution of over $500, the tax to be equal to the excess over $500, whether it be in reference to a Member of Congress, a presidential elector, governor of a State, a sheriff, or any other State official who was elected at the same time as the Member of Congress.

Mr. HENRY T. RAINEY. May I call my colleague's attention to the fact that that would apply also to any proposition voted for at any of those elections, including the good-roads proposition in Illinois last fall?

Mr. MANN. I was going to say that it not only applies to candidates of a political party for office, but in those States which permit the submission of propositions to the voters of the States, where a committee is organized to urge the adoption of the proposition—as, for instance, in my State, a constitutional convention—the law applies to contributions made to those people. Now, let me say this, that there seems to be a general idea here that this Senate amendment applies to last year, the election of 1918, because this bill is designed to enact taxes for 1918. This is not a bill for the collection of 1918 taxes. Gentlemen are in error in thinking that. This is a general revenue bill. It provides in that bill in various places that for the year 1918 the taxes shall be so-and-so, but otherwise it is a general revenue bill, and there is no provision specifically that this shall apply to the campaign of 1918. On the other hand, there is no limitation that it may not apply to the campaign of 1916, 1914, and as far back as we can go under the power we have to raise this revenue. The amendment provides, and to that extent it seems to contemplate the collection of taxes for past contributions, that all of these committees and individuals, and everybody else covered by the amendment, shall make a return within 30 days after the passage of this act. Now, the purpose of making the return within 30 days after the passage of this act can only be for the purpose of collecting revenue, because that return has to be filed with the collector of revenue. Now, how far it goes back can not be ascertained except by construction.

It applies to the treasurers or chairmen of all State or congressional committees and of all political committees as defined in the act of Congress approved June 25, 1910, and in my judgment it would require every one of these committees since the act of 1910 became a law to file within 30 days after the passage of this act a full statement of all receipts of those committees. And while that would not be physically possible it would be possible to impose a penalty upon live people, not upon the dead ones, who were occupying these various positions.

There can be no purpose in the amendment requiring these returns to be filed with the collectors of internal revenue within 30 days from the passage of this law unless it applies to somebody; and if it applies to 1918, by equal token of the bill it applies to 1916, 1914, and 1912. That shows how utterly ridiculous the proposition is as it stands.

Now, I have no special fear that the very wealthy men who may have contributed would not be able to pay the tax. Of course the amendment provides that "any person, firm, or corporation contributing," and so forth. The law heretofore forbids a corporation to make a contribution. Whether this amendment, by putting in the term "corporation," will permit corporations to make contributions in the future, I do not undertake to say; but very likely. But here, how about this proposition: This amendment requires a candidate for office himself, if he be a Member of Congress and a candidate for Congress and contributes to a regular campaign committee of his party more than $500, to pay a tax equal to the excess over $500. Now, in some States, in some localities—in Chicago, for instance, and maybe I am interested to that extent—it is the

custom for candidates for Congress, there being 10 districts in our city, to be asked for contributions to the central campaign committee. I have at times in the past, at the request of the committee, contributed $1,000. I think the request last fall was for $750. Now, is it proposed—and gentlemen must vote for the fairness of a proposition—that a man who was a candidate for Congress or some other position—because these contributions were not confined to candidates for Congress—having contributed out of his own means for his election, through the regular political committee channels, in the most perfect way that you can make a campaign contribution, with no effort to spend money personally, soliciting voters personally, shall be penalized now by a tax on his past contribution, against which he could not guard himself, while other Members of this House and elsewhere who spend their own money out of their own hands—I would not say as to Members of this House corruptly, though possibly in some cases outside of the Members of the House it might be corruptly—shall escape paying any tax.

How utterly ridiculous the proposition is! What justification can there be for it? Shall we propose in this bill to tax the profits, the excess profits, for 1918? We propose to increase the personal revenue taxes of individuals for 1918.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent that my colleague may proceed for five minutes more.

Mr. KITCHIN. I yield five minutes to the gentleman.

The SPEAKER. The gentleman from North Carolina has only six minutes remaining.

Mr. MANN. We will extend the gentleman's time.

Mr. BUTLER. Mr. Speaker, will the gentleman yield to me for a question before he resumes?

Mr. MANN. Yes.

Mr. BUTLER. We are permitted to spend so much in accordance to the provisions of an act of Congress that was considered fair and honest. Yet if we do spend that money, if I understand the gentleman's statement correctly, we would have to pay it over again?

Mr. MANN. If you paid it to a campaign committee you would have to pay it over again; yes.

Now, it is considered fair, though it is questioned by many people, that we may increase the tax for 1918, because we have had that under consideration, lo! these many months. Early in the year Congress commenced on this legislation, and perhaps people would have to take judicial notice that the taxes which were to be levied against them were to be increased because of war conditions. There can be other justification in any event for going back into the past and collecting taxes about which people could not know in advance. But here is a proposition passed by the Senate after the last election, after people had made their contributions and received their contributions, both for primaries and national-election purposes, that proposes by the strong arm to say to men who were generous enough to contribute, perhaps through friendship, perhaps through belief in the principles of a party, "We will take you by the arm and require you to pay over again." A thief would not be so mean. [Applause.]

And yet it is proposed under the dignity of Congress that they play the strong-arm act upon these people. I have known young men, candidates for office without money, who had some strong personal friends who were willing to put up more than $500 to help them, when other men with wealth could contribute all they pleased out of their own pockets. Under this bill a candidate for governor in my State with wealth may pay $100,000 himself, not to a political committee, and it will cost him nothing. But the poor man who wants to be a candidate for governor and has some friend who is willing to contribute $500 or $1,000 to his campaign expenses must double the amount. It is purely in the interest of the rich campaigner instead of the poor.

I am not in favor of corruption in elections. The power of Congress is plenary for the control of both primary and general elections. We can say that nobody shall contribute anything for campaign expenses. We do not need to resort to a tax for that purpose. We have the power to limit the expenses and the contributions. And yet it is proposed, and seriously proposed, to go back—nobody knows how far back—and say to men who in the open had contributed money which they believed was to be usefully used, "We will rob you now of the amount that you were generous enough to contribute." [Applause.]

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent to have my time extended half an hour. There are several gentlemen who desire to speak upon this.

The SPEAKER. The gentleman asks to have the time for debate on the Garner motion extended 30 minutes. Is there objection?

Mr. LEVER. Reserving the right to object, I hope the chairman of the Ways and Means Committee, who is the floor leader of the majority, will urge upon Members of the House that they stay with the Committee on Agriculture until we finish the Agricultural appropriation bill to-night.

Mr. MANN. Oh, well, we are not going to agree to that.

Mr. HEFLIN. It must be done.

The SPEAKER. The gentleman was not asking anybody to agree except the gentleman from North Carolina.

Mr. MANN. Well, he is notifying the House; and while he is doing that I am notifying the House that if he wants to stay late to finish the bill to-night he will have to keep a quorum here.

Mr. LEVER. Then I think a quorum will have to stay here.

The SPEAKER. The House has notice from both sides. The gentleman from North Carolina asks unanimous consent that the time be extended 30 minutes. Is there objection?

Mr. LONGWORTH. Reserving the right to object, will the gentleman yield?

Mr. GARNER. Will the gentleman yield? I do not object to a longer time for debate on this motion, but it seems to me that the opposition ought to have some time. The time ought not to be entirely under the control of the gentleman from North Carolina.

The SPEAKER. The immemorial rule of the House is——

Mr. MANN. The opposition has had all the time so far, except the one speech that I made.

Mr. LONGWORTH. I should like to ask the gentleman from North Carolina a question. I should like to know how the gentleman is going to vote on these various propositions. I have voted with him frequently on revenue propositions——

Mr. KITCHIN. The gentleman wants to know how I am going to vote?

Mr. LONGWORTH. Yes.

Mr. KITCHIN. Will the gentleman consent then to the extension?

Mr. LONGWORTH. Yes.

Mr. KITCHIN. I am going to vote against the Garner resolution because it is retroactive. It takes the fellow who gave his money to political committees or organizations when there was no law against it, when he had a right to do it, and taxes him 100 per cent on all in excess of $500, and I will not vote for any law to go back and punish a man for doing what the law permitted him to do. I shall vote for the Rucker proposition, that just simply puts in the word "hereafter" after the word "shall," and let the Senate amendment stay like it is. The only difference between the Garner amendment and the Rucker amendment is that the Garner amendment taxes the man who contributed in the last campaign, when there was no law against it—taxes his gift—while the Rucker amendment provides exactly the same as the Garner amendment, except to make it apply hereafter.

Mr. GARNER. Of course this time is coming out of the time of the gentleman from North Carolina.

The SPEAKER. The gentleman from Ohio [Mr. LONGWORTH] reserved the right to object to this, and all this debate is out of order.

Mr. GARNER. The gentleman has made his speech to the gentleman from Ohio. The gentleman from Ohio knew how he was going to vote, but he wanted the gentleman to make his speech to the House. Now, let me ask the gentleman from North Carolina a question.

Mr. MANN. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Has the extension of time been granted?

The SPEAKER. It has not, and all this conversation is out of order.

Mr. FOCHT. I ask unanimous consent to address the House for five minutes.

The SPEAKER. There is already a request pending to extend the time 30 minutes. Is there objection?

There was no objection.

Mr. GARNER. I ask that the gentleman from North Carolina occupy two minutes of his own time for the purpose of answering a question.

Mr. KITCHIN. I yield to the gentleman.

Mr. GARNER. The gentleman from Ohio [Mr. LONGWORTH] knew how the gentleman from North Carolina was going to vote, but, of course, that was an opportunity for the gentleman from North Carolina to make his speech. I do not object to that, but I want to ask the gentleman now, if the Rucker

amendment is adopted by this House, does the gentleman from North Carolina believe that there will be any provision touching campaign contributions in the bill when it becomes a law?

Mr. KITCHIN. I doubt exceedingly if it will become a law. I doubt exceedingly, if the gentleman's amendment carries, whether it will become a law, because I believe the Senate will recede in any event, and therefore, believing that, I can not permit myself to go on record for the sake of shouting political morals for a proposition that in my judgment is really a moral wrong, and that is the reason I am going to support the amendment of the gentleman from Missouri [Mr. RUCKER].

Mr. GARNER. Will the gentleman yield for another question?

Mr. KITCHIN. I will.

Mr. GARNER. If the motion that I have made is agreed to by the House, will it not be necessary then for the Senate, in order to recede, to go back and recede formally and put the Senate on record?

Mr KITCHIN. While there is some doubt about it, I believe that is exactly what they will have to do.

Mr. GARNER. Then the gentleman's proposition is to adopt the Rucker amendment, when it is a certainty that it can not possibly become a law and the Senate will not go on record; but if you adopt my proposition you will either have it a law or the Senate will have to back up on its own proposition.

Mr. KITCHIN. The Senate will go on record in both events. It is bound to do so.

Mr. CANNON. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. CANNON. The gentleman from Texas now wants his way about it, so that the Senate can back out. The gentleman from North Carolina wants his way about it, to make it hereafter, so that the Senate will back out. Now, if I am right about that, the only difference between the two gentlemen is that the gentleman from North Carolina makes a bluff and the gentleman from Texas—and he will understand what it means—raises the bluff. [Laughter.]

Mr. GARNER. The gentleman from Illinois is an expert on parliamentary law as well as a good many other things, but he is wrong in reference to this proposition. [Laughter.] If the House will adopt the motion I have made, I honestly believe that this will be a part of this bill when the bill becomes a law, because the Senate has not the courage to back out. They played the demagogue, as some have suggested, and when it goes back and it is called to their attention that it is to purify the ballot there is not enough Senators in that body to withdraw it from the consideration of the conferees. This is not raising a bluff; it is calling a bluff. [Laughter.]

The SPEAKER. The Chair will admonish gentlemen that they must not refer to the Senate.

Mr. KITCHIN. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. HENRY T. RAINEY].

Mr. HENRY T. RAINEY. Mr. Speaker, I ask the careful attention of the House without interruption while I attempt to explain what this Senate amendment and the various suggestions connected with it mean. The time may have come, and I believe it has come, when we ought to have a satisfactory corrupt practice act in the United States. But this clause in this bill is not that kind of an act. I expect to vote against every one of these propositions which will be submitted soon to this House. There are the best of reasons for it.

Now, I want to address particularly this side of the House. We are about to yield the control of this body to the Republicans. We ought not in the closing weeks of our control to add to our splendid record of legislative achievement a proposition so silly, so absolutely absurd. Let me tell you what you are voting for. If you vote for this proposition or any of these amendments any firm, person, or corporation who contributes or expends more than $500 toward the success or defeat of any proposition submitted at any election when presidential electors are to be elected, or Members of Congress or Senators, whether it is a primary election or general election, is fined the amount of the excess over $500 and compelled to pay that amount into the Treasury of the United States.

Let me call attention to the conditions in my own State of Illinois, and everyone of you have similar conditions in your own State. In the election of last fall we had pending a proposition providing for a constitutional convention. That was a proposition submitted at a time when there were elected Members of Congress. It was promoted by an organization of lawyers and of citizens who accepted contributions from civic organizations throughout the State and who carried on an extensive campaign. I have no doubt that in some weeks toward the close of the campaign as much as $500 per week was contributed and expended, and the last two or three weeks more than that. If you vote for this proposition, then those contributors are fined—and God knows we need a new constitution bad enough—are fined the amount they contributed above $500.

Are you going to vote for a proposition as absurd as that? The organization which promoted this campaign will be compelled to pay into the Treasury of the United States the entire amount they expended during that campaign over $500.

I wonder how much money the Anti-Saloon League and similar organizations have paid out in recent years to promote the principles they stand for and to influence the result of elections. Every one of those moral organizations, without any exception, expended more than $500 last year, and yet when you vote for any one of these propositions, except the Rucker proposition, you are voting to fine every one of those organizations the amount they expended for these purposes in recent campaigns, less $500; and the Rucker proposition will put them all out of business in the future.

That is not all. Your committees have assessed you in your own State and you paid the assessment. I undertake to say that few committees have assessed Members of Congress less than $500. That money you did not pay for your own election alone; it was expended by your committees, and the entire amount went into the respective counties of your congressional district and your entire ticket got the benefit of it. You are therefore voting to compel yourself to pay into the Treasury the amount of that contribution, less $500. Are you willing to do that?

The SPEAKER. The time of the gentleman has expired.

Mr. KITCHIN. I yield to the gentleman more time.

Mr. HENRY T. RAINEY. It happens frequently that Members of Congress and other speakers participating in a national campaign contribute their expenses. They travel from one end of the country to the other, and they submit their expenses as a part of their campaign contribution and say, This is my contribution to the national campaign fund. How many of you have done that? Many; and few have escaped contributing less than $500. If you vote for any of these propositions, except the Rucker proposition, you vote to fine yourself the amount of the excess of your railroad fares and other expenses in these campaigns over $500.

In some of the States contributions are made compulsory in primary elections. When you submit your name for the purpose of having it printed on a ballot you are compelled by the laws of the State to pay so much money. I am not familiar with laws of that character, and I do not know whether the amount required in any State is over $500, but if it is then you are fined the excess over $500, and are compelled to pay it into the Treasury of the United States. Every man in this House who is called upon to vote for this retroactive proposition, and everyone except the Rucker amendment is retroactive, votes to accomplish the results I am describing. You have invited contributions to your national committees from your friends and from others, and persons representing you have done it, and your friends and others have contributed, and they have contributed because you wanted them to contribute to national committees, and you propose now to go back and fine your friends the amount of their contributions above $500. Mr. Speaker, I am going to vote against all of these amendments, including the Rucker amendment. The Rucker amendment makes these things possible in the future, and that, from my standpoint, is just as bad as making it also retroactive. This is not the kind of a corrupt-practices act we want.

We have at the present time in the United States 17,000 more millionaires than we had when the war broke out in Europe, and this situation demands attention in this connection.

The war has been brought to a victorious close, and our participation in it has not developed in our armies any large number of prominent officers of high rank. After the Civil War from the North and the South there came to both branches of the National Congress military officers of high rank who during that long four years' struggle had rendered most excellent service and had acquired in a military way most prominent positions. It is hardly likely that any large number of military officers of high rank in the American armies will come to this body as the result of reputations made in France. But there is another class developed by the war who will be largely represented here if such propositions as these are written into the law of the land. You do not reach by this amendment, so strenuously insisted upon, the corruption you want to reach. Write into the law this proposition and you destroy political committees, both National and State. A rich man can carry on his own campaign, expend his own money, and can not be reached by anything in the existing law or this proposed amendment. It costs $100,000 to cover my own State of Illinois with a 3-cent letter in a political campaign, and there is nothing

in the law which requires the rich man who is able to send out a communication of this kind to even account for it. A rich man can travel over any State in this Union in a political campaign with secretaries and assistants and publicity men, and we have no laws that would compel him even to account for expenditures of this kind. A rich man at the head of a ticket in any State can establish headquarters and conduct a campaign, such a campaign as may carry his entire ticket through, and expend any amount of money on his correspondence and his alleged personal expenses—a most elastic term—without even accounting for it. This amendment, whether it is retroactive or not, is in the interest of men of great wealth. It makes it impossible for a poor man to make any kind of a campaign against them without the assistance of his committee, and there will be no National or State committees if this is written in the law.

While the war has not developed for us any large number of great generals, it has developed for us 17,000 millionaires. A careful examination of our income-tax statistics—and I have made that kind of an examination—will show that we had 7,400 millionaires in this country in 1914. In 1915 we had at least 10,600 millionaires. In 1916 we had at least 17,000 millionaires. Statistics are not available in this particular for 1917 and 1918. The chances are that the increase in the number of millionaires did not continue at the same ratio on account of the taxes imposed after our entrance into the war, but it is a perfectly conservative estimate to say that we have at the present time in the United States 24,000 millionaires, of which number 17,000 are war millionaires coming into existence as the result of the war since the commencement of the war in Europe in 1914, and of course the number of near millionaires has also largely increased.

You are, therefore, making it possible when you write into the law such amendments as this for this class of war heroes to force their way into the National Congress and into prominent positions in the various States. Do you want to vote for a proposition which may bring about such a result as this?

This proposition, whether retroactive or not, will make it impossible for the Anti-Saloon League to continue in existence if it should be enacted into law in its present form. If it had been written into the law some years ago, it would have defeated the prohibition amendment which has been ratified by the requisite number of States. If this proposition is written into the law, it will put out of business the organizations for the promotion of the equal-suffrage amendment to the Constitution of the United States, for the reason that it will impose a penalty of 100 per cent on the excess over $500 of any amount which any person, firm, or corporation shall give, subscribe, expend, or contribute in the aggregate during any taxable year "for the success or defeat of any proposition to be voted upon at any primary election, general or special election at which candidates for Member of the House of Representatives or United States Senators or electors are to be nominated or elected."

We need and ought to have a corrupt-practices act. It ought to be carefully thought out and prepared, so as to meet the conditions which ought to be corrected at the present time. This amendment, whether retroactive or not, will accomplish the very things this House and the country do not want accomplished. I expect to vote against this motion and against all the amendments to it which have so far been proposed, but I will be glad to cooperate to the very extent of my ability in the accomplishment of legislation which will properly meet conditions presented to us in our elections at the present time.

Mr. KITCHIN. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. FOSTER].

Mr. FOSTER. Mr. Speaker, since my service in this House there have been enacted a corrupt-practices act and some amendments to the corrupt-practices act, but up to the present time none of them seems to reach the men who ought to be reached. This motion which we are now called upon to vote on does not go far enough, but there is one thing which we ought to do. Every time it is proposed in this House to vote to improve the corrupt-practices act, to make elections in this country purer than they have been in the past, we ought to vote for it. That is what the proposition is in this case. I do not know how many men in the last campaign, in 1918, contributed to the two great political parties. But, as said by the gentleman from Georgia, these men who have contributed large sums of money to campaign funds will not be ruined if this amendment should become a law and they are assessed and have to pay the taxes provided under this bill. I am free to say I would rather not go back beyond this year, but would rather make it effective from now on; but the difficulty is now that when we take this amendment and put another amendment on it, then the other body will have an excuse to not agree to it. Therefore, in order to cinch this matter now, if it is possible to do it, and I do not know whether that will or not, we ought to vote to accept it with one year. That is the only reason I shall vote for it as it is now written. If we can not do that, then I shall gladly vote for the Rucker amendment. I can say that I would rather have the Rucker amendment now than I would have the straight proposition of concurring in this, if it may come nearer getting such an amendment and stop the use of money in elections throughout the country in every election district.

Mr. HEFLIN. Mr. Speaker, will the gentleman yield?

Mr. FOSTER. Yes.

Mr. HEFLIN. Does not the gentleman think we would be justified in going back to the year 1918, because these men who spent these large sums of money for the election will not take office until the 4th of March of this year? I think that is another reason why we are justified in this vote.

Mr. FOSTER. I doubt that is a good reason or whether we should make this retroactive at all, but I shall vote for the motion only on account of this parliamentary situation we find ourselves in at this time. I shall gladly vote for the amendment the gentleman from Missouri [Mr. RUCKER] has offered, and strike out the last year and make it hereafter, so it will apply to campaign contributions in the future. We have heard a good deal of talk and have seen much printed in the newspapers throughout the country in respect to excessive expenditures in the campaigns in the different States. I do not know that any State is entirely free at times. They do not all get the prominence in every campaign that some of them have had lately. Some men seem to rely upon their money to carry them into office and that is what we want to stop. It has been said here that 17,000 millionaires have been created by this war, so there are 17,000 more reasons why we ought to pass this legislation than there have been in the past. Let us vote for it and put it in if it is possible to do it at this time. Let us do our part so that we will show our willingness to get some legislation along this line. [Applause.]

Mr. KITCHIN. Mr. Speaker, I yield five minutes to the gentleman from Virginia [Mr. SAUNDERS].

Mr. SAUNDERS of Virginia. Mr. Speaker: We ought to be honest with ourselves, and honest with the country when we deal with the proposition now pending. What is it that it is solemnly proposed that we shall do? Should we concur in the Senate amendment, then we say that every man who, in 1918 at a time when his action was lawful, at a time when contributions were permitted, and public sentiment did not frown upon them, made a contribution in excess of $500 shall now to the extent of that excess, be compelled to pay the same into the Treasury as a so-called tax. This payment will not be a tax, it will be a fine for doing a lawful act. While it is not technically the same, this amendment has all the objectionable elements of a bill of attainder, or an ex post facto law. It proposes to stamp innocent people with the brand of wrongdoing, to penalize them for doing that which under the law of the time of the act, was lawful and proper. I am not interested in this matter of bluffs, and calling bluffs, referred to by some of my friends. They are using technical terms with which I am not familiar. But I am interested in taking up this proposition, and dealing with it in such a way as to make of it an effective law for the future, a law that will be useful and wholesome in respect to the public morals of the country. The gentleman from Missouri [Mr. RUCKER] said, and well said, and we all agree to his statement in our hearts, that debauching influence of great expenditures of money in connection with popular elections, ought to be eliminated both by the force of public opinion, and positive statute. How can we deal with this situation and a just and fair law? The answer is easy. Defeat the Garner motion, and adopt the Rucker resolution. This amendment was undoubtedly intended by the Senate to be prospective in its effects, to deal with the future.

Read this amendment and it will be apparent that as drawn, it was not expected or intended to apply to the election of 1918. But by virtue of certain phraseology used in the bill, which says that the taxable year referred to, shall be the year stated I think on page 4 of the act to be the calendar year 1918, the question is raised whether this amendment might not apply to a situation to which it was not intended that it should apply, viz., to the election in the year 1918. If under any circumstances, the Senate amendment could be construed to apply to the year 1918 it should be amended to remove that possibility. Hence the propriety of adopting the Rucker resolution which proposes to add to the Senate amendment the word "hereafter."

I do not agree with the construction placed upon this amendment by the gentleman from Illinois [Mr. MANN]. It seems to me that upon the most casual inspection of the language of the amendment it will be apparent that the effort to make it applicable not only to the year 1918, but to 1917, 1916, 1915,

or as far back as you choose to go, it is an utterly strained construction of the language used, in contravention, and in violation of the ordinary principles of legal interpretation. This amendment may apply to the year 1918 for the reason that it provides that the reports contemplated shall be filed within 30 days after this amendment becomes law, and then within 30 days after any election occurring thereafter. This language shows that these reports shall be filed with reference to some one specific election. Hence it is a fair interpretation of the amendment that when it says a report shall be filed within 30 days after the passage of this act, having in mind that the other reports are to follow some one election thereafter, this first report was intended to apply to the election of 1918 and to no other. Now, Mr. Speaker, what is it that the motion of the gentleman from Missouri proposes to do? Why, simply to say that in the future, a tax of 100 per cent shall be imposed upon contributions in excess of $500. This would put all persons contemplating political contributions upon notice. The Senate amendment was not intended to ascertain who made political contributions in 1918. If that information is desired, look to the reports filed under the Federal and State laws. These reports will tell you who contributed in New York, Pennsylvania, Georgia or in any other State in the Union. We ought to do what is fair, decent, and honest in this connection. If an opportunity is afforded by appropriate action to make some helpful improvement in the political conditions of this country, let us avail ourselves of it, and pass a wholesome act that will apply, as all acts of this character should, apply, to the future, and to the future only. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. KITCHIN. Mr. Speaker, I yield three minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Speaker, this bill is not before the House, but is in conference. The gentleman from North Carolina [Mr. KITCHIN], I am informed, by unanimous consent asks that the House conferees be instructed as to the Senate amendment. First, whether the conferees should agree to the Senate amendment. If the vote of the House should be in the negative, then the House should vote on the amendment offered by the gentleman from Missouri whether the Senate amendment should be retroactive. Am I correct in that?

Mr. KITCHIN. I think the gentleman is correct.

Mr. CANNON. Yes. Now, I am not going to vote, as far as I am concerned; I do not think I shall unless I may be suddenly converted, and I do not think I will be. [Laughter.] I am not going to vote to concur in the Senate amendment. I am not going to vote for the instruction.

Mr. Speaker, this Senate amendment was conceived in petty, little politics. I believe in honest elections, but when you take a great revenue bill to close up this war or carry it on, a bill that has taken months and months to consider, and then to have some Member of Congress for some reason or other to hang on it in the name of reform this proposition, why that is little, peanut politics.

Mr. HULL of Tennessee. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, with the permission of the gentleman from North Carolina, on this subject.

Mr. HENRY T. RAINEY. Mr. Speaker, I make the same request.

Mr. RUCKER. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection to these requests? [After a pause.] The Chair hears none.

Mr. KITCHIN. Mr. Speaker and gentlemen of the House, in the first place, let us understand the exact issue before us. The gentleman from Texas [Mr. GARNER] moves that the House concur in the Senate amendment providing for a tax on political contributions, which tax, according to the amendment, is retroactive and applies to contributions in the elections or primaries in 1918.

Mr. GARNER. To instruct the conferees to agree to it.

Mr. KITCHIN. It is the same thing. The gentleman from Missouri [Mr. RUCKER] moves that the House instruct its conferees to agree to the Senate amendment with an amendment making the tax on political contributions apply only to such contributions hereafter made in future elections, in future campaigns, and not to such contributions made in past elections and campaigns. Now, what is the object, gentlemen, of any legislation with respect to money contributed for or spent in elections or primaries? It is to prevent corruption and debauchery of elections and primaries. That is the only object that any patriotic man can have, is it not? How in the name of common sense can you prevent debauchery or corruption in an election or primary by putting a tax on persons who contributed in an election or primary that was held months before such a tax was ever suggested? Why, the whole object is to prevent it in the future. What does the Garner motion do? It asks the House to concur, to instruct its conferees to concur, without a change, with the Senate amendment that not only levies a tax on future contributions to campaigns, but 100 per cent of any amount in excess of $500 that was contributed by anyone for political purposes to any person, to any party, to any association, or to any organization during the year 1918, though there was no tax on and no law, statutory or moral, against such a contribution.

Now, let us take a case, we Democrats and Republicans. Suppose, fellow Democrats—even you who advocate the penalizing, retroactive tax—before you heard this cry of "political godliness," to which the gentleman from Illinois [Mr. CANNON] has just referred, you had learned that Bill Jones had given to SCOTT FERRIS, chairman of the Democratic congressional committee, $10,000 in the last campaign to help elect a Democratic House and a Democratic Senate, would not every one of us Democrats, including the gentleman from Texas himself, have thought more of Bill Jones and thought him a better and a more patriotic man than he was before he contributed the $10,000? Would not every Democrat here have thought such a contribution was proper and wise? Would not all of us have defended him?

Mr. GARNER. Will the gentleman yield? We would have known that Bill Jones had an object in giving the $10,000, and that he had gotten certain things, and that it was not legitimate money. They do not make $10,000 contributions unless they have some purpose in doing it.

Mr. KITCHIN. Let us examine our own minds and consciences about this thing. You have to answer this to yourselves, and not to me, or to the House, or to the country. Would not you have thought Bill Jones was a mighty fine fellow and that he had a right, a perfect right under the laws of this country—a perfect right, moral as well as legal—to make such a contribution? And he did have such right, if he felt that a Democratic House and Senate could serve this country better than a Republican House and Senate could. Answer this to yourselves, my fellow Democrats. Would any one of you have condemned and denounced such a contribution? Would you have not defended it? Why now try to punish, penalize with a heavy 100 per cent retroactive tax, Bill Jones for making the contribution?

Mr. DECKER. Will the gentleman yield?

Mr. KITCHIN. Please do not interrupt me. I have but three or four minutes.

My Republican friends, suppose you had learned before this "godliness" had struck the House, before the Senate had put this amendment on, that Tom Smith, a good Republican, had given $10,000 to Dr. FESS, chairman of the Republican congressional committee, to help elect a Republican House and a Republican Senate, because he felt that a Republican House and Senate could serve the country better than a Democratic House and Senate, do you not know that every Republican in this House would have thought more of him and regarded him as a better and more patriotic man than you had before? Would not every one of you have defended such a contribution as wise and proper? Not one of you would have condemned it. Why now attempt by concurring in the Senate amendment to punish by a 100 per cent tax Tom Smith for making such a contribution? The passage of the Garner motion would put us Democrats and SCOTT FERRIS in the position, after soliciting and accepting from Bill Jones his $10,000 to help elect a Democratic House and a Democratic Senate, of coming back in this House immediately after the election and saying to him, "Although we asked you for the $10,000 to help to elect a Democratic House and Senate for the good of the country and you gave it, we are now going to pass a retroactive law and punish you and penalize you in the sum of $9,500 by a tax to the Government, because you complied with our request." [Applause.] And the same observation will apply to the Republicans with respect to Republican Tom Smith, who contributed $10,000 to their campaign in 1918.

Mr. GARNER. Will the gentleman yield?

Mr. KITCHIN. I can not yield.

Mr. GARNER. Are you in favor of the Rucker amendment?

Mr. KITCHIN. I am.

Mr. GARNER. Then you want to say that in the future he shall not have this moral and legal right?

Mr. KITCHIN. Yes; I am willing to curtail that right in the future, but not to punish him for exercising his rights within the law in the past. I am against political corruption; I am against money being wrongfully spent in elections. I try to do the moral thing not only in politics but in all things. [Applause.] But I would not do an immoral or a dishonest or an unfair thing in order to accomplish what some people may think was an honest and right thing. I would not vote now to punish men for making contributions in 1918 or in the past when there

was no tax on and no law against such contributions. It would not be right or the square, fair thing.

We can talk about purity in elections, we can denounce corruption in elections, and we can indulge in glittering generalities about corruption and debauchery and honesty and purity in elections as much as we please, but, gentlemen, it just is not right to go and penalize by any kind of a law a man for doing that which in law and morals he had a right at the time to do. [Applause.] And, therefore, I am not going to support the Garner motion but will support the Rucker motion. [Applause.]

The SPEAKER. The question is on the motion of the gentleman from Texas.

Mr. KITCHIN. Mr. Speaker, I move the previous question.

Mr. DOWELL. Will the gentleman from North Carolina yield to a question?

The SPEAKER. All time has expired. The question is on the Garner motion.

Mr. FESS. A parliamentary inquiry. Mr. Speaker——

The SPEAKER. The gentleman will state it.

Mr. FESS. If the Garner motion is not agreed to and the Rucker amendment is not agreed to, what will be the status?

The SPEAKER. It will be exactly where it was when we started in here two hours ago.

Mr. MANN. Mr. Speaker, the question is on the previous question. The gentleman from North Carolina [Mr. KITCHIN] moved the previous question.

The SPEAKER. The Chair did not hear it.

The question is on ordering the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the Garner motion to instruct the conferees to concur in Senate amendment 222.

Mr. GARNER. Mr. Speaker, upon that I ask for the yeas and nays.

The SPEAKER. The gentleman from Texas asks for the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The Clerk will call the roll. Those in favor of the Garner motion will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 61, nays 242, answered "present" 4, not voting 122, as follows:

YEAS—61.

Alexander	Evans	Lobeck	Snook
Almon	Foster	London	Steagall
Aswell	Garner	Lundeen	Stephens, Miss.
Blanton	Garrett, Tex.	McClintic	Stevenson
Buchanan	Goodwin, Ark.	McLemore	Taylor, Colo.
Byrnes, S. C.	Gregg	Mansfield	Thompson
Byrns, Tenn.	Hastings	Oldfield	Tillman
Candler, Miss.	Heflin	Quin	Towner
Connally, Tex.	Hensley	Rainey, J. W.	Weaver
Crisp	Hilliard	Rayburn	Whaley
Dicklnson	Hollingsworth	Robinson	Wilson, La.
Dies	Huddleston	Romjue	Wingo
Dillon	Humphreys	Rubey	Young, Tex.
Dominick	Jacoway	Sanders, La.	
Dowell	Jones	Sisson	
Eagle	King	Slayden	

NAYS—242.

Anderson	Collier	Frear	Ireland
Ashbrook	Connelly, Kans.	Freeman	James
Austin	Crago	French	Johnson, Wash.
Ayres	Cramton	Fuller, Mass.	Juul
Bacharach	Currie, Mich.	Gallagher	Keating
Barkhead	Curry, Cal.	Gallivan	Kelley, Mich.
Barkley	Dale	Gandy	Kelly, Pa.
Barnhart	Dallinger	Gard	Kennedy, Iowa
Benkes	Darrow	Garrett, Tenn.	Kennedy, R. I.
Bell	Davis	Gillett	Kettner
Benson	Decker	Glynn	Key, Ohio
Beshlin	Dempsey	Good	Kincheloe
Birch	Denison	Graham, Ill.	Kinkaid
Black	Denton	Gray, Ala.	Kitchin
Blackmon	Dill	Green, Iowa	Knutson
Bland, Va.	Dixon	Greene, Mass.	Kraus
Bowers	Doolittle	Greene, Vt.	Kreider
Brand	Doremus	Griffin	La Follette
Browning	Dunn	Hadley	Lampert
Burnett	Dupré	Hamilton, Mich.	Larsen
Burroughs	Dyer	Hamlin	Lea, Cal.
Butler	Eagan	Hardy	Lee, Ga.
Campbell, Kans.	Edmonds	Harrison, Va.	Lesher
Campbell, Pa.	Elliott	Haskell	Lever
Cannon	Ellsworth	Hayden	Little
Cantrill	Elston	Hayes	Lonergan
Carlin	Esch	Hersey	Longworth
Carter, Okla.	Fairchild, B. L.	Hicks	Lunn
Cary	Fairfield	Holland	McArthur
Chandler, N. Y.	Ferris	Hood	McFadden
Chandler, Okla.	Fess	Houston	McKeown
Church	Fisher	Howard	McKinley
Clark, Pa.	Flood	Hull, Iowa	McLaughlin, Mich.
Classon	Focht	Hull, Tenn.	McLaughlin, Pa.
Claypool	Fordney	Hutchinson	Madden
Coady	Foss	Igoe	Magee
Mann	Parker, N. J.	Sherwood	Van Dyke
Mapes	Parker, N. Y.	Shouse	Venable
Martin	Phelan	Siegel	Vestal
Mays	Platt	Sims	Vinson
Merritt	Polk	Sinnott	Voigt
Miller, Wash.	Pou	Slemp	Volstead
Mondell	Powers	Sloan	Walton
Montague	Purnell	Small	Ward
Moon	Ragsdale	Smith, Idaho	Wason
Moore, Pa.	Rainey, H. T.	Smith, Mich	Watkins
Moores, Ind.	Ramseyer	Smith, C. B.	Watson, Pa.
Morin	Randall	Smith, T. F.	Watson, Va.
Mott	Reed	Snell	Welling
Mudd	Rodenberg	Snyder	Wheeler
Neely	Rogers	Stafford	White, Me.
Nelson, A. P.	Rose	Stedmerson	Williams
Nelson, J. M.	Rouse	Stephens, Nebr.	Wilson, Ill.
Nichols, Mich.	Rowe	Stiness	Wilson, Tex.
Nolan	Rucker	Strong	Winslow
Oliver, Ala.	Sanders, Ind.	Summers	Wise
Oliver, N. Y.	Sanders, N. Y.	Sweet	Wood, Ind.
O'Shaunessy	Scott, Iowa	Temple	Wright
Overmyer	Scott, Mich.	Tilson	Young, N. Dak.
Overstreet	Shallenberger	Timberlake	
Padgett	Sherley	Treadway	

ANSWERED "PRESENT"—4.

Bacr	Littlepage	Morgan	Saunders, Va.

NOT VOTING—122.

Anthony	Essen	Kiess, Pa.	Russell
Bland, Ind.	Estopinal	LeGuardia	Sabath
Booher	Fairchild, G. W.	Langley	Sanford
Borland	Farr	Lazaro	Schall
Britten	Fields	Lehlbach	Scully
Brodbeck	Flynn	Linthicum	Sears
Browne	Francis	Lufkin	Sells
Brumbaugh	Fuller, Ill.	McAndrews	Shackleford
Caldwell	Garland	McCormick	Stedman
Caraway	Godwin, N. C.	McCulloch	Steele
Carew	Goodall	McKenzie	Sterling
Carter, Mass.	Gordon	Maher	Sullivan
Clark, Fla.	Gould	Mason	Swift
Cleary	Graham, Pa.	Miller, Minn.	Switzer
Cooper, Ohio	Gray, N. J.	Nicholls, S. C.	Tague
Cooper, W. Va.	Griest	Norton	Taylor, Ark.
Cooper, Wis.	Hamill	Olney	Templeton
Copley	Hamilton, N. Y.	Osborne	Thomas
Costello	Harrison, Miss.	Paige	Tinkham
Cox	Haugen	Park	Vare
Crosser	Hawley	Peters	Waldow
Davey	Heaton	Porter	Walker
Delaney	Heints	Pratt	Walsh
Dent	Helm	Price	Webb
Dewalt	Helvering	Raker	Welty
Donovan	Husted	Ramsey	White, Ohio
Dooling	Johnson, Ky.	Rankin	Woods, Iowa
Doughton	Johnson, S. Dak.	Reavis	Woodyard
Drane	Kahn	Riordan	Zihlman
Drukker	Kearns	Roberts	
Emerson	Kehoe	Rowland	

So the Garner motion was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. SULLIVAN with Mr. LAGUARDIA.

Mr. DOOLING with Mr. PORTER.

Mr. DOUGHTON with Mr. ZIHLMAN.

Mr. WEBB with Mr. WOODYARD.

Mr. NICHOLLS of South Carolina with Mr. GARLAND.

Mr. DONOVAN with Mr. HAMILTON of New York.

Mr. HAMILL with Mr. LEHLBACH.

Mr. CAREW with Mr. GOODALL.

Mr. ESTOPINAL with Mr. EMERSON.

Mr. CARAWAY with Mr. BROWNE.

Mr. WHITE of Ohio with Mr. NORTON.

Mr. HARRISON of Mississippi with Mr. REAVIS.

Mr. BOOHER with Mr. KEARNS.

Mr. MAHER with Mr. TINKHAM.

Mr. SAUNDERS of Virginia with Mr. WALSH (except road appropriation).

Mr. DEWALT with Mr. GRAHAM of Pennsylvania.

Mr. DRANE with Mr. HUSTED.

Mr. GODWIN of North Carolina with Mr. KIESS of Pennsylvania.

Mr. KEHOE with Mr. LANGLEY.

Mr. LINTHICUM with Mr. MCCULLOCH.

Mr. OLNEY with Mr. MASON.

Mr. PARK with Mr. LUFKIN.

Mr. RIORDAN with Mr. PAIGE.

Mr. BRUMBAUGH with Mr. COSTELLO.

Mr. CLARK of Florida with Mr. GOULD.

Mr. DAVEY with Mr. GRIEST.

Mr. DENT with Mr. KAHN.

Mr. SABATH with Mr. PETERS.

Mr. SEARS with Mr. RAMSEY.

Mr. STEDMAN with Mr. HAWLEY.

Mr. STEELE with Mr. ROWLAND.

Mr. TAGUE with Mr. SANFORD.

Mr. TAYLOR of Arkansas with Mr. SWIFT.

Mr. THOMAS with Mr. OSBORNE.

Mr. WELTY with Mr. SWITZER.
Mr. LAZARO with Mr. MILLER of Minnesota.
Until February 3, 1919:
Mr. LITTLEPAGE with Mr. COOPER of West Virginia.
The result of the vote was announced as above recorded.
The SPEAKER. The question now is on the substitute offered by the gentleman from Pennsylvania [Mr. MOORE].
Mr. MOORE of Pennsylvania. Mr. Speaker, a parliamentary inquiry.
The SPEAKER. The gentleman will state it.
Mr. MOORE of Pennsylvania. The vote just taken having been entirely satisfactory to me, I would like to inquire whether, by unanimous consent, I can withdraw the substitute?
The SPEAKER. You do not have to have unanimous consent. The gentleman from Pennsylvania withdraws his substitute. The question is on agreeing to the Rucker motion.
Mr. RUCKER. Mr. Speaker, I ask for the yeas and nays.
The SPEAKER. The gentleman from Missouri demands the yeas and nays.
The yeas and nays were ordered.
The SPEAKER. The Clerk will call the roll. Those in favor of the Rucker motion will, when their names are called, answer "yea"; those opposed will answer "nay."
Mr. PARKER of New Jersey. Mr. Speaker, is the motion to concur with an amendment, or to amend?
The SPEAKER. It is a motion to concur in the amendment with an amendment.
The question was taken; and there were—yeas 189, nays 118, answered "present" 4, not voting 118, as follows:

YEAS—189.

Alexander	Ellsworth	Kinkaid	Robinson
Almon	Evans	Kitchin	Romjue
Ashbrook	Fairfield	Knutson	Rouse
Aswell	Ferris	La Follette	Rubey
Ayres	Fisher	Lampert	Rucker
Baer	Flood	Larsen	Sanders, La.
Bankhead	Foss	Lazaro	Scott, Mich.
Barkley	Foster	Lee, Ga.	Shallenberger
Barnhart	Frear	Lever	Sherwood
Beakes	French	Little	Shouse
Bell	Fuller, Mass.	Lobeck	Sims
Beshlin	Gallagher	London	Sinnott
Black	Gallivan	Lonergan	Sisson
Blackmon	Gandy	Lundeen	Slayden
Bland, Va.	Gard	Lunn	Small
Blanton	Garner	McClintic	Smith, C. B.
Brand	Garrett, Tex.	McKeown	Snook
Brodbeck	Gillett	McLaughlin, Mich.	Stafford
Buchanan	Goodwin, Ark.	McLemore	Steagall
Burnett	Gray, Ala.	Mansfield	Stephens, Miss.
Byrns, Tenn.	Gregg	Mapes	Stephens, Nebr.
Candler, Miss.	Griffin	Martin	Stevenson
Carlin	Hamilton, Mich.	Mays	Summers
Carter, Okla.	Hamlin	Miller, Wash.	Sweet
Cary	Hardy	Montague	Taylor, Colo.
Church	Harrison, Va.	Moon	Thompson
Clark, Pa.	Hastings	Morgan	Tillman
Classon	Hayden	Neely	Towner
Claypool	Heflin	Nelson, J. M.	Van Dyke
Collier	Hensley	Nichols, Mich.	Venable
Connally, Tex.	Hilliard	Nolan	Vinson
Connelly, Kans.	Holland	Oldfield	Voigt
Cooper, Wis.	Hollingsworth	Oliver, Ala.	Walton
Cramton	Hood	Oliver, N. Y.	Watkins
Crisp	Houston	O'Shaunessy	Watson, Va.
Currie, Mich.	Howard	Overmyer	Weaver
Dalton	Huddleston	Overstreet	Welling
Dickinson	Hull, Tenn.	Padgett	Whaley
Dies	Humphreys	Phelan	Wilson, La.
Dillon	Igoe	Polk	Wilson, Tex.
Dixon	Jacoway	Pou	Wingo
Dominick	James	Quin	Wise
Doolittle	Jones	Ragsdale	Wright
Doremus	Keating	Rainey, J. W.	Young, N. Dak.
Dowell	Kelly, Pa.	Raker	Young, Tex.
Dupré	Key, Ohio	Randall	
Eagan	Kincheloe	Rayburn	
Eagle	King	Reed	

NAYS—118.

Anderson	Dempsey	Hayes	Mann
Austin	Denison	Hersey	Merritt
Bacharach	Dunn	Hicks	Moore, Pa.
Benson	Dyer	Hull, Iowa	Moores, Ind.
Birch	Edmonds	Hutchinson	Morin
Bowers	Elliott	Ireland	Mott
Browning	Elston	Johnson, Wash.	Nelson, A. P.
Burroughs	Esch	Juul	Olney
Butler	Fairchild, B. L.	Kelley, Mich.	Parker, N. J.
Campbell, Kans.	Fess	Kennedy, Iowa	Parker, N. Y.
Campbell, Pa.	Focht	Kennedy, R. I.	Platt
Cannon	Fordney	Kettner	Powers
Cantrill	Freeman	Kraus	Purnell
Chandler, N. Y.	Garrett, Tenn.	Kreider	Rainey, H. T.
Chandler, Okla.	Glynn	Lea, Cal.	Ramseyer
Coady	Good	Lesher	Rodenberg
Craig	Graham, Ill.	Longworth	Rogers
Curry, Cal.	Green, Iowa	McArthur	Rose
Dale	Greene, Mass.	McFadden	Rowe
Dallinger	Greene, Vt.	McKinley	Sanders, Ind.
Darrow	Hadley	McLaughlin, Pa.	Sanders, N. Y.
Davis	Haskell	Madden	Scott, Iowa
Decker	Haugen	Magee	Sherley
Siegel	Snyder	Treadway	White, Me.
Slemp	Steenerson	Vestal	Williams
Sloan	Stiness	Volstead	Wilson, Ill.
Smith, Idaho	Strong	Ward	Winslow
Smith, Mich.	Temple	Watson	Wood, Ind.
Smith, T. F.	Tilson	Watson, Pa.	
Snell	Timberlake	Wheeler	

ANSWERED "PRESENT" 4.

Bland, Ind.	Dill	Littlepage	Saunders, Va.

NOT VOTING—118.

Anthony	Estopinal	LaGuardia	Sabath
Booher	Fairchild, G. W.	Langley	Sanford
Borland	Farr	Lehlbach	Schall
Britten	Fields	Linthicum	Scully
Browne	Flynn	Lufkin	Sears
Brumbaugh	Francis	McAndrews	Sells
Byrnes, S. C.	Fuller, Ill.	McCormick	Shackleford
Caldwell	Garland	McCulloch	Steedman
Caraway	Godwin, N. C.	McKenzie	Steele
Carew	Goodall	Maher	Sterling
Carter, Mass.	Gordon	Mason	Sullivan
Clark, Fla.	Gould	Miller, Minn.	Swift
Cleary	Graham, Pa.	Mondell	Switzer
Cooper, Ohio	Gray, N. J.	Mudd	Tague
Cooper, W. Va.	Gritest	Nicholls, S. C.	Taylor, Ark.
Copley	Hamill	Norton	Templeton
Costello	Hamilton, N. Y.	Osborne	Thomas
Cox	Harrison, Miss.	Paige	Tinkham
Crosser	Hawley	Park	Vare
Davey	Heaton	Peters	Waldow
Delaney	Heintz	Porter	Walker
Dent	Helm	Pratt	Walsh
Dewalt	Helvering	Price	Webb
Donovan	Husted	Ramsey	Welty
Dooling	Johnson, Ky.	Rankin	White, Ohio
Doughton	Johnson, S. Dak.	Reavis	Woods, Iowa
Drane	Kahn	Riordan	Woodyard
Drukker	Kearns	Roberts	Zihlman
Emerson	Kehoe	Rowland	
Essen	Kless, Pa.	Russell	

So the motion of Mr. RUCKER was agreed to.
The Clerk announced the following additional pairs:
Until further notice:
Mr. STERLING with Mr. FULLER of Illinois.
Mr. PRICE with Mr. MUDD.
Mr. BYRNES of South Carolina with Mr. DRUKKER.
Mr. DILL with Mr. MASON.
Mr. SAUNDERS of Virginia. Mr. Speaker, did the gentleman from Massachusetts, Mr. WALSH, vote?
The SPEAKER. He did not.
Mr. SAUNDERS of Virginia. I wish to vote "present," then, on this roll, and to recall the vote that I cast on the other roll call and to be recorded present on that vote.
The result of the vote was announced as above recorded.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. DAVEY, for four days, on account of illness in his family.

AGRICULTURAL APPROPRIATIONS.

On motion of Mr. LEVER the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15018) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920, with Mr. HAMLIN in the chair.
The CHAIRMAN. When the committee rose the Chair had recognized the gentleman from Illinois [Mr. MANN].
Mr. LEVER. Will the gentleman from Illinois permit me to make a request for unanimous consent?
Mr. MANN. Certainly.
Mr. LEVER. On page 70, in line 24, it reads:
Thirty-third Statutes at Large, 372.
That is a typographical error and should read Thirty-eighth Statutes at Large. I ask unanimous consent to make that change.
The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to return to line 24, page 70, for the purpose of making a correction. Is there objection?
There was no objection.
The CHAIRMAN. The Clerk will report the amendment.
The Clerk read as follows:
Amendment offered by Mr. LEVER: Page 70, line 24, strike out the word "third" and insert the word "eighth."
Mr. LEVER. We have verified this, and my statement is correct.
The amendment was agreed to.
Mr. MANN. Mr. Speaker, I desire to offer an amendment to the paragraph, but the gentleman from Wisconsin [Mr. STAFFORD] had reserved a point of order which I would like to have disposed of first.
Mr. STAFFORD. The purpose of my reserving the point of order was to ascertain what the present practice is as to cumulative leave of absence. The last proviso grants these employees in Alaska, Hawaii, and other distant lands cumulative leave for

a period of four years. I remember when I was on the Isthmus some years ago Gen. Goethals stated that it was not good policy to allow them to collect their leave of absence for too long a period. We all desire to have them return to the States when they are privileged to have their vacations.
Mr. LEVER. I understand from the statement here that the customs service and the labor and immigration services in Hawaii and Porto Rico grant additional time to cover the time required on the voyage. The civil employees of the War and Navy Departments located at stations outside of continental United States are granted more leave than those on the mainland. The Philippine Islands and the Canal Zone are liberal in the matter of annual leave, and, in addition, they make allowance for the required transportation. The Navy act of August 20, 1916, provides cumulative leave for civilian employees at stations outside of the continental limits of the United States, and it is believed that the enactment of the legislation proposed will serve to keep the men more contented, and so forth.
Mr. STAFFORD. The gentleman has not given the information that I sought, and that is why should the departments grant this accumulated leave. Four years is a long time even for Alaska or Porto Rico.
Mr. LEVER. Just how much the various departments of the Government grant I do not know, but it was pointed out to the committee, taking the case of the Virgin Islands, the leave of the individual would practically expire before he could make the trip, and the Hawaiian Islands the same way, also the Philippine Islands, and Alaska worse, and they felt that it would be in the interest of the service to let the leave accumulate.
Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.
Mr. MANN. Mr. Chairman, I move to strike out, on page 71, line 24, after the words "Virgin Islands," the words "of the United States."
Mr. LEVER. I think the gentleman is right, and I accept the amendment.
The CHAIRMAN. The Clerk will report the amendment.
The Clerk read as follows:
Page 71, line 24, after the words "Virgin Islands," strike out the words "of the United States."
Mr. MANN. I do not want to start giving a long name to the Virgin Islands, so that we will always have to say "Virgin Islands of the United States." The only Virgin Islands we legislate about are the Virgin Islands that belong to the United States. The other language is superfluous and ought not to be in the statutes.
Mr. LEVER. I am glad the gentleman has offered the suggestion; the gentleman is right about it.
The CHAIRMAN. The question is on the amendment.
The amendment was agreed to.
Mr. MANN. I also ask to have the same amendment adopted on page 72, lines 11 and 15.
The Clerk read as follows:
Page 72, line 11, after the words "Virgin Islands," strike out the words "of the United States."
The amendment was agreed to.
The Clerk read as follows:
Page 72, line 15, after the words "Virgin Islands," strike out the words "of the United States."
The amendment was agreed to.
Mr. FERRIS. Mr. Chairman, I move to strike out the last word, for the purpose of having read a letter which I think is appropriate to this Agricultural appropriation bill.
The Clerk read as follows:

Hon. SCOTT FERRIS.

DEAR SIR: You remember two years ago last spring you mailed out some sample cotton seed. My name was in the list. The boys prepared the land and I planted the seed by hand, and when the cotton began to grow I could see that it was better than the other cotton, so I picked the cotton and saved it separate from the other; and last winter, when the day's work was done, I picked the lint off the seed by hand. I had enough seed to plant 1 acre. The drought came and my cotton did not mature to do any good, so this summer when I was sad, knowing my boy was going over the top in France, I just could not keep still, so I decided I would spin my lint into thread; so, with the help of a picture, my youngest son constructed a spinning wheel which was a success, so I spun the lint into thread and then I crocheted a laundry bag and donated to the Red Cross, so I decided to make one and send you, also stating how I made it from the seed you sent me. My boy that made the spinning wheel was 13 years old. My age is 52 years. I intended the bag for your Christmas present, but could not get it off. So wishing you success,

Very truly,
EMILY C. FELTS,
Waurika, Okla., R. 2, B. 54.

Mr. FERRIS. Mr. Chairman, I would not under ordinary circumstances take the time of the committee to read any letter from anyone into the RECORD, but I have been so touched by the letter just read from Mrs. Felts that I have made bold to introduce it here. I hold in my hand this laundry bag made by hand by a woman of my district 52 years of age, made by her own hand independent of modern invention. The cotton prepared without the use of a gin, picking by her own hand the lint piece by piece from the seed, the spinning wheel made by her boy 13 years of age upon which the cotton was spun, crocheted with her own hands while her boys were fighting in France. It is so refreshing in these times of war and high prices to know there still lives a woman so worthy, so capable, so generous as to send me this interesting present. I am so proud to make public acknowledgment of the gift and public acknowledgment of her industry, ability, and true worth. It is a worthy lesson in frugality for all of us. I am proud she lives in my district.
Mr. CANNON. Of course you have woman suffrage in Oklahoma. [Laughter.]
Mr. FERRIS. Oh, certainly. We are proud to make acknowledgment of that. To such industry we may all applaud. To such industry and true worth we may all subscribe. [Applause.]
Mr. MANN. Mr. Chairman, I move to strike out the last word. I think I shall not be in the House late this afternoon when the provision relating to the Federal Horticultural Board is reached. There was some talk yesterday about the action of the Federal Horticultural Board and the prohibition of importations. I have a note from Mr. Marlatt with an attached statement or memorandum undertaking to tell how plant novelties may be imported, and as it is a matter of great interest to many people in the country connected with this prohibiton I ask unanimous consent to have the letter and memorandum printed in the RECORD.
The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?
There was no objection.
The matter is as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
FEDERAL HORTICULTURAL BOARD,
Washington, D. C., January 31, 1919.

Hon. JAMES R. MANN,
House of Representatives.

DEAR MR. MANN: I am handing you herewith a copy of the new statement which has been drawn up by Dr. Galloway relative to plant quarantine No. 37. It gives specific information relative to the means of entry through this department of prohibited articles for the purpose of keeping the country supplied with new varieties and creations and the necessary breeding or propagating stock.
In the statement sent to Mr. LEVER and incorporated in the CONGRESSIONAL RECORD for January 30 the following paragraph covering this point is included:
"The quarantine makes provision for the entry of these miscellaneous other bulbs and other prohibited articles in limited quantities through the office of foreign seed and plant introduction, this department, for the purpose of keeping the country supplied with new varieties and creations and the necessary breeding or propagating stock, such entry necessarily being safeguarded by the highly developed inspection and quarantine service which has been organized by this department. It is impracticable to give this type of inspection to commercial importations. The cost would be prohibitive, especially under conditions which would require very frequent provision for holding the imported material in quarantine for a period of months or years and the necessity for very high-grade and expert inspectors. Furthermore, inspectors with the training required are not available."

Yours, very truly,
C. L. MARLOTT, *Chairman of Board.*

HOW PLANT NOVELTIES MAY BE IMPORTED.

It will be noted that under regulation No. 3 novelties of lily bulbs, hyacinths, tulips, lily of the valley, crocus, or narcissus, or novelties of any fruit plant that can be forwarded as scions or buds, or novelties that may be propagated by seeds or nuts, may still be imported in any desired quantity for propagation purposes under permit. Novelties of many kinds originate each year in all parts of the world, and, while some of these may be excluded under regulation No. 3, provision is made for their importation under regulation No. 14. In other words, the quarantine order No. 37 does not preclude the securing of novelties by horticulturists, nurserymen, and others, but provides a way through the United States Department of Agriculture for bringing in this material in limited quantities.
For a number of years the Office of Foreign Seed and Plant Introduction in the Bureau of Plant Industry has been introducing new, rare, and useful plants and plant material from all over the world. In pursuance of this work, which will be continued and expanded, machinery has been developed which can be utilized in bringing in novelties for those engaged in commercial enterprises. Heretofore the work of the Office of Foreign Seed and Plant Introduction has had to do largely with the bringing in of plants and plant materials for scientific workers in the Department of Agriculture, State experiment station workers, and a special corps of collaborators and experimenters. This work has been carried on in close cooperation with the Federal Horticultural Board, resulting in the development of specially equipped inspection houses, quarantine houses, and other facilities for taking care of plants and plant materials when they arrive and during the course of the usual procedure of inspection.
For the importation of novelties a special permit from the Federal Horticultural Board will be required in each case. The shipments will all be made through the Office of Foreign Seed and Plant Introduction. This office will receive the material, care for it during inspection by the inspectors of the Federal Horticultural Board, and when inspection is completed and the material is released it will be repacked and forwarded to its final destination. This is the procedure now followed in the case of plants and plant material brought in for scientific workers. This work has been going on for more than 20 years, and during

that time nearly 50,000 different lots of plants, seeds, bulbs, vines, cuttings, etc., have been brought in.

In recent years the facilities for handling plants during inspection have been improved. From the moment the plant material arrives it is under the supervision of experts and every condition looking to the welfare of the plant is provided. This kind of work must necessarily be limited to small lots. The number or quantity of each lot permitted entry will depend on the nature of the plant or plant material. The Federal Horticultural Board will decide such matters in issuing the special permit. The board will also determine from proper certificates furnished by the persons desiring to import and through its own advisory experts whether the plant or plant material may be classed as a novelty.

The procedure, in brief, for the importation of novelties under regulation No. 14 will be that persons contemplating such importations will first make application to the Federal Horticultural Board for a special permit. The application will be accompanied by a certificate as to the nature of the novelty or novelties, the name and address of the exporter, and the quantity of material it is desired to bring in. As the quantity of any novelty that will be allowed to come in will be limited, it may be necessary to make limitation by bulk rather than by numbers. This procedure is followed with parcel post material. If the permit is issued, the importer will be furnished with shipping instructions and shipping tags. These he will forward with his order and the material will come addressed to the importer in care of the Office of Foreign Seed and Plant Introduction, United States Department of Agriculture, Washington, D. C. The importer must make arrangements with some responsible party or parties in Washington, D. C., for the clearance of the material through the customhouse at Georgetown, D. C., and for the payment of any and all charges involved. The department can not handle any of these matters. When the material is cleared it will be turned over to the Office of Foreign Seed and Plant Introduction by the duly authorized agent of the importer and prepared for examination by the inspectors of the Federal Horticultural Board. If released by the inspectors, it will be immediately repacked and forwarded to the importer by express, charges collect.

A permit for the importation of a novelty will be granted by the board only upon condition that if the plant material brought in is found infested with a dangerous insect or disease it will be destroyed and the records in the case furnished the importer in order that he may make adjustments with the person or persons from whom the plants were ordered.

The Clerk read as follows:

BUREAU OF PUBLIC ROADS.

Salaries, Bureau of Public Roads: One chief of bureau, $6,000; 1 editor, $1,500; 1 draftsman or clerk, $1,920; 1 clerk, $1,900; 1 instrument maker, $1,800; 1 model maker, $1,800; 4 clerks, class 4; 6 clerks, class 3; 1 clerk or editorial clerk, $1,600; 2 clerks, at $1,500 each; 1 clerk or photographer, $1,440; 1 clerk or instrument maker, $1,440; 1 clerk or tabulator, $1,440; 1 clerk, class 2; 2 clerks, at $1,380 each; 2 clerks, at $1,320 each; 4 clerks, at $1,260 each; 6 clerks, class 1; 1 clerk or editorial clerk, $1,200; 1 draftsman, $1,320; 1 clerk or draftsman, $1,200; 1 clerk or draftsman, $900; 1 clerk or photographer, $1,200; 1 clerk or photographer, $1,000; 2 clerks, at $1,140 each; 1 clerk, $1,100; 2 clerks, at $1,080 each; 1 clerk, $1,020; 9 clerks, at $1,000 each; 1 clerk or skilled laborer, $1,000; 4 clerks, at $960 each; 1 mechanician, $1,680; 1 clerk or instrument maker, $1,200; 1 lantern-slide colorist, $1,320; 1 mechanic, $1,500; 1 mechanic, $1,200; 1 skilled laborer, $1,200; 1 laboratory aid, $960; 2 laborers, at $900 each; 2 messengers or laborers, at $840 each; 2 messengers, laborers, or laboratory helpers, at $720 each; 2 messengers or laborers, at $660 each; 4 messengers or laborers, at $600 each; 3 messenger boys, at $600 each; 1 fireman, $720; 8 messenger boys, at $480 each; 8 charwomen, at $240 each; in all, $113,640.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. I am particularly interested in the reason for the increase of the salary of the chief of the bureau from $4,500 to $6,000.

Mr. LEVER. Mr. Chairman, the Secretary of Agriculture came before the subcommittee in charge of this bill and recited to us the situation which brought about this increase of salary. During the next fiscal year it is probable that under Federal appropriations coupled with State appropriations under the Federal law there will be expended between $65,000,000 and $75,000,000.

The gentleman who for many years had been chief of the bureau and who is in a large measure was responsible for the growth and development of the bureau, as the gentleman from Wisconsin may know, recently died. The Secretary of Agriculture has been making vigorous efforts to see if he could find somewhere some one who is willing to take the responsibilities as to the administration of this large fund at a salary of $4,500.

He took the matter up with 12 of the most influential and best State road commissioners in the United States. He submitted some names to these commissioners and engineers and asked them to suggest to him the names of one, two, or three men in the United States who are big enough to handle the proposition. They submitted three names, he said. It was ascertained, however, that the first man whose name was submitted is now drawing a salary of $10,000 or $12,000 a year in a Western State. The second-named man is drawing a salary of $4,500 in a Middle Western State; but in that connection we are informed that he rents his house for $35 a month. You could not rent the same house here, I should say, for less than $75 or $100 a month. The Secretary tendered this position to the first-named man and asked him to come on here and confer with him. The man declined, on the ground that he owed some obligations to his family.

He brought the second man here and offered him a salary of $4,500 and urged him to take it, pointing out to him that it was practically a lifetime position, that it was a position of great honor, and all that sort of thing. This man for the same reason refused the offer. We can get a man, probably from the New England States, for a little less than this, but the committee concurred with the subcommittee in its belief that we ought to get a man from the western section of the country, which is more interested in the cheap grade of roads than in the high-priced ones. And while the Secretary of Agriculture did not suggest the figure, he did say that he thought he could get this second-named man probably for $7,500, and possibly for $6,000. That is a plain frank statement of the situation.

Mr. STAFFORD. Mr. Chairman, there is no bureau in the department which expends as much money as this bureau, and from the statement made by the gentleman, I think it would be false economy to keep the salary at the present figure. Therefore I withdraw the point of order.

Mr. LEVER. Mr. Chairman, I am very much obliged to the gentleman.

The Clerk read as follows:

For investigating and reporting upon the utilization of water in farm irrigation, including the best methods to apply in practice; the different kinds of power and appliances, and the development of equipment for farm irrigation; the flow of water in ditches, pipes, and other conduits; the duty, apportionment, and measurement of irrigation water; the customs, regulations, and laws affecting irrigation; for the purchase and installation of equipment for experimental purposes; for the giving of expert advice and assistance; for the preparation and illustration of reports and bulletins on irrigation; for the employment of assistants and labor in the city of Washington and elsewhere; for rent outside of the District of Columbia; and for supplies and all necessary expenses, $82,440.

Mr. CURRY of California. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 77, line 4, strike out "$82,440" and insert in lieu thereof "$102,440."

Mr. LEVER. Mr. Chairman, before the gentleman proceeds I ask unanimous consent that all debate on this paragraph and all amendments thereto may close in 10 minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate upon this paragraph and all amendments thereto close in 10 minutes. Is there objection?

There was no objection.

Mr. CURRY of California. Mr. Chairman, this amendment restores the appropriation of this item to the original amount. Until the last agricultural bill the amount carried was $102,440. On account of the war and the necessity for using great amounts of money, this item, among others, was cut down by $20,000. The money is used in cooperation with the States on a half-and-half proposition. The State of California in the past has expended $7,000 and the Federal Government $7,000 for this purpose. I am presenting this amendment at the request of the State engineer of California and at the suggestion of the chairman of the Committee on Agriculture. I believe I can explain the matter more thoroughly by reading a letter which I received from the State engineer. It is as follows:

STATE OF CALIFORNIA,
DEPARTMENT OF ENGINEERING,
Sacramento, December 4, 1918.

Hon. C. E. CURRY,
Congressional Office Building, Washington, D. C.

Subject: Funds for cooperative work in irrigation and drainage.

DEAR MR. CURRY: Knowing your keen interest in the matter of proper support of the Division of Irrigation, I make free to request your interest in obtaining, if possible, more money for that division than is now available.

For some 16 years the Division of Irrigation—formerly a part of the office of experiment stations, but now connected with the Bureau of Public Roads—United States Department of Agriculture, has been cooperating with the department of engineering of the State of California.

Each party to the agreement contributes the sum of $7,000 annually for the investigation of such subjects as the irrigation of rice, alfalfa, orchards, and other staple crops of California; the pumping, storage, and conveyance of water for irrigation; the organization of irrigation districts; the design and construction of irrigation works; the silt problem in Imperial Valley; and other kindred subjects.

The Division of Irrigation of the Federal Government is also cooperating with most of the Western States in a similar manner and along similar lines of work.

As you know, the yields of crops throughout the West depend largely upon the wise use of water, and during the past and present emergency regarding increased war production by means of irrigation, the members of this division have rendered valuable service to such State organizations as the department of engineering, council of defense, food and power administrations, railroad commission. The assistance given this office has been of very great and growing benefit.

For several years it has been crippled for lack of funds, and the extra war work which it has undertaken has been made possible only by dropping much of its regular work. In addition, and to make matters worse, the Agricultural Committee of the House during its session last winter reduced the appropriation for this division from $102,440 to $82,440, on the ground that little drainage work could be

done while the war lasted on account of the high price of tiles. This prediction has not come true, since much more irrigated land has been reclaimed by drainage during the past year than has been done in any previous year. The amount should have been increased rather than reduced.

May I ask, therefore, on behalf of the State of California, that you will keep the interests of this division in mind and take such steps as you may deem proper to induce the Agricultural Committee of the House to restore the appropriation to what it was in prewar times?

Very truly, yours,

W. F. MCCLURE, *State Engineer.*

Mr. Chairman, it was too late to have this matter included in the bill by the committee. We did not get the report back from the Agriculture Department in time. Mr. C. E. Harrison, Assistant to the Secretary of Agriculture, in a letter to me said that the extra money can be used to advantage, and that it ought to be appropriated, but the Secretary of Agriculture could not see his way clear to put in a supplementary estimate. The chairman of the committee suggested that I present the amendment from the floor, and I understood that he would accept it. I hope that it will be adopted.

Mr. HAUGEN. The amount estimated is only $82,440. I understand the gentleman to say that more was carried in former years.

Mr. CURRY of California. It carried what I have asked to have inserted, $102,440, in the prewar period.

Mr. HAUGEN. The item provides for investigating and reporting upon the utilization of water in farm irrigation, including the best methods to apply in practice, which include tiling.

Mr. CURRY of California. Yes.

Mr. HAUGEN. Tiling is as old as the hills, and the farmers generally know as much about tiling and draining as any one in the department.

It would seem that the time has come—I do not want to take up the gentleman's time.

Mr. CURRY of California. There was nothing said about tiling on this proposition, except the Committee on Agriculture said that on account of the price of tiling there ought not to be so much done during the war. I hope the chairman of the committee will accept the amendment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAUGEN. Mr. Chairman, if the gentleman has an understanding with the chairman that the increase is to be accepted, of course, I do not care to rise in opposition.

Mr. CURRY of California. The chairman suggested I submit the amendment, and I understood the committee would accept it.

Mr. LEVER. Mr. Chairman, as a matter of fact, I do not have any objection to accepting the amendment. There are two items in this bill—this is one, and the other item is drainage—which for many years have carried the same appropriations. The committee last year reduced this appropriation, if I recollect, by some $20,000——

Mr. CURRY of California. That is correct.

Mr. LEVER. On the theory that during the war there would be very little irrigation work done. The gentleman from California has been very, very earnest in this matter, and if it is satisfactory to the other members of the committee I have no objection to it.

Mr. HAUGEN. Mr. Chairman, I would like to accommodate the gentleman from California, but I believe it is also fair to say that the people are generally fairly well informed as to drainage, especially tiling, which this appropriation is to be used for—it is for information as to improved piping, and so forth.

Mr. CURRY of California. That is not for tiling; that is a minor purpose. There is not one cent in ten dollars that would be used for tiling.

Mr. HAUGEN. What is it to be used for?

Mr. CURRY of California. It is used for the investigation of irrigation and reclamation in cooperation with the Western States and for the investigation and use of water in the production of alfalfa and all kinds of crops, citrus fruits, and so forth.

Mr. HAUGEN. It says, "the flow of water in ditches, pipes, and other conduits," and I take it it refers to tiling. I am quite certain so far as drainage goes; but, after all, if it is agreeable to the chairman, I do not care to oppose the amendment.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from California.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Total for Bureau of Public Roads, $594,320.

Mr. HEFLIN. Mr. Chairman, I have an amendment which I desire to offer.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. HEFLIN: Page 78, line 7, after the figures "$594,320," insert the following as a separate paragraph:

"That the Secretary of War be, and he is hereby, authorized and directed to transfer to the Secretary of Agriculture all available war material not needed for the purposes of the War Department, but suitable for use in the improvement of highways, and that the Secretary of Agriculture be, and he hereby is, authorized to employ the same in Federal road improvement and to distribute such material as may not be needed for this purpose among the highway departments of the several States upon the same basis of distribution as provided by the Federal aid road act, approved July 11, 1916."

Mr. LEVER. Mr. Chairman, I will reserve a point of order on the amendment.

Mr. HEFLIN. Mr. Chairman, there has been a great deal said about the vast quantities of material, explosives, and other things that have accumulated in the War Department by reason of the great preparations that we have been making for the war just ended. Some have suggested that some of this material should be disposed of, even if it is thrown into the sea, and I submit to the gentlemen of the committee, that this material can be used and used to great advantage by distributing it as the Federal roads act provides. I think it is proper to insert it at this place. I know of no other measure that we could get the provision on, and if we can put it on this bill at this time, why the States can get the benefit of this great amount of war material that has been accumulated by the War Department. It will be distributed in the States according to the population of the State, according to the number of miles of post roads, and according to the territorial area. That is the provision of the Federal good-roads act, and I hope——

Mr. ANDERSON. Will the gentleman yield?

Mr. HEFLIN. Yes.

Mr. ANDERSON. What is this material which the gentleman desires to have distributed?

Mr. HEFLIN. Various kinds of materials—explosives for one thing, cement and other valuable stuff, implements, and so forth.

Mr. HAUGEN. Such as automobiles and trucks?

Mr. HEFLIN. It would include all of them, I think.

Mr. HAUGEN. And road machines of all kinds?

Mr. HEFLIN. Every kind that the Government does not propose to use in the war service.

Mr. HAUGEN. Can the gentleman give an approximate estimate of the value?

Mr. HEFLIN. I have not that information.

Mr. HAUGEN. It would run into hundreds of millions of dollars, would it not?

Mr. HEFLIN. I do not know how much it would amount to, but the Government has it on hand, and unless it can be used in the War Department it will probably be thrown aside as junk or sold to somebody at sacrifice prices. It can be used now to great advantage in the various States, and there is no better use to which the Government can put them than for building up the public highways of the country.

Mr. LITTLE. Will the gentleman yield?

Mr. HEFLIN. I will.

Mr. LITTLE. Do I understand that the explosives that they have been throwing or may throw into the ocean are a considerable part of this?

Mr. HEFLIN. I say that it has been suggested that they might have to throw some of it away.

Mr. LITTLE. Permit me to say that I am in favor of this amendment, because my attention has been directed to the fact that they have thrown away explosives of very considerable value. And I heard a very reliable man say that he would give $1,000,000 for certain explosives that he understood they were about to throw into the ocean. And if the gentleman has a suggestion that would take care of that stuff without throwing it away, I am in favor of it.

Mr. HEFLIN. This provision will certainly do that, because here is a way to dispose of this stuff that is actually not needed by the War Department for war purposes. And I trust the gentleman from South Carolina [Mr. LEVER] will not make his point of order but will permit us to put this provision in the bill at this time——

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. LEVER. Mr. Chairman, this matter has received no very serious consideration at the hands of the committee. I recognize it is a matter of great importance, and I wish very much the gentleman from Alabama would work out in greater detail the proposition and be in position to furnish the proper committee, which I think is the Military Committee, with detailed information of the amounts and the kind of material on hand.

Mr. HARRISON of Virginia. Will the gentleman yield?

Mr. LEVER. I yield for a question.

Mr. HARRISON of Virginia. I will just say to the gentleman that that matter is now before the Committee on Military Affairs.

Mr. LEVER. I am very glad to hear the gentleman say that. It belongs properly to that committee.

Mr. HEFLIN. I want to say to the gentleman, inasmuch as we are now passing on the road department of the Government, there is no more appropriate place than here. I spoke to the chairman of the committee about it when we were considering this bill, and I suggested to him I would offer it there or on the floor, and he suggested it be done here.

Mr. LEVER. I will state to the gentleman that my own view is confirmed by the gentleman from Virginia [Mr. HARRISON] that the Military Committee is the proper committee to dispose of these materials. They properly belong to the military establishment of the Government. The Military Committee is more familiar with the subject than we are. The gentleman's purpose is good, and I am in favor of it.

I make the point of order.

Mr. HEFLIN. All I am interested in is getting the material so that it will be available for use in the various States. I hope the gentleman will not make a point of order but will let the House vote on it.

Mr. LEVER. I would much prefer, as good legislation, to let the Military Committee pass on it. Therefore I make the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

BUREAU OF MARKETS.

Salaries, Bureau of Markets: One chief of bureau, $5,000; 1 chief clerk, $2,000; 1 administrative assistant, $3,000; 1 administrative assistant, $2,500; 1 clerk in charge of supplies and accounts, $2,250; 2 executive clerks, at $2,000 each; 1 clerk, $2,000; 1 executive assistant, $1,980; 1 administrative assistant, $1,980; 11 clerks, class 4; 1 clerk, $1,740; 14 clerks, class 3; 1 clerk, $1,440; 35 clerks, class 2; 1 clerk, $1,380; 5 clerks, at $1,320 each; 1 clerk, $1,300; 163 clerks, class 1; 1 clerk, $1,140; 40 clerks, at $1,100 each; 88 clerks, at $1,000 each; 13 clerks, at $1,080 each; 7 clerks, at $1,020 each; 2 clerks, at $960 each; 24 clerks, at $900 each; 3 clerks, at $840 each; 2 clerks, at $720 each; 1 laboratory helper, $900; 1 laboratory aid, $960; 3 laboratory aids, at $900 each; 1 laboratory aid, $840; 1 laboratory aid, $720; 1 photographer, $1,400; 1 photographer, $1,200; 1 superintendent of telegraph, $2,000; 1 supervising telegrapher, $1,620; 5 telegraph operators, at $1,600 each; 47 telegraph operators, at $1,400 each; 1 telegraph operator, $1,320; 7 telegraph operators, at $1,200 each; 1 telegraph operator, $1,080; 2 telephone operators, at $900 each; 1 telephone operator, $840; 1 draftsman, $1,400; 3 draftsmen, at $1,200 each; 1 draftsman, $900; 1 map tracer, $900; 1 map tracer, $720; 1 map tracer, $600; 4 machine operators, at $1,200 each; 2 machine operators, at $1,100 each; 1 machine operator, $1,000; 3 chauffeurs, at $900 each; 2 skilled laborers, at $900 each; 3 laborers, at $840 each; 6 laborers, at $720 each; 4 laborers, at $660 each; 5 laborers, at $600 each; 2 laborers, at $540 each; 1 messenger, $720; 10 messengers, at $540 each; 1 messenger, $480; 6 messenger boys, at $600 each; 5 messenger boys, at $540 each; 21 messenger boys, at $480 each; 3 messenger boys, at $420 each; 1 messenger boy, $360; 1 messenger boy, $300; 1 charwoman, $540; 6 charwomen, at $480 each; 6 charwomen, at $300 each; 9 charwomen, at $240 each; in all, $671,810.

Mr. MORGAN. Mr. Chairman——

Mr. MOORE of Pennsylvania. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Pennsylvania reserves a point of order on the paragraph.

Mr. MORGAN. Mr. Chairman, I move to strike out the last word.

Mr. LEVER. The gentleman can not do that with the reservation pending.

The CHAIRMAN. The gentleman from Pennsylvania reserved a point of order on the paragraph.

Mr. MOORE of Pennsylvania. Mr. Chairman, I do not want to delay the passage of the Agricultural bill, but the increase in the number of clerks and the increase of appropriation in the Bureau of Markets is so startling that I should like to have some information about it, especially as I believe many of the items in this paragraph are subject to a point of order.

Mr. LEVER. I will say this to the gentleman from Pennsylvania, that I think it will be more expedient to discuss the individual items when we come to them.

With reference to this question of statutory salary I will say that the estimates called for a very much larger appropriation in the Bureau of Markets than the committee allowed, and we came back to the statutory salaries and reduced the number of clerks, and so on, in proportion to the reduction made in the lump-sum item. If the gentleman will allow me to do so when we come to these various items, I shall be very glad to discuss them.

Mr. MOORE of Pennsylvania. May I ask the gentleman if there is a statutory provision for the increase of the salary of the chief of the bureau from $4,500 to $5,000?

Mr. LEVER. No; that would be subject to a point of order.

Mr. MOORE of Pennsylvania. Is there any authorization for the increase of the salary of the administrative clerk from $2,500 to $3,000?

Mr. LEVER. There is not.

Mr. MOORE of Pennsylvania. For the one administrative assistant from $1,980 to $2,500?

Mr. LEVER. No. I will say to the gentleman, to save time, that no increases of salary on this statutory roll are made except where low-grade places have been dropped; as, for example, in the case of five telegraph operators at $1,600 and one telegraph operator at $1,080. Those are new places and the lower grades have been dropped, so that there is no increase or salary unless that can be considered an increase of salary, and I do not think it can be under the rule.

Mr. MOORE of Pennsylvania. I notice in the schedule accompanying the report that 20 telephone operators are provided for at the rate of $1,400 each. Is there a statutory provision of that kind?

Mr. LEVER. You mean in the number?

Mr. MOORE of Pennsylvania. Telephone operators at $1,400 a year.

Mr. LEVER. They are only transferred, I will say to the gentleman, from the lump fund of this bureau at the same salary. When a place becomes permanent the policy is to transfer from the lump-fund item to the statutory roll.

Mr. MOORE of Pennsylvania. I want to call the attention of the gentleman and of the committee to the fact that in the current appropriations for the Department of Agriculture telephone operators in the Bureau of Forestry, for example, get $600 per annum. Telephone operators in the Capitol here, who are very busy operators, get $900 per annum. I have a number of citations here of the salaries paid telephone operators in various departments, and they do not correspond with this $1,400 increase in the Department of Agriculture, which, with $240 added, would make a salary of $1,640 for these particular operators who are favored in the Bureau of Markets.

Mr. LEVER. I think that is due to the fact that the telephone operators for the Bureau of Markets would likely have to be persons who can take technical telegrams. I imagine that they have to be a good deal more skilled and more highly educated than the average telephone operator, although I will say frankly to the gentleman that I did not make inquiry as to that.

Mr. MOORE of Pennsylvania. I will say to the gentleman that the number of clerks of class 1 has been increased from 91 last year to 163 this year.

Mr. LEVER. That is to take care of the increase in the lump-fund appropriation.

Mr. MOORE of Pennsylvania. And the total appropriation for clerk hire, from the chief of the bureau down, has jumped from $387,850 last year to $671,810 this year, or nearly twice as much in one year.

Mr. LEVER. The same answer fits that proposition.

Mr. MOORE of Pennsylvania. How old is the Bureau of Markets?

Mr. LEVER. It is about six years old, I think. The Bureau of Markets started with a $50,000 appropriation.

Mr. MOORE of Pennsylvania. Yes.

Mr. LEVER. The total carried now is considerably over $3,000,000, if I recall it offhand.

Mr. MOORE of Pennsylvania. That is a very startling statement——

Mr. LEVER. I do not think so.

Mr. MOORE of Pennsylvania. In view of the fact——

Mr. LEVER. I do not think so. The Federal Government did not begin to make appropriations for agriculture until the year 1839. For some reason or other the earlier statesmen of this country did not recognize the proposition of appropriating money for the study of agriculture.

Mr. MOORE of Pennsylvania. We did not get a real recognition of agriculture until President Lincoln's time.

Mr. LEVER. If the gentleman will permit me, I will give him some information.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman——

Mr. LEVER. Mr. Chairman, I shall have to ask that the debate on this item be closed.

Mr. MOORE of Pennsylvania. I shall be obliged to make the point of order.

Mr. LEVER. I have no objection to the gentleman proceeding for five minutes further, but after that I shall ask that the debate on this paragraph be closed.

Mr. MOORE of Pennsylvania. I am opposed to this method of increasing salaries without the sanction of Congress, and I

think the time has come when some of us should take a stand on that question. There is no reason why we should sit here month after month, legislating for the departments of the Government, only to permit the departments to run at variance with the legislation we pass.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. LEVER. If the gentleman makes the point of order, let us have a decision on it.

Mr. HEFLIN. Regular order.

Mr. MOORE of Pennsylvania. I am not making this point against the Bureau of Markets any more than against any other department, but I say to the gentleman that the time has come, in my judgment, for somebody in this House to make a stand, not necessarily as "a watchdog of the Treasury," but as one who intends to see that the prerogatives of Congress are preserved.

Mr. ALMON. May I ask if the increase of $240 a year applies to these employees?

Mr. MOORE of Pennsylvania. Yes; it would. While the operators in the Capitol are getting $900, and one of them is getting $2.50 a day, these operators in the department are suddenly jumped to $1,400.

Mr. LEVER. That portion of the paragraph is not subject to a point of order. There is only one item that is subject to a point of order, and that is the increase of the salary of the chief.

Mr. MOORE of Pennsylvania. Does the gentleman mean to say that the other salaries are not subject to a point of order?

Mr. LEVER. Certainly not. They are not increases at all. They are simply transfers at the same salary.

Mr. MOORE of Pennsylvania. Does the gentleman make the statement that these other places are all authorized by law?

Mr. LEVER. Surely they are.

Mr. MOORE of Pennsylvania. And these are simply transfers?

Mr. LEVER. Certainly.

Mr. STAFFORD. I am going to contest the position of the chairman of the committee on that.

Mr. LEVER. Then let the gentleman make the point of order.

The CHAIRMAN. It occurs to the Chair that in the interest of the economy of time——

Mr. GARRETT of Tennessee. I demand the regular order. That brings the matter to an issue.

Mr. MOORE of Pennsylvania. I do not want to do it, but I accept the challenge. I make the point of order that the increase of salary of the chief of this bureau from $4,500 to $5,000 is not authorized by law.

Mr. LEVER. I concede the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. STAFFORD. I wish to reserve further points of order to the entire paragraph.

The CHAIRMAN. Of course, if any part of the paragraph is subject to the point of order, the whole of it goes out.

Mr. MOORE of Pennsylvania. I am willing to make the point of order against the whole paragraph.

The CHAIRMAN. The Chair has already sustained it.

Mr. LEVER. Then I offer the following amendment: To insert the paragraph as it is in the bill, except in line 10, where it says "one chief of bureau at $5,000," make it "one chief of bureau at $4,500."

Mr. STAFFORD. Does not the gentleman think it would aid in the expedition of the consideration of this paragraph to consider each item separately?

Mr. LEVER. I am willing to do that if the gentleman wishes. I want to save time.

Mr. MOORE of Pennsylvania. I am raising a new question. I do not want to delay the passage of the bill.

Mr. LEVER. Then I offer the following amendment to this paragraph.

The CHAIRMAN. The gentleman withdraws the former amendment and offers another.

Mr. STAFFORD. Subject to the reservation of points of order to the other paragraph.

The Clerk read as follows:

Amendment offered by Mr. LEVER: Page 78, line 9, after the colon insert "One chief of bureau, $4,500."

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I think some of these items are subject to a point of order.

Mr. LEVER. Mr. Chairman, let me suggest this: It is getting late in the day. If my friend from Michigan will permit me, I do not think it is quite fair to the membership of the House and the employees of the House that under the guise of a reservation of a point of order the merits of a proposition should be gone into. I think every Member of the House knows why I am trying to expedite this matter. It is for the purpose of going into a conference to-morrow morning at 11 o'clock, which I have called, believing that this bill would be finished by this time. It is a conference on the wheat-guaranty proposition. Men are coming here from different sections of the country to talk with certain Members of Congress. Will the gentleman point out which of these items he thinks are subject to a point of order and let us pass upon them? That is the thing to do.

The CHAIRMAN. Let the Chair make this statement for the purpose of keeping the RECORD straight: The Chair has already sustained a point of order to the entire paragraph, and unless the gentleman offers an amendment restoring it, it is not in the bill at all.

Mr. LEVER. Then I offer the amendment to insert the paragraph as it was originally in the bill, with the exception of the change of one chief of bureau from $5,000 to $4,500.

The Clerk read as follows:

Amendment offered by Mr. LEVER: Page 78, after line 8, insert:

"Salaries, Bureau of Markets: One chief of bureau, $4,500; 1 chief clerk, $2,000; 1 administrative assistant, $3,000; 1 administrative assistant, $2,500; 1 clerk in charge of supplies and accounts, $2,250; 2 executive clerks, at $2,000 each; 1 clerk, $2,000; 1 executive assistant, $1,980; 1 administrative assistant, $1,980; 11 clerks, class 4; 1 clerk, $1,740; 14 clerks, class 3; 1 clerk, $1,440; 35 clerks, class 2; 1 clerk, $1,380; 5 clerks, at $1,320 each; 1 clerk, $1,300; 163 clerks, class 1; 1 clerk, $1,140; 40 clerks, at $1,100 each; 88 clerks, at $1,000 each; 13 clerks, at $1,080 each; 7 clerks, at $1,020 each; 2 clerks, at $960 each; 24 clerks, at $900 each; 3 clerks, at $840 each; 2 clerks, at $720 each; 1 laboratory helper, $900; 1 laboratory aid, $960; 3 laboratory aids, at $900 each; 1 laboratory aid, $840; 1 laboratory aid, $720; 1 photographer, $1,400; 1 photographer, $1,200; 1 superintendent of telegraph, $2,000; 1 supervising telegrapher, $1,620; 5 telegraph operators, at $1,600 each; 47 telegraph operators, at $1,400 each; 1 telegraph operator, $1,320; 7 telegraph operators, at $1,200 each; 1 telegraph operator, $1,080; 2 telephone operators, at $900 each; 1 telephone operator, $840; 1 draftsman, $1,400; 3 draftsmen, at $1,200 each; 1 draftsman, $900; 1 map tracer, $900; 1 map tracer, $720; 1 map tracer, $600; 4 machine operators, at $1,200 each; 2 machine operators, at $1,100 each; 1 machine operator, $1,000; 3 chauffeurs, at $900 each; 2 skilled laborers, at $900 each; 3 laborers, at $840 each; 6 laborers, at $720 each; 4 laborers, at $660 each; 5 laborers, at $600 each; 2 laborers, at $540 each; 1 messenger, $720; 10 messengers, at $540 each; 1 messenger, $480; 6 messenger boys, at $600 each; 5 messenger boys, at $540 each; 21 messenger boys, at $480 each; 3 messenger boys, at $420 each; 1 messenger boy, $360; 1 messenger boy, $300; 1 charwoman, $540; 6 charwomen, at $480 each; 6 charwomen, at $300 each; 9 charwomen, at $240 each; in all, $671,810.

Mr. STAFFORD. Mr. Chairman, I reserved a point of order on the paragraph and I make a point of order on the following several items: One administrative assistant, $3,000; 2 executive clerks at $2,000 each; 1 clerk at $2,000; 1 executive assistant, $1,980. Then on page 72, line 2, 1 superintendent of telegraph, $2,000; 5 telegraph operators at $1,600; 47 telegraph operators at $1,400 each; 4 machine operators at $1,200 each; 2 machine operators at $1,100 each; 1 machine operator at $1,000.

The CHAIRMAN. The Chair would like to ask the gentleman from South Carolina is it true that there are no increases in these clerks?

Mr. LEVER. There is not a solitary increase of salary except the increase of the chief of bureau to which the point of order was sustained.

Mr. STAFFORD. Mr. Chairman, I want to be heard on the point of order because this is a vital matter providing new positions in the Government service.

Mr. MOORE of Pennsylvania. Let me ask the gentleman from South Carolina if he did not say in answer to my question at the beginning of this controversy that the administrative assistant raised from $1,980 to $2,500 was not authorized by law.

Mr. LEVER. No; I said it was authorized as far as the appropriation bill was concerned.

Mr. MOORE of Pennsylvania. And did not the gentleman make the same statement in regard to one administrative assistant raised from $2,500 to $3,000?

Mr. LEVER. No; no change in the salary there. I think the gentleman misunderstood me. These are transfers from a lump sum. The man has been carried during the past year from lump items. At least, that is what they told us.

Mr. MOORE of Pennsylvania. My point, Mr. Chairman, is that they are not authorized by law. The salary has not been fixed by law. The law fixes the salary at $2,500, and the department added $500 to the lump sum, and then the gentleman from South Carolina says that is an authorization by law. The department deliberately took from one fund in its possession and placed it to the credit of another sum to pay the salary, advancing it from $2,500 to $3,000. That is not an authorization by law; it is an evasion of the law. That is the practice I am contending against. I would not have made the point of order if it had not been for this subterfuge to get a man into

a job, then increase his salary, and then claim that it is an authorization. The only legislative assistant we have is carried on the rolls at $2,500.

Mr. LEVER. I do not admit that.

Mr. MOORE of Pennsylvania. The gentleman's bill fixes the salary at $3,000, and the only excuse is that the Secretary had another fund into which he put his arm, took out $500, and gave it to the clerk.

Mr. STAFFORD. Mr. Chairman, nothing more vital in determining the salary of employees and officials in the departmental service has been presented than the question now before the Chair for decision. It is proposed to grant authority to the head of a department to single out from a lump-sum appropriation, which is available only for use in the field service, to enable him, without any authorization of law, to provide for any clerk or official, have him fix a salary, and then after he fixes the salary, whether it be at $2,000 or more, to have the committee come in here and provide a statutory place at the increased salary. There is no such law warranting that position.

In the draft copy of the legislative bill which I have in my hand reference is made to the one statute that fixes the salary of clerks—the Revised Statute, section 167. That prescribes the classes and employees. Class 4, class 3, 2, and 1 receive from $1,800 to $1,200; copyists, $900; messengers, $840; assistant messengers, $720; watchmen, $720; firemen, $720; telephone switchboard operators, $720; charwomen, $240.

We have had the question up in the legislative committee. Where the Navy and War Departments had some appropriations for temporary service, they increased the salaries of certain persons that previously had been employed on the statutory rolls from $2,000 to $2,750. We had the question before us in connection with the State Department in the use of their lump-sum appropriation. Because the head of the department under the lump-sum appropriation fixes the salaries, there is no authorization of law for providing an administration assistant at $3,000, because there is no such person employed now under authorization of law by that designation. You might just as well say that he could employ an assistant chief of the bureau at $10,000 or $20,000 if you follow the logic of the position of the gentleman from South Carolina [Mr. LEVER].

Mr. LEVER. I have not taken any position yet.

Mr. STAFFORD. This is one of the most revolutionary doctrines that has ever been presented to the House since I have been a Member of it. I wish to go further than that, that even if this appropriation had been an appropriation for the employment of officials, that would not be authorization for the creation of designated employees by name as is provided in this Bureau of Markets. Here we have an instance of what this gross extravagance means. This bureau, which only five years ago had an appropriation of but $30,000, now has an appropriation of over $3,000,000. Here is this item which on the statutory rolls last year carried an appropriation of $387,000, and it is now attempted to raise it to $687,000—by the edict of whom? By the edict of a subordinate bureau chief receiving $4,500 a year—ambitious, it is true, to magnify and extend his functions, but where can the Chair or anyone cite an instance where there has been any authorization of law for an administrative assistant at $3,000? Where can you find any authorization of law for an executive clerk at $2,000, or a clerk at $1,980, or for telegraph operators at $1,400 or $1,600, or for a superintendent of telegraphs at $2,000? There would be no protection to the Treasury, there would be no protection to the Congress, if, under a lump-sum appropriation for activities in the field, an ambitious bureau chief could fix the salaries as he saw fit and then go before the committee and the committee would merely say, "Yes; we have employed that kind of a man in the service out of a lump-sum appropriation, and we will create the office at that price."

The rules of the House have been fixed for the protection of Congress and the protection of the Treasury, and that is why I am here protesting as strongly as I can against any such policy as would recognize the right of a bureau chief to create offices that have never been created by law.

The CHAIRMAN. Let the Chair ask the gentleman a question. Is not the trouble with the whole thing the fault of Congress in giving a lump-sum appropriation to be parceled out by the bureau chiefs or the heads of departments?

Mr. STAFFORD. No; the Congress has said that there shall be just so many places utilized in the bureau as are carried in the appropriation act. There is not a word of authorization in these subsequent appropriations or in the present act which warrants him in utilizing this money for departmental expenses, not a word, and you can not read into it any such thing.

Mr. ALMON. Has the bureau any authority to use this lump-sum appropriation to increase a man's salary whose salary is fixed by law?

Mr. STAFFORD. Under the position taken by the chairman of the committee it would seem so.

Mr. LEVER. But the chairman of the committee has not taken any position as yet.

Mr. STAFFORD. It would seem that the law which provides that the clerks of certain classes shall receive certain salaries can be set aside by the edict of a bureau chief who says, "I will pay this out of the lump-sum appropriation and will pay $2,000 or $3,000," where the salary was theretofore very much less, and then go to Congress the next year and say that the man was employed at that particular sum out of the lump-sum appropriation as warrant for the committee to fix the salary at that sum.

The CHAIRMAN. Is not the remedy this, when they come before Congress asking for lump sums to say that it will not be voted?

Mr. STAFFORD. No; the rules of the House say that you can not carry legislation on an appropriation bill. Where is there a line of legislation in all of the statutes that provides for the creation of an administrative assistant at $3,000, for executive clerks at any salary, or of telegraph operators at $1,000 or $1,800? That is the point at issue. There is no legislation, and they are attempting here to legislate where Congress has not heretofore acted. I am raising this point of order so as to protect Congress, so as to protect the House against the ambitious inroads of these executive officers who have no regard at all for the mandate of Congress or much consideration for the Treasury.

Mr. MOORE of Pennsylvania. Mr. Chairman, this is a matter of such importance that I think a quorum should be present.

Mr. LEVER. I hope the gentleman will permit me to make my statement.

Mr. MOORE of Pennsylvania. Then I shall withhold the point for a few minutes. Will the gentleman permit this to go over until to-morrow?

Mr. LEVER. Oh, no; I have already explained to the gentleman why not.

Mr. HEFLIN. We can have a call of the House. We must finish this bill to-night.

Mr. LEVER. Let me make a statement.

Mr. MOORE of Pennsylvania. I will withhold the point for a short time, Mr. Chairman.

Mr. LEVER. Mr. Chairman, the gentleman from Wisconsin has become violently vigorous on this proposition. You would imagine that this is a new discovery, that it is an innovation of the rights of Congress. You would think that the earth was about to rise up and the skies were about to fall. Now, this very procedure has been going on in the House ever since I have been a Member of Congress, 17 years last December, and this is the first time that the gentleman from Wisconsin has raised his vigorous and eloquent voice in behalf of the protection of the American Congress against bureau chiefs.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. LEVER. No; I can not yield now. Mr. Chairman, let me call attention to this fact. I am not speaking without knowledge but from the act of March 4, 1917, which reads as follows:

> And hereafter the Secretary of Agriculture is hereby authorized to make such appointments, promotions, and changes in salaries to be paid out of the lump funds of the several bureaus, divisions, and offices of the department as may be for the best interests of the service, and the Secretary of Agriculture is hereby authorized and directed to pay the salary of each employee from the roll of the bureau, independent division, or office in which the employee is working and no other. *Provided, however*, That details may be made therefrom to the office of the Secretary when necessary when the services of the person whom it is proposed to detail are not required by that office.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. LEVER. About two years ago Congress fixed the salaries and limited the maximum salary that might be paid to men employed under lump-fund appropriations to $4,500. Moreover, the law requires that when the Secretary of Agriculture regards a position in the lump fund as being of necessity a permanent position that he shall transfer that person to the statutory salary.

The department has submitted its own proposition here in the Book of Estimates. There is no increase here, and there is no effort to cover up anything, either by the committee or by the Department of Agriculture. It is all set forth here in this Book of Estimates. This department assistant was carried on the lump sum at $3,000. He has been transferred, so the committee is informed, at exactly the same salary. There is no increase in it at all, and, as to the matter of whether or not the department has the power to employ such an individual, it seems to me

that unless the department can employ persons of this character to do administrative work you had as well abolish the Department of Agriculture, and you had as well repeal the organic act which created it. I do not regard this proposition as being in the same class as that of an Assistant Secretary of Agriculture. I think that the ruling of the Chair the other day was eminently correct. There is not a bureau here, and we have passed practically all of them except this one, that does not have its administrative officer, and has had it since I have been a member of the committee—17 years. It seems strange that gentlemen are willing to cripple a great bureau which is undertaking to do for agriculture that which Congress and the Nation neglected until six or seven years ago. We have spent more than half a century teaching people to produce things, but have neglected the marketing feature.

Mr. GREEN of Iowa. Mr. Chairman, I raise the point of order——

The CHAIRMAN. The gentleman will state his point of order.

Mr. GREEN of Iowa. The point of order is the gentleman is not discussing the point of order and he would not yield to me.

Mr. LEVER. The gentleman is entirely right.

The CHAIRMAN. The Chair wants to ask the gentleman from South Carolina a question. The authority from which the gentleman read a few moments ago has been brought to the desk, and the Chair finds that the Secretary of Agriculture may fix salaries and make appointments and promotions and changes in salaries from the lump sum.

Mr. LEVER. Yes.

The CHAIRMAN. Now, where is the authority to transfer from the lump sum to the statutory roll?

Mr. LEVER. I think I can find it in a moment if the Chair will send back that book. There is an appropriation by Congress. I do not think anyone will deny that proposition.

The CHAIRMAN. The Chair is under the impression that the gentleman is right, but the Chair wanted to find it.

Mr. MOORE of Pennsylvania. Will the Chair bear with me just a minute?

The CHAIRMAN. Yes.

Mr. MOORE of Pennsylvania. I listened attentively to the gentleman from South Carolina [Mr. LEVER], and I have been amazed that he should say that this practice has prevailed with regard to other departments. I have been in this House 12 years, and have seen points of order made time and time again with regard to legislative, executive, and judicial bills, and other appropriation bills, where, when it was patent upon the face of the bill that there was an increase of salary over and above that provided for by law, the point of order was sustained.

Mr. LEVER. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I will.

Mr. LEVER. You do not want to misquote me. I did not say it prevailed with other departments.

Mr. MOORE of Pennsylvania. Does the gentleman contend this department is exclusive in the right to raise salaries contrary to law?

Mr. LEVER. I do not know about the other departments.

Mr. MOORE of Pennsylvania. I am stating, since the gentleman is putting his 17 years in the House against that of other gentlemen in the House, that during my 12 years experience I have seen such points of order sustained with sustained regularity. Now, I would like——

The CHAIRMAN. The Chair is trying to follow the gentleman's line of argument, which is interesting. If the Chair has got the right idea of the statement of the gentleman from South Carolina [Mr. LEVER], it is that, in the first place, the Secretary of Agriculture had a right to fix salaries out of that lump sum, which seems to be true. Now, I understand the chairman of the committee, the gentleman from South Carolina, to say that this salary provided in this bill is not different from the salary fixed by the Secretary of Agriculture for this position out of the lump sum, and therefore no increase.

Mr. MOORE of Pennsylvania. It is merely a matter of fact that I want to bring to the Chair's attention.

The CHAIRMAN. That is what the Chair wants.

Mr. MOORE of Pennsylvania. In the appropriation bill of last year appropriation was made for one administrative assistant at $1,980. That is the law up to this point. This bill provides for one administrative assistant at $2,500. It is an increase of $520. The gentleman from South Carolina seems to contend that the Secretary of Agriculture or the chief of the bureau had the right to take that $520 from some other fund and appropriate it to the salary of this first administrative assistant, giving him, contrary to what we believe to be the law, an increase of salary of $520. Mr. Chairman, if it can be done in this instance by the Secretary of Agriculture he can suggest next year that the salary be increased $500 more and the next year $500 more until he brings the salary of that first administrative clerk up to $5,000.

Mr. LEVER. The gentleman is mistaken about that. As soon as this man gets on the statutory roll the Secretary ceases to exercise authority as to increase of his salary.

Mr. HAUGEN. Oh, no.

Mr. MOORE of Pennsylvania. I think this is a most dangerous practice and that we ought to stop it now if we can do it.

The CHAIRMAN. Let the Chair make an inquiry of the gentleman. The gentleman from Pennsylvania [Mr. MOORE] just made an interesting statement. The Chair did not exactly understand. I want to know if it is true if the Agricultural bill last year carried a salary of $1,900 for this position and now they seek to increase it to $2,500?

Mr. LEVER. That is not the case.

The CHAIRMAN. That is what the gentleman seems to understand.

Mr. LEVER. The statutory roll of the Bureau of Markets, and all these statutory rolls, carry a certain number of clerks this year. We increase the lump-sum fund item for that bureau, say, $100,000. They employ clerks, maybe an administrative officer, under that, and they fix his salary at $2,500. Then the law requires, if it is a clerical position or a position that is likely to be permanent, that within one year's time that man shall be transferred to the statutory roll. But that is not the case here. He is transferred at the salary that he is getting now. He is now on the lump-fund salary at $3,500. Now, it is proposed to transfer him to the statutory roll at the same salary.

Mr. HAUGEN. Mr. Chairman, I do not care to discuss the point of order, but I desire simply to say that the chairman has made it so clear that there can be no question about it that Congress has surrendered its power, its prerogative, of fixing salaries for the clerks in the departments. As he has cited, the Secretary has been given authority not only to fix the salaries in the first instance but subsequently to increase the salaries at his own will.

Further than that, we had always believed that when we had appropriated for a salary upon the statutory roll that was the salary to be paid to that particular employee, but we find that whenever a department finds it necessary to increase salaries they transfer the clerks from the statutory roll to the lump-sum roll, and then transfer them back again to the statutory roll at an increased salary. As stated, $4,500 is the limit. With that situation, it would seem, in making these lump-sum appropriations we should exercise some care and some judgment. When we appropriate lump sums here of $50,000 or $100,000, we place it in the hands of some Secretary or some bureau chief to fix the salary, not at $1,000 or $2,000, as may be suggested in the estimate, but for them to determine increases; and, as was pointed out here, the salary of one was increased $800 and another $500—people taken from the statutory roll and placed upon the lump-sum roll—and $500 even extracted from the emergency fund in one instance and $800 in another instance and paid to them as additional salary.

Now, gentlemen, I submit to you that Congress ought to exercise its right and exercise that prerogative and fix salaries.

Mr. LEVER. Here is the statement in the Book of Estimates about this administrative assistant:

> One administrative assistant, by transfer from lump fund for administrative expenses, $3,000.

Now, this ought to be the highest evidence as to what the fact is.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. LEVER. Yes.

Mr. MOORE of Pennsylvania. In the act making appropriations for the Department of Agriculture approved October 1, 1918, that same administrative clerk is appropriated for at the rate of $2,500.

Mr. RUBEY. No; that administrative clerk is still carried in this bill.

Mr. LEVER. He is carried in this bill.

Mr. MOORE of Pennsylvania. But raised by transfer to $3,000.

Mr. LEVER. No. I know the gentleman wants to be fair. The gentleman does not seem to get the situation. This administrative assistant at $3,000, who is to be transferred at the beginning of the next fiscal year, is not on the statutory roll at all. He is on the lump-sum roll and is drawing $3,000. He is an entirely different man from this other assistant administrative officer here at $2,500. He is an entirely different man from the man drawing $1,980, because they are both now on the statutory roll.

The CHAIRMAN. Let the Chair ask the gentleman if he does not provide in his present bill for only two assistant administrative officers?

Mr. LEVER. No; we provide for three; one administrative assistant at $3,000 in line 11, one administrative assistant at $2,500 in the same line, and then down in line 14 one administrative assistant at $1,980.

The CHAIRMAN. The attention of the Chair had not been called to the third one. But is not the gentleman in trouble by having created a new position?

Mr. LEVER. Not at all. It is not a new position, but a transfer. It is a new place on the statutory roll, that is true.

Mr. STAFFORD. It is a new position that has not heretofore been recognized by Congress.

Mr. LEVER. It is nothing different to what the law requires to be done. It is a position now in the Agricultural Department. The only difficulty is that this man is now being carried on what we call the lump-sum salary roll. We are transferring him at the request of the Secretary under a direction of Congress passed here some years ago. I thought the gentleman from Minnesota [Mr. ANDERSON] had drawn this proposition, but I understand it is carried on the legislative bill.

Mr. STAFFORD. I do not recall it; and I should like to have the gentleman present an authorization which allows the transfer of an official not heretofore created by Congress, who was employed out of a lump-sum appropriation by a bureau chief, to the statutory roll.

Mr. LEVER. I am satisfied I could do it if I had the time.

The CHAIRMAN. Since there seems to be a good deal of difficulty in getting at the facts, the Chair will suggest to the gentleman that he let the matter be passed over until the end of the bill, when the Chair will look the matter up.

Mr. LEVER. The Chair desires to pass this over temporarily.

The CHAIRMAN. Until the close of the bill. If there be no objection, it will be passed for the present.

Mr. MOORE of Pennsylvania. May I have unanimous consent to extend my remarks in the RECORD by inserting a memorial protesting against the Bureau of Markets?

Mr. LEVER. I will be glad to have the gentleman do that.

The CHAIRMAN. The gentleman asks unanimous consent to extend his remarks by inserting the memorial referred to. Is there objection?

There was no objection.

The memorial is as follows:

MEMORIAL TO THE CONGRESS OF THE UNITED STATES.

JANUARY 27, 1919.

We, the board of trustees of the Philadelphia Produce Exchange, most respectfully submit that the Congress of the United States should determine the scope of the work which the Bureau of Markets shall continue to perform. It is becoming increasingly evident that its activities must be clearly defined and that it shall not be allowed to continue its work to the disturbance of business.

Some of its work is conceded to be useful. Its compilation of receipts of various commodities and its report of the movement of storage stocks are commendable. At the same time this work, to a more limited extent, has always been and still is being done by private agencies, to the perfect satisfaction of business men, giving them all the information they require and at no expense to the taxpayer.

The statement of "receipts by States," and the statement of "shipments originating at Chicago," in our estimation, have no value either statistical or practical, and the time consumed in compiling them is wasted.

The statement of supplies of fresh butter and eggs "on the market" is also valueless, because it includes the stocks of the "chain" stores which retail their goods and whose stocks are not available on the wholesale market.

In announcing its intention to appoint inspectors in the various markets to determine quality and settle disputes between shipper and receiver, and between seller and buyer, it is infringing upon the work of the various trade exchanges and will absorb the inspection fees properly belonging to them.

The bureau has made the experiment of gathering quotations for butter, and it is a failure so far as its utility to anybody is concerned. Wholesale butter merchants are obliged to keep a daily record of their transactions to be given to a representative of the bureau who makes the quotations from the report of the sales given him. Assuming that the transactions reported are correct, so far as prices are concerned, the "score" of the butter sold is always open to question. Any number of perfectly honest and capable butter men may not agree that a certain shipment of butter is "92 score." It may be "91 score" in the estimation of some or "93 score" in the estimation of others, nevertheless, if the seller reports it as "92 score," that is the way it must be quoted, as under the rules of the bureau the seller determines the score. The bureau's ignorance of the butter business is manifested by the rules under which its quotations of butter are compiled.

It is stated that this system of reporting is to be extended to cheese and perhaps to some other commodities, thus giving merchants more useless and unnecessary trouble and expense in making out slips of sales for the information of bureau representatives.

We maintain that the quotations put out by the Bureau of Markets are published too late to be of any service to butter merchants in the big cities. It is necessary for said merchants to have an established trading basis by about 11 o'clock in the morning, and sales on the street and on the various exchanges establish that basis at or before that time every day. The report of the Bureau of Markets is not available until the next morning and is then practically valueless.

The Bureau of Markets every morning gathers the sales of fruits and vegetables at the various railroad depots and at other receiving points and compiles quotations from them, which it publishes. This work is useless and unnecessary as private agencies publish a much fuller and more intelligent market report. Produce men use the report of the private agencies and send it to their shippers for their information and pay for it, in spite of the fact that the service of the Bureau of Markets is free. Why should the taxpayer pay for this useless work?

Like all Government publications, the circulars put out by the Bureau of Markets enjoy the franking privilege through the mails. They are sent out as first-class matter, without postage, in the same category with important business mail. Thousands of these circulars are sent every day to people who do not want them, and they find their way into somebody's waste-paper basket.

The Bureau of Markets is maintained at an expense entirely out of proportion to its utility. It does very little useful work that is not done by private agencies at no expense to the people at large. It does not aid in the distribution of produce; it does not increase exports; it does not keep down the cost of living; it does not help to make any money for anybody, but if allowed to go on in its own way it is likely to become a nuisance which the business man should not tolerate.

Congress should not be guided entirely by the recommendations of the Department of Agriculture as to the Bureau of Markets. It should discover a way to independently investigate conditions in the various large distributing markets and find out just how much of its work ought to be continued, then define the scope of its activities and limit appropriations to its economical conduct. The business man is tired of "bureau" regulation. He had too much of it during the necessary regulations of the Food Administration, to which he patriotically submitted. He does not want to be bothered with a bureau that gives him only a lot of additional and useless work and expense. Now that the war is over he wants to be let alone.

Respectfully submitted this 27th day of January, 1919.

JOHN S. MORRIS, *President.*
[SEAL.] SAML. S. DANIELS, *Secretary.*

Mr. ROGERS. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question. Last year there was carried in the agricultural act an item which in the aggregate amounted to something over $42,000 for the purpose of a city market-news service or something of that nature. That item, as I understand it, has been completely eliminated by the Committee on Agriculture in making up this year's bill. I should like to ask the gentleman in what paragraph it was carried last year and in what paragraph would it be carried if it came into this year's bill.

Mr. LEVER. That item has never been carried in the Agricultural appropriation bill. The work has been done under the food-production division, and the department recommended that it be transferred to the regular appropriation bill. The item does not appear anywhere in this bill. The committee, after a very thorough discussion, concluded to drop it, refusing the estimate on the ground that it was more or less of a local rather than a national service. We did not think it of any great value.

Mr. ROGERS. May I ask the gentleman whether, provided the committee should see fit to continue the activity, this particular paragraph just read would be the appropriate place for it?

Mr. LEVER. No; I suggest to the gentleman that he offer it as a separate paragraph anywhere under this bureau.

Mr. ROGERS. It seemed to me when I heard the language read that this item would, if increased $40,000, be broad enough to cover the purpose which was included by the committee for the current year.

Mr. LEVER. Which item?

Mr. ROGERS. Lines 4 to 11, page 80.

Mr. LEVER. That might be true.

Mr. ROGERS. Is it not a fact also that if this was offered as a separate paragraph it would be subject to a point of order?

Mr. LEVER. I do not think so. If the gentleman will examine the Book of Estimates he can find the exact language.

Mr. ROGERS. I have the exact language and my colleague has the language ready to offer.

Mr. LEVER. I would rather the gentleman offer it as a separate paragraph, because it carries $42,000 and Congress is anxious to segregate these items.

Mr. ROGERS. If the gentleman will assure me that it is not subject to a point of order——

Mr. LEVER. I do not think that it is subject to a point of order, but I am not a parliamentarian.

Mr. STAFFORD. The gentleman from Massachusetts is fully aware that that does not bind other Members of the House against making a point of order.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent to withdraw my pro forma amendment and offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment by Mr. ROGERS: Page 80, line 11, strike out "$317,520" and insert "$360,400."

Mr. ROGERS. Mr. Chairman, when Mr. Brand, of the Bureau of Markets, was before the Committee on Agriculture early this month he called attention at length of the Committee on Agriculture to the necessity, as he viewed it, for the

retention of this item. On page 1920 of the hearings on the Bureau of Markets, Mr. Brand spoke as follows:

This particular item, 124, is what we call our local market-reporting service. The proposition involves an increase in statutory and lump of $50,000, $42,880 of which is lump and $7,120 statutory. I have asked Mr. Branch, who has developed this work from its very inception, to present the matter to the committee.

Then for a dozen pages he developed the need of this service. The Committee on Agriculture, as far as I can understand from the hearings and from conversation with members, decided to eliminate this item altogether on the ground that it involved a duplication in part at least, and, as the chairman of the committee just stated, there is no provision for retaining the work. My opinion is that the work is extremely valuable in certain sections of the country. These sections in general are urban and suburban sections in Massachusetts, Rhode Island, northern Illinois, regions around Philadelphia, and regions around New York City, and some other congested centers of the same kind.

I suggest to the committee that the direct contact between the dwellers of these communities and the dwellers of the largest portions of the United States, on the one hand, and the Department of Agriculture, on the other hand, are extremely limited, and that it is a great pity, provided the work is of real utility to these sections of the country, to eliminate it after only one year of trial. The commissioner of agriculture of the State of Massachusetts, under date of January 28, addressed to Mr. LEVER, chairman of the committee, a letter, which I have laid before Mr. LEVER, and by his authority I desire to read it to the committee at this time.

BOSTON, *January 28, 1919.*

Hon. A. F. LEVER,
Chairman Committee on Agriculture,
House of Representatives, Washington, D. C.

MY DEAR MR. LEVER: I have heard that the Committee on Agriculture has cut the appropriation for city market news reporting service from $50,000 to $10,000—

Mr. Wheeler is misinformed in that respect, because it was cut from $50,000 to nothing—

and that with this smaller appropriation it will be practically impossible to continue this work—

Of course, the elimination of the appropriation means the elimination of the work—

It strikes me that this has been a very satisfactory piece of work, and that the farmers of the country, particularly those near the cities, who have to do with the markets daily, have got to depend upon this service very materially, and that its discontinuance would be a severe blow to their work. I trust that there may be found some way in which this appropriation may be put back on the agricultural appropriation bill, so that we may have the continuation of this service.

I also understand that the news service which has to do with the wholesalers, retailers, and jobbers is to be continued. If this is so, I would like to ask why there has been this discrimination against the farmer, who absolutely needs this market news service in order to know the market conditions in the several cities to which he has to ship his products.

Very sincerely,

WILFRED WHEELER,
Commissioner.

Now, Mr. Chairman, the officials of the Bureau of Markets and branches that is designated as special, submitted to the Committee on Agriculture several cases where distinct and cordial commendations of this work has come from large cities of the United States. Those are quoted on page 110 to page 112 of the hearings. They include citations from officials as well as from private citizens from Chicago, Boston, Cleveland, Denver, Springfield, Mass., and Providence, R. I. I do not wish to detain the committee by referring to them in detail, but it seems to me they are strong indorsements, and establish pretty conclusively that there is a real need for the continuance of this service. The amendment which I have offered simply increases——

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that debate upon this paragraph and all amendments thereto close in eight minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, this item which the gentleman from Massachusetts [Mr. ROGERS] proposes to increase has no relation whatever to the work that he has been telling about. This item provides for "acquiring and diffusing among the people of the United States useful information on subjects connected with the marketing and distributing of farm and nonmanufactured food products, the purchase of farm supplies, and so forth." The service the gentleman is talking about, and for which he wishes to provide money, was a strictly local service, carried on in the immediate vicinity of some of the large cities of the country during the war, when it was very desirable and necessary that no foodstuff should be wasted, and that there should be the best conditions of marketing during that emergency. And I wish to emphasize to the House that it is strictly a local matter. The marketing is by gardeners near to the cities and by growers of small fruits in the immediate vicinity of large cities. It has no relation to matters over which the Federal Government can properly exercise control. The Federal Government has no more right to interfere with or take part in that work or assist or advise in it than the Federal Government has to go out and supply the table or furnish the clothing of individuals throughout the country. It is strictly a local matter; it is an activity in which our Government should not engage, except possibly during time of emergency, as was the case during the late war.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. I can not; I have only a few minutes. It is not a Federal function. I hope the committee will pay attention to the tendency of some of these bureaus to extend their activities, to take up lines of work that they should let alone. They like to extend their activities; they like to enlarge their bureaus; they like to have more money to spend; they like to employ more agents and employees of one kind and another. During the war emergency the extension of some of their work was necessary in order to increase the food supply and to see that it was not wasted—to help the people in these respects.

There is now tremendous effort in this Department of Agriculture, as similar effort is being made in other departments, to continue those emergency activities and to make them permanent. Evidently the chiefs of bureaus do not like to see money taken away from them. They would like to keep their divisions and bureaus large, and those who are on the pay roll do not like to have their meal tickets withheld; they do not like to be separated from the pay roll. So there has been an unusual effort to continue work begun and very properly begun and carried on under these war emergency appropriations, and that work has been extended, as I say, to many activities that are strictly local, with which the Government of the United States, as a general proposition, has nothing to do. This is particularly true as to the activities around Boston and around the city of New York and around Cleveland and around Chicago. The business carried on is always entirely between the gardeners, the raisers of perishable fruits in the immediate vicinity of the market and the commission merchants and dealers in those cities. Some of these gentlemen seem to think it would be advisable and entirely proper for a Federal agent to go in and interfere with and regulate affairs of that kind, to influence the purchase and sale of these food products. But what does this lead to? If there is a dispute between the gardener or the orchardist near a city and the dealer in the city to whom he has shipped his goods as to the quality of the goods when they reach the market, they ask that a Federal inspector shall come and inspect the goods and certify as to their condition when they reached the market. That is altogether outside of the proper Federal activities, and where there is such a gross violation of the principle that should always prevail, that this local work should not be done by the Government, this committee and the House ought not to approve such a suggestion as is involved in the amendment of the gentleman from Massachusetts.

Mr. LEVER. Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

Mr. HAUGEN. Mr. Chairman, I do not think that this has any place on this item.

Mr. ROGERS. It is in order on the item, and the chairman says it properly belongs here if anywhere.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken, and the Chair announced the noes appeared to have it.

On a division (demanded by Mr. ROGERS) there were—ayes 7, noes 18.

So the amendment was rejected.

Mr. DALLINGER. Mr. Chairman, I raise the point of order that there is no quorum present.

Mr. LEVER. I would suggest to the gentleman from Massachusetts there is another opportunity here to offer his proposition as a separate paragraph, and it is found in the Book of Estimates, one from the last.

Mr. DALLINGER. I have the amendment.

Mr. LEVER. And I trust he will not make the point of no quorum, because we have to pass this bill to-night, and I hate to bring gentlemen back.

Mr. DALLINGER. Mr. Chairman, I withdraw the point of order. [Applause.]

The Clerk read as follows:

For collecting and distributing, by telegraph, mail, and otherwise, timely information on the supply, demand, commercial movement, location, disposition, quality, and market prices of grain, hay, feeds, and seeds, $59,060.

Mr. DALLINGER. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 81, line 16, after the figures "$59,060," insert:

"For furnishing to producers, dealers, newspapers, and consumers accurate information regarding supplies of fruits, vegetables, dairy and poultry products, meats, fish, and other food products received on farmers', municipal, and other city markets and prices for which such products are sold; and information regarding such products when in abundance or oversupply, and other related matters, $42,880."

Mr. STAFFORD. I reserve a point of order.

Mr. DALLINGER. Mr. Chairman, I ask that the amendment may be modified so as to come on page 80, line 15, after "$250,000."

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

Page 80, line 15, after the figures "$250,000," insert

"For furnishing to producers, dealers, newspapers, and consumers accurate information regarding supplies of fruits, vegetables, dairy and poultry products, meats, fish, and other food products received on farmers', municipal, and other city markets and prices for which such products are sold; and information regarding such products when in abundance or oversupply, and other related matters, $42,880."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order.

Mr. LEVER. I understand the gentleman from Massachusetts offers it as a new paragraph?

Mr. DALLINGER. Yes.

Mr. LEVER. I ask unanimous consent that debate on this amendment and all amendments thereto close in eight minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this amendment and all amendments thereto close in eight minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. DALLINGER. Mr. Chairman, this amendment embodies the language found on page 243 of the estimates of appropriations for the Department of Agriculture for the next fiscal year. This amount is what the Secretary of Agriculture recommends for the purposes enumerated in the amendment. Now, I want to appeal to the members of this committee on both sides of the House, because it is not a partisan question in any way, shape, or manner, for fair play to the agricultural interests in the vicinity of our large cities.

There are many men here in the House who represent suburban districts, and they have constituents vitally interested in intensive agriculture. So far as the value of farm products is concerned, the small but congested district which I represent in Massachusetts is among the leading districts in the country, because it contains a very large number of people engaged in market gardening—raising vegetables and fruit for a market of 2,000,000 people. Now, this little item of $42,000 which the Secretary of Agriculture has recommended and which the Committee on Agriculture has thrown out is practically the only item in this part of the bill, at least, directly benefiting the millions of people living in our large cities—the only direct and special benefit they get out of the Agricultural appropriation bill. Mr. Chairman, you have placed the chief burden of national taxation upon these great centers of population, and when the Secretary of Agriculture comes before you and asks for a little item of $42,000 to benefit the market gardeners and the consuming public living in the vicinity of our large cities, you propose to deny his request.

The CHAIRMAN. Will the gentleman yield to the gentleman from New Hampshire?

Mr. DALLINGER. Certainly.

Mr. WASON. Does not the population you speak of receive benefit by reason of inspected meat that is grown in the West and inspected in the central yards and shipped there for consumption?

Mr. DALLINGER. Of course, the gentleman from New Hampshire is correct. Every item in this bill is for the benefit either of the people of the entire country or of the people of a particular region; but this item of which I speak is the only one in the Bureau of Markets in which the market gardeners and the people they serve are particularly interested. It is a service which the Agricultural Department has been doing for them, and doing for them satisfactorily, and which they are asking to have continued. Now, it is a pretty small matter when we, as their representatives, ask you to keep this item in, not to comply with our request. I trust the committee will adopt this amendment and allow this important work to be carried on as in former years.

Mr. BAER. You want to put this in in order to give prices to the people in the city to protect them against the profiteers?

Mr. DALLINGER. That is one reason. Consumers and producers are both entitled to receive this information.

Mr. LEVER. Mr. Chairman, so far as I am concerned, I do not care to debate the matter, inasmuch as the gentleman from Michigan [Mr. McLAUGHLIN] covered the subject so fully a while ago.

Mr. STAFFORD. Mr. Chairman, I make the point of order that it is new legislation.

The CHAIRMAN. The point of order is sustained.

Mr. LEVER. I would like to be heard on that, Mr. Chairman, not because I desire the item to remain in the bill, but I think it affects practically every other item in the bill. Will the Chair indulge me for a moment?

The CHAIRMAN. The Chair will do that. The Chair thought the point of order was conceded.

Mr. LEVER. No. This item reads:

For furnishing to producers, dealers, newspapers, and consumers accurate information regarding supplies of fruits, vegetables, dairy and poultry products, meats, fish, and other food products received in farmers', municipal, and other city markets, and prices for which said products are sold; information regarding such products when in abundance or oversupply, and other related matters.

Mr. Chairman, when the first item was inserted in the Agricultural appropriation bill for the estimates of the Bureau of Markets the same question arose. It was argued then by those of us in charge of the bill that the organic act creating the Department of Agriculture provides for two fundamental things: First, the collection of information relating to agriculture; second, the dissemination of that information by different means which might be thought to be wise. Now, this item is nothing more nor less than the carrying out of those important features. We are gathering information relating to the supply and prices, and so forth, at these various places and disseminating that information to those who should have the information. So it seems to me it is clearly in order under the organic act.

The CHAIRMAN. The Chair had his mind concentrated on another matter, and ruled perfunctorily. Has the gentleman from Wisconsin [Mr. STAFFORD] anything to offer?

Mr. STAFFORD. Mr. Chairman, I have not the organic act before me, but the organic act does not authorize the Bureau of Markets to perform this character of work in the extensive manner which is provided in this amendment.

Mr. LEVER. If the gentleman from Wisconsin will permit, I will call the Chair's attention to the organic act, which will be found on the very first page of the book which he has in his hand.

The CHAIRMAN. It reads as follows:

There shall be at the seat of government a Department of Agriculture, the general design and duties of which shall be to acquire and to diffuse among the people of the United States useful information on subjects connected with agriculture, in the most general and comprehensive sense of the word, and to procure, propagate, and distribute among the people new and valuable seeds and plants.

It seems to be rather general and broad.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, that is general, but it ought to be considered in the light of knowledge as to the kind of Government we are trying to carry on in this country and what our institutions are. The Federal Government has its duties to perform; the officials of the Federal Government have authority which they can exercise. There are certain obligations resting on the people of the States themselves. There are certain rights the people of the States have, and among them is to take care of matters that are strictly local, and the Federal Government has no right to interfere with matters that are local, and entirely so, in their nature. And these activities are entirely local. There is a tendency somewhere—I would not apply this remark at all to this work or the gentlemen who are urging it—to ask the Federal Government to do things the like of which the people of the country ought to be ashamed to ask the Government to do—things that they ought to do themselves.

The CHAIRMAN. The Chair will call attention to the fact that this amendment is general and applies to work all over the United States. The Chair is ready to rule.

The Chair will repeat that he did not give the matter anything like careful consideration a few moments ago for the reason he thought the point of order had been conceded. But after having his attention called to the matter, he thinks that the point of order is not well taken, and he overrules the point of order.

All debate has been exhausted on the paragraph and all amendments thereto.

Mr. HAUGEN. Mr. Chairman, this is a matter that was given very careful consideration by the committee. Upon hearing the

representative of the bureau it was decided by the committee that the money could be used to better advantage otherwise. I will read from the hearings:

The CHAIRMAN. Have you this service here in Washington?

Mr. BRANCH. Yes.

The CHAIRMAN. Do you use the rural telephone in getting these prices out to the farmers around here?

Mr. BRANCH. No; we do not.

The CHAIRMAN. Would that be possible?

Mr. BRANCH. Yes; if the way we handle it did not serve them adequately. For those who come into the market on a certain morning the bulletin is there for them when they arrive and before they start selling; and those who do not come in are reached the same morning by mail. So if they come in the following morning they have read it, consequently, I think the distribution is pretty well covered in that way.

Now, I submit to you that that sort of information can be of no value to any particular one, and as I stated, after the committee gave it careful consideration it thought that this was one of the items that might be eliminated from the bill.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Massachusetts [Mr. DALLINGER].

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. DALLINGER. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 12, noes 16.

The CHAIRMAN. The vote on this question is—ayes 12, noes 16; so the amendment is rejected.

Mr. DALLINGER. Mr. Chairman, I raise the point that there is no quorum present.

Mr. LEVER. Mr. Chairman, I suggest to the gentleman from Massachusetts that he ask for tellers.

The CHAIRMAN. The gentleman from Massachusetts makes the point of no quorum. The Chair will count. [After counting.] Forty-five Members are present—not a quorum.

Mr. HEFLIN. Mr. Chairman, a call of the House will be taken automatically.

The CHAIRMAN. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Almon	Drukker	Hood	Padgett
Anthony	Dunn	Houston	Paige
Aswell	Dupré	Howard	Park
Austin	Eagle	Hull, Iowa	Parker, N. J.
Ayres	Elliott	Hull, Tenn.	Parker, N. Y.
Bacharach	Ellsworth	Husted	Peters
Bankhead	Elston	Hutchinson	Phelan
Barkley	Emerson	Ireland	Porter
Barnhart	Esch	Jacoway	Pou
Benson	Essen	Johnson, Ky.	Powers
Boehlin	Estopinal	Johnson, Wash.	Pratt
Birch	Evans	Kahn	Price
Blackmon	Fairchild, B. L.	Kearns	Ramsey
Booher	Fairchild, G. W.	Keating	Rankin
Borland	Farr	Kelley, Mich.	Reavis
Brand	Fields	Kelly, Pa.	Reed
Britten	Fisher	Kennedy, R. I.	Riordan
Brodbeck	Flynn	Key, Ohio	Roberts
Browne	Focht	Kless, Pa.	Robinson
Brumbaugh	Fordney	Kitchin	Rowland
Burnett	Foss	Kreider	Rucker
Burroughs	Foster	La Follette	Russell
Butler	Francis	LaGuardia	Sabath
Byrnes, S. C.	Frear	Langley	Sanders, La.
Caldwell	Freeman	Lee, Cal.	Sanders, N. Y.
Campbell, Kans.	French	Lehlbach	Sanford
Campbell, Pa.	Fuller, Ill.	Linthicum	Saunders, Va.
Cannon	Fuller, Mass.	Lobeck	Schall
Cantrill	Gallivan	Lufkin	Scott, Iowa
Caraway	Gandy	Lunn	Scully
Carew	Gard	McAndrews	Sears
Carter, Mass.	Garland	McArthur	Sells
Cary	Garner	McCormick	Shackleford
Chandler, N. Y.	Garrett, Tex.	McCulloch	Shelley
Church	Gillett	McFadden	Shouse
Clark, Fla.	Godwin, N. C.	McKenzie	Sims
Claypool	Good	McKinley	Slayden
Cleary	Goodall	McLemore	Small
Coady	Gordon	Madden	Smith, Idaho
Cooper, Ohio	Gould	Magee	Smith, C. B.
Cooper, W. Va.	Graham, Pa.	Maher	Smith, T. F.
Cooper, Wis.	Gray, N. J.	Mann	Snell
Copley	Green, Iowa	Mapes	Snook
Costello	Greene, Mass.	Martin	Snyder
Cox	Greene, Vt.	Mason	Stedman
Crago	Gregg	Mays	Steele
Crosser	Griest	Merritt	Steenerson
Davey	Griffin	Miller, Minn.	Stephens, Miss.
Davis	Hadley	Mondell	Stephens, Nebr.
Delaney	Hamill	Montague	Sterling
Dempsey	Hamilton, Mich.	Moon	Stevenson
Dent	Hamilton, N. Y.	Moores, Ind.	Stiness
Dewalt	Hardy	Mott	Sullivan
Dies	Harrison, Miss.	Mudd	Swift
Dill	Hawley	Nelson, A. P.	Switzer
Dillon	Heaton	Nicholls, S. C.	Tague
Donovan	Heintz	Nolan	Taylor, Ark.
Dooling	Helm	Norton	Taylor, Colo.
Doolittle	Helvering	Oldfield	Temple
Doremus	Hersey	Oliver, Ala.	Templeton
Doughton	Hicks	Olney	Thomas
Drane	Hilliard	Overmyer	Thompson
Tilson	Voigt	Welling	Wingo
Tinkham	Waldow	Welty	Winslow
Towner	Walker	Whaley	Wise
Van Dyke	Walsh	White, Me.	Woods, Iowa
Vare	Walton	White, Ohio	Woodyard
Venable	Ward	Williams	Zihlman
Vinson	Webb	Wilson, Ill.	

The committee rose; and Mr. GARRETT of Tennessee having taken the chair as Speaker pro tempore, Mr. HAMLIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the Agricultural appropriation bill, H. R. 15108, found itself without a quorum, whereupon he caused the roll to be called, when 152 Members, a quorum of the Committee of the Whole, answered to their names, and he presented the names of the absentees to be printed in the Journal and RECORD.

The SPEAKER pro tempore. A quorum is present. The committee will resume its session.

Accordingly the committee resumed its session, with Mr. HAMLIN in the chair.

The CHAIRMAN. The question is on the motion of the gentleman from Massachusetts [Mr. DALLINGER].

Mr. LEVER. Mr. Chairman, I understood that the vote had been taken on that and that it was defeated.

The CHAIRMAN. The Chair thinks the gentleman is entitled to another vote. The question is on the amendment offered by the gentleman from Massachusetts [Mr. DALLINGER].

The question being taken; on a division (demanded by Mr. DALLINGER) there were—ayes 28, noes 55.

Accordingly the amendment was rejected.

The Clerk read as follows:

For investigating, demonstrating, and promoting the use of standards for the different grades, qualities, and conditions of cotton, and for investigating the ginning, grading, stapling, baling, marking, compressing, and care of cotton, $45,920; *Provided*, That of the sum thus appropriated $26,960 may be used for testing the waste, tensile strength, and bleaching qualities of the different grades and classes of cotton in order to determine their spinning value and for demonstrating the results of such tests.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. HEFLIN. I have an amendment that I want to offer.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order.

Mr. STAFFORD. I ask unanimous consent that the amendment may be read for information.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that the amendment of the gentleman from Alabama may be read for information. Is there objection?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. HEFLIN: Page 82, line 14, after the figures "$45,920," insert:

"*Provided*, That the Secretary of Agriculture shall hereafter require the cotton exchanges of the United States to tender and deliver on contracts only such grades of cotton as are specifically named in the nine standard grades adopted by the Congress of the United States."

Mr. LEVER. I reserve a point of order on that.

Mr. STAFFORD. It was only read for information.

Mr. HEFLIN. Mr. Chairman, about eight years ago the Congress passed an act, and I had a part in its passage, naming nine grades of cotton and standardized the grades of cotton to be tendered on the exchanges of the United States. The Bureau of Markets has widened out these grades. It has made technical shades and variations of grades, and now has 21 or 22 of them. If a man buys cotton on a contract on the New York exchange now, he does not know what he is going to get. If they tender him a grade and he says "That is not within the nine grades standardized by Congress," then they say, "Oh, we have made variations of those grades," and they claim the right in the Department of Agriculture to do that. I submit to gentlemen in this House that it is unfair to the producer and unfair to the spinner to permit this addition to the number of grades. I hold that these 21 grades help nobody but the gambling speculator upon the exchange; and I say to you gentlemen that the nine grades standardized by Congress cover every spinnable grade of cotton that we produce in the United States, and if we are in favor of honest dealing on the exchanges we ought to require these men to tender upon contracts one of these nine grades and no other, because they cover every grade of cotton grown in the United States. I do not think that these exchanges ought to be permitted to tender stuff on a legalized exchange that does not represent 10 per cent of American cotton and that which the spinner does not want; and I say to my friends from the grain-growing section that if under this law the department has the right to spread out these grades and enlarge the number, as it has done, it will do the same for you upon your wheat and corn, and if ever they spread out your wheat and corn grades the gamblers will fleece you just as they now fleece the

cotton producers. I am in favor of requiring honest dealing on these exchanges, and if this law permits this kind of grading to be done it is detrimental to the producer, it is hurtful to the spinner, it is helpful only to the gambler in cotton. [Applause.]

Mr. Chairman, if this amendment is adopted at this time, the Secretary of Agriculture will have to issue an order saying to the exchanges, "You must comply with the act establishing the nine standardized grades of cotton." When we passed the law I thought—and others here from the cotton belt thought—that none but the nine grades could be used. That was your purpose. It was the purpose of the Senate; it was the purpose of everybody who knew anything about it, and this power that they now claim to have, to spread out these grades covering more than 20 of them, must be taken from them, and this provision that I offer here will do that thing. [Applause.] I hope the gentleman from Wisconsin will not make the point of order.

Mr. STAFFORD. It is the gentleman from South Carolina [Mr. LEVER] that has made the point of order.

Mr. HEFLIN. I trust the gentleman from South Carolina will not make the point of order against this proposition, because I want to say that under the present system they are robbing the cotton producers of the South of millions of dollars every day. The demand for American cotton is 6,000,000 bales more than the American supply, and yet they are beating down the price by speculation and by grades from 21 to 22, and are not required to deliver standard grades that Congress has provided.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HEFLIN. I ask for two minutes more.

The CHAIRMAN. Without objection, the gentleman will proceed.

Mr. HEFLIN. Gentlemen, the other day spot cotton at Charleston, S. C., was 30 cents and the future price 24 cents on the exchange in New York—thirty dollars difference in the bale. Heretofore under honest dealing on the exchanges the future market in New York would have been 31 cents and the spot market 30, the one cent accounted for by the freight charges to get the cotton from Charleston to New York. Whenever the spot market is higher than the future market it is wildcat gambling pure and simple. [Applause.] If they can do that with cotton, gentlemen, it will not be long before they can do it with grain.

I had a spinner to tell me the other day that he could not get his cotton supply through the exchange. The producer is being robbed by the present operation of the exchange. All I want is to have the price be exactly what the law of supply and demand justifies. That is what I am asking for, and I trust that no gentleman will make a point of order against this meritorious and emergency measure. Let the law of supply and demand operate, and if this gambling is to go on do not for God's sake let it go on by the sanction of Congress. [Applause.] You have an opportunity here and now to stop it. You can by the adoption of my amendment stop it now and require these men to tender standard grades and not 21 and 22 grades that they are using over there without authority of law.

I repeat again that when I voted for this law I never dreamed that they had the power under it, and I do not think now they have, and if they have I want to take it away from them as soon as it is possible. [Applause.]

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order to the paragraph.

The CHAIRMAN. The question is on the amendment.

Mr. LEVER. Mr. Chairman, I do not understand that the amendment has been offered.

Mr. HEFLIN. I offered the amendment.

The CHAIRMAN. The gentleman from South Carolina is correct, a point of order was pending.

Mr. HEFLIN. I offer it now.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk again reported the amendment.

Mr. STAFFORD. Mr. Chairman, I make a point of order on the amendment that it is new legislation.

Mr. HEFLIN. I hope the gentleman from Wisconsin will not make the point. I would like for the House to vote on it.

Mr. STAFFORD. We have had the subject up before the House, and the House has passed on it.

Mr. HEFLIN. Not exactly this case; this has never been voted upon.

Mr. STAFFORD. That is the difficulty; we have had the general subject up.

Mr. HAYES. This requires expert knowledge, and the gentleman asks the House to vote on something that it knows nothing about.

The CHAIRMAN. The point of order is sustained.

The Chair is now ready to pass upon the point of order which was reserved to the item on page 78.

Mr. LEVER. Mr. Chairman, I ask unanimous consent to return to page 78.

The CHAIRMAN. Without objection, it will be so ordered. The Chair hears no objection. The Chair will now pass on the point of order. The gentleman from Pennsylvania [Mr. MOORE] made a point of order against one item of the bill, to wit, "one administrative assistant, $3,000," on the ground that it was an increase of salary. The gentleman from South Carolina, in charge of the bill, made a statement—which, of course, is accepted as true—that that was a transfer from the lump-sum roll, without any increase in pay to this particular individual, to the statutory roll. The gentleman from Wisconsin argued with considerable force and a great deal of evident sincerity that a transfer could not be made from a lump-sum to a statutory roll in the face of a point of order. It is a novel proposition to the Chair, because in the experience of the present occupant of the chair he does not recollect that such a point of order was ever raised before.

It was a novel proposition to the Chair, because in all his experience here he has known this kind of transfers to be made repeatedly, but he does not recall that ever before was a point of order raised against it. The Chair has taken some time in looking the matter up. The vital point of the whole proposition is whether a transfer can be made from the lump-sum roll to the statutory roll without change of salary. In the act of March 4, 1913, Thirty-seventh Statutes at Large, page 739, section 7 provides—

> That no part of any money contained herein or hereafter appropriated in lump sums shall be available for personal services at a rate of compensation in excess of that paid for the same or similar services during the preceding fiscal year, nor shall any person employed at a specific salary be hereafter transferred and hereafter paid from a lump-sum appropriation at the rate of compensation greater than such specific salary, and the heads of the departments shall cause this provision to be enforced.

That is all that it is necessary to read. The Chair finds from that an authority to transfer from the so-called statutory salary roll an employee to the lump-sum roll, provided that the salary paid under the lump sum shall not be greater than that he was receiving under the statutory roll.

There is existing law providing for the head of a department to employ, to promote, and to fix salaries of clerks to be paid out of a lump-sum appropriation. The Chair confesses very frankly that the question of a proper holding on this proposition is not free from doubt; but here is authority to transfer from a specified salary to a lump-sum roll, and the Chair is going to hold that there is an implied authority, to say the least, to transfer back from the lump-sum roll to the specified-salary roll, provided the salary is not increased, and that that can be done even in the face of a point of order. The fact being taken as true as outlined, and no doubt it is, that this transfer was made from the lump-sum roll to what we know as the statutory roll at the same figure he was drawing under the lump sum, the Chair feels impelled to overrule the point of order.

Mr. LEVER. Then it will be considered that the statutory roll will be passed as we fixed it.

Mr. STAFFORD. What is the position of the Chairman on the other points of order that I have made on other items—for instance, one superintendent of telegraphs, $2,000?

The CHAIRMAN. The Chair had really overlooked the fact that a point of order had been made against this item.

Mr. LEVER. I call the Chair's attention to the fact that all of the other propositions involved in the gentleman's point of order are exactly in the same category. They are all transfers.

Mr. STAFFORD. There is no provision in the statutory roll at present for any such position as superintendent of telegraphs.

The CHAIRMAN. The Chair would say that he is decidedly of the opinion that no new statutory position can be created by these transfers.

Mr. LEVER. I do not think the Chair is correct upon that proposition. The organic act permits the Secretary of Agriculture to employ "other persons." I think that is the language of this act, section 523, in the volume before the Chair. These people have been employed out of a lump sum at a salary of $1,400, and now they are being transferred. I do not think it is necessary to have any specific authority creating these positions on the statutory roll. I do not know myself of any specific authority for the employment of an assistant administrative officer, and yet the Chair has just held that that is in order.

Mr. STAFFORD. I understood the Chair to hold that if a position is established you can transfer it onto the statutory roll at the same salary.

The CHAIRMAN. It was the intention of the Chair to be so understood.

Mr. STAFFORD. Did I understand the Chair to hold that the salary would have to be the same as that which was carried on the statutory roll?

The CHAIRMAN. If a transfer from the statutory roll to the lump sum is made it can not be made at a salary greater than that received under the statutory roll, and if a transfer is made from the lump sum back—as the Chair understands the facts are in this case—to the statutory roll, it must be made at a salary not larger than he was receiving under the lump-sum appropriation.

Mr. STAFFORD. Then the Chair's ruling, in effect, is that if the head of a bureau plays the game of ping-pong and takes a man off the statutory roll at $2,500, for illustration, an administrative assistant, and puts him on the lump-sum roll and increases the salary to $3,000, then he can transfer him back to the statutory roll at $3,000 and create a new position at a higher salary?

The CHAIRMAN. No; the gentleman does not understand the Chair at all upon the proposition. If this party was upon the statutory roll at $2,500 and then transferred to the lump-sum roll, he would have to be transferred at a salary of not over $2,500 under the lump sum.

Mr. STAFFORD. I do not believe there is any testimony here that this gentleman, chief of this bureau, deliberately took him off the statutory roll, receiving $2,500, and placed him on the lump-sum roll at $3,000, and put him back on the statutory roll at $3,000.

Mr. LEVER. There is no such testimony and no such fact.

The CHAIRMAN. The Chair did not intimate that there was, but just read the provisions of the law, which was very plain, that if he was only drawing $2,500 on the statutory roll he can not be transferred at over $2,500 under the lump-sum appropriation. That is very plain. The Chair recognizes, and may as well say it, speaking as a Member of the House now, always being opposed to this lump-sum appropriation business, he realizes that great abuses may grow up under such practices. If a man is on the roll and transferred to the lump-sum appropriation, the salary can not be increased above that he was receiving in the first place, but if he was never in the service the law gives the Secretary of Agriculture authority to make appointments, promotions, and changes in salary to be paid out of the lump sum of the several bureaus, divisions, and so forth. He has authority to employ a man and fix the salary. Now, the Chair has held that he thinks he may transfer him back to the statutory roll, providing he does not increase the salary. It is up to the House to determine whether they would reduce that salary or not. The point of order is overruled.

Mr. MOORE of Pennsylvania. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE of Pennsylvania. Does a Member of the House lose the right to make a point of order that arises in connection with the Chair's decision? I think under the Chair's ruling a point of order would now lie against the words "one administrative assistant," because there is a clear case of an increase of salary for that particular officer.

The CHAIRMAN. It is clearly too late to make that point of order; the gentleman should have reserved that point of order at the proper time.

Mr. MOORE of Pennsylvania. The gentleman from Pennsylvania, of course, nor any other gentleman could foresee what the decision of the Chair would be.

Mr. STAFFORD. I wish to inform the Chair a point of order was not only made against this one administrative assistant, $3,000, but half a dozen other positions.

The CHAIRMAN. Yes; but not the point of order the gentleman is now seeking to raise. The Chair would like to ask the gentleman from South Carolina in reference to the point of order now made by the gentleman from Wisconsin: Does the gentleman concede that this is a new position created?

Mr. LEVER. Which position?

Mr. STAFFORD. Superintendent of telegraph, $2,000.

Mr. LEVER. All of these telegraph operators are now in the Government service. They are in exactly the same position as the one administrative assistant upon which the Chair passed. They are drawing this salary from the lump-fund appropriation. They are now being transferred to the statutory roll, but they are not new places. It is a new place on the statutory roll, but not in the service.

Mr. MOORE of Pennsylvania. Mr. Chairman, this is a matter of such consequence that I think the Members of the House ought to have a chance to consider it before we proceed further on this bill, and I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman makes the point of no quorum. The Chair will count. [The Chair proceeded to count.]

Mr. OVERSTREET. Mr. Chairman, I would like to ask the gentleman to withdraw that point of order and let us proceed to business.

The CHAIRMAN. It is too late now. [After counting.] Sixty gentlemen are present, not a quorum. The Clerk will call the roll.

The Clerk proceeded to call the roll.

Mr. WASON. Mr. Chairman, a parliamentary inquiry.

Mr. GARRETT of Tennessee. Oh, no. Call the roll.

Mr. WASON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The Chair has decided there is no quorum present, and no business can be transacted.

Mr. WASON. A parliamentary inquiry can be made, can it not?

The CHAIRMAN. It can not when the roll is being called.

Mr. WASON. I addressed the Chair before the roll call was ordered.

The roll was called, and the following Members failed to answer to their names:

Anthony	Elston	Kreider	Rucker
Aswell	Emerson	La Follette	Russell
Austin	Essen	LaGuardia	Sabath
Ayres	Estopinal	Lampert	Sanders, Ind.
Bacharach	Evans	Langley	Sanders, La.
Bankhead	Fairchild, B. L.	Lea, Cal.	Sanders, N. Y.
Barkley	Fairchild, G. W.	Lehlbach	Sanford
Barnhart	Farr	Lesher	Schall
Benson	Fess	Linthicum	Scott, Iowa
Beshlin	Fields	Little	Scully
Birch	Fisher	Lobeck	Sears
Blackmon	Flood	Lonergan	Sells
Bland, Ind.	Flynn	Longworth	Shackleford
Booher	Foss	Lufkin	Sherley
Borland	Foster	Lunn	Sherwood
Brand	Francis	McAndrews	Shouse
Britten	Frear	McArthur	Sims
Brodbeck	Freeman	McCormick	Slayden
Browne	French	McCulloch	Slemp
Brumbaugh	Fuller, Ill.	McFadden	Small
Burnett	Fuller, Mass.	McKenzie	Smith, Idaho
Burroughs	Gallivan	McKinley	Smith, C. B.
Butler	Gandy	McLaughlin, Pa.	Smith, T. F.
Byrnes, S. C.	Gard	McLemore	Snell
Caldwell	Garland	Madden	Snyder
Campbell, Kans.	Gillett	Magee	Stedman
Campbell, Pa.	Glynn	Maher	Steele
Cannon	Godwin, N. C.	Mann	Stevenson
Cantrill	Good	Mapes	Stephens, Miss.
Caraway	Goodall	Mays	Stephens, Nebr.
Carew	Gould	Merritt	Sterling
Carlin	Graham, Pa.	Miller, Minn.	Stevenson
Carter, Mass.	Gray, N. J.	Mondell	Stiness
Carter, Okla.	Greene, Vt.	Montague	Sullivan
Cary	Gregg	Moores, Ind.	Swift
Chandler, N. Y.	Griest	Mott	Switzer
Chandler, Okla.	Griffin	Mudd	Tague
Church	Hamill	Nelson, A. P.	Taylor, Ark.
Clark, Fla.	Hamilton, Mich.	Nelson, J. M.	Templeton
Classon	Hamilton, N. Y.	Nicholls, S. C.	Thomas
Cleary	Hardy	Nolan	Thompson
Coady	Harrison, Miss.	Norton	Tinkham
Collier	Hawley	Oldfield	Towner
Cooper, Ohio	Heaton	Oliver, Ala.	Treadway
Cooper, W. Va.	Heintz	Olney	Van Dyke
Cooper, Wis.	Helm	Osborne	Vare
Copley	Helvering	O'Shaunessy	Venable
Costello	Hersey	Overmyer	Vinson
Cox	Hicks	Padgett	Voigt
Crago	Hood	Paige	Volstead
Crosser	Houston	Park	Waldow
Curry, Cal.	Howard	Parker, N. J.	Walker
Dale	Huddleston	Parker, N. Y.	Walsh
Davey	Hull, Iowa	Peters	Walton
Davis	Hull, Tenn.	Phelan	Ward
Decker	Husted	Platt	Watkins
Delaney	Hutchinson	Porter	Watson, Va.
Dempsey	Ireland	Pou	Weaver
Denison	James	Powers	Webb
Dent	Johnson, Ky.	Pratt	Welling
Dewalt	Johnson, Wash.	Price	Welty
Dies	Jones	Ramsey	Whaley
Donovan	Kahn	Ramseyer	Wheeler
Dooling	Kearns	Rankin	White, Me.
Doolittle	Keating	Rayburn	White, Ohio
Doremus	Kelley, Mich.	Reavis	Wilson, Ill.
Doughton	Kelly, Pa.	Reed	Wilson, Tex.
Drane	Kennedy, Iowa	Riordan	Winslow
Drukker	Kennedy, R. I.	Roberts	Wise
Dunn	Key, Ohio	Robinson	Woods, Iowa
Dupré	Kiess, Pa.	Rodenberg	Woodyard
Dyer	Kitchin	Rogers	Young, N. Dak.
Eagle	Knutson	Rose	Zihlman
Ellsworth	Kraus	Rowland	

Thereupon the committee rose; and the Speaker having resumed the chair, Mr. HAMLIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 15018) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920, and having found itself

without a quorum, he had directed that the roll be called, whereupon 134 Members responded to their names, and he submitted a list of absentees for printing in the Journal.

The SPEAKER. The committee will resume its session.

The committee resumed its session.

The CHAIRMAN. Will the gentleman from Wisconsin [Mr. STAFFORD] specify the provisions against which he makes points of order?

Mr. STAFFORD. I made points of order against "1 administrative assistant, $3,000"; "2 executive clerks," lines 12 and 13, "at $2,000 each"; "1 clerk, $2,000"; "1 executive assistant, $1,980." I also made a point of order against "1 superintendent of telegraph, $2,000." Will the Chair permit me to say just one word?

The CHAIRMAN. The Chair will hear the gentleman briefly.

Mr. STAFFORD. The gentleman from South Carolina [Mr. LEVER] directed the attention of the Chair to the authorization of the Secretary of Agriculture to fix the salaries out of lump-sum appropriations. I wish to direct the attention of the Chair to the fact that that was simply a current appropriation law, and that with the lapse of that appropriation that authority ceased absolutely. That has been the current of the decisions of the Chair right along. There has been no authority called to the attention of the Chair authorizing the transfer of clerks or officials employed from the lump-sum roll back to the statutory roll.

These positions that I am making points of order against are, some of them, new positions which have not heretofore been created.

I wish to direct the Chair's attention to a provision carried in one of the former Agricultural appropriation acts which legalized all the positions that were then carried in that act. Inferentially, positions that were not carried in that act were not provided for by law, and when a committee attempts to bring in positions that have not heretofore been provided for by law, I think it is a safe conclusion that they are positions that are not authorized by law.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. McLAUGHLIN of Michigan. As to that provision that was passed which legalized all those that are now employed, which makes them statutory positions, does not that mean that all those who were on the statutory roll at the time of that enactment were those that were on the lump-sum roll, because many of them on the lump-sum roll were but temporary?

Mr. STAFFORD. That is the very point. The gentleman from Michigan emphasizes the very position that I am taking on this matter. The provision referred to is "That hereafter any officer or employee of the Department of Agriculture whose rate of compensation is specified herein shall receive compensation at the rate so specified." The purpose of that provision, which is similar in its purport to a provision carried on the legislative, executive, and judicial appropriation bill, was to legalize the positions as carried in the then existing act.

Now, as brought out very succinctly by the gentleman from Michigan, the intent was to legalize the positions on the statutory roll, and when they were legalized they became fixed as the positions that were created for that department. The provision that the gentleman from South Carolina pointed out, that as to a lump-sum appropriation, which expires with the year, the Secretary of Agriculture may fix the salaries of the respective positions under that appropriation; of course that is merely temporary and falls with the appropriation. The Chair can not hold that it authorizes the Secretary of Agriculture to create for all time a statutory provision. This provision here shows the intention of Congress to legalize those positions, those positions that were existing at that date then established, and no other positions have been established. I cite Thirty-seventh Statutes at Large, in the appropriation act for 1914. The burden is upon the chairman of the committee.

Mr. LEVER. It is not a burden at all. It is a pleasure to relieve myself of the burden.

Mr. STAFFORD. It is a burden upon the committee to show that these positions have been authorized.

Mr. LEVER. Mr. Chairman, with reference to the point the gentleman from Wisconsin brings out, I wrote the language that he has read. I suggested it to meet a situation such as we have to-night, when Members, forgetting the larger things, think about the smaller things. But that does not in the least affect this situation. That affected the clerks and employees of the Department of Agriculture, who were then in the service, and it was designed to do that very thing. The point of order which the gentleman has made has already been decided by the Chair, because every one of the propositions here involved is identical with that upon which the Chair has already ruled.

Mr. STAFFORD. Will the gentleman permit there? I wish to call attention to the fact that there is no present position known as executive clerk, nor is there any provision for an executive assistant, nor is there any provision for a superintendent of telegraphs.

Mr. LEVER. In answer to that I will say that up to probably last year there was no provision in this bill for an administrative assistant; and yet that place is lawfully created under the lump-sum appropriation, and has been transferred here. The Chair has held, very properly, in my judgment, that the point of order as to the executive assistant is not good, that the point of order as to this particular individual is not good, and it can not be good as to the other individuals against whom points of order have been made, because they are in exactly the same category.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, it seems to me it can not be right to hold that the Secretary of Agriculture or the head of a bureau can create a new office, and as many new offices as he pleases each year, by having the officials and clerks that he appoints put under the lump sum; that he can not, by transferring them to the statutory roll, make them statutory and permanent positions. If that ruling is to prevail, the Congress might as well acknowledge its inability in any manner or to any extent whatever to influence the number of positions that can be created in this department, and that the Congress has surrendered all authority and given up all attempt at exercising authority over the amounts of salaries to be paid to the clerks and officials employed by the Secretary of Agriculture. That is the inevitable conclusion that we reach and the position that we must take as a result of the Chairman's ruling holding these positions in order simply because the Secretary of Agriculture has employed some new man, created a new office, and after a time transferred him to the statutory roll with such salary as he may be pleased to pay if it does not exceed the limit provided by law, $4,500 a year.

Mr. LEVER. Mr. Chairman, will the gentleman yield for a suggestion?

The CHAIRMAN. The Chair is ready to rule.

Mr. LEVER. I think, in fairness, it ought to be said that if there is any abuse on this proposition at all it is not the fault of the executive department of the Government. It is the fault of Congress, and we might as well take the blame and not try to shift it. If we do not desire one assistant executive officer, or if we do not desire five telephone operators, we can strike them out.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. LEVER. In just one minute.

Mr. MOORE of Pennsylvania. I was going to make that motion, but the Chair declared that it would not be in order at this time.

Mr. LEVER. If we do not desire to increase the appropriation in a lump fund of $100,000, we can reduce it. The executive officer does not pass upon it, and I think we ought to be fair to these men. It is the fault of Congress and not of the executive.

Mr. McLAUGHLIN of Michigan. If Congress provides a lump sum of $100,000 in the proper department, and turns it over to that department, there is still no limit to the manner in which that $100,000 lump sum can be used. The Secretary can pay any salary he pleases, discharge all the low-priced men, and pay the money entirely to high-priced men. And I want to point out to the Chair that the practice has prevailed to some extent in the department of transferring men from the lump-sum fund to the statutory roll at high salaries, and later taking those same men and transferring them back to the lump sum and paying them higher salaries than they had received either under the lump sum before or on the statutory roll, and then transferring them back to the statutory roll at the original salary that was paid under the statutory roll. Clearly, it seems to me a violation of law and an abuse of discretion.

Mr. MOORE of Pennsylvania. A parliamentary inquiry, Mr. Chairman. In view of the statement made by the gentleman from South Carolina, will the Chair recognize me to make a motion to reduce the figures $3,000 to $2,500 where it applies to the administrative clerk and which shows an evident increased salary?

The CHAIRMAN. The Chair could only do that by the unanimous consent of the committee.

Mr. STAFFORD. The gentleman's motion would be in order as soon as the point of order is disposed of.

Mr. MOORE of Pennsylvania. We have passed over the paragraph.

Mr. STAFFORD. But we passed it with the right of all Members to offer amendments.

The CHAIRMAN. The Chair is ready to rule. The Chair is not entirely clear as to how he ought to rule on this proposition. He stated a while ago that it is a somewhat new proposition; but the Chair recognizes this fact, that the Congress has given to the Secretary of Agriculture the right to make appointments and promotions, change of salaries, and so forth, and to pay these employees out of a lump sum. The Chair has no doubt that abuses may have, in all probability, grown up under it. The Chair thinks it is bad practice to make appropriations in that way, but that makes no difference in this ruling. The law recognizes the right to take a man from the statutory roll, pay him out of a lump-sum appropriation, with certain limitations, to wit, that it must not be at a greater salary than he received on the statutory roll. It seems to the Chair that if they can transfer to the lump-sum roll they may transfer back from the lump-sum roll. That this has been done continually and repeatedly for the last 14 years the present occupant of the chair thinks there is no doubt. That of itself would not be, perhaps, a sufficient reason for holding that it can be done; but there must have been an intention in the mind of Congress to give authority for that kind of transaction, or else the question, no doubt, would have been raised before this time. The Chair is going to hold that the point of order is not well taken. If any Member wants the judgment of the committee, the Chair would be glad to have an appeal taken and get the judgment of the committee on this proposition.

Mr. STAFFORD. Does the Chair predicate that on the fact that the positions have existed on the statutory roll?

The CHAIRMAN. Congress gave the right to the Secretary of Agriculture to establish positions, and so forth, under the lump-sum appropriation. We are informed by the chairman of the committee in charge of the bill that these positions were created, salaries fixed, and now they are simply being transferred to another roll at the same amount exactly that Congress gave the Secretary the right to fix, and which he did fix. Consequently it looks like the remedy of the House is on a motion to strike out these provisions by a vote of the majority if the committee are opposed to these items.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out, in line 11, page 78, the figures "$3,000" and insert "$2,500."

The Clerk read as follows:

Amendment by Mr. MOORE of Pennsylvania: Page 78, line 11, strike out "$3,000" and insert "$2,500."

Mr. LEVER. Will not the gentleman make it two at $2,500 instead of one?

Mr. MOORE of Pennsylvania. If the motion should prevail in this instance, it would be in order to proceed down the line and reduce the increases.

Mr. LEVER. Mr. Speaker, I ask unanimous consent that all debate on this amendment and amendments thereto close in eight minutes.

The CHAIRMAN. The gentleman asks unanimous consent that all debate on this amendment and amendments thereto close in eight minutes. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Chairman, I very much regret having to help hold the House here at this late hour, but, appreciating the perplexity of the chairman in ruling on this very important question, and believing this to be one of the most important questions that confronts Congress, I feel that we ought to deliberate seriously before we get away from this item of the Bureau of Markets. What are the facts? The facts are that the Bureau of Markets was created about five or six years ago, with an appropriation of $50,000. By industry and activity during the last six years it has so developed that in the present bill it asks for an appropriation of about $3,000,000, a very significant increase. In this particular item for salaries, appropriations have advanced from $387,851 last year to $671,810 this year, almost double the amount allowed last year for salaries alone.

An examination of the list reveals the fact that we are paying higher salaries for these places created in the Bureau of Markets than we are to many others where corresponding work is done. For instance, we pay telephone operators at the Capitol $900 per annum. The Secretary of Agriculture in this bill pays his operators—and there are 20 of them in this bureau alone—$1,400, a very great disparity and an injustice to those who receive only $900. According to the argument and reasoning of the gentleman from South Carolina, now supported by the Chair in his ruling, there is nothing for Congress to do but accept the assignment of clerks in the Bureau of Markets at any salaries the Secretary may fix.

The statutory provision fixing the number of clerks, and their salaries, is brushed aside, and we are made to accept the conditions laid down by the Secretary of Agriculture, who may employ as many clerks as he chooses to employ at the salary he fixes, and Congress has nothing to do with it at all if this bill passes. That is what I rise to oppose. I am opposed to yielding all of the prerogatives of Congress to the departments. I am opposed to the creation of this horde of offices at salaries fixed by the chiefs in spite of the legislation which we enact. I am opposed to the subterfuge of putting men upon the statutory roll and transferring them by departmental authority to higher salaries taken from lump-sum appropriations. That is contrary to the will, contrary to the act of Congress, but by this bill we are brought to this position: The Chair rules that the point of order is well taken which opposes an increase of $500 in the salary of the chief of the bureau who under statutory law gets $4,500 and who in this bill is raised to $5,000, but when it comes to these hundred or more of clerks who have been created since the last bill was passed, who have been given jobs within a year, whose salaries have been practically doubled within a year, by the edict of the Department of Agriculture, the Chair rules that we are bound by the action of the department and that Congress has nothing to say about it. I shall take the Chair at his word and the committee upon its pretenses, and move to strike out the increases that are apparent in this bill. The one administrative clerk who received a salary of $2,500 under the act of Congress making appropriations for the Department of Agriculture, passed October 1, 1918, is advanced in the bill now before us to $3,000, and my motion is to strike out the $3,000, which is allowed by the departmental dictum in this bill, and reinsert the $2,500, which we allowed last year. It is not a reduction but a restoration of existing law.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. LEVER. Mr. Chairman, the gentleman from Pennsylvania [Mr. MOORE] complains that this appropriation for the Bureau of Markets has increased within the last two years. That is true. As I was proceeding to say some time ago when interrupted by some one, it has not been until within six or eight years that any attention whatever has been given to the matter of the distribution of farm products. In 1862 we passed the Morrill Act; in 1888 we passed the Hatch Act; in 1896, I think, we passed the Adams Act; and in 1914 we passed the Smith-Lever Act, all more directly dealing with the problem of production than with the problem of distribution. Yet there is not a man here who ever gave five minutes' thought to the economics of agriculture who does not agree with me in the statement that the bigger end of the problem of agriculture is the problem of distribution. The gentleman from Pennsylvania would hamstring and hamper the efforts of progressive agricultural thinkers in their desire to promote a better system of marketing farm products.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. LEVER. Yes.

Mr. TILSON. Will the gentleman answer me with his usual candor as to whether we are getting any substantial, good results from the huge expenditures in the matter of markets?

Mr. LEVER. Mr. Chairman, the best answer to that question is the resolution of the National Live-Stock Association on one item in this bill, passed in Denver, Colo., last week or the week before, not only indorsing the work of the Department of Agriculture in this respect, but asking for increased funds for the expansion of this work. And I take it that a great association, comprising the intelligent live-stock men of the country, would not go on record in favor of a proposition unless they thought it was a benefit to their great industry.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. LEVER. For a question.

Mr. MOORE of Pennsylvania. Will the gentleman permit me to say that the business men in my city complain that the Bureau of Markets is a detriment to business?

Mr. LEVER. Mr. Chairman, I had a suspicion that somebody in Philadelphia was complaining about this Bureau of Markets, because the gentleman's activities did not manifest themselves until we reached this bureau.

Then the gentleman, with his usual eagerness, adroitness, and suavity, and all those other good things I might say about him, entered into the arena; and if there is a "nigger in the woodpile," I am glad to uncover him.

Mr. MOORE of Pennsylvania. Will the gentleman yield for one more question? Does the gentleman think he has answered

my proposition about the increasing of pay from $2,500 to $3,000 by his eloquence?

Mr. LEVER. Fully. Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken, and the Chair announced the ayes seemed to have it.

On a division (demanded by Mr. LEVER) there were—ayes 32, noes 52.

Mr. MOORE of Pennsylvania. I ask for tellers.

Tellers were ordered.

The committee again divided; and the tellers (Mr. MOORE of Pennsylvania and Mr. RUBEY) announced that there were—ayes 36, noes 56.

Mr. MOORE of Pennsylvania. Mr. Chairman, I make the point of order there is no quorum present.

The CHAIRMAN. The gentleman from Pennsylvania makes the point of order there is no quorum present. The Chair will count. [After counting.] A hundred and two Members are present, a quorum.

So the amendment was rejected.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out, on page 78, lines 12 and 13, the words "two executive clerks, at $2,000 each."

Mr. LEVER. And on that I ask that debate be now closed.

Mr. MOORE of Pennsylvania. I would like to have five minutes on this.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that debate on this amendment be closed in six minutes.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 78, lines 12 and 13, strike out the words "two executive clerks, at $2,000 each."

The CHAIRMAN. On this amendment the gentleman from South Carolina asks unanimous consent that debate be closed at the expiration of six minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. Mr. Chairman, it seems a duty to call the attention of our friends upon the other side, who are soon going out of power, to the political wisdom displayed by their Secretary of Agriculture in providing all the offices he possibly could for deserving Democrats before his retirement from his high station. The two executive clerks, at $2,000 each, whom I have moved to strike out, and against whom I have no personal feeling whatever and who will probably hold their jobs despite anything I may say, were evidently created since the last session of Congress. But they are not alone in the gentle art of being found when the finding was good and while the war was on. The two executive clerks have been provided. From what section of the country they come I do not know. Evidently they were useful to the Bureau of Markets for a kind of work that is more or less useful. Citizens in my vicinity claim that the work of the bureau they serve is useless and a waste of public expenditure and energy, but gentlemen who differ as to the two executive clerks probably feel that they are of great service to the community. But I call the attention of my Democratic brethren to the fact that while the funds were in their possession they have made the most of their opportunity. I do not know that we can find fault with them for that. They have had plenty of money in these appropriations and amongst others have provided for these extra clerks. I do not know whether these two executive clerks are going out by our action to-night, but if they do not the chances are they may go out when we have a real reform in governmental expenditures. I am quite sure, however, that those who have been in possession of the purse strings during the last six years since this Bureau of Markets has been created, and since it has grown from a little $50,000 bureau to a bureau that has the audacity and the power to come in here and ask for $3,000,000—I say, I am sure, that the lines may be a little more tightly drawn than they have been heretofore.

These two executive clerks have been created in spite of any legislation enacted by the Congress of the United States. They have been created because somebody wanted the places or because somebody who had possession of the funds desired to give them employment.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield.

Mr. GREEN of Iowa. My friend says that this bureau has not manifested its usefulness, which I think is quite true as a general proposition, but I understand that the great packing houses consider it a very useful bureau, and perhaps it is in one way. I understand the storage houses of the big packing establishments are filled to the top with provisions of every kind, which they are holding for high prices.

Mr. MOORE of Pennsylvania. People in my city are paying the highest prices that were ever paid for food in the history of the world, and are barely able to make money enough to buy sufficient to eat. And yet we have to provide in this bill for executive clerks, for teachers, scholars, and investigators, to go out and tell the farmers how to run their farms and the people in the large cities and around the markets how to do business. I am raising this question of increases in appropriations and salaries as a matter of duty, so that those in the galleries and those in the newspapers offices and those elsewhere outside of the Halls of Congress may know that there is at least one silent voice raised in protest against this saturnalia of extravagant expenditures that has been going on in the Department of Agriculture.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEVER. Mr. Chairman, the gentleman from Pennsylvania has disclosed his real purpose in this whole matter. He desires that the folks in the galleries shall hear him, and, if they can not hear him, that the people who read the newspapers may read about him.

Mr. MOORE of Pennsylvania. I was afraid it would not get in the papers, and wanted the galleries to carry the news.

Mr. LEVER. The gentleman is very anxious to have that "silent" voice of his reach the four corners of the world. Oh, Mr. Chairman, do you not think we ought to go along here like Members of Congress. [Applause.] I ask for a vote.

The CHAIRMAN. The question is on the amendment of the gentleman from Pennsylvania [Mr. MOORE].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. MOORE of Pennsylvania. Division, Mr. Chairman.

The committee divided; and there were—ayes 34, noes 50.

So the amendment was rejected.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to amend the bill, page 78, line 11, by striking out after the word "assistant" the figures "$2,500," and inserting "$1,980."

Mr. LEVER. Mr. Chairman, I move that debate on this paragraph and all amendments thereto do now close.

The CHAIRMAN. The gentleman from South Carolina moves——

Mr. MOORE of Pennsylvania. Mr. Chairman, a parliamentary inquiry. If that motion is carried, would not the effect be to close debate instantly? That is to say, the gentleman offering the amendment would have no right to be heard?

The CHAIRMAN. The gentleman will state the inquiry again.

Mr. MOORE of Pennsylvania. If the gentleman's motion should prevail, the gentleman offering the amendment would have no right to be heard on this amendment under the rule?

The CHAIRMAN. The amendment would be voted on.

Mr. MOORE of Pennsylvania. In other words, the purpose of the motion is to gag those who desire to discuss this bill and to intelligently state the manner in which the Department of Agriculture prepares its estimates to hoodwink Congress. That is the purpose of it?

The CHAIRMAN. The gentleman from South Carolina——

Mr. HAYES. A point of order, Mr. Chairman.

Mr. DOWELL. Mr. Chairman, I raise the point of order that under the rules a motion can not be made within five minutes.

Mr. CAMPBELL of Kansas. Mr. Chairman——

The CHAIRMAN. The gentleman from Kansas is recognized.

Mr. CAMPBELL of Kansas. Mr. Chairman, I rise to make a point of order that this motion is premature and not in order at all.

Mr. LEVER. I do not admit that it was premature; but I ask unanimous consent that debate on this paragraph and all amendments thereto shall close in nine minutes, the gentleman to have five minutes and myself four minutes.

Mr. MOORE of Pennsylvania. That would shut out discussion on all the other amendments to this paragraph, which has been padded for the purposes of the Department of Agriculture. This is a padded pay roll, as comparison with the bill that was passed last year will demonstrate. It ought to be exposed.

Mr. LEVER. The gentleman has not seen fit to be on the floor with the committee on this bill this afternoon——

Mr. MOORE of Pennsylvania. That is true. I have been busy elsewhere.

Mr. LEVER. Of course that is true. And yet he comes in here offhand and says it is a padded proposition.

I move that the debate close in five minutes' time.

The CHAIRMAN. The Chair will state to the gentleman from South Carolina that under the rules debate must have begun before that motion would be in order. There is no debate on this paragraph and, of course, the motion, under the rules, is premature.

Mr. LEVER. Let the debate go on, then.

Mr. MOORE of Pennsylvania. Mr. Chairman, I am not only surprised but grieved at the petulance of my brilliant and distinguished, if not handsome, friend from South Carolina. [Laughter.] I have not known him hitherto, in his long experience of 17 years in this House, 12 of which I have enjoyed with him, to attempt to enforce what we know popularly as the gag rule.

He is the last man in the House to be suspected of invoking that rule. If it had come from a hot-tempered man or from one of the orators of the House who like to be heard after 8 o'clock in the evening, when the galleries are full, I would not have been surprised. [Laughter.] But coming from the amiable member of the South Carolina delegation, from one who might become a Senator from that State—and I hope he may some day—I am grieved beyond expression.

However, I know that the gentleman is hungry and tired and anxious to get to his bed, as I am to mine, and I forgive him. But the gentleman is also extremely anxious, I am sure, to accommodate the Department of Agriculture and get this bill through. He is anxious to circumvent the Republicans who happen to object to the padding of this bill to the extent of over $300,000 in this one item. I merely wanted to call attention to that fact. This is the only opportunity we have to do so.

Mr. RAGSDALE. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. RAGSDALE. Is the gentleman trying to carry out the charge that has been made in the press recently that the Democrats are inclined to think the Republicans are attempting to force an extra session? [Laughter.]

Mr. MOORE of Pennsylvania. No. I am trying to pursue the even tenor of my way on this floor and secure the enactment of legislation that will be as interesting to the fair-minded Democratic Members as it will be to all Republicans. To-morrow we will find nothing in the newspapers about this talk on the Agricultural appropriation bill, as we have found scant mention in the newspapers of any talk on a bill brought in here in the last six years intended to take money out of the Treasury. Yet our friends on the Democratic side blandly demand that we close our lips; in fact, they now propose to put the gag on us so that feeble-voiced men like myself [laughter] can not be heard in protest against these padded salary lists.

I have moved to retain the salary that we fixed last year of $1,918, rather than advance it to $2,500, as proposed by the committee at the instigation and under the spur of the Secretary of Agriculture. The Secretary is one of the most modest of our high officials in his addresses to the public, in his speeches to the stock growers and the cattle raisers and the cotton planters, but he is one of the heftiest individuals we have in public life when it comes to taking care of the 17,000 or 18,000 people under his control, who have increased almost as rapidly under his administration—I am impelled to say, almost—as the "cooties" in France have advanced upon the Army of the United States. [Laughter.] He has given us lecturers and experts and investigators until we are prepared to teach the farmers' wives how to make cottage cheese, or to harry housekeepers in the large cities, who are already distressed by excessive food prices.

I do not want to hamstring the committee, but I do not want the business of the country to be hamstrung by hundreds and thousands of useless investigators, who simply take up the time of the man who is trying to do business and furnish food to the public. That is what I am afraid the Bureau of Markets is trying to do. It sends out reports of information that is already in the hands of business men, and it takes up the time of the man at the plow with advice that frequently uses up the bread-winning time at his disposal. [Applause.]

Mr. LEVER. Mr. Chairman, I want to say, in response to the statement of the gentleman from Pennsylvania, that I do not resent his statement that I am petulant to-night because I have had a long day, but I do resent the idea that I am pampered. That is not fair to myself or to my constituents. I am not attempting here to enforce a gag rule. I am undertaking here only to prevent a gabfest, so that the House of Representatives in the Committee of the Whole may do business. [Applause.] I therefore move that the debate on this paragraph and all amendments thereto be now closed.

The CHAIRMAN. The gentleman from South Carolina moves that all debate on this paragraph and all amendments thereto be now closed. The question is on agreeing to that motion.

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. MOORE of Pennsylvania. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 70, noes 31.

Accordingly the motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The question being taken, the amendment was rejected.

Mr. MOORE of Pennsylvania. Mr. Chairman, on page 79, line 22, I move to amend by striking out the figures "$671,810" and inserting in lieu thereof the figures "$387,850."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 79, line 22, strike out "$671,810" and insert in lieu thereof "$387,850."

Mr. MOORE of Pennsylvania. Mr. Chairman——

The CHAIRMAN. All debate has been closed upon this paragraph. The question is on the amendment offered by the gentleman from Pennsylvania.

The question being taken, the amendment was rejected.

The Clerk read as follows:

To enable the Secretary of Agriculture to make studies of cooperation among farmers in the United States; to diffuse among the people of the United States useful information growing out of these studies, in order to provide a basis for a broader utilization of results secured by the research, experimental, and demonstration work of the Department of Agriculture, agricultural colleges, and State experiment stations, $15,780.

Mr. MORGAN. Mr. Chairman, I move to strike out the last word. I should like to ask the chairman of the committee if it is under this paragraph that the department does its work in investigating rural credits?

Mr. LEVER. Yes; it is.

Mr. MORGAN. I should like to know if the chairman can tell us how many men are employed in the division that has this subject under investigation?

Mr. LEVER. It was ascertained by the committee that the sum of $10,000 was being expended under this item for investigations into rural credits. The committee felt that inasmuch as we had a Farm Loan Board of five members employed at salaries of $7,500 a year each, they might very well be intrusted with the study of rural-credit problems, and that to continue this work in the Department of Agriculture—while recognizing the very great efficiency of the gentleman who is in charge of these studies—would be a duplication of work. So therefore the committee reduced the appropriation $10,000 and struck out the authorization for the continuance of the studies of rural credits by the Department of Agriculture.

Mr. MORGAN. The gentleman is aware, of course, that the Federal Farm Loan Board has no jurisdiction except over so-called land credits or farm-mortgage credits?

Mr. LEVER. That is very true, and yet we have five men on high salaries down there in the Farm Loan Board who are supposed to be big men, and I imagine that if they had the proper kind of enthusiasm and the proper kind of ambition they will be very anxious to work out something that will link themselves with the great system of personal credits.

Mr. MORGAN. Then I understand that the chairman of the committee, as well as the entire committee, have apparently taken from the Secretary of Agriculture all authority to make any investigations about rural credits?

Mr. LEVER. We have.

Mr. MORGAN. And as a matter of fact it is only by implication that the Federal Farm Loan Board will do anything along that line?

Mr. LEVER. If the members of the Federal Farm Loan Board are not studying rural credits, both land and personal, in all the aspects of that subject, they are not doing their duty.

Mr. MORGAN. Has the gentleman any knowledge that the Federal Farm Loan Board are making any study whatever of what are known as personal or short-time credits?

Mr. LEVER. I have not, but this will be a mighty good way to make them study the subject.

Mr. MORGAN. Then would it not be proper for this committee to make an appropriation in order to enable the Federal Farm Loan Board to make this investigation?

Mr. LEVER. In the first place, this committee would not have jurisdiction. In the second place, it seems to me that the Farm Loan Board ought not to wait to be directed by Congress to do their duty. They ought to be doing these things now.

Mr. MORGAN. The Federal Farm Loan Board can not make this investigation without money, without an appropriation, without being able to employ somebody to give their time to that question, can they?

Mr. LEVER. I take it that if the Federal Farm Loan Board needed the money for this purpose, if they are like other bureaus of the Government, they would not hesitate to ask for it.

Mr. MORGAN. I withdraw my pro forma amendment and offer the following amendment.

The CHAIRMAN. The gentleman withdraws the pro forma amendment and offers an amendment which the Clerk will report.

The Clerk read as follows:

Insert on page 82, line 21, after the word "of," the words "rural credits," and in line 2 strike out the figures "$15,780" and insert "$25,780."

Mr. LEVER. I ask for a vote on that.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 82, line 21, after the word "of," insert the words "rural credits"; page 83, line 2, strike out the figures "$15,780" and insert in lieu thereof the figures "$25,780."

Mr. McLAUGHLIN of Michigan. I make a point of order on the amendment. I know of no law that gives the Secretary of Agriculture, or anyone in his department, authority to investigate rural credits.

Mr. MORGAN. I understood the chairman of the committee to state that the committee had intentionally dropped out the authority in this paragraph to investigate the subject of rural credits.

Mr. LEVER. It has been carried from year to year in the annual appropriation bills, but that does not make it in order. I rather the gentleman would withdraw his point of order and let us vote on it.

Mr. McLAUGHLIN of Michigan. I am willing to do that, but I hope the chairman will not move to close debate too early.

Mr. STAFFORD. Mr. Chairman, I make the point of order that it is not germane to the paragraph.

The CHAIRMAN. The Chair sustains the point of order.

Mr. MORGAN. Mr. Chairman, I move to strike out the figures in line 2, page 83, "$15,780," and insert the figures "$25,780."

The Clerk read as follows:

Amendment by Mr. MORGAN: Page 83, line 2, strike out the figures "$15,780" and insert in lieu thereof "$25,780."

Mr. LEVER. I ask unanimous consent that all debate on the paragraph and amendments thereto close in seven minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. MORGAN. Mr. Chairman, I am not only surprised but astounded to have the chairman of the Committee on Agriculture state that he and his associates on this committee have deliberately decided to abandon, in effect, the farmers of this country in so far as they are to be supplied with proper credit facilities. The chairman of the Committee on Agriculture suggests that the Federal Farm Loan Board do the work of studying rural credits. The Federal Farm Loan Board has authority only over farm-mortgage loans. It has nothing whatever to do with short-term or personal credits. Back in 1912 both the Republican Party and the Democratic Party, in substance, declared that the farmers of the United States should have credit facilities equal to the credit facilities provided for commerce, manufacturing, transportation, and mercantile interests in this country. These pledges have not been redeemed. We passed an act providing for farm-mortgage credit, but we have not provided for short-term or personal farm credits. For six years the responsibility has been on the Democratic Party of the Nation, because it has had control of the legislative and the executive departments of the Government.

The Federal Government should continue to investigate and study the subject until we have given our farmers a complete system of credits. We should continue the study of the subject until we have finished our task, until we have made good our promise to the farmers, until we have given them credit facilities equal to the credit facilities enjoyed by the commercial, mercantile, and manufacturing interests. Until this is done we ought not to take this work and appropriation away from the Secretary of Agriculture.

Now, I confess I have not felt that the Secretary of Agriculture was pushing short-term farm-credit investigations very vigorously. I have read with a great deal of interest his reports on this subject. I have felt that he was not very enthusiastic on the subject. But I was not prepared to learn that the party in power in this Nation to-day, after all their pledges to the farmers of this Nation, now when they are about ready to go out of power in Congress, would say to the farmers of the United States, "We have practically abandoned you." Why, the Secretary's report of 1918 says that 60 per cent of the farmers in the Southern States have not access for credits at the banks, that 60 per cent of the credits they use is with the merchants on the "advance system." Are you Democrats of the South willing to abandon the farmers in that condition and say that the great agricultural department of this Nation shall cease to be interested in giving the farmers proper credit facilities? I am surprised. I had more faith——

Mr. QUIN. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. Just for a question.

Mr. QUIN. Tell me what more facilities outside of this banking system for the farmers, the loan banks, or, as we call it, the reserve banks, can the Agricultural Department give to the farmer in the way of money and credit?

Mr. MORGAN. Does not the gentleman know there are two systems of credit—one mortgage credit and the other personal credit?

Mr. QUIN. Does the gentleman want the Government to give him personal credit?

Mr. MORGAN. I want the Government to give him a system of credit at least as good as the European nations have given their farmers.

Mr. QUIN. What would the gentleman substitute in lieu of what we now have?

Mr. MORGAN. I have not the time in five minutes to say what I would substitute, but we have provided for nothing except for farm-mortgage credit. To secure short-term or personal credit the farmers must go to the commercial banks or merchants. More than one-half of the indebtedness of the farmers of the United States is on short-term loans. Indebtedness of this character amounts to $3,000,000,000. The farmers are paying high rates of interest on this large sum. We should provide a special system of short-term farm credits, which will not only reduce interest charges but give such credit facilities as will contribute to the expansion of agriculture. But by withdrawing the appropriation for the study of rural credits the party in power serves notice on the farmers that it will not redeem its pledge to give the farmers adequate facilities.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. QUIN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The time for debate has been fixed.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, the words relating to personal rural credits having been ruled out on a point of order, there is no reason for increasing the appropriation. If it were made $25,000 there would be an invitation to the bureau to engage in some other activity, and it already engages in activities that are not proper for the Bureau of Markets to engage in. My criticism of the Bureau of Markets is not that they are paying too high salaries. I was not in sympathy with the amendments offered by the gentleman from Pennsylvania [Mr. MOORE] to reduce salaries. My objection is that the Department of Agriculture, this Bureau of Markets in particular, has been extending its activities too fast, and it has been taking up its work on a scale, enlarging and extending it so hastily, that it can not properly carry it out, and that it is taking up work that is not properly marketing work. All of the objections I have made to these appropriations or to any of the items are along these lines. As the chairman of the committee has said, there is a commission, composed of five men, well paid, who are carrying out a law relating to the lending of Federal money to the farmers, and they can very properly take up this work also. It is directly in their line. It is a good work, and I should like to see it carried on, but it is certainly not in line with the work of the Bureau of Markets. You might as well impose the duty on the Chief of the Bureau of Forestry or upon the Bureau of Chemistry as to put it in the Bureau of Markets. There are five men on this Farm Loan Board, big men—one of them weighs over 200 pounds—and it seems to me they ought to see that it is their duty, and they ought to perform their duty and make investigations respecting personal credits, give us information, and perhaps suggest legislation. If special legislation is needed to start the board to doing this additional work, it ought not to be carried in an item relating to the work of the Bureau of Markets in the Department of Agriculture.

The CHAIRMAN. The time of the gentleman from Michigan has expired. All time has expired. The question is on the amendment offered by the gentleman from Oklahoma.

The question was taken; and on a division (demanded by Mr. MORGAN), there were—ayes 62, noes 35.

Mr. MORGAN. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Oklahoma makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and seven Members present, a quorum.

So the amendment was rejected.

The Clerk read as follows:

To enable the Secretary of Agriculture to cooperate with the several States in the employment of agents to acquire and diffuse useful information connected with the distribution and marketing of farm products through investigational, demonstrational, or extension methods, $77,750.

Mr. MASON rose.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that debate upon this paragraph and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection?

Mr. DIES. I object.

Mr. MASON. Mr. Chairman, I shall probably not take five minutes. I simply want to call attention while we are considering the Agricultural appropriation bill to the importance of restoring the man power on the American farms. I have offered heretofore a resolution asking for the appointment of a special joint committee, with power to take evidence, in order that provision may be made to protect the soldiers in this country and out of it. I ask unanimous consent to extend my remarks by inserting the resolution at this point.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

The resolution referred to is as follows:

Whereas it is now charged and believed that the matter of bringing American soldiers home and in demobilization of the Army and Navy, gross incompetence is being displayed by the present administration of the military branch of our Government; and

Whereas it is also charged and believed that certain military officers are declining to act promptly upon the requests of soldiers and sailors for discharge, simply to maintain their own organization; and

Whereas in some of the military camps the men are threatened with court-martial and punishment if they ask any assistance outside of military channels to secure their discharge, thereby denying to the American soldier the right to petition in times of peace; and

Whereas it is also charged and believed that it is the plan of the present administration in the control of the Army and Navy of the United States to continue the dilatory practice in failing to demobilize with reasonable promptness and to continue to punish those who seek discharge under the rules already prescribed by the War Department; and

Whereas if the present Congress adjourns without providing some remedy and protection for the soldier there will be no civil authority in Washington to whom the soldiers can apply for protection and relief: Therefore be it

Resolved by the House of Representatives (the Senate concurring), That a joint committee on demobilization be appointed as follows: Eight Members of the House to be appointed by the Speaker, equally divided between the two leading political parties; and eight Senators to be appointed by the Vice President, equally divided between the two leading political parties, with power to send for persons and papers, administer the oath, and investigate and report within 30 days their investigations and facts in regard to the matters above charged, and with recommendations, by bill or otherwise, for laws to expedite the demobilization of the Army and Navy of the United States, and also by resolution or otherwise to plan for returning all American soldiers in foreign lands to the United States and for the demobilizing of same, retaining only such as may be necessary for the present emergency; and be it

Resolved further, That said committee shall have power to sit during recess or after adjournment of the present Congress sine die, with full power to investigate and report to the next Congress.

Mr. MASON. Mr. Chairman, I am acting upon my own initiative in this matter, and no one else is responsible for what I do, so far as I know.

Many men are kept in the cantonments in the United States now, I believe, because the petty officers there desire to keep the organization for their own benefit. They are posting in camps, to my knowledge—and I have the information, but I do not desire to give the names of the soldiers complaining—that people will be punished by court-martial if they ask for a discharge, or ask, rather, any assistance from the outside.

Many of our boys are unfamiliar with the process of getting out of the Army. They are needed on the farms in this country and in the shops and in the stores and in the schools. They do not know how to prepare their affidavits. They write, perhaps, to their father or their mother, and they, in turn, write to the Member of Congress. The proposition now in some of the camps is to court-martial them. Notices have been posted that they would be court-martialed. I believe that is denying the right of petition to a soldier.

Mr. LEVER. Will the gentleman yield for a question?

Mr. MASON. Yes.

Mr. LEVER. The gentleman's charge is a very serious one, and I wonder on what facts he bases it.

Mr. MASON. I have a statement from a soldier whose name I do not want to give, because I do not want him court-martialed, that in a camp down at Old Point Comfort they have posted notices to the effect that if the soldier applies for any assistance from the outside—his Congressman or anyone else—he will be court-martialed.

Mr. LEVER. Will the gentleman yield further?

Mr. MASON. Yes, sir.

Mr. LEVER. I have had a number, as I presume other Members of Congress have, letters about discharges. I have referred those letters to the War Department and the Navy Department. I have never received any intimation from either department, the naval or the military, to the effect that this would bring on the soldier a court-martial, and I do not believe it is true.

Mr. MASON. I will say to my colleague that I simply wrote one request, offering a suggestion that I thought was for the good of the service. A young man was called up, but they finally determined not to court-martial him. The papers were returned to me, and I asked the Secretary of War whether I had lost my right as an American citizen because I had been elected to Congress, and whether I was debarred from offering suggestions for the good of the service of my country. Since then the armistice has been signed, and a number of petty rules and reasons have been applied. And they file away these applications by the score. In one case I had there was a man who had five sons in the service, four of them in France. One of the youngest, who had just been able to get in as a musician, had to be kept in camp for musical purposes since the armistice was signed, although the father's business was going to rack and ruin for the lack of one son, when five of his sons were in the Army and four of them in the trenches in Europe.

Mr. Chairman, I do not want to delay anything in any way that will bring about an extra session. I have had no conferences with anyone else. But there should be a Congress sitting here unless there is some committee appointed to sit, and this resolution of mine provides for a nonpartisan committee of four Democratic Representatives and four Republican Representatives, four Democratic Senators and four Republican Senators, to sit during the recess after adjournment sine die of this Congress, to hear and take evidence and give us some place where we can go to get some action against the rules that have been applied by the little men who happen to wear shoulder straps, and particularly many of the Regular Army, to keep the boys that are needed elsewhere. They will not even give them a furlough. There is a simple plan. They could give them a revocable furlough for 90 days, but they are kept in camp for the purpose of keeping the organization.

Now, Mr. Chairman, I have taken more time than I intended, but I simply want to say that I shall ask for the consideration of this resolution. Otherwise I shall ask the gentlemen who oppose it to take the responsibility of keeping a quorum here for the purpose of transacting public business.

Mr. LEVER. Mr. Chairman, the statement of the gentleman from Illinois is the first that I have heard touching this matter. If his statement is true there is absolutely no justification for it, and the miserable official who is doing that kind of business ought to be brought to the bar of justice quickly. I have not had the experience the gentleman has. As I said a moment ago, I have had a number of letters, and I have referred them to the proper departments and have had no intimation that the interests of the soldiers is, as is indicated here to-day, jeopardized.

Now, as to this paragraph, Mr. Chairman, I ask that the debate be closed.

In doing this, I desire to say this: It is getting late, and we are anxious to pass this bill to-night, and we are going to pass it, and I shall make objections to debate on any of these paragraphs, as we proceed, which does not relate to the paragraph.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this paragraph and all amendments thereto be closed. Is there objection?

Mr. DIES. Mr. Chairman, I object.

Mr. LEVER. Then I move it.

The CHAIRMAN. The gentleman from South Carolina moves that all debate on this paragraph and all amendments thereto now close.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For investigating and handling, grading, and transportation of grain, including the grain sorghums, for the purpose of fixing definite grades thereof, $86,030.

Mr. QUIN. Mr. Chairman. [Applause.] Mr. Chairman, I have not taken up any time of this House during the entire month of January [applause], but when I heard the gentleman from Oklahoma [Mr. MORGAN] make an assault upon the party to which I belong I can not let it go unanswered. The gentleman has gone so far as to make slanderous statements against the Democratic party——

Mr. LEVER. Mr. Chairman——

Mr. QUIN. In the face of what the Democratic Party has done for the great masses of the American people——

Mr. LEVER. Mr. Chairman, I regret very much to do it, because the gentleman is one of the best friends I have in this House and one of the best Members also, but I just announced a moment ago that I should make points of order and I make the point of order the gentleman is not discussing the paragraph.

Mr. QUIN. Mr. Chairman, the Agricultural Department has done much for the grain producers of the country. It now helps the farmer put the seeds in the ground, helps transport the grain not only to markets throughtout this country but across to Europe, and yet the gentleman from Oklahoma said that the farmers of this country had virtually no help from the Department of Agriculture. He said that the farmers could not borrow money. This mighty Democratic Party, after the Republicans had for many years burglarized the farmers of this country, came into power and gave the farmers of this Nation the splendid farm loan bank system wherein they have borrowed in the short time since it has been in operation $158,000,000 at a low rate of interest, from 4 to 6 per cent. [Applause.] And yet the gentleman from Oklahoma says that the farmers of this country have not had any help from the Democratic Party. The Republican Party allowed the farmers to hustle around and pay banks 10 and 12 per cent interest.

The Democratic Party has done more in this little time for the farmers of this country than the Republican Party has done since the Civil War. [Applause.] The Democratic Party is trying to put this Agricultural bill through right now for the farmers of our country, and the gentleman from Oklahoma made the point of order that there was no quorum present, and the Chair counted seven Members above a quorum on this floor. He and some of his Republican colleagues have been filibustering to-night. That is evidence of what the Republican Party is doing against the farmer when we are trying to put this great Agricultural bill through here to help the wealth producers. The gentleman and his crowd will make points of order that there is no quorum present just to delay the passage of this bill. The farmer of this country to-day is getting 17½ cents per pound for his hogs, and when the Republican Party was in power he could only get a market at 3 cents. More than that, when the Republican Party was in power corn was being burned—used for fuel because it was so cheap—while to-day it is selling at $2 a bushel. Not only this, but this party of the people, the Democratic Party, has given the wheat farmers $2.20 a bushel for their wheat, and yet the gentleman from Oklahoma says the Democratic Party has done nothing for the farmer. Most of the prosperity among the farmers of this country has been brought about by legislation which organized Democracy has put in force. Some of you Republicans have helped to do it, and I want to say that when a man gets on this floor from your party or any other party and says that the Democratic organization in Congress, the Democratic Party, has not done its full share and its full duty toward the farmers of the American Republic, he is saying something that the records will show to be false. Gentlemen, I thank you. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. DIES rose.

Mr. LEVER. Mr. Chairman——

Mr. DIES. Mr. Chairman, I do not think the chairman of the Committee on Agriculture will object.

Mr. LEVER. The debate on this paragraph has been closed, and I suggest to the gentleman that he address the committee on the next paragraph.

Mr. DIES. It has not been closed. I did not object to the gentleman's request.

Mr. LEVER. I may be mistaken about that. It may have been on the other paragraph.

Mr. DIES. Then the gentleman will not object on the ground that I am not speaking to the question.

Mr. Chairman, when Members talk about loaning money to the farmers of this country, and talk about Democrats and Republicans, it makes an honest nonpartisan man laugh. The best thing you can do for the farmers of this country is to let them alone and quit spending their money and taxing the eternal life out of them. [Laughter and applause.]

I wish the farmers of this country and the taxpayers of our land might have a return of the old democratic and republican theory that Government is not created to support the people, but that it is a creature to be supported by the people.

The great mistake we are making, my friends, here now is that we are practicing hypocrisy upon the people. We are leading them to believe that the Government can support them and lift them by their boot straps out of their financial difficulties when, as honest men, we should say to them that all that the Government can do is to protect their life and their liberty and tax them to support the Government.

I have been here 10 years, and I am going out now——

A MEMBER. And voluntarily, too.

Mr. DIES. Yes; and I will tell you what you have done, and I hope you will take it in good part: You have taken the fairest and best Government ever known among men and you are making it into the most despicable socialism. You took the American people at a time when they believed they could support themselves and their Government, and you are teaching them hour by hour and day by day to expect that their Government shall support them. Instead of telling our magnificent Army, when the boys are coming back from France and are being demobilized, to go back to their jobs and engage in their former industries, you are leading them to believe that the Government shall take it upon itself as a duty to support them.

My friends, you are tearing down the greatest Government, the greatest democracy, the world has ever seen, and you are building up in its stead the poorest fabric of socialism that history can record.

Is it your intention to help the people? No. You will not help the people unless you tell them that the Government has but one duty to the citizen, and that is to protect his life and property and give him an equal and fair race in this world. [Applause.] And you are teaching him that the duty of the Government is to help him. My beloved country! I do not know; we are losing the greatest Republic the world has ever seen. Talk about international democracies! It is being swamped amidst nebulous phrases and unintelligible jargon. Would to God the President of the United States would get on the *Tennessee* and come home and preserve this Republic [applause] rather than meddle longer with the politics of Europe. We are casting the lot of the people of America, the peace and destinies of our country into what? Into the hotchpotch of the quarrels and poverty and woe and destruction of Europe.

You know, when this is all over, my friends, I will be out home farming, and you who are left here will read Washington's Farewell Address with more respect than you have ever read it before. [Applause.]

There is not anything new to be said. Human nature is just the same as it was when our fathers made this Republic. The President of the United States, representing what has been the greatest Republic the world has ever seen, may speak of justice, and of the league of nations, and the end of the sorrows of mankind; but the best hope of this Republic and of this people is upon our own shores, defending the Constitution of our fathers, protecting the liberties of the people and independent self-government, a representative democracy. And I wish, O God of Nations, that our President would come back home, and that we might leave upon this hemisphere a great democracy, unentangled and unengaged with all the European broils that exist abroad to-day. [Prolonged applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired. The Clerk will read.

The Clerk read as follows:

For general administrative expenses in connection with the lines of investigation, experiment, and demonstration conducted in the Bureau of Markets, $20,635.

The CHAIRMAN. The gentleman from Texas [Mr. SUMNERS] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SUMNERS: Page 83, after line 21, insert the following:

"For establishing and operating a farm produce exchange, the sum of $1,000,000, or so much thereof as may be required, and the Secretary of Agriculture is hereby authorized and directed to establish, at an early a date as practicable, a farm produce exchange, with such branches thereto as may be necessary, in order to afford a medium through which the economic and systematic sale and distribution of farm products may be effected.

"Such exchange shall be divided into four sections, designated, respectively, as the grain, cotton, fruit and vegetable, and miscellaneous sections, and such additional sections as Congress may from time to time provide for by specific appropriation.

"The commissioners of agriculture of the several States may select, and are requested to select, an advisory committee for each of said sections, other than the miscellaneous section, composed of three of their number, to act with the Secretary of Agriculture in connection with the sale of the farm products to be sold through the section for which they may be respectively selected, provided, however, the members of said committee shall have been selected by a majority vote by such commissioners based upon the average value, as determined by the Secretary of Agriculture, of the production of their respective States during the five years preceding such selection of the product or products to be dealt in through the section for which they may be selected. Nothing herein shall prevent an individual commissioner from being selected for the advisory committee of more than one section.

"It shall be the duty of the Secretary of Agriculture to determine the time the first selection of advisory committees shall be made, and to notify the commissioners of agriculture of the several States of his action with regard thereto; and upon request by a majority vote, based upon production as herein provided, of the commissioners of agriculture shall designate the place where the selection of the several committees shall be made: *Provided, however*, That upon request of such majority vote the Secretary of Agriculture may provide for such selection otherwise than by a meeting of the several commissioners entitled to make such selection.

"In the operation of such exchange the Secretary of Agriculture, as far as practicable, shall cooperate with the several States and the various agencies therein which may be utilized and may formulate plans and regulations for exchange of service between them and such exchange.

"It shall be the duty of each of the departments of the Government to furnish the Secretary of Agriculture with such statistics and data as may be acquired which would be useful in the operation of such exchange and to render such other service in the sale and distribution of farm products through such exchange as it would be practicable to render.

"The Secretary of Agriculture, as rapidly as possible, shall provide standards as to quality, and, where practicable, as to containers of agricultural products not heretofore standardized and subject to subsequent standardization by Congress.

"The Secretary of Agriculture shall keep advised as nearly as practicable of the details of the quantity, quality, location, and price at which held of agricultural products and the volume and location or demand in the United States and abroad and the price at which such products may be sold, and shall make such information available to producers and purchasers of such products and to the general public, and shall endeavor to bring about such system in the sale and distribution of farm products as shall eliminate the waste and extremes in prices resulting from the present lack of system therein and from the undue influence of price manipulation in relation thereto.

"Those desiring to offer products for sale through such exchange may do so by grade or by sample, delivered to such exchange under such rules and regulations as the Secretary of Agriculture may prescribe. Those desiring to purchase farm products may in like manner submit offers to purchase, and it shall be the duty of the Secretary of Agriculture to endeavor to establish trading relationship between those desiring to purchase and those desiring to sell, and to procure the transfer of title and possession under such sales as may be effected at points along the natural line of movement of farm products moving to points of consumption, and to direct such movement so that such products shall move as nearly as practicable from the first point of concentration to the point of ultimate need by the shortest and most economical route and in quantity and quality in accord therewith. And to this end may designate points for inspection and of delivery, and shall exercise such intermediary inspection and supervision of delivery as shall inspire general confidence in the integrity of transactions consummated through such exchanges.

"The Secretary of Agriculture is authorized to require such deposits in money, such bonds, or other guaranties of compliance with the obligation to deliver according to tender, or to receive and pay according to offer, as in his judgment may be necessary to insure compliance with the contracts made through such exchange.

"All information furnished by such exchange shall not be at a higher cost than that necessary to pay the expenses of transmission.

"No charges shall be made to individual producers or to producers' organizations for services rendered in effecting sales of products grown by them or by their members, as the case may be.

"The Secretary of Agriculture is authorized to establish such additional rules and regulations governing transactions through such exchange and the service rendered by such exchange as in his discretion may be deemed necessary."

Mr. STAFFORD. Mr. Chariman, I make a point of order on that.

Mr. SUMNERS. Will the gentleman let the Clerk read it through?

Mr. STAFFORD. Oh, the gentleman had it inserted in yesterdays' RECORD.

Mr. SUMNERS. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

Enforcement of the United States grain standards act: To enable the Secretary of Agriculture to carry into effect the provisions of the United States grain standards act, including such rent and the employment of such persons and means as the Secretary of Agriculture may deem necessary, in the city of Washington and elsewhere, $598,600: *Provided*, That section 6 of the said act is hereby amended, effective on and after the passage of this act, by striking out of the last sentence the words "made after the parties in interest have had opportunity to be heard."

Mr. HARRISON of Virginia. Mr. Chairman, I make a point of order on the proviso.

Mr. RUBEY. Will the gentleman reserve his point of order?

Mr. HARRISON of Virginia. I will reserve it.

Mr. BAER. Mr. Chairman, I move to strike out the last word.

Mr. RUBEY. Mr. Chairman, I want to take just a moment to say something in reference to the reservation of the point of order on the proviso in this paragraph. Of course, there is no question but that if the point of order is insisted upon it will go out. It is clearly subject to a point of order.

In 1916 when we passed the grain-standards act, in that part of the bill which refers to an appeal, with a desire to be as absolutely fair as possible and for the purpose of giving everybody connected with the appeal every possible opportunity, we inserted the following language. I will not read it all, but only that part which is referred to in this bill. It says:

The findings of the Secretary of Agriculture as to grade, signed by him or by an officer or officers, agent or agents of the Department of Agriculture as he may designate, after the parties in interest have had an opportunity to be heard, shall be accepted as prima facie evidence, etc.

Now, what are the facts in regard to it? Since this act went into effect in the neighborhood of 3,500 to 4,000 appeals have been taken, and no person has ever taken advantage of the opportunity to be heard; not one. As long as the provision is in the law the Secretary of Agriculture must go through the trouble and take the time to send out notices in order that every man who desires to be heard may be heard. It is practically a dead letter so far as those in interest are concerned.

What are the facts in the case? Here is the sample of grain that is to be graded; the supervisor passes upon the grade of the grain. An appeal is taken to the Secretary of Agriculture or to the agent who represents him. There should be no question of hearing in the matter; the grain speaks for itself. It is or is not of the grade as given by the inspector. The Secretary of Agriculture, the grain trade, and everybody else wants this language eliminated in order that the grain business of the country may be expedited. If you will strike out this language, which has never been made use of by the parties in interest, you will expedite the business of the grain trade in every part of the country. I hope the gentleman will not make the point of order.

I want to call attention to one other thing. There are three reasons which I want to emphasize why this language should go out. The first is to avoid delays in handling grain involved in the appeal. The second is to avoid delays in the settlement of transactions, and the third is to cut out that part which is termed on the exchange "the red tape of the proposition."

There is no question in the world but what the language ought to go out, and I hope the gentleman will not make the point of order.

Mr. HAUGEN. Mr. Chairman, I regret to rise in opposition to a single provision in the bill. We spent several weeks in hard work in preparing it. Although the bill is a good bill, it is not altogether what I would have it in every respect. With regard to this provision, it crept into the bill when I was not present. The proposition is not as stated by the gentleman from Missouri. If the gentleman will read the testimony, he will find the purpose of this is to break down this standard act. I will read to the gentleman——

Mr. RUBEY. Will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. RUBEY. I think the gentleman is under a misapprehension. There are two amendments proposed by the Agricultural Department. The other amendment does what the gentleman thinks it would do, but this amendment does not.

Mr. HAUGEN. I asked this question:

Mr. HAUGEN. The purpose is to eliminate the board of three supervisors and to go direct from the one man to the board of review?

Mr. LIVINGSTON. That is the idea, and also to eliminate the numerous papers which have to be made up and submitted in order that the parties may have a hearing under the terms of the act.

Mr. HAUGEN. Is not one a check upon the other?

Mr. LIVINGSTON. Yes.

Mr. HAUGEN. Why do you propose to set aside this board?

Mr. LIVINGSTON. Because we are placing upon this board men whom we believe will give it a faith and credence that could not be given to any board of three supervisors made up from three field supervisors.

Mr. HAUGEN. But the supervisors are on the spot?

Mr. LIVINGSTON. No; only in the largest markets are they on the spot.

Mr. HAUGEN. In a number of the important markets?

Mr. LIVINGSTON. In about 6 out of 35.

The act of August 11, 1916, provides that an appeal may be taken to the board of three supervisors, and if the interested parties are not satisfied an appeal lies to the board of review.

It is now proposed to do away with the board of appeal and go direct to the board of review, which would delay the findings. For instance, we have a board at six of the most important terminals, and under this provision only one board of review will be provided for, and that in Chicago. If an appeal is taken, for instance, in the city of Minneapolis, instead of having it determined there the appeal will have to go to Chicago, which, of course, will cause a delay. That is the very thing we tried to avoid when the bill was passed.

Mr. RUBEY. Mr. Chairman, the gentleman is absolutely mistaken in the matter.

Mr. LEVER. Mr. Chairman, I insist that the gentleman from Virginia either make his point of order or withdraw it.

Mr. SAUNDERS of Virginia. I will ask that the gentleman not do that. The gentleman from Virginia [Mr. HARRISON] reserved the point of order and everybody else has been speaking under it except the gentleman from Virginia. He ought to have the right to say something about it. He could have made the point of order and shut off the gentleman from Missouri [Mr. RUBEY].

Mr. LEVER. The only objection I have is that under the guise of the reservation of a point of order we may speak here all night.

Mr. SAUNDERS of Virginia. That may be; but it would be a hardship not to permit the gentleman from Virginia to speak after he has given opportunity to the gentleman from Missouri and the gentleman from Iowa. Certainly the point of order will not be insisted upon until the gentleman from Virginia is heard.

Mr. LEVER. I shall make the point of order myself if nobody else does.

Mr. HARRISON of Virginia. Mr. Chairman, I make this point of order because under the operation of the Bureau of Markets the greatest hardship to the southern wheat grower has been worked. By adopting a standard which was prejudicial to the southern wheat grower, the price on the grain has been lowered by at least 10 or 15 cents a bushel during the whole period of the time the price has been fixed by the Food Administration. The way in which this Bureau of Markets has used its power to fix the grade of wheat has been an outrage. Southern wheat brought as high a price in the market before the war as spring wheat, and its food value is as great, and yet under the standards of the Bureau of Markets it was given a low grade. Arbitrarily southern wheat was excluded from a first grade, although the millers were as anxious to get the southern wheat as they were to get the spring wheat. The price of the southern growers has been reduced at least 10 or 15 cents per bushel. After many protests some relief was reluctantly yielded by these bureaucrats, and it is now proposed that this Bureau of Markets, after having operated their system of gradation to the prejudice of the southern wheat grower, shall be authorized immediately upon the passage of this act to reestablish their ridiculous standards and grades without a hearing, without giving an opportunity to southern wheat growers to be heard. The bureau will be in a position to fix the grade of wheat to the prejudice of the southern wheat grower. I insist upon the point of order.

Mr. RUBEY. Mr. Chairman, will the gentleman yield?

Mr. HARRISON of Virginia. Yes.

Mr. RUBEY. The proposition in this amendment has nothing to do with the fixing of the standard.

Mr. HARRISON of Virginia. It allows them to fix the standard without a hearing.

Mr. RUBEY. It only has reference to appeals taken.

Mr. HARRISON of Virginia. Yes; but it allows them to go ahead without giving anybody an opportunity to be heard.

Mr. RUBEY. Does the gentleman understand that there have been 4,000 opportunities given and not one accepted?

Mr. HARRISON of Virginia. If they have not been accepted it is because they have not been given the opportunity. I know that after they operated their system of grading for about six months they realized themselves that they had been operating their system to the prejudice of the southern wheat grower, and after an insistence on the part of the southern wheat grower they finally agreed to change the grade, and now they propose to go right back to the old system without giving anybody a hearing. I insist upon the point of order.

Mr. RUBEY. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. LEVER. Was the point of order made to the whole paragraph or to the proviso?

Mr. HARRISON of Virginia. Just to the proviso.

Mr. GREEN of Iowa. Mr. Chairman, in line 12, I move to strike out the figures "$598,600" and insert in lieu thereof the figures "$400,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 84, line 12, strike out the figures "$598,600" and insert in lieu thereof the figures "$400,000."

Mr. GREEN of Iowa. Mr. Chairman, I want to call attention to the waste of money involved in lump-sum appropriations like this. Last year this particular department or bureau that was attending to this matter spent, I think, something like $456,000. They had some 2,874 appeals. Ordinarily, as I understand, for inspection it would cost about 35 cents for inspection and the total cost in case appeal was taken under the State authorities would be about $1. There is no reason I can understand why this whole proceeding ever ought to cost at the outside more than $50,000, and last year they managed to spend something like $456,000. Even this is too much, and I have moved to cut it down to $400,000.

Mr. LEVER. I am sure the gentleman does not want to go on record as making a ridiculous statement like that. I say it in all candor. I am sure the gentleman is misinformed about this whole situation.

Mr. GREEN of Iowa. The truth is I have studied it a little too carefully to suit the gentleman from South Carolina, and being from a State which raises as much grain as his I know something about it.

Mr. LEVER. This pays the salary of the inspectors, traveling expenses, and so forth.

Mr. GREEN of Iowa. Certainly; and if the gentleman will let me go on I will show the gentleman the difference between having a thing done through Washington authorities and having it done where it ought to be done. That is the trouble. Of course, if you are going to send an inspector back and forth every time you take an appeal to Minneapolis or Chicago, why, you are going to have $100 expense or more before you get through on each appeal.

Mr. LEVER. I wondered if the gentleman voted for this act.

Mr. GREEN of Iowa. Oh, yes, I did; but I never anticipated that money was going to be squandered on it in this kind of manner. Now, if the Committee on Agriculture, including its chairman, whose ability I greatly admire, would get down to brass tacks and fix what these gentlemen are allowed in the way of salaries instead of permitting these bureaucratic officials to determine just what they think they should have, they would save a great many thousand dollars, and I am inclined to think some millions of dollars, before they got through. Instead, they are so wrapped up with this great purpose, and it is a great purpose, and the great objects of this bill, to develop agriculture in this country, that they become so enthusiastic about it that they let these gentlemen put in these lump-sum appropriations, out of which they pay whatever salaries they want and increase the totals of this bill beyond all reason; and this is only one illustration. In the next paragraph below is an appropriation of $35,000. As I understand, they granted some two or three licenses.

Mr. HAUGEN. They have granted three licenses, and it carried an appropriation of $52,000 last year.

Mr. SAUNDERS of Virginia. If the gentleman will yield, this seems to be one of the lump-sum appropriations; does the gentleman happen to know how many officials are appointed under this appropriation and what is the average salary they are getting?

Mr. GREEN of Iowa. No; I do not know how many are appointed, but I know there are altogether too many.

Mr. HAUGEN. They are getting much higher salaries than they were paid before, and about all we could get out of the chief is they are paying about $240 over what they were to receive from the State. Of course, they get $240 under the legislative bill, and we have no way of estimating the number and increase that will be made during the year under the lump-sum or under the statutory roll, because Congress has no control over it.

Mr. GREEN of Iowa. Therein, as my friend points out, lies the great evil of these lump-sum appropriations. Men can be transferred from one roll to another under the operation of these lump-sum appropriations. Then their salaries are increased beyond anything Congress ever intended, and eventually they are put back on the statutory roll at an increased salary.

Mr. FESS. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. FESS. I just made an inquiry of my colleague here whether that statement is accurate or not, and the reply was that it is. Members do not understand why this subterfuge.

Mr. GREEN of Iowa. The reason for the subterfuge is to get around the intention and purpose of Congress, which does not intend that these salaries shall be raised, and notwithstanding the legislative authority does not intend they shall be raised, they are raised.

Mr. FESS. Are we going to tolerate that?

Mr. GREEN of Iowa. We seem to have been tolerating it, for it is permitted to go on under this bill, but it is a gross abuse, which ought to be stopped.

Mr. MOORE of Pennsylvania. We have had an official ruling to-night that it must be tolerated in the case of an agricultural bill.

Mr. GREEN of Iowa. My friend corrects me to that extent, and I accept the correction.

Mr. MOORE of Pennsylvania. Have we not had enough votes on the other side to prove it will go in whether we approve it or not?

Mr. GREEN of Iowa. Yes; they have the majority. Now, these appeals have cost something around $150 or $160 each, when $50 would have been a great big allowance, and perhaps $5 to $10 would have been nearer what it should have been. My amendment would allow all and more than is necessary to carry on this work. Four hundred thousand dollars was once an immense sum. Whole departments were carried on for less. Now, this little bureau chief wants over half a million to carry on a work that ought to be done for less than half the money.

Mr. BAER. Mr. Chairman, I move to strike out the last word.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that debate on this paragraph and all amendments thereto close in 10 minutes, the gentleman from North Dakota [Mr. BAER] to have 5 minutes and the gentleman from Missouri [Mr. RUBEY] 5.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that debate on this amendment and all amendments thereto close in 10 minutes, the gentleman from North Dakota to have 5 minutes and the gentleman from Missouri 5 minutes——

Mr. LEVER. Make it 15 minutes, so that the gentleman from Minnesota [Mr. ANDERSON] may have 5 minutes.

The CHAIRMAN. The gentleman asks unanimous consent for 15 minutes. Is there objection?

Mr. STAFFORD. Reserving the right to object, it is now quarter of 10. Does the gentleman expect to pass this bill before midnight?

Mr. LEVER. I do.

The CHAIRMAN. The Chair hears no objection.

Mr. RUBEY. Mr. Chairman, I desire to say only this: In 1916, after long debate and after careful consideration, the Congress of the United States passed the grain-grades act. It is now the law of the land. If there ever was a time when that act ought to be enforced it is now. It is not a question to-night for us to consider whether or not we are for the law or against the law. If you do not like the law, then introduce a bill to repeal the law. But just as long as it is on the statute books we ought to appropriate sufficient money to carry the law into execution.

Now, then, we are confronted with this situation: We have a guaranty placed upon every bushel of wheat raised in this country in 1918 and on every bushel which will be raised in 1919. That price guaranteed to the farmer by the Government is based upon these identical standards which have been adopted in accordance with the law passed by the Congress of the United States. It will be necessary for the Department of Agriculture to use these grades, to act quickly upon them. They will need every cent of money they have asked for in this appropriation, and possibly more, because under the guaranteed proposition the demands upon the Department of Agriculture for passing upon these grades will be stronger than it ever was before.

In the last Congress we appropriated $456,580. There was remaining over from the appropriations made in 1916 about $42,000, so that the department had $42,000 more to use in this work than they will have in this appropriation. That will be exhausted when June comes around, and it is absolutely necessary to increase this appropriation.

Not only that, but the law provides that the Secretary of Agriculture shall establish grades not only upon corn and wheat, but also upon oats and other grain, and the Department of Agriculture is ready to promulgate the grades on oats and rice and other products, and it is necessary absolutely to have additional money in order to put this into force and effect and to comply with the law passed by the Congress. I hope the amendment offered by the gentleman from Iowa will not be agreed to.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Iowa.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Administration of the United States warehouse act: To enable the Secretary of Agriculture to carry into effect the provisions of the United States warehouse act, including the payment of such rent and the employment of such persons and means as the Secretary of Agriculture may deem necessary, in the city of Washington and elsewhere, $35,000.

Mr. RUBEY. Mr. Chairman, I desire to offer an amendment to correct a typographical error.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. RUBEY: Page 84, line 22, after the word "and," strike out "els" and insert in lieu thereof the word "elsewhere."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

To enable the Secretary of Agriculture to carry into effect the provisions of the act of April 26, 1910, entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded Paris greens, lead arsenates, and other insecticides, and also fungicides, and for regulating traffic therein, and for other purposes," $94,790.

Total for enforcement of the insecticide act, $123,940.

Mr. LEVER. Mr. Chairman, I offer an amendment to correct a typographical error. I think we may have passed over it, but if so, I ask unanimous consent to turn back to it.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from South Carolina.

The Clerk read as follows:

Amendment offered by Mr. LEVER: Page 86, at the beginning of line 12, strike out the word "and."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

To enable the Secretary of Agriculture to carry into effect the provisions of the act of August 20, 1912, as amended, entitled "An act to regulate the importation of nursery stock and other plants and plant products; to enable the Secretary of Agriculture to establish and maintain quarantine districts for plant diseases and insect pests; to permit and regulate the movement of fruits, plants, and vegetables therefrom, and for other purposes," $47,700;

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last word.

Mr. MOORE of Pennsylvania. There has been a complaint coming from nurserymen about these quarantine orders, particularly with respect to bulbs and plants coming in from countries like Holland. Is there any reason why that embargo should be enforced at this time?

Mr. LEVER. I will say to the gentleman from Pennsylvania that this matter was called to the attention of the committee on yesterday by the minority leader [Mr. MANN], and this morning he put into the RECORD a memorandum furnished by the Department of Agriculture covering the whole situation. I have not had a chance to see that memorandum.

Mr. MOORE of Pennsylvania. Then it has been explained.

Mr. LEVER. I assume it has been.

Mr. MOORE of Pennsylvania. Then I do not ask the gentleman to go over a matter that has been gone over.

Mr. FESS. Mr. Chairman, I move to strike out the last word, to make an inquiry on the same matter. Who has charge of this particular division?

Mr. LEVER. Dr. Marlatt.

Mr. FESS. I had an inquiry about the matter. I took my inquiry to a member of the gentleman's committee, the gentleman from Michigan [Mr. McLAUGHLIN], who referred me to Dr. Marlatt. I wrote to him what I thought was a courteous letter, inclosing the letter from my informant, and asking whether he would care to state why this regulation had been made and whether it might not be avoided. Up to date I have received no word from him at all.

Mr. LEVER. How long ago was that?

Mr. FESS. Ten days ago.

Mr. LEVER. I would be very glad to make a note of it, and see what the trouble is. Dr. Marlatt is a very fine gentleman and a very courteous man, and I am satisfied that there must be some mistake about it, probably in the receipt of the letter.

Mr. STAFFORD. I have had some protests from local florists about the enforcement of the recent order prohibiting the importation from Belgium and other foreign countries of generally used plants, bulbs, and flowers. I took the matter up with Mr. Palmer and received immediate replies to my letters, explaining the reasons for the order at length. Mr. Palmer is the executive officer who has charge of the work of the enforcement of this new order.

Mr. LEVER. I am having the clerk make a note of this, and we will find out what is the trouble.

Mr. FESS. I thank the gentleman, because, as a rule, these matters are attended to quite expeditiously.

Mr. LEVER. Dr. Marlatt is a very, very fine gentleman. I wish the gentleman from Ohio might know him.

Mr. FESS. I was wondering whether there was any suggestion of discourtesy on the part of these experts toward the Congress.

Mr. LEVER. I am sure there is not in this case.

Mr. FESS. As the gentleman knows, I am not inclined to make complaints of this sort, but I have felt that there is a little fretfulness in the attitude of some of the members of these expert bureaus in reference to inquiries that are legitimate. It is not a matter of mischief, but simply to get information, so that we can intelligently answer our constituents without simply saying the matter will be considered. I do not like that sort of an answer.

Mr. LEVER. I am very glad the gentleman has mentioned this, and I am sure Dr. Marlatt will be very glad of it, too.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, a number of the gentlemen of the House have spoken about this order of the Federal Horticultural Board, evidently thinking it is oppressive and wrong, and they would like to have Congress take some action looking to the rescinding of the order. I would suggest that they be very careful in expressions of opinion or in the attempt to influence the action of that board. It was with the greatest difficulty that we secured action by Congress respecting that matter. It was only after a long delay and a

great deal of effort that we were able to secure the passage of the act that provides for the organization of the quarantine board and for its activities, and during the delay the country was suffering untold loss. That law was enacted generations too late. Almost every disease and pest that besets the crops of this country was brought from abroad, and its entrance into this country might have been prevented if we had had on the statute books such a law as was placed there a few years ago and if it had been administered as efficiently as that law is now administered. The brown-tail moth, the gypsy moth, the cotton-boll weevil, the pine blister rust, the San Jose scale—I might name a large number of them—were all brought from abroad, and their entrance into this country might have been prevented, and the loss that has been sustained by reason of their presence here might have been avoided. That loss the country has sustained is absolutely incalculable. Millions and hundreds of millions of dollars have been provided by appropriations of Congress to fight these pests after they reached this country. The losses of crops that the country has sustained, the expense that has been incurred by farmers and gardeners and orchardists throughout the country from these pests are simply beyond calculation, and much of the loss and expense might have been avoided.

To the gentlemen who would interfere with the operations of this particular law I may say that when the bill that became a law and is on the books was before the Committee on Agriculture many nurserymen appeared before that committee and opposed the bill strenuously. It was learned afterwards that shipments of fruit trees and shrubbery from some of the nurseries owned or represented by the men who sat in the committee room protesting against the passage of this act were found, on inspection on arrival at the destinations, to be literally alive with brown-tail moths and gypsy moths and other very dangerous pests—the very kind of insect pests that Congress was then and for years had been appropriating large sums of money to control or to limit their ravages.

This law provides only for the inspection of nursery stock brought here from foreign countries. The amount and value of it is insignificant. The value of the importations is insignificant as compared with the amount of money appropriated each and every year in the Agricultural bills for taking care of these troubles. I suggest to these gentlemen that they be careful not to interfere with the operation of that law or the work of the officials under the law.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn.

The Clerk read as follows:

To enable the Secretary of Agriculture to meet the emergency caused by the establishment of the potato wart in eastern Pennsylvania, and to provide means for the extermination of this disease in Pennsylvania or elsewhere in the United States in cooperation with the State or States concerned, including rent outside the District of Columbia, employment of labor in the city of Washington or elsewhere, and all other necessary expenses, $50,000, which shall be immediately available.

In all, for general expenses, $97,700.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order. May I inquire whether the next paragraph may not be considered in connection with the present paragraph? The following paragraph is really the mandatory provision of the act.

Mr. LEVER. It might be. Mr. Chairman, I ask unanimous consent that the following paragraph may be considered in connection with the paragraph just read.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the following paragraph be considered in connection with the paragraph just read. Is there objection?

There was no objection.

The Clerk read as follows:

That the plant quarantine act approved August 20, 1912 (37 Stat., p. 315), is hereby amended by the addition of the following section:

"SEC. 15. That in order further to control and eradicate and to prevent the dissemination of dangerous plant diseases and insect infections and infestations no plant or plant products for or capable of propagation, including nursery stock, hereinafter referred to as plants and plant products, shall be moved or allowed to be moved, shipped, transported, or carried by any means whatever into or out of the District of Columbia except in compliance with such rules and regulations as shall be prescribed by the Secretary of Agriculture as hereinafter provided. Whenever the Secretary of Agriculture, after investigation, shall determine that any plants and plant products in the District of Columbia are infested or infected with insect pests and diseases and that any plants, articles, and substances used or connected therewith are so infested or infected, written notice thereof shall be given by him to the owner or person in possession or control thereof and such owner or person shall forthwith control or eradicate and prevent the dissemination of such insect pest or disease and shall remove, cut or destroy such infested and infected plants, plant products and articles and substances used or connected therewith, which are hereby declared to be nuisances, within the time and in the manner required in said notice or by the rules and regulations of the Secretary of Agriculture. Whenever such owner or person can not be found, or shall fail, neglect or refuse to comply with the foregoing provisions of this section, the Secretary of Agriculture is hereby authorized and required to control and eradicate, and prevent dissemination of such insect pest or disease and to remove, cut or destroy infested or infected plants and plant products and articles and substances used or connected therewith, and the United States shall have an action of debt against such owner or persons for expenses incurred by the Secretary of Agriculture in that behalf. Employees of the Federal Horticultural Board are hereby authorized and required to inspect places, plants and plant products and articles and substances used or connected therewith whenever the Secretary of Agriculture shall determine that such inspections are necessary for the purposes of this section. For the purpose of carrying out the provisions and requirements of this section and of the rules and regulations of the Secretary of Agriculture made hereunder, and the notices given pursuant thereto, employees of the Federal Horticultural Board shall have power with a warrant to enter into or upon any place and open any bundle, package or other container of plants or plant products whenever they shall have cause to believe that infections or infestations of plant pests and diseases exist therein or thereon, and when such infections or infestations are found to exist, after notice by the Secretary of Agriculture to the owner or person in possession or control thereof and an opportunity by said owner or person to be heard, to destroy the infected or infested plants or plant products contained therein. The police court or municipal court of the District of Columbia shall have power, upon information supported by oath or affirmation showing probable cause for believing that there exists in any place, bundle, package or other container in the District of Columbia any plant or plant product which is infected or infested with plant pests or disease, to issue warrants for the search for and seizure of all such plants and plant products. It shall be the duty of the Secretary of Agriculture, and he is hereby required, from time to time, to make and promulgate such rules and regulations as shall be necessary to carry out the purposes of this section, and any person who shall move or allow to be moved, or shall ship, transport or carry, by any means whatever, any plant or plant products from or into the District of Columbia except in compliance with the rules and regulations prescribed under this section, shall be punished as is provided in section 10 of this act."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph just read.

Mr. LEVER. Mr. Chairman, I will say that this proposal seems to be necessary, because of the fact that the plant-quarantine act does not apply to the District of Columbia. This is simply to extend the plant-quarantine act to the District of Columbia, and that is all there is to it.

Mr. STAFFORD. If the plant-quarantine act applies to every part of the country, why would not the District of Columbia be immune?

Mr. LEVER. It seems to have been omitted; I don't know why.

Mr. STAFFORD. The gentleman does not get my point. If the plant-quarantine act extends to all parts of the country save the little spot in the District of Columbia, why is not the District of Columbia immune?

Mr. LEVER. I see the force of the gentleman's suggestion, but let me read what the department says:

There is at present no law under which the movement of disease and infested nursery stock and other plants and plant products into the District of Columbia from surrounding or other States, or from the District of Columbia into surrounding or other States, which can be adequately controlled, nor is there statutory authority for control and extermination within the District of Columbia of plant pests and diseases. Such control is exercised under State laws in practically all the States in this country.

The immediate need of this legislation is evidenced by the fact that the oriental fruit moth which threatened seriously to affect the fruit industry of the United States gained entrance in large part through importations of ornamental stock into the District of Columbia, and there has been now within the District thousands of peach, cherry, plum, apple, and other trees infested with this insect, affording breeding sources from which the insect has spread into the adjacent States of Maryland and Virginia.

Mr. STAFFORD. Has any estimate been made of the cost to the Government by extending the provisions of the quarantine act in the District of Columbia?

Mr. LEVER. I will say to the gentleman that there has not been. I judge that there will not be a great cost, because the appropriation is not increased.

Mr. STAFFORD. The bureau seeking increase of activities never asked for an increased appropriation at the time they asked to enlarge their powers; that comes afterwards.

Mr. LEVER. I would not think it would amount to very much.

Mr. STAFFORD. Mr. Chairman, I realize the critical condition that may arise in exceptional situations, and I withdraw the point of order.

Mr. FESS. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman a question with reference to a line which has been passed, but which has very peculiar phraseology. I refer to line 12, page 87, to the language—

caused by the establishment of the potato wart.

The word "establishment" would indicate that there has been some governmental activity. Does it not mean the appearance of the potato wart?

Mr. LEVER. It means the coming in of and the fixing of itself. It has been here for some time; he has established himself in these little towns in Pennsylvania. It is a rather peculiar expression, I admit.

The Clerk read as follows:

Total, Department of Agriculture, for routine and ordinary work, $29,847,162.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I offer the following amendment which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. McLAUGHLIN of Michigan: Page 91, line 4, at the end of line 4 add the following:

"*Provided*, That no part of the money appropriated by this act shall be used to pay the salary or compensation of any official or employee of the Department of Agriculture in excess of the salary or compensation he is now receiving in the office or position in which he is now engaged or for the work he is now doing if he shall be entitled to an increase of salary or compensation or additional allowance of pay under or by virtue of any other act of Congress: *Provided further*, That this limitation shall not apply to persons employed outside the District of Columbia."

Mr. LEVER. Mr. Chairman, on that I reserve the point of order.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I think it is not subject to the point of order. It is a limitation, and it is calculated to reduce the appropriation. It limits the right of expenditure of money. I think it is not subject to the point of order.

Mr. LEVER. Mr. Chairman, if the gentleman will permit, I am inclined to think that the amendment is not subject to the point of order, and I withdraw the reservation and ask unanimous consent that debate upon this paragraph and all amendments thereto shall close in 10 minutes.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, this is an important matter, and I think that at this hour of the night no one is going to speak unnecessarily. If the gentleman will accept the amendment, I shall not debate it at all.

Mr. LEVER. No; I can not do that.

Mr. MOORE of Pennsylvania. I was about to ask if the gentleman from South Carolina was going to oppose this amendment?

Mr. LEVER. I am.

Mr. MOORE of Pennsylvania. Because this amendment would satisfy several gentlemen upon this side of the House who have been critical of the bill.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that debate upon this amendment and all amendments thereto close in 10 minutes, the gentleman from Michigan to have 7 minutes and I to have 3 minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that debate upon this amendment and all amendments thereto shall close in 10 minutes. Is there objection?

Mr. ANDERSON. Mr. Chairman, I object.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, as Members present know, points of order have been made to items carrying increases of salary and to increases made by way of transfer, and so forth. Some of the points of order have been sustained and others have not. There has been considerable criticism, and I think the opinion prevails generally that there have been wholesale increases of salaries in the Department of Agriculture, and that the policy of employing officials and others in the departments and of fixing their salaries and raising their salaries, authority to do so resting entirely with the Secretary and the heads of the bureaus, is a vicious practice, one over which Congress apparently has no authority whatever. I think everyone is impressed with the fact that that state of affairs exists, and that something ought to be done to correct it. There has been considerable discussion as to the allowance of additional compensation to Government employees and of how much increase should be allowed. Many of the committees of Congress that frame appropriation bills have had the matter before them. It is a matter that has been quite fully discussed. The Committee on Appropriations has considered it, and that committee finally brought in, in its legislative bill, a provision increasing by $240 the salaries of all clerks and other employees whose salaries are not now above $2,500 a year. That provision was adopted by a very large vote in this House, and we now learn that it has been approved by the body at the other end of the Capitol, practically without division, so that it may be taken as the sense of the Congress, expressed by a very large vote, that the increase of $240 per year is reasonable and as just as any flat rate of increase can be.

Now, one who is familiar with the Book of Estimates, especially one who has heard the testimony of bureau heads and other officials of the department as they have testified before the committee, knows that there are a very large number of increases arbitrarily made by the Secretary or by the heads of bureaus, increases of $100, $200, $300, and, as far as we are able to learn, no particular reason for such action existed, except that in the opinion of the Secretary or the head of the bureau some increases ought to be given. Now, in some cases an increase larger than $240 may have been proper. I am one who believes in paying good salaries and good wages, but if Congress is to exercise any influence or control over salaries in any respect whatever, unless Congress is willing to admit that it has no control, unless it gives it up and washes its hands of it entirely and is willing to let the heads of bureaus do just as they please, it must adopt some such provision or plan as is embodied in the amendment I have offered.

Mr. FESS. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. And I suggest that on the average the $240 per year will meet the requirements. There may be some injustice. We may make some mistakes; we may not be able to meet the situation as it applies or relates to some or a few employees in the department, but we will cure a great big glaring, inexcusable mistake and omission and failure of duty that we have been guilty of in years past. I yield to the gentleman from Ohio.

Mr. FESS. Does this practice obtain in any department other than the Agricultural Department?

Mr. McLAUGHLIN of Michigan. I think it does, but I do not know to what extent.

Mr. LEVER. I will say it does.

Mr. McLAUGHLIN of Michigan. An amendment similar to this was offered by me in the committee and I think it met with general favor, but a representative high up in the Department of Agriculture came there and objected to it strenuously, saying we were making an exception of the Department of Agriculture and that we were taking away from the Secretary and the heads of the bureaus discretion to fix salaries just as they pleased. They wished unlimited and unrestrained discretion. They wished no interference by Congress.

I should dislike very much to be responsible for a provision that will prevent any employee or official getting all he is entitled to, but I feel sure if the amendment shall be adopted there will be little injustice, and I feel also very strongly that failure on our part to take action in this important matter will be unjustifiable; we must do something of this kind. We have neglected too long.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEVER. Mr. Chairman, the amendment offered by my friend from Michigan [Mr. McLAUGHLIN] is probably a very much more important amendment than Members of the House who are not familiar with the situation may think. The question of the control of lump-sum salaries was fought out on the floor of this House some six years ago. I think it was when I first became chairman of the committee. The fight that is now being made by the gentleman from Michigan and others was inaugurated by the gentleman from North Carolina [Mr. Paige], a very influential member of the committee. By the action of the House itself this policy or plan of controlling lump-sum salaries was agreed upon. The chairman of the Committee on Agriculture, acting with individual members of the committee, has tried repeatedly to find some remedy for this situation. I would not want at 10.30 at night, without a very, very thorough consideration of an amendment of this importance, to have it attached to this bill. The policy of the Department of Agriculture is not different from the policy in other departments. I do not want this proposition of absolutely shutting out the discretion of the Secretary of Agriculture to promote some worthy scientific research man who has performed a great service, who has made a great discovery. I would not want the Secretary of Agriculture, and I do not believe my friend from Ohio would want him, to be foreclosed from giving that man a reasonable promotion.

Mr. CRAMTON. Will the gentleman yield?

Mr. LEVER. Men who are capable of making some great discovery, a little different from the post-office clerk and the rural carrier and the ordinary clerk in class 1, class 4, or class 2. You must hold out some incentive for these men to work and sit up at night and figure, think, look, and inquire, if you are going to have any progress in research work, in scientific work.

If you are going to fix these salaries hidebound, so that the Secretary has no discretion at all to encourage these men, you will throw a wet blanket over the entire research force of the Department of Agriculture; and that is true of every other department of the Government. And my hope is that you will not be carried away by the idea that you are going to save a

great sum of money by undertaking to do something in haste that has not been considered carefully by any committee of the House. I think the best policy would be to allow this matter to go over in the hope that this Congress before it adjourns will create a joint committee, which was suggested by the Committee on Appropriations in the legislative bill, to go into the whole matter of salaries and see if some way of adjusting them can be found that will be equable and will not tend to retard the progress of our research workers.

I hope the amendment of the gentleman will be voted down.

Mr. ANDERSON. Mr. Chairman, the gentleman from South Carolina has made a very good speech. There is only one trouble with it, and that is that it does not relate to the situation which the amendment of the gentleman from Michigan is intended to remedy. The scientific employees of the Government, practically all of them, receive salaries in excess of $2,500 a year, and the amendment of the gentleman from Michigan does not relate to those employees at all, because it is restricted by its specific terms to those employees of the Government who are affected by the provision granting an increase of salary of $240 per year, and that provision is limited to employees receiving less than $2,500 a year. And, I think, every member of the Committee on Agriculture is impressed with the idea that some way must be found by which Congress can exercise some control over the fixing of salaries of that bureau. It has been perfectly evident in the debate here to-night that there is not any way now to do it. The salary of men employed under the lump-sum rolls are fixed by the Secretary, and those men are automatically transferred to the statutory roll. Under the decision of the Chair no point of order lies against that procedure. There is not any way at all that it can be done, except in the way in which my friend from Pennsylvania [Mr. MOORE] undertook to do it, and that is by making a motion to reduce each specific salary. And that will only apply in those cases where salaries are fixed in the statutory roll.

The amendment of the gentleman from Michigan may work some injustice. Perhaps it will. But it will not generally prevent what seems to me to be a very great abuse, and one of the ways in which that abuse comes about is by increasing the salary of the top man and then moving everybody up a peg without any reference to whether or not the individual or individuals have done anything which justifies the increase. It is a purely automatic proposition that goes on under these lump-sum appropriations, in an endless circle, to which there is neither a beginning nor an end, and no way to make a beginning or an end. It seems to me if Congress is to have any control at all over this situation it is bound now or at some time to indicate its intention to have that control, and the sooner it does the sooner the department will realize that it is up to the department to pay some attention to the enactments of Congress.

I think there is a very great tendency in the department, grown up largely from the war and the necessities of the war, to disregard the express enactments of Congress. I asked one of the gentlemen who came before our committee if he could suggest any language by which we could get done the specific thing we wanted done in the way we wanted it done. He could not suggest any, and I am frank to say I can not. That is the situation all up and down the line. We pass these laws and we undertake to fix the specific way in which a thing should be done, and we find when it has been done by the department it has been done in a way in which we least intended.

Mr. LEVER. Will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. LEVER. The gentleman confesses he can find no remedy for this situation and no language which will cure it, and in that connection I wish to say there is no man in this Congress who can draw language to fit a situation more accurately than the gentleman from Minnesota. Now, that being true—I do not ask the gentleman to confess it—does the gentleman think it wise, at 10.25 o'clock p. m. here, to undertake to remedy a situation which has been going on from time immemorial with an amendment offered to the House?

Mr. ANDERSON. I am greatly obliged to the gentleman for his compliment, but this amendment does not seek to remedy any situation except to recommit it this year, and this year we have provided all the increases which men are automatically entitled to. This amendment does not go beyond this year. It seems to me it only meets the situation with which we are confronted now. If the $240 provision did not apply, I think I would not support his amendment, but as long as it does apply I do think his amendment is justified.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. Certainly.

Mr. CRAMTON. Mr. Chairman, the gentleman will recall that in the urgent deficiency bill approved on October 6, 1917, more than a year ago, when we were providing a lump sum——

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. CRAMTON. I ask that the gentleman may be allowed to proceed for two minutes.

Mr. GARRETT of Tennessee. I object.

Mr. CRAMTON. Then I ask recognition, Mr. Chairman.

Mr. GARRETT of Tennessee. The debate has closed.

Mr. LEVER. No. The debate has not been closed. Does the gentleman from Michigan want two minutes?

Mr. CRAMTON. Yes.

Mr. LEVER. I ask unanimous consent that debate on this paragraph and all amendments thereto close in two minutes.

Mr. CRAMTON. Oh, no. If the gentleman is going to prevent debate in that way, I shall object.

Mr. LEVER. Then I move, Mr. Chairman, that the debate close now.

Mr. McLAUGHLIN of Michigan. I will say to the gentleman that if he does that he will have to have a quorum here to-night.

Mr. CRAMTON. I do not know that I can conclude in two minutes.

Mr. LEVER. Then, Mr. Chairman, I ask unanimous consent that the debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the debate on this paragraph and all amendments thereto close in five minutes. Is there objection?

There was no objection.

Mr. CRAMTON. Mr. Chairman, I entirely agree with the gentleman from South Carolina that this is an important matter. The difficulty is that the gentleman from South Carolina does not want to spend any time on it.

I want to call the attention of the gentleman from South Carolina and the attention of the gentleman from Minnesota [Mr. ANDERSON] and the attention of the committee to the fact that this is not an unheard-of proposition that the gentleman from Michigan is offering. The gentleman seems to think that the Department of Agriculture is being discriminated against. Nothing of the kind. In the urgent deficiency bill approved October 6, 1917, when we were beginning to provide these great emergency funds for the great work of carrying on the war, we included this language, and it seems to have worked well and it seems to have been satisfactory, because it has been continued in the bill since. Section 7 provides:

> That no civil employee in any of the executive departments or other Government establishments, or who has been employed therein within the period of one year next preceding his proposed employment in any other executive department or other Government establishment, shall be employed hereafter and paid from a lump-sum appropriation in any other executive department or other Government establishment at an increased rate of compensation.

No matter how great an expert there may have been in the Department of Agriculture or in the Department of Commerce that the Shipping Board wanted, they could not take him and give him a salary commensurate with the work he was to perform. I read further from that section:

> And no civil employee in any of the executive departments or other Government establishments or who has been employed therein within the period of one year next preceding his proposed employment in any other executive department or other Government establishment and who may be employed in another executive department or other Government establishment shall be granted an increase in compensation within the period of one year following such reemployment: *Provided*, That the United States Shipping Board Emergency Fleet Corporation shall be considered a Government establishment for the purposes of this section.

Some cases under it came to my attention, and it seemed to me to be a hardship; but notwithstanding that, the department has gotten along. We won the war, and nowhere did the machinery break down by reason of that provision.

I want to repeat that the Department of Agriculture is not to be discriminated against, but its employees are to be paid on the same basis as those employed under other lump sums that we have appropriated.

Mr. LEVER. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. LEVER. Does not this statute apply to the Department of Agriculture?

Mr. CRAMTON. This is to cover cases of transfer from one establishment or department to a new department created by reason of the war, but the principle is just the same.

Mr. LEVER. That applies to the Department of Agriculture and has to do with transfers entirely, and does not hit this thing within 40 feet.

Mr. CRAMTON. A man transferred from the Department of Agriculture to the Shipping Board could not receive an increase

of pay, although his duties might be more responsible in the Shipping Board than those in the Department of Agriculture. The principle is the same. There is more justice in the provision suggested by my colleague than in the provision that has been the law now for something over one year and three months.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan [Mr. McLAUGHLIN].

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. LEVER. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 38, noes 53.

The CHAIRMAN. The amendment is rejected, and the Clerk will read.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I ask for tellers.

Tellers were ordered.

The CHAIRMAN. The Chair appoints as tellers the gentleman from South Carolina [Mr. LEVER] and the gentleman from Michigan [Mr. McLAUGHLIN].

Mr. LEVER. I ask that the gentleman from Mississippi [Mr. CANDLER] take my place as a teller.

The committee divided; and the tellers reported—ayes 34, noes 58.

Accordingly the amendment was rejected.

The Clerk read as follows:

> To make surveys to determine the actual distribution of the pink bollworm in Mexico and to exterminate local infestations in Mexico near the border of the United States, in cooperation with the Mexican Government or local Mexican authorities, $25,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. I want to ask the chairman of the committee why it is necessary to divide into five parts this appropriation for the eradication of the pink bollworm?

Mr. LEVER. Mr. Chairman, in response to the gentleman's inquiry, when the estimate for the eradication of the pink bollworm was submitted a year ago it was in a lump-sum item, just like the foot-and-mouth disease item which has just been read. The committee, however, felt that Congress itself was desirous that these large sums should be as far as possible segregated.

Mr. MOORE of Pennsylvania. What is the total amount of the five items?

Mr. STAFFORD. It is $595,800.

Mr. MOORE of Pennsylvania. Then that is the amount divided into these various items?

Mr. LEVER. Yes.

Mr. MOORE of Pennsylvania. Is a special kind of work to be done under each item, or is it all of the same general character?

Mr. LEVER. Each item sets out the kind of work that is to be done, but it all goes to the proposition of getting rid of the pink bollworm.

Mr. MOORE of Pennsylvania. This being a lump-sum appropriation, who will fix the salaries?

Mr. LEVER. The salaries will be fixed by the Secretary of Agriculture.

Mr. MOORE of Pennsylvania. There will be no legal limitation on him at all?

Mr. LEVER. None except the limit of $4,500, which is the maximum that can be paid to any employee of this character.

Mr. MOORE of Pennsylvania. Four thousand five hundred dollars for taking in the experts and those gentlemen who have ideas, to whom the gentleman from South Carolina referred a moment ago?

Mr. LEVER. Yes.

Mr. MOORE of Pennsylvania. So, in order to encourage the $4,500 men, the Secretary will probably advance those who are paid the lower salaries, as their ideas develop from time to time in the work of eradication?

Mr. LEVER. I think the Secretary of Agriculture is a decent, honest man, and I do not believe the gentleman from Pennsylvania would like to lay that charge at his door. I believe that if one of these men should make a discovery that would be worth while in reference to this very dangerous pest, the Secretary of Agriculture would be warranted in making some kind of a promotion.

Mr. MOORE of Pennsylvania. I do not want the gentleman to think that I am reflecting upon the honesty of any man who takes an appointment under this paragraph, but I do reflect upon the system by which the salaries are fixed without the knowledge of Congress.

Mr. LEVER. And yet the gentleman for 12 years has been here and has not revised this system. Part of the time his party has been in power and part of the time out of power.

Mr. MOORE of Pennsylvania. Oh, yes; I have criticized the system. I never wanted to interfere with the work done by the department, but I have always criticized the system of the department in assuming jurisdiction that Congress did not confer upon it.

Mr. LEVER. The gentleman realizes, of course, that it is very easy to criticize. It is very much more difficult to construct an affirmative proposition.

Mr. MOORE of Pennsylvania. I am of the opinion that if the gentleman from South Carolina would accept the amendment offered by the gentleman from Michigan [Mr. McLAUGHLIN], proposing that hereafter salaries should be kept within the legislative limitation, we would all be satisfied, those of us who have been criticizing and those who have been defending the department.

Mr. LEVER. I expressed my views on that proposition a moment ago, and I have not revised them since.

Mr. MOORE of Pennsylvania. I know the gentleman expressed his ideas, and I have simply taken this time to bring out these few additional points in the hope and expectation that a motion to recommit may be made that will give gentlemen of the House an opportunity to vote on the question whether we shall continue a practice which some of us think is objectionable, a practice which holds only in the Department of Agriculture, or whether we want to keep all of the departments, including the Department of Agriculture, within the limitations set by Congress.

Mr. LEVER. The gentleman realizes that this appropriation is exactly on a par with the appropriation of $1,000,000 which has just been passed in the preceding paragraph, for the eradication of the foot-and-mouth disease.

Mr. MOORE of Pennsylvania. Yes.

Mr. LEVER. The gentleman did not raise any objection to that; I wonder why.

Mr. MOORE of Pennsylvania. Because the total appropriation seems to have been divided in a way that is susceptible of explanation. It is all for the purpose of eradicating the boll weevil.

Mr. LEVER. The other was the eradication of the foot-and-mouth disease.

Mr. MOORE of Pennsylvania. That is the difference between the two appropriations, so that the Secretary of Agriculture will have five distinct ways of employing people and expending the money, and that is what I wanted to inquire about.

The CHAIRMAN. The time of the gentleman has expired, and the pro forma amendment will be withdrawn.

Mr. FESS. Mr. Chairman, I move to strike out the last word. When did the Mexican pink boll weevil first appear?

Mr. LEVER. About 18 months or 2 years ago. The current law is the first act of Congress that carries any appropriation for its extermination.

Mr. FESS. That has not been carried very long?

Mr. LEVER. No; and I will say to the gentleman that the situation is in very good shape.

The Clerk read as follows:

> That hereafter the Secretary of Agriculture may, in his discretion and under such conditions as he may prescribe, supply to any municipality or public institution not more than one American bison from any surplus which may exist in any herd under the control of the Department of Agriculture; and, in order to aid in the propagation of the species, animals may be loaned to or exchanged with other owners of American bison.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order. I suppose it is the purpose that the Secretary of Agriculture may prescribe and require the payment of any expense to the Government by municipalities or institutions that receive the bison.

Mr. LEVER. Yes; that was the intention.

Mr. STAFFORD. Would the gentleman have any objection to an amendment expressing the intention of the committee by inserting after the word "discretion" "without expense to the Government"?

Mr. LEVER. No.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of a point of order, and offer the following amendment.

The Clerk read as follows:

> Page 96, line 17, after the word "discretion," insert the words "without expense to the Government."

The amendment was agreed to.

The Clerk read as follows:

> Whenever, during the fiscal year ending June 30, 1920, the Secretary of Agriculture shall find that the expenses of travel can be reduced thereby, he may, in lieu of actual traveling expenses, under such regulations as he may prescribe, authorize the payment of not to exceed 25 cents per mile for a motorcycle or 7 cents per mile for an automobile, used for necessary travel on official business.

Mr. STAFFORD. Mr. Chairman, I make a point of order on the paragraph.

Mr. LEVER. The paragraph is subject to a point of order, and I concede it.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

That hereafter in carrying on the activities of the Department of Agriculture involving cooperation with State, county, and municipal agencies, associations of farmers, individual farmers, universities, colleges, boards of trade, chambers of commerce, or other local associations of business men, business organizations, and individuals within the State, Territory, district, or insular possession in which such activities are to be carried on, moneys contributed from such outside sources, except in the case of the authorized activities of the Forest Service, shall be paid only through the Secretary of Agriculture or through State, county, or municipal agencies or local farm bureaus of like organizations cooperating for the purpose with the Secretary of Agriculture.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order. I wish to inquire what is the real purpose of this new legislation?

Mr. LEVER. Some three years ago an amendment was inserted in one of the bills—the legislative bill, probably—in the Senate, to the effect that none of these contributions could be made, except through county, State, or municipal authority. That would eliminate the contribution of private individuals in the matter of farm administration or county agent work; it would eliminate the proposition of a market association contributing anything to the salary of the Federal employee, the man in charge of the work. For the purpose of avoiding that situation this amendment was suggested. The act carrying the prohibition did not go into effect until two years after its passage, so that the various departments might ascertain just what effect it might have on the activities.

Under the administrative work connected with the boll weevil, States cooperate with individuals, with farmers and corporations, with agricultural colleges and various institutions within the State that they may be permitted to make these contributions and help the work along. The truth about the matter is, various institutions, firms, and corporations within the State are supplementing very largely the work of the Federal Government. We feel that in these activities we need the cooperation of these various individuals and corporations that I have mentioned. This was aimed primarily at the general education board, as the gentleman knows. The Department of Agriculture is not and was not at that time in any alliance with the general education board. Unless the amendment is agreed to, it will greatly hamper the work of the department.

Mr. STAFFORD. Is not the purpose of the last or next to the last paragraph of the bill aimed practically so as not to permit governmental funds to be used in payment of persons employed under State or municipal authority?

Mr. LEVER. Next to the last?

Mr. STAFFORD. I refer to the paragraph following the one under consideration. Mr. Chairman, I withdraw the reservation of the point of order, and will make my inquiry upon the next paragraph.

The Clerk read as follows:

The officials and employees of the Department of Agriculture engaged in the activities described in the preceding paragraph and paid in whole or in part out of funds contributed as provided therein, and the persons, corporations, or associations making contributions as therein provided, shall not be subject to the proviso contained in the act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1918, and for other purposes, approved March 3, 1917, in Thirty-ninth Statutes at Large, at page 1106; nor shall any official or employee engaged in the cooperative activities of the Forest Service, or the persons, corporations, or associations contributing to such activities be subject to the said proviso.

Mr. STAFFORD. Mr. Chairman, on this I reserve the point of order. This is the paragraph about which I sought to obtain information in respect to its effect in exempting certain employees from the effect of the limitation as carried in the legislative bill of a year ago.

Mr. LEVER. The gentleman from Minnesota [Mr. ANDERSON], who was largely responsible for this draft, I will call upon to answer.

Mr. ANDERSON. Mr. Chairman, I would say that the proviso in the legislative act to which this provision refers contained a prohibition against any employee or official of the Government receiving a contribution to his salary except from a State, county, or other municipal corporation. That prohibition was so broad that it would totally disrupt and to a certain and considerable extent prevent the carrying on of the cooperative activities of the department, carried out under items, for instance, as the farmers' extension or demonstration work item. The provision to which the gentleman has reserved the point of order only extends the proviso in the legislative act so as to permit contributions to be made not only through State, county, and municipal agencies, but also through farm-bureau associations and similar associations. Under the proviso to which the gentleman has reserved the point of order it would not be legal for a contribution to be made directly to a Government employee as a part of his salary, nor would it be legal for any organization to make a contribution to the salary of a Government employee, except in the manner and method provided in this particular paragraph. It is only to that extent that an exemption is made of the employees of the Department of Agriculture in respect to the proviso in the legislative bill.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The Clerk concluded the reading of the bill.

Mr. LEVER. Mr. Chairman, I ask unanimous consent to return to page 52, line 23, which was passed over, being the paragraph in respect to experiments in the manufacture of rare chemicals.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LEVER. Mr. Chairman, I understand that the gentleman from Wisconsin will make the point of order against the paragraph.

Mr. STAFFORD. I make the point of order against the paragraph.

The CHAIRMAN. The Chair sustains the point of order.

Mr. LEVER. Mr. Chairman, I ask to return to page 62, line 24.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to return to page 62, to the paragraph beginning with line 24. Is there objection? [After a pause.] The Chair hears none.

Mr. RUBEY. Mr. Chairman, this is the proposition we discussed this morning—the superintendent of distribution. The gentleman from Iowa reserved the point of order on that, and he has investigated the matter——

Mr. HAUGEN. Mr. Chairman, I desire to say upon investigation I find that the gentleman now holding this position is a very worthy and deserving clerk, also that the one who is to take his place, the $2,000 place, is also deserving of promotion, and for that reason I shall not insist on the point of order.

The CHAIRMAN. The point of order is withdrawn.

Mr. LEVER. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HAMLIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15018—the Agricultural appropriation bill—and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The question was taken, and the amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading.

The bill was ordered to be engrossed and read the third time.

Mr. STAFFORD. Mr. Speaker, I demand the reading of the engrossed copy of the bill.

The SPEAKER. The gentleman from Wisconsin demands the reading of the engrossed copy of the bill, and it is not here.

Mr. RUBEY. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill just passed.

Mr. YOUNG of Texas. Mr. Speaker, I make the same request.

Mr. SUMNERS. Mr. Speaker, I make the same request.

Mr. BAER. Mr. Speaker, I make the same request.

Mr. KNUTSON. Mr. Speaker, I make the same request.

Mr. MORIN. Mr. Speaker, I ask unanimous consent to extend my reparks in the RECORD on the subject of the problems of the pence conference.

Mr. STAFFORD. Consent not having been granted to these gentlemen, I wish to reserve the right to object to inquire whether the remarks of the gentlemen are on the bill just passed?

The SPEAKER. Yes. Is there objection? [After a pause.] The Chair hears none. Is there objection to the gentleman from Pennsylvania extending his remarks on the problems of the pence conference. [After a pause.] The Chair hears none.

Mr. LEVER. Mr. Speaker, I ask unanimous consent that when the House adjourns to-night it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER. Is there objection?

Mr. MOORE of Pennsylvania. I object.

Mr. SIEGEL. Mr. Speaker, I ask unanimous consent to extend my remarks on the subject of the Seventy-seventh Division of the Army.

The SPEAKER. Is there objection to the request of the gentleman from New York. [After a pause.] The Chair hears none.

Mr. LEVER. Mr. Speaker, I move that the House do now adjourn.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had insisted upon its amendments to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, disagreed to by the House of Representatives, and agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. CHAMBERLAIN, Mr. FLETCHER, Mr. THOMAS, Mr. WARREN, and Mr. KNOX as the conferees on the part of the Senate.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 5354. An act extending the time for completion of the bridge across the Delaware River authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved August 24, 1912.

S. 3220. An act authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat, to determine the practicability of their utilization as a fuel and in producing commercial products.

ADJOURNMENT.

The motion was agreed to; accordingly (at 11 o'clock and 20 minutes p. m.) the House adjourned until to-morrow, February 1, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the president of the Capital Traction Co., transmitting report of the Capital Traction Co. for the year ending December 31, 1918 (H. Doc. No. 1747); to the Committee on the District of Columbia and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII.

Mr. FLOOD, from the Committee on Foreign Affairs, to which was referred the bill (S. 4727) to authorize the payment to the Government of France of $13,511.13 as an indemnity requested in behalf of Mme. Criguier for losses sustained by her as the result of a search for the body of Admiral John Paul Jones, reported the same with amendment, accompanied by a report (No. 1020), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DENT: A bill (H. R. 15462) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1920, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. MONDELL: A bill (H. R. 15463) to increase the cost of the public building at Buffalo, Wyo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15464) to increase the cost of the public building at Cody, Wyo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15465) authorizing the Secretary of War to donate to the town of Shoshoni, Wyo., one piece of artillery or like trophy captured or obtained from the enemy during or at the close of the war with Germany; to the Committee on Military Affairs.

By Mr. KINCHELOE: A bill (H. R. 15466) authorizing the Secretary of War to donate to the town of Dixon, Ky., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DOWELL: A bill (H. R. 15467) donating a captured German cannon or field gun and carriage to the city of Ames, county of Story, State of Iowa; to the Committee on Military Affairs.

Also, a bill (H. R. 15468) donating a captured German cannon or field gun and carriage to the city of Nevada, Story County, Iowa; to the Committee on Military Affairs.

Also, a bill (H. R. 15469) donating a captured German cannon or field gun and carriage to the city of Adel, Dallas County, Iowa; to the Committee on Military Affairs.

By Mr. ANDERSON: A bill (H. R. 15470) to authorize the purchase of a site and the erection and completion of a public building thereon at Wasseca, Minn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15471) to enlarge, extend, remodel, etc., the post-office building at Albert Lea, Minn., or to authorize the purchase of a site and the erection and completion of a building thereon, in the discretion of the Secretary of the Treasury; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15472) to enlarge, extend, remodel, etc., the post-office building at Rochester, Minn., or to authorize the purchase of a site and the erection and completion of a building thereon, in the discretion of the Secretary of the Treasury; to the Committee on Public Buildings and Grounds.

By Mr. DOWELL: A bill (H. R. 15473) donating a captured German cannon or field gun and carriage to the city of Winterset, Madison County, Iowa, for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15474) donating a captured German cannon or field gun and carriage to the city of Knoxville, Marion County, Iowa, for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15475) donating a captured German cannon or field gun and carriage to the city of Perry, Dallas County, Iowa, for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15476) donating a captured German cannon or field gun and carriage to the city of Pella, Marion County, Iowa, for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15477) donating a captured German cannon or field gun and carriage to the city of Indianola, Warren County, Iowa, for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15478) donating a captured German cannon or field gun and carriage to the city of Des Moines, Iowa, for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15479) donating a captured German cannon or field gun and carriage to the city of Story City, Story County, Iowa, for decorative purposes; to the Committee on Military Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 15480) authorizing the Cowlitz Tribe of Indians, residing in the State of Washington, to submit claims to the Court of Claims; to the Committee on Claims.

By Mr. DIXON: A bill (H. R. 15481) to provide for the erection of a public building at Franklin, Ind.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15482) to provide for the erection of a public building at Lawrenceburg, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. DIES: A bill (H. R. 15483) for the erection of a public building at Lufkin, Tex.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15484) to increase the limit of cost for the Federal building and site at Orange, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. PARKER of New Jersey: A bill (H. R. 15485) to increase the limit of cost of the United States post office at East Orange, N. J.; to the Committee on Public Buildings and Grounds.

By Mr. STEVENSON: A bill (H. R. 15486) to provide for the erection of a Federal building at Winnsboro, S. C.; to the Committee on Public Buildings and Grounds.

By Mr. OLIVER of Alabama: A bill (H. R. 15487) for the purchase of a site for and the erection of a post-office building at Marion, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. EAGLE: A bill (H. R. 15488) for the erection of a Federal building at Huntsville, Tex.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15489) to enlarge, extend, remodel, and improve the old post-office building at Houston, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. VESTAL: A bill (H. R. 15490) increasing the limit of cost for a public building at Bluffton, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. CANDLER of Mississippi: A bill (H. R. 15491) for the improvement of the Federal building at Aberdeen, Miss.; to the Committee on Public Buildings and Grounds.

By Mr. ELLSWORTH: A bill (H. R. 15492) providing for the purchase of a site and the erection of a public building at Pipestone, Minn.; to the Committee on Public Buildings and Grounds.

By Mr. WATKINS: A bill (H. R. 15493) appropriating $100,000 for the use of the United States Public Health Service in the investigation of influenza; to the Committee on Appropriations.

By Mr. CARTER of Massachusetts: A bill (H. R. 15494) authorizing the Secretary of War to donate to the town of Brookline, Mass., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. TILSON: A bill (H. R. 15495) to amend an act to provide for the appointment of a commission to standardize screw threads; to the Committee on Coinage, Weights, and Measures.

By Mr. PHELAN: A bill (H. R. 15496) to amend the Federal farm-loan act, approved July 17, 1916; to the Committee on Banking and Currency.

By Mr. BIRCH: A bill (H. R. 15497) authorizing the Secretary of War to donate to the city of Wharton, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ELLSWORTH: A bill (H. R. 15498) providing for the purchase of a site and the erection of a public building at Tyler, Minn.; to the Committee on Public Buildings and Grounds.

By Mr. ALEXANDER: A bill (H. R. 15499) to provide for the incorporation of certain companies engaged in foreign trade; to the Committee on the Judiciary.

By Mr. VENABLE: A bill (H. R. 15504) for the payment of sailor insurance to Annie Elliner and Mary Agnes Davidson; to the Committee on Interstate and Foreign Commerce.

By Mr. MASON: Concurrent resolution (H. Con. Res. 65) to appoint a special committee on demobilization; to the Committee on Rules.

By Mr. JOHNSON of Washington: Resolution (H. Res. 541) directing the Secretary of War to furnish the House of Representatives certain information; to the Committee on Military Affairs.

By Mr. HADLEY: Resolution (H. Res. 542) directing the Federal Trade Commission to investigate and report to the House the facts relating to the production, manufacture, and profits upon the sale of milk products, with particular reference to the condensed-milk industry; to the Committee on Interstate and Foreign Commerce.

By Mr. HAWLEY: Memorial of the Legislative Assembly of the State of Oregon requesting Congress to investigate the War Risk Insurance Bureau; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislative Assembly of the State of Oregon praying for legislative relief of persons who developed chromite mines to supply war material for the Government; to the Committee on Mines and Mining.

Also, memorial of the Legislative Assembly of the State of Oregon urging Congress to pass the revenue bill with the elimination of loganberry and apple juices from taxation; to the Committee on Ways and Means.

By Mr. SIEGEL: Memorial of the Legislature of the State of New York favoring extra pay for discharged soldiers, sailors, and marines; to the Committee on Military Affairs.

By Mr. McARTHUR: Memorial of the Legislative Assembly of the State of Oregon, urging the Congress of the United States to enact a law authorizing and directing that patents in fee simple be issued to all the allottees of Indian lands or their heirs to whom trust patents were issued to lands within the boundaries of the former Siletz Indian Reservation in Lincoln County, Oreg.; to the Committee on Indian Affairs.

Also, memorial of the Legislative Assembly of the State of Oregon, urging upon Congress the immediate importance of passing the Sinnott bill for reconstruction work which has been indorsed by the Secretary of Interior, Franklin K. Lane; to the Committee on Irrigation of Arid Lands.

Also, memorial of the Legislative Assembly of the State of Oregon requesting Congress to investigate the conduct of the Bureau of War Risk Insurance; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 15500) granting a pension to Frank Dye; to the Committee on Pensions.

Also, a bill (H. R. 15501) granting a pension to Annie Myers; to the Committee on Pensions.

By Mr. HAUGEN: A bill (H. R. 15502) granting a pension to Martha E. Minar; to the Committee on Pensions.

By Mr. HAWLEY: A bill (H. R. 15503) granting a pension to John Hobbs; to the Committee on Pensions.

By Mr. WALTON: A bill (H. R. 15505) for the relief of Francis Stewart; to the Committee on the Public Lands.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALMON: Petition of citizens of Albany, Ala., urging adoption of House bill 10550, providing for national ownership and Government operation of railroads in the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. CARY: Petition of A. M. Jays, president Milwaukee Dry Dock Co., urging support to the proposed deep-sea ship canal to tidewater in conjunction with the Canadian Government; to the Committee on Railways and Canals.

Also, petition of Athletic Club of Milwaukee, Wis., protesting against increase of taxes on club dues; to the Committee on Ways and Means.

By Mr. GALLIVAN: Petition of city council of the city of Cambridge, Mass., favoring league of nations; to the Committee on Foreign Affairs.

Also, petition of president of New York, New Haven & Hartford Railroad Co., New Haven, Conn., requesting additional appropriation of $750,000,000 for the revolving fund of the United States Railroad Administration; to the Committee on Interstate and Foreign Commerce.

By Mr. HADLEY: Petition of citizens of Blaine, Wash., urging repeal of postal rates on periodicals; to the Committee on Ways and Means.

By Mr. HERSEY: Petition of R. F. Bragg, of Milo, Me., and 26 other citizens, urging passage of House bill 10550; to the Committee on Interstate and Foreign Commerce.

By Mr. HOUSTON: Petition of Commercial Club, of Lewisburg, Tenn., favoring the continuous control and operation of Government utilities until full investigation can be made thereon; to the Committee on Interstate and Foreign Commerce.

By Mr. KETTNER: Petition forwarded by Judge Franklin J. Cole, of El Centro, Cal., pertaining to legislation affecting Spanish-American War veterans; to the Committee on Military Affairs.

By Mr. KING: Petition of L. L. Mannon and 13 other employees of Western Union Telegraph Co., Galesburg, Ill., urging that War Labor Board's decision on wages of commercial employees of telegraph companies be put in force, and pointing out that Mr. Burleson's increase granted was in reality a decrease; to the Committee on Interstate and Foreign Commerce.

By Mr. LINTHICUM: Petition of Transportation Club of Maryland, formerly Traffic Club of Baltimore, composed largely of railroad and steamship officials, protesting against Federal control of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of Patapsco Local, No. 241, International Brotherhood of Blacksmiths and Helpers, urging Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Belair, Md., urging restoration of telegraph and telephone lines to their several companies; to the Committee on Interstate and Foreign Commerce.

Also, petition of Baltimore Section Council of Jewish Women, indorsing Senate bill 4987; to the Committee on Education.

By Mr. MAPES: Petition of members of Patron's Club of Hall School, Grand Rapids, Mich., for passage of Senate bill 4987; to the Committee on Education.

By Mr. RANDALL: Petition of Brotherhood of Boiler Makers and Iron-Ship Builders, of Los Angeles, Cal., favoring continued Government operation of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSE: Petition of D. Chester Martin and others, for the repeal of the postal zone rate bill; to the Committee on Ways and Means.

By Mr. SIEGEL: Petition of Republican Club of City of New York, in reference to extra compensation for discharged soldiers; to the Committee on Military Affairs.

SENATE.

SATURDAY, *February 1, 1919.*

(Legislative day of Friday, January 31, 1919.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

ZINC MINING INDUSTRY.

Mr. SPENCER. Mr. President, I present a resolution of the House of Representatives of Missouri and ask that it be printed in the RECORD.

The VICE PRESIDENT. Will the Senator have it read?

Mr. SPENCER. There is no need of reading it unless some one calls for it.

The VICE PRESIDENT. It will be printed in the RECORD.

The resolution is as follows:

JEFFERSON CITY, MO., *January 31, 1919.*

Hon. SELDEN P. SPENCER,
Care Senate, Washington, D. C.:

Am instructed by the Missouri House of Representatives to inform you that there has been offered into and adopted by the house the following resolutions:

"Whereas the zinc-mining industry of southwestern Missouri is the greatest metal-mining industry in the entire State; and

"Whereas that industry is now crippled to the extent of the closing down of 95 per cent of all the mines in said district, said closing down of the mines being occasioned by the vast importations of zinc ore into the United States from foreign countries, amounting in the last four years ending June 30, 1918, to 825,000 tons, being approximately three times the normal prewar production of the entire Joplin district, including Kansas, Oklahoma, and Missouri; and

"Whereas there are now approximately 350,000 tons of zinc ore on the docks in Australia awaiting shipment; and

"Whereas Mexico has a potential power of production of at least 150,000 tons annually, which must find its market in the United States; and

"Whereas zinc ore concentrates have also been imported into the United States in the last three or four years from 15 different countries, representing every continent and grand division of the world: Now, therefore, be it

"*Resolved by the House of Representatives of the State of Missouri,* That we believe it to be the patriotic duty of the Legislature of the State of Missouri to memorialize Congress of the United States by special resolution asking that there be at once incorporated into the pending revenue bill a provision providing for a protective tariff of 2 cents per pound on the metallic contents of zinc ore in order to keep out further importations of zinc ore and allow the zinc-mining industry of the United States to live and be again built up to its normal condition; be it further

"*Resolved,* That copies of these resolutions be sent to our Senators and Representatives at Washington, and that they be asked to protect the mining industry of the United States, and that they support and vote for a bill providing for a tariff of 2 cents per pound on the metallic contents of zinc ore imported into the United States."

W. G. KITCHEN,
Chief Clerk.

CALLING OF THE ROLL.

Mr. KING. Mr. President, it is apparent that the Senate is very deeply interested in the pending appropriation bill, carrying about $600,000,000, and, knowing the profound interest which Senators have in a small appropriation bill of that character, I venture to suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	King	Pollock	Swanson
Beckham	Knox	Reed	Thomas
Colt	La Follette	Saulsbury	Trammell
Fletcher	Lewis	Sheppard	Vardaman
Hale	McKellar	Sherman	Wadsworth
Hardwick	McLean	Smith, S. C.	Weeks
Johnson, Cal.	Myers	Smoot	
Johnson, S. Dak.	New	Spencer	
Jones, Wash.	Nugent	Sutherland	

Mr. SUTHERLAND. I desire to announce that my colleague, the senior Senator from West Virginia [Mr. GOFF], is absent owing to illness.

Mr. McKELLAR. The senior Senator from Tennessee [Mr. SHIELDS] is absent on account of illness.

Mr. SAULSBURY. I wish to announce that the Senator from Maryland [Mr. SMITH] is detained by illness.

Mr. LEWIS. I desire to announce that the Senator from North Carolina [Mr. SIMMONS], the Senator from Georgia [Mr. SMITH], the Senator from Delaware [Mr. WOLCOTT], the Senator from Ohio [Mr. POMERENE], the Senator from Montana [Mr. WALSH], and the Senator from Nevada [Mr. HENDERSON] are absent on official business.

The VICE PRESIDENT. Thirty-three Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. CHAMBERLAIN, Mr. GAY, Mr. KIRBY, Mr. McNARY, Mr. LENROOT, Mr. STERLING, Mr. UNDERWOOD, and Mr. WARREN answered to their names when called.

Mr. CURTIS, Mr. CALDER, and Mr. HOLLIS entered the Chamber and answered to their names.

Mr. CURTIS. I was requested to announce the absence of the Senator from New Jersey [Mr. FRELINGHUYSEN] on official business. I will let this announcement stand for the day.

Mr. BRANDEGEE, Mr. ROBINSON, and Mr. MARTIN of Virginia entered the Chamber and answered to their names.

Mr. STERLING. I wish to announce that the Senator from North Carolina [Mr. OVERMAN] and the Senator from Minnesota [Mr. NELSON] are absent on official business of the Senate.

Mr. HITCHCOCK, Mr. CULBERSON, Mr. PITTMAN, Mr. SHAFROTH, Mr. OVERMAN, Mr. NELSON, Mr. PAGE, Mr. KENYON, Mr. FRANCE, Mr. GORE, Mr. RANSDELL, Mr. MOSES, and Mr. TOWNSEND entered the Chamber and answered to their names.

The VICE PRESIDENT. Sixty Senators have answered to the roll call. There is a quorum present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 3220. An act authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat, to determine the practicability of their utilization as a fuel and in producing commercial products; and

S. 5354. An act extending the time for completion of the bridge across the Delaware River authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the 24th day of August, 1912.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred, as follows:

By Mr. SHEPPARD:

A bill (S. 5503) donating captured cannon and cannon balls to the cities of Cleburne, Kenedy, and Yoakum, all in Texas;

A bill (S. 5504) directing delivery of State war-service records to the States requesting same; and

A bill (S. 5505) regulating the salaries of Army field clerks; to the Committee on Military Affairs.

By Mr. OVERMAN:

A bill (S. 5506) granting a pension to Joseph R. Owens (with accompanying paper); to the Committee on Pensions.

By Mr. HALE:

A bill (S. 5507) granting a pension to Mary L. Bryant (with accompanying papers); to the Committee on Pensions.

By Mr. KELLOGG:

A bill (S. 5508) to validate and confirm certain erroneously allowed entries in the State of Minnesota (with accompanying papers); to the Committee on Public Lands.

By Mr. SUTHERLAND:

A bill (S. 5509) granting an increase of pension to William J. Van Hoose; to the Committee on Pensions.

RIVER AND HARBOR APPROPRIATIONS.

Mr. STERLING submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was ordered to lie on the table and be printed.

WOMAN SUFFRAGE IN TEXAS.

Mr. SHEPPARD. Mr. President, I am in receipt of the following telegram, which I desire to read to the Senate:

AUSTIN, TEX., *January 22.*

Hon. MORRIS SHEPPARD,
United States Senate, Washington:

I have the honor to transmit to you, with request that you read the same in the Hall of the Senate, the following joint resolution adopted by the house and concurred in by the senate of the State on Monday, January 20, 1919:

"*Be it resolved by the House of Representatives of the Legislature of Texas (the Senate concurring),* That—

"Whereas the thirty-fifth legislature in its fourth called session, in response to the unmistakable sentiments of the voters of Texas, awarded to the women of Texas the privilege of suffrage in the primaries; and

"Whereas in the Democratic primaries of July 27, 1918, the women of Texas spoke clearly and emphatically in behalf of civic righteousness and honor in its public servants, thus giving trustworthy proof of their eminent fitness for the ballot without any limitations whatsoever except such as may apply to all voters alike; Now, therefore, be it

"*Resolved (the senate concurring),* That the United States Senate is hereby respectfully but urgently requested to act immediately and favorably upon the woman-suffrage amendment, which has already received proper recognition by the House of Representatives; and be it further

"*Resolved*, That such action is in full accordance with enlightened sentiment that sees no reason why further delay should ensue in this regard; and be it further

"*Resolved*, That the secretary of state be, and he is hereby, directed to transmit copies of this resolution to the presiding officer of the United States Senate and to the Senators representing this State therein."

C. D. MIMS,
Acting Secretary of State.

Mr. President, the progress of suffrage sentiment in Texas has been remarkable. In 1916 the Texas State Democratic convention adopted a resolution opposing the nation-wide suffrage amendment. In 1917 the Texas Legislature declined to submit an amendment to the State constitution for suffrage. About a year thereafter the legislature adopted an amendment granting to Texas women suffrage in the primaries. In the primaries last year 386,000 women voted, and an overwhelming majority of the precinct and county conventions declared for the national suffrage amendment. The State Democratic convention in 1918 declared in favor of State and National suffrage.

In January of this year the Texas Legislature submitted an amendment to the State constitution for suffrage, and a vote will be taken on its adoption at an early date. I believe that a similar process is taking place, or will take place, in every other Southern State, and I want to express the earnest hope and the conviction that before this session adjourns the Congress of the United States will submit the suffrage amendment for ratification.

POST-OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

Mr. THOMAS. Will the Senator from Utah yield to me?

Mr. KING. I have a few minutes left in which to discuss this measure, but I am compelled to be absent from the Chamber for a few moments, so I yield to the Senator from Colorado, and will take the floor upon the conclusion of his remarks.

Mr. THOMAS. Mr. President, with regard to the pending amendment, I am not disposed to indulge in any criticism. Personally I think the proposed experiment which the appropriation in that amendment is designed to enable the department to make is a highly desirable one. The expansion of aviation is one of the subjects which the Government should encourage in every direction. The three leading nations of Europe are applying their experiences in the war to the promotion of aviation not only for the carriage of the mail but for its utilization in every possible commercial way. If we fail to pursue the same course, we shall very soon find ourselves as far behind in modern aviation as we were when Germany declared war against France. I believe that the development of aviation will, if properly pursued, result in the creation of an offensive and defensive system of warfare that will largely obviate the necessity of a continued coast defense and of a large Navy. Hence this particular appropriation commends itself very strongly to my judgment, and I wish it were possible to be as well disposed toward other items of the bill.

Mr. President, while I am on my feet I propose to discuss for a few minutes the good-roads amendment, and then, so far as I am concerned, I shall be prepared, as usual, to vote with the minority.

A point of order was yesterday raised against section 5 of the bill upon the ground that it proposed general legislation to an appropriation bill. The point was not sustained. The reasons assigned for the ruling of the Chair have added to my humble store of knowledge; I have gained something in the way of experience and feel, therefore, compensated for the effort to secure the excision of the section.

I have learned, Mr. President, that to expand a law is to limit it, and doubtless upon the theory that the more debts a man contracts the more money he owes. I have also learned that if an appropriation otherwise objectionable is appended to an amendment which amounts to general legislation, the existence of the appropriation cures the objection and makes the amendment perfectly legitimate under the rules.

The rules of the Senate, Mr. President, are the most cumbrous and fossilized body of ancient procedure, but subject entirely to the will of the majority, that can be found in any other legislative assembly. The application of the rules depends entirely upon the pleasure of or the interests of a majority of the Senate. Therefore they might just as well be swept, as they should long ago have been, into the limbo of the past and give way to a series of modern regulations having the merit of possible consistency and free from the complicated and irreconcilable series of decisions which have construed them in every possible way, the construction being, for the most part, directed and determined by the interest which a majority had in the particular subject of discussion.

I will address myself at the outset to the effect of section 5, which will, I presume, be enacted into law. This section my distinguished friend from Virginia [Mr. SWANSON] is pleased to call a limitation upon the method of expenditure of the $200,000,000 which are provided for in the succeeding sections. It amends section 2 of the existing law by the substitution of a very simple phrase, consisting of five words. I read:

The term "rural post roads," as used in section 2 of said act, shall be construed to mean any public road which is now used, or may be made suitable.

If this becomes a law, it commits the United States to the improvement of every cattle trail and every cow path and every right of way in the United States. It makes the alleged appropriation for the construction and improvement of post roads one of the most expensive fictions in Federal legislation.

Mr. BANKHEAD. Mr. President——

Mr. THOMAS. I yield to the Senator from Alabama.

Mr. BANKHEAD. I desire to suggest to the Senator from Colorado that, in view of the fact that every proposition to which the Federal Government appropriates money must originate in the State, must have the approval of the State authorities, of the State highway commission, and until the road has been located and surveyed and an estimate of its cost made, the Government of the United States has no concern about it; and when they have done that the proposition must be by them submitted to the Secretary of Agriculture, and if he approves it half of the sum provided to be appropriated by the Government may be available, I ask the Senator if he thinks that there is any State highway commission or any State authority that is going to undertake to build a road for the construction of which it must furnish half of the money, while the Government furnishes the other half, of the character which he indicates in his remarks, and provide that such road shall be built anywhere and everywhere, along pig trails in every section of the country?

Mr. THOMAS. Mr. President, this legislation will inevitably be followed by other legislation relieving the States from any responsibility in the matter.

Mr. BANKHEAD. But there is no suggestion like that in this bill.

Mr. THOMAS. Oh, Mr. President, there is no suggestion like that in this bill, and there was no suggestion of this amendment in the act of 1916. We proceed by natural law of progression in our advance upon the outposts of the United States Treasury. To storm it in the open daylight would be impossible. Consequently we reach it by a system of sapping and mining.

The Senator from Alabama has correctly stated the proposition; there is no doubt about that. These projects must originate with the State authorities; but my experience is that every State project having a sufficient amount of political influence behind it, every project capable of commanding a respectable number of votes, will receive favorable consideration by the State authorities, and especially so when, as the law is, 50 per cent of the money required for the improvement comes from the Federal Treasury.

Mr. JOHNSON of South Dakota. Mr. President——

Mr. THOMAS. I yield to the Senator.

Mr. JOHNSON of South Dakota. I wish to ask the Senator, for information, if it is true that some of the States have already petitioned to be relieved from their share of the contribution for this purpose?

Mr. THOMAS. I do not know; but I do know that a few citizens of my State suggested sometime ago the propriety of my making the effort, their view then being that, inasmuch as these roads were post roads, and post roads being under the sole jurisdiction of the United States, it was wrong to ask the States to bear any part of the burden of improvement.

Mr. President, I do not care how preposterous one of these propositions may be, it can be supported before the State authorities upon precisely the argument made by the distinguished Senator from Virginia [Mr. SWANSON] in support of this appropriation. Good roads mean prosperity; good roads mean better schools; good roads mean more intelligent neighborhoods; in fact, it is difficult to imagine what good roads do not mean in moral, social, financial, and intellectual improvement and development. Of course, I am not gainsaying the fact that good roads are a great asset to any community and to any State; there is no doubt about that; and I would be in favor of constructing good roads and aiding them with Government appropriations liberally if we had the money at present to devote to that purpose. But I will refer to that feature of the subject later.

The theory upon which the Government of the United States is to interest itself in road construction and the basis of the act of 1916 was that under the Constitution Congress, being authorized to establish post offices and post roads, is justified in making these appropriations for that purpose.

That is a doctrine which we all know historically was successfully controverted in the early days of the Republic, when State rights really amounted to something, when the people were too jealous of them to trade them off for Federal money, and when it was the opinion of a majority of the people of the United States that the language of the Constitution was not sufficiently broad to justify the use of the public funds in the making of public improvements. Of course, as the Treasury expanded and the cupidity of the people was enlarged by an occasional appropriation here and there, they gradually forgot the rights of the States and of constitutional limitations in the mad race for the portals of the Treasury, so that now the doctrines then so ably asserted and maintained by our forefathers we at present regard with a sort of good-natured contempt.

I accept the proposition in its entirety that the power to establish post offices and post roads carries with it the power to make these appropriations, but this amendment leaves that situation entirely behind, and it is now proposed to devote the public money to the construction of any road that may be recommended by the local authorities. I do not think we need apprehend that if the highway commission of my State, or of the State of South Dakota, or of the State of Tennessee, makes a recommendation to the Department of Agriculture that department will turn it down. Those things may occur, and so may miracles, but it is safe, I think, to say that any project which passes muster with the people of a State will be accepted by the Agricultural Department or by any other department having jurisdiction of the subject. That department is no worse and no better than the others. I do not know any element of economy that can be discovered in a single department of the Government with a 10,000-power magnifying microscope. In other words, it is as scarce there as it is here. These improvements give employment to additional numbers of men; they bring money to the doors of the taxpayers; they are a good thing for the community, and hence why limit them to post roads? Why not make them applicable to any old road, or any old trail, or all of them together?

That is what this amendment means if it is adopted. It may be that the committee place another interpretation upon it; I am not impugning their good faith; but if I am mistaken about that, then it is perfectly legitimate for me to characterize this little clause of section 5 as a "joker."

Mr. KENYON. As a what?

Mr. THOMAS. As a "joker"—a term which in modern times has received a technical definition that has virtually superseded the broader and original one.

I am not accusing the committee of inserting a "joker" in this bill—far from it—but the effect of the phrase, if crystallized into a statute, will be the same as though it were put in by some interested party and, because of its harmless appearance, escape detection. If we are to have it, let us take it with our eyes open; let us harbor no delusions concerning its practical operation.

But the Senator from Virginia says that the amendment reported by the committee is a limitation upon the appropriation and not an expansion of it. It is true that it has a limit, which is the blue sky; and in the trackless highways of the atmosphere now traversed and soon to be more frequently occupied by fleets of airships it is possible to argue that the limitation being to things terrestrial, there is something beyond, the noninclusion of which makes the term one of limitation and not one of expansion.

Mr. BANKHEAD. Mr. President, I should like to ask the Senator if he would not accept an amendment like this, which I think will meet his views, if they can be met at all: Strike out the words "which is now used," in line 22, page 36, and insert in lieu thereof the following: "the major portion of which is now used or forms a connecting link in any road now so used"?

Mr. THOMAS. Mr. President, I think that helps the situation, but it does not entirely cure it. I am satisfied with the existing law, and I do not want to say to my friend, the Senator from Alabama, that I would accept it, because I am opposed to the appropriation.

Mr. BANKHEAD. I understand that; but I thought perhaps the Senator might be less opposed to it if this amendment were adopted.

Mr. THOMAS. I think that suggestion modifies it. It is an improvement upon the phraseology of the section; but the old law, Mr. President, states the situation as it ought to be. That confines these appropriations to post roads, and that is where these appropriations should be confined.

Mr. BANKHEAD. Mr. President——

Mr. THOMAS. I yield to the Senator.

Mr. BANKHEAD. No; I will not interrupt the Senator

Mr. THOMAS. I shall be glad to yield.

Mr. BANKHEAD. It is not necessary. I will answer the Senator in my own time.

Mr. THOMAS. I do not want the Senator to feel that I have the slightest objection to his doing so at this time.

Mr. BANKHEAD. No; that is all right. I do not feel that way.

Mr. SWANSON. Mr. President, if the Senator will permit me, I stated yesterday that the trouble is that there might be a post road of 25 or 30 miles over which rural delivery is going, and there might be a little link in it of 2 or 3 miles or 1 mile which the Government can not improve on account of the narrow interpretation put upon the word "may." They say you must get an agreement or an assurance from the Post Office Department that you are going to run the mails there.

Mr. THOMAS. I know that the Senator so stated.

Mr. SWANSON. The only desire is, in the case of those small links of road which for short distances connect up rural routes or post routes or star routes, to permit those to be improved like the rest of them.

Mr. THOMAS. I know that the Senator stated that yesterday, and that, no doubt, is the purpose which he has in mind and which may need legislation to meet it; but I want to know why the Government of the United States must use its Treasury for the purpose of perfecting little fragments of roads in the counties and communities of the States. Is there not enough local enterprise—there used to be a little with the people of the United States—is there not enough left in the communities through which these roads are to run to meet the expenses of taking care of these little patches?

The chairman shakes his head. I am inclined to believe that he is not overpessimistic. I am afraid that is the case, because we have reached the point where if a man's family gets the colic he wants the Congress of the United States to make an appropriation under which the Agricultural Department can inquire into the cause of the malady and recommend a cure at the Government expense. From the cradle to the grave, from the beginning of the teething process until man pays the debt of nature, we are now coming to the Government of the United States for financial aid. Our initiative, our independence, our enterprise—those qualities which made the Anglo-Saxon the ruler of the world and by which men of independence everywhere in the past were able to get along—are either dormant or disappearing. If anything happens now, let us run to the Government. Only make the appropriation big enough; let it cover enough territory, and there is no question whatever about what Congress will do.

The question was asked day before yesterday by the Senator from Utah [Mr. KING] where the money was coming from. The Senator from Alabama [Mr. BANKHEAD], with that candor which has always distinguished him, said, "That is the business of the Finance Committee." That is true. I happen to be an unfortunate member of that committee. I do not exaggerate when I say that I have a pile of protests, as a humble member of that committee, bulking equivalent to the cubical contents of this desk, protesting against every item of taxation in that bill. To use a homely expression, the whole country is kicking like a steer against it, and yet they have not enterprise enough to organize and demand that their rights be respected in the matter of appropriations. But we may be sure that those desiring the appropriations are organized. There are eight hundred and sixty-four thousand organizations in the United States, and I think eight hundred and sixty-three thousand nine hundred and ninety-nine of them want appropriations from the Treasury, and get them, Mr. President, either through threat, persuasion, entreaty, or all of them combined.

The governor of Pennsylvania, in his inaugural the other day, called attention to the fact that if the revenue bill became a law the taxes of the State of Pennsylvania for the year 1918 would exceed one thousand millions, or more than it has cost to run that State since the days of the Revolution down to the present time; and that is true, Mr. President, of practically every State in the Union. But what do we care? What have they property for if it is not to give it to the Government of the United States? [Laughter.] We want it, and we are going to have it, and we are going to build roads so as to give employment to poor people who have no employment; and from now on we shall build all kinds of roads, at all times, everywhere.

Mr. President, I am not criticizing this bill only. What I say applies to the great bulk of the legislation that is now pending.

Now, let us come to section 6. The Chair held yesterday that inasmuch as section 6 was not subject to a point of order, therefore section 5 was not subject to a point of order. I do not ex-

amendment. Let the Chair read the Record. I suggested that section 6 was subject to a point of order, and I still think so; but a point of order against it, made before a Senate two-thirds of which want this appropriation for their constituents, will simply be a waste of time and of breath.

Section 6, Mr. President, appropriates two hundred insignificant millions of dollars to carry out the provisions of section 5. The act of 1916 appropriated a comparatively insignificant sum—only seventy-five millions—for the same purpose, to be expended in the years 1917, 1918, 1919, and 1920. This adds to that appropriation by 266⅔ per cent. In other words, the appropriation of seventy-five millions, before the second installment has been used, is increased by 266⅔ per cent. Puzzle for the schoolboy: If the public-roads system, beginning with seventy-five millions, requires an increase of 266⅔ per cent in two years, how much will it cost in 10 or in 5?

Of course, Mr. President, roads build schoolhouses. We must not forget that. They uplift the neighborhood. We must not forget that. They are an evidence of progress. We must not forget that. They do not affect anybody adversely except the man who pays the money; and what the devil do we care for him? Let him kick. It is good for him. He needs the exercise. What do we care, as long as we have the money? [Laughter.]

Mr. President, my good friend, the Secretary of the Navy, is one of the leading pacifists of the world and an advocate of the league of nations, based upon the doctrine that it means perpetual and everlasting peace, restore the brotherhood of man, and inaugurate the dawn of the millennium, not for a thousand but for a hundred thousand years; but he proposes that Congress shall give him twelve hundred and fifty billions to build more battleships.

Mr. SMOOT. Twelve hundred and fifty millions.

Mr. THOMAS. Twelve hundred and fifty millions; yes. I am so accustomed to talking about billions that it is difficult to rid myself of the habit. That is what it will be after a while, anyway.

Mr. SMOOT. It is now.

Mr. THOMAS. I know, but this appropriation is twelve hundred and fifty millions; and here arises another query: If a pacifist Secretary wants to increase the Navy at the rate of twelve hundred and fifty millions, in God's name what would a belligerent Secretary of the Navy want? [Laughter.]

Now, we have a pacifist Secretary of War—one of the best friends I have and a man who deserves a great deal more credit than he has received for his management of affairs during the progress of the greatest war the world ever knew. He also believes that a league of nations means perpetual peace, but he wants a trifle of nine hundred or one thousand millions for Army equipment, vigilant, active, and disciplined, evidently to fight the powers of heaven and of hell, because no others are to interfere with this coming age of perpetual peace, and, of course, that costs this additional sum of money.

Our air development will be expensive. Some of us who are not entirely of the view that wars have disappeared forever believe that we should have a development of those more modern implements of war, which I think are the best things in the world to insure peace. That will cost a lot of money.

Mr. President, to show how our natural expenses are to increase let me refer to a letter a day or two ago informing me that a new worm had made its appearance. [Laughter.] It is called the corn borer. It is a sort of a first cousin to the Treasury borer [laughter], except that the Treasury borer has claws and teeth, while this seems to be equipped only with a mouth and with an insatiable appetite for tender corn. This letter informs me that it is necessary to secure a large appropriation, to be crystallized into the Agricultural bill, for the purpose of dissuading the corn borer from proceeding with his ghastly and damnable work, and that unless a great army of greenbacks is soon marshaled in formidable military array against this corn borer he is going to become as invincible as the German Army, and instead of there being a plethora of corn we will have none whatever.

Mr. President, that is a dismal prospect to everybody except those like the Senator from Texas [Mr. SHEPPARD] and the Senator from Washington [Mr. JONES]. I can understand how they would regard with philosophic equanimity the disappearance of corn from the products of the world, because whisky is made of corn, and if there is no corn there can be no corn whisky; and I wondered, when I read that letter, whether there might not be some sort of a conspiracy between those distinguished Senators and this infernal corn borer. [Laughter.] I have no doubt that the Senator from Texas, who always supports everything that is in the Agricultural bill, will declare war against the corn borer in the shape of an appropriation, notwithstanding that he seems to be an unconscious but powerful prohibition ally.

Seriously, Mr. President, when we take all the proposed appropriations now pending and add them together and look at them in cold blood, we will probably, like Lord Clive, stand astonished at our own moderation. They amount to thousands of millions. And they will pass, because it is said the country needs them. It will make money plentiful and give employment to returning soldiers. These seem to be the chief arguments for them if arguments be needed.

Yesterday's Post contained this item:

WAR COST CONTINUES—$1,600,000,000 IN JANUARY, EXCLUSIVE OF LOANS—PRODUCTION BEING REDUCED—BOND ISSUE OF FIVE OR SIX BILLIONS NECESSARY, AS PAYMENTS ARE MADE BY BORROWING AGAINST FUTURE—$26,378,000,000 AGGREGATE EXPENSE DURING WAR MONTHS.

Although nearly three months have passed since the signing of the armistice, the American Government's war expenses show no signs of decreasing materially except in loans to allies.

In January the Treasury paid out $1,600,000,000 for ordinary war expenses, exclusive of allied loans, or only $70,000,000 less than in December, $55,000,000 less than in November and considerably more than in any month theretofore.

It is not necessary to read the remainder. Our expenses are over $50,000,000 a day, and which will not fall below that figure for a long time. In the face of that situation at this time, we propose, among other things, to increase our previous and unexpended good roads appropriation 266⅔ per cent by an addition of $200,000,000.

Mr. President, if any measure of legislation in the past has encountered public criticism which, however, has been wasted as to results, it is what we call the rivers and harbors bill. That has heretofore been regarded as the quintessence of the pork barrel. But what pikers the advocates of that bill appear to be when confronted with this good-roads proposition! It discloses all the difference between $35,000,000 and $200,000,000.

Does it not appear that the good-roads propaganda is not only distancing the public buildings and grounds propaganda and the rivers and harbors propaganda, but augurs such a fruitful field for exploitation in the future as to tempt those conservative gentlemen hitherto engaged in the delightful process of getting money for these other projects to strike and join the good-roads union as soon as possible, not, of course, abandoning their own pet appropriations, but adding to the joys of the Nation by their enthusiastic approval of something absolutely beyond all their enterprising efforts and their consummate genius for securing public funds for local expenditure.

Mr. President, I do not want to take up too much time in the discussion of a project that will doubtless command a large majority of this body, but in view of the large number of telegrams and letters which I have received from my own constituents who are, like all other constituents, urging me to support this measure, I felt bound to give the reasons in public why it would be impossible for me to support it. So much, then, for the general proposition. I wish now to call attention to a proviso which occurs in section 6 and also in section 8, which I will read:

That in the expenditure of this fund for labor preference shall be given, other conditions being equal, to honorably discharged soldiers, sailors, and marines.

Let us not forget that this is a Democratic measure and it comes from a Democratic committee, elected by a party whose shibboleth is anticlass legislation and which demands equal rights for all and special privileges for none. How many times, Mr. President, have I repeated that sublime and beautiful doctrine on the stump before Democratic audiences? How many times have I, with others, insisted that it should be blazoned upon the front page of every National Democratic platform? How often have we told the Republicans, the representatives and embodiment of privilege, that ours is the only party wrapped in the apparel of special privileges for none and equal rights for all? How often have I seen them shrink from our terrific denunciations of their class tendencies and privilege dispensation? I make bold to say, Mr. President, that during my six years' service in the Congress of the United States we have, Democrats and Republicans, enacted more class legislation than had been placed upon the statute books in all the period of the history of the United States before that time. And we are only beginning. Both parties are alike in proposing and enacting it. I know of men in this city who, when some particular species of class legislation is pending, will appear in the gallery, and their appearance indicates how the majority vote will go.

We have exempted farmers, we have exempted union-labor men, we have exempted all classes and conditions of men when the occasion requires from the operation of general laws, and we have done it so often we are getting fond of it. Of course, there is no sweeter thing in the world for an appropriation than love for the soldier. Oh, Mr. President, how that sentiment does gild

and enamel arguments for securing millions from the Treasury! Let us give work to the returned soldiers. Let us see to it that they are rewarded for their sublime sacrifice. Let us make their lives hereafter one long holiday season. They have offered the supreme test of civic duty and have discharged that duty like the heroes they are. Nobody doubts it.

Mr. President, I would be the last to detract one jot or tittle from the honorable and glorious record of the American soldier, notwithstanding which I recognize that he has done the duty and only the duty which American citizenship imposes upon every one of us, and has done it well. I recognize, too, that the man who stayed at home and tilled the soil and ran the factory and the man whose physical deficiencies made it impossible to wear his country's uniform have done their part, and have always done their part, in the crises that have overtaken the Nation in its onward progress.

I would like to ask my Democratic friends in all seriousness, independently of the class nature of this legislation, is it fair to take $200,000,000 out of the Treasury of the United States for a public purpose and then say to the great majority of our citizens, "You shall have no right to enjoy any of the benefits flowing from the expenditure of this money until a certain class is first satisfied"?

I have sons. One of them is in the war; he is still in the service and in uniform. I have another who pays a very considerable amount of taxes, and who has devoted himself to war work. The one is privileged by this law, the other is not. I merely mention that as illustrating the general principle. Mr. President, it is absolutely wrong, and I believe that every man wearing khaki who stops to reflect for a moment will agree with me. But it is in the bill. The query may well be asked, Will you vote against this appropriation and by that means deprive our noble boys of the privilege of handling pick and shovel on the roads? They have preference in the administration of the Federal statute. They are a select class under this law. Speaking to a Senator the other day about it, he said that appears in all the State bills, hence we should insert it also; which, I suppose, means that two wrongs make a right.

No, Mr. President, this is the commencement. The fact is that there are three or four million men wearing the uniform of the United States who will doubtless organize, as other armies have organized, and become a potent force in governing the destinies of the Republic; Democrats and Republicans want to see which can "beat the other to it" and secure the favor of a great organized host of voters.

Let us not undeceive ourselves about it. These species of special legislation, humanitarian in form, are at bottom prompted by a desire of political influence. The Democrats want these votes, the Republicans want these votes, and in the race, of course, there being no overbalancing incentive, the boys vote as they ought to vote, just as they please, and doubtless laugh in their sleeves at our tremendous efforts each to overtake the other through the aid of gifts from the Public Treasury in securing their political favor.

Mr. President, I have no doubt I will be taken seriously to task—I do not mean here, but in other parts of the country—for objecting to legislation of this kind as an evidence of my nonappreciation of the services and the valor of the greatest Army the world ever knew. I can not help it. I believe it is my duty to call attention to it, to the end that, if possible, it may be obviated, else we shall have a flood of similar legislation, because, once begun, the parties emulate each other in carrying it to extremes, and always upon the theory that patriotism and a desire to reward worthy men stand behind them.

Mr. President, one word and I am done. The question was asked yesterday by the Senator from Utah [Mr. KING], What is to be the end of it all? Our bonded debt by the end of this year, in all probability, will be $35,000,000,000. At 4 per cent a year that imposes a standing burden upon the people of one and one-half billion dollars. That is the interest only. Outside of the Post Office appropriations, that is about twice as much as the ordinary expenses of the Government amounted to prior to the war. It is evident that our annual expenditure list from now on, particularly if these huge appropriations are to be made—and once they get upon the statute they reappear in all succeeding bills—will not be under $3,000,000,000, or an annual charge of four and one-half billion dollars.

This must come from the consumer ultimately, with here and there an exception, and from 100,000,000 of people. In other words, in addition to the profits they must make to live, the people in the aggregate must raise and pay, exclusive of local taxation, into the Treasury of the United States between four and five billion dollars per annum, while the principal of the bonded debt suffers no diminution.

On the other hand, as the article which I have read states, production seems to be falling off. Hours of labor are decreasing. Wages, though not rising now, are said to be stationary, and we are warned by the laboring men that under no circumstances will they peaceably consent to a reduction, even though that means resistance to a commercial law of nature.

How long will the taxpayers endure it? I concede that they are more patient and long-suffering than I supposed possible. Suppose they do not resist, how long will they be able to endure it as a matter of fact? In other words, how long will the Government remain solvent? I do not know. Perhaps I ought not to care; I have not very much more time to spend upon this earth, and the problem is one for others rather than for myself.

Nevertheless, Mr. President, it is a subject which gives me the most serious concern. If I read history correctly, revolutions are born and governments are overthrown because of the enormous burdens placed upon people through public extravagance. As the pressure of taxation increases the element of discontent spreads, and justly spreads, until it finds expression somewhere in a local explosion which is the signal for widespread insurrection. We are headed, in my judgment, directly for the rocks of national insolvency, and the Congress of the United States with serene indifference is entertaining bills for appropriations that exceed anything in the past, unmindful of the enormous burdens of the war and apparently indifferent to anything and everything except to satisfy the local demands of their constituents.

Mr. President, the time has come when Congressmen and Senators must be Congressmen and Senators for all the United States instead of Congressmen and Senators from the States and the districts. The time has come when we must perceive our duty in terms of the interest and welfare of this mighty Nation as a whole, subordinating all local and State requirements to those mightier and greater problems upon the solution of which depends the ultimate destiny of the Republic. That is the solemn obligation imposed upon us by our constituents and by the Constitution we have sworn to support. Let us become sensible of it. Let us respond to it. For if we fail there are none others to discharge it and the Nation, disregarded by its representatives, will be rent in twain by its despoilers.

Mr. SMOOT. Mr. President, I do not want the remarks of the Senator to be taken by the people at large as a positive statement that the expenses for the fiscal year ending June 30, 1920, will be only $5,000,000,000. I wish to say to the Senator now that the expenditures of our Government for the fiscal year ending June 30, 1920, that is, the coming fiscal year, will be nothing less than $10,000,000,000. After that I am quite sure the figures that have been mentioned to-day by the Senator will be about right.

Mr. THOMAS. I thought it expedient to give the situation to the country in homeopathic doses.

Mr. WEEKS. Mr. President, I wish to address myself very briefly to the proposition which is before the Senate. Before doing so, however, I want to say that I am not in dissent with what the Senator from Colorado has just said to the Senate. No man of financial responsibility, no legislator, certainly, ought to doubt for a moment the serious financial burden which this country has undertaken. As the Senator has very truly said, not only is there great local pressure for all kinds of expenditures, but that pressure comes from every department of the Government, and there is only one place where the interests of the people who pay the taxes can be protected, and that is in the Halls of Congress.

We are seeing on every hand the attempt of every bureau in the Government to increase the usual expenditures with which we have become familiar, and that is particularly so in connection with our military and naval establishments. The recommendation of the Secretary of the Navy for an increase in the Navy for the next three years is, to my mind, an astounding proposition. I have for 14 years in Congress urged over and over again larger expenditures for the Naval Establishment.

I think I have been a consistent preparedness man, and yet under the conditions that prevail to-day an expenditure anything like what has been recommended by the Secretary of the Navy, and which has been recommended to him, I have no doubt, by his advisers in the Naval Establishment, is an astounding proposition, and one which, in my judgment, should not be imposed upon this country.

I went to the Secretary of the Navy the other day about another matter, and, as an indication of the desire of regular officers of the service to augment the Military Establishment, the Secretary told me that officers of high rank in the Navy had objected to taking a part of the crews from the second and

third class battleships, which are now being used as transports in order to bring our men home from Europe, but desired to keep not only the dreadnaughts and the destroyers and other craft, which were quite up to date, on a war basis, but every ship of the Navy. That means an actual expenditure, without any construction policy, of four or five hundred million dollars a year. Those who are at all familiar with the recommendations to the Military Committee, having the desire to finish the great number of propositions which have been undertaken as war measures, must recognize the desirability of stopping somewhere in making these unusual expenditures.

Mr. KING. Mr. President, will the Senator yield to me?

Mr. WEEKS. Yes; for a question.

Mr. KING. Is it not a fact, I ask the Senator, that the same arguments are being made now by the officers in the Army and Navy for a large Army and for a big Navy that were made in Germany by the military party there, and under which contention militarism ruled Germany and was responsible for this titanic conflict through which we have just passed?

Mr. WEEKS. Mr. President, I do not wish to agree with that proposition. Militarism is a mental disease; it is a disease that had been gradually gotten into the minds of a people; and it is only possible to have militarism in a country where the military caste is higher than that occupied by the average man. There are really only two countries in the world where militarism existed, and one of them was Germany. I do not believe that the people of this country are going to put the Military Establishment in a caste higher than that occupied by the professional and industrial elements in this country, and therefore there is no danger of militarism.

It is the duty, however, of the officers of the Army and of the Navy to recommend what they consider an establishment which may meet every military and naval requirement. It is not their duty to consider the expenditures which may be involved; they should tell Congress and tell the country what they think is a satisfactory establishment. Then it is the duty of Congress to determine whether or not the finances of the country will warrant the undertakings which they recommend.

But what I wish, Mr. President, to say is a word about the proposition which is now before the Senate. I think that Senators sometimes forget that the appropriations made for the post-office service are supposed to be returned in the receipts of that service. If we had a post-office service that was just exactly what was contemplated, and what it should be, the receipts would exactly offset the expenditures, and we would extend the service wherever it was necessary to give the people better facilities whenever receipts from the service warranted those expenditures. Now, we have come to a new proposition in connection with the postal establishment, that relating to the carrying of mails in the air, and, in my judgment, it is a promising undertaking.

That service was not satisfactory, Mr. President, in the experiment that was made last year. There was a loss somewhat larger than has been quoted on the floor; I am not sure that those carrying on that experiment know exactly what the loss is. I think the returns are to some degree experimental, as is the service. By establishing routes for long distances, it seems to me, it is almost conclusive that at a proper rate charged for the service a return can be made which will benefit the business and professional men of this country. I do not want to stop in this new undertaking until we have given it a thorough investigation. I think that almost everyone will admit that the airplane, which has been a great military accomplishment, may become as great in industrial and other ways. Indeed, if we had been as wise as was the Government of Great Britain, we would months and almost years ago have undertaken experiments relating to this service and relating to every other kind of service which may be used after the war. They appointed, as everyone knows, I think, committees to investigate the conditions surrounding every kind of industry; the airplane service was one of the matters which they, as early as the beginning of 1917, brought to the attention of the Parliament; and that was included in the general scheme to make recommendations for conditions after the war.

I have in my hand the final report made by the committee on the airplane service. There was an interim report, even more voluminous than this. The members of the commission included officers of the army and navy, several men of high rank in the Parliament of Great Britain, and many men who were more or less familiar with the industrial phase of this question. I want to take the time to read an extract from this report, because it will indicate to the Senate what is being done in Great Britain to prepare for what was the inevitable and what has come to pass in regard to such matters as the airplane service. The report states:

1. The terms of reference under which we, the civil aerial transport committee, were appointed are as follows:

To consider and report to the air board with regard to—

1. The steps which should be taken with a view to the development and regulation after the war of aviation for civil and commercial purposes from a domestic and imperial and an international standpoint.

2. The extent to which it will be possible to utilize for the above purpose the trained personnel and the aircraft which the conclusion of peace may leave surplus to the requirements of the naval and military air service of the United Kingdom and overseas dominions.

3. As explained in paragraph 2 of our interim report on international questions, the subjects covered by these terms of reference were of such a wide character and required so much detailed investigation that we thought it advisable to divide them into five headings, which were referred to five special committees. Those headings were broadly as follows:

1. Questions of law and policy.

2. Technical and practical questions as to the possibilities of performance of aircraft and as to the requirements of aerial services.

3. Business questions relating to the position of the aircraft manufacturing industry after the war, the probabilities of the establishment of aerial transport services, and the steps which would be necessary for the maintenance of this industry and for the development of these services.

4. Questions of labor arising in the aircraft manufacturing industry and in aerial transport services.

5. Problems of scientific research and the special education of expert designers, engineers, and pilots. The successive chapters of this report follow the above headings.

That simply indicates, Mr. President, what has been done by those with whom we are going to be brought in rivalry in the conduct of the affairs of the world now and in the immediate future, and I think, as this is the only place where we are making any experiments relating to aircraft service, that we can ill afford to fail to adopt the recommendation by the committee.

It is true that the route from Washington to New York is not quite a satisfactory route. While the Government dispatches a great amount of mail from here, Washington is not a business locality, and the Government would not ordinarily use the additional rates which are required for this service. We would get a much better result as a matter of experiment if we carried this service a longer distance and between two great commercial communities.

It was suggested in the committee that the route to be adopted be from the city of Boston to New York, possibly with a stop at Providence, which is a city of nearly 300,000 people; thence to Philadelphia, Baltimore, Washington, and to Norfolk. That would cover practically the eastern coast or the thickly settled portion of the Atlantic coast, and would be, I think, a route which would more definitely determine the desirability of conducting this service than the route between Washington and New York. It may be concluded to send airplanes by a similar route, omitting Norfolk, to Atlanta, Ga. In any case, however, we are going to get back substantially the amount of money which is appropriated in this item. It is not proposed to appropriate $800,000 or thereabouts, which is going to be charged against the Treasury, for, even if we do no better than we did with the experiment made last year, there will not be a loss of more than $100,000 or $150,000 in conducting the route. Perhaps it may be necessary to increase the charge for carrying the mail in this manner. If it is of sufficient importance to those who are being served by it, they will undoubtedly stand that additional charge in case it becomes necessary to make the service self-supporting.

I hope that Senators will view the subject from that standpoint. In order to get something that I think will be more definite than the report which is before the committee, and which is now before Congress, something more valuable as an indication of what may be expected in the future in connection with this service, a report which will indicate to some degree whether this service can be used in commercial pursuits advisedly and wisely, I think it would be unwise to fail to adopt the committee recommendation.

Mr. JONES of Washington obtained the floor.

Mr. BANKHEAD. Mr. President——

The PRESIDING OFFICER (Mr. WADSWORTH in the chair). Does the Senator from Washington yield to the Senator from Alabama?

Mr. JONES of Washington. I do.

Mr. BANKHEAD. Mr. President, I wish to call the attention of the Senator from Massachusetts [Mr. WEEKS] to some figures with reference to the statement that the Post Office Department is practically self-sustaining. Last year the Post Office Department collected from stamps and in other ways $332,631,000. In addition to that—and this is the point to which I wish to call the Senator's especial attention—$166,315,000 was paid into the Treasury as the result of the extra 1 cent that was paid upon first-class matter, so that the total amount which was covered into the Treasury was $498,946,000. I thought it might be well to call the Senator's attention to those figures in connection with the statement which he has made.

Mr. JONES of Washington. Mr. President, I did not hear all the remarks of the Senator from Indiana [Mr. NEW] yesterday, but I understand that, as a general proposition, he urged that all of our airplane activities be placed under the control of one central organization. With that idea I am in hearty accord. I think it ought to be done; and I think the sooner it is done the better it will be for the development of aerial service. I think there should be special attention given to the development of this service, not only as a military arm of the Government but also as a commercial or business proposition. The availability of the airplane for these various lines of activity is beyond the experimental stage; there can not now be any question about that. Our activities should be along the line of developing the airplane for special purposes and special uses.

In considering the practicability of using the airplanes of the Military Establishment for the Postal Service I think we should not overlook the fact that our activities and energies during the last two, three, or four years in airplane development have all been directed along war lines. Airplanes have been developed with the special object and purpose of making them available as military machines and military instruments. I can see that this would lead to the development of machines that might not really be very serviceable in connection with the activities the Post Office Department must carry on. So it seems to me that, until we get this central body, this central organization, the Post Office Department should be encouraged and aided in experimenting along the line of developing an airplane, an "airship," as they call it, that will be especially suitable for the carrying of mail rather than for high flights and doing special "stunts," as they are called, in the air, and all that sort of thing. I can see reasons for the construction of a machine in a different way, especially the body of it, for carrying mail than for carrying a man up in the air whose duty and business it is to find somebody else and try to overthrow him. So I am inclined to favor the provision in the bill; and the only reason I asked to have it go over the other day was to have an opportunity to examine its terms and to ascertain whether or not, under the terms of the amendment proposed by the committee, the Post Office Department would have the authority to make some experiments in southeastern Alaska.

I remember last year when the proposal was made to appropriate money for experimental purposes in connection with the development of the airplane service it was said by some of the members of the committee that the purpose was to use this money in developing airplane service in Alaska, and it related largely to the interior of Alaska. I can not see how it could be very well used in the interior of Alaska, especially where the settlements are; but in southeastern Alaska the conditions are such that it does seem to me that we could very profitably use the hydroplane; that is, the airplane that lands on the water. There would be abundance of landing places; they would be available everywhere and anywhere where they were wanted, and all of the towns of southeastern Alaska could be served in this way, it seems to me, very profitably and very well.

The mail service in Alaska now is in a very deplorable condition. It has practically broken down. I have here an editorial from the Pacific Fisherman, which I wish to read to the Senate, describing the condition of the mail service in Alaska. I thought I had the date of it here; I have not, but it is of recent date, and is as follows:

ALASKA'S NEED FOR EFFICIENT POSTAL SERVICE.

Since the termination of the old Alaska mail contracts last summer the postal service of the Territory has suffered a lamentable breakdown, resulting in general complaint in all parts of Alaska.

Note how the mail is carried in Alaska now:

The present system, under which the mail is handled as express or freight in southeastern Alaska, and by a small boat to points to westward along the Alaska Peninsula, is not only unsatisfactory but altogether inadequate, and if continued will greatly hamper and retard the development of the fisheries, as well as of other Alaskan resources.

Mr. KIRBY. Mr. President, I should like to ask the Senator a question.

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Arkansas?

Mr. JONES of Washington. I yield.

Mr. KIRBY. About what is the population of the southeastern part of Alaska, that which ought to be served with airplane mail service, according to the Senator?

Mr. JONES of Washington. Mr. President, it is the most thickly settled and the most substantial and permanently located business part of Alaska. I do not know just what the population is. I know that there are several very substantial towns there—Ketchikan, Wrangell, Skagway, Juneau, Sitka, and quite a number of other points.

Mr. KING. Mr. President, the entire population of Alaska, aside from the natives—that is, what we might call the white population—does not exceed 25,000, does it?

Mr. JONES of Washington. The governor of Alaska was before the Appropriations Committee a short while ago, and he testified that the white population of Alaska has been reduced to about 20,000 or 25,000 people. That probably is true.

Mr. KIRBY. The natives would not care so much for the mail facilities.

Mr. JONES of Washington. I know, however, that the reports now are that the people are starting back to Alaska, and that the indications are that the coming year will see a great addition to the white population of Alaska. There are many reasons for the diminution of the population of Alaska that I am not going to go into now. This is one of the reasons for a diminution in the population of Alaska. Their business and mail facilities are simply breaking down, and that discourages a great many; but the points that I mentioned and have in mind are the real, permanent localities in Alaska.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Colorado?

Mr. JONES of Washington. I yield to the Senator.

Mr. THOMAS. Does not the Senator think the national land policy has had a great deal to do with the decrease of population there?

Mr. JONES of Washington. I think that has had a great deal to do with it.

Mr. THOMAS. I may say, while I am on my feet, that I am in hearty sympathy with the Senator's idea. I do not think the small population is so important as the necessity of giving them a proper mail service.

Mr. JONES of Washington. I think that is right.

The result of the present policy in southeastern Alaska has been irregular and infrequent service, long delay in the delivery and distribution of mail at points even a short distance off the main lines of steamer travel, and general inconvenience. With no special obligation as to the handling of the mail, instead of going on a regular schedule it is delivered whenever a boat happens to have sufficient freight to warrant a call. On arrival it is often among the last freight to be discharged, and if landed at night has to wait until the next day before being distributed and forwarded; while outgoing mail from Alaska points, instead of being received up to the time of sailing, must be posted many hours in advance. Many communities on the Alaska coast, open to transportation throughout the year—

And that is true of these points that I have mentioned in southeastern Alaska. They are open to transportation at all seasons of the year—

are now often entirely without mail for weeks at a time, where it was formerly received every few days.

Then the editorial goes on to discuss the matter. I will ask that I may insert in the RECORD the remainder of the editorial without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The remainder of the editorial is as follows:

Freight and passenger service also has suffered greatly on account of the present system. Where formerly regular schedules were maintained in accordance with the mail contracts, steamer service is now dependent on the accumulation of enough freight to pay for the trip. Thus both passenger travel and the shipment of freight to and from many points in Alaska, where calls were formerly made with some regularity, have become exceedingly difficult and uncertain.

The result of these conditions to the communities along the Alaska Peninsula, among the adjacent islands, and in Bering Sea has been far more serious than in southeastern Alaska. The mail steamer was formerly the sole reliance of these communities for freight and passenger service during the winter months; but the boat now handling the mail for this district is without freight or passenger facilities and has been unable even to maintain mail service with regularity through the winter. When this condition arose many communities to westward were short of food and other winter supplies, and while this condition has been partly relieved through private effort, with the cooperation of the Pacific American Fisheries and the Revenue Service, further service is needed to prevent serious hardship in these communities before spring.

This country in former years took just pride in the universal and efficient service rendered by the Post Office Department, which was of incalculable importance in the early development of the West. The carrying of the mails with promptness and regularity was regarded as a vital function, to be fulfilled to the limit of possibility. At the same time the placing of mail contracts often made it possible to furnish regular means of transportation, which otherwise would have been lacking. Such pioneer countries as Alaska are peculiarly dependent upon such facilities, and the only practical way in which they can be provided is through the maintenance of an efficient Postal Service, with a liberal policy on the part of the postal authorities. Mail in a frontier country like Alaska can not be successfully handled on the basis of the lowest possible cost. Service, rather than economy, is the proper aim of the Post Office Department; and the service must be maintained on an efficient basis—without extravagance, indeed, but if necessary even at a cost greater than any immediate return—if the development of Alaska is to continue.

Mr. JONES of Washington. A few days ago I received a communication from the representatives of the Chamber of Commerce of Seattle, who are especially interested in Alaskan

matters, stating that mail is now taken to the boats, thrown down into the hold, where freight is piled on top of it, and then, of course, when it gets to the points where it should be delivered, it can not be delivered, as this editorial says, until the freight has all been taken off. In other words, it is handled as any other freight package is handled. Now, you can not have good mail service in that way.

Mr. REED. Mr. President, may I ask the Senator whether you get it as soon as you get your freight?

Mr. JONES of Washington. They get a good deal of freight sooner than they get the mail.

Mr. REED. Do they get it right after the freight is delivered?

Mr. JONES of Washington. Yes.

Mr. REED. Is not that a better mail service than we have been having between here and France?

Mr. JONES of Washington. I rather think it is. I know that the mail service to which the Senator refers is very deplorable. I receive a good many letters from people of my State, saying that they have sent letters to their boys for the last four, five, or six months, and they have not received any of them; and their boys send mail to them, and they get their letters maybe once every month, or every two months, or every three months; but that has nothing to do with this particular situation.

Mr. President, as I said, there are open waterways connecting with Seattle and all of these southeastern Alaskan points. The hydroplane has been developed to probably as great a state of efficiency as the ordinary airplane. At Seattle, for instance, there is a manufacturing plant that manufactures a great many airplanes for the Navy. These airplanes fly all over that country out there and land anywhere that they desire in Puget Sound. They make a trip a short time ago from Seattle to Tacoma, a distance of 30 or 40 miles, and back in 40 minutes without any stop. With the development that has taken place with reference to these machines, it seems to me there is no reason in the world why an airplane route should not be established from Seattle, touching all of these points in southeastern Alaska, making a round trip at any rate in two days, and furnishing ample mail facilities—for first-class mail at any rate.

Mr. President, if the Post Office Department desires to establish an airplane mail service that will be of real, substantial benefit, it seems to me there is the place to do it. It may be desirable to get mail between Washington City and New York in half the time that the train takes it—five hours. That may be desirable, but there is not very much inconvenience suffered by having a letter delivered from Washington to New York or New York to Washington in five hours instead of two and a half.

Mr. REED. Mr. President, will the Senator yield for a question?

Mr. JONES of Washington. I yield.

Mr. REED. I should like to inquire whether, as a matter of fact, they save any time on the mail carried by airplanes? I mean, now, whether they save any time counting from the time the mail leaves the post office at one destination to the time it reaches the post office at the other?

Mr. JONES of Washington. Mr. President, I have not investigated that particular phase of the matter, but it does seem to me that it looks reasonable that if we can start mail from Washington City, say, at 9 o'clock in the morning, and it gets to New York by 11, it ought to be distributed there a little more promptly and a little bit sooner than mail leaving here at 9 o'clock and getting there in five hours.

Mr. REED. I do not want to interrupt the Senator——

Mr. JONES of Washington. It is no interruption at all.

Mr. REED. But the question that occurs to me is this: At the present time, when the mail goes through the post office, it goes either by direct automobile route or by tube to the station. There is very little loss of time. If that occurs in Washington on outgoing mail, when it gets into the city of New York it is handled with the same machinery, the same dispatch and rapidity. Now, when they undertake to carry it by airplane, the mail has to be carried down to the airplane station, and the machines there have to be trimmed up or cranked up, and they carry it to New York; and the question that occurred to me was whether the loss of time in going to and from the post office with the new method does not fully absorb all the difference between train time and airplane time.

Mr. JONES of Washington. It must absorb considerable of the difference in time.

Mr. REED. I do not believe it will save a minute. It may be all right to work along this line for the purpose of development, and I am not criticizing it, but any claim that up to this date it is a practical thing that has resulted in any saving seems to me absurd.

Mr. JOHNSON of South Dakota. Mr. President——

Mr. JONES of Washington. I will yield to the Senator from South Dakota in just a moment. Referring to the particular point of the suggestion of the Senator from Missouri, I will say that the mail landing place for airplanes at Philadelphia is at what is known as the Bustleton Field, and that is clear outside of the populated area, really, of Philadelphia; and in order to get the mail down, of course, it must be met there at that field, which must be at any rate 3, 4, or 5 miles from the central part of the city, and then taken down to the post office or wherever it is to be distributed.

Mr. BANKHEAD. Mr. President, the landing point in New York is 20 miles from the post office.

Mr. JONES of Washington. I was going to say that I did not know how far it was in New York. I did not inquire as to where they landed there.

Mr. CALDER. Mr. President——

Mr. JONES of Washington. The Senator from South Dakota rose first. I yield to him, and then I will yield to the Senator from New York.

Mr. JOHNSON of South Dakota. I just rose to ask the Senator a question as to the distance from Seattle to the farthest interior point into Alaska that his proposition would involve?

Mr. JONES of Washington. What I have in mind now is especially to serve such points as Ketchikan, Skagway, Haines Mission, Juneau, Sitka, and any other points between—my recollection is that in going to those different points you must retrace your steps along some of the routes—a trip of about 1,100 miles.

Mr. CALDER. Mr. President——

Mr. JONES of Washington. I yield to the Senator from New York.

Mr. CALDER. The inquiry of the Senator from Missouri [Mr. REED] prompts me to suggest to the Senator from Washington that the aerial mail is delivered by special delivery, and in view of that fact sometimes it is delivered quicker. Then, again, our mail service has been so very poor of late that in the case of an ordinary letter going from Washington to New York it takes about 24 hours before it is delivered, and I have observed that in the case of some document mail I have sent out it takes three days to deliver it, so that with aerial mail going over in two hours, and then being distributed by special delivery, I think under existing conditions perhaps it is a little quicker.

Mr. JONES of Washington. Those conditions exist everywhere. My experience in the last few months in Washington City has been that it takes about two days and a half to send mail from one point in Washington City to another. At least, I have had that experience myself; but that does not affect what I am anxious that the Post Office Department shall look into, and I want to have them given the authority if we are going to give them this money to carry on these experiments to see what can be done in sections of the country where hydroplanes can be used, where they will not have to pay anything whatever for landing places, and where there is practically no mail service now.

Mr. SWANSON. Mr. President, will the Senator allow me to interrupt him for just a minute?

Mr. JONES of Washington. Certainly.

Mr. SWANSON. I have here the report of the Postmaster General regarding the expedition of mail from Washington to New York and from New York to Washington, which I should like to read.

Mr. JONES of Washington. Very well; I will yield to the Senator for that purpose.

Mr. SWANSON. The report says:

The aerial mail route between Washington and New York was inaugurated on May 15, 1918. One round trip daily except Sunday is being made without fail. The trip from Washington to New York is performed in an average of 2 hours and 30 minutes, and from New York to Washington in 2 hours and 50 minutes, the difference in time being due to the resistance offered by the prevailing winds, which are usually from a westerly direction. A stop for the exchange of mail on each trip is made at Philadelphia. An average of 74 tons of letter mail is being carried each month. The cost of the operation of the service since it began, including development of new routes, is at the rate of $108,223.41 per year, or 79 cents per mile operated. The cost per ton-mile of mail carried is $5.35. By this service, mail between New York and Washington is advanced from two and one-half to three hours over the train service. In addition to the aeroplane mail carried there is dispatched daily from Washington to New York letter mail from southern connections made up to carrier districts in New York City, which mail is thereby delivered to all parts of New York the same afternoon instead of the following morning.

Mr. JONES of Washington. I want to ask the Senator a question, too, because he has given this matter much more careful study than I have and knows more about it. I want to know whether or not the department is experimenting with any machine specially constructed for carrying mail or whether it is using the ordinary military or naval machine.

Mr. SWANSON. I think they have been equipping machines that they have obtained from the Government. I do not think they have yet constructed any special machines for this purpose. All of the development, as the Senator has well stated, has been in connection with machines for war purposes; and these are being used, as far as they can be, now for mail service.

Mr. JONES of Washington. I do not believe they can fully demonstrate the possibilities of aerial service in mail carrying without having machines that are constructed with a view to that service, and when we talk about carrying on experiments in the mail service we are not carrying on the experiment in the right sort of a way unless we are trying to get and use machines that are adapted to that service and that work, and not machines that are suitable for scout and military operations.

Mr. WEEKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Massachusetts?

Mr. JONES of Washington. I yield.

Mr. WEEKS. I think probably in the final analysis there is a good deal of truth in what the Senator from Washington has just stated, and yet we have the other machines; they can not be used, all of them, and quite likely they will be out of date within the next two or three years. The Senator must remember, too, that every manufacturer of machines is going to be advancing every conceivable argument why the machines owned by the Government should not be used. We ought to segregate the wheat from the chaff in those arguments and have a care that we are not led into purchasing machines when we have something which may be fairly satisfactory.

Mr. JONES of Washington. I agree entirely with the Senator from Massachusetts; but, nevertheless, if we have machines on hand and if those machines are not suitable for the purpose we want to develop we are not making very much headway by using them for that purpose. I am simply giving my views from what little experience I have had in connection with these matters. I have not talked with any of the manufacturers of these machines, or anything of the kind; but it hardly needs the experience of a manufacturer or of anybody else to know that a machine especially constructed and developed for special war purposes in the air is not likely to be suitable for the purposes of peace, the carrying of mail, and things like that.

Mr. VARDAMAN. Will the Senator allow me to interrupt him right there?

Mr. JONES of Washington. I yield to the Senator.

Mr. VARDAMAN. There was a representative from the Post Office Department who stated before the committee that the engines and everything of that kind were all ready and that all they desire is an additional small amount to be used in reconstructing the machines, suiting them to this particular work, which was entirely feasible and which would be very much cheaper than the purchase of entirely new machines.

Mr. JONES of Washington. I think that is true.

Mr. VARDAMAN. Some of these machines cost $25,000, and it would probably cost $6,000 or $8,000 to repair them and fit them for this service, which he hopes to do. The machines are of no value now; they do not need them for war purposes. It is a very wise economy, I think, on the part of the Post Office Department to utilize them as far as they can, and that is what they are doing. They have the power and all that, and they will serve every purpose just as though the machines were constructed originally for postal service.

Mr. JONES of Washington. I think that is true, and what I was trying to bring out is that I think the Post Office Department ought to experiment along the line of developing the machines as mail carriers rather than as scouting machines. It is true, the engines, and no doubt a great part of the machines, are all right as to the power they need, but the body of the machine will need to be changed in some way.

Mr. VARDAMAN. That was the purpose, the representative of the Post Office Department stated.

Mr. JONES of Washington. That is all right.

Mr. VARDAMAN. That is what they are going to do.

Mr. JONES of Washington. That is all right, and that is one reason why I am in favor of giving them this money, so that they can use it along those lines.

I had the pleasure some time ago of making a trip to New York and back in one of these machines. Of course, in the cockpit, as they call it, in which I rode they could dump a lot of mail sacks if it were necessary, but I could see how the body of that machine could well be modified so as to make it much more suitable for carrying mail than it is now. I hope that experiments and investigations and work along those lines will be carried on under this appropriation.

Mr. President, I am going to ask permission to embody in the RECORD a statement that I myself prepared with reference to that trip in answer to the many questions that were propounded to me in regard to it. I could have asked another Senator, probably, to request permission to put it in the RECORD, but I have no hesitation about asking it myself. I ask the privilege of printing in the RECORD the article I prepared in reference to this matter which appeared in the Star some time ago.

The PRESIDING OFFICER. Without objection, the article will be printed as a part of the Senator's remarks.

The matter referred to is as follows:

[From the Washington Star, Jan. 12, 1919.]

UNITED STATES SENATOR TELLS OF FLIGHT IN AIRPLANE TO NEW YORK AND RETURN—AFRAID BEFORE STARTING, BUT ENJOYED TRIP—EXPECTED TO BE DIZZY AND SEASICK, BUT ESCAPED BOTH—EVEN "STUNTS" IN THE AIR NOT SO TERRIFYING AS EXPECTED—RELIEF, WHEN THE TRIP APPEARED IMPOSSIBLE, SOON SHATTERED—GLOOM OF FRIENDS MADE EXPECTATIONS OF DISASTER SEEM NATURAL.

(By WESLEY L. JONES, United States Senator from Washington.)

"'That man is a fool or crazy!'

"I made that statement a year and a half ago as I looked toward the Washington Monument from a window in the Capitol at a French aviator turning somersaults, flying sidewise, and doing the falling leaf in a flying machine. Had anyone told me that I would be doing the same thing I would have asked him if he thought I was going crazy; and yet I have done it and liked it, and I hope no one thinks I am crazy, if they may think me reckless.

"I watched from day to day the planes soaring through the air over the Capital like great birds. My confidence in their safety and stability became greater as the days went by. I weighed the dangers of the aeroplane with the dangers of the automobile and convinced myself very easily that a good aeroplane in charge of a well-trained driver is not so dangerous as an automobile.

ASKED COL. LEE FOR RIDE.

"When Col. Lee, the Englishman, came from the front to show the people of the Capital what could be done with an aeroplane I decided to ask him for a ride. I called him on the phone. He said he would be glad to take me up at 4 o'clock the next day.

"That rather took away my breath. It was a little sooner than I expected, but it was settled. I was to go up. My mind, however, began to wander from the beauties of the machine soaring through the air to the effect it might have on me. Would I get sick? Would I be dizzy? What would happen if something should go wrong? Would I come safely through? Things looked a little different now that I was to fly. The thought that I ought to arrange my personal affairs for anything that might happen came into my mind. Things took on a different hue. I began to feel as I thought a man might feel who was going to be executed the next day.

"Three o'clock came very quickly. I started to the aviation field. When I reached it I was told that Col. Lee was at Alexandria with his plane, which had been injured in the high wind the night before and therefore could not go up.

"Really, I felt relieved. Things looked brighter. I was glad. I thought I could enjoy seeing the other men fly, so stayed to watch them.

WISH TO FLY COMES BACK.

"As I watched and saw how gracefully they soared through the air and how safely they came back the bug to fly began its work again, and in a few minutes I wanted to go up. I asked Lieut. Dodge, of our Aviation Corps, who was flying, if he could take me up. He said, 'No; not without a permit from Capt. Salmon.' I was sorry, but was told that Capt. Salmon was expected any moment. I waited for an hour, but he did not come, and I went home disappointed.

"The bug was busy, however, and afterwards I went up with Capt. Salmon, Col. Lee, and Capt. Resnatl. We turned over, went sidewise, careened toward the earth like a falling leaf, took the nose dive, went through the air like a wave on the face of the sea, and did all the other stunts learned by the men on the battle front. I did not get sick or dizzy. I was not afraid. I liked the sensation. The rides were too short. We came down too soon. I did not care so much for the stunts. I wanted some straightaway flying. I wanted to soar through the air and watch the earth go by and think.

"Some time ago I met Lieut. David Logg. He is an aviator instructor at Bolling Field and a Seattle boy. That in itself is a fine recommendation. He is a bright, vigorous, stalwart young fellow. His very appearance inspires confidence, and I thought this might be my chance to take a trip. I hinted that I would like to ride to New York. He took me up just as quickly as had Col. Lee, and said he would take me at any time I wanted to go. We set the date and the hour for 10 o'clock Saturday, December 28.

FRIENDS NOT ENCOURAGING.

"Again I began to weigh the possibilities of the trip and to think not so much of the beauties of it as about what might happen. I did not get very much encouragement from those with whom I talked. The day before we were to start I asked Mrs. Jones if she would like to go down and see me off.

"'Well, I guess I will go,' she said. 'It may be your last ride.'

"That cooled me off considerably. The next morning the first thing I saw in the paper was the headline, 'Two aviators killed.' I was in no hurry to start. Some zealous friends who were going urged that we start early. They seemed to be afraid I wouldn't make connections. On the way to the field I didn't have much to say. It seemed a long way to New York and I didn't know about landing places. We reached the field a little after 9. Ten o'clock came and Logg hadn't arrived. Half past 10 and he wasn't there. Secretly I was rejoicing—something had happended, maybe he wouldn't come. Eleven o'clock and still he hadn't come. I was sure he had the 'flu.' And then I saw him coming. Down went my spirits, and nothing was said to raise them. When I was fitted out I said to the adjutant, 'I will see you again in a day or two.' 'Well, I hope so,' said he, with peculiar emphasis on the word 'hope.'

FORMALITIES NOT CHEERFUL.

"Everybody insisted on shaking hands and expressing the wish, in a sad sort of way, that we would reach New York all right, but plainly showed they had doubts. To cap the climax I was asked to sign a paper answering certain questions. 'What is your full name?' 'What is your home address?' 'Where do you keep your bank account?' 'Have you made your will?' 'Where is it?' 'Whom do you want notified if anything should happen?'

"I began to look for the question that was asked the old darky when he went to seek employment in one of the munition plants and was asked, 'Where do you want your remains sent?' and thought that if that question was asked I would make about the same answer as he made—I would 'sho' stay with my remains' and let the flying go.

"You can imagine the kind of happy feeling that I had when I got into the cockpit of the Curtiss training plane 56 to start on the journey from which no one really seemed to think I would get back safely. I looked like an Eskimo or deep-sea diver. I had put on over my regular suit a union suit of khaki, lined with plush, and buttoned up tightly about the neck, ankles, and wrists. On my hands I wore a pair of gauntlets, fleece lined. On my head was a leather hood, plush lined, and over that a helmet that I could pull over my face if desired. I wore a pair of heavy goggles to protect my eyes.

OFF ON LONG FLIGHT.

"Everything was ready. The nose of the plane was turned toward the field. The motor was running fine. Logg was in his place. I climbed into the rear cockpit as gracefully as possible. After much grunting and tugging the 4-inch belt was strapped around me, it being just barely long enough by my shrinking up as much as I could. We waved good-by. The plane started running on the ground. When it reached a speed of about 60 miles an hour, and it actually seemed to be going that fast, it left the ground and took the air like a bird. That is the speed that must be attained on the ground before an aeroplane takes the air.

"Within 15 minutes Washington was nearly out of sight and we were 3,000 feet above the earth. We were going 85 or 90 miles an hour, but looking at the earth, the only object by which we could gauge our speed, we did not seem to be moving more than 10 or 12 miles an hour. The earth looked perfectly level. Hills and hollows had disappeared. Forests looked like carpets of green or black. Division lines, roadways, streams, and farmhouses were remarkably distinct and the country looked like a huge map before and below us. The roar and crackling hum of the motor would have been deafening if I had not had the hood and knitted helmet over my ears. As it was, I could hear the crackling of the motor the next day after our ride was ended. To put my head or hand above or outside the windshield was to feel the wind like a hurricane rushing by, and as it was several degrees below freezing I did not do this very often. Those who have been up on a mountain three or four thousand feet high in the middle of the day know that it is not much colder there than on the level, and so it was with us.

GOT FULL BENEFIT OF COLD.

"The thermometer did not indicate it much colder than when we started, but going through the air as we were and with the thin walls of the aeroplane our only protection, we got the full benefit of the cold, and had we not been clad as we were we would soon have been numbed and chilled through. As it was, we did not suffer, but my feet were rather cold at the end of an hour and a half, not having on any overshoes.

"I had no unusual or peculiar sensations; no dizziness or seasickness. It was a surprise to me not to be dizzy. I have never been seasick, but I can not look over the edge of a high building or precipice without getting dizzy and feeling like I want to jump off. I have no such feeling in an aeroplane. I can look over the side of the cockpit at the earth and objects below without any discomfort. Others say that their sensation is the same. We sailed along at an altitude of from 3,000 to 3,800 feet, reaching 4,000 feet as we went over New York Harbor and Brooklyn, preparatory to landing at Hazlehurst Field, near Mineola. In cross-country flying, I am told, they usually fly at an elevation of from 3,000 to 5,000 feet.

"We passed over Camp Meade, half way to Baltimore. The buildings, streets, and drill fields were very distinct, although the men on the ground looked like insects. We passed over the heart of Baltimore. The buildings seemed like toys and all of the same height, except in the business section, where the very high buildings seemed larger toys overtopping the others. The parks looked like a network of paths, by-paths, driveways, small mirrorlike lakes, streams, and Christmas green. We could get some idea of our speed from the fact that it was but a few moments from the time Baltimore came into sight until it was left in the rear.

AIR BUMP OVER BALTIMORE

"You will hear aviators talk of air bumps. These are very noticeable. The machine will be going along apparently on a perfectly level course, when suddenly there will be a more or less distinct drop or rise. This is called an air bump, and probably is caused by a different air stratification. While passing over Baltimore we felt an unusually hard bump. It really made me jump, and my heart beat faster. When I mentioned it to Logg he said it was probably caused by the extreme wetness of Baltimore.

"Havre de Grace, Wilmington, Chester, and Philadelphia were passed in rapid succession. Time passed quickly. After the novelty wore off the sameness of the scene below palled and I began to take my eyes from the country to look at the machine. I soon noticed the many wires stretched from wooden brace to brace and plane. As I looked the wires seemed to get tinier, the braces smaller, and the planes thinner. I began to speculate as to what might happen if one should break; then on the chances of two wires breaking at once. I thought I would better watch the scenery, and so I dismissed these things from my mind. This is no new way with me. I do it when I am in an automobile. I never go 25 or 30 miles an hour without wondering what would happen if the steering gear should fail to work, a wheel come off, an axle or a brake rod break. I have always been able to figure out better chances with an aeroplane than an automobile, and on this account, I suppose, I have no fear in an aeroplane.

NO SPEED LAWS IN AIR.

"There are no telegraph poles to hit; no embankments to topple over; no cross streets to watch; no speed rules or traffic regulations to be broken by the other fellow and observed by you; no drunken, reckless drivers to shun. Short of a broken plane or tail, the chances of getting down all right are good. The serious problem is a landing place if anything does go wrong, and that is not so serious in a prairie or farming country, and the higher you are when trouble occurs the better. I am not speaking as an expert, but this is what I am told, and it seems to be very reasonable to me from what little experience I have had.

"The Busselton Field, where the post-office planes stop, is just beyond Philadelphia. We had to land there to take on gasoline, our machine carrying only about 14 gallons of gasoline, and making about 8 or 10 miles to the gallon. As we reached the earth I saw a plane on the ground that had turned over and was pretty well smashed. That didn't look so good. When I got out and went into the hangar while our gasoline was put in I saw three or four more machines that seemed to be pretty badly smashed. This did not add much to my peace of mind, but when the fellows said no one had been hurt I felt better.

"We came to Busselton Field with the sun shining. We had hardly landed till the clouds seemed to come from nowhere. Big snowflakes began to fall and toward New York it looked quite squally. I called this to Logg's attention and suggested we might have to go through a snowstorm. 'Yes,' he said, in a thoughtful sort of way, 'and I have never been through a snowstorm,' but he has a way about him that inspires confidence, whether you think he knows what he is doing or not, and I didn't worry.

PLANES LACK SELF-STARTERS.

"We were delayed at Busselton at least a half hour by difficulties in starting. They don't have self-starters on many of the planes, and they seem to get as contrary as a Ford and you can't crank them so easily. The machine is cranked by turning the propeller to a certain point. A man on the ground gives it a jerk, jumps out of the way, and the fellow in the cockpit gives it the gas or something. It seems to start when it gets ready and not before. After a half hour's work the machine started. We got off past the broken machine and up into the clouds.

"I was surprised at how plainly we could see farms, houses, roads, and streams through the clouds. It is when you get above them that you can not see the earth. In a few minutes we sighted Trenton and the Delaware, and we crossed the Delaware much easier than did Washington. One thought that makes my chest swell out when I am flying is that I am doing something that the fathers and heroes of the past did not and could not do.

"We passed through several snowstorms. It looked to me as though we were passing above them. We could see ahead and below us the snowflakes flying almost horizontal, but we could not see any hit the plane or pass right by us. Logg said we went so fast we could not see them when they were close. Maybe he is right. I won't dispute it, but I 'hae me doots.'

"We passed over Princeton, or, rather, to one side of it. The stadium looked like a great dry dock and the campus like a part of fairyland. In a few minutes the waters that we had been hovering over were covered with boats, big and little, going here and there and yonder, and many of them apparently at anchor. We were passing over and up New York Harbor. The Statue of Liberty showed shadowy in the distance as Logg pointed off to the left. Over Brooklyn we were 4,000 feet high. The skyscrapers of New York appeared in the distance like shadowy giants towering over the small houses below.

DOWN LIKE A GREAT BIRD.

"We passed over Brooklyn and came to the farms of Long Island beyond. The motor stopped, and we began to circle downward. I knew we had reached Hazelhurst Field. We came down like a great bird circling to its nesting place. We neared the earth, skimmed along its surface till the rear shock absorber gently touched the ground, bounded up, and then the machine gently settled on the ground, ran rapidly along it, and came to rest in front of a hangar. The 250-mile trip was safely completed in 2¾ hours, at an average speed of 85 miles an hour.

"Monday came bright, clear, and cold. After a hard time cranking the engine we started back at about 2 o'clock. The trip back was not specially eventful. One spark plug was missing as we passed over Brooklyn, although I did not know it, and Logg thought of turning back, but decided to go on to Philadelphia. There we found one spark plug out and three or four loose. In passing over Brooklyn I happened to look off to the left and saw a big machine, a little higher than we, going in the opposite direction. It was a beautiful sight, but I could not enjoy it long, as we were going away from each other at the rate of more than 200 miles an hour. A little farther on we passed a smaller machine. It looked like a beautiful bird, but was going faster than any bird I ever saw fly.

BUCKED A HEAD WIND.

"We were told when we started from Hazelhurst that we would have a head wind, and that it would be pretty strong at an elevation of 3,000 feet and stronger as we went higher. We found this to be true, and it held us back very considerably. We came in sight of Washington about 5.30 o'clock, sailing along at an elevation of 5,000 feet, the highest of the trip. The Dome of the Capitol was lighted, the bright lights of the avenues formed triangles and rectangles, and the semicircle in front of Union Station shone brightly, while the multitude of other lights twinkling in the darkness below made a most beautiful sight.

"When well over the city Logg stopped his motor, and there we floated with our machine quietly resting in space. He turned around, shoved up his goggles, and we had a short conversation as if sitting in a wicker chair on the front porch at home. It was wonderful, sublime, awe inspiring, and a scene and experience never to be forgotten.

"Logg stopped his talk, pulled down his goggles, let out an Indian warwhoop, turned on his motor, and made that machine act like a young colt out of harness at the end of a warming-up drive. It turned over backwards and forwards; circled with its planes vertical; nose-dived up and down like a bark on the waves of the sea; imitated a falling leaf; took a tail spin and twisted and turned until I did not know whether I was head up or down.

LANDING AT BOLLING FIELD.

"Untying itself, the machine started on a long, straight dive. I breathed a sigh of relief. I knew we were going down to Bolling Field. In a minute we came to the level of the lights on the buildings, skimmed along, settled slowly, touched the ground gently and stopped. A man came out and told us to turn and go to another hangar. Logg tried to start his engine. It did not go. 'Gasoline out,' he said. My heart jumped; my hair began to rise. Just imagine what I was thinking.

"The engine started. We turned and came to another hangar. He had used his emergency tank, which I did not know he had. We had finished our 500-mile trip in about six hours' flying time. We were home safe and sound, and I am more than ever sure that air riding is not reckless.

"I do not care to make this trip every day. It would get monotonous. You hear nothing but the hum and roar of the motor, which is so loud that you can not hear yourself shout. I tried it, and my voice seemed to stick in my mouth, and the words of Virgil, 'vox faucibus hæsit,' were literally true to me. You get tired sitting in an unchangeable position on a hard seat for an hour or more, although I did not get nearly so tired coming back as I did going.

FUTURE OF THE AIRPLANE.

"What the future of airplanes may be I can not say. The world's energy has been expended during the last four years in developing the aeroplane for war purposes. That development has been wonderful. If now directed to peaceful pursuits, passenger and commercial machines may be constructed so as to make their use for such purposes very desirable and economical.

"I see by the papers the other morning that machines carrying 30 or 40 people are to be put on regular flights between Munich and Berlin. It looks like the practical German is going to put his war experience to commercial use, and I see no reason why we should not do the same. I understand a machine has been built in this country that will carry 50 passengers. Such a machine could certainly be made comfortable, and ought to be of considerable use in commerce aside from passenger travel.

"About the only exciting experiences on the trip were the races we had with Pennsylvania passenger trains. We would see the smoke of a train in the distance right ahead of us, and it was very interesting to note how we overtook and passed them. The race didn't last long and the result wasn't uncertain."

Mr. JONES of Washington. I wish to suggest to the Senator from Alabama an amendment that I should like to have put in the bill when it is in order. It is in line 14, page 18. It reads now:

> The Postmaster General is authorized to expend not exceeding $850,500 for the purchase of aeroplanes and the operation and maintenance of an aeroplane mail service between such points as he may determine.

The first part of the paragraph reads:

> For inland transportation by railroad routes and aeroplanes.

That language would probably exclude their use in Alaska, as it stands now. After the word "points" I wish to insert the words "including service to and between points in Alaska, such as he may determine."

Mr. BANKHEAD. I have no objection to that amendment.

Mr. JONES of Washington. I am glad to hear that from the Senator, and I will offer it when I have an opportunity. There is another amendment to the amendment pending now.

The PRESIDING OFFICER. There is now pending an amendment to the amendment, and the amendment of the Senator from Washington can be offered later.

Mr. JONES of Washington. Before I sit down I am going to take the time of the Senate for just a few minutes on another matter that I consider of considerable importance.

I have a letter from one of my constituents about the water-power situation. It is a pointed and rather harsh letter, but has a good deal of real sense in it and, I expect, expresses the views of the average citizen. I am going to read it to the Senate, that we may "see ourselves as others see us." It is as follows:

SKYKOMISH, WASH., *January 21, 1919.*

Hon. Senator JONES,
Washington, D. C.

DEAR SIR: The headlines of an article I read in to-day's Seattle Post-Intelligencer would make a fine subject to write on. It is as follows: "Water-power bill reaches deadlock." For years we have been reading just such rotten stuff. The House says we want it one way; the Senate says it won't do. Now, any blame fool knows that some kind of a contract could be made satisfactory to both sides, and it would not take 10 or 15 years to do it, either; but a few hundred of what is supposed to be the smartest and best-posted men of our country can't reach an agreement.

I think likely you fellows just sling a note like this into the waste-basket and declare the writer a crank. I guess we are, but if I had the whole bunch of our Senators and Congressmen out here where they

were on an equal footing with me I would tell them a few things that would make this cranky note look like 30 cents.

Most arguments one hears now for the failure of many kinds of legislation is the political war that's being waged against the administration, which is my opinion all right, but all the people one hears—or nearly all—making those remarks are only stronger for our administration for it.

The majority of the people nowadays are reading for themselves. We know what you fellows are paid for and we know when we get value received, so the time has come that some of this old political fight should be dropped. Three cheers for Wilson.

Yours, respectfully,

A. J. WATKINS.

Mr. President, the suggestions in my friend's letter as to politics and the "Three cheers for Wilson" are rich in unconscious humor to those who know that the only politics played in connection with this subject has been attempted by the administration and that the House and Senate would long ago have settled their differences except for the interference and domination of the President.

Mr. President, the people know the importance of the passage of water-power legislation.

Engineers of high standing estimate that the passage of the water-power bill now in conference would result in the employment of at least 100,000 men in the very near future and that within one year water-power developments would be undertaken in 25 States of the Union to replace steam plants now operated by coal and to furnish cheap power for many new manufacturing purposes. These hydroelectric developments would have an ultimate aggregate capacity of about 2,000,000 horsepower, requiring an investment of $250,000,000. The industrial plants erected to use this vast amount of power would give permanent employment to fully 500,000 operatives.

The passage of the bill would also result in the development of many now-wasting water powers in connection with the electrification of railroads and for the operation of pumping plants to raise water to millions of acres of now barren, arid western land that with water would support a great agricultural population and tend toward the reduction of the cost of living and add greatly to the wealth of the State and Nation.

I call your attention to these Government water-power maps. Map No. 1 shows the location of the 54,000,000 water horsepower contained in the United States and of which 5,000,000 horsepower, or but 10 per cent, has yet been developed. You will note that while great quantities of power exist in the streams of the Eastern and Southern States, yet that 72 per cent of all the water power of the country is contained in the 11 far western States of Washington, Oregon, California, Idaho, Montana, Nevada, Utah, Arizona, New Mexico, Wyoming, and Colorado. You can imagine the profound interest that I as a western man take in the enactment of water-power legislation on behalf of the people of my section of the country.

The water powers of the above-named 11 States are their greatest asset, though at the present time mainly a sleeping and profitless asset, due solely and entirely to the inaction and inertia of Congress in turning a deaf ear to the voice and cry of the West, praying for the passage of laws under which its people can develop the energy contained in our falling waters. I will confess that the voice of the West as to the form of legislation which should be enacted, as expressed through its Senators and Congressmen, has been one of discord, but necessity for action is bringing us closer together, and I believe that the fundamental principles of the water-power bills which have passed both Houses of Congress and which are now in conference can easily be harmonized so that the development of our water power may be brought about with the respective powers of the State and Nation observed and the interests of the people fully conserved.

These bills give to the Federal Government, to the States, and to municipalities the preference right to develop, but also provide fair terms under which private capital may undertake the utilization of the water powers of the country when the privilege is not desired by Government agencies.

If further provision with reference to this important question should be deemed necessary, the subject matter is before the conferees, and they could, it seems to me, unite upon some proposal that would provide ample assurances that if any State or county or municipality desires to utilize these water-power resources it could do so.

Nature has mainly secreted her falling waters in mountain fastnesses, far from civilization and from power markets, where development means pioneer work, means shouldering "the white man's burden," means difficulties in securing capital for construction purposes and in securing a market for the power. Surely men and capital should not be warned away and discouraged if they have the nerve to undertake this great work, which if unsuccessful places all the loss on them and if successful means that while they will enjoy their reasonable and just reward, yet their work will benefit the public a thousand times more than it does themselves.

I rather think the public sometimes overlooks the tremendous benefit that comes to the public itself from the development of these great water-power resources. I know that in my State there are power possibilities which, if developed, might bring a very substantial return to the men who put in their capital, but the benefit to the community and the benefit to the State that would come from this development would be many, many times greater than any possible pecuniary benefit that might come to those who would put in these works.

Mr. SHAFROTH. Mr. President——

Mr. JONES of Washington. I yield to the Senator.

Mr. SHAFROTH. Is not the principal defect of the water-power bill that is before the conferees the fact that there is no way provided in the bill by which capital can be raised? We have had the situation as to the Alaskan coal fields, where it was supposed capitalists would eagerly lease coal lands; but when the people who were to advance the money found that there was nothing but a leasehold estate offered they said, "No; we may have all our rights forfeited under many provisions of the lease, and for that reason we will not lend money on such security."

Mr. President, it seems to me that there ought to be an alternative, and I have presented to the conference committee an alternative proposition, stating that when, upon the declaration of the commission itself, they shall determine that water-power sites can not be leased they shall offer them at public auction for sale.

The difficulty is that when you go to build one of these water-power sites you find enormous capital is required, sometimes as high as twenty or thirty or forty million dollars. When you go to New York for the purpose of raising that capital and getting the loan, they ask, "What title have you," and when you confess to them that you have simply a lease and that that lease may be forfeited, they decline and assert that no financial institution is going to lend money upon a title of that kind.

What I am trying to impress upon the conference committee is that, while giving all the power to the water-power commission to lease, yet when the commission discovers that they can not lease the site they ought to be permitted to sell the site to those who will agree to develop it. That resource being unused makes a terrible loss to the people of the Rocky Mountain region.

As the Senator has said, we can hardly comprehend how much a million horsepower is in productive ability in a State to manufacture anything that might be desired. I heard it stated at one time that each horsepower in the United States produces, on the average, $1,150 worth of products. Now, take a million horsepower and multiply it by 1,150 and you will have $1,150,000,000 as the product that comes to the State in the way of manufactured products for the 1,000,000 of horsepower. I have understood that $524 of that $1,150 goes to labor. You can readily see, if that is true, it means a pay roll in the State that has a million horsepower of $524,000,000 a year. That is on the theory that the horsepower for manufacturing goods pays, on the average, the same as those in the other portions of the United States. If that is true, it means an enormous loss each year to the people of the West from failure to develop water power.

Mr. JONES of Washington. I am glad of the interruption of the Senator. He has gone more into detail, emphasizing the importance of the work, than I intended to do.

I think Senators would get a more comprehensive view of the situation if they would just notice these maps [indicating three maps on the wall]. They present the situation with reference to developed power and possibilities very vividly, it seems to me.

On map No. 1 each black spot represents so much horsepower possibility, and you can see how the possibilities in the great western country compare with the possibilities in the eastern country.

Then, the second map shows the actual development of water power, and there you can see the wonderful possibilities, compared to the other sections of the country, of the great eastern industrial section and the small development in the western part, where the first map shows there are great power resources.

Then map No. 3 shows very vividly in one map the water-power resources and the actual resources. The black spot shows the power development in a certain district and the white spot with a black spot in the center indicates the possible development of water-power resources. You will see in the district represented by Washington, Oregon, and California over 20,000,000 horsepower possible of development and not 2,000,000 developed.

Mr. SHAFROTH. I will state to the Senator that in Colorado, according to the estimate of the Geological Survey, we have between one and two million horsepower possible from

flowing water, and the amount that has been developed is less than 5 per cent; it is 4.6 per cent of the amount of the possible water-power development of our State.

Mr. JONES of Washington. Now, on this map Colorado has 4,450,000 total possibility and 1,027,000 developed.

Mr. SHAFROTH. I think the amount developed is much less than is indicated on the map.

Mr. JONES of Washington. That indicates all the power—steam, gas, and water power.

Mr. SHAFROTH. Oh!

Mr. McLEAN. Will the Senator state what is the percentage of water power represented in New England?

Mr. JONES of Washington. No; I did not go into that.

The Senator from Colorado suggests that water power has not been developed because we impose many restrictions on it, and capital will not go into it. That is true, and that seems to be one difficulty in getting legislation, but I think it would not be very difficult to harmonize the two bills that are now in conference and make them so that capital would be ready to invest. But outside of that phase of the question come one or two questions that are largely legal over which Congress has divided and is divided now. That really prevents legislation. I will refer to that later. It would not be difficult, in my judgment, if we would leave out the legal proposition, for the conferees to agree upon a measure under which capital would be available.

A man who has long desired to develop one of the wasting powers of the State of Washington told me the other day that if the development of the water power was all that was to be considered he would not give it 20 minutes consideration, because the business is not primarily attractive, on account of the physical risks, which the Senator has just pointed out, attending the building and operation of water-power plants, and because of the small margin of profit allowed by the public authorities who name the rates that must be charged. This man said he was only interested in developing the water power he has in mind because of the things collateral with it, and out of which a fair return might be expected. He seems to have the desire strong within him to help create something in his day and generation to do his part toward the development of the Northwest, to see our silent valleys fill up with a prosperous agricultural population, to see industrial plants and towns and villages built, and the rivers and railroads teem with freight and traffic.

I know the particular proposition he has in mind. It involves not only the construction of a dam for the development of water power that could be used for great industrial enterprises, but it also means the making available of water to irrigate and reclaim 150,000 acres of desert, sandy, unproductive land that, with water upon it, would be as productive as any upon the face of the earth. He would like to see that desert producing; he would like to see homes built there; he would like to see the cities and towns that would grow up if it were developed. He would like to feel and know that he has had something to do with a work of that kind. I believe he would get far more satisfaction out of doing that and seeing that done than he would out of the pecuniary profit that might come from the development of the water power.

We of the 11 far-Western States have progressed about as far as we can go without the development of our water power. The State of Washington uses 1,190,000 horsepower, but of this 860,000 horsepower is produced from steam through use of coal and but about 330,000 from water power, though the State contains water-power resources of 8,647,000 horsepower. Our supply of coal is limited and fast being mined out, and we daily import trainloads from Canada. The State of California has no coal whatever, and is using up her oil for power purposes. She has available water-power resources of 7,813,000 horsepower, of which less than 10 per cent has thus for been developed.

Given the right to develop their water powers, the Pacific Coast States would go forward with leaps and bounds. It is not too much to say that as a result our population would double within the next 10 years. It would bring us capital as well as population. It would enable us to develop our other manifold resources; and principally it would bring about an agricultural development so great, a production of food so much larger than required to feed the local population, that it would help materially to cheapen the cost of living and thus be of tremendous benefit to the whole country.

Let me call your attention to map No. 2. It represents the location of the use of the 42,000,000 primary horsepower used in the United States, including all power produced from coal, oil, and water power. Of this amount 5,000,000 horsepower is derived from water power and 37,000,000 horsepower from coal and oil. Of the total power in use, 23 per cent is used west of the Mississippi River and 77 per cent east of the Mississippi.

Map No. 3 shows the distribution of hydraulic resources and of primary power of the United States by sections. It will be seen that if all the water power located east of the Mississippi was utilized it would not meet all the power requirements of that part of the country; but with the passage of the water-power bill great hydroelectric developments could be undertaken in the Connecticut and other New England Rivers, in the St. Lawrence, the Delaware, the Susquehanna, and other rivers of the Middle Atlantic States, and in the South in the rivers of Virginia, West Virginia, North and South Carolina, Georgia, Alabama, Tennessee, Kentucky, and Arkansas. Thus it is shown that the development of our water powers is of paramount and vital importance to every section of the United States, and it will be nothing short of criminal to delay longer their utilization.

One of the very first things on the program of after-war activities of France, Italy, Norway, and Sweden is the further development of their water powers. New York financial houses are receiving requests from these countries for American money for water-power development purposes. I am informed that the terms offered are most attractive, based upon long-term franchises and liberal terms. If the water-power bill is not passed at this session, foreign water power will be developed with American capital and great industrial plants, which will employ thousands of operatives, will be built which might have been secured for the United States.

In this connection let me call attention again to a matter I mentioned in the Senate a few days ago. Foreign capital seeks the construction of ships in our shipyards. We will not let them do it, and so the foreign capital that could be used here goes elsewhere, to other countries, and employs their labor and gives activity and energy to their industry. Here is one of our own great resources, and our capital wants to invest in it. We do not provide the way by which it can do it, and our own capital is going to foreign countries, developing their water powers, when it ought to be used in this country. How can our country prosper if we will not let foreign capital that seeks investment here be invested, and if we will not let our own capital that would like to be invested here do its work here, but drive it somewhere else?

Mr. SHAFROTH. Is there any law that prevents American capital from building ships in our own yards?

Mr. JONES of Washington. Oh, no; I said foreign capital is seeking to build ships in our yards and can not do it; it can not get a permit to do it.

Mr. SHAFROTH. Upon what theory is it denied?

Mr. JONES of Washington. I know why it is not done. I got a report a few days ago from the Shipping Board stating that they have been directed by the President not to permit the construction of steel ships in our shipyards for foreign account, and they are prohibited by his order from permitting it to be done. I am glad to say that I hold in my hand a report, authorized by the Commerce Committee of the Senate, directing that hereafter no permit shall be necessary for it. But it is not legislation. We have lost since the armistice was signed practically half a billion dollars in contracts for the construction of steel ships for foreign account in this country by reason of that order.

The speedy development of our water powers is absolutely necessary to our industrial and agricultural development and to enable our manufacturers, through use of cheap hydroelectric energy, to make cheap goods for export and to enable us to secure and to hold our share of the world's trade.

Congress has been considering water-power legislation for many years. Our differences have been very largely over legal questions relating to the respective powers of the State and Nation. We discuss these and differ over them while the water powers are unused, our fuel resources in effect wasted, and great wealth lies undeveloped. The people are getting tired and disgusted at our inaction. They are looking at the big things rather than legal differences or technicalities. They want something done that will conserve our fuel supply, furnish ample and efficient power, develop great industrial enterprises, and give employment to labor, make lands available for the homeless, and add to the wealth of the county, State, and Nation.

The bill passed by the Senate and amended in the House is now in conference. The committee has been appointed, composed of certain Members of the Senate and certain Members of the House, to harmonize the differences between the two Houses. Concessions must be made on both sides and ought to be made in the interest of legislation. I can see no excuse for this not being done at this session. There are only three real differences in controversy, and only one of these goes to the fundamentals. The House favors a commission of three to act on water-power permits. The Senate is opposed to such a commission. This is a mere matter of detail, however important it may be otherwise. The House favors one method of recapture,

the Senate another. This is also a matter of detail that ought not to be difficult to adjust. The House favors giving to the executive or administrative branch unlimited power over charges to be fixed on the power, and the Senate opposes such a provision. This is fundamental and important. I myself do not believe this power should be given to the executive. It is a legislative power. But why can not this be adjusted by giving the executive or administrative branch the power to impose a charge not exceeding a small amount. It seems to me this would be proper, in view of the tremendous benefits to come from legislative action.

Mr. SHAFROTH. Mr. President, is not one of the fundamental differences which have been involved in the fight which has been continually going on as to the water-power bill that an executive department or even the Government of the United States has no power over the flow of water in nonnavigable streams?

Mr. JONES of Washington. That is embraced in this proposal to fix the charge.

Mr. SHAFROTH. Yes. It seems to me there has been a general concurrence of opinion in the position that the State water commissions or the proper authorities of the State, or later the public utilities commissions, should pass upon and determine what rates for hydroelectric power should be charged in the State.

Mr. JONES of Washington. That, Mr. President, I think is largely the view of the Senate; it is the view of a large majority of the Senate, but that apparently is not the view of the entire body, for there has been inserted in a bill which heretofore passed a provision giving to the commission unlimited discretion and power in the matter of fixing charges. That, as I say, has been one of the great differences between the two bodies.

Mr. SHAFROTH. It seems to me that that is very fundamental, for I do not believe that the United States has any more right to regulate the rates for water power on the Mississippi River or to make any grant with respect to the waters of the Mississippi River than have I, and I have no such right whatever. That, as has been declared by the Supreme Court of the United States, belongs to the States, and it is an infringement of State rights when the Government undertakes to regulate such rates. The power possessed by the Federal Government even as to navigable streams is only a negative power to prevent obstruction to navigation. As to nonnavigable streams the Federal Government possesses no power whatever.

Mr. JONES of Washington. If we can ever settle that proposition, in my judgment there will not be very much delay in reaching a conclusion as to legislation. I did not intend to discuss it in detail, but merely pointed out what it is and what I would be in favor of in the interest of getting practical legislation. As I have said, I would be in favor, as a last resort, of the proposal of a provision that would permit the commission to fix a certain charge, not exceeding a definite amount, and that rather nominal.

Mr. McLEAN. Mr. President, I want to call the attention of the Senator from Colorado [Mr. SHAFROTH] to the fact that the view which he holds so strenuously, and which he has just expressed, has prevented affirmative legislation that will permit the development of the water power of the country. So long as he and others in the Senate feel as he does, I do not think that affirmative legislation is possible.

I remember that seven years ago the Committee on Commerce reported in favor of a charter for a water-power plant to be located on the Connecticut River near the city of Hartford, which would have accommodated some 200,000 people within the area of its operation; but the Secretary of War imposed upon that company a small charge to be paid into the Treasury of the United States. The company was perfectly willing to develop the water power subject to that condition, but when the charter came into the Senate the Senator from Colorado and other Senators who agree with him immediately interposed objections and insisted that they never would consent to the granting of a charter that in any way permitted a return from the income of that company to the Treasury of the United States. So that effort was abandoned. Others have been tried in the meantime, but unless the Senators from the Western States are willing that these water powers should be developed under some Federal system it is not the fault of the Eastern States, certainly, that the water powers in the West are not developed.

Mr. SHAFROTH. Mr. President——

Mr. JONES of Washington. Mr. President, I know what this controversy will develop. I did not intend to go into a discussion of the matter. It has been thrashed out in the Senate time and again, but I dislike to refuse to yield to the Senator from Colorado, and I will yield.

Mr. SHAFROTH. I merely want to say a word or two. I shall not occupy more than a few minutes.

The trouble with the position which is taken by the Senator from Connecticut [Mr. McLEAN] is that such legislation proposes to deal with a subject which the Supreme Court of the United States has stated is beyond the power of Congress.

Whenever we take the waters that belong to a State and apply them to such uses and purposes as the Government of the United States may desire, we violate the rights of the States. Besides there is great objection to the proposition, for we know that the administration of these matters 2,000 miles from where the great water powers are located, is going to result in great detriment to the people of those States. So we hope that by a discussion of the matter and the reading of the decisions of the Supreme Court of the United States the people of the East will conclude that they will let the Western States develop their own water power.

Mr. McLEAN. Mr. President——

Mr. JONES of Washington. I yield a moment to the Senator from Connecticut.

Mr. McLEAN. The opinion of the Senator from Colorado is that the Federal Government has no power under the Constitution to interfere with the development of these water powers by the States; but there are other Members of this body who do not agree with him. And when the question comes up, it is because the Senator from Colorado and those who feel as he feels object, as they do, that we can not get any affirmative legislation.

Mr. SHAFROTH. If the Senator from Washington will permit me for a moment, I desire to ask, Does the Senator from Connecticut recognize that the Federal Government has any jurisdiction whatever over the waters of Colorado, which State does not contain a single navigable stream?

Mr. McLEAN. Mr. President, the Senator from Connecticut takes the position that that is a question for the Supreme Court of the United States to have the last guess in answering.

Mr. SHAFROTH. We are very glad to let them guess, and they have guessed.

Mr. McLEAN. My position is that they have not guessed as yet. The Senator from Connecticut is willing to agree to any proposition. He is willing that Congress shall permit the development of these powers, subject to State regulation or Federal regulation. All that the Senator from Connecticut cares for is to have the water wheels turned and to leave the question of regulation to be settled by the Supreme Court of the United States. The Senator from Colorado will not do that; he will not consent to any legislation that permits the Federal Government to exact a charge or exert control over these water powers.

Mr. SHAFROTH. Mr. President——

Mr. JONES of Washington. Mr. President, I think I will resume the floor now. I think the position of both the Senators is very plain, and it merely emphasizes what I said a moment ago, that the real delay and difficulty in the enactment of this legislation is because of legal differences of opinion in Congress. The people of the country do not pay much attention to such things. They are looking to practical results. They want results; they want these water powers developed; and it seems to me that it is the duty of Senators and Representatives to harmonize these differences just as soon as possible so as to get legislation.

The Senator from Connecticut said that we had this proposal a few years ago, and that those who wanted to develop the water power were willing to pay the charge. Of course, they are willing to pay the charge. They do not care particularly what the charge imposed is, because they pass it on to the consumer, and he has to pay it. Yet the people throughout the country seem to overlook that fact in their radical conservation views, that we should invest administrative officers with unlimited discretion. As one of the western Senators, in the interest of practical results, I am willing to put into the law a provision that the Secretary or the commission—if we should finally adopt a commission—may impose a charge. But I propose that it shall be limited in amount and that the discretion shall be limited. Personally, I would rather see no charge at all. I do not see any reason why any charge should be put in; but in the interest of legislation, I would be perfectly willing to provide that the Secretary or the commission, if we agree to one, may have authority to impose a charge on the horsepower developed up to and not exceeding a certain amount—say 25 cents a horsepower. I should like to see not more than that charged. That would cover the expense of administration if it is deemed necessary to have the National Government collect money to do that, but that would be a concession in the interest of legislation that I think is imperatively needed by this country.

Mr. President, when I was interrupted I was pointing out the differences between the House and the Senate and referring to

the proposition to invest the commission or the Secretary with the power to impose a charge.

Mr. President, I have here an editorial from the Rocky Mountain News, of January 22, 1919, which expresses the same sentiment as my correspondent whose letter I read. It expresses it a little bit more diplomatically, probably, than does he, and it expresses, in my judgment, the very strong sentiment that now exists throughout the country. The editorial says:

A NATION IN ATROPHY.

Yesterday's Washington dispatches stated that Congress was in a deadlock over the water-power bill. The truth of the matter is that Congress and the executive departments have ceased to function on all great issues involved in reconstruction. The sooner the country knows the plight it is being placed in through this failure the better it will be for the country in the long run. Congress is rudderless and pilotless. The water-power bill that is deadlocked has been before Congress since the first Wilson administration took office. In every session it has been fought over and deadlocked. The ultraconservationists take one side, the reactionaries another, and the Nation is left to hold the sack. The West is standing still, due to the inability of Congress to pass such measures as the water-power bill and the oil and coal leasing bill. Development of our water powers would put thousands of men at work, but the soldiers who are home and are coming home in greater numbers every week can not, it seems, rely upon Congress to enact legislation to help give them employment. If a bread line comes, it will be a severe reflection upon the lawmaking authorities of the Nation.

The employment of labor at this time makes it vitally important that we should pass water-power legislation at this session. The progress, development, and prosperity of the Nation demand it. Surely Congress will not allow this great piece of constructive legislation to die upon March 4 next.

Mr. President, I did not intend to take nearly so much of the time of the Senate as I have done, and I should not have done so had I not been interrupted; but I want merely to ask a question of the Senator from Alabama [Mr. BANKHEAD], who has charge of the Post Office bill, and who, as I understand, is the ranking member on the conference committee on the water-power legislation; at least, he is the ranking member who is present. I ask the Senator if he will give the Senate such information as he can as to the progress that is being made by the conference committee and the prospect of our getting legislation?

Mr. BANKHEAD. Mr. President, I am very glad to give the Senator from Washington and the Senate the information the Senator desires, so far as I am able to give it.

The Senator from Washington and the Senate understand perfectly well what my attitude is on water-power legislation. I have been an earnest advocate of legislation on that subject for many years. As has been stated by the Senator from Washington, the Senate has passed two different bills in two different Congresses on the question of water-power development. During the present Congress the Senate passed practically, I may say, without an amendment, the original Shields bill, which was passed in a former Congress. That bill was passed without a roll call or a dissenting vote, as I remember, after having been thoroughly discussed in the last Congress. That bill went over to the other House, and in the House they created a water-power commission, composed of members from three different committees in the House, to consider the bill. The Agricultural Committee was represented, the Public Lands Committee was represented, and the Interstate Commerce Committee was represented.

That committee finally reported a substitute for the Shields bill, striking out the whole of the Senate bill that was sent over and substituting a bill prepared by that committee. That substitute for the Shields bill passed the other House, came over here, and a conference was ordered.

The Senator from Tennessee [Mr. SHIELDS] was then in the Senate and was the chairman of that conference committee. Since that time he has been unable to attend the sessions of the Senate on account of the condition of his health. The chairmanship of the conference committee by that process fell to the Senator from Alabama, and the Senator from Florida [Mr. FLETCHER] was substituted on the committee of conference in the place of the Senator from Tennessee. We had two or three conferences. The House conferees came over and practically told us, "If you want any legislation on this subject, you will take the House bill." We were not quite prepared to do that without some discussion, hoping that we might get some concessions and that matters might so shape themselves that we would have a real conference, where differences could be discussed, compromises made, and each side give and take in order that we might reach a conclusion. That situation lasted to the end of the second or third conference. It appeared that the conference was in a hopeless deadlock and that it was impossible to make any progress. So the conference adjourned, with the understanding that the chairman should again call it in session when he thought proper to do so.

I promptly announced that when the House conferees were willing to meet the Senate conferees in a fair spirit and were willing to discuss the differences with us without telling us practically that we would take what they offered or nothing I would call another meeting of the conference. I have been waiting, thinking perhaps that something would develop. This morning I have been advised by the chairman of the House conferees that they are willing and ready—in fact, they are getting anxious—for another conference, in order that we may take up, discuss, and agree upon the differences in the bill. So I am going to call a conference for Monday afternoon at 2 o'clock; and I do not think there is any doubt that we will be able to get an agreement within a very reasonable time. That is the way I feel about it; and I make that statement to the Senate, believing that the conferees will report an agreement after one or two further sessions of the conference.

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). The question is on the amendment offered by the Senator from Indiana [Mr. NEW] to the amendment reported by the committee.

Mr. KING obtained the floor.

Mr. KENYON. Mr. President——

Mr. KING. I yield to the Senator from Iowa.

Mr. KENYON. I suggest the absence of a quorum

The PRESIDING OFFICER. The absence of a quorum is suggested by the Senator from Iowa. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Johnson, Cal	Moses	Spencer
Calder	Johnson, S. Dak.	Myers	Sutherland
Chamberlain	Jones, N. Mex.	Nelson	Swanson
Culberson	Jones, Wash.	New	Thomas
Curtis	Kellogg	Nugent	Thompson
Fletcher	Kenyon	Overman	Townsend
France	King	Page	Trammell
Gay	Knox	Ransdell	Underwood
Gore	La Follette	Reed	Vardaman
Gronna	Lenroot	Saulsbury	Wadsworth
Hale	Lewis	Shafroth	Walsh
Hardwick	McKellar	Sheppard	Warren
Henderson	McLean	Smith, Ariz	Weeks
Hollis	McNary	Smoot	

Mr. McKELLAR. Mr. President, I desire to announce the absence of my colleague, the senior Senator from Tennessee [Mr. SHIELDS], on account of illness.

The PRESIDING OFFICER. Fifty-five Senators have answered to their names. There is a quorum present.

Mr. KING. Mr. President, opposition to appropriation bills in general, as well as to particular items found thereunder, receives but little support either within or outside of Congress, and the opponents of appropriations, whether in the House or in the Senate, seldom succeed in eliminating from proposed appropriation bills any item. It would seem to be a sound proposition upon which to rest legislative enactments carrying appropriations that the condition of the Treasury and the sources of revenue should be considered prior to making the appropriation. There are many projects, enterprises, and programs within the sphere of Federal authority for which under certain circumstances appropriations would be entirely proper; the same appropriations at other times would not only be improper but injurious to the country.

In examining appropriation bills recently reported, and many of the estimates submitted by executive departments for appropriations, I have been astounded at the demands which have been made, and which are daily being made, for Federal appropriations. The necessary demands made upon the Government during the active preparations for war and during the progress of the war were so enormous as to produce at first a feeling of stupefaction and then a strong mental psychosis, the effects of which still linger with the people. We become so habituated to appropriating billions and for so many purposes that the inclination to continue like appropriations and for similar purposes is difficult to overcome. When an appropriation bill is presented, such as the one now being considered, calling for $600,000,000, instinctively we say the amount is small or very moderate because we have enacted so many laws which dealt with billions. It was only a few years ago the expenditures of the Government reached $1,000,000,000 during the Congress, and when that huge sum was announced it provoked Nation-wide criticism and contributed to the defeat of many Senators and Congressmen belonging to the political party which was in power when the appropriation was made. I submit that we should consider, when determining whether an appropriation is meritorious and within the power of the Federal Government, the further question whether the Nation is in a position financially to undertake the same. Now, more than ever in the history of this Nation should we have a budget system. It is imperative that we know the condition of the Public Treasury; the sources of public revenue; and particularly the demands which must be made upon the Government in order that it may avoid financial dis-

honor and bankruptcy. The credit of the Government must at all hazards be maintained. With the surging tides of financial and industrial unrest which sweep around the world, our Nation must stand as a financial Gibraltar. Its credit must not under any circumstances be impaired. It is a source of pride to all true Americans that our Nation has met the staggering financial demands entailed by the war, and has emerged from the conflict as the financial leader of the world.

Wise legislation preceding the war prepared the United States for its premiership among the nations, but the industry, genius, thrift, and patriotism of the American people have been the all-important factors in establishing the splendid and, indeed, unparalleled record made by this Nation. But this marvelous achievement upon the part of our Government has resulted in producing somewhat of a financial indiscretion upon the part of many officials, departments, bureaus, and agencies of the Government, as well as many of the American people. The great burdens borne in such a triumphant and successful manner encourages the people to demand that the Government perform other achievements and undertake other projects calling for billions, the most of which could be postponed to a future day, and the present undertaking of which would involve the Nation in financial disaster. It is time that a halt be called in the appropriations being made by the Government. It is a time for sober, sound, and serious thinking. It is a time when there should be a stock taking; we should reassess our values; ascertain, regardless of the shock which may result or the disappointment which we may encounter, what our liabilities are and what resources are at our command for their discharge. Formerly the prudent business man took stock at the end of each year. Modern and improved business methods enable him to determine his financial condition at the close of each day's business; but many wise and patriotic men do not commend the adoption of such a course by the Government. The important question is to determine whether the request or demand for an appropriation seems meritorious or will be beneficial to some particular section of the country. Local and purely domestic projects are thrust into the national life and the Federal Government called upon to undertake their development and completion. Public buildings, rivers and harbors, roads, education—questions which are purely within the province of the States—all these are laid at the door of the National Legislature and hundreds of millions and billions requested.

The great war has dislocated conditions in all the world—industrial, economic, and social changes have been produced; abnormal conditions abound. To emerge from the clouds and return to normal conditions so far as possible is a task the magnitude of which perhaps none can appreciate. Nevertheless the obligation rests upon those in authority as well as the people everywhere to meet the serious conditions, and with patience and with genuine patriotism strive unitedly to bring the Nation and the world back to sound and enduring conditions. This hour calls for as lofty patriotism as did the days when the blood of brave men flowed freely upon the fields of France. The day of sacrifice and service for our country as well as humanity is not ended. I believe in the intellectual and moral integrity of the American people. I believe that those who live under this flag have that strong moral fiber that will enable them to meet the dangers and the problems of the present and the future and successfully combat whatever dangers menace the security of the Republic and the perpetuity of our national institutions; but we must address ourselves without hysteria, and in a broad, common-sense, and comprehensive way to the mighty problems before us. The financial problem is always one of paramount importance, not only to the individual but to the Nation. It is perhaps the pressing problem in the world to-day. Of course, the industrial and economic problem is so correlated to the financial one as to practically be embraced within it. The nations of Europe need either money or credit, and with either, or both, the industrial and economic situation would quickly be changed and threatening dangers dissipated.

If the people and the municipalities and States within our borders have sufficient money or credit, or both, industries will be developed; the field and farm, the factory and mine will yield their treasures, and peace and prosperity will come to the homes and lives of all. The financial question is not solved, as many affect to believe, by the extension upon the part of the Government of its credit without limit. The Nation, like the individual, has limits to its borrowing or lending capacity. Many nations of Europe have neither credit nor money. Such a situation can not indefinitely be prolonged. Our Nation, as I have stated, must in this great crisis have unimpaired credit. It must be in a position to steady in a legitimate and constitutional way the business structure of our own land, and aid morally or otherwise those nations, at least, with whom we were associated in the mighty war which we are bringing to a close. Extravagance and waste, enormous or, indeed, small appropriations not imperatively needed, must be avoided. There are so many demands which must be made that the appropriations made will still be stupendous. It would be not only unwise but morally wrong to make the appropriation of a single dollar at this time which is not absolutely required. But in periods of this kind all sorts of Utopian schemes are usually presented. The faddist and the reformer and the uplifter, the visionary, the radical, the man who has failed in his own undertakings, these and others of similar intellectual characteristics vehemently and often with a hysteria bordering upon frenzy attack the Treasury and assail the legislative and executive branches of the Government, clamoring and demanding recognition of their schemes and panaceas. It matters not that our Government is one of delegated and limited powers. It is immaterial that this is a Republic and not a radical socialistic organization. It matters not that human experiences show that civilization is a product of slow growth and rests upon individual development and initiative and the growth of the individual character, and that governmental control of matters and enterprises which belong to the field of individual effort results in mental and intellectual stagnation and torpor. And so daily we are besieged by the classes above referred to, who are seeking governmental recognition of their plans and appropriations to aid in their execution.

Unfortunately many faddists and unwise and ill-balanced persons get into some branch of the public service and they attempt to fasten upon the Government as a permanent policy some absurd or visionary scheme which is bound to prove a failure, but not until the Government has expended immense sums in experimenting with the same. I have had occasion heretofore to call attention to the fact that in many executive branches of the Government ingenious and plausible plans and schemes are developed to extend the power, authority, and jurisdiction of officials. It is human nature to desire power and to increase one's authority, and so we are constantly met with appeals to increase the authority of bureaus, agencies, and instrumentalities of the Government, as well as officials in various branches of the public service. A little twig upon the branch seeks to become a branch, and when declared to be a branch by the appropriate authority we witness a miracle and it becomes a mighty branch, which produces twigs, which in turn become branches, and so on, ad infinitum. This shows one aspect of the rise of bureaucracy.

Let me say in passing that though the war is practically over and it was supposed with the signing of the armistice that thousands of those in the service of the Government other than in the military and naval service would soon be separated from their employment and be returned to private life, the number who have left the service is comparatively small, and it is becoming apparent that there is an effort upon the part of many in the Government service to perpetuate agencies, branches, and bureaus that were created only for war purposes and which were to last only during the war. In my opinion there has not been that earnest cooperation upon the part of many of the officials of the Government to reduce expenses that there should have been; and I venture to say, not in any offensive spirit, that the legislative department of the Government is not cutting to the bone the appropriation bills which are being reported. The demand should be insistent for economy, more economy, and still more and greater economy. If this spirit is not manifested there will be placed in the appropriation bills hundreds and millions of dollars which at this time should not be appropriated and the payment of which will be a grievous burden to the Treasury and to the people.

A year ago the proposition which we are now considering for the appropriation for aerial mail service was before the Senate for consideration. I objected at that time to the appropriation, as I am now opposing the appropriation carried in this bill of nearly a million dollars. I insisted then, as I do now, that it was in the nature of an experiment, and that with the heavy exactions made upon the Government it was impolitic to devote money for such experiments. I stated then, as I believe now, that aircraft has come to stay, and will become of greater importance for many purposes as the years go by. I am not attacking the feasibility of transporting certain portions of mail by means of airplanes. It is quite likely they will be used more and more for such purposes. I am only contending that with the excellent mail service which we now have, and in view of the fact that we have telephones and telegraph systems extending to almost every village and hamlet of the land, we can afford to defer the experiments which some officials of the Post Office Department desire to carry on until pressing financial

burdens have been met and until we have had opportunity to assess the results which the war has produced in connection with the use of airplanes.

When I submitted a few observations a year ago the Senator from Tennessee [Mr. McKELLAR] rather took me to task, contending that I was somewhat provincial, and he compared my attitude to the position taken by Mr. Webster in his opposition to appropriations for the territory lying west of the Missouri River. The Senator from Virginia [Mr. SWANSON] contends that this is a proper time for experimentation, and his position is that the amount called for is so small as to be really unimportant. He only asks for $850,000 for the coming year. My understanding is that this does not include all of the amount that will be required to secure planes for mail service.

Mr. SWANSON. The Senator is mistaken. The Army and Navy have planes. They are not using them. They are stored away. They will be of very little use in four or five years. In fact, they will be of very little use in one year. If you are ever going to experiment to see whether or not aircraft can be successfully used to transport the mails, now is the time. This bill provides that they can buy these planes from the War and Navy Departments and pay for them out of this fund. It is not to be done simply as a matter of bookkeeping, for the Army or Navy would not like to turn them over and have it appear like a loss; so they will have to purchase them, and out of this money it is expected to pay the War and the Navy Departments for these planes. That is provided for here. This $850,000 includes planes, all expenses, places of landing, and everything for whichever one of those routes they shall think they can make profitable.

Mr. KING. I am very glad to hear the explanation of the Senator; but upon reading the various provisions of this bill relating to that subject it is not very clear or certain that the $850,000 appropriation requires that the planes shall be purchased from the War Department.

Mr. SWANSON. It is so plain that I do not see how the Senator can make that mistake. It says:

> Said departments are authorized to sell such equipment and supplies to the Post Office Department under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts.

Mr. KING. The provision to which the Senator has just called my attention, if that is the only one which bears upon the subject—but I do not think it is—would support the proposition for which he is contending.

Mr. SWANSON (reading)—

> All articles purchased from either of said departments, if the same have not been used, shall be paid for at a reasonable price not to exceed actual cost, and if the same have been used, a reasonable price shall be paid therefor, considering wear and tear and general condition. Said departments are authorized to sell such equipment and supplies to the Post Office Department under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts.

We put in that language about those that had been used and those that had not been used so that we may know exactly what this thing costs. We do not want any guessing about this experiment; and we also require them to keep a separate, detailed account. It is useless to keep on appropriating two hundred thousand or three hundred thousand dollars for an experiment and never have a real experiment, never have the books kept so that you can reach a definite conclusion. We were determined to reach a conclusion next year as to whether aircraft could or could not be used profitably and successfully as a part of the Post Office Department; and we simply gave them, not two routes, not the three routes that they first asked for, but simply one route, and provided that all the expenses of it should be paid out of that appropriation, even to the purchase of the airplanes from the Navy and the Army.

Mr. KING. Mr. President, if what the Senator has read is the only provision in the bill relating to this question, then I think his position is correct. However, under his contention $850,000 is required to further experiment in aerial mail service, and the experiments are to be conducted by the Post Office Department, not by those who have familiarized themselves with aircraft or by a department or agency that has, as a result of the war, gained valuable experience in connection with the use of airplanes. It is insisted by the Second Assistant Postmaster General, who is the chief proponent of this plan of experimentation, that certain persons are urging the establishment of aerial mail service routes. My information is that the manufacturers of planes are strongly urging this plan.

The report of the official referred to, as I understand, calls attention to the fact that in Europe airplanes are used for the carrying of mail. From my understanding of the report, as well as information which I have obtained from other sources, the mail service by airplane is very limited in Europe. Indeed, the service, as I understand, was rather of a military character, and in connection with military operations. Of course during the war the airplane was a most important factor. It was used not only for fighting purposes but for carrying messages and orders of a military nature. However, I do not think the argument for an appropriation for experimental purposes here by the Post Office Department finds any strong basis for support in the use of airplanes in Europe for mail purposes. By this statement I do not mean that airplanes may not be successfully employed in transmitting mail, and that the future may not find them extensively utilized for such purpose. I know that many appeals are being made here for large appropriations for aerial mail service. Many of these appeals come from those who would be financially interested in the establishment of aerial mail-service routes. Others come from patriotic and progressive citizens whose wishes and views are entitled to the greatest consideration, and I do not mean to criticize those who would be benefited by the Government establishing aerial mail-service routes and purchase hundreds, if not thousands, of airplanes. The manufacturers of planes have a perfect right to urge their adoption for all proper purposes. I am not opposing this appropriation because manufacturers will be benefited by the purchase of planes by the Government.

My contention is that the condition of the Treasury and the heavy exactions that are made upon it compel the most rigid economy and cry out loudly for retrenchment and reform in the matter of public expenditures. Moreover, it would be far wiser and safer to get from the experiences of the war the strong and the weak points involved in airplane service. The experiences of the various nations in the use of aircraft differ. There is not yet a concord of judgment in regard to planes, their virtues and their imperfections, the character required for mail service; and so forth. Of course, with the termination of the war there will be conferences between those who have had experiences in the use of airplanes, and as the result of experiments, investigations, and the use of airplanes there will be evolved plans for the most suitable kinds of planes for various purposes. My thought is that we should wait to hear these reports, learn the results of the war, and profit by these experiments and experiences of our own and of the allied nations as well as our adversaries. But, I repeat, my principal objection is grounded upon the condition of the Treasury and the necessity for the most rigid economy. Senators can not close their eyes to the difficulties and dangers before us. Unfortunately, authentic reports indicate industrial unrest and stagnation in business. Manufacturers are not receiving orders for their products, and as a result cut down their output and discharge a portion of their employees.

The producers of raw materials find but few purchasers, and those who do purchase obtain limited quantities. There is hesitation and uncertainty in the business world. The producers of copper find no market. The Government has hundreds of millions of pounds of wool on hand, and the domestic producer finds himself confronted with a falling market for this year's clip, which was produced upon the standard of war prices, and also with the enormous quantity which the Government has purchased and holds for sale. He also finds another menace in the fact that Great Britain acquired during the war and now has between two and three billion pounds for sale. The business conditions will greatly reduce the incomes and profits of those engaged therein, and this will have a serious effect upon the taxes for the coming fiscal year. The tax bill which will become a law within a few days, calling for $6,000,000,000, will bear oppressively upon the country. Many who made large profits during the past year expended the same in development and expanding their plants and their business enterprises. The close of the war abruptly halted their production and in many instances left them with plants partially completed, which are of comparatively little value now, or plants which, if completed, are shut down for want of contracts calling for production. The war greatly increased the expenses of the States and municipalities. As a result, the taxes in the various States and for municipal and other purposes have been greatly increased.

I have not been able to learn what the taxes were called for by the Nation and the States and other political subdivisions for the year 1918, but they go far into the billions. The taxes for the calendar year 1919 will likewise be very heavy. The revenue bill which is in conference calls for $4,000,000,000 taxes for the calendar year 1919 for the Federal Government. That amount will meet but a portion of the expenditures of the Federal Government. We will undoubtedly be compelled to issue more bonds, and for from four to six billions of dollars, to meet the expenses

of the fiscal year ending June 30, 1920. Mr. President, in view of these conditions, so imperfectly sketched, it is time, as I stated, to halt every effort made to take money from the Public Treasury. Every project calling for money should be carefully examined, every demand minutely scrutinized, and not one penny appropriated that can possibly be avoided. The departments and bureaus are submitting estimates calling for billions. These various estimates go not to one, but to various committees. These committees, generally speaking, act independently; there is no coordination between them. They do not meet jointly, and each committee is interested only in the estimates and claims presented to it. Each committee prepares its own appropriation bill, regardless of the amounts carried in appropriation bills submitted by other committees. Of course, such a plan or system is unwise, unbusinesslike, and does not result in the highest economy. Moreover, duplications inevitably result. Appropriations are made by one committee for objects and purposes which in part are provided for by some other committee and some other appropriation bill. With the well-known proclivity of bureaus to expand and aggrandize their powers, to extend their operations, it is manifest that there will be duplications of work by different departments. This situation shows the necessity of a budget system or some different plan of preparing appropriation bills.

I have discovered that the executive branches of the Government are not as careful and painstaking in preparing their estimates as they should be. There is not that consideration for the Treasury and for the public weal that should be exhibited. I have thought at times there had been a spirit of rivalry to see which could get the greatest appropriations. I think it a mistake to rely so implicitly upon the bureaus and departments for information employed in framing appropriation bills. This information comes from interested parties, too often from those who are ambitious to extend their authority or desirous of increasing the jurisdiction and power of the organization with which they are identified. This is the exhibition of a human trait of character, and I am not now speaking of it in a critical way. However, I think it is apparent to those who come in contact with the claims and demands made by the various departments, bureaus, agencies, and instrumentalities of the Government that there is, generally speaking, not that fine and live sense of discrimination and that fine feeling for the country's welfare that should always be found in a public servant. We are now besieged in every direction by thousands and tens of thousands of employees of the Government and by all sorts of influences to increase compensation and salaries. The pressure is great to increase the offices, multiply positions, augment the power of public officials, and add to the authority of departments, bureaus, and governmental agencies. Extensive propagandas are being carried on urging governmental ownership and control of transportation companies, telephone and telegraph lines, the taking over and operation of packing plants, as well as other enterprises which have been built up through the genius and enterprise of individuals. These and many other plans are being presented and affirmative and favorable action demanded.

The question of cost is not always considered, and the theory and spirit of our Government are too often overlooked. Many people seem to forget that this is a Republic, not a paternalistic Nation, not a socialistic Government, not a Prussian Government. I have sometimes said that a mania takes possession of many individuals who enter the executive branch of the public service, and they devise ingenious and plausible schemes calculated to convert this Republic into a bureaucracy. The limitations of their organizations are ignored, they want to soar out into a larger and different world, and to engage in activities wholly beyond the purpose of the agency or department with which they are identified, and, as stated, activities which in many instances are not within the power or province of our Government, and which, if persisted in, would destroy the initiative of the people and convert them into lifeless, nerveless, devitalized organisms depending upon a socialistic or paternalistic government for life, for food, and being.

Mr. President, the Democratic Party has always claimed to be the party of economy in the administration of public affairs. It has insisted that to take one penny from the people under the guise of taxation that was not imperatively required for the public welfare, for the purpose of the Government when it was economically administered, was not only a legal but a moral wrong and a violation of the fundamental law of the land. It has charged the Republican Party with gross extravagances and with the use of public funds for purposes other than governmental. I think, in the main, it was entitled to carry the banner representing the party of economy and of honesty in the administration of public affairs. It can not afford to lower that banner or to have it seized by some other party. By its devotion to economy and good government it has earned the right to uphold that banner.

A Democratic President said that "public office is a public trust." In looking at the estimates coming from public officials, in learning of the demands that are made for appropriations from the Government, in examining the schemes and plans and programs submitted calling for Federal support, and in becoming acquainted with the record of some of the executive departments of the Government, I am led to believe that some public officials have forgotten the significance and the importance of the words just quoted; forgotten they are holding "a public trust" and should be limited by constitutional provisions.

I again ask, Where are we to obtain immense sums required to meet the appropriations for this fiscal year and for the next and for the years immediately following? The Senator having this bill in charge stated yesterday, when I propounded a similar question, "Oh, we will leave to the Committee on Ways and Means the task of providing the funds we appropriate."

It is an easy task to appropriate money, but I submit that we should not vote for an appropriation bill unless we have some clear conception of the source from which the money is to come to meet the appropriation. And even then the appropriation should not be made unless it is absolutely necessary; that it is for a public purpose; that it is within the letter and the spirit of the fundamental law of the Republic; and unless the money required can be obtained without destroying business or undermining the confidence of the people in the Government. The funds of the Treasury should be regarded as a sacred trust. They should be more zealously guarded by every public official than would his own treasures be protected. And in making appropriations the psychology of acting en masse where the responsibility rests en masse should be ignored and destroyed, and the awakened conscience of each public official should direct and guide his vote and conduct to the same extent as if he were acting alone and the entire responsibility for the protection of the fund were with him.

It has been charged that there is too much reciprocity in legislation, particularly legislation relating to appropriations, and in support of this claim so often made by writers and speakers, rivers and harbor bills and those providing for public buildings are referred to.

Mr. President, no one knows exactly the appropriations which we will be called upon to make between now and the 4th of March when this Congress adjourns, but they are so enormous as to stagger those who attempt to comprehend them. The human mind can not grasp what these billions mean; and the demands are daily increasing, and the amounts agreed upon to be appropriated constantly augmented.

The bill under consideration was increased by the Senate committee more than $44,000,000 after it left the House. It carries $400,000,000 by way of appropriations. Many nations of the world, some of them regarded as great nations with large populations, vast business interests, do not have an annual revenue of that amount.

Mr. THOMAS. Mr. President——

Mr. KING. I yield to the Senator from Colorado.

Mr. THOMAS. The Senator says that this bill has been increased $44,000,000. He surely does not overlook the proposed good roads increase of $200,000,000.

Mr. KING. I thank the Senator for inviting my attention to that. I intended to advert to that in a moment, but this is a very appropriate place to add that to the already swelling demand that this bill makes upon the Public Treasury. The bill calls for $200,000,000.

Mr. McKELLAR. Mr. President——

Mr. KING. I yield to the Senator from Tennessee.

Mr. McKELLAR. The Senator says that there are many European countries whose entire appropriations do not amount to the sum mentioned in this bill. That is true; and there are many European countries that are not like America in any other respect. I am glad that America is different and greater and better than those countries.

Mr. KING. Oh, Mr. President, we get nowhere in such statements as that. I know the disposition of many Americans to be rather boastful and to claim a great superiority over all other peoples of the world. It is a habit with some of us, probably a sort of Fourth of July exotic manifestation, that clings to us from the time we leave high school until we go to the grave. We become a little vain because we are so great a Nation and have so glorious a history that we are tempted to become pharisaical, and thank God because we are bigger and better and grander than any other people in the world.

Mr. McKELLAR. Mr. President, if the Senator will permit me, it is not only a Fourth of July matter, but it is a Chateau-

Thierry matter, an Argonne matter, a successful termination of the present war matter.

Mr. KING. Mr. President, the record of the American soldiers and marines at the places mentioned by the Senator, as well as wherever they have fought in this great struggle, is one which thrills all true Americans and will be an enduring page in the history of our country. But, Mr. President, though we are justified in speaking with pride of the achievements of our great Nation and our gallant sons on land and sea, we can not afford to be ungenerous to the brave and heroic peoples with whom we have been associated. France, with a population of but about 44,000,000 of people, lost more than 1,000,000 men upon the battle fields. Great Britain's losses from death alone exceeded 1,000,000 men. Senators will recall the frightful casualties which Italy sustained; Belgium's losses in proportion to the men engaged in arms were enormous; and Russia, the land of tragedy and sorrows, lost millions in killed and wounded. A short time prior to the termination of the war Great Britain was losing from forty to fifty thousand men each month.

Mr. McKELLAR. Yet they could not win the war without us.

Mr. KING. Mr. President, I submit in all courtesy and gentleness that my friend is indulging in another Americanism.

Mr. McKELLAR. Maybe so; I am delighted to have that kind.

Mr. KING. I do not desire to indulge in any comparisons as to the value of the services rendered in this great war by the United States and her allies. Many persons will agree with the Senator that if the United States had not entered the war the central powers would have triumphed. That position is stoutly denied by many others who have given close attention to the military problems and to the strategy of the war. Some say that we could not have won the war if it had not been for England's ships. Others state that the war would have been lost to the central powers if it had not been for the heroic and invincible courage of the Belgians when the Prussian hordes invaded her consecrated soil in August, 1914. Still others contend that the intrepid and the glorious conduct of the French during all the dark hours from the invasion of her territory until Gen. Foch signed the armistice was the most important factor in accomplishing the defeat of the central powers. There are those who say that the sacrifices, deep and terrible sacrifices—sacrifices not yet fully known to the world—made by the poor Russian peasant was one of the controlling factors in determining the conflict. There are many who speak of bleeding and sorrowing Italy. We have not yet learned all that she did to aid in winning the war. The Italians suffered from privations that we can not comprehend, and in the face of obstacles that seem humanly impossible to surmount they built up a great army and valorously contended against tremendous odds upon many bloody battle fields. Nor can Serbia be forgotten when we attempt to assess the various elements and factors entering into the triumphant conclusion of the war. Her people have passed through a Gethsemane.

No page of history will show greater heroism and more uncomplaining sacrifices than that devoted to Serbia's contribution to this world conflict; and Great Britain and her dominions gave so much to this contest that future ages can not detract from their glory. All Americans are proud to bear tribute to the valor, courage, and devotion of the nations with which our Nation was associated in this great struggle for freedom and civilization. A distinguished Senator said upon the floor this morning that we won the war and that England and France were now engaged in a game of "grab" regarding the colonies formerly possessed by Germany. That is not exactly his language, but it represents the idea which he expressed.

Mr. WEEKS. Mr. President——

Mr. KING. Mr. President, from the little island of England the premier of Great Britain has indicated more than once that Great Britain does not seek one rood of territory as the result of this great contest. He intimated, however, that at least some of her dominions—Canada and Australia and New Zealand—might make claim with respect to territory that had been taken from Germany. I yield to the Senator from Massachusetts.

Mr. WEEKS. I assume the Senator wishes to state the figures accurately and does not wish to depreciate the contention he is making. As a matter of fact, Great Britain was having about twice the number of casualties which the Senator referred to in the statement he just made.

Mr. KING. The Senator is correct. I had in mind when I spoke an earlier period in the war. As I now remember Great Britain's casualties for a considerable period prior to the signing of the armistice were so heavy that if continued for a year at the same rate they would have amounted to perhaps a million and a half.

Mr. SMOOT. They were over 36,000 a week at the time the war closed.

Mr. KING. I have been diverted from the bill which I was discussing, but in view of what was said by the Senator from Tennessee and the other Senator to whom I just referred I desire to refer for a moment to the attitude of France and England as I understand their position concerning the German colonies. England, as I understand the facts, has disclaimed any desire to take over any of the German colonies. Indeed, she requested that the United States accept the trusteeship for some of Germany's lost colonies. However, Australia and Great Britain's South African dominions desired that some of these colonies should pass to them. I am sure that France has indicated no desire to "grab" territory. She doubtless feels entitled to some territory in South Africa formerly held by Germany. I might say in passing that I do not think the United States could be accused of grabbing territory because at the conclusion of its contest with Spain the Philippine Islands and Porto Rico were acquired by it.

It must not be forgotten that France has suffered far more than many comprehend as a result of the war. She is now so weakened in man power that she will have difficulty in building up her industries and carrying on the ordinary pursuits which engaged her people. France is a small country, and possesses limited resources. She is burdened with a debt of more than $30,000,000,000. Her lands have been devastated, cities and towns have been destroyed; rich manufacturing centers have been plundered and most of her people have been left homeless. While at peace, and desiring peace, she was struck by a powerful enemy, and for four years held back the invading forces, not knowing with each passing day what the night or the coming morn would witness. We were 3,000 miles away from that carnage and devastation. When Germany made war upon us our Nation was finally compelled to enter the conflict. We sent our gallant soldiers to do their duty with the English and the French, the Belgians and the Italians, and the brave nations allied with us in humanity's cause; and the American soldier and sailor upheld the traditions of the past and brought unfading glory to themselves and honor to our Nation. Of course, Mr. President, no one will gainsay the greatness of this Republic. While I have just said in a kindly critical way that sometimes we are given a little to vanity in speaking of our Nation, still I rejoice in the fact that this Government is the greatest and the freest that the world has ever seen. From a little fringe upon the Atlantic coast this Republic has developed until it is the colossus of the world. She has become great because of the sturdy manhood, and virtue and courage of the men and the women of our land.

The foundations of a free Republic were deeply laid in the soil of this New World, and upon that foundation has been erected an enduring Government, under which the American people have enjoyed liberty and become great in material wealth and rich in spiritual achievements, great ideals, and noble aspirations. And so to-day we rejoice with the nations with whom we have participated in the struggle against the gross materialism and the military autocracy of the central empires in the victory which crowned the joint efforts of all. We are proud to have been associated with the peoples of all these nations. We pay our tribute of praise and homage for their valor and courage and the steadfast devotion which animated them during all the dark hours through which they passed. We would not detract one iota from the honor and glory to which each and all of our allies are entitled, and in all the ages yet to come this Republic will be acclaimed for its contribution to the success of the cause of liberty and justice. A peaceful, democratic Nation within a few months became transformed into a powerful fighting Nation. Its people were stirred to the depths by a patriotic fervor that led them to gladly and cheerfully make every sacrifice which was involved. Within a few months more than 2,000,000 men crossed the sea, and hundreds of thousands of American soldiers, as brave as the world has ever seen, stood in battle array against the formidable military forces of the enemy. Along the entire battle front, from the British Channel to Switzerland, Americans fought and died. Their blood mingles with the blood of England, and France, and Belgium, and Italy, and other allied nations, and by these sacrifices and upon the graves of these undying heroes will be erected a temple of amity and friendship, peace and fraternity, within which the peoples from all lands may reverently enter and from which they all emerge purified from selfishness and consecrated anew to the cause of liberty and justice throughout the world.

Mr. President, I was discussing, when diverted by the questions of Senators, the question of appropriations, and inquiring where the vast sum was coming from to meet the heavy exactions that are being made upon the Government. I called attention to the precarious situation of business, the heavy taxes

imposed by the Federal Government, the States, and the municipalities. There is a limit to the power of the Government to incur obligations. The Government has only two sources from which to obtain money to meet its expenditures. It may tax or it may borrow. It may not be inappropriate at this time to call attention to the attitude of so many people in our country today. From the petitions forwarded to Congress and the demands made, it is apparent that the belief exists upon the part of some that appropriations by the Federal Government in behalf of and to old States or limited or sectional areas will not be a burden upon the people of such State or district. They seem to forget that ultimately every dollar taken from the Treasury of the United States must come from the people, not from the people of one State alone but from all classes in all sections of the country. If money is appropriated for roads, it must be taken by taxation from the people of all the States and placed in the Treasury of the United States. It is no advantage to the people in the long run to receive appropriations for roads or bridges or purely local and domestic affairs, because they will be called upon to pay for the same. It is an unwise policy to appropriate money for purely domestic and local matters, matters that the States under our form of government should control. Of course, the policy is vicious and in contravention of our form of government. Moreover, it involves the creation of additional Federal machinery; more bureaus and agencies are created, more Federal employees result, and additional expenses for administration are incurred.

It seems so foolish to take money from the people and transfer it to the Federal Treasury and then by means of appropriation bills filter it back through a thousand bureaus, agencies, instrumentalities, and employees into the States from which it came. The waste resulting from such a policy is enormous and the additional costs are difficult to estimate. Certainly from 10 to 50 per cent of the amount collected is wasted and lost. If the people themselves collected the money and expended it where their own agents and servants could be watched and controlled, the results would be very much better. The evils of the Federal policy are observable in the handling of many matters by the United States which should be handled by the States. It is a long way from Washington to the various parts of the Union. The multiplication of governmental agencies and the enormous increase in the number of employees result from the policy which so many of the people foolishly clamor for, namely, governmental control agencies, business concerns, activities, and matters purely local and domestic in character, and in many instances solely individual in nature and extent.

Mr. McKELLAR. Will the Senator yield?

Mr. KING. I yield.

Mr. McKELLAR. The Senator referred to the fact that I had taken him severely to task for his position on this matter last year. I hope the Senator does not feel that I have taken him severely to task about anything. In a general way I agree with what the Senator says about appropriations. I think we ought to be exceedingly careful. The Senator knows my view and my vote on such matters of extravagance.

Mr. KING. The Senator is going to vote for this appropriation, is he not?

Mr. McKELLAR. Yes; and assuming that the Senator is entirely correct and was correct last year, if the Senator's amendment to strike out this item last year had prevailed, according to the actual figures the Senator would have saved $15,000 for the Government, because we lost $15,000 by this experimental service.

If we lose in the same proportion for this year, we will lose $45,000, assuming that it is still an experimental service. The fact shows that it is almost out of the realm of experimentation, because it has practically paid for itself. The gentleman who has it in charge believes that when a route is established from Boston to New York and from New York to Chicago it will actually pay for itself. Surely on the facts that have been stated we can reasonably assume that it will pay for itself. So assuming that everything the Senator says on economy is correct, we are wasting time fooling with a loss that can amount to but a few thousand dollars. Let us get at the appropriations that go into millions, matters of contracts involving billions of dollars, where we can save the Government, and do not let us be bothering about small matters when there are large matters that ought to have our attention.

Mr. KING. Mr. President, I was taught when a boy that the little things made the big things, and if you watch the little leaks there need be no concern about the big leaks.

The Senator says approximately $15,000 only was lost in conducting the air service mail experiment for 1918.

Mr. McKELLAR. Less.

Mr. KING. The Senator says less than $15,000. I do not accept his figures. I think the statement of the Senator——

Mr. McKELLAR. I take the statement of the department.

Mr. KING. I think the statement of the Senator is a verbal inexactitude resting upon erroneous conclusions, if not erroneous statements, made by a branch of a department which is anxious to build up more machinery and extend its power and influence in the land.

I notice in the report which was submitted that only 33⅓ per cent were allowed for depreciation in property. It is claimed by many familiar with aeroplanes that they have served their day when they have been in the air approximately 140 hours. They are delicate instrumentalities. They have to be handled with the greatest care, and they last, like the shadows of the morning, but for a fleeting moment. Where in this report is there a proper debit charge that should be made for the loss of aeroplanes?

From my information concerning the use of planes in France I am led to state that the machines used by the Post Office Department in carrying mails are not of much value now; indeed, if they have been operated for more than 140 hours—that is, have been in the air for that period—they have ceased to be of much value.

[At this point Mr. KING yielded the floor for the day.]

Saturday, February 1, 1919.

Mr. KING. Mr. President, I have learned since I have been here two lessons more or less important—one is that a committee rather resents opposition to an appropriation bill reported by it, and the impatience is exhibited if there should be criticism of any of the items carried in the bill. Is it possible that the theory must prevail that it is the duty of Senators to take the bill, good or bad, without criticism, without analysis, and without understanding of its terms?

Another thing that I am learning is that there is not very much of an aisle of separation between the Democrats and the Republicans when an appropriation bill is before the Senate for consideration. Such a bill seems to be a golden bridge that united both sides of the Chamber and over which Senators from both sides freely pass in their beautiful fraternization.

Mr. President, I was calling attention yesterday at the hour of adjournment to the expenditures that were being made, colossal and stupendous in amount, and I propounded a query as to the source from which the revenue was to be obtained in order to meet the growing expenditures. My colleague (Mr. SMOOT) stated this morning that the expenditures for the fiscal year 1920 would be at least $10,000,000,000. In my opinion they will reach and perhaps will exceed that amount. I have before me some estimates for required appropriations for the year 1920. They are very incomplete, and yet they total more than $8,000,000,000. They do not include the $750,000,000 required by the Railroad Administration for the operation of the railroads for that year; nor do they include the two hundred and eighty odd million dollars required by the Navy Department over the original estimates submitted by it. There is still another large item, demanded for the purpose of caring for the wheat crop of the current year. No one knows, Mr. President, what that amount will be. I understand the Agricultural Department asks for $1,000,000,000 for that purpose.

Mr. SMOOT. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER (Mr. LENROOT in the chair). Does the Senator from Utah yield to his colleague?

Mr. KING. I yield to my colleague.

Mr. SMOOT. Those estimates do not include any judgments that may be entered against the Government for unfulfilled contracts with the Government, nor do they include the amount of goods which it will ultimately develop the Government must purchase because of the fact that contracts covering them could not be canceled.

Mr. KING. Mr. President, I have that included in my item as contingent liabilities, the most of which will probably have to be met. As to what those contingent liabilities are, no one can determine. I think it may be safely said that the contingent liabilities of the Government growing out of contracts and claims for damages—many of them legal, and most of them perhaps equitable—will aggregate from two to three billions of dollars.

Mr. VARDAMAN. Mr. President, if the Senator will pardon me——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Mississippi?

Mr. KING. I yield.

Mr. VARDAMAN. May I call the attention of the honorable Senator to another item that should be included in his estimate of the possible expenditures of the Government? It is this: If the Bolshevists and the dissatisfied people of Europe should get hungry again after eating the $100,000,000 worth of food which this Government of the United States has recently

donated to them as a reward for letting us have peace, in order to get a little more food they may raise a revolution, demand another hundred millions or a billion dollars; and if it should be asked for as a peace measure, the probabilities are that it will be voted by the Congress. That matter should not be overlooked in making an estimate of the liabilities of the Government.

Mr. KING. Of course that, as well as many other items that may be conceived of by Senators, is not included in the estimates which I am giving. I am inclined to think that the obligations that will have to be met by the Government during the fiscal year 1920 will be considerably in excess of $10,000,000,000. In times of peace, with such stupendous liabilities as that, it seems to me that Senators should hesitate now with respect to appropriations which are made, and should guard the Treasury with greater care and caution than ever before.

It has been estimated that when we were in prosperous conditions the aggregate earnings of all the people were between thirty-five and forty-five billions of dollars, and that the amount saved and available for investment was only five billions of dollars. Based upon these figures it is obvious that the fiscal year 1920 will not realize five billions of dollars (unless there should be an unexpected business revival) which will be available for investment. From that amount the additional taxes caused by the war would be deducted; therefore, if we assume the same financial and industrial conditions as existed before the war, which yielded five billions of dollars per annum for investment and for savings, there will be considerably less than that amount because of increased taxation. But even if there were five billion dollars available for investment, that amount would be insufficient for the next few years to meet the obligations of the Government. A considerable portion of this sum unquestionably will be invested by the owners and holders of the same in business and in private undertakings. A portion only, therefore, will be available for the purchase of Government securities. The amounts so available will be insufficient, plus the amount derived by taxation, to discharge the obligations of the Government for the next year or two. It means, therefore, national insolvency, unless the most heroic steps are taken to cut down the expenses of the Government.

In view of these conditions, I do not quite comprehend the attitude of so many upon whom responsibility rests; they look complacently upon the situation and give support to appropriations of the most varied kind, and in amounts so great as to be appalling. I do not intend to be critical or to be an alarmist, but I do confess to a feeling of disquietude when I behold the almost reckless manner in which the moneys of the Government are being appropriated and expended. During what might be called the rush period of war there is greater excuse for extravagance, but when the war is over, and there is full opportunity to investigate every appropriation and ascertain the channel into which it goes, improvident appropriations can not be excused.

A friend of mine rebuked me for criticizing legislation, because he stated I was criticizing my own party. Mr. President, by some in my State I have been regarded as partisan. I have denounced the Republican Party because of legislation which I regarded as hurtful to the Republic. I have criticized that party because of its extravagance and have declared that its policies made for a strong central government, which in the end would be destructive of the spirit of democracy, which this Republic was organized to perpetuate and to preserve; but I would as quickly, and I hope with as much severity, condemn extravagance in my own party. There are few occasions in the National Legislature where questions that are strictly partisan arise. I have tried to follow what I conceived to be the proper and just course and treat questions affecting the welfare of my country not as a partisan but as a lover and defender of the Republic and the institutions of our country. I believe that in the consideration of questions and problems affecting the welfare of our Nation all should approach their discussion imbued with the highest spirit of patriotism and permeated by a sincere desire to serve the public weal.

Mr. President, I will detain the Senate but a moment longer, and shall briefly refer to the item in the bill which was under discussion yesterday and which is receiving attention now. The amendment offered by the Senator from Indiana [Mr. NEW] improves the bill and should be adopted, although I am frank to confess that in my opinion it would be wiser to make no appropriation for aerial mail service at this time. The contention is made that the Post Office Department can continue experiments with a view to determining the feasibility of employing airplanes for mail service. In my opinion that department is not equipped in such manner as to enable it to conduct experiments in a satisfactory way. It has nothing to do with the subject of aeronautics. It does not have the necessary buildings, shops, and establishments for the purpose of repairing and handling aircraft. Moreover, it does not have in its employ mechanicians and those who have had experience in the use of airplanes. If Congress acted prudently and wisely in the matter, a commission would be appointed consisting of persons who have had experience in the manufacture and use of aircraft. The war has developed men of experience—those who have made extensive use of aircraft, and their judgment with respect to the subject would be of great value. It seems to me to be an unwise, not to say foolish, thing to have the Post Office Department undertake experiments along these lines, particularly in view of the fact that there are two departments of the Government, namely, the War and Navy Departments, that have for a number of years given a great deal of attention to this important subject and whose information perhaps is greater than that of any other branch of the public service.

The War Department, particularly, has many in its service who are well equipped to handle machines, not only to perform the mechanical work in connection with their construction and repair, but who by reason of experience, are competent to perform the duties of aviators. If the determination is to spend this or any other amount for aerial mail service for the coming year it would be the proper and sensible thing to have the Post Office Department collaborate with that branch of the War Department that has control of the subject of aeronautics. In hastily reading the testimony of the Second Assistant Postmaster General, I noticed that he asked for the appropriation of two and a half millions of dollars for the coming year, and, as I recall, this would provide for 8,000 mechanicians. His plan contemplated but a very limited aerial mail service. If this service was Nation-wide, or of any general extent, upon the basis estimated by the official referred to, many millions of dollars would be required and many thousands of employees needed. Let me add in passing that from the information which we have received concerning the use of machines in France a large number of persons are required to keep each machine in repair. I do not remember the number per machine. The Senator from Indiana [Mr. NEW], who has given considerable attention to the subject, doubtless can fully advise us in regard to that matter. However, the point I am insisting upon is that the Post Office Department does not have sufficient information to enable it to undertake experiments along the line of aerial mail service, and moreover, it is not the proper department to which should be committed the important duty of experimentation. The War and Navy Departments have spent hundreds of millions of dollars in developing aircraft and we should await the results of their investigations and work, before determining whether to adopt airplanes as instrumentalities for the transmission of mail.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Tennessee?

Mr. KING. I yield.

Mr. McKELLAR. Would the Senator recommend that we take this matter out of the hands of the Post Office Department, with the experiment we have already had, where there was a loss of only $15,000, and put it in the hands of the War Department, with that department's record in airplane service? The Senator is familiar with the record of the War Department on that subject—the fact that it has expended $640,000,000 and that an investigation had to be made about it. Does the Senator want to turn this matter over to the War Department?

Mr. KING. In the first place, Mr. President, I disagree with my distinguished friend from Tennessee as to the department's expenses during the experimental period thus far passed over. I find that they have spent for machines alone more than $118,000.

Mr. McKELLAR. And they have those machines in operation to-day. They own them.

Mr. KING. In the report submitted by Mr. Praeger he states that the expenses were $75,000 and that the receipts were $60,000.

Mr. NEW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Indiana?

Mr. KING. I yield.

Mr. NEW. If the Senator will permit me just a moment, I will say, in response to what the Senator from Tennessee has just said, that while it is true that an immense amount of money was wasted by the War Department, at the end of it all the War Department has at least something—not enough; even to-day it is not well equipped; but it at least has something. The Post Office Department has absolutely nothing; and while the War Department may be in some degree fitted to supply

machines and to go ahead with these experiments, I do not think the Post Office Department has the first single qualification for it.

Mr. McKELLAR. Mr. President——

Mr. KING. I yield to the Senator from Tennessee.

Mr. McKELLAR. In reply to the Senator from Indiana I will say that the record was that out of the $640,000,000 the War Department had practically no machines to show for it, and that it took another appropriation of probably as much money or more before we got any machines that amounted to anything; whereas the Post Office Department started out with six machines, and they are running those six machines to-day.

Mr. NEW. Yes; but, if the Senator will pardon me just a moment more, I think I am fairly familiar with the record of the War Department's experiments and expenditures.

Mr. McKELLAR. Is the Senator satisfied with it?

Mr. NEW. Not by any manner of means; and I would be no better satisfied at the end of this proposed Post Office experiment than I am with what the War Department has done, either. I am fairly familiar with what was done by the War Department, for I was a member of the subcommittee of the Senate Committee on Military Affairs that went through with that investigation, and one of those who signed the report to the Senate; and I know that an immense amount of money was absolutely wasted. I think the money that is going to be given to the Post Office Department under this proposed appropriation will simply be added to what was sunk by the War Department, and I think money appropriated in this haphazard way for that purpose will all be wasted.

I believe that we should have one centralized department of the Government for the management and conduct of our whole airplane program. Great Britain has it; other foreign nations have it; and they have come to it as the result of experience, much longer experience than ours. This piecemeal investment of half a million dollars here and half a million dollars there is going to result in nothing but the waste of that much money.

For that reason I am opposed to this provision, and I therefore offered yesterday the amendment which is before the Senate.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah further yield to the Senator from Tennessee?

Mr. KING. I yield.

Mr. McKELLAR. With the consent of the Senator, I desire to ask the Senator from Indiana a question. Would the Senator be willing to do away with all of the airplane service, all appropriations of all kinds for the maintenance of such airplane service as we have, until he gets his department of aeronautics?

Mr. NEW. Will the Senator state that question again?

Mr. McKELLAR. Would the Senator be willing just to stop all airplane service and experimentation until he gets his department of aeronautics? The Senator does not really expect to have that enacted into law at this session, does he?

Mr. NEW. Well, yes, Mr. President; I do.

Mr. McKELLAR. I did not understand that to be so. That answers my question.

Mr. NEW. Yes; I do. I am decidedly hopeful that it may be enacted into law at this session. I do not think we have any well-established airplane service in the Post Office Department, if that is what the Senator refers to; and this appropriation certainly has no application whatever to anything that is being done in aeronautics by the War Department or the Navy Department. This applies to what is being done in the Post Office Department; and in proposing this amendment I am certainly not cutting down the amount to be expended by other departments. I am not doing anything that interferes in the slightest degree with what is being done by some of the other departments. I am glad to state, however, that I would be very glad to cut down their appropriations, too, if asked for in the same way, because I do not believe that they are going to get anywhere with them.

Mr. McKELLAR. The Senator has answered my question. I did not know that the Senator expected to get his department of aeronautics bill through at this session. However, if the Senator does not get it through at this session, manifestly this appropriation ought to be made.

Mr. NEW. I suggested in the remarks I made on this subject that at another time and at a more fitting place I would offer a means for the adoption of that plan. So I shall.

Mr. KING. Mr. President, the Senator from Tennessee is in error in stating that the Post Office Department have utilized but six planes. As I read the testimony—and I have perused it very recently—it originally acquired 10 and subsequently obtained 4 from the War Department.

Mr. McKELLAR. Mr. President, if the Senator will permit me, in answer to that and another statement that was made by the Senator on yesterday, I have a memorandum here which I should be delighted to read as this time:

> Depreciation on aeroplanes in the mail service is arbitrarily reckoned at 33⅓ per cent. This is based on the experience with planes in the possession of exhibition fliers that after three years are still in serviceable condition and on the long life under conditions of field storage and transportation and care of certain Army planes used during Pershing's campaign in Mexico.
>
> There is no justification for the statement that the life of an aeroplane will average only 140 hours in commercial work. In the aerial mail service six planes have been in operation between 100 and 190 hours in the air. One of these six planes is being now taken down in all its parts for a thorough overhauling. Others of this lot are still operating as effectively as the day they came out of the shops. This relates especially to the type known as Curtis JN4H. The mileage made by these machines will run from 8,000 to better than 13,000 miles. As far as anyone can see, with the care that these planes receive daily, it is just as fair to assume that they will be in service at the end of four years as at the end of three.
>
> The Post Office Department has information from the assistant flight officer of the Department of Military Aeronautics that the life of an aeroplane is 500 hours, having 50 per cent or under repairs and from 250 to 500 hours for machines having over 50 per cent repairs.
>
> A detailed statement for record will be furnished if necessary.

Mr. KING. Mr. President, I do not profess to be an expert on airplanes, but from the many inquiries that I have made my information is that the life of a plane used upon the front during the progress of the war has been approximately 140 hours, and in order to render service for that length of time it was constantly overhauled and repaired. Indeed, whenever a flight was made, no matter of what duration, a number of competent and skillful mechanicians overhauled the plane before it was permitted to go into the air again. That was deemed necessary in order to preserve the life of those who were engaged in a work regarded as hazardous and dangerous.

The Senator has read a statement. I have no doubt that it was prepared by the Second Assistant Postmaster General, or somebody who is desirous of securing this appropriation. Proponents of a measure usually find arguments, whether founded upon facts or in fiction, in support of their efforts to take money from the Treasury of the United States. I do not believe that the history of the war warrants the statement which has just been read by my distinguished friend. And when Mr. Praeger attempted to convey the idea that there had been only a $15,000 loss in the experiments conducted, the statement was misleading. There has been expended approximately $120,000 for machines; and I submit that the majority of those machines are now valueless, or comparatively so; and there has been expended in addition, for mere operation, $75,000.

I do not know what part of the $60,000 which it is alleged was received from receipts came from mail matter that would have been carried by train between the points mentioned, and what part came by reason of this appropriation for aerial service. Hastily glancing over the testimony, I reached the conclusion that they carried a part of their mail as ballast, and they took mail that would have been carried and was intended to be carried by train by the sender and put that into the airplanes, in order to make some sort of a showing that the public were availing themselves of the airplanes for mail service. Not knowing what part of the $60,000 alleged to have been received from mail carried by airplanes came from the unusual postal charge and what portion came from mail matter that should have been carried by trains, we are utterly at sea in determining the amount that actually would have been received and is properly chargeable as a credit to this service.

Mr. President, the experiment conducted by the Post Office Department has shown, at least under its operations up to the present time, the futility of aerial mail service until we get some better guide and some more experienced and more competent men for the operation of the planes. The plan suggested by the Senator from Indiana [Mr. NEW] is a sensible and rational one. That is one mistake which we make in the Government—the mistake of duplication; one department or bureau reaches out and covers the field in which another department or bureau is operating. There are parallel lines and a duplication of effort in many of the branches of the Government. If we want a proper aerial service, there should be a coordination of the agencies that are engaged in the utilization of airplanes. I suggested the War Department a moment ago as having had great experience, and suggested that the experts in that department and those who have been engaged for years in studying this problem could evolve a plan and suggest it to Congress that would make the use of airplanes practicable for mail service and, perhaps, other governmental functions.

It seems to me, Mr. President, that the amendment of the Senator from Indiana ought to be adopted; but we ought to go further and strike out the entire appropriation now. During the next year those who have been studying this question will have opportunities to compare notes and determine the virtues and successes of the airplane, its weaknesses and its imperfections. Then, when the next appropriation bill is before us, we will be enabled to determine the wisest course to pursue.

Mr. TOWNSEND. Mr. President, I recognize, of course, the force of the argument made against expending money for any new purpose at this time, but I have become impressed with the fact that the airplane is to be made a great instrument of modern use, and, like all new improvements, it will have to come through experiments. The proposition now is to use the airplane for carrying the mails, not that it is hoped that during the life of this appropriation the result financially will warrant the expenditure, but this is a proposition which looks to the future for its fulfillment, and we would be very unwise, indeed, if we failed to take advantage of the situation as it presents itself to us now.

The fact is that Congress last year made an appropriation to conduct an experiment. That experiment has not been entirely satisfactory, and yet I am inclined to believe it has been worth the investment. It has taught us something that could be learned only through experience. The department has great faith in this project and wants a larger amount of money than the committee saw fit to give. We felt the experiment had not been given a fair trial under conditions which would demonstrate whether it could be used as a practical thing in commerce and in governmental operations hereafter. The experiment has been conducted between the city of Washington and the city of New York. It was started in the midst of the war, when nearly all of the activities of the Government were directed toward war, and now it is proposed to establish an experimental line between sections of the country which will demonstrate the possibilities of this facility in the business interests of the country.

The propositions before the country were to establish three lines that were particularly marked out, one from Albany through the various intervening cities to Detroit, another from New York to Omaha through Chicago, and another from Boston down to Norfolk or possibly to Atlanta. Your committee thought it best to provide for one experimental line at this time. Under no circumstances can it be a total financial loss, and the probabilities are that the insufficient test which was given it during the last year will make those in charge of it better able to operate it successfully in the future than they would be had it not been for the experience of the last year.

Furthermore, it is proposed to use the machines already owned by the Government and also to take advantage of the various experts who have been trained in this war emergency in aeronautics. There is no thought that any other course will be followed. These machines are now in the possession of the Government, and many of them can not be put to any present use nor is there a prospective use for them. It is thought that some of these machines can be altered so as to meet the needs of the mail service with not too great expense, and thus fit them for that service.

I repeat that the aeronauts already in the employ of the Government connected with the War Department will undoubtedly be assigned to operate these machines.

Another thing, Mr. President, that has been clearly demonstrated is that a machine well fitted for fighting purposes in the war is not the best machine possible to use in this mail-carrying service, which is typical of the general civil use to which airplanes may be put in the future. These machines can be altered, it has been stated, at an expense of possibly $5,000 to $10,000 per machine, so as to meet the conditions which have been demonstrated as necessary in the flying mail service. I am no more in favor of going into wild experiments at this time than is any other Senator, but where benefits have been clearly shown, where it is evident to every thoughtful man that these airplanes must be developed for use in civil life, and where the only present means for that development is this mail service, it would be unwise for Congress to neglect the opportunity. We have a practical organization for that purpose now. Some of the landing grounds are already obtained, aeronauts and mechanicians are at the Government's command, and it is thought that $850,000 will establish one complete line and make a demonstration which will satisfy the Government, or the Congress, at the next session, possibly, or within the year, as to the feasibility of continuing the experiment. Whether the airplane shall be used for carrying the mail or whether this experiment shall demonstrate the undeveloped yet altogether probable uses of the airplane in the future I do not care. I simply say we can not drop airplane development now. The airplane service or the development of the airplane for business purposes is one of the greatly possible things which we must recognize, and I repeat that the only present experiment that is possible or that presents itself is in connection with the Postal Service, where already it is in use.

Therefore, Mr. President, I was satisfied to vote for this limited appropriation—unwilling to vote for the larger one to establish three or four long lines, because of the uncertainty of it—and I think it is the least thing that Congress can do in reference to this great facility. The United States must not trail in this development; it must take the lead, and now is the time.

Mr. McKELLAR. Mr. President, I want to indorse all that the junior Senator from Michigan [Mr. TOWNSEND] has so well said. It is a plain common-sense proposition. Last year when this item of appropriation was under consideration it will be recalled that the distinguished Senator from Utah [Mr. KING] took then the same position about the appropriation that he takes now. Since that time, it seems to me, the experiment we have already had is sufficient to show the error of the position of the Senator from Utah. It is no longer an experimentation. A line then was established from Washington to New York, not so much because the business between Washington and New York was great enough to make it a paying proposition—that could not have been, because Washington is not a commercial city—but the idea was to give greater publicity to it, so that legislators could see what was being done with it.

The Post Office Department took that appropriation. I think the service has only been in operation about six months; and they come back with figures showing that in that time the expenses of the plan or operating arrangements of the line have been $75,000 and that the receipts from stamps on the mail carried amount to $60,000. So there has been an actual loss of about $15,000. I say that means not an experiment; or if an experiment, a successful experiment; and that there is no longer any doubt but that rapid airplane service will be the thing of the future. It will in a measure take the place of the telegraph and telephone doing the same thing. I believe if a line was established between New York and Chicago it would pay and pay well. When a line is extended to Boston, or a great commercial city of that kind, it is going to pay, and I make the prediction right now that in one year when we discuss this again and when my good friend from Utah makes a speech against it again he will find that it has been a good business proposition.

Who in this country wants to stop the use of airplanes in mail service? Is there a Senator here who will want to stop it? Practically no one in this country would want to stop it. It is a progressive thing; we know it is coming in the future; we know it is going to be utilized more and more all the time. We are proud of the line that goes from here to New York. We are proud of its success. It has done splendidly. It shows that it is no longer an experiment, and we ought not to stop it, but we ought to increase it sufficiently to make it pay. It is purely a business proposition. All we have to do is to add to the line other commercial cities, and the result will be that it will be a paying proposition and bring the Government in just as much as the Government has to pay out.

There is another thing connected with this matter. The Government has a large number of airplanes on hand. If they are not used for some purpose they will decay and be lost entirely. They are already built. They can not all be used in the Navy or in the Army. What are you going to do with them? Are you just going to let them lie up and decay without doing any good to anyone?

The amendment provides that the appropriation here shall be used in buying those machines and using them on these mail routes. Is not that the sensible thing to do? Is it not the business thing to do? Why should there be a doubt in the mind of anyone about it? The money will be turned over to the department that now owns them. In other words, the Government will be dealing with itself in buying these planes.

Another statement is made to the effect that we have invested a good deal of money in these machines already. So we have; and I was delighted to see the report of Mr. Praeger, which I read a few moments ago, in which he says that practically all the machines that we started out with are still on hand and that only one of them will have to be renovated. I think it is just about to be renovated now.

I say the Post Office Department has made a splendid showing, and we ought to increase this service and defeat the amendment of the Senator from Indiana, which would curtail it.

Mr. BANKHEAD. Mr. President, if I were to speak an hour I could add nothing to the statement of the Senator from Michigan [Mr. TOWNSEND]. I simply want to remind the Senate that only 27 legislative days remain of this session, and up to the present time not a single appropriation bill has been passed, and a number of other very pressing measures are before the Senate. We have consumed practically two days in the discussion of this item. I wish to express the hope that the

Senate will permit us to vote on the pending amendment that has been under discussion.

That is all I have to say.

Mr. KIRBY. Mr. President, I think that the appropriation should be left at $300,000, as was provided by the House. Under the conditions existing in this country now it behooves Congress to find out whether there be a necessity for a thing in the first instance, it seems to me, before provision is made for it or a continuation or expansion of it.

What is the necessity for sending letters or mail by aeroplane? We have the fast trains of the country that carry mail at a speed of 60 miles an hour. You can send a letter all over the country in a day or two days. If you are in a bigger hurry than that, you can telegraph and get an answer to your telegram in an hour from anywhere; and if you get in so great a hurry that you can not put up with that and there is a necessity for faster communication, you can call a man on the telephone clear across the United States and talk to him immediately.

Why should we waste $500,000 additional in experimentation? Three hundred thousand dollars, it seems to me, would be ample. Of course, half a million dollars is nothing as compared with the expenditures of the Government heretofore, but we have got to come sometime to a point where we shall have some regard for business principles in the Government's administration of affairs. We had just as well commence here and now. The mail service on trains is fast; the dissemination of intelligence by telegraph is faster; and you can talk straight over the telephone. All three of these methods are in use and are perfected and effective. It seems to me that certainly this appropriation ought not to go higher than $300,000.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Indiana [Mr. NEW] to the amendment of the committee.

Mr. CURTIS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Johnson, S. Dak.	Moses	Spencer
Calder	Kellogg	Nelson	Sterling
Chamberlain	Kenyon	New	Sutherland
Colt	King	Overman	Swanson
Curtis	Kirby	Page	Thomas
Gay	Knox	Pittman	Thompson
Hale	La Follette	Reed	Townsend
Hardwick	Lenroot	Shafroth	Trammell
Henderson	Lewis	Sheppard	Vardaman
Hitchcock	McKellar	Sherman	Wadsworth
Hollis	McNary	Smith, Ariz.	Weeks
Johnson, Cal.	Martin, Ky.	Smith, S. C.	

The PRESIDING OFFICER. Forty-seven Senators have answered to their names. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. SAULSBURY answered to his name when called.

Mr. SMITH of Georgia, Mr. CULBERSON, and Mr. ASHURST entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty Senators have answered to the roll call. There is a quorum present. The question is on the amendment of the Senator from Indiana [Mr. NEW] to the amendment of the committee.

On a division, the amendment to the amendment was rejected.

The VICE PRESIDENT. The question is on the committee amendment.

On a division, the amendment was agreed to.

The PRESIDING OFFICER. The next amendment passed over will be stated.

The SECRETARY. On page 28, after line 10, the committee reports to strike out lines 11 to 17, in the following words:

For experimental motor-vehicle truck service in such localities of the United States as the Postmaster General may select, the establishment and extension of such service, the purchase, manufacture, exchange, and repair of equipment, supervision and maintenance, and expenses incidental to conveyance and marketing of produce and commodities, $1,000,000

And to insert:

That to promote the conservation of food products and to facilitate the collection and delivery thereof from producer to consumer and the delivery to producers of articles necessary in the production of such food products, the Postmaster General is hereby authorized to conduct experiments in the operation of motor-vehicle truck routes, to be selected by him. The Postmaster General is further authorized to conduct experiments in the operation of country motor express routes, which shall be primarily operated as a means of expediting the transportation of fourth-class mail between producing and consuming localities and shall not displace or supplant any existing methods of mail transportation or delivery. These two classes of experiments shall be conducted under such rules and regulations, including modifications in rates of postage and in packing and wrapping requirements, as the Postmaster General may prescribe, and to defray the cost thereof the sum of $300,000 is hereby appropriated:

Provided, That mail other than that of the fourth class shall not be dispatched on experimental motor-vehicle truck routes or on experimental country motor express routes unless the same can be expedited thereby in delivery at destination:

Provided further, That separate accounts shall be kept of the amount of all the mail of all classes carried on such routes. The Postmaster General shall report to Congress the result of such experiments at the beginning of the next regular session.

Mr. HALE. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Jones, Wash.	Moses	Sterling
Chamberlain	Kellogg	Nelson	Sutherland
Curtis	Kenyon	New	Swanson
Gay	King	Overman	Thomas
Hale	Knox	Page	Thompson
Hardwick	La Follette	Pollock	Underwood
Henderson	Lenroot	Sheppard	Vardaman
Hollis	Lewis	Sherman	Wadsworth
Johnson, Cal.	McKellar	Smith, S. C.	Walsh
Johnson, S. Dak.	McNary	Smoot	Weeks
Jones, N. Mex.	Martin, Ky.	Spencer	

The VICE PRESIDENT. Forty-three Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. TRAMMELL answered to his name when called.

Mr. CALDER and Mr. PITTMAN entered the Chamber and answered to their names.

The VICE PRESIDENT. Forty-six Senators have answered to the roll call. There is not a quorum present.

Mr. BANKHEAD. I move that the Sergeant at Arms be directed to request the attendance of absent Senators so that we may have a quorum.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will carry out the instructions of the Senate.

Mr. MARTIN of Virginia, Mr. KIRBY, and Mr. SMITH of Georgia entered the Chamber and answered to their names.

The VICE PRESIDENT. Forty-nine Senators have answered to the roll call. A quorum is present.

Mr. JONES of Washington. Mr. President, I understand that the amendment which was under discussion a while ago has been adopted. I desire to propose an amendment to that amendment, to which I know the chairman of the committee has no objection.

Mr. BANKHEAD. The amendment to which the Senator from Washington desires to offer an amendment was adopted.

Mr. JONES of Washington. I ask that the vote whereby the amendment was adopted be reconsidered, in order that I may offer an amendment to it.

Mr. BANKHEAD. It was agreed on the floor that the amendment proposed by the Senator from Washington should be inserted.

The VICE PRESIDENT. The vote whereby the amendment was agreed to will be reconsidered, without objection, and the Senator from Washington [Mr. JONES] offers an amendment to the amendment, which will be stated.

The SECRETARY. On page 18, line 14, after the word "points," it is proposed to insert "including service to and between points in Alaska."

The VICE PRESIDENT. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. BANKHEAD. Mr. President, I ask the Senate now to vote on the amendment which has been discussed all the afternoon. I think every Senator has had an opportunity to express himself, and has done so. I hope we may now vote.

Mr. WADSWORTH. Mr. President, it is only to-day that I have had an opportunity to examine into the question raised by the pending amendment, and, of necessity, my examination has been all too brief and cursory.

I have here a document entitled "Motor Vehicle Truck Route Service," which includes a letter of the Postmaster General and various statements of Post Office Department officials. In a very hasty glance at some of its contents I find it is one of the most interesting pieces of governmental literature my eye has ever rested upon. It apparently contains statements and reports and comments on this motor-truck service so far as that service has been extended and so far as it has been conducted.

The Senator from Utah [Mr. KING] has referred to the committee of the Post Office Department experts—10, I believe, in number—who made an investigation of the service and reported thereon. It may be of interest to the Senate to know that these 10 experts do not seem to think very much of the service. They certainly do not give the impression in their report that it has large prospect for success. They rather give the impression

that it is all very well to try it a little longer, but they have not much hope for it. On page 9 I find they say:

We are not in this report accepting this motor-truck service as a necessary adjunct of the postal establishment nor wholly opposing it as an experimental innovation not worthy of a trial; we are seeking to correct the deceptive appearance of enormous earnings, revenues, and profits, that the subject may be approached carefully and considered in its true light.

In prior sessions of Congress I have taken the opportunity to comment upon some of the methods of the Post Office Department in conducting investigations and in proving a case to which they had already been committed before the investigation was ordered. I have reference to the famous pneumatic-tube cases, in which investigations were carried out in some of our great cities to show that a motor truck traveling through crowded city streets could carry mail faster and with greater reliability than could a pneumatic tube underground. It appeared in evidence upon those occasions that in order to prove the case they ran motor trucks on Sundays in midsummer when there was no traffic on the streets.

I find that this report shows that the reports of the earnings of these motor trucks have been grossly exaggerated. In some publication, which must have some semiofficial standing, this statement is made in order to encourage the public to believe that this system has a wonderful future. This is a quotation from that publication known as the Postmasters' Advocate, which appeared in September, 1918:

Upon the basis of a monthly net income of $4,000 per route, 1,000 out of a possible 5,000 cars operating on the principal improved highways east of the Mississippi should earn $48,000,000 yearly; 10,000 such routes on the basis thus presented would produce $480,000,000 per annum, or more than the total annual postal revenues at this time.

Apparently that is the suggestion which is offered by means of suitable publicity for the digestion of the American people. But these inspectors found that those estimates were grossly exaggerated, and that the reports sent in from the different routes were absolutely false from top to bottom so far as earnings were concerned.

Let me see if I can find some of these examples. For instance, there is an example on page 10 of the report of these inspectors to which I call attention to illustrate how some bureaucrats—and bureaucrats are multiplying in number faster in proportion than the population of the United States itself—attempt to prove their case in order to get their arms into the Federal Treasury at least to the elbow. They say:

Record of first-class mail carried outward from Baltimore on the truck operating between Baltimore and Gettysburg furnishes further evidence of the same character—

That is as to the padding of the returns—

It shows no first-class mail handled from Baltimore on trips of November 16, 19, 21, 22, 23, 26, 27, and 30; on five days of the month, when entries appear to have been made by the dispatching clerk at Baltimore, recorded weights vary from 14 pounds to 29 pounds. On other days, when record appears to have been made by the driver, it shows 45 pounds first-class matter on the 7th and 15th, 50 pounds on the 13th and 28th, 80 pounds on the 8th, 85 pounds on the 6th, 9th, 11th, 14th, 18th, 20th, 25th, and 29th, respectively.

On dates of inspection—

That is the inspection made by this committee or its agents—

December 13, record made by dispatcher was 20 pounds, which corresponds very well with the amount carried.

An actual count of the postage on first-class matter dispatched, with weights of same, by this route from Baltimore was made on the 9th, 10th, and 11th instant, with the following result:

	Actual weight.		Recorded by driver.
	Lbs.	*ozs.*	*Pounds.*
Jan. 9	10	4	90
Jan. 10	15	11	85
Jan. 11	9	14	90
Total	35	13	265

The figures reported by the driver must have been placed upon the records, of course; and they show that in some instances some one multiplied nine times the weight actually carried. Mr. President, you could prove anything by such a method.

I understand that the highest post-office officials admit that these reports are totally unreliable and that they have attempted by some artificial method to arrive at the truth. I am informed that they have done so by first slashing off 30 per cent of the estimated returns, and then, making up their minds that that was not quite enough, slashing off another 20 or 30 per cent. In the end Congress has no information worthy of being considered reliable. We only know that by some lucky chance some inspector who had the true interests of the country and of the public at heart happened to discover this gross padding of these weights, and the matter comes to the attention of the Congress. This is the character of the experimenting that is being done in the Post Office Department and for which $300,000 more is now asked.

Perhaps it would interest the Senate to hear something about the "mushroom special," which is described on pages 12 and 13 of this report, and which apparently, if I read the report correctly, was rather advertised as a good example of the successful operation of the motor-truck service, particularly in transporting vegetables. The report says:

The very large production of mushrooms at West Chester and Kennett Square, Pa., and shipment of the same to New York City by motor truck, representing new postal business, has been much cited as probably the best example of created revenue. Service between West Chester and New York by ordinary truck is in operation, but to advance the mushroom business a large 5-ton truck is operated as an auxiliary between those points, duplicating travel of the other truck for the entire distance, running both ways at night, doing practically no local business, returning empty from New York to West Chester, and carrying an assistant driver both ways between Doylestown and New York.

An investigation of this "mushroom special" line—

Whose deficits, Mr. President, seem to grow about as fast as the mushrooms—

on December 13, note was made of the business done on 14 trips from November 24 to December 12, during which time 58,297 pounds of fourth-class mail was carried bearing postage amounting to $732.92, or what would amount to $52.35 per day or $1,361.10 a month—26 trips. The cost of operation of this heavy truck is about 0.2726 cents a traveled mile, $75.18 per round trip, $1,052.52 for the above stated 14 days, $1,954.68 for a month of 26 trips—

Showing a deficit of $600—

Deductions are obvious, and it is not apparent wherein the Postal Service or the ultimate consumer of mushrooms reaps any benefit, except that the latter may appreciate improvement in quality and possibly quantity.

Yet that particular service apparently received a good deal of commendation by those who desire to see this system, according to the suggestion of Mr. Blakslee—I understand that to be his name—who said "we do not need and can not use $300,000; give us $8,000,000," spread all over the country.

Mr. KENYON. Mr. President, the Senator does not claim that the $300,000 would not cover the expenses of the "mushroom special," does he?

Mr. WADSWORTH. Well, $300,000 would take care of the "mushroom special," I calculate, roughly estimating it, for 900 days, and then it would have to be abandoned and further experimental operations conducted.

Mr. President, this report is of exceeding interest. I have not had time to look at more than four or five pages of it, and what I have found has been, of course, by accident mostly; but if Senators will look at the latter portion of this volume they will find an appendix, in which these inspectors give more detailed reports on some of these motor-truck lines, and the various postmasters, through whose towns the trucks go rejoicing on their way, report what the patrons think of the service. I have not read them all, but thus far I have not been able to find any postmaster who says "right out loud" that anybody is enthusiastic about them, and most of them say that the patrons of the post office do not pay much attention to them; that they do not care much about them; and that they have not resulted in any increased business.

There is a line that has been running from Portland, Me., apparently to Amesbury, Mass., or perhaps that is one section of the line which, I understand, runs from Portland, Me., to New York City. The postmaster at Saco, Me., says:

This motor service is not being used by the patrons of this office to any extent.

The postmaster at York Village, Me., says:

The patrons of this office say that they think the Government is wasting money to operate motor service over this route.

Not all are as harsh as that, but none are enthusiastic, and many are as harsh as that. I do not know how many evidences of that kind are contained in this volume, but probably a good many.

I sympathize with a great deal that the Senator from Utah [Mr. KING] has said about this proposal. If it were of economic value to the country, it would long since have been attempted by private enterprise. I have never believed that the Government should supply any facility of commerce at a loss. It is a fallacy to believe that you are helping the people of the country when you supply governmental service to them at a loss to the Government. Somebody must pay the deficit; the payment must come out of the Federal Treasury; the money is not going to come from the sky; it is going to come from the pockets of the people who obtain the service.

Mr. HARDWICK rose.

Mr. WADSWORTH. Does the Senator from Georgia desire to ask me a question?

Mr. HARDWICK. Yes.

Mr. WADSWORTH. I yield to the Senator.

Mr. HARDWICK. I wonder if the Senator from New York would undertake to apply that very sound theory generally to all the different branches of the Postal Service.

Mr. WADSWORTH. The Senator evidently has reference to the rates on second-class mail?

Mr. HARDWICK. No; I mean all the branches of the service. The rural routes do not pay their way and second-class mail matter does not pay its way; in fact, there is only one branch of the entire Postal Service that does pay its way, and that is the first-class mail.

Mr. WADSWORTH. I do not suppose that it can be expected that every single detail of operation of a great business such as the Post Office Department shall make money; but certainly the Post Office Department, taken as a whole, should be a little better than self-sustaining, and if some of the rates for the handling of mail matter of the different classes are so low as to prevent the Post Office Department as a whole doing a little better than being self-sustaining I am in favor of raising those rates. It is a fallacy to believe you are serving the people of the United States in an operation of that kind when you run it at a deficit.

It ought to make a little profit, and then, with a self-sustaining service and a little profit to be applied for interest on the investment, we will say, or for depreciation of property, we know that we are doing something approaching a sound piece of business. The trouble is that hardly any Government business is ever run on sound business lines, and from the prospects of this motor truck service, as displayed thus far, on routes which I assume were selected because they were the more favorably situated, it does not seem to me that there is any chance for the Government ever to conduct that service except at a tremendous loss.

Mr. BANKHEAD. Mr. President, will the Senator from New York permit me to interrupt him?

Mr. WADSWORTH. I yield.

Mr. BANKHEAD. I desire to say that the committee had this report before it and examined it very carefully. They were very much impressed with some of the suggestions. They even had before the committee the inspectors who made this report, and examined them very carefully. We then called Mr. Blakeslee, in order that he might have an opportunity to consider this report and make any reply to it that he cared to make.

The House appropriated $3,000,000 for this purpose, and after a very careful examination by the committee we considered that perhaps it would be wiser if we reduced that appropriation to $300,000, exactly what we gave last year, for this experiment—and it is yet an experiment. In making that appropriation of $300,000 we undertook—and I think we did—to prescribe in the bill exactly how it should be expended and how the account should be kept, and that an itemized statement of the whole transaction should be made.

It seems to me, Mr. President, that we ought to carry on this experiment to the extent of this appropriation. I never have believed in the accuracy of the statements made by the Fourth Assistant Postmaster General as to the great amount of revenue to be derived from it. I think it has been an exaggeration, though perhaps not an intentional one. I do not think it is possible to reach the result suggested by him; but I do think this appropriation ought to be expended under the provisions of the bill, in order that we may know by the time the next Congress meets exactly what is being done and what success is being met by it.

I should like to have the Secretary read the provisions of the amendment to show the restrictions we have put on it. I think that will throw some light upon the subject and will show the Senate how careful the committee was in guarding against any future conduct of this experiment that is not exactly right and proper.

I hope the Senate will listen to the reading of the amendment.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

That to promote the conservation of food products and to facilitate the collection and delivery thereof from producer to consumer and the delivery to producers of articles necessary in the production of such food products, the Postmaster General is hereby authorized to conduct experiments in the operation of motor vehicle truck routes, to be selected by him. The Postmaster General is further authorized to conduct experiments in the operation of country motor express routes, which shall be primarily operated as a means of expediting the transportation of fourth-class mail between producing and consuming localities and shall not displace or supplant any existing methods of mail transportation or delivery. These two classes of experiments shall be conducted under such rules and regulations, including modifications in rates of postage and in packing and wrapping requirements, as the Postmaster General may prescribe, and to defray the cost thereof the sum of $300,000 is hereby appropriated:

Provided, That mail other than that of the fourth class shall not be dispatched on experimental motor vehicle truck routes or on experimental country motor express routes unless the same can be expedited thereby in delivery at destination:

Provided further, That separate accounts shall be kept of the amount of all the mail of all classes carried on such routes. The Postmaster General shall report to Congress the result of such experiments at the beginning of the next regular session.

Mr. WADSWORTH. Mr. President, I am willing to concede that the committee has done its best to get a true report from the Post Office Department as to the expenditure of this money.

Mr. MARTIN of Virginia. Mr. President, will the Senator from New York yield to me for just a moment?

Mr. WADSWORTH. May I ask for what purpose?

Mr. MARTIN of Virginia. I wish to make a report from a committee and to ask that it may be printed so as to be ready for consideration on Monday morning.

Mr. WADSWORTH. I yield for that purpose.

SECOND DEFICIENCY APPROPRIATIONS.

Mr. MARTIN of Virginia. Mr. President, from the Committee on Appropriations, I report back favorably with amendments the bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes. This is what is known as the second deficiency appropriation bill. I give notice that on Monday I hope the condition of business will be such as to justify me in asking the Senate to proceed with the consideration of the bill.

Mr. KENYON. Mr. President, I should like to inquire from the chairman of the committee when this bill was considered by the committee?

Mr. MARTIN of Virginia. It was considered several times yesterday and to-day.

Mr. KENYON. By the full committee?

Mr. MARTIN of Virginia. By the full committee to-day.

Mr. KENYON. Was any notice sent to the members of the committee?

Mr. MARTIN of Virginia. I sent up to the floor of the Senate. I tried to notify every member.

Mr. KENYON. I had notice, as a member of that committee, saying that my presence was needed down there for a quorum. That was the first notice that I had had of this bill at all.

Mr. MARTIN of Virginia. If the Senator has any objection, I will let it be recommitted.

Mr. KENYON. Oh, I know what it will be. It is the same old process of bringing in these appropriation bills and having to rush them through at the last minute. I do not think it is fair. Yesterday there was a meeting of the committee to consider another bill while the Senate was in session.

Mr. MARTIN of Virginia. It is useless for the Senator to debate the matter. If he desires the bill recommitted, so that he can have time to consider it further, I will move to recommit it. I have not the slightest desire to rush it through, except that it returns to the Treasury about $15,000,000,000; and I confess to some anxiety to have that brought about.

Mr. KENYON. I am surprised, then, that there should be any rush about it. I should like to ask the Senator if there was a quorum of the committee present when the bill was considered this afternoon?

Mr. MARTIN of Virginia. There was. I will say now that if the Senator desires the bill recommitted, so that he can be present, I will move its recommitment.

Mr. KENYON. No; I simply say that these great appropriation bills are entitled to some consideration by all the members of the committee at a time when the members can be present and not when the Senate is in session.

Mr. MARTIN of Virginia. Mr. President, I do not see the forcefulness of the suggestion. I told the Senator I would move to recommit the bill, and he can have all the time he desires to discuss every feature of the bill if he desires to do it.

Mr. KENYON. I will take that time when the bill comes up here on the floor.

Mr. MARTIN of Virginia. The Senator simply desired to make a complaint, then, and did not desire any redress?

Mr. KENYON. I should like to ask the chairman of the committee if he believes that these great appropriation bills should be permitted to be considered by the Appropriations Committee at a time when other bills are here on the floor that demand the attention of Senators? That is the complaint I make. It is not fair.

Mr. MARTIN of Virginia. If any injustice has been done anybody, it is easy enough to correct it. I have told the Senator that if he felt that any injustice had been done him I would move the recommittal of the bill. We can not do more than give

him all the opportunity he desires to investigate and be heard. I am perfectly willing to do that.

Mr. WEEKS. Mr. President, in view of the fact that the Senator from Iowa has brought this matter to the attention of the Senate, I think I ought to say to the chairman of the committee that I have not been off the floor of the Senate or out of the Capitol, or out of this Chamber practically, since half-past 9 or 10 o'clock this morning, and I had no notice of a committee meeting this afternoon.

Mr. MARTIN of Virginia. I am sorry that it so happened. I will say the same thing to the Senator from Massachusetts. I am perfectly willing to move the recommitment of the bill.

Mr. WEEKS. I do think that members of the committee ought to be notified.

Mr. MARTIN of Virginia. I tried to notify members. I sent my clerk up to the Senate Chamber and asked him to see every member of the committee. If he failed to see the Senator from Massachusetts, I regret it very much. The only redress I can make is to recommit the bill, which I will cheerfully do if he desires it.

Mr. KENYON. If it is a bill to save money, let us not recommit it.

Mr. HARDWICK. Let us not recommit this bill.

Mr. MARTIN of Virginia. That was the only reason I had for hurrying it up. It turns back into the Treasury over $15,000,000,000.

Mr. HARDWICK. Billions?

Mr. MARTIN of Virginia. Billions; yes.

Mr. KENYON. How much does the bill appropriate?

Mr. MARTIN of Virginia. About $290,000,000, to supply deficiencies.

Mr. KENYON. A trivial amount.

Mr. MARTIN of Virginia. A very trivial amount as compared with the $15,000,000,000 turned back into the Treasury. Since the Senators have given expression to their complaints and criticism and desire no redress, I will let my request stand.

Mr. KENYON. I should like to ask one more question of the Senator, if I may. How many Senators were actually present?

Mr. MARTIN of Virginia. I do not know about that.

Mr. KENYON. Were there over four Senators present?

Mr. MARTIN of Virginia. Yes; there were more than four, but I did not keep a list of the Senators who were present. All I can do is to guarantee the Senator that he will have an opportunity to be present by sending the bill back to the committee if he desires. That is all I can do.

Mr. KENYON. It does not do much good to have an opportunity to be present when we have to be here on the floor. I should think the committee could meet at such times that Senators could attend without taking them from their duties here. That is my protest.

Mr. MARTIN of Virginia. I am exceedingly anxious to dispatch as rapidly as possible the business of the Senate, but I am not willing to deprive any Senator of a full opportunity of hearing, and being heard, and giving consideration; and if any Senator feels that he desires to meet those conditions the bill will be recommitted. That is all I can say to him.

The VICE PRESIDENT. The bill will be placed on the calendar.

POST OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

Mr. WADSWORTH. Mr. President, I will conclude my remarks in just a moment.

I find on page 4 of this same document, in a letter addressed by the Postmaster General to the chairman of the committee, this concluding paragraph. It may be that this is now out of date and that the Postmaster General, or some of his lieutenants, have changed their minds. If so, the Senator from Alabama, of course, can correct me or bring my knowledge up to date.

In referring to the committee of post-office experts whom the Postmaster General apparently had appointed to investigate this service, he says:

They have just completed their labors and have submitted to me a report in writing. I have carefully read same and feel constrained to concur in the findings they have made and the conclusions they have reached. In view of this fact, I respectfully ask that the original estimate made for the continuance of this experiment of $300,000 be reduced to $70,000. I feel that it is desirable to continue the experiment on certain selected routes in the hope that a beneficial result may be secured which will enable me in my next report to indicate just what features of this service may be retained as a permanent part of the Postal Service.

I will conclude my remarks by addressing this question to the chairman of the committee or to any member of the committee: In view of that paragraph, how did it occur that the Post Office Committee decided to appropriate $300,000 instead of the $70,000 which the Postmaster General recommended?

Mr. BANKHEAD. Mr. President, there is but one answer to that, and that is that the committee did not agree with the conclusions of the Postmaster General.

The committee, as I have stated, gave this matter very thorough and exhaustive investigation. We examined that report. We called in the inspectors who made it. We called in Mr. Blakeslee, against whom the report is directed. After hearing both sides of the question, we felt that perhaps it was wisest and best to continue this experiment under the conditions which are prescribed in the amendment. That is all there is to it.

If the Senate want to discontinue this experiment, now is the opportunity to do it. If they are willing to go on and expend this amount of money, $300,000, which was the amount expended last year, under the conditions which we impose in our amendment, then they can do that. I think the appropriation ought to be made.

Mr. WADSWORTH. I am simply seeking light. I have examined this matter as far as I can. I find that the Postmaster General has no enthusiasm for it; I find that these 10 experts who investigated the whole thing have no enthusiasm whatsoever for it; and I find that the underlings who conducted it have padded the returns. That is all I can find in regard to the whole matter.

The VICE PRESIDENT. The question is on the amendment of the committee. [Putting the question.] The Chair is in doubt.

Mr. KING and Mr. WADSWORTH called for a division.

On a division, the amendment was rejected.

The VICE PRESIDENT. The Secretary will state the next amendment passed over.

Mr. SWANSON. Mr. President, I am sure the Senate did not understand the amendment. We offered an amendment appropriating $300,000 in lieu of $1,000,000.

The VICE PRESIDENT. The bill is being considered now as in Committee of the Whole. The amendment can be offered again, if desired, in the Senate.

Mr. BANKHEAD. Then, I understand, Mr. President, that this amendment goes to conference?

The VICE PRESIDENT. No; the amendment is rejected as in Committee of the Whole. It can be reoffered in the Senate.

Mr. BANKHEAD. Was the appropriation rejected or the entire section?

The VICE PRESIDENT. The whole amendment, of course.

The SECRETARY. The next amendment passed over is on page 36, section 5.

RECESS.

Mr. BANKHEAD. Mr. President, I had no idea that we could complete the bill this afternoon, and I am now satisfied that we can not. I am going to ask the Senate to take a recess now until to-morrow, Sunday, at 11 o'clock, because there are eulogies to be delivered at that time. I make that motion.

The motion was agreed to; and (at 5 o'clock p. m.) the Senate took a recess until to-morrow, Sunday, February 2, 1919, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

SATURDAY, *February 1, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty Father, in whom there is no shadow of turning, make us constant in all our righteous undertakings and firm in all our duties, that we may render unto Cæsar the things that are Cæsar's and unto Thee the things that are Thine; that we may dignify ourselves and reflect Thy glory in all that is worthy. In the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed without amendment the bill (H. R. 13143) extending the time for the construction of a bridge across the Mississippi River near and above the city of New Orleans, La., or for the construction of a tunnel or tunnels under said river in lieu of said bridge.

The message also announced that the Senate had passed bill of the following title in which the concurrence of the House of Representatives was requested:

S. 5316. An act granting the consent of Congress to the Wenatchee-Beebe Orchard Co. to construct a bridge across the

Columbia River at or within 4 miles northerly from the town of Chelan Falls, in the State of Washington.

The message also announced that the Senate had passed without amendment bill of the following title:

H.R. 13004. An act extending the time for construction of a bridge and for the maintenance of a pontoon and pile bridge by the Chicago, Milwaukee & St. Paul Railway Co. across the Missouri River at or near Chamberlain, S. Dak., and providing additional requirements for the bridge to be constructed.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 5316. An act granting the consent of Congress to the Wenatchee-Beebe Orchard Co. to construct a bridge across the Columbia River at or within 4 miles northerly from the town of Chelan Falls, in the State of Washington; to the Committee on Interstate and Foreign Commerce.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 13004. An act extending the time for the construction of a bridge and for the maintenance of a pontoon and pile bridge by the Chicago, Milwaukee & St. Paul Railway Co. across the Missouri River at or near Chamberlain, S. Dak., and providing additional requirements for the bridge to be constructed; and

H. R. 13143. An act extending the time for the construction of a bridge across the Mississippi River near and above the city of New Orleans, La., or for the construction of a tunnel or tunnels under said river in lieu of said bridge.

GUARANTEED PRICE OF WHEAT FOR 1919.

Mr. STEENERSON. Mr. Speaker, I wish to present a privileged resolution of inquiry to the President of the United States.

The SPEAKER. How does it become privileged?

Mr. STEENERSON. I move to discharge the committee and report the resolution.

The SPEAKER. What committee?

Mr. STEENERSON. The Committee on Agriculture.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 515.

Resolved, That the President of the United States be, and he is hereby, requested, if not incompatible with the public interest, to furnish to the House of Representatives any and all information in his possession or in the possession of the United States Food Administration relative to what action has been taken or begun or planned toward carrying out and putting into effect the guaranteed price of wheat for the crop of 1919, contained and promulgated in the proclamation of the President of the United States dated September 2, 1918.

Mr. LEVER. Mr. Speaker, I make the point of order that that resolution is not privileged, and I make it on the ground that the resolution calls for information from the Secretary of Agriculture and from the Food Administration. The Secretary of Agriculture has absolutely no jurisdiction over the Food Administration. The Food Administration is under the direct command of the President of the United States.

Mr. STEENERSON. Mr. Speaker, I would like to be heard.

Mr. MANN. It does not refer to the Secretary.

Mr. LEVER. I thought it called on the Secretary of Agriculture.

The SPEAKER. The point of order is overruled.

Mr. LEVER. I withdraw the point of order.

The SPEAKER. It is too late. The question is on the resolution.

Mr. GARRETT of Tennessee. Mr. Speaker, I move to lay the resolution on the table.

The SPEAKER. The gentleman from Tennessee moves to lay the resolution on the table.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask for a division.

Mr. MANN. This is to get the information; that is all.

Mr. STEENERSON. It is very urgent.

Mr. GARRETT of Tennessee. I do not know what information they could have. It is a matter of legislation to carry it out, of course. If the Government is going to carry out its contract——

Mr. MANN. It is the information that calls for legislation.

Mr. GARRETT of Tennessee. I understand the committee has had hearings on that proposition.

Mr. LEVER. The objection to it is this——

The SPEAKER. These things are not debatable.

Mr. GARRETT of Tennessee. Mr. Speaker, I will not insist on the motion to table.

The SPEAKER. The gentleman from Tennessee withdraws his motion to table. The question is on the motion to discharge the Committee on Agriculture from further consideration of the resolution.

Mr. GARRETT of Tennessee. I ask unanimous consent that the gentleman from South Carolina [Mr. LEVER] may have five minutes.

Mr. LEVER. I will give the gentleman from Minnesota five minutes.

Mr. GARNER. The gentleman from Minnesota has an hour.

The SPEAKER. It is not debatable.

Mr. MANN. No; he has not an hour. I ask unanimous consent that the gentleman from Minnesota [Mr. STEENERSON] have five minutes and the gentleman from South Carolina [Mr. LEVER] five minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the gentleman from Minnesota have five minutes and the gentleman from South Carolina have five minutes, and then that the previous question shall be considered as ordered. Is there objection? [After a pause.] The Chair hears none.

Mr. STEENERSON. Mr. Speaker, judging from the letters that I have received and a petition and other communications from my district, the people are getting very nervous and anxious about what is going to become of the presidential guarantee of the price of wheat for the crop of 1919. It seems that nothing has been done so far. Here is the Agricultural appropriation bill, but there is nothing in that. And we have not been favored with any information as to whether any steps are to be taken or what is to be done. There were some newspaper reports, but we have no authentic information from the Food Administration or from the President of the United States, under whom the Food Administration is operating, as to whether or not they have taken any measures or steps or what measures or steps they have planned should be taken to carry out in good faith this guarantee.

Mr. CARTER of Oklahoma. Will the gentleman yield?

Mr. STEENERSON. For a question.

Mr. CARTER of Oklahoma. Does the gentleman want to fix prices?

Mr. STEENERSON. I want the information called for in this resolution from the President and the Food Administration which he controls to enable Congress to take such legislative action as necessary to make that guarantee effectual. We have not been favored with any official information whatever. It may be in possession of the committee, but Congress ought, to know, and it ought to be officially communicated to Congress. Here is a proposition that the newspapers say will involve very large sums, but whatever it involves we must face and carry the burden.

Mr. SHERWOOD. I would like to ask the gentleman how much is involved in this?

Mr. STEENERSON. Properly managed, I do not think this guarantee would involve any expense at all; but if it is bungled, if the administration neglects to take steps now, if the Food Administration neglects to provide for it, we will be in the clutches of the speculators and wheat gamblers, and we can not tell how much they will bleed the Government. But if we take proper steps by legislation in connection with the powers that the Food Administration now has, and which will be continued, I believe this guarantee will be carried out without any loss to the Treasury.

Here is an open covenant, openly arrived at, which apparently from neglect or design is to be made a scrap of paper. That there are powerful interests back of this effort at repudiation is indicated by the market letter of Henry Clews & Co., of 25 Wall Street, New York, dated January 25, 1919, an extract from which reads as follows:

Now, that the war is over Congress should repeal the law which guaranteed the farmers $2.26 per bushel for their wheat; at least on the spring wheat crop not yet sown.

No class of people have been so loud and persistent in their denunciations of repudiation of contracts and treaties, whether between individuals or nations, as the financial press, but here is a leading financial authority that openly and avowedly advocates the repudiation of the guaranty of the price of wheat to the farmers, especially the farmers of the Northwest in the spring wheat regions, who have plowed and prepared their ground and their seed for a crop of wheat pursuant to the express guarantee of the President and the urgings of the Department of Agriculture, the Food Administration, and other governmental agencies.

It seems to me unthinkable that such a proposition could have any following whatever in either branch of Congress or among any of the leading lights of either party, and yet we find that this matter of most vital importance is being neglected and delayed for some reason that is not apparent upon the surface. The majority party in Congress seems to have been left without active direction and leadership, and is now floundering away, not knowing what measure to press or what course to pursue. Look at the situation with regard to legislation for reconstruction, for instance. There are almost as many plans as there are Cabinet officers. The Secretary of the Interior demands unlimited discretion and authority over $100,000,000 to spend for this purpose as he may hereafter determine to be wise. The Department of Labor has fathered a law which would do credit to the Bolsheviki of Russia. There are to be communities and colonies. The Government is to reclaim and improve the land and supply buildings and machinery. There is to be an eight-hour day on the farm, and if the crops raised are not sufficient to pay the customary wages for labor, then the Government will pay the deficiency. It is to be Government-owned and Government-operated farms, and the welfare of the farmers is to be looked after in every detail—a more paternalistic plan than has ever been proposed to take care of the aborigines on their reservations. The Treasury Department, through the Farm Loan Board, has given out an entirely different plan, which bankers claim will greatly impair, if not entirely destroy, all chances of selling Government bonds, and so on, through the whole list. Evidently the dominant party needs unity of direction, but their leader is absent. In the meantime the country is facing most serious difficulties.

I warn you that unless expeditious action is taken on the wheat guarantee that it will have more far-reaching effect than is generally supposed. Not only will it undermine the financial and credit systems of the country, but will breed discontent and distrust in the Government itself. We have only a few weeks left of this Congress, and I most earnestly urge speedy action.

Mr. ANTHONY. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Minnesota yield to the gentleman from Kansas?

Mr. STEENERSON. Here is an obligation that is as sacred as anything can be, and yet repudiation is threatened.

Mr. ANTHONY. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield?

Mr. STEENERSON. Yes.

Mr. ANTHONY. Does the gentleman think the President ought to guarantee the price of the spring wheat crop that is not yet planted?

Mr. STEENERSON. The President has already guaranteed it. Of course, it must be carried out. I believe Congress will carry it out, but we have got to take early action. We have got to have all the information that exists and study the matter carefully. We can not do it within 24 hours—properly, at least—and therefore I am appealing to you to pass this resolution in order that we, the Members of the House, may have the information that exists.

The SPEAKER. The time of the gentleman from Minnesota has expired.

Mr. LEVER. Mr. Chairman, the gentleman from Minnesota [Mr. STEENERSON], if he had made some little inquiry and had been as diligent about this matter off the floor as he has been on the floor, he would have found that already the Secretary of Agriculture, some two or three weeks ago, had sent up to the Committee on Agriculture a pamphlet of 63 pages going into very great detail as to the wheat situation, and that by the direction of the Committee on Agriculture I had that printed as a committee print, and I did the Members of the House the courtesy of having my clerks mail each a copy of it, marking the envelope "Personal."

Mr. STEENERSON. I received that copy. I will say to the gentleman, and read it most carefully; but we want additional information, and the gentleman should have asked for it.

Mr. LEVER. The gentleman wants an opportunity to abuse the President, because he is over in France trying to save a bad situation. Now, let me say further, so that there will be no misapprehension about this wheat guaranty proposition, that the Committee on Agriculture has been called to meet on Monday to hear the various interests about suggested plans and to hear Mr. Barnes, the head of the Grain Corporation, and we hope by the latter part of next week to be able to present to the Congress such legislation as is necessary to carry out in good faith the Government's guaranty to the wheat farmers of the United States.

Mr. MAPES. Mr. Speaker, will the gentleman yield?

Mr. LEVER. And instead of this resolution being of any interest to the House, instead of this resolution being of any service to the country, it simply means that the officials that we ought to have before the Committee on Agriculture giving information will be sitting in their offices digging out information which, after it is presented to Congress, nobody but the gentleman from Minnesota will ever read.

I yield to the gentleman for a question.

Mr. MAPES. In my correspondence I find that the fear on the part of producers and farmers is that the Government is going to go back on its guaranty.

Mr. LEVER. You can give them the absolute assurance that so far as the Committee on Agriculture is concerned, I think there is a unanimous feeling that the guaranty shall be kept. I do not believe that there will be a dissenting voice in the House of Representatives against that proposition.

Mr. MAPES. I am glad to hear the gentleman say that the Committee on Agriculture will be unanimous on that subject. I have answered my correspondents saying that it was inconceivable to me that the Government would go back on its obligation.

Mr. LEVER. It is inconceivable.

Mr. SHERWOOD. Can the gentleman say how much it will cost the Treasury?

Mr. LEVER. There is no one on earth that can answer that question.

Mr. SHERWOOD. Can you give a guess?

Mr. LEVER. No; I could not give a guess.

Mr. ALEXANDER. If the gentleman assures his constituents that the Committee on Agriculture will keep this guaranty, it is a question whether the Congress will do it. The President has made the guaranty, and there is only one body that can be guilty of bad faith, and that is the Congress itself.

Mr. LEVER. I hope, inasmuch as this resolution can not bring any benefit to the House, that we will not hamper the officials that the committee will have before it next week by passing it and calling upon them for the information. I hope this resolution will be voted down.

The SPEAKER. The question is on the motion to discharge the Committee on Agriculture from the further consideration of this resolution.

The question was taken, and the motion was rejected.

THE FOURTEENTH AND SUBSEQUENT DECENNIAL CENSUSES.

Mr. HOUSTON, by direction of the Committee on the Census, submitted for printing under the rule the conference report and accompanying statement on the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses, as follows:

CONFERENCE REPORT (NO. 1023).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 24, 27, and 28.

That the House House recede from its disagreement to the amendments of the Senate numbered 3, 4, 5, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 29, 30, 31, 32, 33, 34, 35, 36, 37, and 38, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate, insert the following:

"That a census of the population, agriculture, manufactures, forestry and forest products, and mines and quarries of the United States shall be taken by the Director of the Census in the year 1920 and every 10 years thereafter. The census herein provided for shall include each State, the District of Columbia, Alaska, Hawaii, and Porto Rico. A census of Guam and Samoa shall be taken in the same year by the respective governors of said islands and a census of the Panama Canal Zone by the governor of the Canal Zone in accordance with plans prescribed or approved by the Director of the Census."

And the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate, insert the following: "$5,000; the chief clerk and three chief statisticians for the divisions of population, manufactures, and agriculture, respectively, $4,000 each; three"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the matter proposed

to be stricken out, insert the following: "for the divisions of vital statistics and statistics of cities, and the chief statistician provided for in section 3 of this act, $3,000 each"; also on page 4, line 9, of the engrossed bill, strike out the word "and"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate, insert the following: "$3,000"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate, insert the following: "subject to the approval of the United States Civil Service Commission, these"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate, insert the following: "applicants claim to have"; also, on page 6, line 16, of the engrossed bill, strike out the word "or," where it occurs the first time, and insert the word "of"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"*And provided further*, That in the selection of the additional clerks and employees provided for by section 6 the Director of the Census is authorized to use, so far as practicable, the reemployment registers established by Executive order of November 29, 1918, so far as the same applies to permanent appointments by competition."

And the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"SEC. 8. That the Fourteenth Census shall be restricted to inquiries relating to population, to agriculture, to manufactures, to forestry and forest products, and to mines and quarries. The schedules relating to population shall include for each inhabitant the name, place of abode, relationship to head of family, color, sex, age, conjugal condition, place of birth, place of birth of parents, nationality or mother tongue of all persons born in foreign countries, nationality or mother tongue of parents of foreign birth, number of years in the United States, citizenship, occupation, whether or not employer or employee, whether or not engaged in agriculture, school attendance, literacy, tenure of home and the encumbrance thereon, and the name and address of each blind or deaf and dumb person.

"The schedules relating to agriculture shall include name, color, sex, and country of birth of occupant of each farm, tenure, acreage of farm, acreage of woodland, value of farm and improvements, and the encumbrance thereon, value of farm implements, number of live stock on farms, ranges, and elsewhere, and the acreage of crops and the quantities of crops and other farm products for the year ending December 31 next preceding the enumeration. Inquiries shall be made as to the quantity of land reclaimed by irrigation and drainage and the crops produced; also as to the location and character of irrigation and drainage enterprises, and the capital invested in such enterprises.

"The schedules of inquiries relating to manufactures, to forestry and forest products, and to mines and quarries shall include the name and location of each establishment; character of organization, whether individual, corporate, or other form; character of business or kind of goods manufactured; amount of capital actually invested; number of proprietors, firm members, copartners and officers, and the amount of their salaries; number of employees and the amount of their wages; quantity and cost of materials used in manufactures; principal miscellaneous expenses; quantity and value of products; time in operation during the year; character and quantity of power used; and character and number of machines employed.

"The census of manufactures, of forestry and forest products, and of mines and quarries shall relate to the year ending December 31 next preceding the enumeration of population, and shall be confined to manufacturing establishments and mines and quarries which were in active operation during all or a portion of that year. The census of manufactures shall furthermore be confined to manufacturing establishments conducted under what is known as the factory system, exclusive of the so-called neighborhood, household, and hand industries.

"Whenever he shall deem it expedient, the Director of the Census may charge the collection of these statistics upon special agents or upon detailed employees, to be employed without respect to locality.

"The number, form, and subdivision of inquiries provided for in section 8 shall be determined by the Director of the Census."

And the Senate agree to the same.

W. C. HOUSTON,
J. B. ASWELL,
CHAS. A. NICHOLS,
Managers on the part of the House.

MORRIS SHEPPARD,
HENRY F. ASHURST,
Managers on the part of the Senate.

STATEMENT.

On amendment No. 1: This amendment strikes out all of section 1 as passed by the House and proposes to insert a provision providing for a very much enlarged census covering the additional subjects of education, health, and insurance, to be taken every five years, which would result in more than doubling the cost of the census. Your conferees restored the House provision and added thereto after the word "manufactures," in the first line of this section, the words "forestry and forest products," so as to conform to section 8 of the bill as passed by the House, which directs an inquiry upon this subject.

On amendment No. 2: This amendment related to the quinquennial census directed by Senate amendment No. 1. The Senate recedes and restores the House provision without change.

On amendment No. 3: The House conferees accepted this amendment for the reason that it reduced the number of statistical experts from 15 to 10, thus decreasing the appropriation for this grade of experts $10,000 annually, or $30,000 for the three-year period.

On amendment No. 4: Your conferees recede from this amendment for the reason that the necessity for this legislation has passed in view of the fact that hostilities have ceased and the draft process is no longer in operation.

On amendments Nos. 5, 6, 7, 8, and 9: These amendments all relate to the salaries of the executive and administrative officials of the Census Office. The bill passed by the Senate provided for four chief statisticians at $4,000 each and three other chief statisticians at $3,000 each. The compromise reduced the number of chief statisticians by one, and provides for three at $4,000 and three at $3,600. As amendment No. 3 reduced the number of statistical experts from 15 to 10, there is only a net increase of $1,200 in this section over the bill as passed by the House, and there is a decrease of $2,200 over the bill as passed by the Senate. Your conferees therefore accepted the compromise and receded.

On amendment No. 10: This amendment provides for a graduated scale of salaries beginning at $900 and terminating at $1,800, with a difference of $60 between classes from $900 to $1,440, and $120 between classes from $1,440 to $1,800, so as to provide more frequent promotions. It will also make possible a more equitable adjustment of salary to the varying degrees of merit and efficiency of employees.

The section as passed by the House failed to provide for the employment of clerks at $1,000 and $900 or for an engineer and two photostat operators, which was undoubtedly an oversight.

During the decennial census period, the bureau will undoubtedly occupy one or more buildings outside the Commerce Building, where the permanent force is now housed, so that it will be necessary to have an engineer to look after the heating, lighting, and other equipment of the bureau.

On account of the tremendous increase in the volume of work they will also require the services of two photostat operators. The bureau states that these operators will have their salaries over and over again in making photostat copies of tables, letters, etc., which would otherwise have to be typewritten or copied by hand. The House recedes.

On amendment No. 11: This amendment prohibits the Director of the Census from employing more than 150 clerks at the rate of $1,440 or more per annum, and is made so as to conform to amendment No. 10; hence your conferees recede.

On amendment No. 12: On this amendment the conferees on the part of the Senate will move that the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate and agree to the same, which will adopt the provision submitted by Mr. Van Dyke and passed by the House, which is as follows:

"That hereafter in making appointments to clerical and other positions in the executive departments and in independent governmental establishments preference shall be given to honorably discharged soldiers, sailors, and marines, and widows of such, if they are qualified to hold such positions."

On amendment No. 13: This amendment provides that the examinations for clerical positions prescribed by the Director of the Census shall be subject to the approval of the Civil Service Commission. The House recedes.

On amendment No. 14: This amendment simply provides that the clerical force employed in the Census Office shall be selected by the Director of the Census in the order of rating; hence the House recedes.

On amendment No. 15: This amendment strikes out "Census Office" and inserts "Government service," which change is in conformity with existing law. The House recedes.

On Amendment No. 16: This amendment simply strikes out the word "may" and inserts the word "shall." The House recedes.

On amendment No. 17: This amendment is simply a change of phraseology. The House recedes.

On amendment No. 18: This amendment corrects a grammatical error. The House recedes.

On amendment No. 19: This amendment is simply the insertion of a comma. The House recedes.

On amendments Nos. 20, 21, 22, and 23: These amendments propose to correct grammatical errors by changing the phraseology from singular to plural. The House recedes.

On amendment No. 24: This amendment proposed to strike out a provision of the House that not more than one person shall be appointed to a clerical position from the same family. The Senate recedes.

On amendment No. 25: This amendment provides that, so far as practicable, the director shall use the reemployment registers established by the Civil Service Commission as a result of the Executive order of November 29, 1918. The House recedes with an amendment that the words "of the Census" be added after the word "Director" in line 20 of the bill.

On amendment No. 26: This amendment proposed to strike out all of section 8 as passed by the House and to insert certain provisions that would have been required in case Senate amendment No. 1 had been adopted by your conferees. In conference the House text of section 8 was restored and the words "forestry and forest products" added in the second line of the third and fourth paragraphs of said section in order to conform with the language used in the first paragraph of the bill as passed by the House. In addition thereto the phraseology of the last paragraph relative to the number, form, and subdivision of inquiries, as passed by the House, was changed so as to make it clearer.

On amendment No. 27: Section 9 as passed by the House provided for the appointment of supervisors by the Secretary of Commerce upon the recommendation of the Director of the Census and the Senate amendment proposed that they shall be appointed by the President by and with the advice and consent of the Senate. This amendment also contained certain legislation relating to amendment No. 1, which was not agreed to. The Senate recedes.

On amendment No. 28: This amendment is not necessary, as Senate amendment No. 1 was not adopted by your conferees; hence the Senate receded from this amendment and restored the House text.

On amendments Nos. 29, 30, and 31: These three amendments simply correct typographical errors that were made in the printing of the bill. The House recedes.

On amendment No. 32: This amendment simply changes the phraseology, so the House recedes.

On amendment No. 33: The House bill directed that an enumerator should be an actual resident of the subdivision within which his duties are to be performed, but made an exception in the cases of persons residing in the same city. The amendment simply makes the same rule applicable to persons living in townships and other civil divisions. The House recedes.

On amendment No. 34: This amendment proposes to expedite the enumeration in cities which had a population of 2,500 or more inhabitants at the last census. This means that the work must be completed in two weeks instead of one month. A large number of cities which had more than 2,500 inhabitants and less than 5,000 inhabitants in 1910 now have over 5,000 inhabitants. The House recedes.

On amendments Nos. 35 and 36: These two amendments simply correct grammatical errors. The House recedes.

On amendment No. 37: This amendment conforms to a similar provision in the Thirteenth Census act. The House recedes.

On amendment No. 38: This amendment provides that the Director of the Census is authorized to furnish transcripts of tables and other records upon the payment of the actual cost of such work, with the understanding that in no case shall the information furnished be used to the detriment of the person to whom such information relates. The House recedes.

W. C. HOUSTON,
J. B. ASWELL,
CHAS. A. NICHOLS.

AGRICULTURAL APPROPRIATION BILL.

Mr. STAFFORD. Mr. Speaker, I withdraw the demand I made last evening for the reading of the engrossed copy of the Agricultural appropriation bill.

The SPEAKER. The gentleman from Wisconsin withdraws his demand for the reading of the engrossed copy of the Agricultural appropriation bill.

EXTENSION OF REMARKS.

Mr. STEENERSON. Mr. Speaker, I ask unanimous consent to extend my remarks.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Mr. HICKS. Mr. Speaker, I ask unanimous consent to extend my remarks on the subject of Theodore Roosevelt.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks on the subject of Theodore Roosevelt. Is there objection?

There was no objection.

CHANGES OF REFERENCE.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent for a change of reference of the bill H. R. 8426, a bill introduced by the gentleman from New York [Mr. SIEGEL], with reference to salaries of clerks of courts, the bill having been referred to the Committee on the Judiciary through error instead of to the Committee on Expenditures in the Department of Justice.

The SPEAKER. The gentleman is right about it. Without objection, the change will be made.

There was no objection.

Mr. CRAMTON. Also, Mr. Speaker, I make the same request with respect to these other bills, where the circumstances are the same.

The SPEAKER. The Clerk will report the titles of all of them.

The Clerk read as follows:

A bill (H. R. 1734) to increase the salaries of the United States district attorney and United States marshal for the southern district of Georgia, and for other purposes.

A bill (H. R. 2419) for the relief of Lieut. Commander Jerome E. Morse, United States Navy, retired.

A bill (H. R. 4618) to increase the salaries of the United States district attorney and United States marshal for the southern district of New York, and for other purposes.

A bill (H. R. 7347) providing for an increase in salary of the United States marshal for the western district of Louisiana.

A bill (H. R. 7691) to increase the salary of the clerk of the district attorney for the eastern district of Arkansas.

A bill (H. R. 8426) fixing the salary of the clerks of the United States district courts; prescribing how and when they shall account for the fees collected; providing for the office expenses of such clerks, including salaries of deputy clerks and clerical assistants; and for the travel and subsistence expense of such clerks and their deputies when necessarily absent from their official residences.

A bill (H. R. 11186) providing for an increase of salary of the United States attorney for the western district of Louisiana.

A bill (H. R. 12446) providing for an increase in the salary of the United States marshal for the district of Connecticut.

A bill (S. 2146) to increase the salary of the United States district attorney for the district of Rhode Island.

Mr. GARD. Mr. Speaker, what is the gentleman's request?

The SPEAKER. The request is to take these bills away from the Committee on the Judiciary and send them to the Committee on Expenditures in the Department of Justice.

Mr. GARD. Reserving the right to object, many of these matters have been already determined by subcommittees of the Committee on the Judiciary, and if not reported are ready to be reported, and therefore I object.

Mr. CRAMTON. Mr. Speaker, if the gentleman will withhold his objection for a moment, the rule, paragraph 36 of Rule XI, set forth in section 712 of the Manual, giving the jurisdiction of the committees on expenditures, says:

* * * The examination of the accounts and expenditures of the several departments of the Government and the manner of keeping the same * * * the reduction or increase of the pay of officers shall all be subjects within the jurisdiction of the nine standing committees on the public expenditures in the several departments.

And I have simply endeavored to bring the matter before the House in this way. I hope the gentleman will not insist on his objection.

Mr. GARD. I think the gentleman is entirely wrong in what he imagines to be the construction of that particular section, because I know that these bills and similar bills have been before

the Committee on the Judiciary for many, many years, and in order that they may be seriously and properly considered I object.

Mr. CRAMTON. If the gentleman will withhold his objection further——

Mr. GARD. I thought the gentleman had completed his statement.

Mr. CRAMTON. I am so confident as to the construction of the section and feel so certain that this minor committee ought to have an opportunity to do enough work to deserve its clerk——

The SPEAKER. The gentleman frm Ohio [Mr. GARD] has objected, and that is the end of it. It is not debatable.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER. The gentleman from Michigan asks unanimous consent to proceed for one minute. Is there objection?

There was no objection.

Mr. CRAMTON. I am so confident of the construction of the rule that it will take more than consideration on the Unanimous-Consent Calendar to pass one of these measures.

NATIONAL SOLDIERS' HOME.

Mr. SHALLENBERGER. Mr. Speaker, I ask unanimous consent to have laid before the House the joint resolution (H. J. Res. 289) for the appointment of four members of the Board of Managers of the National Home for Disabled Volunteer Soldiers, with Senate amendments.

The SPEAKER. The Clerk will report it.

The Clerk read the title of the joint resolution.

Mr. SHALLENBERGER. I move to concur in the Senate amendments.

Mr. MANN. Let the amendments be reported.

The SPEAKER. The Chair is going to order that. The Clerk will report the amendments.

The Clerk read as follows:

Amendment numbered 1: Line 3, strike out "M. T. Dwyer" and insert "George S. Wood."

Amendment numbered 2: Line 4, strike out "Henry Hase" and insert "Menander Dennett," and, in line 5, strike out "Wisconsin" and insert "Maine."

Mr. SHALLENBERGER. Mr. Speaker, these amendments restore the bill to the same condition that it was in when reported by the Military Committee to the House. The House struck out the name of the member from Maine, Mr. Dennett, and substituted the name of Mr. Hase, from Wisconsin. The Senate has reinstated the name of the member from Maine and has stricken out the name of the man from Wisconsin. The substitution of the name of Mr. Wood for that of Mr. Dwyer is to restore the name of the man who is at present a member of the Board of Managers. The reason that the name of Mr. Dwyer was offered at the time the resolution was in the House was that Col. Wood had gone into the service of the country, but since the signing of the armistice he has again gone back to his position upon the board, so that the only question at issue is the substitution of the member from Maine for the gentleman from Wisconsin.

I will say that the reason the Military Affairs Committee of the House have unanimously instructed me to move that the House concur in this amendment is that if the member from Maine is dropped out, New England will have no representative whatever upon this board. The Central West, from which Mr. Hase comes, has members from Indiana, Illinois, and Kansas as members of the Board of Managers. It is the opinion of the members of the committee that the State of Maine is entitled to this representative. Now, I want to move the previous question on this motion, but probably the gentleman from Wisconsin [Mr. STAFFORD] would like to present his side, and I will yield to him such time as he desires, say five minutes.

The SPEAKER. The gentleman from Wisconsin is recognized for five minutes.

Mr. STAFFORD. Mr. Speaker, when this resolution was presented originally before the recess, the House after listening to the arguments as to the respective claims of these two parts of the country, on the question whether the State of Maine or the State of Wisconsin should have a representative on the board, had a division vote, and by a considerable majority inserted the name of Mr. Henry J. Hase of my home city. Mr. Hase is a Civil War veteran, has one son who is a colonel in the Regular Army, and has another son who fills a position of responsibility in the public service. The basis for the claim that Wisconsin should have its place reestablished was that some years back this board of managers consisted of a larger number. It happened that the term of the Wisconsin representative on the board at that time expired just when they were reducing the membership. Now, the argument is made that New England should have some representative on this board. The two homes in New England are so small and inconsequential as compared to the Wisconsin branch at Milwaukee that the House decided that it was far better to have a representative on the board to look after the Wisconsin home and leave the representative in the East, Mr. Wadsworth, of New York, to look after the interest of the New England home. Since Wisconsin has not had a local representative on the board officials have been imposed upon the Wisconsin home who have been guilty of embezzlement. We have one of the largest homes in the country, which will be filled up by soldiers returning from abroad, and it was because of that condition that the House, after listening to the merits of the two propositions, decided that Wisconsin should have the representative rather than Maine.

Mr. SHERWOOD. How many inmates are there in the Wisconsin home?

Mr. STAFFORD. Over 2,000.

Mr. GREENE of Vermont. Will the gentleman permit a question?

Mr. STAFFORD. Yes.

Mr. GREENE of Vermont. On the strength of the argument just proposed, that because you did not have a representative on the board there was embezzlement at the home, would it follow that there should be a manager resident in each State in which there is a soldiers' home?

Mr. STAFFORD. That was the policy until some years back when it was decided to reduce the membership of the board. It has not resulted very advantageously in the management of these homes, so far as the Wisconsin branch located in Milwaukee is concerned.

Mr. GREENE of Vermont. Then the gentleman thinks we do not need any watching in Maine, that we would not have any embezzlement, anyway. Very well.

Mr. STAFFORD. Oh, Maine has not suffered the way Wisconsin has suffered, because Maj. Wadsworth has been able to look after the Maine branch. Those delegated to look after the western homes have not been so solicitous of conditions out there. That is what I am contending for. There is no question about the ability of Mr. Hase, a Civil War veteran, whom the House before voted should have this place. I ask the House to reject the Senate amendments and send the bill to conference.

The SPEAKER. The question is on agreeing to the Senate amendments.

The Senate amendments were agreed to.

AGRICULTURAL APPROPRIATION BILL.

The SPEAKER. When we adjourned last night the passage of the Agriculture bill was held up by a demand for the reading of the engrossed copy of the bill. The gentleman from Michigan [Mr. McLAUGHLIN] withdraws his demand for the reading of the engrossed copy. The Clerk will read the bill the third time.

The bill was read a third time.

Mr. LEVER. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, I send up a motion to recommit.

The SPEAKER. Is the gentleman from Michigan opposed to the bill?

Mr. McLAUGHLIN of Michigan. I am not.

The SPEAKER. If any gentleman in the House is opposed to the bill and desires to make a motion to recommit the Speaker will recognize him, otherwise he will recognize the gentleman from Michigan, a member of the committee. The Clerk will report the motion.

The Clerk read as follows:

Mr. McLAUGHLIN of Michigan moves to recommit the bill to the Committee on Agriculture, with instructions to report the same forthwith with the following amendment: Page 91, line 4, at the end of line 4 add the following:

"*Provided*, That no part of the money appropriated by this act shall be used to pay the salary or compensation of any official or employee of the Department of Agriculture in excess of the salary or compensation he is now receiving in the office or position in which he is now engaged or for the work he is now doing if he shall be entitled to an increase of salary or compensation or additional allowance of pay under or by virtue of any other act of Congress: *Provided further*, That this limitation shall not apply to persons employed outside the District of Columbia."

Mr. LEVER. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. Evidently there is not a quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll. The question is on the motion to recommit.

The question was taken; and there were—yeas 157, nays 146, answering present 2, not voting 124, as follows:

YEAS—157.

Anderson	Esch	Kraus	Rogers
Anthony	Essen	La Follette	Rose
Ashbrook	Fairchild, B. L.	Lampert	Rowe
Austin	Fairfield	Langley	Sanders, Ind.
Baer	Fess	Little	Sanders, N. Y.
Birch	Focht	Longworth	Sanford
Bland, Ind.	Fordney	Lundeen	Scott, Iowa
Bowers	Foss	McArthur	Scott, Mich.
Browning	Frear	McCormick	Siegel
Buchanan	Freeman	McFadden	Slayden
Burroughs	French	McKenzie	Smith, Idaho
Butler	Fuller, Ill.	McKinley	Smith, Mich.
Byrnes, S. C.	Fuller, Mass.	McLaughlin, Mich.	Snell
Byrns, Tenn.	Gillett	McLaughlin, Pa.	Snyder
Campbell, Kans.	Glynn	Madden	Stafford
Cannon	Good	Magee	Steenerson
Cary	Graham, Ill.	Mann	Stiness
Clark, Pa.	Green, Iowa	Mapes	Strong
Classon	Greene, Mass.	Mason	Sweet
Claypool	Greene, Vt.	Merritt	Temple
Cooper, Ohio	Hadley	Miller, Minn.	Tilson
Cooper, Wis.	Hamilton, Mich.	Miller, Wash.	Timberlake
Crago	Haskell	Mondell	Treadway
Cramton	Hauger	Moore, Pa.	Vestal
Currie, Mich.	Hawley	Moores, Ind.	Volk
Curry, Cal.	Hayes	Morgan	Volstead
Dale	Hersey	Mott	Ward
Dallinger	Hicks	Nelson, A. P.	Wason
Darrow	Hollingsworth	Nelson, J. M.	Watson, Pa.
Davis	Huddleston	Nichols, Mich.	Wheeler
Dempsey	Hull, Iowa	Osborne	White, Me.
Denison	Johnson, Wash.	Paige	Williams
Dillon	Juul	Parker, N. J.	Wilson, Ill.
Dowell	Kahn	Parker, N. Y.	Wood, Ind.
Dunn	Kelley, Mich.	Platt	Woods, Iowa
Dyer	Kennedy, Iowa.	Powers	Woodyard
Eagle	Kennedy, R. I.	Purnell	Young, N. Dak.
Edmonds	King	Ramseyer	
Elliott	Kinkaid	Reed	
Ellsworth	Knutson	Rodenberg	

NAYS—146.

Alexander	Fisher	Lesher	Sabath
Almon	Foster	Lever	Sanders, La.
Aswell	Gallagher	Linthicum	Sherley
Ayres	Gandy	Lobeck	Sherwood
Bankhead	Gard	London	Shouse
Barkley	Garner	Lonergan	Sims
Beakes	Garrett, Tenn.	McKeown	Sisson
Bell	Garrett, Tex.	McLemore	Small
Beshlin	Goodwin, Ark.	Mansfield	Smith, C. B.
Black	Gordon	Martin	Smith, T. F.
Blackmon	Gray, Ala.	Mays	Snook
Bland, Va.	Gregg	Montague	Steagall
Blanton	Griffin	Moon	Stedman
Brand	Hamlin	Neely	Stephens, Miss.
Burnett	Hardy	Nolan	Stephens, Nebr.
Campbell, Pa.	Hastings	Oldfield	Sterling
Candler, Miss.	Hayden	Oliver, Ala.	Sumners
Cantrill	Heflin	Oliver, N. Y.	Taylor, Colo.
Carlin	Hensley	O'Shaunessy	Thompson
Carter, Okla.	Hilliard	Overmyer	Tillman
Church	Holland	Overstreet	Venable
Collier	Hood	Padgett	Vinson
Connally, Tex.	Howard	Phelan	Walton
Connelly, Kans.	Hull, Tenn.	Polk	Watkins
Crisp	Humphreys	Pou	Watson, Va.
Decker	Igoe	Quin	Weaver
Dent	Jacoway	Ragsdale	Webb
Denton	Jones	Rainey, H. T.	Welling
Dickinson	Keating	Rainey, J. W.	Whaley
Dies	Kehoe	Raker	Wilson, La.
Dill	Kettner	Randall	Wilson, Tex.
Dixon	Kincheloe	Rayburn	Wingo
Dominick	Kitchin	Robinson	Wise
Doolittle	Larsen	Romjue	Wright
Evans	Lazaro	Rouse	Young, Tex.
Ferris	Lea, Cal.	Rubey	
Fields	Lee, Ga.	Rucker	

ANSWERED "PRESENT"—2.

Gallivan	Littlepage

NOT VOTING—124.

Bacharach	Clark, Fla.	Drane	Gould
Barnhart	Cleary	Drukker	Graham, Pa.
Benson	Coady	Dupré	Gray, N. J.
Booher	Cooper, W. Va.	Eagan	Griest
Borland	Copley	Elston	Hamill
Britten	Costello	Emerson	Hamilton, N. Y.
Brodbeck	Cox	Estopinal	Harrison, Miss.
Browne	Crosser	Fairchild, G. W.	Harrison, Va.
Brumbaugh	Davey	Farr	Heaton
Caldwell	Delaney	Flood	Heintz
Caraway	Dewalt	Flynn	Helm
Carew	Donovan	Francis	Helvering
Carter, Mass.	Dooling	Garland	Houston
Chandler, N. Y.	Doremus	Godwin, N. C.	Husted
Chandler, Okla.	Doughton	Goodall	Hutchinson
Ireland	Maher	Rowland	Switzer
James	Merlin	Russell	Tague
Johnson, Ky.	Mudd	Saunders, Va.	Taylor, Ark.
Johnson, S. Dak.	Nicholls, S. C.	Schall	Templeton
Kearns	Norton	Scully	Thomas
Kelly, Pa.	Olney	Sears	Tinkham
Key, Ohio	Park	Sells	Towner
Kiess, Pa.	Peters	Shackleford	Van Dyke
Kreider	Porter	Shallenberger	Vare
LaGuardia	Pratt	Sinnott	Waldow
Lehlbach	Price	Slemp	Walker
Lufkin	Ramsey	Sloan	Walsh
Lunn	Rankin	Steele	Welty
McAndrews	Reavis	Stevenson	White, Ohio
McClintic	Riordan	Sullivan	Winslow
McCulloch	Roberts	Swift	Zihlman

So the motion to recommit was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. TINKHAM (for) with Mr. GALLIVAN (against).

Until further notice:

Mr. SCULLY with Mr. BACHARACH.

Mr. BOOHER with Mr. KEARNS.

Mr. DAVEY with Mr. GRIEST.

Mr. DEWALT with Mr. GRAHAM of Pennsylvania.

Mr. CLARK of Florida with Mr. GOULD.

Mr. SABATH with Mr. PETERS.

Mr. SEARS with Mr. RAMSEY.

Mr. TAYLOR of Arkansas with Mr. SWIFT.

Mr. LITTLEPAGE with Mr. COOPER of West Virginia (commencing Jan. 29, 1919, ending Feb. 3, 1919).

Mr. SAUNDERS of Virginia with Mr. WALSH (except road appropriation).

Mr. DRANE with Mr. HUSTED.

Mr. GODWIN of North Carolina with Mr. KIESS of Pennsylvania.

Mr. BRUMBAUGH with Mr. COSTELLO.

Mr. SULLIVAN with Mr. LAGUARDIA.

Mr. DOOLING with Mr. PORTER.

Mr. WEBB with Mr. WOODYARD.

Mr. NICHOLLS of South Carolina with Mr. GARLAND.

Mr. DONOVAN with Mr. HAMILTON of New York.

Mr. HAMILL with Mr. LEHLBACH.

Mr. CAREW with Mr. GOODALL.

Mr. ESTOPINAL with Mr. EMERSON.

Mr. CARAWAY with Mr. BROWNE.

Mr. WHITE of Ohio with Mr. NORTON.

Mr. HARRISON of Mississippi with Mr. REAVIS.

Mr. BENSON with Mr. ELSTON.

Mr. DOUGHTON with Mr. HUTCHINSON.

Mr. EAGAN with Mr. IRELAND.

Mr. HARRISON of Virginia with Mr. KREIDER.

Mr. HELM with Mr. LUFKIN.

Mr. LUNN with Mr. McCULLOCH.

Mr. McCLINTIC with Mr. MUDD.

Mr. MAHER with Mr. VARE.

Mr. OLNEY with Mr. WINSLOW.

Mr. PARK with Mr. ZIHLMAN.

Mr. PRICE with Mr. BRITTEN.

Mr. RIORDAN with Mr. COPLEY.

Mr. STEELE with Mr. MORIN.

Mr. GALLIVAN. Mr. Speaker, on this roll I voted "no." I find that I am paired with my colleague Mr. TINKHAM, who, if present, would have voted "aye." I desire to withdraw my vote and answer "present."

The name of Mr. GALLIVAN was called, and he answered "Present."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present, the Doorkeeper will unlock the doors.

Mr. LEVER. Mr. Speaker, by direction of the Committee on Agriculture, I report back the Agricultural appropriation bill, with the following amendment.

The SPEAKER. The gentleman from South Carolina reports back the Agricultural bill with an amendment, which the Clerk will report.

The Clerk read as follows:

Page 9, at the end of line 4 add the following:

"*Provided*, That no part of the money appropriated by this act shall be used to pay the salary or compensation of any official or employee of the Department of Agriculture in excess of the salary or compensation he is now receiving in the office or position in which he is now engaged or for the work he is now doing if he shall be entitled to an increase of salary or compensation or additional allowance of pay under or by virtue of any other act of Congress: *Provided further*, That this limitation shall not apply to persons employed outside the District of Columbia."

The SPEAKER. The question is on the engrossment and third reading of the amended bill.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. LEVER, a motion to reconsider the vote by which the bill was passed was laid on the table.

PENSIONS.

Mr. GALLIVAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15219, the annual pension appropriation bill, and, pending that motion, I ask unanimous consent that general debate be limited to an hour and a half, one half of that time to be controlled by the gentleman from Illinois [Mr. CANNON] and the other half by myself.

The SPEAKER. The gentleman from Massachusetts moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15219, and pending that he asks unanimous consent that general debate be limited to an hour and a half, half of that time to be controlled by himself and half by the gentleman from Illinois [Mr. CANNON]. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to inquire from the majority side of the House whether, after the conclusion of the pension appropriation bill now before the House, it is the intention to call up any other important measure to-day?

The SPEAKER. It is the intention to call up the Military Academy bill as soon as we get through with this one. Is there objection? [After a pause.] The Chair hears none. The question is on going into the Committee of the Whole House on the state of the Union.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15219, the pension appropriation bill, with Mr. HENSLEY in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15219, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 15219) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1920, and for other purposes.

Mr. GALLIVAN. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none. By unanimous consent debate has been limited to an hour and a half, one half of that time to be controlled by the gentleman from Massachusetts [Mr. GALLIVAN] and the other half by the gentleman from Illinois [Mr. CANNON]. The gentleman from Massachusetts.

Mr. GALLIVAN. Mr. Chairman, this bill comes with the unanimous indorsement of the Committee on Appropriations, and is based on the annual estimates of the Pension Bureau, aggregating $220,050,000. We recommend for the ensuing fiscal year the sum of $215,030,000, a reduction in both the estimates and the current law of $5,020,000.

The amount disbursed for the first six months of this fiscal year, ended December 31, 1918, is $100,000,000. At this rate of disbursement, if it continued for the next six months, there would be a surplus in the current appropriation of $2,000,000. However, the disbursements during the latter half of each fiscal year are somewhat heavier than during the first half, owing to the settlement of a greater number of claims as the year draws to a close and the passage by Congress of a great many private pension bills during the closing hours of the session. For these reasons it is the belief of the committee that the surplus in the current appropriation, if any, will be very small.

The sum carried in the bill now under consideration, $215,030,000, is believed by the committee and the Commissioner of Pensions to be adequate to pay all pensions under existing law. The number of deaths of those receiving pensions will probably be about the same as in recent years, and for that reason the sum of $5,000,000 has been lopped off the estimates. Pensioners die at about the same rate each month. For the last three or four years the number of deaths has been in the neighborhood of 30,000 yearly. For 1914, 1915, and 1916 it was over that amount, but last year it was a little less, because the body of soldiers from which are computed the deaths is constantly growing less, although the percentage is increasing, so that we can pretty fairly judge how much the loss to the roll will be by reason of deaths, and the number of widows is decreasing also.

The principal factor of uncertainty in determining accurately what sum will be needed to pay pensions during the coming years is the net loss of pensioners from the rolls. The number upon the rolls on June 30, 1918, was 646,895, which is a net decrease during the period from July 1, 1917, to June 30, 1918, of 26,216. The loss by deaths during this period was 50,860 persons, of whom 30,466 were Civil War soldiers, 18,412 were widows and other Civil War pensioners, and 1,982 were pensioners of other wars. Losses to the roll by remarriages, minors attaining the age of 16, and other causes aggregated 1,847, so that the gross loss during this period was 52,707. This loss was offset by the addition of 26,491 persons through original allowances and restorations and renewals, so that the net loss to the roll was 26,126.

Mr. Chairman, our report contains several statistical tables which are reproduced from the annual report of the Commissioner of Pensions, and which it is believed will be of value to the membership of the House in connection with the consideration of the acompanying bill:

Amount paid to pensioners, 1790 to 1918, inclusive.

War of the Revolution	$70,000,000.00
War of 1812	46,031,563.82
Indian wars	15,144,212.92
War with Mexico	52,148,138.86
Civil War	5,087,647,618.63
War with Spain and Philippine insurrection	61,333,476.58
Regular Establishment	46,540,408.16
War of 1917	7,243.31
Unclassified	16,508,447.41
Total	5,395,361,109.69

The bill is but 12 pages long. I have made as complete a statement as the committee felt was necessary in opening, and unless some member of the committee desires to ask some question I would now ask that my distinguished colleague from Illinois [Mr. CANNON] use some part of his time.

Mr. CANNON. Mr. Chairman, I yield 15 minutes to the gentleman from Illinois [Mr. MANN].

Mr. GALLIVAN. And I reserve the remainder of my time.

Mr. MANN. Mr. Chairman, during the discussion or consideration of the Agricultural appropriation bill there was more or less said concerning the plant quarantine issued by the Federal Horticultural Board forbidding the importation of most plants after June 1 next. There was inserted in the RECORD a letter from Mr. Marlatt, chairman of the board, addressed to Mr. LEVER, chairman of the Committee on Agriculture; also a letter from Mr. Marlatt to myself; and I ask leave to have inserted in the RECORD another letter from Mr. Marlatt addressed to me upon the subject, in order that people who are interested in the matter may have a chance to dig out of the RECORD the information contained in those letters.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

The letter is as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
FEDERAL HORTICULTURAL BOARD,
Washington, D. C. January 31, 1919.

DEAR MR. MANN: Referring to our discussion this morning, and after reading the discussion in the CONGRESSIONAL RECORD of yesterday, it seems perhaps desirable to emphasize the fact that the suggestion of the possibility of amendment of quarantine 37, made in the last paragraph of the memorandum reprinted in the RECORD, was included in this memorandum in answer to the charge which had been made in letters received that the department would not consider any representations of modification or amendment of the quarantine. The object was simply to point out that any quarantine is subject to amendment either to increase or decrease its scope, and not to indicate that the department had any uncertainty as to the wisdom of its action or would change the quarantine on mere pressure without convincing showing of need.

The memorandum points out that the department has taken this action after a very long and thoroughgoing investigation, in which it called to its aid all the plant authorities of the United States and consulted at hearings and individually with the leading plant propagators of this country. After giving practical trial to the possible alternatives of inspection and disinfection the department has been forced to the conclusion that the only possible solution of this problem is in the exclusion of all stock not absolutely essential to the forestry, horticultural, and floricultural needs of the United States; in other words, this quarantine represents the mature judgment of the department and its advisers and is in no sense experimental or tentative. As stated in the memorandum, the main lines of this quarantine are undoubtedly justified, and no minor modification will be made except on showing that is absolutely convincing as to the need and as to the safety thereof.

Yours, very truly,
C. L. MARLATT,
Chairman of Board.

Hon. JAMES R. MANN,
House of Representatives.

Mr. MANN. Mr. Chairman, some time ago I had read, by the consent of the House, a letter from the Secretary of War concerning payment of allotments to soldiers, with a reply which I made to the Secretary. I have a letter from Secretary Baker, replying to my letter, which I ask to have the Clerk read in my time, in order to do full justice to the Secretary.

The Clerk read as follows:

WAR DEPARTMENT,
Washington, January 26, 1919.

Hon. JAMES R. MANN,
House of Representatives.

MY DEAR MR. MANN: Under date of January 9 you replied to my letter of January 6.

You believe me to be in error with regard to two statements contained in my letter of January 6; first, to the effect that allotments payable by the War Department are being promptly paid, and, second, that allotments payable by the War Department are not ordinarily for the benefit of families.

A careful inquiry into the facts shows that allotments payable by the War Department are being paid promptly and are not in any way in arrears. The following table shows the date due and the date of completion of payments from the month of March, 1918, to and including December, 1918:

Month.	Due on.	Payments completed.
March, 1918	Mar. 31, 1918	Apr. 11, 1918
April, 1918	Apr. 30, 1918	May 8, 1918
May, 1918	May 31, 1918	June 7, 1918
June, 1918	June 30, 1918	July 3, 1918
July, 1918	July 31, 1918	Aug. 5, 1918
August, 1918	Aug. 31, 1918	Sept. 9, 1918
September, 1918	Sept. 30, 1918	Oct. 15, 1918
October, 1918	Oct. 31, 1918	Nov. 18, 1918
November, 1918	Nov. 30, 1918	Dec. 19, 1918
December, 1918	Dec. 31, 1918	Jan. 15, 1919

As the dates of payments given above are the dates of completion of payments, it is obvious that the bulk of the allotment checks were in the mails before the dates given.

As to the second of my statements, I call your attention to the fact that a family allowance can be claimed in all cases by a wife or child, and can be claimed by a mother or father, brother or sister, when dependency exists. In all such cases the allotment checks are sent out by the Bureau of War Risk Insurance and not by the War Department. The Army allotment system is, therefore, not usually called upon to send allotment checks in any of the foregoing classes of dependency, since the soldier having such dependents ordinarily elects to pay it through the Bureau of War Risk Insurance and have the additional allotment provided by the Government also paid for the benefit of the dependent.

In your letter you call my attention to the fact that you are receiving many complaints from soldiers that they are not receiving their pay. Undoubtedly such letters as reach you in practically all cases deal with soldiers returning to this country sick or wounded and having due them one or more months' pay by reason of the fact that their separation from their service records has made complete payment on the other side difficult. The orders of the War Department are that the first disbursing officer in this country who is brought into contact with such sick and wounded persons is instructed to pay them in full, accepting the affidavit of the soldier as to the date when he was last paid. These instructions have been sent to every port of arrival and similar instructions have been sent to the commandants of the different hospitals. These instructions and action under them have doubtless relieved the major part of the difficulty, which was due to the fact that when the armistice was signed the opportunity was presented suddenly of returning sick and wounded men to the United States in available transportation, and it was deemed better to return them without waiting for the complete auditing of their pay accounts, thus creating a situation of men returning without money, but not in want of any of the necessaries of life or the comforts which their sick and wounded condition require. I myself discovered this situation on my return trip from Europe and took immediate steps to correct it. From that time the matter has had the prompt and urgent attention of the department.

As an illustration of the character of complaints reaching you you inclose a letter, which I herewith return, from Sergt. John J. McAvoy, as to whom you will be glad to know that he arrived in the United States on November 30, 1918, having been paid in full to include August 31, 1918. In November, while still in a hospital in Savenoy, France, he received a partial payment amounting to $7.50, and on January 13, 1919, an affidavit was taken from the soldier as to his previous payments, and he was paid in full to include December 31, 1918. This action was taken without knowledge on the part of the officer involved of Sergt. McAvoy's letter to you or yours to me.

You call my attention to two other complaints (1) that the War Department is maintaining an expensive system of officers under the Department of Labor to secure employment for discharged soldiers, but that the soldiers who have employment waiting for them find it difficult or impossible to secure discharges, and (2) the refusal of the War Department to obtain information concerning soldiers who are reported wounded and referring them to the Red Cross.

As a matter of fact, the War Department has demobilized to this date something over 850,000 men. From such information as I have been able to secure this is many more than have up to this time been demobilized by either Great Britain or France. We have not, in fact, demobilized men preferentially who had employment waiting for them, and this for the reason that to have done so would have been to detain in the service men equally anxious to be released in order that they might compete for such places of employment as were open. I did not feel and do not feel that it would have been just to release some and detain others who when they are released would find greater difficulty in securing employment by reason of the preferences exercised against them in favor of their associates. This policy of the War Department has been frankly stated and has my unqualified approval, and I believe it to be both just and necessary. It has, however, been modified by authority granted to commanding officers to release preferentially men whose family circumstances contain such elements of distress as to justify exceptions.

As to your last complaint, the War Department has from the beginning persistently and earnestly sought to secure all possible information for the benefit of friends and relatives as to sick and wounded soldiers. The Congress itself has principally created a relationship of alliance and cooperation between the American Red Cross and the Army. The Red Cross, by reason of its peculiar activities, has maintained in Europe a very large body of helpful and considerate workers. Their relation to the Army has been such that they have had additional means of securing information and transmitting it to the relatives and friends of soldiers. The War Department has, therefore, urged all inquiring relatives and friends to supplement such information as the War Department could secure for them by utilizing the casualties information section of the Red Cross, and I am happy to be able to say that the American Red Cross has been of great service both to the Army and to the friends and relatives of soldiers in this humane work. There has been no lack of effort on the part of the War Department, however, to use its own facilities to the limit. There have been times when the congestion of urgent public business made only a limited use of the cables possible for personal and individual inquiries. In such cases courier letters have been resorted to. Recently more cable time has been available and a vast number of personal inquiries have been sent and answers received and dispatched to relatives and friends of wounded men.

Very truly, yours,
NEWTON D. BAKER,
Secretary of War.

Mr. MANN. Mr. Chairman, I have not the time to analyze Secretary Baker's letter, much of which contains information as to the policy of the War Department, whether you agree with it or not. But for the benefit of Secretary Baker I am going to call his attention to a few cases that still exist. I have received the following letter:

Corpl. Frank J. Walsh (my brother), Company I, One hundred and thirty-first Infantry, was gassed on October 14, 1918; since that time he has been convalescent in a hospital located at Vichy, France. We have received several letters from him advising us that he received no mail since he was taken out of the lines and that he has not been paid for some five months. I am inclosing herewith an envelope returned to me from France.

Here is an envelope marked on the outside, an envelope addressed to this Army boy, "Gassed 10/14. C. P. O. Tours Directory Section." It is returned to the writer.

Notwithstanding the Secretary's letter—and I admit this information is correct—notwithstanding the Secretary's letter, he has not been paid for five months. And, notwithstanding the Secretary's letter, here is a telegram from a valued constituent of mine, as follows:

JAMES R. MANN, M. C.,
House of Representatives, Washington, D. C.:

My son, Pvt. Chauncey E. Sanders, Company C, Fifth Field Battalion, Signal Corps, Third Division, Regular Army, gassed in action near Chateau Thierry, July 26, taken to Base Hospital 36, was located December 10 at casual evacuation camp, First Depot Division, Army Post Office 727. Has had only one letter since August 10; no pay since May. Government evidently lost record of him at Base Hospital 36, as 21 letters written him by ourselves and friends have been returned from that point marked "No record." Can you secure any action on part of Government to correct this outrageous bungling?

Mr. GARD. Will the gentleman yield?

Mr. MANN. I have not the time or I would be glad to do so.

And when I sent this to the War Department they referred me to the Red Cross. They do this, however, in addition to anything they have done heretofore. Heretofore it has only been a reference to the Red Cross, and the Red Cross say they can not get the information for weeks, and maybe for months to come, but in this last communication they say:

Your letter has been referred to the commander abroad for report to us the present whereabouts and condition—

That is, of the soldier—

and you will be advised immediately upon receipt of his reply.

I suppose that my request for information has been transmitted by mail. The boy has not had any mail from home for many months. Twenty-one letters which were addressed to him have been returned. He has had no pay since last May. They hear from him, but the Government can not find out where he is.

Now, Secretary Baker is a fine gentleman, complacent in his style and manner; and when somebody under him tells him that everything is lovely and that the goose hangs high, he believes it, I assume. At least he tells us it is so.

I have any number of communications, both from soldiers themselves and from their relatives, stating they have not been paid and that they can not get their mail. I have no desire to criticize the War Department. I appreciate the great work which the Army has done. But I hope that the Secretary will lose his complacency for a few moments, wake up the men under him, and try to attend to these complaints.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I am sorry I have not more time, but I can not take it.

Mr. GALLIVAN. Mr. Chairman, I yield to the gentleman from Illinois [Mr. DENISON].

Mr. DENISON. Mr. Chairman, I shall take just a moment for a short statement in reference to a matter that is closely connected with what my colleague [Mr. MANN] has just been stating. The letter from Secretary Baker brought the matter very forcibly to my mind. There was a fine young man from my town by the name of Earl Pillow, who was severely wounded

in action on the 12th of October—I think it was—and who was sent to the same hospital as the young man mentioned by my colleague [Mr. MANN]. Afterwards his parents received word from the War Department that he had died from wounds received in action on November 11. Yet they had letters from him written on November 20 and on November 24, or written by his nurse for him, in which he told them of his condition, although the War Department had notified his father that he had died from wounds on November 11.

At the request of his father I took the matter up several times with the Casualty Bureau of the War Department and could get no information at all further than that mentioned, and I took it up finally with the Red Cross, and asked them to send a special cable. They agreed to do so. They sent the cable and said that they would get a reply just as quick as it was possible under the present conditions of the cable service. It was more than a month after they sent the cable to find out whether this young man was dead or alive before they got a reply. They finally received a reply that he had died on November 26 from wounds received in action.

Mr. DYER. Will the gentleman yield?

Mr. DENISON. In just a moment. Now, then, in the last letter the young man wrote to his parents, by the assistance of the nurse in the hospital at Vichy, France, he told them he had sent them all the money he had saved and had taken over with him. He took considerable money along with him when he went abroad. He had sent it to his parents by mail after he received his wounds and when he may have been uncertain of recovering, but they have never heard from it. That was way back in October.

Now, I yield to the gentleman from Missouri.

Mr. DYER. Is the case the gentleman is talking about a transaction which occurred since the armistice was signed or before?

Mr. DENISON. It was just recently.

Mr. DYER. Let me suggest to the gentleman that instead of going to the Red Cross he himself cable direct to Gen. Pershing, and he will get the information he desires.

Mr. DENISON. I asked the War Department about that, and they said I could not do so and get a reply under a month or six weeks.

Mr. DYER. I will say that in extreme cases I cable to Gen. Pershing personally and get a reply promptly.

Mr. HOWARD. Will the gentleman from Illinois yield?

Mr. DENISON. I will.

Mr. HOWARD. I would like to state to the gentleman that I have had the War Department refer me to the Red Cross for further information half a dozen times in the last three weeks.

Mr. DENISON. The Red Cross have invariably treated me with the very highest consideration in my appeals to them. In the case of the young man I am discussing they acted promptly and did the very best they could. The trouble has been that the cable service has been so completely absorbed with the reports of the proceedings of our representatives at the peace conference that there was not left available sufficient service to report the casualties to our soldiers and the condition of our sick and wounded boys.

Mr. HOWARD. I want to say further that I hope the gentleman is not reciting that case as representing an unusual situation, is he?

Mr. DENISON. No. I was just citing it as a case that was in point with the remarks made by my colleague [Mr. MANN].

Mr. HOWARD. It is a common occurrence.

Mr. DENISON. The gentleman from Georgia is right. Now, let me say further that this soldier, Earl Pillow, wrote his father he had not received his pay for five months, and he did not get it up to the time he died on November 26.

Now, his father has never received the money that his son sent him, and he says he does not expect to receive it. The young man did not receive his wages for five months before he died; at least that was the information that his father got, and the War Department gave his parents misinformation as to the time of his death.

Mr. HOWARD. I have a telegram this morning from a gentleman named Wallace, of Atlanta, Ga., who was informed yesterday by the War Department that his son was killed in action on August 31, 1918, and this is the first information that this man has been able to get about his son until yesterday.

Mr. DENISON. It seems to me there has been the grossest mismanagement on the part of somebody when we see that casualties received by our soldiers before the fighting stopped on November 11 are only now being reported, and when the parents of those reported wounded or missing have been absolutely unable to get any further information about them. I hope the whole subject may be investigated and that those responsible for these unfortunate conditions may be ascertained.

Mr. GALLIVAN. Mr. Chairman, this is a bill making appropriations for those now on the pension lists. I believe the last two speeches have a very proper place in this discussion. The bill takes care of the soldiers of the Civil War, of those who come within the provisions of the general pension acts and who are survivors of the Spanish War and of the Indian wars, and of certain classes of widows and invalids and minor children. Just now this country is concerned over the returning soldier, and the returning soldier is concerned over what this country is going to do for the boys who have gone "over there" fighting for humanity.

This bill is the largest pension appropriation bill which has ever passed Congress, with a single exception, that being the bill of last year, and we are glad, I hope, to do what was done last year—pass the bill unanimously—the first time in the history of Congress. But we must not forget the men who are coming back, and both the gentlemen from Illinois remind me of something in connection with what I said on the floor of the House the other day, when I paid my respects to certain members of the high command in France. I have an Illinois case which I dare say my friends are not acquainted with, and just now I want to read a letter which came to me from a good woman in Boston, who read something of what I had to say in the newspapers. Under date of January 16 she writes:

BOSTON, MASS., *January 16, 1919.*

Representative JAMES A. GALLIVAN,
Washington, D. C.

DEAR MR. GALLIVAN: Thank you for your spirited and enlightening speech of January 14 defending the Nationals and Gen. Edwards's manly and brave attitude toward them.

I had a nephew who went in as brigadier general with the Nationals from Illinois. He was deposed and a Regular given his honors just before he lost his life in the Argonne Forest leading his men to a machine-gun nest. When his body was found, he was pierced with seven bullets, any one of which would have been fatal. He was brave and beloved.

Thank you for your defense of such as these.

Very sincerely,

I will not mention the lady's name, but I have her letter, as I have 400 other letters, which have come to me from 29 States in the Union, in my office, and I will be glad to show those letters to any Member of this House who is interested in seeing the originals, provided my correspondents' names are not divulged, so that Congress may realize that what I referred to was not local to New England but was general to the country. I am going to read a few more of them. I have a letter here from a Regular Army officer. Of course, I am not going to use his name. But he writes me from the city of New York as follows:

NEW YORK CITY, *January 15, 1919.*

Hon. JAMES A. GALLIVAN,
United States House of Representatives, Washington, D. C.

DEAR SIR: Being an ex-Regular Army officer, and also having very recently served again a short time as colonel, I see from the inside perhaps better than even you do from the outside, and I want you to know how I sympathize with you in your recent courageous remarks in Congress on the conducting of Army affairs.

But while you were at it, why did you not also bring out the ludicrousness of the Chief of the General Staff's accepting and practically bestowing upon himself, as it were, the badge of distinguished service? Can you beat it? He in a swivel chair in Washington, blunderingly mismanaging affairs and knowing nothing about a modern battle, cheapening this badge by decorating himself with it?

Here are two other letters:

BOSTON, *January 15, 1919.*

Hon. JAMES A. GALLIVAN,
House of Representatives, Washington, D. C.

MY DEAR SIR: I have been very much interested in reading your speech in Congress yesterday regarding the treatment of the Twenty-sixth Division.

I have this minute received a letter from my daughter, who, since last June, has been a Young Woman's Christian Association secretary near the front and who is now within a few miles of the place where the Twenty-sixth Division is stationed. She writes, "December 17," that she has just received a call from two of the boys of the One hundred and third Field Artillery, and, quoting her words, she says:

"The boys were awfully sore over the way the Twenty-sixth was left out of mention in dispatch by Gen. Pershing. It seems the marines advanced into Belleau Woods but could not hold it—not their fault; they were outnumbered—and then the Twenty-sixth relieved them, captured the woods, and held it. They have never been given any credit for it. Another thing that made the boys sore was that Pershing said his only veteran divisions with which to start the drive were the First, Second, and Third, when the Twenty-sixth had been in the front lines continuously since February. I am sorry for some one when these boys get home and into civilian clothes, when they can talk. I do not know even now but what I have said more than I ought, because there are just two things that can not be in letters now—criticism and statement of casualties."

Very truly, yours,

ANNAPOLIS, MD., *January 21, 1919.*

Hon. JAMES A. GALLIVAN, M. C.

DEAR SIR: I write to thank you for your brave and just defense of the National Guards. They were the only purely unselfish, patriotic, and unpaid military organization in the country before the war; yet the Regular Army officers of high rank and the militarists of this country, taking advantage of the exigencies of the time and the loyalty of the American people in great crises, destroyed the guards to further and promote their own personal interests.

Could the true story of the wickedness of the original scheme and the intrigues by which it was carried to its ultimate consequences—the unjust dismissal of many of the officers of the guard of high rank—it would cover numbers of the guilty with the indignation of our fellow citizens, and possibly retrieve some of injuries deliberately and well-nigh criminally done to many of the competent officers of the volunteer service.

Please send me your full speech and keep up your noble vindication of the guard until returning reason restores the militia of the United States to its right place under the Constitution of the country.

I am a Democrat and no Republican complainant.

Very respectfully, yours,

Now, about every one of these letters mentions the word "courage" or "courageous" in connection with what I had to say, but I can not believe for the shadow of a minute that it needs courage for a man to tell the truth, even in Congress.

I have some other letters, and here, Mr. Chairman, is one from 40 wounded Army officers now in a base hospital in America, and I want your attention while I read this letter hurriedly.

JANUARY 15, 1919.

Hon. JAMES A. GALLIVAN,
United States House of Representatives,
Washington, D. C.

DEAR SIR: We read with joy and thankfulness your speech in the House, in which you discussed the American Expeditionary Forces high command, and are writing this to give you a few hints, that, if you will follow them up, will reveal a state of affairs that no one has dreamed of.

It has been impossible for anyone to criticize. If you did it here, you were pro-German; if you said anything "over there," you were sent home in disgrace. The Czar of Russia in his palmiest days never enjoyed the autocratic power that the staff enjoyed here and abroad.

It can be proven on investigation that medical officers were peremptorily ordered (and dared not disobey) to find unfit officers that it was not desirable, from the staff viewpoint, to send overseas.

Brest was unspeakable as a place to keep soldiers. Prison officials here would have been sent to prison for a term of years that would have dared to keep prisoners in such a hole. Yet we dumped our soldiers there, out of sanitary camps where they were well housed and well fed. Thousands fell ill of diarrhea and dysentery, and hundreds from pneumonia, because of it.

At no time was this remedied, yet at all times we had labor battalions there and Engineers to do the work, but were too busy building France a port of entry that is excelled by none to properly house and care for our soldiers. Pages could be written and then half would not be told you. Some of us were sent home that way and found conditions no better than last May and June. Yet the Secretary of War says it was ideal when he saw it a few months ago. We only wish he had to spend the time there under the conditions we did.

When Gen. Wood visited our front he was treated more like a German spy than an officer of the United States. We have the word of several colonels that knew him well for this. He was hurried through his visit and ordered back home without allowing him to visit the Italian front or returning through England, as he was invited to do by Lloyd George. Gen. Wood was the idol of the Army, officers and men alike, was one of our most efficient officers, yet he was kept in a corner here at home. Who did it?

You are absolutely right as to the high commands. God bless you for it. It is all we can say. The S. O. S. was full of Regulars and the front lines were manned by reserve officers, as far as the fighting units went, and by the National Guard. This also applies to the Regular Medical Corps, Engineers, Infantry—in fact, to any branch of the service.

This became so plain, and the guard and reserves were doing so well, making such a good name for themselves, and the casualty list was showing up so much at home against them that what did they do? They did this: At the first of the war they (the Regulars) were very jealous of the insignia "U. S." and the title "U. S. officer" in distinguishing them from Reserve officers or National Guard officers. But when they saw that all the honor of the war was going to be with the Reserves and Guard they had an order passed making all of us U. S. Do you see it? We did, we assure you. And, as you said, when it was all over but the shouting our officers were replaced by G. H. Q. pets from the Regular service.

We would like to have a count of deaths and wounds. How many men were wounded above the rank of captain? The number is negligible. Above those ranks none of us were allowed to soar, no matter how efficient we were, except in a few instances. It is all very well for them to say that an officer commanding an advance should not be exposed to fire, etc. We will say to you and will prove that hundreds of men were wounded and killed needlessly because the officers ordering the advance or change of position were ignorant of the ground to be traversed or did not know the position of the enemy.

We can also prove to you that scores of men were sacrificed because the officers in command were ambitious for promotion and ordered needless advances, or those that would show up spectacularly in their favor, which were of no material advantage to the general advance and would not have been ordered if they had had to risk their own lives, as they should, with their men and lower officers.

We know of one National Guard colonel relieved of his command after a very successful advance and sent back to the S. O. S. because of jealousy.

We know that in the Medical Reserve Corps in France very few promotions were made among these devoted men, even after a general order was issued to promote them all. It was the general impression among these officers that this order was never intended to be observed, but issued to satisfy the pressure back home from these officers' friends. At least no attention was given to the names after they were sent in, except in a few isolated instances.

So these men now are returning to their homes after a year or more service in the Army, wounded more deeply in their pride than those actually wounded in war. This same rule applied to the line officers of the guard and reserve. In all instances a reserve officer is promoted at the will and pleasure of his superior officer. Consequently he is at his mercy, and must please this officer, no matter how efficient he may be, before he can be promoted. The Regulars have us there, too. Their promotion comes to them automatically, for years of service or because they are Regulars. Many good, efficient, hard working reserve and guard officers were outranked by some young West Point dude, who has been trained for four years to look on the man in the ranks as his "oyster" for no other reason except that he was a Regular and the other man a reserve or National Guard. Those two things above all should be changed in our laws.

In the Regular Army an officer is not judged for his efficiency as an officer, but for his social qualities. We could name several promotions for that alone, and several efficiency ratings based on that item alone.

Our part in the great war was a success, not because of the skill of our high command, but in spite of it. The American doughboy is the best soldier in the world to-day, and in our humble opinion has the poorest general officers.

We have known this all along, but what could we do? We were muzzled as to what we could write home, and it was understood that to report even the grossest inefficiency of a superior officer meant "back home in disgrace for yours." So we have waited, hoping for just such a champion as yourself, that maybe would take the muzzle off and give us a chance to tell what has been done without the chance of a dishonorable discharge staring us in the face. If a full, free, without fear or favor investigation be made, the American people will get off of their knees here worshipping, and maybe make some changes in the Army regulations and laws that will prevent a repetition of this scandal, now so well hidden.

It is true that the "S. O. S." was full of highly paid Regular officers, while in the lines there was great need of them. Medical officers especially were needed, yet in some places great numbers were kept idle, or worse than idle, and could not be assigned to work, or were not, even when asking every day for assignment.

We could tell you many, many other things, but what would be the use? We have burdened you thus far in order to let you know that you have not broken the crust of this thing even, and that the returning Army, reserves and guard, and the enlisted men are with you to a man. We only pray that your arm be made strong, and that you will not be awed by rank.

In our so-called democratic Army there is less freedom of speech or of the individual than in either the British or the French. We did not get our mail, thousands of packages sent us from home of needed articles actually ordered by special permission were stolen from us. Yet we could not say anything. It did no good to complain to general headquarters. No attention was ever paid to anything of that nature. Thousands of us have lost all we had in France—our trunks, our uniforms, bed rolls, etc. And we are to pay to be reimbursed for them. To begin with, there was no reason why those things should be lost. And so on, almost without end.

In spite of all the inefficiency and hidebound regular militarism, thank God we had a splendid bunch of men, mostly National Guard and Reserve officers, that cut red tape where they could, disobeyed orders, ignored precedents, etc., sufficiently to get the great job done for which the Regular Army is trying to get all the credit. It is nothing but human that we should object to that.

We are sorry more than we can express that we can not sign our names to this, but being still in the Army we know the penalty of writing to a Member of Congress. We beg that you do not disregard this letter for that reason, but take our suggestions, all of which are true, as a basis from which to work, and do what you can to see that justice be done the guard and the reserves.

To show we are without prejudice we will say that 15 of us are Democrats, 2 Socialists, and 8 Republicans. Eight of us are National Army officers, 4 National Guard, and the rest Reserves.

Again thanking you, and wishing you Godspeed, we are,

FORTY WOUNDED AMERICAN OFFICERS.

That is what Congress must consider, gentlemen. These men are coming back disgruntled. Oh, yes! When they come into New York or Boston or the other ports of debarkation they are glorying in the victory won. They have defeated German autocracy. But I have talked with dozens of them, and they have told me in many, many instances that when they were fighting the Huns in front of them they had to watch for a few Huns behind them; and that is gospel truth, gentlemen of the House.

Mr. POU. What does the gentleman mean by that statement? The statement that they were watching for Huns in the rear of them? I think that the gentleman might well explain that.

Mr. GALLIVAN. If the gentleman insists on an explanation, I think the House grasped what I meant. The very militarism which they have gone abroad to batter down they found in their own ranks behind them, if the gentleman from North Carolina wants an answer. [Applause.]

Mr. GARRETT of Tennessee. Of course, that is an answer in a way, but is it an answer that satisfies the gentleman's own mind?

Mr. GALLIVAN. It does. I am perfectly clear as to what I have in my own mind and I am perfectly clear as to what the boys who have returned from abroad have said to me and what they meant, and right here I want to warn the members of my party who are constantly criticizing us when we endeavor to bring to the attention of the country the needs of these boys who are coming back—I say to them that they are making the mistake of their political lives in rushing to an imaginary defense of the men who have been guilty of cruel wrongs to our soldier boys. [Applause.] It is no party question, and the party that attempts to protect these guilty men will go down to ignominious defeat. I am doing my party a service when I challenge the action of men abroad, and I want to say that the men of New England for whom I spoke the other day and who are coming back only in dribs and drabs are a unit in the criticisms to which I have referred; and once more I beg the men on this side of the House, unless they can answer these attacks, to keep quiet for the present or else go and get an answer, and do not put the Democratic Party in a hole. [Applause.]

Mr. SAUNDERS of Virginia. Will the gentleman yield? I am not interested in putting anybody in a hole, neither am I interested in protecting anybody. If any outrages have been committed, I will join with the gentleman in seeing that the guilty parties are convicted and punished; but when a man writing to the gentleman states that there were a few Huns in the rear of the American Army, that statement conveys a very horrid idea to me. I wish to know what is meant by it. We know who were the Huns in front, and what they stood for. Does the gentleman's correspondent mean to say that in the American Army behind the front there were men, officials, or otherwise, who so far as our boys in France were concerned, stood with reference to them, just as the German enemies in front stood? I want to know specifically what a statement of that sort means. If there is anybody who seeks to be protected, I am not in favor of protecting him, and if there is anyone who ought to be punished, I will join with the gentleman in seeing that he is punished. But at least we ought to have some definite meaning attached to the charge advanced by the gentleman's correspondent.

Mr. GALLIVAN. The gentleman knows that when I quoted the boys who have said to me that they were fighting the Huns behind them, the soldier lads clearly referred to the Hun autocracy which they were there to destroy, but which they saw exemplified in our own ranks in the actions of some of their own officers.

Mr. SAUNDERS of Virginia. They meant to say that that Hun autocracy was exemplified by some officer or officers in the American Army?

Mr. GALLIVAN. Exactly.

Mr. SAUNDERS of Virginia. Very well. I will join with you in trying to weed that out, if it exists. [Applause.]

Mr. GALLIVAN. There is no occasion even to question the statement. It is clear what the boys meant, and any man in this House who will take the time to investigate will be satisfied if he believes that these men, who up until November 11 were "our heroes," are telling the truth. I think they are telling the truth. I said the other day that I had talked with many men, and not one of them was satisfied, not one of them was proud of most of the officers of the high command in France, and I repeat it now. I have hundreds of letters from 29 States in this Union. I have a colonel from the gentleman's own State and a major and a captain from Virginia who wrote me asking me to take up their cases and see what can be done for them.

Mr. FERRIS. Will the gentleman yield for a question, purely for information?

Mr. GALLIVAN. Sure.

Mr. FERRIS. We hear these criticisms. I get some of them in my mail. Some of them I am impressed with and some of them I am not, but as I am able to understand them and fathom them they all reach back to the rivalry and the contest for promotion between the several officers. Do the letters of the gentleman point to that?

Mr. GALLIVAN. The letters which have impressed me do not point to that in any way, shape, or form. I have thrown such letters as the gentleman refers to into the waste basket. I am reading real letters. The letters to which my good friend from Oklahoma alludes did not impress me; and where a man said that he was in line for this commission or that commission and did not get it I have not bothered with his letter. I am reading other letters which do not refer to individual promotions.

Mr. FERRIS. Does the gentleman think that there was absolute venality among the officers, or does he think it is the crime of the system, of too much discipline, too much arrogance, too much authority, or what? I am asking now in perfect good humor and perfect good faith. I hear some of the same troubles that the gentleman does, perhaps not to such an extent, because I live farther from the coast. I would like to ask the gentleman what is the real trouble?

Mr. GALLIVAN. I will try to answer the gentleman, because his question is an honest one. I would prefer to find somebody on the other side of the aisle asking these questions, but my good friends over there are afraid to touch it. There is no glory in what the Republicans of the House have done up to date on this question. I repeat they have not had the courage to tackle the situation.

Mr. HAMILTON of Michigan. Oh, no.

Mr. BUTLER. You tell us how we can touch it, and we will show you whether we are afraid or not.

Mr. GALLIVAN. My friend from Pennsylvania has been here 22 years, and he is asking me to tell him how.

Mr. BUTLER. Because you know better how than I do.

Mr. FREAR. I want to say that we are with you in many cases.

Mr. GALLIVAN. I have a colonel from the gentleman's State who asks me to take up his case.

Mr. BUTLER. From Pennsylvania?

Mr. GALLIVAN. From Wisconsin.

Mr. BUTLER. I will give you the names of several men from our State.

Mr. GALLIVAN. I have the names of several men, generals and colonels, from the gentleman's State.

Mr. BUTLER. I can give the gentleman the names of several men from Pennsylvania who were demoted after they had made successful fights against the Hun.

Mr. GALLIVAN. Yes; I have got 26 general officers above the rank of captain who saw service abroad and were demoted, and in most instances the men who were given their places had not seen combat before.

Mr. HAMILTON of Michigan. What reasons were assigned, if any?

Mr. BUTLER. None.

Mr. GALLIVAN. The gentleman is wrong. Does the gentleman mean what reasons are assigned for relieving the man of his command?

Mr. HAMILTON of Michigan. In demoting the man. I was following the gentleman's statement.

Mr. GALLIVAN. I will refer to a distinguished brigadier general from my city, who had fought longer than any brigadier general in the Infantry line. Listen to this: He was on the front line until November 6, and a division commander, who was appointed to succeed the gallant Gen. Edwards, removed him on the 6th of November. Remember, on the 6th of November. And although he had fought with his brigade from away last February until November the reason assigned was that he was not aggressive enough in attack. He had been attacking and had gained a further advance in the enemy's line than any other brigade commander in Infantry. And in his brigade is the one regiment of the entire American Expeditionary Force which was cited as a regiment and the colors decorated.

Mr. HAMILTON of Michigan. Then that man was the victim of a lie.

Mr. GALLIVAN. He was; but I want to say in fairness that he asked for a court of inquiry, and the news only came to us yesterday that after his court was held and the papers went clear up the line at last, when they got to the commander in chief of the American Expeditionary Forces, Gen. Pershing ordered the man back to his brigade and said he never should have been removed. [Applause.]

Mr. WHITE of Maine. Will the gentleman yield?

Mr. GALLIVAN. Yes.

Mr. WHITE of Maine. Did the gentleman undertake to get from the War Department the record of the demoted man?

Mr. GALLIVAN. I have not of late. I was in Boston before the session met in December, and had some correspondence with the Secretary of War about a colonel from my own city who was relieved, and was informed that they had referred it to over the seas. I did learn from a Senator-elect from my State, who comes into the United States Senate on the 4th of March next, the first Democrat elected to the United States Senate since the Civil War from Massachusetts, that he had thrown himself into the action here in the War Department, and that the Secretary of War had assured him that the record of the colonel for whom I was asking fair play was absolutely one of efficiency, so far as they knew in the War Department; that there was not a black mark against it. I will say to the gentleman from Michigan that the colonel who had fought from February until the 1st of November, with only seven days' rest in all that time, was relieved for "inertia." [Laughter.] "Inertia," that is all. This man, who also asked for a court of inquiry, was removed by a division commander who was in command of the division but 24 hours and had never laid eyes on him and never saw him in his life.

Mr. HAMILTON of Michigan. Where does this policy start, and who is responsible for it?

Mr. GALLIVAN. That is what I am going to find out if I get help.

Mr. GRIFFIN. Will the gentleman yield?

Mr. GALLIVAN. Yes.

Mr. GRIFFIN. Does not the gentleman think it had its start at West Point?

Mr. GALLIVAN. Not altogether; and while some people got the impression the other day that I was attacking West Point, I was not. There are many good things about West Point, although I heard a distinguished brigadier general in an address at the Harvard Club at Washington the other night advise a change in the curriculum at West Point. He went on to say that it must not, for the shadow of a moment, be believed that the officers or that military science had won this war. He told us what we all want to believe, that it was the spirit of the men—the spirit of the men—and he advised his fellow officers

in the regular line to cultivate the men whom they have met in the commissioned personnel of the National Army in the last year or 15 months. Gen. Ansell, of the Judge Advocate General's office, one of the most brainy men in the whole Army, made that suggestion.

Now, I have a great many letters here——

Mr. SAUNDERS of Virginia. Will the gentleman yield?

Mr. GALLIVAN. Yes.

Mr. SAUNDERS of Virginia. The gentleman referred to some cases that came from my State, captains, colonels, and others, in respect to which he said they asked him to take up their cases. Does that relate to injustice or demotion and other wrongs they claim were done to them?

Mr. GALLIVAN. It did.

Mr. SAUNDERS of Virginia. Those cases present questions of fact which are to be arrived at by a military inquiry.

Mr. GALLIVAN. I am not reading their letters.

Mr. SAUNDERS of Virginia. What does the gentleman propose to do with these cases?

Mr. GALLIVAN. Well, I talked about that the other day—I do not want the gentleman to use all my time, for I have something interesting to say. [Laughter.]

Mr. DECKER. Does the gentleman think the man to blame for this is Gen. Pershing?

Mr. GALLIVAN. I do not.

Mr. DECKER. He is in command?

Mr. GALLIVAN. He is.

Mr. DECKER. Then the gentleman must think he is to blame.

Mr. GALLIVAN. I want to say parenthetically, and in answer to the gentleman from Missouri, that I was asked to what I attributed it, whether it was to West Point jealousy, and I say no; and also, when my friend from Missouri brings up the name of Gen. Pershing, I say no. I am assured on the highest authority that these unjust and unfair actions are credited to the so-called "Leavenworth clique," and there are men from West Point who are not in the "Leavenworth clique."

Mr. HAMILTON of Michigan. How does the "Leavenworth clique" exert its influence on the War Department? Tell us that—and who is the "Leavenworth clique"?

Mr. GALLIVAN. I suppose my friend, who has been in Congress longer than I, knows that we have certain Army schools at Leavenworth, a sort of post-graduate schools, and these men who come out of Leavenworth have become closely banded together. Whether Gen. Pershing is the head, front, and center of the "Leavenworth clique" I can not say to my friend from Missouri [Mr. DECKER], but it is well known that the controlling influence in his staff were members of the "Leavenworth clique," and I can assure my friend that unless I am being led astray men, even in the regular line, if given proper protection, will, when Congress investigates this entire situation, take the stand and under oath testify to the power and the influence and the unfairness of the "Leavenworth clique."

Mr. GOODWIN of Arkansas. Mr. Chairman, will the gentleman yield?

Mr. GALLIVAN. Yes.

Mr. GOODWIN of Arkansas. The gentleman has spoken of a great many unmerited demotions. Are those demotions due to any one man over and above any other man, or many men?

Mr. GALLIVAN. I have just answered the gentleman's question. I have discussed for four minutes the "Leavenworth clique." I am advised from excellent sources that they were due to the influence and power of the "Leavenworth clique." In fact, may I say to my friend from New York [Mr. GRIFFIN] that I was advised, when I sought information, to be most careful to separate the West Point system from the Leavenworth system, and once more I repeat that I did not in any words of mine intend to lay up against West Point the injustices that have been perpetrated on American young men who gave up everything to go across the ocean.

Mr. HAMILTON of Michigan. The influence and power of the "Leavenworth clique" with whom?

Mr. GALLIVAN. With the high command.

Mr. MASON. Does the gentleman mean the general staff? [Laughter.]

Mr. GALLIVAN. With the General Staff in Washington, as well, my good friend; yes

Mr. MASON. I want to ask the gentleman a question. The question has been asked here on both sides of the Chamber—What can we do? This is one branch of the Congress of the United States. I have had the honor and pleasure of introducing a resolution which would allow the Congress of the United States to send for papers and persons and to sit during the recess. Does the gentleman not think it would be a wise thing for both parties to pass that resolution, so that we can get the facts before the people and before Congress, and then we will know how much is truth and how much is error in all of these letters and charges?

Mr. GALLIVAN. I do; and I have already suggested that. I might say to my friend from Illinois, both parties better get a jump on; both parties.

Mr. WHITE of Maine. Mr. Chairman, will the gentleman yield?

Mr. GALLIVAN. Yes.

Mr. WHITE of Maine. In that connection I asked the gentleman a moment ago if any requests had been made of the War Department for the records of men which have been refused. I asked that because I had understood—I had been informed—that a Senator of the United States had asked of the War Department the records of certain demoted men, and that all records had been refused, and I wanted to know if the gentleman had any information in respect to it.

Mr. GALLIVAN. I have not had any information along that line; but I think I know the officer to whom my good friend refers. If it is Col. Hume, of the One hundred and third Infantry——

Mr. WHITE of Maine. That is one of the officers.

Mr. GALLIVAN. I have his record here, the official record of Col. Hume, where the man was cited more than once; where, like Col. Logan, of Boston, he had fought almost until the last stroke of the gong, and he was relieved on the 4th of November. He was in the brigade of the general to whom I referred a moment ago, who was recently restored to his command by Gen. Pershing. Do you wonder that we from New England rise in this Chamber and call the attention of Congress to these conditions? Remember that our boys have been over there longer than anyone else, excepting the first small unit that went with Pershing himself, and remember that the Twenty-sixth Division, the Yankee Division, fought until 11 o'clock on November 11. Do you wonder that it would take the heart out of any man in Congress if he was compelled to keep quiet when he knows the truth of these stories? For one I propose to have my say here in Congress.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. GALLIVAN. Yes.

Mr. TREADWAY. I would like to ask the gentleman if he can give any information as to the probable time of the return of these troops from New England, who have served, as the gentleman says, longer than any others?

Mr. GALLIVAN. Only from the newspapers, to which I was referred by the distinguished Chief of Staff; and the newspapers in Boston say that the division is coming home. I hope that no words of mine spoken on this floor may change the order, but I am watching; I am not afraid.

Mr. TREADWAY. May I not ask if the newspapers in our sections have not carried the stories that the men themselves are writing home that they expect to reach debarkation points in the very near future, but that no confirmation of that fact can be secured from the War Department or the Chief of Staff here?

Mr. GALLIVAN. I was advised by the Secretary of War the day before yesterday that he knows nothing about the departure of the Twenty-sixth Division. [Laughter.]

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. GALLIVAN. I thank the committee for its very great interest and attention in these matters. [Prolonged applause.]

I ask unanimous consent to extend, revise, and correct my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts? The Chair hears none.

Mr. GALLIVAN. Mr. Chairman, I now under the privilege extended to me desire to print some more of the letters to which I have referred in my remarks this afternoon, and I ask the Members to read them carefully. They all tell a story similar to each other, and in every instance they came to me with the signatures of the writers attached. I will not print the names of my correspondents, but will gladly show the originals to the Speaker of the House or to the leader of the minority [Mr. MANN], if they should desire to read them.

ILLINOIS, *January 23, 1919.*

Hon. JAMES A. GALLIVAN,
House of Representatives, Washington, D. C.

DEAR SIR: As one of the many "jobbed" National Guard officers, permit me to express my thanks to you for your recent severe and manly condemnation of the system employed by the Regular Army clique to discredit and remove from service officers of the National Guard and Reserves.

A congressional investigation such as you have urged will reveal conditions almost unbelievable and compared to which the "embalmed-beef" scandal of 1898 would be insignificant.

Should you desire it, shall be glad to submit some facts for your personal use and can furnish names and addresses of upward of 100 National Guard officers from many States to substantiate my statements.

I sincerely hope you will persist in demanding a congressional investigation pertaining to dismissal of National Guard officers, the conduct of the brigade and field officers' school at Fort Sam Houston, Tex., and the school for noncommissioned officers of the National Guard at Leon Springs, Tex.

The arrogant, brutal methods employed at these schools alone would shock the Nation.

I am writing my Congressman ———, asking him to support you in your efforts to get justice for many brave officers who have been cruelly wronged.

Sincerely, yours.

———

BOSTON, *January 29, 1919.*

Hon. JAMES A. GALLIVAN,
Congressman from Massachusetts, Washington, D. C.

DEAR CONGRESSMAN: I want to thank you for your very able and forceful effort on the floor of the House to convey to official Washington and the country some of the things that the War Department is either doing or countenancing that are not right as we see it.

My work as ——— keeps me in fairly close touch with conditions abroad, and I have been amazed at the shortcomings of the War Department.

To illustrate, my own son went without his pay for something over 10 months, and I have just succeeded in getting the War Department to settle with him. Many of our boys have not received their pay for months and months; are being landed in this country without a penny in their pockets; have been discharged without any pay since the day they left Framingham; parents have been cut off from allowances and allotments. National Guard officers, we believe, have been discriminated against unfairly; and now, on top of it all, the War Department issues a ruling that no soldier, unless he is with his unit, is entitled to the special YD and other insignia, which is an atrocious ruling, the bad effects of which will be far-reaching.

So I repeat that I was glad to see your bold stand of constructive criticism. I want to be fair, but constructive criticism is fair, and those of us at home who have been active know some of the shortcomings of the War Department.

I can substantiate with facts any of my criticisms.

Very truly, yours,

———

NEW YORK CITY, *January 17, 1919.*

Hon. JAMES GALLIVAN,
House of Representatives, Washington, D. C.

DEAR SIR: Your speech to the House quoted in the Times of the 15th was a step in the right direction. While you are on the subject of the Army, might I be permitted to state the following facts:

If an officer of the National Army or National Guard while in the Federal service is unfit for further duty through physical disability he is discharged and that ends it. This disability, of course, occurred in the line of duty. But—

If the officer disabled is of the Regular Army or the old establishment, he is not discharged, but retired at one advance in grade and allowed a percentage of his new grade's pay. Please note the difference: one is discharged and the other is retired.

Last September I placed these facts and some data before Chairman DENT of the House Military Committee, but up to the present time have heard nothing. I am one of the above discharged National Guard officers.

Yours, truly,

———

BOSTON, MASS., *January 16, 1919.*

The Hon. JAMES A. GALLIVAN,
Washington, D. C.

DEAR SIR: In one of the morning papers I read of your appeal to Congress for our boys of the Twenty-sixth Division. I believe I am voicing the sentiments of every soldier's mother when I say that it is obligatory on the part of our Government that this affair be thoroughly investigated immediately. The delay of the return of this division and the treatment of some of its officers is being discussed everywhere. If there is a question that fair play has not been given these men, it should be settled at once to the satisfaction of all concerned.

If our Army officials are keeping this division in France for mercenary reasons or through personal feelings of spite, authority to do so should be wrested from them. Such proceedings are a violation of Uncle Sam's principles and the very cause for which these brave boys volunteered their services.

The boys of the Twenty-sixth Division should have returned on the first homeward-bound transport from France. These boys volunteered in answer to Uncle Sam's first call to the colors. The majority of them gave up fine positions, with splendid futures ahead of them, to fight for our protection. Not only did they leave their homes for a strange land, but they purchased liberty bonds paid for out of their Army salaries, which they sometimes waited months for.

Ours is a Government by the people, of the people, and for the people. If there is any suspicion of unjust discrimination in sending our troops home, the people should protest and demand an explanation, not only that our boys may receive justice but that those at whom the accusations are directed should be vindicated.

It has been rumored that this division is to be held at a rest camp until their condition is physically improved, when they will be ordered to Germany as part of the army of occupation. Everyone knows what they have done in this war fighting from February until after the signing of the armistice, without one period of rest, untiringly. I could go on endlessly relating the sacrifices they made and their heroism, but we all know the story.

Haven't they done more than enough? Send them home! It is a trivial reward after what they have endured for us.

If they are ordered to Germany, what shall they say to us when they return, broken in health and spirits, to find every available position in the country filled, forgotten by everyone excepting their dear ones?

I hope that Congress and only will give this matter immediate attention, that the profiteering and rape" will be swept aside, and that they will not tolerate [illegible] in answer to their investigation.

I feel safe in saying you have the esteem of all New England for your efforts thus far. Let us hope, sir, you will see this thing through until success is attained. If the personal signature of mothers and relatives of the boys of this division will facilitate matters, I am willing to do my utmost to place such a list in your hands. I submit this in lieu of having heard the plan suggested.

Sincerely,

———

CHICAGO, ILL., *January 13, 1919.*

Hon. JAMES A. GALLIVAN,
Washington, D. C.

MY DEAR SIR: The writer has just received his Washington Evening Star of the 15th instant, and has noted with real interest the account of your criticism of Army pets as set out in that paper.

Inasmuch as the Government had to call upon the people, the State guard, and reserve officers in order to win the war, and inasmuch as the civilian had in many cases to make up for the shortcomings of the Regular Army, and the said Regular Army being a closed corporation, I would suggest that the War Department be the subject of an investigation by Congress, with real investigators, sitting and acting as a court of inquiry, presided over by a civil judge, that the proper examination and cross-examination might take place.

It is a known fact that an Army or War Department investigation is a one-sided affair, the whole intent of the inquiry being to protect the Army view of the situation, and any member of the Army forces who dares to criticize the acts or methods of the combine is at once asked to resign, no matter whether his claims are just or not.

Further, in order to break up the combination of the Regular Army officers and the leadpipe cinch held by them, and in view of the fact that the National Guard and reserve officers had to come to the front, I suggest that the Army control be divided, one-third going to the National Guard and one-third to the civilian reserve officers, and that proposition be continued and maintained.

An Army officered by such a combination will be a live factor for justice; no packed court-martial can then be pulled off, and I see no better way for the people of this great Nation to show its appreciation to our men who went to the front than to give them some voice in the real management of affairs, and I predict that there will be a business administration therefrom and ever after.

Very truly, yours,

———

———, GA., *January 24, 1919.*

Hon. JAMES A. GALLIVAN,
Washington, D. C.:

You are to be congratulated on your speech before the House on January 14. It takes a man of a peculiar class of courage to make the statements you did, although every statement was as true as gospel. Gen. Edwards was not the only officer that was "got" by inferior nincompoops over there. There were hundreds of them, generals and colonels, who were removed without apparent cause, after long and efficient service, solely to give excuse for the appointment of Cavalry officers or those from the Leavenworth clique. Check up any of those relieved and you will not miss a case of rank injustice very far.

Another way of "getting" officers was to order them to a hospital, and the doctors would take care of them after that.

Again, scores of officers who served from three to six months in the front sectors—lines, if you like—with all the hardships and dangers that that service implied, were sent to the rear temporarily worn out—did not have the opportunity to sleep in warm beds or eat three good meals a day—and then railroaded to the States, with the resultant denial of promotion justly won. Men who have seen their juniors jumped over them purely through personal favoritism—selection—and a large number of those thus discriminated against by virtue of this favoritism bear the scars of wounds received in battle. Yet that counts for naught unless you had a "stand-in" with the powers that be—Duncan K. Majors and his like—in other words, were of the "elect"; and if you did your work in an efficient, hustling, painstaking manner and did not make the welkin ring with outbursts of self-laudation of your greatness and importance, you were lost.

The powers that be have the officers of the Army by the throat, and if those who suffer gross injustice at the hands of the favored—those who are bedecked with medals for their gallantry, but not who ruled in Chaumont and the States—utter a whimper in protest they are immediately squelched via the court-martial route. There is no possible chance for an officer who has been unjustly treated to secure justice.

You can see every day scores of brigadier generals, colonels, etc., who have never heard a hostile shot. Justice?

A large number of officers—a very large number—hope you will push your request for an investigation, and also put a stop to any future similar acts of favoritism by squelching the clique recommendation for promotion by selection in the proposed Army reorganization bill. It has been very definitely shown by the promotions by selection in the past few months that the personal factor is the greatest element to successful advancement in the Army, and the man who is out doing straight soldiering gets no consideration.

The Army and Navy Journal is filled with a lot of editorial slush with reference to your remarks and the source of your information, but its eyes would be opened could Army officers and men tell the truth without fear of having their means of livelihood summarily stopped.

Discipline is necessary, but gag rule is a curse to any nation.

Sincerely,

———

BOSTON, *January 16, 1919.*

Representative JAMES A. GALLIVAN.

DEAR SIR: Let me introduce myself as the wife of one of those slighted and shamefully treated officers of the Massachusetts National Guard, who you so gallantly defended in your truly wonderful speech of the 14th in Washington.

You have no idea what a wonderful comfort it was to me to read it, and realize you have made it possible for the public to know the real truth in regard to these things. My husband, an officer in the ——— Massachusetts—I will call no names—has given 20 years of the best part of his life and time to the work of the National Guard. After many years of hard work he has built up a paying business. When "his country called" he gladly gave up all family ties, business, everything, to go to war; with what result? After fighting, suffering, and great sacrifice, to be turned down from his rightly earned reward and have to see a young West Pointer, a rich man's son, who has never done anything to merit reward, put into his place! It is a disgrace to this administration the way real men have been abused, and it surely will have to pay for it later. As you say, "Wait till the boys get home; they will tell a few things."

Your wonderful speech "blazed the way" to the truth, indeed. It was just splendid and you certainly have the blessings of the wives and mothers of those men you so gallantly defended. The shameful conditions of the mail service in regard to soldiers' letters is so true. I have a relative wounded in a French hospital who has not had a letter from home for three months, and we have written 10 to him. May God give you courage to continue your good work and bring to justice those "powers that be" who persistently refuse to listen to the cries of those in distress who have given "their all" and who also absolutely refuse to "right the wrong."

Thanking you for what you have done in putting the facts before the people and for your splendid speech, I remain,

Most sincerely,

———

NEW YORK CITY, *January 15, 1919.*

Hon. JAMES A. GALLIVAN, M. C.,
House of Representatives, Washington, D. C.

DEAR SIR: Every volunteer officer, especially those in the combat units in France and their relatives, will be glad to read of the issue raised by you yesterday in respect to certain Regular Army officers, their unfounded conduct, and their treatment of said volunteer officers who, educated at private expense, volunteered their services and risked their lives for their country in all posts of danger to which they were assigned and told that they would have to earn promotion under fire.

Beginning with applications for admission to officers' training schools and in such training schools in charge of West Pointers, the volunteers were hectored, bullied, and abused in a way remarkable for its smallness and pettiness and told that they were unwelcome and that they did not propose to have them, the volunteers, get commissions that it had taken them four years at West Point to obtain. The fact that such volunteers had had educations, college and other, and business experience which more than counted the purely academic training of four years at West Point of the West Pointers during their adolescence, was entirely disregarded and considered as of no value by said West Pointers, who assumed that the course at West Point per se (obtained at public expense, for which they evince no gratitude), had given them a profound, superior, and complete knowledge of the past, present, and future tense of everything, and in addition had made them, properly from all walks of life, social superiors of said volunteers, whom they continually flouted and refused to meet on equal terms or accord equal privileges on all occasions.

When France was reached the volunteer officers were assigned to all branches of the service in the combat divisions considered of extrahazardous nature, such as manning scouting machines, aeroplanes, and balloons for observations of artillery fire, commanding machine gun and field-artillery units, even of the regular divisions, trench-mortar batteries. The latter was considered extrahazardous (not borne out) by the English and French Armies; in fact was termed the "Suicide Club," and there was not a West Pointer in command of a single trench mortar battery, even of the Regular divisions of the Army.

The truth of these conclusions is verified by the small list of casualties to West Pointers. The writer hopes that you will obtain and publish a complete statement, showing the number in the service, the number in combat divisions, the nature of their assignments, and number and proportion of casualties sustained. The writer hopes that the matter will be ventilated fully, as well as the method by which the grossly unfair promotions and commissions have been given, and that our public-school aristocracy of West Point will have much-needed and corrective measures applied to it or abolished for the good of the country.

———

———, VA., *January 25, 1919.*

Hon. JAS. A. GALLIVAN,
Washington, D. C.

DEAR SIR: I have read with much interest and appreciation your remarks in Congress a few days ago about "Regular Army pets," etc., and I take this means of thanking you for same, as every National Guardsman knows that you have spoken nothing but the truth.

"Get those National Guardsmen" seemed to have been a general order right down the line; whether the means be fair or foul, it was get them.

In the Twenty-ninth Division (the Blue and Gray), to which I went with my command after the border service with much pleasure and pride, not only were the words "persecution" and "discipline" confounded in the conduct of that division, but it was the custom of our distinguished commander—having orders from "higher up," no doubt—to merge three National Guard regiments into one—I cite the Fifth Maryland Infantry as an instance—then to chop, chop, chop away at the commissioned personnel until it was trimmed to suit. On the other hand, as you doubtless know, it was the custom to expand the very inferior Regular outfits into three. The object in merging was to get rid of the officer who had for years been giving his time and efforts free in the hopes that some day he would be of some service to his country. The object in expansion being to give promotion to Regular officers, most of whom had been educated and trained out of funds coming from the taxpayers, among whom are numbered the National Guard officers and men.

As a member of the National Guard who has more than 20 years to his credit, who three times of his own accord left home and loved ones to defend the flag, I again wish to thank you for your efforts and to express my pleasure to find at last a Member of your honorable body who has enough red blood in his veins and courage in his heart to defend the National Guard.

Again thanking you, I am,

Yes, sincerely, yours,

———

———, MO., *January 15, 1919.*

Hon. Mr. GALLIVAN.

DEAR SIR: Just noticed your report on ousting of National Guard officers in this morning's paper. I am one of those unlucky ones and want to congratulate you and thank you for having backbone enough for your support. I was a major in Missouri and had served 17 years in the National Guard, and was relieved for doing what I call my duty. It is too bad our representatives can not take the same stand you have taken. I could tell you more but am out now and it would do no good, but I just could not help thanking you for your speech.

Hoping for your success and pledging you my support if I ever get a chance, I am,

Respectfully,

———

———, VT., *January 15, 1919.*

Representative JAMES A. GALLIVAN,
Washington, D. C.

MY DEAR SIR: I have just been reading an account of your attack on the War Department and the high Army command in this country and in France for their treatment of the Twenty-sixth Division, and I thank God that there is one man that is not afraid to speak his mind, and now that the ice is broken I hope that there will be something done and that the Twenty-sixth Division (what there is left of it) will be on its way home soon.

We have a son over there in the One hundred and first Ammunition Train and he has been through it all. That you may know what one soldier boy thinks of Gen. Edwards, I will quote a part of his last letter to me dated December 11, 1918:

"If I were you I would not build my hopes too high on our being home for New Years, or three from then, for that matter. The Twenty-sixth Division, for some unknown reason, does not fit any too well with those higher up and never has for that matter. If Gen. Edwards could have his way we would be home in a hurry, and I am sure that he will do everything in his power to get us there as soon as possible. Mother, Gen. Edwards is the best man that ever wore stars and there is not a man in the Twenty-sixth Division who would not fight for him. I sure would like to hear him talk in Boston. If it were not for this fact, that we are not allowed to criticize anything or anybody in our letters, I might write several interesting pages on this subject."

Very truly, yours,

———

MELROSE, MASS., *January 15, 1919.*

Hon. JAMES A. GALLIVAN.

DEAR SIR: Permit me to add my feeble words of commendation to those I feel must be pouring in to you from all over the land for your fearless denunciation of the injustice done the officers and men of the Twenty-sixth Division. You have surely earned the thanks of all who believe in justice and fair play, and for one I thank you. Myself an old member of Company A, Ninth Massachusetts Infantry, I have watched with a great deal of pride the splendid record made by our New England boys, especially the One hundred and first Regiment. All the more so as I had a son in Company I, of that command, who now lies under the sod of France, having been killed July 20 at Vaux, in the second Battle of the Marne. As yet I have been unable to obtain any definite information in regard to his death and so far have received none of his personal effects, though I have tried in every way to do so. I surely agree with you that there is something wrong and wish you every success in your efforts to have things righted.

I have received from France an official citation for bravery issued to my son upon recommendation by his regimental and brigade commanders and signed by Gen. Edwards. While I shall always cherish that, it does not and never can take the place of my dear boy, who I feel, like many others, was needlessly sacrificed.

With highest regard, I am,

Very respectfully, yours,

———

———, N. Y., *January 15, 1919.*

Hon. JAMES GALLIVAN,
House of Representatives, Washington, D. C.

DEAR SIR: I have just read in the New York Times the report of your speech. If there is basis for your charges I hope that you will persist in having these allegations investigated, and, if proven, the guilty ones punished.

I was not aware of the treatment accorded Gen. Edwards; wider publicity should be given it. But I had many like me have been aware of what is, as far as the Army is concerned, the gravest scandal of the whole war. I refer to the treatment accorded Gen. Wood.

Gen. Wood is not known to me personally. I speak as a disinterested person. But I have watched his career and had learned to hold him in the greatest respect, as to character, ability, and certain statesmanlike qualities rarely found in a soldier. The greatest offense of which he has been guilty has been his desire to acquaint the American people with what he considered their almost helpless condition should war suddenly come upon us. I never have heard him accused of any laxness or misconduct as far as his Army career was concerned. He has been humiliated, one might almost say persecuted, by those in authority in Washington for no other reason, that I can learn, than that he chose to fearlessly speak out on an issue that others chose to "pussyfoot" on. The criticism might have hurt the tender sensibilities of some of the most high in Washington, but it was constructive criticism of the best kind. As far as preparatory work goes, I believe that Gen. Wood's outspoken criticism which led finally to the establishment of the numerous officers' training camps all over the country before we were finally engaged in the war was the finest piece of work done by any Army officer.

I hope, sir, that you will do all that you can to open the doors wide, to the end that men of the type of Gen. Edwards and Gen. Wood may receive full justice, and to let the fullest publicity obtain so that the man in the street may read for himself and learn.

Cordially, yours,

———

BRIDGTON, ME., *January 15, 1919.*

Mr. GALLIVAN.

DEAR SIR: I have been reading in the Post your talk about the Twenty-sixth Division, and I am glad to see one man that will show these men up in their true light and find out why they have been crowding these boys of the Twenty-sixth the way they have done.

I have a boy in the Twenty-sixth and would like to know why they should be kept over there any longer. They have done their duty, and they should have been sent home long ago.

I certainly hope you will keep up the good work and make it interesting for them until they do do something about it.

Yours, truly,

———

BOSTON, MASS., *January 15, 1919.*

MY DEAR MR. GALLIVAN: I know such words as mine can not express such pride and honor which we people of this congressional district owe to such a man as you.

I have read your speech made in Congress to-day, and as I have a brother in the One hundred and first Regiment, I find it nothing but my most important duty to congratulate you on your wonderful under-

taking. My brother was reported killed, wounded twice, and missing. You can imagine for a moment the feeling and sorrow which came to our home during this memorable period. However, he is now safe and sound in France—or at least he so states—and it is my only desire now to see him get a square deal and receive his due justice.

There shall be volumes of books written upon this very subject, but when I finish my college career and am about to write my view of this subject, I shall only write it with contempt and "soreness" for the men to whom you refer in connection with the treatment of the Twenty-sixth Division and the transfer of its officers.

I only hope that you shall continue your fight to a finish, and our prayers shall abide with you to the end.

Yours, forever.

WINFIELD, KANS., *January 20, 1919.*

Hon. JAMES GALLIVAN, M. C.,
Washington, D. C.

DEAR SIR: I wish to commend you for your recent criticism of the treatment of the National Guard, both before and since going abroad and most heartily say amen to every word in your address.

I have the honor to have a boy in the Thirty-fifth Division, and I do not believe there is a father or mother of a National Guardsman who does not believe that they have had the worst of it ever since they have been called into the service. Not a breath of complaint has ever come from the boys abroad, but when we hear such reports as Gen. H. J. Allen and others as reliable it causes just a little misinterpretation. We gave our boys freely, and every one of them has been an honor to us who gave them and to their country, and we have a right to expect that both officers and men be accorded the honorable treatment they deserve.

Go on in your fight, and not a father or mother of a National Guardsman in the country but will rise up and call you blessed.

I know not wherein lies the blame, but it should be found out and wrongs be righted before it is too late.

I am, most sincerely,

HAVERHILL, MASS., *January 15, 1919.*

Hon. JAMES A. GALLIVAN.

DEAR SIR: Thank God you are a man and that you have backbone enough to say what you did in Congress yesterday.

New England guardsmen were needlessly slaughtered.

Find the man responsible for it and give him a "congressional medal" without whitewash.

Allow me to congratulate you.

Respectfully,

LYNN, MASS., *January 15, 1919.*

Hon. JAMES A. GALLIVAN.

DEAR SIR: It is a pleasure indeed, to see a man who has the insight and "guts" to go after one of the most dangerous evils prevalent in our Army. You're right from A to Z. Go get 'em.

I know. I went through it.

STAMFORD, CONN.

Hon. JAMES GALLIVAN,
House of Representatives, United States, Washington, D. C.

MY DEAR SIR: I have read with interest in the New York Times of your efforts to obtain the speedy return home of the Twenty-sixth (New England) Division.

As the mother of a lieutenant in the One hundred and second Infantry, who went to France in September, 1917, has been in the fiercest fighting, and has been twice in the hospital, I want to thank you for your efforts to secure promotions for those brave, unselfish men of the Twenty-sixth Division who have offered their lives for us all.

Surely the brave fighters of the National Guard, many of whom have borne the brunt of many battles, ought to be as readily honored and promoted as the men of the Regular Army.

Thanking you for your efforts on behalf of our own brave division, I am

Sincerely yours.

MARSHFIELD, VT., *January 16, 1919.*

Representative GALLIVAN,
Washington, D. C.

DEAR SIR: Pardon me for taking up a little of your valuable time. I saw your speech to Congress in regard to the Twenty-sixth Division in yesterday's Boston Post.

I am a farmer in the good old State that has given a good many of her sons to that noble division. I have a son who is a corporal in Company F of the One hundred and first Ammunition Train.

Gen. Edwards reviewed the Vermont troops at Fort Ethan Allen before they were put into the National Army. The boys went wild over the speech he made them. It seems very strange that the Twenty-sixth is being held over there after what they have been through.

There certainly is a "nigger in the woodpile" somewhere, and I am glad there is one man in Washington that has got sand enough to start something.

You have the respect and best wishes of one proud dad in this county.

All honor to Gen. Edwards and the noble Twenty-sixth Division.

Respectfully,

DORCHESTER, MASS.

Congressman JAMES A. GALLIVAN,
Washington, D. C.

DEAR SIR: I am writing to thank you for your eloquent address in the House of Congress. We who gave our sons to go in the One hundred and first Regiment appreciate your speech. It was so fine and so thoroughly true. Here in Dorchester and South Boston you made us all happy—we felt that we were about at the breaking point—when you made that notable speech.

We hope that the Congressmen will act accordingly and, besides bringing the gallant Twenty-sixth home, we hope that they will punish the men who mistreated our National Guard.

Congressman GALLIVAN, we gave our boys to defend the country, not to be mistreated by some of the Regular Army.

I want to thank you for your kindness to fathers and mothers, sisters, wives of the boys of the gallant Twenty-sixth Division by your eloquent speech.

From a father of a boy in the One hundred and first Regiment.

Respectfully.

BROOKLYN, N. Y., *January 15, 1919.*

Representative JAMES GALLIVAN,
Washington, D. C.

DEAR SIR: I have read with interest in to-day's New York Times of your speech in the House about Army politics.

My son received his commission as captain November 28, 1916. He was called into service May 8, 1917; served at Fort Snelling, Minn., until December, 1917, when he was ordered to France, where he still is.

Numbers of captains whose commissions date later than his have been promoted to majors, while he is serving the country in France in the rank that was given him over two years ago.

Very truly, yours.

MORRISTOWN, N. J., *January 15, 1919.*

Hon. JAMES GALLIVAN.

DEAR SIR: Having read the speech in the New York Times you made in the House of Representatives, in reference to the treatment given Maj. Gen. Edwards, of the Twenty-sixth Division, United States Army, must say I never read anything that appealed to me so.

I wish to tell you that my only son is a member of the Twenty-sixth Division, a private in Company B, One hundred and third Machine Gun Company. He has been in France since July last and has seen hard service to this day. With all the letters we have sent to him, he has not up to December 16 received any; and at this date he was in Base Hospital No. 50. We have letters returned marked "sick" and giving date taken to hospital. But he can receive none. I think it is an outrage that he can not even know if his father or mother is dead in all this time.

I hope all the people whom you represent will appreciate your remarks as I have. I believe all who have anyone in that division and think about justice will appreciate them.

Respectfully.

FITCHBURG, MASS., *January 16, 1919.*

DEAR MR. GALLIVAN: I will not take up too much of your time. I simply want to say "thank you" from the bottom of my heart for what you have said regarding the Twenty-sixth Division. I would only like to shake your hand.

My brother is in the One hundred and second Infantry, and thank God, from what we last heard, he is alive and well. We are all waiting anxiously for some word in regard to their departure for home.

Trusting what you have said may in some way hasten their home-coming, I am,

Gratefully yours.

God bless you.

NEWTON, MO., *January 16, 1919.*

Hon. JAMES A. GALLIVAN,
Washington, D. C.

DEAR SIR: Saw your declamation in Congress as to action of Regular officers toward the National Guard and State troops. No doubt it is correct. The same thing happened during the Civil War, but the volunteers soon told them where to head in, and they stopped it. Where would we have been without them (volunteers), and where without the National Guards and Reserves? They did the fighting in both instances.

There is and always has been too much "ego" in the Regular Army. The present war has demonstrated that we don't need over half a million men in the Regular Army at the most, but do want a National or State Guard of from one to ten regiments, owing to population, to keep up the spirit of rivalry between the States and for emergencies that may arise. We don't want to Germanize the United States with too much militarism. Stand up for the National Guard.

Respectfully.

BOSTON, MASS., *January 15, 1919.*

Hon. JAMES A. GALLIVAN,
Washington, D. C.

SIR: I take the liberty of congratulating you in your efforts in behalf of the Twenty-sixth Division.

My son is a master signal electrician in the One hundred and first Field Battalion, Signal Corps, Twenty-sixth Division. Thinking that the following statistics may be of service to you, I send them to you. They were compiled by Lieut. Byene, of the One hundred and second Field Artillery, a Salem boy, and I am sure are accurate:

The Twenty-sixth Division was the first complete American division on the line.

In the lines the longest of any division.

Out of lines (road marches, movements from one front to another, and rest) just 35 days.

Has never failed to make an objective.

Has never been in a retreat.

Fought and won the first American battle (Seicheprey).

Has been under 17 French generals.

Has never been in a corps or an army without being cited or commended at least once.

In French general headquarters among four divisions ranked as crack (First, Second, Twenty-sixth, and Forty-second) the Twenty-sixth ranks first.

Asked for by name by high command to take hardest sector at Chateau-Thierry and Verdun.

Has taken more territory than any other division.

The One hundred and fourth Infantry of the Twenty-sixth is the only regiment in the American Expeditionary Forces who has the honor of wearing the Croix de Guerre Fourgele.

Hoping that the foregoing facts may be of some service to you, being in concrete form, I am, sir,

Very respectfully, yours,

FLORIDA, *January 25, 1919.*

Hon. JAMES GALLIVAN,
House of Representatives, Washington, D. C.

DEAR SIR: All honor and glory and success to you in your courageous fight for the National Guard, who, although abused, misused, smashed by the "system," went across and made good. Their magnificent work on the other side must have been quite a disappointment to those who have for years tried hard to discredit them, tried in every conceivable way to fill up the public with the idea that they were untrained, inefficient, a nondependable force, and who tried by unjust discrimination to break up a morale that was unbreakable. I use the term "unjust discrimination" justifiably. There are many proofs of it. One of the early War Department bulletins of 1917 proves this. I have not a copy here with me now and can not quote exactly, but among other things it provided that all officers before being sent across would be required to pass an examination as to their physical fitness, National Guard officers found unfit would be discharged, while Regular Army and National Army officers would be retained in the service. If this is not discrimination against the National Guard officer, I don't know the meaning of the word.

I am one of the victims—discharged for physical unfitness, which consisted of a slight tremor in the right hand; in every other way sound as a bullet. The "disability" had not in the slightest manner affected my work. I have been in the field nearly a year with my regiment and had not had a sick day. The vacancy caused by my discharge was filled by an outside man—some one not connected with the regiment. The rank I held was that of regimental commander, which I had gained after 34 years of continuous service. I enlisted at the age of 20 and was not quite 54 at the time of my discharge. Served as a captain of Infantry during the Spanish-American War; but all that did not count. Was it because of a slight tremor in one hand, or was it because I was a National Guard officer?

I feel as though my life has been blasted, and I know that I must spend the rest of it in trying to explain how it is that my country had no use for me after 34 years of military training, 25 of which as a commissioned officer, and there is no redress, no matter what punishment might be meted out for the crimes and mistakes that have been committed. Nothing, I feel, can possibly right the wrong that has been done me and others. It is too late.

I wish we had more men like yourself, with the courage to tell truths; and I shall pray the Almighty that you may be successful in exposing and fixing the blame for the horrible wrongs and injustices that have been committed.

Sincerely and gratefully, yours.

Mr. Chairman, I have had something to say about the character of the fighting of the Twenty-sixth Division, and I will here insert in the RECORD a story of its wonderful performances which was issued from the statehouse in Boston recently by the governor of my State. I quote from the Boston Post of January 23:

[From the Boston Post, Jan. 23, 1919.]

WHAT THE TWENTY-SIXTH DID—WAR HISTORY OF NEW ENGLAND'S OWN DIVISION ISSUED BY GOV. COOLIDGE TAKEN FROM WAR DEPARTMENT DATA.

Gov. Coolidge yesterday issued a history of the famous Yankee Twenty-sixth Division told in statistical form, which, diverted of all sentimental and patriotic words, constituted a story which will convince the present and future generations that this division of New England heroes, led by Maj. Gen. Clarence R. Edwards, "went through" in a way to make the entire Nation proud of it.

The governor's statement, taken from data supplied Adjt. Gen. Stevens by the War Department, gives in detail those facts which no power on earth could have gotten by the censor prior to November 11, the date the armistice was signed. It shows that the division arrived at Neufchateau in the Vosges department of France on October 11, 1917, and gives the dates of its movements to other departments.

The division struck the front lines at Chemin-des-Dames February 6, and after several months of comparative "quiet" saw active service at Chateau-Thierry, beginning July 25, which continued up to the date of the signing of the armistice.

TOOK 3,148 PRISONERS.

That the division did its "bit" at St. Mihiel is demonstrated by the fact that it captured 48 officers and 2,520 men, or a total of 2,568 enemy. The total number captured by the division in all sectors was 3,148 officers and men.

The capture of 3 heavy artillery guns, 13 light artillery guns, 15 trench mortars, 132 machine guns, and 42 rifles was also included in the division's achievements.

Out of approximately 30,000 men attached to the division, 11,955 were listed among the casualties, including 1,730 killed, 3,624 wounded severely, 2,819 wounded slightly, 3,363 gassed, 283 missing, and 136 prisoners.

From the time the division became "active" on July 18 until the armistice stopped it from improving upon its record it had gained 37 kilometers of ground against the Hun and was going fast at the finish.

The principal battles in which the division participated were: Bois Brule or Apremont, Seicheprey, Flirey, Xivray-Marvoisin, Chateau-Thierry, St. Mihiel, and north of Verdun.

The data relative to the division were secured by the adjutant general at the request of the governor. The governor's announcement is as follows:

DIVISION'S MOVEMENTS.

Gov. Coolidge has obtained through his adjutant general's office the following information, which is of general interest, concerning the Twenty-sixth Division:

(a) Date of arrival of division headquarters, Twenty-sixth Division, in zone and successive locations:

Location:	Date of arrival.
Neufchateau	Oct. 31, 1917
Couvrelles	Feb. 8, 1918
Bar-sur-Aube	Mar. 18, 1918
Joinville	Mar. 25, 1918
Neuvel	Mar. 27, 1918
Boucq	Mar. 31, 1918
Trondes	June 20, 1918
Toul	June 8, 1918
Location—Continued.	Date of arrival.
Ranteuil-les Beaux	June 29, 1918
Chemigny	July 9, 1918
Genevrois Farm	July 10, 1918
Mery-sur-Marne	July 15, 1918
Genevrois Farm	July 20, 1918
Lucy-le-Bocage	July 21, 1918
Grand Ru Farm	July 21, 1918
Mery-sur-Marne	July 30, 1918
Rassy-sur-Seine	Aug. 16, 1918
Bar-le-Duc	Aug. 29, 1918
Sommedieue	Aug. 30, 1918
Rupt en-Woevre	Sept. 6, 1918
Trayon-sur-Meuse	Sept. 16, 1918
Verdun	Oct. 8, 1918
Beas	Oct. 18, 1918
Pierrefitte	Nov. 14, 1918
Benoite-Vaux	Nov. 15, 1918
Erobecourt	Nov. 19, 1918
Montigny-le-Roi	Nov. 23, 1918

IN THE FRONT LINES.

(b) Successive periods in front lines of Twenty-sixth Division:

The date of entry, place and sector, active or quiet, and date of withdrawal follows:

February 6, 1918, north of Soissons (brigaded with French). Chemin des Dames, quiet, March 21, 1918.

April 3, 1918, north of Toul, La Reine, and Boucq, quiet, June 28, 1918.

July 10, 1918, northwest of Chateau-Thierry, Pas Eini, active, July 25, 1918.

September 8, 1918, north of St. Mihiel, Rupt, and Tryon, active, October 8, 1918.

October 18, 1918, north of Verdun, Neptune, active, November 14, 1918.

(c) Fifty-first Field Artillery Brigade operated with Twenty-sixth Division during all activities.

(d) Prisoners captured by Twenty-sixth Division:

Location.	Officers.	Men.	Total.
North of Toul	6	43	49
Northwest of Chateau-Thierry	2	244	246
North of St. Mihiel	48	2,520	2,568
North of Verdun	5	280	285
Aggregate	61	3,087	3,148

(e) Material captured by the Twenty-sixth Division:

	July 18-25 (Chateau-Thierry).	Sept. 12-13 (St. Mihiel).	Total.
Heavy Artillery	1	2	3
Light Artillery	3	10	13
Trench mortars	7	8	15
Machine guns	23	109	132
Rifles		42	42

NUMBER OF CASUALTIES.

(f) Total casualties of Twenty-sixth Division since arrival in France:

	Officers.	Men.	Total
Killed	78	1,652	1,730
Wounded severely	190	3,524	3,624
Wounded slightly	111	2,706	2,819
Gassed	113	3,250	3,363
Missing	10	273	283
Prisoners	9	127	136
Total	421	11,534	11,955

(g) Total depth of advance, in kilometers, in principal offensives:

Chateau-Thierry, July 18-25	17.5
St. Mihiel salient, Sept. 12-13	14.0
Verdun area, Oct. 18-Nov. 11	5.5
Total	37.0

They occupied the following sectors:

Sector.	1918.
Chemin-des-Dames	Feb. 6-Mar. 21.
La Reine and Boucq	Apr. 3-June 28.
Pas Eini	July 10-25.
Rupt and Troyon	Sept. 2-Oct. 8.
Neptune	Oct. 10-Nov. 14.

The principal battles in which the division was engaged are:

Sector.	1918.
Bois Brule, or Apremont	April 10-13.
Seicheprey	April 20-21.
Flirey	May 20.
Xivray-Marvoisin	June 15.
Chateau-Thierry (second Battle of Marne)	July 10-25.
St. Mihiel	Sept. 12-13.
North of Verdun	Oct. 10-Nov. 14.

I am in possession of the citations and honorable mentions which this famous fighting division received from March 15, 1918, up to November 18, 1918, and I will ask my colleagues to read the wonderful record of the stout-hearted lads from

New England as it is glorified in these general orders and commendations:

[111th Army Corps, Staff, 1st Bureau, No. 9114 B/1, S. C. No. 4817.]

H. Q., *March 5, 1918.*

[General Order No. 7.]

We regret that our comrades of the 26th Division should leave us in order to fulfill their task elsewhere.

We have been able to appreciate their bravery, their sense of duty and discipline; also their frank comradeship; they carry away our unanimous regrets.

General Edwards has been pleased to consider the 11th Corps as godfather to the 26th Division; the 11th Corps feels proud of the honorable house, being sure that, wherever he may be sent, the godson shall do credit to the godfather.

Le General de Maudhuy,
Commandant le 11me Corps d'Armée.

[32d Army Corps, Staff, G-1.]

H. Q., *April 3, 1918.*

[General Order No. 737 A.]

General Passaga, in command of the 32d Army Corps, mentions in the Army corps dispatches:

"104th Infantry Regiment, U. S. A., under command of Colonel G. H. Shelton.

"For greatest fighting spirit and self-sacrifice during action of April 10th, 12th and 13th, 1918. Suffering from very heavy bombardments and attacked by very strong German forces, succeeded in preventing their dangerous advance and with greatest energy reconquered at the point of the bayonet the few ruined trenches which had to be abandoned at the first onset, at the same time making prisoners."

General Passaga,
C. O. 32d Army Corps.

[VIIIth Army, Staff, 3d Bureau, No. 5310.]

Army H. Q., *June 9, 1918.*

Service memorandum.

The commanding general of the VIIIth Army is happy to pronounce the success of the raid on the Camp du Mouflin, carried out during the night of May 30-31, 1918, by the 104th Regiment of American Infantry. He requests the commanding general of the 32d Army Corps to forward his congratulations for this operation, as well planned as it was energetically conducted, to the commanding general of the 26th American Division.

(Signed) General Gerard.

[32d Army Corps, Staff, 3d Bureau, No. 2948 B 3.]

True copy sent to: The commanding general of the 26th American Division.

The commanding general of the 32d Army Corps is happy to forward the congratulations of the commanding general of the VIIIth Army to the commanding general of the 26th American Division.

H. Q., June 9, 1918.

By order of the Chief of Staff.

(Signed) E. Mangin.

[VIIIth Army, Staff, 3d Bureau, No. 5402.]

Secret service memorandum.

Army H. Q., *June 17, 1918.*

In the course of a powerful raid carried out on June 16, about 3 o'clock, against the sector of the 26th American Division, the Germans penetrated the village of Xivray which was evacuated by our combat group; everywhere else they were thrown back by the determined defense of the occupants, who stuck to their positions.

Shortly afterwards a counterattack, vigorously carried out by elements from two American battalions, drove the Germans out of Xivray, leaving in our hands several prisoners, including an officer.

The commanding general of the VIIIth Army is happy to acknowledge the fine conduct of the American units in the course of this action; the spirit of initiative and general grasp of the situation shown by the decisions of the commanders; the stubbornness in defending and sharpness in attacking shown by the participants.

The commanding general of the 32d Army Corps will be so good as to forward the compliments of the commanding general of the Army to the commanding general of the 26th American Division, requesting the latter to congratulate, in the name of the commanding general of the Army, the officers and men who took part in the action for the fine soldierly qualities of which they have given proof.

General Gerard.

[32d Army Corps Staff—3d Bureau. No. 3103/3.]

True copy sent to the commanding general of the 26th American Division.

In forwarding the above service memorandum from the commanding general of the VIIIth Army, the commanding general of the 32d Army Corps is happy to add his personal congratulations, which, moreover, are the subject of General Order No. 131, forwarded to all the troops under his command.

H. Q. June 18, 1918

By order of the Chief of Staff.

(Signed) E. Mangin.

[VIIIth Army, 32d Army Corps Staff—3d Bureau. No. 3,094 A 1. 1.]

H. Q., *June 16, 1918.*

[General Order No. 131.]

On June 16 a strong detachment of 600 Germans, previously selected, reinforced by units from an assault battalion, attacked at daylight the front line of the 26th American Division at Xivray and Seichepre y. The enemy was everywhere thrown back by immediate counterattacks, leaving numerous dead on the terrain and 10 prisoners, including 1 officer.

This brilliant action does the greatest honor to the 26th Division, and particularly to the 103d Regiment, Col. Hume commanding.

This operation shows the unquestionable superiority of the American soldier over the German soldier. It also gives an idea of all that may be expected of these magnificent troops when the entente, in its turn, takes the offensive.

General Passaga, commanding the 32d Army Corps.

(Sgd.) Passaga.

Official:
The Chief of Staff:
Adj. Mangin
To be read to companies.

[14739-A-106 (PF).]

General Headquarters A. E. F.,
Office of the Chief of Staff,
June 20, 1918.

From: Commander in Chief.
To: Commanding General, 26th Div
Subject: 103d Regiment.

1. I am directed by the commander in chief to inform you that he has noted with sincere appreciation the excellent work of the 103d Regiment of your division, which inflicted severe losses on killed, wounded, and prisoners in repelling the strong raid attempted by the enemy on the morning of June 16, 1918, on the Xivray sector.

J. W. McAndrew, *Chief of Staff.*

[VIIIth Army, 32d Army Corps Staff, 3d Office.]

Headquarters,
June 27, 1918.

[General Order No. 133.]

At the moment when the 26th Division of Infantry of the U. S. is leaving the 32d French Corps, I salute its colors and thank it for the splendid services it has rendered here to the common cause.

Under the distinguished command of their chief, General Edwards, the high-spirited soldiers of the "Yankee Division" have taught the enemy some bitter lessons at Bois Brule, at Seichepre y, at Xivray-Marvoisin; they have taught him to realize the staunch vigor of the sons of the Great Republic fighting for the world's freedom.

My heartiest good wishes will accompany the "Yankee Division" always in its future combats.

General Passaga commanding the 32d Army Corps.

(Signed) Passaga.

Headquarters Twenty-sixth Division, A. E. F.,
France, July 11, 1918.

[General Order No. 60.]

1. At the moment that the Twenty-sixth Division takes up its position on its three sector in three months it is fitting and proper that the division commander should take this opportunity to thank and congratulate the officers and men of the Yankee Division on the record that they have achieved since the division actively took its place in the fighting lines of the allies for the common cause.

2. You have been taken from a sector where in three battles you have shown that the blood of New England has not attenuated, and that the same spirit and tenacious valor our forefathers made glorious at Lexington and at Bunker Hill still survive in the generation which at Bois Brule, Seichepre y, Humbert Plantation, and Xivray have met and defeated the picked troops of the enemy. His four years of experience in active warfare and the severity of his methods have not daunted you, and on every occasion where you have been called upon to face him you have distinguished yourself with notable valor and brought credit upon your division and upon the people of New England from which you have come to engage in this righteous conflict.

3. A great honor has been conferred upon the whole division in that the French and American high command has at this time picked your division to come into this critical sector. That you have been so hurried to this sector is the evidence to you all of the opinion of the high command of the mettle of which this division is constituted.

4. The past months in battle have brought men and officers into that close union of confidence and affection which have resulted in the growing morale of this division. Looking back on the past four months, with its spotless record and known achievements, which have been recognized by both France and America, it is with unqualified faith in the future and pride of the past that I see the Twenty-sixth Division go into a new sector, certain in my conviction that the men of New England will prove once more that they are capable of every effort and every sacrifice which the future may demand of them.

C. R. Edwards,
Major General, Commanding.

[Clipping from the Chicago Tribune, July 28, 1918.]

Headquarters Twenty sixth Division, A. E. F.,
France, July 28, 1918.

Germans in retreat from the Marne. Highest praise is given United States division by Gen. Degoutte. "Could not have done better with my best troops." Hard to restrain them. Were so anxious to fight they wished to go too fast.

The following marginal comment on the communiques has been issued: If one wants to judge the offensive spirit which animates the Americans and their tactical methods, one has only to follow in detail the operations of a division since the beginning of our counterattack between Chateau-Thierry and Soissons.

It was on the 18th, at 4 a. m., that the order to take the first line of German positions was received. The American division whose movements we will relate was at that time northwest of Chateau-Thierry, in the Bois de Belleau, at the pivot of the Degoutte army. This division was made up of New England troops and had taken the place of a division which took part in the operations of Belleau and Bouresches, and it wanted to distinguish itself as well as these elite troops. But the divisions placed at the pivot have to advance slowly, according to the progress made by the wings.

On the very first day it was necessary to moderate the ardor of the Americans, who would willingly have gone farther than the first objectives. Indeed, at the signal of the attack, the American troops went with perfect discipline, in rear of the artillery barrage to the Torcy-Belleau-Givry line and the railroad line up to the Bouresches station. They reached this line in one sweep, almost without meeting any resistance, and, excited by their success, they wanted to go farther.

However, it was necessary before continuing the general advance to take Monthiers and the Petret Wood, still strongly occupied by the Germans. There was hard fighting on the part of the French troops on the left to annihilate the resistance of the enemy.

In order to relieve them the Americans, on the evening of the 20th, made an enveloping maneuver which was crowned with success. With splendid valiance they went in one sweep as far as Etrepilly height, the Gonetrie farm, and Haimardiere. It was a model surprise attack, and it was a revelation of American audacity. Notwithstanding the machine-gun barrage and the enemy's islands of resistance they advanced for 2 kilometers, capturing those guns, a big minenwerfer, and numerous machine guns. Moreover, 200 prisoners were taken by the Americans.

"I could not have done better in a similar occasion with my best troops," commented General Degoutte upon learning of this first American success.

The Germans then found themselves in such a disfavorable position in Monthiers that they had to begin a retreat.

On the 21st the whole German line was in retreat and the Chateau-Thierry-Soissons highway was reached. The Americans were cleaning the ground and vigorously pursuing the enemy's rear guard.

On the 22d a battalion of Americans occupied Epieds. There was hard fighting in the village and the enemy opened a violent barrage fire.

The fight was in open country, and on that day it was not possible to take the village entirely. Rather than to sustain heavy losses, the commander of the American division preferred to take his troops to the rear. It was necessary, if the difficulty was to be overcome, to start the surrounding movement again, and on the 23d the Americans sought to enter the Trugny Wood south of Epieds. The Germans strongly opposed this attempt and counterattacked with energy, but they learned at their expense what American tenacity is. Stopped once in the maneuver, the Americans occupied the fringe of the wood on the 24th, entered it deliberately, took a whole company of German pioneers, and continued their advance with such fury that about 3 p. m. they were at the fringes of the Fere Woods and on the same evening had reached the road from Fere-en-Tardenois to Jaulgonne.

This American division has, therefore, realized in three days an advance of as much as 17 kilometers at certain points, fighting continuously night and day, and displaying the finest military qualities. All the liaison services worked perfectly, both at the right and at the left wings and between the units of the division. A discipline which caused the Germans to wonder and admire animated the attacking troops. They were marching with their officers at the head of the column and their bodyguards on the flanks, as the French troops.

The German prisoners were astonished. "We do not see often those who command us," they declare to their captors; "you're lucky; like the French, you are led to the fight by your officers." The French and American high commands work during the action in as close a harmony as the troops.

The general commanding the division in question is a leader of men, broad-minded, precise in his orders, of practical mind, who from the first moment dealt with the problems raised by the operations under way with a mastery which cost dear to the enemy.

These days from the 18th to the 25th give a new and emphatic proof of what the alliance of France and the United States can do on a battlefield.

[General Orders, No. 67.]

Headquarters Twenty-sixth Division A. E. F.,
France, August 2, 1918.

To the officers and men of the Twenty-sixth Division:

On July 18 you entered, as part of the allied drive against the enemy, upon the offensive, and continued the offensive combat until the major portion of the command was relieved on July 25.

On the assumption of the offensive your position in the line demanded an important and difficult maneuver. Your success in this was immediate and great, and the way in which you executed it elicited high praise from the French Army commander. The eight days from July 18 to 25, marking the first great advance against the enemy, in which American troops bore proportionately a considerable share are sure of historical setting. Your part therein can never be forgotten. In those eight days you carried your line as far as any part of the advance was carried. Torcy, Belleau, Givry, the Bouresches Woods, Hochet Woods, Hill 190 overlooking Chateau Thierry, Etrepilly, Epieds, Trugny, and finally La Fere Woods and the objective, the Jaulgonne-fere-en-Tardenois Road, belong to your arms. You are the recipient of praise, thanks, and congratulations of our Commander in Chief. You went unafraid into the face of the enemy's fire; you forced him to withdraw before you, or to accept the alternative of hand to hand combat, in which you proved yourselves morally and physically his superior; you gave freely and gave much of your strength, and of your blood and your lives, until pushed beyond mere physical endurance, fighting night and day, you still forced yourselves forward, sustained almost by spirit alone.

These things are now part of your own consciousness. Nothing can detract from them. Nothing that I can say can add to them. But I can testify in this way to my pride in commanding such troops, so capable of achieving success in every undertaking; and this testimony I give to each of you gladly and with deep gratitude.

C. R. Edwards,
Major General, Commanding.

[General Orders, No. 68.]

Headquarters 26th Div., A. E. F.,
France, August 3, 1918.

1. The division commander publishes for the information of all concerned two memoranda and an official letter from the commanding general, VIth Army, which are self-explanatory.

[VIth Army Staff—3d Bureau, No. 2283/3.]

P. C., *July 26, 1918.*

Memorandum.

The President of the Republic, during a visit to the VIth Army expressed his satisfaction over the results obtained as well as the proofs of valor and endurance shown by all the units of the Army.

The commanding general of the VIth Army takes pleasure in communicating to the troops of his army the congratulations of the President of the Republic.

General Degoutte.

[VIth Army Staff—3d Bureau, No. 2284/3.]

P. C., *July 26, 1918.*

Memorandum.

The commanding general of the VIth Army brings to the attention of the troops of the Army the following address received from the mayors of the arrondissement of Meaux, in meeting assembled, on the 20th of July, 1918:

"The mayors of the arrondissement of Meaux, in meeting assembled, on the 20th of July, 1918, are happy to acknowledge the great victory of the VIth Army, which, at the time of the Battle of the Marne, had just saved their commune from the invasion which was threatening them.

"Send to the valiant troops of the VIth Army the most earnest expression of their gratitude and admiration."

The President of the Congress of Mayors,
G. Hugel, *Mayor of Meaux,*
Deputy from the Dept. of Seine and Marne.

The commanding general of the VIth Army takes pleasure in transmitting these congratulations to the troops of his army.

General Degoutte,
Army, July 29, 1918.

[VIth Army No. 2353/3.]

From: General Degoutte, commanding the VIth Army.
To: General Edwards, commanding the 26th American Division.

The operations carried out by the 26th American Division from July 18 to July 24 demonstrated the fine soldierly qualities of this unit and the worth of its leader, General Edwards.

Cooperating in the attack north of the Marne, the 26th Division fought brilliantly on the line Torcy-Belleau, at Monthiers, Epieds, and Trugy, and in the forest of Fere, advancing more than 15 kilometers in depth in spite of the desperate resistance of the enemy.

I take great pleasure in communicating to General Edwards and his valiant division this expression of my great esteem together with my heartiest congratulations for the manner in which they have served the common cause.

Degoutte.

By command of Major General Edwards:

W. S. Bowen,
Lieut. Colonel, G. S., Acting Chief of Staff.

Official:
C. A. Stevens,
Adj. Gen. Adjutant.

[VIth Army.]

P. C., *August 9, 1918.*

General Order.

Before the great offensive of July 18, 1918, the American troops forming a part of the VIth French Army distinguished themselves by taking from the enemy the Bois de la Brigade de Marine and the village of Vaux, stopping his offensive on the Marne and at Fossoy.

Since then they have taken a most glorious part in the second Battle of the Marne, rivaling the French troops in ardor and gallantry. In 20 days of incessant fighting they liberated numerous French villages and made, over difficult terrain, an advance of 40 kilometers, which carried them beyond the Vesle.

Their glorious advance is marked by names which, in the future, will make illustrious the military history of the United States: Torcy, Belleau, Plateau of Etrepilly, Epieds, le Charmel the Ourcq, Seringes-et-Nesles, Sergy, the Vesle, and Fismes.

The new divisions, under fire for the first time, showed themselves worthy of the old fighting traditions of the Regular Army. They had the same ardent desire to whip the Boche and that discipline which always insures the carrying out of orders of their commander, whatever be the difficulties to be overcome or the sacrifice to be made.

The magnificent results obtained are due to the energy and skillfulness of their commanders and to the bravery of the soldiers. I am proud to have commanded such troops.

The commanding general of the VIth Army. Degoutte.

[General Orders, No. 143.]

G. H. Q., A. E. F., *France, August 23, 1918.*

It fills me with pride to record in General Orders a tribute to the service and achievements of the First and Third Corps, comprising the 1st, 2d, 3d, 4th, 26th, 32d, and 42d Divisions of the A. E. F.

You came to the battle field at the crucial hour of the allied cause. For almost four years the most formidable army the world had as yet seen had pressed its invasion of France and stood threatening its capital. At no time had that army been more powerful or menacing than when, on July 15th, it struck again to destroy in one great battle the brave men opposed to it and to enforce its brutal will upon the world and civilization.

Three days later, in conjunction with our allies, you counterattacked. The allied armies gained a brilliant victory that marks the turning point of the war. You did more than give your brave allies the support to which as a nation our faith was pledged. You proved that our altruism, our pacific spirit, our sense of justice have not blunted our virility or our courage. You have shown that American initiative and energy are as fit for the test of war as for the pursuits of peace. You have justly won the unstinted praise of our allies and the eternal gratitude of our countrymen.

We have paid for our success in the lives of many of our brave comrades. We shall cherish their memory always, and claim for our history and literature their bravery, achievements, and sacrifice.

This order will be read to all organizations at the first assembly formation after its receipt.

John J. Pershing,
General, Commander in Chief.

Official:
Robert C. Davis,
Adjt. Genl.

[General Orders, No. 77.]

Headquarters 26th Division, A. E. F.,
France, Sept. 12, 1918.

1. The following letter is published for the information of all those concerned:

Ruppes-Woevre, *September 13, 1918.*

Sir: Your gallant 26th American Division has just set us free. Since Sept. 1914, the barbarians have held the Heights of the Meuse, have

foully murdered three hostages from Moulily, have shelled Rupt, and on July 23, 1915, forced its inhabitants to scatter to the four corners of France.

I, who remain at my little listening post upon the advice of my bishop, feel certain, sir, that I do but speak for Monseigneur Ginistry, lord bishop of Verdun; my parishioners of Rupt, Moulily, and Geincourt, and the people of this vicinity in conveying to you and your associates the heartfelt and unforgettable gratitude of all.

Several of your comrades lie at rest in our truly Christian and French soil.

Their ashes shall be cared for as if they were our men. We shall cover their graves with flowers and shall kneel by them as their own families would do, with a prayer to God to reward them with eternal glory, these heroes fallen on the field of honor, and to bless the 26th Division and generous America.

Be pleased, sir, to accept the expression of my profound respect.

A. LECLERC,
Curé of Rupt-en-Woevre.

By command of Major General Edwards:

DUNCAN K. MAJOR, Jr.,
Chief of Staff.

Official:
C. A. STEVENS,
Adjt. Genl.

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[General Orders, No. 79.]

HEADQUARTERS 26TH DIVISION, A. E. F.,
Sept. 18, 1918.

1. The following telegrams from the President of the United States, the commander in chief of the allied armies, and the commander in chief of the American Expeditionary Forces are published to the command:

WASHINGTON, *Sept. 14, 1918.*

General JOHN J. PERSHING,
A. E. F., France:

Accept my warmest congratulations on the brilliant achievements of the Army under your command. The boys have done what we expected of them, and done it in the way we most desire. We are deeply proud of them and of their chief. Please convey to all concerned my grateful and affectionate thanks.

(Signed) WOODROW WILSON.

SEPTEMBER 14, 1918.

COMMANDING GENERAL FIRST ARMY.

MY DEAR GENERAL: The First American Army under your command on this day has won a magnificent victory by a maneuvre as skillfully prepared as it was brilliantly executed. I extend to you, as well as to the officers and to the troops under your command, my warmest congratulations.

(Signed) MARSHAL FOCH.

SEPTEMBER 15, 1918.

COMMANDING GENERAL FIFTH CORPS:

Please extend to the officers and men of the Fifth Corps my sincere congratulations for the part they have taken in the first battle of the American Army. Our successes have thrilled our countrymen and evoked the enthusiasm of all allies. Will you convey to the command my cordial appreciation of their work? I am proud of the accomplishment.

(Signed) PERSHING.

By command of Major General Edwards.

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[General Orders, No. 82.]

HEADQUARTERS 26TH DIVISION, A. E. F.,
France, September 28, 1918.

To the Twenty-sixth Division:

1. It again becomes my duty and pleasure to congratulate this division on the important part it played in the battle of the St. Mihiel salient September 12 to 14, 1918. Our task was to attack on the historic and hitherto impregnable ground near Les Eparges, where in the past so many thousands of French lives have been sacrificed.

In front of us the fortifications were manned by Germans, with a no man's land on difficult slopes, churned and pitted by four years of shelling and with a mass of wire and other obstacles from trench to trench.

The three infantry regiments in line—the 101st, the 103, and the 104th, with the brigade machine-gun units—met a determined resistance. The enemy machine-gun fire was intense. The artillery, without daylight registration, did well, during that part of the night allowed for preparation, in cutting breaches through this mass of wire, which were completed by the infantry before and during the attack.

The determined and effective methods of the infantry in the attack on the machine-gun nests, the deliberate locating of these nests, and the subsequent infiltration process used in overcoming these nests; the bold dashes wherever opportunity offered, in one case resulting in the 2d Battalion of the 103d Infantry rushing and capturing a hostile battalion of greater strength before the enemy could raise his head; the fine liaison and cooperation of the artillery; the expedition with which follow-up roads were constructed by the engineers; the enterprise of the medical, supply, and other auxiliary units—all combined to prove that its wide service and experience have made this a veteran division.

I was pleased with all elements of the division.

2. By dark on the 12th the principal resistance of the enemy had been overcome. Then came the order to close the gap between our forces on the north and our troops advancing from the south in order to prevent the escape of the enemy from St. Mihiel. Our mission then was to reach Vigneulles before daylight and there establish contact with troops of our Fourth Corps.

The 102d Infantry, in the division reserves, which had followed the advance closely throughout the battle in readiness for any such emergency, was ordered to spare neither energy nor blood to accomplish this mission. The whole division was pushed forward through the night, the rest of the 51st Infantry Brigade following the dash of the 102d Infantry, and the 52d Infantry Brigade moving out on the left rear of the 102d Infantry, with the towns on the plain in the northwest of Hattonchatel, to include St. Maurice, as objectives.

In less than one-half hour after the receipt of this order the 102d Infantry and the 102d Machine Gun Battalion were on the march, led and inspired by the regimental and battalion commanders in person. They marched over 9 kilometers on the only existing road, through a dense forest, in an unknown and hostile country infested with the enemy, losing for the time being liaison both to the right and left. The leading elements, passing through Hattonchatel, reached Vigneulles before 2 o'clock in the morning, took complete possession of these two towns by 3 o'clock, and, pushing out, occupied Creue and Heudicourt and blocked the roads leading from the southwest, while sending patrols farther into the plain to gain contact with the American forces coming from the south.

This advance force captured many prisoners, much ammunition, stores of all kinds, and released many captive civilians from St. Mihiel that the enemy in his hasty retreat was forced by the 102d Infantry to abandon.

With this advance force were the entire 102d Infantry, 3 companies of the 102d Machine Gun Battalion, and part of the 101st Machine Gun Battalion from the division reserve. This last part, abandoning its motors, marched 14 kilometers carrying its guns by hand the entire way.

By the morning the whole command had taken possession of all the towns in the sector of its advance and was impatient to pursue the enemy across the Hindenburg line.

4. The towns of St. Remy, Dommartin, Thillot, St. Maurice, Billy-sous-les-Cotes, Vieville-sous-les-Cotes, Hattonchatel, Hannonville, Vigneulles, Creue, Heudicourt, Deuxnouds, Wadonville, Avillers, and Butgneville, as well as the entire length of the Grande Tranchee de Calone, with a gain of 14 kilometers, belong to your arms.

The division captured about 2,400 prisoners, large stores of supplies and ammunition, horses and motor transportation, and about 50 guns.

I am proud of you. You are a shock division.

C. R. EDWARDS,
Major General, Commanding.

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[General Order No. 85.]

HEADQUARTERS 26TH DIVISION, A. E. F.,
France, October 10, 1918.

1. The following letters are published to the command:

[2nd Colonial Corps Staff No. 29.329.]

HQ., *October 3, 1918.*

From: General Blondlat, commanding 2nd Colonial Corps.
To: The Commander in Chief (thru channels, general commanding 2nd army).
Subject: Proposition for citation in army orders in favor of the 1st Battalion, 102nd Regiment of Infantry, U. S.

I have the honor to send you the report which I had the general commanding the 26th U. S. Division to make on the very hard and glorious combat which this division engaged September 26, 1918.

The 2nd Colonial Corps had received orders to carry out extensive raids to attract and fix the attention of the enemy: "General Order No. 20, Sept. 20, 1918, of the general commanding the First U. S. Army. The 2nd Colonial Corps will hold the front of Bois le Chauffour inclusive to Mesnil exclusive.

"The 2nd Colonial Corps will make a demonstration along its front, launching artillery bombardment as well as making extensive raids at H house."

The dimensions and duration of the raid executed by the 26th U. S. Division certainly deceived the enemy as to our intentions; the losses suffered by the troops taking part in this operation were fairly severe, but there is no doubt that those suffered by the Germans were much more severe.

The spirit of sacrifice and magnificent courage displayed by the troops of the 26th U. S. Division on this occasion were certainly not in vain; they seem to me worthy of recompense and praise; therefore, I direct the general commanding this division to address propositions to me on this subject.

I earnestly request that the 1st Battalion of the 102nd Infantry be cited in army orders on the following grounds:

"Picked troops who, trained by Colonel Hiram J. Bearss, who led the attack in the first line, carried out brilliantly and with splendid energy a particularly delicate operation; engaged battle with a superb dash; won a victory after a violent combat over an enemy who was both stubborn and superior in numbers, entrenched in concreted shelters, strongly supported by numerous machine guns and powerful artillery, and who made use of in the course of the action infamous methods of warfare; heroically carried out their mission in capturing in heavy fighting a village where they maintained themselves all day in spite of four enemy counterattacks and thus furnished the finest example of courage, abnegation, and self-sacrifice."

I request further that the officers and men mentioned in General Edward's report receive each and severally the rewards suggested for them by name.

(Signed) BLONDLAT.

[2nd Colonial Army Corps Staff No. 29431/A.]

H. Q., *October 7, 1918.*

From: General Blondlat, commanding the 2nd Colonial Army Corps.
To: The commanding general, 26th Division (American).

At this time, when the 26th Division is leaving the zone of the 2nd Colonial Army Corps, I wish to forward to General Edwards and to his gallant division the expression of my complete satisfaction, my best wishes for its successes to come, and my hearty thanks for the brilliant services in the attack on the St. Mihiel salient.

Although the 26th Division was only under my orders for a short time, I discovered on the part of all, both officers and men, those qualities of discipline, ardor, and esprit de corps which characterize picked troops.

I thought it but my duty to call to the attention of the French high command the fine conduct under fire of your men in the glorious battle of September 26; they demonstrated once again their high qualities of energy and spirit of sacrifice. I have requested that citations be bestowed upon the brave men whose conduct has been specially reported to me.

(Signed) BLONDLAT.

By command of Major General Edwards:

DUNCAN K. MAJOR, Jr.,
Chief of Staff.

Official:

C. A. STEVENS, *Adjutant General, Adjutant.*

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[General Orders, No. 92.]

HEADQUARTERS 26TH DIVISION, A. E. F.,
France, October 23, 1918.

1. The division commander extends to the commanding officer 51st Infantry Brigade and the officers and men of the following organizations his hearty congratulations on their great success in the operations of this date for the capture of the Heights of the Meuse in the region of Le Houppy Bois and Belleau Bois:

51st Infantry Brigade.
101st Infantry.
102d Infantry.
101st Machine Gun Battalion.
102d Machine Gun Battalion.
Detachment, 104th Field Signal Battalion.
Detachment, 101st Sanitary Train.
28[illegible]st Aero Squadron (French).
Balloon No. 23. (French).
51st Artillery Brigade.
1st Battalion, 211th Field Artillery (French).

2. The attack, as planned, was difficult of execution and only to be attempted by trained troops. You carried it out like the veterans you are and with a dash and valor worthy of the best traditions of the 26th Division.

(Signed) C. R. EDWARDS,
Major General, Commanding.

—

[General Orders, No. 93.]

HEADQUARTERS 26TH DIV., A. E. F.,
France, October 24, 1918.

Extract.

I. To the artillery of the 26th Division is due my expression of admiration for its efficiency and aggressive fighting qualities and for its indefatigable support of our line infantry. Artillery can desire no higher tribute than the conscious fact that it has gained the confidence, reliance, and thanks of the infantry.

2. During more than 8 months of fighting service the spirit of loyalty displayed by every officer and man of the 51st Artillery Brigade toward his duty, toward the Yankee division, and toward the division commander, has been fine.

3. The record of the 51st Artillery Brigade in the 2d Battle of the Marne is glorious. It went with, supported, and protected the infantry in its advance of 18½ kilometers by Chateau-Thierry, and afterwards in succession two other divisions in the advance from the Marne to the Vesle for a period of 18 days, between July 18 and August 4, with a gain of over 40 kilometers. It is a record of which the entire division and our country justly may be proud.

I congratulate and thank the Art. Brig. of the Yankee Div.

C. R. EDWARDS,
Maj. Gen., Commanding.

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[General Orders, No. 93.]

HEADQUARTERS 26TH DIVISION, A. E. F.,
France, October 24, 1918.

Extract.

II. The following tribute to the division is published for the information of all concerned:

[17th Army Corps Staff, 1st Bureau.]

HEADQUARTERS, *24 Oct., 1918.*

General Claudel, commanding the 17th Army Corps.
To the Commanding General 26th Division.

GENERAL: The reputation of your division preceded it here far ahead. To all its titles of glory gained in fierce struggles, and only recently at the signal of Hattonchatel, it has added on the 23d of October a page which perhaps is more modest, but still does it great honor.

In a few hours, as at a maneuver, it has gained all the objectives assigned to it in the difficult sector of the Woods of Houppy, Etrayes, and Belleau.

This operation is evidence, indeed, of superior instruction, mobility, and will.

I do not know how to thank you sufficiently for your assistance, dear General, and it is my great desire to express to you all our grateful admiration for your splendid division which thus has added its name to all of those who have fought to hurl the enemy back from the outskirts of Verdun.

H. CLAUDEL.

C. R. EDWARDS,
Major General, Commanding.

—

[General Orders, No. 93.]

HEADQUARTERS 26TH DIV., A. E. F.,
France, October 24, 1918.

Extract.

III. The following tribute is published for the information of all concerned:

[3d Bureau.]

17 OCTOBER, 1918.

General Andlauer, commanding the 18th Division of Infantry.
To the Commanding General 26th Division.

GENERAL: At the moment that the 18th Division of Infantry is relieved in its sector by the 26th D. I. U. S., I wish to send you my heartiest thanks for the support given to its comrades of the 77th Regiment by the 104th Infantry, which, since its arrival in the sector, attacked with tanks and succeeded, thanks to a stubborn battle, in forcing the evacuation of half of the edge of the Bois d'Haumont by the enemy.

ANDLAUER.

C. R. EDWARDS.

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[General Orders, No. 83.]

HEADQUARTERS 26TH DIVISION,
AMERICAN EXPEDITIONARY FORCES,
France, October 24, 1918.

Extract.

IV. 1. In compliance with paragraph 48, Special Orders, No. 293, G. H. Q., A. E. F., the undersigned relinquishes command of the 26th Division.

2. He thanks the division for its loyalty to him and for what it has accomplished in the common cause. He bespeaks for its successor in command the same loyalty and devotion, and he leaves the division in full confidence that its same fine work will continue to the end.

C. R. EDWARDS,
Major General, Commanding.

[General Orders, No. 103.]

HEADQUARTERS 26TH DIVISION, A. E. F.,
France, November 17, 1918.

1. The following letter from the commanding general Second Colonial Army Corps (French) is published to the command for the information of all concerned:

[1st American Army, 2d Colonial Army Corps, Staff, No. 1012/c.]

HEADQUARTERS, *November 14, 1918.*

From: General Claudel, commanding general 2nd Colonial Army Corps.
To: General Bamford, commanding general 26th American Division.

MY DEAR GENERAL: At this time, when the 26th American Division is leaving the sector of the 2nd Colonial Army Corps (formerly the 17th French Army Corps), I especially desire to express to you the complete satisfaction it has given me since October 15th last.

The 26th Division has made its entry into line by attacking in the difficult and long since fortified region of the Bois d'Haumont and of the Bois d'Ormont. In each case this division showed the fine qualities of vigor and dash which are characteristic of it.

Later it was engaged in the most severe fighting for the capture of the henceforth famous woods of Etrayes, Belleau, and Ormont, without ever considering its hardships or its losses.

At the same time it made a remarkable and successful effort for the improvement of the road system, so vital for the conduct of the operations.

The conditions under which the fighting took place, the weather, and the communications were most often very poor, while the enemy, determined to hold positions which were to him indispensable, did not spare his shells of all caliber or his gas shells.

The 26th Division finally received the well-deserved reward of throwing the enemy back into the plain at the moment when the final victory was won.

In the name of the 2d Colonial Army Corps and their French comrades, I desire you to extend for me to your fine troops and to the various staffs and services my thanks for the generous and devoted cooperation which they have never ceased to render.

I shall not forget, my dear general, our so very cordial relations, and I ask you to believe in the expression of my sincere and grateful feelings.

(Signed) CLAUDEL.

2. Pursuant to telegraphic instructions from general headquarters dated November 17, 1918, General Orders, No. 100, these headquarters, dated November 14, 1918, directing that candidates be sent to the Army candidate schools so as to report on November 25, 1918, is revoked.

By command of Brigadier General Bamford:

DUNCAN K. MAJOR, Jr.,
Chief of Staff.

Official:
C. A. STEVENS,
Adjt. Gen. Adjt.

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[General Orders, No. 104.]

HEADQUARTERS 26TH DIVISION,
AMERICAN EXPEDITIONARY FORCES,
France, November 18, 1918.

I. 1. Officers and enlisted men of the 26th Division, I congratulate you upon your success in the war which has just been brought to a victorious end.

2. From your entry into the battle line on February 7, 1918, at Chemin des Dames as a division of recruits until the cessation of hostilities on November 11, 1918, when you laid down your arms fighting in the front line as a veteran division, you have shown yourselves worthy sons of the country that gave you birth.

3. Bois Brule, Seichepre, Xivray Marvoisin, Torcy, Belleau, Givry, Boureches, Hill 190, Epieds, Trugny, St. Mihiel Salient, Bois d'Haumont, Bois Belleau, Bois d'Ormont, Bois de Ville are indelibly written on your banners.

(Signed) E. E. BAMFORD,
Brigadier General, Commanding.

Mr. Chairman, when I addressed the House a few weeks ago I referred to the fact that the commander of this division, Maj. Gen. Clarence R. Edwards, after participating in combat with his men and assisting them in achieving the wonderful results which are mentioned in the foregoing orders, had been sent back to the States in October, 1918, and that no good reason had been assigned for his being relieved. Recently in a Boston newspaper Gen. Edwards told of his pride in his organization and reviewed the methods he had adopted in bringing the Twenty-sixth Division to the heights it reached in its many campaigns in France. Listen to the splendid story of a brave American soldier. Gen. Edwards says:

In, I hope, the pardonable pride that I took in the organization and the record of the Yankee Division I have never consciously made invidious comparison as to any other division. In my various speeches I always say that the Yankee Division is typical of other American divisions; that I know personally about the Yankee Division and therefore could speak especially of it.

I do claim that it had an esprit, a capitalization of tradition, which developed into a soul which took the place, and splendidly took the place, of the lack of time in which to give it the training that all Regular officers heretofore have always thought necessary.

It was the first division under the American flag in the new organization entirely organized, and therefore the first completely filled up and organized division to arrive in France.

NEVER FAILED IN THE TEST.

No division was put to a higher test, and it never failed.

It is the only division which sailed as a whole and whose first concentration was in France.

All of its units did not arrive until November, and a few batteries of Artillery much later. It went into line in the first part of February.

There were few work troops in France, and during its training period large drafts from its battalions necessarily had to be detailed for unloading cars, digging sewers, building hospitals, and all the other things that were necessary at the time. It had very little transportation, it underwent unusual conditions and handicaps that could not be foreseen or could not be avoided.

In the short training period of from two to three and one-half months, with all these handicaps, it did not complain. Its fighting record is known throughout France and is commencing to be known in the United States.

NOT NATIONAL GUARD DIVISION.

It is not a National Guard division, so called, and ceased to be a National Guard division before the above excellent order was issued. It was, and now is, a division of the Army of the United States, and its officers are officers of the Army of the United States.

I never allowed the words "National Guard," "Regular," or "National Army" to be used in my division.

Battles and war service in the face of the enemy, the supreme test of war, were what selected, so far as lay in my power, its lieutenants, its captains, its majors, and its colonels. One or two battles picked out these officers, and there was not question as to their selection. The controlling element was leadership, the greatest factor in choice for command, and frequently the factor that is given the least credit in military schools and colleges.

It is wonderful and informing what can be done in six months with 30,000 men if politics, prejudice, and favoritism are eliminated and the only thought is patriotism and service.

Mr. MANN. Mr. Chairman, I yield three minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Chairman, I would like very much to supplement the remarks made by my colleague from Massachusetts [Mr. GALLIVAN] in reference to the officers and the men of the Twenty-sixth Division. He has stated the case with great accuracy and expresses the opinion of the people of New England relative to both the officers and the men.

I asked for time to call attention to another matter worthy of the attention of this House which appears to me to be an abuse of the franking privilege on the part of the Comptroller of the Currency, when he sends out to every bank in the United States a circular of notification that he has had some sort of trouble with a newspaper correspondent and in which circular he supports his claim for reappointment and reconfirmation upon the part of the Senate.

This statement reached me this morning from an official of a bank in my district. It had a number on the envelope showing that it was the general mailing list of the Comptroller of the Currency, and I only have time to read one or two very brief sentences showing that the franking privilege is used for the personal support of the gentleman himself. It seems to me a very improper action on the part of a Treasury official. It is headed "John Skelton Williams, the Comptroller of the Treasury, to-day gave to the press the following statement." And in that statement he refers to the fact that he had called to his office a newspaper correspondent whom, he says, has written matter for the press asking that he should not be confirmed. He says that—

A memorandum had been addressed with a view of conducting a campaign to oppose the confirmation of the Comptroller of the Treasury in the event of his renomination. He (the newspaper correspondent) declined to affirm or deny his authorship of the memorandum.

Has not a representative of the press a right to send to his paper such matter as he may see fit, and does the Comptroller of the Currency have the right to call that man to his office to explain such correspondence and then send under the official frank of the Treasury Department such a letter as this of personal support of himself to every bank in the United States? The gentleman from Illinois a few moments ago called attention to the clogging of the mails from the soldiers. But if the use of the frank of the Comptroller of the Currency clogs the mails in any way for his personal aggrandizement, can not he stop it and give our soldier boys a chance to hear from the folks at home? [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I yield three minutes to the gentleman from Missouri [Mr. DYER].

Mr. DYER. Mr. Chairman, I desire to supplement also the statement of the gentleman from Massachusetts by calling the attention of the committee to another crime of the present administration of the Democratic Party. In my State, in southwest Missouri, we have a great industry down there, the zinc industry. Democratic tariff laws have seriously affected that industry, and there is pending now in this Congress a bill presented by myself to levy a tax of 2 cents per pound upon the content of all zinc ores. I am in receipt this morning of a telegram from the House of Representatives of the State of Missouri in reference to this serious condition, which I ask to have the Clerk read in my time.

The CHAIRMAN. Without objection, the Clerk will read.

There was no objection.

The Clerk read as follows:

JEFFERSON CITY, MO., *January 31, 1919.*

Hon. L. C. DYER,
House of Representatives, Washington, D. C.

Am instructed by the Missouri House of Representatives to inform you that there has been offered into and adopted by the house the following resolutions:

Whereas the zinc-mining industry of southwest Missouri is the greatest metal-mining industry in the entire State; and

Whereas that industry is now crippled to the extent of the closing down of 95 per cent of all the mines in said district, said closing down of the mines being occasioned by the vast importations of zinc ore into the United States from foreign countries, amounting in the last four years ending June 30, 1918, to 825,000 tons, being approximately three times the normal prewar production of the entire Joplin district, including Kansas, Oklahoma, and Missouri; and

Whereas there are now approximately 350,000 tons of zinc ore on the docks in Australia awaiting shipment; and

Whereas Mexico has a potential power of production of at least 150,000 tons annually, which must find its market in the United States; and

Whereas zinc-ore concentrates have also been imported into the United States in the last three or four years from 15 different countries, representing every continent and grand division of the world: Now, therefore, be it

Resolved by the House of Representatives of the State of Missouri, That we believe it to be the patriotic duty of the Legislature of the State of Missouri to memorialize the Congress of the United States by special resolution asking that there be at once incorporated into the pending revenue bill a provision providing for a protective tariff of 2 cents per pound on the metallic contents of zinc ore, in order to keep out further importations of zinc ore, and allow the zinc-mining industry of the United States to live and be again built up to its normal condition.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DYER. I ask unanimous consent that the Clerk may finish the reading of it; it is only a line or two.

Mr. MANN. The time for general debate was fixed in the House by unanimous consent. Extend your remarks.

Mr. FOSTER. The time was fixed in the House.

Mr. DYER. But it will only take a half minute; it is only a line or two. Mr. Chairman, I make the point of order there is no quorum present. If Democratic Members see fit to stop the reading when there is only a line to read——

Mr. MANN. I will say to the gentleman that the time can not be extended, it being fixed in the House.

Mr. FOSTER. Mr. Chairman, I object. Let the gentleman make the point of order that there is no quorum.

Mr. DYER. I make it.

Mr. FOSTER. Make it; nobody cares.

The CHAIRMAN. The gentleman from Missouri makes the point of order that there is no quorum present. The Chair will count. [After counting.] Eighty Members are present, not a quorum, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anderson	Drukker	Johnson, Ky.	Russell
Bacharach	Dupré	Johnson, S. Dak.	Schall
Barnhart	Eagle	Johnson, Wash.	Scott, Mich.
Benson	Edmonds	Kearns	Scully
Black	Elston	Kelly, Pa.	Sears
Bland, Ind.	Emerson	Kennedy, R. I.	Sells
Booher	Estopinal	Key, Ohio	Shackleford
Bogland	Fairchild, G. W.	Kiess, Pa.	Sherley
Britten	Farr	Kreider	Shouse
Brodbeck	Ferris	La Follette	Sims
Browne	Flood	LaGuardia	Sinnott
Browning	Flynn	Larsen	Smith, C. B.
Brumbaugh	Fordney	Lehlbach	Smith, T. F.
Burroughs	Francis	Lesher	Snook
Caldwell	Freeman	Linthicum	Snyder
Cannon	Fuller, Mass.	Longworth	Steele
Cantrill	Garland	Lufkin	Sullivan
Caraway	Godwin, N. C.	Lunn	Sumners
Carew	Good	McAndrews	Swift
Carter, Mass.	Goodall	McCulloch	Switzer
Chandler, N. Y.	Gould	Maher	Tague
Church	Graham, Pa.	Martin	Taylor, Ark.
Cleary	Gray, Ala.	Miller, Minn.	Taylor, Colo.
Coady	Gray, N. J.	Morin	Templeton
Connelly, Kans.	Griest	Mott	Thomas
Cooper, Ohio	Hamill	Mudd	Thompson
Cooper, W. Va.	Hamilton, N. Y.	Nicholls, S. C.	Tinkham
Copley	Hamlin	Norton	Towner
Costello	Harrison, Miss.	Oliver, N. Y.	Van Dyke
Cox	Harrison, Va.	Osborne	Vare
Crosser	Hawley	O'Shaunessy	Waldow
Dallinger	Hayes	Park	Walker
Davey	Heaton	Powers	Walsh
Delaney	Heintz	Pratt	Webb
Dempsey	Helm	Price	Welty
Dent	Helvering	Ramsey	White, Ohio
Dewalt	Howard	Rankin	Winslow
Dill	Humphreys	Reavis	Wise
Donovan	Husted	Riordan	Woods, Iowa
Dooling	Hutchinson	Roberts	Wright
Doughton	Ireland	Robinson	Zihlman
Drane	James	Rowland	

Thereupon the committee rose; and the Speaker having resumed the chair, Mr. HENSLEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 15219) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1920, and for other purposes, finding itself without a quorum, he had caused the roll to be called, and that 263 Members answered to their names—a quorum—and presented therewith a list of the absentees for insertion in the Journal and RECORD.

The SPEAKER. The committee will resume its sitting.

The committee resumed its session, with Mr. HENSLEY in the chair.

Mr. MANN. Mr. Chairman, I yield nine minutes to the gentleman from Illinois [Mr. MASON].

Mr. MASON. Mr. Chairman, I ask leave to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. MASON. Mr. Chairman, upon the question that has been discussed for a few minutes so eloquently and well by the distinguished gentleman from Massachusetts [Mr. GALLIVAN], and when he asked the question what could be done, I think I suggested a complete answer. We have not the time to repeat the outrages that are being perpetrated upon the young men of this country who, under the law and under the rules, are entitled to discharge. The Democratic Party now has it in its power to pass a resolution. I have not any pride of opinion about it. They can pass their own resolution, and, when you adjourn sine die at the close of this Congress, a nonpartisan committee can sit here, so that we can go home and can telegraph to some civil branch of the Government to get some sort of remedy for the boys we represent. If that is done, there will be no question about your ability to pass your bills and adjourn. If it is not, there may be some question raised, for, so far as I am concerned, I regard the treatment of these boys as one of the most important things before the present Congress.

I have not time now to recite the letters that have come to me within the last 24 hours, but I will insert in the RECORD word that comes from constituents of mine, very much like the last one that I put in the RECORD, protesting against their boy being sent to Siberia. Now, Mr. Chairman, we have in Siberia 15,000 American boys. In one place we have 221 United States officers, 10,042 enlisted men, consisting of Infantry, Signal Corps, Medical, Ordnance, and Quartermaster troops, and in western Russia, at Archangel, there is a total of 5,419 officers and men, or more than 15,000 men in all. What are they fighting for?

My resolution, which I have introduced, calls upon the Congress of the United States to exercise its constitutional power. For two long years you have sat here—and I say it with no feeling of disrespect—as rubber stamps. You have not dared to exercise any of your constitutional powers. You have not used them. The General Staff has run all the questions of military power. Everything they have asked you have given them. Most of us have consented to it. But here now, in the hour of peace, with 15,000 American boys dying and fighting in Russia, 500 miles from where we have a pound of scrap iron, with the pretense that they were sent there to defend American goods and American property, we have lost 50 men and 5 officers within the past week. They were not defending American property. They were more than 500 miles from Archangel, where that battle occurred; and they are fighting and dying in the snow.

And the Constitution you swore you would uphold and defend provides that the Congress of the United States shall make rules and regulations governing the Army and the Navy of the United States. [Applause.] And I want to know which one of you will stand up here now on either side of this Chamber and say that you approve of our men fighting and dying, when you know as well as I do that the war is over? There is no German menace in Russia. The Bolsheviki menace is no worse than the menace of the Czar. Which side are you fighting on?

Mr. OVERMYER. Will the gentleman yield?

Mr. MASON. I have but little time.

Mr. OVERMYER. I thought the gentleman challenged this side to ask questions.

Mr. MASON. Make it short.

Mr. OVERMYER. I was going to inquire whether the gentleman was opposed also to sending our troops to France in the first place?

Mr. MASON. I was not opposed to sending the troops to France; but I was in favor, if you want to take up ancient history, of sending volunteers, and we have sent more volunteers than drafted men and they have made the best soldiers, too. They have all made good soldiers. But even if I was opposed, and even if I was wrong, have you the courage to exercise your power as a Member of Congress in making rules and regulations for the Army and Navy and not say by your silence that you are in favor of slaughtering American boys in the snows of Russia and Siberia? And for what? No man answers for this administration.

My constituents have a right to ask me questions. I have received a letter this morning, signed by the father and mother of a soldier. It is as follows:

CHICAGO, ILL., *January 20, 1919.*

To the Hon. WM. E. MASON,
Congressman at Large.

DEAR SIR: We have a son who was conscripted supposedly to fight the German menace. My son was a Christian, home-loving, God-fearing, obeying the command to honor father and mother, the greatest comfort to us in the evening of life. Congressman MASON, we beg of you tell us why should he be sent to Siberia? What was the great need; we want to know? We are patriotic, so is he. Willing to do every duty required by the United States for the United States. But what is so important in Siberia that my son and hundreds of other United States boys must be exiled to fight for what? We can not understand. We ask you, who represent us, why was he sent there? When will he be sent home? We ask you in the name of justice will you use the great influence you possess to have them speedily sent home?

Most respectfully, yours,

JOHN JOHNSON,
EMMA JOHNSON,
Parents.

There is no more reason for American boys to sacrifice their lives in the snows of Siberia to-day, 500 miles away from where we have any American property, than there is for us to get into a fight here upon this floor, not a bit. [Applause.] There is no justification of law for it. And you must pass on this, gentlemen. You are Members of Congress. The Democratic Party is waiting for some signal from somewhere as to what to do. They are waiting for signals, perhaps, from Paris, as to what action to take or whether to take any or not. But are the Republican Members and the Republican Party to be silent on this subject? Have you constituents there? Have you a son there, fighting 500 miles from Archangel, without knowing what they are fighting for? What are the two contesting factions in Russia to-day? They are the royal party, that wants to put royalty back on the throne, and, on the other side, the wicked, as we say, Bolsheviki, who has not a real, genuine rule for government. We furnished these men and this money to help Kerensky. And now I am going to tell you what I think.

I do not know whether you will like it or not, for I have not the proof, but I am going to get the truth if I can. I charge as to the money that we have furnished to help win this war that a large share of it, running into millions of dollars, instead of being sent to feed the starving Russians, to-day is held by the Russian minister in the United States and is being used to pay the interest upon the bonds held by Morgan & Co. to their clients before America went into this war. I believe that. I have not the proof, but I expect to get it if you will give me a chance to examine the men who are handling the money in this country.

Then you are put to the question of your boys fighting and dying over there—50 killed last week—for the reason——

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MASON. I would like to have three minutes more.

Mr. MANN. Mr. Chairman, I yield three minutes more to the gentleman.

The CHAIRMAN. The gentleman from Illinois is recognized for three minutes more.

Mr. MASON. But assuming that I may be mistaken about that, why not pass this resolution, bringing them home? There is no war in Russia between the United States and Russia. The war was between Germany and the United States. There is not a German within a thousand miles of any of our troops who are there. I tell you that our boys are being used to carry out the dreams and the theories of politicians in that country, and, so far as I am concerned, I see no difference between the Bolsheviki and the Czar. The Bolsheviki can not make a worse government than they had under the Czar. [Applause.] And, so far as I am concerned, I will never consent that a drop of blood of any boy in America shall be shed to help the politicians over there. [Applause.]

Mr. HAMILTON of Michigan. Mr. Chairman, will the gentleman yield?

Mr. MASON. Yes.

Mr. HAMILTON of Michigan. Michigan has a large number of soldiers in the vicinity of Archangel. Many of those men came from my district. I want to know if the gentleman has been able to ascertain who is responsible for sending our boys over there?

Mr. MASON. Only what I have seen in the reports of the newspapers and the statements that the State Department sent out, that they were sent there to protect American property from the Germans, with whom we were at war. We are not at war with them now. They have been under the command of Japanese and British generals, and Lloyd George has withdrawn the English troops and notified the English people that no more English soldiers shall be sent there. I say either give a million men to defend those 15,000 or else, if we are wrong, let us be

bandy enough to come out of there and let the politicians of Russia settle their own game of politics without the shedding of any more American blood. [Applause.]

Mr. LANGLEY. Mr. Chairman, will the gentleman yield?

Mr. MASON. Yes.

Mr. LANGLEY. Will the gentleman permit me to interrupt him to say that there are several boys from my district and State there. I have received many letters of complaint and protest from their families similar to those referred to by my friend from Illinois. I have permission to put some of these in the RECORD, and I shall shortly do so. I congratulate the gentleman upon his forceful statement of the situation. I agree with every word he says about this shameful proceeding and thank him for uttering them. [Applause.]

Mr. MASON. I thank the gentlemen. My time is about expired. You, gentlemen, can make war. You are the only power that can make war under the Constitution that we have sworn to support. You can order the troops out of Russia. Nobody likes to see the American flag retreat, but the American flag is just as beautiful moving one way as another. When it came down in Cuba it was the handsomest flag in the world. Although it was coming down, it was keeping the promise of a great people. You have sent 15,000 boys into what may be a shambles, a slaughter pen, amid the snows of Russia, and you have no excuse for keeping them there except that party leaders intend to fight those who stand by the soviet, to fight against the Bolsheviki, and are in favor of establishing a Czar of all the Russias. [Applause.]

The following to-day:

PARIS, *January 31.*

Whatever forces may be sent to Turkey for garrisoning purposes, there will be no American troops among them, it developed to-day. It is pointed out that their use for this purpose would be inappropriate, as the United States has never been at war with Turkey.

Are we at war with Russia? You know we are not. If we are, let us command our own forces and send 2,000,000 men to uphold our flag, and not leave a handful of brave boys to be slaughtered in the bloody politics of the Bolsheviki and the Czar.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MASON. I append, Mr. Chairman, the resolution I have introduced:

Whereas the Constitution of the United States provides that the Congress of the United States shall have exclusive power to declare war, and also provides that the Congress shall have power "to make rules for the Government for the regulation of the land and naval forces"; and

Whereas there is now in the Siberian expedition 221 United States officers and 10,042 enlisted men, consisting of Infantry, Signal Corps, Medical, Ordnance, and Quartermaster troops, and in western Russia (Archangel) there are a total of 5,419 officers and men, comprising Infantry, Engineer, and Medical troops; and

Whereas the sending of United States troops to Russia by the Commander in Chief would be without authority of law except to protect American lives and property, and any intervention on the part of the United States to assist any political party in the formation of a government would be a usurpation of power on the part of the Executive; and

Whereas the war between the United States and Germany has ceased under the terms of the armistice and there can be no possible need of protecting American supplies in Russia; and

Whereas there is a great state of unrest and anxiety in the minds of the American people whose sons have been sent to Russia and a great state of anxiety in the minds of the people whose sons are overseas for fear their sons will be ordered into the political fight in Russia: Therefore be it

Resolved by the House of Representatives (the Senate concurring), That the Commander in Chief of the Army and Navy of the United States is hereby directed to order forthwith all troops of the United States out of Russia, and in the meantime, while the troops are being removed from Russia, the Commander in Chief is directed to cease and desist from taking any part in the controversies of political factions now seeking political supremacy in Russia.

Mr. MANN. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. ROSE].

The CHAIRMAN. The gentleman from Pennsylvania is recognized for five minutes.

Mr. ROSE. Mr. Chairman and gentlemen of the House, a great deal has been said upon the subject of allotments, and one criticism after another has been hurled at the several departments of the Government. I am in receipt of a great many letters upon all kinds of subjects relating to the war, most of them abounding in complaints which are worthy of immediate attention and adjustment. I am now in receipt of a letter that is somewhat different in its nature from many that have come to my notice and touches upon subjects that up to this time have not been brought to my attention; and I have thought best to read the letter for the information of the Members of the House, and in the hope that relief may soon be granted to the anxious parents who are directly interested:

ALTOONA, PA., *January 17, 1919.*

Hon. JOHN M. ROSE,
Washington, D. C.

MY DEAR SIR: My son, Corpl. Henry U. Brandt, Company G, One hundred and Tenth Infantry, was killed in action July 30, 1918, at Courmont, France. Before he died he had made an allotment to me for $[illegible] a month. For months I have been receiving this allotment every month, and up to the present time I have received something like $[illegible]. I did not have any of these checks cashed for the reason that I do not think I am entitled to this allotment, since he is dead.

These checks are coming to me from the Quartermaster General's Department, and the volume number of the checks is 1240747. I wrote three letters to the Quartermaster Department calling its attention to this. In reply to these letters they stated that they have no record that there is an allotment by this soldier made in my favor, and that if he is dead I am no longer entitled to the allotment. They further said they could not give me any direction as to what to do with the checks since they have no record of this allotment. They also directed me to write to the Bureau of War Risk Insurance, Treasury Department, Allotment and Allowance Division, Stopped Payment Section.

I wrote to this address, called their attention to the matter, and asked what I am to do with the checks; but from this department thus far I have received no reply, but the checks are still coming, I having received one again yesterday. As I do not feel I am entitled to this allotment, and as I know there is a severe penalty for receiving money of this kind illegally, and as the War Department does not seem to make any effort to correct it, I thought I would write to you and kindly ask you to look into this matter and try to have it adjusted in some way.

Also, thus far, I have not received my son's back pay. I sent in my application blanks about the middle of September. I received a reply that the same were received, but thus far the matter has not been adjusted. I also wish you would look into this.

Again, I have not received my son's personal effects, although he is dead nearly six months. Immediately after I received word of my son's death, at the direction of the War Department, I wrote to the Personal Effects Depot, France, directing them where to send those effects, but thus far I have not received them nor have they written me a single line about it. I am in a quandary to know how this matter stands. I wish you would likewise look into this matter and see whether you can bring about a satisfactory adjustment.

Affairs must be in a terrible chaotic state at Washington, otherwise such things would not occur. It is certainly exasperating and humiliating for the families that have given their sons to make the supreme sacrifice on the altar of the country and then to get such treatment as this from those in authority. It is surely no wonder the people are dissatisfied.

Trusting that you can adjust this matter for me, and thanking you in advance for your favor, with kindest regards, I am,

Yours, sincerely,

CHARLES H. BRANDT.

I have been thinking, gentlemen, that unless something is done to correct these glaring errors the people might do with some of us as was done with ex-President Taft, according to the story told the other evening in an able address delivered by him on the league of nations. I was very much impressed with what he said, and I may say that it was my first opportunity to listen to the distinguished ex-President. In the course of an able argument defending the league of nations he said that during his term as President he was often interested in bills presented to the Senate of the United States, and that when many of them would be returned to him for his signature he was unable to recognize the bill and that he doubted very much whether the Senators themselves recognized it. That frequently he would throw the bill on the shelf and allow it to become covered with dust and hoping all the time that the Senators might change their minds or that the people would change the Senators, but instead the people changed the President. [Laughter.].

Now, I have an idea that is exactly what will happen to some of us if we permit these various complaints to go unheeded and do not provide for an investigation such as has been frequently advocated upon the floor of this House.

I want to remind you that the people of this country will rise up in their might and place men in the Congress who will have investigations made and have justice meted out to the soldiers of our country, and to the fathers and mothers who were willing to make the supreme sacrifice in order that we may have a democracy, such a democracy for which our boys so valiantly fought. [Applause.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. ROSE. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. MANN. Mr. Chairman, I believe seven minutes remain of general debate. I yield that time to the gentleman from Illinois [Mr. GRAHAM].

The CHAIRMAN. The gentleman from Illinois is recognized for seven minutes.

Mr. GRAHAM of Illinois. Mr. Chairman and gentlemen of the committee, the mails of every Member of Congress are so full nowadays of complaints relative to various things that have occurred during this war that one expects an ordinary amount of that sort of thing. But the mail that I received one day

recently was so full of examples of carelessness, of stupidity, of ignorance that I thought it was justifiable and perhaps advisable to call attention to some of them.

As everyone knows, there has been great trouble in the distribution of our soldiers' mail overseas. This particular thing has been called to the attention of this committee before, but in this one day's mail are three letters that show a practice that is being pursued by somebody in the War Department somewhere that seems to me to be the very superlative of ignorance or stupidity. I am told in one of these letters that a soldier was in the Fourth Division overseas. He has received no mail from his wife since the 1st of August, although she has written him during that time four or five letters a week. He has been sick in the hospital since the 16th of last October. On the 15th of January there came back to his wife, who lives down in my country and who knew about his sickness, 15 letters that were marked across the back of them by some one who described himself as a censor, "Wounded and in base hospital." Since that time many other letters have been returned to his wife, who is down there grieving her heart out and trying to find through me and through the War Department and through the Red Cross whether her husband is alive or dead, and back comes this burden of sorrow to her, these letters marked "Wounded and in base hospital." The girl's father writes to me a very pertinent suggestion. He says, "This week she got 14 letters from France returned, all marked by the censor, 'Wounded and in base hospital.'"

He is a plain man down in the country, and his language, perhaps, is not parliamentary, but it seems to me rather in point. He says to me: "Now, W. J., don't it occur to you if that censor knew he was in a hospital the nut could have sent the letters to him easier than he could have sent them back to Floy?" That is the name of the wife. And does not it occur to you that way, gentlemen? What reason can there be, what plan is there in the War Department or among the people who are running this mail service across the seas which causes them to pursue such a cruel and unnecessary treatment of our soldiers overseas? If there is anything in God's world they want over there, it is to get their mail. I had the pleasure or displeasure, whichever it may have been, during the month of October, while this war was hottest and when the allied line was everywhere advancing, to meet many of these men in the hospitals overseas, and I talked with hundreds of them. And whether they were drafted men or whether they were volunteers, I found them all the same cheerful, brave, fearless, carefree lads; and not a complaint did I hear from any of them except the inquiry, "Why can't we get our mail from home?"

Mr. MASON. That censor that the gentleman refers to did not even tell them where the base hospital was?

Mr. GRAHAM of Illinois. No.

Mr. LITTLE. Will the gentleman yield for a question?

Mr. GRAHAM of Illinois. Yes.

Mr. LITTLE. Can you find out who the censor was and see if arrangements can not be made by the War Department to discharge him from the service and give him some job to which his mentality will be adapted?

Mr. GRAHAM of Illinois. I do not know about that. I have only a little time, and I want to pursue this further.

Mr. LITTLE. I offer that as a practical suggestion.

Mr. GRAHAM of Illinois. That was the only complaint our boys over there had. In spite of their wounds and misfortunes they were all cheerful. There they were in the hospitals, where some of them would lie for months having their wounds treated, making no complaint, except this one thing, and the failure to get their mail was doing more to shatter the morale of the soldiers across the sea and it has done more to shatter the morale of our people than any other thing that has happened.

Mr. GREGG. Will the gentleman yield?

Mr. GRAHAM of Illinois. No; I have not the time.

The CHAIRMAN. The gentleman declines to yield.

Mr. GRAHAM of Illinois. My colleague from Illinois [Mr. MASON], who just had the floor, said that in his opinion the volunteer soldiers were better soldiers than those who were taken by the draft. My friends, I do not agree with him. I found that wherever there was a soldier overseas, no matter where he came from, whatever class he came from, he was ready to do all and to bear all for the flag of his country, irrespective of how he got into the service. [Applause.] There were no best soldiers overseas, because they were all good soldiers, the best soldiers that ever followed a flag into battle anywhere in God's world. They were American soldiers. [Applause.]

Now, this sort of thing ought to stop, gentlemen. It is going on to-day. The same method is being pursued.

Mr. BLACKMON. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Alabama?

Mr. GRAHAM of Illinois. No; I do not have time to yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. GRAHAM of Illinois. In the same day's mail I have another letter about a soldier in the Thirty-third Division, which contains most of the Illinois National Guard troops. His people have not heard from him since August 18, when he was in the hospital. Twenty letters came back the other day to his old mother. He was in the hospital on the 18th day of August, and she writes me heartbrokenly and wants to know why, in God's name, she can not find out about her boy. And why can she not? The War Department does not know. The Secretary of War does not know. The Red Cross can not find out. The cables under the sea are filled to repletion with fulsome accounts that are being written about somebody and somebody's plans over there for regenerating the world, but the wounded soldiers can not get their letters, and these letters are being returned in heaps to the dead-letter office, and then being sent back to the mothers and wives over this country.

I have another letter, in the same day's mail, which tells of a man who went over in August. On December 29 he wrote his wife and told her he had not received any letters since he had been there, although letters and packages had gone to him two or three times a week since he went over there in August. Not a thing had been received by him. Now, I want to say to you that that sort of thing affects seriously the morale of any country and injuriously affects public opinion. [Applause.]

The practice that I have mentioned is a general one. The leading Democratic paper in my district, the Rock Island Daily Argus, recently commented quite pointedly on this practice, as follows:

It is hard to understand, however, why there have been so many cases in which the thread lost in a hospital or at some point where a transfer was made was not picked up later. The department might at least have taken a census of the various units after the armistice was signed and secured new records that would have made delivery in most cases possible, even if long delayed. That would have been better than giving it up and passing the job over to the dead-letter office. The military authorities can scarcely plead too much business during the last two months to give the subject of soldiers' mail the attention it deserves.

In that judgment so expressed I most thoroughly and completely concur.

The CHAIRMAN. The time of the gentleman from Illinois has expired. The Clerk will read the bill.

The Clerk read the bill under the five-minute rule.

Mr. GALLIVAN. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the recommendation that it do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HASTINGS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15219) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1920, and for other purposes, and had directed him to report the same back without amendment with the recommendation that the bill do pass.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. THOMPSON. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER. The gentleman from Oklahoma makes the point that no quorum is present. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 246, nays 2, answered "present" 3, not voting 178, as follows:

YEAS—246.

Alexander	Beshlin	Campbell, Kans.	Curry, Cal.
Anderson	Birch	Campbell, Pa.	Dale
Anthony	Blackmon	Cannon	Dallinger
Ashbrook	Bland, Ind.	Cantrill	Darrow
Aswell	Bland, Va.	Chandler, Okla.	Davis
Austin	Bowers	Clark, Fla.	Decker
Ayres	Brand	Claypool	Dempsey
Baer	Buchanan	Connally, Tex.	Denison
Bankhead	Burnett	Cooper, Wis.	Dent
Barkley	Butler	Crago	Dickinson
Beakes	Byrnes, S. C.	Crisp	Dill
Bell	Byrns, Tenn.	Currie, Mich.	Dillon

Dominick	Hensley	Mason	Sherwood
Doughton	Hersey	Mann	Shouse
Doremus	Hicks	Merritt	Siegel
Dowell	Hilliard	Miller, Wash.	Sinnott
Dunn	Hollingsworth	Moon	Slemp
Dyer	Hood	Moores, Ind.	Sloan
Eagan	Howard	Morgan	Small
Eagle	Huddleston	Mott	Smith, Idaho
Elliott	Hull, Iowa	Nelson, A. P.	Smith, Mich.
Ellsworth	Hull, Tenn.	Nichols, Mich.	Snell
Elston	Humphreys	Nolan	Stafford
Esch	Igoe	Oldfield	Stanfill
Estep	James	Olney	Stedman
Evans	Jual	O'Shaunessy	Steenerson
Fairfield	Kahn	Overmyer	Sterling
Ferris	Kehoe	Overstreet	Stevenson
Foss	Kelley, Mich.	Padgett	Stiness
Fields	Kelly, Pa.	Paige	Strong
Fisher	Kennedy, R. I.	Parker, N. J.	Sweet
Foss	Kettner	Parker, N. Y.	Taylor, Colo.
Foster	Kincheloe	Peters	Temple
French	King	Phelan	Thompson
Fuller, Ill.	Kinkaid	Platt	Tillman
Gallagher	Knutson	Polk	Tilson
Gallivan	Kraus	Pou	Treadway
Gandy	La Follette	Powers	Venable
Gard	Lampert	Purnell	Vestal
Garner	Langley	Ragsdale	Vinson
Garrett, Tenn.	Lazaro	Rainey, H. T.	Voigt
Gillett	Lee, Ga.	Rainey, J. W.	Volstead
Glynn	Lever	Ramseyer	Walton
Goodwin, Ark.	Little	Randell	Ward
Gordon	Lobeck	Rayburn	Wason
Graham, Ill.	London	Reed	Watkins
Green, Iowa	Lonergan	Robinson	Watson, Pa.
Greene, Mass.	Lundeen	Rogers	Weaver
Greene, Vt.	McArthur	Romjue	Welling
Gregg	McLinth	Rose	Whaley
Griffin	McCormick	Rouse	Wheeler
Hadley	McFadden	Rowe	White, Me.
Hamilton, Mich.	McKenzie	Rubey	Williams
Hamlin	McKeown	Rucker	Wilson, Ill.
Hardy	McKinley	Sabath	Wilson, Tex.
Harrison, Va.	McLaughlin, Mich.	Sanders, Ind.	Wood, Ind.
Haskell	McLemore	Sanders, La.	Woodyard
Hastings	Madden	Sanders, N. Y.	Wright
Haugen	Magee	Sanford	Young, N. Dak.
Hawley	Mann	Scott, Iowa	Young, Tex.
Hayden	Mansfield	Scott, Mich.	
Heflin	Mapes	Shallenberger	

NAYS—2.

Blanton Quin

ANSWERED "PRESENT"—3.

Frear Jacoway Littlepage

NOT VOTING—178

Alston	Drane	Kennedy, Iowa	Saunders, Va.
Barbour	Drukker	Key, Ohio	Schall
Barnhart	Dupré	Kiess, Pa.	Scully
Benson	Edmonds	Kitchin	Sears
Black	Emerson	Kreider	Sells
Booher	Estopinal	LaGuardia	Shackleford
Borland	Fairchild, B. L.	Larsen	Shelley
Britten	Fairchild, G. W.	Lea, Cal.	Sims
Brodbeck	Farr	Lehlbach	Sisson
Browne	Flood	Lesher	Sherden
Browning	Flynn	Linthicum	Smith, C. B.
Brumbaugh	Focht	Longworth	Smith, T. F.
Burroughs	Fordney	Lufkin	Snook
Caldwell	Francis	Lunn	Snyder
Candler, Miss.	Freeman	McAndrews	Steele
Caraway	Fuller, Mass.	McCulloch	Stephens, Miss.
Carew	Garland	McLaughlin, Pa.	Stephens, Nebr.
Carlin	Garrett, Tex.	Maher	Sullivan
Carter, Mass.	Godwin, N. C.	Martin	Summers
Carter, Okla.	Good	Miller, Minn.	Swift
Cary	Goodall	Mondell	Switzer
Chandler, N. Y.	Gould	Montague	Tague
Church	Graham, Pa.	Moore, Va.	Taylor, Ark.
Clark, Fla.	Gray, Ala.	Morin	Templeton
Classon	Gray, N. J.	Mudd	Thomas
Cleary	Griest	Neely	Thacharake
Coady	Hamill	Nelson, J. M.	Tinkham
Collier	Hamilton, N. Y.	Nicholls, S. C.	Towner
Connelly, Kans.	Harrison, Miss.	Norton	Van Dyke
Cooper, Ohio	Hayes	Oliver, Ala.	Vare
Cooper, W. Va.	Heaton	Oliver, N. Y.	Waldow
Copley	Heintz	Osborne	Walker
Costello	Helm	Park	Walsh
Cox	Helvering	Porter	Watson, Va.
Cramton	Holland	Pratt	Webb
Crosser	Houston	Price	Welty
Dale	Husted	Raker	White, Ohio
Delaney	Hutchinson	Ramsey	Wilson, La.
Denton	Ireland	Rankin	Winge
Dewalt	Johnson, Ky.	Reavis	Winslow
Dies	Johnson, S. Dak.	Riordan	Wise
Dixon	Johnson, Wash.	Roberts	Woods, Iowa
Donovan	Jones	Roslenberg	Zihlman
Dooling	Kearns	Rowland	
Doughton	Keating	Russell	

So the bill was passed.

The following additional pairs were announced:

Until further notice:

Mr. CLEARY with Mr. EDMONDS.

Mr. WATSON of Virginia with Mr. HOLLAND.

Mr. JACOWAY with Mr. FREAR.

Mr. CALDWELL with Mr. BROWNING.

Mr. CAMPBELL of Mississippi with Mr. BURROUGHS.

Mr. CARLIN with Mr. BENJAMIN L. FAIRCHILD.

Mr. COADY with Mr. GEORGE W. FAIRCHILD.

Mr. DUPRÉ with Mr. FREEMAN.

Mr. HOUSTON with Mr. FULLER of Massachusetts.

Mr. LEA of California with Mr. KREIDER.

Mr. LESHER with Mr. IRELAND.

Mr. LINTHICUM with Mr. JOHNSON of South Dakota.

Mr. MCANDREWS with Mr. MUDD.

Mr. MARTIN with Mr. ROSENBERG.

Mr. MONTAGUE with Mr. SNYDER.

Mr. NEELY with Mr. SWITZER.

Mr. OLIVER of New York with Mr. TEMPLETON.

Mr. SIMS with Mr. TIMBERLAKE.

Mr. STAYDEN with Mr. TOWNER.

Mr. THOMAS F. SMITH with Mr. SELLS.

The result of the vote was then announced as above recorded.

A quorum being present, the doors were opened.

On motion of Mr. GALLIVAN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. GALLIVAN, by unanimous consent, was given leave to extend and revise his remarks.

NAVAL APPROPRIATION BILL.

Mr. PADGETT, chairman of the Committee on Naval Affairs, by direction of that committee, reported the bill (H. R. 15539; H. Rept. No. 1024) making appropriations for the naval service for the fiscal year ending June 30, 1920, and for other purposes, which was read a first and second time, and, with the accompanying papers, ordered printed and referred to the Committee of the Whole House on the state of the Union.

Mr. BUTLER reserved all points of order.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. DENT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 15462) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1920, and for other purposes. Pending that motion, I would say that I have had no requests for time upon this side of the House, and I ask unanimous consent that general debate upon the bill be dispensed with, if that is agreeable to the gentleman from California [Mr. KAHN].

Mr. KAHN. Mr. Speaker, I have had one request for 15 minutes from the gentleman from Kansas [Mr. LITTLE].

Mr. DENT. Then I ask unanimous consent that general debate be closed at the expiration of 15 minutes.

The SPEAKER. The gentleman from Alabama asks unanimous consent that general debate upon the bill close in 15 minutes. Is there objection?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Alabama that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the Military Academy appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the Military Academy appropriation bill, with Mr. SABATH in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk reported the title of the bill.

Mr. DENT. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. KAHN. Mr. Chairman, I yield 15 minutes to the gentleman from Kansas [Mr. LITTLE].

Mr. LITTLE. Mr. Chairman, this bill appropriates $2,900,000 to be used in the next year by one school. I find that it gets so little attention from the House that nobody has any information or desires any information, such, at least, that leads him to want to discuss it, except perhaps myself. That shows a lack of interest in a very important feature of legislation which I greatly deplore.

I read in the newspapers the other day that the management now in control, which wants $2,900,000 for the next year, is preparing to put in force the old system of hazing at that school. Under that system a new boy who comes there from the country is at the mercy of the older and the bigger boys, upon the theory that that makes a nicer man of him, when, as a matter of fact, it makes of him a little coward and a snob unless he is a boy of considerable character. He gets a little older and in a higher class and then he wants to overawe somebody else.

Mr. FIELDS. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. FIELDS. The gentleman is aware of the fact that there is a statute against hazing?

Mr. LITTLE. Then, would the gentleman account to me for the fact that the newspapers gave us the information that the superintendent is going to resume hazing; and does not the gentleman know that hazing has been in force ever since he has been on the Military Committee?

Mr. FIELDS. I am advised by the superintendent that it has not been, and that is all I know about it. In 1911 one cadet was dismissed for hazing.

Mr. LITTLE. If I had been on the Military Committee as long as the gentleman and did not know any more about the hazing system than he does, I certainly would get out and look it up, at least.

Mr. FIELDS. I get my information from the superintendent of the establishment, while the gentleman gets his from the newspapers.

Mr. LITTLE. I get mine from young men who have been hazed, and, what is more, the system is in vogue in every school of that kind in the United States, and they all do it because West Point does. What is the result? It makes a snob of every man that goes out of the school who allows himself to be governed by the principles that it teaches. The theory is that an older boy is better than a younger boy, and instead of reaching out a helping hand and assisting him to grow up as a gentleman, they teach him there is somebody better than he is, who can run over him and mistreat him and do anything to him, and if he undertakes to whip the boy a couple of classes above him he has got to lick the whole class to get away with it.

And that is the way you spend $2,900,000, and one of your committee gets up and tells me that the superintendent tells him that they do not haze there, and there is not another man in the House who does not know that they do, and that is the kind of information that your committee brings to you on which to warrant an expenditure of $2,900,000. I am speaking as a friend of education and of military education. My own boy is in a military school, and has been for two years, and I appreciate the value of it when at its real best, and I know its faults, and I am merely saying here that when you discuss such an appropriation for a military school you ought to know what you are doing, instead of starting off by such theories as that is.

Mr. McKENZIE. Mr. Chairman, the gentleman is aware of the fact that students have been dismissed from West Point for hazing, and that bills have been introduced and have been referred to our committee in attempts to get those men reinstated, and it could not be done.

Mr. LITTLE. The gentleman from Kentucky [Mr. FIELDS] informs me that one was dismissed in 1911. The gentleman from Illinois says "students." He means "student," does not he—a cadet, not cadets?

Mr. STEVENSON. The gentleman referred a moment ago to the rule that the older classes dominate the lower ones. Is not that merely the rule of seniority, which prevails here and everywhere else? [Laughter.]

Mr. LITTLE. The gentleman is trying to get me away from the subject I was discussing. We will take that up a little later on. Of course, we all know that every time a new boy goes to another town he always has to lick every boy in the town before he can get along; but the truth is that at West Point they have adopted the cowardly custom of combining every upper class against the low class man, and, as I said before, if you beat one of the seniors you have to beat the whole class. Some gentleman here says that he does not believe that that is true. I would like to get him into West Point once.

Mr. YOUNG of North Dakota. I suggest that if the boy can lick two of them, he can lick them all.

Mr. LITTLE. Gentlemen, we all know that this bill should not go a step without some recommendation from the committee that this hazing must stop.

As I undertook to say to you when questioned by gentlemen whose information runs back too far to be useful [laughter], this makes snobs of the boys. What is the matter with the West Point boys? Why, they go into a community and they feel that they are of a different class because the minute they go to West Point they are taught that the other fellows in the upper classes are better than they are, and when they come out they think they are better than everybody else, and that is the reason in this war we are continually agitating in this House the question why we have dismissed from the Army of the United States brave and gallant officers simply because they were in the militia of the country. The Regular officers have grown weary of being eclipsed by Volunteers and are endeavoring to seize the laurels from those who deserve them in many instances.

Mr. GORDON. Will the gentleman yield?

Mr. LITTLE. I will.

Mr. GORDON. How long has it been since the gentleman heard of a case of hazing at West Point?

Mr. LITTLE. Since this war the newspapers say they have discontinued it, but they are going to put it back now.

Mr. GORDON. Oh, no; there has not been any hazing there for five years.

Mr. LITTLE. You see, you can not talk to these gentlemen. The gentleman should talk with some people who have met some of the cadets from West Point and talked to them within the last 5 or 10 years. You go down there on an announced inspection, and, of course, everything is fixed for an approving report.

Mr. MADDEN. Did the gentleman say he would prefer to talk with some one who had met some West Pointer?

Mr. LITTLE. Some student who has been through the business there.

Mr. GORDON. If the gentleman will yield——

Mr. LITTLE. I must make this speech myself and I do not want the rest of the House to consume all the time. I can not yield any further. The gentleman could have gotten 15 minutes if he wanted the time. There is not anybody in this House who asked for time on this bill except myself until I succeeded in getting 15 minutes and began to talk on the subject, and they hop on me and want to talk all through my time. This is an important bill and you should investigate it.

Mr. HASTINGS. Is not that the rule of seniority?

Mr. LITTLE. There goes another.

Mr. SCOTT of Michigan. I want to corroborate the gentleman.

Mr. LITTLE. I thank you.

Mr. SCOTT of Michigan. And I want to dispute the statement made by the gentleman from Ohio that there has not been any hazing at West Point for five years, because I talked with a boy dismissed from West Point for hazing since this war started. They say it is not in vogue there, but this fellow was actually dismissed last year; so that is not a matter of past history.

Mr. LITTLE. Of course, gentlemen, we all know, except gentlemen who inspect in committees, that there is hazing at West Point, and I do not want to waste time on such ideas. The reason they do not get along with volunteers in any war, the reason they are sending out better men in the militia, is simply because they are not from the West Point clique, because they have retained their Americanism and go into the Army to fight, not as a profession. Now, gentlemen, I do not mean all of them are. There are some splendid young Americans from there, and they are in a majority, I presume, and there is nothing the matter with them when they come out except West Point; but many of them are tarred with that brush, otherwise splendid young fellows. We have known man after man, scores of splendid soldiers, put out of the Army because they did not belong to the clique during this war. What is the reason for that? What is the matter with West Point?

Gentlemen, in the Spanish War, in the Philippine War, in the Chinese War, not one single, solitary general officer who achieved distinction or commanded in any action of importance ever attended a military school. Miles, Lawton, Shafter, Otis, MacArthur, Wheaton, Wood, Miller, Funston, Chaffee——

Mr. SLOAN. And Col. Little.

Mr. LITTLE. Not one of them ever went to a military school, and you can not name any man from West Point who achieved distinction as a general officer in the Spanish War, in the Philippines, or the Boxer War; not one. Every one volunteered without military education. Occasionally a West Pointer succeeded by simply getting out of the Regular Army and getting into the Volunteers, like Frank Bell. Now, there is some reason for that, and that is the reason why we should be examining this bill closer than we are doing. They tell us about the Civil War, that they were all West Pointers.

There was a West Point before the Civil War, but it was nothing but a little high school, except they taught them higher mathematics. That did not come to be compared with the West Point of these days. If that West Point made all these great soldiers, West Point to-day is useless, as there are 50 better military schools in this country now than there was at West Point before the Civil War. The great soldiers of the Civil War were all in the Mexican War—Grant, Lee, all of them; every one of them.

A MEMBER. They were from West Point.

Mr. LITTLE. The gentleman says they were from West Point. They came from the West Point High School, but they did not become great soldiers in the Civil War because they had been at West Point and studied a few simple things, but because their experience on the battle fields in Mexico made

them great soldiers. That is what made great soldiers out of them, and I do not——

Mr. McKENZIE. Something was said this morning about the Leavenworth clique. I would like to hear the gentleman on that clique.

Mr. LITTLE. They have a fine school at Leavenworth for these boys to go to after they are out of college and become officers. Many old Army friends and comrades of mine go there. I have no quarrel with them. They are organized there just like a college secret society and all stand together.

Is it not enough for the gentleman from Illinois [Mr. McKENZIE] that I venture to challenge the infallibility and perhaps the serious utility of West Point without being involved with the Leavenworth clique too? What is he trying to do to me? Does he wish to involve me in ruin, absolute ruin? When "Wild Bill" Hickok was marshal at Hays City, Kans., a half dozen soldiers from Gen. George A. Custer's famous Seventh Cavalry at Fort Hays came to town, took a few drinks, and celebrated. Wild Bill beat them up a bit and put them in the calaboose. Their captain, Tom Custer, regarding that as lese majeste, turned out the whole troop and they started for town to kill Wild Bill on sight. Bill drove to the next station and left for Kansas City till the storm was over. He said, "I'm perfectly willing to fight a reasonable number, but I am not going to try to lick the whole United States Army." The gentleman from Illinois must understand my list is full now, without taking on any "Leavenworth clique."

The best men at Fort Leavenworth, the best teachers there, have not been from West Point. Many of them are from the Philippine service—the very best of them. The fact of the business is, gentleman, that this military business is not a profession. It is a business and must be learned in the field, like other business.

Mr. McKENZIE. Will the gentleman yield?

Mr. LITTLE. I will.

Mr. McKENZIE. I would like to ask the gentleman from Kansas whether he would be in favor of abolishing West Point or not?

Mr. LITTLE. Well, you think from what I say that it ought to be abolished. If I can prove that no officer from West Point achieved distinction of the first importance in the Spanish-American War, would you think it ought to be abolished?

Mr. McKENZIE. If you ask me that question, I will say very frankly to you that I think West Point, from all I have been able to learn, is the greatest military school not only in this country but in the world.

Mr. GORDON. And has been for a hundred years.

Mr. LITTLE. As to my own views, the fact that my own boy has been in a military school for two years shows what I think of a military school and its possibilities. I am not saying, nor have I intimated, that West Point should be abolished, though possibly we would be better if, like Switzerland, we had no professional officers; but the gentleman jumps as if he had been stuck the minute I discuss its foibles. If it is so bad that when I lay my finger on the sore spot he jumps, something ought to be done. The minute I suggest these facts you think it ought to be abolished. I send my boy to a military school, and I think they are useful institutions. I would like to see West Point improved until its boys can rank with volunteer officers, until they furnish a share of the generals like Miles, Wood, Funston, Chaffee, McArthur, Wheaton, and Lawton.

Mr. OLNEY. Did not Lee and Stonewall Jackson and Grant graduate at West Point?

Mr. LITTLE. I discussed that. You must have been out. Every one of them got his military education in the Mexican War, and everything that was of any use to him he got there. It is shown that this school could be greatly improved, and it would be improved if more people would take an interest in it instead of letting it go by the board in this way. That is no reason why it should not be subjected to careful analysis and criticism when we are asked to spend millions on it.

Mr. RAMSEYER. How do you come to a conclusion that it has not turned out any soldiers for any of the past wars? [Applause.]

Mr. LITTLE. The attitude of the advocates of this institution can be exhibited by that question and that applause. I did not say it had not turned out any good soldiers. I simply said the fellows who did not go to school were better soldiers. That is all. [Laughter.] They do the best they can with the handicap of the snobbery they get there. All the brilliant leaders of the Cuban, Philippine, and Chinese wars were civilian volunteers.

Now, I am going to close. The friends of West Point, the minute you put your fingers on their sores, begin to protest.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. LITTLE. Yes.

Mr. HUDDLESTON. I wanted to ask the gentleman if he does not think that the worst thing about West Point is that it is responsible for the caste sentiment that exists in our Army to-day?

Mr. LITTLE. And a snobbery that forced so many splendid militiamen out of the Army in the last war.

Mr. McKENZIE. I would simply like to ask the gentleman what he does when a young man asks him for an appointment to West Point. Do you name him, or do you advise him that it will be his ruin if he goes to West Point? [Laughter.]

Mr. LITTLE. What has that got to do with it? [Laughter.] If he is a friend of mine, I advise him to do something else. If he insists on it, I appoint him. [Laughter.] Perhaps we will get somebody in who will be as good as John A. Logan or Forrest. I can give you the key to this situation from a general officer of the Confederacy, who, I presume, graduated from West Point. He was the son of a President of the United States. I refer to Gen. Dick Taylor, a great officer. He said this, and it is the final word that I want to say: "You take the ordinary boy and send him to West Point and keep him there four years in that artificial environment, and put him two years on the frontier at some little fort with a few men, and then send him down to the department to sit around and unwind red tape for two years, and you have the finest example of arrested mental development the world ever saw." [Laughter and applause.]

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the Military Academy for the fiscal year ending June 30, 1920:

Mr. GORDON and Mr. WOOD of Indiana rose.

The CHAIRMAN. The gentleman from Ohio, a member of the committee, is recognized.

Mr. GORDON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we have just been regaled by an address from a gallant volunteer officer here, in which he said some things that I approve and some things to which I dissent. I had the honor to head a committee which made the annual inspection of West Point four years ago, and I made some inquiries into the matters and things which he has discussed here. I have been on this committee for nearly six years now and have given reasonable attention to the Military Academy as we appropriated for it annually. West Point is the finest military school in the world, and has been for over 100 years.

Mr. LITTLE. Will the gentleman yield?

Mr. GORDON. No. I have only five minutes under the rule. When James Monroe, who was one of the greatest military men who ever occupied the office of President, was Acting Secretary of War he sent a message to Congress in which he discussed West Point at length. That was about in 1820. In that message he said that West Point was then the finest military school in the world. And there is no doubt that it has been such for a hundred years.

Now, the question of hazing there is a question that has not come within the cognizance of the committee since I have been a member of it, for the simple reason that it has been punishable by dismissal for the last five years, and that is what I now say. The gentleman from Michigan undertook to controvert that by saying that a fellow whom he appointed there did some hazing and was dismissed. As to that, I undertake to say——

Mr. SCOTT of Michigan. I did not say exactly that.

Mr. GORDON. Well, he said he took part in a hazing enterprise and was expelled. You can not hold the military authorities up there responsible for hazing if they visit condign punishment upon those guilty of that offense, so that, practically speaking, hazing has been abolished, just as larceny and other crimes are considered abolished by being made penalized. I have not known of any hazing since I have been on this committee.

The argument against educating and training officers is just like the argument sometimes made against college education. You often hear men say that because some of our great men had not an opportunity to obtain a college education therefore that proves that a college education is of no account. Of course, there is nothing in that argument. The best man that ever lived intellectually would have been the better if he had had the advantage of college training. [Applause.] I think everybody will admit that if he will use judgment and common sense.

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. GORDON. Yes.

Mr. LITTLE. Would it have improved Shakespeare? Is it not a fact that Bob Ingersoll said that "A college education polishes the pebble and dims the diamond"?

Mr. GORDON. Yes; but if Bob Ingersoll said that, I beg to disagree with him on that as well as some other things that he said. [Laughter.]

West Point is a very expensive institution to the Government. It is located in a beautiful place, which is, however, not adapted to its expansion. They have plenty of land there, but the trouble is that it is located upon the side of a hill, and the hill is of solid stone, and construction work is exceedingly expensive; and as the gradual increase of the attendance at the Military Academy has come on from year to year, the cadets recently having been authorized to be doubled, of course they are cramped for room. That is one of the serious questions which the committee has had under consideration, and which will probably confront the coming Congress peremptorily.

Now, I do not consider it necessary to answer some of the observations that the gentleman from Kansas [Mr. LITTLE] has made here, because they are all covered in the general statement that our military officers are better from having been educated in military subjects than they would be without that education. Originally West Point was an engineering school exclusively, but since then the course has been enlarged, and it is now a very comprehensive one and covers perhaps more subjects than are vitally necessary. But it certainly does equip young men and prepare them to be officers of the Army better than any other school in existence anywhere on earth.

Mr. MADDEN. Mr. Chairman, will the gentleman yield for a question?

Mr. GORDON. Yes.

Mr. MADDEN. Does not the gentleman think there ought to be some training in commercial work, business training, connected with the military training in West Point? That seems to have been avoided altogether.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. MADDEN. I ask unanimous consent, Mr. Chairman, that the gentleman may have his time extended five minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the time of the gentleman from Ohio may be extended five minutes. Is there objection?

There was no objection.

Mr. MADDEN. I asked the question of the gentleman from Ohio because I believe that if there is a weakness in the training of a military officer it is in the lack of business knowledge.

Mr. GORDON. The gentleman is exactly right about that, and, as I just observed, we are teaching too many things that are not vitally necessary to the Military Establishment just now. If I were to solve the problem, I would separate the business part of the Army from the Army itself, as they have done in France. I would have at the head of the Quartermaster's Department a business man. I would not have an Army officer at all, and that would furnish a complete solution of the real weakness in our military organization, to which the gentleman has called attention. The real weakness of the average Army officer is that he has no conception of the value of money and no knowledge of practical business.

Mr. MADDEN. If I may be permitted, if I had the power, I would allow the man who has technical knowledge to write the prescription, as I would allow the Army officer to outline the policy, but I would employ a man who understood how to spend money to fill the prescription.

Mr. GORDON. The gentleman is exactly right about that. That is what ought to be done in the Army. The Quartermaster General ought to be a business man. The Army officers are not qualified to act as business men. That has been demonstrated in the last few years by useless expenditures for millions and millions of dollars' worth of stuff that we did not need. Under the stress of military necessity, our civil officers immediately laid down, and if an Army officer wanted to order, for instance, $100,000,000 worth of matches, he would order them, and they have just piled up things that they will never need or use in a hundred years, and, of course, there has been enormous waste.

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. GORDON. Yes.

Mr. LITTLE. I will just make this suggestion to the gentleman and leave it to him as to whether I am right. Does not the gentleman think the best thing that could happen to the West Pointer would be to be made to go out and work for two years and hustle for a living?

Mr. GORDON. No.

Mr. LITTLE. I think a practical education would make a better man and a better soldier of him. If he did that, he would make a better officer in the Army.

Mr. GORDON. No. I think the officers educated at West Point are the finest officers and the best equipped, physically and mentally, in the world. You might as well look at the question just as it is.

Mr. LITTLE. Did the gentleman say the best in the world?

Mr. GORDON. Yes. Because Col. LITTLE made a fine officer without a military education he assumes that no education is necessary. I think he makes the same mistake that I referred to in my opening remarks in regard to a college education. Education does not hurt anybody, and to say that an officer can be over-educated in military matters, it seems to me, is absurd.

Mr. HAMLIN. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. HAMLIN. I think perhaps the gentleman can give me some information. The usual course at West Point is four years?

Mr. GORDON. Yes.

Mr. HAMLIN. But after the war came on it was shortened to three years, and then to two, and then to one.

Mr. GORDON. Yes; they started in a system of rushing and cramming the boys up there and graduating them ahead of their time.

Mr. HAMLIN. Now, what I want to know, and this is purely for information, can the gentleman tell us whether the four-year course will be resumed shortly?

Mr. GORDON. That is a matter which is now under consideration, and we have just received a copy of a report from the academic board, which report is now under consideration by the Chief of Staff and the Secretary of War, but no report has been made upon it. That is a matter which is now the subject of discussion, but it is not involved in this bill at all.

Mr. HAMLIN. I will ask another question which perhaps the gentleman is not prepared to answer, but I want him to think about it. Will the young men who have been graduated prematurely, as compared to the old system, be permitted to reenter?

Mr. GORDON. They are going to send them back. They have sent back one class already, and I think it is the intention to return them all to finish their education.

Mr. HAMLIN. I did not know how that was.

Mr. MANN. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. MANN. Is there no law fixing the length of service at West Point?

Mr. GORDON. There is not. That is my understanding about it. It is a matter of regulation.

Mr. MANN. Purely a matter of regulation?

Mr. GORDON. Yes.

Mr. RAMSEYER. Who regulates that?

Mr. GORDON. The Secretary of War.

Mr. MANN. There was a law as to Annapolis.

Mr. HARRISON of Virginia. Will the gentleman yield?

Mr. GORDON. Yes. If I am in error about what I have just stated, I should like to be corrected.

Mr. HARRISON of Virginia. The gentleman is not in error as to the fact at present, but the change is a recent one, and I will submit an amendment presently to cover that very situation. The academic board were requested by Gen. March to make a report on whether or not the course could be shortened.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I ask unanimous consent that the gentleman have five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HARRISON of Virginia. Gen. March asked the academic board to make a report as to whether or not the curriculum could be shortened. This academic board is made up of the various professors and instructors of that institution, including the superintendent. That board unanimously reported against any change in the four-year course. They reported that the four years could not be shortened by placing any part of the instruction in the remaining three years, because the time of the boys was fully taken up now, and they would not have any time to include any more studies, and that the only way in which the course could be shortened would be by cutting off either the last year's course or the first year's course. If they cut off the last year's course the student would be deprived of all military instruction, because in that last year is included the principal military instruction received by the boys at that institution. If they cut off the first year's course they would raise the standard so high that only college graduates could be permitted to enter the institution, and the high-school graduates and boys whom we have been accustomed to appoint would be excluded.

Mr. MANN. Will the gentleman permit a question?

Mr. HARRISON of Virginia. Yes.

Mr. MANN. Before the war was the length of the course a matter of regulation?

Mr. HARRISON of Virginia. Until very recently it was fixed by law at a four-year course, but recently it has been changed, and is now a matter of regulation.

Mr. SHALLENBERGER. When was the change made?

Mr. HARRISON of Virginia. I can not recall, but it is a recent change. The result has been that the Chief of Staff is taking steps, without the permission of Congress, to alter the course at the Military Academy, or he is making inquiries along that line, and I am going to ask this body to adopt an amendment fixing the course at four years.

Mr. MANN. I was under the impression that we had authorized the graduation of classes before the regular time.

Mr. HARRISON of Virginia. You can do that in time of war.

Mr. MANN. We have done it.

Mr. GORDON. I thank the gentleman. I will say, in further answer to the inquiry of the gentleman from Illinois, that another plan has been suggested, and that is to convert West Point back into an engineering school, building another institution to deal with other subjects. Upon the question of shortening the course at West Point, it seems to me that their plan is well worthy of consideration by Congress. My impression was that the length of the course at West Point was a matter purely of regulation and had been ever since I have been in Congress. If I am in error about that I shall be glad to be corrected.

Mr. HARRISON of Virginia. Does not the gentleman think the change ought to be left to Congress and not to the Chief of Staff?

Mr. GORDON. No; I do not think so. I think that if the Congress has any comprehensive plan it is satisfied to adopt it ought to go ahead and do it, but unless it has it ought to be a matter of regulation on the theory that military training requires a matter of expert knowledge.

Mr. DENISON. The greatest complaint I have heard against the institution is that there is there taught, or there grows up there, a spirit of snobbery or military caste which makes the man that comes out have contempt for other men who go into the military service. Has the gentleman any suggestion by which Congress or the department could take some action that would democratize the institution and get rid of that tyranny?

Mr. GORDON. I do not think there is any legislation that would cure the difficulty. The real truth about it is, the thing which the gentleman complains of is incident to the Military Establishment, and especially the Military Establishment of the United States. Our military system was organized by Baron von Steuben, who had been a Prussian officer on the staff of Frederick the Great. He came to the United States early in the Revolutionary War and cast his lot with us, gave his services to us, spent the remainder of his life in this country, and died here. He was a very distinguished officer and, of course, he gave us the Prussian system. He was the first Inspector General of the United States Army, and naturally the system which he planted here has continued in the same lines in the Regular Army.

Mr. LITTLE. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. LITTLE. Does the gentleman think, in view of the results that have been accomplished in the last four years by the Prussian system, that we should adhere to it?

Mr. GORDON. I will tell you that if you want a first-class military system you can not find a better one than the Prussian system. That has been demonstrated in this war. Of course, I want you to understand that I am opposed to it. [Laughter and applause.]

Mr. LITTLE. But they got licked, did they not?

Mr. GORDON. Finally, but it was some job. [Laughter.]

Mr. WOOD of Indiana. Mr. Chairman, I move to strike out the last two words. Mr. Chairman and gentlemen, I wish to make a few remarks about a subject which I expect every Member present is more or less familiar with, and that is order No. 77, promulgated some time ago by the War Department, whereby it was supposed that the boys in the military service might be relieved by making a proper showing. Every Congressman who represents an agricultural district is being besieged by his constituents asking why it is that after they have complied with the requirements of this order they can not get action, let alone favorable action, on their petitions. We were led to believe by the order that if a farmer made application for the relief of his son, who was wanted on the farm, and filed with it the proper affidavits of disinterested people as to the facts set forth in the application that he was needed on the farm, unless there was great reason why he should not be relieved he would be permitted to go home and do work on the farm. Thousands and thousands of farmers have filed these applications. They have been absolutely ignored in most cases. I do not know who is at fault, but there ought to be some remedy applied.

Mr. MANN. Will the gentleman yield?

Mr. WOOD of Indiana. Certainly.

Mr. MANN. I had a letter this morning from the Secretary of War, stating that it was not the policy of the War Department to discharge a man because he had a position awaiting him at home.

Mr. WOOD of Indiana. Then they have misled every Member of this House. I have been misled by this order 77. I want to call the attention of the House to a case, and I dare say I am but reiterating your own experience. I have a case where there is a position awaiting a young man at $150 a month. He is supposed to be occupying a position of clerk in the Army, but as a matter of fact he makes the beds and washes windows, and they say they can get nobody to take his place. I asked for a report on this from The Adjutant General's office the 8th of last month. The Adjutant General informs me—and I have no reason to doubt he is telling the truth—that he has called again and again for a report in reference to the case, but down to this good hour the officer in command of that company does not deign to give him an answer.

I have another case where a widow living in Benton County, Ind., whose husband died since her boy entered the Army, filed an application with the necessary supporting affidavit that her son was her sole reliance and that she could not get along on the farm without his help; that she needed him for the purpose of farming 160 acres of land. The captain receiving the application acknowledged the receipt of the same and expressed some delight at the sufficiency of it. But he said that "while it is true the armistice is signed, it does not necessarily follow that peace will be declared, and your son is a member of the Thirty-fourth Field Artillery, a combat unit, and to discharge him or any other member of this unit would have a depressing effect on the peace congress now being held in Paris." [Laughter.]

I took the letter from that captain to The Adjutant General of the United States more than three weeks ago and asked that it be investigated, and I suggested that a captain who had no more sense than to write a letter of that kind was not fit to command pigs, let alone men. [Laughter.]

Mr. STEVENSON. Will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. STEVENSON. Has the gentleman any idea that this captain is one of those that we have been hearing about who wants to keep the company in order that he may keep his captaincy?

Mr. WOOD of Indiana. I do not know; but I do know this——

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. WOOD of Indiana. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WOOD of Indiana. I do know this, that in one of these camps there is a captain who was a sergeant in the Regular Army before we got into this war. He was getting $44 a month as a sergeant. He was made a captain. He gets $200 a month as a captain and he gets $44 for commutation of quarters and another small sum for commutation of light. Then he gets his fogies, which, by reason of his service in the United States Army, amount to $60, so that in all he is getting $320 a month as captain. The very minute that he loses his position as captain he goes back into the Regular Establishment at $44 a month. That gentlemen has made the remark that he proposes to hold on to what he has as long as he can.

There is another thing to which I desire to direct your attention, and if gentlemen do not know that what I am telling is true they can find out by inquiry, for it is prevalent in almost every camp in the United States. There are companies with five and six and seven captains, with five and six and seven first lieutenants, and with five and six and seven second lieutenants. Perhaps they may have a dozen privates. What are they doing there? Yet you can absolutely get no relief either by addressing a telegram or a letter to these commanding officers, and you can get no relief by going to The Adjutant General of the United States. He seems to be absolutely impotent to give any satisfactory reply to any inquiry involving this want of consideration on the part of these petty officers.

Mr. HAMILTON of Michigan. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. HAMILTON of Michigan. Would it not be possible for this House to obtain some information in respect to this interesting situation by requesting these gentlemen on the Military Affairs Committee to report to us in relation to it? What are they here for?

Mr. WOOD of Indiana. That may be, but the time is soon coming when the Congress of the United States will be held responsible by constituents for this condition of affairs, for, after all, these gentlemen are not monarchs of all they survey. They are answerable to the Congress of the United States, and it strikes me that in the interest of the farmer, in the interest of the business man of this country, who are alike interested in seeing some order come out of this chaos, the Congress of the United States ought to take some action requiring the Secretary of War to inaugurate some scheme whereby Members of this Congress will be treated at least with respect, and where at least The Adjutant General of the Army will be treated with some respect, and some provision made that these men answer his inquiries.

Mr. FESS. Mr. Chairman, reverting to the fact of so many captains to the same company, a matter which can be easily established, has the gentleman any possible explanation of why it is?

Mr. WOOD of Indiana. The only explanation that I have heard from even those who are attempting to defend this thing is that they are being held there until some place can be assigned to them where they may be of real service. They are being held in these places where there are five and six and seven captains and five and six and seven first lieutenants and five and six and seven second lieutenants for the purpose of drawing their salaries, and nothing more.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. McKENZIE. These companies of which the gentleman speaks, where there are so many captains and first and second lieutenants, the gentleman does not mean to say are Infantry or Artillery companies, does he? Surely he is referring perhaps to the Motor Transport Corps.

Mr. WOOD of Indiana. They are not all in the Motor Transport Corps by a long measure. They are very much diversified, and I dare say that you will find there is no branch that is entirely guiltless when it comes to this thing. The Congress of the United States, in the last analysis, is responsible for the conduct of the Army, for we are the ones that provide the regulations that are supposed to control it, and our constituencies will be looking to those who are responsible for its control to furnish them the relief that has been promised by the Secretary of War and which is being denied, and because of which so much hardship is resulting.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. DENT. Has the gentleman any concrete idea that he would like to suggest? If so, the Military Committee would like to have it.

Mr. WOOD of Indiana. I think it would be a good idea for the Committee on Military Affairs to adopt some plan whereby soldiers who are needed in civil life can be released for the purpose of entering civil pursuits where they are needed, and whereby their requests would not be dependent upon the whim or caprice of these petty officers. [Applause.]

The CHAIRMAN. The time of the gentleman from Indiana has again expired.

Mr. WOOD of Indiana. Mr. Chairman, I ask for one minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WOOD of Indiana. Mr. Chairman, I desire to call attention to one other concrete case which came to my attention today. This is the case of a young man from Jasper County, Ind., who is wanted at home for the purpose of managing 1,500 acres of land. His mother is a widow and joint owner with a brother who is incapacitated by illness. I have asked repeatedly for the discharge of this boy, furnishing all of the required proofs and affidavits, and get this character of answer: The commanding officer says that while it is most commendable that this man should want to go home and help supply food for the country in the conduct of 1,500 acres of land, it is likewise commendable that he stay there where he is a valuable man in the discharge of his services as a clerk, thus showing that these commanding officers do not intend that their convenience shall not be interfered with, no matter how important the case presented for a discharge may be.

The CHAIRMAN. The time of the gentleman from Indiana has again expired.

Mr. TILSON. Mr. Chairman, the Members of this House know that I am not prone to bring in mere kicks or to deal in matters connected with "sore toes," "sore heads," or anything of that kind. The matter just referred to, however, by the gentleman from Indiana [Mr. WOOD] has been a real abuse. Either the War Department has tried to put something over on the soldiers and their families in this country or the orders issued by the War Department, apparently in good faith, have not been carried out.

Mr. LONDON. Will the gentleman yield?

Mr. TILSON. Just for a question. I desire to finish in the five minutes.

Mr. LONDON. Is not the real complaint that heads of the Army seem to have no plan in reference to demobilization?

Mr. TILSON. That may be.

Mr. LONDON. Is not that the real trouble?

Mr. TILSON. I am not sure. Here are the facts. I always try to deal in facts. Instead of criticizing anybody I like to present the facts, and if those facts hit anybody on the head, all right. I am not responsible for the facts, except to bring them before you. The War Department, on the 21st of November, issued Circular 77, which says that—

> Department commanders within the United States, commanders of ports of embarkation, and commanders of camps not under the jurisdiction of department commanders or of chiefs of bureaus of the War Department are authorized to discharge enlisted men upon their own application when there is sickness or other distress in the soldier's family or when he is needed to resume employment in an industry or occupation in which there is urgent need of his service.

Circular No. 77 was not lived up to fully by all commanding officers, so on January 6 Circular No. 6 was issued by the department. It says:

> Applications for immediate discharge under the provisions of Circular No. 77, War Department, 1918, will be acted upon as expeditiously as possible, and the applicants will be informed without unnecessary delay of the action taken. Deserving cases should be investigated, and where the applicants have not correctly or fully stated their reasons for asking immediate discharge, officers should render such assistance as may be necessary to correct them so that the application may be properly presented and acted upon.

These circulars, fairly construed, indicate an honest intention on the part of the War Department to release the men therein described.

If there were good reasons why no men whatsoever should be demobilized or good reasons why the entire Army should be demobilized by units, and the War Department had so announced, then there would not have been the same ground for complaint. The gist of my complaint is that either these orders were not issued in good faith or that they have not been lived up to in good faith.

Mr. GARNER. Will the gentleman yield?

Mr. TILSON. I will.

Mr. GARNER. The gentleman is on the Committee on Military Affairs and probably knows more about the policy of the War Department in respect to demobilization in this country than the ordinary Member of Congress.

Mr. TILSON. I try to know something about the subject but have not succeeded very well.

Mr. GARNER. What is the policy of the War Department in reference to demobilization of the Army on the American Continent? I saw a statement in the newspapers that Gen. March said that within 30 days they will be all demobilized. I wanted to know if the gentleman knows——

Mr. TILSON. I do not.

Mr. GARNER (continuing). What the policy is and whether they are going to demobilize all of them in 30 days or not.

Mr. TILSON. I know only what is vouchsafed to us through the public press in regard to demobilization. Through the official orders issued by the War Department I try to get information——

Mr. GARNER. I understand you have been having hearings before the Committee on Military Affairs?

Mr. TILSON. On the appropriation bill.

Mr. GARNER. It does seem to me that the gentleman could have gotten from some man in authority what is to be the policy in reference to demobilization of the Army in this country.

Mr. MANN. The gentleman from Kentucky [Mr. SHERLEY] in charge of the deficiency bill, which covers the earth, stated the other day in response to a question which I put to him that the Army officials before the Committee on Appropriations, the proper officials, stated that all of the troops in this country would be demobilized within 30 days' time. Of course, I do not believe——

Mr. GARNER. That word "all" means a great deal.

Mr. MANN. The statement was made. It did not mean everybody in the Army, because the Committee on Military Affairs has not yet reported the bill providing for any Regular Army or enlistments in a regular way.

Mr. GARNER. If all troops are to be demobilized in 30 days, of course these complaints will cease at that time, but I do not understand that they will demobilize all, because they would have to keep sufficient troops to take care of the different camps, and so forth.

Mr. TILSON. Even if what the gentleman suggests takes place that does not take care of the real grievance which these men have.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TILSON. Can I have three minutes more?

The CHAIRMAN. The gentleman from Connecticut asks unanimous consent to proceed for three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. SHALLENBERGER. I want to call the gentleman's attention to the fact that the Secretary of War did appear before the committee, and this particular question was asked him. His direct testimony was that they could dismiss these men faster by units than they could in an attempt to investigate the individual cases. The Chief of Staff has stated, as the gentleman from Texas has called to our attention, that inside of 30 days all the units in this country would be dismissed, except those necessary for the preservation of the different camps, and that a different policy has been declared.

Mr. TILSON. Here is one of the many reasons why the instructions of the War Department have not been carried out. Circular No. 77, signed by the Chief of Staff, was dated November 21. I hold in my hand an order issued by a company commander on December 16, 1918, nearly a month after the order of the Chief of Staff had been in full effect. It reads as follows:

OFFICE MOTOR TRANSPORT COMPANY No. 377.
Camp Bragg, N. C., December 16, 1918.

No further action will be taken in regard to discharges. Commanding officer will not discuss the matter with anyone until definite information as to possibility of securing same can be obtained from higher authority.

This is signed by W. S. Patteson, first lieutenant, Motor Transport Company, at Camp Bragg, N. C. I have in my possession evidence to the effect that a number of applications were filed, coming clearly within the terms of Circular No. 77, giving indisputable cases of dependence, cases that would have exempted men under the selective-draft law if they had been presented, and yet this high and mighty first lieutenant refuses even to accept the applications and posts an order over his own signature to the effect that no further action will be taken in regard to discharges. As I have the official order with the signature of this mighty warrior, I shall insert it as a part of my remarks if permitted to do so.

Mr. DENT. Will the gentleman yield?

Mr. TILSON. I yield.

Mr. DENT. I understood the gentleman to make the statement a moment ago that the regulations had not been properly carried out by those in authority.

Mr. TILSON. That is my belief.

Mr. DENT. I am sure the gentleman does not mean to say that the General Staff and the Secretary of War did not issue the order in good faith?

Mr. TILSON. I did not mean to say that at all. I say it has not been carried out; but I am of the opinion that it might have been carried out better if authority higher up had informed subordinate commanders that full compliance with the letter and spirit of these orders would be insisted upon.

Mr. DENT. Now, I want to ask the gentleman, inasmuch as he is a very valuable member of the Military Affairs Committee of the House——

Mr. TILSON. Thank you.

Mr. DENT. In this individual case did he call that to the attention of the War Department? I have had similar cases, and I found when I called them to the attention of the War Department they were straightened out.

Mr. MANN. But the gentleman is chairman of the Committee on Military Affairs.

Mr. GARNER. I know a number of cases similar to the one the gentleman refers to, and they have sent them to the War Department and can not get a reply from them.

Mr. TILSON. I have had cases both ways. In some cases I have gotten relief; others I have not. However, the attitude of the War Department has been a surprise to me in this, that its efforts to hold subordinates to a strict compliance with orders have taken the form of a mild request, as if to implore these lieutenants to please discharge these men from the service.

Mr. GARNER. In reference to the good faith of Order No. 77, undoubtedly we must assume that it was issued in good faith; but I want to call the gentleman's attention to one fact, that I have not heard up to date where a lieutenant, a captain, or a major, or anybody else, has been reprimanded or otherwise punished for his failure to carry out that order.

Mr. TILSON. The gentleman has stated the crux of this whole matter. That is the place where the War Department lays itself open to a charge of lack of good faith, namely, in not seeing to it that these officers are called to account for their failure to live up to the spirit and letter of the orders publicly promulgated.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TILSON. Mr. Chairman, I ask unanimous consent to extend my remarks by inserting the order which I read to the House and a letter accompanying it.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The following is the order and the letter referred to:

OFFICE MOTOR TRANSPORT COMPANY No. 377,
CAMP BRAGG, N. C., *December 16, 1918.*

No further action will be taken in regard to discharges. Commanding officer will not discuss the matter with anyone until definite information as to possibility of securing same can be obtained from higher authority.

W. S. PATTESON,
First Lieut. M. T. C., Acting Motor Transport Officer.

1. As per letter January 3, the following is submitted on the above subject:

A. Keeping up morale at Camp Bragg.

Great difficulty is experienced in maintaining morale among voluntary enlisted men who have been in service for periods ranging from 16 to 10 months when so many draftees are obtaining discharges. This difficulty is increased by publication in newspapers of irresponsible and incorrect statements, such as speech of Representative TILSON, of Connecticut, in House of Representatives, January 15. This same speech has caused discontent and unrest at this station, where conditions absolutely require personnel to be kept in service.

In order to combat this influence soldiers are being given as much freedom as is possible, and efforts are being made to provide social entertainments. It being found that civilians in near-by town of Fayetteville charged admission prices for dances far beyond the means of men in uniform, "a soldier boys club" has been organized by personnel of Motor Transport Company No. 377 and Companies A and B, of Forty-sixth Infantry, stationed here as guards, which provides dances at reasonable rates in cooperation with certain people in Fayetteville having the welfare of the soldiers at heart. The first dance given by this club was held Wednesday, January 15, and has been pronounced as the most enjoyable social function that has taken place in that town for some time. It is contemplated to have a masquerade in the near future. It is also contemplated that this organization will put on a minstrel show or some other form of entertainment in the near future.

W. S. PATTESON, *Motor Transport Officer.*

JANUARY 22, 1919.

Representative JOHN Q. TILSON,
House of Representatives, Washington, D. C.

DEAR SIR: I trust you will pardon the liberty I am taking in addressing this letter to you, but I have been requested by some of the men still in service to present the following facts to your attention:

Your speech as reported in a recent issue of the New York World, in which you stated that some officers in the Army were not carrying out their instructions in regard to discharging men of their commands, as they wish to retain their present positions, was absolutely correct and "hits the nail square on the head."

I would like to call your attention to the following facts concerning Motor Transport Corps 377, now stationed at Camp Bragg, Fayetteville, N. C. This corps was formed with enlisted men 15 or 18 months ago, with the distinct promise to all the men who enlisted therein that they would see immediate overseas service. This promise was never fulfilled, and up to a month ago they were permanently attached to Camp Merritt, N. J., where they did all the construction work as well as troop movement, this being the port of embarkation. The "boys" did not complain, although they were very anxious to get across, as they realized that somebody had to do the work on this side. They worked hard and "did their bit" cheerfully, and their work brought forth words of praise from the commanding officers of the camp.

Last December they were ordered to report to Camp Bragg, N. C., and left Camp Merritt on the 3d of that month driving their two ton Pierce-Arrow trucks over the road. They arrived at Camp Bragg December 12.

The commanding officer of this company is First Lieut. William S. Patteson, whose home is in Penn Yan, N. Y. Before Lieut. Patteson entered the Army he was holding down a position in his father's lumber mill at a salary of not more than $15 or $20 a week. Several of the men in his command come from his home town and know him intimately for many years before he entered the Army. They will vouch for the truth of the above statement. Lieut. Patteson has many times expressed the wish that he did not want to get out of the Army before being commissioned a captain, and in that case he would remain in the Army for several years yet. He realizes that if his command is demobilized he will lose his present job, and consequently has done everything in his power to prevent the discharging of his men. He absolutely refuses even to discuss the matter of discharges with his men and has told several of them who have insisted on trying to take this very important matter up with him that he would see to it that they would be the last to be discharged. As they followed to follow the order he had posted on the bulletin board and which I am inclosing. This order speaks for itself.

He also will not issue any of the forms for applying for discharges, as he says they would not get any further than his hands. Before the company left Camp Merritt the questionnaires for discharges were filled out by all the members of the company, but that is all that ever happened to them. They are still locked up in the company safe.

Camp Bragg, as you no doubt know, is still being constructed, and except for two guard companies and M. T. C. 377 there are no other enlisted organizations on the reservation. The camp has not been turned over to the Government and will not be for a long time yet, as

the building process is very slow. The contractors are in charge, and the men feel that they are in the same position as a gang of convicts hired out by a State government to a contracting company. They are doing absolutely nothing that is conducive to maintaining the troops still on the other side or helping in any way the return of those troops. If such was the case there would not be a word of complaint. As it is they are absolutely wasting their time, and as most of the men have families who are dependent on them for their support, this delay in being discharged is working a real hardship on them.

Since the company has arrived in Camp Bragg not one of the Government Pierce-Arrow trucks has turned a wheel, as it is utterly impossible for them to be operated on account of the heavy sand and impassable roads in and around the camp. They have just stood out in the rain and are deteriorating from the effects of the elements. This in itself is a big loss to the Government, as the large sum of money that is represented by these 30 trucks is not paying a single dollar on the investment. The only work the company is now doing is to drive civilian foremen of the constructing company and a few officers around in Fords.

There was a report from Camp Jessup, Atlanta, Ga., that they would not send any extra parts to keep the Fords running, as they understood that the camp was to be demobilized. Whether this is true or not, I can not say at the present moment. Lieut. Patteson has gone down there, and if he follows out his usual policy he will no doubt do everything in his power to have this order canceled, if it is true.

Lieut. Patteson is woefully lacking in knowledge concerning motor trucks and automobiles. After being in command of a truck company as long as he has one would think that he would at least know something concerning the working of a motor, but such does not seem to be the case. The other day he displayed this ignorance by asking in all seriousness if a Ford motor had valves in it. He is absolutely incompetent to command a company, and it has always been a mystery to his men how he ever managed to receive a commission.

I am also inclosing a true copy of the weekly letter sent to headquarters at Camp Jessup. I think that also speaks for itself. I might add that Lieut. Patteson had absolutely nothing to do with getting up the dance he mentions, as the boys did it themselves on their own initiative. As for the "Soldier Boys' Club," they have never heard of it.

Trusting that you may be good enough to look into this matter and see if something can not be done, so that the boys may soon be returned to their families, I have taken the liberty of writing you. All the boys ask for is a square deal, and they do not feel that they are getting it under the existing conditions. They have gladly done their bit and worked hard, with no hope of the glory and praise that falls to the lot of the men who were lucky enough to be sent over. What they are complaining about is the fact that they are now nothing but "meal tickets" for Lieut. Patteson.

Very truly, yours,

ONE WHO IS DEPENDENT ON ONE OF THESE BOYS.

Mr. CRAGO. Mr. Chairman, returning to the Academy bill, for the purpose of the information of the House, I wanted to submit a report of the academic board on the subject of a course of study at the United States Military Academy at West Point, for the purpose of having the same inserted in the RECORD.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

The following is the extension referred to:

REPORT OF ACADEMIC BOARD.

From: The general committee.
To: The Superintendent United States Military Academy.
Subject: Course of study at the United States Military Academy.

1. In compliance with the third and fourth paragraphs, War Department letter of November 16, 1918 (File No. 351.1 West Point), the general committee submits the following report covering the suggestions therein relative to a revision of the course of study at the Military Academy.

2. In its deliberations upon the proposed revision of the curriculum the general committee has been guided by its conception of the functions of the Military Academy. The functions are to graduate young men capable of at once performing the duties of junior officers and with the fundamental moral and mental training which will insure them the ability to use their rational faculties to the fullest advantage under the varied conditions of the service, such ability being the most useful result of education, and which with after years of development will enable them competently to fill positions of leadership and high responsibility. In the military profession the graduates of the Military Academy should set the standard of the Army. Upon this standard depends the ability of the country to organize and employ without undue wastage its military resources.

3. With these functions of the Military Academy constantly in mind, the general committee is unanimous in the opinion that the quality of the graduates is of far greater importance than the number. Even should Congress in its reorganization of the Army largely increase the peace establishment, the committee believes that it would be a mistake to allow the need for a large number of junior officers to force a general lowering of the Military Academy standards. Such a demand should be met by the establishment of other academies.

It has never been the policy of the Government to draw its officers exclusively from the Military Academy. Indeed, it is doubtful whether such a policy would be desirable. The opportunity offered to enlisted men and to graduates of other institutions to gain commissions has been an inspiration to many and has resulted in the addition of a large number of efficient officers to the Army. By the existing policy, however, in which the Military Academy graduates form only a part of the officers, the necessity for the high quality of its graduates is accentuated, as it should be their province to set the standards of professional training and character for the whole Army. Any plan, then, which would result in lowering the standards of the Military Academy graduates would react injuriously on the Army as a whole.

4. The importance of this emphasis upon quality is revealed by the experience of the war which has just ceased. The enormous expansion of the Army, involving complicated duties of organized equipment, transportation, supply, training, and leadership, required a large number of general officers of ability. For the supply of such officers the Government naturally and rightly looked first to the graduates of the Military Academy. From such graduates of 30 or more years of service the Government selected most of its general officers.

5. In support of the statement just made, the following statistics are given from the best information available:

Class.	Number in active service.	General officers.	Percentage.
1880	13	9	69.3
1881	19	13	68.4
1882	11	10	90.9
1883	22	16	72.7
1884	20	15	75.0
1885	13	11	84.6
1886	36	25	69.4
1887	36	26	72.2
1888	26	23	88.5
1889	28	14	50.0
1890	35	22	62.9
1891	40	17	42.5
1892	43	12	27.9

The average percentage appointed general officers from the classes of 1880 to 1888, inclusive, is 76.8.

6. From the facts cited in paragraphs 4 and 5, it is evident that in attempting to fulfill its immediate functions, the Military Academy is also training the material for future general officers in times of crisis and capable in the meanwhile of maintaining a high standard of professional efficiency in the Regular Army. If the graduation requirements are lowered to a point where the fundamental education and training are an insufficient foundation upon which to build, then the graduates of the Military Academy will no longer be able to qualify themselves for the positions they must fill in peace and war. The emphasis in the past upon quality rather than quantity, and the present urgent recommendation of the committee that this emphasis be maintained in the future are thus justified.

7. The course of study at the Military Academy has been mathematical and scientific, and it should continue so. The military profession is scientific and technical in character, far more so than formerly and certainly to become increasingly so in the future. The committee thinks that the profession of an officer in our Army is more likely to demand men of character and logical power than simply men of information and knowledge; the committee is convinced that the power and habit of clear, exact, and logical thought engendered by the proper study of mathematics and in the application of mathematical principles and processes to mechanics, engineering, electricity, ordnance, and other practical sciences are the best assets that can be provided our graduates, and the academy should supply them. The work of the graduates in this war, as in our past wars, has proved that the character of the course of study is essentially sound. The system has been adequately tested, and it has stood the tests. Graduates from all parts of the classes have shown their ability to develop the professional knowledge required, even though such development after graduation from the academy has been allowed to be largely individual and voluntary. No radical change in the system at the Military Academy should be made. Preserving the present character, the course should be developed and improved in every way possible. Such development and improvement the various heads of the departments are continually striving to introduce.

8. The criticism that a course of mathematical and scientific character contains subject matter not apparently of direct application in this or that branch of the service is answered by the fact that the Military Academy is not training or educating officers for only a particular branch of the service, nor does it claim to prepare a finished product in any branch of the service. It is giving a sound basis of education, which by proper effort upon the part of a young officer can be readily expanded to meet any other minor scientific activities of the service; of such activities there always have been and must continue to be a large number in the hands of line officers. This basic education is also the foundation upon which any officer may safely build in preparing himself for the duties and responsibilities of higher command. The value of the Military Academy to the country is being judged to-day in large part by the work of its graduates of thirty or more years ago; not upon what was actually taught them as cadets but upon the adequacy of their mental training and character, as a foundation for their later development.

9. If the character of the course of study is to remain essentially mathematical, and the course itself is to remain essentially scientific and technical, as the committee believes they should, then no material change should be made in the relative times devoted to the scientific and to cultural subjects. The course is now all that the average cadet can carry, and any increase in one subject can only be accomplished by a corresponding decrease in some other. The mathematical and scientific subjects constitute a logical and continuous development, of which no step can be omitted. Any increase of the cultural subjects would necessitate the omission of some of the scientific subjects, a change which, in the opinion of the committee, would do a great deal more harm than good.

10. If the course of study at the Military Academy is to be shortened to three years it can be done in one of three ways:

(a) By a complete change in the whole character of the course.
(b) By cutting off a year at the end of the present course.
(c) By cutting off a year at the beginning of the present course.

11. If plan (a) is advocated, it must be with a view to the substitution, in a shortened course, of some cultural subjects for the mathematical and scientific subjects. In considering this plan it should be remembered that the military profession is more closely akin to the various branches of the engineering profession than to any other. For many years the Military Academy was the leading technological and scientific school of the country, graduating men who led in all the engineering activities of our country at the same time that it was sending forth such soldiers as Grant and Lee, Sherman and Joseph E. Johnston, George H. Thomas and Stonewall Jackson, and others. The important and technical nature of the duties of our Engineer officers is well known, but the great variety of minor engineering activities that are often required of line officers is not generally known.

The duties of line officers in our Army are more varied and more comprehensive than in any other military service in the world; these are constantly detailed to duties requiring technical knowledge. The quartermasters of our service are, very many of them, line officers detailed to that duty; they build posts, quarters, and all the various utilities which pertain to posts, with all their mechanical accessories, and keep

the same in constant repair. Then, too, owing to the smallness of our Engineer Corps and the fact of the great amount of civil work imposed upon it, line officers frequently have to perform the duties of engineers.

In field operations in time of war with our small Engineer Corps it is increasingly essential that many line officers should be capable of performing the duties of field engineers and be able to construct various forms of emergency bridges, field works, build roads, repair railways and telegraphs, erect temporary structures—in short, to meet the requirements of temporary exigency. In addition to this it is of the first importance that line officers should be able to conduct military topographical surveys and reconnoissances and prepare field maps. It is a matter of record that our line officers in recent years, as well as formerly, have performed every variety of scientific duty above enumerated and others not mentioned.

In this connection it is deemed hardly necessary to mention, but it should not be forgotten that the technical nature of all the material appliances of war is far greater than ever before, and this applies to means of transport as well as to all weapons of combat, on land and in the air; if our officers are to be more than skilled craftsmen in the technical duties of the service, their mathematical and scientific attainments can not possibly be diminished.

The committee is convinced that for the purely practical purpose of being able to perform intelligently the duties likely to devolve upon graduates, as well as for the reasons given in paragraph 7, the course at the academy must be scientific rather than cultural. No engineering school would think of substituting cultural for necessary scientific studies.

Were this school being inaugurated for the first time some of the issues here presented would lack the test of experience, but West Point has been tested by the varied exigencies of a century of national growth. From the beginning of the last century to the close of the present war in every important activity of the Nation's life the influence of its graduates has been felt and universally recognized, at critical times often directing and exerting a decisive influence. A full discussion of this subject can not be here undertaken, but the overwhelming evidence as to the efficiency of the academy's work shows that it is not the result of accident or chance; the worth of its individuality has been proven beyond a doubt. The committee is convinced that any experiment would be unwise which would disintegrate or materially modify the influences which result from the character and scope of its curriculum, its discipline, its traditions, and its admirable system of instruction, upon all of which depend the results of the academy's work.

12. If plan (b) is to be followed the subjects covered during the last year of the present four year course, including law, Spanish, ordnance and gunnery, and civil and military engineering (covering fortifications, army organization, and military history) will have to be omitted. These subjects can not be added to those taught in the earlier years of the course, for the work of those years is already as heavy as the average cadet can bear. Certain of these subjects, too, as ordnance and gunnery and civil engineering, rest upon the previous courses of study and can not be properly taught until the completion of those courses. All of these subjects except Spanish are essentially military, and their entire omission in the education of an officer would be inconceivable.

13. It may be suggested by some that these subjects of the last year of the Military Academy course can be taught in the service schools. The committee fails to see any advantage in such a system. The necessary plant is already available at the Military Academy; the students are under full control; their pay is that of cadets; the training and teaching staffs are already organized and efficient. The change of system would require the organization of new departments in the service schools, entailing a waste of effort by duplication; the supply of considerable equipment at large expense; and the payment of the students on the status of officers instead of that of cadets.

14. Under plan (c), the Military Academy course would be shortened to three years by increasing the entrance requirements to cover one year's work. The entrance requirements would then include algebra (complete), plane and solid geometry, plane trigonometry, English grammar, English composition and literature, history, geography, and beginners' French. Inasmuch as successful mastery of the advanced courses in the academy depends upon the thoroughness of instruction in the fundamental branches, the only proper test for entrance to such three year course would be by examination. The only way by which qualified candidates can be secured in the various sections of the country for such a course is by State-wide competitive examinations.

Under the conditions thus set forth, namely, admission by State-wide competitive examinations, covering algebra (complete), plane and solid geometry, plane trigonometry, English grammar, English composition and literature, history, geography, and beginners' French, the general committee could and would approve a three-year course, and believes that the academy could continue to graduate men well qualified for later development. These conditions are the only conditions upon which the general committee believes that it would be justified in recommending that a three-year course be established.

15. If the three year course under the conditions indicated in paragraph 14 be considered desirable, certain practical difficulties must be faced and solved before attempting to put it into effect. If these difficulties do not permit of solution, the committee believes that the attempt to introduce a three-year course should be abandoned. These difficulties are as follows:

(a) Enlisted men would be no longer able to qualify. Even with the present requirements, very few enlisted men qualify; with increased requirements, probably none could do so without extensive furloughs for special preparation.

(b) The entrance requirements would lose touch with the public school system, for few public schools cover thoroughly all the subjects in the proposed entrance requirements.

(c) Few of the most desirable class of young men would present themselves for examination. The class of young men who by their college work would be considered most desirable would normally have progressed so far toward completing their education for business or profession that they would not care to exchange their college for the Military Academy. Experience has shown that even under peace conditions few young men have college to enter the Military Academy; in the absence of compulsory military service no greater number is to be expected as a result of increased entrance requirements.

16. The question of the length of the course of study is thus seen to be dependent upon the question of whether there is any widespread desire on the part of young men of good scholastic ability to come to the Military Academy. The evidence presented by the many failures on the present entrance examinations and by the general character of the certificates now submitted for admission indicates that there is not. It seems probable that a substantial increase in the entrance requirements would bar much of the material now seeking admission, and the committee sees no reason to believe that any higher class of material would present itself if the requirements were raised.

The general committee believes that the difficulties mentioned in paragraph 15 are insurmountable.

17. If the War Department agrees with the committee in believing the difficulties involved in increasing the entrance requirements to be insurmountable, the committee is thoroughly convinced that the existing four year course of a scientific and technical character should be followed in its essentials in the future. This present system is very desirable. The full period of the collegiate education is covered here, so that thoroughness can be required at all stages. It places the cadet under full control before he has developed beyond the impressionable stage in the majority of cases, so that the military discipline, physical training, and moral influences of the academy have their maximum effect.

18. In determining the length of the course at the Military Academy little weight should be given to any arguments based upon the lengths of the courses at foreign military schools. Compulsory military service enables entrance standards to be set at discretion and the material to be chosen with care. The Military Academy must continue to offer a collegiate education and be satisfied with the character of material attracted.

19. The committee does not feel justified in submitting at this time any recommendation based upon the relation of the Military Academy to the post-graduate schools. All of these schools are now closed, so far as their regular work is concerned, and the committee assumes that modifications of the former courses will be desirable as a result of the experience in this war. The committee believes that there should be thorough coordination of the work of the post graduate schools with that of the Military Academy and to that end recommends that, as soon as conditions clear up enough to give some definite idea of what the future is to be, a board be appointed, on which the Military Academy and all branches of the service shall be represented, to formulate a general plan for the educational system of the Army. The members of this board should be officers of rank and experience. The system of education, while taking care of the immediate needs of each branch of the service, should also provide for the broader development of officers with a view to their general usefulness in high command. The committee hopes that in the system adopted, which must primarily take into account the needs of the multitude of officers who are nongraduates, a way may be found to provide for the continuous development of the graduates of the Military Academy.

20. In conclusion the general committee desires to call attention to the fact that continual modifications in the curriculum are being made as the necessity of adjusting the course to changed conditions becomes evident. The committee has at no time regarded the course as fixed and rigid. As examples of such modifications in very recent years the following may be mentioned: (a) Establishment of the department of military hygiene; (b) formation of the department of English and history; (c) development of practical shop work in ordnance and gunnery; (d) reorganization of the instruction in drawing and military sketching; (e) changes in the department of chemistry, involving the omission of mineralogy and geology, the expansion of the work in electricity, and the preparation of a course in the principles of internal-combustion engines; (f) changes in the department of philosophy, involving the curtailment of work in astronomy, the introduction of fundamental instruction in physics, and the further development of the course in mechanics, including the mechanics of flight; (g) the temporary omission of Spanish and substitution of a longer course in French to meet the war emergency; (h) introduction of a supplementary course in minor tactics. The general committee earnestly desires that it should be recognized that the departments at the Military Academy are endeavoring constantly to adapt their work to the best interests of the service and the country.

[First indorsement.]

HEADQUARTERS UNITED STATES MILITARY ACADEMY,
West Point, N. Y., December 13, 1918.

TO THE ADJUTANT GENERAL OF THE ARMY,
War Department, Washington, D. C.:

1. This report is approved by the academic board and fully concurred in by the superintendent in reference to letter from The Adjutant General of the Army, November 16, 1918. (351.1.)

(Signed) S. E. TILLMAN,
Colonel, United States Army, Superintendent.

Mr. SAUNDERS of Virginia. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Virginia is recognized for five minutes.

Mr. SAUNDERS of Virginia. Mr. Chairman and gentlemen of the committee, what are we to gather from the remarks to which we have listened to-day in criticism of the War Department? What lesson do they teach us? What do they mean? What do the gentlemen have in mind when they project into this body a series of assaults of the character that have been made upon our military system, and upon the high command, charged with the conduct of the war? Are we to gather that our whole military system is imbecile, unjust, and inefficient? Is that the lesson intended to be taught? Are we to understand that the Chief of Staff, the General Staff, Gen. Pershing, and everyone connected in a military way with the responsible management of our military affair have been absolutely incapable, and wholly unjust, and unfair, in their dealings with inferior officers, and in the administration of the system over which they presided? If there is any responsibility for the alleged grievous wrongs, and acts of flagrant misconduct that have been recounted in our hearing, to whom is the responsibility for that long catalogue of injustice and misdoing intended to be imputed?

Let us look the facts of the situation squarely in the face. We sent Gen. Pershing to France with plenary power. I undertake to say that no military commander was ever put into the field with larger authority than was lodged in him with the

willing assent of this House. We gave him everything for which he asked. We were lavish both with respect to affording the means of warfare, and with respect to the authority for its conduct. If as suggested there has been absolute failure and breakdown of the military machine in France, who is the responsible man, or men, to be visited with our reprehension?

If these attacks are well founded, then some responsible head must be sought for this functional failure. One gentleman in the course of his remarks to-day, referred to some mysterious Leavenworth clique. Who and what is the Leavenworth clique, that is apparently superior to the commander in chief in charge of operations in France?

Are we prepared to believe, as Members of this House, that the Military Establishment in France teems with injustice, that capable men are demoted through military prejudice, and in utter disregard of the merits of their claims, that officers of confessed ability are unable to secure a fair hearing, that injustice runs rampant and triumphant? Supposedly we have had a commander in chief in France who has been popularly regarded as conducting a successful campaign to the entire satisfaction of the American people, and in conformity with the requirements of military propriety, as well as of military discipline. Where was the commander in chief, what had become of his authority, and headship, when this Leavenworth clique, whoever they may be, were perpetrating the wrongs that have been recited in our hearing? Were they able to do these things, without the knowledge of the man in supreme command, or did they perpetrate them in defiance of his authority? I repeat that if these wrongs were flagrant, and widespread, as intimated, upon whose shoulders is responsibility for the existence, and continuance of these misdeeds intended to be placed? Who is making the charge, who is demanding an inquiry? Where is the point upon which we may put our finger and say, "Here is where the responsibility rests"?

I am not here as the champion of any individual and certainly do not condone any act of injustice, or any collective acts of injustice; but an ex parte statement does not establish a case. If we accept at their full value the charges and complaints that have been made in the course of this legislative day, then they indicate one unescapable conclusion, and that is that the entire Military Establishment is incapable, imbecile, and flagrantly capricious and unjust. Is this House ready to accept that conclusion? I believe not. I believe that it will reserve judgment until it hears from the men who have been attacked either directly, or by necessary implication.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. CANNON. It seems to me, without knowledge—and I am not criticizing—that the responsibility resides in the Commander in Chief of the Army and Navy.

Mr. SAUNDERS of Virginia. Very well. Then that means that these attacks are upon Gen. Pershing.

SEVERAL MEMBERS. Oh, no!

Mr. WOOD of Indiana. He is not commander in chief.

Mr. SAUNDERS of Virginia. Oh, you mean that the President is responsible? Very well. I will accept that proposition. He is undoubtedly ultimately responsible, but the more immediate responsibility must rest upon some one below him. Has it been shown in any wise in this body that the President has interfered in any way in France with respect to the exercise of authority by Gen. Pershing? Has it been shown in this body, or suggested, that as the result of mischievous interference by a civilian—for the President is but a civilian—the commander in chief in France has been in any wise hampered, or hindered in the enforcement of proper military discipline in the Army under his charge? If injustice has been done in France to individuals, or groups of individuals, if merit has been disregarded, if carping jealousies have prevailed, where a generous appreciation of duty well done, should have been manifested, is it suggested that it can be traced to some reprehensible interference by the President, with the supreme authority of the commander in charge of operations at the front? If so, those acts of hampering interference should be indicated, so that just responsibility may be placed.

Mr. CANNON. Mr. Chairman, will the gentleman yield further?

Mr. SAUNDERS of Virginia. Yes.

Mr. CANNON. I do not know who is responsible, and I do not know what the abuses are; but the Commander in Chief of the Army and Navy constitutes his Cabinet, his Secretary of War, his Chief of Staff, his——

Mr. SAUNDERS of Virginia. Who was the supreme military potentate in France? Gen. Pershing. During the progress of the war, this body has been asked from day to day, and from time to time, to stand by the high command in France, and we have never failed to give the support asked at our hands. I do not for a moment undertake to say that I believe that these assaults are just, but if they are well founded, then some one is responsible. If it is not intended to intimate that responsibility attaches to the commander in chief in France, to the supreme head of the military machine, in that area, then to what person or persons in authority, is responsibility supposed to attach? If an organization does not function properly, the man at the head is supposed to be at fault. Certainly in case of success, credit for that success is ascribed to the responsible head.

Mr. TEMPLE. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. TEMPLE. Is the gentleman aware that Circular No. 77 does not apply at all to the troops under Gen. Pershing's command, but applies only to the troops in the United States?

Mr. SAUNDERS of Virginia. I am not talking about troops in the United States, but about operations in France, where the Leavenworth clique has been supposed to be doing, or to have done its mischievous work.

Mr. TEMPLE. And the criticisms have been directed largely to proceedings in the States.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. SAUNDERS of Virginia. Mr. Chairman, may I proceed for five minutes more?

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. SAUNDERS of Virginia. The criticisms of the proceedings at home, are only a part of the general body of criticism. I am perfectly willing to take up the discussion of the cases at home. If there is some one in this country other than the military heads, the Chief of Staff, or the General Staff, who is responsible for any of these alleged wrongs, and doubtless some mistakes have been made, and some injustice has been committed, why may not the Committee on Military Affairs of this body investigate these cases, and fix responsibility on the appropriate parties? [Applause.]

Mr. BAER. You are right.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. TILSON. The gentleman would not desire to cover up anybody further down the line than the head?

Mr. SAUNDERS of Virginia. I do not want to cover up anyone. On the contrary I want to uncover everybody, from the President down to the privates. I wish to fix responsibility where it belongs. As it is, the whole Army is being besmirched. A few months ago we were proud of our Army in France, men and officers. Keep up this continual inuendo, and imputation of systematic wrongdoing, and the public will not know what to think, or where credit should be given.

Mr. TILSON. Not the privates, but somebody down about to the grade of company or regimental commanders. Suppose they are not living up in good faith to the orders issued by the War Department itself. Does the gentleman think it is unjust criticism for us to suggest investigations, as we have to determine the facts in the case?

Mr. SAUNDERS of Virginia. No.

Mr. TILSON. And to point out that they have failed to carry out the orders they have received?

Mr. SAUNDERS of Virginia. No. That is not the question, though.

Mr. TILSON. It has been suggested here to-day that it is unjust to do that.

Mr. SAUNDERS of Virginia. I have not done so. Not a bit of it. I am upholding your hands. I ask you, a member of the Committee on Military Affairs, what have you done to investigate these cases, and establish responsibility? [Applause.]

Mr. TILSON. I have at least 500 letters——

Mr. SAUNDERS of Virginia. I have as many, possibly.

Mr. TILSON. I have gone through them all, and from them I have selected a few and have presented them here to the House by way of extension of my remarks.

Mr. SAUNDERS of Virginia. That is just what I am protesting against. Why are you loading up the records of this House with matters which appropriately belong to your committee for investigation? [Applause.] Bring before your committee the men whom you think are responsible for this injustice, and when you deal with them you will find that this body, Democrats and Republicans alike, will uphold your committee. [Applause.] I wish to see specific action taken looking to the ascertainment of the merits of these complaints, and the fixation of responsibility.

Mr. TILSON. The gentleman knows that members of the Military Affairs Committee on his own side of the House have opposed such action.

Mr. DENT. Name some of them.

Mr. SAUNDERS of Virginia. Have you made any effort along this line? Have you undertaken to have any action taken by the Military Affairs Committee?

Mr. TILSON. I have suggested to the House of Representatives some of the facts I have found.

Mr. SAUNDERS of Virginia. Why not take specific action along the line I have indicated?

Mr. DENT. What is the specific action that the gentleman suggests?

Mr. SAUNDERS of Virginia. I will tell you what is the specific action that I favor.

Mr. HAMILTON of Michigan. May I interrupt the gentleman?

Mr. SAUNDERS of Virginia. Certainly.

Mr. HAMILTON of Michigan. There is a specific statement made by the gentleman from Connecticut that a first lieutenant——

The CHAIRMAN. Does the gentleman from Virginia yield to the gentleman from Michigan?

Mr. SAUNDERS of Virginia. I yield to the gentleman. I wish to get at the facts in this matter.

Mr. DENT. I thought the gentleman yielded to me?

Mr. SAUNDERS of Virginia. If the gentleman from Alabama had not finished, certainly I yield to him.

Mr. DENT. I ask the gentleman if he has any concrete plan that the Military Affairs Committee could adopt that would correct the various individual cases? Unquestionably some of these individual cases are not getting just treatment.

In an organized Army of nearly 4,000,000 men it is impossible that there should not be such cases. Now, I want to know what the Military Affairs Committee of the House could do by resolution or by inquiry that would correct this situation?

Mr. SAUNDERS of Virginia. I think I have in mind something that could be done.

Mr. DENT. I would like to have it. I want a practical suggestion.

Mr. SAUNDERS of Virginia. I will give you one for what it is worth, as a practical proposition. The gentleman from Connecticut [Mr. TILSON] has presented the facts of a specific case, which indicates that gross injustice has been done. Let him bring these facts to the attention of your committee and ask for an inquiry. I think your committee possesses the authority, or can readily secure the authority to deal with that, or any other case, and secure the facts.

Mr. DENT. And then do what?

Mr. SAUNDERS of Virginia. Why, when you have investigated the facts, bring back a report to this body, and I have no doubt that we will take further and appropriate action. First let us get the facts by appropriate inquiry.

Mr. FIELDS. Let the gentleman introduce his resolution.

Mr. LONDON. Will the gentleman yield?

Mr. HAMILTON of Michigan. Now, will the gentleman yield to me?

Mr. SAUNDERS of Virginia. I think by yielding I will lose all of my time, but I will yield to the gentleman from Michigan.

Mr. HAMILTON of Michigan. The gentleman a while ago said it would be advisable to have special instances called attention to. I was about to call attention to the specific instance mentioned by the gentleman from Connecticut, where a first lieutenant undertook to override the general orders. It seemed to me that that might well come within the jurisdiction of the Military Committee.

Mr. SAUNDERS of Virginia. I think so. It seems to me that the Committee on Military Affairs might well take up the case of a first lieutenant who attempted to override the orders of his superior officer, and bring before them not only the lieutenant, but the superior officer, and ask the latter why he has allowed proper military authority to be set at defiance by a subordinate.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. SAUNDERS of Virginia. I ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. LONDON. Will the gentleman yield?

Mr. SAUNDERS of Virginia. I will yield.

Mr. LONDON. The gentleman from Massachusetts [Mr. GALLIVAN] made a very serious charge in reference to the conduct of Army officers in France.

Mr. SAUNDERS of Virginia. Yes.

Mr. LONDON. That a number of military enterprises and a number of assaults were ordered on unknown ground solely for spectacular purposes. If there is any truth in that charge it is a very serious indictment, and I believe that that particular accusation ought to be looked into.

Mr. SAUNDERS of Virginia. If it is made as an accusation——

Mr. LONDON. The most serious charge that I ever heard.

Mr. SAUNDERS of Virginia. If there is a foundation of sufficient fact for that charge, what conclusion do you deduce from it? Evidently that there has been a great failure somewhere in the high command in France. Are you prepared to believe that?

Mr. LONDON. The charge was made——

Mr. SAUNDERS of Virginia. I understand perfectly well what the charge was. We had fondly believed that in France we presented an illustration of the most successful and perfect scheme of military operations ever conducted in any country. But if the charge made is true, that a series of acts evincing gross incapacity, and egregious favoritism, has marked the military management of affairs in that country, then we may well hang our heads in shame. We ought to take some action to ascertain if the charge is true and not leave the whole Army machine under suspicion.

Mr. GARNER. Will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. GARNER. I have heard it said that Gen. Pershing was responsible for the conduct of the war in France. I do not know how you could get the information, but the chairman of the Military Affairs Committee is here, and he ought to have more information on that subject than anybody else.

Mr. SAUNDERS of Virginia. Will the gentleman ask his question? I have but little time, hence have but little to yield.

Mr. GARNER. I will ask the question, Who is responsible?

Mr. SAUNDERS of Virginia. I have the same knowledge that the gentleman has and no more. We sent Gen. Pershing overseas and in substance said, "Go to it. We will furnish you all the men, money, and authority that you need." This we have done.

Mr. GARNER. That is the statement; but is there any record of it?

Mr. SAUNDERS of Virginia. I do not know any more about the facts than the gentleman does. I have only the knowledge common to every Member of this body.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. GREENE of Vermont. I think we are all in sympathy with proceeding in an orderly way, so, following up the gentleman's suggestion, how could any committee of the House, or how could Congress, interfere in a matter involving discipline in the Army which, under the provisions of the Constitution, is under the supervision of the Commander in Chief?

Mr. SAUNDERS of Virginia. Then, if we can not do anything, why discuss these alleged wrongs and injustices? I am not one of those who believe that we are powerless in this matter, and believe that we can correct this, or any other evil in the Army, the Navy, or the body politic, once we are agreed on action.

Mr GREENE of Vermont. The gentleman knows——

Mr. SAUNDERS of Virginia. I am rather short of time——

Mr. GREENE of Vermont. The gentleman knows that I am speaking in good faith, and my high opinion of the gentleman's knowledge of the law is that he knows himself——

Mr. SAUNDERS of Virginia. Will the gentleman put his question?

Mr. GREENE of Vermont. This is a serious question, and there is no doubt that there have been abuses, some of which ought to be cured, and perhaps some have gone beyond it, and I ask the gentleman as a lawyer trained in such matters, How can the committee correct a breach of discipline in the Army?

Mr. SAUNDERS of Virginia. The rules of discipline in the Army are not established by the Constitution.

Mr. GREENE of Vermont. The enforcement of them are; the responsibility of command and obedience.

Mr. SAUNDERS of Virginia. The regulations of discipline in the Army, are regulations established under authority afforded by the legislative body, a civilian body.

Mr. GREENE of Vermont. The enforcement of discipline in the Army is distinctly a function of the Commander in Chief, constitutionally.

Mr. SAUNDERS of Virginia. Of course, once the rules have been established.

Mr. GREENE of Vermont. That is exactly it.

Mr. SAUNDERS of Virginia. That brings us back——

Mr. GREENE of Vermont. How are we going to correct an individual infraction of those rules?

Mr. SAUNDERS of Virginia. Let us come back to the immediate matter I have been discussing, namely, the administration of military law by the military authorities in France. If the charges that have been projected into this body, rest upon a solid foundation of fact, then there has been a very gross abuse of administration by those authorities. Now who is responsible for that abuse? First establish the facts, then fix the responsibility, then apply the remedy. But do not treat these ex parte charges, as establishing a case against Gen. Pershing and the other military heads in France. At least we ought to reserve judgment until a counter-statement is made.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. DENT. I think there is no question in the mind of anybody that when Gen. Pershing was put in control of the Army in France he was given carte blanche. The Secretary made that statement to me. I am not stating that he ought to be criticized.

Mr. SAUNDERS of Virginia. Neither am I stating that he ought to be criticized. I am asking the Members of this body, and the public to reserve judgment. In the meantime I maintain that the continued presentation of these ex parte complaints, and unsigned criticisms, as they are played up by the newspapers, serve no useful purpose whatever. They merely operate to besmirch the whole military organization, to sap and undermine public confidence both in its integrity and capacity. When we sent Gen. Pershing to France, you will recall that he was told to use the pruning knife, to cut out all of the dead timber, to remove all of the inefficient officers, and to leave only those in charge of the fighting men who were intellectually, morally, and physically fit for the job. Did you not know at the time that if Gen. Pershing executed the authority afforded, relentlessly, and inexorably in the spirit in which it was intended, that grievious complaints would follow? Have you ever seen a man removed from office in civil life, on the ground of incapacity, who recognized the justice of his decapitation?

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. SHALLENBERGER. Mr. Chairman, I ask unanimous consent that he be permitted to continue for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SAUNDERS of Virginia. I shall try to complete what I have to say, in the time given. Was it not inevitable that in this great war some acts of injustice might be done, and grievous complaints would be made in other cases, where the action taken was entirely proper?

It was inevitable that these incidents would attend the development of our gigantic military machine. But to accept as true in advance of inquiry every ex parte complaint, is to give judgment before we hear the facts. It is one thing to believe that in the functioning of a great military machine, occasional acts of injustice may be done. It is quite another to accept offhand charges that, if fully sustained, reveal a military machine fundamentally incapable of doing justice, since the just authority of the Commander in Chief has been replaced by the lawless and mysterious power of a self-constituted clique, which apparently has superseded the Commander in Chief, since it is not alleged that these acts of wrongdoing, have been done with his acquiescence, or by his direction. But in a peculiar sense, the head of an army is responsible for the practices that prevail in its military administration. If these imputed practices have prevailed, then some military head is responsible. Somewhere in the military organization, in the President, the Chief of Staff, the General Staff, the commander in France, this responsibility must be found, if the practices alleged have been allowed to continue, if they have permeated the military system. If they were manifested in an acute form in France, then, the investigations should be conducted in that quarter to ascertain whether they were done with the acquiescence of the supreme authority, or conformably to his directions.

Mr. SMITH of Michigan. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. SMITH of Michigan. I am a good deal concerned about the American troops having been sent to Archangel, and I would like to inquire——

Mr. SAUNDERS of Virginia. Suppose we confine our attention for the time being, to France, and the abuses of authority alleged to have occurred there. I am not undertaking to give information about Archangel, or Siberia, or other remote portions of the earth.

Mr. SMITH of Michigan. That is a similar charge, and one that is grave, to my mind.

Mr. SAUNDERS of Virginia. I will ask the gentleman, was the Leavenworth clique operating in Archangel?

Mr. SMITH of Michigan. I have never heard anything about that.

Mr. SAUNDERS of Virginia. Then evidently the gentleman was not here this morning when the gentleman from Massachusetts [Mr. GALLIVAN] addressed the House.

Mr. SMITH of Michigan. I was here when he presented the pension bill and until he yielded the floor, and I did not hear——

Mr. SAUNDERS of Virginia. The gentleman did not hear him say anything about the Leavenworth clique?

Mr. SMITH of Michigan. Not during the time that he was presenting that bill.

Mr. SAUNDERS of Virginia. Then the gentleman must have been asleep.

Mr. SMITH of Michigan. No; not asleep.

Mr. MANN. Mr. GALLIVAN, the gentleman from Massachusetts, took the floor a second time.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. McKENZIE. Does the gentleman from Virginia hold that in view of the charges made by the gentleman from Massachusetts [Mr. GALLIVAN], which were brought about, as he said, by the Leavenworth clique, that that is any evidence of the Army being incapable or inefficient?

Mr. SAUNDERS of Virginia. Certainly, abundant evidence, if the charges can be sustained.

Mr. McKENZIE. Might not they be very capable and very efficient and yet these abuses carried on within the military organization over which, in my judgment, this Congress has no power?

Mr. LITTLE. Mr. Chairman, if the gentleman will permit me to say, the gentleman has asked for something that the Military Committee could do, and he has asked if there is any clique that runs through the Army that is stronger, perhaps, than the commanding general, and I am going to offer the gentleman what I think to be an answer and a suggestion. I am going to say I have every reason to believe—and it has been suggested that some of this is all a vicious assault upon the United States soldier—in my judgment I can demonstrate that on the morning after the battle of the Argonne, when a division came out of battle—that was one of the hardest fought that the world ever saw—a member of this clique from general headquarters came down the day after the battle, as they came out, with all the confusion of battle and with all the tired feeling that a soldier in that shape would have, and wrote in a report the most disgraceful, villianous, villification of the American soldier that was ever made in the history of the world, and I demand now that the Committee on Military Affairs discover—if they can not find, I think I can—the report of Lieut. Col. Peck—that is his name, I think—which was made on the 2d of October, about the division Gen. Traub commanded, the day after the battle. I think if the record warrants it that he ought to be court-martialed and discharged from the Army if his report seems to indicate that he should be. Now, take that.

Mr. SAUNDERS of Virginia. I do not think the gentleman has suggested a plan.

Mr. LITTLE. Maybe I have overlooked something. My suggestion is that the Committee on Military Affairs look for the report of Lieut. Col. Peck of October 2 about the Traub Division, the Twenty-seventh, I think, and if they find that it is a disgraceful insult to the volunteer soldiers of the Republic they should request the War Department to dismiss the man promptly from the Army. There will be a lot——

Mr. McKENZIE. The gentleman does not mean the Twenty-seventh Division, does he?

Mr. LITTLE. Coming from Fort Sill, I may have the number wrong. It is the one commanded by Gen. Traub.

Mr. SAUNDERS of Virginia. I was going to say——

The CHAIRMAN. The time of the gentleman has expired.

Mr. SAUNDERS of Virginia. I will ask for two more minutes and then I will positively yield the floor. Much of my time has been consumed by interruptions to which I will say however I have cheerfully yielded.

The CHAIRMAN. Is there objection?

Mr. MANN. Mr. Chairman, reserving the right to object—and I shall not object—but how long does the gentleman from Alabama intend to keep the committee here to-night in the consideration of this bill?

Mr. FIELDS. The gentleman from Alabama is off the floor just now, but he intends to try to get through as quickly as possible.

Mr. MANN. Intentions are a good deal like the military policy.

Mr. BANKHEAD. Will the gentleman yield for a question?

Mr. SAUNDERS of Virginia. I have but two minutes more and I am committed to finishing what I have to say in that time.

I desire to say in conclusion, that I have no doubt that there have been some acts of injustice and some abuse of authority, but with respect to these acts if anyone will offer a resolution looking to an investigation of the same, either of an individual case, or of an aggregate of cases, and the fixation of responsibility, whether in the result that responsibility will attach to the President of the United States, or to some subordinate official, it matters not to me whence that resolution comes, I will vote for it. [Applause.] This is the proper course to be pursued. Unless some specific action is asked, we should not fill the Record, and encumber our proceedings with extraneous matter which in the form in which it reaches the public inevitably tends to create the universal impression that the military authorities in France have rewarded demerit, demoted merit, mismanaged military operations, and by incompetence in the field wasted precious American lives. This body should be careful to do nothing, and say nothing which will dim the glory of the American soldiers, and the American officers who reflected undying luster upon their country by their recent achievements upon the historic battle fields of France.

The Clerk read as follows:

Pay of Military Academy: Permanent establishment: For pay of seven professors, $26,500.

Mr. LITTLE. The gentleman has not read the first part of the bill. I want to move to amend on page 1——

The CHAIRMAN. The gentleman from Kansas will be obliged to secure unanimous consent to return to the first paragraph.

Mr. LITTLE. I do not think so. I was on my feet in plenty of time. I ask unanimous consent——

The CHAIRMAN. The gentleman from Kansas asks unanimous consent——

Mr. FIELDS. Mr. Chairman, I make the point of order that that part of the bill has been passed.

The CHAIRMAN. The Chair has just so ruled.

Mr. LITTLE. Mr. Chairman, I ask unanimous consent to proceed for five minutes and to return to page 1 for an amendment.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to return to the first paragraph. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. LITTLE: Page 1, line 6, after the words "nineteen hundred and twenty," strike out the colon, insert a comma, and the following: "but none of this money shall be expended until the custom of hazing lower-class students by upper-class students has been abolished at the West Point Academy."

Mr. GORDON. Mr. Chairman, I make the point of order that is not in order.

Mr. LITTLE. That is a limitation. Of course it is in order.

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. LITTLE. It is a limitation on this money. It says, "the following sum shall be hereby appropriated out of any money in the Treasury not otherwise appropriated."

Mr. GORDON. Mr. Chairman, I reserve the point of order.

Mr. LITTLE. Mr. Chairman, an hour and a half ago I took the liberty of reserving 15 minutes' time to discuss this West Point bill, it being announced there would be no debate thereon. It seems that I have precipitated a discussion of an hour and a half on it; and, after all, there was something in that discussion. I am glad the Committee of the Whole takes an interest in the military bill. I think the first thing you have got to do to rid the American Army of some of this criticism is to stop hazing at West Point. The most trifling feature of hazing is its purely physical development of beating and overawing the younger and weaker men by gangs of cowards and roughnecks from an upper class who would not dare tackle the smaller boys alone. If the superintendent of the academy would apply a paddle to the posterior of each of these desperate devils, who are only desperate when they run in herds and catch freshmen out alone, the whole system would disappear in 20 days. The absolute menace of hazing is the social system at West Point, which Prussianizes young Americans by teaching them that somebody else is better than they are and that they are better than somebody else, establishing a military caste just as dangerous to our Republic as the Bolsheviks.

On a Nile dahabeah a man from Devon and a man from Kansas joshed about the social etiquette of their respective countries. Calling attention to the lofty position of a British duke in England's social order, the Englishman inquired what attitude the American would have toward such a social dignitary. The Kansan said, "Oh, I wouldn't look down on him particularly. In America every citizen is a sovereign, wielding the sovereign power. In England there is only one sovereign, and every Englishman inferior to him socially is necessarily inferior to every American sovereign. But no gentleman would emphasize that to the embarrassment of a nice man." Every American boy should be trained to know that he is the equal of every man alive. This West Point system tends to destroy that natural independence and to make a herd of snobs, Rajputs, and Prussians. We should eliminate snobbery from West Point before we spend another dollar on that academy.

The gentleman from Alabama, chairman of the Military Committee, has suggested that I offer something tangible. One of the worst results of this system of snobbery produced by hazing and its social corollary at West Point is the report of Lieut. Col. Peck on the Thirty-fifth Division, where he saw those men come out of the six days' battle, under all the troubles and difficulties that they would have after such fighting.

He did not know anything about such a fight, because, from all I could learn, he was never in one. If he has been a real soldier he should be more loyal to his comrades than to try to ruin their fame and glory. Lieut. Col. Peck, so far as I can learn, was never in any fight. In spotless attire, rolling on the scene in a limousine, he had the gall to offer his piny and presumptuous criticism of those whose shoestrings he was unworthy to unloose. His report is made. That report is an attempt to break down the militia of this country and to destroy the character of the volunteer soldier. It springs from hazing and its consequent snobbery, effective in after life. It springs from this so-called "Leavenworth clique" and its effort to eliminate the National Guard. It is a combination of all the infamous outrages of this war that have been discussed, where professional soldiers have attempted to insult and overreach and drive out of the Army volunteer soldiers. If the committee will take this report and examine it they will find that it is a vicious insult to our soldiers, the flower of the Republic; and if they find it so, then they will see that he has not behaved like an officer and a gentleman; and if he has not he is subject to court-martial. And if this committee wants to do something to purify the Army from these charges—some true and some not—they have an opportunity to do it. This man made a report on the Kansas and Missouri boys—the Thirty-fifth Division—after he inspected them as they came out of the six-day battle in the Argonne, which, Mr. Chairman, I ask unanimous consent to insert in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

HEADQUARTERS THIRTY-FIFTH DIVISION,
AMERICAN EXPEDITIONARY FORCES,
October 16, 1918.

Memorandum for: C. G., Sixty-ninth Infantry Brigade; C. G., Seventieth Infantry Brigade; C. G., Sixtieth Field Artillery Brigade; and to their respective regimental commanders.

1. The division commander directs that the attached copy of report of Lieut. Col. R. G. Peck, inspector general, corps inspector, be furnished you, together with copy of his reply.

2. The reflection on the discipline makes the division commander's cheeks burn, and he counts on his brigade and regimental commanders to eradicate the cause of these disparaging remarks.

3. Each regimental commander will immediately investigate, report upon, and make recommendations concerning the loss of Stokes mortars, Chauchat rifles, pistols, and rifles in each organization.

H. S. HAWKINS,
Colonel, General Staff, Chief of Staff.

HEADQUARTERS FIRST ARMY CORPS,
AMERICAN EXPEDITIONARY FORCES,
Headquarters First Army Corps, October 12, 1918.

From: Lieut. Col. R. G. Peck, I. G., corps inspector.

To: Commanding general, Thirty-fifth Division, American Expeditionary Forces.

Subject: Irregularities and deficiencies noted at recent inspection.

1. Under the provisions of Army Regulations, 692, the following statement of irregularities and deficiencies observed during the inspection of your command October 2-9, 1918, is furnished you:

(a) March discipline: The march discipline of the division observed during the three days' marching was poor, and the following faults were noted:

All parts of units failed to move at the appointed hour, which caused several columns to meet and try to move on the same road.

There was no attempt to maintain distance between battalions, regiments, or even brigades. On October 2 practically the entire division, less the artillery, with combined field and combat trains marched in a solid column without any interval between units or gaps in the transportation.

There was little or no supervision on the march on the part of the officers. Enlisted men throughout the division fell out of ranks at will and rejoined the column as best they could or became stragglers. There was, however, very little real straggling noticed. There was no evidence of officers or anybody in authority being detailed to march in rear of organizations with a view of insuring proper march discipline.

At rest halts there was no apparent effort made to have foot troops clear the road. At times traffic was blocked by men sitting and lying in the road.

Many unauthorized men were observed riding on wagons. Sick men had been ordered to ride on wagons instead of being placed in ambulance by proper authority.

Mounted men failed to dismount at halts.

Wagons were poorly loaded and overloaded. In many instances wagons were loaded with rations, ammunition, baggage, etc. There was

no evidence that an attempt had been made to load the various classes of supplies in separate wagons.

The march discipline of the Field Artillery brigade, which marched separately, was good. It was noticeable that at each halt the mounted men immediately dismounted and looked over their animals, officers supervising.

(b) Camps and billets: Camps and billets were in fair condition, except those pertaining to the One hundred and thirty-eighth Infantry, although kitchen areas in practically all units were dirty and showed lack of inspection on the part of officers concerned. The One hundred and thirty-eighth Infantry was inspected 18 hours after arrival at its permanent location. At 9.30 a. m., the hour of inspection, the shelter tent camp at the two battalions was in a disgraceful condition. A few straddle trenches had been dug, but apparently not used * * * The enlisted men were very dirty, and most of them had made no attempt to wash that morning, although water was close by and available. Arms and equipment were strewn about the camp. Nearly every rifle inspected was covered with rust and dirt and no attempt had been made to clean them. The animals of the supply company had not been groomed.

Except in the One hundred and fortieth Infantry, whose billets were in very good condition, there was a very apparent lack of inspection on the part of battalion and company officers. No orders had been given for a neat and orderly arrangement of blankets and equipment.

(c) Animals: The animals of all units, except the Artillery and One hundred and tenth Ammunition Train, were in fair condition, considering the hard work they had performed during the recent operations; that is, long hauls, long hours under harness, and short rations. There is practically no disease among them, and all they need is rest, good grooming, and sufficient food for a week or 10 days to put them in good shape.

The animals in the Artillery brigade and the One hundred and tenth Ammunition Train are in very weak and run-down condition. They have been overworked and underfed, and, in my opinion, it will be several weeks before they are in good condition.

Animals on hand in the division:	
Sept. 25	5,370
Oct. 6	4,152
Loss by casualties and evacuation	1,218
Shortage Oct. 10	3,000

The shortage in the Artillery brigade and One hundred and tenth Ammunition Train is so great that until replacements are received these units are practically immobile.

Animals on hand and shortage in above units.

	On hand.	Shortage.
One hundred and twenty-eighth Field Artillery	333	641
One hundred and twenty-ninth Field Artillery	373	599
One hundred and thirtieth Field Artillery	461	977
One hundred and tenth Ammunition Train	328	596

(d) Clothing: The division needs practically an entire reissue of clothing. There has been no issue of clothing in this division since it left the Vosges sector about September 1. Most of the units were without dubbin, and the majority of the men inspected had never used any on the shoes they were wearing.

(e) Equipment: The division was well equipped, with the exception of transportation, just prior to the recent operations, commencing September 26. Nearly all organizations are now short considerable personal ordnance equipment. Accurate figures could not be obtained, but the division ordnance officer reported that he believed there was a 15 to 20 per cent loss of mess kits, knives, forks, pack carriers, etc. The following shortages of other ordnance equipment now exists: Forty-four machine guns, 5 Stokes mortars, 304 Chauchat rifles, 1,876 pistols, and 2,000 rifles.

It will be noted that this shortage is for present strength, and indicates considerable loss on the battle field. Two hundred and ninety-nine men of the One hundred and thirty-seventh Infantry were noticed marching in ranks without rifles who were supposed to have them. The regimental commander reported that these men did not have rifles. A considerable number of men rejoined the division between October 1 and 9 from hospitals without equipment, which accounts for part of this shortage. The One hundred and thirtieth Machine Gun Battalion lost 22 machine guns, put out of action or abandoned. Company D of this battalion lost 11. The battalion commander stated that the company became disorganized September 29 in the Montrebeau Woods and fell back without their machine guns.

There is practically no gun oil in the division. All units reported that they had been without it for some time. There is also a great shortage of saddle soap and oil for harness and other equipment.

(f) Quartermaster supplies: A number of rolling kitchens are missing and many others are in an unserviceable condition. In the One hundred and thirty-eighth Infantry there is a great shortage of kitchen utensils throughout the regiment. Several companies in this regiment has practically no equipment to prepare food and were improvising and borrowing as best they could; other shortages of quartermaster supplies are small.

(g) Ambulances: The division has only 12 mule ambulances, 8 motor ambulances, G. M. C., and 3 motor ambulances, Ford.

(h) Discipline: The division as a whole has none of the outward signs of a well-disciplined organization. Saluting throughout is very poor. Individuals and groups of men pay no attention to passing officers, and in many cases fail to get up when spoken to. It was very noticeable that the junior officers made no attempt to enforce discipline. Hundreds of men were noticed out of billets on the streets in improper uniform and with blouses unbuttoned and no attempt made to be neat or orderly. Passing officers paid no attention to them and made no effort to correct these irregularities.

Most of the organizations inspected showed all the earmarks of National Guard units, which they are. Captains and lieutenants were continually noticed on most familiar terms with enlisted men. Most of the orders that I heard given were in a more or less apologetic and familiar tone, and the results were what could be expected. The regimental commanders and field officers accompanying me practically asked the enlisted men to stand at attention and salute the inspector.

R. G. PECK.

Mr. LITTLE. When their country called, the boys of Kansas and Missouri marched off to victory or death on the plains of Europe. The tramp of their marching feet shook the hills of the Argonne. The thunder of their "hell-roaring howitzers" scorched the skies. They charged the nests of machine guns that held the pollu at bay for four long years and drove the boches across the Rhine. As they came out of the frightful combat and glorious triumph, worn, weary, battle stained, but with magnificent victory perching upon the banners of these civilian soldiers, they were met by this lily-fingered inspector, Lieut. Col. Peck, forsooth a West Point expert:

Neat, trimly dressed,
Fresh as a bridegroom; and his chin new reap'd
Showed like a stubble land at harvest home;
Perfumed like a milliner
And as the soldiers bore dead bodies by
He called them untaught knaves, unmanerly,
To bring a slovenly, unhandsome corse
Betwixt the wind and his nobility
With many holiday and lady terms
He questioned me;
For he made me mad,
To see him shine so brisk and smell so sweet
And talk so like a waiting gentlewoman
Of guns and drums and wounds. God save the mark!
And that it was great pity, so it was,
This villainous salt petre should be digged
Out of the bowels of the harmless earth,
And but for these vile guns
He would himself have been a soldier.

Inspector Peck forgot to tell Shakespeare's Hotspur, "they showed all the earmarks of a National Guard unit, which they are." Shakespeare forgot to say that "captains and enlisted men from Kansas and Missouri in the Thirty-fifth Division came out of the gates of hell at the Argonne 'on most familiar terms' and 'gave their orders in a more or less apologetic and familiar tone.'"

Harry Hotspur's inspector overlooked the fact that "saluting was very poor" as Kansas and Missouri units of the National Guard came off the field where they had beaten the German disciplined, professional army to death, after everybody else had failed in the task. Hotspur doesn't mention the fact that they came out of battle "with blouses unbuttoned," "which passing officers paid no attention to." One line of Inspector Lily-fingered Peck's opinion of the heroes of the Argonne is so much better fitted for disinfection than for perusal, compels its omission. "Wagons were poorly loaded or overloaded" as they came out of the Argonne. Where was the expert Peck and his comrades in expertness when they loaded the wagons in the Argonne? Where was he at 4:30 in the morning, when the big guns began to roar the first day of the battle? Where were Peck and his like when the lads from Kansas and Missouri National Guard went over the top? Where was Peck when they charged in the teeth of machine guns that swept the earth like hailstones? Where was Peck when the Thirty-fifth Division outmarched its artillery and did not wait for the divisions to the right and the left, but fought its way through the German fortifications and shattered the concrete fortifications that "these military men," these experts had declared impregnable? Where was Peck, the educated and trained expert, when civilian soldiers fought and died for their country? Where was Peck when 827 soldiers of the Thirty-fifth Division died in battle in six days for the country that educated him at West Point and stands between his family and starvation every day in the year? Why, he was back at headquarters, perfuming for the fray that he would start when they straggled back in glory and honor, in mud and rust, in disorder and triumph, but, thank God, in familiar love and affection between officers and men who in six days' fighting at the Argonne had forgotten that the principal duty of a soldier was to salute a lily-fingered inspector and march in such gilded and orderly array as would please his corseted soldierdom and his belladonnaed eyes of criticism.

On the indorsement of Peck's report, I read, signed by H. S. Hawkins, colonel, general staff, chief of staff:

The reflection on the discipline makes the division commander's cheeks burn, and he counts on his brigade and regimental commanders to eradicate the cause of these disparaging remarks.

You can see that the Thirty-fifth Division had a faithful comrade in the chief of staff who sent them into action. Not a line has he to say in protest against this villainous assault upon the men he sent into battle, not a word to tell of their valor, of their courage, or their heroism, and of the skill with which they beat the best-disciplined army in the world into the bowels of the earth among its wrecked concrete. The Thirty-fifth Division should have marched without salute, in disorderly array and on familiar terms, by Hawkins and Peck and spat on them till the current carried them downstream into the depths of

oblivion followed by the everlasting curse of every gallant soldier who ever risked his life for his country.

Then it's Tommy this, an' Tommy that, an' "Tommy, 'ow's yer sout?"
But it's "Thin red line of 'eroes" when the drums begin to roll,
The drums begin to roll, my boys, the drums begin to roll;
Oh, it's "Thin red line of 'eroes" when the drums begin to roll.

While it's Tommy this, an' Tommy that, an' "Tommy, fall be'ind,"
But it's "Please to walk in front, sir," when there's trouble in the wind,
There's trouble in the wind, my boys, there's trouble in the wind;
Oh, it's "Please to walk in front, sir," when there's trouble in the wind.

For it's Tommy this, an' Tommy that, an' "Chuck him out, the brute!"
But it's "Savior of 'is country" when the guns begin to shoot;
An' it's Tommy this, an' Tommy that, an' anything you please;
But Tommy ain't a bloomin' fool—you bet that Tommy sees!

If this report is an insult to the heroes of the Argonne he is liable to court-martial for not being an officer and a gentleman. If this committee will investigate it and determine that he is not, and will ask for his court-martial, you will have brought the whole thing to a head, and you will secure the reform in the Army we need.

Gen. Pershing is not to blame for that report. No fighting man is. The men who make such reports never go to battle, but are what are called "experts" in the Army. They have failed in all their expertness. Their claim to efficiency has been exploded and yet they undertake to destroy the reputation of volunteer fighting men by such a report as this. And if you take that fellow and court-martial him and discharge him from the Army you will bring the whole thing to a head, and you will do more good to stop hazing and snobbery and its vicious outcome than you can do in any other way.

Mr. DENT. Will the gentleman yield?

Mr. LITTLE. I can not yield just yet. This man Peck picked out a division of heroes coming from one of the world's greatest victories. The man probably never participated in any action at all and had no comprehension of the conditions natural and inevitable among such troops at such a time. Any soldier could have explained it to him, but he was a military man, and he wished to destroy the standing of civilian soldiers in order to increase the reputation of professionally trained and educated military men. He showed the cloven foot and divulged their whole scheme to wreck the National Guard. Less than 40 per cent of the Regular Army and its West Pointers went to France, and a very small percentage, I am told, of those in action leading troops were educated professionals. This man should be court-martialed and his name should be placed in an eternal pillory that he who runs may read that the American boy who enters the Army to fight is the man who wins all our battles from Concord to Gnguinto.

Now, that is the suggestion I make; and I want to say in conclusion, gentlemen, that all the upshot of this is—and the gentleman from Virginia [Mr. SAUNDERS] wants to know the upshot—that the alleged "military experts" have fallen down practically every time during this war, and the tide of battle in this war was turned at Chateau-Thierry by raw soldiers, some of whom had been in the Army only 16 weeks. And if the battles of this country are won, as at Chateau-Thierry, by volunteers and drafted men, and not by the military experts, for that reason it is not proper that they should be subjected to the criticism they have received from such men as this. If the committee will do what I have suggested with Col. Peck, it will do a lot of good to the whole American Army for centuries to come.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. OLNEY. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. OLNEY. Mr. Chairman, I desire to take exception to the statement that snobbishness exists in our Military and Naval Academies to-day, as discussed by the gentleman from Kansas. I think most of us Congressmen, and Senators, too, conduct examinations under the Civil Service Commission when selecting men for nominations to those academies, and thereby we get men of all classes, kinds, and conditions. In my own experience I know that the 10 or a dozen young men whom I have appointed to Annapolis or West Point in the past four years have been young men in humble circumstances. One boy's letter especially appealed to me. He says:

Mr. OLNEY. I have been playing tennis here at Annapolis. I thought this was a rich man's game.

I have appointed boys to West Point and Annapolis who sold papers and periodicals as a livelihood before entrance into the academies, or who were engaged in other useful occupations, and I find that such boys make good, rank high in their studies, and exert a good moral influence at West Point and Annapolis. I want to repeat that I take exception to the criticism that there is snobbishness prevalent to any extent in our military and naval academies.

Now, Mr. Chairman, may I divert for a moment from the discussion of West Point Academy by reciting some experiences during a visit I paid this afternoon to St. Elizabeths Hospital in the District of Columbia. I shall attempt to prove that the criticisms directed against the management of the institution are unfair, unjust, and without foundation. I thought to myself, as perhaps many of you did, that it was an improper place as a hospital for the insane to send soldiers and sailors convalescing from overseas and from our camps and cantonments in the United States to recover.

I found registered there to-day 3,782 patients, of which 2,425 were white men, and 420 colored men. There were about 1,200 soldiers and sailors there.

The gentleman from Illinois may have seen fit very justly to criticize the War Department for sending to St. Elizabeths 300 men detached from the hospital surgeon's office to take care of the patients, but it was absolutely necessary on account of the existing shortage of labor especially in the class of hospital attendants. I went out to the institution unannounced and Dr. White, manager of the hospital, accompanied me through various buildings. I am impressed with his humane treatment of patients, and am thoroughly convinced that the institution is conducted in an efficient manner, and that the inmates are not subject to cruel and abusive treatment. I confirm the statement made in the House a few days ago by the gentleman from Wyoming [Mr. MONDELL] in effect that St. Elizabeths should be stamped with a clean bill of health.

I talked with several patients, and from observation I can say to you that none are sent to this institution unless they have been under careful medical observation in other hospitals throughout the country for various kinds of diseases; and if they are pronounced partially insane or entirely insane they are sent to St. Elizabeths Hospital, where they can be watched carefully and can be treated by eminent specialists in diseases of the mind. Mind you, no soldiers or sailors are sent to St. Elizabeths except those who are suffering from partial insanity, depressed condition of the mind, and whose mental condition would be benefited by treatment there.

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. OLNEY. Certainly.

Mr. LITTLE. Just what has this insane asylum to do with West Point?

Mr. OLNEY. Nothing at all; but I asked the patience of the House for departing from the subject of the bill to a subject not quite germane to the Military Academy. But I thought, as a member of the committee, I might correct an impression which many Members of Congress may share, that things are not perhaps properly conducted at St. Elizabeths Hospital. There are 1,200 soldiers there in various stages of convalescence, and the only particular criticism I had to direct to Dr. White, the superintendent, was that certain patients who had convalesced and who had become greatly improved as to their mental condition should not be allowed to associate in those wards where there were almost violently insane patients; and he answered that such cases were being corrected as rapidly as possible.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. OLNEY. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. LITTLE. Mr. Chairman, I ask unanimous consent to modify my amendment, and I will ask the Clerk to read it as modified.

The CHAIRMAN. Does the gentleman insist on his point of order?

Mr. LITTLE. Will the gentleman withhold his point of order?

Mr. GORDON. Yes; I will reserve it.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to modify his amendment. The Clerk will report the amendment as modified.

The Clerk read as follows:

Amendment offered by Mr. LITTLE: Page 1, line 6, after the figures "1920," strike out the colon and insert a comma and the following: "but none of this money shall be expended until the superintendent has certified to the Secretary of War that the custom of hazing of lower classmen by upperclassmen students has been abolished at the West Point Academy."

Mr. LONDON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LONDON. If this amendment is adopted, will it permit the hazing of the upper classmen by the lower classmen? [Laughter.]

The CHAIRMAN. The Chair does not regard that as a parliamentary inquiry. Does the gentleman from Ohio make his point of order?

Mr. GORDON. I do not see any objection to the amendment now in its modified form, unless the chairman wants to make a point of order.

Mr. DENT. I make the point of order.

The CHAIRMAN. The point of order is overruled. The question is on the amendment offered by the gentleman from Kansas.

The question being taken, on a division (demanded by Mr. LITTLE) there were—ayes 7, noes 27.

Accordingly the amendment was rejected.

Mr. HARRISON of Virginia. Mr. Chairman, I offer an amendment, which I ask the Clerk to report.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HARRISON of Virginia: At the bottom of page 1 insert the following: "*And provided*, That the course of instruction at the United States Military Academy shall continue to be the present regular four-year course until Congress by appropriate legislation shall provide otherwise."

Mr. STAFFORD. I reserve a point of order on that.

Mr. LITTLE. Mr. Chairman, I reserve all points of order on that.

Mr. HARRISON of Virginia. Mr. Chairman, the object of this amendment is simply to keep the course of instruction at West Point just as it now is, four years, until Congress shall by appropriate legislation determine what shall be the policy at that institution. It seems to me that is a matter that ought to be determined by legislation and not by an Executive order or the Chief of Staff.

Mr. STAFFORD. Will the gentleman yield?

Mr. HARRISON of Virginia. Yes.

Mr. STAFFORD. In a parallel case, as, for instance, the curriculum and courses of study in our State universities, does the gentleman believe that the State legislature should determine the course of study or that it should be left to the regents of the respective institutions?

Mr. HARRISON of Virginia. I think the State legislatures generally determine those matters.

Mr. STAFFORD. They do not in the State of Wisconsin or the State of Michigan.

Mr. HARRISON of Virginia. When they appropriate the money they determine what character of institution they propose to have.

Mr. STAFFORD. They do not prescribe the length of the course of study to be pursued by the students who attend the university, either the professional schools or the academic.

Mr. HARRISON of Virginia. They may not determine what studies shall be pursued, but they certainly determine the character of the institution.

Mr. SLOAN. Will the gentleman yield right there?

Mr. HARRISON of Virginia. Yes.

Mr. SLOAN. Is it not the practice of most legislatures of the States to say that before a degree shall be granted to a student, whether of medicine or of law, or a doctor of philosophy or a bachelor of arts, that so many years of study, or their equivalent elsewhere, shall be passed in the institution which the State conducts?

Mr. HARRISON of Virginia. That has been my understanding, of course.

Mr. STAFFORD. Oh, no.

Mr. HARRISON of Virginia. I do not understand that the State undertakes to prescribe just what textbooks shall be used or what particular subject shall be treated at any institution, but that it does determine the character of the institution.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. HARRISON of Virginia. Yes.

Mr. GREENE of Vermont. Of course, the gentleman is quite aware, as we all are, that this debate now is proceeding on the merits of the amendment rather than on the point of order.

Mr. HARRISON of Virginia. Yes.

Mr. SLOAN. The point of order is not made, but reserved.

Mr. GREENE of Vermont. I understand that. Having that in mind, I should like to ask the gentleman a question. I am more or less in sympathy with the idea that there ought to be some revision of the length and character of the course of study at West Point, but I think the gentleman, as well as many others of us who have given some attention to the subject, are persuaded that this is not a good time to put ourselves on record in one direction or another with regard to finalities on that question.

Mr. HARRISON of Virginia. This does not.

Mr. GREENE of Vermont. It is my fear that, while it is intended not to do that, the effect of for the first time writing into our statute law a limitation as to the course of study at West Point, a thing we have not done in this generation, will be taken as a precedent and a basis upon which argument in the next Congress will be so firmly attached that we will never be able to dislodge it.

Mr. HARRISON of Virginia. That is not my information. My information is that until recently the course has been prescribed as a four-year course by law.

Mr. GORDON. When was that?

Mr. HARRISON of Virginia. I do not know. That is what I was informed at the Military Academy—that until recently it was a matter prescribed by law.

Mr. GREENE of Vermont. Even at that, it is not now prescribed by law, we are informed. Ought we to go to the point of writing into law this unnecessary thing, which may act to prejudice against writing into the law hereafter just what we may want?

Mr. HARRISON of Virginia. My object is to write this into the law now to prevent the Chief of Staff changing the course until Congress has an opportunity to say whether it shall be changed. In other words, if the provision is not incorporated in this act, it is my belief that an Executive order will change the whole course of instruction in that institution. It is for that reason that I desire to obtain a statutory provision to keep the West Point of to-day until Congress can say whether we shall have a West Point of another character and kind to-morrow.

Mr. GREENE of Vermont. I sympathize with the gentleman's intention most heartily, and I think such interchange of personal opinion that we have had heretofore accords with that, but it seems to me, from a parliamentary viewpoint, this is the wrong way to go about it, and I shall have to object.

Mr. LITTLE. Mr. Chairman, reserving the point of order, I want to ask the gentleman, this is new legislation, is it not? There is no legislation of that kind now on the statute books?

Mr. HARRISON of Virginia. No, sir.

Mr. LITTLE. What is there on the books anywhere in the way of legislation that would authorize this appropriation?

Mr. HARRISON of Virginia. My understanding has been that until recently the statute prescribed the course at West Point that it should be four years, and it has been continued as a four years' course until recently. What I am afraid of is that by Executive order, or military order, the whole course at the institution will be changed.

Mr. LITTLE. Is not this new legislation, and if it is not, what is the old legislation?

Mr. HARRISON of Virginia. I will admit that perhaps it is new legislation.

Mr. LITTLE. Then, Mr. Chairman, I withdraw the point of order. It is as easy for us to make points of order as it is for the committee.

Mr. PLATT. Will the gentleman yield?

Mr. HARRISON of Virginia. Yes.

Mr. PLATT. I notice by the hearings that Col. Tillman says that the class that entered last June will go out in 1920. What does the gentleman understand by that?

Mr. HARRISON of Virginia. The gentleman will understand that during the war we needed officers, and they graduated two classes in advance of the regular time of graduation, and then they had an appointment of two cadets by each Congressman to take the place of those that graduated. The intention was if the war had continued to graduate them at the end of one year. Now they are trying to get back to the four-year course.

Mr. PLATT. They could not immediately get back to it, and would not the gentleman's amendment prevent it?

Mr. HARRISON of Virginia. No; my amendment is to keep the institution as it now is until Congress can adopt a plan for the institution. It is going to mean a great deal for every Member of this body if by Executive order the character of that institution should be changed. As a Member said a few minutes ago, we have been accustomed to go out among our young boys, taking them from the high schools and from all walks of life, and sending them to this institution to be there trained and developed. If the character of that institution is changed none of those boys can get into that institution, because the standard will be so high that nobody but a college graduate can enter. In other words, the report of the academic board, which the gentleman from Pennsylvania has made a part of the RECORD, which is a report made in response to the request of Gen. March

that the course be adapted to a three-year course, goes fully into the question. It shows that it is absolutely necessary to cut off one year either at the end of the course or one year at the beginning of the course. It can not be done at the end of the course, because that is when the cadets receive their military instruction, and the boy would have to receive that instruction, if he did not receive it at West Point, at some other military institution. Therefore, it would be necessary to cut out the first year's course, and in doing that the high-school boy, the plain, simple country boy, would be denied admission to the institution.

Congress, in 1916, increased the number of cadets to twice the number theretofore authorized, and it seems to me plainly indicated the high popular regard in which the institution is held.

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. TILSON. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by printing selections from certain letters that I have received in regard to a matter discussed this afternoon on the floor of the House.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STAFFORD. Mr. Chairman, I make the point of order against the amendment offered by the gentleman from Virginia, upon the ground that it is new legislation.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. PLATT. Mr. Chairman, I will ask the gentleman to withhold that for a few minutes.

Mr. STAFFORD. I shall withhold the point of order for the accommodation of the gentleman from New York.

Mr. PLATT. Mr. Chairman, I rise to oppose the amendment. It seems to me very clear that the course at West Point could well be and ought to be cut down to three years. I have read the report of the general committee of the academic board on this subject, and it is obvious there is but one way to do it, and that is to cut one year off the beginning of the course. They say in order to do that they will have to require algebra (complete), plane and solid geometry, plane trigonometry, English grammar, English composition and literature, history, geography, and beginning French. Nearly every college in the country requires about that for entrance.

The Military Academy at West Point is below the average college in requirement, and, strange as it may seem, that is one reason why boys fail to pass West Point examinations. At the average age for entrance to West Point the average boy preparing for college has progressed in his school work way beyond West Point requirements, and in order to pass the examination has to go to a fitting school and cram up on stuff which he studied five years ago and which he has partly forgotten. If you raise the West Point requirements to the average college requirements, and require a modern language, algebra (complete), and plane and solid geometry, and plane trigonometry, which can be studied in every high school, there will be less trouble for boys to get into West Point than now. They will then enter a year later, and the course can just as well be cut down to three years as not. It is merely necessary to make the West Point requirements conform to the requirements of the college entrance board. I taught for two years in a military school and I used to prepare boys for West Point. Furthermore, West Point is in my district and I have long been interested in its work and have tried to keep somewhat in touch with it.

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. PLATT. Not at present. I have discussed the matter with instructors at West Point; some are for it and some are against it. I have read this report with a good deal of interest, and I think their conclusions are more or less ridiculous. There is no word of recognition in the report of the fact that college entrance requirements are above West Point requirements. The average requirement for all of the great eastern colleges—Harvard, Yale, Princeton, Cornell—are all higher than for West Point, and I have no doubt the same is true in respect to most of the western colleges. Practically every high school gives these studies which the academic board says "few public schools cover thoroughly," and where there may be now and then one high school that does not, a little extra study would prepare any bright boy to enter West Point on the requirements they say are necessary to cut a year off the course.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. PLATT. Yes.

Mr. FESS. Reverting to the requirements for entrance in colleges, what is true of the eastern universities is true throughout the country.

Mr. PLATT. That is what I believe.

Mr. FESS. Each State has a college association. Membership in that college association is determined by the standard of entrance in it, which is 15 units. Then there are the general college associations taking in colleges of the various States, so that the gentleman is correct as to the requirements of the college being higher than the requirements mentioned here.

Mr. PLATT. I thank the gentleman from Ohio for his statement. The gentleman was until recently a college president and is an authority on the subject.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. PLATT. Yes.

Mr. GREENE of Vermont. Is it not true also that one of the reasons why the standard for entrance is kept low is the fact that West Point still continues to teach an academic or high-school course of a general character before it begins to specialize on military science and kindred sciences?

Mr. PLATT. It does. Its first year is practically a high-school year, with, of course, rather more intensive work than that in most high schools.

Mr. GREENE of Vermont. Yes; and the result is that, founded years ago when secondary schools were not common, they thought they had to give, as they did have to give, an academic education as well as a military education to a young candidate for a commission.

Mr. PLATT. I think that is largely true.

Mr. GREENE of Vermont. That is not true of the social, economic, and educational conditions of this generation.

Mr. PLATT. Certainly not. The high schools practically all afford an opportunity to prepare boys for college to-day and therefore the requirements ought to be brought up to the average college requirements. There will be no trouble; it will not hurt anybody, and I believe the raising of the requirements will make it easier for a great many boys to get to West Point than it is at present. We have the cases of boys from 19 to 20 years of age who have gone through all these simple subjects four or five years before in the high school. It seems to me that the conclusions of the committee of the academic board in paragraphs 15 and 16 of their report are almost wholly unwarranted. The entrance requirements would not lose touch with the public-school system. More, rather than fewer, of the most desirable class of young men would present themselves for examination. In order to make sure that I was not wrong about my comparison of college entrance requirements with West Point requirements—for my own teaching days were a good while ago—I talked the matter over very recently with a couple of preparatory school mathematics teachers in Baltimore, and they agreed with me fully. I was a little in doubt about what the academic board meant by algebra (complete), but they assured me that this does not include what is known as higher algebra, but is what they are teaching every day in preparing boys for college. Even if algebra (complete), solid geometry, plane trigonometry, and French were added to the present West Point requirements they would not be equal to the entrance requirements of the leading eastern colleges. Some of them require Latin and Greek, or an equivalent, besides.

Mr. STAFFORD. Mr. Chairman, I make the point of order that this is new legislation.

The CHAIRMAN. Does the gentleman reserve the point of order?

Mr. STAFFORD. I make the point of order that it is legislation on an appropriation bill. The amendment seeks to take away discretion that now lodges in an executive department to determine the curriculum, the course of study at the Military Academy at West Point. In the debate this afternoon on this institution it was admitted, as I recall, that there was no law existing as to the length of the course of study at West Point. Certainly if there is such a law it was violated during the present war, when the course of instruction was reduced from four years to one year. The fact that the course of instruction was reduced without any direct authorization by law rather confirms the position that the length of the term is a matter of regulation rather than of legislation. Accordingly, Mr. Chairman, if the course of instruction is determined by regulation, therefore this amendment would interfere with the discretion now lodged in the executive officers. There are plenty of decisions that hold that even an amendment in the form of a limitation that limits the discretion of an executive officer in the performance of his duty necessarily is legislation. I think I have said sufficient to show the Chair that this is legislation and is not in order on this appropriation bill.

The CHAIRMAN. Does the gentleman from Virginia desire to be heard on the point of order?

Mr. HARRISON of Virginia. I do not.

The CHAIRMAN. The Chair would like to ask the gentleman from Virginia if he concedes this is legislation?

Mr. HARRISON of Virginia. I think it is.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

For pay of cadets, $900,000: *Provided*, That the pay of cadets shall be fixed at $780 per annum and one ration per day, or commutation thereof, such commutation to be 67 per cent over and above the cost of the Army ration, to be paid from the appropriation for the subsistence of the Army: *Provided*, That the provisions of the item above shall be operative from and after July 1, 1918.

Mr. STAFFORD. Mr. Chairman, I make the point of order on the paragraph. There is on the calendar a bill that embodies the same provision as incorporated in this paragraph, which seeks to increase the allowance to cadets from $600 to $780 per annum and increases the commutation of rations 67 per cent over that which they now receive. I make the point of order.

Mr. DENT. The point of order, of course, is well taken.

The CHAIRMAN. The Chair sustains the point of order.

Mr. STAFFORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STAFFORD. Having made the point of order to the entire paragraph, does the gentleman from Alabama wish to make any amendment for pay of cadets?

Mr. DENT. I will have to reduce the amount.

The CHAIRMAN. Does the gentleman from Alabama desire to ask unanimous consent to return?

Mr. DENT. Not at this time—until I have the figures.

The Clerk read as follows:

For extra pay of officers of the Army on detached service at the Military Academy: For pay of one superintendent, United States Military Academy (brigadier general), in addition to his regular pay, $1,000: *Provided*, That the provisions of the above item shall be operative so long as Col. S. E. Tillman continues as superintendent of the West Point Military Academy.

Mr. STAFFORD. Mr. Chairman, I make the point of order on that part of the paragraph after the word "Academy" in line 13.

The CHAIRMAN. Does the gentleman from Alabama desire to concede the point of order?

Mr. DENT. I think the point of order is well taken.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

For pay of one commandant of cadets (lieutenant colonel) in addition to pay as captain or major, $1,100.

Mr. SLOAN. Mr. Chairman, I move to strike out the last word. Perhaps this place is not as opportune as was some other paragraph upon which to base my remarks. I take this opportunity to make an observation as to the discharge of soldiers now in this country not because of any definite knowledge of my own, but quoting some that is going out to the country and which I assume is correct. Gov. McKelvie, of our State, was importuned by the farmers of the State to do what he could to obtain the release of boys for the 1st of March farm work. He came to Washington and interviewed the Secretary of War.

The governor before leaving said that he was assured by the Secretary of War that the soldiers would be demobilized by the 1st of March. I thought it would be proper to have it understood here as to what word is going out to the country.

But what I particularly desire to talk about is the matter of Army and West Point snobbery suggested to-day by Col. LITTLE, and on the 28th of last month by the gentleman from Alabama [Mr. HUDDLESTON]. If, as a matter of fact, the institution at West Point does teach the snobbery that we find some officers later practicing in the Army under certain circumstances, I would not be in favor of voting one dollar for its support. As to the snobbery at West Point I do not affirm or deny.

I desire to read in your hearing that which went into the RECORD on the 28th of last month as a part of the remarks of the gentleman from Alabama [Mr. HUDDLESTON], which is embodied in an order issued by Gen. Buck, who is in command of Camp MacArthur. It is as follows:

OFFICERS ADVISED SOCIALLY—CAN'T MINGLE WITH ENLISTED MEN—BY COMMAND OF GEN. BUCK ORDER POSTED REGARDING ENTERTAINMENTS.

The following order has been posted at Camp MacArthur:

Headquarters, Camp MacArthur, Waco, Tex., January 6, 1919. General Orders, No. 1.

1. The attention of officers of this command is called to the impropriety of attending social affairs at which enlisted men, or persons in the uniform of enlisted men, are present.

Any institution in this country, supported by public money, that teaches a doctrine of that kind should be wiped off our political and economic map. [Applause.] More than that:

Hereafter any officer of this command who finds enlisted men present with proper authority, i. e., duly invited or permitted to pay their way in, at any social affair at which the officer is a guest, such officer will at once depart from such social affair, and if he finds persons in the uniform of enlisted men permitted to be present he will take the same action.

I know across the water that "person" is the word that indicates "inferiority or degradation." They say, not "this man," not "this soldier," but "this person."

When an officer finds enlisted men present at any social affair without proper authority, he will take such steps as the occasion may warrant to cause them to leave, and will report any violation of regulations which may occur.

By command of Maj. Gen. Buck.

W. H. WOOLWORTH,
Major, Infantry, United States Army, Acting Executive Officer.

Official:

E. E. LAMBERT,
Major, Adjutant General's Department, Adjutant.

Mr. LITTLE. Will the gentleman yield there for a moment?

Mr. SLOAN. I will.

Mr. LITTLE. I suggest to the Committee on Military Affairs, that wanted suggestions, that an officer who issued an order like that in time of war about American soldiers is not an officer and a gentleman, and under the articles of war is subject to court-martial. If the committee wants to do one thing more than anything else to improve the Army, it will call the attention of the department to that and advise that this fellow be court-martialed.

Mr. SLOAN. Now, to invite or to force any boy into the ranks from the homes of America and give him to understand that he is not as good without shoulder straps as he is with them is un-American. I should like to see some good, manly, young enlisted man, when insulted as he would be by the observance of that order, send out his good right arm and send his insulter to mother earth. [Applause.]

Mr. HUDDLESTON. May I interrupt the gentleman in order to call his attention to the article of war which says that if an enlisted man as much as lifts his hand as though to strike a commissioned officer he will be punished by death?

Mr. SLOAN. And he could not sell his life at a better price than that, to raise the question in America as to whether there are to be these obnoxious social distinctions in the American service. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. LITTLE. Mr. Chairman, I ask unanimous consent that the gentleman be given another five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. GREENE of Vermont. Will the gentleman from Nebraska yield?

Mr. SLOAN. I will.

Mr. GREENE of Vermont. Just following up that last statement that the gentleman from Nebraska has made, that he believes the soldier ought to take the law into his own hands, now, the gentleman is himself a lawyer and a peaceful, law-abiding citizen; and does he recommend to our young men under military discipline that, disapproving of any order, they should, without any judicial inquiry whatever, knock down an officer that issued the order?

Mr. SLOAN. No man, with shoulder straps or without, has a right to insult a fellow American.

Mr. GREENE of Vermont. I said the gentleman is a lawyer, but he need not prove it by any evasion.

Mr. SLOAN. I am glad you say I am a lawyer in the open, with all these witnesses about. [Laughter.]

Mr. GREENE of Vermont. I want you to give me an answer to my question. Are we to understand you to say that without any judicial investigation or trial of the facts in the case, a young soldier's opinion as to whether that order was insulting or not would be to him a full warrant, or sufficient warrant, for violence on his part?

Mr. SLOAN. No intelligent, red-blooded American would have any doubt that the enforcement of that order is an insult to an American soldier.

Mr. LITTLE. Mr. Chairman, will the gentleman yield right there?

Mr. SLOAN. Yes.

Mr. LITTLE. This matter has been settled by the courts-martial of this country, and the question that the gentleman from Vermont asked has been answered. During the Civil War, Gen. Nelson, a volunteer, a very able man from Kentucky, who probably saved that State to the Union, was assembling and marshaling the forces, when Col. Jefferson C. Davis, a West Pointer, a little fellow, went in to see Nelson. Gen. Nelson, a big man, said to the little regular, "How many men have you in your regiment?" Davis said, "About 800." Nelson turned on him, and to those about him said, "That is a correct answer, is it, for a colonel of the Regular Army to make? Blank blank you, go out and find how many men you have got." Jefferson C. Davis went out and got a pistol and came back and shot him dead. That is the answer that the Regular Army makes when it takes the law into its own hands. I think that answers the gentleman.

Mr. GREENE of Vermont. I am appealing to another authority.

Mr. LITTLE. I think a client ought to be satisfied with the dictum of his court.

Mr. GREENE of Vermont. I am satisfied if the gentleman from Kansas is satisfied.

Mr. SLOAN. I enjoy the ingenuity of the gentleman's interrogations.

Mr. GREENE of Vermont. I would rather be treated to facts than be smothered in a bed of roses. [Laughter.]

Mr. SLOAN. Then why does not my friend get some facts? I have a great store for him.

Mr. GREENE of Vermont. I am asking you for them now. Do you recommend as an established doctrine for the discipline of the Army at any time that every soldier, feeling himself aggrieved by the text of an order, should himself be empowered to construe its intent or effect and determine whether it was proper or improper, whether it was insulting or what not, and, having made such a consideration of it in his own mind, take the law into his own hands and punish by physical violence the officer who issued that order?

Mr. SLOAN. The gentleman has taken into his question entirely too much territory. My statement was made with reference to and within the scope of the obnoxious order quoted and its enforcement. The order being discussed does not relate to rank or obedience while in the ranks, in battle, or anywhere else where military discipline is involved. The soldier owes obedience to his superior officer in things military. But he should not admit inferiority or degradation socially, morally, religiously, or politically.

Mr. GREENE of Vermont. That is the statement the gentleman made in substance.

Mr. SLOAN. When an order is made that where a soldier is invited to his father's house, or to his friend's house, and finds an officer there, and the officer drives him forth, or, with much ostentation, leaves himself, so that the insult is palpable, I think the argument ad hominum, delivered in the manly American way, in accordance with the American art of offense and defense, is the only proper treatment. It is the only argument that some men, vain coxcombs and mere martinets, under many circumstances are ever able to understand. It is the only way that brings them to a realization of what they ought to do. I know that a Green Mountain boy, such as my friend GREENE was in the Philippine War times, would not put up with an insult without visiting condign punishment, such as a man has the right to visit upon a soothless insulter, whether he ranks him in the Army or out of it. [Applause.]

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. DENT. Mr. Chairman, I ask unanimous consent to return to the item on page 2, for pay of cadets, where I wish to offer an amendment, in view of the fact that the proviso was held to be subject to a point of order. I ask unanimous consent to return to page 2, line 5, for that purpose.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to return to page 2, line 5, for the purpose of offering an amendment. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Alabama.

The Clerk read as follows:

Amendment offered by Mr. DENT: Page 2, line 5, insert:
"For pay of cadets, $600,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. DENT. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SABATH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15462) making appropriations for the support of the Military Academy for the year ending June 30, 1920, and for other purposes, and had come to no resolution thereon.

HOUR OF MEETING ON MONDAY.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-morrow it adjourn to meet at 11 o'clock a. m. on Monday.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-morrow it adjourn to meet at 11 a. m. on Monday. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I wish to inquire of the gentleman from North Carolina what he plans to take up on Monday out of the ordinary?

Mr. KITCHIN. I shall ask unanimous consent that the House dispense with the business on the Unanimous Consent Calendar for the purpose of concluding the Military Academy bill, and that after the Military Academy bill is disposed of we go back to the Unanimous Consent Calendar.

The SPEAKER. The gentleman asks unanimous consent that on Monday the business on the Unanimous Consent Calendar be dispensed with pro tanto; that is, until the Military Academy bill is finished, and then that the House take up the Unanimous Consent Calendar. Is there objection?

Mr. MONDELL. Mr. Speaker, reserving the right to object, there are quite a number of bills on the Unanimous Consent Calendar that Members are anxious to dispose of. These bills are quite important. No one knows how long it will take to dispose of the Military Academy bill if we take it up on Monday morning. It may take a very large part of the day, in which event the unanimous-consent business would not be considered. It seems to me that it would be just as well to take up the unanimous-consent business at 11 o'clock in the morning, dispose of it, and then take up the Military Academy bill.

Mr. KITCHIN. I suggest that it would be impossible to dispose of the Unanimous Consent Calendar, for the reason that Members want to move to suspend the rules on so many bills.

Mr. MONDELL. I think it is true that there are a number of requests for suspension of the rules, which the Speaker expects to take care of, but that is an additional reason why we should have a large part of the day Monday for that business.

Mr. STAFFORD. Can we come to this understanding, if the gentleman from Wyoming will permit, that we shall proceed on Monday for an hour and a half in the consideration of the Military Academy bill? Many of us expect it will be concluded in that time. Then, if it is not concluded, we can go ahead with the Unanimous Consent Calendar.

Mr. DENT. I suggest to the gentleman that he make it two hours for the Military Academy bill. The bill itself will not take that time, but the outside discussion which developed here to-day is what takes up the time.

Mr. STAFFORD. I think unquestionably we can finish the bill in two hours.

Mr. DENT. We can without any doubt if the discussion is confined to the bill.

Mr. STAFFORD. Would that meet the objection of the gentleman from Wyoming?

Mr. KITCHIN. Let us make it two hours, and I will modify my request and ask that, if at the end of two hours the Military Academy bill is not finished, the committee shall rise and go back into the House, when the House shall take up the Unanimous Consent Calendar.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the House meet at 11 o'clock a. m. on Monday, when not more than two hours shall be devoted to the consideration of the Military Academy bill; that if the Military Academy bill is finished before the end of the two hours, or if it is not, then at the end of two hours the House shall take up the Unanimous Consent Calendar. Is there objection?

There was no objection.

LEAVE TO SIT DURING SESSIONS OF THE HOUSE.

Mr. FIELDS. Mr. Speaker, I ask unanimous consent that the Committee on Military Affairs be permitted to sit during the sessions of the House.

Mr. STAFFORD. Reserving the right to object, are we to understand that the Committee on Military Affairs during the past two months of this session has not had authority to sit during the sessions of the House?

Mr. FIELDS. We thought we had, and think so now, but there was some question raised in the committee.

Mr. GORDON. You have been in almost continuous session?

Mr. FIELDS. We have been in almost continuous session.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that the Military Affairs Committee be permitted to sit during the sessions of the House. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 2 minutes p. m.) the House adjourned until Sunday, February 2, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the president of the East Washington Heights Traction Railroad Co., transmitting report of the East Washington Heights Traction Railroad Co. for the year ending December 31, 1918 (H. Doc. No. 1748); to the Committee on the District of Columbia and ordered to be printed.

2. A letter from the president of the Washington Gas Light Co., transmitting detailed statement of the business of the Washington Gas Light Co., with a list of its stockholders, for the year ending December 31, 1918 (H. Doc. No. 1749); to the Committee on the District of Columbia and ordered to be printed.

3. A letter from the president of the Georgetown Gas Light Co., transmitting a detailed statement of the business of the Georgetown Gas Light Co., together with a list of stockholders, for the year ended December 31, 1918 (H. Doc. No. 1750); to the Committee on the District of Columbia and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. GANDY, from the Committee on the Public Lands, to which was referred the bill (H. R. 12589) to amend section 4 of the act entitled "An act to provide for stock-raising homesteads, and for other purposes," approved December 29, 1916, reported the same without amendment, accompanied by a report (No. 1025), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. PRICE, from the Committee on Claims, to which was referred the bill (H. R. 13588) for the relief of the Baltimore Dry Docks and Ship Building Co., owner of a dry dock at Baltimore, Md., reported the same without amendment, accompanied by a report (No. 1021), which said bill and report were referred to the Private Calendar.

Mr. WELLING, from the Committee on Claims, to which was referred the bill (H. R. 11833) for the relief of Seth J. Harris, reported the same with amendment, accompanied by a report (No. 1022), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FAIRFIELD: A bill (H. R. 15506) authorizing the Secretary of War to donate to the city of Howe, county of Lagrange, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15507) authorizing the Secretary of War to donate to the Howe Military School, in the city of Howe, county of Lagrange, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15508) authorizing the Secretary of War to donate to what is known as Presidents Corners, in the county of Allen, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MANSFIELD: A bill (H. R. 15509) authorizing the acquisition of a site for a public building at El Campo, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. STRONG: A bill (H. R. 15510) authorizing the Secretary of War to donate to the town of Reynoldsville, Pa., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. GOODWIN of Arkansas: A bill (H. R. 15511) for the purchase of a site and the erection of a public building at Warren, Ark.; to the Committee on Public Buildings and Grounds.

By Mr. MAYS: A bill (H. R. 15512) increasing the limit of cost for a Federal building at Spanish Fork, Utah; to the Committee on Public Buildings and Grounds.

By Mr. BESHLIN: A bill (H. R. 15513) authorizing the Secretary of War to donate to the town of Mercer, Pa., four German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15514) authorizing the Secretary of War to donate to the town of Warren, Pa., six German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15515) authorizing the Secretary of War to donate to the town of Oil City, Pa., five German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15516) authorizing the Secretary of War to donate to the town of Franklin, Pa., four German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15517) authorizing the Secretary of War to donate to the town of St. Marys, Pa., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. HOOD: A bill (H. R. 15518) authorizing the Secretary of War to donate to the city of Newbern, in the State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SISSON: A bill (H. R. 15519) for the erection of a public building at Okolona, Miss.; to the Committee on Public Buildings and Grounds.

By Mr. HAWLEY: A bill (H. R. 15520) to provide for the purchase of a site and the erection of a building thereon at Astoria, in the State of Oregon; to the Committee on Public Buildings and Grounds.

By Mr. RUCKER: A bill (H. R. 15521) authorizing the acquisition of a site for a public building at Paris, Mo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15522) authorizing the acquisition of a site for a public building at Milan, Mo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15523) authorizing the acquisition of a site for a public building at Salisbury, Mo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15524) to provide for the erection of a post-office building at Trenton, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. HOOD: A bill (H. R. 15525) authorizing the Secretary of War to donate to the city of Goldsboro, in the State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15526) authorizing the Secretary of War to donate to the town of Trenton, in the State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15527) authorizing the Secretary of War to donate to the town of Jacksonville, in the State of North Carroline, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15528) authorizing the Secretary of War to donate to the town of Clinton, in the State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15529) authorizing the Secretary of War to donate to the town of Bayboro, in the State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15530) authorizing the Secretary of War to donate to the town of Burgaw, in the State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15531) authorizing the Secretary of War to donate to the town of Kenansville, in the State of North Caroline, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15532) authorizing the Secretary of War to donate to the town of Beaufort, in the State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SLAYDEN: A bill (H. R. 15533) to provide for the erection of memorials and the entombment of bodies in the Arlington Memorial Amphitheater, in Arlington National Cemetery, Va.; to the Committee on the Library.

By Mr. GOODALL: A bill (H. R. 15534) for the purchase of a site and erection thereon of a public building at Brunswick, Me.; to the Committee on Public Buildings and Grounds.

By Mr. AYRES: A bill (H. R. 15535) authorizing the Secretary of War to donate to the city parks of Wichita, Kans., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. LANGLEY: A bill (H. R. 15536) to provide for the building of certain roads in the State of Kentucky; to the Committee on Roads.

By Mr. GANDY: A bill (H. R. 15537) providing that Indians and other persons on Indian reservations and superintendencies shall be subject to certain State or Territorial laws, and for other purposes; to the Committee on Indian Affairs.

By Mr. RANDALL: A bill (H. R. 15538) providing for the transportation from the District of Columbia of governmental employees whose services no longer are required or who may resign from their positions; to the Committee on Appropriations.

By Mr. PADGETT: A bill (H. R. 15539) making appropriations for the naval service for the fiscal year ending June 30, 1920; to the Committee of the Whole House on the state of the Union.

By Mr. WOOD of Indiana: A bill (H. R. 15540) donating a captured German cannon or field gun and carriage to the city of Monticello, Ind.; to the Committee on Military Affairs.

Also, a bill (H. R. 15541) donating a captured German cannon or field gun and carriage to the city of Crown Point, Ind.; to the Committee on Military Affairs.

Also, a bill (H. R. 15542) donating a captured German cannon or field gun and carriage to the city of Battle Ground, Ind.; to the Committee on Military Affairs.

By Mr. WEAVER: A bill (H. R. 15543) for the purchase of a site for and the erection of a post-office building at Tryon, N. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15544) for the extension, alteration, and repair of the United States Government building at Asheville, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. DIXON: A bill (H. R. 15545) increasing the limit of cost for a Federal building at North Vernon, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. THOMPSON: A bill (H. R. 15546) for the purchase of a site and for the erection of a post-office building at Pauls Valley, Okla.; to the Committee on Public Buildings and Grounds.

By Mr. CONNALLY of Texas: A bill (H. R. 15547) authorizing the Secretary of War to donate to the city of Temple, Tex., one German fieldpiece or piece of artillery; to the Committee on Military Affairs.

By Mr. BURNETT: A bill (H. R. 15548) authorizing the Secretary of War to donate to the city of Pell City, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15549) authorizing the Secretary of War to donate to the city of Ashville, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MONDELL: A bill (H. R. 15550) making an appropriation for the reclamation of lands to furnish employment and farm homes for discharged soldiers and sailors; to the Committee on Appropriations.

By Mr. SIMS: A bill (H. R. 15551) to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. McCLINTIC: A bill (H. R. 15552) authorizing the Secretary of War to donate to the county of Dewey, Okla., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15553) authorizing the Secretary of War to donate to the county of Greer, Okla., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15554) authorizing the Secretary of War to donate to the county of Ellis, Okla., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15555) authorizing the Secretary of War to donate to the county of Kiowa, Okla., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15556) authorizing the Secretary of War to donate to the county of Washita, Okla., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15557) authorizing the Secretary of War to donate to the county of Roger Mills, Okla., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15558) authorizing the Secretary of War to donate to the county of Harmon, Okla., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15559) authorizing the Secretary of War to donate to the county of Jackson, Okla., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15560) authorizing the Secretary of War to donate to the county of Tillman, Okla., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15561) authorizing the Secretary of War to donate to the county of Custer, Okla., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15562) authorizing the Secretary of War to donate to the county of Beckham, Okla., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. CHURCH: A bill (H. R. 15563) for the erection of a public building at Modesto, Cal.; to the Committee on Public Buildings and Grounds.

By Mr. MANSFIELD: A bill (H. R. 15564) authorizing the acquisition of a site for a public building at Hallettsville, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. JONES: A bill (H. R. 15571) to regulate the sale of stock, bots, contracts, or securities of private corporations in States or Territories other than those in which such corporations are incorporated; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 15572) authorizing the Secretary of War to donate one German cannon or fieldpiece to certain towns in the State of Texas; to the Committee on Military Affairs.

Also, a bill (H. R. 15573) to erect a public building in the city of Childress, the county seat of Childress County, State of Texas, and appropriating money therefor; to the Committee on Public Buildings and Grounds.

By Mr. ANTHONY: Joint resolution (H. J. Res. 402) to express the opinion of the Congress of the United States in reference to continued expenditures of public money heretofore appropriated for the construction of military camps and cantonments during time of war; to the Committee on Military Affairs.

By Mr. MASON: Concurrent resolution (H. Con. Res. 66) to withdraw United States troops from Russia; to the Committee on Foreign Affairs.

By the SPEAKER: Memorial of the Legislature of the State of California, relative to the retirement on annuities of men and women in the employment of the United States who are over the age of 68 years; to the Committee on Reform in the Civil Service.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DOWELL: A bill (H. R. 15565) granting an increase of pension to John A. Vermeulen; to the Committee on Invalid Pensions.

By Mr. HERSEY: A bill (H. R. 15566) granting an increase of pension to Frank Ross; to the Committee on Invalid Pensions.

By Mr. SMITH of Michigan: A bill (H. R. 15567) granting an increase of pension to Reuben Drinkwater; to the Committee on Invalid Pensions.

By Mr. TIMBERLAKE: A bill (H. R. 15568) for the relief of the estate of Jarib L. Sanderson, deceased; to the Committee on Claims.

By Mr. STRONG: A bill (H. R. 15569) granting a pension to Carson Rummel; to the Committee on Pensions.

By Mr. WATSON of Pennsylvania: A bill (H. R. 15570) granting an increase of pension to Henry C. Livezey; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Petition of the Joint Conference on Retirement for Civil Service of the United States, indorsing Keating retirement bill, House bill 12352; to the Committee on Interstate and Foreign Commerce.

By Mr. DAVIS: Petition of members of South St. Paul Live Stock Exchange, protesting against the adoption of Sims bill (H. R. 13324) to give President power to purchase and operate the large stockyards, adopted by the shippers of Minnesota and Wisconsin; to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER of Illinois: Petition of faculty of the Western Illinois State Normal School, favoring House bill 4987, to create a Federal department of education; to the Committee on Education.

By Mr. HOLLINGSWORTH: Petition of Ohio mine workers in convention at Columbus, Ohio, January 14-18, 1919, against militarism and any form of physical training or mental education tending to inculcate same, and favoring a return of prewar status of our Army and Navy; to the Committee on Military Affairs.

By Mr. KENNEDY of Rhode Island: Resolutions of Division No. 16, Ancient Order of Hibernians, and Division No. 4, Ladies' Auxiliary of the Ancient Order of Hibernians, Pascoag, R. I., urging self-determination for Ireland; to the Committee on Foreign Affairs.

By Mr. KRAUS: Petition of sundry citizens of Huntington, Ind., on Government control of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. McKEOWN: Petition of Creek County National Farm Loan Association, of Creek County, Okla., relating to the removal of restrictions and sale of restricted Indian lands; to the Committee on Indian Affairs.

By Mr. MOORE of Pennsylvania: Petition of Rotary Club of Philadelphia, Pa., urging that the name of Panama Canal be changed to Roosevelt Canal; to the Committee on Interstate and Foreign Commerce.

Also, petition of Philadelphia Board of Trade, relating to railroad control; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHALL: Petition of Northern White Cedar Association, favoring the early return of the railroads to private ownership; to the Committee on Interstate and Foreign Commerce.

Also, petition of sundry citizens of Minneapolis, Minn., asking for repeal of postal zone rates; to the Committee on Ways and Means.

By Mr. SMITH of Michigan: Petition of J. J. Leavy and 41 citizens of Albion, Mich., favoring six months' additional salary for soldiers and sailors; to the Committee on Military Affairs.

By Mr. SNOOK: Petition of T. L. Andre and 30 others requesting an early discharge from the Army of all soldiers who were engaged in agricultural work at the time they were inducted into the service; to the Committee on Military Affairs.

By Mr. TAGUE: Telegrams from certain business men of Boston, Mass., regarding proposed taxes in the 1920 revenue bill; to the Committee on Ways and Means.

By Mr. VARE: Petition of Philadelphia Board of Trade, Philadelphia, Pa., opposing Government ownership of public utilities; to the Committee on Interstate and Foreign Commerce.

By Mr. WOODYARD: Petition of Huntington Lodge, No. 104, International Association of Machinists, favoring House bill 10550, relating to Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

SENATE.

SUNDAY, *February 2, 1919.*

(Legislative day of Friday, January 31, 1919.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

[The proceedings of the Senate will be found in the Appendix to the CONGRESSIONAL RECORD.]

The Senate (at 3 o'clock and 35 minutes p. m.) adjourned until to-morrow, Monday, February 3, 1919, at 12 o'clock noon.

HOUSE OF REPRESENTATIVES.

SUNDAY, *February 2, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, Author of the Universe, Father of all souls, in the midst of the impenetrable mysteries which surround us, we come with profound faith, eternal hope, that in Thy wisdom, power, and goodness we shall be exalted, ennobled, glorified, in Thine own good time.

Let Thy richest blessings descend upon us now as we gather here to give expression to the worth of the men who were dignified by the people and made Members of the Congress of the United States. What they did to glorify a Nation of freemen will live and be a blessing to future generations.

Let Thy loving arms be about their dear ones to comfort and sustain them in this hour of trial. Give them a vision of the larger life and help them to look forward to a reunion with their dear ones in a realm where mysteries shall be dissolved and the brightest hopes realized in the dispensation of Thy Providence. Through Him who died, that we might live. Amen.

THE JOURNAL.

The SPEAKER. The Clerk will read the Journal.

Mr. RUCKER. Mr. Speaker, I ask unanimous consent that the reading of the Journal may be dispensed with until to-morrow.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the reading of the Journal be dispensed with until to-morrow. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the special order for to-day.

THE LATE SENATOR WILLIAM J. STONE.

The Clerk read as follows:

On motion of Mr. RUCKER, by unanimous consent,

Ordered, That Sunday, February 2, 1919, be set apart for addresses upon the life, character, and public services of Hon. WILLIAM J. STONE, late a Senator from the State of Missouri, and the Hon. JACOB E. MEEKER, late a Member of this House, from the State of Missouri.

Mr. RUCKER. Mr. Speaker, I ask unanimous consent for the present consideration of the resolutions which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolutions.

The Clerk read as follows:

House resolution 543.

Resolved, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. WILLIAM J. STONE, late a Senator of the United States from the State of Missouri, and the Hon. JACOB E. MEEKER, late a Member of this House from the State of Missouri.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of their distinguished public careers, the House, at the conclusion of the exercises of this day, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the families of the deceased.

The resolutions were unanimously agreed to.

Mr. IGOE took the chair.

Mr. CLARK of Missouri. Mr. Speaker, when Gov. Benjamin Gratz Brown, one of the most brilliant of all Missouri statesmen, on a historic occasion said: "Missouri is a grand State and deserves to be grandly governed," he uttered an immortal truth. He might have added, with equal veracity, "She deserves to be grandly represented in the Congress of the United States," and she has been in the main, particularly in the Senate, where paucity of members and length of tenure more surely fix a man in the public eye than service in the House.

First and last, Missouri has commissioned 26 different men to represent her at the other end of the Capitol, in the less numerous branch of the National Legislature, in the Chamber of the Conscript Fathers, in "the Upper House of Congress," improperly so called, or, as Senator Morgan, of Alabama, would have it, "ambassadors of a sovereign State" to the Federal Government. Beginning with David Barton and Thomas Hart Benton, her pioneer Senators, who at once attracted general attention and challenged universal admiration by reason of their commanding talents, down to this very hour, when, in the persons of JAMES A. REED and SELDEN P. SPENCER, she holds high position in that conspicuous arena, Missouri has taken second place to none of her sister States.

These 26 Senators naturally divide themselves into two classes—the Barton line and the Benton line, 18 in the former and only 8 in the latter.

In the Barton line are Barton himself, Alexander Buckner, Lewis F. Linn, David R. Atchison, James S. Green, Waldo P. Johnson, Robert Wilson, Benjamin Gratz Brown, Charles D. Drake, Daniel T. Jewett, Francis P. Blair, Lewis V. Bogy, David H. Armstrong, James Shields, George G. Vest, William Joel Stone, Xenophen P. Willey, and SELDON P. SPENCER.

In the Benton line are Benton himself, Henry S. Geyer, Trusten Polk, John B. Henderson, Carl Schurz, Francis Marion Cockrell, William Warner, and JAMES A. REED.

Lucky the man who gets into Barton's seat; luckier, far luckier, the man who secures that of Thomas H. Benton, as the precedents indicate a longer public life for him.

An examination of the dates at which Missourians entered and left the Senate will disclose two curious facts in Missouri history. She is the first State that ever elected two men for five full consecutive terms to the Senate of the United States—"six Roman lustrums," as Benton was wont to boast in his pompous way. These were Benton and Cockrell. The only other State to do that is Maine, Missouri's political twin. Missouri was the first State that had only one Senator for any considerable length of time through failure to elect another. By reason of the unrelenting warfare between the Bentonites and the anti-Bentonites the legislature chosen in 1854 never could and never did elect a Senator, as it was in duty bound to do, so that for two entire years Henry S. Geyer was Missouri's only Senator.

What is more, the governor did not appoint or attempt to appoint anyone to fill the vacancy, nobody then dreaming that the governor had such power. But in these later days several States have followed Missouri's example in failing to elect Senators, and, strange to say, divers governors have insisted on the right to fill vacancies by appointment under similar circumstances, until finally the Senate, after lengthy and ponderous debate, solemnly vindicated the wisdom and knowledge of constitutional law possessed by the governor of Missouri in 1855 and 1856, Sterling Price, by declaring that a governor has no right to make such ad interim appointment under such circumstances.

Of Missouri's 26 Senators there were 18 Democrats, 1 Whig, and 8 Republicans. Of 156 years of senatorial representation to which she has been entitled, 2 were not used, 6 fell to Whigs, 28 to Republicans, and 160 to Democrats.

This roster of Missouri Senators is an array of names of which the Nation, no less than the State, may well be proud. There are many great men—scarcely a small one—in the list.

Missouri is proud of her immeasurable physical resources, which will one day make her facile princeps among her sisters; but there is something else of which she is prouder still, and that is her splendid citizenship, consisting at this day of nearly 4,000,000 industrious, intelligent, patriotic, progressive, law-abiding, God-fearing people.

When questioned as to her riches she could with propriety imitate the example and quote the words of Cornelia, the mother of the heroic Gracchi, and, pointing to her children, say truthfully and pridefully, "These are my jewels."

The foregoing remarks, with a few figures changed to bring the facts up to date, constitute the opening paragraphs in my speech presenting the statue of Gen. Frank P. Blair. They must still be of interest to Missourians, at least.

Of these Senators, WILLIAM JOEL STONE was one of the most eminent and forceful. Like so many other men who have achieved high position in imperial Missouri, he was born in Kentucky. Good Bishop Berkely was both a philosopher and a prophet when he wrote the familiar line:

Westward the Star of Empire takes its way.

It has been so always. Asia peopled Europe; Europe peopled America; and now we are engaged in peopling the Philippines—thus belting the globe, reaching out to the cradle of the human race. Before the railroads deflected travel from its natural course, it is interesting to note how closely immigration hugged parallels of latitude. Until the cataclysm of the Civil War dislocated things, the base of population in Missouri was composed of Virginians, Kentuckians, North Carolinians, and Tennesseeans, together with a sprinkling of the elite from every State in the Union and from every civilized nation in the world.

It will interest Kentuckians and Missourians to refresh their memories with the fact that James B. McCreary, soldier, governor, and both Representative and Senator in Congress; David Rowland Francis, mayor, governor, cabinet minister, and ambassador; and WILLIAM JOEL STONE, governor and both Representative and Senator in Congress, were all three born in Madison County, Ky. It is interesting to try to guess what would have happened and who would have come out on top if all three had remained in their native county. Judging from their careers, and knowing that all three were ambitious all their days, and that they fought their way to place and power, it is absolutely safe to say that much friction and much resulting heat would have been engendered in the historic old county of Madison.

The members of that distinguished trio were unlike in appearance and endowments in most respects, but were alike in being men of undoubted ability and of soaring ambition. Each in his own particular way was a skillful political artist. STONE and Francis prove what a bright Kentuckian may come to in the rich soil of Missouri if transplanted young enough.

I had an interesting and amusing experience growing out of the fact that STONE, Francis, and myself were all Kentuckians by birth. Most of you may not know it but it is true that Ambassador Francis pulls off a Fourth of July celebration of his own when he is at home in St. Louis. As president of the "Louisiana Purchase Exposition," he erected a magnificent memorial building to Thomas Jefferson, and it is in that building he and his friends celebrate the birthday of the Republic. In 1915 the Fourth fell on Sunday, Senator STONE and I speaking in different places in St. Louis. Ambassador Francis had his celebration that year on Monday, the 5th. Learning that both the Senator and myself were in the city, he drafted us and took us out to the Jefferson Memorial Building, where all three of us made speeches. The chairman of the meeting seemed to think it out of the ordinary that all three were Kentuckians by birth and Missourians by adoption. When he introduced Senator STONE, who spoke first, he enlarged on what appeared to him to be a remarkable coincidence. He repeated that formula when he introduced Gov. Francis, who came second. He rolled it as a sweet morsel under his tongue when he presented me. I began by saying: "It is true, as the chairman has stated twice, that Senator STONE, Gov. Francis, and myself were all born in Kentucky for better or for worse, and I am reasonably certain that I could name certain Missourians who wish that all three of us had remained in 'The Dark and Bloody Ground.'"

Col. Benton served in House and Senate, and to this day holds the Missouri record for congressional service—32 years; 30 in the Senate and 2 in the House—but the governorship was denied him. Trusten Polk was governor and Senator, but never in the House. James S. Green and Gen. Frank P. Blair served in both Houses of Congress, but were never governor. Blair's brilliant cousin, Benjamin Gratz Brown, reversing the usual order, was first United States Senator and then governor, but never in the House. Gen. John Miller, who served longer as governor of Missouri than any other man, served in the House, but not in the Senate. Gen. Sterling Price, John C. Edwards, Willard P. Hall, Joseph W. McClurg, Thomas T. Crittenden, and Alexander Monroe Dockery were all both governor and Representative in Congress, but never in the Senate. Trusten Polk and WILLIAM J. STONE were the only two Missourians to go from the gubernatorial chair to the Senate, and in STONE'S case there was a period of six years between ending as governor and beginning as Senator. He is the only Missourian to serve as both Representative and Senator in Congress and as governor of his State.

WILLIAM J. STONE was a great Representative, a great governor, and a great Senator. He was one of the most skillful and successful political leaders the State ever had. After a long and stormy career he had attained a sort of suzerainty over the Missouri Democrats. He did not accomplish that difficult feat by brass-band methods or by using a meat ax. He did it by persuasion, by diplomacy, by consultation, and, above all, by being an exceptionally good listener. When he was in St. Louis, Kansas City, Jefferson, St. Jo, or any other city or town in Missouri, the most prominent Democrats called on him in his rooms and consulted with him. That was his favorite method of ascertaining public opinion—his favorite plan of campaign—to converse with small groups of men and out of their various views to determine the best course to pursue. He preferred that way of doing things to large and boisterous crowds; and because he did pursue that wise and successful procedure, his enemies—and he possessed a large and enthusiastic assortment of them—fastened upon him the sobriquet of "Gum Shoe Bill," which his friends and admirers, who composed a mighty host, took up and converted into a term of affection.

He was a political strategist of high degree. Two instances will suffice. When he was a candidate for the gubernatorial nomination in a fierce and close contest and Col. Richard Dalton unexpectedly carried St. Louis, STONE immediately appealed to the rural districts and won, after a contest which roused the State to white heat from Des Moines River to Arkansas and from the Mississippi to the mouth of the raging Kaw.

In subsequent bitter contests—and considering what a polite, mild-mannered man he was it is surprising how many bitter contests he had—when the Metropolitan press unanimously assailed him with ferocity, he boldly and savagely assailed the Metropolitan press, skillfully rallied the rural press to his support and invariably came out victor. I am inclined to believe that he enjoyed the contests more than he did holding the offices, which assumption, if true, sheds some light on the never-settled old question which we debated when we were boys, whether there is more pleasure in pursuit than in possession. He was elected to the House three times, to the governorship once, and to the Senate three times. Notwithstanding the awful storm of vituperation which broke upon him in the later months of his life, I have no sort of doubt that he would have remained in the Senate for 15 years more had he lived so long. Even before his death the storm was receding, and when the great Senator died the love of the generous people of the mighty State which had so often crowned him with her choicest honors, and which he had served so long with pride and approved capacity, returned to him in undiminished measure and augmented intensity. Since the mighty Benton was laid to rest in "The Great City of the Iron Crown" no such splendid funeral pageant did the people of Missouri arrange for any other of her illustrious sons as for Senator STONE.

What manner of man was he? In his prime he was physically the typical Kentuckian—tall, slender, sinewy, lean of flank, high of head. He always reminded me of a Kentucky race horse in his best estate, needing neither whip nor spur to urge him on.

Intellectually he was of a high order. His parents were neither rich nor extremely poor. They were what we in common parlance designate "good livers," and good living in the Blue Grass region of Kentucky is a status to which most folks never attain. In case of his father and mother Agur's prayer seems to have been answered: "Give me neither poverty nor riches." They were, however, able to give their son a university education. During his entire busy life he was a lover of good books and delighted to associate with learned people. He was familiar with the poets, but the books which he studied most were the best of all books—men and women. As a public speaker he stood high, being dowered with logic, wit, humor, sarcasm, and eloquence when he thought eloquence was appropriate to the theme, the occasion, and the place. Some of his speeches were gems, blending in artistic proportions the ingredients aforementioned. He was one of the most deliberate speakers I ever heard, and when in fine fettle it was a delight to listen to him analyze a subject or excoriate an opponent. The dramatic quality he possessed in large degree. His facial mobility was almost equal to Tom Corwin's. His long black forelock, which was forever tumbling into his eyes, was one of his principal properties in public speeches. His deft manipulation of that raven forelock was a joy to his friends and an irritation to his enemies. He loathed utterly a double-dealer, a hypocrite, a mountebank, or a liar. He never pretended to be better than he was; he loved his friends, who fully returned his love; and after being the stormy petrel of Missouri for a generation grew ever gentler with increasing years, and forgave all his enemies except a very few, who had treated him so outrageously and slandered him so maliciously that they had forfeited any claim to forgiveness.

Here is an incident which illustrates his character, his method, and his energy:

It will be remembered that in the early spring of 1911 newspapers began to mention me for the Democratic presidential nomination. The mentioning grew in volume and frequency until by November it was universally discussed in the public press and in private conversation. Senator STONE and I had never been enemies but we had not been intimate friends. It will also be remembered that the public press was also mentioning Gov. Joseph W. Folk very frequently. A more or less active argument was in progress between my supporters and his as to which of us should have the Missouri delegation. In the meantime Senator STONE spoke no word, gave no sign as to which of us he favored, if either. It happened that in the last part of November Dr. Bartoldt's friends gave him a banquet at the Southern Hotel, which he deserved and which he was anxious I should attend—which I did. That afternoon I was out at the home of Judge Virgil Rule, one of my old pupils, three or four miles from the business center of St. Louis. The Judge had invited about a dozen of my friends to be present to consult about starting my campaign. Unexpectedly Senator STONE walked in. The other gentlemen, taking it for granted that he had come to see me, after shaking hands with him adjourned to another room.

So soon as they disappeared this brief dialogue ensued: Senator STONE said, "Mr. Speaker, I came out to ask you just one question for my own guidance, are you a candidate for President"? I replied, "Senator, men do not announce for President as they do for constable." He answered: "Tell that to the Marines. I want to know. I have seen it in the papers, I have seen men who assert that you are a candidate but I never saw any man who said you had told him. I desire to know definitely." I said: "Yes, Senator, I am a candidate." Without another word, he picked up his hat, cane, gloves, and overcoat and went down town. Immediately headquarters were engaged and the fight was on.

From that hour until the announcement was made that Governor Woodrow Wilson was nominated, Senator STONE could not have worked harder for me if he had been my father, brother, and son rolled into one.

He was a delicate-looking man in those days; but the amount of work he did was amazing. I formed a deep affection for the man which will abide with me so long as life lasts. To speak of him is to me a labor of love.

Mr. Speaker, it is rare that any State memorializes two congressional sons at one time. Such, however, is Missouri's sad case this day. I have spoken somewhat elaborately touching the life and character of Senator STONE. Now I pay a brief tribute to our fellow Representative, Dr. JACOB E. MEEKER. Stone was a veteran statesman, of long and conspicuous service, verging close on the psalmist's allotment of three score and ten, while Dr. MEEKER was a comparatively new Member, in the last half of his second term in the House. The chances are that had he lived he would have had a long and conspicuous career. That district kept his immediate predecessor in the House, Dr. Richard Bartholdt, here for nearly a quarter of a century, and probably would have done equally well by Dr. MEEKER, as he appeared to have a strong hold on the confidence and affection of his constituents. Senator STONE had been for years in delicate health, while Dr. MEEKER was an exceedingly robust man in the very prime of life. He was a strong, energetic, capable, courageous man, of splendid mentality and fine scholarship. He was a forceful speaker, his first efforts in that regard being in the pulpit. He was a ready debater, and was rapidly fighting his way into the front rank. I have no sort of doubt that had his life been spared and had his service here been extended, he would have attained eminence in this body. His death was a surprise to all who knew him, as he had not attained his meridian and seemed destined for length of days.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none.

Mr. FERRIS. Mr. Speaker, I knew United States Senator WILLIAM JOEL STONE all my life. I lived in southern Missouri and knew him during his public days there. During the early part of it I was a young chap, but I knew him as Congressman, as governor, as Senator, and as man. He played a full part in each rôle. Death always comes too soon, and this is only emphasized as it comes home to us with our families and our friends. The adage is emphasized when it comes home to the life of a man who has spent his entire life in usefulness and activity, and such was the life of Senator STONE. I shall not in the few words I utter here to-day try to place Senator STONE on any unnatural pedestal. If he were in the flesh here this day, it would not be his desire. He spent no time, Mr. Speaker, in eulogistic appeals to his Creator "that he was not as other men," but he preferred to be one of them, to think and act as other men. He was one of men.

It is quite the custom when men are called to that last rest to picture them in some unnatural pose. That would not be Senator STONE'S desire. I know of no tribute more beautiful to pay to the memory of a man than to say that he preferred to be as other men and preferred to be one of men, as distinguished from constantly drawing his skirts about him and saying, "I thank God I am not as other men." When I see life ebbing away I am always impressed with the certainty of death and the shortness of the time we may spend here. The thought that is ever uppermost in my mind is that every moment here ought to be spent in some useful endeavor. It ought to increase the ambition to emphasize that thought in the minds of all of us. Senator STONE as Congresman, as governor, and as Senator of the State of my birth honored Missouri as Missouri has ever honored him. He honored the Nation and the Nation honored him. He was loved and respected by his friends as no other man in Missouri has been loved and respected. Hated by some, I prefer to believe at this moment that the hatred that resides in the heart of any Missourian against Senator STONE was because they had either collided with his ambition in some way or that they did not know him.

I have many tender ties for Missouri and Missourians. I was born there, married there, educated there, and cast my first vote there. I have felt it was only proper to say these few words, due to my own acquaintance with Senator STONE, due to my residence in Missouri and my birthplace there. I have been happy in being honored by an invitation to pay this short tribute to his memory and in loving remembrance of him as a friend, as a man, and as a statesman. He was true to every trust; he was a man; he was a Missourian; he was an American.

Mr. DICKINSON. Mr. Speaker, the life of Senator WILLIAM JOEL STONE was an eventful one, filled with distinguished public service. He was born in Madison County, Ky., on May 7, 1848. He came to Missouri in his early youth, first to Boone County, and attended the University of Missouri, at Columbia, from which institution of learning he was a graduate; and later there was conferred on him by the university the degree of doctor of laws.

In his early manhood he moved to Vernon County, in southwest Missouri, and was admitted to the bar in 1869. He practiced law at Nevada, Mo., and attained high rank in an active practice, winning success by his untiring industry and his marked ability as a lawyer and as a gifted public speaker. He served one term as prosecuting attorney of his county, and afterwards served with conspicuous ability his great district in the Forty-ninth, Fiftieth, and Fifty-first Congresses.

My first acquaintance with WILLIAM J. STONE was in 1878, at the congressional convention in Carthage, Mo., when he was a candidate for Congress. There were six candidates in that contest. It was a great convention, lasting several days—the field against Charles H. Morgan, the popular sitting Member—resulting in the nomination of Maj. Waddell, of Greene County. Over that convention presided M. E. Benton, a parliamentarian of ability, who afterwards served in Congress for 10 years with distinction.

Several times did STONE contest for a seat in Congress from his district before he was successful. He battled for congressional honors with such men as Morgan, of Barton; Waddell, of Greene; Ferguson, of St. Clair; Bassett, of Bates; Salmon, of Henry; De Armond, of Dade, and finally winning in 1882 in a close contest in which the other candidates in the convention were Morgan, Abernathy, and De Armond—all strong men and worthy. Later the gifted De Armond was elected to Congress for 10 consecutive terms and made a great record and a national reputation.

After serving in Congress for three terms WILLIAM J. STONE voluntarily retired and returned to the practice of the law in his home city of Nevada, Mo. Within two years after leaving Congress STONE was nominated, in a notable contest with Richard Dalton as his principal opponent, running as Farmer Dalton, for governor of Missouri. Dalton carried the big cities of Missouri with the support of the labor vote, except Kansas City, which had a candidate of its own in the person of Judge James Gibson. WILLIAM J. STONE had more farmer delegates in the nominating State convention at Jefferson City than all the other candidates combined, and was nominated by reason of that support. He had defiance to the corporation-controlled vote of the great cities and won by reason of his popular strength in the country. He won his election in November by a great majority over Maj. William Warner as his opponent, the popular idol of the Republican Party in Missouri, afterwards United States Senator from Missouri. Maj. William Warner opened his campaign at Sedalia, Mo., in a speech widely published and circulated, the text of which, as I recall, was "Stand up for Missouri." The Republican organ of Missouri, the St. Louis Globe-Democrat, had rung the changes on "Poor old Missouri" by reason of Democratic rule, and in the shadow of this attack Maj. Warner had taken his text "Stand up for Missouri," charging a need of change of administration by reason of Democratic rule, and putting his seal of approval upon the Republican cry of "Poor old Missouri." WILLIAM J. STONE opened his campaign in the city of St. Louis in a speech, the most notable ever made in his public career, and answered every attack of the Republican organ—the Globe-Democrat—and the charges made by his Republican opponent—Maj. Warner—against Democratic rule.

This great speech when made and circulated as a campaign document throughout the State made unnecessary any further campaign, though the usual speaking campaign was conducted to a successful end, using Stone's speech as a text. That speech was a sufficient answer to every attack made upon the State under Democratic administration, as compared with Republican misrule in the days following the Civil War. It was the most masterful address and appeal ever made, in my judgment, to the electorate of the State, and resulted in the triumphant election of this great Missourian, who served his State as governor for four years with conspicuous ability, when he again retired to private life and entered again upon the practice of his profession in the city of St. Louis.

After a brief while he became a candidate for the United States Senate and succeeded the gifted George G. Vest, who had retired after serving his State for four terms with great and distinguished ability—a colleague of Gen. Francis Marion Cockrell, who served as Senator for five terms, or 30 years, with like great ability—a great Democrat of wonderful personal popularity, loved and respected for his great worth and popular service.

Senator STONE was first elected Senator by the legislature of Missouri in January, 1903, and reelected in 1909, and in 1914, by popular vote, for the term which would have ended on March 4, 1921. In my judgment, if Senator STONE had lived and retained his health he would have continued to serve his great State in the Senate of the United States by a reelection at the end of this term, in the middle of which he passed into the great beyond.

He was a worthy successor of Benton and Blair, of Vest and Cockrell, of James S. Green and Waldo P. Johnson, of B. Gratz Brown and Carl Schurz and John B. Henderson, and the others who filled with honor and distinction that office of high trust—a galaxy of men of merit.

No public man in Missouri ever had a greater personal following of ardent and loyal friends than Senator WILLIAM J. STONE, and they were found in every section of the State, ready to help and sustain him in every contest. He had filled every position of trust with singular ability and with an honesty of purpose that made successful his great public career. He was a successful lawyer, a worthy Representative in Congress, a great governor, the only governor of Missouri since the Civil War elected again to high position. He was a fearless champion of the rights of the people against the domination of selfish corporate interests. He won success against the bitter opposition of corporate power and the attacks of the great press in the great cities. He had no great paper to champion his cause. He knew the people and knew how to arouse them in support of his efforts to win, regardless of the organized opposition that continued to combat him in his great public career. The country press was his organ.

Senator STONE had a great heart. He not only loved his friends and the great State that honored him so often, but his heart beat in sympathy with the masses of the people, whom he loved and trusted and in whom he believed. He loved fair play, he hated hypocrisy, and was incapable of a mean or a small act. He led an honest and courageous life and left an honored name as a rich legacy to his relatives and friends.

Senator STONE was a man of strong convictions, of great courage, and dared to follow the dictates of his own conscience regardless of the consequences that might follow. No one doubted his honesty of purpose or the courage of his convictions. He followed the dictates of his own conscience with a courage unsurpassed in the political life of Missouri politics.

I knew Senator STONE well. For nearly 40 years I had been his personal and political friend. I had tried to help him in his struggles for political preferment, for Congress, governor, and Senator. His life was a continual battle. Our relations were close and intimate. He loved his friends and they loved and honored him. They believed in him. He knew men, their strength and their weaknesses. He knew the motives that prompted men to action. He knew the right and dared do it. He feared no man or political interests. He was a leader in his party, State, and Nation, and high in its councils. He helped to make its nominations and its platforms. He wrote its great declarations upon which it went to battle with its political opponents. He believed in the Democratic Party and loved its organization, and believed its success was best for the whole country. He loved his country as ardently as any man, and his great heart almost broke when he saw it involved in a great world war into which he had hoped it would not be drawn. However his friends may have differed with him on any great question, no man ever doubted his honesty or his patriotism.

He was a national character of great ability and power at all times, and his great character and distinguished patriotic services won him the respect and admiration of all who knew him. He was a leader among men. He has passed into the great eternity, mourned by the thousands who knew him and loved him and honored him. Thousands came from far and near to see him laid away in his last resting place in the beautiful cemetery in his much-loved city of Nevada, where he had lived, where his multitude of friends had helped him in his ambition to rise to high place in the service of his country. Peace to his ashes. God bless the memory of the much-loved WILLIAM JOEL STONE.

The SPEAKER pro tempore. The gentleman from Missouri [Mr. DYER] is recognized.

Mr. DYER. Mr. Speaker, Missouri lost a great citizen, a great public servant, in the death of Senator STONE. The great Speaker of our House [Mr. CLARK], my colleague from Missouri, paid a deserved and a fitting tribute in his address to the life and public service of the distinguished Senator.

Senator STONE was very close to the people of Missouri; that was demonstrated by many incidents in his long and great career. Like other men in public life who take a determined position upon public questions, he had, of course, his opponents in his own party and in the other party; but, as the Speaker has said, Senator STONE was a man who was not afraid to meet his enemies in the open and who would fight for what he believed to be right.

Probably that came from the fact, alluded to by the Speaker, that the distinguished Senator whose death we mourn to-day and to whom we pay tribute, came from the great State of Kentucky. Kentucky furnished to Missouri some of our most splendid citizens, men who have rendered great service. It is true, as the Speaker has said, that Missouri in its early days was made up largely of men and women who came to it from States like Kentucky, Virginia, and Tennessee. I am proud myself of those men and women who came to Missouri when it needed men and women of strong character and determination and who helped shape its destiny. I believe, more than anything else has helped to make it the great State that it now is.

I feel some little personal pride in that myself, from the fact that I am a descendant of some of that stock. My father was born in Virginia and my mother in Kentucky, and I know, from their lives and from the things that they stood for and did, that they believed in everything that was for the best in public and in private life.

So to-day, in paying tribute to those men and those women who came from those States to help make Missouri what it is, I can join not only in paying tribute to the life and public service of our great Senator, but also in paying tribute to the other splendid men and women who did so much for our State and to testify anew to my love and affection for my good father and mother, who were a part of that great citizenship.

Senator STONE gave the greater part of his life to the service of the people of Missouri and the people of the Nation. He rendered conspicuous, able, and brilliant service, and, although of a different political party from his, I say most truthfully and candidly that I think Senator STONE was one of the greatest public servants that Missouri has ever had. I feel that we have lost a great public servant, and feel privileged to enter in the RECORD my judgment, as one of the Representatives of Missouri, as to the great public service of Senator WILLIAM JOEL STONE.

Mr. Speaker, as has been said by my colleague, we meet to-day not only to pay tribute to the life and public service of our deceased Senator but we meet also under an order of this House to pay tribute to one of our colleagues from Missouri in this House, the late JACOB E. MEEKER.

JACOB E. MEEKER was born on a farm in Fountain County, Ind., October 7, 1878. He was the second son of T. M. and Julia McKnight Meeker. He graduated from the public schools in 1894 and entered the academy at the Union Christian College, at Merom, Ind., the same year. After completing the preparatory course in the academy he entered the college, graduating from that institution in 1900. He was married on the day of his graduation, and was the father of four children.

He entered Oberlin Theological Seminary in 1900 and did one year's work. He returned to the farm in Indiana in 1901, and for the next year farmed and preached in country churches. In 1902 he returned to Oberlin, and graduated from the Oberlin Theological Seminary with the class of 1904. In western Indiana he was known as the boy preacher, having had a regular pastorate before he was of age.

Following his graduation he located at Eldon, Mo., under the appointment of the Congregational Home Missionary Society. He remained at Eldon for two years, organizing Sunday schools and developing Congregational Church work in that section. In 1906 he came to St. Louis to take charge of the Compton Hill Congregational Church. He remained there as pastor until 1912, when he resigned to complete his law studies. He was admitted to the bar January 6, 1914. He had been active in politics since boyhood, his father having been one of the leading Republicans of Indiana for many years. In 1914 he became a candidate for Congress, and was elected to the Sixty-fourth and reelected to the Sixty-fifth, winning in the second contest by a majority of more than 20,000. He was nominated by a large majority in the August primaries to the Sixty-sixth Congress, but passed away before the election.

During all the years of his ministry he was a live participant in the political and sociological affairs of his community. Instead of holding the old-fashioned "revival" meetings, he conducted in his church and elsewhere series of popular Bible studies. He maintained his church study in a down-town office building and was daily found in the hospitals, the juvenile and police courts, and the eleemosynary institutions. He established a national reputation for himself because of two things he has done. He has fought prohibition with all of his might, and he has opposed the entrance of the church into politics. While in the pulpit he steadfastly refused to convert his church into a political club or to air his partisan views on political questions, and in the field of politics he has consistently refused to be swayed by religious or sect prejudice.

Mr. MEEKER, like Senator STONE, whom I alluded to a moment ago, was a man of forceful ideas, and, by reason of the strong position that he took upon public positions, had his intense enemies in public life. It was my privilege to first know JACOB E. MEEKER about 11 years ago or so, when he came to make his home in the city of St. Louis. He located in that section of the city where I had my home. He was a neighbor of mine, and he came there to take charge of a church located in my neighborhood. That was in about the year 1906. He became the pastor of a church there, and not only the members of the congregation of that church but the citizens generally of that neighborhood—I was one of them, not being one of those who worshipped with that congregation—had their attention directed to the fact that they had in that church a young man of energy and a young man of intellect.

Many of us from time to time went to that church to hear this new preacher. We all liked him. He began immediately to take an interest in affairs in the neighborhood. He helped to organize in his church a civic organization of that neighborhood of which I was a member. It had for its purpose and its object the betterment of conditions of the people generally in that section of the city.

He was forceful, keen of intellect, a splendid man, and a splendid pastor of his church. His church grew in influence, grew in power, and grew in good. He was a man who, as I have said, would not, because of his peculiar make-up and energy, allow himself to be confined wholly in the work to which he was specially called. He felt that he should get out and take an interest in things that affected the people generally, and from time to time he became active in these matters; and out of his active interest in those matters grew his entrance into politics. People felt and believed that he could render especially good service in public office. They began to talk of him for public office while he was pastor of the church.

Mr. MEEKER resigned the pastorate of his church and returned to his home in Indiana, whence he had come. When he went to Indiana it was my belief and understanding that he had gone there to make that his home.

I do not believe that he had any idea or thought of running for public office, but a situation grew up in the city of St. Louis, in the tenth congressional district, where the gentleman who had been representing that district here for so long, Hon. Richard Bartholdt, had issued a statement in which he said he would not be a candidate for renomination and reelection. As it is in all districts when the older Member retires, several new men aspired to this office, and factions of the party in control often have candidates. One of the factions of the party in this district urgently sent for and wrote letters to Mr. MEEKER, urging him to come back and become a candidate for Congress in this district. Mr. MEEKER returned and became a candidate, was nominated and elected, was again renominated and elected, was again renominated, and, had not death called him, would have been again reelected by the usual majority in that district of some 24,000 or 25,000. We mourn his going, because he had given evidence of his efficiency as a public servant; he had given evidence of his ability to represent the people in this House. He was a young man, only some 40 years of age, when death claimed him. A great opportunity laid before him, and I, as his friend for many years and his acquaintance and well-wisher since he came to our city in 1906, sincerely regret his going. The people of St. Louis, a large part of whom he represented here, mourn his loss. He was a good and efficient public servant, and we will miss him sadly.

Mr. HAMLIN. Mr. Speaker, I desire to announce that one of the closest personal and political friends of the late Senator STONE is prevented from being present to-day on account of sickness; in fact, he is not in the city. I refer to our colleague (Mr. BOOHER), and I ask unanimous consent that he may have the privilege of extending his remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri? (After a pause.) The Chair hears none.

Mr. RUCKER. Mr. Speaker, in order to avoid confusion, I ask unanimous consent now that each of the Missouri delegation, several of whom can not be here to-day, being kept away on account of sickness, be permitted to extend their remarks in the RECORD, as well as other Members who desired to be here, but can not be here to-day, be also permitted to extend their remarks in the RECORD, and also that the same may apply to all gentlemen who speak.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri? (After a pause.) The Chair hears none.

Mr. BOOHER. Mr. Speaker, this occasion arouses within me a renewed sorrow for the loss of a cherished personal friend who permitted none of the many distinctions of a long-honored life of public service to mar or stem the warm current of the trust and affection he gave me. I wish to record here somewhat of my sincere estimate that in his taking away the State and Nation he served have themselves lost no truer friend than in WILLIAM J. STONE dead who, living, had no deeper delight and held no higher purpose than to serve them for their happiest advancement and noblest elevation. His experience, his learning, his accomplishments, and his generous heart equipped him for the most eminent trust of our representative manner of government.

Naturally, thinking of him now, my heart turns first to the place and the scenes that form the picture of our friendship's beginning. I came here February 24, 1889, to serve the unexpired term of a deceased Representative, the Hon. James N. Burnes. Here I met the late Senator. Here began the forming of ties which the passing of more than twenty-five years have only enriched and strengthened, such ties of mutual esteem and consideration that now, in these moments of regretful reflection that an ending of all pulsing, responsive friendships is inevitable, I am fain to seek somehow the consolation that recollection affords of the man I loved and who generously gave me the affection I may no longer enjoy. Thus may memory's alchemy may turn the gloom of mourning into golden light.

WILLIAM JOEL STONE, born 70 years ago in Madison County, Ky., began his career as a statesman destined to become known and honored among America's highest and best—more

than 35 years ago. It was with the first year of the first Cleveland administration that he started a service of three terms in this House. In its six years he was brought into contact and relation with the most famous representatives of our times. His talents for public service, his gifts and graces of speech and bearing, were such as suffered no depreciation of contract with the qualities of the great men about him. John G. Carlisle was the Speaker of the House, and during Mr. STONE'S years there were in this great arena for national heart-expression such men as Samuel J. Randall, Sunset Cox, Roger Q. Mills, William R. Morrison, Pig Iron Kelley, John W. Daniel, William P. Hepburn, Charles R. Crisp, David B. Culberson, long gone from the place they illuminated with their fine and lustrous personalities, and with only two scarcely less distinguised happily yet among living American statesmen still in the public service, KNUTE NELSON of Minnesota and JOSEPH G. CANNON of Illinois. These great men represented every part of this Nation. Ardently devoted to their several constituencies, they were scarcely less fervent in their loyalty to the all-embracing Federal institution and the first creature of the Constitution, the House of Representatives. But in the expression of these endowments of faith and accomplishments of intellectual enterprise none excelled WILLIAM J. STONE.

In his fertile mentality grew a remarkable variety of capacities for public service and enlightening public instruction. His speeches and conversations on the floor of the House and in the committee conferences were illuminating, persuasive, and so entertaining as always to recall with pleasure. To me, it was ever a recollection that made me proud that he was my friend and fellow Missourian. He did honor to the name of his State wherever he went, whether in the public service or as a trusted councilor in political party service. He was a Democrat of Democrats in the most Democratic of States. For his expression of himself as such, he was especially popular and honored in Missouri. In his participation in the affairs of representative government for all the States of the Union he was no less sincerely and constantly and courageously a Democrat. I do not believe a man has lived since the day of the Father of American Democracy, Thomas Jefferson, the greatest apostle of representative government the world has ever known, whose mind and heart were truer to the rights of humanity than the mind and heart of WILLIAM J. STONE. Like Jefferson, to him the greatest of all liberties was the liberty of mind and conscience to achieve for the individual unrestrained by government the best things possible. In this was he one of the greatest of American Democrats. With all the ardor of a virile, sympathetic nature, he was at all times partisan to the principles that exalt the name of Jefferson and which even now shine with new glory in the triumph of the American and allied armies over the implacable foes of democracy.

In the Senate, where he began his service 15 years ago, being at his death in the middle of his third term, the superior scope for intellectual energy afforded by that great body afforded him ft opportunity for the exercise of his conspicuous abilities. His speeches and even his most casual contributions to its adventurous debates are among the most finished ornaments of the Senate's literary record. He touched no subject he did not embellish with the attractive suggestions of a lively imagination based forth in the comely raiment of excellent phrase. In the clash of differing views, he will be remembered with admiration by his friends and recalled with respect by his adversaries in contention. Partisan as he was, always expectantly looked to as a Democratic leader, his loyalty to party at no time of his long public and political career marred his friendships, which were numerous and widely extended. No intellectual divergence of view from his convictions altered the cordiality of his relations with men in any position. Incapable of submerging himself in the presence of political opposition and before the assaults of word and act upon principles he cherished, Senator STONE, like all eminent and forceful Americans, was not without his share of enemies. He was at times the target of bitter criticisms. He rarely gave evidence that they disturbed him except when they brought into question the integrity of his motives. He either bore himself silently erect and serene in the little storms of party weather or countered the blows of condemnation and ridicule with thrusts of wit and ironical allusion that effectually weakened opposition. No one can say that he was ever worsted in debate or his resourceful capacity depreciated in any controversy.

Senator STONE'S main activities in the Senate were as member of two of its most important committees, Finance and Foreign Relations. As chairman of the Foreign Relations Committee he held a parliamentary post for which he was peculiarly and preeminently fitted. It had of all committees the most vital relations with the great question of the world-war. When the history of that war in its domestic aspect here and its political incidents and effects shall have been truly told it will be seen, I have not the slightest doubt, that in the haste of excited judgments of the war period, Senator STONE was sometimes unjustly assailed for what was incorrectly represented as his attitude. He truly represented that large body of sane Americans who are averse to war and would endure much within honor to avoid quarrels that mean death and crippling to countless numbers of human beings. But I shall not attempt to go any further into the story of Senator STONE'S share in the final determination of the United States to enter the war. Being in, he cast his entire lot of mind and heart into the issue. The most impartial historian will do him due justice. He will be found, I am confident, to have been far more consistent and intellectually righteous than many who held high places and agreed with him in his reluctance to join the war who afterwards became the foremost zealots in its prosecution. He turned all the rare gifts of his nature to the support of his country's cause, ever with the constant prayer for victory breathing with his presence in all company.

I have said that Senator STONE in his congressional service touched no subject he did not embellish. It is a truth that will stand forth freshly with every examination of the part he bore in public discussions. His contributions more than adorned debate. They had a practical strength and an aptness of suggestion which were invaluable aids to constructive legislation. I cite a single instance of this rare equipment for the most exalted public service as afforded in the Senate. It occurred but a little while before his death. A man of comparatively frail physical structure, he was more constantly energetic and punctual at the post of duty than very many stronger men. The Senate was discussing the final shaping of the railway administration bill. Then there arose through Senator STONE'S quick apprehension of a demand of public interest sure to come with the future, and which we observe has already come in the present conjectures as to the disposition of the railroads. He interpolated an exhaustive speech on the bill by Senator POMERENE of Ohio with a question as to the interpretation of one of the concluding clauses of the bill—section 24. This was its language:

> That this article is expressly declared to be emergency legislation enacted to meet conditions growing out of war; and nothing herein is to be construed as expressing or prejudicing the future policy of the Federal Government concerning the ownership, control, or regulation of carriers or the method or basis of the capitalization thereof.

As he put the question, Senator STONE said:

> I have an apprehension that when we come out of it we will be faced with one or two alternatives, namely, the taking over of the railroads into absolute Government ownership, or a capitalization of the railroads in order to protect the vast interests involved, and in order that these great transportation lines may be conducted with the greatest possible efficiency in the public interest.

The apt question elicited from the distinguished Ohio Senator an important response. Observing the presence in the committee handling the bill a variety of views, Mr. POMERENE said:

> The bill as presented originally provided that Government control should continue during the war and until otherwise directed. That of itself, in the judgment of some of the members of the committee, had a suggestion of continued future Government ownership. It is perfectly clear by the enactment of this law the Congress would not be committing itself to any of these policies which might have been in the minds of Senators.

And, finally, Mr. Speaker, I would not close this inadequate tribute to the worth of my great friend in his great public service without giving another instance of his lofty regard for duty. That, too, was but a short time before his voice was no longer to be heard among men. I refer to that occasion as of profound historic significance and one whose meaning is more strikingly evident at this time than at any period within our history since the founding of our Republic. It was last year, February 21. Reference having been had to the method of procedure in the Senate on the next day, with the customary reading of Washington's Farewell Address, Senator STONE objected to any other course than adjournment immediately after the reading of the address. Another Senator remarked that it was the rule for the Senate on such occasions to proceed with ordinary business after such reading.

The Missouri Senator solemnly advised the Senate that it was indulging a "poor compliment" to the greatest of all Americans, that then of all times the address should be read and pondered anew in all the matchless wisdom of its admonitions. Plainly, obviously, he referred to that part of Washington's Farewell Address in which he warned his fellow countrymen for all time against "the insidious wiles of foreign influence," advising them to keep the faith of present engagements but to enter upon no entangling alliance which would

commit us to participation in the settlement of Europe's quarrels.

I believe that when the historic occasion recurs in the two Houses this month on the birthday of him who gave to his people that immortal counsel millions and millions of American people as they note the reading of his words again in Congress will stand where Senator STONE stood last year, revering Washington and still first in the hearts of his countrymen. That reminder by the Missouri Senator was a noble climax to a highly honorable and long honored career.

Mr. ESSEN. Mr. Speaker, on an occasion like this, when we come to speak a tribute to the memory of a distinguished friend such as the one in whose honor we meet to-day, words are too weak to give adequate meaning to our feelings of appreciation. The suddenness in which the earthly life of our friend was ended, the large place he had filled in the councils of the Nation, the great opportunity in public life afforded to one of his ability, all combined, make his death a distinct national loss. The people of the tenth congressional district, whom he loved to honor and to whose best interests he was so greatly devoted, showed this appreciation of his ability and public service by the splendid vote of confidence given him whenever they had a chance to show it. The people of the sovereign State of Missouri found in him a courage and capacity well calculated at times like these to defend the rights of her people, boldly and without apology, regardless of the taunts of foes or the applause of friends.

The Nation saw in him one of the defenders of her honor, whose voice was heard in unmistakable tones, as upon the floor of the Chamber of the House of Representatives he hurled defiance at German autocracy, the arch enemy of mankind, and called upon the Nation to resent the insults to her honor and fight for the preservation of her life.

Mr. MEEKER was one of the men who stood out boldly demanding the defense of our national honor at all times. It will be remembered how, when Mexican outlaws were crossing our borders and burning our property and murdering our citizens, he demanded a decisive policy. In clarion tones he denounced these insults to our sovereignty and called upon the Congress to authorize the President to employ the necessary force to compel a recognition of our honor. Those of his colleagues who sat with him in this Chamber well remember his denunciations of what appeared to be a noncommittal policy which seemed spineless at times. His powerful attacks against allowing Mexico to purchase munitions which were afterwards employed against our own people will not be forgotten.

When Germany began the submarine warfare and attacked, by torpedo, the *Cushing*, the *Gulflight*, and finally committed the open murder in the sinking of the *Lusitania*, Mr. MEEKER was one of the Members of Congress who openly declared it to be our duty to immediately put the Nation in order to defend itself. He persisted in the assertion that a decisive policy on the part of our Government would bring Germany to her senses. He deplored the seeming effort on the part of many which tended to convince Germany that we could not be made to fight. On the other hand, he persisted in his belief and assertion that decisive action would either prevent war or, in case it did not, the war must have been much shorter and much less destructive of life and property.

When at last the war resolution was before the Congress his was the voice that rang out in clarion notes that sounded the sense of national duty. After the declaration of war and the plan for building an army was before the country he was one of the first to espouse the selective draft as the rational method in a democratic country.

Although a strict party man and partisan in a pronounced sense, he never allowed a partisan spirit to interfere with his duty to the country. Differing widely from the President and the leaders of the majority on party policies, yet in the matters of war he was among the ranks of Republicans who pushed to the very front all war measures designed to speed up the war program. His criticism was constructive and justified by his readiness to both suggest remedies and accept them when suggested by others.

In this great war Congress, whose duties and responsibilities were greater than any Congress since the days of the great Civil War, he occupied a high rank. So far as I know he stood for every constructive measure proposed.

Mr. MEEKER did not agree with the majority of the Members upon some nonpartisan domestic questions. Whatever disagreements were experienced he always displayed a fearlessness in his attack and in his advocacy. He was found voting with the majority of the Members on many questions, but he was never afraid to be counted with the minority vote. At times when the public seemed swept off its feet with waves of enthusiasm, when it would be easy to go with the majority, he has stood like adamant for what he believed to be the correct position, though it provoked opposition and at times derision from those opposed to him.

He never believed that popularity of an issue was of itself a conclusive argument of its wisdom.

Mr. Speaker, Mr. MEEKER, my predecessor in this body, had what might be called a stormy life. He had his staunch friends and some enemies. But who has not both? He who has no friends is helpless and he who has no enemies is hopeless.

To-day we pause to note his contribution to the service of his country. It is but little we can here do, and what we say may soon be forgotten; but I wish to pay this slight tribute to his memory in the name of the people of the tenth Missouri congressional district, which he so notably represented and which I now have the honor to represent.

Could I in my stay here be as effective on the part of my legislative duty as he endeavored to be I would feel quite content.

Mr. HAMLIN. Mr. Speaker, Senator STONE was considerably my senior in years, but it was my privilege to know him well for about 25 years. I greatly admired his splendid ability and his many admirable qualities of mind and heart. I believe that he was as nearly unselfish as any man whom I have known and who was so long in public position.

During his active, busy life he held public office about 26 years, each commission being issued to him as the result of the will of his people expressed through the ballot.

He was prosecuting attorney of his county, Representative in Congress from his district, governor of his State, and United States Senator from Missouri, and which position he held at the time of his death.

He was politically a militant, but he always fought fairly. He never conducted a political trench or submarine warfare. He went forth to battle in the open, panoplied in what he believed was a just cause, and it was always a fight to a finish. He neither asked for nor gave quarter.

Like all such characters he had the most loyal friends and the bitterest possible enemies. He bore many scars received in battle for the principles of Democracy, to which he was thoroughly wedded. His contests were numerous, but it may be said of him that he never lost a battle. In other words, he stood as the candidate of his party many times before the people who knew him and went to his death without a single defeat. I have heard him praised and I have heard him condemned, but I never heard any man question either his courage, his loyalty to a friend, or his integrity.

He followed faithfully and unerringly the star of Democracy which Thomas Jefferson hung in the political firmament. He never apologized for his position or hesitated to announce his creed upon all proper occasions. A few years ago a friend of mine and an ardent admirer of the late Senator told me an exceedingly interesting story which illustrates the manner of man that he was:

All Missourians remember distinctly that just before the close of the Civil War all persons who were even suspected of sympathizing with the southern cause were disfranchised, and I might say, in the minds of the ultra-Unionist, to be a southern sympathizer was equivalent to being a Democrat, and under radical rule in Missouri all such were disfranchised, but about the year of 1872, in a limited way, the restrictions were removed and they were permitted to again participate in politics in Missouri. A friend told me at that time down in southwest Missouri where the feeling was extraordinarily bitter that in a county which had theretofore been Democratic he and others concluded to try to reorganize their party for the coming campaign. They conceived the idea of having an old-fashioned barbecue and announced that it was for the purpose of getting all Democrats together and have some prominent man of that political faith address them. They made the announcement but were immediately notified by the opposition that such a meeting could not be pulled off in that county. That no man could come there and make a Democratic speech and get away alive. However, the committee went on with their arrangements. I remember distinctly that he told me that they wrote Gov. Phelps, who for 18 years represented a district in Congress and resigned his seat here to take charge of a regiment in the Civil War on the side of the Union, but who, nevertheless, was an ardent Democrat at all times, and was afterwards one of Missouri's great governors, but for some reason he declined to come. They then extended an invitation to another very prominent citizen of Springfield, also

a gallant Union soldier and Democrat, Capt. McAfee, but he, too, declined the invitation.

The time for their barbecue was drawing near and they had promised to have somebody there to make a speech and they felt they must make good their promise, and in their dilemma some one made the following suggestion: "I understand there is a young lawyer over here at Nevada by the name of STONE, who is a Democrat and who, I am told, makes a splendid speech. Let us invite him." It was Hobson's choice—there was nothing else to be done, so that was agreed to and the invitation was accordingly sent. There were no telephones or telegraph lines or railroads for that matter through that section of the country at that time, but they sent an invitation by mail and received a prompt reply, accepting it. The committee immediately announced that WILLIAM JOEL STONE, of Nevada, would be present and make a speech on the occasion of the barbecue. Very promptly they were waited upon by a delegation, self-appointed, perhaps, who served notice upon them that neither this man or no other man, for that matter, could make a Democratic speech on that occasion and get away alive. He told me that it was the prevailing custom at that time for men to go armed continually in that county. Human life was regarded as almost worthless. The committee finally became convinced that these "rough necks" meant just what they said, but they did not reach that conclusion until it was too late to notify this young lawyer not to come.

None of them had ever seen STONE. But they knew he would have to come across the country in a buggy. And I may say here that the place at which he was to speak was some 30 or 40 miles from where Senator STONE lived. They knew the road he would come in on, and they concluded to watch for him and meet him at the edge of the town and notify him that it would be worth his life to try to make a speech there on that day, and explain to him that he could drive in through and around the town and could reach again the road over which he had come and go back to Nevada, and that then they would announce at the proper time that the speaker for some reason did not show up. They watched for him and met him when he came to town and explained fully the situation to him. This crowd of rough necks were there, armed to the teeth and "tanked up" on native liquor, and swearing that no man could make a Democratic speech on that occasion and live. My friend said that when they explained the matter to STONE and told him that they were sorry not to have been able to get him notice not to come, but how he could get on through town and back home, inasmuch as nobody knew him, none would suspect he had ever come; but he said STONE looked at them for a moment and said, "Did you not invite me over here to make a speech to-day?" "Yes." "Well," he said, "I am here." "But," they said, "we can not afford to let you speak. These fellows swear they will kill you, and they will." He said, "Gentlemen, I was invited to come here to-day to make a Democratic speech, and," with an adjective that he usually used under such provocation, said, "I am here, and I am going to make that speech." "But," they said, "You can not afford to make it; it is too dangerous. But if you are determined to make a speech here to-day talk about something else—other than politics." He said, "I will make my own speech."

This man told me that at the proper time STONE went upon the platform and that this crowd that had said he should not speak, and who were drunk and armed to the teeth, rushed up menacingly in front of him. STONE stood and looked at them for a moment, and then proceeded to denounce them as arrant cowards; told them what he had been informed they had threatened to do, and defied them to do their worst. He said: "You have not the courage to do what you said you would. I am here to make a Democratic speech and, by the eternal, I am going to make it."

My friend told me that he had heard STONE many times since make many bitter Democratic speeches, but that he had never heard him make one quite so bitter as the one he made on this occasion. Those fellows who had said that he should not speak and live gradually slunk away, one at a time, until every one of them had gone, and when STONE had finished there was not one of them in sight.

I speak of this to show the courage of the man. He was not afraid of anything.

He grew to be wise beyond his day and generation. From the time that I first began to take an interest in politics he was my political mentor.

Shortly after he was nominated for governor of his State it was my privilege, as a young Democrat, to be one of the speakers at a banquet given in his honor in my city. From that time on, especially, I knew him well. I met him in court as opposing counsel after he retired as governor. I entered this House for the first time as a Member on the same day that he entered the Senate for the first time.

Innumerable times during these years I have gone to him for counsel and advice and I never came away empty handed. I did not at all times agree with him on all public questions, but I always greatly respected his opinions. In his death I lost a friend, our party a great leader, and his country an aggressive patriot. May his ashes rest in peace.

Mr. PURNELL. Mr. Speaker, death is a strange and mysterious thing. I have often wondered why the great unseen power that is responsible for life itself could not stay the terrible sting of death and spare the heartaches that follow in its wake. It is rarely a welcome guest—I have seen it pass, unnoticing, the house of an afflicted soul tossing upon a bed of pain praying for the relief that only death can bring. I have seen it reach its long tentacled fingers into a newly made home and take from the breast of a loving mother the joy and hope of her life. I have seen it rob the home of him to whom innocent and helpless children have looked for food, leaving them destitute and in want. I have seen it take the mother whose unselfish devotion and watchful care would have been the guiding star through life of a son and turn him into the street to fight an unequal battle with life only to lose in the end because of her loss. I have seen it take from the seats of the mighty those who could have shaped the destiny of a nation. I have seen the old, the helpless, the neglected, the life-weary pray for it and it would not come.

The death of our friend and colleague affords a most striking example of the uncertainty of life. If any one of us had scanned the roster of this House venturing to name he who would be the next to answer the final summons, I dare say the name of JACOB E. MEEKER, strong in vigorous manhood and standing at the very threshold of life, would have entered none of our minds.

To me his death was a great personal loss. When I came to Congress two years ago as a Member of this body he neglected his own duties in an endeavor to familiarize me with the innumerable details of the routine which every new Member must necessarily learn. In doing this JACOB E. MEEKER was prompted in no small degree by the recollection of our early boyhood associations, having grown up in the same county with me and within a few miles of each other. His home was my home, his country my country, his people my people, and though he went away when he grew to manhood he always regarded Fountain County, Ind., as his home. The old farm upon which he was reared, and the father and mother whose pride he was, were always there to welcome him. It was very fitting, and I am quite sure in keeping with his wishes, that he was laid to rest in the quiet country churchyard that lies within sight of his boyhood home.

JACOB MEEKER came from one of the old and honored families of our county. His father was numbered among the most influential and highly respected citizens of our Commonwealth. His dear old mother, who lives to mourn his loss, is all that the word "mother" implies. Whatever success he attained was due in a large measure to her strong impress upon him. It was not alone that we grew up together and came from the same county that he put himself out for me. It was characteristic of the man. No bigger-hearted man ever sat in this Chamber than JACOB MEEKER. He was true to his friends and loyal to every trust. He was firm in his convictions, and dared to fight for that in which he believed, even though it entailed a bitter encounter with his dearest friend. It is but fair to his memory to say, however, that the bitterness ended with the debate.

I did not always agree with him, but I never failed to admire his courage and ability. This House has lost a valuable Member, his constituents one whose constant desire was to serve them, and the country a servant who was always jealous of its honor.

The SPEAKER. The gentleman from Missouri [Mr. HENSLEY] is recognized.

Mr. HENSLEY. Mr. Speaker, we have met here to-day to bear our humble tribute to the many excellencies of character possessed and service rendered his country by the late Senator WILLIAM JOEL STONE during his life.

The history of Senator STONE and the facts concerning his life have been detailed by others more beautifully than I can hope to give them. As has been recited, he was born in Kentucky and reared in Missouri. He was educated in the University of Missouri, graduating from that institution, after which time he located in Nevada, Vernon County, Mo., for the practice of his profession, that of law. I desire here to say that with the great

ability possessed by Senator STONE, had he continued in his profession practicing law with the same energy and continuous effort that he put forth in serving the people in public office, he would have soon been one of the very leading attorneys at the bar in his State and Nation, and he would have acquired a goodly share of this world's goods. But he chose public office instead, and he early in life was elected to the Congress of the United States. After serving here in this historic body for six years he retired voluntarily. Soon after his retirement from Congress he was nominated and elected governor of Missouri, after a very spirited fight both for the nomination and the election. As governor he never hesitated to take his stand with the people and against those desiring special favors at the hands of his administration. Assailed many times, yet undaunted, he stood as a mountain among small hills, like a great oak in the forest, giving no heed to the abuse of those who maligned him. The poisoned shafts of the slanderer fell broken at his feet. He gave the people of the State a fair and honest administration. Going out of the governor's office he resumed the practice of law, but he soon reentered public life and was elected to represent the grand and glorious State of Missouri in the Senate of the United States, in which body he was serving his third term when stricken unto death. For many years he was one of the foremost Democrats and statesmen in our country, and in every station in life to which he was called he graced it with great ability, courage, and manhood. His career was a most brilliant one.

I am glad to say that I counted Senator STONE as my friend; in fact, he was the friend of every worthy individual wherever he happened to be, as well as the friend of every worthy enterprise. He was in deed and in truth the friend of humanity, for his every act testified to the feeling that he bore toward the great body of our people. In my judgment, there never lived a man more thoroughly in love with his country and his kind than Senator STONE. Patriotic and courageous, a partisan in politics in the sense that he believed that parties were necessary for the perpetuity of our Government and our institutions, he was ready and willing at all times, if necessary, to sacrifice his very political life for his convictions. I very well recall, a good many years ago, how he took his political life in his hands when he assailed with all the vigor he possessed certain corporate interests of Missouri, because he thought they were insidiously seeking to get control of his party.

True manly courage can not exist without honor and integrity; in fact, courage is a child of honor. One can not exist without the other. There never was any inquiry as to whether he would stand by his convictions on any question, however momentous and however perilous to him. We need more of such men. That is the stuff out of which martyrs are made. Any person can go with the current, but for one to battle against the current, to go amidst the frowning, hissing, and jeering crowd who are drifting the other way it takes courage and manhood.

I recall very distinctly one occasion when I was in his office, only a few months before he was stricken down. We were discussing the course being pursued by another person in public life, and I said, "Senator, he is rendering a great service to the people, but he will never get any credit for it, because the people will not understand it." He replied, with emphasis, "My boy, it makes little difference whether the people give you credit or not; be true and render service, though they may never appreciate it. My only thought now, during this hour of my country's crisis, is to do my whole duty by my people without regard to its effect upon me." So I say, Mr. Speaker, that the people who go to make up the body of our great and glorious country lost a true and noble friend in the death of Senator STONE. They lost a friend who did not count the cost when it came to serving them. The shells of slander and abuse when bursting all around him affected his course none whatsoever. He preferred to be right to anything else. He never bid for the applause of the truculent hirelings of the special interests of the country; and if his true worth could be portrayed, his diligent efforts in behalf of the people understood, even up to the time that he was stricken while riding on a street car here in Washington, there would be erected in the minds and hearts of the great masses throughout our country a monument that would endure as long as courage, as manhood, and as patriotism is prized by man.

Senator STONE will be missed in Missouri; he will be missed in the Nation. The country sustained a loss in his death, an irreparable loss. He was one of the most human men I ever met, full of humanity, sympathy, and love. He was never so busy that he could not give one a patient hearing, and he was always ready to render helpful service to the needy one. We all lost a friend when Senator STONE died, and his family lost a patient, kind, and loving parent and companion.

The SPEAKER. The gentleman from Missouri [Mr. RUBEY] is recognized.

Mr. RUBEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Missouri [Mr. IGOE] is recognized.

Mr. IGOE. Mr. Speaker, I ask unanimous consent, first, to extend my remarks in the RECORD on the death of Senator STONE and Mr. MEEKER, and at the moment I simply desire to say a few words.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks on the death of both Senator STONE and Mr. MEEKER. Is there objection?

There was no objection.

Mr. KNUTSON. Mr. Speaker, soon after coming to Congress in the Sixty-fifth Congress I had the privilege of meeting the late Congressman JACOB E. MEEKER, of Missouri. He was a member of the important Committee on Immigration and Naturalization, and as I was assigned to that body the opportunity to become acquainted with him was offered me. I early became impressed with his vigor, his honesty, and his integrity. He was in many ways a wonderful man. His outstanding characteristics were mental honesty and fearlessness. He never tried to deceive himself, and his absolute fearlessness and honesty were proverbial. I was attracted to him by his sound reasoning power and his industry, and it is no exaggeration to say that he was easily one of the strong men of that important committee. I did not always agree with Mr. MEEKER'S views—in fact, we often disagreed—but never for a moment did I doubt his honesty and sincerity. He used force and logic rather than diplomacy and intrigue in achieving his end. When he spoke he always had a message well worth hearing, and therefore always commanded attention when he rose to address the House. A Hoosier by birth, it was natural that he should go into politics. Born on the "banks of the Wabash," he came of good, honest stock. While in attendance at his funeral, which was held at Attica, Ind., it was my proud privilege to meet his dear old mother, and after having met her I could readily understand that he had inherited from her many of his strong characteristics. She is one of that splendid type of American womanhood who stood shoulder to shoulder with their pioneer husbands and did their full share in transforming a vast empire from a wilderness into a Garden of Eden. Mr. MEEKER was a worthy son of a splendid American mother.

We miss Mr. MEEKER on the floor of this House. In his death the country lost one whom we would have looked to to help pilot the ship of state through the perilous waters we are now navigating. His wise counsel would have been of great value in these troublous times. The need for strong men with positive convictions is greater to-day than ever before in the history of the Republic. He sleeps peacefully on the "banks of the Wabash"; for him life's fitful fever is o'er, but his memory lingers. Peace to his ashes!

The SPEAKER. The gentleman from Alabama (Mr. BURNETT) is recognized.

Mr. BURNETT. Mr. Speaker, I rise to add my feeble tribute of respect and appreciation and friendship to the memory of Hon. JACOB E. MEEKER.

When Mr. MEEKER first entered this House he was assigned to the Committee on Immigration and Naturalization, of which I have the honor of being chairman. It had been the policy of both parties, without any politics entering into the personnel of that committee, to have the committee as nearly divided as possible on the question of the restriction of immigration in proportion to what had developed by different votes in the House of Representatives on that question. Mr. MEEKER no doubt was placed by his party on that committee with the belief that he reflected and represented the same views on that subject as his distinguished predecessor, Dr. Bartholdt, who had opposed the legislation which had been pending for several years for the restriction of immigration.

Mr. MEEKER entered upon the performance of his duties on that committee, and we had long and continuous hearings. At the very outset of the discussions and hearings he no doubt felt inclined, as his predecessor had been, to oppose restriction by the illiteracy test that had been pending and discussed for sev-

eral years; but he announced to the committee—I remember it well—at one of its first meetings that he entered on the consideration with an open mind, desirous of arriving at what he thought would be a righteous and just conclusion, and that he would go into the investigation of the question without fear or favor, intent on reaching a conclusion that he thought would be just and fair and right.

We had many, many days of hearings. That man had an eagerness and an avidity for work that was unexcelled by any Member with whom I have been intimately associated. He listened to the statements, he listened to the testimony, he listened to the discussions; none of us knew, and he did not know, where he was finally going to land upon that question or upon which side he would cast his decision. He entered into it honestly and earnestly, desiring to reach a conclusion that would meet the approval of an honest conscience and an honest heart.

At the conclusion of those long discussions and of those long hearings before the committee, Mr. MEEKER lined up with the same views that a majority of the committee had maintained for some time. He showed in that investigation and in those discussions a courage worthy of the man. As I said, his immediate predecessor had been strenuously and earnestly opposed to the propositions involved, and had upon every occasion and at every turn of the wheel opposed and sought by honest effort to defeat the views that many of us held. I have no doubt but that at least a great number, if not a majority, of his constituency were in accord with the views that had been held by his immediate predecessor, and that very fact showed the honesty of that brave man. He went out to meet those constituents. He gave them his reasons for the faith that was in him, and he was returned to the House. I believe, twice after he had voted with the majority on that question.

I merely desired, Mr. Speaker, briefly to call attention to that as one of the numerous occasions upon which it was my privilege and pleasure to witness the courage, intellectual and moral, of that strong man. We miss his counsels on the committee now. There were many questions that we desired investigated that the full committee did not have the time to attend to, and when questions of that kind arose there was no man to whom I could more cheerfully refer for investigation and report than to our distinguished colleague who is gone. And, Mr. Speaker, when I heard of his death, cut off in the very prime of manhood, I felt that an intellectual giant had been taken from this body and from the committee of which he was a member. He fell as he had lived, discharging what he believed to be his duty. It is said that when one of Napoleon's great marshals fell on the field of duty he said to the officer whose business it was to call the roll, "Do not strike that great name from the roll, but every time when the roll call is made let an officer step two paces to the front and answer 'He fell on the field of duty.'" And so it may be said of our colleague, he fell in the discharge of what he believed to be his duty. Mr. Speaker, I thought of asking merely to extend my remarks in the RECORD, but my friendship and affection for Mr. MEEKER was so great that I felt I would not deny myself the honor and the privilege in this brief moment to add my personal tribute to the memory of a good friend and a great legislator. He was not of my political faith. I differed from some of his views very earnestly, but I always recognized that when I was opposed to the views of Mr. MEEKER that he was as honest in those views as I dared claim to be in mine. He was a foeman worthy of the steel of any man, no matter how great might be his opponent.

Mr. ROMJUE. Mr. Speaker and gentlemen, there has been so much said this afternoon in memory of Senator STONE of Missouri, and it has been so well said that I feel impelled not to speak at length.

When we consider the life and character of Senator WILLIAM JOEL STONE of Missouri we find ourselves attracted to those elements within him which marked him as a man, a citizen, and a statesman of unusual proportions.

In what I shall say to you this afternoon in his memory will not be said with any pretense or claim to his perfection, for he, like you and I and all of us, was human.

But on the 14th day of April last, when the last spark of life, so far as this world is concerned, expired or took its flight from his bosom, there was stilled forever upon the stage of wordly affairs a heart, a brain, a body which had throbbed and thought and worked for his fellow man.

I shall never forget the time when I first saw and heard Senator STONE. It was during his campaign for governor of Missouri. I was a boy in my teens.

A big political meeting was held in the county seat of my home county of Macon. The day was designated as the three governors' day. Gov. Horace Boies, the then Democratic governor of Iowa, was there; Hon. David R. Francis, then governor of Missouri, was there; and Senator STONE, then an aspirant for the governorship of Missouri, was in attendance.

It was a clear, bright day. The political contest between Senator STONE and Maj. William Warner was getting at fever heat.

This campaign took place at a time when partisanship ran higher than it does to-day in political contests.

It was a time when the Democrats and Republicans of Missouri followed with intense enthusiasm the leadership of their party candidates. The people were intensely interested in the issue of the campaign and in the success of their chosen party leader.

In the early forenoon thousands of people, coming for many miles, had assembled. It was unquestionably the greatest political gathering that had ever been held before or after that day in that county.

Political badgering often took place in campaigns of that time.

Senator STONE had just reached the climax in a masterful speech, enunciating and defending the principles and issues upon which his party was waging the campaign, which issues from his party's standpoint had just shortly prior in this community been assailed by his political opponent, Maj. Warner.

The meeting of the issue by Senator STONE was received with such unanimous and generous approval of the audience that it rankled in the breast of one listener, who was almost alone of his kind.

This man arose in the midst of the audience and began to announce his faith in the political party to which Senator STONE was opposed. It was apparent at once that the fellow was intoxicated for which no one was responsible except the man himself and those who had manufactured and sold the beverage to him. Addressing Senator STONE he said: "I recall from the Good Book that it is written that at a very important time and a very important place a celestial rolled 'The stone away.' On election day I propose to help Maj. Warner roll 'A Stone away.'"

Senator STONE quickly seized the situation and said: "My good friend, you will have to take more of 'Warner's Safe Cure' before you will be able to roll this Stone away." Of course the retort as might be expected under the circumstances was received by the vast audience quite naturally.

I desire to say this of Senator STONE. In his prime, when he was at that period of life when his body was much stronger than it was in the latter days of his life, I do not hesitate to say that for political vision and foresight he was not excelled anywhere throughout the entire United States. Senator STONE had a combination of combativeness and a tact for conciliation rarely found in any man. It has been told to you this afternoon how fearless Senator STONE was. Such is true, yet he was always ready to conciliate, always ready to lend his influence for the purpose of bringing factions in his party together. He was always ready to do any conciliatory act that he could do which would not abrogate principle. That he would not do. Senator STONE was more viciously fought, perhaps, than any other man in political life in Missouri within my memory.

From what you have heard of him this afternoon you will observe that Senator STONE was fearless, that he would fight, that he was courageous, that he would stand first for those things which he believed to be right, and by reason of his great political foresight he soon became what you might term the party leader in our State. Democrats from all over the State would flock to him to seek his counsel. It became apparent to the opposition party that in order that they might overcome the influence of the success of the Democratic Party in our State it was necessary to destroy Senator STONE, who in the earlier days, of course, had been our governor, and all of the metropolitan press of that State which were interested in the party which was opposed to Senator STONE began at once to turn their vituperation and attacks toward him. These were constantly directed toward him.

Senator STONE, as I have detailed, was always ready to accept the gauge of battle, and he met the issue fairly and squarely. He would not be controlled by the metropolitan press of his own party when he believed them wrong. He refused to be dictated to by them. This called upon him opposition from some of the leading papers even of his own party, but Senator STONE had that determination and that vision which is not often found in many men of public life; that is, he was not willing to subordinate his future prospects to the power of any metropolitan press

in his State when they disagreed and he felt he was right. So he went out and openly defied the press of his State when they wrongly attacked him, and the people came to his rescue and the country press throughout the State came to his rescue, and they were never able to accomplish his political destruction. I was one of those who were in the funeral party, and I shall never forget when we arrived at Nevada, Mo., Senator STONE's old home town. We stepped off the train very shortly after daylight and the people were at that time beginning to come into the town.

As I walked a few yards away from the car in which our delegation was located I observed an old gentleman, perhaps about 6 feet tall. He was dressed very plainly. He was tall and erect, and in his face you could see there was sorrow. I said to a member of the Missouri delegation who was with me, "Do you see that gentleman? Thinking of him here at this early hour in the day, would you give me an analysis of that man as you read him?" He looked at him for a moment, and he said, "I have no doubt he is one of Senator STONE's most faithful friends. He has doubtless come many miles in order that he might be here to pay his last respects to the memory of his friend." I said to my colleague, "Let's go to him and meet him."

We did, and introduced ourselves. I asked him if he lived in that town or nearby. He said, "I live on a farm 15 miles away." I asked, "Did you come in this morning?" He said, "I did. I rose at 4 o'clock, in order that I might get in here as early as possible." "I presume," said I, "that you are a friend of Senator STONE?" He said, "I am. I voted for him the first time he ever ran for prosecuting attorney. I knew him. He lived among us. I supported him in every political campaign from that day down to his death, and had he lived to become a candidate again, I would have been found standing as loyally and faithfully by him as I ever had in the past. We people feel that we have lost our best friend. We have lost a man whom, although we might sometimes and on some matters differ with him, we have always found sincere, honest, and true to his friends."

I am sure, gentlemen, that those who were in that funeral party on that day, and who had the opportunity of seeing the vast crowd of people assembled to witness the last sad rites over the remains of Senator STONE, could reach no other conclusion than that he still lives in the hearts of Missourians and in the hearts of his friends.

Mr. KNUTSON. Mr. Speaker, it was not my privilege to know the late Senator STONE intimately, but for years I had been an admirer of his strong and fearless personality, having read much of him in the press and in congressional proceedings, and anyone who had followed the career of that strong and forceful man can not but feel that in his death the whole Nation, as well as the State of Missouri, had lost a public servant who could be illy spared at this time. Rugged and honest, he was a type of man that is all too uncommon in these trying times. I do not believe that he ever stopped to think of personal consequences when he took up cudgels for a cause which he believed to be right. With the light of battle in his eyes he would go into the fray without hesitation and without fear, thoroughly armed with facts which were in the main uncontrovertible. I have seen him stand as a lion at bay in the Senate of the United States hurling defiance at his opponents, striking right and left without regard to anything but the cause of truth and justice. Big hearted and loyal to his friends, it was inevitable that they should be legion, and his enemies not a few. In the heat of battle he would throw aside the garb of partisanship and stand erect in the forensic arena dealing blows that struck home. He despised cant and hypocrisy; he detested falsehood and deceit. During the last few years of his life he shone with exceptional luster. He often disagreed with the lines of policy laid down by the titular head of his party, and we all recognize that it takes courage of the highest order to disagree politically with those who hold the destinies of others in the hollow of their hand. When he died the great and silent people of this country lost a stanch friend and a faithful servant.

Missouri has been singularly fortunate in her representation in the Congress of the United States. Thomas H. Benton, CHAMP CLARK and many, many others living and dead whom I might mention. All have served her faithfully and well—none more so than WILLIAM J. STONE, patriot, statesman, and friend and champion of the common people.

Mr. ALEXANDER. Mr. Speaker, Senator STONE's death occasioned the members of the Missouri delegation in Congress genuine sorrow. He was recognized as a wise counselor and sagacious leader, and was often consulted by his Democratic colleagues on questions affecting the interests of the party, of which he was one of the recognized leaders, and of the great State whose welfare and prosperity always had a large part in his thought and gave him deep concern.

In conference he was always considerate of the opinion of others and most courteous and sympathetic. He was painstaking in his efforts to get the viewpoint of his colleagues, and with rare skill composed differences of opinion and secured unity of action. He was easy of approach, truly democratic in his manners, and I believe I may say of him that he enjoyed the affectionate regard of every member in the delegation, Democrats and Republicans alike. We one and all deeply deplore his death.

Senator STONE was born in Madison County, Ky., May 7, 1848. His father, William Stone, and his mother, Mildred Phelps, were members of old Kentucky families. The Stone family lived in Virginia prior to moving to Kentucky. Senator STONE's grandfather was one of the pioneers of Kentucky, and it is said of him that he served as the first surveyor of Madison County, and that Thomas Stone, an ancestor of the family, was a signer of the Declaration of Independence and a member of a well-known Virginia family.

Madison County, Ky., furnished Missouri two of her most distinguished governors, WILLIAM JOEL STONE and David Roland Francis, and many of Missouri's good citizens in all walks of life were born in Madison County, Ky., or are descendants of Madison County stock. In his early youth Senator STONE attended the common schools in his native State. At the age of 15 he moved to Columbia, Mo., and entered the State university. He studied law in the office of his brother-in-law, Col. S. Turner, then and for many years after one of the leading lawyers of central Missouri. He was admitted to the bar in 1869. Shortly thereafter he moved to Bedford, Ind., where he formed a partnership with one A. B. Carleton, but remained there only a few months, returning to Missouri in 1870 and locating at Nevada, the county seat of Vernon County. He rose rapidly in the affairs of the county and soon became one of the leading members of his community. He was prosecuting attorney of Vernon County for one term (1873–1875) and was a presidential elector on the Tilden and Hendricks ticket in 1876. That was one of the most memorable presidential campaigns following the Civil War, and many a young and spirited lawyer in Missouri got his first baptism in politics in that campaign.

Senator STONE was a Member of the Forty-ninth, Fiftieth, and Fifty-first Congresses (March 4, 1885–March 3, 1891); declining to make the race for renomination, he announced that he would be a candidate for the governorship to succeed Gov. David R. Francis.

Senator STONE's race for governor brought him into great prominence throughout the State. He won the nomination after a memorable contest, in which Hon. Richard Dalton, of Ralls County, was his chief opponent. Much bitterness was engendered in the campaign, and the Republicans regarded the time opportune to come back into popular favor in Missouri.

The Republicans nominated Maj. William Warner, of Kansas City, as their candidate for governor. Maj. Warner was a veteran of the Civil War and a member of one of the leading law firms of Kansas City, and was regarded a fine lawyer and a public speaker of rare skill and eloquence. He had been a leader of his party in the State for many years, and had enjoyed many a political honor. He also held high rank in the Grand Army of the Republic. He was very popular with the Union veterans of the Civil War. The Republicans regarded Maj. Warner as the very strongest candidate they could name to contest with Senator STONE for the governorship of the State. Maj. Warner adopted as his slogan, "Stand up for Missouri"; this slogan was quickly taken up by the Republican leaders over the State and passed on to the rank and file, and coupled with it was the cry, "Poor old Missouri." This cry undertook to picture the plight of the State under the administrations of such distinguished Democratic governors as Silas Woodson, Charles Hardin, John S. Phelps, Thomas P. Crittenden, John S. Marmeduke, Albert Moorehouse, and David R. Francis, than whom no State in the Union ever had more able and efficient chief executives. STONE accepted the issue tendered by the Republicans and contrasted the administrations from Woodson to Francis with the Republican administrations of Governors McClurg and Fletcher. His speech in opening the campaign was a masterpiece of sarcasm and eloquence, and reviewed with cruel incisiveness the record of McClurg's and Fletcher's administrations. His speech was quickly given wide publicity throughout the State. It was a great speech. The Republicans had planned an aggressive campaign, but soon found themselves on the defensive, and continued so throughout

eral years; but he announced to the committee—I remember it well—at one of its first meetings that he entered on the consideration with an open mind, desirous of arriving at what he thought would be a righteous and just conclusion, and that he would go into the investigation of the question without fear or favor, intent on reaching a conclusion that he thought would be just and fair and right.

We had many, many days of hearings. That man had an eagerness and an avidity for work that was unexcelled by any Member with whom I have been intimately associated. He listened to the statements, he listened to the testimony, he listened to the discussions; none of us knew, and he did not know, where he was finally going to land upon that question or upon which side he would cast his decision. He entered into it honestly and earnestly, desiring to reach a conclusion that would meet the approval of an honest conscience and an honest heart.

At the conclusion of those long discussions and of those long hearings before the committee, Mr. MEEKER lined up with the same views that a majority of the committee had maintained for some time. He showed in that investigation and in those discussions a courage worthy of the man. As I said, his immediate predecessor had been strenuously and earnestly opposed to the propositions involved, and had upon every occasion and at every turn of the wheel opposed and sought by honest effort to defeat the views that many of us held. I have no doubt but that at least a great number, if not a majority, of his constituency were in accord with the views that had been held by his immediate predecessor, and that very fact showed the honesty of that brave man. He went out to meet those constituents. He gave them his reasons for the faith that was in him, and he was returned to the House. I believe, twice after he had voted with the majority on that question.

I merely desired, Mr. Speaker, briefly to call attention to that as one of the numerous occasions upon which it was my privilege and pleasure to witness the courage, intellectual and moral, of that strong man. We miss his counsels on the committee now. There were many questions that we desired investigated that the full committee did not have the time to attend to, and when questions of that kind arose there was no man to whom I could more cheerfully refer for investigation and report than to our distinguished colleague who is gone. And, Mr. Speaker, when I heard of his death, cut off in the very prime of manhood, I felt that an intellectual giant had been taken from this body and from the committee of which he was a member. He fell as he had lived, discharging what he believed to be his duty. It is said that when one of Napoleon's great marshals fell on the field of duty he said to the officer whose business it was to call the roll, "Do not strike that great name from the roll, but every time when the roll call is made let an officer step two paces to the front and answer 'He fell on the field of duty.'" And so it may be said of our colleague, he fell in the discharge of what he believed to be his duty. Mr. Speaker, I thought of asking merely to extend my remarks in the RECORD, but my friendship and affection for Mr. MEEKER was so great that I felt I would not deny myself the honor and the privilege in this brief moment to add my personal tribute to the memory of a good friend and a great legislator. He was not of my political faith. I differed from some of his views very earnestly, but I always recognized that when I was opposed to the views of Mr. MEEKER that he was as honest in those views as I dared claim to be in mine. He was a foeman worthy of the steel of any man, no matter how great might be his opponent.

Mr. ROMJUE. Mr. Speaker and gentlemen, there has been so much said this afternoon in memory of Senator STONE of Missouri, and it has been so well said that I feel impelled not to speak at length.

When we consider the life and character of Senator WILLIAM JOEL STONE of Missouri we find ourselves attracted to those elements within him which marked him as a man, a citizen, and a statesman of unusual proportions.

In what I shall say to you this afternoon in his memory will not be said with any pretense or claim to his perfection, for he, like you and I and all of us, was human.

But on the 14th day of April last, when the last spark of life, so far as this world is concerned, expired or took its flight from his bosom, there was stilled forever upon the stage of wordly affairs a heart, a brain, a body which had throbbed and thought and worked for his fellow man.

I shall never forget the time when I first saw and heard Senator STONE. It was during his campaign for governor of Missouri. I was a boy in my teens.

A big political meeting was held in the county seat of my home county of Macon. The day was designated as the three governors' day. Gov. Horace Boies, the then Democratic governor of Iowa, was there; Hon. David R. Francis, then governor of Missouri, was there; and Senator STONE, then an aspirant for the governorship of Missouri, was in attendance.

It was a clear, bright day. The political contest between Senator STONE and Maj. William Warner was getting at fever heat.

This campaign took place at a time when partisanship ran higher than it does to-day in political contests.

It was a time when the Democrats and Republicans of Missouri followed with intense enthusiasm the leadership of their party candidates. The people were intensely interested in the issue of the campaign and in the success of their chosen party leader.

In the early forenoon thousands of people, coming for many miles, had assembled. It was unquestionably the greatest political gathering that had ever been held before or after that day in that county.

Political badgering often took place in campaigns of that time. Senator STONE had just reached the climax in a masterful speech, enunciating and defending the principles and issues upon which his party was waging the campaign, which issues from his party's standpoint had just shortly prior in this community been assailed by his political opponent, Maj. Warner.

The meeting of the issue by Senator STONE was received with such unanimous and generous approval of the audience that it rankled in the breast of one listener, who was almost alone of his kind.

This man arose in the midst of the audience and began to announce his faith in the political party to which Senator STONE was opposed. It was apparent at once that the fellow was intoxicated for which no one was responsible except the man himself and those who had manufactured and sold the beverage to him. Addressing Senator STONE he said: "I recall from the Good Book that it is written that at a very important time and a very important place a celestial rolled 'The stone away.' On election day I propose to help Maj. Warner roll 'A Stone away.'"

Senator STONE quickly seized the situation and said: "My good friend, you will have to take more of 'Warner's Safe Cure' before you will be able to roll this Stone away." Of course the retort as might be expected under the circumstances was received by the vast audience quite naturally.

I desire to say this of Senator STONE. In his prime, when he was at that period of life when his body was much stronger than it was in the latter days of his life, I do not hesitate to say that for political vision and foresight he was not excelled anywhere throughout the entire United States. Senator STONE had a combination of combativeness and a tact for conciliation rarely found in any man. It has been told to you this afternoon how fearless Senator STONE was. Such is true, yet he was always ready to conciliate, always ready to lend his influence for the purpose of bringing factions in his party together. He was always ready to do any conciliatory act that he could do which would not abrogate principle. That he would not do. Senator STONE was more viciously fought, perhaps, than any other man in political life in Missouri within my memory.

From what you have heard of him this afternoon you will observe that Senator STONE was fearless, that he would fight, that he was courageous, that he would stand first for those things which he believed to be right, and by reason of his great political foresight he soon became what you might term the party leader in our State. Democrats from all over the State would flock to him to seek his counsel. It became apparent to the opposition party that in order that they might overcome the influence of the success of the Democratic Party in our State it was necessary to destroy Senator STONE, who in the earlier days, of course, had been our governor, and all of the metropolitan press of that State which were interested in the party which was opposed to Senator STONE began at once to turn their vituperation and attacks toward him. These were constantly directed toward him.

Senator STONE, as I have detailed, was always ready to accept the gauge of battle, and he met the issue fairly and squarely. He would not be controlled by the metropolitan press of his own party when he believed them wrong. He refused to be dictated to by them. This called upon him opposition from some of the leading papers even of his own party, but Senator STONE had that determination and that vision which is not often found in many men of public life; that is, he was not willing to subordinate his future prospects to the power of any metropolitan press

in his State when they disagreed and he felt he was right. So he went out and openly defied the press of his State when they wrongly attacked him, and the people came to his rescue and the country press throughout the State came to his rescue, and they were never able to accomplish his political destruction. I was one of those who were in the funeral party, and I shall never forget when we arrived at Nevada, Mo., Senator STONE's old home town. We stepped off the train very shortly after daylight and the people were at that time beginning to come into the town.

As I walked a few yards away from the car in which our delegation was located I observed an old gentleman, perhaps about 6 feet tall. He was dressed very plainly. He was tall and erect, and in his face you could see there was sorrow. I said to a member of the Missouri delegation who was with me, "Do you see that gentleman? Thinking of him here at this early hour in the day, would you give me an analysis of that man as you read him?" He looked at him for a moment, and he said, "I have no doubt he is one of Senator STONE's most faithful friends. He has doubtless come many miles in order that he might be here to pay his last respects to the memory of his friend." I said to my colleague, "Let's go to him and meet him."

We did, and introduced ourselves. I asked him if he lived in that town or nearby. He said, "I live on a farm 15 miles away." I asked, "Did you come in this morning?" He said, "I did. I rose at 4 o'clock, in order that I might get in here as early as possible." "I presume," said I, "that you are a friend of Senator STONE?" He said, "I am. I voted for him the first time he ever ran for prosecuting attorney. I knew him. He lived among us. I supported him in every political campaign from that day down to his death, and had he lived to become a candidate again, I would have been found standing as loyally and faithfully by him as I ever had in the past. We people feel that we have lost our best friend. We have lost a man whom, although we might sometimes and on some matters differ with him, we have always found sincere, honest, and true to his friends."

I am sure, gentlemen, that those who were in that funeral party on that day, and who had the opportunity of seeing the vast crowd of people assembled to witness the last sad rites over the remains of Senator STONE, could reach no other conclusion than that he still lives in the hearts of Missourians and in the hearts of his friends.

Mr. KNUTSON. Mr. Speaker, it was not my privilege to know the late Senator STONE intimately, but for years I had been an admirer of his strong and fearless personality, having read much of him in the press and in congressional proceedings, and anyone who had followed the career of that strong and forceful man can not but feel that in his death the whole Nation, as well as the State of Missouri, had lost a public servant who could be illy spared at this time. Rugged and honest, he was a type of man that is all too uncommon in these trying times. I do not believe that he ever stopped to think of personal consequences when he took up cudgels for a cause which he believed to be right. With the light of battle in his eyes he would go into the fray without hesitation and without fear, thoroughly armed with facts which were in the main uncontrovertible. I have seen him stand as a lion at bay in the Senate of the United States hurling defiance at his opponents, striking right and left without regard to anything but the cause of truth and justice. Big hearted and loyal to his friends, it was inevitable that they should be legion, and his enemies not a few. In the heat of battle he would throw aside the garb of partisanship and stand erect in the forensic arena dealing blows that struck home. He despised cant and hypocrisy; he detested falsehood and deceit. During the last few years of his life he shone with exceptional luster. He often disagreed with the lines of policy laid down by the titular head of his party, and we all recognize that it takes courage of the highest order to disagree politically with those who hold the destinies of others in the hollow of their hand. When he died the great and silent people of this country lost a stanch friend and a faithful servant.

Missouri has been singularly fortunate in her representation in the Congress of the United States. Thomas H. Benton, CHAMP CLARK and many, many others living and dead whom I might mention. All have served her faithfully and well—none more so than WILLIAM J. STONE, patriot, statesman, and friend and champion of the common people.

Mr. ALEXANDER. Mr. Speaker, Senator STONE's death occasioned the members of the Missouri delegation in Congress genuine sorrow. He was recognized as a wise counselor and sagacious leader, and was often consulted by his Democratic colleagues on questions affecting the interests of the party, of which he was one of the recognized leaders, and of the great State whose welfare and prosperity always had a large part in his thought and gave him deep concern.

In conference he was always considerate of the opinion of others and most courteous and sympathetic. He was painstaking in his efforts to get the viewpoint of his colleagues, and with rare skill composed differences of opinion and secured unity of action. He was easy of approach, truly democratic in his manners, and I believe I may say of him that he enjoyed the affectionate regard of every member in the delegation, Democrats and Republicans alike. We one and all deeply deplore his death.

Senator STONE was born in Madison County, Ky., May 7, 1848. His father, William Stone, and his mother, Mildred Phelps, were members of old Kentucky families. The Stone family lived in Virginia prior to moving to Kentucky. Senator STONE's grandfather was one of the pioneers of Kentucky, and it is said of him that he served as the first surveyor of Madison County, and that Thomas Stone, an ancestor of the family, was a signer of the Declaration of Independence and a member of a well-known Virginia family.

Madison County, Ky., furnished Missouri two of her most distinguished governors, WILLIAM JOEL STONE and David Roland Francis, and many of Missouri's good citizens in all walks of life were born in Madison County, Ky., or are descendants of Madison County stock. In his early youth Senator STONE attended the common schools in his native State. At the age of 15 he moved to Columbia, Mo., and entered the State university. He studied law in the office of his brother-in-law, Col. S. Turner, then and for many years after one of the leading lawyers of central Missouri. He was admitted to the bar in 1869. Shortly thereafter he moved to Bedford, Ind., where he formed a partnership with one A. B. Carleton, but remained there only a few months, returning to Missouri in 1870 and locating at Nevada, the county seat of Vernon County. He rose rapidly in the affairs of the county and soon became one of the leading members of his community. He was prosecuting attorney of Vernon County for one term (1873–1875) and was a presidential elector on the Tilden and Hendricks ticket in 1876. That was one of the most memorable presidential campaigns following the Civil War, and many a young and spirited lawyer in Missouri got his first baptism in politics in that campaign.

Senator STONE was a Member of the Forty-ninth, Fiftieth, and Fifty-first Congresses (March 4, 1885–March 3, 1891); declining to make the race for renomination, he announced that he would be a candidate for the governorship to succeed Gov. David R. Francis.

Senator STONE's race for governor brought him into great prominence throughout the State. He won the nomination after a memorable contest, in which Hon. Richard Dalton, of Ralls County, was his chief opponent. Much bitterness was engendered in the campaign, and the Republicans regarded the time opportune to come back into popular favor in Missouri.

The Republicans nominated Maj. William Warner, of Kansas City, as their candidate for governor. Maj. Warner was a veteran of the Civil War and a member of one of the leading law firms of Kansas City, and was regarded a fine lawyer and a public speaker of rare skill and eloquence. He had been a leader of his party in the State for many years, and had enjoyed many a political honor. He also held high rank in the Grand Army of the Republic. He was very popular with the Union veterans of the Civil War. The Republicans regarded Maj. Warner as the very strongest candidate they could name to contest with Senator STONE for the governorship of the State. Maj. Warner adopted as his slogan, "Stand up for Missouri"; this slogan was quickly taken up by the Republican leaders over the State and passed on to the rank and file, and coupled with it was the cry, "Poor old Missouri." This cry undertook to picture the plight of the State under the administrations of such distinguished Democratic governors as Silas Woodson, Charles Hardin, John S. Phelps, Thomas P. Crittenden, John S. Marmeduke, Albert Moorehouse, and David R. Francis, than whom no State in the Union ever had more able and efficient chief executives. STONE accepted the issue tendered by the Republicans and contrasted the administrations from Woodson to Francis with the Republican administrations of Governors McClurg and Fletcher. His speech in opening the campaign was a masterpiece of sarcasm and eloquence, and reviewed with cruel incisiveness the record of McClurg's and Fletcher's administrations. His speech was quickly given wide publicity throughout the State. It was a great speech. The Republicans had planned an aggressive campaign, but soon found themselves on the defensive, and continued so throughout

the campaign. It is needless to say Senator STONE was triumphantly elected, along with all his associates on the State ticket.

My only purpose in calling attention to this campaign and Senator STONE's part in it is to emphasize my conviction that that was the turning point in his career. If he had proven himself commonplace or had failed in his ability to measure up to the high duties that devolved upon him as the standard bearer of the Democratic Party in that campaign, his career in all probability would have closed with his term as governor. I actively supported Senator STONE for the nomination for governor, and our acquaintance, which ripened into friendship, began in that campaign.

It is interesting to recall that a little more than a decade later Senator STONE and Maj. Warner served as colleagues in the United States Senate, Senator STONE succeeding Missouri's little giant, Senator George G. Vest, in 1903, and Maj. Warner succeeding Missouri's grand old Confederate veteran and statesman, Senator Francis M. Cockrell, in 1905. Whatever asperities the campaign of 1892 engendered when they were pitted against each other for governor had long since been forgotten. They were both chivalrous and lovable men.

Senator STONE was a leader of men. He had a great and devoted following in the State of Missouri. He held a high place in the leadership of the Democratic Party in the Nation. No man ever gave more generously of his time and money and talents to his party than did Senator STONE. The success of his party was ever a matter of the deepest concern to him. He did not seek place and power to enrich himself financially, but as an opportunity for larger service to his party and country. He believed in the principles of the Democratic Party with all the intensity of his nature and that the happiness and prosperity of the people could be best vouchsafed under a Democratic administration. He was a man of great courage. He was an honorable antagonist. He counted among his closest personal friends men with whom he differed widely in politics.

Just before the entrance of the United States into the war with Germany Senator STONE opposed the armed-neutrality bill. He was charged with filibustering to defeat it. This he denied. The criticism of his action became so bitter that the General Assembly of Missouri, the majority in both branches being Senator STONE's personal and political friends, adopted a resolution demanding support of the President. While Senator STONE was not mentioned in the resolutions by name, it was well understood at the time that they reflected the sentiments of the Democracy of Missouri and what they regarded his duty in the crisis then impending.

Senator STONE's opposition to the declaration of the war with Germany was open and fearless. Although chairman of the Committee on Foreign Relations in the Senate, he declined to take charge of the war resolution as was expected of him by the administration. He transferred his leadership to Senator HITCHCOCK, of Nebraska, next ranking Democratic member on the committee. His attitude on those two resolutions was typical of his attitude toward the world war. He believed that America's participation in the war should be avoided if possible, but when the die was cast for war he accepted the decision without further question, and took his place with the supporters of the war measures and consistently maintained that attitude until death closed his eventful career.

When we reflect that under the Constitution the power to declare war is vested in the Congress of the United States and not in the Chief Executive, and the responsibility is personal to each Senator and Member of the House of Representatives, we can well understand how any Senator or Representative clothed with such a tremendous responsibility might hesitate to come to a decision involving his country in a war with all its dire consequences. If Senator STONE had lived and had been a candidate for Senator in 1920 and the people of Missouri had had more time and larger opportunity to analyze his motives and understand the tremendous responsibility from which he shrank, they would have regarded his conduct in a more kindly light, and he might again have won popular favor.

The St. Louis Republic, in an editorial following the death of Senator STONE, said:

> STONE was a master of politics. No one of his generation in this State showed such consummate ability to handle men or mold opinion. He never refused a fight when he thought it necessary, and his victories were for the most part hard won in open contest. He was true to his friends, and to this fact, coupled with an uncanny knack of sizing up a situation and acting vigorously, boldly at the chosen moment, may be attributed his great success as a leader.

Senator STONE's was a long and distinguished career. He held many offices of trust and honor. His life work is ended. He will ever be classed as one of Missouri's most distinguished citizens.

Senator STONE was married to Sarah Louise Winston, April 2, 1874, and his wife and three children—Mrs. John G. Parkinson, of St. Joseph; United States Circuit Judge Kimbrough Stone, of Kansas City; and Miss Mabel Stone—survive him. His domestic life was ideal. He was loved with the deepest affection by his wife and children. To them his death is an irreparable loss.

Eloquent testimony of the high esteem in which Senator STONE was held by the people of Missouri was shown when his remains lay in state at the State capitol at Jefferson City. Rich and poor alike, among whom he had made his home for many years, and leading citizens, in official and unofficial life, from every section of the State assembled to pay an attribute of respect to his memory. His last resting place was in the cemetery at the city of Nevada, where he first entered upon the career in which he was destined to become distinguished in after years. Surrounded and mourned by the friends of his early manhood, who had watched his career with affectionate interest and pride, the mortal remains of Senator STONE were given a last resting place in Deepwood Cemetery.

The name and brilliant public career of WILLIAM JOEL STONE will adorn one of the brightest and most interesting chapters in the history of the State of Missouri.

THE LATE REPRESENTATIVE MARTIN.

The SPEAKER. The Clerk will report the order.

The Clerk read as follows:

On motion of Mr. JOHN W. RAINEY, by unanimous consent,

Ordered, That Sunday, February 2, 1919, be set apart for addresses on the life, character, and public services of Hon. CHARLES MARTIN, late a Representative from the State of Illinois.

Mr. JOHN W. RAINEY. Mr. Speaker, I offer the following resolutions:

The SPEAKER. The gentleman from Illinois [Mr. JOHN W. RAINEY] offers the following resolutions, which the Clerk will report.

The Clerk read as follows:

House resolution 544.

Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. CHARLES MARTIN, late a Member of this House from the State of Illinois.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of the exercises of this day, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

Mr. HENRY T. RAINEY took the chair as Speaker pro tempore.

Mr. JOHN W. RAINEY. Mr. Speaker, many Members from Illinois who were anxious to be present and offer tributes to the late Congressman MARTIN are unavoidably absent from the city; and I ask unanimous consent that all who desire to do so may have leave to revise and extend their remarks in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. JOHN W. RAINEY. Mr. Speaker, in accordance with a time-honored custom, we have come together to-day, gentlemen, to commemorate the memory of a Member of the House, who, it is true, was not known to many of you, but very well known to and most kindly remembered by the gentlemen of Illinois, especially those from the Chicago congressional districts.

On a farm near Ogdensburg, St. Lawrence County, N. Y., on the 20th day of May, 1857, was born to Ellen and Martin Martin, a son, named Charles, being the ninth of a family of 11 children. In April, 1860, his parents rented their farm and moved to Chicago, where Charles lived the rest of his life.

Unfortunately, the health of former Congressman CHARLES MARTIN, of whose career I am permitted to speak, had been failing during the last few years preceding his election to Congress and the strain connected with such a campaign sapped what strength was left in his once hardy body, so that he succumbed shortly after his inauguration in the House as Congressman from the Fourth congressional district of Illinois—the district I now have the distinguished honor to represent.

Congressman CHARLES MARTIN, as some of the members know, was a unique figure in the public life of Chicago. A man whose situation in early life did not permit the attainment of vast stores of book knowledge, yet he gained great heights in the political affairs of his State and was esteemed by all who knew him, and those who did not esteem him, feared him. He belonged to that old school, which very often falls into disfavor with those groups of people who may well be called "the dilettanti" in public reforms. He was one of that large class of self-made

men, naturally talented and gifted, who bettered his natural abilities by every occasion that practical life gave him. He was educated in the greatest school of all the world—the American Democracy.

In the homely language of his constituency, CHARLES MARTIN was a two-fisted man—a man through and through. Had he been favored with opportunities for college instruction and professional knowledge, he would have taken his place beside the great lawyers, physicians, scientists, or statesmen of America, because he was a man of wonderful natural ability. But the fact that a person does not reach that zenith of public glory does not prove him less a man. Fame and national regard often come to a man not because of his interior, intimate self, but because of opportunities and occasions arising by the chance of birth or of fortune, for which he is in no way responsible; and, generally, such fame comes because of accomplishments which come through what I may be permitted to call forced instruction and education, and not because of any inherent superiority to one's fellowmen. CHARLES MARTIN'S fortitude in overcoming obstacles, his courage in adversity, his patience in reverses are matters of history in Chicago. He was made of that spirit and flesh that but yesterday shed their glory on the soldiers of the United States in the battle fields of France and in our preparations at home.

War, like death, might be called the great leveler, and under the mailed fist of Mars all must bow alike to the primal conditions. Rich and poor, great and small, must face the common enemy, undergo the same trials, tribulations, sufferings, and privations. Whether a man is well versed in the arts and sciences, or whether he is illiterate and mentally uninstructed, the manly virtues, if they are there, will crop out in the face of war; and the manly virtues make the reliable soldiers, the kind of men that Uncle Sam needs to keep his colors high on the flagpole or hoisted to the topmast. And every Member here who knew him will agree with me when I say that CHARLES MARTIN was a man through and through; a man who was not fearful of facing his enemy, nay, who rather sought him out; a man whose hand clasp made you feel the soul behind it and needed not the flattery of words to say, "I am your friend." And CHARLES MARTIN'S friendship was something to be coveted.

Therefore, having known him since my very boyhood's days, having seen him age from the stalwart leader of the fifth ward of Chicago to the mature master in local politics; having at one time fought him bitterly in campaigns wherein spirit ran high; having witnessed his many acts of kindness to his fellowmen; having associated with him, politically and otherwise, I deem it a pleasure and an honor to have this opportunity of writing in the annals of this House an expression of esteem, honor, gratitude, and respect to my departed predecessor and to the memory of my friend, Congressman CHARLES MARTIN.

Having labored faithfully for the public; having given prodigally of his time and money for the betterment of his neighbor; having passed a lifetime in the service of the people (and one must recall in this respect that he hailed from a laboring class and district of people, who when unemployed seek their first aid in the alderman), it is only fit, right, and just that his memory should be preserved in the chronicles of the Nation, and I rejoice that fate spared him until he had achieved a position to make this possible.

We all have ideals; but as a general principle lofty and inspiring ideals and devotion to those ideals generally spring from deep thought, exhaustive study, and early training. But ideals in themselves serve no purpose to humanity unless they become realized through some suitable channel. Ideals move the world, it is true; but there is in life something more demonstrative of a man's worth and love of humanity than the mere espousal of lofty thoughts of idealism. Some idealists of the past, as revealed in their works, have not lived up to their ideas in their own practical lives. Such is the inconsistency of life that even some of the foremost thinkers and intellectual giants of the past lived the life unprintable. The man who through his noble actions and good deeds, his generosity and charity, passes along life's road sowing seeds of happiness, contentment, and comfort among his fellow men, is a man whose existence is more serviceable and more beneficial to society than the idealistic theorist, blatantly proclaiming his ideas of life, and at the same time spurning the beggar by the wayside. The orator vouching for and insisting upon patriotism from the platform is not half as patriotic as the boy in khaki. In a word, the doer of goodness is better than the mere professor of goodness.

Applying this test to the man whose memory we commemorate, let me say, that CHARLES MARTIN may have been exteriorly rough and gruff, but his heart was plastic to the delicate fingers of want and need; his manners may not have been overdelicate, but neither his words nor acts ever purposely hurt a friend; he fought an opponent, politically and financially, unrelentlessly and without mercy, but he greeted him always as a man. His idealism in life was the attainment of power, but it was the power to do good; his desire was not to secure a job or obtain a position, but to so situate himself as to be able to distribute jobs, positions, and give assistance to others.

Had I the time, I would with pleasure, recite many an anecdote exemplifying and describing the sort of soul which gave light and life to those steel gray eyes which in argumentation cut like the proverbial sword. But time in its march has swept him along toward the shores of eternity, and to-day his friends at home mourn his loss, his enemies acknowledge his sterling manly qualities, his acts of goodness go on bearing fruit, and I am sure that in the great hereafter, if he sees his country in its present strife, his soul would wish to take a hand in this greatest of all fights for liberty, for we must pay him this tribute that he was 100 per cent American.

True like all those of the old school he disfavored any attempt at changing the present order of things and conditions; true the first outcrop of woman suffrage did not appeal to him, but in due time, having become convinced of the betterment of mankind derivable from such innovations, he gladly embraced them. Whenever the American people and American life were to be bettered he never was recalcitrant.

In conclusion, let me say, that I believe we should keep in mind the old adage, "If we had no defects ourselves we should not take so much pleasure in observing the failings of others." I have observed that there is sufficient good in any one of us to speak about, and I believe that we should try to avoid calling attention to whatever may be objectionable or reproachable in one's fellow man, unless we have a duty to perform in this respect. I am saying this, not because there is anything in the life of Congressman CHARLES MARTIN to be hidden, but because he was the victim of base calumny. Everyone here knows and realizes that our political contests sometimes go too far, and opponents flay and excoriate each other in ways that oftentimes leave wounds, never to be healed. So it was with CHARLES MARTIN—his political enemies spared him in no way. His name, life, family, and reputation were all the objects of attack; the press abused him and ridiculed him. But on occasions of this kind, we all say, believe, and know, that a man's political opponents do not present a fair estimate of his character and real worth as a man. And indeed, such was the case with our friend, and the words of Pope can very well be applied in reference to many an asperation on CHARLES MARTIN'S character.

> Envy will virtue like a shadow pursue
> But only to prove the substance true.

We all know he was devoted to his home and to its duties and to its privileges. His wife, who survives him, was Nellie McCarthy, of Chicago, whom he married in 1877. His loved ones who mourn his death have full right and reason to be proud of his career and of his name. His funeral was attended by men from all over our State of Illinois. We were all sincere mourners at his grave. His memory will live with those who knew him as an honorable, true, and brave man, who loved his country, his family, and his fellow men.

And as I scan over his life from childhood to mature age, his public, social, and private life, as I knew him as he truly was, what his personal qualities were, and his personal abilities realized, there comes to my mind a suggestion which embodies the secret of this man's race in life:

> He was a man who tried to make the best of himself; who served his country, his fellow man, and God; bold, free, and resolute in spirit; self-made in the best meaning of that much-abused expression; generous, open-hearted, and ready to make any sacrifices for his friends.

Mr. CANDLER of Mississippi. Mr. Speaker, I did not have the pleasure of extended personal acquaintance with Congressman CHARLES MARTIN, which was enjoyed by my distinguished friend who has just preceded me, and that was enjoyed by some other Members of the House who will deliver addresses upon this occasion.

As has been stated by his colleague and my friend, Hon. JOHN W. RAINEY, Mr. MARTIN was born upon a farm. He was raised amid surroundings which contributed to the development of the sterling qualities of American manhood. He was fortunate in beginning life among the beauties of nature, where he was brought in close contact with those things which bring to mind not only present surroundings but possibilities for the future, and contribute to the development of those characteristics which through all the years to come serve to inspire in us the best for humanity and cause us in our lives to glorify God.

Leaving these surroundings when but a boy, his father carried him with other members of his family to the great city of the West, Chicago, where he finished what education he was permitted to obtain and entered upon the realities of life in the hustling, bustling metropolis, which gave him an opportunity to show those sterling qualities which had been imbued in his nature from the earliest moments of his life up to that good hour.

Evidently the people of Chicago realized these qualities by this good man and took cognizance of the ability which he possessed and the qualifications which they might use for their welfare and for the development of the interests of that great community and for the benefit of the people who lived there. Therefore they called him to public service comparatively early in his life, and he enjoyed their confidence and their esteem, as was evidenced by the fact that they continued him in one position or another practically all through his life, finally elevating him to a seat in the Congress of the United States of America.

Unfortunately, at the time he was elected to the Congress his health was impaired, and while he performed as best he could during the remaining days of his life, subsequent to his election, the duties that devolved upon him, and came to the city of Washington at the organization of Congress to participate in the organization by casting his vote along with the other members of his party in seeing that the organization was maintained in the House which in his judgment he believed would be for the welfare of the country, yet because of failure of health he had to return soon to his home, and did not have the opportunity to come back to Washington subsequent to that time.

In the organization of the House he was assigned to the great Committee on Agriculture, of which I have the honor myself to be a member. This was a fit recognition of his qualifications and of the ability which he had exhibited in the past. In his services on that committee as well as in the House, if his health had permitted, he would have been a power in the accomplishment of great good, I am sure, in securing legislation along lines which would have been for the welfare not only of the people of his own district but of his great city and State and also of this marvelous Republic.

He served in the city of Chicago for 16 years in the city council, being elected to his first term in 1894. He was a member of the executive committee of the county central committee for 6 years. He served as ward committeeman from the fifth ward for 12 years. His selection to these positions in which his people showed him recognition demonstrated the fact that they had absolute and unbounded confidence in him, and as he met in full measure the requirements of each position to which he was called they elevated and promoted him from time to time, until, as I said, at last, just prior to his death, in recognition of the great services which he had rendered, they elected him to membership in the House of Representatives of the United States.

These facts demonstrate that he was a man of strong character and determination; that when he took a position and made up his mind with reference to any question, either local or in a larger field, he stood for it with that unfailing determination that marked him, in deed and in truth, as has been stated by the Hon. JOHN W. RAINEY in the address he has delivered, as a man through and through, upon whom you could depend, not only when the sun was shining, but when the lightnings flashed and the thunders rolled and the darkness came. He stood like a beacon light for the principles he loved and which in his heart he believed were for the welfare of the people. He was ready to listen to suggestions and to arguments, and if convinced that he was wrong he had the manhood and the courage to acknowledge his error and correct his position.

Another chief characteristic, as I have been informed by those who knew him best, was fidelity to his friends. He was your friend, when he once became your friend, in deed and in truth, and you could depend upon him. There is nothing in all life to me more beautiful than a devoted friendship that is pure and true and tried, and which you never have any occasion to doubt or question. Among the sweetest memories of my life, going back to my boyhood days, are the recollections of the bright and beautiful friendships which I have enjoyed. It has given me great joy to have close friends; friends I love, and who love me, and of whose friendship I have an appreciation which language fails me to fully express or describe. Friendships of that kind are the bright and beacon lights along the pathway of life that help us and encourage us as we travel along through this old world, seeking as best we can to do good and to benefit our fellow men. They strengthen our faith in the sincerity of our fellows and thus give us courage and help us to be true.

I have understood that that was one of the distinctive characteristics of Congressman MARTIN. When he once gave a man his friendship and affection and vouchsafed to him his word, he stood with the strength of the mountain itself, unshakable in the realization on his part that it was right, and having announced the right, he fixed it in his affection and friendship and stood without wavering, and never gave any cause of question or doubt.

Not only have I understood that this was one of the distinctive characteristics of Mr. MARTIN, but I understand that his well-known charity was another strong characteristic. Friendship is beautiful indeed, but charity, unselfish in its nature, absolutely shines forth in the character of any man as the most beautiful gem of all.

In the community where Mr. MARTIN lived, as was suggested by the speaker who preceded me, there were a great many laboring people. Many of them had difficulties which were presented to them on frequent occasions, when they needed counsel and advice, and oftentimes needed the more substantial things of life—needed the real help that could come from a friend who was not only willing but might be able to assist them. And it is my information that there never was a time when people in distress or in need in Mr. MARTIN's community and neighborhood and city appealed to him in vain in deserving cases, but in each and every instance his great heart welled up in responsive fervor as he granted to them the requests which they made, when within reason and within the scope of his abilities, never turning a deaf ear to any that deserved his real consideration.

This most beautiful of the characteristics of human life is but the exemplification of the life of the only perfect man who ever walked the earth, and He said that the greatest service that we might render in all the world was to respond to those that were in need. The greatest service that might be rendered is to give to those who are in need of help, and who are unable to help themselves and are unable to return to you the services which you might render them, or the benefits which you might bestow upon them; in other words, unselfish service and favors from a pure motive with no hope of return or personal reward.

In his service in his city Mr. MARTIN bestowed great benefits not only upon the city itself, but upon individual citizens; and just as people appealed to him in private life as a private citizen, he as their public official and representative was always accessible to them, and they did not hesitate at any time to apply to him when they felt like going to him, because they knew he would give them a ready and a willing response.

During his service in the city council, as I have been informed, at one time there was a very dangerous crossing at a railroad, where the street cars crossed it. It became a menace. The people had appealed in vain for relief, but had not been able to secure it.

This was in the time of the old horse cars and it was nothing unusual for a car to be struck by a railroad train once or twice a month, thereby injuring a number of people. The people appealed to CHARLES MARTIN, and his great heart responded. He took this up in the city council, and insisted that the stockyards people be compelled to elevate these tracks at a cost of $250,000 for the purpose of letting the people pass safely. This was done after a year of fighting with the stock-yard people and the railroad companies. He was the father of the track-elevation ordinance, which he succeeded in having passed in the city council after four years of strenuous fighting. He was also father of the "wheel-tax ordinance," which brought to the city nearly $900,000, and which now yields nearly $1,000,000 annually. There was a reduction plant situated in his ward, which was being run by some financiers, who were making on an average of $300,000 yearly. This reduction plant was a detriment to the people for many miles around. Mr. MARTIN, along with a number of others in that particular ward and district, got up in arms against this plant, and after two and one-half years of strenuous fighting succeeded in driving them out, and demanded that if this plant was to be maintained that it be maintained as a clean and sanitary plant and not a detriment to the people.

When these matters were brought to his attention, even though Mr. MARTIN realized that he was going against great political interests and wealth, still the welfare of the plain people appealed to him who were unable to help themselves and that was sufficient to engage his earnest attention and his best efforts and he went to work in the council and had these matters all corrected and secured lasting and permanent benefits for the people. I might mention other instances of this kind,

but I presume others that are more familiar than I with local conditions and with the great services which he rendered in the development of that marvelous city will bring them to your attention.

Therefore, in conclusion, let me say I desire to pay this tribute because of the fact I believe Congressman MARTIN deserves it by reason of the fact that he stood close at all times to the people and was in deed and in truth a true Representative of those who entrusted him with their commission. He was a good citizen in life; he was a true friend; he was a faithful public official; he was a patriot, and a devoted husband and father, and therefore, in the end of his life these characteristics all combine to make a consummation of a life which is an honor to him, which is a heritage to his loved ones and to his family, which is a gratification to his friends, which is a fond remembrance to the citizens of his great city and of the community in which he lived, and which being now made of record in the annals of this House will be in days to come a fitting memorial of a true American citizen, and when it is said of a man that he is a true American citizen it is saying of him that he represents the great principles for which this marvelous Republic stands, and no greater compliment or honor can be paid. May God bless and comfort his loved ones and help them to look forward to the coming of the perfect day when we shall meet those who have gone before and await us in the city beautiful.

Mr. JOHN W. RAINEY took the chair.

Mr. HENRY T. RAINEY. Mr. Speaker, during the busy and active years of his career on this earth, Congressman CHARLES MARTIN participated in stirring events. He was born amid delightful surroundings in rural New York, and a man who is born upon a farm starts out in life with marked advantages of birth. In his boyhood years he was brought by his parents to the city of Chicago and he spent there all the years of his career on this earth which followed. When he reached the city of Chicago that great city had a population of less than 250,000 people, but already long parallel lines of steel connected it with the great West, and as the West grew Chicago grew. Across meridians of longitude from the East came millions of people and quickly settled up the valleys of our great, lonely, western rivers, and the West was bound always by bands of steel to the great city of the lakes.

Five years after his arrival in Chicago the greatest fire in the history of the world's cities swept out of existence 17,500 buildings. But the development of Chicago continued and in two years a miracle had happened. Every vestige of the fire had disappeared. This happened as CHARLES MARTIN advanced in years from boyhood to youth; and through all the years which followed his career was inseparably connected with the development of the great city of Chicago. He saw it grow from a city of less than 250,000 to one of the world's greatest cities, embracing within its boundaries at the time of his death 2,500,000 people. When he was elected to the city council the city had developed until it had within its boundaries over a million people. He served as a member of this important body—one of the world's most important municipal governing organizations—for the long period of sixteen years—an important service. It is an honor to belong to this great body, and it is a marked distinction indeed to have served for 16 years as a member of the Chicago city council—an honor and a distinction which comes to few men. When he died there had been added to the population of Chicago another million and a half. He helped build and develop the great city. In all of our cities and on every countryside there are men who lift and there are men who merely lean while others do the work, but in the great city of Chicago, from the years of his full manhood to the year of his death, CHARLES MARTIN was among those who helped lift, who helped do the great things that great city has accomplished.

After the fire Chicago was quickly rebuilt and in the early 80's they rebuilt the city of Chicago again. Buildings sprang into existence of a new type with broad foundations and when Congressman MARTIN's career commenced as a member of the city council the city of Chicago was engaged in a third process of rebuilding. Buildings which were erected after the fire rapidly disappeared from the downtown section of the city and buildings with foundations reaching to bed rock and rising twenty stories in the blue azure of the sky had replaced them.

Miracle after miracle in city building occurred in the city of Chicago during the active years of CHARLES MARTIN's connection with it. While he was a member of the city council he promoted these civic improvements which made it possible for great avenues to extend for miles from the blue waters of the lakes out into the prairies of Illinois and along those avenues magnificent residences were built. He was active in his efforts to raise the railways in Chicago above the grade of the streets in order to protect the lives of the citizens of Chicago. He was bound closely by ties of love and sympathy with thousands and thousands of his fellow men. Rough, generous, kindly, brave, he will be remembered through the years to come by those who have survived him as few men are remembered.

There is no death here. The flowers which wither and die with the dying year, as the cold blasts of winter come, merely sleep through the months of cold and fog and snow until the warm breath of May brings them back to life again. The rocks, as they decay, simply sustain the mosses that grow upon them. The sun, as it sets in the western sky, merely rises to shine in splendor on other seas and on other shores. The stars, as they move in brilliant procession across the skies during the night hours and disappear beyond the western horizon, simply rise again to shine in all their beauty upon other scenes. And so, upon occasions like this, there is always left to the friends of him who has departed the consolation and the faith that what we call on this earth death is merely the passing through the portal to a world we do not understand, but to a world which we are sure is more splendid, more magnificent, than this, to a career which is longer than this, and there is left the hope that this life has been but a mere period of preparation for a newer and a fuller and a larger life which lies beyond the grave.

Mr. GALLAGHER. Mr. Speaker, in the death of Representative CHARLES MARTIN Congress lost an experienced and painstaking legislator and the Democratic Party one of its most faithful and loyal supporters. He was a tireless worker and it was through his own efforts that he raised himself from humble circumstances to a seat in this body.

I knew Mr. MARTIN for many years. I first met him as a member of the city council of the city of Chicago when I was a member of that body. He was elected to represent the fifth ward, and was at that time in the employ of Swift & Co. at the Union Stock Yards as one of the reliable assistants of that firm. Having been a wage earner himself, he was at all times anxious to stand for the rights of laboring men and to work for their advancement whenever possible. His life was never an easy life; he was always doing something for his people.

As a member of the city council he was a fearless and courageous representative, never afraid to express his opinion or to say what he thought regarding matters of public interest; nor did he hesitate to vote on any question in which the general welfare of the city was concerned, or in a way which he believed would prove of benefit to his constituents. If he made up his mind as to what was right, he would act regardless of what might be said about him. He was never a "trimmer"; you could always tell where he stood. No citizen could be prouder of the progress, improvement, and growth of our city or the prosperity of its people.

He was first elected a member of the city council of Chicago in 1894 and served continuously for three terms, retiring in 1902. He was reelected in 1905 and served one term, and was again sent back to the council in 1910. He retired in 1914, but came back in 1915, and served continuously from that date until he resigned, after his election to the National House of Representatives.

During all the years of his service in the city council of Chicago he was conspicuous for his constant attendance at the meetings and for the faithful discharge of his duties to his constituents.

During the time I was a member of the board of education I never knew an alderman who worked harder to obtain convenient and suitable school accommodations for the youth of his ward. He liked children and was anxious that they receive a good education; he wanted the very best that could be provided, and he generally got what he went after; nothing else would satisfy him.

He was a man of plain and somewhat rugged exterior, but he possessed a warm, generous nature, a kindly heart, and a ready hand to help his fellow men whenever the call came to him. There was no citizen of the ward who did not feel free to call upon him at any time, day or night. He would gladly render any service he could to those who sought his help, and willingly perform a kindly and generous act for friend or foe. He made many and lasting friends throughout the city during his public service, but to him there were no friends like the old friends in the fifth ward.

Mr. MARTIN was the possessor of a native wit that made him popular among his colleagues and he enlivened many a debate among the city fathers. He made a study of municipal affairs and was a conscientious worker for the welfare of the city.

While he was a lifelong and uncompromising Democrat, he never allowed politics to supersede the interests of all the people. He was a patriot in the truest sense of the word and his ambition was to do something for his country's benefit during his life; he was influenced by no other consideration in seeking the honor of election to this honorable body. Having been reared among the people whom he so long and so faithfully served as their representative in the legislative body of the great municipality of which he was a typical son, these people respected and had confidence in him, and those who knew him well loved him best. They took delight in honoring him, as his political record amply proves, and when he asked the last and greatest honor at their hands, a membership to this great Legislative Assembly, they cheerfully gave it to him.

When we were called into special session in April, 1917, I had the pleasure of riding with him from Chicago to Washington. It was his first trip to the National Capital as a Member of Congress. I noticed then he was not in the best of health; he had not been for some time previous. In fact, he was a sick man when he ran for the office, but he felt that he was able to and he seemed confident that he would regain his health sufficiently to serve his constituency during the term for which he was elected. It was quite apparent at the time that we could not keep out of the great and terrible war in Europe much longer; in fact, it was understood then that we were called to Washington to receive a message from the President declaring war upon Germany. Mr. MARTIN said he was determined, if such was the case, to stand by the President and our Government at all hazard. He voted for the declaration of war, but was not able to remain in Washington long after because of his failing health. He hated to leave here while his country was at war, but was compelled to return home, never to come back again.

The membership of this House had no opportunity to learn of his worth as a legislator or a man. CHARLIE MARTIN was a good citizen, an uncompromising Democrat, a loyal American, and he will be missed by the people of his district, especially by those of his ward, whom he so long and faithfully served as their alderman. His name will, for many years, be associated with those whose work in the city council contributed to the fame, prosperity, and commercial greatness of Chicago. To his widow and family and those nearest and dearest to him we extend our heartfelt sympathy. In the stockyards district, where he was one of the great plain people, and always generous and benevolent to those in need of assistance, many a tear was brought to the eyes of the poor when he passed to the great beyond. They delighted to honor him as far as was in their power, and they long will mourn his loss and always keep his name in pleasant memory.

Mr. CARY. Mr. Speaker, in accordance with a time-honored custom we are met to-day to pay the last tribute of respect to one of our colleagues who has joined "the innumerable caravan that moved toward the realms of death."

It is most appropriate that the House of Representatives should perpetuate this custom, for in this era public men are subjected to so much criticism and so much that is evil is attributed to their every act that it is eminently fitting for those who served by their side in public life to testify to the good they have done and to place a wreath of honorable memory upon the name of one who is no longer here to speak for himself.

CHARLES MARTIN was only a Member of this House for a very short time before the grim reaper, Death, called him from the activities of this life to that "bourne from whence no traveler returns," but in the short time he was with us, those who had the opportunity to meet and know him found a genial and kindly personality, united to a strong and forceful character, and had he lived but a few years more he would have undoubtedly left an impressive reputation as a legislator and statesman, for he had a wide grasp of all public questions and a clear discernment of the duties and obligations of his office such as few men show in their first term.

But it was not to be, and we are reminded again that in the midst of life we should be prepared for the summons that has been prepared for all of us and that may be served at any moment.

Fortunately, as we stand beside the bier of a loved one who has gone before, we hear the gentle voice that reaches us through the centuries and bids us recall His promise in those words of never-failing cheer: "I am the Resurrection and the Life."

It is this reflection that comforts us when we contemplate the many who have left us to go to that land of shadows and find through the Valley of the Shadow of Death the way to the Realms of Everlasting Peace.

It is then, as we recall the losses we have suffered in the past, that we may say with the poet:

Life's shores are shifting
Every year,
And we are seaward drifting
Every year,
Old places, changing, fret us;
The living more forget us;
There are fewer to regret us
Every year;
But the truer life grows nigher
Every year;
Earth's hold on us grows slighter
And the heavy burden lighter
And the dawn immortal brighter,
Every year.

Mr. SABATH. Mr. Speaker, like my colleagues I am here to-day to pay tribute to the memory of our departed colleague, CHARLES MARTIN, whom I have known intimately and well for over 30 years.

CHARLES MARTIN was a plain, blunt, fearless, and courageous man. I served with him for many years on the county central committee, as well as on the executive committee of the Democratic Party of Cook County, Ill., and I at all times admired and appreciated his earnest determination to aid and be of service to the party which he at all times designated the party of the people.

As has been so well stated by my colleagues, Messrs. GALLAGHER and RAINEY, he was a strong and courageous man, never hesitating to do what he believed was right. He was a strong speaker and debater, and was known to express his views in a manner that could never be misunderstood by anyone. He was indeed a born fighter for the cause of democracy and those things which he advocated and believed in. He was a unique man; he had his peculiarities, and, being human and the same as we, suffered with some imperfections. Who does not?

During his many years of service, due to his fighting proclivities, he brought upon himself many political contests. He had a large personal following and many warm friends who at all times stood loyally by him, which made it possible for him to combat strong opposition and thus show his ability to come back again and again into public life. He did a great deal for Chicago, especially in the interest of the people of his district and his ward. After many years of service in the common council it was his aim to be elected from his district as Representative in Congress, in which he was successful in 1916 in a bitter primary fight, being elected by a tremendous majority on election day. Soon after the election he was stricken by illness, from which he never recovered. Notwithstanding his serious illness, when the Sixty-fifth Congress convened, believing that his presence was necessary to bring about the reelection of a Democrat as Speaker and the organization of the House, he disregarded the advice of his physician and family, left a sanitarium, and came to the Capitol to assume his congressional duties. Here I had still better opportunity during the short space of time which it was his good fortune to serve to learn to admire his determination and his immense loyalty and love for his country, and it is to be regretted that he was not spared so that he could have demonstrated to his district and his many friends in Chicago that he was not only a capable councilman, but that he was a capable, faithful, and loyal legislator. Realizing and recognizing his physical condition, I advised, together with other colleagues, that he should not remain much longer without proper care and attention, and though he himself realized his serious condition he insisted on remaining and did remain nearly to the last, so that he could vote on some of the measures which he believed required his vote, remarking in his usual unique way, "There is not much more that I can do, so will stay as long as I can." But, notwithstanding his will power and determination, he was obliged to leave Washington shortly after his congressional duties began, never again to return. Within a few short days he departed whence no traveler returns.

ADJOURNMENT.

Then, in accordance with the resolution heretofore adopted, the House (at 3 o'clock and 35 minutes p. m.) adjourned until Monday, February 3, 1919, at 11 o'clock a. m.

SENATE.

MONDAY, *February 3, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, the God of our fathers, we worship Thee. We seek Thy guidance and blessing as we attempt the duties of this day. As Thou hast led us in times past, so we trust Thee to lead us on. By meditation upon Thy name we gain the vision of the things to be done, the balance of right and justice, the high ideals, the principles upon which we are to build our national life. Let us have Thy presence and blessing this day in the discharge of every duty. We ask it for Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Friday, January 31, 1919, when, on request of Mr. KING and by unanimous consent, the further reading was dispensed with, and the Journal was approved.

DISPOSITION OF USELESS PAPERS (H. DOC. NO. 1754).

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of the Interior transmitting, pursuant to law, schedules of useless papers and documents on file in the Department of the Interior having no historical value, and requesting action looking to their disposition. The communication and accompanying papers will be referred to the Joint Select Committee on the Disposition of Useless Papers in the Executive Departments, and the Chair appoints the Senator from Massachusetts [Mr. WEEKS] and the Senator from New Hampshire [Mr. HOLLIS] the committee on the part of the Senate. The Secretary will notify the House thereof.

POSTAGE TO POSTAL UNION COUNTRIES (S. DOC. NO. 366).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury transmitting a letter from the Secretary of War submitting a supplemental estimate of appropriation in the sum of $250 required by the War Department for postage to postal union countries for the fiscal year 1919, which, with the accompanying papers, was referred to the Committee on Military Affairs and ordered to be printed.

FEDERAL BUILDINGS (H. DOC. NO. 1746).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury transmitting a list of 156 buildings and 7 extensions of Federal buildings which have been authorized by Congress but have not so far been constructed, which was referred to the Committee on Public Buildings and Grounds and ordered to be printed.

GOVERNMENT EMPLOYEES.

The VICE PRESIDENT laid before the Senate communications from the Secretary of War (S. Doc. No. 368), the Secretary of the Navy (S. Doc. No. 373), the Secretary of Agriculture (S. Doc. No. 370), the Postmaster General (S. Doc. No. 367), the Attorney General (S. Doc. No. 371), the Chairman of the War Trade Board (S. Doc. No. 369), and the Chairman of the United States Shipping Board (S. Doc. No. 372), transmitting, in response to a resolution of December 23, 1918, a list showing the number of civilian employees in their respective departments of January 28 and the number discharged during the previous two weeks, which, with the accompanying papers, were ordered to lie on the table and be printed.

WASHINGTON GAS LIGHT CO. (H. DOC. NO. 1749).

The VICE PRESIDENT laid before the Senate the annual report of the Washington Gas Light Co. for the year 1918, which was referred to the Committee on the District of Columbia and ordered to be printed.

GEORGETOWN GAS LIGHT CO. (H. DOC. NO. 1750).

The VICE PRESIDENT laid before the Senate the annual report of the Georgetown Gas Light Co. for the year 1918, which was referred to the Committee on the District of Columbia and ordered to be printed.

POTOMAC ELECTRIC POWER CO.

The VICE PRESIDENT laid before the Senate the annual report of the Potomac Electric Power Co. for the year 1918, which was referred to the Committee on the District of Columbia and ordered to be printed.

CAPITAL TRACTION CO. (H. DOC. NO. 1747).

The VICE PRESIDENT laid before the Senate the annual report of the Capital Traction Co. for the year 1918, which was referred to the Committee on the District of Columbia and ordered to be printed.

WASHINGTON HEIGHTS TRACTION CO. (H. DOC. NO. 1748).

The VICE PRESIDENT laid before the Senate the annual report of the Washington Heights Traction Co. for the year 1918, which was referred to the Committee on the District of Columbia and ordered to be printed.

WASHINGTON RAILWAY & ELECTRIC CO. (H. DOC. NO. 1751).

The VICE PRESIDENT laid before the Senate the annual report of the Washington Railway & Electric Co. for the year 1918, which was referred to the Committee on the District of Columbia and ordered to be printed.

CITY & SUBURBAN RAILWAY CO.

The VICE PRESIDENT laid before the Senate the annual report of the City & Suburban Railway Co. of Washington for the year 1918, which was referred to the Committee on the District of Columbia and ordered to be printed.

GEORGETOWN & TENNALLYTOWN RAILWAY.

The VICE PRESIDENT laid before the Senate the annual report of the Georgetown & Tennallytown Railway Co. for the year 1918, which was referred to the Committee on the District of Columbia and ordered to be printed.

WASHINGTON INTERURBAN RAILROAD.

The VICE PRESIDENT laid before the Senate the annual report of the Washington Interurban Railroad Co. for the year 1918, which was referred to the Committee on the District of Columbia and ordered to be printed.

NATIONAL PROHIBITION.

The VICE PRESIDENT presented a resolution adopted by the Legislature of the State of Missouri, ratifying the proposed prohibition amendment to the Constitution of the United States, which was ordered to be placed on the files of the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 15018. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920; and

H. R. 15219. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1920, and for other purposes.

The message also announced that the House agrees to the amendments of the Senate to the joint resolution (H. J. Res. 289) for the appointment of four members of the Board of Management of the National Home for Disabled Volunteer Soldiers.

The message further transmitted to the Senate resolutions on the life, character, and public services of Hon. WILLIAM J. STONE, late a Senator from the State of Missouri.

The message also transmitted to the Senate resolutions on the life, character, and public services of Hon. CHARLES MARTIN, late a Representative from the State of Illinois.

The message further transmitted to the Senate resolutions on the life, character, and public services of Hon. JACOB E. MEEKER, late a Representative from the State of Missouri.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 13004. An act extending the time for the construction of a bridge and for the maintenance of a pontoon and pile bridge by the Chicago, Milwaukee & St. Paul Railway Co. across the Missouri River at or near Chamberlain, S. Dak., and providing additional requirements for the bridge to be constructed; and

H. R. 13143. An act extending the time for the construction of a bridge across the Mississippi River near and above the city of New Orleans, La., or for the construction of a tunnel or tunnels under said river in lieu of said bridge.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a resolution adopted by the Legislature of the State of Illinois, petitioning Congress to pay at least six months' salary to every soldier, sailor, and marine upon his return to civil life, which was referred to the Committee on Military Affairs.

He also presented a resolution adopted by the Legislature of the State of Illinois, petitioning Congress to pass the woman suffrage amendment to the Constitution of the United States, which was ordered to lie on the table.

Mr. TOWNSEND presented a petition of sundry citizens of Port Huron, Mich., praying for the proposed extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

Mr. LODGE presented a petition of the Father Mathew Total Abstinence Society, of Salem, Mass., praying for the freedom of Ireland, which was referred to the Committee on Foreign Relations.

He also presented a petition of the congregations of the Protestant churches of Melrose, Mass., and a petition of the congregation of the Trinitarian Congregational Church, of Northfield, Mass., praying for the establishment of a league of nations, which were referred to the Committee on Foreign Relations.

Mr. CALDER. I present a resolution adopted at a meeting of the New York Produce Exchange with reference to the cost of food. I ask that it be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

At a special meeting of the board of managers of the New York Produce Exchange, held January 30, 1919, the following preamble and resolution were adopted:

"Whereas it is evident that a readjustment from war conditions is inevitable, and is in fact now proceeding in industry and commerce; and

"Whereas we believe that a material reduction in cost of living is absolutely essential to the successful reorganization and adjustment of the country's economic and social life; and

"Whereas it is evident that a reduction in price of the great food staples is the first and most vital factor in bringing about lower living costs, which must take place to meet a probable reduction in wages in the manufacturing and industrial life of the country: Therefore be it

"*Resolved*, That the policy of this exchange is against any further Government price fixing or control of food-stuffs beyond the point of a just and equitable adjustment of existing Government obligations, in which consideration should be given to the rights of all classes, both producers and consumers, and that the exchange hereby empowers its officers or other authorized representatives to assist in any necessary constructive work, legal or otherwise, to hasten the return of business to its normal channels."

Mr. MOSES. I present a resolution passed by the Chamber of Commerce of Manchester, N. H., in relation to the Government control of the telephone and telegraph systems, which I ask to have printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

Resolution passed by the Manchester Chamber of Commerce, Manchester, N. H., January 31, 1919:

Whereas the remarkably difficult problems resulting from the war and the coming period of business readjustment render it exceedingly difficult, if not wholly impossible, for the owners of the great telephone and telegraph systems now under Federal control to successfully resume the operation of the same without remedial legislation and the provision of some reasonable period in which to allow for the necessary preparation and readjustment; and

Whereas to properly consider these problems in all their intricacies will require much more time than is available in the present short session of Congress, and unless some action is taken at this time the properties will be returned to the companies owning them upon the proclamation by the President of the ratification of peace treaties without any advance notice being given and without any period for proper and necessary readjustment, and since such a period of readjustment is of exceedingly vital importance to the business interests of the Nation: Therefore, be it

Resolved, That this organization go on record as favoring the enactment by Congress of some law which will continue the control and operation of such utilities by the Government until Congress shall have studied the question and determined upon a proper and safe procedure to be thereafter followed; be it further

Resolved, That a copy of this resolution be sent to the Senators of this State and to the Representative in Congress of this district.

I certify that the foregoing is a true copy of the resolution as passed.

C. W. PATMAN,
Secretary Manchester Chamber of Commerce.

Mr. NELSON. I present a resolution adopted by the House of Representatives of the State of Minnesota, which I ask to have printed in the RECORD and referred to the Committee on Military Affairs.

There being no objection, the resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

HOUSE OF REPRESENTATIVES, MINNESOTA LEGISLATURE,
1919 SESSION.

Mr. Diller offers the following resolution:

Whereas now that the military forces of this country and its allies are victorious retention of the Voluntary Army seems unnecessary and action should be taken to demobilize it without delay so that its soldiers and sailors may be returned to their peaceful vocations and that there be substituted a Regular Army so increased as to properly protect our interests abroad in accordance with the plans of the President and military board: And be it further

Resolved, That the chief clerk of the house of representatives is hereby instructed to send to the President, Secretary of War, Secretary of the Navy, and to each of the Senators and Representatives in Congress from the State of Minnesota a copy of this resolution.

W. I. NOLAN, *Speaker.*

Adopted January 27, 1918.
Attest:

OSCAR ARNESON, *Chief Clerk.*

Mr. NELSON. I present a resolution adopted by the House of Representatives of the State of Minnesota, which I ask to have printed in the RECORD and referred to the Committee on Military Affairs.

There being no objection, the resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

HOUSE OF REPRESENTATIVES, MINNESOTA LEGISLATURE,
1919 SESSION.

A concurrent resolution memorializing the Congress of the United States to grant a gratuity of three months' pay to honorably discharged soldiers, sailors, and marines.

Whereas since the signing of the armistice the soldiers, sailors, and marines, who rendered such valiant service at home and abroad for their country in its hour of trial in the great war from which this country has emerged gloriously, are now being demobilized and discharged with greater rapidity than admits of their assimilation into the industries of civil life; and

Whereas all these valiant boys have been serving at rates of pay sufficient only for their needs from day to day, making no provision for the immediate future or for tiding them over the weeks and months of idleness which in most cases must follow the release of millions of men in a Nation whose industries are now stagnant and awaiting the readjustment from a war to a peace basis; and

Whereas unless relief is granted by appropriate legislation these boys, the pride of our country, the savior of our liberties, and the protectors of our homes and free institutions, must be called upon or allowed to suffer privations which would warrant them in reaching the conclusion that, after all, the statement is true that "Republics are ungrateful" and that protection for those valiant heroes was forthcoming so long only as their service on the firing line was needed to protect those at home in person and property: Therefore be it

Resolved, That we urgently request and earnestly urge that the Congress of the United States provide at this time by suitable enactment into law that all heretofore and hereafter honorably discharged soldiers, sailors, and marines of the United States in the great world war be granted and paid a gratuity equal to three months' pay after the date of their respective discharges at the same rate applicable to each such soldier, sailor, and marine at the date of his discharge, the same to be paid monthly through such channels as Congress may direct.

Resolved further, That this resolution, the senate concurring, be duly recorded in the records of this session, and that copies thereof be forthwith forwarded to each of the Senators in Congress from Minnesota and to each Member of the National House of Representatives from Minnesota, to the President and Vice President of the United States, to the Secretaries of War and Navy of the United States.

W. I. NOLAN, *Speaker.*

Adopted January 29, 1919.
Attest:

OSCAR ARNESON, *Chief Clerk.*

Mr. NELSON. I present a resolution adopted by the House of Representatives of the State of Minnesota, which I ask to have printed in the RECORD and referred to the Committee on Pensions.

There being no objection, the resolution was referred to the Committee on Pensions and ordered to be printed in the RECORD, as follows:

HOUSE OF REPRESENTATIVES, MINNESOTA LEGISLATURE,
1919 SESSION.

Messrs. John Frisch and O. E. Hammer offer the following resolution:

Whereas a bill to increase the pensions of those who have lost limbs or have been totally disabled in the same in the military service of the United States, known as Senate bill 2130, introduced by Senator KNUTE NELSON, is now pending in our National Congress; and

Whereas we believe that the provisions of said bill will, if made a law, in a measure relieve the financial stress of those who have received permanent injuries in the wars in which this country has been engaged: Be it therefore

Resolved, That the House of Representatives of the Legislature of the State of Minnesota hereby gives its indorsement to the provisions of said bill and urges all our Senators and Representatives in Congress to do all in their power to gain the enactment of the same into law.

W. I. NOLAN, *Speaker.*

Adopted January 27, 1919.
Attest:

OSCAR ARNESON, *Chief Clerk.*

Mr. NELSON. I present a telegram embodying a resolution adopted by the Legislature of Minnesota, which I ask to have printed in the RECORD and lie on the table.

There being no objection, the telegram was ordered to lie on the table and to be printed in RECORD, as follows:

MINNEAPOLIS, MINN., *February 1, 1919.*

Hon. KNUTE NELSON,
United States Senate, Washington, D. C.

The following resolution was passed by Minnesota House and Senate and signed by the governor and should have gone to the United States Senate January 23, but we have message saying that it is not yet received. May we ask you to have it read into the CONGRESSIONAL RECORD at once? Resolution follows:

"*To the United States Senate:*

"Whereas nearly a half century ago the progressive spirit of American democracy decreed in the Federal Constitution that the rights of citizens of the United States to vote should not be denied by any State on account of race or color; and

"Whereas more than half of the citizens of voting age of more than two-thirds of the States of our Nation are denied the right to vote solely because they are women: Now, therefore, be it

"*Resolved by the House of Representatives of the State of Minnesota (the Senate concurring)*, That we earnestly and urgently petition your honorable body to join with the House of Representatives in its action in proposing an amendment to the Constitution providing that the right of any woman to vote shall not be denied by any State solely because she is a woman.

"That a copy of this resolution with the names of those who vote for the same be forwarded to the President of the Senate and to each Senator and Representative from Minnesota."

MRS. ANDREUS UELAND.

Mr. NELSON presented a telegram in the nature of a petition from Joseph Wilde, of Duluth, Minn., and a telegram in the nature of a petition from Charles Jones, of Duluth, Minn., praying that special clerks in the Postal Service be included in the salary increase, which were ordered to lie on the table.

He also presented a telegram in the nature of a petition from the Board of Trade of Duluth, Minn., praying for the return to private ownership of the telegraph and telephone systems of the country, which was referred to the Committee on Post Offices and Post Roads.

He also presented a resolution adopted by Local Council No. 397, Knights of Columbus, of St. Paul, Minn., favoring freedom for Ireland, which was referred to the Committee on Foreign Relations.

Mr. CHAMBERLAIN. I present a memorial of the Legislature of the State of Oregon, which I ask to have printed in the RECORD and referred to the Committee on Education and Labor.

There being no objection, the memorial was referred to the Committee on Education and Labor and ordered to be printed in the RECORD, as follows:

Senate joint memorial 4.

Whereas there is now pending before Congress a measure known as the educational bill, S. 4987, which is the most comprehensive and important educational bill that has ever been considered by that body; and

Whereas this bill has for its purpose the removal of illiteracy, the Americanization of immigrants, the promoting of physical and health education, the improving of facilities for the preparation of teachers, and the creation of a national department of education; and

Whereas Oregon's share of the Federal appropriation provided in this bill for the public schools amounts to $857,587.67 annually: Now, therefore, be it

Resolved, That our Senators and Representatives in Congress be memorialized and urged to use all honorable means to secure the enactment of the educational bill, S. 4987.

Adopted by the house January 28, 1919.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate January 21, 1919.

W. T. VINTON,
President of the Senate.

Mr. CHAMBERLAIN. I present a memorial of the Legislature of Oregon, which I ask to have printed in the RECORD and referred to the Committee on Irrigation and Reclamation of Arid Lands.

There being no objection, the memorial was referred to the Committee on Irrigation and Reclamation of Arid Lands and ordered to be printed in the RECORD, as follows:

House joint memorial 5.

To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

We, your memorialists, the House of Representatives of the State of Oregon (the Senate concurring), respectfully represent this: That—

Whereas Congressman SINNOTT, of the third congressional district of the State of Oregon, has introduced a bill which is now pending in the Congress of the United States having for its purpose, among other things, the appropriating of $1,000,000,000 for reclamation and drainage of lands in the western portion of the United States; and

Whereas passage of the bill would insure Federal aid for the development of the Deschutes project, comprising an area of approximately 300,000 acres in the State of Oregon, and other projects within the State; and

Whereas any such construction and development would provide work and employment for thousands of returning soldiers and sailors: Now, therefore, be it

Resolved by the House of Representatives of the State of Oregon (the Senate concurring), That the Representative Assembly of the State of Oregon favor the passage by Congress of the said Sinnott bill, and to that end the Senators and Representatives in Congress of the United States from the State of Oregon are hereby urged to use their influence in behalf of the passage of said bill; and be it further

Resolved, That the secretary of state of the State of Oregon be directed to transmit by mail a copy of this memorial to the President of the United States Senate and the Speaker of the House of Representatives of the United States and to each of the Senators and Representatives from the State of Oregon in Congress.

Adopted by the senate, January 22, 1919.

W. T. VINTON,
President of the Senate.

Adopted by the house January 20, 1919.

SEYMOUR JONES,
Speaker of the House.

I hereby certify that house joint memorial No. 5 is a true copy as passed by the house and senate as above indicated.

W. F. DRAGER,
Chief Clerk of the House.

Mr. CHAMBERLAIN. I present a memorial of the Legislature of Oregon, which I ask to have printed in the RECORD and referred to the Committee on Irrigation and Reclamation of Arid Lands.

There being no objection, the memorial was referred to the Committee on Irrigation and Reclamation of Arid Lands and ordered to be printed in the RECORD, as follows:

House joint memorial 4.

Whereas the Umatilla River Irrigation League has presented plans to the United States Reclamation Service for the development of arid lands in the lower Umatilla River Basin; and

Whereas the Director of the Reclamation Service ordered a survey and investigation of said proposed irrigation project, which has been made and the plan for reclaiming said lands has been pronounced feasible, and the cost of reclamation, quality of soil, uniform topography, climatic conditions, facilities for transportation and marketing have been found highly desirable for the easy establishment of farms for soldiers; and

Whereas all that now delays construction on said project is want of Federal funds: Now, therefore, be it

Resolved, That our Senators and Representatives in Congress be memorialized to use their influence in Congress to secure the necessary appropriation; and be it further

Resolved, That our Senators and Representatives in Congress urge upon Congress the immediate importance of passing the Sinnott bill calling for $1,000,000,000 for reconstruction work, which has been indorsed by Secretary of the Interior Franklin K. Lane, and that a copy of this memorial be transmitted to our Senators and Representatives in Congress and to the Director of the Reclamation Service and to the Secretary of the Interior.

Adopted by the senate January 23, 1919.

W. T. VINTON,
President of the Senate.

Adopted by the house January 21, 1919.

SEYMOUR JONES,
Speaker of the House.

I hereby certify that the foregoing house joint memorial No. 4 is a true copy as passed by the house and senate as above indicated.

W. F. DRAGER,
Chief Clerk of the House.

Mr. CHAMBERLAIN. I present a memorial of the Legislature of the State of Oregon, which I ask to have printed in the RECORD and referred to the Committee on Public Lands.

There being no objection, the memorial was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

House joint memorial 6.

To the honorable Senate and the House of Representatives of the United States of American in Congress assembled:

Your memorialists, the Legislative Assembly of the State of Oregon, respectfully represent that—

Whereas Crater Lake National Park, in southern Oregon, is becoming one of the great tourist attractions of the world, with a rapidly increasing list of visitors each succeeding season; and

Whereas the natural topography of the country adjacent to said park is of such nature that this park, to serve its purpose as a great natural scenic attraction and outdoor playground, should be extended to include additional territory, as provided in Senate bill No. 4283, now before Congress; and

Whereas the country so to be included within said park under the provisions of said bill is not of particular value as grazing land, timberland, or for any purposes other than the natural and proper rounding out of the said national park: Now, therefore, be it

Resolved by the House of Representatives of the State of Oregon (the Senate concurring), That the Legislative Assembly of the State of Oregon heartily favor the enactment by Congress of Senate bill No. 4283, and to that end the Senators and Representatives in Congress from the State of Oregon are hereby urged to use their influence in behalf of the passage of said bill; and be it further

Resolved, That the chief clerk of the House of Representatives of the Oregon Legislative Assembly be, and hereby is, directed to transmit by mail a copy of this memorial to the President of the Senate and the Speaker of the House of the Congress of the United States and to each of the Senators and the Representatives from the State of Oregon.

Adopted by the senate January 27, 1919.

W. T. VINTON,
President of the Senate.

Adopted by the house January 21, 1919.

SEYMOUR JONES,
Speaker of the House.

I hereby certify that the foregoing house joint memorial No. 6 is a true copy as passed by the house and senate as above indicated.

W. F. DRAGER,
Chief Clerk of the House.

Mr. CHAMBERLAIN. I present a memorial of the Legislature of the State of Oregon, which I ask to have printed in the RECORD and referred to the Committee on Immigration.

There being no objection, the memorial was referred to the Committee on Immigration and ordered to be printed in the RECORD, as follows:

House joint memorial 8.

To the honorable the Senate and the House of Representatives of the United States of America in Congress assembled:

Your memorialists, the Legislative Assembly of the State of Oregon, respectfully represent that—

Whereas there is now pending in the Congress of the United States Senate bill 5001, introduced on October 21, 1918, by Hon. WILLIAM H. KING, which provides for the establishing in the Department of Labor of a bureau of citizenship and Americanization, for the Americanization of naturalized citizens, and for the amendment of the act of Congress approved June 29, 1906, entitled "An act to establish a Bureau of Immigration and Naturalization, and to provide a uniform rule for the naturalization of aliens throughout the United States," and which bill was referred to the Committee on Immigration; and

Whereas said Senate bill 5001 provides for the issuance of a distinctive certificate of United States citizenship to wives and children of naturalized citizens, which certificates are to be issued only after the candidates for such certificates have passed such preliminary examinations as will evidence their attachment to the principles of the

Constitution of the United States and have appeared in open court and taken the oath of allegiance required by the naturalization law; and

Whereas the enactment and carrying out of the provisions of said Senate bill No. 5001 will result in arousing a higher regard and attachment to our institutions of Government, and in a stronger loyalty being shown to the United States on the part of all permanent resident foreigners, candidates for naturalization, and citizens, and will insure the maintenance of that high standard of admission to the privileges and responsibilities of American citizenship so essential to the perpetuation of our democratic form of government; and

Whereas the State of Oregon, having given to women the right to the franchise, it concerns the welfare of the State to provide intelligent exercise of that right and instruction in the rights and duties of citizens: Therefore be it

Resolved by the house, the senate concurring, That our Senators and Representatives in Congress, and the entire Congress of the United States, be, and are hereby, memorialized and requested to immediately take up and pass said Senate bill 5001.

Resolved, further, That the chief clerk of the house is hereby directed to transmit certified copies of this memorial to the President of the United States Senate and Speaker of the House of Representatives of the United States and to each of the Senators and Representatives from the State of Oregon in Congress.

Adopted by the senate January 28, 1919.

W. T. VINTON,
President of the Senate.

Adopted by the house January 23, 1919.

SEYMOUR JONES,
Speaker of the House.

I hereby certify that house joint memorial 8 is a true copy as passed by the house and senate, as above indicated.

W. F. DRAGER,
Chief Clerk of the House.

Mr. PENROSE presented a petition of the Board of Trade of Philadelphia, Pa., praying that the return to private ownership of telephone and telegraph lines be deferred until Congress shall have studied the question and determined upon the proper and safe procedure to be thereafter followed, which was referred to the Committee on Post Offices and Post Roads.

Mr. LEWIS. I present a resolution adopted by the Legislature of the State of Illinois, asking that the woman-suffrage resolution before this body be immediately acted upon—that is, the constitutional amendment—which I ask to have appropriately referred.

There being no objection, the resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

Certificate No. 3226.

STATE OF ILLINOIS,
OFFICE OF THE SECRETARY OF STATE

To all to whom these presents shall come, greeting:

I, Louis L. Emmerson, secretary of state of the State of Illinois, do hereby certify that the following and hereto attached is a true copy of senate joint resolution No. 7 of the Fifty-first General Assembly of the State of Illinois, the original of which is now on file and a matter of record in this office.

In testimony whereof I hereto set my hand and cause to be affixed the great seal of the State of Illinois. Done at the city of Springfield this 31st day of January, A. D. 1919.

[SEAL.] LOUIS L. EMMERSON,
Secretary of State.

FIFTY-FIRST GENERAL ASSEMBLY.

Senate joint resolution 7.

Whereas the proposed woman-suffrage amendment to the Federal Constitution has been for 40 years before the Congress of the United States and has during this session of Congress received a two-thirds vote in the House of Representatives but has been delayed in the United States Senate; and

Whereas the character and achievements of the women of the United States merit the same honorable suffrage recognition received by women in many other countries: Therefore be it

Resolved by the Senate of the State of Illinois (the House of Representatives concurring therein), That we urge the United States Senate to immediately pass the Federal woman-suffrage amendment, so that it may be ratified by the legislatures of the 36 States, as provided by article 5 of the United States Constitution.

Adopted by the senate January 28, 1919.

JOHN G. OLDSHEY,
President of Senate.
J. H. PADDOCK,
Secretary of Senate.

Concurred in by the house of representatives January 29, 1919.

DAVID E. SHANAHAN,
Speaker of the House of Representatives.
B. H. MCCANN,
Clerk of the House of Representatives.

Filed January 31, 1919.

LOUIS L. EMMERSON,
Secretary of State.

Mr. LEWIS. I also present a resolution adopted by the Legislature of the State of Illinois as to the matter of six months' pay for soldiers, sailors, and marines, which I ask to have printed in the RECORD and referred to the Committee on Military Affairs.

There being no objection, the resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Certificate No. 3215.

STATE OF ILLINOIS,
OFFICE OF THE SECRETARY OF STATE

To all to whom these presents shall come, greeting:

I, Louis L. Emmerson, secretary of state of the State of Illinois, do hereby certify that the following and hereto attached is a true copy of senate joint resolution No. 6 of the Fifty-first General Assembly of the State of Illinois, the original of which is now on file and a matter of record in this office.

In testimony whereof I hereto set my hand and cause to be affixed the great seal of the State of Illinois. Done at the city of Springfield this 31st day of January, A. D. 1919.

[SEAL.] LOUIS L. EMMERSON,
Secretary of State.

FIFTY-FIRST GENERAL ASSEMBLY.

Senate joint resolution 6.

Whereas the most important problem of reconstruction is the individual readjustment in the lives of the men who willingly went forth to heroically serve our Nation and our allies in the time when free institutions and the rights of free men everywhere were threatened; and

Whereas no adequate provision is being made by the Federal Government for these returning soldiers, sailors, and marines who have made tremendous sacrifices for our country; and

Whereas there is a movement to secure national legislation guaranteeing to every soldier, sailor, and marine his pay for some sufficient period after his return to civil life, until he can obtain remunerative employment; and

Whereas other countries which have suffered more and which have expended far greater sums of money than has the United States of America, are making more ample and more just provision for their soldiers: Be it

Resolved by the Senate of the State of Illinois (the House of Representatives concurring therein), That a memorial be sent to Congress requesting the Federal Government to pay at least six months' salary to every soldier, sailor, and marine upon his return to civil life; and be it

Resolved, That the secretary of state be, and hereby is, directed to transmit copies of this resolution to the United States Senate and to the House of Representatives and to the several Members of both bodies representing the State of Illinois, and to Hon. Newton D. Baker, Secretary of War, and to Hon. Josephus Daniels, Secretary of the Navy.

Adopted by the senate January 28, 1919.

JOHN G. OLDSHEY,
President of Senate.
J. H. PADDOCK,
Secretary of Senate.

Concurred in by the house of representatives January 29, 1919.

DAVID E. SHANAHAN,
Speaker of the House of Representatives.
B. H. MCCANN,
Clerk of the House of Representatives.

Filed January 31, 1919.

LOUIS L. EMMERSON,
Secretary of State.

Mr. BANKHEAD. I present a resolution adopted by the Legislature of the State of New York, touching the pending water-power bill. It is short and I ask that it be printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the resolution was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

STATE OF NEW YORK, IN SENATE,
Albany, January 27, 1919.

By Mr. Mackrell:

Whereas a bill entitled "An act to amend an act entitled 'An act to regulate the construction of the dams across navigable waters,' approved June 21, 1906, as amended by the act approved June 23, 1910," and to provide for the improvement and development of waterways for the uses of the interstate and foreign commerce, passed the Senate December 14, 1917, and the House of Representatives September 5, 1918; and

Whereas Hon. JOHN K. SHIELDS, Hon. JOHN H. BANKHEAD, Hon. HENRY L. MYERS, Hon. KEY PITTMAN, Hon. KNUTE NELSON, and Hon. REED SMOOT, from the Senate, and Hon. THETUS W. SIMS, Hon. SCOTT FERRIS, Hon. ASBURY F. LEVER, Hon. JOHN J. ESCH, Hon. WILLIAM L. LA FOLLETTE, and Hon. GILBERT N. HAUGEN, from the House of Representatives, have been appointed to confer and agree upon the terms of said bill; and

Whereas the water powers of the State are urgently needed for the promotion of industry:

Resolved (if the assembly concur), That the Legislature of the State of New York earnestly request our Representatives in Congress and the conferees named to do all in their power to stimulate action on said bill to the end that it may be acted upon favorably: *Providing, however*, That the same does not in any way diminish or impair the rights of the State of New York in the ownership and control of such navigable waters.

Resolved, That certified copies of this resolution be forthwith transmitted to the President of the Senate, the Speaker of the House of Representatives, our Representatives in Senate and in the House, as well as the conferees named above.

By order of the senate.

ERNEST A. FAY, *Clerk.*

IN ASSEMBLY, *January 30, 1919.*

Concurred in without amendment.
By order of the assembly.

FRED W. HAMMOND, *Clerk.*

Endorsed: Filed January 30, 1919.

FRANCIS M. HUGO,
Secretary of State.

STATE OF NEW YORK,
Office of the Secretary of State, ss:

I have compared the preceding copy of resolution relative to regulating the construction of the dams across navigable waters and to provide for the improvement and development of waterways for the use of the interstate and foreign commerce with the original resolution on file in this office, and do hereby certify that the same is a correct transcript therefrom and of the whole thereof.

Given under my hand and the seal of office of the secretary of state, at the city of Albany, this 30th day of January, 1919.

[SEAL.] C. W. TAFT,
Second Deputy Secretary of State.

Mr. LA FOLLETTE. I desire to have printed in the RECORD a resolution from the president of the Wisconsin Woman Suffrage

Association, reporting the action of the legislature upon a resolution regarding the enactment of the constitutional amendment now pending in the Senate. I have not yet received the resolution from the legislature, but I presume it will be forthcoming.

There being no objection, the resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

MILWAUKEE, WIS., *February 1, 1919.*

Senator ROBERT LA FOLLETTE,
The Senate, Washington, D. C.:

Resolution passed by Wisconsin Legislature January 16—senate, 24 for, 4 against; assembly, 75 for, 14 against:

"*Resolved by the assembly (the senate concurring)*, That we indorse woman suffrage, following the platforms of the political parties of this State and favor that the Senate of the United States adopt the legislation now pending before it providing for submitting to the several States an amendment to the Federal Constitution establishing national woman suffrage. Be it further

"*Resolved*, That this resolution, properly signed and attested by the officers of this legislature, be forwarded to the United States Senate and a copy thereof to each United States Senator."

THEODORA W. YOUMANS,
President Wisconsin Woman Suffrage Association.

Mr. KNOX presented a petition of the Rotary Club, of Wilkes-Barre, Pa., praying for the change of the name of the Panama Canal to Roosevelt Canal, which was referred to the Committee on Interoceanic Canals.

He also presented a petition of the Chartiers Grange of Farmers, of Canonsburg, Pa., praying for an adequate construction of national highways, which was referred to the Committee on Agriculture and Forestry.

He also presented petitions of the Board of Trade of Philadelphia, of the Board of Trade of Monnesen, of the Chamber of Commerce of Lebanon, of the Rotary Club of Wilkes-Barre, of the Board of Trade of Lansdale, of the Rotary Club of Allentown, of the Kiwanis Club of Scranton, and of the Business Men's Association of Charleroi, all in the State of Pennsylvania, praying that the return to private ownership of telegraph and telephone lines be deferred until Congress shall have studied the question and determined upon the proper and safe procedure to be thereafter followed, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of Local Union No. 138, United Brotherhood of Maintenance of Way Employees and Railway Shop Laborers, of York; of Local Lodge No. 632, International Association of Machinists, of Reading; of Local Lodge No. 922, Brotherhood of Railway Conductors of America, of Sunbury; and of sundry members of the American Federation of Railroad Workers of the Philadelphia & Reading Railroad Co., of Pottsville, all in the State of Pennsylvania, praying for Government ownership of railroads, which were referred to the Committee on Interstate Commerce.

He also presented a resolution adopted by Local Division No. 16, Ancient Order of Hibernians, of Scranton, Pa., favoring freedom for Ireland, which was referred to the Committee on Foreign Relations.

Mr. SHERMAN presented a resolution adopted by the Legislature of the State of Illinois, petitioning Congress to pass the woman-suffrage amendment to the Constitution of the United States, which was ordered to lie on the table.

He also presented a resolution adopted by the Legislature of the State of Illinois, petitioning Congress to pay at least six months' salary to every soldier, sailor, and marine upon his return to civil life, which was referred to the Committee on Military Affairs.

BUREAU OF WAR RISK INSURANCE.

Mr. THOMAS, from the Committee on Finance, to which was referred the bill (H. R. 13273) to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, and an act in amendment thereto approved October 6, 1917, reported it without amendment.

CONSTRUCTION OF SHIPS.

Mr. JONES of Washington. From the Committee on Commerce I desire to present a report and I ask that it may be considered. It is the unanimous report of the committee, and it is a short bill. I think it is a matter which expresses the views of the Senate. I report back favorably without amendment from the Committee on Commerce the bill (S. 5292) making it unnecessary to secure permits from the United States Shipping Board for the construction of ships in American shipyards for foreign account, and I submit a report (No. 680) thereon.

The VICE PRESIDENT. The bill will be read.

The Secretary read the bill.

Mr. RANSDELL. I understand the chairman of the committee wishes to have the bill go to the calendar. I have no objection to it; I voted for it in committee and would like to have it passed, but in the absence of the chairman of the committee I ask that it may go to the calendar.

Mr. JONES of Washington. I did not know that the chairman might desire to have it go to the calendar.

Mr. RANSDELL. It may be that he will withdraw his objection. I do not want to be considered as opposing it; I am in favor of it personally, I will state to the Senator; but I think the chairman wanted to have it go to the calendar.

Mr. JONES of Washington. Very well; I will just present the report and let the bill go to the calendar.

The VICE PRESIDENT. The bill will be placed on the calendar.

PUBLIC HEALTH SERVICE.

Mr. RANSDELL. From the Committee on Public Health and National Quarantine I report back favorably without amendment the bill (S. 1597) to provide a division of tuberculosis in and an advisory council for the United States Public Health Service, and I submit a report (No. 681) thereon. I should like very much to have the bill taken up at once, if there be no objection.

Mr. SMOOT. I should like to have the bill go to the calendar in regular order.

Mr. RANSDELL. All right.

The VICE PRESIDENT. The bill will be placed on the calendar.

HOSPITALS FOR DISCHARGED SOLDIERS AND SAILORS.

Mr. RANSDELL. Mr. President, on the 28th of last month the bill (H. R. 13026) to authorize the Secretary of the Treasury to provide hospital and sanitarium facilities for discharged sick and disabled soldiers, sailors, and marines, after passing the House, was referred to the Committee on Appropriations of the Senate. On the 15th of December last a bill almost identical in terms was introduced in the Senate and referred to the Committee on Public Health and National Quarantine. On the 11th of December last a bill, H. R. 12917, after passing the House, was referred to the Committee on Public Health and National Quarantine. It related to the same subject as Senate bill 5202, just mentioned, and House bill 13026, just mentioned.

So there are two committees now which have the same matter before them. In addition thereto the Committee on Public Buildings and Grounds of the Senate, under a resolution passed some time ago, has for several weeks been investigating the question of hospital facilities. That measure is now being carefully investigated by the committee.

I will state, as chairman of the Committee on Public Health and National Quarantine, that I have discussed this rather troublesome problem with the chairman of the Committee on Public Buildings and Grounds, the chairman of the Committee on Appropriations, and with several members of my committee, and the consensus of opinion of them, in which I concur, is that these bills which are now before the Appropriations Committee and the Public Health Committee should be referred to the Committee on Public Buildings and Grounds, so that after making a careful investigation they can determine whether or not additional hospital facilities are needed.

I ask that House bill 12917, referred to the Committee on Public Health and National Quarantine, Senate bill 5202, referred to the Committee on Public Health and National Quarantine, and House bill 13026, referred to the Committee on Appropriations, be sent to the Committee on Public Buildings and Grounds. I will state that the chairman of the Committee on Appropriations believes that this is a wise course, and I also believe so, after a thorough investigation.

Mr. SMOOT. Can the Senator tell the Senate what committee in the House of Representatives had the bill?

Mr. RANSDELL. The Committee on Public Buildings and Grounds has been handling it over there, and the Committee on Public Buildings and Grounds of the Senate has been making rather an elaborate investigation. I have concluded that it is best to have them go ahead with it and determine whether or not these additional hospital facilities are needed.

The VICE PRESIDENT. It will be so ordered.

Mr. KING. I was about to ask the Senator if these bills ought not to go to the Committee on Military Affairs.

Mr. RANSDELL. There is no military question involved. I will state that it is for soldiers and sailors who have been discharged from the military and naval service, and there is a question as to whether or not they can be taken care of in the military hospitals under proper provision or whether we must provide additional hospital facilities to take care of them after they are discharged from the Army or the Navy.

Mr. HITCHCOCK. I should like to know whether the Committee on Public Buildings and Grounds ordinarily has jurisdiction over the hospitals and the sanitariums of the country?

Mr. RANSDELL. I can not state what is the ordinary rule. I would naturally assume that the Public Health Committee would have that jurisdiction, but I will say to the Senator that in the House of Representatives the jurisdiction was assumed by the Committee on Public Buildings and Grounds, and these bills have gone through there without any objection. Careful investigations were made as to both these bills, and both passed the House on the initiative of the Committee on Public Buildings and Grounds of that body. Contemporaneous with that, I will say that a resolution was introduced into this body instructing our Committee on Public Buildings and Grounds to make an investigation, which is absolutely essential, to determine whether or not additional hospitals are needed, and they are now making that investigation.

Mr. HITCHCOCK. That is the reason why I am asking the Senator whether this committee has had jurisdiction over hospitals and sanitoriums in the past. I have the impression that that is not the case, that the hospitals have not been under the jurisdiction of the Committee on Public Buildings and Grounds. The action of the House is not necessarily a guide, because the jurisdiction of the committees of the Senate does not concur with the jurisdiction of the committees of the House.

Mr. RANSDELL. I can not answer the question of the Senator. I will state that one of these bills, the bill carrying an appropriation of $10,500,000 for additional hospitals, after passing the House on the 27th of last month, when it reached this body, was referred to the Committee on Appropriations and not to the Committee on Public Health and National Quarantine.

Mr. HITCHCOCK. Will the Senator state what that appropriation was for?

Mr. RANSDELL. It was to construct hospitals for discharged soldiers and sailors and to place those hospitals in charge of the Public Health Service.

Mr. HITCHCOCK. It seems to me rather strange that the Committee on Public Buildings and Grounds should have jurisdiction over a matter which ought to belong to the Committee on Military Affairs or to the committee having charge of Public Health and National Quarantine.

Mr. RANSDELL. It is hardly a matter that belongs to the Committee on Military Affairs, I will say, because this is to take care of men who have been discharged from the Army or the Navy. As long as they remain in the Army or the Navy they are cared for by the military or naval hospitals. It is for the discharged men, I will say, that we are trying to provide. They come in under the war-risk insurance.

Mr. HITCHCOCK. Let me call the Senator's attention to the fact that we already have in this country, and have had for a great many years, hospitals in which discharged men are accepted as patients. Under whose jurisdiction are those hospitals?

Mr. RANSDELL. They are under the jurisdiction of the Public Health Service, but whether the law governing the buildings was provided by the Public Health Committee or provided by the Public Buildings Committee I can not say. I know as a general rule in the 20 years since I have been in Congress public buildings have been provided for by the Public Buildings Committees of the two Houses. This is simply a question whether we need additional buildings, and I rather think the bills ought to go to that committee.

I will say to the Senator that I try to stand up for my committee whenever I think I am right, and I would insist upon that course if I believed the bills belonged properly to the Public Health Committee, but after carefully investigating it rather seems to me, and several members of the committee concur with me in that view, as it is merely a question of buildings, that the bills should go to the Public Buildings Committee.

Mr. SWANSON. The present chairman of the Committee on Public Buildings and Grounds, the Senator from Missouri [Mr. REED], is not present. However, I am still a member of that committee. I should like to state in this connection that the reason why I presume this matter was referred to the Committee on Public Buildings and Grounds was because of the fact that there are temporary buildings being constructed, and that committee, I understand, is making an investigation to see if the present buildings that have been constructed during the war period can not be utilized for this purpose. As that committee has jurisdiction over public buildings generally and the necessity for them, it seems to me a wise and sensible course to pursue to have an investigation, to see if the temporary buildings constructed during the war can not be used temporarily for hospital purposes, and not go to the great expense of constructing additional buildings.

I understand that the Committee on Public Buildings and Grounds is now investigating the temporary buildings constructed both here and elsewhere to ascertain if those buildings can not be utilized for hospital purposes to take care of soldiers and sailors at present. It seems to me it would be a waste of money to proceed to the construction of new buildings before we ascertain whether these temporary buildings can be so used. For that purpose the question was referred to the Committee on Public Buildings and Grounds, to ascertain the number of buildings already constructed and what use can be made of them, and to what extent they can be used for hospital purposes to take care of discharged soldiers and sailors. I understand that the committee is now making a thorough investigation, and when they have made that investigation and furnished the Senate with the information it can act intelligently with a view to the public interest.

Mr. RANSDELL. Mr. President, if they find, as a result of their investigation, that these additional buildings for hospitals are needed, the whole question will then be before them; the three bills will be before them, so that they can act intelligently, and we may get the needed legislation at this session of Congress; whereas, if we stand upon the rights of the respective committees here, a great deal of delay may result and the soldiers and sailors may suffer. I think it will expedite legislation to have this done, and I hope it will be done.

Mr. SMOOT. Mr. President, I notice in reading the bill that it not only proposes to appropriate $10,500,000 for the building of new hospitals or sanitariums, but there is an authorization in the bill giving power to the Secretary of the Treasury "to contract with any existing hospital or sanatorium, by lease or otherwise, for the immediate use, in whole or in part, of their present facilities."

The bill goes on and states that they can transfer whatever equipment or material is in the present hospitals and sanatoriums to wherever they decide to erect this building.

It seems to me, Mr. President, that this is rather an unusual provision; and I desire to ask the Senator from Louisiana if, after the discussion that took place in the House, he has formed any opinion as to what is back of this legislation; where the hospital is to be located and what is the program?

Mr. RANSDELL. To what bill does the Senator from Utah refer—to the bill proposing to appropriate $10,500,000?

Mr. SMOOT. Yes; I refer to that bill.

Mr. RANSDELL. I do not know what is back of it, except that the hearings before the Public Health Committee indicated that there was a genuine need for additional hospitals; that a great many tuberculous patients had developed among the boys who had been sent to training camps; a great many of them, after being temporarily accepted, were discharged because of having tuberculosis, and there has been a very great increase of tuberculosis among the boys in the Army. The Public Health Service, having to take care of these men under the provisions of the war-risk insurance act, finds itself without sufficient hospitals, and they are asking that they be given additional hospitals so as to provide amply for these men. That is all I know about it.

Mr. SMOOT. Mr. President, if I remember correctly—and I am only quoting from memory, for I have not looked the matter up lately—out of the first one million one hundred thousand and some odd soldiers who were either drafted or entered voluntarily into the Army, there were 145,000 affected by tuberculosis. Of course, they were not allowed to enter the Army. It is true that since the Army has been organized many cases of tuberculosis have developed during the service of the soldiers. I have not seen any of the figures stating how many or what the percentage is.

Mr. RANSDELL. About 22,000, I would say, were the figures given the Committee on Public Health. The men of the character of which the Senator speaks are entitled to be cared for under the provisions of their contract with the War Risk Insurance Bureau.

Mr. SMOOT. I had thought about that. Mr. President, of course, I am not going into a discussion of this subject at this time, but I had been led to believe, from some statements of Members of the other House, who had made an investigation into this matter, that there is a program on foot to locate somewhere in the United States a great sanatorium, and to abolish the others which are now in existence. I am also informed that the space in existing hospitals and sanatoriums is a great deal more, and can take care of a greater number of soldiers and sailors than will the proposed new hospital, but that it is intended to abandon these hospitals and sanatoriums and to concentrate them in one place.

Mr. RANSDELL. I will state to the Senator that his information is incorrect in that respect. It is not intended to spend all of this money in one hospital; in fact, the Public Health Service is opposed to having very large hospitals. They say that such patients can be better treated in a number of

smaller hospitals. They have, as I understand, now some 1,500 beds scattered around in several hospitals throughout the country. They propose in some instances to enlarge some of the hospital facilities that now exist, merely increasing the size and number of the beds, and to establish some new hospitals. They are obliged under the present law to take care of the men of the merchant marine, and they anticipate a very great increase in the merchant marine, so that perhaps, in the near future, they will have a good many more men of that kind to take care of.

Now, as to the hospital of which the Senator from Utah speaks, I will state that in one of these bills, when it was introduced in the other House, there was, I believe, a special provision to construct a hospital at Dawson Springs, Ky.; but that was in the bill carrying an appropriation for, as I recall it, about $1,500,000. That was entirely stricken out of the bill, and, as it passed the House, there is nothing of that kind in it. Probably the Public Health Service would construct a hospital at that place if it were found the best place for it. The larger bill, carrying $10,500,000, I will say, has absolutely no connection with the bill I have just mentioned, and that is the bill which the Public Health Service is so very solicitous about.

Mr. NELSON and Mr. VARDAMAN addressed the Chair.

The VICE PRESIDENT. Does the Senator from Louisiana yield further; and if so, to whom?

Mr. RANSDELL. I will yield first to the Senator from Minnesota when the Senator from Utah has finished his question, and then I will yield to the Senator from Mississippi.

Mr. SMOOT. I have finished.

Mr. NELSON. I want to ask this question: Is there not a pretty fair hospital arrangement at each of the cantonments we already have, and can not the hospitals in those cantonments be utilized to meet the necessities of the Government without incurring any great additional expense?

Mr. RANSDELL. That is the very question, I will state to the Senator from Minnesota, which is now being very carefully investigated by the Committee on Public Buildings and Grounds; and it is for that purpose that I am so willing to have the jurisdiction of the matter referred to that committee, as it has the whole subject before it, and I believe is disposed to do absolutely what is right and proper in the premises.

Mr. VARDAMAN. Mr. President——

Mr. RANSDELL. I now yield to the Senator from Mississippi.

Mr. VARDAMAN. May I ask the Senator from Louisiana if he does not think it would be better, in fact if it is not necessary, to locate the hospitals where tubucular patients are to be treated at some particular place where the atmosphere and climate is peculiarly favorable to the treatment of tuberculosis? It was a theory long entertained by the physicians that the climate of New Mexico, Colorado, Texas, and other sections of greater altitude was better. I apprehend that a hospital situated in the low malarious regions would not be quite so well suited to the treatment of tubercular patients as at the places just mentioned.

Mr. RANSDELL. Responding to the question of the Senator from Mississippi, I will say that the best opinion in the medical world now is that tuberculosis can be treated about as well in one section of the country as it can be in another, and physicians do not any longer think that they are obliged to send such patients out to high altitudes in the far West, as they once used to do. I do not think that it is contemplated constructing these hospitals very far away from the centers of population.

Mr. VARDAMAN. Do they keep tubercular patients in the same hospital with those who have other diseases?

Mr. RANSDELL. I understand that they try to segregate them as well as they can in the wards of the hospitals; but they do not contemplate the erection of hospitals particularly for the treatment of tuberculosis.

Mr. VARDAMAN. I think, Mr. President—though, of course, I am not a doctor——

Mr. RANSDELL. Nor am I.

Mr. VARDAMAN. But it seems to me that the treatment of tuberculosis is so different from the treatment of other diseases that it would be very much better if the tuberculosis hospital should be situated and constructed with a view especially to the treatment of that particular disease. I know that the modern treatment of tuberculosis is open air, nutritious diet, and moderate exercise. The open-air treatment is observed in influenza and many other diseases, but it is peculiarly so in tuberculosis; but it seems to me that the tubercular patients ought to be segregated and the hospitals designed and constructed with a view of so separating the patients from others, if possible, as to avoid the possibility of contagion.

Mr. FLETCHER. Mr. President, may I suggest to the Senator that it might be well to call attention to the obligations upon the Public Health Service? Under the law as it stands now the Public Health Service is obliged to treat the following cases:

(1) Merchant seamen.
(2) The Mississippi River Commission.
(3) The United States Coast Guard Service.
(4) The United States Lighthouse Service.
(5) The Engineer Corps of the United States Army.
(6) The United States Coast and Geodetic Survey.
(7) Civilian employees injured under the workman's compensation act.
(8) Civilian employees injured on Army transports.
(9) Cases of discharged soldiers and sailors under the war risk insurance act of October 6, 1917.

That is quite an extensive service. The report of the House committee shows that to meet these requirements the Public Health Service has the following facilities:

Twenty-two hospitals and one sanatorium, with a total capacity of 1,556 beds. This total will be increased by 744 additional beds authorized by a provision in the urgent deficiency act approved March 28, 1918. But even when these additional beds are ready they will be inadequate to meet the needs of the Public Health Service, exclusive of the requirements of the War Risk Insurance Bureau. At the present time the Public Health Service is obliged to find accommodations for some of its charges at private hospitals.

I also quote the following from the House committee report to show the burdens and responsibilities the Public Health Service is called upon to meet:

With these inadequate facilities it is called upon to meet the following burdens and responsibilities:

War-risk insurance beneficiaries now actually under treatment	1,539
Soldiers, sailors, and marines discharged up to Nov. 1, 1918, because of tuberculosis who are entitled to treatment under the act of Oct. 6, 1917	23,000
Cases of epilepsy reported up to Dec. 1, 1918	6,220
Cases of psychoneurosis reported up to Nov. 1, 1918 (all of whom are practically recommended for discharge)	14,747
Total	42,967

Making a grand total of actual and potential beneficiaries of the War Risk Insurance Bureau of 42,967. When it is considered that this does not include the beneficiaries of the merchant marine, the United States Coast Guard Service, the Army Transport Service, and the civilian employees of the workman's compensation act, all of whom must also look for care and treatment to the Public Health Service, the need for these facilities provided by this bill must be apparent.

I think that probably it is not fully understood just what are the demands on the Public Health Service. The statement by the House committee in its report shows a need for increased facilities. The merchant marine hospitals, for instance, scattered along up and down the coast, need to be enlarged in some respects, for that service, as the Senator has suggested, has grown extensively. It would seem that unquestionably there is a great need for additional facilities for the Public Health Service.

Now, as to the Army hospitals, I think the War Department is supplied with ample hospital accommodations; but this is entirely outside of the Army. It is a matter that needs immediate attention because we can not fail to take proper care of these cases.

Mr. RANSDELL. Mr. President, I thank the Senator from Florida for reading from that report. It is very interesting and indicates the gravity of the situation. There is no doubt that we have got to provide facilities in some way. Whether we will build new hospitals or utilize hospitals in the cantonments or utilize some public buildings is a matter which ought to be determined by the Public Buildings and Grounds Committee. I hope it will determine the question speedily and report upon these bills, because we undoubtedly need this legislation.

Mr. FRELINGHUYSEN. Mr. President——

Mr. RANSDELL. I yield to the Senator from New Jersey.

Mr. FRELINGHUYSEN. Mr. President, I happen to be a member of both committees, and I voted to report this bill because I believe that it is necessary that something be done immediately to take care of the wounded and the maimed soldiers who have become or will become public charges. The Army, through the cantonments and the rehabilitation hospitals, is taking care of the soldiers who are still in the Army; but when they are discharged from the Army, if they are maimed, if they are incapacitated, it is necessary, through the War Risk Insurance, that as civilians they be taken care of by another department. Therefore they become charges of the Public Health Service.

These men are not only tubercular patients, but they are the poor wrecks of humanity who have been sent over here maimed and incapacitated for life. Only on Saturday I heard from one of the hospital attendants, a Red Cross nurse in New York, of the case of a man who was landed in this country without his arms and legs, and they had to carry him to the hospital in a clothes basket. Turning to the woman who was helping carry

that basket, he asked, "Are you from the South?" She replied, "Yes; how did you know?" He said, "By your voice; for I can not see." There is a ward in the Greenhut Hospital in New York that is closed to visitors because the men there are so maimed and wounded that they are kept from the sight of visitors. It is those men for whom we must provide.

Possibly there may be facilities in the cantonments, but the method of arriving at a proper settlement of that question is to ask the Surgeon General what hospital facilities he has that he can turn over to the Treasury Department. If the bill is referred to that committee I shall recommend that plan as a method whereby we can use the hospital facilities which we now have; but if we have no hospital facilities, if there is nothing available, we should appropriate all the money that is necessary to take care of these poor unfortunates, and there are many of them.

Mr. LEWIS. Mr. President, with the permission of the Senator from Louisiana, may I have the attention of the Senator from New Jersey? It may interest him for me to tell him of what was an interesting revelation to me. In company with a committee I went to the Surgeon General's office to make inquiry respecting hospital accommodations, and was pleased and equally surprised to hear him say that at Fort Myer there is such space of accommodations, to use his words, that they have many beds bidding for occupants, but for some reason or other there has not been enough demand for the use of those beds to occupy them to their capacity. If conditions be as the able Senator from New Jersey indicates they must be, it seems to me remarkable that the Surgeon General's Office here should be informed that there were not enough applicants needing hospital attention to fill the beds, which he informed me and also informed the committee are to-day vacant. Something is evidently irregular in the method of transferring information to the Surgeon General's office in connection with such matters as the Senator from New Jersey has brought to the attention of the Senate this morning.

Mr. FRELINGHUYSEN. Mr. President, there may be a hospital at Fort Myer that at the present time has facilities for these wounded men, but it is a question of transportation, a question of the special attention that can be afforded. I know that at the present time the Greenhut Hospital in New York is almost overcrowded with these maimed, broken-down men.

The whole question resolves itself into a question of cooperation between these two departments—the Treasury Department and the Surgeon General's Office. Perhaps the Senator from Illinois can suggest some method whereby they can be coordinated. The Public Health Service and the Surgeon General's office are working along parallel lines, yet they are separate departments with separate appropriations and separate organizations. The Surgeon General's department has been intrusted with the supervision of the sanitary conditions in the camps, but at the boundary line of the camp their jurisdiction stops, and the sanitary conditions in the zone outside of the camp come under the jurisdiction of the Treasury Department—a duplication which I have always considered was not only expensive but entirely unnecessary.

Mr. LEWIS. I can assure the Senator, if I may be pardoned for just a second, that the Surgeon General assured me, and assured the committee of which I was a member, that every effort is being made by the department for the very cooperation to which the Senator refers, and every attention possible that our Government can give is being given to remedy just such instances as the Senator has pointed out.

Mr. SWANSON and Mr. REED addressed the Chair.

The VICE PRESIDENT. The Senator from Louisiana will have to take charge of the floor.

Mr. RANSDELL. I yield to the Senator from Virginia.

Mr. SWANSON. Mr. President, I will say to the Senator that the purpose of this reference is to let the Committee on Public Buildings and Grounds ascertain from the authorities of the Soldiers' Home, of the Army and Navy hospitals, and of the public buildings that are now being constructed what buildings are immediately available for hospital purposes. This inquiry can be made more quickly and more effectively now than if it is delayed. It seems to me that the only committee for this bill to be referred to is to the Committee on Public Buildings and Grounds, which could report it back in a few days. I want to say that the Senator from Missouri [Mr. REED], the chairman of that committee, is one of the most active and energetic Members of this body. The purpose of this reference is for that committee to investigate what buildings at present constructed and in course of construction can be availed of for that purpose, to make a report, and to have them turned over to the Public Health Service by legislation, so that the buildings can be utilized for this purpose. That is the only purpose of the reference. Buildings at present constructed that can be utilized for that purpose will give more speedy relief than the construction of new buildings.

Mr. MARTIN of Virginia. Mr. President, will the Senator yield to me for just one sentence?

Mr. RANSDELL. I yield to the Senator from Virginia.

Mr. MARTIN of Virginia. I note that my colleague says that some legislation may be needed. In that connection I desire to say that the Appropriations Committee has inserted in the pending legislative, executive, and judicial appropriation bill a provision creating a commission to assign space in public buildings to all of the activities of the Government, so that when this matter goes to the Committee on Public Buildings and Grounds they can call in this commission, if the provision to which I refer is adopted—and it is so worthy that I can not see how it can fail—and this commission on public buildings and grounds can assign space. If there be any space in any public building that can be utilized for hospital purposes it need not call for legislation, but the commission on public buildings and grounds can assign to these hospital purposes such space as the Government has that is suitable for the purpose.

Mr. FRELINGHUYSEN. Mr. President——

Mr. RANSDELL. I yield to the Senator from New Jersey.

Mr. FRELINGHUYSEN. I will say to the Senator from Virginia that I am not opposing the reference of this bill to the Committee on Public Buildings and Grounds, because I believe it would be a good thing; but, if it is practical, I think that not only the Public Health Committee but also the Public Buildings and Grounds Committee should meet jointly and take up the question. Otherwise there will be apt to be conflicts.

Mr. RANSDELL. Mr. President, if the Committee on Public Buildings and Grounds want the assistance of the Public Health Committee, we shall be very glad to meet with them. We have gone more or less into the merits of the general proposition, which I do not think we ought to discuss here. Everybody seems to agree that the reference should be made to the Public Buildings and Grounds Committee, and I hope that order will be made.

The VICE PRESIDENT. That is what was done a while ago.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NELSON:

A bill (S. 5510) to provide for the construction of a public building at Duluth, Minn.; to the Committee on Public Buildings and Grounds.

By Mr. CHAMBERLAIN:

A bill (S. 5511) for the relief of the estate of the late Capt. Belvedere Brooks; to the Committee on Claims.

By Mr. HOLLIS:

A bill (S. 5512) to amend the Federal farm-loan act, approved July 17, 1916; to the Committee on Banking and Currency.

By Mr. WEEKS:

A bill (S. 5513) authorizing the Secretary of War to donate to the town of Framingham, Mass., one German cannon or field-piece; and

A bill (S. 5514) authorizing the Secretary of War to donate to the city of Waltham, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. JONES of New Mexico:

A bill (S. 5515) providing for an additional judge for the district of New Mexico; to the Committee on the Judiciary.

A bill (S. 5516) to amend an act approved March 4, 1913, entitled "An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes"; to the Committee on Public Buildings and Grounds.

By Mr. SIMMONS:

A bill (S. 5517) to amend the war-risk insurance act; to the Committee on Finance.

By Mr. GORE:

A bill (S. 5518) to provide that the United States shall cooperate with the States in promoting the health of the rural population of the United States, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. POMERENE:

A bill (S. 5519) granting an increase of pension to Daniel C. Darlington; and

A bill (S. 5520) granting a pension to Mary A. Lake; to the Committee on Pensions.

By Mr. McKELLAR (for Mr. SHIELDS):

A bill (S. 5521) granting a pension to Jane Roberts; and

A bill (S. 5522) granting an increase of pension to C. F. Boyer (with accompanying papers); to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. JONES of Washington submitted an amendment proposing to appropriate $100,000 to enable the Secretary of the Interior to combat the influenza in Alaska and to afford relief to the indigent natives, etc., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to appropriate $100,000 for beginning the construction of the Toppenish and Simcoe Creeks irrigation project, Yakima Indian Reservation, Wash., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

ABROGATION OF TREATIES.

Mr. JONES of Washington. Mr. President, nearly two months ago—in fact, on December 5—the Senate adopted a resolution calling on the Secretary of State for information as to what countries had notified this country of the abrogation of treaties that they may have with the United States, and also countries with which the United States has treaties that would interfere with our passing certain legislation with reference to discriminating duties. It does not seem to me that it ought to take two months to gather the information called for by that resolution; but it has been two months since the Senate adopted the resolution and no response has been received. I submit a further resolution on the subject and ask for its adoption.

The VICE PRESIDENT. The Secretary will read the resolution.

The resolution (S. Res. 436) was read, as follows:

Resolved, That the Secretary of State be, and he is hereby, directed to furnish the information called for by the Senate resolution of December 5, 1918, or inform the Senate why it can not be furnished.

Mr. THOMAS. Mr. President, I wish to inquire of the Senator whether that resolution should not be directed to the President instead of to the Secretary of State?

Mr. JONES of Washington. I suppose the Secretary of State is the custodian of all these treaties.

Mr. THOMAS. Yes. Of course the Senator knows, however, that the Department of State is organized under a law that is entirely different from that under which any other department is organized. The President is the head of it, and I think it is for him to pass upon these matters.

Mr. JONES of Washington. Of course the Secretary can report and state why he can not furnish this information.

Mr. THOMAS. I do not object to it.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

The resolution was considered by unanimous consent and agreed to.

THE MERCHANT MARINE.

Mr. CALDER submitted the following resolution (S. Res. 435), which was read, considered by unanimous consent, and agreed to:

Whereas a United States merchant marine is of prime importance to this country, not only because of the commercial value in itself of the shipping industry, with shipbuilding and other dependent industries and pursuits, but also because of its influence on our foreign trade and the power of foreign shipping to discriminate against the same, if we are dependent on such shipping, and because of the immediate necessity for a merchant marine in time of national emergency, which it may not be possible to supply in time to avert grave disaster; and

Whereas the Government, as a war measure, has greatly enlarged the shipbuilding facilities and embarked on a shipbuilding program at enormous expense, and this expense should be discontinued and measures taken to make such salvage as is reasonably practicable, unless it is possible to establish a merchant marine on a sound basis which can ultimately absorb the same; and

Whereas, in the final analysis, our ability to maintain a merchant marine in foreign trade upon a sound basis depends on the difference in cost of operation in favor of foreign ships and whether such difference can be obviated or offset: Now, therefore, be it

Resolved, That the Committee on Commerce be, and hereby is, directed to investigate the difference in cost of operation of vessels of the United States in foreign trade as compared with those of the other principal maritime nations, as now prevailing and as likely to prevail in normal times, with the causes thereof, and to report the results to the Senate.

WOMAN SUFFRAGE.

Mr. JONES of New Mexico. Mr. President, I desire to announce that, by authorization of the Committee on Woman Suffrage, on next Monday I shall move to take up for consideration the woman-suffrage amendment to the Constitution.

THE CENSUS.

Mr. SHEPPARD. I submit the conference report on the census bill, and ask that it be printed in the RECORD. I shall call the report up for consideration the first opportunity.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 24, 27, and 28.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 4, 5, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 29, 30, 31, 32, 33, 34, 35, 36, 37, and 38, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"That a census of the population, agriculture, manufactures, forestry and forest products, and mines and quarries of the United States shall be taken by the Director of the Census in the year 1920 and every 10 years thereafter. The census herein provided for shall include each State, the District of Columbia, Alaska, Hawaii, and Porto Rico. A census of Guam and Samoa shall be taken in the same year by the respective governors of said islands and a census of the Panama Canal Zone by the Governor of the Canal Zone, in accordance with plans prescribed or approved by the Director of the Census."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following: "$5,000; the chief clerk and three chief statisticians for the divisions of population, manufactures, and agriculture, respectively, $4,000 each; three"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out insert the following: "for the divisions of vital statistics and statistics of cities, and the chief statistician provided for in section 3 of this act, $3,000 each"; also, on page 4, line 9, of the engrossed bill, strike out the word "and"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate, insert the following: "$3,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate, insert the following: "subject to the approval of the United States Civil Service Commission, these"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate, insert the following: "applicants claim to have"; also, on page 6, line 16, of the engrossed bill strike out the word "or" where it occurs the first time and insert the word "of"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate, insert the following:

"*And provided further*, That in the selection of the additional clerks and employees provided for by section 6 the Director of the Census is authorized to use, so far as practicable, the reemployment registers established by Executive order of November 29, 1918, so far as the same applies to permanent appointments by competition."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"SEC. 8. That the Fourteenth Census shall be restricted to inquiries relating to population, to agriculture, to manufactures, to forestry and forest products, and to mines and quarries. The schedules relating to population shall include for each inhabitant the name, place of abode, relationship to head of family, color, sex, age, conjugal condition, place of birth, place of birth of parents, nationality or mother tongue of all persons born in

foreign countries, nationality or mother tongue of parents of foreign birth, number of years in the United States, citizenship, occupation, whether or not employer or employee, whether or not engaged in agriculture, school attendance, literacy, tenure of home and the encumbrance thereon, and the name and address of each blind or deaf and dumb person.

"The schedules relating to agriculture shall include name, color, sex, and country of birth of occupant of each farm, tenure, acreage of farm, acreage of woodland, value of farm and improvements, and the encumbrance thereon, value of farm implements, number of live stock on farms, ranges, and elsewhere, and the acreage of crops and the quantities of crops and other farm products for the year ending December 31 next preceding the enumeration. Inquiries shall be made as to the quantity of land reclaimed by irrigation and drainage and the crops produced, also as to the location and character of irrigation and drainage enterprises and the capital invested in such enterprises.

"The schedules of inquiries relating to manufactures, to forestry and forest products, and to mines and quarries shall include the name and location of each establishment; character of organization, whether individual, corporate, or other form; character of business or kind of goods manufactured; amount of capital actually invested; number of proprietors, firm members, copartners and officers, and the amount of their salaries; number of employees and the amount of their wages; quantity and cost of materials used in manufactures; principal miscellaneous expenses; quantity and value of products; time in operation during the year; character and quantity of power used; and character and number of machines employed.

"The census of manufactures, of forestry and forest products, and of mines and quarries shall relate to the year ending December 31, next preceding the enumeration of population, and shall be confined to manufacturing establishments and mines and quarries which were in active operation during all or a portion of that year. The census of manufactures shall furthermore be confined to manufacturing establishments conducted under what is known as the factory system, exclusive of the so-called neighborhood, household, and hand industries.

"Whenever he shall deem it expedient, the Director of the Census may charge the collection of these statistics upon special agents or upon detailed employees, to be employed without respect to locality.

"The number, form, and subdivision of inquiries provided for in section 8 shall be determined by the Director of the Census."

And the Senate agree to the same.

MORRIS SHEPPARD,
H. F. ASHURST,
Managers on the part of the Senate.

W. C. HOUSTON,
J. B. ASWELL,
CHARLES A. NICHOLS,
Managers on the part of the House.

HOUSE BILLS REFERRED.

H. R. 15018. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920, was read twice by its title and referred to the Committee on Agriculture and Forestry.

H. R. 13219. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1920, and for other purposes, was read twice by its title and referred to the Committee on Pensions.

LEGISLATIVE, ETC., APPROPRIATIONS.

Mr. UNDERWOOD. Mr. President, is the morning business closed?

The VICE PRESIDENT. Not yet. Is there any further morning business? [A pause.] The morning business is closed. The calendar, under Rule VIII, is in order.

Mr. UNDERWOOD. Mr. President, I know it is subject to a point of order to interfere with the calendar; but the legislative, executive, and judicial appropriation bill is on the calendar, and I think it will take a very short time to pass it. There are not many amendments. It is of great importance that it should be disposed of at an early hour; and I ask unanimous consent for the immediate consideration of the legislative bill.

Mr. SWANSON. Mr. President, I should like to ask the Senator if he purposes to let it interfere with the Post Office bill?

Mr. UNDERWOOD. No; not unless the chairman will consent when it comes up. I think the legislative bill can be finished before 2 o'clock.

Mr. SWANSON. At 2 o'clock the Senator does not purpose to request that the consideration of the legislative bill be continued?

Mr. UNDERWOOD. If we are within a few minutes of finishing it, I will ask the chairman's permission to complete it.

Mr. SWANSON. Oh, I shall not object to that; but the Senator will not interfere seriously with the Post Office appropriation bill?

Mr. UNDERWOOD. No; I will not interfere seriously.

Mr. SHEPPARD. Mr. President, I had intended to object, as I have heretofore announced, to any interference with Calendar Monday, but on account of the very great importance of this particular bill, I shall make no objection.

Mr. UNDERWOOD. I thank the Senator.

The VICE PRESIDENT. Is there any objection to the request of the Senator from Alabama?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. UNDERWOOD. Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed with and that the Secretary may read the bill for amendments, the committee amendments to be first considered.

The VICE PRESIDENT. Is there any objection? The Chair hears none.

Mr. POMERENE. Mr. President, out of deference to the wishes expressed by certain members of the Appropriations Committee, I have consented to having this matter taken up. I had intended to call up the Michigan election resolution this morning. I will not do that now, but it will be my purpose to call it up to-morrow morning at the close of morning business.

Mr. UNDERWOOD. I thank the Senator.

Mr. KING. Mr. President, does the Senator's request contemplate that there shall be no reading of the bill at all?

Mr. UNDERWOOD. No; the bill will be read, but the formal reading of the bill will be dispensed with, which is usually done with appropriation bills; and then the bill will be read for amendment. I ask, however, that the committee amendments be given prior consideration.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the head "Legislative," subhead "Senate," on page 2, line 15, before the word "minute," to strike out "financial clerk"; in line 16, after "$3,000," strike out "executive clerk, and assistant financial clerk, at $2,750 each" and insert "financial clerk, $3,000; assistant financial clerk and printing clerk, at $3,000 each; executive clerk, $2,750"; in line 20, before the word "assistant," to insert "and"; in the same line, after the word "clerk," to strike out "and printing clerk"; and on page 3, line 4, after the words "in all," to strike out "$94,410" and insert "$95,760," so as to make the clause read:

Office of Secretary: Secretary of the Senate, including compensation as disbursing officer of salaries of Senators and of contingent fund of the Senate, $6,500; assistant secretary, Henry M. Rose, $5,000; chief clerk, $3,250; minute and Journal clerk, principal clerk, and enrolling clerk, at $3,000 each; reading clerk, $3,000; financial clerk, $3,000; assistant financial clerk and printing clerk, at $3,000 each; executive clerk, $2,750; librarian, file clerk, chief bookkeeper, and assistant Journal clerk, at $2,500 each; first assistant librarian, and keeper of stationery, at $2,400 each; assistant librarian, $1,800; skilled laborer, $1,200; clerks—3 at $2,500 each, 4 at $2,220 each, 2 at $2,100 each, 1 $1,800, 2 at $1,600 each, 1 $1,440; assistant keeper of stationery, $2,000; assistant in stationery room, $1,200; messenger, $1,440; assistant messenger, $1,200; laborers—3 at $840 each, 3 at $720 each, 1 in stationery room, $720; in all $95,760.

The amendment was agreed to.

The next amendment was, on page 3, line 9, after the word "Committees," to strike out:

Additional accommodations for the Library of Congress—clerk $2,220, assistant clerk $1,440, messenger $1,200; Agriculture and Forestry—clerk $2,500, assistant clerk $1,800, messenger $1,440; Appropriations—clerk $4,000, two assistant clerks at $2,500 each, two assistant clerks at $1,440 each, messenger $1,440, laborer $720; To Audit and Control the Contingent Expenses of the Senate—clerk $2,500, assistant clerk $1,440, messenger $1,200; Banking and Currency—clerk $3,000, assistant clerk $1,800, assistant clerk $1,440, messenger $1,200; Canadian Relations—clerk $2,220, assistant clerk $1,440, messenger $1,200; Census—clerk $2,220 assistant clerk $1,440, messenger $1,200; Civil Service and Retrenchment—clerk $2,220, assistant clerk $1,440, messenger $1,200; Claims—clerk $2,500, assistant clerk $2,000, assistant clerk $1,440, messenger $1,440; Coast and Insular Survey—clerk $2,220, assistant clerk $1,440, messenger $1,200; Coast Defenses—clerk $2,220, assistant clerk $1,440, messenger $1,200; Commerce—clerk $2,500, assistant clerk $2,220, assistant clerk $1,800, messenger $1,440; conference minority of the Senate—clerk $2,220, assistant clerk $1,800, two messengers at $1,200 each; Conservation of National Resources—clerk $2,220, assistant clerk $1,440, messenger $1,200; Corporations Organized in the District of Columbia—clerk $2,200, assistant clerk $1,440, messenger $1,200; Cuban Relations—clerk $2,220, assistant clerk $1,440, messenger $1,200; Disposition of Useless Papers in the Executive Departments—clerk $2,220, assistant clerk $1,440, messenger $1,200; District of Columbia—clerk $2,500, assistant clerk $1,800, messenger $1,440; Education and Labor—clerk $2,220, assistant clerk $1,800, messenger $1,440; Engrossed Bills—clerk $2,220, assistant clerk $1,800,

messenger $1,200; Enrolled Bills—clerk $2,220, assistant clerk $1,440, messenger $1,200; to Examine the Several Branches of the Civil Service—clerk $2,220, assistant clerk $1,440, messenger $1,200; Expenditures in the Department of Agriculture—clerk $2,200, assistant clerk $1,440, messenger $1,200; Expenditures in the Department of Commerce—clerk $2,220, assistant clerk $1,440, messenger $1,200; Expenditures in the Interior Department—clerk $2,220, assistant clerk $1,800, messenger $1,200; Expenditures in the Department of Justice—clerk $2,220, assistant clerk $1,440, messenger $1,440; Expenditures in the Department of Labor—clerk $2,220, assistant clerk $1,440, messenger $1,200; Expenditures in the Navy Department—clerk $2,220, assistant clerk $1,440, messenger $1,200; Expenditures in the Post Office Department—clerk $2,220, assistant clerk $1,440, messenger $1,200; Expenditures in the Department of State—clerk $2,220, assistant clerk $1,440, messenger $1,200; Expenditures in the Treasury Department—clerk $2,220, assistant clerk $1,440, messenger $1,200; Expenditures in the War Department—clerk $2,220, assistant clerk $1,440, messenger $1,200; Finance—clerk $3,000, assistant clerk $2,220, assistant clerk $1,600, assistant clerk $1,440, messenger $1,440, two experts (one for the majority and one for the minority) at $2,000 each; Fisheries—clerk $2,220, assistant clerk $1,440, messenger $1,440; Five Civilized Tribes of Indians—clerk $2,220, assistant clerk $1,440, messenger $1,200; Foreign Relations—clerk $3,000, assistant clerk $2,220, messenger $1,440; Forest Reservations and the Protection of Game—clerk $2,220, assistant clerk $1,440, messenger $1,200; Geological Survey—clerk $2,220, assistant clerk $1,440, messenger $1,200; Immigration—clerk $2,220, assistant clerk $1,800, messenger $1,440; Indian Affairs—clerk $2,500, assistant clerk $1,440, messenger $1,440; Indian Depredations—clerk $2,220, assistant clerk $1,440, messenger $1,200; Industrial Expositions—clerk $2,220, assistant clerk $1,440, messenger $1,200; Interoceanic Canals—clerk $2,500, assistant clerk $1,800, messenger $1,200; Interstate Commerce—clerk $2,500, two assistant clerks at $1,800 each, messenger $1,440; to Investigate Trespassers Upon Indian Lands—clerk $2,220, assistant clerk $1,440, messenger $1,200; Irrigation and Reclamation of Arid Lands—clerk $2,220, assistant clerk $1,440, messenger $1,200; Judiciary—clerk $2,500, assistant clerk $2,220, two assistant clerks at $1,800 each, messenger $1,440; Joint Committee on the Library—clerk $2,500, assistant clerk $1,440, messenger $1,200; Manufactures—clerk $2,500, assistant clerk $1,440, messenger $1,440; Military Affairs—clerk $2,500, assistant clerk $2,220, assistant clerk $1,440, messenger $1,200; Mines and Mining—clerk $2,220, assistant clerk $1,440, messenger $1,200; Mississippi River and Its Tributaries—clerk $2,220, assistant clerk $1,440, messenger $1,200; National Banks—clerk $2,220, assistant clerk $1,440, messenger $1,200; Naval Affairs—clerk $2,500, assistant clerk $2,220, assistant clerk $1,440, messenger $1,440; Pacific Islands and Porto Rico—clerk $2,220, assistant clerk $1,800, messenger $1,440; Pacific Railroads—clerk $2,220, assistant clerk $1,440, messenger $1,200; Patents—clerk $2,220, assistant clerk $1,440, messenger $1,200; Pensions—clerk $2,500, assistant clerk $1,800, three assistant clerks at $1,440 each, messenger $1,440; Philippines—clerk $2,220, assistant clerk $1,800, messenger $1,440; Post Offices and Post Roads—clerk $2,500, assistant clerk $2,000, two assistant clerks at $1,440 each, messenger $1,440; Printing—clerk $2,220, assistant clerk $1,800, messenger $1,440; Private Land Claims—clerk $2,220, assistant clerk $1,800, messenger $1,200; Privileges and Elections—clerk $2,220, assistant clerk $1,440, messenger $1,440; Public Buildings and Grounds—clerk $2,500, assistant clerk $1,440, messenger $1,440; Public Health and National Quarantine—clerk $2,220, assistant clerk $1,440, messenger $1,200; Public Lands—clerk $2,500, assistant clerk $1,800, assistant clerk $1,440, messenger $1,200; Railroads—clerk $2,220, assistant clerk $1,440, messenger $1,200; Revolutionary Claims—clerk $2,220, assistant clerk $1,440, messenger $1,200; Rules—clerk $2,720 (to include full compensation for the preparation biennially of the Senate Manual, under the direction of the Committee on Rules), assistant clerk $1,800, messenger $1,440; Standards, Weights and Measures—clerk $2,220, assistant clerk $1,440, messenger $1,200; Territories—clerk $2,220, assistant clerk $1,440, messenger $1,440; Transportation and Sale of Meat Products—clerk $2,220, assistant clerk $1,440, messenger $1,200; Transportation Routes to the Seaboard—clerk $2,220, assistant clerk $1,440, messenger $1,200; University of the United States—clerk $2,220, assistant clerk $1,440, messenger $1,200; Woman Suffrage—clerk $2,220, assistant clerk $1,440, messenger $1,200; in all, $428,800.

And to insert——

Mr. KENYON. Mr. President, I should like to ask the Senator having charge of this bill about some of these provisions as to clerks and assistant clerks.

All of the assistant clerks to the committees enumerated on pages 8 and 9 seem to draw a salary of $1,800, except in the case of four committees. These four are Indian Affairs, Manufactures, Privileges and Elections, and Public Buildings and Grounds. Those assistant clerks draw salaries of $1,500 a year.

I observe, for instance, the Committee on Pacific Islands and Porto Rico. The assistant clerk there draws a salary of $1,800 a year. I suppose that committee has not had a meeting for years. In the case of the Committee on Privileges and Elections, which is a very busy committee, and will be busy during the next session, the assistant clerk draws a salary of $1,500 a year. In the case of the Indian Affairs Committee, which is always a busy committee, the assistant clerk draws $1,440 a year; and, as I have said, the assistant clerk of the Committee on Pacific Islands and Porto Rico draws $1,800. Now, where is the fairness of that?

Mr. POINDEXTER. Mr. President, I have not considered the matter of the discrepancy in the salary of the different clerks, to which the Senator has referred, and I do not care to go into that; but I should like to correct his remark in regard to the Committee on Pacific Islands and Porto Rico itself. I am not the chairman of the committee, and I notice that the chairman is not here. I am a member of the committee, however; and I will say to the Senator that it has frequent meetings and considers a number of very important measures.

Mr. KENYON. I am glad to be advised of that, and I will withdraw my statement about it. I had understood that it had not had a meeting for some time. The Committee on Privileges and Elections, the Committee on Indian Affairs, and the Committee on Manufactures certainly have had as many meetings, if not more, than the Committee on Pacific Islands and Porto Rico. The assistant clerk of the Committee on Interoceanic Canals receives $1,800. I am simply calling attention to this for the purpose of emphasizing the fact that it is not fair that the assistant clerk doing the same amount of work for one committee as the assistant clerk of some other committee shall be paid a less salary. I do not think that can be justified.

Mr. UNDERWOOD. I may say to the Senator that this amendment is what is known as the Jones amendment. It was offered by the Senator from Washington [Mr. JONES] some years ago, and at various times has been considered by the Appropriations Committee.

I will state the purpose of the amendment, as I understand it. I am not the originator of it, but the purpose is, as far as possible, to equalize these salaries, except as to the big committees, like Appropriations, Finance, Naval Affairs, and Military Affairs, where it was necessary to have higher salaries and more men. But in accomplishing that result the proponent of the amendment did not make an effort to change any of the higher committees, but he attempted to put the clerks of all the smaller committees and the clerks of Senators who had no committees on the same basis.

I think if the Senator will examine the record he will find the cases he referred to carry, under the existing law, as it is written to-day, the same discrimination. As to why that discrimination should be there I do not know, because it was put in long years ago in the Senate before I came in contact with the situation.

Mr. KENYON. That is hardly an argument, however, in its favor.

Mr. UNDERWOOD. No; the only argument for offering any change was that the committee are trying to work out a reform that would give the opportunity hereafter for the Rules Committee because we did not have jurisdiction. It was to give the Rules Committee an opportunity to dispense with a lot of committees that really do not function and at the same time to provide a sufficient clerical force for each Senator to do business. This amendment is intended in the main to relate to the minor committees and the clerks of Senators who have no committees. It was not the purpose to disturb the main committees in the bill, and with a few exceptions they have not been disturbed. The discrimination the Senator spoke of was not made by the proponents of the measure or by the committee; it was already in the law.

Mr. KENYON. I call the Senator's attention to the Philippines Committee. There the assistant clerk gets $1,800 and that committee has not had a meeting for two or three years at least unless to pass on certain nominations. Its work has not been equal to that of the Committee on Privileges and Elections and will not be.

Mr. POMERENE. Mr. President——

Mr. KENYON. All these salaries ought either to be put at $1,800 or reduced to $1,500.

Mr. UNDERWOOD. Of course, I would not say that all through the bill they ought to be made that way, because some of the larger committees must have additional clerks.

Mr. KENYON. But as to committees of similar power and rank.

Mr. UNDERWOOD. I will state to the Senator the reason why the committee did not change it. It was not as he has said that there is any logic or reason for it, except we ran up against an existing condition and we did not change it. If the Senator wishes to make a change I have no desire to oppose it.

Mr. POMERENE. On line 18, page 9, I move to strike out the numeral "$1,500" and insert in lieu thereof "$1,800." That relates to the assistant clerk of the Committee on Privileges and Elections.

If I may say just a word with regard to this matter, I know something of the work that committee has had to do in the past and something of the work it will have to do in the future. It is my experience, and I have no doubt it is the experience of other Senators, that these clerks in their offices work longer hours and work harder than do the clerks generally in the various departments, and I think it is no more than just that this salary should be increased.

Mr. UNDERWOOD. I ask the Secretary to read the amendment before we consider amendments to it.

Mr. NELSON. Will the Senator from Alabama yield to me?

Mr. UNDERWOOD. I will.

Mr. NELSON. I wish to call the Senator's attention to the fact that in this amendatory list you utterly omitted, as far as I can see, the Committee on Private Land Claims.

Mr. UNDERWOOD. On the face of it we have, but as a matter of fact we have not, because we have changed no committees or grouped no committees, but we have provided that outside of the committees named in the bill in the case of every other committee that is now provided for by the rules of the Senate the clerk of the committee shall get $2,500, the assistant clerk $1,500, and the messenger $1,200. So that committee is provided for in general terms, although not named in the bill.

Mr. SMOOT. If the Senator from Minnesota will look at the top of page 10 he will find that there are 79 clerks, at $2,500 each; 79 assistant clerks, at $1,500 each; and 79 messengers, at $1,200 each, provided for. That covers all the committees not enumerated in the committee amendment, and an additional 10 committees. Those 10 committees are added to take care of the committees of Senators whose terms will expire on the 4th day of March and who will have to continue work until the reorganization of committees takes place in the next Congress. I think that 10 will cover that number and take care of it. In case all the committees not enumerated in the Senate committee amendment the clerks get $2,500, the assistant clerks $1,500, and the messengers $1,200.

The VICE PRESIDENT. The Secretary will read the amendment of the committee.

Mr. SHEPPARD. I desire to ask the Senator in charge of the bill why the Census Committee was omitted from the enumeration?

Mr. UNDERWOOD. The clerk and assistant clerk of the Census Committee get, under the terms of the bill, more than they got under the old law.

Mr. SHEPPARD. I understand; but why was the omission made by the committee?

Mr. UNDERWOOD. Because we mentioned only certain specific committees in the salary list that did not come within the general rule. The general rule provides that all clerks of committees not mentioned on this page shall get $2,500, the assistant clerks $1,500, and the messengers $1,200. At the present time the Census Committee clerk gets $2,220, and the assistant clerk $1,440, and the messenger $1,200. Under the terms of this bill the clerk will get $2,500, the assistant clerk $1,500, and the messenger, $1,200. So the Census Committee is better taken care of by this amendment than it was under the old law. It is simply not mentioned in specific terms; that is all.

The Secretary proceeded to read the amendment of the committee, and was interrupted by,

Mr. ASHURST. In reference to the committee amendment on line 23 for the Committee on Indian Affairs, the amendment provides that the clerk shall receive $2,500, the assistant clerk $1,440, and the messenger $1,440. Of course, my official duty as chairman of the Committee on Indian Affairs will go into the basket on the 4th of March; I will be decapitated; and the clerk who has been employed under my suggestion will not benefit from this raise, but it is a most glaring inequality.

Mr. SMOOT. I will say to the Senator that that was an oversight on the part of the committee.

Mr. ASHURST. I beg the Senator's pardon.

Mr. SMOOT. The only reason why it was put in so was because the salary of the messenger of that committee was $1,440, instead of $1,200, as provided for the other committees, for if it had not been it would have fallen in the 79.

Mr. UNDERWOOD. I will say to the Senator from Arizona that there were three mistakes that we made in drawing the amendment, and when the Secretary gets through with reading it I shall offer them, and then this matter will come up.

Mr. ASHURST. I will wait then.

Mr. UNDERWOOD. Really, I intended to offer the amendment the Senator suggested, making the salary of the assistant clerk $1,500, because it was a mistake. Then there was left out the assistant clerk of the Committee on Military Affairs. That was left out by inadvertance, and also a change that the House made in reference to the Committee on Naval Affairs was not called to the committee's attention.

Mr. SMOOT. Those were paid from the contingent fund of the Senate and not directly appropriated for by the House last year.

Mr. UNDERWOOD. The clerk informs me that they were appropriated for in the bill.

Mr. ASHURST. I merely wish to emphasize the importance of the work of the assistant clerk. As I said, I will no longer be chairman of the Committee on Indian Affairs after the 4th of March. Some other Senator now in the minority will be chairman. It is not fair to pay the assistant clerk of the Committee on Indian Affairs $1,440 or $1,500 a year, because that committee has only three employees whereas the Committee on Public Lands has four employees. I do not wish to make any invidious distinction, but the Committee on Indian Affairs gets out an appropriation bill each year which carries eleven or twelve million dollars, and it has to do with $2,000,000,000 worth of property, embracing one hundred and fifty-odd reservations. I feel that a compensation of $1,800 for an assistant clerk of that committee is by no means too large.

The Committee on Education and Labor, presided over so well by the distinguished Senator from Georgia [Mr. SMITH], has an assistant clerk who gets $1,800, and I am sure that the work of the Committee on Indian Affairs is five times the volume of that before the Committee on Education and Labor. Yet I do not think that the assistant clerk of the Committee on Education and Labor is overpaid. In fact, he is a very competent and reliable man and earns $1,800 a year. I appeal to Senators now, though it can not affect the man whom I employed, to make the salary of the assistant clerk of the Committee on Indian Affairs $1,800 a year.

Mr. UNDERWOOD. I will say to the Senator, speaking for the committee, we will raise it to $1,500, where it belongs; but we can not do it until the Secretary concludes the reading of the amendment.

Mr. ASHURST. I am premature then, and I will sit down.

The SECRETARY. In lieu of the words stricken out, the Committee on Appropriations report to insert, beginning at line 4, page 8:

Agriculture and Forestry—clerk, $2,500; assistant clerk, $1,800; messenger, $1,440. Appropriations—clerk, $5,000; 2 assistant clerks, at $2,500 each; 2 assistant clerks, at $1,440 each; messenger, $1,440; laborer, $720. Banking and Currency—clerk, $3,000; assistant clerk, $1,800; assistant clerk, $1,440; messenger, $1,200. Claims—clerk, $2,500; assistant clerk, $2,000; assistant clerk, $1,440; messenger, $1,440. Commerce—clerk, $2,500; assistant clerk, $2,220; assistant clerk, $1,800; messenger, $1,440. Conference Minority of the Senate—clerk, $3,000; assistant clerk, $1,800; 2 messengers, at $1,200 each. District of Columbia—clerk, $2,500; assistant clerk, $1,800; messenger, $1,440. Education and Labor—clerk, $2,500; assistant clerk, $1,800; messenger, $1,440. Finance—clerk, $3,000; assistant clerk, $2,220; assistant clerk, $1,600; assistant clerk, $1,440; messenger, $1,440; 2 experts (1 for the majority and 1 for the minority), at $2,000 each. Foreign Relations—clerk, $3,000; assistant clerk, $2,220; messenger, $1,440. Immigration—clerk, $2,500; assistant clerk, $1,800; messenger, $1,440. Indian Affairs—clerk, $2,500; assistant clerk, $1,440; messenger, $1,440. Interoceanic Canals—clerk, $2,500; assistant clerk, $1,800; messenger, $1,200. Interstate Commerce—clerk, $2,500; 2 assistant clerks, at $1,800 each; messenger, $1,440. Judiciary—clerk, $2,500; assistant clerk, $2,220; 2 assistant clerks, at $1,800 each; messenger, $1,440. Manufactures—clerk, $2,500; assistant clerk, $1,500; messenger, $1,440. Military Affairs—clerk, $2,500; assistant clerk, $2,220; assistant clerk, $1,440; messenger, $1,200. Naval Affairs—clerk, $2,500; assistant clerk, $1,800; assistant clerk, $1,440. Pacific Islands and Porto Rico—clerk, $2,500; assistant clerk, $1,800; messenger, $1,440. Pensions—clerk, $2,500; assistant clerk, $1,800; 3 assistant clerks, at $1,440 each; messenger, $1,440. Philippines—clerk, $2,500; assistant clerk, $1,800; messenger, $1,440. Post Offices and Post Roads—clerk, $2,500; assistant clerk, $2,000; 2 assistant clerks, at $1,440 each; messenger, $1,440. Printing—clerk, $2,500; assistant clerk, $1,800; messenger, $1,440. Privileges and Elections—clerk, $2,500; assistant clerk, $1,500; messenger, $1,440. Public Buildings and Grounds—clerk, $2,500; assistant clerk, $1,500; messenger, $1,440. Public Lands—clerk, $2,500; assistant clerk, $1,800; assistant clerk, $1,440; messenger, $1,200. Rules—clerk, $2,720, to include full compensation for the preparation biennially of the Senate Manual, under the direction of the Committee on Rules; assistant clerk, $1,800; messenger, $1,440; in all, $194,940.

Mr. SMITH of Georgia. I wish to ask the Senator in charge if he does not think it would be better, instead of saying 79 messengers, to say 79 assistant clerks? Scarcely a Senator uses a messenger; frequently it is a lady stenographer; and I really think that the title of assistant clerk is more appropriate than that of messenger.

Mr. UNDERWOOD. I will say to the Senator the committee did not wish to change the order of things where it did not affect the situation. I recognize the force of what the Senator says, but we have messengers, and we did not want to change it. If the Senator desires to offer the suggestion by way of an amendment, I have no objection.

Mr. SMITH of Georgia. I will do so because really they are not messengers; they are clerks. There is scarcely a Senator who uses one as a messenger, and I know the employees would rather be called clerks, because they are doing clerical work.

Mr. UNDERWOOD. I ask the Senator to allow me to offer several amendments first.

Mr. SMITH of Georgia. Certainly.

Mr. UNDERWOOD. I wish first to ask unanimous consent that the Clerk be authorized to adjust all totals in the bill.

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). Without objection, it is so ordered.

Mr. UNDERWOOD. On page 8, line 24, I move that the salary of the assistant clerk to the Committee on Indian Affairs be made $1,500 instead of $1,440. I offer this amendment to the amendment to correct a mistake.

The amendment to the amendment was agreed to.

Mr. UNDERWOOD. The committee overlooked another point. At present an assistant clerk during the period of the war, at $1,440, is provided for the Committee on Military Affairs. We were looking at the general legislation and not at the recent enactment and therefore we overlooked it. At the end of line 7, page 9, I move to insert "assistant clerk during the period of the war, $1,440."

The amendment to the amendment was agreed to.

Mr. UNDERWOOD. We also, in the same way, overlooked two other amendments. The present law provides for an assistant clerk to the Committee on Naval Affairs, at $2,220, and an additional messenger, at $1,440. On page 9, line 9, I move to strike out "$1,800" and insert "$2,220," and after "$1,440," on line 9, I move to insert a semicolon and the words "messenger, at $1,440."

The amendment to the amendment was agreed to.

Mr. UNDERWOOD. That is the end of the committee amendments to this amendment. If the Senator from Georgia desires to offer his amendment, he can do so now.

Mr. CURTIS. Do I understand that the Senator from Arizona is going to offer an amendment in line 24, page 8, to make the salary of the assistant clerk of the Committee on Indian Affairs $1,800?

Mr. ASHURST. Will the Senator in charge of the bill let me answer the question?

Mr. UNDERWOOD. I will.

Mr. ASHURST. As I stated when the Senator from Kansas was out of the Chamber, the assistant clerk of the Committee on Indian Affairs has been paid at the rate of $1,440 per annum, with the 10 per cent increase which all employees received for that period. It is my judgment, and I feel entirely unembarrassed in making this statement, because I will soon no longer be chairman, that if that clerk were paid $2,000 a year he would not be overpaid. In fact, $1,800 a year for that clerk is a modest salary and is not high.

I make no invidious comparison, but I wish to say that assistant clerks of other committees, which I do not think do the same amount of work, receive $1,800 a year, which is proper. Moreover, every other committee which handles an appropriation bill has an assistant clerk, who is paid $1,800. I think the record will bear me out in that statement.

I do not mean to exaggerate the importance of the committee over which I happen temporarily to be chairman, but I repeat, it handles an $11,000,000 appropriation bill every year; it has to do with $2,000,000,000 worth of property under its jurisdiction on Indian reservations; it has 153 Indian reservations, scattered in 27 or 28 States, and its volume of work is enormous, as Senators who are members of the committee will testify.

I respectfully submit that the assistant clerk of the committee ought to get $1,800 a year. I do not know who is going to get it, and I do not care, but whoever does get it, in my judgment, will earn it.

Mr. UNDERWOOD. I will say to the Senator that I think, now that we have adopted $1,500 as the salary in these cases, he will find that the salary of the assistant clerk of that committee is on a basis with the salary fixed at $1,500 in the bill as to a good many other committees of like importance.

Mr. ASHURST. Will the Senator from Alabama kindly tell me what other committee of "like importance" reports an appropriation bill providing for an expenditure of ten, eleven, or twelve million dollars; which has to deal with trust funds and with trust property which amount to two thousand million dollars; which has to do with questions of policy, and with very large questions of policy? I should like to know of another committee which has that much work and that much important work to do whose second man, whose assistant clerk, is only paid $1,500 per annum.

Let me repeat, here is the Committee on Public Lands, which is a very important committee, but which does not do any more work, and, in my judgment, does not do as much work, as does the Committee on Indian Affairs, and yet it has four—and it should have four—clerks, and the second clerk receives $1,800 a year. As to the Committee on Education and Labor, which is so well presided over by the Senator from Georgia [Mr. SMITH], their assistant clerk——

Mr. UNDERWOOD. If the Senator from Arizona will allow me to interrupt him, I desire to say that on a reexamination of the bill—the amendment was prepared by the Senator from Washington [Mr. JONES], and we were not attempting to equalize the salaries of any of these main clerks—I think the Senator is correct in stating that there is no committee having an appropriation bill in charge where its second clerk gets less than $1,800 a year.

Mr. SMOOT. I will say to the Senator that the second clerk of the Committee on Public Buildings and Grounds gets $1,500 a year.

Mr. UNDERWOOD. But among the bills reported by that committee there is no appropriation bill.

Mr. SMOOT. Quite often that committee does report appropriations.

Mr. UNDERWOOD. No; it is merely an authorization for appropriations.

Mr. ASHURST. I will venture the assertion that that committee does not meet once in three months; I will venture the assertion that it does not meet once in six months; and yet its second clerk gets $1,800 a year, and he should get it.

Mr. UNDERWOOD. I will say that I am not authorized by the committee to accept this amendment, and therefore I can not do it; but I am willing for the Senate to vote on it; and I am willing to admit that, outside of the Committee on Public Buildings and Grounds, which does not report general appropriation bills, the second clerks on committees reporting general appropriation bills do receive salaries not less than $1,800. So with that statement I will let the Senate decide the question.

Mr. ASHURST. Then, Mr. President, if in order at this time I will move an amendment——

The PRESIDING OFFICER. Before the Senator can do that he will have to move that the vote whereby the committee amendment was agreed to be reconsidered.

Mr. ASHURST. I make that motion.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ASHURST. Now, if in order, I move, on line 24, page 8, after the words "assistant clerk," to strike out the numerals "$1,440" and to insert "$1,800."

The PRESIDING OFFICER. The amendment proposed by the Senator from Arizona will be stated.

The SECRETARY. On page 8, line 24, after the words "assistant clerk," it is proposed to strike out "$1,440" and to insert "$1,800."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arizona to the amendment of the committee.

Mr. JONES of Washington. It has been stated that I prepared this amendment. It is true that it is known as my amendment, and yet in preparing the amendment I did not endeavor to correct all of the inequalities with reference to the clerks of committees. I tried that a few years ago and found that I could not get very far. So in the preparation of this amendment I tried to correct the inequalities in so far as I thought there was a chance to do it. I did not endeavor to correct any inequalities in the matter of the compensation of the clerks where, according to law, we have been carrying appropriations for them more than would be given by the amendment which I finally proposed.

There was a mistake, in my judgment, with reference to the assistant clerk of the Committee on Indian Affairs. I intended to make that salary $1,500, as I had done as to the others, but it has been carried all along in the laws heretofore at $1,440.

I think the Senator from Arizona is right with reference to the duties and responsibilities of the employees of the Indian Affairs Committee. While I am not a member of that committee, I have had a good deal to do with it and have been brought in contact with the work of that committee. I know that it is one of the hardest worked committees of the Senate, and I know its employees are worked all the time. So I think the amendment proposed by the Senator from Arizona is very fair and will correct one of the inequalities which I did not try to correct, except to place the assistant clerk on the same basis as the other assistant clerks by my amendment.

There may be other inequalities existing with reference to the clerks named in this amendment, but they are inequalities not created by my action at all, but created by the action of the Congress in heretofore providing larger compensation for the assistant clerk of one committee than for the assistant clerk of another of probably equal responsibility and equal duties.

I felt that I really ought to say this in justice to myself. As I have stated, I have not tried by my amendment now to correct all of these inequalities, as I tried that once and did not get anywhere. I found out that by trying to correct inequalities of a class I would get somewhere. I am also glad to see that the probabilities are that I will get further than I really expected to get, and that we shall on the floor of the Senate correct some more of these very glaring inequalities. I really think the amendment of the Senator from Arizona ought to be adopted.

The PRESIDING OFFICER. The question is on the adoption of the amendment of the Senator from Arizona to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. POMERENE. Mr. President, I now renew my former motion.

The PRESIDING OFFICER. The amendment proposed by the Senator from Ohio will be stated.

The SECRETARY. On page 9, line 18, after the words "assistant clerk," it is proposed to strike out "$1,500" and to insert "$1,800."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Ohio to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. KENYON. Mr. President, I desire to offer an amendment. It seems to me that other inequalities in this bill ought to be corrected. Therefore, on page 9, line 7, after the words "assistant clerk," I move to strike out "$1,500" and to insert "$1,800."

The PRESIDING OFFICER. The question is on the amendment to the amendment proposed by the Senator from Iowa.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee as amended.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, at the top of page 10, to insert:

Clerical and other assistance to Senators: For clerical and other assistance to Senators who are not chairmen of the committees specifically provided for herein: Seventy-nine clerks at $2,500 each; 79 assistant clerks at $1,500 each; 79 messengers at $1,200 each; in all, $410,800: *Provided*, That such clerks, assistant clerks, and messengers shall be ex officio clerks, assistant clerks, and messengers of any committee of which their Senator is chairman.

Mr. SMITH of Georgia. Mr. President, I desire, in line 5, to move that the word "messengers" be stricken out. I take it for granted that I will not be the chairman of a committee in a short time, and I know I will not need a messenger, but I will need a stenographer. I need a clerk, an assistant clerk, and a stenographer. If I offer the place to some capable young man or lady, I know the designation "stenographer" would be more agreeable than that of "messenger." It tells at least what the employee does. We have messengers in the Senate; we have our messengers at the post office; we can call messengers from the Sergeant at Arms office to do our messenger work. The force provided for in this part of the bill is really to do our office work, and there should be provided a stenographer, not a messenger. I therefore move, in line 5, to strike out the word "messengers" and insert the word "stenographers."

Mr. SMOOT. Mr. President, I will ask the Senator not to insist upon the word "stenographers," but that he change it to "assistant clerks."

Mr. SMITH of Georgia. I would rather have it "assistant clerks."

Mr. SMOOT. That is the proper designation, because I know, as it developed in a discussion that we had when this matter was previously before the Senate, that there are only a few committees where the messenger is not a stenographer. We can simply strike out the word "messengers" and insert "assistant clerks."

Mr. SMITH of Georgia. I prefer the designation "assistant clerk," because that assistant clerk can be a stenographer and can do other work if necessary, such as that of a filing clerk. In my office I have employed, outside of the help allowed me, an assistant clerk who does filing and work of a similar character. I think the designation "assistant clerk" is a great deal better. The Senator from Washington [Mr. JONES] suggested that I make it "stenographers" instead of "messengers," but "assistant clerks" covers it, and I really think it a better designation. I therefore move that the word "messengers" be stricken out and the words "assistant clerks" be inserted.

The PRESIDING OFFICER. The amendment offered by the Senator from Georgia to the amendment reported by the committee will be stated.

The SECRETARY. On page 10, line 5, it is proposed to strike out the word "messengers" and insert in lieu thereof the words "assistant clerks."

Mr. LODGE. Mr. President, I hope that that change will be made. We have gone on now for years with this old designation of "messenger." I do not know why it was preferred, but perhaps it was thought to be less unpopular than the other designation. However, we might as well describe these employees correctly. I think they ought to be described correctly all through these provisions of the bill. We have made provision for messengers on many committees, where they ought to be assistant clerks. That is what they are; none of them are messengers, and they ought to be described properly throughout. I do not know how they are designated in other provisions, but I think they are described wrongfully everywhere.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia to the amendment reported by the committee.

The amendment to the amendment was agreed to.

Mr. SMITH of Georgia. In line 7, on page 10, the word "messengers" should be stricken out and the words "assistant clerks" inserted.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. On page 10, at the beginning of line 7, it is proposed to strike out the word "messengers" and insert the words "assistant clerks."

Mr. KIRBY. Mr. President, I should like to direct the Senator's attention to the fact that unless we say "second assistant clerks" we are going to have the appropriation of very doubtful and confused meaning.

Mr. UNDERWOOD. I do not think it is necessary to insert the word "second." We very frequently in appropriation bills provide for more than one assistant clerk.

Mr. KIRBY. Unless the amendment is changed, it would read "assistant clerks, and assistant clerks."

Mr. SMITH of Georgia. They are both assistant clerks, but at different salaries.

Mr. UNDERWOOD. Yes; one would have one salary and another a different salary.

Mr. SMOOT. If the Senator will read the bill, he will find three or four places where the words are used in the same way.

The PRESIDING OFFICER. The amendment offered by the Senator from Georgia will be stated.

The SECRETARY. On page 10, at the beginning of line 7, it is proposed to strike out the word "messengers," so as to read:

Provided, That such clerks and assistant clerks shall be ex officio clerks and assistant clerks of any committee of which their Senator is chairman.

The PRESIDING OFFICER. Without objection, the amendment to the amendment is agreed to.

Mr. JONES of Washington. Mr. President, before the amendment is agreed to I wish to say a word.

The PRESIDING OFFICER. Does the Senator from Washington object to the amendment?

Mr. JONES of Washington. No; but I want to say a word before it is adopted.

Mr. LODGE. The Senator from Washington is merely struggling to obtain recognition; that is all.

The PRESIDING OFFICER. The Chair will hear the Senator.

Mr. JONES of Washington. I merely wish to discuss the amendment for a moment. I have no objection to it.

The PRESIDING OFFICER. Without objection, the vote whereby the amendment to the amendment was agreed to will be reconsidered in order that the Senator from Washington may have an opportunity to be heard.

Mr. JONES of Washington. Mr. President, as I have said, I have no objection to the amendment to the amendment. I think it ought to be adopted. I would have put some provision of that kind in my suggested amendment, but I was afraid I might run counter to one of the hoary customs of the Senate or of Congress and have more difficulty than would otherwise be experienced. I think in the first amendment on this subject that I proposed a few years ago I eliminated messengers. As the Senator from Massachusetts [Mr. LODGE] has said, the messengers provided for the committees—most of them, at any rate—as a matter of fact are not messengers at all; they are not used as messengers, but they are used as clerks and stenographers; and the same thing is true with reference to the clerical force of Senators who are not chairmen of committees. So that I welcome the change made. The designation "assistant clerk" is entirely satisfactory to me. It corrects another one of the inequalities that I was afraid we might not be able to have corrected.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia to the amendment of the committee.

Mr. POMERENE and Mr. STERLING addressed the Chair.

Mr. POMERENE. I was trying to offer another amendment; but if the Senator from South Dakota desires to discuss the pending matter, I will yield to him.

Mr. STERLING. I should like to know how the provision will read, beginning in line 9. It will read, as I understand, "such clerks, assistant clerks, and assistant clerks."

The PRESIDING OFFICER. The Secretary will state the amendment of the committee as proposed to be amended.

The SECRETARY. As proposed to be amended, the paragraph will read:

Clerical and other assistance to Senators: For clerical and other assistance to Senators who are not chairmen of the committees specifically provided for herein: 79 clerks at $2,500 each, 79 assistant clerks at $1,500 each, 79 assistant clerks at $1,200 each; in all, $410,800: *Provided*, That such clerks and assistant clerks shall be ex officio clerks and assistant clerks of any committee of which their Senator is chairman.

Mr. STERLING. That is satisfactory.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Georgia to the amendment reported by the committee.

The amendment to the amendment was agreed to.

Mr. POMERENE. Mr. President——

Mr. SHEPPARD. Mr. President, will the Senator from Ohio allow me?

Mr. POMERENE. If the Senator is going to address himself to the pending amendment I yield to him. I was going to offer another amendment.

Mr. SHEPPARD. I desire to move to strike out the figures "$1,200," in line 5, and insert in lieu thereof "$1,440."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas to the committee amendment.

Mr. POMERENE. I was going to offer the same kind of an amendment, except I was going to make the amount $1,500.

Mr. SHEPPARD. Then I withdraw my amendment.

Mr. LODGE. At what point does the amendment come in?

Mr. POMERENE. I offer my amendment to come in on page 10, line 5.

The PRESIDING OFFICER. The amendment of the Senator from Ohio to the amendment of the committee will be stated.

The SECRETARY. On page 10, line 5, it is proposed to strike out "$1,200" and to insert "$1,500," so that it will read:

Seventy-nine assistant clerks at $1,500 each; 79 assistant clerks at $1,500 each.

Mr. POMERENE. Mr. President, I think I know something of the work which these employees have to perform. I know that in the case of a Senator from a State such as my own it is utterly impossible to do the necessary work with the limited help that is given here, and any man or woman who is capable of being a stenographer in a Senator's office earns $1,500. I do not think there should be any distinction at all as between the salaries of assistant clerks and stenographers, and I hope that the amendment will be adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Ohio to the amendment reported by the committee.

Mr. SMOOT. Mr. President, if the amendment is going to be adopted, of course the other portion of the amendment should be changed. Instead of "79" it ought to read "158 assistant clerks at $1,500 each" and the remainder of the clause stricken from the bill.

Mr. POMERENE. I have no objection to the amendment suggested by the Senator from Utah.

Mr. LODGE. That will put it in proper form.

Mr. SMOOT. Mr. President, I wish to say that I doubt the wisdom of giving both classes of assistant clerks exactly the same salary. There has always been a difference. So far as I am concerned, I will say to the Senator that the assistant clerk I have always used has been a man whom I employ for work in the departments. My messenger has always been a stenographer, and generally a lady stenographer, who never has to go outside of the room. When conditions require I use her for a filing clerk as well. There is quite a difference between the two employees, but under this provision they would receive the same salary, and there would be a great deal of dissatisfaction. I believe if we are going to make this change and make the salary of the second assistant clerk $1,500 then the first assistant clerk ought to receive more than $1,500, because there is an additional responsibility upon him, and he would be called upon to do more work than the other would have to do.

Mr. POMERENE. Mr. President, I recognize that there is some force in what the Senator says, but each Senator has it in his power to so classify the work of his office as to equalize the duties being performed according to the salary received. Now, I know a little about the Senator's office and the amount of work he does, and I dare say that with the $1,500 salary every clerk he has in his office will earn every dollar he or she gets. That is the way I feel about it in my office. Whether I am chairman of a committee or not is neither here nor there. I want to see these clerks reasonably well paid, and I think Senators ought to blush with shame because of the fact that they have been underpaid during the last several years.

Mr. SMOOT. All that I wanted to impress upon the Senator was that if we are going to have a $1,500 clerk instead of a $1,200 messenger, then by all means let us change the salary of $1,500 for the first one to $1,600 and have at least that much difference.

Mr. POMERENE. The Senator means, make the salary of the first one $1,600?

Mr. SMOOT. The first $1,600 and the second $1,500.

Mr. POMERENE. I will accept that amendment.

Mr. SMOOT. That is what ought to be done.

Mr. SMITH of Georgia. I think that is right.

The PRESIDING OFFICER. The Secretary will state the amendment of the Senator from Ohio, as modified, to the amendment of the committee.

The SECRETARY. On lines 4 and 5 of page 10 it is proposed to change the numerals so that it will read: "79 assistant clerks at $1,600 each," striking out "$1,500" and inserting "$1,600"; "79 assistant clerks at $1,500 each," striking out "$1,200" and inserting "$1,500."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Ohio to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. SMITH of Georgia. That carried both amendments—$1,600 and $1,500—did it not?

Mr. POMERENE. Yes.

The PRESIDING OFFICER. The question now is upon the amendment of the committee as amended.

The amendment as amended was agreed to.

Mr. SMOOT. Mr. President, before we leave this matter I think we ought to ask unanimous consent to reconsider the action on the former amendment, for that will have to be changed from beginning to end, not only as to the question of messengers but in many respects as to the clerks and the assistant clerks.

Mr. SUTHERLAND. Mr. President, I call the Senator's attention to the fact, too, that the gross amount there should be changed.

Mr. SMOOT. That has already been done by a motion of the chairman. I ask unanimous consent, Mr. President, that the vote whereby the Senate agreed to the amendment to which I have just referred may be reconsidered.

The PRESIDING OFFICER. Is there objection to the reconsideration?

Mr. UNDERWOOD. Mr. President, before we open that matter I should like to have the Senator present his amendment. I think we can agree by unanimous consent to what he wants without opening the whole thing again. I ask the Senator to let us go ahead with the bill, with the understanding that we will come back and take up this matter before we close. Then if he will make his suggestion I understand what he is after.

Mr. SMOOT. With that understanding, Mr. President, I will not press the matter at this time.

Mr. FERNALD. Mr. President, I move to increase the salary of the assistant clerk of the Committee on Public Buildings and Grounds from $1,500 to $1,800, the same as the other assistant clerks of committees.

Mr. UNDERWOOD. That provision has been disposed of for the present, but as it requires some other amendments that are not ready I ask that the section may go over until we finish the bill, and we will take it up then.

The PRESIDING OFFICER. Without objection, that will be done.

Mr. FERNALD. I should like to have the action on the amendment reconsidered, because I shall be out of the city at the time, and I am afraid it will get by.

Mr. UNDERWOOD. On account of the amendment to the salaries of assistant clerks the whole section will have to be changed, and when we reach it, which will be in a few hours anyway, we will make the changes to conform all along the line.

Mr. SMOOT. Mr. President, so that all of the Senators may understand the situation, and the Senator from Maine [Mr. FERNALD] in particular, I will state that the amendment on pages 8 and 9 has been agreed to, but it is understood that later in the consideration of the bill we will revert to it and make the changes that are absolutely necessary on account of the amendments that have already been adopted on page 10.

Mr. UNDERWOOD. That is, so as to make the changes necessary to make it conform to what we have already done; not opening it up generally.

The PRESIDING OFFICER. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 12, after line 4, to strike out:

For assistance to Senators who are not chairmen of committees, as follows: Thirty clerks, at $2,000 each; 30 assistant clerks, at $1,200 each; 30 messengers, at $1,200 each; in all, $132,000.

The amendment was agreed to.

The next amendment was, on page 13, line 8, after the word "labor," to strike out "$50,000" and insert "$100,000," so as to make the clause read:

For miscellaneous items, exclusive of labor, $100,000.

Mr. KING. Mr. President, I should like to ask the Senator what are the miscellaneous items for which the $100,000 is sought?

Mr. UNDERWOOD. I will say to the Senator that that increase is largely due to the number of funerals we have had in the Senate in the past year, and employees taken care of in the same way. There are other things involved, however.

Mr. KING. While I am on my feet, I should like to ask the Senator what provision has been made in lieu of the matter found in lines 5, 6, 7, and 8, page 12, which the committee has stricken out?

Mr. UNDERWOOD. It is taken care of in the other amendments back on pages 8, 9, and 10.

Mr. KING. I was out of the Chamber for the moment.

Mr. UNDERWOOD. On page 10 that proposition is taken care of; so that we struck out the usual provision with reference to assistant clerks to Senators, and put it back here with the general committee clerks. That is taken care of on page 10.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was continued to line 12, on page 21.

POST OFFICE APPROPRIATION.

The PRESIDING OFFICER (Mr. KING in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 13908) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

Mr. BANKHEAD. I ask that the bill be temporarily laid aside, and thus an opportunity will be given to continue the consideration of the legislative appropriation bill. I am compelled to attend a conference on the water-power bill at 2 o'clock, and therefore I ask that the unfinished business be temporarily laid aside.

The PRESIDING OFFICER. The Senator from Alabama asks unanimous consent that the unfinished business be temporarily laid aside. Is there any objection?

Mr. LODGE. That is for the purpose of continuing the legislative appropriation bill?

Mr. UNDERWOOD. Yes, sir.

The PRESIDING OFFICER. The Chair hears no objection.

Mr. UNDERWOOD. I understand that the legislative appropriation bill is before the Senate.

The PRESIDING OFFICER. It is before the Senate.

PEACE POLICIES.

Mr. HALE. I recall, Mr. President, that at the beginning of the war a great wave of patriotism swept over this country. Much as we dreaded war, it was felt by many of us that this patriotic spirit would do great things for our country; that made up, as we are, of a citizenship drawn from most of the other countries of the world, this spirit of patriotism brought on by the war would weld these peoples together and make good Americans of them all. To my mind this was one of the priceless advantages which I expected to see come to this country from our going into the war. Is this all to be lost?

Horace tells us,

Dulce et decorum est pro patria mori.
(It is sweet and glorious to die for one's country.)

What an odd sound that has in these days. Fifty-odd thousand American men have lost their lives in the great war—have lost their lives, we are now told, for humanity, for civilization, for the cause of the smaller nations, for world democracy—and not one, we are told, for his country. Patriotism as a virtue is relegated to the scrap heap. This, if I am not mistaken, is the message the President carries to an admiring world. The American soldier fought for no selfish purpose, for no national cause, but for abstract ideals of justice and of right for the world. For these ideals he fought, and for these ideals he died. The war is won, and the ideals for which we fought are to be realized. We alone of the nations fought for something greater and finer than for our country, and it is ours to dictate the peace terms to the world and the basis on which the world shall be run after the treaty of peace shall have been signed. True, as was shown in the debate recently, our losses in the war were less than one-twentieth of the losses of France or of Great Britain, but our aims were so much higher than the aims of the other nations that to us must it be given to be the arbitrators of the destiny of the world. And fearlessly and confidently and, I believe, in all sincerity the President goes about the mighty task.

And as in the war we fought for no selfish purpose, to avenge no wrongs done to us, to insure no special benefit to ourselves, so in the peace which is to follow the war we must have no selfish aim, must exact no special indemnity, must sacrifice any particular advantages that we as a Nation may have for the benefit of humanity in general. We have put our hands to the plow. There must be no turning back.

And yet, Mr. President, I recall that some of us in this Chamber voted to declare that a state of war existed with the Imperial German Government under the impression that the safety of this country was directly menaced by the German Empire. We believed that a victorious Germany, or even an unwhipped Germany, meant a future conflict for us, or, if not an actual conflict, at least it meant the turning of our country into an armed camp, to protect ourselves against the German menace. For no higher reason than this, I say, some of us voted for war. It seemed to us, if war with Germany was bound to come, that we were choosing a particularly opportune time to enter, when we had most of the civilized world fighting on our side, when Germany was to a considerable extent exhausted after more than two and a half years of bitter fighting with the allies. And the allies really had fought hard and well before we came into the war, even though they were fighting for no higher purpose than to preserve their own existence as nations. Later on, when we had to raise immense sums of money by taxation and by loan, some of us still clung to the same old beliefs about the purposes of the war. When we voted for the draft we felt that we were justified in forcing the young men of the country into the service because of the dire need of our country. We felt that we had the right to call on these men to sacrifice their lives for the United States of America, and for the United States of America alone. I know that I personally should not have felt justified in voting to draft these men into the Army to fight for humanity in general or for world democracy, or for any other purpose than the saving of our own country.

Mr. President, there is another class of men in this country who look at this war as some of us in the Senate have looked at it. I refer to the men in the Army and the Navy of the United States. I have talked with many officers and enlisted men who have served in this country and overseas, wounded men, men who have been crippled in their country's cause. I have yet to find one single man who claims that he was in the war to fight for any other cause than the cause of his country and to defeat the Hun. I have found no crusader spirit amongst any of the men with whom I have talked. On the contrary, I have found a strenuous objection on the part of these men to being considered crusaders. They are not the talkers. They are the men who have done the job, the men who have made possible the defeat of the central powers. All of the glory that comes to us through this war comes through their work, and their work alone. They knew for what they were fighting. They fought and they are entitled to be heard.

The issue comes squarely down to the question whether or not the people of this country went into this war and carried it through for the purposes proclaimed by the President. If the President is right, then let us make a peace that is in conformity with such humanitarian purposes, and in the future let us govern our actions toward the rest of the world in the spirit of sacrifice that these high and extremely unselfish purposes demand; but let us count the cost when we are doing so. We may have to surrender our sovereignty as a Nation; we may have to maintain armies in all parts of the world; we may have to finance and set upon their feet and sustain the less fortunate nations of the world. What does it matter? It is all in the program, and if that is what we fought for, we should be making but a poor showing as a Nation if we balked at any of these things. But is it what we fought for? On the other hand, if we fought primarily for this country and only incidentally for the rest of the world, now that we have practically accomplished our task in crushing the German menace, are we not justified in extricating ourselves in so far as it may be possible and as soon as it may be possible from the present international mix-up with the greatest possible advantage to ourselves as a Nation that is compatible with dignity and justice and a proper regard for the rights of others?

Mr. President, I do not wish to decry the work of the President of the United States. I have already given him credit for sincerity in his motives, but I believe that his ideals are not the ideals of the vast majority of the people of the United States. These ideals, it is fair to state, were expressed to the country during the progress of the war, and because they were not publicly turned down by the American people or by their Representatives in Congress the President considers that the American people are pledged to their fulfillment. Mr. President, the American people never understood the meaning or consequence of the ideals and policies of President Wilson. They were given out at a time when as Commander in Chief of the Armies of the country it was held universally to be an unpardonable sin to criticize the President of the United States. The wonderful catchwords and phrases of the President caught the ear of the people, but did not catch their understanding. That they were binding themselves to an irrevocable policy as a Nation, I venture to say, never occurred to any but the President's closest advisers. That the American people are bound by any of these statements of ideals or policy is to me inconceivable. They certainly never were bound by the vastly different declarations of the President during the weary months before we went into the war. But enough has been said about that already and far better said that I can say it. I speak of the period of the war and the period now following the war. The men now in the saddle and doing the talking in this country are not the fighting men. Fighting men are not given to much talk. It is very significant that in France, where the Army is near the seat of government, there is little theoretical talk and little time wasted over the development of impracticable ideals.

Men who have seen the realities of war get to be very practical. Nor are the men from whom we are hearing so much in this country the men who carried the country along during the war. The theorists, the idealists—the people especially who never would have had us go into the war—are now in the front line of trenches and loudly and vociferously are they contending for the millennium. But underneath all this the great still mass of the American people are awaiting their time. They are a patriotic people. They never would have consented to go to war had they not believed their country to be in danger. Once in the war, nothing could stop them from keeping on until the war was won, and by their steadfast insistence on winning the war they forced the officials of this Government, you and me and all other officials, to speed up and speed up until the work was done. This great onrushing tide was not led by us. We were carried along ahead of it. And now that the job is done and the war is won, I believe that the American people want peace, and they want it without further delay. They want their boys back in this country and they want to get back to the work that they were doing before the war. They want and they expect their representatives at the peace conference to close matters up just as quickly as can be done, and they insist that these representatives shall look after the material interests of the United States just as the material interests of the rest of the allies are being looked after by their representatives. They feel that we have fought a good fight, and they are intensely proud of the men who have done the fighting; that we should take no unfair advantage of any other nation, and that neither should we sacrifice any advantage that fairly belongs to us. Least of all do they want to give up any more than is absolutely necessary of the great natural advantages that our geographical position gives us in relation to the rest of the world. That the result of the war is a benefit to civilization they are glad and to take reasonable steps to make future wars improbable they are willing, but to have the responsibility and burden of carrying out these steps placed on their shoulders they will never stand, nor will they stand for any plan that in any way affects their sovereignty as a nation or commits them to any policy of internationalism. When all is said and done, Mr. President, the American people are for America first, and they have no desire nor intention to wander very far from the faith and teachings of their fathers.

Mr. MOSES. Mr. President, the deductions the Senator from Maine [Mr. HALE] has made with reference to the utterances preliminary to the peace conference now taking place at Versailles have led him into a vein of pessimism regarding the future of this country and the attitude which the United States would be compelled to take toward great international problems which I think is unwarranted in view of the parallels which may be found in the record of the last great peace conference which decided the fate of the world, the boundaries of contesting nationalities, and the rights of striving peoples.

I think, Mr. President, that the parallel between the preliminaries which preceded the congress at Vienna and those which preceded the congress now sitting at Versailles run both close and far. Following the downfall of Napoleon, the coalition which had brought about that happy event were loud in their declaration that they had not made war upon the French people, that they had warred only upon Napoleon and his system, just as we have been hearing that we have had no controversy and no quarrel with the German people, but that our fight was with the Hohenzollern and with autocracy.

Indeed, Mr. President, one who follows diplomatic history and who has noted the lofty declarations which were uttered during the latter period of the controversy with Napoleon will be struck by the similarity of language which is to be found between the declarations, let us say, of Alexander I of Russia, who was the proponent then of a league of nations, and the declarations of some of the proponents of a league of nations now.

For example, we find Alexander described by his closest companion, Czartoryski, who, as near as I can make out, was the Col. House of that era, as one of the group who had brought over into the nineteenth century the illusions of the eighteenth, who felt that in their own particular formula they possessed the remedy for all the ills from which mankind may suffer, that their particular panacea was a touchstone to cure all the ills of humanity, and that—to use the striking phrase of Czartoryski—a few sacramental phrases were all that were necessary to solve any problem growing out of the relations of peoples. We find that very closely paralleled here.

We find the description of Alexander paralleled further when Czartoryski said, as I recall, that the Czar was willing that everyone should be free, provided that everyone should do as he wished.

So they went to the council at Vienna in the same spirit of declaration which the Senator from Maine has described as obtaining to-day, and the sacramental phrases were even more resonant than any that have been uttered of late.

Yet, Mr. President, we find when that conference had ended there was no confederation of Europe by which the sovereignty of any peoples had been surrendered. There were no guaranties of the doctrine of nationality which worked evil to any of the nations who sat about the conference table. There was no outcome of the deliberations which tended in any way toward a condition such as the Senator from Maine seems to fear.

I do not think, Mr. President, that we need to bother ourselves greatly about the outcome of the deliberations at Versailles. It is true that Alexander had to go back to Paris in the effort to complete his work. So we learn that some of the great plenipotentiaries of to-day purpose to go back to Paris to complete their work.

It is also true, Mr. President, that Alexander had to attend five other conferences before the futility of the plan was at length made clear. I hope that no such number of conferences will attend in the train of the conference now sitting at Versailles, but I have no doubt that the outcome of the deliberations now taking place in the Hall of Mirrors will be no different in their great and ultimate result from those which took place a century ago, and when they are over, through the interposition of some agency, probably that of widespread human nature, which extends to the ruling powers as well as to the humblest of mankind, we will find, through the application of that motive power, that Versailles has saddled upon us no unusual problem and given to us no undue burden.

Mr. SHERMAN. Mr. President, before the Senator from New Hampshire entirely leaves the territory, he very happily alluded to one who might represent Alexander I at the Congress of Vienna. Will the Senator inform this body who would represent Prince Clemens Metternich and who would represent Talleyrand? Are there such characters present at this conference?

Mr. MOSES. I would be glad indeed to translate the dramatis personæ of the congress at Vienna into the terms of the conference at Versailles, but I do not think any Senator here present—certainly I do not think that the acute mind of the Senator from Illinois—requires any enlightenment from me in that regard. I think he is as quick to perceive a parallel as any Senator on the floor.

Mr. SHERMAN. Mr. President, I may say by the time the congress of Vienna really began—it occupied much time in palaver and formalities—but by the time they really began Napoleon grew restless at Elba and left the place that was assigned to him and landed on the coast of France and started a hundred-day whirlwind that dispersed the congress of Vienna. The Kaiser is in Holland in friendly surroundings; Hindenburg is at the head of the German Army. Is there any similarity between that period of the congress at Vienna and the present time? I think there is.

Mr. President, I wish to give notice—like the Senator from California [Mr. JOHNSON], I do not think it entirely necessary—that to-morrow, if there should be a morning hour, immediately after the conclusion of that morning hour, or at such time to-morrow as I may be able to procure the floor, I will submit some remarks on superman government and self-government.

LEGISLATIVE, ETC., APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Gov-

ernment for the fiscal year ending June 30, 1920, and for other purposes.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Johnson, Cal	Moses	Spencer
Beckham	Johnson, S. Dak.	New	Sterling
Chamberlain	Jones, N. Mex.	Nugent	Sutherland
Colt	Kellogg	Overman	Swanson
Culberson	Kenyon	Page	Thomas
Cummins	King	Pittman	Townsend
Dillingham	Kirby	Poindexter	Trammell
Fernald	La Follette	Pomerene	Underwood
Fletcher	Lenroot	Ransdell	Vardaman
France	Lewis	Shafroth	Walsh
Gay	McKellar	Sheppard	Weeks
Hardwick	McNary	Sherman	Wolcott
Henderson	Martin, Ky.	Smith, S. C.	
Hollis	Martin, Va.	Smoot	

Mr. SMOOT. I wish to announce that the Senator from Kansas [Mr. CURTIS] is detained on official business.

Mr. McKELLAR. I wish to state that the senior Senator from Tennessee [Mr. SHIELDS] is absent on account of illness.

Mr. TOWNSEND. I desire to announce the absence of my colleague [Mr. SMITH of Michigan] on account of illness.

The PRESIDING OFFICER. Fifty-four Senators have answered to their names. A quorum is present.

Mr. WEEKS. Mr. President, before the reading of the bill is resumed I ask unanimous consent, out of order, to propose an amendment. I make this request because it will be necessary for me to leave the Chamber very shortly for the remainder of the afternoon, and I am afraid the bill may not go over until to-morrow. If the Senator in charge of the bill has no objection, I will offer the amendment now.

Mr. UNDERWOOD. I have no objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts? The Chair hears none, and the amendment proposed by him will be stated.

The SECRETARY. On page 10, line 15, it is proposed to strike out "$3,000" and to insert in lieu thereof "$3,000"; and on the same page, line 16, to strike out "$3,000" and to insert in lieu thereof "$3,000."

Mr. WEEKS. Mr. President, that amendment applies to two well-known employees of the Senate, both of whom are selective—Mr. Kellar and Mr. Loeffler. Mr. Kellar has been an employee of the Senate for 30 years and Mr. Loeffler for 29 years. It is not necessary for me to say to Senators how extremely useful they are in this body. As far back as 30 years ago the salary of the Assistant Doorkeeper was practically $3,000, and by special enactment the holder of the office of Assistant Doorkeeper had an additional appropriation of $500; so that, practically speaking, the salary will only be substantially what was the salary of the position 30 years ago. The same pay should, of course, be given to the acting assistant doorkeeper. I hope the amendment may be given favorable consideration.

The PRESIDING OFFICER. Does the Senator from Massachusetts move the adoption of the amendment now?

Mr. WEEKS. I move the adoption of the amendment now.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Massachusetts.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 26, line 11, after the word "thereof," to strike out "$30,000" and to insert "$35,000," so as to read:

Legislative reference: To enable the Librarian of Congress to employ competent persons to gather, classify, and make available, in translations, indexes, digests, compilations, and bulletins, and otherwise, data for or bearing upon legislation, and to render such data serviceable to Congress and committees and Members thereof, $35,000.

Mr. LENROOT. I move to amend the amendment of the committee, on page 26, line 12, by striking out the numerals "$35,000" and inserting "$45,000."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Wisconsin to the amendment of the committee.

Mr. LENROOT. Mr. President, I should like to explain the amendment.

Mr. UNDERWOOD. I merely want to call the Senator's attention to the fact that I am in accord with the idea; that this is a very useful function of the Government and a very useful practice; but they themselves asked for but $40,000.

Mr. LENROOT. I was about to explain the particular purpose for which I move the amendment. It is true that they asked for only $40,000 for general purposes. The Senator from Maine [Mr. HALE] and I, in a conference had with them some time ago, inquired as to the feasibility of furnishing to each Senator and Member of the House a daily digest of bills reported by the various committees to the respective Houses. They stated that they could do that, and would be glad to do it, under the authority now existing, for an additional sum of $10,000 per year. It is true it was not estimated for or recommended, although they will be very glad to do this work if Congress desires it to be done.

The situation now is in both Houses, and it always has been so, that a very few industrious Members in either House make their own digest of bills and are prepared, as to the minor bills especially, as they come up, to intelligently discuss them. There are very few who do so in the Senate. There is especially the Senator from Utah [Mr. SMOOT], who does that kind of work, performing a most valuable service for the country, and there are a few Members in the other House, as the Senator from Alabama well knows, who do likewise. But each Member of either House ought to be able to get information in the way of a digest of bills that are reported, that are upon the calendar, and that will come up for consideration. It ought not to be necessary for 96 Members of the Senate and 435 Members of the other House independently to do this work when it could be done for all of them. If this appropriation is increased by $10,000, we are assured by the Reference Bureau that they will undertake this work and furnish each Senator and each Member of the other House a digest of the bills reported by the various committees of the Senate and of the House. It would be extremely valuable, and it would save to the country, in my judgment, many times its cost. Each Member could have that information, for, as the situation now is, busy as Senators are, they can not undertake to go through all of these bills and make the digest that is necessary to be made if they are to have the memoranda ready for reference when the bills come up for consideration.

It is a small appropriation, but it will bring in value many times what it will cost, and will enable every Member of both the House and the Senate to make a very much more intelligent consideration of bills that come before the two Houses. I sincerely hope the amendment will be adopted.

Mr. KING. The Senator from Wisconsin forgets the fact that the work, if pursued, however, would involve a very large expenditure for printing each day the reports which are to be submitted.

Mr. LENROOT. No; it would involve a very small expenditure; in fact, they discussed as to whether or not they might not make mimeographic copies. At most it would only require 400 or 500 copies a day; and the number of bills reported each day would be comparatively small. It would be merely a digest. I have some sample digests here, covering one sheet of a very long bill. It will enable a Member at a glance to understand what was intended by the bill and how it proposed to change existing law, while now, under the present system, one has to wade through long reports; and, even then, it is sometimes very difficult to understand exactly what is proposed to be accomplished by the bill. Here we should have experts to do the work. The cost for printing would be a very small matter. I have an estimate of the detailed cost here of doing the work, and it can be done for $10,000 per year.

Mr. KING. Will the Senator from Wisconsin yield to me?

Mr. LENROOT. Yes.

Mr. KING. Of course, if the bills upon which they submit reports were to be taken up and considered on the day on which the reports were submitted, then I can see that the suggestion of the Senator would be perhaps quite important and that the work would be of considerable benefit to the Senate; but bills after they are reported may not be reached for consideration for weeks and possibly months. As the Senator knows, the daily reports by these experts when a bill was reached would not be available, but would be lost or misplaced. If Senators were interested at all in bills they would not be satisfied with the description of the bill or the analysis of the bill made by somebody else. If they have enough interest in a bill to be present and listen to the debate and participate in it, of necessity they will themselves be compelled to make an examination and analysis of the bills.

Mr. LENROOT. The Senator from Utah is not quite correct in saying this work would be of no value. I know it had been my own practice in the other House for a great many years, and it is my practice now, to myself prepare a digest of the bills as to which I think I shall want to participate in the discussion of; I have one on my desk now, and I have no doubt that other Senators pursue the same practice. It involves a tremendous amount of work upon the part of a Senator, which ought to be accomplished by one man for all of us, and it could be. It would not be lost. Every Senator would have his file of digests

of bills ready in his desk to turn to on the moment. Very many of these bills do come up upon a moment's notice, where one's recollection is gone unless a digest is prepared. A Senator could in a moment turn to that digest and know what that bill sought to accomplish.

Mr. KENYON. Will the Senator explain precisely by what amount his amendment proposes to increase the appropriation?

Mr. LENROOT. My amendment proposes to increase the appropriation by $10,000. If this increase is made, the Legislative Reference Bureau agrees that, under the authority which now exists, they will furnish each Member of the House and Senate a daily digest and analysis of bills that have been reported and placed on the calendar in both Houses. That would enable a Senator to keep that daily digest here in his desk and turn to it in a moment whenever a bill came up.

Mr. LA FOLLETTE. Mr. President, I merely want to make a suggestion that it would be a very easy matter to have the file preserved here on our desks by the Senate force just exactly as the files of reports and bills are now preserved for us.

Mr. LENROOT. That would be very easy.

Mr. LA FOLLETTE. And it would be right at hand for us whenever the bills came up. I think it is a very important provision which the junior Senator from Wisconsin has suggested.

Mr. SMOOT. Mr. President, I have had quite an experience personally with this kind of work for the last 12 years, at least. There is not a bill introduced in the Senate or in the House that is not placed upon my desk the following morning, and there is hardly an evening when Congress is in session that I do not scan those bills. Of course 90 per cent of them take no time at all, because one who is familiar with the work of Congress readily recognizes the earmarks on them and they are brushed aside. But what the Senator has said applies to the other 10 per cent of the bills introduced. It takes a very great deal of time to prepare a digest of all those bills; in fact, Mr. President, of late I have waited until a bill was reported and went to the calendar before preparing a digest of it. I have been compelled to do that on account of lack of time. But as soon as a bill reaches the calendar, then I think that every Senator ought to know just exactly what the bill is; and the only way he can know is by making a digest, examining it, and ascertaining its scope, object, and purposes. If this work could be accomplished without being made too voluminous—in other words, if judgment is used by those who will prepare the digest, so that only such matters will be brought to the attention of Senators as are likely to be acted upon—I think it would be an immense advantage to every Senator; but I hope, and I simply say now by way of caution, that if this work is undertaken, those who carry it on will not make it so cumbersome and so voluminous that a great deal of its value will be lost. I am positive, however, that if the work is done properly it will be a wonderful advantage to every Senator.

Mr. LENROOT. I will say that I have had the Legislative Reference Bureau make me a number of sample digests, and they have boiled the matter down to the very limit, so that it is not voluminous. Furthermore, I am very sure that on the suggestion of individual Senators at any time, if the bureau does exceed what is thought to be a proper limit, the digest can very easily be brought within a proper scope.

I wish to say in explanation to the Senator from Alabama who is in charge of the bill, that the Senator from Maine and I expected to bring this matter before the committee, and the Senator from Maine did speak to the Senator from Virginia with reference to it; but we did not know the bill was going to be reported so soon, and so we did not bring it before the committee, although we fully intended doing so before the bill was reported.

It is a small increase, but one that I feel very sure will be one of the best expenditures in the interest of the saving of time of Senators and economy to the Government that we could make.

Mr. UNDERWOOD. Mr. President, I am not prepared to accept the amendment, because I have not the authority of the committee. I will say personally that I believe the Legislative Reference Bureau is doing an excellent work. I think any work that brings information to Senators and Members of the House is useful if it has been properly digested and prepared. So I do not propose to resist the amendment. We may have some difficulty in getting it adopted in conference; but, of course, I will represent the Senate's viewpoint. I repeat that I have no personal objection to the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Wisconsin to the amendment reported by the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. LENROOT. I ask to have inserted in the RECORD a letter from the law librarian, together with an estimate of the cost of the proposed digest.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter referred to is as follows:

LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, January 18, 1919.

DEAR SENATOR: Referring to the matter of a daily digest of bills reported from committees, which you and Senator LENROOT suggested that the Legislative Reference Service should undertake:

I have made a careful estimate of the work which would be involved and the additional appropriation which would be required to enable us to employ the additional help necessary to turn out this digest promptly each day throughout the session. I have regarded the last month of the short session of the Sixty-fourth Congress as representing the amount of work which we should have to be prepared to handle. The inclosed table gives statistics of the public bills and resolutions (general and local) reported during that period.

Detailed estimates of the additional legislative reference appropriation required are given on a separate sheet. In explanation I may note—

1. That the supervision of the work will add materially to the responsibilities of our chief indexer, Mr. McClenon, who is in charge of the American Law Section, and this should be recognized by the provision of additional compensation.

2. That the digesting should be done by persons who have had a legal education and who are familiar with the work of indexing and digesting. While a great many of the bills are quite simple, there are others that require very careful study by a lawyer to determine just what the legal effect of their provisions is likely to be.

3. If the law clerks are to work efficiently and get out the material promptly they must be properly supported by stenographic assistance.

4. A messenger will be required to procure the bills from the Printing Office in advance of the regular distribution and advance copies from the committees, and also to deliver to the printer the copy and proofs of the digests prepared. (The ordinary methods of distribution do not bring the bills to us at the present time until two or three days after report.)

We have prepared sample digests (also inclosed) for the few bills that were reported on January 15 and 16, 1919, to try out the work and elicit from you any suggestions for improvement, either as to form or substance. I may note that we have not duplicated information which is presented in good form in the report on the bill.

Very truly, yours,

J. DAVID THOMPSON,
Law Librarian.

Hon. FREDERICK HALE,
125 Senate Office Building, Washington, D. C.

Statistics of bills reported Feb. 1 to Mar. 4, 1917 (64th Cong., 2d sess.).

Date.	General bills		Local bills		Total	
	Number reported.	Pages.	Number reported.	Pages.	Number reported.	Pages.
Feb. 1	6	117	1	2	7	119
2	3	131			3	131
3	1	1	2	4	3	5
5	11	30	5	16	16	46
6	7	96	1	2	8	98
7	1	2			1	2
8	18	64	3	5	21	[illegible]
9	1	38	1	2	2	40
10	5	125	1	2	6	127
12	4	37	8	17	12	54
13	2	31	4	7	6	38
14	2	5	2	4	4	9
15	2	6			2	6
16	5	42	2	4	7	46
17	2	11	1	2	3	13
19	3	201	2	4	5	205
20	3	12	6	17	9	29
21	4	85	3	7	7	92
22	7	34	2	13	9	47
23	3	36	3	6	6	42
24	1	24			1	24
26	2	3	2	5	4	8
27	6	47	5	10	11	57
28	8	173	1	1	9	174
Mar. 1	3	268	3	5	6	273
2	2	5	4	6	6	11
3	1	29	1	1	2	30
4			1	2	1	2
28 days	113	1,653	64	144	177	1,797

Estimate of additional appropriation needed for preparing a daily digest of bills reported from committees.

Chief indexer, increase of compensation (from $2,400 to $3,000)	$600
One law clerk, at $2,000	2,000
Two law clerks, at $1,600	3,200
Two stenographers, at $1,200	2,400
One typist, at $960	960
One messenger, at $840	840
Total	10,000

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 29, after line 10, to insert:

For temporary services of additional employees when found necessary, at the discretion of the superintendent, in the operations of the Library Building and Grounds, $500.

The amendment was agreed to.

The reading of the bill was continued to the top of page 30.

Mr. KIRBY. I move to amend line 2, on page 30, by striking out the figures "$2,250" and inserting "$3,000." I will say, Mr. President, that the Superintendent of the Botanic Garden——

The VICE PRESIDENT. There is an agreement to conclude committee amendments first, and the amendment of the Senator from Arkansas will not be in order until after the committee amendments have been disposed of.

Mr. KIRBY. Very well.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Bureau of Efficiency," in the item of appropriation to enable the Bureau of Efficiency, authorized by the urgent deficiency appropriation act approved February 28, 1917, to establish and maintain a system of efficiency ratings, etc., on page 32, line 10, before the word "persons," to strike out "nine" and insert "eighteen," so as to make the proviso read:

Provided, That not more than 18 persons shall be employed hereunder at a rate of compensation in excess of $3,000 per annum.

The amendment was agreed to.

The next amendment was, under the head of "Department of State," on page 34, line 15, after the word "each," to insert "ten at $3,500 each," so as to read:

officers to aid in important drafting work, 5 at $4,500 each, 10 at $3,500 each, et.

Mr. KING. Mr. President, I should like to ask the Senator having this bill in charge what are the duties of the employees referred to in lines 14, 15, and 16, page 34—

Officers to aid in important drafting work—5 at $4,500 each, 10 at $3,500 each, 14 at $3,000 each, 17 at $2,500 each, to be appointed by the Secretary.

Mr. UNDERWOOD. Mr. President, the Acting Secretary of State appeared before the committee. He said that these men were compelled to draft papers, all kinds of papers that come before the State Department for consideration relative to our Diplomatic and Consular Service, and coming in contact with men in the chancelleries of Europe of long experience and high pay—men trained for that purpose; and he insisted that he could not get competent men to handle this branch of the service for less pay. Although he urgently requested an additional force to that which we have granted, we finally came to the conclusion that they were entitled to 10 men, especially under existing circumstances. Although the war is over and direct war expenditures are being cut down, the Senator must bear in mind that with the conclusion of the war, the organization of new nations, the thousand and one questions that must arise between our allies and the countries with which we have been at war during the past few years, the labors of the State Department have enormously increased.

I can not go into all the details in reference to that, because they have not been given to me, but it is apparent that that condition exists. These additional clerks, the only change we have made there, have been estimated for, and the department has estimated for a considerably increased force more than that; so I think that under existing circumstances their request should be allowed.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 35, line 8, after the words "Under Secretary," to strike out "$2,000" and insert "$2,500"; and in line 17, after the words "in all," to strike out "$529,840" and insert "$565,340," so as to read:

private secretary to the Under Secretary, $2,500; clerk to the Secretary, $1,800; clerks—27 of class 4, 30 of class 3, 40 of class 2, 63 of class 1 (3 of whom shall be telegraph operators), 40 at $1,000 each, 10 at $900 each; librarian, $1,400; chief messenger, $1,000; 8 messengers; 27 assistant messengers; 4 messenger boys at $420 each; janitor, $720; 7 laborers; 4 telephone switchboard operators; chauffeur, $1,080; 10 charwomen; in all, $565,340.

The amendment was agreed to.

The next amendment was, on page 35, line 19, after the words "Department of State," to strike out "$125,000" and insert "$200,000"; in line 21, after the word "That," to strike out "no part of any appropriation herein shall be used unless"; and in line 26, after the word "positions," to strike out "appropriated for herein," so as to make the clause read:

For temporary employees in the Department of State, $200,000: *Provided*, That not more than eight persons shall be employed hereunder at a rate of compensation exceeding $1,800 per annum: *Provided*, That all former Government employees who have been drafted or enlisted in the military service of the United States in the war with Germany shall be reinstated on application to their former positions if they have received an honorable discharge and are qualified to perform the duties of the position.

Mr. KING. Mr. President, I want to ask the Senator if there ought not to be a limitation as to the maximum amount which may be paid to any employee out of the $200,000 additional appropriation provided for in the paragraph now under consideration?

Mr. UNDERWOOD. I was interrupted, Mr. President, and did not catch the paragraph to which the Senator refers. I shall be glad if he will call my attention to it.

Mr. KING. On page 35, lines 19, 20, and 21, there is a provision that—

not more than eight persons shall be employed hereunder at a rate of compensation exceeding $1,800 per annum.

Is there any limitation upon the amount which may be paid those eight persons? Could they not be paid $10,000 each?

Mr. UNDERWOOD. Yes; I think they could; but I think it is proposed to pay these men somewhere in the neighborhood of $5,000. It is impossible, however, to put a maximum limitation on it; and, of course, the limitation in the paragraph is in the total expenditure. To accomplish the result referred to, if the State Department went out and deliberately paid $10,000 each to eight men, it would so consume the bulk of the appropriation that it could not function very well.

Mr. KING. Obviously, that is true; but I thought perhaps the department had in mind the character of the work which was to be performed and the personnel that would be employed under this provision.

Mr. UNDERWOOD. They have, and they had a hearing before the committee; and my recollection is that they stated that they expected to get these men at salaries ranging from four to five thousand dollars.

Mr. KING. Will the Senator advise us what the duties of these positions are that call for salaries which are in excess of that allowed; for instance, the Assistant Secretary of the Interior and many of the very important officials of the Government?

Mr. UNDERWOOD. They would not be in excess of that. I do not remember about the Interior Department, but my recollection is that the Assistant Secretary of State gets $7,500.

Mr. KING. I had reference to some other departments, where the assistant secretaries receive very small compensation. For instance, the Assistant to the Secretary of the Interior receives only $2,750.

Mr. UNDERWOOD. The position of assistant sometimes is a very important position and sometimes it is merely a clerical position. These temporary employees of the State Department have been working out—the work was organized before the war, but it has largely increased since the war—definite information in regard to our trade and contact in a commercial way with the foreign nations. They have a very complete bureau organized; and my recollection is that the testimony showed that the President, out of the fund provided to him for emergencies, largely increased the appropriation last year for this specific work, because of the urgent need of the information coming to the department. It was for that reason that after consideration we increased the appropriation, not to the full extent the department asked, but we gave them an increase of $75,000.

Mr. KING. There is an appropriation of $200,000.

Mr. UNDERWOOD. But this is not in excess of what they had last year. The House held the appropriation down to $125,000. The Senate increased it $75,000, but after going into it carefully and after a full hearing on the subject.

Mr. KING. I should like to ask the Senator whether or not there is any duplication between the work contemplated to be performed by the employees provided for in the paragraph under discussion, and that performed by employees of the Commerce Department?

Mr. UNDERWOOD. My recollection is that the State Department claims that there is not; but my own judgment is that there must of necessity be some duplication, though it is not direct duplication.

Mr. KING. I want to say to the Senator, if he will pardon me, that complaints have been made to me that there has been, and still is, a great deal of duplication between work performed by men operating under the control of the State Department and those who are operating under the Department of Commerce.

Mr. UNDERWOOD. Of course, as long as we keep the Consular Service in the State Department and then try to have the Department of Commerce function along commercial lines, I do not see how you are going to prevent certain classes of duplication, because both are working along the same line. I want to say further, however, that probably in the past the commerce of our country has suffered—I do not mean in the immediate past, but before some organization was created, both in the State Department and in the Department of Commerce, looking to the expansion of our foreign trade, and to obtaining information for the great business interests of the country that are looking to foreign trade. I do not think there was any condition in the whole governmental machinery that needed readjustment more than this does. We sat down and complained that our neighbors, foreign nations, advanced their foreign trade to a far greater extent than American trade; and in the end we find that so far as our Government was concerned, except in the recent past, along certain lines there were no facilities granted to our citizens for the expansion of trade.

It is true that we had a Consular Service; but until recently the Consular Service was not expected to function along these lines or to keep in constant contact with foreign trade. I know that there were some consular offices that furnished very remarkable reports in the past. On the other hand, many of them accomplished nothing more than drawing their salaries. It has only been within the last decade that any real effort has been made to establish American banks in foreign countries; it has only been within the last decade that any effort has been made to increase our merchant marine; and I can practically say the same thing in reference to the work of our Consular and Diplomatic Service along the line of investigating the fields of commerce in foreign countries and advising the American producer and the American manufacturer as to his opportunities to do business abroad.

We may not be developing along any one of these three lines as rapidly as we ought to; but unless we can have banks in foreign countries, unless we can have a merchant marine that is commanded by ourselves and not by our trade adversaries, and unless we can have men trained in commercial lines, men of ability, men of experience, who can investigate the foreign trade field and report back to the manufacturer and producer in America as to what opportunities he may find abroad and assist him in finding them, our foreign commerce will not expand; and along certain lines it must expand, or we will have idle factories and idle furnaces in the near future.

Take the iron and steel industry. Everyone knows that the expansion of the iron and steel industry in America has far exceeded the American demand. Take the cotton industry. The cotton industry must find foreign fields, or it will have surplus cotton upon its hands that it can not dispose of in America. The appropriation of which the Senator speaks, and other appropriations along that line, are for the purpose of helping a development in that foreign field. As to how far it is accomplishing the result, I can not say. I know it has done some good. As to whether it has produced all the good and efficient results that should be produced in order to warrant the expenditure of the money, I can not say; but I think it would be very unwise for the Congress to cut down the effort in that direction to expand our foreign commerce.

Mr. KING. Mr. President, I hope the Senator does not misapprehend the inquiry which I made, or at least the object and purpose of it. I agree most heartily with what the Senator has said; and while perhaps I may be regarded as a good deal of a crank upon appropriations and my appeals here for economy may have produced some irritation, I do plead guilty to a desire to be liberal and generous with appropriations for the purpose of extending our foreign trade and commerce.

What I inquired of the Senator about was this: In the investigations which I have made I have discovered that there has been considerable duplication; that the Commerce Department and the State Department have been running along, in some instances, on parallel lines; and frequently those lines would merge together and confusion would result. I think there ought to be more coordination. I do not venture an opinion as to whether or not the appropriations for the extension of our foreign trade, for obtaining information necessary to enable us to extend our trade and commerce, ought to be under the State Department or under the Department of Commerce; but certainly it is manifest to anyone who thinks for a moment that it is unwise to have a duplication of work, to have two departments that are running along parallel lines. There ought to be coordination; and the complaints that have been made to me, and the investigations which I have made, confirm the view that there has been too much of duplication between the two departments.

It is obvious, in view of the efforts which are being made by Germany, or will be made by Germany, and which are now being made by Great Britain and France and other nations, that there will be great rivalry for the trade of the world. If the American people do not exert themselves, and, indeed, assert themselves, they are going to lose much of the trade that they have had in the past, and they will fail to gain much that they might obtain in the future. We ought to take lessons from the work of Germany in the past in the extension of her trade and commerce; and I would be willing to have very liberal appropriations made in order to develop our trade and commerce, and to bring us into contact with those nations of the world that will need the products of mine and field and farm in this country.

Mr. SMOOT. Mr. President, last year there was an appropriation of $200,000 for temporary employees in the Department of State. This year there was an estimate sent in for $500,000. The House granted $125,000. The Senate amended that by striking out $125,000 and inserting $200,000. These are not all the temporary employees that the State Department wants, by any manner of means, nor do I think these employees will be used for the purpose stated by the Senator from Alabama.

Mr. UNDERWOOD. Mr. President, I will say to the Senator that I had a confidential paper that I showed to the Senator which was sent to us, and that part of them will be used along the line I indicated, as shown in that paper.

Mr. SMOOT. I have the number, and I can state to the Senator just the number, if necessary; but not many of them will be paid from this fund. I am safe in saying, however, that if this amount of $200,000 is not sufficient, the State Department will go this year to the same fund to which they went last year, and secure money in order to hire the number of employees they want.

I think the Senate ought to know that the different departments of our Government made certain representations to Congress last year for appropriations, and Congress refused to give what was asked; but it develops now that where a refusal was made they went to the President of the United States, and asked him to give them money out of the fund that was given him as a confidential fund, and secured appropriations for the purpose of running the different departments of the Government. I know that that has happened, not only in the State Department, but in the Department of Justice, in the Department of Commerce, in the Bureau of Naturalization, and in the Department of Labor. I requested the other day that there be sent to the committee a list of all of the appropriations made from the fund of the President, showing to what departments it had been given, and the amount. Up to the present time it has been passed on from one to another, and I have come to the conclusion that we are not going to get the information. I do not know that it would do any good if we had the information; but I wanted to know how much further this thing could be carried on, and how much there was left in the fund, so that we could arrange our appropriations accordingly.

I do not think that is the proper thing to do. I think all the money that is appropriated for the departments of this Government ought to be appropriated in the regular appropriation bills, and I think the Congress ought to know the amount that is appropriated. They are responsible for the maintenance of the departments as far as appropriations are concerned, and I believe that whenever a representation is made by the head of a department, and then Congress refuses to make an appropriation for it, there ought to be no other place where they could go and secure the money to carry on what they thought they ought to have.

Mr. President, I believe that this item of $200,000 is really necessary. I voted for this increase, and I simply wanted to say what I have said so that Congress may know what has taken place in the past. I can not say how much it has been. I know that the testimony showed that in the Department of Commerce, in one particular instance, there was $100,000, and in the Bureau of Naturalization there was $100,000, and in some of the other departments there was even more, and even in the Child Labor Bureau—although this fund of $100,000,000 was given for war purposes—there has been an increase; I do not know how much. I have been unable to learn. In the home gardening there was also an appropriation.

Mr. KING. Mr. President, will the Senator yield?

Mr. SMOOT. I yield to my colleague.

Mr. KING. I will ask the Senator whether it would not be a very wise and prudent thing to offer an amendment to this bill that no amount whatever shall be received or expended by the department other than that which is appropriated in this bill? And would it not be a wise idea to pass a Federal statute making it an offense or prohibiting the reception of money from some other fund not contemplated when the appropriation was made and expending it in a department or in a bureau for which an appropriation was made after due consideration by Congress?

Mr. SMOOT. I will say to my colleague that there is a statute already preventing any department of our Government from creating a deficit, and yet there is not a department of the Government but that does it every year, and sometimes the

deficit is greater than the original appropriation; and as long as Congress recognizes this violation of the statute and pays no particular attention to it, it is going on. It will never cease.

Mr. CUMMINS. Mr. President, I rose merely to ask a question of the Senator from Utah, but I will ask it of the Senator from Alabama. In response to a question put by the Senator from Utah [Mr. KING], I think the Senator from Alabama stated that the $200,000 for which there is no specification was to be used for the expansion of our foreign trade.

Mr. UNDERWOOD. In part.

Mr. CUMMINS. I do not know for what else it may be used, but that seems to be its chief purpose. The Department of State has its consular agents. They may be effective; they may be ineffective; but two or three years ago we adopted the policy of doing through the Department of Commerce this work that was not fully done through the consular agents. That was our policy, deliberately adopted.

I find, turning to the appropriations made for the Department of Commerce, that the appropriations for the identical purpose amounted in the aggregate to $880,000. I find that there is a lump appropriation of $325,000, which may be expended for any purpose in connection with the promotion of the commercial interest of the United States. Then, there is an appropriation of $100,000, made with the especial object of increasing our trade with South and Central America; an appropriation of $100,000 for the development of our commerce in the Orient; and an appropriation of $165,000, which is again entirely indefinite, and may be applied, I presume, to the whole field.

Is there any showing before the Committee on Appropriations that we need more than $880,000 for the maintenance in these various portions of the earth of a sufficient force to keep us well advised with regard to commerce and the opportunities which may exist for American business men to enlarge or increase their trade abroad? I can not, for the life of me, understand how they could spend more than $880,000 for such a purpose, and spend it economically and wisely. I am inclined to think that $200,000 is just thrown away and will serve no useful purpose if it is intended simply to get reports with regard to our foreign commerce.

Mr. UNDERWOOD. I do not care to go into the matter fully, Mr. President, but I have no doubt that, with the information the Senator from Iowa has, he is perfectly sincere in making his statement, and yet I do not believe that we could get along without a reasonable amount of this work being done. I will say that right at this hour I am not fully informed as to the individual work these agents in the Commerce Department have been doing, but that they have been doing a vast deal of work in investigating foreign trade, in publishing documents, which were brought to the attention of American manufacturers, indicating where the opportunities were for future development to take place, is undoubtedly true. On the other hand, I wish to say that our great foreign competitors in industrial lines are spending a great deal more money than we are along this line of development as a Government.

In reference to this particular $200,000 the attention of the State Department last year was called to the strategic position of raw material as it affected war conditions, as to where raw material in various lines of industry relating to war and its work could be had, as to the channels of trade in which they were ordinarily moving, and as to the opportunities and necessities for diverting that raw material from our enemies. Having been called to the attention of our Government, it was necessary for them to make a very thorough investigation, which they did. That investigation has not fully been completed. So far as its functioning on the war side of the problem that probably is unnecessary, but so far as the peace aspect of that investigation is concerned it is just as important to-day as it was a year ago when it was begun.

I am sure it is not necessary for me to extend my remarks by amplifying the importance of our Government, and through our Government our business fabric, being informed as to where the raw materials of industry lie and in what channels of the trade they move. That is one of the things being worked out by this appropriation.

There is another proposition of great importance that was before the State Department, and that is the collective buying for foreign nations. Most of the principal European nations have arranged for collective action by their buyers or importers, each individual line of trade to supersede the competitive purchasing formerly practiced. This puts the American exporter at a fatal disadvantage. I am sure the Senator can realize that. In France a special system of consorting has been built up during the war, and in each line of trade a French comptoir purchases all goods imported into France, seriously affecting certain lines of American trade. The foreign trade adviser's office have been forced to study the facts with regard to lines of trade involved in relation to efforts upon the national interests which would result from the making of forcible diplomatic representations to France along these lines. Actual trade figures are procured from the Department of Commerce, but they must be analyzed painstakingly by the same officers who have the current diplomatic situation in mind, namely, the officers of the Department of State.

Collective selling on the part of our foreign competitors is requiring organization in this country to meet conditions we have to meet in the competitive markets of the earth, and that can only be done through the diplomatic channel, with this specific information with reference to trade conditions brought to their attention.

I will state another question which the State Department has studied, and I am not going into details with reference to it, although I have the papers in my hand; but for certain reasons it may not be well to put them in the RECORD. It is the question of foreign governmental monopoly that is seriously affecting our trade, and is not merely a matter of commerce, to be treated along commercial lines; but as it is a governmental monopoly it must of necessity be treated through diplomatic channels. Those questions are being investigated. Part of this money has to be spent for that purpose. It is of great importance to our business interests that these questions should be understood and that our citizens should be advised how to meet them.

There is another question wherein this money has been spent in the past, and to some extent may be expended in the future. Growing out of the war it was necessary for our South American neighbors to make certain great foreign loans. The European trade markets were closed. The banking circles of Europe which had been supplying them with loans in the past were no longer able to do it, growing out of war conditions. They had to appeal to our country. It was a new line of business for our banking public. They required certain detailed information, and they had to acquire it through diplomatic channels. Part of this money was used in that line. I am not sure that it will be required in the future, but probably some of it will in the immediate future.

The international cable situation is another problem that has to be studied by the State Department. Part of the money in the past has been used for that purpose, and a reasonable amount of money provided in this bill will be used to study out the problems of the American control of the cable system. American-owned cable systems are at present vitally deficient from the standpoint of giving us independent communication with other countries. The Central and South American Telegraph Co. has asked the department's assistance with regard to extending its cable connections from Buenos Aires northward to Rio de Janeiro. Certain other interests are asking aid in the establishment of a system linking Cuba and Porto Rico to Key West. The Western Union Telegraph Co. is requesting aid to install a cable direct from New York to Rio de Janeiro.

In connection with these requests it now develops that no armored or deep-sea cable is manufactured in the United States and that we are dependent upon England for every foot of cable we may wish to lay. England has very naturally refused at this time to permit the sale of any of this cable to American interests. It is necessary to make certain investigations looking to the question of either securing the cable that we need to lay in the interest of our commerce or to advise American manufacturers upon what terms and conditions they can go into the manufacture of cables themselves.

These are some of the questions. There are a number of others I might go into. The committee has not ill-advisedly or without thought or consideration asked for this increased appropriation. I am thoroughly satisfied that if we have erred at all we have erred upon the side of economy, and that every dollar we have increased this appropriation should remain in the bill.

Mr. SMOOT. Mr. President, I think the Senator is a little in error wherein he says that out of this $200,000 those investigations shall be made. The investigations are to be made by the 10 employees, at $2,500, for whom we have provided in the bill.

Mr. UNDERWOOD. The Senator is mistaken about that. I took this matter up personally with these gentlemen, besides doing so in the committee, and I can assure the Senator of the purpose. Of course, the work of these 10 employees may be along that line to some extent, but along this particular line the 10 employees could not cover it. I call the Senator's attention to this fact. He simply has not carefully looked at the papers in his hand. In this organization they have had, and

expect to continue, a divisional organization. Among others, there is Latin America, with a chief of division; a South American section with an assistant, and another assistant to cover the countries of Argentina, Paraguay, Brazil, and Uruguay; and a second assistant to cover Chile, Bolivia, and Ecuador. Then there is another division for the Caribbean section with an assistant, Colombia, Panama, Venezuela, Guiana, and Costa Rica are to have an assistant, with a second assistant under that division to Nicaragua, Guatemala, Salvador, and Honduras. Then there is another assistant to cover Cuba, the Dominican Republic, Haiti, and the West Indies. There is another section, the Mexican section, with three assistants. Then there is the same kind of an organization for western Europe, with equally as large a number of employees; one for the Near East, another for the Far East; one for Russia; certain assistants in the foreign intelligence office, and certain other assistants for passport control, trade adviser, research and diplomatic lines. I will not take up the time of the Senate to read them all, but that is the line of organizations to carry out this work.

Mr. SMOOT. That organization is taken care of through appropriations for the Diplomatic and Consular Service, I will say to the Senator, and of this $200,000 that is here for temporary employees of the State Department some may be used, of course, for this purpose, but the reason given why they wanted the 10 employees extra above what the House allowed them was that these were the special employees who were desired to make an investigation of the radio system.

Mr. UNDERWOOD. I do not like to dispute the question with the Senator, but the Senator is misinformed. I know what I am talking about. The papers that I hold in my hand were brought to my desk by the gentlemen interested in this request for an increased appropriation, and I know; I am not guessing at it; I am not misinformed about it. I have made the statement, based upon information that was furnished me by the men at the head of this proposition. Their work was largely done on an appropriation given them by the President from his special fund last year, and when they asked for this increase and asked for more than we had given them they brought these papers to me that I hold in my hand, from which I made the statement, for the purpose of obtaining this specific appropriation. So there is no doubt about it.

Mr. CUMMINS. I accept implicitly the statement made by the Senator from Alabama; I think it is correct; but the argument founded upon it, so far as this appropriation is concerned, is very fallacious. I am not speaking about what the State Department ought to have to carry on its diplomatic affairs. I assume that the real function of the State Department is to deal with foreign Governments in some way or other.

If our appropriation for the office of the State Department is not sufficient to enable it to employ the proper number and kind of persons to carry on its correspondence and its intercourse with foreign countries, I, for one, am very willing to increase that number; but we are in very great danger of injuring rather than assisting our foreign trade, in a proper sense of that word, by the complications which may arise between the State Department and the Department of Commerce with regard to business.

I will say, as I said before, in my opinion the State Department ought to have nothing to do with business except as it merges itself into our relations with foreign Governments. The Senator from Alabama says that we ought to have some way of meeting foreign competition, as in collective buying and collective selling.

Mr. UNDERWOOD. I said to get the information by which we could know what we are doing. That is the purpose of it.

Mr. CUMMINS. The Congress of the United States has acted upon that matter. It has passed a law which has for its especial purpose the consolidation and combination which in the judgment of Congress was thought necessary to enable that competition to be met in a successful way. The administration, so far as it is to be administered, of that law, is committed to the Federal Trade Commission, not to the Department of State.

Mr. UNDERWOOD. If the Senator will allow me to interrupt him, I think he is making a mistake in that proposition. It was before I came to the Senate and when I was a Representative in another body that the matter came to my attention. There was an effort made by the House within my recollection to cut out of the State Department this entire organization in reference to foreign commerce, limiting it to the functions of the Department of Commerce. My recollection is that under that House amendment the opposition to it came from the Senate. I recall now having talked the matter over with one or two distinguished Senators at that time whose names I do not care to call, and the two organizations were kept in the bill due to the opposition in the Senate. They have been there all the time.

Of course, I am free to say that growing out of the war conditions the functions of this bureau in the State Department were vastly increased; but the germ was there, and as long as it is the policy of the Government and the law that we shall maintain these organizations in both departments, the committee carrying appropriations for the supply of sufficient money to function on is not here to determine what shall be the policy of the Government when you fixed that by statutory law. Of course, we may have some limitation in determining how far they shall function and how far they shall draw in by either extending or limiting their appropriation, but the policy has already been fixed by the Government and it is a governmental policy now.

Mr. CUMMINS. The policy has never been established except through appropriations, and it is to be continued through appropriations. This is the time and this is the place to change the policy if we desire to have it changed.

Mr. UNDERWOOD. If the Senator will allow me, I agree with him that usually the extent of the functions, and to some extent the functions themselves, have been established by appropriation bills. But the Senator calls my attention to the fact, and it is a fact, that the Congress itself by a statutory law established this bureau in the Department of Commerce in relation to our foreign-trade matters, not by an appropriation bill but by law itself, in establishing that bureau, a brand new bureau, within the last decade.

Mr. CUMMINS. Precisely.

Mr. UNDERWOOD. Up to that time these functions had been entirely occupied by the Department of State. When Congress performed that legislative act it did not cut off those functions, it left them to survive, and they are right at the present time performing a most valuable and a most necessary function for the benefit of American business.

Mr. CUMMINS. So far as its value in time of war, I express no opinion, for I am not familiar with what it has done during the war, and I am very willing, indeed I would be anxious, to continue every appropriate intervention on the part of our Government, not in private business but so far as private business required us to deal with a foreign government. But beyond that I do not think the State Department ought to go. That is a view which I have held for a long time, and I have tried to express it whenever the opportunity or occasion presents itself.

I know the futility of opposing this appropriation, and I am simply recording my own opinion with regard to it, that in so far as this appropriation is used to expand our business, to secure for the people of this country more foreign trade, it will be either a purely duplicated service or it will be of no value whatsoever. That is not saying that the suggestions of the Senator from Alabama are not well founded with regard to those cases in which we must deal as a Nation with foreign powers. I want that power fully sustained, and I want it amply sustained, but I have had rather a close observation of the workings of the Department of Commerce with regard to our foreign trade. I think the work of that department has been exceedingly valuable. I think it has covered the whole field. It does not confine itself to work in the United States, to the translation of foreign documents that may give information about trade. The employeees of the Department of Commerce travel all over the world making a personal investigation at every point at which it is possible or thought possible that commerce may be enlarged. I do not know that all the reports are published, but they are very generally published, and they contain information of the most valuable character. They maintain just such a bureau of information as was suggested by the Senator from Alabama, namely, when they see an opportunity in some foreign country for an American business man to sell goods or engage there in business of his own they promptly make it known and get in correspondence with those who are likely to embrace an opportunity of that kind.

I do not disparage that kind of work. I think it is exceedingly helpful and ought to be continued, but I think that when we try to duplicate it in so far as it is duplicated—I have no expert knowledge upon that subject and I do not know what the State Department is doing——

Mr. UNDERWOOD. I said to the Senator candidly that I thought there was duplication there, although it is claimed there is not; but I am not prepared to say how far it is duplicated.

Mr. CUMMINS. What I would like to do, and I hope it may be done, because I do not expect to defeat this appropriation, is to call the attention of the Senate and the country and espe-

cially of the Committee on Appropriations to this view, that in the future the work of the State Department ought to be limited, no matter how much it costs, to our diplomatic intercourse with foreign nations and our ordinary Consular Service which is of a commercial character, but it is not particularly intended to extend or increase our foreign commerce.

Mr. KING. Will the Senator yield?

Mr. CUMMINS. I yield.

Mr. KING. I do not quite understand just where the line should be drawn as to the activities of the consular and diplomatic representatives. If a consular agent is in a section of the world where there is business and where there is an opportunity for the expansion of American trade and commerce, and if he is charged with the responsibility of obtaining figures as to the trade and commerce of that particular section, I can not just see why he ought not to aid in a legitimate way American manufacturers who seek to vend their wares in the district in which he is located.

Mr. CUMMINS. Undoubtedly such a consular agent should do that, and unquestionably many of them do that, but that is not the primary purpose of appointing consular agents; it is secondary. Many of them are skillful in that direction and make valuable reports, of which the business men of the United States have sought to take advantage, and do take advantage, but in so far as the consular agent can perform this work it ought to be continued by the consular agent, and there is ample appropriation in the bill far the continuance of the consular agent and for his work. I am only speaking of that special, that extraordinary work, which seems in a sense to be a direct subsidy to private business that is performed by the Department of Commerce and that is to be performed again under this appropriation by the Department of State by an investigator who goes all over the world, who studies the subject, and who reaches a conclusion with regard to what can be done by American men of business and how they must go about doing it.

There was a time when that was not considered a part of the public business, and a good many of us were rather reluctant to see the Government go into the subsidizing policy; but we have gone into it so largely and so generously that I am perfectly willing to see it continued, for I really think it can accomplish some good. The Government of the United States is doing for a great many people precisely what our great corporations do for themselves. There is no department of the Government, either in the office of the Secretary of State or in the office of the Secretary of Commerce, that approaches in point of ability, in point of comprehensiveness, the efficiency attained by the United States Steel Corporation and its various organizations, which maintains a bureau of this kind, and its agents are in every part of the world for the sole purpose of helping the sale of steel products abroad.

I was formerly of the opinion that that kind of work could be well left to the individual initiative and enterprise of business men, but the gradual drift toward governmental function has led me at least to tolerate the assumption of that work upon the part of the Government. I am very frank in saying that I believe the present Department of Commerce has done wonderfully well in exploiting our opportunities abroad. It was under the influence of that department that Congress passed the law which to some extent mitigated the rigidity or the severity of the antitrust law, and permits, under certain circumstances, combinations among our business men for foreign trade.

What I am objecting to is that we are spending all the money that can be profitably spent through the Department of Commerce in uncovering the opportunities which may exist and in tendering to our business men the suggestions which may arise from investigation. What the State Department spends in that particular of the $200,000 here appropriated, in my judgment, is just so much absolutely wasted. That is not saying that in these matters concerning ocean cables and other things that require diplomatic intervention between two governments the State Department is sufficiently equipped; but if it is not it ought to come frankly forward and secure appropriations for the maintenance of employees who are to do that work. It ought not to come and secure an appropriation the expenditure of which is not in any way directed by Congress, leaving the chairman of the Committee on Appropriations to explain how it will be spent, but without binding in any way the State Department to expend the money for that purpose or in that way. It is precisely like all these lump-sum appropriations.

The great scandal of the work of Congress is the lump-sum appropriation, where we give general authority to withdraw money from the Treasury without indicating by whom it shall be spent or for what it shall be spent or even what shall be accomplished by the expenditure. We shall never resume—I will not say "resume," for I do not know that we have ever occupied the right position with regard to that matter—but we shall never even approach our much-desired economy in public affairs until Congress does direct the purposes for which money shall be spent.

Mr. OVERMAN. Mr. President, will the Senator from Iowa yield to me?

Mr. CUMMINS. I yield.

Mr. OVERMAN. I am very glad to hear the Senator make those remarks. I wish more Senators would study this question and make similar remarks about this matter. We had before the war came on about gotten rid of lump-sum appropriations. The Senator from Utah [Mr. SMOOT] and I have been fighting lump-sum appropriations for years and years. We hoped to get rid of them, and we had about done so when the war came on, and now we have them galore. The object is to get rid of them, and I am glad to hear stated the position taken by the Senator from Iowa upon that question.

Mr. CUMMINS. I have always taken that position, and I hope I may always be consistent enough to maintain it.

I should like to see an appropriation bill that would enable the Members of the Senate and the Members of the other House to exercise their own judgment with regard to the purpose for which money should be expended and with regard to the amount that should be expended for such a purpose.

Mr. UNDERWOOD. I desire to call the Senator's attention to the fact that this bill itself is trying to remedy that evil. It is practically impossible for an appropriation committee, when it has before it a bill embracing a large field of expenditure which requires the organization of bureaus and divisions of the Government, to sit down at the time of the organization and work out how many chiefs of bureaus or divisions or clerks are needed. But we have provided in this bill for a commission, to be composed of Members of the two Houses of Congress, to work out a reclassification of all salaries. That is the only way it can be done. It is impossible to do it on an appropriation bill. A reorganization may grow out of the work of this commission that will accomplish the result to which the Senator from Iowa points, but it is the only way it can be done. If the Appropriations Committee had to sit down and study every detail in connection with every new bureau that is created under a lump-sum provision—how many clerks there should be of class 1 and class 2 and class 3, and how many chiefs of divisions there should be—we should never be able to report the appropriation bills within the long session, and certainly not within the short session of Congress.

Mr. CUMMINS. But, Mr. President, it would be possible even now in this appropriation bill to point out the purposes for which the money is to be expended, even if it could not be declared how many employees should be in a new bureau or what salaries they should receive.

Mr. UNDERWOOD. I spent about 20 minutes endeavoring to point out the purposes for which the appropriation was intended, and I am sorry the Senator from Iowa did not understand me.

Mr. CUMMINS. I understood perfectly; the Senator from Alabama was exceedingly clear about that, but what the Senator has said does not bind the State Department in any particular.

Mr. UNDERWOOD. Of course not, but nothing else would bind the State Department except the direct organization of these bureaus. As I say, it is impossible for us to do it in this way, but if the amendment to which I have referred in the last part of the bill is adopted we are going to give Congress a chance to appoint a commission to work out that very reform.

BOLSHEVIST PROPAGANDA IN WASHINGTON.

Mr. THOMAS. Mr. President, I feel it my duty to call the attention of the Senate to an occurrence of yesterday, a comparatively full report of which appears in this morning's Washington Post, beginning on page 3, and continued on page 10. The headlines are:

Urge "red" America—Bolshevik speakers stir huge audience at Polk's Theater—City's radicals in throngs—Representative MASON charges plot to keep Slav funds in United States—Speaks from box after Albert Rhys Williams and others laud soviets and tell of spreading propaganda in United States—"Soft" pickets take up collections—Adopt Johnson resolution now in Senate.

From this article, Mr. President, it appears that under the shadow of the Capitol and in the center of the Nation's activities a meeting largely attended was yesterday held which applauded propaganda hostile to the Constitution and institutions of the United States and addresses advocating the overthrow of both.

I am not permitted under the rules of the Senate to more than refer to the fact that a Member of the House figured conspicuously in this remarkable gathering. I may emphasize the

fact, however, that five of the suffragette pickets were in that audience, and one of them, Mrs. Ida M. Waters, assisted in taking up a collection to pay for the rent of the theater. Their presence was not surprising, for they seek notoriety wherever possible, and always clamoring for their rights under a Constitution they despise when corrected for their indiscretions.

Mr. President, for one I protest against assemblages which, under the guise of free speech, advocate what is virtually treason to the Nation. If I occupy a street corner and counsel my auditors to go to the White House and murder the President, or to the Willard Hotel and kill the proprietor, or to the Capital and murder a Senator or a Representative, the police very properly interfere, I am apprehended, and subjected to punishment; but if I counsel a campaign of universal murder and destruction, including the overthrow of the Government, I can rely upon my constitutional right to free speech and go unscathed.

I contend, Mr. President, that one is just as criminal as the other; and unless the people of this country—the plain, law-abiding, middle-class people—realize, and realize very soon, the fact that there is a conspiracy, usually secret, but frequently open, working for the overthrow of the Government of the United States and to erect upon its ruins a so-called government of murderers, anarchists, thieves, and criminals, with here and there some honest but deluded individual among them, the avalanche may be upon them in the near future. This is a serious situation. The people by and large should realize it and take the proper steps to protect themselves and their Government from sinister consequences.

I do not wish to indulge in undue forebodings; but when I realize that there is an organization in this country, as well as in others, comprised in small part, as all such organizations are, of good men and of good women and of good-meaning men and good-meaning women, but officered and controlled by criminals at heart and traitors in fact as well as in law, and that the movement of death and destruction which they preach and advocate is spreading, I want to be able to say hereafter that I did not remain silent when Bolshevist meetings are held within hailing distance of the Capitol.

I think it is safe to say that every murderer, every criminal, every man who hopes or expects to prosper or to benefit politically or materially, or both, by the overthrow of the social state by violence and massacre, by the ravishing of women and the destruction of property, by robbery, arson, and all the other social crimes known to the calendar, are enthusiastic members of this so-called organization. And now in the capital of the country this movement raises its voice, utters its treasons, counsels the overthrow of the Government, and lauds to the skies the substitution of social and political aggregations, the experiments in which in unhappy Russia have simply been appalling.

LEGISLATIVE, ETC., APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

Mr. SMOOT. Mr. President, I do not wish to take more than a moment of the time of the Senate in relation to this increase from $125,000 to $200,000 and the purposes for which it was granted.

I have here a statement—I do not know whether or not it is the same statement referred to by the Senator from Alabama, but it is a confidential statement from the State Department. I have no right whatever to put it in the RECORD, nor do I believe that it would be a proper thing to do, for it has specific reference to certain work that would be undertaken in case the full $500,000 were appropriated. Perhaps I may refer to some of the objects of investigation intended to be made by the representatives of the State Department in case the full appropriation asked for is made. I will call the attention of the Senate to a few of them, as follows: Foreign governmental monopolies; loans to Latin America; British trade aggression; foreign customs; difficulties of American exporters; Chinese railway and other loans; Japanese questions; and other loans to various countries. These questions were to be fully gone into by employees to be paid out of the appropriation under discussion. I think I am well within bounds when I state that the particular question referred to, namely, radio communication between North America and South America, requires special men to undertake the investigation, and we allowed 10 experts at $3,500 each to assist in this work.

They asked for an increased number of drafting officers to aid in important drafting work and to act as chiefs of divisions or upon work connected with foreign relations. They asked for 16 drafting officers at $4,500, 25 at $4,000, 32 at $3,500, 20 at $3,000, 15 at $2,500. Of assistant solicitors they asked for 3 at $3,500, 3 at $3,000, 2 at $2,500, and of law clerks they asked for 1 at $2,500, 2 at $2,250, and 3 at $2,200. The House granted, of the drafting officers, 36 out of the 108 asked for; it granted 7 of the assistant solicitors, and 6 of the law clerks. Then they asked, Mr. President, for $500,000 for temporary employees outside of those I have just mentioned.

Mr. KING. Mr. President, will the Senator tell us how many of those have been perpetuated in the bill or at least indorsed by the Senate committee?

Mr. SMOOT. Thirty-six of the drafting officers, 7 of the assistant solicitors, and 6 law clerks have been provided by the Senate committee; but the request was for 108 drafting officers, 8 assistant solicitors, and 6 law clerks, all of whom are to be located here in the District of Columbia. Every one wants our foreign commerce to increase and appropriates money for the purpose of assisting our manufacturers. Our manufacturers in this country may send samples of goods made for the American market and quote prices that perhaps would compete with the prices of other countries, but we are never going to sell goods in foreign lands to any extent until the goods are put up in the way the foreign countries want them. We can not convert them to our way of thinking as to the size of the packages or the manner in which they are to be distributed. They decide that question for themselves.

The reason Germany was so successful in the past in controlling the trade of South America and other countries of the world her commercial attachés went to the different countries, visited the merchants of those countries, and asked, "How do you want your goods put up? We will put them up in any way that you desire; we will place upon them any marks that you desire, or furnish you any colors your people wish." That done, it was easy for the German commercial attachés to secure orders from those countries. On the other hand, in the past we have gone to the foreign merchant, and said, "This is the way we make the goods, and this the way we pack them in the United States; they are to be shipped as we direct and the terms are as we dictate, and if you want to buy them on those terms and conditions well and good." All that has got to be changed before our commerce with foreign countries increases to any great extent, as we all hope it will.

Mr. KING. Mr. President, I should like to have passed over the provision that we are now considering. I desire to submit at least one, and possibly two amendments to it. I have not had opportunity to formulate them. The discussion has revealed to me a condition which I think calls for an amendment.

Mr. KENYON. Mr. President, does not the Senator think we ought to have more Senators present when a matter of this importance is being considered? There are only a few Senators in the Chamber, and I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Calder	Jones, Wash.	Moses	Smith, S. C.
Chamberlain	Kellogg	New	Smoot
Colt	Kenyon	Nugent	Spencer
Curtis	King	Overman	Sterling
Dillingham	Kirby	Page	Swanson
Fernald	La Follette	Penrose	Thomas
Fletcher	Lenroot	Poindexter	Thompson
Hale	Lewis	Pollock	Trammell
Harding	Lodge	Pomerene	Underwood
Henderson	McKellar	Ransdell	Wadsworth
Hollis	McNary	Shafroth	Warren
Johnson, Cal.	Martin, Ky.	Sheppard	Wolcott
Jones, N. Mex.	Martin, Va.	Sherman	

Mr. McKELLAR. I announce the absence of the senior Senator from Tennessee [Mr. SHIELDS] on account of illness.

Mr. CHAMBERLAIN. I desire to announce the absence of the junior Senator from Pennsylvania [Mr. KNOX] on official business.

Mr. MARTIN of Virginia. I announce that the senior Senator from Maryland [Mr. SMITH] is necessarily detained by illness.

Mr. LENROOT. I wish to announce the absence of the Senator from Georgia [Mr. HARDWICK] and the Senator from Maryland [Mr. FRANCE] on official business.

Mr. SHAFROTH. I desire to announce the unavoidable absence of the Senator from Mississippi [Mr. VARDAMAN] on account of official business.

The VICE PRESIDENT. Fifty-one Senators have answered to the roll call. There is a quorum present.

Mr. SMOOT. Mr. President, this morning, after the Senate had agreed to certain amendments to the provision as to clerical and other assistants to Senators—the provision which is found at the top of page 10 of the bill—it became necessary to change the amendment preceding that, found on pages 8 and 9 of the

bill, referring to the different committees named in that amendment. It was passed over, with the understanding that as soon as that amendment was finally perfected to conform to the amendment on page 10 a reconsideration of that amendment would be had.

I now move that the vote by which the amendment on pages 8 and 9 of the bill was adopted may be reconsidered.

The VICE PRESIDENT. The question is on the motion of the Senator from Utah.

The motion to reconsider was agreed to.

Mr. SMOOT. Now, as a substitute for the committee amendment, I offer the amendment which I send to the desk, and ask for its adoption.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. It is proposed to substitute for the language proposed to be inserted by the committee the following:

Agriculture and Forestry—clerk, $2,500; assistant clerk, $1,800; assistant clerk, $1,500. Appropriations—clerk, $5,000; 2 assistant clerks, at $2,500 each; three assistant clerks, at $1,500 each; laborer, $720. Banking and Currency—clerk, $3,000; assistant clerk, $1,800; two assistant clerks, at $1,500 each. Claims—clerk, $2,500; assistant clerk, $2,000; 2 assistant clerks, at $1,500 each. Commerce—clerk $2,500; assistant clerk, $2,220; assistant clerk, $1,800; assistant clerk, $1,500. Conference minority of the Senate—clerk, $3,000; assistant clerk, $1,800; 2 assistant clerks, at $1,500. District of Columbia—clerk, $2,500; assistant clerk, $1,800; assistant clerk, $1,500. Education and Labor—clerk, $2,500; assistant clerk, $1,800; assistant clerk, $1,500. Finance—clerk, $3,000; assistant clerk, $2,220; assistant clerk, $1,800; 2 assistant clerks, at $1,500 each; 2 experts (1 for the majority and 1 for the minority), at $2,000 each. Foreign Relations—clerk, $3,000; assistant clerk, $2,220; assistant clerk, $1,500. Immigration—clerk, $2,500; assistant clerk, $1,800; assistant clerk, $1,500. Indian Affairs—clerk, $2,500; assistant clerk, $1,800; assistant clerk, $1,500. Interoceanic Canals—clerk, $2,500; assistant clerk, $1,800; assistant clerk, $1,500. Interstate Commerce—clerk, $2,500; 2 assistant clerks, at $1,800 each; assistant clerk, $1,500. Judiciary—clerk, $2,500; assistant clerk, $2,220; 2 assistant clerks, at $1,800 each; assistant clerk, $1,500. Manufactures—clerk, $2,500; assistant clerk, $1,800; assistant clerk, $1,500. Military Affairs—clerk, $2,500; assistant clerk, $2,220; 2 assistant clerks, at $1,500 each; assistant clerk during the period of the war, $1,500. Naval Affairs—clerk, $2,500; assistant clerk, $2,220; 2 assistant clerks, at $1,500 each. Pacific Islands and Porto Rico—clerk, $2,500; assistant clerk, $1,800; assistant clerk, $1,500. Pensions—clerk, $2,500; assistant clerk, $1,800; 4 assistant clerks, at $1,500 each. Philippines—clerk, $2,500; assistant clerk, $1,800; assistant clerk, $1,500. Post Offices and Post Roads—clerk, $2,500; assistant clerk, $2,000; 3 assistant clerks, at $1,500 each. Printing—clerk, $2,500; assistant clerk, $1,800; assistant clerk, $1,500. Privileges and Elections—clerk, $2,500; assistant clerk, $1,800; assistant clerk, $1,500. Public Buildings and Grounds—clerk, $2,500; assistant clerk, $1,800; assistant clerk, $1,500. Public Lands—clerk, $2,500; assistant clerk, $1,800; 2 assistant clerks, at $1,500 each. Rules—clerk, $2,720, to include full compensation for the preparation biennially of the Senate Manual, under the direction of the Committee on Rules; assistant clerk, $1,800; assistant clerk, $1,500; in all, $200,260.

Mr. SMOOT. Mr. President, that simply conforms to the action taken by the Senate in the case of the clerical and other assistants to Senators not holding chairmanships of other committees not enumerated in this bill; also to Senators who, when in the minority, are not entitled to a committee chairmanship, but are entitled to two clerks.

I think myself that the Senators are going to be criticized for these increases. I have already heard some rumblings of it in the hallways; but that is what was decided by the Senate, and as long as it has been decided, of course, this amendment ought to be agreed to, in order to conform to the action of the Senate shortly after 12 o'clock to-day.

The PRESIDING OFFICER (Mr. POMERENE in the chair). The Chair understands that this is offered as a substitute for the committee amendment.

Mr. SMOOT. As a substitute for the committee amendment.

The PRESIDING OFFICER. The question is on the substitute offered by the Senator from Utah for the committee amendment.

The amendment in the nature of a substitute was agreed to.

The PRESIDING OFFICER. The question now is on the adoption of the substitute in lieu of the House provision.

The amendment as amended was agreed to.

Mr. UNDERWOOD. Mr. President, I desire to move an amendment to make the Vice President's force conform to what has been done in reference to that of Senators. I ask consent to take up page 2, and move this amendment: On page 2, line 8, strike out the words "messenger, $1,440," and make it read "clerk, $1,000."

The amendment was agreed to.

Mr. UNDERWOOD. Also, strike out the word "telegraph," before the word "page," in line 9.

The amendment was agreed to.

Mr. SMOOT. Mr. President, as I understand, there was a request made by the junior Senator from Utah [Mr. KING], my colleague, to pass over the amendment on line 19, page 35.

Mr. KING. No, Mr. President. I did make such a request that it be passed over, and the acting chairman of the committee has assented to the request.

The PRESIDING OFFICER. Let the Chair understand: Was the order that the entire paragraph be passed over?

Mr. KING. It is the entire paragraph for the reason that I want to submit two amendments to the paragraph.

Mr. LODGE. Mr. President——

Mr. UNDERWOOD. Does the Senator desire to delay the adoption of this portion of the paragraph that relates to drafted men taking back their positions in the Government employ?

Mr. KING. Oh, no.

Mr. UNDERWOOD. Then the Senator's request relates to the amendment in line 19?

Mr. KING. Yes; and then I shall offer a further amendment prohibiting the use by this department of money from any other source than that carried in the bill.

Mr. SMOOT. That can be done at any time.

Mr. UNDERWOOD. But the request of the Senator relates only to the amendment on line 19?

Mr. KING. Yes.

The PRESIDING OFFICER. The Chair understands that that has been declared, by a previous occupant of the chair, agreed to.

Mr. KING. If that was done, it was prematurely done.

Mr. UNDERWOOD. I will say to the Senator from Utah that if it has been agreed to, of course he will have an opportunity to ask for a vote in the Senate; but I will not raise an objection to it if he desires to call it up.

Mr. KING. That will be satisfactory.

Mr. UNDERWOOD. But I should like the amendment to the other section of the paragraph to be passed over.

Mr LODGE. Mr. President, I do not understand that the next amendment has been disposed of, at lines 21 and 22.

The PRESIDING OFFICER. The Chair is advised that it was declared agreed to.

Mr. LODGE. I was about to leave the Senate Chamber, and I asked that that might be passed over until I returned.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts?

Mr. UNDERWOOD. The Senator is here now.

Mr. LODGE. I am perfectly willing to go on now; I only wanted to be heard in regard to it.

Mr. UNDERWOOD. I have no objection to its being taken up again.

Mr. LODGE. I was not aware that we had gone beyond the amendment in line 19.

Mr. UNDERWOOD. I will state to the Senator, in reference to that amendment, that the situation is this: The House inserted a proviso that came from the floor of the House, I understand, as follows:

Provided, That no part of any appropriation herein shall be used unless all former Government employees who have been drafted or enlisted in the military service of the United States in the war with Germany shall be reinstated on application to their former positions appropriated for herein, if they have received an honorable discharge and are qualified to perform the duties of the position.

As the House provision stood, it limited that paragraph entirely to cases within this bill; and the very next bill that came to the Appropriations Committee had a similar provision. The committee did not see any reason why we should take this matter in detail and attempt to legislate in reference to each separate bill; but we thought it was wiser and better to make the provision apply to all of the employees of the Government who have left positions in the Government employ and gone to the front as soldiers, whether volunteers or drafted men, providing that the positions should be open to them when they came back. So, in order to accomplish that, we struck out certain words of the House provision and left it so that it will read as follows:

Provided, That all former Government employees who have been drafted or enlisted in the military service of the United States in the war with Germany shall be reinstated on application to their former positions if they have received an honorable discharge and are qualified to perform the duties of the position.

In other words, when they went to war, the statement was made to these young men by the heads of various executive bureaus that if they volunteered and went into the war their places would be kept open for them. It seems that there may have been one or two instances where some difficulties have arisen. So far as I am concerned, I think the Government should keep its pledge; that it owes it to these men who have left governmental positions, now that the war is over, when they come out of the Army to reinstate them. That is all that this provision carries. That is the purpose of it, and that is all there is to it.

Mr. LODGE. I am in sympathy with the provision, and I think that pledge ought to be kept; but striking out those words leaves it——

Mr. UNDERWOOD. It makes it universal, instead of limiting it to this bill.

Mr. LODGE. I thought it was limited even more narrowly.

Mr. UNDERWOOD. Oh, no. The purpose of striking out these words is to make this clause universal and make it apply to the entire Federal service; and that is what ought to be done.

Mr. LODGE. Yes.

Mr. UNDERWOOD. If you leave in those words you limit it merely to the clerks who are employed under the legislative bill. If you strike them out the provision will be applicable to all the clerks that are employed under the legisative bill, the sundry civil bill, the deficiency bill, and every other function of the Government.

Mr. LODGE. I think it is wise to make it universal in its application. My point is a slightly different one, and that is that under the House language the departments are compelled to take these soldiers back. If you leave that out, it seems to me to be left very much at the discretion of the department.

Mr. JONES of Washington. Mr. President——

Mr. UNDERWOOD. This language is not changed in any way except the limitation that was put in here, probably on the part of whoever offered it in the House, to make the provision in order. The House provision was a limitation on the appropriation, on the expenditure of the money.

Mr. LODGE. Certainly.

Mr. UNDERWOOD. And unless it was done by unanimous consent, the proponent of the measure in the House could not have put it in this bill except by offering it in that form.

Mr. LODGE. No; I understand that.

Mr. UNDERWOOD. The committee, though, makes it a universal law. I think that is all that is necessary. If the Senator desires to put more teeth in it, he can add a provision that any head of a department or other governmental officer who refuses to comply shall be guilty of a misdemeanor and punished; but I do not think that will be necessary.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Washington?

Mr. LODGE. Certainly; I yield.

Mr. JONES of Washington. I just want to suggest that if the language were left as the House put it, none of this money could be expended until they are sure that every soldier who will be discharged will be reinstated.

Mr. LODGE. Of course, that is very undesirable.

Mr. JONES of Washington. Yes; as the Senator says, that would be undesirable.

Mr. LODGE. Of course, the language of the bill as the Senate has it is mandatory, and that ought to be sufficient.

Mr. UNDERWOOD. I think it will be, and therefore the committee did not propose any punitive features to it.

Mr. LODGE. I agree with the Senator about its universal application. I think that ought to be. I only wanted to make sure that it would be carried out, and if the Senator thinks mandatory terms are sufficient I have no objection to the amendment.

Mr. UNDERWOOD. I really do not think there will be much trouble in the executive departments anywhere; but a case might arise where, by reason of some employee being in, they would attempt to put the soldier somewhere else. With this provision in the bill, however, it is mandatory, and the Government head of a bureau or of a division or of a department can not refuse to reinstate the soldier if he is in such condition that he can do the work.

Mr. SMOOT. Mr. President, the only fear I had in regard to this provision was that being a proviso it might apply only to the appropriation of the $200,000. I think it would be very much safer to strike out the word "*Provided*" and make a new section of the wording as the committee reported it, and then there would be no question at all about it.

Mr. UNDERWOOD. I have no objection to that being done.

Mr. LODGE. In that connection I want to say that when I read it first it seemed to me to apply only to the $200,000.

Mr. SMOOT. That is the fear I have had all the time.

Mr. LODGE. And I think there is a possibility of doubt about that. I think it would be well if it could be placed somewhere else in the bill, so that it will be clearly applicable to all cases.

Mr. UNDERWOOD. I ask that the word "*Provided*" be stricken out, and that a new paragraph be inserted at that point.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to strike out the colon and insert a period, and strike out the word "*Provided*" and the comma following and begin a new paragraph with the word "That."

The amendment was agreed to.

The PRESIDING OFFICER. The Chair understands that the amendment on lines 21 and 22 was agreed to.

Mr. UNDERWOOD. Yes.

The PRESIDING OFFICER. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 36, line 3, after the word "act," to insert "except the act making appropriations for the Diplomatic and Consular Service," so as to make the clause read:

No money appropriated by any other act, except the act making appropriations for the Diplomatic and Consular Service, shall be used during the fiscal year 1920 for employment and payment of personal service in the Department of State in the District of Columbia.

The amendment was agreed to.

The reading of the bill was continued to line 10, on page 40, the last paragraph read being as follows:

Arlington Building and annex, Vermont Avenue and H Street: For the following employees for the operation of the buildings: Assistant superintendent, $2,000; chief engineer, $1,400; 2 assistant engineers, at $1,200 each; 6 firemen; 13 elevator conductors, at $720 each; 2 oilers at $900 each; electrician, $1,400; 2 wiremen at $1,200 each; plumber, $1,200; plumbers' helper, $1,000; painter, $1,200; 2 carpenters, at $1,200 each; janitor, $1,200; assistant janitor, $1,000; 25 male laborers, at $660 each (4 to attend toilets and 2 to relieve elevator conductors when required); 3 female laborers, at $660 each; captain of the watch, $1,400; 3 lieutenants of the watch, at $900 each; 26 watchmen; head of char force, $840; 3 assistant heads of char force, at $720 each; 190 charwomen; in all, $122,980: *Provided*, That this appropriation shall be used for the care, maintenance, and protection of the Arlington Building and annex only for housing the Bureau of War Risk Insurance: *Provided further*, That any space in said building and annex not needed for the Bureau of War Risk Insurance may be assigned by the Secretary of the Treasury for the use of other offices of the Treasury Department.

Mr. SMOOT. I had not noticed that provision before, but if we adopt the amendment providing for a commission to look into the rent of the different buildings for the Government, will not this conflict with the authority provided for in that amendment?

Mr. UNDERWOOD. As far as I am concerned, though I can not speak for the committee, I am willing to have it go out. I think there is logic in what the Senator says in connection with it, and I am willing to have it go out.

Mr. SMOOT. And then go into conference?

Mr. UNDERWOOD. And let it go to conference.

Mr. SMOOT. It does seem to me if the amendment found in the bill is passed it certainly will conflict with this provision.

Mr. UNDERWOOD. As I understand the Senator, we have a specific provision here for a legislative commission to assign space and room, and there is no reason why we should legislate on this subject if we are going to turn it over to the commission. I ask unanimous consent that the proviso be stricken out.

Mr. SMOOT. As long as it is going into conference, the best way would be to strike out both provisos after the numerals "$122,980."

Mr. UNDERWOOD. Yes.

Mr. SMOOT. Because the first proviso states that this appropriation shall be used for the care, maintenance, and protection of the Arlington annex building only for housing the Bureau of War Risk Insurance. The commission may decide to put that bureau in an entirely different building.

Mr. UNDERWOOD. I think both provisos had best go out.

The PRESIDING OFFICER. The question is on the amendment to strike out the two provisos, beginning on page 40, line 3, down to and including line 10.

The amendment was agreed to.

Mr. CUMMINS. I desire to ask a question of the Senator from Alabama. I understand that the bill provides for an increase for the general employees of $240 a year and for the War Risk Insurance Bureau employees of $120. My question is, In what part of the bill is that provision?

Mr. UNDERWOOD. In the very last part of the bill.

Mr. CUMMINS. So that the question, whatever merit there may be in it, may be considered when we reach the last part of the bill?

Mr. UNDERWOOD. Oh, yes. I will not stop now to explain it, but I shall be very glad, when we reach the proposition, to explain on what the action of the committee was founded.

The reading of the bill was resumed.

The next amendment was, under the head of "Treasury Department," at the top of page 42, to strike out:

To enable the Secretary of the Treasury to enforce the provisions of the act of March 23, 1910 (36 Stats., p. 241), when instituting inquiry into the solvency of bonding companies doing business with the Government, $5,000; the expense of each examination to be reimbursed by the bonding company examined.

The amendment was agreed to.

The reading of the bill was continued to page 44, line 6, the last clause read being as follows:

Bureau of War Risk Insurance: For expenses of the Bureau of War Risk Insurance, as authorized by law: For salaries of the director and commissioner, and of such deputies, assistants, accountants, experts, clerks, and other employees in the District of Columbia, as the Secretary of the Treasury may deem necessary, $9,500,020.

Mr. LODGE. I should like to ask why that is left a lump appropriation of over $9,000,000. Why is it left to the Secretary of the Treasury to establish all those salaries?

Mr. UNDERWOOD. I will say to the Senator, when the War Risk Insurance Bureau was organized it was organized practically overnight. It was a very large organization that brought into its policyholders some two million men almost instantly—that is, within a few days—and there was no opportunity at that time, and has not been since that time, to work out a detailed organization. As a matter of fact we could not do it now, but we have in the bill a provision providing for a commission to investigate all the bureaus, divisions, and departments and fix a basis of salary and employment. It was perfectly impossible for the Committee on Appropriations to stop to do the work, but realizing the importance of what the Senator from Massachusetts suggests, not only in reference to the War Risk Bureau but in reference to a number of new bureaus that have been created under a lump-sum appropriation, and in reference to a number of old bureaus and departments that have lump-sum appropriations and where the statutory rolls are a misfit at this time, the committee has reported in the last pages of this bill a provision for the creation of a commission—three Senators to be appointed by the Vice President, three Representatives to be appointed by the Speaker of the House—who shall take up the matter and endeavor to work out an entire reorganization of the departments.

Of course, that is not fully an answer to the Senator's question why it has not been done in this instance, but so far as the Senate Committee on Appropriations is concerned, if we had attempted to take the 11,000 clerks and work out a complete organization for them between now and the 4th of March—we get this bill about a week ago—and put them all on a statutory salary we would have had to scrap everything else we were doing practically, because it would have taken our entire time.

Mr. LODGE. I understand that, Mr. President. I desired to call attention to it because I think this lump-sum system is a very bad one. I think it is all wrong. I believe we ought to have the system that was pursued for many, many years in all the departments. This does not settle even, I think, the salary of the commissioner. There is over $9,000,000 appropriated to be spent and allotted as the Secretary of the Treasury sees fit, and another million dollars that the Senator from Wyoming [Mr. WARREN] calls my attention to. I do not think that is a sound or economical way of appropriating money. I am glad the Senator has a scheme for dealing with all these lump-sum appropriations. I have not read the amendment yet, but I hope some provision has been made for immediate action on it; I mean immediate on the part of the commission.

Mr. UNDERWOOD. It provides for the commission to go to work at once. It is to be composed of Members of the Senate and the House. We could hardly put in a provision requiring it, but we must assume that the men appointed from this body and the House of Representatives will take immediate action.

Mr. LODGE. I hope they will before we come around to any more appropriation bills, for I think appropriating nine or ten million dollars to be spent in this very loose way is wrong in principle. I believe it is a very bad system.

Mr. UNDERWOOD. I desire to call the attention of the Senator to the hearings by the subcommittee upon this bill, on page 152. He will find a complete statement in the record as to the number of employees in the War Risk Bureau, the exact salaries that have been paid, and all the information in reference to them at this time. Of course, it can be changed by Executive order. I ask, in connection with what I have said, that this schedule be printed in the RECORD for the information of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

SUMMARY SHEET.

Average salary, Bureau of War Risk Insurance	$1,102.25
Average salary, Treasury Department (exclusive Bureau War Risk Insurance and Bureau of Engraving and Printing)	1,134.66
Average salary, Treasury Department, including $120 bonus (exclusive Bureau War Risk Insurance and Bureau Engraving and Printing)	1,236.03

Number of regular employees, by salary grades and divisions, Jan. 15, 1919.

Salary grade.	Division.														Total.	Yearly salary account.
	Administrative.	Allotment and allowance.	Claims and compensation.	Mails and files.	Stenographic.	Legal.	Investigation.	Marine.	Seamen's.	Audits and records.	Disbursing.	Insurance.	Actuarial.	Medical.		
$5,000		1				1									2	$10,000
$4,000		2													2	8,000
$3,000		1													1	3,000
$2,500		2		1		2			1		1		1		8	20,000
$2,250		2	1	1		2	3							1	13	30,000
$2,000				1								1			2	4,000
$1,800	3	3			1	8	5	1		2	1	3	1		29	52,200
$1,700		1				1				1	1				3	5,100
$1,650			1				1			2	2			1	8	13,200
$1,600	1														1	1,600
$1,500	1														2	3,000
$1,400	6	5	12	1	1	8	6	1	1	2	2	4	1	3	51	106,000
$1,350										1					1	1,350
$1,300		1													1	1,300
$1,200	14	43	62	1		9	33			6	8	6	2	1	185	233,000
$1,100		7	5			1									13	22,630
$1,050							2		1			2			5	5,300
$1,000	2	1								2	1	1			7	7,000
$950	1	15	3							7	3	1	2		31	29,450
$900	1	13	8			4	13			1	2			1	43	38,800
$850	1	2	1			1				1					6	5,100
$800	7	36	10			5	38			5	1	10	3	1	116	92,800
$750						1	1	1	1						4	3,000
$700	1	53	8			5				20	5	4	1		117	81,900
$650	14	10	2		1	6	12	2		2	1	7	2	1	62	40,300
$600		18	1			5				6	4	3			37	22,200
$550												1			1	550
$500	13	97	91	3		8	2	2		109	19	34	6	1	344	172,000
$450	8	23	3	1	2	3	6	1	3	1	2	16			69	31,050
$400	2	280	4			1		7		107	2	9			421	168,400
$350	59	417	100	28	38	53	101	6	10	142	83	208	24	9	1,307	457,450
$300		208	23	2		2	1			264	12	6	5		523	156,900
$250	3	3													6	1,500
$240	96	1,456	362	69	12	233	347	9	12	418	326	1,538	165	20	5,335	1,280,400
$200	1	1	1				1			5			1		10	2,000
$180	1	2	4							8	121	2	1		137	24,660
$150	5	35	24	2		18	12			53	64	18	13		224	33,600
$120												1			1	120
$100											1				1	100
$90	8	7	2	2		2	1			8	1	1			15	1,350
$80	3	28	5	2	1	3	2			74	211	48	34		410	32,800
$60	157	39	18	3		8	1	1		7	3	42	1	2	264	15,840
$50	1														1	50

Number of regular employees, by salary grades and divisions, Jan. 15, 1919—Continued.

Salary grade.	Division.														Total.	Yearly salary account.
	Administrative.	Allotment and allowance.	Claims and compensation.	Mails and files.	Stenographic.	Legal.	Investigation.	Marine.	Seamen's.	Audits and records.	Disbursing.	Insurance.	Actuarial.	Medical.		
$792			1							1		2			4	$3,168
$780	9										5		1		15	11,700
$760												1			1	760
$720	6	5	3	1	1		1			2	4	2	8		35	25,200
$660		1				1	1			1	200				207	136,620
$600	4	1	1			4	1		1	2	1				15	9,000
$480	38	75	16	1	1	2	5	1		21	45	13	4	1	223	107,040
$360										1					1	360
$312	226														226	70,512
Total	704	2,969	771	118	77	396	611	31	30	1,707	1,153	2,220	260	42	11,109	12,244,920

NOTE.—Average yearly salary, $1,102.25.

Mr. SMOOT. I wish to state to the Senator from Massachusetts that this lump sum is not abused like other lump-sum appropriations found in this and other bills. There are 5,335 employees of the War Risk Bureau whose salary grade is $1,100. It costs the Government for that one grade of clerks alone $5,868,500. That is a great part of the lump sum of $9,000,000 appropriated.

All that the Senator from Massachusetts has said about lump-sum appropriations I fully indorse. I not only think it is a bad practice, but I think it is a wicked and extravagant practice. Before the war we had most of the lump-sum appropriations eliminated from our appropriation bills; but I am afraid it is going to take quite a number of years to get rid of them again. However, I do believe the commission which will be appointed if the House agrees to the Senate provision ought to begin immediately upon the work and force every bureau and every division and every department of the Government to inform the Committees on Appropriations of the House and Senate just how many clerks they want and just what salaries they are going to pay them.

Mr. LODGE. I am glad the Senator feels that way. It seems to me that it ought to be attended to and attended to at once, that they all ought to be eliminated from the law, and that wherever possible it ought to be done now.

Mr. CALDER. Mr. President, I wish to occupy the time of the Senate for just a moment. It will be impossible to complete this bill to-night.

I have had called to my attention a matter dealing with a bureau of the Treasury Department, the War Risk Bureau, that I wish to bring to the attention of the Senate now because it may perhaps lead to a remedy of a situation existing there.

I have a letter from a soldier, or a man who was recently a soldier, living in New York City, who was discharged from the Army August 28. At the time of his enlistment he allotted $15 of his pay to his wife. He had a minor child, and his wife's allotment therefore was $40. It appears that regardless of the fact that he has been discharged from the Army his wife is still receiving the $40 allotment. I have here the checks for September, October, November, December, and January, and I shall at the request of the soldier's family return the checks to the Treasury Department and urge that hereafter greater care be taken in paying these allotments months after a soldier has actually left the Army.

Differing from this situation, I have a letter here from a citizen of the city of New York. This lady writes me:

Hon. WILLIAM M. CALDER,
United States Senate, Washington, D. C.

DEAR SIR: I am the mother of Arthur Sweetbaum, a private in Company G, Fourth United States Infantry. He was wounded in action on October 7, 1918, and was treated in various hospitals in France until he finally arrived in Convalescent Hospital No. 5.

On December 10, 1918, he was sent to St. Nazaire, preparatory to shipment home. This morning we received a letter from him, stating that the records in his case have either been lost or mislaid, and that he has no idea when he will get home, in spite of the fact that he is still suffering from the wound he received in his arm. This is not an isolated case, as you will find upon investigation that there are about 2,000 similar cases at St. Nazaire—that is, of cases where no records can be located.

He has not been paid any money by the Government for services abroad for the past seven months—

Mr. President, in one case we find a wounded soldier without pay for seven months, and in another we find the wife of a soldier who has been out of the Army for five months receiving her allotment of $40 every month, despite the fact that her husband is not now in the service—

He had collected some souvenirs while at the front, and he was compelled to dispose of them in order to secure a few cents for himself. The Christmas package and numerous other packages and letters sent to him have never reached him. Why, even a United States money order did not reach him. We are having returned to us letters that we sent to him in September, 1918, with the indorsement that he was wounded. In this morning's letter he states, "For God's sake, don't send me anything here, as I don't receive a thing."

I emphasize the above, as I have just received (at 6.30 p. m.) another letter sent to my son by a friend of his, and dated September 30, 1918, and also indorsed "Wounded 5/11/18 C. P. O. Tours."

The thorough incompetence of some officials in the War Department is enough to drive one insane. It appears that once a man is wounded he loses all rights; he is left to shift for himself; he is hemmed in with a lot of red tape, and no attempt is made to get him his salary or mail.

In the name of a native-born American, wounded in action in defense of his country's honor, I appeal to you to help me get my son back to the United States.

I assure you that I will greatly appreciate anything you will do for me. Thanking you in advance, I am,

Yours, truly, (Mrs.) GUSSIE SWEETBAUM.

Mr. President, it is not my custom to bring matters of this kind to the attention of the Senate; I usually take them up with the War Department in an effort to have them straightened out there; but the fact that such gross neglect can exist, that the families of some soldiers receive their allotments after the soldiers have left the service, while in other cases soldiers wounded in action can not be sent home because their papers have been mislaid and can not get their pay for seven months warrants me in bringing up the subject here, in the hope that men will not be paid after they have left the service and that men will be paid who have been wounded in action.

EXECUTIVE SESSION.

Mr. UNDERWOOD. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

RECESS.

Mr. UNDERWOOD. I move that the Senate take a recess until to-morrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 27 minutes p. m.) the Senate took a recess until to-morrow, Tuesday, February 4, 1919, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 3, 1919.

ASSISTANT SECRETARY OF THE TREASURY.

Jouett Shouse, of Kinsley, Kans., to be Assistant Secretary of the Treasury.

COMPTROLLER OF THE CURRENCY.

John Skelton Williams, of Richmond, Va., to be Comptroller of the Currency. (Reappointment.)

REGISTER OF LAND OFFICE.

Frederick M. Hedger, of Washington, to be register of the land office at Walla Walla, Wash., his present term expiring December 30, 1918. (Reappointment.)

APPOINTMENTS BY TRANSFER IN THE ARMY.

CAVALRY.

Second Lieut. James Coachman Cullens, jr., Infantry, to be second lieutenant of Cavalry from November 1, 1918.

INFANTRY.

Second Lieut. Vincent John Conrad, Cavalry, to be second lieutenant of Infantry from November 1, 1918.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 3, 1919.

POSTMASTERS.

MINNESOTA.

Clarence D. Maxey, Backus.
Milton P. Mann, Worthington.

NORTH CAROLINA.

Sarah A. Lunceford, Smithfield.

PENNSYLVANIA.

James A. Cooper, Brockwayville.
Blair Borabaugh, Clymer.
William D. First, Conneaut Lake.
Thomas F. McHale, Olyphant.

UTAH.

Charlotte H. Nelson, Castlegate.
Thomas Brimley, Farmington.
Clyde Panter, Magna.

HOUSE OF REPRESENTATIVES.

MONDAY, *February 3, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Oh Thou, who art from everlasting to everlasting, the same yesterday, to-day, and forever, help us to subject ourselves to Thy will, since Thy laws are inexorable. It is writ: Whatsoever a man soweth, that shall he also reap.

For he that soweth to his flesh, shall of the flesh reap corruption; but he that soweth to the Spirit, shall of the Spirit reap life everlasting.

May we sow good seeds, that our harvest may be abundant in the Spirit. For Thine is the kingdom and the power and the glory forever. Amen.

The Journals of the proceedings of Saturday, February 1, and Sunday, February 2, were read and approved.

THE IMMIGRATION BILL.

Mr. BURNETT. Mr. Speaker, I ask unanimous consent that my colleagues, Mr. KNUTSON and Mr. POWERS, of the Committee on Immigration, be allowed to file minority views during to-day on the bill H. R. 15302 in the nature of a dissent from the four-year proposition.

The SPEAKER. The gentleman from Alabama asks unanimous consent that his colleagues, Mr. KNUTSON and Mr. POWERS, be allowed to file minority views during the day on the bill H. R. 15302, the immigration bill. Is there objection?

There was no objection.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 5279. An act to authorize the resumption of voluntary enlistment in the Regular Army, and for other purposes; to the Committee on Military Affairs.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed the following resolutions:

Resolved, That the Senate assembles as a mark of respect to the memory of Hon. OLLIE M. JAMES, late a Senator from the State of Kentucky, in pursuance of an order heretofore made, to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Senate again expresses its profound sorrow at the death of the late Senator from Kentucky.

Resolved, That the Secretary transmit a copy of these resolutions to the House of Representatives and to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

Also:

Resolved, That the Senate assembles as a mark of respect to the memory of Hon. WILLIAM JOEL STONE, late a Senator from the State of Missouri, in pursuance of an order heretofore made, to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Senate again expresses its profound sorrow at the death of the late Senator from Missouri.

Resolved, That the Secretary transmit a copy of these resolutions to the House of Representatives and to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 8828. An act increasing the limit of cost for the acquisition of a public-building site at Yonkers, N. Y.

EDITORIAL IN WASHINGTON POST.

Mr. SIEGEL. Mr. Speaker, I ask unanimous consent that an editorial which appeared in the Washington Post this morning be read by the Clerk.

The SPEAKER. The gentleman from New York asks to have read an editorial in this morning's Post. Is there objection?

Mr. FOSTER and Mr. WALSH objected.

Mr. SIEGEL. I make the point of order that no quorum is present.

The SPEAKER. The gentleman from New York makes the point that no quorum is present, and the Chair will count.

Mr. SIEGEL. Mr. Speaker, at the request of a number of gentlemen on both sides of the House, I withdraw the point.

The SPEAKER. That is what the Chair was waiting for. [Laughter.]

MILITARY ACADEMY BILL.

Mr. DENT. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15462, the Military Academy bill.

The motion was agreed to.

The SPEAKER. The Chair will remind the House that two hours is set aside to-day for the consideration of the Military Academy bill.

Mr. GARNER. From this moment?

Mr. MANN. No; from the meeting of the House.

Mr. GARNER. From the time that we go into Committee of the Whole.

The SPEAKER. The Chairman of the Committee of the Whole can decide that. [Laughter.]

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. SABATH in the chair.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Fifteen enlisted musicians, at $51 each per month, $9,180.

Mr. SIEGEL. Mr. Chairman, I move to strike out the last word. I ask that the Clerk read an important editorial in this morning's Washington Post in my time.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

EXPLANATIONS IN ORDER.

There are a lot of things that happened in this war which remain to be explained. Perhaps we shall have to wait until the peace treaty is signed and the whole business closed up formally, but eventually they will have to be explained. The public will insistently demand an explanation, and the returning soldiers will see to it that this demand is complied with.

Is it true that Gen. Enoch H. Crowder, Provost Marshal General, who worked out the selective-service plan and successfully executed it, was reprimanded by Gen. March, Chief of Staff, for giving his views to a congressional committee? It has been so reported, and the report even goes so far as to aver that the reprimand has been written into Gen. Crowder's Army record. Nothing official has been announced about it, and Gen. Crowder, being a true soldier, has kept his lips sealed. The people would like to know the truth about it.

Why was Gen. W. L. Sibert, who commanded the first contingent of the American Army sent abroad, relieved of his command and sent home before our forces became involved in the fighting? Gen. Sibert was picked to lead the advance guard of the Yanks. He put them through their training period in France, and there was every reason to expect that he would command the first American Army of the expeditionary forces, with the rank of lieutenant general. Suddenly it was learned that he was on his way back, and upon reaching the United States he was given charge of the Chemical Warfare Service, a highly important assignment, but far from the ultimate goal of a soldier's ambition. Sibert, being a true soldier, has kept silent, but the public would like to know why he was sent back.

Maj. Gen. Clarence R. Edwards went to France in command of the Twenty-sixth Division, composed of the New England National Guard. He led his troops through the hard fighting along the Meuse, where they sustained heavy losses, but made a splendid record, which added luster to the fame of the American forces. Suddenly, and without apparent reason, Gen. Edwards was relieved of his command and sent back to the United States. No reason has been given, and Gen. Edwards, being a true soldier has said nothing. The people are curious to know why.

It has been charged upon the floor of the Senate that replacements in the Twenty-eighth Division, composed of the Pennsylvania National Guard, were made from men who had had no training, many of them never even having fired a rifle. This division sustained heavy losses in the Argonne fight, the untrained soldiers being mowed down by the hundreds. Returning officers of the division corroborate the charge. Is it true? And if so, who was to blame for it?

Responsible officers assert that the Thirty-fifth Division, composed of the National Guard of Missouri and Kansas, after six days of continuous, grueling fighting in the Argonne Forest, tottered back to the rest billets, completely exhausted, to be met by an inspection officer, who

stepped out of a limousine and cast his professional eye over the division, which had just emerged from an inferno. This officer's report is on file in the archives of the American Army, it is said. It criticises the Thirty-fifth Division unmercifully for its dirty uniforms and lax discipline, complaining there was too much familiarity between officers and men. Imagine a command being submitted to inspection under such circumstances! The public would like to know the details of this incident.

These are a few matters, selected at random, which require explanation. There are many others, possibly the great majority, susceptible of explanation, but all containing mysterious features, which the people will insist upon having made plain. Army officials are clothed with great power and a wide range of authority during war, but in the end they must give an accounting to the people for its use, just as financial officers must render a stewardship of funds intrusted to them. They must stand ready at the proper time to justify their official acts, for that time is certain to come.

Mr. SIEGEL. Mr. Chairman, I have a resolution which I am introducing to-day calling for the appointment of a select committee of eight to be appointed by the Speaker to investigate all the charges made on the floor of this House regarding conditions in the Army at home and abroad. I ask unanimous consent to extend my remarks on the question.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. SIEGEL. The resolution which I have introduced reads as follows:

House resolution 545.

Whereas it has been announced in the press that no record of at least 10,000 men who went abroad with the Army of the United States can now be found, and that their names do not appear either in the casualty lists or otherwise accounted for, although the armistice was signed nearly three months ago; and

Whereas serious charges affecting the Military Establishment of the United States and the integrity and honor of a number of its high officers have been made on the floor of this House during the past two weeks, and statements have appeared in the public press affecting the standing of a general who helped to make the draft a success; and

Whereas numerous complaints have been made of the manner in which mail is now being delivered to men in the military service abroad, and there has been a constant flow of criticisms and complaints about the manner in which allotments made by soldiers are being paid to their relatives and the same kind of complaint of the manner in which salaries are being paid to soldiers; and

Whereas a large number of complaints of the manner in which discharges from the Army are now being effected with the constant refusal of superior officers to obey the orders issued by the War Department have been disclosed on the floor of this House; and

Whereas the said statements and alleged conditions seriously affect the morale of the United States Army: Now, therefore, be it

Resolved, That the Speaker appoint a select committee of eight Members of the House, who have been elected to the Sixty-sixth Congress, to be evenly divided between both leading political parties, and that said committee be instructed to inquire into all the charges which have heretofore been made upon the floor of this House affecting the United States Army, whether at home or abroad; of complaints regarding the reporting of casualties amongst our troops; the delivery of mail abroad; the manner and methods adopted for demobilization of the Army of the United States; the manner and methods of which payments of allotments and salaries have been made; and all complaints regarding treatment being accorded to our troops on transports and hospitals, and for such purposes it shall have power to send for persons and papers and force their appearance before said committee, and to administer oaths and shall have the right to make a report at any time.

Under the rules of the House it must go to the Rules Committee. The statements made on the floor of this House by the gentleman from Massachusetts, Mr. GALLIVAN, by the gentleman from Connecticut, Col. TILSON, by the gentlemen from Illinois, Messrs. MANN, GRAHAM, and DENISON, and numerous other Members of the House, regardless of party affiliations, make it the paramount duty of the House of Representatives to stop talking and take some action, as in the end the American people will be the final judges of what should have been done by their Representatives at a time when such serious allegations have disturbed the homes of thousands and brought untold sufferings in the minds of many thousands more. It is a call to duty that can not be evaded.

The Clerk read as follows:

For pay of one sergeant, senior grade, $900: *Provided*, That the enlisted man on duty in the office of the disbursing officer, United States Military Academy, performing the duty of sergeant, senior grade, shall have the rank, pay, and allowances and retirement of that grade, as is now or may hereafter be allowed quartermaster sergeants, senior grade, Quartermaster Corps, United States Army.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph just read, and I would like to ask what is the occasion of having to provide this legislation?

Mr. DENT. The gentleman means to provide homes?

Mr. WALSH. Yes.

Mr. DENT. The explanation is given on page 25 of the hearings:

This is for the purpose of placing the enlisted man on duty in the office of the disbursing officer, United States Military Academy, on the same basis as quartermaster sergeant, senior grade, Quartermaster Corps of the Army. Items along similar lines have been approved by Congress for enlisted men on duty in the office of the commandant of cadets and at headquarters, United States Military Academy. The enlisted man performing the duties of sergeant, senior grade, in the office of the disbursing officer, United States Military Academy, should be permanently attached to the Military Academy, and it is urgently recommended that this item be approved.

This man, besides doing the ordinary work of a quartermaster sergeant, senior grade, is now doing the additional work of a first sergeant of the Quartermaster Corps and the first sergeant of the Motor Transport Corps, and he is in a very responsible position as assistant to the chief clerk of the office, and he is now, during the absence of the chief clerk on account of sickness, acting as chief clerk. It is very necessary that he should be a permanent employee of the Military Academy to that extent, and this increase is very little over what he draws as a sergeant, first class, of the Quartermaster Corps.

Mr. WALSH. That is the explanation given the committee?

Mr. DENT. That is the explanation given to the committee.

Mr. WALSH. That Congress has heretofore provided for similar items and therefore should provide for this one?

Mr. KAHN. Will my colleague yield?

Mr. DENT. Yes.

Mr. KAHN. It seems that this man is doing the ordinary work of a quartermaster sergeant of the senior grade and also additional work of a sergeant, Quartermaster Corps. He is doing the work of two men, and for that reason the superintendent of the academy suggests that he be given this extra allowance.

Mr. DENT. In addition to that he is assisting the chief clerk of the academy.

Mr. WALSH. What is the extra allowance?

Mr. DENT. The total amount would be $900.

Mr. WALSH. What about the retirement? That is a new feature. What additional privileges are conferred by the retirement privileges of that grade?

Mr. DENT. It would raise his pay to $75, and he would get the retirement pay of a quartermaster sergeant.

Mr. WALSH. This man is detailed permanently to the Military Academy at West Point?

Mr. DENT. Yes.

Mr. WALSH. And he has been there during the past two years?

Mr. DENT. I do not remember how long he has been there.

Mr. WALSH. Mr. Chairman, I make the point of order upon that proviso.

The CHAIRMAN. Does the gentleman from Alabama wish to be heard on the point of order?

Mr. DENT. Mr. Chairman, the point of order is made against the proviso, and I am inclined to think that it is subject to the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

Pay of civilians: For pay of one teacher of music, $2,000.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the item just read. I wish to inquire whether the committee in recommending the increases of salary to these instructors took into consideration the flat increase that is going to be voted to all persons in the Government service?

Mr. DENT. The committee did take that into consideration and declined to give increases asked for at the academy upon that account. They asked for many increases of all these civilians, and the committee refused to grant them, on the ground of the general provision of the Appropriations Committee in the legislative bill, believing that that would take care of them.

Mr. STAFFORD. Here we have an increase of $300 in the compensation of this teacher of music. If this is granted, this employee will receive $540 increase for his services in a single year, or $420 when you consider that he received $120 this past year.

Mr. DENT. He would not be taken care of under that general provision. That was the explanation they make of that.

Mr. GREENE of Vermont. He is not a civil-service employee; he does not come under that general provision for increases.

Mr. STAFFORD. Is the gentleman certain that that provision does not extend to civilian employees carried in this bill? I hardly think the limitation upon the legislative bill excludes the civilian employees at the Military Academy. I will read the only exceptions which are noted in the law:

The provisions of this section shall not apply to the following: Employees paid from the postal revenues and sums which may be advanced from the Treasury to meet deficiencies in the postal revenues; employees of the Panama Canal on the Canal Zone; employees of the Alaskan Engineering Commission in Alaska; employees paid from lump-sum appropriations in bureaus, divisions, commissions, or any other governmental agencies or employments created by law since January 1, 1916; employees whose duties require only a portion of their time, except charwomen, who shall be included; employees whose services are utilized for brief periods at intervals; persons employed by or through corporations, firms, or individuals acting for or on behalf of or as agents of the United States or any department or independent establishment of the Government of the United States in connection with construction work or the operation of plants; employees who receive a part of their pay from any outside sources under cooperative arrangements with the

Government of the United States or the District of Columbia; employees who serve voluntarily or receive only a nominal compensation, and employees who may be provided with special allowances because of their service in foreign countries. The provisions of this section shall not apply to employees of the railroads taken over by the United States, and nothing contained herein shall be deemed a recognition of the employees of such railroads as employees of the United States.

Mr. GREENE of Vermont. Does that act start off, in the first place, by limiting the ones to receive that increase to those who are employed under the civil service?

Mr. STAFFORD. No. It starts out in this way:

That all civilian employees of the Government of the United States and the District of Columbia, who receive a total of compensation at the rate of $2,500 per annum or less, except as otherwise provided in this section, shall receive—

And so forth.

Those who are provided for otherwise are those that I have read in the paragraph following the first paragraph of the provision.

Mr. GREENE of Vermont. I know the general understanding or information upon which we proceeded seems to have been that he was not included among those who would get that increase.

Mr. STAFFORD. The gentleman from Connecticut [Mr. TILSON] suggests that this increase applies only to employees in the District. I wish to correct him in that, because it applies to every person in the Government service except those I have named.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. McKENZIE. I am of the opinion that these employees get the benefit of the increases whether they are civil-service employees or not, and for the information of the gentleman from Wisconsin and the other members of the committee I wish to read a few sentences from the hearings on page 35.

On page 35, in discussing certain civil employees, Col. Timberlake said:

Col. TIMBERLAKE. They live at Highland Falls, and some of them live at Newburgh, or wherever they can rent a house in the vicinity of West Point. Those men who live at Highland Falls and at Newburgh, besides paying their regular living expenses, have to pay also railroad commutation.

Mr. GORDON. Does the increase of $120 a year, which was given to Government employees last year, apply to these employees?

Col. TIMBERLAKE. Yes, sir; that has applied to them, and if that amount of increase is going to be permanent they would not need the increases asked for in this item.

On that theory we cut out all increases.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. I ask unanimous consent that I may proceed for five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin? [After a pause.] The Chair hears none.

Mr. DENT. May I ask the gentleman from Wisconsin where he gets the impression that this is an increase?

Mr. STAFFORD. I was under the impression that this teacher of music received $1,700 last year.

Mr. DENT. No; I think the gentleman is mistaken. This is the same amount, apparently, from the way it is printed in the bill, that we have been carrying from year to year.

Mr. STAFFORD. If I am in error——

Mr. MANN. One thousand seven hundred dollars was the amount carried in the current law.

Mr. STAFFORD. The gentleman from Illinois says that is the amount carried in the current law. Has the gentleman from Alabama the current law before him, so as to confirm my impression?

Mr. DENT. I thought I had it here.

Mr. STAFFORD. The gentleman from Illinois confirms my notation that it is $1,700.

Mr. TILSON. It is evident there is a mistake in the committee print of the bill, in which all changes were supposed to be printed in italics. In this case it does not seem to be printed in italics.

Mr. MANN. The current law provides for an appropriation of $1,700, with a proviso, and among other things in the proviso is that the teacher of music shall receive the pay and have the rank of a first lieutenant not mounted, and the appropriation is $1,700 with this proviso. How they get the money I do not pretend to say, but that is the language of the law.

Mr. KAHN. A first lieutenant's pay is $2,000.

Mr. STAFFORD. I am not destrous of reducing the pay of any employee of the Government——

Mr. DENT. Somebody has misplaced the copy of my bill here, and I have sent for another——

Mr. STAFFORD. Mr. Chairman, as the individual is now receiving $2,000 and $120, as I take it he will under this provision receive $2,000 and the $240.

Mr. MANN. I suppose, if he gets the pay and rank of a first lieutenant, that would exclude him from the $240, but I do not know.

Mr. STAFFORD. If that provision is carried in the existing bill, he was excluded from the $120 allowance last year.

Mr. MANN. Whether that is supposed to be permanent law or not I do not know.

Mr. STAFFORD. He would not be then a civilian employee.

Mr. KAHN. If it is permanent law.

Mr. STAFFORD. Why not make the salary $1,800, and he will have the $240 additional?

Mr. DENT. Mr. Chairman, I move to make it $1,800.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 11, line 12, strike out "$2,000" and insert in lieu thereof "$1,800."

The question was taken, and the amendment was agreed to.

Mr. JOHNSON of Washington. Mr. Chairman, I move to strike out the last word. The discussion indicates some confusion because the committee print of this appropriation bill has failed to carry a certain paragraph in italics. Not having the committee print, I can hardly follow it. I have asked two members of the committee what the item was, and they could not indicate.

Mr. KAHN. It is page 11, line 12.

Mr. MANN. All I have is the ordinary print, I will say to the gentleman.

Mr. JOHNSON of Washington. Oh, the gentleman from Illinois is following the bill line by line, of course, as he always does.

But I am not concerned as to the particular item but rather in regard to the building program at West Point. Consideration of the bill will run along in the regular way, with reservations of points of order here and there, and will pass, it being a little appropriation bill of only two million and some odd thousands of dollars, including $800,000, or thereabouts, for enlarging the buildings at West Point to take care of the enlarged classes. As appropriations go nowadays, that does not seem to be a very large sum; yet it is one item in the lot which are running to staggering totals. Can not the brakes be put on somewhere?

I had hoped that the Committee on Military Affairs would see that if its extension was necessary because of enlarged classes at West Point Military Academy the work could be authorized at one of the recently built military posts. For instance, at Camp Humphreys, just below the city of Washington, great sums have been expended to hard surface roads, put in permanent waterworks, sewerage, a splendid hospital, good barracks, good offices and quarters, might very well be utilized for some years. In fact, I have been informed that some of the West Point classes are now there, and I had hoped that they would continue that until the situation at West Point is normal again.

Mr. ANTHONY. Is not the gentleman mistaken about the permanent nature of the barracks down there?

Mr. JOHNSON of Washington. Oh, I should say they were permanent enough. There are some that would only last a few years, but might last 10 years if they were reroofed.

Mr. ANTHONY. If we had asked the department for an estimate of cost of construction for suitable buildings to house another West Point there, they would probably estimate about another $10,000,000. Would the gentleman be in favor of it?

Mr. JOHNSON of Washington. No, indeed; I would not. Neither am I in favor of providing such elaborate accommodations for those who are training Army officers, the enlarged West Point classes, while we have this equipment, which will last a good many years.

Mr. GREENE of Vermont. One of the tests of experience shows that to have a school of any kind you should try to have it under one roof, even if you have only one good teacher. What is the idea of scattering this thing from one side of the continent to the other?

Mr. JOHNSON of Washington. If we could afford the appropriation, I think is would be a fine thing in a country as wide as the United States to have a West Point on the Pacific coast.

Mr. GREENE of Vermont. Then what will be the national standard for either West Point?

Mr. JOHNSON of Washington. It will be greatly improved and greatly ahead of the present standard, in my opinion.

Mr. GREENE of Vermont. Which one?

Mr. JOHNSON of Washington. I do not care to carry on an argument. For a western West Point all that I have said concerning Camp Humphreys, Va., could be said for Camp Lewis, at Tacoma. Either place could be used for training the

excess of West Point classes. But West Point wants improvement as a result of the war. It demands and is being given nearly a million. Who can count the millions it is proposed for the Government to spend? It is a hundred million here and a hundred million there—yes; ten million here and five million there. The Mississippi waterways ask for $4,000,000, and every proposal everywhere calls for money in proportion. Grant one-thousandth part of the demands and Congress will have to pass a tax measure every six months and authorize bond issues monthly. I withdraw the pro forma amendment.

The Clerk read as follows:

For pay of two expert assistant civilian instructors in military gymnastics, fencing, boxing, wrestling, and swimming, $4,000: *Provided*, that these civilian instructors employed in the department of modern languages and the department of tactics shall be entitled to public quarters and to the same allowances with respect to fuel and light as those of a first lieutenant when occupying public quarters.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word.

When I first examined this item I thought that the salary of $4,000 was pretty large, to say the least, and wondered what these experts in wrestling did to earn the money. But on reflection I have concluded there was one way in which they might earn it. If they would take up the matter of trying to find out the whereabouts of some of our wounded soldiers and wrestle with the War Department in the way every Member of Congress is compelled to do I am satisfied they could earn twice the amount called for here. So far as the fencing part of it is concerned, which is also spoken of in this paragraph, they would not be able to teach the War Department anything, I am sure, because they are adepts at warding off any question that is propounded to them. And when it comes to "passing the buck" whatever that phrase may mean; I am not sufficiently acquainted with the technique of the game to understand—the War Department is certainly an adept, because they turn the matter over, as has been suggested heretofore, to the Red Cross, and the Red Cross is not permitted to give Congressmen any information. After much delay we find out indirectly that the Red Cross has no information, so we have got nowhere. This matter with reference to finding out something about the wounded has passed the stage of protest. It ought to reach that of action. It is something that can not be explained or excused—that the War Department, with several cables at its command, can not find out anything with reference to these wounded men. Apparently, so far as the wounded men are concerned, they might just as well have been dropped off the face of the earth so far as the department is able to tell where they are, get any mail to them, or ascertain about their condition. We can not find out anything. They tell us, when they cable in extreme cases, that it will be 10 days before we can get an answer. We can find out all about the decorations of some woman's dress at the functions that have been going on over there in Europe on the very next day, but we can not find out anything about these wounded men for 10 days at most, even if we find out anything at all. And in nine hundred and ninety-nine cases out of a thousand we do not find out anything at all.

Mr. GREENE of Vermont. The Government has control of these cables, has it not?

Mr. GREEN of Iowa. Yes.

Mr. GREENE of Vermont. It is apparent, then, that in the demonstration of Government control it is giving preference to reports of these diamond decorations at fancy receptions, and one thing and another, over the lists of wounded? Is that the conclusion?

Mr. GREEN of Iowa. I do not see how we can come to any other conclusion, the Government being in full control of these cables. What else is to be concluded? They give the color of the roses in the hair of some lady, full description of her dress, and with whom she rode. We get all such news the next day; but when it comes to anything in reference to these wounded men, when do you get it? I have had inquiries in there for a month and have not received a single scrap of information as to where these wounded men are and what condition they are in, while their anxious parents are fairly burning their hearts out by not knowing whether their boys are dead or alive.

I say that we ought not longer to put up with this condition. The War Department ought to be called upon, by a resolution or otherwise, to get busy with reference to these matters and use the power and control it has over these cables to let us know something about where these boys are. They are either dead or alive, on this side of the water or on the other. There is some place in which they might be located if there was any system or any sense in the manner in which they are conducting this matter.

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

For pay of one assistant chief engineer of same, $1,100

Mr. LITTLE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Kansas moves to strike out the last word.

Mr. LITTLE. Mr. Chairman and gentlemen of the House, I have discovered some practical use for the CONGRESSIONAL RECORD, which is so often discredited as useless by rival sheets. On the 29th of January I read to the House some excerpts from the Official Bulletin issued by the Great Lakes Training Station of Illinois, and called the attention of the House to an order issued by a Capt. Scales and a Lieut. Commander Roberts, which stated that if any Congressman interfered in a man's behalf he would be involved in great trouble. I also called attention to an editorial in the Official Bulletin, which is published under the official supervision of those officers, stating that a great many of the young men at the Great Lakes station are a pack of scoundrels, liars, quitters, and falsifiers; that they had such a number of alleged sick grandmothers that the Persian pox must be sweeping the Middle West. I spoke of that in what I hoped would be in a helpful way. Referring to those officers in the gentlest manner possible, my urbane and tremulous remarks were published in the CONGRESSIONAL RECORD January 29. I ask unanimous consent now that the Clerk read a dispatch which I find in the Kansas City Times of February 1.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

GREAT LAKES, ILL., *January 31*

An official order will be published in the next Monday's Great Lakes Bulletin allowing all men under training at the station to be released or discharged, according to a statement issued by Lieut. Commander Chester S. Roberts.

Mr. LITTLE. Now, gentlemen of the House, the criticisms of the lack of utility of the CONGRESSIONAL RECORD, I think, are forever disposed of. The RECORD has not lived in vain, according to this statement in the Kansas City Times from one of the officers at the Great Lakes, to whose order and bulletin editorial I took such decided exception on this floor January 29, when I demanded their court-martial. They say that the boys in training there are to be discharged and released without further delay. [Applause.] I am reminded of the classical religious couplet:

Sound the loud timbrel o'er Egypt's dark sea;
Jehovah has triumphed, our people are free.

Mr. GREEN of Iowa. Mr. Chairman, in connection with the gentleman's remarks, I got a letter the other day in reference to the case of a young man, highly respectable, and of high character, belonging to one of the best families. He made an application for discharge and stated the facts in regard to his father's situation, his father having had a fall and having broken his leg and got crippled; and when the young man made the statement to his immediate officer he was told that he was a blank liar, adding some language that was not fit to go into the CONGRESSIONAL RECORD; that he was nothing but a dead beat, and would not be discharged. I do not know who that particular officer was, but I propose to find out.

Mr. LITTLE. If the gentleman will ascertain the name of the officer in question, I will join him in an earnest effort to see that he is placed in a proper place for a man of his character. I am now investigating a major who should be court-martialed for telling a soldier he would suffer if any more "damned civilians" interfered.

Mr. RAMSEYER. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. RAMSEYER. The dispatch only applies to the Navy, does it not?

Mr. LITTLE. Yes. The Great Lakes is purely a naval station, but Congress has just as much authority over the Army as over the Navy.

Mr. RAMSEYER. Does the gentleman know whether the War Department contemplates a similar order to discharge men?

Mr. LITTLE. I think if the Committee on Military Affairs will follow my suggestion of Saturday and request that the War Department institute courts-martial against the officers whose names have been mentioned here, it will terminate this series of insults against the American taxpayers and their Representatives in Congress. The facts were brought out in recent debates.

Mr. RAMSEYER. If the Military Affairs Committee did not know it is their business, they know it now, do they not?

Mr. LITTLE. They surely do if I have had the honor of their attention during the debate on this West Point bill. The

chairman [Mr. DENT] inquired several times during Saturday's debate what remedy anyone had to offer, and with great regret I see in the RECORD I did not yield to him.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. McKENZIE. I assume, from what the gentleman has just said, that the statements put in the RECORD a few days ago tended to help get these young men out of the Navy. If that is true, I want to congratulate the gentleman from Kansas, and I hope he will put further statements in the RECORD; and inasmuch as the Committee on Military Affairs of the House is powerless to get these men out the efforts of the gentleman from Kansas will be greatly appreciated, I assure him, by the members of the Committee on Military Affairs if he will only get the boys out.

Mr. LITTLE. The gentleman from Illinois kindly suggests that perhaps the speech I made on Wednesday, January 29, tended to help get these young men out of the Navy, as indicated by the statement made within two days thereafter that those in training on account of the war would be immediately discharged from the Great Lakes Naval Station. As you know, a few days ago the Navy was kind but firm in the conviction that it was going to do just as it pleased about it, especially without regard to any suggestions from Congressmen who happened to be familiar with the facts in regard to any particular application for discharge. I regret to say the Navy was more firm than it was kind. This dispatch from the Great Lakes indicates that it suddenly became more kind than it is firm on this question.

The gentleman from Michigan [Mr. JAMES] informs me that on the first or second day after my feeble protest against the Great Lakes order and my affable suggestion that the captain there be court-martialed, he was informed over the telephone by the department that it was preparing an order that all young men in the training schools, training camps, Naval Reserves, and in the Regular Navy who enlisted for the war only would be discharged on application without delay, which would evidently explain the prompt announcement from the Great Lakes. As a friend of the American Navy, I sincerely trust that he was correctly informed and that we shall never hear again that the men Congress employs to attend to any particular duty have become too big to listen to a Member of Congress just the same as they would to any other American citizen. As this speech of January 29 was, I believe, the first suggestion on this floor that anybody in the Navy should be court-martialed for insulting Congress and the American taxpayers, it does seem likely that the assumption of the gentleman from Illinois that this speech raised the fog that confused the naval authorities as to just where they stood. He kindly congratulates me and expresses the wish that I should put further statements in the RECORD containing similar information.

As a number of the Members of this House have requested me to spread on the RECORD certain correspondence I have had with officers in the Navy and Navy Department, I am doing so under permission to extend. I have had considerable correspondence with these officers with regard to discharges of men who went in for the war only and ought to be at home. Some of them have shown an excellent understanding of the situation, and some evidently had no comprehension of the rights of civilians. With some of them you could be very reasonable and with others you had to be very frank. On reading these letters you can reach a conclusion as to whether the letters helped produce the result. My idea has been that a frank and reasonable presentation of the facts would help them to grasp the situation, and I have written accordingly.

First, I lay before the House a letter which is very frank, concerning the discharge of William Jones, a farmer boy from Johnson County, Kans., and I would just as leave make the fight upon the rights of Bill Jones as anybody in the United States:

JANUARY 23, 1919.

DEAR SIR: I don't believe you quite get the idea. What I want to know is whether you are going to discharge this man on his application and how soon you are going to do it. As long as the war is on the people of this country were willing to sacrifice their sons for their country in the Army and Navy. The minute the war is over the taxpayers and working people of this country immediately become by far the most important factor of the country, and they expect the Army and Navy to interfere just as little as possible with the business of this country which supports the Army and Navy. Perfunctory information of this character is just what makes it so hard for friends of the Navy in Congress to secure for it in times of peace the support it ought to have. The people of this country pay taxes to build these ships and pay your salary, and what we want now is that you shall respond by respecting the necessities of the farmers of the State of Kansas, instead of writing perfunctory letters of the character you send to me. Jones's people need him on the farm, and if you need him in any particularly important way, say so, and then Congress will decide whether the farm or you needs him the worst by appropriate legislation, if it becomes necessary.

I trust you will attend to this matter without further delay and make it easier for Members of the Congress of the United States to explain to the people, who pay the taxes, why, after the war is over, the sons they really need in the field are held for some probably purely formal duty. In times of war the captain of the Navy is an important factor in this Government. In times of peace he is a very simple cog in the machinery, and I do hope you will not insist that this be made any planer. I don't know this boy and I don't know whether he has made application. All I know about it is that intelligent men at home wired me that the conditions are such there that he ought to be there at once. Storms were sweeping the prairies and his labor is absolutely necessary on the farm to protect the stock, and you write me that "his application will be given due weight and consideration with the Navy Department's circular letter and addenda." What the farmer needs, captain, is not perfunctory information of this kind, but the boy at home to work on the farm. If you have any duty for him more important let us know what it is. For some time I was in command of a regiment at the Presidio and in the Philippines, and I am not at all unfamiliar with the conditions that surround you.

Very truly, yours,

E. C. LITTLE.

The captain replied that he had transmitted my letter to the Secretary of the Navy, so we may reason that the letter of the date of January 23 may have been taken into consideration in conjunction with the speech of January 29.

The second letter, you will see, is of the very reasonable class. If the one appears at the first glance to be an imitation of a war club, you will see that the second, of January 27, is very much of an olive branch, and the officer writes me that he has transmitted this to the Secretary of the Navy. So we may argue from the premise that this following letter is also within the cognizance of the department when it reaches a final conclusion of which the gentleman from Michigan speaks:

JANUARY 27, 1919.

DEAR SIR: With the very kindly continued appreciation of your equitable methods, I write to call your attention to a very general complaint from our country about the methods employed at the Great Lakes, in Chicago, of holding men. They are mostly young men who were sent there to be taught, and many of them just sent there last November, when it was supposed the war was going on, possibly. In other places I find men are frequently discharged immediately and sent home, without ever really completing the mustering in, while up there somebody is holding them and having them shovel coal. They are doing work for a dollar a day that other men in Chicago are getting $5 and $6 a day for. The Government of the United States has plenty of money appropriated by Congress to hire this work done by men in Chicago whose families need the support. Many of these boys are school boys, only taken out of their schools last fall because it was supposed the Nation actually needed their services. If this fellow up there fools around a little longer, he will cause every one of them to lose a year's education, by making it impossible for them to get back into school, so as to go on with the year's work. This matter is getting serious, and there are a large number of very fine citizens who are becoming very indignant. Such arbitrary and inexcusable methods as this man up there is using, make it very difficult for those in Congress who wish to see proper support given the armed forces of the Nation to explain to the people at home. When this war was on, our people sacrificed everything to win, and now, when the war is over and they need the boys at home and in school, some muttonhead at Chicago, dreaned in a little brief authority, just to exercise a little arbitrary power, refuses to let them return to school or let them out. Now, that we have ended the war, the farmers' interests and the interests of this country and the education of our children are much more important than shoveling a little coal up in Chicago. You have heretofore shown such a thorough appreciation of the best way in which to reconcile the conflicting interests that I write you simply in the hope that you can suggest some method of relieving that situation without any delay.

I have the honor to remain,

Most sincerely, yours,

E. C. LITTLE.

The unfortunate position taken by many officers has made the agitation for the discharge of men who are needed more at home than at some training station absolutely necessary. If the information at hand is accurate, the end sought has been reached. To have been of any material assistance in accomplishing this result is very satisfactory. At the close of the Civil War men were discharged and the swords beaten into pruning hooks without wearing them out over bone heads who thought they were more important than fighting soldiers on the firing line. Such an Army and such a Navy, such military preparations as are essential to the safety of the Republic, will be provided at the proper time and in the proper way by the Congress of the United States without too much advice from men who have no loftier idea of the duties of a soldier than to take pride in wearing bright shoulder straps and jingling spurs, safely at home on the streets of the great cities. As the great Shakespeare said three centuries ago:

Now great wars are stopped, Peace lives again;
That she may long live here, God say amen.

The CHAIRMAN. The time of the gentleman from Kansas has expired. The Clerk will read.

The Clerk read as follows:

For pay of three assistant engineers of same, $3,600.

Mr. WALSH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. WALSH. I would like to inquire what is intended by the transposition of some of this engineer force. I have not been able to find it in the hearings or in the index. But you

have there three assistant engineers and three oilers, apparently, in place of three engineers last year.

Mr. DENT. It is explained on page 38. I read from the hearings:

This position was combined from two positions two years ago, saving the Government $1,800. His is a most important position, and the man now filling it is very competent and has been offered $250 per month by outside companies. It would be almost impossible to fill this combined position by any other one man. It is in the interests of the Government and economy to hold him. He is worth any two men I have ever seen.

The CHAIRMAN. It was formerly $2,400 for a chief engineer and $1,800 for an assistant chief engineer, and we abolished the assistant?

Col. TIMBERLAKE. It was $1,800 for a heating and ventilating engineer.

The CHAIRMAN. That was abolished?

Col. TIMBERLAKE. Yes, sir.

That is because the positions were combined two years ago.

Mr. WALSH. Well, you combine the position of chief engineer of the power plant with an engineer of heating and ventilating. I was inquiring about this shift of assistant engineers and three oilers. You increase the number of employees and eliminate apparently three engineers.

Mr. DENT. Col. Timberlake says:

In our original estimates we asked for the pay of one assistant chief engineer of the power plant, $1,560 instead of $1,100; for the pay of three assistant engineers we asked $4,500 instead of $3,600; and for the pay of eight firemen we asked $7,720 instead of $6,240. That pay of the eight firemen is divided in this way: For pay of one boiler-house foreman, $1,100; for pay of two stoker firemen, $2,000; for pay of two firemen, $1,920; and for pay of three firemen, $2,700. This does not increase the number of men, but gives them a different grade of pay, depending on the work they do in the plant.

Mr. WALSH. Well, the colonel apparently does not answer the question that I have raised. He is talking about the raises to these different firemen. The academy never before had oilers, as I understand. They were not carried. They previously had only one assistant engineer and three engineers.

Now, they have combined the position of engineer, and provide three assistant engineers, and also three oilers for the power plant. Is it possible that they have increased their heating or power plant facilities there and require additional employees?

Mr. DENT. I do not understand that there are any additional employees. There was a provision in the bill last year for the pay of three oilers at the power plant, $1,440.

Mr. WALSH. Two oilers, $1,440, and three engineers for the power plant, $3,600.

Mr. DENT. The general reason that was given to the committee by Col. Tillman, the superintendent, and Col. Timberlake, the quartermaster, was that especially for these expert mechanical positions the academy had had great difficulty in securing men competent to serve.

Mr. WALSH. The bill last year carried two oilers at $1,440, and this year it carries three oilers at $1,440. Evidently it is not going to be very difficult to get oilers, if they can get three this year for the same pay that they gave two last year. Evidently they are not worrying much about that. I was inquiring what was the occasion for this shift. Is it because of the enlargement or the increase in the facilities?

Mr. DENT. No; it is not on account of that.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WALSH. I will withdraw the point of order as to line 9.

The CHAIRMAN. The gentleman withdraws the point of order. The Clerk will read.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

The Clerk read as follows:

For pay of three oilers for power plant, $1,440.

Mr. WALSH. Mr. Chairman, I reserve a point of order on that.

Mr. DENT. I move to amend that item, in line 11, page 13, by striking out "three" and inserting "two."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. DENT: Page 13, line 11, strike out the word "three" and insert in lieu thereof the word "two."

The amendment was agreed to.

The Clerk read as follows:

For fuel and apparatus, namely: Coal, wood, charcoal, stoves, grates, heaters, furnaces, ranges and fixtures, fire bricks, clay, sand, and for repairs of steam-heating and coal-conveying apparatus, grates, stoves, heaters, ranges, furnaces, and mica, and repair, improvement, and maintenance of power plant, $70,000: *Provided*, That $5,000 of this appropriation be, and the same is hereby, made immediately available.

Mr. WALSH. Mr. Chairman, I reserve a point of order. There is an increase in this item of $10,000. What is the necessity for having $5,000 immediately available? Are they short of coal?

Mr. DENT. Yes; that is my recollection of the matter, that it is a fuel proposition. At the middle of page 45 of the hearings Col. Timberlake says:

You increased it $10,000. It had been $40,000, and as soon as prices go down, if I am at the academy, that appropriation will go down, too.

The CHAIRMAN. You are asking for an increase of $5,000 for the item "For fuel, cadets' mess hall, shops, and laundry."

Mr. WALSH. The increase is $10,000.

Mr. DENT. Yes. At the top of page 45 Col. Timberlake says:

This increase is due to the increased cost of coal. We also ask that $5,000 of that be made immediately available.

I was calculating when I was at West Point the first part of this month the difference in the cost of coal this year and last year and what we will need to July 1, and I calculated that that difference is over $10,000; that is, that the cost will be $10,000 more than during the last fiscal year. I am asking for an increase of $10,000, but $5,000 of that only is to apply to this year. We want to make the amount $70,000 all together, with $5,000 immediately available.

Mr. WALSH. He is not going to buy $70,000 worth of coal. The $5,000 that he wants immediately available apparently is not for coal, but for something else. It may be for repairs. He is talking about the cost of material, the increase in 15 or 20 years. He says that if he is at the academy as soon as prices go down this item will go down, too. Unless he is an exceptionally young man, he probably will not be there when prices go down, and so the appropriation will continue to be as large as it is now.

Mr. DENT. He further says in explanation of the increased cost of coal and the amount of coal, that it is due to the new laundry, which is bigger than the old laundry and requires a good deal more coal. That is the explanation he gives of it.

Mr. WALSH. I withdraw the point of order.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I suppose the sums appropriated in this bill, both as salaries for services and for materials purchased, are promptly paid by the Government. In that respect, if the War Department does so, it does very differently from what it does in reference to paying the men in the Army. I have here a letter from a young man, John L. Russell, Company B, One hundred and thirtieth United States Infantry, Thirty-third Division, American Expeditionary Forces. I will read only a part of it, and think it will be interesting. It is written from St. Aignan, France, to his mother:

(On active service with the American Expeditionary Forces.)

ST. AIGNAN, FRANCE, *January 10, 1919.*

MRS. GEORGE RUSSELL:

DEAR MOTHER: * * * I have been here a month now, and I suppose I will be here another one before I get away from here. This is the worst place I ever struck since I have been in France. I have worn the same shirt for three months, and the suit of underwear I have on I have worn ever since I have been here, and when I was at the hospital I had to wear a suit for nearly two months. It seems funny that the Army can't furnish us a place for cleaning up our clothes or else give us clean ones in exchange.

I never thought anything of it when we were up to the lines, because then it was out of the question to keep clean, but I don't see any excuse for letting men lay around so dirty as they do. * * *

I was reading a story in the Saturday Evening Post the other day written by some war correspondent. It sure was some story and sounded nice to read of all right, but I have never seen anything near like it anywhere I have been. * * *

I haven't been paid for six and one-half months, but I am almost glad of that, for if I had been paid up every month as we were supposed to be, I would have spent it as fast as I got it, but, as it is now, whenever I get it I will have it.

* * * * * * * * *

Your son,

JOHN L. RUSSELL,
Company B, One hundred and thirtieth United States Infantry,
Thirty-third Division, American Expeditionary Forces.

He has not been paid for more than six months, notwithstanding the Secretary's letter, which I read in the House Saturday, in which he stated that the men were paid promptly, all of them. On Saturday I read a telegram from the father of a boy who had had 21 letters returned to him, the father, which letters had been sent to the boy and undelivered. I had asked the War Department to find out something about it. They have sent a letter over to France to find out, but the psychological effect was that while I referred to the matter Saturday, this morning I found out where the young man is, through the father and not through the War Department. The War Department, if I do not call their attention to it—and I will, but even in spite of that—will probably be investigating this young man for the next three months, long after he will have been discharged, probably. He has not been paid for five or six months. He has had 24 letters sent to him which were returned. He had drafts sent to him which were returned. He had London drafts sent to him which were lost. He had parcel-post packages sent to him which were lost. He had a draft sent to him from this

country which was lost. The postscript to this letter which I have just read is as follows:

P. S.—I never did get that money draft you said you sent, and I don't suppose I ever will. The last mail I got from you was about two weeks before I left the hospital. The rest I probably never will get, so you will be wasting your time writing to me.

Certainly, he will not. Utterly inefficient in delivering the mail or keeping the record of where men are who have gone to the hospitals. There never in all history has been a civilized nation so careless of its men in hospitals after wounds in the service as is the present Army department of our Government, and I regret to say it. [Applause.]

Mr. FIELDS. Mr. Chairman, I move to strike out the last two words. Mr. Chairman, many complaints have been made on the floor of the House of irregularities and injustices in the Military Establishment that are due either to intentional acts or dereliction on the part of some military officer. I do not pretend to say that every complaint made is a just one. I do not know; but I do know, from the correspondence I am receiving, that many things are being done that should not be done, and many things are being omitted that should be done.

Now, Congress can not get anywhere by calling attention to these things alone. The responsibility must be placed somewhere, and I think it is time for Congress to begin to act as well as talk.

There was read from page 2248 of the RECORD on Saturday last an order issued by Maj. Gen. Buck, of Camp MacArthur, forbidding officers to sit in an assembly or at social functions where enlisted men are present; also prohibiting enlisted men from attending functions where officers are invited. The American people do not approve of that sort of an order. The General Staff of the Army doubtless does approve it. So, how are we going to remedy a situation like that? Let us see if there is some remedy that the Congress of the United States can apply. Congress appropriates the money for the payment of the Army. Would not it be possible for the Congress, in the next Army appropriation bill, to write into that bill a provision that no part of the funds herein appropriated shall apply in payment of the salary or compensation of the officer who promulgated that order? It would evidently be in order under the Holman rule, because it would be a limitation on the appropriation.

Congress, in my opinion, has a right to dismiss that gentleman from the service by refusing to pay his salary, and will not the people of the United States condemn us if we fail to take such action? I believe that they will, and properly so?

I serve notice now that when the next appropriation bill for the support of the Military Establishment is brought to the floor of the House I will offer an amendment of that character. I want to say to you gentlemen on both sides of this aisle who condemn that sort of business in the cloak room and on the floor of the House and before your constituents at home that you will be called upon to vote on that amendment. I shall first offer it in committee, and, if it is rejected by the committee, I shall carry my fight to the floor of the House, and I shall make this fight, gentlemen, in good faith. I make it because I believe that that practice in the Army is wrong. I shall make it because I believe if the Congress, even in one instance, refuses to appropriate money for the payment of the salary of the officer who issued such an order it would have a most splendid effect toward democratizing the Army; and I hope the House will support the amendment when it comes to the floor of the House, as it will if I am here when the bill is considered.

Mr. GORDON. Will the gentleman yield?

Mr. FIELDS. I will.

Mr. GORDON. The gentleman has already stated that the General Staff is in favor of it. The Chief of Staff is the military adviser to the President. Of course, we have no jurisdiction over the Chief of Staff. I suppose we could refuse the money to pay the General Staff, but it has gone into an order, and how can you blame the major general by depriving him of his pay while carrying out the orders of his superior, the General Staff.

Mr. FIELDS. To be frank with the gentleman, I would apply it to any officer in the Army, from the Chief of Staff down, for the man that would issue such an order is not fit to fill any position in the Army of a democratic nation. I do not know where the order originated or who is responsible for it, but the man who will issue an order of that kind is not fit to serve in the Army of the United States. I hope that the Congress will begin to take action now toward the elimination of that sort of doctrine.

Mr. GARNER. Will the gentleman yield?

Mr. FIELDS. Yes.

Mr. GARNER. It seems that there is a difference of opinion between two members of the Committee on Military Affairs. The gentleman from Ohio [Mr. GORDON], as I understood him, at least, left the inference in my mind that the Chief of Staff had issued an order of this kind. Now the gentleman from Kentucky comes along and says he does not know where the order originated. I would like to know whether the General Staff issued any such order. Let us have the exact facts.

Mr. FIELDS. I have not the fact as to whether the General Staff issued the order, but it is time for Congress to begin to find out and act upon its own responsibility in order to eliminate these practices that are absolutely repugnant to the American people.

Mr. GARNER. Could not the gentleman or the gentleman's committee find out those facts?

Mr. FIELDS. I think it could, and I for one will do my best to ascertain the facts and to place the responsibility where it belongs. As one Member of the American Congress, I say it is time for such practices as that in the Army of the United States to be stopped.

The CHAIRMAN. The time of the gentleman from Kentucky has again expired, and the Clerk will read.

Mr. FIELDS. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

Mr. HOWARD. Make it five minutes. This is an interesting subject.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to proceed for two minutes more. Is there objection?

There was no objection.

Mr. FIELDS. Mr. Chairman, the gentleman from Texas [Mr. GARNER] throws the responsibility back onto the Military Committee. I noticed on Saturday last that when some attack was made or something disparaging was said of the Military Committee, it was received with applause. In that connection I want to call the attention of the committee to a few things that have occurred in the past. When the war started the Committee on Military Affairs attempted to exercise some independent judgment and place safeguards around the rights of the people, and in many instances the committee was repudiated and spanked to a fare-you-well by the House. I hope that in the future when the committee, after it has gone into these matters in detail, brings them to the attention of the House it may have the support of those Members of the House who are now so anxious that these wrongs be remedied.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For postage and telegrams (increase of $500 submitted), $1,000.

Mr. MANN. Mr. Chairman, I move to strike out, in line 6, the words "(increase of $500 submitted)."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. MANN: Page 17, line 6, strike out the words "(increase of $500 submitted)."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

For maintenance of one automobile of the Ford type, $300.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. What is the necessity for advertising Henry Ford in this item? There must be some real reason for it.

Mr. GREENE of Vermont. They did not want to put Edsel's name, probably.

Mr. DENT. That is because that is the kind of a car they want to buy.

Mr. STAFFORD. This is not the purchase but the maintenance.

Mr. DENT. Then it is the kind they have.

Mr. STAFFORD. Does the gentleman think that the maintenance would go awry if he did not describe it as the Ford type?

Mr. DENT. No; I do not.

Mr. STAFFORD. Then, Mr. Chairman, I move to strike out the words "of the Ford type."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 19, line 4, strike out the words "of the Ford type."

Mr. DENT. Mr. Chairman, I accept the amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

For general repairs to cadet camp, repairs to camp grounds, toilets, and supplying of tent floors, and camp furniture to equip the new addition—authorized for the fiscal year 1919—to the old cadet encampment, $10,000.

Provided, That $5,000 of this appropriation be, and the same is hereby, made immediately available.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I suggest to the gentleman from Alabama [Mr. DENT], as a matter of form, that the proviso which appears at the top of page 20 ought to be a part of the paragraph which appears at the bottom of page 19.

Mr. DENT. That is correct, and I move to amend by striking out the period, after the figure "10,000," on page 19, line 26, and by inserting in lieu thereof a colon, to be followed by the proviso.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 19, line 26, after the "$10,000" strike out the period and insert a colon and the proviso at the top of page 20.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

For department of natural and experimental philosophy: Additions to apparatus to illustrate the principles, acoustics, optics, and astronomy; books of reference, scientific periodicals, textbooks, stationery, materials, and repairs; and for repairs to the observatory buildings and repairs to clocks, and for contingent expenses not otherwise provided for, $2,350.

Mr. MANN. Mr. Chairman, I move to strike out the last word. The language in line 17 is "additions to apparatus to illustrate the principles." Is there not an omission there? Should not that be "principles of mechanics"?

Mr. DENT. Mr. Chairman, on page 21, line 17, after the word "principles," I move to amend by inserting the words "of mechanics." That is the way the bill read last year.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 21, line 17, after the word "principles," insert the words "of mechanics."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

For the purchase and maintenance of one automobile of the Ford type, $710.

Mr. DYER. Mr. Chairman, does not the gentleman from Wisconsin [Mr. STAFFORD] desire to offer an amendment here, as he did before?

Mr. STAFFORD. I do not.

Mr. DYER. Mr. Chairman, then I move to strike out the words "of the Ford type."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 25, line 2, strike out the words "of the Ford type."

Mr. STAFFORD. Mr. Chairman, personally I think the whole paragraph should be eliminated. We all know that the War Department has adopted for use in the Army during the war the Dodge car as a pleasure car for use of officers. There are plenty of those cars available, and all that will be required would be to provide for the transportation of one of these cars to West Point.

Mr. DYER. I would not favor striking out the whole paragraph without investigation.

Mr. DENT. I have no objection to that amendment.

Mr. McKENZIE. If I might say to my friend from Missouri [Mr. DYER], the testimony before the committee was that they wanted a Ford car for certain specific purposes.

Mr. DYER. They can buy a Ford car if they want to, or buy any kind.

Mr. McKENZIE. The committee felt that it was a wise thing to limit the amount to the price of a Ford car.

Mr. DYER. They can purchase other cars for that amount just as well as they can the Ford. I have no desire to limit them to the type of car that they shall purchase.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

For commercial periodicals, stationery, office furniture and supplies, adding machine, and for binding orders, circulars, etc., for the office of the treasurer, United States Military Academy, $710.

Mr. HULL of Iowa. Mr. Chairman, I would like to ask the chairman of the committee if he intends to try to finish this bill to-day? An item that is very important will be soon reached. There are three members of the committee who are absent to-day, and it is a very unfortunate thing that they are not here. I wired to Mr. MORIN on Saturday to be here this morning. I just received a telegram from him a few moments ago saying that he had just received my telegram. I presume that this is an example of bureau efficiency. Under the circumstances I think we ought to have an understanding that we will pass the item to which I refer until to-morrow morning.

Mr. DENT. Mr. Chairman, under the rule that we are proceeding under this bill is to be considered for two hours. There is some difference of opinion as to whether the time expires at 1 o'clock or quarter past 1, as we did not begin the consideration until a quarter past 11. I intend to consume all of that time. I do not know whether we can pass the bill or not.

I would like at least to get down to the building proposition that I know the gentleman has in mind.

Mr. HULL of Iowa. Yes.

Mr. DENT. At least that we should read that far.

Mr. HULL of Iowa. Would it not be fair simply to say we would not consider that building proposition to-day?

Mr. DENT. Well, if we can dispose of it——

Mr. McKENZIE. Undoubtedly there will be a point of order made to the proposition which the gentleman from Iowa has in mind, and why would it not be well to go right along, and if we can get to that part of the bill and a point of order should be made and sustained, why, of course, it is immaterial whether our friends are here or not, but if the point of order is overruled, why then we can talk about postponing the consideration to a later period.

Mr. HULL of Iowa. Well, but perhaps those gentlemen like to discuss the point of order.

Mr. McKENZIE. I do not understand they are parliamentary sharks.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn.

There was no objection.

The Clerk read as follows:

For the repair and maintenance of the cadet boathouse and the purchase and maintenance of boats and canoes for the instruction of cadets in rowing; for extra pay of one engineer soldier in charge of boathouse, at 35 cents per day, $750.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. I desire to ask the chairman of the committee how much of this small appropriation is expected to be devoted to repairs and also for the purchase of new canoes.

Mr. DENT. I do not think this is itemized. That amount does not appear to be itemized in the hearing, and how much is for the boathouse and how much for the purchase of boats and canoes I do not know, but it is the same item in the same amount.

Mr. TILSON. Will the gentleman permit a suggestion?

Mr. DENT. Yes.

Mr. TILSON. Is not that item just to repair the boathouse, where the foundation or underpinning was damaged by the ice?

Mr. DENT. Yes; but I do not know how much is going to be expended on repairs and how much on boats. He did not make a distinction between the two. It is only $750.

Mr. TILSON. He did not mention the purchase of any new canoes or boats, as I remember, and I got the impression that the bulk was for repairs caused by an ice jam.

Mr. WALSH. I withdraw the pro forma amendment.

The Clerk read as follows:

For repairs to cadet barracks: For repairing and renewing plastering, painting, and calcimining, repairs to woodwork, refloring, rearranging rooms, increasing sinks, baths, and other incidental repairs to the building, $15,000.

Provided, That this appropriation be, and the same is hereby, made immediately available.

Mr. STAFFORD. Mr. Chairman, I suggest to the gentleman from Alabama that the proviso should be part of the preceding paragraph and not a separate paragraph.

Mr. DENT. Mr. Chairman, the gentleman is correct, and I move to amend by striking out of line 21, page 30, the period after the figures "$15,000" and inserting a semicolon, making the proviso part of the paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 30, line 21, after "$15,000" strike out the period, insert a colon and the following: "*Provided*, That this appropriation be, and the same is hereby, made immediately available."

The question was taken and the amendment was agreed to.

The Clerk read as follows:

For repairs of boilers, engines, dynamos, motors, refrigerating and other machinery in the cadet mess, and the replacement of same, to be expended without advertising, $6,500.

Provided, That this appropriation be, and the same is hereby, made immediately available.

Mr. DENT. Mr. Chairman, I ask unanimous consent that the proviso be considered part of this paragraph.

The CHAIRMAN. Without objection, it will be so ordered.

[After a pause.] The Chair hears no objection.

The Clerk read as follows:

For one 10-ton, 3-wheel road roller, $3,500.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph. I wish to inquire of the chairman of the committee whether he has any information as to whether the War Department through its activities in furnishing our cantonments and camps has not some of these road rollers?

Mr. DENT. That question, to my recollection, was asked in the hearings before the committee and the officers of the museum were unable to furnish the information and it was not pursued. I think the gentleman from Kansas [Mr. ANTHONY] can give the gentleman some information.

Mr. ANTHONY. Mr. Chairman, in the case of the road roller, they have an old one which they desire to put in with the company for a new one, and they thought they could get some substantial allowance for the old roller.

Mr. STAFFORD. It is entirely practicable for the War Department to transfer any one of a number of surface rollers they must have on hand as is provided in the following paragraph in the case of a tractor. Why should not you also provide for the transfer of a road roller?

Mr. ANTHONY. Because it is an old roller on hand and they desired to put it in with the company and realize some value on it.

Mr. STAFFORD. Oh, yes; but we are just purchasing a new article, some of which we may have on hand and for which we may have no use, and we are out the difference in the price of the exchange.

Mr. ANTHONY. In the case of a road roller the difference is only——

Mr. STAFFORD. Mr. Chairman, I think that it is a matter worthy of some consideration, and I make the point of order that it is not authorized by law.

Mr. ANTHONY. Why not substitute a paragraph offering the transfer of a road roller from the War Department?

Mr. STAFFORD. I think that is a very good suggestion, to have it included in the following paragraph.

Mr. DENT. Does the gentleman from Wisconsin move to strike out all of line 19 and insert in lieu thereof a provision directing the Secretary of War to transfer one of these road rollers?

Mr. STAFFORD. I think that can be embodied in the following paragraph, where there is authority to transfer a tractor.

Mr. DENT. Just add "roller" after the word "tractor."

The CHAIRMAN. Does the gentleman make the point of order?

Mr. STAFFORD. I make the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. HULL of Iowa. Mr. Chairman, this is the place in the bill where the building program should come in, and I again ask the chairman of the committee if he will not consent to let that item go over until to-morrow? There should be a full membership here. This is a very important part of the bill. Even if the point of order is made it should be reserved, and it would take some time to explain the matter to the membership of this House, and under no circumstances could we finish in the time agreed upon.

It is but fair to members of the visiting board, who understood when they left town that this bill would not be considered in the House, but was to be considered again in the committee to-morrow before being presented to the House. Those Members can not be here. And in the interest of fair play, I ask that it go over until to-morrow.

Mr. DENT. I will state to the gentleman I do not think this is the place in which he wants to offer the amendment. Why not let us read the building program we did agree to and get that out of the way? And then the time is about up for the consideration of this bill, and I think we can take care of the gentleman. But I would like to straighten out this amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

The Secretary of War is authorized to direct the Ordnance Department to transfer, without charge, to the Quartermaster of the United States Military Academy at West Point, N. Y., one Holt 10-ton artillery tractor, caterpillar type, such tractor to be used by the Quartermaster Corps for all kinds of tractor uses: *Provided further*, That the Secretary of War shall cause the work herein provided for to be done and performed under the direction and supervision of the superintendent of the United States Military Academy: *Provided further*, That the Secretary of War is authorized to detail Col. E. J. Timberlake as quartermaster, disbursing, and contracting officer at the United States Military Academy for such period of time as he deems fit notwithstanding the provisions of existing law relating to the detail of officers: *Provided*, That the following amounts: $7,777 for grading and granolithic paving in area of south cadet barracks; $20,000 for construction of an east wing to the present Artillery gun shed, similar to the west wing; $40,000 for construction of an addition to the south wing of the present Artillery stable to accommodate 72 additional animals; $40,000 for construction of wings to the present Artillery barracks to accommodate 63 additional men; $40,000 for construction of wings to the present Cavalry barracks to accommodate 70 men; $500,000 for enlarging the Military Academy to accommodate the authorized number of cadets: Construction of cadet barracks and headquarters, to be located at the south of the area of the old or south barracks; $60,000 for 8 sets married officers' quarters; $60,000 for 20 sets bachelor quarters; $40,000 for automatic stokers; in all, $812,777; appropriated in House bill No. 11185 for fiscal year 1919, shall remain available until expended: *Provided*, That for the purpose of accounting only, all funds hereinbefore appropriated under the titles "Current and ordinary expenses," "Miscellaneous items and incidental expenses," and "Buildings and grounds" shall be disbursed and accounted for by the disbursing officer, United States Military Academy, as "Maintenance, United States Military Academy," and for the purpose shall constitute one fund: *And provided*, That hereafter, when any machinery, apparatus, implements, supplies, or materials which have been heretofore or may hereafter be purchased or acquired from appropriations made for the support of the United States Military Academy are no longer needed or are no longer serviceable, they may be sold in such manner as the superintendent may direct and the proceeds placed to the credit of the appropriation from which originally purchased or acquired, and shall remain available for expenditure throughout the fiscal year in which derived.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order. There are so many independent propositions involved in this paragraph that have no relation to one another that I think it might require some time to consider them seriatim.

Mr. SHALLENBERGER. If the gentleman from Wisconsin [Mr. STAFFORD] will permit, the long number of items, commencing with $7,777 for grading and granolithic paving in area of south cadet barracks, are items that were authorized in the last bill and were largely suspended or incompleted because of the inability to get labor or to get material. And the object of this item in this appropriation bill is to continue the money necessary to complete them, because otherwise the money would lapse the 1st of next July.

Mr. STAFFORD. I will take the matters up in order.

Mr. MANN. Would the gentleman from Nebraska yield to a question?

Mr. SHALLENBERGER. Yes.

Mr. MANN. I find some items in the current appropriation act. I have not referred to the House bill to find appropriations, because I know you can not make an appropriation merely by a House bill until it becomes an act. What does this refer to? Is this something that Congress has enacted and is the law?

Mr. SHALLENBERGER. At what place?

Mr. MANN. It says, at the bottom of page 33 of this bill, "appropriated in House bill numbered 11185 for the fiscal year 1919."

Mr. SHALLENBERGER. That was the current appropriation for the academy for 1919.

Mr. MANN. That was the bill that was introduced in the House?

Mr. SHALLENBERGER. Yes, sir.

Mr. MANN. A bill for an act. But when it is a law it is a bill no longer.

Mr. SHALLENBERGER. The language merely needs to be changed.

Mr. MANN. This is something that was included——

Mr. SHALLENBERGER. In the law. Yes, sir. It is part of the existing law.

Mr. MANN. I thought it was a bill that somebody had introduced.

Mr. STAFFORD. Is the gentleman certain that all these provisions relating to construction have heretofore been authorized by law?

Mr. SHALLENBERGER. That is the fact, as I understand it.

Mr. STAFFORD. Where is there any authorization for the installation of automatic stokers? Where is there any authorization for grading and granolithic pavement in the area of the south cadet barracks?

Mr. SHALLENBERGER. I have the act here before me, and it states "for grading and granolithic paving in area of south cadet barracks, $7,777." The items here in the bill which we are considering now are copied from the act of last year.

Mr. STAFFORD. What page of the act is the gentleman reading from?

Mr. SHALLENBERGER. It was the act approved January 17, 1918. It is on page 13 of the copy of the act I have in my hand here.

Mr. STAFFORD. I have what purports to be a copy of that act, and I do not find any authorization for the automatic stokers. Does the gentleman find any authorization for them in the copy he has before him?

Mr. SHALLENBERGER. The Clerk will find that for me, if the gentleman will permit.

Mr. STAFFORD. While the Clerk is locating that authorization, may I ask the gentleman's attention to the second paragraph on page 33? What is the necessity of authorizing the detail of Col. Timberlake by law?

Mr. SHALLENBERGER. I have, if you will permit, the item, on page 12, for the installation of automatic stokers under boilers in power plant, $40,000. That was authorized last year.

The reason for authorizing the assignment of Col. Timberlake is, as I understand it, in the first place, that the committee and those in charge of the academy, knowing that he has been very efficient for the past four years, are satisfied that he can render the Government and the academy great service by being continued. Under the present law, after having been detailed for four years to that place, he automatically returns to his position in the line, which he has already done, and it requires this special authorization now to permit him to be longer continued at the academy. It is just a military matter.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order still further, and I ask recognition under that reservation. May I, then, inquire as to another item, the proviso at the top of page 34, the necessity for the matter contained in the proviso?

Mr. SHALLENBERGER. Well, that is an item that has been carried, or a provision that has been carried, in the bill before, and it is asked for by the academy in the interest of economic administration of bookkeeping and the best use of the funds. It is the general purpose, more or less, of making lump-sum appropriations that have gone into all of these bills.

Mr. STAFFORD. Going back to the question of reauthorization of the appropriations that were authorized in last year's appropriation act, may I inquire of the gentleman what is the necessity for reauthorization when the last year's act carried that authorization?

Mr. SHALLENBERGER. Well, as I understand the law and the presentation of the matter made to the committee, it seems this will revert to the Treasury unless the money is reappropriated in this bill, and the idea of the committee was that these sums having been granted, after proper consideration by Congress, we want to continue them until the projects are completed.

Mr. STAFFORD. As I understand the law—I may be mistaken—when Congress authorizes the construction of a building in an act the money does not have to be expended that year, but the officer has two years in which to contract for its expenditure. It remains an authorization for two years following the year in which the money is appropriated.

Mr. MANN. It would probably take two years after it becomes a law to do this work anyway.

Mr. SHALLENBERGER. I do not know whether he covered that in the testimony, as to whether a time limit would run against the appropriation; but the general statement was made that they had not been able to complete these buildings, and probably had not been able to contract for them, owing to the difficulty of getting labor and material during the war, and therefore they asked for a reappropriation.

Mr. STAFFORD. I think I am correct in the understanding of the law, that the officer would have two years following the appropriation in which to contract for this work.

Mr. MANN. That is the general rule.

Mr. SHALLENBERGER. I think the gentleman is correct about that.

Mr. MANN. The rule as to public buildings is that the authorization remains available until the building is completed. Whether that applies to these appropriations or not I do not know.

Mr. DENT. The idea of the committee was to prevent the appropriation from lapsing. I do not think it can do any harm, so long as it is but a repetition of what we gave last year and it was not expended.

Mr. SHALLENBERGER. The committee was satisfied that Col. Timberlake had made careful investigation of this matter, and he must have thought that it was necessary to have this authorization.

Mr. STAFFORD. I think he was laboring under a misapprehension; that he had not authority under existing law.

Mr. DENT. These items are appropriated only for one year. The money must be expended by next July or will have to be turned back into the Treasury.

Mr. STAFFORD. I do not think it would do any harm.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. I again reserve the point of order and ask recognition under that reservation.

I wish now to direct attention as to the need of the matter contained in the last proviso, authorizing the superintendent to sell the unnecessary and discarded machinery, implements, and supplies and have them transferred to the credit of the appropriations from which they were originally purchased.

Mr. MANN. That ought not to be in here. It is all right to sell it, but it is contrary to the policy of Congress entirely to authorize Government officials to sell some old machinery and take that money and use it over again.

Mr. SHALLENBERGER. If the gentleman will permit, while the chairman is looking up the direct testimony of Col. Timberlake, I recall that he stated several specific instances where he would have been able to save the Government considerable money by being permitted to dispose of some of this more or less worn-out or discarded machinery, implements, and instruments that he has there.

Mr. MANN. I think he ought to be permitted to sell them, and I think he has the authority now to dispose of them, and he has the authority to ask for an appropriation for new instruments. But under this system Congress would never know anything about what was done, because he could sell something and use the money.

Mr. SHALLENBERGER. That same language has been enacted by Congress in regard to the disposal of other war materials and articles, permitting the money to go back into the same fund and be reinvested.

Mr. MANN. We repealed all that the other day in the deficiency bill.

Mr. SHALLENBERGER. I am aware of that fact; but the colonel asked for this, knowing that it was in other bills.

Mr. MANN. Yes. It was in another bill as a war-emergency matter, but we repealed that in the deficiency bill the other day.

Mr. SHALLENBERGER. The committee were satisfied that if we granted him this power he would not abuse it.

Mr. MANN. Col. Timberlake will not live forever, and it is absolutely contrary to the policy that Congress has adopted for many years.

Mr. DENT. I think I can settle this question by moving to strike out all the language after the word "direct," in line 16, page 34, down to the end of the paragraph.

Mr. MANN. That would be all right.

Mr. STAFFORD. As I understand, under general law he has authority now to dispose of discarded supplies by advertising. There is a general provision of law authorizing the sale of unnecessary supplies. I can not see any reason for carrying any part of this last proviso in the bill.

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. ANTHONY. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. I still reserve the point of order.

Mr. ANTHONY. I think there is need of carrying that proviso. The superintendent related to us that every time the old material was condemned in the usual course and offered for sale the junk dealers from the near-by towns would come to the academy and form a combination under which they would offer practically nothing to the Government for this stuff. But the superintendent says that if he is permitted to dispose of it to manufacturers when they are buying new machinery he could trade for it and get a very large value for it. I think it is a wise provision, and he should have it.

Mr. STAFFORD. There should be some provision to the effect that the proceeds of these sales shall revert to the miscellaneous receipts of the Treasury.

Mr. DENT. Would not that necessarily follow?

Mr. STAFFORD. It is generally so provided when we make such authorizations as here.

Mr. DENT. I have no objection to the entire paragraph going out. Mr. Chairman, I move to strike out the last proviso in the paragraph.

Mr. STAFFORD. The reservation of the point of order is still pending, and the hour for rising has arrived.

Mr. DENT. I would like to dispose of that last portion first. I move to strike out the last proviso.

Mr. STAFFORD. You can not do that with a reservation pending.

Mr. DENT. I thought you would withdraw if I moved to strike out.

Mr. STAFFORD. I withdraw it.

The CHAIRMAN. The point of order is withdrawn. The Clerk will report the amendment offered by the gentleman from Alabama.

The Clerk read as follows:

Amendment offered by Mr. DENT: Page 34, strike out lines 10 to 19, inclusive.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. HULL of Iowa. Mr. Chairman, I want to offer an amendment before the committee rises.

Mr. CLARK of Missouri. Mr. Chairman, the time agreed upon for the consideration of this bill to-day has run out. The two hours have been construed to begin at the beginning of the debate.

The CHAIRMAN. That is correct. The time allotted for the consideration of this bill to-day has expired. The committee will rise automatically.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SABATH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the Military Academy appropriation bill, House bill 15462, had come to no resolution thereon.

EULOGIES ON THE LATE REPRESENTATIVE ROBBINS.

Mr. CRAGO. Mr. Speaker, I ask unanimous consent for the present consideration of the following, which I send to the Clerk's desk.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Mr. CRAGO asks unanimous consent that Sunday, February 16, 1919, be set apart for addresses on the life, character, and public services of the Hon. EDWARD E. ROBBINS, late a Representative from the State of Pennsylvania.

The SPEAKER. Is there objection?

There was no objection.

CALENDAR FOR UNANIMOUS CONSENT.

The SPEAKER. The Clerk will report the first bill on the Calendar for Unanimous Consent.

PRESENTATION OF FALSE CLAIMS TO STATE DEPARTMENT.

The first business on the Calendar for Unanimous Consent was the bill (H. R. 9094) to amend section 1 of Title VIII of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, I intend to object unless the gentleman from Ohio [Mr. GARD], who presented the bill, can convince me that it ought to be passed in this form.

Mr. GARD. Mr. Speaker, the matter is one to which the gentleman from Pennsylvania objected upon the last day set aside for the Calendar for Unanimous Consent, and I desire to take up with the gentleman from Pennsylvania and Members of the House generally the need of this measure, not as a war measure but as a peace measure.

I heartily agree with what the gentleman said when the bill was last before the House, that if this were distinctly a war measure it should not now be passed, inasmuch as we are practically upon a peace basis. But after the gentleman from Pennsylvania objected I presented the matter anew to the Secretary of State, and I have the letter of the Acting Secretary of State of January 30, 1919, in which letter he states that this is in no sense to be considered as war legislation. During the war action on claims was largely suspended. Now that the war is over many claims will be presented, and it is in connection with the presentation of those claims that this legislation is desired.

Mr. DYER. Will the gentleman yield?

Mr. GARD. I yield to the gentleman from Missouri, a member of the Judiciary Committee.

Mr. DYER. This bill which the gentleman offers is proposed as an amendment to the espionage act, is it not?

Mr. GARD. Yes; it is an amendment to section 1 of title 8 of that act.

Mr. DYER. And that act itself is a war measure, is it not?

Mr. GARD. Of course, it is designed to afford protection to all branches of the war, including recruiting, enlistments, and the processes of the selective draft, manufacturing, and everything else. In other words, in so far as the civil authorities could act, the espionage law, which contributed its force in proper protection of law toward a proper morale in this country and toward the upbuilding and the continuance of manufactures, served a great purpose.

Mr. DYER. I appreciate that; but I say it is a war measure, and at the end of the war officially that act would become inoperative, would it not?

Mr. GARD. Some parts of it; yes.

Mr. DYER. And therefore this amendment would go out with it. Does not the gentleman think he had better try to get this passed as an independent proposition, if it is important and necessary?

Mr. GARD. The amendment to section 1 of title 8 is not limited to the time of war.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. GARD. Yes; I yield.

Mr. MOORE of Pennsylvania. Does the gentleman intend to have the letter of the Acting Secretary of State read, or does he intend to ask to have it printed in the RECORD?

Mr. GARD. I have submitted it to the gentleman, and if he desires to have it read I will do so.

Mr. MOORE of Pennsylvania. I saw the letter of the Acting Secretary of State, and am frank to say that it presents a meritorious situation. He desires to prevent the making of false and fraudulent statements to the Secretary of State.

Mr. GARD. Yes.

Mr. MOORE of Pennsylvania. And he contends in the letter that it is not a war measure, but one that would operate in time of peace. I am heartily in favor of the enactment of a law which will prevent the making of false statements to the Secretary of State, as indicated in that letter, if we do not have such law, but I am not in favor of tacking that kind of a provision onto the espionage law. The espionage law was passed June 15, 1917. It is a very drastic act. It enters upon the rights of individuals all over the United States. It was intended purely as a war measure. It relates to espionage, to vessels in ports of the United States, to the injuring of vessels engaged in foreign commerce, to interference with foreign commerce, to the enforcement of neutrality, to the seizure of arms and other articles intended for export, making certain exports in time of war unlawful, to the disturbance of foreign relations, to passports, to counterfeiting Government seals, to search warrants, to the use of the mails, and then a number of general provisions upon which there is no limitation. All the provisions are just as much in force now as when the espionage act was passed. It involves the right of free speech, the right of an officer to search, and all that sort of thing, much of which we may be called upon to repeal as soon as the President announces that the war is at an end.

Mr. GARD. Assuming what the gentleman says is true, that there may be necessity and propriety of repealing some parts of the espionage law, that which I have tried to convince the gentleman and other Members of the House, is that this part of the section is not such a section of the act as at this time or in the near future could with propriety be repealed, because it takes up the matter of presentation of claims to the Secretary of State and those claims that the Secretary of State says by operation of law during the war time were suspended, but now that peace is practically restored they are coming in in great numbers, and there is much more necessity now that the law should be continued than there was that the law should be continued during war time.

Mr. MOORE of Pennsylvania. Let me interrupt the gentleman to ask this: If the Committee on the Judiciary had reported a bill providing that it should be unlawful to make false statements to the Secretary of State under these circumstances, and providing a penalty, does the gentleman think that the Committee of the Whole or the House would object to that?

Mr. GARD. I do not know.

Mr. MOORE of Pennsylvania. Why should it be put on the espionage act when the repeal of it will be an issue before long, apparently, to bolster up that act?

Mr. GARD. What I am trying to get the gentleman to understand is that this section is not one that will be attacked by those who favor a repeal of the espionage act, because it applies only to proceedings before the Secretary of State, and primarily, now in times of peace, because the Secretary of State says that the presentation of applications and claims are coming in in great number, and will soon reach thousands in number; that the amendment is necessary, and the law itself is not repugnant to the idea that the gentleman has as to repealing sections of the espionage act, which has to do with possible control of speech and matters relative to newspaper publications, and hence may not be necessary now that the war emergency is past. But I want the gentleman to understand, if I am capable of making him understand, that this provision is not one that could be repealed, because it is essentially a peace provision, and the necessity is greater now than when the war existed. To my mind the entire section 1 should remain, as well as this addition being made to it. The Secretary of State says that in the matter of commerce between foreign nations and the United States there are a great number of claims now, and the State Department claims that it must really have this protection as to the accuracy of the claims. It is merely a provision that whoever shall willfully present to the Department of State any false or untrue statement with intent to influence its action shall come within the purview of the other provisions of the bill.

Mr. MOORE of Pennsylvania. I am frank to say that if it should come in here as an independent war measure, standing on its own merits, I should support it, but I am not going to encourage the increase of war provisions in the various departments, nor shall I agree to increase war legislation which embarrasses the people of this country, much of which may have to be repealed, when there is an easier way to get this sort of legislation.

Mr. GARD. That of which I am trying to convince the gentleman is that this act is not a war measure, but for the absolute protection of the Department of State and the people of the United States in a time of peace. Whether some other parts of the espionage act may be repealed, that is another question, but this is not such an act, because, if the gentleman will look through section 1, there is nothing there which he will see should be repealed, because it all applies as much to the time of peace as to the time of war. Because the gentleman is not in favor, I assume, of any law which would permit any untrue or false statement or affidavit to be filed with the intention to secure action by the Secretary of State without some prohibition or penalty being attached thereto.

Mr. MOORE of Pennsylvania. I appreciate the argument the gentleman has made and am in sympathy with what he is trying to do, but I think it should be done in another way. Therefore I object.

Mr. GARD. Mr. Speaker, before the objection is announced, may I have the privilege of extending my remarks in the RECORD so as to include the printing of the letter of the Secretary of State to me; also a letter from the Secretary of State to Mr. WEBB?

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The letters referred to are as follows:

DEPARTMENT OF STATE,
Washington, January 30, 1919.

Hon. WARREN GARD,
House of Representatives:

SIR: I have the honor to acknowledge the receipt of your letter of January 23, 1919, in which, with reference to H. R. 9094, a bill to amend section 1 of Title VIII of the espionage act, approved June 15, 1917, you state that on the 20th instant, upon consideration of the Calendar for Unanimous Consent, the bill was objected to by Mr. MOORE of Pennsylvania on the ground that it was intended as a war measure and is no longer necessary. You state that you had the bill retained on the Calendar for Unanimous Consent (for which action the department is most appreciative) and request that you be advised of the present necessity for passage of the proposed legislation.

In reply I beg to inform you that the bill is in no sense to be considered war legislation. The purpose of the bill is, as indicated therein, to provide a penalty for the willful making of sworn false representations to the department, or the presentation of such false representations to the department, by persons purporting to be entitled to the diplomatic protection of this Government, for the purpose of influencing the action of the department with respect to their interests as regards foreign Governments. Requests of this character are of constant occurrence both during peace and the existence of a state of war. The principal cases in which such legislation would serve a useful purpose are those having to do with diplomatic claims against foreign Governments, in which the interposition of this department is requested.

While the war was in progress action on all claims against enemy Governments and, to a certain extent, action on claims against belligerent Governments generally was, by necessity of the case, suspended. Now that the war is practically over the claims resulting therefrom, as well as those held in abeyance on account thereof, are being received in large numbers and will doubtless reach several thousand within a short time.

In this connection I beg to inclose for your information a copy of my letter of December 13 to Representative WEBB regarding the urgent need of the proposed law.

I am pleased to note your interest in the matter and I hope that you may use your influence with a view to bringing about the early passage of the bill by the House.

I have the honor to be, sir,
Your obedient servant,

FRANK L. POLK,
Acting Secretary of State.

DECEMBER 13, 1918.

Hon. EDWIN Y. WEBB,
House of Representatives.

MY DEAR MR. WEBB: I am taking the liberty of again calling to your attention H. R. 9094, which was introduced by you on January 22 last and which, according to the department's information, is now on the House Calendar.

The purpose of the bill, as you will recall, is to amend section 1 of Title VIII of the espionage act, approved June 15, 1917, by providing a penalty for the willful making of sworn false representations to the Department of State or for the presentation of such false representations to the department for the purpose of influencing its action with respect to the diplomatic protection of the interests of such persons as regards foreign Governments.

The needs of such legislation were pointed out to you in the department's letter of May 20, 1918, and are set forth in Report No. 607 of June 18, 1918, of the Committee on the Judiciary. It seems unnecessary to add anything to what has already been said respecting the purposes to be served by the proposed legislation other than to say that the reasons heretofore advanced in support of the bill are now becoming most urgent. Owing to the present prospects for peace, diplomatic claims against foreign Governments, in the settlement of which the department's assistance is sought, are being received daily in increasing numbers.

As has been previously pointed out, there is at the present time no provision of law defining as an offense the making of false representations under oath to the Secretary of State by persons seeking the interposition of the department in connection with their claims against foreign Governments. Since such claims may lead to negotiations and representations of a serious nature, and since the department must rely in great measure upon the statements made by interested parties, i. e., the claimants themselves, it is highly important that such statements should be safeguarded as much as possible against falsification.

I therefore hope that you may find it possible to bring about the early consideration and passage by the House of this much needed proposed legislation.

I am, my dear Mr. WEBB,
Very sincerely, yours,

FRANK L. POLK.

ADDING LAND TO WYOMING NATIONAL FOREST.

The next business on the Calendar for Unanimous Consent was the bill (S. 1847) to authorize the addition of certain land to the Wyoming National Forest.

The Clerk read the title to the bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That any lands within the following described areas, found by the Secretary of Agriculture to be chiefly valuable for the production of timber or the protection of stream flow, may be included within and made a part of the Wyoming National Forest by proclamation of the President, said lands to be thereafter subject to all laws affecting national forests: All of township 29 north, range 118 west; all of township 29 north, range 119 west; sections 5, 6, 7, 8, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, and 33 of township 30 north, range 118 west; all of township 30 north, range 119 west; sections 7, 18, 19, 30, 31, and west half of section 32, township 31 north, range 118 west; sections 19 to 36, inclusive, township 31 north, range 119 west; all of the sixth principal meridian, Wyoming.

With the following committee amendment:

On page 1, line 6, after the word "may," insert "with the approval of the Secretary of the Interior."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the Senate bill as amended.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. TAYLOR of Colorado, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS RED RIVER OF THE NORTH, N. DAK. AND MINN.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13232) granting the consent of Congress to Traill County, N. Dak., and to Polk County, Minn., to construct a bridge across the Red River of the North.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to Traill County, N. Dak., and Polk County, Minn., and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Red River of the North, at a point suitable to the interests of navigation, at or near the village of Belmont, in the county of Traill, in the State of North Dakota, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges across navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With the following amendment:

Page 1, line 3, strike out all after the word "the" down to and including the word "six," in line 2, page 2, and insert in lieu thereof the following: "times for commencing and completing the construction of a bridge, authorized by act of Congress approved August 11, 1916, to be built across the Red River of the North at or near the village of Belmont, Traill County, N. Dak., are hereby extended one and three years, respectively, from the date of approval hereof."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

Without objection the title was amended to read as follows: "A bill to extend the time for the construction of a bridge across the Red River of the North, between Traill County, N. Dak., and Polk County, Minn."

On motion of Mr. STEENERSON, a motion to reconsider the vote by which the bill was passed was laid on the table.

NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13294) to amend an act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1916, and for other purposes, approved March 3, 1915.

The SPEAKER. Is there objection.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I wish to inquire as to the nature of the authorization as carried in the last proviso, empowering the Board of Managers of the National Home to classify the memberships of such homes for the purpose of administration, and to utilize certain branches exclusively for rehabilitation of the disabled soldiers.

Mr. GARD. Mr. Speaker, I will say to the gentleman that this amendment to which the gentleman calls attention was incorporated by the action of the Committee on Military Affairs. It was no part of the text of the bill, as introduced by me, and it was the thought of the Committee on Military Affairs, which put this amendment on unanimously, that these National Homes for Disabled Volunteer Soldiers were facing a new and enlarged jurisdiction, that with the probability of an increase of the membership caused by the disabled soldiers of the present war, and the increased number that would be admitted under the provision of the original bill, the homes should be changed from their type of being merely a place where men lived to a place where they might receive care and treatment commensurate with their needs, and where, to the extent prescribed by the board of managers, certain processes of rehabilitation might be gone through with.

Mr. STAFFORD. Does the gentleman know whether that suggestion has been submitted to the Secretary of War for his ideas?

Mr. GARD. I do not know whether it has been submitted. I will state this to the gentleman, that some two or three weeks ago I talked with the Secretary of War about this bill, and about matters relative to the board of managers, and the Secretary of War said that he was firmly of opinion that these homes ought to be used in the largest scope possible, and that he saw as the best future of the home places of rehabilitation for the soldiers wherever they could be used for that purpose, and such as could be used for that purpose, with the incorporation of additional facilities, should be used. This amendment, I think, was inspired largely in committee by the gentleman from Kansas [Mr. ANTHONY]. Certainly he was one of its principal proponents.

Mr. STAFFORD. My query was predicated largely upon the work we are doing in rehabilitation under the Board of Vocational Education, and I was wondering whether the activities of that board would not include the rehabilitation of our disabled soldiers. Again the Army rehabilitation work is provided for under the Surgeon General's office, but that work is limited to those in the service.

Mr. GARD. Yes; for discharged soldiers.

Mr. STAFFORD. We are all in sympathy with the idea of permitting the present homes to be used by discharged soldiers of the present war.

Mr. GARD. I think so.

Mr. ANTHONY. Mr. Speaker, will the gentleman yield?

Mr. GARD. Yes.

Mr. ANTHONY. The point is this: Heretofore the soldiers' homes have been filled with men of mature years, for which there was very little left in life except that they might be provided with a comfortable living. After this war these homes will be filled with a lot of young men, men who should be fitted to go back into civil life of the country, if it is possible to do so.

Mr. STAFFORD. What is the work now undertaken by the Board of Vocational Education?

Mr. ANTHONY. I do not know as to that, but the work in the soldiers' homes, as explained to me by a member of the Board of Managers, will not be very elaborate. They will take these men and try to teach them some simple occupation and fit them to make their own way in life wherever possible. They do not intend to go into an elaborate scheme of rehabilitation.

Mr. GARD. To make them in part self-sustaining.

Mr. ANTHONY. The purpose is either to maintain them in idleness in these homes or else to give them a chance to establish themselves in industry.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. GARD. Yes.

The SPEAKER. Is there objection?

Mr. MONDELL. Mr. Speaker, reserving the right to object, the board having charge of the work of rehabilitation of soldiers has a current appropriation of $2,000,000, of which they have expended, as I recall, some two or three hundred thousand dollars. They are entering on this work very extensively, and expect to enter upon it still more extensively, as evidenced by the fact that they are asking for $4,000,000 for the coming fiscal year. I think there is some possibility of complicating the situation by attempting to make provision for the rehabilitation in the soldiers' homes. The main provisions of the bill are most excellent. There is now room in the soldiers' homes for about 7,000 additional inmates. A few of the discharged soldiers are already in the homes—that is, soldiers discharged who have been engaged in the late war—and there is room for 7,000 more.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. In a moment. If this simply meant that the board would make some simple provision for occupation for the men in the homes, I do not know that there will be any objection to it. There would be an objection to it, it seems to me, if, in addition to the very extensive and all-embracing work of the board having rehabilitation matters in charge, we should embark upon a considerable activity along this line in connection with the soldiers' homes.

Mr. GARD. I will state so far as I am advised by members of the board of managers and members of the War Department, the Secretary of War, and by members of the Committee on Military Affairs that there is no purpose to do anything except to afford for these men, who will be necessarily brought in by reason of physical disabilities, the privilege of doing some slight task or performing some bit of labor with the hands or with the head which will result in their being in part self-sustaining.

Mr. MONDELL. Of course, there is very considerable opportunity for that sort of thing in the homes now, particularly in an agricultural way?

Mr. GARD. Yes.

Mr. MONDELL. That is given to them because most of them have very considerable farms connected with them that furnish such facilities.

Mr. GARD. I am sure, as was well said by the gentleman from Kansas, that there is to be a new type of man in the governmental military homes. Heretofore the man who was a member of a soldiers' home was well along in years. He was forced by adverse circumstances into the home necessarily, and could not nor was it proper that he should be compelled to do any manual labor, nor was it proper at the time that compulsion should be had, but where the man is able to do a slight physical task and is paid for the same, it has occurred to me, as it has to the Committee on Military Affairs, that this is a very wise solution of a most pressing question for the conduct of the homes in the very near future. No appropriation is asked and no sum of money has been stated for any purpose. It is merely authority to increase the efficiency of the home.

Mr. SLOAN. Mr. Speaker, further reserving the right to object, as I understand this does not in anywise seek to amend by extension or diminution the present management of these homes?

Mr. GARD. No; there is no extension or change in the process of management. The bill primarily relates to the privilege of admission as a member of the home.

Mr. SLOAN. And in no wise seeks to interfere with the incumbency of the homes as they are now organized——

Mr. GARD. Not the slightest.

Mr. SLOAN. And as I understand, the purpose is largely to utilize the vacant space and facilities for the keep, care, and treatment of soldiers by the inclusion of soldiers of this war as well as the volunteer soldiers of the two preceding wars?

Mr. GARD. That is true; and, I may state, to include also soldiers who were on the border in Mexico and who were engaged in military services for the United States which could not be classed as a war. For instance, there are a number of concrete cases of men injured while they were protecting the border in Mexico, acting as United States soldiers while not in war, who, under the present statute governing admission to these homes, can not by the board of managers be admitted, no matter how disabled they may be, no matter how meritorious the individual case. It is merely to extend the use of these homes wherever it is proper and give assistance to every man who has borne arms in an American battle and who is disabled by disease or wounds from taking care of himself. I am in favor at all times of providing all proper assistance and relief to all American soldiers.

Mr. SLOAN. As so expressed, I think it is an admirable provision; but I would like further to ask whether or not it is contemplated that the work suggested by the sponsor of the bill, the gentleman from Ohio, that members would in anywise be required to work or merely that the individual person, if he desired to get some compensation, can avail himself of the opportunity presented?

Mr. GARD. There is no change in the requirement. They are not required now. It is simply affording a privilege, because I esteem it personally to be a privilege rather than a

requirement of these men who might be forced by circumstances and have to go into the home, that they might do some little task and be paid for it and become in part self-sustaining. It is a great matter of preserving his self-respect, and it is better for the soldiers and for society in general that they have some occupation in which they can engage.

Mr. SLOAN. I have no doubt whatever all in the homes so located as they are would be willing to have this privilege extended, but there is undoubtedly, as I said in another matter bearing somewhat to it, a natural jealousy in the homes the Government has established for them. They are willing to share it, but they do not desire to abdicate or surrender.

Mr. GARD. I think the purpose of the bill and the amendments are all, indeed, meritorious, because, as I have stated, they carry no new law and because they only provide for the very best administration of these soldiers' homes for every disabled American soldier.

Mr. SLOAN. I withdraw the reservation.

Mr. DYER. Mr. Chairman, reserving the right to object, I hope an opportunity will be had to consider this measure. I would not object, but I am opposed to many things in connection with the home, but I have not the time nor can I get time under this procedure, and I therefore shall object for the present.

Mr. GARD. I hope the gentleman will reserve the right to object.

Mr. DYER. I would eventually, unless the matter could be——

Mr. GARD. I would be very glad to inform the gentleman. If there is anything he has in mind he does not agree with, I would be very glad to explain it to him. The matter, it seems to me, is so very clear and so manifestly intended for the benefit of the present war soldiers, Spanish War soldiers, and all soldiers——

Mr. DYER. If the gentleman would agree in the bill to an amendment which I would like to have incorporated in the act pertaining to the soldiers' homes, and that is to take the management of the homes out of the hands of the present managers and put them in charge of the War Department, I would not oppose it. But I am opposed to giving the present management of the soldiers' homes further authority.

Mr. GARD. That is a matter so entirely at variance with the principles of this bill that I could not agree to it.

Mr. DYER. I knew the gentleman would not agree to it. I want to discuss that for the purpose of presenting some facts to the House that I feel are justified.

Mr. GARD. If that is all the gentleman has in mind, he could have no objection to this bill, because if the gentleman wants the homes taken from the civil authorities who control them and put in the hands of the War Department, that is entirely a different proposition. But while they are in the hands of the present board of managers, why would not the gentleman be willing to afford the present-day soldiers and soldiers of the war in which he so ably represented the Government to have the full privileges of these homes?

Mr. DYER. Well, Mr. Speaker——

The SPEAKER. Does the gentleman object or not?

Mr. DYER. The gentleman was asking me to reserve my objection. I do it for the purpose of making this statement, which I have made to him, and to say that to adopt this proposition now would necessitate, of course, enlargements and justification for the soldiers' home board to enlarge these homes and ask Congress for additional appropriations, and I do not believe at this time there is any necessity for including the present soldiers. I do not think any of them are going to be sent to these homes.

Mr. GARD. If the gentleman will pardon me, there are a number of soldiers of the present war in the homes now, and necessarily there will be more.

Mr. DYER. Under our allowances for those who are disabled, and so on, I think it is unnecessary at this time to send them to these soldiers' homes, under the present management.

Mr. STAFFORD. Will the gentleman permit just there?

Mr. DYER. I will.

Mr. STAFFORD. Prior to our entering this war there was a recommendation made by the Secretary of War to discontinue the branch home located in the environs of Milwaukee, in the district represented by my colleague [Mr. CARY]. The accommodations are much larger than what the present demands require. Now, as the gentleman from Ohio [Mr. GARD] says, there are going to be any number of instances of boys returning from abroad who will need the accommodations of that home and the other branch homes, where they are not taxed to capacity. I think the opportunity should be given them to have the privilege of entering these homes just as the soldiers of the Spanish-American War and the Philippine insurrection and the Civil War have the privilege.

Mr. DYER. I would not object, probably, if we had opportunity, as I said, to consider the matter, which we have not under unanimous consent.

Mr. MONDELL. Will the gentleman yield just a moment?

Mr. DYER. Yes.

Mr. MONDELL. We heard the managers of the soldiers' homes the other day before the Committee on Appropriations, and, having in mind the present situation, we discussed with them at very considerable length this matter of admitting the soldiers of the present foreign war in the homes. As a matter of fact, they are now admitted. They are of the opinion they have authority to admit them. There are several hundreds of them in the homes at this time. There is room for between 7,000 and 7,500 additional inmates in the various soldiers' homes, without crowding in the least, and utilizing them in a way in which the soldiers will all be very comfortable. These world-war soldiers ought to have an opportunity to enter those homes. The homes are running, and they are running under good management. The facilities are all there. It requires no further outlay of the public money to give them these opportunities. We certainly ought to fill those homes with these returning soldiers as they may desire to enter the homes. The board of managers has considered the matter fully. They have had no other thought than that the soldiers would be given the facilities of the homes.

Mr. DYER. The gentleman knows that we passed the bill here the other day for $10,000,000 and more for the purpose of establishing additional hospitals for the care of those who need hospital treatment.

Mr. MONDELL. That is quite a different proposition.

Mr. DYER. And we also have in the War Department——

Mr. MONDELL. That is quite a different proposition. Assuming the necessity of building hospitals for discharged soldiers because of tuberculosis or other diseases we have now, at this hour, splendid institutions in which there is room for 7,000 of those soldiers. Are we going to deny those soldiers the opportunity to enter these excellent institutions now being maintained and appropriated for?

Mr. DYER. On the theory, I will say to the gentleman, that the soldiers' homes are not the place to send men who need hospital treatment. It is nothing more nor less than a place for soldiers to go to who have not anywhere else to go, and who want to spend possibly the rest of their days there. It is good for the old soldiers, but I am not in favor of opening these homes and encouraging these boys who are coming back to go to these homes, instead of getting them out into the vocations they went from, and go to work—those who are able to work. We do not want to encourage them simply to live in these homes without any opportunity for their advancement. The Government is prepared to take care of all these people who need treatment, get them well, cure them, and put them out into business. For that reason, Mr. Speaker, I am not ready at this time to encourage these boys going to these homes.

Mr MONDELL. They are going, anyway.

Mr. DYER. If they are going, Mr. Speaker, if the board of managers say they have the authority now, and are doing what the gentleman from Wyoming says, whether they are usurping authority or not, there is no need for legislation for their doing that. And if that is so, in addition to other reasons, I am opposed to the present management of the soldiers' homes.

If the gentleman will agree to that——

Mr. GARD. I have no objection to the gentleman offering the amendment.

Mr. STAFFORD. This proposition is limited to those who are disabled by wounds and disease and incapable of earning a living. It is to provide a home for such persons who may have both legs off or both arms off and who have passed the stage of hospital treatment. But there should be some place where they may have a home.

Mr. DYER. I thought the gentleman knew that we had appropriated money to give men arms and legs and to teach them trades in which they can support themselves.

Mr. STAFFORD. This is to provide for those who have not a home.

Mr. DYER. I doubt the correctness of that statement.

Mr. STAFFORD. There are numbers of persons who have been totally disabled who are maintained there.

Mr. DYER. The Government should give them sufficient money to support themselves, so that they can be with their families.

Mr. STAFFORD. We compensate them under the war-risk insurance, but if they have no families to provide a home for them we wish to provide a home and where they will have their comrades about them.

Mr. MONDELL. Let me make a statement. The board in charge of the rehabilitation of returning soldiers was before

the Committee on Appropriations a few days ago and told us what they were doing in great detail. They told us what they expected to do.

Here is a situation in connection with their work, in which the soldiers' home serves a most useful purpose and will serve a most useful purpose. It takes some little time for these soldiers who are disabled to have their cases adjudicated before the War Risk Bureau. It requires some little time in many cases for the rehabilitation board to get in contact with the men and learn just what they desire to have done for them and to determine what is best to do for them, what school or institution they would attend. In the meantime, if the opportunity is given to the men to enter the soldiers' homes and be cared for there they will have a comfortable place while their cases are being adjudicated by the War Risk Board and while the committee on rehabilitation is studying their cases and arranging for their tuition in some school where they can acquire that education or that training which will be helpful to them.

The soldiers' homes work right in with that sort of thing. The rehabilitation board keeps track of these men. They are not always ready when they are discharged from the service to enter upon the courses of study which the board outlines or suggests to them. In the meantime the soldiers' homes should be open until there is opportunity for them to be cared for, until their claims are adjusted and an opportunity is given to provide for their training.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. McKENZIE. Under our law is there any institution in our country where a soldier such as you have described could find a home?

Mr. MONDELL. No. And this is the fact, that the Rehabilitation Board told us of cases where soldiers had been discharged without being paid. I hope there will be no more cases of that kind. There are and will be many cases where the amount that the soldier is entitled to for disability has not yet been determined, and they found such soldiers in many cases to be really objects of charity.

Mr. DYER. And that is a disgrace to the United States Government.

Mr. MONDELL. It is; and the gentleman proposes to keep closed the only door that we are prepared to open in order to prevent the recurrence of that sort of thing. I do not think the gentleman wants to take the responsibility of doing that.

Mr. DYER. The gentleman is mistaken. I do not think the gentleman correctly understands the character of the soldiers' homes and present conditions and does not look at the situation from the true standpoint, as he ought to look at it, with reference to those soldiers who are coming back disabled. We have provided money for them, and the Government is authorized to give these men enough money to support them. We provided vocational schools for them in order that they may learn useful arts and trades and go out and earn a living for themselves, and to put them in soldiers' homes until the end of their days would be a discredit to the Nation.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. DYER. Yes.

Mr. CANNON. If I understand the gentleman's remarks, he would not object if an amendment were adopted to transfer the management to the War Department?

Mr. DYER. If that is agreed to by the gentleman in charge of the bill——

Mr. CANNON. The gentleman can offer an amendment and let the House pass upon it.

Mr. DYER. There will be no opportunity to discuss it.

Mr. CANNON. There will be opportunity to discuss it under the five-minute rule, and I have no doubt that such time as the gentleman may desire will be conceded to him.

Mr. GARD. I shall be very glad to concede any reasonable time that the gentleman wants, so far as I am concerned.

Mr. CANNON. I think something ought to be done in the matter, either by referring it to the War Department or without referring it. There is this vacant space in these homes unoccupied.

Mr. DYER. If the gentleman will permit me, the other day we had a bill up here to take from the Board of Managers of the Soldiers' Homes the Battle Mountain Sanitarium, and turn it over to the War Department for the care of men who are in need of care and attention, and this House voted it down. It ought not to have done so, in my judgment.

Mr. MONDELL. That was for soldiers before they were discharged. That is quite another thing. This is for the care of discharged soldiers. That bill ought to have passed, but that does not affect this situation at all. This is a proposition to take care of the soldier after his discharge, and the War Department, let me suggest to the gentleman, has no control over the soldier after his discharge.

Mr. DYER. We appropriated $10,000,000 to take care of men after their discharge.

Mr. MONDELL. We have an appropriation of $2,000,000 to take care of men and rehabilitate them. This works right in with it. This gives men an opportunity to remain in the homes, if they care to, while the War Risk Board is determining the amount due them and the Rehabilitation Board is studying their cases.

Mr. DYER. Oh, no.

Mr. MONDELL. There is nothing in the bill compelling them to go there, but they may go if we pass this bill.

Mr. MANN. Mr. Speaker, I call for the regular order.

The SPEAKER. The regular order is, Is there objection?

Mr. DYER. I object.

The SPEAKER. The gentleman from Missouri objects. The Clerk will report the next bill.

ROCKY MOUNTAIN NATIONAL PARK.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 171) to repeal the last proviso of section 4 of an act to establish the Rocky Mountain National Park, in the State of Colorado, and for other purposes, approved January 26, 1915.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. FOSTER. Reserving the right to object, I take it the purpose of this bill is to get a larger appropriation for this park?

Mr. TIMBERLAKE. That is the ultimate object, of course, but it will not be sought to get a larger appropriation this year. It is very much desired to have the limitation removed, because if that were done we would be enabled to get a great many local subscriptions to supplement the large appropriations that have been made by the Legislature of Colorado this year for the improvement of this park. It is not contemplated to ask an additional appropriation for the park this year.

Mr. MONDELL. May I suggest to the gentleman from Illinois that the Committee on Appropriations, which appropriates for the parks, has been considering the Rocky Mountain National Park in connection with the matter of improvement of roads, and so forth. As a member of the committee, I am of the opinion that this limitation ought to be removed. If my opinion is that of the committee—and I think it is—I do not think the committee will be disposed to add anything to the appropriation this year, but I do think we can not well maintain these appropriations permanently within the $10,000 and do justice to that park.

Mr. FOSTER. How much does the gentleman think it will take to do justice to the park?

Mr. MONDELL. I have no particular sum in mind. Personally, I would not be in favor of increasing the appropriation a dollar this year, but possibly somewhat next year.

Mr. CANNON. Where is the Rocky Mountain National Park?

Mr. MONDELL. It is due west of Denver in the mountains. It is in what is known as the Estes Park region of Colorado, a very beautiful mountain region.

Mr. CANNON. Is it between Denver and Cheyenne?

Mr. MONDELL. No; it is very nearly due west from Denver.

Mr. CANNON. How far?

Mr. TIMBERLAKE. The entrance to the park is about 70 miles from Denver, and it extends over to Grand Lake in the western portion of the State of Colorado. It includes Longs Peak and the principal mountain peaks in that locality, of which there are a great number that are more than 12,000 feet high.

Mr. CANNON. What area does the park cover?

Mr. TAYLOR of Colorado. A little more than 229,000 acres.

Mr. FOSTER. I am informed that it covers a little more than 229,000 acres. I am going to withdraw my reservation of objection.

Mr. CANNON. I should like to know a little more about it. It includes mountains and valleys and that sort of thing?

Mr. TIMBERLAKE. All that character of mountain scenery. Some of the most beautiful scenery that is found anywhere in the Rocky Mountains is within the boundaries of this park.

Mr. CANNON. There is in the air an appropriation of $100,000,000 to improve lands for our soldiers to live upon, to get cut-over lands, and to get lands that are abandoned in New York, and so on. With all the parks we have, does the gentleman think it is a good time to establish another one?

Mr. TIMBERLAKE. This does not establish a new park. It was established four years ago. There was a limitation on the appropriation that could be made for its improvement to make it accessible.

Mr. CANNON. That is $10,000 a year?

Mr. TIMBERLAKE. That is $10,000 a year, and this bill is simply to remove that inhibition. We are not asking for an additional appropriation now.

Mr. CANNON. No; but it is to ask an additional appropriation at the next session?

Mr. TIMBERLAKE. It is contemplated, of course, that the Government will want to improve and make accessible this very valuable park from which the Government, when this is done, will derive a very great revenue.

Mr. CANNON. How?

Mr. TIMBERLAKE. By concessions and charges that are made in connection with the supervision of the park.

Mr. CANNON. We are going to be bone dry pretty soon, and concessions to keep hotels and bars will not be worth much.

Mr. TIMBERLAKE. That will be eliminated, and consequently will reduce the revenues somewhat, perhaps, but there are many other methods of collecting revenues.

Mr. CANNON. How many million dollars will it cost to develop this park, to build the highways to get in, to construct that 70 miles of road, and so on? You see, we are rich in parks. God knows, I do not know, how many we have now.

Mr. MONDELL. Sixteen.

Mr. CANNON. Is that all?

Mr. TIMBERLAKE. The Legislature of Colorado have appropriated this year $70,000 for the completion of the Fall River Road, which has been in process of construction since this park was organized four years ago, and it has appropriated $90,000 for the completion or improvement of the Thompson Road, showing that the people of the State of Colorado are supplementing the efforts of the Government in making these improvements, which will make this wonderful landscape of scenic beauty, which even Switzerland and her Alpine scenery does not equal, accessible to the people who visit this park. Over 117,000 people visited this park last year. What can we not expect when it shall be improved by the building of roads and trails which will permit of its exploration and which can be accomplished with a little more liberal appropriation, which the removal of this limitation will later permit of? And in my judgment it would be shortsighted in the Government not to do it. It will only be improving her own property, which will in the end bring into the Treasury substantial revenues.

Mr. CANNON. The efforts of the Government are limited to $10,000 under the law, and now $70,000 and $90,000 have been appropriated to improve roads. How many hundreds of thousands of dollars is it going to take to develop this when it comes to unloading it all on the Government?

Mr. TIMBERLAKE. Having discussed this frequently with the Interior Department and with Superintendent Mathers, supervisor of parks, I can say that it is not the intention of the department to expend any large sum in any one year, but they feel that their appropriation should be a little larger in order to open up trails, telephone lines, and make it accessible to the people.

Mr. CANNON. My observation has been that in the Yellowstone Park, and in the Glacier National Park, and the great park in California, and in our 16 parks scattered all over the country, there has been a good deal of money expended. I hate to object; at the same time——

Mr. TIMBERLAKE. I hope the gentleman will not object; this is a proposition of a great deal of merit.

Mr. CANNON. At the same time, God knows we have come to the time when we have got to economize.

Mr. TIMBERLAKE. I assure the gentleman that I will agree to that, but we do not feel that we ought to be discriminated against. Other parks that have been organized have been privileged to expend whatever receipts they had from concessions in the management and development of the park, which of all our parks was the first that was not given this concession.

Mr. MONDELL. I think it will please the gentleman from Illinois to know that we are now receiving from some of the larger national parks a sum varying from 23 to 30 per cent of the annual expenditures.

Mr. CANNON. That is, the parks pay about one-quarter of the expense.

Mr. MONDELL. In some cases nearly one-third.

Mr. CANNON. In some cases, and the balance the Government pays in perpetuity.

Mr. MONDELL. That is better than for the Government to pay it all.

Mr. CANNON. But there is only $10,000 on the Government now in this particular case.

Mr. MONDELL. And there being only $10,000 on the Government in this particular case we are unable to improve the park in order to obtain anything more from automobile licenses, and so forth.

Mr. CANNON. But in round numbers we have $200,000 appropriated by the Colorado Legislature.

Mr. LOBECK. Will the gentleman yield?

Mr. TIMBERLAKE. I yield.

Mr. LOBECK. The remarks of the gentleman from Illinois prompt me to ask the question whether any farm lands are lying in this park which would be fit for agricultural land to be located on by the soldiers?

Mr. TIMBERLAKE. I am glad the gentleman asked that question. There are no agricultural lands or lands suitable for agriculture within the confines of this park.

Mr. LOBECK. Scarcely a little valley?

Mr. TIMBERLAKE. No little valley that would justify a person making a homestead entry. If they took one it would be for the purpose of having a home and capitalizing it for its scenic beauty. The elevation is too high.

Mr. LOBECK. I have been in that park and I noticed that where they sowed oats they did not ripen.

The SPEAKER. Is there objection?

Mr. CANNON. I do not feel like standing out and preventing the House from considering the bill, but I have my doubts as to whether I am performing my duty.

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the last proviso of section 4 of an act entitled "An act to establish the Rocky Mountain National Park, in the State of Colorado, and for other purposes," approved January 26, 1915, which is in the words and figures following: "*Provided*, That no appropriation for the maintenance, supervision, or improvement of said park in excess of $10,000 annually shall be made unless the same shall have first been expressly authorized by law," be, and the same is hereby, repealed.

Mr. MANN. Mr. Speaker, I did not object to the consideration of this bill, and I am glad to vote for its passage. I do not think the limitation of $10,000 should have been put in the bill, in the first place. But there is this peculiar condition. Gentlemen come here, and in this case gentlemen and ladies, and ask Congress to create a national park. The man most active in connection with the agitation was a gentleman whose name I do not now recall, located at Estes Park. In the consideration of that measure, and there was some opposition to it, Congress finally gave unanimous consent and approval to it by an agreement that the amount asked for any years should not exceed $10,000. Congress passed the bill on the supposition that the cost of the park could not exceed $10,000 a year, if anybody objected to a greater amount. But, like everything else of the sort, just as soon as the bill became a law people who had agreed to the limitation, in order to get the bill passed, forgot their good faith, as it seemed to me, and commenced to agitate to have the limitation, which they had agreed to, repealed, so that they could get more money. Having stated to Congress that we "will ask for a park that will only cost $10,000 a year," and having gotten from Congress the creation of a park on the supposition that it would only cost $10,000 a year, they at once started to have the limitation removed.

There may have been good reasons for that. I was not in favor of putting the limitation on in the first instance. Anybody who knew anything about the conditions there knew that they could not maintain a park properly at an expense to the General Government for $10,000. These people knew it as well as I did, only I had the good faith to say that I was not in favor of putting any limitation on it, and then they turn around and do not keep good faith.

Mr. TAYLOR of Colorado. Mr. Chairman, I feel that a word of explanation is proper at this time in response to the remarks of the gentleman from Illinois [Mr. MANN], as I was the author of the original Rocky Mountain National Park bill and reported it from the Public Lands Committee to the House and had charge of it on the floor at the time of its passage. As everyone who was present at that time knows, there was a clause in the bill, the way it was reported out, providing that all the revenue derived from the use of automobile licenses and other concessions for the use of the park should go to the revenue of and for that park. The gentleman from Kentucky, the distinguished chairman of the Committee on Appropriations [Mr. SHERLEY], was on the floor, and he contended that it was an illogical or improper policy for the revenue derived from any particular park to go to and be expended in that park. His idea was the revenues from all the national parks should go into the general fund and be expended

where they would do the most good. It was on his motion that that provision was stricken out. When we were discussing the $10,000-a-year expense limitation, which I may say was also put in by the gentleman from Kentucky, I was asked a number of questions about that limitation, and I desire to read to the House two or three questions and answers that will fully explain this matter. They are short, and I think it is due to the House and to myself that I should put this record in at this time.

I read from page 1791, volume 52, part 2, of the CONGRESSIONAL RECORD of January 18, 1915:

Mr. MOORE. The maintenance of it, for the first year at least, would be limited to $10,000?

Mr. TAYLOR of Colorado. It is limited to $10,000 a year forever, unless Congress grants us an increase.

Mr. MOORE. Then $10,000 per annum is all you propose to ask at present?

Mr. TAYLOR of Colorado. That is all until further additional appropriations are authorized by Congress.

Mr. MOORE. Would $10,000 a year be sufficient to provide for maintenance and take care of future improvements?

Mr. TAYLOR of Colorado. No; that amount is not enough; but we will have to get along with that sum for a while, and I am in hopes that we will be allowed to also retain and use toward the improvement of the park all the revenues derived from automobile licenses and concessions from all sources. If we can have those receipts, I feel that we can get along without any additional appropriation for possibly several years to come.

Mr. MOORE. The gentleman expects some revenue will be derived from the park to make up the expenses?

Mr. TAYLOR of Colorado. Yes, sir. Mr. Marshall and the Interior Department recommend that we be given those receipts for the maintenance and improvement of the park, especially for road and trail building, and I am relying upon these recommendations and that express provision in this bill. I had that in mind when I reluctantly consented to the adoption by the committee of this $10,000 a year limitation.

That is the colloquy that took place on the floor of the House at that time. After that that provision giving this park these receipts from licenses, and so forth, was stricken out of the bill, and we have never from that day to this been given any of those revenues, notwithstanding there are thousands of automobiles that go into that park every year.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. TAYLOR of Colorado. Yes.

Mr. WALSH. Repealing this limitation, how much is it expected it will cost yearly?

Mr. TAYLOR of Colorado. That is purely a matter for the Committee on Appropriations to determine. The State of Colorado is spending a very large sum—I do not know its exact amount, but upwards of $200,000—on building a magnificent highway, a boulevard, right across through the center of the park. When we passed this bill through the House we did so with the express promise on my part that the State and the adjoining counties would build a wagon road through the park. At that time we were constructing a good, ordinary road, something like we do in the mountains, about 12 feet wide.

Mr. WALSH. That is, through the park?

Mr. TAYLOR of Colorado. Yes; in the park and across through it. We were preparing and agreeing to construct that kind of a road; I have forgotten how much it would have cost, but not a very expensive road. As soon as that bill was passed the park authorities came out there and insisted that they did not want that kind of a road, and that we were bound and had agreed to build an automobile boulevard some 20 or 30 feet wide, and spend some fifteen or twenty thousand dollars a mile on it. That was not the agreement at all. We never dreamed of any such an expenditure. But we have gone ahead with it and nearly destroyed our road fund in the State of Colorado. The Federal officials are holding us to constructing a highway that we never agreed to, never contemplated, and never have built in any place in the State. They are practically forcing us to build this road at an enormous and unwarranted expense to our State, in order to make a highway through the park and carry out a supposed obligation that neither I nor anyone else ever entered into.

Mr. WALSH. Is it going to cost $20,000 annually or $100,000, or what will the cost be?

Mr. TAYLOR of Colorado. I can not state what will be asked for, but the Appropriations Committee will take the report of the park officials, and they will treat us fairly, I assume, the same as they do other parks, and give us whatever they think we ought to have. It may be $15,000 or $25,000 a year. It is not going to be an unnecessary or unreasonable amount.

Mr. WALSH. It is going to be sufficiently unreasonable that they have had this limitation repealed which heretofore we put on.

Mr. TAYLOR of Colorado. Why, the Interior Department can not even properly police the park for $10,000 a year. They have not sufficient help to preserve the scenery. They have not sufficient attendants in the park to even prevent the mutilation of the scenery. There should be attendants and guides everywhere, and they can not have more than one or two now. The National Park Service needs this additional appropriation for additional help, to build additional roads, and make a great many improvements, as well as for caring for and supervising the park and regulating the tourists through the park. They come there from all over the United States. There are more people who go into this park every summer than go into the Yellowstone National Park.

Mr. WALSH. I think if at this time we showed a little more inclination to take care of the boys who have been battling for the country than we do for these tourists, we would be transacting public business of greater importance than to take off a limitation that we have placed upon a bill which we purposely placed there and allow the people having the thing in charge to come in and ask Congress to appropriate any amount they please. I do not believe that we should appropriate large sums of money for the purpose of making the scenery pleasant to the tourists, particularly at this time. It seems to me to be unwise. Why does not the gentleman suggest that we raise the limit, so to speak, from $10,000 to $20,000?

Mr. TAYLOR of Colorado. That is what I want; but the House put this limit on me at that time.

Mr. WALSH. Yes; but this repeals that.

Mr. TAYLOR of Colorado. Certainly. Will the gentleman permit me to ask him a question?

Mr. WALSH. Yes.

Mr. TAYLOR of Colorado. Would not the gentleman rather have the people of the United States spend their money in the United States than to go to Switzerland every year to see scenery that is not half as good as this Rocky Mountain National Park contains; and do we not need to encourage the people of the United States to see our own country first, rather than spending hundreds of millions of dollars every year in Switzerland and other places that do not have anything like the scenic grandeur we have?

Mr. WALSH. That is a very beautiful theory, but it does not necessarily follow Congress must remove safeguards it has heretofore placed in legislation to keep the maintenance of pleasure resorts within reasonable bounds. We are now going to say to the Secretary of the Interior that he can come here with estimates or expenditures, if you please, of $25,000.

Mr. TAYLOR of Colorado. Oh, no.

Mr. WALSH. Oh, well, I suppose the Secretary of the Interior and the park authorities have heard of deficiency appropriations before.

Mr. TAYLOR of Colorado. Well, we have all got confidence in our Appropriation Committee, and they are not going to run wild.

Mr. WALSH. People ought to have confidence in Congress, and people who have got legislation, as the distinguished gentleman from Illinois pointed out, under the representation that they would ask for only $10,000, ought to have confidence enough in Congress when they secured that legislation not to seek immediately to wipe out the limitation that has been placed upon it.

Mr. TAYLOR of Colorado. That was put in in perfect good faith on the understanding that some of these times we would ask to have this limitation removed.

Mr. WALSH. It is not being taken out in good faith.

Mr. TAYLOR of Colorado. This bill repealing this limitation is in perfect good faith and in strict compliance with my statements at the time of the creation of this park, and when this bill is passed we will commence the further systematic improvement of this park, and in a very few years there will be more visitors every year to this park than to one-half of all the other parks in the United States.

The SPEAKER pro tempore. The question is on the committee amendment.

The question was taken; and the Speaker pro tempore announced the ayes seemed to have it.

Mr. WALSH. Mr. Speaker, I demand a division. I withdraw the demand.

The question was taken, and the committee amendment was agreed to.

The SPEAKER pro tempore. The question is upon the engrossment and third reading of the amended bill.

The bill was ordered to be engrossed and read the third time; was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker announced the ayes seemed to have it.

Mr. WALSH. Mr. Speaker, I ask for a division.

The House again divided; and there were—ayes 43, noes 4.

So the bill was passed.

On a motion of Mr. TAYLOR of Colorado, a motion to reconsider the vote by which the bill was passed was laid on the table.

FOR RELIEF OF HOMESTEAD ENTRYMEN WHO SERVED IN ARMY, NAVY, AND MARINE CORPS.

The next business in order on the Unanimous Consent Calendar was the bill (H. R. 13353) to extend the provisions of the homestead laws touching credit for period of enlistment to the soldiers, nurses, and officers of the Army and the seamen, marines, nurses, and officers of the Navy and the Marine Corps of the United States who have served or will have served with the Mexican border operations or during the war between the United States and Germany and her allies.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. FOSTER). Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I understand that this extends to our present soldiers the privileges contained in sections 2304 and 2305, as interpreted by certain resolutions and certain acts subsequently passed. I rise for the purpose of inquiring as to the nature of these interpreting resolutions and acts.

Mr. FRENCH. Mr. Speaker, the resolutions referred to by the gentleman from Wisconsin are, first, the resolution of August 29, 1916, in which is recited persons who participated in the disturbances on the Mexican border, and the department felt that it would be advisable in referring to those who participated in the disturbances on the Mexican border to have the reference to the language here which had reference to those persons.

Mr. STAFFORD. I call the attention of the gentleman to the fact this is not limited to those merely who participated in the disturbances on the Mexican border, but it also extends to those who served in mobilization camps.

Mr. FRENCH. Yes; though in connection with that service.

Mr. STAFFORD. The original sections of the statute to which this act seeks to extend its privileges to our present forces provided, as I recall, that these privileges shall only be granted to those who had served 90 days and had obtained an honorable discharge. Here you are purposing to extend the privileges to those who may not have seen any service at all, except maybe about the mobilization camps. Is it the purpose to grant credit to men who have been at camps, who had virtually civilian duties, and who would not be required to have any actual residence?

Mr. FRENCH. Of course, the answer to that is this, that the length of service governs the amount of credit that is due to any entryman. If the person were about some mobilization camp merely, why, in all probability in this or any other war his period of service would be limited, but, on the other hand, if his service called him into action he would in all probability be longer, and I think that takes care of itself.

Mr. MANN. There are men in the mobilization camps who have been there all during the war. That is not their fault. Why should not they be credited with the length of time required to live on a homestead?

Mr. STAFFORD. These men have not heretofore made entries. This bill is to grant the privilege to those who make subsequent entry.

Mr. MANN. I understand.

Mr. STAFFORD. To the time they have been in the service of the Army.

Mr. MANN. The time of his service during the war shall be equivalent to that much service living on a homestead. The war has not been very long, and it will not give the entire period; that is a sure thing. Besides that, they must live upon the homestead one year, according to the provisions of the original section.

Mr. STAFFORD. Just where is that provided?

Mr. MANN. I think that is true as to commutation.

Mr. FRENCH. That is provided in the Revised Statute, section 2305. You will find the provision in this language:

> No patent shall issue to any homestead settler who has not resided upon, improved, and cultivated his home for a period of one year after he shall have commenced his improvements.

Mr. MANN. Now, as a matter of fact, we are talking about spending very large sums of money to provide homesteads for these boys. Of course, this does not do that. The more of them that take out homesteads and go and live on them the better off we will be both as to their employment and as to the public domain, probably.

Mr. STAFFORD. I quite agree with the gentleman.

Mr. MANN. This is simply giving the same privilege to the boys who served in this war as boys who served in the Philippine Insurrection, the War with Spain, and the Civil War.

Mr. CANNON. They must have been mustered into the military and naval service?

Mr. MANN. Oh, certainly.

Mr. CANNON. They are not civilian employees?

Mr. FRENCH. Not at all.

Mr. MANN. This bill was prepared by the department in order to put in line for the present soldiers what has been done heretofore.

Mr. MONDELL. Mr. Chairman——

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of objection.

Mr. MONDELL. Mr. Chairman, reserving the right to object—and I shall not object, inasmuch as the bill ought to pass—this bill as drawn is an illustration of the way that the departments insist upon drawing legislation for Congress, and then of the curious and peculiar way in which they proceed to draw it. The gentleman from Idaho [Mr. FRENCH] introduced a bill which was clear and definite, proposing to do in a clear and definite way a proper thing, and it ought to have been reported. The department did not like it, I presume, because they had not drawn it. They proceeded to draw a bill. Now, the French bill, on which this bill is predicated, was a bill that extended the benefits of section 2305 to the soldiers of the late or present war, whichever it may be, and clearly recited the fact that its purpose was to give the benefit of constructive residence provided for in that section. The department was not satisfied. Section 2304 of the Revised Statutes was a law that granted a homestead right, and it is not proposed in this bill to grant any additional homestead rights. The only provision of section 2304 which was sought to apply to the soldiers is the very last provision of it, that the soldier shall be allowed six months after locating his homestead and filing his declaratory statement in which to make his settlement. That is the only part of that long section which anyone desires to give the soldier the benefit of. And the curious thing about it is that this department, which has to do with the land laws, apparently forgot that that privilege is now the privilege of every homesteader. He can not be contested unless he is absent from his homestead for more than six months after he makes his entry. Therefore, that provision of this section of the statute, necessary at the time it was passed, right after the Civil War, is entirely unnecessary, because it simply grants a privilege that every homestead settler, whether a soldier or not, now has. In extending the provisions of section 2304, we may raise a question whether or no we are trying to give these soldiers another homestead right. We are probably safe as against that interpretation, because they have not been so interpreting the section in its application to the soldiers of the Spanish War. But there was really no rhyme or reason for reference to section 2304 in this bill.

Now, that was not all. The department was not satisfied with the reference that was contained in the bill originally introduced by the gentleman from Idaho [Mr. FRENCH] to the war on the border and the present war, but they want to define what the war on the border is, or when it was, or what it was about, or something of that sort, and also the present war. And they referred to two statutes, one of which does make reference to the war on the border. The other makes no reference whatever to the recent war in which the United States was engaged. The act of July 28, 1917, provides:

> That any settler upon the public lands of the United States, or any entryman whose application has been allowed, or any person who has made application for public lands which thereafter may be allowed under the homestead laws, who after such settlement, entry, or application enlists or is actually engaged in the military or naval service of the United States as a private soldier, officer, seaman, marine, national guardsman, or member of any other organization for offense or defense authorized by Congress during any war in which the United States may be engaged—

This is the sort of insistence upon controlling the form of legislation that we are having from the departments all the time. Not content to report on a bill that is clear and definite and concise, instroduced by some Member of Congress, they must, forsooth, draw another bill to suit their notion. And in the drawing of it they have complicated the situation; and except for the fact that they have heretofore interpreted a reference to section 2304, they might raise a question as to just what we were trying to do in the case of these soldiers.

Mr. MANN. Will the gentleman yield?

Mr. MONDELL. I yield.

Mr. MANN. Was not the department bill drawn before the French bill?

Mr. FRENCH. My bill was drawn first. I had taken the matter up orally with the department and then drew a bill and

referred it to the department. The department then drew this bill and sent it to the chairman of the Committee on Public Lands of the House and to the chairman of the Senate Public Lands Committee. I then introduced the bill in the language of the department, and we considered both bills before the Public Lands Committee, as will be seen in the report.

Mr. Speaker, this bill, in a word, grants to the persons in the military and naval service of the United States during the war with Germany and her allies and to those who saw military service in the Mexican disturbance the privilege of applying the length of time of such service in lieu of residence on a homestead. It is the same privilege we granted to the soldiers of the Civil War and to the Spanish War veterans.

The bill is not in the language as it was when I originally introduced it. The language of the original bill followed as far as possible the language of preceding legislation. This refers to the laws we have passed by referring to the sections of the statute. I think my idea was better, but I do not want to quarrel with the department on that point, and I am content to accept the language as it has been modified.

One thing I would call to your attention specifically. My bill provided explicitly that the law shall apply to entrymen on 320-acre homesteads and, as well, on the stock-raising homesteads. The pending bill doubtless includes both, without referring to them specifically. In reporting on my bill as originally introduced and using the language of the pending bill the department said the language used would accomplish the same purpose, so I assume no other interpretation could be made.

The bill should pass immeditely, and, to use the language of the gentleman from Massachusetts, it is in the interest of those who have been battling for our country.

Mr. MANN. The department bill was drawn before the bill of the gentleman was introduced in the House?

Mr. FRENCH. No. My bill was introduced first and referred to the department.

Mr. MANN. When was the gentleman's bill introduced? At this session of Congress?

Mr. FRENCH. The original bill was introduced November 21, 1918.

Mr. MANN. H. R. 13160?

Mr. FRENCH. Yes; and that bill codified, as the gentleman from Wyoming [Mr. MONDELL] has said, what I thought was the essential and right part of the law that we had heretofore passed and specifically recited the persons who were to be the beneficiaries under it. The department felt that it would be better to refer to the sections by numbers and to these resolutions for the benefit of the persons for whose benefit it would run.

Mr. MONDELL. The trouble is that one of the definitions refers to no war at all except any war.

Mr. FRENCH. The department wanted to have there an enumeration of the soldiers and sailors and marines and so on and other persons engaged in the military service, and I thought that was enough to take care of all that I had recognized in the bill which I introduced.

Mr. MONDELL. The bill itself defines the persons who are intended to benefit from the bill.

I rose, Mr. Speaker, simply to call the attention of the House to the practice of the departments in insisting on having their own way in regard to all legislation. They are now proposing a bill which, if the gentleman from Idaho [Mr. FRENCH] himself had introduced and sent down there, they would have sent back here with all sorts of mistakes, not only those that were originally made but others. I think it is all right to pass the bill as it is proposed, because the people who propose it are the people who must interpret it, and they can not well interpret it except as suggested by themselves in presenting it. But it might very well otherwise be interpreted, particularly the reference to section 2304 of the Revised Statutes, and the last references are seemingly confusing rather than enlightening.

The SPEAKER pro tempore (Mr. FOSTER). Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill for amendment.

Mr. FRENCH. Mr. Speaker, this bill is on the Union Calendar, and I will ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Idaho asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

Mr. MASON. Mr. Sepaker, as this bill is in the interest of the soldiers, it occurred to me that it was exceedingly important to have some soldiers left to enjoy our homestead laws, and that the way we might have some left was to bring them out of Russia.

I desire to present some reasons why, in the interest of this bill, we should pass the resolution originally offered by the gentleman from Minnesota [Mr. LUNDEEN] and afterwards one offered by me, directing the Commander in Chief to withdraw the forces of the United States from Russia.

I stated in my speech the other day that I purposed to show that there was a dangerous element of the almighty dollar in the payment of interest out of American money that was intended by American taxpayers and the American Congress to go for the support of our allies in winning this war.

I stated the other day that I was so informed, and I shall add, in addition to that statement, a statement which is a sort of reportorial or editorial statement in the Christian Science Monitor, which is evidently written by one acquainted with the finances of this country. And I purpose to show by reading this that I was right, that the money that you voted to win this war with is now being used by the agents of the old original government representing the Czar of Russia to pay the interest upon bonds of the speculators of America, who loaned their money to the Russian Government and took a gambler's chance. I purpose to show by reading this that only a few bankers in Wall Street knew that they were going to pay the interest on those bonds that had been put upon the Russian people to pay for their chains in the past, as the price of their own slavery, money that was loaned to the money lenders of America. After the collapse of the government of Kerensky those bonds went down in the market from par to below 50 cents. Then I propose to show that some distinguished, patriotic money lenders of this country, who had some private advices, learned that they were going to pay the interest on these bonds out of the money that you voted to feed the starving people in Russia; that it was being used, and I think improperly used, to pay the interest on those bonds. That is a remarkable fact stated in this seemingly accredited statement by a writer on a paper that stands well in this country, the Christian Science Monitor. It is undoubted. It carries out the statement that I believed to be true.

These bonds were sold by Morgan & Co. to the money lenders of America before we went into the war. It was at a time when the old Government of Russia was taking its chance on the life of the Czar and the continuation of the monarchy. When we loaned this money to the Government of Russia, some three hundred and odd millions—I have the exact figures here, and I will put this article in, with the consent of my colleague, so as not to take but one minute more—we loaned $130,000,000—we loaned a large sum, and there is $130,000,000 left in the Treasury of the United States—$130,000,000 that has not been expended to win the war.

The war is over. The money is in your country. It is in the hands of a gentleman who does not spend it except, according to this article, by direction of the Secretary of the Treasury.

Now, gentlemen, if under the circumstances we should proceed by moral garnishment to say to the distinguished gentleman who now represents a divided country in Russia, who holds no commission from the present Government of Russia, who was originally appointed by the Kerensky government, when we loaned this three hundred thousand and odd dollars, "That money is here, and if the Secretary of the Treasury would only say we loaned that money to a government that is now collapsed, under international law there may be danger that a revolutionary success in Russia means a loss to the United States of $385,000,000."

But that is not what they are doing. They are not attempting to save that money in the hands of the Russian representative for the purpose of relieving your constituents and mine; but, on the contrary, according to this statement, certain favored bankers who were not surprised when, on the 17th of last month—I will give you the exact date——

Mr. SLOAN. Will the gentleman yield right there?

Mr. MASON. Yes.

Mr. SLOAN. I do not combat the gentleman's argument. In the interest of accuracy, let me say that we authorized a loan of $300,000,000 to Russia, but did not loan more than $187,000,000.

Mr. MASON. All right. This article states this:

> It is understood there is still a balance in the United States Treasury of about $130,000,000 granted to Russia and never used after the fall of the Kerensky government.

Now, that $130,000,000 is a sacred trust. It belongs still either to win this war for America, or, the American war having been won, then as a matter of fact that money should be held as security to the American taxpayers instead of being used to pay the interest upon the bonds that have been discredited in

the market, so that favored bankers have been able to go out and buy them up at 48 cents on a dollar and then find themselves getting 6½ per cent on bonds that were selling for 48 cents and getting that out of the money that belongs to the people of the United States.

Mr. PLATT. The gentleman is mistaken about that. The $130,000,000 is still in the Treasury of the United States and none of it is being used for this purpose. It never has been paid to them. The report of the Secretary of the Treasury shows it.

Mr. MASON. This is what it says here, and this has been vouched for by a member of the Foreign Relations Committee. Now, you and I want the facts, and if I am mistaken, I want to be corrected.

Mr. LITTLE. Will the gentleman yield for a question?

Mr. MASON. Yes.

Mr. LITTLE. Do I understand that from this $130,000,000 in the Treasury of the United States the interest upon the Russian bonds of the former government is being paid?

Mr. MASON. I do so state. I only state it upon information given to me the other day here upon the floor, and this article states it.

Mr. LONGWORTH. If the gentleman will pardon me, he must be absolutely wrong about that. That fund he is speaking about, of $130,000,000, is simply money that has not been actually loaned; that is not being used for any purpose in connection with the Russian loan. The gentleman from Nebraska [Mr. SLOAN] was absolutely right when he said that we authorized a loan of approximately $300,000,000 to the Russian Government.

Mr. MASON. Yes.

Mr. LONGWORTH. But, as a matter of fact, we have loaned only $187,000,000, as the gentleman from Nebraska [Mr. SLOAN] states. Now, the money remaining in the Treasury is not a fund that is used or that could be used for the payment of interest.

Mr. LITTLE. Let us see if we can be told how much money the former Russian ambassador now has that this country intended to loan to Russia. Let us find out if that is one fund and the fund referred to by the gentleman from New York [Mr. PLATT] still in the Treasury of $130,000,000 is another fund, or whether we are really all talking about the same fund.

Mr. LONGWORTH. If the gentleman will pardon me, I think he is confusing the amount actually loaned with the amount that was not loaned.

Mr. MASON. No.

Mr. LONGWORTH. I think I have heard it stated that the fund actually loaned to Russia, such of it as was not actually sent to Russia, may still be here in the hands of some Russian agent, and that might possibly be used for the payment of interest.

Mr. MASON. That is exactly what I meant.

Mr. LONGWORTH. But that is not the money in the Treasury of the United States.

Mr. MASON. I do not say that.

Mr. LONGWORTH. The gentleman made that statement.

Mr. MASON. No; but I say that is all with the consent of the Treasury of the United States.

Mr. PLATT. It is not.

Mr. MASON. Let us see whether this man is correct or not.

Mr. PLATT. He is not.

Mr. MASON. It is awfully hard to get the truth in Washington. As a matter of fact, you do not get the truth from any nation in the world. You do not even get the truth of what is occurring at the peace table. You can not get the truth of what is occurring in Russia. Yesterday I heard two newspaper reporters speak in this city, and I wish every one of my colleagues could have heard them. They were clean and honorable. They went over there to represent American newspapers, and one of them gave a list of the good reporters who were canned—perhaps some of you do not understand the language of the street—were discharged, simply kicked out, because they dared to tell the American people the truth. Now, let us see which is right. I have stated that the money in the hands of this agent of the Russian Government has been used to pay interest upon the bonds of the Russian people, bonds that were issued before America went into the war, when Russia was in the war. I have stated that they were clients of Morgan & Co., and that some bankers knew the interest was to be paid and some did not. I am not complaining about that so much.

Mr. LITTLE. He is not an agent of the Russian Government now, is he?

Mr. MASON. I think not; but he is the only representative they have here. His name is the same. I do not know whether he is a brother or a cousin or an uncle.

Mr. LITTLE. He is not in the employ of the Bolsheviki?

Mr. MASON. Oh, no. They have no representative here. It is a mere chance if one of their people has the opportunity to tell the truth about the Russian situation. What we want is the truth, whether it helps or hurts.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. MASON. Yes.

Mr. GARRETT of Tennessee. I should like very much to get the matter clear in my mind if I can. Does the gentleman refer to loans made by the Government as a Government?

Mr. MASON. No.

Mr. GARRETT of Tennessee. Or does he refer to loans made by individuals in the purchase of Russian bonds?

Mr. MASON. Yes; that is what I refer to.

Mr. GARRETT of Tennessee. Then the gentleman is not referring to any official loan made by this Government.

Mr. MASON. Except where the money is paid out of that loan that is still left in the hands of the Russian representative. It was not used to win the war, but he has used that balance to pay interest upon bonds that were sold before we went into the war that were not a part of the war measure. I say that you and I, as lawyers, as diligent attorneys, would give the moral garnishment and say that that money belongs to Uncle Sam and the people, and it should come back to us. But instead of that they are laying it out to be distributed to the bondholders in this country.

Mr. GARRETT of Tennessee. To get back again. The Government, as I understand the statement made by the gentleman from Nebraska and the gentleman from Ohio, the Government itself after we had entered the war loaned to the Russian Government $187,000,000.

Mr. MASON. Yes.

Mr. GARRETT of Tennessee. There had been Russian bonds sold here prior to the time that this Government entered the war?

Mr. MASON. Yes.

Mr. GARRETT of Tennessee. Does the gentleman say that a part of that $187,000,000 loaned by the Government after we had entered the war is being used to pay interest on bonds sold to individuals before we entered the war?

Mr. MASON. That is exactly what I say. As I stated the other day, I was informed and gave my information to you—and the only proof I have now I am offering to you—is a statement by a credible reporter on a newspaper who is writing on this subject. I want Congress to know the facts. My statement was that there was $130,000,000 left in the Treasury which had not been sent to Russia but is still in the hands of the United States or of the Kerensky government, and that the Secretary of the Treasury has consented that he may pay the interest on these bonds out of the money that should have been returned to the United States on the signing of the armistice.

Mr. GARRETT of Tennessee. Let me ask the gentleman, if the loan had been made it must have been made without any string attached to it—I mean a loan made by this Government to the Russian Government, whatever that government was—must have been made without any strings tied to it.

Mr. MASON. I think there were many strings tied to it, where it was to be used to help us win the war, and after the war was won they should never have paid out another cent, but said, "Here is your money." But instead of that it has been used to bull and bear the market on these ancient bonds of Russia, if the statement is true, and that is what I want to find out. This article makes it very clear.

Mr. GARD. If the gentleman will pardon me, how is the gentleman proceeding?

Mr. MASON. I am proceeding by unanimous consent. I think that I will be through in less than five minutes. I do not know of anything that is more important when we are considering the question in this Congress whether you are going to leave the American boys in Russia. The other day they lost 50 men and 5 officers 500 miles from any spot where we had a pound of iron or anything else to defend. Great God, gentlemen, do you understand that we are making war; that we have declared any war against Russia? If that is true, if we have declared war, instead of leaving 10,000 men up there to be slaughtered as they were in Mexico, you ought to send a million and a half men. But if you have not declared war, the Constitution gives you the right to pass a resolution which declares that these boys should be brought out of Russia. The American people want them brought out. They did not enlist to fight the poor people of Russia; they enlisted to fight the Germans, and they have licked them to a standstill, and there was not a German within 3,000 miles of Archangel, and these boys that have been sent to Russia have been 350 miles from the place they were to

defend, sent under Japanese commanders, sent under English commanders. England has no troops there now; they were ordered out. English soldiers went to Lloyd George and asked him if he was going to send them to Siberia and he said, "No; far be it from me to send English soldiers into a country that we have not declared war against." What are the American soldiers doing? We ought to bring them home. They did not enlist to fight the poor people of Russia; they did not enlist to go into the wilds of Siberia. But, gentlemen, I am getting away from the question of the dollar mark into the question of blood, and when I do I am likely to get excited.

Mr. KINKAID. Will the gentleman yield?

Mr. MASON. I will yield to the gentleman.

Mr. KINKAID. Can the gentleman inform the House where remains that portion of the $187,000,000 which is being used to pay the interest on these bonds?

Mr. MASON. I think the article that I am about to read will explain that better than I can.

New York, N. Y.—Announcement on Thursday, last week, by the National City Bank—

That great patriotic organization willing to sacrifice everybody but themselves—

of the payment of interest, due January 10, on the 6½ per cent external obligations of the old Russian Government attracted considerable interest in banking circles.

Partly due to the unsettled conditions in Russia, but mainly accentuated by the fear that the January interest would go in default—

These are external obligations of the old Russian Government—

holders of these bonds have thrown them on the market during the last few weeks to such an extent that the price declined from nearly 80 at the end of October to below 50 just before the end of the year.

Remarkable, is it not, that the ancient bonds of the ancient Government of Russia should so fluctuate! One man who was not posted sells them below 50 cents, and the wise man who is posted buys them, and they are not worth 5 cents unless he has some information as to what the Treasury Department is going to do.

It can, however, be stated that in certain banking circles the payment of the interest caused no surprise.

Some of the bankers were not surprised. Is it not surprising that some knew and some did not?

It would also cause no surprise to these interests to see the bonds paid off at maturity.

Out of whose money, please?

One banker, who was well versed with conditions surrounding these bonds, expressed the opinion that the worst that could happen would be a short extension on more favorable terms than those under which the bonds were issued. "It is hardly conceivable," he says, "that the allies, as well as the United States, would let these bonds go to default in view of the enormous holdings of Russian securities in the allies' countries, in comparison with which the outstanding amount of 6½ per cent bonds, viz. $50,000,000, is very small."

It is understood that there is still a balance in the United States Treasury of about $130,000,000—

Just as the gentleman from Ohio [Mr. LONGWORTH] said—

granted to Russia and never used after the fall of the Kerensky government. The payment of coupons on Russia's obligations in this country, it is said, comes from this fund, and it is understood that the sanction of the Treasury has to be obtained for each payment.

Mr. LOBECK. Does the gentleman know the amount of interest paid out?

Mr. MASON. They pay 6½ per cent on $50,000,000. That is a mere bag of tools—bagatelle, I should say.

The 6½ per cent bonds are undoubtedly the cheapest of all Russian obligations dealt in anywhere in the world. While they declined from nearly 75 to 48 in New York, the 5 per cent rentes of long maturity quoted in all European markets remained practically stationary—around 60.

Most remarkable thing. First, they declined the Russian bonds, when we were willing to lend them money, and then there are some wise people so connected with the department that they know they are going to get the interest, and they buy them at 48, and it will only take a few more years' interest to get their principal back in interest.

Bankers who have been following this situation closely predict that inasmuch as the United States Government—

And here comes the "nigger in the woodpile"—

has seen fit to pay interest out of the balance of the Russian funds it still has on hand—

And this is what we call bulling the market—

that inasmuch as the United States Government has seen fit to pay interest out of the balance of the Russian funds it still has on hand, it will not decline to pay the principal of the bonds when due out of the same funds, inasmuch as this $50,000,000 base and another of $725,000,000, due December 21, 1921, are the only short-term Russian bonds outstanding and represent an inconsequential sum to be provided for to prevent a default by the Russian Government, which is obligated to the allies for billions of dollars.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. MASON. Yes.

Mr. GARNER. I understood the gentleman from New York [Mr. PLATT] to say awhile ago that the Treasury Department had not paid any money toward the interest on these bonds. I will ask him whether that is correct?

Mr. PLATT. The report of the Secretary of the Treasury shows this whole thing. So much money has been advanced to Russia——

Mr. MASON. I am not saying that the Treasury Department did pay it.

Mr. GARNER. That article says so and the gentleman seems to have great confidence in the article.

Mr. MASON. The article does not quite say that. It says that they are paying it out of the funds that are in their hands. I believe our colleagues from New York [Mr. PLATT] and from Ohio [Mr. LONGWORTH] are right, that there are $130,000,000 still in the Treasury.

Mr. LONGWORTH. The gentleman will pardon me, but as I got the reading of that article, it is a positive statement that the money now in the Treasury that simply was not used as a loan is being used to pay the interest on the bonds issued before we ever entered the war and before this authorization was made.

Mr. MASON. I do not think it goes that for.

Mr. LONGWORTH. It goes that far if it goes anywhere.

Mr. MASON. Anyway take that horn of the dilemma if you like, would you not like to know the facts?

Mr. LONGWORTH. I certainly would.

Mr. MASON. That is all I want to know. This article says this, but in the latter part of the article it says:

It is understood that the sanction of the Treasury has to be obtained for each payment.

It further says:

The payment of coupons on Russia's obligations in this country it is said comes from this fund.

What is this fund? It is understood there is still a balance in the United States Treasury of about $130,000,000 granted to Russia and never used after the fall of the Kerensky government.

Mr. LONGWORTH. That is a direct charge that money now in the Treasury that never was actually expended under our authorization of a loan to Russia is being used now to pay the interest on bonds issued by the former Government of the Czar at a rate of 6½ per cent interest.

Mr. MASON. I think it is a direct charge.

Mr. LONGWORTH. If the gentleman will pardon me, as I understand the situation with regard to this authorization, it is this: When the first liberty loan issue, as I recall it, $2,000,000,000 was authorized as loans to the allies—and I do not think my figures are absolutely accurate—it was left to the Treasury Department, the administration, to determine what amount shall be loaned to the respective governments, and in many cases authorizations were made by the Treasury Department, but all the money authorized was not loaned, as in this case, but surely the money that was not actually loaned to any of the allied Governments merely will remain in the Treasury unexpended and could not be used by the Treasury Department properly for the payment of interest on any other bond.

Mr. MASON. The gentleman said "properly."

Mr. LONGWORTH. Properly. That is what I understand that the charge made by that article is—that exact charge.

Mr. MASON. But if the gentleman will read the whole article it might lead in this direction, that between the $130,000,000, which is in the Treasury, and the $185,000,000 would leave, say, $50,000,000 we were to use for the use of the war. You know there was a large sum of money used to buy supplies to send into Russia—engines and everything of that kind. Now, while the unexpended balance in the hands of the original Russian representatives is $50,000,000; that is, of that $50,000,000 which was turned over to the Russian Government, a part of it stands to the credit of the representatives of the Kerensky government and out of that possibly, because the article says that before it could be paid as interest on these bonds they had to have the consent of the Treasury Department——

Mr. LONGWORTH. If the gentleman will permit, that would be quite another thing. I can see no possible objection to the representative of the Russian Government paying the interest on the bonds issued under the liberty loan. We do not have to ask where that money comes from so long as we get the interest, and it is very different from what I understood the gentleman to charge that the Treasury Department was using funds actually in the Treasury for that purpose.

Mr. MASON. I do not see a bit of difference from any moral standpoint if in the hands of this man here there was $20,000,000 or $10,000,000 turned over to him to help win this war;

he is bound morally, when his Government fell, to turn that money back into the Treasury of the United States, and if it is not in the Treasury of the United States it is in his possession, and clearly, from this article, that interest is being paid with the consent of the Treasury of the United States.

Mr. LONGWORTH. That is not what the article says.

Mr. MASON. Yes; it does.

Mr. LONGWORTH. The article says the $130,000,000——

Mr. MANN. Mr. Speaker, our colleague has occupied the floor for about half an hour, and I trust he will now let us proceed.

Mr. MASON. Give me just a couple of minutes to answer this.

Mr. MANN. I know; but then there will be another one, and the gentleman can get in to-morrow on general debate for an hour.

Mr. MASON. I beg the pardon of the House for occupying so much time.

The SPEAKER pro tempore. Is there objection to considering this bill in the House as in Committee of the Whole House on the state of the Union? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That subject to the conditions therein expressed, as to length of service and honorable discharge, the provisions of sections 2304, 2305, and 2309, Revised Statutes of the United States, shall be applicable in all cases of military and naval service rendered in connection with the Mexican border operations or during the war with Germany and its allies as defined by public resolution No. 32, approved August 29, 1916 (39 Stat. L., 671), and the act approved July 28, 1917 (40 Stat. L., 248).

The committee amendments were read as follows:

Page 1, line 5, after the word "four," strike out the comma and insert the word "and."

The question was taken, and the amendment was agreed to.

Page 1, line 6, after the word "five," strike out the words "and twenty-three hundred and nine."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. FRENCH. Mr. Speaker, I move to reconsider the vote by which the bill was passed and to lay that motion on the table.

Mr. MANN. Mr. Speaker, I object. Gentlemen ought not to go down in front within a few feet of the desk, where we can not hear them.

The SPEAKER pro tempore. The gentleman from Idaho moves to reconsider and lay that motion on the table. Is there objection? [After a pause.] The Chair hears none.

Mr. FRENCH. Mr. Speaker, I ask unanimous consent to extend my remarks briefly on this particular bill.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

BRIDGE AND DAM ACROSS THE MAHONING RIVER, OHIO.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 12995) granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a combined bridge and dam across the Mahoning River.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Youngstown Sheet & Tube Co., its successors and assigns, to construct, operate, and maintain a combined bridge and dam and approaches thereto across the Mahoning River at a point suitable to the interests of navigation at or near the town of Struthers, county of Mahoning, State of Ohio, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The committee amendments were read, as follows:

Page 2, line 3, after the word "dx," insert a colon and the following: "*Provided*, That no dam constructed under the consent hereby granted shall be used to develop water power nor to generate electricity."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SNOOK, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS THE MAHONING RIVER, OHIO.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 12996), granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River, in the State of Ohio.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Youngstown Sheet & Tube Co., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto for carrying water lines, electric transmission lines, etc., at a point suitable to the interest of navigation at or near the town of East Youngstown, county of Mahoning, State of Ohio, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The committee amendment was read, as follows:

Page 1, line 7, after the word "forth," insert the words "across the Mahoning River."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SNOOK, a motion to reconsider the vote by which the bill was passed was laid on the table

BRIDGE ACROSS THE MAHONING RIVER, OHIO.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 12997) granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River, in the State of Ohio.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Youngstown Sheet & Tube Co., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Mahoning River at a point suitable to the interests of navigation at or near the town of East Youngstown, county of Mahoning, State of Ohio, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SNOOK, a motion to reconsider the vote by which the bill was passed was laid on the table.

METALLIFEROUS MINERALS ON INDIAN RESERVATIONS.

Mr. HAYDEN. Mr. Speaker, I move to suspend the rules and pass the bill (S. 385) authorizing the mining of metalliferous minerals on Indian reservations as amended by the House Committee on Indian Affairs.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 385) to authorize mining for metalliferous minerals on Indian reservations.

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized and empowered, under general regulations to be fixed by him and under such terms and conditions as he may prescribe, not inconsistent with the terms of this act, to lease to citizens of the United States or to any association of such persons or to any corporation organized under the laws of the United States or of any State or Territory thereof, any part of the unallotted lands within any Indian reservation within the States of Arizona, California, Idaho, Montana, Nevada, New Mexico, Oregon, Washington, or Wyoming, heretofore withdrawn from entry under the mining laws for the purpose of mining for deposits of gold, silver, copper, and other valuable metalliferous minerals, which leases shall be irrevocable, except as herein provided, but which may be declared null and void upon breach of any of their terms.

SEC. 2. That after the passage and approval of this act, unallotted lands, or such portion thereof as the Secretary of the Interior shall determine, within Indian reservations heretofore withheld from disposition under the mining laws may be declared by the Secretary of the Interior to be subject to exploration for the discovery of deposits of gold, silver, copper, and other valuable metalliferous minerals by citizens of the United States, and after such declaration mining claims may be located by such citizens in the same manner as mining claims are located under the mining laws of the United States: *Provided*, That the locators of all such mining claims, or their heirs, successors, or assigns, shall have a preference right to apply to the Secretary of the Interior for a lease, under the terms and conditions of this act, within one year after the date of the location of any mining claim, and any such locator who shall fail to apply for a lease within one year from the date of location shall forfeit all rights to such mining claim: *Provided further*, That duplicate copies of the location notice shall be filed within 60 days with the superintendent in charge of the reservation on which the mining claim is located, and that application for a lease under this act may be filed with such superintendent for transmission through official channels to the Secretary of the Interior: *And provided further*, That lands containing springs, water holes, or other bodies of water needed or used by the Indians for watering live stock, irrigation, or water-power purposes shall not be designated by the Secretary of the Interior as subject to entry under this act.

SEC. 3. That leases under this act shall be for a period of 30 years, with the preferential right in the lessee to renew the same for successive periods of 10 years upon such reasonable terms and conditions as may be prescribed by the Secretary of the Interior, unless otherwise provided by law at the time of the expiration of such periods: *Provided*,

That the lessee may, in the discretion of the Secretary of the Interior, be permitted at any time to make written relinquishment of all rights under such a lease and upon acceptance thereof be thereby relieved of all future obligations under said lease.

SEC. 4. That in addition to areas of mineral land to be included in leases under this act the Secretary of the Interior, in his discretion, may grant to the lessee the right to use, during the life of the lease, a tract of unoccupied land, not exceeding 80 acres in area, for camp sites, milling, smelting, and refining works, and for other purposes connected with and necessary to the proper development and use of the deposits covered by the lease.

SEC. 5. That the Secretary of the Interior, in his discretion, in making any lease under this act, may reserve to the United States the right to lease, sell, or otherwise dispose of the surface of the lands embraced within such lease under existing law or laws hereafter enacted, in so far as said surface is not necessary for use of the lessee in extracting and removing the deposits therein: *Provided*, That the said Secretary, during the life of the lease, is hereby authorized to issue such permits for easements herein provided to be reserved.

SEC. 6. That any successor in interest or assignee of any lease granted under this act, whether by voluntary transfer, judicial sale, foreclosure sale, or otherwise, shall be subject to all the conditions of the approval under which such rights are held and also subject to all the provisions and conditions of this act to the same extent as though such successor or assign were the original lessee hereunder.

SEC. 7. That any lease granted under this act may be forfeited and canceled by appropriate proceedings in the United States district court for the district in which said property or some part thereof is situated whenever the lessee, after reasonable notice in writing, as prescribed in the lease, shall fail to comply with the terms of this act or with such conditions not inconsistent herewith as may be specifically recited in the lease.

SEC. 8. That for the privilege of mining or extracting the mineral deposits in the ground covered by the lease the lessee shall pay to the United States, for the benefit of the Indians, a royalty which shall not be less than 5 per cent of the net value of the output of the minerals at the mine, due and payable at the end of each month succeeding that of the extraction of the minerals from the mine, and an annual rental, payable at the date of such lease and annually thereafter on the area covered by such lease, at the rate of 25 cents per acre for the first calendar year thereafter; 50 cents per acre for the second, third, fourth, and fifth years, respectively; and $1 per acre for each and every year thereafter during the continuance of the lease, except that such rental for any year shall be credited against the royalties as they accrue for that year.

SEC. 9. That in addition to the payment of the royalties and rentals as herein provided the lessee shall expend annually not less than $100 in development work for each mining claim located or leased in the same manner as an annual expenditure for labor or improvements is required to be made under the mining laws of the United States: *Provided*, That the lessee shall also agree to pay all damages occasioned by reason of his mining operations to the land or allotment of any Indian or to the crops or improvements thereon: *And provided further*, That no timber shall be cut upon the reservation by the lessee except after first obtaining a permit from the superintendent of the reservation and upon payment of the fair value thereof.

SEC. 10. That the Secretary of the Interior is hereby authorized to examine the books and accounts of lessees, and to require them to submit statements, representations, or reports, including information as to cost of mining, all of which statements, representations, or reports so required shall be upon oath, unless otherwise specified, and in such form and upon such blanks as the Secretary of the Interior may require; and any person making any false statement, representation, or report under oath shall be subject to punishment as for perjury.

SEC. 11. That all moneys received from royalties and rentals under the provisions of this act shall be deposited in the Treasury of the United States to the credit of the Indians belonging and having tribal rights on the reservation where the leased land is located, which moneys shall be at all times subject to appropriation by Congress for their benefit, unless otherwise provided by treaty or agreement ratified by Congress: *Provided*, That such moneys shall be subject to the laws authorizing the pro rata distribution of Indian tribal funds.

SEC. 12. That the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations not inconsistent with this act as may be necessary and proper for the protection of the interests of the Indians and for the purpose of carrying the provisions of this act into full force and effect: *Provided*, That nothing in this act shall be construed or held to affect the right of the State or other local authority to exercise any rights which they may have to levy and collect taxes upon improvements, output of mines, or other rights, property, or assets of any lessee.

SEC. 13. That mining locations, under the terms of this act, may be made on unallotted lands within Indian reservations by Indians who have heretofore or may hereafter be declared by the Secretary of the Interior to be competent to manage their own affairs; and the said Secretary is hereby authorized and empowered to lease such lands to such Indians in accordance with the provisions of this act: *Provided*, That the Secretary of the Interior be, and he is hereby, authorized to permit other Indians to make locations and obtain leases under the provisions of this act, under such rules and regulations as he may prescribe in regard to the working, developing, disposition, and selling of the products, and the disposition of the proceeds thereof of any such mine by such Indians.

SEC. 14. That hereafter no public lands of the United States shall be withdrawn by Executive order, proclamation, or otherwise for or as an Indian reservation except by act of Congress.

The SPEAKER. Is a second demanded?

Mr. MANN. Mr. Speaker, I demand a second.

Mr. HAYDEN. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. The gentleman asks unanimous consent that a second may be considered as ordered. Is there objection? [After a pause.] The Chair hears none. The gentleman from Arizona [Mr. HAYDEN] is entitled to 20 minutes and the gentleman from Illinois [Mr. MANN] to 20 minutes.

Mr. HAYDEN. Mr. Speaker, this is a bill authorizing mining for metalliferous minerals on Indian reservations. It is made up of applicable sections taken from the coal, oil, and gas and coal-leasing bills and the water-power bills which have passed this House three times. The bill as originally introduced in the last Congress applied solely to the State of Arizona. It was referred to the Department of the Interior for report, and on the Secretary's recommendation was amended to include all of the United States, and in that form it passed this House. The Secretary further suggested that the bill should be amended to provide that only reservations or such parts of reservations as he might designate should be opened to entry for mining purposes, so that whether mining is to be permitted on any reservation or any part thereof under this act depends entirely upon the discretion of the Secretary of the Interior. The Secretary also suggested in his report the minimum royalty be raised from 2 to 5 per cent, and that was done by your committee. The last suggestion made in this Congress was that the receipts from royalties and rentals be subject to pro rata distribution to Indians entitled thereto. That amendment has been made. So every amendment suggested by the department is incorporated in this bill.

Furthermore, this bill has been considered by the Board of Indian Commissioners, consisting of 10 members appointed by the President to advise as to Indian affairs. At their suggestion is was amended, in section 2, to provide that lands containing springs, water holes, or water-power sites shall not be subject to entry under this act. Also, in section 9, to the effect that if the land of any allottee is damaged by mining operations compensation shall be paid. A third change, made at the suggestion of this board, is found in section 11, which was amended to provide that all funds received under the provisions of this act shall be subject to appropriation by Congress for the benefit of the Indians concerned rather than for their support, education, and civilization. The Board of Indian Commissioners suggested these three changes, which were adopted.

The bill was then taken up with the Indian Rights' Association, another group of friends of the Indians. They thought that competent Indians should be given the same privilege to conduct mining operations as citizens of the United States, and you will find that section 13 of this act authorizes the Secretary of the Interior to issue leases to Indians who are competent to manage their own affairs the same as to citizens. Incompetent Indians may also mine, but the proceeds remain under the control of the Department of the Interior. So, as the bill now stands, it has passed the scrutiny of every recognized friend or guardian of the Indians. The amendments suggested by them have been adopted and are now incorporated in the act.

As I said before, this measure passed the House by unanimous consent in the last Congress, went to the Senate, and failed of passage owing to a filibuster against other legislation in the closing hours of the session. This bill has passed the Senate, and I sincerely trust that favorable action will be taken on it to-day by the House.

If any gentleman has any questions to ask about any provision of this bill, I shall be glad to tell him where it originated and all about it.

Mr. WALSH. Will the gentleman yield?

Mr. HAYDEN. Certainly.

Mr. WALSH. On page 3 of the report it says:

> Owing to the present demand for metals for war purposes, this is a most opportune time for the passage of a measure of this character.

That was June 29, 1918. Now, I assume the gentleman will agree that the present demand for metals for war purposes is less than it was at the time that report was written.

Mr. HAYDEN. There is no question about that.

Mr. WALSH. Then, if that argument is out of the way, what other reason is there for taking up the time of Congress at this particular hour, in the closing days of the session, in an attempt to enact this legislation? Is it going to financially benefit the Indians and add to their tribal funds?

Mr. HAYDEN. Beyond a doubt the Indians will be benefited. It is well known that on many Indian reservations there are deposits of metalliferous minerals, which, if permitted to be mined, would produce a revenue that would be deposited in the Treasury as tribal funds and used for the benefit of the Indians. As the case stands now, no mining of any kind whatsoever can be done on any executive-order Indian reservation. There is no law of any sort whereby the Secretary of the Interior can permit mining on any Indian reservation of such a character. The only place where the mineral resources of the Indian lands have been developed is in Oklahoma, where special acts have been passed by Congress to permit coal, oil, and gas leases.

Mr. WALSH. Is it a fact that these Indians have been so comfortably situated that they do not care to engage in this work themselves?

Mr. HAYDEN. It is simply lack of ability. Mining is a highly developed art, which requires scientific knowledge, which

the Indians do not possess, not to speak of the capital necessary for such enterprises.

Mr. WALSH. Well, I suppose if it were to be a profitable venture they might be able to employ somebody to show them how to do it, and have it done under their own supervision.

Mr. HAYDEN. As provided in the last section, Indians, under this act, can locate mining claims, and if they have the money to hire miners to do the work they are at liberty to do so.

Mr. WALSH. Yes; he is at liberty to do it, unless the department would take it into its head to leave 19,551,000 acres to the Anaconda Copper Co., and in that case the Indians in the gentleman's district would not have very much chance to engage in this mining business on their own account.

Mr. HAYDEN. There is not the least likelihood of anything like that happening.

Mr. WALSH. They would have to lease these various acres containing these deposits to somebody who will be willing to operate it.

Mr. HAYDEN. There is no argument about that.

Mr. WALSH. And I do not suppose the wheat farmers in the gentleman's district will be leasing mining lands and attempting to gather gold and other minerals from the soil. They will probably be leased to people who have a little knowledge of this highly technical science of extracting these things from the earth. Is it not likely that these lands will be leased to large mining interests?

Mr. HAYDEN. I have no doubt but that large mining interests will attempt to obtain leases. The gentleman must remember that it usually takes a great deal of capital to develop mining properties, particularly copper mines. The chief concern of the Indians, however, is that use is made by somebody of the undeveloped mineral resources of their reservations and that a proper royalty is paid for the privilege of mining thereon.

Mr. WALSH. I suppose some of these mining interests have nearly as much money as are in these tribal funds belonging to the Indians.

Mr. COOPER of Wisconsin. Mr. Speaker, I want to ask the gentleman from Arizona a question. What provision is there in the bill which would require the lessees—these large interests, of which the gentleman himself has spoken—to develop the land or give it up? And what is the period of limitation? Otherwise there is going to be a grabbing of that Indian land, possibly, and then sitting down and doing nothing with it except with such portions as they please.

Mr. HAYDEN. The same provision is made here as is in the coal, oil, and gas leasing bill, which is that when the mines are not being worked the lessee must pay an annual rental for the land covered by the lease. This is in the nature of a penalty for failure to operate the mines.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. HAYDEN. With pleasure.

Mr. STAFFORD. We all know that there are mining propositions on these Indian lands that are of great value. But some of them are more or less of a lottery. Has it ever been considered practicable from an industrial standpoint to have the terms for operating the mines based upon competitive bidding?

Mr. HAYDEN. This bill provides that the Secretary of the Interior must collect a minimum royalty of 5 per cent of the net value of the minerals at the mine. He may make it as much higher as he pleases.

Mr. CARTER of Oklahoma. It has been the policy in the handling of the mining claims in the Indian Bureau and in the Interior Department in the past not to submit the leasing to competitive bids, but we always submit the sales of the minerals to competitive bids.

Mr. STAFFORD. This bill provides for the development of the mining property by individuals or mining companies. It is not intended to sell the land.

Mr. CARTER of Oklahoma. No sales are included in this bill.

Mr. STAFFORD. As I understand from the reading of the bill, there is no sale, but it is intended to grant an absolute right to an individual or corporation to do the prospecting and to develop the mineral resources on the unallotted land.

Mr. CARTER of Oklahoma. That is a correct statement.

Mr. HAYDEN. The title to the leased lands remains in the United States.

Mr. STAFFORD. The title is transferred to the lessee.

Mr. HAYDEN. Not at all. He has no title to the land.

Mr. STAFFORD. But the title to the product is in the lessee after he mines the property.

Mr. CARTER of Oklahoma. For the time the lease runs.

Mr. STAFFORD. Then it is a perpetual lease. At least the lessee has the right of renewal at the expiration of the term.

Mr. CARTER of Oklahoma. Upon reasonable terms to be prescribed by the Secretary of the Interior.

Mr. STAFFORD. Yes; upon reasonable terms to be prescribed by the Secretary.

Mr. HAYDEN. Mr. Speaker, I reserve the balance of my time.

Mr. MANN. Mr. Speaker, how much time does the gentleman from Arizona reserve?

The SPEAKER. He reserves nine minutes.

EXTENSION OF REMARKS.

Mr. LITTLE. Mr. Speaker, I ask unanimous consent to revise and extend the remarks that I made this morning on the Military Academy bill.

The SPEAKER. The gentleman from Kansas asks unanimous consent to revise and extend his remarks on the Military Academy bill. Is there objection?

There was no objection.

METALLIFEROUS MINERALS ON INDIAN RESERVATIONS.

Mr. MANN. Mr. Speaker, the bill now pending on the motion to suspend the rules and pass it is a bill to authorize mining on the unallotted lands in Indian reservations. We have now in the country left, I believe—I do not know how many Indian reservations. I would like to ask the gentleman from Arizona if he knows how many Indian reservations there are where there is unallotted land?

Mr. HAYDEN. In the States that this act applies to——

Mr. MANN. Can not the gentleman tell me how many there are?

Mr. HAYDEN. I do not believe anybody can.

Mr. MANN. I know the number stated in the report.

Mr. CARTER of Oklahoma. I doubt very much, Mr. Speaker, if anybody could give that information to the gentleman.

Mr. MANN. If I were on the Committee on Indian Affairs I would be able to give it to any Member of the House in one second, and I think the gentleman will be next year. Ask the department to tell. They know.

There are about 30,000,000 acres, so the report says, of these unallotted lands in Indian reservations. All the rest of the country is open to the people to explore for mining, either by the people who own the land or, if it is public land, anybody can go and explore for mining and file a mining claim. But there is little land left in the possession of the Indians; just a little land, 30,000,000 acres, only a small amount compared with the total amount in the country.

There is now pending before Congress a bill asking Congress to reimburse the people who have gone out West and started mining claims, to get these metals that are referred to in this report, because they said they did it out of patriotic motives as a war measure, and that it cost them money. Now, they want Congress to pay them the money back. And at the same minute the same class of men want leave to run all over the unallotted lands in Indian reservations. I understand that the Indians do not have many rights and never have had in this country. But they ought to have a few rights still guaranteed to them. Here is an Indian reservation with unallotted lands, where the Indians keep their cattle and their horses, and we appropriate every year large sums of money to help them stock these unallotted lands. Yet it is proposed to let Tom, Dick, and Harry, and anybody else in the country who wants to, walk in on these unallotted lands and explore for minerals. Of course, everybody knows that if you have got a wheat field and you permit anybody who pleases to go into the wheat field to explore, you will not have any wheat left, but you will have a row with the people, and everybody who knows anything about the situation knows that if you allow Tom, Dick, and Harry to walk in on these Indian reservations where the Indians are herding their stock, there will be a continuous row of some kind between the invaders and the Indian owners. It is human nature. It can not be avoided.

Gentlemen say, "Oh, well; but the Indians ought not to be permitted to own a piece of ground with minerals beneath the surface which the white people can not get at and use." After all, gentlemen, the world will still be wagging after you and I are gone. All the minerals in the world are not designed to be used by the present generation. There will be need of these minerals when our grandchildren and their descendants are yet coming along, and those who think that we ought to utilize every particle of mineral resources to-day are mistaken. We ought not to do that.

Now, everyone knows you can not provide for the doing of this thing without trouble. This bill has been pending around here a long time. It is a very important measure. A gentleman moves to suspend the rules and pass it. It came up the

other day on a request to pass it by unanimous consent. I objected. A bill of this sort, if it is to be passed under any conditions, ought to be passed after careful consideration and properly safeguarded. It gives to any citizen of the United States, or to any association of such persons, or to any corporation organized under the United States or any State or Territory thereof, the right to go on any of these unallotted lands, and if they make or claim to make a discovery of minerals, then they are given a part of the surface of the land to carry on mining operations. I do not think we can afford at this late stage in our dealings with the Indians to rob them of what they have left or to encourage or incite trouble in their midst. We are asked every year to appropriate a considerable sum of money to keep liquor away from the Indians. Well, the Government of the United States is going on a prohibition basis, and I am in favor of enforcing the prohibition law; but everyone knows that whisky is one of the easiest things in the world to make. It does not take very much of an outfit to make whisky, and there will be whisky made in the Indian territories or near them for many years to come. We will appropriate a large sum of money on the one hand to keep whisky away from Indians, and this bill proposes to invite every kind of a white man to walk in upon the unallotted lands of the Indians and, if he can do it without being caught, to furnish whisky to the Indians. Under this bill he can go in legally. At the present time he can not go in legally. It is his business to keep off of that land. But if you pass this bill you make it proper for him to go in. If you catch him selling liquor to Indians you punish him, perhaps; or, I take it, under the new constitutional provision, if you catch him with whisky at all you can punish him. But you have got to catch him. Meanwhile the Indians get the whisky.

I reserve the balance of my time.

The SPEAKER. The gentleman reserves 11 minutes.

Mr. HAYDEN. Mr. Speaker, in reply to the gentleman from Illinois [Mr. MANN], permit me to say that evidently he has not very carefully read the provisions of this bill, because it has been specifically amended to provide that prospecting and exploration for minerals may be made only on such reservations or parts of reservations as may be designated by the Secretary of the Interior.

Mr. MANN. I am perfectly well aware of that provision. This grants authority to the Secretary of the Interior to throw open the unallotted lands on all Indian reservations, and I assume that that may be done.

Mr. HAYDEN. On the contrary, at the Secretary's suggestion, the bill has been amended so as to forbid unauthorized mining. Secretary Lane said in his report on this bill:

> The latter amendment is suggested for the reason that there may be cases where the opening of all lands within a given Indian reservation to exploration and prospecting would be destructive of the rights and interests of the Indians or inadvisable from the standpoint of public policy, and the proposed amendment gives some discretion to the officers of the United States in that connection.

The gentleman from Illinois also states that the passage of this act may encourage the sale of liquor to the Indians, because it will give to anyone the right to go upon these unallotted lands. Let me say to the gentleman that in all my experience I never knew of anyone who was required to obtain a permit in order to enter an Indian reservation. People travel through them and across them every day in the year, so that this act will not in any way add to the present facilities for intercourse with the Indians and will not in the slightest degree make it easier to introduce intoxicating liquors into the Indian country.

Now I yield three minutes to the gentleman from Oklahoma [Mr. CARTER].

Mr. CARTER of Oklahoma. Mr. Speaker, there are three kinds of Indian reservations—what is known as the fee reservation, the treaty reservation, and the Executive order reservation. A fee reservation is that to which the Indians own the title of the land in fee. A treaty reservation is one where the title to the land is vouchsafed to them by treaty provision. An Executive order reservation is one created by Executive order of the President of the United States, the Indians being placed upon it and holding their title by the grace of the Government. This bill applies principally to Executive order reservations. In some cases where there are no provisions now for mining this may extend the right to treaty reservations; but the point I wish to make is that practically all the reservations in the State of Oklahoma are either fee reservations or treaty reservations. Therefore this bill does not apply to the State I have the honor to represent, and Oklahoma is not enumerated among those States affected by this measure. In the light of these conditions, I hope I may speak without selfish interest and purely in the interest of the Indian.

This bill provides that these lands may be leased by the Secretary of the Interior under rules and regulations to be prescribed by him at a royalty of not less than 5 per cent of the net value of the minerals. It further provides for a penalty of 25 to 50 cents and $1 per acre in case the mineral is not mined for a certain length of time—or that is the effect of it. I am interested in the measure purely from the standpoint of the Indians, because in a great many reservations the Indians think they have minerals in their lands that they want mined, so that the royalties can be collected and given to them for the purpose of improving their allotments while they live. I sympathize with the conservation ideas of my friend from Illinois, but I think the present generation, whether white or Indian, have some rights to the treasures in the bosom of mother earth.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. CARTER of Oklahoma. I will.

Mr. COOPER of Wisconsin. What does the gentleman mean by "net value"?

Mr. CARTER of Oklahoma. That would mean the value after the expenses of mining are taken out.

Mr. COOPER of Wisconsin. The Government of the United States in the original Pacific railroad matter had an agreement by which it was to get so much of the net revenue, but there was never any net revenue. They manipulated the expenses so that the Government did not get anything. The net cost could be manipulated so that the Government or the Indians would be defrauded.

Mr. HAYDEN. The bill provides that there shall be a minimum royalty of 5 per cent and as much more as possible. In this the "net value" set forth in this bill, as commonly understood in the mining industry, means the value of the ore after deducting the cost of mining and transportation. I took up the matter with the Geological Survey and the Department of the Interior, and they said that that was the customary form of a mining lease, and there would be no difficulty in it.

Mr. CARTER of Oklahoma. I call the attention of the gentleman to section 10, which gives to the Secretary of the Interior the right to examine the books of the lessees and investigate their accounts. This should be sufficient guaranty of an accurate accounting, and other provisions require prompt payment, with proper penalties. This same plan has been thoroughly tested in leasing of Choctaw and Chickasaw coal lands in Oklahoma. It has worked very successfully and beneficially to the Indians, and very little complaint has been made concerning nonpayment of royalties for coal mined. The Pacific railroad matter was such a loose arrangement that it does not present a parallel case.

Mr. MANN. Mr. Speaker, I yield three minutes to the gentleman from Massachusetts [Mr. WALSH].

Mr. WALSH. Mr. Speaker, will the gentleman from Arizona, who expressed a willingness to answer questions, state how the term was arrived at by which these leases are to run—30 years?

Mr. HAYDEN. When I originally introduced the bill I followed the form of the water-power bill and made the term of the lease 50 years. In the last Congress there was objection in the House by the gentleman from Wisconsin [Mr. STAFFORD], and after we talked it over he offered an amendment reducing the term to 30 years.

Mr. WALSH. Then it was the idea of the gentleman from Wisconsin?

Mr. HAYDEN. His motion was adopted by the House.

Mr. STAFFORD. I am surprised that the gentleman from Massachusetts does not recollect the incident. It was suggested that 50 years was too long for a lease to run to the individual developer before the Secretary of the Interior had a right to revise the royalty. My judgment was 20 years, but when we came to consider the trouble the developer would be put to and the large amount invested, we thought 30 years was a fair term to permit the development of the property.

Mr. WALSH. Does the gentleman from Wisconsin recall that the language in the bill which passed the House with reference to the length of time was identical with the language in this measure?

Mr. STAFFORD. I think the term was 30 years.

Mr. WALSH. Yes; but this term is not 30 years; it is 300 years. It provides that the lessees can request an extension of 10 years upon reasonable terms and get it. I do not think that was the language in the other bill.

Mr. HAYDEN. That was the exact language of the bill which passed this House in the last Congress.

Mr. WALSH. What is the idea of fixing any term at all?

Mr. HAYDEN. My own preference would be that the leases should be for indeterminate periods, subject to revision at stated intervals by the Secretary of the Interior, but the House has adopted the plan provided in this bill.

Mr. WALSH. The gentleman is familiar with the lands and mining operations. I notice that they omitted the great State of Idaho and the State of Oregon and they were put in by amendment. What is the idea of giving them 80 acres additional to the land where the minerals are?

Mr. HAYDEN. That provision is copied from the potash law, approved in October, 1917. Oregon and Idaho have been included in this bill at the request of the Representatives from those States.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. WALSH. Mr. Speaker, will the gentleman from Illinois yield to me?

Mr. MANN. I yield the gentleman one minute more.

Mr. WALSH. Can the gentleman state what the idea is of giving them 80 acres in addition to that land where the minerals are?

Mr. HAYDEN. Suppose that a stamp mill was needed to crush the ore. It is necessary to have the use of some of the surface of the ground upon which to locate it. Very frequently ores are given treatment near the mines and it is necessary to have buildings for that purpose. It sometimes happens that the mine is located on a mountain side where it is impossible to erect buildings, and the ore must be transported by a tram, or in some other way, down to where the buildings can be located.

Mr. WALSH. That would be sufficient to put up a considerable mill.

Mr. HAYDEN. The Secretary of the Interior does not have to grant the right to use the full 80 acres. That is a maximum limit.

Mr. WALSH. That is quite a large limit, it seems to me. They could build a mill large enough on 10 acres, could they not? You are not only taking this land away for 30 years, where the minerals are, but you take 80 acres somewhere else, probably the most valuable land these poor Indians may have for grazing or for agriculture or something else, and turn it over for a mill.

Mr. HAYDEN. Mr. Speaker, I am quite positive that the gentleman from Massachusetts never saw a mining camp or surely he would not have made that statement.

Mr. WALSH. Oh, yes; I have seen them in the gentleman's own country.

The SPEAKER pro tempore (Mr. CAMPBELL). The time of the gentleman from Massachusetts has again expired.

Mr. MANN. Mr. Speaker, there are a great many things in this bill that ought to be carefully explained, and it ought to be amended if it is to be passed at all, although I do not think that it ought to pass at all.

Mr. HAYDEN. Mr. Speaker, may I suggest to the gentleman from Illinois that two years ago he was present on the floor of the House when this bill came up for consideration. He did not then object. He has had every opportunity to offer all of the amendments that could possibly be presented, but he then permitted the bill to pass by unanimous consent. I am frank to say that I am very much surprised to find any objection upon his part now. He has had ample time to consider this legislation and I——

Mr. MANN. Mr. Speaker, I objected the other day. I remember the bill. I objected to this bill several times in former Congresses.

Mr. HAYDEN. Oh, the gentleman is mistaken.

Mr. MANN. And the gentleman knows that I did.

Mr. HAYDEN. The gentleman will fail to find anywhere in the CONGRESSIONAL RECORD where he ever objected to the consideration of this bill except two weeks ago to-day. I have kept close track of this legislation and I know what I am talking about.

Mr. MANN. The gentleman is mistaken. In the closing hours of a Congress, with plenty of other work to do, I did not object to the passage of this bill in the House, knowing that it was as dead as a doornail, whether it passed through that door going that way or whether it passed through this door going up to the Clerk's room.

Mr. HAYDEN. This legislation was not considered in the closing hours of a Congress. The bill passed the House on the 4th day of September, 1916. There was plenty of time to consider it in the Senate. The bill was promptly reported to the Senate, but because of an unfortunate filibuster against the shipping bill it did not become a law.

Mr. MANN. The bill was dead. This is an old bill. My recollection is fairly good about these things. The gentleman has been trying to pass this bill for a good while. Somebody with a greedy eye looked over some of the Indian land allotted in Arizona and desired to have authority to mine upon that land, and the bill as originally introduced did not apply to any part of the country except Arizona, if I recollect rightly. Is not that correct?

Mr. HAYDEN. Yes; and at the request of the Interior Department it was amended to cover the whole country.

Mr. MANN. Oh, yes; the Interior Department was not inclined to favor the bill in the first instance, and I regret that Members of Congress go up to the Secretary of the Interior or to the Commissioner of Lands and persuade him to favor bills which he first is inclined to oppose.

Mr. HAYDEN. Mr. Speaker, will the gentleman yield?

Mr. MANN. Does the gentleman want to use his own time?

Mr. HAYDEN. Not if the gentleman will yield.

Mr. MANN. The Interior Department, in order to let itself down easy, being utterly unable to defend the original proposition, suggested to make this bill general throughout the country, and even then did not suggest that it be applied to Idaho and Oregon. I do not know whether the gentlemen who had the greedy eye will get a chance down there or not. I do not accuse the gentleman from Arizona——

Mr. HAYDEN. I thank the gentleman.

Mr. MANN. He represents his State, and the people with the greedy eyes who go to their Representative and urge him to offer a bill, and they do not find it very hard usually to persuade him that the bill is correct, wherever he comes from. But, after all, the question is whether we will permit these Indian reservations to be invaded and thus stir up trouble, practically destroy the reservations so far as the unallotted lands are concerned, upon the provision that we pay to the Indian fund 5 per cent of the net value of the minerals. Five per cent of the net value! Why, the Government of the United States charges more than that as an income tax. The net value is arrived at after all the expenses are paid. Then you are going to get 5 per cent of that. The man who goes in and steals the land gets nineteen-twentieths of the value and the Indians who own the land get one-twentieth. It will not hurt to have this bill laid over; it will not damage anybody if he does not get on this land to-morrow. I hope the rules will not be suspended and the bill passed. I reserve the remainder of my time.

Mr. HAYDEN. Mr. Speaker, how much time is there remaining?

The SPEAKER pro tempore. The gentleman from Illinois has three minutes remaining and the gentleman from Arizona four minutes.

Mr. HAYDEN. Does the gentleman from Illinois intend to use his time?

Mr. MANN. Well, I do not know.

Mr. JOHNSON of Washington. Mr. Speaker, I would like to ask the gentleman from Arizona a question.

Mr. HAYDEN. I shall be very glad to yield to the gentleman.

Mr. JOHNSON of Washington. In the State of Washington there are a number of these reservations where the Indians have been praying that they shall receive allotments, and I was wondering if this question of minerals would impair the future chances to have lands allotted to the Indians?

Mr. HAYDEN. If there are minerals in the ground undoubtedly such lands would not be allotted, because the rule is that mineral rights are reserved for the tribe as a whole, and anything derived from the minerals goes to the credit of the tribe.

Mr. JOHNSON of Washington. The same thing applies to timber; but these Indians have had this dream held out to them, that in time, through education and otherwise, they would soon be competent to come into their own; and I am wondering whether they would be pleased to find some day when they come into their own it will all be leased. Is not that one objection?

Mr. HAYDEN. Not to this legislation, because if mines are developed the members of the tribe would probably be receiving more from the royalties than they could get from such lands in any other way.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Arizona to suspend the rules and pass the bill.

The question was taken, and the Chair announced that the Chair was in doubt.

The House again divided; and there were—ayes 22, noes 26.

The SPEAKER pro tempore. Two-thirds not having voted in favor of the motion——

Mr. HAYDEN. Mr. Speaker, I ask for tellers. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER pro tempore. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 168, nays 90, answered "present" 1, not voting 170, as follows:

YEAS—168.

Alexander	Eagle	Keating	Rayburn
Almon	Ellsworth	Kehoe	Robinson
Ashbrook	Elston	Kelly, Pa.	Romjue
Aswell	Evans	Kennedy, R. I.	Rouse
Austin	Fairchild, B. L.	Key, Ohio	Saunders, Va.
Ayres	Fairfield	Kincheloe	Scott, Iowa
Barkley	Fisher	Kinkaid	Shallenberger
Bell	Fordney	Larsen	Sherwood
Beshlin	Foster	Lazaro	Sinnott
Black	French	Lea, Cal.	Sisson
Blackmon	Fuller, Mass.	Little	Slayden
Bland, Va.	Gallagher	Littlepage	Small
Blanton	Gandy	Lonergan	Smith, Idaho
Brand	Gard	McClintic	Smith, C. B
Burnett	Garner	McKeown	Snook
Byrnes, S. C.	Garrett, Tenn.	Madden	Snyder
Byrns, Tenn.	Glynn	Mansfield	Steagall
Candler, Miss.	Goodwin, Ark.	Martin	Stedman
Cantrill	Gordon	Mays	Stephens, Nebr.
Caraway	Gray, Ala.	Miller, Wash.	Stevenson
Carter, Okla.	Greene, Mass.	Mondell	Sumners
Cary	Hamlin	Montague	Tague
Chandler, Okla.	Hardy	Moon	Taylor, Colo.
Church	Harrison, Va.	Morgan	Thompson
Clark, Fla.	Haskell	Mott	Tillman
Classon	Hawley	Neely	Timberlake
Claypool	Hayden	O'Brien	Tinkham
Cleary	Heflin	Oldfield	Vinson
Coady	Hensley	Oliver, Ala.	Vollmer
Connally, Tex.	Hilliard	Olney	Walton
Connolly, Kans.	Holland	Osborne	Watkins
Crisp	Hollingsworth	O'Shaunessy	Watson, Va.
Decker	Houston	Overmyer	Weaver
Dempsey	Huddleston	Overstreet	Welling
Denton	Hull, Tenn.	Parker, N. Y.	Welty
Dickinson	Humphreys	Phelan	Whaley
Dill	Husted	Platt	Wheeler
Dixon	Igoe	Polk	Williams
Dominick	Jacoway	Quin	Wilson, La.
Doolittle	James	Ragsdale	Wilson, Tex.
Dupre	Johnson, Ky.	Rainey, H. T.	Wingo
	Jones	Baker	Wise
		Randall	Wright

NAYS—90.

Baer	Elliott	Lehlbach	Scott, Mich
Bland, Ind.	Esch	London	Siegel
Browning	Fairchild, G. W.	Lundeen	Slemp
Burroughs	Foss	McCulloch	Sloan
Butler	Frear	McKenzie	Smith, Mich.
Campbell, Kans.	Fuller, Ill.	Magee	Snell
Cannon	Good	Mann	Stafford
Clark, Pa.	Gould	Mapes	Stiness
Cooper, W. Va.	Graham, Ill	Mason	Strong
Cooper, Wis.	Green, Iowa	Moore, Pa	Sweet
Copley	Hadley	Moores, Ind.	Temple
Crago	Hamilton, Mich.	Nelson, A. P.	Tilson
Cramton	Hersey	Nichols, Mich.	Towner
Currie, Mich.	Hicks	Parker, N. J.	Vestal
Curry, Cal.	Hull, Iowa	Peters	Volgt
Dale	Johnson, Wash.	Powers	Volstead
Dallinger	Juul	Purnell	Walsh
Davis	Kiess, Pa.	Ramsey	Ward
Denison	King	Ramseyer	Watson, Pa.
Dillon	Knutson	Rodenberg	White, Me.
Dowell	Kraus	Rogers	Wood, Ind
Dunn	Lampert	Rose	
Dyer	Langley	Sanders, Ind.	

ANSWERED "PRESENT"—1.

Reavis

NOT VOTING—170.

Anderson	Edmonds	Johnson, S. Dak.	Porter
Anthony	Emerson	Kahn	Pou
Bacharach	Esch	Kearns	Pratt
Bankhead	Estopinal	Kelley, Mich.	Price
Barnhart	Farr	Kennedy, Iowa	Rainey, J. W.
Beakes	Ferris	Kettner	Rankin
Benson	Fess	Kitchin	Reed
Birch	Fields	Kreider	Riordan
Booher	Flood	La Follette	Roberts
Borland	Flynn	LaGuardia	Rowe
Bowers	Focht	Lee, Ga	Rowland
Britten	Francis	Lesher	Rubey
Brodbeck	Freeman	Lever	Rucker
Browne	Gallivan	Linthicum	Russell
Brumbaugh	Garland	Lobeck	Sabath
Buchanan	Garrett, Tex.	Longworth	Sanders, La.
Caldwell	Gillett	Lufkin	Sanders, N. Y.
Campbell, Pa.	Godwin, N. C.	Lunn	Sanford
Carew	Goodall	McAndrews	Schall
Carlin	Graham, Pa.	McArthur	Scully
Carter, Mass	Gray, N. J.	McCormick	Sears
Chandler, N. Y.	Greene, Vt.	McFadden	Sells
Collier	Gregg	McKinley	Shackleford
Cooper, Ohio	Griest	McLaughlin, Mich	Sherley
Costello	Griffin	McLaughlin, Pa.	Shouse
Cox	Hamill	McLemore	Sims
Crosser	Hamilton, N. Y.	Maher	Smith, T. F.
Darrow	Harrison, Miss.	Merritt	Steele
Davey	Hastings	Miller, Minn.	Steenerson
Delaney	Haugen	Morin	Stephens, Miss.
Dent	Hayes	Mudd	Sterling
Dewalt	Heaton	Nelson, J. M.	Sullivan
Dies	Heintz	Nicholls, S. C.	Swift
Donovan	Helm	Nolan	Switzer
Dooling	Helvering	Norton	Taylor, Ark.
Doughton	Hood	Oliver, N. Y.	Templeton
Drane	Howard	Padgett	Thomas
Drukker	Hutchinson	Paige	Treadway
Eagan	Ireland	Park	Van Dyke

Vare	Wason	Winslow	Young, Tex.
Venable	Webb	Woods, Iowa	Zihlman
Waldow	White, Ohio	Woodyard	
Walker	Wilson, Ill.	Young, N. Dak.	

So, two-thirds not having voted in favor thereof, the motion to suspend the rules was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. SIMS with Mr. ESCH.
Mr. BOOHER with Mr. TREADWAY.
Mr. ESTOPINAL with Mr. EMERSON.
Mr. HELM with Mr. LUFKIN.
Mr. CARAWAY with Mr. BROWNE.
Mr. CAREW with Mr. GOODALL.
Mr. BRUMBAUGH with Mr. COSTELLO.
Mr. SULLIVAN with Mr. LAGUARDIA.
Mr. NICHOLLS of South Carolina with Mr. GARLAND.
Mr. DONOVAN with Mr. HAMILTON of New York.
Mr. SCULLY with Mr. BACHARACH.
Mr. HARRISON of Mississippi with Mr. REAVIS.
Mr. WHITE of Ohio with Mr. NORTON.
Mr. POU with Mr. WOODYARD.
Mr. HASTINGS with Mr. WINSLOW.
Mr. MCANDREWS with Mr. MCKINLEY.
Mr. BUCHANAN with Mr. HUTCHINSON.
Mr. JOHN W. RAINEY with Mr. WASON.
Mr. YOUNG of Texas with Mr. ANDERSON.
Mr. RUBEY with Mr. WARD.
Mr. LEVER with Mr. HAUGEN.
Mr. LEE of Georgia with Mr. MCLAUGHLIN of Michigan.
Mr. BENSON with Mr. KEARNS.
Mr. CALDWELL with Mr. BIRCH.
Mr. DEWALT with Mr. BOWERS.
Mr. DOOLING with Mr. DARROW.
Mr. DOUGHTON with Mr. EDMONDS.
Mr. DRANE with Mr. GRAHAM of Pennsylvania.
Mr. EAGAN with Mr. GRIEST.
Mr. GALLIVAN with Mr. HAYES.
Mr. GRIFFIN with Mr. IRELAND.
Mr. HAMILL with Mr. KREIDER.
Mr. DENT with Mr. KAHN.
Mr. KETTNER with Mr. MCARTHUR.
Mr. LESHER with Mr. MCFADDEN.
Mr. LOBECK with Mr. MERRITT.
Mr. LINTHICUM with Mr. MUDD.
Mr. LUNN with Mr. PAIGE.
Mr. MAHER with Mr. REED.
Mr. OLIVER of New York with Mr. ROWE.
Mr. PADGETT with Mr. ROWLAND.
Mr. PARK with Mr. SANDERS of New York.
Mr. PRICE with Mr. SANFORD.
Mr. RIORDAN with Mr. SELLS.
Mr. SANDERS of Louisiana with Mr. SWIFT.
Mr. SABATH with Mr. SWITZER.
Mr. SEARS with Mr. VARE.
Mr. THOMAS F. SMITH with Mr. WILSON of Illinois.
Mr. STEELE with Mr. YOUNG of North Dakota.
Mr. WEBB with Mr. ZIHLMAN.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

LEAVE OF ABSENCE.

Mr. DAVEY, by unanimous consent, was granted leave of absence for five days on account of death in family.

LATE SENATOR HUSTING.

Mr. COOPER of Wisconsin. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. COOPER of Wisconsin. I move that Sunday, February 23, be set aside as a day for the delivery of addresses on the life, character, and public services of the late Senator PAUL HUSTING, of Wisconsin.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that Sunday, February 23, 1919, be set apart for eulogies on Senator HUSTING. Is there objection? [After a pause.] The Chair hears none.

THE RUSSIAN LOAN.

Mr. PHELAN. Mr. Speaker, I ask unanimous consent to speak for 10 minutes relative to the Russian loan.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to proceed for not more than 10 minutes on the subject of the Russian loan. Is there objection?

Mr. KNUTSON. Reserving the right to object, I would like to know from what source the gentleman has his information?

Mr. PHELAN. From the Treasury Department. It is from the Assistant Secretary, Mr. Rathbone, to whom the Secretary referred me.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. PHELAN. Mr. Speaker, there have been some statements made this afternoon relative to our dealings with Russia on the matter of credits extended by this Government to that country. I shall not undertake to rehearse what they are, because they were made here on this floor this afternoon. All I desire to do is to make a simple statement of fact and show some incontrovertible facts.

By act of Congress of April 24, 1917, and by subsequent acts, this Government was authorized to advance credits to certain foreign countries among our cobelligerents. Acting under those acts, the President approved loans to Russia to an amount of $325,000,000. When he gave that approval he simply indicated that he was willing that such credit should be granted. We did not give the Russian Government the right to get that money, but there had to be a further act by the Secretary of the Treasury. The Secretary of the Treasury, in pursuance of the power given him, made arrangements whereby $187,720,750 was advanced to Russia. Every single dollar of that money was advanced prior to December 1, 1917. That is over a year ago. Not one cent has been advanced by this Government to anybody connected with Russia, representing the Russian Government, out of the credits authorized, according to my statement just made.

There was a balance left of $137,270,250, which might be loaned to Russia, but the Secretary of the Treasury never has loaned any of that money, and Russia is not entitled to one cent of it until the Secretary of the Treasury says that Russia may get it. The last advance made to Russia was on November 15, 1917.

I said a moment ago that no payment was made after December 1, 1917, but I now have the exact date. The last advance made to Russia was November 15, 1917. The amount of that advance was $1,320,750, and on that same date we received a trifle more than that in interest due us.

Mr. DILLON. Will the gentleman yield to me for a brief question?

Mr. PHELAN. I can not yield now.

Mr. DILLON. I wanted to know who paid the interest.

Mr. PHELAN. That is not material, so long as it was paid by somebody representing the Russian Government.

Mr. DILLON. I think it is material to know who paid the interest on this loan.

The SPEAKER. The gentleman from Massachusetts [Mr. PHELAN] declines to yield.

Mr. PHELAN. What I am stating are facts, and not subject to controversy.

Now, in November, 1917, when the so-called Kerensky government came to grief in Russia, this Government, through its Treasury Department, made arrangements with those who were representing what had been the government in Russia whereby they promised to use what funds they had on hand to pay the Americans to whom they owed money. As a result of that agreement practically all, if not all, of the claims of Americans against Russian contractors and others have been liquidated. I mean contracts for war supplies.

That, briefly, sets forth the situation. Therefore there never could have been paid out of our Treasury anything to anybody after November 15, 1917, relative to this matter, and nobody in any way could have obtained and nobody has obtained anything from our Treasury Department to pay any of the recent indebtedness due on any of the bonds previously put out by the Russian Government.

Mr. DILLON. Now will the gentleman yield to me?

Mr. PHELAN. I will be glad to.

Mr. DILLON. Will the gentleman tell the House who paid the interest upon that loan?

Mr. PHELAN. I presume the official representatives of the Russian Government paid it.

Mr. DILLON. Can the gentleman be more definite? I saw a statement in the papers that the interest on the loan we made to Russia had been paid. I want to know specifically who paid it.

Mr. PHELAN. What interest do you refer to?

Mr. DILLON. Interest upon the loan.

Mr. PHELAN. There are several interest dates. What payment are you talking about?

Mr. DILLON. The interest due on those loans.

Mr. PHELAN. From time to time?

Mr. DILLON. Yes.

Mr. PHELAN. Recently it has been paid, I presume, by those representing the old Kerensky government.

Mr. DILLON. That is what I wanted to know.

Mr. PHELAN. I am not certain of that, but I presume it has.

Mr. MANN and Mr. MASON rose.

The SPEAKER. Does the gentleman yield, and to whom?

Mr. PHELAN. I will yield to the gentleman from Illinois [Mr. MANN].

Mr. MANN. I think that the gentleman from Massachusetts [Mr. PHELAN] was not here when the question arose this afternoon, because he has not replied at all to what I understood was the charge. I understood it was charged that when the Kerensky government in Russia fell the agents of that government here had in their possession a large amount of money, which had been advanced by the United States to Russia; that the Treasury Department insisted that that money should be used in America to pay contractors and others; and that among the others who were paid were the men who held the interest coupons on the Russian bonds; and that, in effect, the Government of the United States had advanced money to Russia for which it has yet received no security, then in the hands of the Kerensky government here; and that that money was applied by the direction of, or with the consent of, the Treasury Department to pay the interest on Russian bonds. Now, I do not say whether that is an offense or not, but I think we ought to know whether those are the facts or not.

Mr. WINGO. Mr. Speaker, will the gentleman yield?

Mr. PHELAN. Yes.

Mr. WINGO. I would like to ask the gentleman from Illinois if the statement made by the gentleman from Illinois [Mr. MASON] did not consist of reading a newspaper article with reference to the payment of interest on January 10?

Mr. MASON. January 17 of this year; January 17, 1919.

Mr. WINGO. In other words, I understand the gentleman from Illinois [Mr. MASON] read an article which charged, inferentially at least, that the United States Treasury had been drawn upon on the 10th day of last month to pay interest on $50,000,000 of Russian bonds issued before we got into the war.

Mr. MANN. I did not so understand it. The gentleman may know.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. MANN. And the question still remains unanswered.

Mr. MASON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts may have five minutes further.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the gentleman from Massachusetts have five minutes more. Is there objection?

There was no objection.

Mr. MASON. All I want is just to know the facts. If the Treasury Department could furnish you this—they have had several days since I made the original charge, and I made the charge at that time upon information, stating frankly to the House that I had no way of proving the statement except newspaper reports.

Mr. PHELAN. Did the gentleman ask the Treasury for information subsequent to that?

Mr. MASON. Only in that way.

Mr. PHELAN. Then, you have made the statement again without asking the Treasury authorities to furnish the facts?

Mr. MASON. I have made the statement and demanded to know the truth, and I expected you or some other gentleman representing the administration upon the Committee on Banking and Currency to give me the information within the last 10 days.

Mr. PHELAN. What is the information you want?

Mr. MASON. I want to know if it is not true and has not the Secretary of the Treasury stated before your committee that they loaned this money? Did they not turn over to the credit of the Kerensky agent here $187,000,000?

Mr. PHELAN. Approximately that, to the provisional government.

Mr. MASON. Now, I think this newspaper editorial is susceptible of two constructions. You read it in one way and it sounds as though the money to pay the interest came out of the Treasury of the United States direct, but I think the spirit of the article charges that the agent of the Kerensky government had this money left over in his possession, the $187,000,000. That was drawn from the Treasury. It was deposited somewhere, God only knows where. There has been no answer to that proposition.

Mr. PHELAN. Probably those who deposited the money know as well as God knows where they deposited it.

Mr. MASON. But they are in the same position with God as to telling. They will not tell, and neither will He, and you can not find out. [Laughter.]

Mr. PHELAN. I am not specially interested in that; but come to the point. What is it you want to know?

Mr. MASON. I want to know if it is not true, as stated by this article, that the interest on this $50,000,000 of bonds that was held by the National City Bank of New York was paid on the 17th of January as stated——

Mr. PHELAN. What year?

Mr. MASON. This year, last month; January of this year. These bonds, drawing 6½ per cent interest, were sold on the market at 48 cents, and then this payment of interest of 6½ per cent was made. I ask you to state now whether you know or not that that interest was paid out of the money held by the Russian agent in this country, with the approval and consent of the Secretary of the Treasury. That is what I want to know.

Mr. PHELAN. I will answer the question. I simply wanted to wait until I got the question developed.

I will say first of all that I think the inference might well be taken from the newspaper article and the gentleman's remarks that subsequent to November, 1917, money in the United States Treasury had been paid out to meet these interest obligations referred to. That was one reason I gave particular attention to the date on which the last payment was made. Now, to come to the gentleman's question, I think I can answer most of it if I can not answer all.

After the fall of the Kerensky government there were left in the hands of Bakhmeteff and some of the other representatives of this government certain balances, unquestionably, of funds which had been advanced by this country to Russia.

Mr. MASON. Yes.

Mr. PHELAN. I may disagree with the gentleman in this respect, and probably do, but I think the money was properly advanced to Russia at that time.

Mr. MASON. I am not questioning that.

Mr. PHELAN. In addition to that, our Government, as I stated, provided very carefully that, first of all, those contractors to whom that Government owed money or to whom it was under obligations should be paid. So they had the balance of the money advanced by this Government, and they also had in a fund money obtained from the sale of goods and merchandise of various kinds which they had contracted for and obtained the title to, and, in addition, they had funds received from private sources, perhaps some of their own funds, perhaps from money that had been advanced by Great Britain, because Great Britain had advanced considerable to Russia before we started in. But, at any rate, they had a certain amount of money from various sources, undoubtedly including some that we had advanced. Now, our Government, as I say, required that they should pay our American contractors. Whether or not at that time they required that they should pay the interest on bonds held by people in this country issued by the Russian Government prior to the time when we advanced that credit to them I can not say for certain, but I think they might very well have done so.

Mr. MASON. But you have no knowledge on that?

Mr. PHELAN. I have no knowledge that there was any understanding upon the part of our Treasury Department that they should do it. I have an understanding that our Treasury Department, so far as it could, endeavored in every way possible, and I think properly, to provide for those to whom the Russian Government owed money in this country.

The SPEAKER. The time of the gentleman has again expired.

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent that the gentleman may have five minutes more.

The SPEAKER. The gentleman from Ohio asks that the time of the gentleman from Massachusetts be extended five minutes. Is there objection?

There was no objection.

Mr. LONGWORTH. The inference to be drawn from the remarks of the gentleman from Illinois [Mr. MASON], and certainly from the article he read, was that this Government having authorized a loan of $300,000,000, in round numbers, to the Russian Government, and having advanced, in round numbers, $187,000,000, that the balance, about $130,000,000, now in the United States Treasury, was being used to pay the interest on bonds heretofore, and before we went into the war, issued by the Russian Government. I want to ask the gentleman whether he will not deny that that is the fact.

Mr. PHELAN. Certainly. I drew the inference from it myself, and therefore I was actuated to stand here and make the statement. It may be that some other interpretation can be given to the article and a different interpretation given to the remarks of the gentleman from Illinois, but I think that was the inference that the average man would make from that statement. I am not sure that on the part of somebody—I make no charges against the gentleman from Illinois [Mr. MASON]—that that was intended to be the inference.

Mr. PLATT. Will the gentleman yield?

Mr. PHELAN. I yield to the gentleman from New York.

Mr. PLATT. Was not this about what happened in regard to the funds that the Russian representatives have had since then? There was at the fall of the Kerensky government a large number of outstanding contracts made by the Russian Government, partly on the credit which the United States had advanced and partly on the credit which Great Britain had advanced.

Mr. PHELAN. That is true.

Mr. PLATT. And a large part of the contracts had been fulfilled—that is, locomotives had been built and were ready to send over, and also war supplies. Our Government required the Russian representatives to settle up all those contracts, and in settling them there was a large number of supplies nearly paid for which they had to sell, and by selling them they received a considerable fund; and that money has been used in paying the obligations to contractors, and perhaps it may be interest on bonds.

Mr. PHELAN. Yes; I will say in addition that the War Department and other departments have received some merchandise intended for Russia. It has been turned over and used by us in the war, and incidentally to help us win the war. I will say further that these very representatives, Mr. Bakhmeteff and others, have rented vessels to our Emergency Fleet or the Shipping Board, I do not know which, which have been used, and the rent has been paid, and that rent has gone into that fund.

Mr. LONGWORTH. Will the gentleman yield?

Mr. PHELAN. Yes.

Mr. LONGWORTH. The interest on our loan to Russia is being paid regularly?

Mr. PHELAN. Yes; the last payment was due the 15th of November, 1918. Most of that has been paid, and our Government could have collected every cent if it had so desired, because there is plenty at hand which they can get if they desire to get it, but our Government did not feel like crowding them as long as they had plenty of merchandise here when that merchandise may be, and probably is now, available, for the people of Russia need it badly.

Mr. LONGWORTH. Is that being paid out of any fund of the United States Treasury?

Mr. PHELAN. No, indeed.

Mr. LONGWORTH. That is the only question.

The SPEAKER. The time of the gentleman from Massachusetts has again expired.

Mr. PHELAN. Mr. Speaker, I ask for five minutes more.

The SPEAKER. The gentleman from Massachusetts asks that his time be extended five minutes. Is there objection?

There was no objection.

Mr. SLOAN. Will the gentleman yield?

Mr. PHELAN. Yes.

Mr. SLOAN. There was an authorization for a loan of $300,000,000 and out of that $187,000,000 was actually loaned. The Secretary of the Treasury exercised his supervisory control over the disposition of this money even to saying that it would be used for war-winning purposes.

Mr. PHELAN. What authority has the gentleman for that statement?

Mr. SLOAN. Nothing except the statement of the Secretary of the Treasury of the United States. [Laughter.]

Mr. PHELAN. That is pretty nearly the best authority a man can get. I had understood it differently. I understood in many cases the money had been loaned to the cobelligerents with the understanding that the money was going to be used in some way in connection with the war, but that there were no strings tied to it, no inspector appointed to see that they carried out that purpose. It was handed over for the general purpose of winning the war.

Mr. SLOAN. The large purpose was to pay for munitions, materials, food, and so forth.

I do not find that there is any particular controversy here except the one question whether out of that money which is under the control of Bakhmeteff that was loaned to his government and under control, whether out of that there had recently been paid the interest upon the loans that were made to Russia by citizens of the United States before we entered the war. I am not putting any adverse construction on that fact, but I think the House would like to know whether or not that money which has been in the hands of Bakhmeteff, who was the custodian of money loaned by the United States, had been used for these private bonds and not the obligations of the United States.

Mr. PHELAN. The gentleman wants to know whether or not money which has been advanced by this Government to Russia has been used in any part to pay the interest upon bonds previously put out by Russia.

Mr. SLOAN. Yes; referred to by the gentleman from Illinois [Mr. MASON].

Mr. PHELAN. It is almost impossible for anyone to say what money is used for a particular purpose when there is a fund made up of money derived from very many different sources, so I do not think anybody can say that money that we loaned to Russia has actually been paid out to pay the interest on some other bonds; but it is a fact—and I think this will answer the gentleman's question—that out of a fund among which are moneys advanced by this Government there has been money paid to holders of bonds previously put out by the Russion Government. Does that answer the gentleman's question?

Mr. SLOAN. Yes.

Mr. PHELAN. I want to say just one other thing in regard to the point raised by the gentleman from Ohio [Mr. LONGWORTH], and that is this, that you must keep in mind in connection with the payment of the bonds referred to, which were put out by the Russian Government before we extended credit to them, that those men had a valid claim, and that they easily by a law process could have tied up large amounts of merchandise owned by that provisional government or to which it had title, and we might have been worse off, if that had been done, looking simply at the Government's point of view and nothing else, than if the interest had not been paid on these bonds. In the second place, if we are going to be paid back this money by Russia—I do not know what the situation is going to be in the future—I presume the bonds put out to private bondholders while Russia was a government and before we extended any credit to her are going to be paid. So that it does not make any particular difference how this thing is handled in that respect; but the fact is—and this is the salient point of the whole thing—that since November, 1917, our Government has advanced nothing to Russia nor to anyone representing Russia.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. PHELAN. Yes.

Mr. KNUTSON. Is the gentleman in a position to inform this House who the principal Russian bondholders are in this country?

Mr. PHELAN. No, I am not; and I am not interested to know.

Mr. SAUNDERS of Virginia. Mr. Speaker, will the gentleman yield?

Mr. PHELAN. Yes.

Mr. SAUNDERS of Virginia. I just want to see if I have gotten the situation entirely clear in my mind. As I understand from the gentleman's statement, out of the $187,000,000 advanced to Russia as represented by Bakhmeteff, there were certain residuary balances remaining after the payment the gentleman mentioned, and then that the Russian Government, as represented by Bakhmeteff, had other funds in its hands, obtained from other sources.

Mr. PHELAN. Yes.

Mr. SAUNDERS of Virginia. And out of this aggregate, part itself of the residuum of balances of the $187,000,000, the Russian Government, represented by Bakhmeteff, has paid interest upon the money owed by that Government to the United States, and on money owed by that Government to certain private individuals in the United States.

Mr. PHELAN. Out of the general fund held by them.

Mr. HUDDLESTON. Mr. Speaker, will the gentleman yield?

Mr. PHELAN. Yes.

Mr. HUDDLESTON. There is a very extensive anti-Bolshevik propaganda being carried on in this country by a purported Russian committee. It is charged that this committee is being financed by the former Kerensky agent, Bakhmeteff, and his associates. Is the gentleman in a position to advise us whether this propaganda is being carried on with money that the United States Government loaned to the Kerensky government?

Mr. PHELAN. No; I can not answer that question, and I really think that is outside of the present purpose here.

Mr. HUDDLESTON. Does the gentleman know whether this propaganda is being financed by Bakhmeteff and his associates?

Mr. PHELAN. I am not in a position to say that there is such a propaganda.

Mr. HUDDLESTON. Does it not come to the gentleman's table, does he not see it?

Mr. PHELAN. I do not care to go into a discussion of that kind of thing, because I think it has nothing to do with this question. It is a question as to whether or not our Government is acting right through its administrative branches.

I have stated here that the Treasury Department had acted absolutely right in this whole matter, and the inferences which might be drawn and I think have been drawn, which I think were reasonable to draw, have been incorrect, due to an incorrect statement.

Mr. HUDDLESTON. Does not the gentleman think that the American people would like to know whether the propaganda among them is being carried on at their own expense?

Mr. PHELAN. I do not care to go into that. I think that is entirely outside of the question.

The SPEAKER. The time of the gentleman has again expired.

Mr. MASON. Mr. Speaker, I ask unanimous consent to proceed for five minutes out of order.

Mr. CHARLES B. SMITH. Mr. Speaker, reserving the right to object, this is unanimous-consent day, and I would like to know how long discussion is going to proceed. We have not done very much on the Unanimous Consent Calendar thus far to-day.

Mr. STAFFORD. The time has been largely taken up by suspension of the rules.

The SPEAKER. Is there objection to the request of the gentleman from Illinois that he proceed for five minutes? [After a pause.] The Chair hears none.

Mr. MASON. Mr. Speaker, there seems to be some misunderstanding. I asked this question some days ago. I stated that I had no proof; that I was asking for information. I stated that same thing again this morning and have asked for that information. Now, the gentleman rises and gives what information he has, and I am very much obliged to him, but he does not know and no Member of Congress knows. One gentleman upon this side of the Chamber, who is a member of the committee, said that the Secretary of the Treasury told him that the money held by this man with the unpronounceable name, Bakhmeteff, that that gentleman holds this money, but that the Secretary of the Treasury holds a supervision over it, and that is what this article charges, that this money, 6½ per cent, was paid upon bonds which were selling at 48 cents and that some bankers in New York did know it and some of them did not know it. No one has answered that question.

Mr. WINGO. Will the gentleman yield?

Mr. MASON. I will be glad to do so.

Mr. WINGO. Does the gentleman charge on information that the recent payment on those bonds was made out of the United States Treasury?

Mr. MASON. I have not made any statement of that kind. I remarked that this paper—it is confirmed—stated that it was made out of money in the hands of this man who held United States money and that it was made with the consent of the Treasury Department. If the gentleman was on the floor this morning——

Mr. WINGO. I was on the floor and heard the gentleman. Will the gentleman yield again?

Mr. MASON. Yes; of course. If the gentleman can answer my question, I will answer his if I can.

Mr. WINGO. The gentleman read the article and I will read a short paragraph from it.

It is understood that there is still a balance in the United States Treasury of about $130,000,000 granted to Russia and never used after the fall of the Kerensky government. The payment of coupons on Russia's obligations in this country, it is said, comes from this fund, and it is understood that the sanction of the Treasury has to be obtained for each payment.

Does the gentleman say that that statement is true?

Mr. MASON. No; I do not know anything about it. I am exactly in the position the gentleman is on the other branch of the case. I do not know and you——

Mr. WINGO. I do know.

Mr. MASON. The gentleman does not know whether the money which was paid by this individual on the 17th of January comes out of the fund; the gentleman does not know, and if he does why does not he say so?

Mr. WINGO. Whenever I get a chance I am going to do so.

Mr. MASON. The gentleman can have the chance out of my time. According to the paper and according to the statement made by the gentleman from Nebraska the Government of the United States holds a supervision over the money of the United States in the hands of this Russian agent. Now, I do not charge anything; I am only stating what is charged by this newspaper.

Mr. PHELAN. Will the gentleman yield?

Mr. MASON. Certainly.

Mr. PHELAN. Does the gentleman think this Government should have attempted to interfere to prevent Bakhmeteff or his associates from paying the interest of the bonds to which he referred in his speech this afternoon?

Mr. MASON. Yes; if they are paying them out of our money that he got out of the sale of the notes which we sold him. I say it was an immoral and unconscionable act, and he ought to have returned the money, when his Government failed, back into the United States Treasury. When he paid it out he did have the leading strings of the Treasury loosened with him.

Mr. WINGO. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. WINGO. I ask unanimous consent to proceed for five minutes.

The SPEAKER. The gentleman from Arkansas asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. WINGO. In the article the gentleman from Illinois [Mr. MASON] read, and which by reading he gave credence to, because he said he did not make inquiry at the Treasury as to whether or not it was correct, contains these two statements:

It is understood that there is still a balance in the United States Treasury of about $130,000,000 granted to Russia and never used after the fall of the Kerensky government. The payment of coupons on Russia's obligations in this country, it is said, comes from this fund, and it is understood that the sanction of the Treasury has to be obtained for each payment. * * * Bankers who have been following this situation closely predict that inasmuch as the United States Government has seen fit to pay interest out of the balance of the Russian funds it still has on hand, it will not decline to pay the principal on the bonds when due, out of the same fund.

Mr. LONGWORTH. Will the gentleman yield? Is not that a direct charge that this money belongs to the United States?

Mr. WINGO. Mr. Speaker, the man who wrote that article intended to charge—and if the gentleman from Illinois did not intend to give that charge circulation and credence on this floor I can not understand his object—that as late as January, 1919, the Treasury of the United States advanced the money to pay the interest then due on Russian bonds sold in this country before we entered the war and now held by individuals and corporations. That charge is false, and the gentleman from Illinois, if he had taken the pains to phone the Treasury Department, could have known it was false, because not one single dollar has been paid to Bakhmeteff or any other representative of the Russian Government since November 15, 1917.

Now, the article is misleading in that it suggests—and the gentleman from Illinois [Mr. MASON] is either misled or he is misleading when he suggests—that the United States Treasury has supervision over a certain balance that Bakhmeteff has in the United States Treasury. He has no balance. The truth about that $187,000,000 is this: Proceeding under the act of April, 1917, the President made an order authorizing the Secretary of the Treasury to grant credits to Russia to the extent of $325,000,000. What did that mean? It meant that the Secretary of the Treasury could grant credits to Russia without consulting the President up to $325,000,000. Now, acting upon that authority, prior to November 16, 1917, the Secretary of the Treasury did advance to the Russian Government $187,000,000 for the purpose of purchasing in this country war supplies for the Russian Army, at that time fighting Germany. That left what? It left $137,000,000 in the Treasury for Bakhmeteff? No. It left a balance authorization from the President to the Secretary of the Treasury, but Bakhmeteff has no claim upon that fund, and that fund was not drawn upon by him last month to pay the interest on the Russian bonds as charged.

Mr. ELSTON. Not only that, but were not bonds of the Russian Government delivered to us for the loans or credits we advanced to it?

Mr. WINGO. Yes; we received Russian bonds for $187,000,000, as the act of Congress required.

There are some other facts. At the time the Kerensky government failed, in 1917, Bakhmeteff and the Russian representatives had other funds besides this $187,000,000, which, as a matter of fact, I believe had already been paid out here to those furnishing supplies to the Russian Army. I will not make the assertion upon the authority of the Secretary of the Treasury, but I will make it upon the authority of the common report that was current at the time, that these advances, amounting to $187,000,000, were not made to Bakhmeteff to be kept by him and put in the bank but were advanced for war supplies being furnished to the Russian Government; but when the Kerensky government failed Bakhmeteff did have funds on hand. Made up of what? From loans made to the Government by Great Britain, by way of credits in New York. He also had balances on hand, possibly from the proceeds of other bond issues that had been sold in the United States. Now, what happened? When the Kerensky government failed the Secretary of the Treasury refused to advance any more money to Russia. In addition to that, the Secretary of the Treasury said to Mr. Bakhmeteff and the Russian representatives, "You have gone to the people of this country, to the manufacturers, and you have obtained war supplies, and contracted for the manufacture of war supplies—did that upon the credit they knew you had in the Treasury of the United States. Now, you pay for this material." Bakhmeteff paid for that material or the balances due thereon. He took that material over. Some of it subsequently he turned over to the War Department of the United States, and it was used by us. Other of that material he sold——

Mr. MANN. Paid for by us.

Mr. WINGO. Paid for by us? These materials may have been partly paid for out of the credits we extended in 1917 or they may have been paid for out of other funds of the Russian Government held in this country and procured from loans made to it by Great Britain or out of funds derived from sale of Russian bonds to individuals in this country. But from whatever source the funds were obtained with which to pay for these supplies, they belonged to Russia, and Russia's representative, who had paid for them and had them in his possession, had a right to sell them, which he did. Now, the fact that he used the proceeds of the sale of these supplies in the payment of interest on Russian bonds held in this country is not a fact upon which you can base the charge that the Secretary of the Treasury made such payment.

The fact that can not be controverted is that not one dollar has been paid out of the Treasury on Russian account since November 15, 1917, and that fact could have been ascertained by the gentleman from Illinois [Mr. MASON] had he made inquiry at the Treasury instead of repeating upon this floor the baseless charge contained in the article he read and in support of which he admits he has no proof. The charge made in that article is false, and viciously so. [Applause.]

The SPEAKER. The time of the gentleman from Arkansas has expired.

Mr. MANN. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, I do not know whether it makes any difference whether the interest on the bonds of Russia was paid out of the United States Treasury or some other fund. It may have been a perfectly proper transaction. But what are the facts? The Secretary of the Treasury advanced $187,000,000 to the agent of the Russian Government here, with some strings tied to it. It was understood and agreed that that money should be expended, at least in the main, in the United States in the payment of bills for war supplies.

Mr. HULL of Tennessee. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from Tennessee?

Mr. MANN. I do not yield unless I get more time.

The SPEAKER. The gentleman declines to yield.

Mr. HULL of Tennessee. I want to call the attention of the gentleman to the fact that——

The SPEAKER. The gentleman declines to yield.

Mr. MANN. Well, I will yield to the gentleman.

Mr. HULL of Tennessee. The gentleman from Nebraska is usually accurate, but I think the Secretary of the Treasury will not show that he undertook to tie strings to the loan.

Mr. MANN. I did not make my statement on the strength of what the gentleman from Nebraska said. If the Secretary of the Treasury was not a plumb d——d fool he did not advance millions of money to the agents of these foreign governments without taking any security and without knowing anything about what was to be done with the money. [Applause.] The gentleman can take either horn of the dilemma he wishes to. If the Secretary of the Treasury had any sense and any desire to protect the United States, he would either have taken Government securities for the money advanced or would have provided—and probably would have provided anyhow—that the money should be used for the purchase of or payment for war materials.

However, that is not so material to what I want to get at. The money was advanced. The Kerensky government in Russia fell; the original Czar's government fell. When the Kerensky government fell it is said—I do not know with how much truth—it is said that the Kerensky agent here, Bakhmeteff or somebody else, still had in his possession a large amount of the money that had been advanced by the United States. The United States had not received Russian bonds in accordance with the law providing for Russian advances, but the Secretary of the Treasury, it is stated, had taken demand notes, notes due on demand, for the money that was advanced, of the agents here of the Russian Government which

had fallen; and, knowing that the Russian Government had fallen, so far as the agents here are concerned, and it is said knowing that the agents still possessed the money advanced by the United States, instead of demanding the return of that money on these demand notes, he authorized the payment of it as interest on the bonds.

Now, I do not know whether that is so or not, but I fail to discover any difference in principle between that and the payment of the money out of the Treasury of the United States.

Mr. MASON. That is the point exactly.

Mr. MANN. It was money which belonged to us, for which we had not yet received any proper security. It would have been paid to us on demand. If we did not demand it and authorized its payment as interest, I do not say that is an improper transaction, but it is the same thing as though we had paid it out of the balance of $325,000,000.

Mr. PLATT. Mr. Speaker, will the gentleman yield?

Mr. MANN. Yes.

Mr. PLATT. I may say to the gentleman that very little money was passed. It was simply credits, and they still owed a lot of it to our manufacturers.

Mr. MANN. That does not matter. My colleague did not say that the money was paid out of the Treasury. The gentleman from Ohio [Mr. LONGWORTH] tried to make him say it.

Mr. LONGWORTH. What does the gentleman mean by that statement?

Mr. MANN. I mean that is the fact.

Mr. LONGWORTH. "The gentleman from Ohio" did not make any such statement. The gentleman only asked a question of the gentleman.

Mr. MANN. I am not criticizing the gentleman from Ohio. The gentleman from Ohio tried to make my colleague [Mr. MASON] say that this article stated it was paid out of the Treasury of the United States. Maybe that is what the article stated. I did not listen to the article, but my colleague said he did not so understand it.

Mr. LONGWORTH. The article as quoted by the gentleman, as I said, made that plain inference, and I asked him if it did not.

Mr. MANN. That is what the gentleman said, and my colleague said he did not so understand it.

Mr. LONGWORTH. I did not try to make him say it.

Mr. MANN. The gentleman repeated his question several times.

Mr. LONGWORTH. The gentleman from Illinois has no right to say that I attempted to make his colleague say something he did not want to say.

Mr. MANN. I have not said that you did.

UNITED STATES DISTRICT ATTORNEY FOR RHODE ISLAND.

Mr. O'SHAUNESSY. Will the Speaker recognize me to make a motion to suspend the rules?

The SPEAKER. If the gentleman will make his motion, the Chair will recognize him.

Mr. O'SHAUNESSY. I move to discharge the Judiciary Committee from further consideration of the bill (S. 2116) to increase the salary of the United States district attorney for the district of Rhode Island, to suspend the rules, and pass the bill.

The SPEAKER. The gentleman from Rhode Island moves to discharge the Judiciary Committee from the further consideration of S. 2116, suspend the rules, and pass the bill.

Mr. WALSH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WALSH. Does the gentleman want to pass the bill as amended or as originally introduced?

The SPEAKER. The Chair has no information about that.

Mr. WALSH. Well, the House ought to know what it will be called upon to vote upon.

The SPEAKER. It will when the bill is read.

Mr. WALSH. The Chair stated the motion of the gentleman from Rhode Island?

The SPEAKER. Of course the Chair stated the motion. What else could the Chair do.

Mr. WALSH. I am propounding a parliamentary inquiry——

The SPEAKER. The gentleman will state it.

Mr. WALSH. As to whether that motion comprehends passing the bill as originally drafted or as reported by the committee with an amendment?

The SPEAKER. It will be whatever the Clerk reads. The rule when a motion is made to suspend the rules is that whatever is read from the Clerk's desk is the matter to be voted upon. Now, if any gentleman has an amendment to this bill, it will be read as a part of the bill to start on.

Mr. WALSH. That is an answer to the inquiry that I propounded.

The SPEAKER. Nobody is offering any amendment which the Chair has heard of.

Mr. CRISP. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CRISP. An amendment is not in order and can not be offered on a motion to suspend the rules?

The SPEAKER. You can read an amendment into the bill when it is first read.

Mr. CRISP. Of course you can; but the Chair said "if any gentleman has an amendment to the bill"——

The SPEAKER. Nobody has sent up any amendment to be read. The Clerk will read the bill.

The bill was read, as follows:

Be it enacted, etc., That from and after the passage of this act the salary of the United States district attorney for the district of Rhode Island shall be at the rate of $3,500 a year.

The SPEAKER. Is a second demanded?

Mr. WALSH. I demand a second.

Mr. O'SHAUNESSY. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Rhode Island [Mr. O'SHAUNESSY] has 20 minutes and the gentleman from Massachusetts [Mr. WALSH] has 20 minutes.

Mr. O'SHAUNESSY. Mr. Speaker and gentlemen of the House, in the Sixty-fourth Congress this bill as introduced called for the raising of the salary of the district attorney of Rhode Island to $5,000 a year. The Attorney General's office, I believe, at that time recommended $3,000, and the United States judge for the district of Rhode Island recommended $4,000. The committee brought in a recommendation for $3,500. That bill passed this House, raising the salary of the district attorney of Rhode Island from $2,500 to $3,500 a year. It went over to the Senate, and there it failed to pass because of a filibuster, conducted, I believe, by the Senator from Wisconsin. The same measure is now before us again. I have tried ineffectually several times to secure its passage.

I do not wish to take up the time of the House in justifying an increase of the salary of the district attorney for Rhode Island from $2,500 to $3,500 a year. I merely say in justification that a couple of weeks ago a bill was passed in this House to increase the salary of the district attorney for the district of Connecticut to $4,500 a year, although he now gets the same salary as the district attorney for the district of Rhode Island, $2,500 a year.

Mr. GORDON. What is the reason for this special legislation to raise the salary of a district attorney?

Mr. O'SHAUNESSY. The neglect of the United States in taking cognizance of its underpaid officials.

Mr. GORDON. But is there anything peculiar with reference to your constituent which makes his case one that ought to be taken out of the general rule?

Mr. O'SHAUNESSY. Everybody in Rhode Island feels that this man is worth more than the common laborer, and the carpenter gets $70 a week in my State.

Mr. GORDON. Was this man drafted?

Mr. O'SHAUNESSY. No; he is over age.

Mr. GORDON. Oh, I mean was he drafted into this position? [Laughter.]

Mr. O'SHAUNESSY. Yes; he was drafted by the Democratic Party, and he has done very good service. Mr. Speaker, I reserve the balance of my time.

Mr. WALSH. Mr. Speaker, I doubt the propriety of picking out one district attorney at this particular time and providing for an increase of his salary under a suspension of the rules. I know the gentleman from Rhode Island has been most earnest and persistent in his efforts to secure favorable consideration of this measure. I doubt not that the gentleman to be benefited is a most worthy official, but we are approaching the close of the last days of the session of what will be known as the war Congress, and I do not believe that the American people will want to see us take up the closing hours in suspending the rules to pass legislation increasing salaries of Government officials. I think we have sufficient to do to pass the regular appropriation bills, and in addition to that to enact legislation to take care of the soldier boys that are coming back from the other side and seeing that they do not become destitute or in want, and that we provide some plan for this purpose to put into execution. [Applause.]

This bill seeks to pick out a district attorney of the State of Rhode Island and raise his salary from $2,500 to $3,500. The gentleman from Rhode Island says that there are sufficient reasons why this should be done, because some few weeks ago

the district attorney of the neighboring State of Connecticut was successful, through some means or other, without the necessity of suspending the rules, in getting an increase from $2,500 to $4,000. These salaries may be inadequate, but if they are there are thousands of others throughout the country that are inadequate. They have raised the salaries of judges, and now we must go down the ladder a step and raise the salaries of the district attorneys. Next we must go down and take United States marshals, and I believe there is a measure pending for the clerks of courts, the bailiffs, and other officials.

My objection to this bill is based on the fact that this is no time to engage in the increase of salaries. We have a revenue bill coming in now in a few days that I hope will provide sufficient revenue to run the Government. If we do not get it in here pretty soon, if we are going to suspend the rules and pass bills increasing salaries, by the time the revenue bill gets in and put on its final passage it will be so many laps behind that required by the Government to pay the increase of salaries that we will think we have not passed any revenue bill at all. Mr. Speaker, I yield five minutes to the gentleman from Nebraska [Mr. SLOAN].

Mr. SLOAN. Mr. Speaker, a few moments ago I submitted a question to the gentleman from Massachusetts [Mr. PHELAN] in reference to the bond and interest paying controversy had on the floor this afternoon. I quoted an authority which he challenged, and the question was afterwards raised by the gentleman from Tennessee as to the accuracy of my statement. The gentleman from Illinois [Mr. MASON] in his hurried statement seemed to have understood that I had talked with the Secretary of the Treasury about the Russian loan. I feared that I might be misunderstood. What I did refer to was the statement of the Secretary of the Treasury in answer to the questions put to him from both sides of the Ways and Means Committee table as to how he would dispose of the money that would be loaned to the various countries and how the credits should be disposed of which were to be loaned to these European countries. I should not regard myself a fit member of that committee if I did not insist on knowing how that money was to be disposed of, because we did not want the gold or other forms of money taken out of the country. Why, the amount now loaned is more than 50 per cent more than the sum total of all the money in the United States at this time. We wanted it to insure payment of American bills and to be used in winning the war. And so questions propounded from every side of the table demanded to know what safeguards would be placed about this money after it was loaned to these governments that our war-winning purposes would be served. Then it was that the Secretary of the Treasury assured the committee that he would exercise such supervisory control of that money as he could, so that it would be used practically all in America to pay for munitions, food, and on other American bills. If necessary, some gold should be allowed to go to Europe, and some did go to Europe, we were then informed. I want to say right here that if we had not had that assurance, I would not have voted for these loans to these countries. I take it that the Secretary of the Treasury was living up to his high duties and responsibilities when he assumed control, so far as he could, over the expenditure of this money so loaned. I have no doubt that, living up to his high duty and responsibility as he saw them, he could not fail to do with respect to the Russian loan, when the collapse of that Government came, what he did with all the other loans to the governments understood to be solvent.

I make this statement simply to have the RECORD straight. I do not state it with a purpose of criticizing the use of this money for the payment of the interest upon the loans made by this Government to Russia, nor the interest upon the other loans that Russia floated through private channels before we entered the war, because it may have been the best kind of judgment to do so, and I do not assume to criticize it favorably or unfavorably. I shall draw no conclusion till I know the important fact which I sought to elicit and others properly related thereto. I endeavored by my question submitted to the gentleman from Massachusetts [Mr. PHELAN] to get at the real question. That was the question whether the money that had been furnished to the Kerensky government, through Bekhmeteff, was used in the payment of interest on these private prewar Russian loans. After that fact is established, it will be up for criticism, favorable or unfavorable.

Mr. PHELAN. I endeavored to answer that question, but perhaps the gentleman did not understand me. I said the interest had been paid out of a fund, and that fund was made up probably of some balances; it was made up of other credits obtained elsewhere; it was made up of funds obtained from private sources; it was made up, in part, from rents of vessels——

Mr. SLOAN. Oh, I understood the gentleman's answer.

Mr. PHELAN. And from other sources. I meant to give the gentleman the information.

Mr. SLOAN. I have no doubt that the Treasury of the United States can enlighten the people upon the substantial fact of whether or not it was largely made up of that money loaned by our Government to the Kerensky government.

Mr. GORDON. Does the gentleman know of any better use that a nation or an individual can put his money to than to pay the interest upon his debts when they are due?

Mr. SLOAN. This interest payment was on a loan not made by the Government of the United States to Russia.

Mr. GORDON. No matter who makes it.

Mr. SLOAN. Discussion of that feature was not the purpose for which I took the floor.

Mr. GORDON. Then how is it important?

Mr. SLOAN. It is important because the accuracy of my statement was questioned on the floor of this House.

Mr. GORDON. Oh, I did not understand that.

The SPEAKER. The time of the gentleman from Nebraska has expired.

Mr. MOORE of Pennsylvania. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Pennsylvania makes the point of order that there is no quorum present. The Chair will count.

Mr. KITCHIN. Mr. Speaker, I hope the gentleman will reserve that for a moment.

Mr. MOORE of Pennsylvania. I understand that a number of other bills are to be called up to-night, with the expectation of a night session. Many of us have important engagements early in the morning, and if we are going to have a long session to-night, let us test the question right now.

Mr. KITCHIN. I will ask the gentleman to reserve that for a moment.

Mr. MOORE of Pennsylvania. I reserve the point of order for a moment.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Speaker, I am obliged to object to that.

The SPEAKER. The gentleman from Pennsylvania objects, and the gentleman from Pennsylvania makes the point of order that there is no quorum present. The Chair will count.

Mr. MOORE of Pennsylvania. Mr. Speaker, in view of the statements which have been made to me by gentlemen on the other side, I withdraw the point of no quorum for the present.

The SPEAKER. The gentleman withdraws the point of order.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent again that when we adjourn to-day we adjourn to meet at 11 o'clock to-morrow.

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, I would like to know how long the gentleman intends to continue to-night.

The SPEAKER. As far as the Chair is concerned, he is not going to recognize anybody else under suspension of the rules.

Mr. KITCHIN. It will not take a long time, and we——

Mr. WALSH. Mr. Speaker, reserving the right to object, how much time remains to either side?

The SPEAKER. Seventeen minutes remains to the gentleman from Rhode Island and 11 minutes to the gentleman from Massachusetts.

SEVERAL MEMBERS. Waive the time.

Mr. WALSH. We can waive the time and adjourn now, but I wish to consume some more time upon this measure. I trust the gentleman will withdraw his request until we lay this bill away. [Laughter.]

Mr. KITCHIN. Mr. Speaker, under the veiled threat of the gentleman from Massachusetts, I reckon I had just as well withdraw it.

Mr. WALSH. I assure the gentleman I did not intend to convey any threat.

Mr. KITCHIN. If I do not withdraw, will the gentleman from Massachusetts object?

Mr. WALSH. No; I will not object.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina that when the House adjourns today it adjourn to meet at 11 o'clock to-morrow? [After a pause.] The Chair hears none. The gentleman from Massachusetts is recognized for 11 minutes.

Mr. WALSH. Mr. Speaker, I would like to ask the gentleman from Rhode Island if he will tell me, if this increase of

salary be accorded, if the incumbent of this office intends to devote his entire time to the duties of the office?

Mr. O'SHAUNESSY. He devotes his entire time now.

Mr. WALSH. The report does not say so. The report says, or the report evidently complained, or, rather, states in a complaining manner, that the district attorney is compelled to devote practically his entire time to the duties of his office, and because he is compelled to do that he must necessarily have an increase of salary to $3,500. Now, I would like to ask the gentleman from Rhode Island, if this increase be granted, if he will then dispense with giving some of the Government's time to his private business and the Government can secure his entire time?

Mr. O'SHAUNESSY. I do not think he gives any of his time to any clients; and I think I could ask the gentleman from Massachusetts if he knows anybody who performs work of that character in Massachusetts who gets these beggarly wages?

Mr. WALSH. Well, I will say to the gentleman, while the report is very meager in its information as to the character of the work done, I think we have gentlemen in Massachusetts who are performing similar duties to those performed by this distinguished official, whom the report says is compelled to devote practically his entire time to the duties of his office, who are getting substantially the same salary—practically the same salary—which is not adequate for a lawyer occupying such an important position. Of course, this district attorney is to be congratulated upon the fact that he secured from the judge before whom he practices a most complimentary letter, in which the judge of the Federal court asks the Assistant Attorney General in Washington to recommend that the United States Congress increase the salary of the district attorney.

Mr. GORDON. And also the judges.

Mr. WALSH. And I assume the same judge was one of those who directly or indirectly was asking for an increase of his own salary from $6,000 to $9,000, or in that vicinity. Now, Mr. Speaker, it is but natural for a district Federal judge who is in a position to recognize the attainments and the ability of the district attorney who practices before him to be interested in the salary that he receives, and to be sufficiently solicitous of the ability and attainments of the district attorney to write to the Department of Justice and intercede with the Assistant Attorney General for him.

But I repeat that I doubt very much if this is the time in this stage of this Congress, by a suspension of the rules, to be passing bills to increase salaries of Federal officials of this character, and particularly when we specialize as to the number and pick out an official in the great little State of Rhode Island and simply pass a measure to apply to that State alone. Why not consider a bill increasing the salaries of all these officials of ability and attainment, the same as we did with respect to the Federal judges? We increased their salaries the other day to a moderate extent, not as much as they would like to have had.

Mr. STEVENSON. Will the gentleman be prepared to support a bill of that kind if brought in?

Mr. WALSH. I certainly am not prepared to support such a bill.

Mr. COLLIER. Were you in favor of the judges' bill that was passed sometime ago?

Mr. WALSH. I was not. And if the gentleman will permit a personal reference, I think I was the only member of the committee reporting the bill who opposed it.

Mr. O'SHAUNESSY. Will the gentleman yield?

Mr. WALSH. Certainly.

Mr. O'SHAUNESSY. I think I might recommend it as a very good idea to my friend from Massachusetts [Mr. WALSH] to consult——

Mr. WALSH. I have no doubt the gentleman is capable.

Mr. O'SHAUNESSY (continuing). To consult the ex-district attorney of Rhode Island, who sits near him, Mr. STINESS. He knows all about it.

Mr. WALSH. I talked with the distinguished gentleman from Rhode Island [Mr. STINESS] some little time ago, when he attempted to secure unanimous consent for consideration of this measure by the House. And I recall the argument made by the gentleman from Rhode Island [Mr. STINESS] at that time as to the character of services and as to the distinction of the gentleman who is occupying the position. But if the gentleman from Rhode Island [Mr. O'SHAUNESSY] thinks that because the gentleman from Rhode Island [Mr. STINESS] is in favor of this measure, or was in favor of the measure at that time, or because of the argument that he presented then, that it changes my judgment, the gentleman from Rhode Island [Mr. O'SHAUNESSY], who now seeks in the closing hours of the Sixty-fifth Congress, by the procedure known as suspension of the rules, to pick out his particular State, and through that method increase the salary of that distinguished official there, is mistaken. And so, Mr. Speaker, I submit to the House that as far as the report of the committee is concerned, as supplemented by the arguments of the gentleman from Rhode Island [Mr. O'SHAUNESSY], who makes the motion, further supplemented by the statement of the gentleman from Rhode Island [Mr. STINESS], I submit further and again, and once more reiterate, that this is not the proper time to be passing bills to increase salaries of Federal officials. If you think the people of the country are in favor of it, you are greatly mistaken. When they come to pay the bills that we have incurred in this session of Congress, and when they will be called upon to pay taxes that must necessarily be levied because of those authorizations and in the incurring of those expenditures, it will not meet with their approval if they know that in the closing hours of this session we have picked out here and there a Federal official and increased his salary, and that practically within 24 or 48 hours we will take into consideration a conference report proposing to give to the boys who went across 3,000 miles of ocean to fight and offer up their lives a bonus of $60. For those reasons, among others, much more important perhaps, I am opposed to the measure, and I trust that the rules will not be suspended. [Applause.]

Mr. O'SHAUNESSY. Mr. Speaker, I want in all solemnity to plead guilty to the horrible charge of trying to suspend the rules, and I throw myself on the mercy of the court. I ask my friends to vote for this bill.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken.

The SPEAKER. In the opinion of the Chair, two-thirds——

Mr. WALSH. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. The gentleman from Massachusetts makes the point that there is no quorum present, and evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. The question is on suspending the rules and passing the bill.

The question was taken; and there were—yeas 113, nays 96, answered "present" 4, not voting 216.

YEAS—113.

Alexander	Fordney	Lobeck	Rogers
Almon	Foss	London	Rouse
Ashbrook	Fuller, Mass.	Lonergan	Sabath
Austin	Gallagher	Lufkin	Sanford
Barnhart	Gandy	Lundeen	Siegel
Beshlin	Gard	McKown	Sinnott
Blackmon	Glynn	Mansfield	Small
Brand	Goodwin, Ark.	Mapes	Smith, C. B.
Burnett	Gordon	Martin	Steenerson
Campbell, Pa.	Gray, Ala.	Mason	Stevenson
Carter, Okla.	Haskell	Montague	Stiness
Cleary	Hayden	Moores, Ind.	Strong
Connelly, Kans.	Hayes	Morgan	Summers
Crisp	Hensley	Neely	Tillman
Curry, Cal.	Holland	Nelson, A. P.	Tilson
Dallinger	Hollingsworth	Osborne	Thickum
Decker	Humphreys	O'Shaunessy	Voigt
Denton	Jacoway	Overstreet	Watkins
Dill	Juul	Parker, N. J.	Weaver
Doolittle	Keating	Peters	Welty
Dupré	Kehoe	Phelan	Wheeler
Dyer	Kettner	Polk	White, Me.
Eagle	King	Ragsdale	Wilson, La.
Elston	Kinkaid	Rainey, J. W.	Wilson, Tex.
Esch	Knutson	Raker	Wingo
Fairfield	Larsen	Ramseyer	Wright
Ferris	Lea, Cal.	Randall	
Fisher	Little	Rankin	
Focht	Littlepage	Robinson	

NAYS—96.

Anderson	Davis	Hull, Iowa	Sanders, Ind.
Anthony	Denison	James	Scott, Mich.
Baer	Dies	Johnson, Ky.	Shackleford
Bell	Dillon	Johnson, Wash.	Shallenberger
Black	Dominick	Jones	Sisson
Bland, Ind.	Dowell	Kelly, Pa.	Sloan
Bland, Va.	Dunn	Kincheloe	Smith, Mich.
Blanton	Edmonds	Kraus	Snook
Browning	Elliott	Langley	Stephens, Miss.
Buchanan	Ellsworth	Lehlbach	Sweet
Burroughs	Fairchild, B. L.	McCulloch	Temple
Byrnes, S. C.	Fields	McLaughlin, Mich.	Thompson
Campbell, Kans.	French	Miller, Wash.	Timberlake
Candler, Miss.	Garner	Moore, Pa.	Treadway
Cannon	Graham, Ill.	Nichols, Mich.	Venable
Chandler, Okla.	Green, Iowa	Parker, N. Y.	Vestal
Clark, Pa.	Greene, Mass.	Purnell	Volstead
Collier	Greene, Vt.	Quin	Walsh
Connally, Tex.	Hadley	Rainey, H. T.	Watson
Cooper, W. Va.	Hamilton, Mich.	Ramseyer	Watson, Pa.
Cramton	Haugen	Rayburn	Welling
Currie, Mich.	Hawley	Romjue	Williams
Dale	Hersey	Rose	Young, Tex.
Darrow	Huddleston	Ruley	Zihlman

ANSWERED "PRESENT"—4.

Kitchin	Moon	Reavis	Reed

NOT VOTING—216.

Aswell	Evans	Kiess, Pa.	Rowland
Ayres	Fairchild, G. W.	Kreider	Rucker
Bacharach	Farr	La Follette	Russell
Bankhead	Fess	LaGuardia	Sanders, La
Barkley	Flood	Lampert	Sanders, N. Y.
Beakes	Flynn	Lazaro	Saunders, Va.
Benson	Foster	Lee, Ga.	Schall
Birch	Francis	Lesher	Scott, Iowa
Booher	Frear	Lever	Scully
Borland	Freeman	Linthicum	Sears
Bowers	Fuller, Ill.	Longworth	Sells
Britten	Gallivan	Lunn	Sherley
Brodbeck	Garland	McAndrews	Sherwood
Browne	Garrett, Tenn.	McArthur	Shouse
Brumbaugh	Garrett, Tex.	McClintic	Sims
Butler	Gillett	McCormick	Slayden
Byrns, Tenn.	Godwin, N. C.	McFadden	Slemp
Caldwell	Good	McKenzie	Smith, Idaho
Cantrill	Goodall	McKinley	Smith, T. F.
Caraway	Gould	McLaughlin, Pa.	Snell
Carew	Graham, Pa.	McLemore	Snyder
Carlin	Gray, N. J.	Madden	Stafford
Carter, Mass.	Gregg	Magee	Steagall
Cary	Griest	Maher	Stedman
Chandler, N. Y.	Griffin	Mann	Steele
Church	Hamill	Mays	Stephens, Nebr.
Clark, Fla.	Hamilton, N. Y.	Merritt	Sterling
Classon	Hamlin	Miller, Minn.	Sullivan
Claypool	Hardy	Mondell	Swift
Coady	Harrison, Miss.	Morin	Switzer
Cooper, Ohio	Harrison, Va.	Mott	Tague
Cooper, Wis.	Hastings	Mudd	Taylor, Ark.
Copley	Heaton	Nelson, J. M.	Taylor, Colo.
Costello	Heflin	Nicholls, S. C.	Templeton
Cox	Heintz	Nolan	Thomas
Crago	Helm	Norton	Towner
Crosser	Helvering	Oldfield	Van Dyke
Davey	Hicks	Oliver, Ala.	Vare
Delaney	Hillard	Oliver, N. Y.	Vinson
Dempsey	Hood	Olney	Waldow
Dent	Houston	Overmyer	Walker
Dewalt	Howard	Padgett	Walton
Dickinson	Hull, Tenn.	Paige	Ward
Dixon	Husted	Park	Watson, Va.
Donovan	Hutchinson	Platt	Webb
Dooling	Igoe	Porter	Whaley
Doremus	Ireland	Pou	White, Ohio
Doughton	Johnson, S. Dak.	Powers	Wilson, Ill.
Drane	Kahn	Pratt	Winslow
Drukker	Kearns	Price	Wise
Eagan	Kelley, Mich.	Riordan	Wood, Ind.
Emerson	Kennedy, Iowa	Roberts	Woods, Iowa
Essen	Kennedy, R. I.	Rodenberg	Woodyard
Estopinal	Key, Ohio	Rowe	Young, N. Dak.

The Clerk announced the following additional pairs:

Until further notice:

Mr. KITCHIN with Mr. MANN.

Mr. MOON with Mr. TEMPLETON.

Mr. BOOHER with Mr. BUTLE.

Mr. BYRNS of Tennessee with Mr. COPLEY.

Mr. CARLIN with Mr. CRAGO.

Mr. COADY with Mr. FREAR.

Mr. DOREMUS with Mr. FULLER of Illinois.

Mr. EVANS with Mr. HUSTED.

Mr. HAMLIN with Mr. HUTCHINSON.

Mr. GALLIVAN with Mr. KENNEDY of Rhode Island.

Mr. LAZARO with Mr. KIESS of Pennsylvania.

Mr. HELM with Mr. MCARTHUR.

Mr. MCLEMORE with Mr. MCKENZIE.

Mr. MCCLINTIC with Mr. MAGEE.

Mr. OLNEY with Mr. SNELL.

Mr. SHERWOOD with Mr. SMITH of Idaho.

Mr. STEDMAN with Mr. TOWNER.

Mr. STEAGALL with Mr. GOOD.

Mr. TAYLOR of Arkansas with Mr. CARTER of Massachusetts.

Mr. TAGUE with Mr. CHANDLER of New York.

Mr. WHALEY with Mr. SLEMP.

Mr. WEBB with Mr. G. W. FAIRCHILD.

The SPEAKER. On this vote the yeas are 113, the nays 96, and present 4—not a quorum.

ADJOURNMENT.

Mr. KITCHIN. I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 30 minutes p. m.) the House adjourned, pursuant to the order previously made, until to-morrow, Tuesday, February 4, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the president of the Washington Railway & Electric Co., transmitting report of the Washington Railway & Electric Co. for the year ended December 31, 1918 (H. Doc. No. 1751); to the Committee on the District of Columbia and ordered to be printed.

2. Letter from the Secretary of War, transmitting a copy of a bill to relieve the estates of the late Capt. Belvedere Brooks, Capt. Samuel I. Zeidner, Capt. C. W. Gaylord, and Lieut. John V. D. Bebell from responsibility or accountability for the sum of $173.26 lost in battle (H. Doc. No. 1752); to the Committee on Military Affairs and ordered to be printed.

3. Letter from the Secretary of War, transmitting a copy of a bill providing for retirement, as master signal electrician, of enlisted men of the Regular Army who have heretofore been discharged to accept commissions in the Army of the United States during the present emergency (H. Doc. No. 1753); to the Committee on Military Affairs and ordered to be printed.

4. Letter from the Secretary of the Interior, transmitting list of documents and papers which are not needed or useful in the transaction of the current business of the department and have no permanent value or historical interest (H. Doc. No. 1754); to the Committee on Disposition of Useless Executive Papers and ordered to be printed.

5. Letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of the Navy submitting an estimate of appropriation to pay claims for damage by naval vessels adjusted by the Navy Department (H. Doc. No. 1755); to the Committee on Appropriations and ordered to be printed.

6. Letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting an estimate of appropriation to pay claims for damages by collision, river and harbor work, which have been adjusted and settled by the Chief of Engineers, United States Army (H. Doc. No. 1756); to the Committee on Appropriations and ordered to be printed.

7. Letter from the Secretary of the Treasury, transmitting copy of a communication from the chairman of the Lincoln Memorial Association submitting an estimate of appropriation required to defray the expenses incident to the dedication of the Lincoln Memorial (H. Doc. No. 1757); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. PHELAN, from the Committee on Banking and Currency, to which was referred the bill (S. 5236) to amend sections 7, 10, and 11 of the Federal reserve act and section 5172, Revised Statutes of the United States, reported the same with amendment, accompanied by a report (No. 1026), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. WELLING, from the Committee on Claims, to which was referred the bill (H. R. 11893) for the relief of Mary Holloman, reported the same with amendment, accompanied by a report (No. 1029), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 11835) for the relief of Jimmie Lou Martin, reported the same with amendment, accompanied by a report (No. 1027), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 11834) for the relief of William Henry Coleman, reported the same with amendment, accompanied by a report (No. 1028), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BARNHART: A bill (H. R. 15574) for the construction of a Federal building at Warsaw, Ind.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15575) for the construction of a public building at Plymouth, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. OVERSTREET: A bill (H. R. 15576) for the erection of a public building at Waynesboro, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15577) for the purchase of a post-office site at Millen, Ga.; to the Committee on Public Buildings and Grounds.

By Mr. TAYLOR of Arkansas: A bill (H. R. 15578) to provide for the erection of a public building at McGehee, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15579) to provide for the erection of a public building at Malvern, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15580) to provide for the erection of a public building at Benton, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15581) to provide for the erection of a public building at Monticello, Ark.; to the Committee on Public Buildings and Grounds.

By Mr. MANSFIELD: A bill (H. R. 15582) authorizing the acquisition of a site for a public building at Hallettsville, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. ROBINSON: A bill (H. R. 15583) to provide for the erection of a public building at Laurinburg, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. HULL of Iowa: A bill (H. R. 15584) regulating the period of enlistment in the Regular Army of the United States; to the Committee on Military Affairs.

By Mr. KETTNER: A bill (H. R. 15585) authorizing and directing the Secretary of War to cause survey to be made of the Colorado River, with a view to controlling the flood water of said stream, and for other purposes; to the Committee on Flood Control.

By Mr. HOOD: A bill (H. R. 15586) authorizing the acquisition of a site for a public building at Clinton, Sampson County, N. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15587) for the erection of a public building at Mount Olive, Wayne County, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. HAWLEY: A bill (H. R. 15588) requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

By Mr. HERSEY: A bill (H. R. 15589) authorizing the Secretary of War to donate to the town of Presque Isle, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CRAGO: A bill (H. R. 15590) to increase the cost of the public building at Waynesburg, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. BLAND of Virginia: A bill (H. R. 15591) authorizing the Secretary of War to donate to the town of Irvington, county of Lancaster, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ROWLAND: A bill (H. R. 15592) to increase the cost of the public building at State College, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15593) to increase the cost of the public building at Dubois, Pa., to the Committee on Public Buildings and Grounds.

Mr. GRAHAM of Illinois: A bill (H. R. 15594) to authorize the Secretary of War to furnish a German cannon, with carriage and cannon balls, to the city of Warsaw, Ill.; to the Committee on Military Affairs.

By Mr. MAPES: A bill (H. R. 15595) authorizing the Secretary of War to donate to the village of Rockford, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CHURCH: A bill (H. R. 15596) for the purchase of a public-building site at Visalia, Cal.; to the Committee on Public Buildings and Grounds.

By Mr. McKINLEY: A bill (H. R. 15597) authorizing the Secretary of War to donate to the city of Villa Grove, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15598) authorizing the Secretary of War to donate to the city of Arcola, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SMALL: A bill (H. R. 15599) for the erection of a public building at Edenton, N. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15600) authorizing the acquisition of a site for a public building at Williamston, N. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15601) authorizing the acquisition of a site for a public building at Hertford, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. DENTON: A bill (H. R. 15608) to incorporate the War Mothers of America; to the Committee on the District of Columbia.

By Mr. BLACKMON: A bill (H. R. 15609) to establish a fish-cultural station in the State of Alabama; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 15610) for the erection of a public building at Sylacauga, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. HAYDEN: A bill (H. R. 15611) authorizing a preliminary examination to be made of the Colorado River, with a view to controlling the flood water thereof; to the Committee on Flood Control.

By Mr. SIEGEL: A resolution (H. Res. 545) to have the Speaker appoint a select committee of eight to inquire into the charges affecting the Military Establishment of the United States; to the Committee on Rules.

By Mr. WATKINS: A resolution (H. Res. 546) providing for a special rule for the immediate consideration of House bill 13304; to the Committee on Rules.

By Mr. MOORE of Pennsylvania: A resolution (H. Res. 547) to pay E. F. Keister, clerk to the late Edward Robbins, a Representative in Congress, $166.66; to the Committee on Accounts.

By the SPEAKER: A memorial from the Legislature of the State of Oregon favoring woman suffrage; to the Committee on Immigration and Naturalization.

Also, a memorial from the Legislature of the State of New York relative to regulating the construction of dams across navigable waters and to provide for the improvement and development of waterways for the use of interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

Also, a memorial from the Legislature of Oregon, favoring the enactment by Congress of Senate bill 4283; to the Committee on the Public Lands.

By Mr. FULLER of Illinois: A memorial from the Legislature of Illinois memorializing Congress to provide at least six months' extra pay for all soldiers, sailors, and marines when discharged from service; to the Committee on Military Affairs.

By Mr. GALLAGHER: Memorial from the Legislature of the State of Illinois memorializing Congress to provide at least six months' extra pay for all soldiers, sailors, and marines when discharged from service; to the Committee on Military Affairs.

By Mr. McARTHUR: Memorial from the Legislature of the State of Oregon favoring the passage of the educational bill (S. 4987); to the Committee on Education.

Also, memorial from the Legislature of the State of Oregon urging the passage of a bill introduced by Congressman SINNOTT appropriating $1,000,000,000 for reclamation and drainage of lands in the western portion of the United States; to the Committee on the Public Lands.

Also, memorial from the Legislature of the State of Oregon favoring the development of arid lands in the lower Umatilla River Basin; to the Committee on Reclamation of Arid Lands.

Also, memorial from the Legislature of the State of Oregon urging the passage of Senate bill 5001; to the Committee on Immigration and Naturalization.

Also, memorial from the Legislature of the State of Oregon urging the passage of Senate bill 4283; to the Committee on the Public Lands.

By Mr. McCLINTIC: Memorial from the Legislature of the State of Oklahoma urging the passage of such legislation as will make sure for the farmers of the country a guaranty of a minimum price of $2.20 per bushel of the wheat grown in the year 1919; to the Committee on Agriculture.

Also, memorial from the Legislature of the State of Oklahoma requesting proper distribution of captured war material be made to the cities, towns, and counties of that State; to the Committee on Military Affairs.

By Mr. SABATH: Memorial of the Legislature of the State of Illinois favoring the payment of six months' salary to soldiers, sailors, and marines on return to civil life; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 15602) granting a pension to Annie Myers; to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 15603) granting an increase of pension to Michael McCormick; to the Committee on Invalid Pensions.

By Mr. CRAGO: A bill (H. R. 15604) granting a pension to Charles T. Pickens; to the Committee on Pensions.

By Mr. CURRIE of Michigan: A bill (H. R. 15605) granting a pension to Margaret Donahue; to the Committee on Invalid Pensions.

By Mr. RUCKER: A bill (H. R. 15606) granting an increase of pension to William S. Stockwell; to the Committee on Invalid Pensions.

By Mr. WHITE of Maine: A bill (H. R. 15607) granting an increase of pension to Andrew Sidlinger; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BURROUGHS: Resolution of New Hampshire Association of Insurance Agents (Louis G. Merrill, president; George E. Vernille, secretary-treasurer), protesting against placing of workmen's compensation and liability in the hands of a profit-sharing concern, etc.; to the Committee on Interstate and Foreign Commerce.

Also, petition of Elsie L. Norton and Emma H. Cooper, Lakeport, N. H., for repeal of the postal "zone" rate bill; to the Committee on Ways and Means.

Also, resolution of the New Hampshire Manufacturers' Association, in opposition to the continuance of the United States Employment Service; to the Committee on Labor.

Also, resolution of Manchester (N. H.) Chamber of Commerce, favoring enactment by Congress of a law which will continue the control and operation by the Government of the telephone and telegraph systems pending further investigation regarding future procedure; to the Committee on the Post Office and Post Roads.

Also, petition of Metal Trades Council, American Federation of Labor, Portsmouth, N. H., George A. Cate, secretary, to pay all enlisted men returning to their homes their military wages for six months after their discharge or until they can obtain useful and remunerative employment; to the Committee on Military Affairs.

By Mr. DARROW: Petition of Germantown Horticultural Society, of Philadelphia, Pa., protesting against the ruling of the Department of Agriculture prohibiting the importation of plants, bulbs, trees, etc.; to the Committee on Agriculture.

Also, petition of Philadelphia Rotary Club in behalf of changing the name of the Panama Canal to the "Roosevelt Canal"; to the Committee on Interstate and Foreign Commerce.

By Mr. GRAHAM of Illinois: Petition of G. B. Gaylord, of Rock Island, Ill., and 115 other employees of the Rock Island Arsenal, Rock Island, Ill., that action be taken immediately to the end that all equipment used in the Army, Navy, Merchant Marine, Postal Service, and other equipment used by the Government be manufactured in the Government shops to their full capacity; to the Committee on Military Affairs.

By Mr. HADLEY: Petition of citizens of Port Angelus, Wash., requesting repeal of postal zone rate bill; to the Committee on Ways and Means.

Also, petition of citizens of Big Lake, Wash., urging repeal of postal zone rate bill; to the Commitee on Ways and Means.

By Mr. HERSEY: Petition of W. E. Watts and three other citizens of Easton, Me., urging repeal of postal zone rate law; to the Committee on Ways and Means.

Also, petition of Virginia Dilling, of Bangor, Me., and three others, urging repeal of postal zone law; to the Committee on Ways and Means.

Also, petition of Adelaide Mansur and 19 others, of Bangor, Me., urging repeal of postal zone law; to the Committee on Ways and Means.

By Mr. HOLLINGSWORTH: Memorial of city council, the Exchange National Bank, the Commercial National Bank, and the Steubenville Bank & Trust Co., of Steubenville, Ohio; the First National Bank, of East Liverpool, Ohio; the Village Council of Mingo Junction, Ohio; and Stewart & Ward, Bellaire, Ohio, favoring the continuance of Government control of public utilities until Congress can give full consideration to the subject looking to a return of the properties to the owners under as favorable conditions as possible; to the Committee on Interstate and Foreign Commerce.

By Mr. KETTNER: Petition of Mr. Harry W. Kratz, Calexico, Cal., pertaining to the tax on haberdashery, hats, and shoes in the revenue bill; to the Committee on Ways and Means.

Also, petition of board of directors of Imperial Irrigation District, El Centro, Cal., approving Secretary Lane's plan to provide homes for returning soldiers; to the Committee on Military Affairs.

By Mr. MORIN: Petition of Paul Bros., William Grabowsky & Son, Kaufmann's "The Big Store," and McCreery & Co., all of Pittsburgh, Pa., protesting against the proposed luxury tax in the pending revenue bill as entailing an unjust burden on the consumer and giving the Government but a small return in revenue; to the Committee on Ways and Means.

By Mr. KAHN: Petition of electrical class, Polytechnic High School, San Francisco, Cal., asking for amateur radio operators in legislation affecting radio-telegraph stations; to the Committee on the Merchant Marine and Fisheries.

By Mr. MORIN: Petition of Cosmopolitan Club, of Pittsburgh, Pa., Robert Kerr, president, protesting against the increase of the tax on club dues, as it will seriously reduce club receipts, cause disorganization, and large revenues will thus be lost to the Government; to the Committee on Ways and Means.

By Mr. NEELY: Petition of O. J. Morrison, of Morrison Department Store Co., Charleston, W. Va., requesting that tax bill be kept down to $4,000,000,000; to the Committee on Ways and Means.

Also, petition of S. P. Pubber, managing director of chamber of commerce, Charleston, W. Va., requesting that tax bill be kept down to $4,000,000,000; to the Committee on Ways and Means.

Also, petition of Thomas Shoe Co., Charleston, W. Va., requesting that tax bill be kept down to $4,000,000,000; to the Committee on Ways and Means.

Also, petition of Wheeling Clearing House Association, Wheeling, W. Va., requesting that tax bill be kept down to $4,000,000,000; to the Committee on Ways and Means.

By Mr. SCHALL: Petition of Minnesota State Horticultural Society, protesting Quarantine Order No. 37; to the Committee on Agriculture.

By Mr. TILSON: Petition of James S. Rimkus and other citizens of Lithuanian birth, of Waterbury, Conn., in behalf of Lithuania; to the Committee on Foreign Affairs.

SENATE.

TUESDAY, *February 4, 1919.*

(Legislative day of Monday, February 3, 1919.)

The Senate met at 12 o'clock noon, on the expiration of the recess.

Mr. SHERMAN. Mr. President——

The VICE PRESIDENT. The Senator from Illinois.

Mr. JONES of Washington. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Gronna	McKellar	Sherman
Bankhead	Hale	McNary	Smoot
Chamberlain	Henderson	Martin, Va.	Spencer
Culberson	Johnson, Cal.	Moses	Swanson
Curtis	Jones, N. Mex.	Myers	Thomas
Dillingham	Jones, Wash.	Nugent	Underwood
Fernald	Kenyon	Page	Wadsworth
Fletcher	Knox	Poindexter	
France	La Follette	Pollock	
Gerry	Lenroot	Sheppard	

Mr. LENROOT. I desire to announce the absence on official business of the Senator from Georgia [Mr. HARDWICK] and the Senator from Florida [Mr. TRAMMELL].

Mr. McKELLAR. The senior Senator from Tennessee [Mr. SHIELDS] is absent on account of illness.

The VICE PRESIDENT. Thirty-seven Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. JOHNSON of South Dakota, Mr. KIRBY, Mr. NELSON, Mr. SMITH of Georgia, Mr. TRAMMELL, Mr. WALSH, Mr. WATSON, and Mr. WOLCOTT answered to their names when called.

Mr. HARDING, Mr. ROBINSON, Mr. NEW, Mr. OVERMAN, Mr. FRELINGHUYSEN, Mr. KELLOGG, and Mr. SUTHERLAND entered the Chamber and answered to their names.

Mr. SUTHERLAND. The senior Senator from West Virginia [Mr. GOFF] is absent on account of illness.

Mr. BORAH, Mr. McLEAN, Mr. STERLING, Mr. KING, Mr. SHAFROTH, Mr. THOMPSON, Mr. POMERENE, Mr. GAY, and Mr. CUMMINS entered the Chamber and answered to their names.

Mr. GERRY. I desire to announce that the Senator from Oklahoma [Mr. GORE] is necessarily detained on official business.

Mr. MARTIN of Virginia. The senior Senator from Maryland [Mr. SMITH] and the senior Senator from Mississippi [Mr. WILLIAMS] are detained by illness.

Mr. GAY. My colleague, the senior Senator from Louisiana [Mr. RANSDELL], is absent on account of illness.

The VICE PRESIDENT. Sixty-one Senators have answered to their names. There is a quorum present.

SENATOR FROM IOWA.

Mr. CUMMINS. I present the credentials of my colleague [Mr. KENYON] for the term beginning March 4 next, which I ask may be read and filed.

The credentials were read and ordered to be filed, as follows:

STATE OF IOWA,
EXECUTIVE DEPARTMENT.

Certificate of election.

To all to whom these presents shall come, greeting:

Know ye, that it appearing from the official canvass of the vote cast at the general election held within and for the State of Iowa on Tuesday, the 5th day of November, A. D. 1918, that WILLIAM S. KENYON, of Webster County, State of Iowa, received the highest number of votes cast for the office of United States Senator in Congress at said general election.

Now, therefore, I, W. L. Harding, governor of the State of Iowa, pursuant to the provisions of section 1166 of the code, do hereby certify that WILLIAM S. KENYON, of Webster County, State of Iowa, is duly elected to the office of United States Senator in Congress in and for the State of Iowa for the term of six years from and after the 4th day of March, A. D. 1919.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the State.

Done at Des Moines, the capital of said State, this 28th day of January, 1919.

W. L. HARDING,
Governor of the State of Iowa.

Countersigned:
[SEAL.]

W. S. ALLEN,
Secretary of State.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, announced that the House had passed the bill (S. 1847) to authorize the addition of certain lands to the Wyoming National Forest, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 171. An act to repeal the last proviso of section 4 of an act to establish the Rocky Mountain National Park, in the State of Colorado, and for other purposes, approved January 26, 1915;

H. R. 12995. An act granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a combined bridge and dam across the Mahoning River, in the State of Ohio;

H. R. 12996. An act granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River, in the State of Ohio;

H. R. 12997. An act granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River, in the State of Ohio;

H. R. 13232. An act to extend the time for the construction of a bridge across the Red River of the North between Traill County, N. Dak., and Polk County, Minn.; and

H. R. 13353. An act to extend the provisions of the homestead laws touching credit for period of enlistment to the soldiers, nurses, and officers of the Army, and the seamen, marines, nurses, and officers of the Navy and the Marine Corps of the United States who have served or will have served with the Mexican border operations or during the war between the United States and Germany and her allies.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 8828) increasing the limit of cost for the acquisition of a public building site at Yonkers, N. Y., and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

Mr. COLT presented a resolution adopted by the John Mitchell Literary Association, of Providence, R. I., favoring freedom for Ireland, which was referred to the Committee on Foreign Relations.

Mr. FERNALD presented a petition of the Board of Education of Oxford, Me., and a petition of the Board of Education of Norway, Me., praying for the establishment of a department of education, which were referred to the Committee on Education and Labor.

Mr. TOWNSEND presented a resolution adopted by Local Union No. 19, United Brotherhood of Carpenters and Joiners of America, of Detroit, Mich., favoring legislation to put the Federal Employment Bureau under the jurisdiction of the Department of Labor, which was referred to the Committee on Education and Labor.

He also presented a resolution adopted by Pomona Grange No. 7, Patrons of Husbandry, of Washtenaw, Mich., favoring the proposed extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

He also presented a resolution adopted at the victory highway convention held at Lansing, Mich., favoring the enactment of legislation providing for historical landmarks on national and public highways, which was ordered to lie on the table.

He also presented a petition of the Federation of Labor of Detroit, Mich., praying that Congress grant six months' additional pay to every honorably discharged soldier, sailor, or marine, which was referred to the Committee on Military Affairs.

He also presented a petition of the superintendent of the public schools of Osceola Township, Mich., praying for the establishment of a department of education, which was referred to the Committee on Education and Labor.

Mr. JONES of Washington presented a petition of sundry citizens of Othello, Wash., praying for Government ownership of railroads, which was referred to the Committee on Interstate Commerce.

Mr. McLEAN presented a petition of the Business Men's Association of Stafford Springs, Conn., and a petition of the Connecticut State Federation of Labor, praying for the establishment of a department of education, which were referred to the Committee on Education and Labor.

He also presented a petition of sundry postal employees of Southington, Conn., praying for a permanent reclassification of salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Common Council of New Britain, of the Friends of Irish Freedom of New Britain, of the Hibernian Society of Wallingford, of the Knights of Columbus, and of sundry citizens of Shelton, all in the State of Connecticut, praying for the freedom of Ireland, which were referred to the Committee on Foreign Relations.

He also presented a petition of Elm Lodge, No. 420, International Association of Machinists, of New Haven, Conn., praying for the proposed extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

He also presented a petition of sundry Lithuanian citizens of Waterbury, Conn., and a petition of sundry Lithuanian citizens of Naugatuck, Conn., praying that delegates representing the Lithuanians be sent to the peace conference, which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of South Manchester, Conn., praying for the adoption of an amendment to the Constitution of the United States to prohibit polygamy, which was referred to the Committee on the Judiciary.

He also presented petitions of Local Union No. 449, International Alliance of Theatrical Stage Employees and Moving Picture Machine Operators, of Stamford; of Local Union No. 189, Amalgamated Sheet Metal Workers, of Stamford; of Local Union No. 410, United Association of Plumbers and Steam Fitters, of Bristol; and of Local Division No. 867, Brotherhood of Locomotive Engineers, of Brass City, all in the State of Connecticut, praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

He also presented a petition of Local Union No. 298, International Moulders' Union, of Waterbury, Conn., praying for the passage of the so-called civil-service retirement bill, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Meriden, Conn., praying for the early return to the United States of the Twenty-sixth Division of the American Army, of which the One hundred and second Regiment is a part, which was referred to the Committee on Military Affairs.

He also presented a petition of the Young People's Society of Christian Endeavor of Willimantic, Conn., praying for national prohibition, which was ordered to lie on the table.

Mr. LEWIS. I present a resolution adopted by the Chicago Equal Suffrage Association, of Illinois, signed by the president and recording secretary, which I ask to have printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas there has been brought to a peaceful termination a world-fought war for the same fundamental principle of self-government, for which the Chicago Equal Suffrage Association has labored for many years; and

Whereas in the conduct of the war women have demonstrated that they are equally concerned with men in national affairs and have given service of equal importance to the safety of the Nation; and

Whereas woman suffrage has been given or promised by our allies and even some of the central powers as a result of the greater understanding which the war has brought of the principle of self-government and the service of women; and

Whereas our work as women of the Nation and the service of our men as soldiers of the Nation have given us a greater sense of national unity than ever before, making it especially fitting that we should address ourselves to the representatives of the Nation: Therefore be it

Resolved, That we, the Chicago Equal Suffrage Association, in mass meeting assembled at 1.30 o'clock on the afternoon of December 31, 1918, in the Casino, at Chicago, Ill., appeal to the Senate of the United States to speed the coming of universal woman suffrage in this country by immediate passage of the Federal woman-suffrage amendment.

CHICAGO EQUAL SUFFRAGE ASSOCIATION,
By BERTHA D. BAUR, *President.*
CAROLINE HOWE PACKARD,
Recording Secretary.

BILLS INTRODUCED.

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. CHAMBERLAIN:

A bill (S. 5523) providing for the retirement of enlisted men of the Regular Army who have been discharged to accept a commission in the Army of the United States; to the Committee on Military Affairs.

By Mr. KNOX:

A bill (S. 5524) granting an increase of pension to Isaac N. White; to the Committee on Pensions.

By Mr. HOLLIS:

A bill (S. 5525) authorizing the Secretary of War to donate to the town of Berlin, N. H., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SHERMAN:

A bill (S. 5526) granting an increase of pension to Herbert A. York; to the Committee on Pensions.

By Mr. MARTIN of Kentucky:

A bill (S. 5527) granting a pension to W. W. Treadway;

A bill (S. 5528) granting an increase of pension to John Wilson;

A bill (S. 5529) granting a pension to Benjamin H. Kimbler;

A bill (S. 5530) granting a pension to Lee Begley;

A bill (S. 5531) granting an increase of pension to Henry Fields; and

A bill (S. 5532) granting an increase of pension to Charley Shelton; to the Committee on Pensions.

By Mr. LODGE:

A bill (S. 5533) authorizing the Secretary of War to donate to Tufts College, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WADSWORTH:

A bill (S. 5534) granting the consent of Congress to Oliver Cabana, jr., Myron S. Hall, E. G. Connette, William F. MacGlashan, John H. Bradley, and M. A. Hurt to construct a bridge across Niagara River within or near the city limits of Buffalo, and for other purposes; to the Committee on Commerce.

By Mr. SPENCER:

A bill (S. 5535) granting a pension to Maria C. Vance; to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. CULBERSON submitted an amendment proposing to appropriate $4,203.14, in addition to the $16,500 appropriated for this purpose, to pay the El Paso Bridge & Iron Co., of El Paso, Tex., for extra work and material in the completion of the construction of a bridge across the San Juan River at Shiprock, N. Mex., on the Navajo Indian Reservation, etc., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. REED submitted an amendment relative to drafting into the military service of the United States, to serve therein for the period of the war unless sooner discharged, any or all members of the National Guard or of the National Guard Reserve, etc., intended to be proposed by him to the Army appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

VALIDATION OF GOVERNMENT CONTRACTS—CONFERENCE REPORT.

Mr. CHAMBERLAIN. I present a conference report on the so-called contract bill, which I ask to have read.

The Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

On the amendment of the Senate to the bill and to the title of the bill the conferees have been unable to agree.

GEORGE E. CHAMBERLAIN,
DUNCAN U. FLETCHER,
C. S. THOMAS,
F. E. WARREN,
P. C. KNOX,
Managers on the part of the Senate.

S. H. DENT, JR.,
W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.

Mr. CHAMBERLAIN. I ask for the adoption of the conference report.

The report was agreed to.

Mr. CHAMBERLAIN. I move that the Senate further insist upon its amendments and request a further conference with the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. CHAMBERLAIN, Mr. FLETCHER, Mr. THOMAS, Mr. WARREN, and Mr. KNOX conferees at the further conference on the part of the Senate.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Public Lands:

H. R. 171. An act to repeal the last proviso of section 4 of an act to establish the Rocky Mountain National Park, in the State of Colorado, and for other purposes, approved January 26, 1915; and

H. R. 13353. An act to extend the provisions of the homestead laws touching credit for period of enlistment to the soldiers, nurses, and officers of the Army and the seamen, marines, nurses, and officers of the Navy and the Marine Corps of the United States who have served or will have served with the Mexican border operations or during the war between the United States and Germany and her allies.

The following bills were severally read twice by their titles and referred to the Committee on Commerce:

H. R. 12995. An act granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a combined bridge and dam across the Mahoning River, in the State of Ohio;

H. R. 12996. An act granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River, in the State of Ohio;

H. R. 12997. An act granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River, in the State of Ohio; and

H. R. 13232. An act to extend the time for the construction of a bridge across the Red River of the North between Traill County, N. Dak., and Polk County, Minn.

BOLSHEVIST PROPAGANDA IN WASHINGTON.

Mr. MYERS. Mr. President, I was not able to be in attendance at all upon the Senate yesterday. I was necessarily detained by attendance upon a very important, all-afternoon meeting of a conference committee and by other official duties which were pressing upon my attention. I am sorry I was not able to be present. Had I been present when the able and distinguished Senator from Colorado [Mr. THOMAS] spoke yesterday in condemnation of a seditious meeting which was held at Poli's Theater in this city Sunday night, I would assuredly have given my indorsement to the patriotic words which he uttered upon that subject, and I now give my hearty indorsement to all he said upon the subject. I regret that I was not here to say something upon the subject yesterday, and I now take occasion to say a few words on the subject.

I was inexpressibly shocked and horrified to read in the Washington Post of Monday morning this article:

[From the Washington Post, Monday, Feb. 3, 1919.]

URGE "RED" AMERICA—BOLSHEVIK SPEAKERS STIR HUGE AUDIENCE AT POLI'S THEATER—CITY'S RADICALS IN THRONGS—REPRESENTATIVE MASON CHARGES PLOT TO KEEP SLAV FUNDS IN UNITED STATES—SPEAKS FROM BOX AFTER ALBERT RHYS WILLIAMS AND OTHERS LAUD SOVIETS AND TELL OF SPREADING PROPAGANDA IN UNITED STATES—"SUFF" PICKETS TAKE UP COLLECTIONS—ADOPT JOHNSON RESOLUTION NOW IN SENATE.

Bolshevism was lauded and advocated in preference to American democracy before a big audience that packed Poli's Theater yesterday afternoon in an address on "The truth about Russia," by Albert Rhys Williams, a war correspondent, who recently returned from Siberia. For three hours Williams and Miss Louise Bryant, who spent several months in Russia, interspersed descriptions of conditions in Russia with praise of the Soviet system and the Bolshevik leaders and frequently disparaged the American form of government. Williams declared that the people will want a Soviet system instituted in America when it is seen how admirably the system works.

There was an attempt last week to have the meeting forbidden by the police. Many Secret Service men were in the crowd, which was largely made up of radicals. Five of the suffrage pickets were in the audience. Mrs. Ida M. Waters, a prominent local suffrage worker, assisted in taking up a collection to pay for the rent of the theater.

MASON SPEAKS FROM BOX.

Several Senators and Representatives attended the meeting, which was widely advertised. Representatives DILLON, of South Dakota; GOODE, of Ohio; and MASON, of Illinois, were among those present. Representative BILLY MASON, who occupied a box, made a speech at the end of the meeting. In his address Representative MASON declared that he was not "afraid to go to jail."

Miss Bryant declared the Russian people were trying to organize a new human society. "They do not want a civilization," she said, "like we have in America or England or France. They do not want an East Side and a Fifth Avenue in Russia."

DODGES FATE OF WOMEN.

Miss Bryant dodged the question when asked whether the women had been "nationalized," and said people should examine the law for themselves. When a member of the audience attempted to reply to Miss Bryant, Judson King, who presided, said he was not "going to stand for any speeches from the floor." The matter was put to an informal vote and carried unanimously. The audience was wildly demonstrative. Outburst of applause were frequent. Shouts of "Hurrah for the Bolsheviki!" greeted Representative MASON's remarks.

"The verdict of the masses in that the Soviet has made good notwithstanding terrible handicaps," said Williams. "They were first deserted by the educated class, excommunicated by the church, sabotaged by the old officials, nearly guillotined by the Germans, blockaded and boycotted by the allies. That the Soviet beset and bedevilled on so many sides should have survived is a tribute to its basic strength."

PUSHING PROPAGANDA HERE.

Williams spent 15 months in Russia living among the peasants, in the red army, and in the industries with the workers. He is well acquainted with both Lenine and Trotzky and other leaders. When the Germans began the drive on Petrograd he organized an international legion for the defense of the red capital.

In the foreign office of the Soviet government he helped prepare the propaganda which was sent into Germany to stir up the revolution. He has been making speeches recently in many cities throughout the country. Over 100,000 copies of a pamphlet on Bolshevism written by him have been distributed in this country.

"The average American inquires," he continued, "why it is necessary to have a Soviet government and why not have a government like our own? The Russian workers and peasants have higher ideals than Americans."

TELLS STORY OF MASSACRE.

Williams asserted that the Soviet had done many things for which America should be grateful. He declared it has saved 500,000 American lives by bringing about the great revolution in Germany and Austria.

"The Soviet sent hundreds of agitators into Germany and Austria," he added, "who told the people to make a revolution as they had done in Russia. Millions of copies of the Soviet propaganda literature in different languages were dropped by aeroplanes, blown by wind, smuggled in boxes, and carried by prisoners into Germany. It was the greatest propaganda the world has ever seen."

Williams then told the story of what he termed the "massacre" of the Soviet officials at Vladivostok by the allied troops. During the funeral, he said, the American troops were landed. He said a Bolsheviki leader remarked, "All countries are alike—all imperialists."

Williams deplored the fact that the United States should have had for an ally "an autocratic and imperialistic country such as Japan." He said the Soviet government would endure if all the allied troops were withdrawn from Russia. He emphasized the necessity of withdrawing the American troops, as the Russian people looked to America as their only friend.

At this point some one from the audience moved that the resolution of Senator JOHNSON of California, asking for the withdrawal of the American troops be indorsed. The motion was carried by an overwhelming majority.

Representative MASON then arose in his box and said he did not have time to detail the outrages that are being perpetrated upon the young men of this country by keeping them in Russia.

"I get letters every day from the mothers of boys," he shouted, "whose blood is reddling the snows of Siberia. I will lift up my voice every day to oppose this slaughter until it is stopped. There is no justification for it, and, thank God, I have the courage to oppose it.

MONEY HELD HERE, HE CHARGES.

"I do not know whether you know it or not, but I charge the money that we have furnished to help feed the starving Russian people is being held in the United States by the Russian minister, and is being used to pay the interest upon the bonds held by Morgan & Co. to their clients before America entered the war. I believe that. I have not the proof, but I am going to get at the truth."

Williams then continued his speech, charging that the allied troops are being kept in Russia until the Soviet government guarantees the debts of the monarchy. "A huge allied army is wading through the gore of Russian peasants and workers," he declared, "to establish a stable government to insure these loans. However disguised such a state would be outwardly, in reality it would be a monarchy.

SEES AMERICA BOLSHEVIK.

"It is interesting to speculate how long any army of occupation would resist its job of supporting a monarchy and how long it will remain immune from the bacillus of Bolshevism. America sooner or later is going to accept the Soviet government, and when America discards some of the ideas current in the papers it will find it not so difficult to swallow."

I shall not detain the Senate long at this time to say much about that remarkable meeting. I realize that important business is awaiting the Senate's attention, and I believe a distinguished Senator has given notice that he intends to address the Senate on a subject of interest to-day. However, I want to say a few words, and it will not take me long to express my feelings about that meeting.

I am absolutely shocked and surprised that such a meeting could or should be held in the city of Washington, the Capital of this Nation, at a place within a block of the White House, within a few hundred feet of the United States Treasury Building, within a few blocks of the Capitol Building. It makes my blood boil with indignation. I am surprised that such a meeting was permitted to be held here. The irony of the matter is that the meeting appears to have been held in a building which is owned by the United States Government. I am surprised that any Representative in Congress should address such a meeting, or a meeting held under such auspices. I do not know what was said by the Representative in Congress who addressed the meeting other than what is set forth in this newspaper account.

I am surprised that any Representative would address a meeting of that character; and if any Member of Congress, in attendance on such a meeting, said anything which expressed sympathy with or approval of the alleged utterances of the man Williams, who was the principal speaker, or expressed any sympathy with the principal object of the meeting, which appears to have been denunciation of this Government and laudation of the Russian Bolsheviki—if any Member of Congress said anything in support of those utterances or doctrines—he ought to be expelled from the body of which he is a Member.

I will say, in this connection, that I take no exception to the action of the meeting in favoring the adoption of the resolution offered in this body by the distinguished Senator from California [Mr. JOHNSON] for the withdrawal of our troops from Russia. That is a matter of public policy which any meeting of citizens—if they be citizens—is entitled to express its opinion upon; but I do object to and condemn, with all the power and earnestness of my being, the alleged utterances of the principal speakers of that meeting, a man and a woman, who, if correctly reported, grossly insulted this Government, orally assaulted it, and lauded the Russian Bolsheviki and the Soviet government of Russia—a lot of criminals, murderers, and thieves engaged in an assault upon all the organized society of the world. I think those addresses and the principal object of that meeting are an insult to the dignity and sovereignty of the United States of America, to our Government, to the law-abiding people of this country, and to every loyal citizen of this country. I think the meeting and all utterances made thereat should be investigated by the Department of Justice. If there is any Federal law to punish such doings and utterances, I think the Department of Justice ought to proceed against those responsible therefor, and have them punished, and if there is no adequate law to forbid and punish such meetings and utterances I think the Judiciary Committee of the Senate ought to take up the matter and frame and bring before this body legislation which, if enacted, would be adequate to prevent such treasonable meetings and seditious utterances.

Are we to remain silent and inactive and see the sovereignty, the dignity, the integrity of our Government insulted in this manner? If there is no law adequate to punish such shocking conduct, are we to continue inactive and not enact laws which will protect and defend the sovereignty, the honor, and the dignity of our country and of civilization itself? I am not content to let such a meeting occur right under my nose, I might say, without adding my denunciation to the words which were spoken in denunciation of it yesterday. The people of this country should awaken to their danger. Congress should awaken to its duty. I shall arouse both if words of mine can do it.

It may be the time is not far distant in this country when there will be room for only two political parties—one composed of those who support the Government and another composed of those who would destroy it; on the one hand those who are for law and order and on the other criminals—loyal people against anarchists. When that time may come I shall unhesitatingly array myself with the party that stands for upholding the American Government and American institutions, no matter what the name of that party may be and no matter what its past creed, doctrines, history, or career may have been.

I understand another meeting was held in this city last night, which ratified and reiterated all that was said at the meeting on Sunday at Poli's Theater on the subject of the Russian Bolsheviki and the Soviet government, lauded those criminal institutions, and repeated in large part the seditious utterances that were made at Poli's Theater. This is heaping insult upon insult. It is time to call a halt. It is time to take warning. It is time for action. I call on the Department of Justice for action. I call on the Judiciary Committee of the Senate for action. We will be false to our trust if we do not take action.

I want to read, as a most admirable expression, which fairly expresses my views on such matters, a clipping from the Washington Post of this morning, consisting of utterances from the lips of a loyal citizen, Col. Archibald Hopkins, as follows:

MEETING CALLED "BOMBSHELL."

Col. Archibald Hopkins characterized the Poli's meeting as a "bombshell" that might annihilate Congress by its explosion before they adopted measures to protect themselves and the country from the Bolshevik invasion. He urged prompt and drastic action by Congress to check the movement, and criticized the local authorities for not interfering with the meeting.

"Had Congress become aware that the Capital was thoroughly mined," Col. Hopkins said last night, "and that an annihilating explosion was arranged to take place while they were in their seats, they would take instant measures to protect themselves and to punish the conspirators.

"A much more far-reaching, infamous, destructive plan than even that is on foot to overthrow and ruin our institutions, and those engaged in it make no secret of their purpose. They are at work in the open and Sunday held a public meeting under the shadow of the Capitol, which was neither interfered with nor rebuked, at which the superiority of the Bolshevik government and morals to ours was boldly asserted and the spread of their doctrine throughout the country urged. These sentiments were applauded to the echo by a large audience, and an active propaganda to put them into effect, arranged and paid for, partly at least, in Germany, is being carried on throughout the country.

WANTS CONGRESS TO ACT.

"What will Congress do about it? Have we a Government willing or capable of protecting itself and the country from a menace far more

deadly and imminent than any danger from Germany ever was, to ward off which we have made such enormous sacrifice?

"It is especially the duty of this country to check it, because, as is well known, it is entirely due to the refusal of this Government to act with the allies in stamping it out when urged by them to join them in doing so at the outset, when prompt action with a small force would have put it down, that has made possible its control of Russia and its wide and growing propaganda.

SPREAD OF DEADLY POISON.

"Congress should, if necessary, lay aside all other business until measures have been adopted to stop the spread of the deadly poison. Congress can still act under the war power, for we are not only at war with Germany but with the Bolsheviki, and such a war on our part!

"The handful of brave men we sent to help Russia and to protect the supplies we sent her in bitter Siberian cold are being shot down, gassed, and driven back by vastly superior numbers of murderers and robbers, and we raise not a hand to support or rescue them.

"The country will exact sharp penalties from some one if they are sacrificed.

NOTICE TO THE WORLD.

"Some weeks ago a bill was introduced in both Houses forbidding the display of the red flag in the United States.

"Had it been promptly and unanimously passed, the advocates of wholesale murder and robbery would not have dared to come to the Capital and preached their wicked doctrines.

"Furthermore, it would have been notice to all the world—notice which has not been given—that Bolshevism would not be tolerated here.

BLAME ON TIMID SOULS.

"No reason has been given why it has not been acted on except that some timid souls thought there might be some question whether it was constitutional. Is our Government paralyzed? Have we a Government desirous and capable of defending itself and the citizens? Have we a Government worth fighting and dying for?

"It is useless to look to the peace conference at Paris for assistance. We have been informed in a public declaration of well-known authorship put out by that body that it has no desire or purpose to take any part with for or against, either of the factions now fighting in Russia, two of them being engaged in an attempt to establish orderly government and the remaining one bent on setting up a class autocracy by a process of extermination and robbery of all who oppose it.

"Probably we ought to think neutrally in regard to the contest. However that may be, it is evident that if this country is to be saved from Bolshevism it must be by our own prompt action alone."

Mr. President, I think we deal entirely too softly and gently with Bolshevism both in this country and abroad. I think we extend to it the soft hand of timidity and tolerance, when we should grapple it with the iron hand of force, of extermination.

So far as our troops in Russia are concerned, I think we should either withdraw those we have there and let the Russians kill each other or send over many thousands more and exterminate the Russian Bolsheviki and put an end to that miserable pest—cut out and destroy the evil root and branch. In my opinion, we should not temporize with it.

POST OFFICE APPROPRIATIONS.

Mr. KELLOGG and Mr. UNDERWOOD addressed the Chair.

The VICE PRESIDENT. The Senator from Minnesota.

Mr. UNDERWOOD. Mr. President, if the Senator will yield a moment, I desire to dispose of a bill which is now before the Senate under an agreement. It will take but a moment to do so, I think.

Mr. KELLOGG. I yield to the Senator.

Mr. UNDERWOOD. On yesterday the senior Senator from Alabama [Mr. BANKHEAD], in charge of the Post Office appropriation bill, agreed to yield the right of way for the day to the legislative appropriation bill, in the hope that we might pass it. We were unable to do so on yesterday, and, the Post Office appropriation bill now really having the right of way under the agreement that was heretofore made, I ask unanimous consent that the legislative bill be returned to the calendar and that the Post Office appropriation bill be laid before the Senate as the unfinished business.

The VICE PRESIDENT. It is so ordered.

The Senate, as in Committee on the Whole, resumed the consideration of the bill (H. R. 13308) making appropriation for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

BOLSHEVIKI PROPAGANDA.

Mr. KELLOGG. Mr. President, I shall not take much of the time of the Senate, but I should like to make a few remarks pertinent to the subject of the discussion by the Senator from Montana [Mr. MYERS]. I am not surprised that the Senator from Colorado [Mr. THOMAS] and the Senator from Montana were shocked at the news of the public meeting held in Washington advocating openly the destruction of our Government and the substitution for it of a Soviet government such as now exists in Russia. Knowing, as we do, the trail of crime and tyranny in the wake of bolshevism, unparalleled in history, it would seem that no one of sound mind would stand up in the city of Washington and advocate such a change.

Mr. TOWNSEND. Mr. President, may I interrupt the Senator?

Mr. KELLOGG. Certainly.

Mr. TOWNSEND. Is the Senator satisfied that such a meeting was held and that such sentiments were uttered at that meeting?

Mr. KELLOGG. All my information is gathered from press reports and quotations from the newspapers, not giving the substance but quoting the exact language used. But I shall not stop to discuss that meeting. I should like to ask the Senator from Montana and other Senators here if they are aware that throughout the length and breadth of this land there is to-day a propaganda, public only to the extent that it dares to show itself, advising and teaching the lawless element in this country to overthrow the Government with fire and sword. That seems impossible, but it is true.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Colorado?

Mr. KELLOGG. I yield to the Senator.

Mr. THOMAS. I have been aware of that fact for a long time, and the name of the organization is the I. W. W.

Mr. KELLOGG. It is the I. W. W.

Mr. MYERS. Mr. President, I wish to state that I am very well aware of the fact stated by the Senator from Minnesota and regard it with as great alarm as he does.

Mr. KELLOGG. It is the I. W. W.; it is the escaped nihilists who come to this country from Russia; it is the scum of Europe, comprised of men who call themselves socialists but who are mere anarchists. They are trying to incite the dissatisfied elements of this country to a class warfare.

Mr. President, I am not going to read this article, but I wish to call the attention of the Senate to what must be an advertisement. I know there are many such advertisements being published throughout the country. The St. Louis Post Dispatch on January 23 published substantially an entire page of Lenine's appeal to what he calls the Bolsheviki of America. The article is headed:

"Lenine urges American laborers to use fire and sword so they may institute Bolshevism here. Russian leader says proletariat are warring against the middle classes now just like middle classes once fought with imperialists.

"This statement from Nikolai Lenine, who with Leon Trotsky is the recognized leader of Russian Bolshevism, is reproduced from the January, 1919, number of the Liberator, a proletarian magazine published by Max Eastman in New York. Eastman was indicted last fall under the espionage act but charges against him recently were dismissed."

In publishing this statement the Liberator makes the following editorial statement:

"This is the first direct word that has come to the American people from Nikolai Lenine since he became the recognized leader of the proletarian world. Early efforts to get it past the censorship lines evidently failed. It arrived in New York just as this issue was going to press. Certain passages have been omitted in deference to the extreme literal interpretation of the espionage law, but the heart of Lenine's message is here."

(By Nikolai Lenine.)

MOSCOW, *August 20, 1918.*

COMRADES: A Russian Bolshevik, who participated in the revolution of 1905 and for many years afterwards lived in your country, has offered to transmit this letter to you. I have grasped this opportunity joyfully, for the revolutionary proletariat of America—in so far as it is the enemy of American imperialism—is destined to perform an important task at this time. * * *

Mr. President, I take it that some passages have been eliminated; but if those passages are any worse than those remaining in this document, I can hardly imagine that the American people will view with equanimity such a published statement.

Mr. WALSH. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Montana?

Mr. KELLOGG. I yield.

Mr. WALSH. If the Senator will yield for a moment, I should like to inquire of the Senator from North Carolina [Mr. OVERMAN] whether the scope of the investigation now being conducted by the subcommittee of the Judiciary Committee, of which he is the chairman, would justify an inquiry as to who is paying for the advertisement to which the Senator from Minnesota has now directed attention?

Mr. OVERMAN. In reply to the Senator I will say that the resolution of the Senate under which the committee is acting, in my opinion, is not sufficiently broad to undertake that investigation.

Mr. WALSH. Then it seems to me some other committee of the Senate ought to be charged with the duty of running the advertisement down to its source.

Mr. KING. Mr. President, if the Senator from Minnesota will pardon me if I may express somewhat of a dissent from

the attitude of the distinguished chairman of the subcommittee, I am inclined to think that the resolution is broad enough, in view of the fact that it is well known that Germany in the beginning furnished the money for the Bolshevists and has been collaborating with them in all their efforts to destroy Russia, and, of course, was collaborating with Lenine and Trotsky in their efforts to destroy the governments of other nations.

Mr. KELLOGG. Mr. President, I think it would be a valuable contribution to the public service if Senators and Representatives in Congress and other public men would make known to the great body of the American people the nature of the sordidly criminal propaganda which is now going on in our midst, because I have confidence in the common sense and conservatism of the American people that they are not going to advocate or countenance a propaganda in this country of bloodshed, crime, and overthrow of law and order.

Let me invite the attention of the Senate for one moment to some of the statements in this article, which evidently the censor thought were not so bad but that they might be published. It purports to be Lenine's and Trotsky's appeal to the American people:

In reality the class struggle in revolutionary times has always inevitably taken on the form of civil war, and civil war is unthinkable without the worst kind of destruction, without terror and limitations of the form of democracy in the interests of the war.

One must be a sickly sentimentalist not to be able to see, to understand, and appreciate this necessity. Only the Tchechow type of the lifeless "Man in the Box" can denounce the revolution for this reason, instead of throwing himself into the fight with the whole vehemence and decision of his soul at a moment when history demands that the highest problems of humanity be solved by struggle and war. * * *

Mr. President, this article advocates that kind of a war against society. It reads:

The greater the bitterness and brutality they sow, the nearer is the day of the victorious proletarian revolution. * * *

Mr. President, when the American people once understand that in our midst are criminal organizations deliberately and openly urging the overthrow of the Government, wantonly advocating murder, assassination, and the destruction of all property, I have no fear for the result in this country. But do the people understand it?

Mr. OVERMAN. Mr. President——

Mr. KELLOGG. I yield to the Senator from North Carolina.

Mr. OVERMAN. I think I ought to say that in the investigation which has been held some things have come out incidentally along the line that the Senator has suggested. We have in this country Bolshevism, syndicalism, anarchy, I. W. W., and such other organizations, all carrying the red flag, and they are all like currents going into a great stream for the purpose of tearing down the Government. It would be well for the Senator to read, when it is published, the very interesting testimony given by one of the witnesses on the stand, showing certain foreign newspapers advocating the overthrow of this Government and the uprise of Bolshevism in this country. There is a great deal of testimony along that line which came out incidentally.

I said that we had no authority under the resolution to investigate that, but we have incidentally done so. The resolution confines us to German propaganda and to the activities of the brewers in this country; but this testimony—and there is a great deal of it—will be very interesting for the Senator to read along the lines on which the Senator is making his speech now. There is a great deal of it all over the country, especially in the West and in the New England States, and very little, I am glad to say, in the Southern States.

Mr. KELLOGG. Mr. President, I did not rise to make a speech or to take much of the time of the Senate upon this question, but simply to invite the Senate's attention to the fact that there are in this country organized propagandists who are publishing their red sheets advocating the destruction of the Government, promoting lawless activities in Russia—murder, anything to destroy organized society not only in this country but in all the world.

Mr. NELSON. Mr. President, will my colleague yield to me for a minute?

Mr. KELLOGG. Certainly.

Mr. NELSON. I desire to state that evidence has been presented before the committee of which the Senator from North Carolina is the chairman, investigating German propaganda in this country, that some of these Bolsheviki have come to this country and are operating here, and they are supplied with money brought here from Russia.

Mr. KELLOGG. I have no doubt that is true, because this propaganda which is being circulated has the appearance of not only an organized but a paid propaganda of destruction of law and order and the rule of chaos and anarchy. I believe that when the American people understand it, when they know the nature of this criminal propaganda, the great, good sense of the mass of people living under a Constitution which guarantees liberty to every individual will make short work of it. I simply wish to call the attention of the Senate and the country to the nature of this propaganda which is going on and which is finding its way openly into the newspapers.

Mr. WEEKS. Mr. President, I was shocked, as were all other Senators, I think, by what took place in Washington night before last, and again last night, relating to the matter which has just been discussed by the Senator from Minnesota; and I agree with him in the remark which he has made in closing, that when the American people really understand this question they are going to stamp it out; but I do not think they understand it. I do not believe they really think that this is a treasonable propaganda; and the fact that it should take place in Washington, in a building owned by the Government, adds particular force to that assertion.

I want to bring to the attention of the Senate the Russian land law which has recently been passed. I am going to put it in the RECORD, because I hope it will reach the eyes of the farmers of the United States, so that they may understand what this propaganda really means. I will read four or five of the articles as an illustration of what the whole propaganda really means. These are the general provisions:

ARTICLE 1. All property rights in the land, treasures of the earth, waters, forests, and fundamental natural resources within the boundaries of the Russian Federated Soviet Republic are abolished.

In other words, all lands and every appurtenance belonging thereto are confiscated.

ART. 2. The land passes over to the use of the entire laboring population without any compensation, open or secret, to the former owners.

ART. 3. The right to use the land belongs to those who till it by their own labor, with the exception of special cases covered by this decree—

Which I shall not read but which I shall insert in the RECORD.

ART. 6. All private live stock and inventoried property of nonlaboring homesteads pass over without indemnification to the disposition (in accordance with their character) of the land departments of the county, provincial, regional, and Federal Soviets.

ART. 7. All homestead constructions mentioned in article 6, as well as all agricultural appurtenances, pass over to the disposition (in accordance with their character) of the county, provincial, regional, and Federal Soviets without indemnification.

ART. 17. Surplus profits, obtained on account of the natural fertility of the land or on account of its location near markets, are to be turned over for the benefit of social needs to the organs of the Soviet power.

ART. 18. The trade in agricultural machinery and in seeds is monopolized by the organs of the Soviet power—

Whatever that may mean.

Article 19. The grain trade, internal as well as export, is to be a State monopoly.

Mr. OVERMAN. Mr. President, will the Senator yield to me for a minute?

Mr. WEEKS. I will.

Mr. OVERMAN. I should like to give an example that came under my notice on yesterday.

A Russian princess married an American consul general. She left Russia about four months ago. She told me that her mother had a very large estate. Her father was a nobleman. He had 150 horses and a large herd of imported cattle. She stated that the Bolsheviki had taken her estate, taken all of the horses, taken all the cattle, and divided up that great estate into subdivisions of one acre each, and gave her mother one acre out of a very large estate, and her brother only one acre, and he was trying to make a living now on one acre of land. That is what the Bolsheviki had done with her father's estate.

Mr. WEEKS. That is clearly outlined in these different articles of policy, which I will include in the RECORD.

Mr. POMERENE. Mr. President——

Mr. WEEKS. I yield to the Senator.

Mr. POMERENE. Apropos of what the Senator has been saying, it may be interesting to relate a conversation I had with a very prominent manufacturer, who had a large iron and copper plant in Russia. This conversation was sometime after the Lenines and Trotskys had taken control. This man and his associates employed about 30,000 men. He received a cablegram from his general manager from Vladivostok one day announcing that he was on his way back to the States; that the men, under the influence of the Bolsheviki, had passed three resolutions, about as follows:

First, the title of the owners of this property is hereby set aside.

Secondly, So-and-so—naming a foreman—is hereby appointed as the general manager of this plant.

Thirdly, the wages of each and every employee of this plant are hereby increased 100 per cent.

Now, Mr. President, if the Senator will pardon me, I have an intense feeling that these men who are preaching the beauties

of Bolshevism are sowing the wind, and they will be reaping the whirlwind before very long unless it stops.

Mr. WERKS. I have no doubt that if every class of people in this country really understood the character of this propaganda they would feel about it as those who have given it some attention.

I rose particularly to ask unanimous consent to put into the RECORD the general provisions relating to the land laws of Russia, in the hope that they would reach the eyes of the farmers of the country. I hope that some one will dig out all the laws that have been adopted by the Soviet governments, and that they may be given very general circulation in the United States. My opinion is if that were done it would create a feeling which would very quickly settle this treasonable propaganda.

Mr. OVERMAN. In that connection, if the Senator will pardon me, I should like to put in the RECORD the constitution of the Bolshevikl, a copy of which I have in my office.

Mr. WERKS. I hope the Senator will do that, and that it will impress all those who take the trouble to read it that it is so crude in every form that it would be a disgrace to almost any schoolboy in the United States.

Mr. OVERMAN. I think it ought to be put in the RECORD. I shall read it to-morrow, because I think the American people ought to know what the Soviet constitution is.

Mr. WERKS. I ask unanimous consent that the matter to which I referred may be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

DOCUMENTS—THE RUSSIAN LAND LAW.

The following "fundamental law of socialization of the land" in Russia went into effect in September, 1918, replacing the earlier and briefer land decree of November 7, 1917:

DIVISION I.

General provisions.

ARTICLE 1. All property rights in the land, treasures of the earth, waters, forests, and fundamental natural resources within the boundaries of the Russian Federated Soviet Republic are abolished.

ART. 2. The land passes over to the use of the entire laboring population without any compensation, open or secret, to the former owners.

ART. 3. The right to use the land belongs to those who till it by their own labor, with the exception of special cases covered by this decree.

ART. 4. The right to use the land can not be limited by sex, religion, nationality, or foreign citizenship.

ART. 5. The subsurface deposits, the forests, waters, and fundamental natural resources are at the disposition (according to their character) of the county, provincial, regional, and Federal Soviet powers, and are under the control of the latter. The method of disposition and utilization of the subsurface deposits, waters, and fundamental natural resources will be dealt with by a special decree.

ART. 6. All private live stock and inventoried property of non-laboring homesteads pass over without indemnification to the disposition (in accordance with their character) of the land departments of the county, provincial, regional, and Federal Soviets.

ART. 7. All homestead constructions mentioned in article 6, as well as all agricultural appurtenances, pass over to the disposition (in accordance with their character) of the county, provincial, regional, and Federal Soviets without indemnification

ART. 8. All persons who are unable to work and who will be deprived of all means of subsistence by the force of the decree socializing all lands, forests, inventoried property, etc., may receive a pension (for a lifetime or until the person becomes of age) upon the certification of the local courts and the land departments of the Soviet power, such as a soldier receives, until such time as the decree for the insurance of the incapacitated is issued.

ART. 9. The apportionment of lands of agricultural value among the laboring people is under the jurisdiction of the Volostnoi [several villages], county, provincial, main, and Federal land departments of the Soviets in accordance with their character

ART. 10. The surplus lands are under the supervision in every republic of the land departments of the main and Federal Soviets.

ART. 11. The land departments of the local and central Soviets are thus intrusted with the equitable apportionment of the land among the working agricultural population and with the productive utilization of the natural resources. They also have the following duties:

(a) Creating favorable conditions for the development of the productive forces of the country by increasing the fertility of the land, improving agricultural technique, and, finally, raising the standard of agricultural knowledge among the laboring population.

(b) Creating a surplus fund of lands of agricultural value.

(c) Developing various branches of agricultural industry, such as gardening, cattle breeding, dairying, etc.

(d) Accelerating the transition from the old unproductive system of field cultivation to the new productive one (under various climates) by a proper distribution of the laboring population in various parts of the country.

(e) Developing collective homesteads in agriculture (in preference to individual homesteads) as the most profitable system of saving labor and material, with a view to passing on to socialism.

ART. 12. The apportionment of land among the laboring population is to be carried on on the basis of each one's ability to till it and in accordance with local conditions, so that the production and consumption standard may not compel some peasants to work beyond their strength, and at the same time it should give them sufficient means of subsistence.

ART. 13. Personal labor is the general and fundamental source of the right to use the land for agricultural purposes. In addition, the organs of the Soviet power, with a view to raising the agricultural standard (by organizing model farms or experimental fields), are permitted to borrow from the surplus land fund (formerly belonging to the Crown, monasteries, ministers, or landowners) certain plats and to work them by labor paid by the State. Such labor is subject to the general rules of workmen's control.

ART. 14. All citizens engaged in agricultural work are to be insured at the expense of the State against old age, sickness, or injuries which incapacitate them.

ART. 15. All incapacitated agriculturists and the members of their families who are unable to work are to be cared for by the organs of the Soviet power.

ART. 16. Every agricultural homestead is to be insured against fire, epidemics among cattle, poor crops, dry weather, hail, etc., by means of mutual Soviet insurance.

ART. 17. Surplus profits, obtained on account of the natural fertility of the land or on account of its location near markets, are to be turned over for the benefit of social needs to the organs of the Soviet power.

ART. 18. The trade in agricultural machinery and in seeds is monopolized by the organs of the Soviet power.

ART. 19. The grain trade, internal as well as export, is to be a State monopoly.

Mr. WALSH. I ask unanimous consent for the adoption of the following resolution (S. Res. 439):

Resolved, That the authority of the Committee on the Judiciary conferred by Senate resolution No. 307 be, and the same hereby is, extended so as to include the power and duty to inquire concerning any efforts being made to propagate in this country the principles of any party exercising or claiming to exercise authority in Russia, whether such efforts originate in this country or are incited or financed from abroad, and, further, to inquire into any effort to incite the overthrow of the Government of this country, or all government, by force or by the destruction of life or property or the general cessation of industry.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. SMOOT. I simply wanted to ask whether that would entail any expense. If so, it ought to be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. WALSH. It will, of course, entail expense, but the committee already has certain powers conferred upon it.

The VICE PRESIDENT. The Chair does not believe that it has to go to the committee at all. It broadens the scope of the inquiry.

Mr. SMOOT. I do not object at all to the provisions of the resolution.

The VICE PRESIDENT. It can be adopted if there be no objection. If there is objection, it will go over.

Mr. OVERMAN. I wish to state to the Senator from Utah that we have plenty of authority under the former resolution to conduct this investigation. It may require an additional clerk; that is all, because the employment of the clerk we now have is limited to 30 days, and we may ask for an additional clerk.

The VICE PRESIDENT. Is there objection to the resolution submitted by the Senator from Montana? The Chair hears none, and it is adopted.

Mr. POINDEXTER. I ask unanimous consent, out of order, to offer the following resolution and have it read, and I ask that it may go over under the rule.

The resolution (S. Res. 437) was read, as follows:

Whereas it is the duty of the Attorney General of the United States to enforce the laws of the United States, and particularly those for the punishment of crimes of violence, treason, sedition, and insurrection, or aiding and abetting the same; and

Whereas vigorous performances of this duty by the Department of Justice, of which the Attorney General is the head, is especially important when the country is in a state of war; and

Whereas a peculiar obligation rests upon the executive branch of the Government to preserve order in the District of Columbia and to protect the seat of the Federal Government from force and violence; and

Whereas advocacy of the use of force for the overthrow of Government and existing institutions is criminal and unlawful and "adherence to the enemies" of the Nation constitutes treason; and

Whereas in the city of Washington at Poli's Theater on the evening of February 2, 1919, and at the Old Masonic Temple on February 3, 1919, public meetings were held at which public speakers advocated the cause of the present Bolshevikl government of Russia, which is now at war with the United States, and publicly approved methods of force and violence in the affairs of government practiced by the present Bolshevikl rules in Russia, and advocated the use of such methods in the United States for the subversion of the Government of the United States and the establishment of Bolshevikl principles and methods in its place: Therefore, be it

Resolved, That the Attorney General report to the Senate what, if any, steps he has taken to investigate the meetings referred to, the speeches made therein, the names of the speakers and those supporting them, and what, if any, steps he has taken to enforce the laws of the United States in the premises.

The VICE PRESIDENT. The resolution will go over as requested.

Mr. BORAH. Mr. President, it is said that a meeting was held at the Poli Theater Sunday afternoon which advocated the overthrow of our form of Government and the substitution in its place of a form of government known as the Soviet government. If the reports of the papers be correct, I take it that we are to conclude that was the object and purpose of the meeting. It is but fair to say, however, that the statement has been made to me that so far as the advocacy of the overthrow of our Government is concerned, no such doctrine was preached at that meeting, that it was a defense of the Soviet government in Russia under the conditions and surroundings which there

confront the people of that country. The claim is made by some present that while they were defending the Soviet government in Russia it was not contended that it should supplant our Government. This statement has been made to me. But, Mr. President, if the propaganda which seems to have been fathered at that meeting be the beginning of a movement in this country, we may well consider how we are to meet such a serious situation.

I can not say that I was surprised at the meeting, even though it advocated all that the paper claims that it advocated. A few days ago in a running debate I made the remark that Bolshevism was not to be confined by national lines, and that we would in all probability have to meet that proposition in this country at no distant day. That statement was seized upon by a number of papers throughout the country as wholly sensational and without any justification whatever, and as indicating upon my part a lack of faith in the American people, their good sense, and their poise in such an emergency.

I do not complain, Mr. President, of the views which the papers took of the matter. I was greatly in hopes that they were correct and that there was really no occasion for being uneasy about the situation, and that those who had thought that such a condition of affairs might confront us in this country were in error. I am inclined to believe that there was more justification for my remark at the time than those around me seemed to think. It has been my fortune to know something of this spirit in this country for the last 15 years. I have known something of the reservoirs of propaganda, which have been filled with this feeling for some time, and I felt that the psychological conditions, superinduced by war, were calculated to feed it instead of diminishing it. This now seems to be the opinion of many able Senators, and that it is a real situation with which we shall have to deal.

I perfectly agree with those Senators who have inveighed against this propaganda. There is no possible reason for appealing to violence, to disorder, in this country. We have fortunately under our system of Government the method pointed out and provided for by which changes can be brought about in an orderly and lawful way. The ballot is in the hands of the people, and there is no occasion under any circumstances or conditions for an appeal to lawlessness, an appeal to the spirit of disorder, whatever the objects or motives or purposes may be or the ultimate aims to be accomplished. I have not a particle of sympathy with any such movement. There can be no justification for any class of people under any circumstances spreading the spirit of disorder and lawlessness in a Government where it is within the power of the people to work such changes as reason suggests and orderly public opinion supports in an orderly and legal fashion.

So I join with those who inveigh against any preachment of lawlessness, and especially with those who are opposed to any system which through any violent method would overthrow our form of government.

We believe in this country, Mr. President, in an orderly, manly, regulated liberty. It is this, sir, which distinguishes the American Republic from all spurious republics with which history has had to do. There have been instances in which so-called republics have been set up, but the method of accomplishing changes and working reforms in government were so restrained and circumscribed that the people did not have the power to effectuate their purposes. But they have here that which distinguishes us from all other republics which have ever existed heretofore and far more perfectly than exists anywhere else at the present time.

Mr. OVERMAN. Will the Senator allow me?

Mr. BORAH. I yield.

Mr. OVERMAN. I wish to say that a bill has been introduced to repeal the espionage act, and our committee is considering legislation for the repeal of that act. If we repeal the espionage act under the resolution introduced and we do not enact some other legislation in its place, there will be no law upon the statute books that can stop any of this propaganda. I want to call the Senator's attention to the fact that if we repeal the espionage act at this time we must have some law in its place.

Mr. BORAH. Mr. President, there are laws and laws. The espionage act, in my judgment, will not effectuate what the Senator from North Carolina and I desire in this country. There are offenses which should be defined, and the violation of such a law should be punished, but arbitrary power has been from the beginning of time until now the source of violence and disorder. There is an orderly and regulated method by which to deal with these subjects which will effectuate what we all desire.

But, Mr. President, I am opposed to Bolshevism or internationalism whether they are in tatters and rags or whether they are found clothed in broadcloth, whether they come to us in the garb of a Soviet government or in the form of a superstate based on force. It all means the same thing, so far as the life of this Government is concerned. It is wholly immaterial to me from what source the attack comes upon the American Republic. These men at the Poli Theater may be hammering and battering away with pickax and dynamite at one pillar of the Republic while other men in more powerful places are battering and hammering away at other pillars of the Republic. One would destroy it by demobilizing its moral forces, the other by sterilizing the national spirit.

Senators say we must meet this question. How? I think one of the best ways to meet it, and meet it early, is to begin to preach Americanism from every rostrum in the United States, and thereby increase and augment that great body of national affections which bind the people to their Government.

The Soviet government has its enthusiasts throughout the land and throughout the world, and this and that new scheme have their enthusiastic supporters, but who in this hour is preaching Americanism and the great fundamental principles of representative government? They held a meeting at the Poli Theater! The league to enforce peace will begin its campaign in Boston upon the 6th day of February, and, if they succeed, they will ultimately land us precisely where the Bolshevists would land us, and that is under the control of internationalism. They would tear down the fundamental principles of this Government in the end just as successfully and just as effectually as the men who met at the Poli Theater.

When you transfer the sovereign power of this Government to make war or peace to some superstate, some tribunal not responsible to the American people, and thereby internationalize this Government; when you take its most vital powers out of the hands of our own people and put them beyond their reach and control in a tribunal the majority of which is controlled by foreigners; when you give to some tribunal which we can not select or elect the power to take our sons from their homes and put them in Russia or in Turkey or in Asia, you finally arrive at the same ultimate goal to which the disciples of Lenine and Trotsky would lead us. You destroy the sovereign independence of this Republic and take away the self-governing capacity of our people. Now, it is immaterial to me whether you do that in one way or the other; it is the ultimate result that I look at and that I reject now and forever.

What we need in this country, sir, is the fostering and strengthening of the national spirit, a rebaptism of national pride, a reconsecration to the purposes for which we organized our Government. Preach the doctrines of the fathers for a while and see how the American people like it. Come home and take care of our own institutions. Strengthen them in the hearts and minds of the American people. Work out more just and humane laws, effectuate a more equitable distribution of our prosperity, and fill with greater national interests our whole social life. Tell our people anew how we are distinguished from all the peoples of the nations of the earth, the liberty, the prosperity, the independence, the initiative, the individuality, which we enjoy as compared with other nations or peoples. When you have done that you will plant in the hearts of the American people again and anew that which Bolshevism can not uproot.

When this league to enforce peace goes across the country holding its meetings it will not talk much about our history and our traditions and the distinguishing principles which have brought us to our present glory. They will not say much of Washington and his teachings, for these are now ancient and out of place. They will pass by Jefferson, who warned us to stay out of Europe and warned Europe to stay out of the Western Continent. They will generalize about the Monroe doctrine. Instead of those things they will tell you that a new era has come; that we must police Europe; that we must finance Europe. They will plead for an international army, an international navy, an international tribunal. They will preach internationalism, the highest and loudest note sounded at the Poli Theater. They will accept the fundamental principle of Bolshevism, to wit, the compounding of all nations and all races under one international control and thereby the destruction of the national spirit everywhere.

Mr. KELLOGG. I ask the Senator if it is not a fact that every socialist and anarchist from the days of Karl Marx has been an internationalist?

Mr. BORAH. I presume so; and every man who advocates the league to enforce peace is an internationalist. That is the league to enforce peace is an internationalist. That is where it lands. You might just as well say, "I will stop midway after I start over Niagara Falls," as to say, "I will advocate a super State, but I will not accept internationalism."

Mr. President, I speak perhaps with some harshness upon this matter; I am satisfied it will be so interpreted; but I never felt more sincerely in my life than I do upon this subject; we are all disparaging and discouraging the great national spirit which alone will protect us from just such evils as we fear at this hour. There is no other defense, there is no other shield, there is no other protection. Washington knew it; Jefferson knew it; Lincoln knew it; the saints of liberty who have gone before us all knew it; and in this hour of difficulty and turmoil let us get back to the religion of the fathers. Let us preach it like Peter the Hermit, with a tongue of flame. If we do so, we are safe. If we do not do so, you may pass all the laws you choose, you may have your arbitrary power, you may have your repression in the form of prosecution and persecution, but unless there lives in the hearts of the people a deep and abiding national love and a perennial national spirit, unless they are convinced that there is something in the Republic which is worth more than all else, you will never extinguish it by mere force.

Mr. President, when the Russian soldiers went back to their country after the retreat and fall of Napoleon they carried with them the sentiment of freedom and of liberty. They had imbibed it from the French people. They began to hold their meetings and to discuss the subject of more freedom, of a liberal government. The Czar's government began its system of repression. It began its system of extermination, of killing them off. These men who believed in a greater freedom and a freer government held their meetings after the midnight hour in secret and hidden places, had their little printing presses, which they concealed from the public, and when the Czar would capture a number of them and exterminate them, they would spring up tenfold stronger. So it went on for a hundred years, until now we see in Russia the fruits of the repression of a hundred years. You can not destroy the spirit of liberty by repression. You must say to the people and convince them that this Republic is something that is worth all other forms of government. You have got to implant in their minds and hearts again the spirit which has made us great and which alone will keep us great.

Therefore, Mr. President, if you would check Bolshevism and anarchy and I. W. W.-ism, preach the true faith, the only way of salvation. Let us when this Congress adjourns upon the 4th of March, every man in this Chamber, volunteer to go to the rostrum and teach Americanism from every quarter of this Nation and have a revival of faith in our republican institutions, the faith which has through all these years made us invincible and which has excited the emulation and admiration of the whole world.

Mr. HITCHCOCK. Mr. President, there is so much that is splendid in what the Senator from Idaho [Mr. BORAH] has said that I regret more than I can express his disposition to look to the past instead of to the future. I regret to see the great abilities of the Senator from Idaho arrayed in opposition to the international effort now being made to enter into the new era that spreads before a new world.

Mr. President, we are slow in realizing the fact that the old world is dead and that we are in the very midst of the scenes accompanying the birth of a new world. We have seen, as we have studied the history of the past, that the world moves from one age to another. The golden age of Greece passed away; the age of the Roman Empire came, distinguished for its strength, its dominance, and its conquests. When the Roman Empire fell the world entered into the Dark Ages, which lasted for centuries, and were only driven away with the revival of religion and of literature. We saw the world, Mr. President, pass into an age of chivalry, in which it enjoyed a great moral uplift. We saw the feudal ages, with their military power, come and go.

Now, I verily believe that we who were born in one age are going to die in another. A new world has come, and the objections and the arguments which the Senator from Idaho [Mr. BORAH] and others have stated, while valid before the 1st day of August, 1914, are to be swept away as no longer good.

Mr. President, what is the great fact of history which has stood in the way of the longing of human beings for peace? The great fact is that since the dawn of time the world has been cursed with the lust for conquest. Throughout all the ages we have seen great empires ruled by autocratic governments in which a few men had the control of war or peace. We have seen those empires inspired with the supreme thought of conquest. Those imperial ambitions have been the causes of the great wars that have come upon the world and brought with them the horrors which we seek to escape.

Before the 1st day of August, 1914, I might have agreed with the Senator from Idaho that an international effort to put a stop to war was doomed to failure; but I say to him now something has occurred since that time which makes possible the things that were before impossible.

When this war began, of all the great conquering empires that the world had known, with their might and their dream of conquest, only three remained. Great Britain had become a democracy, practically; France had become a republic, on the plan of our own great Republic; Italy had become a constitutional monarchy. The neutral nations were of similar character. Of all the great nations of history dreaming of conquest, three only remained—Russia, with her autocrat and her plan of conquest to the Pacific Ocean and down toward the south; Austria-Hungary, which in our own day had swallowed up Bosnia and Herzegovina, and which was still pressing to the east with her dream of conquest; Germany, which in our own day had seized Schleswig-Holstein from Denmark and Alsace-Lorraine from France, absorbed for more than a quarter of a century with the dream of conquering the world—those three great empires were all that remained of the historic conquering nations of the world. Where are they now, Mr. President? They lie in the dust, dead forever, gone. With their disappearance from the world has disappeared the last lingering obstacle to international peace, perpetuated by an international agreement. So I say to the Senator from Idaho, what could not have been done by an international agreement before this war has now become possible.

Mr. President, shall this great Republic, which has led the way in establishing in the world the right of man to govern himself, hesitate to back its President in the magnificent fight he is now making in France to bring about a new era?

Mr. BORAH. Mr. President, I did not refer to the President's league, for I am not yet informed as to what it is; but I was referring to the league represented by an ex-President.

Mr. HITCHCOCK. Well, that is the unfortunate circumstance, Mr. President. These attacks which are made upon the floor of the Senate and throughout the country, calculated in their result, if not designed in their purpose, to hamper the President by conveying to the Old World the thought that America is opposed to his effort—these attacks are all directed against an imaginary league of nations that is not seriously proposed, except as a straw man to be knocked down.

Mr. President, I can not conceive, and no real friend of the league of nations can conceive, of the possibility that the United States would enter into an agreement the purpose of which is to create a giant international Frankenstein, with army and navy so powerful that it might destroy the United States. I can not conceive that Great Britain or France would ever enter into an agreement for the creation of such a monster, which might destroy one of the nations joining in its creation.

Mr. KNOX. Mr. President——

The PRESIDING OFFICER (Mr. WALSH in the chair). Does the Senator from Nebraska yield to the Senator from Pennsylvania?

Mr. HITCHCOCK. I yield to the Senator from Pennsylvania.

Mr. KNOX. I regret that I can not give to the Senator from Nebraska the exact date of the speech of the President of the United States, but I read from it only this morning the thought that the United States stood for a league of nations that would have back of it the major forces of the world to such an extent that they would outnumber any alliance that any combination of nations could make against them.

Mr. HITCHCOCK. Mr. President, I do not know to what speech of the President the Senator refers, but I am very clear in my own mind that the supreme force which will stand back of the league of nations, which is now being born, will not be an army, it will not be a navy, it will not be military power, but it will be the great moral power of the world. I want to say to the Senator from Idaho [Mr. BORAH] that when great nations like the United States, Great Britain, France, and the other nations that will join in this league enter into a solemn agreement to do a certain thing, it will not require armies and navies to force compliance; in fact, no army or navy could force the United States to do anything; but the power of public opinion in the United States and the power of public opinion throughout the civilized world will be the supreme power, the moral power, which will naturally bring compliance with any agreement duly made.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Washington?

Mr. HITCHCOCK. I yield to the Senator.

Mr. POINDEXTER. I desire to ask the Senator if he believes that there is any issue between himself and anybody else on the question of moral force in the world? Does the Senator know of anybody who is opposed to the exercise of moral force, or does the Senator know of anybody who is opposed to peace brought about by moral force and public opinion?

Mr. HITCHCOCK. Oh, I do not know, Mr. President. What I am here reprehending and condemning is the idea that the President's efforts can be belittled and nullified by attacking something which he is not seeking to bring about.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield further to the Senator from Idaho?

Mr. HITCHCOCK. I yield.

Mr. BORAH. As I understand, before the President left here he announced very plainly to representatives of the league to enforce peace that he was opposed to their proposition. I have not this direct, but almost direct; and I read in the press dispatches after the President arrived in France that he disbelieved in their theory and in the principle upon which their league was organized. Therefore, how can I and those who agree with him in being opposed to that be opposing the President? As I said a moment ago, I do not know what the President's plan for the league is, but I referred to the fact that this league to which I have referred is about to hold its meetings throughout the United States, to begin on the 6th of February. Now, it is certainly not amiss for a Senator, in connection with other meetings which are being held for the purpose of destroying the Republic, to discuss those meetings also. If the press reports are correct, the President has done precisely what I did; that is, he has said that he was opposed to any such principle.

Mr. HITCHCOCK. Mr. President, I am glad to hear the disclaimer of the Senator from Idaho. The trouble is that the speeches which are made in the Senate attacking the league idea are sent out as attacks and criticisms upon the President's efforts and tend to handicap and embarrass him in the struggle he is engaged in. I do not understand that I am compelled in supporting the league of nations to decide to give away any part of the sovereign power of the United States any more than I am when I subscribe to an international treaty which may be made. Yet that surrender of national sovereignty is held up as a bugaboo.

Mr. KNOX. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield again to the Senator from Pennsylvania?

Mr. HITCHCOCK. I yield to the Senator.

Mr. KNOX. Will the Senator from Nebraska be good enough to tell us what the President's league is? Then we may join with the President and the Senator from Nebraska in acclaiming it. The difficulty is we do not know; and if the Senator from Nebraska does know what he is so enthusiastically supporting, will he not take us into his confidence?

Mr. HITCHCOCK. Mr. President, the Senator from Pennsylvania very well knows that he has exactly the same sources of information that I have, and the Senator from Pennsylvania ought to know that, when the time comes that this country is to take a position on the matter, the President will lay before the Senate what he asks the Senate to do. I do not have any idea that the President could have done that before he left the United States and before he came in contact with statesmen from the other countries, but I have not any idea that the President will undertake to commit the United States before he consults the Senate of the United States.

Mr. KNOX. Mr. President, certainly it would not be the position of the Senator from Nebraska that "we do not know what it is, but we are for it." That would hardly be a proper attitude for a body like this to assume.

Mr. HITCHCOCK. Mr. President, I may not know exactly what the league is to be, but I know what it is not to be. It is not to be the monster that Senators on the other side of the aisle are attacking, and they must know it is not to be that sort of a league.

Mr. BORAH. Then, why, pray, does the Senator find fault with us? We are not attacking anything that the Senator stands for; we are not attacking anything that the President stands for, so far as we know; but we are attacking a proposition which a most distinguished member of our own party stands for. Does the Senator object to our family quarrels?

Mr. HITCHCOCK. Mr. President, I have not any very deep interest in what the Senator terms his "family quarrels," but I have a very high respect for ex-President Taft in his effort to bring about a great good to the world. I have withheld my support from what he proposes, but until I have something myself definitely to propose I shall not stand here and denounce him or his plan. He is not in any representative capacity; he has the same right that any other citizen has to propose a plan for the alleviation of the conditions of war. I object to attacks on the Taft plan which are so made as to injure the President's plan by giving the impression abroad of antagonism in the Senate.

Certainly, Mr. President, the evils of war are great enough to warrant a great effort to free the world from them. Certainly this country, which fortunately was only in the war a short time, has learned by sad experience that a world war is a terrible thing. We will be for generations paying the terrible toll which that war has levied upon us, and humanity in Europe will be centuries recovering from the awful disaster. Now, shall we not join in an effort to make a recurrence of such an evil impossible? Shall we stand here and criticize, condemn, and embarrass before we even know the terms of the remedy that is proposed? Is it not better for us to give every encouragement, to extend every help, to the President, who is making that fight in France?

Mr. President, to me it is an inspiring sight—that battle that is going on in France. It is an inspiring sight, because I see a mighty conflict between the old that is passing away and the new that is coming. I see a mighty contest between the sordid materialism represented by the statesmen of the past and the ideal represented by the statesmen of the future. It seems to me appropriate that the United States, which is a Nation of ideals, a Nation of altruism, a Nation which has already become a world benefactor, should take the lead. We helped to create the Cuban Republic. We are even now generously giving a new civilization to the millions of people in the Philippine Archipelago, in the very shadow of Asia. It seems to me that this Nation of ideals, this Nation of an altruistic record, that first proclaimed 140 years ago the Declaration of Independence, is the one to lead. Our forefathers then proclaimed that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; and in order to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed—it seems to me appropriate that this Nation, with this history, should now take the lead in bringing about the new era of the world.

Mr. President, when those principles of the Declaration of Independence were proclaimed one hundred and forty-odd years ago, they no doubt sounded to the Old World like the vagaries of a visionary mind. They probably sounded just as impossible as the league of nations sounds to the statesmen of the Old World and the benighted statesmen of this country. Why, I can imagine that those principles were considered by the people of the Old World as the suggestions of an iridescent dream; and yet those principles, laughed at and scoffed at by the people of the Old World, have become the solid foundation of this Republic, and they are going to become the foundation stones of all the nations in the world as the result of this struggle.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Does the Senator from Nebraska yield to the Senator from Minnesota?

Mr. HITCHCOCK. I yield to the Senator.

Mr. KELLOGG. Will the Senator please explain this fact? He says that we are in favor of a league of nations to maintain peace—I am rather in favor of it myself, as I think the Senator knows—and disarmament, as we see in the morning papers. How does he reconcile that with a request that Congress shall make an unparalleled appropriation, $700,000,000, to increase our Navy away beyond anything we ever dreamed of before? Is that necessary to maintain the peace of the world or the league of nations?

Mr. HITCHCOCK. Mr. President, undoubtedly it will not be necessary if the league of nations becomes a going concern. If the league of nations becomes established, and the great nations of the world follow the example of the United States, and solemnly agree to do those things which will make war impossible, solemnly agree to abstain from conquest, solemnly agree to reduce their armaments, solemnly agree never to have war unless the representatives of the people vote it, solemnly agree to carry out the pledges which they make, undoubtedly wars will cease, and preparations for war will cease, and not only will every country be relieved from the prodigious expenses and the enormous burdens of war, but when a mother looks at the face of her baby boy in the cradle she will not have to think that it may be that the nation will some day seize him and put him in the front to be shot.

Yes, Mr. President, these preparations for war which have been going on, these enormous costs of war which we have encountered, this awful toll of life in war which the other nations have had in a greater degree than we have had, will all become unnecessary in the new era; and I believe, Mr. President—I am sanguine enough to believe—that the world is marching into a new era just as completely as it marched into the age of chivalry. Just as certainly as it emerged from the Dark Ages, so it is emerging now from the dark ages of war into the final period of perpetual peace.

Mr. WALSH. Mr. President, in the discussion of this subject, inquiries have been repeatedly propounded by opponents of the plan of a league of nations, with a perfectly obvious attempt at irony, as to what is the President's plan of a league of nations, what are its provisions, and what are its limitations?

Up to the present time no one has been able to speak authoritatively in answer to inquiries of that character. Some 30 days or more before the President left on his great mission the public press carried the statement that in a few days the President would announce his plan for a league of nations. I hastened to counsel him at that time—I rarely venture upon anything of the kind—not to make any public declaration whatever concerning his plan of a league of nations if he had any. I found it was entirely unnecessary. He had no thought of making any publication at all.

Why, Mr. President, I have not the slightest doubt in the world that with all the opportunities the President of the United States has since had to benefit by the thought of the great minds of the world that have given this great subject their earnest thought and consideration for years, his ideas have been much matured, so that it would have been exceedingly injudicious in him to have given out a plan. It would have been injudicious from any point of view for him to devise a plan and go over to Europe and endeavor to enforce that as the plan that would ultimately be adopted by the organization.

Mr. President, that is not the way the Constitution of the United States was adopted. That is not the way it was framed. When the delegates gathered together for the purpose of devising our fundamental and organic law, the delegates from Virginia, Mr. Madison and Mr. Randolph, brought with them a plan of a union, but they were, I was going to say, so silly as to proclaim from the housetops before they left upon their mission the plan they had in mind for the organization of a union. Mr. Hamilton had a plan for the organization of a union. It was kept a profound secret. Nobody knew anything at all about it until years after the Constitutional Convention had concluded its work. The delegates from New Jersey also had a plan to propose.

Mr. President, no one of these plans was proposed by its originator as a completed scheme of government which he was going to insist upon and urge before the convention as the only plan that would solve the difficulties then confronting the country. He simply brought it along as a working plan, as a basis, as an outline, as indicating in a rude and a crude manner his ideas as to what kind of a constitution the convention should adopt. If the President of the United States took with him to Europe a plan for a league of nations, I am perfectly convinced that it was in that spirit that he did so. I am perfectly convinced that he had an open mind, freely open to suggestions from any quarter, and that is what he is over there for. So I dare say that Senators will have to possess their souls in patience concerning the President's plan for a league of nations.

Why, Mr. President, we are not in the dark—that is, not in complete darkness—concerning how the thing is being operated. Commissions have been appointed from the delegates from the various countries for the purpose of studying the various plans that are proposed, from whatever source they may come; and out of these they are going to draft an outline, and that outline will eventually be submitted to the conference for consideration, and the completed work will undoubtedly emerge from the conference in much the same form that the Constitution of the United States emerged from the Constitutional Convention.

I do not think we shall get any very definite information until that time concerning what the President's views are concerning the details of a league of nations.

SUPERMAN GOVERNMENT AND SELF-GOVERNMENT.

Mr. SHERMAN. Mr. President, I ask unanimous consent to address myself to the pending question; and, preliminary to that, I will try to discover what the question is that is before the Senate, before going any further. Like the Senator from Pennsylvania [Mr. Knox], if I could discover the peace league in some definite form, I would soon be ready to decide whether I would vote for or against it. At the present time it seems to be compounded of moral suasion and coercion by threat, backed by a Navy costing about $1,000,000,000, including the present Navy, which shall be held in terrorem over all the civilized nations of the world. Along with this comes the international conscience, and necessarily connected with that is the question of the freedom of the seas.

What is that? Sea law has been made by the strongest power on the sea. It is made during war and usually not during peace. Just what the sea law will be, connected with the new freedom of the seas, I do not know; but I know what the alleged Metternich of this Vienna conference in Paris believed about it the last time he was heard from. He believed the Navy was to be used for no other purpose than to meet another hostile navy upon the high seas and engage in battle. Under his version of the freedom of the seas there is to be no blockade of the ports of an enemy country; there is to be no capture of merchantmen. A blockade such as Great Britain enforced upon Germany during the last war will be impossible under the freedom of the seas believed in and advocated by Col. House. His utility was recognized in that unfortunate occurrence not long ago where it appears that the report of his death was "greatly exaggerated." I am copying now a quotation from Mark Twain. When his friends once heard that he was no more, and, meeting one of them a short time afterwards, he inquired about the occurrence, Mr. Clemens made the answer that I have quoted.

On January 20, 1919, the London Times published an unfounded report of Col. House's death. It is probably a good thing for us to be able to hear our own obituaries. However, it is not vouchsafed to very many of us so to do. But among others of the great blessings that have fallen upon Col. House in his lifetime was an obituarial appreciation of his services to Germany by the late distinguished Teutonic patriot who resided at this Capital, known as Von Bernstorff. The Tageblatt, of Berlin, under this date (Jan. 20, 1919), published an appreciation of Col. House by ex-Ambassador von Bernstorff when he heard the report, thinking it to be true, that the colonel had passed to his final reward. He said he was personally acquainted with the colonel; that he was the eyes and ears of President Wilson—

and Bernstorff knew through his own experience how well Col. House kept President Wilson informed on the European situation. Even his first trip to Berlin—

Which was in 1915—as I remember it—

was undertaken in the interest of peace, as Bernstorff can testify from a personal conversation with Col. House.

There were two trips, by the way, Mr. President. One, I think, was in 1915, and the other in 1916 or 1917. Continuing:

In the winter of 1916 and 1917, when President Wilson proclaimed his program of peace without victory, Col. House was the President's earnest collaborator. "No more honest pacifist ever existed," says Count von Bernstorff. "He was just the man to fight for Wilson's peace program. He hated war because he considered it contrary to human ideals. He considered the war profiteers a most despicable lot, and never bought any munition stocks.

"He told me repeatedly he had just as energetically protested in London against the British blockade as the U-boat war, and couldn't believe either method would lead to a decision. The result would be nameless hatred, neutralizing all efforts for peace. I, as a German, must admit that House was quite correct in much he said in this respect.

"The war psychosis spoiled many honest people's judgment, but I can't believe that House looked at the peace problem from a different point of view previously. He was too matter-of-fact, too passionless. We may, therefore, assume that he stood for peace, justice, and an international league till the last moment.

"The supreme cause of conciliation among nations loses in House its staunchest champion. I deeply deplore that I did not see this dear friend once more, and that he did not live to see the perfection of his grand ideas."

COL. HOUSE TAKES A DRIVE.

PARIS, *January 20, 1919.*

Col. E. M. House, who was confined to his bed last week, was so improved to-day that he was able to take an automobile drive. He expects to resume his duties in connection with the American peace delegation within a few days.

I will put the whole of this remarkable obituary in my remarks before I close. I note now from Herr von Bernstorff and from other German authorities that all of them favor the 14 points of peace, and favor the freedom of the seas as enunciated by Col. House. So I anticipate that they find in it much that is of advantage to them. That, however, was not the original purpose for which this discussion was precipitated to-day. It grows out of a meeting, I assume, at Poli's Theater, in which certain ideas were advanced somewhat inimical to the peace and good order of the District of Columbia or the United States.

What complaint could be made if they were arrested under the espionage law? A violation of law would be, of course, the charge. I read from an act of March 4, 1913, "an act making appropriations to supply deficiencies in appropriations for the fiscal year 1913 and for prior years, and for other purposes." After providing certain items to cover deficiencies, it contains the paragraph which I have quoted several times:

That hereafter the Executive shall not extend or accept any invitation to participate in any international congress, conference, or like event without first having specific authority of law to do so.

I next read from a proclamation dated December 23, 1918, abrogating, annulling, and rescinding certain regulations prescribing the conduct of alien enemies. The body of it I do not care particularly for, but it concludes:

In witness whereof I have hereunto subscribed my hand and caused the seal of the United States to be affixed.

Done at the city of Paris, in the Republic of France, this 23d day of December, in the year of our Lord one thousand nine hundred and eighteen and of the independence of the United States the one hundred and forty-third.

WOODROW WILSON.

By the President:

FRANK L. POLK,
Acting Secretary of State.

These are two matters of documentary evidence that connect themselves, one prohibiting the President from being at the Paris conference and the other attesting an official document done outside the borders of the United States while the Chief Executive is accepting an invitation or upon his own motion is at a conference in violation of the statute made in 1913.

Bolshevism is nothing but organized crime. Without that organization it is mere sporadic offenses without connected purpose, but when all of them are acting in concert, pursuing a common end, it becomes no longer a mere private conspiracy susceptible of indictment, but it becomes a movement against the organized powers of stable government. It becomes, in other words, a question whether civilized society can survive or whether that of Bolshevism can be substituted. Therefore, in the substance of it, it is lawlessness as opposed to the orderly processes through which organized government exercises its powers.

The United States Government is no longer, Mr. President, a Republic of self-governed people. It is the rule now of the alleged superman at the head of group or class aggregations seeking their own advantage. Neither is it a Government of law. It is the rule of some men, selfish, ambitious, greedy, impractical, and dreaming. Some chase phantoms in the boundless realm of idealism. Others build a class despotism founded on spoliation. Again, another group, similar to the one at the theater, possibly, shout revolution and pillage unrebuked in public places. The preacher of discontent demands an enforced equality of property and income, ignoring the individual differences in thrift, industry, and ability. All reach the same result. Pulling down the successful from the higher level of achievement to the beaten plane of mediocrity is hailed as progress. To have succeeded in private pursuit is become a badge of infamy and the target of every blatant defamer the Government can discover and drag from obscurity into public office. To have failed is an emblem of distinction and fitness of itself, dispensing with further examination in this civil service of incompetency and lawlessness.

Free institutions are to be developed by degrading everybody to the condition of the improvident and ignorant. Confiscation and bankruptcy are to be made the reward of merit. Self-indulgence and instant enjoyment are asserted to be the right of all. Earning, saving, deserving, and wisely investing are denounced as archaic folly. The old New England virtues are behind the times. Sudden wealth and the supposed easy life and lavish expenditure of great affluence are the aim. The ostentation of vulgar and sometime ill-gotten wealth emphasizes the desire. Few of the mad throng covetous of ease and plenty stop to learn that most fortunes are the result of ability and hard work. They jeer at one and will not practice the other. At middle or old age every able-bodied failure likes to be told by some statesman that he is a victim of society's injustice instead of his own disobedience of those immutable economic laws that lie at the base of individual or national success. He is ready to vote himself a noncontributory old-age pension and tax the frugal and industrious to quarter himself on the productive and saving energies of the country. It is that element that joins with Bolshevism to reach a common goal. Names change, but principles endure. This reprehensible trait of the human species is as old as history. Standards of living are glibly invoked to justify unrestrained desire.

We are told the world will never be what it once was. In what particular will it be changed? Will human nature change? Are we to be exempted from the laws that surrounded our ancestors? Hardly. Standards of living may change, but the methods of securing the wealth or means to meet those standards will never change. The insatiable desire for an automobile, silk underwear, and Perfecto cigars by those of adequate tastes and inadequate incomes is assumed to be guaranteed by the Bill of Rights. In metropolitan centers other friends of humanity in guttural accents demand free beer or blood. Ease and luxury are become included in the pursuit of happiness mentioned in the Declaration of Independence. Fewer automobiles and more use of human legs would add to our national thrift and toughen our muscles for the next war.

Our country hovers on the borderland between peace and war. Some of our soldiers fight in the far north of Russia under the Arctic Circle and others shovel coal and do day labor in French camps across the sea.

Why our soldiers are in Russia, I hope, will be discussed in due time on this floor. I have an opinion of my own upon that subject which I shall submit seasonably. While they risk their lives and endure hardships in alien lands our President spends nine weeks in ceremony, banquets, and visitings with kings, the powerful of the earth, in endless stately palaver. It is the old story of magnificence and misery, of splendor and suffering, of selfishness and sacrifice. While he coins new phrases and chases infinite abstractions into the empyrean heights of impossible human yearnings, the American Nation drifts. We drift in Russia. We drift in Mexico. We drift on the brink of war and peace. We drift on industrial reconstruction. We drift on domestic policies and internal peace. The only definite goal visible is profligate expenditure and huge taxes. The only voice in the dismal wilderness is an appeal from time to time to the mob to complete the ruin misgovernment has already begun.

The entire system of collecting revenue is not an apportionment among all, each paying much or little according to his means. It is avowed imposition of all taxes upon an arbitrary classification between great wealth and small wealth. The distinction once made, we have committed ourselves to the flood of Bolshevism. Bolshevism is no new name, neither is it a new principle. It is an organization to take what others have without earning it and without due process of law. It may run in longer cycles here, but its end is inevitable at last. When great wealth is all taken, small wealth must finally be resorted to. It turns on itself, and only a Napoleon can preserve the remnants. The superman always succeeds the proletariat. There is no difference between the despotism of a king and the despotism of a mob. First the commune and then the dictator. Only the orderly processes of government by law build the impassable barriers between private right and injustice, confiscation, and violence.

The President has long appealed to groups and classes to govern the country. He is Chief Magistrate and superman by virtue of a usurping minority. He runs true to form by developing the plan to which he owes his election. Nothing but the grossest of egotism took him to the peace conference, where no executive of any other civilized power sits. He can not resist the lure of the limelight. The groups to which he panders applaud and the average man looks on in silent but undisguised disgust.

Group government eventually extinguishes the middle group or class. It destroys the State governments and all their reserved powers. It concentrates that power in a centralized Capital, and the States become mere provinces. It is the propelling power back of all Government-ownership schemes. Subconsciously the employee shouting for political ownership feels he and his group will dictate the terms of their own service. The employment service supported by taxes is thereby degenerated into a perverted instrument to unionize every employee in the United States. Scarcely one can work for the United States now in any skilled manual labor unless he belongs to a union. This condition is created by appointees of this administration paid out of public taxes. This is the first net result of group rule.

To remain safe at home we must turn from the distribution of wealth to its production. The first imperative duty of the Government is to take its restraining hands off private enterprise. No superman is equal to managing the country's business. It is the task of all. American initiative is dormant. It will spring to renewed life if the paralyzing menace of Government seizure or interference is removed. Banish the alien scheme to make Government here the support of everybody. Return it to the only true purpose of any free Government—to regulate and protect everybody while he is supporting himself. The unfortunate only in such a plan may be supported at the common expense. The idler and the spendthrift, the profligate and vicious are not a constituency for such a free Government. They breed out of proportion in cities. The sharp contrast between destitution and wealth, utter want and affluence, presents them as a gulf of misery reaching out from the great sea of population. They are ever the dark border of the genuine suffering and misfortune the kindly but discriminating hand of charity must distinguish and separate.

When the Uriah Heeps of politics, the Pecksniffs of a sensational press, the Dick Swivelers of business, and the Jack Cades of economics raise their hue and cry; when Tartuffe and Mephistopheles, Falstaff and Prof. Stiggins, when the demagogues and blackmailers, the obsequious pilgarlicks who wriggle in spoils and the vermin that thrive in the fetid sewers of municipal vice and miscule, the ex-convicts and the crack-brained poets, the I. W. W.'s, and the hairy visionaries in sociology, when the petticoated adventuress from foreign parts and the cocksure American armed with nostrums and panaceas for every public ill taking his first dip in politics, all cast their eyes to bolshevism and civil commotion; when this variegated and ungodly herd begin to cream and mantle like a standing pool, to prate of what society owes them, and belch their corrosive influence upon public opinion, then is no time to claim their

methods and creed are based on injustice and their tumult can be stilled by yielding to their clamor. When the priests of Baal and the false prophets of evil fill the land with the bray of their trumpets is the time for Senators to steer by the compass and not by the wind if we be safe pilots for the craft committed to our care.

I believe and charge that the Government now keeps its heavy hand on private enterprise to discourage and deaden its efforts. No person of sense or prudence will venture far under present uncertain conditions. When the Government has acted the dog in the manger a while the charge will be made, is made now, that private ownership has failed and the Government must undertake it all. Take off the restraints, repeal all war legislation affecting industry and agriculture, curtail expenditures, reduce taxes, protect our own markets, and a resurrection of peaceful prosperity will follow. The Government has fallen into the habit of taking things that do not belong to it. Like the habit in private life the lawful owners do not grow accustomed to it. What encouragement is there now to develop and build, to give of the best in our race? When one succeeds and his enterprise he watched and wrought by toil and unceasing care is raised to solvency and stalwart size the Government seizes it, its owners are ejected from their offices, their desks are rifled, their effects taken away by an official martinet, and the owners are strangers on their own premises and compelled to turn to new occupations for employment. Such are war powers abused for Government ownership purposes in peace.

Years ago in a country village a fluent wayfarer with a hypnotic eye and a prominent nose frescoed otherwise than in water colors gave a free lecture on the thousand natural ills that flesh is heir to. With other rural youths I was spellbound by this good Samaritan who tarried a brief season with us. He possessed remedies for every disease known to the medical fraternity and many they never heard of. He exhausted the pharmacopoeia with his compounds and the healing art lay bankrupt before him. A roomy vehicle provided a platform from which he discoursed to the multitude. It conveyed him and his elixirs about the country so suffering humanity might hear him and be cured. A sleek span of gaily caparisoned horses delighted the eye and promoted confidence in this philanthropist. The scene was illuminated by a generous torchlight which brought out in light and shade the tree-filled little park and the eager faces of the perishing invalids who hung upon his words.

With facile tongue and a copious medical jargon he sketched an astonishing variety of human ailments. Their symptoms were so graphically portrayed that many hardy rustics who consumed vast quantities of pork and beans and innumerable pies daily instantly felt a dreadful malady gnawing their vitals. Unless this friend of the smitten multitudes relieved them a premature grave yawned for their disease-riddled frames. Fortunately before we all expired on the spot he produced from the inner recesses of his wagon marvelous potions and unctions that would snatch us from the jaws of death. A fervent sigh of relief went up and the mortality average was kept at normal figures. The medicines were all sold at cost; profiteering was scorned. Everybody bought something and the same brand had the convenient virtue of curing many fatal diseases. To convince the skeptical, free trial doses were dispensed. Some of the people always have abnormal yearnings for anything free. Throat spraying, nasal douches, and physic were administered lavishly with amazing results. The few scoffers who ornamented the fringe of the crowd became interested and abated their ribald comments. The next morning the son of Esculapius and his blooming nasal organ had hied him away to fresh fields awaiting the exercise of his talents. Several notices in the county seat newspaper referred to the departed Samaritan as a faker. It was intimated his medicines were compounded of camphor, chalk, senna, squills, and rain water. A profit of several thousand per cent rewarded the genius who knew how to assemble the material. From that day I have doubted any nostrum or person that cures everything, whether of the human body or the body politic.

A universal genius claiming to be without limitations on his accomplishments or knowledge in public or private station challenges analysis. Henry Ford says he has mastered mechanics in earth, air, and water. The sources of motive power are all known to him as are metal, chemistry, motion pictures, tractors, agriculture, patent law, finance, transportation, including car building, Pullmans, locomotives, iron and steel making, tracks, grades, bridges, and equipment. He has solved every problem in philanthropy, applied charity, and government. He can produce the best hospital and so reform society and the laws of nature it will have no patients but the victims of others' accidents and a few disabled by old age. Sociology is to be handled like his manufacturing scheme. The more ignorant a person the better. Educate the machine instead of the human being. How simple! Put the animated blockhead before a cultured machine, give him high wages, short hours, food, and clothing for almost nothing, good roads, an automobile costing $23, and turn him loose to uplift society and perpetuate the human species. Henry's idea of civilization is for everybody to have an easy time, enjoy all he wants, and be happy. Self-denial is all a mistake. The human mind is negligible; the pocket and the stomach dominate in his plan. This simple formula will eradicate avarice, vice, and crime, and make everyone healthy, sufficiently wealthy, and wise enough to run one of his educated machines. Of course this will end all wars. The Turks will quit killing the Armenians directly they hear of it. The Russian Bolsheviki will be so fascinated they will emigrate to Detroit if Ford does not build a plant full of educated machines in Petrograd. Lenine and Trotzky now slay all the bourgeoise having any sense; they may tolerate a cultivated machine because it will not issue a proclamation. The I. W. W. will drop their desire to commit sabotage on a machine that will do their work without effort on their part. The German will lose his arrogance and ambition and be content to sit meekly at Henry's feet and learn how to be happy with a 20-acre peach orchard paid for out of a rural credit farm mortgage that never falls due.

The laws graven on tables of stone and delivered by Jehovah to an ancient race on the cloud-wrapped summit of Sinai have not accomplished so much in 3,500 years. The gentle spirit incarnated in the Nazarene carpenter's son, his Sermon on the Mount, his matchless code of human morals, the labors of his inspired apostles, crowned by the divine tragedy of the Redeemer exemplified in the sublime shadow of the crucifixion have not wrought out for mankind in 20 centuries what this singular megalomaniac proposed to do by being elected United States Senator. When an automobile builder calmly tells the world he will perform on its peoples what elemental forces, human and divine, have not been able to produce in 6,000 years, may it not at least provoke a mild spirit of incredulity?

This astonishing creature has a contempt for history. It teaches nothing, he says. It teaches him nothing is the meaning. He must ignore history to secure credibility for his prospective achievements. One whose actual success is confined to producing a serviceable low-priced automobile in an age prolific of similar mechanical devices strains human credulity by his prospectus of reforms. His grasp of public affairs is measured by his peace-ark voyage to command peace by the mere majesty of his presence and the exemption of his son Edsel from military service when many thousands of the best of our race were voluntarily offering their lives for the country Ford slandered before the war. An alienist would say such a man's orientation is bad and no more fit to sit in this Senate than the son was willing to go into the Army.

Ford is not the first who, because he can do one thing successfully, thinks he can succeed in everything. He has seen his factory grow and wealth result. A large pay roll obeys his nod. Megalomania is not confined to monarchs. Smaller fry catch it. Because in office and great factories he dominates, he labors under the hallucination the public will follow him like the Pied Piper of Hamelin. Ford's peace-ark pilgrimage grew out of his basic inability to understand the difference between his Detroit office and the capitals of Europe. When such a man adventures in politics, unless he promptly learns the difference between his business subordinates and the voting public, his obsession amuses everybody but himself. In his business orders are orders and nobody talks back. In politics nobody takes orders and millions talk back. Of course Henry Ford is beginning to feel dazed. At the outset he would not make a single speech, even if he were beaten, and he was. Now he is vocal with cries of corruption, and every one of his vehicles protests in coughs of gasoline against the deep damnation of his taking off.

The PRESIDING OFFICER (Mr. LEWIS in the chair). The Chair will have to tell the occupants of the galleries that the Senate has a rule which opposes manifestations on the part of the galleries. The Chair, in common with the Senate, trusts the occupants of the galleries may enjoy their visit; but he is compelled to call their attention to the fact that the proceedings of the Senate may not be disturbed by demonstrations. The Senator from Illinois will proceed.

Mr. SHERMAN. Mr. Ford even proposes to found a newspaper to destroy an unfriendly press. Now, a contest is under way to enable him to annex the United States Senate to his jitney works. This effort to reform the Senate would not have been started if the President had not asked him to, he gravely

states in an article under his name in a well-known magazine. It at least has become a classic in the art of egotism. I had as well give this excellent magazine the credit which is due to its efforts. It is known as the World's Work, and its light ought not to be hidden under a bushel. It contains two most remarkable articles, one by a magazine writer and another by Mr. Ford himself. It is the rule of the superman running through the entire article. He makes an important discovery, which ought to be cabled to Paris, if it has not already been noted by that vigilant guardian of international rights, Col. House. All wars, he discovers, are caused by misunderstanding. Maeterlinck before the war wrote, "Hell is a place of infinite misunderstanding." Gen. Sherman remarked war is the same kind of place. Things which are equal to the same thing are equal to each other. Ergo, argues Henry, misunderstanding is hell, hence war is misunderstanding. The Belgian outrages and the *Lusitania's* piratical murders were misunderstandings. President Wilson soothed us nobly, encouraging everyone to be calm and neutral in word and act. This was another misunderstanding, for some of us thought if American women and children were to be murdered by German submarine pirates while our President sang the requiem, "Keep cool," they ought to stay at home. If the United States Government refused to protect American citizens' lives on the sea, remain within our own borders and be safe, instead of going upon the sea and losing their lives, unprotected and unavenged. Representative McLEMORE and others misunderstood. Our people were killed for two years contrary to the international law obeyed by all civilized powers. Every murder called out a President's note to Germany and a lullaby to us to be tranquil. The summit of misunderstanding was scaled in warning the allies there must be peace without victory. During this time Henry Ford was spending his money to close our markets to Great Britain and France, denouncing American munition manufacturers as avaricious brutes and crying out against preparedness while prepared Germany struck at unprepared Europe. Ford even tried to deprive the sorely beleaguered allies of supplies in our markets and shrieked the war was waged by capitalists for bloody gains. Take the profit out of war and it ends, he argued. Because people make money out of war, war occurs. The senior Senator from Mississippi will now exalt Ford into fit material to be Senator from Michigan, while he demanded that the senior Senator from Wisconsin [Mr. LA FOLLETTE] be expelled from the Senate for offending much less. Another misunderstanding!

Mr. Ford remarks:

> People could not be made to hate each other if there were absolute freedom of intercourse between them, if they were not lied to by those with selfish interests to serve. There are no real differences except those caused by environment and opportunity between the people of America and the people of the rest of the world.

I have given this some thought, Mr. President—a most remarkable statement. It leads me to this conclusion: A Bedouin Arab would make a perfectly good mayor of New York City if his environment and opportunity were the same as a zealous adherent of Tammany. Whereas if a blonde Chicago alderman were transplanted to the desert, given a camel and a bag of figs, he would become a brunette chief, recite the Koran, and practice polygamy. Race, ancestry, religion are negligible. Ford avows he cares nothing for any of them. Edmund Burke was likely right in saying one who does not care for his ancestry will not care for his posterity, with the single exception I have already noted. History is the philosophy of life teaching by example. This gas-engine savant despises its lessons or limitations. He will abolish history by doing it some other way.

When he became a candidate by Executive order, the President neglected to specify what primary ticket he must run on so he took no chances in interpreting the order and ran on all of them. None of the parties wanted him, so in the shuffle he naturally fell into the bosom of the Michigan Democracy. It is in Michigan the residuary legatee of every Ishmaelite anyhow, and so it drew Henry to an indifferent hand and tried to look happy. The whole theory of government he teaches is turn it over to a superman who knows everything. When he dies or quits the Bolshevists divide what is left and riot until another superman comes along. At any rate, the President wanted him to be Senator and he believed the people of Michigan were eager to give the President anything he wanted.

Somewhere there was another misunderstanding. It was agreed, and Mr. Ford loudly proclaimed last fall, there was no partisanship in this contest. Party shibboleths—and I have it from this same article—during the war were extinct except among professional politicians, and for them Henry expressed a profound contempt. He had absolutely no sense of limitation on his own power in politics to do whatever pleased him. This self-sufficiency commended him to the President, who insists on having men about him who can do anything even in defiance of the laws of nature and of common sense. So he entered the campaign scorning politics and breathing lofty aspirations. He would not, he says in this article, walk across the street or spend a dollar, neither would he make a speech to be nominated or elected. Away he went aboard a nonpartisan *Oskar II*, voyaging the autumn seas toward the November election. Trustful soul destined to a rude awakening amid a tempest that drove him a hapless wreck to defeat! The President, like Ford himself, knows no limitation in politics. He therefore issued his proclamation in October, 1918, calling on the American people to elect none but Democrats. This deranged Henry's nonpartisan plan of navigation and he sank under an adverse majority before the Michigan Democratic central committee could revise his sailing orders. Another misunderstanding!

In 1916 Ford spent money fighting preparedness. His paid whole-page advertisements in newspapers are preserved in my files. Those newspaper advertisements said the Kaiser's criminal ambition did not cause the war. It was the avarice of the munition manufacturers. Preparedness in our country was bred by their greed and they were traffickers in American blood. Mr. Mooney, in California, accepted this view. More practical than Ford on public measures, he or his sympathizers concluded to murder those who favored it. Two souls with but a single thought! Mooney and Ford's hearts beat as one in those days. The query naturally arises, Do these kindred thoughts have any relation to the President's persistent meddling with the Mooney case in California through the Board of Mediation, through the head of the Employment Bureau, Mr. Densmore, and through other Federal officials who have gone into California, some of whom could not now go inside the State for fear of being arrested by the State authorities? Mooney practiced what Ford preached. Be careful what you practice, but say what you believe. There are many who will not say what they believe in the Senate Chamber because they must be elected. That is the curse of American politics that some think more of their seats than they do of their convictions. How much Ford's crusade paralyzed preparedness can not be measured. We heard its echoes when Haig fought with his back to the wall. Within the limits of his power and money Ford sent us into the war with Germany with no soldiers, no transports, no guns, and no airplanes.

That was the necessary effect of the crusade, and he meant it to be so. How many American graves he filled can never be told. Mooney with his accomplices sent 10 American citizens to their California graves and 40 wounded to the hospital as his protest against preparedness. It must have seemed a ghastly inconsistency to the President to hang Mooney and send Ford to the United States Senate. He had granted Ford absolution for his sins as part of a political plot to carry Michigan. Therefore he bestirred himself to save Ford's wretched dupe from the hangman's noose. So he meddled and sent his agents to balk or intimidate the administration of justice in the State courts of California. The whole scheme was concealed by disguising it as a labor agitation. It was in its inception and in its original propelling power a political scheme. If union labor should make it a political issue, so much the better for the authors of this plan.

In the twinkling of an eye Ford emerged from a pacifist to a warrior for the liberation of mankind. He beat even the President and broke the record for speed in changing coats. The President ran for reelection as a pacifist. His campaign posters shouted from every billboard the same maudlin drivel as Ford's advertisements. They were louder and even more numerous. The President did not really grow scared about it until after he was reelected. Ford did not start out to free the whole human race until the President asked him to. Humanity would have remained in bondage indefinitely if Henry had waited to liberate the world on his own motion. The next morning after the metamorphosis he entered the fray armed cap-a-pie with Government contracts for costs plus 10 per cent and the battle to liberate mankind opened around the world. Sir Galahad had arrived. I wish a modern Cervantes were now on earth, that he might trace the genesis, the exodus, the evolution, and the exit of this great Don Quixote of humanity.

The President told us to be neutral in 1914 and 1915, while Ford cried out against preparedness and demanded an embargo on war munitions and food, closing thereby our markets to the allies. Belgium was invaded, and the treaty signed by Germany guaranteeing her safety became a scrap of paper. Aircraft dropped shells upon hospitals, schools, and private homes. Noncombatant sick and aged men, women, and children were barbarously killed and mutilated. Whole civilian populations were deported in violation of the laws of civilized warfare and subjected to unspeakable outrage. Belgium, eastern France, and

Serbia were desolated by a brutal soldiery. War, harsh as at best it is, became indescribable savagery by the deliberately planned frightfulness of Germany and the resulting pillage and murder. The invader's heel crushed the innocent and the helpless with unparalleled ferocity. The slaughter of Armenians was renewed by Turkey, the Asiatic ally of Germany. The *Lusitania* went down with over 100 Americans. Many of our own merchant ships were sunk with all on board. Germany avowed her purpose of waging a piratical submarine war on every sea. During the entire chapter of provocation those in this Capital in whose hands rested peace and war looked on with stolid unconcern from August 3, 1914, to February, 1917. Every repeated outrage evoked another note. The President repeatedly entreated us to be calm, tranquil, cool, and neutral in word and act. He suggested then that we were "too proud to fight." An Executive message addressed to the Congress, but evidently intended for the allies, admonished that there must be peace without victory. How strange this sounded to the English and French, to the Belgian on the brink of destruction, to smitten Serbia, wasted by overwhelming force. If after their sacrifice and suffering no victory crowned their struggle, the god of battles seemed indifferent to justice. Nothing, however, could awake the President and his advisers. No moral indignation was aroused by the outrages.

Suddenly Germany, in the insolence of her power, declared she proposed to drive American commerce from the seas. All of us could either stay at home within our own shores or fight. The few who had heretofore ventured abroad and been destroyed provoked no defense by their Government. Now Germany ordered the United States flag to leave the oceans of the world. There was no escape. We knew that we must either fight Germany alone to save ourselves or join with the allies to save all of us.

I believe the United States soldier and sailor of this war has served with as fine a spirit of self-sacrifice as any known in history. His endurance and his heroism are a lasting memorial of our country. He fought to make safe the free governments of the world, and I believe he has done so. To him let the unselfish purpose and unsullied motive be given. He rose to the high level of the mighty crisis. In him lived again the soul of the Revolution, of John Paul Jones, of Lawrence, and of Perry. In him blazed the spirit that rose triumphant at Yorktown and Saratoga and walked on the bloody slopes of Gettysburg.

It makes me somewhat skeptical of motives to hear so much among civil officers of making the world safe for democracy. Why prate constantly of our lofty ideals in official life? We never reached that exalted level of altruism or adamantine resolution to relieve suffering humanity until our own national life was threatened. A strict regard for historical accuracy requires the truth now to be told. In the pantheon of nations we can not merely pose when posterity returns its solemn verdict of future years. Let those who guided the executive powers and resolved on our foreign relations cease their humanitarian platitudes. They deceive nobody. The taciturn Englishman smiles and goes on; the happy, impulsive Frenchman bows politely and admits that our ideals were high, but is not deceived. It is well enough for us to prate, but these people know, and the world knows, too, the difference between lofty aspirations to liberate mankind and the prudent dictates of self-defense.

To return to the theme: Ford discovered another way to end war permanently is to give everyone in the world a chance to get what he wants at a price he can afford to pay. "We all want things for ourselves, and we want to get them with as little trouble as possible. I am for that. I think it should be made as easy as possible for people to get what they want." The Creator blundered in the universal plan. The noble metals are valuable because it is not easy to find and separate them from base alloys. If they were common as pewter, they would command the same price. An orchard apple is a cultivated fruit. Only constant effort keeps it from reverting to the aboriginal seedling type.

Beef and dairy cattle now represent several hundred years of painstaking development. Milk, butter fat, and meat are substituted for horns, legs, and skeleton. Left to themselves they return to the primitive ruminant, chased up and down the earth by changing seasons and famine. A packing house would become a button factory and a stock farm a wilderness. Mr. Ford's system turns humanity and its possessions back to seedlings and crab-apple bovines. I have strong suspicions that Henry himself is a seedling. Both of these I have enumerated are the easiest to raise and the hardest to live on. The climate easiest to live in, where clothes and shelter are negligible factors, and food is had in abundance by lying under a tree and waiting for it to fall on the tropical Micawbers, never produced a race noticed by the history Ford ignores. They mostly interest naturalists, inhabit museums, and serve as examples of the finished product of Mr. Ford's idea of making everything we need easy to get. His scheme spells decay. The other puts fiber and mentality into the body and mind.

The historical truth is that the story of human progress is written in the difficulties overcome. Ease, luxury, sloth are the familiar steps of the downward way. The urgent text now is simpler living, saving and investment, building a surplus for the dependent, and the inevitable rainy day. This is old-fashioned, and still no nation can live and ignore it. The dominant characters of every generation are not the men to whom things came easy. They fought with adverse circumstances and conquered the tolls that fortune cast around them. The idle beneficiaries of inherited, putrescent wealth prove nothing. Tax such accumulations if need be. They never must be made the argument to attempt to avoid the changeless laws that govern individual energy and its achievements.

If there were no profits, there would be no wars and an everlasting peace would brood over a sinless world. We were constantly killing each other for money, we learn from Mr. Ford. The shades of Attila, Martel, and Gustavus Adolphus can almost be heard across the Styx while listening to the voice from Detroit. Some of them thought religious difficulties kept them busy while here. The historians made a mistake. The Thirty Years' War was not fought because of religion, but because somebody was trying to rob another of his gold. The histories must be revised to correspond with this gentleman's idea of the basic facts that animate the human race. The lust of dominion made the Napoleonic wars and the late Kaiser's. Unconsciously Ford exposes himself pitifully by insisting that nations and individuals slay each other only for gold. He reduces everything to a footpad basis. Give up your money and save your life. Hand every one plenty, with easy or no effort to acquire it, and crime and all evil vanish from the earth. On this argument there ought to be more crime among the poor than among the affluent. Still, facts refute it.

In this same article, Mr. President, while I am speaking of the superman and his Government, comes a new evangel of real estate. Everybody must have a chance to own a piece of land. No one shall have more than he can work himself, or can cultivate to the limit of profitable productiveness. The single-taxer said as much long ago, only he wants the Government to take all land, farmers' and all, and lease back only as much as the tenant can till or occupy himself. He won't be allowed to hire anybody. That's wage slavery raising its hateful head. It gets everyone back to the man with the hoe. That is progress. It is with poets, but it is not with anybody that has to feed his family or help feed the world. We become a Nation of garden-patch owners, unless the Fordson tractor rescues us. In the magazine article referred to he advertises his automobile and tractor more than the redemption of mankind. He claims to make both for humanity's sake only, and 20 per cent to 200 per cent dividends, and $150,000 annual salary to his 24-year-old son Edsel. What exemplary philanthropists are they!

The back-to-the-farm movement is solved. Buy a Ford, live in the city, and motor out to your piece of land, having previously bought one of his tractors. He will soon perfect one that will run itself. While it is doing the spring breaking the farmer can be reading one of Ford's essays on how to live without work. The salvation of agriculture depends on buying one of Ford's machines. All roads end in that. Last year he tried surreptitiously to draft the governors and agricultural departments of some of the principal States into indorsing and advertising, free, his tractor. They caught him at it and repudiated him. The schemes Henry hatches for publicity without paying for it shame the fertile expedients of the theatrical world, except that he never loses anything, not even stage money. He has done everything except lose his diamonds and fall off the pier.

About the same time that it became bruited about that he would become a candidate for Senator, by Executive order, he thought it well for the Government to boost his tractor. Competitors were crowding, so Secretary of Agriculture Houston volunteered. Houston is another one of the most capable men the President ever knew. He knows all about everything that grows out of the earth, having been raised in Texas under the tutelage of Burleson, who got his start in cotton raised by convict labor. These other friends of humanity were instinctively recognized by Ford when he wanted more free advertising. The Department of Agriculture, presided over by Secretary Houston, sent a tractor expert to Dearborn, Mich., to report on Ford's tractor. This was for the benefit of farmers, and was done at public expense. It was a scheme to enable

them to know what the superman could do if he were given a chance. Henry was delighted. An advertising boom, gratis, would convey to an oppressed public a precious boom, with 200 per cent dividends hid away from vulgar eyes. The report was made and suppressed. It has never seen the official daylight from the time it was lodged in the Department of Agriculture. The farmers who have bought and are still buying it have never had the benefit of this investigation at public expense; and Henry's advertising scheme, like his Eagle submarine chasers, did not arrive as expected. His mechanical experts, to say nothing of the report in detail, a copy of which is available, have either passed off some blue sky on him or he has appropriated it on his motion.

All terrestrial things are reduced to a Ford car as common denominator. Such good material is put into it, it is the lightest and most durable car made; and so doth Henry say. Modesty unspeakable, defying the analysis of moral philosophy!

Apply the same principle, remarks he, to railroads. Cars and engines must be built lighter. I hope, now, I would have no such unique idea myself. Far be it from me to masquerade in any stolen plumes. Freight cars weigh too much and passenger cars weigh more than the people whom they carry.

A Pullman sleeper, he observes, weighs 150,000 pounds. Its full passenger weight carried would not exceed 10,000 pounds. A terrific waste of power in hauling weight of equipment, it strikes him. Lighten the car, burn less coal, lighter rails, less expensive roadbed, trestles, and bridges. Trains could run faster if they weighed less. This is all so while they stay on the track. A Ford car is light, and can make speed. Every time, though, it runs over a goose or a bulldog it upsets and finishes up with a coroner and the obituary of the deceased. Henry's cuff-button freight and passenger cars, built on his scheme, would jump the track on every curve. The porter would have little trouble waking passengers in the light sleeping car he proposes, particularly if they were roosting in an upper. Slumber would be impossible. There is not an expert railway man in the country who would not regard Ford's scheme as wholesale manslaughter.

Another way of cheapening freight is by water transportation. He has tackled that, and here, we learn, he will build barges and carry freight at impossible figures on canals and rivers. Just as soon as he gets his Eagle boats done he will turn his shipyard to barge building. It is hoped the barges will be produced faster and leak less than the Eagle boats; otherwise no relief from freight congestion is in sight. There is a remote hint he drops—he does not develop it, but he suggests—that he intends to build an airplane that will carry hay and live stock at incredible speed for almost nothing. Earth, air, and water thus yield him dominion. It behooves us, however, to choose our nurse and surgeon in advance. With his autos upsetting everywhere, his Fordson tractors bucking over backward and killing farmers, his marine craft taking in water like a sieve, his airplanes are apt to turn somersaults and spill passengers and freight out of the sky, to the damage of peaceable inhabitants below.

President Wilson says bolshevism in Russia can be stopped only by feeding the murderous ruffians who plan to prey on the industry of the world. That is the reason why the newspaper is published referred to by the Senator from Minnesota [Mr. KELLOGG]. That is why the magazine to which I referred some days ago, the Liberator, which is a cry for blood, is published, unscathed, passing through the mails. That is why such meetings were held as were held on last Sunday in Washington, calling together the disorderly from everywhere, and presenting to them the plan of revolution and division. The President says they can be stopped by feeding. Here, again, is another misunderstanding. Ford, in the article, says that he can cure a Bolshevist by moving pictures. He proposes to show, in a moving picture, a Ford car doing a tail spin through a village, with a constable possessed of fierce whiskers in pursuit.

The Bolshevists will recognize the whiskers as the tie that binds, and harmonious relations will result. Another scene will portray his tractor with gang plows turning furrows 26 inches deep, while numerous proletariat refresh themselves from lunch baskets visible in great abundance. The well-filled baskets will attract more attention than Henry's marvelous device. Next to murdering, eating is the chief occupation of Trotzky's constituents.

As a good imitation of Dante's Inferno on earth, Mexico claims priority over even Russia. Our course with that power has been vacillating and a continuous humiliation. Ford sent Carranza a Fordson tractor last fall and word by the delegation of Mexican editors that he would at once spend at least a million dollars on a tractor plant there and in educating the natives in its use. By so developing their resources, he states, if a sufficient number of the people can be established as small farmers on their own land and industries established to give employment to the rest, it will end Mexico's troubles forever.

It will end the troubles in any country in the world if you can give everybody a small piece of land, induce him to move on it and raise his sustenance from it, and put to work those that will not till the soil by establishing factories, so that there will not be an I. W. W. in all the land, or a Bolshevist, and everybody self-supporting and happy, and the head of his own family. If you can produce that ideal condition that has not existed from the days of the patriarchs, when they pitched their tents and kept their flocks in far-distant Asia, you have cured everybody's evils in this world.

Henry, unfortunately, knows not either the Mexican statesman or the native. One at present has a talent for confiscating property, and the other for doing things to-morrow. The only things on time there are revolutions. A land where a majority cease effort when they own a pint of beans and enough tortillas to come out even will be indifferent to the lure of Ford's minimum wages of $6 a day gold. It would be such affluence that the native would retire from industrial pursuits at the end of the first week, pension off his family, buy a lottery ticket and a fighting cock, and spend the rest of his life in voluptuous ease. Pulque is cheap. Our prohibition friends, including many of my associates, do not know the difficulty in carrying prohibition into foreign parts. Anybody in that country can start his own brewery by cutting the pulpy heart out of a maguey plant and waiting for the juice to run into the cavity. Nature does the rest. All you have to do is to drink it.

Everything comes there as easy as Ford says it will here when he has sold us his tractor, a car, and given us a piece of somebody else's land. Mexico is the endless land of easy indifference, with no care for to-day or thought of to-morrow, except as the only proper time to keep a promise. If Ford is right that a man's environments determine his character, he will not do much with the Mexican. This trustful and ambitious descendant of the Aztec is happy the way it is. He is like a bad trust—all he wants to do is to be left alone. These sons of the Tropics will never take to his machinery. They are not fond enough of motion to chase away their lives in jitneys. They can have a much better time asleep any day in the week. Let him try his experiments in factory building, water power, and instructing them how to get what they want with the least amount of labor. The natives know more about that now than anybody else in North America. What they can teach Henry in this line will astonish him when he stays among them awhile.

Ford's contracts with the Government attract attention. The Eagle boats originally were to cost $275,000 each, I learn from the contract. The usual miscalculations increased this to $400,000. Add $112,000 for armament and the $25,000 per boat profit to him and incidentals bring the cost to $550,000 each. The original 100 Eagles have been since the armistice reduced to 60 to be completed, costing the Government $33,000,000. In the magazine named one a day is promised, with a blare of trumpets, and no profits to Ford. I read the whole contract, because of an inquisitive turn of mind. Why he signed a contract for 10 per cent profit on cost and abandoned work and limited his liability for breach of guaranty on material, workmanship, and performance to $1,000 liquidated damage on each completed vessel, except as commendable thrift, is not explained. It is hardly in keeping with his philanthropic claims, however, made both in the campaign and in this magazine article.

Instead of one a day turned out and 93 done by December 15, 1918, 7 Eagles emerged from Henry's nest, and they could neither fly, run, nor swim. That is the gospel truth, Mr. President, read from the records of things undone.

Competent shipbuilders credit Ford with being a fair engine builder. The hulls he overlooked. Expert sailors unanimously agree that a boat without a water-tight hull lacks something indispensable for successful navigation. Shipbuilding is a business, and he has found his limitation. Why the Navy is to have him complete 60 Eagles no one explains. The boat is worthless for merchant uses. Its mission is to destroy submarines. The machinery maintenance cost is $9,000 annually, in addition to the pay roll of 7 officers and 68 men for each. They are fit, therefore, only for the next war, which is to be abolished by the peace league. Why the Government pours millions of taxes into this useless venture is a mystery. We hope it may be illuminated by Ford when he cashes in on his contracts.

I learn that he made more Liberty motors than any other concern, more ambulances, motor trucks, tin hats, and steel shrapnel helmets than anybody else. He has no limitation on his volume of production. Like the old Greek mathematician, if you gave

Henry a place to stand, he would move the world with his lever. He beats everybody. The earth is only 25,000 miles in circumference. That is very unfortunate, Mr. President. If it were more than that, Ford would have room to really spread himself and let loose his real activities. This pent-up Utica is too little for him. When I look up the records, however, this colossus is exceeded by several manufacturers, who advertise less but deliver more.

Ford distrusts the professional expert in every line. The unskilled man, if given a free hand, will nine times out of ten do a given thing better than an expert. The denser the clodpate, the richer asset for Henry. That is the essence of superman government—that nobody knows anything except a few. That is the beginning of an oligarchy, and an oligarchy always ends in a dictatorship, because the members of it kill off everybody but one, and he remains as the superman government.

The training of the architect, engineer, and even physician is a handicap and limitation. Dissolve the endowments of universities and cancel school taxes. Some of the faculties need cleaning out in the universities, but it hardly justifies the radical conclusion which Henry's argument would have us draw. He says he does nothing by rule. Experience is the father of rules. When some one's experience has shown by rule the fittest way to do something, he can devise a better way with his eyes shut and start an amateur on his way to beat the expert to it. If Henry broke his leg, he would have the bone set by a single taxer. As he believes in doing nothing by rule, if he got it on backward, no matter; one leg would balance the other and locomotion would gain in novelty and pose. As a candidate he could run both ways at once, just as he did in the Michigan primaries.

I draw from the gigantic storehouse of things promised that the President would like to have in Congress at least one man accustomed to grasping big problems and solving them in a big way. The redundancy of township politicians in Congress decided Ford and the President to inject some one with a thinking apparatus as a refreshing variety in the Senate.

That is the conclusion I draw from the article. This interesting pair has observed that there are too many lawyers in office. Ford has a contempt for lawyers. The obscurity and villainous complexity of laws are devised by that contentious gentry, so as to keep courts busy and annoy common-sense people by tangling them up in absurd rules. Henry dislikes lawyers because they follow rules. He scorns rules, and believes in getting what he wants the shortest, easiest way. So does the superman and Bolshevist. For instance, when he decides a patent covering a device made by a business rival is void he appropriates the invention. If the courts decide against him, he believes it a fit case for a recall of judicial decision.

This illimitable one has the largest motion-picture mill in America. Every week a thousand feet of film is fed out to theaters. It is not advertising; it is an educational institution teaching people how to live and make over the economic framework of society. It is a crazy quilt of individualism now. The motion pictures show how all human affairs will be as alike as two packages of breakfast food. The miracle is wrought by his car and tractor. The tractor has claws, and will climb trees like an overgrown tomcat. The car will have wings; if the roads fail, fly a while. It is difficult to resist the belief that Enoch's translation was not achieved in a vehicle made by the gentleman from Detroit after one gazes at the maneuvers of the mechanical boons he is about to shower upon mankind. The reconstruction of society and the redemption of suffering humanity depend on the machines sold by Ford at about cost. Here is the proper place for the profane historian to insert that December 31, 1918, the Ford Motor Co. declared a dividend of 200 per cent on the capital stock of $2,000,000, of which the Ford family drew $2,225,000. Coincident with this relief of suffering humanity Edsel Ford, 24 years old, was elected president of the company, at $150,000 a year. He has been acting president since the draft episode beat the record on lifelike reels in demonstrating how the whole family loved dividends and hated war. I hasten to explain that the son entered the shops when he was 16. He has eight years' experience. If he was an amateur and without any training, he would be much more valuable, and his salary would be a quarter of a million at least if the sire's theory is workable. Thus we are permitted to view of how a reconstruction of society works out in the Ford family. The soldier shoveling coal and doing stevedore work in France at $1 a day whose letter I read in this Chamber a few days ago may not appreciate the dazzling perfection of the new scheme for regenerating society.

Except running for Senator, Ford's crowning achievement in public life was as angel to Rosa Schwimmer. Rosa appeared in Washington in 1915. She bore a bundle of mysterious documents; she hinted from the warring nations that an olive branch was much desired by the belligerents. If somebody would wave it, the boys would all be out of the trenches by Christmas. The savants about Washington restrained themselves, as we were chloroformed by neutrality advice from the Executive anyhow. Rosa bobbed up in Chicago. No one wished to invest, but a prominent citizen, with a humorous turn, suggested Ford as a bankroll purveyor who might be hooked. The next train carried her to Detroit. Cassie Chadwick is no more, but her exploits fade away beside Rosa. *Oskar II* was soon provisioned and booked with as motley a collection of human beings as ever rose and fell on salt water. It came nearer developing a sense of humor in Germany than anything else in history.

The Labor Peace Council and other pro-German affairs indorsed the voyage. Even Bernstorff had a smile, which looked like a neuralgic pain in his face when he heard of it. The boat left the Hoboken pier with the band playing, "I didn't raise my boy to be a soldier."

I am taking the local historian, I am only quoting now. At the very last moment, the local reporter records, the steward ambled up the gangplank lugging a squirrel in a cage tagged "To the good ship *Nutty*." The curious thing was that it reached the ship without any other direction on the tag.

When the expedition was well on its way some of the leading spirits desired to inspect Madam Schwimmer's documents emanating from the crowned heads concerned in the war. They were not forthcoming. Some suspicious souls intimated Henry had been handsomely goldbricked. The suspicion increased until finally the letters of credit carried by the guests were recalled, but not until Madam Schwimmer had shown that she was still a genuine daughter of Eve, for she managed to lay in an $8,000 wardrobe at Ford's expense.

The wardrobe was magnificent. She is now doing diplomatic honors representing the new Hungarian Republic or some other potential nation not as well acquainted with her as Ford. She is still carrying her wardrobe with her. Day before yesterday a cablegram, which seemed to be of enough importance, came from Berne, Switzerland. It said Rosa had left precipitately the scene of her activity, and also left behind her unpaid bills in the sum of 60,000 francs.

It was time to go back to the ship; the credit slips were choked off, or the proletariat would have been arrayed like Solomon in his glory before the trip ended. The entire passage, so Benjamin Karr, of Cleveland, who was a newspaper man on board, and deserves immortality for his history and humor of the voyage, says, was one continuous controversy. Outside of seasickness, eating, and sleeping, it was an endless round of resolutions and debate. The boat docked at Copenhagen. Ford got a cold in his head and deserted his aggregation. He never reached the responsible rulers of the belligerents. The first boat headed for the United States carried Henry back home, and the boys spent Christmas in the trenches. So ended one great public undertaking.

"We want to end the war in Europe," remarked a distinguished member of the party. "We started more than one war of our own. We breathed an atmosphere of suspicion, of intrigue, of jealousy. Jealousy was our meat and drink. Mr. Ford left us a few days after landing, left us without a word of explanation or farewell, left us secretly in the small hours of the morning, after telling us at night that he would certainly continue the journey next day." Ford's kind heart could not bear the scenes of separation from his beloved ones, neither could he stand the aggregation he had assembled. If he could not bear them, how will he endure the Senate six years? Thus ended another superman government.

Ford said he would move his whole force from his motor works to the Senate if necessary, and "then they will know I have arrived," he commented. Where his outfit will be stored if he obtains a seat in the Senate is causing some anxious inquiry to the superintendent of the building. Barnum said years ago "The American people like to be humbugged." Wise old showman! But he changed his show. He went from Tom Thumb, as I remember my boyhood, to the wooly colt, and from the wooly colt to the mermaid captured in some far-off tropic land. He changed his show all the time. Henry never does. It is time Ford changed his, for the public has seen it not once, but several times. Trying to break into the Senate by creeping under the canvas in a partisan contest here, when he could not get past the doorkeeper on his ticket in the November election, may attract attention, so his show may be switched. But to adopt one of his phrases, at last it is a matter of political technique. I borrow that phrase from the article. So it will be when the politicians for whom he says he has such a magnificent contempt are asked to shut their eyes and lift him into the seat denied him by the voters of Michigan. If the acid test invented by the President for use in Wisconsin were applied to him, he would melt

under it like a pewter dollar. An internal-combustion engine is his only vital political organ, but it can not become the propelling power of either great party in this country.

He believes in the rule of the superman. He thinks from him everything ought to come. He rejoices when the great middle class of the country are obliterated and everyone becomes dependent upon him. The superman grudges any prosperity not falling from his hand. Any plan of government he does not devise and operate is a wretched makeshift, to be borne only till he comes to relieve middle-class stupidity. The horn of plenty echoes famine unless he holds it and dispenses its magnificent stores. A dependent and grateful people must always be shouting hosannas to the superman from whom all terrestrial blessings flow. The great American middle group are self-supporting. They are the bourgeoisie robbed, exiled, and murdered in Russia. Here they are the enduring rock of self-government and civil liberty. In war they make the solid lines of military strength. Their government in peace is for all, not for groups. It is not based on class war and confiscation. They choose rulers for all and maintain their rights of free men. They scorn to accept life, liberty, or property as the gracious gift of a superman. They know these are of common right and were theirs before constitutions were framed or statutes enacted. The sheltering headlands of free government only guarantee and sanctify them. They do not flow from the bounty of a benignant superman or rise from class conflicts in an effort to despoil those who have for the benefit of those who have not.

Mr. BANKHEAD. Mr. President, I have been wondering if the Senate is not now willing to consider for a while the business that is before the Senate. I ask the Senate to resume the consideration of the Post Office appropriation bill, and that the Secretary read section 5.

BRITISH PROHIBITION OF AMERICAN PRODUCTS.

Mr. WEEKS. Will the Senator from Alabama yield to me to submit a resolution to go over until to-morrow?

Mr. BANKHEAD. I yield.

Mr. WEEKS. I ask that the resolution be read and go over until to-morrow.

The PRESIDING OFFICER (Mr. THOMAS in the chair). The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 438), as follows:

Whereas during the war with the Imperial German Government Great Britain placed prohibitions on the importation of certain American products; and

Whereas the British Government has recently placed a prohibition on the importation of additional American products, to take effect on and after March 1, 1919, which is detrimental to the employment at their full capacity of our manufacturing industries; and

Whereas this action of the British Government is in direct conflict with point No. 3 of the 14 points of peace proposed in the message of the President of the United States to the Congress, of January 8, 1918: Therefore be it

Resolved, That the Secretary of State be, and he is hereby, requested to inform the Senate, if not incompatible with the public interest, what steps, if any, have been taken by the Department of State to request the British Government to modify or suspend such prohibition.

The PRESIDING OFFICER. The resolution will go over as requested.

PRINTING OF THE REVENUE BILL.

Mr. SMOOT. I send to the desk an order and ask for its immediate consideration. I will state to the Senator from Alabama that it will not take more than a moment.

Mr. BANKHEAD. I yield for that purpose.

The order was read and agreed to, as follows:

Ordered, That there be printed for the use of the Senate Document Room 2,500 copies of the bill (H. R. 12863) "An act to provide revenue, and for other purposes," as agreed to in conference.

POST OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

The PRESIDING OFFICER (Mr. GAY in the chair). The pending amendment will be stated.

The SECRETARY. Section 5, which the committee proposes to add to the bill, reads as follows:

SEC. 5. That the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, is hereby amended to provide that the term "rural post roads," as used in section 2 of said act, shall be construed to mean any public road which is now used, or may be made suitable, for the transportation of the United States mails, excluding every street and road in a place having a population, as shown by the latest available Federal census, of 2,500 or more, except that portion of any such street or road along which the houses average more than 200 feet apart.

The Senator from Alabama [Mr. BANKHEAD] offered the following amendment to the amendment which has been agreed to as in Committee of the Whole:

Provided, That section 6 of said act be further amended so that the limitation of payment not to exceed $10,000 per mile, exclusive of the cost of bridges of more than 20 feet sheer span, which the Secretary of Agriculture may make, be, and the same is, increased to $20,000 per mile.

An amendment is pending to section 5 offered by the Senator from Utah [Mr. SMOOT] to strike out on line 22 the word "or" and insert the word "and."

Mr. JONES of Washington. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Jones, Wash.	New	Sterling
Calder	Kellogg	Nugent	Sutherland
Colt	Kenyon	Overman	Swanson
Culberson	King	Page	Thomas
Cummins	Kirby	Poindexter	Thompson
Curtis	Knox	Pollock	Trammell
France	La Follette	Reed	Underwood
Frelinghuysen	Lenroot	Robinson	Vardaman
Gay	Lewis	Saulsbury	Wadsworth
Hale	Lodge	Shafroth	Walsh
Harding	McKellar	Sheppard	Warren
Henderson	McNary	Simmons	Watson
Johnson, Cal.	Martin, Va.	Smith, S. C.	Weeks
Johnson, S. Dak.	Moses	Smoot	
Jones, N. Mex.	Nelson	Spencer	

Mr. LEWIS. I desire to announce that the Senator from Florida [Mr. FLETCHER] and the Senator from New Hampshire [Mr. HOLLIS] are absent on official business.

Mr. TRAMMELL. I desire to announce the absence on official business of the Senator from Georgia [Mr. HARDWICK] and the Senator from Kentucky [Mr. BECKHAM].

The PRESIDING OFFICER. Fifty-eight Senators have answered to their names. There is a quorum present.

Mr. SMOOT. The pending amendment offered by me is on line 22, page 36 of the bill, to strike out the word "or" and insert the word "and." There seems to be an objection on the part of some Senators, thinking that is too restrictive in its character. It has been suggested that I withdraw that amendment and offer the following amendment: After the word "road," in line 22, page 34, strike out the following words: "which is now used, or may be made suitable," and insert the words "used or to be used," so that the section will read as follows:

SEC. 5. That the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, is hereby amended to provide that the term "rural post roads," as used in section 2 of said act, shall be construed to mean any public road used or to be used for the transportation of the United States mails, etc.

The present difficulty, as has been stated, is that sometimes there are 4 or 5 miles or 2 or 3 miles in a link of roads as to which we do not know whether they are going to be used as rural free delivery or as star routes. Consequently those 3 or 4 miles of road really prevent the improvement of the remainder of the road. It can not be improved under the construction which has been placed upon the law by the solicitor of the Agricultural Department; and I can not say definitely, but that was possibly followed by the Comptroller of the Treasury.

The fund could only be used provided the Postmaster General stated that he contemplated using some portion of it as a post road. Unless a letter to that effect could be obtained from the Postmaster General, the Road Bureau of the Department of Agriculture could not improve the road. The existing law uses the word "may," and when that language was inserted everybody thought it was broad enough to cover cases such as the one to which I have referred; but it is because there has been a restricted interpretation placed on the language that this change in the law is desired.

It seems to me that the amendment offered by the Senator from Alabama is a wise one, and will get rid of that difficulty without opening up the matter to the unlimited degree suggested by the Senator from Colorado. His proposition is to limit it to roads that form a small part in a link of roads to be used for post roads. That would obviate the difficulty under which the department now labors.

There might be 50 miles of good road, and just beyond it 40 or 50 miles more of good road, and there might be 3 or 4 miles between the two sections of road not used as a post road. This legislation is proposed in order to get rid of difficulties like that when the Postmaster General is enabled to say he is going to use those 3 or 4 miles of road for a post road. I would suggest that the Senator from Utah hear the amendment read as now proposed by the Senator from Alabama.

I have read the amendment which the Senator from Alabama has suggested, and in a moment I will ask the Senator to read it to the Senate.

Mr. SWANSON. The phrase "to be used" would not be any better than the word "may."

Mr. SMOOT. It seems to me that the words "to be used" present a definite proposition. The Postmaster General will know whether or not a road is to be used as a post road, and as soon as it is declared that it is to be so used the appropriation will apply.

Mr. SWANSON. Under the present law, in which the word "may" is used, the Postmaster General is required to state that he contemplates that the road may be used for a post road.

Mr. SMOOT. Mr. President, I think that any road in the United States that is not to be used as a post road should not be built under the provisions of this bill. The only excuse for the measure at all is that it is to assist in the building of roads over which the mails of the United States are to be carried. I think Senators ought to guard well that point; and, at least, if we are going to spend Government money for the building of roads it should be expended on roads which are to be used by the Government.

Mr. SWANSON. If the Senator will permit me to state a case: Here is a line of a post road, and the rural mail carrier has to cross 2 miles to get into another post road. As to those 2 miles of unimproved road, or it may be half a mile, which connect the two roads until the carrier gets on the other road, unless the Postmaster General sends a letter stating that the connecting portion has been designated and will be used as a post road the road can not be improved. The amendment of the Senator from Alabama simply authorizes the money to be used in the improvement of small connecting links of roads.

Mr. SMOOT. The words "to be used" in roads, or the connecting links of roads, simply mean that, as long as there is a post road running from any other road, and that road happens to go to another post road, it can be built under the provisions of this bill, no matter how long that road may be and no matter how short the part of the road may be which is used by the Government as a post road.

I think there ought to be some good common sense used in the expenditure of this money, and that the legislation ought at least to be so guarded that there will not be a general use of the money upon roads over which the Government has no business whatever.

Mr. LENROOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Wisconsin?

Mr. SMOOT. Yes; I yield to the Senator.

Mr. LENROOT. I desire to give the Senator from Utah one illustration of a project within my own State. A trunk line and a post road run over the greater part of it but crossing an Indian reservation for, I think, 10 miles. We brought that project before the department, but the Postmaster General refused to approve it because the 10 miles upon the Indian reservation would not be a post road. The improvement was for the direct benefit of the Indians, and it ought to be the business of the Government to provide roads upon those reservations; and yet the State is not permitted to spend half the cost of that road upon the Indian reservation because under the present state of the law it can not be used as a post road.

Mr. SMOOT. Has the Senator from Wisconsin ever tried to get a direct appropriation for the building of that road across the Indian reservation?

Mr. LENROOT. I have tried many times, but I have now given it up.

Mr. SMOOT. The Senator has failed in his effort?

Mr. LENROOT. Yes. That is one illustration which I think ought to be taken care of in some way.

Mr. SMOOT. But I will say to the Senator that, even under the provision which is now suggested, there would be no authority whatever to improve a road over an Indian reservation.

Mr. LENROOT. It would not require a letter of authorization from the Postmaster General in that event.

Mr. SMOOT. That is about the only respect in which it would be improvement of the present law.

Mr. SWANSON. I will say to the Senator that the road bureau to some extent have been inclined, in some cases, to confine this appropriation too much to general roads instead of the other roads, as was at first contemplated. They have been very insistent on this for the simple reason that there are a great many roads which are absolutely ruined for the lack of 3 or 4 miles to connect them up. We have no objection to limiting the legislation so that these links may be closed and that we may have a good roads system.

Mr. SMOOT. I was going to suggest to the Senator from Virginia that if the amendment which the Senator from Alabama has just handed to me as a suggested amendment may be limited to a certain number of miles, there would be perhaps a good reason for accepting it. In order that the Senate may know just what the suggested amendment is I desire to read it. It reads:

> Rural post roads, as used in section 2 of said act, shall be construed to mean any public road a major portion of which is now used or forms a connecting link of any road or roads now or hereafter used.

I would suggest in that connection an amendment to the proposed amendment so that the amendment would read as follows:

> A major portion of which is now used or forms a connecting link, not to exceed 4 miles, of any road or roads now or hereafter used.

Mr. BANKHEAD. I can not accept a limitation of 4 miles, though I am willing to accept a fair limitation.

Mr. SMOOT. What would the Senator from Alabama think a fair limitation would be?

Mr. BANKHEAD. I would say 10 miles.

Mr. SMOOT. Did not the Senator suggest 4 miles?

Mr. BANKHEAD. We could not agree to make it that, as it would not amount to anything.

Mr. SMOOT. Four miles is quite a connecting link.

Mr. SWANSON. Some of these roads will not be over half a mile in length.

Mr. SMOOT. Mr. President, I will say to the Senator from Alabama that I will withdraw my amendment and offer the following amendment; but in doing so I wish to have it distinctly understood that I am opposed to section 5 as a whole, and when a motion is made to strike out section 5, even though the amendment which I intend to propose be agreed to, I shall vote to strike out the section. I want that understood.

Mr. KENYON. Mr. President, before this little matter is adjusted can not the Senator from Utah give us some information? I have been waiting patiently to obtain from somebody a statement as to the amount of roads which have been constructed under the former appropriation by Congress.

Mr. BANKHEAD. That is published in the report of the committee. The Senator from Iowa will find the number of miles stated there.

Mr. KENYON. I understand it to be about 49 miles.

Mr. SMOOT. I will say to the Senator that the report of the committee shows the amount.

Mr. KENYON. It does not show it very clearly.

Mr. SMOOT. It has been a limited mileage, I will say to the Senator.

Mr. KENYON. Yes; very limited.

Mr. LODGE. Has it been but 49 miles, may I ask?

Mr. KENYON. It is only 49 miles.

Mr. LODGE. How much was appropriated for the purpose—$50,000,000?

Mr. BANKHEAD. The Senator from Iowa is mistaken as to the number of miles which have been constructed. About 8,000 miles have been constructed.

Mr. KENYON. Eight thousand miles have been constructed or accelerated?

Mr. BANKHEAD. If the Senator from Utah [Mr. SMOOT] will permit me, I desire to state that the report of the Agricultural Department, which deals with this whole question, states positively that 7,889 miles of road have been improved.

Mr. KENYON. Those have been stimulated, but not constructed out of the appropriation?

Mr. BANKHEAD. Yes; they have been constructed.

Mr. KENYON. Does the Senator from Alabama state that that many miles of road have been constructed out of the appropriation?

Mr. BANKHEAD. They have been constructed or are under contract.

Mr. SMOOT. They have been improved. The department is not building new roads.

Mr. BANKHEAD. These roads have been built or are under contract.

Mr. LODGE. But the money has been spent?

Mr. KENYON. The money has been spent, of course.

Mr. SMOOT. It is all gone.

Mr. LODGE. That is the main thing.

Mr. SMOOT. Mr. President, I now suggest a modification of the amendment, which I trust the Senator from Alabama will accept. I propose that the amendment read:

> A major portion of which is now used or forms a connecting link not to exceed 10 miles in length, of any road or roads now or hereafter used.

Mr. BANKHEAD. I have no objection to that.

Mr. SMOOT. I offer that amendment to the amendment.

The PRESIDING OFFICER. The amendment to the amendment proposed by the Senator from Utah will be stated.

The SECRETARY. In section 5, page 36, line 22, it is proposed to strike out the words "which is now used, or may be made suitable," and in lieu thereof to insert:

> A major portion of which is now used or forms a connecting link, not to exceed 10 miles in length, of any road or roads now or hereafter used.

The PRESIDING OFFICER. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question now is on the committee amendment as amended.

Mr. SMOOT. Mr. President, I sincerely hope that the Senate will not adopt section 5. The money which has already been expended, appropriated in former appropriation bills, has been used on roads that were actually in use as post roads. There are thousands and thousands of miles of such roads that need improvement quite a much as the roads which have already been improved.

It seems to me that in appropriating money for a purpose of this kind the only excuse that can be found is that the money is to be expended upon roads used by the Government for post roads; otherwise, the appropriation would be unjustifiable and contrary to every policy of this Government, and never should be made by Congress or the precedent established.

If section 5 is stricken from the bill, then the existing law remains, and the money can be expended, with a simple amendment to section 6, for the very purposes named in the original law providing the appropriation for the betterment of post roads.

Mr. KENYON. Mr. President, I should like to ask the Senator if he is in favor of section 6?

Mr. SMOOT. I am not in favor of section 6, and I will say to the Senator that I am going to offer a substitute for section 6. I am simply saying now that, even though section 6 be adopted by the Senate and becomes a law, the money ought to be expended under existing law and should not be expended under the proposed amendment of the present law, which is designed to broaden the class of roads upon which this money shall be spent.

Mr. KENYON. I agree with the Senator; and I merely wished to make sure that he was not making an argument for section 6.

Mr. SMOOT. No; as I said a moment ago, I am going to offer a substitute for section 6.

Mr. STERLING. Mr. President, I do not understand why the Senator regards section 5 as broadening the scope of these roads.

Mr. SMOOT. It broadens it in this way: Even under the amendment which has been offered, the money can be expended on roads, not exceeding 10 miles in length, forming a connecting link between a post road and some other road. Under existing law and under existing regulations of the Post Office Department, the only roads that the money can be expended upon are those actually in use as post roads.

Mr. STERLING. Mr. President, I do not think that that broadens the scope of the provision to any very great extent.

Mr. BANKHEAD. Mr. President, I hope the Senator from Utah does not mean exactly what he says. The provision in regard to the improvement of roads not exceeding 10 miles in length is intended to be confined to roads which are connecting links between post roads, and to no other roads than post roads.

Mr. SMOOT. Mr. President, as I have already explained, there is hardly a post road used to-day between which and some other post road there is not a connecting link. The link begins at one post road and ends at another. There are very few post roads in this country that extend for five miles, say, and then stop without a connecting road continuing until it reaches another post road. Upon that basis I made the statement. The Senator is perfectly right in saying that the amendment provides that the link must be between one post road and another, but the link may be used for other purposes than a post road. It will always, however, lead to a post road.

Mr. BANKHEAD. Mr. President, will the Senator permit me to interrupt him further?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Alabama?

Mr. SMOOT. I yield.

Mr. BANKHEAD. I should like just a moment to explain the situation as I see it. For instance, an improved post road starts out from a town or a city and proceeds 25 miles. From another city, in the opposite direction, another post road starts, proceeds for 25 or 30 miles, and then comes to a point where it leaves the main road between the two cities and goes outside of the communities that are on the main road. That is the point. In order that such a road may be made a continuous post road, this amendment provides that the Secretary of Agriculture may expend some portion of this appropriation on a stretch of road between the two post roads not exceeding 10 miles. Perhaps in most instances it would only be a couple of miles, or 4 or 5 miles. The roads leading from the two towns may not be continuous post roads, but under this amendment those roads may be connected for the few intervening miles and provide a service where up to this time no rural service has been established. Perhaps along that road the country may be very sparsely settled and they may not want rural service. The purpose of this amendment is simply to overcome that difficulty and secure a continuous road between the important towns over which the mail may go when the improvement is made.

Mr. SMOOT. Mr. President, the contention of the Senator from Alabama was also the contention of the Senator from Virginia when the bill was under consideration day before yesterday. It is true that the amendment covers just such a case, and it is true that that perhaps was the reason for suggesting the amendment to the existing law, but there is not a doubt, in my mind at least, that the amendment offered to existing law and adopted by the Senate just now will cover precisely such cases as I have mentioned.

Mr. WADSWORTH. Mr. President——

Mr. SMOOT. I yield to the Senator from New York.

Mr. WADSWORTH. I wish to ask the Senator if the amendment which has just been adopted—the amendment to section 5—does not amount to about this, that so long as two post roads are within 10 miles of each other, they may be connected at Government expense?

Mr. SMOOT. Yes; that is exactly what it means, although not wholly at Government expense.

Mr. WADSWORTH. Partially at Government expense.

Mr. SMOOT. Partially at Government expense, one-half being paid by the Government and the other by local taxes.

Mr. WADSWORTH. Just one other question. The Senator from New York does not know much about the post roads in the Rocky Mountain States, but east of the Mississippi River is it not the opinion of the Senator from Utah that there is no point on the average rural delivery route which is more than 10 miles distant from the next rural delivery route?

Mr. SMOOT. I think that is the case in every State east of the Mississippi River, perhaps with the exception of some of the Southern States.

Mr. WADSWORTH. So that the amendment just adopted practically includes all the country roads in the more thickly settled portions of the United States?

Mr. SMOOT. There is no doubt about it; and I wish to say to the Senator that in the form in which the amendment was reported by the committee it embraced every road in the United States.

Mr. WADSWORTH. And the amendment now takes in most of them.

Mr. SMOOT. The amendment will not cover all the roads in the West, but it will embrace all the roads in the thickly populated centers of the United States.

Mr. BANKHEAD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Alabama?

Mr. SMOOT. Yes; I yield.

Mr. BANKHEAD. May I call the attention of the Senator from New York and of the Senate to the fact that the Secretary of Agriculture under this amendment can only spend one-half of the money necessary for the work? The State or county must match it and put up the other half. Of course, if they do not want a road built and improved, they will not put up their half.

Mr. SMOOT. That is true; and that is so in the case of every road to be built under this bill; and it is so in the case of every road that has been improved under the original appropriation.

Mr. LODGE. Mr. President——

Mr. SMOOT. I yield to the Senator from Massachusetts.

Mr. LODGE. My inquiry is simply this: The restriction which the Senator from Utah appears to favor would hamper the spending of the money, would it not?

Mr. SMOOT. That is the object of the amendment.

Mr. LODGE. Then, it would hamper the primary purpose of the bill.

Mr. SMOOT. Yes; the original law was not broad enough; it did not reach as far as the proponents of the amendment desire.

Mr. President, I am going to reserve the right, if the Senator from Colorado [Mr. THOMAS] does not do so, to make a point of order against section 5, if it is agreed to, when it reaches the Senate. The ruling a few days ago of the then Presiding Officer of the Senate was so contrary to the rulings made in this body in the past, that I think, if we had a ruling now upon the section as being general legislation it would be held to be general legislation. I recognize the fact that, according to the precedents of this body, the question has been decided both ways.

The late Senator from Arkansas, Mr. Clarke, in a decision when in the chair as President pro tempore of the Senate, held that a point of order could be reserved, to be made when the bill reached the Senate, notwithstanding it had been raised when the bill was being considered as in Committee of the Whole; but he added the statement that he thought one Presiding Officer would recognize the ruling of the Presiding Officer who first made the ruling, and would not go so far as to rule adversely to the decision of the one first ruling upon the question, even though he thought that ruling was erroneous. I should like to have the question decided; and perhaps it would be just as well to decide that point when this bill reaches the Senate. So I am going now to reserve the right, Mr. President, to make a point of order to section 5 when this bill reaches the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee as amended.

Mr. LODGE. Mr. President, I only desire to say a few words as to the proposed appropriation. I heard the other day the closing remarks of the Senator from Colorado [Mr. THOMAS] when he was discussing this amendment, and I think their serious character must have been appreciated by all Senators who heard him. The picture was not at all overdrawn. But all I rise for now is to make a protest against the manner in which we are piling up these enormous expenditures at this time.

This is not an expenditure that emergency demands, any more than emergency demands public buildings, which we have put aside during recent years. It has even less claim than river and harbor improvements, which we have wisely cut down very considerably from former figures. There is no emergency about it at all, and yet we are to appropriate $200,000,000 out of the Treasury. We have a debt, incurred owing to the war, of some thirty billion dollars. In the revenue bill, the conference report on which will be presented in a day or two, in the amendment put on by the Senate to give soldiers an extra month's pay we have a provision which will take $400,000,000 out of the Treasury. Something like a billion dollars must be provided in order to take care of the difference between the market price of wheat and the price which the Government pledged. The Department of Labor is proposing a revolving fund of $2,000,000,000 to build houses, not because they are demanded for occupation, but to keep men employed in building houses. I am receiving, and I presume other Senators are receiving, requests with which one can not help but sympathize, to give six months' or a year's extra pay to the Army. Six months' extra pay would amount to $1,200,000,000, and a year's extra pay would amount to $2,500,000,000. We appropriated $100,000,000 the other day to relieve suffering and starvation in Europe.

We have a bill that carries $6,000,000,000 of taxation which will presently be passed by the Congress, the heaviest taxes ever imposed in any country. They are so heavy on business and incomes that they actually imperil, in my judgment, the business of the country in the ensuing year, because out of the earnings of 1919, which is going to be a poor year, with no large profits or great returns, we will have to meet these enormous taxes falling upon a year when there were large profits and business was abnormally active owing to Government expenditures.

Mr. President, that is an enormous burden of taxation to place upon the people. We have thirty billions of debt. That is an enormous burden to place upon the people. Our interest account, I think I am not mistaken in saying, will reach a billion dollars a year. All that money and all this money that we are now throwing into roads and in every other direction must come out of the people. It must come either by taxation, which is already enormous, or it must come from debts, loading the future and piling up the annual interest.

I can only say that it seems to me the first duty of the Senate is to exercise a wise economy in all expenditures and not to enter upon any new expenditures that are not absolutely necessary.

We are moving toward vast expenditures of money in a way that is positively alarming to anyone who has had occasion, as I have had on the Finance Committee, to consider the condition of the finances of this country. I think it is unpardonable to project this country at this time into any great expenditure which is not absolutely demanded by the emergency.

Mr. KELLOGG. Mr. President, may I ask the Senator from Massachusetts a question before he takes his seat?

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). Does the Senator from Massachusetts yield to the Senator from Minnesota?

Mr. LODGE. I do.

Mr. KELLOGG. I notice a bill introduced by the Senator from Iowa [Mr. KENYON] for the purpose of stimulating public works, which proposes an appropriation of one hundred millions, and three hundred millions from the War Finance Corporation, for the purpose of aiding in public improvements, among other things to enable the Chief of Engineers of the United States Army to proceed with the construction or repair of roads which the Secretary of War shall certify to the board to be of strategic or military value. If we are to be asked to aid in the construction of roads, would it not be better to have some appropriation of which the States shall pay one-half, at least?

Mr. LODGE. The force of the argument that because one bill asks for three or four hundred millions for roads, therefore it is well to ask for two hundred millions more in another bill, does not impress me. I think that all this road building and all the public-building expenditures ought to be restrained at the present time. They are not immediate emergencies, and we ought to see where we are and where we are going. Debt and taxes are piling up and we are spending money as if we could catch it out of the air.

Mr. KENYON. Mr. President, inasmuch as the Senator from Minnesota [Mr. KELLOGG] has referred to a bill which I introduced, and inasmuch as I am opposing an appropriation of $200,000,000 in this bill, I want to say just a word.

The bill which I introduced was purely an emergency measure. The work to be done under that bill was solely because of labor conditions in this country. The work could be done only under a certificate from the Secretary of Labor that it was essential because of a condition of unemployment. That is merely a temporary purpose. I do not know that the Congress shares in any way the belief—I rather think perhaps it does not—which some of us have entertained, that there is a serious time ahead of us as affecting unemployment in the transition period from war to peace. The Secretary of Labor, before the Committee on Education and Labor, has emphasized that fact. While not an alarmist in any way, as he says—and I certainly am not an alarmist—and expressing his belief that there will be an era of great prosperity in this country, he believes, as I do, that there is a sort of a hiatus to bridge over between now and that period, six or eight months in the future.

Now, we may be wrong about all of that. The bill to which the Senator refers makes an appropriation which will not be used unless that situation arises. It is in the nature of an insurance against unemployment. The $300,000,000 referred to is to be loaned by the War Finance Board to the States, under arrangements made with the States, and interest at the rate of 5 per cent is to be paid, which is sufficient safeguarding of the fact that the loan will soon be taken up by the States.

Mr. LODGE rose.

Mr. KENYON. Does the Senator from Massachusetts wish to ask me a question?

Mr. LODGE. I was going to ask the Senator from Iowa a question in a moment.

Mr. KENYON. I was just explaining that bill.

That is what that bill is. As to public buildings, it carries no extra public buildings. As to the States, it carries no extra public works. It is simply to go ahead and carry out the works which already have been authorized by the Federal Government and by the State governments. There are some 150 public buildings in this country that are now delayed and have been during the war, very properly, and are delayed now because the material can not be bought. Somebody has to start ahead on that enterprise. Private capital is holding back. Private capital is afraid, on account of the enormous sums that must be paid for materials. If the Government starts it is the signal that "All is well; go ahead." That was the theory and the philosophy of that bill.

I realize that it is open to the charge that it may be used as a pork barrel. I have tried to safeguard that. None of the money can be expended except to carry on these public works where the Secretary of Labor certifies that they are essential because of unemployment. I am not in the habit of advocating pork barrel bills.

Mr. LODGE. What I desired to ask the Senator was this: I agree with him entirely that, whatever may come afterwards, there is a period of readjustment, which is on us now, when there is a great deal of distress and shortage of employment; and I wish to ask the Senator whether it would not be well, instead of putting the whole burden upon the Government, so to relax the laws or change the laws as to give opportunity to normal industries to go to work?

Mr. KENYON. Undoubtedly.

Mr. LODGE. I have in mind what was stated here the other day with great force by the Senator from Washington [Mr. JONES]; and I have had specific instances brought to me. Foreign countries will buy ships of us now, at this moment. They are ready to pay the additional cost of tonnage in order to get

them at once, so severe has been the destruction of tonnage. That opportunity to contract for foreign account will soon pass. It is here now. The other day I saw the manager of a big yard in Buffalo who said they could take on some of those contracts and employ great numbers of men who are being laid off, but the Government will not allow them to do it. Then we have to come in with the Government and make work when there is work like that that can be had if the Government will take off the prohibition. I do not know why the prohibition is there, unless it is to be used in some way in our negotiations; but there it is.

Moreover, nothing is done in regard to immigration. When we are said to have a shortage of employment in this country we are leaving our immigration laws untouched and we are leaving our whole labor market open to an influx of labor from every part of Europe. There is a great desire, in view of the disturbed conditions of many parts of Europe, to come here now. I think the Government ought to do something to prevent an influx of labor until we get our Army back and get our men placed and give the normal industries a chance to resume their normal activities.

Mr. KENYON. I am glad the Senator has said that, and I agree with him. There is no use of our hiding our heads in the sand and saying that we are not close to serious labor troubles in this country. My thought was to provide this sort of a buffer, or rather reservoir, to take care of this labor condition during the next few months.

I wish that we might, as suggested by the Senator from Massachusetts, get rid of some of these restrictions and try to get back to a normal basis, but this bill under consideration does not help materially in that respect. As to the $50,000,000 to be spent for the year ending June 30, 1919, that argument might possibly be made; but as to the two other items of $75,000,000 for the two succeeding years it can not be made, though the report, on page 10, says:

> It is the consensus of the best thought of the Nation that public improvement of all sorts should be vigorously pushed at this time, in order that labor and industry may be given maximum opportunities for continuous employment and operation.

That is true as a statement, but this bill helps but little, if at all.

Under this bill there must be certain conferences carried on with the States. That is going to take time. It is all some way in the future. It is not going to help, as I view it, this labor situation one particle, and that is the distinction between the position I take as to the bill I have introduced and this measure. I think it is unjustifiable at this time of our national finance and the taxes that are being placed upon the people of this country to vote away this $200,000,000 on a proposition that certainly rivals, if it does not far exceed, the river and harbor bill in all the complaints and criticisms that have been made of that measure in the past. It ought to be known as the "rural pork road bill."

I know it is unpopular to apparently oppose anything looking to the construction of roads. I know it is an unpopular thing. I believe the States ought to do the most of this work of road construction, stimulated, perhaps, to some extent by the Government. We all know, of course, the argument that roads develop our civilization, make better schools, better churches, and better communities, and all of that, and it is true; but where are we going to end on these Government appropriations? Is there never to be a stopping place in taxing the people?

I wish the whole people of the United States might have heard the address of the Senator from Colorado [Mr. THOMAS] on this subject last week; and I think if the entire membership of the Senate had heard it probably this $200,000,000 appropriation could not be passed. It is unjustifiable at this time to pass this measure, and I shall vote against it.

Mr. PAGE. Mr. President, I should like to ask the Senator from Massachusetts [Mr. LODGE] one question.

The thought that comes to me at this time is that we are appropriating beyond our power to pay. I do not mean to say that the Federal Government can not borrow money to pay any debt that it may contract; but it seems to me that we are now approaching a point—and I speak because of the many appropriations to which the Senator from Massachusetts has just referred—when we are likely to have to pay on the next liberty loan more than the 4¼ per cent interest which we have been paying in the past. If the next liberty loan shall fall upon a market that is unduly bad, I do not know that we can float our bonds without paying more than 4¼ per cent.

It has been suggested that it makes no difference as to what financial conditions confront us; that we have the credit and we can borrow. But I want to ask the Senator from Massachusetts if in his opinion there is not danger that if we are compelled to increase the interest which we have to pay on the next liberty loan to 4½ or 4¾ per cent—even 5 per cent has been named—we shall find that the withdrawals from the savings banks of the country, which generally can not pay over 4 per cent, will bring about conditions that may seriously disturb our financial situation and leave us in a condition which closely borders on a panic? We do not know where we are going to land if we disturb the complex relations which are so closely interwoven with the multitude of savings banks, upon which the prosperity of our country so largely depends.

I should like to have the Senator from Massachusetts tell us what he thinks about this feature of the situation.

Mr. LODGE. Mr. President, I agree entirely with what the Senator from Vermont has said. I did not go into the details in regard to it, but we have a loan now coming of about six billions, I suppose it will be. It falls upon the country at the same time with the heaviest tax bill ever paid by any people, which will take six billions from this country in one year, most of it in the form of direct taxation. I fear that there may be difficulty in floating the next loan; that we may be compelled either to raise the rate, or—which would be, in my judgment, much better—to give the bonds a nontaxable character. But, in any event, I think the outlook as to the next loan is a very grave one; and we are providing now, by these extravagant expenditures in every direction, for another loan. Our revenue is not going to begin to meet our expenses in another year.

Mr. SMOOT. It will not half meet them.

Mr. LODGE. I do not think it will meet them by half, as the Senator from Utah says, and next year there will have to be another $6,000,000,000 loan; and what we are spending here, in this $200,000,000 and in the other millions that we are appropriating, is the credit of the United States. We are not spending our revenues. Those have gone long ago. We are spending the credit of the United States. We are putting these things on the backs of posterity—things that could perfectly well wait, many of them.

Mr. SMOOT. Mr. President, in connection with what the Senator has just stated, I wish to say that there seems to be an impression going out through the country that because of the fact that we have proposed to repeal certain laws appropriating money for certain specific purposes to the amount of $15,000,000,000, and the papers carrying the proposed repeal in a form that convinced the people that that money was going back into the Treasury of the United States, hereafter there will be no necessity of any further loans.

If there is any criticism to offer in relation to the repeal of the appropriations amounting to $15,000,000,000, it ought to be along the lines that they were not as much as ought to have been repealed. I say that because I want to call the attention of the Senate at this time to the fact that our appropriations made for the fiscal year ending June 30, 1919, amounted to over $36,000,000,000; and the members of the Finance Committee will well remember when Secretary of the Treasury McAdoo appeared before the committee and said that all that would be required to meet the obligations of the Government was $18,000,000,000 for this fiscal year, and stating that there had been appropriated at least $18,000,000,000 more than would be required during this fiscal year. We find now but $15,000,000,000 being repealed, instead of $18,000,000,000. Now, if $18,000,000,000 is all that the obligations will be then we could well have afforded to have made a repeal of $3,000,000,000 more; and when that bill is before the Senate I want to place in the RECORD a detailed statement showing that to be the case.

Mr. WADSWORTH. Mr. President, will the Senator yield?

Mr. SMOOT. Yes; I yield to the Senator.

Mr. WADSWORTH. Will the Senator remind the Senate when the Secretary of the Treasury made that statement or estimate.

Mr. SMOOT. It was in November, right after the armistice was signed; and I will say to the Senator that at that time it was figured that that was all that could be expended by the Government.

Mr. WADSWORTH. Now, will the Senator tell us whether that estimate of eighteen billions included anything for wheat?

Mr. SMOOT. Nothing whatever.

Mr. WADSWORTH. Did it include $700,000,000 for the Navy?

Mr. SMOOT. It included about $2,000,000,000 for the Navy, the regular appropriation asked for, but not the $700,000,000 referred to by the Senator.

Mr. WADSWORTH. May I ask if it included the expense of 500,000 troops in the German occupied territory?

Mr. SMOOT. The estimate was given that the whole Army of the United States by the 1st day of July would not be more than 500,000 men.

Mr. WADSWORTH. And did he estimate how much that would cost?

Mr. SMOOT. The estimate was made, Mr. President, of what that would cost, and I will say to the Senator that it was arrived at in this way: There was an estimate made of $19,636,000,000 for the War Department for the year ending June 30, 1920, and that was based upon an Army of 5,000,000 of men—soldiers and officers—and after the armistice was signed the estimate was revised by simply taking one-tenth of the 5,000,000 men and officers, amounting to 500,000, and cutting the appropriation of $19,636,000,000 down to one-tenth of the amount, or $1,936,000,000. That is how the estimate was arrived at.

Mr. WADSWORTH. I do not like to unduly interrupt the remarks of the Senator from Utah, but the Senator will remember that the War Department has sent to the Congress a bill which provides that the President shall have authority to recruit the Regular Army by volunteering up to 500,000 men; and it is stated that those 500,000 men are to carry out the responsibilities of the United States immediately following this war in order to permit the return of the troops from Europe, except those who may volunteer to remain, and to send over to Europe those who may volunteer in this country to stay in the Army for another year.

Mr. SMOOT. Yes.

Mr. WADSWORTH. And it seems to be generally understood that those 500,000 men, with some exceptions, are to constitute our share of the force which is to occupy some of the German territory until the terms of peace are finally not only agreed upon but carried out. Now, it costs, I am informed, $2,000 a year to keep one American soldier in France or Germany; and if we are to have an Army of 500,000, the cost will be $1,000,000,000.

Mr. SMOOT. I want to say to the Senator that the Secretary of War, when he appeared before the Committee on Finance, had no idea that there would be 500,000 American soldiers in Europe by July 1. His statement was that they were to be relieved and sent back home just as quickly as it was possible to do so, and he had no doubt that there would be less than 500,000 men in Europe on July 1, 1919.

Mr. WADSWORTH. That may very well be. I am not saying that the whole 500,000 will be kept in Europe. Many must be at the Panama Canal; some will be in Hawaii; some will be in the Philippines; some will be in our garrisons here and maintaining, for some time to come at least, these immense installations that have been built in the United States.

Mr. SMOOT. The estimate that was made for one billion nine hundred and some-odd million dollars was the expenses of the War Department on a basis of 500,000 men.

Mr. WADSWORTH. I venture the assertion that an Army of 500,000 men can not be supported here or in France for that sum for one year.

Mr. PAGE. Mr. President, I believe that I am naturally an optimist. I am inclined to look through spectacles that are fairly high colored. I believe this country has a wonderful future before it. I do not believe anything can stop or long delay or hinder its great growth. But I want to say, in all candor, that looking facts and figures squarely in the face, I have at least a little fear of serious financial disturbances. I say this because I can not see why we are not making appropriations so enormously large that we may find it difficult to borrow all the money we shall require without disturbing the finances of the country.

I do not think I have a right to act from a selfish standpoint regarding this matter. The fact has been brought to my attention that Vermont is being urged to support this proposition, because under this bill it is said that we are going to get from the Federal Treasury three times as much as we pay out. If I were purely selfish touching this appropriation, I could perhaps reach the conclusion that Vermont should vote for this appropriation, but having in view the general good and what I believe to be the serious condition of our national finances, I see no other way but to cut our coat according to our very small pattern of cloth until we can see a change in our country's present very unsatisfactory financial situation.

I do not want to protest against any proper expenditure for good roads. I think there is nothing that contributes more to the welfare of this country. I am for good roads; and I want to praise the Lord because my own little State of Vermont pays all its bills for highways as it goes along. We have not a dollar of bonded indebtedness for highways, and I hope we never will have. When it comes to a point where I doubt whether I am going to have enough money to pay my honest debts I want to make prudence my guiding star. I want to delay the voting of these immense expenditures until we see where we are coming out. A few months will tell the story. Probably three or four months will determine as to our ability to float, satisfactorily, the next liberty loan. With this loan out of the way we may feel more liberal.

I do not like to oppose the idea of the Senator from Iowa, and if we need funds to keep our boys at work we must find some way—I do not quite know how—to take care of them. I think it must be upon some basis which does not compel an expenditure of four or five dollars for expensive and perhaps extravagant material in order to utilize $1 of labor. We ought to find some way to be just without extravagance.

I hope the amendment will not be adopted at this time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee as amended.

Mr. SHERMAN. Mr. President, very many times I am not disposed to follow the recommendations of the heads of departments, but there are some recommendations made in the letter of the Postmaster General transmitting to the committee the result of his examination which are of some value. They were referred to by the Senator from New York [Mr. WADSWORTH] a few days ago. I wish to put in the CONGRESSIONAL RECORD the recommendation from the Postmaster General as follows:

> Recently, being desirous of ascertaining the result of this experiment, the Postmaster General gave directions to the chief inspector that he make a selection of one of our ablest postal experts, with directions to him to associate with himself a sufficient number of assistants to make a thorough investigation of these motor-truck routes. Mr. Robert H. Barclay, inspector in charge at Cincinnati, Ohio, was selected by the chief inspector to conduct the investigation, and the following instructions were given him—

Which I will omit.

Pursuant to that the report was made by these post-office inspectors, and the recommendation referred to by the Senator from New York that the appropriation of $300,000 be reduced to $70,000 was made. This, in the discretion of the committee, was not followed. The bill ought not to appropriate $300,000. This instance is one of the cases where I think the recommendation of the head of the department carries some weight.

The appropriation of $200,000,000 at this time can not be justified, Mr. President. I have said a good many times that I would vote for a reasonable appropriation by the Government in aid of State enterprises. All of those ideas of mine were made during peace periods. Many of us have revised our opinions in view of war conditions, and I find myself in common with others compelled to do so. If it were ordinary peace times, when our expenditures were within the old-time limit, or what will be, I hope, the peace limit in a few years, I could very cheerfully support the appropriation of $200,000,000 as distributed here.

My own State of Illinois has voted $60,000,000, to be paid by the taxpayers of that State by direct taxation, outside of what is collected from the automobile and vehicle fund, for the development of a good-roads system. We would be entitled to our share for the three years named of this $200,000,000 for the construction of highways inside the limits of that State. In view of present war conditions, the great burdens that we carry, the immense obligations that are upon the Treasury, we must, in order to reduce taxation to a reasonable limit, begin the curtailment at some place.

I shall not support a public buildings bill in any form outside of the immediate necessities of this year. For a large part of the time the public buildings bill has grown in its appropriations to be a twin sister, I may say, of the river and harbor bill. The river and harbor bill this year ought to be defeated. There are very few meritorious items in either the river and harbor bill or the public buildings bill. We have stately piles of brick and stone scattered all over the country, at crossroads villages of 500 to 1,000 population, with janitors and attendants and a subforce. No doubt as soon as there is an electric light and power house in any such place there will be installed a janitor or two, with an elevator man and a full set of attendants.

We have got to make economies at some place; we must begin with some appropriation bill, and I am prepared to begin with the public-roads fund, although I know that the States of the several Senators here would receive a proportional part. I must take the chance of explaining to those who are concerned why I do so. I am willing to provide that my own State shall expend the $60,000,000 they have voted to expend, raising that in direct taxation through a series of years. By direct taxation and by bond issues it will all be provided. We can stand that and start the system of public highway improvement. It will give employment. But I am not ready at this time, with the burdens on the Public Treasury, to vote $200,000,000 in the three appropriations named, scattered through the years for the same purpose. I think this ought to be postponed to some more opportune time.

The Senator from Utah [Mr. SMOOT] has spoken about the burdens that we must meet. The first thing that we have got to do is to pay our debts, and pay day is coming. When the pay day comes and we have not the money, unless we raise additional sums by taxation, we have to that extent discouraged private industry that must have assistance if we are to have any relief from the conditions that will prevail in going from a high war level down to a peace level. We must get ready for it now, and I think it is a good time to begin a curtailment of the expenses and the appropriations that are named in these items. When the river and harbor bill and the public buildings bill come, with other department bills, they ought to be cut to the lowest possible limit in line with this curtailment.

The PRESIDING OFFICER. The question is on the amendment of the committee as amended.

Mr. THOMAS. I understand that the vote about to be taken is on section 5.

The PRESIDING OFFICER. As amended.

Mr. LODGE. I make the point of no quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Kenyon	Nugent	Sutherland
Beckham	King	Page	Swanson
Calder	La Follette	Poindexter	Thomas
Curtis	Lenroot	Pollock	Townsend
Fletcher	Lewis	Pomerene	Trammell
France	Lodge	Sheppard	Vardaman
Frelinghuysen	McCumber	Sherman	Wadsworth
Gay	McNary	Simmons	Warren
Henderson	Martin, Va.	Smith, S. C.	
Johnson, S. Dak.	Moses	Smoot	
Jones, N. Mex.	Nelson	Spencer	

Mr. KING. I wish to announce that the Senator from North Carolina [Mr. OVERMAN], the Senator from South Dakota [Mr. STERLING] and the Senator from Delaware [Mr. WOLCOTT] are detained on official business.

The PRESIDING OFFICER. Forty-one Senators have answered to their names. There is no quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. KIRBY and Mr. SHAFROTH answered to their names when called.

The PRESIDING OFFICER. Forty-three Senators have answered to their names. There is not a quorum.

Mr. BANKHEAD. It is perfectly evident that it would be difficult to secure a quorum to-night, and I move that the Senate take a recess until 11 o'clock to-morrow.

Mr. POMERENE. I shall object to taking a recess. There is morning business that I think should be attended to, and there is not a quorum here, so that a recess can not be taken.

The PRESIDING OFFICER. Nothing is in order except a motion to direct the Sergeant at Arms to request the attendance of absent Senators or a motion to adjourn.

Mr. BANKHEAD. I move that the Senate adjourn until 11 o'clock to-morrow.

The PRESIDING OFFICER. In the absence of a quorum, only an adjournment to the usual hour of meeting can be taken, the Chair will state to the Senator from Alabama.

Mr. BANKHEAD. Then I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, February 5, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *February 4, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty and most merciful God, our Heavenly Father, look down with compassion upon us, forgive our shortcomings, our weaknesses, our sins, and impart unto us wisdom, strength, grace, that whatsoever we do, here, now, and always, may be in consonance with the eternal fitness of things; and Thine be the praise, through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MILITARY ACADEMY APPROPRIATIONS.

On motion of Mr. DENT, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15462) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1920, and for other purposes.

The SPEAKER. The gentleman from Illinois [Mr. SABATH] was presiding over this Committee of the Whole yesterday, but he seems to be absent. The gentleman from Ohio [Mr. GARD] will take the chair until the gentleman from Illinois [Mr. SABATH] comes in.

Mr. GARD took the chair.

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

Mr. STAFFORD. Mr. Chairman, before the Clerk reads I would like to offer an amendment to the preceding paragraph.

The CHAIRMAN. Is there objection to returning to the preceding paragraph for the purpose of offering an amendment?

There was no objection.

Mr. STAFFORD. Mr. Chairman, I offer the language of the last proviso stricken out on a point of order, down to the word "direct," in line 16, with an addition which I will ask the Clerk to report.

The CHAIRMAN. The Clerk will report the amendment proposed by the gentleman from Wisconsin.

The Clerk read as follows:

> Amendment offered by Mr. STAFFORD: Page 34, line 10, insert the following:
>
> "*And provided*, That hereafter, when any machinery, apparatus, implements, supplies, or materials which have been heretofore or may hereafter be purchased or acquired from appropriations made for the support of the United States Military Academy are no longer needed or are no longer serviceable, they may be sold in such manner as the superintendent may direct, and that the proceeds shall be turned into the Treasury as miscellaneous receipts."

Mr. DENT. I have no objection to that amendment.

The CHAIRMAN. The question is on the adoption of the amendment proposed by the gentleman from Wisconsin.

The amendment was agreed to.

Mr. DENT. Mr. Chairman, I have two amendments to correct the text of the bill.

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

> Amendment offered by Mr. DENT: Page 32, line 25, after the word "uses," strike out the colon, insert a semicolon, and add the following: "that the Secretary of War is hereby directed to transfer without charge one 10-ton, 3-wheel road roller to the quartermaster of the United States Military Academy."

Mr. MANN. This is a new paragraph, I take it?

Mr. DENT. This is a new paragraph.

Mr. MANN. Before that amendment is presented I move to strike out the last word of the preceding paragraph, for the purpose of asking whether we have corrected the reference to House bill numbered 11185.

Mr. DENT. That is at the bottom of page 33. The amendment now offered is at the bottom of page 32.

Mr. MANN. Very well. That is an amendment to this pending paragraph?

Mr. DENT. Yes; and then I have another amendment to correct the language at the bottom of page 33.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama, which has been read by the Clerk.

The amendment was agreed to.

Mr. DENT. Now, Mr. Chairman, I offer the other amendment.

The CHAIRMAN. A further amendment is offered by the gentleman from Alabama, chairman of the Military Affairs Committee, which the Clerk will report.

The Clerk read as follows:

> Amendment offered by Mr. DENT: Page 33, line 25, after the word "in," strike out "House bill No. 11185" and insert in lieu thereof "the act for the support of the Military Academy approved June 27, 1918."

Mr. STAFFORD. Mr. Chairman, since this item was under consideration yesterday I have taken occasion to inquire whether the appropriations as carried in last year's bill for these respective amounts for construction have lapsed. I am informed—and it confirms the position taken by the gentleman from Illinois [Mr. MANN]—that when we appropriate money for public buildings the amount appropriated remains available until it is expended. The covering-in act of 1874 does not apply to public buildings, lighthouses, river and harbor improvements, pay of naval officers and the Marine Corps, and one other class, which I fail to recall at this moment. There is no question whatsoever that the authorization of last year is available and will continue available until Congress rescinds it.

Mr. DENT. If that is true there is no necessity to carry it in this bill, but I would like to make some further investigation. It can not possibly do any harm.

Mr. STAFFORD. This is mere surplusage.

Mr. DENT. If that is the law it can not do any harm to repeat it in this bill.

Mr. KAHN. Mr. Chairman, I think this appropriation stands in somewhat different relationship to the rule than the ordinary public building bill, because under the proviso on page 34, line 2, it is—

Provided, That for the purpose of accounting only, all funds hereinbefore appropriated under the titles "Current and ordinary expenses," "Miscellaneous items and incidental expenses," and "buildings and grounds" shall be disbursed and accounted for by the disbursing officer, United States Military Academy, as "Maintenance, United States Military Academy," and for the purpose shall constitute one fund.

Now, I rather think that there is a different condition with respect to the buildings at West Point, because that fund is added to by these other items, and they all constitute one fund.

Mr. STAFFORD. If the gentleman will permit, the proviso which the gentleman has just read relates to a change in the method of accounting. It has no reference to the validity of authorization for construction purposes carried in the last Military Academy appropriation act. There is no question but that the covering-in act which specifically excepted public buildings, river and harbor improvement, pay for the Navy and Marine Corps, and lighthouses, does not apply to the building project as authorized in the last year's bill.

Mr. DENT. "Grading and granolithic pavement"—that is not a part of the building program.

Mr. STAFFORD. Well, this is merely surplusage; and, Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. DENT].

The amendment was agreed to.

Mr. HULL of Iowa. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. HULL of Iowa: Page 34, line 19, after the word "derived" add as a new paragraph:

"To provide the necessary buildings and other improvements to accommodate and care for the increased corps of cadets at the United States Military Academy, as provided by the act of Congress approved May 4, 1916, and in general accordance with the plans submitted by the board of officers convened under authority of act of Congress, making appropriations for the support of the United States Military Academy, approved August 11, 1916, $3,000,000, to be immediately available and to remain available until expended, $3,000,000."

Mr. DENT. Mr. Chairman, to that I reserve a point of order.

Mr. HULL of Iowa. Mr. Chairman, we might as well discuss the point of order now. If it is good, there is no use in discussing the merits of the proposition. As I look at it, this is in order. Congress amended a law or enacted a law, which was approved June 3, 1916, practically doubling the number of cadets that were sent to West Point. That is in the act known as the national-defense act. On August 11, 1916, you approved of an act which authorized the Secretary of War, or directed him, to appoint three officers of the Army whose duty it shall be to investigate and make report to Congress on the first Monday of December, 1916, of what is necessary to be done in the way of buildings and other improvements to accommodate and care for the increased corps of cadets as provided by the act of May 4, 1916, together with the probable cost thereof.

That report came back to Congress and was approved of by Congress. For two years you have been making appropriations on that continuous program. I am very much surprised that the question whether it is in order should be raised at this time.

Mr. DENT. Will the gentleman yield?

Mr. HULL of Iowa. I will.

Mr. DENT. The gentleman does not mean to say that the report of the Army officers has been approved of by Congress?

Mr. HULL of Iowa. It certainly has; it came back to Congress.

Mr. DENT. Does the gentleman say it has been approved by Congress? I think the gentleman is mistaken in his facts. There never has been any action taken by Congress.

Mr. HULL of Iowa. Do not you approve it when you make appropriations in line of that report?

Mr. DENT. We did not make any appropriations in line with the report.

Mr. HULL of Iowa. In the act of June 27, 1918, you appropriate for Quartermaster Corps $10,000 for a garage. That is in their report. There are a lot of other items for enlarging the Military Academy to accommodate the authorized number of cadets; constructing cadet buildings at headquarters to be located south of the area of the south barracks, $500,000. It is under construction now up there. It is a part of the program. We will demonstrate that clearly when we get to the merits of the case.

Mr. DENT. Mr. Chairman, I make the point of order that this is new construction and has never been provided for by law.

The CHAIRMAN. What is the gentleman's point of order?

Mr. DENT. That this is new construction and has never been provided for by law.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

The Secretary of War is hereby authorized to allow any corporation, company, or individual to erect on the United States Military Academy reservation at West Point, N. Y., a hotel, in accordance with plans and specifications to be approved by the Superintendent of the United States Military Academy and to enjoy the revenue therefrom for a period of 50 years, after which time said hotel shall become the property of the United States; that said hotel shall be conducted under such regulations, including the rates and the charges for accommodations thereat, as may be promulgated by the Superintendent of the United States Military Academy under the direction of the Secretary of War: *Provided*, That in view of the long and distinguished service of Col. E. F. Tillman, he having had 46 years' service before retirement, 31 of which were as head of an important department of instruction at the United States Military Academy at West Point, N. Y., besides other unusual distinguished service, and having been recalled to active service in June, 1917, at the age of 69, to take charge of the Military Academy at West Point, N. Y., where he is still serving, the President is hereby authorized to place that officer on the retired list of the Army as a brigadier general, with the pay and emoluments of a retired officer of that grade, and to grant him a commission in accordance with such advanced rank.

Mr. STAFFORD. Mr. Chairman, I make a point of order on the paragraph.

Mr. KAHN. Will not the gentleman reserve his point of order?

Mr. STAFFORD. I will reserve the point of order.

Mr. KAHN. Mr. Chairman, I hope that the gentleman from Wisconsin will not insist on his point of order so far as the hotel provision is concerned, at least. The hotel at West Point was built, I believe, in 1818. It is now a disgrace to the Government of the United States. Very few improvements have been made there during all the years that it has been on the grounds. When the parents of the young men who are at the Point for instruction visit their sons they are compelled to stay at this old ramshackle building. There is a party or corporation, I understand, that is willing to put up a new modern hotel building on the grounds without a dollar's cost to the Government. They will have the privilege from the Government of conducting the hotel under such regulations as the War Department will establish, and at the end of 50 years it will become the property outright of our Government.

To me it seems almost intolerable to continue that old building on the grounds. Even the Board of Visitors at West Point, the Members of the Senate and House who are compelled to go to West Point to inspect the institution, all recognize the fact that this present building ought to be torn down and a new hotel put up. If private capital is not to be allowed to do it, then the Government ought to do it. The hotel is in no sense modern or up to date. It has no heating conveniences except old coal grates. The charges are high enough, God knows, to have a splendid hotel, but under existing conditions I am sorry for the relatives of the young men who have to find accommodations there during the brief time they may be visiting their sons.

Mr. MILLER of Washington. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. MILLER of Washington. Does the gentleman know who has the placing of the location of this proposed hotel, and will it be placed where the present building is?

Mr. FIELDS. It was so stated.

Mr. KAHN. Right near there, and I think that is a good location for the hotel.

Mr. MILLER of Washington. The gentleman is familiar with the old hotel there at the present time, and that it is the scenic view spot of the academy. Would it not be better, in view of the fact that the academy is to be enlarged and more ground is desirable, that the hotel be placed in some other location?

Mr. KAHN. Of course, that is one of the problems that the engineers have had a great deal of difficulty with. West Point is situated upon the side of a mountain, and every acre of ground has to be made, except that low, level space which is used as a parade ground and on which the principal buildings are located. To make additional ground is a very hard matter and a very costly matter, and so I suppose that the present location is as good as any ground that can be secured.

Mr. MILLER of Washington. It is certainly desirable for a hotel location, being, as I said, in the view spot of the academy grounds; but the gentleman is cognizant of the fact that ground is at a premium there, and it would materially increase the capacity of the camping ground, the parade ground, if that could be occupied as a part of active military maneuvers, and the hotel put some place else.

Mr. KAHN. I presume in the final analysis the War Department in locating the hotel will take all of those facts into consideration and would select a desirable spot for the hotel.

Mr. MILLER of Washington. Just one further observation. The bill is silent as to who shall locate this hotel. Would it not be wise to put in a provision there that it shall be located under the direction of the Secretary of War or some one else?

Mr. KAHN. I do not think that is necessary. Of course, the Secretary of War or the Superintendent of the Academy would be authorized under the bill to negotiate for the construction of a hotel, and doubtless he would take into consideration the matter of its location also.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. GRAHAM of Illinois. Mr. Chairman, I ask unanimous consent that he be permitted to proceed for one minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GRAHAM of Illinois. Who owns the present hotel?

Mr. KAHN. The United States Government.

Mr. GRAHAM of Illinois. Is it run and conducted by the Government?

Mr. KAHN. No; a lady conducts it. She is the lessee. She pays only a nominal rental, but I understand at that that she has a great deal of trouble in making both ends meet.

Mr. GRAHAM of Illinois. If this should go through and be incorporated in the act, it will not do any harm to anybody's property rights, will it?

Mr. KAHN. No; and it will very much enhance the conveniences at the academy.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. LITTLE. Mr. Chairman, I ask unanimous consent that the time be extended for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LITTLE. Mr. Chairman, will the hotel company pay the Government anything for the use of this land?

Mr. KAHN. No; they will put up an entirely new building and run it for 50 years, and then it will revert to the ownership of the Government.

Mr. LITTLE. What is to be the cost?

Mr. MORIN. The last plan submitted to the committee was $400,000.

Mr. DENT. Four hundred thousand dollars.

Mr. LITTLE. I notice the gentleman spoke of the visits to the students. What proportion of the students are visited by any of their kin in a year?

Mr. KAHN. There are a great many visitors during the term, and in addition to that, at graduation there are hundreds of visitors at the academy.

Mr. FIELDS. There are a great many visitors from foreign countries also.

Mr. MORIN. There are a great many of the kin of the cadets who come back after one visit.

Mr. LITTLE. Is it not a fact that 90 per cent of the boys never have any visits from their kin in all the time they are there?

Mr. MORIN. And in case of sickness they are visited.

Mr. LITTLE. I never heard of anybody from my country going there.

Mr. DENT. Mr. Chairman, this is subject to a point of order, but, like the gentleman from California [Mr. KAHN], I hope that the point of order will not be made as to the hotel proposition at least. This is a subject that the Military Committee annually has to wrestle with. There is no question but that the hotel at West Point now is a disgrace to the Government. That is the uniform testimony upon the subject, and we finally reached the conclusion that this is the only solution that can be made of the proposition. Of course, as a general rule I do not agree with the idea that private people should put up buildings on Government property, but there have been exceptions to it. We have made exceptions during the war. We have allowed the Young Men's Christian Association, the Knights of Columbus, and other organizations to erect buildings upon Government property. After many years of wrestling with a proposition of this kind, we have reached the conclusion that this is the only solution by which you can get a hotel at West Point.

Mr. WELLING. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. WELLING. If the hotel is built there it will not involve any additional expense to the Government?

Mr. DENT. Not a dollar in the world.

Mr. WELLING. Will it involve any additional expense to the patrons who now visit the hotel at West Point?

Mr. DENT. It will not, because a provision is carried that the Secretary of War, through the superintendent at the Academy, will have absolute control of the charges and prices to be made by the owners.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. GREENE of Vermont. And the very opposite from a business proposition or a commercial speculation is involved in this proposition. It is more in the shape of a memorial to the past cadets, erected by some of their families and friends, and, while it is to be a practical thing, yet it will be run with sentimental overcast, at least, that will take it altogether out of a money proposition or any speculation on the part of the people who propose it.

Mr. DENT. Absolutely so.

Mr. MANN. Will the gentleman yield for a question?

Mr. DENT. I will.

Mr. MANN. My attention is called to a letter, which is found in the hearings on page 98, addressed to the gentleman from Pennsylvania [Mr. MORIN], in which there is proposed by Mr. Edward M. Flexner, apparently of Louisville, Ky., to present to the Government, if the Government will accept it, a hotel, to be called Pershing Hall. Now, would that be authorized under the terms of this language?

Mr. DENT. I think so.

Mr. FIELDS. I think we were told in the hearing that is the very purpose of this legislation.

Mr. MANN. I think that would be a very desirable thing to be done if somebody will construct a new hotel there—probably could not get a better name for it than Pershing Hall, although I do not think the name is so important—and present it to the Government. It seems to me that would be very desirable, although I do not think the language now in the bill would permit it.

Mr. DENT. I do not see why it would not.

Mr. MANN. The reason why it would not—and it can be easily corrected—is that under the language of the bill whoever builds this hotel will have to operate it for 50 years, and the Government would only accept it at the end of the 50 years. It would be very easy, if the language remained in the bill, to add a provision to it at the end providing that the Government might accept title to the hotel at any time.

Mr. DENT. I am sure nobody would object to the amendment.

Mr. MANN. I am sure nobody would object to that amendment if the rest remained in. If that is the only purpose, of course that ought to be covered.

Mr. DENT. I think so.

Mr. MANN. If we can get a fine hotel there presented to the Government in place of the present hotel—about which personally I know nothing; I have never been there, except as Members tell me—it would be a very desirable thing, it seems to me.

Mr. DENT. I think that is a good suggestion.

Mr. STAFFORD. Mr. Chairman, I withdraw the point of order so far as it relates to the hotel proposition, but I shall make the point of order on the proviso beginning line 7, page 35.

The CHAIRMAN. The gentleman from Wisconsin withdraws the point of order so far as the proposed erection and maintenance of a hotel are concerned, and makes the point of order as to the proviso beginning line 7, page 35, to line 10, inclusive.

Mr. DENT. Of course, it is subject to the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. KAHN. Mr. Chairman, I hope the gentleman will withdraw that request or the amendment until the gentleman from Illinois can again offer his amendment to perfect the language of the hotel provision.

Mr. MANN. Mr. Chairman, I move to amend by adding, after the word "States," in line 2, page 35, the following: "*Provided*, That the title and ownership of said hotel may be accepted by the Secretary of War on behalf of the United States at any time."

Mr. DENT. I accept that.

The CHAIRMAN. Will the gentleman kindly prepare his amendment.

Mr. MANN. It is not long; the Clerk, I think, has got it.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. MANN: Page 35, line 2, after the word "States," insert:

"*Provided*, That the title and ownership of said hotel may be accepted by the Secretary of War on behalf of the United States at any time."

Mr. LITTLE. Mr. Chairman, I move to strike out the last word. I merely want to get a little more information here from the chairman of the committee or the ranking minority member. I notice this clause here says that they are authorized to erect the hotel and enjoy the revenues therefrom. Does not the gentleman think there ought to be some provision that the

hotel should be maintained and operated? Now, a man might erect a very flimsy structure, even if he followed the plans of somebody else, and if it did not do well he might let it run down so that at the end of the 50-year period it would be so dilapidated it will not have any value.

Mr. DENT. I call the gentleman's attention to this paragraph, which reads as follows:

That said hotel shall be conducted under such regulations, including the rates and the charges for accommodation thereat, as may be promulgated by the Superintendent of the United States Military Academy under the direction of the Secretary of War.

I think that gives absolute authority.

Mr. LITTLE. Perhaps it does, but it seems to me if the bill simply stated that he should not only erect but maintain and operate it we would have him tied up so that there would not be any room for any other construction. I just offer the suggestion.

Mr. DENT. I think that clause takes care of it. Mr. Chairman, in view——

The CHAIRMAN. Does the gentleman from Kansas withdraw his pro forma amendment?

Mr. LITTLE. I withdraw the pro forma amendment.

Mr. DILLON. Mr. Chairman, I would like to make an inquiry of the gentleman from Illinois [Mr. MANN]. Would his amendment permit the Secretary of War to accept this building project before it was completed?

Mr. MANN. Well, it might.

Mr. DILLON. Suppose irresponsible parties were in control of the project and might throw it up, could the Secretary go in and accept it and compel the Government to go on and complete that expensive building?

Mr. MANN. It would not compel the Government to complete it. However, I apprehend the gentleman will not make any mistake about that, that if somebody starts to build a $400,000 building and spends $200,000 and breaks up and if there was no safe bond requiring the completion of the hotel it would not stand there that way forever and maybe the Government would have to complete it.

Mr. DILLON. It is pretty easy to unload on the Government——

Mr. MANN. I assume the Secretary would require a proper bond.

Mr. DILLON. It is pretty easy to obtain the consent of the Secretary of War in these immense enterprises and cast the burden upon the Government. I only am directing my thought to the point as to whether it is wise to put in this amendment.

Mr. MANN. It certainly would be better that the Secretary of War should have the right to take the ownership of an uncompleted hotel than to leave it there while belonging to somebody else. I do not think there are any two sides to that.

Mr. DENT. I would suggest to the gentleman from Illinois [Mr. MANN] and ask him a question, if it would not be better for his amendment to come in after the word "war" on line 6 of page 35?

Mr. MANN. I thought of that, but it comes in where the title is referred to.

Mr. DENT. Then the subsequent paragraph ought to be an additional proviso.

Mr. MANN. It does not have to be. It has a period, and it commences with a new sentence.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. MANN].

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk has finished the reading of the bill.

Mr. DENT. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 15462) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1920, and for other purposes, had directed him to report the same to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. DENT, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE OF ABSENCE.

Mr. ROSE, by unanimous consent, was granted leave of absence for three days on account of important business.

THE NAVY.

Mr. PADGETT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15539, the naval appropriation bill, and pending that I would like to ask the gentleman from Pennsylvania [Mr. BUTLER] as to what may be agreed upon for general debate.

Mr. BUTLER. Mr. Speaker, since a conversation with the gentleman from Tennessee concerning the length of general debate, I will say that I have requests here that will cover six hours, and gentlemen are asking now, as the chairman will see, for more time. While I desire to hasten the consideration of the bill as much as possible, if agreeable to the gentleman I suggest to him we allow the general debate to go along without fixing any limit upon it now. We can consult later in regard to limiting the time.

Mr. PADGETT. In view of the statement that the gentleman has requests for six hours of time, I think we had best postpone agreeing to time for debate for the present.

Mr. MANN. The demands are sure to increase.

Mr. BUTLER. A gentleman just now asked me for time that certainly will cover 40 or 50 minutes additional. We can not fix the time now. I have no other remedy to suggest than that we may go ahead with the discussion of this bill, and perhaps this evening or to-morrow morning we can agree on a limit of time for general debate. I am very much inclined to give gentlemen an opportunity to speak on this bill.

Mr. PADGETT. Then, just for the present, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15539, and will ask that I may control one half of the time and the gentleman from Pennsylvania [Mr. BUTLER] the other half; and we will not fix a limit for the present.

The SPEAKER. The gentleman from Tennessee asks that he control half of the time and the gentleman from Pennsylvania the other half. Is there objection? [After a pause.] The Chair hears none.

The question is on going into the Committee of the Whole House on the state of the Union for the consideration of the naval appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for consideration of the bill H. R. 15539, with Mr. GARRETT of Tennessee in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15539, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 15539) making appropriations for the naval service for the fiscal year ending June 30, 1920, and for other purposes.

Mr. PADGETT. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none.

Mr. PADGETT. Mr. Chairman, it is not my purpose to attempt to make a set speech or to engage at this time in a lengthy discussion. I submitted, on behalf of the committee, a report explaining at length and in much detail the various provisions of the bill. And I shall be content at this time to call attention in a general way to the provisions contained in it and then to answer as best I can such questions explanatory of the bill as may be submitted.

The estimates submitted through the Treasury Department, which were made out while hostilities were going on and before the termination of the war, and submitted upon a war basis, aggregated $2,644,307,046.05. The committee conducted very extensive and particular hearings, having before it the chiefs of the various bureaus of the Navy Department having cognizance of the appropriations and expenditures. The bureau chiefs reduced the appropriations as originally submitted through the Treasury Department very largely, and the estimates as submitted by the bureau chiefs in their hearings amounted to $1,414,064,090.15.

While the hearings were progressing the committee furnished to the Secretary of the Navy, as each hearing was had, copies of the stenographic report of the hearings, so that he could keep advised as they progressed and be the better prepared when he came before the committee to submit his recommendations upon a review of the entire situation.

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. LITTLE. Can the chairman give to the House in the course of the day the number of men we have in the training camps, the training schools, the Naval Reserves, and those who are enlisted in the Regular Navy? Would that be possible?

Mr. PADGETT. Yes; it is set out in the hearings, and I will call attention to the personnel as I go along.

Mr. LITTLE. I think the House would appreciate it if it is not too much trouble.

Mr. PADGETT. I shall be glad to do it.

The estimates, as revised by the Secretary, aggregate $975,903,621.28. Upon consideration of all the hearings, taking up item after item, the committee made large reductions, and the aggregate reported by the committee is $746,457,440.33, making a reduction by the committee of the estimates submitted by the Secretary of the Navy upon his revised estimates of $229,446,180.95.

The total appropriations for the Naval Establishment for the fiscal year 1919 aggregated $1,685,379,553.82. The amount recommended for the fiscal year 1920, for which this bill is providing, reduces the amount appropriated for the current fiscal year by $938,922,113.49.

I wish to state that it was the policy and the purpose of the committee to reduce and to make appropriations for the lowest amount compatible with an efficient administration of the naval service. If the committee made any mistake, it was, in my judgment, in making severe reductions of estimates. However, the committee in going over these estimates reduced them, as I have stated, very largely and very substantially, making a reduction of $1,938,000,000 under the original estimates submitted through the Treasury Department, and $938,000,000 under the appropriations for the current year, and $229,000,000 under the revised estimate of the Secretary of the Navy.

The committee pursued a policy also which I think it is necessary and proper that I should call to the attention of the Committee of the Whole House on the state of the Union. On shore stations we reduced the appropriations to the very minimum, allowing only for those items which we felt were absolutely necessary to the operations of the stations during the fiscal year. The committe declined to report any purchase of land, any new projects or extensive enlargements, feeling that the appropriations that had been made during the current year and the preceding fiscal year were so large that the shore stations could well afford to wait until conditions were adjusted more to a peace basis and the Congress could see what the exact status was, and what were the precise and urgent needs.

The estimates for the personnel are based upon an aggregate of enlisted personnel for the Navy of 225,000. Of that number under existing law 131,485 is the established permanent personnel, and in addition 6,000 apprentice seamen, 350 for the Flying Corps and 5,720, as I remember, for the Hospital Corps, making in round numbers 143,000 in the permanent Naval Establishment. The difference of 82,000 was regarded by the committee as being necessary for the operation of the Army transport troop ships and the ships furnished by the Shipping Board and operated by the Navy. A number of German ships, 20, as I understand, were recently turned over to this Government for commercial purposes, to be manned and operated by the Navy. We inserted, however, a provision that as the number used in transport and Shipping Board service is reduced below the 82,000, that number shall be discharged from the service and the enlisted personnel to the extent of that difference reduced, so that as the requirements for the operation of the troop service and the Shipping Board ships reduces automatically, the number of men in the Navy will be reduced out of this temporary increase that is provided.

The gentleman from Kansas [Mr. LITTLE] asked a moment ago about the personnel. As I remember, on the 11th day of November, the day when the armistice was signed, the total number of enlisted personnel in the Navy was 497,030, so that it will appear that in the provisions made in this bill it is reduced more than half.

Mr. FOSS. Mr. Chairman, will the gentleman yield right there?

Mr. PADGETT. Yes.

Mr. FOSS. I wanted to ask whether or not this personnel of 225,000 will provide sufficient men for all the ships that will be in commission?

Mr. PADGETT. Well, sir, that is a matter that is very much disputed. Officers in the Bureau of Navigation insist that it will not afford a sufficient number to give the complements on the ships which they insist there should be. But the committee considered all of the surroundings and circumstances and the fact that we would be in peace time, feeling that the complements upon the ships should not be so large as they were during war time. We feel that the 225,000 will take care of the real needs of the personnel. But I will say to gentlemen that a number of officers strongly controvert that position.

Mr. FOSS. What does the Navy Department propose to keep in commission?

Mr. PADGETT. In the hearing of the Secretary of the Navy he sets it out. He proposes to keep in full commission all of the ships from the beginning of the dreadnaught class. That would be the *Michigan* and the *South Carolina* and all the ships subsequent to those. I believe they embrace 16 such ships at the present time. Another one is about being put in commission—the *Idaho*—and two others during the fiscal year, making 19 of that type. Then there will be others that will be kept in a reserve commission. Then he proposes to keep a considerable number of destroyers in commission.

Mr. FOSS. We have a large number of those, have we not?

Mr. PADGETT. Yes; 342, as I remember, will be the number of destroyers, but all of those will not be kept in full commission.

Mr. FOSS. And of the submarines we have a large number, have we not.

Mr. PADGETT. Yes; but not all of those will be kept in full commission.

Mr. FOSS. And we have a large number of submarine chasers. Is it proposed to keep them in commission?

Mr. PADGETT. Not all of them. They are proposing, as I understand, to sell some of those, and those chasers and Eagle boats are to take the place of the gunboats in the service in shallow waters and in the river service and in the Orient and in South and Central America. And I will state that there were ordered about 112 of the Eagle boats. The Secretary canceled the contracts down to 60.

Mr. FOSS. How many of these Eagle boats have already gone into commission? Those are the Ford boats?

Mr. PADGETT. Yes. I believe it was either five or seven. I believe it was five that were put up.

Mr. FOSS. Does the gentleman feel, taking into consideration all of these vessels that he has referred to, that he has made ample provision for manning them in recommending 225,000 men?

Mr. PADGETT. Instead of using the word "ample" I will use the word "economical." We have made economical provision for them.

Mr. FOSS. Although at the present time the Navy has over 400,000 men, the gentleman says.

Mr. PADGETT. Four hundred and ninety-seven thousand on the 11th of November, but a large number of those have been discharged.

Mr. IGOE. How many have been discharged?

Mr. PADGETT. The number varies from day to day, but I think more than 100,000 have been discharged.

Mr. BUTLER. The Secretary of the Navy has ordered the discharge of more than 40 per cent.

Mr. PADGETT. Yes; but they have not all been discharged.

Mr. BUTLER. The order is out to discharge more than 40 per cent—nearly 50 per cent, according to my recollection.

Mr. IGOE. That was 40 per cent of the reserve, was it not?

Mr. PADGETT. Yes.

Mr. IGOE. Will the chairman of the committee explain that?

Mr. PADGETT. The reserves are not discharged. They are placed upon inactive duty, which is the same as a discharge. To grant a discharge to the reserve would be to disintegrate and destroy the reserve. The reserve is essentially a peace organization. It is an organization composed of men distributed through civil life, engaged in civilian occupations in time of peace, but to whom the department have a string, so that they can call these men into the service in time of war or in time of national emergency proclaimed by the President under authority of law. Now, if you were to discharge those men, you would disrupt and disintegrate the reserve force. When they were called into active service during the war they received the same pay as the regular Navy and became a part of it. But when the war is over, when the President puts them back, they go back to their peace basis, like they were before the war. They are enrolled, and they receive the pay of $12 a year, called their retainer pay. Then they are required to drill two months out of three years in order to keep in touch and in practice on a ship; so that the Navy has this reserve that is available, that it can

call without having the expense of maintaining so large a force in active service when they are not needed.

Mr. HARDY. Is that $12 a year all that the men in the Naval Reserve receive?

Mr. PADGETT. That is all they receive, except that they get full pay during the two months that they are in active service in time of peace. In time of war they get the same pay as other men of their ratings in the Regular Navy.

Mr. HARDY. They are paid for the drilling time?

Mr. PADGETT. Yes. They get the pay of their regular rating.

Mr. McKENZIE. While we are on the question of personnel, I want to ask the chairman of the committee one question.

Mr. PADGETT. I yield to the gentleman from Illinois.

Mr. McKENZIE. Of course, we understand that this appropriation is a peace-time appropriation. That is, it will take care of the Navy from July next until July, 1920.

Mr. PADGETT. That is what it is purposed to do.

Mr. McKENZIE. If I understood the chairman of the committee, in discussing the question of personnel, he said that a certain number of the men in this personnel would be used to man the transports, including those taken over from the German Government. What I desire to ask the chairman of this committee is in regard to the policy of the Navy. Is it to be the policy of the Navy to enlist young men into the naval forces of our country and then use them to man merchant and commercial ships in time of peace?

Mr. PADGETT. Those ships were turned over to the Navy. The Navy did not ask for them, when they were turned over to them, but the Navy were commanded to operate them, and they put on the official and the enlisted personnel to operate them, and they have done so during the war. I got a letter, transmitted to me by the Secretary of the Navy from the Shipping Board, stating that they did not intend hereafter to turn over any other ships than the ones that they have, but it comes in an indirect way. The Shipping Board turned them over to the Army, and the Army turned them over to the Navy, and called upon the Navy to come to the rescue of the Army and operate these ships to bring back the men from overseas. Now, the Navy have taken the position, "We have not asked for these ships, but we accept any duty that is placed upon us by authority."

Mr. McKENZIE. Then, as far as the gentleman knows, there is no purpose behind this, and there is no fixed policy to enlist men into the Navy to be utilized in running commercial ships in time of peace.

Mr. PADGETT. No, sir.

Mr. McKENZIE. Of course, we all agree that at this time it is necessary to bring the boys back.

Mr. PADGETT. We are in only a quasi peace condition now.

Mr. McKENZIE. I understand that.

Mr. PADGETT. And during the coming year it will be necessary for the Navy to operate a large number of ships for the Army. That will extend through this coming fiscal year, in order to bring back the men who are over there, and the army of occupation, and to bring back the millions of tons of supplies and equipment and all that which we have over there.

Mr. McKENZIE. The chairman of the committee will understand that I am finding no fault, nor am I objecting to that policy in war time or while we are returning our troops and matériel from abroad; but I think it would be bad policy in time of peace.

Mr. PADGETT. I understand that, and as I understand it is not the policy of the Navy Department to take over these ships and operate them for commercial purposes; but the Secretary of the Navy has stated repeatedly to the committee that the question of policy as to that was one to be determined by the Congress, and that he awaited whatever direction Congress should give him.

Mr. KELLEY of Michigan. I will say further to the gentleman from Illinois [Mr. McKENZIE] that this bill carries a provision that when these men now needed for this temporary duty are no longer needed for this temporary duty they are to be mustered out of the service, or an equal number of men mustered out, so it is not the intention to carry it beyond the temporary need for bringing back the men, or supplying the men over there with food and other materials.

Mr. PADGETT. I have stated that fully.

Mr. McKENZIE. I read that in the report, and it was one of the things that suggested the question to my mind as to what was going to be the policy of the department.

Mr. PADGETT. The Secretary of the Navy has stated to the committee a number of times, as I said to the gentleman a moment ago, that the Congress must determine the policy as to operating the Shipping Board ships. And I want to say to the gentleman that I think Congress will have a big problem on its hands to determine that policy.

Mr. SNELL. Will the gentleman yield for a question?

Mr. PADGETT. Yes.

Mr. SNELL. Will the gentleman tell me how many men there are at the Great Lakes Naval Station at the present time?

Mr. PADGETT. About 25,000.

Mr. SNELL. What is going to be done with these young men?

Mr. PADGETT. They are discharging them as rapidly as they can; but let me call the gentleman's attention to the difference between the situation in the Navy and that in the Army with reference to discharging the men. The Army has nothing except its personnel. It has no ships, it has no boats, or anything of that kind. They can discharge a whole unit, a regiment, and that is what they do. We can not discharge a whole complement of the ship and leave it stripped and bare. It takes a certain number of men to operate the ships.

Mr. SNELL. But these men of the Great Lakes are not connected with any special department.

Mr. PADGETT. No; but they are men sent there, being trained.

Mr. SNELL. They are not attached to any ship.

Mr. PADGETT. No; but, as I say, they are being discharged as rapidly as they can.

Mr. SNELL. How rapidly is that?

Mr. PADGETT. I have it in my mind that there has been something over 100,000 discharged since the armistice was signed.

Mr. SNELL. From the Great Lakes station?

Mr. PADGETT. No; the whole number discharged. New men enlist in the Navy and are sent to these training camps, and the men in the training camp that enlisted for four years and their time is expiring are discharged.

Mr. SNELL. Are they taking on new enlistments?

Mr. PADGETT. Yes.

Mr. SNELL. And sent to the Great Lakes?

Mr. PADGETT. Yes; to the Great Lakes and to Newport and to Hampton Roads.

Mr. SNELL. I am interested in getting some young men out of there who are anxious to get home. I received a lengthy communication from the commandant, and when I read it through it concluded with the statement that he would think it over and let me know.

Mr. PADGETT. I got one of the very same kind from the commandant, stating that on account of the need of men—for instance, here is a man doing duty, and some one has to take his place.

Mr. SNELL. I wondered what his duties were and why it was necessary to keep so many young men there.

Mr. PADGETT. It is largely a training camp, composed of men being trained, and it is mixed up with men that are there who are to stay permanently. Some are temporary——

Mr. SNELL. The temporary ones are the ones I am interested in. Why is it necessary to keep them there?

Mr. PADGETT. It might be necessary to keep a man there to take the place of some man whose four-year enlistment is about to expire, and they want to discharge him. All these things can not be done in a day or in a week. I got a similar letter to the one the gentleman got.

Mr. IGOE. How does the gentleman handle that?

Mr. STAFFORD. These are circular letters with the name of the Member inserted.

Mr. PADGETT. I do not think it is a circular letter.

Mr. STAFFORD. If the gentleman will examine closely, he will find his name inserted in a very nice way so that you would hardly detect that it was a circular letter.

Mr. PADGETT. I did not notice that it was.

Mr. SNELL. What portion of the men there now want to be discharged and what number are permanent?

Mr. PADGETT. I could not tell the gentleman; they are shifting every day. They are turning the temporaries out and are taking in others. They told me the other day that there had come in a thousand or twelve hundred men from all over the country within a day or two. These men are going into the training camps.

Mr. SNELL. I thought if there was a way to get these men out I would like to know it. If there is not, I am willing to take my turn with the rest.

Mr. HENSLEY. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. HENSLEY. Take a case of this kind: One of these young men has a dependent wife and a father who is looking to the boy to help him. He is getting old. The boy is a tooter of a horn in the Navy. That is all the service he is rendering.

The man over him declares that he can not dispense with his services to the Government at this time. Would the gentleman regard that as being so important that the boy should remain in the service and not be discharged?

Mr. SNELL. That is practically the same thing that a young man wrote me, only he said he was not doing anything.

Mr. PADGETT. I should think that in the case mentioned by the gentleman from Missouri, the boy could be dispensed with, but I can not pass on all the details or the exigencies of the service at the particular time. I found this condition, gentlemen, and I think all of you will verify it. There is more anxiety now about the boys and we are getting more letters now than we did while the war was going on and while it was in active operation.

Mr. DOWELL. Is there not a good reason for that, when they know that there is no need of their being any longer in the service?

Mr. PADGETT. If the gentleman will wait a moment, that might apply with a broader significance to the Army than the Navy. We have got these men on the ships and we can not abandon the ships. We have got to hold the men on there until an organization is brought down to where they can be cared for. Every fellow thinks that he is an individual, but when you think that these individuals from all over the country are making the same claim, the same argument, and thousands and thousands of them are coming in, you will appreciate the situation. It was stated to the committee, I think, that 50 per cent of the entire personnel were insisting on getting out at once.

Mr. IGOE. What is the personnel? I think we all want to have the transports and ships commanded properly to bring the boys back, because we are all pleading for them to be returned. We have got to admit that the Navy must be manned to bring them back, but what is the total number of men which the Navy needs for their service at this time and what is the total number we have in the service?

Mr. PADGETT. As I stated a little while ago, on the 11th of November the Navy had 497,000 men. The Chief of the Bureau of Navigation insists that he could not get along now with less than 350,000 men.

Mr. IGOE. What are these 350,000 needed for? Does that include troop ships, which the gentleman spoke of as having been taken over?

Mr. PADGETT. Troop ships, transports, and Navy ships, and all the ships we have in operation. There are something like 2,000 ships all told with the Navy to-day in operation. We can not abandon them all at once.

Mr. SNELL. My special inquiry is directed in respect to the men who have never been assigned to ships and never expect to be.

Mr. GREEN of Iowa. And never will be.

Mr. SNELL. And never will be. I appreciate the fact that the ones assigned to ships you have need for and that they must be retained in the service.

Mr. PADGETT. And the gentleman must remember that with 350,000 men needed for the ships, there is a large number of men who are sick, there is a large number of men whose term is expired by limitation, who have the right to go out, and you have got to have replacements. These replacements come from these schools, these training places, and the navigation officers must look forward to what are on the ships, what is required, what is coming off—men who are sick, men whose terms are expired, men who are debilitated. There must be a reserve in these schools for replacements.

Mr. SNELL. You would have that reserve among the young men who intend to remain permanently in the Navy, but as to these 40 or 50 per cent that are going to be discharged some time, who are never going to remain, who are not training themselves especially at this time, I can not understand why we can not get that complement out.

Mr. PADGETT. But the gentleman must remember that on the ships——

Mr. SNELL. But these are not on the ships; these are at the stations.

Mr. PADGETT. On the ships there are thousands of men who have reasons to get out that are more urgent than the young men who are in the schools.

Mr. SNELL. But the commandant says that they are going to let them go.

Mr. PADGETT. Yes.

Mr. SNELL. When?

Mr. PADGETT. As soon as they can.

Mr. SNELL. That is the thing we would like to get definite information about. If we can not get it here in Congress from the Naval Committee, I do not know where we are going to get it.

Mr. PADGETT. They can not tell you; they are complaining to us. I talked to Capt. Taussig two days ago, and he told me they were letting them out so fast that they were right down to the danger point as to how they would get men to operate the ships.

Mr. SNELL. A lot of these young men at the present time are not doing anything.

Mr. PADGETT. They are in the training schools, and some of those men may be sent to the ships for a while until they can be replaced with permanent men.

Mr. SNELL. Are there not a lot of these young men at the present time who have stopped training since the armistice was signed?

Mr. PADGETT. No.

Mr. GREEN of Iowa. Oh, the gentleman is mistaken about that.

Mr. PADGETT. I think the men in the schools are all being trained.

Mr. GREEN of Iowa. No.

Mr. SNELL. I have letters saying that they are not doing the work they did formerly.

Mr. PADGETT. I can not answer that.

Mr. SNELL. I would like to get that information.

Mr. PADGETT. My understanding is that they are still carrying on the training of these men in the schools.

Mr. SNELL. I had a letter from a young man at Pelham Bay the other day, and he said that he was absolutely doing nothing, and had not been doing anything for six or eight weeks. That is the general information that I get from many places. It seems to me that there might be some machinery manufactured somewhere, so as to get that sort of people out.

Mr. PADGETT. They are now turning them out by the thousands, and as to whether the gentleman's particular young man gets out——

Mr. SNELL. I am not interested in any particular young man, but all of these young men who are not doing anything at the present time at these naval stations.

Mr. KELLEY of Michigan. Mr. Chairman, it might help the gentleman from New York to know that after the 1st of July only 225,000 men can be kept in the Navy.

Mr. SNELL. Then we are sure of getting them out by the 1st of July?

Mr. KELLEY of Michigan. Down to 225,000, and if your young man happened to be among the 225,000 who are needed——

Mr. GREEN of Iowa. Is the gentleman positive about that?

Mr. KELLEY of Michigan. We do not appropriate any money beyond that, and I imagine that will govern.

Mr. SNOOK. When a young man is in the Navy or the Naval Reserve and wants to get out and files an application it is referred to his immediate commanding officer for recommendation. Is that right?

Mr. PADGETT. That is right.

Mr. SNOOK. In my experience I find that some of these commanding officers are very diligent and take up these applications and go over them and recommend that a certain percentage of the men on the boats who are under their command be discharged. Other commanding officers entirely ignore these applications and pay no attention to them whatever and discharge nobody. Ought not some way to be provided where a young man has a good case, like some of these cases that have been spoken of here, where his parents are dying, or where he has a family dependent upon him, in case the commanding officers ignore the applications, so that he could appeal to a board, where he could have the matter retried?

Mr. PADGETT. I have understood that the Secretary has given orders that in all cases where they had declined to grant the application, the papers, with the applications, should be forwarded to the department here for consideration and review. Where they were granted, that is the end of it and there was no necessity for forwarding them.

Mr. SNOOK. Yes, but I have had considerable experience with the department here. When you take up a case with the department here in Washington they say they do not have anything to do with it, it is the commanding officer that must pass upon the application. They will say that they will recommend him to discharge the boy if he thinks it is consistent with the service, or this, that, or the other.

I know of cases where the commanding officer entirely ignored all applications, and it seems to me, both in the Army and the Navy, there ought to be some kind of a court or some kind of a board to which a boy who has a meritorious case can appeal from the decision of the commanding officer and have it pass on his application.

Mr. PADGETT. He could address his communication to the Chief of the Bureau of Navigation, who is superior to this officer, and call attention to it.

Mr. SNOOK. I have had occasion to talk to the gentleman to whom the gentleman refers, Capt. Taussig, a very fine man, and he gives a great deal of information; but after all, when you talk to the Bureau of Navigation about it, they say it is up to the commanding officer; and if the boy has a meritorious case and his commanding officer refuses to pass on it, there seems to be no way to get around it at all, and there ought to be some board to which the boy could present his case.

Mr. STEENERSON. Will the gentleman yield?

Mr. PADGETT. I will.

Mr. STEENERSON. I have been much instructed by the discussion in regard to the release of men from the Navy. I would like to know if the same rule governs the men from the Marine Corps?

Mr. PADGETT. Yes, sir. Now, there is this about the Marine Corps: That part of the Marine Corps that is in France, about 25,000 all told, are under the control of the Army and Gen. Pershing. The moment they land in France they become a part of the Army. They are not under the control of the Navy, and they would only come back to the Navy when Gen. Pershing sends them back as a part of his army, or if they should be withdrawn by order of the President. The Marine Corps that are not in France, who are here in the United States, or in South or Central America, or Asia, or wherever the marines are operating, why they are under the jurisdiction of the Navy, and I understand the same rule applies to them.

Mr. STEENERSON. The applications which have come to me lately from my district are young men who enlisted at the outbreak of the war in the Marine Corps and are now in France—some at Brest, some at Bordeaux——

Mr. PADGETT. Those who are in France, they are not discharged, but they would be sent home through Gen. Pershing, and through the military channels.

Mr. STEENERSON. In what way do they proceed if they want a discharge?

Mr. PADGETT. I had had some cases of that kind, and they instructed me that they should address a communication to Gen. Pershing and forward it through military channels, stating fully all the reasons why they are asking to be sent home, and it will be passed upon by Gen. Pershing under military authority.

Mr. STEENERSON. That would be sent through their immediate commanders?

Mr. PADGETT. Yes, sir; and Gen. Pershing. That is what I have been informed.

Mr. STEENERSON. That is, they are not discharged, but——

Mr. PADGETT. They would be sent home, and when they came back home they become part of the Navy and under the jurisdiction of the Navy then, and their discharge would be acted upon here by the Secretary of the Navy or the commandant of the Marine Corps.

Mr. HARDY. Will the gentleman yield?

Mr. PADGETT. I will.

Mr. HARDY. I think I understand the idea and policy under which the head of the Navy Department leaves necessarily to the commandant in charge in the immediate locality, or a ship, the ultimate decision as to whether or not he will discharge or grant a discharge upon application——

Mr. PADGETT. Not the ultimate one.

Mr. HARDY. Just one minute, and I will come to that. That is, under ordinary circumstances, he being on the ground, knows the condition and is the better one to judge?

Mr. PADGETT. Yes.

Mr. HARDY. But if I understand it right, if an applicant makes a justifiable application for discharge, and the commandant should simply ignore it or should refuse without just reason, there is an appeal to the head of the Bureau of Navigation.

Mr. PADGETT. I understand so; that they are entitled to have it reviewed by the Bureau of Navigation.

Mr. HARDY. Now, it is the duty of the commandant to send the papers up whether he grants the discharge or refuses it?

Mr. PADGETT. No; I understand if he grants the discharge that is the end of it.

Mr. HARDY. He turns the party loose?

Mr. PADGETT. If he does not grant it, as I understand, he is directed to forward those refusals to the department for consideration here, and that is the reason for their action.

Mr. HARDY. I do not think it would often occur, but it may occur that some commandant utterly ignored that part of his duty and refused to present the matter, then what is the remedy?

Mr. PADGETT. In that case the only thing I can see is for the young man himself to write to the Chief of the Bureau of Navigation or the Secretary of the Navy.

Mr. HARDY. Then would he be disciplined for going over the head of his immediate superior?

Mr. PADGETT. I think not.

Mr. MILLER of Washington. Probably so.

Mr. PADGETT. I think if he should state that he had made his application and that his application had not been considered I do not believe that he would receive any penalty or be punished.

Mr. HARDY. Does the gentleman think the head of the Navy Department should sit down on any attempt to discipline that young man?

Mr. PADGETT. I do not think he would be disciplined, sir. I will reserve the balance of my time.

Mr. SAUNDERS of Virginia. Mr. Chairman, before the gentleman sits down I wish to call his attention to some figures set forth in the report. I notice the report states that the estimates for the support of the Naval Establishment for the fiscal year 1920, as set forth in the Book of Estimates, was $2,044,000,000. I suppose these estimates were submitted in reference to the continuation of the war?

Mr. PADGETT. Yes.

Mr. SAUNDERS of Virginia. So they may not be regarded in this connection. I notice the amount subsequently recommended by the bureau chiefs was $1,400,000,000. That contemplated a peace-time program?

Mr. PADGETT. Yes, sir.

Mr. SAUNDERS of Virginia. What is it that was eliminated from the bureau chiefs' estimate?

Mr. PADGETT. They made those estimates on the basis of 350,000 men, and the committee reduced the number of enlisted men to 225,000. That is one item, and there are many other items along that line.

Mr. SAUNDERS of Virginia. Let me ask you if there was no addition to the number of ships proposed here for which they wish 350,000 men?

Mr. PADGETT. There were a number of ships proposed, and they had a larger complement for the ships than the committee felt was necessary in peace times.

Mr. SAUNDERS of Virginia. I understand, then, that the recommendation of this bureau for additional ships is a recommendation the committee has eliminated?

Mr. PADGETT. We do not think there will be as many ships in operation as would require the 350,000 men.

Mr. SAUNDERS of Virginia. In other words, you reduce the number of ships, and you think that the ships will not be built to require the number of men that were contemplated in the estimates of the bureau chiefs?

Mr. PADGETT. A great many of the ships that they have now and are being operated, and that we estimated would be operated during the whole of the fiscal year, will be dispensed with.

Mr. SAUNDERS of Virginia. These reductions then, I understand, do not relate to reduction in the number of ships but to maintenance of operation?

Mr. PADGETT. The operation of the ships.

Mr. SAUNDERS of Virginia. I notice after these bureau chiefs——

Mr. PADGETT. That is only one item that I can mention. A great deal of that was reduced many millions from the estimates for appropriations for navy yards and shore stations, and aircraft, and many things of that kind. For instance, the original estimate for aircraft was $225,000,000. In the estimates by the bureau chiefs they estimated that they could use $85,000,000, and they wanted $85,000,000. The Secretary of the Navy reduced it, as I remember, to $36,000,000, and the committee reduced it to $25,000,000. And that runs all through the hearings.

Mr. SAUNDERS of Virginia. May I ask the chairman in this connection who are comprehended under the head of bureau chiefs?

Mr. PADGETT. The Chief of the Bureau of Navigation, the Chief of the Bureau of Steam Engineering, the Chief of the Bureau of Yards and Docks, the Chief of the Bureau of Construction and Repair, the Chief of the Bureau of Medicine and Surgery, the Chief of the Bureau of Supplies and Accounts, and the Commandant of the Marine Corps, with subdivisions under that.

Mr. SAUNDERS of Virginia. Now, the recommendations that were made in this connection I suppose were based upon the idea that the proper defense of the country needed the full amount contained in their recommendations?

Mr. PADGETT. Yes, sir; they were honest in their recommendations.

Mr. SAUNDERS of Virginia. I do not question their honesty.

Mr. PADGETT. I do not mean honesty in that sense. I mean the conviction that was necessary.

Mr. SAUNDERS of Virginia. I understand. But I was trying to ascertain to what extent the committee used its own judgment in overriding the judgment of these bureau chiefs.

I noticed the Secretary of the Navy reduced his recommendations for so-called preparedness, which came from the heads mentioned, down to $975,000,000. Now, in what direction and in what details did the Secretary of the Navy reduce the recommendation of these bureau chiefs?

Mr. PADGETT. The Secretary took up the various items and then insisted that they could get along on less appropriation. And if you look on page 901, I believe it is, of the hearings you will find a parallel, itemized statement, where in one column is the title of the appropriation. In the first column after that is the original estimate; in the next column is the amount that the Secretary has recommended, and in the last column the amount that was proposed by the bureau chiefs, parallel with each other, showing every item which he had reduced, and his recommendations.

Mr. SAUNDERS of Virginia. Then the committee differed with the recommendations, first, of the chiefs and then with the Secretary of the Navy, by reducing the bill down to $746,000,000?

Mr. PADGETT. Yes, sir. Out of the great desire of the committee to reduce appropriations to the very lowest limit that they thought would be consistent with the operation, and curtailing all enlargements and extensions.

Mr. SAUNDERS of Virginia. And the committee reported what, in its judgment, is adequate defense, and they considered they could eliminate $900,000,000 of what these heads thought was adequate defense and at the same time still preserve our adequate defense?

Mr. PADGETT. Two hundred and twenty-nine millions.

Mr. SAUNDERS of Virginia. I thought you were making a reduction here of $938,000,000?

Mr. PADGETT. That is out of the appropriations for the current year.

Mr. SAUNDERS of Virginia. I am calling attention to them.

Mr. PADGETT. But the current year's appropriations were made on a war basis.

Mr. SAUNDERS of Virginia. As to the $200,000,000 you speak of, is there a difference between the report of the committee and the report of the Secretary of the Navy?

Mr. PADGETT. Yes. And then the $746,000,000 and the $1,414,000,000 shows the difference between the bureau chiefs and the report of the committee.

Mr. SAUNDERS of Virginia. Now, Mr. Chairman, I notice that the total for the Naval Establishment for the fiscal year 1919 you put at $1,000,000,000?

Mr. PADGETT. That is the one I referred to a moment ago.

Mr. SAUNDERS of Virginia. It provides for that year for maintenance and new construction.

Mr. PADGETT. Yes; and so does this one carry maintenance and new construction also.

Mr. SAUNDERS of Virginia. What do you mean by this one?

Mr. PADGETT. This bill. It carries authorization for new construction.

Mr. SAUNDERS of Virginia. I had not reached that point as yet. I wanted to ask as to the appropriation for 1919—the $1,000,000,000 that is carried for the maintenance of the Navy during that year and for construction during that year.

Mr. PADGETT. Yes; and for war operations.

Mr. SAUNDERS of Virginia. What would be the proportion of that $1,000,000,000 that would be for operating expenses, for maintenance, and for construction, as nearly as you can state them?

Mr. PADGETT. If I remember aright the bill, it is set out in the bill of last year, of July 1. In the present bill, I think, we have appropriated for construction about $170,000,000.

Mr. KELLEY of Michigan. My recollection is that last year the new construction amounted to about $350,000,000.

Mr. PADGETT. It is itemized in the bill last year.

Mr. KELLEY of Michigan. And there were some from emergency sources in addition.

Mr. PADGETT. The total increase of the Navy in the bill last year was $184,397,000. That was carried in the regular bill. Now, there were many, many millions of dollars that were appropriated in deficiency bills for authorizations that ran it up, as suggested by the gentleman from Michigan [Mr. KELLEY], perhaps to $300,000,000.

Mr. SAUNDERS of Virginia. I will put the question in this way: When the construction heretofore authorized shall have been completed, so that we will have the present Navy plus the ships authorized, what will be the annual cost of the operation and maintenance of that Navy?

Mr. PADGETT. That is a matter that the committee made inquiry about and had estimates about. It varies. Some of them were put up, I think, as high as about $650,000,000. Personally, I do not think it would be that much.

Mr. SAUNDERS of Virginia. You mean, without adding a ship under any new authorizations in this bill, when all the outstanding authorizations are completed, and the ships are manned, the annual maintenance and operation charge of that fleet, so composed, would be from $600,000,000, to $650,000,000?

Mr. PADGETT. There were some estimates of that kind; yes, sir.

Mr. SAUNDERS of Virginia. I notice here that you have another building program.

Mr. PADGETT. Yes.

Mr. SAUNDERS of Virginia. On page 3. What is the aggregate cost, so far as the committee can now figure it, of that program? Of course, we understand that the actual figures in the result always run far ahead of the provisional estimates; but so far as the committee can figure out, what will be the cost of the building program on page 3?

Mr. PADGETT. Based on the present cost of ships, the present cost of labor and material, which is a very high charge, it is estimated that the battleships will cost $32,400,000 each.

Mr. SAUNDERS of Virginia. That would be $324,000,000 for the 10 battleships?

Mr. PADGETT. Yes; and the scout cruisers will cost about $8,800,000 each. That would be $88,000,000.

Mr. HARDY. Does that estimate include the equipment of the ships also?

Mr. PADGETT. Yes. I am speaking of them complete; and those appropriations would be distributed over about seven years.

Mr. SAUNDERS of Virginia. That provision contemplates, then, a new building program, an additional and supplemental program, one that will cost, according to the best figures you can now make, about $412,000,000?

Mr. PADGETT. Yes, sir. I will state to the gentleman that the opinion was expressed to the committee that there would be a reduction in the cost of materials and of labor under this program before it was completed, which would be distributed over six or seven years—or six years anyway—and as to whether or not that is correct, you can guess as well as I can.

Mr. SAUNDERS of Virginia. I have had that hope expressed heretofore, but never seen it realized, so far as my immediate experience has gone.

Mr. PADGETT. I imagine that there will be, as we get back to peace conditions, of necessity a decline in the cost of living and the cost of materials and labor. I believe they must go down to a normal basis, and go down proportionately.

Mr. SAUNDERS of Virginia. Do the figures you have given me put a ship into condition to go into the line of battle?

Mr. PADGETT. Yes, sir.

Mr. SAUNDERS of Virginia. It includes, then, guns and ammunition, and is a completed ship?

Mr. PADGETT. Yes, sir.

Mr. MILLER of Washington. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. MILLER of Washington. I notice on page 35 of the hearings that Admiral Earle testified that 112 of these Eagle boats are to be completed.

Mr. PADGETT. No; 112 were ordered. The Secretary canceled 52, leaving 60 to be completed.

Mr. MILLER of Washington. Admiral Earle says on page 35 that 112 are to be finished. The approximate cost of these boats, as I understand, is in the vicinity of $275,000 each. Is that correct?

Mr. PADGETT. No; it is much more than that. The estimate was made originally that they could build them for $275,000 each, but Admiral Taylor, Chief Constructor, stated to the committee that while they hoped to build them for that, they never expected to build them for that, and they expected them to cost much more than that, and if they were built for $400,000 each it would be a very good job and a very fair price.

Mr. MILLER of Washington. That is the Ford Motor Co. contract?

Mr. PADGETT. Yes, sir. But the company made this sort of a contract: It was on the cost-plus plan; they were to be paid the cost of construction and $20,000 on each boat as their profit.

Mr. MILLER of Washington. Now, there are to be 58 of those completed?

Mr. PADGETT. Sixty.

Mr. MILLER of Washington. Sixty?

Mr. PADGETT. Yes, sir.

Mr. MILLER of Washington. What is the general purpose that those boats will be used for when they are completed?

Mr. PADGETT. Largely as substitutes for gunboats in South and Central American waters, the West Indies, in the Orient, in China, the river service in shallow waters, and services of that kind.

Mr. MILLER of Washington. Is it also contemplated that they shall take the place of the revenue cutters?

Mr. PADGETT. No, sir. The Revenue-Cutter Service in time of peace is under the Treasury. In time of war its vessels are under the Navy. A bill has been introduced, that is pending before another committee, to transfer permanently to the Navy the old Revenue-Cutter Service, now called the Coast Guard Service.

Mr. MILLER of Washington. That is what I am after.

Mr. PADGETT. But that is pending before another committee and has not been considered by our committee at all.

Mr. MILLER of Washington. Would these Eagle boats be available for that purpose?

Mr. PADGETT. If the Congress should turn them over, or if the department should transfer them by consent of Congress, I presume they could be used for that purpose.

Mr. MILLER of Washington. Does the gentleman know if the Navy Department has that in view as the reason for asking that these 60 Eagle boats be completed?

Mr. PADGETT. No, sir. I understand the 60 are being completed because they had progressed so far at the time of the signing of the armistice, in the gathering of the materials and the fabrication and the progress of the work, that it was an advantage to the Government to complete those 60. The 52 had not been completed to that extent, and the contracts for them were canceled.

Mr. MILLER of Washington. And there are two or three or four in commission now, I believe.

Mr. PADGETT. I have it in my mind that five of them have been put out in the water. Whether I am correct on that or not I do not recall. It is a small number.

Mr. MILLER of Washington. Is it the judgment of the Navy that those boats are a success?

Mr. PADGETT. Admiral Taylor speaks very nicely of them. He is the chief constructor. He says that they are good boats, and that they will be very serviceable and will be well worth what they will cost the Government.

Mr. MILLER of Washington. They mount two 4-inch guns, do they not?

Mr. PADGETT. I believe they have either 4 or 5 inch guns. I am not sure which.

Mr. SAUNDERS of Virginia. Mr. Chairman, I have one further question that I wish to ask. When this supplemental program is completed, which is to cost $412,000,000, what then will be the annual maintenance charge of our Navy, if we add nothing more?

Mr. PADGETT. I do not think it would aggregate any more than with the others, because many of those that we now have would be supplemented by these new ships.

Mr. SAUNDERS of Virginia. Has it been the experience of the chairman heretofore that from year to year the expenses of the Navy have ever declined?

Mr. PADGETT. No, sir.

Mr. SAUNDERS of Virginia. Have we any reason to believe, then, that in the future the experience will be different?

Mr. PADGETT. Yes; I think we have reached the point where, owing to the age of our ships, many of those that we now have will go out of service and be supplemented by the larger, better, and newer ships.

Mr. OLIVER of Alabama. If the chairman of the committee will permit, in answering the question of the gentleman from Virginia [Mr. SAUNDERS] as to the cost of maintaining the present Navy as now authorized, without adding any more ships, the chairman stated that it was estimated by some to be as much as $600,000,000.

Mr. PADGETT. I said $650,000,000. That is my recollection.

Mr. OLIVER of Alabama. The only estimate submitted to the committee on that question was a letter from Admiral McGowan, which will be found on page 825 of the hearings. In making that estimate he took into account the ships of the August, 1916, building program and also a duplication of that program. It will be interesting to the gentleman to read that letter. Admiral McGowan makes the statement therein that in the opinion of the Bureau of Supplies and Accounts 25 per cent of the original cost of ships represents the fair annual cost of maintenance; and he sets out in that table what the Navy authorized prior to August, 1916, cost, which was approximately $775,000,000. He estimated the cost of the August, 1916, program at $761,000,000, and he estimated that to duplicate the 1916 program would cost $913,000,000, taking into account the present increased cost of labor and materials, and he then gave as the minimum cost to maintain the Navy after the completion of the August, 1916, program and a duplication thereof to be $612,250,000 as the minimum and $806,000,000 as the maximum.

Mr. KELLEY of Michigan. On the basis, though, of $900,000,000 for the duplication.

Mr. OLIVER of Alabama. Yes; for a duplication of the 1916 program, which the admiral bases his estimate on.

Mr. KELLEY of Michigan. I do not want to have the gentleman from Virginia [Mr. SAUNDERS] confused, because this program is only for $400,000,000.

Mr. SAUNDERS of Virginia. That is interesting. Then, according to Admiral McGowan's figures, the minimum cost in the situation predicated would be $625,000,000, and the maximum cost would be how much?

Mr. OLIVER of Alabama. About $806,000,000.

Mr. SAUNDERS of Virginia. It is pretty safe, then, to figure on $750,000,000.

Mr. OLIVER of Alabama. In making this estimate he took into account the building of another program such as we ordered in August, 1916, and instead of $750,000,000 he estimated that it would cost something over $800,000,000.

Mr. SAUNDERS of Virginia. I was just going to ask this question, if the gentleman had the figures, because if he can furnish the figures I can do a little mathematical computation and get at my results.

Mr. OLIVER of Alabama. Yes.

Mr. SAUNDERS of Virginia. By the time the ships contemplated in the 1916 program are completed, and by the time this supplemental program recommended by your committee is completed, what will be as of that future date the aggregate cost of all of the ships then in the American Navy? If you can give me that, I can divide that by 4 and get at the maintenance.

Mr. OLIVER of Alabama. The aggregate cost of the ships ordered prior to August, 1916, was stated by the admiral to be approximately $775,000,000, and the aggregate cost of the ships of the August, 1916, program is estimated by the admiral to be $761,000,000. But at a later hearing Admiral Taylor stated that that would be $806,000,000. The aggregate cost of the duplication of the August, 1916, building program, as estimated by Admiral McGowan, is over $900,000,000. Instead of authorizing the duplication of that program of 1916, as was first suggested, the only part of that program we have authorized is 10 battleships and 10 scout cruisers, which the chairman states are estimated by Admiral Taylor to cost approximately $400,000,000.

Mr. SAUNDERS of Virginia. May I ask this question? It is often stated in our body, that when the Congress authorizes battleships and scout cruisers, their construction is always followed by requests for a number of smaller vessels which the Navy needs insist are necessary to make a well-balanced Navy. Hence the moment we begin to build battleships and scout cruisers, then this other construction is a corollary, you may say.

Mr. PADGETT. If the gentleman from Alabama will permit, I will say that before the war our Navy was an unbalanced Navy. We had more capital ships—that is, large ships—and had emphasized that and had been leaving off the small ships. On account of the exigencies of this war, and the operation of the submarines against commercial ships, the thing shifted, and we have now a multitude of small ships and a surplus of small ships, so that the Navy is now unbalanced by having more small ships out of proportion to what we have of large ships. So in this war it changed. For instance, we have 342 destroyers built, building, and authorized. Before the war I think we had between 70 and 80, if I remember the figures offhand.

Mr. KELLEY of Michigan. Fifty-four.

Mr. BUTLER. Fifty-four small boats.

Mr. PADGETT. I was perhaps putting it too high. Now, we have the same condition about submarines. We have the chasers, we have the Eagle boats, and various others, so that we do not need small craft at all, and for that reason the committee has not reported any part of the program with reference to the small craft, but we are reporting two of the larger type.

Mr. SAUNDERS of Virginia. What the chairman has stated does not alter the rule. He states that we have more smaller ships than we used to have, and that so far as the larger ships are concerned, we will not need so many small ships. With reference to capital ships, it appears just now that we have a disproportionate number of small ships. But that does not meet the question that I am asking. Do our naval experts, the naval heads, consider that when you shall have built the heavy ships contemplated in the 1916 building program, and the heavy ships contemplated in the supplementary program, you will then have such a well-balanced Navy, that there will be no demand for additional smaller ships?

Mr. PADGETT. Well, there is a division of opinion among the naval men. Some insist that we should have more and some say that we have a sufficiency. We have never been able to get an absolute agreement on any proposition.

Mr. SAUNDERS of Virginia. May I ask one further question, and then I will not take any further time of the committee. So far as this war is concerned, our heavy ships have played practically no part, is not that true?

Mr. PADGETT. No; it is not. The salvation of our cause and the cause of the allies were saved by British big ships.

Mr. SAUNDERS of Virginia. But the gentleman does not answer my question. I said "our ships"; I did not say anything about the British ships.

Mr. PADGETT. Had it not been for the big ships Germany would have won the war before we got into it, and we would have had to fight it alone.

Mr. SAUNDERS of Virginia. If it had not been for the British fighting men, you may say Germany would have won the war. I am asking the gentleman, so far as the present war is concerned, whether our big ships played any but a comparatively unimportant part in it. The gentleman does not answer the question by telling me what the English ships did.

Mr. PADGETT. We sent over a part of our ships to act with the British Navy.

Mr. SAUNDERS of Virginia. Our heavy ships were a part of the grand fleet. I am not minimizing our part in the naval war, for I well understand that our smaller ships played a big part in the antisubmarine operations. But is it not true that the big ships of this country made but a small contribution to the naval operations?

Mr. PADGETT. England was very glad to have them sent over there.

Mr. SAUNDERS of Virginia. Yes, I know that they welcomed our battleships, when our admirals in command reached England. I know that they were splendid ships, and that they would have done well if there had been any fighting to be done. They would have played a magnificent part, I may say, but as a matter of fact our big ships had but little to do, and there were comparatively few on the other side.

Mr. PADGETT. We sent five over at first.

Mr. SAUNDERS of Virginia. Five dreadnaughts?

Mr. PADGETT. Yes; and they went up into the Orkney Islands, and then later we sent seven more, I believe.

Mr. BUTLER. Four more, nine in all.

Mr. PADGETT. The gentleman from Pennsylvania says four more. They went over.

Mr. SAUNDERS of Virginia. I wish to get at the facts. Nine went over there. You say now the British grand fleet were waiting for the German fleet to emerge. As a matter of fact it did not emerge before we got over. They never emerged, save as captives. Our heavy ships were naturally welcomed, but they were not needed. The British fleet was ample to contain the German fleet.

Mr. PADGETT. And were there ready.

Mr. SAUNDERS of Virginia. And were there ready and waiting for the Germans to come out. Had they come our ships would have fought like bulldogs. That is true, but they never emerged, and never contemplated emerging. The British had enough heavy ships to take care of the German fleet, if it had emerged, is not that true?

Mr. PADGETT. I think so; but ours contributed a very important part in being there.

Mr. SAUNDERS of Virginia. And the actual active helpful contributions, so far as opposition to the real naval activities of Germany were concerned, which consisted of submarine warfare, were conducted by our lighter ships.

Mr. PADGETT. Oh, certainly; and the English small ships also operated against them.

Mr. SAUNDERS of Virginia. Absolutely, but I am dealing with our contribution to the naval warfare, not the part the English played.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. SNYDER. I want to ask a few questions along another line. I notice in the report that the present authorized strength of the Navy is 143,000 men and odd. Can the gentleman give us any idea as to how many men there are in the Navy now?

Mr. PADGETT. I did that. On the 11th of November, when the armistice was signed, there were 497,020 men. I understand that something like 100,000 have been discharged since then.

Mr. SNYDER. I note that the committee recommends for the temporary organization, until June 30, 1920, 225,000 men.

Mr. PADGETT. Yes.

Mr. SNYDER. And it is stated that 82,000 of these men are for the purpose of the Shipping Board and for transports?

Mr. PADGETT. Yes.

Mr. SNYDER. What I am asking is, are these 82,000 men charged up to the Shipping Board, or are they paid out of the Navy appropriation?

Mr. PADGETT. They are paid out of the appropriation for the Navy, and that is a work that the Navy is doing in addition to strictly naval work.

Mr. SNYDER. I appreciate all that, but what I am trying to get at is when the Shipping Board makes their rates for tonnage, do they have to consider in any way the payment of these men in making up their costs?

Mr. PADGETT. I do not know what the Shipping Board takes into consideration.

Mr. SNYDER. It seems to me that is a very important question right here now.

Mr. PADGETT. The big part I find is for the Army—operation for the Army—and there are certain amounts that the Army refunds to the Navy, and that goes into the Treasury as general receipts, but there is a large part of it that the Navy bears the expense of and does not get any compensation for.

Mr. SNYDER. I understand that when these ships are brought out of Hog Island, if they ever are, they are immediately manned by men from the Navy.

Mr. PADGETT. The Shipping Board turns over its ships to the Army, and the Army then calls upon the Navy to man and operate them.

Mr. SNYDER. The question that I want to clear up, if I can, is this: When the Army or the Navy supplies these men to the Shipping Board, does the Shipping Board contemplate the cost of those men in the rates they give the public for carrying freight?

Mr. PADGETT. I am unable to answer that, because I have no information from the Shipping Board.

Mr. SNYDER. It seems to me that would be information we need here now.

Mr. PADGETT. As to what elements go into the Shipping Board in fixing the rates.

Mr. SNYDER. If the Government is going to supply men and operate its ships and pay those men out of the taxes we are raising for the people, then compete with shippers who are trying to compete with that situation, it seems to me that our whole shipbuilding scheme will go for nothing.

Mr. PADGETT. I agree with the gentleman that it is an element that ought to be considered by the Shipping Board, but they are not under our control or jurisdiction.

Mr. SNYDER. Is it the correct thing for us to do here——

Mr. PADGETT. Our ships are being operated for military purposes.

Mr. SNYDER. To appropriate money in a naval bill for the purpose of operating merchant ships?

Mr. PADGETT. We are not operating merchant ships in commerce.

Mr. SNYDER. You are operating ships for the Shipping Board, and they are carrying merchandise.

Mr. PADGETT. Oh, no; only for military purposes.

Mr. SNYDER. They are operated by the Army—by men furnished the Army by the Navy.

Mr. PADGETT. They are for bringing troops back and equipment of war and materials of war.

Mr. HICKS. Mr. Chairman, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. HICKS. Mr. Chairman, there have been several questions asked here this morning upon which I think perhaps I am able to throw a little light, if the gentleman will permit. I have just telephoned to the Bureau of Navigation in regard to the release of men. They have not the figures as to the actual number, but they have authorized the discharge of 20 per cent of those who enlisted for the duration of the war, 10 per cent of those who enlisted for four years and who joined the Navy after April 6, 1917, and 40 per cent of the Naval Reserves. A query was made in regard to the battery upon the Eagle patrol boats. These vessels have a battery consisting of two 4-inch 50-caliber guns, one 3-inch 50-caliber gun, one Y depth-bomb projector, and two machine guns.

Mr. GILLETT. Mr. Chairman, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. GILLETT. Mr. Chairman, there have been statements in the press that action of the committee was determined, or at least influenced, by secret cablegrams from the President. I wondered whether in this era of pitiless publicity the chairman could tell this House whether that is so or not?

Mr. PADGETT. The papers stated that the chairman had received a cablegram from the President. That is not correct. The President did not cable me nor did I cable the President.

I do not think that any member of the committee did. I think I am warranted in saying no member of the committee did.

Mr. BUTLER. Cable the President, I did not!

Mr. PADGETT. I do not think any member of the committee received a cable from the President. I was going to state this, however, to the House. During the debate in the committee in the hearing, and so forth, there was a diversity of opinion as to the propriety or the need of going ahead with the building program at this time pending the development of the league of nations, the question of disarmament, and what progress had been made, and so forth. That was in the hearing, and I had talked also with the Secretary of the Navy and told him of these various contentions and arguments in the House and in the committee with the membership of the House, and the Secretary of the Navy cabled the President and told him of this situation and asked him if anything had happened over there or if there had been any development—I am giving it in substance—that would change his recommendation as to the three-year program, and the President cabled back in substance—I do not give the words—that he had not changed his mind, that he still insisted and desired very earnestly the three-year program.

Mr. GILLETT. I wondered if the telegram—I do not know whether the gentleman will tell us or not—contained any facts upon which the committee could base its own judgment or whether it was simply an expression of opinion like the similar message on the Panama Canal tolls.

Mr. PADGETT. As I stated, the President stated in substance—I do not give his words—that nothing had occurred over there to change his recommendation for the three-year program and insisted very earnestly that Congress should carry out the three-year program. He stated, however, that if there are developments in the way of tribunals, and so forth, for disarmament and a league of nations, or along that line, that he would be willing that a proviso should be inserted to allow him to discontinue or stop the building program if an agreement was reached internationally.

Mr. GILLETT. And would the gentleman be willing to state whether the alleged quotation in the Washington Post of this morning, "that it would interfere with my negotiations"——

SEVERAL MEMBERS. "Fatal."

Mr. GILLETT. "Be fatal to my negotiations"—whether that was accurate or not?

Mr. PADGETT. No, sir; that was not accurate.

Mr. GILLETT. The gentleman does not feel at liberty to give us the full cablegram, so that the House will have the same information which the committee had on which to base its decision?

Mr. PADGETT. I would not; no, sir; but I want to state that the words which were quoted in the Post this morning were not correct as they were there quoted.

Mr. BUTLER. Will the gentleman permit me to ask him a question?

Mr. PADGETT. Yes, sir; I do not want to give the words——

Mr. BUTLER. I am not asking the gentleman to disclose what the President of the United States cabled, and until this minute I never have admitted to those who have spoken to me that the President even did cable; nevertheless, the chairman of the Committee on Naval Affairs having said he did cable to America something concerning this building program, I would like to ask the chairman of the committee whether or not those words which were put to the chairman by the gentleman from Massachusetts [Mr. GILLETT] concerning the effect of the refusal to adopt this program pending negotiations were in substance correct?

Mr. PADGETT. I stated, and I will state now, I will not give the words——

Mr. BUTLER. I am not asking the gentleman to do that.

Mr. PADGETT. But the President was very earnest and very insistent that the three-year program should be carried out.

Mr. BUTLER. Nevertheless, I do not want to stand here, like a yap; I do not want to be considered in the House a sort of a yap, turning in and out, whichever way the wind blows; but the chairman will agree with me in this, that I was opposed to this program——

Mr. PADGETT. Yes.

Mr. BUTLER. That something was said to me that altered my opinion as to what I should do, and I made the statement to the chairman and members of the committee that I could not, from what was said to me, assume the responsibility of voting against this program, and nothing the chairman said now would change my opinion.

Mr. PADGETT. I want to say, the President was very earnest and very insistent——

Mr. BUTLER. He was.

Mr. PADGETT. That this program should continue. I think I can say that much to the House.

Mr. ROGERS. If the gentleman will yield, did the President say in substance that the failure of the program would be "fatal to my negotiations"? Did he use the word "fatal"?

Mr. PADGETT. The gentleman must excuse me from answering as to the words that were or were not in the President's cablegram. I have stated the substance, that the President was insistent and very earnest that the three-year program should go ahead, and I will not either affirm or deny any word that was used in that telegram.

Mr. ROGERS. Mr. Chairman, does not the gentleman think—does the gentleman yield?

Mr. PADGETT. Yes.

Mr. ROGERS. Does not the gentleman think that at a critical time like this the American Congress should be furnished with all the information which the Committee on Naval Affairs has in reference to a policy vitally concerning the American people in order to enable it to make up its mind? [Applause.]

Mr. PADGETT. All I can say is that the critical time is not limited to here; it is over there also. And it would not be proper, I will say to the gentleman, for me to give the words that were used. If the President wants to give them, all right. I have told the substance. I have told you he was earnest, he was insistent; but I will not give the words either that he did or did not use.

Mr. GRAHAM of Illinois. I want to know, if the chairman will tell me, if this telegraphic communication did not come to the Secretary of the Navy?

Mr. PADGETT. Yes, sir.

Mr. GRAHAM of Illinois. Was that communication then given to your committee?

Mr. PADGETT. It was given to me confidentially, and I told the Secretary of the Navy that what he had given to me in confidence I felt I ought to give to the members of the committee, and I did so, in the same confidence that it was given to me, so far as the language was concerned.

Mr. GRAHAM of Illinois. Is it not true that the information that you conveyed to the members of your Naval Affairs Committee is the one reason that this report here is unanimous?

Mr. PADGETT. Yes, sir.

Mr. GRAHAM of Illinois. And the information you gave them influenced them in voting for this program?

Mr. PADGETT. Yes, sir; some of them.

Mr. GRAHAM of Illinois. This information you say you can not give to the House?

Mr. PADGETT. I can not do it, because it involves more than our own domestic policy.

Mr. GRAHAM of Illinois. Do you not think, in view of the situation, in view of the fact that this committee has been influenced to do this by information, that we who vote for this appropriation ought to know something about it?

Mr. PADGETT. I have stated very fully and practically what the wish and insistence was, but I can not give you the language, because it would not be proper that it should be given.

Mr. KELLEY of Michigan. Mr. Chairman, I was going to revert to what is to me a rather pertinent question by the gentleman from Massachusetts [Mr. ROGERS]. I recall that he is a member of the Committee on Foreign Affairs of the House, and I would like to ask him whether or not, in presenting matters to the House, all questions of diplomacy that are discussed in his committee or all information had in his committee is presented to the House?

Mr. ROGERS. I am not aware, as a member of the Committee on Foreign Affairs, that the committee has ever declined to submit to the House fundamental information upon a great policy for which the Congress was asked to appropriate.

Mr. PADGETT. I am giving the fundamental information here very fully and very freely.

Mr. CAMPBELL of Kansas and Mr. MANN rose.

Mr. PADGETT. I first yield to the gentleman from Kansas [Mr. CAMPBELL].

Mr. CAMPBELL of Kansas. I am sure that during the early part of the discussion here this morning Members were thinking of something besides what was being talked about. They were thinking about this thing. Nothing of greater importance has occurred during my legislative experience in this House. Dispatches from Paris indicate that much progress has been made toward the establishment of the league of nations. On yesterday it was announced from Paris that a progressive disarmament program had been agreed upon. It is announced this morning that secret treaties are to be denounced and are now

being exposed. It does not seem to me conceivable that the man who is leading the program for settling international differences without resort to arms, who is leading in a program of a progressive disarmament, and who has insisted upon open diplomacy would secretly ask the Committee on Naval Affairs to insist upon a naval program that the Congress and the country could not understand or know about. Now, are the contents of the cablegram a statement of facts or a statement of the position or opinion of the President?

Mr. PADGETT. I stated to the gentleman and to the House that these matters were submitted to the President as to the league of nations and the disarmament question and postponing the authorization of the building program, and the President insists that we shall go ahead with the building program—the three-year program.

Mr. CAMPBELL of Kansas. While he in Paris is leading for a program of progressive disarmament?

Mr. PADGETT. Yes, sir. That is what he is doing.

Mr. CAMPBELL of Kansas. Urging upon the peace conference disarmament and upon the Congress of the United States an unusual program of increasing its Naval Establishment.

Mr. PADGETT. An authorization, coupled with a provision that it may stop if a tribunal or tribunals are established that will make it unnecessary to carry on the program.

Mr. CAMPBELL of Kansas. What will the gentleman from Tennessee be willing to state to the House with respect to the intent of the President's cablegram? Is it the intention that the Congress, notwithstanding the program of disarmament throughout the world, should give this authorization for an increased Naval Establishment for the purpose of enabling the President to hold that over those with whom he is now in consultation? Is it a threat?

Mr. PADGETT. There was no expression or indication of any such purpose in his cablegram. I will answer that far.

Mr. CAMPBELL of Kansas. Does the gentleman from Tennessee have in mind what the real purpose of the President was in sending this cablegram?

Mr. PADGETT. I think the gentleman can surmise that as well as I can. He sent an answer to a cablegram——

Mr. MANN. Will the gentleman yield?

Mr. PADGETT. I yield to the gentleman from Illinois.

Mr. MANN. Mr. Chairman, I understood the gentleman to say that the cablegram from the President had an effect in the committee on the naval program.

Mr. PADGETT. Yes, sir.

Mr. MANN. Now, while I appreciate the gentleman's position, and I do not think he would be justified in making public a cablegram which was handed to him confidentially, does not the distinguished gentleman from Tennessee believe that if a cablegram comes from the President which not only is designed to but does affect the judgment of the Committee on Naval Affairs that that information ought to be furnished to the House, so that Members of the House will be able to determine their attitude?

And if it was necessary to get a cablegram from the President to have this bill reported out of the Committee on Naval Affairs, should not the Secretary of the Navy make public to the House the contents of the cablegram in order to get the bill passed through the House? [Applause.]

Mr. PADGETT. No, sir. I think when I told the House that the President had these matters submitted to him and explained what was submitted, and he stated that he still insisted upon his recommendation and that he had not changed his mind as to the necessity and the desirability of the three-year program, and did not want it postponed, but wanted it carried out, I have told the House all that it could expect us to tell and not quote the words of the President.

Mr. MANN. Well, I take it that the gentleman would not be warranted in revealing the telegram to the House, but perhaps he would be warranted in saying whether the report in the Washington Post this morning, which states that the failure to carry out this naval program would be fatal to the desires of the President at the peace table, is correct or not.

Mr. PADGETT. Well, the President did not say a word about the peace table. [Laughter.]

Mr. MANN. No; nor the purposes of the President abroad. The language quoted in the Washington Post is that—

> Failure to report favorably upon the huge naval building program would be "fatal to my negotiations."

Now, I do not desire to embarrass the gentleman. I wish somebody would tell us whether that, or substantially that, information was furnished to the Committee on Naval Affairs.

Mr. PADGETT. I stated that those words were not used as that quotation has it; all of those words.

Mr. MANN. I do not wish to embarrass the gentleman, but was it that or substantially that? Here is what I want to get at and what the country wants to know: Whether the Congress is asked in the blind, without information, without knowledge, without laying the cards on the table, as has been frequently suggested by the President, to vote an immense naval program, when the information which would influence Congress is right here in Washington and the administration refuses to take Congress into its confidence and tell it what the information is?

Mr. PADGETT. I have told the House fully.

Mr. MANN. I think the gentleman has been very courteous to the House as to what he has told us, but the gentleman is not the administration. What we want to know is whether the administration up here will give us the information that is furnished to the Committee on Naval Affairs? [Applause.]

Mr. PADGETT. I have stated to the House the insistence and the recommendation of the President, and that he renews his recommendation that was made to the Congress, and insists that the Congress shall carry out that recommendation and not postpone it. Now, I think I have dealt fully and freely and frankly with the House.

Mr. DYER. Mr. Chairman, will the gentleman yield to me for a question?

Mr. PADGETT. Yes.

Mr. DYER. Will the gentleman state, if he can and thinks it proper, whether he was told by the Secretary of the Navy that the contents of this cablegram could not be given to the House?

Mr. PADGETT. It was given to me confidentially.

Mr. DYER. The Secretary of the Navy is the one who is refusing the information to the House?

Mr. PADGETT. No. I am the one that is refusing it.

Mr. DYER. Well, the gentleman was told by the Secretary of the Navy, and the Secretary of the Navy told him in effect, that it was confidential and should not be given to the House?

Mr. PADGETT. No. The Secretary of the Navy sent it to me confidentially, and I gave it to the committee confidentially—the wording. I have given to the House the insistence and the recommendation of the President, but I decline to give the words, to either affirm or deny the words that were used.

Mr. DYER. If the gentleman were permitted by the Secretary of the Navy, would he do so?

Mr. PADGETT. I do not think it would be proper to publish it.

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. HUSTED. Will the gentleman state whether the cablegram that the President sent contained the facts upon which the President based his insistence and recommendation?

Mr. PADGETT. It did not.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. SNYDER. Will the gentleman answer one short question?

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. SLOAN. Respecting the reluctance of the gentleman to make a direct statement, will the gentleman state to the House why it was that the President did not send a message directly to the Congress upon this momentous issue, as provided by the Constitution, instead of sending it around by the way of the Horn, through the Naval Committee, which, I understand, is not the usual means of making communications by the Chief Executive of the United States to the Congress of the United States?

Mr. PADGETT. I will answer the gentleman's question. The President did submit it to the Congress in a constitutional way, and I will read it:

> I take it for granted that the Congress will carry out the naval program which was undertaken before we entered the war. The Secretary of the Navy has submitted to your committee for authorization that part of the program which covers the building plans for the next three years. These plans have been prepared along the lines and in accordance with the policy which the Congress established, not under the exceptional conditions of the war, but with the intention of adhering to a definite method of development for the Navy. I earnestly recommend the uninterrupted pursuit of that policy. It would clearly be unwise for us to attempt to adjust our programs to a future world policy as yet undetermined.

Mr. SLOAN. What about?

Mr. PADGETT. That was the President's recommendation to Congress, and he adheres now to that recommendation.

Mr. SLOAN. But not through a message. It was his farewell address.

Mr. FREAR. Mr. Chairman, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. FREAR. I believe that the House is more impressed with the fact that the members of this committee were suddenly determined in their action to support a bill when first they refused, and that is the important proposition that the House would like to have light on. For that reason I ask the gentleman if he will yield to the gentleman from Pennsylvania [Mr. BUTLER], who tells us that suddenly in committee his mind was changed on the bill? He can give us light if he is permitted to do so.

Mr. PADGETT. There were some Members who changed their opinion and others who did not.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. PADGETT. Yes, sir.

Mr. LONGWORTH. I personally, of course, shall respect the confidence reposed in me by the chairman of the Committee on Naval Affairs, but I want to ask the gentleman this question—and this has nothing to do with what the gentleman conceives it to be his duty to inform the House, or how far he may feel justified in informing the House. But I want to read from the President's last message to Congress, just before going abroad——

Mr. JOHNSON of Washington. His farewell address.

Mr. LONGWORTH. In which he used this language, which undoubtedly the gentleman heard:

> I shall be in close touch with you and with affairs on this side of the water, and you will know all that I do.

Under these circumstances——

Mr. McCORMICK. Will the gentleman yield?

The CHAIRMAN. The gentleman from Tennessee has the floor.

Mr. PADGETT. I have yielded to the gentleman from Ohio.

Mr. LONGWORTH. I want to ask the gentleman if under those circumstances he does not think that some official in the executive branch of the administration ought to let us know of this information from the other side?

Mr. PADGETT. I have told the gentleman the substance of the President's cablegram. I did not give the words. I have told the House, though, fully and freely, what the substance was, and that substance was that he adheres to this recommendation and wants it carried out and not postponed.

Mr. LONGWORTH. There are a few Members of the House who do know the contents of this cablegram?

Mr. PADGETT. Yes.

Mr. LONGWORTH. Does not the gentleman think, in view of the President's assurance, given to this House on the eve of his departure for Europe, that at all times we would know all that he does, that in asking for an appropriation of this size the membership of the House are entitled to the information?

Mr. SNYDER and Mr. McCORMICK rose.

The CHAIRMAN. Does the gentleman yield; and if so, to whom?

Mr. PADGETT. I will yield to the gentleman from New York first, and then to the gentleman from Illinois.

Mr. SNYDER. In making up my mind on this proposition I would like to know if the gentleman can say without breach of confidence whether or not the complete cablegram from the President was read to the Committee on Naval Affairs?

Mr. PADGETT. It was.

Mr. McCORMICK. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. McCORMICK. I want to ask the gentleman from Ohio [Mr. LONGWORTH] if he felt that the seizure of the cables by the Postmaster General was not an extenuating circumstance in the inhibition of news from the President in Europe?

Mr. LONGWORTH. I wish the gentleman would ask that question of some member of the Committee on Naval Affairs rather than of me.

Mr. HARDY. In withholding the wording of that cablegram, is the chairman of the committee now withholding the knowledge of any fact from Congress?

Mr. PADGETT. I am not.

Mr. HARDY. So that the House has the information which the President intended to convey to us.

Mr. PADGETT. Now I yield the floor, and will ask the gentleman from Pennsylvania [Mr. BUTLER] to use some of his time.

Mr. TEMPLE. Will the gentleman from Tennessee yield for one question before he yields the floor?

Mr. PADGETT. Yes.

Mr. TEMPLE. Does the gentleman know whether the building program is intended in any way to influence the President's negotiations?

Mr. PADGETT. I am not prepared to answer that question.

Mr. BUTLER. Mr. Chairman, I intend in a few minutes to yield to the gentleman from Michigan [Mr. KELLEY] to make a speech on this bill; but before he begins his speech, I think I owe something to myself and to my good friend from Wisconsin [Mr. FREAR]. He has asked me to state what influenced my mind at the last minute when this naval program was under consideration in the committee room. My friend from New Jersey [Mr. BROWNING] has asked me to state what influenced his mind. The same statement that moved him moved me, but that statement I will never disclose to anybody. I do not think it is fair to the President of the United States to disclose it. [Applause.] I do not think it is fair to make it public at this time lest it might in some way embarrass the President of the United States. Now, I want, as an American citizen, to have it understood that during these negotiations that are now occurring abroad, and recollecting the great responsibility we placed upon the President of the United States—or at least he has assumed it——

Mr. McCORMICK. That is a very valuable correction. To withhold individual action which might embarrass him.

Mr. BUTLER. Until the last minute I had resolved that I would not vote for this building program. Although our discussions had been absolutely agreeable, yet nevertheless they were sometimes carried on with considerable heat over this proposed building program. If you will permit me to say it, I became embarrassed lest I might be wrong. Gentlemen on that committee were able to judge of the right thing to do as well as I, and therefore I was in doubt whether I was right or not. Yet I would not have voted for it if I had not been influenced by what the President of the United States said to us through the Secretary of the Navy in very great confidence.

Mr. CARTER of Oklahoma. Will the gentleman yield?

Mr. BUTLER. Yes.

Mr. CARTER of Oklahoma. The gentleman says he does not think this would be fair to the President.

Mr. BUTLER. Not when he said it to us in confidence.

Mr. CARTER of Oklahoma. Does the gentleman think it would be fair to the country?

Mr. BUTLER. I believe that before the Congress of the United States ought to impose this great burden upon the people it ought to know the reason why. [Applause.] But remember this, that it was not what was said by the President of the United States to us at the last minute that influenced the great majority of this committee. Mr. BROWNING and I stood almost alone in our opposition to this proposed plan. Some of the Democrats, perhaps, were opposed to it, but I shall not speak for them. But I want the gentleman from Oklahoma [Mr. CARTER] to understand that what the President said in this cablegram did not influence the great majority of that committee, in my judgment. I despise mysteries——

Mr. TOWNER and Mr. BRITTEN rose.

The CHAIRMAN. Does the gentleman yield, and if so, to whom?

Mr. BUTLER. I think the gentleman from Iowa [Mr. TOWNER] rose first.

Mr. TOWNER. Of course the members of the committee all knew what the desire of the President was, but, as I understand it, in this cablegram the President gave to the committee in confidence some confidential reasons for his advice; so that we are not ignorant of the desire of the President, but we are ignorant of the reasons which he assigned for his wish being carried out, and the committee had disclosed to them the reasons in order to influence their action; but the President was unwilling, or the Secretary of the Navy was unwilling, that those reasons should be given to the House, although the House would be compelled to act upon the bill. I ask the gentleman if that is a correct statement?

Mr. BUTLER. If I understand the gentleman's statement—and I hesitate to speak, lest I may say too much—I do not think there was any reason given in the message, as I recollect it. There was a statement made about this program, but I can not permit you to take from me that which was given to me in great confidence. Mr. Chairman, I despise the mystery which seems to surround this paragraph of the bill. I despise mystery and all things connected with it. I was raised with a class of people who gave us reasons why we should do certain things and leave others undone. But while these negotiations are pending in Europe, while this responsibility is assumed by the President and those who are with him, I shall not do anything to embarrass him or them in any way if I know it. [Applause.] At the same time I anxiously wait for the period to come when I, as a free and independent man, can do as I please without fear of hurting a great cause over which I have no control.

Mr. McCORMICK. Will the gentleman yield?

Mr. BUTLER. Yes.

Mr. McCORMICK. The gentleman means that it is now impossible to achieve "open covenants of peace openly arrived at"? Let us speak the facts.

Mr. BUTLER. I do not know anything about that. [Laughter.]

Mr. McCORMICK. I merely asked the gentleman if he does not mean to suggest that point No. 1 of the 14 points has so shrunk, so dwindled, so shriveled, so faded, and become so exiguous that it has come to be of no consequence? [Laughter.]

Mr. BRITTEN. Will the gentleman from Pennsylvania yield?

Mr. BUTLER. I will yield to the gentleman.

Mr. BRITTEN. We as members of the committee and of the House can realize that the President is confronted with great responsibilities, and if the passage of the $700,000,000 naval bill will support the American contention in Europe, is it not a good thing to pass it?

Mr. JOHNSON of Washington. Then why not suspend the rules and pass it?

Mr. BRITTEN. I am in favor of suspending the rules and passing it.

Mr. McCORMICK. Is the gentleman sure that this is the American contention?

Mr. BRITTEN. I am.

Mr. BUTLER. Did the gentleman from Illinois ask me a question?

Mr. BRITTEN. Yes. Why not pass this bill if it will strengthen the American contention in Europe?

Mr. BAER. How does the gentleman know it will?

Mr. BUTLER. I want to answer my colleague—and he knows how I feel about this—that the adoption of this item in this bill will not help the situation in Europe one bit. [Applause.]

Mr. BRITTEN. That is not the way the President feels about it.

Mr. BUTLER. I fear to vote against it for fear that it might.

Mr. SLAYDEN. Will the gentleman permit a question?

Mr. BUTLER. I will.

Mr. SLAYDEN. It appears that a communication was made by the President which has reached some Members of Congress, which has influenced their action, and possibly they are entirely right; but other Members of Congress, acting in the dark, can not avoid having some doubt as to the propriety of their conduct. Now, I would like to ask why it is not possible to have an executive session of Congress or of the House, and communicate to it matters of sufficient importance to control their votes?

Mr. BUTLER. In answer to the gentleman's question, we had an executive session in the Committee on Naval Affairs, in which I think there were 18 or 20 members present. I only speak for myself. I did not leak information, but some one did. [Laughter.]

Mr. SLAYDEN. I have more confidence in my fellow Members than that.

Mr. MANN. Will the gentleman from Pennsylvania allow me?

Mr. BUTLER. Certainly.

Mr. MANN. I want to remind gentlemen of Rule XXIX of the House:

> Whenever confidential communications are received from the President of the United States, or whenever the Speaker or any Member shall inform the House that he has communications which he believes ought to be kept secret for the present, the House shall be cleared of all persons except the Members and officers thereof, and so continue during the reading of such communications, the debates and proceedings thereon, unless otherwise ordered by the House.

There is always a method provided.

Mr. FREAR. Will the gentleman yield?

Mr. BUTLER. Yes.

Mr. FREAR. The gentleman from Pennsylvania states to us that he has voted and stood for this bill, but that if the bill is passed, in his judgment it will not affect any European situation. Will the gentleman advise the House whether or not he wishes the House to stand with him on his judgment or on his vote?

Mr. BUTLER. I can not advise the House. I do not ask the House to vote for this paragraph because of anything I have said. That is for the judgment of the House. I am thinking about myself only. I regret very greatly that I am unable to tell the gentleman of this committee the reason that moved me to vote for it.

Mr. SLOAN. Will the gentleman yield?

Mr. BUTLER. Yes.

Mr. SLOAN. I want to ask the gentleman if he does not believe that every one of the gallery gods up there knows every word of this telegram?

Mr. BUTLER. If the members of the gallery know it, we will know it to-morrow morning. [Laughter.]

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. BUTLER. Yes.

Mr. GRAHAM of Illinois. Was the gentleman a Member of Congress at the time the President sent his message on the Panama Canal tolls?

Mr. BUTLER. Yes; and I voted against the repeal.

Mr. GRAHAM of Illinois. Is it not the same situation, the same mystery?

Mr. BUTLER. The same sort of injunction put on it; but, nevertheless, I am going to say to the gentleman that that only concerned dollars and cents, and this concerns more than that.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. BUTLER. Yes.

Mr. MOORE of Pennsylvania. Does the gentleman recall the mystery surrounding the $640,000,000 voted for aviation?

Mr. BUTLER. Yes; I do, my friend.

Mr. MOORE of Pennsylvania. The gentleman will remember that we took at its word the committee that told us not to inquire too much, although it was afterwards shown by a Senate committee that we had no combat planes in France. May I ask the gentleman this: Since he has stated to the committee that the passage of this bill would probably not affect the situation in Europe, does he think it would be for the interests of the United States?

Mr. BUTLER. Aside from any international complications?

Mr. MOORE of Pennsylvania. Yes.

Mr. BUTLER. None whatever. I would not vote for it. And why? Let me answer the gentleman's question. I believe this program is never to be built, and I do not believe in fooling the people in any way. [Applause.] I do not believe these ships will be built. I can see no real reason, so far as it concerns America alone, for providing a building program that can not be constructed for several years to come, and I can see no real reason, as I have stated to my friends on the committee, for imposing this great burden upon the people. We are a great big band of brethren, working out these problems as best we can. They perhaps took the position that I did, or at least were willing to agree with me, those who thought with me in putting into the bill a condition that it should not be begun for a year from this time.

Mr. BROWNING. It will take 10 years to build it.

Mr. BUTLER. My friend here says that it will take 10 years to complete it. Nevertheless the whole subject will come back to the American Congress before a dollar can be used toward its commencement.

Mr. MOORE of Pennsylvania. I have always stood with the gentleman for a larger Navy. I think I have supported him every time he took his stand upon that question in the House. I am for that kind of a Navy that will guard the interests of the United States against any other country on earth. Now, I want to ask the gentleman——

Mr. BUTLER. Wait a minute; let me say something right there. I want to know what the situation is that confronts this country after the peace council in Europe is done, and then I am willing to go as far as anybody else, and perhaps further than most of the Members of this House, toward providing armaments at sea. Nobody can say of me that I have been holding back upon naval construction. We have a Navy now in my judgment at this time such as is necessary for all purposes—I mean, when we complete the 1916 program.

Mr. MOORE of Pennsylvania. Thus far it appears that a vote against this bill would be a vote to embarrass the President of the United States, whose message to Congress has not been read?

Mr. BUTLER. Do not ask me; I do not know.

Mr. MOORE of Pennsylvania. That is the first proposition.

Mr. BUTLER. I have tried to say to my friend, with all the rest of the gentlemen here, as near as I could, without disclosing what I feel I should not tell, the reason why I voted for this. I want to see the peace negotiations in Europe finished. I do not want to do or say anything that will embarrass our people in their attempt to make a peace that will settle down on this world forever. That is what I am after, and nothing else.

Mr. MOORE of Pennsylvania. The gentleman wants to help us to vote right, especially those who have supported him heretofore?

Mr. BUTLER. Do not put it in that way.

Mr. MOORE of Pennsylvania. I assume the gentleman is going to vote for the bill?

Mr. BUTLER. Oh, I suppose I shall vote for that paragraph in the bill. There are very many things in the bill that I think are of such importance that I propose to express my views on some of the paragraphs. I think, perhaps, there is more money appropriated than we should appropriate. I am now talking about this one paragraph which the gentleman has in mind. Unless something should happen between now and next Saturday, something told to me that will induce me to change my mind, I shall vote for it. I am not asking anyone else to do it.

Mr. MOORE of Pennsylvania. I want to be with the gentleman on that proposition. I wanted to know that I was voting in the interest of the United States. I assume the gentleman believes that way about it.

Mr. BUTLER. Mr. Chairman, before my colleague from Michigan [Mr. KELLEY] proceeds, will he permit me to yield for a moment to my colleague from Pennsylvania [Mr. FOCHT], who desires to have a letter read?

Mr. KELLEY of Michigan. Certainly.

Mr. BUTLER. I yield now for a moment to the gentleman from Pennsylvania [Mr. FOCHT].

Mr. FOCHT. Mr. Chairman, I do not want to discuss this question after what has been said here this morning. It is self-evident that with the keenness and alertness and the vision of the newspapers and the American people we will know all about what was in that telegram at least before the House votes on the question.

At some future time I shall have something to say about House bill 13440, but for the present will be content to have read by the Clerk a letter which I have received from a former Congressman, Hon. J. D. Hicks, now department commander of the Grand Army of the Republic of Pennsylvania. I send the letter to the desk and ask that it be read in my time.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

HEADQUARTERS DEPARTMENT OF PENNSYLVANIA,
GRAND ARMY OF THE REPUBLIC,
Altoona, Pa., January 28, 1919.

Hon. B. K. FOCHT.

MY DEAR CONGRESSMAN AND FRIEND: On behalf of the Department of Pennsylvania, Grand Army of the Republic, I most earnestly request that you protest against the bill recently introduced in Congress by Congressman GANDY, of South Dakota, providing for the transfer of the Battle Mountain Home at Hot Springs, S. Dak., to the War Department for the use of the hospital for the soldiers of the present war, which bill provides for the transfer of the Civil and Spanish War veterans to other homes, principally to the home at Danville, Ill. While we do not object to the use of the home at Battle Mountain for the soldiers of the world war, we do object to the removal of the veterans of the Civil and Spanish Wars to other homes, for the reason that the sanitarium at Battle Mountain is specially equipped for the treatment of all kinds of diseases to which aged soldiers are subject; and if they are removed to Danville, Ill., or to other homes, our comrades of the Civil War would be deprived of this treatment.

The commander in chief of the Grand Army of the Republic has already protested against the proposed action, and you will earn the everlasting gratitude of the members of the Grand Army of the Republic of Pennsylvania by using your best efforts against the passage of Congressman GANDY's bill.

I have the honor to be, sincerely, yours,

J. D. HICKS.

Mr. BUTLER. Mr. Chairman, I now yield one hour to the gentleman from Michigan [Mr. KELLEY]. [Applause.]

Mr. KELLEY of Michigan. Mr. Chairman and gentlemen of the House, reverting just for a moment to the discussion which has been going on, for myself I desire to say that I made up my mind some little time ago to support this proposition for an additional building program. Some gentlemen awhile ago seemed to think that such a program would be inconsistent with the declared policy of Congress and the country, looking to a reduction of armaments, but I think not. The President of the United States and his associates are working now to secure a reduction of armament. We place in this bill a proviso that the ships authorized herein shall not be started before the 1st of February, 1920, and we have repealed a provision of legislation requiring the Secretary of the Navy to start all ships heretofore authorized before the 1st of July next.

The obvious purpose of all that is to give the United States, through its official representatives abroad, whoever they happen for the instant to be, it does not matter, an opportunity to work out a proper reduction of armament that all the world hopes will be accomplished. Now, if it is going to help the commissioners of other nations and our own to bring about a reduction of armament to know what the policy of America would be in the event that a reduction of armament is not to be effected, then the world is entitled to know in advance what that policy is to be, and that is why, not because the President advised it or because any other person advised it, that it has appealed to me as being a sound and proper course for the American people to pursue. And with me it is no bluff, either. I want the load that is on the back of the world for armament to be lifted. Nobody wants it any more than I, but if the world decides that that load is not to be lifted and that each nation must look out for itself, then, as for myself, I do not propose to have our country ever caught again in a position where it must depend for its protection upon the good offices of a friendly power. [Applause.]

Mr. FARR. And a majority of the committee.

Mr. KELLEY of Michigan. Well, I speak only for myself. Now, it was with considerable difficulty that we made this bill, because the first estimates which came to the committee were based on war conditions, and nobody could tell how much money would be required, and if the war had continued we would have voted all that the executive branch of the Government thought it needed to carry on the war, just as we did during the days of the war. So they asked for $2,640,000,000, and the armistice came, and they knew at once, of course, they would not need so much money. They did not know exactly how much they would need.

Bureau chiefs could not tell, but they made as good an estimate as they could, and the sum total of what they asked was reduced to $1,400,000,000. Then the hearings were begun and bureau chiefs came before the committee and more information began to come through as to what would be required during this demobilization period, and after hearings were closed the Secretary reduced the estimate to $975,000,000, and then the committee, in view of all we had learned and from subsequent information which came through, exercising its best judgment, decided that $746,000,000 was sufficient to take care of the extra expenses incidental to the demobilization and at the same time take care of the regular Naval Establishment. So this bill carries $746,000,000. I have tried to work out what I thought might be in the minds of a good many Members of the House as to what part of this $746,000,000 may be temporary in its character and which would not recur in future appropriations. Now, the bill carries $179,000,000 increase for the Navy. That does not include anything for the new ships herein authorized.

Mr. EAGLE. Will the gentleman yield for a question?

Mr. KELLEY of Michigan. In just a moment; let me finish what I am saying about that part of the appropriation which is due to temporary conditions. Now, with that taken out, that leaves $567,000,000 for the maintenance of the Navy, temporary and permanent. Now, we fixed the enlisted personnel of the Regular Navy just as it was before, 143,000 men. We allowed 82,000 men, what the Navy Department and the Army thought would be necessary to man the ships carrying food to our soldiers as long as they are in Europe and to carry troops back, and provided that as fast as that service ended men automatically would be mustered out of the service. So these 82,000 men, or an equal number of men, will drop out of the Navy as fast as the temporary service in which they are engaged is ended. Now, as somebody has said, I think the chairman, we have 25,000 marines in France. The whole strength of the Marine Corps when this temporary period passes by is only about 17,000 men, so that unless we provide for a temporary increase of the Marine Corps we would have no marines in the United States at all after July 1 next. Our whole Marine Corps, and more, too, would be in France, and, of course, we could not think of calling marines home ahead of the soldiers with whom they are serving abroad. So we provided that while the marines are in France there is to be a temporary increase of the Marine Corps of 25,000 men, and as fast as they are brought home they or an equal number are to be demobilized and mustered out of the service.

Mr. MILLER of Minnesota. Will the gentleman yield for an inquiry?

Mr. KELLEY of Michigan. I do.

Mr. MILLER of Minnesota. This bill, of course, takes effect after the 30th of June next. Before any provision of this character could be made operative or put into operation thereafter probably several more months would transpire. Has the gentleman information that it would be 8 or 10 months or a year before the marines would be brought back from France?

Mr. KELLEY of Michigan. I will say to the gentleman that the marines are scattered all through France, and there are about 10,000 of them at Coblentz, in Germany, and I assume that they are the regular marines, and the chances are they may stay longer than anybody else.

Mr. MILLER of Minnesota. Might I submit just this observation? Of course, at the time that the marines were sent to France everybody applauded; it was a splendid and proper thing to do, but the war is over and land operations on a great scale are ended. Having in mind the peculiar work the marines are designed to perform, would it not be wiser if we took every one out of France immediately and utilized them in Guam, Porto Rico, China, Hawaii, South America, Central America, and the West Indies——

Mr. KELLEY of Michigan. I will say that the idea——

Mr. MILLER of Minnesota. Why should not that be done?

Mr. KELLEY of Michigan. That the idea which the gentleman has expressed entered my mind, too.

But the Marine Corps officials thought that it would demoralize the Marine Corps to do that; that it would destroy the morale if the Government should say that these boys who

are now over there as a part of the Army should be picked out, one by one, simply because they are marines, and brought home ahead of the soldiers who are performing a similar service abroad. And if by any chance it did reflect upon the Marine Corps, how unfair such action would be, in view of the magnificent service that they rendered their country upon the battle fields of Europe. And so, for myself, I abandoned the idea and said, "All right; let the marines come home just as the Army comes home and whenever the Army sees fit to bring them."

Now, the 82,000 men on the ships necessary to take the food over and bring the men back, plus the 25,000 extra men in the Marine Corps, makes a total of 107,000 extra temporary men carried in this bill out of a total of 225,000 men. I have tried to estimate how much these extra 107,000 men will add to this bill, and as near as one could get at it it probably would be in the neighborhood of $100,000,000; possibly more. So I have, therefore, pointed out in the item of men alone a temporary situation which, when it ends, will result in a reduction of $100,000,000 per year. You can go through the bill all the way and find items that run into the millions and which are evidently of a temporary character or greatly increased on account of this temporary condition. For example, there is one provision appropriating $20,000,000 to put back in the same condition in which we took them the ships, the yachts, and vessels of all sorts that were turned over to the Government when the war broke out and which we contracted to turn back in the same condition in which they were received, or substantially so; and the bill carries an item of $20,000,000 for this purpose, purely temporary, and which will not appear in future bills.

Mr. EAGLE. Will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. EAGLE. The gentleman was speaking of the gross item of $746,000,000 carried in the bill, and in that connection was speaking of a considerable proportion of it being for an item which he designated as "demobilization."

Mr. KELLEY of Michigan. Yes.

Mr. EAGLE. I wanted to ask him whether he means the demobilization of the naval forces down to a peace basis or the expense which the Naval Establishment incurred in the transport of troops, with reference to the demobilization of the Army?

Mr. KELLEY of Michigan. The gentleman has stated it very much more accurately than I did.

Now, I have estimated there are probably in the neighborhood of $200,000,000 in this bill that can be ascribed almost wholly to a temporary situation.

Here is one item that runs into a good many millions of dollars. We have placed guns on all the merchant ships that were in trans-Atlantic service, running into the thousands. Those guns have all to be taken off those ships, have to be taken to the navy yards and repaired and stored, and it involves an expenditure of a good many million dollars to preserve, repair, and store these guns carried on ships in the overseas service. And so I think I am conservative in saying that at least $200,000,000 of this bill is of a temporary character, and that, taking the increase of the Navy out would reduce the bill for maintenance and operation of the regular Naval Establishment to $367,000,000. And I agree with the gentleman from Pennsylvania [Mr. BUTLER] that this amount is too large. But when you do not know where to cut, it is a very difficult thing to apply the knife with reason.

Mr. BUTLER. How can we do any better?

Mr. KELLEY of Michigan. I do not think we can.

Mr. BUTLER. At this time.

Mr. KELLEY of Michigan. I think the House will appreciate that when we cut the estimates from $2,640,000,000 to $746,000,000 we have applied the knife pretty generously, if not always wisely.

Mr. IGOE. Will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. IGOE. It is very noticeable in the Army demobilization work that a great many men are being retained in the military service doing work which should be turned over to civilians. I do not know what the situation might be on shore in the Navy. I would like to ask the gentleman whether the committee has gone into that matter, and whether effort has been made to turn over to civilians work which is now done by enlisted men?

Mr. KELLEY of Michigan. No. I will say to the gentleman from Missouri that we did not take up that phase of it. There are a good many things that the committee could well busy itself with no doubt that would result in large savings and great convenience to the country now that hostilities have actually suspended.

Mr. IGOE. I do not know that it would be a saving, but it would be a convenience.

Mr. KELLEY of Michigan. It would be a convenience.

Mr. BRITTEN. It is well known that in time of peace as well as in time of war that the enlisted personnel of the Marine Corps, as well as of the Navy, is utilized at naval stations and at naval yards for doing a large portion of the work that might be done by civilians, and might be done very economically.

Mr. IGOE. Not to such extent as it has been done during the war. What I was talking about was taking care of men who were relieved from the service. I know that thousands and thousands of men in the Army who are drawing wages at military posts, but in the end the expense would be as much.

Mr. BRITTEN. Probably greater; but that condition does not occur in the Army.

Mr. MILLER of Minnesota. Referring to the naval schools at Newport and the Great Lakes Station, I assume they had in those a great many——

Mr. KELLEY of Michigan. They had 50,000 at the Great Lakes Station at one time a few months ago.

Mr. MILLER of Minnesota. Many of them were being trained, as I understand, to run merchant ships. I would like to inquire what the program is in that regard now. Is the Navy assuming to provide and train any men at all for the merchant ships, for the Shipping Board?

Mr. KELLEY of Michigan. No; except as they are needed for the Army in the transport and overseas service.

Mr. MILLER of Minnesota. I did not refer to the transports, I referred to merchant ships.

Mr. KELLEY of Michigan. The policy with respect to the Navy is purely temporary. It is not looking to the employment of ships for commercial purposes at all. That is a matter that will have to be thoroughly thrashed out by Congress and a policy formulated. But during this period, when we have to carry supplies to the troops abroad and carry the troops home, it is apparent, I think, that the proper thing for the Navy to do is to man transports and other ships needed by the Army as long as the emergency lasts, and we have put it in the bill that as soon as this work ceases these men will be mustered out of the service.

Mr. BRITTEN. In the last 10 days I understand 450,000 tons of German shipping were turned over to the Navy by the Shipping Board?

Mr. KELLEY of Michigan. Yes; for that purpose. As to what will ultimately be done with ships that come from any source, whether we build them or get them from Germany or from any other source, that, of course, will be a matter that will be handled by the Committee on the Merchant Marine and brought here through that committee.

Mr. MILLER of Minnesota. I do not want to trespass unduly upon the gentleman's time, but at the beginning of the war we had transports operated by the Quartermaster's Department of the Army and transports operated by the Navy. Can the gentleman inform us now what the situation is? Does the Navy handle all the transports crossing the ocean?

Mr. KELLEY of Michigan. All overseas service is under the Navy.

Mr. MILLER of Minnesota. And no transports are being operated to France by the Army?

Mr. KELLEY of Michigan. None by the Army.

Mr. AUSTIN. Mr. Chairman, will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. AUSTIN. Is there a provision in this bill for the payment of a bonus to men in the Navy when they are discharged, as in the Army?

Mr. KELLEY of Michigan. No.

Mr. AUSTIN. I understood from the press that the British Government is providing for a bonus for the naval forces. Is any such increase provided here for the Navy?

Mr. KELLEY of Michigan. The temporary increase in the pay of the Navy is continued and is made permanent by a provision in the bill.

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. GRAHAM of Illinois. Did the gentleman make the remark that all overseas service of our Government was under the control of the Navy?

Mr. KELLEY of Michigan. So far as I know; yes.

Mr. GRAHAM of Illinois. I want to correct the gentleman in that. I think there is a considerable overseas service being done by private companies.

Mr. KELLEY of Michigan. Not for the Army.

Mr. GRAHAM of Illinois. Yes; for the Army. Let me continue this inquiry that I was making. I do not know that I understand exactly what the gentleman means, but during this war the French line, for instance, has been running steamers regularly and has been transporting troops for our Government, and has been transporting munitions. I know that from my own personal knowledge. That is being done by private contract, is it not, in some cases with private ship lines?

Mr. KELLEY of Michigan. Yes; that is true also with regard to British merchant ships that are carrying troops and supplies. I do not know of any American private lines that are carrying troops or supplies for the Army.

Mr. GRAHAM of Illinois. Two or three foreign private lines have been doing it for some time, and are doing it now.

Mr. LITTLE. Mr. Chairman, will the gentleman yield for a question?

Mr. KELLEY of Michigan. Yes; but I do not want to be diverted from the thing I have in mind. I was talking about the expense of the Navy, and I hope the gentleman's question is directed to that point.

Mr. LITTLE. Yes; but if this question is not in accordance with the gentleman's argument I can wait until we reach that point. I understand there are 14 submarines provided for in addition to cruisers and battleships. Has the gentleman any information as to the relative fighting results achieved by submarines and battleships?

Mr. KELLEY of Michigan. I will come to that later.

Mr. LITTLE. Very well.

Mr. OLIVER of Alabama. Mr. Chairman, will the gentleman suffer an interruption?

Mr. KELLEY of Michigan. Yes.

Mr. OLIVER of Alabama. I was very much interested in the statement the gentleman made as to the items carried in this bill which could be considered as temporary items of expense.

Mr. KELLEY of Michigan. Yes.

Mr. OLIVER of Alabama. And which could be omitted from future bills. Can the gentleman give us a brief statement of the items to which he refers when he states that there can probably be omitted from future bills an amount approximating $300,000,000?

Mr. KELLEY of Michigan. $200,000,000.

Mr. OLIVER of Alabama. Give the general headings.

Mr. KELLEY of Michigan. I think I can do that. But first let me say that I stated that if the temporary items could be sifted out, in my judgment the bill would stand at about $367,000,000, and I thought that that was high. I judge from the question of the gentleman from Alabama, though perhaps I am mistaken, that he thinks otherwise. But I checked it up in this way: For 15 years prior to the war the expense of operation and maintenance of the Navy afloat and ashore ran rather uniformly at about 25 per cent of the investment in ships; that ratio is so well fixed that it is of considerable value in checking up this appropriation bill. I have calculated, with the assistance of the department, that the total investment in the fleet for the period covered by this bill to June 30, 1920, will be $1,263,000,000, and one-fourth of that sum would be $315,000,000, and I have allowed here $367,000,000 as the amount carried in the bill for the permanent establishment. And so, based upon past experience, it would seem as though we have allowed liberally in this bill.

Mr. OLIVER of Alabama. Mr. Chairman, will the gentleman suffer another interruption?

Mr. KELLEY of Michigan. Yes.

Mr. OLIVER of Alabama. The gentleman and I are in full accord as to the necessity of economizing, and yet it would be a mistake now to let the House feel that by adequately providing in the next bill for the Navy we could perhaps reduce the amount now appropriated by some $375,000,000, because——

Mr. KELLEY of Michigan. I was trying, if the gentleman will excuse me, to point out that not more than $367,000,000 of what we are now appropriating is for the permanent Navy, exclusive of the building program.

Mr. OLIVER of Alabama. Here are items that the gentleman, perhaps, fails to take into account, and I do not mention them for the purpose of making the bill unpopular, because we must, until some international agreement as to limitation of armament is made, maintain a strong and efficient Navy, and must provide the money for that purpose, whether large or small. But on the authorized building program there will remain unappropriated, after the amounts carried in this bill, something like $486,000,000. That amount must be carried, perhaps, in the next two bills, which will increase the amount for the construction even of the existing Navy over the amount carried in this bill.

Mr. KELLEY of Michigan. I have not discussed anything beyond this bill. I have not yet entered upon the matter of future expense or appropriations.

Mr. OLIVER of Alabama. I understand.

Mr. KELLEY of Michigan. When I get to that I will have some facts to present. I do not want the gentleman to get ahead of me in my speech.

Mr. OLIVER of Alabama. I beg the gentleman's pardon.

Mr. KELLEY of Michigan. I am glad to have the gentleman keep up with me, but I do not want him to get ahead of me.

Mr. OLIVER of Alabama. That is all right.

Mr. BRITTEN. Will the gentleman yield for a question?

Mr. KELLEY of Michigan. I yield to the gentleman.

Mr. BRITTEN. In the gentleman's calculation of $367,000,000 as a possible point at which we may arrive next year——

Mr. KELLEY of Michigan. No; that is this year, in this bill.

Mr. BRITTEN. For the permanent establishment?

Mr. KELLEY of Michigan. Yes.

Mr. BRITTEN. On how many men in the permanent establishment is the gentleman basing that?

Mr. KELLEY of Michigan. One hundred and forty-three thousand men in the permanent establishment for the year of 1919–20.

Mr. BRITTEN. The gentleman knows that the Navy never will get back to 146,000 men in the enlisted personnel.

Mr. KELLEY of Michigan. I do not know that.

Mr. BRITTEN. It can not be done with the ships that we have.

Mr. KELLEY of Michigan. The question of the number of men needed is an open question all the while. For instance, it was testified before the committee that in time of war the British put about a thousand men on each of their greatest dreadnaughts, while we were carrying between 1,400 and 1,500; and I asked one officer if he did not think that if we put as many men on the ships in time of peace as the British put on theirs in time of war we were making a fair allowance of men; and I leave the gentleman to answer whether that is not true. And if we reduce the number to anything like the numbers carried on British vessels I think my colleague will agree with me that 146,000 men will be ample to take care of the ships which we provide for in this bill up to June 30, 1920.

Mr. BRITTEN. Oh, no; I could not possibly agree to that, because we learned in the committee that the fighting ships built for the American Navy during the war will require 95,000 men. Now, we certainly had some Navy before we got into this war.

Mr. KELLEY of Michigan. Yes; but the gentleman will remember that we built during the war a great number of small craft. If we keep in commission all the 60 Eagles that Mr. Ford is going to build——

Mr. BRITTEN. I am disregarding them entirely.

Mr. KELLEY of Michigan. And if we keep in commission the 240 submarine chasers and the 342 destroyers that nobody ever dreamed we would need in order to have a proper proportion to our battleships, but which we had to have because of the submarine menace—if we should keep all those small ships in commission they would require more men just for those small ships that we built during the last year or so than we had in our entire Navy in 1916; but I would not assume for a moment that any administration of the Navy would undertake any such expensive and unnecessary policy. That is why I voted to stand on the proposition of 146,000 men for the ships that we already have, or will have prior to June 30, 1920, in the regular Navy.

Mr. TILSON. Will the gentleman yield for a question?

Mr. KELLEY of Michigan. Yes.

Mr. TILSON. Is it not a fact that a battleship or any capital ship, being a large machine shop in a way, the labor-saving machinery that is being installed and improved from time to time will naturally reduce the number of men necessary to man a warship properly?

Mr. KELLEY of Michigan. The testimony seemed to indicate the reverse of what you would naturally expect on that.

Mr. TILSON. That is what I would expect if it was as it is in our factories.

Mr. KELLEY of Michigan. They said this, that in the old days a ship when it got out of order was taken to a navy yard, or docked somewhere, and the machinery repaired, but that now these ships are so well supplied with machine shops and everything necessary for the making of repairs that the bulk of all the minor repairs, heretofore made at navy yards, are now made on board ship, and that therefore a larger number of men are required.

Mr. ANTHONY. Will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. ANTHONY. Can the gentleman tell us if they still have in commission the hundreds of little motor boats that were put in commission at the beginning of the war with the idea that they were going to use them as a defense against U-boats?

Mr. KELLEY of Michigan. If they are in commission now they will not be by the time this bill goes into effect next July, because we have provided for only 225,000 men.

Mr. ANTHONY. I think they were the biggest farce that has been attempted.

Mr. BUTLER. Will the gentleman yield for an interruption?

Mr. KELLEY of Michigan. I yield to the gentleman from Pennsylvania.

Mr. BUTLER. I will promise the gentleman as much time as is required to finish his very able speech. Has the gentleman the figures furnished to us by the Bureau of Yards and Docks showing the expenditures made in the last 18 months in these navy yards?

Mr. KELLEY of Michigan. I have not got those figures here.

Mr. BUTLER. Did the gentleman count up the figures?

Mr. KELLEY of Michigan. I do not recall just the total expenditures on yards and docks. I know it is enormous.

Mr. BUTLER. Does the gentleman know that it is over $300,000,000 on stations on land?

Mr. PADGETT. About $330,000,000.

Mr. BUTLER. I thank the gentleman. Did the gentleman look over these figures and separate the appropriations that were made by the Naval Affairs Committee and those obtained from lump sums?

Mr. KELLEY of Michigan. No; I did not. Without any doubt, during the war large expansions have been made in naval stations. A great many new stations have been started, and I suppose it is human nature that when you get a big establishment going you are rather likely to keep it going. That is particularly true of the aeroplane business. We built aeroplane stations at short distances along the coast. When the first estimates came in they asked for 12 or 15 more aero stations, and the committee has incorporated in this bill a provision requiring the Secretary of the Navy to abandon all stations on the Atlantic coast but three, one on the Gulf coast and one on the Pacific coast. A thorough examination of new projects in navy yards and naval stations, going back as near as we can to where we were before the war, as to the number of stations and curtailing new enterprises where they were no longer needed will net a good many million dollars to the Government, and I have no doubt that that will be undertaken in the next Congress by the Naval Committee under the able leadership of my colleague [Mr. BUTLER].

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. GRAHAM of Illinois. I noticed in the newspapers a statement that the Secretary of the Navy has just purchased land where an aero station was located—I think along the Massachusetts coast—at a total expense of $4,000,000. Does the gentleman know of his own knowledge whether the Secretary of the Navy is still acquiring stations for aero service along the coast?

Mr. KELLEY of Michigan. The chances are that that is a site on which a plant has already been built, and the Secretary may be acquiring the land; I do not know about that.

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. KELLEY of Michigan. I will.

Mr. MILLER of Minnesota. I gathered from the remarks of the gentleman from Pennsylvania [Mr. BUTLER] that the Navy Department had been purchasing land for naval purposes out of lump-sum appropriations. Is it possible that that it true?

Mr. KELLEY of Michigan. I will let the gentleman from Pennsylvania answer that question.

Mr. BUTLER. I hesitate to say, but I believe that is true. I noticed in the newspaper that there has been a large sum taken out of a lump-sum appropriation for the purchase of land at Cape May for an aeroplane station.

Mr. STAFFORD. Will the gentleman yield?

Mr. KELLEY of Michigan. I will.

Mr. STAFFORD. Will the gentleman inform the committee whether the committee in its long hearings went into an investigation, as did the Committee on Appropriations, seeking to withdraw appropriations and authorizations for the Naval Establishment?

Mr. KELLEY of Michigan. I will say to the gentleman that our work has been preparing this bill, which provides for the Navy for the fiscal year beginning next July and running until the July following.

Mr. STAFFORD. You make no provision whatever for the curtailment of authorizations carried during the war period?

Mr. KELLEY of Michigan. This is a bill pure and simple for supplying the Navy with money to run it from July 1, 1919, to July 1, 1920.

Mr. McKENZIE. Will the gentleman yield?

Mr. KELLEY of Michigan. I will yield to the gentleman from Illinois.

Mr. McKENZIE. Has it not been the policy in the past to permit the Secretary of the Navy to purchase land for any purpose without being authorized by Congress?

Mr. KELLEY of Michigan. I think not, but during the war blanket authority was conferred upon the executive branch of the Government, which was undoubtedly exercised through the Secretary of War and the Secretary of the Navy and some other departments of the Government, and quite likely that is where the authority arose. We gave the President blanket powers to spend money for the purchase of land, for the taking over of property, and doing almost anything for the prosecution of the war. There is no provision of that kind in this bill, neither is there any provision for the purchase of land.

Mr. McKENZIE. I want to say that I thought that evil practice had been confined to the Military Establishment, but it seems that it has not.

Mr. KELLEY of Michigan. No; it spreads if given a chance, no doubt.

Mr. MANN. Will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. MANN. I understood the gentleman to say that there was no provision in the bill for the purchase of land?

Mr. KELLEY of Michigan. If the gentleman has found a provision I will stand corrected.

Mr. MANN. Here is a provision for $25,000,000 for aeroplanes, any portion of which can be used for the purchase of land.

Mr. KELLEY of Michigan. For the purchase of a site upon which to erect a lighter-than-air station. You are correct, but that is the only one that I recall, and I thank the gentleman from Illinois for the correction.

Now, I would like to go back to the question of cost of the Navy. If all the ships heretofore authorized and all the ships proposed to be authorized in this bill are built within a reasonable time, say by 1924 or 1925, there would be an outlay for new ships of approximately $200,000,000 per year. If you add that to approximately $350,000,000 for operation and maintenance to the Navy, I do not see how we can get away from a bill every year for the next four or five years of $550,000,000, or possibly a little more, depending upon the price of labor and material.

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. MILLER of Minnesota. I am astounded at that. Great Britain, which has a navy twice as big as ours——

Mr. KELLEY of Michigan. I think the gentleman is wrong about the relative size of the British Navy and ours, with those additions to our Navy which are contemplated by this bill.

Mr. MILLER of Minnesota. Well, I should say perhaps not right now, but, say, two years back. It was then about twice as great as ours, and their entire budget, as I understand, for upkeep and building and everything, is only $250,000,000. Is it possible that we with a Navy half as large are going to expend $550,000,000?

Mr. KELLEY of Michigan. I am including $200,000,000 per year for new construction for the next four or five years. It will take that long to build the Navy we are now projecting, and when it is built it would be fairly comparable in strength with the British Navy if Great Britain in the meantime does not also expand its navy. But further, as to relative expenses, the gentleman must remember that the British sailor gets very small pay. The officer gets much less pay than the officer of the United States Navy. We pay ordinary seamen now as a minimum $33 a month, and we propose in this bill to make that temporary increase which we put on during the war permanent, upon the theory that $33 a month and board is not unreasonable pay for those defending the country.

Mr. MILLER of Washington. What is the pay of a British sailor?

Mr. KELLEY of Michigan. I am not quite sure, but perhaps the gentleman from Pennsylvania [Mr. BUTLER] can say what a sailor in the British Navy gets.

Mr. BUTLER. Yes; it is less than half what we used to pay. They have several rates of pay, but I have always understood that it was less than half of what was paid by us when we were paying the rate of $17.50. I think it is about $5 to $7 a month.

Mr. KELLEY of Michigan. So that if we completed all of the ships we have already authorized, and added to them these 20 proposed in this bill, our annual appropriation for the next five years could not, in my judgment, be less than $550,000,000. At the end of that time what will our situation be, provided we stop there? The total investment in the fleet by the 1st of July, 1924, we will say, which would give five years to build it all, would be $1,935,000,000. One-quarter of that, which was the rule for 15 years, would mean an annual charge of $484,000,000 to keep that Navy up. Of course there might be some reductions, due to the fact that in 1924 we will have a large number of old ships, running all the way from 20 to 30 years old, and they would probably have to be put out of commission or put in reserve. This would cut the expense considerably.

Mr. SNYDER. Is the gentleman correct in his figures when he spoke of the investment in the Navy being $1,000,000,000?

Mr. KELLEY of Michigan. The total investment, when both of these three-year programs are completed, would be $1,935,000,000, and one-quarter of that—for upkeep and operation—would be $484,000,000; in round numbers, $500,000,000. So that, as it looks to me, conservatively speaking, if we go forward with the completion of the existing program and the new program it will cost us to complete it and to keep it up while it is being completed over $500,000,000 a year, and when completed it can be maintained for something slightly over $500,000,000 a year.

Mr. SHERWOOD. I see by the cablegrams of yesterday that the powers have substantially agreed upon general disarmament.

Mr. KELLEY of Michigan. Yes; and that is entirely consistent with this bill.

Mr. SHERWOOD. Yes; but you authorize the Secretary to go ahead. Why that authorization if it is not necessary to build them?

Mr. KELLEY of Michigan. It may not be necessary, and in that event we will not build them.

Mr. SHERWOOD. What is the necessity now for that kind of legislation; and what is the necessity for dreadnaughts anyway?

Mr. KELLEY of Michigan. I am a little surprised that the gentlemen should ask me that question.

Mr. SHERWOOD. The *Queen Elizabeth* was the greatest dreadnaught that was ever set afloat. She carried a turret of 15-inch guns and she was put out of business by one German submarine.

Mr. KELLEY of Michigan. Yes; but I want to call the attention of the gentleman to this, that back there in the Kiel Canal was a latent power, a masterful fleet, anxious and ready to come out and destroy the commerce and transports of its enemy did it but dare to do so, and I ask the gentleman what prevented the German fleet from coming out of its hiding and destroying the transports carrying the soldiers of America to the fields of France?

Mr. SHERWOOD. I will answer that by asking the gentleman what prevented the English fleet from coming out?

Mr. KELLEY of Michigan. Why, they were simply lying there hoping and praying that the German fleet would come out.

Mr. SHERWOOD. Why did they not come out and go after the German fleet?

Mr. KELLEY of Michigan. The British fleet accomplished its purpose without doing that. The destruction of the German fleet was of no particular consequence. The business of the British fleet and our fleet was to keep the sea clear for the transports, for the soldiers to cross over, for the supplies, for the ammunition, and all of that, for the allied armies, and when the British fleet did that, in conjunction with ours, it performed the great purpose for which a fleet exists. No sensible commander, of course, would take these great instruments of war, costing $30,000,000 each, into a mine-infested region, such as they would have to pass through in going to the Kiel Canal. But men must remember that if it had not been for the power of those great ships of the allied fleets the German men-of-war would have come out and would have raided the seas, destroyed the commerce, sunk our transports, and we could not have landed either a pound of goods or a soldier upon the soil of France. [Applause.] So it is idle to talk about doing away with big ships, or that the big ships served no useful purpose in the recent war.

Mr. TILSON. Were not the German ships just as impotent in the Kiel Canal as they would have been at the bottom of the North Sea?

Mr. KELLEY of Michigan. That is what I say, and the purpose of the English and the American commanders was accomplished without taking the risk of sinking these valuable ships by going in there and attempting to destroy the German fleet. They had performed their purpose when they made it impossible for the German fleet to interfere with the purpose of America and the allies in the war.

Mr. STAFFORD. With the German fleet now impotent, where is there any need of a great Navy to rival the great fleet of England, with England as our ally?

Mr. KELLEY of Michigan. I will say this, that circumstances of war never appear twice alike in the history of the world. If men have not learned something from this war, if men have not learned the need of being able to take care of themselves, then I am afraid some of the most valuable lessons incident to the war have escaped them.

I want to say now, as I stated in the beginning, that I never want to see this Nation again put in a position where it must rely upon the protection of a friendly power to take care of its coasts, its commerce, or its transports carrying the soldiers of the Republic. [Applause.] I sincerely hope that the nations of the world will adopt a disarmament policy at the conference now in session at Versailles. But if this can not be brought about, I believe we should adopt such a naval policy as will enable us to take care of ourselves and the great interests we have in the world. If disarmament fails America should not rely for its defense upon the generosity of another nation, no matter how friendly that nation may be, or how closely it may be tied to us by bonds of affection, language, or laws. So that I say I am in favor of building a Navy which will of ourselves, if that is the decree of the world, take care of ourselves. [Applause.]

Mr. STAFFORD. Then, as I understand the gentleman's proposal, it is to provide a Navy so as to have it alone give protection to transports and our merchant marine to fight on a foreign soil?

Mr. KELLEY of Michigan. Oh, I do not know where we will be called upon to fight. That is an old question that clogged men's minds in days gone by in this House. Whether our soldiers should fight on one kind of soil or on another. It matters not the soil, if the reason for fighting exists America will always go where the enemy is no matter where they may be. [Applause.] But I hope, as you do, that America will have to fight no more, and I believe it will contribute to the disarmament of the world if the world knows in advance that in the event reduction of armament fails in this great crisis, much as it may be against our will, our interests in the world are such that we can not afford to rely on others to protect those interests, but we will build such a Navy as may be adequate for that purpose, hoping and praying, as we will, that the world may see that a continued increase in armament is unnecessary and that an agreement may be brought about especially between these two great friendly peoples—the British and America. Why should it not be brought about? There is no reason in the world why Britain should suspect America any more than America should suspect Britain. America and Great Britain should sail the seas on even terms. We should be able to take care of ourselves, asking no favors, courting no quarrel with any other nation, our merchant ships going out upon every sea, as they will from now on if the next Congress is as wise as I think it is going to be. All of our interests, our extensive coast lines, our great cities like New York and Boston lying upon our seaboard, our great South American interests and duties, the Panama Canal, our Pacific and Asiatic possessions, all of these require that this mighty Republic, blessed of God in material resources as no other nation has been blessed in all the tide of time, should henceforth be able and willing to take care of itself on the sea or on the land wherever it is necessary to defend American institutions, American rights, or American citizens. [Applause.]

Mr. LITTLE. Will the gentleman from Michigan object to giving the data about which I inquired?

Mr. KELLEY of Michigan. The gentleman from Kansas wanted to know, I think, about the relative value of the submarine and the battleship.

Mr. LITTLE. I wanted to know if any data had been presented to the committee by those with experience in the relative fighting qualities——

Mr. KELLEY of Michigan. They are not comparable at all; they are wholly dissimilar weapons.

Mr. LITTLE. Suppose——

Mr. KELLEY of Michigan. Of course, the submarine did give to the world a whole lot of trouble.

Mr. LITTLE. I see that the naval program contemplates the building of 12 battleships and cruisers and 14 submarines. Now, if the two were to meet, which would achieve a victory?

Mr. KELLEY of Michigan. I think I grasp the gentleman's question and I think I know what he has in mind. Superficially, one might think that the powerful ships are not of so much use, but, after all, whoever controls the surface of the

ocean controls the ocean. Whoever controls the surface, in spite of anybody else, will get his ships through, as the allies did in the war just closed.

Mr. LITTLE. Which would control the surface, the 14 submarines or the 12 battleships?

Mr. KELLEY of Michigan. Which did control the surface?

Mr. LITTLE. I am asking the gentleman.

Mr. KELLEY of Michigan. Well, I am turning the question back upon the gentleman.

Mr. LITTLE. No; I stated specifically that I am seeking for information. If the gentleman does not know, just say so.

Mr. KELLEY of Michigan. Very well.

Mr. LONGWORTH. If the gentleman will permit, does the gentleman remember any case where a submarine sunk any armed ship going at a rate faster than 15 knots an hour in the whole period of the war?

Mr. LITTLE. And does the gentleman remember an instance, relatively speaking, where a submarine was sunk by a battleship in the same way at 15 miles an hour?

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. PADGETT. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. EAGLE].

Mr. EAGLE. Mr. Chairman and gentlemen of the committee, there is one consideration in connection with whatever Navy we have and whatever Navy we may authorize which it has appeared to me for some years, and now appears to me, that neither the Navy Department nor the Committee on Naval Affairs has ever given sufficient, if any, consideration to, but which is, however, of vital importance.

I do not in the remarks I want to submit to you have any motive in my mind for the submission of them, except to induce you to think about the point and conclude whether it is worthy of mature consideration; not now necessarily, but in due course.

Have you ever reflected on the fact that this marvelous, modern civilization of ours, the most wonderful which the world has ever known, is founded more largely upon petroleum than upon any other single material thing except food? And yet, while we are building a tremendous merchant marine—and I made the opening address for it three years ago, and in favor of the Congress making an appropriation of $50,000,000 to undertake it, since private individuals would not sufficiently carry forward the work which properly pertains, under our American system of government, to private initiative and enterprise—and while we are building this wonderful Navy with vast funds, neither one of them can perform their functions without oil.

Not a factory in this land could run without oil. And therefore the shoes on your feet, if the crude petroleum production should cease, would probably not be manufactured to-day, but the condition would be similar to that when our fathers made the shoes for the children in their families. Each parent would make the shoes for his own children. The clothing worn by every person within the sound of my voice would cease to be manufactured at wholesale, economically, and with taste; but the wool would be cut from the sheep and carded and dyed in walnuts and woven by the loom, and our clothes made again by our wives, even as our mothers made the clothing of many of us who are here. The cities would soon starve, because oil must run the locomotives into the cities to carry food and fuel. The populations would spread out over the country; they would devastate the areas. The whole of your civilization would break down. With that thought, crude and hastily expressed, in order to make a predicate for the thing I had in mind to say, permit me to say that in the year 1917, as I have the figures, in an imperfect way and only in the way of approximation, there were produced within the United States a total of about 300,000,000 barrels of oil, but there were consumed within the United States during that same year of 1917 a total of about 335,000,000 barrels of oil.

That means that the consumption exceeded the production by about 35,000,000 barrels in the single year of 1917.

Now, on January 1 of the year 1917 there was above ground within the United States, in pipe lines, in tank cars and in storage, and in every form, a total of about 165,000,000 barrels of oil. That means that if that current rate of relative consumption and production be maintained within five years' time there will be not one drop of crude petroleum above ground in the United States.

Now, then, we are building, at an expense so enormous that it staggers the imagination much more the comprehension, a merchant marine to carry the products of this marvelous land of food and fiber, and of manufacture, and of mines and mining and forest, to every corner of the civilized world. We are building, at an expense that staggers not the comprehension alone but the imagination as well, a Navy to protect the legitimate rights of American citizens upon the high seas wherever our flag shall float under the heavens. I have helped to do it. I am going, during all the time I remain in Congress, at each opportunity, to help do that vigorous American thing. And yet the whole of that Navy's propulsion power is oil; its lubrication is oil; the one the crude product exuding or draining from the wells, the other the manufactured product. Notwithstanding that fact, and notwithstanding the fact that recently we came within three months of the exhaustion of the petroleum and naphtha and gasoline supplies of this country—when our Government inaugurated the gasless Sundays last winter we were within a few weeks of the exhaustion of the supplies of oil necessary to our processes, not of industry alone but the processes of prosecuting this war for civilization. Still, the Navy Department has never recommended—or, if so, it has never been printed—and the Naval Affairs Committee has never considered—or, if so, it has not given the Congress to understand that it has considered—the question of storing an adequate supply of crude petroleum in its own receptacles for the use of the merchant marine and the Navy.

It takes about between 20,000,000 and 30,000,000 barrels of crude petroleum per year to run the United States Navy. Where does the Navy get that, gentlemen? The department buys it from the pipe-line companies, the storage-tank companies, and institutions that have prepared themselves to buy cheaply and to store for profit the great output of petroleum as and when market conditions render such purchase and storage profitable to them. And so, while crude petroleum in the great southwestern fields of Louisiana, of Oklahoma, and notably of Texas, is now less than $2 per barrel, the Navy Department is now paying a large profit for the current supplies of crude petroleum with which to propel its ships on the sea, and will continue to pay increased prices as increasing demands follow. Is that common sense? Is it national safety? It is not, gentlemen. The Navy should erect and own its own storage and keep it completely filled at all times.

It is roughly estimated that for 50 cents per barrel this Nation can acquire the lands, the pipe-line connections, a sufficient number of 50,000-barrel steel storage tanks with which to store an annual supply of crude petroleum a year in advance, and once the storage tankage is erected it will last a lifetime.

We should authorize the Navy Department to construct storage to hold at least 25,000,000 barrels; that should cost about $12,500,000, in round numbers. By forethought this Navy Department, if authorized by this Congress, can build enough storage capacity to take care of 25,000,000 barrels of oil—buy it in advance at the market price at less than $2 a barrel. That is to say, for 50 cents a barrel, or $12,500,000, it can acquire all tankage and connections in which to put this oil by, and then you keep a permanent store of a year's supply of fuel oil for the American Navy. Whenever new fields are developed new supplies can be emptied, at the least possible price, in the interest of efficiency and safety, into these storage vaults, wherever the Navy may choose to locate them, in proximity to the deep-water ports; and then, instead of being helpless and dependent upon the price and quantity at which private industry will give the Navy and the merchant marine their supplies of oil, our Navy and merchant marine would thus be rendered secure for their future activities.

Here is an interesting fact, gentlemen: The greatest oil well the world has ever seen was in Mexico. They celebrated one day last January the one-hundred-millionth barrel that flowed out of that one well. Within half an hour after it had been flowing at the rate of 100,000 barrels a day, it ceased absolutely to flow a barrel of oil and went into salt water.

That is the Lord Cowdrey oil well, which has been the chief supply of Great Britain for furnishing petroleum to the British Navy, which has prevented the submarines from destroying commerce and making a German victory. That went into salt water within an hour or so, crude petroleum not being like coal in the ground, where its supply is known in advance, but is exhausted without notice. It must be taken out and stored in steel vaults in order that a certain supply in advance may be assured.

Mr. Chairman, I want to call your attention to the fact that at any time the supply of petroleum adequate to the needs of the people of the country, and particularly the Navy and the merchant marine, may suddenly cease, and it would be a tragedy the like of which you can scarce conceive if, all of a sudden, an adequate supply of crude petroleum requisite for the Navy and the merchant marine should suddenly cease, whereas by the expenditure of a relatively small sum of money we can provide against that contingency, and we ought to do it.

Mr. Chairman, whilst speaking, and having finished that branch of what I came here to say, I want to say just this: It is not exactly clear to me how we should vote upon this specific $700,000,000 item to provide for a second three-year naval building program. It seems to me that the President of the United States had a perfect right to communicate by cable with his Secretary of the Navy. It would seem to me that the Secretary of the Navy would have a perfect right in turn to communicate the wishes, the thoughts, the sentiments at this critical time of the President of the United States to the chairman of the House Committee on Naval Affairs.

Perhaps it was entirely wise for that chairman to communicate the same to the membership of this House in order to induce a unanimity of report. But to save the life of me I can not see why any of these gentlemen, from the President down to the Members of this House, should put a scare out among us without giving us full information and the reasons for their conclusions. [Applause.]

Now, I have followed President Wilson in this House for six years, as you gentlemen all know, in season and out of season, when I understood him.

I am willing in this instance to do anything he asks me to do if he tells me or lets me know directly that in the present position of tremendous responsibility in which he is placed he needs my support in this connection. I would like to know what it is about. I happen to have 300,000 people who have selected me to do their voting here. They may not be the most important people to him in this world; they may not be the most important people to any of you gentlemen in this world; but they are the most important people to themselves and to me that there are upon this earth. [Applause.] I am willing to burden them, in common with the rest of the citizens of this Nation, no more and no less, to build the most splendid Navy that floats on the high seas if an exigency now exists or shall arise which, in the judgment of the splendid Executive of the people of the whole United States, makes it not requisite alone but indispensable and necessary to authorize it, and I would do that, subordinating my own individual judgment, if need be.

Primarily I believe in a Navy that rides the sea not by permission of any other nation on earth. [Applause.] I do not believe in asking the permission of any nation on earth how big a Navy we shall build. I do not believe that the rights of America should be allowed to be violated anywhere. I do not believe that a league of nations ought ever to be formed which is capable of becoming a Frankenstein monster of sufficient physical force in turn to compel the obedience of this Nation, and if I had the power to prevent it it would never be done. [Applause.] I am in favor of a league of nations founded on moral understanding of minds and spirit, but not founded on force. I would be willing to vote for this item if it had in it a proviso that such $700,000,000 additional three-year program should become obsolete if disarmament should be declared throughout the world as the result of the peace conference. But if we must vote for it before such peace treaty be finally ratified, I shall vote for the second three-year building program, because so long as I stay in Congress never by my vote or my action shall that proud flag that floats there ever be humiliated on account of our not being prepared to defend its glory and its honor wherever American interests and American pride and American honor dictate that it shall go. [Applause.]

Mr. BROWNING. Mr. Chairman, I yield to the gentleman from New York [Mr. HICKS] 40 minutes.

Mr. HICKS. Mr. Chairman, I want to indorse the conclusions reached and support the arguments advanced by the gentleman from Michigan [Mr. KELLEY], and to echo his splendid sentiment in regard to the Navy of the United States. As he has taken up the present and future of the Navy, I desire in the time allotted me to speak of what the Navy has done in the great conflict just brought to a close.

Out of the mist and the snow of the morning of December 26 a great battle fleet entered the harbor of New York and in the majesty of its power steamed past the Statue of Liberty. It came as a messenger of a conflict won, a silent victory, but a triumph as complete and overwhelming as any ever won by the American Navy. We are too near the tragic events of the great struggle to write with accuracy and fullness the log of our Navy's brilliant achievements. The complete record of the valor, the heroism and sublime courage of the officers and men who manned those ships, and the unselfish spirit and devotion to duty of those whose fighting strength at home carried forward the organization which made victory possible, will come only through the perspective of the future. To-day we can but briefly appraise their gallant deeds, but we can and we do, in the name of the Republic, extend to them all our heartfelt thanks. For all time they have earned the gratitude of their country in maintaining the high principles for which our Republic entered the conflict, and for which they fought and died. The honor and the glory of the flag was safe in their hands.

In the words of Rudyard Kipling, "The Navy is very old and very wise. Much of her wisdom is on record and available for reference, but more of it works in the unconscious blood of those who serve her."

The magnitude of our Army and the dazzling record of its brilliant achievements may in some degree obscure the service rendered to our country and to its allies by the American Navy, but it must ever be remembered that our ships were a part of the great war forces which kept open the highways of the deep and made possible the final triumph of the allied armies. Had the command of the oceans slipped from our hands those armies would have languished and been beaten back for lack of support in men and material. Had the scepter of the seas passed to our foes, our own Army would never have inscribed on its banners the imperishable names of Cantigny, Belleau Wood, Chateau-Thierry, St. Mihiel, and the Argonne. The one essential and indisputable element of victory was the supremacy of the allied fleet. The New York Evening Post in commenting upon this feature refers to the late Admiral Mahan, the great naval theoretician and expert:

> Mahan, thou shouldst be living at this hour! The great naval theoretician, steeped in history and in fact, the American who first taught the English fully to know what their sea power had wrought, would surely have thrilled with satisfaction if he could have lived to see the amazing spectacle of to-day. A "fleet in being" has done its perfect work. With little actual fighting, its heavier ships having scarcely been engaged during the four years of war, there it has ridden at anchor on the north coast of Scotland. Apparently it was doing nothing. It looked as idle as painted ships upon a painted ocean. But in reality it was exerting irresistible and decisive power. * * * The grand fleet in harbor has exerted the indivisible compulsion across the North Sea which finally dragged the enemy vessels to the most impressive and astounding naval capitulation ever seen.

In order that Congress may judge of the work of the Navy, let me give, briefly, some interesting figures. Of the 2,079,800 men transported to France since April 7, 1917, 911,047 were taken over in United States transports and 40,490 in other American ships, or 46¼ per cent of the total carried. 48¼ per cent were conveyed in British ships and 5½ per cent in ships of other nations. Of the total strength of the naval escort guarding all those convoys 3½ per cent was furnished by France, 14½ by Great Britain, and 82¾ by the American Navy. A splendid testimonial to the efficiency of the convoy operations lies in the fact that not one of the eastbound American transports was torpedoed or damaged by the enemy, and only three sunk on the return voyage.

Utmost secrecy was imperative in the operation of this transport service. The fleets, often numbering as high as 30 ships, plowed through the perilous seas in utter darkness and in imminent danger of collision. Under the watchful care of the Bureau of Operations, the courses of these ships across the ocean and through the war zone were directed by the wireless from shore stations, where every movement of enemy submarines was charted and from whence flashed warnings and directions across the deep to the approaching ships. In this convoy work—arduous and exacting—all our destroyers, cruisers, and many of our older battleships were constantly engaged. As Secretary Daniels has truly said:

> The history of the convoy operations in which our naval forces have taken part, due to which we have been able so successfully to transport such a large number of our military forces abroad and so many supplies for the Army, is a chapter in itself. It is probably our major operation in this war, and will in the future stand as a monument to both the Army and the Navy as the greatest and most difficult troop transporting effort which has ever been conducted across seas.

There was nothing spectacular about this grinding duty. Winter and summer, by day and by night, in the fog and in the rain and the ice, it demanded constant vigilance, unceasing toil, and extreme endurance. The work of this hazardous service was endless and its hardships and dangers are barely realized. During the winter storms of the North Atlantic the maddened seas all but engulfed these tiny but staunch destroyers, when for days they breasted the fury of the gale and defied the very elements in their struggle for the mastery. No sleep then for the tired crew; no hot food; no dry clothes. Yet despite it all, with each hour perhaps the last, with death stalking through the staggering hulls, not a man—to the everlasting glory of the American Navy—not a man but felt himself especially favored in being assigned that duty.

Sir Eric Geddes during his recent visit paid this high compliment to our service:

> I know that you will appreciate what demands the present conditions of sea warfare impose upon this type of craft. They scour the seas, either hunting the submarine or keeping a careful watch over the valuable human lives, equipment, and transports intrusted to their care to escort. I have both traveled in and been escorted by American destroyers, and I know their high standard. They are an essential part of the fighting strength of the fleet, and, together with the cruisers, they are the watchdogs of the allied trade and the terror of the U boat. It will convey some idea of the strain imposed upon the vessels and their crews when I tell you that each American destroyer in European waters steams between 4,000 and 5,000 miles a month. For hard work, constant vigilance, and almost perpetual discomfort, this record is hard to beat even in this great war of universal strain and hardship.

As an indication of the extent of the work done by our naval vessels in the war zone, let me submit the averages of miles steamed per month:

Destroyers	275,000
Mine sweepers	10,000
Mine layers	10,000
Battleships and submarines	90,000
Submarine chasers	121,000
Miscellaneous patrol craft	120,000

Or a total of 626,000 miles per month, and these figures do not include troopships, transports, cargo carriers, or merchant ships plying through the war zone.

During July and August, 1918, 3,444,012 tons of shipping were escorted to and from France by American escort vessels; of the above amount, 1,577,735 tons were escorted in and 1,864,677 tons were escorted out of French ports. Of the tonnage escorted into French ports during this time, only 16,988 tons, or 0.009 per cent, were lost through enemy action; and of the tonnage escorted out from French ports only 27,858 tons, or 0.013 per cent, were lost through the same cause. During the same period 259,094 American troops were escorted to France by United States escort vessels without the loss of a single man through enemy action.

On the day hostilities ceased we had in the service in the various branches, over 600,000 men and 9,600 yeowomen and 1,386 women nurses, divided as follows:

	Enlisted force.	Officers.	Totals.
Regular Navy	216,644	10,588	227,232
Reserves	286,826	23,137	309,963
Marine Corps	70,527	2,430	72,957
Coast Guard	5,727	678	6,405
Grand total	579,724	36,833	616,557

At the close of the war approximately 5,000 officers and 70,000 enlisted men were serving in our naval forces in Europe, a number exceeding our total naval strength before the war.

On the day war was declared 197 ships were in commission; at its close there were 2,003, of which 338 were in foreign waters. When Germany surrendered her fleet we had abroad 9 battleships—the *New York*, *Texas*, *Wyoming*, *Florida*, *Arkansas*, *Nevada*, *Utah*, *Arizona*, *Oklahoma*—and 74 destroyers.

As to the smaller craft of the fleet, the patrol of our harbors and bays, their work was ceaseless and under conditions the most trying; 713 scout patrol boats and 89 subchasers were attached to the eight naval districts on the East and Gulf coasts of the United States. No hope of enemy action, no chance for individual achievement against the foe inspired them in their daily task; their only incentive was in the conscious pride of a duty faithfully performed, and yet, without complaint at the lack of opportunity, they did their part and rendered invaluable service.

And what of the officers and men of the transport service and of the mercantile marine, the hardy mariners who drove their ships through the fog and the storm and the darkness of the death-infested ocean? At best, even in peace times, seamanship is a comfortless and a cheerless calling. But in war, to the ordinary perils of the sea are added unusual hardships, which reach their maximum in the dangers and terrors of the war zone—the attack without warning of the invisible foe, whose presence too frequently is known only by a terrific explosion which casts the hapless crew adrift on surging seas, leagues from a friendly shore. Think of the terrific strain under which these men performed their perilous tasks. Gun crews on continuous duty, ever ready with the shot that might save the ship; the men below in the engineer's force expecting every moment to receive the fatal blast which would entrap them in a hideous death; the watch, ceaseless in its vigil by day and by night, peering through the darkness and the mist, conscious that upon their alertness depended the lives of all. Yet under these conditions of unprecedented hardships each man performed his duty with the highest degree of courage and self-sacrifice. [Applause.]

Let me recite one of the many instances of the matchless courage of the men engaged in this hazardous service. Last September the *Mount Vernon*, with several hundred sick and wounded soldiers on board, was torpedoed when a short distance out from Brest. Thirty-six men of the engineer force met their death in the fire and steam and boiling water of the stokehole. With two compartments flooded, their comrades dead and dying, with a seeming certainty that the attack would continue, which would mean that every man in the compartment where the torpedo struck would be drowned or burned to death, yet despite it all when volunteers were called for, to man the still undamaged furnaces to keep up steam for the run back to port, every man of the force stepped forward and said he was ready to go below.

In aviation also the Navy won distinction, and well-merited praise can justly be bestowed upon the officers and men for their accomplishments in this dangerous service. During the war we established abroad 2 repair and assembly bases, 4 kite-balloon stations, 18 seaplane stations, 5 bombing-plane stations, and 3 dirigible stations, all manned with Navy personnel, which included 624 officers, 97 observers, and over 15,000 enlisted men.

And what shall we say of the marines, the intrepid soldiers of the sea, winning with the victorious American Army imperishable glory on the battle fields of France? We need say but little, for the world to-day acclaims their valor. For matchless courage and supreme bravery, with heroism which nothing could daunt, with dogged determination which nothing could overcome, with spirit which nothing could conquer, the record of the United States Marines, fighting with the equally brave and equally courageous soldiers of the American Army, is without parallel in the history of military achievements.

Without relief, without sleep, without food or water they held the lines in those grim days of the terrific onslaught of the German drive; held when to yield would have meant irretrievable disaster; held and saved Paris. Exhausted to the very limit of human endurance, with ranks decimated, fighting in American fashion and with American daring, they met attack after attack and charge after charge. They beat to its knees the invincible Prussian Guard, which had been thrown in to "show these amateurs how to fight"; then smashing forward, they hurled back, ever back, in disorder and defeat, the legions of the Imperial Army. In all the annals of war there is no story comparable with this.

But there are many who will never fight again. They will be mourned by fathers and mothers, sisters and wives, and they will be revered by the millions of Americans who will pay them homage everlasting. Every spot where American blood has been shed for American honor is hallowed ground, every deed a sacred memory, every grave a consecrated shrine. Belleau Wood and Chateau-Thierry are forever written on the pages of American history. With Lexington and New Orleans, with Gettysburg and Antietam and San Juan they will endure, imperishable monuments to the bravery and courage of American heroes, the vindication of democracy and the triumph of liberty and of righteousness.

Let me speak of other achievements of the Navy, accomplishments of incalculable assistance to our fighting forces and potent factors in the final triumph. To avert the submarine menace and prevent the destruction of tankers carrying oil to the allied fleets in the North Sea a great pipe line was constructed across Scotland, thus reducing both the danger and distance of supplying the ships with fuel. This project, so startling to our British cousins, was carried forward to completion with the same energy and quiet determination that characterized every undertaking to which the Navy set its hand.

Over 56,000 American mines were laid in strategical areas in European waters, the personnel engaged in these activities alone calling for 6,700 men, a dangerous occupation and one fraught with trying hardships and ceaseless toil. But the work of supreme magnitude and importance was the laying of a great mine barrage, 25 miles wide and 230 miles in length, from Scotland to Norway, across the deep waters of the North Sea. This daring project had its inception in the Bureau of Ordnance in April, 1917, and called for the planting of upward of 70,000 mines from the surface to distances of 250 to 300 feet below the surface. Owing to the great depths between coasts, in places exceeding 800 feet, a special type of mine had to be devised. This undertaking was carried forward by our Navy working in conjunction with the British fleet, 80 per cent of which was performed by our men, and while the work was only completed a few days before the termination of the war, from reports received it is evident that at least 10 German submarines met their doom in this network of mines.

To the achievements of the Navy, in erecting great training camps, destroyer and aviation bases, hospital units, in training thousands of men for oversea duty, the arming of merchant ships, the building of a vast fleet of smaller vessels, the construction of great warehouses, the manufacture of heavy guns and their mounts, the production of powder, and the purchasing of enormous quantities of supplies, must be added the most

spectacular achievement of all—the repair of interned German ships. When these vessels, many of them of the largest type of trans-Atlantic liners, were taken over by our Government it was found that the machinery of several had been seriously damaged by the maliciously planned and carefully executed sabotage of the crews. The principal injury was to the cylinders and other parts of the engines, and, as these passenger ships were potent factors in the transportation of troops, their immediate repair was a vital necessity. To resort to the usual practice of casting new cylinders would have involved too great a loss of time. Nothing daunted by the magnitude of the task, our Navy undertook the repair of these broken cylinders by employing the system of electric welding, and so successfully was this work accomplished that during all the months of service in which these vessels have been engaged, not a single defective weld has developed. All honor to the officers who risked their professional reputations and carried forward to complete success an accomplishment which expert engine manufacturers considered impossible. To the notations left by the Germans on many of the broken cylinders, "Can not be repaired," the genius of American experts and the skill of American mechanics gave the answer, "It will be and it has been done."

Let me speak, too, of the great railway battery of 14-inch Navy guns, manned exclusively by bluejackets. These huge guns, built originally for our new battle cruisers, were mounted on great railway trucks. Each gun had a complement of 12 specially constructed cars for the operation of the battery and the maintenance of its crew. There were armored ammunition cars and machine-shop cars, barrack, kitchen, crane, and radio cars, making the battery independent of any permanent artillery base. With a range of 30 miles, these guns were the most powerful of any on the line and did splendid execution in the closing days of the conflict.

The Navy gave not alone of its strength and its skill and its blood but of its substance as well, for in the last two liberty loans the men in the Navy, Marine Corps, and Coast Guard subscribed for over $66,000,000 of bonds.

When we speak of the Navy we speak, too, of the Coast Guard, for upon the declaration of war this important branch of the service, with all its personnel and equipment, came under the jurisdiction of the Navy Department, and the record made since then is most commendable. The service was at once placed upon a war basis, additional men were enlisted, vessels equipped, stations brought up to the highest degree of efficiency, and the lines of coastal communication extended. In every way in which service could be rendered in the prosecution of the war this branch of our fighting force performed its duty fully and effectively. By their self-sacrificing devotion to a hazardous calling the officers and men of this service merit the highest praise. Their bravery and their unflinching response to duty in times of disaster endows their perilous vocation with the noblest attributes of humanity—the saving of lives and ministering to those in distress.

On November 21 five American dreadnaughts were in that far-flung double line of allied ships through which passed in surrender the dreadnaughts, cruisers, and destroyers of the second most powerful navy in the world. When Admiral Beatty set his famous signal, "The German flag is to be hauled down at 3.57 and is not to be hoisted again without permission," the work of our Navy as a battle unit in the war zone was over. Too high a tribute can not be paid the officers and men of our Navy who faced the dangers of war and the perils of the sea with exalted courage and unfaltering determination. Their loyalty and patriotism have never been questioned, their valor and heroism never doubted. By their deeds they have added new luster to the glorious annals of the American Navy.

Let me quote the noble words of the great commander in chief of our American Army in France, Gen. Pershing, who last June sent this message to our naval forces:

> Permit me to send to the force commander, the officers, and men of the American Navy in European waters, the most cordial greetings of the American Expeditionary Force. The bond which joins together all men of American blood has been mightily strengthened and deepened by the rough hand of war.
>
> Those of us who are privileged to serve in the Army and Navy are to one another as brothers. Spaces of land and sea are nothing where a common purpose binds. We are so dependent upon one another that the honor, the fame, the exploits of the one are the honor, the fame, the exploits of the other. If the enemy should dare to leave his safe harbor and set his ships in battle array no cheers would be more ringing, as you and our allied fleets moved to meet him, than those of the American Expeditionary Forces in France. We have unshaken confidence in you and are assured that when we stand on the threshold of peace your record will be one worthy of your traditions.

No one appreciated more highly the efficient work done by our Navy than did Sir Eric Geddes, of the British Admiralty, who last October paid this tribute to our sea forces:

> I venture the opinion that when the history of this war is written there will be no more glorious page in that history than the one which tells of the work done, the dangers faced, and the privations endured by your Navy in common with the navies of your cobelligerents, and there will be no greater manifestation of the overwhelming importance of sea power in a fight such as this has been. In that manifestation the great American Navy has played a highly honorable and increasingly important part.

Let us not forget the mighty work of those in the departments, in the naval districts, in office and shop and warehouse, whose efforts were as untiring as their success was complete. From the humblest yeowoman upward to the Secretary, through the bureaus and their chiefs, all were animated by the same spirit of energy, of foresight, and determination to place the fleet on the highest basis of efficiency and strength. The phrase "The Navy of the United States" has a significance apart and above simply a designation of one branch of our military service. That phrase, invoking the romance of the pathless seas and the daring exploits of our seamen, appeals to our chivalry and our pride. It visualizes the traditions and the deeds of yesterday and brings to life the heroes who once trod the decks of our frigates. It opens the book of history to the brightest page of our achievements and links the accomplishments of the past with the glory of the present and the confidence of the future. It means more than crews and ships, more than power of shell and might of steel; it connotes the will and the purpose of the Republic itself and carries us forward to a nobler conception of national life. It epitomizes the spirit of America, and binds us to a closer and more resolute union. It quickens our consciousness as a member of the great family of nations and prompts us as one of the trustees of civilization to a higher duty in the solution and adjustment of world problems. It is the symbol, not only of daring but of sacrifice, not only of courage but of constructive endeavor, constant in purpose and steadfast to the end. As Secretary Daniels has so eloquently said:

> Nations and people, too, that knew of the Navy of the United States only by hearsay or random incident know it now as the organized will of a free people, prompt to heed the call of right against might, tireless in effort, fertile in resource, happy in cooperation, and unyielding till the ultimate goal be won.

[Applause.]

United States Navy, Nov. 1, 1918.

BATTLESHIPS—SINGLE CALIBER.

Name.	Commissioned.	Length.	Beam.	Draft.	Displacement (normal).	Speed.	Battery. Guns. Turret.	Battery. Guns. Secondary.	Battery. Guns. Antiaircraft.	Battery. Torpedo tubes submerged.	Men.	Marines.
		Feet.	*Ft. in.*	*Ft. in.*	*Tons.*	*Knots.*						
Arizona	1916	608	97 0½	28 10	31,400	[1] 21	12 14", 45 cal.	14 5", 51 cal.	4 3", 50 cal.	2 21"	1430	75
Arkansas[2]	1912	562	93 2½	28 6	26,000	21	12 12", 50 cal.	16 5", 51 cal.	2 3", 50 cal.	2 21"	1400	72
California	49 per cent completed	624	97 3½	30 1	32,300	[1] 21	12 14", 50 cal.	14 5", 51 cal.	4 3", 50 cal.	2 21"	1430	75
Colorado[3]	7 per cent completed	624	97 3½	30 0	32,600	[1] 21	8 16", 45 cal.	14 5", 51 cal.	4 3", 50 cal.	2 21"	1430	75
Delaware	1910	518	85 2½	26 11	20,000	21½	10 12", 45 cal.	14 5", 51 cal.	2 3", 50 cal.	2 21"	1200	64
Florida[3]	1911	521	88 2½	28 6	21,825	22	10 12", 45 cal.	12 5", 51 cal.	4 3", 50 cal.	2 21"	1200	64
Idaho	Completed	624	97 4½	30 0	32,600	[1] 21	12 14", 50 cal.	14 5", 51 cal.	4 3", 50 cal.	2 21"	1400	75
Maryland[3]	39 per cent completed	624	97 3½	30 6	32,600	[1] 21	8 16", 45 cal.	14 5", 51 cal.	4 3", 50 cal.	2 21"	1430	75
Michigan	1910	452	80 2½	24 6	16,000	18½	8 12", 45 cal.	14 3", 50 cal.	2 3", 50 cal.	2 21"	1000	56
Mississippi	1917	624	97 4½	30 0	32,000	[1] 21	12 14", 50 cal.	14 5", 51 cal.	4 3", 50 cal.	2 21"	1400	75
Nevada	1916	565	95 2½	28 6	27,500	20½	10 14", 45 cal.	12 5", 51 cal.	2 3", 50 cal.	2 21"	1400	75
New Mexico[3] [4]	1918	624	97 4½	30 0	32,000	[1] 21	12 14", 50 cal.	14 5", 51 cal.	4 3", 50 cal.	2 21"	1390	75
New York[5]	1914	573	95 2½	28 6	27,000	21½	10 14", 45 cal.	16 5", 51 cal.	2 3", 50 cal.	4 21"	1350	72
North Dakota	1910	518	85 2½	26 11	20,000	21	10 12", 45 cal.	14 5", 51 cal.	2 3", 50 cal.	2 21"	1100	64

[1] Estimated speed. [2] Fitted as a flagship. [3] In 1916 three-year program. [4] Formerly named California.

United States Navy, Nov. 1, 1918—Continued.

BATTLESHIPS—SINGLE CALIBER—continued.

Name.	Commissioned.	Length.	Beam.	Draft.	Displacement (normal).	Speed.	Battery. Guns. Turret.	Battery. Guns. Secondary.	Battery. Guns. Antiaircraft.	Battery. Torpedo tubes submerged.	Men.	Marines.
		Feet.	*Ft. in.*	*Ft. in.*	*Tons.*	*Knots.*						
Oklahoma	1916	583	95 2½	28 6	27,500	20½	10 14", 45 cal.	12 5", 51 cal.	2 3", 50 cal.	2 21"	1430	75
Pennsylvania	1916	608	97 0½	28 10	31,400	21	12 14", 45 cal.	14 5", 51 cal.	4 3", 50 cal.	2 21"	1390	75
South Carolina	1910	452	80 2½	24 6	16,000	19	8 12", 45 cal.	14 3", 50 cal.	2 3", 50 cal.	2 21"	1200	56
Tennessee	52 per cent completed	624	97 3½	30 3	32,300	[2] 21	12 14", 50 cal.	14 5", 51 cal.	4 3", 50 cal.	2 21"	1430	75
Texas[1]	1914	573	95 2½	28 6	27,000	21	10 14", 45 cal.	16 5", 51 cal.	2 3", 50 cal.	4 21"	1417	72
Utah[1]	1911	521	88 2½	28 6	21,825	21	10 12", 45 cal.	12 5", 51 cal.	2 3", 50 cal.	2 21"	1200	64
Washington[3]	5 per cent completed	624	97 3½	30 6	32,600	[2] 21	8 16", 45 cal.	14 5", 51 cal.	4 3", 50 cal.	2 21"	1430	75
West Virginia[3]	19 per cent completed	624	97 3½	30 6	32,600	[2] 21	8 16", 45 cal.	14 5", 51 cal.	4 3", 50 cal.	2 21"	1430	75
Wyoming[1]	1912	562	93 2½	28 6	26,000	21	12 12", 50 cal.	16 5", 51 cal.	2 3", 50 cal.	2 21"	[4]	72
South Dakota[3]	0 per cent completed	684	104 9	33 0	43,200	[2] 23	12 16", 50 cal.	16 6", 53 cal.	4 3", 50 cal.	2 21"	[4]	[4]
North Carolina[3]		684	104 9	33 0	43,200	[2] 23	12 16", 50 cal.	16 6", 53 cal.	4 3", 50 cal.	2 21"	[4]	[4]
Montana[3]		684	104 9	33 0	43,200	[2] 23	12 16", 50 cal.	16 6", 53 cal.	4 3", 50 cal.	2 21"	[4]	[4]
Indiana (new)[3]		684	104 9	33 0	43,200	[2] 23	12 16", 50 cal.	16 6", 53 cal.	4 3", 50 cal.	2 21"	[4]	[4]
Massachusetts (new)[3]		684	104 9	33 0	43,200	[2] 23	12 16", 50 cal.	16 6", 53 cal.	4 3", 50 cal.	2 21"	[4]	[4]
Iowa (new)[3]		684	104 9	33 0	43,200	[2] 23	12 16", 50 cal.	16 6", 53 cal.	4 3", 50 cal.	2 21"	[4]	[4]
Total normal displacement					889,050							

[1] Fitted as a flagship. [2] Estimated speed. [3] In 1916 three-year program. [4] Not determined.

The last three ships on list, Indiana, Massachusetts, Iowa, not officially named.

BATTLESHIPS—MIXED CALIBER.

Name.	Commissioned.	Length.	Beam.	Draft.	Displacement (normal).	Speed.	Battery. Turret.	Battery. Secondary.	Battery. Antiaircraft.	Men.	Marines.
		Feet.	*Ft. in.*	*Ft. in.*	*Tons.*	*Knots.*					
Alabama	1900	374	72 2½	23 6	11,552	17.01	4 13", 35 cal.	8 6", 40 cal.	2 3", 50 cal.	759	56
Connecticut	1905	456	76 10	24 6	16,000	18.78	4 12", 45 cal. 8 8", 45 cal.	12 3", 50 cal.	2 3", 50 cal.	1151	64
Georgia	1905	441	76 2½	23 9	14,948	19.26	4 12", 40 cal. 8 8", 45 cal.	8 3", 50 cal. 4 3", 50 cal.	2 3", 50 cal.	955	64
Illinois	1901	375	72 2½	23 6	11,552	17.45	4 13", 35 cal.	8 6", 40 cal.	2 3", 50 cal.	732	56
Indiana	1895	351	69 3	24 0	10,288	15.55	4 13", 35 cal. 8 8", 35 cal.	4 3", 50 cal.		725	56
Iowa	1897	362	72 2½	24 0	11,346	17.09	4 12", 35 cal. 8 8", 35 cal.	4 4", 40 cal.		760	56
Kansas	1907	456	76 10	24 6	16,000	18.09	4 12", 45 cal. 8 8", 45 cal.	12 3", 50 cal.	2 3", 50 cal.	1190	64
Kearsarge	1900	375	72 2½	23 6	11,520	16.82	4 13", 35 cal. 4 8", 35 cal.	8 5", 40 cal.	2 3", 50 cal.	767	56
Kentucky	1900	375	72 2½	23 6	11,520	16.9	4 13", 35 cal. 4 8", 35 cal.	8 5", 40 cal.	2 3", 50 cal.	767	56
Louisiana	1906	456	76 10	24 6	16,000	18.82	4 12", 45 cal. 8 8", 45 cal.	12 3", 50 cal.	2 3", 50 cal.	1152	64
Maine	1902	394	72 2½	23 10	12,500	18.0	4 12", 40 cal.	8 6", 50 cal.	2 3", 50 cal.	830	56
Massachusetts	1893	351	69 3	24 0	10,288	16.21	4 13", 35 cal. 8 8", 35 cal.	4 3", 50 cal.		725	56
Minnesota	1907	456	76 10	24 6	16,000	18.85	4 12", 45 cal. 8 8", 45 cal.	12 3", 50 cal.	2 3", 50 cal.	1170	64
Missouri	1903	394	72 2½	23 11	12,500	18.15	4 12", 40 cal.	8 6", 50 cal.	2 3", 50 cal.	968	56
Nebraska	1907	441	76 2½	23 9	14,948	19.06	4 12", 40 cal. 8 8", 45 cal.	8 3", 50 cal.	2 3", 50 cal.	955	64
New Hampshire	1908	456	76 10	24 6	16,000	18.16	4 12", 45 cal. 8 8", 45 cal.	12 3", 50 cal.	2 3", 50 cal.	1191	64
New Jersey	1906	441	76 2½	23 9	14,948	19.18	4 12", 40 cal. 8 8", 45 cal.	8 3", 50 cal.	2 3", 50 cal.	955	64
Ohio	1904	394	72 2½	23 7	12,500	17.82	4 12", 40 cal.	8 6", 53 cal.	2 3", 50 cal.	830	56
Oregon	1896	351	69 3	24 0	10,288	16.79	4 13", 35 cal. 8 8", 45 cal.	4 3", 50 cal.		725	56
Rhode Island	1906	441	76 2½	23 9	14,948	19.01	4 12", 40 cal. 8 8", 45 cal.	12 3", 50 cal.	2 3", 50 cal.	989	64
Vermont	1907	456	76 10	24 6	16,000	18.33	4 12", 40 cal. 8 8", 45 cal.	8 3", 50 cal.	2 3", 50 cal.	1191	64
Virginia	1906	441	76 2½	23 9	14,948	19.01	4 12", 40 cal. 8 8", 45 cal.		2 3", 50 cal.	989	64
Wisconsin	1901	374	72 2½	23 6	11,552	17.17	4 13", 35 cal.	8 6", 40 cal.	2 3", 50 cal.	705	56

[1] Four 8" guns in superposed turrets.

BATTLE CRUISERS.

Name.	Commissioned.	Length.	Beam.	Draft.	Displacement (normal).	Speed.	Battery. Guns. Turret.	Battery. Guns. Secondary.	Battery. Guns. Antiaircraft.	Battery. Torpedo tubes. Submerged.	Battery. Torpedo tubes. Above water.	Men.	Marines.
		Feet.	*Feet.*	*Ft. in.*	*Tons.*	*Knots.*							
Constellation	0 per cent completed	874	90	31 3	35,236	[1] 35	8 16", 50 cal.	14 6", 53 cal.	4 3"	4 21"	4 21"	(2)	(2)
Constitution	do	874	90	31 3	35,236	[1] 35	8 16", 50 cal.	14 6", 53 cal.	4 3"	4 21"	4 21"	(2)	(2)
Lexington	do	874	90	31 3	35,236	[1] 35	8 16", 50 cal.	14 6", 53 cal.	4 3"	4 21"	4 21"	(2)	(2)
Ranger	do	874	90	31 3	35,236	[1] 35	8 16", 50 cal.	14 6", 53 cal.	4 3"	4 21"	4 21"	(2)	(2)
Saratoga	do	874	90	31 3	35,236	[1] 35	8 16", 50 cal.	14 6", 53 cal.	4 3"	4 21"	4 21"	(2)	(2)
No. 6 (not named)	do	874	90	31 3	35,236	[1] 35	8 16", 50 cal.	14 6", 53 cal.	4 3"	4 21"	4 21"	(2)	(2)

[1] Estimated. [2] Not determined.

All these ships in 1916 three-year program.

United States Navy, Nov. 1, 1918—Continued.

ARMORED CRUISERS.

Name.	Commissioned.	Length.	Beam.	Draft.	Displacement.	Speed.	Battery. Turret.	Battery. Secondary.	Battery. Submerged torpedo tubes.	Men.	Marines.
		Feet.	*Ft. in.*	*Feet.*	*Tons.*	*Knots.*					
Frederick[1]	1905	503	69 6½	26	15,000	22½	4 8", 45 cal.	4 6", 50 cal.; 10 3", 50 cal.	2 18"	979	64
Huntington[2]	1905	503	69 6½	26	15,000	22½	4 8", 45 cal.	4 6", 50 cal.; 10 3", 50 cal.	2 18"	979	64
Montana	1908	504	72 10½	27	16,000	22½	4 10", 40 cal.	4 6", 50 cal.; 12 3", 50 cal.	4 21"	1000	64
North Carolina	1908	504	72 10½	27	16,000	22	4 10", 40 cal.	4 6", 50 cal.; 12 3", 50 cal.	4 21"	1000	64
Pittsburgh[3]	1905	504	69 6½	26	15,000	22½	4 8", 45 cal.	4 6", 50 cal.; 10 3", 50 cal.	2 18"	979	64
Pueblo[4]	1905	504	69 6½	26	15,000	22½	4 8", 45 cal.	4 6", 50 cal.; 10 3", 50 cal.	2 18"	979	64
South Dakota	1908	504	69 6½	26	15,000	22½	4 8", 45 cal.	4 6", 50 cal.; 10 3", 50 cal.	2 18"	979	64
Seattle[5]	1905	504	72 10½	27	16,000	22½	4 10", 40 cal.	4 6", 50 cal.; 12 3", 50 cal.	4 21"	1000	64

[1] Formerly Maryland. [2] Formerly West Virginia. [3] Formerly Pennsylvania. [4] Formerly Colorado. [5] Formerly Washington.

Memphis and San Diego lost. Each armored cruiser has also 2 3", 50 cal. A. A.

CRUISERS, FIRST CLASS.

Name.	Commissioned.	Length.	Beam.	Draft.	Displacement.	Speed.	Battery. Main.	Battery. Secondary.	Men.	Marines.
		Feet.	*Ft. in.*	*Feet.*	*Tons.*	*Knots.*				
Brooklyn	1906	402	64 8	26½	10,000	21½	8 6", 35 cal.	8 5", 40 cal.	544	64
Charleston	1905	426	66 0	24½	10,000	22	12 6", 50 cal.	4 3", 50 cal.	681	48
Rochester	1903	394	64 10	26½	9,500	21	4 8", 45 cal.	10 5", 50 cal.	517	40
St. Louis	1906	426	66 0	24½	9,700	22	12 6", 50 cal.	4 3", 50 cal.	681	48

Milwaukee lost. Each ship has also 2 3", 50 cal. A. A.

SCOUT CRUISERS, SECOND CLASS.

[10 in number, all of same size, design, and equipment.]

Name.	Commissioned.	Length.	Beam.	Draft.	Displacement.	Speed.	Main battery.	Torpedo tubes (deck).	Men.	Marines.
		Feet.	*Feet.*	*Feet.*	*Tons.*	*Knots.*				
No. 4-13		555	55	14½	7,600	35	8 6", 53 cal.	2 21" twin	300	

Percentage completed: No. 4, 32.4; No. 5, 21.5; No. 6, 17; Nos. 9 and 10, 8; Nos. 7, 8, 11, 12, and 13, 0.
All these ships in 1916 three-year program. Each ship has 2 3", 50 cal. A. A.

CRUISERS—SECOND CLASS.

Name	Commissioned.	Length.	Beam.	Displacement.	Draft.	Speed.	Battery.	Men.	Marines.
		Feet.	*Ft. in.*	*Tons.*	*Ft. in.*	*Knots.*			
Chicago	1889	342	48 2½	4,500	19 0	18	4 5", 51 cal.	332	
Columbia	1894	413	58 2	8,270	24 6	23½	3 6", 45 cal.; 4 4", 40 cal.	411	18
Minneapolis	1894	413	58 2	8,270	24 6	23	3 6", 45 cal.; 4 4", 40 cal.	438	
Olympia	1895	344	53 0½	6,558	25 0	21½	10 5", 51 cal.	391	

CRUISERS—THIRD CLASS.

Name.	Commissioned.	Length.	Beam.	Displacement.	Draft.	Speed.	Battery. Main.	Battery. Secondary.	Torpedo tubes above water.	Men.	Marines.
		Feet.	*Feet.*	*Tons.*	*Ft. in.*	*Knots.*					
Albany	1900	354	43	3,994	19 1	20	8 5", 50 cal.			303	
Annapolis	1894	269	37	2,212	16 3	19	8 4", 40 cal.	4 3-pdr.		248	
Birmingham	1908	423	47	4,687	18 9	24	4 5", 51 cal.	2 3", 50 cal.	2 21"	362	18
Chattanooga	1904	308	44	3,344	17 0	16½	8 5", 50 cal.	6 6-pdr.		279	
Chester	1908	423	47	4,687	18 9	28½	4 3", 51 cal.	3 3", 50 cal.	2 21"	362	
Cincinnati	1894	306	42	3,339	19 6	19½	9 5", 40 cal.	4 6-pdr.		259	18
Cleveland	1903	308	44	3,544	17 0	16½	8 5", 50 cal.	6 6-pdr.		279	
Denver	1904	308	44	3,544	17 0	16½	8 5", 50 cal.	6 6-pdr.		279	19
Des Moines	1904	309	44	3,544	17 0	16½	8 5", 50 cal.	6 6-pdr.		279	19
Galveston	1905	308	44	3,544	17 0	16½	8 5", 50 cal.	6 6-pdr.		279	18
Marblehead	1894	269	37	2,212	16 3	18½	8 4", 40 cal.			244	
New Orleans	1898	354	43	3,954	19 1	20	8 5", 50 cal.	2 1-pdr.		303	
Raleigh	1894	305	42	3,339	19 6	21	9 5", 40 cal.	4 6-pdr.		262	
Salem	1908	423	47	4,687	18 9	26	4 5", 51 cal.	6 3", 50 cal.	2 21"	362	
Tacoma	1904	308	44	3,544	17 0	16½	8 5", 50 cal.	6 6-pdr.		279	

United States Navy, Nov. 1, 1918—Continued.

MONITORS.

Name.	Commissioned.	Length.	Beam.	Draft.	Displacement.	Speed.	Battery. Turret.	Battery. Secondary.	Men.
		Feet.	*Feet.*	*Ft. in.*	*Tons.*	*Knots.*			
Amphitrite	1895	262	55	14 6	3,990	10.5	4 10", 30 cal.	2 4", 40 cal.; 2 3-pdr.; 2 1-pdr.	211
Cheyenne[1]	1902	255	50	12 6	3,230	11.8	2 12", 40 cal.	4 4", 50 cal.; 2 6-pdr.; 2 1-pdr.	200
Monadnock	1896	262	55	14 6	3,990	11.63	4 10", 30 cal.	2 4", 40 cal.; 4 6-pdr.; 2 1-pdr.	217
Monterey	1893	260	59	14 10	4,084	13.6	2 10", 30 cal.; 2 12", 35 cal.	6 6-pdr.; 1 1-pdr.	217
Ozark[2]	1902	255	50	12 6	3,215	12.03	2 12", 40 cal.	4 4", 50 cal.; 2 6-pdr.; 2 1-pdr.	200
Tallahassee[3]	1903	255	50	12 6	3,225	12.4	2 12", 40 cal.	4 4", 50 cal.; 2 6-pdr.	200
Tonopah[4]	1903	255	50	12 6	3,250	13.04	2 12", 40 cal.	4 4", 50 cal.; 2 6-pdr.; 2 1-pdr.	200

[1] Formerly Wyoming. [2] Formerly Arkansas. [3] Formerly Florida. [4] Formerly Nevada.

The Cheyenne, Ozark, Tallahassee, and Tonopah have 1 3", 50 cal. A. A.

SPECIAL TYPE.

Name.	Commissioned.	Duty.	Length.	Beam.	Draft.	Displacement.	Battery.	Men.
			Ft. in.	*Ft. in.*	*Ft. in.*	*Tons.*		
Aroostook	1917	Mine planter	395 0	52 2	16 0	3,800	1 5", 51 cal.; 2 3", 50 cal. A. A.; 2 machine.	293
Baltimore	1890	do	335 0	48 7½	19 6	4,413	4 5", 51 cal.; 2 3", 50 cal. A. A.; 2 machine.	291
Black Hawk	1918	Mine force repair ship	420 2½	53 9	28 5	13,500	4 5", 51 cal.; 2 machine	421
Canandaigua	1918	Mine planter	405 1	48 3	22 6	7,620	1 5", 51 cal.; 2 3", 50 cal. A. A.; 2 machine.	350
Canonicus	1918	do	405 1	48 3	22 6	7,620	do	350
Housatonic	1918	do	405 1	48 3	22 6	7,620	do	350
Quinnebaug	1918	do	375 0	42 0	18 6	5,150	1 5", 51 cal.; 2 3", 50 cal. A. A.; 2 machine.	329
Roanoke	1918	do	405 1	48 3	22 6	7,620	1 5", 51 cal.; 2 3", 50 cal. A. A.; 2 machine.	350
San Francisco	1890	do	324 6	49 2	18 9	4,083	4 5", 51 cal.; 2 1-pdr.; 2 machine	301
Saranac	1917	do	375 0	42 0	18 6	5,150	1 5", 51 cal.; 2 3", 50 cal. A. A.; 2 machine.	329
Shawmut	1917	do	395 0	52 2	16 0	3,800	1 5", 51 cal.; 2 3", 50 cal. A. A.; 2 machine.	295
Vestal	1909	Repair ship	465 9	60 0	26 0	12,585	4 5", 50 cal.	273
Vesuvius	1890	Torpedo practice	252 4	26 6½	10 7	930	1 3", 50 cal.	32
Number 1		Building, 43 per cent complete.	482 9½	60 10½	20 11	10,600	4 5", 51 cal.; 4 3", 50 cal. A. A.	199
Number 2		Building, 5.5 per cent complete.	482 9½	60 10½	20 11	10,600	do	199
Number 3 (repair ship)		Building, 0 per cent complete.		67 6	18 6	10,000	do	

Nos. 1 and 2 are ammunition ships.

SUPPLY SHIPS.

Name.	Commissioned.	Length.	Beam.	Draft.	Displacement.	Speed.	Battery.	Men.
		Ft. in.	*Ft. in.*	*Ft. in.*	*Tons.*	*Knots.*		
Bridge	1917	422 11	55 2½	20 8	8,500	14.0	4 5", 50 cal.; 1 machine	150
Celtic	1898	383 1	44 7	21 0	6,730	10.5	4 3", 50 cal.; 1 3", 50 cal. A. A.	157
Culgoa	1898	346 4	43 0	21 9	6,000	13.25	4 3", 50 cal.	165
Glacier	1898	388 7	46 1	25 4	8,325	12.3	1 5", 51 cal.; 2 3", 50 cal.	103
Supply	1902	355 8	43 4	19 5	4,325	9.66	6 6-pdrs.; 4 1-pdr.	152

Dimensions, etc., of destroyers built and under construction.
[There is some variation in type.]

Length.	Beam.	Draft.	Displacement.	Cost, approximate.	Speed.	Battery.	Men.
Feet. 314	*Feet.* 31	*Feet.* 9	*Tons.* 1,270	$2,000,000	*Knots.* 35	Guns: 4 4" 50 cal., 2 3" 21 cal. Torpedo tubes: 4 21" triple deck tubes.	114

Dimensions of "Eagle" patrol vessels.

Length.	Beam.	Draft.	Displacement.	Speed.	Battery.	Men.
Feet. 200	*Feet.* 25½	*Feet.* 8½	*Tons.* 500	*Knots.* 18	Guns: 2 4" 50 cal., 1 3" 50 cal. 1 Y depth-bomb projector. 2 machine guns.	44

Dimensions of "S" type submarines.
[They differ somewhat in design.]

Length.	Beam.	Draft.	Displacement.	Cost, approximate.	Speed. Surface.	Speed. Submerged.	Battery.	Men.
Feet. 231	*Feet.* 21	*Feet.* 13	*Tons.* 860	$1,300,000	*Knots.* 15	*Knots.* 12	1 4" gun; 4 tubes with 10 21" torpedoes.	34

Naval hospitals in operation on Nov. 11, 1918.

PERMANENT HOSPITALS.

(Including temporary additions.)

	Beds.
Portsmouth, N. H.	157
Chelsea, Mass.	825
Newport, R. I.	758
New York, N. Y.	1,315

Naval hospitals in operation on Nov. 11, 1918—Continued.

	Beds.
Philadelphia, Pa	704
Washington, D. C	177
Annapolis, Md	343
Norfolk, Va	1,499
Parris Island, S. C	151
Pensacola, Fla	257
New Orleans, La	209
Great Lakes, Ill	2,265
Fort Lyon, Colo	326
Mare Island, Cal	834
Puget Sound, Wash	243
Pearl Harbor, Hawaii	40
Canacao, P. I	185
Olongapo, P. I	105
Guam, P. I	31
Yokohama, Japan	90
St. Thomas, Virgin Islands	29
Key West, Fla	223
Total	10,953

TEMPORARY HOSPITALS.

League Island, Pa	254
Charleston, S. C	360
Hampton Roads, Va	645
Gulfport, Miss	160
Cape May, N. J	98
Pelham Bay Park, N. Y	750
New London, Conn	223
San Diego, Cal	500
Quantico, Va	301
Total	3,299

HOSPITAL SHIPS.

Name.	Commissioned.	Length.	Beds.
Comfort	1918	429	315
Mercy	1918	429	315
Solace	1898	377	250
Hospital ship No. 1 (building)		483	

AMBULANCE BOATS.

Adriatic	1918	125	None.
Sampson	1918	122	None.
Southport	1918	125	None.

QUARANTINE SHIP.

Newark		311	(7)

FLOATING DISPENSARY.

Name.	Commissioned.	Length.	Beds.
Repose		299	(7)

FOR POSSIBLE CONVERSION TO HOSPITAL-SHIP PURPOSES.

U. S. S. *Boston*.
Boston floating hospital.

FOREIGN TEMPORARY HOSPITALS.

	Beds.
United States Naval Base Hospital No. 1, with the marines in France (Brest)	500
United States Naval Base Hospital No. 2, Strathpeffer, Scotland	701
United States Naval Base Hospital No. 3, Leith, Scotland	800
United States Naval Base Hospital No. 4, Queenstown, Ireland	243
United States Naval Base Hospital No. 5, Brest, France	700
United States naval hospital, L'Orgeuil, France	75
United States naval hospital, Pauillac, France	100
United States naval hospital, London, England	75

FOREIGN TEMPORARY HOSPITALS—continued.

	Beds.
United States naval hospital, Gibraltar	75
United States naval hospital, Cardiff, Wales	75
United States naval hospital, Plymouth, England	75
United States naval hospital, Genoa, Italy	50
United States naval hospital, Corfu, Greece	100
Total	3,569
Total capacity	18,701

Navy killed and wounded in the war.

	Officers.		Enlisted force.	
	Killed.	Wounded	Killed.	Wounded.
Navy	134	88	1,386	623
Marine Corps	46	208	1,567	8,842
Coast Guard	12		141	
Total	191	296	3,094	9,465

The Medical Department personnel assigned to take care of the sick and wounded of this force consists of 3,018 medical officers, 485 dental officers, 1,386 nurses, and 15,294 Hospital Corps men, appointed, enlisted, or enrolled either in the regular service or in the various reserve corps.

Summary of vessels in the United States Navy, Nov. 1, 1918.

Type.	Fit for service, including those under repair.		Under construction.		Authorized but not yet placed.		Total.	
	Number.	Displacement.	Number.	Displacement.	Number.	Displacement.	Number.	Displacement.
		Tons.		*Tons.*		*Tons.*		*Tons.*
Battleships, single caliber	16	403,450	11	399,800	2	86,100	29	889,350
Battleships, mixed caliber	23	308,146					23	308,146
Battle cruisers			6	211,800			6	211,800
Armored cruisers	8	111,900					8	111,900
Monitors	7	24,964					7	24,964
Cruisers, first class	4	36,765					4	36,765
Cruisers, second class	4	25,065	10	71,000			14	96,065
Cruisers, third class	15	47,820					15	47,820
Destroyers	92	80,796	238	280,676	12	14,580	[1]342	356,042
Coast torpedo vessels	15	6,275					15	6,275
Torpedo boats	17	3,146					17	3,146
Submarines	79	29,886	[2]93	73,084	9	(1)	181	102,970
Tenders	17	98,840			3	31,200	20	130,040
Gunboats	37	34,410	2	3,150			39	37,560
Minesweepers	14	13,300	[3]40	38,000			[4]54	51,300
Patrol vessels	2	1,000	[5]98	49,000			100	50,000
Submarine chasers	300	19,500	[6]42	2,730			342	22,230
Converted yachts	12	8,711					12	8,711
Transports	5	57,205			1	10,000	6	67,205
Supply ships	5	33,900					5	33,900
Hospital ships	6	34,097	1	9,800			7	43,897
Fuel ships	21	218,980	3	44,400			24	263,380
Special service	13	85,891	2	21,200	1	10,000	16	117,091
Tugs	50	22,572	81	36,350			131	58,922
Unserviceable for war purposes	15	49,456					15	49,456
Total	777	1,791,084	627	1,246,990	28	152,180	1,432	[7]3,190,254

[1] On Feb. 1, 1919, destroyers in service, 112; building and authorized, 224.
[2] Fourteen of these have since been canceled. On Feb. 1, 1919, submarines in service; 85; building and authorized, 82.
[3] Does not include displacement of 9 fleet submarines.
[4] Five of these have since been canceled.
[5] Forty of these have since been canceled.
[6] Six of these have since been canceled.
[7] Does not include displacement of 9 fleet submarines.

Relative standing of the navies of the world in 1917.

[Furnished by the Office of Naval Intelligence, Navy Department.]

	Great Britain.		Germany.		United States.		France.		Japan.		Russia.		Italy.		Austria-Hungary.	
	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.
Battleships	57	1,137,150	38	682,340	32	601,008	19	355,753	12	227,297	14	250,004	12	195,200	11	138,501
Battle cruisers	11	241,500	5	115,162					4	116,800						
Cruisers	23	(2)269,950	35	155,719	9	125,580	5	26,344	16	148,185	16	102,876	5	41,578	2	13,600
Light cruisers	(3)90	(3)410,235			14	66,410			10	42,210			10	22,272	6	18,700
Coast defense vessels	55	82,610			4	12,000	1	8,500							3	24,000
Destroyers	220	192,501	177	86,609	49	47,471	75	38,130	51	27,008	111	89,010	30	15,572	23	12,978
Torpedo-boat destroyers	66	10,083			6	2,128	94	93,140	19	2,084			90	13,367	62	12,120
Submarines	172	28,635	47	20,414	39	11,400	50	21,820	16	3,414	49	20,437	21	5,419	25	4,508
Total	680	2,375,561	282	1,058,240	153	860,017	250	642,486	127	550,726	192	462,454	168	396,738	132	225,097

Relative standing of the navies of the world in 1917—Continued.

	Great Britain.		Germany.		United States.		France.		Japan.		Russia.		Italy.		Austria-Hungary.	
	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.
BUILDING AND PROJECTED.																
Battleships	2	53,250	1	19,192	9	288,000	5 [1]4	124,150 116,000	4	(2)123,800	1	27,000	4	120,000	4	98,452
Battle cruisers	1	17,500	2	54,000	[1]4	126,000										
Cruisers	3	13,100	(2)		4	30,000			3	11,337	4	130,000			6	19,950
Light cruisers			(2)								2	16,000	7	12,420		
Coast-defense vessels			(2)										2	(7) 7,480		
Torpedo-boat destroyers	50	(7) 30,000	(2)		29	32,053	7	8,300	9	9,100	9	11,970	10	7,760		
Submarines	19	28,000	(2)		36	22,005	25	(7)	6	3,200	(7)		42	20,451		
Total	75	161,850	3	73,192	82	500,058	41	248,450	22	157,437	16	185,270	65	168,061	10	116,402

[1] Not laid down.
[2] Unknown.

The above figures are based upon the most authentic information on file in this office and represent the approximate strength, standing, and program January 1, 1917, of the above-named powers.

Relative standing of the navies of the world in 1919.

	Great Britain.		United States.		Germany.		Japan.		France.		Russia.		Italy.		Austria-Hungary.	
	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.
Battleships	55	1,103,900	39	711,596	30	464,777	13	273,427	18	338,976	13	220,502	11	177,350	11	138,501
Battle cruisers	9	205,500			1	27,000	7	152,950								
Cruisers	24	300,150	8	111,900	29	127,029	12	113,282	18	185,957	12	93,050	5	45,606	8	21,452
Light cruisers	73	298,045	13	55,160			9	34,845	1	2,421			6	19,538		
Coast defense vessels	32	8,590	4	12,900									1	1,630		
Torpedo-boat destroyers	369	350,020	105	100,060	173	41,800	65	37,177	65	37,505	100	67,180	47	34,950	21	11,571
Torpedo boats	34	9,576			101	18,857	24	2,984	79	7,312			96	15,148	50	10,397
Submarines	140	(1)	84	32,176	116	116,545	16	3,414	53	22,026	44	19,533	78	(2)21,645	12	3,465
Total	736	2,273,781	253	1,032,792	450	826,637	146	618,039	239	594,197	169	400,265	248	[3]315,977	102	185,386
BUILDING AND PROJECTED, 1919.																
Battleships			13	485,600	[2]2	56,000	[3]4	128,000	5 4	124,150 [4]83,600	1	27,300			4	98,452
Battle cruisers	4	164,800	[4]6	211,416	[5]3											
Cruisers			10	63,900	[6]4	16,000					4	130,200			6	19,950
Light cruisers	21	125,235			[6]4		7	24,500			8	57,600				
Torpedo-boat destroyers	115	141,855	237	286,779			9 14	11,700 (7)	1	800	17	21,659	16	19,435		
Torpedo boats													4	640		
Submarines	79	66,871	[8]83	68,694		24,800	4 6	3,000 (7)	8	(7)	1	659	11	3,399		
Total	219	498,761	349	1,116,389	13	96,800	24	167,200	14	125,040	31	237,400	31	23,474	10	118,402

[1] Unknown.
[2] 4 authorized, not laid down.
[3] 1 laid down.
[4] Not laid down.
[5] Laid down; tonnage unknown.
[6] 4 mine-laying cruisers laid down.
[7] Tonnage unknown.
[8] Including 9 not laid down.

NOTE.—Battleships, battle cruisers, cruisers, light cruisers, and coast defense vessels over 20 years of age not included. Torpedo-boat destroyers, torpedo boats, and submarines over 15 years of age not included.

German vessels surrendered to the allies not included in the above compilation. Russian vessels in the hands of the Germans not included in German or Russian figures.

The entire navy of Austria-Hungary, according to the best information on file in this office, is in the hands of the Jugo-Slavs. The ships are being paid off and rendered harmless.

The warship construction of the Russian Navy has ceased and little work has been done since June, 1917.

While Germany ranks third according to tonnage, her real position, according to fighting ships and gun power, is fifth.

The Turkish Navy is in the hands of the allies.

THE COMBATANT NAVY ON MAR. 1, 1919.

DECEMBER 13, 1918.

The office of the Chief of Naval Operations has laid out plans for the operations of the naval forces which involve the elimination of all craft in use temporarily for the war. The estimates for personnel in accordance with these plans is indicated below:

	Number of ships.	Number of men.
Battleship force:		
In full commission	29	35,341
In reserve, two-third crew	8	4,400
Out of commission	3	
Cruiser force:		
In full commission	20	12,096
In reserve, two-third crew	2	932
Out of commission	3	
Patrol force:		
In full commission	24	3,968
Out of commission	21	
Destroyer force:		
In full commission	165	20,635
Out of commission	1	
Submarine force:		
In full commission	99	4,533
Mine force:		
In full commission	9	1,831
Out of commission	6	

THE COMBATANT NAVY ON MAR. 1, 1919—continued.

	Number of ships.	Number of men.
Train:		
In full commission	14	2,403
Out of commission	3	
Sub chasers:		
In full commission	168	4,032
In reserve, two-third crew	84	1,344
Out of commission	65	
Troop transports (see note), in full commission	42	20,363
Special and detached duty:		
In full commission	16	2,445
Out of commission	4	
Pacific Fleet:		
In full commission	8	1,261
Out of commission	5	
Asiatic Fleet, in full commission	28	2,307
Eagle boats, in full commission	17	1,156
Sweepers, in full commission	37	2,479
Aviation force, in full commission (stations)	12	6,000
Miscellaneous details, receiving ship, yard and station craft, permanent training station force, naval districts, radio and communication on shore, recruiting, under treatment in hospitals, etc		20,000
Under training for replacements due to expiration of enlistments in trade schools		12,000
Apprentices and firemen under instruction		24,000
Total required for combatant Navy Mar. 1, 1919		183,641

THE COMBATANT NAVY ON MAR. 1, 1919—continued.

	Number of ships.	Number of men.
Additional for new construction to July 1, 1923:		
Battleships	4	5,210
Destroyers	185	23,125
Eagle boats	43	2,924
Submarines	21	595
Sweepers	17	1,139
Total for new construction		33,328
Grand total to man permanent Navy July 1, 1923		216,060

1916—THREE-YEAR PROGRAM.

By the act of August 29, 1916, the so-called three-year building program was adopted, providing for 10 battleships, 6 battle cruisers, 10 scout cruisers, 9 fleet submarines, 50 destroyers, 58 coast submarines, 3 fuel (oil) ships, 1 repair ship, 1 transport, 1 hospital ship, 2 destroyer tenders, 1 fleet submarine tender, 2 ammunition ships, and 2 gunboats. A total of 156 ships was included in this program, but at the present time 6 battleships, 6 battle cruisers, 2 scout cruisers, and 9 fleet submarines, while designed, have not been laid down.

LOSSES OF AMERICAN VESSELS DURING THE WAR.

The following is a list, according to the most authentic information on file in the Office of Naval Intelligence, of all naval losses from April 6, 1917, to November 11, 1918:

Name.	Class.	Tonnage.	Lives lost.	Date.	Remarks.
BY SUBMARINES.					
Antilles	Transport	6,878 gross	70	Oct. 17, 1917	Torpedoed.
Alcedo	Armed yacht	981 gross	20	Nov. 5, 1917	Do.
Jacob Jones	Destroyer	1,265 gross	62	Dec. 6, 1917	Do.
Lake Moor	Cargo steamer.	1,955 gross	45	Apr. 11, 1918	Do.
Rockefeller, Wm.	Tanker	7,197 gross	3	May 18, 1918	Do.
President Lincoln.	Transport	18,167 gross	26	May 31, 1918	Do.
Covington	do	16,339 gross	6	July 1, 1918	Do.
Westover	Army supply.	8,800 gross	8	July 11, 1918	Do.
Westbridge[1]	N. O. T. S.	5,660 gross	4	Aug. 15, 1918	Do.
Montanan	Army account.	6,659 gross	5	Aug. 16, 1918	Do.
Mt. Vernon[2]	Transport	18,372 gross	36	Sept. 5, 1918	Do.
Buena Ventura	Army cargo.	4,881 gross	64	Sept. 16, 1918	Do.
Tampa	C. G. C.	1,191 displacement.	112	Sept. 26, 1918	Do.
Ticonderoga[3]	Animal cargo.	5,130 gross	[3] 216	Sept. 30, 1918	Shelled and torpedoed.
BY MINES.					
Pratt, Herbert L.	Tanker	7,145 gross	None.	June 2, 1918	
Californian	Cargo	5,658 gross	None.	June 23, 1918	
San Diego	Cruiser	13,680 displacement.	59	July 19, 1918	
Minnesota[4]	Battleship	16,000 displacement.	None.	Sept. 20, 1918	
Saetia	N. O. T. S.	2,824 gross		Nov. 9, 1918	
BY COLLISION.					
Mohawk	Revenue cutter.	1,148 displacement.	None.	Oct. 1, 1917	
Chauncey	Destroyer	392 displacement.	18	Nov. 19, 1917	
S. C. No. 141	Submarine chaser.	75 gross	None.	Dec. 13, 1917	
F. I.	Submarine		19	Dec. 17, 1917	
Zaanland	Cargo	5,417 gross	None.	May 13, 1918	
Wakiva II	Yacht	851 gross	2	May 22, 1918	
Schurz	Cruiser	1,930 displacement.	1	June 21, 1918	
Oostedijk	Cargo	8,251 gross	None.	July 11, 1918	
S. C. No. 187	Submarine chaser.	75 gross	None.	Aug. 4, 1918	
S. C. No. 60	Submarine chaser.	75 gross	2	Oct. 1, 1918	
Herman Frasch	Transport (Army).	3,831 gross	16	Oct. 4, 1918	
S. C. No. 397	Submarine chaser.	75 gross	None.	Oct. 5, 1918	With 6-13.
Westgate	Cargo (Army)	8,800 deadweight.	7	Oct. 7, 1918	
Shaw	Destroyer	1,100 displacement.	12	Oct. 9, 1918	
Tarantula	Special patrol.		None.	Oct. 28, 1918	
MISCELLANEOUS SINKINGS.					
Rehoboth	Armed trawler.	234 gross	None.	Oct. 8, 1917	
S. C. No. 117	Submarine chaser.	75 gross	None.	Dec. 22, 1917	Burned; Norfolk Navy Yard.

[1] Salvaged. [2] Torpedoed; made port. [3] 216 lost, 2 captured. [4] Mined; made port.

LOSSES OF AMERICAN VESSELS DURING THE WAR—continued.

Name.	Class.	Tonnage.	Lives lost.	Date.	Remarks.
MISCELLANEOUS SINKINGS—con.					
Bauman	Trawler	304 gross	None.	Jan. 12, 1918	
Guinevere	Yacht	499 gross	None.	Jan. 23, 1918	Struck rock.
Elfreda	do	194 displacement.	None.	Feb. 21, 1918	
Mariner	Tug	220 gross	None.	Feb. 26, 1918	Foundered.
Cherokee	do	273 gross	23	do	Do.
Cyclops	Collier	19,360 displacement.	293	Apr. 21, 1918	Mysteriously disappeared.
No. 3429	Motor patrol		2	July 10, 1918	German shore battery.
Montauk	Patrol boat	641 gross	7	Aug. 21, 1918	Driven ashore.
S. C. No. 209	Submarine chaser.	75 gross	17	Aug. 27, 1918	Shelled by mistake.
S. C. No. 219	do	do	4	Oct. 9, 1918	Internal explosion.
Lake Borgne	Army account.	2,100 gross	None.	Oct. 22, 1918	Struck rock.
Ophir	N. O. T. S.	7,089	None.	Nov. 11, 1918	Internal explosion.

Summary.

NAVAL VESSELS.

	Number of vessels.	Tonnage.	Lives.
From Apr. 6, 1917, to Nov. 11, 1918:			
By submarines	14	103,563	677
By mines	5	45,356	54
By collision	15	39,794	65
Miscellaneous	14	31,128	346
Total number Navy vessels	48	210,861	1,142

MERCHANT VESSELS.

From August, 1914, to Apr. 6, 1917:			
By submarines	15	53,671	63
By mines	5	10,770	4
By German cruiser Prinz Eitel Friederick	1	3,374	
Total from August, 1914, to Apr. 6, 1917	21	67,815	67
From Apr. 6, 1917, to Nov. 11, 1918:			
By submarines	124	244,385	342
By raiders	6	4,388	
Total from Apr. 6, 1917, to Nov. 11, 1918	130	248,772	342
Total number merchant vessels	151	315,588	409
Total number Navy vessels	49	210,861	1,144
Grand total	200	526,449	1,553

Major units of the surrendered German fleet.

	Date of completion.	Displacement.	Best armor.	Speed.	Guns (main battery).
DREADNAUGHTS.		*Tons.*	*Inches.*	*Knots.*	
Bavern	1916	28,000	14	22.5	8 15", 16 5.9".
Koenig	1914	25,400	13½	22	10 12", 14 5.9".
Grosser Kurfurst	1914	25,400	13½	22	Do.
Markgraf	1914	25,400	13½	22	Do.
Kronprinz Wilhelm	1915	25,400	13½	22	Do.
Kaiser	1912	24,500	13½	23	Do.
Kaiserin	1913	24,500	13½	23	Do.
Koenig Albert	1914	24,500	13½	23	Do.
Friedrichder Grosse	1912	24,500	13½	23	Do.
Regent Luitpold	1913	24,500	13½	23	Do.
Baden[1]	1916	28,000		23	8 15", 16 5.9".
BATTLE CRUISERS.					
Hindenburg	1917	27,000	12	28	8 12", 16 5.9".
Derfflinger	1914	26,200	12	27	8 12", 14 5.9".
Seydlitz	1913	24,600	11	28	10 11", 12 5.9".
Moltke	1911	22,600	11	28	Do.
Von der Tann	1910	19,100	9	27	8 11", 10 5.9".
SCOUT CRUISERS.					
Bremse	1916	4,000		35	4 5.9".
Brummer	1916	4,000		35	Do.
Emden	1916	4,200		30	7 5.9".
Karlsruhe	1916	4,200		30	Do.
Nurnberg	1916	4,200		30	Do.
Frankfurt	1916	5,100		30	8 5.9".
Koln[2]	1917	6,400		33	7 5.9".
Dresden	1918				7 5.9".

[1] Surrendered on Jan. 11 in place of Mackensen.
[2] Not yet given up.

All of the dreadnaughts and battle cruisers, with the exception of the Moltke are equipped with 5 submerged torpedo tubes, firing the latest 22-inch German torpedo. The Moltke carries 4 tubes. The scout cruisers are all equipped for laying mines, the Bremse and Brummer having a capacity each of 36 mines.

The armistice called for the surrender of 50 destroyers and 160 submarines. The destroyers have been surrendered, but up to the present only 135 submarines have been interned.

Allied and neutral shipping lost by enemy action, Aug. 1, 1914, to Nov. 11, 1918.

	Ships.	Gross tons.
Allied	4,683	10,525,391
Neutral	1,506	2,292,566
Grand total	6,189	12,817,957

STRENGTH OF GERMAN AND AUSTRIAN SUBMARINE FORCES.

On August 1, 1918, the estimated number of German submarines was as follows: Total number built, 331; number sunk, 158; number available, 173. These 173 were divided, 26 school boats, 147 operating at sea. Of the 147 operating, 28 were in the Mediterranean and 119 in the Atlantic.

Austrian submarines: Number built, 35; number obsolete, 10; number sunk, 7; number available, 18. All of the Austrian submarines were operating in the Mediterranean, and adding the German submarines operating in the Mediterranean, 28, makes a total of 46 in those waters.

THE MARINE CORPS IN THE WAR.

[Extracts from the report of the Secretary of the Navy.]

Memorial Day shall henceforth have a greater, deeper significance for America, for it was on that day, May 30, 1918, that our country really received its first call to battle—the battle in which American troops had the honor of stopping the German drive on Paris, throwing back the Prussian hordes in attack after attack, and beginning the retreat which lasted until Imperial Germany was beaten to its knees and its emissaries appealing for an armistice under the flag of truce. And to the United States Marines, fighting side by side with equally brave and equally courageous men in the American Army, fell the honor of taking over the lines where the blow of the Prussian would strike the hardest, the line that was nearest Paris, and where, should a breach occur, all would be lost. The world knows to-day that the United States Marines held that line; that they blocked the advance that was rolling on toward Paris at a rate of 6 or 7 miles a day; that marines and soldiers of the American Army threw back the crack guard divisions of Germany, broke their advance, and then, attacking, drove them back in the beginning of a retreat that was not to end until the "cease-firing" signal sounded for the end of the world's greatest war. In this connection, Melville Stone, general manager of the Associated Press, said, following an exhaustive trip of investigation in Europe:

They (the marines) had before them the best Prussian Guards and shock troops—the Germans were perfectly sure they could drive the "amateurs" back.

It was a dramatic situation, for success meant that the Germans could probably push for Calais and other channel ports; but Foch dangled Paris before their eyes by putting raw Americans at a point across the direct road to Paris in the pocket between Rheims and Soissons. Instead of driving back the "amateurs," the "amateurs" drove them and gave them also a very sound thrashing. Their losses were heavy, but they did the work, and in doing it also did three things: They saved Paris; they seriously injured the morale of the best German troops; and they set a standard and fixed a reputation for American troops that none other dared tarnish.

Such is the opinion of the head of a great news-gathering force regarding the achievements of the United States Marines at Chateau-Thierry, where in the battle field of Boise de Belleau, now named the Bois de la Brigade de Marine by official order of the French staff, this branch of the Navy met the Germans and blocked their drive on Paris.

The Marine Corps played a vital rôle in stemming the German rush on Paris, and in later days aided in the beginning of the great offensive, the freeing of Rheims, and participated in the hard fighting in Champagne, which had as its object the throwing back of the Prussian armies in the vicinity of Cambrai and St. Quentin.

With only 8,000 men engaged in the fiercest battles, the Marine Corps casualties numbered 69 officers and 1,531 enlisted men dead, and 78 officers and 2,435 enlisted men wounded seriously enough to be officially reported by cablegram, to which number should be added not a few whose wounds did not incapacitate them for further fighting. However, with a casualty list that numbers nearly half the original 8,000 men who entered battle, the official reports account for only 57 United States Marines who have been captured by the enemy. This includes those who were wounded far in advance of their lines and who fell into the hands of Germans while unable to resist.

ORDERED TO FRONT ON MEMORIAL DAY.

It was on the evening of May 30, after a day dedicated to the memory of their comrades who had fallen in the training days and in the Verdun sector, that the Fifth and Sixth Regiments and the Sixth Machine-Gun Battalion, United States Marines, each received the following orders:

Advance information official received that this regiment will move at 10 p. m. 30 May by bus to new area. All trains shall be loaded at once and arrangements hastened. Wagons, when loaded, will move to Serans to form train.

All through the night there was fevered activity among the marines. Then, the next morning, the long trains of camions, busses, and trucks, each carrying its full complement of United States Marines, went forward on a road which at one place wound within less than 10 miles of Paris, toward Meaux and the fighting line.

Through the town of Meaux went the long line of camions and to the village of Montriel-aux-Lions, less than 4 miles from the rapidly advancing German line. On this trip the camions containing the Americans were the only traffic traveling in the direction of the Germans; everything else was going the other way—refugees, old men and women, small children, riding on every conceivable conveyance, many trudging along the side of the road driving a cow or calf before them, all of them covered with the white dust which the camion caravan was whirling up as it rolled along; along that road only one organization was advancing—the United States Marines.

GOT INTO LINE ON JUNE 2.

At last, their destination reached early on the morning of June 2, they disembarked, stiff and tired after a journey of more than 72 miles, but as they formed their lines and marched onward in the direction of the line they were to hold they were determined and cheerful. That evening the first field message from the Fourth Brigade to Maj. Gen. Omar Bundy, commanding the Second Division, went forward:

Second Battalion, Sixth Marines, in line from Le Thiolet through Clarembaults Woods to Triangle to Lucy. Instructed to hold line. First Battalion, Sixth Marines, going into line from Lucy through Hill 142. Third Battalion in support of Le Voie-du-Chatel, which is also the post command of the Sixth Marines. Sixth Machine-Gun Battalion distributed at line.

Meanwhile the Fifth Regiment was moving into line, machine guns were advancing, and the Artillery taking its position. That night the men and officers of the marines slept in the open, many of them in a field that was green with unharvested wheat, awaiting the time when they should be summoned to battle. The next day at 5 o'clock, the afternoon of June 2, began the battle of Chateau-Thierry, with the Americans holding the line against the most vicious wedge of the German advance.

BATTLE OF CHATEAU THIERRY.

The advance of the Germans was across a wheat field, driving at Hill 165 and advancing in smooth columns. The United States Marines, trained to keen observation upon the rifle range, nearly every one of them wearing a marksman's medal or, better, that of the sharpshooter or expert rifleman, did not wait for those gray-clad hordes to advance nearer. Calmly they set their sights and aimed with the same precision that they had shown upon the rifle ranges at Paris Island, Mare Island, and Quantico. Incessantly their rifles cracked, and with their fire came the support of the Artillery. The machine-gun fire, incessant also, began to make its inroads upon the advancing forces. Closer and closer the shrapnel burst to its targets. Caught in a seething wave of machine-gun fire, of scattering shrapnel, of accurate rifle fire, the Germans found themselves in a position in which further advance could only mean absolute suicide. The lines hesitated. They stopped. They broke for cover, while the marines raked the woods and ravines in which they had taken refuge with machine gun and rifle to prevent them making another attempt to advance by infiltrating through. Above a French airplane was checking up on the Artillery fire. Surprised by the fact that men should deliberately set their sights, adjust their range, and then fire deliberately at an advancing foe, each man picking his target instead of firing merely in the direction of the enemy, the aviator signaled below "Bravo!" In the rear that word was echoed again and again. The German drive on Paris had been stopped.

FIERCE FIGHTING IN BELLEAU WOOD.

For the next few days the fighting took on the character of pushing forth outposts and determining the strength of the enemy. Now, the fighting had changed. The Germans, mystified that they should have run against a stone wall of defense just when they believed that their advance would be easiest, had halted, amazed, then prepared to defend the positions they had won with all the stubbornness possible. In the black recesses of Belleau Wood the Germans had established nest after nest of machine guns. There in the jungle of matted underbrush, of vines, of heavy foliage, they had placed themselves in positions they believed impregnable. And this meant that unless they could be routed, unless they could be thrown back, the breaking of the attack of June 2 would mean nothing. There would come another drive and another. The battle of Chateau-Thierry was

therefore not won and could not be won until Belleau Wood had been cleared of the enemy.

It was June 6 that the attack of the American troops began against that wood and its adjacent surroundings, with the wood itself and the towns of Torcy and Bouresches forming the objectives. At 5 o'clock the attack came, and there began the tremendous sacrifices which the Marine Corps gladly suffered that the German fighters might be thrown back.

FOUGHT IN AMERICAN FASHION.

The marines fought strictly according to American methods—a rush, a halt, a rush again, in four-wave formation, the rear waves taking over the work of those who had fallen before them, passing over the bodies of their dead comrades and plunging ahead, until they, too, should be torn to bits. But behind those waves were more waves, and the attack went on.

"Men fell like flies"; the expression is that of an officer writing from the field. Companies that had entered the battle 250 strong dwindled to 50 and 60, with a sergeant in command; but the attack did not falter. At 9.45 o'clock that night Bouresches was taken by Lieut. James F. Robertson and twenty-odd men of his platoon; these soon were joined by two reinforcing platoons. Then came the enemy counterattacks, but the marines held.

CHARGING ON MACHINE-GUN NESTS.

In Belleau Wood the fighting had been literally from tree to tree, stronghold to stronghold, and it was a fight which must last for weeks before its accomplishment in victory. Belleau Wood was a jungle, its every rocky formation forming a German machine-gun nest, almost impossible to reach by artillery or grenade fire. There was only one way to wipe out these nests—by the bayonet. And by this method were they wiped out, for United States Marines, barechested, shouting their battle cry of "K-c-c-c-c y-a-a-h-h-h yip!" charged straight into the murderous fire from those guns, and won! Out of the number that charged, in more than one instance, only one would reach the stronghold. There, with his bayonet as his only weapon, he would either kill or capture the defenders of the nest, and then, swinging the gun about in its position, turn it against the remaining German positions in the forest. Such was the character of the fighting in Belleau Wood; fighting which continued until July 6, when, after a short relief, the invincible Americans finally were taken back to the rest billet for recuperation.

HELD THE LINE FOR MANY WEARY DAYS.

In all the history of the Marine Corps there is no such battle as that one in Belleau Wood. Time after time officers seeing their lines cut to pieces, seeing their men so dog tired that they even fell asleep under shell fire, hearing their wounded calling for the water that they were unable to supply, seeing men fight on after they had been wounded and until they dropped unconscious; time after time officers seeing these things, believing that the very limit of human endurance had been reached, would send back messages to their post commanders that their men were exhausted. But in answer to this would come the word that the lines must hold, and if possible those lines must attack. And the lines obeyed. Companies had been so torn and lacerated by losses that they were hardly platoons; but they held their lines and advanced them. In more than one case companies lost every officer, leaving a sergeant and sometimes a corporal to command, and the advance continued. After 13 days in this inferno of fire a captured German officer told with his dying breath of a fresh division of Germans that was about to be thrown into the battle to attempt to wrest from the marines that part of the wood they had gained. The marines, who for days had been fighting only on their sheer nerve, who had been worn out from nights of sleeplessness, from lack of rations, from terrific shell and machine-gun fire, straightened their lines and prepared for the attack. It came—as the dying German officer had predicted.

GERMAN CRACK TROOPS REPULSED AND BEATEN.

At 2 o'clock on the morning of June 13 it was launched by the Germans along the whole front. Without regard for men, the enemy hurled his forces against Bouresches and the Bois de Belleau, and sought to win back what had been taken from Germany by the Americans. The orders were that these positions must be taken at all costs; that the utmost losses in men must be endured that the Bois de Belleau and Bouresches might fall again into German hands. But the depleted lines of the marines held; the men who had fought on their nerve alone for days once more showed the mettle of which they were made. With their backs to the trees and bowlders of the Bois de Belleau, with their sole shelter the scattered ruins of Bouresches, the thinning lines of the marines repelled the attack and crushed back the new division which had sought to wrest the position from them.

And so it went. Day after day, night after night, while time after time messages like the following traveled to the post command:

Losses heavy. Difficult to get runners through. Some have never returned. Morale excellent, but troops about all in. Men exhausted.

Exhausted, but holding on. And they continued to hold on in spite of every difficulty. Advancing their lines slowly day by day, the marines finally prepared their positions to such an extent that the last rush for the possession of the wood could be made. Then, on June 24, following a tremendous barrage, the struggle began.

The barrage literally tore the woods to pieces, but even its immensity could not wipe out all the nests that remained, the emplacements that were behind almost every clump of bushes, every jagged, rough group of bowlders. But those that remained were wiped out by the American method of the rush and the bayonet, and in the days that followed every foot of Belleau Wood was cleared of the enemy and held by the frayed lines of the Americans.

PRAISE FROM THE FRENCH STAFF.

It was, therefore, with the feeling of work well done that the depleted line of the marines were relieved in July, that they might be filled with replacements and made ready for the grand offensive in the vicinity of Soissons, July 18. And in recognition of their sacrifice and bravery this praise was forthcoming from the French:

ARMY HEADQUARTERS, *June 30, 1918.*

In view of the brilliant conduct of the Fourth Brigade of the Second United States Division, which in a spirited fight took Bouresches and the important strong point of Bois de Belleau, stubbornly defended by a large enemy force, the general commanding the Sixth Army orders that henceforth in all official papers the Bois de Belleau shall be named "Bois-de-la-Brigade de Marine."

DIVISION GEN. DEGOUTTE,
Commanding Sixth Army.

GEN. PERSHING PERSONALLY CONGRATULATES MARINES.

Gen. Pershing's congratulations also were contained in the following order issued by the brigade commander, dated June 9, 1918, to the units of his command:

The brigade commander takes pride in announcing that, in addition to the commander in chief's telegram of congratulation to the Fourth Brigade, published in an indorsement from the division commander, dated June 9, Gen. Pershing has to-day visited division headquarters and sent his personal greetings and congratulations to the Marine brigade. He also added that Gen. Foch, commander in chief of the allied armies in France, especially charged him this morning to give the Marine brigade his love and congratulations on their fine work of the past week.

By command of Brig. Gen. Harbord. H. LAY, *Major, Adjutant.*

IN BATTLE FOR ST. MIHIEL SALIENT.

Then came the battle for the St. Mihiel salient. On the night of September 11 the Second Division took over a line running from Remenauville to Limey, and on the night of September 14 and the morning of September 15 attacked, with two days' objectives ahead of them. Overcoming the enemy resistance, they romped through to the Rupt de Mad, a small river, crossed it on stone bridges, occupied Thiacourt, the first day's objective, scaled the heights just beyond it, pushed on to a line running from the Zammes-Jouiney Ridges to the Binvaux Forest, and there rested, with the second day's objectives occupied by 2.50 o'clock of the first day. The casualties of the division were about 1,000, of which 134 were killed. Of these about half were marines. The captures in which the marines participated were 80 German officers, 3,200 men, ninety-odd cannon, and vast stores.

CAPTURE OF BLANC MONT RIDGE.

But even further honors were to befall the fighting, landing, and building force, of which the Navy is justly proud. In the early part of October it became necessary for the allies to capture the bald, jagged ridge 20 miles due east of Rheims, known as Blanc Mont Ridge. Here the armies of Germany and the allies had clashed more than once, and attempt after attempt had been made to wrest it from German hands. It was a keystone of the German defense, the fall of which would have a far-reaching effect upon the enemy armies. To the glory of the United States Marines, let it be said, that they were again a part of that splendid Second Division which swept forward in the attack which freed Blanc Mont Ridge from German hands, pushed its way down the slopes, and occupied the level ground just beyond, thus assuring a victory, the full import of which can best be judged by the order of Gen. Lejeune, following the battle:

FRANCE, *October 11, 1918.*

OFFICERS AND MEN OF THE SECOND DIVISION:

It is beyond my power of expression to describe fitly my admiration for your heroism. You attacked magnificently and you seized Blanc Mont Ridge, the keystone of the arch constituting the enemy's main position. You advanced beyond the ridge, breaking the enemy's lines, and you held the ground gained with a tenacity which is unsurpassed in the annals of war.

As a direct result of your victory, the German armies east and west of Rheims are in full retreat, and by drawing on yourselves several German divisions from other parts of the front you greatly assisted the victorious advance of the allied armies between Cambrai and St. Quentin.

Your heroism and the heroism of our comrades who died on the battle field will live in history forever and will be emulated by the young men of our country for generations to come.

To be able to say when this war is finished, "I belonged to the Second Division, I fought with it at the battle of Blanc Mont Ridge," will be the highest honor that can come to any man.

JOHN A. LEJEUNE,
Major General, United States Marine Corps, Commanding.

MARKSMANSHIP AMAZES ALLIES.

Thus it is that the United States Marines have fulfilled the glorious traditions of their corps in this their latest duty as the "soldiers who go to sea." Their sharpshooting—and in one regiment 93 per cent of the men wear the medal of a marksman, a sharpshooter, or an expert rifleman—has amazed soldiers of European armies, accustomed merely to shooting in the general direction of the enemy. Under the fiercest fire they have calmly adjusted their sights, aimed for their man, and killed him, and in bayonet attacks their advance on machine-gun nests has been irresistible. In the official citation lists more than one American marine is credited with taking an enemy machine gun single handed, bayoneting its crew, and then turning the gun against the foe. In one battle alone, that of Belleau Wood, the citation lists bear the names of fully 500 United States Marines who so distinguished themselves in battle as to call forth the official commendation of their superior officers.

CORPS FULFILLED EVERY GLORIOUS TRADITION.

More than faithful in every emergency, accepting hardships with admirable morale, proud of the honor of taking their place as shock troops for the American legions, they have fulfilled every glorious tradition of their corps, and they have given to the world a list of heroes whose names will go down to all history.

ACCOUNTS OF LOSSES BY SUBMARINES.

TORPEDOING OF THE U. S. S. "CASSIN."

[Compiled from report of the commanding officer and supplementary reports.]

On October 15, 1917, the U. S. destroyer *Cassin* was patroling off the south coast of Ireland; when about 20 miles south of Mine Head, at 1.30 p. m., a submarine was sighted by the lookout aloft 4 or 5 miles away, about two points on the port bow. The submarine at this time was awash and was made out by officers of the watch and the quartermaster of the watch, but three minutes later submerged.

At about 1.37 p. m. the commanding officer sighted a torpedo, apparently shortly after it had been fired, running near the surface and in a direction that was estimated would make a hit either in the engine or fire room. When first seen the torpedo was between three and four hundred yards from the ship, and the wake could be followed on the other side for about 400 yards. The torpedo was running at high speed, at least 35 knots. The *Cassin* was maneuvering to dodge the torpedo, double emergency full speed ahead having been signaled from the engine room and the rudder put hard left as soon as the torpedo was sighted. It looked for the moment as though the torpedo would pass astern. When about 15 or 20 feet away the torpedo porpoised, completely leaving the water and sheering to the left. Before again taking the water the torpedo hit the ship well aft on the port side about frame 163 and above the water line. Almost immediately after the explosion of the torpedo the depth charges, located on the stern and ready for firing, exploded. There were two distinct explosions in quick succession after the torpedo hit.

But one life was lost. Osmond K. Ingram, gunner's mate, first class, was cleaning the muzzle of No. 4 gun, target practice being just over, when the attack occurred. With rare presence of mind, realizing that the torpedo was about to strike the part of the ship where the depth charges were stored and that the setting off of these explosives might sink the ship, Ingram, immediately seeing the danger, ran aft to strip these charges and throw them overboard. He was blown to pieces when the torpedo struck. Thus Ingram sacrificed his life in performing a duty which he believed would save his ship and the lives of the officers and men on board.

Nine members of the crew received minor injuries.

After the ship was hit the crew was kept at general quarters.

The executive officer and engineer officer inspected the parts of the ship that were damaged, and those adjacent to the damage. It was found that the engine and fire rooms and after magazine were intact and that the engines could be worked; but that the ship could not be steered, the rudder having been blown off and the stern blown to starboard. The ship continued to turn to starboard in a circle. In an effort to put the ship on a course by the use of the engines, something carried away which put the starboard engine out of commission. The port engine was kept going at slow speed. The ship, being absolutely unmanageable, sometimes turned in a circle and at times held an approximate course for several minutes.

Immediately after the ship was torpedoed the radio was out of commission. The radio officer and radio electrician chief managed to improvise a temporary auxiliary antenna. The generators were out of commission for a short time after the explosion, the ship being in darkness below.

At about 2.30 p. m., when we were in approximately the same position as when torpedoed, a submarine conning tower was sighted on port beam, distant about 1,500 yards, ship still circling under port engine. Opened fire with No. 2 gun, firing four rounds. Submarine submerged and was not seen again. Two shots came very close to submarine.

At 3.50 p. m. U. S. S. *Porter* stood by. At 4.25 p. m. wreckage which was hanging to stern dropped off. At dark stopped port engine and drifted. At about 9 p. m. H. M. S. *Jessamine* and H. M. S. *Tamarisk* stood by. H. M. S. *Jessamine* signaled she would stand by until morning and then take us in tow. At this time sea was very rough, wind about six or seven and increasing.

H. M. S. *Tamarisk* prepared to take us in tow, and made one attempt after another to get a line to us. Finally, about 2.10 a. m., October 16, the *Tamarisk* lowered a boat in rough sea and sent grass line by means of which our 8-inch hawser was sent over to her. At about 2.30 a. m. *Tamarisk* started towing us to Queenstown, speed about 4 knots, this vessel towing well on starboard quarter of *Tamarisk*, due to condition of stern described above. At 3.25 hawser parted.

Between this time and 10.37 a. m., when a towing line was received from H. M. S. *Snowdrop*, various attempts were made by the *Tamarisk* and two trawlers and a tug to tow the *Cassin*. An 11-inch towing hawser from the *Tamarisk* parted. All ships, except her, lost the *Cassin* during the night. The *Cassin* was drifting rapidly on a lee shore, and had it not been for the *Tamarisk* getting out a line in the early morning the vessel would have undoubtedly grounded on Hook Point, as it is extremely doubtful if her anchors would have held.

About 35 feet of the stern was blown off or completely ruptured. The after living compartments and after storerooms are completely wrecked or gone, and all stores and clothing from these parts of the ship are gone or ruined. About 45 members of the crew, including the chief petty officers, lost practically everything but the clothes they had on.

At the time of the explosion there were a number of men in the after compartments. How they managed to escape is beyond explanation.

The officers and crew behaved splendidly. There was no excitement. The men went to their stations quietly and remained there all night, except when called away to handle lines.

From the statement of all the officers it is evident that luck favored the submarine. The destroyer probably would have escaped being hit had not the torpedo broached twice and turned decidedly to the left both times—in other words, failed to function properly.

The equivalent of 850 pounds of TNT is estimated to have exploded in and upon the *Cassin's* fantail; this includes the charges of the torpedo and of both depth mines.

LOSS OF THE U. S. ARMY TRANSPORT "ANTILLES."

[Extracts from account by senior naval officer on board, Commander Daniel T. Ghent, United States Navy.]

We lost the *Antilles* on October 17, 1917. She sank in just four and one-half minutes, about 300 miles west of Quiberon Bay. Four of the guns' crew went down with her; 16 men of the United States Army; 45 of the ship's merchant crew, including 3 engineer officers, a civilian ambulance driver who had been in the French Army, and 1 colored stevedore—67 in all.

On October 15, 1917, we left Quiberon Bay, bound for America, with the transports *Henderson* and *Willehad* forming the convoy, and the *Corsair*, *Kanawha*, and *Alcedo* acting as escort; all followed a zigzag course, as we knew these waters to be infested with submarines.

The second day out we were forced to reduce our speed to permit the *Willehad*, which had been feeling the effects of the heavy seas, to regain her place in formation. The weather grew unsettled, with a strong wind and head seas. Late in the afternoon fog set in and we were ordered to stop zigzagging and proceed on a straight course. Later this fog lifted and we again resumed zigzagging.

In passing through the war zone or areas where enemy submarines are known to be operating everyone is more or less on edge, and when fire was discovered early the following morning

on the port side of the promenade deck it had the effect of stimulating everyone on board to swift action. Some difficulty was experienced in locating the fire, as the ship was darkened and the passageway filled with smoke, but once located it was soon under control. I mention this only because I think the circumstances contributed to sharpen the wits of those on board, so that when the torpedo struck us action was immediate and, so far as humanly possible, it was effective.

A half hour later, just after daylight, a torpedo was sighted heading for us about two points abaft the port beam on a course of 45° with the keel. The torpedo was seen by the second officer on the bridge, the quartermaster and signalman on watch, by the first officer and first assistant engineer from the port side of the promenade deck, and by one of the guns' crews on watch aft. They estimated the distance from 400 feet to as many yards. Immediately on sighting the torpedo the helm was put "hard over" in an attempt to dodge it, but before the ship began to swing the torpedo struck us near the after engine-room bulkhead on the port side. The explosion was terrific; the ship shivered from stem to stern, listing immediately to port. One of the lookouts in the main top, though protected by a canvas screen about 5 feet high, was thrown clear of this screen and killed on striking the hatch. This case is sighted as indicating the power of the "whip" caused by the explosion. Guns were manned instantly in the hope of getting a shot at the enemy, but no submarine was seen. Within a few seconds after the explosion the water was over the crossheads of the main engines, which were still turning over slowly. Of the 21 men on duty in the engine room and firerooms only 3 managed to escape. Besides the oiler, two firemen managed to escape through a fireroom ventilator. The fact that the engines could not be maneuvered and the headway of the ship checked added to the difficulty of abandoning ship.

Just as the torpedo struck us I was on the way to the pilot house from the scene of fire. Before I could reach the bridge the officer of the deck had sounded the submarine alarm, and I immediately sounded the signal for "Abandon ship." That only 4 boats out of 10 succeeded in getting clear of the ship was due to several causes—the short time the ship remained afloat after being torpedoed; the headway left on the ship, due to the fact that the engine-room personnel was put out of action by the explosion; the rough sea at the time; the fact that the ship listed heavily; and that one boat was destroyed by the explosion.

The ship went down vertically. The suction effect was hardly noticeable.

The behavior of the naval personnel throughout was equal to the best traditions of the service.

An instance comes back which indicates the coolness of the guns' crews. One member was rescued from the top of an ammunition box which by some means had floated clear and in an upright position. When this young man saw the *Corsair* standing down to pick him up he semaphored not to come too close as the box on which he was sitting contained live ammunition.

TORPEDOING OF THE U. S. ARMY CHARTERED TRANSPORT "FINLAND."

[Extracts from report of the senior naval officer on board, Capt. Stephen V. Graham, United States Navy.]

The *Finland* left the coast of France at nightfall on October 27, 1917, on her third return voyage to the United States. By daylight of October 28 the convoy had reached a position near the line extending from the island of Ushant to Cape Finisterre, Spain, which experience had shown to be a particularly dangerous position. From that time on the senior naval officer of the *Finland* remained on the bridge constantly and all of the lookouts were exercising the utmost vigilance.

The weather was cloudy and a moderate sea with whitecaps was running and I was personally keeping a very careful lookout for submarines and was engaged in searching the water on both sides with powerful binoculars. At about 9.25 a. m. he had just finished searching the water on the starboard side when the naval signal quartermaster on watch called out, "Commander, torpedo!" I turned and saw a torpedo about 50 to 100 yards distant making a surface run directly toward the ship. The whirring of the torpedo's propellers could be heard when they broke the surface of the water. The torpedo was so close to the ship when it was sighted that any maneuver to avoid it was entirely impossible. I sprang toward the engine telegraph to give the signal for stopping the engines, but before he could do this the torpedo exploded directly under the bridge. The concussive effect of the explosion was considerable, but not as great as had been anticipated. No one on the bridge was injured by it. This is undoubtedly due to the fact that the enemy economized in the explosive charge of torpedoes destined for use against merchant vessels, and used only enough to produce the desired rupture in a vessel's skin plating.

Notwithstanding the fact that the torpedo was only 4 or 5 feet below the surface when it exploded against the ship's side an immense volume of water was thrown up. The engines were promptly stopped and the whistle signal made to indicate to the other vessels present that the ship had been torpedoed. It is a curious fact that most of the other vessels present did not know that the *Finland* had been torpedoed until this signal was made. At this time it did not appear probable that the ship would sink, but in a short time she began to list heavily to starboard and seemed to be settling. I ordered the lowering of the remaining boats which were hanging on their falls at the level of the promenade deck. These boats were scarcely in the water when the ship began to right herself.

At the time the ship was torpedoed this hold contained about 600 tons of coal. After the ship had been placed in dry dock upon her return to France it was found that most of this coal had run out through the hole made in the ship's side by the explosion of the torpedo.

When I received the master's report that the damage was confined to this one compartment, I hailed the boats which were close to the ship and directed them to come alongside and had a signal sent to the escorting yachts to send boats which were approaching them back to the *Finland*.

While the *Finland's* boats were in the water a heavy squall came up and rendered the return of the heavily laden boats very difficult. They could come alongside only on the starboard side, and getting the people back on board was very slow work. Hoisting the boats was not to be thought of, for every moment that this large ship remained stopped was attended with grave danger of receiving a second torpedo. As soon as the passengers were out of the boats the latter were cast adrift. The ship got under way to return to a French port 150 miles distant.

During the return of the ship to the French port it became necessary to send everyone to the fireroom who could shovel coal. Deck hands, stewards, and even passengers, including some of the discharged American ambulance drivers, responded with alacrity to this call, and within a short time after starting ahead the ship was making nearly 15 knots, which was as good a speed as she had made at any time during her employment in the transport service.

The bulkheads of the damaged compartment held and there was no leakage of water through the water-tight doors leading into the forward fireroom and the adjacent hold. The doors were kept closed tightly with wooden wedges.

On the way into port the nervous tension of those on deck was greatly relieved by the necessity of laughing at the earnestness with which several lookouts reported a spouting whale as a submarine. It is regrettable that eight men lost their lives on the occasion of the torpedoing of the *Finland*.

SINKING OF U. S. S. "ALCEDO."

[Extracts from report of the commanding officer, Commander W. T. Conn, jr.]

At 4 p. m., November 4, 1917, the U. S. S. *Alcedo* proceeded to sea from Quiberon Bay on escort duty to take convoy through the war zone.

At or about 1.45 a. m., November 5, I was awakened by a commotion and immediately received a report, "Submarine, captain." I jumped out of bed and went to the upper bridge, and the officer of the deck stated he had seen submarine on surface about 300 yards on port bow, and submarine had fired a torpedo, which was approaching. I saw torpedo approaching about 200 feet distant. Lieut. Paul had put the rudder full right before I arrived on bridge, hoping to avoid the torpedo. The ship answered slowly to her helm, however, and before any other action could be taken the torpedo I saw struck the ship's side immediately under the port forward chain plates, the detonation occurring instantly. I was thrown down and for a few seconds dazed by falling débris and water.

Upon regaining my feet I sounded the submarine alarm on the siren.

Called to the forward guns' crews to see if at stations, but by this time realized that gallant forecastle was practically awash. The foremast had fallen, carrying away radio aerial. I called out to abandon ship. I then realized that the ship was filling rapidly and her bulwarks amidships were level with the water. I directed the after dories and life rafts to be cut away and thrown overboard and ordered the men in the immediate vicinity to jump over the side, intending to follow them.

Before I could jump, however, the ship listed heavily to port, plunging by the head, and sunk, carrying me down with the suction. I experienced no difficulty, however, in getting clear, and when I came to the surface I swam a few yards to a life raft, to which were clinging three men.

About this time, which was probably an hour after the ship sank, a German submarine approached the scene of torpedoing

and lay to near some of the dories and life rafts. After remaining on the surface about half an hour, the submarine steered off and submerged.

I then proceeded with the whaleboat and two dories searching through the wreckage to make sure that no survivors were left in the water. No other people being seen, at 4.30 a. m. we started away from the scene of disaster.

SINKING OF U. S. S. "JACOB JONES."

[Extracts from report of the commanding officer, Lieut. Commander David W. Bagley.]

At 4.21 p. m. on December 6, 1917, the U. S. S. *Jacob Jones* was struck on the starboard side by a torpedo from an enemy submarine. The ship was one of six of an escorting group which were returning independently from off Brest to Queenstown. All other ships of the group were out of sight ahead.

I was in the chart house and heard some one call out "Torpedo!" I jumped at once to the bridge, and on the way up saw the torpedo about 800 yards from the ship approaching from about one point abaft the starboard beam headed for a point about midships, making a perfectly straight surface run (alternately broaching and submerging to apparently 4 or 5 feet), at an estimated speed of at least 40 knots. No periscope was sighted. When I reached the bridge I found that the officer of the deck had already put the rudder hard left and rung up emergency speed on the engine-room telegraph. The ship had already begun to swing to the left.

The torpedo broached and jumped clear of the water at a short distance from the ship, submerged about 50 or 60 feet from the ship, and struck approximately 3 feet below the water line in the fuel-oil tank between the auxiliary room and the after crew space. The ship settled aft immediately after being torpedoed to a point at which the deck just forward of the after deck house was awash, and then more gradually until the deck abreast the engine-room hatch was awash.

The deck over the forward part of the after crew space and over the fuel-oil tank just forward of it was blown clear for a space athwartships of about 20 feet from starboard to port, and the auxiliary room wrecked. The starboard after torpedo tube was blown into the air. No fuel oil ignited and, apparently, no ammunition exploded. The depth charges in the chutes aft were set on ready and exploded after the stern sank. It was impossible to get to them to set them on safe as they were under water. Immediately the ship was torpedoed, Lieut. J. K. Richards, the gunnery officer, rushed aft to attempt to set the charges on "safe," but was unable to get farther aft than the after deck house.

As soon as the torpedo struck I attempted to send out an "S. O. S." message by radio, but the mainmast was carried away, antennæ falling, and all electric power had failed. I then tried to have the gun-sight lighting batteries connected up in an effort to send out a low-power message with them, but it was at once evident that this would not be practicable before the ship sank. There was no other vessel in sight, and it was therefore impossible to get through a distress signal of any kind.

Immediately after the ship was torpedoed every effort was made to get rafts and boats launched. Also the circular life belts from the bridge and several splinter mats from the outside of the bridge were cut adrift and afterwards proved very useful in holding men up until they could be got to the rafts. Weighted confidential publications were thrown over the side. There was no time to destroy other confidential matter, but it went down with the ship.

The ship sank about 4.29 p. m. (about eight minutes after being torpedoed). As I saw her settling rapidly, I ran along the deck and ordered everybody I saw to jump overboard. At this time most of those not killed by the explosion had got clear of the ship and were on rafts or wreckage. Some, however, were swimming and a few appeared to be about a ship's length astern of the ship, at some distance from the rafts, probably having jumped overboard very soon after the ship was struck.

Before the ship sank two shots were fired from No. 4 gun with the hope of attracting attention of some near-by ship. As the ship began sinking I jumped overboard. The ship sank stern first and twisted slowly through nearly 180° as she swung upright. From this nearly vertical position, bow in the air to about the forward funnel, she went straight down. Before the ship reached the vertical position the depth charges exploded, and I believe them to have caused the death of a number of men. They also partially paralyzed, stunned, or dazed a number of others, including Lieut. Kalk and myself and several men, some of whom are still disabled but recovering.

Immediate efforts were made to get all survivors on the rafts and then get rafts and boats together. Three rafts were launched before the ship sank and one floated off when she sank.

About 15 or 20 minutes after the ship sank the submarine appeared on the surface about 2 or 3 miles to the westward of the rafts and gradually approached until about 800 to 1,000 yards from the ship, where it stopped and was seen to pick up one unidentified man from the water. The submarine then submerged and was not seen again.

I was picked up by the motor dory and at once began to make arrangements to try to reach the Scillys in that boat in order to get assistance to those on the rafts.

After a very trying trip, during which it was necessary to steer by stars and by the direction of the wind, the dory was picked up about 1 p. m., December 7, by a small patrol vessel about 6 miles south of St. Marys. Commander Randal, R. N. R., senior naval officer, Scilly Isles, informed me that the other survivors had been rescued.

SINKING OF U. S. S. "PRESIDENT LINCOLN."

[Extracts from report of the commanding officer, Commander P. W. Foote, U. S. Navy.]

On May 31, 1918, the *President Lincoln* was returning to America from a voyage to France, and was in line formation with the U. S. S. *Susquehanna*, the U. S. S. *Antigone*, and the U. S. S. *Rijndam*, the latter being on the left flank of the formation and about 800 yards from the *President Lincoln*. The weather was pleasant, the sun shining brightly, with a choppy sea. The ships were about 500 miles from the coast of France and had passed through what was considered to be the most dangerous part of the war zone. At about 9 a. m. a terrific explosion occurred on the port side of the ship about 120 feet from the bow and immediately afterwards another explosion occurred on the port side about 120 feet from the stern of the ship, these explosions being immediately identified as coming from torpedoes fired by a German submarine.

It was found that the ship was struck by three torpedoes, which had been fired as one salvo from the submarine, two of the torpedoes striking practically together near the bow of the ship and the third striking near the stern. The wake of the torpedoes had been sighted by the officers and lookouts on watch, but the torpedoes were so close to the ship as to make it impossible to avoid them, and it was also found that the submarine at the time of firing was only about 800 yards from the *President Lincoln*.

There were at the time 715 persons on board, including about 30 officers and men of the Army. Some of these were sick and two soldiers were totally paralyzed.

The alarm was immediately sounded and everyone went to his proper station, which had been designated at previous drills. There was not the slightest confusion, and the crew and passengers waited for and acted on orders from the commanding officer with a coolness which was truly inspiring.

Inspections were made below decks, and it was found that the ship was rapidly filling with water, both forward and aft, and that there was little likelihood that she would remain afloat. The boats were lowered and the life rafts were placed in the water, and about 15 minutes after the ship was struck all hands except the guns' crews were ordered to abandon ship.

It had been previously planned that in order to avoid the losses which have occurred in such instances by filling the boats at the davits before lowering them, that only one officer and five men would get into the boats before lowering and that everyone else would get into the water and get on the life rafts and then be picked up by the boats, this being entirely feasible, as everyone was provided with an efficient life-saving jacket. One exception was made to this plan, however, in that one boat was filled with the sick before being lowered, and it was in this boat that the paralyzed soldiers were saved without difficulty.

The guns' crews were held at their stations, hoping for an opportunity to fire on the submarine should it appear before the ship sank, and orders were given to the guns' crews to begin firing, hoping that this might prevent further attack. All the ship's company except the guns' crews and necessary officers were at that time in the boats and on the rafts near the ship, and when the guns' crews began firing the people in the boats set up a cheer to show that they were not downhearted. The guns' crews only left their guns when ordered by the commanding officer just before the ship sank. The guns in the bow kept up firing until after the water was entirely over the main deck of the after half of the ship.

The state of discipline which existed and the coolness of the men is well illustrated by what occurred when the boats were being lowered and were about half way from their davits to the water. At this particular time there appeared some possibility of the ship not sinking immediately, and the commanding officer gave the order to stop lowering the boats. This order could not be understood, however, owing to the noise caused

by escaping steam from the safety valves of the boilers which had been lifted to prevent explosion, but by motion of the hand from the commanding officer the crews stopped lowering the boats and held them in mid-air for a few minutes until at a further motion of the hand the boats were dropped into the water.

Immediately after the ship sank the boats pulled among the rafts and were loaded with men to their full capacity and the work of collecting the rafts and tying them together to prevent drifting apart and being lost was begun.

While this work was under way and about half an hour after the ship sank, a large German submarine emerged and came among the boats and rafts, searching for the commanding officer and some of the senior officers whom they desired to take prisoners. The submarine commander was able to identify only one officer, Lieut. E. V. M. Isaacs, whom he took on board and carried away. The submarine remained in the vicinity of the boats for about two hours and returned again in the afternoon, hoping apparently for an opportunity of attacking some of the other ships which had been in company with the *President Lincoln*, but which had, in accordance with standard instructions, steamed as rapidly as possible from the scene of attack.

By dark the boats and rafts had been collected and secured together, there being about 500 men in the boats and about 200 on the rafts. Lighted lanterns were hoisted in the boats and flare-up lights and Coston signal lights were burned every few minutes, the necessary detail of men being made to carry out this work during the night.

The boats had been provided with water and food, but none was used during the day, as the quantity was necessarily limited and it might be a period of several days before a rescue could be effected.

The ship's wireless plant had been put out of commission by the force of the explosion, and although the ship's operator had sent the radio distress signals, yet it was known that the nearest destroyers were 250 miles away, protecting another convoy, and it was possible that military necessity might prevent their being detached to come to our rescue.

At about 11 p. m. a white light flashing in the blackness of the night—it was very dark—was sighted, and very shortly it was found that the destroyer *Warrington* had arrived for our rescue, and about an hour afterwards the destroyer *Smith* also arrived. The transfer of the men from the boats and rafts to the destroyers was effected as quickly as possible, and the destroyers remained in the vicinity until after daylight the following morning, when a further search was made for survivors who might have drifted in a boat or on a raft, but none were found, and at about 6 a. m. the return trip to France was begun.

GOOD SEAMANSHIP—RESCUE OF "PRESIDENT LINCOLN" SURVIVORS.

No incident of service serves to dampen the ardor or spirit of the men. When the call from the sinking *President Lincoln* was received the destroyers *Warrington* and *Smith*, 275 miles away, responded at a speed of 25 knots. In telling the story of the rescue an officer said:

> The moon would not rise until early morning, and we figured we must reach the survivors, if possible, before dark. We could only estimate how far they would pull in the boats or drift. About 11 o'clock we sighted a small red light and stood over toward it. We blinked our yardarm lights and heard a faint cheer in the darkness. We had the boats.
>
> Fortunately they had been lashed together, for if they had been straggling we should have had a hopeless task in the dark. One after another of them came alongside. Boatload after boatload climbed on board, and we had taken them all in half an hour.
>
> The discipline maintained among the survivors had been excellent. In many boats the water breakers had not been broached, although the men had been in the boats over 12 hours. The last boat we took in tow with bow and stern line and stood over in the supposed direction of the life rafts which held the rest of the survivors. The moon had risen by this time, so that the work of finding the rafts was greatly facilitated. We now had on board 443 survivors and could have taken more, but fortunately for the comfort of those already on board another destroyer had now joined us.
>
> You can imagine the wardroom of a destroyer, normally arranged to take care of 6 officers, with 49 in it, and the decks loaded down with a living cargo. They made no noise; all were cheerful and all hands ready to get back to another ship to carry on as soon as possible.

In connection with the loss of the *Lincoln* is the very remarkable capture and final escape of Lieut. E. V. M. Isaacs, one of the ship's officers. (Condensed from his own report.)

The *President Lincoln* went down about 9.30 in the morning, 30 minutes after being struck by three torpedoes. In obedience to orders I abandoned ship after seeing all hands aft safely off the vessel. The boats had pulled away, but I stepped on a raft floating alongside, the quarter deck being then awash. A few minutes later one of the boats picked me up. The submarine, the *U-90*, then returned, and the commanding officer, while searching for Capt. Foote, of the *President Lincoln*, took me out of the boat. I told him my captain had gone down with the ship, whereupon he steamed away, taking me prisoner to Germany. We passed to the north of the Shetlands into the North Sea, the Skaggerak, the Cattegat, and the Sound into the Baltic. Proceeding to Kiel, we passed down the canal through Heligoland Bight to Wilhelmshaven.

On the way to Shetlands we fell in with two American destroyers, the *Smith* and the *Warrington*, who dropped 22 depth bombs on us. We were submerged to a depth of 60 meters and weathered the storm, although five bombs were very close and shook us up considerably. The information I had been able to collect was, I considered, of enough importance to warrant my trying to escape. Accordingly in Danish waters I attempted to jump from the deck of the submarine but was caught and ordered below.

The German Navy authorities took me from Wilhelmshaven to Karlsruhe, where I was turned over to the army. Here I met officers of all the allied armies, and with them I attempted several escapes, all of which were unsuccessful. After three weeks at Karlsruhe I was sent to the American and Russian officers' camp at Villingen. On the way I attempted to escape from the train by jumping out of the window. With the train making about 40 miles an hour, I landed on the opposite railroad track and was so severely wounded by the fall that I could not get away from my guard. They followed me, firing continuously. When they recaptured me they struck me on the head and body with their guns until one broke his rifle. It snapped in two at the small of the stock as he struck me with the butt on the back of the head.

I was given two weeks solitary confinement for this attempt to escape, but continued trying, for I was determined to get my information back to the Navy. Finally, on the night of October 6, assisted by several American Army officers, I was able to effect an escape by short-circuiting all lighting circuits in the prison camp and cutting through barbed-wire fences surrounding the camp. This had to be done in the face of a heavy rifle fire from the guards. But it was difficult for them to see in the darkness, so I escaped unscathed.

In company with an American officer in the French Army, I made my way for seven days and nights over mountains to the Rhine, which to the south of Baden forms the boundary between Germany and Switzerland. After a four-hour crawl on hands and knees I was able to elude the sentries along the Rhine. Plunging in, I made for the Swiss shore. After being carried several miles down the stream, being frequently submerged by the rapid current, I finally reached the opposite shore and gave myself up to the Swiss gendarmes, who turned me over to the American Legation at Berne. From there I made my way to Paris and then London and finally Washington, where I arrived four weeks after my escape from Germany.

SINKING OF U. S. S. "COVINGTON."

[Extracts from the report of the commanding officer, Capt. R. D. Hasbrouck, United States Navy.]

The *Covington* sailed from Brest in convoy with several other large transports and escorted by destroyers.

Night was approaching. The lookouts, always vigilant, became more watchful as the sun approached the horizon, as this is the time of greatest danger. At exactly 9.15 p. m., on July 1, the lookout saw a white streak in the water, scarcely 300 yards from the port quarter. The ship was making nearly 15 knots speed and had only a moment before steadied on the new course. Almost before the "alarm of torpedo" could be given, the torpedo struck with a terrific detonation, throwing in the air a column of water reaching to a height above the smokestacks.

At the instant of the explosion, each man of the crew of the *Covington* at once appreciated that his vessel had been hit and knew from long training what the next step was to be. The alarm bells rung in every compartment and officers and men, quietly, as if at drill, quickly took their stations. Full gun crews were ready in case any submarines appeared, boats were gotten ready for lowering, life rafts made ready for launching, and every detail which had been so carefully worked out during the six months of war cruising was painstakingly attended to without hurry or confusion. In an incredibly short time the entire crew were at their station awaiting the next order from the bridge.

The engine and fire rooms of the *Covington* quickly filled. The ship lost headway rapidly and in 15 minutes lay dead in the water. As the water rushed into the large engine and fire room compartments the *Covington* listed, giving the impression of instability.

The order to get the boats ready for instant lowering was given from the bridge. At this time a report came to the captain that all firerooms and engine rooms were full of water; the firerooms to the top of the boilers and the engine rooms to the top of the cylinders. The most momentous thing to know at this time was how much stability remained, for upon this

knowledge depended whether the ship should be abandoned in haste. At this time, probably 15 minutes after the explosion, the *Covington* was gradually listing to port.

In such a catastrophe there are two things uppermost in the captain's mind. Steps which he must take without sufficient knowledge, and those facts obtained from others at a moment of great tension. He must decide first for the safety of his crew and second for the safety of the ship. The ship was dead in the water, reeling to port and giving one the feeling that any moment she would take a heavy lurch and sink. Nearly 1,000 men's lives now hung upon the promptness with which the captain made these decisions.

Once the captain's mind was made up, the bugle sounded the call to abandon ship and the word was passed not to hurry. Silence was also sounded on the bugle, giving this evolution a strong resemblance to a daily drill.

The behavior of the officers and men was wonderful. Twenty-one of the ship's 27 boats were lowered into the water without lights anywhere, with the ship heavily listed to port, and without the aid of a single winch, for steam had failed. The storage battery used for emergency lighting was not turned on, as it would disclose the position of the ship and thus risk a second torpedo from the submarine, which might still have been in the vicinity. Of the six boats not lowered, 2 were on the forecastle, from which it was impossible to launch them, and 3 boats were destroyed by the explosion. One boat was stove in while lowering.

Boats and rafts were lowered in the water with just sufficient men to handle them, and after all the boats and rafts were afloat the order was given "abandon ship."

It was a stirring sight to see the men go down the Jacob ladders in as orderly procession as if they were at drill.

The destroyer *Smith* stood close in alongside the *Covington* and took the men from the boats as fast as they were filled, the boats returning to the ship for more men.

A working party of 30 officers, petty officers, and men remained with the captain in the vicinity of the bridge. This working party collected the crew's enlistment records, working charts, night order book, sextants, and everything of confidential nature or valuable from the standpoint of record. This party searched the ship throughout for stragglers. The boatswain's mates went through every compartment possible, piping "All hands on deck," and finally reported to the captain that there was nobody on board save the working party.

Night had now fallen. The ship was in complete darkness, badly listed to port, and, as far as could be told, slowly bleeding to death internally with no chance to prevent the seepage of water which would eventually destroy the stability.

At 2.30 p. m. on July 2 the *Covington* began to sink rapidly by the stern. It was an awe-inspiring sight as the ship rose rapidly to a vertical position in the water, the after smoke pipe being clear when the ship was in a vertical position. This gave a spectacle of about 450 feet of this magnificent 17,000-ton liner standing as a shaft on the surface of the sea. The ship remained in this vertical position for perhaps a period of 10 to 15 seconds, then sank rapidly farther in the vertical position, the bow disappearing at 2.32 p. m. It was providential that all men had been removed from the ship before she rose vertically in the water. Had any men been aboard they would undoubtedly have been lost. Had the ship sunk immediately or shortly after the ship was torpedoed she would have sunk in the same manner as described above and the loss of life would have been appalling.

The discipline of the crew and the perfection of the drills brought about perfect order and insured safety. There were no accidents. The final muster of the crew showed that out of the entire complement of 730 men and 46 officers only 6 were lost; 3 fell overboard and were drowned while rigging out a boat; 2 were in a fireroom and were never seen afterwards, probably killed by the explosion; 1 other man was missing and was probably drowned.

A few minutes after the ship was torpedoed one gun's crew fired three shots at what was thought to be a periscope wake.

The ship went down with her colors flying.

SINKING OF U. S. S. "SAN DIEGO."

[Extracts from report of the court of inquiry.]

The court in its report reviews the main points in the testimony, as follows:

> The U. S. S. *San Diego*, under the command of Capt. H. H. Christy, United States Navy, was making passage from Portsmouth, N. H., to New York, N. Y., and at or about 11.05 a. m. July 19, 1918, she was in approximate latitude 40° 30′ north, longitude 73° west, on base course 304 true, and zigzagging by an approved plan; speed, 15 knots.
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> The captain was steering a safe and proper course at the time to minimize the submarine and mine dangers in those waters. A careful inspection watch had been maintained while last coaling ship to prevent the introduction of any foreign matter in the coal bunkers. All lookouts, gun watches, fire-control parties, etc., as prescribed by the "Orders for ships in convoy" of the commander cruiser and transport force were at their stations and on the alert. All reasonable and necessary orders to safeguard the water-tight integrity of the ship in dangerous waters had been given and were being carried out.
>
> At or about 11.05 a. m. July 19, 1918, an explosion took place in proximity of the skin of the ship, at about frame No. 78, on the port side and well below the water line. As a result of this explosion the ship began to list to port and she finally rolled over and sank bottom up at about 11.25 a. m., July 19, 1918. The explosion was an exterior one and as the result of this explosion the skin of the ship was ruptured in the vicinity of bulkhead No. 78, at the level of the port engine room; and bulkhead No. 78 was so deformed that water-tight door No. 142, between the port engine room and No. 8 fireroom, was opened to the ingress of water to No. 8 fireroom. The effect of this rupture was to immediately fill the port engine room and adjacent compartments, and No. 8 fireroom was soon filled also. The effect of this water would give the ship a list of 17½ degrees to port. With the increased displacement water entered through 6-inch gun port No. 10, which was justifiably open to permit using that gun, when the ship had listed 9½ degrees. This resulted in flooding the gun deck and accelerated the heeling of the ship and her final capsizing. Relatively small quantities of water entered the upper dynamo room through nonwater-tight voice tubes, but this had no appreciable effect on the sinking of the ship.
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> The captain properly withheld the order to abandon ship until he was certain that the ship would capsize and sink. The ship was abandoned in good order, and excellent discipline prevailed. Gun crews remained at their guns and continued firing at all suspicious objects until they were forced to jump into the water. The captain was the last to leave the ship.

ATTACK ON THE U. S. S. "MOUNT VERNON."

[Extracts from report of the commanding officer, Capt. D. E. Dismukes, United States Navy.]

About 250 miles from the coast of France, on the morning of September 5, 1918, the *Mount Vernon* and *Agamemnon* in convoy, escorted by six destroyers, were proceeding homeward bound from Brest, speed 18 knots (21 statute miles) per hour. The weather was fine and the sea smooth, making it possible to sight a submarine periscope a long distance. Everything was favorable, and it looked as though we were about to add one more trip across the war zone to our credit.

Suddenly a periscope popped above the surface of the water about 500 yards distant. Our starboard gun opened fire at once, but the periscope remained on the surface only a few seconds. Just as it disappeared, the wake of a torpedo coming straight for the ship was seen, and immediately afterwards the torpedo struck us, throwing up a high column of water on our starboard side amidships.

The explosion was so terrific that for an instant it seemed that the ship was lifted clear out of the water and torn to pieces. Men at the after guns and depth-charge stations were thrown to the deck and one of the 5-inch guns thrown partly out of its mount. Men below in the vicinity of the explosion were stunned into temporary unconsciousness.

It was soon ascertained that the torpedo had struck the ship fairly amidships, destroying four of the eight boiler rooms and flooding the middle portion of the ship from side to side for a length of 150 feet. The ship instantly settled 10 feet increase in draft, but stopped there. This indicated that the water-tight bulkheads were holding, and we could still afford to go down 2½ feet more before she would lose her floating buoyancy.

The immediate problem was to escape a second torpedo. To do this, two things were necessary—to attack the enemy and to make more speed than he could make submerged. The depth charge crews jumped to their stations and immediately started dropping depth bombs. A barrage of depth charges was dropped, exploding at regular intervals far below the surface of the water. This work was beautifully done. The explosions must have shaken the enemy up; at any rate, he never came to the surface again to get a look at us.

The other factor in the problem was to make as much speed as possible, not only in order to escape an immediate attack, but also to prevent the submarine from tracking us and attacking after nightfall.

The men in the firerooms knew that the safety of the ship depended on their bravery and steadfastness to duty. It is difficult to conceive of a more trying ordeal to one's courage than was presented to every man in the firerooms that escaped destruction. The profound shock of the explosion, followed by instant darkness, falling soot and particles, the knowledge that they were far below the water level inclosed practically in a trap, the imminent danger of the ship sinking, the added threat of exploding boilers—all these dangers and more must have been apparent to every man below, and yet not one man wavered in standing by his post of duty.

No better example can possibly be given of the wonderful fact that with a brave and disciplined body of American men all things are possible. However strong may be their momentary impulse for self-preservation in extreme danger, their controlling impulses are to stand by their stations and duty at all hazards.

The torpedo exploded on a bulkhead separating two firerooms, the explosive effect being apparently about equal in both firerooms, yet in one fireroom not a man was saved, while in the

other firerooms two of the men escaped. The explosion blasted through the outer and inner skin of the ship and through an intervening coal bunker and bulkhead, hurling overboard 750 tons of coal. The two men saved were working the fires within 30 feet of the explosion and just below the level where the torpedo struck.

This account would not be complete without the mention of the part played by the ship's hospital corps and the 150 helpless, wounded, and crippled soldiers who had done their part so nobly on the battle fields of France and were on their way home and deserved to get there. Within a very few minutes after the explosion all of these poor fellows were safely stowed in their boats, wrapped in warm blankets, and served with hot soup and other refreshments. They were made so comfortable in the boats that they preferred to remain in them all the way back to Brest for a period of about 18 hours.

Thirty-five men were killed by the explosion and 13 injured, one of them later dying from his injuries, the large number of casualties being due to the fact that the torpedo struck just at the time the watch was being relieved.

The saving of the ship is attributed to the following circumstances: The fact that the water-tight doors were closed, that the bulkheads were tight and held, that additional strength was gained by blanking off all air-port lenses with steel plate, and that there was an organization well conceived and well carried out to meet the emergency.

SINKING OF THE U. S. S. "CHAUNCEY" IN COLLISION.

[Extract from report of the only surviving officer, Lieut (J. G.) F. K. O'Brien, United States Navy, executive officer.]

The U. S. destroyer *Chauncey* was rammed by the steamship *Rose* and sunk at 1.46 a. m. on November 19, 1917, shortly after the *Chauncey* had cleared the port of Gibraltar. Of a crew of 91 officers and men, 1 officer and 69 men were saved, while 3 officers and 18 men were lost.

SINKING OF THE U. S. COAST GUARD SHIP "TAMPA."

The greatest disaster suffered by the Coast Guard, and the largest individual loss of life sustained by our naval forces during the war, occurred on September 26, 1918, when the cutter *Tampa* was sunk with all hands on board in Bristol Channel, presumably by a torpedo from an enemy submarine. The cutter had gone ahead of her convoy, and although a distant explosion was heard by the vessels in the convoy, no positive evidence has ever been received as to the exact cause of the disaster. Diligent search by several destroyers in the vicinity of the disaster revealed only two unrecognizable bodies in sailors' uniforms and some small pieces of wreckage. Thus perished 111 brave officers and men.

WORK OF THE ARMED GUARD.

[From reports of officer in command of guard.]

STEAMSHIP "OWASCO"—LOST DECEMBER, 1917.

We left Norfolk about November 23, and arrived in Gibraltar on the 6th of December, and we left Gibraltar on the 8th of December in company with two British, one Norwegian, and ourselves, at 8 a. m. We stood up the Spanish coast within about 3 miles of shore until dark. Then it started to blow up and rain, and it was lightning, and we lost sight of the British ship ahead of the Norwegian. The Norwegian was burning her stern lights pretty bright. I went down to my room and straightened up and looked around, and sat there until about 10 o'clock, I guess it was, and turned in. I had just about dozed off when I heard a report, or rather felt it. I dressed, got on the bridge, and asked what was the trouble. I was standing on the starboard side of the bridge when I saw something in the water, and I said, "What." This was about 11.30 p. m. on the 10th of December. That is all I got out when she struck. The ship was swinging to port slowly at the time, and a torpedo hit forward of the bridge in No. 3 hold, blew off hatches of same, and went into No. 2. The flames shot in the air as high as the mainmast. I looked up to see if mast was coming down, but she stayed there. The wireless aerial, however, came down. The wireless house lifted off the deck about four feet and shoved aft. The wireless operator and instruments were all on the deck. The captain said, "All hands abandon ship." I said, "That is all we can do," for the whole forward part of the deck was in flames. The four men on watch on the forward gun came over the platform on the port side and ran aft, as the wind was from the port and shot the flames to starboard and made it possible for them to come aft. At that time I got to the boat which was on the starboard side aft. The after gun's crew was standing by with the gun trained to port. I said, "You can't see anything, the ship is in flames, so let's lower the boats." We lowered the boats and all hands got in. There were some firemen came along and asked to get in, and I said, "Jump in." I stood on the deck and waited and hollered if there was any more on board. I got no reply; the men in the boat said, "Come along; she is going now." I looked over at the after hatches, and they were under water. I then jumped in the boat, cut the sea painter, and got away from the ship's side. The poop was pretty near submerged at that time. I saw a boat. I hailed it and asked if there was room for some men, as I had over my capacity. It was the captain's boat, and he said "Yes." I went alongside, and he took about eight men out of my boat. He then shoved off, and I could not see the boat any more. I heard some one holler, "Pull for the light." We made for the light, and it took us from 11.30 to 1.55, which is about 2 hours and 25 minutes, to get to the shore, which was Villajoyosa, Spain.

STEAMSHIP NAVAJO—LOST AUGUST, 1917.

On August 1, 1917, at 3.30 p. m., in latitude 48° 30′ N., longitude 25° W., the *Navajo* caught fire. I was sleeping at this time, as it was my watch below. I was awakened by the cry of fire. Upon arriving on outer well deck I saw that the entire after part of the vessel was in flames. I asked the captain if anything could be done. He said "No; the oil tanks were burning."

The fire spread so rapidly that it was necessary to take to the lifeboats within five minutes of the alarm. The boats were lowered; the ship still under full speed, as it was impossible to stop the engines. After leaving the ship it was discovered that some of the crew of the steamer were still on board, being unable to get to the boats owing to the intensity of the fire. Word was passed to all boats to keep together and as near the ship as possible so as to pick up the crew if necessary. As soon as possible the captain, chief engineer, and myself again boarded the *Navajo* and discovered that nothing could be done to save the ship. Shortly after our boats were lowered a sailing vessel, the Norwegian bark *Concordia*, hove in sight. The Norwegian bark picked up our lifeboats and stood by us. We then took our crew from the bark and returned to the *Navajo* to make another attempt to put out the fire. This was found impossible.

An unsuccessful attempt was made to tow the *Navajo*. The steering gear aft was destroyed, the quadrant being warped by fire, so that it was impossible to steer her. The *Navajo* was abandoned. In the morning we again boarded the *Navajo* and found that she was filling rapidly. An attempt was made again to tow her, but this failed.

STEAMSHIP JOHN D. ARCHIBALD—LOST JUNE, 1917.

About 3 p. m., June 16, 1917, four and one-half hours out of Brest, sighted what we supposed to be a submarine, 2½ points on starboard bow and at a distance of 6 to 7 miles on the rim of the horizon. Looked like a large fishing boat or cargo steamer of 1,000 or 1,500 tons, appeared to have a mast and a sail which could not be made out on account of the distance and haze. Nothing was clearly distinguishable. On sighting the submarine, the *John D. Archibald* shifted her course so as to bring the submarine about 3 or 4 points broad on the port bow. The vessel began zigzagging as soon as the submarine was sighted, zigzagged 6 to 8 points to the west and north starboard; speed about 10 knots, visibility improving. The submarine submerged. The *John D. Archibald* immediately broadcasted general warning on her main radio which has a radius of about 1,000 miles, so I was informed by the operator. The gun crews had been at their stations since leaving the harbor of Brest and were at their station when submarine was sighted.

About 4 p. m., C. E. Marson, seaman, at forward gun sighted a torpedo on starboard bow at about 600 yards, which he immediately reported to the captain, who was on the bridge with most of the ship's officers and myself, the captain had the helm put hard starboard. The torpedo was coming toward the starboard beam and appeared to be going about 32 knots and about 6 or 9 feet below the surface. The torpedo left a wave similar to that made by torpedoes of the United States Navy. It ran straight. I saw the torpedo when it was about 150 yards from the ship. The ship did not answer her helm in time to save her. She was not fairly started on her swing at the time she was struck. The torpedo struck the starboard side of the ship in line with No. 3 boat and about the center of the engine room. There was a terrific explosion, the boat gear was blown away, and a large volume of water was thrown upward. This occurred on the starboard side. The port side of the ship was not affected. The engine was stopped instantly by the impact of the explosion. The explosion probably wrecked the engines and boilers. The after end of the ship immediately sank as far as the main deck.

None of the gun crew were injured. Three men in the engine room were killed instantly and one of the engine-room crew severely injured. His injury was due to inhaling gas and steam after the explosion. He was found outside the engine room by the gun crew amidst wreckage. The captain gave orders to abandon ship, and ship's company left in five minutes in two boats.

While in the lifeboats and astern of the ship and about 150 yards from her, we saw a periscope about 100 yards away between the boats and the ship and on the ship's starboard quarter. This periscope was smaller than those used in the United States Navy. It was about 2 inches in diameter and showed a couple of feet. It was painted a dull greenish paint. There seemed to be something inside of the periscope on the order of a glass tube about 1 inch in diameter, which showed before the periscope came to the surface. The tube seemed to telescope in the periscope. There was no housing or hood on the periscope to be seen. We saw the periscope follow a course around the port side of the ship. The submarine then came to the surface on the starboard side of the ship. The boats were then about a mile away from the ship making to the eastward under oars. The submarine then fired about 10 shots into the ship. The ship listed to starboard and sank astern first. Immediately after the *John D. Archibald* sank the submarine submerged, or perhaps a little before. A short while afterwards a passing French steamer fired on No. 1 boat, mistaking her for a submarine. She afterwards discovered her mistake and ceased firing. The steamer came alongside of No. 2 and offered to rescue. The mate in charge thought it unwise to imperil the ship and expose her to submarine attack, so declined help and requested the steamer to proceed, which she did, and escaped. This French steamer said she would notify the patrols. The steamer passed on to the east. The boats in the meantime had gotten together.

At about 9 p. m. dusk, sighted a submarine on the surface bearing to the east of the boats and at about a distance of 2,000 yards. At the same time three French patrol boats were seen coming from the west at about 12 knots. It soon became hazy and dark. We were provided with a flash light and a lantern. We desired to signal to the patrols, but screen the lights from the submarine, We placed our bodies between the lights and the submarine, turning our backs on the submarine and holding the light in front of us. The patrols used their searchlights on the submarine, fired upon her, and sent our warnings. So far as I know, the submarine was not damaged. The patrols came to the boats and we hurried on board in order not to delay them in attacking the submarine. The gun crew and myself lost all our belongings on board. We were but lightly clad, as the weather was warm.

STEAMSHIP ROCHESTER—LOST NOVEMBER, 1917.

While traveling with the convoy the *Rochester* did not zigzag, as her speed on a straight course would just enable her to keep up with the other ships, which were zigzagging. On November 2 one of the men at the after gun sighted a periscope on the starboard quarter about 500 yards distant. It appeared to be about the size of a broom handle. It submerged before any shots could be fired. The same afternoon, at 4.45 p. m., the lookout in the after crow's nest reported a torpedo wake on the starboard beam less than 100 yards distant. The wake became plainer as if the torpedo had approached nearer the surface, and struck almost instantly on the starboard side abreast the after end of the engine room. The weather at the time was clear, the sea smooth, and the visibility good.

The force of the explosion caused the whole ship to lurch to port. She righted herself immediately. The explosion wrecked the engine room, put the dynamo out of commission, smashed the transmitting gear of the wireless, and knocked down two wires from the aerial. The headway of the ship was stopped immediately, and the ship filled with steam and smoke following the explosion.

The gun's crew off watch manned their station at once, but as there was nothing seen of a periscope or submarine the after gun crew were ordered to clear away the raft and launch it. The commander of the guard and master got in a boat, and all boats cast off and met 500 yards astern of the *Rochester*, according to an agreement previously made. The armed guard totaled 13, with the commander. The merchant crew complete when on board, including the master and officers, totaled 36. The entire personnel of the vessel therefore numbered 49. The three boats then separated, each steering a different direction. Just after they separated, at 5.15 p. m., a submarine opened fire at the ship. Owing to the lifeboat being so low in the water, the submarine could not be seen, but the flash of the gun was discovered. The gun flashes appeared to be about 6,000 yards off the starboard bow of the *Rochester*. The first shots fired at the vessel were high and to the left. The last shot (there were 10 in all) hit the vessel well above the water line on the starboard side. It was then rapidly getting dark. As soon as the captain thought the lifeboat was out of sight, he had the mast stepped and made sail. In the mind of the armed-guard commander there is no doubt but what the ship was not long in sinking. At daylight of the next morning neither of the other two boats were in sight. On the afternoon of November 3 the wind blew to a gale, which lasted all the time the men were in the boat and which, together with a steady rain, caused the men to suffer from exposure.

The lifeboat was equipped as follows: One 25-gallon breaker of water; two tanks, each about 3 feet square and 10 inches deep, filled with hard bread. Some of the crew had been eating ham, which was rather salty, and drank a great deal of the water. The captain asked one of them how much water there was, and he said, "Plenty." The captain grew suspicious, however, and examined the breaker himself. He found but 5 gallons left. Some of the rain was utilized for drinking, but owing to the spray that constantly washed over the boat not much could be obtained. Regarding an article in a New York paper that the captain held the men from the water with a revolver, this story is wholly false. One man, an oiler, who was thirsty, said if he did not get water he would jump overboard. As he was making himself disagreeable, he was told to "jump ahead." He did not attempt it, however. One of the men had a bad wound in his thigh, caused by the explosion of the torpedo. This wound was attended to as well as could be done under the circumstances, with the aid of a first-aid packet. When this man was examined on arrival in port by a physician, he stated that it was the cleanest wound he had ever seen, probably due to the cold and salt water. At 2 a. m. on November 7 Tory Island light was sighted. The captain ordered the sail lowered and an improvised sea anchor put out, as the coast was strange and there was a heavy sea. At daybreak, while looking for a place to land, a British patrol boat was observed. This patrol boat picked up the members of the lifeboat and took them to Lough Swilly, where dry clothes were given to them.

STEAMSHIP "LUCIA"—LOST OCTOBER, 1918.

At 5.30 o'clock p. m. on October 17, 1918, the U. S. A. C. T. *Lucia*, bound for a European port (in convoy without escort), was torpedoed amidships on the port side, the torpedo entering the engine room and immediately killing four men. I had been on watch on the upper deck of chart house about 10 minutes, and after surveying both sides with with the naked eye, I started to use my glasses. I finished looking to starboard and had just started on the port side looking aft, and as my range of vision was coming abeam I saw a white wake about 100 yards off our port beam, which was about 5 yards in length. On or about the time I saw this wake the explosion occurred. A shower of dust and débris caused by the explosion interfered with men on after gun platform and lookout in the after crow's nest, and the explosion caused such a vibration that it knocked the men stationed on after gun platform off their feet. Immediately upon recovering themselves they manned gun and trained to port at my orders. At the time of explosion I immediately ordered both guns trained to port, but could find no trace of submarine; and I then sent semaphore signal to the U. S. S. *Hawaiian* to broadcast our S O S, as the explosion had put all dynamos in engine room out of order and we had only our auxiliary set left for use. The armed guard remained at their stations from time of torpedoing until the last gun's crew had left ship, at 2.20 o'clock p. m. on the following day, a total of 20 hours and 50 minutes after being torpedoed. During the night I had a very sharp lookout kept for submarine to appear, but without result. On or about 4 o'clock a. m. on October 18 I decided that submarine might try to shell ship at daylight, and I broke out 40 rounds of ammunition for each gun, but nothing occurred. During the night the ship was in sinking condition and aft gun platform was just clear of water, as the explosion of torpedo had carried away the bulkhead between the engine room and No. 4 hatch, and slowly the heavy sea had caused water to enter No. 5 and No. 6 hatches, respectively. On or about 12 o'clock noon on the 18th the water started forcing its way forward, getting as far as No. 3 hatch.

At 2.30 p. m., after being repeatedly warned by the master that ship was in hopeless condition, the last radio operator and myself took to our boat. The boat, of which I had charge, carried, besides armed guard, the master and three members of civilian crew, and we, with the other four boats and raft, hauled well to leeward clear of wreckage and rode to sea anchors, the sea at that time being very rough. At 3.15 p. m. the stern slowly started to disappear and her bow was lifted to a vertical position, and in doing so carried away her mainmast. When she attained a vertical position she slowly disappeared from view, carrying away her stack and foremast, and finally disappeared at 3.20 p. m.

The wind was rising and the sea was beginning to run so high that it took the utmost precautions to prevent the boats from capsizing, and we managed to keep all boats afloat by continu-

ously bailing water. At 9.26 p. m. the U. S. S. *Fairfax* sighted the boat of which I had charge, and after exchanging signals we brought that alongside and with greatest difficulty managed to get entire crew aboard.

Mr. PADGETT. Mr. Chairman, I yield 15 minutes to the gentleman from Arkansas [Mr. CARAWAY].

Mr. CARAWAY. Mr. Chairman and gentlemen of the committee, I shall not employ any part of the time allotted me to praise or commemorate the American Navy. I want to take advantage of this opportunity to have a resolution introduced and make a few remarks upon it. I ask the clerk to read it.

The CHAIRMAN. The Clerk will read the resolution in the gentleman's time.

The Clerk read as follows:

Whereas artificially controlled markets are harmful, and gambling in the price of the product of the farm, commonly called dealing in futures, is hurtful to the farmer and likewise levies tribute on the consumer; and

Whereas the New York and New Orleans Cotton Exchanges, organizations whose members deal in or are interested in deals in futures of cotton; and the representatives of foreign countries, and representatives of foreign firms engaged in the manufacture of cotton have entered into contracts affecting future deliveries of large amounts of cotton through the said exchanges, and that these Governments and firms have, it is alleged, sold short in the market, through the New York Cotton Exchange; and

Whereas it is now alleged that these Governments and firms are having carried in the New York Cotton Exchange from month to month these contracts; and

Whereas said speculations are alleged to be the cause of the violent fluctuation in the cotton market, as recorded in said exchanges, and for the low price of cotton now prevailing: Now, therefore, be it

Resolved, That a special committee consisting of five members be appointed by the Speaker from the membership of the House of Representatives to inquire:

First, as to the cause or causes of the present fluctuation in the price of cotton;

Second, whether the present low price of cotton is due to any conspiracy, combination, contract, or practice or restrain on the part of any persons, groups, or corporations engaged in the buying or selling of contracts for future delivery of cotton;

Third, to ascertain the extent, manner, and method of any manipulation or control of the visable supply of cotton by any individuals, groups, associations, or corporations and especially those operating through the New York Cotton Exchange;

Fourth, what legislation is needed to insure reasonable and fair market conditions for cotton and a free and open channel and distribution of same;

Fifth, that the said committee shall have the power to send for witnesses, administer oaths, examine books and papers of the said cotton exchange or any member thereof, or any person dealing in or having connection with said exchange;

Sixth, that the said committee shall have power to sit during the session of the House and shall report its findings and recommendations to the House.

Mr. CARAWAY. Mr. Chairman, as I said, I shall not use the time allotted me to discuss this naval appropriation bill. I shall rather use it to call to the attention of the Members of this House and ask of them relief from a situation that threatens with ruin the cotton growers of this country. They are being crushed by the manipulation of the cotton market. The gamblers in futures within and without the cotton exchanges are robbing the people of the South of all the fruits of their toil. Twenty million of people, directly or indirectly, are dependent for prosperity upon cotton. They have toiled early and toiled late to produce this present cotton crop, only to see the profits of their toil destroyed by gambling in futures. They now ask us, as they have asked often before, to make this thing impossible. Unless the American Congress shall aid them they perish.

Last summer the Government estimate of the cotton crop was about 14,000,000 bales. The price then was around 30 cents per pound. As the season progressed the estimate fell, and as the estimate of the crop fell the price of cotton likewise fell. In other words, this unprecedented thing happened: The less the supply and the greater the demand the lower the price. That could not happen and did not happen by any law of supply and demand. When this last season's cotton was first on the market—I am speaking now of spot cotton—it sold at from 32 to 38 cents per pound.

The Government estimate then was that the crop would be about 12,000,000 to 13,000,000 bales. With each succeeding report the estimate was reduced, until finally it was around 11,500,000 bales, and the ginning report indicates that that was about the correct estimate. We have a crop of about 11,500,000 bales. We had no visible supply of cotton when this crop was put on the market. The estimated consumption of cotton was around 18,000,000 bales, and yet since the cotton has been ready to market the price has constantly dropped, until now there is no market at all for cotton. When you read the reports from the exchanges that cotton futures are 22 or 23 cents, it does not mean that if you have spot cotton you can sell it even for 22 cents. In fact, there is cotton now in the market that has been there for months unsold, though there is a reported market every day. But with our crop the shortest we have ever produced, with the largest acreage the South ever had planted, and the most expensive we ever grew, cotton is now selling, if selling at all, around 20 or 22 cents, although it sold as high as 38 cents when it was thought we were going to have 1,000,000 or 1,500,000 bales more. I charge that there is manipulation of the cotton market. I am informed that there is an agreement entered into by certain people in this country through the cotton exchanges to furnish certain foreign countries and firms manufacturing cotton in those countries a large amount of cotton. This cotton was contracted at a price such that they could not go into the open market and buy the spot cotton at that price. So, therefore, we have seen this remarkable thing, that the price of future cotton has fluctuated as much as 200 points in a day, or $10 a bale. How much more the fluctuation would have been no one knows, except the exchange adopted a regulation limiting it to this amount. There can not under the rule of the exchanges now be a greater fluctuation than $10 a bale in any one day.

Everyone knows that cotton is worth no more this morning than it will be this afternoon, and that this difference of $10 a bale is purely speculative, although in the morning on the exchanges it appears to be worth $10 a bale more than it is in the afternoon. If the cotton was worth what it sold for on the 1st of October—around 35 cents per pound—this fluctuation caused by gambling in exchanges represents a loss to the people who grew the cotton of more than $800,000,000. This year's cotton crop of 11,500,000 bales is now worth less by $867,000,000 than it was last October.

Mr. PLATT. Will the gentleman yield for a question?

Mr. CARAWAY. Yes.

Mr. PLATT. Is not practically all the cotton in the hands of the speculators, and has it not been since October?

Mr. CARAWAY. Oh, no.

Mr. PLATT. They bought it from the farmers early, did they not?

Mr. CARAWAY. The cotton speculator never bought a bale of cotton from the farmer in his life.

Mr. BAER. Do they not deal in fictitious and imaginary cotton, just as they do in wheat?

Mr. CARAWAY. Yes.

Mr. BAER. I am thoroughly in sympathy with the gentleman's resolution, and I hope he will include all of the other farm products. I am willing to vote for that.

Mr. CARAWAY. I am sure that if you should bring a bale of cotton on the floor of the Cotton Exchange in New York there is not a man there who would know what it was. Yet they deal in more imaginary bales of cotton every month than is represented by any crop that has ever been grown by the people in this country. Now, I know, and everyone knows, that it is a manipulated market which, as the supply diminishes and the demand increases, causes a fall of the price. That can not happen by any law of supply and demand.

Answering the suggestion of the gentleman from New York [Mr. PLATT] that the cotton is in the hands of speculators, I want to say that the speculator never has spot cotton. Cotton is in the hands of one of two parties—the farmer who has grown it or the small merchant who has bought it or has taken it in payment of debt.

Mr. PLATT. Isn't he a speculator?

Mr. CARAWAY. The gentleman has such a peculiar idea of speculators that I will not argue with him. If a man who buys a bale of cotton for $50 and hopes to sell it for $51 is a speculator, then the small merchant is a speculator. I never understood that the man who bought a bale of spot cotton and bought it at a fair price and sold it at a fair profit was a speculator.

Mr. PLATT. If I buy 100 shares of the New York Central stock with the expectation of selling it at a higher price, am I not a speculator?

Mr. CARAWAY. Does the gentleman imagine that the man who buys a horse for $100 and hopes to sell it for $110 is as much a gambler as the man who bets that he will hold three aces? If so, then I concede he is correct. The man who buys future cotton does not have cotton to sell. He would not know cotton if he saw it. He is the man who is now destroying, in the hands of the producer and the small merchant, the price of cotton. He has already this year destroyed more than $860,000,000 worth of property produced by the people in 11 of these States. That is the work of these cotton exchanges and those who deal in them.

Mr. BAER. Will the gentleman yield?

Mr. CARAWAY. Yes.

Mr. BAER. Wool is somewhat similar to cotton. I got a letter yesterday from a woolgrower who says that at the beginning of the war wool was 60 cents a pound and his wife bought yarn for $2.50 a pound. Then wool went down to 50 cents a pound, and now his wife is paying $4 a pound for yarn.

Mr. CARAWAY. Some dishonest speculators have been manipulating the wool price. I realize that unless you gentlemen who are not directly interested in the prosperity of the people who grow cotton will help us in this situation we can not be saved. You have the votes. If our need appeals to gentlemen on that side of the House and from that section of the country where cotton is not grown, we can destroy this vampire that robs us. But if you are willing to let the people who grow cotton be stripped of every cent of profit by these cotton exchanges in New York and New Orleans, we must suffer. But you can not destroy our section of the country without reacting hurtfully on yours. Your prosperity and our prosperity are intertwined. If we are destroyed, you are to be destroyed also. Unless there is some means devised by which people shall profit by the wealth they produce the production of wealth will cease altogether.

This is not an ordinary situation that confronts this country. It is destructive to the financial interests of a majority of the people who live in 11 States of this Union. I know whereof I speak and I know their condition. I know that if the producer of wealth must sit helpless and see some agency beyond his power individually to control rob him of the profits of his toil he is going to cease to toil. And it is a self-evident fact that such a manipulation of the cotton market is now going on. No market regulated by supply and demand can vary $860,000,000 within two and a half months.

Mr. BLACK. Will the gentleman yield?

Mr. CARAWAY. Yes.

Mr. BLACK. Does not the gentleman think that the repeal of the embargo restriction would be of more real benefit to the cotton market than an investigation of the cotton exchange?

Mr. CARAWAY. I think the embargo affects the price of cotton some, but it has been practically lifted. There are markets open now for cotton that would consume several million bales more than the cotton now in sight, and yet this condition exists.

Mr. BLACK. My understanding is that there are certain restrictions upon neutral countries now—Norway, Sweden, Holland, and Denmark—and I think they ought to be absolutely removed.

Mr. CARAWAY. I think that is true.

Mr. LAZARO. Will the gentleman yield?

Mr. CARAWAY. Yes.

Mr. LAZARO. The gentleman, in speaking of the abuses on the floor of the cotton exchanges, does not mean to convey the impression that he would have an act abolishing legitimate speculation on the floor of the cotton exchanges in cotton, does he?

Mr. CARAWAY. There never was a legitimate speculation in futures. [Applause.] I would abolish that. It is wrong to gamble anywhere in anything, and I would abolish the cotton exchanges as I would any other gambling den. [Applause.]

Mr. LAZARO. Is the gentleman opposed to cotton exchanges?

Mr. CARAWAY. To anything you call an exchange if it deals with fictitious production and fictitious prices. I would oppose any place where they sell cotton or any other crop of the soil that has not been planted. The gentleman from Louisiana knows that right now he can go to a cotton exchange and buy every bale of cotton that is to be grown in 1919, although there is not now an acre of cotton planted and nobody knows how many will be planted.

Mr. LAZARO. Mr. Chairman, I agree with the gentleman, and I am willing to go as far as he to abolish abuses, but I am opposed to destroying the legitimate cotton exchanges in a cotton-growing community.

Mr. CARAWAY. Mr. Chairman, there may be a legitimate cotton exchange. I never saw one.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. CARAWAY. May I have just one or two more minutes?

Mr. PADGETT. Mr. Chairman, I yield two more minutes to the gentleman.

Mr. CARAWAY. I wanted to say this, that I see some gentlemen are very much opposed to abolishing cotton exchanges. I remember when there used to be an exchange in New Orleans called the Louisiana State Lottery. The exchange was that people all over the land would buy tickets entitling them to draw something that they never got, and this Congress abolished that because it was simply a gambling device. I have heard no one in recent years defend it, although at the time it had many advocates. It was just as legitimate a business and it appealed just as much to legitimate business as do cotton exchanges as they are now manipulated. It was simply a means of dealing in people's credulity, and that is all that the cotton exchanges do. You can go into a cotton exchange and buy millions and millions of bales of cotton to be grown in 1919 when there is not an acre of cotton planted and nobody knows that there will be an acre planted. We presume there will be, but how many million bales will be grown no one knows, and yet that cotton crop is being sold over and over every day, and some people say that it is legitimate business. As I tried to point out once before, this condition now exists.

The interest of the spinner and the dealer in futures is identical. Under present rules of the exchanges they operate together. The spinner can say, "I want a million bales of cotton," and the dealer in futures, the legitimate speculator, as some of you gentlemen call him, says, "If you will keep out of the cotton market and not buy a bale, I will break the market until you can have that cotton at whatever price you agree to pay me," and there is no power short of this Government that can prevent their carrying that agreement out. To-day, if it were not for the fear that this Congress will abolish cotton exchanges, the cotton exchanges in New York and New Orleans could make cotton sell at $5 a bale.

Mr. LAZARO. Has the gentleman given any thought to the Liverpool Exchange and how we could remedy the situation over there?

Mr. CARAWAY. The Liverpool Exchange can not affect the value of a single bale of cotton in the United States unless it has an exchange in the United States with which it can cooperate. Gentlemen, it is the old, old question of right and wrong. It is the question presented ever since governments began—Shall the strong plunder the weak? Shall those who toil not be rich, while those who labor from sun to sun are poor? Our actions here will give the answer.

For myself I have already decided. I shall do all that lies within me to destroy those vicious interests that gamble away the wealth of our farmers, that reward honest toil with poverty, and laugh when grim want sits at the fireside of those who have created the wealth of our land—the farmers of this country. Let us pass this resolution and destroy these plunderers of our land. [Applause.]

Mr. HICKS. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BUTLER. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Chairman, the naval bill carries appropriations amounting, I believe, to about three-quarters of a billion dollars. I do not remember for certain the amount carried by the naval bill when I came into Congress, but I am quite confident that it was far less than $100,000,000.

Mr. BUTLER. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. BUTLER. When the gentleman and I came here to Congress 22 years ago, I voted in the committee room for the first naval bill that I had anything to do with, and it carried less than $23,000,000, and the gentleman voted for it on the floor.

Mr. MANN. From $23,000,000 to three-quarters of a billion dollars is something of a jump. However, we have now gotten so in the habit of referring to billions of dollars that I have noticed lately that Members introducing bills requiring appropriations seem to be rather ashamed of naming any sum less than $10,000,000 on up to $100,000,000.

I did not rise for the purpose of discussing the naval appropriation bill itself. I introduced in the House to-day a joint resolution providing for the appointment of a commission to investigate the subject of making estimates and appropriations. I never have been on one of the appropriation committees of this House, although I have given a good deal of attention to appropriation bills, as various chairmen know. There has been a great deal of agitation in the country in favor of adopting what is called the budget system. I have some doubt as to whether many of the people who advocate the adoption of the budget system know what it means; but they do know this, and the rest of us know the same thing, that as the Government has grown up our method of getting requests from the executive, which we call estimates of appropriations, and our method of following those requests by appropriations has "just growed up," and while there is a very good reason for nearly everything that is done, still it is more or less haphazard. The original estimates of appropriations made by the executives are not examined very carefully by the heads of departments, and they

can not be. There is no correlation whatsoever between the heads of departments as to the estimates which they make, and the effort which we made at one time by legislation requiring the President to exercise his power amounts to nothing, because it is physically impossible for the President himself to give much attention to the matter of appropriations, except that he follows the requests of some of his subordinate officials. I do not know how far we can go in the way of correcting.

I have proposed the appointment of a commission to be composed of six Members of this House, to be nonpartisan or bipartisan, and six Members of the Senate, with authority and direction to investigate the whole subject and to report to Congress. I have heard a great many different Members of the House suggest at different times remedies for the existing evil, but none of the remedies which I have ever heard suggested appealed very strongly to me, and I think those suggesting the different remedies seldom agreed. Now that we have got to passing appropriation bills in time of peace amounting to three-quarters of a billion dollars, an increase from $23,000,000 in 22 or 23 years, now that we have come to the point where we must do without many things which we would like to have and where we must appropriate much money for many things which we would like to have, and where we must appropriate much money for many things which some of us would like to do without, we have simply got to reorganize our system of making appropriations. We have got to reorganize the system which is in effect in regard to the requests which come from the departments and from the executive branches of the Government asking for appropriations. I do not myself think that it is possible or that it would remedy the difficulty to concentrate the whole power of appropriations in the hands of one committee, to be then redistributed to a lot of subcommittees, for that is what we do now. The Committee of the Whole House makes the appropriations and they are distributed among a lot of subcommittees of the House, called committees of the House; but there ought to be by scientific and expert search—and that is the real way to get at anything—suggestions made which would aid the Executive and Congress to save what otherwise would be expended, to the amount probably of hundreds of millions of dollars a year, without the loss of a single thing necessary to be done by the Government.

I want to say this resolution that I introduced I drafted in pencil while I was over in the hospital last November, and, as is my habit in such matters, I laid it away to cool off, wondering whether it was the fantasy of a moment or whether it would appeal to my judgment when I was cool. The able gentleman from Kentucky [Mr. SHERLEY], the great chairman of a great committee, the other day in discussing the deficiency bill said that he had an idea of this sort in his mind. I concluded I would introduce my resolution, hoping that between us and with the aid of the other Members of Congress, or aiding them, we might put into law a provision, in the form of a joint resolution or as an item on one of the deficiency appropriation bills, authorizing a commission, the expense of which may be $100,000, as suggested here, or it may be less, or it may be a little more, but it ought to save the Government more millions of dollars a year than there are Members of this House.

Mr. GARNER. Will the gentleman yield before he takes his seat?

Mr. MANN. Yes, if I have the time.

Mr. GARNER. I fully agree with the gentleman's suggestion that we ought to have a commission to investigate this matter, and I want to suggest to the gentleman if we could not adopt the resolution, send it to the Senate, and put a similar provision in one of the appropriation bills, so if that became the law it will be sure to pass the other body?

Mr. MANN. I will say to the gentleman——

Mr. GARNER. The parliamentary situation might be such that the sundry civil bill might not become a law, and therefore we want to take both opportunities to get the other body to consider this.

Mr. MANN. Now, this plan that is in my mind practically—and I always try to be practical—is, suppose this resolution is referred to the Committee on Rules. I hope the Committee on Rules will report it, but, of course, that does not give it a privileged status, and I hope it may pass by unanimous consent; but if the Committee on Rules will report it I think the Committee on Appropriations will probably be warranted in including some item like this covering the substance—and I care nothing about the form—as an item in the general deficiency appropriation bill, which bill is almost certain to become a law. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. PADGETT. Mr. Chairman, I yield 12 minutes to the gentleman from Alabama [Mr. HEFLIN].

Mr. HEFLIN. Mr. Chairman, I yield five minutes of that time to the gentleman from Texas [Mr. EAGLE].

Mr. EAGLE. Mr. Chairman and gentlemen, I want to make a few observations concerning the resolution introduced by the gentleman from Arkansas [Mr. CARAWAY] and submit for the serious consideration of you gentlemen who come not from the southern cotton-growing States but from the other States of the Union certain observations in order to induce, if I may, your sympathetic consideration, based partly upon your own self-interests, of that resolution. In the State of Texas the cotton crop begins to come in about the 1st of July. From the 1st of July of last year, therefore, up until about the month of October of last year, when Mr. Baruch and the President had something to say about the appointment of the commission to stabilize the price of cotton, there moved in the State of Texas about 660,000 bales of cotton of 500 pounds each at a price ranging around 30 cents per pound. That money enabled the people of the State of Texas to take more than their quota of war-savings stamps and of liberty bonds, predicated upon the supposition that there would be a legitimate market for their chief product, one-half of which is raised and owned by Republicans—our negro farmers. Therefore, if for no other reason, you should consider those, whether you do the white folks or not. [Laughter.] From then up to the present time in the State of Texas about 500,000 bales have moved at a lower price, until now it is about 22 cents per pound. In answer to the specific point raised by my friend Mr. PLATT, of New York, as to whether it were not legitimate speculation in reference to the things that have been done and are currently being done, I have this to say: There remain about 1,900,000 bales of cotton in Texas of the crop grown in the year 1918, which began to go on the market last July, and which up until now has not been sold because it will bankrupt the producer to part with it at present ruinous prices.

It will not only take from him any reward for his year's labor, but it will render him unable, as a tenant farmer or a negro cotton farmer, or a white man who has one plow or five plows, if they sell at the current price, which is manipulated and forced by English cotton spinners and the New York and New Orleans cotton spinners and the New York and New Orleans Cotton Exchange gamblers and their agents—unable to pay for the liberty bonds they have bought, predicated on that asset of cotton for which they have legitimately worked and own. Not only that, but it will render my State of Texas, which has gone "over the top" in every one of these campaigns for liberty bonds and other patriotic things, unable to subscribe its allotted part, as it wants to do, to the forthcoming liberty bond issue, and then you gentlemen, if you fail to listen to us when we tell you the truth and the reasons for it, please do not say then that the people of Texas are not patriotic because they do not subscribe the full quota; but the fact is that they will have been prevented from doing that on account of the value of their cotton crop having been beaten down several hundred million dollars by these cotton-exchange gamblers.

We buy every pair of shoes in Texas, where there are 5,000,000 human beings, from you people in Philadelphia and Boston and Lynn and other sections of the manufacturing North. We can not do business with you on the high plane we have been doing it and pay our debts and buy those stocks and make your factories prosperous so you can hire your labor if you sit silently by and permit the gamblers to wreck us. We buy our wheat from the Dakotas and from Kansas. We buy our corn, millions of bushels of corn, from the mighty States of the North and West. We buy your leather goods and machinery, and we buy the products of your factories and your looms, and we have our raw cotton to pay for them as our money crop.

This would not be such a tragedy, my friends, if your constituents got the benefit of the sacrifice to which our southern farmers are now being subjected. But will you get this into your minds and not forget it? The very price of cotton goods in the United States right now that every one of your consuming constituents is using is fixed by the cotton manufacturers having come here to the board a year ago and agreeing to pay 37½ cents a pound for the present cotton crop. They said that would be the market, and the board said all right. Manufacturers of cotton in America fixed the prices at which they are now selling their goods, wares, and merchandise predicated on 37½ cents a pound for raw cotton.

Considering that fact, every cent below 37½ cents a pound which these cotton-exchange gamblers have beaten the price down to—and they have already beaten it from 37 or 38 cents down to 22 cents, and there is no market for it at that—is so

much put into the pockets of speculators, and your constituents get no benefit from it. And thereby you help unconsciously, you men from Pennsylvania and all these other splendid Commonwealths, by your silence to pauperize the masses of the people in my State.

Mr. FOCHT. Will the gentleman yield?

Mr. EAGLE. I will.

Mr. FOCHT. It has been long known and commented on that Liverpool controlled the price of grain throughout the world. You say the price of cotton is controlled by Great Britain just as on leather. Now, how can Pennsylvania help you break that up?

Mr. EAGLE. My friend has referred to something I did not say. I said the English cotton spinner is operating through the New York Cotton Exchange and the New Orleans Stock Exchange by furnishing money to these gamblers in selling future deliveries, but it is impossible to deliver at continually lowering prices and at the same time declining to purchase even at the market. They are unitedly so doing it, and just how you can help it I wish was clear. But I say that the unlimited and indiscriminate selling of cotton futures which they can not meet with the cotton itself is having the effect of pauperizing my people.

Mr. BAER. Will the gentleman yield?

Mr. EAGLE. I will.

Mr. BAER. The gentleman spoke about the North and that they are buying your cotton. I wish to say that a suit of overalls up in my State costs $5 a pair, and I looked it up the other day and weighed a suit of overalls and I find that at the present price your cotton producer gets 47½ cents for the cotton in that suit.

Mr. EAGLE. I have finished the observation I wanted to make, gentlemen. [Applause.]

Mr. PADGETT. Mr. Chairman, for the purpose of permitting the gentleman from Alabama [Mr. DENT] to submit a conference report, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15539, the naval appropriation bill, and had come to no resolution thereon.

VALIDATION OF CERTAIN WAR CONTRACTS.

Mr. DENT. Mr. Speaker, I desire to submit a conference report on the bill H. R. 13274, on which the conferees have come to no agreement, for printing under the rules.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Conference report on the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

The SPEAKER. The report is ordered printed under the rules.

The following is the conference report:

CONFERENCE REPORT (NO. 1032).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

On the amendment of the Senate to the bill and to the title of the bill the conferees have been unable to agree.

S. H. DENT, JR.,
W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.

GEORGE E. CHAMBERLAIN,
DUNCAN U. FLETCHER,
C. S. THOMAS,
F. E. WARREN,
P. C. KNOX,
Managers on the part of the Senate.

THE NAVY.

Mr. PADGETT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15539, with Mr. GARRETT of Tennessee in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 15539) making appropriations for the naval service for the fiscal year ending June 30, 1920, and for other purposes.

The CHAIRMAN. The gentleman from Alabama [Mr. HEFLIN] is recognized.

Mr. HEFLIN. Mr. Chairman and gentlemen of the committee, I am in hearty sympathy with the resolution offered by my friend, Judge CARAWAY, of Arkansas. It represents the general desire of the people of the cotton-growing States. It is plain to us who live in the cotton belt that there is a conspiracy on between certain foreign spinners and certain American spinners, and they are using the speculators upon the cotton exchanges of the United States to beat down the price far below that warranted by the law of supply and demand. To make it plain to you that there is a conspiracy, let me say that when the exchanges are honestly conducted the price of cotton futures is always above the price of cotton in the local market. Now, the situation is reversed. The future price is $35 a bale below the spot price. This is inexcusable and indefensible and is proof positive to any man who understands the cotton business that there is a gambling deal on and operating right here in the United States to the detriment and great injury of the cotton producers of our country.

Gentlemen, here are the cotton producers of the United States, whose boys with your boys fought and fell upon the fields of France, and they are holding their cotton for a price that will yield a profit. And here are these men on the exchange, with no cotton to sell and with no intention of ever delivering a bale of real cotton on a contract, by putting up a margin of $15 a bale are able to beat down the value of a bale of cotton that the farmer is holding, worth $150 a bale under the law of supply and demand. Is it right? Is that fair? Is it fair to permit these men, with $15 a bale, to go upon an exchange and, regardless of the law of supply and demand, beat down the price of a product worth $150 that you are holding in order to obtain a legitimate profit? That is what is going on in the United States to-day. I charge that there is a conspiracy and that its agents are operating on the New York Cotton Exchange, and I think that the evil effects of this conspiracy, if not the conspiracy itself, are seen in the operations of the New Orleans exchange.

Even at that the New Orleans exchange is nearly always 100 points above the New York exchange. If the New Orleans exchange will not put its house in order, then it must not expect to survive. It is whispered around that certain foreign powers are trying to beat down the price so that they can buy this cotton at a low price and then bull the exchange market and run it up to 40 cents a pound, at which time they intend to supply the demands in Europe after they have robbed, through an American exchange, the cotton producers of the United States. [Applause.] Will we Members of the American Congress permit this to be done?

Mr. BAER. Mr. Chairman, will the gentleman yield?

Mr. HEFLIN. I would like to, but I have only four or five minutes, and in that time I want to touch on a few other points that I had in mind. Gentlemen, at the beginning of this war the farmers in the cotton belt of the United States lost $600,000,000 on the cotton crop of 1914. It was an awful blow to our people and caused great financial distress, and in order to help us in that financial embarrassment and hour of distress you heard—and many of you responded—the cry of "buy a bale of cotton." Now, when the war is over, are we going to permit the same cotton producers, merchants, and bankers of the United States who suffered such heavy losses in 1914, the first year of the war, to be driven into bankruptcy now, when the war has ended in victory and the world is demanding 6,000,000 bales of cotton more than America can supply? [Applause.]

It is unfair, gentlemen, and the Congress of the United States owes it to those men who supported the Government in every way possible with their money, buying war-saving stamps and liberty bonds, who aided the Red Cross and the Y. M. C. A. during all the stress and strain of war, and, better still, who gave their brave boys to fight and die on the fields of France—I say we owe it to them to prevent the existence of an institution that denies to them a fair deal in the markets of the world. [Applause.] All that we ask is the price warranted by the law of supply and demand, and unless the exchange reflects that price there is no just excuse for its existence. [Applause.] I am willing to include an investigation of the grain dealers' exchange. I want to say here that I do not believe that there is any such supply of wheat in the world as has been floating around in newspaper reports. [Applause.] I think that is a part of the bear propaganda.

Let us join hands and go together and investigate all exchanges that speculate in farm products. You will find conditions, gentlemen, that will shock the sensibilities of an honest, justice-loving people. I for one do not believe that it is necessary to have an exchange selling in unlimited quantities mere names of "wheat" and "corn" and "cotton" in order for the farmer to have a market for his product.

The American crop of cotton, wheat, and corn is consumed every year, and yet these crooks and gamblers tell us that it is necessary for them to sit in the exchanges and bet each day that the price of the farmer's produce will go up or down in order that the producer may have a market. If Congress is to permit the existence of an exchange that deals in farm products, Congress must compel that exchange to reflect prices justified by the supply and demand. Do you know what the situation is? This year the American cotton crop is about 7,000,000 bales of cotton short of the world's demand for American cotton. Now, what would the price be under the law of supply and demand? It would be around 35 or 40 cents, and in spite of the gambling exchanges we are going to hold cotton until the price goes above the cost of production and yields a fair profit to the American producer. The cotton gamblers are selling the market short. I understand that one foreign power has sold 800,000 bales short. This is not cotton except in name. Please bear that in mind. I am told that they are passing this gambler's bogus check down the line, continuing it from month to month. My God, will the American Congress, composed of men who come from districts where the boys have died for the Republic that claims to be just to its own people—will we, I ask you, permit an institution to remain in existence here when it is being used by rival commercial interests of a foreign country to the ruin of a great industry of the United States? [Applause.] Let us pass this resolution at the earliest day possible and go to New York and New Orleans and make a thorough investigation into the conduct of these exchanges and find out the exact situation, and while we are in the reconstruction period following the war let us determine whether or not we are going to permit gambling in farm products. The Louisiana State lottery is dead. The whisky traffic is doomed. Now let us say to the gamblers in farm products, "Your days are numbered." [Applause.]

This Congress owes it to itself, to its own sense of justice, it owes it to the cotton producers of the United States, to see to it that those who produce this great staple that brings to America the balance of trade shall at least have a fair deal in the markets of America. [Applause.] Mr. Chairman, it costs $30 a bale now to gather from the field a bale of cotton and gin it and put bagging and ties on it and put it on the market, and this does not touch the cost of production. It cost 25 cents a pound to produce the crop of 1918. Think of it. A bale of cotton sold for $30 in 1914, and it now costs $30 after it is produced to pick it out, gin it, and put bagging and ties on it and get it ready for market, and yet regardless of the cost of production, and regardless of the great demand for American cotton, the gamblers with no cotton to sell still sell a paper contract with the name of cotton in it, and by so doing run counter to the law of supply and demand and try to deprive the producer of a fair price for his cotton.

Shall we permit these exchanges to defy the law and defeat the operation of the law of supply and demand?

Can you tell me why it was that cotton sold for 37 cents a pound when the sea was full of submarines and it was a hard matter and an uncertain undertaking to get cotton to a foreign port at all, and then when the war had ended and submarines had gone from the sea and foreign countries were calling for American cotton, and the President declared that all cotton needed could now go freely to allied and neutral countries, and the demand had been increased about 4,000,000 bales over the time when cotton sold for 37 cents—can you tell me, I say, why it is that a cotton exchange can be manipulated so as to insult and outrage and interfere with and defeat the law of supply and demand in such a fashion? [Applause.]

Mr. Chairman, I ask permission to revise and extend my remarks.

The CHAIRMAN (Mr. WINGO). The gentleman from Alabama asks unanimous consent to revise and extend his remarks. Is there objection?

Mr. WALSH. Reserving the right to object, Mr. Chairman, I would like to ask the gentleman from Alabama if he means to revise and extend the remarks he has just been making?

Mr. HEFLIN. Yes.

The CHAIRMAN. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. IGOE having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, had further insisted upon its amendments to the said bill, and had asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. CHAMBERLAIN, Mr. FLETCHER, Mr. THOMAS, Mr. WARREN, and Mr. KNOX as the conferees on the part of the Senate.

The message also announced that the Vice President had appointed Mr. WEEKS and Mr. HOLLIS members of the joint select committee on the part of the Senate, as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Interior Department.

NAVAL APPROPRIATION BILL.

The committee resumed its session.

Mr. FOCHT. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BUTLER. Mr. Chairman, I yield 15 minutes to the gentleman from Washington [Mr. MILLER].

The CHAIRMAN. The gentleman from Washington is recognized for 15 minutes.

Mr. MILLER of Washington. Mr. Chairman and gentlemen of the committee, I am in favor of this bill, the naval appropriation bill. In the absence of any expressions from the peace commission overseas as to an international agreement for a reduction in armament, there is, in my judgment, just one policy ahead of this Nation in respect to its naval program.

I want to address myself for a few minutes to the higher aspect of the case. This war has brought many changes in this world. The world turns around every 24 hours, and it has turned around a good many times since $23,000,000 was the basis of a naval appropriation bill. One of the results of this war is the transfer of the financial center of the earth from the Old World to the New. New York City to-day, by reason of being the chief financial city of America, is the center of distribution and the center of deposit of the world's supply of gold, monetary and commercial. It is the financial center of the earth. America is to-day the banker nation of the world. We hold to-day approximately $10,000,000,000 of the bonds, securities, and notes of Great Britain, France, Italy, Russia, Belgium, and Roumania. These are deposited with us as collateral for loans advanced. They unitedly pay us approximately a million dollars a day as interest. No nation in history ever had due it such a stupendous sum of money. It is simply a prudential act to do something tending to protect and guard it.

By the very geography and topography of the surrounding country, this can be done only by the presence of a great Navy. New York should be the great naval base of America.

It is the first time in 300 years of history that the financial center of the earth is in a city capable of being reached directly from the high and open sea. Before this war there were four great financial centers—London, New York, Paris, and Berlin. The three great European cities were none of them on the seaboard, but far in the interior, where no naval fleet could reach them. Between those cities and the coast would be the battlefields. But here we have the spectacle of the financial center of the earth in a city directly upon the open sea.

There are a few places in this world where great cities are builded where God Almighty intended that they should be builded. New York is not one of them. There is one city on earth located exactly where all geographers, scientists, and strategists say that a great city should be builded, and that is the city of Constantinople, the ancient city Byzantium, the early capital of the Byzantine Empire. Mankind early discovered the strategic value of the location of that city and made it the capital of the great Byzantine nation, where now is located the modern city of Constantinople. All the armies and navies of the earth could not take Constantinople if it is properly defended. It demonstrated its natural strength of position in this very war. The great English Army and Navy failed to take it. But New York is not one of these cities. New York is a difficult city to protect. It has no natural features of strength. It can not be made impregnable. The great guns of

to-day range up to 30 miles. It is no longer necessary to get within 5 miles of a city in order to destroy it. We are building some ourselves to range of 45 miles. We are all familiar with the superguns of the Germans that ranged to 75 miles' range. Witness the spectacle of a great hostile naval fleet approaching the city of New York, the financial center of the earth, with guns having a range of 50 or 60 miles, from the open sea. The great city of New York would be absolutely helpless and hopeless. Now, it is paradoxical that a nation that has a second-class navy in a war with a nation having a first-class navy is no better off than if it did not have a single naval vessel and never had constructed one.

That was the situation of Germany in this war. Along the coast of Scotland lay the great grand fleet of Britain, stretching for 85 miles in an unbroken line of dreadnaughts and superdreadnaughts; and within the Kiel Canal and behind Wilhelmshaven and the defenses of Helgoland lay the second navy of the earth, that did not dare to come out. The grand fleet of Britain lay like a deadfall at the mouth of a cave, so to speak. Behind that grand fleet we beheld the open seas of all the world.

Now, there is another aspect of this case. Any naval program that we undertake we must conceive it upon the basis that our Navy is to be continually and perpetually divided into two or more units. We have two coasts. The peculiarity of the late war, so far as naval activities were concerned, was that the British Navy could be held together as a unit. The war was fought upon a peculiar geography. Two wars never come just alike. We have two coasts approximately the same in mileage.

Mr. McCORMICK. Will the gentleman yield for a question?

Mr. MILLER of Washington. I will as soon as I conclude my remarks. If you place the coast line of California upon the Atlantic it will reach from Maine to Carolina. Now, we have these two coasts. It seems that our Navy inherently and continually will be divided into at least two units, one in the Atlantic and one in the Pacific. Now, we learned a lesson in the Spanish War from the trip of the heroic *Oregon*, that left Puget Sound Navy Yard and went on its long trip around the Horn. That little ship was lying over at the navy yard in my district, floating in the roadstead, when she received orders to leave for Atlantic waters.

Mr. McCORMICK. Was that prior to the building of the Panama Canal?

Mr. MILLER of Washington. Yes. A great naval fleet was supposed to have left the coast of Spain. We did not know but what it was leaving to bombard our coast cities. And by the way, I may say this in passing, that the great commercial cities of America are built on or near the seacoast, in a particularly hazardous position, either on the Great Lakes or on the ocean. Our Nation is different from most of the nations of the world. It calls inherently for a great navy. The old *Oregon* went clear around the Horn, and was 61 days in making the trip. We learned a lesson from that, to construct the Panama Canal by which we could throw together in the least possible time the fleets of the two seas. I remember when the little *Oregon* left Seattle. We were in hopes that she would stay there and guard us in that war for we had not at that time a fort on all Puget Sound or a battery. It was sent to the Atlantic waters. I remember seeing her go out sailing along the offing. We saw the waves part at her bow, the long line of smoke, and realized that the great city of Seattle on Puget Sound was without one ship to defend it.

For 61 days, day and night, that little ship held her course. Presently we were informed that she had rounded the Horn, was coming up right through the sea where the Spanish fleet was supposed to be—one ship out on the sea to meet an entire fleet. Often they would see a smoke, and that little ship would make for that smoke, plunging where the fleet was supposed to be. Nine times her decks were cleared for action. She came into the West Indies and hoisted her signal, "All well on board and ready for action." We learned a lesson and we constructed the Panama Canal.

There is another lesson in this war which we learned greater than the one we learned in the Spanish War, and that is if we had a war with any nation that had a superior navy we would be no better off than if we had not built a single war vessel.

So I am in favor of a great construction program. The changed conditions demand it. We, for the first time in all history, are the bond-holding Nation of the earth, and this world is filled with selfish men and selfish nations the same as it has always been. There is but one thing ahead of us that I can see, and that is the construction of a great and powerful Navy, together with coast defenses. I am in favor of the bill; I am in favor of the recommendations of the committee as to its building program commencing in 1922. [Applause.]

Mr. McCORMICK. Will the gentleman yield?

Mr. MILLER of Washington. Yes; I yield to the gentleman from Illinois.

Mr. McCORMICK. Would the gentleman contemplate an Army on the same scale?

Mr. MILLER of Washington. I do not know about an Army. We are dealing now with the Navy. Let us not confuse the two. Let every tub stand on its own bottom. We are talking Navy now and not Army.

Mr. BAER. Will the gentleman tell us as to the time it takes to go from Seattle to New York?

Mr. MILLER of Washington. It is 631 miles farther to Liverpool than it is to New York City, going round the Horn.

Mr. BAER. I mean taking the course through the canal; how much has it shortened it?

Mr. MILLER of Washington. It depends on the speed of the vessel. The *Oregon* was not a fast vessel; about 19 knots. She was a capital ship in her day. It took her 61 days. I think one of our capital ships now could make it through the canal in less than 20 days.

Mr. FARR. Will the gentleman yield?

Mr. MILLER of Washington. Yes.

Mr. FARR. Are we not as powerless on the Pacific coast to-day as when you had the *Oregon* there?

Mr. MILLER of Washington. Approximately. We have forts now on Puget Sound, but by no means enough, either in number or strength. In my own city there are five transcontinental lines coming into it. It is quite a city, upward of 400,000 people. The Puget Sound district is the second district in America in exports and imports. I want my friend from Philadelphia and my friend from Boston to make note of that. It is the second district in America. Great and substantial interests are out there on the Pacific, on Puget Sound and elsewhere, and they must be protected and guarded.

Mr. KETTNER. Will the gentleman yield?

Mr. MILLER of Washington. I am glad to yield to the gentleman from California.

Mr. KETTNER. In answer to the gentleman from Pennsylvania [Mr. FARR], I will state that the *Oregon* at the present time is the only ship we have on the Pacific coast, and it is the flagship of Admiral Fuller.

Mr. FARR. Then I was right in the question I put to the gentleman from Washington?

Mr. MILLER of Washington. Yes, sir.

We have a navy yard 11 miles from our city where they were working 7,000 men night and day during the war. We are building two 10,000-ton ammunition ships in the shoal construction dock in that yard, a fleet of seagoing tugs for the Navy, and other great construction work. Immense Government interests are centered in that locality aside from the navy yard and its activities. All along the Pacific coast are great interests, great cities increasing by leaps and bounds in importance and wealth.

I spoke a few moments ago about the peculiar conditions of this war by which the grand fleet of Great Britain could be held together as a unit. There was a time at one period of the war when it looked like that great fleet would be divided. Only a change of campaign on the part of the Germans saved such a calamity. It was in 1917, when the Germans were assaulting the front to the west of St. Quentin. You will all remember that series of great drives or lunges was toward Montdidier and Amiens. It was evidently the plan of the German campaign at that time to break the line at the point where the English front joined that of the French. If was the natural point of attack. And they did attack in all their strength and fury, drove the front westward to the very outskirts of Amiens, with the hope of separating the two armies and crumpling the British back upon the channel. And they came frightfully near being successful. If they had succeeded, the British would have been forced to fall back toward the channel. As the British would be falling back toward a coast line, it would have forced at least a part of the grand fleet to come to the defense of the army as it approached the channel. When this had been done, it undoubtedly was the plan of the Germans to then bring out its navy and catch this British fleet in the channel waters, where there was little opportunity to maneuver, and by superiority annihilate it.

Coincident with this and as a part of the plan, some of the fast cruisers could escape out of the North Sea, as the greater British unit would in all likelihood come to the rescue or attempt to rescue the fleet engaged. The military campaign I have suggested was the natural campaign or plan to adopt. It had the threefold advantage of defeating the British Army, of capturing the channel ports, and of dividing the British fleet and reducing the units to a degree where the German Navy stood a fair chance of victory. But at the very time when there was

a possibility of success, when the British Army was driven back on Amiens and the front was all but broken, the whole German campaign was changed. Thereafter the great offensives and plunges were made to the southwest in the direction of Paris.

It was evident that a strict strategic campaign of undoubted wisdom and soundness had been subordinated to a campaign the consequences of which were purely political. Paris henceforth became the objective, and the whole plan to gain the channel, and thus divide the grand fleet, was abandoned. It was, in my judgment, the second turning point in the war, the first having been the first Battle of the Marne. It was Germany's second great tactical and strategic blunder. Had she held to her first campaign, driven the wedge into Amiens and to the westward, instead of going southward to Chateau-Thierry, there might have been far different results. It follows as a corollary from the evident original campaign that the grand fleet of Great Britain would have been divided—something England always dreaded. Let us all thank God that the blunder was made.

So we can all see the danger of dividing a great fleet in time of war. England came very near being a victim in this war.

With us, in any war except where one coast, or rather one ocean, is absolutely safe, our fleet would of necessity be divided. The only result from such a situation—the only solution—is a strong Navy, so when the war hazard is greater on one coast than on the other a portion of the fleet of the lesser exposed coast can be transferred to nugment the forces of the other.

Every British statesman announces England will never abandon her time-honored policy of the supremacy of the seas. That policy is of no consequence so far as it shall tend to shape our national policy. Let us build as best meets our requirements, and trust England and every other nation to do the same. We must, as I see it, shape our policy, our plans, to meet the requirements of America; for if we do not, it is safe to say no other nation will.

Mr. Chairman, I am in favor of this bill, and I am in favor of the recommendation of the committee on the three-year construction program. [Applause.]

Mr. BUTLER. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. PLATT].

Mr. PLATT. Mr. Chairman, I dislike to differ with my very good friend, the gentleman from Texas [Mr. EAGLE], and with my also good friend, the gentleman from Arkansas [Mr. CARAWAY], and perhaps it is a little invidious to undertake to answer arguments evidently made for the purpose of circulation in their districts. But it seems to me perhaps just as well to say a few things that everybody must know are true, even if they seem to be in answer to these arguments. We have had a great war and everything has been high in price and nearly everything is still high in price, and everybody knows that those prices have got to come down. If you sell any kind of a future, anything for future delivery months ahead, you have to take a lower price, or if you were buying anything for the future, for delivery, say, next summer, you certainly would not pay as high a price as you are paying now. This is true with respect to metals, steel, iron, copper, and other staple commodities. So far as cotton is concerned, I am informed by gentlemen who come from New England and who are interested in cotton mills that cotton goods are already piling up in the markets and that prices have already gone down, and the people are not buying things as they did, because they expect the prices to go still lower. If they knew that the prices were at the bottom, they would buy; that is the psychology of buying. If you were going to buy a house and lot and the price now were $10,000 and you knew the agent would let you have it for $8,000 in six months, you would not buy it now, if you had any sense. That is what is happening with cotton and everything else. Cotton futures sell lower, of course, than spot cotton, and so would wheat futures, if the Government was not holding up the price.

Mr. BAER. Mr. Chairman, will the gentleman yield?

Mr. PLATT. Yes.

Mr. BAER. The price has been fixed on wheat, but here is a case where bran and middlings sold for $27 a ton, and after the restriction was taken off by the Government the price went to $48 a ton, and to-day it is over $50 a ton, and the price still remains on wheat at the same.

Mr. PLATT. It looks to me as though there were a pool controlling the price of middlings, or else there is an abnormal demand and a short supply.

Mr. BAER. That raises the price of your fodder, and that raises the price of your milk, and the people in the city holler because the farmers are charging so much.

Mr. PLATT. Exactly, but one curious thing I have noticed. The people of the Dakotas and other farmers do not complain of the grain exchanges when the prices are going up. Neither do the cotton farmers complain of gambling in futures in cotton when the price is going up. It is only when it is going down that they complain.

Mr. BAER. They complain up in my district the year around, because the price always goes up when they have nothing to sell, and when they have something to sell the price always goes down. [Laughter.]

Mr. PLATT. They all complain that it is the short selling that makes the things go down in price. That is obviously untrue. Every time a man sells something for future delivery he has to buy it back again. It has been proven over and over again that the short selling of products steadies the market instead of putting the price down. It used to be said of pig iron that it was either a prince or a pauper. You could not deal in futures in pig iron. You always had to buy and sell at spot, and when there was very little of it on hand it sold high and when there was much of it on hand it sold low. I believe that has been changed somewhat, so that iron is now sold to some extent for future delivery and is steadier in price.

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman yield?

Mr. PLATT. Yes.

Mr. GRAHAM of Illinois. I do not know that I am right about this, but it seems to me that in the debate on the Food Administration bill a proposition was made by the gentleman from Pennsylvania [Mr. MOORE] that the price of cotton be fixed, and it was resisted by those in this House who were interested in the cotton-raising districts. Am I right about that?

Mr. PLATT. I think the gentleman is right about that. I will say this, that I think there was talk of fixing the cotton price in October, and I had the idea then that that talk was put out for the purpose of getting the cotton away from the small cotton farmers at lower prices into the hands of the speculators. And let me say that the southern storekeeper who buys the cotton from the small farmer is the worst bloodsucker in the United States. He is a speculator pure and simple, and is as much worse than any purchaser and seller of futures in Wall Street as the devil is——

Mr. CARAWAY. Mr. Chairman, will the gentleman yield?

Mr. PLATT. Yes.

Mr. CARAWAY. Is the gentleman making that statement on information of his own?

Mr. PLATT. I am making that statement on the testimony we took before the Banking and Currency Committee when the farm-loan bill was before Congress. We had the testimony over and over again from southern farmers and from agents of the Department of Agriculture, and we passed the Federal farm-loan act largely for the purpose of getting the small cotton farmer of the South out of the hands of these bloodsuckers, who get the cotton away from the small grower and hold it for speculation.

I yield to the gentleman.

Mr. CARAWAY. You know I am not surprised at the gentleman thinking it was right, that it was perfectly legitimate, to buy and speculate in futures, but the thing we complain of is as to the money which we had to borrow from Wall Street to finance our cotton crop. A bale of cotton, if the gentleman knows about it at all, which I am sure he will admit he does not——

Mr. PLATT. I never bought any.

Mr. CARAWAY. Is handled by the merchant, who furnishes the grower of the cotton with his supplies.

Mr. PLATT. Yes; furnishes him with all his groceries and his clothing and everything else and gets the cotton grower in debt every single year for every bale of cotton he can grow, and the grower has to give up his few bales of cotton for anything the storekeeper will offer for it. And these storekeepers have the cotton now, and they are the fellows who are yelling because the price is going down. That is the whole story.

Mr. CARAWAY. That is exactly what it is. It is astounding how much misinformation a gentleman can accumulate in three or four years.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER of Washington. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington? [After a pause.] The Chair hears none.

Mr. PADGETT. I desire to yield 15 minutes to the gentleman from Alabama [Mr. HUDDLESTON].

Mr. HUDDLESTON. Mr. Chairman, the naval appropriation bill which we now have under consideration commits the United

States to a new policy—a policy of expansion until we shall have in 1925 the greatest fleet in all the world; as Great Britain increases her navy we are to add to ours; we are to aim at having a Navy second to none. Of course, in 15 minutes I can not anything like cover my objections to the policy expressed in the bill. To cover the subject fully would require that I present all the objections which might be made to militarism and to imperialism, to world exploitation, and to the suppression of democracy in general. This bill means in the ultimate conscription of men for service in the Navy just as we had them conscripted for service in the Army, for sufficient forces to man the immense fleets proposed can never be had under the volunteer system. It means conscription in time of peace instead, as we have had it in time of war. We must contemplate that as the final result. While I can not in the short time allotted me anything like express all the objections which I have to this bill, there are a few things I want to say in my plain way and with all modesty.

I want to express one or two superficial objections which I have to this bill. Analyze this measure and you get out of it the belief upon the part of those who bring the bill forward that we have lost the war. I had thought that we had won the war, but it seems that I was mistaken. The American people thought that they had won the war. They entered into it with all their souls to abolish armaments—to do away with war; it was said to them from rostrum after rostrum, "Win the war; drive Prussian militarism out of the world. Usher in a period when there will be no war, and the men of the earth may dwell together in brotherly unity." But it seems that instead of ridding the earth of the burdens of armament we have but begun to arm. The argument was made on the floor of this House, when we were asked to vote for war against Germany, that if Germany is not defeated we would have to arm against her; we would have to make ourselves one of the great military and naval powers of the world and stagger on under the burdens of militarism—that was the reasoning that got my vote for the war; that argument got the support of the American people for the war.

AMERICA FOUGHT TO ABOLISH WAR.

I think I know something of the great heart of the common American man. I know that in that heart there was a resolve that we must do away with war and with all the hell that war means, so as to bring about a better time, one more befitting the professions of Christianity and the civilization of this age.

But in vain. We won the battles, but we have lost the war; that is the meaning of what they say who bring forward this bill. In vain the sacrifices of mothers and fathers and wives; in vain the pouring out of the blood of our soldiers upon foreign battle fields; in vain the brilliant achievements of the Argonne and Chateau-Thierry, the sufferings of Belleau Woods—all in vain; they mean nothing. The hobnails of the American doughboy are clattering upon the stones of Coblentz. They marched across the lordly Rhine over the floating bridge. They climbed the steeps and planted Old Glory upon the heights of the ancient fortress of Ehrenbreitstein. But all that means nothing; all has no significance! If we are to labor and stagger on under heavy armaments throughout the years to come, we might as well never have entered into a war; or, having entered into it, we might as well have lost.

I am not going to agree to this policy. I want to be respectful to the committee; I want to be respectful to every Member of the House who may favor this bill and may support it. I want to be respectful, if I can; but I am afraid that my views upon this bill may be construed as somewhat lacking in respect. I do not so intend it. But they are my views. I submit them in all humility and in all modesty. I submit them regretfully and only as a matter of stern duty. But I hold to it with all the strength of my reason and my soul that this bill represents a policy of the most stupendous folly that was ever advocated upon this floor. I would say that it represents a wicked policy if I only might say that and still be respectful, as I would like to be.

What is the meaning of this bill? What is the reasoning back of it? Whom are we arming against? Whom do we fear? The "Hun," as the superpatriot so loved to call him, has gone. Prussian militarism lies a smoldering ruin. It is merely a corpse that the nations of the world sit upon in Paris. They are merely a coroner's jury. The strength of the German armies is gone, not only for this generation but for a hundred years to come. It is a most stupid man who does not comprehend this fact.

There are two important naval powers of the world today besides ourselves. One is Japan, which has a navy much inferior to our own, even as it is to-day. And Japan is a poor nation and her fleet must continue to be inferior, it will be vastly inferior when we complete the program already adopted without taking the present bill into mind.

This added program and the policy it speaks for has no occasion in Japan, and no intelligent man will say so. The other great naval power is a power that has ruled the sea for ages. Britannia rules the waves to-day, and that Britannia might rule the waves has been the corner stone of British policy for over 300 years. That policy is founded on logic and has good reason to support it. With a people situated on a small island, a numerous people, depending almost wholly upon commerce and industry as a means of support, relying upon other nations for food and raw materials that enable them to live, we can well understand how the British may insist upon ruling the waves so long as Great Britain lies open to her enemies and to all the world in such fashion. We can understand how the British are not willing that their people shall be subject to be strangled to death by any power that may happen to get supremacy on the sea.

NAVAL SUPREMACY NOT ESSENTIAL TO OUR SAFETY.

But our situation is entirely different. We are self-sustaining. We have our own raw materials. We can feed ourselves. You may cut off our commerce to-morrow for a whole year long and the American people will live at the end of it, and there will be no suffering for lack of proper food, and we will be clothed. Our situation is altogether different from that of Great Britain. We have no far-flung colonies. We have embarked upon no policy of imperialism which makes it necessary that we retain control of the seas in order to get into communication with colonies that may lie in the remote corners of the world. God grant that we may never enter upon such a policy. But we will enter upon it if we carry out the policy that this bill speaks for.

But gentlemen say that these ships will never be built. Perhaps the remark has not been made upon this floor, but it has been made privately, made in the cloakrooms, and is generally current, that these ships will not be built. Some gentlemen think the world will agree upon disarmament before the ships are built, and, therefore, the next Congress will repeal the act. Then there are others that say that in order to procure disarmament by agreement of nations we must "bluff" Great Britain into agreeing to dismantle her fleet, and that the proposition merely involves a bluff upon our part.

A CHALLENGE TO GREAT BRITAIN.

Now, I want to say this: I have too high a conception of the honor of my country to take part in putting up a bluff. I will not humiliate my country. I will not descend to a contemptible plane of bluffing in order to bring about a policy of disarmament. I decline to descend to the ethics of the card table in fixing a policy for my country to pursue. Then what do we mean? We mean to build the ships. We mean to challenge British supremacy upon the seas. That is what we mean if we mean anything.

Now, I want to ask: Do you think, gentlemen, we are going to get away with it? Do you believe that Great Britain will permit the United States to challenge her naval supremacy? Do you think she will sit with folded hands while we build a fleet which shall master hers? Will she tolerate a competition in naval armament, the creation of a navy that may drive hers off the seas and starve her people into submission?

I am here to tell you that your policy means war with Great Britain. Great Britain has never stood for a challenge of her naval supremacy. For 300 years she has ruled the seas, and she will not give up that control to any other power, whether it be America, Germany, or Japan. "Go where you will, you shall not control the sea." So the British will say. "You shall not control the sea until Britain lies prostrate and bleeding and her fleet is driven by force from off the main."

Spain, in the old days, challenged British naval supremacy, and the answer was a scattered and destroyed Armada. The Dutch thought to challenge British supremacy, and the end was the wrecked and defeated fleets of Tromp and De Ruyter. France challenged it under Napoleon, and the answer was Abukir Bay and Trafalgar. Germany challenged British supremacy, and the answer was that great spectacle, the greatest the human eye ever took in, when the entire German fleet, dreadnaughts, superdreadnaughts, battle cruisers, submarines, transports, and all sailed across the North Sea and surrendered to British supremacy.

What Great Britain would not submit to from other nations she will not tolerate from us. Let not this Nation puff itself up with foolish egotism. Let not this Nation talk the foolish patter of "blood is thicker than water." It is not a matter of blood that counts. We ourselves have already had two wars with Great Britain. I tell you, gentlemen, those of you who are

favoring this program, you are bidding for a third war with Great Britain, the bloodiest and most disastrous of them all.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. HUDDLESTON. Yes.

Mr. GORDON. Suppose that England should notify the United States that she will not permit us to trade with any one but herself and her allies. What would you say about that? Would you sit down and calmly acquiesce in it, or say we ought to fight?

Mr. HUDDLESTON. Whenever the dignity and honor of our country are at stake I would say we ought to fight. Even the peaceable gentleman from Ohio would fight under such circumstances, I think.

Mr. GORDON. Yes; but understand I am not a pacifist. [Laughter.]

Mr. HUDDLESTON. Then I will withdraw that. I said it of the gentleman as a compliment. I am a pacifist if by that is meant one who loves peace. I think there is a saner and more rational way for the nations of the world to make up their differences than by plunging against each other like bulldogs. I think there is a better way than that. And if we have not learned that lesson out of this war, if that lesson has not come to humanity out of all the sorrow and suffering of this conflict, then the war was indeed in vain, we have lost the war, and the world is much further back than I thought it was.

Of all the acts of folly that any Congress, it seems to me, has ever committed, now they come forward with the supreme and crowning folly of them all. If we mean to fight Great Britain, then, gentlemen, choose intelligently and knowingly. If we mean war, then let us understand it at the beginning, for that is what it means in the end, and let us prepare, let us get ready. Let us get ready upon the land as well as upon the sea. Let us put aside this talk about universal disarmament. Let us admit that we have lost the war; that we have come out of it worse off than we went into it; and that the sole result of it is a monstrous burden of debt that shall rest upon the shoulders of generations yet unborn. Let us not go blunderingly and unwittingly into a policy which will inevitably lead us into another awful conflict. [Applause.]

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. PADGETT. Mr. Chairman, I yield 12 minutes to the gentleman from Mississippi [Mr. QUIN].

The CHAIRMAN. The gentleman from Mississippi is recognized for 12 minutes.

Mr. QUIN. Mr. Chairman, I did not intend to speak on this bill, but when the gentleman from Alabama [Mr. HUDDLESTON] makes the statement on this floor that he does, and in view of the fact that the papers report a Bolsheviki meeting down here at Poli's Theater on Sunday afternoon, where an honorable Member of this House made an address which might be construed as encouragement to that movement in this Republic, as a Representative of a great, bold, and honorable, patriotic constituency, I come before this House to resent such imputations upon the people of America.

In time of peace this naval program would indeed seem to be large; but the President of this Nation, in whom the American people have placed their faith, is across the briny deep, sitting at the peace table at Versailles, endeavoring to bring about a treaty that will make war improbable in the future. The gentleman from Alabama [Mr. HUDDLESTON] challenges in a veiled way the purposes of the President of our splendid Republic.

Mr. BAER. Will the gentleman yield?

Mr. QUIN. I have not the time. Excuse me.

The CHAIRMAN. The gentleman declines to yield.

Mr. BAER. He is defending the policy of the President.

Mr. QUIN. The gentleman from Alabama said he thought that the war was won, but from the outline of this program it appeared to be lost. Why, the gentleman from Alabama can not have a true conception of what has happened. More than 2,000,000 of the brave boys of this Republic went across the sea through the submarine zone to beard the Hun in his den. Seven hundred thousand of those lads wearing the uniform of this Government went upon the high seas as a part of the Navy of our country. Nearly 2,000,000 more were training in the camps over here ready to go when the armistice was signed November 11. After they had bearded the Hun in his den and forced a well-organized army to go down to ignominious surrender, the great German fleet surrendered, not as the gentleman from Alabama says, to the British Navy, but it surrendered to the joint navies of America, Great Britain, and France. This Government, sir, had as much to do, through its splendid Navy on the high seas, in forcing the Hun fleet to surrender as England had. [Applause.]

Do not you ever believe that the American people would submit to a policy which would force them to sit supinely with fetters on their hands, and, as the gentleman suggests, permit Great Britain to be the bully of the world and tell us where we should trade. The American people would have more contempt for this Congress than they could express in a thousand years if we were guilty of such an ignominious, contemptible policy as that indicated by the gentleman from Alabama. [Applause and laughter.] I am no war man. I always believe in peace; but the President of this Nation, through his Secretary of the Navy, an honored gentleman from a Southern State, recommended this program, and when some of the committee did not believe in it, the President of this Republic, sitting at the peace table in France, cabled back here stating the necessity and the urgency of passing this program. Does the gentleman from Alabama [Mr. HUDDLESTON] think that the President of the United States would fool the American people or bunco anyone? The gentleman suggested that.

Mr. BAER. Will the gentleman yield?

Mr. QUIN. Excuse me.

The gentleman from Alabama ought to be ashamed to admit that the President of the United States would fool the American people, even if he believed it. My friends, the gentleman from Alabama says that the program suggested by the President has a provision in it that is a bunco game. He means that if a part of this program that is postponed for a year is not built, the American people will be fooled. Why, the gentleman has a misconception of what this committee has done. Would he want this $510,000,000 spent if the President of the United States is able to bring into effect and operation a peace treaty that would not warrant it? Would he object to the American Congress repealing that proposition and saving to the American people the $510,000,000? If the gentleman would read that bill he would see the effect and the wisdom of it. I want the gentleman from Alabama to understand that according to my conception there are many changes brought by this war. Here in this Republic in the last six years Congress has passed more beneficial legislation for the masses of the people, for the farmers, and especially the industrial laboring classes of this country, than all the Congresses in 50 years. Never in the history of our Government in any 50-year period was so much legislation passed for the laboring classes as was passed within the last six years, voted for by Republicans and Democrats alike. Not only that, but the wages of the industrial laboring classes of people in this country are higher than they ever were in any country in the world, higher than we ever dreamed they would be in our Nation.

Yet two people who have been associating in Russia with the red-handed Bolsheviki got up in a meeting at Poli's Theater within the shadow of the Capitol and brought here their nasty, contemptible, dirty doctrine of bolshevism—one female and one male. The gentleman from Illinois [Mr. MASON] speaks of them as clean and honorable representatives of newspapers. These two people intend to dissatisfy our laboring people and turn them against the Government. My God, I hope that species, that pair, will be exterminated, not only in the United States but throughout the world. In that one utterance down there on that afternoon, when a Member of this Congress rose up in his box in that meeting and suggested that he was not afraid to go to jail——

The CHAIRMAN. The time of the gentleman has expired.

Mr. PADGETT. I yield to the gentleman five minutes.

Mr. QUIN. That one suggestion, with the speeches that this man Williams made, and that female, will do more harm, will do more to spread the seeds of discontent and discord throughout this country than all other things combined, not even excepting the speech of the gentleman from Alabama. I want to get into this RECORD what people indorsed down there on Sunday afternoon. Do you know that the paper records that these "clean and honorable people" that the gentleman from Illinois spoke about said down there that afternoon that the ideals of these dirty, slimy bolsheviki in Russia were higher than the ideals of America. And when the gentleman from Illinois was making his remarks, the Washington Post states that the audience cried, "Hurrah for the Bolsheviki." The idea of such a thing as that happening in the Capital of the United States of America! It is an astounding thing. And some of the female contingent that picketed the White House took up a collection from the audience to pay for the rent of the theater that afternoon.

My God, where are we drifting to these days? The conduct and utterances and the real intent of these two propagandists that have been spending many months in Russia aiding the

Bolsheviki, speaking in a building that belongs to the people of the United States, which belongs to your constituents and mine, in that very building uttering this contemptible, slimy, red-handed doctrine on the holy Sabbath day! It is reported that the Russian Soviet, this Bolshevik movement that these people approve of by their conduct and by their utterances, have said that every woman who reaches the age of 18 years must register, and that any man, it makes no difference how many other women he may have, can take her for a wife. He has the first choice, and if the man does not take her she can choose him. And then the children of that union are to become the property of the State. And yet this creature in the address at Poli's Theater tells the American people that the Bolsheviki in Russia are superior to the people of America. You need not think that this sentiment is not growing in America. I have not heard a word of protest on this floor. I could not remain silent any longer when such a bold performance had been pulled off in a Government building on the holy Sabbath day. It is their purpose to waive the red flag. I can not believe that the gentleman from Illinois would indorse such principles or such language as those two speakers advocated, and I can not believe that he would indorse the sentiments uttered there by this female and this male speaker, who, it is said, are honorable people. I reckon they are, but this damnable, slimy, dirty doctrine that they are scattering about is what I object to. There is an organization going into every precinct in the Nation, with the intent and purpose of scattering that kind of doctrine to overthrow the Government. I believe in organized society. I believe in the institutions of our Republic. I love my country. Whenever any man throws down the American flag and picks up a red flag and talks against my Government, damn him; he is my enemy, and I am against him. [Laughter and applause.] I do not care who he is. [Applause.]

According to my conception, every public man in this country should put his shoulder to the wheel, stand by the organized Government, protect our Constitution, although the president of the Labor Federation of this Republic has given out in pamphlet form that we shall be no longer ruled by courts.

Where are we drifting to if we are going to permit organizations that we have protected by legislation to overthrow the courts? And I want you to understand that I voted to exempt them from coming under the antitrust legislation; we have given them every possible liberty by legislation that could possibly be granted, and yet they come along, through their leaders and such meetings as at Poli's Theater, and propose to tear down the Government. The stability of this great Republic rests on the integrity and patriotism of the people, it rests on the Constitution of this Government and organized society. The Constitution and the courts stand as the bulwark to protect the rights, the property, and the liberties of the people. The boys who bared their breasts to the bullets of the enemy in France, Belgium, and Italy, as well as those on the seas and in the camps, will stand up against this slimy crowd of Bolsheviki who would tear down our Government. [Applause.]

Mr. BUTLER. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. VESTAL].

Mr. VESTAL. Mr. Chairman and gentlemen of the committee, I did not ask for time to discuss this bill that is now before the House. I want to make a short statement about another matter which came to my attention. Within the last two or three weeks quite a number of gentlemen in the House have brought to the attention of Members of this body the fact that great numbers of soldiers' letters written by their parents and friends have been returned undelivered. I think quite probably the experience of the gentlemen who have taken the floor is the same experience of every other Member of Congress. Scarcely a day passes that I do not receive from one to half a dozen letters from fathers and mothers in my district stating that their sons are not receiving the letters written them and mailed to the address across the sea.

So far I have refrained from saying anything about that situation, but a few days ago I received a letter from an old mother in my district, telling me a story that I feel it is my duty to state to this House. This mother wrote me imploring my help, making the statement that she had written two letters to her son in France, both of which were returned having written across the envelope in black letters the words "Deserter. Return to sender." I do not know what could happen to any mother that would be more cruel than to have a letter returned to her through the mail, having written on the back of the envelope by somebody, presumably some officer in the Army, the fact that her son was a deserter. Happily this mother had received a letter from her son about the time that this letter was returned to her to the effect that he was ill in a hospital. I wanted to make absolutely sure of the matter before I made any statement on the floor of the House, so I cabled to the commanding officer of this boy's regiment, addressing my cablegram just as this mother had addressed her letter to her son. I want to read to the committee this letter that I received from the mother, and then I want to read the cablegram that I sent the commanding officer and his reply. The letter that I received from the mother is as follows:

ANDERSON, IND., *January 7, 1919.*

Hon. A. H. VESTAL,
Washington, D. C.

DEAR SIR: Inclosed you will find a letter of mine written to my son in overseas service, which was returned to me with the following inscribed on the envelope: "Deserter. Return to sender." This being the second time my letters were returned to me with the same inscription on the envelope, I decided to appeal to you for an investigation of the case if within your power. While these letters were being returned to me my son has been in active service and is now in the army of occupation, the last letter received from him under date of December 10, 1918, stating that he was in a hospital at Treves, Germany. Although I am aware that this assertion is not true, according to his letters, out of justice to me, his mother, I feel as though an explanation is due, and an effort made to stop mail returning to me with such an inscription on the envelope.

You will find inclosed an addressed envelope, and, thanking you beforehand for any information you can forward me in regard to this, I am,

Respectfully,

MRS. JACKSON STINSON.

P. S.—My son's present address is, Pvt. Ralph J. Stinson, Company M, Ninth Infantry, American Expeditionary Forces.

She sent to me the letter as it was, with the inscription on the back of the envelope. I immediately sent a cablegram to his commanding officer, as follows:

[Cablegram.]

JANUARY 11, 1919.

COMMANDER COMPANY M, NINTH INFANTRY,
American Expeditionary Forces:

Wire conditions Pvt. Ralph J. Stinson.

ALBERT H. VESTAL,
Member of Congress.

Within about 10 days I received the following cablegram:

[Cablegram.]

HEADQUARTERS SECOND DIVISION,
January 20, 1919.

ALBERT H. VESTAL,
Member of Congress, Washington:

Pvt. Ralph J. Stinson evacuated hospital December 5. Sickness. Not serious.

A. P. TURKMAN,
Captain, Ninth Infantry.

Mr. SMITH of Michigan. What is the date of that cablegram?

Mr. VESTAL. His cablegram to me was dated January 20, and mine to him was dated January 11.

Mr. SMITH of Michigan. Was the date of the inscription of the letter prior to that?

Mr. VESTAL. Oh, yes.

Mr. SMITH of Michigan. What is the date?

Mr. VESTAL. There is no date on the letter showing when the inscription was placed on the envelope, but this letter was sent to the young man in September, 1918. I can not understand why it is that a letter addressed as this letter is addressed to this soldier should not be delivered to the soldier but should be returned to the mother, when a cablegram sent by me to the commanding officer of the same regiment finds the boy sick in a hospital.

It at least shows incompetency. I do not know what the remedy may be, but I feel in justice to this soldier who has gone across the seas to fight for the honor of the flag and in justice to this old gray-haired mother, whom I know very well, sitting back at home anxiously waiting for the return of her boy, that some attention should be given to it. It seems to me that if any officer addressed the envelope as this envelope has been addressed and returned, that officer ought to be court-martialed. I care not whether he be an officer or a mail orderly. Something should be done. I called this to the attention of the House and the country because I feel I ought to do it in justice to the soldier himself and in justice to his mother.

Mr. BUTLER. Mr. Chairman, let me ask the gentleman from Tennessee about continuing this session any longer. Several Members on this side have handed me in their names and indicated that they would like to say something before we go into the discussion of the bill under the five-minute rule, and yet many of them have said they have been here since 11 o'clock, and they feel pretty tired. The gentleman knows that Members of the House are not errand boys; they are real, live Members of Congress, and they have said they do not want to talk to-night, being tired, having been here since 11 o'clock this morning. We met at 11 o'clock and I think we have gotten along pretty well, and it is now 6. I do not want to interfere

with the gentleman's program and would like to get through as fast as we can.

Mr. PADGETT. I will say to the gentleman I was in hopes we might run a little later to-night, because I had agreed with the gentleman from Illinois [Mr. MANN], on account of arrangements that he had made for a Republican conference to-morrow afternoon at 5, that I would move to rise at 5 to-morrow afternoon and adjourn so as to give way to the conference. For that reason I was hoping we could run a little longer to-night so as to even up.

Mr. BUTLER. Well, this is a very ungracious job and I do not want any more of it. Members of Congress are not only human beings but they are individuals who amount to something. If they were but hired boys and they had time we could say, "Very well now, make your speech or you will not make it at all." But here gentlemen say that they do not want to speak until to-morrow, and I am not saying this for the purpose, my friend, of continuing unduly the discussion of this bill, but I desire to facilitate its passage as much as I can, yet I have put upon me the responsibility of allotting this time, and these gentlemen do not seem inclined to make their speeches to-night. Of course, if the committee proposes to sit they will have to speak or lose out. Now, I do not feel that way, and if gentlemen do not want to make——

Mr. FOSTER. Does the gentleman from Pennsylvania think we ought to delay this bill at this stage very long to let somebody get ready to speak?

Mr. BUTLER. Why, I do not think we ought to have an extraordinary session.

Mr. FOSTER. Do you think we ought to wait until somebody gets ready to speak?

Mr. LITTLE. There seems to be a good deal of objection about gentlemen having time to-morrow. I have been here all day listening to people talk who have been talking ever since I have been here, and the gentleman from Pennsylvania can eliminate me. As far as I am concerned I will take my medicine and they can take theirs.

Mr. STAFFORD. Mr. Chairman, may I inquire how the time stands, respectively, between the two sides?

The CHAIRMAN. The gentleman from Pennsylvania has used 3 hours and the gentleman from Tennessee 2 hours and 45 minutes.

Mr. STAFFORD. There is only 15 minutes difference.

The CHAIRMAN. Does the gentleman from Tennessee or the gentleman from Pennsylvania have a suggestion to make?

Mr. PADGETT. Mr. Chairman, I want to be as agreeable as I can in respect to time——

Mr. BUTLER. I want to say the gentleman is always not only agreeable but in every way he is accommodating, but I am not willing with this list before me to close general debate.

Mr. GARRETT of Tennessee. I do not understand that the gentleman from Tennessee asks to close general debate.

Mr. PADGETT. I was wondering if we can not reach an agreement to allow them a little time under the five-minute rule and begin the reading.

Mr. WALSH. Does the gentleman from Pennsylvania yield?

Mr. BUTLER. Yes; I yield.

Mr. WALSH. I think the gentleman has my name upon his list for some time in general debate?

Mr. BUTLER. Yes.

Mr. WALSH. I will say to the gentleman very frankly I would be perfectly willing if he would eliminate my name from his list.

Mr. HUDDLESTON. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama? [After a pause.] The Chair hears none.

Mr. PADGETT. We are trying to reach an understanding, if the Chair will indulge us for a moment.

The CHAIRMAN. Very well.

Mr. PADGETT. It was suggested, I will say to the gentleman from Pennsylvania, that we might begin reading and give those gentlemen some time under the five-minute rule. How would that do?

Mr. BUTLER. It will take just as much time. They want to make their speeches, of course. You can shut them off under the five-minute rule. The committee can not close the general debate if there is anybody who wishes to talk. But if the House sees fit to shut these gentlemen off, all right. I do not want to do it, and I will not do that.

Mr. GARRETT of Tennessee. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The regular order is to continue the debate.

Mr. BUTLER. I make the point of order, Mr. Chairman, that there is no quorum present.

Mr. PADGETT. Instead of doing that I move that the committee do now rise. There are other matters we want to dispose of.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. WINGO, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15539, the naval appropriation bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

Mr. SLAYDEN, by unanimous consent, was granted leave of absence for two days on account of business.

ENROLLED JOINT RESOLUTION SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title, when the Speaker signed the same:

H. J. Res. 289. Joint resolution for the appointment of four members of the Board of Managers of the National Home for Disabled Volunteer Soldiers.

WITHDRAWAL OF PAPERS.

Mr. HOLLINGSWORTH, by unanimous consent, was granted leave to withdraw from the files of the House without leaving copies, papers in the case of Winfield H. Handley (H. R. 19260, 64th Cong., and H. R. 4808, 65th Cong.), no adverse report having been made thereon.

ORDER OF BUSINESS.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent that Calendar Wednesday may be dispensed with, and that we may proceed with this bill to-morrow.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to dispense with the business of Calendar Wednesday to-morrow, so that the House may proceed with this naval bill.

Mr. BUTLER. May I ask the gentleman a question?

Mr. PADGETT. Yes.

Mr. BUTLER. I think the Republican floor leader had some conversation with the gentleman about it. Was it agreeable to him?

Mr. PADGETT. Yes, sir.

Mr. AUSTIN. Mr. Speaker, I object to dispensing with Calendar Wednesday. We have an important measure on the Wednesday calendar from the Committee on Public Buildings and Grounds. It will be the only opportunity to pass it during the session of Congress without a special rule.

Mr. STAFFORD. The call does not rest with that committee.

Mr. AUSTIN. The call is with the Committee on the Post Office and Post Roads. It has but one bill, the Committee on Printing has not any, and then the Committee on Public Buildings and Grounds will come in.

Mr. PADGETT. I can move that in the morning. I do not have to do that now.

The SPEAKER. Is there objection?

Mr. AUSTIN. I object.

HOUR OF MEETING TO-MORROW.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS.

Mr. QUIN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. PADGETT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 30 minutes p. m.) the House, under its previous order, adjourned until to-morrow, Wednesday, February 5, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the president of the Georgetown & Tennallytown Railway Co., transmitting report of the Georgetown & Tennallytown Railway Co. for the year ended December 31,

1918 (H. Doc. No. 1758); to the Committee on the District of Columbia and ordered to be printed.

2. A letter from the president of the Washington Interurban Railroad Co., transmitting report of the Washington Interurban Railroad Co. for the year ended December 31, 1918 (H. Doc. No. 1759); to the Committee on the District of Columbia and ordered to be printed.

3. A letter from the president of the City & Suburban Railway of Washington, transmitting report of the City & Suburban Railway of Washington for the year ended December 31, 1918 (H. Doc. No. 1760); to the Committee on the District of Columbia and ordered to be printed.

4. A letter from the president of the Potomac Electric Power Co., transmitting report of the Potomac Electric Power Co. for the year ended December 31, 1918 (H. Doc. No. 1761); to the Committee on the District of Columbia and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Assistant Secretary of Labor, submitting a deficiency estimate of appropriation required by the Bureau of Immigration for refund of lead tax, and a clause of legislation authorizing the payment of a bill for advertising (H. Doc. No. 1762); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Acting Chairman of the United States Shipping Board, submitting a substitute estimate of appropriation required by the United States Shipping Board for the fiscal year 1920, in lieu of estimate heretofore submitted (H. Doc. No. 1763); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Governor of the Federal Reserve Board, transmitting fifth annual report of the Federal Reserve Board covering operations for the year 1918 (H. Doc. No. 1764); to the Committee on Banking and Currency and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SLAYDEN, from the Committee on the Library, to which was referred the resolution (S. J. Res. 202) requesting the Commission of Fine Arts to submit to the Congress certain suggestions, reported the same without amendment, accompanied by a report (No. 1030), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 12981) authorizing the Secretary of the Treasury to refuse to permit the exportation of any work of art purporting to be a gift made by an individual or organization to a foreign nation or municipality, unless by consent of the Secretary of State, reported the same with amendment, accompanied by a report (No. 1031), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. OSBORNE: A bill (H. R. 15612) authorizing the Secretary of War to donate to the city of Avalon, Los Angeles, Cal., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ROSE: A bill (H. R. 15613) to provide for the erection of a public building at Barnesboro, Cambria County, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. WICKERSHAM: A bill (H. R. 15614) to increase the limit of cost for the construction of the United States public building at Cordova, Alaska; to the Committee on Public Buildings and Grounds.

By Mr. LEE of Georgia: A bill (H. R. 15615) authorizing the erection of a post-office building at Rossville, Ga.; to the Committee on Public Buildings and Grounds.

By Mr. WATSON of Virginia: A bill (H. R. 15616) to appropriate money to build an addition to the post office and customhouse at Petersburg, Va., and acquire additional land therefor; to the Committee on Public Buildings and Grounds.

By Mr. MANSFIELD: A bill (H. R. 15617) for the erection of a public post-office building at El Campo, Tex., and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. GOULD: A bill (H. R. 15618) authorizing the Secretary of War to donate to the village of East Bloomfield, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15619) authorizing the Secretary of War to donate to the village of Guyanoga, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. McCULLOCH: A bill (H. R. 15620) to donate a captured cannon or gun to the Nashville Cemetery in the city of Nashville, Ohio; to the Committee on Military Affairs.

Also, a bill (H. R. 15621) to donate a captured cannon or gun to the city of Mineral City, Ohio; to the Committee on Military Affairs.

Also, a bill (H. R. 15622) to donate a captured cannon or gun to the city of Uhrichsville, Ohio; to the Committee on Military Affairs.

By Mr. CHARLES B. SMITH: A bill (H. R. 15623) to make provision for compensating discharged soldiers, sailors, and marines who are unable to obtain employment; to the Committee on Military Affairs.

By Miss RANKIN: A bill (H. R. 15624) to enable American women who marry foreigners to retain their American citizenship; to the Committee on Immigration and Naturalization.

By Mr. CALDWELL: A bill (H. R. 15625) to provide for further educational facilities by requiring the War Department to loan certain machine tools not in use for Government purposes to trade and technical schools and universities, and for other purposes; to the Committee on Military Affairs.

By Mr. RAKER: A bill (H. R. 15626) authorizing the Secretary of War to donate to the city of Auburn, Cal., two German cannons or fieldpieces, with their accompaniments; to the Committee on Military Affairs.

By Mr. GARLAND: A bill (H. R. 15627) authorizing the Secretary of War to donate to the town of Millvale, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HAYDEN: A bill (H. R. 15628) to provide for marking the carcasses of goats with the words "goat meat"; to the Committee on Agriculture.

By Mr. MOTT: A bill (H. R. 15629) authorizing the Secretary of War to donate to the village of Clayton, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15630) authorizing the Secretary of War to donate to the village of Orwell, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15631) authorizing the Secretary of War to donate to the village of Cazenovia, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15632) authorizing the Secretary of War to donate to the village of Antwerp, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MANN: Joint resolution (H. J. Res. 403) to create a joint commission of Congress on estimates and appropriations; to the Committee on Rules.

By Mr. PARK: Resolution (H. Res. 548) to pay George D. Ellis $1,200 for extra services; to the Committee on Accounts.

By Mr. GOULD: Resolution (H. Res. 549) directing the United States Shipping Board to furnish the House of Representatives with certain information in accordance with section 12 of the shipping act, approved September 7, 1916; to the Committee on the Merchant Marine and Fisheries.

Also, a resolution (H. Res. 550) directing that the United States Shipping Board furnish the House of Representatives with certain facts as to the building and operation program of wooden ships; to the Committee on the Merchant Marine and Fisheries.

By Mr. DAVIS: Memorial from the Legislature of the State of Minnesota, requesting the discontinuance of the administration of the Chippewa Indian tribal funds and the final settlement of their tribal affairs; to the Committee on Indian Affairs.

Also, memorial from the Legislature of the State of Minnesota, requesting the gratuity of three months' pay to honorably discharged soldiers, sailors, and marines; to the Committee on Military Affairs.

Also, memorial from the Legislature of the State of Minnesota, requesting the increase of pensions to those disabled in service and indorsing S. 2130; to the Committee on Pensions.

Also, memorial from the Legislature of the State of Minnesota, requesting the discharge of the Volunteer Army of the United States; to the Committee on Military Affairs.

By Mr. FRENCH: Memorial from the Legislature of the State of Idaho on woman suffrage; to the Committee on Woman Suffrage.

By Mr. GOULD: Memorial of the Legislature of the State of New York, urging the passage of the bill now in conference to amend an act entitled "An act to regulate the construction of the dams across navigable waters," approved June 21, 1906,

as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the use of interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of New York, urging Congress to authorize the Secretary of War to furnish the several States of the Union with the records of the men from such States who entered the military service; to the Committee on Military Affairs.

By Mr. KAHN: Memorial of the Legislature of the State of California regarding allotment to discharged soldiers, urging six months' pay to them on discharge; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of California, against cancellation of loans made to foreign countries; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of California, urging enactment of retirement legislation; to the Committee on Reform in the Civil Service.

Also, memorial of the Legislature of the State of California urging legislation to restore to the pension rolls those who have given up right to pension by reentering service during present war; to the Committee on Pensions.

Mr. MAHER: Memorial of the Legislature of the State of New York, favoring the early enactment of the water-power bill, now in conference; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of New York, requesting Congress to authorize the Secretary of War to leave in the State of New York, under proper supervision, such records as will furnish information regarding citizens of the State who have been inducted into the Federal service through the medium of the selective-draft law; to the Committee on Military Affairs.

By Mr. THOMPSON: Memorial of the Legislature of the State of Oklahoma, relating to the fixing of the minimum price of wheat for 1919; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of Oklahoma, relating to the distribution of relics of the late war for the commemoration of soldier boys; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. MONTAGUE: A bill (H. R. 15633) granting a pension to Albert Worthy; to the Committee on Pensions.

By Mr. MOTT: A bill (H. R. 15634) granting an increase of pension to Patrick Collins; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Petition of United Mine Workers of America relative to the reducing of the price of coal; to the Committee on Mines and Mining.

Also, evidence to accompany H. R. 15602, for pension for Anna Myers; to the Committee on Invalid Pensions.

By Mr. CARY: Petition of Ladies' Auxiliary, Bluebird Lodge, No. 116, to the International Machinists' Union, urging release of all conscientious objectors and amnesty for all political prisoners under war status, also repeal of espionage act; to the Committee on Military Affairs.

By Mr. DAVIS: Petition of residents of the third congressional district of Minnesota requesting guaranty of the price of wheat at $2.26 per bushel for 1919 year crop; to the Committee on Agriculture.

By Mr. ELSTON: Petition of Alameda County Civic Association, urging passage of appropriation for new post office at Oakland, Cal.; to the Committee on the Post Office and Post Roads.

By Mr. GRAHAM of Pennsylvania: Petition of the trustees of Philadelphia Produce Exchange, asking Congress to determine the scope of work which the Bureau of Markets shall continue to perform; to the Committee on Agriculture.

By Mr. GREENE of Vermont: Petition of citizens of Waterville, Vt., protesting against the postal zone law; to the Committee on Ways and Means.

By Mr. GRIFFIN: Petition of the New York State Legislature, Albany, N. Y., requesting legislation permitting the retention of draft-board information at the capitol of New York State as information pertaining to the State; to the Committee on Military Affairs.

Also, petition of the National Bronze Corporation, New York City, relating to Senate bill 5261; to the Committee on Military Affairs.

Also, petition of the New York Produce Exchange, New York City, favoring removal of restrictions and discontinue the practice of price fixing now applied to hogs, grain, and foodstuffs; to the Committee on Agriculture.

By Mr. HASTINGS: Petition of railroad men, Muskogee, Okla., asking Government ownership and control of all railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. HERSEY: Petition of Rev. David N. Beech and other residents of Bangor, Me., urging repeal of the postal zone law; to the Committee on Ways and Means.

Also, petition of Harold M. Hill and other residents of Carland, Me., urging repeal of the postal zone law; to the Committee on Ways and Means.

By Mr. HOLLINGSWORTH: Petition of Rev. C. H. Kern, of Wellsville, Ohio, and nine other citizens, protesting against postal and zone system and asking its repeal; to the Committee on Ways and Means.

By Mr. KELLY of Pennsylvania: Petition of Pittsburgh Board of Trade, requesting legislation for deportation of alien enemies and prohibition of entry of those who left the United States to enter the armed forces of the central powers; to the Committee on Immigration and Naturalization.

By Mr. KENNEDY of Rhode Island: Resolution adopted by John Mitchell Literary Association, of Providence, R. I., urging passage of legislation favoring self-determination for Ireland; to the Committee on Foreign Affairs.

By Mr. LONERGAN: Petition of Hartford Council, No. 210, of the U. C. T. of America, relating to private ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. POLK: Petition of the teachers of Kent County, Del., favoring Senate bill 4987; to the Committee on Education.

By Mr. RANDALL: Petition of the faculty of the State Normal School of Los Angeles, Cal., favoring creation of a department of education; to the Committee on Education.

By Mr. ROGERS: Petition of citizens of Woburn, Mass., relating to self-determination of all nations, great and small, and especially of Ireland; to the Committee on Foreign Affairs.

By Mr. SCHALL: Petition of citizens of Isanti County, Minn., to repeal zone rate system; to the Committee on Ways and Means.

Also, petition of Minneapolis District Council, No. 8, C. T. W. A., demanding thorough investigation of the wire administration under Mr. Burleson, Postmaster General, with object of correcting conditions under which employees are working; to the Committee on Interstate and Foreign Commerce.

Also, petition of Minnesota Independent Telephone Association, asking that Congress fix a definite date to return telephone properties to the owners; to the Committee on Interstate and Foreign Commerce.

By Mr. SNELL: Resolutions of the Senate of the State of New York relative to records of local draft boards; to the Committee on Military Affairs.

Also, resolutions of the Senate of the State of New York relative to regulating the construction of the dams across navigable waters and to provide for the improvement and development of waterways for the use of the interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. VOLSTEAD: Petition of Gust. C. Albrecht and other citizens of Fairfax, Minn., to make effective the guaranteed price for 1919 wheat; to the Committee on Agriculture.

Also, petition of H. B. Zimmerman and other citizens of Wellmar, Minn., for legislation to make good the guaranteed price of 1919 wheat; to the Committee on Agriculture.

SENATE.

WEDNESDAY, *February 5, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we seek from Thee that conscious power that comes with a clear vision, with a clean conscience, with a devoted and consecrated spirit to the ideal born out of Thy word. Grant to lead us to-day in the discharge of our duties. May we ever keep in mind the justice and righteousness and peace that Thou hast made known and which is Thy will concerning man. We ask it, for Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Monday, February 3, 1919, when, on request of Mr. SHEPPARD and by unanimous consent, the further reading was dispensed with and the Journal was approved.

STATIONERY FOR DEPARTMENT OF THE INTERIOR (S. DOC. NO. 379).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Interior submitting a supplemental estimate of appropriation in the sum of $41,000 for stationery, Department of the Interior, for the fiscal year 1919, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

LIBRARY OF CONGRESS (S. DOC. NO. 377).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Librarian of Congress submitting a supplemental estimate of appropriation in the sum of $1,371.37 required to meet the increased cost of envelopes furnished the Library of Congress, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

BUREAU OF WAR RISK INSURANCE (S. DOC. NO. 378).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting supplemental estimates of appropriation in the sum of $9,220,000 required by the Bureau of War Risk Insurance for the fiscal year 1919, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

GOVERNMENT EMPLOYEES.

The VICE PRESIDENT laid before the Senate communications from the Acting Secretary of State (S. Doc. No. 375), the Secretary of the Interior (S. Doc. No. 374), and the Secretary of Commerce (S. Doc. No. 376), transmitting in response to a resolution of December 23, 1918, a list showing the number of civil employees in their respective departments on January 29 and the number discharged during the previous two weeks, which were ordered to lie on the table.

NATIONAL PROHIBITION.

The VICE PRESIDENT presented a resolution adopted by the Legislature of the State of Michigan ratifying the proposed prohibition amendment to the Constitution of the United States, which was ordered to be placed on the files of the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, announced that the House had passed a bill (H. R. 15462) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1920, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the enrolled joint resolution (H. J. Res. 289) for the appointment of four members of the Board of Managers of the National Home for Disabled Volunteer Soldiers, and it was thereupon signed by the Vice President.

PROPOSED WATER-POWER LEGISLATION.

Mr. CALDER. Mr. President, I present a resolution adopted by the Legislature of the State of New York, petitioning Congress for the enactment of the water-power bill now in conference between the two Houses.

This measure is of vital importance to the State of New York. It will afford an opportunity for a more effectual utilization of the water power at Niagara Falls, where already vast sums of money have been invested in anticipation of this legislation, and where additional power can be created, thereby saving a vast quantity of coal, cheapening production, and tending materially to the employment of labor.

The development of the upper Hudson River is also a subject of great concern to the people of New York.

It is proposed by one of the Nation's largest industries, when this bill becomes a law, to establish a great manufacturing plant at Green Island, above the city of Troy, where 25,000 men will be employed.

It is expected that the electricity generated at this point, through the damming of the river, and the tremendous power through the large volume of water coming from the upper reaches of the Hudson and the Mohawk will forever assure an uninterrupted power at a reasonable cost, not only for manufacturing plants in the immediate neighborhood but for the railroads and illuminating systems in that entire section of the State.

Let me assure the Senate conferees that there is no measure pending in this Congress of more immediate necessity.

We are constantly being asked to appropriate money to relieve possible business depression and assure the employment of labor. This bill will not only make possible the use of an almost unlimited natural resource and assure thereby an income to the country, but in addition, and what for the moment is more important, it will move the wheels of industry and employ thousands of men who are to-day walking the streets searching employment.

Let me urge again an early agreement on this very important question.

Mr. President, I send the petition to the desk, and ask that it be read.

The VICE PRESIDENT. Is there objection?

There being no objection, the Secretary read as follows:

STATE OF NEW YORK,
IN SENATE,
Albany, January 27, 1919.

Whereas a bill entitled "An act to amend an act entitled 'An act to regulate the construction of the dams across navigable waters,'" approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of the interstate and foreign commerce, passed the Senate December 14, 1917, and the House of Representatives September 5, 1918; and

Whereas Hon. JOHN K. SHIELDS, and Hon. JOHN H. BANKHEAD, Hon. HENRY L. MYERS, Hon. KEY PITTMAN, Hon. KNUTE NELSON, and Hon. REED SMOOT, from the Senate, and Hon. THETUS W. SIMS, Hon. SCOTT FERRIS, Hon. ASBURY F. LEVER, Hon. JOHN J. ESCH, Hon. WILLIAM L. LA FOLLETTE, and Hon. GILBERT N. HAUGEN, from the House of Representatives, have been appointed to confer and agree upon the terms of said bill; and

Whereas the water powers of the State are urgently needed for the promotion of industry:

Resolved (if the assembly concur), That the Legislature of the State of New York earnestly request our Representatives in Congress and the conferees named to do all in their power to stimulate action on said bill, to the end that it may be acted upon favorably, providing, however, that the same does not in any way diminish or impair the rights of the State of New York in the ownership and control of such navigable waters.

Resolved, That certified copies of this resolution be forthwith transmitted to the President of the Senate, the Speaker of the House of Representatives, our Representatives in Senate and in the House, as well as the conferees named above.

By order of the senate:

ERNEST A. FAY, *Clerk.*

In assembly, January 30, 1919. Concurred in without amendment.

By order of the assembly:

FRED W. HAMMOND, *Clerk.*

Indorsed: Filed January 30, 1919.

FRANCIS M. HUGO,
Secretary of State.

STATE OF NEW YORK,
Office of the secretary of state, ss:

I have compared the preceding copy of resolution relative to regulating the construction of the dams across navigable waters and to provide for the improvement and development of waterways for the use of the interstate and foreign commerce with the original resolution on file in this office, and do hereby certify that the same is a correct transcript therefrom and of the whole thereof.

Given under my hand and the seal of office of the secretary of state, at the city of Albany, this 30th day of January, in the year one thousand nine hundred and nineteen.

[SEAL.] C. W. TAFT,
Second Deputy Secretary of State.

CALLING OF THE ROLL.

Mr. SMOOT. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, S. Dak.	Myers	Spencer
Baird	Jones, N. Mex.	Nelson	Sterling
Bankhead	Jones, Wash.	New	Sutherland
Brandegee	Kellogg	Nugent	Swanson
Calder	Kendrick	Page	Thomas
Chamberlain	Kenyon	Penrose	Thompson
Colt	King	Poindexter	Townsend
Culberson	Kirby	Pollock	Trammell
Cummins	Knox	Pomerene	Underwood
Curtis	La Follette	Reed	Vardaman
Dillingham	Lenroot	Robinson	Wadsworth
Fernald	Lewis	Saulsbury	Walsh
Fletcher	Lodge	Shafroth	Warren
France	McKellar	Sheppard	Watson
Frelinghuysen	McLean	Sherman	Weeks
Hale	McNary	Simmons	Wolcott
Hardwick	Martin, Va.	Smith, S. C.	
Henderson	Moses	Smoot	

Mr. TOWNSEND. I desire to announce the absence of my colleague [Mr. SMITH of Michigan], who is detained from the Senate on account of illness.

Mr. TRAMMELL. I wish to announce that the Senator from Kentucky [Mr. BECKHAM] is absent on official business.

Mr. POMERENE. I wish to announce that the senior Senator from Louisiana [Mr. RANSDELL] and the junior Senator from Louisiana [Mr. GAY] are detained on official business.

Mr. MARTIN of Virginia. I desire to announce that the Senator from Maryland [Mr. SMITH], the Senator from Arizona [Mr. SMITH], and the Senator from Mississippi [Mr. WILLIAMS] are absent on account of illness.

Mr. McKELLAR. My colleague, the senior Senator from Tennessee [Mr. SHIELDS], is detained by illness. I will let this announcement stand for the day.

The VICE PRESIDENT. Seventy Senators have answered to the roll call. There is a quorum present.

PETITIONS AND MEMORIALS.

Mr. NELSON. I present a resolution of the Legislature of the State of Minnesota, which I ask may be printed in the RECORD and properly referred.

The resolution was referred to the Committee on Indian Affairs and ordered to be printed in the RECORD, as follows:

Resolution of the senate in relation to the Chippewa Indian tribal funds in hands of Federal Government.

Whereas the great majority of the people of Chippewa Indian blood residing in the State of Minnesota are citizens of said State and perform all the obligations imposed by the State upon all other citizens; and

Whereas the great majority of the Chippewa people in the State of Minnesota are, in the opinion of the Senate of Minnesota, capable of managing and controlling their property interests; and

Whereas the Government of the United States, through its Bureau of Indian Affairs, has maintained for a number of years, and is now maintaining, a large force of agents and employees in connection with the administration of said trust at a very considerable expense, which expense is being paid out of the trust funds of said Indians; and

Whereas we are of the opinion that the further maintenance of this force of agents and employees at the expense of said trust fund has become unnecessary: Now, therefore, be it

Resolved by the Senate of the State of Minnesota, That the Congress of the United States be, and it is hereby, requested to discontinue the use of said trust fund for the purposes hereinbefore mentioned, and that it be further requested to enact such legislation as will enable said Chippewa people to secure a final settlement of their tribal affairs with the United States Government, due regard being had for the well-being of said Indians; be it further

Resolved, That the Senators and Representatives in the Congress of the United States from the State of Minnesota be requested to assist in carrying out the purposes for which this resolution was designed; be it further

Resolved, That a duly authenticated copy of this resolution be transmitted to the Speaker of the House of Representatives, that another be transmitted to the President of the Senate of the Congress of the United States, and that copies be sent to each Member of the Senate and House of Representatives from the State of Minnesota, and that as so amended the same do pass.

Mr. KIRBY. I present a memorial protesting against the passage of House bill 13400, giving certain riparian claimants the right to purchase certain public lands in Arkansas. I move that it be referred to the Committee on Public Lands.

The motion was agreed to.

Mr. LA FOLLETTE. I present a joint resolution of the Legislature of the State of Wisconsin, relating to a Federal constitutional amendment for woman suffrage, adopted on the 16th day of January, which I ask may be printed in the RECORD.

The resolution is as follows:

Joint resolution (J. Res. No. 4, A) relating to a Federal constitutional amendment for woman's suffrage.

Resolved by the assembly (the senate concurring), That we indorse woman's suffrage, following the platforms of the political parties of this State, and favor that the Senate of the United States adopt the legislation now pending before it providing for submitting to the several States an amendment to the Federal Constitution establishing national woman's suffrage; be it further

Resolved, That this resolution, properly signed and attested by the officers of this legislature be forwarded to the United States Senate, and a copy thereof to each United States Senator.

RILEY S. YOUNG,
Speaker of the Assembly.
C. E. SHAFFER,
Chief Clerk of the Assembly.
EDWARD F. DITHMAR,
President of the Senate.
O. G. MUNSON,
Chief Clerk of the Senate.

DEPARTMENT OF STATE.

Received January 30, 1919, 4.15 p. m.

MERLIN HULL, *Secretary of State.*

Mr. STERLING. I have here a concurrent resolution of the Legislature of South Dakota, which relates to the interference of the Railroad Administration with express rates on shipments wholly within the State. It is of such interest and importance that I ask it may be read and then referred to the Committee on Interstate Commerce.

There being no objection, the resolution was read and referred to the Committee on Interstate Commerce, as follows:

Certificate.

UNITED STATES OF AMERICA,
STATE OF SOUTH DAKOTA,
SECRETARY'S OFFICE.

I, C. A. Burkhart, secretary of state, do hereby certify that the annexed concurrent resolution was duly passed by the sixteenth session of the Legislature of the State of South Dakota.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota, at the city of Pierre, January 31, 1919.

[SEAL.] C. A. BURKHART,
Secretary of State.

Hon. C. A. BURKHART,
Secretary of State:

The following concurrent resolution has been adopted by the senate and concurred in by the house of representatives:

Concurrent resolution.

"Whereas the Government of the United States, as a war emergency measure, took over the control of several great public-service corporations, including the railroads and express companies of our country, and placed them in charge of a Director General of Railroads; and

"Whereas our Government did at the same time urge upon our people the great necessity of saving and conserving in private and business affairs, and asked our people, even the widows and orphans, to save their mite to buy liberty bonds and war-savings stamps for the support of the Government and its different departments in its conduct of the war, including the railroads and express companies; and

"Whereas our people have generously responded to every request made; and

"Whereas it has now come to the attention of our people that three paid representatives of one of the said great public-service corporations have come to the city of Pierre in a luxuriously equipped private car, at a great and unnecessary expense, for the express purpose of opposing in our courts the action of our board of railroad commissioners, wherein they are representing the interests of our people in seeking to prevent what appears to be an unwarranted, unlawful, and unjust raise in express rates, which are sought to be put into effect under the guise of Government control and with the apparent approval of the Director General of Railroads: Now, therefore, be it

"*Resolved by the Senate of the State of South Dakota (the House of Representatives concurring)*, That we do condemn such unwarranted extravagance as unpatriotic, disloyal, and undemocratic, and that we do hereby memorialize the Congress of the United States to enact such laws as will effectually and permanently protect the American people from unfair and extortionate rates, whether imposed upon them by private corporations owning and operating such public utilities or under Government management and control of the same, thereby rendering to the people that reasonable and efficient service to which they are rightfully entitled, free alike from unreasonable governmental control or from corporate or individual oppression."

For the senate:

C. S. AMBDEN,
President of the Senate.
A. B. BLAKE,
Secretary.

For the house:

LEWIS BENSON,
Speaker.
WRIGHT TARBELL,
Chief Clerk.

Dated at Pierre, S. Dak., this 28th day of January, A. D. 1919.

Mr. MOSES. I present a resolution adopted by the New Hampshire Association of Insurance Agents, protesting against further Government activity on behalf of farm fire insurance. I ask that it be printed in the RECORD and referred to the Committee on the Judiciary.

The resolution was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

Resolution adopted by the New Hampshire Association of Insurance Agents at their nineteenth annual meeting at Concord, N. H., January 20, 1919.

Whereas new evidences of paternalistic government are appearing in this country, with a steady encroachment upon the fields of private enterprises, and tangible obstructions to individual freedom and personal initiative are threatened; and

Whereas examples are contained in the second annual report of the Federal land banks urging the extension of their activities to farm fire insurance; and

Whereas the circulation of a textbook, entitled "Lessons in Community and Private Life," for introduction into the public schools, through the Secretary of the Interior, propagating social insurance and Government control of private activities, has aroused the protest of business interests; and

Whereas there has been a recent attempt to place workmen's compensation and liability coverage on shipbuilding plants along the Atlantic coast in the hands of a profit-sharing concern, utterly ignoring the agents in those States whose countersignatures would have been required; and

Whereas the prediction that bills will be introduced in every State legislature providing for monopolistic State workmen's compensation funds has been made; and

Whereas it has been proposed to extend Government life insurance to the entire civil list: Be it

Resolved, That we, the New Hampshire Association of Insurance Agents, assembled in annual meeting at Concord, N. H., January 20, 1919, earnestly protest against these paternalistic tendencies and vigorously urge local fire, casualty, surety, and life insurance agents everywhere to inform themselves of these propositions and activities calculated to undermine the foundations of our Government and throw into chaos long-established institutions, to the end that we may be able successfully to combat all Bolsheviki tenets and socialistic propaganda and make the United States safe for insurance democracy.

LOUIS G. MERRILL,
President.

Mr. MOSES. I also present a resolution of the New Hampshire Manufacturers' Association, protesting against further activity by the United States Employment Service, and I ask that it be printed in the RECORD and referred to the Committee on Education and Labor.

The resolution was referred to the Committee on Education and Labor and ordered to be printed in the RECORD, as follows:

Whereas Congress, under stress of war, created the United States Employment Service, the purpose of which was to give a specific directive power to Federal Government which would facilitate Congress to remedy those industrial and labor conditions in the United States while at war, and whereas the Department of Labor has or is about to ask Congress for an appropriation of nearly $15,000,000 to continue this employment service for the next 12 months: Therefore be it

Resolved, That the New Hampshire Manufacturers' Association, in convention assembled, are opposed to the continuation of this employment service as being unnecessary, as the cause for which it was created has ceased to exist, and the continuation of this power is inimical to the public good.

Mr. LENROOT. I send to the desk a certified copy of a resolution of the Common Council of the city of Milwaukee, Wis., relating to the pay of soldiers and sailors for a certain period after their discharge, and I ask that it be printed in the RECORD and be referred to the Committee on Military Affairs.

The resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Resolution indorsing movement to pay soldiers and sailors their salaries for certain period after their discharge.

Whereas the United States Government is now demobilizing the Army and Navy as rapidly as possible; and

Whereas many soldiers and sailors will hereafter from time to time be released from further duty to the Government and, until conditions again become normal, will be out of funds and work for sometime to come; and

Whereas a movement is on foot to pay soldiers and sailors their salaries for a certain period after their discharge: Therefore be it

Resolved by the Common Council of the city of Milwaukee, That it heartily indorses the movement to pay soldiers and sailors their salaries for a certain period after their discharge from further duties to their country, and hereby petitions the Congress of the United States to enact such legislation to the end that all soldiers and sailors released from further duty will receive three months' additional pay from the date of their discharge.

OFFICE OF THE CITY CLERK,
Milwaukee, February 1, 1919.

I hereby certify that the foregoing is a copy of a resolution adopted by the Common Council of the city of Milwaukee on January 27, 1919.

[SEAL.] P. F. LEUCH, *City Clerk.*

Mr. LENROOT. I also present a certified copy of a resolution of the common council of the city of Milwaukee, Wis., to eliminate unemployment. I ask that it be printed in the RECORD and referred to the Committee on Education and Labor.

The resolution was referred to the Committee on Education and Labor and ordered to be printed in the RECORD, as follows:

Resolution petitioning Congress to eliminate unemployment.

Whereas due to the closing down of the war industries, together with demobilization of the Army, there now exists a serious condition of unemployment which is growing worse from day to day; and

Whereas the working class of the United States was led to believe that after the close of this war the conditions of the workers would be materially improved: Therefore be it

Resolved, That the mayor and the common council of the city of Milwaukee do hereby petition and urge Congress to enact such legislation as will eliminate unemployment—

First. By compulsory reduction of the hours of labor for all classes of workers and the fixing of minimum wage scales; and

Second. By inaugurating a system of public work, such as construction of a modern system of transportation, utilization of the water power of our country, irrigation of arid lands, reforestation, clearing and breaking of land for agricultural purposes, etc.; and be it further

Resolved, That copies of these resolutions be forwarded to His Excellency the President of the United States, to the House of Representatives, and to the Senate of the United States.

OFFICE OF THE CITY CLERK,
Milwaukee, February 1, 1919.

I hereby certify that the foregoing is a copy of a resolution adopted by the common council of the city of Milwaukee on January 27, 1919.

[SEAL.] P. F. LEUCH, *City Clerk.*

Mr. NUGENT. I present a memorial of the Legislature of the State of Idaho, which I ask to have read.

The memorial was read and ordered to lie on the table, as follows:

STATE OF IDAHO,
DEPARTMENT OF STATE.

I, Robert O. Jones, secretary of state of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of senate joint memorial No. 4, which was filed in this office on the 30th day of January, A. D. 1919, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the capital of Idaho, this 30th day of January, in the year of our Lord one thousand nine hundred and nineteen and of the independence of the United States of America the one hundred and forty-third.

[SEAL.] ROBERT O. JONES,
Secretary of State.

[Legislature of the State of Idaho, fifteenth session. In the senate. Senate joint memorial No. 4; substitute for joint memorial No. 2.]

To the honorable Senate of the United States of America in Congress assembled:

Your memorialists, the Legislature of the State of Idaho, respectfully represent that—

Whereas the State of Idaho has for approximately a quarter of a century permitted the exercise of the voting franchise by the women of this State and accorded to them equal political rights; and

Whereas woman's suffrage in this State has been conducive to good government, has purified our politics, made better homes, and the influence of Idaho's women exerted at the polls has been for the best interests of the State: Be it

Resolved, That the Senate of the State of Idaho, the House of Representatives concurring therein, do hereby memorialize the Senate of the United States and respectfully urge that it adopt and pass House joint resolution No. 200, proposing an amendment to the Constitution of the United States extending the right of suffrage to women; and be it

Resolved, That the secretary of state of Idaho be, and is hereby, requested to forward a copy of this memorial to the Senate of the United States and copies thereof to our Senators and Representatives in Congress.

This joint memorial passed the senate on the 22d day of January, 1919.

C. C. MOORE,
President of the Senate.

This joint memorial passed the house of representatives on the 23d day of January, 1919.

M. A. KIGER,
Speaker of the House of Representatives.

I hereby certify that the within senate joint memorial No. 4 originated in the senate during the fifteenth session of the Legislature of the State of Idaho.

PAUL DAVIS,
Secretary of the Senate.

Indorsed: Received and filed January 30, 1919

ROBERT O. JONES,
Secretary of State.

Mr. LODGE presented a resolution adopted by the Joint Committee of the Churches and Synagogues of the State of Massachusetts favoring a league of nations, which was referred to the Committee on Foreign Relations.

Mr. SUTHERLAND presented petitions of the Rotary Club of Fairmont; of the Beren & Slab Telephone Co., of Harrisville; of the Board of Trade of Pennsboro; and of the Business Men's Association of Grafton, all in the State of West Virginia, praying that the return to private ownership of telephone and telegraph lines be deferred until Congress shall have studied the question and determined upon a proper and safe procedure to be thereafter followed, which were referred to the Committee on Post Offices and Post Roads.

Mr. MYERS presented a petition of the Montana Grain Growers, of Great Falls, Mont., praying that a graduated minimum price to be paid for wheat be substituted in lieu of the flat minimum price now established, which was referred to the Committee on Agriculture and Forestry.

PRESIDENT MURLIN'S LETTER ON H. F. WARD.

Mr. WEEKS. Mr. President, among the names reported by the subcommittee of the Judiciary Committee which is investigating the general subject of German propaganda was included that of Prof. H. F. Ward as from Boston University. There is some reproach connected with such a publication upon institutions which have been loyal in a high degree. Prof. Ward is not connected with the Boston University, but is connected with the Union Theological Seminary, New York. I have a letter from President Murlin, of Boston University, stating that fact. It is very short, and I should like to have it printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNIVERSITAS BOSTONIENSIS,
Boston, February 5, 1919.

Senator JOHN W. WEEKS,
Washington, D. C.

MY DEAR SENATOR WEEKS: In the list of names reported by the Senate committee investigating the German propaganda is included that of Prof. Harry F. Ward as from Boston University. Prof. Ward resigned his position in Boston University last May and is now connected with Union Theological Seminary, New York. I trust you will see to it that your records are made according to these facts. I told a representative from the local bureau of investigation here in Boston all about this some 90 days ago, but for some reason they still have his name down as from Boston University, which, of course, is not correct.

Faithfully yours,

L. H. MURLIN, *President.*

LETTER FROM MRS. IDA MAE WATERS.

Mr. THOMAS. Mr. President, I have a short letter from Mrs. Ida Mae Waters who, in the Washington Post, figured somewhat conspicuously at the recent meeting at the Poli Theater which has been the subject of some discussion here. She protests against the construction placed upon that meeting and asks that the letter which she writes me upon the subject may be incorporated in the RECORD. I make that request. I ask unanimous consent that it be printed in the RECORD. It need not be read.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

"WASHINGTON, D. C., *February 4, 1919.*

"Hon. CHARLES S. THOMAS.

"MY DEAR SIR: The paper reports you as denouncing a meeting held at Poli's Theater on Sunday afternoon. It may or may not be true. If the report is untrue I crave pardon for bothering you. If true, I feel it my duty to give you a little information, as my name was mentioned in the article.

"First, about two weeks ago I personally interviewed a number of Senators and Representatives of both parties and told

them about the meeting which I helped to arrange. There was no secret about it. Leading men in both Houses knew of it. And on Friday last I personally brought to the Capitol cards and circulars announcing the meeting and gave them to Senators and Representatives and requested them to tell others. Also left some to be given to others.

"I did that because I wanted to have the American people know that our representatives were not opposed to the truth being known. Also that Congress might have an opportunity to get some things straight from persons who have been close to the people of Russia.

"Mr. Williams did not advocate Soviet government for America. He has been grossly misrepresented.

"I beg of you to call Mr. Williams before the Senate and know what he did say. It seems strange that persons so misrepresented as you Senators have been at times would be so willing to believe everything you read. Why did you not come and know the truth? Kings, queens, kaisers, and czars have ruled by divine right (so claimed) and naturally have drawn away from the people, but Congressmen who serve by the will of the people would do well to know the people and not depend upon newspapers for all of their information, since it is but a short time before they sink back into the mass. I ask that you make this letter as public as you did your condemnation.

"And know that I am an American of several generations of English and Scotch ancestry.

"'America first' is my slogan.

"Respectfully, IDA MAE WATERS."

RUSSIAN APPEAL.

Mr. SHERMAN. I present certain resolutions adopted by the Russians of New York City, which I ask may be printed in the RECORD without reading.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

Whereas the supreme council of the peace conference in Paris has practically decided to enter into negotiations with the Bolshevist officials in Russia;

Whereas the supreme council has decided to meet the Bolshevist delegates as well as the delegates of the Russian loyal factions opposed to the Bolsheviki on the Princes Islands on the 15th of February, 1919;

Whereas in the opinion of the loyal Russian organizations the Bolsheviki, in signing a separate peace with the central powers at Brest-Litovsk, have committed an act of high treason toward Russia, as well as toward the allied cause in general;

Whereas, further, it has been proved that the Russian Soviet officials were on the pay roll of the Imperial German Government;

Whereas during the Bolshevist rule in Russia unspeakable terror has been going on, and thousands and thousands of innocent men, women, and children have been murdered by the Bolsheviki without any trial, and taking into consideration that the Soviet terror was condemned by President Wilson on the 21st of September, 1918, in his address to all the neutral governments;

Whereas the Bolsheviki have abolished all the fundamental principles of liberty and civilization in Russia;

Whereas the Bolshevist rule has proved to be the greatest and most irreparable misfortune in Russia's history;

Whereas it is contrary to the national dignity of the peoples of Russia to meet the allied representatives somewhere in the back yard of Europe;

Whereas the very idea of a joint meeting at which representatives of Trotsky on the one hand and the loyal Russians on the other would meet constitutes an offense to loyal and honest Russia:

Resolved, To appeal to public opinion of the United States and the allied nations and to emphasize:

(a) That the loyal Russian organizations in the United States believe that the above decision of the supreme council at the peace conference in Paris is a fatal and historical error which might affect in a most harmful manner the civilization of the whole world;

(b) That the above decision of the allied Governments is apt to strengthen the Bolshevist cause at the very moment when Trotzky's regime is on the verge of a complete collapse;

(c) That, notwithstanding the decision of the supreme council, the loyal Russian organizations feel their duty and will continue their fight against the Russian Bolshevist traitors; and

(d) Finally, that we are deeply convinced that the loyal Russian delegates should meet the allied representatives either in Paris or nowhere.

Executive Board of the General Committee of Russian National Defense (comprising 39 Russian organizations, societies, political groups, and professional unions, 5 Karpatho-Russian organizations, and the Consistory of the Greek Orthodox Church, with 250 branches in the United States and Canada), chairman, A. D. Semenoffsky; vice chairman, Lieut. Boris Brasol; members, Lieut. Commander P. E. Stogoff, Col. N. N. Koch, Rev. L. Tourkevich, Rev. P. Popoff; representatives of the Karpatho-Russians, Gataliak and Cherniak; secretaries, Capt. N. Vishnevsky, V. Shumsky. Voluntary Association of the Russian Army and Navy Officers in the United States, president, Col. I. Sidorkin. Union of Russian Engineers, president, Count S. Shullenberg; secretary, Engineer Osolin.

NEW YORK CITY, *January 23, 1919.*

PEACE POLICIES.

Mr. MOSES. Mr. President, in connection with some observations which I made in the Senate on Monday last, I ask leave to have printed in the RECORD an article from the New York Times, dated February 2, by Charles Selden.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HIGHER DEMANDS MANDATE NOW—PREMIER SAYS AUSTRALIA WILL NOT AWAIT FUTURE LEAGUE'S ALLOCATION OF COLONIES—CAUSTIC IN INTERVIEW—COMPARES LOSSES OF COLONY IN WAR WITH AMERICA'S—ECHOES WORLD'S VOICE, SAYS LAUSANNE.

[By Charles Selden.]

PARIS, *February 2.*

Although France, in common with the other big powers, accepts provisionally the Wilson mandatory principle as to the German colonies, she does not like it. The conditions under which she indorses it are so vague that the door is left wide open for her to repudiate it if she does not approve its concrete application. But in the French press, which speaks the wishes of Clemenceau and Pichon rather than the avowed utterances of those statesmen themselves, this real attitude is indicated.

For example, several Paris papers make a hero and a martyr out of Premier Hughes, of Australia, because of his stubborn fight against the Wilson mandatory principle as applied to New Guinea. Le Matin this morning had a long article by Stephan Lausanne on the Hughes fight, the printing of which is significant as a protest against the American attitude on this phase of the peacemaking.

"He has begun an ardent, tenacious fight on the question of the German colonies in the Pacific," writes Lausanne of Hughes. "He is of those who demand the immediate liquidation and attribution of these colonies. He is not at all sure he has lost his fight. He certainly does not admit himself beaten."

Lausanne then quotes Hughes as follows:

"We have no objection in Australia to the mandate principle, but let the mandate define immediately what it gives and requires. You offer to rent a house and ask the price and responsibilities, whereupon you are told that will be determined by a council to convene one, two, or three years hence. So, until then, you can know nothing of what you pay to the rules regulating you.

"That is no solution of this German colony problem. I will not subscribe to it. We have already at the Quai d'Orsay a league of nations capable of deciding these questions.

"We have had more losses than America with her 100,000,000 people. When we have been asked to sacrifice ourselves in battle we did not demand the organization of an international tribune to decide the battle. But now, after our people have paid with their lives to save the world, without hesitation, argument, or chicanery, we find a new form of procedure for reimbursing damages.

"It is something slow and vague. We are told it is not now the fate of the world that is to be decided. That is to come later.

"We will not await a league of nations that is to be born nobody knows when, where, or how.

"It is often said that those far away on the other side of the world did not appreciate immediately the grandeur of the course for which we began fighting in 1914. Australia is far away, but she understood immediately and sacrificed herself from the start. It was not at the eleventh hour that we came to the defense of civilization. We armed a tenth part of our male population of 5,000,000.

"The arbiters, I know not who, are convening I know not where, coming I know not whence."

In his own comment on this statement from Hughes, Lausanne calls it an echo of the voice of the world.

REPORTS OF COMMITTEES.

Mr. MYERS, from the Committee on Public Lands, to which was referred the bill (H. R. 13056) to grant to citizens of Modoc County, Cal., the right to cut timber in the State of Nevada for agricultural, mining, or other domestic purposes, and to remove such timber to Modoc County, Cal., reported it without amendment and submitted a report (No. 684) thereon.

Mr. HARDWICK, from the Committee on Appropriations, to which was referred the bill (H. R. 13277) making appropriations for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1920, and for other purposes, reported it with amendments and submitted a report (No. 683) thereon.

DISTRICT JUDGE FOR TEXAS.

Mr. CULBERSON. From the Committee on the Judiciary, I report back favorably, without amendment, the bill (S. 5342) providing for the appointment of an additional district judge for the northern judicial district of the State of Texas, and I submit a report (No. 682) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the President of the United States, by and with the advice and consent of the Senate, shall appoint an additional judge of the district court of the United States for the northern judicial district of the State of Texas, who shall possess the same powers, perform the same duties, and receive the same compensation and allowance as the present judge of said district.

SEC. 2. That whenever a vacancy shall occur in the office of the district judge for the northern district of Texas, senior in commission, such vacancy shall not be filled, and thereafter there shall be but one district judge in said district.

The bill was reported to the Senate without amendment, ordered to be engrossed for the third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. NELSON:

A bill (S. 5536) authorizing the Secretary of War to donate to the University of Minnesota, Minneapolis, Minn., a captured German supergun; to the Committee on Military Affairs.

By Mr. WEEKS:

A bill (S. 5537) to abolish the Office of the Comptroller of the Currency and transfer the functions thereof to the Federal Reserve Board; to the Committee on Banking and Currency.

By Mr. SHEPPARD:

A bill (S. 5538) donating captured cannon and cannon balls to the city of Austin, Tex.; to the Committee on Military Affairs.

By Mr. LODGE:

A bill (S. 5539) authorizing the Secretary of War to donate to the city of Lynn, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PITTMAN (for Mr. WILLIAMS):

A bill (S. 5540) authorizing the Secretary of War to donate to the National Military Park, Vicksburg, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. PENROSE:

A bill (S. 5541) to provide for publication by national banking associations and savings banks and trust companies of the reports of resources and liabilities and dividends required to be made by them to the Comptroller of the Currency; to the Committee on Banking and Currency.

A bill (S. 5542) to amend section 5 of the act of Congress entitled "An act to establish a Bureau of Immigration and Naturalization and to provide for a uniform rule for the naturalization of aliens throughout the United States," enacted on the 29th day of June, 1906; to the Committee on Immigration.

AMENDMENT TO INDIAN APPROPRIATION BILL.

Mr. McNARY submitted an amendment proposing to investigate the claim of Charles S. Hood, a Modoc Indian, for services in securing the restoration and enrollment of the Modoc Indians of Oklahoma as members of the Klamath Tribe of Indians of the State of Oregon, etc., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

SUPPLY OF POTASH.

Mr. FLETCHER. I submit the following resolution, for which I ask immediate consideration.

The VICE PRESIDENT. The resolution will be read.

The Secretary read the resolution (S. Res. 440), as follows:

Resolved, That the Secretary of Agriculture be, and he is hereby, requested to furnish to the Senate as promptly as possible the following information:

1. The amount of potash consumption in the United States prior to 1914, the answer to specify the amounts used of the three grades, to wit, sulphate, muriate, and kainit.

2. The amount of the production of potash in the United States in 1918, the answer to indicate the amount of sulphate and muriate, respectively.

3. The amount of potash now on hand, and the ruling price per unit, and a comparison with the antebellum price.

4. The amount and kind of potash consumed in the tobacco industry prior to 1914, and since.

5. The amount and kind of potash consumed in the citrus industry prior to 1914, and since.

6. The amount and kind of potash consumed in the orchard business prior to 1914, and since.

7. The possible production of potash in the United States, cost, and kind.

Mr. FLETCHER. Mr. President, this is a serious situation. For four years or more our agricultural interests, and especially the fruit growing and the tobacco interests, have suffered for the lack of potash. It is one of the necessary elements of plant food, and I think we ought to inquire into the situation and have the inquiry cover the ground mentioned.

My understanding is that the annual consumption of potash in the United States prior to the war was, in tons, 250,000. This was a German article marketed in the form of muriate or sulphate of potash, running 48 per cent or higher and commanding about $50 per ton, containing 48 per cent of potash. There was also a very low grade of potash goods known as kainit, which sold at a much lower price.

The entire production of potash in the United States during 1918 was, I am informed, about 60,000 tons, and containing a much lower percentage of potash than the German muriate and sulphate of potash goods; that the domestic article contains 22 per cent as against 48 per cent or more for the German muriate and sulphate. This domestic article was obtained from the salt lakes of Nebraska, from kelp weed and alunite rock, from skimmings of beet sugar, and from the deposits in the stacks of cement factories and blast furnaces.

Probably the greatest proportion of the domestic article is what is known as muriate of potash. Domestic sulphate of potash is obtained from the alunite rock of Utah and the furnace stacks of the Riverside Portland Cement Works in California. These two products are reported to be free from chloride and carbonite.

At the present time there are 30,000 tons of potash of all kinds stored at eastern points and containing 22 per cent of potash. This supply is held at about $93.50 per ton, or at considerably more than 300 per cent than the German article brought before the war, having regard to the proportion of potash in each article. It is reported that there is no sale for this supply, due to the expectation that foreign sources will soon be available.

Chairman Hurley is credited with the intention of obtaining an immediate supply of potash from the Alsatian deposits now under French control. Mr. Hurley's announced intention was to ballast the transports with this article and thus make use of a cheap and quick means of transport. The French commission, however, has just announced that the needs of the French people must be first taken care of, and no potash would be available from that source until June, 1919.

The American press recently reported an offer from Germany to trade potash for food, and also that the offer had been refused on the ground that there was a sufficient supply in the United States. The blockade and the trading-with-the-enemy act would prevent the consummation of such a transaction, unless a convention could be arranged between the allies.

Would such a convention be justified by the need of potash to produce the food that the world stands in need of? For four years a scanty supply of potash has been doled out to the American consumers and the lands are generally lacking in this necessary element. The Florida growers ordinarily used a fertilizer containing 8 per cent of potash. Since the war many citrus growers have used no potash on account of high prices, and it has been practically impossible to obtain an article containing more than about 3 per cent, as the domestic supply of less than 25 per cent of the ante bellum consumption had to be parceled out.

Citrus growers customarily and probably invariably used sulphate of potash before 1914, and avoided the use of muriate as injurious. The same was true of tobacco growers. While there might be some doubt as to whether muriate of potash is injurious to citrus trees, although the almost invariable practice of the growers confirms the idea, there appears to be no doubt that sulphate of potash is the only form adapted to tobacco culture. It is said the chloride contained in muriate of potash burns the tobacco. It would seem that if muriate of potash is hurtful to citrus trees, it would be equally injurious to all kinds of fruit trees.

I have no exact information as to what part of the domestic production is sulphate of potash, though much the greater part of the annual production of 60,000 tons is probably muriate, since the only sulphate of potash is produced from the alunite rock of Arizona and the cement works of Riverside, Cal., both of which points are remote from the eastern coast.

It is claimed that the potash obtained from the salt lakes of Nebraska is free of chloride and can be used for any purpose that straight sulphate goods can be employed, and this may be true. This product does contain carbonite, which is absent from the sulphate goods.

Inquiry would probably show that the production of sulphate of potash in the United States is entirely insufficient to supply the tobacco growers alone.

I ask that the resolution be adopted in order that this inquiry may be made by the Secretary of Agriculture.

The resolution was considered by unanimous consent and agreed to.

MEDALS AWARDED COLORADO SOLDIERS.

Mr. SHAFROTH. Mr. President, I wish to call the attention of the Senate to the headlines of an article in the New York Times, relating to our boys who were on the firing line in France. It says:

Forty-one of our heroes get highest honors—Congressional medals awarded by Pershing to 8 officers and 33 enlisted men—Many in the list are dead—Numerous instances of machine-gun nests being attacked in Argonne fighting.

Mr. President, I want to direct attention to the fact that out of the 41 who have been honored with this highest medal that can be awarded in the war four of the boys were from Colorado. I will give the names and the rank of these boys.

Capt. Marcellus H. Chiles (deceased), Denver. Three hundred and sixty-fifth Infantry, who led the battalion he commanded forward against a machine-gun cross fire, wading waist deep across a stream to reach the enemy and crawling on his hands to follow. He died of his wounds, and he was 23 years old.

Second Lieut. J. Hunter Wickersham, 3416 Colfax Avenue, Denver, Three hundred and fifty-third Infantry, ordered and led an advance of his platoon after his right arm had been crippled by shell fragments, and continued firing his revolver with his left hand until he fell from loss of blood. He died before aid could reach him.

Sergt. Harold I. Johnston, Denver, and Pvt. David R. Berkeley, San Antonio, Tex., Company A, Three hundred and fifty-sixth Infantry, for swimming the River Meuse to obtain information as to the enemy's position on the opposite side.

Pvts. Jesse N. Funk, Calhan, Colo., and Charles D. Garger, Stotts City, Mo., Company L, Three hundred and sixty-fifth Infantry, for rescuing wounded 500 yards in front of the American line, making two trips as stretcher bearers under machine-gun fire.

Mr. President, in bringing this record to the attention of the Senate my object is only to render deserved tribute to the gallantry and heroism of the boys from my own State. It is not that they excelled others in the qualities of virtue and courage, which have so gloriously won for our cause, but the heroic deeds of these lads, the sons of my neighbors and friends, naturally carry an especial appeal to me, and I am impelled to make public acknowledgment of the pride I feel over their accomplishments. It is perhaps only a circumstance—an unusual one, though—that of the 41 to receive the distinguished honor, 4 came from Colorado, a State of 1,000,000 population, or 1 per cent of the total of the Nation. Our pride is enhanced by the fact that our boys represented 10 per cent in the congressional-medal list.

I would add only that the fiery ardor of these boys, the spirit which sustained them as they cheerfully went to the supreme sacrifice for their country, was part of their education and their training. It was breathed to them in their homes, and it was taught to them in their schools. They carried with them the spirit of their State in the ultimate offering they gave to their country.

Mr. WEEKS. Mr. President, I think no one would care to detract in any way from the gallantry of the sons of Colorado, but the Senator should remember that this is only one of several lists to whom medals have been given for gallantry in action, and some of the lists may contain a preponderance of names of sons of other States.

Mr. SHAFROTH. This is the only one that has been issued up to this time, as I understand it.

SHIP WORKERS' STRIKE.

Mr. JONES of Washington. Mr. President, I ask that two articles which I have in my hand may be printed in the RECORD. We have had in our State a strike of shipyard workers for some time, and it is possible that that strike extended all over the State this morning.

I have here an interview given out by Mr. Piez, the director general of the United States Shipping Board Emergency Fleet Corporation, with reference to this controversy, and also a statement that he issued and had published as the Government's side of the controversy. I ask that both these may be printed in the RECORD.

Mr. THOMAS. Where is the strike?

Mr. JONES of Washington. The strike is in the shipyards on the Pacific coast, especially the Northwest.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

SHIP WORKERS' STRIKE—FACTS THAT THE MEN MUST RECOGNIZE.

Is an agreement solemnly entered into between representatives of the Government and representatives of the shipyard workers a covenant that is binding on both sides—binding on every individual represented therein—or is it to be broken at will?

Do the men in the shipyards realize that the question of wages in the yards is not one between the shipyard workers and the yard owners but is between the shipyard workers and the Emergency Fleet Corporation, representing the Government of the United States?

Do the men in the yards realize that both the Government on one hand and the men on the other have, during the life of the shipbuilding labor adjustment agreement, the so-called Macy agreement, surrendered final decision on all matters of wages, hours, and conditions to the determination of three men—one representing the people of the United States and appointed by the President of the United States, one appointed by Samuel Gompers, representing the shipyard workers, and one appointed jointly by the Navy and the Emergency Fleet Corporation?

Do the men appreciate that this agreement was drawn up after the most careful consideration in August, 1917, which was amended after a week's conference in December, 1917, attended by Mr. Gompers, the international presidents and delegates from Seattle and San Francisco Metal Trades Council; that it was signed by representatives of the Navy, the Emergency Fleet Corporation, and on behalf of the men by the international presidents?

The present agreement is as perfect an instrument for adjudicating industrial differences as has yet been devised. It provides all of the machinery necessary. It is complete. There is no room for outside mediation. It is final and binding on both sides. In order to give either side redress the awards are made for relatively short periods only, so that an unfair decision can not be long continued.

The decisions and awards of the Macy board have resulted in wage increases that will cost the Government more than $500,000,000 on the shipbuilding program, yet the Government has unflinchingly accepted the burden which the board's decision has imposed on it.

In the present case the rates have been fixed by the Macy board, not only for the Pacific coast but for the Great Lakes, the Atlantic and Gulf yards as well. The appeal from the decision of the board to the board of appeal failed. The decision is final, because no other opportunity for reopening the case exists until after March 31, when the present award expires.

Are the men going to stick to their side of the bargain? That is the question at issue. And if they do not, is there any assurance that any agreement hereafter can be considered binding?

The Emergency Fleet Corporation considers itself bound by its agreement with labor to observe the existing award until its expiration. It can consent to no changes, no modifications, in one district without breaking faith with the men in all other districts. It must, therefore, insist that the award be carried out to its termination.

While the armistice ended hostilities, it did not end the shipbuilding labor adjustment agreement.

The shipyard workers of the Seattle district gave such an excellent account of themselves during the war and impressed me so strongly as sane, loyal, conscientious Americans that I appeal to their sense of fairness to go back to work and stick by the agreement until it expires on March 31. In the meantime a joint conference can determine what is to be done after that period.

A statement of the future plans of the Emergency Fleet Corporation will appear in this space to-morrow.

CHARLES PIEZ,
Director General United States Shipping Board Emergency Fleet Corporation.

PHILADELPHIA, *February 2, 1919.*

Statement No. 1. (Statement by Charles Piez, director general Emergency Fleet Corporation, published as an advertisement in the Pacific coast newspapers.) February 3, 1918.

[Interview sent out for Pacific coast papers for Sunday morning, Feb. 2, 1919.]

Charles Piez, director general of the Emergency Fleet Corporation, to-day authorized the following statement in regard to the strike of shipyard workers on the Pacific coast:

"The strike is a direct violation of a solemn contract entered into by the American Federation of Labor, representing the shipyard workers, the United States Navy, and the United States Shipping Board Emergency Fleet Corporation.

"The men involved in the strike should realize that the emergency of war is past and that the need of ships is not as great as while the war was in progress.

"The increasing cost of shipbuilding in America, influenced largely by the constantly increasing labor cost, threatens the very future of the industry in this country, unless the output is brought proportionately up to the elevated wage scale.

"It is inconceivable that American working men would deliberately jeopardize their own interests, the interests of their communities, and the interests of the Nation by breaking an agreement. I can not believe they understand the situation.

"The Emergency Fleet Corporation, as trustee of the money of the people of the United States, can not compromise a vital moral principle. It is bound by an agreement with the shipyard workers throughout the country which is irrevocable, except through modification by mutual consent.

"The Shipbuilding Labor Adjustment Board, popularly known as the Macy Board, is the tribunal before which the shipyard workers, the Navy Department, and the Emergency Fleet Corporation agreed to submit all questions involving wages, hours, and working conditions. In striking before the expiration of the Macy award, which fixed the rate of wages to be paid up to March 31, 1919, the men were guilty of a breach of agreement solemnly entered into by their international presidents, and by this action they have repudiated the verdict of the supreme tribunal they helped to create.

"The decisions of this tribunal have been and must continue to be binding upon the Emergency Fleet Corporation and the workers alike. So long as the workers remain away from their posts the Emergency Fleet Corporation can not treat with them.

"The original agreement, which was entered into in August, 1917, and which created the Macy Board, was a joint compact by the unions, the Emergency Fleet Corporation, and the Navy. It was amended in December, 1917, and in this final form was signed by Franklin D. Roosevelt, Acting Secretary of the Navy; Charles Piez, of the Emergency Fleet Corporation; William Blackman, of the Emergency Fleet Corporation; James O'Connell, president of the Metal Trades Department; John I. Noland, of the International Molders' Union of North America; J. R. Franklin, international president Boiler Makers, Iron Shipbuilders of America; James Wilson, president Pattern Makers' League of North America; Milton Snellings, general president International Union of Steam and Operating Engineers; W. C. Van Dornes, general vice president International Brotherhood of Blacksmiths and Helpers; F. D. McNulty, by J. J. F., I. B. E. of W.; John J. Hynes, president Amalgamated Sheet Metal Workers of America; and William H. Johnson, International Association of Machinists, per P. Flaherty.

"This agreement provided for the appointment of a board to adjust all differences; such board to consist of three persons, one to represent the public, to be appointed by the President of the United States; one to be appointed by Samuel Gompers, representing the American Federation of Labor; and one to be appointed jointly by the Emergency Fleet Corporation and the Navy.

"The President of the United States placed his influence behind the enterprise by appointing the chairman of the board.

"This agreement further provided that 'the decisions of the board will, in so far as this agreement may be capable of achieving such results, be final and binding upon all parties: *Provided, however*, That either the employers or employees may have the right to appeal from the decisions of the adjustment board to a board of review and appeal made up as follows: Three members to be named jointly by the United States Shipping Board Emergency Fleet Corporation and the United States Navy Department, and three to be named by the president of the American Federation of Labor.'

"The Shipbuilding Labor Adjustment Board as created consisted of Mr. Berres, appointed by Samuel Gompers, and Mr. Y. Everett Macy, appointed by the President of the United States, and Mr. Louis A. Coolidge, appointed by the Navy and the Emergency Fleet Corporation. A decision and award was rendered effective February 1, 1918. Another decision and award was rendered effective August 1, 1918, which is the latest

award under the agreement. The decision provided that the award of August 1 should remain effective until March 31, 1919.

"The first award was handed down by the Macy Board in November, 1917, for the Pacific coast, but aroused so much discontent that an appeal was taken directly to the executive officers of the Navy and the Emergency Fleet Corporation. This award, which was retroactive to August 1, 1917, fixed a wage of $5.25 for skilled crafts. A temporary increase was granted by the executive officers of the Emergency Fleet Corporation, amounting to 10 per cent, and making the rate for skilled crafts $5.77½ per day. This increase was ratified by the Macy Board on February 1, 1918. The rate for laborers and helpers was raised in greater proportion than that for skilled crafts.

"The Macy Board was appealed to on August 1, 1918, for a review of the wage rates, and at that time a rate of $8 per day was demanded for skilled crafts. The Macy Board found that the increases asked for were not justified by the advances in the cost of living and a new set of rates was awarded, granting the skilled crafts $6.40 a day. Intermediate positions were granted a proportionate increase. An appeal was taken from the Macy Board's decision to the board of review and appeal. This board, after a hearing extending over 11 days, disagreed and dissolved without decision.

"It was the intent of those framing the Macy agreement that the appeal board should be evenly divided, because a decision overruling the Macy Board's decision should be granted only when there was most convincing evidence of the errors of its decision. Inasmuch as the men failed to have their appeal sustained, the Macy decision, as effective August 1, 1918, and expiring March 31, 1919, stands.

"The question that now arises is whether by reason of strength and perfection of organization the men in one district can dictate wages that are materially higher than those that the increased cost of living would justify. Justification for such action does not exist in the agreement and could not be taken account of by the Macy Board.

"The ship workers nobly acquitted themselves of their obligations during the war by adhering to the decisions of the board. It is only right that they should continue to adhere to their obligations until the agreement expires on April 1, two months hence.

"The Emergency Fleet Corporation can not deal with the men until they have gone back to work and until they have applied for a modification or amendment of the shipbuilders' labor adjustment (Macy) agreement through the regular channels established by the agreement."

CHARLES PIEZ.

WYOMING NATIONAL FOREST.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1847) to authorize the addition of certain lands to the Wyoming National Forest, which was, on page 1, line 6, after "may," to insert ", with the approval of the Secretary of the Interior."

Mr. SMOOT. Will the Senator from Wyoming please explain to the Senate what the House amendment proposes or what change is contemplated in the bill by the amendment?

Mr. KENDRICK. The only change made in the bill as it passed the Senate is the insertion of the words "with the approval of the Secretary of the Interior."

The VICE PRESIDENT. The question is on concurring in the amendment of the House.

The amendment was concurred in.

HOUSE BILL REFERRED.

H. R. 15462. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1920, and for other purposes, was read twice by its title and referred to the Committee on Military Affairs.

BRITISH PROHIBITION OF AMERICAN PRODUCTS.

Mr. WEEKS. Mr. President, I ask to take from the table and that immediate consideration be given to the resolution which I submitted yesterday, relative to the prohibition of the importation of certain articles into Great Britain. I ask that the resolution be read.

The VICE PRESIDENT. The Chair lays before the Senate the resolution referred to by the Senator from Massachusetts [Mr. WEEKS], coming over from a previous day, which will be read.

The resolution (S. Res. 438) was read, as follows:

Whereas during the war with the Imperial German Government Great Britain placed prohibitions on the importation of certain American products; and

Whereas the British Government has recently placed a prohibition on the importation of additional American products to take effect on and after March 1, 1919, which is detrimental to the employment at their full capacity of our manufacturing industries; and

Whereas this action of the British Government is in direct conflict with point No. 3 of the 14 points of peace proposed in the message of the President of the United States to the Congress of January 8, 1918: Therefore be it

Resolved, That the Secretary of State be, and he is hereby, requested to inform the Senate, if not incompatible with the public interest, what steps, if any, have been taken by the Department of State to request the British Government to modify or suspend such prohibition.

Mr. WEEKS. Mr. President, during the continuance of the war with Germany the British Government, as a war measure, placed a prohibition on the importation of certain articles into Great Britain which were largely manufactured in this country. As an example of this and as indicative of the list, a prohibition was placed on the importation of shoes. This country had had a large business in all European countries before the war in American-made shoes. We have for a great many years manufactured a better-fitting shoe and a better shoe than have other countries, and therefore, notwithstanding the disparity in the cost of manufacture in this country, we have been able to build up a very considerable trade. The exportation of shoes from the United States to Great Britain a year or two before the outbreak of the war—I do not recall the figures for the year immediately preceding the war—amounted to nearly $1,000,000. More than two years ago this prohibition on the importation of shoes was suspended; but now other articles are being included in that list, with the purpose, as stated by the British Government, of reconstructing and building up the industries of Great Britain until they have been restored to normal condition.

It is hardly necessary, Mr. President, for me to call the attention of Senators to the fact that this process of building up and reconstructing British industries has directly the reverse effect on our industries, because during the time all importations are prohibited into Great Britain we are going to manufacture less to the extent that the British industries are increased.

I had supposed that after the termination of the war, or at this time, such prohibitions would be suspended; and I was surprised to find three or four days ago that the list was greatly extended, so that it becomes a matter of vital importance to the manufacturing industries of this country.

I wish now to send to the desk and ask to have read from the Official Bulletin a list of the additional articles the prohibition of the importation of which into Great Britain will go into effect on the 1st of March.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

Aluminum, manufactures of.
Aluminum powder.
Apparel not waterproofed.
Baskets and basket ware.
Baths of metal, all kinds.
Cartridges, all kinds, and parts thereof.
Cement.
Diatomite, or infusorial earth.
Electrotypes.
Fatty acids.
Fire extinguishers.
Guns, carbines, and rifles.
Hats and bonnets.
Lawn mowers.
Linen yarns and manufactures thereof.
Machine tools and machinery driven by power and suitable for use in cutting, stamping, or working metal, including lathes, grinding machines, milling machines, boring and turning mills, drilling machines, power presses, planers, punching and shearing machines, shapers, forging machines, screw machines, cutting-off machines, chucking machines, gear-cutting machines, boring machines, centering machines, slotting machines.
Machinery driven by power and suitable for use in cutting, working, or operating on wood, including sawing machines of all descriptions, general joiners, mortise, tenon, boring machines, lathes and rounding machines, box and cask making machines, and all machines accessory thereto, scraping and sandpapering machines, wheelwright machinery, firewood making and bundling machinery; wood, wood fiber, and pulp machinery; saw sharpening and setting machines; saw stretchers; and brazing apparatus.
Machines for grinding, planing, or molding irons.
Mats.
Matting.
Methyl alcohol.
Mops.
Mouth organs.
Oilcloth.
Perfumery and toilet preparations.
Photographic apparatus.
Pictures, prints, engravings, and photographs.
Plaiting, all descriptions.
Plated and gilt wares.
Revolvers and pistols.
Salt.
Sewing machines.
Skins and furs, manufactures of.
Slide rules for engineers and draftsmen.
Stereoscopes.
Stoves and ranges.
Straw envelopes for bottles.
Soap.
Spectacles and eyeglasses complete, not containing gold.
Time-recording instruments of all kinds, and movements and parts thereof.
Vacuum cleaners.
Wringers and mangles.
Weighing machines, scales, and balances of all descriptions.

Mr. WEEKS. Mr. President, I do not introduce this resolution in any spirit of antagonism to Great Britain, but I do it for the purpose of calling to the attention of the Senate how very greatly our foreign trade may be affected by this additional prohibition, which includes the great variety of articles mentioned in the list just read. I think the time has come when we must give some attention to our own domestic affairs, when we must determine whether we are going to protect our foreign commerce. Possibly something is being done in connection with this subject by the State Department, but I think it is proper that the Senate should be informed what action, if any, has been

taken or is being taken relative to this action of the British Government. I do not charge that this action is aimed at the United States. It is general, if I am correctly informed; but it is a process of attempting to build up British industries, and, of course, at the expense of those who have sent similar goods into that territory.

I hope the resolution will not be opposed.

Mr. LEWIS. Mr. President, knowing that the Senator from Ohio [Mr. POMERENE] as chairman of the Elections Committee has an important matter to be brought up at once, I will not occupy the floor to his disadvantage. I beg the indulgence of the Senate for a moment, however, to say that my colleague [Mr. SHERMAN] and myself are in receipt of many protests from the manufacturing interests of the West against this embargo, particularly from those of the State of Illinois, which we represent. While the eminent Senator from Massachusetts says that he will not charge that this embargo is addressed against the United States, in which, of course, there is great merit, I deplore to say that in the West they have been able to point out that those particular articles which are the objects of the embargo in the majority are those that are manufactured in the Middle West, and which in great quantities heretofore have been shipped from the United States to England.

Mr. President, I concur with the Senator from Massachusetts in the trust that the State Department may make such appropriate investigation of the subject as it can, and make such reply to the resolution as will inform us what steps the State Department feels it proper and just, under the circumstances, to take. And now, Mr. President, I feel that it is not out of place for a Member of this body to invite at this time to the attention of England the delicate situation she is creating here in the United States. While the President is there in France, battling for principles which our country feels are to its welfare, to have one of the countries of the allies take a course so inimical to the welfare of the United States is calculated to arouse a sentiment of hostility from certain people in our country which will embarrass harmony in the United States upon whatever the President may conclude.

The Senator from Massachusetts is accurate when he calls attention to the fact that this embargo inveighs directly against the statement of the President of the United States opposing any policy which erects barriers to just trade between nations. Now, Mr. President, the English Government say that our policy is one of a protective tariff; that by a tariff we keep their goods out of our market, to build up our home market; that they have a right to keep our goods out of their market.

The parallel is not just. We levy a form of tariff, but we do not put an unconditional and unlimited embargo upon their goods. They need only pay that tariff to enter into our markets completely; but the policy of England is an absolute embargo, without qualification, and that embargo, as the western manufacturers have informed my distinguished colleague and myself from Illinois, particularly operates against the great Middle West.

Mr. President, I beg to submit the suggestion that Britain does this country a great violence at this time by pressing that embargo. First, she will awaken in the United States a sentiment that will make it very difficult for the President of the United States to succeed in those things with which all of our people wish him well, sir. Second, she will awaken hostility from a certain set of very estimable citizens in the United States, and, third, a war of protest from these against the policy undertaken by Britain. That war of protest will find its way to both Chambers of Congress, and will lead to retaliatory legislation on the part of the United States. Then before we know it we will have that economic condition of trade hostility between the United States and Britain; and then, sir, instead of having a calm peace of the world between ourselves and our allies we will have awakened an atmosphere of enmity, making impossible the very peace of the future for which we strive.

For myself I have one parting word which I dare offer to the British officials, knowing that the British plain people have a common sentiment for friendship and future harmony along with our plain people. It is this, that unless there is a very great necessity of self-preservation on the part of Britain I pray her official set to recall the struggle we had to enter upon in 1812 and 1814 to oppose English embargo to our impoverishment. We beg England not to unnecessarily reawaken the old resentful spirit of 1812 in the United States.

Mr. SMITH of Georgia. Mr. President, I desire to give my most cordial support to this resolution. While we are expressing our good feelings toward the people of all lands, and extending to them earnest sympathy and assurance of our desire for their happiness and prosperity, we must realize that the first duty of a government is to its own people, and I believe it to be our duty to take care of the United States and the people of the United States. Great commercial problems confront our people. We must guard their interests by wise and fearless action.

I support with pleasure the resolution of the Senator from Massachusetts.

Mr. REED addressed the Senate. After having spoken for some time,

Mr. BRANDEGEE. Will the Senator yield to me to make a suggestion to the Senator from Massachusetts?

Mr. REED. I yield.

Mr. BRANDEGEE. I wanted to suggest that if the Senator from Missouri is to proceed, this resolution will go to the calendar, unless the Senator from Massachusetts gets unanimous consent that it shall go over without prejudice until to-morrow.

Mr. REED. I hope that unanimous consent will be given.

Mr. WEEKS. I ask unanimous consent that the resolution may go over until to-morrow without prejudice.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Massachusetts? The Chair hears none, and it is so ordered.

BOLSHEVIST PROPAGANDA IN WASHINGTON.

Mr. POINDEXTER. If the Senator from Missouri will yield for a moment, I should like to ask unanimous consent to take up another resolution which came over from yesterday.

Mr. REED. I will be through in three minutes.

Mr. POINDEXTER. I think this will occupy only a moment.

Mr. REED. Very well.

Mr. POINDEXTER. If there is any objection to it, of course I shall not insist on it. I ask that resolution 437 may be agreed to.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Secretary will state the resolution.

The SECRETARY. Senate resolution 437, calling upon the Attorney General for information as to what investigation is being made by the Department of Justice relative to certain meetings recently held in Washington City at which public speakers advocated the cause of the present Bolsheviki government of Russia.

The PRESIDENT pro tempore. The question is on agreeing to the resolution. Without objection, the resolution is agreed to. There was no objection.

POST OFFICE APPROPRIATIONS.

The PRESIDENT pro tempore. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 13368) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

BRITISH PROHIBITION OF AMERICAN PRODUCTS.

The Senate resumed the consideration of Senate resolution No. 438, submitted yesterday by Mr. WEEKS.

Mr. REED. Mr. President, I do not know that anything I may say on this resolution will serve any other purpose except to keep it that many more minutes before the Senate. I want the resolution passed, but I do not want to see its passage regarded as a mere formality.

We have recently had a great deal of talk about the brotherhood of man, a great deal of talk that is in the teeth of all history. It is time we began to take a sane view of life, and this resolution will serve a useful purpose in giving us that jolt which is sometimes necessary to awaken an individual from a sound slumber even though it disturb the gentle course of pleasant dreams.

We as a Nation are suffering from voluntary autointoxication. We impose upon ourselves the idea that we are in love with all the world and that all the world is in love with us. We hypnotize ourselves with the charming thought that we have suddenly become perfectly good and perfectly unselfish, and that all the rest of the world had a change of heart at the same time we did. We are trying to convince ourselves that the day has come when the lion and the lamb may be observed serenely sleeping upon every hillside and when little children may be found leading the beasts of prey. But this dream will be rudely dispelled. Those who seek to impose it upon our people will in the end find they have done their country a disservice.

Every time a false doctrine is taught it brings bad results. No healing herb springs from the poison soil of falsehood. No general good springs from the denial of truth.

There were a lot of people who a few years ago went about preaching the doctrine in France that there was no danger to France from Germany. They declared that the frosts of selfishness in all human hearts had by the gentle spirit of Christ been transformed into sweet dews of kindness. They taught France

that she need not arm, alleging that no nation dare in the face of enlightened Christianity make war upon its neighbors. For a time France was lulled into a partial slumber. While she thus slept Germany was inventing deadly gases, forging and perfecting plans for the advance upon Paris she had so long contemplated. It was not until Europe shook beneath the tread of the embattled legions of the Kaiser in preparation for war that a French statesman and a few French publicists succeeded in arousing France to her danger.

Universal military training was adopted. It had not reached full development when the German invasion began. But for the fact that a few men did succeed in awakening the French from their dream of peace and security Paris would have been conquered and the Republic of France would now be under the foot of the German.

Just before war came an Englishman succeeded in awakening the English Government enough to cause her to equip her little army and to cause a partial mobilization of the English fleet. It required that preparation and sound foresight, added to the French awakening, to save England as well as France.

What is new about these cries we are hearing? Six or eight years ago the Carnegie Foundation, a concern that I unhesitatingly say ought to be dissolved, employed a generous part of its enormous fund to create a world-wide organization for the purpose of promoting eternal peace.

Mr. LODGE. The Senator is referring to the Peace Foundation?

Mr. REED. Yes; did I miscall the name?

Mr. LODGE. No; you simply left out the word "peace."

Mr. REED. This organization had had its branches in every country. The branches in countries outside the United States were comprised of the subjects of foreign countries. These aliens were severally and jointly conspiring to control the policy of their respective countries. They were likewise conspiring with the Carnegie Peace Foundation to control the policy of the United States. I do not hesitate to sharply raise the question of loyalty against any American organization that conspires with Germans or other foreigners to change the foreign or domestic policy of our Government. I gravely doubt the loyalty of that course of conduct.

Mr. KNOX. Mr. President——

Mr. REED. One moment. It might lead to any extreme, to any abuse, and it might end in a world-wide conspiracy to undermine the very foundations of the American Republic. I yield to the Senator from Pennsylvania.

Mr. KNOX. I merely wish to call the attention of the Senator from Missouri to the fact that it was disclosed before some committee of Congress several years ago that after the people of the United States, in the most significant and emphatic way, had expressed their opinion that we had the right to send our coastwise ships through the Panama Canal without paying toll, and after the three great political parties had written into their platform that proposition, and the three candidates for the Presidency of the United States had declared in favor of it on the stump, after the Congress of the United States had enacted it into law, and after the State Department had taken the matter up diplomatically with Great Britain, this Carnegie peace organization spent $25,000 or $30,000 in circulating literature to procure the repeal of that act.

Mr. REED. I thank the Senator for his historical sketch. I am wondering if the Senator can not also tell us whether it is a fact that the agitation for the repeal of the free-of-tolls law began with Canadian shipping or business interests?

Mr. THOMAS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Colorado?

Mr. REED. I yield.

Mr. THOMAS. I think the statement of the Senator from Pennsylvania is just a little incomplete. I think he should have added that the literature circulated was the speech of the great New York Senator, Mr. Elihu Root, upon the floor of the Senate, in favor of that repeal.

Mr. REED. I know that is true; that is, I know that that was a part of the expense, but I addressed an inquiry to the Senator from Pennsylvania.

Mr. ASHURST. Mr. President, the failure of the Democratic Party to keep its platform to the people of the United States, which pledge plainly was to give freedom from tolls, did more to undermine the confidence of the people in the Democratic Party than any other act ever performed. It is the one thing which is a blot upon the splendid record of the Democratic Party. It was a shameful and foul betrayal of the people when we broke our platform on that point.

Mr. REED. "Shake not thy gory locks at me; thou canst not say I did it." The Record will show I voted against the repeal.

Mr. ASHURST. So did I.

Mr. THOMAS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield further to the Senator from Colorado?

Mr. REED. I yield.

Mr. THOMAS. My vote was cast against that right along, but I think it is well to remind the people that the vote which carried the measure was Democratic and Republican.

Mr. REED. I think that is only a fair statement; but I return to my interrogatory addressed to the Senator from Pennsylvania.

Mr. KNOX. I beg the Senator's pardon.

Mr. REED. I asked the Senator whether he was not able to inform us that the agitation for the repeal of the free-of-tolls law did not really originate with the shipping interests of Canada and was by them carried to the British Government and by it referred to Ambassador Bryce. I am going to be frank with the Senator. I am asking the question because I have been told the Senator has such information.

Mr. KNOX. My recollection is, and my recollection is quite clear upon the subject, that it began with a protest by the British Government filed by the counselor of the British Embassy in the absence of Mr. Bryce, who at that time was the ambassador. The matter was in process of adjustment, and I thought at that time, and think now, there could have been an amicable adjustment of the question with Great Britain, because we had represented to Great Britain diplomatically, in an elaborate note upon the subject, that the question of the passage of our own ships was a domestic question; that their ships were not entitled to enter into that trade at all. I think, and I thought then, that Great Britain would have withdrawn her protest until she was reinspired by the Canadian shipping interests. Then we offered to arbitrate the matter under the treaty that had just been signed between Great Britain and the United States but the ratifications of which had not been exchanged because of several amendments put upon the treaty by the Senate. We offered to ratify the treaty, notwithstanding those amendments, although they were not very acceptable to the Taft administration, but we concluded if we could settle the tolls question we had better waive our scruples upon the amendments, and we tendered to Great Britain the offer to exchange ratifications and arbitrate under the provisions of that treaty. Great Britain refused, and I think the reason why she refused was that the arbitration would have had to have been provided for by a treaty requiring a two-thirds vote of the Senate, whereas a repeal of the bill would only require a majority vote.

Mr. REED. That, I think, justifies me in asking the question.

Mr. MYERS. Will the Senator yield to me for a moment?

Mr. REED. I yield.

Mr. MYERS. I must take sharp issue with the Senator from Arizona [Mr. ASHURST] on the statement that the repeal of the Panama Canal toll exemption for our coastwise shipping affected the Democratic Party disastrously. That action was taken in June, 1914, and at the two general elections thereafter, the election of 1914 and the election of 1916, the Democratic Party was successful. It carried a majority of Congress in 1914, and in 1916 it reelected President Wilson with a Democratic majority in both branches of Congress. Not until 1918 did the Democratic Party suffer any reversal of its fortunes at the polls, but two successful elections intervened between that time and the time of the action on the Panama Canal tolls question.

Mr. ASHURST. Will the Senator from Missouri yield to me to respond?

Mr. REED. If for no other reason than that it illustrates the fact that there is still such a thing as contention in the world, I yield.

Mr. ASHURST. I do not want to take the Senator's time, but will say in reply to my friend from Montana that while we carried the elections in 1914 and in 1916, nevertheless the Democratic speakers were in an apologetic attitude when the question of tolls was presented. I do not think I made any votes, but I went up and down this country like a peripatetic volcano in 1914 and 1916 urging the people to vote the Democratic ticket, and I was frequently asked uncomfortable questions about our betrayal of the people on the Panama Canal tolls question. The people would have had firmer faith in the Democratic Party if it had kept its pledges on the tolls question. The fact that the Democratic Party was successful in two elections afterwards does not bring back the confidence of the people. A

promise to the people is a promise, a pledge in a Democratic platform is a pledge, and a violation of a pledge by the Democratic Party is a worse offense than by the Republican Party, because the Democratic Party knows better. [Manifestations of applause in the gallery.]

The PRESIDENT pro tempore. The Chair will state to the occupants of the galleries that any disorder in the galleries as well as on the floor is against the rules of the Senate, and the Chair will not hesitate to order the galleries cleared if it becomes necessary.

Mr. KNOX. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Pennsylvania?

Mr. REED. I yield.

Mr. KNOX. If the Senator will just permit me to make one observation in confirmation of the statement made by the Senator from Arizona [Mr. ASHURST], I wish to call the attention of the Senator from Arizona to the fact that the reason why it hurt him so bad was that President Wilson in his campaign speeches used his party's pledge to support that legislation in connection with his observation that the Democratic platform pledges were not molasses with which to catch flies.

Mr. MYERS. I will say that the President caught a reelection in 1916, though.

Mr. REED. Mr. President, we are getting away from the question I was trying to discuss, and having wandered this far into a June grass pasture, may I be permitted to pause long enough to remark: If you were seeking to ascertain to which party the honors on this question lay I think you would have some difficulty in deciding the case. This question had been settled by the action of Congress. Both political parties had ratified and approved the action. The question seemed to be at rest. It was resurrected by the great Senator from New York in a speech that will long be remembered for two reasons, first, for its power, and second, because it apparently required more than an ordinary amount of nerve to make it, for he was asking Congress to reverse its action, and the country to reverse its action, upon a matter which had been settled at a previous Congress.

The speech which he made was, as stated, circulated, I think, by some hundreds of thousands of copies all over the United States. A well-financed propaganda got under way; the ground was thus prepared. The President in his message stated to us, as I recall his language, that he did not know how to deal with certain difficult problems if this request was not granted. So both parties had to do with this business. I did not, however, intend to discuss that at all. It is a side issue.

But I do call attention to the existence of organizations that have for their business the intriguing with similar organizations in other countries to control the policy of this country. That is going on, and it was going on in this great prewar peace movement. If anybody wants to know what was the matter with our country, if there was anything at all the matter with it during the early days of the European war, he would have no difficulty in finding that a great lot of very good people had been going around this country preaching the doctrine that there never would again be any great war. They convinced many of our people, yet their teachings turned out to be absolutely false.

I remember that when Mr. Bryan wrote his celebrated peace treaties he had a lot of old Army sabers gathered together. He caused the blades to be cut off from the hilts. He then had the blades beaten into little plowshares and presented a plowshare to the representatives of each of the countries that had signed the treaties. He then presented the hilts of the sabers to the members of the Foreign Relations Committee. Thus we were literally carrying out the Scripture maxim, "They shall beat their swords into plowshares." I believe he did not furnish any pruning hooks, doubtless because there was no raw material in the shape of spears to be found.

Mr. BRANDEGEE. I understand there was a large amount of gun metal that was melted up into paper weights as souvenirs of those warlike weapons and presented to distinguished people throughout the country.

Mr. REED. Perhaps so; but I do not say this now to bring an embittered thought into this body against Mr. Bryan or against any of the good people who went up and down the world saying, "Behold now; turn your eyes to the East, where the glorious rays of the sun of the millenium are gilding the horizon and the full effulgence of the wondrous orb will soon break upon the earth." They were sincere and as enthusiastic as a new convert at a revival meeting. But, sir, while we were burning incense to the gods of peace Germany and other countries were molding cannon in the furnaces of Vulcan. While we were swinging censers and singing, "Peace on earth, good will to men," their mighty arms were forging the implements of destruction.

That dream slightly transformed is the one they are now trying to realize over in Europe—a supernation, a brotherhood, a unity of heart and soul, a common control of all the destinies of all the races of men.

We are perhaps to be asked to cross 5,000 miles of sea and land and take charge of Turkey. That is the suggestion. It may or may not come to pass; but if it does come to pass—and it has been seriously discussed in the international debating society now in session—if that does come to pass, then the American soldier can be sent over to Turkey for the purpose, I suppose, of shooting virtue and goodness into the hearts and brains of the Turks, of interfering with their method of living, with their kind of government, with their freedom. While I abominate the unspeakable Turk, I admit he has the right, so long as he does not interfere with other people, to set up the kind of government he wants in Turkey, just the same as we have the right to set up the kind of government we want in the United States. The imposition of our views and our methods of life upon him is no less repugnant to the principles of liberty than would be the imposition by him of his views and his civilization upon us.

Again, beyond any question, if we enter this witches' caldron, we shall be involved in the great eastern question; involved to an extent no human brain dare undertake to measure and no prophet dare venture to foretell.

What of the questions between China and Japan? Are we now to draw a line and say, "Upon the nether side of this Japan shall stop, and upon the hither side China shall be permitted to hold sway"? Are we thus to become embroiled in the ambitions, the hopes, the race prejudices, and the religious conflicts of those peoples? If so, in what way and to what degree?

Every man with common sense now admits that no regulation, no rule, no act of ours will be effective unless it is backed either by actual force or by a potential force that can be called upon. Are we, then, to send our sons to slaughter in the contests of these two oriental peoples? Who gave us the right to judge their rights? Like us, they are the children of God. He created and placed them upon the earth. They were old before our Nation was born. They have remained reasonably satisfied for thousands upon thousands of years. Can we not let them alone?

Mr. BRANDEGEE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Connecticut?

Mr. REED. I do.

Mr. BRANDEGEE. I want to ask the Senator a question right at that point in relation to the remark which he has just made as to the enforcement of the dictates of the international tribunal by military force. The latest outgiving that I have been privileged to read concerning the proposal now being concocted abroad is that the use of military force to enforce these righteous international judgments is to be purely voluntary on the part of the constituent members of the league, which, of course, would conduce to harmonious action; and also the methods to be employed as coercive are to be economic in their nature; not any rude force. What does the Senator think about the efficiency of that?

Mr. REED. I will discuss that in a moment; but let me just finish the thought I was on.

The Japanese have been there in their island homes, living in a manner satisfactory to them, agreeable to their hearts' desire, for many thousand years. Their civilization probably antedates that of the oldest existing European nation. The Chinese, the original pacifists of the earth, gave to the world a literature, a wonderful poetry, and a marvelous philosophy thousands of years before the Christian era. Before Christ came upon the earth a Chinese philosopher had given mankind the Golden Rule reversed—"Do not unto others that which you would not have others do unto you." The Chinese people probably are living more happily to-day under their own form of government than they could possibly live if they had an American republican government imposed upon them. Why? Because their form of government springs from certain habits of living and ethical principles which are a part of the very nature of the Chinese. Our Government, which springs from our habits of thought and living, does not fit those principles, because their forms of thought, their very systems of logic and of mathematics, their reasoning, all their methods of life, are different from ours. Ours do not fit and will not fit the oriental.

The reason the Chinaman has the religion he has is because he is a Chinaman; the reason he has the family relations he has is because he is a Chinaman; the reason he believes in the philosophy that has been taught to him by Confucius and his other great philosophers is because he is a Chinaman. If you

were to remove him from the Orient to the Occident and force upon him our methods of life and government, he would immediately, upon being given his freedom, revert to his old habits, just as we would return to our old habits if we were given our freedom after being temporarily forced to adopt the habits and life of the Chinese.

It appears that we are to impose our Christian civilization, our peculiar type of civilization, to some extent upon these races and peoples. How far we do not know. If there is a revolution in China, are we to enter and become parties to it? Is this superstate, the government of which must be reposed in a few individual men of very limited intellect—for every man is a man of limited intellect, no matter how great he is; some of them do not know it, but God put limitations on all their brains—are these few men to set themselves up as the supermen of the world; are they to map out a course of conduct for all races, kindreds, and tongues?

That has been the old story of the ages. The Roman invaded other countries, and the Roman, better than any other nation on earth, unless it be England, knew how to invade countries and to leave their people reasonably content and prosperous. But Rome deemed it its business to force the Roman law, in a qualified sense, upon other countries, but only in a qualified sense. Then there came other nations not so wise, which undertook the work of conquest and endeavored to inculcate religion and morals with fagot, torch, and sword. They undertook to shoot their doctrines and laws into the quivering bodies of men and women who resisted to the death. They came over here from Spain and slaughtered the Aztecs of Mexico. They swept through the forests and mountains of South America, murdering in the name of the meek and lowly Jesus. But always while killing in the name of religion and civilization they were with greedy hands grabbing the gold of their victims.

If you ever set up a supernation it will be governed by somebody; it will either be some one great, dominant man who acts through the rest, or it will be the representatives of some one or two or three powerful nations who have combined to control. Human selfishness and greed will make themselves inevitably manifest. You will find them lurking in the twilight of the morning, conspiring in the midst of the day, and plotting in the stillness of the night.

Always with them there will come forth selfishness. The nations controlling the league will look out for themselves, and they will look out for themselves not as the common people or the common world or the ordinary nation, but they will look out for themselves as those who now possess the power, who have the international armies and the international courts.

Here is an illustration. It is, indeed, the fact that caused me to make these remarks: It appears that Great Britain, to whose rescue we came at the very moment when her marshal cried, "Our backs are to the wall. Britons, stand and die!"

It appears, I say, that Great Britain has no sooner extricated herself from the jaws of the German war monster than she proceeds selfishly to put up the bars of her trade against us.

Do I say this to arouse feeling against Great Britain? No. There is not a cleaner lot of sportsmen on this earth than the British; there is not a braver race of men than the British; there is not a more up-an-up, square-toed, hew-to-the-line class of men than the British; but these British are men with common sense, and when this war is over they are going to see to it that Great Britain is taken care of. If you set up a supernation you may be sure that Great Britain by herself, or in conjunction with other nations, will employ the powers of the league to her advantage and to the disadvantage of the rest of the world, and then will follow reprisal, and out of this thing organized for peace will come bloody war. This bed of peace will become a nest in which will be whelped litters of war dogs.

The way to keep men at peace is not to interfere with their rights; to let the ranchman have his ranch and keep his sheep, to let the owner keep his home, to let the merchant have his business, and not to interfere. When you seek to interfere you have fights. The way to have races live in peace is to let races alone and nations alone; let them run their own business; let them set up their own governments; let them manage their own affairs; let them keep within their own rights, and keep within your own, and then you will have some hope of peace. The moment interference begins, trouble starts.

If an independent nation wants to set up an embargo against the shipment of goods across its borders, well and good; other independent nations can, if they desire, get angry about it. It is like the high tariff and the low tariff, or free trade and protective tariff—it makes little difference. But I hope this embargo England has just laid against us will be a warning to those of you who have been walking with your heads in the stars, those of you who have been singing psalms to universal goodness and uttering praises to the sweetness and godlike qualities of your own and everybody else's soul. Those of you who have been saying "the world has become too good to be selfish" remember that before the echoes along the Rhine front have died away, before we can get our troops back to our shore, Great Britain, that you went yonder to save, is proceeding to gain every advantage she can. Where she admits your soldiers to save her she will not admit your goods that you would like to sell her for honest money, giving honest value.

Let us wake up. If we do not wake up now, if the dreamers dream on, and if extensive propaganda is carried on, dreaming on and preaching on and talking on about eternal peace and happiness, our people may be led to the point where this Nation will be obliged to extricate itself from a circle of intrigue, surrounded by a circle of steel and of fire formed by our enemies while we sleep.

Ah, Mr. President, let America take care of herself. She had to fight for that privilege in the first place—the right to take care of herself. It was thinking of that that Washington crossed the Delaware; the fathers wrote the Declaration of Independence; it was thinking of that the patriots froze and starved and died; it was thinking of that Jackson fought at New Orleans. It was to gain and keep national sovereignty and individual liberty. It was to gain and keep the right of self-determination; to make that right so inviolable that no power on earth could affect it; to have a sovereignty so complete that there was nothing above it save God and nothing to direct it but the votes of the American people.

The wicked purpose of this hour—wicked, though it be not so intended—is in part to destroy that sovereignty and yield it back to European monarchs or to European powers from which our fathers originally fled and to gain their complete liberty from which they afterwards fought and died. Who thinks that England will not levy an embargo every time it is to her interest is mistaken. Who does not know that England is busy in every shipyard, creating a vast fleet of vessels to capture the trade of the world, knows nothing. Who does not know that English financiers have already laid their plans to control not only the commerce but the business of the world, as far as they can, knows nothing. Who does not know that in the marts of trade France will meet us as far as she is able, and that competition for existence, for life, will be keenly waged, knows nothing. In that competition I want to see America independent, untrammeled by any ties save those of respect and good will toward all. I want to see this country made so great that she can maintain her place as big brother to the Western Hemisphere, so that she can exercise a beneficent influence upon all of the South American countries; so that she can keep Mexico decent, and, if she does not remain decent, make her to be decent; so that our lines of trade may extend into these undeveloped lands; so that our fleets, the shuttles of the sea, shall constantly stretch the threads of trade and commerce between the United States and South American countries, weaving them into a web of amity and good will that shall last through the centuries. Thus we shall build here a vast empire over which the influence of America will be dominant. Let it always be an influence of love and of respect. If we are to accomplish this sublime mission, we can not yield the Monroe doctrine.

It is idle to claim that we can interfere with the policy of China and Japan away yonder, and at the same time undertake to deny to them the right to say what shall happen on this side of the sea. Where we take, we must give. Where they yield, we must also yield, unless, indeed, we are to do that monstrous thing, viz, set up a tyranny of four or five nations over all the world, and thus crush and destroy the liberties that men have established and maintained.

Mr. LODGE. Mr. President——

Mr. REED. I yield to the Senator from Massachusetts.

Mr. LODGE. It is not to ask a question; but, if the Senator will permit me, I am reminded by what he has been saying of some lines that were written by a great English poet in 1806, when Napoleon had Europe at his feet; and they came into my mind because they so well illustrated what the Senator has been saying. I will read only the last part of the sonnet.

Mr. REED. I shall be glad to have the Senator do so.

Mr. LODGE. It was when England was left alone, confronting Napoleon:

'Tis well! from this day forward we shall know
That in ourselves our safety must be sought:
That by our own right hands it must be wrought;
That we must stand unpropped, or be laid low.
O dastard whom such foretaste does not cheer!
We shall exult, if they who rule the land
Be men who hold its many blessings dear,
Wise, upright, valiant; not a servile band,
Who are to judge of danger which they fear,
And honor which they do not understand.

Mr. REED. I thank the Senator.

Mr. LODGE. I think it illustrates one of the reasons of England's success in the world.

Mr. REED. I thank the Senator, Mr. President.

I have but a word to say in conclusion, for I did not intend to take the floor this morning. Physically I am not fit to occupy the floor.

There are under arms to-day in the world, according to the best figures I am able to get, still approximately 15,000,000 men. One million eight hundred thousand of these are our own troops in Europe, and approximately 800,000 in camps in America. I have the accurate figures in my desk, but not with me. England has over 3,000,000 men still in the field and, according to the figures given me by a reliable source, Germany has in substance and effect over 2,500,000 men still in the field. This enormous aggregate of men, which, for round numbers, I will call 15,000,000, are being held in the field awaiting the making of peace.

I do not know what a soldier in Europe is worth economically, but I believe that an American soldier draws on the average approximately $40 a month in wages, and I am very sure he can not be supported and supplied in France for $40 a month more.

Mr. KING. It costs $2,000 per annum per soldier.

Mr. REED. I am just told by the Senator from Utah that it costs $2,000 per soldier per annum. While those soldiers are away that enormous expense is going on.

But there is another side of the question even more unfortunate. While they are in the camp and the field they are not in the workshop; they are not on the farm; they are not in the countinghouse. They are not producing. Every one of them, speaking broadly, if he were home, would be producing an amount fully equal to his present consumption; and that economic loss falls upon the country and falls upon the world in addition to the outgo of which I have just spoken. What is true of America is true of the armies of the rest of the world to a greater or less extent.

What, now, is the situation? We all know that Europe is starving. We have been asked to contribute and have contributed $100,000,000 to be distributed in alms. While we are contributing to keep Europe from starving, Europe is expending countless millions of dollars, probably not less than $100,000,000 a day, in loss of money and in loss of labor on the armies of Europe. My calculations are being made now in my mind as I go along, but I think they are sufficiently accurate. Furthermore, as suggested by the Senator from Oklahoma [Mr. GORE], while they are clamoring for our money they are also clamoring for our food, and we are told that the American citizen can not have cheap food because it is necessary to send such large quantities of food abroad. Yet being withheld from the farm, from the workshop, from the place of production, are approximately thirteen and a half million European soldiers. What are they awaiting? Awaiting peace. An economic loss of not less than $100,000,000 every day—perhaps that figure is ridiculously low—and all awaiting peace. And what is peace awaiting? Peace is awaiting, not the settlement of the dispute between Germany and France and England and Italy and the United States; peace is awaiting the realization and development of glorious dreams that have to do with South Africa, with the farthest islands of the sea, with the remotest quarters of the globe, and that do not have to do with the conditions of this war, but have to do with a reorganization and a regeneration of mankind that can not be accomplished in 10,000 years from this date.

Before you can make a Hottentot understand the Constitution of the United States, and believe in the Christian religion, and in the other things that white men believe in, you have got to give God Almighty a chance to change the shape of his skull and the convolutions of his brain. While we are waiting, this expense goes on, this starvation goes on, these vast armies are held in camp and field. American boys are kept away from their mothers' embraces; and if you do not think they are heart hungry I hope you will get some such letters as I have received.

I recently read a letter from an American colonel, a man intellectually great enough to sit in this Chamber—yes, great enough, even, to occupy a position in the Cabinet. [Laughter.] He got himself ready to go into this war before the war began, because he saw it coming. He went in the first day. He is in there yet. He is as game as they make them anywhere, as uncomplaining and as gallant as American boys can grow; and that is simply saying, as good as God has ever made. He wrote me and said: "If anybody thinks that the American soldier wants to be kept over here in France while the destiny of the South Sea Islands is being settled, or a new scheme of civilization worked out, he has another guess coming to him. We want this war over. We want these Germans to pay the debts that they ought to pay. We want to come home and go to work. We want to see our mothers and our sisters, and some who have wives want to see their wives; and you had better get us home."

It was not the word of a petulant boy. He said: "Moreover, our Army is enduring more hardships to-day, in many respects, than it did during the war, for in many places the equipment has been so thoroughly taken away from us that we find it difficult at times to get up our supplies; and we are sitting here through these winter months waiting on what?" And he inclosed a clipping from an American newspaper in which it appeared that some duke or grand duke or some other thing of that kind—I never can keep track of them—who had been dethroned or toppled out of his place some years ago, was hovering about the peace conference and asking to have restitution made of his money lost some years before in some European brawl, and he said: "It is actually said in the newspapers, as a reason for halting the whole peace proceedings while his case is being considered, that this poor aristocrat actually has to work for his living!"

Mr. President, the thing to do is to settle our difficulties with Germany and Austria, impose the conditions of peace, and get American soldiers home; and then, in the name of George Washington and Thomas Jefferson and Andrew Jackson and Abraham Lincoln and common sense, having gotten them home, let us keep them home.

Of course, there is much that can be done that would be of value in preventing international disputes and wars—we all know that—but not in the way they are going at it. If we were to settle our difficulties with Germany and Austria, and at the same time we were to assist in setting up certain new countries that really are strong enough to maintain their liberties, provided they are given a little initial help, that is all right. I do not complain, although this business of setting up governments is a good deal like matchmaking. It generally turns out badly. Speaking by and large the only people who are worthy of a government or who can maintain a government are the people that are brave enough to set it up in the first instance. Such is the history of the world.

Mr. President, I am admonished that the time for a vote is nearly up, that the morning hour is about to expire; and if it is necessary to have a vote, I shall discontinue my remarks, though I wanted to speak about two minutes more.

Mr. KING. Mr. President, I want to state to the Senator that the resolution will not be passed between now and the hour of 2 o'clock. I have several amendments to offer and perhaps an observation to make.

Mr. REED. Very well; then I will be permitted, just briefly, to finish.

Mr. President, no nation ever yet has been picked up from the ground, where its people lay prostrate, and put on its feet that was ever able to stand.

I was saying, Mr. President, when I paused in order to give an opportunity for these proceedings to take place, that no nation or race has ever been picked from the ground and put on its feet by another nation or race and made great and self-sustaining. Where has it happened in all history? It has been attempted time and again, and a sort of a temporary government put up, but always under a protectorate, a government in fact that is a mere puppet government. What great, virile, strong, splendid government ever developed from a thing like that? It is stillborn; it is handmade. It does not possess the vital principles that must be found in a nation that is to continue. What are those principles? The love of liberty must burn in the hearts of men who are oppressed until its flames can no longer be endured, and until they are willing to die a thousand deaths to gain and keep their liberty.

When that spirit thrills their souls and burns their breasts they rise and strike and gain freedom. Such races and such men are the only ones of any account or that ever will be of any account on this earth. I, of course, except a conquered people who have been overthrown by overwhelming power and who find the conqueror has put its foot on their neck and deprived them of any chance to rise. But even in such case in the course of the ages it almost invariably transpires that a brave race will throw off the conqueror's yoke.

Mr. President, instead of staying in Europe to make Europe over, instead of staying in Europe to make Asia over, instead of staying in Europe to make Africa over, instead of staying in Europe to resurvey and provide a new government for all the archipelagos of all the oceans the thing to do is to settle our disputes with Germany—of course, honorably and in connection with our allies—bring our armies home, and let our soldier boys feel once more the kisses of mothers on their cheeks, the embraces of wives and sisters, the thrill of American air, the glory

of free American institutions. Let them go back to the great processes of creation and of recreation.

Mr. President, I remark in conclusion, strike the cobwebs of fancy from your brain, oh ye leaders of men. Turn your eyes from the golden clouds to the practical fields of life. Remember that men are men and women are women, and that men and women have always been largely guided by what they conceive to be in their own interest. Remember that as people are so are nations. Be not therefore surprised, be not therefore chagrined, if Great Britain, holding a smoking rifle in one hand, with which she has been defending herself and ourselves in common battle, shall turn with the other hand and snatch from us trade advantages and the command of the seas. Be not surprised at that. It is old Adam working still in the garden of the world, where he will work as long as man shall be man.

SENATOR FROM MICHIGAN.

Mr. FRELINGHUYSEN obtained the floor.

Mr. POMERENE. Will the Senator from New Jersey yield to me?

Mr. FRELINGHUYSEN. I yield to the Senator from Ohio.

Mr. POMERENE. I do not care to interfere with the Senator from New Jersey, but I had announced that I expected to call up Senate resolution No. 415 at the close of the morning business to-day. What has transpired since, it is not necessary for me to go into; but I shall call up that resolution at the earliest possible moment when I shall find it practicable to do so.

Mr. JONES of Washington. I suggest the absence of a quorum.

Mr. BRANDEGEE. Before that suggestion is made, allow me to ask what the Senator from Ohio said. We could not hear him on this side.

The PRESIDENT pro tempore. The Senate will be in order. The Senator from Ohio is asked to repeat his statement.

Mr. BRANDEGEE. I could not hear what the Senator said.

Mr. POMERENE. I said that I had expected to call up Senate resolution No. 415 this morning at the close of the morning business; that I was not able to do so because of what had occurred in the Senate; and that I would call it up at the earliest moment practicable.

Mr. BRANDEGEE. What is the subject of the resolution? I do not know it by number.

Mr. POMERENE. The Michigan contest.

Mr. BRANDEGEE. Oh, the Michigan senatorial contest?

Mr. POMERENE. Yes.

Mr. BRANDEGEE. Very well.

CALLING OF THE ROLL.

Mr. JONES of Washington. I rise to a point of order. I make the point that there is no quorum present.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Harding	McNary	Spencer
Borah	Henderson	Moses	Sterling
Brandegee	Johnson, S. Dak.	Myers	Sutherland
Chamberlain	Jones, N. Mex.	New	Thomas
Colt	Jones, Wash.	Nugent	Thompson
Culberson	Kellogg	Page	Townsend
Cummins	Kendrick	Pittman	Trammell
Curtis	Kenyon	Pomerene	Underwood
Dillingham	King	Reed	Wadsworth
Fernald	Knox	Saulsbury	Walsh
Fletcher	La Follette	Shafroth	Warren
Frelinghuysen	Lewis	Sheppard	Watson
Gerry	Lodge	Sherman	Wolcott
Gronna	McKellar	Smith, S. C.	
Hale	McLean	Smoot	

Mr. SHEPPARD. I wish to announce that the Senator from Louisiana [Mr. GAY] is absent on official business.

Mr. TRAMMELL. I desire to announce the absence of the Senator from Georgia [Mr. HARDWICK], the Senator from Kentucky [Mr. BECKHAM], the Senator from Wisconsin [Mr. LENROOT], and the Senator from Maryland [Mr. FRANCE] on committee service.

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Fifty-eight Senators have answered to their names. There is a quorum present. The Senator from New Jersey has the floor.

PROMOTIONS IN THE ARMY.

Mr. FRELINGHUYSEN. Mr. President, some days ago the senior Senator from Oregon [Mr. CHAMBERLAIN], by request, introduced a bill (S. 5278) which confers upon the President blanket authority to appoint to the Regular Army certain generals and lieutenant generals who have held such rank during the present emergency.

I do not know what action the Military Affairs Committee, of which I have the honor to be a member, will take on this bill.

The inspiration and suggestion for this legislation evidently come from the War Department—presumably from the Secretary of War and the Chief of Staff. I am reliably informed, Mr. President, that the proposed beneficiaries of this bill are Gens. Pershing, March, Bliss, Liggett, and Bullard.

In view of the importance of the subject and its relation to certain other dominating questions, chiefly the promotion of soldiers of lesser rank than those mentioned, I shall ask the indulgence of the Senate for a few moments while I make some observations in connection with this proposed legislation, upon promotions in general, and upon the treatment accorded minor officers and privates as well, who have rendered splendid service in their country's behalf, but whose interests seem to be entirely lost sight of in the chaos which at present prevails.

First, Mr. President, I wish to point out to the Senate the fact that in the entire history of our country the high rank of general has been only four times conferred, and in each instance for distinguished services and conspicuous gallantry in actual warfare.

To Washington, to Grant, to Sherman, and finally to Sheridan, and to no others, was this supreme distinction granted. In the case of Washington, the rank was fixed by direct vote of the Continental Congress, in 1775, at the beginning of the Revolution. After his retirement from the Presidency, when war with France threatened, in 1798 and 1799, he was placed at the head of the Army, but was given the rank of lieutenant general.

By special act of Congress in 1866 the grades of general and lieutenant general were recreated for the sole benefit of Grant and Sherman, and they were duly nominated and were confirmed by the Senate. By reason of Grant's elevation to the Presidency, the office of general was vacated, and he nominated Sherman as his successor. This was in 1869.

The rank of general being meanwhile dormant, Congress in 1888 created it anew in order that Sheridan, then lieutenant general, might be given the higher honor while he still lived, for he was then upon his deathbed. Congress has never held the honor cheaply, and has always preserved the right to confer it by special act, whereby the granting of it has been attended by all the solemnity incident to direct congressional authority.

It will be observed that, except in the case of Washington, this high honor was not conferred during hostilities nor immediately following the close thereof. As a rule, Congress has acted only after a sufficient lapse of time to permit the exercise of a calm and deliberate judgment, preceded by adequate inquiry and uninfluenced by public clamor.

I do not maintain that these officers should not thus be honored eventually, but I do assert that there are other promotions which should first be made in justice to the men who, for conspicuous and distinguished gallantry and service, have been recommended by their superiors for such promotion, which, however, has been denied by the very officials who now propose this legislation. In common justice they should receive that promotion before we confer higher and more permanent honors upon the officers I have mentioned.

Furthermore, the promotions embodied in this bill should not be made until we get a better perspective of the administration of our Army and the treatment by those in high command of its officers and men.

So far as Gen. Pershing is concerned, I am ready at any time to acquiesce in and agree to the bestowal of such distinction as a grateful country may deem him worthy of; but even in his case it may be best to await the complete fruition of his campaign abroad, that we may the more fully measure the scope of his achievements.

In a war of this character, our total unpreparedness compelling us to feverishly assemble an army of 4,000,000 men, it is not to be wondered at that grave injustices, blunders, and even scandals were developed. Some errors of judgment were inevitable, and must be treated with proper leniency, though it would be a fatal mistake to ignore them entirely.

No more splendid army, mentally, morally, and physically, ever marched to martial music than these 4,000,000 American freemen.

The placing of 2,000,000 of these magnificent soldiers on the fighting line in France, with only an inconceivably small loss, was an undertaking which makes the heart of every American patriot beat with justifiable pride.

The heroic achievements of that Army have added new luster to the pages of American history, already luminous with the magnificent deeds at Trenton, Princeton, Monmouth, Saratoga, Yorktown, New Orleans, Antietam, Gettysburg, and Appomatox. The

traditional valor of the American soldier was splendidly exhibited at Belleau Wood, Chateau-Thierry, St. Mihiel, the Argonne Forest, Verdun, the Meuse, Sedan, and the Hindenburg line.

In these great battles, waged on the fair soil of France for the same principles of civil liberty for which their forefathers had fought, the men in kaki have kept alive the glorious traditions of American determination and bravery. We want no cloud of scandal or injustice to dim the glory of America's part in the supreme conflict for democracy. We should be generous in rewarding the services of officers and men alike, but our action should be based upon complete justice to all, and our conclusions should be arrived at only after the full records of service are placed before us.

There are many things which are not clear, and Congress should demand an adequate explanation before bestowing military honors. Many things have been done that seem unjust, yet they may be promptly explained. Criticism, however, is widespread, and grave injustices, owing to faulty administration, are being daily brought to the attention of Members of the Senate and House of Representatives.

Serious charges come to us in every mail from parents and returning soldiers—stories that the cables have never told us, that the papers have never published, and our officials have never revealed. These allegations will not down, and it is our duty, in justice to our constituents and to our consciences alike, to sift them to the bottom and withhold honors from those higher up until these matters are explained to our satisfaction.

We have heard much during this war about "dollar-a-year men," "swivel-chair officers," "bomb-proof jobs," and so forth, in Washington and elsewhere. I do not altogether sympathize with or indorse these views. Undoubtedly there were such individuals in Washington, "slackers" in every sense of the word, yet I believe many of these men—most of them, perhaps—were patriotically doing imperatively important work back of the line and are deserving of the thanks of their countrymen for their services.

But there is a grave suspicion that there was studied favoritism shown by those in authority; that military politics was rife; that many officers of the National Guard and the National Army were discriminated against; and that Regular Army men were favored.

There is every reason, too, for the belief that promotions in America were more rapid, more the result of influence, than at the battle front. I do not suggest that these promotions at home were improper, but that promotions in France were tardy by comparison.

At an early stage of the war there was undue haste in according honors to leading officers, and for this the Senate was in part responsible.

The preliminary investigations made by the Senate Committee on Military Affairs in December, 1917, seemed to demonstrate unmistakably that three chiefs of bureaus had each failed as an effective administrator of his bureau, yet all of these were advanced to the grade of major general for the emergency, two of them being subsequently given permanent rank as major general of the line, reaping a high reward, and for what?

These officers had seen long service with honorable careers. Future investigation may absolve them from blame, but while the weight of criticism rested on them they were promoted.

On the other hand, let us look at Enoch H. Crowder, whom this Nation and the civilized nations of the earth generally should ever hold in grateful remembrance for the extraordinary celerity with which he mobilized America's great citizen army, that saved the world from autocracy's fatal grip.

He has with equal ability filled the dual rôle of Judge Advocate General and Provost Marshal General, and has received the reward only which was accorded all other chiefs of bureaus. If, however, he shall not be reappointed by the President when his term is completed, February 15, 1919, he will be relegated to civil life, with his rank taken away from him, or will take his place by reappointment as colonel in his own department.

Is that a just and proper distribution of military honors?

And let us not forget that last year when it was proposed by Congress to grant the rank of lieutenant general to Gen. Crowder, he immediately declined the suggested honor, for the reason that he did not desire to be singled out for special honors when the selective-service boards under him were working without hope of reward.

And what of Henry P. McCain, who for the first year and a half of the war as Adjutant General rendered extraordinarily efficient service in shaping the Army handed over to him by Gen. Crowder? For reasons which have never been divulged, he seems to have been summarily removed from his post some months ago, and, though he continues to hold by new appointment the rank of major general during the emergency, he reverts to the rank of colonel when the war shall end.

Again I ask, is that a just and proper distribution of military honors?

On the one hand, two officers who did not succeed have been made major generals for life, while two other distinguished officers who did not fail find themselves adrift or holding minor rank when the war is over. Why does not this bill, inspired by the War Department, provide proper recognition for Gens. Crowder and McCain?

There have been certain grave mistakes and blunders during the present war, mistakes and blunders which will never be forgotten, because the reason for their existence has never been explained, and the responsibility for them must be placed upon those who determined the policy of the War Department. Surely until they are explained those who may be responsible for these mistakes and blunders should not be further honored.

Of course the Secretary of War must assume responsibility for all the shortcomings and derelictions of those who are his subordinates. On the other hand, during the progress of this war the Chief of Staff has been vested with or has assumed extraordinary, almost autocratic powers, such as no other American military officer has ever been endowed with in the history of the Republic. From day to day he took to himself greater authority, until he was almost supreme, almost a law unto himself.

Under the circumstances the Chief of Staff must expect to be held responsible in a large measure for every phase of development of the Military Establishment and to have charged against him the delinquencies of his subordinates.

Throughout the entire war, until the signing of the armistice, November 11, the Senate Committee on Military Affairs exhibited the fatal weaknesses of the War Department program—inexcusable delay, unspeakable inefficiency, incredible extravagance. Such was the record unfolded from day to day.

As a result of the disclosures developed by that committee, many improvements in organization were inaugurated by the Secretary of War, and a greater degree of efficiency was manifest as the months passed by. But, as a rule, these changes were made too late to greatly affect the equipment of our forces on the fighting line, and, because of this delay, grave were the disasters which ensued.

I shall not dwell upon these pitiful details. Yet I would remind this Senate that, even up to the day hostilities ceased, in spite of the billion dollars we expended for aircraft, not an American-built battle plane or bombing plane was used by our Army in France. Except for the foreign-built planes, we had none at our disposal, except De Havilland fours, which were little more than armed reconnoissance planes.

Let us not forget what Gen. Pershing has informed us on this point. After dwelling upon the absolute lack of guns of heavy caliber, he reported:

> In aviation we were in the same situation. We obtained from the French the necessary planes for training our personnel, and they have provided us with a total of 2,676 pursuit, observation, and bombing planes. * * * As to tanks, we were also compelled to rely upon the French. Here, however, we were less fortunate, for the reason that the French production could barely meet the requirements of their own armies.

For weeks the German planes flew over our forces almost at will, without adequate opposition from our own aviators, hundreds of our men being the victims of Hun mastery of the air at those points.

Who was responsible for that lamentable state of affairs? Has this Senate forgotten the report of the President's own investigator, the Hon. Charles E. Hughes? Two Army officers were recommended for punishment, while the disciplining of another, Col. Deeds, was suggested.

What was the result? The President felt constrained to pardon the two officers in advance of trial, while Col. Deeds was "vindicated," so it was called, by the Secretary of War.

Whoever was responsible, directly or indirectly, for the tragedy of the aircraft fiasco, which resulted so disastrously to our brave troops in the field, should have been tried and, if found guilty, have been compelled to suffer the maximum penalty under the law, military or civil. That is the kind of "vindication" he or they should have received, not a certificate of character from the President or the War Department.

Furthermore, in spite of billions of dollars appropriated for ordnance, there was not a single American-built heavy gun at the front, except about a dozen 8-inch, and a few turned over to the Army by the Navy. What wonder is it that our boys were slaughtered like sheep in the Argonne Forest!

Upon this point I refer you to the recent speech of Gov. Allen, of Kansas, who has lately returned from the front, where he spent nearly a year. This scathing arraignment of those responsible for the carnage in the Argonne Forest, due to lack of artillery, has never been answered because it is unanswerable. It is a sanguinary page in our military history.

Concerning this matter, moreover, Gen. Pershing has reported as follows:

> Our entry in the war found us with few of the auxiliaries necessary for its conduct in the modern sense. Among our most important deficiencies in material were artillery, aviation, and tanks. We accepted the offer of the French Government to provide us with the necessary artillery equipment of 75s, 155-millimeter howitzers, and 155 G. P. E. guns from their own factories for 30 divisions. There were no guns of the calibers mentioned manufactured in America on our front the date the armistice was signed. The only guns of these types produced at home thus far received in France are 109 75-millimeter guns.

Who is responsible for that wretched state of affairs—for that slaughter of the innocents in the Argonne Forest and elsewhere? The dead can not speak. Let us demand that the living shall make answer.

But I will not dwell upon these phases of the war. There is so much to be said regarding the lamentable failures of the War Department concerning almost every phase of the great struggle, and these will be touched upon at length upon some future occasion.

I now propose to comment briefly upon the order of the War Department issued November 12, 1918, the day after the armistice was signed, that no further promotions should take place, and that no more commissions should be issued.

That famous order has never been published, I believe. Here is a copy of it, supplemented by The Adjutant General's cablegram to Gen. Pershing:

> Memorandum for The Adjutant General.
> Subject: Suspension of recommendations for emergency promotion and appointment.
>
> The Secretary of War directs that telegraphic orders issue to commanding officers of all tactical divisions in the United States, to commanding generals of all territorial departments, replacements, central officers' training schools, camp headquarters, depot brigades, ports of embarkation, and the commanding officers of all other units of independent command within the limits of the United States, the commanding general Philippines Department, and the commanding general Panama Canal Department in substance as follows:
>
> Recommendations for emergency appointment and promotion under the provisions of G. O. No. 78 c. s. W. D. are suspended until further notice.
>
> HENRY JERVEY,
> *Major General, General Staff, Assistant to the Chief of Staff, Director of Operations.*

PERSHING,
Amexforce, Paris.

(C. of S.) No. 2191, November 14. Confidential.

War Department has adopted as a policy not to appoint or promote any further officers in the United States Army for the period of the emergency. This policy to be effective November 11, 1918.

MARCH.
HARRIS.

Some weeks since I wrote the Secretary of War, as follows, regarding that order:

> The summary order putting an end to all promotions was of so drastic a nature that it has worked a hardship, an injustice, indeed, in innumerable cases. I trust you may conclude to set that order aside, to the end that promotions earned in actual service may be effected.

The Secretary made reply, as follows:

> There is an evident misunderstanding as to the cause for the suspension of promotions in the Army after the conclusion of the armistice. Appointment to a military office, as to any other office, may properly be made only when a vacancy exists. Appointments and promotions were made throughout the war to fill vacancies as they occurred. As you know, demobilization of the Army was begun immediately after the conclusion of the armistice, and from that time, instead of there being any vacancies, we had a surplus of officers in all grades, which it was necessary to reduce by discharge. If additional appointments were made to any grade, there would be no proper employment for the appointee.
>
> As for the suggestion which is sometimes offered that the appointments might be made but the appointee immediately discharged, I think this comes from a misconception of the nature of a military force. It is apparently thought of in the same way as a medal or decoration. It would be difficult to justify the appointment of any person, civil or military, when there is no expectation or intention that he shall perform any duties under the appointment.
>
> For the reasons I have given, no appointments or promotions are being made for the purpose of active service. There can be no objection, however, to appointment to an office to which no present duties are attached, but which, nevertheless, has an actual legal existence. Immediately after the armistice, therefore, I directed that a commission in the Officers' Reserve Corps, with inactive status, be offered to every officer and enlisted man who had duly qualified for appointment. A lieutenant who was recommended for promotion to a captaincy can not receive such a promotion in active service, since we already have more captains than we can employ and are discharging many daily. This man, however, does receive a reserve commission as captain.

Mr. STERLING. Mr. President, will the Senator from New Jersey state who is the writer of that letter?

Mr. FRELINGHUYSEN. I stated that I had written to the Secretary of War, and that the Secretary of War had made reply, as follows.

Mr. McKELLAR. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Tennessee?

Mr. FRELINGHUYSEN. I yield to the Senator.

Mr. McKELLAR. Does the Senator know how many officers have been offered and have received places in the Reserve Corps?

Mr. FRELINGHUYSEN. I do not know that.

Mr. McKELLAR. Does the Senator know of any?

Mr. FRELINGHUYSEN. I think I know of one only.

This statement of the Secretary of War is quite clear, and we should be grateful to him for presenting his views so frankly. Yet, I did not agree with him. There has been no measure enacted by the Congress, so far as I am aware, which limits the commissions which the War Department may issue except in the Regular Army. Certain it is, prior to the armistice, such commissions were issued daily, and, to a very large extent, to those who never left the shores of America.

When hostilities ceased there had accumulated a large number of recommendations for promotion, and the commissions were all ready for the signatures of the appropriate officers. I understand that included in this list were thousands of the very flower of our Army in France, lieutenants, captains, majors, lieutenant colonels, colonels, and brigadier generals, who won imperishable laurels at Chateau-Thierry, St. Mihiel, the Argonne, Sedan, and so forth, but who were refused promotion under the drastic order of the Secretary of War.

I do not think this course was acceptable to the American people. It is my belief that they would gladly sanction such increased expenditure as might be involved, even though the total should reach $100,000,000, the amount we have appropriated, at the President's demand, for the purpose of feeling Europe's unemployed.

Furthermore, if in order to find places for some of these heroes of the bloody battle fields of France it should be necessary to make vacancies, let the Secretary of War get rid of 10,000 or more of the officers filling executive and clerical posts in Washington and elsewhere in America and supplant them with the battle-scarred veterans of Chateau-Thierry and the Argonne Forest.

The Secretary of War has recently seen a great light and has found it possible to reverse himself, at least partially. Under date of January 30 a cablegram has been sent to Gen. Pershing authorizing him to "make such promotions among officers of the line up to and including the grade of colonel as will give the officers who, in his judgment, deserve it rank equal to the command exercised by them."

It is but natural that we should ask why, in view of this latter conclusion, it was necessary to issue the order of November 12, which caused such a vast measure of disappointment to thousands of brilliant young officers on the fighting line in France, and why the Secretary felt called upon to indicate, as he did in his letter to me, already quoted, that further promotions were not practicable.

As a matter of fact, the reversal of the order suspending all promotions does not meet the situation and in some respects is worse than the original order. Better no promotions than the selection of a favored few.

I know the Secretary entertains rather curious views on the question of promotions. Only recently he stated to me that a promotion was not a reward for services performed, but a recognition of the need of an officer to fill a higher rank, and was granted solely because the officer was capable of performing the service in that rank. I can not entirely agree to that. Our whole military history contradicts it. Promotions come in recognition of experience, fitness, and courage in the lower grades, and you can not gainsay it.

Thousands of young officers have been recommended for promotion for conspicuous gallantry in action or efficient service rendered elsewhere. I claim that every worthy recommendation by superior officers of those who have served in the battle line should be approved and the advancements effected.

This partial remedy of the Secretary of War is unfair and unequal, and will exclude and relegate to private life unhonored thousands of officers as much entitled to promotion as the comparatively small number who are likely to be benefited by the recent order to Gen. Pershing. Justice to all is my demand.

In this connection I wish to present an illustration of the Government's lack of adequate recognition for services rendered. Very early in the war about 1,000 young American doctors were commissioned as first lieutenants in the Medical Corps, were sent to the English Army and were scattered along the entire front line as surgeons, assigned to that army, whose medical force had become depleted.

They were a very superior class of men and they rendered splendid service. Ten or 15 gave their lives; 35 to 50 were wounded, yet, except in a few cases, no recognition of any sort has been given to these men, I am told, though no par-

ticipants in the war more fully deserved promotion. They have been forgotten.

Now, I wish more particularly to present some points bearing upon certain of the psychological aspects of soldier life, and especially the treatment of our boys while overseas and upon their retirement from the Army.

Who is responsible for the inexcusable failures to deliver letters to our soldiers in France? This dereliction we must not charge against the much-censured Post Office Department which already has innumerable sins to answer for. The War Department established its own postal force, or pretended to do so. What a fiasco resulted! I doubt if there is a single Member of this Senate who has not received letters from disheartened parents complaining of the failure to deliver letters to loved ones overseas.

Mr. CURTIS. Mr. President——

The PRESIDING OFFICER (Mr. HENDERSON in the chair). Does the Senator from New Jersey yield to the Senator from Kansas?

Mr. FRELINGHUYSEN. I yield to the Senator from Kansas.

Mr. CURTIS. Mr. President, I should like in this connection, if it will not disturb the Senator from New Jersey, to call the attention of the Senate to a letter from a captain to a mother who had written him in regard to her son. The letter is as follows:

> In reply to your letter dated October 3, 1918, would state that no word has been received at this station regarding your son.
>
> 2. The correspondence that has taken place regarding the above is becoming tiresome to this office. You were informed in our letter of August 17, 1918, that upon receipt of any word at this office you would be promptly furnished with the same for your information. With that assurance, and in view of the fact that the proper authorities have been notified to furnish a descriptive list of soldiers, it hardly seems necessary to constantly correspond regarding the same.

I want to call the attention of the Senate to this letter, because it was written by a captain to a mother who has not heard from her son since July last. She had written this officer in October and received this brutal answer. Mothers, fathers, wives, and relatives are entitled to receive courteous answers to letters about their dear ones whom they have given to their country.

I wish, as one, to join with the Senator from New Jersey in condemning such letters.

Mr. FRELINGHUYSEN. Mr. President, I desire to thank the Senator from Kansas for his contribution to the RECORD. I have a number; in fact, many hundreds of similar letters. Let me quote from one of the hundreds of such communications I have received, from Ernest L. Smithers, Maplewood, N. J., who writes as follows, January 17, 1919:

> I attach herewith three envelopes which contained letters written to my son, Eric F., who is with his brother, a lieutenant in the Twenty-ninth Division, One hundred and fifteenth Infantry, American Expeditionary Forces in France. I may say that at least 25 letters sent to Eric by his mother, myself, and friends, written during the months of August, September, and October, have been returned to us, and they are still coming in. You will see the notation on the envelopes is "Sick. C. P. O. Directory Section."
>
> The facts of the case are that my son was taken sick in August, 1918, and was in a hospital for two or three months, which was just the time when he needed his letters from home. We had been informed, like others, that it was vitally important to keep up the morale of the Army. With this point in mind, both Mrs. Smithers and myself and many of his friends forwarded letters regularly twice a week, only to have them returned, undelivered, and marked "Sick."
>
> It certainly does seem like a great misfortune for letters to be returned in this manner, especially when a boy in the Army is taken sick and is in a hospital. Going through a period of this kind needs consolation, and the only consolation are his letters from his parents and friends at home.
>
> My family is so distressed that letters written to our boy were handled in this way, and he was allowed to think that he had been entirely forgotten, that I feel it only right to bring this matter to your attention.

I feel constrained to cite another case from the hundreds which have been brought to my attention. R. Ireton, Camden, N. J., writes, January 23, 1919, as follows:

> My son has received no mail of any kind for four months, although I am writing to him several times every week. Is there any excuse for this treatment? He received his last mail October 12, while in action at the front, with German shells falling all around him.
>
> He was wounded October 21 and sent to a hospital at Blois, France, and since in a camp 12 kilometers from Le Mans, but has not had a piece of mail for four months now. Talk about German cruelty! Can you find much worse than wounded and sick men and their mail and pay kept away from them? He begs to know if we are living or dead with the "Du."
>
> He has received no pay since July and we have not received any allotments since then, either. He can not even get the money we have sent him from home. He was wounded in August and received no mail for two months. He has not received his Christmas box, sent through the Red Cross. * * * Shouldn't they know that letters and a Christmas box from home are the most important things, next to life itself, to a wounded man thousands of miles away from home?

Here is a single paragraph from a communication from another constituent, Walter S. Smith, Jersey City, who inclosed the envelope of a letter sent a son, Corpl. Edwin E. Smith, in France, which came back marked "Sick." The writer says:

> It is not my purpose to annoy you with needless complaints, but I would be obliged if you would take a look at inclosed envelope, which tells a story of a letter of cheer denied a soldier boy because he unfortunately was ill, and said letter dragged 3,000 miles back to the sender.

Words are literally inadequate to describe one's emotions in reading such letters from the parents of the boys overseas. It is incredible that the sick and wounded soldiers of a great Nation should be the victims of such brutality!

It must not for a moment be thought that I am presenting only rare cases. My files exhibit hundreds of letters of the same tenor, and I have no doubt every Senator on this floor can say the same. In other words, the postal service of the Army in France was lamentably inefficient, and not the slightest effort seems to have been made to improve it.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Oregon?

Mr. FRELINGHUYSEN. I yield.

Mr. CHAMBERLAIN. Mr. President, without undertaking to fix the responsibility—although I hope with the Senator that the responsibility will be fixed at some time—let me say that I hold in my hand a postal order which was bought by me here in Washington on the 22d day of June, 1918, and forwarded to a little nephew, who was not quite 18, and who was sick in a hospital in France. It was sent to him because he had received no pay during his service in France. This postal order was sent to him at his address at the hospital which was known. His unit was given, his name was given, and there was no question but that he could be easily identified if only an effort was made to do so. He was killed in action on the 18th of July. This postal order was received by me about 10 days ago, returned in the same envelope in which I sent it, marked "Not known."

There was absolutely no excuse for anything of that kind. His mother received a letter from him some time the latter part of October saying that he had recovered from his illness in the hospital and rejoicing that he had joined his unit and was going to the battle front. A few days after that she received a telegram from the office of The Adjutant General that he had been killed in action on the 18th or possibly the 20th of July; and two or three weeks after that, after I had taken the matter up here to try to trace up the matter, the mother received another telegram from the office of The Adjutant General wanting to know where she had gotten the information that her son had been killed in action.

Mr. WEEKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Massachusetts?

Mr. FRELINGHUYSEN. I yield.

Mr. WEEKS. I think it will not be without interest for me to say that when the Post Office appropriation bill was under consideration in committee, I asked some questions of the Second Assistant Postmaster General, under whose direction the Foreign Mail Service is conducted. In making some explanation about the responsibility for the poor service, he suggested that, as of course is known, the War Department was responsible for the service after the mail left the docks in this country. The next day some employees of the Post Office Department came to my office with a very considerable number of letters which had been mailed in this country more than six months before, and had gone to France. The envelopes were stamped "unknown," and the letters returned to this country about three months before they were brought to my office. I was informed by these postal employees that there were a large number of letters of that character in the office of The Adjutant General in Washington, which had been lying there for three months, with apparently no attempt to deliver them or return them to the writers.

Mr. FRELINGHUYSEN. Mr. President, we all know that the postal service of the Army in France was lamentably inefficient, and not the slightest effort seems to have been made to improve it.

Can anything more grossly stupid or heartless be imagined? Though accurately addressed to the soldier, with the name and number of his unit plainly indicated, the envelopes are marked "Sick," and the letters, instead of following the poor soldier to the hospital, are shipped back to America unread, unopened, undelivered.

Who is responsible for the delay in the payment of the soldiers' compensation? If any official dare assert that there is

no such delay, let him come to my office and I will place my files at his disposal. There is such delay, prolonged delay in numerous cases, delay that is inexcusable. In one of the letters from which I have just quoted is the statement "he has received no pay since July," seven months ago.

Let me briefly cite another case, which not only illustrates the War Department's slipshod methods in this matter but in certain others to which I shall invite attention in these remarks. Writing from Prospect Plains, N. J., January 20, 1919, M. V. Landmann, speaking of a certain case, says:

> Perhaps the records in this department are something like those of the Casualty Division of the War Department, where Miss Bagley (Mrs. Falconer's secretary) was assured late in December that as they had no record of Pvt. Willard Snedeker's being wounded, his wound, if any, must have been a slight one. As a matter of fact, he was so severely wounded in action October 3 that his leg was amputated above the knee October 4, but the parents have never received any notification. He arrived penniless but cheerful—not having been paid for many months—in New York January 5, and through the kindness of the Salvation Army was able to send a postal to his mother to let her know of his arrival.

A grateful country, indeed! This soldier, minus a leg, unpaid for many months for his services in France, returned to his native land without a penny in his pocket with which to purchase a postal card in order to notify his mother of his arrival. How do we expect to develop patriotism in the minds of our young men in the years to come in view of these things?

Another constitutent of mine—Mrs. Robert Daly King, of East Orange, N. J.—writes me, January 17, 1919, as follows:

> It has come to my actual knowledge that our soldiers are not receiving their pay, and I know of no way to remedy this disgraceful fact than to make known to those who represent us our displeasure at this condition, register our protest, and ask that justice be done. * * * The soldiers of France, to whom we give high praise, will not fight without pay. So with England, and doubtless with other lands; but our men give their lives with all bravery and never falter in their loyalty to their country, without a murmur of complaint at the rank injustice being done.

Another constituent of mine—Alfred V. C. Genung, jr., of East Orange, N. J.—writes me, January 25, 1919, to the following effect:

> My son, Ralph C. Genung, private, of One hundred and twelfth Heavy Field Artillery, Battery C, Twenty-ninth Division, has been out of funds since October, borrowing right and left, we, in the meantime, endeavoring to get funds to him through the Guarantee Trust Co., of New York, all this due to his not being paid by the War Department. How long would civilians working for the Government go without funds as our sons have been forced to do? And Army rules force them to hold their tongues as to their properly due stipend, and that small, as you well know.

Mr. CURTIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Kansas?

Mr. FRELINGHUYSEN. I do.

Mr. CURTIS. With the permission of the Senator, I should like to read an extract from a letter from a soldier of the Third Trench Mortar Battalion, Ninth Division, Third Artillery:

> Mother, I have been here for about seven months, and never have had a pay day yet, and we sure have been having a pretty tough time. It certainly looks like Uncle Sam has forgotten his boys in the trenches; but, oh, if he will carry me back to my dear mother he can have what he owes me.

I want to state in the same connection that the paper that prints this letter also prints an account of the death of this boy from pneumonia in France.

Mr. FRELINGHUYSEN. Mr. President, we Americans talk much of our liberality to our soldiers. Does it ever occur to us to get their viewpoint? Visit their camps, and this is the pessimistic song you will hear, sung to the tune of "Glory, Glory, Hallelujah":

> All we get is thirty dollars,
> All we get is thirty dollars,
> All we get is thirty dollars,
> But we don't get a blank blank cent.
>
> Fifteen dollars for allotment,
> Fifteen dollars for allotment,
> Fifteen dollars for allotment,
> And we only have fifteen dollars left.
>
> Seven dollars for insurance,
> Seven dollars for insurance,
> Seven dollars for insurance,
> And we only have eight dollars left.
>
> Five dollars for a liberty bond,
> Five dollars for a liberty bond,
> Five dollars for a liberty bond,
> And we only have three dollars left.
>
> Three dollars for the laundry,
> Three dollars for the laundry,
> Three dollars for the laundry,
> And we don't get a blank blank cent.
>
> All we do is sign the pay roll,
> All we do is sign the pay roll,
> All we do is sign the pay roll,
> And we don't get a blank blank cent.

As a matter of fact, our soldiers are returning to civil life absolutely penniless and in many cases with back pay due them. Furthermore, they are wandering about the streets in complete ignorance as to where they shall make further insurance and liberty bond payments in case they should earn sufficient money for that purpose, but there is absolutely no one in authority to enlighten them and no one who seems to care a picayune regarding their future in that respect.

Regarding this and similar matters, I understand Gen. Crowder, the Provost Marshal General, prepared a systematic plan whereby the various draft boards were to be clothed with jurisdiction in the premises, looking after the discharged soldiers, and furnishing them with aid and advice concerning their material welfare. This plan failed to receive the approval of the War Department, and now the soldiers to a large extent are at sea without chart or compass.

Never was there so much need of sympathy and care as at the present time, following the return of these boys to civil life. Gen. Crowder's plan was practical and would have prevented the unspeakable conditions that now exist.

The re-creation of these draft boards as Government agencies to meet and solve the soldiers' problems was an excellent proposition and would have restored normal conditions almost immediately, because the men would have come under the influence of the home atmosphere and their necessities would have been adequately appraised, understood, and adjusted.

But Gen. Crowder's proposals were, unfortunately, not adopted by the War Department.

We have provided 30 days' pay for the discharged soldiers, and the senior Senator from Arizona offered an amendment for 60 days' pay. This would have been very costly and would not have met the problem. The greater number of our soldiers do not want charity, particularly the men with jobs awaiting them. But the man out of employment wants to be helped until he gets on his feet, and meanwhile his family, if he has one, must be cared for.

Why not provide that these draft boards shall assist the men so situated to secure employment, supplying them and their families, if in actual need, with sufficient funds to sustain them for one, two, three, or even six months, until employment is obtained?

To return to the question of the ignorance of our soldiers concerning future payments on liberty bonds, and so forth, it is quite clear that under existing conditions such payments as have been made will, in many cases, be entirely lost to the soldiers, with the Government Treasury the gainer to the extent of hundreds of thousands of dollars.

In many cases, I understand, shrewd and unscrupulous speculators are hanging around the debarkation camps, buying up these bonds at greatly reduced figures, in effect, robbing our boys in khaki simply because they do not know in what direction to turn for advice and protection.

Who, Mr. President, is responsible for the gross delay in the payment of soldiers' allotments and allowances to mothers, wives, and other dependents? As unspeakably inefficient as the War Risk Insurance Bureau has been, much of the blame must rest upon the War Department.

As I understand the situation, the soldier's compulsory allotment is limited to $15, which is under the control of the War Risk Insurance Bureau. If the soldier voluntarily makes an additional allotment, the Quartermaster Department handles the job—or mishandles it. Since last June, when the War Department stepped in to assume charge of this branch of the allotment proposition, to the great confusion of the whole system, there has been nothing but delay, delay, and yet more delay.

Again, let me suggest, if any official of either the War Risk Insurance Bureau or the War Department questions the existence of these appalling delays, let him visit my office and my files will be placed at his disposal.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Tennessee?

Mr. FRELINGHUYSEN. I do.

Mr. McKELLAR. There is no question in the world about the statements of the Senator on that subject until recently, but I think the present Director of the Bureau of War Risk Insurance, Col. Lindsley, has considerably improved the situation recently.

Mr. FRELINGHUYSEN. I have observed no evidence of it. I still have the complaints coming in daily.

This whole question of procrastination on the part of the Government in the payment of allotments and allowances to suffering, starving mothers, wives, and children of soldiers constitutes the chief tragedy of the war, so far as America is concerned.

In this matter of the heartless conduct of the Government, let me quote a letter from a mother in my State, which, in simple language, speaks more eloquently than can I or any other Senator on this floor. Mrs. J. E. Romaine, Maywood, N. J., writes me as follows:

I am in receipt of a communication from the Treasury Department, Bureau of War Risk Insurance, stating that the allotment and allowance of my son made out to me, which was paid in full to me to September 30 for $25, had been overpaid by the Government, as he was killed on the 25th of September. The demand is made upon me to refund to the Treasury Department $4.17.

I was not aware that the soldiers were employed by the Government by the day or hour. If you, dear Senator, were employing a man by the month and he was away sick or had died a few days before his month was up, would you deduct from his salary those few days? I, as poor as I am, would feel that I was in honor bound to pay this trivial $4.17. Dear sir, what would you advise—return the $4.17 or not?

What a picture of pathos! And, too, on the other hand, what an exhibition of brutal asininity on the part of the Government! Has it become such a Cheap John affair that it must hound the heartbroken mothers of the land in cases like this?

I shall not detain the Senate by quoting further from the hundreds of letters in my files, begging for aid in securing expeditious action upon allotment-and-allowance claims. The pages of the CONGRESSIONAL RECORD would not suffice to present even a small fraction of them.

Who is responsible for the delays in reporting casualties, and why should months elapse before relatives in this country are informed of the wounding, the illness, or the deaths of loved ones in France?

Is there a Senator on the floor who can not produce hundreds of letters from constituents conveying heart-rending complaints of this kind?

Let me cite a case which has almost a comical phase. A young constituent of mine was wounded in France some months ago, lay in a hospital for weeks, recovered sufficiently to be sent to America, and reached his home in Jersey City. Here, after a time, upon answering a ring of the door bell, he was handed a telegram from the War Department, advising his mother that he had been wounded—an event which had taken place early in the fall.

Here is a typical letter, Mr. President; and if any Senator can listen to the reading of it without the blush of shame mantling his cheeks, then must he possess a heart of adamant. Martin J. Higgins, a member of the staff of the Sunday Call, Newark, writes me as follows:

There is a widow who has been in my election district—a Mrs. Ellen Simms, 14 North Third Street, Newark—whose son, Pvt. George A. Sissons, Company L, Twenty-third United States Infantry, died as the result of wounds received in action on July 29, 1918. His mother was not notified of his death until New Year's Day. The soldier in his last letter to her informed her he had made out an allotment and had insured himself, making her the beneficiary.

This poor woman has never received a penny from the Government, and she is greatly in need. She is proud of the fact that she was honored by giving her only son for the cause of humanity, but thinks the Government is neglectful in not doing its part by sending her what is rightly hers—the allotment and insurance. It is nearly six months since the soldier died, and yet on January 4, 1919, the War Risk Bureau informed her that as far as they knew her son was alive and well, at the same time advising her to communicate with the War Department for "further information."

In the colloquial language of the street, can you beat it? This broken-hearted mother, after being kept in the dark six months concerning the fate of her only son, is finally, January 1, 1919, advised by the War Department that he died last summer, meanwhile allowing her to suffer for lack of the necessaries of life. Three days later the War Risk Bureau advises her that it knows nothing of the fate of her boy, and turns her over to the tender (?) mercies of the War Department.

Can such things be and overcome us like a summer cloud
Without our special wonder?

Multiply these cases by 50,000 and you can form some idea of the magnitude of the Government's dereliction in this matter, of vital concern to a vast army of patriotic yet sorrowing mothers, wives, and sisters in America.

Who is responsible for the total lack of adequate sanitary hospital facilities for our wounded and invalid soldiers who have recently been brought over, and who are largely distributed in various improvised hospitals, so called, throughout the country?

Why did not the War Department make adequate provision for the awful yet inevitable contingency? Did they expect this to be a bloodless war, a war of words only, a war of diplomatic "notes"? Did they expect the pen to prove mightier than the sword and that the President's brilliant fulminations of rhetoric and syntax would put the Huns hors du combat without the loss of life or the shedding of blood?

Fatal hope! Almost as fatal as the expectation that through the agency of a league of nations all future wars will be prevented.

While upon this unpleasant theme, let me ask, Why did not the War Department or other Government agency make some serious effort or take proper precautions to keep the influenza epidemic from our shores and from our camps last fall, the result being the death of tens of thousands of splendid young Americans, who deserved a better fate?

And who was responsible for the incredible neglect to provide proper hospital facilities to meet such contingencies? I shall not dwell in detail upon the horrors of that distressing period, but I can not refrain from mentioning a single incident.

One of my constituents died of the epidemic at Camp Humphreys, just below Washington. His body having been withheld from his relatives for nearly a week, I inquired the cause. The camp commander referred me to a near-by undertaker. The latter casually informed me that he had held the body until he could accumulate a carload for shipment, and a few hours previously he had shipped north 178 bodies.

Who is responsible for this lamentable state of affairs? Surely there can be no doubt upon that point. The same fatal policy of procrastination and unpreparedness characterizing every phase of the war, in its relation to the living, has been employed in dealing with the sick, wounded, dying, and dead. No such chapter of inexcusable neglect and inefficiency can be found in the pages of this or any other civilized nation's history.

Mr. McNELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Tennessee?

Mr. FRELINGHUYSEN. I yield.

Mr. McKELLAR. I have listened with a great deal of interest to the splendid speech of the Senator in dealing with these matters; but I can not help but wonder at the Senator's vote the other day in favor of turning over to this very department the settlement of two billion seven hundred millions of contracts. It seems to me that if this department is of the kind that the Senator describes, surely the Government ought not to turn over to it the right to settle these contracts, amounting to $2,700,000,000.

Mr. FRELINGHUYSEN. Mr. President, I quite appreciate that the Senator has asked the question in order to embarrass me.

Mr. McKELLAR. Not at all; quite to the contrary. I asked the question for this purpose, if the Senator will yield to me: I am intensely interested in seeing that every contractor in this country shall get every dollar to which he is entitled, but at the same time I am intensely interested in seeing that the Government's interests shall be protected in settling with contractors; and I believe that the Senator made a mistake in voting to turn over to this department, which he declares to be inefficient, the absolute power and right to settle this tremendous amount of money in contracts.

Mr. FRELINGHUYSEN. I will give the Senator entire credit, upon his statement, for sincerity and good faith in interrupting me. I know that he feels very strongly upon this question, and so do I; but let me point out to him—and I do not want to prolong this discussion; I simply want to finish my subject and get through with my speech, which I want to have go in the RECORD as a protest against the conditions which exist at the present time—but, answering the Senator, let me say to him that that measure which was enacted the other day provided that in the settlement of these contracts through the machinery of the War Department which has already been established, which has already been paid for by the taxpayers, if it failed in any way to do justice to the contractor, or failed in any way to do justice to the Government, there was an appeals commission, and it was provided that both the Government and the contractors could appeal to that tribunal.

Mr. McKELLAR. Mr. President, if the Senator will permit me again, I am glad to hear this statement of views on the part of the Senator, because I understand that in conference the appeals commission to which the Senator refers is about to be eliminated, and I feel sure that we will have the able assistance of the Senator in keeping in the bill that appeals commission, so necessary to protect the interests of the Government.

Mr. FRELINGHUYSEN. Mr. President, I am thoroughly in favor of the principle of the appeals commission. Of the method in which it was written in the bill I did not approve. I believed that the original jurisdiction should be in the War Department, a department to which has been appropriated $34,000,000,000 by the vote of the Senator from Tennessee, a department which has been intrusted with all the war materials and all the war supplies, and which has the facts and the machinery for the settlement of these matters. I believe that the primary jurisdiction should exist in the War Department, although I believe in many cases they have been inefficient.

Mr. McKELLAR. Does the Senator understand that this same inefficient department of which he is speaking now demands that the appeals commission shall go out of this bill.

Mr. FRELINGHUYSEN. I shall be very glad to support the Senator from Tennessee in seeing that it stays in the bill.

Who is responsible for the fact that many of our soldiers upon their discharge are compelled to turn in their best uniforms and go forth into the world, and back to their home towns and their family circles, wearing frayed, ragged, deloused uniforms, looking more like tramps than the trim defenders of a grateful country?

Mr. President, I have been handed a letter by a Senator from a western soldier returning home. He says:

Under separate cover I am sending you a pair of shoes. These shoes I have worn since last July in France, in the trenches, and upon my arrival in St. Louis they refused to give me a new pair. I was just wondering if this would be the treatment that the rest of the boys would receive when they return home after going through hell for Uncle Sam. I believe that if you Senators would put forth a little more effort looking up things of this kind, instead of a lot of things you do, you would be working in the right direction.

Mr. President, I do not want to be sensational, but I asked that Senator to give me one of that pair of shoes, and there it is [producing a shoe], and I will mark it "Exhibit 900,000" for the Senators on this floor to examine.

Who is responsible for the failure to adequately mark the graves of American soldiers in France? I am aware that there is an organization for this purpose, the Graves Registration Service, but I am convinced the work of that agency is not being properly performed, and that if existing methods are not improved, American families who have lost loved ones on the other side are doomed to receive a grievous shock.

A recent issue of the Washington Star contained a letter from Chief Justice Walter I. McCoy, of the District of Columbia Supreme Court, who lost a son in France. Judge McCoy states that his boy's grave is marked only with a wooden cross, and that the name, with initials omitted, which was written upon it, was almost obliterated by the rain and would soon have been indecipherable had not a visitor to the spot made it more legible. Judge McCoy concluded his letter as follows:

This communication may also warn those whose relatives are buried in France to take steps that will save them great distress of mind.

The judge says he attempted to have a simple stone placed on his son's grave, but this request was denied.

In behalf of the mourning kinsmen of those who made the supreme sacrifice in France I demand that the War Department take immediate steps to so mark the soldiers' graves that the names will not be obliterated by the spring showers, as they are likely to be under existing conditions.

Who was responsible for the condition of affairs at Walter Reed Hospital in this city, and similar institutions elsewhere, whereby crippled soldiers were compelled to do their own laundry work?

Who is responsible for the neglect of wounded soldiers on shipboard as set forth in a recent issue of the Washington Star, as follows:

According to the narrative of this witness, whose name can not be used because he is a soldier of the United States on reserve, no provision whatever is made for the care of one-armed and one-legged men. These must attend to their own wants or starve. No waiters are assigned them. No arrangements are made to help them into or out of their bunks, and no organized efforts are made to assist them in navigating the deck in bad weather.

"They must go to the mess room for their meals or go without them," said the returned soldier. "They are placed in the position of the hog who was told to root or die."

Who is responsible for the failure of camp and post commanders to comply with the instructions embraced in Circular No. 77, directing the discharge of any enlisted man who is "needed to resume employment in an industry or occupation in which there is urgent need of his services"?

A constituent of mine writes me as follows concerning the situation at Camp Dix, in my own State, where he has a son:

Camp headquarters company alone has at present about 350 soldiers, retained there for clerical work, with practically little to do. So little is doing, in fact, that the boys in khaki are instructed by their officers to pretend to be very busy whenever visitors appear upon the scene, whether there is anything in the nature of business or not. Such action, to say the least, is repugnant to the American ideas of honesty. My son informs me that less than a score of clerks could easily perform all the work. It therefore not only seems a shame but a rank injustice that this large force should be retained at camp headquarters, especially when it is known that the major part of them are high-salaried men at home, with their jobs open for them immediately upon their release from the United States Army.

I have a case before me of a young man at a post in North Carolina, who was employed as a draftsman by a shipbuilder, who now needs his services badly, and is urging his discharge. The commander of the post refuses, saying:

It is impossible at this time to discharge class A men, as this post is now below the minimum required for these defenses.

As a matter of fact, this corporal is a member of the band. Does the fort commander expect to maintain his "defenses" down in North Carolina by "soothing the savage breast" of the Tar Heelers with music, or is he merely figuring on sufficient dance music for the gallant defenders of that advanced post?

Meanwhile, the shipbuilder is denied the services of this expert draftsman, and the family of the latter is compelled to live on a corporal's meager pay.

The War Department, it is true, is discharging soldiers by the tens and hundreds of thousands; but a reasonable degree of common sense and judgment should be exercised, to the end that soldiers badly needed in the industrial world should be given instant release.

Who is responsible for the order designating silver chevrons for the officers and men whose service was confined to this country, while the men who served overseas wear gold chevrons? Why is this distinction made? Is there any degree in the quality of sacrifice made when men left their business, their families, and their homes to go to camp and undergo the menace of influenza, pneumonia, and other dread diseases, whether they went to France or not?

Was there anything in their contract with the Government which limited their service to this country? No; they were under orders to go wherever sent, and they so understood it, and almost to a man were anxious to join the overseas army.

Nearly 2,000,000 American soldiers never saw France. Two million more did, but of this number 1,300,000 were not actually engaged, only 700,000 having reached the firing line.

Yet 2,000,000 men will wear the gold chevrons for overseas service, while nearly as many more will wear the silver chevron, though quite as patriotic, quite as brave, and quite as willing to go overseas as their comrades in arms.

Why should the War Department put this badge of disappointment on any American soldier and compel him to wear it? Give them all gold chevrons or take them off altogether.

Let every man be given a button to indicate his military service, and if a distinction is to be made let it be in favor of those who were on the front line only in France and actually under fire.

Some one has thus phrased his criticism of the War Department's discrimination:

Darling, here's your soldier bold!
Silver stripes instead of gold
Shine upon his sleeve to-day,
'Cause he did not sail away.
But, my darling, do not bleat,
For he did not get cold feet;
Simply did as he was told:
Silver stripes instead of gold.

I might, Mr. President, extend almost indefinitely this catalogue of the War Department's delinquencies in the treatment of our soldiers, who have sacrificed all the comforts of home for the rigors and dangers of military life, actuated by motives of the highest character.

Let me conclude the list by asking who is to blame for the fact that our soldiers when released from the service are not given proper discharge papers such as have been employed in previous wars—something strong, attractive, and altogether worth while—parchment, if possible—something to be shown to friends and relatives, hung in frames, perchance, and handed down to their children and their children's children?

Instead, if I am correctly advised, they are given flimsy slips of cheap paper, typewritten or mimeographed, which, when carried in the pocket for a few days, shrivel up to nothingness and find their way into some convenient wastebasket.

This, I take it, is but another evidence not only of the Government's unpreparedness, but also of the War Department's utter lack of a definite policy regarding the treatment of our soldiers as human beings rather than as mere cogs in the mechanism of warfare. The psychology of life seems never to have been recognized as an element in our Military Establishment.

The last communication I shall present for the consideration of the Senate is one from a citizen of Newark, in my State, who has been discharged from the military service, and who, recently, has come in contact, to a very considerable extent, with soldiers just out of the Army. The views he presents are so pertinent, and so suggestive as well, that I shall ask the Secretary to read the letter:

The PRESIDING OFFICER (Mr. KING in the chair). The Secretary will read as requested.

The Secretary read as follows:

I trust it is not presumptuous on my part to write you about some of the matters that have been observed by me since I came home. I have been giving some assistance to the local city employment bureau endeavoring to find employment for soldiers and sailors who have been discharged from the service, and in this way have listened to a great deal of the soldier talk and sentiment.

There is considerable bitter talk about the Government and particularly of the War Department, and running with this is a lot of socialistic thought and expression, and mostly so from the men who have been across.

Their main complaint is that the Government took them away from their employment or vocations, has given them $30 a month for war service, and then as soon as the armistice was signed has dumped them back in their own towns without a dollar in their pockets, and with the bottom dropped out of employment.

And then they will sarcastically refer to the amount of wages that have been paid in the shipyards and elsewhere whilst they have been away, and to the fact that the Government is going to charge off $1,000,000,000 to profit and loss on the building of merchant ships, which never carried a ton of cargo or a single man across.

And the idea that has been suggested of giving employment to our soldiers in the construction of dams and reclaiming arid lands, or building roads—all unskilled labor work—has been somewhat repugnant.

The soldier that is coming back is generally a different man to what he was when he went away. I find, as a rule, he is very temperamental. He has had a peculiar experience. He was pampered until he felt that he was real man and one of the saviors of his country to be. He has been closer to his God than ever before. He has been away from newspapers and magazines and has been left a great deal to his own reflections; and the thoughts and ideas that have generated in the camps and trenches are the uppermost and most important to him, and a lot of his talk has been socialistic.

And then this soldier man knows of all that the British and French are doing for their returning soldiers, and he freely quotes the facts that the British and Canadians give 320 acres of land and loan $2,500 to any veteran who wants to farm and that they are giving $750 to a veteran to finish a college course, and also that they are giving their veterans from two to six months' pay upon being discharged to purchase civilian clothes and give an opportunity to look around for employment, and he talks of the vocational schools that the French and British have established.

And the soldier man is sore because he has not been decorated, and he tells you that the British and French are all wearing their bars and medals, and he can not understand how it is that the Secretary of War is promoting officers who never left the camps, but can not promote those who were recommended for distinguished war service because the armistice had been signed.

And the soldier can not understand why civilian traffic managers and draft boards should be recipients of war medals when the man who has been in active service and under fire is not even suggested or thought of, except in such cases where the British or French Governments have decorated our men.

And I find that a large number of these soldier men have bought liberty bonds and don't even know how to get them—don't know who to apply to to have them delivered.

And the soldier man has been told to keep up his war-risk insurance by his officers and through orders and the press, but no one seems to know where he can pay the premiums after he is discharged.

These things in particular, but a whole lot of complaints about back pay and allotments which have been made public, seems to be the wail of the discharged soldier.

It was suggested at a meeting of service men held a few days ago in this city that the Government should authorize some kind of a button or distinguishing mark to be worn with civilian clothes by the veterans of this war.

I am writing this to you, knowing the interest you have taken in the American soldier, and knowing your aggressive spirit in behalf of justice and Americanism, and I feel sure that you will take some active measures to have something done to remedy these conditions.

It does not seem reasonable to me that the American Government should suffer in comparison with the British or French in the treatment of the men who have been fighting its battles, and the most unpleasant thought of all is that these millions of men should have any opportunity in the future to speak reflectingly upon the treatment accorded them after they had made the supreme sacrifice.

Mr. FRELINGHUYSEN. The remarkable letter which has just been read I commend to the careful consideration of the Senate, the War Department, and the country at large.

In this plain narrative, Mr. President, I have extenuated nothing, nor has aught been set down in malice. I may not only assert that the half has not been told, but may go further and declare that the one-thousandth part has not even been suggested or hinted at bearing upon the crassly neglectful and inconsiderate conduct of the War Department in its treatment of our gallant soldiers, especially those who have "fought the good fight" to the best of their ability; have won, many of them, imperishable honors in active service, but are now treated as little better than derelicts, for whom the Nation has no further use.

How far this deplorable state of affairs is due to actual inefficiency and how much to that monumental lack of foresight and forethought which have always characterized this administration it is impossible for me to say. But the facts which I have presented are nothing but facts, and we know that facts are very stubborn things.

It is all very well, Mr. President, for us to felicitate ourselves as a Nation that the United States played a major rôle, in the final analysis, in the winning of this war.

It is all very well for the President to break the precedents of a century and a third, that he may head triumphal processions in foreign capitals, sleep in the chambers of royalty, dine off of gold plates in the palaces of the modern Cæsars, and have his photograph taken standing in line with kings, queens, and princesses. Those are interesting and perhaps alluring pictures. But what of the American private who returns to his native shores, unhonored and unsung, dismissed from the service, frequently without a dollar in his pocket? Is he entitled to less consideration than an old dray horse, his days of usefulness over, who is turned out into a green pasture and told to eat his fill?

No, Mr. President, until the War Department rises to the occasion, realizes that the private soldier is a human being, actuated by the same emotions which dominate presidents and kings, I am not in favor of granting the honor accorded alone to Washington, Grant, Sherman, and Sheridan to any American soldiers now living.

When the privates and officers lesser than those referred to in the bill cited at the beginning of my remarks (S. 5278) are properly provided for, then I may consider the propriety of according higher honors to the heads of our Military Establishment.

Mr. CHAMBERLAIN. May I interrupt the Senator?

Mr. FRELINGHUYSEN. Certainly.

Mr. CHAMBERLAIN. The Senator speaks of it as the Chamberlain bill. If the Senator will examine the RECORD, he will find that at the time I introduced that bill I stated the fact, and it appears in the RECORD, that it was introduced at the request of the Secretary of War and not as emanating from me.

Mr. FRELINGHUYSEN. I will correct the RECORD by referring to it as Senate bill 5278. I stated in the beginning of my remarks that it was introduced by request.

Mr. President, I know it is a common practice to be intolerant in public criticism. I have endeavored to avoid this in my remarks to-day.

The Army has had a greater job than the Navy, and the difficulties have mounted high. Secretary Baker has done much to relieve serious situations. I believe that the War Department has been right intentioned, but conspicuously lacking in foresight.

I have endeavored to present to the Senate a picture of the situation affecting the common soldier that demands instant and drastic action. The Military Affairs Committee of this Senate and the Secretary of War should immediately confer and adopt some plan to alleviate existing conditions.

If in what I have said I can create a public sentiment and instill into the Secretary of War and Army officials a proper sense of their obligations to the men in the ranks, about to lay down their arms and return to civil life, I shall feel that I have rendered a public service.

In conclusion, Mr. President, I beg to repeat my opening assertion, that I am not willing to support the measure which has formed the text for my remarks, conferring the permanent rank of general upon the Chief of Staff and two other officers, and that of lieutenant general upon two or three more, until existing conditions in the Army are remedied—until adequate provision is made for subordinate officers who have rendered heroic service overseas, and for the rank and file of our splendid Army of fighting men.

Mr. BANKHEAD obtained the floor.

Mr. STERLING. I ask the Senator from Alabama to yield to me for just a moment.

Mr. BANKHEAD. I will yield.

Mr. STERLING. Mr. President, in connection with the very able address delivered by the Senator from New Jersey [Mr. FRELINGHUYSEN] and in connection with the correspondence which he has read and has had read at the desk, I wish to read an extract or two from a letter received from a lieutenant in France only yesterday. It calls attention to one particular phase of the failure of the Government to make payment to soldiers and discloses the reason for such failure. I read as follows:

> The mail proposition has been the greatest curse to us all. A man can go without proper or sufficient food, march in wet clothing, or even fight without proper ammunition and equipment if necessary, but it is a mighty hard matter to keep up the morale of the men if they don't hear from home. Personally I went without mail for two months, during which time my wife was very ill. She sent me a cable October 22 that reached me December 6. I am in receipt of two letters to-day—

His letter is dated January 20—

> written August 11 and September 12, respectively. Nor is this condition exceptional. The lad acting as my orderly at this time has not had a letter from his home in North Carolina since September 15; and I am certain that a good half of my company has been treated in like manner.

His reference to a cablegram reminds me of a cablegram sent under my own observation on the 15th day of January to a soldier boy belonging to the marines in France. It was plainly addressed, as many a letter had been addressed, to that young man. He writes a week later, and he had not yet received the cablegram announcing the death of his sister here in Washington.

Calling attention to that particular portion of his letter which refers to the pay and the reasons given for deferred payments, I read:

> When a man is wounded the system demands that his service record be sent on to the hospital, and as it goes by mail it never reaches him, and as over half of this company has been through the hospitals nearly half of them are here without service record, as they have never reached here after being returned from the hospitals by mail. This means but one thing—every man who was wounded has not been paid since the last payment of his wages prior to receiving his wound. They do not pay a man who has no service record. A great percentage of our men have not been paid for over five months.
>
> It is well known that there are temptations on all sides for the soldier, but I say most emphatically that if the morals of the boys have been affected no greater cause can be found than the deficient mail service. If the boy hears regularly from his mother he is better fitted to maintain his cleaner attitude toward life. In fact, Senator, this matter has grown to be a passion to me, because I have seen the effects first hand.

All I have to say further is that it will be a bad, a grievous, thing, indeed, if the boys who have enlisted with such a fine spirit of enthusiasm and patriotism and in a great cause should now have their morale imperiled and their ardor and patriotism cooled by reason of the fact that through this want of care, and one might almost say want of solicitude for their well-being, and want of supervision on the part of the War Department they have been and are yet denied the precious privilege of hearing from home.

Mr. KIRBY. Mr. President, having listened to the lamentations of the Senator from New Jersey [Mr. FRELINGHUYSEN] I am almost in doubt as to whether this country won the war or not. Did we win the war? How on God Almighty's earth did we win the war if the War Department is responsible for the mistakes, stupidity, and derelictions that have been charged and urged against it?

It is sometimes a wonder to me how we did accomplish this great achievement under the conditions that existed here in the United States Senate and in the Committee on Military Affairs of this body. At one time on that committee, I alone, of all the Democrats on the committee who attended its meetings, stood by the War Department against three of the most prominent Democrats on the committee, with the Republicans against it all the time, here on its legislative program on this floor.

Now, the Senator from New Jersey criticizes the War Department for what? For the alleged failure in mail service to deliver mail to the soldiers in the field; for the failure to pay the soldiers; for the failure to furnish hospital facilities; for the failure to pay insurance; for the failure to bury the soldiers and erect monuments, while the war was being waged and the Army was advancing, fighting victoriously.

All these things are charged, and what for? What can be accomplished now if there was proof of the allegations here and the charges made? Why is it all done?

The Senator has accused the War Department of being responsible for the severe winter last year. He has held the War Department responsible for the introduction of the epidemic of influenza into these United States and the failure to suppress it and to alleviate the condition of the people after it spread. Why is all that done, and where is there any foundation, in fact, for it?

Mr. FRELINGHUYSEN. Mr. President——

The PRESIDING OFFICER. Will the Senator from Arkansas yield to the Senator from New Jersey?

Mr. KIRBY. I yield.

Mr. FRELINGHUYSEN. I criticized the War Department for failure to take preventive measures in time for the influenza. I should like to have the Senator answer whether he denies the fact that soldiers' pay is being delayed?

Mr. KIRBY. I do not deny the fact that some soldiers have not received pay promptly, but I do deny that the pay of the soldiers as a body has been delayed.

Mr. FRELINGHUYSEN. Does he deny the fact that the Postal Service has broken down?

Mr. KIRBY. I deny it.

Mr. FRELINGHUYSEN. Does he deny the fact that allotments are delayed?

Mr. KIRBY. I deny it, so far as it relates to the great bulk of them.

Mr. FRELINGHUYSEN. If the Senator will deal with facts, I am perfectly willing that he shall answer.

Mr. KIRBY. I shall answer you whether you are willing or not about the matter.

Mr. MYERS. If the Senator from Arkansas will yield, I desire to say a word. I give the Senator from Arkansas entire and unrestricted credit for standing for the War Department at all times in the Senate Committee on Military Affairs, but I desire to say whenever there was any voting done by the members of the committee, I was there and invariably voted with the War Department, because I thought it was doing the best it could under the circumstances. I do not wish the Senator to be misunderstood.

Mr. KIRBY. Mr. President, the criticism is not leveled at the Senator from Montana. The Senator from New Jersey criticizes the War Department for not furnishing trained nurses and physicians to men who have lost an arm or a leg and are coming home already recovered perhaps from the injury. He criticizes the War Department because of the lack of hospital facilities and beds here, when the papers say there are 50,000 more beds already provided than have been used by the returning soldiers. He criticizes the War Department for not sending the bodies of the boys who unfortunately died in camp home the next day or the day after. He criticizes the War Department for delay in the pay roll. He does not tell you, what all the country knows, that there were not enough trained nurses and not enough doctors in the great Capital City of the Nation even to take care of the sick people who were dying with influenza here. No; nor that there were not enough coffins to bury the dead here, regardless of conditions yonder on the battle front in France. Was the War Department responsible for that condition here? It seems that the Senator expected monuments to be erected at the graves of the soldiers there while the Army was on the march, advancing in the midst of the campaign, in the face of stubborn fighting.

He complains that maybe the soldier's name had been effaced by the elements from the rude boards that had been placed at his grave. He knows what the methods for identification of these graves are. He knows that the soldiers wear a metal tag upon the wrist and that there is a metal badge with his number on it put on the board at the head of the soldier's grave that connects him with all the information the War Department has about the soldier, from his enlistment to his burial.

Mr. FRELINGHUYSEN. The Senator has quoted it as my statement. I simply read the statement of Judge McCoy, who said that he visited the grave of his son and found it improperly marked, and asked that he might erect a stone monument there—a marker—and was denied by the War Department that privilege.

Mr. KIRBY. After the war is won, he charges that the soldiers have not been paid, that they have not had proper medical attention yonder in the hospitals, that they have not had the attention of nurses, they have been insufficiently fed, and that the graves of those killed in battle have not been properly designated by monuments, and then he criticizes the method of discharge of those soldiers returning home from overseas—says it is not done as it ought to be done. It is not done as he thinks would have been the best method of doing it. What is the trouble with the method that is being used now? They are being discharged, are they not? Just as soon as they were being discharged here in great numbers, as the War Department expected to do, there comes a protest from the great cities, saying, "You must not discharge these men in such numbers or about our places. You must take care of the interests of labor, and not discharge men to such an extent that it will interfere with the labor market and create a surplus of labor in the cities."

These are the conditions that have had to be met by the War Department.

Now, wherein is the War Department responsible for the epidemic of influenza that afflicted this country and the whole world? You would think it was directly to blame for it from the speech that has been made here on the floor to-day. How could it have been prevented? How could any one of these things been done better than it was done at that time? No man has risen on the floor and shown how it could have been done better than it was done.

It is easy enough to criticize when the entire program has been finished and when the war has been won. Yes; to say this, that, or the other might have been better done. From the sixty-three thousand four hundred and odd soldiers who went from the State of Arkansas to the war I have had complaints of about five who were not able to get letters from their homes at all; to be exact, I believe it was from only three. I have had only complaints from about a dozen or fifteen whose allowances have not been paid as they should have been paid and as they expected them to be paid, of the 63,400 of the Arkansas troops.

That is the sort of service which has been rendered, so far as I know. The people have not complained to me about these matters any more than to that extent. In the case of the four or five who had not been able to hear from their people for some time, notwithstanding the fact that their people here at home were hearing from them, I reported the matter to The Adjutant General, and he sent by courier across to the battle fields a message to the commanding officer, who was expected to deliver it to the soldier's company and to the soldier, telling

him that his family were well and were hearing from him regularly.

Mr. THOMPSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Kansas?

Mr. KIRBY. I yield.

Mr. THOMPSON. I will state to the Senator from Arkansas that when I was in France last summer I took occasion to investigate the mail matter to some extent, and I learned while there that 21 per cent of the letters which were written to soldiers were misaddressed and that 350,000 bags of mail had been sunk in the ocean, which fact might account for some of the letters which failed to reach the soldiers to whom they were addressed.

Mr. FRELINGHUYSEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from New Jersey?

Mr. KIRBY. I do.

Mr. FRELINGHUYSEN. Will the Senator state what time of the year that was?

Mr. KIRBY. The Senator from Kansas stated that 21 per cent of the letters had failed of delivery because they were wrongly addressed and that 350,000 sacks of mail had been sunk at sea.

Mr. FRELINGHUYSEN. On what date was that?

Mr. THOMPSON. That was in July and August last.

Mr. FRELINGHUYSEN. Have any been sunk since?

Mr. THOMPSON. I am not advised as to that; but I think so.

Mr. KIRBY. Mr. President, if there were——

Mr. LENROOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Wisconsin?

Mr. KIRBY. I yield.

Mr. LENROOT. I should like to ask the Senator whether he is familiar with the fact that thousands upon thousands of letters written by parents to their sons have been returned to the writers, with the notation upon the face of the envelope that their sons were wounded, sick in base hospital, and so and so, and finally the letters were marked "Return to the writer"?

Mr. KIRBY. I did not know that; but I do not dispute it, if the Senator from Wisconsin states it to be the fact.

Mr. LENROOT. I am receiving such letters every day. The Senator says that nothing can be accomplished by protest; but I wish to say that I have received this morning a letter from the War Department—I having protested at some previous time—saying that orders had been given to discontinue the return of such letters to the writers, but to find the addressee and to deliver the letter to him.

Mr. KIRBY. I only mention these things because I thought something ought to be said here along the line on which I have been speaking. Some of these letters, it seems, have been returned to the writers here. What else was there to be done about them if they could not find the addressee on the other side? They have brought them back; but now they are again sending them across the ocean, it appears, in order that the addressee may be found. It may be that many of these things ought not to have been done—I am not saying as to that—but what shall be done now that the war is over? The soldiers are coming back; they are being discharged; and I assume that there is as much work and chance for employment in the United States to-day as there was before the war began. Certainly the number of returning soldiers is diminished by a much larger number than I thought it would be. Two hundred and sixty-three thousand of these soldiers will not be engaged in the same occupations in which they were employed heretofore. Of the 263,000, many of them are sleeping under the soil of France, having fallen on the battle field fighting gloriously for their country; others have been cut to pieces and crippled for life.

The industrial condition of the country still exists; its soldiers are here now, and it seems to me that they might be reabsorbed in industry within a reasonable time. It is said that we are more prosperous than we were before the war began, and that the only thing which now prevents the continuation of our industries as they ought to be operated is the failure by the War Department to adjust the existing differences between contractors whose contracts were canceled because the Government did not need the material contracted for, on account of the armistice, and necessarily had to close out the contracts; and because of the failure to adjust differences between those who had informal or invalid contracts, who had performed service and furnished materials for the Government and who ought to be paid for it. The War Department came to the United States Senate and to the Military Affairs Committee about three weeks ago asking authority to adjust these matters as they ought to be adjusted.

The industrial necessities and the commercial necessities of the country demand that these matters shall be settled as speedily as possible and as fairly as it can be done, both for the contractors and in the interest of the Government. The department suggested a method that would accomplish that. The subject was referred to the Military Affairs Committee, and they debated and wrangled and had subcommittees appointed.

Finally, after about three weeks, they came in here with a bill, of which only about four or five of the Democrats of the committee were in favor. Two of the prominent Democratic members have been fighting it all the way through since the bill came into the Senate. One of the Democrats asked the Senator who was making the speech, "Do you not think if the War Department has been as bad as you say it has been, if it has failed to perform its duties to the soldiers and to the Army, and has failed in service to the country, it would be a mistake not to establish a commission to settle these differences between the contractors and the Government instead of leaving the matter in the hands of the War Department, as you propose to do by your action?" He said, "No." Yet that Senator was the Republican who has raised all this howl about the deficiencies and shortcomings and failures of the War Department in the conduct of and winning the war. The other Senator making the inquiry was a Democrat, who expressed thereby his disapproval and distrust of the War Department to fairly settle for the Government's interest these claims, which must be settled soon.

I am not going to speak much longer, but it seemed to me some Senator ought to stand by the Government here after it has won the war; that some one ought to have an interest in the conduct of the soldiers on the battle field being properly presented, and in the country getting a correct view and having a proper appreciation of all the great objects which have been accomplished. If here and there a plan has failed or has miscarried, if here and there inconvenience, delay, and injury have resulted because of something not having been done as well at that time as it now appears it might have been done, why should it be made a record here as an everlasting monument to a single failure of the War Department, which, whatever else may be said, did win this war with the Army that it organized and with the Army that was sent abroad and which was furnished subsistence, munitions, and equipment by the War Department?

The soldier, of course, is entitled to vast consideration in the matter; he did the fighting and he won the war. The soldier's rights in the Army ought to have been regarded, and they were regarded by a Nation which had as great solicitude for its soldiers as had any nation now on earth or any nation that ever has been, which was shown by every single act done on the part of the Government to take care of the soldier's interest and to promote that interest while he was there part of the fighting machine on the battle front. The Government is still so disposed and attempting to do that.

Complaint is made about nonpayment of insurance of a man who had died; that his widow or his mother had not received the insurance. It has not been stated that the insurance had been demanded; it has not been stated that the War Department had been informed that the man was dead. It may be that such was not the case.

I took up a paper this morning, which is published down in my State, and noticed a report of a case where some soldier had gone home to his wife and his mother and found they had been collecting insurance on his life for the past five months. The War Department was a little too rapid in the payment of insurance in that case. The soldier was not dead, and yet the department had been paying insurance for five months to his mother and to his widow. I did not know anything about that until I saw it in the paper this morning.

Mr. CALDER. Will the Senator from Arkansas yield to me?

Mr. KIRBY. Yes.

Mr. CALDER. I know a case along the line of the Senator's statement, where a woman received her allotment five months after her husband had been discharged from the Army.

Mr. KIRBY. Well, the woman got both the allotment and a husband in that instance. She was fortunate as to her allotment. But that is, of course, an isolated case. I mentioned the other case, which was also an isolated case, to show that the criticisms generally are unwarranted.

Now, I am not going to talk further about that matter. I say the achievement of this country, going into war at the time we did, a war 3,000 miles across the sea from home, a war against a powerful enemy that must be fought in the air, on and under the earth and sea, an enemy that had whipped the other great nations of the Old World to a standstill, a war that must be fought with an army that had not been organized, that must be transported in ships that had not been built—I say the record

of our accomplishment has been marvelous under the conditions as they existed and as conclusively shown by the facts as they have been developed. The War Department, notwithstanding the criticisms that have been hurled at it here and there by the opposition on the other side of the Chamber and by some of the Democratic members of the Military Affairs Committee, is entitled to great credit and to the everlasting thanks of this country for its wonderful achievement, as is the Army for the glorious achievements upon the field of battle.

Mr. WEEKS. Mr. President, while the Senator from New Jersey [Mr. FRELINGHUYSEN] was making a speech a short time ago I referred to some correspondence which I had had with the Postmaster General. It was a rather lengthy letter, and I hesitated about putting it in the RECORD or having it read at that time; but I now ask that it be inserted in the RECORD, for it is a voice directly from the administration, which controverts one of the points recently made by the Senator from Arkansas [Mr. KIRBY].

The PRESIDING OFFICER. The Senator from Massachusetts asks unanimous consent that the letter presented by him may be printed in the RECORD. Is there objection?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

POST OFFICE DEPARTMENT,
SECOND ASSISTANT POSTMASTER GENERAL,
Washington, January 11, 1919.

Hon. JOHN W. WEEKS,
United States Senate.

MY DEAR SENATOR: You called my attention the other day to your experience with the mail to and from the American Expeditionary Forces in France, and asked if I could tell you just where the trouble at this time is.

I am inclosing herewith a letter from an Army officer which will interest you and which, I think, goes right to the heart of the trouble, namely, lack of supervision, or supervision by officers entirely unfamiliar with postal work.

Sincerely, yours,

OTTO PRAEGER,
Second Assistant Postmaster General.

[Copy.]

LA HAYMIEX, FRANCE, *December 1, 1918.*

MY DEAR MR. ———: Just returned from an all-day visit to St. Mihiel, whither I went this morning on postal business, and as most of what I saw and did relates to the Postal Service, I think that perhaps I have more or less of the right kind of inspiration for a letter to yourself this evening. It was a long, cold ride both ways in a "Henry Ford," but I have succeeded in getting my feet fairly well thawed out beside madame's comfortable fireplace, and, barring the fact that my room is cold and I am wearing a heavy overcoat, I am all set for writing.

Just returned last night from a two days' absence at divisional gas school and learned that there was a big pile of mail over at our A. P. O. at St. Mihiel that was being held up from delivery on account of insufficient address. Had a "hunch" that probably some of mine might be in the pile, as well as many letters for other officers of the battalion, so secured the major's permission to go over to-day and try my luck at locating our share. Had very good success, and returned with two big bundles of letters for the officers and another big bundle for such of the men as I knew. Got back just at supper time and found all the officers together at our mess hall, and had all the sensations of a real Santa Claus for a little while. The fortunate ones were those who have only recently been transferred to the division. I do not know who is responsible for the stunt, but the mail for both officers and men has been forwarded from their previous divisions simply to the "Thirty-fifth Division." Of course, no one at the A. P. O. knows anything about where any of us are, and I found 30 big tiesacks full of first-class mail waiting for some one to come along and claim it. Found one lone private plugging along separating it alphabetically on a table. Don't know what they hope to do with it after it is separated. I spent most of the day going through the mess, with results as above stated. Found six letters for myself, including one from Cherry of October 26. Was very glad to hear from him and will answer soon. However, what I found in the beginning led me to kind of look over the whole establishment, and I found it generally pretty rotten. Out in the mail room I found Bernard Bradley and two other men who had been in the service over in the "Etats-Unis." One was on the Fort Madison and the other on the west division of the St. Paul & Portal. Needless to say we had a very good visit. I found these boys doing their end of it very well, but discovered that there was absolutely no supervision. There is a first lieutenant in charge of the A. P. O., but he was visible for only 10 minutes of the entire day. Reminded me of a postmaster in a first-class post office in the States. Said lieutenant has had no previous experience in the Postal Service, and to all appearances is attaining no present experience. Upon my return I made a report of conditions to the major, and he asked me to make up a written report on the situation. I am very willing to make the report but objected to signing it, lest I might get myself wished into the job of running the A. P. O., so the major agreed that if I would draw up the report he would sign it and send it up. Found no preparations have been made for handling the Christmas packages, which will undoubtedly begin to arrive very soon. Also discovered that whereas the A. P. O. is allowed a personnel of 20 men, it is running with only 14, and that no immediate increase has been thought of, "stuck mail" and Christmas to the contrary notwithstanding. Fine dope, and especially at a time when we are doing everything possible to keep the morale of the men at top notch. Most of the boys are looking forward to a return to America, while the probability is that they will soon be going up into Luxembourg or Germany. But there is nothing that will help so much in keeping their minds off their troubles as a prompt and regular mail service, I know, believe me.

* * * * * * *

Drop a line whenever you have time, and pass the word along to everyone else in the same connection. I think I will have the A. P. O. shook up by the time the replies come along, so that the delivery will be entirely prompt. I am,

Very truly, yours,

———,
American Expeditionary Forces, France.

POST OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

Mr. BANKHEAD. Mr. President, I am wondering how much longer my brother Senators are going to impose upon my good nature. I am going to ask them please to let us consider the business before the Senate, for a while at least, and see how much progress we can make. We were considering section 5 of the bill as amended. I now ask the Secretary to read the section as it has been amended, in order that the section may be adopted as amended.

The PRESIDING OFFICER. The Secretary will read the section as it has heretofore been amended.

The SECRETARY. Section 5, as amended up to this time, reads as follows:

SEC. 5. That the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, is hereby amended to provide that the term "rural post roads," as used in section 2 of said act, shall be construed to mean any public road a major portion of which is now used or forms a connecting link, not to exceed 10 miles in length, of any road or roads now or hereafter used for the transportation of the United States mails, excluding every street and road in a place having a population, as shown by the latest available Federal census, of 2,500 or more, except that portion of any such street or road along which the houses average more than 200 feet apart: *Provided*, That section 6 of said act be further amended so that the limitation of payments not to exceed $10,000 per mile, exclusive of the cost of bridges of more than 20 feet clear span, which the Secretary of Agriculture may make, be, and the same is, increased to $20,000 per mile.

The PRESIDING OFFICER. The question is on agreeing to the amendment as amended.

Mr. KENYON. Mr. President, if we really are through with the speeches and are going to get down to business, I think we ought to have a quorum present. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Johnson, Cal.	Moses	Sterling
Bankhead	Johnson, S. Dak.	Nelson	Sutherland
Calder	Jones, N. Mex.	New	Swanson
Chamberlain	Jones, Wash.	Nugent	Thomas
Colt	Kellogg	Overman	Thompson
Cummins	Kendrick	Page	Townsend
Curtis	Kenyon	Penrose	Trammell
Dillingham	King	Pittman	Underwood
Fletcher	Kirby	Poindexter	Vardaman
Frelinghuysen	Knox	Saulsbury	Walsh
Gay	Lenroot	Shafroth	Warren
Hale	Lewis	Sheppard	Weeks
Henderson	Lodge	Smith, S. C.	Wolcott
Hitchcock	McKellar	Smoot	
Hollis	Martin, Va.	Spencer	

Mr. TRAMMELL. I desire to announce the absence of the Senator from Georgia [Mr. HARDWICK] and the Senator from Kentucky [Mr. BECKHAM] in attendance upon a committee of the Senate.

Mr. KENYON. I rise to announce the necessary absence of the Senator from Nebraska [Mr. NORRIS], who is detained in connection with the work of the Committee on Agriculture.

The VICE PRESIDENT. Fifty-eight Senators have answered to the roll call. There is a quorum present. The pending question is the adoption of section 5 as amended.

Mr. WOLCOTT. Mr. President, I offer an amendment to section 5.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. It is proposed to add at the end of the amendment as amended the following:

That said act be further amended by striking out all that part of the last sentence of section 4 thereof after the colon and inserting in lieu thereof the following: "One-fourth in the ratio which the area of each State bears to the total area of all the States; one-fourth in the ratio which the population of each State bears to the total population of all the States, as shown by the latest available Federal census; one-fourth in the ratio which the mileage of rural delivery routes and star routes in each State bears to the total mileage of rural routes and star routes in all the States at the close of the next preceding fiscal year, as shown by the certificate of the Postmaster General, which he is directed to make and furnish annually to the Secretary of Agriculture; one-fourth in the ratio which the amount of internal revenue paid to the United States by the tax-paying population of each State bears to the total amount of internal revenue paid to the United States by the tax-paying population of all the States at the close of the next preceding fiscal year, as shown by the certificate of the Secretary of the Treasury, which he is directed to make and furnish annually to the Secretary of Agriculture."

Mr. WOLCOTT. Mr. President, the amendment which I have offered——

Mr. THOMAS. Mr. President, may I ask if that is an amendment to section 5?

Mr. WOLCOTT. The amendment which I have offered is an amendment to section 5 as found in the committee print of the bill. My amendment undertakes to change the method of allotting this appropriation to the various States, and hence I have framed the amendment so as to make it an amendment of the original act of 1916. The amendment amends section 4 of the act of 1916 in so far as that section deals with the allotment of these funds to the various States.

The Senate will recall that, under the plan of allotment as defined in the act of 1916, the funds are broken into three parts; one third is allotted to the States upon a ratio of population, another third is allotted to the States upon the ratio of area, and another third is allotted to the States upon the ratio of rural and star route mileage in the respective States. The only change in the method of allotment that I would undertake by this amendment to effect would be to break the appropriation into four parts, so that one-fourth would be allotted according to area, one-fourth according to population, one-fourth according to mileage of rural and star routes, and—this is the new idea—one-fourth would be allotted according to the tax-paying contribution of the various States.

Mr. KELLOGG. Mr. President——

Mr. WOLCOTT. I yield to the Senator.

Mr. KELLOGG. By "tax contribution" in the States, what does the Senator include—income and excess-profits taxes?

Mr. WOLCOTT. "Internal revenue" is the language used in the amendment.

Mr. KELLOGG. What does that include?

Mr. WOLCOTT. That includes income, excess profits, corporation capitalization taxes, liquor taxes, tobacco taxes, and so on.

Mr. President, I am quite aware that if this appropriation were for a purpose that, to my mind, could properly be called a Federal purpose the sort of amendment I have offered would have no countenance at all before any reasonable man. The common burden of the Federal Government that belongs to all the States of the country must be borne by the people of the various States according to their ability to pay, regardless of State lines; but this burden which is attempted to be laid upon the people of this country, as I view it, is in no sense of the word a common Federal burden; this is a burden that the Federal Government takes upon itself in order to make a contribution direct to the State treasuries for local State purposes; and I say, that being the scheme, some attention ought to be paid, in the distribution of this bonus, to the amount of money the various States pay by way of Federal taxation.

According to the way I look at it, it is not an appropriation designed to meet a legitimate Federal need, I care not how it be described. We may call it, if we please, an appropriation to establish post roads, but that to me is a euphemistic term. I think, in the last analysis, it is an appropriation to the States to have them build roads, whether they are post roads or what not, although, of course, in order to justify the Federal appropriation, we must call them post roads. If it is a gift to the States direct, to the State treasuries, why, I ask, should it be that in the distribution of this money the equitable principle that those who pay ought to receive a proportionate benefit, at least in part, should be ignored?

Let me call the attention of the Senate to what is going to take place under this bill. I have made some figures here, which may be slightly, but, if at all, very slightly, inaccurate, because I have figured them hastily here at my desk.

The State of New York pays in internal revenue, or did during the fiscal year ending June 30, 1918, $835,761,852.62. The State of New York will receive over the whole five-year program, out of all this $275,000,000 for road purposes, the sum of $13,692,821. It will take her five years to get that $13,692,000, but in one year she pays to the Federal Government in internal-revenue taxes $835,000,000.

I have on my sheet here a list of nine States. I will read them:

Arkansas, Mississippi, Vermont, Wyoming, South Dakota, New Mexico, Idaho, North Dakota, and Nevada—nine States. They receive out of this road money, this $275,000,000, over the whole five-year period for their road purposes, $35,135,461. They paid $29,985,943 internal-revenue taxes in the year ending June 30, 1918.

Mr. President, this group of nine States receives from the Federal Government for these roads more money than it paid in 1918 in the shape of internal revenue, whereas the State of New York, which I have just mentioned, paid $835,761,852.62 in the year 1918 and gets $13,692,000. Now, as I figure it, the State of New York pays twenty-eight times as much money to the Federal Government in the shape of internal revenue in the year 1918 as do these nine other States, but these nine other States get back from the Federal Government two and a half times as much money as does the State of New York. Now, I repeat, when you consider this appropriation as a gift of money to the State—as pap, in other words, as pork—some attention ought to be paid to the proposition that those who receive this pork, and who largely pay for it, ought to get some portion of it on the basis of their payment.

The State of Pennsylvania paid in 1918 to the Federal Government $589,056,143.20 in internal revenue. She gets over the whole five years $12,632,849.94 out of the appropriated $275,000,000. As compared with the nine States I have mentioned, Pennsylvania pays in one year nineteen times as much, and they get two and three-quarters times as much out of the road appropriation; and so I might go through the list.

The most forceful illustration of the injustice and inequity of this method of distribution is discovered when we look at my own State of Delaware. Delaware is not the smallest State in point of area. Rhode Island is smaller.

Mr. McKELLAR. Mr. President——

Mr. WOLCOTT. I yield to the Senator from Tennessee.

Mr. McKELLAR. What was the disproportion, if any, as to the amount of war contracts that Delaware got as compared with the nine States with which the Senator is comparing now?

Mr. WOLCOTT. Mr. President, the Senator from Tennessee is a specialist on these contracts. He has been very laudably industrious in rooting out unconscionable contracts made with the War Department.

Mr. McKELLAR. I am talking about the conscionable ones now.

Mr. WOLCOTT. Just a moment. I defy the Senator from Tennessee to find an unconscionable contract made with any of these so-called profiteers that he has been hunting for that hail from Delaware. If they have made a contract it has been an honest contract, and they have given honest value for every dollar they have received.

Mr. McKELLAR. Mr. President——

Mr. WOLCOTT. Just a moment; I am going to answer the Senator. Furthermore, if the State of Delaware has gotten contracts from the Federal Government, I say that the State of Tennessee has not unduly contributed thereto in the way of taxes, nor have these other nine States, because the money did not, in the main, come from these States in the way of taxes to the Federal Government.

I now yield to the Senator from Tennessee.

Mr. McKELLAR. I was not talking about unconscionable contracts.

Mr. WOLCOTT. Well, is a legitimate contract an undesirable thing in war times?

Mr. McKELLAR. But I want to say to the Senator I believe that the amount of contracts that have gone from the National Government to citizens of his State shows quite as wide a discrepancy in favor of his State as this appropriation shows in favor of the States he has mentioned.

Mr. WOLCOTT. That may be true or it may not be true. I should like to have the Senator satisfy himself by figures that it is true before he makes the assertion; but, if it be true, what of it? It simply means that the State of Delaware has business brains there, has business energy, and business thrift that put it in a position where it is needed by the Federal Government in time of great emergency. That is all it means. It is not a disgrace to Delaware; it is quite to her credit.

Mr. McKELLAR. We are taxing the rest of the country, though, to pay for these contracts which have gone to the people of Delaware.

Mr. WOLCOTT. We are not taxing these nine States to get it. The State of Delaware pays to the Federal Government in internal-revenue taxes more than do these nine States all put together, and she pays more than any one of 27 States.

Mr. McKELLAR. Lately largely out of war profits.

Mr. WOLCOTT. If anybody has a complaint, it is New York and Massachusetts and Ohio and Illinois and other States that bear the great burden of taxation.

Mr. McKELLAR. The people of Delaware pay the taxes out of the war profits on contracts that have gone to the State.

Mr. WOLCOTT. Well, it is being spent in the State of Tennessee. While I have not the figures, Mr. President, I dare say that for every dollar that has been spent in the State of Delaware Tennessee has had $500. They have Army camps there, I believe; they have cantonments there; they are building great munition mills there. The Senator from Tennessee ought to be

the last to rise here upon this floor and assail the State of Delaware because it has gotten some business from the Federal Government. It is not to the discredit of the State of Delaware, but quite to her credit, if she can be of service to the Government in the time of her need.

Mr. LODGE. Mr. President——

Mr. WOLCOTT. I yield to the Senator from Massachusetts.

Mr. LODGE. I merely wanted to ask the Senator if it is not true that contracts went to Delaware because there were people there who were able to fulfill the contracts?

Mr. WOLCOTT. That is exactly what I said a moment ago.

Mr. LODGE. I did not hear the Senator say it.

Mr. WOLCOTT. I said that they went there because they had the people there who could fulfill them, and could furnish what the Government wanted, and could not get elsewhere.

Mr. LODGE. Precisely. The conception of the Senator from Tennessee seems to be that there will be a certain amount of money in the United States Treasury, and the purpose is to divide it among the States.

Mr. WOLCOTT. Well, if it were proper to divide it and it were done according to business merit and business ability to do things, by means of which the Federal Treasury receives its tax money, the basis of division would have some legitimate merit.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. WOLCOTT. I yield to the Senator.

Mr. LENROOT. Do I understand that the Government has spent or is now spending at Muscle Shoals, which I believe is in Tennessee, some $53,000,000, or nearly twice as much as the Senator states the nine States have contributed?

Mr. WOLCOTT. Yes; I thank the Senator for the contribution.

Mr. McKELLAR. Mr. President, I must say to both Senators that they should look up their geography. Muscle Shoals, unfortunately, is not in Tennessee.

Mr. WOLCOTT. Tennessee can very well afford to give up Muscle Shoals and then have plenty left.

I started to point out the unfortunate situation in the State of Delaware. Delaware is not the smallest State in area. Rhode Island is smaller. The State of Delaware is not the smallest in point of population. Wyoming and Nevada are smaller, I believe, in point of population. Delaware, however, gets the smallest sum out of this public pork that we are carving up here. I speak of it as pork for that is the way in which I regard it.

Mr. KING. We all think of it that way.

Mr. WOLCOTT. Delaware gets the large sum, over a five-year period, of $447,748.91.

The amendment that has been introduced here, as I caught it from the desk, allows the Federal Government to expend $20,000 a mile on these roads if that is matched by a State contribution of a like sum, which will be a $40,000-a-mile road. I may say that the last road I heard of as being built in Delaware cost $48,000 a mile. That was in war times. But let us say, if you please, that the roads will cost $20,000 a mile. Delaware, as a pacifier, is allowed $447,748.91, which, I think, at $20,000 a mile, will build her about 20 miles of road. Now, Mr. President, in one taxable year Delaware contributes to the Federal Government internal-revenue taxes of $32,943,383.27. Delaware contributes more than do all these nine States that I have mentioned. They contribute $29,985,943.56 in one taxable year as against Delaware's $32,943,383.27. She contributes nearly $3,000,000 more than do all these nine States; but when it comes to dividing the money, these nine States take $35,135,461.21 and hand Delaware $447,748.91. Delaware contributes in one year of taxes $3,000,000 more than they do, but they get eighty times as much out of the road money as does Delaware. Illinois contributes twelve times as much in annual taxes as they do, and they get nearly three times as much of the road money as she does. Ohio contributes ten times as much in annual taxes as they do, and they get nearly three and a half times as much of the road money as she does. Massachusetts contributes six times as much in annual taxes a they do, and they take over three and a half time as much of the road money as she does. I could not run my figures beyond that, to embrace a comparison with other States, because while compiling them the time for me to introduce my amendment arrived and necessitated stopping my calculations.

Mr. President, I am perfectly frank with the Senate. I am free to say that if my amendment is written into this bill I do not know that I will vote for this appropriation, because I am in sympathy with the idea that the time has come when we have got to think about the outgo in our operations and we have got to think about it seriously. Two hundred and seventy-five million dollars to me is a large sum of money.

Three and a half times that sum of money reaches approximately a billion; and only a short time ago a billion-dollar Congress was denounced in all the newspapers of this country as a most extravagant body, and a national campaign was fought upon the extravagance of that Congress. Here, toward roads, we propose at this time, when there is a great want of money, and untold and indescribable and inconceivable sums of money demanded, to appropriate as gifts to States, to help them do that which they ought to do themselves, $275,000,000.

Mr. JOHNSON of South Dakota and Mr. McKELLAR addressed the Chair.

Mr. WOLCOTT. As I say, if my amendment is written into this law, I am not sure that I will vote for it then; but I do say that, viewing it as I do as a contribution to the States, a gift and nothing more than a gift, to subserve a State and a local purpose, when we come to contribute the Federal money for that purpose let us pay some attention, at least to the extent of a fourth of it, to the proposition that the States that give the bulk of the taxes ought to get back their proportionate share of it.

Mr. JOHNSON of South Dakota. Mr. President——

Mr. WOLCOTT. I yield to the Senator.

Mr. JOHNSON of South Dakota. If I understand the amendment of the Senator from Delaware, it means that the States which pay a certain amount of the revenue shall get back a certain proportion of that revenue.

Mr. WOLCOTT. Out of one-fourth of it. It seems to me I am really more generous than I ought to be, entertaining the view of this appropriation that I do. According to my proposal, as embodied in this amendment, one-fourth should be apportioned according to area, as I have already stated; one-fourth should be apportioned according to population; one-fourth should be apportioned according to mileage of rural and star routes; and I am suggesting by my amendment that the other fourth be set aside to allow the operation of this equitable principle, namely, that those who pay as to that fourth ought to get their proportionate share back. That is the scheme that I offer.

Mr. JOHNSON of South Dakota. According to that doctrine, it would be poor encouragement for the western country, which has built up such States as Delaware, to continue along that line. I think a more proper way would be to base it on something like the mileage of the different States, because——

Mr. WOLCOTT. I want to call the Senator's attention to the fact that a fourth of it is based on mileage.

Mr. JOHNSON of South Dakota. If these Western States that built up such States as Delaware and New York and the rest of these States are not permitted to share fairly well in the road proposition, it will not be treating them equitably, in view of the fact that you could not have accomplished what you have in the past without their assistance.

Mr. WOLCOTT. The Senator is taking great credit to his western States, which he claims to have been building up Delaware and New York and other States. Delaware was living and thriving and doing quite well as a State in this country when the Senator's State was nonexistent; as a matter of fact, she was the first State to come into the Union. Her star was the first to appear in the flag's blue.

The Senator is entirely mistaken, however, when he assumes that there is no attention paid to mileage. Under the amendment I have proposed, ratio, based on mileage, is recognized. Three-fourths of this fund, under the amendment as I propose it, will be apportioned just exactly as the whole fund is apportioned by the committee. As to the remaining fourth, I introduce a new method of apportionment.

Mr. McKELLAR. Mr. President——

Mr. WOLCOTT. I yield to the Senator from Tennessee.

Mr. McKELLAR. I know that the Senator from Delaware is an absolutely fair man, and, as he said awhile ago, even a generous man. He mentioned Tennessee.

Mr. WOLCOTT. Not disparagingly.

Mr. McKELLAR. Not at all, and I thank the Senator; and I am not mentioning Delaware disparagingly at all. It is a great State. Her people are a great and prosperous people. However, I just wanted to call the Senator's attention to the fact that while it is true that the powder plant which he mentioned was built by the Government near Nashville, in Tennessee, the Delaware corporation that built the plant made enough in profits to pay nearly all of this tax, coming from Delaware, I imagine, quite a large amount of it, anyhow. You ought to be generous about it. The Government has been kind to Delaware in the matter of contracts. She ought not to complain about taxes.

Mr. WOLCOTT. I defy the Senator to establish that proposition. As a matter of fact, that corporation built that powder plant without a dollar of profit. According to the last contract I saw, they undertook to build it without making a dollar of profit. If they operated it, they were to be compensated. That was the contract as I saw it; but they never got to operate it.

Mr. McKELLAR. I have always understood that the compensation was pretty generous for war times. This Delaware corporation probably can get along and pay the tax, even including the tax on roads; and I am quite sure that it will be fair and just and equitable. I am not criticizing that corporation at all. I understand it built a very fine plant in Tennessee, though I have never had time to go out to see it.

Mr. WOLCOTT. Mr. President, I am not complaining of any tax that any Delaware corporation pays, nor is any Delaware corporation complaining. It is not a question of taxation at all.

The VICE PRESIDENT. The Chair is going to begin to enforce the rule. A Senator who yields the floor for any other purpose than a question is going to lose the floor.

Mr. WOLCOTT. I am very glad the Chair warned me that the rule would be enforced.

The Delaware corporation to which the Senator refers is not involved in this thing at all; and I assert that the Senator, before he makes the statement that he does respecting the operations of that corporation in the State of Tennessee, ought to have the facts before him; and when he gets them here I shall be prepared to make it clear to any man who is open to reason that that corporation has been the most patriotic and most effective corporation in the United States of America during this war.

I wish to say no more, Mr. President, on the amendment.

Mr. KELLOGG. Mr. President, did I understand that the Senator had yielded the floor?

Mr. WOLCOTT. I was about to do so.

Mr. SMOOT. Mr. President, I should like to ask the Senator from Delaware a question before he takes his seat.

I notice that the Senator provides in his amendment—I thought I could find the language here, but I can not do so at the moment—in substance that one-fourth of this money shall be distributed on the basis of the amount of internal-revenue taxes paid by the different States.

Mr. WOLCOTT. I can find it in the amendment if the Senator will hand it to me a moment:

One-fourth in the ratio which the amount of internal revenue paid to the United States by the tax-paying population of each State bears to the total amount of internal revenue paid to the United States by the tax-paying population of all the States at the close of the next preceding fiscal year, as shown by the certificate of the Secretary of the Treasury, which he is directed to make and furnish annually to the Secretary of Agriculture.

Mr. SMOOT. I was going to ask the Senator why it would not be preferable to base that on the total assessed value of all taxable property within the State. I ask the question for this reason: It seems to me that the administration of it would be very much simpler if the wording I suggest were used instead of the collection of the tax by the Internal Revenue Bureau.

Mr. WOLCOTT. That would hardly be satisfactory. I would not care to accept that amendment, because if that suggestion be adopted we are getting back more or less to the idea of ratio based on area. It is very easy to ascertain from the Secretary of the Treasury the amount of internal revenue paid by each State. The commissioner's report shows it for 1918 and shows it for every year. I think the basis for arriving at the figures is absolutely definite and certain, and I am afraid that the method suggested by the Senator from Utah would approximate too closely to the apportionment on the basis of area.

Mr. SMOOT. No; I want to get away from that, and if the Senator will read my proposed substitute for this he will find out that I did get away from it, I think, by using the words "the total assessed valuation of all taxable property." That takes in every bit of property which is taxable within the State; and it seems to me that that is a much fairer basis than the amount of internal revenue collected.

For instance, many of the States now are "dry." Other States are "wet." They pay a great deal of taxes there in that way, and if the valuation of the property were taken as the basis it would take in not only the property in that State that was used for that purpose but it would take in property in another State that was used for other purposes, and take in every conceivable piece of property the value of which is assessed; and it would be, I think, a fair distribution of that amount.

Mr. WOLCOTT. I had not seen the Senator's amendment when I drew mine, but I thought the Senator took account of income taxes, which are derivable not directly from real estate or tangible property, under his scheme.

Mr. SMOOT. Under my scheme the valuation of the property that produced that income is the basis for the distribution of that one-fourth.

Mr. WOLCOTT. The great objection that I see to that is that there is much income that is not produced directly by property. It is produced by many other things.

Mr. SMOOT. It has to be produced by property in some form or other, however.

Mr. KELLOGG. Mr. President, I should like to invite the attention of the Senate for a moment to the basis of division or award proposed by the Senator from Delaware. He proposes, as a one-fourth basis, the internal-revenue taxes paid in the State. Now, the greater part of those taxes come from excess-profits and income taxes; and for two reasons nothing could be more unfair.

Let me illustrate: The income and excess-profits taxes of corporations are paid wherever they happen to have their general offices, and that is usually in New York, or some other big eastern city. Let me illustrate with the United States Steel Corporation. According to the latest report of the Internal-Revenue Department, the State of New York for the year ending June 30, 1918, paid, in round numbers, $685,000,000 of income and excess-profits taxes. Over $200,000,000 of it was paid by the United States Steel Corporation, and practically the only property it has in the State of New York is its office furniture. Now, where is that property situated? It owns many corporations, scattered over many States. In my State are situated the principal mines of the United States Steel Corporation, and they pay their taxes on all of their income in the State of New York, and it is credited by the revenue collector to the State of New York.

I have not access, of course, to the books and returns of the corporations and individuals in the office of the internal-revenue collector; but I think you will find that these big manufacturing and mining companies and railroad companies over the country pay their taxes at their general offices in the city of New York, in the city of Philadelphia, in the city of Boston, and in other cities. Such a division of the road fund, therefore, would be absolutely inequitable.

The State of Minnesota pays only $58,000,000, or did last year, of excess-profits and income taxes. I have not the slightest doubt that the mining companies on the iron range alone pay more than that. I have not the figures available, but I know something of the output of the mines in the State of Wisconsin, in the State of Minnesota, in the State of Michigan, and the big manufacturing companies whose offices are in the eastern cities, and it is more or less the same with all the Western States.

Mr. KING. Will the Senator yield?

Mr. KELLOGG. I yield.

Mr. KING. I am not sure that I apprehend the purpose of the Senator's argument or the point he is seeking to make, but I want to inquire if the State, regardless of the place where the taxes are paid, may not impose a tax upon the mines to which the Senator refers which would enable it to get a fair return for the product of the mine and the profit of the mine.

Mr. KELLOGG. The State taxes all the mines by a direct tax for State, county, and city purposes. I am not talking about the merits of the appropriation. I am talking about the basis of division.

There is another reason. Take the income taxes. The amount of income taxes actually paid in a State does not depend upon the average wealth of the State. That is a very small factor. It depends more upon the enormous wealth of a few great corporations and very rich men. That is perfectly evident. Take the State of Iowa. Per capita the State of Iowa is one of the richest States in the United States. It is like Minnesota, a great agricultural community. It has not the big mines that Minnesota happens to have, but the average wealth per capita in the State of Iowa is probably as great or greater than the average wealth per capita in the State of Pennsylvania or the State of New York.

But because there are large incomes and the income-tax provision takes a big percentage of those incomes above certain amounts, therefore this fund would principally go to those States where these taxes happen to be paid. Such a basis, it seems to me, can not be defended. I do not know but a better basis than the one in the original bill could be found. The basis is one-third based upon earnings, one-third upon population, one-third upon the mileage of the roads in the State. As

to those taxes not included within the income and excess-profits taxes, I am not able to say how fair that would be, but the internal-revenue taxes other than the excess-profits and income taxes are very small and would not be much of a factor in the distribution of this fund.

I ask permission to insert a table as a part of my remarks, so that it may be printed in the RECORD. Senators have asked to have it printed.

There being no objection, the table referred to was ordered to be printed in the RECORD, as follows:

Receipts, income, and excess-profits taxes, year ended June 30, 1918, by collection districts.

[Taken from the Annual Report of the Commissioner of Internal Revenue.]

INDIVIDUALS, PARTNERSHIPS, AND CORPORATIONS.

Alabama		$23,155,406.25
Arkansas		5,731,398.42
California:		
First district	$59,482,172.24	
Sixth district	17,743,915.34	
		77,226,087.58
Colorado		25,875,702.35
Connecticut		78,576,260.30
Florida		4,639,716.09
Georgia		16,230,449.09
Hawaii		8,961,868.47
Illinois:		
First district	251,576,061.33	
Fifth district	5,734,263.18	
Eighth district	9,614,816.16	
Thirteenth district	8,653,915.73	
		275,579,056.40
Indiana:		
Sixth district	21,576,167.87	
Seventh district	7,478,776.77	
		29,054,944.64
Iowa, third district		14,972,211.59
Kansas		25,943,912.41
Kentucky:		
Second district	2,056,616.23	
Fifth district	10,488,025.25	
Sixth district	3,340,394.94	
Seventh district	2,811,429.67	
Eighth district	2,250,482.72	
		20,946,948.81
Louisiana		21,807,341.85
Maryland		76,318,192.02
Massachusetts, third district		166,598,752.86
Michigan:		
First district	58,610,263.93	
Fourth district	12,451,044.19	
		71,061,308.12
Minnesota		58,218,134.48
Missouri:		
First district	43,956,247.49	
Sixth district	16,056,705.93	
		60,012,953.42
Montana		11,496,084.28
Nebraska		11,355,082.21
New Hampshire		21,924,598.54
New Jersey:		
First district	17,575,286.41	
Fifth district	54,236,198.47	
		71,811,484.88
New Mexico		7,982,321.53
New York:		
First district	36,196,347.30	
Second district	410,953,922.80	
Third district	123,502,045.03	
Fourteenth district	34,698,997.75	
Twenty-first district	23,952,084.38	
Twenty-eighth district	56,345,267.90	
		685,649,375.16
North Carolina:		
Fourth district	6,878,372.78	
Fifth district	13,369,662.96	
		20,248,035.74
North and South Dakota		4,307,830.15
Ohio:		
First district	40,994,066.73	
Tenth district	22,344,727.24	
Eleventh district	17,352,970.03	
Eighteenth district	160,332,285.66	
		241,027,649.06
Oklahoma		18,283,202.07
Oregon		10,070,079.46
Pennsylvania:		
First district	162,892,494.16	
Ninth district	14,626,597.40	
Twelfth district	25,904,964.11	
Twenty-third district	292,457,320.54	
		495,881,375.95
South Carolina		7,884,604.31
Tennessee		14,172,718.62
Texas, third district		30,313,161.81
Virginia:		
Second district	10,195,698.49	
Sixth district	11,209,519.80	
		21,405,218.29
Washington		19,575,384.13
West Virginia		45,548,830.46
Wisconsin:		
First district	31,434,390.72	
Second district	7,758,180.58	
		39,192,571.30
Total		2,858,999,894.28

Mr. THOMAS. Mr. President, it seems to me we would make time by considering section 6 and disposing of it before proceeding further with section 5. Let us determine first whether this plunder is to be voted. If we do not vote it, there is no need of spending time in quarrel about how it shall be divided. I consequently suggest that we consider section 6 first, in order that we may be able to get somewhere before adjournment to-day.

The VICE PRESIDENT. The question is on the amendment of the Senator from Delaware [Mr. WOLCOTT] to the amendment.

The amendment to the amendment was rejected.

On a division, the amendment of the committee as amended was agreed to.

The next amendment was, on page 37, after line 3, to insert the following as an additional section:

SEC. 6. That for the purpose of carrying out the provisions of said act, as herein amended, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the following additional sums: The sum of $50,000,000 for the fiscal year ending June 30, 1919, and available immediately; the sum of $75,000,000 for the fiscal year ending June 30, 1920; and the sum of $75,000,000 for the fiscal year ending June 30, 1921; and additional sums to be expended in accordance with the provisions of said act: *Provided*, That in the expenditure of this fund for labor preference shall be given, other conditions being equal, to honorably discharged soldiers, sailors, and marines.

Mr. THOMAS. I desire to submit a point of order upon section 6. Section 6 provides for an appropriation of $200,000,000 as an added sum which is in addition to the $75,000,000 appropriated two years ago for the building of good roads. It is admitted that this proposed increase was never submitted to the Committee on Appropriations. Subdivision 2 of Rule XVI reads as follows:

2. All amendments to general appropriation bills moved by direction of a standing or select committee of the Senate, proposing to increase an appropriation already contained in the bill, or to add new items of appropriation, shall, at least one day before they are considered, be referred to the Committee on Appropriations, and when actually proposed to the bill no amendment proposing to increase the amount stated in such amendment shall be received; in like manner, amendments proposing new items of appropriation to river and harbor bills shall, before being considered, be referred to the Committee on Commerce; also amendments to bills establishing post roads, or proposing new post roads, shall, before being considered, be referred to the Committee on Post Offices and Post Roads.

That subdivision refers to three matters—first, general appropriation bills; second, river and harbor bills; third, bills establishing post roads. This is a general appropriation bill. It is moved by the direction of a standing committee. It proposes to add a new item of appropriation of $200,000,000, and is therefore clearly within the provisions of the rule. I make a point of order against it.

Mr. BANKHEAD. What is the point of order?

Mr. THOMAS. The point of order is that this proposed appropriation was never submitted under subdivision 2 of Rule XVI to the Committee on Appropriations.

The VICE PRESIDENT. Amendments to the Post Office appropriation bill are referred to the Committee on Post Offices and Post Roads and not to the general Appropriations Committee. The point of order is therefore overruled.

Mr. BANKHEAD. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Hollis	Martin, Va.	Smoot
Beckham	Johnson, Cal.	Moses	Spencer
Calder	Johnson, S. Dak.	Nelson	Sterling
Chamberlain	Jones, N. Mex.	New	Sutherland
Colt	Jones, Wash.	Nugent	Swanson
Cummins	Kellogg	Overman	Thomas
Curtis	Kendrick	Page	Townsend
Dillingham	Kenyon	Penrose	Trammell
Fletcher	King	Poindexter	Vardaman
France	Kirby	Pollock	Wadsworth
Frelinghuysen	Knox	Pomerene	Walsh
Gay	La Follette	Shafroth	Weeks
Hale	Lenroot	Sheppard	Wolcott
Harding	Lodge	Simmons	
Hardwick	McKellar	Smith, Ga.	
Henderson	McNary	Smith, S. C.	

The VICE PRESIDENT. Sixty-one Senators have answered to the roll call. There is a quorum present.

Mr. THOMAS. I wish to reserve the right, if I may do so under the rules, to renew the point of order in the Senate, which I have made heretofore unsuccessfully, to section 5 and section 6.

Mr. WEEKS. I send an amendment to the desk, and ask to have it read.

The SECRETARY. On page 37, after the word "act," on line 13, insert:

Provided, That 10 per cent of the cost of the construction of good roads which has been undertaken and completed by the several States since January 1, 1900, shall be paid to said States from the appropria-

tion provided in this section: *Provided further*, That such payments to the States shall be, within one year from the date of its receipt, expended for new construction in said States.

Mr. WEEKS. Mr. President, I am in general sympathy with the view expressed by the Senator from Delaware [Mr. WOLCOTT] relative to the distribution of this fund if a fund is to be distributed. My own judgment is that the building of good roads is of essentially local concern; that the States should build their own roads, or the counties, or the towns, I am not particular which, but they should be built by those who are directly benefited by their construction.

There are some States that have spent a great deal of money in constructing roads. Other States have spent comparatively little. This kind of legislation is a direct handicap on those States which have been diligent in providing for their own needs. They not only have constructed at their expense their own roads, but now they are asked to furnish money to construct the roads in States which have not undertaken it. It is an unfair proposition even if it is a wise one, and, in my judgment, some parts of this money should be returned to those States that have been progressive, that have been looking forward and have been providing for the needs of their own people by constructing the good roads which their people need. Therefore, I offer the amendment to the amendment.

Mr. BANKHEAD. Mr. President, I very much hope that the Senate will not adopt the amendment offered by the Senator from Massachusetts. This principle of national aid to roads has been very carefully worked out, and it has been adopted and acted upon by every State in the Union. While it may be true that some States have built better roads than others, while it may be true that they have been enabled to build better roads than other States, they can not overlook the fact that great, rich, powerful States like New York and Massachusetts have been drawing continuously for 50 years from the balance of the country, and thereby they have accumulated their wealth. The great State of New York has been the gateway through which the commerce of this whole country has passed, and it has been gathering in, going and coming. I do not object to that. I am glad that the State of New York and the city of New York and the other States have so prospered. They own everything in this country, practically. All our railroads are owned by these gentlemen.

I do not object to that; I am making no complaint about it; but my contention is that if the bill as we have reported it can be adopted, if these increases in the appropriations can be accepted and the law as amended and as it has been accepted by all the States of the country can go into operation, we will have an era of road building in this country such as we have never enjoyed before; and the result of all that will be that the States which have not heretofore been financially able to build good roads, for which they are being criticized, will be given an opportunity to build roads and develop their lands and develop their resources. They will then be much more able to contribute to the State of New York and the State of Massachusetts and add to their wealth than they have heretofore been, and we will make them immensely rich if they will allow us to do it.

I hope the amendment to the amendment will not be adopted. I do not think my good friend from Massachusetts is really serious about it.

Mr. WADSWORTH. Let the amendment be stated.

The VICE PRESIDENT. It will be again read.

The SECRETARY. Insert in section 6, after the word "act," where it occurs in line 13:

Provided, That 10 per cent of the cost of the construction of good roads which has been undertaken and completed by the several States since January 1, 1909, shall be paid to said States from the appropriation provided in this section: *Provided further*, That such payments to the States shall be, within one year from the date of its receipt, expended for new construction in said States.

Mr. WADSWORTH. I assume it is not the intention of the supporters of the committee amendment to accept any such amendment as that offered by the Senator from Massachusetts. The Senator from Alabama has just stated that this matter had been very carefully worked out. It certainly has.

Mr. BANKHEAD. Will the Senator yield to me for a moment? I desire to ask the Senator from Massachusetts a question?

Mr. WADSWORTH. Shall I lose the floor if I yield to the Senator from Alabama, Mr. President?

The VICE PRESIDENT. No.

Mr. WADSWORTH. I yield.

Mr. BANKHEAD. If the Senator should lose the floor by yielding, I shall not insist on interrupting him, but I simply desire to ask a question. I am not quite sure that I understood the amendment offered by the Senator from Massachusetts. Do I understand that the Senator means to go back to 1900 and to pay 10 per cent for 19 years?

Mr. WEEKS. I mean that of the money that has been expended by a State since 1900 in the construction of its roads—and, of course, it applies to all States—10 per cent of it shall be returned to those States and be used for additional road construction in those States.

Mr. BANKHEAD. I thought that was it.

Mr. WADSWORTH. Mr. President, there is one phase of this situation suggested by the amendment offered by the Senator from Massachusetts to which I wish to direct attention. Let me say before I embark upon a very brief discussion of it that I am not at all in love with the provincial character that this discussion has assumed. It is not particularly pleasant to talk about what State is getting the better of some other State, what State is getting too much money, and what State is paying the money. The poor old State of New York is constantly referred to as a source of riches and wealth. I am not going to comment upon that in particular, although I have some ideas about it.

Mr. President, the Senator from Alabama forgets a few things, or perhaps he is not informed of them, when he discusses the matter in the way in which he did a moment ago. The Senator from Alabama and other Senators seem to forget that the State of New York and some other States—but I happen to know about that State—tax themselves at an infinitely higher rate to make these internal improvements than do the people of other States who refrain from making any internal improvements. I say in all seriousness to the Senator and to any others who are interested in this problem that the State of New York is now faced with a most difficult and perplexing situation, for the very reason that it has gone ahead and spent approximately $150,000,000 upon its roads and nearly $150,000,000 upon its canals, and has embarked upon other great public improvements which have been demanded by the people of that State and have been sanctioned by referendums in many instances by the people of that State.

As the result of embarking upon these improvements, the people of the State of New York are actually faced with the highest local tax rate, in the aggregate, in the Union. While they are faced with that tax rate, the Federal Government steps in and makes it all the more difficult for them to arrange their finances by invading their field of taxation and duplicating the taxing efforts of the State by the imposition of certain kinds of Federal taxes. That may not excite any sympathy from the Senators who come from States which are not so rich in the aggregate as is the State of New York; probably this statement will not make a vote against the amendment of the committee, because it is perfectly apparent, as I have listened to some of this discussion, that there are Senators here who do not care about the local problems of certain other States in this Union.

The budget of the State of New York has grown since 1905 from $26,000,000 a year to a budget of $82,000,000 a year in 1918. The wealth of the State has not multiplied by any such ratio in that period; the population of the State has not increased by any such ratio during that period. This vast increase in the expenditures of the State is due to the fact that the people of New York determined to take care of their own affairs and agreed to tax themselves. We are to-day per dollar of valuation of property of all kinds in the State taxing our people at an infinitely higher rate than do the people of Alabama or the people of Nebraska or the people of Tennessee. But the limit has been reached.

It is a very grave question whether or not the State can develop any further sources of taxation. The Federal Government has invaded our field of taxation with respect to inheritances. We can not get another penny from inheritances. The Federal Government has duplicated the State tax in effect, and no longer can the State of New York, to meet its own local expenditures, hope to get any money from that source. The Federal Government steps in and puts its taxes on the incomes of corporations. The State of New York prior to that time, and, I think, still to-day, has the highest corporation tax of any State in the Union. If it has not the highest, it has one of the highest. So it goes from one thing to another in the matter of taxation.

Now this bill simply adds to the burden—it is one of the many bills that add to the burden—another $275,000,000 to be taken from the Treasury of the United States, and the taxes of the people of New York must be raised even higher than they are to-day, when they are already higher than the taxes of the average State in the Union.

The junior Senator from Pennsylvania [Mr. KNOX] described to me a rather interesting incident that occurred, I think, at Harrisburg during the recent inauguration of the governor of

Pennsylvania. I bring it to the attention of the Senate to show how this thing is drifting. I believe it was stated by the recently elected governor in his inaugural address that the money collected from the State of Pennsylvania by Federal taxes during the year preceding his inauguration was greater in amount than all the money required to support the State of Pennsylvania since it became a State in the Union.

Mr. PENROSE. Will the Senator permit me to interrupt him?

Mr. WADSWORTH. Yes.

Mr. PENROSE. The governor of Pennsylvania also showed that one-sixth of the Federal revenues are paid by Pennsylvania.

Mr. WADSWORTH. That is probably true.

Mr. PENROSE. A few days ago I had the statement put in the RECORD.

Mr. WADSWORTH. I know that comparisons are odious; I am not contending that because Pennsylvania pays one-sixth of the revenue she should have one-sixth of the roads, or that because New York pays 40 per cent of the revenue it should have 40 per cent of the roads.

Mr. STERLING. Mr. President——

Mr. WADSWORTH. I yield to the Senator from South Dakota.

Mr. STERLING. I want to ask the Senator if he can state what the average rate of State taxation is in his State; that is, the State and county taxation, aside from municipal taxation?

Mr. WADSWORTH. I was very familiar with those figures when the original act which this bill proposes to amend was before the Senate, and I gave them at that time. It was rather astounding, even to me—and I knew something of the high rate of taxation in New York at that time—to find that a dollar in value in New York was taxed much higher than a dollar in value in most of the States of the Union.

Mr. STERLING. Aside from municipal taxes, would the rate be as much as 3 per cent on the assessed valuation for county and State taxes?

Mr. WADSWORTH. We have to include in the average the municipal taxes also. They all come out of somebody's pocket.

Mr. STERLING. That is true, but——

Mr. WADSWORTH. I can not say what the percentage is, but I make the statement that it is infinitely higher than are the tax rates in many other States.

Mr. STERLING. The municipal tax rate, of course, involves the idea of the benefit of living in a city, and so forth; but take the average rate of tax paid by the farmers in the Senator's State—the county and State taxes—what will it amount to?

Mr. WADSWORTH. I could not tell the Senator the average, but I will guarantee that the rate is higher than that of other States.

Mr. WEEKS. Mr. President, I wish to call the attention of the Senator from New York to one of the reasons why the tax rates are higher in New York and in Massachusetts and why there is abundant reason, at least, for making a comparison with other States. In the expenditure of all these moneys for building roads and for other purposes State debts have been incurred, and they are particularly pronounced in the case of those two States. The total debt of all the States in the Union in 1913 was $403,000,000, and of this the State debts of Massachusetts and New York were $227,000,000; in other words, a greater State debt was incurred by those States in building roads and for other purposes than by all the other States in the Union together.

Mr. WADSWORTH. The statement of the Senator from Massachusetts, I am certain, is correct, of course, because he reads it from the accepted figures.

Mr. WEEKS. These figures are taken from a statistical abstract.

Mr. STERLING. I am not in a position to make comparisons between the rate paid in New York and the average rate of county and State taxes; but I am strongly of the impression that the rate is not so high as it is on our Western States—as it is in the State of South Dakota, for example. Taking the rate on personal property, farm property, and farm lands, I think it is higher on the assessed valuation than is paid on similar property in the State of New York.

Mr. WADSWORTH. I can not, of course, enter into any controversy with the Senator from South Dakota on that point, because I do not know the rates in South Dakota and for the moment I have not the New York rates before me; but I am of the very clear opinion, Mr. President, that the time is coming when some of the so-called rich States, instead of being rich, will be the poorest States in the Union from the taxpayers' standpoint.

Mr. McKELLAR. Mr. President——

Mr. WADSWORTH. Just one moment. I know the State of New York is now confronted, and has been confronted for the last two years, with perhaps the most difficult situation faced by any other State in the matter of raising money to pay its expenses, in spite of its alleged wealth.

Mr. McKELLAR. Mr. President, the same disproportion the Senator complains of exists in the Senator's own State. For instance, New York City pays taxes out of all proportion to the taxes paid by the remainder of the State. I know that is so in my own State. The city of Memphis pays one-sixth of all of the State taxes of the State of Tennessee, and that same proportion exists throughout our entire system.

Mr. WADSWORTH. The Senator is mistaken about the city of New York paying taxes out of proportion. It pays taxes in the State of New York in proportion to its wealth, and incidentally the proposal to incur the greater portion of these expenses, such as those for good roads—in fact, all the expenses under the good-roads item and under the barge canal item was submitted to a popular referendum of the people of the State, and the city of New York voted overwhelmingly in favor of both projects.

Mr. THOMAS. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Colorado.

Mr. THOMAS. The Senator has just been referring to the unfortunate financial condition of the State of New York and to the difficult problems confronting it. Upon the principle that misery loves company, I think I may assure him that if we keep on a little longer the Nation will be in the same condition.

Mr. WADSWORTH. My own opinion is that certain of the States will starve first and the Nation afterwards at the present rate of expending money. The Federal Government, of course, has the last opportunity to do the taxing, and it can supersede apparently, as laws are now framed and passed, the taxing powers of the States by one method or another. The States are gradually toppling under this continual increase of Federal appropriations, and one of the signs of the toppling is that more and more as the years go by do the people of the States ask the Federal Government to come to their aid and spend money out of the Federal Treasury, which, incidentally, according to my view of the matter, means the atrophy of local ambition, spirit, and civic pride. We are tending in that direction every day the Congress sits. We have commenced to starve some of the States—not all of them—in the matter of their local revenues, and we are spending the money in other States, and encouraging the appetite that is growing so fast in this country amongst millions of people for money from Washington. This is but one instance of it.

The amendment offered by the Senator from Massachusetts is germane to this exceedingly difficult problem. The State which I happen to represent in part has spent $150,000,000 on roads. It has spent that amount primarily for the benefit of its own citizens. They voted to do it and they bonded the State, and, in addition, the counties have also bonded themselves for large sums. We spent it also for the benefit of people passing through the State, whether it be for business traffic or pleasure traffic. We can carry that burden with perfect ease, I believe, if we have left to us the field and resources of taxation, but the Federal Government is taking them away from us with nearly every tax bill that passes Congress, and we have this great burden placed upon us. So the time has come when the people of that State, as I happen to know—and it has been reflected in public sentiment pretty strongly, Senators, for the last few years—are insisting that a halt be called to Federal appropriations; otherwise their local burdens, coupled with their Federal burdens, will break down their State finances. It can not be carried much longer.

It may seem to some a surprising suggestion that emanates from the Senator from Massachusetts, to wit: That some of the States be reimbursed for some of these public improvements. But the time may come when they will come here on their knees and beg you to give them money to help them. It is not a laughing matter; it is not a trifling suggestion of the Senator from Massachusetts, although it may be a little ahead of time; but the time will come when these burdens can not be borne any longer.

That is one of my objections to the proposal in this bill that at this time, when the people of my State, as well as the people of other States, are burdened with taxation to an extent never before known in this country and with no immediate outlook for relief, the Congress shall appropriate $200,000,000 more to add to that burden and give no benefit through the expenditure of this particular $200,000,000 to millions and millions of people who are suffering from heavy local taxation.

Mr. JONES of New Mexico. Mr. President, will the Senator yield for a question?

Mr. WADSWORTH. I yield.

Mr. JONES of New Mexico. I should like to ask the Senator if he means to intimate that the rate of Federal taxation is any greater in the State of New York than in any other State of the Union?

Mr. WADSWORTH. Mr. President, I did not say anything like that; I did not mention the rate of Federal taxation. I mentioned the local taxes.

Mr. JONES of New Mexico. As I understood the Senator, he was complaining of the special burden being put upon the State of New York by virtue of this provision of the pending bill.

Mr. WADSWORTH. No, Mr. President; the Senator is mistaken. I did not say that the rate of Federal taxation was greater in New York than in any other State. Of course, that would be absurd; it is not. I say the people of New York and of many other States have assumed of their own volition a very heavy tax burden, and when they assumed that burden they felt certain that their local sources of taxation would be reserved to them; but in recent years they find that the Federal Government has invaded their field of taxation and has made it literally impossible for them to raise any more money from those sources to meet their local bills, and the more money the Federal Government appropriates in the manner suggested by this bill, the heavier becomes the burden of those people.

Mr. JONES of New Mexico. I should like to ask the Senator if the Federal Government has invaded any field of taxation in New York which it has not invaded in every other State in the Union?

Mr. WADSWORTH. Mr. President, of course, the Federal laws are general in character, but not all the States in the Union by any means impose an inheritance tax; nor such a heavy inheritance tax as is imposed in New York. If the rate on inheritances in Ohio is the largest, perhaps New York is the second; but the inheritance tax in New York was a heavy tax, and was meant to be, to help pay the debts of the State; but along comes the Federal Government and doubles it. That means that New York can never get any more from that source. That is not the only instance; there are others; in fact, the starving process has started, and yet the burdens of taxation continue to rise. Had some of the States which are supposed to be wealthy known that this tendency in Congress was going to make itself so powerful, we would not of our own volition have shouldered this burden locally. We would have waited for Washington to give us the money, as other States have waited.

Mr. LODGE. Mr. President, if the Senator from New York will allow me a moment——

Mr. WADSWORTH. I yield.

Mr. LODGE. Of course, the rates of Federal taxation are the same everywhere; there is no question about that; but the rates of collection are very different. Federal taxes are collected with great thoroughness in some parts of the country and very imperfectly in others.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Massachusetts to the amendment reported by the committee. By the sound the noes seem to have it.

Mr. WEEKS. I ask for a division.

On a division, the amendment was rejected.

Mr. BANKHEAD obtained the floor.

Mr. SWANSON. Mr. President——

Mr. BANKHEAD. I yield to the Senator from Virginia.

Mr. SWANSON. Mr. President, I have an amendment which I want to offer to this section. I send it to the desk and ask to have it stated.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 37, at the end of line 15, before the period, it is proposed to insert a colon and add the following:

Provided, That so much of the appropriation apportioned to any State under the said act approved July 11, 1916, or under this section, for any fiscal year as remains unexpended at the close thereof shall be available for expenditure in that State until the close of the second fiscal year succeeding the close of the fiscal year for which such apportionment was made, except that amounts apportioned for any fiscal year to any State which has not a State highway department shall be available for expenditure in that State until the close of the third fiscal year succeeding the close of the fiscal year for which such apportionment was made.

Mr. SWANSON. Mr. President, I will say that the effect of that amendment is this:

Under the existing law the succeeding year after the apportionment is made, if the State or local authorities do not furnish their half, the money goes into the general fund for redistribution the next year. A great many of the legislatures will not meet this year to furnish, if this bill passes, the half that the States have to furnish. All that this amendment does, instead of confining it to the succeeding year, is to put the requirement for the second year one year later before the redistribution is made.

Mr. SMOOT. Mr. President, will the Senator allow the amendment to be printed and lie on the table and take it up the first thing in the morning?

Mr. SWANSON. Yes; that will be all right.

Mr. BANKHEAD. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Thursday, February 6, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *February 5, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in Heaven, exercise, we beseech Thee, Thy holy influence to safeguard the home-loving, peace-loving, law-abiding citizens throughout our Republic from the influence of evil-minded men and women, who, by their glib tongues and seductive harangues, are going over the country seeking to stir up strife, discontent, and hatred among their brethren who love the flag and all the sacred principles which it represents; whose objects are to overthrow our Government, that they may get something for nothing.

Inspire, we pray Thee, the legislative assemblies throughout every State in the Union and the lawmakers at the Capitol to pass laws which will drive them from our midst and keep them far from us.

Ours is a people's government and the people have it in their power to rectify mistakes and remove abuses without dynamite, fire, and the sword. So let us live in peace and harmony and practice the precepts enunciated by the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

BENJAMIN C. GREENE.

Mr. HASTINGS. Mr. Speaker, I present a privileged report from the Committee on Accounts and ask for its immediate consideration.

Mr. STAFFORD. Mr. Speaker, unless this is in order on Calendar Wednesday, I suggest that the motion be made to dispense with the business in order on Calendar Wednesday.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS.

Mr. PADGETT. Yes. I ask unanimous consent, Mr. Speaker, that the business in order on Calendar Wednesday to-day be dispensed with.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to dispense with Calendar Wednesday business for to-day. Is there objection?

Mr. MANN. We are to have a meeting of the Republicans in the House at 5 o'clock this afternoon.

Mr. PADGETT. Yes. The gentleman told me that yesterday, and I told him I would move to rise at 5 o'clock.

The SPEAKER. Is there objection?

Mr. LITTLE. Reserving the right to object, will the gentleman then move to go into the Committee of the Whole House on the state of the Union for the consideration of the naval bill?

Mr. PADGETT. Yes.

The SPEAKER. He will go into it as soon as he can. [Laughter.] Is there objection?

Mr. AUSTIN. Reserving the right to object, Mr. Speaker, there are only three Calendar Wednesdays remaining before the final adjournment of Congress. The call is on the Committee on the Post Office and Post Roads. The Committee on Public Buildings and Grounds has several important bills which can not be considered at this session of Congress unless an opportunity is given to reach them on Calendar Wednesday. For that reason, last night I objected to unanimous consent at the expense of Calendar Wednesday. In view of the fact that some of my constituents are interested in the relief proposed in one of these bills from the Committee on Public Buildings and Grounds, I feel it is my duty, Mr. Speaker, to object.

The SPEAKER. The gentleman from Tennessee objects.

Mr. PADGETT. Mr. Speaker, I move to dispense with business in order on Calendar Wednesday to-day.

The SPEAKER. The gentleman from Tennessee moves to dispense with business in order on Calendar Wednesday to-day. The question is on agreeing to that motion.

The question was taken.

The SPEAKER. In the judgment of the Chair, two-thirds having voted in favor of dispensing with Calendar Wednesday business to-day, the motion is agreed to.

BENJAMIN C. GREENE.

Mr. HASTINGS. Mr. Speaker, I have already sent up to the desk the resolution to which I referred.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 536 (H. Rept. No. 1034).

Resolved, That the Clerk of the House of Representatives be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, to Benjamin C. Greene, clerk to J. F. C. Talbott, a Representative from the State of Maryland at the time of his death, the sum of $166.66, being an amount equal to one month's salary of a clerk of a Representative in Congress.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

OFFICIAL REPORTERS OF DEBATES AND OFFICIAL STENOGRAPHERS TO COMMITTEES.

Mr. HASTINGS. Mr. Speaker, I now present House resolution 506, with a privileged report (H. Rept. No. 1033) from the Committee on Accounts, and ask for its immediate consideration.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Resolved, That there shall be paid out of the contingent fund of the House, until otherwise provided for by law, to each of the official reporters of debates of the House of Representatives additional compensation at the rate of $1,000 per annum, payable monthly, and to the assistant to the official reporters of debates, additional compensation at the rate of $500 per annum, payable monthly.

With the following committee amendment:

In line 3, after the word "debates," insert the following words "and to each of the official stenographers to committees," so that the resolution as amended will read as follows:

"*Resolved*, That there shall be paid, out of the contingent fund of the House, until otherwise provided for by law, to each of the official reporters of debates and to each of the official stenographers to committees of the House of Representatives additional compensation at the rate of $1,000 per annum, payable monthly, and to the assistant to the official reporters of debates additional compensation at the rate of $500 per annum, payable monthly."

Mr. HASTINGS. Mr. Speaker, in explanation of this resolution from the Committee on Accounts, permit me to say that the testimony before the committee was to the effect that the positions of official reporters were created in 1875; that at that time they received the salary of $5,000 per annum; that they are receiving the same salary now; and that that salary in the meantime, except that some extra compensation was given for two or three sessions of Congress, has not been increased. The testimony before the Committee on Accounts shows that a very largely increased amount of work has been done by these official reporters and official stenographers to committees, and, in the judgment of the Committee on Accounts, we felt that this increase was justified, and accordingly the committee recommended favorable action upon this resolution.

As Members of the House will see, this increases the amount of compensation $1,000 per annum. In 1875, when these positions were created, the Clerk of the House received $4,320. He receives now $6,500. At that time the Sergeant at Arms received $4,320; he now receives $6,500. The Doorkeeper received $2,592; he now receives $5,000. The Postmaster received $2,592; he now receives $4,000.

We submit in our report figures showing the number of pages in the CONGRESSIONAL RECORD at that time and the number now contained in the CONGRESSIONAL RECORD, indicating the increased amount of work. The total number of pages in the Forty-fourth Congress RECORD was 8,550. The total number of pages in the Sixty-fifth Congress RECORD to January 20 was 23,230.

In view of this increased amount of work, in view of the fact that the salaries have not been increased since 1875, and in view of the fact that the salaries of practically all the other employees of the House and of the Government, including Members of Congress, have been increased, the Committee on Accounts authorized a favorable report on this resolution.

Mr. STAFFORD. I wish the gentleman would yield me some time.

Mr. HASTINGS. How much time?

Mr. STAFFORD. Five or ten minutes.

Mr. HASTINGS. I will be glad to yield to the gentleman five minutes.

Mr. AUSTIN. I should like five minutes after the gentleman from Wisconsin concludes.

Mr. STAFFORD. Mr. Speaker, I do not rise to oppose the increase of salary to the official reporters of debates of the House, but I do rise to oppose the committee amendment to extend this increase to the stenographers to committees. We have four such stenographers receiving $5,000 a year. Their work is not to be compared with the work of the men here who take down the official debates and proceedings of the House. The position of the official reporters of debates is a very trying one. They have to be here long hours under stress and strain. The official stenographers to committees do not occupy near the time in their work that the official reporters of debates do. Years back, perhaps 15 years ago, there was a strenuous fight on this floor against granting them any such salary as $5,000 a year. Court reporters, doing the work that these reporters to committees do, do not receive any such salaries as $5,000 a year.

Mr. GARD. Will the gentleman yield?

Mr. STAFFORD. I yield to the gentleman from Ohio.

Mr. GARD. How much do court reporters in the District of Columbia receive?

Mr. STAFFORD. I can not give any information except as to my home city. These stenographers to committees are privileged to employ other reporters when the work is so heavy that they can not do it all themselves, and the work of these other reporters is paid for by the Government in addition.

I can see much reason for increasing the salaries of the reporters of the House. This matter was considered by the legislative subcommittee a year ago. Representatives of the official reporters' staff came before the subcommittee and presented the facts, and we were favorably impressed with the case they made, and believed that some relief should be granted to them. I do not know what may have been the impression of the other members of the committee, but for my part I was not impressed that it was advisable to increase the salaries of the stenographers to committees.

Mr. HOWARD. The gentleman stated that there were four official stenographers to committees.

Mr. STAFFORD. Yes.

Mr. HOWARD. And they are permitted to employ additional stenographic help, and those additional men are paid by the folio.

Mr. STAFFORD. Paid by the folio.

Mr. HOWARD. Now, the gentleman would not contend that the four official stenographers to committees could begin to perform the work incumbent upon them in these sessions of Congress?

Mr. STAFFORD. I am making no such contention. I am only calling the attention of the House to the facts. I am not saying that they could do all the extra work under any circumstances; I am only saying that the work of the two separate corps of stenographers is not comparable, and the situation is not comparable.

The taking of testimony in the committee room does not require the same expertness that is required here to report the debates on the floor of the House. A higher grade of men is necessary here. If we did not have the highest grade of efficiency here we would be in trouble continuously over the reports of our debates. I think it is a worthy and proper recognition of these expert men on the floor here to increase their compensation a thousand dollars, because of the continued long sessions and the high character of their work, but I have not been convinced that there is any need whatsoever of increasing the salaries of the committee stenographers. Court reporters in my city receive in the neighborhood of $4,000 a year.

Mr. HASTINGS. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. HASTINGS. The testimony before the committee was to the effect that these committee stenographers work much longer hours than the official reporters of the House. Committees sometimes meet as early as 9 o'clock in the morning, and a great many of them at 10 and 10.30 o'clock, and they work longer hours, they work continuously during the day; and, while they are permitted to call upon outside reporters to assist them, they are only permitted to call them in when all of the four officials are occupied.

Mr. STAFFORD. If the gentleman will go into it minutely, I venture to say that he will find, if he takes the number of hours that these men devote to their work and the number of hours that the official reporters occupy in the performance of their duties, comparing the number of hours, that the work here on the floor is more than one-third greater.

Mr. HASTINGS. The testimony before the committee was just the other way, in my judgment. They work longer hours.

Mr. STAFFORD. They begin earlier, but the sum total will not compare at all with the sum total of the work of the Official Reporters of debates.

Mr. HASTINGS. The testimony before the committee went to show that the committee stenographers work very long hours.

Mr. IRELAND. Will the gentleman yield?

Mr. HASTINGS. I yield to the gentleman from Illinois, who is a member of the committee.

Mr. IRELAND. I should like to say to the gentleman from Wisconsin that at first my viewpoint of the matter absolutely coincided with his; but the testimony brought before the committee, however, convinced me that the propositions were not divisible and that the committee stenographers should be dealt with on the same plane as the reporters of debates of the House. We found that the work of the committee stenographers extends over a greater period, over longer hours during the day even, than that of the reporters of debates of the House, and while, as the gentleman from Wisconsin says, their work may not be quite so arduous at the time and not require quite so much expertness as that of the reporters of debates of the House, yet most of the reporters of debates of the House have graduated from the positions of stenographers to committees, and they have all proven themselves worthy of that promotion, and it is regarded as a promotion. They are paid, however, the same salaries at present.

So far as the volume of work that comes before all of the committees is concerned, it is so much greater than it has been in previous Congresses that, coupled with the fact that they are all employed most of the time, we thought them not only entitled to the same raise in pay that we would give the House reporters, but that possibly there should be two added to their force. We have not by any means encouraged the securing of the best talent by the manner in which we pay the additional reporters to committees. I think the resolution, under the circumstances, is conservative. I very much appreciate the efforts of the gentleman from Wisconsin at economy. If I were not absolutely conscientious in believing in the merits of the raise to all of them, I certainly should not support it.

We pay the additional reporters to committees 15 cents per folio. The Senate pays 25 cents per folio. I am not sure about all of them, but I think that the departments down town—at least some of them—pay 30 cents per folio. When we fail to pay the same price that the departments down town and that the Senate pay, we can not hope to get the same grade of men for the additional force. It is my thought that we should grant the same compensation to these men that the Senate does.

I want to say further to the gentleman from Wisconsin that the committee report is unanimous, and taking all things into consideration, we firmly believe that the amendment proposed should be agreed to.

Mr. GOOD. Mr. Speaker, will the gentleman from Oklahoma yield me five minutes?

Mr. HASTINGS. I yield the gentleman from Iowa five minutes.

Mr. GOOD. Mr. Speaker, I am sorry to disagree with the gentleman from Wisconsin [Mr. STAFFORD]. I think there is no question about agreeing that the reporters in the House for a long time have been entitled to this increase in salary, and the same argument by which we arrive at that conclusion should convince us as to the necessity of increasing the pay of the four reporters to committees. The salaries of the reporters to committees were fixed a great many years ago, when we had one session of about three months and another long session of six or seven months. At this session of Congress, at least a month before the Congress convened, these reporters to committees were called upon to commence to take down the hearings of the various committees. This is especially true of the work in the Committee on Appropriations. For several weeks before Congress assembled the reporters to committees were called upon to attend the hearings and to report them. That is true when Congress is not in session. When a committee of the House finds it necessary to hold an important hearing, these reporters come, and come freely, and I can never yet recall a single instance when a committee was ready to proceed with hearings when a very efficient reporter was not there to do the work.

The work of Congress has grown so that it is not comparable with the work of 10 years ago or 15 years ago or longer ago, when we fixed the salaries of these reporters. The work of the various committees of the House has increased manyfold. And in like proportion the work of these reporters has increased. These reporters are called upon to commence their work at 10 o'clock in the morning. They work all day, sometimes until long after the dinner hour at night. They have had no increase in compensation, and it seems to me they ought to have an increase in compensation. I hope there will be no real, substantial objection to the amendment that is offered to the committee resolution. Let us be fair to these willing, efficient, and faithful employees, who have great responsibilities.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. STAFFORD) there were—ayes 55, noes 2.

Mr. STAFFORD. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Wisconsin makes the point of order that there is no quorum present. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 201, nays 71, answered "present" 6, not voting 151, as follows:

YEAS—201.

Anthony	Fairfield	Kiess, Pa.	Powers
Austin	Farr	King	Purnell
Bacharach	Ferris	Kinkaid	Ragsdale
Baer	Fess	Kraus	Raker
Benkes	Fisher	La Follette	Ramseyer
Benson	Fordney	LaGuardia	Randall
Birch	Foss	Lampert	Rankin
Blackmon	Foster	Langley	Riordan
Bowers	Frear	Lehlbach	Rodenberg
Brodbeck	French	Little	Rogers
Browne	Fuller, Ill.	Littlepage	Rouse
Browning	Gallagher	London	Rowe
Burnett	Gandy	Lufkin	Sabath
Burroughs	Gard	Lunn	Sanders, Ind.
Butler	Gillett	McArthur	Sanford
Byrnes, S. C	Glynn	McClintic	Scott, Iowa
Campbell, Kans.	Good	McCulloch	Scott, Mich.
Campbell, Pa.	Goodwin, Ark.	McFadden	Sells
Cannon	Gould	McKenzie	Shallenberger
Cantrill	Graham, Ill	McKeown	Sherwood
Carlin	Graham, Pa.	McLemore	Shouse
Carter, Mass	Gray, Ala.	Magee	Slemp
Carter, Okla.	Green, Iowa	Maher	Sloan
Chandler, N. Y	Greene, Mass.	Mann	Smith, Idaho
Church	Greene, Vt.	Mapes	Smith, Mich.
Clark, Fla.	Griest	Martin	Snell
Clark, Pa.	Hadley	Mason	Snyder
Classon	Haskell	Mays	Steele
Cleary	Hastings	Merritt	Stevenson
Cooper, Ohio	Hawley	Miller, Minn	Strong
Cooper, W. Va.	Hayden	Miller, Wash.	Tague
Cooper, Wis.	Hayes	Montague	Temple
Copley	Hersey	Moore, Pa.	Tilson
Crago	Hicks	Moores, Ind.	Timberlake
Currie, Mich.	Hollingsworth	Morgan	Tinkham
Dale	Hood	Morin	Towner
Dallinger	Howard	Mott	Vare
Darrow	Hull, Iowa	Mudd	Volstead
Dempsey	Husted	Nelson, A. P.	Walton
Denison	Igoe	Nicholls, S. C.	Watson, Pa.
Dent	Ireland	Nichols, Mich.	Watson Va.
Dewalt	James	Oldfield	Welling
Dill	Johnson, Wash.	Olney	Weltz
Dyer	Juul	Padgett	Whaley
Eagle	Kahn	Parker, N. J.	Wheeler
Edmonds	Kearns	Parker, N. Y.	White, Me.
Elliott	Keating	Peters	Woods, Iowa
Ellsworth	Kelley, Mich.	Phelan	Zihlman
Elston	Kelly, Pa.	Platt	
Evans	Kennedy, R. I.	Porter	
Fairchild, B. L.	Kettner	Pou	

NAYS—71.

Alexander	Denton	Houston	Snook
Almon	Dickinson	Jones	Stafford
Ashbrook	Dies	Kehoe	Steagall
Aswell	Dillon	Key, Ohio	Stedman
Ayres	Dixon	Kincheloe	Stephens
Barkhart	Dominick	Larsen	Sumners
Bell	Fuller, Mass.	Lobeck	Taylor, Colo.
Beshlin	Garner	Mansfield	Thompson
Black	Garrett, Tex.	Moon	Tillman
Bland, Va.	Gordon	Oliver, Ala.	Vinson
Blanton	Gregg	Overmyer	Walsh
Brand	Griffin	Overstreet	Watkins
Buchanan	Hamlin	Polk	Weaver
Caraway	Hardy	Quin	Wilson, Tex.
Connally, Tex.	Heflin	Rainey, H. T.	Wingo
Connolly, Kans.	Hensley	Robinson	Wise
Cramton	Hilliard	Romjue	Wright
Crisp	Holland	Rucker	

ANSWERED "PRESENT"—6.

Bland, Ind.	Flood	Huddleston	Reavis
Emerson	Harrison, Va.		

NOT VOTING—151.

Anderson	Chandler, Okla.	Donovan	Essen
Bankhead	Claypool	Dooling	Estopinal
Barkley	Coady	Doolittle	Fairchild, G. W.
Booher	Collier	Doremus	Fields
Borland	Costello	Doughton	Flynn
Britten	Cox	Dowell	Focht
Brumbaugh	Crosser	Drane	Francis
Byrns, Tenn.	Curry, Cal.	Drukker	Freeman
Caldwell	Davey	Dunn	Gallivan
Candler, Miss.	Davis	Dupré	Garland
Carew	Decker	Eagan	Garrett, Tenn.
Cary	Delaney	Esch	Godwin, N. C.

Goodall	Linthicum	Roberts	Sweet
Gray, N. J.	Lonergan	Rose	Swift
Hamill	Longworth	Rowland	Switzer
Hamilton, Mich.	Lundeen	Rubey	Taylor, Ark.
Hamilton, N. Y.	McAndrews	Russell	Templeton
Harrison, Miss.	McCormick	Sanders, La.	Thomas
Haugen	McKinley	Sanders, N. Y.	Treadway
Heaton	McLaughlin, Mich.	Saunders, Va.	Van Dyke
Heintz	McLaughlin, Pa.	Schall	Venable
Helm	Madden	Scully	Vestal
Helvering	Mondell	Sears	Voigt
Hull, Tenn.	Neely	Shackleford	Waldow
Humphreys	Nelson, J. M.	Sherley	Walker
Hutchinson	Nolan	Siegel	Ward
Jacoway	Norton	Sims	Wason
Johnson, Ky.	Oliver, N. Y.	Sinnott	Webb
Johnson, S. Dak.	Osborne	Sisson	White, Ohio
Kennedy, Iowa.	O'Shaunessy	Slayden	Williams
Kitchin	Paige	Small	Wilson, Ill.
Knutson	Park	Smith, C. B.	Wilson, La.
Kreider	Pratt	Smith, T. F.	Winslow
Lazaro	Price	Stephens, Miss.	Wood, Ind.
Lea, Cal.	Rainey, J. W.	Stephens, Nebr.	Woodyard
Lee, Ga.	Ramsey	Sterling	Young, N. Dak.
Lesher	Rayburn	Stiness	Young, Tex.
Lever	Reed	Sullivan	

So the amendment was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. CAREW with Mr. GOODALL.
Mr. ESTOPINAL with Mr. EMERSON.
Mr. BOOHER with Mr. TREADWAY.
Mr. WHITE of Ohio with Mr. NORTON.
Mr. HARRISON of Mississippi with Mr. REAVIS.
Mr. HAMILL with Mr. KREIDER.
Mr. BRUMBAUGH with Mr. COSTELLO.
Mr. FLOOD with Mr. CURRY of California.
Mr. SCULLY with Mr. DAVIS.
Mr. BYRNS of Tennessee with Mr. DUNN.
Mr. COADY with Mr. GARLAND.
Mr. COLLIER with Mr. HAMILTON of Michigan.
Mr. DONOVAN with Mr. HAMILTON of New York.
Mr. DOOLING with Mr. HUTCHINSON.
Mr. DOUGHTON with Mr. JOHNSON of South Dakota.
Mr. EAGAN with Mr. KENNEDY of Iowa.
Mr. CANDLER of Mississippi with Mr. KNUTSON.
Mr. GALLIVAN with Mr. PAIGE.
Mr. LEVER with Mr. HAUGEN.
Mr. HELM with Mr. ROSE.
Mr. HUMPHREYS with Mr. SANDERS of New York.
Mr. JACOWAY with Mr. SIEGEL.
Mr. LAZARO with Mr. SINNOTT.
Mr. LEE of Georgia with Mr. MCLAUGHLIN of Michigan.
Mr. LESHER with Mr. STINESS.
Mr. LINTHICUM with Mr. VESTAL.
Mr. MCANDREWS with Mr. MCKINLEY.
Mr. NEELY with Mr. NOLAN.
Mr. OLIVER of New York with Mr. OSBORNE.
Mr. PARK with Mr. RAMSEY.
Mr. JOHN W. RAINEY with Mr. WASON.
Mr. SANDERS of Louisiana with Mr. VOIGT.
Mr. SLAYDEN with Mr. WILLIAMS.
Mr. SMALL with Mr. WINSLOW.
Mr. THOMAS F. SMITH with Mr. WOODYARD.
Mr. TAYLOR of Arkansas with Mr. YOUNG of North Dakota.
Mr. RUBEY with Mr. WARD.
Mr. SIMS with Mr. ESCH.
Mr. WEBB with Mr. SWIFT.
Mr. O'SHAUNESSY with Mr. ROWLAND.

The result of the vote was then announced as above recorded.

A quorum being present, the doors were opened.

The SPEAKER. The question now is agreeing on the resolution as amended.

The resolution was agreed to.

THE FRANKING PRIVILEGE.

Mr. MONTAGUE. Mr. Speaker, on the 1st day of the month the gentleman from Massachusetts [Mr. TREADWAY] contended that a certain statement sent out by the Comptroller of the Currency was unfrankable. I ask unanimous consent to put in the RECORD the statement of Mr. Williams which was asserted to be unfrankable, together with a letter from him to me inclosing the statement.

The SPEAKER. The gentleman from Virginia asks unanimous consent to print in the RECORD a letter and statement from the Comptroller of the Currency. Is there objection?

Mr. MANN. Reserving the right to object, is it the purpose of inserting the letter in the RECORD to make what was unfrankable before now frankable?

Mr. MONTAGUE. No; the purpose is simply that the Members of the House may determine that question themselves, whether they think it is frankable or not.

Mr. MANN. It becomes frankable as soon as it is printed in the RECORD.

Mr. MONTAGUE. I do not think that is the purpose.

Mr. MANN. I would not be surprised at anything he did.

Mr. MONTAGUE. I will not enter into any controversy with the gentleman at this time.

The SPEAKER. Is there objection?

There was no objection.

The statement and letter are as follows:

TREASURY DEPARTMENT,
COMPTROLLER OF THE CURRENCY,
Washington, February 1, 1919.

DEAR CONGRESSMAN: I thank you very much for calling my attention to the complaint made by Congressman TREADWAY to-day on the floor of the House, to the effect that the Comptroller of the Currency should have sent out, in franked envelopes, a copy of his press statement of January 23, which, in the opinion of the Congressman, was not properly frankable.

It is entirely true that copies of this press statement (embodying the proposal of a certain newspaper man which was prepared with a view to conducting a propaganda against this office and the Comptroller of the Currency) were sent by mail in the ordinary Treasury envelopes which are used for the distribution of all official mail.

Evidence in my possession showed that not only the Comptroller of the Currency personally but the administration of this bureau were being wantonly, maliciously, and unjustly attacked; and I believed it was to the interest of this bureau and its effective administration that the banks—which are under the supervision of the Comptroller of the Currency, and to which the regulations and instructions of this bureau are issued—should be informed as to the origin and character of the attacks which were being made upon it. In fact, I believed it to be my duty to inform the national banks of the sinister character of the efforts which were being put forth to destroy or impair the authority of and respect for the comptroller's office, which must be sustained if its service is to be effective, and if the results, which it is expected to accomplish, are to be secured.

The statement which was given to the press and mailed to the national banks showed that these attacks were being made deliberately and "disguised"; that the plan was to "get several bankers in on the deal"; that even the bankers who were to contribute to the expense fund were not to be told "who is to handle the publicity at the beginning"; and that everything was to be done "quietly at first." For supervising and conducting a shameless attack upon a public officer, against the integrity of whose administration the discredited newspaper man admitted he had never heard a complaint or criticism, he proposed—in the memorandum which accidentally fell into my possession—that his "charges" would be "$250 per week."

I do not believe that your colleagues in the House of Representatives would approve or condone, for one moment, such tactics, and I trust they will concur in the view I take, that the subject was one which I was justified in bringing to the notice of the national banks under the supervision of the Comptroller of the Currency.

In view of the complaint which Representative TREADWAY has made on the floor of the House, I hope that as a matter of fairness the press statement upon which he based his complaint (a copy of which I inclose) may also be printed in the CONGRESSIONAL RECORD.

Faithfully, yours,

JNO. SKELTON WILLIAMS.

Hon. A. J. MONTAGUE,
House of Representatives, Washington.

TREASURY DEPARTMENT,
COMPTROLLER OF THE CURRENCY,
Washington, January 23, 1919.

John Skelton Williams, the Comptroller of the Currency, to-day gave to the press the following statement:

"The origin of propaganda recently started against the Comptroller of the Currency and this office is explained by a document which came into my possession accidentally within the past few weeks, a photograph of which, in the interest of decent journalism and fair play, I feel it my duty to make public.

"The document is headed 'Memorandum for Mr. ———.' The name, typewritten in the memorandum, but which I prefer not to make public now, is that of an official of a banking institution (not national) which has been under serious criticism by the comptroller's office for months past for irregular, unlawful, and discreditable practices.

"Evidence in my possession shows that this 'memorandum' was prepared by a newspaper correspondent in Washington, who was the author of the recent stories sent out from Washington to various newspapers (to the effect that active opposition to the confirmation for a new term for the Comptroller of the Currency had been developed on the part of both Democratic and Republican Senators and criticising the comptroller's administration) and who probably was the instigator of other articles of like tenor.

"This correspondent was sent for. He came to the Treasury last Monday and was asked whether he had sent out stories criticising the Comptroller of the Currency. He first denied that he had done so, except to one newspaper in Buffalo, N. Y., of which he said he was the Washington correspondent; but subsequently he admitted that he had furnished the material for the story to various other newspapers in different parts of the country, including, among others, the New York Tribune, the Wall Street Journal, papers in Boston, Louisville, etc.

"Although he refused to admit that he had delivered the document mentioned above to the bank official to whom it was addressed, he confessed that he had been in consultation with that official in this connection on a number of occasions and had received his criticisms of this office, and that he had been carrying on negotiations with some one whose name he refused to divulge—but who was evidently the bank official to whom the 'memorandum' had been addressed—with a view to conducting a campaign to oppose the confirmation of the Comptroller of the Currency in the event of his renomination. He declined to affirm or deny his authorship of the 'memorandum.' His refusal to disclaim may be taken fairly, under the circumstances, as confession.

"He said he had not yet received 'a nickel' for his propaganda work, but subsequently admitted that he had, within the past few weeks, gotten money as a loan from the banker to whom his memorandum was addressed and who had been secretly attacking and criticising the Comptroller of the Currency.

"He claimed that his negotiations as to the propaganda were only under way. In response to my question whether he had ever heard any breath of criticism directed against the integrity of my administration, he declared that he had not.

"He insisted that he had not yet consummated his negotiations for conducting his 'publicity campaign' and getting newspapers to print his 'disguised' stories, although he confessed that he had already given wide circulation to the yarns he had written in the effort to injure the comptroller.

"I am a little doubtful as to whether this newspaper scribbler (a discredit to a noble profession, seeking fees to defame a Government official) or the contemptible offender with whom he was conspiring should be dignified with public notice, but I think the people should understand the nature of some of the things appearing in the newspapers, so as not to be imposed upon and in order that they may distinguish pabulum for propaganda from real facts.

"The following is a copy of the 'memorandum' referred to in the foregoing statement, a photograph of which memorandum by chance, but unfortunately for its author, has come into the possession of the Comptroller of the Currency:

"'Memorandum for Mr. ———.

"'If reappointed and confirmed, the present Comptroller of the Currency will remain in office for five years.

"'All that is needed is determination on the part of two or three Republican Senators. If they assume the responsibility, the Democrats are not apt to make a serious fight for Williams in the Senate.

"'A publicity campaign should be started at once, but should be run very quietly. Several papers will print stories if the stories are handed to them disguised.

"'Full publicity can come when the name is sent to the Senate and referred to the committee.

"'In the meantime a story here and there would help the Senators along.

"'Get several bankers in on the deal. Do not tell them who is to handle the publicity at the beginning. That is a matter strictly between you and me for the present, because I will want to work quietly at first, since when I have to come out in the open I will be sure to make some enemies in high places.

"'Since the fight promises to last only a few weeks, and in handling the publicity I will be sure to incur some enmities, the charges will be $250 a week. I am sure I can do some good work for the cause.'"

THE MEETING AT POLI'S THEATER.

Mr. DILLON. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER. The gentleman from South Dakota asks unanimous consent to address the House for two minutes. Is there objection?

There was no objection.

Mr. DILLON. Mr. Speaker, much has been said about a meeting on Sunday afternoon at Poli's Theater. The newspapers of the city state that I attended that meeting. I rise at this time to deny the statement. I was not invited; I did not attend and did not know of the meeting; never heard of the meeting until I read it in the newspaper accounts. [Applause.] It is a case of mistaken identity. The newspaper reporter in recording me as attending that meeting got his wires badly crossed.

QUESTION OF PERSONAL PRIVILEGE.

Mr. MASON rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. MASON. To a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. MASON. Mr. Speaker, it has been stated in the same newspaper already referred to and in several others that at the meeting on Sunday, reading from the headlines of the paper and from comments made by a Member of another legislative body, there was urged a red America. Several gentlemen in both branches of Congress have been kind enough to quote from this paper the statement that I was present, and by inference and argument that I approved of the doctrine of anarchy or nihilism. I desire to make a statement in regard to that in my own defense.

The SPEAKER. How does it link the gentleman up with it? There might be 40 Bolsheviki meetings held and the gentleman not be connected with any.

Mr. MASON. One gentleman in another branch of Congress says that he will not use any names, but he afterwards uses my name, and it is printed in the headlines in the paper. The headlines are false, and the man who wrote them knew he was lying when he wrote them.

The SPEAKER. What the Chair wants to know is, Is the gentleman's name mentioned in the headlines?

Mr. MASON. It is.

The SPEAKER. Go on.

Mr. MASON. Mr. Speaker and colleagues, I am not going to take long, and I would not pay any attention to this burst of enthusiasm on the part of certain people who get excited when they read something in a newspaper if I was not deeply interested in the cause that brought it about.

The gentleman in another Chamber who uses my name by printing these headlines in the papers says, reading from the headlines:

Urge "red" America—Bolshevik speakers stir huge audience at Poli's Theater—City's radicals in throngs—Representative MASON charges plot to keep Slav funds in United States—Speaks from box after Albert Rhys Williams and others laud Soviets and tell of spreading propaganda in United States—"Suff" pickets take up collections—Adopt Johnson resolution now in Senate.

In order to connect me with it, and in order to air his own views of patriotism and hatred of the red flag, which we all hate and despise in this country, he said what he did.

And you want to understand, gentlemen, that in the city of Chicago we do not talk about anarchists, we hang them [applause], but we do it by action of the court when they advise violence and destruction of the law of this country. We people in Chicago believe that in all the American sky there is no room for but one flag, and that is the American flag. [Applause.] That is what we believe, and any man who tries to push his propaganda by insulting me and my record upon this case let him answer to his own constituency. I will answer to mine. I sat in my home the night the bomb was thrown by the anarchists that murdered the policemen in the city of Chicago, in the home I had worked for and earned with my own hands and my own brain, and if there is any place in the world where we believe in obedience to law and where we are against nihilists and anarchists it is in the great State of Illinois. We believe in obedience to law, and when I attended this meeting I went there, as I wish every Congressman in the United States had gone, simply to hear what the facts are from that side. When the man wrote this article that we were urging a "red" America, he states what is not true. Not one of the speakers there made any assault; they were all speaking of American ideals. I noticed, when I went in, some large decorations which were prominent in red, and I will admit it stirred me a little bit, because we do not like this doctrine of destroying law by force, and I felt like taking a fall out of the whole outfit, but when the speaker arose he said those decorations belonged to the side show, the theater, that was coming on in a few minutes. He said, "Our decorations are here," and he pointed to two American flags upon the platform. Now, Mr. Speaker, I should not refer to this except for the fact that there is a general disposition to work one end or the other in this present propaganda for and against.

As one of my colleagues stated, there is a propaganda in the United States to uphold the Bolsheviki government, and I believe that is true. I know also there is a propaganda going on in the United States to uphold the spawn of the Czar, who are trying to reorganize the government that will be controlled in a way that the bondholders will be sure to collect their interest on their bonds. But I am an American citizen, and I say, a plague upon both your houses. I say—and that is where this whole trouble arises—that we have got troops in Russia to-day without a declaration of war. As I showed the other day from a letter addressed to my colleague from Washington, 15,000 American boys are in Russia. I do not believe they should be there fighting on either side of this political scramble. As much as I hate the doctrine of anarchy and nihilism, a change of law by force, I hate and despise the doctrine of the Czar, and, as far as I am concerned, I do not care which one of them wins in Russia; but my people in Illinois are begging me to get their boys out of Russia. I had a letter from a blind man this morning who says that his boy is in Russia, and he wants him home; that he did not enlist to fight Russia. But a propaganda is running here not only for the Bolsheviki, not only for the anarchists and nihilists, but a propaganda is going on to get us into war with Russia. When I said that the other day a gentleman said, The idea of our declaring war! And yet this morning's paper, the same paper that publishes a lot of headlines about urging a red government in the United States, this same paper says in its editorial this morning:

The imperative duty of the allies lies in crushing the Bolsheviki by force of arms immediately and the organization of Russians to the exclusion of German intrigue.

Then he goes on to say that this is an enormous task, but it is not more of a task than the task of——

The SPEAKER. The Chair will suggest to the gentleman that what is going on over in Russia has nothing to do with the question of privilege.

Mr. MASON. Very well, Mr. Speaker; but I think it has. I think if I could be heard a minute on that, the Speaker might change his views. I am charged here by a man with advocating the disobedience to law and the destruction of law, and they charge here there is a propaganda going on by the Bolsheviki. My answer is that I am opposed to both the Bolsheviki and also the Czar reorganization, but I propose to show that those who are running this propaganda, who are making this false charge against me, believe that we should go to war with Russia, and they say it will not take more sacrifice——

The SPEAKER. The Chair knows; but on a question of personal privilege you can not go into the byways and highways of history and these various ramifications that are going on over in Russia. If you did, you never would get through with it. Now, if the gentleman has anything to say about his own case, the Chair will hear him.

Mr. MASON. I think, Mr. Speaker, I have stated my own case myself to my colleagues, and I will let it end with that for the present until I can have the time and comply strictly with the rules. You have all been more or less lied about by newspapers, and instead of having your condemnation I should have your sympathy when I say that I love this country; that I am opposed to force being used; that in Chicago we drink that in with the milk we get in our childhood. We are opposed to any change of form of government by violence, and the man who charges me, if some of these pulpheads—you know what a pulphead is? We have had pinheads and blockheads, and now the pulphead comes along, made of soft pulp with a little printing ink on it, and he reads an article that you are a bad man.

And the next moment you say, "Why, the gentleman from Illinois is a fine man." And then they will praise you and sing and shout your praise until the next morning, when some piece of pulp comes out with another piece of ink and the same "pulphead" begins to shout to down you.

Let me say before I sit down that I am sorry to say that many of my colleagues in both branches of Congress, instead of going to the meeting and hearing what was said, being too indolent physically to give a little time to consider and hear the facts, simply get the "pulphead" idea and say, "It is in the newspapers; it must be true."

I say to you the meeting was not in the interest of the "Reds." The young man and the young woman who spoke there spoke simply to give their ideas of what the truth was over there. There was not an insulting remark made, nor was there a suggestion made to change the laws of the United States.

That answers the gentlemen who so far have shown their characteristics of having pulp instead of brains and run off chasing wild rumors because some newspaper is interested in the propaganda of the spawn of the Czar.

CONTESTED-ELECTION CASE—DAVENPORT VERSUS CHANDLER.

Mr. TILLMAN. Mr. Speaker, I ask to call up the House resolution 523 and dispose of it. It is the report of the Committee on Elections No. 2, seating Mr. CHANDLER of Oklahoma, the sitting Member. It can be disposed of in a moment, I think.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 523.

Resolved, First. That James S. Davenport was not elected to the House of Representatives from the first district of the State of Oklahoma in this Congress and is not entitled to a seat herein.

Second. That T. A. Chandler was duly elected to the House of Representatives from the first district of the State of Oklahoma in this Congress and is entitled to seat therein.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

VALIDATION OF CERTAIN WAR CONTRACTS—CONFERENCE REPORT.

Mr. DENT. Mr. Speaker, I call up the conference report on the bill H. R. 13274.

The SPEAKER. The Clerk will report it.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

On the amendment of the Senate to the bill and to the title of the bill the conferees have been unable to agree.

S. H. DENT, Jr.,
W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.

GEORGE E. CHAMBERLAIN,
DUNCAN U. FLETCHER,
C. S. THOMAS,
F. E. WARREN,
P. C. KNOX,
Managers on the part of the Senate.

Mr. DENT. Mr. Speaker, I move that the House agree to the conference report as read.

The SPEAKER. There is not anything to act on.

Mr. HOWARD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOWARD. The parliamentary motion in a case of this sort is to recede from the position of the House conferees and agree to the Senate amendment, is it not?

The SPEAKER. That is a preferential motion when the time comes to make it.

Mr. DENT. Mr. Speaker, let me state what the facts are, so that my motion may be understood. The Senate struck out all of the House bill after the enacting clause and inserted as one entire amendment a separate bill, so that the conferees had to bring back a report showing an entire disagreement. As a matter of fact, the conferees did reach an agreement practically on every proposition except that involved in section 7 of the Senate bill, which relates to mine and mineral war contracts.

Now, I am moving at this time to agree to the report of the conferees disagreeing to the Senate amendment. Then I shall follow that with a motion to agree to a further conference asked for by the Senate on yesterday afternoon.

The SPEAKER. The gentleman moves to further insist on the disagreement to the Senate amendment No. 7.

Mr. DENT. No. I move that the House further insist on its disagreement to the Senate amendment.

The SPEAKER. That is exactly what the Chair said, and was going to put it.

Mr. GARNER. Will the gentleman from Alabama yield for a question?

Mr. DENT. I will.

Mr. GARNER. If the House should agree to the conference report—that is, the statement of the committee—and further insist on its disagreement and agree to the conference, do the conferees still think they would be bound by the agreement they made to the House in the beginning as to section No. 7?

Mr. DENT. I will state to the gentleman that I propose, after we vote on the first motion I made, to adopt the conference report, to move to go into conference; and I shall state frankly and accurately the position of the conferees and await the different instructions the House may see fit to give.

Mr. HAMLIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HAMLIN. At what period of these proceedings will it be in order to move that the House instruct the conferees to further insist on their disagreement?

The SPEAKER. The gentleman is making a motion to further insist.

Mr. HAMLIN. He is moving now to agree to the conference report as reported.

Mr. DENT. That is the motion, and the effect of that motion is that we insist on disagreement to the entire Senate bill.

Mr. MANN. Oh, no.

The SPEAKER. Here is the situation about it: If this motion of the gentleman carries, he asks for a new conference; and then, if the House agrees to a new conference, before the conferees are appointed the time comes to make a motion to instruct the conferees.

Mr. MANN. Mr. Speaker, if this motion is agreed to—and it is immaterial whether it is or not—then it will be in order for the gentleman to move that the House further insist upon its disagreement to the Senate amendment and ask for further conference.

Mr. DENT. That is what I stated to the House.

Mr. MANN. If that motion is agreed to, then it will be in order to instruct the conferees.

The SPEAKER. That is precisely what the Chair stated.

Mr. DENT. I thought I had stated that.

The SPEAKER. That is precisely what the Chair stated.

Mr. HOWARD rose.

The SPEAKER. For what purpose does the gentleman from Georgia rise?

Mr. HOWARD. I rise to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOWARD. At any stage would not the preferential motion be for the House to recede from its position in disagreement and agree to the Senate amendment?

The SPEAKER. Yes. It is in order right now.

Mr. HOWARD. Then, Mr. Speaker, if it is in order, I move that the House recede from its disagreement to section No. 7.

Mr. MANN. The conference report properly ought to be disposed of first.

The SPEAKER. There is nothing to dispose of. He reports a disagreement.

Mr. MANN. That is a report of the conference committee. It is not important.

The SPEAKER. You do not have to act upon the report. There is no report. That is the truth.

Mr. MANN. Very well.

The SPEAKER. The gentleman from Alabama [Mr. DENT] moves that the House further insist on its disagreement to the Senate amendment, and the gentleman from Georgia [Mr. HOWARD] makes a preferential motion that the House recede from its disagreement and concur in the Senate amendment. Those in favor of the motion of the gentleman——

Mr. DENT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DENT. Would not the effect of the motion of the gentleman from Georgia be to adopt in its entirety the Senate bill?

The SPEAKER. Of course it would.

Mr. HAMLIN rose.

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. HAMLIN. To make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HAMLIN. If the motion of the gentleman from Georgia is a preferential motion, on that motion how much debate will there be?

The SPEAKER. If somebody moves the previous question, there will not be any.

Mr. DENT. Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman from Alabama moves the previous question. The question is on ordering the previous question.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. HOWARD. A division, Mr. Speaker.

The SPEAKER. A division is demanded.

The House divided; and there were—ayes 101, noes 68.

Mr. DENISON. Mr. Speaker, I ask for tellers on that vote.

The SPEAKER. Tellers are demanded. Those who favor taking this vote by tellers will rise and stand until counted.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. I asked the Speaker whether the previous question was on the motion of the gentleman from Georgia. I understood it was.

The SPEAKER. It is on both.

Mr. DENT. It was only on the motion of the gentleman from Georgia.

Mr. HOWARD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOWARD. The part of the conference report that my motion of agreement was made upon was what is known as section 7 of the Senate bill, known as the Henderson amendment. The motion that I have made had no reference to any portion of the bill except that. If I can get a vote on that proposition, which includes these mining claims——

The SPEAKER. The Chair knows; but the gentleman can not argue that question now——

Mr. HOWARD. I want to make myself clear——

The SPEAKER. Until we get through with this vote. The gentleman from Alabama [Mr. DENT] says he did not include in his motion for the previous question anything but the motion of the gentleman from Georgia.

Mr. SLOAN. Mr. Speaker, let the amendment be reported. We can not understand it.

The SPEAKER. The House is dividing. Those who favor taking this vote by tellers will rise and stand until they are counted. [After counting.] Thirteen gentlemen have risen—not a sufficient number. The previous question is ordered on the motion of the gentleman from Georgia [Mr. HOWARD].

Mr. FIELDS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FIELDS. Is it in order to offer an amendment to the motion of the gentleman from Georgia?

The SPEAKER. The previous question is ordered on it.

Mr. FIELDS. I wanted to straighten out the situation, if I may be permitted to do so, by offering an amendment to the motion of the gentleman from Georgia.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Georgia.

Mr. SLOAN. Mr. Speaker, may we have the amendment read?

The SPEAKER. By unanimous consent it can be read.

Mr. SLOAN. I ask unanimous consent that the Senate amendment, in which the House is now asked to concur, be read.

Mr. FOSTER. I object. That is the whole amendment.

Mr. MANN. That is a matter of right, to have the amendment read under the rule.

The SPEAKER. The Clerk will read the amendment.

Mr. DENT. Mr. Speaker, I ask unanimous consent to make a statement of one minute's duration.

Mr. DENISON. I object. I tried to get tellers on this thing, and no one over there would stand for it.

The SPEAKER. The Clerk will report the Senate amendment.

Mr. HAMLIN rose.

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. HAMLIN. I understood the gentleman requested only the reading of the amendment known as section 7 of the bill, and not the whole.

Mr. FOSTER. No. He demanded the reading of the amendment.

The SPEAKER. Not a word was said about section 7. It is not confined to that. The Clerk will read.

The Clerk read as follows:

Strike out all after the enacting clause and insert:

"That whenever during the war emergency and prior to November 12, 1918, any individual, firm, company, corporation, or foreign government has made an agreement with the Secretary of War, or with any officer or agent acting under his authority, or with any agency of the Government authorized to procure for the War Department, for the production, manufacture, sale, acquisition or control of equipment, materials or supplies, or for services, or for facilities, or other purposes connected with the prosecution of the war, and such agreement was reduced to the form of a contract or accepted procurement order and executed or signed on behalf of the Government, but the agreement did not comply with statutory requirements, in every such case the Secretary of War is authorized and directed to waive, on behalf of the Government, such noncompliance: *Provided*, That he finds such waiver is not inconsistent with the public interest, and in this event the said agreement shall have the same validity and effect it would have had if such statutory requirement had been complied with: *And provided further*, That such waiver shall not validate such contract or procurement order in so far as any claim for unearned profits may be involved.

"That whenever, prior to said November 12, 1918, any individual, firm, company, corporation, or foreign Government has made any agreement, oral or written, express or implied, with, or has received any order or request, oral or written, from the Secretary of War, or any officer, agent, or agency as aforesaid, for any of the purposes aforesaid, and the same has not been reduced to contract form, or when the Secretary of War has not waived such noncompliance, but such individual, firm, company, corporation, or foreign Government has in good faith made expenditures, incurred obligations, acquired or furnished facilities, equipment, materials, or supplies, or rendered services, in reliance on such agreement, order, or request, in every such case the Secretary of War is authorized and directed, on behalf of the Government, to enter into such contract with such individual, firm, company, corporation, or foreign Government as will, under all the circumstances, fairly and equitably compensate him or it for the expenditures made, obligations incurred, equipment, materials, or supplies furnished or acquired, or services rendered, as aforesaid: *Provided*, That in no event shall such contract provide for compensation on terms more favorable than the terms, if any, for which the aforesaid agreement, order, or request may have provided.

"That whenever, prior to said November 12, 1918, the War Department, through its officers or agents, has taken possession of any land, or whenever the holder or owner of any land has removed from or removed any improvements from such land at the order or request of the War Department and no valid contract has been made with respect thereto, then the Secretary of War, if he finds that the public interest does not require the possession or occupancy of such land by the Government, is authorized to make compensation to the owner or holder thereof for the fair value of such improvements so removed and the expense incurred by such owner in removing therefrom or for the fair value of the use of such land of which the War Department has taken actual possession and for any expense or loss incurred by the owner or holder by reason of such possession.

"SEC. 2. That a commission is hereby created and established, to be known as the War Contracts Appeals Commission (hereinafter referred to as the commission), which shall be composed of three members, who shall be appointed by the President, by and with the advice and consent of the Senate, and shall continue in office for one year from the date of this act. One member of the commission shall represent the War Department, one member shall represent the Department of Justice, and one member shall represent the business interests of the country. None of the members of the commission shall be interested in any order, contract, or agreement within the purview of this act or have any interest in any firm or corporation having such orders, contracts, or agreements. Each member of the commission shall receive a salary of $7,500 a year, payable in the same manner as the salaries of judges of the courts of the United States. The commission shall choose a chairman from its own membership and may appoint a secretary, who shall receive a salary not exceeding $5,000 a year, to be determined by the commission and payable in the same manner as the salaries of the members of the commission.

"That there is hereby appropriated, for the purpose of defraying the reasonable expenses of the commission, including the payment of salaries herein authorized, out of any money in the Treasury of the United States not otherwise appropriated, available immediately and until expended, the sum of $50,000.

"That within 30 days of the date when the Secretary of War offers any contract or compensation as provided in this act or refuses to offer such contract or compensation, the party to whom said contract or compensation is tendered or refused, or the Government by a duly authorized officer from the Department of Justice may file with the chairman

of the commission a notice of appeal: *Provided, however*, That if the representative of the Department of Justice agrees with the action of the War Department there shall be no appeal by the Government, but settlement can be made at once. If the Secretary of War shall refuse to waive noncompliance with statutory requirements in respect to any agreement within the purview of the first paragraph of section 1 of this act or upon the expiration of 60 days from the date of the taking effect of this act shall have failed to waive such noncompliance, the contractor named in any such agreement may, within 30 days after such refusal or after the expiration of such 60 days, file with the chairman of said commission a notice of appeal. In all cases where an appeal is taken hereunder the commission shall proceed to examine and review the facts and circumstances of the case and make its award or finding thereon according to the justice and equity thereof. Upon giving receipt in full of all demands against the United States arising out of the transaction by reason of which the award is made, the appellant shall be entitled to receive the amount of any award so made, and the proper officer of the United States is hereby authorized and directed to pay the same, but if the appellant is dissatisfied with the amount so awarded he shall be paid 75 per cent of the amount awarded and shall be entitled to sue the United States in the Court of Claims to recover such further sum as added to said 75 per cent shall make up such amount as will be fair and just compensation as provided in this act, and the Court of Claims is hereby given jurisdiction to hear said suit and render judgment therein.

"That whenever the Secretary of War and the contractor shall fail to agree in the matter of the adjustment or settlement, or as to the interpretation or application of the terms, of any contract which has been made for any of the purposes set forth in this act, and in the execution of which there has been compliance with statutory requirements, or compliance has been waived as herein provided, the contractor or the Government by a duly authorized officer from the Department of Justice may give notice to the Secretary of War of intention to appeal to the commission, and provided notice of appeal is filed with the chairman of the commission within 30 days: *Provided, however*, That if the representative of the Department of Justice agrees with the action of the War Department there shall be no appeal by the Government but settlement can be made at once. On an appeal being taken the commission shall thereupon proceed to determine the questions at issue as set forth in said notice of appeal; and the contractor shall be entitled either to receive the whole amount of such award as may be made as in full of his claim on the questions submitted or 75 per cent of the same and sue the United States in the Court of Claims for any remainder, all as provided next above as to agreements otherwise within the purview of this act.

"That in executing the duties and powers conferred by this act the commission may make its own rules and regulations and may hear and determine issues informally. It shall be the duty of the Secretary of War to furnish to the commission such evidence, documents, or papers pertaining to transactions as to which notice of appeal has been filed as the commission may request. The commission is authorized in its discretion to appoint an examiner in any region or district when such region is within the United States where in its judgment the taking of additional testimony is necessary to the determination of any case. Such examiner shall be a resident of the region or district for which he is appointed, and shall not have any interest, directly or indirectly, in any contract or transaction coming before him or receive any compensation save and except such per diem compensation and expenses as shall be fixed by the commission. Whenever the commission shall refer to any such examiner any claim presented hereunder, the examiner shall proceed, under the direction of the commission, to hear the parties, take the proofs, and return the same to the commission with his recommendations thereon as promptly as possible: *Provided*, That in no case shall any award either by the Secretary of War, the commission, or the Court of Claims include prospective or possible profits on any part of the contract beyond the goods and supplies delivered to and accepted by the United States and a remuneration, which may include a reasonable profit, for expenditures and obligations or liabilities necessarily incurred in performing or preparing to perform said contract or order: *Provided further*, That the foregoing proviso shall not apply to any contract executed in compliance with all statutory requirements.

"SEC. 3. That nothing in this act contained shall be held to validate any such contract unless the officer who was at the time of the making of such contract the chief of the division or bureau, as the case may be, in which said contract was negotiated, or in the event that such officer was not responsible for the making of such contract, then the officer in such division or bureau who was so responsible, together with the officer who signed said contract, shall each severally make and subscribe to an affidavit in writing, giving the details of such contract, the name or names within his knowledge, of any such officer or officers who took part in the negotiation or making of the same, and stating whether or not within his knowledge any officer aiding in such making was interested, directly or indirectly, in said contract, and in addition subscribing to an oath to be appended to said affidavit in substantially the following form and tenor:

"'I, ——, chief of the division or bureau (naming it) in which the contract hereinbefore mentioned was negotiated, at the time of negotiation thereof, and the officer in the division or bureau (naming it) responsible for the making of the contract hereinbefore mentioned, and I, ——, the officer who actually signed said contract, do hereby each severally swear that I am not and was not at the time of the making of said contract directly or indirectly interested in said contract.'

"That in respect to any such contract as to which any one of said officers can not take the foregoing oath, or after diligent search or inquiry by the contractor can not be found, or is at the time actually engaged in foreign service, or refuses to take said oath, then upon such facts and the fact required in the oath of such officer, appearing by an affidavit of the contractor, or of one of its partners, chief officers, or chief agents acting in its behalf, the Secretary of War shall promptly report such contract to the War Contracts Appeals Commission and furnish to said commission such evidence, documents, and papers pertaining to the transaction as may be within his control, and such commission may request, and original jurisdiction is hereby vested in said commission to hear and determine said claim with the powers and upon the procedure hereinbefore described in this act. Said commission shall make its award or finding thereon, and deny said claim or grant it in whole or in part, according to the justice and equity thereof, and the award or finding shall have the same force and effect, and create the same rights as if made under the provisions of section 3 of this act. And it shall be the further duty of said commission in hearing, investigating, and determining such claim to find and determine whether any of such officers is or was at the time of the making of said contract directly or indirectly interested in said contract.

"SEC. 4. That nothing in this act contained shall be construed to validate any agreement, contract, or order procured by fraud or to relieve any officer or agent of the Government from prosecution under the penal statutes of the United States for any fraud, criminal conduct, illegality, or irregularity in connection with any of the agreements or orders referred to herein or the execution or signing thereof. In all proceedings hereunder witnesses may be compelled to attend, appear, and testify, and produce books, papers, and letters, or other documents; and the claim that any such testimony or evidence may tend to criminate the person giving the same shall not excuse such witness from testifying, but such evidence or testimony shall not be used against such person in the trial of any criminal proceeding.

"SEC. 5. That no settlement of any claim arising under the provisions of this act shall bar the United States Government through any of its duly authorized agencies, or any committee of Congress hereafter duly appointed, from the right of review of such settlement, nor the right of recovery of any money paid by the Government to any party under any settlement entered into, or payment made under the provisions of this act, if the Government has been defrauded, and the right of recovery in all such cases shall extend to the executors, administrators, heirs, and assigns, or any party or parties: *And provided further*, That nothing in this act shall be construed to relieve any officer or agent of the United States from criminal prosecution under the provisions of any statutes of the United States for any fraud or criminal conduct: *And provided further*, That this act shall in no way relieve or excuse any officer or his agent from such criminal prosecution because of any irregularity or illegality in the manner of the execution of such agreement: *And provided further*, That the names of such contractors and the amounts of such partial or final settlements shall be filed with the Clerk of the House for the information of Congress and printed in the CONGRESSIONAL RECORD, or as a public document, within 10 days after such confirmation.

"SEC. 6. That whenever, under the provisions of this act, the Secretary of War shall make an award to any prime contractor who shall have sublet any part of said contract for materials, equipment, or supplies to any other person, firm, or corporation who has in good faith made expenditures, incurred obligations, rendered service, or furnished material, equipment, or supplies to any prime contractor, with the knowledge and approval of any agent of the Secretary of War duly authorized thereunto, the Secretary of War shall apportion the amount of said award justly due to each of the subcontractors of said prime contractors. Before payment of said award the Secretary of War shall require any prime contractor to present satisfactory evidence of having paid said subcontractors or of the consent of said subcontractors to look for their compensation to said prime contractor only; and in the case of the failure of said prime contractor to present such evidence or such consent, the Secretary of War shall pay directly to said subcontractors the amount found to be due under said award; and in case of the insolvency of any prime contractor the subcontractor of said prime contractor shall have a lien upon the funds arising from said award prior and superior to the lien of any general creditors of said prime contractor.

"SEC. 7. That the Secretary of the Interior be, and hereby is, authorized and directed to ascertain and determine the amount or amounts of money heretofore invested or contracted to be invested and obligations incurred by any and all persons and investors for producing or for the purpose of producing or preparing for producing, within the United States, to supply the urgent, published, and evident needs of the Nation during the war, any ores, metals, minerals, or mineral substances mentioned and enumerated in an act of Congress approved October 5, 1918 (Public, No. 220), entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of those ores, metals, and minerals which have formerly been largely imported, or of which there is or may be of an inadequate supply"; the production of which by any claimant or claimants was requested, or demanded, by personal solicitation of, or personal inducement to, such claimant or claimants made by the War Industries Board, the Shipping Board, or the Department of the Interior.

"And that said Secretary ascertain, determine, adjust, liquidate, and out of the moneys provided and appropriated by said act pay to the parties entitled thereto the amount of such losses and damages as he, the said Secretary, shall find and determine have been sustained and suffered or are likely to be sustained and suffered, by reason of having made such investments for said purposes or having produced surplus stocks of such materials; and that in each case he shall make such determination, provision, settlement, advancement, or final payment, and by agreement with owners and claimants make such other adjustment, or take such other action as he shall find and determine to be just, equitable, reasonable, and expedient; and that he make such provisions as he may deem necessary, advisable, and reasonable to prevent further losses pending final decision, settlement, and disposition in any case or cases; that the payments herein authorized be made to the claimant or claimants the said Secretary shall find to be morally, equitably, and justly entitled thereto; that in ascertaining and determining the losses and damages sustained or to be sustained, and the adjustments, settlements, payments, and provision to be made the said Secretary shall consider the prices and conditions existing at the time of each investment and the prices and conditions existing prior to the war, as well as those existing at the time of such determination, adjustment, and settlement, together with all of the circumstances and conditions of each case; that the final determination, decision, provision, disposition, and action of said Secretary in each case shall be conclusive and final; that all payments shall be made and all expenses incurred by the Secretary paid from the funds and appropriations provided and appropriated by said act of October 5, 1918 (Public, No. 220), and that said funds and appropriations shall continue to be available for said purposes until such time as the said Secretary shall have fully exercised the authority hereby granted and performed and completed the duties hereby provided and imposed: *Provided, however*, That said Secretary shall consider, approve, and dispose of only such claims as shall be made hereunder and filed with the Department of the Interior within three months from and after the approval of this act.

"That a report of all operations under this section, including receipts and disbursements, shall be made to Congress on or before the first Monday in December of each year.

"That nothing in this section shall be construed to confer jurisdiction upon any court to entertain a suit against the United States."

Mr. HOWARD. Mr. Speaker, I ask unanimous consent, for the purpose of simplifying this situation, to withdraw my mo-

tion that I previously made, and at the proper time the chairman of the Committee on Military Affairs will make a motion, and I will then ask the Chair to recognize me to make a motion to instruct the conferees on the particular section of the amendment, section 7, which will very greatly simplify the situation.

The SPEAKER. The gentleman from Georgia asks leave to withdraw his motion.

Mr. MANN. The gentleman has the right to withdraw it.

Mr. HOWARD. I will withdraw my motion.

The SPEAKER. The gentleman withdraws it.

Mr. DENT. Mr. Speaker, I move that the House further insist on its disagreement to the Senate amendment.

Mr. CANNON. Mr. Speaker, we can not hear. I suggest to the gentleman from Alabama that he come down in front.

Mr. DENT. Mr. Speaker, I move that the House further insist on its disagreement to the Senate amendment, and agree to the further conference asked for by the Senate.

The SPEAKER. The gentleman moves that the House further insist on its disagreement to the Senate amendment and agree to the conference asked for by the Senate.

Mr. DOWELL. Mr. Speaker, I want to inquire of the chairman of the committee to what part of it the gentleman desires to disagree?

Mr. DENT. I intend to make a statement as to the situation, as briefly as I can, when I am recognized on my motion.

Mr. DOWELL. But the gentleman's motion is to disagree to all of the Senate amendments.

Mr. DENT. The Senate amendment is one entire proposition.

The SPEAKER. The Chair will take the liberty of stating to the House, as there has been a good deal of a muddle on this thing, that there is only one Senate amendment, though it contains several sections. The gentleman from Alabama [Mr. DENT] is entitled to one hour.

Mr. DENT. Mr. Speaker, as just stated by the Speaker, there is one Senate amendment, which is the bill the Senate adopted. The Senate struck out all of the House bill after the enacting clause and adopted a bill of its own. Consequently we had to come back to the House, under the promise that I had made to the House that we would ask for instructions in regard to section 7, before any final action was taken on the entire amendment. As a matter of fact the conferees have practically agreed on the bill in every particular with two exceptions. One is the Senate provision requiring that the contracting officer who happened to make the contract shall make an affidavit as required by law that the contract was beneficial to the Government and that he himself had no personal interest in the contract, and that this must be done before the claim can be considered. The other is section 7, which has brought up so much trouble here on the floor of the House, and which provides for the payment of claims arising out of the development of war minerals by the Shipping Board, the Secretary of the Interior, and the War Industries Board. The conferees on the part of the House refused to agree to that section. I think if the House will read that section there will be no question in the world that there ought to be a unanimous vote not to adopt it in the language in which it was adopted by the Senate. According to the construction that we placed upon it and which it is possible to place upon it, every person in the country who happened to own a piece of land with an undeveloped mineral deposit upon it, upon reading the statement of the Secretary of the Interior in the newspapers that he should develop these particular ores needed for war purposes, and who went to work to do it, would have a claim against the Government. Why, the language of section 7 of the Senate bill may be so construed as to authorize the Secretary of the Interior to recognize any moral obligation that he sees fit. I do not believe that there is a single Member of this House who is willing to let Congress go that far.

Mr. WINGO. Will the gentleman yield for a question?

Mr. DENT. Yes.

Mr. WINGO. On page 16 of the bill I find this language:

> The production of which by any claimant or claimants was requested, or demanded, by personal solicitation of, or personal inducement to, such claimant or claimants made by the War Industries Board, the Shipping Board, or the Department of the Interior.

How does the gentleman reconcile that language with his statement that the Secretary of the Interior would be permitted to settle these claims where a man simply read something in the newspaper?

Mr. DENT. That is not the only provision in section 7. Section 7 contains about three pages. The gentleman has read only one short paragraph of it.

Mr. WINGO. The question is, Does not that section limit the consideration of these claims to cases where there was personal inducement or solicitation to the individual?

Mr. DENT. I do not think so. I think that is one among many various clauses in it that are improper, and I do not believe in that sort of thing. It is a strange thing in legislation to provide that an obligation be recognized because of some personal solicitation. What does "personal solicitation" mean? Can anybody define it? Can anybody construe it? Does anybody know what in law the words "personal solicitation" mean? Is that language used in any statute in any State of the Union or by Congress at any time or anywhere?

Mr. DENISON. I want the gentleman to explain to the House, if he will, why he objects to settling claims that are merely moral obligations growing out of transactions with the Department of the Interior, and yet is willing to settle moral claims growing out of transactions with the Secretary of War? I want him to explain the distinction.

Mr. DENT. I will explain to the gentleman. I am glad he asked me that question, because I am coming to that. I have no objection—of course it would not make any difference whether we objected or not—but personally the conferees have no objection to being instructed. We would be glad to be relieved of that responsibility. I stated to the conferees of the Senate that I was willing to state on the floor of the House that if this bill was sent back to conference I would agree to a separate section giving the Secretary of the Interior the right to adjust, discharge, and settle contracts in exactly the same language that we have given that right to the Secretary of War, and that is as far as, I think, anybody ought to ask us to go.

Mr. HOWARD. Will the gentleman yield for a question right there?

Mr. DENT. Yes.

Mr. HOWARD. In order that the House may understand the gentleman's position, as a matter of fact the House passed what is known as the war minerals bill, carrying an appropriation of $50,000,000; that fund did not become available until after the armistice was signed, and the aggregate amount of those claims, as it is estimated, that could have been paid out of that appropriation was less than $8,000,000, and was so reported by the Secretary of Agriculture.

Mr. GORDON. Will the gentleman yield?

Mr. DENT. If I may have time.

Mr. GORDON. Nobody claims to have any contract under this war minerals law.

Mr. HOWARD. Well, let us see——

Mr. DENT. I decline to yield further.

Mr. HAMLIN. Will the gentleman yield to me for a question?

Mr. DENT. For a question. I should like to finish my statement, though.

Mr. HAMLIN. Is it not true that the claims embraced in the so-called war validating act which we have passed through the House every one of those claims included in that act is based upon a contract, either perfect or imperfect?

Mr. DENT. That is true.

Mr. HAMLIN. But not upon a moral obligation alone.

Mr. DENT. That is true.

Mr. HAMLIN. Is it not also true that the moral claims, called, are claims on no kind of an obligation, but simply moral ones?

Mr. DENT. Some of them may be.

Mr. FORDNEY. Mr. Speaker, I am going to ask that the gentleman be permitted to continue and not be interrupted.

Mr. SUMNERS. Will the gentleman yield for a brief suggestion?

Mr. DENT. Yes.

Mr. SUMNERS. If the gentleman would refuse to be interrupted and proceed to make an orderly statement——

Mr. DENT. That is a good suggestion, although I dislike to decline to be interrupted.

Now, I repeat that I am willing if this bill is sent back to conference to agree to support the section giving the Secretary of the Interior the right to adjust contracts in the same manner that we have given the right to adjust contracts made with the War Department. But I am not willing to agree to section 7 as it passed the Senate. I want to say to the House that ordinarily I would not be willing to go that far, because I do not think that this legislation is germane to the bill this House passed. The Senate has put on an amendment which is not at all germane to the subject matter of the bill as it passed the House, and I think a committee having jurisdiction of that subject, whatever it may be, should have had hearings and introduced a bill of its own. I do not think it is wise legislation on matters of this kind simply by amendment on the floor of the Senate when not a single committee of either House has had an opportunity to examine the question. [Applause.] But in order to get a bill—and this matter is urgent and pressing—in order to get a bill, I am willing to go as far as I have stated to the House, and that is to authorize the Secretary of the Interior to adjust contracts made under his department in the same manner and in the same form that we authorize the Secretary of War. I will now yield to the gentleman from Georgia five minutes.

Mr. GRAHAM of Illinois. Before the gentleman yields, will he yield to me for a question?

Mr. DENT. Yes.

Mr. GRAHAM of Illinois. I am asking for information. I have been informed by one of the principal chrome producers in the United States, who has been producing chrome during the war at the request of the Government, that if there was an embargo placed on the shipment of these rare minerals and substances into this country at this time, or if there was protection afforded by a proper tariff law, that these people could continue their present business in the production of these minerals, and claims would not be necessary.

Mr. DENT. The gentleman's question illustrates the point that I recently made, that all these things ought to be investigated by a committee.

Mr. CRISP. Will the gentleman yield?

Mr. DENT. Yes.

Mr. CRISP. Can the gentleman inform the House as to the total amount of claims involved in this amendment?

Mr. DENT. I can only say to the House that a representative of the Department of the Interior appeared before the conferees and stated that the total sum involved would be somewhere from four and a half million dollars to eight million dollars, but the number of claimants he did not give us.

Mr. GORDON. Will the gentleman yield?

Mr. DENT. I will.

Mr. GORDON. The representative of the Interior Department did not claim that any of these contracts had been made under this law?

Mr. DENT. He said some had been made.

Mr. GORDON. By whom?

Mr. DENT. The Secretary of the Interior.

Mr. GORDON. My understanding was that the Secretary of the Interior did not get a copy of the bill until after the armistice was signed.

Mr. DENT. Oh, no.

Mr. GORDON. I am talking about the war mineral bill.

Mr. DENT. The commissioners were not actually appointed until after the armistice.

Mr. KINCHELOE. Will the gentleman yield?

Mr. DENT. Yes.

Mr. KINCHELOE. I am asking for information. There is no doubt that the War Industries Board and the Fuel Administration all requested the coal people to go on and make investments for the output of coal, and a lot of fellows were exempted to go into the mines instead of fighting. The question I want to ask is, If a man did develop a coal mine at the request of the War Industries Board, got his hole in the ground and his tipple up about the time the armistice was signed, could he not come in under the provisions of section 7?

Mr. DENT. I think so.

Mr. WINGO. No; coal was not included in the rare-minerals bill. If the gentleman will read the bill, he will see that coal was not included.

Mr. DENT. Now, Mr. Speaker, I reserve the balance of my time and yield five minutes to the gentleman from Georgia [Mr. HOWARD].

Mr. HOWARD. Mr. Speaker and gentlemen of the House, here is the situation in a nutshell. I will ask not to be interrupted, because I have only five minutes. There was a great shortage in this country of pyrites, chrome, and manganese. Pyrites was wanted to make sulphuric acid for ammunition; chrome was wanted to harden the gun metal, and so was manganese. The lining of all the guns was of chrome steel, to make it efficient and durable. The Secretary of the Interior himself puts the stamp of his approval on this bill; he has practically dotted every "i" and crossed every "t," and we have led these men up to the very brink of bankruptcy by inducing them to go into the production of these war minerals, going to the banks and borrowing large sums of money to increase the output. These gentlemen up to this very minute have not received one single penny. The gentleman from Alabama says that there is no germaneness between this amendment and the former war-contract bill that we passed. He takes the position that the Government of the United States should not recognize the moral obligations on the part of the high officials of this Government.

Why, the man who stopped long enough to consider, to put his fingers to his forehead to get his mental equilibrium, to determine where this or that thing would lead him, was denounced as unpatriotic and a slacker. He was told that the Government needed him, and these patriotic gentlemen responded to this call, and now we want to force these men into bankruptcy and force them to carry these large loans in the banking institutions that have raised the rates of interest on them from 5 per cent to 6½ per cent. The Government of the United States induced them to produce it, and not a single unjust dollar is going to be paid under the provisions of this act to any single solitary man in the United States of America. We would have been impotent to conduct this war if England had cut off the entire manganese supply to the United States during the pendency of the war, if it had not been for the miners of manganese. These gentlemen responded, and section 7 gives to the Secretary of the Interior power to administer this fund, and if the war-minerals bill had become a law in time these gentlemen could have received the funds from the Public Treasury, but under the delay incurred in the passage of that bill, up to this good hour, these men who have invested their all in response to their Government's call have not received a penny, and yet gentlemen are willing now, after they have done their part and done it nobly and patriotically, to say to these men, "You can be dragged into a bankruptcy court; you can forfeit the savings of a lifetime, and your Government will permit you to suffer." That is the situation, and you appropriated $50,000,000 for this very purpose in the minerals bill, and at the very maximum, paying all of these claims under the provisions of this amendment, will not exceed $8,000,000. They are just. There is no looseness about it. There are limitations and restrictions put upon the powers of the Secretary of the Interior that amply protect the Government against fraud, and against those who did not enter into these undertakings in good faith, and I ask the gentlemen in the House to give these men who responded to their country's call in time of great peril justice and relief, and see to it that these claims are paid promptly and expeditiously. [Applause.]

Mr. DENT. Mr. Speaker, I have had so many requests for time that I ask unanimous consent that the time that I have at my disposal be extended for one-half hour.

The SPEAKER. The gentleman from Alabama asks unanimous consent to have his time extended half an hour. Is there objection?

There was no objection.

Mr. DENT. Mr. Speaker, I yield five minutes to the gentleman from Oklahoma [Mr. FERRIS].

Mr. FERRIS. Mr. Speaker, I do not blame the gentleman from Alabama [Mr. DENT] for opposing legislation outside of and beyond the jurisdiction of his committee, added on by the Senate, but there are some things that go on in this House that make even that course sometimes necessary. It is absolutely impossible for anyone to collect 5 cents by way of a claim bill against the Government of the United States, and the House is largely to blame for it. We have a day for consideration of private claim bills on the Private Calendar about once every four years, usually considered at a night session, when unobjected claims only are taken up, usually with only about half a dozen Members present, when anyone can make the point of no quorum and break up the proceedings and all claims fail. This is exactly what happens.

Whether wisely or unwisely, on October 5, about one month before the armistice was signed we passed this bill, and I want to read two short paragraphs of it. It is in point. It is the thing on which this section 7 is based:

> SEC. 2. That the President is authorized from time to time to purchase such necessaries and to enter into, to accept, to transfer, and to assign contracts for the production or purchase of same, to provide storage facilities for and store the same, to provide or improve transportation facilities, and to use, distribute, or allocate said necessaries, or to sell the same at reasonable prices, but such sales made during the war shall not be at a price less than the purchase or cost of production thereof.

That gave the President power to take a man's property away from him and to do whatever he wished with it. But we did not stop there. Section 4 penalizes the man if he does not submit to this performance. That section reads as follows:

> SEC. 4. That any person who shall neglect or refuse to comply with any order or requisition made by the President pursuant to the provisions of this act, or who shall obstruct or attempt to obstruct the enforcement of or the compliance with any such requisition or order, or who shall violate any of the provisions of this act, or any rule or regulation adopted hereunder, shall, upon conviction, be fined not exceeding $5,000, or be imprisoned for not more than two years, or both.

Everyone knows that the President had nothing to do with it, but these several boards were given power to and did order men in before them, and said, "You come in here and turn over your business or I shall take it away from you by force and run it by the Government."

Mr. CARTER of Oklahoma. Mr. Speaker, will the gentleman yield?

Mr. FERRIS. In a moment. First we authorize that a man's business shall be taken away from him by a vi et armis proceeding, and, second, we propose to fine him $5,000 if he does not willingly submit to it, and now it is proposed that we shall not pay him anything for it if he does it. I do not say that this is the place to put this on; it may not be a good place to add legislation to this bill; but what I do say is that during war times, having by force of arms taken a man's property away from him and penalized him when he did not turn it over, then afterwards we ought to pay him for it. [Applause.] We at least ought to give him a chance to be heard. This does that and no more. Secretary Lane will protect it.

It has been current conversation around where I have been sitting that this bill did not pass until after the armistice was signed. That is not true. The bill was signed October 5, one month before the armistice. Some one may say that we knew the war was ending. We did not know the war was ending. We do not know that it is ended now, and judging from some of the performances that have been taking place around the Capitol the last few days it does not seem to be at an end.

Mr. SANDERS of Indiana. Mr. Speaker, will the gentleman yield?

Mr. FERRIS. Yes.

Mr. SANDERS of Indiana. Does the gentleman know of a single instance where the property of these miners or mine operators was taken by the United States Government?

Mr. FERRIS. Oh, I have a brief on my desk that it would take all day to read showing what the proceeding was.

Mr. CARTER of Oklahoma. What minerals did the act of October 5 apply to?

Mr. FERRIS. The recital of them includes a whole paragraph, which I shall insert at this point:

Be it enacted, etc., That by reason of the existence of a state of war, it is essential to the national security and defense, and to the successful prosecution of the war, and for the support and maintenance of the Army and Navy, to provide for an adequate and increased supply, to facilitate the production, and to provide for an equitable, economical, and better distribution of the following-named mineral substances and ores, minerals, intermediate metallurgical products, metals, alloys, and chemical compounds thereof, to wit: Antimony, arsenic, ball clay, bismuth, bromine, cerium, chalk, chromium, cobalt, corundum, emery, fluorspar, ferrosilicon, fullers' earth, graphite, grinding pebbles, iridium, kaolin, magnesite, manganese, mercury, mica, molybdenum, osmium, sodium, platinum, palladium, paper clay, phosphorus, potassium, pyrites, radium, sulphur, thorium, tin, titanium, tungsten, uranium, vanadium, and zirconium, as the President may, from time to time, determine to be necessary for the purposes aforesaid, and as to which there is at the time of such determination, a present or prospective inadequacy of supply.

They are rare minerals needed for the linings of cannons, and in connection with munition plants, and this bill gave the Government plenary power to order a man in and take his property away from him whether he would or not. Section 4 provided a fine and imprisonment if he did not submit, and now it is proposed that we shall refuse to pay him for what we have taken and refuse to give him any tribunal to which he may appeal. It is not a square deal; it only affects the small men—the small miners. They can not afford to wait always for their pay. They can not afford to go into the courts and litigate this case; it is too much to expect; it is only common honesty; only common justice. We can not afford to do less. They served us well in this war. Let us so treat them that they would serve us again if emergency arose.

Mr. DENT. Mr. Speaker, I yield five minutes to the gentleman from Missouri [Mr. HAMLIN].

Mr. HAMLIN. Mr. Speaker, the other day, when this bill was sought to be sent to conference, I insisted that the conferees ought to give assurance to the House that this amendment of the Senate, known as section 7, should not be agreed to in conference without first giving the House an opportunity to know something about it. I did not at that time say, and do no now say, that all these proposed claims are without merit; that the Government is not under a moral obligation to make compensation in certain cases; but I did say that we ought not to establish a precedent in this House of subjecting $50,000,000 to the payment of claims, the validity of which the House had never for one moment considered one way or the other. Now, the trouble of the matter is that there is a wrong impression, in my judgment, in the House as to the character of claims which would come under section 7, as compared with those in the other portion of the bill.

There is not a single proposition included in what is known as the war-validating contract portion of this bill, and which bill was carefully considered by the House, that does not rest upon a contract of some kind, either a perfected contract under the law or a contract informally made by some one who had authority to make a formal and valid contract. But the Secretary of War is not authorized to compromise and settle a single claim that does not rest upon some such contract. That is the point. The difference between that class of claims and those embraced in section 7 is that no contracts were ever made with these mine owners by the Government, neither could have been made, for Congress had not authorized them. If the Secretary of the Interior had wanted to make a contract with one of these fellows he could not have done so, because he was not authorized by law to do it. Consequently not one single one of these claims mentioned in section 7 rests upon a legal foundation, but if they exist at all they must rest wholly on moral grounds, and the fellows who are pressing these claims recognize that fact to be true. Why, bless your soul, as soon as this war-validating-claim bill was introduced in this House these mine owners made a grand rush upon the Capitol that would do credit to any football team in existence and landed down here in the conference room of the Bureau of Mines. Not knowing exactly what they wanted they proceeded to organize themselves into a convention, and after proceeding while they finally concluded, as one of them expressed it, that since other people are being taken care of by the Government he could not see why they should not "get theirs"—that their claims were moral and the Government ought to acknowledge a moral obligation as well as a legal one. That is all there is to it. Now, it may be that there are certain circumstances surrounding some of these particular claims that would warrant the Government in paying them, but, gentlemen, we ought to safeguard that. If you are going to recognize so-called moral claims that have no foundation in law, then where are you going to stop?

Mr. DENISON. Will the gentleman yield?

Mr. HAMLIN. For just a question.

Mr. DENISON. Of course, the gentleman knows there are a great many of these war contracts that have no foundation of law at all, but are merely moral obligations?

Mr. HAMLIN. No; I do not know that.

Mr. DENISON. The gentleman is not informed about the bill.

Mr. HAMLIN. I am informed about the bill and every single one of the claims embraced—if I had time I could read here—are founded upon a contract. Here is the law in regard to the contract-validating bill:

That whenever during the war emergency and prior to November 12, 1918, any individual, firm, company, corporation, or foreign government has made an agreement with the Secretary of War, or with any officer or agent acting under his authority, or with any agency of the Government authorized to procure for the War Department, for the production, manufacture, sale, acquisition, or control of equipment, materials, or supplies, or for services, or for facilities, or other purposes connected with the prosecution of the war, and such agreement was reduced to the form of a contract or accepted procurement order and executed or signed on behalf of the Government, but the agreement did not comply with statutory requirements, in every such case the Secretary of War is authorized and directed to waive, on behalf of the Government, such noncompliance.

Mr. CANNON. Right there, will the gentleman yield for a question?

Mr. HAMLIN. Certainly.

Mr. CANNON. That requires a contract.

Mr. HAMLIN. Absolutely.

Mr. CANNON. Now, then——

Mr. HAMLIN. And no one questions the right upon the part of the Secretary of War to make such contracts.

Mr. CANNON. Now, then, am I right in the understanding that if this bill goes to conference again, that after section 7, Senate amendment, that you will write into it authority for the Interior Department exactly as we did for the other?

Mr. HAMLIN. I am not on the conference committee and can not answer that question.

Mr. CANNON. Are there no original contracts?

Mr. HAMLIN. There is not.

Mr. CANNON. I know how I am going to vote.

Mr. HAMLIN. Here is a brief filed by these people who have these claims.

The SPEAKER. The time of the gentleman has expired.

Mr. HAMLIN. I would like to have about five minutes more.

Mr. DENT. I am sorry, but I can not yield to the gentleman.

Mr. HAMLIN. Mr. Speaker, I ask unanimous consent that the time may be extended five minutes and I may have that time.

The SPEAKER. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none.

Mr. HARDY. Will the gentleman yield for just one question?

Mr. HAMLIN. I have here now—the gentleman from Georgia talks about the War Industries Board, the Interior Department, the Bureau of Mines, the Geological Survey, and so forth, insisting and demanding—and my friend from Oklahoma expatiated along the same lines—that these people produced these minerals on the request of somebody connected with the Government, and therefore there is a contract. The gentlemen overlook the fact that no one connected with the Government had any right to make a contract. Now, let us see. They have

set out here in a brief, which I take for granted is the strongest evidence they have on that point, and the first thing set out is an advertisement by the California Chrome Co. insisting that all the chrome producers produce all they can because the Government needs all the chrome; then next a bulletin from the Geological Survey says this:

Unfortunately for the United States, the present domestic supply of chromite is scarcely one-fourth of the quantity needed for war and domestic uses * * *

At present we are facing a deficit in the supply of chromite and we should spare no effort to increase the output in this country as well as that of adjacent countries.

Now, that is the statement made by the department; not promising to take care of them in any sense of the word, but asking them to redouble their efforts as patriotic men to produce over that which they had been producing in small quantities.

The Du Pont Powder Co. tendered to the Secretary of the Interior their advertising space in the magazines of the country, and he made an announcement of the pressing needs of the country for those minerals, just as the Food Administration and the President and everybody else were insisting that the farmers of this country plant more acreage, grow more wheat, more corn, raise more hogs and more cattle, because they said that "food would win the war." Does any man in this House believe that in doing that they were placing this Government under obligations to compensate these farmers for any loss they might sustain in case the war should end?

Mr. HOWARD. They did it to the extent of $1,250,000,000.

Mr. HAMLIN. They never paid them a cent nor made a contract until Congress had given them the authority to do so. That is exactly what we had not done in this case.

Mr. WINGO. Will the gentleman yield?

Mr. HAMLIN. Yes.

Mr. WINGO. The gentleman talks about newspaper advertising being the basis of this. Does the gentleman think the newspaper advertising has come within this limitation of law which says the claim shall be limited to where there was personal demand on the part of certain agencies of the Government?

Mr. HAMLIN. I am contending that the only pretense they have for any kind of claim upon the Government are the things they set out here themselves in the advertisements to the effect that the country would need this material.

Mr. WINGO. Does the gentleman state that was the only thing?

Mr. HAMLIN. I want to say——

Mr. WINGO. Does the gentleman say there were no personal letters?

Mr. HAMLIN. I want to say to my friend from Arkansas, who is a good lawyer, that he knows if they could prove that the War Industries Board, the Bureau of Mines, or the Geological Survey, or any other agency of the Government promised these people absolutely to indemnify them against any loss that that promise would not be worth the snap of your finger, because they had no authority to make it. Consequently if your claim has any foundation whatever, it must be wholly upon moral grounds.

Mr. WINGO. I have not been talking about that.

Mr. HAMLIN. The gentleman refers to that.

Mr. WINGO. I am trying to get the gentleman away from something that we all agree on to discuss something that is in issue.

Mr. HAMLIN. I can not yield any further.

The thing resolved itself into this one proposition, that there is no basis in law for these claims at all, none whatever, no contract made, and none could have been made. And the difference between this character of claims and those embraced in the balance of this bill is as great as night is from day. And, as the gentleman from Alabama says, this character of claims has no more business on this bill than a wart has on the nose of a prima donna.

Mr. GARRETT of Texas. Will the gentleman yield?

Mr. HAMLIN. I will.

Mr. GARRETT of Texas. I want to ask the gentleman if there is any reason, if these gentlemen have any sort of claim, why they should be put on a different basis than these others that have claims?

Mr. HAMLIN. I will say to my friend from Texas let them do what the people under the balance of this bill did. Let them have a bill introduced and let it go to the committee having jurisdiction of the matter and let that committee investigate it, and hold hearings, and let the House consider it as it considers ordinary measures. Let the Senate consider it as it considers ordinary measures. And then, if the Congress of the United States wants to throw open wide the doors of the Treasury to claims not based upon law, of course, then it will be all right to let the money be paid; but do not let us tack it as a rider on this bill without giving it any consideration. [Applause.]

Mr. FIELDS. Mr. Speaker, I yield five minutes to the gentleman from Indiana [Mr. SANDERS].

Mr. SANDERS of Indiana. Mr. Speaker, like the gentleman from Missouri, I am a member of the Committee on Mines and Mining. The chairman of that committee introduced a bill in this House which had practically verbatim the provisions of the amendment covered by section 7. That bill was introduced for the purpose of relieving the persons who had become operators in war minerals. We had no hearings on that bill, but it was taken and put on as an amendment to this bill.

I think the House ought to become aware of the fact that it is proposed here by an amendment to authorize the use to the extent of $50,000,000 of money already appropriated by this Congress. I was interested in the passage of what is known as the war-minerals bill, and the gentleman from Oklahoma [Mr. FERRIS] seemed to think there was something in the provisions of that bill that justified this proposed amendment. There is nothing in that bill which justifies it. That bill simply authorized the President of the United States to go out and purchase these war minerals. It authorized the President of the United States, if there was an idle mine, and a mine that was not operating sufficiently, to go out and take it over; but there was nothing in that bill to authorize any man under any of the provisions of this amendment to make a claim against the United States Government.

I do not claim that there may not be some men who engaged in the production of these war minerals who have a just claim against the United States Government, but it seems clear to me that the Congress of the United States would be very unwise, without the consideration by any committee of the House and without the consideration by the Committee of the Whole, to enact this legislation which authorizes a part of the executive department to pass upon claims without any law to guide him, without any rule to guide him, but simply upon the supposed proposition that there is a moral obligation.

I assert that there is not a Member of Congress who has considered this measure or who knows anything about the measure, that could rise in his seat now and tell us of a specific instance of a mine operator who has so invested his money as to have a just and valid claim against the United States Government.

Mr. RAKER. Mr. Speaker, will the gentleman yield?

Mr. SANDERS of Indiana. Certainly.

Mr. RAKER. Is it not a fact that the Committee on Mines and Mining reported out section 7 to the Senate regularly and then simply placed it on this bill so as to insure its passage?

Mr. SANDERS of Indiana. I do not know what steps were taken to insure its passage.

Mr. RAKER. Now, one other question.

Mr. SANDERS of Indiana. I understand that there have been no hearings on this bill.

Mr. RAKER. Is it not a further fact that the Committee on Mines and Mining of the House sort of tentatively had an understanding that that committee would not dispose of the matter, but would let the Senate dispose of the matter in such manner as they saw fit?

Mr. SANDERS of Indiana. Not to my knowledge. Now, I can not yield further. I have only five minutes.

Mr. RAKER. All right.

Mr. SANDERS of Indiana. We have already been furnished with a brief on this subject. That brief was furnished by the men who suffered these great losses, and I certainly sympathize with them very deeply, and I hope there will be some remedy found for them. But that brief bases their claim largely on the fact that the executive departments of this Government violated a tacit agreement with them—with these ore producers—by permitting imports to come into the United States.

Now, I would like to know if that would form the basis of a moral obligation on the part of the United States? There is a provision in the war mineral bill to the effect that the President of the United States has the right to put on a tariff to protect these men. He did not do it. I would like to know if that is an instance of a violation of a moral obligation.

The SPEAKER pro tempore. The time of the gentleman from Indiana has expired.

Mr. FIELDS. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. GORDON].

The SPEAKER pro tempore. The gentleman from Ohio is recognized for five minutes.

Mr. GORDON. Mr. Speaker, I was trying to find in this brief of these claimants a statement which I am certain that I read in it, in which they expressly disclaimed having any contract with the Government. They disclaimed having invested a

dollar upon the faith of any statement of any official authorized to act or speak in the premises.

That is the real objection to this bill. Now, with sobs and tears, the gentleman from Oklahoma [Mr. FERRIS] read the provisions of this mining bill, and he read the provisions showing that it authorized the President to do a great many things. But he did not tell you that any of these claimants had acted under that authority of the President or under the authority of anybody authorized by the President, and the truth is that the President never did authorize any of these claimants, and no person acting for the President in that matter under this bill ever authorized anybody to spend a dollar under this legislation.

Mr. HAMLIN. Mr. Speaker, will the gentleman yield?

Mr. GORDON. Yes.

Mr. HAMLIN. There is a statement in that brief there from Dr. Leaf stating that the bill spoken of by the gentleman from Oklahoma [Mr. FERRIS] was not operative, because it could not become operative if there was an overproduction, and he said there was an overproduction, and it could not operate.

Mr. GORDON. Yes. That is the fundamental objection to this bill. I call your attention to the fact that section 7—if you will get it and read it—which is now before the House does not require that these claimants should have been authorized by the President or anyone acting for the President. There is the vice in all this proposition. They take themselves right out from under the provisions of this mining bill, because this section 7 does not require that these expenditures which they made and these obligations which they incurred must have been made or incurred pursuant to the authority granted by the President or anyone acting in his behalf.

Mr. HAMLIN. Mr. Speaker, will the gentleman permit another interruption?

Mr. GORDON. Yes.

Mr. HAMLIN. I may be mistaken as to Dr. Leaf. My eye caught this: Mr. George L. Pratt says:

> It seems to me that anyone who can read English will see why this bill is inoperative. The Secretary of the Interior would have to complain of a shortage.

Mr. GORDON. Certainly. It never became operative.

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. GORDON. Yes.

Mr. HARDY. The gentleman says this was not done at the suggestion of the President. It must have been done at the solicitation of one of the departments.

Mr. GORDON. The law does not authorize a department to do that.

Mr. HARDY. Does the gentleman know whether a citizen who is sent for by a department official would have any way of knowing whether that official was authorized or not?

Mr. GORDON. Oh, you can not take the authorization of every Tom, Dick, or Harry. This mining bill does not permit that. You can not do that.

Mr. HARDY. Is the head of this department one that could be called a Tom, Dick, or Harry?

Mr. GORDON. These dollar-a-year men go around and say to people, "Get busy and help win the war." Do you say that you can base a claim against the Government on the mere unauthorized statement of one of these officials or dollar-a-year men?

Mr. HARDY. Nobody has said anything about the dollar-a-year men. This bill does not embrace any of the men you are talking about.

Mr. GORDON. This mining bill upon which they are undertaking to base section 7 requires that a contract must have been made by authority of the President, and, as the gentleman from Missouri [Mr. HAMLIN] just stated and read out of the record, before the President is authorized to act in the matter he must find that there is a shortage of these minerals. There has never been any such finding, and neither the President nor anybody else had authority to act in the matter.

Mr. HARDY. The gentleman refers to these as activities entered upon at the suggestion of Tom, Dick, and Harry. But this bill limits it to "the production of which by any claimant or claimants was requested, or demanded, by personal solicitation of, or personal inducement to, such claimant or claimants made by the War Industries Board, the Shipping Board, or the Department of the Interior." Does the gentleman think that a private citizen of America, when called upon by one of these departments to do something for the Government, should go and make inquiry as to whether that department was authorized by the President?

Mr. GORDON. Of course; he must do that. He is bound to do it at his peril. This mining bill confers extraordinary powers on the President, but it limits and restricts the power of the President to commit this Government. The President must first find that there is a shortage of these minerals.

Mr. STEAGALL. Will the gentleman yield for a moment on that point?

Mr. GORDON. Yes.

Mr. STEAGALL. This bill does not limit these claims to those who were requested or solicited by the Interior Department, or the War Industries Board, or anybody. That is the section of the bill which deals with their investigation of claims; but the section which authorizes them to pay claims says they may pay anybody who went out for the purpose of producing something that might be needed, because they had read in a paper somewhere that the Government would need it.

Mr. GORDON. Certainly.

Mr. HARDY. I do not know anything about a paper, but I have in mind a particular case where a man was sent for by the Secretary of the Interior, who urged him to produce minerals——

Mr. GORDON. That does not justify any claim against the Government. You personally might go out and induce somebody to produce something for the Government. Do you mean to say that that would make any valid claim against the Government, or that it would bind the Government in any way?

Mr. HARDY. It would bind me if I induced you to do something, and, in my opinion, the Government is as properly bound and is under the same moral obligation to pay its just debts as an individual.

Mr. GORDON. You are entirely mistaken about that. You open the doors of the Treasury to everybody who has done anything which might be construed as helpful to the Government since this war started.

Mr. FIELDS. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. FOSTER].

Mr. FOSTER. Mr. Speaker, the amendment of the Senate to the House bill is for the purpose of validating contracts which are not legal, and according to the decisions of the Comptroller of the Treasury not one of these $2,000,000,000 contracts could be paid unless the claimant should go into court and there be able to secure a judgment against the United States.

Mr. HAMLIN. Will the gentleman yield right there?

Mr. FOSTER. Just for a question.

Mr. HAMLIN. Is it not true that the ruling was based on the fact not that they were not contracts but that they were not formally reduced to writing and signed, as the law specifically requires?

Mr. FOSTER. The gentleman from Missouri is a good lawyer and has practiced law, and he knows the difference between a legal contract and an illegal contract and whether an illegal contract can be enforced in the courts or not. Now, these are contracts that could not be paid under existing law.

Mr. KAHN. If the gentleman will permit, that is only one of the kinds of contracts contemplated by the bill that is in conference. The case that the gentleman from Missouri names is only one phase of it. There are three other phases of it.

Mr. FOSTER. Here are a lot of men who were induced to speed up and do work in order to secure the war minerals that were necessary in prosecuting this war.

Mr. SANDERS of Indiana. Will the gentleman yield?

Mr. FOSTER. No; I can not yield. I have only five minutes. I will yield later if I get more time. Men were asked to come to Washington on this matter of war materials. I hold in my hand a copy of a telegram sent to a man in Arkansas who came here and was urged to go back home and mine as much manganese as possible in order that it might be used for the war. He had two sons then in the Army and three more going, which made five sons who went to help win this war in Europe. He remained at home, and each week when his men were paid off he would make a speech urging them to work harder and longer in order that they might get out more of this material for the use of the Government and win the war quickly. To-day that man is a bankrupt, because he acted in good faith and did as he was urged to do.

Is this great Government of ours willing to say to its citizens, "When we urged you to go and put your money into a mine in order that you might produce the necessary material to win the war, now we are not going to pay you anything for it"? That man told me that before the war he was worth $100,000. To-day he has lost it all. Is the Congress of the United States going to say to these little fellows throughout the country, "We will not help you, but we will protect the men who hold the great contracts amounting to billions of dollars"? I say we should be ready to protect the little fellows, too. [Applause.] I voted for the bill to validate these contracts when the bill passed the House, because I believed this Government ought to settle up these contracts. Now, I believe we ought to settle

the contracts of these men who were urged by the Government to go out and produce these war materials. It is true that the bill which passed the House early in May went to the Senate and remained there until October before it came back, and was agreed to and finally signed on the 5th day of October. Before it was turned over to the Secretary of the Interior to administer it was too late to do anything with it. The Secretary, wisely in my judgment, refused to administer that law until further action was taken by Congress. Now, can we not trust Secretary Lane under this bill not to permit payment of illegal contracts that ought not to be allowed? I believe we can trust him, and I believe that we ought to agree that these small claims shall be settled along with the others, which amount to two or three billion dollars. Let us not forget the small men. [Applause.]

Mr. FIELDS. I yield five minutes to the gentleman from Arkansas [Mr. OLDFIELD].

Mr. OLDFIELD. Mr. Speaker and gentlemen, I want to tell you something about how this situation has worked out with regard to one of my constituents. Mr. W. H. Denison, from my home county, went into the manganese business in 1887. I know of no better citizen anywhere. Some 15 or 20 years ago the manganese industry ceased to be profitable, on account of manganese coming from South American countries; but when the war started Mr. Denison was sent for and came here at the solicitation of the War Industries Board, the Shipping Board, and the Interior Department, and was told what to do. He was a loyal citizen. He was anxious to do anything that his Government needed he should do to help win the war. He had three sons in the Army and two more to go. Five of those sons did go into this war. Three of them have returned. When those three sons went to war Mr. Denison was a man in good circumstances in our country, worth $100,000. When they returned he was broke, and he was broke because this Government told him what to do, and because he had done it, and now the Government, or some Members of Congress at any rate, seem not to want to carry out the understanding that the Interior Department and the War Industries Board had with him.

Mr. SANDERS of Indiana. Will the gentleman yield?

Mr. OLDFIELD. Yes.

Mr. SANDERS of Indiana. The gentleman is talking about a specific case, and that is what I have been wanting. The gentleman has mentioned the name of a person who produced manganese. What I would like to know is, What agency of the Government created this obligation, what particular officer of that agency dealt with this gentleman?

Mr. OLDFIELD. This man was not a lawyer, as the gentleman no doubt is. He did not wait for a legal contract as some gentlemen probably would. He was anxious to win the war and he wanted to win it before his sons were killed in France. Therefore all he knew was to do what the authorities at Washington told him to do. He said to them, "Gentlemen, take over my mines and operate them, I will be your superintendent until the war is over without a nickel of compensation; I have sent every boy I have to France." They said, "Oh, no; we do not want to take over the mines."

Mr. SANDERS of Indiana. Who are "they"?

Mr. OLDFIELD. The War Industries Board and the Shipping Board and the Interior Department. I do not know which particular one, but he did not want to take these chances. He said, "I have lost a great deal of money in the manganese game; I have saved up something like $100,000 in other business, and I would rather work for the Government for nothing than to take any chances." They said, "No; we can not do that, you go back and do it," and they intimated that if he did not do it he was a slacker. Now, gentlemen, that was a very bad name to call a man in my country. A man would rather do anything than be called a slacker in Arkansas. Therefore he went back and did it.

When these boys came home from France—and remember that these boys were in business with him before they went away; they are efficient young fellows and well educated. They were helping him run the various businesses, and he dispensed with their services. One of them resigned from a lieutenancy in a camp in Arkansas and went to France as a private in order to get into the war. He was at Chateau-Thierry, and he now comes back and finds his father and mother paupers because his father had enough confidence in the United States Government to do what they told him to do. Now, is not that a moral obligation?

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. OLDFIELD. Yes.

Mr. GREENE of Vermont. Assuming it is a moral obligation in the broad and general sense, how would the claimant reduce to specific figures the exact measure of damages that he holds against the Government, there being no contract?

Mr. OLDFIELD. I assume that the Secretary of the Interior will adjust that matter, just as the Secretary of War is going to adjust those matters.

Mr. GREENE of Vermont. But these matters are matters of incomplete contracts; they have had a beginning, or they are proceeding under an old one.

Mr. OLDFIELD. The Secretary of the Interior knows that he can do it, and the War Industries Board knows that it is largely responsible for making paupers out of business men in the country. They think they can adjust these obligations, and I am willing to leave that to them.

Mr. GREENE of Vermont. But these are all generalities only.

Mr. OLDFIELD. Mr. Speaker, I desire to print in the RECORD a letter which I received from Mr. Denison:

Hon. W. A. OLDFIELD,
Congressman from Arkansas.

DEAR SIR: Below I quote the exact telegrams as passed between myself and the Mineral Division of the War Industries Board:

WASHINGTON, D. C., *March 15, 1918.*

MANGANESE DEVELOPMENT CO.,
Care W. H. Denison, Cushman, Ark.:

You are invited to attend a conference of producers of manganese ores with Mr. L. J. L. Replogle, of War Industries Board, and Messrs. Leigh and Spurr, of Shipping Board, meeting to take place Friday afternoon, March 22, at 2:30, room 716, National Defense Building, Eighteenth and D Streets, Washington.

POPE YATEMAN,
Raw Minerals Division, War Industries.

To which I replied, as follows:

CUSHMAN, ARK., *March 18, 1918.*

POPE YATEMAN,
Raw Minerals Division, War Industries Board,
National Defense Building, Washington, D. C.:

Your wire 15th, inviting me to attend conference producers manganese ore on 22d. Please wire nature of this meeting and who you expect to be present; will be there if possible.

W. H. DENISON.

Receiving the following:

WASHINGTON, D. C., *March 18, 1918.*

W. H. DENISON,
Cushman, Ark.:

Meeting to get views of producers, with a view of stimulating production and cutting off part of imports to release shipping for war needs. Manganese producers from all over the country will be present.

POPE YATEMAN,
Raw Minerals Board.

I attended the meeting, offered the Government my mines free, also my services without compensation, for the duration of the war, as I at that time had two sons in the Army and three more going. I wanted to do anything to win the war, and win it quick.

The sense of our meeting with the war boards here was that we must speed up production. I hastily returned to Arkansas, invested every dollar I had, and induced many others to do likewise, also borrowed, along with my associates, over $50,000, and put it into the manganese mining business.

Without the pending relief measure, I am bankrupt, will lose every dollar I have, and my credit also.

Respectfully,

WALTER H. DENISON.

Mr. FIELDS. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. DEMPSEY].

Mr. DEMPSEY. Mr. Speaker, I am going to try and speak simply on the legal aspects of this bill. Gentlemen have addressed themselves to a brief that has been filed by some claimants—what claimants they do not say. They have talked about a brief as being involved in the bill, but that brief can have no possible relationship to the bill before us. The question is not what the people said in the brief, but the question is, What are the provisions of this bill? The chairman of the committee started the discussion by saying that anyone in the United States who has a piece of land upon which or under which there are minerals can prosecute a claim against the United States and enforce it, and then he says that it provides for the adjustment of simply moral claims.

Now, that is the general line of discussion here. The question is, Are these two things true? Can any man who has a piece of land with underlying minerals present and enforce a claim, and, secondly, does this bill provide for the adjustment of claims which have no basis except a moral basis?

I say neither of these things is true. Let us turn to the bill and see; and I am going to read all that is important, and I ask if you will be good enough to follow my reading.

Section 7 is as follows:

> SEC. 7. That the Secretary of the Interior be, and hereby is, authorized and directed to ascertain and determine the amount or amounts of money heretofore invested and obligations incurred by investors for producing, to supply the urgent, published, and evident needs of the Nation during the war, any ores, metals, minerals, or mineral substances mentioned and enumerated in an act for encouraging the production of ores necessary in the prosecution of the late war and which have formerly been largely imported, or of which there is or may be an inadequate supply.

Then follows a provision in the first section of the act limiting the claimants to those who have been requested by three agencies of the Government—by the Shipping Board, by the War Industries Board, by the Secretary of the Interior—to produce these metals as to which we passed this act.

It does not provide that any man who has some land under which manganese may lie may present a claim, but only those men who have been requested to produce this metal in pursuance of this act by these three agencies of the Government. They are not subordinate officers, they are not dollar-a-year men, they are not Tom, Dick, or Harry, they are not second lieutenants or captains. They are the responsible agents of the Government. What more responsible agency of the Government can you mention than the Secretary of the Interior? During a time of national peril, what more important and responsible agency of Government can you name than the War Industries Board? During a time when it was important and necessary to transport our ships and materials to France, what more responsible agency of the Government could you suggest than the Shipping Board? Having provided that only those who are authorized by the Secretary of the Interior, by the War Industries Board, and by the Shipping Board can present these conditions, what is the next provision? The next provision is that for payment. Does it provide, as gentlemen have claimed, that only moral claims or claims based upon a moral obligation alone shall be adjusted? No. Let us take the language and see.

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. HARDY. Is not a moral obligation upon an honest man binding upon him?

Mr. DEMPSEY. Surely it is, and I am not decrying the force of a moral obligation, but I am saying that gentlemen are wrong when they say that it is possible under this act to adjust a claim which has its only basis in moral obligation, and I point to the act itself, which reads thus:

> That payment herein authorized be made to the claimant or claimants the said Secretary shall find to be morally, equitably, and justly entitled thereto.

What is the meaning of "equitably"? I have turned to the dictionary and I find the following to be the definition of "equity":

> Equal justice; in practice, the impartial distribution of justice.
> 2. The application of principles of right and justice to the legal adjustment of differences, where the law, by reason of its universality, is deficient.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. FIELDS. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. DENISON].

Mr. DENISON. Mr. Speaker, as I understand a moral obligation against myself, it is an obligation that I ought in good conscience to pay, and I feel that I should pay a moral obligation just the same as I should a legal obligation; and I feel that my Government should recognize and pay a moral obligation—an obligation which in good conscience it ought to pay—just the same as it ought to recognize and pay a legal obligation. When the war-contracts bill was before the House I was in favor of the settlement of those claims. I voted against the bill, because I did not approve of the method of settlement proposed by the bill. That bill has been so changed in the Senate that I think it has been very materially improved, and I can support the bill as it comes from the Senate. As to these war mineral claims, I want simply to say this: These men who owned the mineral lands and the mines have invested their money on the request of the Government and with the faith that the Government would see that they could sell their product. They did it at a time when the Government needed their product for war purposes, and when the Government had stopped the supply of such products from coming into the country from other countries. On the faith of that understanding, that promise, that request, of the Government, they have invested their money. If the Government could or would give them protection against ruinous competition from other countries, so that they could continue their business and sell the product of their mines, all of these gentlemen, I dare say, would be satisfied. I have talked with a number of them, and they say if they could go ahead with their business and sell the product of their mines, they would make their money back and be satisfied. But the present administration will not give them protection, so they can never get back the money they have expended at the request of the Government and for the good of the Government in any other way, so far as I can now see, except in the manner provided in this bill. If I could have my way about it, I would give them protection against competition with other countries where the cost of production is so much cheaper than in this country. That would enable them to continue operating their business and let them get their money back in that way; but I can not have my way about that, and I do not intend, if I can help it, to let this Government make those men lose the money they have invested for the benefit of the Government, and not get it back from some source.

Mr. HARDY. The gentleman would not induce a man to perform such labor for himself without compensating him?

Mr. DENISON. Certainly not.

Mr. HARDY. Is the gentleman willing to have his Government repudiate an obligation which he as an individual would recognize?

Mr. DENISON. I am not.

Mr. DECKER. Who made this promise to these miners?

Mr. DENISON. The Secretary of the Interior and the War Trade Board.

Mr. DECKER. Where did they get their authority to do that?

Mr. DENISON. The war minerals bill passed the House several months before the war ended, and the country was given to understand that the bill was going to become a law. It passed the House promptly, and was held up, it is true, for a long time in the Senate, but the country was given to understand that it was going to become a law; we all recognized the absolute necessity that it should become a law, and on the faith of its becoming a law some of the departments of the Government went ahead and induced these men to invest their money.

Mr. DECKER. Does the gentleman mean to say that these men, with enough intelligence and information and money to run a mine, did not understand that the Secretary of the Interior could not make such a guaranty as that?

Mr. DENISON. They not only had enough intelligence and money, but they had enough patriotism. [Applause.] And they did go ahead and put their money into these investments in order to help win the war.

Mr. HAMLIN. Mr. Speaker, will the gentleman yield?

Mr. DENISON. Yes.

Mr. HAMLIN. The gentleman said awhile ago that he was in favor of his Government keeping its moral obligations.

Mr. DENISON. Yes.

Mr. HAMLIN. I think we all agree with him upon that.

But the gentleman does not mean to convey the impression that an adverse vote here to-day would mean the Government would not keep its moral obligation, if there is any?

Mr. DENISON. I do not mean to say that; I do not know whether it will or not. I am saying, as far as I am concerned, that the Government ought to meet these obligations, and ought to do it in the manner provided in this bill, if it will not do so by giving them enough protection to enable them to continue operating their mines and plants.

The SPEAKER. The time of the gentleman has expired.

Mr. HAMLIN. Does not the gentleman think a bill ought to come in in the regular way and let the House consider it?

Mr. DENISON. That would be preferable, of course; but just now there does not seem to be any chance to get a bill through Congress in that manner. Besides, if we are going to authorize the War Department to settle the moral obligations they have incurred, we ought with equal justice to let the Interior Department settle the moral obligations they have incurred. In either case, it is claimed, the obligations were properly incurred in the prosecution of the war.

Mr. FIELDS. Mr. Chairman, I yield five minutes to the gentleman from Arkansas [Mr. WINGO].

Mr. WINGO. Mr. Speaker, I am in favor of the provision for two reasons. One of them is that I believe it is the duty of the Government, the same as an individual, to meet its moral obligations. The other reason is a practical one from the standpoint of the Government. The gentlemen arguing against this proposition ask, Why do not you bring in a separate bill? If you vote down this proposition to-day and there is not some provision made for the settlement of these claims, mark my prediction, these valid contracts that no man can investigate and honestly say that the Government ought not to pay will be used as a wedge by which bad claims will get into this House during the next 15 or 20 years, and sooner or later you are coming in with an omnibus bill that will carry many times the few millions of dollars that will be paid out under this bill. I did not like to vote for the original bill, but I finally came to the conclusion it was to the interest of the Government from a monetary standpoint to clean these matters up now while the issues are fresh, while the officials are present, and while all the evidence is available to get them out of the way. Now, what is involved in this? The only question it involves is this: Are you going to undertake to meet the moral obligation of an informal contract, illegal contracts, if you please, made by one department of the Government, attached as a provision on a bill providing for the same kind of contracts in another department of the Government? If I had my way about it I would write a general bill which would require all these claims of every class to come in and be presented within the next six months and thus clean them up and get them out of the way and not consume the time of this Congress during the next 20 years in undertaking to consider the claims. Some gentleman said, "What authority did these gentlemen have to make these claimants do what they did?" I will tell you what they had, the strongest authority that ever existed in this country, the authority which existed during this war and that was the fear of your Government, the fear of being called a slacker. Why I know of one instance where one of these representatives went to a farmer who had a small deposit on his land and he said, "You must either go to work and get this out or we will take charge of your farm." He said, "By what authority am I required to do that?" He had a copy of the bill that this House passed months before, and he said, "This bill is still pending in the Senate, and the President has written a letter for it. It is going to pass. You will either do this or we will take away your property." Tell me, is that not the strongest authority that any man would recognize during these trying times, the demand of his Government to do something for the prosecution of the war?

Oh, but the gentleman says these claims are based on newspaper advertisements. I deny it. I am opposed to allowing such claims, and the pending proposal excludes them by limiting relief to claims based upon personal solicitations, personal inducements, and personal orders of Government representatives. I wish to God that every contract that will be settled under the War Department provision will be as clean as the contracts that Mr. Lane will settle under section 7. Gentlemen talk of the original bill that passed this House—the war-contract bill—covering only those cases where they had a contract of some kind a little bit informal. Oh, no: you are going to take care of cases like this where a man, a department employee, sits here in Washington and calls up contractors and orders without limit their output. "What is your price? We are not fixing any price; send in the goods and your cost sheets and then we will fix your price." They will settle claims where there was not even a price agreed upon, in some instances. You tell me you are going to settle these claims and pay the bill and talk about the authority to settle claims with the little mine owners throughout the country. I have not one in my district of which I know. I would be ashamed of our Government if it should say it would settle the claims of these big war contractors and then say to a man like the old man Bill Oldfield talked about, "There is no legal obligation; nothing but a moral obligation; and the Government does not meet its moral obligations." A government that will not meet its moral obligations falls into contempt.

The SPEAKER. The time of the gentleman has expired.

Mr. FIELDS. Mr. Speaker, I yield two minutes to the gentleman from Pennsylvania [Mr. GARLAND].

Mr. GARLAND. Mr. Speaker and gentlemen, I am opposed to this bill because of section 7. Section 7 came before the Committee on Mines and Mining. It was taken away from there. It came in the form of a bill. It was taken out and attached to this bill. There have been no hearings on this. As a matter of fact, section 7 opens up the possibility of any man to come in with a claim that he had developed, or tried to develop, a mine, and although he did not give one single pound of ore to the Government he still was attempting to produce the ore that was provided for development in the bill we passed on December 5, 1918.

Mr. DENT. Will the gentleman yield for a question?

Mr. GARLAND. Not now. An attempt was made in this bill to pay everybody, whether they produced material or not. It seems to me that claims of that kind are not any more just than the claims of those who are abroad now and who lost all of their business. I met men on the other side and in this country who had gone into the Army at the call of war and who lost all of their business. Have they not just as much claim because of the fact that they had to go to war and forsake their business? They are coming back now without anything to which to go.

This bill that we passed on November 5 provides also that the President of the United States can issue a protective tariff to take care of these men and their business. He has refused to do it.

The SPEAKER. The time of the gentleman has expired.

Mr. GARLAND. And I want to say that I believe when the Republicans come in that they will pass a tariff bill to take care of them.

Mr. FIELDS. Mr. Speaker, I yield five minutes to the gentleman from Alabama [Mr. STEAGALL].

Mr. STEAGALL. I am not opposed to this Government's paying its honest debts, whether they be in such shape as meets the technical requirements of the law of contracts in every case or not. Of course, in the haste with which we have proceeded in the conduct of the war there has been unavoidable waste. That was not unexpected in the unusual situation that confronted the country. But we ought by all means to throw every possible safeguard around the allowance of claims not supported by clear and well-established contract. I am willing to take care of the sort of obligations that seem to be contemplated by those who support the Senate amendment No. 7. But while I hesitate to differ from the able lawyers on this floor who have contended otherwise, I am thoroughly of opinion that the chairman of the Committee on Military Affairs [Mr. DENT] is eminently correct when he states to the House that this amendment would embrace claims where there has never been even any semblance of a contract or obligation on the part of this Government, and where there has never been any sort of request or demand or solicitation upon any claimant for any particular production to support such claim.

Mr. SNYDER. Will the gentleman yield right there?

Mr. STEAGALL. No. I have not the time.

This amendment will open up a flood of claims from every corner of the country, if people desire to bring them in, as they may be expected to do under its blanket provisions. The chairman said they had had an estimate from one party only as to the amount of claims that would probably be presented. I believe he said the Secretary of the Interior had suggested that they would amount to about four and one-half millions. I take it that he had in mind such claims as he had information about, or in connection with which his department had been asked to accept responsibility. But we have not heard from the Shipping Board nor the War Industries Board nor any others. No man can tell what these claims will amount to nor how high they will mount. The only limit we know of is that payments can not be made in excess of $50,000,000, as provided in the other bill, out of which appropriation it is proposed that payments shall be made.

Mr. CARAWAY. Will the gentleman yield?

Mr. STEAGALL. I regret that I have not time to yield.

I wish to discuss for a moment the legal effect of the language used in this amendment, which is the purpose for which I arose. I ask those who have discussed this phase of the bill to follow me for a moment while I call attention to the language used. The first paragraph of the amendment authorizes and directs the Secretary of the Interior to ascertain and determine the amount or amounts of money that may be claimed, and so forth. This paragraph merely authorizes and directs the Secretary of the Interior to investigate claims, and it is this paragraph which contains the limiting clause which it has been argued restricts payment to such claims as are based upon production, which was requested or demanded by personal solicitation to, or personal inducement to, such claimant or claimants, made by the War Industries Board, the Shipping Board, or the Department of the Interior. The limitation seems to have been shrewdly drawn to apply only to the clause which directs and authorizes the Secretary of the Interior to make investigation of claims. The investigation which he is directed to make, as provided in the first paragraph of the amendment, is safeguarded by the limiting clause referring to production requested, demanded, or solicited by department officials, but this paragraph of the amendment carries no authorization for the payment of money to claimants. The succeeding paragraph is the one which authorizes the payment of claims. This paragraph also directs the Secretary of the Interior to ascertain, determine, and adjust claims and directs that they be paid to parties that he may determine are entitled thereto such losses and damages as he may decide have been sustained or suffered or that may be sustained and suffered. This paragraph which directs payment does not carry the limitation set out in the first paragraph, which directs the Secretary of the Interior to make investigation of claims. I think it is clear that no such limitation applies to payments to be made under any recognized rule of construction of the language used in the amendment. In any event, it is surprising to me that any man in this House should be willing to support this amendment, so carelessly worded as it is in its present form. I think if such legislation is to be carried in this bill it should at least be carefully framed and its meaning made clear. I do not for a moment question that the bill

will be administered in perfect good faith and with all due regard to the obligation resting upon those who will represent the Government in all adjustments involved. But I think it is due them, as well as the Government, that their duties should be clearly defined and the interest of the Government safeguarded as far as possible against all unjust and unfair claims. [Applause.]

Mr. FIELDS. Mr. Speaker, how much time is there remaining?

The SPEAKER. Twenty-three minutes.

Mr. FIELDS. Mr. Speaker, I will yield to myself eight minutes.

Mr. Speaker and gentlemen of the House, when the conferees went into conference upon this bill they went in, practically, instructed upon this proposition. The chairman of the committee had stated to the House that he would bring the matter back to the House before taking action upon it. We therefore felt that we were instructed upon the proposition.

Now, I do not believe that there is a Member of the House who wants section 7 of the Senate amendment in its entirety. I do not believe, on the other hand, that there is a Member of the House who wants the Government to repudiate any honest, moral obligation. If the conferees are instructed, why, of course, I as one of the conferees shall abide by the instructions given us. If we are sent to conference with a free hand, I as one of the conferees will do all in my power to help to amend the provision so that it will take care of moral obligations and at the same time protect the Government against unjust claims.

I am not in favor of recognizing the claim of every man who says that he enlarged his operations because he read an advertisement in the newspapers that the Government wanted him to do so. On the other hand, where the Government or any of its agents in charge of the prosecution of the war, or in preparing the means for the prosecution of the war, induced men to invest their money and produce these materials, the claims of these producers are just as legitimate as the claims of any other producers, and that class of producers should be cared for. I am not in favor of individuals growing rich by reason of special favors extended to them by the Government.

On the other hand, I am not in favor of bankrupting honest men and destroying legitimate business by the strong arm of the Government. I realize that a great deal of amendment must be made to this provision before it should be accepted; and, if given a free hand in conference, I shall do all in my power to help to perfect the amendment, so that it will do justice to the Government on the one hand and to the honest, legitimate business man on the other.

I believe that it would be a mistake to instruct the conferees. If you instruct them to disagree to this amendment in its entirety, it must go out of the bill. If you do not instruct the conferees to disagree, the amendment can be revised or amended in conference. Therefore, instructions would mean that the amendment would be accepted as it passed the Senate or rejected in its entirety. I think that either course would be a mistake. On the one hand it would give advantage to men who have no just claims, and on the other it would defeat many honest obligations. Therefore, I hope the conferees will be permitted to work out a provision that will take care of honest and legitimate claims.

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. FIELDS. Yes.

Mr. HARDY. Will the gentleman tell me where, under section 7, any man would have a legitimate claim except where they were asked to do work by one of these departments?

Mr. FIELDS. I am not in favor of recognizing a claim which has as its only basis the fact that a man read in a newspaper that the Government wanted him to produce these minerals.

Mr. HARDY. Can the gentleman show me, under section 7, where such a claim could be made?

Mr. FIELDS. I think it could be done. But I would put such safeguards into the amendment as would prevent that.

Mr. HARDY. Is the gentleman in favor of putting in the bill a provision authorizing the payment of all persons who at the solicitation of these departments had invested their money and made an expenditure?

Mr. FIELDS. I said a moment ago that I am not in favor of this Government, because of its ability to do so, bankrupting any honest, legitimate business man.

Mr. HARDY. Then I take it that the gentleman is in favor of paying the moral obligations of the Government.

Mr. FIELDS. I am absolutely in favor of the Government paying its moral obligations. I have no patience with the individual who will look for legal or technical excuses to get away from moral obligations.

Mr. HARDY. I believe the gentleman wants to see justice done. Does not section 7 require that every claim under it should show that the work done was done at the request of one of these departments?

Mr. FIELDS. There is some difference of opinion on that, and I think that the conferees should be careful to throw proper safeguards around it.

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. DENT. Mr. Speaker, I yield the balance of my time to the gentleman from California [Mr. KAHN].

Mr. RUCKER. Mr. Speaker, before the gentleman does that and closes debate, I would like to have five minutes on this bill. I wondered if the gentleman would object if I would ask unanimous consent for five minutes, not to be taken out of the gentleman's time?

Mr. DENT. I will not object.

Mr. KAHN. I believe the time has been agreed to by the House. I have no objection to the gentleman asking for further time.

Mr. DENT. I understand one gentleman yielded back two minutes of his time, and if the gentleman from California [Mr. KAHN] is willing, I will yield those two minutes.

Mr. KAHN. And I will yield to the gentleman from Missouri three minutes of my time.

The SPEAKER. The gentleman is recognized for five minutes.

Mr. RUCKER. I am recognized for five minutes. If there is any controversy about it, that settles it.

Now, Mr. Speaker, I am not a member of the committee that has charge of this bill or of any committee that deals with this or any kindred question, and the most I know about the pending measure is derived from the debate I heard here to-day. I understand this bill, especially section 7 of the Senate amendment, provides a method by which certain claims may be presented against the United States, allowed, and paid. Gentlemen say the claims provided for in the Senate amendment are founded upon a moral obligation, not founded upon a legal obligation.

Mr. HAMLIN. Mr. Speaker, will the gentleman yield right there?

Mr. RUCKER. Yes. Make your question short.

Mr. HAMLIN. Section 7 does just what the gentleman says, and makes the findings of the Secretary of the Interior absolutely final.

Mr. RUCKER. I am greatly obliged to my colleague, but I hope I shall not be interrupted any more, because I want to say in the time given me what I have in mind. Gentlemen say—and my good friend the gentleman from Texas [Mr. HARDY] has put everybody to the test by inquiring, "What is the difference between a moral and a legal obligation between honest men?" Everybody should answer, "There is no difference." Ought not the Government to pay its moral obligations as well as its legal obligations? My answer is, "Yes." But I want to suggest another thing. I am surprised to hear gentlemen argue strenuously here—as has been done eloquently by gentlemen from Arkansas [Mr. OLDFIELD] and from Georgia [Mr. HOWARD] and Texas [Mr. HARDY], and the Lord knows who else, because there are many of them—in the behalf of paying everything asked for by men and corporations of great wealth, who have large claims against the Government, but say nothing in behalf of the poor man or the man of moderate means who has suffered a loss. Is it possible that the time has come when before the Congress of the United States the millionaire's claim will get the ear of Congress while the poor man's claim can never force itself through the doors which exclude him from this floor?

Let me suggest that I am in favor of doing what is morally right, but let me also suggest to the gentleman from Texas [Mr. HARDY] and to these other advocates of complying with and discharging moral obligations—let me suggest to them that when you give ear to the rich you should go clear down the line and enter into the humble homes of the millions of people who have lost, just as these manufacturers and other rich men have lost, and carry a little sunshine into the homes of the poor. Oh, you say, "They do not pay the taxes nowadays, because under a Democratic administration, thank God, we have made the wealth of this Nation pay a large part of the revenues by levying an income tax upon the rich." That is true. But the poor pay their part—not the bulk of it. But I tell you again, that when Old Glory was in danger, when she was waving in the air and flying in the breezes, and the summons came to the boys to respond to the call to arms, most of the boys came from the

homes of poor men, because there are more poor men than there are rich men, and although the poor men individually have less dollars than rich men, everybody knows that poor men have the larger number of boys.

What are you advocates of the "moral-obligation" doctrine going to do in a case like this?

The Government asked the farmers of the country to plant more corn and to sow more wheat, and the farmers responded nobly and patriotically. They relied upon having the services of their sons on the farms to help harvest the increased crops; but before the corn matured, before the golden grain waved in the sunshine and the breeze, another draft law came along and took the 18-year-old boy and the man 32 years old and up to 45, and, by reason of the draft law, the farmer was deprived of his help to harvest his crops. Storms came, and the wheat fell and rotted in the field. Ought you not, as a moral obligation, to determine how much you owe that man and pay him? And what about the young man, like one from my district, who had been progressive and industrious, honest, sober, and frugal, who had exercised great business sagacity and accumulated property of considerable value, who was part owner of a bank, cashier in the bank, owner of a large hardware store, owner of four or five hundred acres of land and the stock upon it, who was drafted into the service? The summons came to him, "You must leave your bank counter, abandon your hardware store, turn your farm over to tenants, sacrifice your stock and crops, and go to war." Such a man is to-day at the front, where the firing line recently was in France. He has a mortgage debt of over $30,000 on his property and has an interest rate of $5 or $6 a day to meet. He was taken away from a profitable business and put in the trenches with a gun in his hand to fight back the enemies of democracy. Would it not be fair and morally right to pay that man his salary as bank cashier and refund to him the interest he has paid? The Government prevented him from earning money to pay it and, therefore, is morally obligated to reimburse him. Oh, before you attempt to be morally fair with millionaires, for God's sake be morally fair to the poor men of my country. [Applause.]

Mr. DENT. Mr. Speaker, I yield the remainder of my time to the gentleman from California [Mr. KAHN], and when he has concluded his remarks I shall move the previous question.

The SPEAKER pro tempore. The gentleman from California is recognized for 12 minutes.

Mr. KAHN. Mr. Speaker, I favor the principle involved in section 7 of the Senate amendment. Now, let us look at the situation in all fairness. We were getting manganese and chrome and pyrites, minerals absolutely necessary for the manufacture of our ordnance and ammunition, from Rhodesia and South Africa. On account of the exigencies of war our supplies from those sources were cut off, and the various departments and bureaus of our Government that were called upon to furnish the ordnance and ammunition for our country necessary to the winning of the war looked with apprehension upon a serious situation. Thereupon the Secretary of the Interior called to Washington some of the owners of land on which these minerals could be found and explained to them the situation. He appealed to their patriotism to put the necessary mining machinery upon their lands in order to develop the mines situated thereon. In all good faith these owners of the land proceeded to meet the requirements of the Government. It has been said here that if they had not done so they would have been denounced as "slackers." That is probably true. If they had refused to help their country they certainly would have been subject to the charge of being unpatriotic. Therefore I deem it proper to review the situation that was pending in this country. We were in the midst of war. I was informed this very morning by Gen. Lord that our expenses for the whole of that war, up to January 1, 1919, averaged $24,879,202.32 a day. But I feel confident that toward the close of the war the expenses of this Government were probably nearer $40,000,000 a day. The sudden closing of the war was undoubtedly a happy surprise to most of the people of this country. They feared a longer struggle. One day more of this war would have cost this country at least $24,880,000. Now, the sum total of the claims involved in this paragraph, as stated to the conferees by Mr. Manning, of the Mining Bureau, would at the outside be $8,000,000, and possibly $4,500,000 would be nearer the correct figure.

When these gentlemen who owned the mining properties came to Washington to consult with the Secretary of the Interior and other Government officials and were told the situation, they went honestly and patriotically to work to produce the ores that were needed by our Government in order to manufacture those materials that were essential to the winning of the war.

Mr. BLACK. Will the gentleman yield?

Mr. KAHN. No; I can not yield. I am sorry, but I have not the time. If the war had continued for any considerable length of time, these people could and would have delivered to the Government every pound of ore they produced, and could and would have received their pay for it. And no one would have objected. That is the truth of the matter. But the armistice, coming as suddenly as it did, found these men almost at the beginning of their operations. They paid out of their own pockets in good faith hundreds of thousands of dollars to develop these mines, and I say they undoubtedly have an equitable claim upon the Government. Oh, the gentleman from Missouri [Mr. RUCKER] got up here a moment ago and waxed eloquent about the poor farmer not getting anything. Let me call the attention of the Members of this House to the fact that there will be reported into the House in a few days, I understand, from the Committee on Agriculture, a provision that will pay the farmers of this country $1,250,000,000 to guarantee the price of $2.26 a bushel for wheat. Some of the members who are violently opposed to this pending proposition will readily vote for that enormous sum for the farmers. Are not these other men, who valiantly came to the aid of their Government in the hour of its stress, entitled to something? Would you say to them, "We know that you came to the assistance of the Government, but you ought to pocket your loss; this is a poor country; you ought not to come in here and ask to be reimbursed even for the moneys that you expended in developing your plants, but the farmers are entitled to $1,250,000,000 out of the Public Treasury to maintain a fictitious price for their wheat?" Evidently in the minds of some Members it is entirely a case of whose ox is being gored.

There are some gentlemen in this House who think that every man who has a claim against this country is a crook. Thank God I do not believe that of my countrymen. [Applause.] I believe that there is as much honesty in the United States as you will find anywhere on the globe. I recognize the fact that every safeguard ought to be thrown around a provision of this kind. I feel confident that the conferees on the part of the House will endeavor to throw around the legislation every safeguard, so that claims that can not be fully substantiated will be rejected and thrown out. And I want to say one thing in that regard: This section of the bill would be under the jurisdiction of the Secretary of the Interior. Parenthetically, I do not believe that it is a good thing to add a legislative provision of this sort to a measure that embraces a subject that is of a somewhat different nature. You could not do it in the House, because our rules forbid it. But they can do it in the Senate. We can not circumscribe their action; we can not formulate their rules of action. The Senate put that provision on this bill. It is going to be enforced, if the House adopts it, either in this form or a modified form, by the Secretary of the Interior, Mr. Lane. I happen to have known the Secretary of the Interior for many years. He is an honored citizen of my State. There is not a man, woman, or child within the confines of California that could for a moment think of Frank Lane doing a dishonorable thing. [Applause.]

I am willing for one, knowing the man as I do, to let him pass upon these claims. I know that justice will be done to the Government and also to those men who in good faith came to the assistance of the Government in furnishing these minerals that were so necessary to win the war.

As I said, there are only three minerals involved. They are pyrites, chrome, and manganese. They are found in a few sections of the country. We have not been able in recent years to mine these minerals profitably. The people abroad have produced them so much cheaper than they could be produced in this country that the market for these minerals in this country was practically destroyed. But the feeling that actuated the American people was that we must win the war at any cost. To win it we had to have these minerals. We could not get them from the foreign countries that have been hitherto sending them to our shores. Therefore we had to get the men in this country who have the properties on which these mines are located to produce for us the ore that we required. They went to work in good faith for the Government, and they are entitled to relief. I hope that the House will send this bill to further conference and instruct the conferees to include the principle of these provisions of section 7 in their final report.

The SPEAKER. The time of the gentleman from California has expired, and all time has expired.

Mr. DENT. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Alabama to further insist on the House disagreement on the Senate amendments and agree to the conference.

The question was taken, and the motion was agreed to.

Mr. MANN. Mr. Speaker, is it now in order to instruct the conferees?

The SPEAKER. It is.

Mr. HOWARD. Mr. Speaker, I move that the House instruct the conferees on the part of the House to agree to section 7 of the Senate amendment.

The SPEAKER. The gentleman from Georgia moves that the House instruct the House conferees to agree to section 7 of the Senate amendment.

Mr. KAHN. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. KAHN. If that is adopted, would it bind the conferees to the express language of section 7 as it now stands?

The SPEAKER. Of course it does. They are instructed to agree to section 7 of the Senate amendment. They can not juggle around and bring in something equivalent.

The question was taken; and on a division (demanded by Mr. STAFFORD) there were 56 ayes and 102 noes.

Mr. CURRY of California. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER. The gentleman from California makes the point of no quorum, and evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 71, nays 226, answered "present" 4, not voting 128, as follows:

YEAS—71.

Austin	Elston	Keating	Rankin
Ayres	Evans	Kettner	Rogers
Bell	Farr	Kinkaid	Rowe
Benson	Ferris	La Follette	Shouse
Bland, Va.	Foster	Langley	Sinnott
Bradbeck	French	Lea, Cal.	Sloup
Campbell, Pa.	Glynn	McArthur	Sloan
Caraway	Goodwin, Ark.	McKeown	Smith, Idaho
Church	Hadley	Mays	Snyder
Clanton	Hardy	Miller, Wash.	Taylor, Colo.
Collier	Hawley	Moores, Ind.	Tillman
Connelly, Kans.	Hayden	Neely	Timberlake
Cooper, W. Va.	Hayes	Oldfield	Walton
Curry, Cal.	Heflin	Osborne	Welling
Denison	Hensley	Overstreet	Welty
Doolittle	Howard	Platt	Wilson, La.
Dyer	Humphreys	Raker	Wingo
Eagle	Johnson, Wash.	Randall	

NAYS—226.

Alexander	Eagan	Knutson	Rouse
Almon	Elliott	Kraus	Rucker
Anthony	Ellsworth	LaGuardia	Sanders, Ind.
Ashbrook	Fairchild, B. L.	Lampert	Sanders, N. Y.
Aswell	Fairchild, G. W.	Larsen	Sanford
Bachmann	Fairfield	Lazaro	Saunders, Va.
Baer	Fess	Lehlbach	Scott, Iowa
Barkley	Fisher	Little	Scott, Mich.
Beakes	Flood	Lobeck	Sells
Beshlin	Focht	London	Shackleford
Birch	Foss	Lonergan	Shallenberger
Black	Frear	Longworth	Sherwood
Blackmon	Freeman	Lufkin	Sisson
Bland, Ind.	Fuller, Ill.	Lunn	Small
Blanton	Fuller, Mass.	McClintic	Smith, Mich.
Brand	Gallagher	McCormick	Snell
Browne	Gard	McCulloch	Snook
Browning	Garland	McFadden	Stafford
Buchanan	Garner	McKenzie	Steagall
Burnett	Garrett, Tex.	McLemore	Stedman
Burroughs	Good	Magee	Steele
Butler	Gordon	Maher	Stephens, Miss.
Byrns, Tenn.	Gould	Munn	Sterling
Campbell, Kans.	Graham, Ill.	Mansfield	Stevenson
Carlin	Gray, Ala.	Mapes	Stiness
Carter, Mass.	Green, Iowa	Martin	Strong
Carter, Okla.	Greene, Mass.	Merritt	Sumners
Clark, Pa.	Greene, Vt.	Miller, Minn.	Sweet
Claypool	Griest	Montague	Tague
Cleary	Griffin	Moon	Temple
Coady	Hamlin	Moore, Pa.	Tilson
Connally, Tex.	Harrison, Va.	Morgan	Tinkham
Cooper, Ohio	Haskell	Morin	Towner
Cooper, Wis.	Hastings	Mott	Treadway
Crago	Hersey	Mudd	Venable
Cramton	Hicks	Nelson, A. P.	Vestal
Crisp	Holland	Nicholls, S. C.	Vinson
Currie, Mich.	Hollingsworth	Oliver, Ala.	Voigt
Dale	Hood	Olney	Volstead
Dallinger	Huddleston	Padgett	Walsh
Darrow	Hull, Iowa	Parker, N. J.	Ward
Davis	Hull, Tenn.	Parker, N. Y.	Watkins
Decker	Husted	Peters	Watson, Pa.
Dempsey	Igoe	Phelan	Watson, Va.
Dent	Ireland	Polk	Weaver
Denton	James	Porter	Webb
Dewalt	Johnson, Ky.	Powers	Whaley
Dickinson	Jones	Purnell	Wheeler
Dies	Juul	Quin	White, Me.
Dill	Kahn	Ragsdale	Williams
Dillon	Kearns	Ramsey	Wilson, Tex.
Dixon	Kelley, Mich.	Ramseyer	Wise
Dominick	Kelly, Pa.	Rayburn	Wood, Ind.
Doremus	Kennedy, R. I.	Reed	Woodyard
Dowell	Key, Ohio	Robinson	Zihlman
Dunn	Kincheloe	Rodenberg	
Dupré	King	Romjue	

ANSWERED "PRESENT"—4.

Cannon	Emerson	Fields	Reavis

NOT VOTING—128.

Anderson	Flynn	Lesher	Sabath
Bankhead	Fordney	Lever	Sanders, La.
Barnhart	Francis	Linthicum	Schall
Booher	Gallivan	Littlepage	Scully
Borland	Gandy	Lundeen	Sears
Bowers	Garrett, Tenn.	McAndrews	Sherley
Britten	Gillett	McKinley	Siegel
Brumbaugh	Godwin, N. C.	McLaughlin, Mich.	Sims
Byrnes, S. C.	Goodall	McLaughlin, Pa.	Slayden
Caldwell	Graham, Pa.	Madden	Smith, C. B.
Candler, Miss.	Gray, N. J.	Mason	Smith, T. F.
Cantrill	Gregg	Mondell	Steenerson
Carew	Hamill	Nelson, J. M.	Stephens, Nebr.
Cary	Hamilton, Mich.	Nichols, Mich.	Sullivan
Chandler, N. Y.	Hamilton, N. Y.	Nolan	Swift
Chandler, Okla.	Harrison, Miss.	Norton	Switzer
Clark, Fla.	Haugen	Oliver, N. Y.	Taylor, Ark.
Copley	Heaton	O'Shaunessy	Templeton
Costello	Heintz	Overmyer	Thomas
Cox	Helm	Paige	Thompson
Cromer	Helvering	Park	Van Dyke
Davey	Hilliard	Pou	Vare
Delaney	Houston	Pratt	Waldow
Donovan	Hutchinson	Price	Walker
Dooling	Jacoway	Rainey, H. T.	Wason
Doughton	Johnson, S. Dak.	Rainey, J. W.	White, Ohio
Drane	Kehoe	Riordan	Wilson, Ill.
Drukker	Kennedy, Iowa	Roberts	Winslow
Edmonds	Kiess, Pa.	Rose	Woods, Iowa.
Esch	Kitchin	Rowland	Wright
Essen	Kreider	Rubey	Young, N. Dak.
Estopinal	Lee, Ga.	Russell	Young, Tex.

So the motion to instruct the conferees was rejected.

The result of the vote was announced as above recorded.

The Clerk announced the following additional pairs:

Until further notice:

Mr. BYRNES of South Carolina with Mr. CANNON.

Mr. BANKHEAD with Mr. CHANDLER of Oklahoma.

Mr. BOOHER with Mr. HAMILTON of Michigan.

Mr. CANDLER of Mississippi with Mr. COPLEY.

Mr. CLARK of Florida with Mr. EDMONDS.

Mr. DAVEY with Mr. ESSEN.

Mr. GODWIN of North Carolina with Mr. HEATON.

Mr. KITCHIN with Mr. FORDNEY.

Mr. LITTLEPAGE with Mr. BOWERS.

Mr. POU with Mr. MASON.

Mr. RIORDAN with Mr. WINSLOW.

Mr. SEARS with Mr. NOLAN.

Mr. RUBEY with Mr. STEENERSON.

Mr. SLAYDEN with Mr. SWITZER.

Mr. THOMAS F. SMITH with Mr. VARE.

Mr. HENRY T. RAINEY with Mr. WILSON of Illinois.

Mr. CANNON. Mr. Speaker, I would like to vote "no."

The SPEAKER. The vote has already been announced. The gentleman may vote "present."

Mr. CANNON. Well, I shall vote "present," if I can not vote "no." I made arrangements to be sent for from the committee room.

The name of Mr. CANNON was called, and he answered "Present."

Mr. HAMLIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

NAVAL APPROPRIATION BILL.

Mr. PADGETT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill. Pending that I would like to see if we can agree upon a limitation to general debate.

Mr. BROWNING. Mr. Speaker, what has the gentleman to suggest?

Mr. PADGETT. I was in hopes that we might conclude it this afternoon, between now and 5 o'clock.

Mr. BROWNING. Mr. Speaker, I can not agree to that. I have requests for 2 hours and 10 minutes upon this side. I do not know what the gentleman from Tennessee has, but I told him that if he would take one hour to-morrow morning after the House goes into the Committee of the Whole House, I would be willing then that the general debate cease.

Mr. PADGETT. Mr. Speaker, I was very anxious to conclude it this afternoon.

Mr. BROWNING. So was I; but the other business has taken up too much time.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent that general debate may conclude in one hour after the House goes into the Committee of the Whole House on the state of the Union for the consideration of this bill to-morrow.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, that sort of an arrangement always cuts some one off at the last minute who has been promised time, because various amounts of time are wasted, and the gentleman in charge of time can not tell under that arrangement how much he may yield. I suggest that the gentleman fix the time for general debate so that we may know exactly.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent that general debate may close in two hours and three-quarters.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that general debate upon the bill shall not run longer than two hours and three-quarters. Is there objection?

There was no objection.

Mr. PADGETT. Mr. Speaker, pending the motion, I also ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Tennessee that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill, with Mr. IGOE in the chair temporarily in the absence of the gentleman from Tennessee [Mr. GARRETT].

The CHAIRMAN. The Clerk will report the bill.

The Clerk reported the title of the bill.

Mr. BROWNING. Mr. Chairman, I yield 20 minutes to the gentleman from Kansas [Mr. LITTLE].

Mr. LITTLE. Mr. Chairman, the American Congress is always ready to protect American rights in every land and on every sea with whatever arms and armaments are necessary, according to the judgment of the representatives of those who pay America's taxes, whenever the House has before it the facts that demand such consideration. The outstanding feature of this proposed legislation is an expenditure of $520,000,000 for 39 battleships and cruisers at a time when we have no enemy in the world, at a time when America already dominates the destinies of mankind. As a result of the great war, every American family now goes staggering down the halls of time burdened with a mortgage of $1,500, to which this bill would add $35. No necessity for such an appropriation is even suggested and no argument for its passage is even presented here. We are only told we should give the Navy $520,000,000, because some somber and mysterious message that can not be confided to the greatest parliamentary body the world ever saw, has come across the seas with gloomy and menacing prophecy of our future, at the very moment when our transports bring home the heroes whose gallant deeds have given our Republic the foremost place among all the military and conquering nations whose achievements are recorded on the pages of history. Mr. Chairman, as I stand here on the floor of the House of the people's representatives I can catch the murmur of a message as mysterious, but more menacing, more authoritative, which seems to whisper—as yet—"Look out, look out, that's my money you are spending."

At this very moment the United States has an Army of more than 4,000,000 of the very best soldiers who ever marched on a battle field, and our place among the countries is such that we could almost discharge them all, put every ship out of commission, and go to sleep in safety with open doors for the next 10 years. Under our present circumstances to invest $20,000,000 each in a dozen big iron pots that hardly dare venture outside harbor protection for fear they be sunk by tiny submarines as suddenly and as easily as a rattlesnake can strike down a champion athlete would seem to be as unnecessary, as defenseless, as futile as to appropriate the money for a wireless to Mars.

If the Paris conference will this day enter into an agreement that from now no State shall add another ship of war to its navy, that conference will do more good than has been accomplished by any body of men since the Cross of Christ was raised on the Mount of Calvary. Should Woodrow Wilson secure from the Paris conference treaties which arrange that the navies of the world ride just as they are without the spending of another dollar for more armed denizens of the waters that have long since been chased off the seven seas by little submarines, I would cheerfully and proudly vote to present to him and his heirs and assigns forever the cost of a battleship, and history would acclaim it a proper reward for a useful, honorable, and wonderful service. At the very moment when the clock of destiny strikes the auspicious hour for the beginning of the disarmament of mankind these naval and military experts come before the committees of the House seeking monstrous appropriations that would plant a soldier or sailor on every American taxpayer's back for a thousand years to come.

The greatest military system ever organized on the planet challenged modern civilization, and America responded with 4,000,000 men from its homes and $30,000,000,000, from its exchequer. Before the assaults of our quickly trained, disciplined Americans, nonprofessionally commanded by 90-day officers, the cohorts of professionals disappeared like chaff before the wind. The appearance of our armies on the battle fields of Europe marked the termination of the career of a tyrant who had Christendom by the throat. Eighteen months after we entered the struggle, unarmed, unequipped, undrilled, the professionals say, our troops brought it to an abrupt conclusion. Why did we destroy this military caste that ruled the German Empire and threatened the existence of modern society—to build another? The nations of the world stand at our door asking for justice and inspiration for the future. The Department of the Navy responds by demanding that we authorize them to expend $520,000,000 to crowd the sea with ships of war that would menace the rights of every small nation.

Before the terms of peace are finally signed our taxpayers will be paying more than a billion of dollars of interest per year. In order to reach the position at which we now stand you have placed upon the labors of every person in our country a charge of $10 per annum and upon every family a requisition for $50 each year to pay the interest alone upon your investment to bring peace to a half-wrecked world.

What have we accomplished? Where do we stand? What is the value of our victory? What benefit do we derive therefrom? Why, we get the splendid privilege of investing five hundred and twenty millions of borrowed money in floating steel castles to overawe a waiting world that earnestly seeks our friendship. Of what avail all this sacrifice, if the menace still exists, and if the demand upon our resources still continues? If this appropriation is actually necessary, then our enterprise was useless, our expenditures futile, and lost lives in vain. With this $30,000,000,000 we could have built 1,500 of these great battleships and rule the world without having lost a man, if the naval experts are correct in their views. We could have done this, saved every boy we lost, and been absolutely secure.

What danger awaits; what country threatens America? For a moment lay aside the British Empire. The fleets of America outrank the combined navies of France, Italy, and Japan. The armaments of the rest of the world are negligible at sea, and ours can match the combined sea power of all the rest of the world in battle except the British Empire, even if such a combination could be imagined. What difficulty will we have in keeping ahead of Japan? This bill is not designed for that purpose——

Mr. GORDON. Will the gentleman yield?

Mr. LITTLE. In just a moment. We should continue sufficient appropriations to maintain a lead over Japan and other possible opponents. That requires no such tax upon our revenues as is suggested, for many years to come, and probably never. Why this call upon the House by the naval department? They point out no enemy, they suggest no possibility of danger. This would appear to be nothing but the vain dreams of professional seamen obsessed with their own theories of the importance of their profession, who have no practical experience in collecting or conserving revenues, but simply think that they hold Aladdin's lamp in their hands and have but to rub it. Who is to provide all this money? Do they contribute?

Said Glendower, "I can call spirits from the vasty deep."

"Aye, so can I, and so can any man," said Hotspur; "but will they come; but will they come?"

Have they in mind to challenge the naval supremacy of the British Empire? The safety of our cousins' confederacy depends upon the safety of the British Isles, and that depends upon the capacity of their fleets to protect those Isles. If Great Britain loses the possession of the Suez Canal her empire collapses, and before long England and Holland will be pointing to the glories of the past side by side. They have a decided lead in the strength of their navies, and it is idle to suggest even that they will allow us to build ships that will make us their equal on the seas. However feverishly we might endeavor to equal them, still more frantically will they labor to hold their lead.

What have we to fear from them? The minute war should be declared our coasts would be blanketed with mines and submarines, as was the coast of Germany during this war. Not once did any of that much vaunted master fleet approach the cities or the shores of Germany. On this floor a gentleman said yesterday that New York would be an immediate object of attack in case of such a war by that great fleet which never dared venture within sight of the outlines of the German coast.

We could have nothing to fear from England's imperial assembly of steel-clad monsters. Within 24 hours of the sound of the first gun our troops would be far into Canada, and in 10 days they would command every Province of the Dominion of Canada and its Provinces would be forever States of the Union from the time the treaty of peace should be made. England, Scotland, and Ireland could not go to war with a Republic which has no distant possessions of value upon which its existence depends as long as Britain's most charming daughter lives right at our door. For more than a hundred years these two sisters of the Anglo-Saxon race have lived side by side in amity and concord, with no gun mounted upon either frontier, with no fortress located on either border, and with no armed vessel on the Great Lakes between us.

When Dewey sailed into Manila and was threatened by the German admiral, it was the Britisher who notified the Kaiser's representative that he would come to America's aid if needed. Kitchener of Khartoum told me that when the British fleet advanced to the bombardment of Alexandria and the suppression of Arab massacre, the admiral ran up the signals warning the ships of other nations to withdraw, as they all did, the last to go being an American ship of war which skirted the entire English fleet drawn up in battle line, his flag signaling as he swept by, "I have a notion to go in with you anyway." Where is any man on this floor who will venture to even suggest we need further arm against England, Scotland, Wales, Ireland, Australia, South Africa, and Canada? Why spend five hundred and twenty millions against them? There is no reason tendered, and yet we hear this eternal, bourse cry for means to slay those who have no intention to fight us. "Give, give, said the horseleech's daughter."

Who are these men that come without rhyme or reason to make this demand upon the American Congress and the American taxpayers? What is their attitude toward the men who produce the revenue, and the legislative body that appropriates it? But a few days ago, the captain commandant at the Great Lakes Naval Training Station actually issued in his official bulletin an order that any man whose application for a discharge from the Navy was supported by facts presented by a Member of this Congress should be punished and penalized therefor. What wonder that such men feel that they can call upon us for anything and get it without proof or argument.

Almost yesterday that official bulletin denounced the crown princes of the Republic, the heirs of Abraham Lincoln in the Middle West, as liars and perjurers, so anxious to escape from the service in which they volunteered that they had invented enough dying grandmothers to indicate that an epidemic of bubonic plague or Persian pox must be sweeping the Middle West. When these men, so-called naval experts, have so little comprehension of the responsibilities of the American Congress, so little respect for the character of the American youth, why should we give an hour's serious consideration to demands which they present without any facts, without any reasons why they should be granted? Why should we trust our millions with men who can not respect our sons? What standing should they have in this court?

The principal development of sea warfare in the last four years has been the submarine, which has supplanted a battleship as certainly as the wireless has surpassed the mustang mail carrier of the plains. How does it happen that in all the data presented in these hearings they gave us no estimate of the comparative fighting value of the submarine and the battleship? Why was it that when I challenged the orator of the Committee on Naval Affairs to tell me, from all the information accumulated by that learned committee, of the relative value in war of the sea wasp and the sea elephant, he answered, "I don't know"?

Gentlemen, did the American people authorize us last November to spend $520,000,000 of their money before we have had any information at all as to whether the big ships have been junked by the submarine? Oh, when I asked the gentleman from Michigan about that yesterday I know the gallant tar from the raging Ohio informed us that as long as a $20,000,000 battleship could maintain a steady gait of 15 knots an hour no submarine could harm it. Does our ability to dominate the seas depend upon our capacity for outrunning our foes? Is this $500,000,000 navy they want us to furnish to seek safety in flight every time one of these little sea devils shows its periscope above old Neptune's kingdom? The eloquent gentleman from Michigan answered me yesterday that the submarine and the battleship were not comparable. Oh, that does not answer the question as to which would be the victor. Neither are the polecat and the lion comparable, but everybody knows which has the right of way when they meet.

Mr. COOPER of Ohio rose.

Mr. LITTLE. I will be glad to yield to the gentleman later. The lion and the battleship depend upon their speed for their safety. Shall the next John Paul Jones, when called upon to surrender, cry gallantly back, "Oh, I haven't begun to run yet; just watch my smoke." Should Lawrence have murmured as he fell, "Don't give up the ship as long as we can make 15 knots an hour"? What would you think of the American Navy if history recorded that when the *Constitution* met the *Guerriere* Capt. Isaac Hull had signaled to the Britisher, "We challenge you to a foot race. We can go 15 knots an hour, and fear you not"? Shall we discard all the splendid literature of seagoing warfare and strike battleship medals bearing the motto, "The bumblebee stepped on the elephant's toe and hurt the poor thing so he scarcely could go; the elephant said with great tears in his eyes, 'You coward, you, why don't you take one of your size'"? The mastery of the Roman Empire was lost because Mark Antony and Cleopatra could outsail Octavius Cæsar. Can anyone imagine old Farragut figuring on which ship should have the better pair of heels? The victory in sea battles in the future, as in the past, will depend upon the valor, the skill, and the equipment of him who stays to fight, not upon the speed of him that runs away. In every naval contest the only value of speed is the power it gives to circle and maneuver. The ancient hulk of *Old Ironsides*, as she lies in Boston Harbor, would decline in contempt to remain side by side by these lubbers of the sea that flee from the wasps of the ocean, and would put to sea in the greatest storm that ever broke upon a Yankee coast if the motto of our future $500,000,000 Navy is to be, "We can outrun any submarine that ever stuck its periscope above the waves."

This bill asks us to expend $15,000,000 in building 14 submarines, and to put $520,000,000 into 39 battleships and cruisers. For $520,000,000 we could build 500 high-grade submarines. A dozen of them at each end of the Panama Canal, a dozen of them in front of New York Harbor, a dozen at each of our great ports, with a properly situated line of mines, and our coast would be impregnable to attack. England had the greatest fleet in the world within a few miles of the German shores. Germany was prepared with mines and submarines, and the English sailors never ventured within gunshot of the German coast or dared invade the Baltic Sea with serious intent. The German fleet possessed the Baltic and never dared attack the Russian coast for fear of mines and submarines. The gentleman from Washington and others suggested that the big English Navy dominated the North Sea and the German Navy never dared come out. They did come out and fought the English major fleet on the high seas, and went home and announced a victory, and the English had to think it over a week before they had decided they won the fight. Both of them, scared stiff, scuttled home without reaching any decisive result, and that is all the good the big fleets did anywhere around the real zone of war. The fact is that the great navy of England never dared venture a hundred miles from the shores of the British Isles for fear a smaller German fleet would assail the English shores. The little fleet of Germany held the big fleet of England right at one place, and if the Germans had won the war, the fleet could have boasted that while they lay in the Kiel Canal they were winning the war just as well as the English could boast that their fleet did. The real fact is that none of them dared to venture far from land for fear of a submarine.

The disparity in cost between the submarine and the battleship is too great to permit the matching of a battleship against a submarine. Who will peril $20,000,000 worth of steel for the chance of sinking $1,000,000 worth of submarine. We can build 39 battleships and cruisers or 500 submarines with this $520,000,000. Is it possible that there is anybody so lacking in perception, even a naval expert, that he will tell us that 39 battleships is a better protection or a better weapon of assault than 500 submarines? I think not. The gentleman from Michigan inquired who controlled the surface of the sea. Is there any man in the world will tell us that 500 submarines would not chase 39 battleships off the ocean? Why, no ship of war could keep afloat anywhere in the world for 90 days out in the ocean if we had 500 submarines ranging the seas, and not a warship on the waters would venture across the ocean to attack a coast on which 100 submarines lay in wait. The men who advise such expenditures for these battleships, and only want $15,000,000 for 14 submarines, which is what this bill provides, absolutely have no comprehension of the development of modern war at sea.

During nearly all this war the greatest fleet the world ever saw was tied up in a Scotch harbor behind a blanket net for fear a little submarine would nose in and tie a can to the tail of a $20,000,000 ship and sink it to the bottom of the harbor. Those little vessels found their way across the Atlantic, into the

Mediterranean, into the harbor of Constantinople, and haunted the dreams of sailors all over the world. Gentlemen, if you are intending to appropriate that money, let us spend it in the full light of intelligent comprehension of modern civilized warfare on the element where John Paul Jones, Stephen Decatur, Oliver Hazard Perry, and David Farragut floated our flag in triumph and glory. If you are to spend this money, spend it in a practical way; put something afloat that can take care of itself and guard the seas.

Mr. GORDON. Did the gentleman notice the dispatch from Paris yesterday to the effect that the peace conference has outlawed the submarine and was going to stop their use for all purposes?

Mr. LITTLE. Oh, yes; I saw that this was done by the advice of these naval experts who wanted the battleships. I know a submarine is no place for a well-dressed man. These fellows are all brave enough, but they like to fight in clean clothes, not down in some dirty semidungeon in oily trousers and greasy blouses. Besides, the submarine is no place in which to hold a reception.

Mr. COOPER of Ohio. A few moments ago you stated the submarine controlled the seas——

Mr. LITTLE. Wherever they go.

Mr. COOPER of Ohio. If that is the case, how do you account for the United States moving 1,900,000 troops to France?

Mr. LITTLE. The gentleman from Ohio [Mr. LONGWORTH] explained it yesterday. The transports showed better pairs of heels than the submarines and outran them. Can you tell us of any battleship that lingered behind the transports to fight it out with the submarines? They tell us now that there never were more than 35 of these submarines in the Atlantic at one time. Why was it that the magnificent Navy of England could not be located through a third of the war? The two big fleets never met, except by mistake, fought without result, and flew for home, Germany sending out word that England was defeated, and we afterwards learned that England had won.

Mr. LAGUARDIA. If that was so, why did not the German fleet leave its port and come out?

Mr. LITTLE. Because the English fleet was big enough to demolish it eventually, because they lay in port and held the English fleet in port.

Mr. LAGUARDIA. And held them in.

Mr. LITTLE. Certainly. The English fleet never saw the coast of Germany during the war.

Mr. LAGUARDIA. But they dominated the North Sea.

Mr. LITTLE. Oh, the submarines dominated the North Sea.

Mr. MILLER of Washington. If the English fleet kept the German fleet within the German zone, why do you accuse the British fleet of cowardice?

Mr. LITTLE. I never dreamed of such a thing. From the day of Drake and Blake till now nobody ever accused the English sailor of cowardice.

Mr. MILLER of Washington. Of uselessness?

Mr. LITTLE. Why, no; they simply had the good sense to realize that they could not afford to pit a $20,000,000 ship against a million dollar submarine, when the probabilities were that the wasp would sting the elephant to death.

Mr. LAGUARDIA. But the gentleman does not mean to say that the English fleet did stay in?

Mr. LITTLE. Yes; of course.

Mr. LAGUARDIA. The gentleman is misinformed.

Mr. LITTLE. Oh, no; I am not. There never was a time when the Baltic Sea was not all tied up by the German fleet. Very infrequently even the North Sea had the pleasure of the English fleet's company. If they did go out, where did they go and what did they do? Why did they not attack the German coast or venture into the Baltic and fight the Germans there or aid the Russians? Do you mean to say the English fleet kept the German fleet in harbor?

Mr. LAGUARDIA. Absolutely.

Mr. LITTLE. But the Germans came out and fought a big battle and advised the whole world they had won it and never lost control of the Baltic Sea.

If these naval men had any data that would be useful on the success or failure of the submarine, it should all go before the House. I asked for the information yesterday. Oh, I know that the submarine is no place in which to hold a social reception, but that does not interest me. What I want to know is why you do not spend this $520,000,000 for the best possible purpose, if it is to be spent at this stage of the proceeding, and why the submarine is not the better weapon, if they think that is the fact?

Oh, yes; I would like to see the submarine outlawed and abolished, but you might as well attempt to abolish the rifle. Every time a nation gets into serious trouble it will build and send to sea the best defense possible, and you can not stop it. When a man is fighting for his life he will hit below the belt or fight from any angle. This Banquo's ghost will never cease to rear its periscope, the lineal descendant of the sea serpent, and eye the distant horizon with glassy and menacing gaze. I wish that it were not so, that all wars might cease.

Would that some sweet bird from the south
Might build its nest in the cannon's mouth;
Till the only sound from its rusty throat
Were the wren's or the bluebird's silver note.

Of all countries America could most easily profit by the submarine. It is hardly imaginable that any nation will again violate the rules of war by sinking defenseless ships and women and children. But a flock of submarines along our coasts would make them free from the possibility of attack. America has less to gain and more to lose by their discontinuance than any other nation.

Before the last of these great ships is finished the first completed will be rendered of no value by some more modern development. Who are these men that demand our people's money? Last week they insulted the sons of the taxpayers and ordered the Congress of the United States to venture no suggestions to them. Who are they to pass upon the disposition of the people's revenues and the laws that Congress shall enact? America went into the war to break down militarism forever, and who are these that would steal the stakes from the table when we have won? What actual, intelligent evidence have they tendered that they have such knowledge as would warrant us in following their suggestions? Do you think 4,000,000 American mothers sent 4,000,000 of their sons to the rendezvous with death across the seas that some noncombatants here in Washington who never paused to consider whether this war had changed the rulers of the ocean could squander $520,000,000 of their fathers' hard-earned money on big steel coffins as obsolete as the mummy of Rameses?

Mr. WILLIAMS. Will the gentleman tell us what would have been the result of the war if England had not had that fleet?

Mr. LITTLE. The Germans would have bombarded the English coast and sunk the transports unless the English, French, and Americans had covered their coast lines with mines and sent flocks of submarines to sea to run the Germans back to the Kiel Canal as I now urge this Congress to spend what money we do appropriate. They would have otherwise attacked the English ports.

Mr. WILLIAMS. And won the war?

Mr. LITTLE. This war was won at Cantigny, Chateau-Thierry, Verdun, and the Argonne, where American soldiers, drilled for three months often, by 90-day trained officers, disdained the trenches, left the big guns behind, charged the machine guns, violated every rule of these experts, threw European methods to the wind, fought as their fathers fought from Concord to Guiguinto. They swept on the German ranks like the prairie fire, captured the trenches they had held for four years as if they were street barricades, and saw the military system that scientific noncombatant general staffs had been building for 50 years crumble into atoms as they struck it. They demonstrated forever the futility of technical professionalism as compared with the inspired soldiery of free men, as the French revolutionists, unclad, unshod, undisciplined, beat all Europe. They proved that 90 days makes a high-class officer for fighting purposes, and that good officers make good fighting soldiers in a few weeks, if need be, as I have told you many times on this floor could be done. They broke all their technical rules of war, turned the tide of war, saved Paris at the last gasp, saw the German military caste vanish before them like breath into the frosty morning air, and brought almost within our sight the golden day when the nations of the world can reduce the equipment of war to a minimum and enjoy the maximum of peace and harmony.

Mr. WILLIAMS. Does the gentleman think there is a possibility that the war would have been over before the soldiers got there if it had not been for the English fleet?

Mr. LITTLE. The English fleet was practically no protection for a transport against the submarine, against which it could scarce protect itself. The most it did was to keep the German fleet at home, as English submarines could just as well have done. If the English had 500 submarines for every 39 battleships, no German ship of war would have ever traveled a hundred and fifty miles from port, and the big fleet would never have been missed. We waited six months to get the first drafted man into camp, and but for these experts we would have had a million men under arms in 60 days, have borrowed the English transports, and begun to send them across in four months, and had a million there by last Christmas. The war was won by

the valor of American soldiers fighting according to the methods of American fighters for a hundred and fifty years, and with sufficient submarines to convoy them they would have been without fear of any big ship's attack.

But, gentlemen of the House, did we destroy German militarism simply to transplant its theories to America? Are we to begin by adding $500,000,000 to our debts when our Nation has achieved the very pinnacle of victory and power? Let the Paris conference agree to limit military expenditures and discontinue these drains upon the prosperity of the nations. We entered this war, we said, to protect our sons, their homes, and our taxpayers. Let us now begin to reap the fruits of victory. The American soldier fought for the perpetual insurance of the rights of man, and the substitution of the cross of Jesus Christ for the crown of Julius Cæsar, as the standard of civilization.

This Congress owes it to the record it wishes to leave on the scrolls of time, to the shades of the mighty dead who founded and reared this great Republic and now hang over the battlements of heaven to see their sacrifices bring the achievement of their highest hopes, to the gallant lads who risked their lives in arms, and to the fathers and mothers on whose aching backs these billions will be borne for centuries to come, to not be now entrapped in the meshes of the military system they have destroyed, but to raise instead this standard of civilization which marks forever the termination of the reign of Julius Cæsar and the beginning of the dominion of Jesus Christ.

Mr. BROWNING. Mr. Chairman, I yield 30 minutes to the gentleman from South Dakota [Mr. DILLON].

Mr. DILLON. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

A VISIT TO THE IMPORTANT MILITARY CAMPS IN THE VICINITY OF NEWPORT NEWS, VA.

Mr. DILLON. Mr. Chairman, on January 28 I made a trip to Newport News for the purpose of inspecting the military camps in that vicinity. At the boat landing at Old Point Comfort I found waiting a brand-new street car, No. 311, a car of the latest type, marked on the side:

Property of the United States Shipping Board Emergency Fleet Corporation.

Inside the car were numerous cards advertising private and commercial institutions and the statement:

White passengers leave by front door, colored passengers by rear door.

The Virginia "Jim Crow" law for the separation of white and colored people was operating in cars owned by the Government, for signs stated that colored people were to occupy the rear seats and white people the front seats.

These cars were being operated on street railway lines said to be owned and operated by a private corporation. There were a number of these cars on the Old Point Comfort line. Fifteen cents fare was charged from Old Point Comfort to Newport News. From Newport News the Government has extended this privately owned line to Morrison Aviation Field. The extension is between 2 and 3 miles long and is called the Virginia Avenue line.

The Government also built a cement highway from Thirty-fourth Street, Newport News, to the Morrison Schoolhouse, a distance of about 6 miles. It was commonly reported by the soldiers and civilians that arrangements had been made to complete this highway to Lee Hall and Yorktown. Negro soldiers were repairing the road in front of Headquarters 43, Motor Truck Division. Statements were frequently made that the soldiers had been detailed to repair this highway.

It is common rumor that the Government is to build a concrete road from Old Point Comfort to Yorktown via Newport News, and there is every indication that this is true, because I saw soldiers working on this road. This highway runs through country that is largely flat and swampy.

The Morrison Aviation Field was located on low ground and had to be abandoned because it was unsuited for aviation purposes. Numerous buildings remain upon the field, vacant and unused. Two steel water tanks on high steel towers were erected on these grounds.

Along the extended street railway, Virginia Avenue line, and the new cement highway is found the town of Hilton, about 2½ miles from Newport News. It is in a low, swampy place, with water standing in pools everywhere. The streets were impassable because of the mud and water.

In this town are about 500 cottages and buildings of the most modern construction. All of the houses have slate roofs and were built of first-class material, and had all modern conveniences. Nobody lives in these houses except a few workmen who are finishing some of the buildings.

It is stated that they were built by the Emergency Fleet Corporation. It was also stated that the intention was to fill in around these houses, fill the streets and pave them, and build 15 miles of sidewalk. Also, that arrangements were being made to build 800 more similar houses there. The location of Hilton is wholly unsuited for town purposes, the whole surrounding country being swampy.

Numerous large ditches are to be seen in this vicinity, built for the purpose of draining this locality. It is said that the colored soldiers stationed in this vicinity did work in the construction of these ditches. Between Hilton and the Government warehouse is found a malaria drainage ditch, said to be 14 feet deep, 21 feet wide at the top, and 4½ feet wide at the bottom. This is only one of many ditches constructed, or in the course of construction, in the territory between Newport News and Morrison Schoolhouse.

OPEN-AIR STORAGE.

About 1 mile out on the Virginia Avenue line in a low, swampy place is located what is locally known as the Old Stevedore Camp, now a part of Camp Alexander. It is now being used for open-air storage. Here are found numerous abandoned buildings, many of them approximately 20 by 133 feet in dimensions. They are low, one-story, rough, frame buildings, and officers told me they cost in the neighborhood of $2,660 each.

At this place are stored in the open air about 400 caterpillar tractors and 14 finished armored motor tanks, standard 6-ton tank, model 1917, fully equipped with machine guns and ammunition. Officers informed me these armored tanks, complete, cost $55,000 each.

Mr. FESS. Mr. Chairman, will the gentleman yield there?

Mr. DILLON. Yes.

Mr. FESS. Do I understand they are in storage there?

Mr. DILLON. Yes. Right in the mud; exposed to the rain and the sunshine.

Mr. FESS. What did they cost?

Mr. DILLON. Fifty-five thousand dollars apiece. For each of these tanks is a large canvas covering said to cost $75 each. Many of these canvas coverings had been pulled off and lay in the mud and water. In passing, people frequently walked on them. I had to do so myself in order to get through one place in that open-air storage camp.

There were also thousands of motor trucks, trailers, and ammunition trucks, some of them set up and some in crates. Hundreds of iron and steel wheels equipped with new 36 by 10 dual Firestone solid-rubber tires, said to have cost $250 each, were lying around in the mud and water. An officer said some of this material had been in open storage for six months. There were also hundreds of ammunition wagons and passenger automobiles packed in crates.

Mr. SLOAN. Mr. Chairman, will the gentleman yield right there?

Mr. DILLON. Yes.

Mr. SLOAN. Was there any place where they could be stored?

Mr. DILLON. Yes. I will come to that in a moment and show that there were numerous warehouses and also empty buildings all around this open-air storage.

In this open-air, salt-air storage this equipment and material is in mud and water, exposed to the elements.

About a mile away are found 24 warehouses, approximately 150 by 250 feet in dimension, with fire walls and cement floors, and all said to be empty except one.

Mr. ADOLPHUS P. NELSON. Mr. Chairman, will the gentleman yield?

Mr. DILLON. Yes.

Mr. ADOLPHUS P. NELSON. Are those warehouses now filled so that the material can not be stored?

Mr. DILLON. No. They are empty, so I am told.

On one side of the warehouses is the street railway and concrete highway, on the other side a railroad, and the warehouses have fine cement loading platforms. On the platform outside warehouse No. 20, which was said to be empty, stood a large number of crated automobiles.

Between these storage houses and the camp just mentioned are found corrals, operated by the animal embarkation division, Newport News, which contain several thousand horses and mules. It was reported that some of these animals had been there since August, 1918, and had cost the Government about $240 each. The horses were in mud several inches deep, and there was nothing but mud for them to lie in.

Along the paved highway and street railway is found a big concrete tank about 14 feet high and 30 to 40 feet in diameter, said to have been built by the Government at a cost of $220,000.

On the Boulevard street car line between Newport News and Hampton is a concentration camp, where they are now erecting some hospital buildings. These hospitals are being built on ground that is being filled in by use of a suction pipe. A centrifugal pump was operated on a dredge in the bay, and pipe carried in the sand and mud to fill in under some of these buildings.

At Old Point Comfort was being constructed a cantonment of several hundred buildings. Some of the buildings in this cantonment were located in the water, and a pumping plant was pumping sand to fill in around these buildings. Some of these buildings rested on cement piers, some 4 or 5 feet high, and standing in the water. A noncommissioned officer told me the buildings were occupied by 36 soldiers.

Fifteen carloads of Gramm motor trucks from Lima, Ohio, were standing on the track at Fortress Monroe. At Old Point Comfort were several hundred ammunition trucks and tractors stored in the open, exposed to the salt air and the elements. These were brand new and from some the covering had not been removed.

At this point I want to state that 40 Garford 3½-ton trucks left Akron, Ohio, under their own power for Baltimore last Saturday. At 3 p. m. Saturday 40 International 5½-ton trucks arrived in Baltimore.

Everyone knows that salt air will cause rust and corrosion on all metal parts, and all the machines so stored in the open will be absolutely ruined in a short time.

In Newport News, on Thirty-fifth Street, between West and Virginia Avenues, are six apartment houses built by the War Department. They contain eight apartments of four rooms each and are used by the officer clerks of the port authorities and by employees of the Shipping Board. They are said to be built on land owned by the Newport News Shipbuilding & Drydock Co. They are stucco buildings with slate roofs, and have all modern improvements. On West Avenue, at the foot of Thirty-fourth Street, are four buildings of similar character and similarly occupied.

The president of the Newport News Shipbuilding & Drydock Co. is Homer L. Ferguson. He is a brother of Gen. Frank K. Ferguson, the commanding officer of the territory in that Army district. Lieut. Col. H. Clay M. Supplee is chief of staff. Col. W. B. Scales is executive officer. Capt. L. G. Thom is assistant to executive officer and is in charge of labor department.

It will thus be seen that this family controls practically the commercial and governmental activities at Newport News, and also the military activities in that entire Army district. Thus they cooperate among themselves and with various Government activities, and have mutual interests in the upbuilding of that community, including the phantom city, Hilton, in the swamp.

I have just received a letter from the Emergency Fleet Corporation, which reads:

UNITED STATES SHIPPING BOARD,
EMERGENCY FLEET CORPORATION,
Philadelphia, Pa., February 4, 1919.

Hon. CHARLES H. DILLON,
House of Representatives,
Committee on Interstate and Foreign Commerce,
Washington, D. C.

DEAR SIR: Answering your letter of February 1, 1919, relative to Hilton village, Warwick County, Va., I beg to submit the following information:

The land on which Hilton village is being constructed was purchased by the Newport News Shipbuilding & Dry Dock Co. and sold to the Shipbuilding Realty Corporation, a subsidiary company, for stock of said realty company. We have not the record of the person or persons from whom said land was purchased.

It comprises 80.20 acres, more or less, and cost approximately $40,100. The project consists of 472 houses, 2 apartment buildings for 10 families, and 5 stores, which will accommodate 964 shipyard workers, or 2,410 persons.

It is estimated that the gross cost of this project will be $3,595,960.71, including all public utilities and street improvements. Loans in the total amount of $105,130 ($38,000 to Newport News & Hampton Railway, Gas & Electric Co. for electricity and $67,130 to Newport News Water Co. for water) are included in the gross estimated cost and will, when repaid, constitute a credit against the same.

The Emergency Fleet Corporation holds a first mortgage on this property and improvements to the amount of $3,550,000. The Newport News Shipbuilding & Dry Dock Co. has assigned all stock of the Shipbuilding Realty Corporation to the Emergency Fleet Corporation as collateral for its guaranty. By the terms of the mortgage the Emergency Fleet Corporation holds the right to approve not only the sale price of the houses but also the rental price. The mortgage carries interest at the rate of 5 per cent per annum.

If any further information is desired we would be glad to procure same upon receipt of your further request.

Very truly, yours,

J. MILLISON SMITH,
Manager Passenger Transportation and Housing Division.

This 80.20 acres of land is said to have cost $40,100. So help me God, fellow Members, I would not pay $10 an acre for that land.

Mr. BUTLER. How much an acre did they pay?

Mr. DILLON. They paid $40,100 for 80.20 acres.

This Shipbuilding Realty Company is evidently a straw company. It does not appear to have any real holdings. I judge the Emergency Fleet Corporation's only security is the stock of this straw company for the loan of $3,550,000, which would also include the buildings on the premises.

In passing, let us hope that this phantom city, notwithstanding its unholy conception, will be governed in years to come by God-fearing officials, of whom it may be said:

In him none ever any baseness saw;
His rule was honor, and his word was law.

Is there anyone on this floor who can justify this wanton waste? Is the War Department acting like a prudent business man in thus caring for the property belonging to the Government? How long would any of you continue in your service an agent who would allow property worth many millions of dollars to remain from month to month in the open air, in mud, water, rain, and sun, when you have provided ample storage facilities? You would immediately discharge such an employee as grossly inefficient and unworthy of employment.

It is absolutely inexcusable that this property should be stored in the open in an abandoned camp, where it may be lost, stolen, or looted. Especially so when there are ample facilities for storing it in warehouses and thus give it protection from all destructive elements.

Is it prudent management to allow thousands of horses and mules to remain for months in the insanitary conditions in which they are cruelly kept? They are eating away their value while the water meter is daily recording the water taken from the water company's plant which the Government so generously helped to build.

Such wanton, criminal waste and carelessness tends to support the rumor that these war activities are operated in the interest of a few private individuals who seek to improve their own property at the expense of the Public Treasury.

It will not do to say that the Secretary of War and his assistants have no knowledge of these facts. It is his duty to know them, and if he is ignorant of the facts it is only further proof of the inefficiency of the War Department.

Since there is no assurance that these matters will be efficiently handled, it becomes the duty of Congress to appoint a committee on liquidation to see that the property of the Government is not wasted. Every Congressman should find time to visit some of these camps and storage places, and thus gain first-hand information about the reckless waste of Government property.

The American people want to know the facts, and they will justly hold the Congress responsible for a failure to make provision for the salvage and disposal of the billion of dollars' worth of war material now owned by the Government.

A letter from the Passenger Transportation and Housing Division of the Emergency Fleet Corporation states that the street railway passenger cars were furnished for Newport News and Hampton Railway, Gas & Electric Co. in order to furnish transportation service between Newport News Shipbuilding & Drydock Co., at Newport News, and Hilton village housing project. Also that the cars cost $11,413.75 each, and were leased to the street railway company at 5 per cent per annum on the investment, and that after the termination of the war the railway company will purchase the cars at a price to be determined by three arbitrators, one to be selected by the railway company, one by the Fleet Corporation, and these two to select a third, and the decision of these three arbitrators shall be final and binding.

There is certainly no necessity for furnishing transportation service between Newport News and Hilton village housing project, because no shipyard workers live in Hilton and it is doubtful if any of them will ever live there.

These cars are used and operated from Old Point Comfort. These cars are operated under a lease until the termination of the war, which means the ratification of the peace treaty. Then the railway company is required to buy the cars, which will be sold as second-hand cars and sold at a time when material and labor are much cheaper. This means that this second-hand property will be sold at probably one-half price. This illustrates the business sagacity of the Government's representatives.

The letter referred to is as follows:

UNITED STATES SHIPPING BOARD,
EMERGENCY FLEET CORPORATION,
Philadelphia, Pa., January 31, 1919.

Hon. CHARLES H. DILLON,
Committee on Interstate and Foreign Commerce,
House of Representatives, Washington, D. C.

MY DEAR SIR: In reply to your letter of January 29, I would advise that the Emergency Fleet Corporation financed the purchase of 10 street railway passenger cars for Newport News & Hampton Railway, Gas & Electric Co., which is the company referred to in your letter.

These cars were provided in order to furnish transportation service between Newport News Shipbuilding & Drydock Co. at Newport News, Va., and Hilton village housing project constructed by the Emergency Fleet Corporation to house shipyard workers.

The operation of the cars is at the sole expense and risk of the railway, and the railway is under agreement to save the Fleet Corporation harmless from any liability of any kind and nature arising out of the operation of the cars.

These cars were purchased from the J. G. Brill Co., car builders, Philadelphia, and cost $11,413.75 each. They are leased to the street railway company, which pays interest at the rate of 8 per cent per annum on the investment of the Fleet Corporation in the cars.

The contract provides that after the termination of the war the railway company shall purchase the cars and the equipment thereof, the amount of the purchase price to be determined by a board of three arbitrators, one to be selected by the railway company, one by the Fleet Corporation, and these two to select a third, and that the decision of these three arbitrators shall be final and binding.

The purchase price determined by the board of arbitrators will be repaid in five equal annual installments, with interest at 5 per cent per annum. Until the purchase sum, together with all interest thereon, is fully repaid, title to the 10 cars remains in the Fleet Corporation.

Trusting that this will give you the desired information, I am,

Yours, very truly,

C. B. COOKE, Jr.,
Assistant Manager, Passenger Transportation and Housing Division.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. DILLON. Yes.

Mr. FESS. There is a little confusion of mind among some of our colleagues here. Did we understand the gentleman to say that the president of this company was the brother of the commanding officer down there?

Mr. DILLON. That is as I understand it.

Mr. BUTLER. One Ferguson is the president of the shipbuilding company and the other Ferguson, the general, is the military commandant of the district?

Mr. DILLON. Yes, sir.

Mr. TILSON. Mr. Chairman, will the gentleman yield right there?

Mr. DILLON. Yes.

Mr. TILSON. Does the gentleman know that Gen. Ferguson was relieved at that station a few days ago? Has that had any connection with what the gentleman is speaking about?

Mr. DILLON. I have no information as to why the change was made.

I print a letter received from the Division of Military Aeronautics, War Department, relative to the Morrison Aviation Field:

WAR DEPARTMENT,
DIVISION OF MILITARY AERONAUTICS,
February 1, 1919.

Hon. C. H. DILLON,
House of Representatives, Washington, D. C.

MY DEAR MR. DILLON: Permit me to acknowledge your inquiry of January 29 relative to the land on which is located the Morrison Aviation and Concentration Camp, in Warwick County, Va.

Our records show that this land has never been purchased by the Government, but is leased up to June 30, 1919, in sections, as follows:

	Acres.
Warwick on the James (Inc.)	189.62
Anna G. Hamm	55.73
H. O. Brown	9.12
J. P. Logan	14.5
Warwickshire Land Corporation	19.76
Mary Ham Barrow	6.01
Total	294.74

Total rental on this land is $1,762.60 per year, which averages about $6 per acre. All leases contain options as to yearly renewal of these leases up to June 30, 1921. The Government also holds an option to purchase this land at about $250 per acre. On this 294 acres of land the Government improvements have amounted to approximately $2,134,589.15.

I trust that the information given above covers all questions on this subject, and I assure you that if further information is desired I will be glad to hear from you.

Very sincerely,

W. L. KENLY,
Major General.
By JOHN B. REYNOLDS,
Major, Air Service, Assistant Executive.

Here is an aviation field containing 294.74 acres rented for $1,762.62 per year, being about $6 per acre. This would seem an extravagant price for rental of land wholly unfit for aviation purposes. Upon this the Government has made improvements to the extent of approximately $2,134,589.15. As stated before, this aviation field, with all its improvements, had to be abandoned. It represents the reckless wanton expenditures of money in improving property that is wholly unfit for the purposes intended.

From all over the country come complaints that subordinate officers are not carrying out the instructions of the War Department to discharge enlisted men who have dependents and who have opportunities to secure their former employment. The charge is made that these officers are seeking to keep their names on the pay roll, and in order to do so it has become a common practice to reject the applications for discharge without any consideration.

The War Department claims that instructions have been given to the officers directing the discharge of enlisted men on their own application when they have dependents or when they are needed in civil employment. If the War Department is acting in good faith, why are not the officers compelled to carry out the orders? This is further evidence of the inefficiency of the department.

Mr. TILSON. Mr. Chairman, will the gentleman yield right there?

Mr. DILLON. Yes.

Mr. TILSON. Is the gentleman going to speak of the discharge of enlisted men?

Mr. DILLON. Yes.

Mr. TILSON. I wish to ask the gentleman a question which he may be able to answer in this connection, in regard to what might be termed another "lost battalion," lost not on the battle fields of France, but apparently in darkest Africa, "somewhere in Virginia." I have information to the effect that at Newport News, or somewhere in that vicinity, is what is called a reserve labor battalion, made up of drafted colored troops. If my information is correct, these men are being worked as common laborers alongside of civilian laborers who receive more than $3 a day, and that the soldiers are denied the privilege of even making an application for discharge.

Information I have is also to the effect that when one of these men is permitted to ask for a discharge he is required to furnish affidavits which cost him from ten to fifteen dollars. Does the gentleman know anything about the existence of conditions such as I have described, or did he see any colored troops there?

Mr. DILLON. Oh, yes; there is a large number of them who have been marched out through the mud, and they were complaining about their treatment.

Mr. BUTLER. Did they find the "lost battalion," though?

Mr. DILLON. I do not know anything about the "lost battalion." Some of the men ran away, and they were driven back.

Mr. TILSON. Were they colored troops?

Mr. DILLON. They were colored troops.

Mr. TILSON. Were there any considerable number of them?

Mr. DILLON. Yes.

Mr. TILSON. The information I have is that the Four hundred and seventh Reserve Labor Battalion, made up of colored troops, are being kept there in what amounts to involuntary servitude, or slavery, because they are unable to get away; at any rate, that they are not given an equal opportunity with others to apply for discharges for industrial or family reasons.

Mr. DILLON. There were a great many claims made as to their compulsion in working under those circumstances.

Numerous cases have been brought to my notice by soldiers who could not get action on their applications, although they had followed the instructions given in the orders. Thousands of these soldiers are seeking relief since their services for military purposes are no longer required. If the Secretary of War and his assistants are unable to bring relief to these soldiers in the United States, steps should be taken by Congress to release them so that they may go home.

The following, taken from an official order issued January 15, 1919, indicates the number of officers in the Three hundred and fourth Stevedore Regiment, Corps of Engineers, and shows to what lengths they are going to find places for officers, so that their services may be continued.

I have here an official order, stamped with the official stamp upon it, showing the number of officers who are attached to each company:

Companies A, B, and C, Three hundred and fourth Stevedore Regiment, and Company A, Three hundred and fifty-fifth Labor Battalion; Companies A, B, C, and D, Four hundred and fourth Reserve Labor Battalion; Companies A, B, C, and D, Four hundred and fifth Reserve Labor Battalion; and Companies A, B, C, and D, Four hundred and thirtieth Reserve Labor Battalion, the 16 companies comprising the four battalions of the Three hundred and fourth Stevedore Regiment, Corps of Engineers, had, on January 25, 1919, 29 captains, 27 first lieutenants, and 29 second lieutenants. Besides these, each battalion had a commanding officer, one being a major and the other three captains. Then, also, there were regiment and headquarters officers, composed of 1 major, 10 captains, and 8 first lieutenants.

Taking some individual companies we find that Company A, Three hundred and fourth Stevedore Regiment, had 1 captain, 3 first lieutenants, and 2 second lieutenants; Company A, Three hundred and fifty-fifth Labor Battalion, had 2 captains, 4 first lieutenants, and 1 second lieutenant; Company A, Four hundred and fourth Reserve Labor Battalion, had 2 captains, 3 first lieutenants, and 1 second lieutenant; Company B, Four hundred and

fourth Reserve Labor Battalion, had 2 captains, 2 first lieutenants, and 2 second lieutenants; Company A, Four hundred and thirtieth Reserve Labor Battalion, had 2 captains, 2 first lieutenants, and 2 second lieutenants.

These five companies have together 9 captains, 14 first lieutenants, and 8 second lieutenants.

History does not record such an array of captains and lieutenants. As the companies are being demobilized, places must be found for the officers, hence they must be transferred, and while the drilling of soldiers has largely ceased and the number of privates in each company decreased by demobilization, the quota of officers to each company is increased. While demobilization releases the privates so that they may go home, the officers go marching on cashing their monthly pay checks.

THE NEGRO SITUATION.

It was stated that there have been for some months past several thousand colored troops stationed in the vicinity of Newport News, designated as comprising various units of labor organizations; that these colored soldiers from time to time in varying numbers have been used as laborers on private, municipal, and county work, such as construction and repair of streets, roads, drainage ditches, and water works, throughout a large area of country around Newport News, as far north as Lee Hall, a distance of about 19 miles, and east as far as Old Point Comfort; and that most of this work has been performed under most distressing conditions, the colored soldiers often working in mud almost to their knees. Complaints were made by these colored soldiers concerning the character of work they were required to do, that their allotments had been withheld, and that they could not secure discharges.

Some of our bravest soldiers on the battle fields were colored men. They were ever ready to march against the common enemy in an effort to overthrow him, and our Nation owes to all our gallant soldiers, both white and black, an everlasting debt of gratitude. There is no justification for the treatment meted out to the colored soldiers in some of the camps.

Mr. SHALLENBERGER. Does the gentleman know whether these colored men were drafted men?

Mr. DILLON. They were drafted.

Mr. CRISP. Will the gentleman yield to me?

Mr. DILLON. Yes.

Mr. CRISP. Was this work which these soldiers were required to do on the public utilities for the benefit of the Army or was it for the benefit of these private municipal corporations?

Mr. DILLON. The information came to me that it was possibly both. The Army used the highways, but they were putting in cement highways and making various improvements which were largely beneficial to these private beneficiaries.

Mr. CRISP. But the only reason the Government did it was for the benefit that the management of the Army got out of it.

Mr. DILLON. Yes. Complaints were made by these colored soldiers concerning the character of the work they were required to do.

Mr. FESS. Will the gentleman yield?

Mr. DILLON. Yes.

Mr. FESS. We understood from the gentleman's statement that there were many more captains there than there were companies?

Mr. DILLON. Yes.

Mr. FESS. Has the gentleman made any analysis of that to show how many captains were attached to any particular company?

Mr. DILLON. Yes; I will have all in my extension of remarks.

Mr. FESS. Three or four or five?

Mr. DILLON. Yes; sometimes five officers to a company.

Mr. FESS. That was stated to me. Now, another question: Did the gentleman make any inquiries as to the commutation of heat, light, and quarters, whether these captains in addition to their regular salaries had four rooms, some of them, and also so much for heat and light in addition, and living in these houses built by the Government?

Mr. DILLON. That is true, but I did not specially investigate it. I understood it to be so.

Mr. FESS. It was stated to me that it amounted to $304.

Mr. DILLON. The following is a résumé of the report covering those members of Companies A, B, C, and D, Four hundred and fifth Reserve Labor Battalion, who reported on January 7 and 8 that the persons to whom they had made allotments were not receiving the money due. The number in each of these companies so reporting is as follows: Company A, 77; Company B, 56; Company C, 75; Company D, 78. The total number reporting is 286. Of this number 119 reported that the persons to whom they had made allotments had received nothing, although allotments had been made from 5 to 13 months previous to January 8, 1919, and that during that time the amount of the allotment had always been deducted from their pay.

Mr. SHERWOOD. Deducted from their pay?

Mr. DILLON. Deducted from their pay. Of the remaining 167 about one-half reported that the persons to whom they had made allotments have received payments of from $5 to $90 during a period of time extending from four months to one year, while the balance reported allotments due for one to four months.

As examples, I cite the following individual reports, which represent neither extreme:

Dawson, Hit. No. 2992628. Dawson, Hannah (sister), Ashland, Ky. Allotment, $15. Allottee has never received any payments. Allotment made out in the month of March, 1918. Enlisted March, 1918. Allotment is still being deducted from soldier's pay.

Donalson, James. No. 2859630. Donalson, Bell Maggie (sister), Kee, Ark. Allotment, $15. Allottee has never received any payments. Allotment made out May, 1918. Allotment is still being deducted from soldier's pay.

Ivory, Marshall. No. 2811766. Ivory, Obie (brother), Pittsburg, Tex. Allotment, $15. Allottee has only received the amount of $30. Allotment made out in April, 1918. Enlisted March 29, 1918. Allotment is still being deducted from soldier's pay.

That this treatment of the colored soldiers was not confined to this particular camp is evidenced by a statement made to me by a former officer who was stationed at Camp Johnston, Jacksonville, Fla., in command of a labor company of colored soldiers.

This company consisted of 200 drafted colored men, and the ages ran from 21 to 40 years even at the time when 31 years was the draft limit. Twenty or twenty-two of them received no pay on pay day, the reason stated being that they had been brought in as deserters and $50 paid to some officer who had brought them in. This payment had been charged against the soldier, which left him indebted to the Government.

None of these alleged deserters could understand why that charge was placed against them, all claiming that they had in no way evaded service, that they had continued in their customary work, continued to reside in the same place, had not changed their names, and had at all times held themselves in readiness to answer the summons of the local board when they should be called to the service.

This charge of desertion was not for any action committed after they were mustered into the military service, but because they were said to have been delinquent in not reporting for service within the time or date required by the notice sent them by the local board. As a matter of fact, they all claimed that no notice had ever been received by any of them, although the local board knew of their whereabouts.

One of these colored soldiers said that he had come to the camp of his own free will as soon as he learned of his order to report. When asked if no one had come with him to the camp at Johnston, he replied that the postmaster's brother had come with him, but that he had paid his own fare as well as the fare of his companion, who told him that he was going to Jacksonville anyway, and as an accommodation would go to the camp with him and show him who to report to. Nevertheless, the charge of desertion was placed against him, and the $50 paid to the man who brought him in and charged up to the soldier to be taken out of his pay.

Another, who lived in Georgia, stated that he registered in June, 1917, and then learning that there was need of labor in the shipyards at Jacksonville had gone there and secured employment. After arriving in Jacksonville he notified his local board of his change of address by letter and told them to mail his notice to him there. He worked a few weeks in the shipyards and then got employment with the Government in the post exchange at the camp. While he was thus employed by the Government, within the military camp and under his proper name, a policeman came out from town and arrested him as a deserter and, escorting him about two blocks to camp headquarters, collected $50.

This payment was accordingly charged against the soldier and deducted from his pay in spite of the fact that he had conducted himself in accordance with the draft regulations, and that this was the first knowledge he had of any notice calling him into the military service.

These are merely two cases illustrative of the whole number of alleged desertion cases in this one company of colored soldiers, none of whom had received, through the mail or otherwise, the customary notice sent by the local boards advising them that they had been called into the military service.

Why was there no investigation of this practice of bringing in these men as deserters when they had received no notice calling them into the military service? It was because certain influential men and their friends were making considerable money by bringing these men in and collecting $50 for each. One of these is said to have collected as much as $800 in this questionable manner.

How was this done? It was done in this way. These colored men got nothing through the mail in the form of a notice calling them into the military service. That was the method used by the local boards in giving notice, and since these cards giving notice were not returned to the local boards as undeliverable the draftees would be listed as deserters if they did not appear on the date set at the place specified in the notice.

The notices were sent out by the local boards but the postmaster did not deliver them as addressed, but held out certain ones and kept them until the draftee was one day delinquent. Then he would hand them to a marshal or policeman, who would go out and make arrests and collect $50 for each one apprehended.

In spite of this unjust and unlawful practice the charge of desertion remains against them and can not be removed until they complete paying the $50 charge. Neither can they be discharged as long as they owe the Government money, but must remain in the service until the indebtedness is canceled.

Mr. Chairman, while the war was going on we could not expect that every dollar spent in our war activities would be well invested. We expected that many mistakes would be made in conducting the war. The sole purpose controlling the heart of the American people was to win the war in the shortest possible time. Yet the American people did not expect the officials to be guilty of wanton and criminal waste.

But now that the war is over and demobilization is going on the people do insist that all officials and public servants should be held to a strict accountability. They must be efficient; they must be honest. It is the duty of Congress to guard and protect the rights and interests of the people who pay the taxes and support the Government.

Every day that passes brings stories of the privations and sufferings of our brave soldiers fighting in Russia, that foreign land of ice and snow. Thousands of American mothers are in deep sorrow, asking themselves how long this Nation will require their sons to lay down their lives fighting a nation against which we have not declared war.

There is no justification for sending these 15,000 brave soldiers to fight, bleed, and die in that far-away land. These boys should be brought home immediately. It is a cruel wrong to keep them there.

Every soldier in the foreign service except those in the army of occupation should be immediately returned to their homes amidst the applause of a grateful people. When the peace treaty is signed every soldier on foreign soil should be allowed to come home. We should have nothing to do with the intrigues, the quarrels, the jealousies, and the ambitions of the countries of the Old World, nor should we be required to police these countries. Let them employ their own policemen for their own protection, while we turn our attention to the welfare of our own people.

Every enlisted soldier in the United States should at the earliest possible date be released from the service. They have performed every duty required of them. They have helped carry the flag on to a successful victory, and a grateful Nation can bestow no greater blessing upon them than to send them home to their loved ones.

Let our unconquerable Army bring back our flag. It represents our longings and is the symbol of our liberty and equal rights. The poor and the rich, the weak and the strong, will ever sustain it; our willing feet will ever follow it; our strong hands will defend it; our hearts will ever cherish it; and our dying lips will bless it.

May God speed the day when the people of the world may lay down their weapons of war and follow the Prince, the Prince of Peace, that they may abide in that perfect love that knows no evil. [Applause.]

Mr. BUTLER. Where did the gentleman get all of this information?

Mr. DILLON. I went down to Newport News and looked up these matters for myself.

Mr. BUTLER. The gentleman appears to have had a very good time and to have obtained a great deal of information.

Mr. DILLON. I wish some more of you would go down there and investigate for yourselves.

The official order making the assignment of officers referred to above is as follows:

HEADQUARTERS CAMP ALEXANDER,
Newport News, Va., January 15, 1919.

General Order, No. 3.

1. For administrative purposes, and to secure more uniformity in work to be performed, all units of the stevedore and labor organizations hereinafter mentioned are placed under the jurisdiction of the Three hundred and fourth Stevedore Regiment, C. E., and are assigned to provisional battalions, as follows:

First Provisional Battalion: Companies A, B, and C, Three hundred and fourth Stevedore Regiment, C. E.; Company A, Three hundred and fifty-fifth Labor Battalion.

Second Provisional Battalion: Companies A, B, C, and D, Four hundred and fourth Reserve Labor Battalion.

Third Provisional Battalion: Companies A, B, C, and D, Four hundred and fifth Reserve Labor Battalion.

Fourth Provisional Battalion: Companies A, B, C, and D, Four hundred and thirtieth Reserve Labor Battalion.

2. With the exception of the Third Provisional Battalion and Companies A and C, Four hundred and fourth Reserve Labor Battalion, and Companies C and D, Four hundred and thirtieth Reserve Labor Battalion, now on detached service, all companies of the stevedore and labor organizations will in future render ration returns, requisitions for clothing, supplies, etc., through regimental headquarters instead of through battalion headquarters, as heretofore.

3. All property now held by battalion headquarters will be turned in to camp supply officer, and present battalion supply officers will obtain clearance therefor.

By order of Maj. Bridges.

L. D. HARVEY,
Captain, Quartermaster Corps, Camp Adjutant.

HEADQUARTERS CAMP ALEXANDER,
Newport News, Va., January 15, 1919.

Special Order No. 14.

1. The following officers, Quartermaster Corps, are relieved from their present duties, in so far as they conflict with following assignments, and are assigned to duty as follows:

Maj. Earl Eikenberry, executive officer and commanding officer 304th Stevedore Regiment, Engineer Corps.
Capt. L. D. Harvey, camp adjutant.
First Lieut. Joseph H. Coggins, assistant camp adjutant.
First Lieut. B. A. Trubie, intelligence personnel adjutant.
Capt. A. F. Yambert, prison officer.
Capt. F. W. Jackson, assistant prison officer.
Capt. J. J. Dougherty, police officer.
Capt. O. B. Barnes, insurance officer.
First Lieut. John W. McClemmon, judge advocate.
First Lieut. Joseph Eros, jr., exchange officer.
First Lieut. M. H. Galvin, labor officer.
First Lieut. F. D. McCabe, United States Army, chaplain.
Three hundred and fourth Stevedore Regiment, C. E.: Capt. Chas. Davis, adjutant; Capt. Thomas H. Martin, assistant adjutant; Capt. W. W. French, personnel adjutant; Capt. Wm. Day, supply officer; First Lieut. M. L. Murphy, assistant supply officer; First Lieut. M. J. Mahoney, commanding wagon train; Capt. Birdie E. Sauers, commanding white enlistment station.

First Battalion: Composed of Companies A, B, and C, 304th Stevedore Regiment, and Company A, 355th Labor Battalion; Maj. C. A. Bunkley, commanding.

Company A, 304th Stevedore Regiment: Capt. Richard A. Hill, First Lieut. John T. Gannon, First Lieut. George A. Kerner, First Lieut. C. J. Dougherty, Second Lieut. Charles L. Gwyer, Second Lieut. Jerry P. Quirk.

Company B, 304th Stevedore Regiment: Capt. John A. Herzing, Capt. John F. Twomey, First Lieut. F. A. McLean.

Company C, 304th Stevedore Regiment: Capt. Spurgeon B. Allen, Capt. Franko E. Greene, First Lieut. Ed. Alexander, First Lieut. Samuel D. Mangum, Second Lieut. John E. Ferrick, Second Lieut. William C. George.

Company A, 355th Labor Battalion: Capt. Thomas O'Connor, Capt. A. K. Lincoln, First Lieut. Anthony J. Foley, First Lieut. Irving Achmoody, First Lieut. Charles Hayes, First Lieut. John S. Skees, Second Lieut. F. S. Brennan.

Second Battalion: Composed of Companies A, B, C, and D, Four hundred and fourth Reserve Labor Battalion, Capt. C. R. Mann, commanding.

Company C, Four hundred and fourth Reserve Labor Battalion: Capt. Leon Haimer, Capt. T. W. Lincoln, First Lieut. Charles H. Crosby, First Lieut. Thomas H. Beavis, First Lieut. Robert H. Cain, Second Lieut. Harry P. Nunn.

Company B, Four hundred and fourth Reserve Labor Battalion: Capt. H. E. Hardwick, Capt. W. A. Carns, First Lieut. John F. Ranges, First Lieut. Allen G. Jones, Second Lieut. B. H. Cook, Second Lieut. Phil McMahon.

Company C, Four hundred and fourth Reserve Labor Battalion: Capt. Morris Einstein, Capt. Burr H. Hyde, First Lieut. H. F. Whalen, Second Lieut. Lawrence Symmers, Second Lieut. N. A. Schwab.

Company D, Four hundred and fourth Reserve Labor Battalion: Capt. F. Wollman, Capt. LeRoy Roper, First Lieut. F. H. Pettit, First Lieut. Charles B. Lohmiller, Second Lieut. R. H. Barker, Second Lieut. H. V. Flick.

Third Battalion: Composed of Companies A, B, C, and D, Four hundred and fifth Reserve Labor Battalion; Capt. Nicholas O. Hansen, commanding; First Lieut. Frank M. Hippert, adjutant; Second Lieut. John W. Gannon, supply officer.

Company A, Four hundred and fifth Reserve Labor Battalion: Capt. Louis H. Albrand, First Lieut. Glenn Stewart, Second Lieut. Joseph N. Whitfield, Capt. Nelson Stuart.

Company B, Four hundred and fifth Reserve Labor Battalion: Capt. H. T. Baker, First Lieut. Charles J. Ahern, Second Lieut. M. A. Cutley, Second Lieut. George W. Trafton.

Company C, Four hundred and fifth Reserve Labor Battalion: Capt. Cleveland Elkins, First Lieut. Richard Tunney, First Lieut. James H. Craggs, Capt. Fred Jensen, Second Lieut. William McGuigan.

Company D, Four hundred and fifth Reserve Labor Battalion: Capt. Leroy Hanna, Capt. Otto Rosie, First Lieut. Fred O. Barker, Second Lieut. Clyde G. Beardsley, Second Lieut. H. R. Zimmerman.

Fourth Battalion: Composed of Companies A, B, C, and D, Four hundred and thirtieth Reserve Labor Battalion, Capt. Milton B. Adler, commanding.

Company A, Four hundred and thirtieth Reserve Labor Battalion: Capt. W. C. McKinney, Capt. Walter Ervin, First Lieut. James R. Goodrich, First Lieut. James P. Ryan, Second Lieut. J. T. Morgan, Second Lieut. William D. Hancock.

Company B, Four hundred and thirtieth Reserve Labor Battalion: Capt. Herman Logan, Capt. John J. Murphy, Second Lieut. H. C. Wyche, Second Lieut. James Noonen, Second Lieut. Clegg D. Richards, Second Lieut. Charles G. Gross.

Company C, Four hundred and thirtieth Reserve Labor Battalion: Capt. Edgar Combs, Second Lieut. William J. Mooney, Capt. Ora V. Gilbert, Second Lieut. James P. Owen, Second Lieut. Joseph Patrick Collins.

Company D, Four hundred and thirtieth Reserve Labor Battalion: Capt. Charles A. Boyle, Second Lieut. Peyton B. Burkhalter, First Lieut. George Baur, First Lieut. Peter Seery, Second Lieut. C. V. Pregaldin.

By order of Maj. Bridges.

L. D. HARVEY,
Captain, Quartermaster Corps, Camp Adjutant.

Mr. DILLON. Mr. Chairman, a number of letters have reached me relative to the treatment accorded our soldiers in court-martial proceedings and in the military prisons. I have not made any personal investigation of these alleged abuses, but information comes from so many sources that there must be some foundation for the charges. I append a statement just received through the mail entitled "Examples of brutalities, tortures, and deaths to political prisoners under military régime":

To Congressman DENT,
Chairman House Committee on Military Affairs,
Washington.

HONORABLE SIR: At your request I beg to submit a résumé of inhuman treatment of military and political prisoners, which I respectfully recommend for your kind and immediate consideration and action, as some are already dead, others dying by inches, while all are more or less in constant jeopardy of life or health:

1. Jacob Wipf and the three Hofer brothers, religious objectors, with families, served one year in Arizona prison for failure to register. Transferred to Spanish dungeon of Alcatraz, San Francisco Bay. Stripped to underwear. "Strung up" for 36 hours. Five days without food; 1 glass of water every 24 hours. Slept on cold, damp floor in the stench of their own excrements, beaten, and otherwise manhandled. Contracted scurvy. Sent to Fort Leavenworth, from a temperate to a cold climate; put in solitary on bread and water; "strung up" nine hours per day seven days per week; slept on the bare floor with cold drafts passing over their emaciated bodies; two contracted pneumonia and died; one was sent home with the bodies. Jacob Wipf is on a hospital cot when telling this story. These men were all married and have one or more children, therefore should not have been drafted at all. (Report carried to Theo. H. Lunde, president American Industrial Co., of Chicago, by an Army officer.)

2. Clark Getts, Chicago attorney, graduate of Wisconsin University, conscientious objector, was given two periods, two weeks each, in solitary confinement on bread and water at Fort Leavenworth for smuggling to the outside world information of the cruelties practiced upon him and his confreres, after which he was put in the ward for the violently insane by Capt. Chambers; in constant jeopardy of life and mind, as the inmates are not confined in cells but mingle promiscuously. Writer's son, who with others (including officer who carried the information) vouch for Getts's mental condition, in defiance of Capt. Chambers, implores me to do something for this unfortunate man. Writer in person brought the case under the personal notice of Secretary Baker, who promised to investigate it, but whose general attitude did not impart any hope of results. The chains of the solitary are humane as compared with the physical danger and torture of a sound mind in such environments.

3. Howard Moore, conscientious objector, an efficiency expert, winner of the Carnegie medal for bravery and $500 for saving a girl from drowning; in solitary at Fort Leavenworth after much suffering at Fort Riley.

4. David Eichel, conscientious objector, statistician, formerly with prominent life-insurance company, in solitary at Fort Leavenworth. Went through 10 days' reign of terror at Camp Funston.

5. Francis X. Hennessy, Hyman Block, Stein, Haugan, all conscientious objectors, put in the insane ward at Fort Leavenworth, which can only be interpreted as camouflage for the benefit of inspector from Washington, being that none are insane, and that if Hennessy is possibly a little affected it is the result of the brutalities accorded him and the others at Fort Riley, where he was "strung up" and given the "water cure," and at Camp Funston, where he went through the "10-day reign of terror," under Capt. Gustave Taussig.

6. Seventh Day Adventists have been put in solitary because their religion forbade them to put on uniforms or prison clothes.

8. Fischer was beaten so severely that he became a raving maniac.

9. John A. Burch, No. 12358, of Wolfrun, Ohio, not a conscientious objector, enlisted July 28, 1917, and was sent to Camp Gettysburg Pa., having failed to claim exemption though he had a wife, and four children under 8. Having been refused by Capt. Hardman to see his dying mother, he took "French leave," was picked up by detectives, was refused to go home for his papers and railroad ticket which he had bought to go back to camp, was forcibly filled up on whisky, turned over to sheriff of Steubenville County, where he was kept 60 days; sent to Columbus Barracks for 30 days then to Camp Green, Charlotte, N. C. (whither his battalion had moved); taken before a court-martial which held the entire enforced detention against him, and gave him a sentence of 10 years at Fort Leavenworth. While there, his wife and two children died, and, though he offered to pay the fare of a guard to go with him, Commandant Rice refused his request for leave to see his dear ones before they were laid away.

Told by a Regular prisoner, railroaded to the detention barracks at Fort Leavenworth.

10. Peters, No. 14589, Mennonite, from Fort Oglethorpe, Ga. Lieut. Masty, when reading sentence, told him he was no longer a citizen, and therefore not entitled to hold his religious belief. Ordered to work at the point and prodding of the bayonet. Put in solitary under roof in barn, with only a small, square window for air, under a blazing August sun, on bread and water. Refusing to eat for five days, he fainted, was revived, and put back. Later taken to hospital totally demented and a wreck of a former splendid physique. Pneumonia, influenza, heart trouble, and a general breakdown. Finally discharged as mentally deficient.

Davis, No. 15582, was also a witness to this treatment.

Peters, mentioned above, saw the two following instances:

11. Detention camp, Fort Oglethorpe. Captain ordered soldiers to put C. O. waist deep in feces of latrine pit, splash him all over with the filth, sergeant in charge leaving him to be pulled out by his fellow C. O's.

12. Same captain, same time, ordered C. O. Schwargengraben taken by the heels and dipped to his eyes in the feces of latrine pit. Sergeant proceeded to put him "away in." Peters warned him of danger of killing by suffocation before filth could be removed from mouth and nostrils.

13. Polish drafted deserter brought to Fort Oglethorpe during August. Had yellow jaundice. No food or medical attention for two days. Provost sergeant ordered him out to work under curses and oaths. Too sick to work. Sergeant ordered him to stand up, tried, but fell back on bunk. Sergeant grabbed and beat him; too exhausted. Sergeant called prison officer, Lieut. Masey, who grabbed and shook him viciously and ordered guard with fixed bayonet to force him out. Pole, leaning against wall for support, was jabbed 4 times in back with bayonet, until exhausted, he fainted away. Taken to guardhouse and left on bunk for 2 days, until chaplain, Father Shoar, came to call the mail. Duncan called the rev. father's attention to Pole's condition; he was horrified; said Lieut. Masey should be court-martialed, and threatened to prefer charges. He only "bawled him out," preferring no charges.

The Pole later died in the hospital as a direct result of cruel treatment.

Duncan saw most of this, as did Davis.

14. Case of supposed spinal meningitis in this hospital. Doctor took too large culture from spine; patient now a raving maniac in barred room across hall from me, probably mentally unfit for life. Attendant who saw operation and has medical knowledge said it should have been taken in two portions.

15. Erling H. Lunde, Chicago, graduate with honors from the University of Chicago; three years engineering at Armour Institute of Technology; was refused deferred classification on accusation of having married to evade draft. Was appointed inspector of materials on the Santa Fe, but was refused furlough and sent to camp. Application withdrawn when motive questioned. Did voluntary work at Fort Leavenworth; earned good will of Capt. Laird for establishing harmony between officers and conscientious objectors. Resented coercive measures and intolerable conditions at Fort Riley, put in solitary, court-martialed at Camp Funston, sent to Fort Leavenworth for life, commuted to 25 years in disciplinary barracks, conditions of which are so dangerous and intolerable as to cause a yearning for solitary again. Now in hospital convalescing from scarlet fever. Was declared a sincere conscientious objector by Judge Mack's commission. Author of Defense of Conscientious Objectors to war.

16. Harold Gray, son of President Gray, of the Detroit Red Cross. Took Red Cross post in England, but soon found he belonged among the conscientious objectors; returned to America and joined the others in suffering and solitary.

17. Evan Thomas, a minister, and brother of Dr. Norman Thomas, of New York, cosufferer with the above, whose sufferings in solitary were much accentuated due to his height, which compelled a stooping position when chained to the bars of the double-decked solitary cell.

18. Charles P. Larsen, artist, at Fort Leavenworth. Suffered with others the intolerable conditions at Fort Riley. Underrationed, food attacked by flies from near-by latrine used by venerally diseased soldiers. Protest punished by imprisonment in guardhouse cell in basement, dark, air foul, deprived of toilet articles, breathing sweepings, etc. Protest brought solitary confinement. Later taken to Camp Funston and was a cosufferer during 10-day reign of terror.

19. Abraham Gelerter, vegetable dealer, orthodox Jew, Camp Upton to Fort Jay, April 11. Is greatly surprised and thanks his God for having survived the terrible punishments received for merely objecting to murder. The brutal sentries beat him until he was unable to recognize himself and encouraged the other prisoners to do the same. Commandant declared that all conscientious objectors deserved to be killed. September 15 I arrived at Fort Leavenworth, and, being a vegetarian, had to go twice on hunger strike to get proper food, though far from adequate. Two periods of two weeks in solitary, handcuffed to cell nine hours per day. Compelled to bathe and shave on Saturday, my Sabbath. Dragged to the bath, knocked down, forcibly undressed, held under shower, and scrubbed with coarse soap. The brutalities of the soldiers made me scream with pain. I was taken out of the hole to the hospital November 22 for observation.

20. J. E. Haugen, sheet-metal worker, Lutheran, conscientious objector, shared the intolerable conditions at Fort Riley. Guardhouse, court-martial, transfer to Fort Leavenworth, with solitary and accompanying cruelties.

21. The so-called "mutiny" at Fort Leavenworth: The "crusher gang," composed of physically unfit, were ordered to do twice as much work as formerly. Refusing, the "punishment gang" was sent over; but, seeing how matters stood, they also refused.

All were ordered into solitary, and Acting Warden Fletcher started after them with a bat. A prisoner, Stratton, shouted, "Don't do that," for which he was beaten into unconsciousness lasting 50 hours. When Stratton spoke, the warden drew a pistol, tried to fire at him, but cartridge failed to explode. Stratton raised a stool to protect himself, and, in fear of his life, threw it at the warden.

Floyd Ramp received a double compound fracture of the skull.

After being locked in solitary, two big brutes—Wingfield and "Mack," the former with a bat and the latter with a piece of pipe—were set to task of beating them. Ray and Axuara were beaten unmercifully, and two besides Stratton were unconscious for a long time. Many were handcuffed to doors, feet barely touching the floor. Hodges, Baskett, and Flahn were sick, and prison doctor ordered mattresses, which warden later removed. On the third day they were taken down so the prison inspector should not see them.

UNJUST AND UNFAIR COURTS-MARTIAL.

No. 12135 overdrew his bank account a couple of dollars on a $40 check, but reimbursed bank. Still, court-martial gave him six years at the disciplinary barracks.

No. 13055 took $4,000 from canteen, and food; admitted guilt and was sentenced to one year at disciplinary barracks. He has the money still.

No. 13054, a friend of the above, was convicted of having helped 13055 spend the money and having been his accomplice, although 13055 testified on the stand that 13054 knew nothing about the steal at all. He got one year at the disciplinary barracks.

No. ——, in sixth wing, got 25 years for being late 25 minutes on a 48-hour pass. W. McLeod (No. 14694) knows him.

A captain stole $100,000 from Q. M. fund; got six months at the D. B. and a dishonorable discharge.

A captain grafted $500,000 in an Army contract; was given a light sentence here and after one month was put in a battalion for restoration to duty.

The son of a colonel at Fort Oglethorpe, who took $10,000 from soldiers' mess fund when he was mess sergeant of his outfit; tried and found guilty by court-martial and given 10 years. Through influ-

ence of his father was reduced to 6 months. After spending 90 days in the guardhouse, son was set free.

No. 14112. Sentenced to 20 years for 9 days' absence without leave; another, 18 months for almost 5 months' absence without leave.

No. 14149. Train delayed by storm; got one year. Capt. Waggoner, of Fort Riley, "had it in for him."

A lieutenant who became intoxicated at a colonel's party got out by mistake and "tore up the town." At trial the same colonel had to make an example of him and sent him to Fort Leavenworth under a heavy sentence.

Many of these young men I have met and spoken with in camp and hospital, and I pronounce them as fine and noble human material as a government has ever exposed to abuse and destruction.

Respectfully and urgently submitted.

THEO. H. LUNDE,
President American Industrial Co.,
811 Rees Street, Chicago

WASHINGTON, D. C., *January 13, 1919.*

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WAR DEPARTMENT,
Washington, January 6, 1919.

MY DEAR MR. BROWN: In reply to your letter of January 3, I have to tell you that we have been informed that Clark Getts is no longer in the ward for mental cases at the disciplinary barracks at Fort Leavenworth. I hope you understand that he had been assigned there on the recommendation of the psychiatrist for observation and not as arbitrarily as your letter makes it appear. Thank you for your suggestions on general conditions in the barracks.

Very truly, yours,

(Signed) F. P. KEPPEL,
Third Assistant Secretary.

MR. ALBERT PAUL BROWN,
2524 Jones Street, Omaha, Nebr.

—

2524 JONES STREET, OMAHA, NEBR.,
January 10, 1919.

MR. F. P. KEPPEL,
Assistant Secretary of War,
Washington, D. C.

DEAR SIR: I thank you for your kind acknowledgment of my letter of the 3d instant and am glad to note its contents that the authorities at the United States Disciplinary Barracks, Fort Leavenworth, are able to report the remedying of the conditions surrounding Clark Getts. As to what those conditions were, I still have every confidence that I reported them correctly. The authorities had a number of C. O.'s under "observation," and I have seen the room in which they were confined, while they were there, several times. I know that Getts was not confined there. If all that was desired was to place him under observation, there would have been no object in placing him in a ward with insane men.

I know that Getts sent out the appeal for help, as I told you. The other conscientious objectors held under observation had nothing to complain of except lack of reading matter. Again I ask, if "observation" was all that the authorities aimed at, why should Getts be differently treated? Personally, I should feel inclined to substitute "intimidation" for "observation."

I understood at the time that it was due to the orders of the psychiatrist that Getts was confined with the insane, and it struck me then as a rather strange method of "healing the mind."

From this and other incidents it becomes evident that the authorities can cover almost any kind of treatment by a camouflaging phrase, even as Mr. Taussig now says that the conscientious objectors at Funston were given several showers a day "as a disciplinary measure" and made to sleep without beds "as a sanitary precaution"; and I do not doubt, sir, that the officials at Fort Leavenworth reported to you that Getts had been confined in the ward for mental cases as a "mental precaution." Only when the light of public opinion can reach these cases can the truth be assured. Trusting that I have helped contribute to that end, I am,

Yours, respectfully,

A. P. BROWN,
Officer in Charge of Bureau of Designing and Drafting,
United States Engineering Corps, at Disciplinary Barracks.

—

JANUARY 17, 1919.

My Chicago office just informs me that one of our returned employees, drafted and stationed at Fort Oglethorpe, confirms brutalities committed against the conscientious objectors there.

THEO. H. LUNDE.

Mr. BROWNING. I yield to the gentleman from Ohio [Mr. McCULLOCH].

Mr. McCULLOCH. Mr. Chairman, if the House will indulge me, I desire to read a letter I received yesterday from one of my constituents; and as this letter contains some very startling statements and charges, I believe I ought to explain to the House who sent me the letter and what kind of a man he is. It is from a young lawyer in my district who is entirely reliable, and who would not make any statement, if he knew it, that is not within the facts. I see by the papers that he is at this moment engaged in the trial of a lawsuit as counsel for the defense involving over $1,000,000. He is in the habit of examining testimony and evidence, and drawing conclusions from statements of fact, and he would not be taken off his feet by any charge that might be made that was not well founded. This letter to me is dated January 3, 1919. He says:

CANTON, OHIO,
January 3, 1919.

HON. ROSCOE C. McCULLOCH, M. C.,
Washington, D. C.

MY DEAR MR. McCULLOCH: The writer has had so many complaints relative to the treatment received by soldiers in Company H, Second Battalion, Three hundred and thirty-second Infantry, now stationed at Cattaro, Dalmatia, Austria, that he felt it his duty to bring it to your attention. Briefly the complaints are that the soldiers are being fed upon Italian rations and are not receiving sufficient food; in fact, several soldiers, writing to their parents, and who are personally known to the writer, and whose honor, honesty, and integrity could not be questioned stated that the food was so scarce that it was necessary for them to steal food in order to exist. They also complained that they have received no clothes of any kind since early last fall, and that they have mended and patched their clothing until it will hardly hold together. One soldier stated that the only suit of underwear he had was the suit he was wearing and that it couldn't be washed because it wouldn't hold together. Another complaint is that all the commissioned officers located at this point, with the exception of one lieutenant are drinking to excess and are drunk practically all the time, and that their actions are so disgusting and disgraceful that the officers of the English, French, and Italian Armies look down upon them with disgust.

Another complaint is that the soldiers have not received any pay for a number of months. These complaints are from letters which I have read, and it is incomprehensible that our boys must be fed upon horse meat, spaghetti, and macaroni, without sufficient clothing, and officered by drunkards. This is a matter that should not be delayed by a red-tape investigation but should be relieved at once, and because of your activity and the elegant results you obtain for the people of your district, I believe that you will make things hum to obtain the necessary relief.

Yours, very truly,

HOMER E. BLACK.

That letter is signed by Homer E. Black, an able, honest, truthful young lawyer in my home town. I showed this letter yesterday to a newspaper man. He evidently sent out an item about it, because I received a telegram a few moments ago, brought to me on the floor of the House, on the same subject. It was sent from Warren, Ohio, a town outside of my district, to-day at 1.30 p. m. It is as follows:

Letter received from son in Second Battalion, Three hundred and thirty-second Regiment, says shoes worn out, seat of pants out, underwear worn out. Push investigation. Will mail copy of letter.

I have been deeply interested in the perfect case that has been made out by the gentleman from Illinois [Mr. MANN] through the complaints he has submitted day by day, contained in letters he has received from his constituents and others in regard to misconduct—and I use that word advisedly, because it is misconduct—upon the part of the War Department relative to important and vital matters affecting our soldiers and their dependents and the American people.

I was interested the other day in the speech of the gentleman from Massachusetts [Mr. GALLIVAN], in which he eloquently portrayed the condition of the soldiers from his home town, but I was particularly interested in his statement that if something was not done by the leaders of this House soon in this matter, he himself would try to get some action. That was about two weeks ago, but still nothing has been done. When I received this letter and read the startling statements it contains, my first thought was to introduce a resolution calling for an investigation. I sent my clerk to the folding room, and she came back with 15 resolutions that had been introduced in the House and Senate during the last two months calling for investigations of the various phases of this very subject. They were all referred to the appropriate committee, ordered printed, and there they slumber the sleep that knows no waking.

Out of curiosity last night I looked over the CONGRESSIONAL RECORD to get some idea of the number of speeches made by the Members of this House dealing with this particular subject, calling attention to complaints detailing conditions that would bring tears to the eyes of any person who had a heart, and I estimate that over a hundred speeches have been made upon this one subject; and, with all these hundred or more speeches, no action has been taken, and not a thing has been done by this House.

Mr. GORDON. Will the gentleman yield?

Mr. McCULLOCH. When I have finished my statement. Have we no power? Of course we have power. The fathers of our country, in their great wisdom, placed in the hands of the Representatives of the people—and that means this body—the most powerful weapon that was ever exercised by any body of men, legislative or otherwise, anywhere by any Government in all the world. But we do not function. That is the trouble. We talk and do nothing. That is what is wrong. It would seem that this House has developed into a mere debating society, and I want to say that if you continue to do nothing but talk, and do not exercise the power you have, you have failed in your duty and you can not explain it in the light of the case made by the gentleman from Illinois on the complaints he put into the RECORD and the evidence he submitted.

What is this power we have? The framers of the Constitution in their wisdom—and we have had no wiser men in recent years than they, for their works have stood the test of time—the framers of the Constitution placed in the Representatives of the people, and particularly in this body, the power to exact from the people by taxation money, and by that same Constitution they gave us the power to distribute that money by appropriation to the executive branches of the Government to be

expended for Government needs. Now, do you suppose they would place upon us that responsibility, great as it is, and not give us the power to check up that branch of the Government to which we give this money and the power to punish misconduct on the part of officers of the Government? Of course not. They placed in our hands the right to invoke the power of impeachment for misconduct. Now, I have a suggestion to make. It may be a very impracticable one, but I am perhaps impracticable enough as a Member of this House to want at least to be practical and to be able, when complaints come to me from my people, to act, or else I do not want to have the responsibility.

Now, as I say, I have a suggestion to make: This House should immediately send to France and to Belgium and to Italy, and everywhere that American soldiers are or have been located, a committee made up of the representatives of the people to make an investigation and make a report to this House. This should be done at once. If I had my way, a committee would start to-night. Their report should enable us to reach the men who are responsible for the acts of omission or commission which, in my judgment, are acts of misconduct. If they are acts of misconduct we can and should invoke the power of impeachment.

It has been decided time and time again, as I recollect it, although I am not prepared now to make a legal argument upon the subject—it has been decided time and time again that we can invoke the power of impeachment for misconduct. The provisions in regard to impeachment do not mean that the officer must be guilty of a felony or misdemeanor to be punished, but only of misconduct. If a committee should go abroad and get the facts and bring them back and report them to us recommending the dismissal of a dozen officers—brigadier generals, majors, and colonels—and the Secretary of War should refuse to dismiss them, I have got the nerve, to use a homely but effective word, to rise in my place on this floor and, exercising my constitutional right, make the necessary motion and present the necessary articles of impeachment, if need be, calling for the impeachment of the Secretary of War.

This Congress appropriated $100,000,000 the other day for Herbert Hoover to spend as he sees fit to feed the starving peoples of Europe—peoples we know nothing about and really care less, a lot of them; peoples who do not speak our language; peoples who are not in accord with our views on anything and have not our moral perspective; peoples whose real necessities we do not know about and never will know about; peoples who, perhaps through their ignorance, know nothing at all about us and care nothing about us except what they can get from us. And our own soldiers, our own boys, are permitted to go half naked and are being fed on horse meat. What Member of this House can ever justify inaction in the face of such testimony as the gentleman from Illinois has put into this RECORD and in the face of such charges as are contained in this letter? The trouble is that the American people do not know that the American Congress is sitting here idle, doing nothing but talk, when it has a weapon in its hand and the power to force this executive department to do its duty or turn the job over to some one else.

The Congress should be something more than a debating society. The Congress should do something more than talk. I say that it is our duty to investigate these cases, to investigate these complaints, and then let the report be made. If it exonerates the War Department, well and good; if there are conditions over there which are beyond control, or if there has been no negligence, if the charges are not well founded, then let the War Department be exonerated; but if they are guilty of misconduct then it is our duty to act, since we have the power to act, and see that those who are guilty are punished.

Ours is a representative form of government. One of the purposes of the framers of the Constitution was that the people should be in close touch with the Government through their representatives. The people have no place to turn to secure effective results except to their Representatives in Congress and their Senators. It is well known that the executive departments pay little or no attention to complaints that are made to them by the people. They seldom, if ever, answer a letter unless a Member of Congress intervenes. Therefore, the people look to us to remedy conditions and to secure for them justice. As I have said, the framers of the Constitution placed in our hands the power to punish misconduct upon the part of the officers of the executive branch of the Government. If the representatives of the people turn a deaf ear to the appeals that are made to them by those who have been mistreated and injured by the executive branches of the Government, the people are powerless. That situation makes our duty doubly great. During this war, and in fact for some time prior to the war, the executive branch of the Government has been encroaching upon the perogatives of the legislative branch. It has become common talk throughout the country that Congress jumps when the Executive cracks the whip. If we are honest with ourselves, we know that that is true. It was true during the war because the Members did not want to be in the attitude of doing anything or refusing any request that might lessen in the slightest degree our chances for winning the war. The attitude of the Members of Congress in that regard should be highly commended, but the war is over and, in my humble judgment, it is time for the Congress of the United States to assume its proper functions which it was contemplated by the Constitution that it should exercise and force the executive branch of the Government to do its duty and to punish any misconduct by the officials of this Government. It would only be necessary for the Congress to invoke once the power of impeachment in order to compel a proper respect not only for the Members of the Congress, but for the people they represent, which is much more important.

Why, it is a well-known fact that if a Member of Congress wrote a letter recommending a soldier whom he knew for promotion or asking a furlough that he might go to the bedside of a dying relative or for any other preferment, that that soldier was likely to be disciplined, simply because he asked the assistance of his Member of Congress in his difficulties. It has been the policy of the Military Department of the Government to instill into the minds of the officers a contempt for the representatives of the people, which, in fact, means instilling into their minds contempt for the people themselves. If one-third of the facts set out in the complaints that have been submitted by the gentleman from Illinois are true and the Members of this House pass these complaints by without notice, without any action, and without even an investigation, their action is, to say the least, inexcusable, and should meet with the prompt punishment that only the people in their power can administer at the ballot box, because, when all is said and done, this is a government of the people, for the people, and by the people.

Feeling keenly as I do and as I have upon this important subject, I have discussed it with the leaders and with many Members of the House. Some have said that by giving publicity to the charges the executive branch of the Government may be stirred up to a realization of its duty. I have not any faith in our ability to build a fire under any department of the Government with burning words. Too much talk without action breeds contempt, and properly so. Results, after all, are what count, and you will only get real results by invoking all the power that the Constitution has placed in your hands.

I do not care to encumber the RECORD by submitting the hundreds of letters I have received from my constituents complaining that the soldiers were not paid; that the allotments were not paid; that the Government had taken from the pay of soldiers the amount they had allotted for the support of their dependents and the money was held by the department for months while the dependents of the soldier were the objects of charity; complaints about the transmission of mail to and from the soldiers abroad; complaints about the transmission of information in regard to casualties, where soldiers who have given their lives in action under the Stars and Stripes were apparently forgotten, and this great Government did not even take the trouble to notify their parents and their friends that they were dead; but I desire to include in connection with my remarks and to have printed in the RECORD a letter which I wrote to the Secretary of War on December 22, 1918, and I also desire to submit a letter that I have received from a constituent pleading with me to secure information in regard to their boy, whom they had not heard from since he embarked for France in September, 1918, they having learned from a comrade in January, 1919, that he had died on a transport in October, 1918, had been buried, and the parents were never notified. Think of it! The parents of a soldier of the Republic who had given his life to the cause for which we were fighting had to learn from a comrade months after he was buried that their boy was dead. Such conduct is a shame and a disgrace.

In conclusion I want to say that the patriotism of the American people in this war has no parallel in the history of the world. Their response to every call for money and assistance, their silent acceptance of the burdens of taxation, their willingness to meet every demand has given this Nation, from the altruistic view, a place among the nations of the earth that has no equal. The Congress of the United States has given to the executive department without question—and in many instances without the presentation of sufficient information as to the necessities—billions of dollars to spend in this war as the executive department saw fit. The people have done their part, the Congress has done its part, the time for an accounting by the executive department has come, and the sooner the Congress

gets busy, exercises its prerogative, and demands that accounting the sooner they will have discharged their obligation to the country.

DECEMBER 22, 1918.

Hon. NEWTON D. BAKER,
Secretary of War, Washington, D. C.

DEAR MR. SECRETARY: I have been receiving complaints constantly from the parents of soldiers and their friends in regard to the transmission of information about the condition of wounded soldiers and the delay in the notification of parents when soldiers have been killed in action or have died from wounds or disease in hospitals.

Recognizing the difficulties that confront your department in the handling of these matters, I have refrained from entering any formal protest, other than to call your attention to individual cases up to this time. But I feel, because of the facts in a number of cases which are now before me, that there must be something radically wrong with the system that has been followed by your department in the handling of these most important matters. And my purpose in writing you now is to protest on behalf of my constituents who have suffered as a result of what appears to me to be nothing more nor less than incompetency or negligence upon the part of responsible officers in your department in handling and transmitting this information.

WORD IS DELAYED.

I need but refer to one case of the many which have been brought to my attention. Notice was received on October 3 stating that a certain soldier "was severely wounded in action August 13. Department has no further information." On November 11 a notice was received that this soldier was "reported under date of October 23, 1918, in Evacuation Hospital No. 4, American Expeditionary Forces, under treatment for severe gunshot wound in both thighs." On the request of the mother of this soldier my office on November 29 was informed that he had received "a slight gunshot wound in both thighs while in action. His condition reported fair." Efforts made at a later date by my office to secure information were to the effect that no further word had been received in regard to the soldier's condition. On December 15 the mother received the first word from your department, advising her of the death of her son, which telegram says: "Your son died October 16 from wounds received in action."

This soldier, who was in a hospital under the control of the Government, died on October 16, and it took two months, or until December 15, for your department to advise this mother of the death of her boy. Your department can not offer the excuse in this case that the delay was caused by lack of facilities for identification or because the soldier was in action, for the reason that this boy was in a hospital, identified, under the care of physicians, and your department had been notified months before that he was wounded in August; and yet it takes two months for your department to advise his family of his death.

WANTS INVESTIGATION.

I believe that every patriotic citizen is willing to concede to your department every valid excuse which might cause delay in the transmission of information. The patriotism of the American people in this crisis has no parallel in the history of the world; but it seems to me that your department should make an effort to reduce to the minimum the anguish and the suffering of parents who have given their sons as the supreme sacrifice in this war.

While I am on the subject, I want to call your attention to another situation which, to my way of thinking, is little less than criminal. The delay in mail to and from soldiers abroad will constitute a black page in the history of our war activities; and those who are responsible for these delays should be brought promptly to account, and it shall be my purpose to assist in every way possible in the bringing about of an investigation that will fix the responsibility for the delay in the transmission of mail to and from the soldiers in France. It is as little as this great Government can do to relieve the minds of the boys at the front and the minds of their parents and their friends at home to the extent that is possible by seeing to it that their letters are promptly transmitted.

Everyone recognizes that men who are on the firing line, moving from place to place, can not receive mail as promptly as they would be able to do otherwise, but the complaints have been so general and the cases have evidenced so often an utter lack of interest and effort upon the part of the Government to take care of this most important matter of the transmission of the mail that I have become convinced that somebody is negligent, and, therefore, responsible for the conditions that have existed.

I have had complaints where parents have written as many as 50 letters to soldier sons in France, and not one of the letters have been delivered. I have cases before me where parents have not received word from their boys since they left for France, covering a period of as many as three and four months. In some cases the letters were returned without any notation—just sent back. In other cases the soldiers write, pleading to hear from home, when letters by the dozens have been written and mailed but never reached the soldiers. The parents of some have died and the soldier was the only one who did not get the information as to the death, because the letters sent were not delivered. In one instance a soldier died gallantly in action, feeling that he had been forgotten, as his last letter to his mother showed, although his mother had written him twice a week, but her letters never reached him.

CASES ARE NUMEROUS.

If these cases were not numerous I would think that the delay might be due to the particular circumstances of the individual case, but the complaints have been so numerous that it amounts to almost a general complaint upon the part of parents and friends in regard to the mail service.

I am sure that everyone in this country would approve of the sending of special transports, if necessary, in order that the boys who have borne the burden of the battle might have their mail and that the parents at home who have given them to the cause might hear from them.

Two resolutions are now pending in the House for an investigation, and while I shall do everything in my power to bring the investigation about, yet I trust your department will even at this late date take some action that will relieve the situation.

I am transmitting all of the data and information in regard to the cases I have referred to in this letter. Also, a memoranda in regard to other cases, the circumstances of which will sustain the statements I have made in this communication.

Sincerely, yours,

ROSCOE C. MCCULLOCH.

WOOSTER, OHIO, *January 13, 1919.*

Representative ROSCOE C. MCCULLOCH,
Washington, D. C.

DEAR SIR: I am writing you concerning my nephew, Pvt. Donald Orr, whom we have never heard from since he sailed for France on or about the 18th or 19th of September, except from a returned wounded soldier whose name is Carl Murray, Orrville, Ohio, who said he saw him die on the boat on the way over. He said he died October 2. His mother receives her allotment each month as if he were alive. They have written the Red Cross and War Department, and they can as yet find no trace of him. His address is as follows: Pvt. Donald Orr, Three hundred and ninth Ammunition Train, Eighty-fourth Division, American Expeditionary Forces. Serial No. 2476447. Captain's name is Jay Shaffer.

He left Camp Mills, N. Y., by railway, on the 16th or 17th of September for Hoboken, N. J., from where he sailed by way of Nova Scotia on the ship *Nester*. Now, who is the fault of us not being notified of his death, or of our finding no trace of him since his death, and where is the rest of his allotment going to? Three months after a soldier's death and not being notified is a long time.

Anything you can do, or advise us to do, toward getting some definite information from him will be deeply appreciated.

Yours, very truly,

JEFFERSON P. CARSON.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. BROWNING. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. GRAHAM].

Mr. GRAHAM of Illinois. Mr. Chairman and gentlemen of the committee, I have all of my life been in favor of a large Navy. I have always believed that it is the part of wisdom for this people to have a Navy sufficiently large to protect its extended seacoast at any time against any enemy on either side. I still am of the same opinion. I think that the program proposed by the bill is not extraordinarily large; is not too large, perhaps, for the safety of this people in the future. While I have always believed in a large Navy, I have never believed in a large Army, and do not now believe in a large Army. I think an Army in time of peace should be an organization of volunteers, sufficiently constituted so that in time of war, by conscription methods, we may raise sufficient military forces to protect the Government. I do not believe this is true with respect to the Navy, however. I have not believed it for years, and I do not believe it now. I say to you freely and frankly that I do not place enough confidence in the rumors that we may disarm to justify me in believing that we ought to relax our efforts along this line. The time may come when the nations of the world will be willing to take their ships and sink them in the seas, but I do not believe that time has yet arrived. Recently, while talking with many men upon the other side of the water who were interested in British affairs, I became quite thoroughly convinced that the British mind, so far as I was able to weigh it, was along the same line. Therefore, I can consistently and shall vote for the naval increase provided for in this bill. But, Mr. Chairman, it is a matter of humiliation to me personally that in doing so I may appear to be animated by the whip and spur that is being administered by the President of the United States to this Congress to-day, the spur that we feel in our side. In my advocacy of a large Navy, I advocate it because I believe in it, but I do not believe that those who are presenting this program to this House do actually believe in the program as it is advanced. If I had anything to say about it, I would cut out the proviso in the section which gives to the President of the United States the right to say whether we shall or shall not have this Navy, and I shall vote for that if the opportunity occurs. It has been a matter of extreme humiliation to me, believing as I do about these matters, to see coming into our councils here this covert threat which has been sent to us by the President of the United States, under which I believe a majority of this House to-day is acting and under which it will act.

When the chairman of the Committee on Naval Affairs was on the floor I interrogated him, as did many others of the House, and he said that a message that had come from the President of the United States had come to the Secretary of the Navy, that it had been by the Secretary whispered to him, Mr. PADGETT, the chairman of the Committee on Naval Affairs, and that he, Mr. PADGETT, had whispered it to the members of that committee, and that whispered information thus conveyed from across the seas had induced this committee to make a unanimous decision to bring in a unanimous report. That is what he said. Believing and confiding in the truthfulness of Mr. PADGETT, which I have never had cause to question, I believe that is the situation, and similar information has come to me from other members of the committee. That being true, we have before us a report that was induced by some threat or statement or information sent by the President which you and I, as representatives of the people of this country, can not have the advantage of, but which we must act under or be perhaps put under the ban of being against the administration in the

carrying out of this policy. It is an unfair advantage to take of this House; it is an unfair advantage to take of the country and one that is not justifiable in the light of the President's stand. When he delivered his address here upon the so-called 14 terms of peace he used language to which I wish to direct your attention. He spoke of "open covenants of peace openly arrived at, after which there shall be no private international understandings of any kind, but diplomacy shall proceed always frankly and in the public view." That is, that the cards shall be on the table and that anyone can see at any time how they stand anywhere along the line and know what is going on, and most of the American people perhaps approved of that. I know that I did in my simplicity of mind. Before he went to Europe he said this, as called to our attention yesterday by the gentlemen from Ohio [Mr. LONGWORTH]:

> I shall be in close touch with you and with affairs on this side of the water and you will know all that I do.

Yet the only information we have is a little communique that comes to us once a day that tells us what somebody has done somewhere, that conveys no information, and nothing more do we know, and even the information upon which we are called upon to pass is whispered by the Secretary of War to the chairman of the Committee on Naval Affairs and in turn whispered by him to the members of his committee, and you and I are expected to sit here like bumps on a log and vote without knowing what we are voting for.

Mr. GARNER. Will the gentleman yield?

Mr. GRAHAM of Illinois. Well——

Mr. GARNER. Just for a question.

Mr. GRAHAM of Illinois. Well, just for a short question.

Mr. GARNER. I agree with the gentleman. I want a large Navy and a small Army, and if we can accomplish that by getting this secret information, ought the gentleman and I to complain?

Mr. GRAHAM of Illinois. Here is the point about that sort of thing. I say that the position of the President is manifestly inconsistent, and he has no right to put the Congress of the United States in the position of possibly doing something under this whip and spur when he does not think us of sufficient importance that he can tell us what the reasons are. I have only a little while and I can not yield further; the President has evidently changed his mind on this theory. He went to Europe stating everything is going to be open and above board. He has changed his mind. Long back through the years of Woodrow Wilson's life, before and ever since he was President of the United States, he has been a mind changer. If he ever advocated any single principle that he did not change his mind on I have yet to find it out, until it has induced in my mind the belief that President Wilson has been right on more subjects than any public man I ever saw in my life, because he has been on both sides of all questions. He believed, perhaps, in open diplomacy when he went across, but if he does believe it now, he does not practice it. My attention is called in this connection to what happened some years ago when he first was elected President of the United States, and when the Democratic Party was pledged to a certain program as regards Panama Canal tolls. I was not here at the time, but some of you gentlemen were, and when this thing had been pledged by your great party in its platform and when you were individually in honor pledged, he came to Congress and he said to you these words on the 5th of March, 1914, in the special message which he delivered to the Congress:

> I ask this of you in support of the foreign policy of the administration. I shall not know how to deal with other matters of even greater delicacy and nearer consequences if you do not grant it to me in ungrudging measure.

And the Congress granted it to him in ungrudging measure. And what was the mysterious reason that made that necessary? What was it, can anybody tell? I have heard rumors and I have heard things said in the lobbies and other places about the supposed reasons for it, but nobody knows, not even the leaders of the Democratic Party, what the President had in his mind when he came here and asked you to repudiate your pledges and give him this thing in ungrudging measure. And to-day we have the same thing again.

The President evidently considers this war as a personal war and the peace he is making as a personal peace, in which no one else is intimately concerned except himself. The Constitution authorizes him to make treaties "by and with the advice and consent of the Senate." Yet in his peace commission he fails to appoint any Member of the Senate to consider the draft of the treaty with him. The other members of the peace commission take their orders readily from the President. When he went to England on December 26 last, when welcomed at Dover, he displayed fully his ideas of his mission in Europe:

> It is therefore with emotions of peculiar gratification that I find myself here. It affords me the opportunity to match my mind with the minds of those who, with a like intention, are purposing to do the best that can be done in the great settlements of the struggle.

There is here no sense of appreciation that he goes to Europe as the representative only of our people, but a statement that he is matching his mind against some other minds.

Along the same personal lines is the purported language of the telegram that came to the committee, as published in the press, where he says that unless Congress passes this bill it will be "fatal to my negotiations."

It is evident that he considers this peacemaking as personal to himself and a matter regarding which Congress need not be informed.

And it is in furtherance of his general ideas that this is his personal matter that he cables Congress to pass the bill and will not tell them any reason why except that he wants it so.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRAHAM of Illinois. Mr. Chairman, I ask leave to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

Mr. BROWNING. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Chairman and members of the committee, the report of the Committee on Naval Affairs outlining the policy that, if carried out, may place the United States very near the level of Great Britain in naval power, which might suggest that it is the policy ultimately to become her equal or her superior, leads me to call the attention of members of the committee to just a few facts with reference to the evolution of the nations to the first rank. It might be quite a surprising announcement to Members who have not refreshed their memory on the history of the nations' development to know that when Christopher Columbus found America that the greatest naval power, the greatest maritime power on earth, was Portugal. It is quite difficult for us, viewing Portugal to-day as we do, to realize that at that time she was the primate of all the maritime powers of the world. Portugal came into a tremendous conflict with Spain in the ambition for colonies, so prominently carried on when these two countries were vying with each other in developing new worlds.

This contest went on for years, until Portugal lost the supremacy of the sea to Spain, which took such a large place in colonizing America and extending her power on the sea until she became a sea power and, under the régime, as many of you will recall, of the Duke of Alva, overran the Netherlands and overcame the tremendous growing power of the Dutch Republic as they were entering with increasing commercial significance upon the sea. The struggle was not confined to Portugal and Spain, but extended itself to the Dutch Republic on the north. However, Spain became the great leader finally, whose argosies were found on every sea, and whose leaders were quoted and feared in every land, and not until the Spanish armada met her fate in the English Channel, which is a very historic fact of the evolution of national superiority, did Spain's primacy go down. That conflict, as you will recall, was between Spain and Britain. It was the climax of a growing rivalry which was decided on the sea. That does not put Great Britain in the lead because another country, vigorous and wondrously aggressive, the country that Guizot said in that wonderful history of his, which held that almost every original idea of modern civilization had found birth within its borders—I refer to France, of course—was rapidly contending with Britain. One of the most remarkable facts of history to me is that the period of 127 years beginning with 1688, at the time of the famous English revolution, when modern England began to be, up to 1815, when Napoleon Bonnparte was defeated and banished—a period of 127 years, there were 12 wars fought between Great Britain and France to establish the primacy of the sea. Some of those wars were as long as 12 years in duration; 64 of the 127 years were spent in actual warfare. This struggle, comprising a series of wars covering over 100 years, is looked back upon as one of the titanic contests between two nations striving for the first place on the sea. In the evolution of England, or rather Britain, as the mighty sea power, so wonderfully displayed in this world war, no period of her history is more suggestive than the one which gave her the position she now holds, which began at the fall of Napoleon.

Among these wars was the famous French and Indian War, in which we as a young country, not yet born as a Republic,

were greatly interested. It is known in Europe as "The Seven Years' War." We call it here "The French and Indian War," because of the prominence taken in it by our own colonies. And while we speak of that war as of interest to us, it was primarily a fight between France and Britain, and is one of the series of the 12 wars to indicate which of the two countries, or, better yet, which system of government, would come to be the ruler of the sea, because that war really was a struggle between two systems of government. One was rather Anglo-Saxon, and leading toward democracy; the other was Latin, and at that time was not leading toward democracy but to an ecclesiasticism, as all of you are well aware. And after the French and Indian War, which virtually decided that France must cease to be an American force and must give up her American colonies, Great Britain, having won in that war, invited some new problems. It was the Frenchman who said, "This war has given to Britain the first promise of a great contest in the new world by a new nation which in time will rival the old." The statesmen of France resented the provisions of the treaty of Paris and declared it to be the foundation of a new nation that would ultimately test the power of the mother country. That was as late as 1763. Already events were rapidly tending toward trouble with England.

From 1761, when the "Writs of Assistance" so deeply offended the colonies, relations became strained, until we got into a difference with the mother country, which reached open and armed resistance in what the world remembers as the famous American Revolution. Our revolution, although known in history as a very important war from any angle viewed, was not a conflict of rivalry of nations like there had been between France and England, or between the other nations which had contended for the sea supremacy, but it was a fight for certain principles. We say it was a fight against taxation without representation, or legislation without representation. The real fact is that our contention was much deeper than that expressed in that phrase; we wanted to cut out of this modern, growing, constitutional government of Britain certain effete ideas or governmental policies, one of which was the feudal system; another was life tenure in office; another was the hereditary system, by which men came to office by birth rather than fitness; another was the primogeniture system; and still another was the entailed-estate system. Those were all fastened upon European governments, especially the Anglo-Saxon, and we here had planted a young country, in only two of the States of which we had the primogeniture system and entailed-estate system, but which we desired to eliminate, and which we ultimately cut out by the sword.

So this American Revolution, which was a contest of the young country with the mother country, was to cut out of the old system certain elements that we could not permit to be planted here. And while that was not one of the 12 wars which marked the contest of sea power, it probably was the greatest war the mother country ever fought. Notwithstanding the fact that it went against her and lost to her her colonies, yet the English statesmen to-day refer to the American Revolution as the one instance in English history that they have all agreed to mention just as infrequently as it is possible to do. Since that day the British Empire has grown apace until it has reached its proud position in the world.

Now this is why I rose to speak. I desired to refresh your minds of this evolution of sea power. First it was Portugal, then it was Spain. For a little while it looked like Holland. And then the conflict came and raged between Britain and France, and for 127 years, as I have reminded you, during which 12 wars were waged, the struggle finally ended in Britain's favor, as you will recall, in the banishment of Napoleon Bonaparte. While the "Mistress of the Sea" increased, the young Republic also grew.

From 1815 up to the present time, this young Republic, growing apace in friendship with the mother country, alike in language, alike in law, alike in religion, alike in customs, and yet different in some ways, different in certain principles, this Government has come along until in 1878, I think it was, Gladstone in substance made the statement—although I am not sure that the date is right, but that is not important—that as the British constitution was the most subtle instrument that had ever been given to mankind, so the American Constitution is the most wonderful instrument ever stricken off by the brain and purpose of man at any one time.

Here is a nation of 110,000,000 people. Cosmopolitan in birth, but rapidly becoming a unit in all that makes for nationality, a population greater, not than the British Empire, but greater by double the population speaking the English language under the British Empire. And we have a wealth that is easily double the wealth of Great Britain. Indeed, it has been estimated that our annual income is almost half of the total wealth of Great Britain.

And I simply want to make this suggestion: For the first time since before the Civil War we see America going on the sea, a tremendous power in a merchant marine, which alone points to the position of a competitor of the mother country; and we see her building a Navy that promises also to rival that of the mother country. May we say to take care of the merchant marine? We may have a problem in front of us as to the superiority of nations. I simply propound this question in the light of history as a possible interpretation of the naval program. [Applause.]

Mr. BROWNING. Mr. Chairman, I yield 15 minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, students of the psychology of history have frequently remarked the occurrence of a period of levity following one of extreme and unusual national stress such as is occasioned by great pestilence or a fierce and devastating war—a period marked by curious and extraordinary, and sometimes grotesque, evidence of the reaction from the tremendous worry and strain of a period of calamity and heroic sacrifice. Any student of history will recall periods of that character. It is entirely unnecessary for me to particularize them.

Certain occurrences of the more or less recent past have furnished striking evidence that this tendency and disposition of mankind is to be a part of our experience as we emerge from the gloom and horror of the great war. In the limited time at my disposal I shall not be able to furnish all of the various illustrations that occur to me of this disposition and tendency, which is perhaps to be welcomed as a part of the reaction from the worry and anxiety of the recent past—a pleasing evidence of the swinging of the pendulum which betokens a reasonably early return to a normal spirit of optimism and hopefulness.

My purpose on this occasion is simply to call attention to perhaps the most striking evidence which has been presented to us of the introduction of the playful spirit of levity into the most serious and sober affairs of life, into the very body and substance of perhaps the most sober and solemn thing next to a declaration of holy writ, a legislative enactment. I refer to the provision contained in this bill which starts out with a declaration of national purpose of expansion touching the Navy, which would do credit to Falstaff himself, and ends up with a cooing assurance that this bold and bristling front is mere stage play, worthy of Bottom the Weaver in his best moments.

It is no doubt true that the American people as a whole have not as yet become so thoroughly imbued with that light-hearted, care-free, jocund spirit to which I have referred as to thoroughly appreciate at first blush this bit of comedy intended to add to the gayety of the Nation and liven the dull, drab pages of the naval bill. Furthermore, the personality of the honorable and distinguished gentlemen responsible for this introduction of the spirit of a Pinafore stage navy into the legislative provisions for a real navy is not such as to lend itself to the prompt and immediate recognition of the farce-comedy character of the provision.

That such ordinarily dignified, not to say solemn, gentlemen should incline themselves and turn their attention to these little touches of farce, subtly intended to lighten the strain of legislative cares, comes as a refreshing evidence that the saving sense of humor, though little suspected, may still have its abiding place in the minds and hearts of the ordinarily most sober and solemn of men. [Applause.]

It is true that whatever other qualities and attributes may have been charged to or claimed for the honorable Secretary of the Navy, he has not heretofore been generally considered a "joker." Therefore it requires a little adjustment of one's preconceived notions to clearly recognize this quality in that distinguished gentleman.

Our esteemed friend and colleague, the chairman of the Committee on Naval Affairs, has heretofore been rather more distinguished for his honest earnestness than for a light and blithesome spirit of persiflage. It comes as a welcome discovery to his friends and well-wishers that a vein of genuine humor, hitherto unsuspected, occurs among his splendid endowments of heart and mind.

Then there is our dear President. There is no end to the encomiums that have been heaped upon him, along with other expressions of opinion. He has been endowed by his friends with every virtue of the mind that is the heritage of man. But I think no one has up to this time claimed for the President a disposition to deal in the spirit of light and frothy pleasantry with the serious affairs of statecraft. However, as we have understood the President enjoys the light and frisky embel-

lishments of the drama, it is not perhaps to be wondered at that we have discovered in him this vein of subtle humor. This light touch of farce comedy may be likened to the enlivening and cheerful activities of the ballet in the intervals of a serious and heavy drama.

It is true that we have not altogether lacked evidences of presidential humor in dealings and communications of the past, though, in the main, they have been so naively expressed and so subtly stated as, for the time, to generally escape public appreciation of their Pickwickian character. [Laughter.] I have in mind, for instance, the presidential pleasantry which resulted in Congress reversing itself on the subject of the Panama tolls. I know it was taken seriously at the time, owing to the lack of the proper sense of humor in Congress, but as no one has ever been enlightened as to what the "matters of greater delicacy and nearer consequence" were, and in view of the fact that if they related to anything tangible the President's passion for "open covenants" and "pitiless publicity" would long since have resulted in a disclosure of their meaning, it now becomes clear that this was a mere persuasive pleasantry of Executive intercourse with Congress.

There has been much interest evidenced as to a certain alleged presidential cablegram, or nerogram, which is said to have found its way into the secret and sacred precincts of the Committee on Naval Affairs, influencing those earnest and faithful gentlemen to play their part in the little one-act farce interlarding the otherwise heavy passages of the drama of the naval bill.

For myself, I have bridled whatever curiosity I might have with regard to that matter, realizing that too much realism is fatal to the enjoyment of any enlivening and diverting pastime on or off the stage.

Let us assume that our enjoyment of this brief respite from the daily grind of serious and sober things may be unalloyed; that there was a message; that it contained this, that, or the other thing, depending upon the kind and character of a message which our varying fancy may deem most appropriate to fit into and round out the mirth-provoking scenes and incidents of the play.

Some folks have called this provision in the naval bill a "bluff." No such mistaken notion will be harbored for a moment by anyone who has enjoyed the suppressed excitement that surrounds the launching of a "bluff" in that educating pastime in which the "bluff" is so frequently a thrilling part of the procedure. Whether or not the President is familiar with the game in which the "bluff" is so essential a part of the entertainment I do not know, but undoubtedly sufficiently so to enable him to realize that a bluff accompanied by a stage whisper which reveals its real character and purpose to all who are sitting in the game ceases to be a "bluff" and becomes a "joke." [Laughter.]

Of course, there is such a thing as carrying a joke too far. The inclination and disposition not to do so distinguishes the intelligent and discerning from the bumpkin and the yokel. This being so, we assume our dear friends, the Secretary, the chairman, and the President, having, with the assistance and the playful and good-natured cooperation of the committee, had their little fling of pleasantry, will before the curtain rings down on the drama of the naval bill, after the approved fashion of farce comedies, drop the lion's skin and roar and imitating what was, until this present performance, the most delightful farce comedy on the boards, remind us that this is but a midwinter night's dream, and present themselves and their bill entirely divested of the evidences of their humorous interlude.

I know that there are some very seriously minded folks who are perturbed because they fear that some people may be inclined to take this little performance seriously. They say that having declared in the person of our distinguished spokesman, now officiating on his own appointment as our representative at the peace table, that we are a peace-loving folk, opposed to great armaments and pledged to their reduction, and having but yesterday, according to the dispatches, through this same distinguished spokesman, given our assent and approval to such reductions, our action in seeming to propose the greatest naval establishment ever conceived or projected may be misunderstood.

I hasten to reassure such trembling and timid souls. It is true that our English cousins sometimes require to have a joke labeled and diagramed. Evidently the authors of this little comedy had that weakness of humorous perception in mind, for between the little skit itself and the very illuminating inquiries that have been centered upon it the diagram and explanation is complete. "Ba jove," "Deuced clevah," "Dontcha know!" [laughter] may be as far as English appreciation may find favorable expression, but how our French friends, who have a fine sense of humor, will enjoy it. As for the folks at home, once recovered from the shock of discovering real humor in the executive departments and Congress, their enjoyment of the episode will be limitless; possibly I am justified in saying hilarious. The balance of the world will view this serious attempt at legislative farce comedy according to their various capacities for the enjoyment of a funny situation; but, at any rate, I think we may safely say that it will add to the gayety of the nations.

Of course, it is true that a humorous situation may be pressed too far. The humorist who spreads banana peels, rocks the boat, or snaps a supposedly unloaded blunderbuss at a near and dear friend may come to grief. Such things have happened. There have been folks rude enough to suggest that people who trifle with matters that may lead to serious consequences ought to be incarcerated or have meted out to them the condign punishment that is due to him who thoughtlessly, possibly cunningly, lays schemes that may breed disaster.

But, of course, our friends of the Naval Committee are going to do nothing of that sort. Of course, we do not want them to so reveal the genesis of the plot of their little game or the real character of the crude costuming under which they present this front of Jove, with all of his thunderbolts, as to dull the edge of our keen relish of their little byplay.

At the proper time, toward the close of the consideration of the bill, this little farce-comedy provision having served its jocund purpose, the committee will, of course, strike it from an otherwise most excellent piece of legislation and give us an opportunity to vote for the bill without having the people imagine that we do not know a joke when we see it. [Applause.]

Mr. PADGETT. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15539) making appropriations for the naval service for the fiscal year ending June 30, 1920, and for other purposes, and had come to no resolution thereon.

EXTENSION OF REMARKS.

Mr. KAHN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. JOHNSON of Washington. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

DEMOBILIZATION IN THE NAVY.

Mr. PADGETT. Mr. Speaker, the question has been asked time and again about the methods and what the department was doing and what the orders and procedure are about demobilizing the Navy. I have a letter from Admiral Blue giving full particulars and details, and I wish to have it published in the RECORD.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to have published in the RECORD a letter from Admiral Blue. Is there objection?

There was no objection.

Following is the letter referred to:

NAVY DEPARTMENT,
BUREAU OF NAVIGATION,
Washington, D. C., February 5, 1919.

Hon. LEMUEL P. PADGETT,
Chairman House Naval Affairs Committee,
House of Representatives, Washington, D. C.

MY DEAR MR. PADGETT: With reference to your telephone communication of to-day, the situation in regard to the demobilization of men is as follows:

The department has up to date directed the release of 40 per cent of the reserves, 40 per cent of the men who enlisted for the war only, and 20 per cent of the regular four-year men who enlisted since the beginning of the war.

In making these releases, commanding officers of ships and stations were directed to give preference, first, to men who have families dependent upon them, and, second, to young men desiring to complete their education. In case of there being more applicants than can be released under the authorized percentages, those to be released will be decided by lot. Naturally the demobilization must be handled by the commanding officers on general orders from the bureau, as it would be impossible for the bureau to handle the individual cases.

In addition to this, orders have gone out during the last few days to release all the Naval Reserve men and men enlisted for the war

only who are now undergoing training at the training stations and at trade schools, if they so request.

We have also ordered the release of 20,000 men of the Naval Reserve and men enlisted for the war who are performing shore duties at the various naval districts.

The bureau is very desirous of completing the demobilization as soon as possible, but it is confronted with the proposition of placing in commission some 38 to 40 large vessels to be used as transports in bringing home troops from France. A number of cargo ships belonging to the Shipping Board are also being manned. As you can readily understand, the present activities of the Navy, as well as those in prospect, have to be carefully provided for, otherwise they would have to cease.

It is hoped that by the 20th of February we will have demobilized at least half of the remaining personnel on shore after the releases above described have taken place. From February 20 to March 1 we will obtain detailed statements from all stations in regard to the number of men remaining available. This we shall have to do in order to ascertain where we stand in regard to personnel.

In the meantime we are recruiting men as fast as our facilities will permit. They seem to be coming in now at the rate of about 1,600 a week. This will of course help us out in the matter of demobilization, but naturally we will not really feel the effect of this for several months, for the reason that the new men coming in are recruits and must be trained before being sent to the ships.

Trusting that this information will enable you to understand the situation, I am,

Very sincerely, yours, VICTOR BLUE.

ADJOURNMENT.

Mr. PADGETT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock p. m.) the House, pursuant to the order previously made, adjourned until to-morrow, Thursday, February 6, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting copy of communication of the Secretary of War submitting a supplemental estimate of appropriation required for completing the west breakwater at Kahului Harbor, Hawaii (H. Doc. No. 1765), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. RAYBURN, from the Committee on Interstate and Foreign Commerce, to which was referred the joint resolution (S. J. Res. 214) authorizing and directing the accounting officers of the Treasury to allow credit to the disbursing officer of the Bureau of War Risk Insurance in certain cases, reported the same without amendment, accompanied by a report (No. 1035), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CARAWAY, from the Committee on the Judiciary, to which was referred the bill (S. 2910) providing for an additional judge for the northern district of California, reported the same without amendment, accompanied by a report (No. 1036), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LARSEN: A bill (H. R. 15635) to provide for the purchase of a site and the erection of a Federal building at Eastman, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15636) to provide for the purchase of a site upon which to erect a post-office building in the city of Eastman, in the State of Georgia; to the Committee on Public Buildings and Grounds.

By Mr. BROWNING: A bill (H. R. 15637) to increase the cost of the public building at Woodbury, N. J.; to the Committee on Public Buildings and Grounds.

By Mr. FULLER of Massachusetts: A bill (H. R. 15638) authorizing the Secretary of War to donate to the city of Malden, in the Commonwealth of Massachusetts, one German cannon; to the Committee on Military Affairs.

By Mr. DICKINSON: A bill (H. R. 15639) to increase the cost of the public building at Harrisonville, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. COX: A bill (H. R. 15640) to purchase a post-office site in the city of French Lick, Ind.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15641) to purchase a post-office site in the city of Tell City, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. SMITH of Idaho: A bill (H. R. 15642) to acquire an addition to the site of the Federal building at Boise, Idaho; to the Committee on Public Buildings and Grounds.

By Mr. LANGLEY: A bill (H. R. 15643) granting additional compensation, according to length of service, to the officers and enlisted personnel of the Army, Navy, and Marine Corps; to the Committee on Military Affairs.

By Mr. KNUTSON: A bill (H. R. 15644) to donate two cannons of obsolete pattern to the State forestry board of Minnesota; to the Committee on Military Affairs.

By Mr. McKEOWN: A bill (H. R. 15645) providing for the erection of a public building in the city of Drumright, Okla.; to the Committee on Public Buildings and Grounds.

By Mr. WHEELER: A bill (H. R. 15646) authorizing the Secretary of War to donate to the city of Staunton, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15647) authorizing the Secretary of War to donate to the city of Girard, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15648) authorizing the Secretary of War to donate to the city of Carlinville, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15649) authorizing the Secretary of War to donate to the city of Virden, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15650) authorizing the Secretary of War to donate to the city of Hillsboro, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15651) authorizing the Secretary of War to donate to the city of Litchfield, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15652) authorizing the Secretary of War to donate to the city of Pana, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15653) authorizing the Secretary of War to donate to the town of Gillespie, Ill., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15654) authorizing the Secretary of War to donate to the city of Taylorville, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15655) authorizing the Secretary of War to donate to the town of Williamsville, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15656) authorizing the Secretary of War to donate to the city of Springfield, Ill., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. FREEMAN: A bill (H. R. 15657) to authorize the acquisition of a site and the erection thereon of a Federal building at Stafford, Conn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15658) authorizing the Secretary of War to donate to the city of Rockville, Conn., two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. HICKS: A bill (H. R. 15659) authorizing the Secretary of War to donate to the village of Manhasset, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. STINESS: A bill (H. R. 15660) authorizing the Secretary of War to donate to the town of North Kingstown, R. I., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FOSS: A bill (H. R. 15661) to authorize the acquisition of a site and the erection of a Federal building at Lake Forest, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. BENJAMIN L. FAIRCHILD: A bill (H. R. 15662) increasing the limit of cost for the construction of a public building at Yonkers, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. DENTON: A bill (H. R. 15663) authorizing the Secretary of War to donate to the city of Princeton, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15664) authorizing the Secretary of War to donate to the city of Mount Vernon, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15665) authorizing the Secretary of War to donate to the city of Evansville, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15666) authorizing the Secretary of War to donate to the city of Petersburg, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15667) authorizing the Secretary of War to donate to the city of Rockport, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15668) authorizing the Secretary of War to donate to the city of Boonville, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HUSTED: A bill (H. R. 15669) authorizing the Secretary of War to donate to the village of Larchmont, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15670) authorizing the Secretary of War to donate to the village of Mount Kisco, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15671) authorizing the Secretary of War to donate to the village of North Tarrytown, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KELLY of Pennsylvania: A bill (H. R. 15672) to provide for the emergency arising out of the demobilization of soldiers, sailors, and marines, and the discharge of workers from war industries and other occupations, etc.; to the Committee on Appropriations.

By Mr. STEDMAN: A bill (H. R. 15673) to provide for the purchase of a site and the erection of a public building at Mount Airy, N. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15674) to provide for the purchase of a site and erection of a public building at Greensboro, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. JONES: A bill (H. R. 15675) to fix the time of holding court in the Amarillo division of the northern district of Texas; to the Committee on the Judiciary.

By Mr. HELM: A bill (H. R. 15676) to provide for the erection of a public building at Stanford, Ky.; to the Committee on Public Buildings and Grounds.

By Mr. ROUSE: A joint resolution (H. J. Res. 404) relieving enlisted men and honorably discharged soldiers, sailors, and marines from payment of war tax on theater tickets otherwise furnished them free of all charges; to the Committee on Ways and Means.

By Mr. CARAWAY: A resolution (H. Res. 551) to investigate cotton exchanges; to the Committee on Rules.

By Mr. STEELE: A resolution (H. Res. 552) providing for the consideration of S. 3079; to the Committee on Rules.

By Mr. WEBB: A resolution (H. Res. 553) to make in order the consideration of certain Senate and House bills providing for additional Federal judges; to the Committee on Rules.

By the SPEAKER: Memorial from the State of Oregon, urging appropriation by Congress of sufficient funds for completing steel and wooden ships now under contract; to the Committee on the Merchant Marine and Fisheries.

By Mr. HAWLEY: Memorial from the Legislature of the State of Oregon favoring the appropriation by Congress of $1,000,000,000 for reclamation of and drainage of lands in the western portion of the United States; to the Committee on Appropriations.

Also, memorial for the passage of an act ceding to the State of Montana the military reservation located in Montana known as Fort William Henry Harrison, to be used as an adjunct of the State industrial accident board for a rehabilitation institute for the education and maintenance of persons injured in the industries of Montana; to the Committee on the Public Lands.

Also, memorial of the Legislature of the State of Oregon, urging upon Congress the passage of the Sinnott bill, for reconstruction work, and an appropriation for development of arid lands in the lower Umatilla River Basin; to the Committee on Irrigation of Arid Lands.

Also, memorial of the Legislature of the State of Oregon, favoring the passage of Senate bill 4987 (educational bill); to the Committee on Education.

Also, memorial of the Legislature of the State of Oregon, favoring the passage of Senate bill 4283, relating to Crater Lake National Park; to the Committee on the Public Lands.

Also, memorial of the Legislature of the State of Oregon, favoring the passage of Senate bill 5001, regarding immigration and naturalization; to the Committee on Immigration and Naturalization.

By Mr. MILLER of Minnesota: Memorial from the Legislature of the State of Minnesota urging the Congress of the United States to grant a gratuity of three months' pay to honorably discharged soldiers, sailors, and marines; to the Committee on Military Affairs.

By Mr. SMITH of Idaho: Memorial of the Legislature of the State of Idaho, urging the enactment of the woman's suffrage amendment; to the Committee on Woman Suffrage.

Also, memorial of the Legislature of the State of Idaho, favoring the enactment of legislation providing for additional Federal aid for the construction of post roads; to the Committee on the Post Office and Post Roads.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CAMPBELL of Kansas: A bill (H. R. 15677) granting an increase of pension to Archibald T. Lea; to the Committee on Invalid Pensions.

By Mr. DALE: A bill (H. R. 15678) granting an increase of pension to Jason Johnson; to the Committee on Invalid Pensions.

By Mr. SCOTT of Michigan: A bill (H. R. 15679) granting a pension to Charles Grunert; to the Committee on Pensions.

By Mr. STAFFORD: A bill (H. R. 15680) granting a pension to Katharina Bamberg; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BIRCH: Petition of sundry citizens of the fifth district of New Jersey, in re national ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. BROWNE: Petition of Columbia College Teachers' Association, in the interest of Senate bill 4987; to the Committee on Education.

By Mr. EMERSON: Petition of city council of Cleveland, Ohio, urging the changing of the name of Yellowstone National Park to Roosevelt National Park; to the Committee on the Public Lands.

By Mr. ESCH: Petition of Black Hills Mining Men's Association, Deadwood, S. Dak., urging Congress to take prompt action to grant full relief to the gold-mining industry of the Nation; to the Committee on Mines and Mining.

By Mr. GORDON: Petition of Fred. Brocker and 112 others in support of Government ownership and operation of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. GRAY of Alabama: Petition of Retail Merchants' Bureau, Mobile Chamber of Commerce, protesting against luxury tax embodied in revenue bill; to the Committee on Ways and Means.

By Mr. GRIFFIN: Petition of New York State Legislature favoring the dams bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of New York Produce Exchange, New York City, favoring removal of all price fixing on foodstuffs; to the Committee on Agriculture.

Also, petition of Alexander Bros., New York City, relative to H. R. 13274; to the Committee on Military Affairs.

By Mr. KING: Petition of Jacobi Bros. & Mack and 18 other retail firms of Galesburg, Ill., protesting against luxury tax and holding same unjust, unreasonable, and impracticable; to the Committee on Ways and Means.

By Mr. KELLY of Pennsylvania: Petition of Rotary Club of McKeesport, Pa., favoring continuance of Government control of wire systems until proper legislation can be enacted by Congress; to the Committee on Interstate and Foreign Commerce.

By Mr. KNUTSON: Petition of Baudette (Minn.) Board of Trade urging Congress to take such steps as may be deemed best for an early enlarged canalization of the St. Lawrence River by joint arrangement with Dominion of Canada; to the Committee on Interstate and Foreign Commerce.

By Mr. MOORES of Indiana: Petition of Indianapolis Branch of the American Protective League, for deportation of undesirable persons until recently enemy aliens and for the restoration of immigration; to the Committee on Immigration and Naturalization.

By Mr. POLK: Petition of Harrington (Del.) Lodge, No. 241, International Brotherhood of Maintenance of Way Employees, favoring continued control of railroads for five years by the Government; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Idaho: Petition of Boise Council, Knights of Columbus, urging enactment of legislation to make available to the returning soldiers land upon which they may establish a home; to the Committee on Military Affairs.

Also, petition of Rotary Club, of Boise, Idaho, urging change of name of the Isthmian Canal from the Panama Canal to the Roosevelt Canal; to the Committee on Interstate and Foreign Commerce.

Also, petition of Pocatello (Idaho) Lodge, International Brotherhood of Boiler Makers, Iron Ship Builders, and Helpers of America, urging enactment of legislation providing Govern-

ment ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. TAGUE: Telegrams relative to the proposed revenue bill (H. R. 12863) now in conference; to the Committee on Ways and Means.

By Mr. STINESS: Petition of John Mitchell Literary Association, of Providence, R. I., favoring passage of legislation endorsing self-determination for Ireland; to the Committee on Foreign Affairs.

By Mr. TILSON: Petition of Ellen Lodge, No. 420, International Association of Machinists, of New Haven, Conn., favoring extension of Government control over industries to ensure Federal Wage Board wages; to the Committee on Interstate and Foreign Commerce.

By Mr. YOUNG of North Dakota: Petition of Minot Association of Commerce, Minot, N. Dak., urging the deportation and debarment of all enemy aliens; to the Committee on Immigration and Naturalization.

SENATE.

THURSDAY, *February 6, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Thou hast given to us a voice in the council of the nations. We come before Thee that we may have the grace to justify the position in which Thou hast placed us in Thy providence. We pray that every thought may be subjected to the will of God; that every purpose that we have as a Nation may take in the divine program; that we may labor together with God for the establishment of that order which Thou hast ordained shall come into the earth. Bless us this day in the discharge of the sacred and holy duties of this office. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House further insists upon its disagreement to the amendments of the Senate to the bill (H. R. 12274) to provide relief where formal contracts have been made in the manner required by law, agrees to the further conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. DENT, Mr. FIELDS, and Mr. KAHN managers at the conference on the part of the House.

PETITIONS AND MEMORIALS.

Mr. LA FOLLETTE. I present a joint resolution adopted by the Wisconsin Legislature, which I ask to have read.

The resolution was read and referred to the Committee on Foreign Relations, as follows:

Joint resolution 14.

A joint resolution memorializing the Congress of the United States to cooperate with the Dominion of Canada in the enlarged canalization of the St. Lawrence River for the passage of ocean-going vessels into the Great Lakes.

Whereas the Dominion of Canada has provided for the improvement of the Welland Canal, connecting Lake Ontario and Lake Erie, so that such canal will accommodate ships of 25-foot draft, 800-foot length, and 80-foot width, work on which improvement was suspended during the war and is now again being taken up and will be completed in the near future;

Whereas the St. Lawrence River between Montreal and Lake Ontario can not be used by vessels of over 14-foot draft and 270-foot length; and

Whereas it is deemed to be a matter of great and vital importance to the United States that the St. Lawrence River be so improved that larger vessels may be accommodated and may move between the Great Lakes and the ocean: Now therefore be it

Resolved by the senate (the assembly concurring), That we earnestly and urgently petition the Congress of the United States to take such steps as may be deemed best and most expeditious looking to the early improvement of the St. Lawrence River by joint arrangement with the Dominion of Canada.

Resolved further, That a copy of this resolution, duly attested by the signatures of the presiding officers and chief clerks of the two houses, shall be transmitted to the President of the Senate, to the Speaker of the House of Representatives, and to each of the Senators and Representatives in Congress from this State.

RILEY S. YOUNG,
Speaker of the Assembly.
C. E. SHAFFER,
Chief Clerk of the Assembly.
EDWARD F. DITTMAR,
President of the Senate.
D. G. MUNSON,
Chief Clerk of the Senate.

Mr. NEW. I send to the desk and ask that there be printed in the RECORD a series of resolutions adopted at a meeting of the Indianapolis Branch of the American Protective League. The resolutions discuss the future treatment of all alien enemies now in prison in this country and restrictive legislation as to future immigration.

There being no objection, the resolutions were referred to the Committee on Immigration and ordered to be printed in the RECORD, as follows:

Resolved by the Indianapolis Branch of the American Protective League (numbering about 1,000 citizens of this community who have served the United States Government throughout the war through the Department of Justice), That the Congress of the United States be, and it is hereby earnestly urged to take such steps as lay within its power to cause all alien enemies who have been interned during the war just ended to be deported to the respective countries from which they came at the earliest practicable time; and

Resolved further, That the Congress of the United States be, and it is hereby earnestly urged to enact such restrictive legislation as to future immigration as will make it certain that should the misfortune of another foreign war come upon the country its citizenship shall not be honeycombed with disloyal enemy propagandists, as it has been during this war; and

Resolved further, That copies of these resolutions be transmitted to the junior Senator from Indiana and to the Representative in Congress from this congressional district, with the request that they be spread upon the records of the Senate and House of Representatives of the United States.

The resolution of which the foregoing is a true copy was passed at a meeting of the Indianapolis branch of the American Protective League held February 1, 1919.

SAMUEL D. MILLER,
Chairman of the Executive Committee.

FEBRUARY 3, 1919.

Mr. GRONNA. I send to the desk a brief letter with resolutions from the Board of Agriculture of the State of Pennsylvania, which I ask to have read.

There being no objection, the resolutions were read, as follows:

FEBRUARY 4, 1919.

Hon. ASLE J. GRONNA,
Washington, D. C.

MY DEAR SIR: I am inclosing herewith copy of resolution adopted by the Pennsylvania State Board of Agriculture at their annual meeting held in this city on January 22 last.

Yours, very truly,

FRED RASMUSSEN,
Secretary of Agriculture.

Report of committee on resolutions.

Whereas many of the destitute people of Europe are suffering for want of food and are looking to America for sustenance until their 1919 crops mature; and

Whereas many of our farms have not produced maximum crops because of the lack of sufficient experienced farm laborers, and as the same condition will prevail the coming year unless it is definitely known within a short time when the farm laborers serving in the United States Army will return, so that proper arrangements and plans can be made for the coming year's crops: Therefore be it

Resolved by the State board of agriculture, in session at Harrisburg, Pa., this 22d day of January, A. D. 1919, That the authorities at Washington be informed of the seriousness of the situation, so that legislation or regulations be adopted placing farm laborers in the most essential class and steps taken for their immediate discharge of all such men serving in the Army at home and abroad.

Whereas in the great readjustment that will take place shortly in the economic conditions of all classes of life it is important that the labor standards and prices of commodities be kept at a parity so that the farmer's portion thereof be just and equitable: Therefore be it

Resolved, That we are opposed to any of the proposed schemes of land grants and Government-aided farmers, because we believe there is a grave danger of the same disastrous results which took place after the War of the Rebellion, when the Government stimulated increased farms and would-be farmers caused such an overproduction of farm products that prices of farm crops were below cost of production, corn becoming cheaper than coal was used for fuel, this violation of the unchangeable laws of supply and demand causing deprivation, misery, and the failure which overwhelmed the farmers of the East and West, and in addition causing the depletion of the soil fertility to much land throughout the great West that is beyond redemption.

Whereas the results of our war activities have shown that much of the waste of time, treasure, and life has been caused by our unpreparedness and our mistaken sense of security through our supposed isolation and material prosperity: Therefore be it

Resolved, That we are in favor of a system of universal military training similar to that known as the Swiss.

JOHN A. WOODWARD,
DORIS I. FULKMAN,
J. N. GLOVER,
NORRIS G. TEMPLE,
A. C. CREASY,
Committee.

Mr. GRONNA presented a memorial of the Association of Commerce of Minot, N. Dak., remonstrating against the return to the United States of Germans and Austrians who formerly lived in this country, and praying for the deportation of all enemy aliens now interned here, which was referred to the Committee on Immigration.

He also presented a petition of sundry ministers of the Reformed Church of America, praying for the independence of Armenia, which was referred to the Committee on Foreign Relations.

He also presented a petition of Commodore Barry Council, No. 533, Knights of Columbus, of Brooklyn, N. Y., praying for

the freedom of Ireland, which was referred to the Committee on Foreign Relations.

He also presented a petition of James River Lodge, No. 322, Brotherhood of Railway Carmen of America, of Jamestown, N. Dak., and a petition of Local Lodge No. 2, International Association of Machinists, of Devils Lake, N. Dak., praying for Government ownership of railroads, which were referred to the Committee on Interstate Commerce.

He also presented a petition of Local Lodge No. 789, International Association of Machinists, of Grand Forks, N. Dak., praying for the adoption of certain amendments to the bill providing for Government control of railroads, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Northwestern Lumbermen's Association, in convention at Minneapolis, Minn., praying for the return to private ownership of the railroads of the country, which was referred to the Committee on Interstate Commerce.

Mr. TOWNSEND. I send to the desk and ask to have read a resolution adopted by the House and Senate of the Michigan Legislature with reference to good roads, which I ask to have read.

The resolution was read, as follows:

MICHIGAN STATE SENATE,
Lansing, February 4, 1919.

Hon. CHARLES E. TOWNSEND,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I have the honor to advise you that the Senate and House of Representatives of Michigan have adopted the following concurrent resolution:

Indorsing pending legislation in Congress providing for appropriations for Federal aid in highway building.

Whereas the Committee on Post Roads and Post Offices of the United States Senate has reported favorably on the so-called Bankhead bill, carrying an appropriation of $200,000,000 for Federal aid in highway building, to be apportioned among the several States; and

Whereas said appropriation would aid Michigan to the extent of nearly $5,500,000 in the building of highways: Therefore

Resolved by the senate (the house of representatives concurring), That the United States Senators and Representatives from Michigan be, and are hereby, requested to give this measure their hearty support; and be it further

Resolved, That a copy of these resolutions be forwarded to each Senator and Representative in Congress from this State.

Yours, truly,

DENIS E. ALWARD,
Secretary of the Senate.

Mr. TOWNSEND. I also send to the desk and ask to have read a resolution adopted by the senate of the Legislature of Michigan relative to the suffrage amendment, which I ask to have read.

The resolution was read, as follows:

SENATE, STATE OF MICHIGAN,
Lansing, Mich., January 2, 1919.

Hon. CHARLES E. TOWNSEND,
United States Senate, Washington, D. C.

SIR: I have the honor to transmit herewith a resolution this day adopted by the senate of the State of Michigan, as follows:

"Senate resolution No. 17.

"Whereas an amendment to the Federal Constitution providing that 'the right of citizens of the United States to vote shall not be denied or abridged in the United States or any State on account of sex' has passed the House of Representatives and is now pending in the Senate; and

"Whereas during the war, in recognition of the value of woman's war service the Parliaments of Great Britain and Canada enfranchised the women of those countries, and those of France and Italy have virtually promised the same act of political justice; and

"Whereas immediately after signing of armistice autocratic Germany and Hungary gave women the ballot; and

"Whereas in our own country women vote on same terms as men in 15 States and have some voting rights in 20 others, laboriously acquired during a struggle of 40 years; and

"Whereas the electors of Michigan defeated woman suffrage five years ago by 96,000 votes; two months ago it carried by nearly 35,000 votes, an indication of the great change in sentiment throughout the State; and

"Whereas the leaders of all political parties, major and minor, have demanded the passage of this amendment and the national committees of the major political parties have earnestly indorsed it: Therefore be it

"*Resolved*, That we the members of the Michigan senate, in recognition of the justice of women's demands and of their contribution to society in war and in peace, hereby call upon the Senate of the United States to pass the woman suffrage amendment and give the States opportunity to ratify the same."

Very respectfully,

DENNIS E. ALWARD,
Secretary of the Senate.

Mr. HALE presented a petition of sundry citizens of Waterville, Me., praying for Government ownership of railroads, which was referred to the Committee on Interstate Commerce.

Mr. BORAH. I present a joint memorial from the Legislature of the State of Idaho with reference to the so-called Susan B. Anthony suffrage amendment to the Constitution. I understand that my colleague [Mr. NUGENT] on yesterday had a similar memorial read to the Senate, so it is unnecessary for me to read this one. I ask, however, that it be referred to the Committee on Woman Suffrage.

The VICE PRESIDENT. Without objection, the memorial will be so referred.

Mr. CURTIS. I have here a telegram from the governor of Kansas, showing the action of the Kansas Legislature in regard to the pending proposal for the Government to aid in the construction of highways, which I desire to have read.

There being no objection, the telegram was read, as follows:

TOPEKA, KANS., *January 29, 1919.*

Senator CHARLES CURTIS,
Washington, D. C.:

Kansas Legislature to-day adopted resolution requesting Congress to pass bill granting additional Federal aid for construction of highways. This is vital to the plans for immediate employment of returning soldiers.

HENRY J. ALLEN, *Governor.*

TAX ON FRUIT AND BERRY JUICES.

Mr. JONES of Washington. Mr. President, I understand the conference report on the revenue bill has not yet been presented. I do not know whether it has been agreed upon or not; but I have a resolution from the legislature of my State with reference to one question involved in that bill, which is among the questions being considered by the conference committee. Being a memorial from the legislature, I ask that it may be read. I do not understand that there is any way of referring matters of this kind to the conference committee, but in this way I can bring it to their attention.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

Senate concurrent resolution 13.

Whereas there is now pending before the Congress of the United States an act "to provide revenue, and for other purposes," commonly known as the 1918 revenue bill; that section 68 of this bill as passed by the House of Representatives contained a provision in section 628 thereof authorizing the collection of a tax of 20 per cent of the selling price on all fruit and berry juices produced in the United States, according to a ruling of the Treasury Department of the United States in construing a similar provision in the revenue act of October 4, 1917; and

Whereas said provision of the bill was amended by the Senate of the United States so as to exempt from the operation thereof fruit and berry juices, and afterwards passed by said body as amended; and

Whereas a conference committee appointed by each House of Congress is now considering the amendment as adopted by the United States Senate, and according to information received by the manufacturers of grape, loganberry, and apple juices in this State intends to submit a report to each House of Congress recommending that the bill be amended so as to impose a tax of 10 per cent of the selling price of such fruit and berry juices; and

Whereas the imposition of such a tax would render valueless great manufacturing industries which have been built up in the States of Oregon, Washington, and elsewhere at a cost of vast sums of money; and

Whereas a large portion of the most fertile agricultural land in the Northwest is now devoted to the growth and culture of grapes, loganberries, and apples, which are manufactured into grape, loganberry, and apple juices, thereby giving permanent employment to thousands of our citizens, which could not continue under the burdens of such tax; and

Whereas the taxation of the grape, loganberry, and apple juices as contemplated by said revenue bill, and the consequent destruction of our manufacturing and agricultural industries, would deprive this State of giving employment to the returning soldiers, sailors, and marines now in the service of their country; and

Whereas grape, loganberry, and apple juices as manufactured in the Northwest are food products rather than beverages and thereby should not be classified with synthetic concortions, such as root beer, ginger ale, pop, etc., as is proposed by said pending bill: Therefore be it

Resolved by the senate (the house concurring), That the Senators and Representatives in Congress be, and they are hereby, memorialized and requested to use their utmost endeavors to procure the passage of said revenue bill with the elimination of grape, loganberry, and apple juices from taxation therein as passed by the Senate of the United States; that copies of this concurrent resolution be forthwith forwarded to each member of the conference committee of the Senate and House of Representatives in Congress, and also copies to the Senators and Representatives from the States of Oregon and Washington

REPORTS OF COMMITTEES.

Mr. MYERS, from the Committee on Public Lands, to which was referred the bill (H. R. 5559) to authorize a preference right of entry by certain Carey Act entrymen, and for other purposes, reported it with amendments and submitted a report (No. 686) thereon.

He also, from the same committee, to which was referred the bill (H. R. 7236) to amend an act to permit the use of the right of way through the public lands for tramroads, canals, and reservoirs, and for other purposes, approved May 11, 1898, reported it without amendment and submitted a report (No. 687) thereon.

Mr. SAULSBURY, from the Committee on Pacific Islands and Porto Rico, to which was referred the bill (S. 5343) to authorize the Governor of the Territory of Hawaii to ratify the agreements of certain persons made with the commissioner of public lands of the Territory of Hawaii, and to issue land

patents to those eligible under the terms of said agreements, reported it without amendment and submitted a report (No. 685) thereon.

Mr. ASHURST, from the Committee on Public Buildings and Grounds, to which was referred the bill (S. 5516) to amend an act approved March 4, 1913, entitled "An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes," reported it without amendment.

FRANCIS STEWART.

Mr. MYERS. From the Committee on Public Lands, I report back favorably, without amendment, the bill (S. 4743) for the relief of Francis Stewart, and I submit a report (No. 689) thereon.

This bill was introduced by the Senator from New Mexico [Mr. FALL], and is one of the bills validating title to a homestead where there was some technical flaw. It is recommended by the Secretary of the Interior. In this particular case the claimant lived near the Mexican line and was not able to live on her homestead claim all the time the law required because she was driven away by Mexican marauders and invaders. Quite a number of bills of a similar character have passed the Senate, and they are now in the House. Very shortly there is to be an omnibus bill in the House, combining all bills of this character, and, if this bill is passed now, it will stand some show of being made an amendment to that omnibus bill. If not, it will never see the light of day in the House. I promised that, in the absence of the Senator from New Mexico [Mr. FALL], I would give it some attention. So with this statement I ask that the bill be read, and I ask unanimous consent for its immediate consideration.

Mr. ASHURST. Mr. President, I hope the Senator will not ask unanimous consent for the present consideration of the bill. No doubt it is a good bill; but it will lead to other requests of the same character.

Mr. MYERS. Yes; I ask unanimous consent, and I have one more bill for which I am going to make a similar request.

Mr. ASHURST. I will not object to the consideration of the bill just reported by the Senator.

The VICE PRESIDENT. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, and it was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to issue patent to Francis Stewart for the southwest quarter of section 33, township 28 south, range 7 west, New Mexico meridian.

Mr. GRONNA. Mr. President, I should like to ask a question or two in regard to the bill. I am not a member of the Committee on Public Lands, as the Senator knows, but I have had considerable experience with public-land affairs, and I wish to ask the Senator if there were any adverse claims in this particular case?

Mr. MYERS. None whatever. If there had been, I would not have favored the bill and would not now be asking unanimous consent for its consideration.

Mr. GRONNA. Is it a unanimous report?

Mr. MYERS. Yes; it is.

Mr. GRONNA. I have no objection to the bill.

Mr. MYERS. I have no personal interest in it; I am simply asking for its passage on behalf of the Senator from New Mexico [Mr. FALL].

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HOMESTEADS FOR SOLDIERS AND SAILORS.

Mr. MYERS. Mr. President, from the Committee on Public Lands I report back favorably without amendment the bill (H. R. 13353) to extend the provisions of the homestead laws touching credit for period of enlistment to the soldiers, nurses, and officers of the Army and the seamen, marines, nurses, and officers of the Navy and the Marine Corps of the United States who have served or will have served with the Mexican border operations or during the war between the United States and Germany and her allies, and I submit a report (No. 688) thereon.

This bill was introduced in the House of Representatives by Mr. FRENCH, of Idaho, and gives to the soldiers and sailors who fought in the war with Germany and those who were on the Mexican border during the Mexican troubles the same rights in connection with taking up homesteads that are given by existing law to the soldiers of the Civil War, the Spanish-American War, and the Philippine insurrection.

I introduced in this body and had favorably reported from the Committee on Public Lands of the Senate a bill which is substantially identical with this; but this being a House bill, I ask its passage by the Senate, and if it is passed I will move to indefinitely postpone the Senate bill. That is all there is to this bill; it is to give the soldiers and sailors of this war and those who served on the Mexican border the same rights in connection with the homestead laws as have heretofore been accorded to the veterans of the Civil War, the Spanish-American War, and the Philippine insurrection. I therefore ask unanimous consent for the immediate consideration of the bill.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. TOWNSEND. Mr. President, I think the bill ought to be read. I should like to have the bill read.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary proceeded to read the bill.

The VICE PRESIDENT. The bill does not seem to be with the report.

Mr. MYERS. There ought to be a bill with the report.

The VICE PRESIDENT. There is; but it is all stricken out. It is the House Calendar bill, and the entire bill is stricken out. All there is is the title to a bill.

Mr. MYERS. I think there must be a bill accompanying the report. However, I ask leave to withdraw the report. I thought there was a copy of the bill with it. I ask to be allowed to withdraw the report. I do not care to make it at this time.

The VICE PRESIDENT. The report is withdrawn.

Mr. MYERS subsequently said: Mr. President, I now renew my request in regard to House bill 13353, which I again report from the Public Lands Committee, with the explanation I made a while ago. I ask unanimous consent for its immediate consideration. The report is now accompanied by a copy of the bill. I ask that the bill be read.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That, subject to the conditions therein expressed as to length of service and honorable discharge, the provisions of sections 2304 and 2305, Revised Statutes of the United States, shall be applicable in all cases of military and naval service rendered in connection with the Mexican-border operations or during the war with Germany and its allies as defined by public resolution No. 32, approved August 29, 1916 (39 Stat. L., p. 671), and the act approved July 28, 1917 (40 Stat. L., p. 248).

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. MYERS. I move that the bill (S. 5071) extending the benefits of sections 2304, 2305, and 2300, Revised Statutes of the United States, to those who rendered military or naval service during the Mexican-border troubles and the war with Germany and its allies, being Order of Business 617, and of which I am the author, be indefinitely postponed.

The VICE PRESIDENT. The bill will be postponed indefinitely.

BILLS INTRODUCED.

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. POMERENE:

A bill (S. 5543) to increase limit of cost of a public building at Akron, Ohio; and

A bill (S. 5544) authorizing and directing the Secretary of the Treasury to acquire, by purchase, condemnation, or otherwise, a suitable site and cause to be erected thereon a suitable building for the use and accommodation of the post office and other governmental offices at Canton, Ohio, at a cost not to exceed $630,000, and to sell the present building and site; to the Committee on Public Buildings and Grounds.

By Mr. McLEAN:

A bill (S. 5545) authorizing the Secretary of War to donate to the town of Enfield, Conn., three German cannon or field-pieces; to the Committee on Military Affairs.

By Mr. BORAH:

A bill (S. 5546) for the relief of Aaron Kibler; to the Committee on Military Affairs.

By Mr. TOWNSEND:

A bill (S. 5547) granting a pension to Joseph E. Dearborn (with accompanying papers); to the Committee on Pensions.

By Mr. KELLOGG:

A bill (S. 5548) to provide for the purchase of a site for and the construction of a public building at Ely, Minn.; and

A bill (S. 5549) to provide for the purchase of a site for and the construction of a public building at Rochester, Minn. (with accompanying papers); to the Committee on Public Buildings and Grounds.

By Mr. GORE:

A bill (S. 5550) granting a pension to James A. Cox; to the Committee on Pensions.

By Mr. CALDER:

A bill (S. 5552) providing that the United States may be made a party defendant in the same manner as a private person in certain legal processes dealing with real property; to the Committee on the Judiciary.

TRANSPORTATION FOR AGRICULTURAL LABORERS.

Mr. GRONNA. I introduce a bill which I send to the desk, and I ask unanimous consent to have it printed in the RECORD. It is very short. I have prepared a short statement to go with it, giving the reasons why the bill should be passed, and I also ask that it be printed in the RECORD.

The bill (S. 5551) providing for a reduced rate for the transportation of laborers when traveling on the railroads of the United States under the direction and control of the United States Employment Service of the Department of Labor was read the first time by its title, the second time at length, and referred to the Committee on Interstate Commerce, as follows:

Be it enacted, etc., That the United States Railroad Administration is hereby authorized and directed to inaugurate and establish a special rate of 1 cent per mile for the transportation of agricultural laborers engaged in the planting, cultivating, and harvesting of farm crops and the care of live stock when such agricultural laborers are traveling under the direction and control of the United States Employment Service of the Department of Labor.

The United States Railroad Administration and the United States Department of Labor are directed jointly to prepare and promulgate such rules and regulations as may be necessary to make effective the provisions of this act.

An emergency existing, this act shall become effective immediately following its enactment into law.

Mr. GRONNA. I ask that the statement I have referred to be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The statement is as follows:

REASONS FOR REDUCED RATE ON RAILROADS FOR AGRICULTURAL LABORERS.

To restore peace in the world we must provide the people with food and we must provide employment for labor at reasonable wages.

Many towns and cities of this country are reporting large and increasing numbers of unemployed.

An unquestioned shortage of farm labor for 1919 will prevent farmers from producing normal crops of all foodstuffs.

The farm-labor needs for this year are so serious that the farms of this country can furnish homes and employment for at least 2,000,000 men during the days of business reconstruction.

At present prices of crops on the farms and present excessive cost of railroad transportation farmers can not compete for labor, and transient farm labor can not profitably travel to the sections where most needed.

Many reports show that the men engaged in harvesting the wheat crop of 1918 will not return to assist in the harvesting of the 1919 crop, because of the fact that the cost of transportation consumed practically all of their earnings.

The experience of railroads in years past shows that the apparent loss on passenger earnings will be more than offset by the freight earnings as a result of increased crops.

The 1-cent railroad rate prevails in Canada, and is a material inducement in attracting labor to the farms, and has resulted in drawing thousands of skilled American farm laborers to the Canadian fields.

This is not class legislation, because of the two fundamental purposes: First, relieving the towns and cities of an increasing number of unemployed; and, second, the production and harvesting of increased crops which must result in benefits to all concerned.

RIVER AND HARBOR APPROPRIATIONS.

Mr. CALDER submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was ordered to lie on the table and be printed.

HEARINGS BEFORE THE COMMITTEE ON INDIAN AFFAIRS.

Mr. WALSH submitted the following resolution (S. Res. 441), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Indian Affairs, or any subcommittee thereof, be authorized during the Sixty-fifth Congress to send for persons and papers and to administer oaths and to employ a stenographer, at a cost not to exceed $1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee; that the committee may sit during the sessions or recesses of the Senate; and that expenses contracted hereunder shall be paid out of the contingent fund of the Senate.

ADDRESS BY HON. FRANKLIN K. LANE.

Mr. MYERS. Mr. President, almost daily we have in this body discussions of international questions, particularly discussions of a world league of nations. I believe in a reasonable discussion of those subjects. I believe on the subject of a world league of nations the sentiment of this country should be crystallized. I myself like to hear discussions of that important subject from different viewpoints; for while, with certain restrictions and under certain conditions, I favor a world league of nations, I have not entirely determined in my own mind as to all of the details of which should be incorporated into an agreement for such a league. I feel that I need enlightenment.

I have here a very able and interesting address, of moderate length, which was delivered on the subject of a league of nations in New York recently by Hon. Franklin K. Lane, the very able and distinguished Secretary of the Interior. With much of it I agree; all of it is illuminating, and I ask unanimous consent that the address be printed in the RECORD. It will be well worth anyone's reading.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

"Mr. Chairman and gentlemen, in talking upon this subject the temptation would be to paint a picture of what Europe is, but I know that your heartstrings have been touched to the limit and that it is not necessary for me to present to you any reason why war should be made to cease or why war should be made less likely to happen.

"The President of the United States is in Paris not by your order but to carry out your wish. For the business men of the United States have by a referendum vote declared what their desire is. They do not wish merely a peace, the settlement of the immediate problem, but they wish something more lasting, something more fundamental, something that has been entitled 'A League of Nations'—something that really is, in essence, nothing more than international cooperation. And in this time, when that man stands before the world preeminently as the representative of this great people, he is entitled to the support of every American because he is the President of all of us.

"He is there, to be sure, as the representative of an ideal, but it is an ideal that is not his own ideal alone; it is the ideal of the chambers of commerce of the United States, the ideal of the statesmen of this time and of statesmen for many centuries.

"The business man wants peace because war is expensive. When this war came to an end we were spending $50,000,000 per day. Not only is it expensive but it is unreasonable. I do not say that all wars are unreasonable, or that all wars have no justification. But war is unreasonable, certainly in 99 per cent of the cases, for the reason that it gets nowhere. It will not stand the pragmatic test; it does not work; it does not solve the difficulty in the end. But there is a greater reason why you gentlemen are for some plan by which mutual guaranties can be given, and that is because you believe in a greater America, and we can not spend our time nor our boys' time in thinking of war when we have other things to think of that are much greater than the destruction of life.

"We have a continent that we have still to master. We have resources that we have still to bring forth. Our days of pioneering have largely passed. They passed, I believe, with the beginning of this century, but now we have come to a time of intensive development—a new America in the abundance and variety of its resources, physical, intellectual, spiritual.

"The question arises in every mind, Is such a plan practicable? And there are men who will say that it can not be made to work.

"America my friends is not the product of a philosophy of despair; America is the creature of optimism and confidence.

"At present we are in an eddy; the great stream is flowing on, but in the United States we are in a bit of back current. You feel it, I feel it, the country expresses it.

"In a certain sense the war came to an end too soon, because we, in our minds, had prepared for a war that would last until next summer, and then great things would be done, and the enemy forced to surrender. But you know just what happened. Far off on the eastern end, where the war had begun, there suddenly came a drive through Macedonia, and then there came the magnificent effort on the west front, and before we knew it Bulgaria had surrendered, Austria had put in her plea, Germany had thrown up her hands in surrender, and the armistice had come.

"But in a time such as this, when we are naturally feeling a reaction from the stress, strain, struggle, and sacrifice of heroic effort for two years and more, you can not judge of the American mind. A league of nations is demanded by the peoples of the world, and something in that order will result, because it is expressive of a great impulse, a great desire, a real world demand.

"Why should anyone say that such a league can not be? The man who wrote the greatest study of America is Mr. Bryce. He stands for it stanchly. The man who brought England into this war for an ideal as well as for self-protective reasons, Lord Grey, is for it. The man who stands at the head of the British Government and who has recently been almost unanimously indorsed and commended by his people, who has carried this war on in behalf of his country to a successful conclusion, Lloyd George, believes in it. You and I agitated for it before the war came upon us. We knew that something in the way of international cooperation must be evolved or else the world would be doomed to live in a state of unending fear. Men of imagina-

tion all over the world have been writing books about it until it has come to be that people have thought that it was merely a dream, a utopian vision, something by which in a strange and magical way the millennium was to be brought about. Why should international cooperation be impossible? What is the growth of society except the growth of cooperation?

STANDS FOR COOPERATION.

"What is this association that I am addressing and the thousand associations like it in the United States—what are they but cooperative effort? What is this city in which you club together for the purpose of getting sewerage and water systems and streets? And the State and the Nation—what are these but expressions of cooperative effort? The distinctive movement of our day is away from an intense individualism in business and toward gathering together, seeing eye to eye, sitting across the table and talking out difficulties, exchange of thought, of method, of purpose. So that those who stand against international cooperation are standing against the very trend of business life, the trend of labor organizations, the trend of scientific effort, the trend of the centuries. Why, gentlemen, there were 135 international conferences held the year before the war. We have in existence already machinery of one kind and another which directly touches international effort, such as the Postal Union, a union that spreads throughout the whole world.

"No one can say, therefore, that this thing is a mere vision; that it is a dream that can not be made true. It is, of course, possible to believe that the thing that we want is a thing that can not be perfected at once; that it can not spring full-fledged out of the mind of any statesman.

"Political machinery, like all other machinery, is a dream first and then passes through phases of valueless crudeness to phases of perfecting utility—and perhaps never becomes perfect. And who are we to say that in a day when men are drawing nitrogen out of the air by electric process, in a day when you can talk to a man 5,000 feet above you by wireless telephone, the inventive mind of man has stopped. Why, the Constitution of the United States itself was the first invention along practical lines of politics in a thousand years.

"International law is flimy, founded upon unrelated precedents, without certainty, precision, or definiteness. We should know the law between nations as we know the law within nations. Some day it must be drafted and by some one. Why not now at the Paris conference? Some body of men must meet and out of the experiences of the nations find those rules of international conduct which have been generally accepted by the most advanced of the nations and crystallize them into form and give them sanction. An international code commission is needed to declare the accepted law (if it can be said that there is any accepted international law) and to present to the nations for their ratification such new laws as may be needed both in the promotion of intercourse, commerce, and peace, and in the conduct of war. This would be the foundation of a league of nations.

"Here would be an agreement, between those who chose to make it, that they would accept definite rules by which they would be governed as between each other. Such a commission would not be an international or supernational legislature. All that it did would be referred for approval and adoption to the nations; those who joined in its drafting and those which had not done so. A code so formed would grow as all law has grown, from a simple presentation of a few rules or principles into a more complex and elaborate body as time went on. This surely would not be revolutionary; it would not offend national pride or set at naught national sovereignty. We could cover such matters as we wished, and only such matters as we wished, in such a code.

"But in that code there should be incorporated one agreement, binding on all who signed it, that it must be the law between the nations, and if controversies arose as to the matters dealt with in the code that they would be submitted to a judicial tribunal formed by the nations for the interpretation and application of the law and would abide by the decision of that court.

"That agreement would call for a surrender—a surrender on the part of all the members of the league—of the right to go to war over a matter which they had agreed should be a matter for decision by a court. Such agreements are not uncommon among business men. There is hardly a contract of consequence drawn to-day that does not contain such a provision. And the history of nations each year grows richer with the record of cases where differences between nations as to specific matters are relegated to just such tribunals. Sir Frederick Pollock has gathered the fact that since the year 1815 there have been more than 150 cases arising out of international conflict of interest which have been submitted to the decision of chosen arbitrators, and in no case has war resulted from the decision rendered.

"This most pregnant fact must be regarded here that in the code itself there would be eliminated from controversy a great volume of matters over which disputes might arise. For instance, the parties to the league would definitely state and agree upon the territorial boundaries of the countries affected. There would be a settlement, clear and distinct, of this most prolific cause of trouble. There might well be a setting forth of the rights of nationals in foreign lands, another abundant source of difficulty. And the rights of nations to enforce the claims of private individuals for loans made to foreign governments might be dealt with in such manner as to make clear and unequivocal the nature of the remedy that the individual making the loan would have. In a word, the code itself would eliminate from the field of uncertainty a not inconsiderable percentage, perhaps an overwhelming majority, of the causes of international trouble and make a resort to the court unnecessary.

"If, however, there developed a controversy which one or both of the parties would not submit to the court, or after a court decision one or both would not accept it, what method of enforcement could there be?

"The league could have a weapon which the world has never tried but which, I do believe, would prove more coercive than any plan that has been devised, as cruel in some ways as war itself, and devoid of any of those meretricious calls which make war so often popular. In harsh, undiplomatic language this process would be called international boycott—the severance of every tie that connected the nations of the league with the offending nation. Cut the railroads at the border, the telegraphs, telephones, postal service, steamboat lines, all communication; allow no one to have ingress or egress; allow no bank to deal with any bank in that country; no cattle, no coal, no steel, no food, no letters; cut off all life; let the nation be as one that did not exist to the rest of the world. It is hardly thinkable that any nation would refuse to submit a controversy to a court's decision if it knew of such a possible punishment. But if it still was obdurate war must follow. An international police force would, however, not be a necessity, for nations have learned to cooperate under a unified command in the past year and national forces might again be united to carry out a common pledge.

"This does not seem to me an impossible, impracticable, unreliable plan. It does not prevent war; it makes it unlikely, most improbable. Of course, if such a plan were inaugurated and by its means the world was brought through difficulties the plan would gradually prove the lessening need for great armaments and disarmament would slowly come about.

"There are difficulties to be overcome in instituting any such plan. Who are to constitute the league? I should answer those whose territories are clearly defined, who have a settled form of constitutional government under which they are living in peace, and who are so behaving themselves as to be worthy of a place at the table of the family of nations.

"Would it not imperil the interests of the greater powers if they had to be subject to the will of the smaller? It has never been proposed that all nations should have an equal vote in the league. The one stable tribunal organized by The Hague conference was the international prize court, in which the United States had 20 votes as against a single vote for most of the smaller nations. This was arrived at by considering population, wealth, ships at sea, volume and value of sea traffic, and other elements. It was arrived at by a process known to you as the weighted average.

"Would not the Monroe doctrine be surrendered by the formation of such a league? The answer to this is that the Monroe doctrine is a declaration that the territorial integrity and national independence of the nations on this hemisphere shall not be invaded by any European power. That doctrine might well be written into the code to which the nations would subscribe, and it has so long been accepted that I doubt if the right to have it made a part of the code would be challenged. In fact, the very first of the proposals made by the President for such a league is the declaration of this very doctrine. Here are his words:

> "A general association of nations must be formed under specific covenants for the purpose of affording mutual guarantees of political independence and territorial integrity to great and small nations alike.

"But the right to enforce this doctrine might be taken from the United States. True, that burden might not remain exclusively our own. And yet there is no reason why in the formation of the league there could not be a recognition that certain principles and doctrines would be within the care of certain subordinate groups—a pan-American league, if you please, as

to matters of all American concern and perhaps a district suborganization for Europe and another for Asia.

"Thought—sympathetic thought—will solve many problems. If we wish international cooperation to stop wars and to make more free and sure the intercourse of the peoples of the world, we can find the machinery by which it can be brought about. The whole difficulty now rests in prejudice and fear and suspicion. Why not in our fine American way rather say that the thing that should be done can be done. The engineers of our Army have adopted as a motto these words: 'It can't be done. Here it is.' We may find, gentlemen, that this motto is that of the peace conferees in Paris. They may return saying to all doubting Thomases, 'It can't be done. Here it is.'

"My appeal is that you then give to those who represent you the strength of your support and believe that the inventive mind of man has not ceased functioning. Let us believe that something will come out of the dreams that you and others have had.

"I can visualize President Wilson in his entrance to Paris as he goes down the Champs de Elysees with the cheering crowds and, crossing the bridge to Napoleon's tomb, he looks down upon the sarcophagus that holds the body of the greatest warrior of the world, who spread his power across Europe and dared to think of spreading it across the whole of the world between the Atlantic and the Pacific.

"The President goes out the door of that church down the boulevard until he comes to another monument, a monument that more nearly represents the spirit of our new day, the monument to Pasteur.

"Pasteur is sitting above, looking down. On three sides of the base are figures representing what he did for France, a boy with sheep and a man with oxen, a girl with grapes, indicating his cure of the phylloxern. Then in front is the main group, a girl wan, weak, exhausted, emaciated, has risen from her couch and is leaning against her mother, who is looking up into the eyes of Pasteur above with a look of ineffable gratitude as a figure of death slinks around the opposite side.

"Woodrow Wilson goes to Europe not as a conqueror. He goes for the healing of nations; he goes to add greater glory to the name of America."

SHIP WORKERS' STRIKE.

Mr. THOMAS. Mr. President, on yesterday the senior Senator from Washington [Mr. JONES] inserted into the RECORD two documents bearing the signature of Mr. Charles Piez, Director General of the United States Shipping Board Emergency Fleet Corporation, and referring to a strike at Seattle which, I think the Senator said, might be by this morning State wide in its operation.

I received a telegram this morning from one Morris D. Leehey from Seattle, a very long telegram, which I shall not read in its entirety, but which I shall hereafter ask to insert in the RECORD, that in some respects is the most remarkable document I have ever received.

This telegram, which probably has been duplicated to other Members of this body, embodies a statement published in a Seattle paper yesterday morning which informs me among other things that those now engaged in the strike at Seattle will feed the people; that they have 12 great kitchens which have been offered and from them food will be distributed by the provision trade at low cost to all; also that labor will care for the babies of the State; that milk-wagon drivers and laundry drivers are arranging plans for supplying milk to the babies, invalids, and so forth; and that the washing of hospital linen will be permitted; also that the stopping of cars will keep some people at home; also that the strike committee is arranging for guards; and while a few hot-headed enthusiasts complain that the strikers only should be fed and the general public left to endure severe discomfort, that is too inhumanitarian to be considered. Then follows a very strong and caustic criticism of the order of Mr. Piez, and the telegram concludes with the following warning:

> If the strike continues labor may feel led to avoid public suffering by reopening more and more activities under its own management; and that is why we say that we are starting on a road that leads no one knows where.

Mr. President, the announcement of Mr. Piez informs us that between the Government and these men are existing agreements and boards which have been recognized for the settlement of all further disputes which may arise during the operation of the shipyards. It also informs us, what people perhaps know generally, that the rates of wages paid at these yards are greater than have ever been paid before and fully commensurate with all the requirements due to the advanced cost of living, and so forth.

Mr. President, if I interpret this telegram correctly, it means that certain private organizations have taken over the governmental functions of the city of Seattle, and that they will administer them so that there will be as little suffering as possible consequent upon this very much-disturbed condition.

I imagine that if the packers of Chicago should for the purpose of advancing their prices announce that none of their supplies would be served to the public until their demands for advanced prices were recognized and conceded, and in the meantime they would feed the babies and take care of invalids and exercise general police regulations of the great city of Chicago, everyone would recognize in it the assumption by that great combination of governmental powers for the purpose of enforcing a private demand, and the indignation and protests of American citizens would be universal. I see no difference, Mr. President, between such conduct by such an organization and that which, if this telegram is interpreted correctly, is now prevailing in the city of Seattle.

If this strike is to become State wide, as the Senator from Washington [Mr. JONES] fears, I think it is safe to assume that State governmental functions will also be assumed, and for similar reasons. There, then, will not be an imperium in imperio, but a usurpation of governmental authority.

I think, therefore, that it is easy for any reflecting man to conclude where all this leads to. It leads either to the overthrow of established government in that section of the country, or it will tend to bring it into deserved disrespect and disrepute. It means, Mr. President, the experiment of bolshevism upon the northwest coast of America, and is preceded by a disregard of solemn agreements, which indicates that the binding force of compromise is not recognized in that section of the country.

Mr. President, I am by nature pessimistic and may take a gloomier view of conditions like this than the facts warrant; but they are another indication, to my mind, of the extremely sinister features of the social and industrial conditions in America, particularly in the great community centers of this country, and that it is the symptom or early manifestation of a situation the gravity of which we do not fully appreciate.

I have denounced, and I shall continue to denounce and to criticize all invasion of governmental prerogative and individual right by combinations of capital and finance. I recognize fully that the work of these combinations has caused, and are causing much of the resentment which finds expression in this manner; and I assert that the duty of the Government is to control and to curb the one, just as much as it is its duty to control and curb the other; but its duty in each direction is manifest. In this country, Mr. President, there is no need that any person or association of persons complaining of or suffering from abuses should resort to violence or lawlessness for the purpose of righting his or their complaint. This is a Government of the people. It furnishes ample machinery for the enforcement of right and for the redress of wrong through the agencies that machinery provides.

I believe that these immediate manifestations of coming trouble require that they be met with a promptitude and efficiency by the authorities charged with the duty of asserting the Government's power to safeguard life and property, and, as well, recognize and enforce the rights and remedy the wrongs of all.

A soup line or a bread line is, in any event, a deplorable thing in a country like this—we have had too many of them—but a soup line or a bread line provided by those who are engaged in disregarding or overriding the established authority and for those who are helpless because the Government will not perform its functions and take care that the laws are properly enforced is an anomaly in civilization everywhere, yet that seems to be the situation in Seattle. Mr. President, I have no doubt, at least, I hope, that the authorities of that great municipality and the executive of the State will be sufficiently appreciative of their duties at this time to vindicate the requirements and the majesty of republican government in that city and in the State if further developments require it.

Mr. President, America must be for Americans. By that term I do not mean those who are native born, but every man who believes that the institutions of his country are worth preserving and respects the reign of law and order must do his bit toward their preservation. The time has come, indeed it has been apparent to me for some time, when little, petty, partisan differences, the struggles for party advantage, must be subordinated to the supreme duty of vindicating the majesty of the laws and the Constitution of the United States and of the States. This Seattle affair is an object lesson of our disregard of that supreme duty, of our indifference to the welfare of the country, and of our proneness to fall back upon that old system of laissez

faire which trusts to luck, with an indifference that will lead us to the precipice and which assumes that things will right themselves as they go along.

The time has come, it is here, Mr. President, when every man and woman in the United States who believes that this country is worth preserving and the best and freest in the world, and who feels that the war which we have just won is only a step in the right direction, should by their acts manifest their faith and stand by the country's institutions now, be the sacrifice what it may, when domestic insurrection is raising its head and threatening them more seriously than it has in the past.

I ask that the telegram from which I have read may be inserted in the Record.

The VICE PRESIDENT. Without objection, it is so ordered.

The telegram is as follows:

SEATTLE, WASH., *February 5, 1919*

Senator CHARLES H. THOMAS,
599 Sixteenth Street, Washington, D. C.:

The following appeared on the first page of the Seattle Daily Union Record under date of Tuesday, February 4, 1919: "On Thursday at 10 a. m. there will be many cheering, and there will be some who fear; both these emotions are useful, but not too much of either. We are undertaking the most tremendous move ever made by labor in this country, a move which will lead no one knows where. We do not need hysteria; we need the iron march of labor. Labor will feed the people. Twelve great kitchens have been offered, and from them food will be distributed by the provision trades at low cost to all. Labor will care for the babies and the sick. The milk wagon drivers and the laundry drivers are arranging plans for supplying milk to babies, invalids, and hospitals and taking care of the cleaning of linen for hospitals. Labor will preserve order. The strike committee is arranging for guards, and it is expected that the stopping of the cars will keep people at home. A few hot headed enthusiasts have complained that strikers only should be fed and the general public left to endure severe discomfort. Aside from the inhumanitarian character of such suggestions, let them get this straight: Not the withdrawal of labor power but the power of the workers to manage will win this strike. What does Mr. Piez of the Shipping Board care about the closing down of Seattle's shipyards, or even of all the industries of the Southwest? Will it not merely strengthen the yards at Hog Island, in which he is more interested? When the shipyard owners of Seattle were on the point of agreeing with the workers it was Mr. Piez who wired them that if they so agreed he would not let them have steel. Whether this is camouflage we have no means of knowing, but we do know that the great eastern combinations of capitalists could afford to offer privately to Mr. Skinner, Mr. Ames, and Mr. Dutkie a few millions apiece in eastern shipyard stock rather than let the workers win the closing down of Seattle's industries, as a mere shutdown will not affect these eastern gentlemen much. They could let the whole Northwest go to pieces as far as money alone is concerned, but the closing down of the capitalistically controlled industries of Seattle while the workers organize to feed the people, to care for the babies and the sick, to preserve order—this will move them, for this looks too much like the taking over of power by the workers. Labor will not only shut down the industries, but labor will reopen under the management of the appropriate trades such activities as are needed to preserve public health and public peace. If the strike continues, labor may feel led to avoid public suffering by reopening more and more activities under its own management, and that is why we say that we are starting on a road that leads no one knows where."

MORRIS D. LEWITT.

Mr. JONES of Washington. Mr. President, I shall not attempt to add to what the Senator from Colorado [Mr. THOMAS] has so well said. He has expressed my sentiments much better than I could express them myself. I wish I could present a statement showing that conditions are not so bad in Seattle as the information which we have had would indicate; but I can not do so. I have not gathered the force of the telegram, from which the Senator from Colorado has read; but I know the gentleman who signed it. He is one of the leading attorneys of Seattle. I have a telegram, however, from which I desire to read a line or two, which I received this morning from Seattle, from a gentleman whom I know there, as follows:

Conservative opinion regards strike situation presents serious possibilities. Strikers openly advised to take what they want, and robbery becoming frequent. Believe Government should prepare to furnish troops without moment's delay, if requested.

I am not advised as to what steps the local or State authorities have taken. I believe they will act promptly and effectively to protect life and property and to see that peace and order are maintained. On yesterday, in presenting the statement of Mr. Piez, I stated that possibly by that time the strike had become State wide. I was mistaken as to the time. The time fixed for a State-wide strike was this morning at 10 o'clock. It may be that it has now been consummated. I wish I had full information to give to the Senate; but this is all that I have.

I have here two additional statements made by Mr. Piez. I do not believe that they add very much to the facts contained in the statements which I presented yesterday, but they do present some additional facts; and I think it well that we should have the full statements available.

Probably there may be another side to this question. If so, I shall be glad to present the same to the Senate. This is a statement, however, by the representative of the Government. The statement gives the agreement made by the men and the treatment that has been accorded by the Government to them. This controversy is really between them and the Government and not between the men and the shipyard owners. Mr. Piez points this out. I think, Mr. President, that I shall ask that these two statements may also be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The statements are as follows:

Second statement by Charles Piez, Director General Emergency Fleet Corporation, Philadelphia, published as an advertisement in the Pacific coast newspapers.

The future of the shipbuilding industry lies with the men and the management. It is as much the problem of the one side as of the other. Increased output and lower costs can be secured by more intelligent direction and effort without sacrifice to either side.

But it can be done only by sympathetic and intelligent cooperation between the ship workers and the yard owners; never by strike and strife.

The strike is not only a breach of an agreement with the Government, but, with the future of the industry hanging in the balance, it is a colossal business mistake.

Congress authorized the President of the United States to spend $5,500,000,000 for the construction of ships, and the President selected the Emergency Fleet Corporation as his agent to carry out this program. The German submarine was at that time sinking vessels from four to five times as fast as English and American yards were producing them.

It was America's job to beat the submarine. Old shipyards were expanded and new yards were built on both the Atlantic and the Pacific coasts.

Contracts were placed for wood ships, composite ships, concrete ships, and steel ships—for any ship that would float, propel itself, and serve any kind of a useful purpose—because we were building a fleet for an emergency.

Wages were increased. Overtime and Sunday work were ordered. Carloads of necessary material were sent by express. Three hundred thousand men were added to the 50,000 ship workers, and the Government bore the expense of transporting them and training them. The Government paid these beginners high wages while they were acquiring skill and experience, for the Nation needed ships and was willing to pay the price.

The yards of the Pacific coast and the Great Lakes responded nobly, for they had been longer in the game and had a larger number of experienced ship workers to draw from. Even the new yards created since the war was declared began deliveries.

Then the armistice was declared and the shipbuilding situation was changed overnight. The Nation began figuring the costs.

And the Emergency Fleet Corporation was asked, "If you were building a lot of ships for an emergency, why don't you quit now that the emergency is over?"

"Ships are costing the Government from two and a half to three times what they cost three years ago, and 50 per cent more than they can be bought in England at the present time. So quit building till the costs go down to where we can compete."

The Emergency Fleet Corporation thereupon took account of stock. It found that it was building more wood ships than it could use or sell, and so it canceled those that hadn't been begun.

It found that a merchant marine was something more than an aggregation of ships. It had to be a well-balanced fleet, that provided a certain proportion of fast passenger ships, of slower going passenger and cargo carriers, and of many ships built especially for certain lines of trade.

And upon review of the numbers and types of vessels building under the emergency program, the Emergency Fleet Corporation decided to suspend work on a portion of it so, in case Congress decided to permit us to spend the money authorized, it could substitute more desirable and necessary types of ships for those suspended.

It is impossible to build a perfect "ready to use" merchant marine. Parts of it, at least, must be built to suit the needs of business that will develop through the effort and enterprise of the future.

It is necessary, therefore, to proceed more slowly than heretofore in the completion of the present program. Overtime and Sunday work and other expenses due to speed have therefore been cut out.

And we are calling on the managements and the ship workers to cooperate in such a way as to make high wages and low labor costs possible in the shipyards as it has been made possible in the automobile industry.

Let me cite three examples of how high wages and reduced output per man have increased the labor costs of vessels. One of the best producing yards on the Pacific coast shows that the average output per man is 70 per cent of that of two years ago, and the average rate of pay 70 per cent higher. This means a labor cost two and four-tenths times greater than two years ago.

Three Atlantic coast yards show labor costs from two and a half to three times higher than two years ago.

We can look for more output per man as the new men in the yards grow in experience, but in the meantime the future of the industry is in the balance.

Foreign orders can not be secured until costs go down, and even the Government can not continue shipbuilding indefinitely if every ship shows a heavy loss.

I am presenting the facts as they are before the United States Shipping Board and the Emergency Fleet Corporation, and my advice to the men is: Go back to work and get together with the owners to see what can be done to put the shipyards in shape to compete for the world's business in shipbuilding.

CHARLES PIEZ,
Director General United States Shipping Board Emergency Fleet Corporation.

PHILADELPHIA, *February 3, 1919.*

Interview sent out for Pacific coast newspapers for publication Tuesday morning, February 4.

Charles Piez, Director General of the Emergency Fleet Corporation, to-day authorized the following statement in regard to the strike of the ship workers on the Pacific coast:

"In all fairness the men who have broken their obligations, under the Macy award, and walked out, demanding higher wages, should consider the economic menace imposed upon the Nation by their action.

"They should give consideration to the fact that the war is over and that the emergency to meet which the United States Government entered upon its great shipbuilding program is a thing of the past. Our shipbuilding enterprise was started and carried to this point under very unusual circumstances. Congress appropriated $5,500,000,000 to build a fleet of merchant vessels with which to meet the emergency of war, and the President designated the Emergency Fleet Corporation as

his agent to carry out this construction program. At the time this enterprise was started the rate of sinkings by German submarines indicated that 12,000,000 tons of shipping would be sunk during the year 1917. This rate was not maintained, but, nevertheless, 9,000,000 tons of shipping actually were sunk during that year.

"America's job was to beat the German submarines by new construction. No money was spared. Every means for expanding the shipbuilding facilities of the country was utilized. The existing yards were expanded to the very limit of their capacities and vast new yards were constructed.

"We started out to build ships of all types. Steel, wood, composite, and concrete vessels were ordered constructed at the highest possible speed. We needed ships, and were not particular what type was constructed, so long as we got vessels that would float. Anything within reason to help meet the emergency was undertaken.

"To quicken completion of this gigantic task the Government met every demand for increased pay that was consistent with the rising cost of living, and gave the shipyard workers opportunity for additional earnings by encouraging overtime and Sunday work at increased rates. Speed, not economy, was the goal. When ship construction was delayed by lack of materials, we even resorted to the costly expedient of sending steel by express to the yards.

"In the extremity which the Nation faced we called for and obtained the services of 400,000 new men to bolster the force of 50,000 employed in the shipyards when this enterprise was started. The Government transported these men to their jobs at its own expense and undertook to train them in the crafts of shipbuilding. Not only that, but it paid them high wages while they were learning their trades.

"In the emergency of war all this expenditure, which would rightly be called extravagance in peace time, was not only justified but was absolutely imperative. It was just as much to the interest of the shipbuilder that the emergency fleet be constructed on time as to the interest of the Government at Washington. It was the Nation's effort, and every man, woman, and child in the country was benefited by our victory over the submarine.

"Remember, at the time of which I am speaking we were not building ships primarily for trade purposes but to meet a dreadful danger that was daily becoming more threatening. The lives of millions of soldiers were at stake and the outcome of the war largely depended upon our success in this emergency shipbuilding program.

"Now the conditions are changed. The war is over and we must turn our attention to the economic needs of the Nation. The necessities of war-time construction brought the labor cost per ship to such a high figure that to-day it represents a large part of the total cost of a steel vessel. This is not all due to the increases in rates of pay. It is due largely to a decline in labor efficiency, due to dilution. We are getting less to-day in return for the high wages paid to shipbuilders than we got at the comparatively low pay which obtained in the shipyards two years ago.

"In the most efficient shipyard in the Seattle district the average pay is 70 per cent more than it was two years ago and the output about 70 per cent of what it was two years ago. Wages have increased from 50 to 100 per cent in the shipyards of America, but there has not been a corresponding increase in output. This situation to-day threatens to throttle the shipbuilding industry. It must be corrected if the industry is to live.

"High wages are not at all inconsistent with low costs, and American labor always has been able to compete with the lower-paid foreign labor by making up through efficiency and quantity output the difference between the respective rates of pay. I have no doubt that American shipyard labor to-day can continue to compete with foreign shipworkers on the same basis. But to increase the wage scale before increased experience and improved output have been attained is sheer folly. It would result simply in forcing America out of the shipbuilding industry.

"Now that we have peace we must have assurance that the profits earned by a ship will pay for the cost of the ship. Otherwise, our merchant-marine project is doomed in advance to failure.

"The time has come to build larger and faster steamers for trade purposes. That is the problem of the Emergency Fleet Corporation. There rests upon the shipyard workers an obligation equally as important as that which the Emergency Fleet Corporation faces. It is the duty of these men—a duty they owe to themselves, to their communities, and to the Nation—to increase their average output and justify their present high wages by efficient work. To demand pay without such justification is wrong in principle and impossible in practice.

"I do not believe the present situation is hopeless, although the economic aspects of our program are most discouraging at this time. An extreme case may be cited in three Atlantic coast yards which show a labor cost from two and one-half to three times higher than two years ago. Now, the output of these yards will be greater when the new men become experienced. I have an unshakable faith in the ability of American labor to make good on this test provided they refuse to listen to radical counsel and abide by their own agreements. Meanwhile, frankly, the future of the whole industry is in the balance.

"To-day England, with lower labor cost and higher efficiency, can build ships much cheaper than we. We can not hope to obtain foreign orders until our costs go down.

"The future lies with the men and the managements. They must get together and cooperate for more intelligent direction and effort. This can be done without sacrifice to either side. I believe that sympathetic and intelligent cooperation between the yard workers and the yard owners will solve the problem, but it can not be solved by strikes and strife.

"The strike not only was a breach of faith with the Government, but in the light of present conditions in the shipbuilding industry was a colossal business blunder.

"CHARLES PIEZ."

Mr. VARDAMAN. Mr. President, may I ask the Senator from Washington how many of these men are on strike?

Mr. JONES of Washington. I understand that some thirty or forty thousand went on strike a short time ago.

Mr. VARDAMAN. Is the strike confined to the shipbuilders?

Mr. JONES of Washington. No; it has been spreading. The Central Labor Council of Seattle, I understand, has indorsed the strike, which I suppose would be termed a sympathetic strike; and several of the labor organizations have indorsed it. I am advised by a telegram which I received day before yesterday from a point outside of Seattle, as I construe the telegram, that a State-wide strike would be inaugurated this morning at 10 o'clock in sympathy, of course, with the shipyard strike.

Mr. VARDAMAN. That includes all the labor organizations, I presume?

Mr. JONES of Washington. I apprehend that it goes very far. I do not know, however, as I say, how far it goes. I have not received, I am sorry to say, very much detailed information from the State. In fact, about all I have had is what I read from the telegram this morning, except the telegrams which I received the other day, which simply stated that the situation was serious and that probably a State-wide strike would be inaugurated this morning at 10 o'clock.

Mr. ASHURST. Mr. President, I call for the regular order.

The VICE PRESIDENT. Concurrent and other resolutions are in order.

AMERICAN TROOPS IN RUSSIA.

Mr. JOHNSON of California. Mr. President, I desire to call up Senate resolution 411, introduced by me on January 13, 1919, and I ask the Chair to lay it before the Senate.

Mr. POMERENE. I was not able to hear what the resolution is about.

Mr. JOHNSON of California. It is Senate resolution 411, introduced on the 13th day of January, 1919, and reads as follows:

Resolved, That in the opinion of the Senate the soldiers of the United States as soon as practicable should be withdrawn from Russia.

The VICE PRESIDENT. That resolution is on the calendar.

Mr. JOHNSON of California. No, sir; I beg the pardon of the Chair.

The VICE PRESIDENT. It is on the table; I see. Is there any objection?

Mr. KING. I object.

Mr. JOHNSON of California. Mr. President, a parliamentary inquiry, if you please. May not a resolution of this sort that lies on the table be called up?

The VICE PRESIDENT. By unanimous consent it may be taken up on the first day following, upon the request of the Senator who introduces it. If it lies here for a month or two, it can be taken up by unanimous consent, or, if unanimous consent is not granted, it can be taken up on motion.

Mr. JOHNSON of California. Then, Mr. President, I move that this particular resolution be taken up by the Senate.

Mr. TOWNSEND. Mr. President, I suggest the absence of a quorum.

Mr. SMOOT. Will the Senator withhold that motion?

Mr. JOHNSON of California. Yes.

Mr. TOWNSEND. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Hollis	Martin, Va.	Simmons
Bankhead	Johnson, Cal.	Moses	Smith, Ga.
Borah	Johnson, S. Dak.	Myers	Smith, S. C.
Calder	Jones, N. Mex.	Nelson	Smoot
Colt	Jones, Wash.	New	Sterling
Culberson	Kellogg	Nugent	Sutherland
Cummins	Kenyon	Overman	Swanson
Curtis	King	Page	Thomas
Dillingham	Kirby	Penrose	Thompson
Fernald	Knox	Pittman	Townsend
Fletcher	La Follette	Poindexter	Trammell
France	Lenroot	Pollock	Underwood
Frelinghuysen	Lewis	Pomerene	Vardaman
Gay	Lodge	Reed	Wadsworth
Gerry	McCumber	Saulsbury	Walsh
Gronna	McKellar	Shafroth	Warren
Hale	McLean	Sheppard	Weeks
Henderson	McNary	Sherman	

Mr. SUTHERLAND. My colleague, the senior Senator from West Virginia [Mr. GOFF], is absent on account of illness. I will let this announcement stand for the day.

Mr. GAY. I wish to announce that the senior Senator from Louisiana [Mr. RANSDELL] is detained on official business.

Mr. TRAMMELL. I desire to announce the absence of the Senator from Georgia [Mr. HARDWICK] and the Senator from Kentucky [Mr. BECKHAM] on official business.

Mr. MARTIN of Virginia. I wish to announce that the Senator from Arkansas [Mr. ROBINSON] is absent on official business. I wish also to announce that the Senator from Maryland [Mr. SMITH] and the Senator from Mississippi [Mr. WILLIAMS] are detained by illness.

The VICE PRESIDENT. Seventy-one Senators have answered to the roll call. There is a quorum present. Is there further morning business?

Mr. JOHNSON of California. Mr. President, I renew the motion that was made a brief period ago, that Senate resolution 411 be laid before the Senate and be taken up at present.

Mr. LEWIS. Mr. President, if the Senator desires to press that motion at this time, I shall have to ask for the yeas and nays upon the vote. At this particular time it would displace

important matters which it was already arranged should be taken up.

The VICE PRESIDENT. The Chair understood that the Senator from Utah objected.

Mr. KING. I did.

The VICE PRESIDENT. The Chair is ruling that as soon as the hour of 1 o'clock shall have arrived——

Mr. LEWIS. Two o'clock.

The VICE PRESIDENT. The Chair is saying 1 o'clock—that until the hour of 1 o'clock has arrived only by unanimous consent can anything other than the usual morning business be transacted.

Mr. BORAH. Mr. President, in the confusion I could not catch the ruling of the Chair. I understand the ruling of the Chair to be, however, that until 1 o'clock the motion is not in order.

The VICE PRESIDENT. Or until the morning business has been concluded. That is the plain rule. The Chair will refer to it, if desired. It is Rule VII, section 3:

Until the morning business shall have been concluded and so announced from the chair, or until the hour of 1 o'clock has arrived, no motion to proceed to the consideration of any bill, resolution, etc., shall be entertained.

It is only five minutes. We will get through by that time, I guess. Are there other bills or joint resolutions?

BRITISH EMBARGO ON IMPORTS.

Mr. WEEKS. Mr. President, I ask unanimous consent to take up for present consideration Senate resolution 438, which was under consideration when the morning hour closed on yesterday.

The VICE PRESIDENT. Is there any further morning business? There being no further morning business, the Chair, understanding that the resolution went over yesterday without prejudice——

Mr. LODGE. It did.

The VICE PRESIDENT. It is therefore laid before the Senate.

The Secretary read Senate resolution 438, introduced by Mr. WEEKS on the 4th instant, as follows:

Whereas during the war with the Imperial German Government Great Britain placed prohibitions on the importation of certain American products; and

Whereas the British Government has recently placed a prohibition on the importation of additional American products to take effect on and after March 1, 1919, which is detrimental to the employment at their full capacity of our manufacturing industries; and

Whereas this action of the British Government is in direct conflict with point numbered 3 of the 14 points of peace proposed in the message of the President of the United States to the Congress of January 8, 1918: Therefore be it

Resolved, That the Secretary of State be, and he is hereby, requested to inform the Senate, if not incompatible with the public interest, what steps, if any, have been taken by the Department of State to request the British Government to modify or suspend such prohibition.

The VICE PRESIDENT. The question is on agreeing to the resolution.

Mr. KING. I move to amend the resolution by striking out the third whereas in the preamble, which reads as follows:

Whereas this action of the British Government is in direct conflict with point numbered 3 of the 14 points of peace proposed in the message of the President of the United States to the Congress of January 8, 1918.

Mr. WEEKS. While I may not object to striking out those words, I should like to ask the Senator from Utah if he does not think that is a correct statement?

Mr. KING. No; I do not; quite the contrary. I do not think the action alleged to have been taken by Great Britain is at all in contravention of any of the points stated by President Wilson.

Mr. WEEKS. I am in direct disagreement with the Senator on that point. I thought it added to the force of the resolution, but I really do not care whether it goes out or stays in.

The VICE PRESIDENT. The question is on agreeing to the amendment to the preamble proposed by the Senator from Utah.

The amendment was agreed to.

Mr. KING. Mr. President, just one word concerning the resolution. I express no opinion in regard to the criticisms made yesterday of Great Britain and the economic policy which it is alleged she is now pursuing. Neither do I express any opinion as to the wisdom or lack of wisdom in laying embargoes upon imports under the circumstances in which nations now find themselves. I am, though, somewhat surprised at the attitude taken by the Senator from Massachusetts. He belongs to that school of political thought which teaches that high tariffs and embargoes are the panacea for all our industrial and economic ills. He belongs to the party that has advocated for so many years not only a restrictive tariff, but too often a tariff alleged to be a protective tariff but which in practice was a prohibitive tariff; a party that has exhibited a vast amount of solicitude for rich manufacturers who were the beneficiaries of the protective system and who profited by exploiting labor and overcharging the American consumer.

If it be a fact that Great Britain has imposed an embargo upon certain products, she is merely giving to the world a practical illustration of the doctrine which forms the corner stone of Republicanism, and the application of which should prove a source of joy to the Senator from Massachusetts. Indeed, it is a sort of apothesis of the protective system. It constitutes a Chinese wall which restricts trade and commerce, but it is a wall around a country with which we seek commercial relations. Where is the "home market," then, which has served as the battle cry for so many years of the Republican Party? The Senator from Massachusetts is now crying out for the markets of Great Britain. His position shows the fallacy of Republican protectionism.

But, Mr. President, I do not care to be led into a discussion of that question at this time. My information is that Great Britain, like our own country, has, as the result of the war, an accumulation of products purchased or made for war purposes and which must be disposed of quickly in order to prevent immense losses to the Governments holding the same. These accumulations, it is believed, can be absorbed within a very short time by the domestic trade, and Great Britain, France, and other belligerent nations are desirous of having a short "breathing space," if I may employ this term, to absorb these products. Our Government is in the same situation, but not to the same extent as Great Britain or France.

But we have hundreds of millions of pounds of wool, as well as other products, raw and manufactured, which we would be glad to absorb.

Let me call attention to a question familiar to all Senators which should be considered when we are impliedly criticizing Great Britain for her temporary policy of laying embargoes.

A few months before the armistice there was considerable anxiety over the scarcity of potash, chrome, manganese, pyrites, and other metals. The people of the West were importuned by the officials of the War and Interior Departments, as well as the War Industries Board, to develop mines and produce these metals, so imperatively needed for war purposes. In various parts of the country the patriotic people responded to these pleas, and at great expense and confronted with almost insurmountable obstacles they succeeded in producing great quantities of these metals.

The Government purchased but a fraction of the same, and the producers now have on hand these accumulations. When the armistice was declared the Government ceased purchasing. Spain produces pyrites much cheaper than we mined them during the war. She is anxious to ship her surplus pyrites to the United States. Brazil has great quantities of manganese, and desires this market for her surplus.

The same situation prevails with respect to long-staple cotton, to which the Senator from Arizona [Mr. SMITH] referred a few days ago, and in a modified form the wool presents a similar condition. Last year the wool men of the West were importuned not to dispose of their lambs or their ewes but to carry them over until this year, notwithstanding the high prices which they could have obtained for the same. The reason given was that we must have wool in order to supply our soldiers and sailors with needed supplies. The wool men patriotically kept their flocks and herds, and purchased corn and cottonseed meal and hay at very high prices in order to keep the sheep during the winter. Moreover, they employed labor at high prices, and entered upon the winter campaign of caring for their sheep under the war-price standards.

Mr. POINDEXTER. Mr. President——

Mr. KING. I yield to the Senator.

Mr. POINDEXTER. To add to the examples that the Senator from Utah has given I might mention the case of magnetite. In the State of Washington a great deposit of magnetite has been discovered, and in view of the representations of the administration and the purpose as a war industry large investments were made in the development of it. The people who made those investments are now prepared to furnish all the magnetite this country can consume. It is a material that is used in making fire-proof crucibles and linings of steel furnaces. The only competitor that they have is in the enemy country. The only other large deposit of magnetite which is capable of competing substantially with this industry in the State of Washington is a deposit in Austria.

Under all these circumstances, in view of the low wages paid in Austria compared with the high wages in the United States and the situation in which our investors find themselves, I am in

favor of continuing in effect for a reasonable length of time, in order to enable this industry to get on its feet, the embargo which is now in effect against the importation of magnetite from foreign countries.

Mr. KING. The example which the Senator has just given could be multiplied almost without limit. Potash furnishes another familiar illustration of conditions existing here, which find some parallel to the situation in Great Britain. Before the war we imported large quantities of potash from Germany. We needed it badly, and a number of loyal Americans made heavy expenditures at the earnest request—indeed, I might say the command—of various agencies and instrumentalities of the Government and have produced a very large supply. Now other countries seek to export their potash to the United States and sell at prices which would be ruinous to American producers.

Mr. President, the question arises, Shall we undertake in some way to offer some temporary relief to the Government and to those who have thus responded to the Nation's call? Shall we do as it is claimed England is doing—lay a temporary embargo upon those articles which were produced under the conditions, or similar ones, just referred to—in order that the holders of the products, whether the Government or private individuals, shall have an opportunity to dispose of the same in the domestic market? There would seem to be some justice in this course, otherwise the Government might be called upon to meet the loans, though there is perhaps only a moral obligation upon its part to pay the same, charging them as a part of the war costs. However, I am not pressing that question now and am not expressing a settled view as to the course to be pursued.

Many petitions have been addressed to the War Trade Board, the War Industries Board, the War Department, and other agencies of the Government praying for relief from the burdens which those who patriotically served the Nation in the manner above referred to now resting upon them. The War Trade Board has been literally besieged and demands have been made that an embargo for a limited period be placed upon the products which I have mentioned as well as many more, in order that an opportunity might be afforded for the domestic market to absorb these accumulated supplies. During the war we placed embargoes upon many articles and established a licensing system which greatly interrupted free commerce. After the armistice the embargo was continued for some time, and even now, I am told, it is continued to cover a considerable number of articles, or at least there are such impediments to exports and imports that as to some products it can be said there is an embargo.

Mr. McCUMBER. Mr. President——

Mr. KING. I yield to the Senator.

Mr. McCUMBER. I wish to ask the Senator if he does not also believe that it will be necessary for us to maintain an embargo against Canadian grains being sold upon our market that we may be able to uphold the price which we have guaranteed for our grains, and can we make any complaint against another nation for doing exactly what we are bound to do?

Mr. KING. Obviously that is true, unless the Government is willing to lose hundreds of millions of dollars.

So, Mr. President, there are many of our own citizens asking our own Government to do just what the Senator from Massachusetts complains that England, in a modified form, has done or has suggested should be done. England has stated that it is not a permanent policy with her; that her present restrictive policy is not permanent, but only to enable her to absorb the accumulated stocks. Now, it is to be noted that the embargo is general. It even extends to the dominions under the British flag. There is no discrimination against this or any nation.

England could not maintain as a permanent policy the one now temporarily employed. Her position forbids it. The United States is in a much better position than is England to resort to embargoes and trade restrictions. Her manufacturing plants would soon starve and want and ruin would come to the people of Great Britain if she erected tariff walls against imports, particularly certain raw materials and agricultural products. We are in a better position, industrially and otherwise, to maintain embargoes and high tariffs than Great Britain. Please keep in view the point that I am not urging embargoes and high tariffs nor any trade policy or the economic fallacies of prohibitive tariffs. I am only calling attention to the facts which have influenced England's transient policy, and also to the fact that we are pursuing a similar course.

If the War Trade Board refuses to continue this policy, Congress may feel constrained to aid, by embargoes similar to those employed by England, those who have accumulated the surplus products mentioned.

If we pass this resolution, it will be construed by some as a criticism of England for doing just what we have done and are imploring our Government to continue to do. It seems to me it would be imprudent and unwise, in view of our situation, in view of the attitude which our Government is taking, for us to pass the resolution submitted by the Senator from Massachusetts.

Mr. WOLCOTT. Will the Senator yield for a question?

Mr. KING. I yield the floor. I do not want to take further time this morning.

Mr. WOLCOTT. I have read the resolution, and I fail to find in it any criticism of the British Government. Will the Senator point out to me what language in the resolution he thinks is tantamount to a criticism of the British Government?

Mr. KING. When we ask our Department of State to request the British Government to modify or suspend such prohibition I think it might at this time be regarded as a complaint against England's policy, and an unwarranted interference with her domestic affairs. Of course, if conditions were normal, if we were not linked together as allies in a great war—and Senators will remember that technically we are still at war—a wholly different situation would then be presented. The State Department often takes up with foreign nations trade questions and seeks amelioration from trade conditions conceived to be harsh and oppressive to American manufacturers—exporters and importers.

Mr. WOLCOTT. Well——

Mr. KING. I am sure, if the Senator will pardon me, there are some among us who would regard it as an impertinence if in the Parliament of Great Britain there should be introduced a resolution of similar character inquiring of the Secretary of State or the Secretary of Commerce what steps had been taken with a view to ascertaining the policy of the American Government in respect to embargoes which had been placed upon the importation of articles into the United States.

Mr. WOLCOTT. May I call the Senator's attention to the fact—and I believe it is a fact—that last winter a department conducting international relations did request one nation to take up with another a question which concerns that nation, to see if it could not secure a modification of some contemplated action?

Mr. KING. I do not recall the matter; but the abnormal situation now, it seems to me, renders inapplicable the general rule to which the Senator has referred. We know that England is doing this only for a temporary purpose, as we are for a temporary purpose maintaining an embargo on a number of articles. It must be remembered that we laid an embargo first and are still continuing it in effect, to a limited extent at least, and I feel confident that insistent demands will be made by Americans for a more extensive application of the embargo until the present precarious industrial and economic condition has passed away.

Mr. SMITH of Georgia. Will the Senator allow me to ask him how does he know that is true? Why not get this information? I do not understand that we express condemnation of what Great Britain is doing. We are simply seeking information.

Mr. KING. I know it, I think, from the same source the Senator from Massachusetts obtained his information—the public press—and that has stated very clearly, notably the New York Times, the purpose for which this was done and the limited object which it had in view.

Mr. McCUMBER. I wish to ask the Senator a question, if he will allow me, because it is just in line with what he has said. The resolution asks the Secretary of State to inform the Senate "what steps, if any, have been taken by the Department of State to request the British Government to modify or suspend such prohibition." If that means anything, it means that we ought to ask Great Britain to suspend such prohibition. It is an invitation, at least, to do it. I think the Senator is absolutely right when he says that it is a matter of impertinence, and we would regard it as such if Great Britain should so speak of any tariff levy that we might make.

Mr. FLETCHER. Mr. President, it is not so much the expression of views in the resolution that might be claimed to be disagreeable, not to say offensive, but the implication is unfortunate, in my judgment, and the discussion that has taken place on the resolution has been still more unfortunate. The Senator from Utah referred to an editorial in the New York Times. I do not know whether he mentioned it in detail or not.

Mr. KING. No; I did not.

Mr. FLETCHER. I have before me an editorial in the New York Times of February 3 which seems to be quite pertinent, and especially the portion of it which I will read:

The guardians of American interests who discover enmity in the embargo placed on our exports at the week end are under equal necessity to remark the friendship shown in the removal of that embargo in November. The fire eaters in the commercial war should remark that the embargo placed on our goods was also placed on Canadian goods.

and for the same reason. England must have time to arrange payments for the goods dumped upon her under her liberality toward trade; it is troublesome to maintain the rate of exchange at the figure which is desirable in the interest of all.

I think we must recognize conditions over there as well as here.

Mr. WEEKS. Mr. President, I do not know that I am not willing to recognize conditions in Great Britain. I do not know enough about this matter to state whether I do or not. I did not obtain my information from the public press about it, but I obtained it from those whose industries were being affected by it. While I knew there were some people in this country who were not giving any attention to our own domestic affairs or the reasonable promotion of our interests, or the interests of our people, I am surprised to see Senators rise in their places on this floor and urge that we give no attention to our industries; that we make no provision for the employment of our idle labor; or that we in every way neglect those matters which we are in Washington to represent.

Mr. KING. Will the Senator yield?

Mr. WEEKS. I will yield for a moment.

Mr. KING. I want to ask the Senator if in the criticism which he has just made he was leveling those remarks at anything submitted by the Senator from Florida [Mr. FLETCHER] or myself, because the question of idle labor was not suggested, and the question of failing to look after our domestic interests was certainly not suggested. On the contrary, I was insisting that we were looking after our domestic interests, and the policy of the Senator from Massachusetts was a negation of that policy.

Mr. WEEKS. Mr. President, the question of idle labor was not mentioned, but the question of idle labor is involved. If we are to have an embargo placed upon the products of our manufacturing industries, it is going to lessen to that extent the amount of work our people can do in this country, and Senators will find that there will be a demand, and a positive demand, in my judgment, from the industries in their own States that they be not impaired by any such action.

Mr. POINDEXTER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Washington?

Mr. WEEKS. I yield.

Mr. POINDEXTER. Does the Senator take the position that if the Government of Great Britain, in the management of its own affairs, tries to place an embargo upon importations into that country, and that embargo applies to all the world alike, and there is no discrimination against the United States——

Mr. WEEKS. I know it. I so stated yesterday.

Mr. POINDEXTER. Does the Senator feel that it is proper for the Government of the United States to question the action of Great Britain in that regard?

Mr. WEEKS. Mr. President, I think it proper for the State Department to inform the Senate what information it has on that subject, and whether it has contemplated taking any action which will modify this condition.

Mr. President, I want to say one word further in reference to a comment made by the Senator from Utah [Mr. KING]. He said the Senator from Massachusetts is a member of a party which advocates embargoes and prohibitive tariffs, and all that sort of thing. I wish to say that I never voted for or advocated an embargo or never voted for or advocated a prohibitive tariff; but I want to hold out this warning signal to the Senator from Utah and all other Senators. Under the conditions which prevail in this country the probabilities are that every patriotic man will find it necessary, in order to protect our labor, to vote for a higher tariff than the Republican Party has ever advocated. It is in sight, and the time has come when we have got to protect our domestic interests; and, unless we do, we are going to have a continuance of matters that are brought to the attention of the Senate every morning—of men out of work, of strikes, and disorders of various kinds. We have got to give that matter our first attention, and one of the actions which may properly be taken is to obtain this information from the State Department.

Mr. SMITH of Georgia. Mr. President, I agree with the Senator from Massachusetts. The resolution he asks us to pass does not criticize the action of Great Britain. It does not condemn it. It is a resolution which seeks information.

Now, a most important interference with our commerce has taken place by the embargo placed upon us by Great Britain. It may be all right; when we hear the facts we may conclude that it is in line with action we ourselves will take to protect some of our industries; but so important an act, reaching to such an extent against our industries, ought not to pass unstudied; it ought not to pass without official consideration. It may be that we will place an embargo on Canadian wheat. Does anyone doubt, if we do so, that Great Britain would inquire about it? No important act takes place here affecting the commerce of Great Britain that is not very carefully considered by her Government.

Mr. President, I like the idea of our watching the business interests of our country. I believe it is our duty to study not only our industries resulting from manufacture but the products of our soil; I believe it is our duty to watch our foreign markets; and I am glad to join the Senator from Massachusetts [Mr. WEEKS] in supporting a resolution indicating the duty on the part of the Senate at least to ask for information with reference to the serious interference with our foreign markets. There are markets that I am interested in, or in which my immediate constituents are interested, which are closed. My views upon that subject are not limited to my immediate constituents, although I may know more about their interests than I do of those of New England. I readily support a resolution looking to an inquiry with reference to the industries of New England as to those of any other part of the country. I believe we should realize that, if our foreign commerce is to be properly guarded, it must require from us and from the administration thoughtful and constant attention.

Mr. LEWIS. Mr. President, if I fancied from the reading of the resolution now before the Senate that it could even be considered by the Government of Great Britain as a criticism of this Government upon its purely internal policy, or a criticism by the Senate upon an act of Great Britain without even investigation, however much it might be presumed to be against our interests, I would move to lay the resolution on the table and would do all I could to see that success followed my motion.

But, Mr. President, I am impelled to the view taat what the eminent Senator from Utah [Mr. KING] has said and what the Senator from North Dakota [Mr. MCCUMBER] has said will either be justified completely or to their own minds disclosed to be without foundation when they have heard from the Secretary of State, in response to the resolution, just what are the facts.

I take it, sir, that the resolution has no other purpose than to ask of our own Secretary of State as to any steps taken by that department as to the two things, either the modification or the suspension of any part of the embargo. If nothing has been done, that is the response; if anything has been done, then a description of it; that is the response.

Mr. President, I wish for myself to say that I trust that in these discussions no national prejudices shall ever cloud the fair presentation of an economic question. Britain has a right to her economic policy, and no ancient prejudices or, indeed, present political grievances, if such existed, should be urged in this body to wrongly color or to influence wrongful accusation against her. She has a right to whatever policy she wishes to undertake. We have a right to whatever policy we shall undertake. So, as the resolution merely inquires of our Secretary of State for information for the benefit of the body, I am unable to see that the strictures of the eminent Senators are appropriate. It is only because it is an inquiry addressed to our own Government for information that I give it my support.

Mr. KING. Mr. President, just a word. The Senator from Illinois [Mr. LEWIS] yesterday regarded the action of Great Britain in laying a temporary embargo as of great importance; indeed, as I understood him, he felt that perhaps this was the beginning of a trade war, and in the closing sentence of the Senator's speech he practically told Great Britain to beware of the War of 1812. He evidently regarded the conduct of Great Britain as provocative of criticism, and possibly as the beginning of an economic war and fierce rivalry between the two nations; and possibly, because of the warning note that he sounded, he regarded the action of Great Britain in laying this embargo as a grievance that might result in either trade wars or possibly in a more serious controversy. Certainly if England so intends this policy, then she might regard our questioning her policy as a criticism, in view of the fact that we began the practice and are not yet free from it. However, I have no such idea concerning England's attitude toward the United States. She wants the most cordial and friendly relations with this Government and with the American people. She expects to be and will continue to be our most valued foreign purchaser.

The Senator from Georgia [Mr. SMITH] adjures us to look after our business interests and domestic affairs. In his earnest appeal we all join. It is important that every possible course be adopted to increase our trade and commerce. Our Nation can not live only for herself. Important as is our home market, we must find in the world around us markets for billions of dollars of products annually. Our prosperity depends upon this.

Mr. POINDEXTER. Mr. President, if this resolution only inquired for information, as seems to be assumed by those who have supported it, possibly there would be no serious objection to it; but the resolution goes much further than that. It reads:

Resolved, That the Secretary of State be, and he is hereby, requested to inform the Senate, if not incompatible with the public interest, what steps, if any, have been taken by the Department of State to request the British Government to modify or suspend such prohibition.

That is not a request for information as to the facts, as to the conditions upon which this embargo was based, but it is a request for information as to what action has been taken by the Secretary of State to carry out a policy in opposition to the policy which has been decreed by Great Britain in this matter.

Mr. WEEKS. Mr. President, may I suggest to the Senator from Washington that if no action has been taken the reply would be to that effect, and if some action has been taken it would outline the course which the State Department had followed in the matter. It does not commit the Senate to anything, but it merely asks for information as to what the State Department has done, if anything, with relation to the embargo which is being placed upon American and other products.

Mr. POINDEXTER. Mr. President, I think it would be much more dignified, if I may use that word, for the Senate to announce some policy of its own in a matter of this kind, instead of merely seeking to ascertain whether the Secretary of State has undertaken to mark out a policy for the American Government in opposition to the deliberate action of the Government of Great Britain in a matter so important as an embargo undoubtedly is.

Mr. WEEKS. Mr. President, may I suggest to the Senator that it would be a difficult matter for us to adopt a policy which Congress should follow until we have all the facts relating to the case? Presumably we may get some facts from the State Department on which we can base a policy.

Mr. POINDEXTER. As I understand, the resolution contains an implication that the Secretary of State ought to have taken some action of this kind. That necessarily would be implied.

Mr. MOSES. Mr. President——

Mr. POINDEXTER. I yield to the Senator from New Hampshire.

Mr. MOSES. Does the Senator wish to imply that there would be any impropriety in the Secretary of State taking such action or making an inquiry of the British Government to that effect?

Mr. POINDEXTER. That is a matter of opinion, a matter of policy. In answer to the Senator I will say that my own personal opinion is that it would be a mistaken policy for the Secretary of State to make such inquiries, unless he is in possession of information that has not been presented to the Senate as to the nature of the embargo. The mere fact that Great Britain has laid an embargo upon certain importations certainly is not sufficient ground for the Government of the United States to put itself in opposition to that policy and to take official action to oppose a policy which Great Britain has a perfect right to adopt, and which she has applied to all the world without discrimination.

Mr. MOSES. Mr. President, if that is so, then the unbroken policy of the State Department has been improper and groundless, because it has been the continuous policy of the State Department, as I know from personal experience, to keep watch over all governmental action of the kind here described, and to instruct our diplomatic representatives in the various foreign capitals to take immediate steps in protestation against governmental action which may be detrimental to the extension of our foreign trade. I happen to have passed through some episodes of that kind myself, where, by the interposition of the State Department, I was instructed not only to make representations at the foreign office, but to use minatory language toward the government to which I was accredited in cases exactly like this. The archives of the State Department and the archives of every diplomatic commission of the United States in foreign countries are full of instances of that kind, and the unbroken policy of the State Department has been certainly to take immediate action in such cases. The resolution of the Senator from Massachusetts simply asks what has been done under the policy which we know to have existed for a long time in the State Department.

Mr. POINDEXTER. Mr. President, I thought the Senator rose merely to ask a question. I might comment on the fact that the case which he has in mind, if I am correctly informed, where the Senator, at that time occupying a diplomatic position under the Government, was instructed to use minatory language, was the case of a small, weak country.

The Senator was never instructed to use minatory language toward a great power such as Great Britain. That has been quite a marked line of demarcation in the foreign policy, I may say in the recent years, during the present administration, of the Government of the United States. We pursue quite a different policy toward Costa Rica and Haiti from the policy we followed upon the sinking of the *Lusitania* by the German Empire. There is quite a marked distinction; because when the Senator who now graces a seat in this body from the State of New Hampshire was minister to Greece he was instructed to use minatory language on account of some action which Greece had taken—which I presume it was entirely within the rights of Greece to take—I am somewhat surprised to note the suggestion apparently implied in his remarks that the Secretary of State would be exercising a wise discretion to use minatory language in this case toward the Empire of Great Britain.

Mr. MOSES. Mr. President, the mere fact that the policy of using minatory language was applied to a small government does not change the principle of the thing at all. The fact is that the policy of the State Department has been to protest—I suppose the instructions to its diplomatic representatives were couched in different terms, according to the conditions at the seat of government where the representative was a resident—but the policy and the practice have remained exactly the same, that wherever action was taken in a legislative body or by ministerial decree which threatened the market for American products our diplomatic representatives have been instructed to make representations; and in many cases it will be found from a reading of the dispatches that the diplomatic representatives did not wait for instructions, but, knowing that to be the policy of the State Department, have made their representations to the foreign office in advance of any instructions from Washington. The resolution of the Senator from Massachusetts, as I gather its sense, merely asks what has been done.

Mr. POINDEXTER. I decline to yield to the Senator now for a speech.

Mr. MOSES. I beg the Senator's pardon.

Mr. POINDEXTER. I will take my seat in just a moment.

Mr. TOWNSEND. Mr. President, may I ask the Senator from Washington a question?

Mr. POINDEXTER. Yes.

Mr. TOWNSEND. I do not understand the word which the Senator used. Is it "minature" language, or what is it? I did not quite catch it.

Mr. POINDEXTER. It sounds very much like that word. I was only quoting the Senator from New Hampshire.

Mr. TOWNSEND. Well, does the Senator understand what the word means? I am at a loss to know.

Mr. POINDEXTER. I think a great deal of "minature" language has been used. I think the Senator knows what that means. It means just the opposite, however, of what the Senator from New Hampshire undoubtedly described by the word "minatory."

There is not any doubt at all, Mr. President, that the President of the United States has, in the absence of legislation, the initiative in conducting the foreign affairs of the country, and the Secretary of State is exercising part of the powers that are vested by the Constitution in the executive branch of the Government. Under him are the ambassadors, the ministers, and consular agents; but the question of the mere propriety or legality of an action is a very different thing from the question of the wisdom of it or the propriety of it, if you use the word "propriety" in the sense of whether or not it is a wise policy.

I want to say in regard to the action of Great Britain and of France, which I have heard criticized a good deal in recent weeks in several different particulars, that in cases where they were exercising that prerogative of a people to take care of their own interests, I have rather admired them for it, even in cases where the action was more or less detrimental to certain interests in the United States. It is highly desirable, also, that we should protect our interests. I admire Great Britain for taking the step if it tends to protect her business interests. It might be that when we know what the facts are, after we have had an opportunity to examine the case, the Senate would decide that the United States would be justified in requesting Great Britain to modify her attitude, because of its injurious effects upon the industries of the United States. But I do not think we ought to take such action, either expressly or by implication, unless we are sure that we are justified in doing it, and that the interests involved are of sufficient importance to cause us to question for a moment such steps as Great Britain has seen fit to take within her legal rights, without discrimination against the United States, to foster her interests. That is especially true because of the situation in which Great Britain finds herself at the end of a four years' struggle for her exist-

ence, when her resources have been taxed to the utmost; when her industries have been absorbed in the manufacture of munitions, have been dislocated, and in many instances destroyed; when her economic situation has been revolutionized; when supplies have been accumulated; and when new means for readjusting industrial life may be found necessary.

Mr. WEEKS. Mr. President——

Mr. POINDEXTER. I yield to the Senator.

Mr. WEEKS. I think I have something of the same sentiment with regard to what Great Britain is trying to do in protecting the interests of her own people; and it is the unanimous sentiment of the business interests of Great Britain that such a course should be taken. I have not seen a single statement for months which has not been along that line.

If the Senator will pardon me for just a minute. I want to read—for I have in my hands an account of the meeting of the Bradford Dyers' Association—something that was stated two years ago by the president of that association in connection with the trade conditions. He says:

In conclusion, may I be permitted to say that in my opinion the greatest hope for the future lies in our ceasing to act in the interests of party or class, and in the recognition that after the war we should be ready and determined to judge every question from the standpoint of imperial interests only. The problems which will confront us after the war are such as seem to demand a government representative of all parties and classes, devoting its attention almost entirely to the effective organization of all the resources of the Empire.

Mr. POINDEXTER. I think Great Britain is justified in such action as that; and, looking upon her conduct in as impartial a spirit as possible, I admire the wisdom of her government in taking such steps to enable her industries to recuperate from the exhaustion of this war. I am informed that both France and Great Britain have been prudent and diligent during the war in preparing for the continuation of their foreign trade and commerce and their domestic industry at the close of the war. In that respect they compare very favorably with the United States; and the comparison is to the disadvantage of the United States, because we have neglected what they have diligently sought.

I noticed a few days ago that representatives of the administration, representatives of the Federal Trade Commission, were speaking in different parts of the country urging the American people not to seek to acquire foreign trade in competition with France and Great Britain, saying that it would be taking advantage of our allies in their exhaustion after this great war; that we ought not to interfere with the foreign trade of our competitors. From other sources in the administration, from the highest sources, we have seen statements that the United States ought not to profit by this war; that we ought not to come out of the war with any advantage—an altruism that is almost superhuman—the argument that although we have been forced into a great war by Germany, although we have exhausted our resources in the defense of our institutions and of the lives and rights of American citizens, though we are right and our enemy wrong, we should not ask for reparation or for indemnities. Our allies are asking for them; but those who are in control of the American Government are set in their policy that the United States, which shared the expense and the sacrifices, shall ask for no indemnity.

Mr. President, there is no idealism that is worthy of the name, there is no spiritual development that is admirable, that has not its foundation in material things. You can not develop the mind and the morals of a man unless he has some of the material necessities and comforts of life. You have to minister to the physical prosperity and well-being of a nation in order to build upon that foundation any sort of spiritual exaltation, or this ideal spirit of altruism that now seems to govern our affairs. We ought to look out for our interests. France and Great Britain are justified in looking out for theirs, and I think that before we pass this resolution, asking the Secretary of State if he has protested against this embargo, we ought to inquire into the conditions and satisfy ourselves whether he would be justified, under the circumstances, in interfering with this action of Great Britain in the management of her own affairs.

Mr. KIRBY. Mr. President, I see no reason why we should not ask for the information as proposed in this resolution; and, so far as I am concerned, I am going to support it.

I am only going to speak because of some observations made by Senators who apparently fear that the passage of this resolution might militate against some contemplated action on the part of the Government hereafter that they may think would be desirable to protect the potash manufacturers and the wheat growers.

It seems to me that it is about time that it is understood in the United States of America that the Government is not going to guarantee a price of $2.26 a bushel for the entire wheat crop of 1919, when the winter crop had not all been planted to the date the armistice was signed, and of spring wheat one-half the entire crop has not been planted yet, and when neither of the crops will be harvested under the same conditions that existed when this guaranty was proposed, before the war ended.

I am not at all in favor of these embargoes and restrictions talked about here, and that are expected, on the part of the Government, to protect one part of the people of the United States at the expense of all who must eat in this country of ours; I am not in favor of such a policy at all. If these potash manufacturers, who have been spoken of here as having made potash at the request of the Government at a great loss to themselves, were encouraged by the Government to do that under such conditions that the Government ought to pay them for any loss they may sustain, it is well to have the Government do it, and not to levy a burden upon all who must use potash in production of crops in this country in order that it may be done; and the same thing is true about this wheat crop. Not half of it has been planted yet, and it will all be harvested under entirely different conditions than those existing at the first planting even, and the Government ought not to be expected, under such conditions, to make all the people who must eat pay prices of this sort hereafter for the benefit of wheat growers.

Mr. WOLCOTT. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Delaware will state it.

Mr. WOLCOTT. I desire to inquire what disposition was made of the amendment offered by the junior Senator from Utah [Mr. KING].

The PRESIDENT pro tempore. The third section of the preamble, the Chair is informed, was stricken out.

Mr. McCUMBER. Mr. President, I should not have been greatly surprised if I had heard the voice of a free trader strongly in support of this resolution; but I confess it does surprise me somewhat to find a dyed-in-the-wool protectionist offering a resolution that does, no matter how much we may put on the soft pedal, criticize another Government for adopting a policy of protection to its own citizens.

Whatever you can say of this resolution, it is a resolution inviting the Secretary of State to inquire for a purpose, and that purpose is to request the British Government to modify or suspend this prohibition. What right has the legislative assembly or Congress or Parliament of one country to request of another country that it modify its own domestic policy with reference to importations? What would be the sentiment of the United States Congress if the British Parliament should introduce and pass a resolution protesting against a tariff levied by the American Congress? We would resent it, and we would resent it, I think, truthfully and earnestly.

If the Senator from Massachusetts should simply inquire of the Secretary of State what steps he had taken to meet any condition that was against our interests, or what inquiry he had made, it would present an entirely different question; but this, Mr. President, is not an inquiry for the purpose of determining what Great Britain has done or purposes to do. It is simply an inquiry to determine why we have not protested against the action of the British Government. For my part I do not consider it a very appropriate thing to do, especially in the face of the fact that we as Republicans, we as protectionists, are in favor of levying such a prohibitive tariff as will enable the American producer to produce anything that can be produced in the United States as against any foreign competition.

We have seen the prices of dyestuffs mount some thousand per cent in a very few months on account of this war. We are now starting in this country the manufacture of dyestuffs to supply the American manufacturer of cotton and silken fabrics. I hope that we will put a duty on dyestuffs sufficiently large to enable the American producer to get on his feet; and I would not care, Mr. President, if it went so far as to operate as an absolute prohibition of any importation.

Again, for the purpose of prosecuting our war, which we expected in all probability might last over another year, and to secure food for ourselves and our allies, we voted, by a very large majority, at least, that we would fix the price of bread and flour for the next year considerably above the market price. Now, there is just one way in which we can maintain that. I do not care whether we maintain it by a direct congressional embargo or under the system of a license now adopted. We will keep out Australian wheat, we will keep out Canadian wheat, during the year 1919. Then why may we not expect a protest from Canada against such an embargo? Would the Canadian Parliament for a moment think of questioning our right to place an embargo, under the conditions, against Canadian grain?

Mr. SHERMAN. Mr. President——

Mr. McCUMBER. Here is a little country, one-third the size of the State of Minnesota, with 35,000,000 people to take care of. She must import everything upon which she places the hand of labor from every section of the earth, and then reexport it again from Great Britain. With her very life depending upon her ability to manufacture and to give work to her labor, we criticize her; and I am not saying that so much in reference to the Senator's resolution as in reference to the remarks which were made yesterday, in which we threatened that she would meet the spirit of 1812 if she dared to place an embargo against the importation of articles into Great Britain, while she must do so in order to protect her own citizens.

I for one, Mr. President, protest against our criticizing any nation that is doing exactly the same thing that we have been doing in the past and that we shall be compelled to do in the future.

Mr. WEEKS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Dakota yield; and if so, to whom?

Mr. McCUMBER. Pardon me; I yield to the Senator from Illinois, who first rose.

Mr. SHERMAN. I wish to inquire if the Senator does not think the billion and a half recommended by the late Secretary of the Treasury to establish credits for the purchase of raw materials might not have prompted a spirit of gratitude on the part of Great Britain?

Mr. McCUMBER. The question answers itself. I yield now to the Senator from Massachusetts.

Mr. WEEKS. I do not know that finally I will be in a position to criticize Great Britain for the action which has been taken, but the Senator from North Dakota very truly says they are trying to protect their industries and keep their people employed. I said two or three times that very action prevents us from employing our people in this country. When I see men walking the streets in the Massachusetts shoe cities because the trade with Europe has been cut off, the million dollars of business we were doing in that line with Great Britain was stopped suddenly two years ago, and the embargo has not been removed, I say that I prefer, if one is necessary, to see the workmen of Great Britain walking the streets rather than the workmen in this country.

Mr. McCUMBER. Let me answer the Senator. When we put 60, 70, and 100 per cent duty on woolen goods we did not ask the question whether as a result of that it would compel British workmen to walk the streets. We were looking after American interests. I agree with the Senator. We are both good protectionists. I believe in protecting our people, but I do not believe in criticizing another country for doing exactly the same thing that we are doing.

Mr. WEEKS. The Senator from North Dakota is far too keen a man not to see the difference between prohibition and protection. This embargo is prohibition. It stops all trade.

Mr. McCUMBER. So an embargo against wheat will be a prohibition. It will stop all importations of wheat and we have got to stop it all from coming into this country?

Mr. REED. Why?

Mr. McCUMBER. Simply because we have so provided in our law, as a war measure.

Mr. REED. That wheat shall not be shipped in?

Mr. McCUMBER. Certainly.

Mr. REED. Where is that clause in the law?

Mr. McCUMBER. I will tell the Senator where the clause is. We have done this: We have provided that we will fix the price——

The PRESIDENT pro tempore. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is House bill 13308.

Mr. WEEKS. I ask unanimous consent that the resolution may go over without prejudice.

Mr. POMERENE. I object.

The PRESIDENT pro tempore. Objection is made, and the resolution will go to the calendar.

POST OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

Mr. BANKHEAD. When the Senate adjourned yesterday evening we were considering an amendment offered by the Senator from Virginia [Mr. SWANSON] to the committee amendment inserting section 6. That amendment is now before the Senate, I understand.

Mr. KELLOGG. If the chairman of the Committee on Post Offices and Post Roads will listen to me for a moment, that amendment was offered for printing and to lie on the table. I should like to offer an amendment to section 6, which has been printed for several days, if the Senator does not object at this time. I do not think there is any serious objection to the amendment.

Mr. BANKHEAD. I have no objection in the world to the amendment. I think it is a very proper one.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Minnesota [Mr. KELLOGG] to the amendment will be read.

The SECRETARY. In section 6, page 37, line 13, after the word "act" insert the following proviso:

Provided, That where the constitution of any State prohibits the same from engaging upon internal improvements, or from contracting public debts for extraordinary purposes in an amount sufficient to meet the monetary requirements of the act of July 11, 1916, or any act amendatory thereof, or restricts annual tax levies for the purpose of constructing and improving roads and bridges, and where a constitutional alteration or amendment to overcome either or all of such prohibitions must be submitted to a referendum at a general election, the sum to which such State is entitled under the method of apportionment provided in the act of July 11, 1916, or any act amendatory thereof, shall be withdrawn by the Secretary of the Treasury from the principal fund appropriated by the act of July 11, 1916, or any act amendatory thereof, upon receipt of the certification of the governor of such State to the existence of either or all of said prohibitions, and such sum shall be carried by the Secretary of the Treasury as a separate fund for future disbursement as hereinafter provided: *Provided further*, That when, by referendum, the constitutional alterations or amendments necessary to the enjoyment of the sum so withdrawn have been approved and ratified by any State, the Secretary of the Treasury, upon receipt of certification from the governor of such State to such effect, shall immediately make available to such State, for the purposes set forth in the act of July 11, 1916, or any act amendatory thereof, the sum withdrawn as hereinbefore provided: *And provided further*, That nothing herein shall be deemed to prevent any State from receiving such portion of said principal sum as is available under its existing constitution and laws.

Mr. KELLOGG. Mr. President, I have submitted this amendment to the chairman and several members of the committee, and I am informed by the members of the committee that it is entirely satisfactory. There are two or three States, I am informed by the road department, which have a provision in their constitutions, some of which are now being amended, which would prohibit them from taking advantage of the full amount of this appropriation, and the object is simply that so much thereof as can not be taken advantage of immediately shall be set aside by the Treasury and not paid over to the State until the constitutions are amended. That is the condition in my own State, where a constitutional amendment is being submitted at this time. I understand the chairman has no objection to this amendment.

Mr. BANKHEAD. I think it is a proper amendment.

Mr. SWANSON. It can not be adopted at present, because the amendment I offered to the amendment must be disposed of first.

Mr. KELLOGG. I understood that the amendment of the committee is subject to amendment now.

Mr. SWANSON. The amendment I offered yesterday has not been disposed of.

Mr. KELLOGG. I offered this amendment before the Senator from Virginia offered his amendment, and it has been lying on the table.

Mr. NELSON. Will the Senator from Virginia allow me? This amendment is to the same section as the amendment offered by the Senator from Virginia.

Mr. SWANSON. I have no objection to the amendment. I think it ought to be adopted.

Mr. KELLOGG. The Senator does not object to its being considered at this time?

Mr. SWANSON. But when the Senate adjourned yesterday my amendment was under consideration and it should be disposed of. I think there is no objection to my amendment, which was under consideration when the Senate adjourned, and it should be disposed of first.

The PRESIDENT pro tempore. The Chair is informed that the parliamentary situation is that the amendment of the Senator from Virginia was pending at the time the Senate adjourned, and therefore it is in order at this time.

Mr. KELLOGG. Then I offer this as an amendment to the amendment of the Senator from Virginia.

Mr. SWANSON. I have no objection to it.

Mr. LENROOT. I wish to ask the Senator whether the language of his amendment would not prevent a State from receiving any of this money where under its constitution it would be entitled to receive and expend a portion of it, but not to the amount that is provided in the bill?

Mr. KELLOGG. No; I have added a proviso. A proviso at the end takes care of that. The State may receive any sum which it can under its constitution allow.

Mr. SMOOT. The Senator offers his amendment, I understand, to the amendment offered by the Senator from Virginia. That would be an amendment in the third degree. The amendment of the Senator from Virginia is an amendment to the amendment of the committee.

Mr. KELLOGG. Then I will withdraw my amendment for the present.

The PRESIDENT pro tempore. The amendment is withdrawn. The question is on agreeing to the amendment of the Senator from Virginia to the amendment of the committee.

Mr. VARDAMAN. I ask that the amendment to the amendment be read.

The PRESIDENT pro tempore. The Secretary will read the amendment to the amendment.

The SECRETARY. At the end of line 15, strike out the period, insert a colon and the following words:

Provided, That so much of the appropriation apportioned to any State under the said act approved July 11, 1916, or under this section, for any fiscal year as remains unexpended at the close thereof shall be available for expenditure in that State until the close of the second fiscal year succeeding the close of the fiscal year for which such apportionment was made, except that amounts apportioned for any fiscal year to any State which has not a State highway department shall be available for expenditure in that State until the close of the third fiscal year succeeding the close of the fiscal year for which such apportionment was made.

Mr. LENROOT. Mr. President, I am opposed to this amendment. I do not think it ought to be adopted. The only justification that we have for making these tremendous appropriations for roads at this time is to take care of unemployment that exists or may exist throughout the country. This amendment changes the existing law in this respect. The present law provides that if the amount allotted to a State is not expended by the State during the year for which it is allotted it may be carried into the next fiscal year. In other words, it gives a State two years in which to expend the money that is allotted to it under the law. The pending amendment proposes to extend that one year and give them three years in which to expend this money.

Mr. President, what is the situation before us? In view of the condition of the Treasury, it seems so plain that Congress ought not to be making appropriations for unnecessary improvements, desirable though they may be, unless it be for the purpose of taking care of unemployment. I believe that is necessary. I believe an appropriation for roads is one of the best means we can use for taking care of this unemployment. But, Mr. President, this appropriation ought not to be considered as a grab bag by each State to get its share, and if it does not use it now, when unemployment exists, that it may use it two or three years later.

It ought to be treated as an unemployment question. That is not a local question. That is a national question. If we have 500,000 unemployed men walking the streets in three States like Illinois, New York, and Pennsylvania, that is not a local question to those three States. The unemployment of that half-million men affects every State in the Union, and we ought to take care of that unemployment in some such way as this. So I am in favor of appropriating $100,000,000, $125,000,000, or $200,000,000, if necessary, for the purpose of taking care of this unemployment and at the same time receiving a benefit in the way of improved roads in this country.

Mr. WADSWORTH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from New York?

Mr. LENROOT. I yield.

Mr. WADSWORTH. I am impressed by what the Senator from Wisconsin says about the necessity for taking care of unemployment. May I ask him to give me his opinion of the proviso at the end of this section, to which it is now sought to add a second proviso? I have reference to the proviso which provides that preference shall be given to honorably discharged soldiers, sailors, and marines. Is it not a fact that if there were 500,000 men who are now unemployed, with the exception of a small percentage they are soldiers, sailors, and marines?

Mr. LENROOT. I think that is true. I do not think the proviso, so far as unemployment is concerned, will be very material, although I see no harm in it. I take it for granted that, in so far as employment can be provided, private industry is going to give preference to our returned soldiers and sailors. But, aside from the question of providing employment, how can these appropriations be justified?

The Senator from Tennessee [Mr. MCKELLAR] said yesterday, when he was asked where we would get the money to pay these vast appropriations, "We will take it out of the profiteers." I wish to call the attention of the Senator to the fact that in the revenue bill, the conference report of which will soon be presented, the Democratic side of this aisle unanimously voted to reduce for 1920 the excess-profits tax, thereby reducing the revenue $2,000,000,000. I wish to call the attention of that side of the aisle to the fact that while the provisions they have made for 1920 will bring only a revenue of $4,000,000,000, the estimates made now, not including appropriations of this character for 1920, amount to $8,000,000,000.

Where are we going to get the money? Are we going to continue to vote bond issues in time of peace? If not, where is the money coming from? The eminent chairman of the Committee on Post Offices and Post Roads was asked that question the other day, and this was his reply:

Mr. KING. Has the committee having this bill in charge taken into account the ways and means by which the revenue is to be obtained to meet these rapidly increasing expenditures?

Mr. BANKHEAD. That is the business of the Ways and Means Committee of the House and the Finance Committee of the Senate. They will attend to that.

According to the Senator's idea there is no responsibility upon Senators and Members of Congress who are not members of the Finance Committee or the Committee on Ways and Means with reference to the expenditures of the Government; "they will attend to that."

Mr. President, one of the reasons why the party on that side of the aisle will be in the minority instead of the majority soon is just because of that attitude upon their part, not only now but in the past, treating the United States Treasury as one of boundless resource, seeking to get all the dollars they can get for their own States, irrespective of the national needs or of the condition of the Treasury as a whole.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. LENROOT. I yield.

Mr. THOMAS. I am in full sympathy with the Senator's criticism, but I am unable to perceive any difference, either of opinion or conduct, on this question on either side of the Chamber.

Mr. LENROOT. There is this difference, I may say, and I called attention to it a moment ago: While that side of the aisle is continuing and proposing tremendous appropriations, that side of the aisle is attempting to fix a fiscal policy for 1920 reducing the revenues of the Government $2,000,000,000. That side of the aisle is responsible for that and not this side.

Mr. THOMAS. That is true, Mr. President. This side of the aisle at present is in charge of such legislation. Nevertheless, I believe the amount of revenue which we propose to raise by that bill is just as much as the business and producing energies of the country now can stand; and I do not believe after the Senator's party comes into power it will augment the amount of revenue very much by additional revenue bills.

I may also say that members of the Finance Committee representing the other side of the Chamber, where there was no partisanship, so far as the discussion of items of the bill was concerned, were quite as willing to consider and act upon the proposed reductions as members upon this side.

Mr. LENROOT. I am very glad the Senator from Colorado does not at all agree with the chairman of the committee that we may go on and make these endless appropriations and trust to the Finance Committee of the Senate to find the revenue.

Mr. THOMAS. I said so the other day—I think Saturday morning—and expressed myself along that line as well as I could.

Mr. LENROOT. I am fully in accord with what the Senator from Colorado stated the other day.

Mr. McCUMBER. Mr. President, I should like to ask the Senator if American industry is at such a low ebb that it can not give employment to the hundreds of thousands of men, how that American industry, through an income tax or any other kind of tax, is going to pay for the enormous additional expense of cutting down hills and digging up trees by the roots?

Mr. LENROOT. I can not answer the question. The Senator should address his question to some one upon the other side of the aisle, who is taking the position that we can make appropriations in unlimited amounts and still the revenue in some way will be forthcoming to meet them.

I wish to say again that I believe it is necessary to provide for unemployment during the next year. I believe that the improvement of roads is one of the best means which can be found to take care of that unemployment, because in the building of roads we have as high a percentage of labor cost as in any other public work in which we might engage.

Mr. McCUMBER. May I ask the Senator does he not think there is a much better way, and that is to take such action as will put our industries on a prosperous course and allow the industries to earn money and to give the employment?

Mr. LENROOT. The Senator from North Dakota knows even much better than I that between now and the 4th of March it will be impossible for Congress to legislate in any such way as that. He knows it will not be done, and the fact that there ought to be legislation, in which I fully concur, does not excuse Congress if it shall fail to do what it can temporarily do to take care of this unemployment.

One of the reasons given by the Senator from Virginia [Mr. SWANSON] for the introduction of this amendment was that there were some legislatures which would not be in session this year, and the States would not, therefore, be able to take advantage of this appropriation, and therefore it should be extended so that those States in which the legislature does not meet this year might later on avail themselves of the appropriation.

Mr. President, in this crisis of the country if there is any State in the Union whose legislature is not willing to be called in special session by their governor to do their part toward meeting this situation, instead of saying to Uncle Sam, "We think you ought to do it all," that State is not entitled to a dollar of these appropriations. Each State ought to assume at least a portion of the burden of solving these questions, and it ought not all to be left to the National Government. I would say that any State which has an unemployment situation, or any State which has problems of readjustment, if their legislature will not meet in special session and avail themselves of this appropriation, if it shall be made, is not entitled to any appropriation at all. On the other hand, if the amendment be adopted we will find this situation in those States undoubtedly. They will take the position, "the building of roads costs more now than it will a year or two from now, so we will not build roads in this State now. We have the money from Uncle Sam. We will let it pile up, and we will wait two or three years and get it then, when we can build more roads for the same amount of money than we can build to-day."

Oh, Mr. President, it can not be justified, and this appropriation can not be justified for a single moment, except alone upon the theory of providing for unemployment.

Mr. SWANSON. Mr. President, I am for this appropriation because I believe it is a wise policy. It should be a national law. Travel is national, State, and local. Travel being national, State, and local, the appropriations for road improvements should be similar.

England has had a system, local in character, as suggested by some Senators, for centuries. She would never have builded such roads as she now has had she left the local settlement of the question to the counties and local authorities there. When she appropriated money out of the national treasury to aid the local, England began to have a splendid system of roads. France had a similar experience. There has been good improvement in those States where the State has aided the local authorities. When the Federal Government has a vast travel over State roads, it is but right that it should pay its part of the burden.

Congress appropriates vast sums a year to carry mail over the railroads, and yet when you come to carry mail over the post roads a great many people do not want to pay anything for that privilege. If it is right to pay to carry mail over the railroads, it is right and proper to pay a just and fair sum to improve the roads that the Federal Government uses for its mail. It is strange some people will antagonize every proposition to pay for carrying mail over country roads and yet never offer any antagonism to paying for carrying mail over the railroads.

If there ever was a time when this Government can afford to go into road building it is now. We have millions and hundreds of millions of dollars' worth of material in the Army and Navy that could be utilized for this purpose—trucks, road-building material, and machinery of all kinds—which will be wasted and useless unless this appropriation is made and that material made available and turned over to the Federal and State Governments, thus permitting the Federal Government to do its part in constructing these roads.

It is a wise national policy. It is a policy that the country is entitled to have.

The same antagonism was offered to the rural delivery, the same criticism was made, the same objection was made that is now offered to road improvement. I was a Member of the House and was on the first committee which reported the first $10,000 for rural delivery. We were antagonized for contending for rural delivery, as we are now for insisting on national aid to public roads. It grew. It had a hard and strenuous fight, but to-day nothing has done more for the country than rural delivery, and there is nothing to the repeal of which there would be more objection than the great system of rural delivery.

What is this amendment of mine? Under the present law, if the money is not made use of by the local authorities or State authorities the succeeding year it is divided among all the other States. This is an increased appropriation that is being made, and some of the State legislatures are not in session. You would have to call them suddenly into session in order to avail themselves of this money. This amendment provides that if the money shall not be used in the succeeding fiscal year it may be used in the second fiscal year in order that a great many of the States in which the legislatures are not now meeting may have time to meet and provide for this matter.

It seems to me to be but right that the States should have this opportunity to get their part of this appropriation. I think it helps to give employment, but I am not for this legislation solely because it gives employment. I favor it as a national system of road improvement. I believe we will never have a fine, good, splendid system of national roads until the Federal Government, the State government, and the local communities bear a just and fair share of the burden.

Mr. LENROOT. Mr. President——

Mr. SWANSON. I yield.

Mr. LENROOT. The Senator has just stated that the Government has millions of dollars' worth of equipment that it might utilize for this purpose. I wish to ask the Senator whether it is not a fact that under the bill and under the law now existing the Government could not use a single truck for the purpose of constructing these roads?

Mr. SWANSON. This bill turns over to be used on these roads such material as the War Department will not need in the Army to be used in road construction. There is an amendment carrying that. I think if there ever was a time when the National Government can start on this work efficiently, start on it well, it is this time. You will have a great many engineers and a great many people who have been employed on road construction for the Army and for the Navy in France and here, and if there ever was a time when the Government could economically and well enter upon a national policy of the constructing of public roads now is a good time.

This amendment is not material, but it does seem to me to be just. The latter part of it provides something with reference to States which have not highway commissions. I think every State now has a highway commission. That is simply carrying out the provisions of the law which existed before. I am willing for that portion to be eliminated.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from North Dakota?

Mr. SWANSON. I yield.

Mr. McCUMBER. I desire to ask the Senator a question for information. The Senator has stated that these roads are all national roads. Well, that is true in my own State and in every Northern State of which I know. One can there go anywhere and use the public roads; but I find that if I go down the Shenandoah Valley I have to pay 5 cents a mile for driving over the public road; at least, that has been my experience in the last few years, though I do not know whether or not that has been the policy in the last few months. I want to ask the Senator from Virginia whether the United States Government in delivering mail on the Shenandoah Valley road pays tolls?

Mr. SWANSON. I should think that was formerly so, because that road was built by a turnpike company, which was a corporation in which the State of Virginia was a large stockholder. I think now the State of Virginia has taken that road over and made it a State road. I am satisfied that no tolls are now being collected; but originally that road was constructed by a corporation, in which, as I have said, the State of Virginia was a large stockholder.

Mr. McCUMBER. And after the State of Virginia gets a nice little sum to build her roads she will at least stop charging the Nation for going over them.

Mr. SWANSON. I think every tollgate has been taken off since the State of Virginia took that road over. The State of Virginia did not get any dividends from the money previously collected on the road, but, as I understand, it was all spent on its improvement.

Mr. McCUMBER. I am not saying anything in criticism of it, but I simply want to know whether the Government of the United States has been paying tolls, as private individuals have been doing.

Mr. SWANSON. I should think it has been, although I do not know. It was a corporation which built this road—the Valley Turnpike Co. Some private individuals had stock in the company, and the State of Virginia was a stockholder. Now, I think the State of Virginia has taken over this, that it is a State road, and that there are no tollgates on it.

Mr. McCUMBER. Then we, who pay about four-fifths of the taxes for the purposes of these roads, will be entitled, I presume, to drive over them as freely as we now drive over other roads.

Mr. SWANSON. The Senator from North Dakota says, "We who pay about four-fifths of the taxes." These roads are to be constructed by Federal aid.

Mr. McCUMBER. No; I say we who have paid four-fifths of the taxes for the construction of the roads now to be built under this appropriation.

Mr. SWANSON. There is no payment of four-fifths under this bill by anybody. The Federal Government simply pays one-half upon the roads upon which it carries its own mails.

Mr. McCUMBER. I understand that.

Mr. SWANSON. How the Senator can say anyone pays four-fifths, I can not understand.

Mr. McCUMBER. I say that of the sum which will pay this one-half four-fifths will come from the Northern States. That is what I mean.

Mr. BANKHEAD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Alabama?

Mr. SWANSON. I yield to the Senator.

Mr. BANKHEAD. In answer to the question of the Senator from North Dakota [Mr. McCUMBER], I desire to say that if he will read the bill he will see that it expressly provides that no part of this appropriation shall go to roads where tolls are charged. That language is in the original law; it has always been in the law; and the road to which he refers has never received a cent of this money, and never can if it charges tolls.

Mr. McCUMBER. Anything that will knock down the poles across my drive in going through Virginia I shall look upon with great favor.

Mr. SWANSON. They have disappeared, I will say to the Senator.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Minnesota?

Mr. SWANSON. I do.

Mr. KELLOGG. If the Senator is willing to eliminate what I understood to be the latter part of the amendment as to three years, I think, as the Senator from Wisconsin says, the law now takes care of two years, and so does not need any amendment at all.

Mr. SWANSON. The law says "succeeding year," and my amendment says "the second year."

Mr. KELLOGG. The "succeeding year" is the second year.

Mr. SWANSON. I will explain it to the Senator. If the appropriation is confined to this year or is made to expire in the first part of the next year the legislature would have to meet in the meantime in order to secure the benefit of this legislation. Some legislatures do not meet except once in two years, and they would be compelled to hold an extra session in some States in order to get the funds to comply with this law.

Mr. KELLOGG. I think the Senator from Virginia is entirely mistaken, because this law applies to this appropriation, and this appropriation is not going to be made in the last fiscal year, but in this fiscal year. Then any sum not appropriated will go over to the next year, just as the Senator from Wisconsin has stated. I think the law now takes care of it. If the Senator will look it over I am sure he will see that it does.

Mr. SWANSON. My attention was called to the matter by the highway commissioner of Virginia, who stated that our legislature would not meet this year. It was at his suggestion that I offered the amendment. Other States are similarly situated.

Mr. KELLOGG. Do I understand that the Senator has eliminated the last part of his amendment?

Mr. SWANSON. The last part of the amendment may be eliminated, because every State has a highway commission now.

Mr. SMOOT. Mr. President, I trust that this amendment will not be adopted by the Senate. The existing law would authorize as to the $50,000,000 provided for, for the fiscal year ending June 30, 1919, the legislature of any State to provide for the same amount for building these roads any time until June 30, 1920. With the amendment it means that the appropriation of $50,000,000, which is asked for at this time, based upon the fact that it is to be used primarily for giving employment to the unemployed of this country; that the legislature of a State, if this amendment is adopted, need not even draw the money from the Government until June 30, 1922, the second appropriation of $75,000,000 until 1923, and the third appropriation not until June 30, 1924.

Then, under this amendment—although I understand now that the Senator from Virginia is perfectly willing to eliminate it—if a State does not have a highway commission there can be one year more added to the years to which I have already called attention.

I think, if there is any justification for making these appropriations, they ought to be made for this year, if possible; that the expenditure of the money ought to begin as quickly as possible, and let a future Congress take care of the $75,000,000 for the fiscal year ending June 30, 1921. The next Congress or the Congress two years hence will know very much more, Mr. President, about the condition of the Treasury of the United States and the ability of the people of this country to pay taxes than we do at this time. We should not at this time be obligating the Government of the United States to pay hundreds of millions of dollars when we scarcely know how we are going to meet the expenses of the Government for the coming fiscal year.

Reference has been made to-day to the amount of taxes which will have to be raised for the fiscal year ending June 30, 1920, or the coming fiscal year. Why, Mr. President, if we should take every dollar of profit of all the businesses in the United States it would not be sufficient to pay the obligations which the Government will be under for the next fiscal year. Ten billion dollars will not cover those obligations.

I say now that if it is undertaken to collect more than $4,000,000,000 out of the business of the country for 1919 by way of taxation the business interests of the country can not stand it; there will be failures from one end of this land to the other, and the panics which we have had in this country in the past will have been as zephyrs compared to a cyclone. So I want the American people to know now that they have got to purchase bonds next year—not this year alone but next year as well—not millions or hundreds of millions of dollars' worth but billions of dollars' worth. If Congress is going to appropriate money for the building of roads now, I think it ought to make one appropriation, and that it ought to require the money to be expended, if the States take advantage of this law, at the very earliest possible date.

I intend to offer an amendment, if no other Senator does, as soon as the pending amendment is disposed of, to strike out $75,000,000 for the fiscal year ending June 30, 1921. That means, Mr. President, under the pending amendment, if adopted, the States need not provide money or expend money upon these roads until the year 1924.

The Senator from Virginia says that we have been perfectly willing to pay the railroads for carrying mail over their roads, but that we were not willing to pay for carrying the mail over the country roads. Why, Mr. President, there is not a letter or a package being carried over the country roads wherever mail is carried that is not paid for by the Government. We have the rural route delivery; we have men employed by the tens of thousands for that purpose. I will admit that in the past they have not always been paid what they ought to have been paid for that service, and I am glad to see that there is some provision made here to take care of those men who labor in season and out of season, in all sorts of weather, and under all sorts of conditions, and that they are being recognized in this bill. However, the mail carried over the country roads costs the Government of the United States more, of course, in proportion than does the carriage of mail over the railroad lines, and it ought to do so. Nobody is objecting to that; but I do not want to hear arguments used in this Chamber that nothing is paid for that service.

Mr. President, all I shall ask is that the Senate record its judgment on this amendment. I think the present law which gives one year's time for the State to decide whether they desire to build a road or not, or to decide upon what roads the money shall be spent, affords a long enough time during which the Treasury of the United States should be bound. I hope that the amendment will be defeated.

Mr. JONES of Washington. Mr. President, the Senator from Wisconsin [Mr. LENROOT] has expressed my views in reference to these appropriations. I can justify such appropriations for the first year and possibly for two years, but I do not believe that the general terms of the existing law should be changed. This ought to be treated and considered as an emergency appropriation to care for the emergency that everybody fears is impending. So, Mr. President, I make the point of order against the amendment on the ground that it changes existing law. That seems to be conceded by everyone.

The PRESIDING OFFICER. Does the Senator from Virginia care to be heard on the point of order?

Mr. SWANSON. I will leave it to the Chair to decide whether the point of order is well taken.

The PRESIDING OFFICER. The point of order is sustained.

SENATOR FROM MICHIGAN.

Mr. POMERENE. Mr. President, I rise to move the present consideration of Senate resolution 415.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Henderson	Martin, Va.	Sherman
Bankhead	Hollis	Moses	Simmons
Calder	Johnson, S. Dak.	Myers	Smith, S. C.
Colt	Jones, N. Mex.	New	Smoot
Culberson	Jones, Wash.	Nugent	Sutherland
Cummins	Kellogg	Page	Swanson
Curtis	Kendrick	Pittman	Thomas
Dillingham	Kenyon	Poindexter	Thompson
Fernald	Kirby	Pollock	Townsend
Fletcher	Knox	Pomerene	Underwood
France	La Follette	Reed	Vardaman
Frelinghuysen	Lenroot	Robinson	Wadsworth
Gay	McCumber	Saulsbury	Warren
Gerry	McKellar	Shafroth	Watson
Hale	McNary	Sheppard	Weeks

Mr. SHEPPARD. I desire to announce that the Senator from Kentucky [Mr. BECKHAM], the Senator from North Carolina [Mr. OVERMAN], and the Senator from Delaware [Mr. WOLCOTT] are detained on official business.

The PRESIDING OFFICER. Sixty Senators have answered to their names. There is a quorum present. The question is on the motion of the Senator from Ohio that the Senate proceed to the consideration of Senate resolution 415, which will be read.

The Secretary read the resolution (S. Res. 415), as follows:

Whereas a petition has been filed with the Senate of the United States by Mr. Henry Ford, of Michigan, contesting the election of Mr. Truman H. Newberry, of Michigan, as a Senator from said State, and asking for the preservation and recount of the ballots, and the investigation of the unlawful expenditures of money alleged to have been made by and on behalf of the said Mr. Truman H. Newberry, and notice thereof has been given; and

Whereas information has been received to the effect that in certain localities within the State some of the ballots are being destroyed, and that others are likely to be destroyed unless they are taken possession of by the Senate for the purpose of preserving and recounting the same: Therefore be it

Resolved, That the said petition and the papers and the documents accompanying the same be, and they are hereby, referred to the Committee on Privileges and Elections for investigation and report thereon.

Resolved further, That the said Committee on Privileges and Elections of the Senate, or any subcommittee thereof, be, and it is hereby, authorized and empowered to take possession of the ballots, poll books, tally sheets, and all other documents and records relating to the said election held for United States Senator in the State of Michigan on the 5th day of November, 1918, and that the Sergeant at Arms of the Senate be, and he is hereby, instructed to carry out the directions of the said Committee on Privileges and Elections, or any subcommittee thereof, in that behalf, and that the said Committee on Privileges and Elections, or any subcommittee thereof, be, and it is hereby, directed to proceed with all convenient speed to take all necessary steps for the preservation of the said ballots, poll books, tally sheets, and other documents, and to recount the said ballots, and to take and preserve all evidence as to the various matters alleged in the said petition and notice, and of any alleged fraud, irregularity, and unlawful expenditure of money in the said election and primaries, and to the intimidation of voters, or other facts affecting the result of said election.

Resolved further, That the Committee on Privileges and Elections, or any subcommittee thereof, be authorized to sit during the sessions of the Senate and during any recess of the Senate or of the Congress, to hold its sessions at such place or places as it shall deem most convenient for the purposes of the investigation, and to have full power to subpœna parties and witnesses, and to require the production of all papers, books, and documents, and other evidence relating to the said investigation; and to employ clerks and stenographers at a cost not to exceed $1 per printed page, to take and make a record of all evidence taken and received by the committee; and to keep a record of its proceedings; and to have such evidence, records, and other matter required by the committee printed.

Resolved further, That the Sergeant at Arms of the Senate and his deputy are hereby required to attend the said Committee on Privileges and Elections, or any subcommittee thereof, and to execute its directions; that the chairman or any member of the committee be, and is hereby, empowered to administer oaths; that each of the parties to said contest be entitled to representatives and attorneys at the recount and the taking of evidence; that all disputed ballots or records be preserved, so that final action may be had thereon by the full committee and the Senate; that the committee may appoint subcommittees of one or more members to represent the committee at the various places in the making of the recount and the taking of evidence, and the committee may appoint such supervisors of the recount as it may deem best; and that the committee may adopt and enforce such rules and regulations for the conduct of the recount and the taking of evidence as it may deem wise, not inconsistent with this resolution; and that the committee shall report to the Senate as early as may be; and from time to time, if it deems best, submit all the testimony and the result of the recount.

Resolved further, That the expenses incurred in the carrying out of these resolutions shall be paid from the contingent fund of the Senate upon vouchers ordered by the committee, or any subcommittee thereof, and approved by the chairman of the committee.

Mr. POMERENE. Mr. President, I would not rise to present this motion if I were not impressed with the fact that it is necessary under the conditions as they exist in the Michigan contest. It is not the idea of the committee that this Senate should finally decide upon the merits of this case. We understand, of course, that even if we attempted to do that it would not be binding on the succeeding Senate. I agree that unless there are extraordinary circumstances, which I do not have in mind now, the commission which is issued by the governor of the State is prima facie evidence of title, which would give the contestee the right to the seat temporarily or until the case shall be finally decided, but the issue goes beyond that.

This election was held on the 5th of November. The primaries were held in August or September. It appears of record in the State of Michigan that in this particular primary there was collected by a committee which had in charge the Newberry campaign $178,000, and that it expended $176,000 in that campaign. It is charged that the expenditures were perhaps two or three times this amount. I do not know what the fact is in that behalf. Suffice it to say that that amount, of which we have record, is an extraordinary amount, a sum largely in excess of any amount that has ever been expended in any State, so far as we have any record.

A notice of contest has been filed. It appeared before the committee that after this expenditure of money became known to the public, and particularly to the people of the State of Michigan, efforts were made to get Mr. Newberry to withdraw, but, it seems, without avail.

After this petition came into the Senate on January 27, 1919, this resolution asking for an investigation was favorably reported to the Senate. About the time that report was made, or a little later, a communication was sent to the United States Senate signed by the attorney of Mr. Newberry, Judge Murfin, who, I understand, is a very reputable lawyer, in which he makes certain countercharges against Mr. Ford, the contestant. I do not know what the purpose of the presentation of this communication was, but its effect upon my mind was to confirm me in the conviction that it was very necessary to inquire into all of the facts connected with the senatorial election. A full opportunity should be given both to the contestant and the contestee at the earliest moment possible to show the facts, whatever they may be; and I have faith that, after the facts are shown, the Senate will decide the contest in accordance with the law and the facts. It ought not to be otherwise, and I do not believe it will be otherwise.

Now, perhaps, Senators will inquire as to the necessity for beginning these hearings now; and I wish to address myself to that branch of the subject for a few moments. Bear in mind that the charges here are fraud, excessive expenditures in violation of the law, State and national. If anyone has been guilty of any charges of this kind, there are those, if we are to judge by what we know to be the usual experience in such cases, who are willing to get rid of the testimony.

Mr. KNOX. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Pennsylvania?

Mr. POMERENE. For a question.

Mr. KNOX. I only wish to inquire of the Senator from Ohio if there is any allegation on the record that any testimony is likely to be lost except the testimony of the ballots?

Mr. POMERENE. Yes, Mr. President; and I will address myself to that in a few minutes; but I want to lead up to it in the regular order.

There are about 2,200 precincts in Michigan. There is a statute which provides for a recount, generally speaking; but on five or six different occasions the Supreme Court of Michigan has held that in the case of contests, as for a seat in Congress, the State authorities do not have the power to order a recount, because they took the position—and I think erroneously—that inasmuch as the Constitution made the Senate or the House, as the case may be, the judge of the qualifications and elections of a Senator or a Representative, therefore the State authorities could not intervene; and the court has taken that position, even assuming that the commission had been issued where there was palpable fraud or a palpable mistake; so that the only thing that could be done in order to bring about a recount was to present the subject to the United States Senate.

Before it came here a proceeding was begun by the contestant in the United States courts in Michigan asking for a temporary injunction or restraining order for the preservation

of the ballots. A temporary restraining order was issued. Later on the contestant and contestee appeared before the committee and an arrangement was made looking to the preservation of the ballots. Let me say that before the notice of injunction was served upon the defendants in at least two cases the ballots at Marquette and at Saginaw Bay were destroyed, and one of the clerks—I think the clerk in the city of Saginaw—who had charge of these ballots made a statement to the effect that he had disposed of the ballots in that city for junk.

Mr. President, after some conferences here a stipulation was entered into by the counsel representing the contestant and the contestee. Later on an injunction was entered continuing the temporary restraining order. The committee was advised by Judge Murfin, representing Mr. Newberry, on January 21, as follows:

GRAND RAPIDS, MICH.,
January 21, 1919.

Hon. ATLEE POMERENE,
United States Senate, Washington, D. C.:

Pursuant to stipulation between Messrs. Ford and Newberry made in Washington Saturday, final court orders have been entered in both eastern and western districts in Michigan in the Federal court whereby ballots and boxes are now indefinitely preserved. This means they will be available 1 month, 1 year, or 10 years hence if a showing should ever be made making the Senate feel they wish to examine these ballots.

J. O. MURFIN,
Attorney of Record for Thurman E. Newberry.

Now, I shall not charge that Judge Murfin intentionally misrepresented the scope of this investigation; but I have before me a copy of the journal entry, and a copy of the stipulation was read into this journal entry. That reads:

The parties, by their counsel, will, and they do hereby, stipulate in the two cases between the parties pending in the eastern and northern districts of Michigan, respectively, that orders may be entered, and shall forthwith be entered, if the courts approve, that the injunctions shall be continued in full force as heretofore granted until such time as the Sergeant at Arms of the United States Senate may and shall take possession of the ballots and all the contents, records, and the like in the ballot boxes, including poll books, tally sheets, etc.

That the procedure of the taking possession by the Sergeant at Arms shall be fixed by the United States Senate, and the representatives of each party shall be present when the transfer of the ballots and papers shall be made from the boxes to the custody of the Sergeant at Arms.

It is understood that action shall be taken to transfer the ballots, etc., from the boxes in time so that the boxes may be used at the approaching April elections.

It is understood that this stipulation does not foreclose or prejudice either party as to the matters contended for by them respectively.

Signed by the parties, by their respective attorneys.

And the court being advised, it is hereby ordered that the restraining order heretofore entered and issued out of this court on the 28th day of December, 1918, be, and the same is hereby, continued in full force as heretofore granted until such time as the Sergeant at Arms of the United States Senate may and shall take possession of the ballots and all the contents, records, and the like, in the ballot boxes, including poll books, tally sheets, etc., relating to the November 5, 1918, election for United States Senator for the State of Michigan, and until the further order of this court.

Mr. TOWNSEND. Mr. President, a parliamentary inquiry. As I understand the rule, the Senator moving to take up a matter of this kind is not permitted to discuss the merits of the measure. I am not objecting to that, however; but my inquiry is, Will other Senators be debarred from discussing it in answer to what the Senator is saying?

Mr. POMERENE. Why, Mr. President, if that question is addressed to me, I surely will have no objection. I have understood that under the rules of the Senate a motion of this character, made after 2 o'clock, was debatable.

Mr. TOWNSEND. The motion to take it up is debatable; but the debate on the question itself, I have understood, has always been decided the other way. As I say, however, I am not making objection to it, except that if the Chair should rule as I have indicated, in case a point of order is made when an answer is attempted, I should feel obliged to invoke the rule now.

The PRESIDING OFFICER. Does the Senator raise the point of order? [A pause.] The Chair will say to the Senator that the motion is debatable, but the main question is not, under the rules of the Senate, as the Chair understands them.

Mr. TOWNSEND. That is my understanding—that the motion is a debatable one, but not the merits of the matter.

Mr. POMERENE. I have been in the Senate for eight years, and I have never heard of any restrictions being placed upon debate. I wish the rules might be so changed that there would be restrictions placed upon it.

Mr. TOWNSEND. I have no doubt that that is the rule. As I said, I have no objection to it myself; but I do not want to be debarred from replying, if a point of order is raised by anybody else, as I fear it will be. Then we would have an ex parte statement, and that I do object to.

Mr. POMERENE. I want to say to the Senator from Michigan that I hope no one will raise that point of order, if there is anything in the point of order.

Mr. TOWNSEND. I have no doubt at all of the good faith of the Senator from Ohio. I have no doubt about it; but if the Chair should rule, when a point of order was made, that it was not debatable and an answer could not be made, I can readily see where an unfair proposition would be presented to the Senate.

Mr. POMERENE. Mr. President, I shall be among the first to protest against anything unfair being done in this matter.

Mr. TOWNSEND. I think I will rely upon the good faith of the Senator, and not make a point of order.

Mr. REED. Mr. President, there is not any question on earth about the fact that when the Senator from Ohio takes his seat any Senator in this Chamber can be recognized, and he can speak in answer to the Senator from Ohio, or he can speak on any other question that he sees fit, provided he keeps within the rules.

Mr. TOWNSEND. That is not my understanding of the rule. My understanding of the rule is that in a case of this kind, on a motion to take up a bill or resolution, it has to be debated on the question as to whether it will be taken up to supplant another measure.

The PRESIDING OFFICER. The Chair has stated the rule; but he will apply the rule in exactly the same way to both sides, as far as the present occupant of the chair is concerned.

Mr. POMERENE. The last paragraph of this journal entry reads:

It is further ordered that the foregoing order shall not prevent the use of the aforesaid ballot boxes by any of the other defendants when necessary for lawful election purposes, and that this court reserves authority to permit the use of said boxes for lawful election purposes.

I read this to point out that notwithstanding the assurance which Judge Murfin gave to the committee and which I have no doubt, knowing his reputation as I hear it to be, was made in perfectly good faith at the same time, the order does not give the protection to these ballots which he suggested in the telegram.

Let me add further, in this connection, that while the statutes of Michigan provide that after the election the ballots shall be returned to the ballot box and sealed up and preserved, there is no stated time for this preservation, and the practice has been to keep them only until the next general election, and then they are destroyed; and the next general election will be sometime in the first week in April, as I am informed.

Mr. TOWNSEND. Mr. President, will the Senator yield for a question?

Mr. POMERENE. I yield for a question.

Mr. TOWNSEND. Does the Senator know that this week a bill passed the Michigan Legislature, and has become a law, providing for the preservation of these ballots at the petition of either of the parties or of anybody desiring a recount?

Mr. POMERENE. Mr. President, I did not know that the bill had passed. A form of a bill was presented to the committee, and it was said that it would be presented to the general assembly.

Mr. TOWNSEND. That bill has become a law.

Mr. POMERENE. I was not aware of that fact. Now, Mr. President, it may be that that law will provide for some further protection to these ballots. I hope it does.

Mr. REED. Mr. President——

The PRESIDING OFFICER (Mr. THOMPSON in the chair). Does the Senator from Ohio yield to the Senator from Missouri?

Mr. POMERENE. I do.

Mr. REED. Will the Senator permit me at this time to ask the Senator from Michigan whether he has with him a copy of that bill as passed?

Mr. TOWNSEND. I have.

Mr. REED. In the Chamber?

Mr. TOWNSEND. Yes, sir.

Mr. REED. I presume the Senator will present it, then, at the proper time?

Mr. TOWNSEND. I shall. I am going to have it read to the Senate.

Mr. POMERENE. Now, Mr. President, what I have said refers to only one of the questions involved in this contest.

The statement was made before the committee that shortly after publicity was given to these expenditures and the possible results, the correspondence belonging to the committee having in charge the Newberry campaign was taken out and burned. I think, in the present state of the record, I am justified in making the statement that there were large bank accounts, and that the checks which were drawn upon these accounts are also likely to be destroyed, if they are in existence now. More than that, it appears that some time, perhaps in November or December, possibly earlier than that, an inquiry into the question of these expenditures was begun by the United States grand jury in the city of New York.

The corrupt-practices act provides that an itemized statement of the receipts and expenditures of the primary, as well as the general election, shall be filed with the Secretary of the United States Senate; but this act provides further that the deposit of this affidavit in the United States mail shall be construed as a compliance with the provision of the act requiring it to be filed with the Secretary of the Senate. The affidavit in this case was made and mailed by Mr. Newberry in New York, where he has a temporary residence, and it later reached the United States Senate.

These facts, it is believed, gave to the Federal court in New York City jurisdiction. Witnesses were subpœnaed to appear before the grand jury. I am basing my statement in part upon the briefs filed in the United States Supreme Court. Men who had charge of this campaign appeared before the grand jury and refused to testify, and presented as a reason for their refusal a written opinion which was furnished them by a lawyer to the effect that the Federal corrupt-practices act was unconstitutional.

I have had some experience in trial work, and never until this case did I ever hear that it was the privilege of a witness in a grand inquest, conducted by a grand jury, to plead the unconstitutionality of a statute. I understand, of course, that a witness is always privileged to refuse to answer a question where the answer might tend to incriminate him or subject him to disgrace. The witnesses in that case, after refusing to testify, were adjudged guilty of contempt, and the case is now pending in the Supreme Court.

Mr. President, the charges in the petition or memorial filed on the part of the contestant charge fraud and violations of the law. The charges filed in the memorial which is presented to the United States Senate on behalf of Mr. Newberry charge likewise extravagant expenditure of money and violations of law.

Under the circumstances, ought the United States Senate sitting now go forward and try to secure the evidence, such as it may be, or ought we to wait until the sitting of another Congress? That is the point; and in my judgment the Senate of the United States will be derelict in its duty if it does not take all the necessary precautions in order to preserve this testimony both for and against Mr. Newberry and for and against Mr. Ford.

It is to be assumed, of course, that the witnesses who will be called will be sworn, that they will be examined by the attorneys of either party, and perhaps by the members of the committee who may be sitting to hear the evidence. If any false testimony is procured on behalf of either party, then between this and the next session there will be plenty of opportunity to investigate it. If the testimony is true, then Senators as well as contestant and contestee ought to welcome it.

I am not concerned as to the outcome of this contest. I am concerned that the members of the committee and of the Senate shall do their duty as I think I see it, and see it clearly, so that it may not be said that an injustice has been done to either one party or the other because of the law's delay.

Mr. President, I want to take the time of the Senate for just a few minutes longer.

These charges do not come here alone from persons who are immediately interested, but the charges of corruption were made in the State of Michigan before the primary was held. A communication was sent to the Senate by Mr. Elbert H. Fowler, who, I understand, had charge of the Ford campaign, and in connection with it is a letter by the lieutenant governor of Michigan, Hon. L. D. Dickinson, dated August 22, 1918, in which he discusses conditions as they were during the preprimary campaign. I read a part of this letter:

Men of all walks of life, who have the best interests of our State at heart, believe the men who are conducting your campaign for United States Senator are conducting one that will bring one of the greatest scandals on our State that Michigan politics ever saw, and have asked me to take the lead in attempting to rid our State of this blight.

I note by your statement that you say you do not know of these things.

This letter was written prior to the primary.

In giving you the information I will give you the terms that I hear everywhere in the 62 counties in which I have been recently. I have always had the highest regard for you, and must believe you will relieve the Republican Party and the State of a campaign that is now being likened to the notorious Lorimer campaign of Illinois a few years ago. The terms "boodle" and "rotten" seem to be general terms that I hear.

Another paragraph:

Every section of the State shows evidence of an expensive newspaper campaign, costing thousands and thousands of dollars. Thousands of men are liberally paid for work at many more thousands of dollars, an expensive suite of offices with a large force sending out hundreds of thousands of letters to influential voters at more thousands of dollars, thousands of autos already engaged for use on primary day at many more thousands, that practically every opponent of the primary system is backing your campaign, and that hundreds of the experts who have figured in or conducted for money the wet campaigns of the past are among the most active of your supporters.

Conservative estimates say everywhere from $250,000 to $500,000 is being used. The good people of the State are apparently powerless to give the voters these matters on short notice. In case you get the most votes, you must expect to have the placing of your name on the election ballot contested. If by technical reasons you succeed, then you must expect every church and moral organization to work until election night to keep our fair State from the baneful influence that success following such methods would leave for years to come.

It was said by one of the attorneys representing Mr. Newberry before the committee that notwithstanding that letter the Republican lieutenant governor supported Mr. Newberry.

Mr. Dickinson was reelected lieutenant governor at the same election by from 115,000 to 118,000 majority. Mr. Newberry's plurality was, on the face of the returns, 7,500. The conditions of Michigan were such that when Mr. Dickinson was inaugurated lieutenant governor of his State in an address to the State senate he said, among other things:

Primary elections will call for action on your part. * * * More communications on this line asking for legislative action have come to me by far than all others combined, and almost without exception Republican, not only from all parts of Michigan, but from other States. This, you know, is the outgrowth of a candidacy that doubtless cost more money than ever before was paid for a nomination for office in all the world's history. * * * The individual or even party interests are of little note when the sanctity of the ballot and safety of democracy are at stake. From almost every part of the State come to me pleas that this legislature make it impossible in the future to witness the sale of a public office on the auction block, but rather that the laborer, the farmer, the business or professional voter, however humble but able and respectable, may have a chance with the man of millions.

If this statement came from an adversary, if it came from one of the opposite political faith, it might well be questioned, but when it comes from the lieutenant governor of a sovereign State, who was reelected by an overwhelming vote at the same election at which Mr. Newberry presented himself as a candidate for the United States Senate, it speaks volumes.

If this is the way in which this subject appeals to the official class of Michigan, and, I add, to the good citizenship of that great and good State, ought we to delay? When the lieutenant governor is appealing to the legislature of his State for additional legislation in order to prevent a recurrence of this situation, will the United States Senate sit silently by while this testimony may, in part, at least, be where we can not get at it if it is needed, if some future Congress insists that there ought to be an investigation and we do not?

If the situation is one-half as bad as described in the lieutenant governor's letter and his address to the Michigan Senate, does not the Senate of the United States owe it to itself to inquire what the facts are?

Statements are filed with this committee giving the names of reputable witnesses who, it is said, will be able to show that Mr. Newberry was in constant touch with his campaign committee. I shall await with interest the testimony on that subject. I do not care, and I shall not prejudge. Mr. Newberry makes the statement, as appears in the record in the office of the Secretary of the Senate, to the effect that he spent nothing in this campaign, that he received no contributions, and I think I quote him correctly when I say that his language was, in substance, that nothing was either received or expended to his knowledge. He does make a statement in one of the affidavits which was filed to the effect that he had heard some reports about the activities of some of his friends, but that they were purely voluntary. The letter which Mr. Dickinson, the lieutenant governor, first wrote to him was written to and received by Mr. Newberry a number of days before the primary was held, advising him as to the conditions that prevailed.

Let us look at the other side of the proposition. It is stated by Judge Murfin, on behalf of Mr. Newberry, in substance, that Mr. Ford and his friends conducted a campaign of very great extravagance and that they had violated the law. My answer to this charge is, if both have violated the law, then neither of them ought to sit here in the Senate.

And now, Mr. President, I wish to repeat very briefly that those Senators who favored this investigation and favor it now, lest the evidence be dissipated, do not ask and will not ask that this Senate shall attempt to pass judgment upon the title of either party to a seat in this Chamber. We are simply taking such steps as we believe are required of the Senate sitting now. Now should be the accepted time to take the testimony. It is not an unheard-of thing to begin proceedings for the preservation of testimony. The code of civil procedure and the common law itself provide for methods to do this, and we are simply following the precedents in that behalf when we ask that the Senate authorize the committee to take up this subject and order the investigation now.

Mr. KNOX. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Pennsylvania?

Mr. POMERENE. I yield.

Mr. KNOX. I should like to make an inquiry, and I should like to have an answer if the Senator from Ohio is willing to make one. Suppose this investigation is pending and testimony is being taken at the time of the organization of the next Senate, what effect, in the judgment of the Senator from Ohio, would that fact have upon Mr. Newberry taking his seat under his credentials from the State of Michigan?

Mr. POMERENE. In my judgment, none whatever, unless some facts might develop, which I do not anticipate.

Mr. KNOX. I should like to know, if the Senator is willing to answer, what he means by facts developing. Facts of what nature developing, in respect to what particular phase of the matter?

Mr. POMERENE. Mr. President, I had nothing special in mind. I think, without an exception, so far as I now know, when a Senator presents his credentials in legal form at the time he seeks to be qualified, the Senate would have to seat him. The question can be taken up afterwards and determined as to whether he shall be unseated.

Mr. KNOX. In other words, as I understand the Senator from Ohio, the merits of the contest would have no bearing upon the right of the Senator to take his seat under his certificate?

Mr. POMERENE. I should think not.

Mr. President, I dislike very much to interfere with the consideration of the bill that is before the Senate, but I have felt an effort was being made to prevent the passage of this resolution at this session and to block the taking of any of this testimony, and I feel it a duty that I owe to myself, to the Committee on Privileges and Elections, as well as to the Senate to place briefly before the Senate the issue as I understand it, and then the Senate must take the responsibility.

Mr. TOWNSEND. Mr. President, I regret exceedingly that the Senator from Ohio [Mr. POMERENE] feels it is wise and best at this time to take up this Michigan senatorial controversy. He has admitted, to begin with, that this Senate has nothing to do with the qualifications and election of Mr. Newberry; that the next Senate has the power of deciding these questions, and, further, that any action which might be taken by the committee at this time might be absolutely ignored by the next Senate, and all the expense and time and trouble will have been wasted.

I wish to say at the outset that I am no more in sympathy with the illegal or extravagant expenditure of money than is the Senator from Ohio, and at the proper time, before the proper tribunal, if there shall be a basis of fact for investigation, I shall not oppose it.

I believe the proposed procedure in this case is wholly unwarranted and absolutely unnecessary. For the contestant, Mr. Ford, I have no ill feeling; I understand he has always been my friend, and I have no personal animosity against him. As a citizen and business man he has my great respect, but it is well for the Senate to understand the history of Mr. Ford's candidacy for the Senate and the circumstances which actuated and promoted it.

Some time in June of last year some practical Democratic politicians of Michigan, of whom the attorney for Mr. Ford in these proceedings was the principal advisor, as he is his advisor now, recognizing the fact that Michigan is normally strongly Republican, set out to defeat the party by indirection through the primaries. Mr. Ford was sent for by the President and went to the White House. He tells the result of the interview practically in this language:

> I do not feel qualified to act as Senator, have no disposition to be a Senator; but the President asked me to be a candidate in Michigan and I accepted that request as a command, and I am going to be a candidate.

When asked what party he was to represent, he said he had no particular choice; he was not a partisan man, but he consented to be a candidate on both tickets, the Republican and the Democratic. The fact that Michigan is strongly Republican makes it easy for our Democratic friends to go into the Republican primaries and nominate the man whom they would like to defeat. They have done it in the past. This time they endeavored to select the Republican nominee, not to defeat him but to defeat the Republican choice.

The Democrats joined in the Republican primaries for the purpose of trying to put upon that party Mr. Ford as their candidate as well as ours, because, while under the Michigan law a man can not run on two tickets for election, but must make his choice as to which one he will accept, it was arranged that he should refuse to accept the nomination on the Democratic ticket and abide by the privilege that was granted him to run as a Republican.

In the primaries he was defeated for the nomination on the Republican ticket but was nominated on the Democratic ticket. It is the campaign for the primary about which complaint is made, for I venture the assertion that if it were not for the primary there would not even be an allegation that there was any fraud in the election. It was the primary in Michigan that created the greatest disturbance.

In spite of the charges of rival candidates, Mr. Newberry was nominated by a substantial majority in the primaries and went on the Republican ticket as its candidate. The election was held, and something over a month after it occurred, and after the time had expired for filing a notice of a demand for a recount under our statute, Mr. Ford announced through his attorneys that he was satisfied with the election and should make no contest. Under our laws there is no provision for the preservation of ballots after the official count, the returns of the State board of election canvassers, and the certificate of election has been issued. Mr. Ford made no complaint at that time and for nearly a month thereafter.

The Senator from Ohio has referred to the fact that there is danger of the destruction of the ballots and that ballots had been destroyed. Mr. Ford in his petition to the Senator's committee set out that ballots had been destroyed, some of them at that time; but no notice had been given that a contest was even expected. These ballots were destroyed in accordance with the ordinary custom. They were destroyed in Marquette because there was an election in December following the November election, and they had to be destroyed in order to use the boxes. No one thought that they would ever be called for and there was not the slightest suggestion that these ballots were to be treated differently from the way ballots theretofore had been treated. I understand that is practically the situation in Saginaw and Port Huron. But it can not be shown, as I am informed, that there were any ballots destroyed after Mr. Ford had given notice or even suggested that he wanted a recount. The ballots have been preserved.

Now, mark you, sir, it was Mr. Ford who invoked the Federal courts of Michigan for preservation of those ballots. He secured a temporary restraining order in the two Federal courts of our State. Before the time for a hearing on those orders had arrived the representatives of Mr. Ford and Mr. Newberry appeared before the Committee on Privileges and Elections, and the legal representative of Mr. Ford expressed some doubt as to the validity or the power of the court which he had invoked. Therefore the two parties stipulated that the temporary restraining orders should be made permanent. Mr. Newberry's attorney went home, according to instructions, and appeared before the two courts and had those restraining orders made permanent, and they are so to-day, and the ballots are in the possession of the courts.

Notwithstanding that fact and realizing that possibly there would be a conflict between State and Federal authorities, I want to say here, by way of parenthesis, that I do not believe those Federal courts or this Senate can legally take possession of those ballots against the law of the State of Michigan, although there has been no action and no disposition manifested to interfere in the least with the preservation of the ballots, because Mr. Newberry, if there is to be a recount, is, I believe, more interested in the preservation of them than is Mr. Ford, as I shall attempt to show if this resolution is to be considered; but, notwithstanding this fact, Mr. Newberry's friends caused a remedial law to be enacted in Michigan to provide for the preservation of ballots, if invoked.

Mr. FLETCHER. Mr. President——

Mr. TOWNSEND. I yield to the Senator from Florida.

Mr. FLETCHER. I merely wish to inquire of the Senator, as he made reference to restraining orders issued by the court ordering those ballots to be preserved and retained, whether there was any modification of any of those orders to the effect that they would be held in reserve until the next election, or words to that effect?

Mr. TOWNSEND. Not at all. I have the orders here. I shall put them into the RECORD a little later so the Senator may see just what they were. They were in compliance with Mr. Ford's attorney's request to preserve the ballots.

Mr. FLETCHER. I understood there was some modification of one of those orders to the effect that they would be retained until the time came to use the ballot boxes again in which those ballots were placed.

Mr. TOWNSEND. I will put the restraining orders in the RECORD in just a moment when I come to them so the Senator can see just exactly what the orders were. They provide for preserving the ballots indefinitely.

I am making these preliminary remarks because this is a question which is going to require a great deal of time, if the

Senate sees fit to lay aside its legitimate business to take up the work of the next Senate. This proposed action admittedly will not be binding upon the next Senate. If Senators wish to do this they can, but the facts must be disclosed, although I shall be willing to yield at any time for the purpose of taking up the legitimate business of this Congress.

But to get back to the procedure, it was doubted by some, as I have said, that this power of the Federal court would be effective in restraining the destruction of the ballots; that they belong to the State and that the State would possibly ignore some order that might be issued which they regarded as unconstitutional, and therefore a bill was introduced in the senate and house of representatives at Lansing as soon as it was possible to prepare one, and at the earliest possible moment, not losing a single day, both houses passed the bill unanimously. Mr. Ford's attorney knew that this action was to be taken, and as I understand it he approved it. I have received a telegram from our governor, dated February 4, as follows—

> House enrolled act No. 1, being an act to provide for the preservation of ballots cast for office of United States Senator in cases of contested elections or in cases where notices of contested election may be given, etc., has this day received my approval and is now a law in full force and effect in the State of Michigan.
>
> ALBERT E. SLEEPER.

I shall put that bill into the RECORD. It provides that Mr. Ford may go into the Supreme Court, and to cover any possible question of jurisdiction it is provided that in the circuit court of the county of Ingham he may petition to have these ballots preserved, and provides the way in which it can be done, and everything has been done to preserve the ballots, and that was the only thing of any serious consequence that was presented to the committee showing that there was danger that something might happen to embarrass the investigation of this case by the next Senate.

But this is not the whole story of this proceeding. After Mr. Ford had been placed in the race in Michigan by the President of the United States, after the people of our State had decided in the primary that he was not the Republican nominee, and this after the Ford committee had published every one of these things which the Senator has brought out here, spread them before the people in the campaign for election, the people decided by a majority vote that Mr. Newberry was Michigan's choice for Senator. The Ford party or the Ford committee simply covered our State with advertisements, many pages of advertisements in the newspapers, calling attention to the fact that Mr. Newberry had expended $176,000 in the primary campaign and then, in connection therewith, statements showing that Mr. Ford spent $3,000,000 to build a hospital, and further stating that Mr. Ford, who had millions of dollars' worth of contracts with the Government, proposed to give his share of the war profits back to the Government. Those things were all published to the people. The people passed upon them.

Mr. Ford reached the voters several times during that campaign. His committee reports—and I shall have something to say about that later—or the Democratic State central committee reports, that it spent about $53,000. His own committee expended something like $1,500 or $1,800. Yet, Mr. President, when this question comes up I shall show one pamphlet that was sent out by the Ford people that must have cost at least $80,000 to print, mail, and distribute—one pamphlet alone. It is what was known as the pamphlet de luxe.

It is well that Senators should know all about this case and what influences may be inspiring it. Mr. Ford gave an interview for publication the other day in Los Angeles, Cal., stating that he spent no money for the nomination or election, but he would spend a million dollars, if necessary, to keep Mr. Newberry out of the Senate.

I can understand somewhat of this propaganda that is being urged, and I do not charge with indirection or bad faith the chairman of the Committee on Privileges and Elections, for whom I have the greatest respect; but he does not know it all. The thing has been misrepresented to him. He has asked that we lend the influence of this body, which has nothing to do with Mr. Newberry's primary or election, for the purpose of molding a public sentiment before trial in the next Senate, which may influence its action in regard to the seating of Mr. Newberry.

The Senator admits for the first time that Mr. Newberry's credentials, being proper and regular, he will be entitled to be sworn in on the day of the next session when he shall present himself to the Senate.

Then, I say, if the Senator, who will probably be on the Committee on Privileges and Elections, or any other Senator, feels, after looking over all the facts that have been presented, that an investigation for fraud or for any other purpose that would invalidate Mr. Newberry's seat should be made, he will not find me opposing him in his position; but, Mr. President, not only is there a determined and powerful influence at work to prevent the seating of Mr. Newberry, but I believe that there is the widest misrepresentation of facts connected with the election or the primary of which it is possible to conceive.

There is another incident, Mr. President, that ought to be borne in mind: The Senator from Ohio has referred to the grand jury proceedings in New York. After the primaries and in the very midst of the campaign for election, in October grand jury proceedings were instituted in New York City, a thousand miles, more or less, from Michigan.

That proceeding was instituted for the purpose of showing that the friends of Mr. Newberry and Mr. Newberry himself had violated the corrupt-practices statute of the Penal Code. Mr. Newberry's most influential friends were subpœnaed and haled down to New York, as well as all of the gentlemen from whom the Senator from Ohio has made quotations against Mr. Newberry—ex-Gov. Chase S. Osborn; Lieut. Gov. Lurin D. Dickinson; Grant M. Hudson, superintendent of the Anti-Saloon League; James Sweinhart, representative of the Detroit News; Louise De Lamater, stenographer; and Jay Hayden, representative of the Detroit News.

Then they called the following Newberry people: H. A. Hopkins, director of publicity for the Newberry committee; Paul R. Dailey, attorney; Milton Oakman, ex-county clerk, Wayne County; Guy Ingalls, city treasurer elect, Detroit; C. L. Sibben, stenographer; Margaret Nevin, stenographer; and Florence Shapiro, stenographer.

All of these people testified before the grand jury which was called for the purpose of investigating the charges of fraud which Mr. Dickinson and Mr. Osborn had made against Mr. Newberry. Finally they called upon Mr. Frank W. Blair. He was treasurer, as I believe, of the Newberry committee and is president of the Union Trust Co., of Detroit. They also called upon Mr. Allan A. Templeton, president of the Seamless Steel Tube Co., of Detroit, and Mr. Thomas P. Phillips, editor of the St. Clair Republican. Those three men refused to testify under advice of their attorneys, as I understand, believing that they were not compelled to do so under the law.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER (Mr. VARDAMAN in the chair). Does the Senator from Michigan yield to the Senator from Ohio?

Mr. TOWNSEND. Certainly.

Mr. POMERENE. May I ask the Senator who the attorney was who gave that advice?

Mr. TOWNSEND. To what attorney does the Senator refer?

Mr. POMERENE. To the attorney for Mr. Newberry.

Mr. TOWNSEND. I think it was the Hon. Martin W. Littleton. I do not think he was Mr. Newberry's attorney.

Mr. POMERENE. Was he the attorney who advised these witnesses?

Mr. TOWNSEND. My understanding is that the attorneys advised them with regard to this matter.

Mr. POMERENE. I do not care to interrupt the Senator's statement, but I want to call attention to another fact. As I understand, Mr. Newberry in the summer and fall of 1918 was living temporarily in New York?

Mr. TOWNSEND. He was. He was the commander in the third naval district. One of his sons was in the Army and the other was in the Navy. I am glad the Senator from Ohio asked me that question. Mr. Newberry was stationed in New York, and did not go into Michigan during the campaign, although some affidavits are with the committee to the effect that the commander was in Michigan. The affiants were mistaken.

But they called all these people down there to testify, and these three men refused to do so. I understand that Mr. Truman Newberry and Mr. John Newberry, the brother who had subscribed the largest amount of the campaign money, were in New York and were not even called upon to testify. Immediately the three men who refused to testify were committed for contempt of court. They were released on a writ of habeas corpus. The writs were contested before Judge Clayton, the circuit judge. He dissolved them and remanded the men to jail. An appeal was taken to the Supreme Court of the United States, and it was argued last week here in that court. Its decision will determine the validity of the corrupt-practices act, so far as it relates to senatorial primaries, and may settle the contention of this case.

Meanwhile the grand jury, which had all the facts that have been alleged in the statement by the Senator from Ohio, refused to return a true bill, and that fact was kept secret. Representatives of the Department of Justice held it secret with the hope, I verily believe, that it would have its effect with the voters in Michigan just the same, because Mr. Newberry was practically being tried for corruption, but hoping that that trial would be considered as still in existence after

the grand jury had been dismissed. One of the jurymen, however, stated the fact that the jury stood 16 to 1 unopposed to any action against Mr. Newberry. That was published finally in the State of Michigan, and that juror was haled into court for contempt, but was afterwards dismissed.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Ohio?

Mr. TOWNSEND. Yes.

Mr. POMERENE. The question I assume was, as I understand the issue in this case, as to whether or not this was a correct affidavit. Necessarily the members of the committee would have some information touching those incidents.

Mr. TOWNSEND. I do not know to what the Senator from Ohio refers.

Mr. POMERENE. The witnesses who were found guilty of contempt did not testify before the grand jury.

Mr. TOWNSEND. No.

Mr. POMERENE. So that the grand jury did not have the benefit of whatever information they may or may not have had.

Mr. TOWNSEND. No, Mr. President, these three witnesses did not testify. It was a test case on these three witnesses, but all the people who had to do with the fund or the management of the campaign outside of the office, and some of those in the office, did testify, and they testified to all these statements of complaint. Mr. Ford's friends called the men by whom they hoped to prove those alleged facts and had them sworn, but the jury found no cause for action; yet, I repeat, that fact was held secret until by accident it came out that Mr. Newberry was relieved of the charge that was made against him of having indulged in corruption—either he or his friends.

Mr. MOSES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from New Hampshire?

Mr. TOWNSEND. Yes.

Mr. MOSES. Will the Senator from Michigan be good enough to state by whose orders this secrecy was maintained?

Mr. TOWNSEND. I can not tell; I do not know by whose order it was done. I simply know secrecy was employed. The Senator may imagine that I am indulging in suspicion when I put 2 and 2 together; but when I remember the origin of Mr. Ford's candidacy and close it with his statement in Los Angeles the other day, that he would spend a million to keep Mr. Newberry out of the Senate, I can understand that this may have been a part of the scheme to defeat Mr. Newberry in that election which was being waged at the time, and, failing in that, to keep him out of the Senate.

Mr. POMERENE. Mr. President——

Mr. TOWNSEND. If the Senator desires to deny that, I will yield.

Mr. MOSES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield; and if so, to whom?

Mr. TOWNSEND. I will continue to yield to the Senator from New Hampshire.

Mr. MOSES. Does the Senator from Michigan know the name of the presiding judge in these proceedings—whether he was a judge for the district in which the proceedings were held, or whether he was an outside judge who had been brought in there to hold this term?

Mr. TOWNSEND. I think Judge Clayton does not belong to the southern district of New York; and he was the presiding judge.

Mr. MOSES. Does the Senator from Michigan know from what judicial district Judge Clayton comes?

Mr. TOWNSEND. He comes from the Alabama district, whichever that is. I do not remember the number of the judicial district which includes Alabama.

Mr. MOSES. Had Judge Clayton been sitting regularly in the court when this proceeding was had?

Mr. TOWNSEND. I do not know.

Mr. MOSES. I do not wish to break in upon the Senator's argument, but I have heard that judges from outside jurisdictions are frequently called to sit in the Federal courts in New York for reasons which it may be improper to discuss here, but which in cases like this would justify many deductions.

Mr. POMERENE. I am not able to hear what the Senator from New Hampshire is saying.

Mr. TOWNSEND. I yield to the Senator from Ohio.

Mr. POMERENE. My understanding was that one branch of this case was tried before some judge who is resident in New York and another branch of it came before Judge Clayton. Judge Clayton is one of the judges who is constantly ordered into other jurisdictions to try cases.

Mr. TOWNSEND. He was ordered into this jurisdiction, anyway; that is certain.

Mr. POMERENE. And it is hardly a fair inference, knowing Judge Clayton as we do, to suggest that he would be guilty of any improper conduct on the bench.

Mr. TOWNSEND. I am not suggesting it.

Mr. POMERENE. Allow me to make a further suggestion. I know nothing about the so-called secrecy of the proceedings to which the Senator refers, but I do know a little something about the practice which prevails. Where a criminal case is not pending on a transcript, it is not usual to give publicity to any grand-jury proceedings, so that even if these proceedings were secret, it was simply the practice which prevailed in every other inquiry.

Mr. TOWNSEND. It fitted pretty well in this scheme, if there was a scheme. I disclaim any——

Mr. POMERENE. The Senator, of course, can draw any inference he desires.

Mr. TOWNSEND. One moment. I disclaim any attempt or disposition to discredit Judge Clayton, with whom I served in the other House and for whom I have great respect. I am simply reciting the facts. The Senator from New Hampshire asked me who presided, and I told him.

Mr. President, as I stated a moment ago, this case is going to take a long while to present. I have some papers which I wish to produce at the proper time and read to the Senate, touching the Ford activities in the campaign, touching the classes of advertisements that were used, and everything that was done, as well as what was done by Mr. Newberry and his friends.

I ought to say, in answer to one statement of the Senator from Ohio, that I doubt if he has any affidavit or any statement worthy of the least credence which shows that Mr. Newberry's friends have tried to destroy any evidence. There is evidence—and I shall present it to the Senate—in the form of affidavits that the Federal Government, through some of its representatives, indulged in the most unconscionable and improper methods imaginable to get evidence against Mr. Newberry, but obtained nothing of value. I shall be able to show to the Senate that representatives of Mr. Ford, but claiming to be representatives of the Federal Government or of some agency of the Government, went to various county clerks who had the custody of the ballots and the election records and sought to investigate or to look into those ballots, and in some cases took the records out of the office and carried them away into some secret room.

I have in mind one case in particular, where they came into the clerk's office when there was a girl in charge, the clerk being out, and represented to her that they were legal officers of the Government, entitled to all of the papers connected with the election. So she handed over to them the election returns, the tally sheets, and everything of that kind, and they took them out of the office. When the clerk returned, he went out after the records and brought them back, but not until these agents had had them for some time. If there has been any effort to tamper with the ballots and election returns in Michigan, it has not been exerted by Mr. Newberry's friends.

I think I speak for Mr. Newberry when I say that he courts the fullest investigation as to the election and as to the primary, if an investigation as to the primary shall be held valid, at the proper time and by the proper court. He joined with Mr. Ford's attorney to preserve the ballots. He it was who instituted the proceedings providing for a State law to preserve the ballots, for fear the objection might be raised that the Federal court did not have jurisdiction over the matter. He stands ready now, as do his friends, to disclose the facts before the proper tribunal; but, Mr. President, this Senate shall not with my consent—and if it is done it must be done with my utmost opposition—go out and investigate this case ex parte for the purpose of trying to shape public sentiment that may be able to operate upon the next Senate, which is to convene after March 4.

Mr. REED. Mr. President——

The PRESIDING OFFICER (Mr. SWANSON in the chair). Does the Senator from Michigan yield to the Senator from Missouri?

Mr. TOWNSEND. I yield.

Mr. REED. The Senator used the expression "this Senate shall not with my consent go out and investigate this case ex parte." Does the Senator mean that anybody proposes to go out and conduct an investigation where both sides shall not have the privilege of being represented?

Mr. TOWNSEND. I have no faith in an investigation that would be made at this time. I will say that to the Senator.

Mr. REED. That is highly complimentary to the membership of the Committee on Privileges and Elections.

Mr. TOWNSEND. It has been represented here by some Senators that all they wanted to do was to preserve the testimony, which was likely to be lost. That is not the attitude of the Senator from Ohio. He desires to go out and take all the testimony he can in reference to this case. Now, necessarily there is not enough time to take all the testimony before the Congress ends. I feel sure, however, that an effort will be made to make a case against Mr. Newberry. So far as the ballots are concerned, of course they could not be counted in a year, if that is what is intended. Those 438,000 ballots, in 2,166 ballot boxes scattered all over Michigan, could not be counted in a year, and it is not the intention to count them. The Senator says he wants to preserve some of those stub checks in Detroit. Oh, they will all be preserved; there is no disposition to destroy them. The very witnesses who, it is stated, did not testify are among the very highest class of gentlemen in the State of Michigan.

Mr. POMERENE. Mr. President——

Mr. TOWNSEND. I yield to the Senator.

Mr. POMERENE. Is the statement correct, that I made on the authority of representations laid before the committee, to the effect that the correspondence of this campaign committee had been burned?

Mr. TOWNSEND. I presume so—a good deal of it. Does the Senator know a campaign committee on earth that preserves all of its correspondence which has accumulated during a campaign? Does the Senator do that?

Mr. POMERENE. Yes, Mr. President; I have all of my correspondence, or did have, for a considerable time after the election.

Mr. TOWNSEND. That is the most remarkable statement I ever heard in my life. I have had some experience in campaigns——

Mr. POMERENE. I never had anything to cover up.

Mr. TOWNSEND. No; probably not. That induces me to say something that comes into my mind, but I guess I will not do so.

Mr. POMERENE. I do not want that to be misunderstood. I did not mean that as referring to the Senator, of course.

Mr. TOWNSEND. I know that it is absolutely true that campaign committees do not keep their correspondence for months after an election where there has not been the slightest suggestion that there is any part of it which will ever be needed. It can not be done, and it is not done. But there will be nothing more destroyed. If you want anything that has not already been destroyed, as the Senator suggests, you can enjoin through the State courts the destruction of anything that is necessary in this proposed hearing or investigation.

I believe that the Senator is laboring under a great misapprehension if he believes that there is anything in this campaign on the part of Mr. Newberry and his friends that they want to cover up. I believe that they made a truthful statement as to the expenditure of money. It was too much money, but they believed they had a right to spend what they did in advertising. Why did they feel that way?

Mr. Ford is probably the best-advertised man in the United States outside of public life, and is better advertised than most men in public life. He spent hundreds of thousands of dollars in 1916 advertising his peace propaganda and the reelection of Mr. Wilson. He has advertised in every section of the United States, and especially in Michigan. He has a Ford agency in every little hamlet in our State, and I shall show from the affidavits here that those agencies generally were Ford's headquarters during both the primary and the election campaign. I shall show that, while the records disclose, according to his report in Wayne County, that only about $1,800 were subscribed to his personal campaign fund by his friends—and his friends constitute those who have business relations with him, the men who contract to furnish him wheels, auto bodies, and other parts for his cars—contributed generously to the Democratic State central committee, and that committee employed its efforts largely to elect Mr. Ford.

I repeat that one pamphlet alone issued by the Ford people in his campaign is reported to have cost more than is returned by the Democratic State central committee and the Ford senatorial committee put together.

I am not using this as an argument to excuse Mr. Newberry if he has violated the law, because I know that it is no excuse for a wrongful act that some one else has done a similar thing; but I am thinking of the candidate who was running against him. That candidate was advertised all over the State of Michigan. He has spent hundreds of thousands of dollars in accomplishing it. He had 45,000 employees, and those employees were notified by their superintendents that Mr. Ford was a candidate for the Senate.

Mr. Newberry had the Federal employees against him. There probably were 10,000 of them in Michigan. For some strange reason——

Mr. REED. And the State employees for him and the county employees for him, I presume?

Mr. TOWNSEND. I do not know about that; some of them probably were, but they were legitimately interested in the campaign, but I am talking about the forces arrayed against Mr. Newberry. Another strange thing that I wish to suggest is this: The President put Mr. Ford into the race for Senator. The President had openly opposed the election of the junior Senator from Wisconsin [Mr. LENROOT], because he thought that Senator had not always supported his war measures. The President went into the State of Georgia to defeat the junior Senator from that State [Mr. HARDWICK], because he alleged that Senator was not loyal; he went into Mississippi to defeat the junior Senator from that State [Mr. VARDAMAN] for the same reason. Yet, he took up Mr. Ford in our State, who had approved of all of the opposition that was made to the war measures and would not be able to stand the acid test of any war proposition, and asked the people of our State to nominate that man as Senator from Michigan. Mr. Newberry had those influences against him.

There is another strange thing, which I shall show at the proper time. We have a list of the subscribers to the Ford campaign fund filed in Michigan. I think something over 100 postmasters subscribed to the fund; that is, to the fund of the Democratic State central committee, which was in reality the Ford fund. A peculiar thing occurred in regard to that. In looking over the list I found subscriptions of $33.33, $61, $70, and all kinds of peculiar sums, which I thought were very strange to be put down on a subscription blank. I had some of them figured out. In one county, for instance, it was found that all of the subscriptions were exactly 1½ per cent of the salaries paid to those officers. In another county the subscriptions paid by the postmasters subscribing to the fund amounted exactly to 3 per cent. There was method in it; there is no doubt about that.

Mr. Newberry had all of those influences against him. His committee believed that under the law they could advertise and circulate any amount of publicity literature in the State of Michigan. Mr. Newberry's friends believed that could be done legally, and they did it; but I am informed and believe that not one dollar was expended to corrupt a voter.

Mr. Ford advertised his influence. He advertised his benefactions. He advertised the assumed fact that he was going to turn over his profits out of his war contracts to the Government. Why, you and I know that under the bill that is now pending 80 per cent of those profits will be taken in taxes anyway by the Government. But he now states in his interview in California that he can not control the minority members of the company, and he does not know what they are going to do with their share of the profits, but it is his share, of course, that he is disposing of for political purposes; and 80 per cent of that already has the Government lien upon it.

Mr. President, I mention this not as an excuse for any improper expenditure of money, because if it has been improper I shall not countenance it; but I am thinking of the kind of a campaign they had in Michigan. It was not the campaign of a poor man against a rich one.

It was the campaign of a man of the greatest influence, the best-advertised man in our State, against a man who was not personally known by our people. During the Spanish War he enlisted in the Navy and served through it. He was afterwards made Assistant Secretary of the Navy, and then, by Mr. Roosevelt, made Secretary of the Navy. When the late war broke out, he enlisted in the Navy again, and was made a commander in the third naval district. His boys entered the service, as I have stated. His life has been honorable and distinguished by exalted service to his country. His high character has never been questioned. His honor and integrity have never been impeached. He has, however, never mixed politically with our people. He became a candidate for Senator while he was serving in the Navy, and the only way that he could reach the people, as against the influence of Mr. Ford, was through the press; and his friends used that press most liberally. There is, however, very little difference between the amount of advertising space he occupied and that which was occupied by Mr. Ford. The only difference is that Mr. Newberry's committee reported $176,000 expenditures, and Mr. Ford reported through his committee $53,000.

So, Mr. President, if this Senate feels that in a matter over which it has no proper jurisdiction it wishes to occupy the time which should be devoted to the business of this Senate, it can do so; but before we are through here the hundreds of affidavits which I have that bear on this subject shall be presented to the Senate, because, as I said before, Mr. Newberry has been attacked in the Senate, and the other side must be shown. I be-

lieve in fair play, and if public sentiment is sought it must be intelligently bared.

That is my position, Mr. President. I do not wish anybody to understand that I wish to stand in the way of rapid, speedy, intelligent consideration of legislation that the country needs. The Post Office appropriation bill, which it is proposed to displace by this political measure—because, I care not what you say about it, it is nothing else than that—should be considered and completed.

Great emergencies growing out of reconstruction, the problems which are on our hands for solution, have no business to be laid aside for the purpose of making an investigation that may be ignored by the next Senate. It may absolutely ignore the whole of your work and have another committee investigate, and we will have spent thousands of dollars in a vain thing, the result being simply to incite partisan feeling and possibly prejudice, when there should be no prejudice in the trial of a case before the next Senate.

Mr. President, I have said this because I have felt that some of these facts should be known. The statement of the Senator from Ohio has compelled me to say this much in reply. I shall be more explicit if the resolution is taken up. I have prepared this case in due form, systematically, having affidavits bearing upon all the points which I desire to present to the Senate, and if it is your pleasure to take up this resolution now and displace all of the proper legislation of the Senate, I am prepared to go ahead with it.

Mr. President, I ask consent to insert as a part of my remarks the temporary restraining order and the permanent injunction order issued by both our Federal courts, and also a copy of the Michigan statute which was passed this week.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

House enrolled act 1.

An act to provide for the preservation of ballots cast for the office of United States Senator in cases of contested elections, or in cases where notices of contested elections may be given, or in cases where any judicial proceedings may have been instituted preliminary to contesting elections to the office of United States Senator.

The people of the State of Michigan enact:

SECTION 1. Whenever the election of a United States Senator is contested before the United States Senate, or notice of a contested election for United States Senator may be given, or whenever any judicial proceeding may be instituted preliminary to a contested election involving the right to a seat in said United States Senate from the State of Michigan, and it shall be made to appear to the Supreme Court of the State of Michigan that there is danger that the ballot boxes used in the election of said United States Senator within said State will not be properly preserved, the seals upon said boxes interfered with, said ballot boxes opened or the ballots therein interfered with or destroyed, such supreme court shall grant a restraining order directed to the officers having custody of said ballot boxes within said State restraining them and all other persons from interfering with said boxes, seals, or locks thereon, or the ballots therein except as therein provided.

SEC. 2. Application for such restraining order may be made by any candidate for such office and shall be made by petition duly verified under oath setting up the material facts relative to the election and the election contest involved. Such petition shall be heard in open court, and the court shall give such notice of the hearing on such application as it shall deem sufficient to the candidates for the office of United States Senator in the election concerning which the application was filed and to such persons as shall be named in such application. Pending such hearing any justice of the supreme court may, in his discretion, grant a temporary order restraining any interference with said ballot boxes or the ballots therein.

SEC. 3. Service of any restraining order may be made personally, as in the case of the service of other process of said court, or such service may be made by registered mail. In cases of emergency, notice of the issuance of a restraining order may be given to the officers to whom the same is directed by telegraph or by telephone in advance of the actual service of said order, and after such notice, whether by telegraph or telephone, said officers shall be charged with the same duty with regard to the preservation of said ballot boxes and the ballots therein as after the service of said order.

SEC. 4. On being served with a copy of a permanent restraining order issued by said court, it shall be the duty of all officers having the custody of ballot boxes containing ballots cast at said election for said office forthwith to deliver the same to the county clerks of the counties in which such officers reside. It shall be the duty of said county clerks to receive such ballot boxes containing such ballots and to receipt therefor to the officers so delivering them. Said county clerks shall thereupon deposit said ballot boxes containing said ballots in some secure place to await the action of the commissioners herein provided for.

SEC. 5. Upon issuing permanent restraining order as herein provided, the supreme court shall name three commissioners who shall proceed to the offices of the several county clerks as soon as may be, open said ballot boxes, remove the ballots therefrom, place them in packages securely wrapped and sealed and so marked as to show in what voting districts such ballots were cast.

SEC. 6. Such packages shall be sealed by said commissioners and redeposited with said county clerks, and it shall be the duty of said county clerks to again place said packages of ballots in some secure place pending the further order of the court. It shall also be the duty of said commissioners to make a statement, duly signed by them, to be included within each such package, as to the character and condition of the ballot boxes when opened by them as herein provided, and of the condition of the ballots within such boxes. Each county clerk shall thereupon notify the several officers of election within the county that such ballot boxes have been released and direct such officers of election to appear and secure said boxes.

SEC. 7. The commissioners, as herein provided for, shall give public notice of the time when they will appear at each county seat for the purpose of removing the ballots from the ballot boxes, as herein provided, and such removal shall be publicly made in the presence of the county clerk and judge of probate in the office of the county clerk during office hours.

SEC. 8. It shall be the right of each candidate to the office of United States Senator at such election to be present in person at such removal, or to be represented thereat.

SEC. 9. The compensation of the commissioners herein provided for shall be fixed by the Supreme Court and such court shall allow such traveling and personal expenses of such commissioners as it may deem proper. All allowances to commissioners shall be taxed by the court as costs in the proceeding.

SEC. 10. Any officer who shall violate the terms of any such restraining order shall be in contempt of court and shall, in addition to such penalty as may be imposed thereby, be liable to a fine of $1,000.

SEC. 11. Instead of filing the petition for relief provided for in this act with the Supreme Court of the State of Michigan application may be made in like manner to the circuit court for the County of Ingham, and when application is so made such court shall have full jurisdiction to make all orders, name the commissioners, and otherwise exercise all necessary authority to carry out the purposes of this act.

SEC. 12. It is the intention of this act to furnish a speedy and effective means for the preservation of evidence of the intention of voters in the case of elections to the office of United States Senator. It is remedial in character and shall be construed in such manner as fully to carry out the intention herein expressed.

This act is ordered to take immediate effect.

[United States of America. In the District Court of the United States for the Eastern District of Michigan, Southern Division. In equity.]

Henry Ford, plaintiff, *v.* Truman H. Newberry, Richard Lindsay, William P. Rutledge, Delos Newcomb, Herbert Gay et al., defendants. No. 287.

The plaintiff herein by his counsel this day presented his verified bill of complaint with affidavit attached thereto (filed herein Dec. 30, 1918), wherein prayer is made for the preservation of the ballots cast in the eastern district of Michigan for the office of United States Senator at the general election held in the State of Michigan on November 5, 1918, and likewise for the preservation of the ballot boxes containing said ballots, together with all poll books and tally sheets relating to such election;

And it being made to appear that Hon. Arthur J. Tuttle, United States district judge for the Eastern District of Michigan, is now absent from said district;

Now, upon motion of Lucking, Helfman, Lucking & Hanlon, attorneys for Henry Ford, the above-named plaintiff, and pursuant to the power vested by section 264 of the Judicial Code of the United States:

Ordered, That Truman H. Newberry, Richard Lindsay, William P. Rutledge, Delos Newcomb, and Herbert Gay, and all other city clerks, township clerks, village clerks, and officials in the various cities, townships, villages and voting districts in the eastern district of the State of Michigan having in their possession or custody ballots cast in their respective cities, townships, villages, or voting districts in the November 5, 1918, election held in the State of Michigan for the office of United States Senator from the State of Michigan, and the boxes containing such ballots and the poll books and tally sheets relating to such election, show cause, if any there be, in this court on the 9th day of January, 1919, at 10 o'clock in the forenoon of said day, why an order of injunction should not issue herein restraining them, and each of them, and their agents, servants, employees, attorneys, and those in active concert or participating with them, from opening, destroying, or injuring the ballot boxes containing the ballots cast in the eastern district of Michigan for the office of United States Senator at the general election held in Michigan on November 5, 1918, and from removing, interfering with, or destroying the ballots cast at the November 5, 1918, election held in Michigan for the office of the United States Senator, and the poll books and tally sheets relating thereto, until the further order of this court.

It appearing to this court that there is danger that the ballots, ballot boxes, poll books, tally sheets, and election records relating to the election held in the eastern district of Michigan on November 5, 1918, for the office of United States Senator from said State of Michigan, will be destroyed, removed, injured, or tampered with, if no restraining order issue, without notice to the defendants prior to the return date of the aforesaid order to show cause, and that if service of notice be required and a hearing had upon the prayer for an injunction herein before issuance of any injunction or restraining order herein, immediate and irreparable injury, loss, and damage will result to the aforesaid Henry Ford, plaintiff herein.

It is hereby ordered that Truman H. Newberry, Richard Lindsay, William P. Rutledge, Delos Newcomb, and Herbert Gay, and all others city clerks, township clerks, village clerks, and officials in the various cities, townships, villages, and voting districts in the eastern district of the State of Michigan having in their possession or custody ballots cast in their respective cities, villages, townships, or voting districts in the November 5, 1918, election for the office of United States Senator from the State of Michigan, their agents, servants, employees, attorneys, and those in active concert or participating with them refrain from opening, destroying, or injuring the boxes containing the ballots cast at the aforesaid election of November 5, 1918, until the further order of this court, and further refrain until further order of this court from injuring, removing, interfering with, or destroying the ballots cast in the eastern district of Michigan at the November 5, 1918, election held in Michigan for the office of United States Senator, and that they and each of them do carefully preserve and safeguard the said ballots in the original ballot boxes in which they were deposited on said election day under lock and seal, together with all poll books and tally sheets relating to said election until further order of this court.

It is further ordered that notice of the issuance of this order may be served upon any and all custodians of said ballots and ballot boxes and records by personal service of a copy hereof or by registered mail or by notice actually given.

It is further ordered that a copy of the bill of complaint herein and of this order be served personally on or before Friday, January 3, 1919, upon each of the defendants, Truman H. Newberry, Richard Lindsay, William P. Rutledge, Delos Newcomb, and Herbert Gay.

The foregoing orders are granted, subject to requirement of plaintiff forthwith to present a bond of indemnity in the sum of $500 and conditioned upon the payment of such costs and damages as may be in-

curred or suffered by any party who may be found to have been wrongfully enjoined or restrained by the provisions of this order.

Approved for entry at Cincinnati, Ohio, this 31st day of December, 1918, at 4.15 o'clock p. m.

J. W. WARRINGTON,
United States Circuit Judge for the Sixth Judicial Circuit.

[United States of America in the district court of the United States for the western district of Michigan, southern division.]

Henry Ford, plaintiff, *v.* Truman H. Newberry, Joseph C. Schinkman, et al., defendants. No. 1596. In equity.

At a session of said court held in the city of Grand Rapids, Kent County, Mich., on the 21st day of January, A. D. 1919.

Present: The Hon. Clarence W. Sessions, district judge.

On reading the stipulation which has been entered into between complainant and Truman H. Newberry, reading as follows, viz:

"In the Senate of the United States re petition of Henry Ford, in re senatorial election in Michigan.

"The parties, by their counsel, will and do hereby stipulate in the two cases between the parties pending in the eastern and western districts of Michigan, respectively, that orders may be entered and shall forthwith be entered, if the courts approve, that the injunctions shall be continued in full force as heretofore granted until such time as the Sergeant at Arms of the United States Senate may and shall take possession of the ballots and all the contents, records, and the like in the ballot boxes, including poll books, tally sheets, etc.

"That the procedure of the taking possession by the Sergeant at Arms shall be fixed by the United States Senate, and the representatives of each party shall be present when the transfer of the ballots and papers shall be made from the boxes to the custody of the Sergeant at Arms.

"It is understood that action shall be taken to transfer ballots, etc., from the boxes in time so that the boxes may be used at the approaching April elections.

"It is understood that this stipulation does not foreclose or prejudice either party as to the other matters contended for by them, respectively.

"(Signed) HENRY FORD,
"By ALFRED LUCKING,
"*His Counsel.*
"HENRY E. BODMAN,
"*Counsel for Truman H. Newberry.*"

And the court being advised in the premises, it is hereby ordered that the restraining order heretofore entered and issued out of this court on the 28th day of December, 1918, be, and the same is hereby, continued in full force as heretofore granted until such time as the Sergeant at Arms of the United States Senate may and shall take possession of the ballots and all the contents, records, and the like in the ballot boxes, including poll books, tally sheets, etc., relating to the November 5, 1918, election for United States Senator from the State of Michigan, and until the further order of this court.

It is further ordered that the foregoing order shall not prevent the use of the aforesaid ballot boxes by any of the other defendants when necessary for lawful election purposes, and that this court reserves authority to permit the use of said boxes for lawful election purposes.

Approved for entry.

C. W. SESSIONS,
United States District Judge.

O. K. LUCKING, HELFMAN, LUCKING & HANLON,
Attorneys for Henry Ford:

This order is satisfactory and I will be in court at the opening session, Tuesday, January 21, 1919, to ask that it be entered.

J. O. MURFIN,
Attorney for T. H. Newberry.

THE UNITED STATES OF AMERICA,
Western District of Michigan, Southern Division, ss:

I, Chas J. Potter, clerk of the District Court of the United States for the Western District of Michigan, do hereby certify that the foregoing is a true and compared copy of the order continuing restraining order in force as approved for entry in the proceedings of said court in said entitled cause and of the whole thereof.

Witness my official signature and the seal of the said court at Grand Rapids this 29th day of January, A. D. 1919.

[SEAL.] CHAS. J. POTTER, *Clerk.*
By CHAS. L. PITCH, *Deputy.*

Mr. REED. Mr. President, I can follow the Senator's example by expressing regret, as he did, at the attitude taken. He expressed regret at the attitude taken by the Senator from Ohio [Mr. POMERENE], and I must express regret at the attitude taken by the Senator from Michigan.

If I can have the attention of the Senate, I want to state my position on this case.

As everybody knows, I am a Democrat. I am a member of the Committee on Privileges and Elections. After the primary in Michigan, and before the election, an effort was made to cause an investigation of the Michigan case. A great deal of talk and comment was had in the newspapers with regard to the large expenditure of money in that State. I took a pronounced position against having an investigation at that time, because it seemed to me that, while clearly within the jurisdiction of the Senate under some of its powers, such an investigation would have the inevitable effect of influencing the election, and that, if it was tried in an artful way, one side might be presented to the voters before the election and the other side have no opportunity to be heard. Therefore I took the position that it was not fair at that time to investigate, although I believed that we had the absolute right to investigate that question, if under no other power, under the broad right that the Senate has, through any of its committees, to investigate any public matter which may demand public legislation, a right which we are exercising every day, and under which a half dozen committees are at this moment proceeding.

After the election was held I took the position, and I still take the position, that, assuming that the credentials of Mr. Newberry are in proper and legal form, upon their being filed here with the Senate he is entitled, at any time after the 4th of March, to take his oath of office and to take his seat, and to retain that seat until and unless the Senate of the United States, upon proper proceedings, shall oust him therefrom.

I make this statement because I want it understood that, so far as I am concerned, I have tried to assume, if it is possible for me to assume, a judicial attitude—the attitude that ought to be assumed by every Member of the Senate, not only now, but throughout the course of these proceedings, until the final vote. It may be too much to expect from flesh and blood, although, since all the world is to become good and perfectly unselfish, possibly a little modicum of it might get into the Senate Chamber.

But now the case takes another phase. A contest, or protest in the nature of a contest, is duly filed with the Senate, and that is referred to the Committee on Privileges and Elections for such proper action as it may see fit to take. The committee met, called before it the counsel of the two contending parties, and these gentlemen agreed, first, that they were willing to preserve the ballots, and agreed upon orders of court which were to be entered prohibiting the destruction of the ballots; and until last evening I had assumed, and assumed upon the strength of telegrams that had been sent to the committee, that those court orders broadly preserved the ballots intact until such time as the Sergeant at Arms of the Senate of the United States should take them into his possession. But it now appears that, at least in one district, the order, while reciting the conditions I have just stated, added this clause, in substance and effect: That the ballots must be taken by the Sergeant at Arms before the next election, and as the next election occurs early in April, the situation presented is that the Sergeant at Arms has no authority to take those ballots, and will have no authority to take those ballots, until after the next election, unless this Senate shall grant him that authority by the passage of this resolution, and orders to be issued thereunder. That is to say, if we do not pass this resolution between now and next April and take possession of these ballots between now and next April, the ballots will, in the judicial district to which I am referring, be destroyed, because another election is to be held.

Mr. SWANSON. Is that a Federal judicial district?

Mr. REED. A Federal judicial district—one-half of the State, I assume. There is an eastern and a western district, if I am correctly informed.

Mr. TOWNSEND. The same injunction is in force by both courts, in both districts.

Mr. REED. The same exception is invoked, then.

Mr. President, that presents this question: In order to preserve these ballots this Senate must take action. Now, I am taking a statement that was made to me as to the contents of this decree. I have not myself examined the original decree, but I saw what purported to be a copy, and I guess it will be found that I am not mistaken. Therefore, the question which lies at the threshold is, Shall these ballots be permitted to be destroyed for want of a Senate resolution giving authority to investigate, and authority, under the investigation, for the Sergeant at Arms to take possession of the ballots?

It is true that we are now told, and it is the first information I have had—and, of course, I accept the word of the Senator from Michigan—that the legislature has passed an act which allows certain proceedings to be taken, and which, it is assumed on the face, can authorize some method of saving the ballots; but we do not know whether or not the jurisdiction there will be challenged, whether or not the principle of law will be invoked that has once been invoked in Michigan, namely, that the State authorities have no jurisdiction or control over the election of men to the United States Senate, which I understand to be the rulings of their courts. If that principle is invoked, the question may arise, and very likely will arise, whether this statute is itself constitutional.

Therefore the only safe thing to do, the only prudent thing to do, is to get possession of these ballots. All that I have said now, with reference to getting possession of the ballots applies to any other kind of documentary evidence, and it applies also to any class of evidence which is likely to be lost or destroyed.

Mr. LODGE. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). Does the Senator from Missouri yield to the Senator from Massachusetts?

Mr. REED. Certainly.

Mr. LODGE. Do I understand that the Senator thinks that a State has no right to preserve ballots cast in the State for a State officer?

Mr. REED. Oh, for State officers, yes.

Mr. LODGE. They are all on one ballot.

Mr. REED. That is true; but, as I understand the law—and the Senator will permit me to say that I only heard the proposed bill read before our committee some weeks ago—that bill gives to the aggrieved party, or a party claiming to be aggrieved, the right to go into court; and the party in this instance would be the candidate for the United States Senate. Now, I do not say that that point is accurate. I did not rise here to argue the legal question. It is a matter upon which I might change my own mind. I am now discussing the question of the propriety of saving this evidence, the fact that it is the safe method to pursue; and I am here to claim not only that it is the proper thing to do, but that every honest man ought to want to help keep this evidence.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri further yield to the Senator from Massachusetts?

Mr. REED. I do.

Mr. LODGE. I never heard of this law of Michigan until I heard it stated by the Senator from Michigan on the floor this afternoon, but I now have it in my hand. It is—

A bill to provide for the preservation of ballots cast for the office of United States Senator in cases of contested elections, or in cases where notices of contested elections may be given, or in cases where any judicial proceedings may have been instituted preliminary to contesting elections to the office of United States Senator.

And then comes the bill, which is quite a long and elaborate one, and which seems, as well as I can tell by glancing at it, to cover everything pretty thoroughly. I should think it would be well to have it printed in the RECORD, where we could all see it.

Mr. TOWNSEND. Mr. President, I want to say that I propose to have that bill, together with these orders, inserted in the RECORD. That bill has an amendment to it which gave it immediate effect, and which does not appear on the copy which was sent to me. That is all the difference there is. The bill takes immediate effect, and I am going to ask to have it put in the RECORD.

Mr. REED. I understand the statement of the Senator from Massachusetts with regard to the bill, but the point I am making is this, and I am simply suggesting it. I am not giving it as an opinion, for I have had no opportunity to examine the Michigan authorities. It has been stated to me—indeed, it was stated in argument before the committee—that the courts of Michigan had held that they had no authority over any contest or over any election concerning a Congressman or a Senator, and that that was a question of jurisdiction.

Mr. LODGE. Mr. President, on that point I see that this bill provides, in section 11, as follows:

Instead of filing the petition for relief provided for in this act with the Supreme Court of the State of Michigan, application may be made in like manner to the circuit court for the county of Ingham, and when application is so made such court shall have full jurisdiction to make all orders, name commissioners, and otherwise exercise all necessary authority to carry out the purposes of this act.

I assume that that is the circuit court of the United States, is it not?

Mr. TOWNSEND. No; the provision is that the application may be made to our State circuit court.

Mr. LODGE. It is the State circuit court, then.

Mr. REED. I shall probably have these decisions before I take my seat, and I shall be glad to return to that subject.

Mr. President, I am indifferent to that question. I repeat what I said, that every honest man ought to want to have the honest evidence in this case before the Senate at the proper time for its consideration, and that every scrap of that evidence should be preserved. Now, there may be differences of opinion between honest men as to how the evidence should be preserved and who should preserve it, but as to the main question I repeat that no honest man wants anything except all of the evidence in this case preserved and presented at the proper time.

That brings us to the question of what is the proper time to get the evidence. Every man who has ever tried half a dozen lawsuits knows that the proper time to get the evidence is just as soon after the occurrence as you can get on the ground with legal authority to act. The recollections of witnesses are fresh; the documents have not been destroyed or forgotten; perjury has not yet been devised, generally speaking; and the opportunity to get at the truth is so much greater, because of the proximity to the time, that unless there are overmastering difficulties time should never be allowed to lapse. Particularly in a case involving fraud or crime I have often remarked that I would give more for the first 10 days than for the next 10 years in the matter of investigation; so that from the practical standpoint the proper time is as soon as possible.

That brings us, then, to the question of who has the right to take this testimony and preserve it. I grant that it would be unfair for the present body of Senators to undertake to pass upon the qualifications of a man whose term begins on the 4th of March. Indeed, we are powerless to pass upon that question, because he does not formally present his credentials until that time. But is it possible that the Senate of the United States does not possess the power and jurisdiction to preserve the evidence in regard to a matter which concerns its very make-up and existence? Is there anybody who believes the Senate is so helpless as that?

In the first place, we are a continuing body; and, like other bodies that have brains, we take judicial notice of public events. We not only have judicial notice, but we have official notice, that an election has taken place in Michigan; and we not only have public information of which we can take judicial notice, but we have direct notice that Mr. Newberry has had his credentials issued, and that they will be presented; and we have filed, I assume, with the Secretary of the Senate, the expense accounts of the candidates for this office; and we have the right to investigate those expense accounts and find out whether the affidavits back of those expense accounts are true affidavits or are false affidavits; whether perjury is being attempted to be foisted upon this body by either one of these candidates or by anybody in their behalf. The jurisdiction of this body now to investigate any affidavit filed with its Secretary and to investigate the truth of that affidavit can hardly be denied by anybody. It seems to me inconceivable that it should be denied.

But, Mr. President, counsel for both sides in this case appeared before the committee and each of them protested that he desired to preserve all of the evidence in the case. I am taking no side in this case. I am simply insisting upon the right and duty of the Senate to preserve this evidence and to get it as soon as possible, but I say the only proper thing for lawyers to do and for Senators to do, whether they represent merely as friends or partisans, or whether they represent as paid counsel—and of course Senators do not do that; I do not mean that—either one of these contestants, the only proper attitude for honest men to take is that they want the truth, the whole truth, and nothing but the truth. Any man who gets in any other attitude than that will go far toward convincing me and toward convincing others that his client or his friend or the man whose cause he advocates has to hide from the truth.

Now, why have these attempts been made to delay? I say it with a good deal of sorrow, but I have witnessed tactics here that seem to me like the tactics of lawyers playing for a continuance in a bad case. Particularly when you get near the end of a term of court, you frequently find that the attorney for the defendant comes into court and has a bad cold that morning, and will they not please put off the case until the next day? The next day some little trifling thing happens and the next day something else, and finally the term of the court has expired.

Is it possible that any man would take the position or does take the position that this present Senate will not get the evidence honestly, and therefore they can not be trusted to get the evidence honestly? Let us see. Under this resolution, if it is passed, the Committee on Privileges and Elections will proceed probably through a subcommittee of three or five or seven men. The majority in this case would undoubtedly be Democrats, and there would be the usual minority representation for the Republicans. The committee would proceed to take the evidence. If the committee took the evidence without giving proper representation to both sides, the Senate, which would meet to pass upon that evidence, would throw it out as unworthy. If the committee refused to hear evidence that could be properly considered, the committee of the Senate that convenes after March 4 would supply that evidence. If the committee did anything that is unjust or unfair or improper, then the Senate can correct its conduct or entirely throw out the evidence. Nobody can be harmed.

A Republican Senate, organized upon the very vote of one of the contestants, and by his vote alone—that is, his vote being the determining vote—will organize the next Senate and will try the case from the evidence that is now to be gathered. If that evidence has not been properly or fairly gathered, I repeat, that body thus organized, that Committee on Privileges and Elections then organized, with that majority of Republicans greater than the Republicans have in the Senate, will proceed to consider the evidence that may be taken and submitted by the Senate.

Mr. LODGE. There would still be one vote. Strictly speaking, his vote would not be the determining vote.

Mr. REED. I stand corrected. It is not important.

Mr. LODGE. I do not think it is important.

Mr. REED. No; it is not important on the point. So no man can claim that this is an unfair proceeding unless he boldly claims that the Committee on Privileges and Elections as now constituted would do a very scurvy piece of investigating.

Mr. LODGE. May I ask the Senator a question in that connection?

Mr. REED. Certainly.

Mr. LODGE. It is not in connection with the character of the committee, of which I have no doubt whatever. Does the Senator think that the committee of a Congress which has died—an expired Congress—can go on until the new Congress comes in and investigate or do any work?

Mr. REED. I have not the slightest doubt that the Senate can appoint a committee now with authority to investigate during the session of the Senate or during the recess, and that committee will continue to be a live, working committee until the next Congress is convened and organized. This is a continuing body.

Mr. LODGE. Yes; I agree.

Mr. REED. We can proceed in that way always.

Mr. LODGE. That would be a special committee, the Senator means?

Mr REED. No; not a special committee. The Committee on Privileges and Elections, if this resolution is passed, will be proceeding under the authority of the resolution. The resolution would authorize it to proceed to investigate.

Mr. LODGE. Then the present Committee on Privileges and Elections could go right on after the 4th of March?

Mr. REED. Unless we are called together. If we are called together, then, of course, the new organization would take its place. That would displace the committee because a new committee would then be organized.

Mr. LODGE. Our rules require that the committees shall be appointed at the beginning of a Congress. I only want to know if the Senator meant that this committee would continue its investigation.

Mr. REED. No; not after the organization of the Senate.

Mr. LODGE. No; after the 4th of March? Of course, it could not act after the new organization, because there would be a different committee.

Mr. REED. After March 4, if we are not called together in extra session, and it ought.

Mr. President, I think I have said enough to make it plain that no injustice can be done.

I am sorry the Senator from Michigan has stepped out, because I wanted to reply to some things he just said. Will some one ask him to come in?

Mr. TOWNSEND entered the Chamber.

Mr. REED. I thank the Senator for coming in. The Senator from Michigan spoke of an attempt to create a political atmosphere about this investigation. As nearly as I am able to interpret or gather the Senator's thought, it is that if we began the investigation now it would have some effect upon the ultimate decision of the Senate. I beg to say that whenever this evidence is taken, whether it be taken by the present committee of the Senate or whether it is taken by a committee organized after the 4th of March, it is going to take a certain length of time to get the evidence. The minute you begin gathering the evidence, no matter what committee takes it, the effect that the Senator spoke of will follow, that is to say, the public discussion of the evidence from day to day will have its effect upon the public mind. That is a thing that is inevitable in a discussion or in an investigation and can not be escaped in any investigation unless you have it behind closed doors, and since we have "open covenants openly arrived at" I presume that will be followed even in the investigation of an election in Michigan.

Mr. President, the Senator from Michigan [Mr. TOWNSEND] with all his great power and force told us about things that Mr. Ford had done and gave us pretty clearly to understand that he expected to prove when this investigation proceeds that Mr. Ford's statement of expenses is untrue, or that his committee's statement is untrue—I do not know which made the statement—that many improper things were done by Mr. Ford. The moment it was suggested that anybody had any charges to make against Mr. Ford the chairman of this committee, the Senator from Ohio [Mr. POMERENE] caused this resolution to be amended so that the jurisdiction of the committee would extend to cover all the irregularities in the election.

So far as I am concerned I am in a position to be the justest judge and the most disinterested individual in the world as this trial proceeds. I am told that one of these gentlemen is a rock-ribbed simon-pure Republican who never puts a pencil across the name of a Republican on a ballot. I am told that the other gentleman never wittingly voted for a Democrat. I confess I can not see much political choice between them. I am told, in fact, I read the statement of Mr. Ford after he was nominated, that he was neither a Republican nor a Democrat, and I confess as between a man who is neither a Republican nor a Democrat and a Republican, I lean toward the Republican.

I am not interested, sir, in the protection of Mr. Ford nor in the protection of Mr. Newberry. I am interested in the protection of the American ballot box where the American voter has the one chance of a freeman to express his choice. If those ballot boxes are contaminated by the use of money or fraud or force, I do not care who is the guilty party, we owe it to ourselves, we owe it to the Senate, and we owe it to our country and to posterity that the gentleman should be brought to book. If anybody has filed any false affidavits here that fact ought to be known and nobody ought to try to cover the facts up. I do not charge that has been the case.

It seems that up in the State of Michigan we have this peculiar sort of thing. The Republicans nominated a very wealthy man, the Democrats nominated a very wealthy man, and you have got a race of two rich men for an office. I do not like it myself. I do not think riches ought to bar a man from office, but if there is no better reason for a man to run for office than that he has great riches it would be better that he should remain in private life. When you get men with great fortunes competing for these great offices you are liable to get overenthusiastic lieutenants who spend vast sums of money. It just so happens in this world that the average man who has accumulated a good many million dollars gets it into his head as an ordinary proposition that every other man has his price, and that somehow or other his money will command the souls, and consciences, and bodies of men. It is not much wonder that 1,800 years ago Jesus Christ told us that "it is easier for a camel to go through the eye of a needle than for a rich man to enter the kingdom of God." I do not make indiscriminate attacks upon wealth. I am stating my position here to-day very plainly and very bluntly. When the only reason why men are picked out to run for the United States Senate is because they have a large bank account, the man who picks out that sort of a man, if he picks him out for that sort of a reason, does a disservice to his country.

Mr. President, there have been very serious charges made in this case, too serious for the Senate to postpone action; too serious for delay. There have been some things done of a very suspicious character; that is, it is charged that they have been done.

The Senator from Michigan states that it is customary to burn the papers of a political committee after an election. I do not know about that.

Mr. TOWNSEND. I said the ordinary correspondence.

Mr. REED. Yes; I do not know about that. So far as I am concerned, I have in boxes put away, I think, every political letter I ever received, and if you have any idea of writing me one that I can not dig up on you some day you had better hesitate about writing it. That is not because I am suspicious, but it is because those letters constitute the record of those times, and one never knows when he may want to go back to find out an event or to fix the name of some one who did him a service or a disservice.

It may be, however, that some committees and that, generally, committees, within a short time after an election, destroy their correspondence. But I will tell you what they do not do. They do not lock letters up in a vault and put a guard over them, and keep them locked up in that way until they have an opportunity to burn them, and then burn them; and it is charged that is exactly what took place here. I never knew of the political correspondence of an honest committee being of such a dangerous character that it had to be locked up in a vault behind a time lock and guarded until the match could turn it into ashes and the wind blow it away.

Mr. TOWNSEND. Do I understand the Senator to say that any such thing as that happened or has been charged in this case?

Mr. REED. It was charged.

Mr. TOWNSEND. They allege in their petition that these papers were destroyed before they gave any notice that there would be a contest or that they would be needed.

Mr. REED. That does not answer.

Mr. TOWNSEND. They had been already destroyed.

Mr. REED. It was charged before the committee that certain papers of this committee were kept under lock and key and guard until such time as they could be burned. They may have been perfectly innocent; it may be that this is not a fact; I am

not trying this case; I am only trying to impress upon Senators the seriousness of the charges.

Mr. TOWNSEND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Michigan?

Mr. REED. Yes.

Mr. TOWNSEND. Can the Senator conceive of any reason for putting the ballots under lock and key when there had been no question of suspicion? Could they not have destroyed them at any time? Why would they need to put them under lock and key?

Mr. REED. Now the Senator is inviting me into the field of psychology. I do not know what was in their mind. I can conceive of circumstances, though, that would make this exactly the course to be followed. There may be a settlement coming yet between some of these gentlemen who had handled the accounts; some of these papers may have been essential for that; and it may have been essential that they should be preserved long enough for the settlement to take place, and then very desirable that they should be burned. I simply give the Senator that as one illustration that comes to my mind at this moment.

Another charge that is made is that while $176,000 is admitted to have been expended in a State—what is the population of the State of Michigan, I will ask the Senator from Michigan?

Mr. TOWNSEND. Something like 3,000,000.

Mr. REED. In a State of about 3,000,000 population it is charged that, in addition to this, it is pretty thoroughly known that $160,000 on the outside was expended. It is charged that one of Mr. Newberry's relatives expended $90,000, all, I apprehend, in the interest of moral progress and reform. But I do not say that this took place; I hope that it will be disproven. It is charged, Mr. President, that there is evidence of a systematic and deliberate preparation for the making of false returns—a very ugly and nasty charge.

Mr. TOWNSEND. Mr. President, does not the Senator from Missouri also know that those same charges are made against the elections in Nevada, in Montana, in Kentucky, and in Georgia?

Mr. REED. No; I never heard of this particular charge that I am speaking of in any election, except in the Michigan election.

Mr. TOWNSEND. Some of those charges are before the committee.

Mr. REED. Of course we could not try those other cases in this particular resolution, but if anybody will bring to the Senate substantial reasons for investigating other elections, I shall be ready to investigate them all.

Mr. TOWNSEND. I simply mentioned that for this reason: Every charge of fraud is accompanied with such statements. As I said before, I do not believe that anybody seriously believes that any of those practices were employed in the election in Michigan. I do not believe that there is a question about that. Those are stock terms that are used in condemnation usually of a proceeding of this kind.

Mr. REED. No, Mr. President; I am not speaking of general stock charges. I am speaking of a charge to the effect that letters can be produced showing that responsible parties, acting for Mr. Newberry or for his committee, sent out letters to men who were handling money, so phrased as to indicate to them that they were to return as expended by them only a certain amount of money, whereas in truth they had expended a much larger sum of money.

It is claimed—I do not say truthfully—that this was a system, and that it was widespread. If that is true, it would afford the most abundant reason for locking the records in a vault or for burning them quickly.

Now, the statement is made that Mr. Ford got out a pamphlet that cost eighty or ninety thousand dollars, and that the cost of that is not returned. Mr. President, if Mr. Ford got out a pamphlet that cost eighty or ninety thousand dollars and did not return it as an honest man should, unless he could very clearly show that he did not know about it, I would say that he was not fit to sit in the Senate. I will say exactly the same thing about anybody else. No man has a right to come in here with tainted title; no man has a right to enter this Chamber with an affidavit in his hand containing perjury. But this is the first time I have heard that charge. Let us find out whether Mr. Ford did it, just the same as we find out whether Mr. Newberry did certain things; and let those of you who naturally desire to have an additional colleague upon that side of the Chamber take the position we will take. Let us take the lid off, and take it off now; look at the contents and make a record, and let the results, be what they may, only so long as they accord with the facts of the case.

Mr. TOWNSEND. Mr. President, I desire to state that I have not charged that Mr. Ford got out this pamphlet. I verily believe that neither Mr. Ford nor Mr. Newberry knew personally of much that was going on in their campaigns. I said that the pamphlet was issued in Mr. Ford's behalf and circulated—probably 500,000 copies of it—by first-class letter postage over the State of Michigan, in addition to the vast numbers that were circulated on the street corners of almost every city in the State of Michigan.

Mr. REED. Well, I am glad to know that that reflection is not made on Mr. Ford, as I am glad to know that no direct reflection is made on any man. I do not want any man besmirched unless he is guilty.

It is charged that Mr. Newberry filed a disclaimer with regard to any knowledge of any moneys that were expended—I think I state that correctly—and it is charged again that Mr. Newberry was in intimate and close connection with his campaign, and that he did know what was going on the same as the ordinary candidate would know. That is a question of fact to be tried. I do not know what the fact may be; but I do know that if it should transpire that Mr. Newberry had misrepresented the facts and said he did not know when he did know, that would be a very important circumstance bearing upon his right to a seat in this body.

In this connection, while I do not desire to take much of the time of the Senate, I am reminded that there is on file with the committee a document which contains this purported copy of a letter from Gov. Chase S. Osborn to Mr. Newberry. Let me read it; it is very significant. The letter is dated December 17, 1918, and is as follows:

> MY DEAR COMMANDER: I have read your letter. Thank you for your sentiments. I shall support you. Already I have straightened out entanglements that would have been hurtful to your success. I am not interested in you personally a particle. The entire matter is so far beyond personal consideration and transcends individual proportions to an extent that only public welfare may be thought of. You can be elected; no doubt you will be. My idea is that the thing for you to do is to honestly confess that you broke the law and that you knew all about the campaign, but that you did not realize the enormity of your offense.

Mr. TOWNSEND. Who wrote that?

Mr. REED. Chase S. Osborn, who is governor, is he not, of Michigan?

Mr. TOWNSEND. At one time he was governor.

Mr. REED. Very well. The letter proceeds:

> In such a position you would be intrenched in honesty, I fully believe. And an indulgent people would forgive you and fight for you, because of the past services they think you have given and what they have been told you are giving now. In addition this action would make for your name an honorable place in the history of Michigan. Otherwise the future will curse you.
>
> The plea can not be honestly made that you spent money in excess because you were fighting Ford, because you had begun your reckless campaign long before Ford was mentioned and had already transgressed the law. Nor can you plead "you did not know." That would prove you to be both an ass and a liar, which I choose to think you are not. I am for you only to save the Nation and the State from the curse of Fordism. A vote for Ford is a vote for the Kaiser right now, as I view the case.
>
> Yours, truly,
>
> CHASE S. OSBORN.

Mr. TOWNSEND. Mr. President, does the Senator understand that Mr. Osborn was called before the grand jury at New York and testified, as did Mr. Dickinson, and that the letters which have been dwelt upon by the chairman of the committee, and to which the Senator from Missouri has referred, from ex-Gov. Osborn and Lieut. Gov. Dickinson were the basis of this charge, made in the midst of a campaign, Mr. Osborn having been a candidate for the Senate at that primary and defeated?

Mr. REED. No; I do not know the political history of Michigan. I have not followed it; but it does not appear to be an unfriendly letter, because I find, a few days before that, this letter from Mr. Newberry to Mr. Osborn:

> NEW YORK CITY,
> *Sunday, September 1, 1918.*
>
> MY DEAR GOVERNOR: Your cordial telegram assuring me of your earnest support is all that was needed to insure the defeat of Ford in November. I fully realize that my personality is submerged in the issues that confront our party in our State. Many times in the past few months I have envied your ability and privilege to talk, and when your voice rang clear and strong throughout State and Nation on the menace of Ford I wanted to wire you godspeed in your patriotic work.
>
> Your deeply appreciated telegram of support helps me to visualize the statesman, the sportsman (hunter), and gentleman that I have always known you to be.
>
> Cordially, yours,
>
> TRUMAN H. NEWBERRY.

Mr. TOWNSEND. Mr. President, the Senator perhaps does not have—I do not think it has been submitted—the telegram

which Gov. Osborn sent to Mr. Newberry congratulating him unreservedly upon his election. The letter which the Senator has just read from Mr. Newberry was then sent, and the letter of Mr. Osborn was the result.

Mr. REED. No; I have merely these two letters.

Mr. TOWNSEND. Mr. Osborn's telegram should go before Mr. Newberry's letter.

Mr. REED. From these two letters, assuming that Mr. Newberry is of the high character that he should be, it would appear that he at least on the 1st of September certifies in most flattering terms to the high character, the intelligence, the patriotism, the public service, and so forth, ad infinitum, of one Osborn, and that 24 days later the said Osborn wrote him a very friendly and cordial letter advising him to tell the truth about these campaign expenses. It is entirely possible that Osborn may have become transformed in those 25 days from a sportsman and a thoroughbred into a sneak, who was trying to undermine his friend, but I am compelled to take the documents at their face value.

Mr. President, there is another peculiar thing about this case, and I confess it does not leave a very good taste in my mouth. Always I have maintained in elections and matters of that kind that no man ought to fear publicity; that no man ought to fear investigation. Is it not a very peculiar circumstance that when a grand jury in New York, being in the opinion of the legal advisers of the United States within its jurisdictional rights, shall undertake to investigate an election and witnesses are brought there to testify these witnesses are advised by the attorney of Mr. Newberry to defy the grand jury and to refuse to testify upon the ground that the grand jury is without jurisdiction?

Some 35 years—and I am getting old—I have practiced law somewhat actively. In all that length of time I never knew a witness to refuse to testify before a grand jury except on the ground that his evidence would tend to incriminate him or subject him to public contempt and obloquy.

Mr. TOWNSEND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Michigan?

Mr. REED. I do.

Mr. TOWNSEND. Did the Senator ever know before of a grand jury that was so clearly called and used for political purposes?

Mr. REED. Mr. President, I do not know anything about this grand jury, except that a grand jury was duly called in a Federal court, impaneled and sworn according to law, and that it was proceeding under the direction of a Federal judge and under the guidance of a district attorney who had sworn to uphold the Constitution and faithfully and impartially to administer the laws. That is all I know about it; but if everything is clean, if everything is fair, if everything is honest, I want to know what objection there was by these witnesses to telling the facts? And why should they, called upon only to tell the facts of their knowledge, be in consultation with the attorney of Mr. Newberry? Why should the attorney of Mr. Newberry be advising these witnesses to put padlock upon their tongues and to take jeopardy of jail rather than tell the truth? Nobody could compel them to tell anything but the truth. What was there in the truth that made it necessary for these men to place themselves in jeopardy of jail, in jeopardy of court contempt? Why this secrecy and putting off?

I hope the Senator from Michigan did not mean it, but he used some expressions here to-day which in the old days we thought always were a notice of a filibuster. I hope the Senator from Michigan did not mean to say that he proposes to read a hundred or a thousand affidavits here, at this time, on the floor of the Senate, in the consideration of this resolution. I frankly say that if the other side of this Chamber are determined that this resolution can not come to a vote at this session they can filibuster it over. We are now within 20 working days of the end of this session. Any four or five able-bodied gentlemen can hold the Senate in session and can tie up all the great supply bills.

Mr. LODGE. We are not tying them up now.

Mr. REED. I will answer that in a moment. If the Senator from Michigan proposes to read a thousand affidavits or a hundred affidavits and proposes to say to us that this question can not come to a vote, he has it in his power to put this matter over.

Mr. HARDWICK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Georgia?

Mr. REED. I do.

Mr. HARDWICK. I simply wanted to know if a filibuster was in progress?

Mr. REED. Now?

Mr. HARDWICK. Not now.

Mr. REED. There is one threatened. Did the Senator from Massachusetts want to interrogate me?

Mr. LODGE. I wanted to ask a question, but the Senator has gone away from the point about which I wanted to ask him a question.

Mr. REED. I will come back to it.

Mr. LODGE. I wanted to ask him if those witnesses in New York refused to answer on the ground that they would incriminate themselves?

Mr. REED. Oh, no; I do not think so.

Mr. LODGE. Well, I know that they did not ask it on that ground.

Mr. REED. That is exactly the point. If they had asked it on that ground there would have been some excuse for it.

Mr. LODGE. I do not want to interrupt the Senator, but I think, without any design or desire whatever to filibuster, it would be only fair to give some explanation of that case which the Senator has made appear so very black.

Mr. REED. That is all right. That can be done.

We have had some smiling about filibustering here. The Senator from Ohio [Mr. POMERENE] opened this matter with a statement of the facts, not overlong, and the Senator from Michigan [Mr. TOWNSEND] followed with a statement of his views, which was not overlong, and I have taken about the same length of time; and so far as we are concerned upon this side, we are ready to vote. But if the Senators upon the other side tell us that we can not have a vote, that they propose to hold this matter here and filibuster it to death, or discuss it for days, we know that the business of the Senate can not be held in that way, and with a frank statement of that kind we will not press this motion; but we do ask for a vote.

Mr. TOWNSEND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Michigan?

Mr. REED. I do.

Mr. TOWNSEND. I do not indulge in any camouflage at all about the matter. The Committee on Privileges and Elections once decided that they had no jurisdiction of this matter. Some other matters have come up which have made it absolutely necessary, in my judgment, that this full case be presented to the Senate. It has been presented time and time again by the affidavits of the people who have made charges, and only those people. We have, I think, thousands of affidavits which, if this Senate is going to act, if this Senate is going to proceed with this investigation, it should have.

Mr. REED. But let me ask the Senator a question. Does he refer to affidavits which the Senate should have read here in the Senate or affidavits which it should have presented to the committee that is to investigate the matter?

Mr. TOWNSEND. Affidavits which it should have presented here in the Senate for the purpose of determining whether this committee, or the next committee, shall investigate this question.

Mr. REED. That is to say, affidavits that were made in the State of Michigan?

Mr. TOWNSEND. Yes, sir.

Mr. REED. As to the facts of this election?

Mr. TOWNSEND. Yes, sir.

Mr. REED. The Senator thinks that those affidavits, being read here in the Senate, will enable the Senate to determine whether it is the present Senate or whether it is the succeeding Senate which should make the investigation?

Mr. TOWNSEND. It will enable the Senate to determine whether or not it wants any investigation at all of this question, and I think they will have to be presented. Now, I do not want to interfere with what I conceive and what the committee has conceived to be the work of the Senate. Anything that you have here that is in order, and ought to be considered, I am ready to consider, and I am ready to lay this aside, so far as I am concerned, for that purpose; but if the majority of the Senate say that they want to take up this question, to the exclusion of the supply bills, if they want to do that, they must know all the facts before they do it.

Mr. REED. But that is not the question, and it can not be put in that way. The majority of the Senate are not going to say that they want to take up this resolution to the exclusion of the supply bills. The proper discussion of this question could certainly be had in a few hours. There may be legal arguments to be made against it; but affidavits, a thousand affidavits, made in Michigan as to the merits of this election can have nothing whatsoever to do with the question as to whether an investigation should be had; and when the Senator says that he proposes to present them to the Senate we know

what he means. We know that he means that he is going to read a thousand affidavits to the Senate, so that the Senate can not pass this resolution unless it does it at the expense of holding up all of the supply bills for this session. In other words, it is the boldest, clearest-cut threat of a filibuster I have ever heard uttered on the floor of the Senate, and I have heard several. Now, just let us understand it.

Mr. President, we ask for a vote; and if the Senator wants to begin reading his affidavits, let him proceed.

Mr. LODGE. Mr. President, I have no desire or intention of entering upon any filibuster of any kind. We have sat here in silence and heard all sorts of charges made against Mr. Newberry, whom some of us believe to be an honest man. We know that he has served his country in both wars and that his sons have served his country. Before this matter is decided I shall want to say something. It will not take very long; but I have the same objection to the use of millions of money in elections that the Senator from Missouri has.

Mr. REED. I know it.

Mr. LODGE. I feel about it just as he does. But there is something larger and deeper than even the spending of money in elections, and that is the influence of a colossal fortune like that of Mr. Ford, and the way it has been used, not merely in this election but in all sorts of directions. Before this case is remitted to the Committee on Privileges and Elections those of us who feel quite as strongly about Mr. Ford as you do about Mr. Newberry propose to lay before the country their views on him, and I should like about an hour in which to do it.

Mr. REED. Will the Senator permit me to say, if he misunderstood me, that my remarks about fortunes applied just as much to one of these gentlemen as to the other and just in proportion to their wealth.

Mr. LODGE. When the Senator said that he was an absolutely just judge in this case, I fully agree with him. I believe he would be absolutely just in this case. While he was speaking his remarks reminded me of what was said of a distinguished judge in Massachusetts who resigned from the supreme court, and they said he resigned from the supreme court because he was unable to decide against both parties in every case. [Laughter.] So that I do not question the Senator's justice at all.

Mr. REED. I might be able to do that here.

Mr. LODGE. Possibly; but I do not think it is fair to discuss Mr. Newberry and give an impression about his campaign to the country, here in the Senate, and leave it wholly unanswered and unreplied to in the same place where the charges have been made, and not behind committee doors.

Mr. BANKHEAD obtained the floor.

Mr. REED. Will the Senator yield for a moment? I was going to suggest to the Senator that perhaps we could agree on voting some time to-morrow.

Mr. LODGE. Mr. President, I have not this matter in charge. I am not on the committee, and I am not a Senator from the State of Michigan, and I am not going to undertake to make any arrangements about it. I think it is our duty to go on with the supply bills and not to discuss an election case which comes before the next Senate, over which we have no jurisdiction, as the Senator admits.

Mr. REED. I think we have jurisdiction, absolutely, to take the evidence.

Mr. LODGE. We have jurisdiction to preserve evidence, perhaps.

Mr. REED. I have no doubt about that proposition—that we have jurisdiction.

Mr. LODGE. Between preserving evidence and taking evidence I think there is a distinction.

Mr. REED. Well, taking and preserving are both the same thing.

Mr. TOWNSEND. Mr. President, may I suggest that I have no objection to a provision which will preserve evidence that is in danger of being lost. We answered every request that was made in the stipulation. We followed out the course that was instituted by Mr. Ford's attorneys. He entered the courts. He ought not to be heard to complain now that they do not have jurisdiction; but we went even further than that. We have placed in their hands the power of the State courts, so that they can go in and preserve every scrap of evidence that they require. Now, if you need anything further that that, I have no objection to its being passed by the Senate; but I do object to going out and taking testimony on an ex parte statement, practically, that has been made to the country from the Senate; and I insist that the facts on both sides shall be presented to the country from this body at the same time.

Mr. REED. If the Senator will pardon me just a moment, the Senator speaks about the decree of the court being the decree that Mr. Ford wanted. I am not in this case as Mr. Ford's representative. I believe it is the duty of the Senate to find out and preserve the facts. The decree of court, however, as I called attention to when the Senator was out, does not make these ballots secure.

Mr. TOWNSEND. I think it does, Mr. President.

Mr. REED. Do I understand the Senator to mean now that he would consent to the passage of the resolution if it was limited merely to the preservation of documentary evidence?

Mr. TOWNSEND. I would. I am perfectly willing that that should be done.

Mr. REED. That is to say that the subcommittee would preserve the ballots and call for and receive and preserve any other documentary evidence?

Mr. TOWNSEND. I have no objection to that if that is properly arranged as the stipulation provides. We must know how they are going to be taken and how they are going to do it. I want provision made for doing that.

Mr. REED. You want it done with the attorneys present and a proper representation of the parties.

Mr. TOWNSEND. If the Senator, after reading the law that has passed in Michigan, finds that it covers the ground, so that these people can go into the court there and get all the relief they want, what more does the Senator wish?

Mr. REED. I do not want anything except I want this evidence saved. I do not want it destroyed. I think we are getting to a point where we may be able to agree upon it. Of course, we can not do it very well, standing on the floor of the Senate in this way.

Mr. TOWNSEND. I am asking the Senator to read the State law, with the provision that it is given immediate effect, and to see if that does not furnish all the relief which this Congress or Mr. Ford has a right to ask.

POST OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

Mr. BANKHEAD. Mr. President, we have had this bill before the Senate for five days, and I think about four and a half hours have been spent in its consideration. I am now going to move to adjourn until to-morrow, but I want to state that beginning to-morrow, after the morning hour, I shall insist that this bill shall be kept before the Senate to-morrow and to-morrow night and the next day and the next night until the bill is passed.

Mr. THOMAS. Mr. President, I have been waiting to hear a statement like that for some time. I hope the Senator will do as he states, and I hope that those having charge of other bills that we must dispose of before Congress adjourns will insist upon a similar proceeding.

THE REVENUE.

Mr. SIMMONS. Mr. President, with a view to facilitating action upon the revenue bill when it is reported to the Senate, I wish to state to the Senate that there will be a conference report filed in the House, and that the bill as amended by the conferees has been printed. These documents can be had by applying at the Document Room.

As a further aid to Senators in getting ready so that we can dispose of the report without delay, I am going to ask that the conference report be printed in the RECORD in order that those Senators who desire to do so may examine it in advance of its regular presentation to the Senate.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The Chair suggests to the Senator from North Carolina that the conference report will be printed in the House proceedings of to-day, and that it would not be competent for the Senate to make an order for printing the report in advance of receiving the report.

Mr. SIMMONS. The Chair did not understand me. I am not proposing to present the report of the conferees on the part of the Senate. I am simply asking that the report which has been made to the House by the House conferees be printed in the RECORD.

Mr. SMOOT. I ask the Senator if, when the report is presented to the House, it will not be printed in the RECORD?

Mr. SIMMONS. I do not think so, but I am not quite sure about that.

The PRESIDING OFFICER. The Chair understands the Senator from North Carolina to request that if the conference report does not appear in the proceedings of the House when presented to the House the same shall be printed in the RECORD of the proceedings of the Senate.

Mr. SIMMONS. That is what I request.

The PRESIDING OFFICER. Without objection, leave will be granted. The Chair hears no objection.

Mr. WARREN. I wish to ask the Senator in what form the matter is going to appear, so that the public at large may know what the bill itself provides for in its entirety.

Mr. SIMMONS. I have stated that the bill as amended by the conferees has been printed. It is already printed, so that with the report of the conferees any Senator can tell exactly what has been done.

Mr. BANKHEAD. I move that the Senate adjourn.

The motion was agreed to; and (at 6 o'clock p. m.) the Senate adjourned until to-morrow, Friday, February 7, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *February 6, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Oh Thou, to whom we are indebted for all things, God our Heavenly Father, without whom we are nothing, illumine our minds, quicken our conscience, that we may see clearly the way and act fearlessly, nobly, our part in the great drama of life, under the spiritual leadership of Thy son Jesus Christ, the world's Great Exemplar; and Thine be the glory forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

UNEMPLOYMENT OF MINE WORKERS.

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent to insert in the RECORD a letter and a resolution passed by the United Mine Workers of America. I want to say that in Ohio alone there are 15,000 mine workers who have not worked a day this year and the other 30,000 have worked only about 50 per cent.

The SPEAKER. The gentleman asks unanimous consent to incorporate in the RECORD a letter and resolution. Is there objection?

Mr. STAFFORD. Will the gentleman yield?

Mr. SHERWOOD. Yes.

Mr. STAFFORD. Has this lack of employment or the small number employed in the output of coal been the result of the action of the mine owners so as to keep up the high price of coal, or what has been the purpose?

Mr. SHERWOOD. I will have the resolution read, if the gentleman desires.

Mr. STAFFORD. I thought the gentleman had the information as to the reason why these men are out of employment, when the price of coal is three times what it was in peace times.

Mr. SHERWOOD. There is nothing in the resolution about that.

The SPEAKER. Is there objection?

There was no objection.

The letter and resolution are as follows:

UNITED MINE WORKERS OF AMERICA,
Columbus, Ohio, January 30, 1919.

Hon. ISAAC R. SHERWOOD,
House of Representatives, Washington, D. C.

DEAR SIR: We have just made a tour of the coal-mining districts of Ohio and find conditions extremely bad.

There are 15,000 coal miners in this State that have not worked one day this year, the other 30,000 have worked less than 50 per cent time and have no assurance of any immediate relief.

The people living in the mining communities have lost all confidence in themselves and everyone else, including the Government, and because of this lack of confidence people are only buying what they absolutely can not get along without.

Because of this, the merchants are buying nothing from the wholesale houses and everyone is affected all along the line.

There is only one remedy that we can see at this time that will bring relief and restore confidence and that is for the Government to inform all operators and coal consumers that the price fixed by the President in 1917 would maintain in 1919, and that fuel purchased by the Railroad Administration would take the same price as other consumers are required to pay and that all coal purchased by the Railroad Administration for fuel purpose or Government use should be as near equally distributed among all the mines as is possible, thus assuring to the men employed in and around the mines an equal opportunity to earn a dollar during this reconstructive period.

I appeal to you as a citizen and statesman from this grand old Buckeye State to use your power in Congress and with the Fuel and Railroad Administration to the end that a public statement will emanate from Washington to the effect that the price of coal fixed by the President would maintain during this year.

The effect of an order of this kind will bring immediate relief, because large consumers are not purchasing coal at this time because they have coal in stock and are using their stock in the belief that prices will be reduced.

If they had the assurance that prices will not be reduced, instead of consuming their stock coal, they would from time to time purchase part of their daily consumption so that will, to that extent, increase production and increase the earnings of the men employed in and around the mines.

You will kindly give this question the serious consideration that it merits and advise us of any information or relief that you may be able to secure.

Thanking you in advance for giving this matter your personal attention, we beg to remain,

Sincerely,

JOHN MOORE,
President Ohio Miners.
G. W. SAVAGE,
Secretary-Treasurer Ohio Miners.

UNITED MINE WORKERS OF AMERICA,
Columbus, Ohio, January 31, 1919.

Hon. ISAAC R. SHERWOOD,
Member United States Congress, Washington, D. C.

DEAR SIR: The following resolution was unanimously adopted by the delegates representing fifty thousand (50,000) coal miners in the thirtieth annual convention of Ohio miners, District No. 6, United Mine Workers of America.

Trusting you will give this matter your early consideration, I am,

Respectfully,

G. W. SAVAGE,
Secretary.

Resolution.

To the representatives of the Ohio Mine Workers, thirtieth annual convention assembled:

Whereas the Government agents representing the Railroad Administration are using every effort possible to reduce the price of railroad coal per ton to less than the price set by the President of the United States, Hon. Woodrow Wilson, for the duration of the war; and

Whereas during reconstruction period, in order to prevent disaster in our industrial affairs, it is absolutely necessary to have all industries in our country operate to provide employment for those who must work for a living; and

Whereas if the policy of reducing the price of railroad coal is adopted, it will cause many of the mines to close down and throw thousands of our miners out of employment, which would cause hardships among the miners and their families; Therefore be it

Resolved, That we, representing approximately fifty thousand (50,000) mine workers in Ohio, want an equal division of the work, and who, because of the enormous high cost of living, appeal to the authorities at Washington and our Government to insist that the price per ton for coal for railroad fuel be the same as the price made by the Government, and which every other consumer is required to pay; and be it further

Resolved, That as a solution to prevent the closing of some of the mines, while others are in operation, the miners demand that each mine in operation be given the opportunity to supply coal for railroad fuel, and that the tonnage be divided among the various mines in proportion to the tonnage produced; and be it further

Resolved, That the secretary be instructed to send copy of this resolution to Members of United States Congress from Ohio, to Hon. Woodrow Wilson, President of the United States; Hon. Walker D. Hines, Director General of Railroad Administration; Hon. H. A. Garfield, Fuel Administrator; Hon. Felix Frankfurter, War Labor Policy Board; Hon. W. B. Wilson, Secretary of Labor; and Hon. Ellison D. Smith, chairman, Senate Committee on Interstate Commerce.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 5342. An act providing for the appointment of an additional district judge for the northern judicial district of the State of Texas.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 1847) to authorize the addition of certain lands to the Wyoming National Forest.

THE REVENUE.

Mr. KITCHIN. Mr. Speaker, I present a conference report on the revenue bill, H. R. 12863, and ask that it be printed under the rule.

The SPEAKER. The gentleman presents a conference report on the revenue bill, which will be printed in the RECORD under the rule.

Mr. MANN. Will the gentleman yield?

Mr. KITCHIN. I will.

Mr. MANN. Is it proposed to have the revenue bill printed in any way, as it will read if the conference report is agreed to?

Mr. KITCHIN. Yes.

Mr. MANN. Either before or after the conference report is agreed upon?

Mr. KITCHIN. Yes. We have the bill already printed as agreed upon by the conferees, and any Member of the House can send over to the room of the Committee on Ways and Means in the House Office Building and get a copy to-day. Of course, copies will be printed to-morrow and be in the document room, but Members can get copies to-day by sending over to the room of the committee.

Mr. MANN. The committee have had it printed for the use of the committee, but it would not be printed for the document room, would it?

Mr. KITCHIN. Not until to-morrow.

Mr. MANN. It would not be printed for the document room at all unless there was a special order made.

Mr. KITCHIN. I forgot to say that I have a motion with reference to that which I am going to present immediately.

Mr. MANN. If the conference report is agreed to, of course the bill will be signed eventually by the President; but I apprehend that it will not be practicable for the President to sign the bill probably until he returns home.

Mr. KITCHIN. Yes.

Mr. MANN. It seems to me it will be very important to assume that the President will sign the bill if the conference report is agreed to, and that meanwhile people ought to know what it is going to be, so they can begin to prepare to make their returns.

Mr. KITCHIN. I will tell the gentleman our intention. I have an order reading this way:

Ordered, That there be printed for the use of the House document room 2,500 copies of the bill (H. R. 12863) to provide revenue, and for other purposes, agreed to in conference.

I will offer that in a moment. Then, after the conference report is agreed to by the House and the Senate I will try to get an order to print it in pamphlet form, so that it can be sent out to the people, and the House and Senate can have the privilege of getting copies. Of course, it will be unsigned, but it will be exactly as the bill passed.

Mr. MANN. When does the gentleman intend to call up the conference report?

Mr. KITCHIN. Saturday.

Mr. RAMSEYER. I have just come in. Has the conference report been agreed upon?

Mr. KITCHIN. It has been agreed to by the conferees. I have just presented it for printing in the RECORD. Any gentleman can get a copy of the report as agreed upon and the statement of the conferees on the part of the House by sending to the Committee on Ways and Means in the House Office Building at any time to-day.

Mr. Speaker, I present the motion which I send to the Clerk's desk.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Ordered, That there be printed for the use of the House document room 2,500 copies of the bill H. R. 12863, an act to provide revenue, and for other purposes, agreed to in conference.

The motion was agreed to.

CASUALTIES IN THE PENNSYLVANIA NATIONAL GUARD.

Mr. VARE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a newspaper article concerning the casualties in the Pennsylvania National Guard.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to insert in the RECORD a newspaper article.

Mr. FOSTER. I did not understand what it is about.

Mr. VARE. It is an article from the Philadelphia Press, which gives the casualties of the members of the National Guard of Pennsylvania.

Mr. FOSTER. Does the gentleman think we ought to commence to print the casualty lists in the CONGRESSIONAL RECORD?

Mr. VARE. This makes some comparisons which show the very important part taken by Pennsylvania troops.

Mr. FOSTER. All the States have had a good many casualties, and if we begin printing these lists every State ought to have the right to do the same thing, it seems to me.

Mr. VARE. I have yet to see the time on this floor when there was objection made to printing anything calling attention to the important part that any gentleman's State may have played in the war.

Mr. FOSTER. I know that all the States have played an important part; and we are all proud of them.

Mr. VARE. I do not doubt that a bit.

Mr. FOSTER. But I do not believe we ought to publish these lists in the CONGRESSIONAL RECORD.

Mr. MANN. I do not understand this is a proposition to publish the casualty lists.

Mr. FOSTER. That is what I understood.

Mr. VARE. Not the names of individuals. This is simply a newspaper article——

Mr. FOSTER. Oh, I misunderstood the gentleman.

The SPEAKER. Is there objection?

Mr. GARD. Reserving the right to object, is it the object to show by comparison that Pennsylvania had a larger casualty list than organizations in other States?

Mr. VARE. No. It does not make a comparison with the rest of the States.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, how long an article is it? Is it all that the gentleman has in his hand?

Mr. VARE. No; it is a part of it.

Mr. STAFFORD. It is a small part. I have not objection to that.

The SPEAKER. Is there objection?

There was no objection.

WOUNDED MARINES AT CHELSEA HOSPITAL, MASS.

Mr. OLIVER of Alabama. Mr. Speaker, there have been some erroneous reports published in reference to the payment of wounded Marines at the Chelsea Hospital, near Boston. I ask unanimous consent to insert in the RECORD some official correspondence and reports relating to the matter.

The SPEAKER. The gentleman from Alabama asks unanimous consent to insert in the RECORD some official correspondence and reports in regard to wounded marines in the Chelsea Hospital, near Boston. Is there objection?

Mr. GARD. Reserving the right to object, how long is the correspondence?

Mr. OLIVER of Alabama. It is short, it will not take, I think, over a page of the RECORD, embracing official correspondence and reports relating to the matter in question.

The SPEAKER. Is there objection?

There was no objection.

The correspondence and reports are as follows:

HOUSE OF REPRESENTATIVES,
Washington, D. C., February 6, 1919.

Gen. GEORGE RICHARDS, United States Marine Corps,
Washington.

MY DEAR GEN. RICHARDS: My attention has been called to a report, appearing recently in the New York World, to the effect that 25 United States Marines have been without any pay for about eight months. A letter was written on this subject by Senator LODGE to Gen. Lauchheimer, which letter with the reply thereto was submitted to the House Naval Affairs Committee.

I understand that later you made a thorough investigation of this report, and I would appreciate your sending me copies of the correspondence between Senator LODGE and Gen. Lauchheimer, and any reports that you may have submitted in connection therewith. I learn that recently this erroneous report has been circulated among some of the Members of Congress, and for this reason think that it should be corrected by setting out the facts in the CONGRESSIONAL RECORD.

Yours, sincerely,

W. B. OLIVER.

HEADQUARTERS U. S. MARINE CORPS,
PAYMASTER'S DEPARTMENT,
Washington, D. C., February 6, 1919.

MY DEAR MR. OLIVER: Replying to your letter of even date relative to a report printed in the New York Evening World, to the effect that there were a number of wounded marines in the naval hospital, Chelsea, Mass., who had received no pay for eight months or more, this office would state that this report as to these wounded being without pay, it appears, was first published in New England newspapers some time in November last, as brought to attention here by Senator LODGE of Massachusetts. If you will refer to the printed hearing of the Marine Corps, before the Naval Committee of the House December 19, 1918, you will see there certain correspondence between Senator LODGE and Gen. Lauchheimer on this subject; copies in full are inclosed herewith, from which it will be seen that the statement that these men had received no pay was found to be untrue.

Later the same report was republished in the New York Evening World of December 27, 1918, in connection with a notice that a benefit ball, to occur at the Cambridge Armory on New Year's eve, was being arranged for by public-spirited citizens to supply these wounded marines with funds to purchase needed comforts. Again this matter was reinvestigated at the direction of these headquarters. You will find inclosed a copy of the report made by this office on January 9, 1919. You will see in examining this paper that it was found as a result of that reinvestigation that not a single one of these wounded marines in the naval hospital at Chelsea who wished their pay failed to receive pay immediately after their admission to that hospital.

Trusting that this information is sufficient for your purposes and thanking you for this evidence of your interest in the welfare of the enlisted force of the Marine Corps, believe me to be, with kindest regards,

Faithfully, yours,

GEORGE RICHARDS,
Brigadier General,
The Paymaster, United States Marine Corps.

Hon. WILLIAM B. OLIVER,
Washington, D. C.

UNITED STATES SENATE,
COMMITTEE ON PRIVATE LAND CLAIMS,
November 9, 1918.

MY DEAR GEN. LAUCHHEIMER: I should be very much indebted if you would let me know whether there is foundation for a report which has come to me that a number of our marines who were wounded in France and are now undergoing treatment at the naval hospital at Chelsea, Mass., have received no pay from the Government for many months and are unable to obtain any. I do not know the names of these soldiers at Chelsea, but a constituent of mine has written me in their behalf, sending me a statement from one of the Boston newspapers in regard to the matter. For any information that you may give me I shall be greatly obliged.

Very truly, yours, H. C. LODGE.

Brig. Gen. C. H. LAUCHHEIMER,
The Adjutant General, United States Marine Corps.

HEADQUARTERS MARINE CORPS,
November 11, 1918.

NAVY YARD, BOSTON, MASS.

For marine barracks: Investigate and report immediately if any wounded marines in naval hospital, Chelsea, have received no pay for many months and are unable to obtain pay period. Attention is called to instructions August 17 covering subject payment wounded marines, also to more specific orders October 8, requiring detailed reports covering cases of wounded marines unpaid for many months.

MARCORPS.

NOVEMBER 12, 1918.

MY DEAR SENATOR LODGE: Your letter of the 9th instant, bringing to my attention report that there are a number of wounded marines at the naval hospital, Chelsea, Mass., who have received no pay for several months and are unable to obtain any, has been received. This matter has been taken up by wire with the commanding officer Marine Barracks, navy yard, Boston, Mass., that the precise facts may be developed, action taken, and proper information supplied you.

As to whether there is any foundation for the report, let me say that we already know that the commanding officers of some of the units of the Marine Corps in France, did, in April last, suspend regular payments to their commands for reasons of a military nature; also, that later, when some of those units went under fire, the wounded men were evacuated through the British and French evacuation and base hospitals, situated in something more than 75 widely scattered localities.

Immediately the officers of the Paymaster's Department, Marine Corps, in France, made every effort to reach our wounded who needed funds; there are two letters inclosed herewith, as well as an official report of the Paymaster, Marine Corps, that cover details. In addition, Col. John H. Hughes, Inspector General, United States Army, in France, reports under date of September 6, 1918, the following:

"Paragraph 3, page 7, General Order 111, General Headquarters American Expeditionary Forces, 1918, requires that in case marines are sent to hospital their service records be sent direct to paymaster, United States Marine Corps, Paris. There are now about 6,000 of these service records in this office. All men away from organizations are supposed to have their records at the Paris office. There are men whose records have been lost, and in some cases records are said to have been destroyed by shell fire. In such cases these men are paid from data available on cards in Paris office. The duplicate service record must be secured from the United States. Maj. Wills has made during August a round of all hospitals west of a line north and south through Paris and paid each man 100 francs. At the same time he left cards with the men by which they can inform him of any change of address. He paid about 1,300 men. He left Paris about September 3 to make a similar trip through eastern France, and on his return will have much valuable data as to the whereabouts of the men to be paid from his office. On future trips it is the intention to pay men full amount due them. It is impracticable to take these trips by railroad due to the great loss of time in getting from place to place and the short stay at each place."

When some of these wounded began arriving within the United States general instructions were issued August 17, 1918, to all posts of the Marine Corps on the eastern coast, so that the needs of these men, in the matter of funds, might further be met, and in connection therewith specific reports were required to be furnished these headquarters covering such cases as you describe.

In these circumstances your inquiry may now only be answered to the effect that no reports have been received here as to any such cases in the naval hospital at Chelsea, Mass., and in the absence of such reports the rumor is probably incorrect. As indicated above, you will be informed as to the result of our investigation. In the meantime let me express my appreciation to you for bringing the matter so promptly to our attention.

With kindest regards, believe me to be,

Faithfully, yours,

C. H. LAUCHHEIMER.

Senator H. C. LODGE,
United States Senate, Washington, D. C.

UNITED STATES SENATE,
COMMITTEE ON PRIVATE LAND CLAIMS,
November 12, 1918.

MY DEAR GEN. LAUCHHEIMER: I am very much obliged for your letter of the 12th and for the information which you give me. I knew, of course, that everything possible was being done by the Marine Corps to extend financial aid to our wounded marines, but I was anxious to ascertain from you just what was being done in that direction in order that I might make intelligent reply to those who have written me about it.

With kind regards and many thanks, I am,

Very truly, yours,

H. C. LODGE.

Brig. Gen. C. H. LAUCHHEIMER,
Headquarters United States Marine Corps, Washington, D. C.

NOVEMBER 14, 1918.

MY DEAR SENATOR: In further reference to our previous correspondence with regard to wounded marines not receiving their pay, I have the honor to quote for your information the following telegram which has just been received from the commanding officer marine barracks, Boston, in reply to telegraphic orders which were sent to him on the 11th instant to investigate this matter:

"All wounded marines at Chelsea (Boston) hospital have been able to draw pay when desired, except Pvt. Leroy Barbee, who returned Monday from sick leave. Status of his pay accounts was forwarded Tuesday to assistant paymaster, 291 Broadway (New York), and he should receive payment by to-morrow. Barbee was last paid to and including 31st May."

You will note from this that we are taking all possible steps to see that wounded marines returned to this country do not have their pay held up, and if any such cases have occurred they are exceptional cases, which we are endeavoring to guard against.

Again expressing my appreciation of your interest in the welfare of our men, and with the assurance of my high regard, believe me,

Sincerely, yours,

C. H. LAUCHHEIMER,
Brigadier General, Adjutant, and Inspector.

Hon. HENRY CABOT LODGE,
United States Senate, Washington, D. C.

JANUARY 9, 1919.

From: The Paymaster.
To: The Major General Commandant.
Subject: Personal letter from Brig. Gen. C. S. Radford, assistant quartermaster, Marine Corps, to Brig. Gen. C. H. Lauchheimer, inclosing clippings from newspapers in re alleged nonpayment of wounded marines.

* * * * * * *

1. Pursuant to reference (a), this office got in communication with the assistant paymaster at New York, by telephone, and directed him to make an investigation and submit report relative to nonreceipt of pay by wounded marines. This was on December 31, 1918. The assistant paymaster at New York on that date informed this office that so far as known to him all men in the naval hospital at Chelsea who desired funds had been paid. The same date this office had a telephonic communication with the commanding officer, marine barracks, Boston, Mass., and was advised by him that the statement contained in the clipping from the Evening World was untrue.

2. In addition to the foregoing, a telegram was prepared for the major general commandant addressed to the commanding officer, marine barracks, Boston, which read as follows:

"Referring to article in New York Evening World headed 'Eight months unpaid but don't whimper,' and dated Boston, December 27, regarding benefit ball to raise funds for 25 marines in Chelsea hospital. Investigate and report immediately to the major general commandant all the facts in detail with a list of the names of wounded marines in the Chelsea hospital with dates and amount of last payment, and if not paid since arrival the reason for nonpayment. Attention is again called to instructions August 17 and October 8 requiring payments and detailed reports covering cases of this kind."

3. Under date of January 2, 1919, this office received a report on this subject from the assistant paymaster, New York, N. Y., dated December 31, which is quoted for your information, as follows:

"Subject: Payment of wounded marines in United States Naval Hospital, Chelsea, Mass.

* * * * * * *

"1. In connection with references (a) and (b), there is transmitted herewith a list showing the names of all men to whom this office has any knowledge as being patients at the United States Naval Hospital, Chelsea, Mass. This list has been prepared from the pay roll of the Marine Barracks, Boston, Mass., for the month of November, 1918.

"2. This office notes that no emergency payment has been made in the cases of Pvt. George H. Tower and Sergt. Arthur Cliff. No request from the commanding officer of the Boston barracks has been received in this office requesting an advance.

"3. Reference (e) will explain the reason no advance has been made to Daum.

"R. E. DAVIS."

4. The report from the commanding office marine barracks, navy yard, Boston, Mass., reference (d) on this case, the original of which is attached hereto as well as the report from the assistant paymaster, Marine Corps, New York, quoted herein, shows that statements contained in the clipping from the New York Evening World, referred to in this correspondence, were without foundation in fact. Particular attention is invited to the following paragraph from the report of the commanding officer Marine Barracks, Boston, Mass.:

"3. With reference to the benefit ball, a Mr. George Baker, an employee of the Washburn-Crosby flour agency at Boston, came to see me about two weeks ago with reference to this ball. Mr. Baker stated that he has for many years been a firm friend of the Marine Corps. Nevertheless, I declined to accede to Mr. Baker's request for permission to use my name in connection with the proposed ball, or to take action which would give the ball an official status; and without hurting Mr. Baker's feelings, in view of his expressed friendly sentiments, I endeavored to discourage the project of a benefit ball, as I felt that an erroneous impression might be created. I also informed Mr. Baker that the wounded marines in Chelsea Hospital were being well looked out for financially and in all respects, under special orders from the major general commanant."

The fourth paragraph of the report of the commanding officer Marine Barracks, Boston, Mass., reading as follows, is further evidence of the absolute untruth of the contents of the clipping from the New York Evening World:

"4. The instructions of 17 August and 8 October, 1918, referred to in reference (a) have been carefully complied with by this office. Almost daily inquiry has been made at the Chelsea Hospital in order that every case might receive careful and prompt attention."

In this connection special attention is invited to the fact that the commanding office at Marine Barracks, Boston, Mass., has been making almost daily inquiry at the Chelsea Hospital, evidencing that that commanding officer has taken a very active interest in the matter of looking after the wants and needs of all wounded marines in that hospital.

5. This final report in this case was held here awaiting the receipt in this office of the report from the commanding officer Marine Barracks, navy yard, Boston, Mass., reference (d), which appears to have been received at these headquarters on January 3, 1919, but was not received in this office until January 8, 1919, five days later.

GEORGE RICHARDS.

NAVAL APPROPRIATION BILL.

Mr. PADGETT. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill.

The SPEAKER. The gentleman from Tennessee moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill.

Mr. HARRISON of Virginia. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. The gentleman from Virginia makes the point that no quorum is present. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 265, nays 0, answered "present" 2, not voting 162, as follows:

YEAS—265.

Alexander	Bankhead	Blackmon	Brodbeck
Almon	Barkley	Bland, Ind.	Browning
Ashbrook	Barnhart	Bland, Va.	Buchanan
Aswell	Beakes	Blanton	Burroughs
Ayres	Bell	Bowers	Butler
Bacharach	Beshlin	Brand	Byrnes, S. C.
Baer	Black	Britten	Caldwell

Campbell, Kans.	Garner	Lobeck	Rucker
Campbell, Pa.	Garrett, Tenn.	Lonergan	Sabath
Cannon	Garrett, Tex.	Longworth	Sanders, Ind.
Carter, Mass.	Glynn	Lufkin	Saunders, Va.
Carter, Okla.	Gould	McArthur	Scott, Iowa
Cary	Goodwin, Ark.	McClintic	Scott, Mich.
Chandler, N. Y.	Graham, Ill.	McCormick	Selis
Chandler, Okla.	Gray, Ala.	McCulloch	Sherwood
Clark, Pa.	Green, Iowa	McKeown	Shouse
Classon	Gregg	McKinley	Siegel
Claypool	Griest	McLaughlin, Mich.	Sinnott
Cleary	Hadley	McLaughlin, Pa.	Sisson
Connally, Tex.	Hamlin	McLemore	Slemp
Connelly, Kans.	Hardy	Magee	Sloan
Cooper, Ohio	Harrison, Va.	Maher	Smith, C. B.
Cooper, W. Va.	Haskell	Mann	Smith, T. F.
Cooper, Wis.	Hayden	Mansfield	Snook
Copley	Hayes	Mapes	Snyder
Crisp	Heflin	Martin	Stafford
Currie, Mich.	Hensley	Mason	Steidman
Dale	Hersey	Mays	Steenerson
Dallinger	Hicks	Merritt	Stephens, Miss.
Darrow	Holland	Miller, Minn.	Stevenson
Dempsey	Hollingsworth	Miller, Wash.	Strong
Denison	Hood	Montague	Sumners
Denton	Houston	Moon	Tague
Dies	Huddleston	Moore, Pa.	Taylor, Colo.
Dill	Hull, Tenn.	Moores, Ind.	Temple
Dillon	Humphreys	Morgan	Tillman
Dixon	Husted	Mott	Tilson
Dominick	Igoe	Mudd	Timberlake
Doughton	Ireland	Neely	Tinkham
Dowell	Jacoway	Nelson, A. P.	Towner
Dunn	James	Nicholls, S. C.	Treadway
Dupré	Johnson, Wash.	Oldfield	Vare
Dyer	Jones	Oliver, Ala.	Venable
Ellsworth	Juul	Oliver, N. Y.	Vestal
Elston	Kearns	O'Shaunessy	Vinson
Evans	Keating	Overstreet	Voigt
Fairchild, B. L.	Kehoe	Padgett	Volstead
Fairchild, G. W.	Kelley, Mich.	Parker, N. J.	Walsh
Fairfield	Kennedy, R. I.	Parker, N. Y.	Walton
Farr	Kettner	Peters	Wason
Ferris	Kless, Pa.	Phelan	Watkins
Fess	Kincheloe	Platt	Watson, Pa.
Flood	King	Polk	Watson, Va.
Fordney	Kinkaid	Porter	Weaver
Foss	Kitchin	Purnell	Welling
Foster	Knutson	Quin	Welty
Francis	Kraus	Ragsdale	Wheeler
Frear	La Follette	Raker	White, Me.
Freeman	LaGuardia	Ramseyer	Wilson, La.
French	Lampert	Randall	Wilson, Tex.
Fuller, Ill.	Langley	Reed	Wingo
Fuller, Mass.	Larsen	Riordan	Wood, Ind.
Gallagher	Lazaro	Rodenberg	Wright
Gallivan	Lea, Cal.	Rogers	Zihlman
Gandy	Lehlbach	Romjue	
Gard	Linthicum	Rouse	
Garland	Little	Rowe	

ANSWERED "PRESENT."—2.

Emerson	London

NOT VOTING—102.

Anderson	Edmonds	Lee, Ga.	Scully
Anthony	Elliott	Lesher	Sears
Austin	Esch	Lever	Shackleford
Benson	Essen	Littlepage	Shallenberger
Birch	Estopinal	Lundeen	Shelley
Booher	Fields	Lunn	Sims
Borland	Fisher	McAndrews	Slayden
Browne	Flynn	McFadden	Small
Brumbaugh	Focht	McKenzie	Smith, Idaho
Burnett	Gillett	Madden	Smith, Mich.
Byrns, Tenn.	Godwin, N. C.	Mondell	Snell
Candler, Miss.	Goodall	Morin	Steagall
Cantrill	Gordon	Nelson, J. M.	Steele
Caraway	Gould	Nichols, Mich.	Stephens, Nebr.
Carew	Graham, Pa.	Nolan	Sterling
Carlin	Gray, N. J.	Norton	Stiness
Church	Greene, Mass.	Olney	Sullivan
Clark, Fla.	Greene, Vt.	Osborne	Sweet
Coady	Griffin	Overmyer	Swift
Collier	Hamill	Paige	Switzer
Costello	Hamilton, Mich.	Park	Taylor, Ark.
Cox	Hamilton, N. Y.	Pou	Templeton
Crago	Harrison, Miss.	Powers	Thomas
Cramton	Hastings	Pratt	Thompson
Crosser	Haugen	Price	Van Dyke
Curry, Cal.	Hawley	Rainey, H. T.	Waldow
Davey	Heaton	Rainey, J. W.	Walker
Davis	Heintz	Ramsey	Ward
Becker	Helm	Rankin	Webb
Delaney	Helvering	Rayburn	Whaley
Dent	Hilliard	Reavis	White, Ohio
Dewalt	Howard	Roberts	Williams
Dickinson	Hull, Iowa	Robinson	Wilson, Ill.
Donovan	Hutchinson	Ross	Winslow
Dooling	Johnson, Ky.	Rowland	Wise
Doolittle	Johnson, S. Dak.	Rubey	Woods, Iowa
Doremus	Kahn	Russell	Woodyard
Drane	Kelly, Pa.	Sanders, La.	Young, N. Dak.
Drukker	Kennedy, Iowa	Sanders, N. Y.	Young, Tex.
Eagan	Key, Ohio	Sanford	
Eagle	Kreider	Schall	

So the motion of Mr. PADGETT was agreed to.

The following pairs were announced:

Until further notice:

Mr. CLARK of Florida with Mr. EDMONDS.

Mr. HENRY T. RAINEY with Mr. WILSON of Illinois.

Mr. SLAYDEN with Mr. SWEETZER.

Mr. SEARS with Mr. NOLAN.

Mr. BOOHER with Mr. HAMILTON of Michigan.

Mr. LEVER with Mr. HAUGEN.

Mr. CAREW with Mr. GOODALL.

Mr. ESTOPINAL with Mr. EMERSON.

Mr. WHITE of Ohio with Mr. NORTON.

Mr. HARRISON of Mississippi with Mr. REAVIS.

Mr. HAMILL with Mr. KREIDER.

Mr. BRUMBAUGH with Mr. COSTELLO.

Mr. CANDLER of Mississippi with Mr. CHANDLER of Oklahoma.

Mr. BENSON with Mr. ANDERSON.

Mr. LITTLEPAGE with Mr. AUSTIN.

Mr. CARAWAY with Mr. BROWNE.

Mr. BYRNS of Tennessee with Mr. DAVIS.

Mr. DENT with Mr. KAHN.

Mr. DONOVAN with Mr. FOCHT.

Mr. DOOLING with Mr. GOULD.

Mr. CANTRILL with Mr. KENNEDY of Iowa.

Mr. HELM with Mr. HUTCHINSON.

Mr. HELVERING with Mr. KNUTSON.

Mr. SUMNERS with Mr. MCFADDEN.

Mr. MCANDREWS with Mr. MCKENZIE.

Mr. OLNEY with Mr. MADDEN.

Mr. OVERMYER with Mr. OSBORNE.

Mr. PARK with Mr. PAIGE.

Mr. POU with Mr. RAMSEY.

Mr. PRICE with Mr. SANDERS of New York.

Mr. RUSSELL with Mr. SANFORD.

Mr. SANDERS of Louisiana with Mr. SMITH of Idaho.

Mr. SCULLY with Mr. SNELL.

Mr. SIMS with Mr. ESCH.

Mr. SMALL with Mr. GILLETT.

Mr. STERLING with Mr. WILLIAMS.

Mr. TAYLOR of Arkansas with Mr. WINSLOW.

Mr. WEBB with Mr. WOODYARD.

Mr. COADY with Mr. GREENE of Vermont.

Mr. COLLIER with Mr. MONDELL.

Mr. BURNETT with Mr. STINESS.

Mr. THOMAS with Mr. SMITH of Michigan.

Mr. WHALEY with Mr. HAWLEY.

Mr. DELANEY with Mr. CRAGO.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. GARRETT of Tennessee in the chair.

The Clerk reported the title of the bill.

Mr. PADGETT. Mr. Chairman, before we proceed I desire to make a statement. About one hour and a few minutes remain of general debate. It is our desire to finish this bill by to-morrow night, and for that purpose, if it is necessary, I shall ask the House to sit to-night. I hope it will not be necessary. I hope that we can make such progress during the day that it will not be necessary. If it should be necessary to have a night session in order to complete the bill by to-morrow night, however, I shall ask that that procedure be pursued. The gentleman from North Carolina [Mr. KITCHIN] gave notice this morning that he would call up on Saturday the conference report upon the revenue bill, and we desire to have this bill out of the way by that time.

Mr. BROWNING. Mr. Chairman, I yield such time as I have to the gentleman from Virginia [Mr. SAUNDERS], and, as I understand it, the chairman of the committee has agreed to yield to him part of his time.

Mr. PADGETT. Yes, Mr. Chairman; I yield to the gentleman 20 minutes of my time.

The CHAIRMAN. The gentleman from Virginia is recognized for 25 minutes.

Mr. SAUNDERS of Virginia. Mr. Chairman: The forces of liberty, right, and justice, in a contest in which civilization was at stake, achieved a great triumph in the world war, now happily concluded. To that high enterprise our country made a notable contribution. Imperial Germany is prostrate, Austria is in the dust, Turkey is a shapeless ruin, great Russia is a formless mass of jarring and discordant elements. Thrones, principalities, and potentates have been overthrown. Nowhere do the powers of autocracy rear their insolent heads to threaten the peace of the world. Nowhere may be seen the menace of any danger to the United States. Having these conditions in mind we are moved to ask why it is, that at this time the most prodigious naval bill in the history of our country, has been reported to this body, and why in face of the admitted facts Congress should approve the recommendations of the Naval Committee? Is it the logic of the situation that as dangers recede, our preparations for war shall multiply? Is it true that in proportion to the declining power of the arrogant autocracies that aspired to the overlordship of the world, this mighty, free, and secure Republic of ours must multiply the agencies of

destruction under the pretense that they are required for necessary defense?

A few days ago there came to us news of the most tremendous significance that was ever borne to the expectant peoples of the earth, since this old world of our started spinning down the ringing grooves of change. That news was to the effect that the congress at Paris had agreed upon a league of nations, and that the terms of the agreement provided for the disarmament of the nations, the reduction of military forces, and the abolition of conscription for the maintenance of armies—in a word, for the destruction of those agencies which throughout the ages have agitated, perturbed, and filled with dire alarms the free and liberty-loving peoples of the earth. If that news be true, then certainly there is no necessity for the action recommended to be taken, and if it be not true, then I will ask some spokesman for this bill, to tell me and to tell this committee what are the dangers against which we are asked to prepare, who are the possible enemies likely to confront us, and why it is that in addition to the inevitable burdens entailed by the great war, we are now asked to assume burdens in the way of a larger Army and a larger Navy, far greater than were deemed necessary for the national defense in the period that preceded our declaration of war? Emerging as victors from a short but bloody participation in a war that has served to make the world secure for the citizens of this Republic, have we only succeeded in laying greater military and naval burdens on our country? Does it fairly follow from our victory, that the dangers to the peace and security of the United States have been so greatly magnified, that upon a calm review of the world situation we are justified in concluding that we must increase both our Army, and our Navy to the dimensions proposed, to adequately safeguard our national interests? If we look for information on this material inquiry, to the report of the Naval Committee, what do we find? Not a word in the way of explanation, or justification of its recommendations.

After giving a number of details related to the great expenditures proposed, the report contents itself with saying that it is agreed that we need an adequate Navy—a magnificent platitude but hardly an illuminating statement. Whatever may be our divergent views as to the size of the Navy, we are all agreed that we favor an adequate Navy. But this body of intelligent representatives of the American people is justified in asking the Naval Committee to advise us as to the dangers which it deems are reasonably to be apprehended, and the impelling reasons for the policy which it recommends? May I ask, what is an adequate Navy? Is the answer, a sufficient Navy? If so may I ask, what is a sufficient Navy? Unless we are apprised of the dangers reasonably to be apprehended, how can we determine the size of the Navy required to repel those dangers? A few days ago one of our admirals testified before the Committee on Naval Affairs. His testimony appears in the hearings. He testified somewhat after this fashion, that whatever may be the extent of our naval construction, it will not be equal to the Navy needs. Further, that now is the appropriate time for this country to make the suggested enhancements and enlargements, because the world expects us to take this action. And still further, that there never has been any period in the history of the United States when our country needed greater naval preparation than at this good hour. There are three statements of fact involved in this testimony that every man on this floor, I believe, will instantly challenge.

The cryptic and mysterious utterances that come from time to time from members of the high command, serve only to agitate, confuse, and alarm the public mind. For the purposes of intelligent action, we would like to have some definite recital of facts to support the statements made by this witness, some definite information afforded from which the Congress can determine what ought to be done with respect to any emergency likely to arise. [Applause.] I ask the Members on both sides of the Chamber, intelligent and patriotic representatives of the people who have shown throughout the dread emergency that has confronted the country during the last two years, that there was nothing that you were not prepared to do in support of the public cause—I ask you, my colleagues, in view of that proud and ineffaceable record of public achievement, if you are not entitled to be told by your Naval Committee why it is, that at this time when our enemies are prostrate, we should increase the public burdens in the name of national defense? What are the dangers that render necessary these prodigious preparations? [Applause.]

When the admiral referred to, stated that the world expected us at this time to increase our Military and Naval Establishment, upon what did he base that statement? Are we not entitled to know? If we look abroad to ascertain the facts required for intelligent action as representatives of the people, what do we find?

England has deferred her naval program. Neither in France, Italy, or Spain, do we find any lurking dangers, or any quickening activities that would cause anyone to conclude that this country is so seriously endangered that our Navy must be enlarged, and our standing Army increased. Germany is in sackcloth and ashes. Look to Japan, China, South America, take in the whole circle of the world, and tell me where you find the evidence of any present, or prospective preparation so extensive, and so alarming, as to make it necessary for this Congress to proceed with feverish haste to establish new armaments in the name of proper and adequate defense. The other governments of the world are anxiously striving to bring about a reduction of the burdens entailed by the war. The heaviest of these burdens are their overgrown military and naval establishments. Why should those nations which are all agreed that armaments must be reduced, expect us at this time to multiply our burdens, to establish larger armies, and more powerful navies, unless our country is in greater danger, than in the ante-bellum period? It is not enough for this admiral to make the statements that he did as a witness before the Naval Committee. He should communicate to that committee, and they in turn to us, the facts upon which he based that statement. Again he declares that at no time in our history has there been as great need for preparation as at present. Against what menace is this proposed preparation, this supplementary naval program intended to protect us? Is it some alleged danger? Then what danger? In what quarter is it reasonably to be apprehended?

What nation threatens us with naval activities likely to put in jeopardy a single right, or a single interest of the American people? Where are those activities to be found? A few days ago the Scientific American—and surely no one will take that journal as erring on the side of what is called little navyism—stated in a leading editorial that to-day in dreadnaught power this country is equal to that of any three nations in the world, excepting England. The modern dreadnaught strength of the United States as stated by that journal and nowhere denied, is equal to that of Japan, France, and Italy combined. This being so, where then is the danger reasonably likely to arise, and sufficient in extent, to justify this Congress in hastily authorizing the gigantic supplementary program proposed by this bill? The naval program of 1916 was the most prodigious ever adopted in any country at any time. Construction under this program has hardly begun. Our present dreadnaught strength, including three dreadnaughts practically, though not actually complete, is 19 great battleships. The three nations I have recited, Japan, France, and Italy, have 21 modern dreadnaughts.

The statement of the Scientific American in this connection is as follows: "In the Scientific American of December 28, 1918, we made known the very gratifying fact, that with the elimination of the German Navy, the United States Navy moved into second place. We showed also that because our allies lost many of their capital ships, and stopped work during the war upon those they were building, our Navy is so strong a second that it is equal in dreadnaught strength to the three navies of France, Italy and Japan. The United States possesses 19 dreadnaughts, Japan 9, France 7, and Italy 5. We found also that because of the superior gun power, armor protection, and displacement of our vessels, our 19 ships were fully a match in strength and fighting power, for the 21 ships of the nations enumerated. Our total of 19 United States dreadnaughts was based on the statement of the chief constructor, to a congressional committee to that effect.

"The end of the world war finds the allied powers war weary and eager for relief from the burden of maintaining huge armaments both on sea and land. Americans returning from the other side, whether they be officers of the Army or Navy, or civilians, tell us that all of our allies, now that the German threat is gone, are prepared to make a pro rata reduction of their armaments."

Excluding England, the three nations just mentioned are the three greatest naval powers of the world who may be treated as our possible adversaries. But if our present battleship strength is equal to that of these possible adversaries, and these adversaries show no indications of activity in new naval construction, are we justified at this time in burdening our people, and alarming the world, by hastily authorizing the immense addition proposed to our present Navy? We should deal with this situation as intelligent Representatives, having in mind dangers reasonably to be apprehended, not mere possibilities. Any nation, or combination of nations, may be considered as a possible enemy, but we should not establish our national policy upon a theory of possibilities. I am unable to say, and no one in this body is able to say, what the future holds in the way of possibilities. At some time in that unknown and unexplored future it is possible that we may have to fight an embattled world. Our possible adversaries may be England,

France, Italy, Germany, rejuvenated Russia, Japan, and every other free nation, and autocratic government on earth. Who can say? The combination of nations I have suggested, may not be excluded as a possible adversary, but who would be willing to vote money to establish and maintain a navy sufficient to protect this country against so unlikely and remote a combination? In the realm of speculation we may not be able to exclude the possibility of such a combination of adversaries, but we would be all agreed that the likelihood of danger from such a quarter, would be so remote that no sane man would concern himself to provide against it.

Armies and navies, when not needed for the national defense, are per se burdens, and are not to be voted lightly upon the country. They should be established with exclusive regard for internal and external safety. To the extent they exceed the national requirements in either direction, they are merely mischievous extravagances. The determination of an appropriate military and naval policy is a purely legislative function, and should be determined, as other legislative problems, in the exercise of our best judgment.

Mr. LONGWORTH. Will the gentleman yield for a question?

Mr. SAUNDERS of Virginia. Just for a question.

Mr. LONGWORTH. Is the gentlemen familiar with the cablegram recently sent by the President to certain Members of the House?

Mr. SAUNDERS of Virginia. I am not. Is the gentleman?

Mr. LONGWORTH. I happen to be.

Mr. SAUNDERS of Virginia. Very well, what of it?

Mr. LONGWORTH. I want to ask the gentleman whether he thinks it makes for wise legislation that some Members of the House should be in possession of certain information and others not?

Mr. SAUNDERS of Virginia. That inquiry has nothing whatever to do with the inquiry whether the policy proposed by this bill is wise, or unwise. Concede that the answer to your question should be no, and what then? The immediate inquiry that concerns the members of this committee, is whether in the discharge of our duty as prudent and discreet legislators we should follow the recommendations of the Naval Committee, and enact the legislation which it recommends. If it is made clear to us that our national security requires the construction of the additional battleships, and cruisers proposed, then nothing remains to be said. The necessary credits should be voted before the rising of to-morrow's sun. Salus reipublicae est suprema lex. I have stated, Mr. Chairman, that looking the world over to-day, and always excepting England, there is not a naval power, viewing the nations in succession as possible antagonists, either singly, or in likely combination, that threatens, or menaces the naval supremacy of the United States even on our present basis of naval strength, and excluding the program of 1916 which, in the main, remains to be constructed. I admit that with respect to our strength upon the high seas our Navy as at present constituted, or even with the completed program of 1916, would not be as powerful as the British grand fleet.

But it has never been proposed that our fleet should match the British fleet. I am familiar with the arguments that have been advanced in this body during the last 12 years, and during that entire period it has always been maintained that in determining the naval policy of the United States, we could always exclude Great Britain as a factor in the problem. Both in the debates in the House, and in the testimony before the committee, it has been agreed that a proper building policy for this country was in no wise to be determined or affected by the extent of the English activities.

I quote again from that big Navy organ, the Scientific American:

"We find that there is a practically unanimous conviction that the strength of the British Navy is warranted by her island position and the scattered condition of the British Empire, and that it is sufficient that we should be a powerful second. Particularly strong is this conviction among the officers of the battle squadron which you recently reviewed on its return from cooperation with the British fleet in the North Sea.

"If there is anybody of expert opinion that is qualified to judge whether the British fleet is a menace to the peace of the world, it is to be found surely, among these American officers, who have spent a whole year with that fleet in the most intimate intercourse and cooperation. They frankly express their conviction that the British Navy is regarded both by ojcers and civilians of Great Britain as a purely protective force, built up and maintained for the sole purpose of keeping open the trade routes between Great Britain and her widely-scattered colonies.

"The persistent advocacy, even before the peace conference has opened, of huge increases in the United States Navy has filled all thoughtful people, not merely among our allies, but here in America, with amazement and deep-seated concern."

I would like to be advised whether as one result of a war waged to free the world from the menace of an autocratic power which sunk our ships, and murdered our citizens on the high seas, a war in which we fought shoulder to shoulder with Great Britain, and so fighting, won a glorious and never to be forgotten victory, we are to treat our whilom comrade as a possible enemy, and viewing him, as we aforetime viewed Germany, order our policy accordingly, and proceed to build battleships upon a scale of surpassing magnitude in order to protect this country against the menace of this new adversary. [Applause.]

New ties have been established by the sorrows and the sufferings of this war, jointly endured by the Anglo-Saxon nations. I had fondly believed that the experiences of the fiery furnace of trial through which we had jointly passed had served to draw us more closely than ever to that mother race from which we spring, and that the peace between the two nations which has been unbroken for over a century now be fairly considered as perpetual and infrangible. The burdens of this war are surely heavy enough, without the suggestion that as another outcome of this frightful strife, we must regard our only English-speaking ally as a possible enemy in the determination of our future naval policy.

If that is to be true, then assuredly the war has brought us new burdens. In the effort to establish our security by the overthrow of the one power that menaced it, can it be that we have succeeded in some mysterious fashion in placing the one power that we have heretofore excluded from consideration in all of our computations of naval construction, and all our estimates of probable enemies, in the category of possible antagonist, and for the future must consider her programs of naval construction as carrying a possible menace to this country. Having fought as allies to destroy the menacing power of autocracy, must we now part company, and at this very time when the peans of victory resound in our ears, begin with feverish haste to prepare for the day of conflict with our whilom ally? If we exclude England from contemplation, as we have excluded her during the last three decades, then what fleet, or fleets of possible adversaries, require us to establish this supplementary program?

Mr. BRITTEN. Will the gentleman yield for one question?

Mr. SAUNDERS of Virginia. One question.

Mr. BRITTEN. Does the gentleman recall the secret treaty entered into between Great Britan and Japan that gave to Japan the islands in the Pacific, some of them surrounding our great naval base, in the last three years?

Mr. SAUNDERS of Virginia. I suppose the implication that the gentleman intends to convey by that question is that this country should construct its future fighting fleets with reference to Great Britain as a possible adversary. If his implication does not mean that, then what does it mean? If that is what the Naval Committee, and the naval experts have in mind, then they should be manly enough, and frank enough to say to the American people that as one result of the great war, our relations with Great Britain have been so altered that we must reverse the attitude of the past, and so far from excluding that country from the category of nations proper to be considered in the determination of our building program, we must in the future consider the menace of her fleet in ascertaining the number and strength of the ships required for adequate national defense. If it is considered that a new factor has been projected into the problem of national security, and if that factor is the menace of England's fleet, then that fact should be plainly announced so that the Congress may act intelligently, and reach its own conclusions upon the necessity for this supplementary program. The cryptic and mysterious intimations of the gentleman from Illinois are not enlightening. Give us the facts, so that we may act advisedly, and intelligently. [Applause.]

Now, Mr. Speaker, there is another feature of the situation——

Mr. KELLEY of Michigan. Will the gentleman yield?

Mr. SAUNDERS of Virginia. I prefer not to yield at this time, if the gentleman will wait until I finish the statement of what I now have in mind.

Mr. KELLEY of Michigan. I was rather interested in suggesting one question to the gentleman.

Mr. SAUNDERS of Virginia. Well, I will yield.

Mr. KELLEY of Michigan. My recollection is that the gentleman from Virginia in the past has generally had great faith that America never would need even the Navy we have now.

Mr. SAUNDERS of Virginia. I have always favored a Navy sufficient to protect this country against all dangers reasonably to be apprehended.

Mr. KELLEY of Michigan. Because my recollection is that the gentleman almost invariably voted against the increase in the Navy.

Mr. SAUNDERS of Virginia. I have always been against unreasonable and unnecessary increases.

Mr. KELLEY of Michigan. Is the gentleman so sure of the future, based upon his past prophecies, as to the needs of America?

Mr. SAUNDERS of Virginia. Far more sure.

Mr. KELLEY of Michigan. Please state why the gentleman now is——

Mr. SAUNDERS of Virginia. I will so state with a great deal of pleasure. I have never favored a policy of nonresistance either on the land, or the sea. I have always favored a Navy that, so far as I could determine from my study of the available authorities, the experts, if you choose to call them so, would be equal to the Navy of any other country that could reasonably be regarded as a menace to this country. Great Britain was always excluded by the naval experts themselves from the list of possible enemies.

Within the past few months the one country that really threatened the peace of the world, the one country that has been continually used by the naval expansionists to alarm this country into voting for new construction on an extensive scale, has been completely eliminated as a naval power. Her entire fleet is in the hands of her adversaries, and at their mercy. The present plan is to destroy every one of these ships.

Mr. KELLEY of Michigan. We are getting away from my question.

Mr. SAUNDERS of Virginia. Not at all. I am proceeding to show you that our present Navy secures us against any danger reasonably to be apprehended, and in that connection I referred to the passing of Germany as a naval power. I have given the figures of the combined dreadnaught strength of France, Italy, and Japan. Is France a menace to this country? Is she building new navies? Are her yards humming with new construction?

What of Italy? Do you really think that we need additional ships to protect our interests against danger from that quarter? Does the naval strength of Japan alarm you? Is she an adversary reasonably likely to attack this country? If so, having in mind the relative strength of the navies of Japan, and the United States, what do you imagine would be the outcome of a naval war between this country, and the island empire? How and in what way does the navy of Japan menace the peace and security of the United States? [Applause.]

You ask me what I have to say with respect to my attitude in the past. I can answer in a few words.

I would not retract a single vote that I have cast on the naval programs. I was against the naval program of 1916, holding that it was not needed for the national defense. Subsequent events have vindicated that attitude. If not a single great ship had ever been built under that program, and none so far has been constructed, this war would have been won, just as it has been won. If the ships provided by that program had been in being, and ready to go to sea when war was declared, I mean the great battleships, they could not have been used.

Mr. KELLEY of Michigan. We would not have won it.

Mr. SAUNDERS of Virginia. We helped to win it. I am discussing our contribution to the war. It was a material contribution but not in the form of battleships.

Mr. KELLEY of Michigan. Is the gentleman willing that we should always accept the assistance of others?

Mr. SAUNDERS of Virginia. We did not require assistance. We went to the assistance of others, with torpedo boats, mine sweepers, and light cruisers, not with battleships. Upon what theory do we build a Navy? Why upon the theory that it is needed for the maintenance of our safety and interests. We have never undertaken to build a Navy as great as that of Great Britain, for the simple reason that it has never been considered that our interests required a Navy of that size.

The naval program contemplated by the act of 1916 has played no part whatsoever in the present war, for the simple reason that it has never come into being. With Germany eliminated we may safely omit the construction of much of that program, not to speak of the supplementary program provided in this bill. We played a notable part in the recent war, but it was with our lighter ships that were on hand when war was declared. To these should be added the ships completed during the progress of the war, the destroyers, submarines, mine layers, mine sweepers, and other small craft.

Mr. KELLEY of Michigan. Did the gentleman vote for any of the warships or battleships that are now in the water?

Mr. SAUNDERS of Virginia. Oh, yes.

Mr. KELLEY of Michigan. How many of them?

Mr. SAUNDERS of Virginia. I do not know. I can not say. You do not know in the aggregate how many you voted for. [Laughter.] In all likelihood when you voted for four, I voted for two, and when you voted for two, I voted for one. Possibly there were occasions when I did not consider that any additional construction was needed, having in mind the ships in being, and the additional ships that had been provided for in previous authorizations.

But at all times I had in mind to provide our country with an adequate Navy, one that would be sufficient to make her secure against all dangers reasonably to be apprehended. No vote that any so-called little navy man has cast in the last decade has left our country unprepared to play an adequate part in the recent hostilities. The little navy men so called have favored a larger construction of submarines, torpedo boats and swift cruisers, and fewer great dreadnaughts. Our material contribution to the recent naval war was in the way of small craft, not in ponderous and expensive battleships. The heavy ships never went into action, many of them never went across. Our present dreadnaught strength is ample for our adequate protection against the dreadnaught strength of other nations, always excluding England. Should the other nations begin new programs of dreadnaught or other naval construction, I rather fancy that we can build as fast as they can.

Mr. KELLEY of Michigan. In other words, won by the strength of other powers.

Mr. SAUNDERS of Virginia. Not at all. It was won with our help, but not with our dreadnaughts. The bulk of these great ships swung idly at their anchors on this side of the Atlantic. Our dreadnaughts were not needed, for the simple reason that England's supply was more than sufficient. I ask again, who, and where are the adversaries that we are supposed to be arming against? If conditions are such that more ships are not needed for national defense, is it suggested that this body in a merely grandiose spirit shall impose upon the American people burdens that will soon amount to a thousand millions of dollars a year for the maintenance of the Navy, not to speak of the cost of construction. Certainly I do not favor such a policy. I am in favor of building as large an American Navy as our interests, and just considerations of urgency require.

Now tell me how large that Navy should be? What is your test, what is your standard. If we had potential enemies when this war began, assuredly the most menacing and dangerous of those enemies has been destroyed. Does the fact of his elimination render us less, or more secure? If we are more secure, why new armaments on an expanding scale? Suppose the present war had been confined to a death grapple on the high seas between this country and Germany. Does anyone on this floor, knowing the facts in reference to the strength of the present American Navy, doubt that we would have emerged as victors from that strife?

Mr. Speaker, I do not wish to weary the House with unnecessary details. I would not object to this naval program if it were merely a fantastic conception dealing with fantastic and unreal dangers and not requiring action on our part, or calling for vast sums of money. Not at all. The gentlemen might dream their dreams undisturbed. But I know full well that the burden proposed to be laid upon this country for armaments, first for a Navy of the minimum size proposed by the gentleman from Michigan [Mr. KELLEY], and second for an Army of the minimum size proposed by our General Staff, will retard our national development, will withdraw countless thousands of men from useful and productive activities, and will erect obstructing barriers in the way of the full enjoyment of life and liberty, and the pursuit of happiness by the American people. [Applause.]

I am asking you, gentlemen of the committee, to point out the necessity for this program, and if you can establish that necessity, I will join you as an ally, and fight under your banner.

When war was in progress, no one voted more willingly than I did for the legislation that was necessary for the maintenance of American interests and the winning of the war. No man in this House voted more readily than I did, for the imposition of the burdens that this country will carry to remote generations, but I was moved to this action by the fact that the success of the American cause depended upon the funds that this legislation afforded. I am as ready as any Member of this body on either side of the House to do whatever may be necessary for American security, American rights, and American interests. I would not hesitate for one moment to vote for this program, if it was essential to our security and the maintenance of our vital interests. But I ask the Naval Committee to tell us something more than it has told us in the elaborate report which it has filed.

The report tells that "an adequate Navy is necessary." That sheds a great light upon the situation, does it not [Applause.]

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. McCORMICK. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five minutes more.

The CHAIRMAN. The time of general debate has been limited by the House.

Mr. PADGETT. I can not agree to an extension of the time. The House has fixed the time, and the committee can not extend it; but I will yield five minutes to the gentleman out of my time.

Mr. SAUNDERS of Virginia. I thank the gentleman.

The CHAIRMAN. The gentleman from Virginia is recognized for five minutes more.

Mr. SAUNDERS of Virginia. Mr. Chairman, I maintain this proposition, that an intelligent program of national defense must be directed by intelligence, and that no one can act intelligently unless he has the information necessary for action. No one can determine what an appropriate military and naval program should be, unless he is put in possession of all of the necessary facts. I take it that in the determination of a national policy we should not be controlled by the ambiguous, not to say unintelligible assertion, that our country needs an adequate Navy. This body is as competent to act intelligently upon the whole facts as the committee. In this connection I desire to call the attention of the House to the fact that according to the contention of the naval experts, we are $700,000,000 short of an adequate Navy. If the House is expected to follow the experts, the question may well be asked, Why did not the committee follow them? These experts gave their judgment as to what was needed for an adequate Navy, and fixed it at $1,414,064,090.15.

With great apparent satisfaction the committee calls attention to the fact that the Secretary of the Navy, who himself is not an expert, reduced the estimate for the program submitted by the naval experts by several hundred millions of dollars. Proceeding further, the committee, a nonexpert body, have reduced the figures of the nonexpert Secretary of the Navy, and reported a bill that is over $650,000,000 short of the amount required to provide adequate naval protection, in the judgment of the naval experts. Does the committee think that the bill which they report, and which flouts the recommendations of the Secretary of the Navy and of the naval experts, will afford the country a really adequate Navy? If the committee can reduce the recommendations of the experts over $650,000,000 may not the Members of this House, in the exercise of an intelligent judgment, effect a further reduction in this gigantic bill, and still afford the country adequate protection? [Applause.] Are we not entitled, as custodians of American interests, to use a like discretion to that used by the members of the committee? [Applause.]

Mr. Chairman, I will submit one final request, and that is that in the course of this debate some one gentleman, speaking for the committee, will tell us what are the dangers reasonably to be apprehended by this country, and against which we must prepare on the tremendous scale proposed, and if this spokesman can not tell us what are the dangers reasonably to be apprehended, will he at least advise us as to the cloud shapes of danger that rear their turbulent and menacing heads above the rim of the horizon of the future? That much at least, we are entitled to know. [Applause.]

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. PADGETT. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. WILSON].

The CHAIRMAN. The gentleman from Texas is recognized for 15 minutes.

[Mr. WILSON of Texas addressed the committee. See Appendix.]

During the delivery of the speech of Mr. WILSON of Texas favoring the proposed three-year naval building program, and while discussing the telegram from the President in which he recommended the authorization of such program, the following transpired:

Mr. CAMPBELL of Kansas. Now, will the gentleman yield for a question right there?

Mr. WILSON of Texas. Yes.

Mr. CAMPBELL of Kansas. On the day that the President's telegram was made public in the United States he made a speech in the French Chamber of Deputies in Paris in which he congratulated the deputies there assembled and the world that there would now be a diminution of armaments throughout the world, relieving the people of that great burden. Now, as a Member of this House, I want to know his impelling reason—why at the same time he is congratulating the rest of the world that they could disarm he should be urging us to arm? Can the gentleman give us the reason for that?

Mr. WILSON of Texas. In order that the speech of the President be not misconstrued, I am going to ask permission now to print it in full in to-day's RECORD.

The CHAIRMAN. The gentleman asks leave to extend his remarks as indicated. Is there any objection?

There was no objection.

Mr. WILSON of Texas. Our President needs no defense from anyone, but, since this question is raised, it is proper that his speech should go into the RECORD while we are considering this bill, in order that it may be reconciled with his recommendation by gentlemen who want to, and in order that excerpts from it may not be taken and used by anyone to create confusion and misunderstanding and the impression that the President is not consistent. The speech was made in the Chamber of Deputies at Paris the 3d day of this month, with official France present, the Associated Press dispatch, including the speech, being as follows:

PARIS, *February 3.*

President Wilson this evening delivered an address in the Chamber of Deputies, having as auditors President Poincare, the presidents of the Chamber and the Senate and large numbers of members of both Houses of Parliament and the personnel of the French cabinet.

The President was accompanied to the Palais Bourbon by President Poincare, who called for him at the Murat mansion. Premier Clemenceau and M. Dubost, speaker of the Senate, also were in the party.

Military honors were rendered by the republican guard, resplendent in new uniforms and their full regalia. The presidential party entered the Chamber amid a fanfare of bugles and the rolling of drums.

Mrs. Wilson, Mme. Poincare, and Mme. Deschanel had seats in the presidential gallery.

CHEER FOR FIVE MINUTES.

As President Wilson rose and walked toward the tribune with a quick step, the deputies, senators, and others rose and cheered and applauded for fully five minutes. The audience insisted on hearing the President's address standing. M. Poincare, Clemenceau, and Dubost also stood. This seemed to embarrass President Wilson, who made gestures that the deputies remain seated, but they shouted: "Standing! We will hear you standing!"

President Wilson turned to M. Deschanel, begging him to request that the deputies be seated, but the president of the Chamber shrugged his shoulders, as if helpless, and President Wilson began in a low voice, which gained force as he proceeded.

There was a ripple of applause now and then as he was speaking, but the majority of the deputies and senators were unable to understand English clearly, thus the enthusiasm did not break out until the interpreter translated the speech. Then deputies and senators gave full vent to their feelings. President Wilson spoke as follows:

PRESIDENT'S SPEECH.

"I am keenly aware of the unusual and distinguished honor you are paying me by permitting me to meet you in this place and to address you from this historic platform.

"Indeed, sir, as day has followed day and week has followed week in this hospitable land of France I have felt the sense of comradeship ever become more and more intimate, and it has seemed to me that the making of history was becoming singularly clear.

"We knew before this war began that France and America were united in affection. We knew the occasions which drew the two nations together in those years, which now seem so far away, when the world was first beginning to thrill with the impulse of human liberty, when the soldiers of France came to help the struggling little Republic of America to get on its feet and proclaim one of the first victories of freedom.

"We had never forgotten that, but we did not see the full meaning of it. A hundred years and more went by and the spindles were slowly weaving the web of history. We did not see it to be complete, the whole of the design to be made plain.

DIVERGING LINES MEET.

"Now, look what has happened. In that far-off day when France came to the assistance of America, America was fighting Great Britain. And now she is linked as closely to Great Britain as she is to France. We see now how these apparently diverging lines of history are coming together. The nations which once stood in battle array against one another are now shoulder to shoulder fighting a common enemy.

"It was a long time before we saw that, and in the last four years something has happened that is unprecedented in the history of mankind. It is nothing less than this—that bodies of men on both sides of the sea and in all parts of the world have come to realize their comradeship in freedom.

"France in the meantime, as we have so often said, stood at the frontier of freedom. Her lines lay along the very lines that divided the home of freedom from the home of military despotism. Hers was the immediate peril. Hers was the constant dread. Hers was the most pressing necessity of preparation, and she had constantly to ask herself this question: 'If the blow falls, who will come to our assistance?'

"And the question was answered in the most unexpected way. Her allies came to her assistance, but many more than her allies. The free people of the world came to her assistance.

AMERICA PAYS HER DEBT.

"And in this way America paid her debt of gratitude to France by sending her sons to fight upon the soil of France. She did more. She assisted in drawing the forces of the world together in order that France might never again feel her isolation; in order that France might never feel that hers was a lonely peril, and would never again have to ask the question who would come to her assistance.

"For the alternative is a terrible alternative for France. I do not need to point out to you that east of you in Europe the future is full of question. Beyond the Rhine, across Germany, across Poland, across Russia, across Asia, there are questions unanswered, and they may be for the present unanswerable.

"France still stands at the frontier. France still stands in the presence of those threatening and unanswered questions—threatening because unanswered; stands waiting for the solution of matters which touch her directly and intimately and constantly; and if she must stand

alone, what must she do? She must put upon her people a constant burden of taxation. She must undergo sacrifice that may become intolerable.

NATIONS MUST BE READY.

"And not only she but the other nations of the world must do the like. They must be ready for any terrible incident of injustice. The thing is not inconceivable.

"I visited the other day a portion of the devastated region of France. I saw the noble city of Rheims in ruins, and I could not help saying to myself, 'Here is where the blow fell, because the rulers of the world did not sooner see how to prevent it.'

"The rulers of the world have been thinking of the relations of governments and forgetting the relations of peoples. They have been thinking of the maneuvers of international dealings, when what they ought to have been thinking of was the fortunes of men and women and the safety of home and the care that they should take that their people should be happy because they were safe.

"They know that the only way to do this is to make it certain that the same thing will not always happen that has happened this time, that there never shall be any doubt or waiting or surmise, but that whenever France or any free people is threatened the whole world will be ready to vindicate its liberty.

"It is for that reason, I take it, that I find such a warm and intelligent enthusiasm in France for the society of nations—France with her keen vision, France with her prophetic vision.

IS MANKIND'S NEED.

"It seems to be not only the need of France, but the need of mankind. And France sees the sacrifices which are necessary for the establishment of the society of nations are not to be compared with the constant dread of another catastrophe falling on the fair cities and areas of France.

"There was a no more beautiful country. There was a no more prosperous country. There was a no more free-spirited people. All the world had admired France, and none of the world grudged France her greatness and her prosperity except those who grudged her liberty and her prosperity. And it has profited us, terribly as the cost has been, to witness what has happened, to see with the physical eye what has happened, because injustice was wrought.

"The president of the chamber has pictured, as I can not picture, the appalling sufferings, the terrible tragedy of France, but it is a tragedy which could not be repeated. As the pattern of history has disclosed itself it has disclosed the hearts of men drawing toward one another. Comradeships have become vivid. The purpose of association has become evident.

BROTHERHOOD PLAN NEARS.

"The nations of the world are about to consummate a brotherhood which will make it unnecessary in the future to maintain those crushing armaments which make the peoples suffer almost as much in peace as they suffered in war.

"When the soldiers of America crossed the ocean they did not bring with them merely their arms. They brought with them a very vivid conception of France. They landed upon the soil of France with quickened pulses. They knew that they had come to do a thing which the heart of America had long wished to do. When Gen. Pershing stood at the tomb of Lafayette and said, 'Lafayette, we are here!' it was as if he had said, 'Lafayette, here is the completion of the great story whose first chapters you assisted to write.'

"The world has seen the great plot worked out, and now the people of France may rest assured that their prosperity is secure because their homes are secure; and men everywhere not only wish her safety and prosperity, but are ready to assure her that with all the force and wealth at their command they will guarantee her security and safety.

"So, as we sit from day to day at the Quai d'Orsay, I think to myself we might, if we could gain an audience of the free peoples of the world, adopt the language of Gen. Pershing and say, 'Friends, men, humble women, little children, we are here; we are here as your friends, as your champions, as your representatives. We have come to work out for you a world which is fit to live in and in which all countries can enjoy the heritage of liberty for which France and America and England and Italy have paid so dear.'"

Mr. PADGETT. Mr. Chairman, I believe I have 20 minutes.

The CHAIRMAN. The gentleman has 20 minutes remaining.

Mr. PADGETT. Mr. Chairman and gentlemen of the House, I do not know that I shall consume all of the 20 minutes. I thought it proper to refer to some matters adverted to heretofore. The gentleman from Virginia [Mr. SAUNDERS] referred to the chaotic condition in Russia and in Germany, the disintegration of Turkey, and we read in the papers about the spread of bolshevism, the breakdown of organized government, and the weakness and inability there of constituted authority to maintain peace and order and international relations and international obligations.

I readily concede that a condition almost of chaos and anarchy exists in all that great part of the world, involving many hundreds of millions of people. And as I stand before you I ask you seriously and solemnly in the face of that condition, involving one-half of the population of the world, Are we not going to look at our preparation, are we going to turn our backs to the past, and close our eyes to the future and make our ears deaf to any suggestion that the great people of the United States do not desire, purpose, or intend to make themselves a protectorate of any other country of the world?

We have a condition to-day and for the future that is different from what it has ever been before. It is true we have the same great coast line on two oceans, extending for thousands of miles; we have great cities, with disturbed and uncertain conditions abroad; we have resting on us the obligations as to our international duties, a responsibility to our citizens when they travel abroad; we have it to maintain toward the citizens of other countries that may come here. With all of these diversified duties and obligations mingled and mixed with all these conditions, I repeat, Is there not to us in the very suggestion of the gentleman a duty that we shall not neglect our own protection and our own care? [Applause.]

Again, I want to call attention to the fact, and I want to make it plain, that we are not building against any nation; we are building for the United States—not that we loved Cæsar less, but that we love Rome more; or, if I may bring it down from the expression of ancient days, we are not preparing against any nation toward which we entertain or maintain any spirit of hostility or enmity, but looking with love, with patriotic devotion to the great and diversified interests of the United States, prompted by a desire to preserve and be ready at all times to protect the interests of the United States. It is our country that we love, and no other country do we hate. That is the purpose and the spirit and the intent that has moved the Committee on Naval Affairs in submitting to you for your consideration and asking your approval of the proposals that are contained in this bill. I believe that we can address it to your intelligence, to your judgment, and to your patriotism, and spurn to appeal to any sense of enmity, ill will, or jealousy of any other country in the world.

Mr. McCORMICK. Mr. Chairman, may I interrupt there with a single question?

Mr. PADGETT. Yes.

Mr. McCORMICK. How does this plan comport with that one of the 14 points which proposes the reduction of armaments to the lowest point consistent with domestic security?

Mr. PADGETT. I will be very glad to answer that, and I want here to pay tribute to my confidence and my firm belief and conviction in the sincerity of our President, who is abroad, laboring to accomplish, if it can be done, that result. [Applause on Democratic side.] Yet, let me say that when the President stood in yonder place and spoke to the Senate and the House he used this language:

I earnestly recommend the uninterrupted pursuit of that policy of continued naval program. It would clearly be unwise for us to attempt to adjust our programs to a future world policy yet undetermined.

I do not know what is going to come out of the league of nations; I do not know what is going to issue out of the contention and the work to bring about a disarmament; but I do know that if there is any league of nations established that that nation which has a predominant sea power will exercise a predominant influence and control in that league, and I do know that I want the United States to be able, for her dignity, for her honor, for her glory, and for the performance of her international duties and obligations, to be prepared to make in that league of nations a contribution equal to that of any other country, so that in the partnership we will be an equal partner and not a minority stockholder. Let us face the issue fair and square. It brings me back to the statement I made a moment ago. With our great merchant marine, with our seacoast, with the transformation of the financial centers of the world, and all these duties and obligations that rest upon us, I want the contribution of the United States to equal that of any other country.

Mr. BUTLER. Mr. Chairman, I desire the gentleman from Tennessee to set me straight, as he has often done heretofore on other matters, about one matter to which I desire to direct his attention. I am somewhat confused. I have heard the chairman of the committee speak of the necessity of increasing our armament to a certain size because of our extensive sea borders. That seems to be in conflict with what the President of the United States said when he opened the convention abroad, because the President is then reported to have spoken as follows:

In a sense the United States is less interested in this subject than the other nations here assembled. With her great territory and her extensive sea borders, it is less likely that the United States should suffer from the attack of enemies than that other nations should suffer.

I can not understand that.

Mr. PADGETT. Mr. Chairman, I shall answer the question of the gentleman from Pennsylvania as I understand it. I do not think the President meant to be understood that with a long seacoast we are not liable to be attacked.

Mr. BUTLER. I could not tell about that. I simply read what the President said, and at the time it impressed me as a contradiction of our views in recommending the naval program.

Mr. PADGETT. I do not think the President is to be understood as meaning what the words there, as the gentleman has submitted them, may be interpreted to mean.

Mr. BUTLER. I can not understand it. He says with our great territory——

The CHAIRMAN. Does the gentleman yield?

Mr. BUTLER. Oh, I am not doing this for the purpose of in any way criticizing anything that the President may have said. I do not quite understand it—

With her great territory and her extensive sea borders, it is less likely that the United States should suffer from the attack of enemies than that other nations should suffer.

Mr. PADGETT. I could not answer that. I do not know whether that is a correct quotation of what the President said. I do not know the connection in which it was said, but there is one thing certain and that is that with the great seacoast we have, we all know that in time of war it would be an exposure to danger.

Mr. McCORMICK. Mr. Chairman, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. McCORMICK. A moment ago the chairman of the committee suggested, as I understood him, that the power which possessed the greatest fleet would dominate the councils of the league of nations to enforce peace—not that power which had the greatest population or whose cause was the most just, but that which had the greatest armament. If that be true, Mr. Chairman, does not the gentleman from Tennessee suggest that the league of nations to enforce peace is an invitation to arm in order that you may have assets to control its deliberations and to determine the decision of the "justicable disputes"?

Mr. PADGETT. I know that there are two phases of the question, and it is assumed that in the league it may rightly be assumed that in many phases of it the idea advanced by the gentleman would be the predominant idea, but there are——

Mr. McCORMICK. But the idea was advanced by the gentleman from Tennessee that if you would be heard and carry weight within the league you must arm.

Mr. PADGETT. I know this to be true, that in every combination of human energy and human effort, in stock companies, in banks, in corporations, and all sorts of organizations the fellow who is the majority stockholder exercises the power and the influence. I know another thing, that in the big States of the Union there is influence that counts, and I would suppose that in the league of nations, if in the frailty of human nature, in the weakness or in the heat of passion, there should come a decision in that league, the gentleman would not want the United States to be a minority stockholder or to be under the protectorate of some other country.

Mr. BUTLER. But we do not want to hold all the stock.

Mr. McCORMICK. The President suggested it is to be a peace of the common man and not of the majority stockholders.

Mr. PADGETT. We want the United States as one of the common stockholders to own an equal share with others. Now, then, another matter I want to call attention to is this, that the Navy is the proper, logical, and sensible defense of the United States. Separated as we are from other countries with an ocean on either side, a Navy upon the high seas protects us from an army coming upon our shores, and as long as we have a Navy we can dispense with an Army. I am not going to consume the time of this committee in attempting to recite the splendid performance of our Navy in this last war. It is known of all; it is approved of all; it is a source of pride, satisfaction, and glory to the American people. My friends, one other thought: Let us be consistent; let us pursue the policy that we adopted in 1916 of not building haphazard, but to look at a program embracing several years and live up to it and meet the duties and the obligations that rest upon us.

Mr. STAFFORD. Will the gentleman yield?

Mr. PADGETT. I will.

Mr. STAFFORD. As I understand the present existing program, the yards will not be able to complete it for three years?

Mr. PADGETT. That has been our contention all along.

Mr. STAFFORD. Now, we are proposing a program that can not take any form until three years in the future?

Mr. PADGETT. Oh, no.

Mr. STAFFORD. I mean as far as building is concerned?

Mr. PADGETT. No; we can lay down two of each type of ship along about next May of the fiscal year for which we are providing.

Mr. STAFFORD. My information was that nothing could be done for at least two and mayhap three years in the future?

Mr. PADGETT. No. We can begin the laying down of them in the latter part of the fiscal year for which we provide.

Mr. STAFFORD. When is it contemplated that this program will be completed?

Mr. PADGETT. It will take about seven years, and I will explain that to the gentleman.

Mr. STAFFORD. Congress is not intended to be in adjournment during that period, is it?

Mr. BRITTEN. Will the gentleman yield?

Mr. PADGETT. Let me finish this. This is a three-year program for 10 battleships and 10 scout cruisers, and it is suggested in the bill that during the first fiscal year of the three we start the construction of two battleships and two scout cruisers. It will take not less than three years to complete those. In the second-year program they would start four battleships and four scout cruisers. It would take three years from the starting of them to finish the battleships. That would run it for four years. Then you take the next one, the third year you start them; you take the remaining four battleships and remaining four scout cruisers and it will take three years to complete the battleships. That runs it up to six years, but as we do not begin them until in 1920 it would run until 1926 before they were completed, and this authorization we made of $412,000,000 would be distributed and divided up in the seven years in which construction would be carried on.

The CHAIRMAN. The time of the gentleman has expired; all time has expired.

The Clerk read as follows:

GENERAL EXPENSES.

The Secretary of the Navy shall send to Congress at the beginning of its next regular session a complete schedule or list showing the amount of money of all pay and for all allowances for each grade of officers in the Navy, including retired officers, and for all officers included in this act and for all enlisted men so included.

Mr. LONDON. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for 10 minutes. Is there objection?

Mr. MANN. Mr. Chairman, reserving the right to object—and I do not propose to object—but I would like to ask the gentleman from Tennessee whether the gentleman proposes to allow during consideration of the bill under the five-minute rule general discussion of the naval policy, with extensions of time, when any Member takes the floor?

Mr. PADGETT. I have no objection to a reasonable extension of time for the purpose of discussing the matters in the bill, but I do not want to extend time with reference to outside matters that do not relate to the bill. Is the gentleman going to discuss the bill?

Mr. LONDON. I will discuss the policy—the naval policy.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. LONDON. Mr. Chairman, I ask leave to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none.

Mr. LONDON. Mr. Chairman, we have before us a bill appropriating for the purposes of the Navy a sum of money which only a short time ago was considered sufficient for all the purposes of the Government, a sum of money larger than the total annual prewar appropriations of all European countries combined. We are asked to impose upon the people this heavy burden after the war has been won.

We thought we were through with the world crisis. We were evidently mistaken. It looks as if the armies and navies of the allies have won the war, but as if the people have lost the war. Instead of general rejoicings such as one would expect after the conclusion of a great struggle there is fear, restlessness, uncertainty, and anxiety—anxiety as to the present and anxiety as to the future. I shall attempt to explain it. It is a sad fact that this country has had no definite international policy and that it has none now. This is certainly true as far as the two political parties—the Republican and the Democratic Parties—are concerned.

In 1916 the majority party in Congress was elected on a platform of "He kept us out of war." The charge has been made by Republicans since that the Democrats were insincere in 1916. But the Republicans had nothing to offer in 1916. They knew then that there was a Kaiser in Germany. They knew then that Belgium had been invaded in 1914. They, the Republicans, did not demand in 1916 that the country enter the war. On the contrary, they sought to avoid the issue of war. When pressed for an answer to the question, "What would you have done?" the presidential candidate of the Republican Party finally picked up enough courage and declared that he would have taken possession of the German ships interned in American harbors. That was as far as he would go.

About six weeks before the country declared war the President had asked for armed neutrality. If you will read the speeches delivered during the discussion of the armed-neutrality bill you will find that almost every man who spoke for it argued that it was sure to keep us out of war. Everybody professed anxiety that the country be kept out of war. That was in the beginning of March of 1917. The armed-neutrality bill failed of passage in the Senate.

In April Congress declared war by an overwhelming majority. The legal ground was the invasion of the right of Americans to travel on the seas without danger to their lives. America's

right to freedom of the seas had been invaded. During a short address which I delivered in February, 1917, I asked this question: "What will the United States win if it wins the war? Italy will get 'Italia Irredente,' France will get Alsace-Lorraine, Russia will get Constantinople; Germany, if she wins, will have destroyed a great commercial rival; England, if she wins, will succeed in strengthening her world empire. What will the United States win if we win?" The answer was that we would win the right to unmolested travel on the seas in the next war, because in peace times that right was not disturbed.

As things stand now, the very phrase "freedom of the seas" is yet to be interpreted. Immediately after the declaration of war there was a general feeling that the fight for the right to travel on the seas unmolested during the time of war, and for that only, would not appeal to the heart of the American people. So new slogans were created. I do not say that they were created dishonestly. On the contrary, I do wish the President of the United States success in his work. I believe that he is right in being where he is now, trying to get the best he can for America and humanity out of this crisis. [Applause.] I am not saying it in criticism. I would readily give my life to promote the things he has announced he stands for.

The truth is that he has more loyal and genuine support in the socialist movement of the world than among the tories and plutocrats and munition manufacturers of Europe and of America. There is no doubt about that. I know you would not have the courage to applaud that statement, because there is too much truth in it. But it is a fact anyway.

The President announced a new slogan, "We will make the world safe for democracy; we will try to get rid of the Kaiser and do away with autocracy." Of course, the country knew that at one time there was a Czar in Russia, and the Czar of Russia was not a bit better than the Emperor of Germany. The country knew that there was a Sultan in Turkey, and no effort was made to democratize his peculiar institutions. But the slogan was proclaimed, "We are going to make the world safe from the evils of autocracy."

Well, that was not strong enough. Then the President and all other statesmen came out with the slogan, "We are going to make this the last war." Mothers were told that their boys were being sent across to France so as to make this the last war. This did appeal to the hearts and souls of men. And the most radical of radicals, the most extreme of extreme Socialists and revolutionists said, "Oh, yes; that is something worth while fighting for. We will make this the last war." And, as I pointed out in my speech in January, 1918, the President's 14 points—which, by the way, were proclaimed by the entire press of the country as a new Sermon on the Mount, a new and noble code of international ethics—there was not a Republican newspaper that criticized those 14 points. On the contrary, the custom was then to praise anything that the President said as the greatest and the grandest and the profoundest thing that has ever been said by any human being. And those 14 points were proclaimed to be the wisest thing that ever came from the brain or lips of man. I started out to say that in a speech which I delivered on the floor of this House on the 11th of January, 1918, I pointed out the fact that these 14 points were in substance the 15 points presented by the revolutionary movement of Russia.

We are now told that these 14 points are not what we have been fighting for.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LONDON. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from New York asks unanimous consent for five minutes more. Is there objection?

Mr. STAFFORD. Mr. Chairman, reserving the right to object, I would like to know at the outset of the consideration of the bill under the five-minute rule what is to be the policy of the chairman as to the consideration of the bill and how long it is his intention to run to-night?

Mr. PADGETT. I announced this morning that I want to finish the bill by to-morrow night, and I want to run as late to-night as necessary, and see if we can finish it to-morrow.

Mr. STAFFORD. If that is the policy, if you are going to allow everybody unlimited time under the five-minute rule, you could run until midnight to-night and to-morrow night and not finish the bill. I do not think it is fair to the membership to grant these unlimited extensions of time.

Mr PADGETT. I will have to object.

Mr. JOHNSON of Washington. We can stay here until midnight. I hope the gentleman will not object.

Mr. PADGETT. I will not object now, but let me say that hereafter I will object.

Mr. DIES. I want to say to the chairman, before he makes that statement, that I have not taken up any time heretofore in the debate, but I shall want 10 minutes as soon as the gentleman gets through.

Mr. PADGETT. On the bill itself?

Mr. DIES. Yes; on the bill itself.

Mr. PADGETT. I am willing to allow full discussion on the bill itself.

Mr. BUTLER. On the bill and on the policy involved.

Mr. DIES. Otherwise I may make a number of five-minute speeches. But if I can get 10 minutes I think in that time I can get out of my system what I have to say. [Laughter.]

The CHAIRMAN. The gentleman from New York is recognized for five minutes more.

Mr. LONDON. Mr. Chairman, many of our statesmen are now opposed to the very things that the President has informed the world this country stands for; the very things on which he bases his appeal to the conscience of the world—disarmament, the doing away with conscription, the establishment of some arrangement among the nations of the world which will substitute moral force or, in the worst stage, the economic boycott for physical force. These very things are repudiated as visionary. A league of nations may be impracticable; it may be impossible of immediate realization. But the effort should be made by thinking men. The moral appeal of the President to the world is strong, and yet in this country the big moral principle, that new ethical code that he proclaims to the world, is ridiculed as nebulous and absurd.

What remains? There remains a war that has been won by the armies and the navies, not by the people. The people have been fighting for disarmament. They can not get that. The statesmen say it is not worth while. The people have been fighting for a world federation. The statesmen say it is not worth while—that it is a joke; that it is not worth trying. There is a lack of a definite international policy. There is a lack of support for the President who speaks in behalf of the people. He has plenty of difficulties over there. The secret treaties, the existence of which has heretofore been patriotically denied, are now made the basis of conflicting claims.

The old-style statesmanship is bankrupt.

The Washington Post credits Sir Arthur Balfour, foreign secretary of Great Britain, with the statement that pacts entered into by the nations will not be affected by the constitution of the league of nations. In other words, all the sinister schemes involving the spoliation of territory, secret treaties—treaties to which neither the people nor the Government of the United States was a party—will stand, in spite of the league of nations.

They may give you a new phrase; they may make you a "mandatory." [Laughter.] They may give you some new expression; but the substance of what the people of the world, the common masses, think the league of nations should be, the people are not going to get. That is why there is fear; that is why there is restlessness. The sum and substance of my complaint is that we have had no definite international policy heretofore, and that we have no definite international policy to-day; that we are drifting; that we do not know "where we are at." That is the sum and substance of my complaint. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. DIES. Mr. Chairman, as nearly as I can make out, the complaint of my Socialist friend from New York is that the world has not repealed the law of human nature. I had not expected that to occur. The discussions of the chairman of the Committee on Naval Affairs on this floor rather disclosed the fact that that imaginary happening is not expected to be a fact, because he said we need the enactment of this naval program, which, I may say, is the largest in the history of the world, because we want to go into the league of nations with a bigger stick than anybody else has who comes into the league. [Laughter.]

That is a very commendable thing, of course, to go in with a better army than the other folks. Naturally Great Britain cherishes the same desire; likewise Italy and France.

Now, I do not want to pay any respects to the Kaiser nor to Hindenburg nor to Bernhardi, but if I read Bernhardi's book "The Next War" intelligently, he was in entire accord with the chairman of the Committee on Naval Affairs; that is, that force eventually determines the course of nations.

But I did not rise to talk about that phase of the naval appropriation bill. I have been under no delusion. All these phrases and nebulous speeches here and elsewhere have not deceived me. I have known all the while that human nature is just now what it has always been, and will probably remain so until the end of time. Nor do I sympathize with the defense of the President by the Socialist Member from New York. I know he is an internationalist. I am an American. [Applause.]

I am a selfish American. I believe in my country, and I want to promote its prosperity and its glory. I say with the poet:

This is my own, my native land.

And all of this international, socialistic, maudlin sentiment that is being propagated over the world is childish and academic. It is the spawn of those philosophers who learn human nature on the fifth story and not of those who have learned it from flesh-and-blood men. The point I want to inquire about is this: Who knows where we are going to get all the money to respond to all these cablegrams and all of these schemes and chimerical propositions for the uplift of mankind? Every Cabinet minister is busy with pencil and pad of paper showing how he could spend hundreds of millions of dollars to raise mankind to a state of bliss, and the head of every department and every committee is working overtime devising ways and means to spend sums of money which less than a decade ago were regarded as colossal expenditures. Now it is the building of homes for the poor. Now it is the purchase of lands for the homeless. Now it is railroads. Now it is telephones. Now it is an expenditure for the Navy of the United States which, I am told, exceeds the expenditure of Germany, England, and France for almost a decade before the war. Where are all these billions and billions coming from? Now, let me tell you. I understand every eleventh man in the United States pays an income tax. I am reliably informed that that is practically the entire source of our income, looking to the future. We will have no more whisky tax; we will have no great tariff tax of consequence, for it has dropped to $150,000,000 in the last fiscal year. I am told you are going to get it by the income tax. That is where you will get the money to build this Navy. Now, my friends, there are many hard-headed business men here, and I submit to you gentlemen you must do your own thinking about this question. Where are you going to get the billions to do these numerous things? I believe we have a per capita circulation of about $55. That would make a total of $5,500,000,000. But what is $5,500,000,000 considering the activities of the Government of the United States? Are you going to take every dollar there is in the United States out of the pockets of the people every six months? Why, you ought at least to allow it to go back into their pockets again and let them feel of it three or four times before you take it away again. [Laughter and applause.]

Now, here is what you are going to do: You take an income tax from every eleventh man, and you buy a little boat or a little railroad, or build a little house for the poor, or something else, and the other 10 fellows say, "That looks to me like pretty good business." Of course the eleventh fellow feels badly about it; but naturally, as long as these incomes hold out, you are going to have every sort of paternalistic suggestion. You are going to have socialistic doctrines and Government ownership preached from every rostrum. You are going to have attic philosophers telling the people that they ought to be supported by the Government; but is that all you are going to do? Oh, no. The day is coming, and it is not going to be long in coming at the rate we are traveling, when you will milk the incomes of the United States dry. Every man with the brain and the brawn and the will to work 12 or 14 hours a day to build a fortune will be driven out of business, and you will destroy the initiative of the American spirit which has builded up this great Nation of a hundred million people, the wealthiest in the world. Gentlemen do not earn incomes merely to have them taken from them by some dreamer of internationalism to build houses for some lazy fellows who will not work enough and save enough to build their own houses. [Applause.] Mr. Chairman, I have inquired diligently now for several months for somebody who says this Government and this people are able to carry on these colossal undertakings and bear these colossal burdens. You go to the chairman of the committee and ask him in vain. He does not know who in this Republic says that we can carry on these colossal undertakings and inflict upon the business of this country these tremendous taxes and not bring to the people of this country the greatest panic the world has ever seen. We are inflating the currency in order to get more money so that we can tax more money from the people, and the result is that inflation means high prices of the things that folks eat and the things that folks wear. Have a care! You have used up largely the accumulated wealth of Europe by absorbing their securities. You have placed a colossal mortgage upon the future of the destiny and the property of the people of the United States. You have done that, and you have spent the money, but you can not keep on writing these first, second, third, fourth, and fifth mortgages against the property of this country. The people of the United States might as well face the question.

After all these academic speeches over the world it requires as much labor now to produce steak and pork chops and eggs and food generally and clothing generally as it did before this war began. So when you get right back to the proposition, we might just as well tell the folks that these appropriations have got to stop, or that you are going to stop business, because you will make it worthless to the man who engages in business. Do you suppose any man wants to go out and engage in manufacturing enterprises or in farming operations, or in milling or mining, to make an income, for no other purpose than to have some dreamy-eyed socialist suggest that it be spent to uplift mankind? I hope I am a bad prophet, but you are the body that under the Constitution is responsible for revenue legislation.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. IGOE. I ask unanimous consent that the time of the gentleman be extended five minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that the time of the gentleman from Texas be extended five minutes. Is there objection?

There was no objection.

Mr. DIES. You are responsible, not the President in Paris; you under the Constitution as the coordinate branch of government are clothed by the Constitution with the power to originate revenue legislation. And every Member of this body has his own responsibility, and you ought to ask yourselves and give yourselves an intelligent answer, Where are the billions to come from to pay these colossal expenses? Mark you, gentlemen of this Congress, you are doing more than expending billions, you are teaching the American people a doctrine of paternalism that will curse them and their generations yet unborn in this country. If you only threw away and wasted and squandered the billions of money taken from taxation and business, if you only brought on industrial panic, the people could recover from that. Poverty and panic are not the worst things in the world, but you are spending billions taken from every eleventh man in a way to teach the American laboring man, the farmer, the railroad owner and the telephone owner, that the Government owes them a duty to support them and to lend them money and finance their operations and take charge of them.

The Government consists of nothing except the people in the aggregate. The Government is a pauper, has not a dollar except it taxes it from the people.

We see a strange tragedy here to-day—Dr. Jekyll and Mr. Hyde. Dr. Jekyll demands the people to lend him money, and Mr. Hyde is telling the people that he is going to give them money to help them out of want and poverty. Dr. Jekyll says to the people of the United States, "Buy liberty bonds and war-saving stamps, and if you do not you will have to sign a yellow card that you are not a true patriot." And Mr. Hyde says, "We are going to build homes for the farmer, buy railroads, telephones," and so forth. Wonderful consistency! Do you know we need two political parties in this country, Mr. Chairman? We need one party that stands for the Constitution and liberty by law; that stands for America and for representative democracy and for a conservative Government. Let the radicals get to themselves. The misery of this situation is, the pitiful tragedy of politics in America to-day is, that we have two political parties vying with each other as to which can offer the most to the radical vote and get it in the largest quantity. [Applause.] The Republicans proceed to enact radical legislation, and we Democrats go you one better and advocate more radical legislation. [Applause.] There comes a time in this country, with bills like this, where we appropriate money that no sensible man knows where it comes from, bills threatening the industrial safety of this Republic. You have to have a conservative party to run the Government and hold in check the radical party.

Mr. Chairman, I wish some voice might cry out in the wilderness to tell the people of this country that it is their duty to support the Government and not the Government's duty to support them. The first two fundamental principles of government, and they are worth more than all the balance combined, are the protection of life and the protection of property. If there is no protection of property protection of life is worthless, because, in the language of the Merchant of Venice, "you may as well take my life as to take the means whereby I do sustain it."

They have more liberty in socialistic Russia to-day than they know what to do with. [Laughter and applause.] A man can absolutely yell at the top of his voice in a meeting house; he can shoot; he can do anything on earth except to retire to his home castle and say "This is my citadel and I and my wife and children are safe." He can not do that. He can do anything on earth in Russia except to make a crop with the assurance that he can gather his own crop. He has all the liberty that a wild ass on the prairie has [laughter and applause] without the mule's security. [Laughter.]

What we need in this country is for the laboring man, the farmer, the banker, the people of the United States, to return to the old-time religion of Lincoln, of Jefferson, of Grover Cleveland, and the democracy of the country. Why do we not tell the people honestly and fairly that it is none of the Government's business whether they have a farm or not, it is the business of the individual to depend on himself. [Applause.] Do you know we are binding the hands and the arms of the people to their sides by the socialistic enactments. If you want a man's arm to wither, bind it by his side and give him no use of it. I think the most hateful doctrine in the world is the doctrine of socialism. I had rather have anarchy than socialism, because you recover from it more quickly. Anarchy is a good deal like a violent attack of pneumonia—the crisis may pass in three or four days; but socialism is the galloping consumption of the Nation [laughter and applause], where you linger and languish and perish away. I would say to the people who advocate socialistic legislation to rise a little earlier; if you are a farmer, save fertilizer more diligently; if you are an artisan, learn to have a little saving laid by, because depending on the Government will never get you into competency. That about completes what I have to say.

Mr. BURNETT. Mr. Chairman, will the gentleman yield?

Mr. DIES. Yes.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BURNETT. In view of the very able speech of my colleague, is he going to vote for this three-year proposition?

Mr. DIES. Why, no; I already have all upon my conscience that I care to carry with me out into the security of private life when I retire from Congress. [Prolonged applause.]

The Clerk read as follows:

Contingent, Navy: For all emergencies and extraordinary expenses, exclusive of personal services in the Navy Department, or any of its subordinate bureaus or offices at Washington, D. C., arising at home or abroad, but impossible to be anticipated or classified, to be expended on the approval and authority of the Secretary of the Navy, and for such purposes as he may deem proper, $150,000.

Mr. RANDALL. Mr. Chairman, I offer the following amendment which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. RANDALL: Page 4, line 10, after the figures "$150,000," insert—

"*Provided*, That the Secretary of the Navy be, and he is hereby, required to furnish the adjutant general of each State, or to the officer thereof exercising corresponding functions, after requisition therefor, the names, home addresses, and rank attained and the date and reason for termination of service of the men of such States who served in the United States Navy or Marine Corps during the war between the United States and the Imperial German Government."

Mr. PADGETT. Mr. Chairman, on that I reserve the point of order.

Mr. RANDALL. Mr. Chairman, I hope the gentleman will not make the point of order. I appreciate the fact that it is subject to a point of order, but the object of the amendment is to enable the communities, the various cities in the States of this country, to secure the names of the men who served from the various local communities in the present war. A similar amendment, if this be permitted, will be offered to the Army bill. It requires no particular expense, but makes it possible for the local communities in the States to secure from their own adjutant general the honor roll of their own communities.

Mr. McKEOWN. Mr. Chairman, will the gentleman yield?

Mr. RANDALL. Yes.

Mr. McKEOWN. I will state to the gentleman that the Legislature of the State of Oklahoma has passed a resolution requesting this same matter in reference to the Army and Navy.

Mr. RANDALL. I am informed by the chairman of the committee that these States can get this information at the present time, but I desire to say that the only information that can be secured is the names of the men who enlisted from the State, but not their home addresses or any information of a local character.

Mr. GARD. Are not those facts known in the several States?

Mr. RANDALL. They are known so far as the draft lists are concerned, but volunteers often enlist from points outside of the State.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. RANDALL. Yes.

Mr. STAFFORD. Has the gentleman taken pains to ascertain what additional cost this will entail, if the department undertakes it at the present time?

Mr. RANDALL. I will say to the gentleman that I understand there is a great surplus of clerks in the War Department at the present time. There would not be any extra expense incurred in connection with it.

Mr. STAFFORD. Mr. Chairman, the gentleman has stated that it is his understanding that there is a surplus of clerks in the War Department. In the preparation of the legislative, executive, and judicial appropriation bill The Adjutant General appeared before the subcommittee having that bill in charge and stated that he himself would need $3,000,000 alone for clerical work in his bureau to do the work that has been planned, which he regards as pressingly needed.

Mr. GARD. Mr. Chairman, will the gentleman yield?

Mr. RANDALL. Yes.

Mr. GARD. Will the gentleman advise us what is the condition with respect to the Navy, whether their clerical force is overworked or underworked?

Mr. STAFFORD. As to the Navy, though I have not heard the chairman of the committee mention what action they have taken upon it, it was suggested that if they were permitted they would continue during the next fiscal year the employment of yeomen and yeowomen in clerical positions, and still they would not have a sufficient force unless we authorized them to employ more than provided on their statutory roll. We allowed them a lump-sum appropriation of over $1,000,000, distributed to the various bureaus for clerical services in these respective bureaus, and that was predicated somewhat upon the idea that they would continue a large contingent of yeomen and yeowomen in the service next year. They testified that they were going to go before the Naval Affairs Committee and ask for an authorization for the utilization of yeomen and yeowomen for the next fiscal year. Whether the committee has seen fit to grant that, I do not know.

Mr. PADGETT. The committee has not granted it; and on the declaration of peace the yeomen and yeowomen will go out.

Mr. STAFFORD. I wish to compliment the committee on taking that position.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that his time be extended for three minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STAFFORD. I do not think we would be justified in continuing in the service, when the war is at an end, the yeomen and yeowomen for clerical positions when there are plenty of clerks to be obtained to fill those positions from the civil-service register.

Mr. PADGETT. Mr. Chairman, the department tells me that under this bill they are going to be exceedingly pressed for clerical help. They are claiming that they will not have help enough to do the work that will devolve upon them. This would necessitate a good deal of extra work and considerable expense. I insist upon the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read, as follows:

Aviation, Navy: For aviation, to be expended under the direction of the Secretary of the Navy for procuring, producing, constructing, operating, preserving, storing, and handling aircraft, establishment and maintenance of aircraft stations, including the acquisition of land by purchase, donation, or condemnation for erection of a factory for lighter-than-air machines; and for experimental work in development of aviation for naval purposes, $25,000,000: *Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for drafting, clerical, inspection, and messenger service for aircraft stations shall not exceed $300,000: *Provided further*, That the Secretary of the Navy is hereby authorized to consider, ascertain, adjust, determine, and pay out of this appropriation the amounts due on claims for damages which have occurred or may occur to private property growing out of the operations of naval aircraft: *And provided further*, That no part of this appropriation shall be expended for maintenance of more than six heavier-than-air stations on the coasts of continental United States.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order.

Mr. CONNELLY of Kansas. Mr. Chairman, I move to strike out the language on page 4, line 25——

The CHAIRMAN. A point of order has been reserved which will have to be first disposed of before amendments may be offered. Does the gentleman insist upon the point of order?

Mr. PADGETT. Mr. Chairman, what is the point of order?

Mr. STAFFORD. Mr. Chairman, I reserved the point of order partly to obtain information about some new phraseology. I wish first, however, to ascertain what is the purpose of providing $25,000,000 for aviation purposes for the Navy, now that the war is at an end. I think some explanation should be made

of that tremendous amount which it is suggested shall be appropriated for the Navy for that purpose in peace times.

Mr. PADGETT. The original appropriation submitted was for $225,000,000.

Mr. STAFFORD. That was based, if the gentleman will permit, on the idea that we were to continue in the war?

Mr. PADGETT. Yes; I understand. Now, I will give the gentleman the history of it. When the bureau chiefs came before us they set forth in the hearings the demand and necessity as they estimated for $85,000,000, and the Secretary of the Navy in his hearing arbitrarily reduced that to $36,000,000. The committee in considering it has reduced it to $25,000,000. I want to say to the gentleman that I doubt very much if $25,000,000 will carry on the activities of the Navy with reference to the ships and the limited number of shore stations. We put in a proviso there limiting the shore stations to not exceed six in the continental limits of the United States. Now, I have a letter here from the Secretary to which I desire to call your attention. He says:

NAVY DEPARTMENT,
Washington, January 11, 1919.

MY DEAR MR. CHAIRMAN: I beg to acknowledge receipt of your letter of the 10th instant, in which you request that the committee be furnished with a full and detailed statement of the items, the usages, and purposes for which the $36,000,000 is desired in the item "Aviation—Navy," as it appears on page 11 of the first draft of the naval appropriation bill.

The following is a detailed statement of the estimate of expenditures covering the $36,000,000 recommended:

Aircraft (heavier than air):		
Machines for experimenting and development purposes	$3,774,000	
Engines for above	2,338,000	
		6,112,000
Aircraft (lighter than air):		
Craft for operation of stations now built	$2,005,000	
Craft for experimenting and development purposes	7,500,000	
Engines for above	701,000	
		10,206,000
For development of instruments and accessories, including radio sets and kite-balloon winches	650,000	
Operation of coastal and training stations already built	8,500,000	
Experimental work not otherwise covered (such as Argon gas and landing attachments aboard ship	2,000,000	
Large rigid dirigible construction, experimental and development station	8,200,000	
Clerical, drafting, and technical force	300,000	
		19,650,000
Total		35,968,000
Estimate		36,000,000

It will be noted from the above statement that there is no estimate for new coastal stations, except a new station for a rigid-dirigible factory. It is impossible to construct a rigid-dirigible factory near the present heavier-than-air factory in the Philadelphia Navy Yard because of lack of space.

A larger appropriation for lighter-than-air aircraft is requested because in this respect Navy aviation is not as far developed as in the heavier-than-air aircraft.

The development of aviation and progress of the art is such that it is strongly recommended that the appropriation be made in a lump sum, as recommended, so that the department may experiment and develop aviation along lines that from time to time may seem most advantageous to the naval service.

Inclosed you will please find a copy of a report on aviation by Admiral Mayo, commander in chief of the Atlantic Fleet, and particular attention is invited to the concluding paragraph wherein he cites the experiments and development in the rigid-dirigible type of aircraft of other countries.

Very sincerely, yours,

JOSEPHUS DANIELS.

Hon. L. P. PADGETT,
Chairman Committee on Naval Affairs,
House of Representatives, Washington, D. C.

UNITED STATES ATLANTIC FLEET,
U. S. S. PENNSYLVANIA, FLAGSHIP,
November 11, 1918.

From: Commander in Chief.
To: Secretary of the Navy (Operations).
Subject: Report on development of rigid and nonrigid airships and plans for future developments (British Navy).

1. The failure of the Zeppelins in the raids over Great Britain and the destruction of several Zeppelins over the North Sea by planes carried on cruisers, and on one occasion by a large American flying boat, has induced the belief in the minds of many officers that the lighter-than-air ship has been definitely displaced by the heavier-than-air machines.

2. Those officers who have had most to do with the lighter-than-air type contend that the destruction of Zeppelins in raids does not prove that these ships are not valuable for other purposes. They contend that Zeppelins (of the type of those destroyed) should not have been used for raiding, as, due to their small capacity, they could not climb high enough to avoid antiaircraft guns or fighting planes, and, due to the inflammable gas (hydrogen) with which the bags were filled, they were helpless against attack.

3. The improvements in lighter-than-air ship design have been such that the latest German rigid airship has a speed of about 70 to 80 miles per hour, a ceiling of 24,000 feet, and a rate of climb superior to any plane. With these characteristics a rigid is comparatively safe against attack from antiaircraft guns or heavier-than-air machines. Additional safety has been assured to the lighter-than-air ship by the development of a noninflammable gas (helium), of which the United States possesses almost limitless natural resources.

4. The airship's chief value in naval warfare is in scouting and in keeping large areas of sea under observation. This work may be divided into two general classes:

(a) Antisubmarine and convoy-escort work.
(b) Work in scouting in conjunction with the fleets.

5. Much work of class (a) has already been done by nonrigid airships in Great Britain and in the United States. The nonrigid type of airship is not suitable for any activities where it is subject to attack by airplanes, for the construction features of this type prevent building airships of a size large enough to obtain sufficient speed, ceiling, or climbing ability. Nonrigid airships can never have a sufficient radius of action to make them satisfactory for distant scouting. The latest British nonrigid airships are probably nearly as efficient as any future design of that type for the performance of the tasks which this type is fitted to perform.

6. For work of class (a), where enemy planes or antiaircraft guns may be encountered, and for work of class (b) the rigid type of airship is essential to the highest efficiency.

DEVELOPMENT OF HEAVIER-THAN-AIR AND LIGHTER-THAN-AIR CRAFT DURING THE LAST FOUR YEARS.

7. The development of rigid airships has been even more rapid than that of heavier than air. In 1914 the average endurance of a German rigid at cruising speed was under 24 hours and the maximum full speed about 50 miles per hour. In 1918 (German L-70 class, 2,195,000 cubic feet capacity) the endurance at 45 miles per hour has risen to 177.5 hours and the maximum full speed to 77 miles per hour. The ceiling has correspondingly increased from 9,000 feet to 23,000 feet. The British R-38 class (2,720,000 cubic feet capacity) has an estimated cruising endurance at 45 miles per hour of 211 hours, 34 hours greater than the German L-70 class.

8. Tables (1) and (2) give the progress in lighter than air and heavier than air since 1914. Table (3) shows the difference in performance between corresponding lighter-than-air and heavier-than-air craft of 1918.

TABLE 1.—*Lighter than air.*

	August, 1914.	August, 1918.	Progress.
			Per cent.
Maximum speed	50 m. p. h.	77.6 m. p. h.	55
Endurance at 45 miles per hour	20 hours	177.5 hours	787.5
Total lift	30 tons	66.84 tons	122
Disposable lift	8.5 tons	38.84 tons	357
Efficiency ratio	27.3 per cent	58.3 per cent	113.5
Static ceiling	6,000 feet	21,000 feet	250
Indicated horsepower	900	2,100	162.5

TABLE 2.—*Heavier than air.*

	August, 1914.	August, 1918.	Progress.
			Per cent.
Speed	83 m. p. h.	85 m. p. h.	2.4
Endurance	4 hours	12.5 hours	212.5
Total weight, loaded	0.737 ton	5.97 tons	524
Useful load	0.268 ton	2.17 tons	709
Efficiency ratio	36.3 per cent	36.4 per cent	.28
Ceiling	14,000 feet	15,000 feet	7.1
Indicated horsepower	80	720	800

TABLE 3.—*Heavier than air and lighter than air.*

August, 1918.	Heavier than air.	Lighter than air.	Comparison.	
			Heavier than air.	Lighter than air.
			Per cent.	*Per cent.*
Speed	85 miles per hour.	77.6 miles per hour.	9.5	.....
Cruising endurance	12.8 hours	177.5 hours	.....	844
Total lift (= weight loaded).	5.97 tons	66.84 tons	.....	.1017
Disposable lift (= useful load).	2.17 tons	38.84 tons	.....	.1689
Efficiency ratio	36.4 per cent	58.3 per cent	.....	.60.2
Ceiling	15,000 feet	21,000 feet	.....	40
Indicated horsepower	720	2,100	.....	.191.7

9. It will be seen that at the present time the largest rigids in commission have over eleven times the total lift of the corresponding heavier than air, and that the disposable lift is about eighteen times greater.

LARGE AIRSHIPS PROBABLE FUTURE DEVELOPMENT.

10. It is now proposed to consider more fully the possibilities of the large airship. Table 5 shows the approximate dimensions of a series of airships similar in form to British R-33.

TABLE 5.—*Approximate dimensions of airships similar in form to British R-33.*

Capacity.	Gross lift.	Length.	Diameter.
		Feet.	*Feet.*
2,000,000	60.7	643	70
3,000,000	91.1	726	93.4
4,000,000	121.4	810	98.5
5,000,000	151.8	872	107.2
6,000,000	182.2	927	113.9
7,000,000	212.5	978	119.9
8,000,000	242.8	1,021	125.4
9,000,000	272.5	1,061	130.4
10,000,000	303.6	1,100	135.1

11. It will be seen that although a 10,000,000 cubic feet capacity rigid has five times the gross lift and over five times the disposable lift of the present 2,000,000 cubic feet capacity rigid, the dimensions of the large ship are only one and seven-tenths times greater.

12. With a rigid of about 10,000,000 cubic feet capacity there would be an endurance of approximately three weeks at 40 to 45 miles per hour, a maximum speed of 70 to 80 miles per hour, a ceiling of some 30,000 feet, and a maximum range of over 20,000 miles, or nearly once around the world.

PAST BRITISH POLICY.

13. Great Britain first appears to have recognized the danger of falling behind in airships in July, 1913, as the following extract from Admiralty policy on the subject will show:

"Various circumstances have since arisen which have led my lords to view with considerable concern the position occupied by this country, and after full consideration they have decided that it is no longer possible to pursue a waiting policy, having regard to the safety of the country."

14. The new circumstances referred to may be briefly stated as follows:

"First. The success of the type of large airships possessed by Germany has been demonstrated by numerous flights of these vessels over sea and land. As an example, there may be quoted the case of the airship sighted on June 2 in the North Sea over the Terschelling Banks, proceeding with four torpedo-boat destroyers at full speed. These craft were again sighted 24 hours later. Also the regularity with which the passenger-carrying Zeppelins carry out extended flights lasting many hours over Germany indicates clearly how reliable these vessels are now becoming.

"Second. The introduction of the new German aerial bill, together with a supplementary estimate which provides for the establishment of a naval fleet of 10 Zeppelin airships and a number of hydroplanes, with full equipment of sheds, stores, personnel, etc. For carrying out this scheme a sum of £300,881 has been provided for the year 1913–14, exclusive of the cost of acquiring any land for the stations.

"The following extract of a memorandum accompanying the supplementary estimates indicates the view of the German Government: 'The present state of the experiments carried out with airships and aeroplanes show that the new weapon forms for naval purposes a valuable extension and adjunct to tactical and strategic scouting, and under certain circumstances can also be employed with advantage as a weapon of defense.'

"Italy already possesses several airships of a small type and is now pushing on with the construction of three larger vessels. It is understood that three airship stations are to be established along the Adriatic coast. Russia has recently placed an order for a large Parseval airship for naval purposes.

"The situation in this country with regard to naval airships is that the Admiralty are on the eve of possessing two airships of medium size, which were purchased mainly for the purpose of training officers and men in airship work. One airship station on the Medway is being established and two sheds are being erected there.

"My lords consider that, in view of the activity displayed by foreign powers, it is necessary to proceed at once on an expansion of this branch of the service."

15. Acting on the above, the Admiralty proceeded to develop airships, but the policy was finally checked by the then first lord (Mr. Winston Churchill), who, in January, 1915, canceled the building of rigid airships and ordered No. 9 (building at Vickers) to be suspended. Mr. Churchill indicated that three Parsevals, two Astra Torres, and the few other odd nonrigids of no military value would suffice the country's needs. In July, 1915, Mr. Balfour championed the cause of airships, ordered No. 9 to be recommenced and other rigids to be built, and laid the foundation for the present constructional organization.

PRESENT BRITISH POLICY.

16. While the British Admiralty airship department has made no statement concerning a definite policy in the uses of the rigid airships that are being developed for British use, it appears that regular voyages of startling length are planned for these craft. A mail and cargo service connecting the British Isles, Canada, the British colonies in Africa, India, and Australia appears to be the goal of the Admiralty policy. Surely such work is entirely within the scope of the air fleet that Britain is preparing.

17. In time of war these airships can be concentrated over any area of the seas surrounding English possessions to hamper hostile surface craft and to assist the Navy in its operations.

GERMANY'S AIRSHIP PROGRAM.

18. The results already attained have justified the confidence felt by the German Navy in its airships when used in their proper sphere as the eyes of the fleet. Their Zeppelins did much to save the High Seas Fleet at the Battle of Jutland, to save their cruiser squadron on the Yarmouth raid, and were instrumental in sinking the *Nottingham* and *Falmouth*. Had the positions been reversed in the Jutland battle and had the British had rigids to enable them to locate it, they would probably have annihilated the German High Seas Fleet.

AIRSHIPS.

19. At the present time Germany possesses apparently 50 efficient rigid airships built since 1915, in addition to a few nonrigids which she uses only for training purposes.

20. The Schutte-Lanz works, which build rigid airships, take about 12 weeks to build each ship. The maximum output of their factories is 1 ship every 10 days. Germany's total output of rigid airships would therefore appear to be 30 rigids a year, or 1 every 12 days.

SHEDS.

21. The latest information shows that Germany has 54 housing and constructional sheds, capable of holding 71 rigid airships. This surplus of shed accommodation, placed all over the country, enables ships which can not get to their base after a long cruise to make for vacant berths where the weather conditions are more favorable.

BRITISH RIGID AIRSHIPS.

22. While no other nation has done as well as the Germans in rigid airships, the British, alive to the need of maintaining sea supremacy, are closely competing. A few days ago they held acceptance trials of a 1,460,000 cubic foot ship (the *R-31*), which made over 55 knots and could lift 18 tons (or, say, 200 persons).

23. This ship turned in a complete circle of 0.7 mile diameter in three minutes. Another British ship now under way (*R-38*) will have a displacement of 2,750,000 cubic feet, a speed of about 70 knots, and a range of well over 200 hours, or safely across the Atlantic and return in any weathers except the worst storms.

24. The British, who, despite having shot down so many bombing Zeppelins, are keenly aware of their utility, are embarked upon a construction program of 16 of modern type (besides smaller, now obsolete, types already in commission and used for training); the French have a similar program, calling for 8; it is understood the Italians are to construct 2; and our joint Army and Navy rigid-airship board has recommended that we begin with 4 for the Navy.

CONCLUSION.

25. The development of the nonrigid airship is practically at a standstill, while the development of the rigid type is being pushed by Germany, France, and Great Britain. The future of the rigid airship depends upon the ability of its designers to secure for it a superiority, relative to heavier-than-air craft, in radius, ceiling, climbing ability, and an approximation to the speed of the fighting planes.

H. T. MAYO.

Mr. STAFFORD. How did the committee arrive at the appropriation of $25,000,000?

Mr. PADGETT. The committee reduced it to $25,000,000; but you will notice that we put in a provision that no part of this appropriation shall be expended for maintenance of more than six heavier-than-air stations in the continental limits of the United States. That would limit the scope of the operations for air stations. I think there are some 12 or 15 stations being operated now.

Mr. STAFFORD. In arriving at that estimate of $25,000,000, what items did the committee include and what items did the committee eliminate?

Mr. PADGETT. We did not eliminate any specifically. We reduced it to $25,000,000 and put that provision here, and it will necessarily limit the activities of the Government in aircraft.

Mr. STAFFORD. Has the committee considered, in arriving at this appropriation, the expediency of the Navy obtaining motors and flying machines from the War Department, where they have a large number in excess of their needs?

Mr. PADGETT. That matter was presented; but if the War Department were to furnish them the Navy Department would have to compensate the War Department for them, and the War Department would turn the money into the Treasury as miscellaneous receipts.

Mr. STAFFORD. Has the committee considered the feasibility of having them transferred from the War Department to the Navy Department?

Mr. PADGETT. No, sir; we did not, because we did not know how the War Department is situated with reference to them.

Mr. SNELL. Will the gentleman yield?

Mr. PADGETT. I will.

Mr. SNELL. Must not they have a large amount on hand at the present time of these of all kinds?

Mr. PADGETT. I do not know; but the engines of the Navy are in some respects different from the Army engines.

Mr. SNELL. I would like also to ask in reference to the acquisition of land. What land is it contemplated purchasing now?

Mr. PADGETT. The only thing contemplated is securing land for the erection of a factory for the construction of lighter-than-air machines—the large dirigible machines.

Mr. SNELL. Does not the Government own some automobile factories in this country at the present time?

Mr. PADGETT. None of which I know.

Mr. SNELL. I thought they had furnished money or had a very large interest in some of them?

Mr. PADGETT. We made a very full inquiry and they told us the Government had no place for investigating——

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin? [After a pause.] The Chair hears none.

Mr. PADGETT. We have a large station in Florida, and I think there are about 1,100 acres in that navy yard, and we have there a large factory for the construction of heavier-than-air machines.

Mr. SNELL. Could not these lighter-than-air machines be constructed in the same factory?

Mr. PADGETT. No; they said not; but it requires a large area to bring these machines down. They are tremendous machines. They are about 800 or 900 feet long.

Mr. SNELL. Then, the Government has no real monetary interest in several of the large factories where they have been producing?

Mr. PADGETT. None that I know of. We inquired very diligently if there was any place that the Government had where they could use for these lighter-than-air machines and they said positively no.

Mr. SNELL. And they have not any of these machines at present?

Mr. PADGETT. No, sir.

Mr. SNELL. This is an entirely new development?

Mr. PADGETT. It is entirely experimental. Now, I have here, which the Secretary transmitted, a letter from Admiral Mayo, who is commander in chief of the Atlantic Fleet, in which he gives a summary or a review of the heavier-than-air and lighter-than-air development abroad and our shortage of the lighter-than-air and the need of developing, experimental generally, in the United States.

Mr. STAFFORD. How many lighter-than-air machines has the Navy at the present time, and how many are in course of construction?

Mr. PADGETT. None.

Mr. STAFFORD. What was this large airship that passed over Washington on its way from New York down to the coast a few Sundays ago.

Mr. PADGETT. They have some kite balloons and some semidirigibles, but nothing of the type that is contemplated here.

Mr. STAFFORD. How many of these semidirigibles have they in operation and how many in course of construction?

Mr. PADGETT. I could not tell the gentleman; that is not contemplated in this. They had some few of them; I think some 8 or 10 of them.

Mr. McKENZIE. Will the gentleman yield to me?

Mr. PADGETT. Yes, sir.

Mr. McKENZIE. The gentleman from Tennessee has been for many years a member of the Committee on Naval Affairs?

Mr. PADGETT. Yes.

Mr. McKENZIE. Fortunately or unfortunately for a number of years I have been a member of the Committee on Military Affairs of the House.

Mr. PADGETT. I think that was the good fortune of the committee.

Mr. McKENZIE. I listened to the reading of the letter a few moments ago which the chairman received from the Secretary of the Navy, and among the items, as I remember, there was something like $2,000,000 that was to be used in experimenting with argon gas and different kinds of balloons and different types of aircraft. Now, I am calling the gentleman's attention to that for this reason, that pending in the Committee on Military Affairs is the regular annual appropriation bill, and one of the items asked for in that bill is $10,000,000 by the Aircraft Board to be used for experimental purposes, and among the things with which they expect to experiment is this same character of gas and also the development of aircraft machines. Now, I want to ask the gentleman from Tennessee if he does not think that we have about reached the point when the Committee on Naval Affairs and the Committee on Military Affairs of the House of Representatives should have some defined policy whereby these activities would be centralized, and not have two or three great concerns experimenting with the same sort of thing—for instance, gas? Is there any reason that can be given why we should appropriate a large sum of money to the Navy to experiment with a certain type of gas and another large sum to the Army to experiment along the same line?

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. STAFFORD] has again expired.

Mr. STAFFORD. Mr. Chairman, I wish to reserve the point of order further for the purpose of inquiring——

Mr. PADGETT. Mr. Chairman, I would like recognition in my own right in order to answer.

The CHAIRMAN. The Chair will recognize the gentleman. Of course, the point of order is pending.

Mr. PADGETT. I understand that.

The CHAIRMAN. Or, rather, the point of order is reserved. The gentleman from Tennessee [Mr. PADGETT] is recognized for five minutes.

Mr. STAFFORD. Will the chairman, in his time, reply to the query propounded by the gentleman from Illinois [Mr. McKENZIE].

Mr. PADGETT. I was going to state that you could pick out certain definite proposals or propositions where it would be well to combine them and have only one. But when we were abroad we talked with the officers of the Army in England, where they have combined the aviation activities of the Navy and the Army, about this matter, and they did not approve it. They disapproved it, and said it was not working satisfactorily. And we also talked with some naval officers, and they stated that it was not satisfactory.

Mr. McKENZIE. If the gentleman will pardon me, I think it will go without any argument that the officers in both of these Government activities would say that it would be a mistake. But I have the taxpayer in mind. Would it be a mistake from the taxpayer's standpoint?

Mr. PADGETT. The activities of the Navy in aviation are very different from the activities of the Army. This $2,000,000 that you mentioned here is, a part of it, for gas, but a great deal of it, the majority part of it, is for the development of the means of alighting on the water, alighting on the ship and off of the ship, and to develop the activities in aviation adapted to the ship, on and off. And that is one of the big items that they wish to develop. It is a very important one. It was also suggested to the committee that provision should be made for the construction of aircraft ships, in order to carry aircraft to be used in scouting in mid-ocean, and also that provision should be made to have aircraft actually on the fighting ships, so as to go along with the fleets. These matters are questions of experiment and development that the Navy alone could successfully conduct.

Mr. HUMPHREYS. What about the gas? What is the Navy going to spend this money for?

Mr. PADGETT. They did not separate the item as to how much of it was for experimenting with the gas and how much of it is for the other. But in order to cut the whole thing down we took off $11,000,000 of the estimate of the Secretary, so as to limit the activities along all of those lines. He wanted $36,000,000. We reduced it to $25,000,000.

Mr. HUMPHREYS. Is this experiment to be made in the manufacture and discovery of new gases?

Mr. PADGETT. We have already discovered a new gas, called argon.

Mr. HUMPHREYS. Possibly they have not reached the last stage yet.

Mr. PADGETT. No; and this is for the development of it. When it was first discovered it was supposed to be so costly as to be prohibitive. They have so far developed it that when you consider the durability of it as compared with hydrogen there is very little difference now in the cost between the argon gas and the hydrogen gas.

Mr. HUMPHREYS. The point on which I was anxious to get the information was whether this money is to be spent by the Navy in an attempt to develop new gases or in experiments in its application? I mean by "application" its application to the enemy.

Mr. PADGETT. It is to develop the production of it the most economically, which has already been accomplished largely, but not satisfactorily as yet. It is to experiment and develop its best uses and the handling of it and the manufacture of it, and also for the use of it and the development of it practically in the Navy.

Mr. HUMPHREYS. Well, we have a Chemical Warfare Service in the Army which devotes its activities entirely and exclusively to that matter. Does the gentleman think the Navy ought to go along and do the same thing?

Mr. PADGETT. I think the Navy ought to try it. Otherwise, the Navy would be ignorant of the uses and practical application of it.

Mr. HUMPHREYS. I can not see why. The Chemical Warfare Service is not keeping it a secret.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. HUMPHREYS. Just a moment more. The Chemical Warfare Service will not keep secret from the Navy anything they discover, and they are really the people who are going to apply it at last in 99 per cent of the cases where it is applied. Now, it has occurred to me that it is proposed, in fact, to have the Army do it and the Navy do it, when, I suppose, as a matter of fact, some civil bureau in the Government is going to substantially do the work for either the Army or the Navy.

Mr. PADGETT. The gas part of it is but a small part.

Mr. HUMPHREYS. It depends entirely on what the gentleman means by small.

Mr. STAFFORD. Only $2,000,000.

Mr. HUMPHREYS. That is small.

Mr. STAFFORD. Small in the view of the naval propagandists.

Mr. PADGETT. Landing attachments aboard ship. That is embraced in there with the gas, and that is a large part of the expenditure.

Mr. STAFFORD. Will the gentleman acquaint the House with the amount of the expenditure by the Navy for aviation expenses during the last year, or up to date?

Mr. PADGETT. I can not tell about that, but the appropriation was $220,000,000.

Mr. STAFFORD. Yes; and the appropriation the year before was three and a half millions; and now you are asking for $25,000,000, and yet the committee has no information to give us as to the amount expended out of this $220,000,000 lump-sum appropriation.

Mr. PADGETT. It has not been expended yet. It was only started the 1st of July, the gentleman should remember.

Mr. STAFFORD. It is still running and available, and you can be sure that they are going to spend a large portion of it, because it was only $3,500,000 in the beginning, and now it has been increased to $25,000,000.

Mr. PADGETT. They have been economical.

Mr. STAFFORD. You should say liberal.

Mr. PADGETT. I did not think that we ought to have a larger amount. The committee thought we ought not to cripple the aviation service, but that we ought to go ahead and develop it and utilize the lessons we learned from it.

Mr. LaGUARDIA. Mr. Chairman, I make a point of order on that new language found on line 25, page 4, and on lines 1 and 2, on page 5, "including the acquisition of land by purchase, donation, or condemnation for erection of a factory for lighter-than-air machines."

The CHAIRMAN. The Chair sustains the point of order.

Mr. CONNELLY of Kansas. Mr. Chairman, that was a site that was covered.

Mr. LaGUARDIA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from New York.

The Clerk read as follows:

Amendment offered by Mr. LaGUARDIA: Page 5, line 3, strike out "$25,000,000" and insert "$15,000,000."

Mr. LaGUARDIA. Mr. Chairman, there is no use in going into details on this item. We are talking about $25,000,000 or $30,000,000, and there are less than 25 or 30 Members in this Hall.

Mr. STAFFORD. That is about a $1,000,000 apiece.

Mr. ALEXANDER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ALEXANDER. Has the gentleman from New York any information on this subject that the Committee on Naval Affairs could not give us, even if the House were full?

Mr. LaGUARDIA. Certainly, and plenty of it. I have a lot of information which I think, if we had a full House here, would be very valuable. We are asked to appropriate $25,000,000, and yet we are unable to ascertain just how this money is to be expended.

In reply to an inquiry, the chairman of the committee reads a letter from the Secretary of the Navy explaining this $25,000,000, and yet the Secretary has over $200,000,000 for aviation available for the current fiscal year.

The trouble with American aviation, gentleman, is that it has had too much money. That was our whole mistake in the beginning. We started off with $640,000,000, and I do not know how much was appropriated afterwards, and we have got less to show for it than any country in the world. And although we have the best industries, the best inventive genius in the world, we have not a motor to-day that will stand up with the French and Italian and English motors. The fact is you can not build aviation motors with press agents, and you can not build up an aviation service by politics. The law of gravitation knows no politics, and if you have not got a good machine it will not fly.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. LaGUARDIA. Certainly.

Mr. MOORE of Pennsylvania. The gentleman no doubt has read the address by Secretary Baker commending Col. Deeds for having perfected the Liberty motor?

Mr. LaGUARDIA. Yes; and the Secretary in his report said the biggest achievement of the war was the Liberty motor. That is absolutely incorrect, and he can not get a single human being to agree with him.

Mr. MOORE of Pennsylvania. It is not consistent with the report made by Mr. Justice Hughes nor with the report of the Attorney General suggesting that Col. Deeds should be court-martialed.

Mr. LaGUARDIA. No; nor is it consistent to take this motor and compare it with other motors. It is a good 400-horsepower motor; that is all. But to produce this 400 horsepower motor you stopped the industries of the United States; you stopped everything; and when they discovered that they could not use the Liberty motor in pursuit machines they said: "We will not have pursuit machines."

Mr. MOORE of Pennsylvania. I know that the gentleman knows all about aviation, and I knew he had read the address of the Secretary of War, and therefore I wanted to remind him of what the Secretary said in New York in commending Col. Deeds, although Mr. Justice Hughes and the Department of Justice had recommended that Col. Deeds be court-martialed.

Mr. LaGUARDIA. Well, it is an Ohio baby. [Laughter.]

Mr. MOORE of Pennsylvania. It has had the approval of the Secretary of War.

Mr. LaGUARDIA. He comes from Ohio.

Mr. MOORE of Pennsylvania. That inference might be drawn from what the gentleman said. Of course I would not assume from what the gentleman said that the Ohio interests were strong enough in the matter of an expenditure of $640,000,000 to induce the Secretary of War, at variance with the Attorney General and Mr. Justice Hughes, to commend Col. Deeds in spite of the fact that he was recommended for court-martial.

Mr. LaGUARDIA. Would the gentleman go further? Even now, in peace times, the gentleman will understand how they club and chum together, but in war times, when we were in need of pursuit machines, we could not get a single machine from here because no pursuit machine was being built in this country.

Mr. MOORE of Pennsylvania. Our friends on the other side were telling us that the time had come when we were to have quite a number of them, although we were afterwards told that we did not have in France half a dozen battle planes of American manufacture.

Mr. LaGUARDIA. That was true. When the DH planes did come over they were good planes, and they did some bombing, but we did not receive any battle planes. Why? Because the Liberty motor would not fit them.

Mr. MOORE of Pennsylvania. Are we to understand that Col. Deeds, who was recommended for court-martial by the Attorney General and Mr. Justice Hughes, and who is commended by the Secretary of War, is notwithstanding that fact a $640,000,000 baby of the Secretary of War?

Mr. LaGUARDIA. If I told you what the airmen thought of it in August, September, and October, it would not be couched in parliamentary language, and could not be printed. [Laughter.]

Mr. MOORE of Pennsylvania. Does not the gentleman from New York believe that the cherishing of Col. Deeds, who had under his control this $640,000,000, was worth that much to the aviators of the country?

Mr. LaGUARDIA. I should say not—rather expensive experiment that.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. LaGUARDIA. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. LaGUARDIA. Now, gentlemen, we want to build an air industry in this country. Most of this money, as the committee says, is for experimental purposes. The Army is going to come in with a bill in a few days asking for millions for experimental purposes. The services are overlapping in experimental work. We must prevent waste; we must cut down expenses. We will have waste as long as we go on duplicating work and expenditures. In want to say this for the naval air service: Its organization overseas was splendid. It had an efficient executive department. Their management was good. Their cooperation with this country was much better than ours in the Army. Now, the $2,000,000 which is suggested by the chairman for experimental purposes, for landing and taking off from ships, ought to be allowed. That is now purely in an experimental stage. In answering an inquiry made a few minutes ago, I will say there is no difference between the motor for a machine that flies over water and one that flies over land. The air is just the same in both places. The best help we can give to aviation is not to squander millions. We must produce a true American motor, a true American plane. We can do it if you will give us a chance, but we will never do it when we have the Navy dabbling in it and the Army dabbling in it, and the Marine Corps dabbling in it and the Post Office Department dabbling in it.

Mr. McKEOWN. Will the gentleman yield?

Mr. LaGUARDIA. Certainly.

Mr. McKEOWN. I have been told that the motors on naval planes were slower than the motors on the Army planes. Is that true?

Mr. LaGUARDIA. One of the motors of naval planes is a low-compression motor. All kinds of motors are used for naval planes, same as land planes. It comes back to the question of

the Liberty motor again. They wanted to utilize the Liberty motor for all machines. The big naval bombing machine, the coast-patrol machine, took the low-compression motor, because it was not necessary to go to such altitudes. Again, it was adapting the plane to the motor and not the motor to the plane. But when you have a light machine and do not need a 400-horsepower motor and want altitude and speed, why, of course, it will be just the same whether you fly over the land or over the water. The trouble is we are dividing this thing. We have four different departments overlapping. We took away $2,000,000 from the Post Office Department the other day. We have all these people dabbling in this, instead of having a comprehensive united air department taking up this subject for the Government and accomplishing results and developing a big aeronautical industry in this country. I submit that the $15,000,000, with what they have on hand, is amply sufficient, more than enough, considering Army appropriations. Of course, if you are going to buy fields all along the coast, if the main thing is to buy land, I do not know anything about land values. I know that we spent a lot of money for land down in Miami, Fla. The Florida people wanted an aviation station. They came up here with delegations asking for it, and now that they have got it they ask the Navy Department to take it away, because it disturbs the morning sleep of the guests at the hotels. Is the gentleman aware of that?

The Government spent thousands and thousands of dollars at the Miami station, and now the Miami people are asking the Navy Department to move away because it disturbs the sleep of their winter guests. So if you want to buy land come in here and say you want to buy land, but do not blame everything on aviation. If we take off $10,000,000 and leave $15,000,000 to develop aviation, divided up so much for planes, so much for motors, so much for experimental purposes, then we are going to have something; but as long as we appropriate lump sums we will never know where it will go and never accomplish anything for aviation. When the appropriation for that $640,000,000 came into this House I was still young in my legislative career. I wanted to talk about it, but gentlemen said. "Don't! Disloyal to do so. Beware of the Germans. Don't say a word about it," and they got away with it. And what did we get out of the $640,000,000? For every American machine that went over the lines into Germany it cost us more than it would have cost to build a superdreadnaught. That is what we got out of it. Now, we might as well start on this bill. I am going to make similar amendments when the Army bill comes in. Until we have a united air service in charge of competent technical men we must watch aviation appropriations. Let us take the money away from them until they come to their senses. When they come to their senses they will have to come together, and we will have an air department the same as England and France have. They can put it all over us in the air, from either the commercial or the military standpoint. They have got it on us. We must hustle to even catch up with European countries. Gentlemen, I urge the adoption of my amendment.

Mr. PADGETT. Mr. Chairman, the committee have disposed of the question of land, and that is no longer involved.

The question was asked a moment ago, How much is unexpended of the appropriation of last year? I did not have the figures at the time, but on page 155 of the hearings you will find it stated that there would be $90,000,000 returned to the Treasury out of the appropriation of the current year.

Mr. BUTLER. How much was appropriated?

Mr. PADGETT. Two hundred and twenty million dollars.

Mr. BUTLER. That gives them $130,000,000.

Mr. STAFFORD. How was that $130,000,000 spent?

Mr. PADGETT. I do not know. That is for the current year, and we did not go into that.

Mr. STAFFORD. It was too small an amount for the committee to consider at the present time?

Mr. PADGETT. No; but that was the appropriation that had been already made, and we were going into the appropriation for the next year.

Mr. STAFFORD. I think the committee might have followed the Committee on Appropriations in seeking to cancel some of the authorizations and to withdraw some of the appropriations that were voted for war purposes alone, now that the war is at an end.

Mr. PADGETT. I have discussed that question. The Committee on Appropriations have taken up that subject, and we left it with them. They did deal with the Navy appropriation, and re-covered into the Treasury something like $200,000,000.

Mr. BROWNING. In the original print of the bill I have it marked that they have $90,000,000 on hand. Do I understand that they will still have that $90,000,000 on hand, or did a part of it go back into the Treasury?

Mr. PADGETT. That $90,000,000 will not be expended or obligated and will go back into the Treasury.

Mr. BROWNING. Is that included in the item of the appropriation bill which we have already passed, turning the money back?

Mr. PADGETT. I do not remember whether the appropriation bill included that or not, but it will go back into the Treasury and will not be expended. Now, this is an annual appropriation. The gentleman spoke of the money that we have on hand. We are appropriating for the fiscal year 1920. This appropriation that is now current is for the fiscal year 1919. It can not be used for 1920.

Mr. LAGUARDIA. If they start now, they can spend money up to July.

Mr. PADGETT. Yes; but this bill is from July next to the July following.

Mr. LAGUARDIA. What I mean is that you could get a lot of things started between now and July.

Mr. PADGETT. Yes; but if they start them, they would not have any money to complete them the next year. The committee was very careful about this. The committee applied the knife to it very severely and reduced it. I hope the motion will not prevail.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. GREEN of Iowa. Is the gentleman absolutely sure, notwithstanding the fact that direct reference to the land has been stricken out, that money can not be spent for the purchase of land under this provision?

Mr. PADGETT. Yes; because we have a provision in here that prohibits the purchase of land with the expenditure of any appropriation in the bill.

Mr. CONNELLY of Kansas. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. CONNELLY of Kansas. I noticed in the paper this morning that $4,000,000 had been paid for the purchase of land at Cape May. I wondered if that was being purchased out of the money now in the hands of the department.

Mr. PADGETT. No; I understand that it was out of the lump-sum appropriation for the President.

Mr. CONNELLY of Kansas. I am in favor of amending the bill so as to stop the purchase of land. One of the things that will appear unwise when a full investigation is had is the purchase of land during the war. Everybody in the country who had a piece of land that they wanted to unload on the Government was able to unload it on either the War Department or the Navy Department.

Mr. PADGETT. Mr. Chairman, I understand that I am mistaken and that the prohibition I spoke of was to another matter.

Mr. TILSON. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. TILSON. There was stricken from the paragraph the provision for the purchase of land for a lighter-than-air-machine station. I notice the gentleman has not decreased the appropriation. Was it not the intention of the committee that money was to be spent on that?

Mr. PADGETT. Yes.

Mr. TILSON. Why is it not reduced?

Mr. PADGETT. I was going to state that I was going to offer an amendment reducing it $8,000,000, the amount appropriated for the purchase of land for a lighter-than-air-craft station.

Mr. TILSON. Then the gentleman from New York is not so far off when he moves to reduce it ten millions.

Mr. PADGETT. But the gentleman did not let me finish my statement.

Mr. HUMPHREYS. Will the gentleman from Tennessee yield?

Mr. PADGETT. Yes.

Mr. HUMPHREYS. The authorization is still in the bill, to be expended by the Secretary of the Navy for the producing and constructing, etc., of aircraft. Can the gentleman tell me—I am entirely ignorant on the subject—how does the Navy produce and construct these aircraft without a factory?

Mr. PADGETT. They have a factory already built and operating, which was constructing aircraft during the war for heavier-than-air machines.

Mr. HUMPHREYS. Then this will limit them to the operations of that factory?

Mr. PADGETT. Yes.

Mr. HUMPHREYS. Is there anything peculiar about naval aircraft except that which enables them to float on water?

Mr. PADGETT. There is a difference between the land machine and the water machine which the Navy uses. They used a machine with much less revolutions than does the machine for the Army.

Mr. HUMPHREYS. The same engine that runs one would run the other?

Mr. PADGETT. Yes; but you would have to reduce the speed.

Mr. HUMPHREYS. But it can be done?

Mr. PADGETT. Yes; it can be done.

Mr. HUMPHREYS. Does the gentleman think it necessary, that being true, for each department of the Government to have a separate factory? Does the gentleman think it is economical?

Mr. PADGETT. The Navy already has and is operating a factory. I do not know what the Army is doing with reference to the manufacture of machines, but the Navy expects in Philadelphia to be able to produce the aircraft machines it needs for the Navy.

Mr. HUMPHREYS. It seems to me that it is an unfortunate situation that the Navy does not know what the Army is doing and the Army does not know what the Navy is doing, but the Treasury Department knows, or will in the last analysis, what they are both doing.

Mr. LAGUARDIA. What they are trying to do.

Mr. HUMPHREYS. How much did we appropriate last year for aircraft—a billion dollars?

Mr. TILSON. About one billion and a half dollars. That was the whole program and nearly five hundred million dollars has been covered into the Treasury.

Mr. HUMPHREYS. That leaves a billion already expended.

Mr. GREEN of Iowa. That is only for the Army.

Mr. HUMPHREYS. It occurs to me that they could use a factory and manufacture a machine that would run fast enough for the Army and one slow enough for the Navy. [Laughter.]

Mr. PADGETT. The Navy is manufacturing its machines.

Mr. HUMPHREYS. And I suppose the Post Office Department will manufacture its machines.

Mr. PADGETT. I do not know what the Post Office Department intends to do.

Mr. HUMPHREYS. That is the trouble, no department knows what the other is doing.

Mr. MANN. Mr. Chairman, I have always been a friend of aviation since Prof. Langley made his experiments. I still am a friend of aviation, and I hope also I may be a friend of the people of the United States. Here is an appropriation of $25,000,000 carried in this bill for aviation purposes. That is as great an amount as was carried for the entire Navy—for the maintenance and the whole thing—if I am correct in my impression, when I first came to Congress. That is quite a development. Now, while the war was on we spent money recklessly. We had to; we were not prepared for it, and no one else was. The war is now over, and we have got to get back to a state of sanity. You can not keep on making appropriations with the idea of borrowing money from the people and never paying it back. Some day before long the appropriations will all have to be paid by taxes, and in addition we will have to pay interest upon the bonded indebtedness.

Twenty-five million dollars for aviation would be a very large sum for the Government to expend in all of its activities along that line. But here is a proposition to expend $25,000,000 in one of the least important aviation activities. We have a large amount for the Army, a considerable amount for the Post Office, and then this huge sum of $25,000,000 for the Navy. We have so gotten in the habit of talking about billions of dollars that nobody stops to think any more what a million dollars amounts to. A million dollars is a thousand thousand dollars. The gentleman from New York [Mr. LAGUARDIA], himself an aviator, of whom we are all proud, proposes to reduce the sum to $15,000,000. That in itself is an enormous sum of money. Let us have some sanity. Nobody will be the loser if no money is expended in the Navy for aviation except for mere maintenance. Let us get back to bedrock and know where we stand before we expend these enormous sums of money chasing phantoms. [Applause.]

I hope that we may get the amount down to $15,000,000. I am not so sure that striking the language out of the bill on the point of order will prevent the establishment of the factory on land purchased, because the bill provides for the establishment and maintenance of aircraft stations, and they have a very elastic system of construction in some of these departments. Whether that will authorize the purchase of land for the establishment of a factory I do not know, but all of the aviation services of the Government ought in truth to be concentrated in one place, and if they can not be, then they all ought to be established upon an economic basis. [Applause.]

Mr. HUMPHREYS. Mr. Chairman, will the gentleman yield for a question?

Mr. MANN. If I have time.

Mr. HUMPHREYS. Under the act we passed a year ago, known as the Overman Act, to consolidate the activities of the various departments, could not authority be given to one bureau or department to attend to the manufacture and production of aircraft?

Mr. MANN. I do not know whether that authority is in the Overman Act or not. It is not material whether it is or not, because it is not and will not be exercised if it is in this act.

Mr. HUMPHREYS. It is material in this, that if it be in the act, it shows that Congress at least has done all that it can do.

Mr. MANN. Congress has done all that it could do about aviation, even to indulging in flights of oratory on the subject—hot air.

Mr. HUMPHREYS. Yes; I think, perhaps, that has been overdone.

Mr. TOWNER. Mr. Chairman, I think that all of the members of the committee can understand very readily that the use of the aeroplane by the Navy Department is, after all, only an adaptation for marine purposes of the aircraft that we have been developing on all lines in the United States and elsewhere. It is not a thing that pertains exclusively to the Navy. It is not a thing that pertains primarily to the Navy. It does not require for its development a large separate appropriation. We know, as everyone does, that the larger use of the aeroplane will be made by the Army. We know, as everyone does, that another department of the Government—the Post Office Department—is also developing the aeroplane. In my judgment, at this time, $25,000,000 would be enough for all of these departments in the development of aeroplanes and in the building of them, when we take into consideration those that we already have on hand and the present state of the art, and also take into consideration the large demand that will be made for private uses and purposes of the aeroplane. It occurs to me, and I think it will to the country, that to give now this large lump-sum appropriation, amounting to $25,000,000, to the Navy Department would be ridiculous. It would be considered a reckless expenditure of money. We have the statement by the chairman of the committee that there is no showing of necessity; that there is no itemization of amounts that will indicate where this money is to be expended. It is a temptation to needless expenditure to put this vast sum of money into the hands of the Secretary of the Navy. No man on the floor of this House could justify himself before his constituents or the country in such lavish expenditure of money.

We have always held in the House to the belief that lump-sum appropriations ought not to be made whenever they can be avoided. In this case I venture to say there is no excuse for this appropriation in a lump-sum appropriation. The Secretary of the Navy ought to have told the committee and the country how the $25,000,000 was to be expended—how much for this, how much for that, how much for every item—so that we could determine primarily and the country ultimately whether or not it was extravagant in any particular. The time has come when Congress must revert again to that salutary rule that demands statements from these various departments with regard to the expenditures of the country. Now, when we are burdened by the greatest debt we have ever attempted to carry, and when the war is over, when we ought to get back, as has been suggested here, as rapidly as possible to bedrock, let us do it by demanding of every expenditure that is asked for by any department of the Government that they shall explain particularly item by item what they want the money for.

I shall support gladly, and I believe every member of the committee ought to support gladly, the reduction of this amount to $15,000,000. I certainly hope the amendment will be adopted by the committee.

The CHAIRMAN. May the Chair ask the gentleman from Tennessee a question? Did the Chair understand the gentleman from Tennessee to offer a substitute?

Mr. PADGETT. No.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken, and the amendment was agreed to.

Mr. STAFFORD. Mr. Chairman, I have an amendment which I wish to offer.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 5, line 15, insert: "*And provided further*, That no part of this appropriation shall be used for the construction of a factory for the manufacture of aeroplanes."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

State marine schools: To reimburse the State of New York, $25,000, the State of Massachusetts, $25,000, and the State of Washington, $25,000, for expenses incurred in the maintenance and support of marine schools in those States in accordance with section 2 of the act entitled "An act for the establishment of marine schools, and for other purposes," approved March 4, 1911; in all, $75,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word and ask unanimous consent to proceed to discuss the preceding paragraph.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that he may proceed to discuss the preceding paragraph. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. Mr. Chairman, the committee accepted, I think without a dissenting vote, the amendment offered by the gentleman from New York cutting the provision for experimental work in development of aviation for naval purposes from $25,000,000 to $15,000,000, a direct saving to the Government and the people of the United States, who have to pay the taxes and buy the loans, of $10,000,000. In this connection I desire to call attention to the fact that for four or five days recently we discussed the river and harbor bill, to which great objection was made, and that bill was made up of a variety of items—400, 500, or 600, every appropriation specified. A contest on the floor over some of the appropriations involving as much as the monumental sum of $1,000 for the improvement of a stream took up much of our valuable time. Gentlemen tore themselves into shreds opposing suggestions that we should appropriate $5,000 for the dredging of a certain stream that might encourage the commerce of the country even in a small degree. That appropriation bill, so much opposed that the newspapers of the country actually referred to it, carried only $26,000,000; and yet there was scarcely a State in the Union—there was certainly no coast line—that was not directly interested in that bill and the specific items which it carried. Subsequently we had before us the Agricultural appropriation bill, a bill in which every farmer of the country is interested, a bill that carried paragraphs relating to the production and distribution of our food supply, a bill that interested every producer and every consumer in the land. That bill carried, if I recollect aright, about $31,000,000.

These two bills, I say, were contested upon this floor, in one instance the contest raging for nearly four days. The vast interests involved were pointed out in the bills. We knew where the money was going; we knew how it was to be expended; we knew it could be checked up, and it was checked up; yet here to-day, in a few minutes, without any discussion, apparently, with the newspapers taking no notice, in a paragraph of a few lines, it is proposed to sweep into the power of a single bureau the right to expend $25,000,000, an amount equivalent to nearly all we appropriated in the river and harbor bill, almost as much as we appropriated in the Agricultural bill, in which the entire country is interested. I think it is a duty to point out the ease with which a great department of the Government, under stress of war necessity, may work into an appropriation bill and work over the Congress a tremendous appropriation to be expended at the will of a bureau when specified legitimate expenditures are so difficult to obtain.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. I ask for two minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. I think it is important to call attention to this strange condition that prevails in a legislative body in connection with aviation, not by way of reflection upon the Navy Department, which has not been criticized, so far as I have observed, for its conduct of aviation up to date, but because of the unusual proceeding in the War Department, which resulted in the exoneration of one Col. Deeds, who had been placed in charge of a part of the expenditure of $640,000,000 for aviation for war purposes, after he had been brought to the bar by a former justice of the Supreme Court of the United States appointed by the President to investigate, and who was supported in his findings by the Attorney General. I do not hesitate to say that in the case of Col. Deeds and the expenditure of that $640,000,000, for which, according to the Senate report, we did not secure a single combat plane in France, the results were not such as to inspire congressional confidence in lump-sum appropriations.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUDDLESTON. Mr. Chairman, what I shall say is applicable to a clause of the bill which comes later; but it seems proper it should have some consideration in advance, so that the defect in the bill which I shall point out may be remedied. I am very much dissatisfied with the fact that this bill provides no means whereby the enlisted men of the Navy can get relief—whereby men who are in the Navy and, now that the war is over, have business elsewhere can get out.

A great many of these boys volunteered and went into the Navy because they did not want to be conscripted. That was their business; they should not be discriminated against because of that fact. They see that their brothers who were conscripted into the Army are being discharged by wholesale, whereas they themselves are being retained for service. And this bill gives them no relief whatever. There is no provision in it that will hasten discharges of these enlisted men, and there is no way by which they can get out after the bill is passed any more than they can get out now.

It is true that the bill reduces the enlisted personnel for the next fiscal year to 180,000, or something about like that, but it does not provide that the boys who enlisted for the war and who expected to be discharged upon the termination of the war shall be discharged. They may be retained in service at the will of the Secretary of the Navy, and may be kept as a part of the 180,000 enlisted personnel that is to be retained.

Mr. VENABLE. Will the gentleman yield?

Mr. HUDDLESTON. For a question.

Mr. VENABLE. The bill does carry a provision that those who enlisted for four years, between certain dates, shall be discharged.

Mr. HUDDLESTON. The bill carries this provision:

Any enlisted man of the Navy or Marine Corps who, since April 7, 1917, and before November 11, 1918, enlisted for the period of four years may, upon his application, made to the Secretary of the Navy on or before July 1, 1919, be held and construed to have enlisted for the duration of the war and granted an honorable discharge.

In other words, the men who enlisted after war was declared are put upon a plane of equality, if this bill is passed, with those who were permitted to enlist for the "duration of the war" only. But what I am complaining of is that all of these men, no matter of what enlistment, may be held until after peace is formally declared and the end of the war proclaimed by the President, which may be 6 or 12 months hence. All the boys who are now in the Navy, and who are marking time in an overmanned fleet, doing absolutely nothing, can be kept there until a certain period, as provided by law, after the President has proclaimed the end of the war.

Mr. PADGETT. Will the gentleman permit me for a moment?

Mr. HUDDLESTON. Certainly.

Mr. PADGETT. I put in the RECORD last night, just as they were adjourning, a letter which I received yesterday from Admiral Blue, Chief of the Bureau of Navigation, setting out at length what was being done and what the directions were, and you will find it on pages 2785 and 2786 of the RECORD of Wednesday. He says:

The department has up to date directed the release of 40 per cent of the reserves, 40 per cent of the men who enlisted for the war only, and 20 per cent of the regular four-year men who enlisted since the beginning of the war.

And then he says further:

In addition to this orders have gone out during the last few days to release all the Naval Reserve men and men enlisted for the war only who are now undergoing training at the training stations and at trade schools, if they so request.

We have also ordered the release of 20,000 men of the Naval Reserve and men enlisted for the war who are performing shore duties at the various naval districts.

He goes on to say that he really does not know how he is going to maintain sufficient to operate the ships and bring the ships home. And only this morning Capt. Taussig told me that if that provision which has just been read, and which is in the bill, goes into effect, he does not know how the Navy is going to operate ships in order to bring the boys home.

Mr. HUDDLESTON. Mr. Chairman, I thank the gentleman for calling my attention to the letter. Of course, we have all had occasion to take this matter up with the Navy Department from day to day. I have the occasion about fifty times a day, when boys who are my constituents write to me asking me to do something for them. Of course, I do not always actually take the matter up with the department, for things are so run that a mere Member of Congress can do little except go through the motion. But the department usually gives me a polite reply, affording practically the same information the gentleman from Tennessee has given. We have ordered substantially 40 per cent out of the Navy, but what about the other 60 per cent?

Mr. PADGETT. We can not turn everybody out. And he says here:

In case of there being more applicants than can be released under the authorized percentages, those to be released will be decided by lot.

Mr. HUDDLESTON. If that is the rule, it is a very recent one. My information is—and the gentleman speaks as though there was some doubt about those who want to get out not exceeding 40 per cent—that a month ago 70 per cent of the Navy had applied for discharges. I have no doubt that 90 per cent have applied up to this time.

Mr. PADGETT. Will the gentleman permit? Do you think we ought to discharge every man that asks to be discharged from the Navy and leave the Navy impotent and wrecked? What would we do with our ships? How would we bring the boys back? We are operating troopships for the Army, and every day we see in the papers where they are bringing back thousands of men. It is going to continue for months in order to get back the 2,000,000 men over there. Shall we discharge every man in the Navy and tie the ships up, with nobody to take care of them?

Mr. HUDDLESTON. That is not the only alternative presented.

Mr. PADGETT. Yes, it is. We are taking in about 1,600 a week of new recruits, but they have to be sent to naval training stations and trained three or four months before they can be put on the ships.

Mr. HUDDLESTON. The gentleman leads me quite a distance from what I wanted to say, but I am going back to it just as if he had not done so.

Eighty or ninety per cent have applied for release. All of these men enlisted "for the duration of the war." The war is over. They are entitled to get home. Now, the thing to do is to go out and get some new men into the Navy if these men who are there do not want to stay in it. The gentleman assumes that they have discharged 40 per cent. I tell him that 40 per cent have not been discharged. I do not know the exact figure, but I will guarantee there have not been over 25 to 30 per cent discharged.

There will be no robbing of the Navy of such of its efficiency as is required for these times—the war is over—merely because 50 per cent of the men are discharged. We had over 500,000 men in the Navy when the armistice was signed. Fifty per cent of them would be only 250,000. The gentleman must not go astray on the thought that our Navy is charged with bringing back our soldiers from France. They have nothing to do with our transport system. That belongs to the Army.

Mr. PADGETT. I would like to say to the gentleman, on the contrary——

Mr. HUDDLESTON. Oh, I beg the gentleman not to interrupt the train of my thought. The Navy is not charged with the duty of bringing our soldiers back from France. It is true that some of our battleships are being used, as I am informed, against the advice of the higher naval officers, in bringing back some troops from France. But such troops are comparatively few in number and these ships are doing little good at that use.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. HUDDLESTON. I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. HUDDLESTON. The discharge of 60 per cent of the Navy will not in any wise handicap the bringing of our soldiers back from France. The truth of the matter is that the Navy Department does not want to let these enlisted men of the Navy go. The Navy Department wants to keep them there. There are a thousand reasons why they should be let go and very few, if any, good reasons why they should be retained in the service. The best reason for the discharge of these men is that they enlisted with the understanding that they should go home about their business when the war was over. Now we are holding them on a legal technicality, on the ground that peace has not been formally proclaimed. Well, our Navy was overmanned when the war was on. It is still overmanned. There is no good reason whatever for keeping in active commission a great many of the vessels. We turned back to their private owners something like a thousand vessels when the war closed. I submit, gentlemen, that we could easily dispense with all of the enlisted men of the Navy down to the minimum that the gentleman has put in this bill—that is to say, 180,000—less than 200,000—and let these boys go home and no harm would be done to the Navy and the transporting home of our soldiers from France not be delayed to any substantial extent.

We ought to hurry up and make a more diligent effort to recruit the Navy. Millions of men are being turned out of the Army looking for jobs and there is an oversupply of labor the country over, and the duty is on the Navy Department to get new men and put them into the Navy in place of those boys who have got something to do at home.

It is nearly impossible to get discharges, according to the reports, and the reports that come to me are unanimous. It is almost impossible to get the boys out on account of the whims of their officers. Under the rules of the department those who apply for discharges are divided into three classes: First, those who have dependents; they are given the preference. The next class is those who have urgent business reasons for desiring their discharge; they are given the second preference. The third class is those who want to finish their education; and they also are given a preference. What about the fellow who wants to be out simply because he wants to be out? Why should he not be given some consideration? He has the same right to be discharged as anybody else, and he should not be forced to depend on the arbitrary discretion of the Secretary of the Navy or the whim of some little officer somewhere who fears that he will reduce his own importance by reducing the number of men under his command.

There are men in every port, in every station, in every office, who could well be spared, men who are practically doing nothing. They are sitting there, simply warming their chairs. I do not know why they are kept there. The men themselves say they do not know. There are men in the Naval Officers' Reserve who want to get out, and they do not know why they are held. I was told by an assistant paymaster of the Navy a few days ago, who had been trying for 60 days to get out so that he might go back to his family and his business, that when his relief finally came he told him that there were 60 boys at the same station he had come from, all graduates of the paymasters' school, who had been there for a month or more and had not done a stroke of work, and most of them were pleading for discharges.

I say that the good faith of this great Nation is pledged to let every man out of the Army and the Navy as quick as it is reasonably safe to do so. I say that the man who enlisted for the duration of the war ought to be discharged. We ought not to have accepted these men for the duration of the war unless we meant to let them go when the war was over. But we accepted them. They have the moral right to be allowed to get out.

Thousands of mothers and fathers throughout the country are urging their Representatives in Congress to help them in getting their sons out of the Navy. They have to go through an intricate formula, and supplement it with technical affidavits, and then the application may be put in a pigeonhole for months, and finally some little officer says, "Your reasons are not sufficiently stated, and we can not let you go."

That is what the boys are up against in this country. Something ought to be done. We ought to have some relief from it. Something should be done by this committee. Some provision to that end should be put into this bill by amendment or otherwise. Something should be done to keep the faith of this Nation with those who enlisted to fight the battles of the country on land and sea. [Applause.]

The CHAIRMAN. The time of the gentleman from Alabama has again expired.

Mr. HUMPHREYS. Mr. Chairman, I ask unanimous consent to proceed for three minutes out of order.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to proceed for three minutes out of order. Is there objection?

There was no objection.

Mr. HUMPHREYS. Mr. Chairman, I suppose I, in common with everybody else, would like to see the boys get out as soon as possible, both in the Army and in the Navy. If we should give preference to anybody, it would be the boys who are now in France.

I wanted to ask a question. The gentleman from Alabama [Mr. HUDDLESTON] stated that the boys who enlisted in the Navy during the war are not to a very considerable extent being used in the transport service for the purpose of bringing the soldiers back home. I wish just to preface my remarks by saying that I think the boys ought to be kept in the Navy if it is necessary, and as long as it is necessary during the duration of the war, to get the boys back from France, and I would like the gentleman from Tennessee to give me that information.

Mr. PADGETT. It is not only necessary, but the Navy is operating the troop transports of the Army, manning them by officers and enlisted men, and operating them; and only within the last few weeks they have been notified to be prepared to officer and man between 20 and 30, as I remember—more than 20—ships recently taken over under the distribution from the Germans, to be used to bring the troops back, and they are so using thousands and thousands of men.

Only this morning I was talking with Capt. Taussig, who is in charge of the enlisted personnel in the Navy, who said they were releasing them as fast as they could, but that they were confronted with the condition that if so many got out as it appeared were going to be authorized to go out by the legislation in this bill, they would be in a situation where they would not be able to operate the ships to bring the boys back from France.

Mr. HUMPHREYS. Would the result then be that the soldiers who are now in France would be required to stay there longer?

Mr. PADGETT. Either to stay there longer or the Government would have to provide other ships from other countries and bring them back in ships from other countries.

Mr. HUMPHREYS. Can the Government do that last thing?

Mr. PADGETT. I do not know of any way to do it except to hire ships, and whether they can get them or not I do not know. I do not think it is a practical thing. I do not think it is an advisable thing, and the country ought not to be put in the condition where it would be confronted with that situation. The letter that I put in last night, of which I read a portion awhile ago, shows that the Navy is liberally discharging these men.

Mr. VENABLE. Mr. Chairman, I ask unanimous consent to proceed for five minutes out of order.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to proceed for five minutes out of order. Is there objection?

There was no objection.

Mr. VENABLE. Mr. Chairman, I suppose I have on an average as many applications for discharges from the Army and the Navy as any man in the House, and I suppose that I have gone to as much personal trouble in looking after those applications as possibly any other man, with few exceptions, and I have had some cases that I thought myself, looking at them solely and alone from the side of the soldier or the sailor, were deserving of prompt action on the part of the department, resulting in the discharge of the men.

But I have always tried to bear in mind the fact that it was practically a physical impossibility for the department here in Washington to adjudicate and decide each individual case as it arose, that necessarily from the very nature of the problem they had to deal with these men more or less en masse. I realize, furthermore, that the problem of demobilization in the Navy is a totally different one from that in the Army. We speak of men in the Navy as being sailors. As a matter of fact they are not sailors at all. They are skilled gunners, skilled machinists, skilled engineers, skilled mechanics of all kinds, and whenever you discharge an undue proportion of men in any of the classifications of the service, you put the battleship out of commission just as effectually as if you had discharged the whole crew. If you discharge all of your gunners aboard ship, for all practical purposes it ceases to be a battleship. If you discharge all your firemen, the ship can not sail. If you discharge all of your electricians, very soon your turrets and your gunnery machinery and your lighting plant are out of commission.

Mr. PADGETT. And if you discharge enough to make any department inefficient, the same thing is true.

Mr. VENABLE. If you discharge them to the extent where you only partially disable the ship, the ship for all practical purposes is out of commission. So when applications come in for the discharge of an undue proportion of men in any line of naval activity aboard a vessel, there is not only to be taken into consideration the merits of the individual case, but also the interest of the country generally. And surely no one would urge that we should pursue a policy which would practically dismantle your whole fleet. Until hearing from my friend from Alabama [Mr. HUDDLESTON] I would not have thought that it would be argued as earnestly and sincerely and with as much seriousness as he has doubtless argued it that because there has been an actual cessation of hostilities, for that reason there is a moral obligation upon the Government to discharge these men irrespective of whether their services are imperatively needed by the Government or not. Of course when the war ends, if it is according to the terms of their enlistment that they shall be discharged when peace is declared, the Government must discharge them, because that is its contract; but I deny that there is any moral obligation upon the Government to discharge a man when it needs him and his retention is according to the terms of his enlistment. If a moral obligation arises, it arises from the existence of an agreement or a contract.

Mr. McKEOWN. Will my friend yield?

Mr. VENABLE. With pleasure.

Mr. McKEOWN. Are there not many men in the service of the Navy who are not aboard ship, and who are not being used to transport soldiers from abroad, who could be discharged, and ought not such men who have dependents to be discharged?

Mr. PADGETT. That has been ordered, exactly, in gross.

Mr. McKEOWN. But is it not true that the orders emanating from Washington are not having much effect with the commanding officers?

Mr. VENABLE. If my friend will allow me to reply to him, I think that there are many men in the service, possibly, who, on the merits of their individual cases, might be discharged, and I want to say that I believe as soon as the department can work out its plans for the discharge of those men and for the determination of the merits of those cases they will be discharged.

The CHAIRMAN. The time of the gentleman has expired.

Mr. VENABLE. I ask for three minutes more.

The CHAIRMAN. The gentleman asks unanimous consent that his time be extended three minutes. Is there objection?

There was no objection.

Mr. VENABLE. Now, we go down to the departments here in Washington and we present the facts of a particular case. The department here can not, to save its life, know whether the discharge of a particular man will cripple the efficiency of a ship or not. Prompted by that reason and others of a subsidiary character, it was decided to leave the determination of these questions to the commanders of the fleet; because not only must the merits of the case be taken into consideration, but also the needs of the Government. And permit me to say right here, almost anybody can get up in the Congress and express a sense of pain. Almost anybody can get up in the Congress and criticize. Almost anybody can get up in the Congress and denounce a certain course of conduct. But, permit me to say, I do not believe that should ever be done except where the Member has the facts; and then it ought not to be done by denunciation of the entire department and system, bringing condemnation upon innocent and efficient men, but by the fixing of responsibility upon the man who is at fault; because indiscriminate criticism, the charge that certain things are being done, without proof of the facts, goes forth from this body to the country as though it was sustained, although it may not be sustained by the facts. Because a Member of Congress has said so, they therefore take it as true, and you create all over the country a wave of discontent that excites prejudice against the service. The naval service of the United States is neither Democratic nor Republican; it is American. It results in harm to the service and serious embarrassment to the chief of the departments here.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. VENABLE. I will.

Mr. HUDDLESTON. Does the gentleman think the particular thing calculated to excite prejudice against the Navy now is holding the men who enlisted during the war to perform services which have no relation to war, but are mere matters of convenience to the Government, for the purpose of keeping ships in command, not to bring troops home from France, but simply to keep them in command?

Mr. VENABLE. I have never received any proof that officials of the Navy were arbitrarily holding anybody. There may be individual cases, which I think will be taken care of as soon as they are worked out by the department.

Mr. PADGETT. Mr. Chairman, I want to give the House another portion of a letter. I called up Admiral Blue and asked him to give me an official statement, which he did, and I put it in the RECORD yesterday:

The department has up to date directed the release of 40 per cent of the reserves, 40 per cent of the men who enlisted for the war only, and 20 per cent of the regular four-year men who enlisted since the beginning of the war.

In making these releases, commanding officers of ships and stations were directed to give preference, first, to men who have families dependent upon them, and, second, to young men desiring to complete their education. In case of there being more applicants than can be released under the authorized percentages, those to be released will be decided by lot. Naturally the demobilization must be handled by the commanding officers on general orders from the bureau, as it would be impossible for the bureau to handle the individual cases.

In addition to this, orders have gone out during the last few days to release all the Naval Reserve men and men enlisted for the war only who are now undergoing training at the training stations and at trade schools, if they so request.

We have also ordered the release of 20,000 men of the Naval Reserve and men enlisted for the war who are performing shore duties at the various naval districts.

The bureau is very desirous of completing the demobilization as soon as possible, but it is confronted with the proposition of placing in commission some 38 to 40 large vessels to be used as transports in bringing home troops from France. A number of cargo ships belonging to the Shipping Board are also being manned. As you can readily understand, the present activities of the Navy, as well as those in prospect, have to be carefully provided for, otherwise they would have to cease.

It is hoped that by the 20th of February we will have demobilized at least half of the remaining personnel on shore after the releases above

described have taken place. From February 20 to March 1 we will obtain detailed statements from all stations in regard to the number of men remaining available. This we shall have to do in order to ascertain where we stand in regard to personnel.

In the meantime we are recruiting men as fast as our facilities will permit. They seem to be coming in now at the rate of about 1,600 a week. This will of course help us out in the matter of demobilization, but naturally we will not really feel the effect of this for several months, for the reason that the new men coming in are recruits and must be trained before being sent to the ships.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. HUDDLESTON. All these men spoken of there, the 40 per cent, and then those in addition may obviously be discharged with entire consistency, but what I want to know is if it can be done within 30 days why should it not have been done 60 days ago? There has not been a change of a hair in the circumstances.

Mr. PADGETT. Oh, yes; there has; we had something like 2,000 ships in the Navy when the armistice was signed, and many of those are being turned back and gotten rid of. It could not be done in a jiffy. To carry out the proposal of the gentleman from Alabama would wreck the Navy and bring riot in this country, because we would not have men to bring back the troops from France.

The CHAIRMAN. The time of the gentleman has expired and all time has expired. The Clerk will read.

The Clerk read as follows:

Care of lepers, etc., island of Guam: Naval station, island of Guam: Maintenance and care of lepers, special patients, and for other purposes, including cost of transfer of lepers from Guam to the island of Culion, in the Philippines, and their maintenance, $20,000.

Mr. DIES. Mr. Chairman, I want to say this: I do not care what the legal phase is, this war is over; the war between the United States of America and Germany has ceased. That Empire has made an unconditional surrender. It has yielded up all of the essential instruments of war, and that war is as much over as the war between the States is over. Now, that is the fact about it. Unless you are going to have compulsory military service without an act of Congress in time of peace you ought to turn these soldiers and sailors who enlisted for the period of the war loose. If you do not do it you hold them upon a bare technicality, because the war is over; the German flag has been lowered, its armies have capitulated with an unconditional surrender.

Congress ought to have the nerve and honesty, if it believes in compulsory military and naval service, to put it to a vote, but this thing of holding men in the Army and the Navy after the war is over, after the enemy's flag is hauled down, after the enemy's power has been exhausted, is a cheat upon the selective-draft act passed by this Congress.

Now, that is the fact about it. You have no more legislative right, nor moral right, to hold these fellows in the Army and the Navy, who were conscripted for the war, than you have a right to hold a man in prison after the issuance of a writ of habeas corpus. If you want them against their will to serve in a time of peace, pass a law for compulsory military and naval service, because every man, woman, and child in the world knows that the war between our country and Germany is a thing of the past, a thing that has passed into history. It does not exist to-day because of the unconditional surrender of the German forces and the taking away of every power to make war.

Mr. HUMPHREYS. Will the gentleman yield?

Mr. DIES. Yes.

Mr. HUMPHREYS. The war is not entirely over so far as the soldiers who did the fighting and won the victory are concerned, and who are now at the front. It will not be over for them until they get back home. The gentleman does not believe that the men ought to be permitted to get out of the Navy if it is necessary to keep them in the Navy in order to bring these soldiers back to the United States, does he?

Mr. DIES. No; but I will tell my friend what he ought to keep in his mind, and that is the demand of every officer to have somebody to command, the demand of every man with shoulder straps and a star to have some of his boys and my boys that he may command them, and it is the gentleman's duty to see that they are demobilized and brought back to their peaceful pursuits and not kept there in order that they may maintain rank in the Army or the Navy.

Mr. HUMPHREYS. Mr. Chairman, I am talking about privates, although I have no prejudice in the world against the men who held commissions. Incidentally, more commissioned men, so far as that is concerned, in proportion to their numbers were killed on the battle field than men who did not have commissions, but that is neither here nor there. Confine it to the private soldier in France to-day, who went over the top, who made the sacrifice, who suffered much more than did the boys in the Navy, although the boys in the Navy were willing to suffer. Would it be fair, would it be proper, to demobilize the Navy to-day if that Navy is necessary to bring back from France the soldiers, the privates, and let the commissioned officers remain there?

Mr. DIES. Just what figure the Navy cuts in bringing back the privates is more than I understand.

Mr. PADGETT. I just called attention to the fact that they have to man 38 or 40 new ships coming in, and they are manning and operating to-day numbers of ships for the Army, bringing back the soldiers, and they are using battleships and cruisers to bring them back.

Mr. DIES. I do not trust the officers to turn the men loose. I trust Congress to do that, to see to it that when the war is over the gallant sons of America shall come back to their homes. The man of power wants more power; the man at the head of a committee wants more appropriations and more dignity. An officer wants more men to command, and I say that these boys who enlisted in the Army and the Navy for the duration of the war ought to be demobilized and allowed to go back home, because the war is over, and every honest man knows that the war with Germany is over.

Mr. HUDDLESTON. And I would call further attention to the fact that the excuse of keeping these boys in the service of the Navy to bring the boys back from France is a mere subterfuge. There is no reason in the world, if they need men to man the Navy, why they can not go into the labor market and hire these men after they are discharged.

Mr. PADGETT. It would take three months——

Mr. HUDDLESTON. You are forcing them to do it now. Give them a chance to act like American citizens.

Mr. DIES. I do not care what you need. In time of peace, under your present system, you are entitled to keep every volunteer enlistment in either the Army or the Navy only so long as the war exists. Every man knows that the war is over and you can not honestly keep them in against their will.

Mr. VENABLE. Mr. Chairman, the gentleman from Texas [Mr. DIES] bases his whole argument, as I understand it, on the proposition that since a large proportion of the men in the Navy enlisted for the period of the war, and since the actual fighting is over, therefore the cessation of actual fighting is tantamount to the end of the war, and hence, the war being over, these men under the terms of their contract are entitled to be released; that holding them further in the service is a violation of their contract and a violation of a moral obligation upon the part of the Government; therefore the question is, Is the cessation of fighting an end of the war? I know these young men enlisted to serve their country in their country's hour of need, and I do not believe that any of them would insist on their discharge if they believed that the country still needed them, and the reason they are asking for a discharge is because they do not believe that the need any longer exists. But the question is, Does the need exist?

The testimony before the committee was that it did. Peace terms have yet to be formulated and submitted to the German Empire. We hardly think that Germany will resist, but no man knows, and a state of war exists until all of the questions in the situation which might give rise to actual hostilities have been settled. It would be a part of folly, in my judgment, because there was actual cessation of fighting to take that as equivalent peace, and to demobilize our armed forces and thus invite a renewal of hostilities by our enemy. If that be true of the Navy it is equally true of the Army. It seems to me ridiculous that this country should at once by act of Congress demobilize every soldier in the National Army in France and Germany and discharge them from any further military discipline or obligation.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. VENABLE. Because if the war be over, it is as much over for the soldier as for the sailor. That is the logic of the gentleman's argument. I yield.

Mr. DIES. Does my friend from Mississippi think that the Imperial German Empire or the German Republic, or whatever government they form there, will be weaker or stronger a year or two or three or four from now than it is now?

Mr. VENABLE. I think they are weaker now.

Mr. DIES. If they are weaker now, if you keep an army there now, how much greater army will you keep there one, or two, or three, or four years in the future?

Mr. VENABLE. You will not keep any there, because you will have settled the terms of peace, and as I believe the allies will keep an army there until the terms are put into execution as far as possible.

Mr. DENISON. Suppose it should require a year before we can arrive at a settlement of this so-called league of nations, and suppose our commissioners should say that there shall be no peace until that is settled, does the gentleman think that we are in duty bound to keep these soldiers in the service until the question of the league of nations is settled?

Mr. VENABLE. We are not doing that; we are demobilizing the Army and the Navy as fast as practicable in view of the situation.

But the gentleman can not draw me away from a discussion of what I am trying to develop to a discussion of the league of nations. The argument of the gentleman from Texas was based upon the assumption that the cessation of actual hostilities was tantamount to peace; that under the terms of enlistment these men in the Navy, when peace came, were entitled to their discharge. If that is true, there would hardly be any man either in the Navy or armed force of the United States, according to the logic of his contention, who should not be demobilized at once. When you apply that conclusion to the Army in France, the unsoundness of it, in view of practical events, is immediately manifest. The same thing is true, I believe, under the facts, as regards the naval forces of the country.

The CHAIRMAN. The time of the gentleman has expired.

Mr. EMERSON. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Mississippi. Mr. Chairman, the discussion that has been going on here shows conclusively what an awful blunder the President made when he went over to France and left Congress here to flounder around in the mud.

Mr. CHANDLER of Oklahoma. Will the gentleman yield?

Mr. EMERSON. Mr. Chairman, the President of the United States is now in France, and the ability of Congress to transact the business of this Government without the presidential "big stick" is now on trial. The question that confronts us now is whether Congress is able to pass legislation efficiently, effectively, and as speedily when the President is away as it does when the President is in the country and telling Congress what to do and how to do it.

That question is now squarely up to Congress.

Many Members in the past have complained that the President has dictated to Congress, has bossed Congress, and some have gone as far as to state that the President has usurped the functions of Congress.

If this was improperly done by the President in the past, now is the time to prove that it was wrongfully done, by formulating our own legislative policy.

If Congress can do business as efficiently and as effectively when the President is away as when he is here, I know of no better time to prove it than right now.

Yes; now while he is away let Congress show the country that it has policies, that it does not have to be bossed or led or driven or coerced.

If we do not pass the appropriation bills and necessary legislation before the 4th day of March, 1919, it will conclusively prove that all the criticisms that have been hurled against Congress in the past by the press of the country, by public speakers, and by the public in general is true.

It will at least show that Congress needs some leadership.

If we are to have leadership, that leadership should emanate in Congress, not outside of Congress.

If there is to be an extra session, place the responsibility for calling it upon the President.

It is our duty, our plain and imperative duty, with the constitutional notice that our lives as Members of the Sixty-fifth Congress die on March 4 at noon, to clear the legislative decks of such important matters that are expected of us by the people.

Procrastination should be sidetracked and real earnest work given to important measures that they may be disposed of before the expiration of this Congress, and the people of this country relieved of the expensive burden of an extraordinary session.

It is the duty of Congress to see to it that all legislation necessary to keep the wheels of government going is enacted by March 4, 1919.

We can not assume that the President will call an extra session.

We should not force him to call an extra session.

We should not confess our weakness by failing to enact at this session of Congress the legislation usually enacted, and legislation that necessarily must be enacted.

The people of this country will not take kindly to any conduct on the part of Congress that tends to force an extra session and keep the country in that state of unrest that usually attends a long session of Congress.

What the people of this country want is a rest from congressional activities.

It seems to me that it would be much better for the business of the country and for the labor of the country if we legislated less.

The President by virtue of his veto power is coordinate with the legislative branch, but the writers of the Constitution intended to place the responsibility of legislation upon Congress, which is the direct representative of the people.

The country wants Congress to enact necessary legislation and adjourn.

If we do not do this the people of this country will hold us responsible. [Applause.]

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

BUREAU OF NAVIGATION.

Transportation and recruiting: For travel allowance of enlisted men discharged on account of expiration of enlistment; transportation of enlisted men and apprentice seamen and applicants for enlistment at home and abroad, with subsistence and transfers en route, or cash in lieu thereof; transportation to their homes, if residents of the United States, of enlisted men and apprentice seamen discharged on medical survey, with subsistence and transfers en route, or cash in lieu thereof; transportation of sick or insane enlisted men and apprentice seamen to hospitals, with subsistence and transfers en route, or cash in lieu thereof; transportation of enlisted men of the Naval Reserve Force to and from duty, with subsistence and transfers en route, or cash in lieu thereof; transportation of civilian officers and crews of naval auxiliaries; apprehension and delivery of deserters and stragglers and for railway guides and other expenses incident to transportation; expenses of recruiting for the naval service; rent of rendezvous and expenses of maintaining the same; rental, maintenance, operation, exchange, and repair of motor-propelled passenger-carrying vehicles for official use; advertising for and obtaining men and apprentice seamen; actual and necessary expenses in lieu of mileage to officers on duty with traveling recruiting parties, $9,000,000.

Mr. DALLINGER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have been very much interested in this discussion in regard to the discharge of men from the Army and Navy. The people at home do not realize that the question of recruiting and discharging men from the Army and Navy is an executive function. As long as peace is not actually signed there is nobody except the Commander in Chief, and under him the Secretary of War and the Secretary of the Navy, who can do anything about this matter. All that we Members of Congress can do is to make suggestions and protests.

Immediately after the signing of the armistice I sent a telegram to both the Secretary of War and the Secretary of the Navy asking if the men who had dependent families and positions waiting for them at home might not be given a preference in the granting of discharges. Other Members of this House made the same suggestion and request. As a result the Secretary of War and the Secretary of the Navy formulated sets of rules by which men could get their discharges. The gentleman from Alabama [Mr. HUDDLESTON] has referred to these regulations. We were all sent copies of them and were told to tell the boys that they must file with their commanding officers applications supported by sworn affidavits, and that then these applications would be considered on their merits in accordance with the policy laid down in the regulations. The trouble has been that the subordinate officers of the Army and Navy have not in many cases obeyed the regulations that were given them.

In this connection I desire to give the House two instances which have come to my attention here in Washington within the last few days. The other morning on my way to the Capitol a nice-looking sailor boy stopped me on Pennsylvania Avenue and asked me if I could tell him how he could get in touch with his Congressman. It was a pleasure to take him with me to the House Office Building and introduce him to his Member of Congress. On the way up he told me the circumstances of his case.

His home was in one of the far Western States. He is now stationed at one of the shore naval stations—I think at Chatham, Mass. In other words, he is not one of the men engaged in bringing soldiers home from France whom some of my colleagues have been talking about. He told me that he had a wife and three little children at home whom he had not seen for more than a year, that he had a nice position waiting for him at home, and that he had filed his application with the necessary affidavits with his commanding officer right after the signing of the armistice, but could get no satisfaction at all. He also told me that at that station 82 per cent of the discharges had been discharges of unmarried men. He also stated to me that he knew of several cases where boys asked they be not discharged because they had no home to go to and no position to return to, but that they were discharged in spite of their request, and yet at the same time men who had families and positions waiting for them at home and who had made great sacrifices by giving up positions which paid them $100 or $150 a month for the sake of serving their country at a salary of only $30 or $40 a month were utterly unable to obtain their discharges.

The other instance which I have in mind is the case of two boys with whom I happened to get acquainted recently who came from the Pacific coast. They enlisted in the marines at the beginning of the war. They went over to France, where they took part in the severe fighting on the western front. They were wounded, and returned to this country. After they were discharged from the hospital they were sent down to Quantico, and have been there for months, with positions waiting for them at home, but utterly unable to get their discharges.

Mr. Chairman, I wish to utter my most emphatic protest against this outrageous treatment of our boys in defiance of the advertised policy of the War and Navy Departments. I believe—and I know that in expressing this opinion I voice the overwhelming sentiment of the people of this country—that those men who have got dependent families and who have positions waiting for them at home, and particularly those who have actually fought and been wounded in their country's service, should be discharged immediately from the military and naval service, and there is no excuse whatever for not discharging them. [Applause.]

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. Concerning this item of $9,000,000, Bureau of Navigation, I should like to ask the chairman of the committee if he has any detailed information about how this money is to be expended?

Mr. PADGETT. Yes, sir; a great deal of it. It is not only for the purpose of getting new men in—and you see this afternoon what that means—but it is also to pay transportation of men discharged back to their homes to the place of enlistment. Capt. Lanning was before the committee, and he said that he did not think that even $12,000,000 would be sufficient to carry on the work——

Mr. MOORE of Pennsylvania. The department asked for $12,000,000?

Mr. PADGETT. Yes, sir.

Mr. MOORE of Pennsylvania. And the committee cut it to $9,000,000?

Mr. PADGETT. Yes, sir. The Secretary, I believe, reduced it to $10,000,000 and the committee reduced it to $9,000,000.

Mr. MOORE of Pennsylvania. I direct the gentleman's attention to that part of the item which provides for rental, maintenance, operation, exchange, and repair of motor-propelled passenger-carrying vehicles for official use.

Mr. PADGETT. That is their operation, upkeep, and maintenance.

Mr. MOORE of Pennsylvania. That is the point; rental, maintenance, operation, exchange, and repair of motor-propelled passenger-carrying vehicles for official use.

Mr. PADGETT. Yes.

Mr. MOORE of Pennsylvania. Does the gentleman know or do the hearings disclose how much of this $9,000,000 would be expended for that purpose?

Mr. PADGETT. No, sir. I can not tell you. But there is a provision in the bill that prohibits the use of any part for the purchase of additional machines. And there are motor cars for official use in the different bureaus. We went into that very fully in the session last spring, and my recollection is that we had something like 450 or 475.

Mr. MOORE of Pennsylvania. In the city of Washington?

Mr. PADGETT. Oh, no; in the United States.

Mr. MOORE of Pennsylvania. I have no desire to criticize the Navy Department. I am very fond of it. But this item of maintenance of motor-propelled passenger-carrying vehicles for official use has come to be the subject of criticism in regard to certain departments, though not necessarily the Navy Department.

Mr. PADGETT. I rather think not of the Navy Department, because I never heard any criticism of that kind.

Mr. MOORE of Pennsylvania. I hope not. For that reason I was asking how much would be expended for this purpose by the Bureau of Navigation. I want to say to the gentleman frankly, and I think the committee is entitled to know, that Members of Congress themselves observe that many of these passenger-carrying vehicles "for official use" are not being used exclusively in office hours, and some of them are being used for what appears to be unofficial purposes. That is to say, my attention has been called to the fact that some of these machines, and they are very handsomely finished, they are high-priced machines, are being used by the wives and relatives of the officers of the Government, not necessarily naval officers, and that they are being used for social purposes, for which, of course, this appropriation is not intended.

I have myself observed some of these official motor-propelled passenger-carrying vehicles—very expensive ones, limousines, with the Government coat of arms upon them and very small letters to indicate that they were for Government use—drive up to department stores and unburden themselves of some ladies who seem to be out shopping. I understand that it is possible to find machines labeled "for Government use" drawing up to some of the places of entertainment in the city of Washington, some of them to points at which dinners are given and balls are held, regardless of the fact that they are Government machines.

Mr. PADGETT. I have not heard any criticism of that kind in connection with the Navy.

Mr. MOORE of Pennsylvania. I say that I have not heard it applied especially to the Navy, but there are Members of Congress who have called attention to the fact that they have seen what I myself have seen. I saw one draw up the other morning before one of the large jewelry establishments on one of the main thoroughfares leading to the Capitol, and I saw ladies leave the limousine and go into the store, and yet I noticed that the coat of arms indicated that the limousine belonged to the Government. I do not think the committee would sanction that.

Mr. PADGETT. I do not think the criticism would lie against the Navy.

Mr. MOORE of Pennsylvania. Nine million dollars is a large sum of money, although not all of it is to be used for maintaining motor-propelled machines; but some of it is.

Mr. PADGETT. In the last bill last spring there was a provision limiting the number of machines to be purchased for the United States for the Navy to 115, of which not exceeding 15 could exceed $500, and were limited, I think, to $1,800, or, maybe, $2,000.

Mr. MOORE of Pennsylvania. I know the gentleman from Tennessee well enough to know that he would give me a frank answer to this question if he knew any of this $9,000,000 was being used by officers of the Government for the purpose of having the members of the family pay social calls or attend dances, or for the purposes of making purchases at department stores, and would disapprove of that practice.

Mr. PADGETT. Yes, indeed; I would. I have inquired about it and am informed it has not been done in the Navy.

Mr. MOORE of Pennsylvania. Not being done in the Navy?

Mr. PADGETT. I understand that.

Mr. DIES. Mr. Chairman, I move to strike out the last two words.

Of course it is inevitable that finally, when we enter upon this militaristic career on which we have embarked, that all these things the gentleman from Pennsylvania [Mr. MOORE] talks about will happen. Of course you can not build up a military caste in the country without having all these automobiles flying about that Members of Congress see every day. You would naturally have that. Let gentlemen console themselves. These things are crude and ordinary to start with, but finally we will polish it down to the old militaristic system that the world has become acquainted with in other days.

You take a country gentleman who has grown rich either in oil or in pork, and he moves to town; of course, he is not familiar with the customs of society, and he gets about clumsily. He gets his vestments on unhandily, and his whole movements smack of the rustican. You take a great Republic like the United States and embark it suddenly upon a militaristic career, and naturally you would expect incongruity, just as you would expect incongruity from a man who had discovered oil, you know, and had come to be a millionaire. Diamonds upon the hands of women who formerly washed clothes and automobiles for those who had formerly driven in horse carts. And, of course, you take a great Republic, like it was under Lincoln and Jackson and Cleveland, and turn it loose upon a militaristic career, and you must expect incongruous things and ridiculous things, almost. You expect men to run about in automobiles who never owned one.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. DIES. Yes.

Mr. MOORE of Pennsylvania. The gentleman is interested in the discharge of soldiers. I forgot to say, in connection with the use of automobiles for social purposes, that I have also been informed that some of these young soldiers who are competent chauffeurs are held in the service to drive these automobiles.

Mr. DIES. Oh, to be sure. That is a part of the atmosphere of the military caste. I see them down at the humble hotel

where I stop. The boy probably, the son of a man in Illinois who defended the Union, or the son of a man in Mississippi who gave his life for the Confederacy, drives some little satrap up to the hotel, and he stands there with his hands behind him while his master pays his respects to some maiden or dances with some dilettante in the hall. We should expect that in militarism.

Mr. MOORE of Pennsylvania. We might hasten the demobilization if we discharged some of the chauffeurs and let them go home.

Mr. DIES. Oh, no. The truth and fact for the American Congressman to know is that we ought to turn these boys loose, and if we want to have a different system let us write it on the statute books of America. This is a system of compulsion in war. Every man who believes in it ought to vote for military service in time of peace. Every man who believes in it ought to vote for it, or else he ought to say to these military satraps, "Turn our boys loose and let them go home." [Applause.]

You have got a right during war to requisition the services of the youth of this country. I voted for that. But when a war is over and you lay it down to the American youth, you have no right to keep them in the Army after the peril is passed. You may camouflage it, you may dodge behind a technicality, if you wish; but the fact remains that you are inaugurating a compulsory military and naval system in this country without the courage to put your vote down "aye" on the records of the Congress.

Now, if you believe that any man in this country ought to be compelled by law to serve in the Army or Navy without his consent in time of peace, vote for it. That is all right. That is the system that we are headed for. That is the system that Germany had. That is the system that France had. That is the system that Russia had, and that is the system that every Government on this earth ever had that ever raised an army in time of peace, and you have got to come to it, and you ought to come to it honestly and fairly. You ought not to hold a young fellow in here in durance vile by subterfuge. You ought not to impress a young man into the Army and Navy by saying, "You are held here against a menace," when you know there is no menace.

Mr. PADGETT. Mr. Chairman, will the gentleman yield?

Mr. DIES. Yes.

Mr. PADGETT. Do you think we ought to put a provision in here that would prevent the Navy from bringing the boys back?

Mr. DIES. I take it that the Navy is not bringing so many of them back.

Mr. PADGETT. They are operating multitudes of ships, bringing the boys back and taking supplies over and demobilizing the Army.

Mr. DIES. In good truth, three months have passed, and less than 150,000 have been brought back from France.

Mr. PADGETT. Oh, more than a million have been brought back.

Mr. DIES. Oh, no. I read the Official Bulletin, and only a week ago they said that 100,000 had been brought back from France. They demobilized a little over a million in the United States and Europe.

Mr. GARNER. To demobilize and to bring them home from France are different things.

Mr. PADGETT. I said "demobilized and brought back from France."

Mr. DIES. In fact you either need them to fight the Imperial German Empire or you should turn them loose, because you conscripted them for that purpose. What is the fact? The German Imperial Empire is weaker to-day than it will be next week or next month or next year, and if you can keep, under an international agreement, 400,000 boys against their consent on that western front now, when Germany is as weak as it is, you can keep 800,000 or a million there next year. This is a serious question, because the boys are entitled to come home. Those men are entitled to come home. Many of them are married men, and they are entitled to come back to the United States.

Mr. PADGETT. Mr. Chairman, will the gentleman yield?

Mr. DIES. Yes.

Mr. PADGETT. I am planning for enough men to operate as many ships as possible to bring the Army back from France as soon as possible.

Mr. DIES. With all due respect for the chairman of the Committee on Naval Affairs, my experience is that that committee, not under the influence but under the obsession of the people who wear the stars and garters and the epaulettes of military power—and my reading of history, from the dawn of civilization down, has convinced me that they want men to command and power, and more power—and I beg leave to differ from this committee. This Congress should say to the boys who have enlisted and who have been compelled to go into the service, "Now that the war is over and Germany is quite crushed, you are entitled to come home." [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. GARLAND. Mr. Chairman, will the gentleman yield?

Mr. DIES. Yes; if my time is extended.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for one minute more. Is there objection?

There was no objection.

Mr. GARLAND. The gentleman stated that a certain number had come back. Three hundred thousand per month were sent over during the war, and as much in tonnage of supplies. How many did the gentleman say came back?

Mr. DIES. About two weeks ago I read that we had brought 100,000 of them back.

Mr. GARLAND. After three months' time. Does the gentleman know whether they were from line troops, or Red Cross young men, or Young Men's Christian Association, or Knights of Columbus? All of them were figured in the number that came back. I make the assertion, knowing what I am talking about.

The CHAIRMAN. The time of the gentleman from Texas has expired. All time has expired. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

Mr. MOORE of Pennsylvania. I move to strike out the last word; and apropos of what the gentleman from Texas [Mr. DIES] has been discussing so eloquently—he is always interesting when he takes the floor—I desire to read from a newspaper published in my city which has close foreign connections and which probably is as well posted on what is going on on the other side as any other paper in the United States—the Philadelphia Public Ledger. An editorial that appeared this morning is headed:

"Chumps" or crusaders—which will we be?—If we take a league-of-nations mandate over an unprofitable province overseas.

I want my friend to listen to this, which comes from what I regard as the official organ in the United States of things done on the other side:

Lloyd George is said to have shot into the ear of President Wilson one peaceful day as they sat peacefully together making peace in the peace conference:

"You're very generous prescribing medicine for the rest of us: take some yourself and see how you like it!"

That is the opening of this semiofficial statement that our President, sitting at the peace table over on the other side, instead of being here on this side, where we would value his services, is listening to Lloyd George, who says—

"You're very generous prescribing medicine for the rest of us: take some yourself and see how you like it."

What does it mean? What is Mr. Lloyd George telling our President over there? The article continues—

Of course, being a statesman—

This refers to Lloyd George—

and a diplomat—

And this also refers very pertinently to Mr. George, for he has the reputation throughout the world of being a statesman as well as a diplomat, and a clever diplomat—

He did not put it quite that way. His exact words, according to the report, were—

This is Lloyd George to President Wilson over yonder—

"You are wanting everybody else to try this thing (the mandatory system) but you are not willing to take any responsibility yourself."

Again I ask what does it mean? Who can correctly interpret this situation?

Mr. DIES. I can think of only one worse system than that promulgated by the Democratic President, and that is the one promulgated by the Republican ex-President. [Laughter.]

Mr. MOORE of Pennsylvania. Then, the question in the gentleman's mind is that Taft may be wrong in advocating a league of nations, and that Wilson may also be wrong in demanding a league of nations before he establishes peace that will enable us to bring our soldiers home. I do not quite get the gentleman's reasoning.

I interpret this semiofficial statement of Lloyd George's attitude toward our President over there to mean that the President has advanced certain ideas with regard to entangling alliances which we did not instruct him to advance, and that Mr. Lloyd George has said, "If you want these things done that you propose shall be done over here in European affairs, where we think we have something to say, you, as the representative of the American people, will stand your share of the responsibility and the expense, and you will maintain an army in Russia, and

you will tax your people, and you will create loans, and you will include yourself as bound to police the world." That is one reason why our soldiers now can not come back. Our President is over there, and until we get peace and he comes back, apparently we can not adjust this question. That would seem to answer the gentleman as to his demand for immediate demobilization.

Mr. DIES. I move to strike out the last word. You know, if I had to choose between our Democratic President and the last President the Republicans had in the White House, I would take Wilson, because he at least does not want the armed forces of the United States to police the world and to have us involved in a war without our consent. I hope he will not do that. My wish with regard to the President is that he was at his office, at his official place of abode, and that this great American Union could get back to the ideals of Lincoln and Cleveland and Tilden, and, going back further, could get back to Jefferson and the Constitution that seems somewhat obsolete now.

Mr. MOORE of Pennsylvania. Another great American Democrat.

Mr. DIES. Precisely. I am not partisan. I wish there was a Democratic Party. I would like to belong to it. [Laughter.] I am looking forward to the time when there will be some party without a nigger in the woodpile, or Mason and Dixon's line, that an honest believer in representative and constitutional democracy could belong to. I never take any stock in these partisan byplays across the aisle. I am always wishing that some great American might arise, greater than Mason and Dixon's line, and still greater than the old hatred that is passing away of the South to the North or of the North to the South, a man who might rise to the flag of our country and the Constitution under which we live and call the people of the South and North back to the love of representative democracy. Do you know what I think of the President being over there? Well, I kind of think he ought not to be over there.

I wish he was back home, because I do not want to entangle this great, free Republic, this owner of a hemisphere, this people sufficient within themselves; I do not want to mix them up in a card game where there are more kings and queens than there are presidents. [Laughter and applause.] You know we do not stand to get anything out of these entanglements except more entanglements. England, as has been well said, gets predominancy. France gets "revanche." Italy gets back the Adriatic. But what does Uncle Sam get, except a burden and a mortgage upon the resources of this country? And I do say, Mr. Chairman, if it is the will of the Congress, now that our enemy has capitulated, laid down his arms as abjectly as Lee laid down his arms at Appomattox, we ought to be able to get our boys home. You know the War between the States did not end for several years after Appomattox, and yet the flag of the Confederacy was as much in the dust, and the Confederate arms were as much beaten after the surrender at Appomattox as Germany's flag and arms are to-day.

I do say in common honesty if you believe in compulsory military and naval service in time of peace, you ought to be made to vote for it in time of peace and not to stand on a lawyer's simple technicality. Get that into your minds, because that is the thing you are going to have to vote for. Of course it is said among the Republicans that we are keeping the boys in this sort of service because you had the vote last November, when there was a small arousing in the country. But that was only a remonstrance, when our boys were facing the German lines; and what you will get in November, 1920, in time of profound peace, if we continue the present compulsory military service in a time of peace—oh, well, I would hate to be a rooster then if this thing keeps up. [Laughter.]

The Clerk read as follows:

Contingent: Ferriage, continuous-service certificates, discharges, good-conduct badges, and medals for men and boys, including civilian employees who render conspicuous service by putting their life in jeopardy to save life or property; purchase of gymnastic apparatus; transportation of effects of deceased officers and enlisted men of the Navy, and of officers and enrolled men of the Naval Reserve Force who die while on duty; books for training apprentice seamen and landsmen; maintenance of gunnery and other training classes; packing boxes and materials; books and models; stationery; and other contingent expenses and emergencies arising under cognizance of the Bureau of Navigation, unforeseen and impossible to classify, $20,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. I am very much impressed by the attitude of the gentleman from Texas [Mr. DIES]. I think he has proved an inspiration to those of us who desire to see democracy preserved in the United States. I glory in the fact that he talks on these subjects without regard to partisan lines, and would, if he had his way, as I would, wipe out the Mason and Dixon line forever. I am glad that we have the gentleman from Texas with us, and will have him until the end of his term. He has been a useful, earnest, eloquent Member of this House, and I shall regret to see him go. During the rest of his career here it may be that by such eloquent addresses as he has made to-day and yesterday he may help to draw the attention of the country, as he has drawn our attention, to the dangers that confront the Nation. I will not say dangers due to mismanagement, dangers due to a particular administration, but I agree with the gentleman from Texas that vast and intricate and complex problems are confronting us which we can not too seriously consider now while he remains with us.

He has indicated that the juice of the American orange has been squeezed; that we have upon our shoulders a great burden; that men whom we have loaned to the cause of civilization and humanity are now held in leash because of a system against which he inveighs. I wish the men who are still battling in the snows of Russia were here; I wish those who are still lingering in the mud of France were back in the United States. I wish we had vessels enough to bring them, but I realize that we have not yet had issued to us by the President a proclamation of peace; and until the President does issue that proclamation, we must recognize that a state of war exists.

Mr. LONGWORTH. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. LONGWORTH. Does not the gentleman think that some of us here and abroad are overlooking the fact that the Senate of the United States has something to say about negotiations for peace?

Mr. MOORE of Pennsylvania. Yes; and I hope that the gentleman's expectations may be fully verified and that the Senate of the United States will exercise the sovereign authority it possesses to pass upon the work of the President of the United States, now seemingly entangling himself in the meshes of European affairs. He promised to give us his confidence, but up to the present time he has given us no word, save that telegram to the chairman of the Committee on Naval Affairs urging us to pass a bill for a tremendous sum to be charged against the taxpayers of the United States to prepare apparently for a future war.

Mr. GARLAND. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. GARLAND. Does the gentleman think it entirely possible, after the settlement of peace has been entered into between the President of the United States and the leading nations, that the Senate of the United States would have the temerity to even cross a "t" or dot an "i"?

Mr. MOORE of Pennsylvania. The gentleman from Pennsylvania has asked a very pertinent question. My prayer is that the Senate of the United States will have the nerve to stand up against any unfair or un-American bargain made in the name of the American people without their consent. [Applause.]

Mr. FESS. Mr. Chairman, I rise in opposition to the pro forma amendment. I think that the committee and the country owe a vote of thanks to the fearless utterances of our colleague from Texas. I have been convinced for weeks that there is such a reticence here among Members upon matters of such import as have been discussed by him that we are allowing ourselves to suffer a sort of decadence, which is ultimately bound to result, through the process of atrophy, in the Congress doing nothing and saying nothing. Every time anyone makes a suggestion on this side of the aisle as to what is being done that would be better not to be done, somebody announces that it is pure partisanship, and that it is not grounded on anything like sincere utterance, but simply because the administration happens to be of a different political faith. It is immediately charged by those who feel called upon to be the mentors of the House as mere partisan attack, designed to embarrass the administration. This system of espionage has been so long employed that the Members have become timid and hesitate to make any adverse comment. If I want to be called a patriot, it seems necessary for me to indorse everything that is done. Even it is demanded that we give blanket indorsement of what may be done. If I decline to indorse some of the things, even that we know ought not to be done, because of their inevitably bad results on our Government, immediately comes the charge that I am disloyal if not treasonable. We are told that we ought not to discuss in an antagonistic manner anything that is going on in France, because it indicates that we are not patriotic. These matters are of no concern to the Congress. The country must set silent and allow the President, uninstructed but self-appointed, to do our thinking. When a gentleman from the other side of the aisle will rise and in his fearlessness state what is his conviction, and dares to question the infallibility of even the head of the Nation in matters of such vital concern, the country owes him in this hour a vote of gratitude [applause], because these

things ought to be said. We have not yet reached the place where we admit "our President can do no wrong." We are entering in these days of world strife, when our President is obsessed with making world democracy universal, a stage of internationalism and entangling our feet in the meshes of European politics, by inviting our country to become the umpire of every insignificant quarrel over insignificant boundaries and other questions that are of no importance to us at all to-day.

Mr. Chairman, my office and your office become the visiting points of representatives of countries in Europe, praying to us as Members of this body to take a position in reference to some of the questions that are purely European, that have absolutely no significance in the Chamber of the American House of Representatives. I am visited, as you are, Mr. Chairman, by representatives, to be specific, of a movement in Ireland, and I am told that I shall be compelled to vote upon the question of the politics that belong to Europe and not to this country. I said courteously to the party calling upon me that I could not enter into these matters, matters purely European. I said, "You have your contests with a country that is not ours, and while I might have a sympathy for what you would want, as suggested by the policy of Gladstone back in 1884, yet it is not an American proposition; it does not belong to American legislation, and American Congressmen ought not to be asked to give interviews to representatives of European politics and European idiosyncrasies. I am not ready to turn this body into a conference for European problems. I do not think it is a proper field." And then along will come a representative from one of the mushroom republics of mid-Europe and ask that a certain pronouncement be made as a moral influence upon what they expect to win later on. While I sympathize with the ambitions and aspirations of all these new countries, we must not forget that our duty is here and not there.

Mr. Chairman, while I have been called upon to vote for the aspirations of the new republic that is growing in mid-Europe, and it is only one of probably nine, I do not think that it is the province of American Representatives to step over into the world vortex and undertake to decide what shall be the peculiar character of the government of that peculiar province, which until recently was subordinate in a sense to some other government. Those are only two instances of many that have come to every member who sits upon the floor to-day. To me it is simply an impossible situation that we should forget the nationalism that marks the American Republic, without which we are going into danger, because whenever you lose the specific morale that marks American genius and lose yourself in internationalism in Europe, the danger is not temporary; it is, I fear, perpetual. For that reason I am glad that our colleague from Texas [Mr. DIES] has had the courage to call a halt and not be afraid of being called a traitor or a disloyal man because he speaks his convictions upon the floor of the House of Representatives. [Applause.]

The Clerk read as follows:

Gunnery and engineering exercises: Prizes, trophies, and badges for excellence in gunnery, target practice, engineering exercises, and for economy in coal consumption, to be awarded under such rules as the Secretary of the Navy may formulate; for the purposes of printing, recording, classifying, compiling, and publishing the rules and results; for the establishment and maintenance of shooting galleries, target houses, targets, and ranges; for hiring established ranges, and for transporting the civilian assistants and equipment to and from ranges, $350,000.

Mr. DIES. Mr. Chairman, I do not know when I have ever heard a discussion which interested me more than has the discussion this afternoon. Surely, in the providence of God, the day will come in this Republic when there is no South, no North, no East, no West, but when Democrats and Republicans are going to worship our great country and the Constitution under which we live. You know these discussions are fruitful. We have as the President of the United States a man who does not believe in a written constitution. We have as a President of the United States a man who does not believe in the checks and balances established and followed by Jefferson and Washington and Madison. It is particularly important to the American people for the preservation of their liberties that now that the war in Europe is over they should understand the situation in which the country finds itself. As I said, we have a man as President who does not believe in the checks and balances of the Constitution.

Mr. PADGETT. Mr. Chairman, will the gentleman give us the authority for that statement?

Mr. DIES. Precisely. I give the President's own books themselves, in which he said that Jefferson and Madison were tyros who looked through an orrery to the skies and undertook to set up a form of government responsible to Newton, who believed in mathematics, and he said that the checks and balances of the Constitution were obsolete, and that he believed in the Darwinian theory of the growth of the Constitution, as if any sensible man ever believed that a contract could grow. [Laughter.]

Mr. BARKLEY. Does not the gentleman believe in the growth of government?

Mr. DIES. Yes; but I do not believe in the growth of a contract.

Mr. BARKLEY. The gentleman does not believe that the Constitution ought to be amended, as it has been amended several times.

Mr. DIES. Oh, yes; it can grow by amendments, and contracts and wills can grow by codicils and changes, but this man said he believed in the Darwinian theory of the growth of the Constitution of the United States. Mr. Chairman, I speak with as much responsibility upon my head as any Member of Congress representing 300,000 people of this Republic. I want neither an office, nor a star, nor a garter, nor a diadem, but I am content to believe in the Constitution of my Government, a written Constitution, with its checks and balances, to hold in check the power of despotism. And do you know I think it is the most unfortunate thing that ever happened to this Government when our President sailed away from the shores of America to entangle our destinies with the destiny and broils and quarrels of the scorbutic society of the Old World. I wish Members of Congress would get back to a sense of their own dignity and importance. There are a hundred men in this Congress who by virtue of attainment and reading and statesmanship are better qualified to fill the Presidency than the present occupant of the White House. [Laughter on the Republican side.] In the name of God, why should we turn over the practical politics of this country to an erratic statesman, to a man who never served in a legislative capacity—and I hope you Republicans will take this in good spirit.

Mr. MOORE of Pennsylvania. Oh, the hilarity upon this side, I think, was due to the thought that perhaps the present occupant of the White House should be the gentleman who is acting as the Secretary to the President of the United States.

Mr. DIES. There is one thing I find about the Republicans in my 10 years' service here, and that is that they have bid louder for the radical vote than we Democrats have bid, even to the extent of their vocal powers to bid. But what we need here is a Congress under the Constitution which is one of the three coordinate branches of the Government. This Government is composed of three branches—the legislative, the judicial, and the executive—and the executive, under our present President, has usurped all the powers of government, and you and I and the balance of us sit here exercising no power. Somebody said that somebody said that somebody said that a cablegram had come from Europe that we should do thus and so with the people's money, but we sit supinely in our seats, and let it go at that. Mr. Chairman, if this Government is to be saved to the people as representative democracy, these men fresh from the people must rise in their dignity, not as Democrats and Republicans, but as American representatives of the American people——

The CHAIRMAN. The time of the gentleman has expired.

Mr. DIES. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. DIES. I once had a joint debate with a socialist. He was the accredited organizer for the State of Texas, and I asked him a question in debate, and his answer to my question almost broke up the meeting. That question was this, "Seeing that all things are comparative by comparison, do you know of any government that ever existed in the world that gave more liberty, opportunity, hope, and freedom to the people than the Government of the United States under the Constitution?" Well, he floundered around and finally said he did not know of any such government. And I asked my friend, the Socialist Member from New York, MAYER LONDON, who, by the way, is a very intellectual socialist, the other night in a private debate if he knew of any government in the world that had ever existed in all the history of the world that by comparison was as good and afforded as much liberty, hope, and opportunity as this Government of the United States under the Constitution. He said he never heard of any. Well, is it not passing strange that upon this hemisphere our fathers have erected this great Republic of liberty, transcending all that the Greeks and Romans have done, transcending every effort of men to erect free government all over the world, and yet this President, this man, elected by the people says that the checks and balances of the Constitution render it unworkable, and that its only hope is in the Darwinian theory of evolution.

I would rather go back to my farm on Turkey Creek than sit here like you sit, having abrogated your functions as one of the three coordinate branches of the Government of the United States. It is the duty of this Congress, it is the duty of those who have sworn to support the Constitution, it is the duty of men coming fresh from the people to rise and demand that the Congress of the United States, and not any other function, should control the revenues of the Government and perform its legitimate function. [Applause.] Do you know there is a wonderful similarity between the decay of this Republic and the decay of the Roman Empire? I wish some Members of Congress would go back and read not what the good Roman Emperors said but read the history of the Caligulas, the Tiberius, those who followed the good Roman Emperors, who stifled and oppressed the rights of the people. My friends, if you want to answer the Bolsheviki, and it has a propaganda in this country; if you want to answer it, you answer it by saying, "Liberty by law, not liberty by man." I respect no man who would force power—and men love power and men abuse power—I respect liberty by law, and that in this country is the Constitution of the United States. I love it. It is the bulwark of the liberties of the people. What is Roosevelt and Wilson and Taft and Bryan and all the balance of them who come and go? It is the Constitution that divides the power between the legislative, the executive, and the judicial, and that is the written law of the land, and you ought to support it, and in supporting it you ought to do your legislative duty, which is to control the fiscal policy of the United States. And this very bill is an insult to the American Congress, because the chairman of the committee says, in effect, that the President has whispered to the Secretary of the Navy and he has whispered in an undertone to the chairman of the committee and he has passed the word along to the members of the committee and they let it percolate out by pinches, nods, and grunts to the Congress. In the name of Almighty God, it is the first branch of the Government that ought to have the respect of the people of the United States. [Applause.] You ought to know everything that is going on in Europe to-day. You should demand your rights and you should demand the rights and dignity of the people of the United States. You should legislate, you should veto some, you should assert yourself more, because if you do not do it, there are other gentlemen who will take your places who will do it.

Mr. HEFLIN rose.

The CHAIRMAN. The gentleman from Alabama [Mr. HEFLIN] is recognized.

Mr. HEFLIN. Mr. Chairman, I always enjoy my genial friend from Texas [Mr. DIES]. He and I differ very greatly about the President of the United States, as the people of America differ with him on that great subject. The gentleman from Pennsylvania [Mr. MOORE] and the gentleman from Ohio [Mr. FESS] always take delight in criticizing and nagging at the President, but prior to the recent election these gentlemen and all Republicans were loud in proclaiming that they were supporting the administration better than the Democrats were and that they would continue to support him, and it would be really better for the administration to have Republicans than Democrats. And since they have been elected they have been sitting up of nights devising ways and means to annoy and belittle the great President of the United States. The President of the United States at the close of the most colossal war in all history, when the earth was fairly drenched in human blood, and millions of human beings in God's image had been slaughtered by the machinery of war—at the end, I say, of the greatest war of all the world, when the civilized forces of mankind met in Paris to bring about conditions that would prevent war, the President went from the United States to where 2,000,000 American boys in uniform had gone, where thousands of them poured out their blood in battle, and where thousands of them sleep their last sleep in the soil of France. He went, I say, in person, representing the greatest Government on the globe, to speak for this mighty people in the interest of permanent peace. [Applause.]

He is criticized now by the gentleman from Texas [Mr. DIES]; he is criticized now by the gentleman from Pennsylvania [Mr. MOORE] and the gentleman from Ohio [Mr. FESS] for sitting at the peace table in Europe and trying to prevent war, with all its horrors.

I trust that all of our boys who died in France will be brought back by the Government, and that at home, in the quiet churchyards of the country, with that flag wrapped about their caskets, the Government will lay to rest the forms of these brave boys who died for Old Glory in France. [Applause.] I trust that the President of the United States will stay there and urge with all the power of his brilliant intellect, with all the power that this Government can give him, and speak against war, work against the recurrence of such a war in the future.

If this Government permits this occasion to go by without going upon record as against war, and preventing war, we have been false to our generation. We have committed a crime against posterity. This Government can not afford to let that opportunity go by. I sit here in shame when I hear you on that side or this side decrying and belittling the great President of the United States. [Applause.] I have no patience with it. And I want to tell you that the American people have no patience with it.

You on that side, who promised to support the administration, what will be your answer at the judgment bar of the people two years from now, when the people ask you how you conducted yourselves during this very trying time? How will it be with gentlemen on this side, who are doing all they can to embarrass the President, when they stand at the judgment bar of the people at election time in their districts? You are going to have to face this, gentlemen. As sure as you live and I live, and God reigns, the mothers of America are against war. The fathers of America are against war, the young men and young women of America are against war, except as an absolute necessity, and if we have it in our power to prevent war and will not do it, we commit crime against human beings the world over. [Applause.]

I believe that we can form a league of nations and prevent war. But gentlemen coming from great States that manufacture the implements of death, the mighty machinery of war, decry our efforts to prevent war. I am in favor of protecting the blood and lives of the American people above the idea of putting money in the coffers of the manufacturer of implements of war.

Mr. KEARNS. Will the gentleman yield?

Mr. HEFLIN. Yes.

Mr. KEARNS. This naval bill would put this money in the coffers of the manufacturers of implements of war, would it not?

Mr. HEFLIN. I am not talking about this bill. I am talking about the attack on the President of the United States.

Mr. KEARNS. I thought we were considering this bill.

Mr. HEFLIN. I am now considering the attack on the President of the United States.

Mr. DIES. Does the gentleman believe that a criticism of the President's books, in which he speaks of the checks and balances, is a criticism of him?

Mr. HEFLIN. The gentleman criticized the President for going away from the country. I think if the boys of my district and relations of mine can be taken by the strong arm of our Government and can go to the battle fields in France and achieve victory for our country and civilization, that the President can go there and sit at a peace table in the interest of our country and humanity.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DIES. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The gentleman's time has expired.

Mr. HEFLIN. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. DIES. Will the gentleman yield?

Mr. HEFLIN. Yes.

Mr. DIES. I would like to ask the gentleman from Alabama this question: If the executive head of the British nation and the executive head of the French nation and the executive head of the Italian nation are willing to send delegates to the conference to act for them, and also the executive head of the Japanese nation is willing to send delegates to act for him, does not the gentleman think the President could have found, as they found, other men to sit at the table without moving the office to Paris?

Mr. HEFLIN. Not at all. We are not patterning after Great Britain or Japan or Italy or France. We are the greatest democracy in the world. [Applause.] And the great democrat of America broke all precedents and went himself to speak for the democracy of his own country. It was proper for him to go. [Applause.]

Mr. BARKLEY. Mr. Chairman, will the gentleman yield?

Mr. HEFLIN. I will.

Mr. BARKLEY. I would like to suggest to the gentleman that the real executives of the French, of the British, and of the Italian nations are with the President at the peace table.

Mr. HEFLIN. That is true.

No, gentlemen; you had better get up something else to talk about. Let me tell you, the people who have boys in France, who have had them die on the fields of France, and who hate war, are with the President of the United States and what he is doing to prevent war. Do not doubt that. Mr. Taft is trying to keep you gentlemen from getting into a hole. Every day he is writing in favor of a league of nations, and he is the greatest Republican living—William Howard Taft. [Applause.] Not only that, but he is liable to be your nominee for the Presidency, and if we have to have a Republican as President I would rather see him elected President than any other one I know.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. HEFLIN. No; I can not yield.

There are some pretty good Republicans, but I do not think there is any man in this House, or any 20 men in this House, who can fill the position of the Presidency as well as Woodrow Wilson can.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. HEFLIN. Yes.

Mr. DIES. If under the present administration the annual expenditures of the Navy have been increased from $140,000,000 to $746,000,000, the amount carried in the present bill, and the standing Army has been increased from 50,000 to the present standing Army of 500,000, how long will it be under this administration of world pacifism and benevolence until we get back to the old days?

Mr. HEFLIN. I have not seen the cablegram that the President sent. I do not know what his reasons were for making that request. But I am willing to trust him and the American people are willing to trust him in all his work at the peace table. This program can be held up by a Congress succeeding us, and instead of giving him whole-hearted support and letting the people of the world know that we are back of him, men have their butcher knives out and are trying to stab him to death, here and in another body, and playing politics at the cost of their country's welfare, when the President, the greatest man who walks this earth to-day, is laboring for the peace of the world.

The historian of the future, long after those who slander and traduce the President have passed into silence and pathetic dust, will record his greatness. Long after they have gone, this man Woodrow Wilson will live, not only in the history of America but in the history of the world; and the historian of the future will put him down as the greatest apostle of world liberty and democracy that ever appeared on the earth since Jesus Christ walked the dusty highways of Judea preaching the gospel of democracy, "Unto the least of these, my brethren." [Applause.]

Mr. MOORE of Pennsylvania rose.

Mr. HEFLIN. Does the gentleman desire to interrupt me?

Mr. MOORE of Pennsylvania. No; I wish to follow the gentleman.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. HEFLIN. Very well. I have been up in the gentleman's country.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. DECKER. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. DECKER. I do not know that I want to take all that time.

Mr. Chairman, I had intended before leaving this body permanently to prepare a short speech presenting my views on some of these questions that have come up this afternoon, but I am moved to speak extemporaneously by the remarks made by the distinguished gentleman from Texas [Mr. DIES], for whom I have a profound respect. And more especially am I moved to speak by the universal applause that I heard on the Republican side following his remarks.

The gentleman from Texas appeals for the exercise of independence by the legislative branch of this Government. I have a right to speak for that doctrine, for I have not only preached that doctrine but I have practiced it from the beginning of my congressional career. You may say that I have been wrong in my judgment, but you can not say that I have truckled to Executive authority.

Let us review a little history now. Back in the days of the McLemore resolution, around the cloakrooms and in the lobbies of the hotels two-thirds of the Representatives of this House on both sides, Republicans and Democrats, talked in favor of warning Americans against riding on the armed ships of belligerent nations. You Republicans who applaud the gentleman's appeal for congressional independence now when the danger is over and 50,000 American graves are marked in Europe, how did you answer the roll call on that fatal day? [Applause.]

Mr. BUTLER. Mr. Chairman, will the gentleman yield?

Mr. DECKER. Yes.

Mr. BUTLER. The gentleman knows how I voted.

Mr. DECKER. You voted as I did.

I am not saying I was right. Oh, no. I am saying that the majority of the men on both sides of this aisle thought that I was right then, but when the roll was called many of them yielded their judgment to the judgment of the Executive.

And then talk to me about your independence! Why, you Republicans solicited votes last November on the ground that you had followed Woodrow Wilson more loyally than Democrats had followed him, and now you ridicule and criticize the President and boast of your independence.

Oh, how some men rant and rave, and how they sneer, and how they pour forth their villification and abuse against our great President to-day. And there are some Democrats who do it as well as Republicans. I am not speaking as a partisan now. They do this because of his 14 points. Oh, how they sneer about that league of nations. Oh, how they sneer about "open covenants openly arrived at." Oh, how they sneer about self-determination and the rights of little peoples to have a say in what shall be their future destiny. If you were so independent, if you had so much courage, gentlemen on that side and on this side, if you thought so much of the Constitution, if you understood so well what were the duties of the Representatives of the American people, why did you not sneer and why did you not stand up and voice your opposition when Woodrow Wilson, the spokesman for America, enunciated his "14 points"? [Applause.] Why did you not speak then? Oh, you may smile. There was one Republican that had the courage to speak out at that time. I heard him. I listened to him; and I want to say to you, call him traitor as you may, denounce him as pro-German as you may, I have more respect for him than I have for Democrats and Republicans who now sneer at Woodrow Wilson's 14 points, including the league of nations.

I refer to Senator LA FOLLETTE, who stood in the Senate of the United States like a lion. Not now, when there is no danger politically, oh, no, I will say to the chairman of the Republican congressional committee; not now when the election is over, not now when the war is won and when the dead are counted by the thousands, and the crippled and the maimed are coming back home; no, no, LA FOLLETTE did not wait until the war was over to sneer and bemean and abuse and villify Woodrow Wilson; but in the hour of danger he stood like a man before the world and said it was the duty of Congress to say by solemn enactment what was the purpose of this war. If you did not believe in Woodrow Wilson's "14 points," why did you not stand up then and say what the points should be? Why did not the Republican chairman of the congressional committee who has just spoken stand with Mr. LA FOLLETTE then? If he did not have the courage to stand with LA FOLLETTE then and have Congress state its "points," it strikes me it is a little late now, when the war is over, to sneer at the President's points and to talk about the independence of the legislative body. [Applause.]

Mr. DENISON. Will the gentleman yield?

Mr. DECKER. Yes; I will always yield to the gentleman from Illinois.

Mr. DENISON. I was going to ask my friend from Missouri if he does not recognize a difference in the right of criticism when our country is at war and when we are at peace?

Mr. DECKER. No. It is the difference between courage and cowardice. That is the only difference. If you believed your country was being guided onto the shoals of destruction, if you believed that danger lay ahead, was it then your duty to be silent when Woodrow Wilson, as leader of America, proposed to adopt a certain policy? I have differed from him. I have differed from him openly and earnestly. I indorsed his 14 points then. I indorse them now. If you thought your country was endangered by his policies, then was the time to speak. Why not?

Oh, I know it was dangerous. You might lose your office, indeed. There are boys from my district who will never hold an office. They sleep under the lilies of France. They sleep amid the poppy fields of Flanders. They died for our country. Could not you and I afford to speak and vote for our country?

Now, do not misunderstand me. Let me recount my record. I did everything in my power to keep my country out of war. I knew war meant entangling alliances when my country went

to war. I did everything I could to uphold the hands of Woodrow Wilson as the constitutional leader of our Army and Navy in time of war.

I did this because I thought it was the surest way to win the war. The war has been won, but our responsibility has not ended. At the cost of blood and treasure we helped to destroy the German Government and its power for evil. We have helped to shake the foundations of autocracy in Europe. Have we no right, have we no duty, to help to build something better in its place? We can no longer say we have no interest in European affairs. We are to-day bound to European nations by bonds of interest and sentiment. These bonds were welded in the white heat of war. It is idle to talk longer of our grand isolation.

This is a strange doctrine to come from the source it does—to come from men who voted to send our boys to Europe, who voted to tax the children yet unborn in order to participate in the European struggle—and I am going to grant for the sake of the argument that you were right and I was wrong—it is a strange doctrine to come from you, now that this great country, after it has done all this, should have no participation in the affairs and destinies of European nations. Is there a man here who believes that when another war comes, another great war, that it will be possible for us to refrain from entering that war? Is there one? Ah, we boasted of our isolation, we were proud of our freedom from European entanglements.

But what will happen when the next war comes? Will we enter it? Of course we will enter; we will enter it quicker than we went into this war. Then I stand as one to declare the doctrine that if the boys of our country must die in the next great war that starts across the seas, if our children's children yet unborn must pay the bonds and share the burdens of the next world war, then I want my country to have something to say about the starting of that war. I want my country to be in a position at least to try to prevent that war. [Applause.]

League of nations? Yes; I am for it. League of nations? Yes; I believe it will be the greatest step that was ever taken in all the history of mankind. You sneer at mandatories. I do not know exactly what they mean, but I will tell you what I believe: I believe in a league of nations that has got a "bite in it," a league of nations that will have the power to enforce its decrees, a league of nations that will have the power to say to a Government like the rotten, corrupt, despotic, and inefficient Czardom Russia, and to a despotic, brutal, and powerful Government like Germany, if such a Government shall ever rise again, "Thus far shalt thou go and no further." [Applause.]

Mr. DIES. Will the gentleman yield?

Mr. DECKER. I yield.

Mr. DIES. Is the gentleman in favor of compulsory military service to enforce the decrees of a league of nations?

Mr. DECKER. I believe in compulsory military service in time of war. I said that the night that we declared war against Germany, and I say it now.

Mr. DIES. Does the gentleman think we should have compulsory military service to settle the war between France and Italy?

Mr. DECKER. That is the same as what we have had, and I voted for it, and so did the gentleman from Texas. He voted for conscription to settle this war.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DECKER. I ask for five minutes more.

The CHAIRMAN. The gentleman from Missouri asks that his time be extended five minutes. Is there objection?

There was no objection.

Mr. O'SHAUNESSY. Will the gentleman yield for a suggestion? I want to suggest that the independent legislators who were against conscription, in the Military Affairs Committee, voted against it and spoke against it in the committee, but came out and voted for it and spoke for it on the floor of the House.

Mr. DECKER. Does not the gentleman think it would be better to have spoken then than now—I do not mean safer? [Laughter.] I am for legislative independence in this body. I think this House affords opportunity for as great service as any place on earth. I do not think that the man ever lived that was big enough to completely fill his seat in this House. I do not care how great a man he may be; I do not care how much his learning, how much his courage, how much his foresight, he will never get too big to hold a position in this legislative body, and he will have more than he can do when he gets here if he does the work. I am for the independence of this body. I was for it before the war. I am for it now.

Mr. DIES. I did not quite get the response of the gentleman to my question.

Mr. DECKER. They interrupted me.

Mr. DIES. In the event of the league of nations and in case of a quarrel between, say, Italy and France, would the gentleman from Missouri be in favor of compulsory military service in the United States to make our boys go over there and settle that dispute?

Mr. DECKER. That is a fair question.

Mr. DIES. I think so.

Mr. DECKER. I thank the gentleman for suggesting it.

We ought to meet those things; we ought to meet them as legislators. We ought not to be talking so much about standing by the President. He needs no defense from me. He will be remembered long after you and I have been forgotten. His place in history is already made. The kinds of things that we should consider here are questions like the gentleman from Texas has asked me, and if you will give me time, I will tell you what I think about it.

Mr. DIES. It ought not to take long to answer that.

Mr. DECKER. Longer, my friend, than you dream of. [Laughter.] Let us go back to fundamentals. Who has the right to declare war? Our Constitution says that Congress has the right to declare war. If every Congressman would stand in his place and vote on that question of peace or war as he thought the people of his district wanted him to, you would get a pretty good reflex of the sentiment of the country at the time war was declared.

Then if a majority of the people wanted war, then I am for compulsory military service. To be frank with you, the man who is against compulsory military service in time of war, and who says that it is not democratic, confuses this proposition. It is not democratic to conscript people to go to war when the majority of the people of a country do not want the war. I admit that. But if a majority of a people of a country want war, then there is no way so democratic as compulsory military service.

Mr. DIES. Mr. Chairman——

Mr. DECKER. Oh, wait just a minute. Three of us are in a boat. We are out on a stormy river. Two think we ought to go across. Two vote to cross the river, and I vote not to go. The majority rules, and we start across. Do you not think that they have a right to make me pull my oar?

That is what compulsory military service in time of war means. It is the right of the majority to make the minority pull its oar when the boat is in danger.

If the people of this country, through honest representatives or through a referendum by the people, declare in favor of a league of nations of the world, then there can be no war between Italy and France. That war must necessarily be between Italy or France and the rest of the world.

If my country, by the will of a majority honestly registered, should enter a league of nations in order to prevent war and maintain international order, then in order to carry out the decree of that league of nations I would vote to conscript the last man and the last dollar. We do the same thing in a county when we empower a sheriff to summon any and every citizen to assist in the capture of a murderer.

Mr. DECKER. Then I would vote to conscript the last man and the last dollar to carry on the war to prevent a war. Gentlemen, you can sneer at Woodrow Wilson all you please; you can talk about his 14 points, and you can sneer about the affairs of Lithuania and Esthonia and Jugo-Slavia and the rest of those words we never heard of before the war. The only little country I knew about over there before the war was Ireland. [Laughter.]

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. DECKER. When I am through with this idea I will answer the gentleman. Oh, be ye not deceived! You gentlemen on both sides of the aisle can get up here every day and read letters full of complaints about the conduct of the war. Yes; most of them are just.

When you Republicans get full control of the House you can start your investigating committees to grinding, and you will find some corruption, just like there was when you ran the Government in 1898, just like there always will be when a country goes to war, a democratic country. That is one reason I am in favor of a league of nations to stop wars. That is one reason I would be willing to vote for a league of nations to prevent war, for the reason that I do not believe that democracies can endure and have a war like the present war once every 50 years. It is a human impossibility, and you know it. War means militarism, militarism means despotism. It means corruption, yes. It means inefficiency, yes; and you knew it all the time; you knew there would be when you voted war—every one of you.

You knew it always had been——

Mr. DENISON. No——

Mr. DECKER. Well, then, you have not read the history of this country and the history of other countries. Let me tell you Republicans something: After you have picked around over the many mistakes of the War Risk Insurance Bureau and talked about Mr. Hoover and the price of wheat and the price of other things that the people are not satisfied with, do not forget this, that the people of this country know these things themselves, and still they are backing up the Government and the flag. [Applause.] You can pick many flaws, but the people of this country have not forgotten what the war was about. Some of you would rather sneer at world democracy and put the war solely on the ground of national rights.

That may be ground enough; but the mothers whose boys sleep on the other side, the boys who stagger home maimed and blind—they are not caring so much about the questions of international law, whether a merchant ship has a right to be armed fore and aft for defensive purposes; but I will tell you what the boys are thinking about. I will tell you what their mothers are thinking about. They are thinking about the glorious fight for humanity and for the emancipation of the world. [Applause.] I will tell you what they are thinking about. They are thinking about the war to end all wars. They are not thinking about whether Mr. Lansing was right when he said that the right to arm merchant ships under certain circumstances was "a doubtful legal right." Men hesitate to go to war. I mean go themselves and fight for legal technicalities. Courts might change the law before they get back home.

But on the question of human liberty, on the question of the freedom of the world, on the question of making the world safe for democracy, on the question of ending wars, mothers may well be proud to give their sons and men may well be proud to die. Sneer and scoff as you may about the idealism and theories of Woodrow Wilson, but I believe that the thing that will most console the mothers, whose boys will not come back, the thing that most will ease the pain of those who limp from wounds or grope in blindness, the thing that will be the greatest pay and bring the greatest pride to the heroes of this war, is a league of nations to enforce peace, the highest effort at least to end all wars.

The Clerk read as follows:

Outfits on first enlistment: Outfits for all enlisted men and apprentice seamen of the Navy on first enlistment at not to exceed $100 each; for civilian clothing not to exceed $15 per man to men given discharges for bad conduct, undesirability, or inaptitude; in all, $10,000,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. Mr. Chairman, we have had a helpful discussion this afternoon, innocently started by the gentleman from Texas [Mr. DIES], carried on by the gentleman from Ohio, and delightfully wound up by the gentleman from Missouri. I do not believe, however, that this discussion should continue to a point where we should lose our tempers or immediately determine the affairs of the Nation, at home and abroad. My distinguished friend from Alabama, however, has helped to lift the gloom that has settled over the House, and his speech has cheered. He has given us one of those exhibitions of his fire and eloquence which gentlemen are permitted to enjoy only when he is thoroughly aroused in defense of the President of the United States. I am relieved now that he has spoken, as I was troubled before he spoke. I was in great concern when the eloquent gentleman from Texas, vieing in his attractiveness, if not in vehemence, with the gentleman from Alabama, ventured upon the new, bold, and almost untried field of democracy with the thought that we should get back to normal. I admire the gentleman from Texas, who made a frank statement that if a few more brave and courageous Democrats should take the stand that he did it might help to draw the attention of the country to the fact that many things are done in this House in the name of patriotism, and sometimes at the instance of the President, that ought to be brought to their attention. I was troubled as the gentleman from Texas was troubled and as the gentleman from Ohio [Mr. FESS] was troubled with regard to entangling alliances into which we seemed to have entered without the consent of the people of the United States. I was troubled lest the clever diplomacy of the experienced diplomats of Europe might outwit even the wit of the President of the United States, who undertook in his own person to transact abroad the business of this country in the name of the Congress and of the people.

But, oh, I was gratified when my good and handsome friend from Alabama [Mr. HEFLIN] again entered the lists and came to the rescue. When the gentleman from Alabama was speaking, when he drew attention to the steel interests of Pennsylvania, when he endeavored to draw in the chairman of the Republican congressional committee and besmirch this splendid discussion with a political stigma, I could not help but think that if his demand was for peace he should not be sustaining this presidential bill, which proposes to tax the people more than $700,000,000 to increase the implements of war and to perpetuate in the world the spirit of hostility which he decries.

I sent to my office while the gentleman from Alabama was speaking——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent for five minutes more. Is there objection?

Mr. FOSTER. Reserving the right to object, I would like to ask the chairman of the Committee on Naval Affairs if he proposes to proceed with this bill to-night?

Mr. PADGETT. Yes, sir. I think it will be necessary to proceed until about 10 o'clock. I was hoping that at the conclusion of this the House would be satisfied with this discussion.

Mr. FOSTER. I think, after the gentleman has his five minutes, I shall object to anything further.

Mr. PADGETT. We shall proceed to the consideration of the bill and limit debate. We have been very liberal to both sides in allowing this discussion.

Mr. MOORE of Pennsylvania. The gentleman has been very liberal. I thank the gentleman from Tennessee.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. I thank also the gentleman from Illinois [Mr. FOSTER], although his interruption came at that particular part of my address which was most inopportune. But I expect he will let me get to it in due course. The gentleman from Alabama [Mr. HEFLIN] is my "mutton." I ask the attention of that gentleman, because I have been wondering, lo these many weeks, if his eloquent voice was to be stilled; if it had finally come to pass that the President had no defender upon this floor. But he has spoken. We are reassured. The messenger to my office has brought me the tribute a constituent, who is very close to me, has desired I should pay to the President's gallant defender.

Listen, my colleagues:

TOM AND TUM.

When the President is tourin'
And the country's feelin' blue
And the boys are kind a-worryin'
Not knowin' what to do,
It's just a bit refreshin'
And it thrills you thro' and thro'
To know that Tom is on the job
And Tumulty is, too.

[Laughter.]

The fellers out there on the farm
Who heard their daddies tell
About the great George Washington
And Liberty's old bell
Have done a sight a' kickin'
'Cause the President has slid,
But they didn't know that Tom and Tum
Was sittin' on the lid.

[Laughter.]

It don't make any diff'rence
What the Constitootion says,
So long as we don't get mixed up
With all them foreign jays;
But even if our President
Should slip a cog or two,
We've got our Tom and Tumulty
To fall right back onto.

[Laughter.]

There may be cause for grievin'
When the boss is "over there."
His taking House and Hurley
Kind'a left us in the air;
But no matter if the eggs
Is in one basket, like, you see,
We've got a couple good ones
Left in Tom and Tumulty.

[Laughter.]

And while we had a better sight
Kept Creel upon this side
To keep the truth a-goin'
And to stem t' insurgent tide,
The cables is a-workin'
And the mails is in the bag,
And with Tom and Tum a-watchin
There ain't nothin' going' to lag.

[Laughter.]

'Nother thing: It 'taint in order
Much for us to criticise,
When without exactly knowin'
We should be infernal wise;
What the President is doin'
He is doin' as he said,
And it's up to Tom and Tumulty
To keep it in their head.

So, if anyone's been thinkin'
'Bout alliances and Dukes,
And tanglin' Independence up
With Princes and with Dukes,
Remember, while the boss is
Speakin' langwidge to them kings,
That Tom will run the Ship of State
And Joe will pull the strings.

[Laughter and applause.]

Mr. COOPER of Ohio. Mr. Chairman, I move to strike out the last word.

Mr. Chairman and gentlemen of the committee, I probably would not have attempted to say anything here this afternoon had it not been for the speech of the gentleman from Missouri [Mr. DECKER]. It seemed to me that he tried to leave the impression that every Member of this House who voted to lay the McLemore resolution upon the table did not vote his convictions and that all such were cowards when they cast their vote that way. I want to say that I was one of those who voted to lay the McLemore resolution on the table. The reason that I cast my vote that way was because I believed that American citizens had the right to travel on the high seas. [Applause.]

He said the reason we went to war was to save the world for democracy. Have the Members of this House forgotten the sinking of that great steamship, the *Lusitania*, when it was torpedoed in the dead hours of the night, when without any warning 1,200 innocent souls went down into a watery grave in the Atlantic Ocean—men, women, and defenseless children—a great many of them American citizens? We can still hear the cry of the little babe clutched to the breast of its mother when it came up through the icy waters of the Atlantic in the dead hours of the night when the *Lusitania* went down. Do the Members of this House forget how Kaiser William called the captain of that submarine boat to his side and pinned on his breast the iron cross and commended him for that dastardly deed that he had committed? Oh, we can still hear the so-called ministers of the gospel in their pulpits in Germany justifying the sinking of the *Lusitania* and glorying in it.

Why did this country go to war? On January 31, 1917, the Imperial Government of Germany informed President Wilson that on the very next day—oh, they were very liberal; they gave us 24 hours' notice to take our boats off the high seas—on the very next day, the 1st day of February, they would sink every American boat flying the American flag in certain waters of the Atlantic Ocean, where we had a perfect right to go. To have accepted that proposition would have meant the surrender of American sovereignty upon the high seas.

That is why this country went to war. We did not go to war to save the world for democracy. Our armies went to France to lick Germany, and we did our part in helping to lick Germany. [Applause.]

The gentleman from Alabama [Mr. HEFLIN] says the fathers and mothers of this great land of ours to-day are praying for a league of nations. The fathers and mothers are not concerned about a league of nations. Their boys have done their part; they have licked Germany. What the fathers and mothers want now are their sons returned to their homes in this land. Yet the President of the United States would have us, a great Republic, entangled with all those fighting, snarling, snapping little nations of Europe, and keep the boys over there to police those countries during all their troubles.

I for one do not subscribe to that sentiment. We have done our part. Let us bring our boys home, where they belong. [Applause.]

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. MANN. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last two words.

Mr. MANN. This item carries an appropriation of $10,000,000 for outfits on first enlistments. What was the amount available for the current fiscal year?

Mr. PADGETT. Nearly $25,000,000.

Mr. MANN. How was that carried? On a deficiency bill?

Mr. PADGETT. In the original bill there was $9,975,000 and in the deficiency bill there was $15,000,000, and they said they would be able to turn back into the Treasury about $5,000,000 on account of the cessation of hostilities.

Mr. MANN. Well, this sum is used practically, I take it, for paying the cost of the outfits of enlisted men?

Mr. PADGETT. Yes. It is estimated that $50,000 will be needed for civilian clothing and discharged men—$15 a suit. You will notice there is an item there for that.

Mr. MANN. That provision is for civilian clothing, not to exceed $15 per man, to men given discharges for bad conduct, undesirability, and inaptitude?

Mr. PADGETT. Yes, sir.

Mr. MANN. Certainly the Navy does not discharge 50,000 men?

Mr. PADGETT. I said $50,000.

Mr. MANN. The $10,000,000 is practically paid for the first outfits?

Mr. PADGETT. Yes.

Mr. MANN. That contemplates $100,000, first outfits in the next fiscal year?

Mr. PADGETT. Yes; on account of the large number of men going out and the new recruits that have to come in.

Mr. MANN. What is the Navy going to do? Is it going to let the men out of the service who went in supposedly for the period of the war, but who were in fact induced to sign a 4-year enlistment?

Mr. PADGETT. The Secretary of the Navy stated and the others stated that they thought these men ought to be treated alike, and that they did not want to keep in the service a dissatisfied personnel; and the disposition is that wherever a man makes an application that is founded upon a good ground, to discharge him.

Mr. MANN. Now, this is the fact: The naval recruiting stations throughout the country, when the war commenced, solicited men to enlist in the Navy, stating to them that it was an enlistment for the period of the war.

Mr. PADGETT. A great many say that they so understood it.

Mr. MANN. I am not talking about how they understood it. I am talking about what the naval recruiting officers told the men. It is not a question of understanding. Do not let us mix it up. They told the men it was for the period of the war. Then when the men were transferred to the point where they signed their enlistment papers, they were handed papers to sign, enlisting for four years, and they signed them. What else could they do? Now, the question is whether the Government is going to keep good faith with them, or hold them to the technical enlistment?

Mr. PADGETT. I stated that the Secretary, as well as the others——

Mr. MANN. I know the gentleman said the Secretary stated it, but that does not answer the question.

Mr. PADGETT. And then we have a provision in the bill here providing that those who enlisted after the declaration of war, for a period of four years——

Mr. MANN. You have a provision that the Secretary of the Navy may discharge them. He can do that now. The provision in the bill does not amount to I O U. There is nothing to it. He can discharge them now, and there is nothing to it except this one thing, possibly: He said for a long time that he could not give them an honorable discharge. All you provide is that he may give them an honorable discharge, but that does not require him to discharge them. Now, if the good faith of the Government requires it to settle contracts which are not legal in form, or requires it to pay money to men solicitous to invest in mining operations, if the good faith of the Government requires it to do these things for men who gave materials to the Government, I should like to know whether the good faith of the Government does not equally require it to keep true the statements made by the recruiting officers who induced the men to enlist.

Mr. PADGETT. I have stated that that was the purpose and the policy of the Secretary and of the Bureau of Navigation.

Mr. MANN. That is what they say, but they do not do it. What is the use?

Mr. PADGETT. They say they are doing it very rapidly.

Mr. MANN. The gentleman knows they are not discharging these men rapidly. They say they need the men in the service. The gentleman said this afternoon that they needed the men in the service.

Mr. PADGETT. Yes.

Mr. MANN. Very well. That is not the question. The question is not whether they need men in the service but whether they will keep faith with the men who went into the service.

Mr. PADGETT. The men who went into the service during the war are still in the service under their contract. The war is not yet ended; but the department, as rapidly as it can do so consistently with the safety of the Navy, is discharging them. The gentleman would not have these men discharged in a body and leave the ships so that they would be unmanned and could not be operated.

Mr. MANN. If I had made an agreement with a young man enlisting in the Navy, and had asked him to enlist for the

period of the war, I would let him out at the end of the war if the heavens fell.

Mr. PADGETT. But the war is not yet at an end.

Mr. MANN. Oh, I know; but I am trying to find out what the Navy is going to do. Technically the war may not be over, but it is really over, and the Navy Department have not announced any such policy. On the contrary, they have said they propose to hold the men to this four-year enlistment contract.

Mr. PADGETT. No, sir; because the Secretary of the Navy has already directed 20 per cent of them to be discharged.

Mr. MANN. Then the other 80 per cent are to be held contrary to good faith?

Mr. PADGETT. No; because numbers of them enlisted for four years, intending to remain four years.

Mr. MANN. Of course that is the paper they were required to sign.

Mr. PADGETT. No; others went in there to stay four years.

Mr. MANN. If they are willing to stay, let them stay; but if they want to get out the good faith of the Government ought to let them out.

Mr. PADGETT. Where they entered that way the department is dealing with them that way.

Mr. KELLEY of Michigan. Mr. Chairman, if the gentleman from Illinois will give me his attention, on page 18 of the bill is a paragraph intended to cover the situation the gentleman complained of, and which I think he correctly complained of. That provision provides that a man enlisted for four years shall be held to be construed to have enlisted only for the duration of the war, so that it is not optional on the Secretary of the Navy to keep them in for four years after the bill becomes a law.

Mr. MANN. Well, let us speak. I will read the paragraph; it is on page 18; and then I will ask the gentleman's construction of it.

Now, if the gentleman is willing to change the word "may" to "shall," it will accomplish the purpose; but it means nothing as it stands.

Mr. KELLEY of Michigan. It should be changed to "shall."

Mr. IGOE. Does the gentleman mean that the men shall get a chance to do this. Our experience has been that when orders are given of this kind men never get at it. Why not say that those who want to stay may apply?

Mr. KELLEY of Michigan. After the war is over and peace officially declared this language will accomplish what the gentleman from Missouri desires. The word "may" should be changed to "shall."

The Clerk read as follows:

Naval Home, Philadelphia, Pa., pay of employees: One secretary, $2,200; 1 foreman mechanic, $2,200; 1 superintendent of grounds, at $1,080; 1 steward, at $1,200; 1 store laborer, at $660; 1 matron and office assistant, at $720; 1 beneficiaries' attendant, at $480; 1 chief cook, at $660; 1 assistant cook, at $540; 1 assistant cook, at $480; 1 chief laundress, at $420; 2 laundresses, at $360 each; 3 laundresses, at $300 each; 1 chief scrubber, at $420; 3 scrubbers, at $360 each; 1 head waitress, at $480; 4 waitresses, at $360 each; 4 waitresses, at $300 each; 1 kitchen attendant, at $540; 7 laborers, at $600 each; 5 laborers, at $540 each; 1 stable keeper and driver, at $660; 1 master at arms, at $900; 2 house corporals, at $600 each; 1 barber, at $600; 1 carpenter, at $1,200; 1 painter, at $1,200; 1 painter, at $1,020; 1 engineer, $1,080; 4 laborers, at $720 each; 3 laborers, at $840 each; 1 laborer, at $600; 1 chauffeur, coal truck, at $960; 1 chauffeur, small truck, at $840; 1 chauffeur, governor's car, $840; total for employees, $40,820.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph just read. I wish to inquire what the policy of the committee was as to the increase of salary providing for the various officials and employees enumerated in the paragraph just read.

Mr. PADGETT. There was an increase for each one of them. These salaries are very low and they are paid out of the interest on the Navy pension fund. The Navy pension fund was established many years ago by the sale of naval prizes, and this constitutes a trust fund, and this institution is supported out of the interest on that fund.

Mr. STAFFORD. I assume that each one of the various officials and employees will receive $240 flat allowances that Congress is disposed to vote to all employees of the Government?

Mr. PADGETT. I suppose they will.

Mr. STAFFORD. I have no objection to the increase of the lower salaries of employees. I wish to ask whether, in the increase of salaries, the committee took into consideration that they would receive the additional allowance that is going to be paid to the employees of the Government generally?

Mr. PADGETT. We thought that they would get the same bonus that the others get. All of these salaries are very low.

Mr. STAFFORD. I am asking whether the committee, in arranging the increases, took into consideration the fact that they would also receive the additional allowance?

Mr. PADGETT. I stated I so understood—that they would get the same benefit that others get under the general law.

Mr. STAFFORD. Here we have—and I am more concerned about the two higher officials—a secretary who is raised from $1,800 to $2,200 and a foreman of mechanics from $1,800 to $2,200. Each one would receive, in addition to the $400 increase, $240, which would make $640. Does not the gentleman think that that is a large increase in one year?

Mr. PADGETT. Yes; but these salaries have been distressingly low heretofore.

Mr. STAFFORD. Does not the gentleman think that in view of the allowance of $240 the salaries carried in the bill for the secretary and foreman of mechanics should be fixed at $2,000?

Mr. PADGETT. These were recommended by the governor of the home, who is very familiar with the institution.

Mr. STAFFORD. If reduced to $2,000 then they would be $40 more than the governor of the home recommended.

Mr. PADGETT. He did not include the bonus which would be $240. The committee thought that that was reasonable and as they are paid out of the interest on the trust fund which is a pension fund we thought it a reasonable allowance.

Mr. STAFFORD. Owing to the fact that the Congress has taken the position in favor of giving $240 net increase to all, and the fact that the governor of the home recommended a maximum salary of $2,200 to these employees, would not the gentleman agree to have the salary of these two employees fixed at $2,000 which would make $2,240 salary?

Mr. PADGETT. If the House did that upon a motion, well and good. The committee thought this was a reasonable salary as a basic salary.

Mr. STAFFORD. Of course if the gentleman is not willing to give to these employees $40 more than the governor contemplated in his recommendations, I shall feel constrained to make the point of order.

Mr. PADGETT. I suggest to the gentleman that he withdraw the point of order and make a motion to reduce the amount.

Mr. STAFFORD. Will that be supported by the gentleman?

Mr. PADGETT. I shall not oppose it.

Mr. STAFFORD. Then Mr. Chairman, I withdraw the point of order and offer the following amendment, to strike out in line 21 the figures "$2,200" and insert "$2,000" and in line 22, strike out the figures "$2,200" and insert "$2,000."

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 12, line 21, strike out "$2,200" and insert "$2,000"; page 12, line 22, strike out "$2,200" and insert "$2,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

The authorized enlisted strength of the active list of the Navy is hereby temporarily increased until June 30, 1920, from 131,485 to 225,000 enlisted men, so that the total number of enlisted men of the Navy, regular and temporary, shall not exceed a total of 225,000 men: *Provided*, That the phrase "authorized enlisted strength" as applied to the temporary enlisted personnel for purposes of computations based thereon for temporary officers shall be 181,485 men: *Provided further*, That of the total authorized temporary enlisted strength of 225,000 men there is estimated and included 82,000 men for the operation of the ships of the Army transport service and for the operation of the ships from the Shipping Board, and in the event the operations of such ships do not require the full number of 82,000 enlisted men, the number of men less than 82,000 not so required shall be discharged from the service out of the temporary increase herein authorized.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph just read. I remember in the general debate and in the discussion under the five-minute rule that the question of the permanent enlisted ranks of the Navy was adverted to. I remember the gentleman's explanation as to the policy to authorize only this maximum strength of 225,000 men upon the contingency that a certain number, 82,000, I believe, would be used by the Shipping Board in the transport service.

Mr. PADGETT. Will be used by the Navy in the operation of the ships for the Shipping Board and the Army transports.

Mr. STAFFORD. I wish to inquire whether this would not recognize for all time the permanent enlisted strength of the Navy at 225,000 men.

Mr. PADGETT. Not at all, because it says that the authorized strength is increased from 131,000 temporarily to June 30, 1920, and it is limited to that time by express words. It would have to be increased after July, 1920, by act of Congress. Otherwise, it would go back to the permanent authorized strength, 131,485, plus the 6,000 enlisted apprentice seamen and the Hospital Corps of about 5,700. That is all that is provided by permanent law.

Mr. STAFFORD. Has any testimony been furnished to the committee as to the number of men that will be needed when the present Navy program is completed and put in commission?

Mr. PADGETT. Yes. Capt. Lanning insisted, and the Bureau of Navigation sent in a report for 217,000 and odd, but the committee did not think it would require that many for the reason that they were putting it on a basis of a larger complement of ships.

Mr. STAFFORD. Was that basis on a full complement or the active warfare basis?

Mr. PADGETT. They were estimating that the complement of the ships should be the full complements on all of the ships.

Mr. KELLEY of Michigan. Mr. Chairman, if the gentleman will permit, I think he misapprehended the question of the gentleman from Wisconsin. As I understood the gentleman from Wisconsin, he inquired whether any estimate has been made of the number of men who would be required when all of the ships heretofore authorized were finished. Personally I do not know of any such estimate.

Mr. STAFFORD. That was my question, as to the number of men that would be required to man our ships when the present authorized program is completed.

Mr. PADGETT. No; for the simple reason that we only went to the ships that would be in commission up to the 30th of June, 1920, the end of the fiscal year.

Mr. STAFFORD. And it was estimated that 207,000 would be required for a full complement of those ships?

Mr. PADGETT. Two hundred and seventeen thousand.

Mr. KELLEY of Michigan. That included 20,000 men to man the transports?

Mr. PADGETT. Yes.

Mr. STAFFORD. Of course, the men required to man the transports are expected to be withdrawn after the end of the next fiscal year, and that would mean 197,000 men. Is that on a basis of a full complement for the fighting ships on a war basis?

Mr. PADGETT. Not on what you would call a war basis, because on a war basis they have an extra allotment for casualties and for training. It would be on the full complement, but not as heretofore called the peace complement.

Mr. STAFFORD. Well, I remember in the discussion before we entered the war that there was complaint made by the Navy officials that the various naval ships were only equipped with some 60 to 75 per cent of the necessary men required.

Mr. PADGETT. This is known as the reserve complement. In the peace complement, for instance, take a battleship and it can be operated, say, with 1,050 men. In war times that ship would have perhaps 1,550 men upon it. They estimate that for the full complement in keeping it in activity there would be, say, 1,400 men. Now, in making our estimates and putting it at 225,000 we have gone on the supposition that in the distribution in peace times 1,050 men would be sufficient on a ship instead of 1,400, and on what is known as the war complement or in actual warfare there would be, say, 1,550.

Mr. STAFFORD. With 197,000 required to man ships that will be in commission at the end of the coming fiscal year would it be a rash estimate to say 300,000 men would be required when all the vessels that are now under contract are put in commission?

Mr. PADGETT. No; I think that would be excessive. I do not think it will require that many.

Mr. KELLEY of Michigan. I will say to the gentleman from Wisconsin that the recommendation of the Bureau of Navigation of 197,000 men for the regular ships of the Navy was thought excessive by the committee and that is why we did not increase the authorized strength of the Navy above 143,000 as provided by existing law.

Mr. PADGETT. We wanted to leave that so as to make it permanent if it is to be increased, so that when it is gone into it can be done under more quiet times than now, on a more natural, normal peace basis.

Mr. KELLEY of Michigan. I will say further to the gentleman from Wisconsin that is what the Chief of the Bureau of Navigation provided for keeping the destroyers in commission and all of the Ford boats—Eagles—and a lot of the other craft that could reasonably be put out of commission or in reserve in time of peace.

Mr. STAFFORD. And it is the policy of the bureau, as recommended by the committee, that a large number of destroyers will be placed in reserve? How many have we in all?

Mr. PADGETT. Three hundred and forty-two.

Mr. KELLEY of Michigan. It would seem that would be an economical and proper course.

Mr. BUTLER. The gentleman will understand the department has put no promise on that. It is only talk among ourselves.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The Clerk read as follows:

The authorized enlisted strength of the Marine Corps is hereby increased to 26,297 men, distribution in the various grades to be in the same proportion as is now authorized by law.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph just read. I would like to have some expression on the part of the chairman of the committee or some other member as to what the policy of the committee is as to the temporary force and the permanent force of the Marine Corps.

Mr. PADGETT. Under existing law the permanent authorized strength of the Marine Corps is 17,400. Under the temporary strength the Marine Corps is 75,500. This legislation proposes to increase the permanent strength from 17,400 to 26,294 and to increase until June 30, 1920, the temporary strength to 50,000 instead of 75,000, as it now is. That is the next paragraph.

Mr. BUTLER. Does the gentleman insist on his point of order? If not, I will make it. I do not think it is subject to the point of order.

Mr. PADGETT. I do not think it is, either.

Mr. STAFFORD. I would like to know the reason for this policy to increase the permanent force of 17,000 to 26,200.

Mr. PADGETT. In the naval bill last year, which was approved July 1, by a Senate amendment the permanent strength of the Navy was increased to 131,485.

They did not put anything in the provision for the increase of the Marine Corps. That was left unprovided for and, not being in the amendment, was not in conference, so that the conferees could not deal with the question of the increase of the Marine Corps. The increase of the Navy was agreed to. There has been a sort of general understanding that up to a certain point the Marine Corps would be one-fifth of the Navy, and this puts it at one-fifth of the 131,485. The commandant of the Marine Corps submitted a detailed statement, which appears in the hearings, recommending a permanent increase to 33,000. The Secretary of the Navy did not approve of that, but very earnestly recommended and approved an increase to 26,297.

Mr. BUTLER. Mr. Chairman, does the gentleman withdraw the point of order?

Mr. STAFFORD. I withdraw the point of order.

Mr. BUTLER. I suppose a point of order will not lie against this paragraph.

Mr. PADGETT. I think not.

The CHAIRMAN. The gentleman withdrew the point of order.

Mr. BUTLER. I know. I will renew it.

The CHAIRMAN. The gentleman from Pennsylvania renews the point of order.

Mr. PADGETT. He agreed with me that he does not think it will lie.

Mr. BUTLER. I do not think it would lie, because of the provisions of the act of 1908. Therefore, I am not going to impose——

Mr. STAFFORD. What is the provision of the act of 1908?

Mr. PADGETT. The increase of the Navy and the increase of the Marine Corps are in order on the appropriation bill.

Mr. BUTLER. The act of 1908 reads:

Provided, That hereafter the number of enlisted men in the United States Marine Corps shall be such as the Congress may from time to time authorize.

Mr. PADGETT. The point of order is not made. Let us read ahead.

Mr. BUTLER. Oh, no. We are not going ahead with this. This means $78,000,000, and you gentlemen who are sitting here should know it. I want you, when you vote for this, to understand what you are doing.

The CHAIRMAN. Does the gentleman from Pennsylvania make the point of order?

Mr. BUTLER. I will make it for the purpose of having the Chair rule on it.

The CHAIRMAN. Will the gentleman send the provision to the Chair?

Mr. BUTLER. The gentleman who is now occupying the chair understands the rules of the House as well as any Member, and consequently I hand to him this in order that he may rule upon it.

The CHAIRMAN. The language which the gentleman sends to the Chair is:

Provided, That hereafter the number of enlisted men in the United States Marine Corps shall be such as the Congress may from time to time authorize.

Mr. PADGETT. Now, Congress has to appropriate for the number, and it has always been treated and dealt with in the appropriation bill.

The CHAIRMAN. Has this question been passed upon before?

Mr. BUTLER. It has not. There has always been a dispute in the committee about it.

The CHAIRMAN. Legislation is not in order on an appropriation bill. Merely the expression "shall be such as the Congress may from time to time authorize" does not necessarily mean that it can be authorized upon an appropriation bill.

Mr. BUTLER. The Congress could, if they saw fit, I think. There is another provision following it, passed eight years later, which provides that the officers of the Marine Corps shall be based upon the enlisted force of the Marine Corps, as provided by Congress, anticipating quite clearly that the object of the language and purpose of the language is to divert the question of the size of the Marine Corps to Congress. It is not provided there that they shall be the number of men that Congress shall appropriate for. This is not a legislative bill, but an appropriation bill. I have always had my doubts about the authority.

The CHAIRMAN. This seems to be a somewhat important proposition and, to the Chair, an entirely new proposition. The Chair is very anxious not to make an incorrect ruling upon this.

Mr. STAFFORD. May I suggest to the chairman of the committee that he pass by the paragraphs relating to the Marine Corps and give an opportunity to the Chairman to look up the law?

Mr. BUTLER. Let me have a little——

The CHAIRMAN. The law is here and the rules are here.

Mr. PADGETT. What was it the gentleman from Pennsylvania wanted to do?

Mr. BUTLER. I wanted to have a little talk with the gentleman from Tennessee. Now, I would ask the gentleman from Tennessee, in view of the enormous increase of the appropriation that will be required if we pass that, if it should not be deferred to a later date and reorganize permanently this Marine Corps? Now, I would have no objection to the chairman of the committee making a temporary increase in the Marine Corps to about 50,000 men. In the next paragraph he has authority to do it. If the Chair should hold that this paragraph is in order upon this bill and it should be passed, it means an increase of an enormous number of officers for the Marine Corps, which I do not believe we will need in time of peace.

I do not want to argue that. I have no stroke at the Marine Corps. I care for it as I do for my own child. At the same time, I want the gentleman to understand that this is an increase from $13,000,000 to $78,000,000 for the Marine Corps, as much money, almost, as we appropriated for the Navy in past times.

Mr. PADGETT. This does not increase to that extent.

Mr. BUTLER. I am willing to go in for a temporary increase. This will increase it from $10,000,000 to $12,000,000.

Mr. PADGETT. Not that much.

Mr. BUTLER. Oh, yes. It is eight or nine thousand.

Mr. PADGETT. Let the Chair rule on it.

Mr. BUTLER. Yes; let the Chair rule.

The CHAIRMAN. The Chair is prepared to rule.

Mr. SLOAN rose.

The CHAIRMAN. Does the gentleman from Nebraska desire to be heard?

Mr. SLOAN. It was a question with me whether the authority lies in that statute. If it does not, it does not authorize them to be increased in this bill. It authorizes them to be increased by Congress, and it is assumed that will be done in an orderly way and not in a way that is not orderly.

The CHAIRMAN. Yet it seems to be a very strange thing that that provision should have been put in the law——

Mr. BUTLER. It is surplusage——

The CHAIRMAN. Unless it was intended to apply to an appropriation bill. It says:

Provided, That hereafter the number of enlisted men in the United States Marine Corps shall be such as the Congress may from time to time determine.

Of course it may be——

Mr. BUTLER. It seems like a repetition or an addition. Mr. Chairman, if you will permit me, of language that need not be there. As the gentleman from Nebraska [Mr. SLOAN] has just said, it does not authorize Congress to do what it does not have the right to do. It does not authorize Congress to do something in violation of the rules.

Mr. ALEXANDER. Mr. Chairman, it seems to me that that language has no meaning whatever unless it was the intent of the Congress at the time it was passed that the number of men in the Marine Corps should be limited by the appropriations made by Congress from time to time. We can limit the number now and the amount of money we appropriate for the Marine Corps. If you do not give it that construction it has no meaning at all, because the Congress that enacted that provision of law certainly knew that future Congresses might change the substantive law affecting the Marine Corps.

Mr. SLOAN. I will ask the gentleman from Missouri if he does not think that if Congress intended that the number of men should depend upon the size of the appropriation Congress would have put it in those words instead of this language?

Mr. ALEXANDER. If I had framed the language I would have done that.

Mr. BUTLER. If it had said, "The number of marines that Congress shall hereafter appropriate for," there would be no doubt about it.

The CHAIRMAN. The Chair is going to sustain the point of order.

The Chair will state that probably on an important matter like this some reason ought to be given. The general rules of the House prevent legislation upon an appropriation bill or anything that changes existing law. Here is a proviso in this act of 1908 which would appear upon the surface to undertake to make law, and it does make some sort of law, but it does not seem to be intelligent law. The Chair thinks the safest course is that we rely upon the general rules of the House, in view of the uncertainty of the meaning of the language that is involved in the act of 1908, and therefore the Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

The authorized enlisted strength of the active list of the Marine Corps is hereby temporarily increased until June 30, 1920, from 26,297 to 50,000, distribution in the various grades to be in the same proportion as is now authorized by law: *Provided*, That as and when the number of the enlisted personnel of the Marine Corps serving with the American Expeditionary Forces is reduced below the number of 23,703 the temporary enlisted personnel shall be reduced by the difference between 23,703 and the number still serving with the American Expeditionary Forces.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on that.

Mr. PADGETT. I wanted to offer an amendment to this paragraph.

Mr. STAFFORD. That is why I reserved the point of order. I presume the gentleman wishes to change some of these numbers.

Mr. PADGETT. Yes. On line 7, page 16, strike out "26,297" and insert "17,400."

Mr. BUTLER. That will give us the whole temporary force?

Mr. PADGETT. That will give us the whole temporary force. Then below——

Mr. STAFFORD. In line 12——

Mr. PADGETT. I suppose we had better leave that other just as it is, because that is the estimated number that might be in France.

Mr. STAFFORD. How did you arrive at that?

Mr. PADGETT. They have 25,000 in France.

Mr. STAFFORD. I suppose the number "23,703," which I find in lines 12 and 13, is obtained by deducting 26,297 from 50,000?

Mr. PADGETT. Yes.

Mr. STAFFORD. If you are going to amend the "26,297" to "17,400," why should not that number be increased by inserting the number "32,600"? In the logic of mathematics that would follow.

Mr. PADGETT. That will be all right.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of a point of order.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 16, line 7, strike out "26,297" and insert "17,400" in lieu thereof.

Mr. BUTLER. Mr. Chairman, may I now ask the gentleman from Tennessee a question?

Mr. PADGETT. Yes.

Mr. BUTLER. If this amendment should be adopted and the amendment of the gentleman from Wisconsin is adopted, changing those figures, the result will be by the passage of this paragraph that we temporarily increase the Marine Corps to 50,000 men, with temporary officers only?

Mr PADGETT. Yes; and the temporary officers are limited to the grade of major,

Mr. LITTLE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Tennessee has the floor.

Mr. PADGETT. In line 12, page 16, strike out "23,703" and insert "32,600."

The CHAIRMAN. The gentleman from Tennessee offers a further amendment. There are two amendments pending. The Clerk will report the second.

The Clerk read as follows:

Amendment offered by Mr. PADGETT:

On page 16, line 12, strike out "23,703" and insert in lieu thereof "32,600."

The CHAIRMAN. Is it desired by the gentleman from Tennessee that they be put together?

Mr. PADGETT. The other one has been agreed to. I want to come to line 14. In lines 14 and 15 I want to strike out 23,700 and insert 32,700.

Mr. STAFFORD. Thirty-two thousand six hundred.

Mr. PADGETT. On second thought that will not do, for the reason that we are providing that the temporary force shall be 50,000. There are only 25,000 in France now, and that would simply mean that we were increasing it to 42,000 men, because the difference between 25,000 and 32,600 is 7,600, and instead of 50,000 you would only have 42,400. It would be better just to put the first one 17,400, and the other one is based on the number in France.

The CHAIRMAN. The Clerk will report the first amendment proposed by the gentleman from Tennessee.

Mr. PADGETT. I will withdraw the other amendment.

The Clerk read as follows:

Page 16, line 7, strike out "26,297" and insert "17,400" in lieu thereof.

The CHAIRMAN. The question is upon the amendment.

The amendment was agreed to.

Mr. PADGETT. Now I withdraw the other amendment.

Mr. KELLEY of Michigan. I was going to suggest to the chairman of the committee that if he would offer an amendment changing "23,700" to "25,000," the exact number we have in France, and then put 25,000 in line 15, the language would be absolutely correct.

Mr. PADGETT. There are a few in excess over 25,000 in France.

Mr. BUTLER. Make it 26,000.

Mr. PADGETT. We had better make it 25,000.

The CHAIRMAN. Has the gentleman a further amendment to propose?

Mr. PADGETT. Yes; in lines 12 and 13 strike out "23,703" and insert "25,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 16, lines 12 and 13, strike out "23,703" and insert in lieu thereof "25,000."

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Tennessee.

Mr. STAFFORD. Does the gentleman purpose to change the number in lines 14 and 15?

Mr. PADGETT. I do. I propose to make it 25,000.

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Tennessee.

The amendment was agreed to.

Mr. PADGETT. Now, Mr. Chairman, in lines 14 and 15 I move to strike out "23,703" and insert in lieu thereof "25,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 16, lines 14 and 15, strike out "23,703" and insert in lieu thereof "25,000."

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Tennessee.

The amendment was agreed to.

Mr. LITTLE. Mr. Chairman, I move to strike out the first word. It is a peculiar pleasure to do anything we can for the marines. The gracious courtesy that has governed their conduct toward American citizens and the gallant chivalry they have exhibited on the battle field are worthy of the best eras and the best efforts of the soldiers and sailors of the Republic in this and all wars. They have treated the question of sending their men home with so much consideration for the wishes, the interests, and the needs of the taxpayers that if there is anything this Congress can do for the marines, within its powers and limitations, I think it ought to do it. I am very glad to have the opportunity to say that.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

Mr. HEFLIN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

The Clerk read as follows:

All officers comprising the probationary or temporary officers of the Marine Corps and officers of the Marine Corps Reserve on active duty, and permanent second lieutenants holding temporary appointments in higher grades, shall be eligible to fill vacancies hereby created by transfer to the permanent Marine Corps in the grades held by them on the date of transfer in the proportion not to exceed 42 in the grade of captain, 42 in the grade of first lieutenant, and 56 in the grade of second lieutenant. Transfers so made shall be made without regard to age in grade, and if not found qualified in said grades to lower grades after qualification: *Provided*, That no transfers so made shall be to a higher grade than captain, and all officers so transferred shall establish to the satisfaction of the Secretary of the Navy, under such rules as he may prescribe, the mental, moral, professional, and physical qualifications to perform all the duties of the grades to which transferred: *Provided further*, That 25 additional marine gunners and 25 quartermaster clerks are hereby authorized.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order. My purpose is to inquire whether it is not necessary to reduce the number of officers authorized in this paragraph by reason of our failing to increase the permanent enlisted strength of the Marine Corps?

Mr. PADGETT. No, sir. I think not. They wanted 200, and the committee reduced the number to 140.

Mr. STAFFORD. They desire 200 officers on the permanent enlisted force for 22,600 men. The House has adhered to the present enlisted strength of 17,400.

Mr. PADGETT. This is not an increase of the authorized number. The law of August 29, 1916, fixes the number they are entitled to in different grades. This is only to allow them to take into the service men from the temporary service who can qualify under the authorizations already allowed. Instead of giving authority to fill it all up, this is to allow a limited number to come in from the temporary force who can qualify. It does not add to the number of officers that are authorized if they had the men to fill them.

Mr. STAFFORD. What is the purpose in the last proviso?

Mr. PADGETT. The last proviso does add some clerks, but that is because they are short of the number required for the efficient operation of their guns.

Mr. STAFFORD. It does not relate to the enlisted force of the Marine Corps?

Mr. PADGETT. No.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

Mr. PADGETT. Mr. Chairman, I offer the amendments which I send to the Clerk's desk.

The Clerk read as follows:

Line 17, page 16, strike out the words "probationary or." In lines 19 and 20, page 16, strike out the words "and permanent second lieutenants holding temporary appointments in higher grades." And in line 6, page 17, change the word "the" to "their." In line 10, page 17, insert after the word "twenty-five" the word "additional."

The CHAIRMAN. The question is on the amendments proposed by the gentleman from Tennessee.

The amendments were agreed to.

Mr. McKEOWN. Mr. Chairman, I move to strike out the last word. The 200 officers, as I understood, were for 33,000 marines instead of 26,000; therefore ought this not to be reduced?

Mr. PADGETT. No; they are short of officers under the organization. The number they have in each grade is fixed by law. There is a certain percentage—4 per cent—of enlisted personnel, and this is simply to allow this many temporary officers to come in and qualify. It does not add to the total number of authorized officers. It gives an opportunity for 140 officers that are in the temporary service to qualify and come into the permanent service to fill up the gap that exists there. It does not add to the number in the permanent service.

Mr. McKEOWN. I had an impression that the 200 officers requested were on the theory that the Marine Corps would be 33,000, and your committee has reduced it to 26,000.

Mr. PADGETT. No; it was a question of how much we would take in of the temporary force.

Mr. McKEOWN. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

Enrolled members of the Naval Reserve Force and of the Marine Corps Reserve, other than commissioned and warrant officers, who have performed active duty during the war, may, upon their own application, be transferred to the regular Navy and Marine Corps, respectively, to serve the unexpired term of their enrollment in such rating or rank as they may be found qualified under such regulations as the Secretary of the Navy may prescribe: *Provided*, That such transfers may be made not in excess of the authorized enlisted strength of the Navy or Marine

Corps: *Provided further*, That members so transferred shall be entitled to and receive at the time of transfer the same pay, rights, privileges, and allowances in all respects as though regularly discharged and reenlisted immediately upon expiration of their full four-year enlistment in the regular Navy or Marine Corps.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. PADGETT. Let me state to the gentleman what the purpose of this is. We have enrolled men in the Naval Reserve Force in the Navy and in the Marine Corps who have been serving during the war. When the war ends they go back to inactive duty, but they are in the Naval Reserves. In order to encourage enlistment in the Navy and in the Marine Corps this simply allows a man to count as a part of his four years' enlistment, when he comes in to enlist regularly, the time he has actually served in the war. He counts it as service in the Navy and the Marine Corps instead of in the Reserve Corps. He has been serving in the Navy and the Marine Corps under the designation of reserve. This simply allows him to get the benefit of that as a part of his four years' enlistment.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

Mr. BUTLER. Mr. Chairman, before the Clerk begins to read, may I ask the chairman of the committee how late he proposes to stay, so that we may answer gentlemen who come here with a similar inquiry?

Mr. PADGETT. Mr. Chairman, I have stated to a number of people that if it became necessary I would ask the House to stay as late as 10 o'clock, but we are running along nicely now, and I think that we can get to a point in the bill much earlier than that where we can quit, and be able to finish the bill by to-morrow night.

Mr. BUTLER. I do not think the gentleman will be able to finish it to-morrow night.

Mr. PADGETT. Oh, I think we can.

Mr. STAFFORD. Will the gentleman indicate the place in the bill where we might read to and then rise?

Mr. PADGETT. I think if we read along through these items that are not disputed we might go down to the Marine Corps, which is on page 43.

Mr. STAFFORD. Then the gentleman does not expect to meet at 11 o'clock to-morrow morning?

Mr. PADGETT. I wanted to.

Mr. STAFFORD. The gentleman is asking a very unreasonable thing if he expects us to go to-night to page 43 and then meet to-morrow at 11 o'clock.

Mr. GARNER. There is no contest about any of these items.

Mr. STAFFORD. If the gentleman from Texas will examine the bill he will see that we are now considering everything that is new legislation, which demands explanation, and which has not been made in general debate by the chairman or anyone else.

Mr. GARNER. We will be through with the new legislation in two or three pages.

Mr. BUTLER. I want very much to accommodate the gentleman from Tennessee for two reasons: First, he ought to be accommodated, and, second, he is always trying to accommodate somebody else; but I have been sitting here continuously since 11 o'clock this morning, and I am 63 years old.

Mr. PADGETT. So am I.

Mr. BUTLER. Oh, no.

Mr. STAFFORD. I think the gentleman ought to indicate some page before that.

Mr. GARNER. We want to get through to-morrow.

Mr. STAFFORD. That is impossible, with the fight there is on the naval program.

Mr. PADGETT. I think we can.

Mr. STAFFORD. The gentleman is indulging in idle dreams.

Mr. GARNER. There is no dispute about a lot of this along here.

Mr. STAFFORD. The amounts carried are thirty and forty million dollars, increased threefold over what it was two years ago.

Mr. BAER. Have we covered the appropriations for submarines yet?

Mr. PADGETT. Submarines are all mixed up with everything else. I suggest that page 39 will be a good place to stop.

The Clerk read as follows:

All enlisted men of the Navy and Marine Corps having war service and who may hereafter be discharged or who have been discharged from the service since November 11, 1918 (other than a dishonorable discharge), and before the expiration of their full enlistment shall receive, under such rules and regulations as the Secretary of the Navy may prescribe, an honorable discharge, and shall be furnished with transportation to their homes, with subsistence and transfers en route.

Mr. McKEOWN. Mr. Chairman, I move to strike out the last word, so as to ask about the words "war service."

Mr. PADGETT. They mean those who have been serving in the Navy during the period of this war.

Mr. McKEOWN. That will cover all persons?

Mr. PADGETT. Yes.

Mr. DUPRÉ. In connection with the inquiry of the gentleman from Oklahoma, does the gentleman from Tennessee think that what he has said will be in anyway controlling in the application of this bill when it comes to some body who interprets it?

Mr. PADGETT. I think so. It is carrying out the recommendations of the department. They want to have this that way.

Mr. DUPRÉ. I am very glad to have the assurance of the gentleman from Tennessee.

Mr. STAFFORD. Is not this existing practice and the law?

Mr. PADGETT. No; under existing law a man gets an honorable discharge only if he serves out the full four years; in other words, completes his contract.

If he gets short of the four years he gets an ordinary discharge. There is nothing dishonorable about an ordinary discharge, but the ordinary discharge does not carry with it transportation and it is not an honorable discharge. Now, these boys who entered, many of them, for four years, intending for the war, if they get a discharge they do not get an honorable discharge, but an ordinary discharge. This is to give them an honorable discharge and their transportation.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

Any enlisted man of the Navy or Marine Corps who since April 7, 1917, and before November 11, 1918, enlisted for the period of four years may, upon his application made to the Secretary of the Navy on or before July 1, 1919, be held and construed to have enlisted for the duration of the war and granted an honorable discharge: *Provided*, That said enlisted man is otherwise entitled to an honorable discharge.

Mr. BROWNING. Mr. Chairman——

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. BROWNING. I was going to make a motion to amend.

Mr. STAFFORD. I reserve the point of order to see whether we can secure an agreement on the suggestion to be made by the gentleman from New Jersey [Mr. BROWNING] to insert the word "shall" instead of "may."

Mr. PADGETT. There is no objection.

Mr. STAFFORD. Then I withdraw the reservation of the point of order.

Mr. BROWNING. Mr. Chairman, I move to amend, on line 11, page 18, by striking out the word "may" and inserting the word "shall."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 18, line 11, strike out the word "may" and insert the word "shall."

Mr. BROWNING. Mr. Chairman, this amendment was proposed some time ago. I do not think it is worth while to say very much about it. It was the intention of the committee when that passed that this should not give the Secretary of the Navy the privilege of "may," but that they "shall" be discharged.

Mr. PADGETT. The only thing I want to call attention to is that when you put the word "shall" it makes it exceedingly drastic, and by operation of law all four-year men who come in from that time go out with the men who enlisted for the period of the war and you leave the Navy bankrupt of men.

Mr. BROWNING. I want to make it drastic; it is my purpose to make it drastic. If these men want to come back, they can reenlist.

Mr. DUPRÉ. Just a moment, will the gentleman from New Jersey yield?

Mr. BROWNING. I yield.

Mr. DUPRÉ. I want to ascertain why this difference between the Navy and the Marine Corps. Releases from the Marine Corps are comparatively simple. I understand every application of men in that corps must be presented to the Marine Corps headquarters here, but when it comes to some one in the Navy, why, then under a comparatively recent ruling that matter must be handled by the superior officer of the man who asked to be released from the Navy; but in the Marine Corps the only man who can discharge another, unless I have failed to follow these varying changes of orders, is that in the Marine Corps the last appeal is to the headquarters here. I am very glad that is the case. Will the gentleman from New Jersey [Mr. BROWNING] give me some information as to how the difference exists between the Navy and the Marine Corps?

Mr. BROWNING. I do not know, in answering the gentleman's question, just what particular difference he has reference to. I only want to say in this instance there seems to have

been a misunderstanding with a great many young men who enlisted in the Navy. It was stated on the floor sometime ago that a great many of these young men had enlisted for the period of the war, but when they came to sign their papers it read they should enlist for four years. Now, the object of this amendment is to allow these men who enlisted for the four years to get out of the Navy.

Mr. DUPRÉ. Will the gentleman from Tennessee permit me to pursue this inquiry?

Mr. PADGETT. We would like to make progress.

Mr. DUPRÉ. I am inclined to make progress, but I would like to know something about this particular proposition.

Mr. PADGETT. The difference between the Marine Corps and the Navy is that——

Mr. DUPRÉ. With regard to releases?

Mr. PADGETT. The Marine Corps is like the Army. It is on an Army organization. There they do not have charge of ships and vessels, and a man could be discharged from the Marine Corps without reference to the ship. When a man is on a ship you have to consider what condition it is going to leave the ship in when he is discharged. For instance, if you reduce the number of gunners, the number of machinists, the electricians, or any others of those on a ship, below a certain point, you destroy the efficiency of the ship.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DUPRÉ. Mr. Chairman, I ask that the gentleman may have his time extended five minutes.

The CHAIRMAN. The gentleman from New Jersey [Mr. BROWNING] has the floor. The gentleman from Louisiana [Mr. DUPRÉ] asks unanimous consent that the time of the gentleman from New Jersey be extended for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. DUPRÉ. The situation, as I understand, is this: With regard to releases from the War Department, it has been made quite clear—and even the Chief of Staff has finally made it clear—that requests in that regard must be made through the military channels and transmitted to the superior officer of the man who is in the military service. Very good. I have no complaint to make in that regard. With regard to the men who are in the Navy, I understood that previous to the order that issued from the War Department a similar announcement was given from the Navy Department. Is that true? I ask the gentleman from Tennessee [Mr. PADGETT].

Mr. PADGETT. I thought the gentleman was addressing the gentleman from New Jersey [Mr. BROWNING].

Mr. DUPRÉ. I was trying to get information. I do not care from whom I obtain it.

Mr. PADGETT. What was your question? I was reading here and not listening.

Mr. DUPRÉ. I was asking if it had not been true until very recently, and is it not true now, that the only way for one who is in the naval service—I am not talking of the marines, because I have that in reservation—is it not true that the only way one in the naval service can secure release is to make application through his immediate commanding officer?

Mr. PADGETT. Yes, sir; he has to make it there.

Mr. DUPRÉ. Very good. And there is nothing to be done through the Bureau of Navigation or by appeal to the Secretary of the Navy?

Mr. PADGETT. Yes; I understand if it is refused by the commanding officer he can have it renewed by the Bureau of Navigation.

Mr. DUPRÉ. That is very good so far. Now, we are coming to the Marine Corps, which was the matter we were discussing. I understand now that if one is in the Marine Corps and seeks to get relief that, not as was the case in the Army, not as was the case in the Navy proper, it is still vested in the major general commandant of the Marine Corps?

Mr. PADGETT. I think it is both ways.

Mr. BROWNING. It is both ways, but the gentleman forgets that there is no such situation in the Marine Corps in their enlistment as to time. They are either enlisted for the war or four years. In this case it seems to be the case of young men who have enlisted in the Navy being fooled.

Mr. PADGETT. A man can apply direct to the commandant of the Marine Corps, I understand.

Mr. DUPRÉ. That is what I wanted to bring out. I understand the condition is this: Whenever he is in the Marine Corps it is permissible for him, or somebody else having an interest in him, to present his claim to the Marine Corps for release?

Mr. PADGETT. I so stated. He could present it directly to the commandant.

Mr. DUPRÉ. So, if that is the case, why may it not be done to the honorable Secretary of the Navy?

Mr. PADGETT. I do not know why the difference was made. You would have to get that from the Secretary of the Navy. I do not know why he made the difference.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DUPRÉ. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The time of the gentleman from New Jersey [Mr. BROWNING] has expired.

Mr. DUPRÉ. I ask time in my own right.

The CHAIRMAN. The gentleman from Louisiana is recognized for five minutes.

Mr. DUPRÉ. The gentleman from Tennessee should find out from the gentleman from North Carolina, Mr. Daniels, why this distinction is being made between the men of the Marine Corps and men enlisted in the Navy.

I would like to know why this differentiation exists between the Navy and the Marine Corps in that regard?

Mr. PADGETT. I stated to the gentleman that I did not know why it was; that the Secretary made the difference, but I could not tell the gentleman why he made it.

Mr. DUPRÉ. I repeat my inquiry in that regard, and it seems to me that the chairman of the committee, who comes here and asks us to swallow a lot of things that gag a great many of us, should be able to answer a simple question like that. Will the gentleman seek to ascertain the reason?

Mr. PADGETT. Yes; I will try to find out.

Mr. DUPRÉ. And will the gentleman put it in the RECORD when he finds out?

Mr. PADGETT. Yes; I will try to put it in the RECORD if I find out.

Mr. DUPRÉ. Well, that does not quite satisfy me. [Laughter.] The gentleman said he would seek to ascertain, and then seek to put it in the RECORD.

Mr. PADGETT. I said I would seek the information and put it in the RECORD if I ascertained it.

Mr. DUPRÉ. Will the gentleman put it in the RECORD in that event?

Mr. PADGETT. I will.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New Jersey.

Mr. PADGETT. Mr. Chairman, what was the amendment offered by the gentleman from New Jersey?

Mr. GARNER. To strike out "may" and insert "shall."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. GARNER. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided: and there were—ayes 15, noes 0.

So the amendment was agreed to.

Mr. PADGETT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Tennessee.

The Clerk read as follows:

Amendment offered by Mr. PADGETT: Page 18, line 14, after the word "discharged," insert the words "on his arrival at a home port."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Tennessee.

Mr. WALSH. Mr. Chairman, I would like to ask the gentleman from Tennessee just what that means?

Mr. PADGETT. It means this: Under the language it says he shall be granted an honorable discharge. Suppose a fellow is on a ship in China or somewhere else. He ought not to be discharged over there. He ought to be discharged when he arrives at a home port.

Mr. BROWNING. But suppose, Mr. Chairman, he is down at Guantanamo Bay or in San Domingo. Has he got to wait until he comes home?

Mr. PADGETT. I think so.

Mr. BROWNING. I am opposed to that.

Mr. PADGETT. I will withdraw it, Mr. Chairman, rather than have any controversy over it.

The CHAIRMAN. The gentleman from Tennessee withdraws the amendment. The Clerk will read.

Mr. SMITH of Michigan. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Michigan moves to strike out the last word.

Mr. SMITH of Michigan. I do that in order to find out about the application for a discharge. I would like to inquire of the

chairman whether or not under this language the application must be made directly to the Secretary of the Navy?

Mr. PADGETT. It should be addressed to him, but it would come through military channels. It would be forwarded.

Mr. SMITH of Michigan. It does not say anything about that. But if you go to the Secretary of the Navy and ask to have a man discharged he will tell you that his application must be made to his commanding officer.

Mr. BROWNING. The gentleman will understand that there are a whole lot of rules that we do not put into the law. The Secretary of the Navy can make his own rules. There is no trouble about that.

Mr. DUPRÉ. He will make his rules to suit himself.

Mr. SMITH of Michigan. You say the application will be made to the commanding officer, but it will be forwarded to the Secretary of the Navy?

Mr. PADGETT. Yes. He will make his rules and regulations for carrying it out.

Mr. CONNALLY of Texas. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Texas moves to strike out the last two words.

Mr. CONNALLY of Texas. Under this clause that we are now on, a man who is not entitled to honorable discharge would not get any kind of a discharge until the four years are up, would he?

Mr. PADGETT. Yes.

Mr. CONNALLY of Texas. Where is the language authorizing that?

Mr. PADGETT. This simply provides that he shall be held and construed to have enlisted for the duration of the war, and will be granted an honorable discharge, provided he is entitled to an honorable discharge.

Mr. CONNALLY of Texas. The way the bill is drawn, though, does not the question go not only to his honorable discharge, but to the question that he is held to have enlisted only for the duration of the war?

Mr. PADGETT. No. He is held to have enlisted for the war, and he would be given an honorable discharge, or an ordinary discharge, or a dishonorable discharge; but this gives him an honorable discharge if he would be entitled to it otherwise.

Mr. CONNALLY of Texas. So it is the intention of the committee to draw this bill so that, irrespective of whether he is entitled to an honorable discharge, he is held to have enlisted only for the duration of the war?

Mr. PADGETT. Yes.

Mr. HUMPHREYS. Suppose the term of enlistment of a man in the Navy expires when he is out at sea. Just what happens?

Mr. PADGETT. He is always brought home and discharged here.

Mr. HUMPHREYS. So there will be no trouble about this then?

Mr. PADGETT. None at all. The only reason I offered it was because they said they thought it would clear up the matter.

The CHAIRMAN. Without objection the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

Enlisted men of the Navy and Marine Corps who enlisted for the period of the war may, under such regulations as the Secretary of the Navy may prescribe, extend such enlistment for a period of one, two, three, or four full years and shall be entitled to and receive the same rights, privileges, pay, and allowances in all respects as though regularly discharged and reenlisted immediately upon expiration of a full four-year enlistment.

Mr. STAFFORD. I reserve a point of order on this important paragraph.

Mr. PADGETT. The purpose of it is this: Here is a man in the Navy or Marine Corps who enlisted for the period of the war. He served, say, a year and six months, and he wants to get into the Navy or the Marine Corps permanently. This is to allow him to extend his enlistment so as to make it the full term of four years, counting the time that he served under this temporary enlistment as a part of his full enlistment. It is along the same lines as the preceding paragraph.

Mr. STAFFORD. As I read it—though I do not read it with the full knowledge that the chairman of the committee has—I should think this really provides for the extension of enlistments for one year, two years, three years, or four years, as the enlisted seamen may elect.

Mr. PADGETT. Certainly; but it says that he shall have the same benefits as if he had reenlisted upon the expiration of a full four-year term. Now he has to serve a four-year term in order to get the benefit of a four-year term; but during the war a man may have served two years, and he would extend his time for two years to make up a full four-year term. Another man enlisted for three years. He would extend it, adding to what he had already served enough to make it a four-year term.

Mr. STAFFORD. What benefit will he receive, if this paragraph is agreed to, by an extension of his term of enlistment?

Mr. PADGETT. He would get the benefit that the two services would be added together, and at the expiration of the four years the two together would be counted as a full term.

Mr. STAFFORD. Then this does not give him any benefit or increased pay by reason of enlistment.

Mr. PADGETT. Not when he now reenlists; but if at the expiration of the four years he reenlists he would get the benefit provided on a second enlistment.

Mr. STAFFORD. The gentleman is certain that he will not receive any benefits by reason of reenlistment for this extended period when it does not exceed the four-year period?

Mr. PADGETT. We made that inquiry, and it was so stated.

Mr. STAFFORD. I withdraw the reservation.

Mr. ROGERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ROGERS: Page 18, line 23, after the word "enlistment," insert as a new paragraph the following:

"In time of war or national emergency boards for the selection of officers of the Naval Reserve Force of and above the rank of lieutenant commander for promotion to the next higher grade or rank as now authorized by law shall be composed of not less than five officers of the Navy, senior in rank to the officers to be selected for promotion."

Mr. PADGETT. I reserve a point of order for a moment.

The CHAIRMAN. The gentleman reserves the point of order.

Mr. ROGERS. I wish the gentleman would reserve it long enough to permit me to state my case.

Mr. PADGETT. Yes.

Mr. ROGERS. My amendment is in the precise language of a recommendation made by Secretary Daniels to the House of Representatives, and by the Speaker transmitted to the Committee on Naval Affairs on, I think, the 11th of January, 1919. There are 990 Naval Reserve lieutenant commanders. Many of these men have been in the naval service since the outbreak of the war. Many of them have rendered extremely valuable service. A former Secretary of the Navy, now a Senator elect of the United States, is one of the 990. Not a single reserve lieutenant commander has been promoted to the rank of commander during the war.

The naval appropriation act for the current year, approved July 1, 1918, contains the following paragraph:

No officer of any class of the Naval Reserve force shall, in time of peace, be promoted above the grade of lieutenant commander, but in time of war or other national emergency officers of the Naval Reserve force of and above the rank of lieutenant commander in active service shall be eligible for selection for promotion to the next higher grade or rank by the same board of officers that select officers of the United States Navy for promotion to such higher ranks and grades, under the same rules and regulations as apply to the selection for promotion of officers of the United States Navy.

The Secretary of the Navy, in spite of that authorization in the naval appropriation act, has never taken advantage of the opportunity and has never caused to be examined for promotion a single Naval Reserve lieutenant commander. A selection board for the regular Navy met in July, 1918, but no reserve officers were considered for promotion. In August, 1918, the Bureau of Navigation notified the reserve officers by circular letter that selection boards for reserve officers of the rank of lieutenant commander would meet in January, 1919. In December, 1918, reserve lieutenant commanders were invited to submit any information which should be considered with reference to their promotion.

A selection board met last month and selected officers for the regular Navy, but the Secretary of the Navy declined to sign an order which would authorize the board to consider reserve officers.

Secretary Daniels has stated that the reason which led him to decline to allow that board to pass upon the promotion of reserve lieutenant commanders was that the board for promotion in the regular Navy which was made up of nine admirals was so very much overworked in considering regular Navy promotions that it had no time or opportunity to pass upon reserve promotions. And therefore the Secretary of the Navy in transmitting the exact language that I have just offered wrote to the Speaker of the House of Representatives as follows:

Attention is respectfully invited to the fact that the law quoted requires that the board for selection of officers for promotion in the Naval Reserve Force must be the same board of officers that selects officers of the regular Navy for promotion. The regular Navy selection board is required by law to be composed of nine rear admirals. This board is charged with the selection of officers for promotion in the higher grades of both the regular Navy and the Coast Guard.

The addition to the duties of the board of selection for promotion of officers of the higher grades in the Naval Reserve Force therefore adds an almost overwhelming amount of extra work on the board. All members of the regular board, as is natural and unavoidable, fill high administrative and executive positions and commands of the greatest importance. This addition to their duties of selection in the Naval Reserve Force in its practical working out makes it impracticable, if not impossible, for the members of the board to properly perform their regular duties, and under existing conditions will tend to threaten the efficiency of the Navy as a whole.

There is, therefore, inclosed herewith a proposed draft of a bill to authorize the appointment of a separate board for the selection of officers for promotion in the Naval Reserve Force; and in view of the patent urgency of this measure, as above set forth, it is requested that same be enacted, if practicable, before the close of the present session of Congress.

Mr. Chairman, I have no information as to the reasons which led the committee to disregard the urgent recommendations of the Secretary of the Navy. Clearly, these lieutenant commanders of the reserve force, 1,000 in number, many of whom have been in the Navy and have done splendid service for a year and a half or two years, should be given an opportunity at least to present their case for promotion. There is not a single case of promotion up to this time. My amendment is in the words of the Secretary of the Navy, and creates another instrumentality which would allow meritorious lieutenant commanders of the reserve force to be promoted after proper hearing and investigation. I hope that the chairman of the committee will be induced to withdraw his reservation of a point of order.

Mr. PADGETT. Mr. Chairman, the law provides a remedy now—the same remedy provided for regular officers—nine admirals, six of whom must agree, but this is a provision to change it and substitute a different board of five officers, who instead of admirals shall be officers just above the grade of captain. I make the point of order.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

The act of April 16, 1918 (Public, No. 120), granting, under certain conditions, to every commissioned officer of the Army the right to quarters in kind for their dependents, or the authorized commutation therefor, including the allowances for heat and light, shall hereafter be construed to apply to officers of the Navy and Marine Corps only who are serving in the field as part of the American Expeditionary Forces under the jurisdiction of the War Department.

Mr. WALSH. Mr. Chairman, I reserve the point of order. Do these men get this allowance now?

Mr. PADGETT. Yes.

Mr. WALSH. What is the necessity for the legislation?

Mr. PADGETT. This is the limitation upon the allowances under that act of October 6, I think it was, when there was a provision put in the law allowing commutation of quarters for officers who were serving, engaged in the war, and the Comptroller of the Treasury held that the Marine Corps and the Navy were entitled to the benefit of it. An officer who is serving at sea gets 10 per cent additional pay instead of commutation of quarters. Under that law he is getting the 10 per cent for sea service, and then he is getting the commutation of quarters in addition. This applies generally to the officers of the Navy and the Marine Corps and provides that it shall be cut down to those who are serving in the field in foreign service and not the men who were serving at sea here in the United States or across the waters back and forth. This provision will save about $11,000,000, which otherwise under existing law would have to be paid in the way of commutation of quarters.

Mr. WALSH. Of course, it would save the $11,000,000 if the men are not kept over there.

Mr. PADGETT. That is what the estimate is; that the service that will be performed and the number of officers who will get it will save about $11,000,000.

Mr. WALSH. If they are kept in France.

Mr. PADGETT. No. Under existing law they get it whether they are in France or not in France.

Mr. WALSH. Does the gentleman state that in time of peace the Marine Corps and the Navy officers are serving with the War Department?

Mr. PADGETT. No; the marines are serving with the War Department over there, and the Navy is not serving with the War Department.

Mr. WALSH. It provides that it shall hereafter be construed to apply to officers of the Navy and Marine Corps who are serving in the field as part of the American Expeditionary Forces under the jurisdiction of the War Department.

Mr. PADGETT. Those are the only ones who would get it hereafter, which comprise a very limited number, whereas all of them are getting it now.

Mr. WALSH. Of course they are getting it now because of this former act and because there is a war.

Mr. PADGETT. Yes. This provides that that act shall be construed to apply to this limited number and not to the whole of them.

Mr. WALSH. It must be rather a high limit if there is a saving of $11,000,000.

Mr. PADGETT. It is. When you come to pay commutation of quarters for rooms and heat and light, it amounts to a heap of money.

Mr. WALSH. Does it embrace within its provisions any of the naval aviation force?

Mr. PADGETT. It includes everyone who is with the Navy who gets the benefit of it.

Mr. WALSH. I assume that it includes those that were included within it.

Mr. GARNER. Under that act everybody got the benefit of quarters and 10 per cent while at sea. Under this provision only those in France will get the benefit of it. That is the difference.

Mr. WALSH. The gentleman from Texas has stated it very concisely and briefly, but I should like to know if this includes within its provisions officers of the naval aviation force who are in the Expeditionary Forces?

Mr. PADGETT. Yes; the Navy does not separate officers. They are detailed to the aviation duty. The man may be serving in aviation to-day and be transferred to some other duty to-morrow or next month.

Mr. WALSH. Then, as I understand the gentleman, if this is permitted to become a law, it will save $11,000,000 for the reasons stated by the gentleman, supplemented by the reasons stated by the gentleman from Texas, but it will only constitute that saving in the event that these officers are kept abroad as part of the Expeditionary Forces. There will not be any Expeditionary Force after they come home.

Mr. PADGETT. No.

Mr. WALSH. There will not be any pay; it will not be any saving.

Mr. PADGETT. This is putting a limit during the fiscal year when the Navy is operating, and it saves it when he is here at home.

Mr. GARNER. It does not save anything while he is in France, but when he comes from France he can not have the 10 per cent and commutation both. There is the difference.

Mr. WALSH. I think the gentleman is mistaken.

Mr. GARNER. That is the statement of the gentleman from Tennessee.

Mr. WALSH. Those who are serving in the field as part of the American Expeditionary Force.

Mr. GARNER. That is the exception. The general law gives them, according to the Comptroller of the Treasury, and allows them 10 per cent while on sea duty, and also an allowance for commutation and quarters while on sea duty. They get both. This only makes exception of allowance and commutation to those people who are with the Expeditionary Force in France. None will get it when they come from France except those on sea duty.

Mr. WALSH. When they come from France, the American Expeditionary Forces, what will the saving be by reason of not having to pay this?

Mr. PADGETT. They would not get any then.

Mr. WALSH. Then there will be a further saving?

Mr. PADGETT. Yes; they will save still more.

Mr. WALSH. How much?

Mr. PADGETT. I do not know.

Mr. WALSH. I withdraw the point of order.

The Clerk read as follows:

The rates of pay prescribed in section 15 of an act entitled "An act to temporarily increase the commissioned and warrant and enlisted strength of the Navy and Marine Corps, and for other purposes," approved May 22, 1917, are hereby made the permanent rates of pay of the enlisted men of the Navy.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order.

Mr. PADGETT. Mr. Chairman, the whole thing about it is this: Sometime last year we passed the act of May 22 providing that during the war the pay of the Navy should be added to by $15 a month to the fellow who got up to $21 a month. I have the act here and I will read it:

That commencing June 1, 1917, and continuing until not later than six months after the termination of the present war, all enlisted men of the Navy of the United States in active service whose base pay does not exceed $21 per month shall receive an increase of $15 per month; those whose base pay is over $21 and does not exceed $24 a month, an increase of $12 per month; those whose base pay is over $24 and less than $45 per month, an increase of $8 per month; and those whose base pay is $45 or more per month, an increase of $60 per annum: *Provided*——

Mr. STAFFORD. That is the substantive part of it.

Mr. PADGETT. This simply makes it permanent pay of the Navy.

Mr. STAFFORD. Under existing law, which the gentleman has just read, the pay will continue for at least six months after the termination of the war?

Mr. PADGETT. Yes, sir.

Mr. STAFFORD. That will be well into the next fiscal year. The seamen now enlisted in the service will receive those rates of pay. If we grant this increase, a permanent increase, it will naturally affect the policy of the War Department. I think it is far better, in view of the fact that their pay is secure for nearly a year hence, when Congress will be in possession of full information as to what should be the parmanent pay of the enlisted men in the Army and also the seamen in the Navy, that it should be deferred, and therefore I make the point of order.

Mr. PADGETT. Before the gentleman makes the point of order I want to say I do not believe that if you make the point of order, and that remains the pay, you can get men to enlist in the Navy at the present pay.

Mr. STAFFORD. Why, the present pay is that which is now prescribed by law.

Mr. PADGETT. Here a man comes along and enlists for four years, and if his pay will drop down $15 in three or four months from now he will not enlist.

Mr. BUTLER. Now, Mr. Chairman, will the gentleman permit me, please?

Mr. STAFFORD. Mr. Chairman, I reserve the point of order.

Mr. WALSH. The point of order has been sustained.

Mr. BUTLER. This is talking after the thing has happened.

Mr. STAFFORD. I reserve the point of order.

Mr. BUTLER. We all want to insist on young men who belong to us and the people we represent coming out of this Navy. But we must have other men to take their places, as the Chairman has said to-day. We will not, in my judgment, be able to enlist these men to take the places of the young men we are now endeavoring to have released from the service unless we increase this pay.

Mr. PADGETT. They are turning them out by the wholesale, and you are going to have a barren Navy.

Mr. STAFFORD. The gentleman realizes——

Mr. BUTLER. I know it will cost a good deal of money.

Mr. STAFFORD (continuing). It prescribes virtually the pay of the Army, and yet the gentleman has not conferred with the Committee on Military Affairs at all as to what the pay should be. For the present I insist on the point of order.

The CHAIRMAN. The Chair has sustained the point of order two or three times. The Clerk will read.

The Clerk read as follows:

Section 1 of the act entitled "An act to increase the number of midshipmen at the United States Naval Academy," approved December 20, 1917, is hereby amended so as to read as follows: That hereafter there shall be allowed at the United States Naval Academy five midshipmen for each Senator, Representative, Delegate in Congress, and Resident Commissioner from Porto Rico, and five for the District of Columbia, 15 appointed each year at large, and 100 appointed annually from enlisted men of the Navy, as now authorized by law.

Mr. STAFFORD. I reserve a point of order. What is the necessity for this authorization?

Mr. PADGETT. Just a question of fairness. Under existing law each Senator, Representative, and Delegate in Congress is entitled to five midshipmen at the Naval Academy. Porto Rico is entitled to only one, and the District of Columbia to two. It occurred to us that it was entirely fair that the District of Columbia, that has as many people as any congressional district, or more, should have as much representation as a congressional district, and Porto Rico should have as much representation as Hawaii or Alaska or the others. And to that extent it changes existing law.

Mr. BUTLER. Just for the two places?

Mr. PADGETT. That is all. It gives the District of Columbia five instead of two; it gives Porto Rico five instead of one, and puts them on an equality with the congressional districts of the country.

Mr. DUPRÉ. Will the gentleman from Wisconsin [Mr. STAFFORD] permit me to ask the gentleman from Tennessee a question?

Mr. STAFFORD. I shall be delighted.

Mr. DUPRÉ. Did I understand the gentleman to say that each congressional district was entitled to have five appointees?

Mr. PADGETT. Yes, sir.

Mr. DUPRÉ. How are they prorated?

Mr. PADGETT. Whenever you have a vacancy you have the right to fill it. If you have five vacancies you appoint them all at once, and if you have one you just appoint for that one. You have to keep five there all the time.

Mr. DUPRÉ. I would like to know if there is any sort of pro rata in the way of districts whereby this matter is handled?

Mr. PADGETT. None at all. Whenever you have a vacancy you have a right to make an appointment.

Mr. DUPRÉ. Did I understand the gentleman from Tennessee to say that the practice is that he may withhold his appointment and then throw five at a time on Admiral Eberle, or on the new superintendent?

Mr. PADGETT. Admiral Scales.

Mr. DUPRÉ. Are you going to throw five at Admiral Scales at one time?

Mr. PADGETT. I fill them as they occur.

Mr. DUPRÉ. I do that, too, but I would like to know how the thing is worked, if the gentleman has time to explain.

Mr. PADGETT. Whenever there is a vacancy you make an appointment. If you would appoint five at once, and none of them died, resigned, or dropped out, you would not have another appointment until they graduated.

Mr. DUPRÉ. I am very glad to find out how you are advised about these vacancies.

Mr. PADGETT. I always fill mine, and I would advise you to fill yours.

Mr. DUPRÉ. How is a Member of Congress advised of theso five vacancies?

Mr. PADGETT. As they happen he gets notice from the Bureau of Navigation. They send him a letter telling him of the vacancy, and send him a nomination blank on which to nominate the young man whom he wishes to appoint.

The CHAIRMAN. The point of order is withdrawn, and the Clerk will read.

The Clerk read as follows:

Calvin Willard Gilfillan is hereby authorized and permitted to take the examination for the Naval Academy in February, 1919, and, on satisfactorily passing the examination and being otherwise qualified, to enter the academy at the usual time in 1919.

Mr. WALSH. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Massachusetts reserves a point of order.

Mr. WALSH. This is rather an unusual provision.

Mr. PADGETT. Yes; it is a rather unusual case. I will explain the circumstances.

Up until last year, some time in 1918, the law was to the effect that in the case of nominations to Annapolis by Members of Congress—Senators and Representatives—candidates must be not less than 16 years nor more than 20 at the date of taking their examination. Now, then, they were holding two examinations a year, the first one in February and the second one in April, about the third week in April, somewhere about the 20th. Last May, I think it was, we passed an act changing the law, providing that the candidates must be not less than 16 years old nor more than 20 on the 1st day of April of the year in which they are to enter the academy, fixing the time at a definite date.

At the time of the passage of that act this young man had been nominated to Annapolis; he had gone to a preparatory school, and was attending a preparatory school in order to enter. If the law had not been changed he could take the February examination and would be within the prescribed age, but as the date was changed from the time of taking the examination to a fixed date he was 15 days too old on the 1st of April, so that had the law not been changed after his nomination he could have taken the examination in February and would have been within the age limit. But the law being changed, making it the 20th day of April, he became 20 years of age about the 15th or 16th of March, so that he became 15 days too old by virtue of this change of law after he had been nominated, when he was preparing to take the examination and expecting to take it. There is only one case, and none other can arise under the law.

Mr. WALSH. Where is he from?

Mr. PADGETT. From the State of Texas. He was nominated by Mr. MCLEMORE.

Mr. WALSH. When will he take the examination?

Mr. PADGETT. This coming February.

Mr. STAFFORD. The gentleman says this is the only case. When this special act was under consideration, as the gentleman will recall, on its first presentation I pointed out the very condition which has arisen.

Mr. PADGETT. I changed it to a later date.

Mr. STAFFORD. And the second time it was called to the attention of the gentleman I stated that it would affect other young men, who would be deprived by reason of age from availing of the opportunity of taking the examination if they reached the required age on the second Tuesday of February.

Mr. PADGETT. It can not occur again.

Mr. STAFFORD. There may be many others of these young men similarly situated.

Mr. GARNER. Undoubtedly if there were many others Members of Congress would know about it.

Mr. STAFFORD. Perhaps Members of Congress would say to their constituents, writing to them about it, that the law had been changed, and that they are barred.

Mr. WALSH. I recall having made such a statement in my correspondence.

Mr. STAFFORD. It would bar them.

Mr. PADGETT. I do not see how it could.

Mr. WALSH. Does the gentleman think this is the proper language to accomplish what he seeks to do for this young man from Texas?

Mr. PADGETT. I think so. I submitted it to the Secretary of the Navy.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WALSH. I still further reserve the point of order, Mr. Chairman.

Mr. PADGETT. I submitted it to the Secretary of the Navy, and he replied that he had no objection to it and approved the language.

Mr. WALSH. Well, there is only one gentleman of that name in the United States, and possibly that is right. What is meant by the language on page 20, line 1, "on satisfactory passing the examination"?

Mr. PADGETT. He must pass the examination, just as anyone else has to do.

Mr. WALSH. Is there any such thing as an unsatisfactory passage of the examination?

Mr. TILSON. The gentleman used the wrong word. It should be "satisfactorily."

Mr. WALSH. The word ought to be "satisfactorily," but I can not understand why you say "satisfactory passing the examination" if he passes it.

Mr. BARKLEY. He may pass the literary examination, and he might be found deficient on the physical examination.

Mr. PADGETT. The word "satisfactory" is perhaps surplus there, but it does not change anything.

The CHAIRMAN. Does the gentleman from Massachusetts insist on his point of order?

Mr. WALSH. I am inclined to withdraw the point of order; but I think if the gentleman thinks this is the only case he is mistaken, because I have no doubt many Members have had young men write them who have been nominated or wanted to be nominated and prepare for this examination. Somehow or other this young man from Texas is the only one who has had his case brought to the attention of the Naval Affairs Committee, and we are going to legislate him into the Naval Academy, because that is what it amounts to.

Mr. PADGETT. This young man had been nominated and his nomination had been approved, and he had received papers from the Bureau of Navigation permitting him to take the examination this coming February.

Mr. WALSH. Before the law was passed?

Mr. PADGETT. Yes; before the law was passed; and then he found himself 15 days too old.

Mr. GARNER. He had a good case. The date in this provision ought to be changed from February to April, because you are not going to pass this law in time for the February examination.

Mr. WALSH. Well, I do not know. The Secretary of the Interior went ahead with some miners recently, and entered into some moral obligations in anticipation of the passage of a law. I withdraw the point of order.

Mr. PADGETT. There is a difference in the print of the bill. In the bill that I have before me the word in line 1, page 20, is "satisfactorily." In the other print it is "satisfactory." I move to strike out the word "satisfactory" and substitute the word "satisfactorily."

The CHAIRMAN. The gentleman from Tennessee offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 20, line 1, strike out the word "satisfactory" and insert "satisfactorily."

The amendment was agreed to.

Mr. BROWNING. Mr. Chairman, I move to amend by striking out in line 1, page 20, the word "February" and inserting in lieu thereof the word "April." This bill will not become a law so that this boy can take this examination in February.

Mr. PADGETT. That is all right.

The CHAIRMAN. The gentleman from New Jersey offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 20, line 1, strike out the word "February" and insert in lieu thereof the word "April."

Mr. WALSH. Mr. Chairman, I desire to discuss the amendment. Of course, we are given to understand that when the ship of state makes its voyage from the shores of sunny France back to the United States, it will very shortly thereafter turn around and hie itself again to foreign shores. Now, if we change this to April, the Executive who has to sign the act may be abroad, and the courier who may be sent abroad with the necessary papers and fountain pens for the signature to be affixed may not get there until after the date of the examination. As long as you have made an exception, why not give this young man from Texas a little further time and set the date of his examination at July 4?

Mr. PADGETT. This bill must become a law before the 4th of March or it will not become a law at all.

Mr. GARNER. July 4 would undoubtedly be in keeping with the boy's patriotism.

Mr. WALSH. And it would be a monument to the patriotism and industry of the gentleman who got the paragraph inserted into the naval bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey.

The amendment was agreed to.

Mr. PADGETT. Mr. Chairman, I wish to offer an amendment on my own responsibility. This is not a committee amendment, but it is a matter that was sent down to me within the last day or two. I have not had an opportunity to submit it to the committee. I will make an explanation of it after it is read.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 20, after line 3, insert:

"That hereafter chief machinists, when their total length of service as machinists, warrant machinists, and chief machinists is equal to or more than 12 years, and chief pay clerks, when their total active service as paymasters' clerks, pay clerks, and chief pay clerks, is equal to or more than 12 years, and chief pharmacists, when their total length of service as pharmacists and chief pharmacists is equal to or more than 12 years, shall receive the pay and allowances of a lieutenant (junior grade), and when their total active service is equal to or more than 18 years they shall receive the pay and allowances of a lieutenant."

Mr. STAFFORD. Mr. Chairman, I reserve the point of order.

The CHAIRMAN. The point of order is reserved.

Mr. PADGETT. I think it was in the act of August 29, 1916, that we provided that warrant officers should receive, after 12 years, the pay of a lieutenant, junior grade, and after 18 years the pay of a lieutenant, the service to be from the date of commission. It happens that in the case of chief machinists, chief pay clerks, and pharmacists, they were not given commissioned grades until a number of years after other warrant officers were given them, so that we have some warrant officers who are given this pay 12 years from date of commission and 18 years from date of commission, while in these ranks men who have been serving 26 years will still have to serve two more years before they get it, because this commissioned rank was not created until later. A gentleman from Pennsylvania came in to see me the other day who has been serving 26 years. The gentleman from Pennsylvania [Mr. BUTLER] was present.

Mr. BUTLER. Yes. This man has been serving 26 years.

Mr. PADGETT. And he would have to serve two more years before he would get it, because the existing law provides that it shall be 12 years from the date of commission. These ratings were provided for about six years after it had provided for other ratings, and it discriminated against the three ratings in the warrant ranks.

Mr. STAFFORD. Mr. Chairman, this subject of granting consideration to men by reason of back service, and giving a commission, has been up here several times from the Naval Affairs Committee. I am informed by a member of the committee that this matter has never been submitted to the full committee.

Mr. PADGETT. I so stated as fully as I could.

Mr. BUTLER. But the committee has talked about it.

Mr. PADGETT. We reported two years ago a provision which we thought covered the whole matter, but by making it read "date of commission" instead of "date of warrant" it cuts out the long-term men who had been serving for years before the commission rank was created. The men who come in in other ratings who had commissions granted in these ratings six years before, got the benefit of this pay although they have served years less than these men.

Mr. STAFFORD. I recall last year the gentleman reported a bill providing for that kind of service, and now he is bringing in an amendment that has not received the consideration of the full committee. Mr. Chairman, I make the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

ORDNANCE AND ORDNANCE STORES: For procuring, producing, preserving, and handling ordnance material; for the armament of ships; for fuel, material, and labor to be used in the general work of the Ordnance

Department; for furniture at naval ammunition depots, torpedo stations, naval ordnance plants, and proving grounds; for necessary improvements at and maintenance of proving grounds, powder factory, torpedo stations, gun factory, ammunition depots, and naval ordnance plants, and for target practice; for the maintenance, repair, or operation of horse-drawn and motor-propelled passenger-carrying vehicles, to be used only for official purposes at naval ammunition depots, naval proving grounds, naval ordnance plants, and naval torpedo stations, and for the pay of chemists, clerical, drafting, inspection, and messenger service in navy yards, naval stations, and naval ammunition depots: *Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for chemists, clerical, drafting, inspection, watchmen, and messenger service in navy yards, naval stations, naval ordnance plants, and naval ammunition depots for the fiscal year ending June 30, 1920, shall not exceed $2,000,000; in all, $30,000,000.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. PADGETT. What is the gentleman's point of order? This is the regular appropriation for the work of the Bureau of Ordnance; there is nothing new in it and no change of language or purpose; it is the working appropriation of the Bureau of Ordnance.

Mr. WALSH. The gentleman says there is nothing new in it. Does the existing law contain the language "naval ordnance plants"?

Mr. PADGETT. No; that is the change of a word. The present language is "an armor and projectile plant." That is a building being built at Charleston, W. Va. It is just a change of name to ordnance plants from armor and projectile plants. It is a name better suited to it.

Mr. WALSH. I notice here it says "for the maintenance, repair, or operation of horse-drawn and motor-propelled passenger-carrying vehicles to be used only for official purposes in the naval ammunition depots, naval proving grounds, naval ordnance plants, and naval torpedo stations." Is there any regulation or pronunciamento on the part of the naval department as to what constitutes "official purposes" for the use of automobiles which are bought by the score and operated by men in the service?

Mr. PADGETT. Only by men in the service when engaged in the work——

Mr. WALSH. Of riding in them.

Mr. PADGETT. On official business. For instance, in the navy yards, going from one place to another on official business and not social.

Mr. WALSH. Mr. Chairman, I withdraw the reservation of a point of order and move to strike out the last word. I would like to get the gentleman's views on that phase of the question. He states that in using the automobiles they do not use them socially. Does the gentleman think that the use of a Government automobile by a naval officer, driven by an enlisted man or chauffeur in the service, attending theaters, dinner parties, and dances after hours, is making use of that machine for official purposes?

Mr. PADGETT. I think not.

Mr. WALSH. I am sure that such a practice does not meet with the approval of the chairman of this committee.

Mr. PADGETT. It does not, and I have not heard of anything of that kind in the Navy.

Mr. WALSH. Nor has the gentleman observed it?

Mr. PADGETT. No; and the Secretary has issued orders prescribing that they must be used strictly for official purposes and that a violation of them would subject the offender to court-martial.

Mr. WALSH. Yes; but, of course, it is a fact that the Navy automobiles are not labeled with large letters in the manner of those used by the War Department.

Mr. PADGETT. I understand that they are lettered with letters an inch and a half in size.

Mr. BUTLER. I thought they were 4 inches.

Mr. WALSH. The gentleman must have been using his long-distance glasses if he saw letters 4 inches high.

Mr. PADGETT. The committee understood that they were all marked in that way.

Mr. WALSH. Sometimes it is difficult to tell, where a machine is not marked, and you see it driven by a naval officer—operated by apparently a man in the naval service—whether it is the property of the Government or not.

Mr. PADGETT. I understand that all of the machines belonging to the Government in possession of the Navy are marked in large letters. A great many naval officers own their own machines and ride in them.

Mr. WALSH. Has the gentleman seen any of those machines about Washington with Navy marks upon them?

Mr. PADGETT. I have not looked; I do not know.

Mr. STAFFORD. The gentleman, I believe, is shortsighted.

Mr. PADGETT. I have not seen them; I do not know.

Mr. WALSH. Mr. Chairman, I am very glad, touching upon this subject covered in this paragraph, that the Secretary of the Navy, or the authorities having these machines in charge, has issued strict orders that they shall be used only for official purposes, because we all know that in other branches of the service these machines are not being used upon official business only, and are being used for pleasure, and that they are being used in ways that ought not to get the approval of those authorities having the machines in their custody and control.

Mr. PADGETT. Permit me to read to the gentleman the part of an official order signed by the Hon. Franklin D. Roosevelt, Acting Secretary of War:

> Noncompliance with these instructions shall be regarded as disobedience of orders and a misuse and application of Government property. The department further directs that immediate steps be taken to place the following legend in appropriate letters on both front doors of each Government-owned car, letters to be in a contrasting color to the car color and not less than 1½ inches high:
>
> "This car is used for official Government business only."
>
> The department, in bringing this letter to the notice of the Bureau of Yards and Docks, which has cognizance of the purchase and operation of the motor vehicles, has directed that suitable steps be taken to see that this order is carefully and fully observed.

Mr. STAFFORD. Mr. Chairman, I rise in opposition to the pro forma amendment. The appropriation for ordnance and ordnance stores as recommended by the committee is $30,000,000, in all $522,000 less than that carried in last year's bill.

Mr. PADGETT. There was a deficiency of $11,000,000.

Mr. STAFFORD. With the deficiency of $11,000,000, making it $11,000,000 less for the coming fiscal year than in war times. All through this bill the appropriations for the fiscal year are comparable with and approach the appropriations carried in the last naval appropriation bill, and they are usually three and four times the amount of the appropriations that were provided in the bill of the year before, when we were on a peace basis. In this item two years ago we appropriated $6,204,000. There may have been some deficiency appropriation, but that in large numbers was the amount carried during peace times. We are carrying throughout this bill now virtually the appropriations which were carried when we were at war. I had thought that if in anything we had stored up property as a result of preparedness during the year and six months we were at war, it was in ordnance and ordnance stores.

Mr. PADGETT. Mr. Chairman, this is not for the shooting part of it. This is the operating part, the maintenance, the upkeep of the ships.

Mr. STAFFORD. The very first sentence in the paragraph provides for procuring, producing, preserving, and handling ordnance material.

Mr. PADGETT. Mr. Chairman, I will read a part of a letter. I asked the Secretary about it. The letter says:

> Although in my hearings I stated it was the intention of the department during the next fiscal year to keep in full commission about 16 battleships from the *South Carolina* down, yet there will be ordnance work in the way of labor and materials required on 32 battleships. It is contemplated that this appropriation will have to care for the upkeep in ordnance of 150 destroyers, 23 cruisers, 8 armored cruisers, 32 battleships, 37 gunboats, 87 submarines, 5 transports, 50 subchasers.

The item of labor alone that was estimated in the various navy yards in working on the production of guns and gun carriages, and so forth, was estimated by the bureau chiefs at $30,000,000. They submitted an estimate of $53,000,000, but the committee has reduced it to $30,000,000.

Mr. BUTLER. Originally they had $75,000,000 in the estimates.

Mr. PADGETT. I understand; but I am talking about the revised estimates.

Mr. STAFFORD. That estimate was predicated upon continuing in war.

Mr. PADGETT. Talking about conditions before the war, we have three or four times as many ships to take care of and repair and upkeep in ordnance and ordnance materials and supplies. This is not for powder.

Mr. STAFFORD. This appropriation and its growth only exemplifies what we may expect if we are going to pursue the extravagant policy as recommended by the committee, true, with a string attached to it, whereby it has been estimated that in 1924 this country will be burdened with a charge of $750,000,000 for the maintenance of that program.

Why, if we continue on this policy, Mr. Chairman, there will be such a burden upon the present generation that they will not be able to shake off the yoke. We talked of going into this war for the purpose of civilization, and yet, by reason of this heavy load upon the shoulders of humanity which you are proposing in this bill, you are loading down humanity so they are going to quake until some time there may be such a protest that they will sweep everything before them. Talk about this great program in time of peace? We went into the war in

order to escape from the burdens of the armaments of European countries, and now, when we thought there was a ray of sunshine and we would be relieved of those great burdens here in the territory of the United States, isolated as we are and protected as we are from foreign assaults, we have taken upon us the yoke of militarism from which the peoples of the Old World have tried to free themselves for the last half century. That is the message of this bill.

Mr. WINGO. Mr. Chairman, I wish to offer an amendment—page 21, line 2, strike out "$2,000,000" and insert "$1,000,000" and strike out "$30,000,000" and insert "$29,000,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

> Page 21, line 2, strike out "$2,000,000" and insert "$1,000,000" and strike out "$30,000,000" and insert "$29,000,000."

Mr. WINGO. Mr. Chairman, before I discuss this I should like to ask the chairman of the committee if this $2,000,000 item does not cover the laboratory of the gas experimental station? Where is that located?

Mr. PADGETT. No; that does not relate to that at all. This is ordnance, for pay of clerks——

Mr. WINGO. No; pay of chemists.

Mr. PADGETT. Yes; in connection with the production and analysis of powder——

Mr. WINGO. But where is that laboratory?

Mr. PADGETT. We have not any. Those are the yards.

Mr. WINGO. Where in the gentleman's bill does he take care of the experimental gas station?

Mr. PADGETT. There is nothing in here about the experimental gas station.

Mr. WINGO. The Navy had one and the initial appropriation for it when established was $200,000, so I was informed. You have a plant that was down east of here; where is it and how do you carry it in this bill, in what item?

Mr. PADGETT. We have an experimental station down at Annapolis, with an appropriation of $160,000, I think it is, that is under the Bureau of Steam Engineering, which comes in a little later on.

Mr. WINGO. Well, it is more than that. Here is what I am trying to get at. The Navy has a station where they are investigating explosives and gases for the Navy. That is comparable to the experimental station out here at the university that was taken from the Bureau of Mines and turned over to the Army. That is the kind of plant I am trying to locate in the gentleman's bill.

Mr. PADGETT. I do not know of any particular place of that kind.

Mr. WINGO. Well, the gentleman will remember——

Mr. PADGETT. There was an appropriation several years ago for the erection of a large experimental station which cost about a million and a half or two million dollars.

Mr. WINGO. As I now recollect, about the time we went into the war the Appropriations Committee included an item of $200,000 for this station, for the purchase of land and starting an experimental station on the same line of work that they are doing at the university. Now, I may be misinformed——

Mr. PADGETT. I do not know.

Mr. WINGO. I looked the matter up——

Mr. PADGETT. This $2,000,000 is to pay for the clerical force in all of these yards and naval stations and could not be reduced. It is not an additional appropriation.

Mr. WINGO. I will state to the gentleman, while I am on this subject—I will withdraw my amendment—that, while I have raised the question, I will give the gentleman what I had in mind, then possibly he can locate the provision in the bill.

I have been informed that this is the situation. A short time before we went into the war we had a fine gas experimental station out here at the university that they called the University Experiment Station, under the control of the Bureau of Mines. It seems that the gentlemen in charge of the Bureau of Mines were men of vision, and they came to the conclusion that it would be something remarkable if we kept out of the war. So six months before we went into the war they commenced experimenting in gases, and they conducted some very successful experiments. And finally, after they had perfected and made such wonderful progress, the President made an order that took that gas experimental station out of the hands of the Bureau of Mines and vested it in the Gas Division of the Army, with Gen. Sibert at the head.

Mr. PADGETT. I do not know of anything of that kind.

Mr. WINGO. I understand that recently the Army—and I have not had a chance to investigate it since I received this information, but I am going to do it—wanted to do away with this plant out here, and they proposed dismantling it, and asked for an appropriation to establish a new station, just as I thought, from the information that I received, the Navy had asked.

Mr. PADGETT. I do not know of any the Navy had.

Mr. WINGO. I am trying to investigate this matter, and when the military bill comes up I am going to oppose the establishment of a new plant. I am going to be in favor of turning back that work to the Bureau of Mines, for this reason: If you have a separate plant for the Navy and a separate plant for the Army, doing the same kind of work, you will necessarily restrict these experiments to two different lines, or, rather, to one line, and that will be along military lines—military explosives and gases—but if you maintain the old station you had and conduct the old experiments that were being carried on, which were not only of value from a military standpoint but from a scientific standpoint, this Government, pursuing its policy, will certainly maintain an experimental station for scientific purposes.

I thought it would be the part of economy if you had one station that conducted the experiments with these gases and explosives that could do the investigating not only for scientific but for military purposes; and I am opposed to turning it over to the Army, opposed to turning the matter over to the Navy, because you will have an extravagant expenditure of money that will be limited to only one branch of the investigation. Those experiments carried on out there—as you know, who have investigated it, and those who have not if you will take the time to investigate it—by that establishment won the admiration of the scientific world.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WINGO. Mr. Chairman, I ask for three minutes more.

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent for three minutes more. Is there objection?

There was no objection.

Mr. WINGO. They got the cooperation of the leading scientists and men in the laboratories of the leading universities of the United States, and they rendered a great service to humanity, and during that six months they perfected and brought the gases that were used by our Army up to a high state of perfection. And that experiment station is entitled to all the credit for the work that was done, because their plant and their experiments were taken over after they had performed the labor and achieved the success. So the gas division was given a perfected plant with plans all perfected. I think it ought to be turned back to the same management.

Mr. TILSON. Will the gentleman yield?

Mr. WINGO. Yes.

Mr. TILSON. Does the gentleman know it has been recommended that the Chemical Warfare Service be abolished in the Army, and that only an appropriation for the experimenting and testing of such gases as that is going to be asked for by the Army?

Mr. WINGO. They proposed to abolish this out here, and then go and buy land and establish a new experimental station, which would be the height of folly. I have been told that when they got ready to dismantle out here they overlooked the fact that they did not own the land and were going to sell the land there. I do not know what authority they had to sell it, anyway. As a matter of fact, the gas division ought to be abolished. They proposed to take out to the ocean and dump all the TNT. One Army officer said that that would be a useless waste; that that stuff could be utilized in this country for domestic operations.

Finally they abandoned that proposition. If you turn this over to the Army they will look at it from a military standpoint. I say this not with any reflection upon the Army officers. Their training has been such that they do not look at it from the commercial or scientific standpoint, but only from the military standpoint. You should put it back into the Bureau of Mines, and not establish two separate plants, one for the Army and one for the Navy. If you do, you will have to spend on each one of them each year more than it will cost to maintain the plant out here that you already have.

Mr. Chairman, I withdraw my amendment.

Mr. DYER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Missouri moves to strike out the last word.

Mr. DYER. I do so, Mr. Chairman, for the purpose of getting a little information. Will the chairman of the committee state as to the probable number of civil-service employees, if any, who are employed under the Bureau of Ordnance?

Mr. PADGETT. No; I can not. This takes in, you see, every navy yard in the country—New York, Boston, Philadelphia, Norfolk, Portsmouth, Newport News, the torpedo factory, and

Columbia, S. C., and New Orleans, and Key West and Pensacola, Fla., and Mare Island, Cal.

Mr. DYER. As a matter of fact, a great many of these men are employed in those places, and an immense number of them are enrolled in the civil service, are they not?

Mr. PADGETT. Yes, sir. And the legislative, executive, and judicial appropriation limits the number that can be employed, and this is just a limitation on the amount that can be paid out of this sum.

Mr. DYER. Well, the legislative, executive, and judicial appropriation bill contains a provision to the effect that former employees under the civil service who have resigned their positions to enter the military service shall be put back in their positions.

Mr. PADGETT. Yes.

Mr. DYER. That rule would not apply to these employees, would it, in the opinion of the chairman?

Mr. PADGETT. I think it would; and the department wants to take them all back, where they can get them, where they are experienced and trained men. They hated to give them up.

Mr. DYER. I will say to the gentleman that some of them have been having serious trouble in getting back.

Mr. Chairman, I would like to offer, at the end of this paragraph, an amendment similar to the one which I offered and which was put on the legislative, executive, and judicial appropriation bill and also to the deficiency appropriation bill, with reference to men of that character.

The CHAIRMAN. The gentleman from Missouri [Mr. DYER] withdraws the pro forma amendment and offers an amendment, which the Clerk will report.

The Clerk read as follows:

At the end of line 2, page 21, insert:

"*Provided*, That no part of any appropriation herein shall be used unless all former Government employees who have been drafted or enlisted in the military service of the United States in the war with Germany shall be reinstated on application to their former positions appropriated for herein if they have received an honorable discharge and are qualified to perform the duties of the positions."

Mr. PADGETT. For the present, Mr. Chairman, I will reserve a point of order on that amendment.

Mr. DYER. Well, Mr. Chairman, I will say to the gentleman that this is the same amendment that was presented twice and was favorably ruled upon in the committee.

Mr. PADGETT. I see that it is a limitation. Go ahead.

Mr. DYER. I understand, Mr. Chairman, that the point of order is withdrawn.

The CHAIRMAN. Is the point of order withdrawn?

Mr. PADGETT. Yes.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Missouri.

Mr. DYER. I want to call attention to this fact: We put this provision into the legislative, executive, and judicial appropriation bill, and the Senate committee has reported that bill to the Senate with a provision substantially like that of the House, but much stronger, in my judgment, and stronger than we could put it in here under our rules on account of its being subject to a point of order. The Senate committee has changed it so as to provide that all former Government employees who were drafted or enlisted in the military service of the United States in the war with Germany shall be reinstated on application to their former positions if they have received an honorable discharge and are qualified to perform the duties of their positions. They have reported it making it mandatory upon all the department heads. If that is written into the law as the Senate committee has presented it—and I have no doubt it will pass the Senate in that form—I feel sure the conferees on the part of the House will accept it, because it will end the conditions we have had during the past, in my judgment, with reference to these matters. A great many soldiers and sailors who entered this war and who were civil-service employees either here in Washington or elsewhere on returning have found their positions filled, and when applying for reinstatement have been told that there is no position open to them, and the result is that they have had to cling to their only hope, which was the order issued extending the time to five years in which they could apply for reinstatement.

In other words, they have been told that they could go out and find a place if they could, and that they would be put back. Now, this Senate amendment makes it mandatory upon the executive to put these men back into their positions. I have had a number of cases of this kind. Here is a letter which is a sample of complaints that I have received and I include in my remarks. It is as follows:

Referring to letter from the Civil Service Commission addressed to you and which you forwarded to me, wherein the commission refers to the fact that the War Department and its various offices are undoubtedly entirely filled up with clerical workers, and stating that I had the privilege of entering any other department of the civil service where there were vacancies. In this connection, Mr. DYER, I wish to thank you for the efforts you extended in my behalf and incidentally to inquire as to whether or not further action can be taken.

The Quartermaster General's office also returned my request for reinstatement to me, containing practically the same information as the Civil Service Commission apparently gave you. For instance, the Quartermaster General's office suggests that I communicate with all the different zone supply officers in the country, stating my qualifications, etc., and if a request comes to them for my reinstatement from any zone they will gladly approve same. Now, Mr. DYER, doesn't this appear on the face of it a most absurd and impossible suggestion; first, because I have no way of ascertaining where the various zone supply officers are located, and, second, as I have learned from past experience, if I were fortunate enough to personally know any officer from the grade of, say, captain up, who perchance might be located in any zone, then, I say, I should experience no difficulty in getting placed; but unfortunately I do not possess this information. This would in particular apply to the zone supply office located at St. Louis, Mo. Then, too, if the zone supply office in St. Louis could take on clerical workers and later on transfer them to various zones who had made requests upon this zone for men, why did not they do it in my case? This I know absolutely they have done. Further, if such transfers are being made from zone to zone, why does not the Quartermaster General acquaint himself with these needs, and doing so he would not have to turn down the request of an experienced employee in Quartermaster Corps work? The Government asks cooperation from corporations all over the country in replacing returned soldiers, yet they do not require cooperation from their various departments. Col. Williams states to me that there is no vacancy, yet since I have put in my request for reinstatement over 200 men have been taken on in various capacities at this zone supply office located in St. Louis.

Nor does the Civil Service Commission offer me but little more encouragement. If the Civil Service Commission is aware of the fact that the various departments of the War Department are filled up, why do not they suggest my name being placed on an eligible list to the secretary of this ninth civil-service district for call to fill any vacancy that might occur in this district in any civil-service capacity? As I stated on my application for civil-service examination, I was willing to go anywhere, but, of course, preferred the district of Missouri; however, if not in Missouri, then, of course, anywhere, as I took this examination with a view of remaining in the civil service and not merely for the very good salaries they were compelled to offer in competing with civil corporations during war times.

I submit this for your information, Mr. DYER, and in the hope that you might be able to advise me further; also, that I may be successful in again becoming a civil-service employee.

Mr. PADGETT. Let me suggest to the gentleman that instead of putting it in as a limitation on an appropriation he offer it as a piece of legislation directing that it be done, instead of doing it by indirection.

Mr. DYER. Will the gentleman agree to this language: To strike out the words "no part of any appropriation herein shall be used unless" and make it read, "*Provided*, That all former Government employees," and so forth?

Mr. PADGETT. That is what I am suggesting.

Mr. DYER. I am glad to have that suggestion.

Mr. PADGETT. I never like to do things by indirection.

Mr. DYER. My amendment was offered in that form only for the purpose of making it in order.

Mr. PADGETT. I understand that.

Mr. DYER. I ask unanimous consent to strike out the words "that no part of any appropriation herein shall be used unless."

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to modify his amendment as suggested. Is there objection?

There was no objection.

Mr. DYER. And I ask unanimous consent that further on down the words "appropriated for herein" may be stricken out.

The CHAIRMAN. Without objection, these words will be stricken out. The question is on the amendment as modified.

Mr. WALSH. Let us have the amendment as modified reported.

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

Modified amendment offered by Mr. DYER: Page 21, at the end of line 2, insert:

"*Provided*, That all former Government employees who have been drafted or enlisted in the military service of the United States in the war with Germany shall be reinstated on application to their former positions if they have received an honorable discharge and are qualified to perform the duties of the position."

Mr. CURRY of California. Mr. Chairman, section 9 of the civil-service law provides that not more than two members of one family may be employed anywhere in the civil service of the Federal Government. That section did not originally apply to the employees of the navy yards, but the mechanics, laborers, and clerks in the navy yards were by Executive order placed under the provisions of section 9 several years ago. Now, there are probably 200 or 300 employees of the Mare Island Navy Yard and the Benicia Arsenal who have gone into the Army and Navy of the United States. Their places probably have been filled by others than members of their own families, but I know of a number of instances where two members of the family of a man in the Army or Navy are at the present time employed under the civil service of the Federal Government. I should like to

know if this amendment would provide for the reinstatement of those soldiers and sailors who gave up their remunerative jobs to go into the Army and Navy to fight for their country without one of their relatives being required to resign or being discharged from their civil-service position?

Mr. PADGETT. That is what this provides.

Mr. CURRY of California. I have tried to have the navy yards taken out from under the provisions of this section 9, but have received no reply from the Navy Department as yet. I would like to have this amendment positively cover those cases.

Mr. PADGETT. This would cover the cases of the men who are in the military service, but it would not cover the case of two in a family. If two members of a family had left the civil service to enter the military service they would put the two of them back; but if a new one has gone in to take the place of a soldier, the soldier coming back might put the other man out. I do not know what the provision of the civil-service law is, and I would not want to undertake by an amendment on the naval bill to change the general civil-service law without knowing what its purpose, context, and application are. The effect of this is to take back the soldier who gave up his job and is now coming back and wants it.

Mr. CURRY of California. Yes; but the two members of the soldier's family are, perhaps, on the job given up by the soldier. They are employed by the Government under the civil-service laws of the United States. Are you going to discharge one of them to give the soldier back his job or are you going to keep him?

Mr. PADGETT. This does not affect the civil-service law. This puts the man back on his job, which he gave up to go into the war.

Mr. CURRY of California. I would like to amend the amendment, Mr. Chairman, by inserting at the end of the amendment the words "Section 9 of the civil-service law shall not apply to such cases nor to the members of the family of soldiers and sailors who are at the present time employed under the civil service of the United States."

Mr. PADGETT. I make a point of order against that as not relevant and not pertinent.

Mr. CURRY of California. I want to call the gentleman's attention to the fact that he can not make the point of order against that unless he makes it against the whole amendment.

Mr. PADGETT. Yes, I can.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. CURRY of California offers an amendment to the amendment, as follows:

"At the end of the amendment insert: 'Section 9 of the civil-service law shall not apply to such cases, nor to the members of the families of soldiers and sailors at present employed by the United States.'"

Mr. PADGETT. I make a point of order that that is not germane.

The CHAIRMAN. The Chair sustains the point of order.

Mr. TILSON. Mr. Chairman, I would like to ask the gentleman from Tennessee if he thinks the word "military" will be construed in its broad signification or whether it will be held to include the Army and not the Navy?

Mr. PADGETT. I suppose it will be construed in its broad sense. It might be well to add "military, naval, and marine."

The CHAIRMAN. Does the gentleman offer an amendment?

Mr. PADGETT. Yes; I offer an amendment to the amendment of the gentleman from Missouri.

The Clerk read as follows:

Amendment by Mr. PADGETT: After the word "military" insert the words "or naval."

Mr. SCOTT of Michigan. I would like to ask the chairman of the committee if he thinks this amendment would include the Coast Guard Service?

Mr. PADGETT. Yes; it would include them, because in the war they are in the naval service.

Mr. HUMPHREYS. Would it include the marines?

Mr. PADGETT. Yes.

Mr. DYER. I am quite sure on investigation that the word "military" would cover both branches of the service, but I have no objection to the amendment.

The CHAIRMAN. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

The CHAIRMAN. The question now is on the amendment as amended.

Mr. DYER. Mr. Chairman, I want to ask unanimous consent to insert in lieu of the words "being drafted or enlisted" the words "who have entered."

This might not be construed to include officers and we want to provide for men who have been commissioned as well as those who have entered the service otherwise.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to modify his amendment by striking out the words "being drafted or enlisted in" and insert in lieu thereof the words "who have entered."

The Clerk reported the modified amendment, as follows:

Strike out the words "being drafted or enlisted in" and insert in lieu thereof the words "who have entered."

The CHAIRMAN. Is there objection to the modification of the amendment?

Mr. WALSH. Reserving the right to object, do I understand the purpose is to provide for cases of officers who may leave the military service?

Mr. DYER. This is to provide for anyone who has entered the service and has been honorably discharged.

Mr. WALSH. Are there some officers who want to get out of the military service?

Mr. DYER. I have a number who have been trying to get out.

Mr. WALSH. That is a hopeful sign.

Mr. STAFFORD. I do not know whether we ought to adopt the amendment proposed by the gentleman. There are many instances which have been called to the attention of the committees of Congress where persons filling civilian positions in the War Department were given majorships, and even higher positions, merely for the purpose of increasing their pay, while continuing to perform civilian duties. Certainly the gentleman does not intend to allow those men to revert back to their original positions. The purpose of the gentleman's amendment originally was to provide for enlisted men.

Mr. DYER. Absolutely; but some men have been officers, and they gave up their positions, and if they go back and are ready to accept their civilian positions, and are qualified, at the same salary, I do not think there should be any objection.

Mr. STAFFORD. Anyone who enlisted and rose to a commission naturally would be taken care of under the original phraseology of the gentleman's amendment.

Mr. DYER. That is true.

The CHAIRMAN. Is there objection to the modification of the gentleman from Missouri? The Chair hears none. The question is on agreeing to the amendment as modified.

The amendment was agreed to.

Mr. PADGETT. Mr. Chairman, let me see if we can not reach some agreement in regard to reading further. Suppose we read to the top of the next page and then I move to rise?

Mr. BUTLER. The gentleman means to continue the session until we reach that point?

Mr. PADGETT. Yes.

Mr. BUTLER. And then the gentleman will move to rise?

Mr. PADGETT. Yes.

Mr. GARNER. With the understanding that we will meet at 11 o'clock to-morrow.

Mr. PADGETT. Yes.

Mr. GARNER. The gentleman from Massachusetts [Mr. WALSH] shakes his head.

Mr. WALSH. That was not in the agreement.

Mr. GARNER. The gentleman from Tennessee told me that if we rise now or at the end of this reading we could meet at 11 o'clock to-morrow; otherwise some one would make the point of no quorum and we would have to call the roll and stay here until late. It seems to me that if we rise now we ought to be able to meet at 11 to-morrow.

Mr. BUTLER. If the gentleman would move to rise now, it would be agreeable to me.

Mr. STAFFORD. I hope the gentleman from Massachusetts [Mr. WALSH] and the gentleman from Pennsylvania [Mr. BUTLER] will not object to our meeting at 11 o'clock if we finish this page.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Purchase and manufacture of smokeless powder, $2,500,000.

Mr. TILSON. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee in regard to this item. It seems to me rather a large item, in view of what must have taken place in the Navy. Surely, during a year and a half of war there must have been a considerable manufacture and accumulation of smokeless powder.

Mr. PADGETT. The Navy has a supply of smokeless powder, but not a large surplus. This is simply enough to keep the powder factory at Indianhead running during the year on one shift a day. That is all we put in for that purpose.

Mr. TILSON. Does the gentleman say that the Navy has not a considerable surplus of smokeless powder?

Mr. PADGETT. They say not.

Mr. TILSON. It seems that the Army has a very large surplus of explosives. It is said that the Army has on hand 100,-

000,000 pounds of TNT, and that there is talk of dumping it into the ocean.

Mr. PADGETT. That was a different kind.

Mr. TILSON. I understand.

Mr. PADGETT. This is for big guns.

Mr. TILSON. I understand, of course, that it is a different explosive from the other.

Mr. PADGETT. This is only to keep the factory running one shift a day instead of three, as it was running during the war.

Mr. TILSON. So it takes two and a half million dollars a year just to keep the smokeless-powder factory running?

Mr. PADGETT. To keep up the supply, and then this will not more than keep it up for the needs they will have.

Mr. TILSON. Even in peace times?

Mr. PADGETT. No, sir.

Mr. TILSON. I withdraw the pro forma amendment.

The Clerk read as follows:

Torpedoes and appliances: For the purchase and manufacture of torpedoes and appliances, to be available until June 30, 1922, $1,000,000.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. As I understand it there was $10,000,000 appropriated in this item last year to be available until June 30, 1921. Now, you propose to appropriate $1,000,000 to be available until June 30, 1922. What is the reason for having this appropriation continue available so many years in advance of the expiration of the life of the bill?

Mr. PADGETT. It is only two years. It has been carried that way for years for the simple reason that in the manufacture of torpedoes they can not always figure they will get their machinery and parts together and complete them within a year, and Congress has always allowed this to run for two years. The other one was for 1921, and before that it was made to 1920, and this is just as it has been for a number of years without any change of policy or plan.

Mr. STAFFORD. I withdraw the reservation of the point of order.

The Clerk read as follows:

Contingent, Bureau of Ordnance: For miscellaneous items, namely, cartage, expenses of light and water at ammunition depots and stations, tolls, ferriage, technical books, and incidental expenses attending inspection of ordnance material, $25,000.

Mr. PADGETT. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. FOSTER having taken the chair as Speaker pro tempore, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15539, and had come to no resolution thereon.

HOUR OF MEETING TO-MORROW.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

Mr. WALSH. Mr. Speaker, reserving the right to object, does the gentleman expect, by meeting at 11 o'clock to-morrow and sitting late, to finish this bill to-morrow night?

Mr. PADGETT. I am hoping to finish the bill without having to sit late.

Mr. WALSH. I suppose that perhaps the gentleman's hopes and expectations are the same, but I am asking him if he expects to sit to-morrow evening late enough to finish this bill providing he did not finish it by 2 o'clock or 3 o'clock or 4 o'clock in the afternoon?

Mr. PADGETT. Yes; I would sit until——

Mr. BUTLER. The chairman has accepted an invitation from me to-morrow night, and I am going to hold him to it. I only wish I could invite you all.

Mr. PADGETT. I would say at least until 7 o'clock, anyway.

Mr. BUTLER. So we can be at the place by 8 o'clock.

Mr. PADGETT. I would be glad if the gentleman could fix the arrangement for 9 o'clock, so as to let us have a little leeway.

Mr. BUTLER. No——

Mr. PADGETT. Say 7 o'clock to-morrow night.

Mr. BUTLER. I am much obliged to the gentleman.

Mr. WALSH. Whether the bill is finished or not?

Mr. PADGETT. Of course it will not run after 7 o'clock.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

ADJOURNMENT.

Mr. PADGETT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 40 minutes p. m.) the House, under its previous order, adjourned until to-morrow, Friday, February 7, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a deficiency estimate of appropriation required for purchase of additional land at Walter Reed Hospital, District of Columbia (H. Doc. 1766); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers submitting abstracts of proposals received during the fiscal year ending June 30, 1918 (H. Doc. No. 1767); to the Committee on Expenditures in the War Department and ordered to be printed.

3. A letter from the Secretary of War, transmitting report of proceedings to date in determining value and advisability of purchase of the Cape Cod Canal, connecting Buzzards Bay and Cape Cod Bay (H. Doc No. 1768); to the Committee on Rivers and Harbors and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of War, submitting supplemental estimate of appropriation required by the War Department for armament of fortifications and fortifications of insular possessions (H. Doc. No. 1769); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting copy of a communication from the acting chairman of the United States Shipping Board submitting a deficiency estimate of appropriation required by the Shipping Board for expenditures heretofore authorized in connection with the purchase, requisition, etc., of plants, materials, ships, etc., and for the recruiting, instructing, and training of officers and crews of American vessels, fiscal year 1919 (H. Doc. No. 1770); to the Committee on Appropriations and ordered to be printed.

6. A letter from the chairman of the Public Utilities Commission of the District of Columbia, transmitting reports from the Washington Market Co. and the Union Transfer Co., and affidavits from other public utilities that they are unable to furnish the required report within the time fixed by law (H. Doc. No. 1771); to the Committee on the District of Columbia and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. ASHBROOK, from the Committee on Coinage, Weights, and Measures, to which was referred the bill (H. R. 15495) to amend an act to provide for the appointment of a commission to standardize screw threads, reported the same without amendment, accompanied by a report (No. 1041), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. DELANEY, from the Committee on Pensions, to which was referred the bill (H. R. 15706) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, reported the same without amendment, accompanied by a report (No. 1038), which said bill and report were referred to the Private Calendar.

Mr. LOBECK, from the Committee on War Claims, to which was referred the bill (H. R. 6451) for the relief of Martin Goldsmith, reported the same with amendment, accompanied by a report (No. 1039), which said bill and report were referred to the Private Calendar.

Mr. GARRETT of Texas, from the Committee on Military Affairs, to which was referred the joint resolution (S. J. Res. 175) to correct an error in the wording of the appropriation of $71,000 made in the act approved July 9, 1918, and to authorize the Secretary of War to pay said sum to respective parties entitled thereto, reported the same without amendment, accompanied by a report (No. 1040), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GREEN of Iowa: A bill (H. R. 15681) donating a captured German cannon or field gun and carriage to the city of Audubon, county of Audubon, State of Iowa; to the Committee on Military Affairs.

Also, a bill (H. R. 15682) donating a captured German cannon or field gun and carriage to the city of Glenwood, county of Mills, State of Iowa; to the Committee on Military Affairs.

Also, a bill (H. R. 15683) donating a captured German cannon or field gun and carriage to the city of Elk Horn, county of Shelby, State of Iowa; to the Committee on Military Affairs.

Also, a bill (H. R. 15684) donating a captured German cannon or field gun and carriage to the city of Atlantic, county of Cass, State of Iowa; to the Committee on Military Affairs.

Also, a bill (H. R. 15685) donating two captured German cannon or field guns and carriages to the city of Council Bluffs, Pottawattamie County, State of Iowa; to the Committee on Military Affairs.

Also, a bill (H. R. 15686) donating a captured German cannon or field gun and carriage to the city of Red Oak, county of Montgomery, State of Iowa; to the Committee on Military Affairs.

Also, a bill (H. R. 15687) donating a captured German cannon or field gun and carriage to the city of Guthrie Center, county of Guthrie, State of Iowa; to the Committee on Military Affairs.

By Mr. McCULLOCH: A bill (H. R. 15688) to donate a captured cannon or gun to the Boy Scouts of the city of Newcomerstown, Ohio; to the Committee on Military Affairs.

By Mr. CAMPBELL of Kansas: A bill (H. R. 15689) authorizing the Secretary of War to donate to the city of Cherokee, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15690) authorizing the Secretary of War to donate to the city of Baxter Springs, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DOMINICK: A bill (H. R. 15691) for the purchase of a site for and the erection of a post-office building at Belton, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15692) for the purchase of a site for and the erection of a post-office building, courthouse, and other Government offices at Greenwood, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15693) for the purchase of a site for and the erection of a post-office building, courthouse, and other Government offices at Anderson, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15694) for the purchase of a site for and the erection of a post-office building at Williamston, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15695) for the purchase of a site and for the erection of a post-office building at Pelzer, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15696) for the purchase of a site for and the erection of a post-office building at Piedmont, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15697) for the purchase of a site for and the erection of a post-office building at Seneca, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15698) for the purchase of a site for and the erection of a post-office building at McCormick, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15699) for the purchase of a site for and the erection of a post-office building at Westminster, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15700) for the purchase of a site for and the erection of a post-office building at Honea Path, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15701) for the purchase of a site for and the erection of a post-office building at Pickens, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15702) for the purchase of a site for and the erection of a post-office building at Easley, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15703) for the purchase of a site for and the erection of a post-office building at Walhalla, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15704) authorizing the Secretary of War to donate to the city of Belton, S. C., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 15705) authorizing the Secretary of War to donate to the city of Honea Path, S. C., one German cannon or fieldpiece with carriage; to the Committee on Military Affairs.

By Mr. SMALL: A bill (H. R. 15707) granting the consent of Congress to the construction of a bridge across the Roanoke River at or near Williamston, Martin County, N. C.; to the Committee on Interstate and Foreign Commerce.

By Mr. STEDMAN: A bill (H. R. 15708) to provide for the purchase of a site and the erection of a public building at Mount Airy, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. STEAGALL: A bill (H. R. 15709) directing the Secretary of the Navy to grant honorable discharges to enlisted men of the Navy for certain reasons; to the Committee on Naval Affairs.

Also, a bill (H. R. 15710) directing the Secretary of War to grant honorable discharges to enlisted or drafted men in the Army for certain reasons; to the Committee on Military Affairs.

By Mr. RAMSEYER: A bill (H. R. 15711) to amend an act entitled "An act to save daylight and to provide standard time for the United States," approved March 19, 1918; to the Committee on Interstate and Foreign Commerce.

By Mr. McKEOWN: A bill (H. R. 15712) authorizing the Secretary of War to donate to the city of Okemah, Okfuskee County, State of Oklahoma, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15713) authorizing the Secretary of War to donate to the city of Lehigh, Coal County, State of Oklahoma, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15714) authorizing the Secretary of War to donate to the city of Holdenville, Hughes County, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15715) authorizing the Secretary of War to donate to the city of Coalgate, Coal County, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15716) authorizing the Secretary of War to donate to the city of Wetumka, Hughes County, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15717) authorizing the Secretary of War to donate to the city of Wewoka, Seminole County, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15718) authorizing the Secretary of War to donate to the city of Seminole, Seminole County, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15719) authorizing the Secretary of War to donate to the city of Shawnee, Pottawatomie County, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15720) authorizing the Secretary of War to donate to the city of Drumright, Creek County, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15721) authorizing the Secretary of War to donate to the city of Tecumseh, Pottawatomie County, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15722) authorizing the Secretary of War to donate to the city of Chandler, Lincoln County, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15723) authorizing the Secretary of War to donate to the city of Prague, Lincoln County, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15724) authorizing the Secretary of War to donate to the city of Sapulpa, Creek County, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15725) authorizing the Secretary of War to donate to the city of Bristow, Creek County, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15726) authorizing the Secretary of War to donate to the city of Tishomingo, Johnston County, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15727) authorizing the Secretary of War to donate to the city of Welletka, Okfuskee County, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15728) authorizing the Secretary of War to donate to the city of Ada, Pontotoc County, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CANNON: A bill (H. R. 15729) authorizing the Secretary of War to donate to the Oakwood Township High School, Catlin, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WISE: A bill (H. R. 15730) to enlarge and make additions to and further improve the post-office building at Macon, Ga.; to the Committee on Public Buildings and Grounds.

By Mr. FOCHT: A bill (H. R. 15731) for the purchase of a site and the erection thereon of a public building at Lewisburg, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15732) for the purchase of a site and the erection thereon of a public building at Newport, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15733) for the purchase of a site and the erection thereon of a public building at Waynesboro, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15734) increasing the limit of cost for a Federal building at Lewistown, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. GLYNN: A bill (H. R. 15735) to donate a captured cannon or gun to the town of Naugatuck, Conn.; to the Committee on Military Affairs.

Also, a bill (H. R. 15736) to donate a captured cannon or gun to the city of Derby, Conn.; to the Committee on Military Affairs.

By Mr. DONOVAN: A bill (H. R. 15742) to regulate the collection and expenditure of money, other than by the Government of the United States or by its authority, for the use and benefit of the armed forces of the United States and of its allies, and especially of France, Great Britain, Italy, Belgium, Serbia, Greece, and Montenegro, or for any auxiliary organizations of said Governments maintained and operated for the use and benefit of such armed forces; to the Committee on the Judiciary.

By Mr. KAHN: A bill (H. R. 15743) to allow credits and provide relief for certain persons not now provided for by law; to the Committee on Claims.

By Mr. PHELAN: Resolution (H. Res. 554) for the consideration of Senate bill 5236; to the Committee on Rules.

By Mr. CARLIN: Resolution (H. Res. 555) authorizing the Clerk of the House to pay Allison C. Jenkins, brother of Laura A. Bilncoe, late an employee of the House of Representatives, six months' salary; to the Committee on Accounts.

By Mr. EMERSON: Joint resolution (H. J. Res. 405) directing the War Department to commission all soldiers who took the course of study to prepare themselves for a commission in France; to the Committee on Military Affairs.

By Mr. DOMINICK: Joint resolution (H. J. Res. 406) granting to certain persons in the military or naval forces an extension of automatic insurance provided for in section 401 of the war-risk insurance act; to the Committee on Interstate and Foreign Commerce.

By Mr. SABATH: Joint resolution (H. J. Res. 407) to establish diplomatic relations with Czecho-Slovakia and Poland; to the Committee on Foreign Affairs.

By Mr. GALLAGHER: Concurrent resolution (H. Con. Res. 67) recommending that the peace conference now sitting in Paris will favorably consider the right of Ireland to self-determination; to the Committee on Foreign Affairs.

By the SPEAKER: Memorial from the Legislature of the State of Oregon relating to extra pay to honorably discharged soldiers and marines in the recent world war; also memorial relating to recognition of United Armenian Republic; to the Committee on Military Affairs.

Also, memorial from the Legislature of the State of Alabama protesting against the Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. CAREW: Memorial from the Legislature of the State of New York, relative to records of local draft boards; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of New York, relative to regulating the construction of dams across navigable waters, and to provide for the improvement and development of waterways for the use of interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. EVANS: Memorial of the Legislature of the State of Montana, favoring the passage of an act ceding to the State of Montana the military reservation located in Montana, known as Fort William Henry Harrison, to be used as an adjunct of the State industrial accident board for a rehabilitation institute for the education and maintenance of persons injured in the industries of Montana; to the Committee on the Public Lands.

By Mr. McARTHUR: Memorial of the Legislature of the State of Oregon favoring legislation that will grant to the State of Oregon two large German cannons, captured in engagements in which Oregon soldiers were engaged, to be placed upon the capitol grounds at Salem; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Oregon favoring an appropriation for the finishing of steel and wooden ships under contract; to the Committee on the Merchant Marine and Fisheries.

Also, memorial from the Legislature of the State of Oregon asking the United States to assist in every way possible to help the cause of an United Armenian Republic; to the Committee on Foreign Affairs.

Also, memorial from the Legislature of the State or Oregon favoring the payment of six months' salary to every honorably discharge soldier, sailor, and marine; to the Committee on Military Affairs.

By Mr. FOSTER: Memorial from the Legislature of the State of Illinois, favoring extra pay and employment for discharged soldiers; to the Committee on Military Affairs.

By Mr. HENRY T. RAINEY: Memorial of the Legislature of the State of Illinois requesting the Federal Government to pay at least six months' salary to every soldier, sailor, and marine upon his return to civil life; to the Committee on Military Affairs.

By Mr. STEENERSON: Memorial of the Legislature of the State of Minnesota, urging the enactment of legislation to grant three months' extra pay to soldiers and sailors who have served in the war with the German Imperial Government; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Minnesota, urging the prompt enactment of Senate bill 2130, relating to increase of pensions in certain cases; to the Committee on Pensions.

Also, memorial of the Legislature of the State of Minnesota, urging the immediate demobilization of the military forces enlisted for the period of the war and the establishment of a regular military force; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DELANEY: A bill (H. R. 15706) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; to the Committee of the Whole House on the state of the Union.

By Mr. CAMPBELL of Kansas: A bill (H. R. 15737) granting an increase of pension to Diadem Ellis; to the Committee on Invalid Pensions.

By Mr. CURRIE of Michigan: A bill (H. R. 15738) granting a pension to Emeline Burley; to the Committee on Invalid Pensions.

By Mr. FOSTER: A bill (H. R. 15739) granting a pension to Eva O. Hall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15740) granting an increase of pension to John T. Maloney, jr.; to the Committee on Pensions.

By Mr. NICHOLS of Michigan: A bill (H. R. 15741) granting a promotion to Robert M. Smith; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Petition of mayor and common council of Milwaukee, Wis., urging Congress to enact such legislation as will eliminate unemployment by reducing hours of labor and fixing minimum wage scales and inaugurating a system of public work; to the Committee on Labor.

Also, petition of common council of the city of Milwaukee, Wis., indorsing movement to pay soldiers and sailors their salaries for certain period after their discharge; to the Committee on Military Affairs.

By Mr. EMERSON: Petition of Irish nationalists of Cleveland, Ohio, relating to the self-determination for Ireland; to the Committee on Foreign Affairs.

By Mr. GALLIVAN: Petition of Clarence H. Mackay, president of the Postal Telegraph Co., protesting against Government control of wire system and asking that lines be turned back to

their respective companies at once; to the Committee on Interstate and Foreign Commerce.

Also, petition of mass meeting of parents and citizens in Powell School and District of Columbia urging Congress to take immediate action on appropriation bill now pending in Senate as will increase salaries of teachers in public schools 100 per cent; to the Committee on Education.

By Mr. GREGG: Petition of residents of Palestine, Texas City, and Crockett, Tex., asking for repeal of postal zone rate bill; to the Committee on Ways and Means.

By Mr. KAHN: Memorial of San Francisco Chamber of Commerce, urging restoration of powers of Interstate Commerce Commission to suspend rates and indorsing Senate bill 5020; to the Committee on Interstate and Foreign Commerce.

Also, petition of San Francisco Chamber of Commerce urging legislation for Roosevelt National Park; to the Committee on the Public Lands.

Also, petition of Dr. and Mrs. Frederick S. Gould, Santa Barbara, Cal., urging favorable consideration of Lewis-Raker bill, conferring military rank upon Army nurses; to the Committee on Military Affairs.

By Mr. KENNEDY of Rhode Island: Resolution of Connecticut Legislature, urging that principle of self-determination be applied to all small nations, including Ireland; to the Committee on Foreign Affairs.

Also, resolution of Friendly Sons of St. Patrick of Cranston, R. I., urging passage of legislation respecting self-determination for Ireland; to the Committee on Foreign Affairs.

By Mr. LONERGAN: Petition of certain residents of Hartford County, Conn., protesting against the luxury-tax provisions in pending revenue bill; to the Committee on Ways and Means.

Also, petition of citizens of Hartford, Conn., for providing labor, etc., for honorably discharged men; to the Committee on Military Affairs.

Also, petition of Chamber of Commerce, New Haven, Conn., favoring establishment of league of nations; to the Committee on Foreign Affairs.

By Mr. McFADDEN: Petition of Brotherhood of Railway Carmen of America, Lodge No. 904, Sayre, Pa., favoring Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. MORIN: Petition of members of Keystone Council, No. 50, Daughters of America, McKeesport, Pa., Mrs. Annie Townsend, secretary, urging passage of Senate bill 5139; to the Committee on Immigration and Naturalization.

Also, petition of Woodrow Lodge, No. 1038, I. A. of M., Pitcairn, Pa., urging Government control of all railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of Pennsylvania Confectioners' Association of Pittsburgh, Pa., urging that the revenue act of October 3, 1917, remain in force, thus making the passage of the pending revenue act unnecessary; to the Committee on Ways and Means.

Also, petition of Retail Merchants' Association of Pittsburgh, Pa., W. M. Jacoby, secretary, protesting against retention of the luxury taxes in the revenue bill; to the Committee on Ways and Means.

By Mr. PETERS: Petition of Fred C. Ray and other citizens of Hallowell, Me., for national ownership and Government management of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: Petition of certain citizens of Uno, Cal., asking for repeal of postal zone law; to the Committee on Ways and Means.

Also, petition of women's committee of the California State Council of National Defense, relating to reconstruction problems and policies; to the Committee on Military Affairs.

Also, petition of Baldemann Chocolate Co., of San Francisco, Cal., protesting against the proposed revenue bill; to the Committee on Ways and Means.

Also, petition of Santa Barbara (Cal.) Nurses' Association, indorsing the conferring of rank on Army nurses, etc.; to the Committee on Military Affairs.

Also, petition of Federal Employees Union, No. 1, San Francisco, Cal., urging increased compensation for Government employees; to the Committee on Labor.

Also, petition of Mississippi Valley Waterways Association, urging upon Congress the development of inland waterways; to the Committee on Rivers and Harbors.

Also, petition of R. H. Alcarn, chairman, indorsing the Keating retirement bill (H. R. 12352); to the Committee on Interstate and Foreign Commerce.

Also, petition of New York Produce Exchange, urging the discontinuance of price-fixing and control of foodstuffs by the Government; to the Committee on Interstate and Foreign Commerce.

Also, petition of Western Fruit Jobbers' Association of America, urging the return of Federal-controlled utilities to private ownership; to the Committee on Interstate and Foreign Commerce.

Also, petition of Union Hardware Co., of Los Angeles, Cal., against the proposed tax of 10 per cent on arms and ammunition; to the Committee on Ways and Means.

Also, petition of San Francisco Chamber of Commerce, requesting Congress to repeal the provisions of the Federal-control act and indorsing Senate bill 5020; to the Committee on Interstate and Foreign Commerce.

Also, petition of Collins McArthur Candy Co., of San Francisco, Cal., urging against passage of the pending revenue bill; to the Committee on Ways and Means.

By Mr. RANDALL: Petition of Executive Committee, California Teachers' Association, Central Section, favoring creation of a department of education; to the Committee on Education.

By Mr. STEENERSON: Memorial of Baudette Board of Trade, Baudette, Minn., in support of the proposition to provide deeper waterways connection via the St. Lawrence River to the Atlantic; to the Committee on Railways and Canals.

Also, memorial of Brainerd Chamber of Commerce, Brainerd, Minn., in support of the proposition to provide deeper waterways connection via the St. Lawrence River to the Atlantic; to the Committee on Railways and Canals.

By Mr. WOODYARD: Petition of Blennerhassett Lodge, No. 699, Brotherhood Railway Carmen of America, Parkersburg, W. Va., relative to control of railroads by the Government; to the Committee on Interstate and Foreign Commerce.

SENATE.

FRIDAY, *February 7, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, with the duties pressing upon us, with the divine call ringing in our hearts for the advance of the interests of Thy people, with the solemn sense of our responsibility to Thee and to our fellow citizens, we begin the service of this day. As we lift our hearts to Thee, as we open them to Thy presence, we pray Thee to fill us with Thy divine spirit that we may properly discern between the right and the wrong, that we may lead as Thou dost lead us, that we may commit ourselves and our Nation solely to Thy purpose. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when on request of Mr. KING and by unanimous consent the further reading was dispensed with and the Journal was approved.

SENATOR FROM ILLINOIS.

Mr. SHERMAN. I present the credentials of Hon. MEDILL McCORMICK, duly elected by the people of the State of Illinois a Senator from that State for the term beginning March 4, 1919, which I ask to have read and placed on the files.

The credentials were read and ordered to be placed on the files, as follows:

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 5th day of November, 1918, Hon. MEDILL McCORMICK was duly elected by the people of the State of Illinois a Senator from said State to represent said State in the Senate of the United States for the term of six years beginning on the 4th day of March, 1919.

Witness: His excellency, our governor, Frank O. Lowden, and our seal hereto affixed at Springfield, this 5th day of February, A. D. 1919.

FRANK O. LOWDEN, *Governor.*

By the governor:
[SEAL.]

LOUIS L. EMMERSON,
Secretary of State.

TRIALS BY COURTS-MARTIAL (S. DOC. NO. 380).

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of War, in response to a Senate resolution, which will be inserted in the RECORD and referred to the Committee on Military Affairs and ordered to be printed.

The communication is as follows:

WAR DEPARTMENT,
Washington, February 4, 1919.

The honorable the PRESIDENT OF THE SENATE.

SIR: I have the honor to acknowledge the receipt of the Senate resolution of January 27, 1919, which directs the Secretary of War "to send to the Senate the number of individuals who have been tried and convicted by court-martial proceedings since our entrance into the war, April 6, 1917, together with a brief statement of the offense charged and the nature and extent of the punishment inflicted upon or assessed against each."

This resolution is interpreted by the department to refer to the major offenses tried by the general courts-martial and not to the minor offenses tried by inferior courts. Under the interpretation thus placed upon the resolution, it will be necessary to examine about 22,000 records and approximately three weeks will be required to prepare the report. If the resolution be construed to apply to all minor offenses tried by special and summary courts, it will be necessary to examine about 350,000 additional records in this country and in France, and the preparation of the report will require several months and will necessitate the services of a very large clerical force.

In the belief that the interpretation which, as above stated, has been placed upon this resolution by the department is both in accordance with the intent of the resolution and is necessary in order that action may be taken by the department without undue delay, I have directed that the report to be prepared pursuant to this resolution cover only the approximately 22,000 records of cases tried by general courts-martial.

Trusting that this action will meet with the approval of the Senate, I am,

Respectfully, NEWTON D. BAKER,
Secretary of War.

GOVERNMENT EMPLOYEES.

The VICE PRESIDENT laid before the Senate communications from the Assistant Secretary of Labor (S. Doc. No. 383), the Acting United States Food Administrator (S. Doc. No. 382), and the Assistant United States Fuel Administrator (S. Doc. No. 381), transmitting in response to a resolution of December 23, 1918, a list showing the number of civil employees in their respective departments on January 28 and the number discharged during the previous two weeks, which were ordered to lie on the table and be printed.

REPORT OF NATIONAL ACADEMY OF SCIENCES.

The VICE PRESIDENT laid before the Senate the annual report of the National Academy of Sciences for the year 1918, which was referred to the Committee on the Library.

CONDITIONS AT ARMY CAMPS IN FRANCE.

Mr. LODGE. Mr. President, I desire to present the following telegram, which I received from New York:

[Telegram.]

NEW YORK, N. Y., *February 3, 1919.*

Senator HENRY CABOT LODGE,
Washington, D. C.:

Hundreds of wounded soldiers returning complain of insanitary living conditions and of disciplinary measures at American Army classification camp at St. Aignan, France. Boys say they have to stand in mess lines for hours in mud and water over boot tops. Some report wounded dropped dead in lines. Latrines 10 feet from tents. Camp built for 8,000 has 25,000. Guardhouse full of men who violated minor rules. If one-tenth of what returning men say is true, place is hell hole and disgrace to Army and to United States. Boys call it Camp Agony. Urge investigation at once that will assure country something more than a whitewash.

JOHN J. BUSH,
President Michigan Society of New York.

I have the original telegram here, and I ask that it be referred to the Committee on Military Affairs. I trust they will inquire into the condition of that camp.

Mr. NEW. Mr. President, on the 2d day of January I introduced a resolution asking for an investigation of certain conditions reported to exist at the camp at Brest, France. The resolution was objected to by Senators on the other side of the Chamber on the ground that an investigation had already been undertaken by the Secretary of War. Since that there has been no communication, to the Senate at least, and no statement given to the public by the Secretary other than the published statement from Maj. Gen. Harbord a day or two after the 3d of January, in which he stated, in response to a telegram sent by the Secretary of War, that while the conditions at Brest were bad, they were improving. That was the general purport of his telegram. Since that, if anything whatever has been done with reference to the improvement of conditions there, no statement of it has ever been given either to Congress or to the public.

I send to the desk and ask that the Secretary may read the following from the Washington Post of this morning, taken from a statement in the New York Telegram of yesterday. I will merely add that within the last 48 hours I have talked with Army officers who left the port of Brest as late as January 17, who, without knowledge of this article at all, have told me of the conditions there, and their statements bear out the statements printed in this article.

The VICE PRESIDENT. Is there objection to reading the article?

There being no objection, the Secretary read as follows:

BREST CAMP "VILEST"—COST LIVES OF 3,000 UNITED STATES SOLDIERS, SAYS ARMY OFFICER—"PLAYING POLITICS" BLAMED—BARRACKS BUILT FOR 4,000 FRENCH TROOPS MADE TO ACCOMMODATE 12,000 AMERICANS, IT IS ALLEGED—OFFICER WHO ASSERTS "SCANDAL" IS DUE TO INCOMPETENCY.

NEW YORK, *February 6.*

Based upon information given by a Regular Army officer of high rank, who declares the camp for American troops at Brest "the vilest hole in France," the Evening Telegram prints a six-column article describing the deplorable conditions at the camp.

3,000 UNNECESSARY DEATHS.

The Telegram's article, in part, says:

"The so-called rest camp for American troops at Brest is 'the vilest hole in France.'

"More than 3,000 American soldiers died there as a result of improper housing and sanitary conditions, and many of these were officially reported as 'killed in action.'

"Regular Army officers, playing politics and thus dominating National Guard officers, deliberately refused to correct the conditions, which menaced life and caused indescribable hardships.

"One Regular Army officer who had been grossly negligent while in charge at Brest was honored with an important diplomatic mission after the armistice had been signed, while another officer who had done everything in his power to correct conditions at Brest and protect the lives of the men who were obliged to 'rest' there was removed from active command after he had been personally appointed by Gen. Pershing."

MADE BY HIGH ARMY OFFICER.

These charges and many more are laid deliberately before the Evening Telegram by an officer high in rank in the Regular United States Army who has just returned to this country after having spent more than nine months in the midst of the conditions he describes.

Through the whole story told by this officer, whose name is withheld for obvious reasons, runs a plaint regarding the "powers at Tours," where, he intimates, it appeared to be the belief that the Regular officer could do no wrong.

It was to Tours that a certain major was sent "with a whole nest, including a young Austrian who had been raised from cook in the American Army to lieutenant," after charges had been made against him in Brest, only to be given an important task, raised in rank to lieutenant colonel, and the young lieutenant made adjutant of a casual officers' depot.

CONDITIONS LONG A SCANDAL.

The Evening Telegram's informant charges that Brest has been a scandal from the very day it was selected as a rest camp and debarkation port; that an incompetent officer was sent there to organize it and made a miserable failure; that opportunities to obtain or renovate proper buildings for the care of troops was wholly neglected while the men were forced to sleep in "pup tents" without floors, on filthy, muddy ground; that barracks erected by the French for 4,000 troops, and which were terribly overcrowded when 8,000 Russian troops were placed in them, were made to accommodate 12,000 American soldiers.

When Brig. Gen. Nathaniel F. McClure finally was put in charge of the camp, the officer continues, he took over an old slaughterhouse and made it habitable for the troops as they debarked, but as soon as Gen. McClure had been ordered away the renovated slaughterhouse was abandoned and the men once more were sent out into the muddy fields with their floorless pup tents.

READY TO FACE COMMITTEE.

While the officer making these charges would not permit his name to be used, he said that he would be perfectly willing to appear before the Military Affairs Committee of either the House or the Senate at Washington, where his statements would be, or at least "could be," substantiated by reports which now are on file in the War Department, or should be there.

He is certain that a congressional investigation into the conditions at Brest, at least as far as they existed up to last November, must result from the reports which already have been forwarded to Washington. It is said that several officers recently returned from France have been summoned to Washington, and it is believed they will be asked to throw what light they can on the conditions at Brest, which are described in the official reports.

Mr. LEWIS. Mr. President, may I have the attention of the Senator from Massachusetts for just one second? I ask the Senator from Massachusetts, if it meets his approval, to add in his request to have a copy of the telegram which he had read sent to the Secretary of War? I think instead of waiting for the Military Committee, which has much work to do——

Mr. LODGE. I have not the slightest objection.

Mr. LEWIS. Will not the Senator add to his request to have a copy sent immediately to the Secretary of War?

Mr. LODGE. It has been published, and I should be delighted to have it sent to the Secretary of War, but it is wholly useless, if experience is to be any judge.

Mr. LEWIS. I can not accept the latter conclusion. I would regret very much if any Senator felt that he should judge the Secretary of War even before he had an opportunity——

Mr. LODGE. I have not.

Mr. LEWIS. I request the eminent Senator to have a copy sent to the Secretary of War, because I am in receipt of a communication from the Secretary of War, in replying to a complaint that I sent, begging me to assure the Senate that in response to letters such as the Senator from New Jersey [Mr. FRELINGHUYSEN] had received he would be exceedingly pleased if Senators would send these complaints direct to him in person, so that he could immediately start the investigation of every one.

Mr. LODGE. Of course, I am only too delighted to have a copy sent to the Secretary of War, and I have no doubt that the committee will send it, although if he is deeply interested he can probably read it in the daily press or in the RECORD, in which it will appear. I appeal to the committee for an investigation, because I hope and believe it will make an investigation, but I have seen so many cases of references to the War Department which have resulted in suppression and whitewashing that I want something that will tell us the truth.

Mr. POINDEXTER. Mr. President, I would like to make a suggestion. It seems to me that while it is perfectly proper to send a copy of this telegram to the Secretary of War, of course the Secretary of War ought to be informing the Senate in regard to the conditions at the Army camps rather than waiting for newspapers and for the Senate to inform him. The Secretary of War of all men in the land, unless it is the President of the United States, who is Commander in Chief of the Army, ought to know the conditions at these great camps in France.

Mr. NEW. Will the Senator yield?

Mr. POINDEXTER. I yield to the Senator from Indiana.

Mr. NEW. I call the attention of the Senator from Washington to the fact that the course now suggested by the Senator from Illinois [Mr. LEWIS] is exactly the one that was recommended with reference to the resolution I introduced on the 2d day of January. That was brought to the attention of the Secretary of War in the same way, but so far as anyone in Congress or out of it knows, that was the end of that matter.

Mr. LEWIS. If the Senator from Washington will allow me to say——

Mr. POINDEXTER. Just one moment if the Senator please, and then I will take my seat.

Mr. LEWIS. I do not ask the Senator to take his seat. I only wish to respond that the information brought out by the Senator from Massachusetts seems to be a telegram from the President of the Michigan Society setting forth matters which no doubt he must know about in the form of complaint. It will be impossible for the Secretary of War to know of the different complaints which have been made until they are made to him. He could not know these conditions and the subject of the complaint until some one had complained.

Therefore, I think the Senator will realize that the only way he could get information would be to have the complainant send it as quickly as possible, and when it comes to a Senator who puts confidence in the writer, and he presents it to this body, I think the Secretary of War would attach much more importance to it than a newspaper article which we know we read every day ourselves without attaching great weight to all of them.

Mr. POINDEXTER. The matter of these camps in France does not depend entirely upon newspaper articles.

Mr. LEWIS. I am referring rather, may I add, if I may be pardoned, to the telegram of the Senator from Massachusetts. As to the Senator from Indiana, the camp in France not only should be investigated, but it seems to me that from January until now some response could have come, and I join in a regret that officers there have not complied with the request of the Secretary of War with that facility, that quickness, they could have done, for it must be apparent they have not made response, because I am sure the Secretary of War would have sent it to us if there had been any made.

Mr. POINDEXTER. The assertion is made in the article which was read by the Secretary at the request of the Senator from Indiana [Mr. NEW] that an Army officer of considerable rank is authority for the statements contained in it, and these statements have been made from so many different sources that it becomes almost a matter of public knowledge. That statement includes the information that 3,000 men died as the result of insanitary conditions. It is very circumstantial in the account that it gives of the effort which was made by the commander, who was temporarily in charge of certain features of the camp, who had commandeered the buildings and given accommodations in them for troops. He was sent elsewhere and the troops taken out of those buildings in order to go into tents without floors on the wet and mud of the camp which is complained of.

I only rose, however, to emphasize what seems to me to be the principle that ought to govern the conduct of these affairs. My observation is that the Secretary of War rather resents information in regard to failures of the War Department.

Mr. LEWIS. I assure the Senator he has been misinformed as to that.

Mr. POINDEXTER. Well, I may be; but I have observed that, notwithstanding the exposures that have been made by the legislative branch of the Government, sometimes under the leadership of the chairman of the Committee on Military Affairs [Mr. CHAMBERLAIN], who is a loyal Democrat, and the report made by the Senator from Colorado [Mr. THOMAS] in regard to airplanes that exposed their bad condition, I do not think it can be successfully contradicted that there was gross inefficiency and a great deal of self-seeking in the conduct of the Aviation Service of the War Department, with the result that the war ended, and after we had been in it considerably over a year, and this great manufacturing country, the richest and the most efficient in the world, had not produced one plane of attack, but had depended entirely upon our allies—now, I believe that I can make this statement without fear of contradiction, that there can not be produced by the Senator from Illinois or by anybody else a single word from the Secretary of War condemning that colossal scandal. On the contrary, he defended it.

Mr. PENROSE. Mr. President——

Mr. POINDEXTER. Just one second. My impression is that the Secretary of War first, of all the citizens of this country, ought to condemn it and to excoriate it and expose it and punish the men who are responsible for it; but the attitude that he has taken is an attitude of justification and excuse and defense where he ought to be the agent of punishment and the exposer of truth and of inefficiency; but he depends upon the legislative branch of the Government to inform him, the head of the department, of conditions which he first of all ought to know.

PETITIONS AND MEMORIALS.

Mr. LA FOLLETTE. I present a joint resolution adopted by the Legislature of the State of Wisconsin, which I ask to have printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Joint resolution [J. Res. No. 19, A] relating to the tobacco industry and requesting the Federal Trade Commission to report on such industry.

Whereas during the fall of 1918 the price of tobacco was approximately 40 cents per pound at a time when all the markets of the central powers and most of the markets of the neutral powers were not being supplied; and

Whereas upon the cessation of hostilities, and continuing to the present time, the price of this product dropped to 20 cents per pound, notwithstanding the fact that world commerce had opened up and the tobacco markets of Europe were waiting to be supplied; and

Whereas the tobacco farmers of Wisconsin, while of the opinion that such a decline in the price of their product is not justified by existing conditions, desire to be properly informed, so that if such decline is based upon good reasons continued good relations may exist between buyer and seller; and

Whereas the matter is of the most serious consequence to all business interests in our State, due to the fact that the decline in price, if continued, would mean a loss of approximately $8,000,000 to the producers: Now, therefore, be it

Resolved by the assembly, the senate concurring, That the Federal Trade Commission be respectfully requested to at once investigate the conditions of the tobacco industry and to make a report to the present legislature with all convenient speed, such investigation and report to be of such nature as to fully advise the tobacco producers of the true causes of the present market conditions: And be it further

Resolved, That a copy of this resolution be forwarded to the chairman of said commission at Washington, D. C., to each of the two Senators, and to the Congressmen from this State.

EDWARD F. DITTMAR,
President of the Senate.
O. G. MUNSON,
Chief Clerk of the Senate.
RILEY S. YOUNG,
Speaker of the Assembly.
C. E. SHAFFER,
Chief Clerk of the Assembly.

Mr. WOLCOTT. I present a resolution unanimously adopted at the regular meeting of the Manufacturers' Association of Wilmington, Del., held in their office Wednesday, February 5, 1919, relative to a bill now pending before Congress carrying an appropriation of over $14,000,000 for the purpose of perpetuating and enlarging the United States Employment Service, which was created to aid the Federal Government in coordinating the interests of the country for war production. I move that the resolution be referred to the Committee on Appropriations.

The motion was agreed to.

Mr. MOSES. I present a resolution adopted by the Legislature of the State of New Hampshire, relative to the extermination of insects and pests, which I ask to have printed in the RECORD and referred to the Committee on Agriculture and Forestry.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

Resolution adopted by the New Hampshire Legislature February 5, 1919.

Whereas a new, important, and exceedingly dangerous insect pest known as the European borer has gained foothold in certain areas in eastern Massachusetts;

Whereas this new pest if not controlled is expected to cause extraordinary damage to our most valuable field crops and vegetables throughout the entire United States and may render unprofitable the growing of such important crops as field corn;

Whereas such opportunity as may still exist for suppression of the pest will speedily disappear as the insect spreads beyond the present limited territory: Be it

Resolved, That the Congress of the United States is hereby urged to make immediate appropriations whereby adequate measures of suppression of this pest may be undertaken without delay by the proper Federal authorities.

Mr. NELSON presented a petition of the Minnesota Independent Telephone Association, of Minneapolis, Minn., praying that Congress fix a definite date for the return of the telephone lines to their owners, which was referred to the Committee on Post Offices and Post Roads.

He also presented a telegram in the nature of a petition from A. G. Rugles, State entomologist, of St. Paul, Minn., praying that an appropriation of $500,000 be made for the extermination of the corn borer, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Growers' Association of Minnesota, of St. Paul, Minn., praying that the so-called "market reporting service" be continued and that provision be made therefor in the Agriculture appropriation bill, which was referred to the Committee on Agriculture and Forestry.

Mr. TOWNSEND presented a memorial of Local Union No. 871, United Brotherhood of Carpenters and Joiners of America, of Battle Creek, Mich., remonstrating against the operation of the Federal employment system as now constituted, which was referred to the Committee on Education and Labor.

Mr. HALE presented a petition of the Woman's Literary Union, of Androscoggin County, Me., praying for the establishment of a department of education, which was referred to the Committee on Education and Labor.

Mr. TOWNSEND. I present a resolution adopted by the Common Council of Detroit, Mich., which I ask to have printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

CITY OF DETROIT, *January 23, 1919.*

HON. CHARLES E. TOWNSEND,
Senate, Washington, D. C.

DEAR SIR: I am transmitting herewith copy of a resolution presented by Councilman Bielman and adopted by the common council at the session of January 21 relative to congressional action to provide funds for men discharged from the Army or Navy:

"From: The clerk.

"To: The honorable the Common Council.

"GENTLEMEN: I beg to advise your honorable body that I am in receipt of the following communication from the American Red Cross.

"Respectfully submitted.

"RICHARD LINDSAY,
"*City Clerk.*

"The following is the communication referred to:

"'Mr. RICHARD LINDSAY,
"'*City Clerk.*

"'DEAR SIR: I am inclosing herewith a resolution which, at the suggestion of Councilman Lodge, I have drawn up as a result of a meeting of a number of men who represent organizations caring for the returned soldier, and while I can not, as a Red Cross official, perhaps, urge such action, as a private citizen I can and do most earnestly, so that men who have gone from Detroit may be saved, so far as possible, the humiliation of standing around in their uniforms until some good-natured person hands them a job.

"'There is a fundamental question of right in this matter which can not be overlooked, and we want our city to be among the first to recognize this obligation to her citizens.

"'Very truly, yours,

"'G. D. POPE.'

"By Councilman Bielman:

"'Whereas citizens of this community liable for military service have met in full that obligation to our country, leaving their homes and their affairs to bear their part in the military duty required to uphold justice and the ideals of this Nation; and

"'Whereas, their work accomplished, they are now being returned to this community at a time when industrial readjustments make their reentry into industry exceedingly difficult, and inasmuch as this city and this Nation owe these men an unpayable debt of gratitude and obligation, and should in no wise permit the burden and sacrifice of unemployment to fall unsupported upon those who have already sacrificed so much in our service; Therefore be it

"'*Resolved*, That it be, and hereby is, the opinion of this body that such steps should be taken by the War Department, or, if need be, congressional action, which will immediately provide funds for men discharged or about to be discharged from the Army, Navy, and Marine Corps as will be sufficient to support them properly for a period of 60 to 90 days after their discharge and pending their return to their former positions as self-supporting citizens: Furthermore, be it

"'*Resolved*, That a copy of this motion be forwarded to our Representatives in the Senate and House, with the urgent request that such action will be taken as will secure the immediate realization of this proposal.'

"Yeas—Councilmen Bielman, Bradley, Castator, Kronk, Littlefield, Nagel, Simons, Vernor, and the president.

"Nays—None."

Yours very truly,

RICHARD LINDSAY,
City Clerk.

IMMIGRATION AND NATURALIZATION.

Mr. JONES of Washington. Mr. President, I present a memorial from the Board of Trustees of the Takoma Branch of the American Protective League, representing about a thousand of the best citizens there, who have given a great deal of their time, in connection with the prosecution of the war, in aiding the various branches of the Government in the detection of sedition and disloyalty, and all that sort of thing. In this memorial they set out in concise form their conclusions from what they have ascertained and learned as to what ought to be done.

I ask that the memorial be printed in the RECORD, and as they make recommendation with reference to immigration and naturalization, I ask that it be referred to the Committee on Immigration.

The VICE PRESIDENT. In the absence of objection, it will be so ordered.

The memorial referred to is as follows:

To the honorable the Congress of the United States of America:

The undersigned, the board of trustees of the Tacoma Branch of the American Protective League, respectfully represent:

That immediately after the declaration of the war with Germany a part of their number, with several hundred other American citizens of Tacoma, organized the Tacoma Home Guards, and, about the same time, others of their number organized the Tacoma Minutemen, and in their respective organizations they acted from the start in the general direction, management, and control of the various activities of said organizations; that after a few months of separate operation they amalgamated in the American Protective League, with a combined membership of more than 1,000, and they, your memorialists, became the managing and directing board of said combined force, and have continued to act as such to this date, January 27, 1919.

That during said entire period of 22 months they have in person, and through their entire membership of more than 1,000 persons, as well as by volunteer investigators and paid detectives, been engaged in aiding all departments of the United States Government, and particularly the Department of Justice and the Army, in the work of guarding and protecting property, discovering, preventing, and punishing disloyalty, aiding Army enlistments, enforcement of the selective-service laws, arresting deserters and slackers, and generally doing such war service as could be found to do.

That in carrying on such work a vast number of investigations were made, and a great mass of information gathered, from which we have become profoundly impressed with the necessity for prompt revision of the Federal laws relating to both immigration and naturalization. We must be better protected against the immigration and naturalization of all persons not likely to become attached to the principles embodied in our Constitution and laws, or become industrious, law abiding, and patriotic citizens. We have had a rude awakening.

While we have found many of our foreign-born citizens splendidly loyal, we have also found an astonishing number to be only half American in real sentiment, and very many positively disloyal and hostile to the United States in its hour of need. We know that fear has bridled many a tongue and stayed many a hand.

We find that among the disloyal, and preachers of disobedience to law, destruction of property, and general seditious conduct, fully 90 per cent are foreign born or of foreign parentage, and this in a population 77 per cent of which is native born. We find that the dangerous unrest now prevalent, and which promises to become more acute, is almost entirely the result of propaganda carried on by a naturally seditious element of foreign birth, many of whom have come here expressly to find a freer and more fertile field for their propaganda.

It is our unanimous and deliberate judgment that, unless a speedy cure is provided by the enactment of properly protective immigration and naturalization laws, irreparable harm will result to the people of the United States.

Such legislation must contain whatever provisions as are necessary to really accomplish the desired purpose, and while some inconvenience may be occasioned to a few excellent people, this fact must not be allowed to stand in the way of accomplishing the necessary reform.

We have the honor to submit the following suggestions as an outline of some provisions which ought, in our judgment, to be embodied in proposed legislation:

First. Pending passage of other laws and organizing the administration thereof, stop all immigration, with only necessary exceptions.

Second. All persons coming into the United States should be required to fill out, in the country from which they come, a questionnaire, giving a true history of their lives, showing their education, times and places and kinds of employment, if convicted of any crime, the time, place, and circumstances, whether felony or misdemeanor, social, and other organizations of which applicant is or has been a member, and all other pertinent facts upon which a fair judgment of character may be founded. Such document should be made before a United States consular or immigration officer, resident in the foreign country, and filed with him at least 90 days prior to date of expected embarkation for the United States. Such officer should then make investigation as to fitness of applicant to become a resident and citizen of our country, and, if found worthy, issue to him a certificate to that effect, and make a similar indorsement on the questionnaire. If found not worthy, certificate should be refused, and that fact indorsed on questionnaire.

All questionnaires to be filed in and become a permanent record in the proper office in the United States.

If approval has been given, applicant may enter United States as an immigrant, subject to the final approval of United States at place of entry into the United States.

After entry into the United States the immigrant should be required to learn to intelligently speak, read, and write the English language within two years, after learning which, and after two years, he may declare his intention to become a citizen, which he may complete after an additional period of five years.

In order that proper track may be kept of his conduct, a system of registration should be required, with proper officers in the various places of his residence, at all times up to time of admission to citizenship.

Failure on part of foreigners to comply with any or all laws, rules, and regulations relating to foreigners resident in the United States, either temporarily or permanently, or engaging in riots, or any breach of State or Federal law, and advocating, or associating with others who advocate, any kind of unlawful violence, sedition, breach of law, overthrow of lawful authority or government, should subject the foreigner to punishment or deportation or both at the discretion of the United States.

On making application for admission to citizenship he should again make out and file with his application a questionnaire, giving a complete history of his life in detail, and at least three months prior to

time fixed for hearing the application, to allow of thorough investigation into the life of applicant by Federal agents. Any willfully untrue statement made or pertinent fact covered up should bar admission and be followed by deportation if fraudulent intent is found to exist.

The law should provide that after admission to citizenship retention of that right is a trust subject to forfeiture at any time for sufficient cause, such as conviction of felony, unpardoned advocacy of violence or disorder, engaging in or advising riots, advising, aiding, or abetting seditious or disorderly conduct by others, or any conduct which the proper Federal authority may find calculated to undermine orderly and efficient government.

All such laws should be made to apply to foreigners and naturalized citizens now here, as well as those yet to come, for no man has any right to hold a citizenship the privileges of which he abuses, nor has he a right to retain citizenship in any country and at the same time advocate its destruction.

Vigorous sedition laws should be at once enacted if the war measures now in force are either inadequate or inapplicable in times of peace, and these laws would, of course, apply to foreigners and citizens alike, in so far as punishments go. We, your memorialists, have, however, become so deeply convinced that all seditious organizations and propaganda are traceable so largely to the undesirable foreign element possessing no adequate conception of the fundamental principles of our Government, and knowing no distinction between the true liberty of a self-governing people and individual license to act without restraint, that no permanent relief can be had until all foreigners of seditious tendencies are not only barred from citizenship but from entry into the country, and, if already here, are denied the right to remain.

With proper regulations relating to foreigners engaging in business, and travelers, for specified and limited periods, we believe the foregoing general proposition will, if acted on promptly and fearlessly, save our country from grave dangers and disorders.

We are gravely apprehensive of after-war conditions, when Europe shall settle down to orderly government and its Bolsheviki seek the freedom of America to carry on its propaganda of tyranny and destruction, and we, therefore, pray your earnest, prompt, and conscientious consideration of these momentous problems, always having in mind that you are representing the American people, for whose benefit and protection its laws should be primarily made.

Respectfully submitted this 27th day of January, 1919.

BOARD OF TRUSTEES OF TACOMA BRANCH,
AMERICAN PROTECTIVE LEAGUE,
D. D. A. OUTCALT, *President.*
J. H. HOLME, *Secretary.*

PENSIONS AND INCREASE OF PENSIONS.

Mr. WALSH, from the Committee on Pensions, submitted a report (No. 690) accompanied by a bill (S. 5553) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, which was read twice by its title, the bill being a substitute for the following Senate bills heretofore referred to that committee:

S. 201. Charles F. Cavenaugh.
S. 254. Milton M. Lile.
S. 327. Amme A. Wilson.
S. 1073. Charles B. Smith.
S. 1501. Edward Flannery.
S. 1731. Thomas Kent.
S. 1958. Palmyra Johnson.
S. 2132. James H. Criswell.
S. 2195. Andrew E. Waterman.
S. 2251. Henry L. Henrysen.
S. 3049. Isaac F. Roberts.
S. 3107. Eugene M. Symonds.
S. 3290. Mary E. Allen.
S. 3497. Frank H. Seay.
S. 3590. William H. Hart.
S. 3706. Thomas J. Scanlain.
S. 3866. Arthur G. Bosson.
S. 4214. Albert Grimes.
S. 4326. James L. Graham.
S. 4331. David Britton.
S. 4335. George W. Carter.
S. 4411. John Clark.
S. 4412. George E. Lawrence.
S. 4545. Charles Weitfle.
S. 4579. Mary Melissa Anderson.
S. 4655. Wilfred W. Phaneuf.
S. 4657. Rufus H. Hopkins.
S. 4730. Ulyssis S. G. Canfield.
S. 4737. Joseph J. Horan.
S. 4744. Dennis Driscoll.
S. 4756. James D. Wilder.
S. 4778. Lemuel Lunger.
S. 4796. George Moir.
S. 4821. Charles H. Skillings.
S. 4845. Elizabeth E. Baker.
S. 4846. John F. Mannel.
S. 4851. Joseph W. Culbertson.
S. 4863. Elvina Adams.
S. 4867. Ellen Jones.
S. 4880. Cornelia A. Nickels.
S. 4908. James J. Butler.
S. 4935. Susan Owens.
S. 4958. John Franklin Haynes.
S. 4977. Marion T. Mitchell.
S. 4978. Francis E. Searway.
S. 5007. John J. Duke.
S. 5009. Emeline A. Spaulding.
S. 5046. Jacob D. Emery.
S. 5110. Lily D. Murphy.
S. 5111. Albert L. Newland.
S. 5124. George W. McMahan.
S. 5196. Oscar S. Pomeroy.
S. 5209. David W. Herriman.
S. 5219. Edwin W. Gordon.
S. 5252. John Daley.
S. 5310. Charles F. Hahn.
S. 5330. Arthur H. Letts.
S. 5379. Carrier Thompson.
S. 5381. Floyd E. Driskel.
S. 5399. Sarah Hale.
S. 5454. Amanda F. Mahin.
S. 5527. William W. Treadway.
S. 5529. Benjamin H. Kimbler.
S. 5530. Lee Begley.
S. 5531. Henry Fields.
S. 5532. Charley Shelton.

Mr. WALSH, from the Committee on Pensions, submitted a report (No. 691) accompanied by a bill (S. 5554) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, which was read twice by its title, the bill being a substitute for the following Senate bills heretofore referred to that committee:

S. 1053. Jonathan M. Ragner.
S. 1314. Peter L. Leuszler.
S. 1346. R. W. Duncan, alias "Pack" Duncan.
S. 1717. Mary E. Williams.
S. 1718. Mary Alcinda Wingert.
S. 1841. Leonora V. Lunt.
S. 2226. William H. Makee.
S. 2556. Charles E. Haskell.
S. 2699. Sarah Van Doozer.
S. 2819. Anna F. Baugh.
S. 2880. Esther U. McKelvey.
S. 2892. Mary Snow.
S. 2971. Martha A. Tucker.
S. 3014. Mary M. Ayer.
S. 3042. Frederick Deppe.
S. 3044. Eliza E. Herman.
S. 3048. George N. Morse.
S. 3145. Hilda Johnson.
S. 3279. Sarah F. Steele.
S. 3281. Josiah McKnight.
S. 3282. Sylvester H. Gaskill.
S. 3292. Jennie Magee.
S. 3345. Henrietta Buswell Brown.
S. 3377. Joseph Masden.
S. 3423. Mary L. Colnay.
S. 3466. Cora W. Merryman.
S. 3623. Alexander D. Tanyer.
S. 3628. W. Lafayette League.
S. 3650. Mary Hermann.
S. 3651. Clara Stillman.
S. 3712. Mary Rumbold.
S. 3850. Nancy J. Bower.
S. 3854. William H. Henkle.
S. 3855. Camm T. Sanders.
S. 4050. John T. Showalter.
S. 4173. Cora C. O'Neill.
S. 4377. Anna C. Seaman.
S. 4384. Davis Parsons.
S. 4386. Frances L. Haha.
S. 4461. Abbie B. Garrett.
S. 4577. Susan E. Guyn.
S. 4582. William McDonald.
S. 4585. John W Huffman.
S. 4589. Boman R. Butcher.
S. 4615. Henry H. Niles.
S. 4680. Charles F. Perry.
S. 4695. James Hanners.
S. 4704. Catherine A. Brownlee.
S. 4705. Ida B. Willison.
S. 4718. George Graham.
S. 4751. Albert F. Nelson.
S. 4757. Lewis Newman.
S. 4764. John W. Combs.
S. 4788. Elizabeth Hagadorn.
S. 4797. Ida V. Haskins.

S. 4804. Clara E. Buckland.
S. 4809. Henry M. Chase.
S. 4834. William T. Potts.
S. 4847. Louisa Jones.
S. 4853. Andrew J. Moody.
S. 4869. William F. Blanchard.
S. 4896. William B. Douglas.
S. 4898. Emeline C. Starr.
S. 4903. Samuel Lockwood.
S. 4905. Ella A. Mead.
S. 4920. Isaac D. Hamilton.
S. 4926. Charles Wiley.
S. 4927. Newell Strout.
S. 4933. Lucy A. Schriver.
S. 4943. Jesse W. Bowdle.
S. 4981. Sarah M. Geiger.
S. 5012. Isabell Cunningham.
S. 5021. James H. Cornell.
S. 5031. Lucina E. Smith.
S. 5078. James C. Daly.
S. 5091. Jennie L. Barrows.
S. 5103. Mary M. Hood.
S. 5106. Amos L. Hood.
S. 5107. Henry H. Hering.
S. 5118. Charles Blitz.
S. 5131. Miranda E. McHaffie.
S. 5142. George F. Griffith, alias Frank W. Morton.
S. 5145. Carrie E. Hewett.
S. 5164. Robert B. Patrick.
S. 5165. George F. Hood.
S. 5166. Stewart Orr.
S. 5184. Edie E. Milton.
S. 5204. Hermann Hoffmeister.
S. 5218. Alonzo R. Cole.
S. 5225. Sarah F. Robinson.
S. 5241. George Forker.
S. 5242. Georgia M. Hodgsdon.
S. 5253. Milton W. Burnham.
S. 5268. Sarah C. Vaughan.
S. 5272. James H. Johnston.
S. 5276. John F. Lichty.
S. 5324. Rouser Mettler.
S. 5383. Arabella Roberts.
S. 5387. Alonzo J. Finch.
S. 5407. Levi M. Starne.
S. 5411. Catharine Derstine.
S. 5418. Horton Mosher.
S. 5425. Alexander Faries.
S. 5427. Jacob R. Stillwagon.
S. 5455. Franklin Bryan.
S. 5466. William Dugent.
S. 5468. Benjamin A. Sturtevant.
S. 5481. William E. Hughes.
S. 5483. James Roland.
S. 5501. Edward D. Hamilton.
S. 5509. William J. Vanhoose.
S. 5519. Daniel C. Darlington.
S. 5520. Mary A. Lake.
S. 5524. Isaac N. White.

MAHONING RIVER BRIDGE, OHIO.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 12995) granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a combined bridge and dam across the Mahoning River, in the State of Ohio, and I submit a report thereon. I ask unanimous consent for the immediate consideration of the bill.

The VICE PRESIDENT. The Senator from Texas asks unanimous consent for the present consideration of the bill just reported by him. Is there objection?

Mr. JONES of Washington. Mr. President, does this bill provide for the construction of a dam across a river? If it does, that is a new proposition—the construction of a combined bridge and dam.

Mr. SHEPPARD. I ask the Secretary to read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Youngstown Sheet & Tube Co., its successors and assigns, to construct, operate, and maintain a combined bridge and dam and approaches thereto across the Mahoning River at a point suitable to the interests of navigation at or near the town of Struthers, county of Mahoning, State of Ohio, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906: *Provided*, That no dam constructed under the consent hereby granted shall be used to develop water power nor to generate electricity.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. JONES of Washington. I think the bill had better go over until we have an opportunity to examine it. That is certainly a strange combination—a bridge and dam across a navigable stream.

Mr. SHEPPARD. The War Department has approved the bill, and it seemed to be an ordinary bridge bill.

Mr. JONES of Washington. I think I shall have to ask that it go over.

Mr. SHEPPARD. I withdraw the report for the present.

Mr. JONES of Washington. I have no objection to the report being withdrawn.

NIAGARA RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (S. 5534) granting the consent of Congress to Oliver Cabana, jr., Myron S. Hall, E. G. Connette, William F. MacGlashan, John H. Bradley, and M. A. Hurt to construct a bridge across Niagara River within or near the city limits of Buffalo, and for other purposes, and I submit a report (No. 694) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MAHONING RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably, without amendment, the bill (H. R. 12996) granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River, in the State of Ohio, and I submit a report (No. 692) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BRIDGE ACROSS THE RED RIVER OF THE NORTH.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 13232) to extend the time for the construction of a bridge across the Red River of the North, between Traill County, N. Dak., and Polk County, Minn., and I submit a report (No. 693) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MAHONING RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 12997) granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River, in the State of Ohio, and I submit a report (No. 695) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PENSION APPROPRIATIONS.

Mr. WALSH. From the Committee on Pensions I report back favorably without amendment the bill (H. R. 15219) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1920, and for other purposes, and I submit a report (No. 696) thereon.

Mr. President, although this bill carries a very large appropriation, there are no authorizations contained in it, but simply provision for the payment of pensions authorized by general legislation and by other bills. It is the usual appropriation bill, and I ask unanimous consent for its immediate consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the fiscal year ending June 30, 1920, and for other purposes, namely:

Army and Navy pensions, as follows: For invalids, widows, minor children, and dependent relatives, Army nurses, and all other pensioners who are now borne on the rolls, or who may hereafter be placed thereon, under the provisions of any and all acts of Congress, $215,000,000: *Provided*, That the appropriation aforesaid for Navy pensions shall be

paid from the income of the Navy pension fund, so far as the same shall be sufficient for that purpose: *Provided further*, That the amount expended under each of the above items shall be accounted for separately.

For fees and expenses of examining surgeons, pensions, for services rendered within the fiscal year 1920, $30,000.

The bill was reported to the Senate without amendment, ordered to a third reading, and read the third time.

The VICE PRESIDENT. The question is, Shall the bill pass?

The bill was passed.

AMENDMENT OF WAR-RISK INSURANCE ACT.

Mr. THOMAS. I ask unanimous consent for the immediate consideration of Calendar No. 621, being the bill (H. R. 13273) to amend an act entitled "An act to authorize the establishment of a bureau of war-risk insurance in the Treasury Department," approved September 2, 1914, and an act in amendment thereto, approved October 6, 1917.

I may state that the bill has passed the House, and the Secretary of the Treasury has informed the chairman of the Finance Committee that its enactment into law is urgently essential to the efficient administration of the war-risk insurance act. It is very short.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the act entitled "An act to authorize the establishment of a bureau of war-risk insurance in the Treasury Department" be, and is hereby, amended by adding the following new paragraph to section 210 of Article II of the said act:

"*Provided, however*, That whenever the commissioner shall by further investigation or reinvestigation modify the existing award, no reimbursement from the person receiving an allowance shall be required for allotments and allowances already paid nor shall any deductions be made from allotments and allowances to be paid in the future for any change in award made in previous allotments and allowances, except where it is conclusively shown that the person receiving the allowance does not bear the relationship to the enlisted man which is required by the act and except in cases of manifest fraud."

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SIMMONS:

A bill (S. 5555) to amend the war-risk insurance act; to the Committee on Finance.

By Mr. BECKHAM (for Mr. WILLIAMS):

A bill (S. 5556) to provide for the erection of memorials and the entombment of bodies in the Arlington Memorial Amphitheater, in Arlington National Cemetery, Va.; to the Committee on the Library.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. THOMAS submitted an amendment authorizing the President to appoint Col. William C. Brown, United States Army, retired, to the rank of brigadier general on the retired list, intended to be proposed by him to the Army appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

Mr. FLETCHER submitted an amendment proposing to appropriate $125,000 for promoting and developing the farm and domestic commerce of the United States, etc., intended to be proposed by him to the legislative, etc., appropriation bill, which was ordered to lie on the table and be printed.

PENSIONS AND INCREASE OF PENSIONS.

Mr. PENROSE submitted an amendment intended to be proposed by him to the bill (H. R. 14945) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, which was referred to the Committee on Pensions and ordered to be printed.

RIVER AND HARBOR APPROPRIATIONS.

Mr. FLETCHER (for Mr. WILLIAMS) submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was ordered to lie on the table and be printed.

THE CENSUS CONFERENCE REPORT.

The VICE PRESIDENT. Reports of committees are in order.

Mr. SHEPPARD. I ask that the conference report on the Census bill be laid before the Senate.

The VICE PRESIDENT. The Chair lays before the Senate the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

Mr. SHEPPARD. I move the adoption of the conference report.

Mr. JONES of Washington. Mr. President, I understood that the Senator from Maryland [Mr. FRANCE] was interested in this conference report. I will ask the Senator from Texas if he knows anything about that? I may be mistaken, but I was under the impression that the Senator from Maryland was interested in this matter and wished to be present when it was brought up for consideration.

Mr. SHEPPARD. I shall state to the Senator that the time is so short until adjournment that I do not believe it will be fair to the bill to hold it up until any particular Senator can be present, but if the Senator from Maryland is not present I shall not insist on considering the conference report now.

Mr. JONES of Washington. It may be that the Senator from Maryland may not be interested. Does the Senator from Texas know whether or not the Senator from Maryland is interested in this report?

Mr. SHEPPARD. The Senator from Maryland is interested in the report.

Mr. JONES of Washington. I hope, then, that the Senator from Texas will not bring it up just now. I do not know why the Senator from Maryland is absent; I know he is generally here.

Mr. LENROOT. The Senator from Maryland has been sent for.

Mr. JONES of Washington. I understand that the Senator from Maryland has been sent for and will be here in a short time. So I ask the Senator from Texas to withhold action on the report for a little while.

Mr. SHEPPARD. Very well; that is satisfactory to me.

SENATOR FROM MICHIGAN.

Mr. POMERENE. Mr. President, if I may have the attention of the Senator from Michigan [Mr. TOWNSEND] for just a moment, I desire to state that, in view of certain statements which were made by the Senator from Michigan, as well as by the Senator from Missouri [Mr. REED], on yesterday toward the close of the afternoon's debate, I shall not press Senate resolution 415 at the present time. I shall meanwhile hope to confer with the members of the Committee on Privileges and Elections, and if it is deemed desirable shall call them together with a view of arranging some plan which will prove satisfactory.

Mr. TOWNSEND. Mr. President, I have no objection at all to that arrangement. I wish it thoroughly understood by the Senator, in order that there shall be no misunderstanding, that I should like to know before the plan is put out, if I may be granted that courtesy, as to what the Senator's idea is as to the proposed resolution. If he intends to introduce another one I shall be glad to cooperate with him.

Mr. POMERENE. I think the Senator from Michigan should be kept fully informed, and I shall be glad to keep in touch with him on the subject.

PERSONAL EXPLANATION.

Mr. KELLOGG. Mr. President, I rise to a question of personal privilege.

The other day when I called the attention of the Senate to an advertisement or an appeal to the American Bolsheviki by Nikolai Lenine, published in the St. Louis Post Dispatch, I stated that it appeared to be an advertisement. I am informed that it was not and that I was mistaken. I know the Post Dispatch to be a paper of high standing and the gentlemen who manage it to be gentlemen of character, and I very gladly withdraw the statement. It was published as a reprint of an article which appeared in a magazine in New York edited by Max Eastman. I am very glad to make the statement that it was published as a matter of news.

SHIP WORKERS' STRIKE.

Mr. FLETCHER. Mr. President, in view of what has been stated heretofore in connection with the shipbuilders' strike on the Pacific coast I submit an interview had with Mr. Charles Piez, Director General of the Emergency Fleet Corporation, on that subject, which I believe will be somewhat enlightening and perhaps clear up the situation to some extent.

Mr. JONES of Washington. I desire to suggest to the Senator from Florida that I have already had put into the RECORD all of the statements that have been called to my attention by Mr. Piez. I put in an interview and statements, I think, a couple of days ago, and then on yesterday I had inserted in the RECORD subsequent statements purporting to be an interview and a statement by Mr. Piez. They are the ones I received from Mr. Piez yesterday morning in the mail.

Mr. FLETCHER. Perhaps it is the same thing. It is an interview that was to be issued February 4, I believe.

Mr. JONES of Washington. Yes.

Mr. FLETCHER. And a subsequent one. I did not know but what this might be subsequent to what the Senator has offered; but perhaps it covers the same ground.

Mr. JONES of Washington. I am inclined to think that it covers the same ground.

Mr. FLETCHER. Very well. Then I will not make the request.

BOLSHEVIKI PROPAGANDA IN WASHINGTON.

Mr. LENROOT. Mr. President, Mr. Judson King, who, it is stated, was the chairman of a meeting at Poli's Theater, concerning which the Senate has ordered an investigation, and as to which there has been considerable discussion, has written a letter to Senators and Representatives denying flatly the statements in the newspapers which caused the controversy. He called upon me this morning and expressed a desire that that letter be placed in the RECORD. I was not present at the meeting; I know nothing of the facts concerning it; but I think it is only fair, in view of what has occurred, that this letter be inserted in the RECORD, and I make that request.

Mr. ASHURST. Mr. President, before that request is agreed to——

Mr. KING. I think that I shall object to the request. This matter is before the committee for investigation, and if this gentleman desires vindication, if he thinks he has been injured, doubtless he will have full opportunity. I object.

Mr. LENROOT. Before the Senator from Utah objects——

Mr. THOMAS. Will the Senator allow me a word?

Mr. LENROOT. Yes.

Mr. THOMAS. Mr. President, I think that, inasmuch as the meeting referred to has been criticized, those who have been subjected to criticism are entitled to be heard through the columns of the CONGRESSIONAL RECORD. I have excoriated individuals occasionally since I have been here, perhaps unjustly, but I have never declined, no matter how personally abusive the reply was, to insert in the RECORD, if requested, the answers which have been made to me upon my position. I think it but fair and just. If I say something about a man that is wrong, I want to be the first to know it and to apologize. In any event, he has the right to be heard by way of reply.

Mr. LENROOT. I wish to suggest that in this statement there is no reflection upon any Senator.

Mr. KING. I had supposed that it was a rebuke of the distinguished Senator from Colorado [Mr. THOMAS], who had called the attention of the Senate to the matter, but with the assurance of the Senator from Wisconsin [Mr. LENROOT], I withdraw the objection.

The VICE PRESIDENT. The Chair would not permit a document of that kind to go into the RECORD.

Mr. ASHURST. I have no objection.

The VICE PRESIDENT. Let the Chair decide it. Without objection, the letter will be printed in the RECORD.

The letter referred to is as follows:

3015 FOURTEENTH STREET NW.,
Washington, D. C., February 6, 1919.

To Members of the Senate and House of Representatives:

For your information permit me to state that at the meeting at Poli's Theater Sunday afternoon, at which I presided, there was no advocacy of anarchy or violence, no attack upon the American form of government, and no propaganda that Bolshevism be adopted in our country. The well-nigh unanimous sentiment of audience and speakers was that American troops be withdrawn and Russia be permitted to settle her own fate in her own way.

The article in Monday's Washington Post, headed "Urge Red America," is an absurd perversion of the truth and a gross violation of journalistic ethics. Discussions in Congress regarding this meeting, based, apparently, upon this article, have proceeded under a misapprehension of facts. Whether any attempt was made to verify the truth of the article I do not know. No inquiry was made of me.

Far from being a meeting of "reds," the gathering was attended by hundreds of cultured men and women of this city, of every political party and of every creed and class, including clergymen, who have no sympathy with Bolshevist methods or even the economic principles of socialism. No protest from those in attendance has reached me; many have expressed appreciation of the facts learned from Mr. Williams's address and are ready to testify that the sort of publicity given to the meeting is false, disgusting, and an insult to intelligence.

I am informed by the secretary of the committee having the meeting in charge that an invitation was mailed to every Member of Congress. This letter stated:

"The purpose of the meeting is to afford citizens of Washington opportunity to learn what is happening in Russia, not to propagate Bolshevism."

That purpose was adhered to.

The meeting did not originate with me. I was asked to preside, and did so on my own responsibility. I had learned in Boston, Mr. Williams's home city, from men who differ with his opinions, of his high character and ability. I had read his articles in reputable magazines and knew he had given the address proposed to be given here before the American Academy of Political and Social Science and at the City Club in Philadelphia, at Ford Hall and the Economic League in Boston, at the Church of the Holy Trinity in Brooklyn, the Church of the Ascension in New York, and other places. I knew the Department of Justice was fully advised as to Mr. Williams and what he was saying, and concluded that what would not contaminate Boston, New York, and Philadelphia would not injure Washington.

Mr. Williams delivered his usual address here, a typewritten copy of which was handed by him to a Post reporter at the meeting, but which was falsified in the report.

Myself and other nonsocialist citizens of this city will welcome any investigation of this open meeting, with the hope—perhaps vain—that the same publicity be given the truth as was given the distortion. At bottom this is the old question of free speech and as to whether a respectable audience of American citizens can peaceably assemble to ascertain the truth about a public issue without being lied about, villified, and intimidated.

I respectfully suggest that, if hearings are held, the committee be empowered to extend an inquiry as to whether there is a conspiracy afoot to prevent the American people from learning the truth about Russia.

Respectfully, yours, JUDSON KING.

MEN OF MOTOR TRANSPORT CORPS AT GUM SPRINGS, VA.

Mr. LA FOLLETTE. I submit a resolution for reference to the Committee on Military Affairs. I ask to have the resolution read.

The resolution (S. Res. 442) was read, as follows:

Whereas the men composing Company 553 of the Motor Transport Corps, now located at Gum Springs, near Alexandria, Va., were enlisted in the mechanical course of the University of Wisconsin and the mechanical courses maintained by the Government at many other places for the special training of men for services in the Motor Transport Corps; and

Whereas these men received this special training from June 15 to August 15, 1918, at which time they were sent to the aforesaid camp at Gum Springs, Va.; and

Whereas since August 15, 1918, to date this company has not been employed in motor-transport work, but has been employed in road-building work; and

Whereas the men of this company have been working at soldiers' pay for from 10 to 12 hours a day and doing the same character of work and employed alongside of colored civilian labor employed by a contractor who had a contract for building this road, and who paid this colored civilian labor at the rate of $4.50 and upward per day of eight hours; and

Whereas while they have been thus employed these men have received no military training and no training to make them more efficient in the Motor Transport Service, but have been continuously employed as common laborers; and

Whereas many of these men are married, with families and parents dependent upon them, many have business interests at home urgently requiring their personal attention, further absence from which will in many cases result in irreparable loss, and many others have lucrative employment awaiting them if they could secure prompt discharge from the Army; and

Whereas members of this company have filed or attempted to file applications for discharge with the commanding officer, who has refused to consider such applications upon their merits, except in a few instances where Senators and Representatives have, after long delay, succeeded in obtaining a discharge; and

Whereas in the presence of the men the commanding officer has on numerous occasions stated that no discharges will be granted nor will any applications for discharge be favorably recommended by said officer; and

Whereas these men did not and would not make any complaint so long as the country was at war, but cheerfully performed this labor to which they were assigned, although it was not the service for which they were trained; and

Whereas the road work upon which they were employed is completed, and there is no reason for the continuance in the service of Company 553 or Company 516 of the Motor Transport Service, which is similarly situated, has been similarly treated, and is under the same command: Now, therefore, be it

Resolved, That the Committee on Military Affairs, or a subcommittee of said committee, be, and it is hereby, directed to investigate the Gum Springs camp and ascertain and report to the Senate at the earliest possible date upon the following questions:

(1) Is there any military necessity for longer retaining these organizations in the service?

(2) Have the officers of these companies discouraged the filing of applications for discharge, neglected and delayed action upon applications filed with them, and refused discharges in cases upon which they have acted, without any just reason therefor, or for the purpose of maintaining their own places while they have been personally seeking new assignments for themselves or for the organizations?

(3) Have the men of either of these companies been from time to time required to perform services other than in the line of military duty?

(4) The committee is directed to make a like investigation and report as to the Motor Transport Service located at Camp Humphreys and other camps in the vicinity of Washington, D. C.

Mr. LA FOLLETTE. I ask to have the resolution referred to the Committee on Military Affairs.

The VICE PRESIDENT. It will be so referred.

Mr. JONES of Washington. Mr. President, as I understand, this resolution has been referred to the committee?

The VICE PRESIDENT. To the Committee on Military Affairs.

Mr. JONES of Washington. I received a letter a few days ago on behalf of three or four enlisted men at this station. They did not set out in detail all the matters referred to in this resolution, but they did state that they had been employed at road work alongside men who were getting from four and a half dollars to, I think they said, ten dollars a day. They also stated that the commanding officer had stated publicly that he would not receive applications for discharge; that he would not give them any consideration whatever. They could not understand why this was done. They stated in this letter that they were perfectly willing to do this kind of work, or any kind of work, while the war was going on, any work necessary to the

prosecution of the war, but they could not understand why they were to be kept in the service, working alongside of men who were getting many times the pay that they were getting, and work not at all connected with the prosecution of the war.

I took up the matter with the War Department. They advised me there, of course, that the commanding officer had no right to announce that he would not receive applications for discharge, and they assured me that they would take up the matter at once with the proper official. I have stated all the facts that were set out in the letter; but, as I say, they did not refer to many of the things referred to in this resolution.

I hope the resolution will be acted upon by the committee, and acted upon very promptly, because it seems to me there is a wholly unwarranted and unjustifiable condition of things at this Gum Springs Motor Transport Camp.

Mr. WEEKS. Mr. President, I think the fact is that the War Department has vested in the commanding officer the right to make discharges; but my judgment is that a commanding officer who stated that he would not receive an application for discharge or for any other reason would be subjecting himself to severe military punishment.

Mr. JONES of Washington. Mr. President, can the Senator see any justification now for working men on the building of roads alongside of men who are employed at very high wages?

Mr. WEEKS. I not only can not see any justification for it, but I can see every reason why it should not be done.

The VICE PRESIDENT. Are there further concurrent or other resolutions? [A pause.] The morning business is closed.

POST OFFICE APPROPRIATIONS.

Mr. BANKHEAD. Mr. President, I move that the Senate proceed to the consideration of the unfinished business, the Post Office appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

Mr. KELLOGG. Mr. President, I should like the attention of the Senator from Alabama. I now offer the amendment which was read and explained last night, which simply provides, where State constitutions have to be amended, that the part which could not otherwise be used shall be set aside in the Treasury.

Mr. BANKHEAD. Mr. President, I have examined that amendment very carefully, and so have other members of the committee. I think it is very important, and I hope the amendment will be adopted.

Mr. SMOOT. Mr. President, I should like to have the amendment read.

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. After the word "act," in line 13, on page 37, it is proposed to insert the following proviso:

Provided, That where the constitution of any State prohibits the same from engaging upon internal improvements, or from contracting public debts for extraordinary purposes in an amount sufficient to meet the monetary requirements of the act of July 11, 1916, or any act amendatory thereof, or restricts annual tax levies for the purpose of constructing and improving roads and bridges, and where a constitutional alteration or amendment to overcome either or all of such prohibitions must be submitted to a referendum at a general election, the sum to which such State is entitled under the method of apportionment provided in the act of July 11, 1916, or any act amendatory thereof, shall be withdrawn by the Secretary of the Treasury from the principal fund appropriated by the act of July 11, 1916, or any act amendatory thereof, upon receipt of the certification of the governor of such State to the existence of either or all of said prohibitions, and such sum shall be carried by the Secretary of the Treasury as a separate fund for future disbursement as hereinafter provided: *Provided further*, That when, by referendum, the constitutional alterations or amendments necessary to the enjoyment of the sum so withdrawn have been approved and ratified by any State, the Secretary of the Treasury, upon receipt of certification from the governor of such State to such effect, shall immediately make available to such State, for the purposes set forth in the act of July 11, 1916, or any act amendatory thereof, the sum withdrawn as hereinbefore provided: *And provided further*, That nothing herein shall be deemed to prevent any State from receiving such portion of said principal sum as is available under its existing constitution and laws.

Mr. KELLOGG obtained the floor.

Mr. JOHNSON of California. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from California?

Mr. KELLOGG. I should like a vote on this amendment, if there is no objection to it, and I do not understand that there is.

Mr. THOMAS. Mr. President, I shall be compelled to make a point of order against this amendment. It engrafts general legislation upon an appropriation bill.

Mr. KELLOGG. I hope the Senator will not do that. It does not affect the appropriation in the least. It does not bear on the question of the amount, and, if the appropriation is going to be made, all the States ought to have a right to take advantage of it. I yield, however, to the Senator from California.

Mr. THOMAS. Just a word, Mr. President. I do not want to do anything that is disagreeable to the Senator, but our rules certainly mean something, and we are becoming prone not only to an occasional but to a constant change of the spirit as well as the letter of our bills by amendments which are not germane to them. Complaint was made last night, and justly so, by the Senator having charge of this bill that it has been four days before the Senate and we have not made much progress upon it. That is due to the fact that it has been transformed by amendments from a Post Office appropriation bill to a good-roads bill. If it were not for the amendment it would have been passed long ago.

Mr. President, I have in my hand a copy of the revenue bill, consisting of some 300 pages. The Senator from Utah [Mr. KING] will probably remember that a few days ago he asked the Senator from Alabama [Mr. BANKHEAD] where the money was coming from to meet these expenditures. This is the answer. The Senator said the Finance Committee will attend to that. We have tried to attend to it, but even here appears an appropriation. We can not even pass a revenue bill without appropriating some of the money in advance. We provide here for paying the discharged soldiers $60 apiece, or $400,000,000. That is an amendment to a revenue bill. Congress is discounting its own bills 6½ per cent, and I understand that it would have been difficult to secure its enactment but for something of that sort.

There is no question but that the Senator's amendment will improve this bill; but it is new legislation, and certainly we must somewhere, at some time, terminate this constant practice of transforming bills of all sorts into appropriation bills through general legislation. This does not increase the appropriation, but it certainly changes the form of the bill by engrafting general legislation upon it.

Mr. SMOOT. Mr. President, I am in full accord with every word the Senator from Colorado has just said. Of course I do not like this road appropriation upon this bill, but I ask the Senator from Colorado to withhold the point of order because——

Mr. THOMAS. I will do that. I will withhold it, of course, but I will not promise not to renew it.

Mr. SMOOT. I should like even to ask the Senator not to renew it, because if this appropriation is made I certainly want it as fair as it is possible to be, and the amendment offered by the Senator from Minnesota is nothing but fair to the different States of the country. I hope the Senator will finally conclude not to press the point of order.

Mr. CURTIS. Mr. President——

Mr. THOMAS. If the Senator will permit me, I have perhaps already made myself more obnoxious than is personally desirable. I do not care to do so any more than is absolutely necessary. If the Senator from Utah says this is an improvement to the bill I will withdraw the point of order.

The VICE PRESIDENT. The question is on the amendment of the Senator from Minnesota [Mr. KELLOGG] to the amendment of the committee.

The amendment to the amendment was agreed to.

AMERICAN TROOPS IN RUSSIA.

Mr. JOHNSON of California. Mr. President, I move that the pending measure be temporarily laid aside and that the Senate take up and consider Senate resolution 411.

The VICE PRESIDENT. The question is on the motion of the Senator from California.

Mr. BORAH. Upon that I call for the yeas and nays.

Mr. THOMAS. What was the motion?

The VICE PRESIDENT. To lay aside the appropriation bill and proceed to the consideration of Senate resolution 411, upon which the yeas and nays have been requested.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DILLINGHAM (when his name was called). I have a general pair with the senior Senator from Maryland [Mr. SMITH]. I do not see him in the chamber and I withhold my vote.

Mr. KNOX (when his name was called). I have a general pair with the senior Senator from Oregon [Mr. CHAMBERLAIN]. I am informed by his colleague that if present he would vote "yea." I will therefore vote. I vote "yea."

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. MARTIN]. In his absence I withhold my vote.

Mr. MYERS (when his name was called). I have a general pair with the Senator from Connecticut [Mr. McLEAN]. I

observe that he is not present. I transfer my pair to the Senator from Louisiana [Mr. RANSDELL] and vote "nay."

Mr. WOLCOTT (when his name was called). I have a general pair with the Senator from Indiana [Mr. WATSON]. I am unable to secure a transfer and I withhold my vote. If permitted to vote I would vote "nay."

The roll call having been concluded,

Mr. SAULSBURY. I desire to announce the necessary absence from the Chamber of the senior Senator from Maryland [Mr. SMITH] because of illness, and also of the senior Senator from Mississippi [Mr. WILLIAMS] for the same cause.

Mr. KENDRICK. I transfer my pair with the senior Senator from New Mexico [Mr. FALL] to the senior Senator from California [Mr. PHELAN] and vote "nay."

Mr. FLETCHER. I have a pair with the junior Senator from Massachusetts [Mr. WEEKS]. In his absence I transfer that pair to the Senator from Nebraska [Mr. HITCHCOCK] and vote "nay."

Mr. SAULSBURY (after having voted in the negative). Has the senior Senator from Rhode Island [Mr. COLT] voted?

The VICE PRESIDENT. He has not.

Mr. SAULSBURY. I will have to withdraw my vote, having a pair with that Senator.

Mr. PENROSE (after having voted in the affirmative). I have a general pair with the senior Senator from Mississippi [Mr. WILLIAMS]. I note that he has not voted. I will transfer my pair with the senior Senator from Mississippi to the senior Senator from Nebraska [Mr. NORRIS] and permit my vote to stand.

Mr. CURTIS. I wish to announce the absence of the senior Senator from Nebraska [Mr. NORRIS] on business of the Senate.

Mr. MOSES. I transfer my pair with the Senator from Kentucky [Mr. MARTIN] to the Senator from Maine [Mr. HALE] and vote "yea."

Mr. WOLCOTT. I transfer my pair with the Senator from Indiana [Mr. WATSON] to the Senator from Oklahoma [Mr. GORE] and I am at liberty to vote. I vote "nay."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from New York [Mr. CALDER] with the Senator from Rhode Island [Mr. GERRY];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED].

The result was announced—yeas 32, nays 37, not voting 27, as follows:

YEAS—32.

Ashurst	Harding	La Follette	Penrose
Baird	Hardwick	Lenroot	Sherman
Borah	Johnson, Cal.	Lodge	Smoot
Cummins	Jones, Wash.	McCumber	Spencer
Curtis	Kellogg	McNary	Sutherland
France	Kenyon	Moses	Varlaman
Frelinghuysen	Kirby	New	Wadsworth
Gronna	Knox	Page	Warren

NAYS—37.

Bankhead	King	Pollock	Swanson
Beckham	Lewis	Pomerene	Thomas
Culberson	McKellar	Robinson	Thompson
Fletcher	Martin, Va.	Shafroth	Trammell
Gay	Myers	Sheppard	Underwood
Henderson	Nelson	Simmons	Walsh
Hollis	Nugent	Smith, Ariz.	Wolcott
Johnson, S. Dak.	Overman	Smith, Ga.	
Jones, N. Mex.	Pittman	Smith, S. C.	
Kendrick	Poindexter	Sterling	

NOT VOTING—27.

Brandegee	Gerry	Norris	Smith, Md.
Calder	Goff	Owen	Smith, Mich.
Chamberlain	Gore	Phelan	Townsend
Colt	Hale	Ransdell	Watson
Dillingham	Hitchcock	Reed	Weeks
Fall	McLean	Saulsbury	Williams
Fernald	Martin, Ky.	Shields	

So the motion of Mr. JOHNSON of California was rejected.

POST OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

Mr. SMOOT. Mr. President, on page 37, line 10, after the numerals "1920," I move to strike out down to and including the numerals "1921," in line 11, in the following words:

And the sum of $75,000,000 for the fiscal year ending June 30, 1921.

The effect of that amendment will be to reduce the appropriation $75,000,000, but it applies only to the appropriation for the fiscal year ending June 30, 1921, or, in other words, it provides that at this time Congress shall not authorize an appropriation of $75,000,000, which under this amendment, if it becomes a law, may not be expended until the year 1924.

There is no necessity whatever to appropriate money now that may not be used before the year 1924, and as a matter of wisdom and policy it should not be done. The next Congress or the Congress following can appropriate the money just as well as not to carry on this work, and by that time Congress will know more about the requirements of the Government; everyone in the country will know whether the conditions are such that the money ought to be expended for this purpose.

In saying this, Mr. President, I want it distinctly understood that I believe in the building of good roads. I believe that that is one of the most important questions before the American people to-day, and I think millions and billions of dollars could be expended in the building of these roads; but let us at least use a little judgment in appropriating money out of the Treasury of the United States to be expended, perhaps, not before three or four years hence, and when we know nothing about the conditions which will exist in the country at that time. It is unwise, it is uncalled for, and it should not be done.

Again, Mr. President, I believe whatever amount of money is to be appropriated, if any is appropriated by this bill, should be for the fiscal year ending June 30, 1919. As far as I am concerned, if the money is to be appropriated, I would rather see the $50,000,000 taken from the next appropriation, that would be for the fiscal year ending June 30, 1920, and added to the fiscal year 1919.

Mr. KING. Will the Senator permit me to ask a question for my own information?

Mr. SMOOT. Certainly.

Mr. KING. I should like to know what appropriation was made for 1919 and how much has been expended?

Mr. SMOOT. The appropriations that have already been made amounted to $75,000,000, and this bill provides $50,000,000 more for the present fiscal year. I think very little of the $75,000,000 that was appropriated three years ago is expended.

Mr. KING. It was my understanding that the amount appropriated for the fiscal year ending June 30, 1919, has scarcely been touched and that most of it is still available.

Mr. SMOOT. There is some of it available. But I will say that the $50,000,000 that is provided for in the bill for the present fiscal year is immediately available and could be expended for the fiscal year ending June 30, 1919.

Mr. KING. I understand that, but I was not sure about the other.

Mr. SMOOT. Under the existing law, if the States do not avail themselves of this $50,000,000 by June 30, 1919, they have another additional year to do so; and as we want the appropriations, if they are made, to be such as to give employment to the people of this country at as early a date as possible, I believe that whatever appropriation is made ought to be made in the first instance for the year ending June 30, 1919.

All that was said yesterday upon this question could be repeated to-day, but there is no necessity for it. I wish that we could have Senators in their seats to listen to the discussion of these questions and know why the amendments are made.

Mr. President, if I stood here on the floor and spoke for an hour it would make no special difference as to the vote that will be taken, but I do want a record vote on this particular amendment.

Mr. THOMAS. Does the Senator mean the section?

Mr. SMOOT. No; the amendment I have just offered to strike out $75,000,000. I hope the amendment that I have just offered to the amendment of the committee will be agreed to.

Mr. SWANSON. Mr. President, in road construction it is necessary to have the plans several years ahead. The idea is to fix up a good system of road construction and improvement, and the engineers must lay it out. They must be connected with other roads, and unless you have a plan three or four years ahead, it is disconnected and not as systematic as it is with a three years' program. That is the reason why the committee decided that it was better to have a three years' program, so that it could be fixed up systematically and so that the engineers and the department could have a systematic system devised.

Mr. LENROOT. If the Senator will yield, I should like to ask him a question.

The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from Virginia yield to the Senator from Wisconsin?

Mr. SWANSON. I yield.

Mr. LENROOT. I should like to ask the Senator where he thinks the money is coming from to pay this bill?

Mr. SWANSON. I am satisfied the Government will have plenty of money; but even if we must economize in other things—even if it is necessary to continue taxation—there is nothing that will add more to the wealth and more to the power of the country and more to the comfort of the people than road construction. It is an investment; it is not waste. It is not an expenditure of useless money. I believe there is nothing the Government could do——

Mr. THOMAS. Mr. President——

Mr. SWANSON. I will yield in a minute. There is nothing the Government could do that would be more beneficial and bring a better return than appropriations and expenditures made for road improvement. I yield to the Senator from Colorado.

Mr. THOMAS. One remark the Senator made has interested me. Will he please indicate where we can economize in other things?

Mr. SWANSON. As soon as all the expenses of the war are over, with the increase of wealth, when we get down to an economical basis, I am satisfied that the Government can have a tax system that will carry road improvement without being onerous.

Mr. THOMAS. That is a very general answer to a specific question.

Mr. SWANSON. If there is anything the Government can spend money for that brings good returns, that brings good profits, that adds to the comfort of the people, it is road improvement.

Mr. THOMAS. If I may ask the Senator from Virginia another question, is the Senator going to support the proposed increase of the Navy involving an expenditure of $700,000,000?

Mr. SWANSON. The Senator is entirely mistaken about the naval bill. The naval bill now pending in the House, as I understand, providing for the additional naval program, appropriates about $400,000,000 approximately, the expenditure to extend over five or six years. The entire appropriation, as I understand, for this year is about $750,000,000. A great deal of it is temporary, on account of the change to a peace basis from a war basis.

Mr. THOMAS. The Senator from Virginia has not yet answered my question. Who will cut the appropriation down from $700,000,000 to $400,000,000? But I merely ask the Senator does he expect to support the bill?

Mr. SWANSON. I expect to support it should the condition be such that there is no disarmament or cessation of navalism in other countries. In that event, in order to save this country, we should have a Navy adequate to protect our great commercial interests and our liberty and our institutions.

Mr. THOMAS. Is the Senator in favor of reducing the appropriation?

Mr. SWANSON. I will discuss the naval bill when it comes here.

Mr. THOMAS. I understand that; but the Senator stated that we ought to economize in some other direction; and I am in favor of economizing both in other directions and here. I was anxious to ascertain, if I could, from the Senator where we could begin this work of economy. That is the thing I have been hunting for the six years I have been in the Senate, but I can not find it.

Mr. SWANSON. I understand the naval appropriation bill has been reduced a great deal in the expenditure which it carries.

Mr. THOMAS. It has been reduced from $1,250,000,000 to $700,000,000, I understand.

Mr. SWANSON. It has been reduced a great deal more than that, and it has also been reduced from the estimates about two or three hundred million dollars. The appropriation is temporary on account of the changed conditions from war to peace. I have not examined the naval bill in detail so as to speak explicitly regarding it. I simply have the general impression. The bill has not yet come over to the Senate.

Mr. BANKHEAD. Mr. President, I regard the third year of this appropriation as the most important of any year provided for in the bill. The department which is to put this bill into force and execution also holds that view. Why? If we are going to enter upon an extensive program of road construction in this country, it must be systematically entered upon, planned, and surveyed, and estimates must be made. State constitutions must be amended in some particulars. We have already authorized that in this bill, in order that all of the States may enjoy that portion of the appropriation to which they are entitled. The third year in this bill, as I have repeatedly said, is the most important of any. States have got to make their plans; they have got to make their surveys and estimates; they have got to provide for raising revenue. Many States perhaps would hesitate about extensive preparations to be made to match the provisions in this bill if they were only to be applied or extended for two years.

The money which is to be appropriated will not be expended until the third year. The Senator from Utah [Mr. SMOOT] says it is carried over to 1924, but he is mistaken.

Mr. SMOOT. I said it could be carried over.

Mr. BANKHEAD. I do not see how. There is nothing in the bill which authorizes it.

Mr. SMOOT. I do not think the Senator wants to make that statement.

Mr. BANKHEAD. I do make it.

Mr. SMOOT. Will the Senator allow me to call his attention to what the bill provides?

Mr. BANKHEAD. I will read from the bill. Let us see what the bill says.

Mr. SMOOT. Let me call attention to what the bill says. I think I can find it in a moment.

Mr. BANKHEAD. Mr. President, I will read that portion of the bill to which I have referred, and that portion of the bill has not been amended. It was proposed to amend it, but the amendment went out on a point of order made by the Senator from Utah [Mr. KING]. So the original law as passed in 1916 is the law that controls this appropriation.

Mr. SMOOT. Mr. President, I desire to say that I had the amendment here before me this morning when I was speaking.

Mr. BANKHEAD. I thought that had misled the Senator.

Mr. SMOOT. I was speaking to the amendment that I had before me.

Mr. BANKHEAD. But that went out; that is not in the bill.

Mr. SMOOT. That amendment provided for the extension of the appropriation two years instead of one year, as in the existing law.

Mr. BANKHEAD. That went out, and is not in the bill. I hope the Senate will carefully consider this matter. There is no economy—in fact, it is a waste, to my mind, to strike out the third-year provision of this proposed law. The States can not possibly make their arrangements economically and wisely to enter upon this extensive system of road improvement unless they have time in which to make their plans, their financial and other arrangements. If you cut them off right at the beginning of the third year, what happens? They have gone on for two years under the provisions of the law; they have entered upon road construction. Everybody, I think, understands how much interested the people of this country are in the question of improved roads and improved means of transportation from the farms to the depots and river landings and finally to the consumer. I do not think anybody need apprehend that under any circumstances we are to be criticized for liberal appropriations for this purpose.

Mr. SMITH of Georgia. Will the Senator let me ask him a question?

Mr. BANKHEAD. Certainly.

Mr. SMITH of Georgia. What amount under this bill will be immediately available?

Mr. BANKHEAD. Under this bill the amount which will be immediately available, according to the figures of the Secretary of Agriculture, who recommends this appropriation, is as follows: There will be immediately available for this fiscal year, under the provisions of this law, $170,000,000. Why? Because $70,000,000 of former appropriations have not been applied; the States have not made their plans and accepted the provisions of the law. Therefore that amount of money for two years remains unexpended because of war conditions, as the Secretary of Agriculture states. The plans were all adopted and approved, but the construction was held up on account of war conditions. Material could not be shipped, labor could not be obtained, and therefore road building during the last year or two, during the years which the war was going on, was practically suspended.

Mr. SMITH of Georgia. Then there is $170,000,000 immediately available?

Mr. BANKHEAD. Yes.

Mr. SMITH of Georgia. If it will not interrupt the Senator, I should be glad to call his attention to the fact that a series of hearings have been going on before the Committee on Education and Labor upon a bill looking toward quite liberal appropriations to meet by employment on public works the threatened lack of employment in different parts of the country. The committee adjourned this morning, after another long hearing, without definite action; but we adjourned with the understanding that we would see how far this bill would provide authority to the use at certain places, perhaps, of part of this appropriation, even before it was met by the State. Could anything be done

without embarrassing or hindering this bill to facilitate the very prompt use of this fund where the lack of occupation for labor made it especially important?

Mr. BANKHEAD. I do not think it would be wise to undertake to inject a provision of that kind into this bill.

Mr. SMITH of Georgia. The bill pending before the Committee on Education and Labor carries an appropriation of $100,000,000, to be used by a board to be designated in the bill, to meet, by providing employment on public works, conditions that may very possibly arise, and which I think we ought seriously to consider.

Mr. BANKHEAD. I will say to the Senator that I think $170,000,000, as provided in this bill, will be ample to meet that suggestion.

Mr. KENYON. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Iowa?

Mr. BANKHEAD. I want to add that it must not be overlooked that one-half of this money is to be paid by the States.

Mr. KENYON. One-half of the $170,000,000?

Mr. BANKHEAD. Yes.

Mr. KENYON. I wish to get right down to the question which the Senator from Georgia [Mr. SMITH] has suggested. Can this work go on in the next few months? That is when this labor trouble is coming, and I am looking at it from that standpoint.

Mr. BANKHEAD. It can begin to-morrow, and, in fact, has already begun.

Mr. KENYON. It is necessary to have the States take some action in the matter, is it not?

Mr. BANKHEAD. No; not many of the States will have to act, although some few will. I have just stated that the Secretary of Agriculture in his letter says that a very large number of these applications on the part of States have been approved, but have been held up on account of war conditions. They could not get the material; they could not get the labor. Now they are ready to go right to work and the money is ready under the old appropriation for these approved contracts.

Mr. KENYON. How many men actually can be put to work, does the Senator know?

Mr. BANKHEAD. I do not know; but I will say that there are 391 projects already under agreement, where the States are ready to put up their share and the Government is ready to put up its share. That work will go on now because the conditions are such that it can be proceeded with. If we pass this bill labor can be obtained and the materials necessary to the building of roads can be obtained, because the railroad conditions have changed.

Mr. KENYON. How extensive are those projects? Are they large projects?

Mr. BANKHEAD. No; not very many of them are. They are all in their nature local to the various counties and States.

Mr. KENYON. Can the Senator give any estimate of how many men will perhaps be employed on those projects?

Mr. BANKHEAD. Mr. President, I have no definite figures as to that; but I would say unhesitatingly that under this bill, providing for an expenditure this fiscal year of $170,000,000, at least 500,000 men, and perhaps more, can be employed on these roads. The benefit of these provisions is that the soldiers who are returning without employment are going to every State in this Union. They are not going to be discharged and remain in the cities of the East, but they are going back to the States where they enlisted, and they will be there trying to get employment. Under the provisions of this bill men who go back to Alabama or to Wisconsin or to any other State in the Union will be there ready to accept employment at liberal wages when this road construction begins, and it has already begun. As I have stated, 391 projects have been approved, and they are ready to proceed with the work. That is the benefit that will come from this bill.

I desire to repeat before I sit down that the provision of this bill as to the third year is the most important of all. If the provision for the third year is stricken out, the plans can not be made, the financial arrangements can not be made, and the State constitutions can not be amended, as some of them must be amended. This money will remain in the Treasury until the fiscal year for which it is appropriated; not a dollar of it can be expended until the time comes; and I hope the Senate will not consider for a moment the motion of the Senator from Utah to strike out the most important, to my mind the vital, provision of this bill. We had better strike out the first section.

Mr. SMITH of Georgia. Mr. President, will the Senator allow me to interrupt him?

Mr. BANKHEAD. Certainly.

Mr. SMITH of Georgia. The feature of this bill that appeals greatly to some of us is the first year's work, the work that can be done now. If the Senator had heard the testimony that has been presented to the Committee on Education and Labor, I believe he would be aroused to the necessity of furnishing work during the next six months to a great number of men who will otherwise be out of work.

Mr. BANKHEAD. There is no doubt about that.

Mr. SMITH of Georgia. It was suggested at our committee meetings that this bill in the provision for the first year's work would go far toward meeting this necessity. If I could, I would take the appropriation for the last year and add it to the first year, double it now, so as to be sure that we were taking steps which would give an opportunity to furnish occupation to labor where disorganization has arisen, their country having taken the men away from their homes and their occupations by the draft and put them in the Army.

Mr. BANKHEAD. Mr. President——

Mr. SMITH of Georgia. Will the Senator allow me to say just a word more?

Mr. BANKHEAD. Certainly.

Mr. SMITH of Georgia. We feared that they would be kept at the front all this year; but, thank God, they do not have to stay there, and now that the war is over let us not fail to realize that a duty rests upon us to provide for them as they come home by furnishing an opportunity to work along lines provided for in this bill. I think the opportunity is at least partially presented by this bill; I think they can do a great public service; they can accomplish results beneficial to the entire country, and at the same time we can meet our obligation to see that there is a chance for occupation to the men returning home whom we broke up their former relations to civil life.

Mr. BANKHEAD. Mr. President, I entirely agree with the suggestions made by the Senator from Georgia. I could not tell, in response to the question of the Senator from Iowa [Mr. KENYON], exactly how many men could be employed on road construction under the provisions of the bill for the first year, but there could certainly be employed a great number of men with the amount of money provided. The beauty of it is, Mr. President, that employment will be provided for them in every State in the Union. We are not proposing to go to New York or Philadelphia or Chicago or Boston to spend large amounts of money to give employment to the unemployed, but we are going out to every section of the country, in every State and every county where these men have returned after their discharge from the Army.

Mr. SWANSON. Mr. President, will the Senator permit me a moment?

Mr. BANKHEAD. Yes.

Mr. SWANSON. It is estimated that over 50 per cent of expenditures for roads go directly to labor. The character of labor employed in such work, outside of the skilled engineers and road constructors, is not skilled labor, but is the usual kind of labor that in times of distress needs occupation and employment more than any other. If any measure could be devised to give occupation to the character of people who will be out of employment, road construction is generally understood to be the best kind of work for that purpose. It takes care of a class of people who are out of employment, and, in addition to that, the work is of permanent and lasting benefit.

Mr. THOMAS and Mr. SMOOT addressed the Chair.

The PRESIDING OFFICER. Does the Senator yield; and if so, to whom?

Mr. THOMAS. I thought the Senator had yielded the floor.

Mr. SWANSON. Not yet. As to the amount to be expended for the first year, there was some suggestion that the Senator from Alabama had exaggerated the figures. The estimate here is $170,000,000, as he stated; that is, $50,000,000 of Federal appropriations, to be supplemented by a like amount from the States, making $100,000,000, to which should be added the balance now available from former and present fiscal years from State and Federal sources, amounting to $70,000,000, making the total amount for the first year $170,000,000.

Mr. THOMAS obtained the floor.

Mr. SMOOT. Mr. President——

Mr. THOMAS. I yield to the Senator from Utah.

Mr. SMOOT. Mr. President, the statement has been made that 500,000 men could be given employment under the first year's appropriation. I wish to call attention to the inaccuracy of that statement. Granting that $170,000,000 will be available the first year, if the men engaged on road building are paid $1,000 a year on the average, that would mean employment for 170,000 men. But it is admitted that only half of the amount goes to labor and that the other half is applied

to other expenses, so the most that could be employed would be 85,000.

Mr. VARDAMAN. Does the Senator object to the appropriation on that account?

Mr. SMOOT. No; I am only correcting the record; that is all.

Mr. BANKHEAD. I stated that I did not have the exact figures and did not know exactly the number of men who could be employed.

Mr. SMOOT. So that instead of 500,000 men who could be employed the first year, there would be about 85,000.

Mr. BANKHEAD. I presume the Senator from Utah has figured out how many men can be employed. I did not do that, and did not have the opportunity to do so.

Mr. VARDAMAN. Does the Senator from Utah wish to enlarge the appropriation, so that it will give employment to 500,000 men?

Mr. SMOOT. I would rather do that for the first year than to appropriate money for the third year, I will say to the Senator.

Mr. VARDAMAN. There are two interests to be subserved—the people living in the country, who use the roads, and the people who are given employment in building the roads. If you can serve the country better by making a part of the appropriation available the third year, it seems to me there ought not to be any objection; not, I submit, because it may not give employment to quite so many men in the first year. We wish to serve the soldiers who will return to their homes without employment, but we also wish to serve the men and women whose labor produces the materials that feed and clothe the world, pay the taxes, and support the Government. In other words, I am interested in taking care of the farmers, whom I consider the substratum of all national prosperity.

Mr. SMOOT. I say that when the third year comes, and long before it comes, Congress will know whether they want to appropriate $75,000,000 or $150,000,000, or whether they are bankrupt, so that they can not appropriate anything. That is all.

Mr. THOMAS. Mr. President, I have observed that many of the appropriations which are sought for find their excuse in the assertion that the money is needed to secure employment for returning soldiers. We are regaled here every morning, or some part of every day, by complaints that men who have jobs and want to fill them can not secure their discharges. We are told that jobs are hungering for returning soldiers, and the department is seriously criticized and sometimes denounced because those who desire discharges to return to employment can not secure them.

Mr. President, I was 15 years old when the Civil War ended. The press of the country at that time called attention to the reluctance of a great many discharged soldiers to work at all, to return to their ancient employments, or to renew the more prosaic and less attractive forms of civil pursuits; and that was true. It is an unfortunate fact that war begets the lust of adventure and of excitement and of restlessness in the blood of the young men who serve their country. It is difficult for them to lapse back into the lives which they led prior to the beginning of conflict.

I noticed a day or two ago in a New York paper that among the unemployed in New York were 15,000 discharged soldiers, most of them farm boys, who had determined thereafter to live in New York City. I am told by men engaged in the work of mustering out the soldiers that there is a widespread spirit of wanderlust, especially among the farm boys—and it is human nature; we can not blame them—who are not disposed to return to their ordinary pursuits, to the humdrum toil of life. They have got a taste of the world's excitement, and they desire to enjoy more of it.

A gentleman perfectly competent to speak said in my presence the other day that the colored soldiers of the South were on the streets of the cities, wearing their uniforms; that they did not want to work. Of course, that does not include all of them; but they felt—and there, again, it is a natural feeling—that having served their country, and served it well, they are now entitled to the enjoyment of a different life; and, of course, we are encouraging that by all sorts of proposed legislation. I have called attention to the fact that we could not even pass a revenue bill without providing for an appropriation of $400,000,000 for extra pay.

A young citizen of my city came to see me within the week. He said he wanted to get his discharge as soon as possible because his old job was awaiting him. I told him that I had been informed that in my own city of Denver there were 7,000 to 10,000 soldiers looking for jobs. He said, "No; I have just come from there. They are not looking for *jobs;* they want *positions.*" He said, "There are plenty of jobs." And I know that the farms of this country are literally crying for help.

There are from 60,000 to 80,000 men on strike in the cities of Seattle and Tacoma. There are jobs that can be filled by returning soldiers, and ought to be. We may perhaps find ourselves in the position, I will not say of encouraging but of sympathizing, with organized strikes in the country while at the same time voting millions upon millions of dollars of the people's money to secure jobs for returning soldiers. I think that our principal task is going to be to find soldiers for jobs rather than to find jobs for soldiers.

I am not reflecting upon the patriotism or the enterprise of the young soldier. I am speaking, of course, of an exception to the general class; but it is wrong, Mr. President, to use the argument of a desire to give jobs to thousands of people for the purpose of getting these enormous appropriations out of a depleted Treasury.

Mr. President, the man whom God helps is the man who helps himself; and once we begin this paternal, charitable system of legislation, I do not know where we are going to end it. I contend that the men who stayed at home and who are detailed to work at home, in the city of Washington and in other cities, in carrying out that necessary supplemental task of supplying the Army with its sinews and with its supplies, are just as much entitled to appropriations, that we may now find them jobs, as others. The jobs, Mr. President, are here. The country wants every man. It can find a job for every man who wants a job; but we propose to say to these gentlemen, "We will get you jobs"; and a man who depends upon a condition of that kind for a job, and who accepts it, expects extraordinary consideration.

I have already called attention, in another argument that I presented to the Senate, to the extraordinary fact that under the provisions of this bill specific preference is given to soldiers and sailors, which is class legislation, which provides that the man who pays the taxes must be subordinated to the man who does not pay the taxes in the enjoyment of their expenditure.

Mr. KENYON. Mr. President——

Mr. THOMAS. Just a moment. This should stand upon its merits. If the country needs and should have $200,000,000, let us vote it; but do not let us camouflage our proposed appropriation by saying that it is necessary to give jobs to free, independent American citizens in a country of opportunity, where every man who wants to make a living and to earn it has abundant opportunity to do so.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Iowa?

Mr. THOMAS. I yield.

Mr. KENYON. I think possibly the Senator has answered the question I intended to ask. It was this: Does the Senator believe that there is plenty of opportunity for work and plenty of work and plenty of jobs for those who are seeking them in the country?

Mr. THOMAS. As far as I am able to judge, yes. There are no jobs in New York City for 15,000 men who do not belong there and who will not go home.

Mr. VARDAMAN. Will they not go home?

Mr. THOMAS. No; the newspapers state that they intend to make their future homes in these great cities.

Mr. VARDAMAN. Let me ask the Senator a question.

Mr. THOMAS. I can answer only one question at a time.

Mr. KENYON. Let me get through with mine. The Senator differs with the Labor Department of the Government with respect to this matter. Now, I agree with the Senator that this proposition of getting work for returned soldiers and all that is being made the vehicle to get great appropriations through.

Mr. THOMAS. There is no doubt in the world about it.

Mr. KENYON. That is true; and I do not believe in it at all; but I should like to think the Senator is correct in his view of the labor situation. The Department of Labor, in this testimony of which the Senator from Georgia speaks, has shown to that committee, by reports from the various cities—and I leave out this Seattle question and all of these strike questions—that the ratio of unemployment has been going up at a very alarming figure. There are not so many unemployed now as to be at all startling, but the ratio of unemployment is startling. For instance, we learn from reports from these centers that on December 13 there were 10,000 unemployed. That has gone up this week to 264,000, and they say there is not a job for every man seeking a job.

The holding back of investment, the holding back of building that has gone on during the war, has had something to do with

this situation. Men are not going ahead with building because material is so high and labor is high, and that situation has arisen in the country. I think it is a very troublesome situation. There have been held back by municipalities and States some three hundred millions of public works that already have been authorized. There is a great deal of Government work that has been authorized. Now, if we could go ahead with that, it would not make more public buildings, for instance, but the effort would be concentrated where the unemployment exists. Does the Senator feel that everything is all right; that there is no need along this line?

Mr. THOMAS. No; nothing is all right in this country at all times. If it were there would be nothing to live for. The Labor Department knows, and ought to know, much more about this situation than I do; but I know that in the city of New York, where there is a large amount of unemployment, there are also big strikes going on. Nobody wants to take the place of a striker. We all know, too, that the Labor Department is officered by those representing one species of labor, and that, as far as possible, the unemployed must, or is expected to, at least, identify himself with the organizations in order to get work through this board. I do not mean to say that that is universal; but, if my information is correct, it has characterized the operations of the board in some places.

But, Mr. President, I am satisfied—and this is not peculiar to this war; it is history; it is common experience; it is taking place in Great Britain, in Australia, in Canada, just as it is here; it is human nature—that men who have gone through the terrible and at the same time fascinating excitements of the war are reluctant, many of them, to reassume their civic duties and fill their old positions. I think in every city in the Union there are aggregations of men who have recently been in the Army who want jobs in the cities, while the country is crying and clamoring for help.

Mr. KENYON. There is no doubt about the country crying and clamoring for help.

Mr. THOMAS. And that the congestion in the cities is followed by starvation in the country. The problem before that board and before Congress is to induce men to go back to their old jobs, to go to farming, to go to blacksmithing, and so forth, instead of rushing into these cities and wasting their time in looking for jobs and attending the cheap theaters and other attractions of the cities.

Mr. KENYON. That is true; but, in the words of a great man whom the Senator did not think was a Democrat, it is a condition and not a theory that confronts us right now.

Mr. THOMAS. I know he was not a Democrat. I want to relieve the condition. I do not believe this will do it, however.

Mr. KENYON. I do not know. I hope the Senator is right when he says that there is a job for every man. I am afraid there is not, however.

Mr. THOMAS. There have been times, of course, when that was not the case, and there may be times now when that is not the case. I am willing to concede that; but is this the right sort of remedy?

Mr. KENYON. I do not know. What is the remedy? If there is not some remedy in carrying on public works, what is the remedy? The remedy is not to make speeches about it.

Mr. THOMAS. Oh, making speeches is a remedy for nothing, especially in the Senate of the United States.

Mr. KENYON. That is the only way we remedy anything here, so far as I know.

Mr. THOMAS. Unfortunately, that is the only way in which we transact business here. The other House votes, and does not talk. We talk, and never vote; and, of course, I am just as guilty as anybody else, so far as that is concerned. It is difficult to outline the remedy at once; but I say primarily the remedy is to ascertain where jobs are—not who wants them so much as where jobs are. Let these employees ask the farmers of Iowa, the farmers and miners of Colorado—I know that there are mines in my State that need skilled men—and by that means ascertaining the job, then bring the man who is without it to that job, instead of, upon the assumption that we are catering to a greatly needed want, taking two hundred millions out of the Treasury of the United States for the purpose of making the people of our different States feel so much better because Uncle Sam's money is going to be distributed among them.

Mr. VARDAMAN. Mr. President, may I ask the Senator a question at that point?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Mississippi?

Mr. THOMAS. I wanted to yield the floor some time ago.

Mr. VARDAMAN. The learned Senator from Colorado always talks interestingly.

Mr. THOMAS. Interestingly and too much.

Mr. VARDAMAN. Interestingly and instructively. No; the Senator from Colorado can not talk too much to suit me. But I would like to suggest this thought, which has occurred to me and which I hope may throw some light on the subject. Primarily the purpose of this appropriation is not to give jobs.

Mr. THOMAS. No; but that is the argument upon which it is based, that it is needed at this time.

Mr. VARDAMAN. Of course, the honorable Senator from Colorado will not be carried off upon that idea. The appropriation is to build roads for the convenience and benefit of the people who live in the rural districts and for the convenience of the country generally. Good roads will cheapen the freight rates, the cost of carrying the products of the farms to market; good roads will facilitate social intercourse among the people, which will also enhance the value of the land and work for better living in the country in every way; good roads will improve the social life of the men and women who have to bear the burdens and the expense of government. Now, if you wish to make country life more attractive, if you would draw from the city to the farm men and women, if you would keep the boys reared in the country on the farm, you have got to make it possible for the farmer to visit his neighbor, to send his children to school, to carry his goods to market, and that will be made possible only by the building of good highways. You have got to bring him into the world, out of his heretofore forced isolation. I think the best investment this Government ever made, one that brings the largest returns to all the people, is the money invested in good highways, because, as stated above, good highways mean good schools; good highways mean better churches; good highways mean better live stock and improved farming implements; good highways improve educational facilities and elevate the moral tone of the community and in every way work for the upbuilding and betterment of society. They make farm life attractive when nothing else will, keep the boys from leaving the farm to go to the city, where they are often engulfed in the maelstrom of immorality and idleness. And I want to say, Mr. President, in conclusion, that when you benefit the agricultural element of this country you improve every other class of society, and you can not benefit one neighborhood in the United States or neglect the interests of one neighborhood without benefiting or injuring the entire Republic.

It is my judgment that the greater part of this money that is going to be spent on the roads will be paid to men now living in the country and soldiers who will return from the Army to the farm. Farmers in all probability will do the greater part of the road work. I do not indulge the hope that you are going to be able to induce people resident in the city to go to the country to do this road-building work. I hope they may go there. The work is healthy, moderate, and the remuneration will be ample, and the man who fails to take advantage of the opportunity thus furnished for employment, and remains idle in town, will prove himself to be an undesirable citizen.

Mr. THOMAS. The Senator has repeated the argument that was made when this bill was presented by the Senator from Virginia [Mr. SWANSON]. I referred to that the other day. There is a great deal in it. It is the argument which carried $75,000,000 through the Senate and the House two years ago, a great part of which is not yet spent.

Of course, good roads are beneficial, but the Senator has not mentioned one thing which this and other appropriations are going to bring to the people, and that is bankruptcy, which, in my mind, is a poor equivalent for the benefits to which the Senator has referred.

Mr. VARDAMAN. I do not think it will bring bankruptcy. I think this appropriation for roads is a good investment.

Mr. THOMAS. Of course, this bill is only one of a number. The total appropriations to be made, pending, and which will be pending during the short life of this Congress will amount to thousands of millions of dollars; and there is just as much basis for the other appropriations at this time as there is for this one. Good roads have $75,000,000 at this time, and ought not to be enriched by $200,000,000, however desirable the benefits that will grow from it.

Mr. FRELINGHUYSEN. Mr. President, before I make any remarks upon this amendment, I should like to ask the chairman of the committee whether he knows if it is to be the policy of the Southern States to continue the employment of convicts in the States on these roads which are to be built by the Federal Government?

Mr. BANKHEAD. I do not know of any State of the South that has ever employed State convicts.

Mr. THOMAS. My State employs them, and I hope it will continue to employ them.

Mr. FRELINGHUYSEN. I hope so, too.

Mr. BANKHEAD. That has nothing to do with this question. Do they employ convicts on the roads in the Senator's State?

Mr. FRELINGHUYSEN. Yes; and that simply brings out the point I want to make in my opposition to this amendment. I think this talk about employing the returned soldiers on the roads is foolishness. In the first place, I do not believe any number of soldiers will be willing to go on the roads and work under the conditions which are demanded. These soldiers have returned from France where they have been under the care of the Government, and be it said to the credit of the War Department they have been well rationed. If they are to accept employment from the Government, or whoever contracts to build these roads, they must submit not to the military rations or fare but to the fare provided by the contractor, and he is going to make as much money out of the contract as he can. Consequently the living conditions and the food will not be of the same standard that the soldiers enjoyed while in the Army. Besides, it will compel the soldiers to go out to live in bunk houses, many of them under uncomfortable conditions, far from home, and what the soldier wants now is to go home and work near his home.

Mr. BANKHEAD. Will the Senator yield?

Mr. FRELINGHUYSEN. I yield.

Mr. BANKHEAD. Does the Senator understand that this provision compels the soldiers to work on the roads?

Mr. FRELINGHUYSEN. No; I understand that it does not; that it is voluntary, but I say——

Mr. BANKHEAD. If they do not want to go there and live in bunk houses, they will not go.

Mr. FRELINGHUYSEN. I say to the chairman of the committee the conditions are such that it will not be attractive to those men. They want to go home and work near their homes. Many of those men have homes, and you can not take them on these roads and induce them in any wise to take that kind of employment.

Mr. President, I am perfectly willing to support any bill which will enable us to employ idle men in this country, but the reason why men are idle to-day is because the manufacturers can not pay the present rate of wages. They can not sell their goods at the present rate of wages, and they are compelled to shut down their industries. Besides that, the manufacturers of this country are unwilling to take any chances in buying raw material or engaging in any future contracts under the present system of taxation. They are afraid to take a chance as to the future.

That brings me to the point I want to make in regard to this bill. I do not want to oppose any measure which will give the States of the Union which have a small mileage of roads an increase mileage through any aid whether State or Federal. Good roads are probably the only medium through which the farming sections of the country and the productive areas of the country can be built up. I think my State alone has had a wider experience in regard to that, for we were the pioneer State in road building. Twenty years ago the State-road act was passed whereby the State aided the counties and the townships in building roads, and it brought great prosperity to the State. I think we were the first State which adopted that plan.

I believe it is a question of grave doubt whether the Federal Government should continue the paternalistic policy of these public improvements for the benefit of the States. There is not enough money in the Treasury to continue these tremendous appropriations. We have engaged in the extension of vocational education, and we passed the farm-demonstration act—I think it is the Smith-Lever Act—all of great benefit to the States and all needed; but the question now arises just as we are emerging from the war, when we do not know what our war debt is going to be, when we must necessarily raise another liberty loan of $6,000,000,000, when it is doubtful whether we can raise that loan. On top of that the statement was made by the Senator from Utah [Mr. SMOOT]—I think on yesterday—that in the fiscal year ending June 30 we will need $10,000,000,000 for governmental expenses. With all that in view I say the time has come, if we are practical, common-sense business men in this Chamber, when we have got to put our feet down on these public enterprises and developments, for a time at least.

The estimates of the Senator from Utah are not all the obligations which the Government will have to meet. I do not think he included in that the billion and a quarter that will be required to keep our faith with the farmers in the $2.26 additional that we agreed to pay for wheat. It does not include the $750,000,000 in the naval bill, an appropriation which the President says is vital to the negotiations for peace just as peace is dawning. There is a $75,000,000 omnibus public-building bill, I understand, pending in the House of Representatives. There will be $1,000,000,000 required to replace the source of revenue which the Government will be deprived of by reason of the prohibition amendment, and we shall have a fixed charge of $750,000,000 interest on our war debt.

Mr. SMOOT. Mr. President——

Mr. FRELINGHUYSEN. I yield to the Senator.

Mr. SMOOT. The Senator is correct in stating that in my estimate, that was made on December 18 last, I did not take into consideration most of the items he has already mentioned, but I may add, if that is all the Senator is going to mention, there are a few more.

Mr. FRELINGHUYSEN. It is practically $4,000,000,000. In addition to this tremendous amount there are other projects mentioned; $400,000,000 for the development of the Mississippi and $500,000,000 for the development of land under Secretary Lane's proposal for returning soldiers.

Mr. President, this has been the most lavish and extravagant era in American history, and just as we are now struggling to recover from the tremendous burdens of taxation imposed by reason of the war Congress is flooded with projects which are paternalistic in nature. If eventually it is to be the policy of the Government, we should have some systematic plan, not a slipshod catch-as-you-can plan, where a few States will benefit by it and other States will fail to benefit by it, but a system properly studied, a system of national highways, trunk lines running from coast to coast, East to West, North to South, so that every State will be equally benefited. If we are to enter upon a policy of Federal road building, that should be the system and method which we should adopt, not this careless method of appropriating to just a few States.

Mr. President, I shall oppose this amendment because I think it is unwise at this time to enlarge the expenditures of the Government and place great burdens of taxation upon the business and manufacturing interests of the country.

Mr. SMOOT. The Senator does not oppose my amendment to the amendment?

Mr. FRELINGHUYSEN. I will support your amendment because it reduces the appropriation, and I shall then vote against the appropriation of $200,000,000.

I simply want to read, in closing, from the Democratic Campaign Textbook of 1912 a section of the Democratic platform, entitled "Economy in the public service." The Democratic platform says:

> We denounce the profligate waste of the money wrung from the people by oppressive taxation through the lavish appropriations of recent Republican Congresses, which have kept taxes high and reduced the purchasing power of the people's toil. We demand a return to that simplicity and economy which befits a democratic Government, and a reduction in the number of useless offices, the salaries of which drain the substance of the people.

Again, in the Democratic platform of 1916, under the title "Economy and the budget," we find the following:

> We demand careful economy in all expenditures for the support of the Government, and to that end favor a return by the House of Representatives to its former practice of initiating and preparing all appropriation bills through a single committee, chosen from its membership, in order that responsibility may be centered, expenditures standardized, and made uniform, and waste and duplication in the public service as much as possible avoided. We favor this as a practicable first step toward a budget system.

Mr. STERLING. Mr. President, although I have been very much interested in these amendments to the bill, and interested, too, in the discussion, so far I have said nothing in this debate. I wish to say this, Mr. President, that if the Democratic Party has violated its platform, as just read by the Senator from New Jersey [Mr. FRELINGHUYSEN], in no other or greater way than it would violate it by standing for the present bill, and for that provision of the bill relating to Federal aid for good roads, I could easily excuse the Democratic Party, for, Mr. President, as I view it, the expenditure contemplated by this bill is not at all wasteful extravagance, the thing which the Democratic Party condemns in its platform, nor is it the paternalistic policy described by the Senator from New Jersey.

Under the broad power given Congress to establish post offices and post roads a great deal more may be done by Congress than merely designating a post-road route by declaring that it shall follow certain lines. The power to establish post offices and post roads must mean the power to construct and maintain also, because, though established, laid out, or defined, without the construction of the road the mere laying out or defining of the road might be wholly unavailing.

With that power, Mr. President, not only to establish a post road, but the power which must necessarily follow, namely, to construct and maintain a road, how much has ever been expended by the Government of the United States in laying out, constructing, or maintaining the post roads of the country?

I am not quite sure that I am correct, but my belief is that never a cent had been expended by the General Government or appropriated by Congress for the purpose of constructing and maintaining the Government post roads throughout the country

until it was appropriated under the bill passed in 1916, the present law. I think it fair and reasonable to ask the question whether the Government, in the construction of these roads, does not itself owe something to the people in the way of aiding in their construction as post roads and for the purpose of the carriage of the mails.

But, as I say, the Government, until the good-roads law in 1916, had never, as I recall, appropriated a cent for the construction or maintenance of its post roads. Under the law, and under the regulations of the Post Office Department made in pursuance of the law, routes have been designated, of course, and every railroad throughout the country is a post route under the law and under the regulations. But the Government has never expended any money in the construction of railroads or in other roads over which the mails have been carried by city or by rural carriage.

Mr. President, I am for this bill and this feature of the bill on the ground that it is not paternalism, and because it is in pursuance of a wise, wide, and beneficent national policy.

What are the ends of Government? I think one of the great ends is the welfare of the people. What is related to the welfare of the people? Their means of social intercourse, anything that may help them from an economic point of view, education, are all things that pertain immediately to the welfare of the people; and what better means of securing these ends, and thereby securing the welfare of the people, than a system of good roads throughout the country?

Mr. President, it is appalling sometimes when we think of the economic waste that arises out of a system of bad roads, the difficulties and the delays in getting the produce of the farmer to the market, the losses which farmers sustain in many sections of the country because of bad roads.

Communities in certain States of this Union are financially unable, because of their situation, because of their newness, because of their population, because of their lack of great industrial interests to help them, to construct a system of good roads, and when the Government lays out the post roads, since it has power and authority to construct and maintain them, it is but reasonable and natural that the people should say to Congress: "Build half of certain of these post roads of yours as they may be laid out, as the projects may be approved by the State highway commissions, and as they may be approved by the Secretary of Agriculture."

Here are the proper safeguards to prevent waste and extravagance, Mr. President, in the expenditure of the money appropriated. You first have the State authorities passing upon the question, determining whether or not the route is feasible, whether it is needed, whether this post road should be made a good traveled, safe road. It is first passed upon by the State authorities, and then again by the Secretary of Agriculture, and after a survey, preliminary at least, of the route over which the road is to be constructed.

So, Mr. President, with this as our policy, with the underlying thought and need being the economic, social, and educational welfare of all the people of the country, why should not Congress appropriate one-half of the amount necessary to build, construct, and maintain some of the roads which the Government uses for the purpose of carrying the mails?

Mr. LENROOT. Mr. President——

The PRESIDING OFFICER. Will the Senator from South Dakota yield to the Senator from Wisconsin?

Mr. STERLING. I yield.

Mr. LENROOT. I am, of course, in full accord generally with all the Senator has stated, but I wish to ask the Senator whether the establishment of post roads is not primarily of local benefit, and when the Federal Government pays the salary of the rural carrier, whether the Government is not contributing to a local benefit?

Mr. STERLING. I agree with the Senator from Wisconsin in the respect that it is primarily of local or community benefit; but, Mr. President, because it is does not excuse the Government itself in denying all aid in the construction of these roads.

Let me call attention, in passing, to the situation in my own State as compared with conditions in other States in the Union, with the conditions in those States from which the Senators come who are most strenuous in their opposition to the good-roads part of the bill. These Senators come from States where there is material in abundance for the construction of good roads. In most of the Eastern States, I think, they have the stone, they have the gravel, and they are near industries which produce other elements of material necessary for the construction of good roads. But out in South Dakota, where east of the Missouri River it is like one great farm, with no gravel of consequence, with little other road-building material available, the people themselves, without taxing themselves to death, are unable to build the roads. Build roads that are good roads for the rural carrier in the first place. Build roads that are good roads for the farmer to use in getting his grain and his stock to market. Build good roads that are necessary for the school children as they trudge their way from home to the country schoolhouse 1 mile or 2 miles or 2½ or 3 miles away.

Good roads will add to the value of the farms along which the roads run. The assessed valuation of these farms will be greater, and not only the States but the National Government itself will in the end and in turn realize the benefit of this increased valuation caused by the construction of systems of good roads through the States.

Mr. President, I have not mentioned one other feature of this bill which commends itself to my mind very much indeed, and that is the feature which provides that preference shall be given to the soldiers, sailors, and marines seeking employment. The Senators who most deplore the labor situation and who are pleased to point out from time to time conditions with which we will be confronted in regard to labor a little later on, seem to ignore this one great means by which labor might be employed. It will mean employment to thousands of men. The Senator from New Jersey [Mr. FRELINGHUYSEN] refers to the fact that it will not be convenient for certain laborers because, perhaps, the employment will be too far away from home; but if they are in earnest in seeking employment, if they are in real need of employment, they will not hesitate to go to some place within their own State or a neighboring State where good roads are being constructed through the combined work of the Federal Government and the State.

Mr. President, I appreciate what the Senator from Alabama [Mr. BANKHEAD] has said in regard to the amendment offered by the Senator from Utah [Mr. SMOOT], an amendment which would strike out the appropriation for the third year for which the appropriations are to run. The bill would be greatly crippled, the beneficent purposes of the bill would, in a large measure, be destroyed if there should be stricken out the appropriation for the year 1921. I can not state it in any better way than he himself has stated it. The authorities in the several States will require the entire three years in which to make their plans for the building of the projects and for the carrying out of those plans.

Mr. President, as I think over this good-roads amendment, what it is meant for, the good it has already accomplished in the many projects that have been built and those under construction, and of what I believe to be the moderate amount sought to be appropriated by the amendment, I am heartily in favor of it as it stands. I shall vote for it and shall vote against the amendment offered by the Senator from Utah.

Mr. LENROOT. Mr. President, there are many of us who are heartily in accord with the first two items of appropriation in this section, and it is very unfortunate if, in order to secure what are considered necessary appropriations, we are also compelled to vote for an appropriation that, it seems to some of us, can not be justified at this time. I shall vote for the amendment proposed by the Senator from Utah and I hope that it will be adopted.

The eminent chairman of the committee a little while ago stated that he considered this appropriation of $75,000,000 for the year ending June 30, 1921, the most important item of any of the three items of appropriation. He stated that, in his opinion, if any of the three items were to be stricken out of the bill, the first two items should be stricken out and the item now in question should remain. I want to call the Senator's attention to the fact that the report made by the committee, and made by the chairman himself, presumably, so far as the report relates to this subject, with the exception of two or three lines, is devoted wholly to the first two items of appropriation and is based and justified upon the necessity of taking care of unemployment. Upon that ground this appropriation can be justified, and I heartily favor it. I would be willing to vote for $200,000,000 for the fiscal year ending June 30 next and the next fiscal year for the purpose of building good roads, because I believe that it would take care of the unemployment that now exists and that, I am afraid, is going to increase.

The Senator from Colorado [Mr. THOMAS] stated that, in his opinion, there was no necessary unemployment. Mr. President, the facts that are coming to us from day to day and from week to week show beyond any question that unemployment is increasing in this country, and increasing with very rapid strides. That is entirely natural; it is to be expected.

In the first place, industry in this country to-day, Mr. President, is unwilling to go ahead for the future for two reasons: One is that industry does not know what the policy of this Government is going to be with reference to supervision, control, and restriction upon business. In the second place, a very large percentage of the production of this country normally is not for immediate consumption but is for consumption six months or a year from the time of production.

We have this situation in the United States to-day: The local merchant, believing that a fall in prices may follow, will not give his usual and normal orders to the wholesale houses to stock up his store. The wholesale houses do not get the orders, and the manufacturer is not getting any orders to-day for future production. So there must be during this transition period, during this period of uncertainty, a degree of unemployment. It is not the fault of anyone; it is a perfectly natural consequence.

Unemployment existing and increasing, I believe it is the duty and the obligation of the Federal Government during this period to do what it can to alleviate and to relieve that unemployment. It is very much better, Mr. President, to appropriate $100,000,000 or $200,000,000, if necessary, for the building of roads, thus relieving that unemployment, than to have soup houses established all over this land and for men to be compelled to look to charity or to starve. So the first two items in this section can be justified because they are necessary.

I believe that the policy of this Government ought to be to pay every just obligation that the Government has. Beyond that expenditures ought not to be made except for absolutely necessary public purposes; and the relief of unemployment may well be considered as a necessary purpose.

But when we come, Mr. President, to appropriate at this time, in addition to the $125,000,000 that is contained in this amendment—and that I am in favor of—when we add to that $75,000,000, to be used for the fiscal year ending June 30, 1921, how can it be justified in the present condition of the Treasury? Where are we going to get the money for these enormous appropriations? No Senator who favors the appropriation of this last $75,000,000 has answered that question.

As I stated yesterday, the conference report upon the revenue bill will be before the Senate for adoption in a day or two. The conferees on that bill have agreed to a proposition coming from the other side of the aisle that during the year 1920 all of the taxes that can safely be imposed upon industries in this country, upon excess profits and upon incomes, together with the other provisions of the bill, will bring to the United States Treasury only $4,000,000,000. You upon the other side of the aisle have said in that bill that we can get no more out of the profiteer; that we can not tax wealth any more than that. The difference between that $4,000,000,000 and the expenditures that must be made and the appropriations that are now being made must come from where? That question has been asked a number of times. The chairman of the committee has not answered it; the Senator from South Dakota [Mr. STERLING], who has just spoken in favor of this bill, has not answered it. It can be answered only in two ways. Aside from a considerable increase in revenue through a revision of the tariff, which presumably the President of the United States would veto when a Republican Congress sends a bill to him, there is no other way by which we can augment substantially the revenues of the Government and that is to reduce the exemption of incomes, so that every person in this land must bear these additional taxes.

Mr. SMOOT. Mr. President, will the Senator from Wisconsin yield to me?

The PRESIDING OFFICER (Mr. MYERS in the chair). Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. LENROOT. Yes.

Mr. SMOOT. So that there may not be an impression that all acquiesce in the public statement that the taxes under the revenue bill, the conference report of which will be presented to the Senate this coming week, will for the fiscal year ending June 30, 1920, raise $4,000,000,000; I wish now to say that, if the bill passes just as it is printed, it will not raise $4,000,000,000. If it raises $3,250,000,000, it will be every cent that it will provide.

Mr. President, the proposition that that bill will raise $4,000,000,000 is based upon an idea that the business for 1919 is going to be just as profitable as was the business for 1918; and there is not a man in the United States but knows that that will not be so.

Not only that, but I predict now that, with the relief provisions contained in the report, $6,000,000,000 will not be raised by the bill this year. The amount raised will not much more than exceed $5,000,000,000.

I wanted to make that statement in order that it may be taken for what it is worth. I have, however, studied the bill about as much as has any man in the United States, and I feel perfectly safe in stating that we are not going to raise $4,000,000,000 by that bill for the fiscal year ending June 30, 1920.

Mr. LENROOT. Mr. President, the statement of the Senator from Utah makes the situation just that much more serious. But assuming that the revenue bill will raise the amount that is estimated for 1920, namely, $4,000,000,000, and the expenditures for that year amount to $8,000,000,000, at the very least, where are we going to get the other $4,000,000,000?

I do not think that the Republican side of this Chamber, that will soon be in control of legislation here, and the Republican majority at the other end of the Capitol are going so to revise these taxes that the burden will fall upon the great masses of people, and the man who earns $400 or $500 a year will be compelled to pay a heavy income tax. I do not believe that they are going to do that in order to meet the enormous appropriations that you are making. In my judgment, when 1920 comes and there is a deficit in the Treasury, the Congress of the United States will then say to the President of the United States, "Your administration is responsible for this condition; go out and borrow money in time of peace." You will have a bond issue in 1920 and you will sweep the Democratic Party from power when you do it. Of course, that is "a consummation devoutly to be wished" from a Republican standpoint; but I would prefer that there be a little sense of responsibility from a national standpoint concerning the expenditures of this Government.

Let me say in this connection, Mr. President, that complaint is very often made by Southern States against Republicans because they have sometimes called attention to what they term a sectional issue in this Government. It is true that the Republicans have called attention to the control of legislation by Southern States; but by the action of Southern States, as represented in both Houses of Congress, they are continually demonstrating that from that section there is very little responsibility from a national standpoint concerning expenditures, provided only the appropriations shall be expended in their own States.

A river and harbor bill might be proposed here, and there is scarcely any sum that might be appropriated in that river and harbor bill that would not receive almost the solid support of the Southern States, provided that they thought they got their share of the appropriation.

Mr. President, Senators have got to have some sense of responsibility to this country as a nation, as well as a sense of responsibility to their own States and to their own sections. Under this bill the $75,000,000 carried by the amendment it is now proposed to strike out would benefit the State of Wisconsin undoubtedly to a greater extent than the taxes paid by the people of my State for the good-roads expenditure; but I should feel that I had no right to occupy a place in the Senate if I were to make the controlling factor of my action upon bills the question whether my State would get more than it paid under a given proposition.

I am in favor of good roads; I am in favor of the Government assisting with most liberal appropriations for good roads. If the Treasury were in a condition to permit it, I would not oppose the appropriation for the year 1921, but it can not be justified under present conditions, and appropriations for good roads at this time at all can only be justified because of the benefit that will also come to the country through alleviating the unemployment that exists and that will increase.

I am therefore in favor of the $125,000,000 appropriated by the first two items of the committee amendment. I shall vote in favor of the amendment striking out the last $75,000,000, and I hope that amendment will be adopted, because, believing as I do in the very great necessity of this $125,000,000, I shall feel sorry to be compelled in order to secure that to vote for an additional $75,000,000, which I do not believe should be appropriated at this time.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Utah to the amendment reported by the committee.

Mr. KENYON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Kenyon	New	Spencer
Colt	King	Overman	Sterling
Dillingham	Kirby	Page	Sutherland
Fernald	Knox	Poindexter	Swanson
Fletcher	La Follette	Pollock	Thomas
France	Lenroot	Pomerene	Thompson
Frelinghuysen	Lewis	Saulsbury	Townsend
Gay	Lodge	Shafroth	Vardaman
Gore	McCumber	Sheppard	Wadsworth
Hale	McLean	Simmons	Warren
Harding	Martin, Va.	Smith, Ariz.	Wolcott
Johnson, Cal.	Moses	Smith, Ga.	
Jones, Wash.	Myers	Smith, S. C.	
Kellogg	Nelson	Smoot	

Mr. MARTIN of Virginia. I desire to announce that the senior Senator from Maryland [Mr. SMITH] and the senior Senator from Mississippi [Mr. WILLIAMS] are detained by illness.

Mr. FRANCE. I desire to announce the absence of the Senator from Georgia [Mr. HARDWICK], the Senator from Kentucky [Mr. BECKHAM], and the Senator from Florida [Mr. TRAMMELL] on official business of the Senate.

Mr. SPENCER. I desire to announce that the Senator from Arizona [Mr. ASHURST], the Senator from Wyoming [Mr. KENDRICK], the Senator from Oregon [Mr. MCNARY], the Senator from Kansas [Mr. CURTIS], and the Senator from Idaho [Mr. NUGENT] are detained in attendance on the Committee on Indian Affairs.

Mr. SMITH of Arizona. I wish to announce, as no announcement has been made of it before, that I have been detained from the Senate since last Saturday on account of sickness.

The PRESIDING OFFICER. Fifty-three Senators have answered to their names, a quorum is present.

Mr. SMOOT. I ask that the pending amendment be stated.

The PRESIDING OFFICER. The Secretary will state the amendment offered by the Senator from Utah to the amendment reported by the committee.

The SECRETARY. In the amendment reported by the committee, on page 37, lines 10 and 11, after the numerals "1920," it is proposed to strike out "and the sum of $75,000,000 for the fiscal year ending June 30, 1921."

Mr. SMOOT. I ask for the yeas and nays on the adoption of the amendment.

The yeas and nays were ordered.

Mr. JONES of Washington. Mr. President, on July 11, 1916, there was approved the road act which had previously been passed by Congress. That act was passed before we entered the war. It had very careful consideration by Congress, and I think that Congress considered that we went as far as we ought to go in providing for ordinary peace-time expenditures in aid of road building by the National Government. I voted for that act.

The amendment that is now before the Senate provides that the sum of $50,000,000 shall be appropriated in addition to the amount provided by existing law, and be expended under the terms of existing law as amended by section 5 of this bill, for the fiscal year ending June 30, 1919, to be immediately available. It also provides that the sum of $75,000,000 shall be appropriated for the fiscal year ending June 30, 1920, and also that the sum of $75,000,000 shall be appropriated for the fiscal year ending June 30, 1921. This latter item is the item which the Senator from Utah by his amendment proposes to strike out.

I was very much surprised at the statement by the chairman of the committee that this is the most important item in this amendment, and that if this item is stricken out the purpose and object of the amendment of the committee will be nullified.

I had the impression, Mr. President, that the committee placed this proposed amendment in the bill in order to take care, to a very large extent, of any possible labor needs that might arise in the immediate future in connection with the readjustment of conditions that naturally grow out of the cessation of the war; and so I was very much surprised to hear that statement from the chairman of the committee. I favor the appropriation contained in the first two items of section 6, not for the primary purpose of building roads but to let the Government set the example for business enterprise to go on, and in that way furnish employment for the men coming home as well as those at home who probably will be out of employment. If the Government stops Government work, private enterprise can not be expected to proceed.

The Senator from Mississippi stated that the primary purpose of this provision is to build roads; and in very eloquent language he described the benefits that come to the country from building good roads. As I said, I did not understand that that was the primary purpose of this legislation. I recognize the great benefits that come from good roads. Nothing can do more to promote the happiness and comfort of living or do more to reduce costs than good roads. I believe in the National Government going as far as it feels that it ought to go to aid in the construction of good roads; but I feel that Congress, in the passage of the act of July 11, 1916, did go as far as it thought the National Government ought to go in normal peace times; and so I believed that the primary purpose and object to be served in the injection of this provision into the Post Office bill was to take care of the possible difficulties in connection with labor during the next year or two. That is the only basis upon which I can justify myself, under the conditions that confront us now, in voting for these two items, and this was the ground stated for it when the bill was reported.

I can see nothing whatever to justify a vote for this $75,000,000 for 1921. There will be ample time between now and then to determine whether or not we should make any additional appropriation for road purposes at that time. I shall not repeat what has been said as to the condition of the Treasury, or the condition of our revenues, or the obligations confronting this Government, or what may be the effect of increasing these obligations at this time and the consequent tax on business and enterprise; but no reason has been presented that appeals to my judgment justifying this appropriation of $75,000,000 for 1921.

I do not consider this, however, from the standpoint of waste. I do not think expenditures for good roads are a waste. I think, rather, they are an investment; and if we were not confronted by the condition of things that confronts us now with reference to revenues and obligations and indebtedness of the Government, and so forth, I would be perfectly willing for us to obligate ourselves to invest $75,000,000 in 1921, and possibly more. We have a bill now on the calendar of the Senate to cancel, in effect, $15,000,000,000 of obligations that Congress obligated this Government to pay for carrying on the war. We did it promptly; we obligated ourselves to pay this money without hesitation, in order to insure the successful ending of the war. This money would very largely have been actually wasted. It would very largely have been expended for ammunition that would have been shot away; and, so far as any good is concerned, outside of bringing the war to a successful close, it would have been actually wasted and destroyed. Taking this into account, I can justify myself in voting for $50,000,000 additional for 1919—I would vote for a larger sum—and even $75,000,000 additional for 1920, for building good roads in this country. That will be a lasting investment; that will result in the future in far greater good than can be measured by the expenditure that we make. I would be willing, Mr. President, under the conditions that confront us, to take this $75,000,000 for 1921 and put it on to the $50,000,000 for 1919 rather than put it in 1921. I think we would have some justification for doing that. I believe that this $50,000,000 in 1919 ought to be increased, because if we need any money to take care of the labor situation, we need it promptly. We need it without delay. There are proposals pending before the Senate and before Congress to appropriate $100,000,000 and larger sums for the distinct and avowed purpose of taking care of the labor situation.

Mr. President, I have not had time to examine all of these proposals. I have examined some of them, and it seems to me that they would not serve the purpose that they are intended or urged to serve, for the reason that they do not provide any machinery for laying the foundation upon which this work can be carried out promptly. I think we have the machinery here. We have the road organization. It is already made upon the part of the National Government. It also exists upon the part of most, if not all, of the States; and, as the chairman of the committee stated awhile ago, as soon as this money is appropriated and made available it can be used upon projects that have been investigated, reported upon, and that are ready to be carried out. Employment can begin at once and the needs of the hour met.

I think the Senator from Iowa [Mr. KENYON] suggests that $100,000,000 should be made available, to be expended when and where the Secretary of Labor shall certify that there is unemployment that needs the expenditure of this money.

Mr. President, you can not start upon the expenditure of money for building roads, for instance, until after your engineers have mapped out, laid out, and passed upon the plans to be put into effect; and that takes time. It has already been done here, and that is one reason why I am in favor of this provision—that it takes advantage of the organization already existing, of the plans already made, perfected, and approved. It insures a wise and economical expenditure of whatever money we may desire to expend. The Secretary of Labor has no machinery to lay out this kind of work. He could not begin it to any advantage. The Government can not afford to spend money everywhere there may be unemployment. There must be a project to which labor may come rather than taking the projects to labor.

I do not expect that this money will be expended—not very largely, at any rate—for labor that is now congregated in the cities. It has been suggested here that they are not going to leave the cities and go out into the country to work on roads. That is probably true. I am inclined to think that it is true; but wherever we may start this road building we will get a

certain amount of labor that otherwise would be employed somewhere else; and this is in line with the suggestion of the Senator from Colorado. We are going to make employment available instead of proposing to make the unemployed take some particular job. We are going to give the idle man no excuse for remaining idle; and I have very little sympathy for the man who is idle when jobs are calling for him and employment is awaiting him, even though it may not be the kind he especially desires.

Mr. President, I have introduced an amendment, proposed to be appended to the sundry civil appropriation bill, providing for $50,000,000 to be used in carrying on and prosecuting irrigation works that have already been undertaken and on which work has been largely stopped during the war. I had in mind submitting an amendment something like this amendment also. I spoke to the chairman of this committee about it, and he advised me then that his committee was reporting something of this kind. I had in mind what I have just pointed out, that there is an organization already in existence and plans already prepared upon which we could expend the money. So, in connection with irrigation works, we have a great proposal by the Secretary of the Interior that would involve the expenditure of billions of dollars in order to make it amount to anything. It is presented to Congress upon the theory of furnishing employment for returning soldiers. Why, Mr. President, it will be years, under that plan and that proposal, before any work would be ready for them; so I introduced this amendment providing the appropriation of $50,000,000 to be expended upon existing projects—projects that already have been surveyed, estimated for, approved, and in many cases actually undertaken.

Mr. KING. Mr. President, will the Senator yield?

Mr. JONES of Washington. I yield to the Senator from Utah.

Mr. KING. For my own information I should like to ask whether the plan of the Secretary of the Interior, to which the Senator has just referred, is so Utopian, so unrealizable, that it is not available and may not be available for immediate use by those who need employment?

As I understood the Senator it called for the appropriation of billions of dollars, and the plan could not be put in operation for years. I am very much interested in ascertaining whether that is the character of plan which the Secretary of the Interior has formulated and which he is asking the country to adopt.

Mr. JONES of Washington. I think that if the Senator will investigate it and examine it carefully, he will come to the same conclusion that I have reached, that in order to carry it out to the full extent it will involve the appropriation of billions of dollars and that it will be a long time before it can be actually undertaken to any appreciable extent.

Mr. KING. If there is such a stupendous plan as that, I do not think it will get very far in either branch of Congress; but my understanding was that the Secretary of the Interior had devised a plan which he intended to submit, if it had not already been submitted, which called for the expenditure of approximately $200,000,000 for the reclamation of arid lands, as well as certain swamp and cut-over lands, and from which appropriation there would be drawn sufficient to enable those who desired homes to enter upon those lands and to make a start that would enable them to make a livelihood. I had not heard of the plan that called for the appropriation of billions.

Mr. JONES of Washington. Oh, Mr. President, the provision presented does not call for billions. It calls for a hundred million; but there is not anybody that can study that plan for a little while, knowing the conditions throughout the country and what will have to be done, but that will know that that is only a drop in the bucket as to the expenditures that will be necessary to make it of any substantial benefit.

Why, Mr. President, it involves swamp lands and logged-off lands, and involves, before it can be put into effect, the acquirement of those lands by the National Government, because they are practically all in private ownership now; and before they can be made available for homes they must be reclaimed, and these logged-off lands must be cleared, too. I do not know what logged-off lands in other sections of the country cost to reclaim, but the expense in my section is from $100 to $150 an acre. It is all right to hold out the hope of furnishing to our boys homes on logged-off lands; but if there is any boy from the East who will go out and look at an acre of logged-off land in my section and say, "I want to go there and take up and build and dig out a home," he is not a man that is going to spend his time on that sort of land or in that sort of work. He has the courage and the stamina and the determination that will enable him to do something else far better for himself and the country. The Secretary's conception is a grand one. It does him great credit. If it can be worked out, it will be a great thing for the country. I will help work it out. I will be glad to aid those seeking homes to get them. We will have to do something along the lines he suggests if we would have our remaining lands taken up and settled upon. This will take time to work out and carry out. It will not meet the emergency that confronts us.

I should like to see us do something along these lines. I should like to see us make our swamp lands available. I introduced a bill myself, a few years ago, to assist and aid in the reclamation of swamp lands, logged-off lands, and so forth; and I will join with our Senators and Representatives from the States where these swamp lands are, in trying to frame legislation that will result in the reclamation of these lands; and I think it can be very easily done. But those who seem to think that the same kind of legislation that will apply to arid lands will apply to swamp lands are mistaken. You can not enforce the same rules and regulations with reference to the reclamation of swamp lands that you can enforce with reference to the reclamation and irrigation of arid lands. The National Government can put its money into the reclamation and irrigation of arid lands, and it can enforce payment. How? Simply by shutting off water for the man who does not pay. But when you reclaim swamp land it is reclaimed, and you have no remedy of that sort to enforce the claims of the Government to reimbursement. I do not think it would be very difficult to organize districts under which liens could be enforced against reclaimed swamp lands for the money expended by the National Government; but I did not intend to go into that discussion. I will be glad to help frame legislation along these lines and for this purpose, however. I simply want to point out the fact that we have an existing road organization, we have an existing irrigation organization, that can be used at once, and that can use almost any reasonable sum of money that we can make available to carry on these very desirable works, and works that will form reservoirs for the employment of those who are needing work. As I said, I have introduced a provision for spending $50,000,000 on irrigation works already approved or begun. The places are ready. Work can be begun at once. Employment can be offered to-morrow. This is no more than a loan. It will increase production, add wealth to the community, and bring comfort and happiness.

Some criticism is made here of the provision giving a preference to returning soldiers. Mr. President, I do not see any real, just basis for criticism of that. We do make a preference for the soldiers in many different lines. We exercised a preference when we took the soldiers to war. The Government exercised a preference when it selected these men who went to fight our battles; so it is not very much out of place, I think, simply to say that if a soldier presents himself and asks for employment, and another man presents himself at the same time and asks for employment, and you have employment for only one, you should give the preference to the soldier. He has earned it; he deserves it.

Mr. VARDAMAN. Mr. President——

Mr. JONES of Washington. I yield to the Senator from Mississippi.

Mr. VARDAMAN. Since the Government denied the soldier any right to select for himself when he was conscripted and sent to the war, I think it is very proper to give him the preference at the hands of the Government when he applies for work.

Mr. JONES of Washington. I do not think there is anything improper about it, I am sure.

Mr. VARDAMAN. Nor I, either.

Mr. JONES of Washington. I do not expect very many of the soldiers to ask for this preference. I doubt if very many of them will seek employment to work as day laborers upon these roads. I hope they may not have to do it; but if they do, although there are many worse things, then I can see very much justification for the little preference given here in this bill.

Now, Mr. President, my idea is just this: If we deem it wise to make additional appropriations for building roads or reclaiming arid or other lands in order to take care of a possibly distressing situation that is very likely to confront us, and I do think it wise, let us do it through the organizations that are already perfected and can carry on the work, and do it promptly, so as to meet the exigency of the situation; but let us not obligate ourselves for $75,000,000 in 1921, years ahead. There is ample time to take care of the situation between now and then, and when the real necessities come up.

I hope that that item will be stricken out. I would not object to having this added to the amount for 1919. I really wish that amount were increased from $50,000,000 to $125,000,000. I think that would be wise. That would serve a good purpose.

Mr. VARDAMAN. Mr. President, I shall occupy the attention of the Senate but a moment. Reference has been made by honorable Senators several times to a remark I made a little while

ago about the primary purpose of this law being to provide for road building and not to give employment to soldiers or men coming back from the war. I wish it distinctly understood that it is my judgment and my desire that the Government ought to offer every proper encouragement and facility for the men coming back from the war to make a decent support for themselves. I do not think there is going to be any trouble for any man who desires work to find it. As has been so happily expressed by the Senator from Colorado [Mr. THOMAS], the farmers are crying for farm labor. Not a day passes, Mr. President, but that I receive from 1 to 50 letters from my constituents in Mississippi urging me to use what little influence I may have with the War Department to get their boys out of the Army in order that they may come back and help to make a crop the present year. And let me say just here that if the boys are not permitted to go home pretty soon, they will not be able to make a crop during the year 1919. I think it an outrage, an injustice to the soldiers, and a misfortune to the country that the farmers' boys are not discharged and sent back to their homes.

Now, returning to the question at issue, may I say that it is a very happy combination of circumstances that the provisions of this bill will not only build roads for the people living in the country but will also furnish in road building employment for the unemployed. Two splendid purposes are effected.

The building of these roads will be a positive blessing to the tillers of the soil, who must in the end bear the largest part of the taxation which is to pay for all governmental expenses.

Mr. President, I hope the bill may not be changed by the adoption of the amendment offered by the Senator from Utah [Mr. SMOOT]. The honorable chairman of the committee [Mr. BANKHEAD] has devoted a great deal of patient study to the construction of this bill. Under his leadership the committee has cooperated with him, and I fear if the amendment offered by the able Senator from Utah [Mr. SMOOT] shall be adopted, it will destroy the symmetry of the bill and the good order of things which the bill establishes when it becomes a law. The effect of the passage of this bill is going to be very helpful and beneficial to the agricultural classes of this country. May I be permitted to impress upon the Senate that when you help the farmers of this country; when you make farm life less burdensome and more attractive; whatever may be done that adds to the fertility of the soil; increase facilities for carrying the products of the farm to the market and bringing from the towns things that the farmers have to buy—in other words, when you help the farmer you benefit every other class of society living beneath the American flag.

Mr. FLETCHER. Mr. President, I shall not undertake to discuss this measure in any detail. I am extremely anxious that we should come to a vote on it and get it disposed of and go on with other business of the Senate. It is very important that we should dispense with all discussion that can reasonably be dispensed with and proceed especially with the enactment of the supply bills, and we have not any time to lose. I promise to take but a very few moments. I am in favor of the measure and in favor of the bill as reported by the committee, and I hope it will be passed.

I rose more particularly to make some reference to the closing remarks of the Senator from Wisconsin [Mr. LENROOT]. I scarcely feel that those remarks ought to be allowed to stand without comment and to pass unnoticed.

The Senator took occasion to refer to the position of the South in reference to legislation, and the representatives of the South, both in the House and in the Senate, he stated, were devoid of that proper sense of responsibility in matters of legislation. He went on further to say that these representatives of the South were in favor of any appropriation so long as they got their share of it.

Mr. ROBINSON. May I inquire of the Senator from Florida if that statement was made on the floor of the Senate?

Mr. FLETCHER. It was.

Mr. ROBINSON. By whom?

Mr. FLETCHER. By the Senator from Wisconsin [Mr. LENROOT], as I caught his statement, and I am quite sure I do not exaggerate it in any way. That certainly was the substance of it and the impression that would be made upon any one hearing the statement.

I am disappointed in that sort of a statement being made here by the Senator from Wisconsin. I can understand how something of that sort might be said on the stump in the heat of a political campaign, for political purposes, but a statement coming like that goes beyond all bounds of propriety or of justice and is wholly unwarranted.

I can not help feeling, frankness compels me to say it, an utter contempt for that man in public or private life who would array one section of this country against another or the people of one section against the people of another section. I have never classed the Senator from Wisconsin among those who would do that, and I do not now. I think he probably allowed his zeal in the argument he was making to go further than he really feels himself he was justified in going. I want to retain that respect which I have always entertained for the Senator, and I propose to do so if he will allow me, but I can not permit a statement of that sort to stand without some protest. Without going into any detailed discussion of that matter or of that idea I would like to put this inquiry: What proportion of this billion dollars that goes to the wheat growers of the country goes to the South?

Mr. ROBINSON. Will the Senator yield to me for a moment?

Mr. FLETCHER. I yield.

Mr. ROBINSON. I was not present when the statement referred to by the Senator from Florida was made by the Senator from Wisconsin. I ask the Senator from Florida if he heard the statement which he has attributed to the Senator from Wisconsin?

Mr. FLETCHER. Yes, I am sorry to say, I heard the statement.

Mr. ROBINSON. With the permission of the Senator from Florida, I desire to say that it is inconceivable to me that a Member of this body would make such a statement unless he had the deliberate purpose to insult a large number of the Members of this body.

Mr. FLETCHER. Mr. President, I do not think the Senator from Wisconsin intended that. I do think that his observations were such that they ought to be responded to and such as were unwarranted. In reference to the illustration which he made in submitting those remarks, to wit, the river and harbor bill, he said that was an illustration of the attitude of the South's representatives here, evidently meaning to say that so long as that bill carried appropriations which were satisfactory to the South there was no limit to the other appropriations the representatives from the South would favor and that might be carried in it, according to their view, without regard to the merits of the different items and projects involved in the appropriations. That is not a fair statement to make. It is not the fault of the South, it is not the fault of southern representatives; it is not a subject about which they should be criticized that there lies south of us the great Gulf of Mexico, the Mediterranean of the Western World, and on its borders are harbors and ports unequaled in any country. According to the great law of nature, water runs downhill, and therefore rivers pour into the Gulf of Mexico, and they happen to run through the South. According to that law of nature water flows to the South Atlantic, and therefore the navigable rivers of the country are largely found in that portion of the country, and it is inevitable if you are going to improve the rivers and harbors of the country you must go where the rivers and harbors are.

It therefore follows that there are provisions in the river and harbor bill which appertain to rivers and harbors and ports which lie in the South; but anyone can take the river and harbor bill and the items of appropriation and readily see, I will venture to say, that more than three-fourths of the amount carried by that bill is spent in other portions of the country than in the South, mainly in the North and East. It is not true that the South gets its undue proportion or even its just and proper proportion of the appropriations carried by that bill, and certainly it is not true that there is any disposition to vote unlimited appropriations in that or any other bill by the representatives of the South on condition that they get what may be considered by them as a satisfactory share of the appropriations.

Mr. McKELLAR. Mr. President, I will detain the Senate only a moment. I regard this road provision of the bill as the best piece of legislation that has come before Congress at this session. It provides simply that the present legislation on the subject of roads shall be extended. It requires States or subdivisions thereof to put up an equal amount that the National Government puts up for roads. It provides that it shall be done under existing machinery. It provides for the betterment of the entire country, because when we spend money on building roads we not only benefit the localities but we benefit the entire country.

Mr. President, for a number of years I have strongly advocated this kind of legislation. In the House, before I came to the Senate, I took a very active part in legislation of this character. I recall that in 1911 those who believed in this legislation were derided and laughed at as "dirt-road statesmen," but you will see that in the years that have passed since that time there has been quite a change in the public mind, and now practically everyone knows that there is no better legislation than

the kind of legislation embodied in this amendment, and none that means so much to the building up of our common country in a proper way.

It is peculiarly proper at this time, when we have millions of soldiers coming back home, many of whom will be without work. This will give them work, and the kind of work that will build up the country. It is not directed to any State or any part of the country, but it is applicable to the entire country, and it aids the State organizations in building up the country.

There is another statement I wish to make here in reference to this item. I wish to call the attention of the Senate and of the country to the splendid work of the distinguished chairman of the committee, the Senator from Alabama [Mr. BANKHEAD], on the question of roads in this country. He was a pioneer in this movement. I believe he was the author of one of the very first bills many years ago that was brought in to bring to bear the very best efforts of the National Government to build up post roads in this country. At the time he began it was not popular and it took him many years to finally get a bill enacted, but through his efforts and those of his associates, largely through his efforts, the present law was passed, a law that the people of this country have virtually unanimously indorsed. I doubt if one could find a single Member of Congress who would vote to repeal the present law. This is an enlargement of it. The Senator from Alabama has had a long and distinguished record in the House first and then in this body. His name is attached to much important legislation, but never in his career has he done such a splendid work for the entire country as he did in bringing forth from his committee this particular legislation, which will mean more to our entire country than all the legislation that he has been connected with in his long and splendid career.

For those reasons I hope the Senate will vote speedily on this bill. Let us pass it and make it a law. The country approves it.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The question is on the amendment to the amendment of the committee.

Mr. LENROOT. Mr. President, I shall take just a moment. The Senator from Arkansas [Mr. ROBINSON], in the remarks made by him, seemed to gather that in his judgment, from the remark made by me a little while ago, I reflected upon the integrity and honesty of Senators from Southern States. As the Senator from Florida [Mr. FLETCHER] suggested, there was nothing of that kind in the remarks I made.

I was discussing the sense of responsibility for Government expenditures, responsibility from a sectional standpoint as compared to a national standpoint. From my observations during 10 years in Congress I felt justified in making the statement I did. I have nothing to retract. I do not for a moment question the good faith, the integrity, of the Senators from those States, but the CONGRESSIONAL RECORD for the past years since I have been in Congress at least will demonstrate the truth of what I said.

Mr. McKELLAR. I should like to ask the Senator a question.

Mr. LENROOT. I yield.

Mr. McKELLAR. Does not the Senator from Wisconsin think that now, at all events, we can all be merely Americans, and good Americans, and forget for all time the question of sectionalism?

Mr. LENROOT. Exactly, Mr. President; there is no man in the United States who is more desirous of that than I am, but it can not be done unless every Senator and every Representative, regardless of the section from which he comes, will treat his country as a nation and his primary responsibility to it as a nation rather than as a section.

Mr. TOWNSEND obtained the floor.

Mr. FLETCHER. Mr. President——

Mr. TOWNSEND. I will yield to the Senator.

Mr. FLETCHER. I wish to say, before the Senator from Wisconsin [Mr. LENROOT] leaves the Chamber, that it seems to me that the two statements can not coincide or harmonize. In one statement he says that he does not intend to question the integrity and the patriotism of the representatives of the Southern States, but, on the other hand, he says that they have an utter lack of a sense of responsibility concerning matters of legislation.

Mr. LENROOT. No.

Mr. FLETCHER. The two statements can not very well stand together.

Mr. LENROOT. Will the Senator yield?

Mr. FLETCHER. I yield.

Mr. LENROOT. That is not what the Senator from Wisconsin said at all. The Senator from Wisconsin said that sectional responsibility comes first, in the judgment of the Senator from Wisconsin, rather than a national responsibility.

Mr. FLETCHER. I have no patience with the spirit and attitude emphasized by the further remarks of the Senator.

Mr. THOMAS. If the Senator will yield to me for a moment. I merely wish to say that that criticism is applicable to every section of the Union.

Mr. FLETCHER. I think the CONGRESSIONAL RECORD, the public record, and the general estimate of the informed and intelligent, right-thinking people all over the country will prove that the representatives from the Southern States are just as broad-minded and as patriotic, and have just as clear a vision of national needs and as clear a conception of fiduciary responsibility as the representatives from any other portion of the country—North, East, or West.

Mr. TOWNSEND. Mr. President, I do not wish to delay action on this measure and perhaps I ought not to say anything, but as a member of the committee and called upon shortly to vote upon this proposition, I desire to say just a very few words.

As the members of the committee understand, I am not enamored with this form of road legislation. I did not think the original proposition was the best way for the Government to engage in highway construction, but we adopted that plan in 1916, and it has to some extent—quite a large extent—been put in operation.

These road projects necessarily are projected into the future to a great extent. I think of all times the present is the worst to curtail or to attempt to curtail in any way the activities of the Government in public improvements. I do believe that inasmuch as we have, as the Senator from Washington has stated, a going machine, an organization for building roads, and inasmuch, further, as it is conceded that the general welfare demands that the Government must encourage those enterprises of a public nature which offer legitimate employment to labor and at the same time supply a public service, it seems wise to me to increase road building. This class of improvement was checked by the war, and now, in this period of reconstruction, the work should be renewed on a larger scale.

I believed and still believe that we ought to have a nationalized system of roads. I hope before another Congress expires we shall have before us a general scheme for building roads which will favorably appeal to a majority of Congress. But it is too late to enact new legislation in this Congress. I suggested a more comprehensive and scientific plan to the committee, but it could not be considered. To my mind it does not make much difference whether we cut out this $75,000,000 for 1921 or leave it in, because if my hopes shall be realized we will change existing law before 1921 and be upon a sound basis for Federal road building.

But I submit, Mr. President, that this appropriation is as wise an investment as we can make now in these disturbed conditions, however difficult our financial situation may be. This investment will at once serve the people in one of the best manners possible and at the same time give employment to the people who require it. I think the appropriation will be used profitably. I hope the various State highway commissions will see to it that it is so expended that it will contribute to a national system, which I am sure this country must adopt sooner or later. I want the United States to build national highways, so far as it is able to do it, and assume responsibility for them. Let the States build the laterals, but have a system of national highways extending through every State, east and west, north and south.

I have not been pleased with the administration of this law in the Department of Agriculture. I think the money has not been as wisely expended as it should have been, but we are learning in the matter of road building. The States themselves are cooperating now, and every year makes them wiser in the matter of road construction, and I can not believe that very much of this money will be wasted. Therefore, Mr. President, while I am not heartily in favor of this system, because I believe there is a better one, nevertheless it being inaugurated and this being the present opportunity to render aid in this emergency of reconstruction, I feel it is wise to pass the bill.

Mr. WARREN. Mr. President, I am opposed to the amendment to the amendment. I, with others, shudder almost continuously when I think of the amount of money we are expending, but I do not know of any better way of spending money, if we undertake to furnish employment to the returning soldiers and others, than to take advantage of the machinery and plans like this State and Federal road building, already planned and in process, something that will afford employment, that can keep them from poverty or idleness, something that is helpful and will take them into parts of the country where they are

most needed in agriculture and other lines and relieve the congestion in the cities.

There are many of the States, especially in the North, in which little can be done in the winter, and while this sounds like three years—1919, 1920, and 1921—as a matter of fact it is simply two seasons. The third season is a matter of May and June, quitting in July, and leaves very little of that working season. So if we are to pass this measure at all I believe we ought to pass it with the $75,000,000 proposed for this third expenditure.

Mr. KING. Will the Senator yield?

Mr. WARREN. I yield.

Mr. KING. Probably with the reorganization of the Congress the distinguished Senator from Wyoming will be chairman of the Committee on Appropriations. The Senator may be called upon to prepare appropriation bills or aid in their preparation calling for at least $10,000,000,000—possibly a little more—for the year 1920. Has the Senator thought of the avenues from which the funds are coming with which to meet it?

Mr. WARREN. For what purposes?

Mr. KING. For governmental purposes, for obligations many of which already have been created, for obligations which have not yet matured but which, as sure as the day follows the night, will mature, and which will have to be met by the Government. Does not the Senator think that it is about time to try to practice a little economy and quit trying to find plausible reasons to justify every sort of an expenditure under the sun?

Mr. WARREN. Does the Senator consider that this is a rather forced plausible reason for the expenditure of money where we can employ the returning soldiers?

Mr. KING. I think the argument of the Senator has been a fallacious one and the reasons assigned in support of the appropriation are fallacious but plausible.

Mr. WARREN. I thank the Senator for his comment. I will say to him, with reference to my service upon the Committee on Appropriations, that that committee does not provide for the income of the country. It does not provide for the outgo except to appropriate money that has already been called for through legislation.

Mr. KING. Of course, the Senator, I understand, takes the same position as the distinguished Senator from Alabama [Mr. BANKHEAD], who said that the duty rested upon the Finance Committee to provide the money, and that the rest of the Senators—that was the idea—would spend it. I do not think the Senator ought to shirk a responsibility which must rest upon us all.

Mr. WARREN. The distinguished Senator from Utah nearly always finds a way to allege something wrong with appropriations necessary to run the Government. He has been quite successful in some of those attempts to defeat legislation, but I think he will have to bear with us this time and carry the bill through just the same.

When the Senator talks about my remarks being fallacious I enjoy that, as he evidently does, but I am in good earnest when I say that, if we are to spend any money at all in building these roads, we want to give those States an opportunity to make some use of it that have not so far obtained the use of it. The taking of this last year off leaves it simply with one full season. So far as that is concerned, the benefit to the States of the last $75,000,000 is more valuable dollar for dollar than either one of the others.

When it comes to the matter of employment of labor, I hesitate to say, nevertheless I believe it is true, that we will need just as much in the way of public works and looking out for labor in 1920, and even in 1921, as in 1919, because other Senators know as well as I do that we have had a declaration from those who undertake to represent labor that there will be no reduction in their wages. We know from all quarters that the consuming public is not now buying anything except from day to day, because they expect lower prices. Hence the retailers have not been buying of the wholesalers; the wholesalers have not been buying of the manufacturers or producers; work in manufactories is slack; and the consequence is that business must hesitate somewhere until it can reorganize, and it will take at least two or three years for that reorganization.

Now, shall we employ our men to the best of our ability during the time; and if so, how? The Senator will not deny that the building of roads in this country is more needed than any other improvement in a public way or a local way. Now is the time for us to pass this bill. I am perfectly content to see the bill beaten, as I am to see other matters of public buildings or matters of improvement generally, if we are to cease all public work and all expenditures and let the business of the country go to the dogs; but if we are at all to consider the matter of labor, the matter of our workingmen having employment, then I want to take it, as the Senator from Washington has already said, where the tools and working machinery are present, where plans are already made, and everything is ready to engage labor at once.

I have no sympathy with the workingman who wants to stay in the city and would rather stay there and starve or partake of charity than to go into the country and work on a farm or work on roads. We talk very much about "back to the farm." What inducement are we offering to people to go back to the farm? Shall we erect buildings in large places to give employment to these men, to keep them from going into the country, or shall we do something in the way of improvement in the country, in the new parts of the country, where these men can not only be afforded daily, monthly, yearly labor, but where they will contribute something to the welfare of the country that all can use.

Mr. McKELLAR. Mr. President——

Mr. WARREN. I yield to the Senator.

Mr. McKELLAR. I agree with what the Senator says, but I wish to ask him if it would not be very much better to furnish employment in this way to men who want it and need it than to furnish food to unemployed men?

Mr. WARREN. Mr. President, I was very much alive 25 years ago, when we had Coxey's armies and soup houses and bread lines; I do not want to see them again; but I say to Senators in all earnestness, if we do not act wisely in providing in some way for the men who are coming home, for the men who are being discharged from the Army and those who will be discharged by manufacturers who can not pay out 100 cents and only get back 50 cents, we shall have those times over again, and perhaps worse.

Mr. McKELLAR. I agree with the Senator from Wyoming.

Mr. SMOOT. Mr. President, among the justifications for this appropriation is the one referred to by the Senator from Wyoming [Mr. WARREN]; that is, to give employment to the unemployed caused by the return of our soldiers to civil life. The Senator says that there are only two seasons in which this money can be used. I think he is mistaken in that.

Mr. WARREN. I spoke of the Northern States.

Mr. SMOOT. I say in any State.

Mr. WARREN. If I am not mistaken, this appropriation would end on the 1st day of July, 1921, two years from now.

Mr. SMOOT. No; the Senator is mistaken.

Mr. WARREN. I am speaking of the bill where it reads——

Mr. SMOOT. But it refers to the present law. The money can be expended under the present law, and that law extends the time.

Mr. WARREN. I am very glad it does.

Mr. SMOOT. Mr. President, all I desired to do was to say that this appropriation as a whole can be expended for the season of 1919, it can be expended for the season of 1920, it can be expended for the season of 1921, and for the season of 1922. I believe it is unwise, Mr. President, for us to begin to make appropriations to take care of the unemployed in 1922.

Mr. WARREN. Am I to understand that there is anything in this bill which we now have under consideration that alludes to 1922?

Mr. SMOOT. Yes. It says that these appropriations are to "be expended in accordance with the provisions of said act." That is the act of July 11, 1916.

Mr. WARREN. But that matter is not before us to pass on.

Mr. SMOOT. But the money is to be expended under that act, and that extends the appropriation a year. This is what it provides; and if Senators will look at it they will see that there can not be any question about that statement. I make it without hesitation. So, Mr. President, I say that it is unwise for us to appropriate money to-day to take care of the unemployment for the year 1922. It may be that before that time we shall have not only to spend $75,000,000 or $200,000,000, as the whole appropriation provides, but that we may have to spend many times that sum. However, let us not legislate until we are informed as to conditions.

Mr. President, as I look at the situation by which we are confronted to-day and consider the obligations this country has to meet for the years to come, I am appalled.

Mr. McKELLAR. We can repeal this next year.

Mr. SMOOT. No; I will say to the Senator that it can not be repealed, for I say that there never has been an appropriation made under conditions of this kind where it was ever repealed.

Mr. McKELLAR. This is right; and we shall not repeal it, of course.

Mr. SMOOT. The Senator says this is right. I disagree with him.

I am perfectly willing to increase the $50,000,000 provided for this year in order that the unemployed may be given employment in the near future, and I am perfectly willing to take the $75,000,000 provided for the fiscal year 1920, add it to the $50,000,000 made immediately available, and let the $125,000,000 be spent as quickly as possible.

Mr. BANKHEAD. Mr. President, will the Senator from Utah permit me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Alabama?

Mr. SMOOT. I yield.

Mr. BANKHEAD. I want to end this controversy. The Senator from Utah says he is perfectly willing to add this seventy-five millions for 1920.

Mr. SMOOT. I say seventy-five millions, making it $125,000,000, and cut out $75,000,000——

Mr. BANKHEAD. For the third year—1921?

Mr. SMOOT. Yes; I am perfectly willing to do that.

Mr. BANKHEAD. And add that to what?

Mr. SMOOT. I am perfectly willing to allow the language to read as follows—now, I want the Senator to follow me:

SEC. 6. That for the purpose of carrying out the provisions of said act, as herein amended, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $125,000,000 for the fiscal year ending June 30, 1919, and to be made available immediately, to be expended in accordance with the provisions of said act——

Referring to the act of July 11, 1916. In other words, it means that we should appropriate $125,000,000; that it shall be immediately available, and with the view that it shall be spent upon the roads to take care of the unemployment in this country. I want to ask the Senator from Alabama if he is willing to accept that?

Mr. McKELLAR. If I understood the Senator, he does accept it.

Mr. BANKHEAD. Is it the purpose of the Senator to make the appropriation for 1919 $125,000,000, and then stop and make no further appropriations?

Mr. SMOOT. That is my proposition.

Mr. BANKHEAD. Then, of course, nobody could accept a proposition like that, except the Senator from Utah.

Mr. SMOOT. The Senator now understands my proposition. Of course, he was perfectly willing, as I see now, that we should add $75,000,000 for this year, but he also wanted the other appropriation for the following year. Anybody who is in favor of this kind of legislation would accept a proposition of that kind.

Mr. SWANSON. Mr. President, will the Senator from Utah allow me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Virginia?

Mr. SMOOT. Yes; I yield to the Senator.

Mr. SWANSON. The law which exists to-day runs to 1921. We do not extend the law; we simply increase the appropriations under existing law.

Mr. SMOOT. That is true.

Mr. SWANSON. If a system of road improvement were started, we thought it would be unwise to stop it abruptly. We have not tried to extend it to 1922 or 1923, over what the existing law provides for. This is simply to increase the appropriations for expenditure under the existing law.

Mr. SMOOT. Of course, I want to be perfectly frank with the Senator, and I will say I think that when we begin the building of roads by the Government, it ought to be under a well-digested plan for the expenditure of the public money. I remember two years ago when the first proposition was brought before Congress in reference to this matter, I offered at that time a substitute for it, providing a general plan for road building in the United States. When the proper time comes, I intend to again offer that same amendment, providing for a road system. I have no idea that it will be accepted, for it takes no money out of the Treasury of the United States, but I wish to say that when I presented the proposition two years ago—and it is not any plan of mine; I do not want to take any credit for it; I have no right to receive any credit for it—it was not to be adopted because of the fact, it was said, that it provided a great big system of road building throughout the country, and that we wanted something immediately.

The plan two years ago was to appropriate $75,000,000 as a temporary measure, and, of course, Mr. President, it is like all other temporary appropriations. They soon find their way into the regular appropriation bills; and the policy adopted in the temporary appropriations becomes permanent.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Wyoming?

Mr. SMOOT. I yield.

Mr. WARREN. The Senator from Utah has assumed that I was mistaken in my statement, and I am always modest enough to admit that I am mistaken; but I should like to have him show why I am mistaken; why he contends that this bill is appropriating money for 1922 for this purpose.

Mr. SMOOT. The bill under section 5 extends the time one year by reenacting existing law.

Mr. WARREN. I am not speaking of what is in the Senator's mind. I am speaking of what is before us and what we are to vote on.

Mr. SMOOT. I thought I had previously explained it to the Senator.

Mr. WARREN. The Senator from Utah made no explanation that was satisfactory.

Mr. SMOOT. Then I can not give any other. The law provides an extension of one year.

Mr. WARREN. The bill alludes to the law of 1916; but there seems to be a difference between the Senator from Utah and others in regard to the law of 1916.

Mr. SMOOT. I can not give the Senator any other explanation than I have already given.

Mr. WARREN. Certainly there is nothing in this bill that carries the appropriation for 1916 beyond what the bill itself carries it. It can not be that way; and no explanation can cover it.

Mr. SMOOT. Mr. President, all I ask in my amendment is that the $75,000,000 provided for the fiscal year ending June 30, 1921, be eliminated from the bill. That will still leave $125,000,000 to be appropriated for this purpose. With the $125,000,000 and the $70,000,000, provided the States put up their share, there would then be $195,000,000 to be expended upon the building of this class of roads, and I think that is going a long way.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Utah [Mr. SMOOT] to the amendment of the committee. The yeas and nays have been ordered, and the Secretary will call the roll.

Mr. BANKHEAD. I think we had better have a quorum.

The PRESIDING OFFICER. The Senator from Alabama suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Jones, Wash.	Moses	Smith, Ariz.
Beckham	Kellogg	Myers	Smith, Ga.
Colt	Kenyon	Nelson	Smoot
Culberson	King	New	Spencer
Fernald	Kirby	Overman	Sutherland
Fletcher	La Follette	Page	Swanson
France	Lenroot	Pittman	Thomas
Frelinghuysen	Lodge	Poindexter	Townsend
Gay	McCumber	Pollock	Trammell
Hale	McKellar	Pomerene	Vardaman
Harding	McLean	Robinson	Wadsworth
Henderson	McNary	Sheppard	Warren
Johnson, Cal.	Martin, Va.	Sherman	Wolcott

Mr. MARTIN of Virginia. I wish to announce that the Senator from Maryland [Mr. SMITH] and the Senator from Mississippi [Mr. WILLIAMS] are detained by illness.

Mr. SPENCER. I wish to announce that the Senator from Arizona [Mr. ASHURST], the Senator from Wyoming [Mr. KENDRICK], the Senator from Kansas [Mr. CURTIS], and the Senator from Idaho [Mr. NUGENT] are absent attending the sessions of the Committee on Indian Affairs.

The PRESIDING OFFICER. Fifty-two Senators have answered to their names. There is a quorum present. The question is on the amendment of the Senator from Utah [Mr. SMOOT] to the amendment reported by the committee. The yeas and nays have been ordered, and the Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. COLT (when his name was called). I have a pair with the senior Senator from Delaware [Mr. SAULSBURY]. In his absence, I will withhold my vote.

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. MARTIN]. In his absence, I will withhold my vote. If privileged to vote, I should vote "yea."

Mr. NEW (when his name was called). On this amendment I am paired with the senior Senator from Illinois [Mr. LEWIS]. If permitted to vote, I should vote "yea."

Mr. WOLCOTT (when his name was called). I transfer the general pair I have with the senior Senator from Indiana [Mr. WATSON] to the senior Senator from New Hampshire [Mr. HOLLIS] and vote "yea."

The roll call was concluded.

Mr. KENDRICK. I transfer my pair with the senior Senator from New Mexico [Mr. FALL] to the senior Senator from California [Mr. PHELAN] and vote "nay."

Mr. GAY. I wish to announce the absence of the senior Senator from Louisiana [Mr. RANSDELL] on official business.

Mr. MOSES. I transfer my pair with the junior Senator from Kentucky [Mr. MARTIN] to the Senator from Iowa [Mr. CUMMINS] and vote "yea."

Mr. FRELINGHUYSEN. I inquire if the junior Senator from Montana [Mr. WALSH] has voted?

The PRESIDING OFFICER. He has not voted.

Mr. FRELINGHUYSEN. I transfer my general pair with the junior Senator from Montana to my colleague, the junior Senator from New Jersey [Mr. BAIRD], and vote "yea."

Mr. CURTIS. I wish to announce the absence of the Senator from Pennsylvania [Mr. KNOX], who is away on official business. He is paired with the Senator from Oregon [Mr. CHAMBERLAIN].

I also desire to announce the absence of the Senator from Nebraska [Mr. NORRIS] on official business.

Mr. FRELINGHUYSEN. I wish to ask if the name of the Senator from Indiana [Mr. WATSON] was called and if he voted?

The PRESIDING OFFICER. The Chair is informed that the name of the Senator from Indiana was called, but he has not voted.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from New York [Mr. CALDER] with the Senator from Rhode Island [Mr. GERRY];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED].

The result was announced—yeas 25, nays 40, as follows:

YEAS—25.

Borah	Johnson, Cal.	McCumber	Sutherland
Curtis	Jones, Wash.	McNary	Thomas
Fernald	Kenyon	Moses	Wadsworth
France	King	Page	Wolcott
Frelinghuysen	La Follette	Sherman	
Hale	Lenroot	Smoot	
Harding	Lodge	Spencer	

NAYS—40.

Ashurst	Jones, N. Mex.	Overman	Smith, Ga.
Bankhead	Kellogg	Pittman	Smith, S. C.
Beckham	Kendrick	Pomerene	Sterling
Culberson	Kirby	Pollock	Swanson
Fletcher	McKellar	Robinson	Thompson
Gay	McLean	Shafroth	Townsend
Gore	Martin, Va.	Sheppard	Trammell
Gronna	Myers	Simmons	Underwood
Henderson	Nelson	Smith, Ariz.	Vardaman
Johnson, S. Dak.	Nugent	Smith, Md.	Warren

NOT VOTING—31.

Baird	Gerry	New	Shields
Brandegee	Goff	Norris	Smith, Md.
Calder	Hardwick	Owen	Smith, Mich.
Chamberlain	Hitchcock	Penrose	Walsh
Colt	Hollis	Phelan	Watson
Cummins	Knox	Ransdell	Weeks
Dillingham	Lewis	Reed	Williams
Fall	Martin, Ky.	Saulsbury	

So Mr. SMOOT's amendment to the amendment reported by the committee was rejected.

Mr. KIRBY. I propose the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. At the end of section 6 it is proposed to add the following:

And provided further, That none of the funds herein appropriated shall be expended for improvements whereon convict labor is employed.

Mr. KIRBY. Mr. President, it has been urged that this appropriation is necessary largely because it will furnish an opportunity for employment to returning soldiers and sailors. There is at this time, as one Senator has suggested, an insistent demand in the country that the soldiers who have not yet finished their education and intend to resume their studies should be discharged so as to permit them to do so. There is a crying need for all soldiers who have been engaged in agriculture heretofore to be discharged immediately in order that they may resume their occupations before it is too late to make another crop.

Now, in regard to the amendment here proposed, a great many of these roads will be built by contractors. The contractor is interested in building roads at as little expense as he can build them properly for and in getting as much money as he can procure for the construction. I do not believe that convict labor should be permitted to be employed upon the roads that are expected to be built under the provisions of this bill in order to give free labor an opportunity for employment. If the contractor is permitted to employ anyone whom he may desire, he will probably procure convict labor.

I do not think that a man who has been a good citizen in his community, in his State, and in his nation, who has not violated the law but who has helped to bear the burdens of the Government and of taxation, should be competed against by the convict, who has not done these things. The man who has violated the law, who has not been a good citizen, and who has made it necessary that he should be convicted and imprisoned should not be furnished an opportunity to be employed to the exclusion of the other man.

I move the adoption of the amendment and hope the Senate will act favorably upon it.

The VICE PRESIDENT. The question is on the amendment of the Senator from Arkansas to the amendment of the committee.

Mr. KIRBY. I call for a division, Mr. President.

On a division the amendment to the amendment was agreed to.

Mr. JONES of Washington. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. After the word "marines," in line 15, page 37, it is proposed to insert the following:

But any other preference or discrimination among citizens of the United States in connection with the expenditure of this appropriation is hereby declared to be unlawful.

Mr. JONES of Washington. Mr. President, I think that should come after the word "marines," at the end of the proviso. It makes the proper connection there.

The VICE PRESIDENT. The question is on the amendment of the Senator from Washington to the amendment of the committee. [Putting the question.] By the sound the noes seem to have it.

Mr. JONES of Washington. I call for a division, Mr. President; and I will say a word about this amendment. We allow a preference here in favor of the soldier. I am willing to have that done; but I am not willing that Government officials or anybody else, in the expenditure of Government money, shall discriminate among citizens of the United States in the expenditure of this money otherwise than as to soldiers. That is, I am not willing that an officer of the Government shall say: "You can not work on this road unless you belong to some organization of some kind or character."

That is the purpose of the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Washington to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. FRELINGHUYSEN. Mr. President, I have been requested by the junior Senator from New York [Mr. CALDER] to call up an amendment which he has introduced to the bill, and I ask that it may be stated.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 37, line 13, after the word "act," it is proposed to insert the following:

Provided, That the Secretary of Agriculture is hereby authorized and directed for and in behalf of the Government of the United States to join in the construction of a tunnel or tunnels for the use of vehicles, animals, pedestrians, and vehicle-borne traffic under the Hudson River, between some point on the island of Manhattan, State and city of New York, and some point in Hudson County, State of New Jersey, pursuant to plans to be agreed upon by the parties aforesaid.

And for the purpose above stated the sum of $6,000,000 is hereby authorized, $1,000,000 to be paid out of the sum appropriated for the improvement of roads in the year 1919, $2,000,000 out of the sum appropriated for the improvement of roads in the year 1920, and $3,000,000 out of the moneys appropriated for the year 1921.

This money, however, or no portion thereof shall become available or payable until the States of New York and New Jersey shall within two years from and after the approval of this act have appropriated the sum of $3,000,000 for the same purpose.

The United States Government is to be repaid for the money advanced for the construction of this tunnel by the paying of tolls on a basis to be fixed by the United States and the States of New York and New Jersey.

That the tunnel or tunnels constructed under this act, together with their approaches and terminals, shall be lawful structures and shall each be recognized and known as a post route, and is hereby declared to be a post route, and no charge shall be made for the transportation of the mails, the troops, and munitions of war of the United States.

Mr. FRELINGHUYSEN. Mr. President, this amendment, proposed by the junior Senator from New York [Mr. CALDER], is for what is known as the vehicular tunnel under the Hudson River. In the recent strike of the boatmen on the rivers and bays of New York there were 500,000 people who were prevented for two days from being able to go to their business from New Jersey and Staten Island to New York. The movement of troops and property was delayed, the mails were delayed, and there was a great deal of embarrassment by reason of this condition.

New York City is a great national asset. Seventy per cent of our troops and 60 per cent of the supplies for the Army and Navy left the port of New York. New York and New Jersey in 1918 paid nearly $1,000,000,000 into the Treasury of the United States, a sum much in excess of all of the States west of the Mississippi River and four times the total amount paid by all the States south of the Mason and Dixon line.

Mr. BORAH. Mr. President, I do not know that I am opposed to the Senator's amendment, but I am utterly opposed to the comparison which he makes as to the amount which New York and New Jersey pay in comparison with the Western States. A vast amount of the income taxes, and so forth, of the Western States are paid in New York, but they are earned in the Western States. The great corporations of the West have their home offices in New York, and therefore the payments are made there.

Mr. FRELINGHUYSEN. Continuing, Mr. President, I will state that of the $200,000,000 carried in this good-roads proposition, $65,000,000, at least, will be contributed by New York and New Jersey, and the sum they will receive in return through this appropriation will be less than $12,000,000. It is asked for by every business and manufacturing organization in New York and New Jersey.

Mr. SWANSON. Mr. President, I make the point of order against this amendment.

The VICE PRESIDENT. Does the Senator want it to go back to the original one?

Mr. SWANSON. If section 5 is in order——

The VICE PRESIDENT. If the original amendment is not general legislation, this is not.

Mr. SWANSON. I beg to differ with the Chair. I submit that this one is and the other one is not.

The VICE PRESIDENT. Well, the Chair will carry it back to the original one, if the Senator from Virginia wishes.

Mr. THOMAS. Mr. President, I should like to take it back and renew my point of order to section 5, if it can be done under the rules.

The VICE PRESIDENT. The Chair is not saying that it can be done; but the Chair is saying that he will not take up a part of this matter and decide that it is general legislation, and not decide the whole thing to be general legislation.

Mr. THOMAS. Mr. President, I renew the point of order.

The VICE PRESIDENT. To this amendment?

Mr. THOMAS. Yes; and I ask that it be taken back to section 5.

The VICE PRESIDENT. This is the situation of the Chair: The Chair believes that this legislation is general legislation, but it was decided by another presiding officer that it was not. The Chair therefore concludes that the best thing to do is to let the Senate settle the question for itself.

Mr. THOMAS. I will raise the point of order when the bill comes into the Senate.

Mr. FRELINGHUYSEN. Mr. President, may I ask what the parliamentary situation is? Does the Chair rule the whole amendment out?

The VICE PRESIDENT. The Chair has not done anything with it at all. The Chair is clearly of the opinion that the whole legislation is general legislation and ought to have gone out on a point of order; but it was not so decided, and if part of it is not general legislation then nothing is general legislation. A former occupant of the chair for the purposes of this bill having held that it is not general legislation, the Chair is not going to come in conflict with that ruling on this bill. The Chair refers the point of order to the Senate for determination.

Mr. THOMAS. That is satisfactory to me.

Mr. SMOOT. I ask for the yeas and nays on the question of whether it is general legislation.

The yeas and nays were ordered.

The VICE PRESIDENT. The Secretary will call the roll.

Mr. THOMAS. Mr. President, does an affirmative vote sustain the point of order?

The VICE PRESIDENT. An affirmative vote sustains the point of order.

Mr. SWANSON. That is, to the amendment offered by the Senator from New Jersey?

The VICE PRESIDENT. To the amendment offered by the Senator from New Jersey.

The Secretary proceeded to call the roll.

Mr. COLT (when his name was called). Making the same announcement as before as to the absence of my pair, I withhold my vote.

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. MARTIN], who is absent. I transfer that pair to the senior Senator from Iowa [Mr. CUMMINS] and vote "yea."

Mr. MYERS (when his name was called). Has the Senator from Connecticut [Mr. MCLEAN] voted?

The VICE PRESIDENT. He has not.

Mr. MYERS. I have a general pair with the Senator from Connecticut, which I transfer to the Senator from Louisiana [Mr. RANSDELL] and vote "nay."

Mr. STERLING (when his name was called). Has the Senator from South Carolina [Mr. SMITH] voted?

The VICE PRESIDENT. He has not.

Mr. STERLING. I have a general pair with the Senator from South Carolina. I understand that if that Senator were present he would vote as I shall vote, and therefore I am at liberty to vote. I vote "nay."

Mr. THOMAS (when his name was called). Has the senior Senator from North Dakota [Mr. MCCUMBER] voted?

The VICE PRESIDENT. He has not.

Mr. THOMAS. I have a general pair with that Senator and therefore withhold my vote for the present.

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). I desire to announce the absence of the senior Senator from Michigan [Mr. SMITH] on account of illness.

Mr. WOLCOTT (when his name was called). Making the same announcement and transfer of my pair as on the last roll call, I vote "yea."

The roll call was completed.

Mr. OVERMAN (after having voted in the affirmative). Has the Senator from Wyoming [Mr. WARREN] voted?

The VICE PRESIDENT. He has not.

Mr. OVERMAN. I have a general pair with that Senator and therefore withdraw my vote.

Mr. PENROSE. I transfer my general pair with the senior Senator from Mississippi [Mr. WILLIAMS] to the junior Senator from New Jersey [Mr. BAIRD] and vote "yea."

Mr. THOMAS. I transfer my general pair with the senior Senator from North Dakota [Mr. MCCUMBER] to the senior Senator from Nebraska [Mr. HITCHCOCK] and vote "yea."

Mr. HARDING (after having voted in the affirmative). I note that the junior Senator from Alabama [Mr. UNDERWOOD] did not respond to his name. I therefore transfer my general pair with the junior Senator from Alabama to the junior Senator from California [Mr. JOHNSON] and will allow my vote to stand.

Mr. SIMMONS (after having voted in the negative). I wish to inquire whether the junior Senator from Minnesota [Mr. KELLOGG] has voted?

The VICE PRESIDENT. He has not.

Mr. SIMMONS. I have a general pair with that Senator. I transfer that pair to the senior Senator from Texas [Mr. CULBERSON] and will let my vote stand.

Mr. SUTHERLAND. Mr. President, I should like to understand clearly the significance of a vote "yea" or "nay" on this proposition. It is not clear to my mind, and I believe that some other Senators are in doubt as to the significance of the "yea" and "nay" votes.

The VICE PRESIDENT. The Chair refused to decide the question. The question is, Is the amendment in order?

Mr. SUTHERLAND. A vote in the affirmative signifies that it is in order?

The VICE PRESIDENT. It does.

Mr. SUTHERLAND. I vote "yea."

Mr. STERLING. Mr. President, I think the question is altogether misunderstood, then.

Mr. JONES of Washington. Mr. President, I call for the regular order. The roll call can not be interrupted.

The VICE PRESIDENT. Well, that is undoubtedly the rule; but Senators ought to know how they are voting.

Mr. STERLING. Mr. President, if I may say so, on an inquiry made by the Senator from Colorado [Mr. THOMAS]——

Mr. LODGE. Mr. President, I make the point of order that under the rule the roll call can not be interrupted.

The VICE PRESIDENT. That is strictly true, and strictly the point of order ought to be sustained by the Chair; but surely——

Mr. LODGE. I think the rule ought to be either sustained or not sustained.

The VICE PRESIDENT. Surely the Senator from Massachusetts does not want the Senate to be voting with a mistaken idea as to the point on which it is voting.

Mr. LODGE. Of course if the Chair does not enforce the rule, I have no remedy.

The VICE PRESIDENT. Very well. The Chair will sustain the point of order, at the suggestion of the Senator from Massachusetts.

Mr. HARDING. Mr. President, is a parliamentary inquiry in order?

The VICE PRESIDENT. According to the rules, it is not. The roll call is proceeding. The Chair wanted to make it straight if he could.

Mr. GRONNA. Mr. President, I wish to change my vote from "nay" to "yea."

Mr. BORAH. Mr. President, I desire to change my vote from "yea" to "nay."

Mr. FRANCE. Mr. President, I voted under a misapprehension. I desire to change my vote——

Mr. ROBINSON. Mr. President, a parliamentary inquiry. There is some confusion on this side of the Chamber as to the parliamentary situation. I request that it be stated. The statement has been made here that the vote was upon the question of sustaining the decision of the Chair. As I understand, it is a vote directly on the amendment of the Senator from New Jersey [Mr. FRELINGHUYSEN].

The VICE PRESIDENT. No.

Mr. ROBINSON. Well, what is the question?

The VICE PRESIDENT. The Chair wanted to explain, but the point of order was made that there was a roll call proceeding and that no explanations were in order, and the Chair had to sustain that point of order.

Mr. McKELLAR. Mr. President, I ask unanimous consent that the Chair may be permitted to explain the parliamentary situation.

Mr. SMITH of Georgia. But at least, Mr. President, give us the subject upon which we are voting. Let the Secretary state it.

The VICE PRESIDENT. Is there any objection?

Mr. ROBINSON. Mr. President, I do not object to the request of the Senator from Tennessee. I rise merely to state that I do not think it is out of order to make a parliamentary inquiry and ask for a statement of the question that is being voted upon. That is what I desire.

The VICE PRESIDENT. The Chair refused to pass upon the point of order which was raised, and submitted it to the Senate. The vote must be, therefore, as to whether or not the Senate believes that this is general legislation on an appropriation bill.

Mr. BORAH. Mr. President, upon that statement I desire to change my vote from "nay" to "yea." [Laughter.]

Mr. FRANCE. Mr. President, I desire to change my vote——

Mr. SWANSON. Mr. President, a parliamentary inquiry.

Mr. ROBINSON. Mr. President——

Mr. SWANSON. Mr. President——

The VICE PRESIDENT. The Senator from Virginia.

Mr. SWANSON. As I understand, it depends upon the form in which the question is put as to whether it is general legislation. It seems to me the question is, Is this legislation in order? If we think it is in order, we vote "yea." If we think it is not in order, we vote "nay."

The VICE PRESIDENT. Well, the Senate can vote on it in that way. The Chair does not care.

Mr. SWANSON. The question is, Which way did the Chair state it?

The VICE PRESIDENT. The Chair stated it the other way, but the Chair thinks the Senator from Virginia has it right. That is what the Chair was trying to straighten out, but he could not; namely, Is the legislation in order?

Mr. SWANSON. That is all right. Those who think it is in order will vote "yea," and those who think it is not in order will vote "nay."

Mr. BORAH. Mr. President, with that statement, I desire to change my vote.

Mr. SWANSON. Mr. President, I ask unanimous consent that the proceedings under this roll call be vacated, and that the question be restated by the Chair, and a new roll call be held.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. Is there any objection? The Chair hears none. Now, this is the question: Is the amendment in order?

Mr. SMITH of Georgia. Mr. President, may the amendment be stated?

Mr. BANKHEAD. Mr. President, my information was that the question submitted to the Senate was as to whether or not the amendment was germane to the committee amendment.

The VICE PRESIDENT. Not at all.

Mr. BANKHEAD. I mean, the amendment of the Senator from New Jersey.

Mr. THOMAS. That was not my point of order.

The VICE PRESIDENT. The point of order was that it was general legislation.

Mr. MYERS. Mr. President——

The VICE PRESIDENT. The question to be voted on is, Is the amendment in order?

Mr. OVERMAN. What amendment? The amendment offered by the Senator from New Jersey, as I understand?

The VICE PRESIDENT. Yes.

Mr. LODGE obtained the floor.

Mr. MYERS. Mr. President, I think it is scandalous for Senators to sit here and vote without knowing what they are voting on.

Mr. LODGE. When the Senator from Montana is through I will address the Chair. Mr. President, I was only going to say that the usual method, as I have observed it here, when a question of order is referred to the Senate is whether the point of order is well taken; in other words, shall the point of order be sustained? The question is on the point of order. I think I am right in that.

The VICE PRESIDENT. The question is on the point of order, and the Chair stated it originally as the Senator from Massachusetts has done; but upon reflection the Chair, not having ruled and leaving it for the determination of the Senate, believes the question to be voted upon is, Is the amendment in order? That enables the Senate to determine the point of order.

Mr. LODGE. When a point of order is submitted the Chair either overrules the point of order or declares that it is well taken. Now, that decision is submitted to the Senate. If the Senate considers the point of order well taken it votes "yea;" if it considers that the point of order should be overruled it votes "nay."

The VICE PRESIDENT. It really makes no difference how it is phrased, so Senators know how they are voting.

Mr. LODGE. Not the least. I quite agree.

Mr. HARDING. May I ask the Chair whether the decision on this specific amendment submitted by the Senator from New Jersey on behalf of the Senator from New York applies to the general good-roads appropriation?

The VICE PRESIDENT. It does not. It applies only to this particular amendment.

Mr. LODGE. It applies only to the amendment.

Mr. JONES of Washington. I should like to have the amendment of the Senator from New Jersey read.

The VICE PRESIDENT. The Senator from Washington calls for the reading of the amendment, and it will be read.

The SECRETARY. The Senator from New Jersey [Mr. FRELINGHUYSEN], for and on behalf of the Senator from New York [Mr. CALDER], submits the following amendment:

On page 37, line 13, after the word "act," insert:

"*Provided*, That the Secretary of Agriculture is hereby authorized and directed, for and in behalf of the Government of the United States, to join in the construction of a tunnel or tunnels for the use of vehicles, animals, pedestrians, and vehicle-borne traffic under the Hudson River between some point on the island of Manhattan, State and city of New York, and some point in Hudson County, State of New Jersey, pursuant to plans to be agreed upon by the parties aforesaid.

"And for the purpose above stated the sum of $6,000,000 is hereby authorized, $1,000,000 to be paid out of the sum appropriated for the improvement of roads in the year 1919, $2,000,000 out of the sum appropriated for the improvement of roads in the year 1920, and $3,000,000 out of the moneys appropriated for the year 1921.

"This money, however, or no portion thereof, shall become available or payable until the States of New York and New Jersey shall, within two years from and after the approval of this act, have appropriated the sum of $3,000,000 for the same purpose.

"The United States Government is to be repaid for the money advanced for the construction of this tunnel by the paying of tolls on a basis to be fixed by the United States and the States of New York and New Jersey.

"That the tunnel or tunnels constructed under this act, together with their approaches and terminals, shall be lawful structures and shall each be recognized and known as a post route, and is hereby declared to be a post route; and no charge shall be made for the transportation of the mails, the troops, and munitions of war of the United States."

The VICE PRESIDENT. The question as determined by the precedents of the Senate is, Is the amendment in order? That is the way the precedents read, though the Chair believes the Senator from Massachusetts is right. Is the amendment in order?

Mr. POINDEXTER. I shall vote, upon that statement of the question, "yea," believing that the amendment is in order, whether it is general legislation or not, because it is an amendment of an amendment which is general legislation. With the other amendment pending before the Senate, undoubtedly it can be amended by an amendment on the same subject. I desire to make this statement so as to make it clear that it does not indicate my opinion on the merits of the question. I expect to vote "nay" on the amendment when it is submitted.

Mr. SWANSON. I think the amendment is clearly in order, but I think it should be voted upon on its merits. I shall vote "yea."

Mr. SMOOT. Are we to understand that a vote "yea" means that the amendment is not general legislation and a vote "nay" means that it is general legislation?

The VICE PRESIDENT. Yes; if you vote that the amendment is in order you are deciding that it is not general legislation. If you vote that it is not in order, you are deciding that it is.

Mr. SWANSON. If we vote "yea" we decide that it is not general legislation?

The VICE PRESIDENT. Certainly.

Mr. SWANSON. If we vote "yea" we decide that it is in order?

The VICE PRESIDENT. Certainly.

Mr. BANKHEAD. Mr. President, I wish to make a suggestion. I suggest that we take a vote direct on the amendment. If there are enough votes to put it in the bill, all right; if not, let it be defeated.

Mr. POINDEXTER. In order that there may not be any misunderstanding as to my vote on this matter, I do not vote with the understanding of the matter stated by the Senator from Virginia. He stated that a yea vote would be that it was in order and not general legislation. I think, on the contrary, it is in order and is general legislation. The question, I understand, is whether it is in order.

Mr. LODGE. That is all.

Mr. JONES of Washington. I understand that the money proposed to be appropriated here is to come out of the $75,000,000 provided by the committee for 1920 and the $75,000,000 provided for 1921, and as long as that amendment is pending it seems that an amendment of this kind would be in order, whatever might be the result on the general amendment as amended. The Senator from New Jersey proposes to take money out of money already provided in the amendment and to use it for a specific purpose. I think it is general legislation.

The VICE PRESIDENT. The roll will be called.

The Secretary proceeded to call the roll.

Mr. BANKHEAD. I know the roll call has been started, but I want to know what the question is.

The VICE PRESIDENT. Is the amendment in order?

Mr. BANKHEAD. Then my proposition to vote directly on the amendment was rejected?

SEVERAL SENATORS. Let us vote!

OTHER SENATORS. Regular order!

The VICE PRESIDENT. The Secretary will proceed with the roll call.

The Secretary resumed the calling of the roll.

Mr. DILLINGHAM (when his name was called). Because of my general pair with the senior Senator from Maryland [Mr. SMITH], who is necessarily absent, I withhold my vote.

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. MARTIN]. In his absence I transfer my pair to the Senator from California [Mr. JOHNSON] and vote "nay."

Mr. MYERS (when his name was called). I transfer my pair with the Senator from Connecticut [Mr. McLEAN] to the Senator from Louisiana [Mr. RANSDELL] and vote "yea."

Mr. PENROSE (when his name was called). Again announcing the transfer of my pair, I will vote. I vote "yea."

Mr. THOMAS (when his name was called). Making the same announcement as before as to the transfer of my pair, I vote "nay."

Mr. WOLCOTT (when his name was called). Making the same announcement of the transfer of my pair as on the last vote, I vote "nay."

The roll call having been concluded, resulted—yeas 39, nays 18, as follows:

YEAS—39.

Ashurst	Jones, Wash.	New	Smith, S. C.
Bankhead	Kellogg	Nugent	Spencer
Beckham	Kendrick	Penrose	Sterling
Fletcher	La Follette	Pittman	Sutherland
France	Lenroot	Poindexter	Swanson
Gay	McKellar	Pollock	Thompson
Gronna	McNary	Pomerene	Trammell
Henderson	Martin, Va.	Shafroth	Underwood
Johnson, S. Dak	Myers	Sheppard	Vardaman
Jones, N. Mex.	Nelson	Simmons	

NAYS—18.

Borah	Harding	Overman	Wadsworth
Curtis	Kenyon	Page	Weeks
Fernald	King	Sherman	Wolcott
Gore	Kirby	Smoot	
Hale	Moses	Thomas	

NOT VOTING—39.

Baird	Colt	Fall	Hardwick
Brandegee	Culberson	Frelinghuysen	Hitchcock
Calder	Cummins	Gerry	Hollis
Chamberlain	Dillingham	Goff	Johnson, Cal.
Knox	Norris	Saulsbury	Townsend
Lewis	Owen	Shields	Walsh
Lodge	Phelan	Smith, Ariz.	Warren
McCumber	Ransdell	Smith, Ga.	Watson
McLean	Reed	Smith, Md.	Williams
Martin, Ky.	Robinson	Smith, Mich.	

The VICE PRESIDENT. The yeas are 39 and the nays 18. So the Senate decides that the amendment is in order. The question is on agreeing to the amendment to the amendment.

Mr. FRELINGHUYSEN. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I have a general pair with the junior Senator from Georgia [Mr. HARDWICK], but as he would vote the same as I would on this question, I am at liberty to vote. I vote "nay."

Mr. DILLINGHAM (when his name was called). Again announcing my pair, I withhold my vote.

Mr. FRELINGHUYSEN (when his name was called). I transfer my general pair with the Senator from Montana [Mr. WALSH] to my colleague [Mr. BAIRD] and vote "yea."

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. MARTIN]. In his absence I withhold my vote.

Mr. MYERS (when his name was called). I make the same announcement of the transfer of my pair as on the last vote and vote "nay."

Mr. PENROSE (when his name was called). I have a general pair with the senior Senator from Mississippi [Mr. WILLIAMS], and I am informed he is not in the Chamber. As I am unable to arrange for a transfer of my pair upon this vote, I shall refrain from voting. If I were permitted to vote, I would vote "yea."

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). I desire again to announce the absence of my colleague [Mr. SMITH of Michigan] and that he is paired with the senior Senator from Missouri [Mr. REED]. My colleague is absent on account of illness. This announcement may stand for the day.

Mr. THOMAS (when his name was called). Announcing the same pair and transfer as before, I vote "yea."

Mr. WOLCOTT (when his name was called). I make the same announcement of the transfer of my pair as before and vote "nay."

The roll call having been concluded,

Mr. McKELLAR. I wish to announce that my colleague [Mr. SHIELDS] is absent on account of illness and that he is paired with the Senator from Connecticut [Mr. BRANDEGEE].

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New York [Mr. CALDER] with the Senator from Rhode Island [Mr. GERRY];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Pennsylvania [Mr. KNOX] with the Senator from Oregon [Mr. CHAMBERLAIN].

The result was announced—yeas 12, nays 48, as follows:

YEAS—12.

France	Kenyon	New	Thomas
Frelinghuysen	Lodge	Spencer	Wadsworth
Jones, Wash.	McNary	Sutherland	Weeks

NAYS—48.

Ashurst	Henderson	Nugent	Smith, Ga.
Bankhead	Johnson, S. Dak.	Overman	Smith, S. C.
Beckham	Jones, N. Mex.	Page	Smoot
Borah	Kellogg	Pittman	Sterling
Curtis	Kendrick	Poindexter	Swanson
Fletcher	King	Pollock	Thompson
Gay	Kirby	Pomerene	Townsend
Gerry	La Follette	Robinson	Trammell
Gore	McKellar	Shafroth	Underwood
Gronna	Martin, Va.	Sheppard	Vardaman
Hale	Myers	Sherman	Warren
Harding	Nelson	Simmons	Wolcott

NOT VOTING—36.

Baird	Fernald	McCumber	Reed
Brandegee	Goff	McLean	Saulsbury
Calder	Hardwick	Martin, Ky.	Shields
Chamberlain	Hitchcock	Moses	Smith, Ariz.
Colt	Hollis	Norris	Smith, Md.
Culberson	Johnson, Cal.	Owen	Smith, Mich.
Cummins	Knox	Penrose	Walsh
Dillingham	Lenroot	Phelan	Watson
Fall	Lewis	Ransdell	Williams

So Mr. FRELINGHUYSEN's amendment to the amendment was rejected.

Mr. MOSES. I offer an amendment to the committee amendment, which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from New Hampshire to the committee amendment will be stated.

The SECRETARY. On page 37, line 15, after the word "marines," it is proposed to insert the following:

Provided further, That any money expended by the United States Government in the construction of military roads in any State to and from (but not within) any cantonment, aviation field, or any property used for military or naval purposes, shall first be deducted from the amount apportioned to such State under this appropriation.

Mr. MOSES. Mr. President, it is well known that many miles of enduring concrete roads have been constructed during the last year and a half by soldier labor in the vicinity of camps, cantonments, aviation fields, and other military establishments which were set up. Those roads will all be serviceable for postal purposes and will all inure to the benefit of the States within which they were constructed. This amendment seems to be wholly in line with the equitable view which the Senate is taking of this measure as a whole.

The VICE PRESIDENT. The question is on the amendment of the Senator from New Hampshire to the amendment of the committee.

Mr. BANKHEAD. I hope the amendment will not be adopted.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from New Hampshire to the amendment. [Putting the question.] The ayes seem to have it.

Mr. BANKHEAD. I call for a division.

The VICE PRESIDENT. All those in favor of the amendment to the amendment will rise——

Mr. PENROSE. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I am paired with the junior Senator from Georgia [Mr. HARDWICK], and so I withhold my vote.

Mr. FRELINGHUYSEN (when his name was called). Making the same announcement that I made before, I transfer my general pair with the Senator from Montana [Mr. WALSH] to the junior Senator from New Jersey [Mr. BAIRD] and vote "yea."

Mr. MOSES (when his name was called). I transfer my pair with the junior Senator from Kentucky [Mr. MARTIN] to the senior Senator from Iowa [Mr. CUMMINS] and vote "yea."

Mr. MYERS (when his name was called). I make the same announcement of the transfer of my pair as on the last ballot and vote "nay."

Mr. PENROSE (when his name was called). I again announce my pair with the Senator from Mississippi [Mr. WILLIAMS], and so refrain from voting. If I were permitted to vote, I should vote "yea."

Mr. THOMAS (when his name was called). I make the same announcement of my pair and its transfer as before. I vote "nay."

Mr. WOLCOTT (when his name was called). Making the same announcement of my pair and its transfer as before, I vote "yea."

The roll call was concluded.

Mr. PENROSE. I will transfer my pair with the senior Senator from Mississippi [Mr. WILLIAMS] to the junior Senator from Vermont [Mr. PAGE], who I note has not voted, and vote "yea."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from New York [Mr. CALDER] with the Senator from Rhode Island [Mr. GERRY];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Pennsylvania [Mr. KNOX] with the Senator from Oregon [Mr. CHAMBERLAIN]; and

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED].

The result was announced—yeas 28, nays 28, as follows:

YEAS—28.

Borah	Henderson	La Follette	Nugent
Fernald	Johnson, S. Dak.	Lenroot	Penrose
France	Jones, N. Mex.	Lodge	Pomerene
Frelinghuysen	Jones, Wash.	McNary	Smoot
Gore	Kendrick	Moses	Spencer
Hale	Kenyon	Nelson	Sutherland
Harding	King	New	Wolcott

NAYS—28.

Ashurst	Fletcher	McKellar	Overman
Bankhead	Gay	Martin, Va.	Pittman
Beckham	Kirby	Myers	Poindexter
Pollock	Sherman	Sterling	Townsend
Robinson	Simmons	Swanson	Trammell
Shafroth	Smith, Ga.	Thomas	Underwood
Sheppard	Smith, S. C.	Thompson	Vardaman

NOT VOTING—40.

Baird	Gerry	McCumber	Shields
Brandegee	Goff	McLean	Smith, Ariz.
Calder	Gronna	Martin, Ky.	Smith, Md.
Chamberlain	Hardwick	Norris	Smith, Mich.
Colt	Hitchcock	Owen	Wadsworth
Culberson	Hollis	Page	Walsh
Cummins	Johnson, Cal.	Phelan	Warren
Curtis	Kellogg	Ransdell	Watson
Dillingham	Knox	Reed	Weeks
Fall	Lewis	Saulsbury	Williams

So the amendment of Mr. MOSES to the amendment of the committee was rejected.

Mr. BORAH. Mr. President, I have offered an amendment to this bill, on which I desire to submit some observations.

Mr. WEEKS. Mr. President——

Mr. BANKHEAD. Will the Senator yield to me for a moment?

Mr. BORAH. I yield first to the Senator from Massachusetts.

Mr. WEEKS. I send to the desk an amendment, which I ask to have printed and lie on the table.

The VICE PRESIDENT. Without objection, that order will be made.

Mr. BORAH. Mr. President, I do not know what the program is to-night with reference to adjournment.

Mr. BANKHEAD. Mr. President, will the Senator yield to me for a moment?

Mr. BORAH. Yes; I yield.

Mr. BANKHEAD. Mr. President, I announced on yesterday, that I would ask the Senate to remain in session to-day to consider this bill, and if it should not be passed before that time I would ask the Senate to remain in session to-night in order to dispose of the measure. I am still of the belief that that ought to be done; but I find so many old-young Senators here who appear to be exhausted from the day's session that I am inclined to make this suggestion: If we can get a unanimous-consent agreement to vote on this bill and all amendments thereto to-morrow at 4 o'clock, I shall be willing now to take a recess.

Mr. THOMAS. The Senator means to begin to vote at that time, does he not?

Mr. BANKHEAD. I mean to vote during the calendar day, and I will ask that after 3 o'clock——

Mr. SMOOT. I suggest to the Senator that he make it 4 o'clock.

Mr. BANKHEAD. I will ask the Senator to wait a moment—that after 3 o'clock to-morrow all speeches shall be limited to 10 minutes. Is that agreeable?

Mr. LODGE. And that the vote be taken before the end of that calendar day.

Mr. BANKHEAD. And that we shall vote to-morrow before the end of the calendar day on the bill and all amendments thereto.

Mr. SMOOT. Will the Senator make that 4 o'clock?

Mr. BANKHEAD. Why?

Mr. SMOOT. I think it would be very proper to allow the discussion to run until 4 o'clock, and then after 4 o'clock have the speeches limited to 10 minutes each and vote upon the calendar day, as has been suggested.

Mr. SMITH of Georgia. Does not the Senator think that a 10-minute speech is enough from now on?

Mr. SMOOT. No; I do not, I will say to the Senator.

Mr. BANKHEAD. I realize that the Senator from Idaho wants to make a speech, and I want him to make it, because he is always interesting and is going to speak on an interesting subject, and I want him to take all the time that he cares to occupy.

Mr. BORAH. Mr. President, the Senator from Idaho does not really want to make a speech; he wants to have the amendment proposed by him adopted, and if it can be adopted without a speech—if that will be an inducement—he will not make the speech.

Mr. BANKHEAD. I do not think it can be adopted without the speech of the Senator from Idaho.

Mr. THOMAS. And perhaps not then.

Mr. BANKHEAD. I think that it would be proper to limit the speeches to 10 minutes after 3 o'clock.

Mr. LODGE. The subject which the Senator from Idaho is going to bring up is a very important one, and I think he ought to have opportunity properly to lay it before the Senate.

Mr. BANKHEAD. I agree with that; but I think the Senator from Idaho can probably do that in an hour, and he will have ample time before 3 o'clock if he begins in the morning.

Mr. SMOOT. I will say to the Senator that I desire to offer a substitute for the road provision, and I want some time to explain it.

Mr. BANKHEAD. That is all true, and I want the Senator to have ample opportunity. Mr. President, I will change my proposition and suggest that we take recess until 11 o'clock to-morrow——

Mr. SMOOT. The Senator knows that we can not do that because of a conference that is to be held to-morrow morning, which will prevent Senators coming here.

Mr. BANKHEAD. Very well. How would it do to limit speeches to 10 minutes after 3.30 o'clock?

Mr. SMOOT. That will be all right, I presume.

Mr. BANKHEAD. Do I understand, then, that it is agreeable that at not later than 3.30 o'clock to-morrow all speeches will be limited to 10 minutes, and that we will vote on the final passage of the bill and amendments thereto during the calendar day?

The VICE PRESIDENT. The Secretary will state the proposed unanimous-consent agreement.

The SECRETARY. Mr. BANKHEAD asks unanimous consent that not later than 3.30 o'clock p. m. on the calendar day of Saturday, February 8, 1919, the Senate will proceed to vote, without further debate upon any amendment that may be pending, any amendment that may be offered, and upon the bill, House bill 13308, an act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes, through the regular parliamentary stages to its final disposition, and that after the hour of 3.30 o'clock p. m. on said calendar day no Senator shall speak more than once or longer than 10 minutes upon the bill or more than once or longer than 10 minutes upon any amendment offered thereto.

Mr. POINDEXTER. Mr. President, I move to strike out from the request as stated the words "without further debate." That is rather inconsistent with the allowance of 10-minute speeches.

The VICE PRESIDENT. Well, it is generally understood what the proposition is, namely, a vote on all questions to the final passage of the bill itself by 12 o'clock midnight of to-morrow, and that after 3.30 o'clock to-morrow no Senator shall speak more than once or longer than 10 minutes on the bill itself or on any amendment. Is there any objection among the Senators present?

Mr. POINDEXTER. I have no objection to the request as it has been stated by the Chair, but I have objection to it as read by the Secretary.

The VICE PRESIDENT. Well, the phraseology will be changed.

Mr. JONES of Washington. I wish to ask whether or not under that agreement we could vote, if the time came to vote, upon any amendment prior to 3.30 o'clock?

The VICE PRESIDENT. Undoubtedly. If there is no objection upon the part of any Senator present, in accordance with the rule the Secretary will call the roll to develop the presence of a quorum.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Jones, Wash.	Myers	Simmons
Bankhead	Kellogg	Nelson	Smith, Ga.
Beckham	Kendrick	New	Smith, S. C.
Borah	Kenyon	Nugent	Smoot
Curtis	King	Overman	Sterling
Fletcher	Kirby	Penrose	Sutherland
France	La Follette	Pittman	Swanson
Frelinghuysen	Lenroot	Poindexter	Thomas
Gay	Lodge	Pollock	Thompson
Gore	McKellar	Pomerene	Underwood
Henderson	McNary	Robinson	Vardaman
Johnson, S. Dak.	Martin, Va.	Shafroth	Warren
Jones, N. Mex.	Moses	Sheppard	Wolcott

The VICE PRESIDENT. Fifty-two Senators have answered to the roll call. There is a quorum present. Is there any objection to the proposed unanimous-consent agreement, which will be stated by the Secretary?

The SECRETARY. The Senator from Alabama asks unanimous consent that on the calendar day of Saturday, February 8, 1919, the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon the bill H. R. 13308, an act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes, through the regular parliamentary stages to its final disposition; and that after the hour of 3.30 o'clock p. m. on said calendar day no Senator shall speak more than once or longer than 10 minutes upon the bill or more than once or longer than 10 minutes upon any amendment offered thereto.

Mr. POINDEXTER. Mr. President, as I understand the reading of the agreement, it says we shall proceed to vote without further debate.

The VICE PRESIDENT. On that calendar day, which will be up to midnight. By midnight the Senate must vote. It is in the regular form. There is no doubt about it.

Mr. POINDEXTER. At what time will we stop debate under that agreement?

The VICE PRESIDENT. In time to give a vote. The Chair has been in that predicament once, and started the vote about five minutes before midnight.

Mr. POINDEXTER. With the understanding that it will not be more than 15 minutes before midnight, I shall not object.

The VICE PRESIDENT. The Chair will give the Senator from Washington all the chance he will need. Is there any objection to the proposed unanimous-consent agreement? The Chair hears none, and the unanimous-consent agreement is entered into.

OIL AND GAS LANDS—CONFERENCE REPORT.

Mr. BANKHEAD obtained the floor.

Mr. SHAFROTH. Mr. President, will the Senator yield for the adoption of a concurrent resolution authorizing the Senator from Nevada [Mr. PITTMAN] to sign the name of the Senator from California [Mr. PHELAN] to a conference report? The Senator from California is away, and the Senator from Nevada has a telegraphic communication from him, and we desire to have that consent given by the Senate.

The VICE PRESIDENT. The Senator from Colorado asks unanimous consent for the present consideration of a concurrent resolution, which will be stated by the Secretary.

The concurrent resolution (S. Con. Res. 30) was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That Hon. KEY PITTMAN, as one of the Senate managers, is hereby authorized to affix the name of JAMES D. PHELAN, as one of the Senate managers, to the conference report on bill S. 2812, entitled "An act to encourage and promote the mining of coal, phosphate, gas, and sodium on the public domain," under oral authority and by telegram requesting such action.

The VICE PRESIDENT. Is there any objection to the present consideration of the concurrent resolution?

Mr. SMOOT. Yes, Mr. President; I object to its presentation.

Mr. SHAFROTH. I do not understand the Senator.

Mr. SMOOT. I shall object to the presentation of it at this time.

Mr. PENROSE. I join in the objection.

Mr. SMOOT. I want to know something more about it.

Mr. PENROSE. I want to look into it.

Mr. SHAFROTH. It is only a question of whether the Senator from Nevada can sign the report. The Senator from California is absent, and the concurrent resolution simply gives authority for the Senator from Nevada to sign his name to the report.

Mr. PENROSE. I object.

Mr. THOMAS. I understand an objection is made to that.

Mr. SHAFROTH. Does the Senator insist upon the objection?

Mr. PENROSE. I object.

The VICE PRESIDENT. Objection is made, and the concurrent resolution goes over.

DAVID E. GRAY.

Mr. THOMAS. Mr. President, I ask unanimous consent to call up and dispose of House bill 1607. It is a very simple matter, but it affects my State considerably. If it provokes any discussion I will withdraw it. It is a bill for the relief of a postmaster at Greeley, Colo., whose post office was robbed some years ago and who needs to have this bill passed for the purpose of settling his accounts.

The VICE PRESIDENT. The Senator from Colorado asks unanimous consent for the present consideration of a bill the title of which will be stated by the Secretary.

The SECRETARY. A bill (H. R. 1607) for the relief of David E. Gray.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the Postmaster General be, and he is hereby, authorized and directed to credit the accounts of David E. Gray, postmaster at Greeley, Colo., in the sum of $10,088.09, due to the United States on account of postage stamps and other stamped paper on account of losses resulting from burglary of said post office on July 1, 1911.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CLAIMS AGAINST MEXICO.

Mr. KING. Mr. President, the Senate seems to be in a good humor, and I ask unanimous consent for the present consideration of Senate resolution 399.

The VICE PRESIDENT. The Senator from Utah asks unanimous consent for the present consideration of a resolution which will be stated by the Secretary.

The Secretary read Senate resolution 399, submitted by Mr. KING on January 29, 1919, as follows:

Whereas claims aggregating millions of dollars in compensation for damages to property and for personal outrages and destruction of life, suffered by American citizens in the Republic of Mexico, have been filed with the Department of State for presentation to the Government of Mexico; and

Whereas some years have already intervened between the commission of such damages and outrages and no progress is apparently being made toward the liquidation, settlement, and payment of such claims: Now, therefore, be it

Resolved, That the Secretary of State be, and he is hereby, directed to report to the Senate whether or not said claims have been presented to the Government of Mexico, and what steps and measures are being taken to prosecute such claims and to liquidate and settle the same, and if said claims have not been presented, then to report to the Senate what steps and measures are contemplated to be taken with respect thereto and when the department will proceed with the same.

Mr. KING. The resolution has been unanimously reported by the committee.

The VICE PRESIDENT. Is there any objection to the present consideration of the resolution?

The resolution was considered by unanimous consent and agreed to.

MEMORIAL ADDRESSES ON THE LATE SENATOR HUSTING AND THE LATE REPRESENTATIVE DAVIDSON.

Mr. LA FOLLETTE. Mr. President, I give notice that at the proper time I shall move for a session of the Senate on Sunday, the 23d of February, to be devoted to memorial exercises for the late Senator HUSTING and the late Representative DAVIDSON, of Wisconsin.

RECESS.

Mr. BANKHEAD. I move that the Senate take a recess until 12 o'clock noon to-morrow.

The motion was agreed to; and (at 5 o'clock and 50 minutes p. m.) the Senate took a recess until to-morrow, Saturday, February 8, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

FRIDAY, *February 7, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou, who are supremely great and glorious, infinite in all Thine attributes, impart unto us that uplift of the spirit which shall strengthen our grip on the things which make for righteousness and broaden our views of life and its purposes, that we may go forward to larger achievements in the things whereunto Thou hast called us; for Thine is the kingdom and the power and the glory forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 4743. An act for the relief of Francis Stewart.

The message also announced that the Senate had passed without amendment the bill (H. R. 13353) to extend the provisions of the homestead laws touching credit for period of enlistment to the soldiers, nurses, and officers of the Army and the seamen, marines, nurses, and officers of the Navy and the Marine Corps of the United States who have served or will have served with the Mexican border operations or during the war between the United States and Germany and her allies.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 1847. An act to authorize the addition of certain lands to the Wyoming National Forest.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 4743. An act for the relief of Francis Stewart; to the Committee on Public Lands.

NAVAL APPROPRIATION BILL.

Mr. PADGETT. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill.

Mr. HUMPHREYS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HUMPHREYS. Is it in order to move that the House go into executive session?

The SPEAKER. Of course it is, when you have got anything to go in on. [Laughter.]

Mr. HUMPHREYS. Well, it occurs to me that we have got something to go in on. We have an appropriation asked here of $700,000,000 which we are asked to vote upon because of a communication which is said to have come to the Committee on Naval Affairs which could not properly be made public. Of course the responsibility is upon the House, not exclusively upon the Committee on Naval Affairs, in making this appropriation.

It occurs to me that in view of the fact that it is not advisable to make public this communication the chairman of the Committee on Naval Affairs might be willing to move to go into executive session, where the communication would be kept entirely secret.

Mr. PADGETT. I do not think it would. I will say to the gentleman that I will show it to any Member of the House in personal confidence.

The SPEAKER. All this conversation is out of order. If the gentleman from Mississippi wants to make any remarks to the House, the Chair will recognize him for five minutes.

Mr. HUMPHREYS. Yes, Mr. Speaker. I did not know until now that Members of the House could see this telegram or that it was open to all Members.

Mr. PADGETT. I have shown it to several Members.

Mr. HUMPHREYS. Yes. I had heard that several Members had seen it, but the House has not seen it.

Mr. PADGETT. Yes; I will show it to you.

Mr. HUMPHREYS. I can not see why the gentleman thinks it would not be kept secret if it were submitted to the House in executive session.

Mr. PADGETT. I have been on committees for 15 years, and we have been holding executive sessions, and everything that was done in executive session was published in the newspapers next morning. [Laughter.]

Mr. HUMPHREYS. Then, Mr. Speaker, if the House does not go into executive session and this communication is shown to every Member, every Member will know it. Of course, if they want to make it public they can do it just as well as if it were made known in executive session.

When I made the suggestion I did not know that the communication would be made available to the Members of the House. I do not make the motion to go into executive session, but I wanted to know if it would be in order if the chairman of the Committee on Naval Affairs of his own motion would make the motion to go into executive session, so that the matter can be presented and we can know what the situation is.

Mr. PADGETT. The truth is I have told the House already the sum and substance of it as plainly as I could, except to give the language.

Mr. HUMPHREYS. I yield the floor, Mr. Speaker.

The SPEAKER. The gentleman from Tennessee moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill. The question is on agreeing to the motion.

The motion was agreed to.

The SPEAKER. The gentleman from Tennessee [Mr. GARRETT] will please take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15539, the naval appropriation bill, with Mr. GARRETT of Tennessee in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15539, the naval appropriation bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 15539) making appropriations for the naval service for the fiscal year ending June 30, 1920, and for other purposes.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

BUREAU OF YARDS AND DOCKS.

Maintenance, Bureau of Yards and Docks: For general maintenance of yards and docks, namely, for books, maps, models, and drawings; purchase and repair of fire engines; fire apparatus and plants; machinery, operation or repair, purchase; maintenance of horses and driving teams; carts, timber wheels, and all vehicles, including motor-propelled and horse-drawn passenger-carrying vehicles to be used only for official purposes,

and including motor-propelled vehicles for freight-carrying purposes only for use in the navy yards; tools and repair of the same; stationery; furniture for Government houses and offices in navy yards and naval stations; coal and other fuel; candles, oil, and gas; attendance on light and power plants; cleaning and clearing up yards and care of buildings; attendance on fires, lights, fire engines, and fire apparatus and plants; incidental labor at navy yards; water tax, tolls, and ferriage; pay of watchmen in navy yards; awnings and packing boxes; and for pay for employees on leave $7,500,000: *Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for clerical, inspection, drafting, messenger, and other classified work in the navy yards and naval stations for the fiscal year ending June 30, 1920, shall not exceed $1,000,000: *Provided further*, That no part of any appropriation contained in this act shall be used for the purchase of passenger-carrying automobiles.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. STAFFORD. Mr. Chairman, I rise for the purpose of inquiring as to the method the committee followed in arriving at the estimate of the appropriation of $7,500,000.

Mr. PADGETT. Yes, sir. There was appropriated last year $10,500,000. The committee had very extensive hearings with the Chief of the Bureau of Yards and Docks, and inquired into the purposes for which the appropriations were to be used. It is the general operating fund to carry on all the work of the navy yards and stations, and we concluded that $7,500,000 was the lowest they could get along on.

Mr. STAFFORD. What were the component parts of the gentleman's estimate of $7,500,000? I am directed by a member of the committee to page 275 of the hearings.

Mr. PADGETT. It is the general operating fund of the navy yards and stations.

Mr. STAFFORD. While the gentleman is searching for the details of his estimate, I wish to direct the attention of the gentleman and also the attention of the House to the fact that this appropriation bill of two years ago carried only $1,774,000 for this item. Now, it is hard for me to understand how in two years the appropriations on a peace basis would jump from $1,774,000 to $7,500,000. That is some jump for the maintenance of the yards.

Mr. PADGETT. During the war and the last few years there has been a tremendous development and expansion in the yards, calling for enlarged activities. You will find it on page 273.

Mr. STAFFORD. That condition was rather present when we appropriated the money for this purpose during the fiscal year 1917.

Mr. PADGETT. No. In the last appropriation bill we appropriated $10,500,000.

Mr. STAFFORD. But two years before we appropriated but $1,774,000 for these identic purposes.

Mr. PADGETT. Yes; that is true. But you must bear in mind that the enlargements of the yards have been many, many times over what they were in the year before that.

Mr. STAFFORD. But I make the statement that in no instance have they been fivefold; and even if they had been fivefold, the amount of this expenditure should not be proportionate.

Mr. PADGETT. There are many more yards and very much enlarged activities. The gentleman must bear in mind that the appropriations for yards and docks in the two years from March 4, 1917, are over $300,000,000. Now that property has to be taken care of. It has to be maintained, it has to be repaired, the operations have to be supported.

Mr. STAFFORD. Are you not maintaining it up to a war basis?

Mr. PADGETT. No, sir; we are not.

Mr. STAFFORD. Will the gentleman give the information which I originally sought, as to how he arrived at this large appropriation of $7,500,000, a jump in two years from $1,774,000?

Mr. KELLEY of Michigan. I will say to the chairman of the committee that, of course, it is a partial war basis, because all these yards will have to repair the ships that are being used for transport service and temporary service during the period of demobilization.

Mr. STAFFORD. Will the gentleman permit? Does the gentleman mean to say these yards were not being used for repair purposes in the year before last, when we appropriated only $1,774,000?

Mr. PADGETT. Yes; but in the year——

Mr. STAFFORD. Has the gentleman any information as to how the committee arrived at $7,500,000, or was it just a wild guess?

Mr. KELLEY of Michigan. Oh, the gentleman is getting excited.

Mr. STAFFORD. I am not getting excited. I am waiting for information, but still have not received any.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KELLEY of Michigan. The gentleman from Wisconsin has taken most of the five minutes himself.

Mr. STAFFORD. No; I have not. I have waited for the chairman to give me information, and I am now waiting for the gentleman from Michigan to give me information. I ask unanimous consent for five minutes, and I will yield to the gentleman from Michigan to give me the information.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that the time be extended five minutes. Is there objection?

There was no objection.

Mr. PADGETT. The total appropriation, including deficiencies, last year was $14,288,000, and the expenditures were $14,311,654, making an additional deficiency of $23,000 up to the present time; and instead of having to take care of a small number of ships, when the armistice was declared the number of ships was something like 2,000. Many of those ships are still in operation and will have to continue until we get back to an actual peace basis. The operations in the yards have largely developed and extended many times over, and this is the operating expense of all the yards and stations throughout the country; and as suggested by the gentleman from Michigan [Mr. KELLEY], we are not on a peace basis yet. We are in a transition period, trying to get to a peace basis.

Mr. STAFFORD. Will the gentleman permit?

Mr. PADGETT. Yes.

Mr. STAFFORD. Do I understand that out of this appropriation the mechanics and other employees of the navy yards are paid?

Mr. BUTLER. Oh, no.

Mr. PADGETT. No; this is for the maintenance and upkeep of the yards.

Mr. BUTLER. Maintenance and repair.

Mr. STAFFORD. I was under the impression that that was the purpose, but the gentleman's general statement led me to believe that he intended to convey that it was for the pay of mechanics and help.

Mr. PADGETT. No; I said the upkeep and maintenance of the yards.

Mr. STAFFORD. If it is for the upkeep and maintenance, how should this appropriation increase fivefold just because there are additional ships to be repaired?

Mr. PADGETT. Because the number of ships is more than fivefold. We had about 2,000 ships. We have had a large development of yard expenditures.

Mr. STAFFORD. Yes; but in no instance fivefold.

Mr. PADGETT. Oh, yes.

Mr. STAFFORD. Not at the Philadelphia Navy Yard and not at the New York Navy Yard, not fivefold in any instance.

Mr. PADGETT. I call the gentleman's attention to the fact that the appropriation for yards is very great. In the last few years the expansion is over $300,000,000. That property has to be taken care of. It has to be maintained. It has to be looked after. It has to be repaired. It has to be kept up. If you will look at page 1083 of the hearings, at the second hearing of Admiral Parks, you will see this:

Admiral PARKS. Now, in the navy yard at New York the bureau had an expenditure for 3 months of $22,400, which would be for the 12 months in the neighborhood of $110,000. The expenditure was for the 3 summer months.

The CHAIRMAN. Well, that is for that one yard?

Admiral PARKS. Yes, sir; for that one yard.

The CHAIRMAN. Now, run over in your mind and what would you estimate it to be for the whole naval service?

Admiral PARKS. Great Lakes in the $12,500,000 had $1,200,000, while a recent station report had $1,000,000 estimated for coal, which was in excess of my estimate for the purpose.

The CHAIRMAN. Yes.

Admiral PARKS. They had $2,000,000 estimated as their requirements from Yards and Docks appropriation maintenance, and I had $1,200,000; the total estimate for coal is about $1,400,000, leaving out the training camps.

The CHAIRMAN. For the year; something in the neighborhood for the year of $1,400,000?

Admiral PARKS. Based upon that average for New York.

The CHAIRMAN. Now, then, you stated about labor, and you gave the proportion of the rise of labor. How much do you estimate in a general way for the item of labor under this appropriation?

Admiral PARKS. Aside from the classified employees, watchmen, telephone operators, pilots, etc., about $3,000,000—$3,000,000 or $3,250,000.

The CHAIRMAN. Now, including the others, your classified employees are specified in the limitation of pilots and such employees as you have named. What do you estimate will be necessary for them?

Admiral PARKS. That to-day is $3,051,040.12.

The CHAIRMAN. Those three items will make more than $7,500,000. You expect to reduce that, don't you?

Admiral PARKS. To $2,000,000 for classified employees.

The CHAIRMAN. Now, you have got a number of other items that compose that, haven't you?

Admiral PARKS. Yes, sir; our water is another large item. I do not carry the quantities in mind very well, but one station that I have in mind right now has 2,000,000 gallons a day on a 12 cents per thousand rate.

He went into the whole matter in detail, and he stated that it would be with the greatest difficulty that he would get through on the $7,500,000.

Mr. KELLEY of Michigan. Mr. Chairman, in further answer to the gentleman from Wisconsin, I want to call attention to the fact that this item includes the coal, oil, heat, light, fuel, everything going to the maintenance of all these various yards and docks. The bill in another place carries an appropriation of $20,000,000 for the repair of ships that have been taken over by the Government during the war and which we have agreed shall be returned to the owners in substantially the same condition in which we obtained them.

A good share of this repair work will be done in the Government yards without doubt. So that this incidental temporary work which the Government finds itself under obligation to do greatly increases the expenditure necessary under this item.

Mr. PADGETT. Will the gentleman permit a suggestion?

Mr. KELLEY of Michigan. Certainly.

Mr. PADGETT. The investment of the Government in the various yards is something like $475,000,000, and this is to maintain the upkeep of these yards based on that, and is, as I say, seven and a half million dollars.

Mr. KELLEY of Michigan. The chief of this bureau, somewhere in the hearings, testified that repairs in the yards during the next year would be as great as during the period of active operations of the war.

Mr. STAFFORD. The seven and one-half million dollars is the revised estimate of the department?

Mr. KELLEY of Michigan. Yes. They asked for $12,500,000 originally for the period for which we are making the appropriation.

Mr. STAFFORD. That was predicated on the idea that the war would continue?

Mr. KELLEY of Michigan. Yes; and that we would even expand if the war had continued.

Mr. STAFFORD. Will the gentleman furnish the House the segregated items of the expense which warrant this appropriation of seven and one-half million dollars.

Mr. KELLEY of Michigan. I doubt whether it could be done. I doubt whether the amount to be expended in each yard—the maintenance, the upkeep, machinery, freight, amount of electric light, coal, the hauling and draying, and everything of that kind—could be fixed. That is probably not possible to do because nobody can tell exactly the expenses of operation of these great plants employing thousands of men, during the next fiscal year. But if you base it on 225,000 men for the Navy—my recollection is that the bill the gentleman refers to in 1916 carried $1,750,000——

Mr. STAFFORD. I am referring to the bill of 1917, where the appropriation in the naval bill for this item was $1,754,000.

Mr. KELLEY of Michigan. Last year there was a deficiency, which brought it up to over $14,000,000.

Mr. STAFFORD. But then we were on a war basis.

Mr. KELLEY of Michigan. We are on a war basis still. I am trying to convey to the gentleman what he evidently desires to know, what there is in this bill which could not be found in the ordinary time of peace, and back when we had a Navy of 65,000 men—because that is all we had at the time the appropriation was made. You can check up the appropriation more or less on the increase in the number of men. I am not saying that the increase of this item would be in proportion to the number of men in the Navy, but it would be reasonably so; so you can tell somewhere within reason what the maximum amount would be. If when we appropriated $1,750,000 we had only 65,000 men, you could multiply that by three and one-half and get somewhere in the neighborhood of what it would take for maintenance of the Bureau of Yards and Docks; and that probably would be too low because of the large number of ships that we must turn back to the owners. I think there are several hundred ships which must go back to the owners and which must be repaired and put in shape before they are returned. Exercising the best judgment we had, we accepted the estimate of the Bureau of Yards and Docks, because there was no other way.

Mr. DOWELL. Will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. DOWELL. Is the estimate for this item on the basis that these ships are to be taken out of commission?

Mr. KELLEY of Michigan. We have a great many hundreds of every kind of ship taken over during the war. There were many small yachts, tugboats, and other small craft, and we agreed with the owners to return them at the end of the war in substantially the same condition as we received them. We carry an item of $20,000,000 to carry on the work itself, but there will be a large amount necessary for light, heat, coal, and everything incidental to the repairs of these ships, in addition to the actual repair of the ships. We are carrying the troops back from Europe and carrying supplies for the Army as long as the Army is in Europe.

Mr. PADGETT. This is not used for the actual repair of the ships, but the activities of the yards are increased and the expenses are very much enlarged because of the activities; this is for the upkeep for the number of yards we have in operation.

Mr. BUTLER. Mr. Chairman, I move to strike out the last two words. This item is a very large sum to be appropriated for the maintenance of the yards and docks of the Naval Establishment. It has been very greatly reduced in amount by the Naval Affairs Committee. We felt that we had reduced it to the point where we had better halt. So that we might act with some intelligence we asked the Bureau of Yards and Docks to furnish us the amount of money that had been spent for the Navy on the land in the last 18 months, or up to November 4, 1918. That was through the war period, when we had to expand, and expand very quickly. The itemized statement shows that the expenditures during that period for the Navy on the land, including the expenditures in yards as well as for aviation stations, everything touching the Navy, amounted to $332,904,263.63, an enormous sum of money, but none of us were willing to say that it had been extravagantly spent or uselessly spent.

The purpose in having this memorandum of expenditures furnished to us was to enable us to learn for the future how it will be possible, in order to maintain the Navy on a peace basis, to reduce some of these items. This is but the beginning. I do not think any gentleman on this committee ought to feel that the Naval Committee did not give this its earnest consideration, and as you go along in these different items making appropriations you will see how carefully we have scaled them down, indeed, sometimes quite wildly, our purpose being to get back as near as we could to an economic peace basis. Yet, at the same time we must bear in mind always that the Government has a great deal of property here. The gentleman from Tennessee [Mr. PADGETT] has told the gentleman from Wisconsin [Mr. STAFFORD] that perhaps the Government property inside of these yards would be worth nearly $500,000,000, and we have a lot of property outside of the yards. Therefore we must be careful to preserve it and keep it well, not with a view of being upon a war basis, but we have it on hand. What to do with it just at this time we do not know, but we must have enough money to preserve it carefully and properly.

Mr. KELLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. BUTLER. Yes.

Mr. KELLEY of Michigan. In further answer to the question of the gentleman from Wisconsin, the amount carried in the bill of August 29, 1916, was $1,174,000, and to that was added a deficiency of $1,032,000, so that in that peace year, before we got into the war at all, we had $2,206,000 appropriated for this item on a basis, as the gentleman will remember, of 65,000 men in the Navy. If you will multiply that by anything like three or three and a half, you will get a sum somewhere near the amount suggested.

Mr. BUTLER. We have done the best we could do. We have been hastened in obtaining these appropriations that we might assist the department in preparing itself for war.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. BUTLER. Yes.

Mr. MANN. I think that matter has been fully explained. I would like to ask as to the language on page 22, lines 10 and 11. Among the items in the paragraph is the following: "Machinery, operation or repair, purchase."

Mr. PADGETT. That means for the repair and purchase of machinery in the shops.

Mr. MANN. Why not say so, if that is what it means? Why not say "operation, repair, and purchase of machinery."

Mr. PADGETT. Mr. Chairman, that is what it does say.

Mr. MANN. I suppose it is so construed, but certainly that is not what it says.

Mr. PADGETT. That is the language that has been in there since I have been on the committee, some 14 years. There never has been any criticism of it. We did not change it.

Mr. MANN. Very well. I suppose the committee will never get to the point where it studies grammar while it is studying naval affairs.

Mr. EMERSON. Mr. Chairman, I move to strike out the last word. I notice that this paragraph has to do with the purchase of coal and other fuel. In that connection I have a letter from Mr. John Moore, president of the Mine Workers' Union, which I would like to have read in my time.

The CHAIRMAN. Is there objection?

Mr. STAFFORD. Mr. Chairman, reserving the right to object, is this a similar letter to that which was placed in the RECORD yesterday by the gentleman from Ohio [Mr. SHERWOOD]?

Mr. EMERSON. I do not know.

Mr. STAFFORD. The gentleman from Ohio yesterday obtained permission to insert a letter——

Mr. EMERSON. This is a letter addressed to me personally.

Mr. STAFFORD. That letter was addressed to Gen. SHERWOOD personally. I suggest that the gentleman withdraw his request until he can examine the first page of yesterday's RECORD, to ascertain if the same letter is sought to be inserted twice.

Mr. EMERSON. I withdraw it for the present.

The Clerk read as follows:

Contingent, Bureau of Yards and Docks: For contingent expenses and minor extensions and improvements of public works at navy yards and stations, $150,000.

Mr. BUTLER. Mr. Chairman, may I have the attention of the chairman of the Committee on Naval Affairs. My colleague from Pennsylvania [Mr. MCFADDEN] desired some time in general debate. We were unable to give it to him. Would the gentleman be willing that he should speak out of order for five minutes now?

Mr. PADGETT. Yes.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for five minutes out of order. Is there objection?

There was no objection.

Mr. MCFADDEN. Mr. Chairman, I want to use a little time of the House this morning to call attention to some conditions which I have already brought to the attention of the House in connection with the soldiers. Last December I introduced a resolution to investigate the Bureau of War Risk Insurance Department, and a meeting of the the Rules Committee was held and a hearing granted. Before that committee, besides myself and several Congressmen, Col. Lindsley appeared, and upon the statement which he made the Rules Committee deferred any action for a period of 30 days. My conclusion on that proposition is that I believe that the same reason exists for an investigation of that bureau now that existed at that time, and I insist that some attention be given to this question by the Rules Committee.

I have another matter here affecting the soldiers and their families in the same way. It has been called to the attention of the House by the gentleman from Illinois [Mr. MANN] and by others. It is in regard to the delivery of mail to soldiers on the other side. Yesterday Gen. Pershing sent a statement to this Government, to the War department, to the effect that mail was being delivered and that there was now no delay. This morning's mail brings to me a case which I desire to call to the attention of the House. It is a letter from a sister of a soldier who has mailed several letters to her brother, who is wounded. Another brother of hers was killed. These letters are in my hands at this time, and they have the following marks upon them. One letter was mailed at Honesdale, Pa., September 25, 1918, and was addressed to Sergt. Albert H. Morrison, Company E, One hundred and ninth Infantry, Twenty-eighth Division, American Expeditionary Forces, by way of New York. This letter has been returned, with the following written upon it in lead pencil:

Hospital—wounded. C. P. O. Tours, 10/21. A. W. L.

Then, in red ink, appears the following:

N. C. 11/23/18.

There are three of these letters that are picked out of many that have been received, and I desire to have read in my time the following letter.

Mr. COOPER of Ohio. Mr. Chairman, before that is done, will the gentleman yield?

Mr. MCFADDEN. Yes.

Mr. COOPER of Ohio. Not long ago I received a letter from a young man who is in France, a soldier from my district. I say a letter—it was not a letter, in that sense, for he had just taken the back of a small envelope that had been sent to him and wrote just a little note on the back of this envelope.

He said it was impossible for the boys over there to get stationery for them to write a letter back home. Now, that is another condition that exists over there with the boys to-day.

Mr. MCFADDEN. Before this letter is read I would like to say that I called up the Casualty Bureau of the War Department this morning and I find that Albert H. Morrison has a gunshot wound of right arm and left side of upper lip. He is still in the hospital in France.

Mr. GREEN of Iowa. Will the gentleman yield further?

Mr. MCFADDEN. I have only five minutes.

Mr. GREEN of Iowa. I just want to say, like the gentleman who has the floor, that I have received a large number of envelopes, the very envelopes, which went to France and came back, although properly addressed. Like the one to which he called attention, they were marked "Wounded, C. P. O.," and so forth. It is idle to talk about the soldiers receiving their mail when we all know they do not get it.

Mr. MCFADDEN. That is the point I am endeavoring to make perfectly clear, that in spite of the fact that Gen. Pershing says these letters are being delivered they are not being delivered. The responsibility is somewhere, and it must be fixed.

The CHAIRMAN. The Clerk will read the letter in the gentleman's time.

The Clerk read as follows:

HONESDALE, PA., *January 17, 1919.*

Hon. L. P. MCFADDEN,
Member of Congress, Washington, D. C.

DEAR SIR: "Do your bit for the boys 'over there'" has been the cry for the past two years—and we've done it! The boys in the trenches and behind the lines have been nobly taken care of through the excellent work of the combined war charities—Salvation Army, Red Cross, Young Men's Christian Association, Young Women's Christian Association, Young Men's Hebrew Association, Knights of Columbus, Jewish Welfare Board, and kindred organizations. But what if a fellow has the misfortune to accidentally get in front of a stray bullet, which plows through his face, removing a few teeth—a trivial matter, to be sure—and otherwise mussing up a perfectly good countenance to such an extent that he had to be taken to Base Hospital No. 86 to be "remodeled"? Of course, worse things could happen, and anyhow it's all in the game. But what I want to know is, Is that the time to have this "humane treatment" suddenly cease? Do you call it doing the square thing for the boys who are making the world safe for democracy to refuse them all news from home? And you know what emphasis has been put on that touching little phrase, "Write to the boys," and the stress that has been put on the heart-rending plea to "Send news from home to the boys over there." All very well and good—not to say exceedingly ennobling. But is it your idea of a good time to write, and write, and then write again, and continue to write until you've nearly ruined the point of your Waterman, and then, out of an otherwise unclouded sky, suddenly have a pack of letters addressed to Sergt. Albert H. Morrison, Company E, One hundred and ninth Infantry, Twenty eighth Division, American Expeditionary Forces—yes—have the same letters that you wrote returned to you? A few mystic pencil marks scrawled across the envelope inform the world in general to this effect:

"Hospital—wounded. C. P. O. Tours, 10/21. A. W. L."

"N. C. 2/13/18. Return to writer."

I'll explain. Sergt. Morrison is my brother. The only big brother I have now, as my other brother made the "supreme sacrifice" about three months ago while in the service. Our last letter from the brother who was wounded says, "Won't you write? I haven't had a darn letter since I've been here." Rather tough, don't you think so? Not a word from the home folks, for whom the soldier boys are said to have such tender regard. All through neglect of our Government post-office employees. Where is this wonderful system, so boasted of, whereby every soldier is so catalogued that a mere glance is sufficient to tell the searching eye just what is what about that particular soldier? This miraculous "Open Sesame" to the history of this particular soldier—my brother—could tell them that he was wounded. Now, why, with perhaps a trifle extra exertion on the part of the investigator, couldn't the whereabouts of this wounded soldier be ascertained? A wounded soldier! Isn't that the one time when he would crave for news from home? And, of all times, that is the one when such wished-for letters are withheld. Instead said letters are merely inscribed, "Wounded—in hospital. Return to writer."

I think the world has a thing or two to learn before it reaches the supreme heights in its education along the finer lines of "humanity" if it considers it "humane" to withhold mail from a wounded soldier—intentionally! Most surely "Wake up, America," is a very apt expression.

Yours, very truly, FLORENCE M. MORRISON.

During the reading of the above letter Mr. MCFADDEN's time expired, and he was granted an additional minute.

The Clerk read as follows:

PUBLIC WORKS, BUREAU OF YARDS AND DOCKS.

Hospital construction: Naval hospital, Fort Lyons, Colo., $275,000; contingent, $225,000; in all, $500,000.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph just read. I wish to inquire whether the hospital at Fort Lyons is now in existence?

Mr. PADGETT. Oh, yes, sir; they have about 500 tuberculosis patients there.

Mr. STAFFORD. My attention has this minute been directed to the hearings, and I have just glanced at them. This is the only tubercular hospital for the Navy?

Mr. PADGETT. This is the only one I recall; yes, sir; and the demands on it are increasing tremendously, and the Surgeon General, Dr. Braisted, stated it was full up now.

Mr. STAFFORD. And will continue to increase by reason of the fact of our enlarged enlisted force?

Mr. PADGETT. Yes, sir.

Mr. STAFFORD. I withdraw the reservation of the point of order.

The Clerk read as follows:

Navy yard, Boston, Mass.: Two 25-ton floating derricks, $40,000; shore facilities for Commonwealth Dry Dock, South Boston, $500,000; in all, $540,000.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph. I rise largely to inquire as to what action

was taken on the resolution or act we passed in the closing days of the last session authorizing the Secretary of the Navy to purchase the dry dock at Boston and relieve the Commonwealth of Massachusetts from the responsibility of maintaining that dry dock and operating it for the benefit of the United States of America?

Mr. PADGETT. We provided for taking over and operating it, and this appropriation is in conformity with the provisions of that act, and it was stated at the time that the provision was made and the authorization was given here that there would be some part of the appropriation used in order to fit up some of the small shops in order to make the dry dock useful.

Mr. STAFFORD. As I recall the discussion when that item was under consideration it was represented that unless the Government took over the dry dock and relieved the Commonwealth of Massachusetts from its obligations to allow this dock to be utilized by our Government, at a payment, I believe, of $50,000 annual rental——

Mr. PADGETT. That is the first contract they had.

Mr. STAFFORD (continuing). That there would be delay?

Mr. PADGETT. Great delay.

Mr. STAFFORD. I do not remember that they said great delay, but there would be delay until the Legislature of Massachusetts in annual session could vote the necessary additional funds to put it in condition——

Mr. PADGETT. It is a little different; the Legislature of Massachusetts had already voted not to appropriate anything more and to fight out with the contractors the completion of the dock under their existing contracts, and that meant a litigation between the Commonwealth of Massachusetts and the contractors for the dock which would delay very greatly the completion of the dock at a time when it was regarded as very essential and necessary during war times to have it completed as early as possible, and the Government purchased it and the work is going right on.

Mr. STAFFORD. Did the Government take over the contested lawsuit of the contractors?

Mr. PADGETT. No, sir.

Mr. STAFFORD. Did it relieve the Commonwealth of Massachusetts from its obligations under the contract?

Mr. PADGETT. No; the Commonwealth of Massachusetts assumed its liability and turned over to the Government its contracts to have it completed up to a certain time, and the contractor agreed with the Navy Department to expedite the work and put on additional shifts in order to complete it early this year, so that it can be in operation for an additional amount, I think, of something like $250,000, if I remember.

Mr. STAFFORD. This dry dock up to the present time is not in a condition so that it can be used by the Government?

Mr. PADGETT. Not yet; it was not expected to be.

Mr. STAFFORD. I was under the impression from the statement made at the time the authorization was made in the special act that it would be completed soon after?

Mr. PADGETT. He said it can be completed some time in February or March, as I remember, of this year.

Mr. STAFFORD. What does the testimony show as to when it will be completed?

Mr. PADGETT. Let me see:

It is estimated that the $500,000 asked for at the present time will take care of the following shore development: Structural shop, machine shop, pattern shop and foundry, woodworking shop, and a small storehouse.

Mr. BROWNING. How nearly completed is this dry dock?

Admiral PARKS. It is expected to be completed by February.

Mr. BROWNING. Ready for use by February?

Admiral PARKS. Ready for use by February.

The CHAIRMAN. Not fully completed but ready to use, as I understood it. The principal thing is the dredging.

Mr. STAFFORD. I am informed by the gentleman from Michigan [Mr. KELLEY] that they have been using the dry docks for some time for some purpose.

Mr. PADGETT. That was a limited use.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The CHAIRMAN. The gentleman withdraws the reservation of the point of order, and the Clerk will read.

The Clerk read as follows:

Navy yard, Philadelphia, Pa.: Dry dock, to complete, and the limit of cost is increased to $4,700,000, $1,200,000; paving, railroad tracks, sewers, water pipes, and general yard development, $200,000; kapok mattress and life preserver factory, $100,000; in all, $1,500,000.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph. What is the necessity for this increase in the cost of this dry dock?

Mr. PADGETT. That is very interesting. Congress authorized the construction of two docks, companion or similar docks, one at Norfolk and one at Philadelphia. They were to be very large docks; something over a thousand feet and about 40 feet over the sill. The limit of cost was fixed at $3,500,000. At the time it was contended that the dock at Philadelphia could be built under economic conditions and cheaply.

Mr. WALSH. Three and one-half millions for each dock?

Mr. PADGETT. For each dock. The dock at Norfolk will be completed within the $3,500,000, and is about completed. I had an invitation just a few days ago to come down there to a sort of celebration at the completion of the dock.

Mr. WALSH. Within the limit of cost?

Mr. PADGETT. Within the limit of cost.

Mr. WALSH. It ought to be celebrated.

Mr. PADGETT. Now, in Philadelphia, when the work got started and was moving along somewhat under way, the dredge boat sank in the dock, and that delayed very much the completion of the dock. There is a controversy between the contractor and the Government that in some way the Government is responsible for the sinking of that boat, in that it interfered in some way with the guarding around the dock, so that persons got in there and opened up some of the valves and let the dock sink. That is a controversy which the Government is disputing, but it delayed very much the completion of the dock.

After they had dug down quite a depth they found a stratum of soft mud and sand that the hydrostatic pressure of the water was pushing out from there, and the result of it was that the banks were caving in on either side, kept sloughing off and caving in; and, at a cost of something like $150,000, they had to put some permanent walls around that and drive down cheap piling in order to prevent the walls from caving back to such an extent that it might injure the safety of buildings that were some distance from the dock.

Then the war being on, the Government came in through the different agencies—the War Board, the Labor Board, and some of these other boards. The Labor Board came in and raised the price of labor, and the contractor had to pay a great deal more for labor. The Government came in and commandeered the sand of the contractor, and he had to get additional sand at a very much greater cost at other places. They fixed the price on cement through one of the war boards. All of those questions came up, and it involved the controversy and a lawsuit, in which the Government does not admit its liability. So things are just held up. They did not go ahead. The dock should be completed. It is needed. And this is simply to go ahead and complete the dock and await the result of the lawsuit. What that result will be I do not know. Nobody else will know what will come out from the lawsuit between the Government and the contractors on their bond, and there is the liability of their securities.

Mr. WALSH. A part of the situation which was caused resulted from the War Labor Board——

Mr. PADGETT. Yes, sir.

Mr. WALSH (continuing). Coming in and fixing the price of labor?

Mr. PADGETT. They fixed general prices.

Mr. WALSH. Who was it came in and took away the contractor's sand?

Mr. PADGETT. The War Industries Board.

Mr. WALSH. The War Industries Board?

Mr. PADGETT. Yes, sir.

Mr. WALSH. So that, with the United States Navy Department at work constructing an important dry dock during a period of war, the War Industries Board came along and took away the sand in the immediate vicinity and required the contractor to procure sand elsewhere?

Mr. PADGETT. That is what I understand the situation to be.

Mr. WALSH. That is one of the elements that goes into increasing the cost of this $1,200,000? Will the gentleman state——

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WALSH. I desire to still further reserve the point of order on this paragraph, Mr. Chairman.

Will the gentleman from Tennessee state as to whether this War Labor Board increased the cost of labor in the Norfolk dock?

Mr. PADGETT. They fixed the prices of labor through these committees, and so forth, but the conditions at Norfolk were very different, I understand, and Norfolk had progressed so far in its development that it did not affect it to the same extent that it did at Philadelphia.

Mr. WALSH. And the contractor down there, I assume, was permitted to retain his sand?

Mr. PADGETT. I suppose so. I heard of no interference there.

Mr. WALSH. Now, are not the items for railroad tracks, sewers, water pipes, and general yard development, and so forth, a part of the original specifications for the construction of this dock?

Mr. PADGETT. No, sir.

Mr. WALSH. It is something that was thought of afterwards?

Mr. PADGETT. No, sir. It is part of the development, but it is in that part of the yard where new ships have been built, a number of them, and building ways, where they are building and preparing to build the battle cruisers—those big ships—and this is required as an ordinary development there in the new portion of the yard. There are about 11,000 or 12,000 acres in that yard, and this is that end of the yard that is being developed.

Mr. WALSH. Mr. Chairman, in view of the very full explanation given by the chairman of the committee, I shall not insist upon the point of order, although I think it is poor policy to start in and increase the limit of cost on projects that ought to have been completed long ago, and probably would have been if they had not been interfered with by some of these independent war agencies that are working for the Government under this munificent policy of a dollar a year salary.

Mr. FORDNEY. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

Mr. PADGETT. Will not the gentleman wait until we have read the next paragraph?

Mr. FORDNEY. Yes.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Navy yard, Washington, D. C.: West extension development, $43,000; power plant extension, $214,000; extra ducts and manholes, $36,500; fireproofing storehouse No. 10, $15,000; sewer, water, and paving extensions in eastern addition, $50,000; railroad classification yard, $36,500; dispensary, $75,000; raising roof of open-hearth shop and additional crane, $40,000; proof shop, $250,000; outside distribution system, $20,000; outside oil distribution system, $20,000; in all, $800,000.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The point of order is reserved. The gentleman from Michigan [Mr. FORDNEY] asks unanimous consent to proceed for 10 minutes.

Mr. PADGETT. This is just for the development of the yard and the land we have already purchased.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. The gentleman from Michigan is recognized for 10 minutes.

Mr. FORDNEY. Mr. Chairman and gentlemen of the committee, I am frank to say that upon this subject I have an open mind, but I am inclined to believe that the appropriations, and especially the authorizations provided for in this bill, are in excess of what we should authorize at this time. I will give my reasons briefly for my position. In the first place, I do not believe there is any country in the world better prepared to build ships than is the United States at the present time. I do not believe that if an emergency arose that would demand of this Nation a very great Navy for immediate use there is any nation in the world that could build ships as fast as we can and prepare for that emergency. Further, the program heretofore authorized can not be carried out within a few months, and at a time when we need money so badly to meet the necessary obligations of the Government I believe it is time for the Congress of the United States to stop, hesitate, look around, and see where we are financially and how much money we must raise.

I am going to give you, gentlemen, a few of the "extras" that the Congress of the United States is going to be called upon to furnish in the expenditures of this Government in the very near future, and it is astounding to me, as I know it will be to you.

Taking into consideration in this sum this program, $746,000,000, there must be, and will be, appropriated for the construction of hospitals a large sum of money, conservatively estimated at $30,000,000, in the very near future.

As to our interest account, which I give here—and I am going to ask permission to put in the RECORD a letter I have just received from the Treasury Department—showing all the authorizations and obligations of the Government and the amount of outstanding bonds, the date of their issue and the due date, and the amount of interest which each issue of bonds draws. On the 31st of December those outstanding obligations of the Government amounted in round numbers to $21,000,000,000, and we are going to be called upon soon to dispose of $5,000,000,000 or $6,000,000,000 more of Government bonds.

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. LITTLE. The gentleman said $21,000,000,000 of indebtedness or bonds.

Mr. FORDNEY. Outstanding obligations—bonds, certificates of indebtedness, war-saving certificates, and so forth. I will give that in detail. I shall not have time to do it in my remarks, but I will put it in the RECORD. The interest account on this indebtedness is going to be about $1,000,000,000 in the next 12 months.

Our merchant marine is going to cost us—and this estimate is very conservative—from the information I can obtain, $650,000,000 this next year.

The "extra" for the war, over and above ordinary times, in discharging our boys now in the service, will be at least $500,000,000, and possibly double that sum.

Our aircraft, although estimated in this report to be some $25,000,000 or $30,000,000, does not include the proposed aircraft service for carrying the mails, and that undoubtedly will call upon the Government for an expenditure of $50,000,000.

To my great surprise, the first 12 months of Government control of railroads has already furnished a $755,000,000 loss, which must come out of the pockets of the taxpayers of the country, and before we relinquish the railroads to their owners that sum is going to reach from $800,000,000 to $1,000,000,000. I estimated this item here conservatively at $800,000,000. It is now reported at $755,000,000, at the end of 12 months of Government control.

The Government contracts that have been authorized and which are being authorized will in round numbers show up to be $3,000,000,000. Let us cut that sum in two and say that our Government can settle on the basis of 50 cents on the dollar on those claims. That is $1,500,000,000.

Our guaranty to the farmers on wheat, conservatively estimated, will be $1,000,000,000 in round numbers, possibly more; perhaps a little less, and this guaranty must and will be carried out.

The war-risk insurance will require $150,000,000. The European food bill that we recently passed carries an appropriation of $100,000,000.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield as to the estimate on the war-risk insurance?

Mr. FORDNEY. Just in a minute. Then I will yield.

Extra clerk hire to Members of the House, $500,000 in the next 12 months. It will exceed that sum.

The Employment Bureau is now asking before the Committee on Appropriations for $14,000,000 for the next year, and the bonus provided for in the new revenue bill (which will come up to-morrow) to the soldiers—which is less than I wanted to make it, $60 per man—will amount to $255,000,000.

Now, gentlemen, those are some of the extraordinary appropriations or expenditures of money that the Congress of the United States will be called upon to collect from the people in taxes in the next 12 months, amounting to $6,795,000,000. This does not include the ordinary expenses of the Government. It is true the tax law will collect, if the estimates are correctly made, in round numbers, $6,000,000,000.

But, my friends, in the very near future we are going to be called upon to prepare and pass another revenue law in addition to this bill which comes up for consideration to-morrow. There are various ways to get the money; but let me call your attention to this fact, that all the money there is in the United States sums up in round numbers only about $6,000,000,000, and we are going to be called upon for $10,000,000,000 in round numbers in the next 12 months. We are not satisfied just to reach out and take all the money that all the people have but we want once and a half times the amount that they have, and we are going to make them dig it up somewhere and turn it into the Treasury of the United States. I caution you who represent the people of this country that we are going wild in governmental expenditures. We have been very extravagant during the war, but we will forget that extravagance, because to offset it we have won the war. Our coming to the relief of our allies in this great war at the opportune time broke the wolf's back, turned the tide, drove back the enemy, and caused them to come on their bended knees and beg for mercy. But where are we going to land in the expenditures of this Government, gentlemen, if we are not somewhat conservative? In my candid opinion the authorization asked for in this naval bill is not warranted to that extent at this particular time. I am in favor of having a great Navy if we need it, but to my mind the greatest inconsistency is the saying in one breath that we are bound to have a league of nations to prevent war, and say-

ing in the next breath that we must have the greatest Navy under God's sun.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that the time of the gentleman from Michigan be extended five minutes. Is there objection?

There was no objection.

Mr. FORDNEY. We are using every effort. Everybody is anxious to see some agreement arrived at by which we can prevent a recurrence of the greatest war the world ever knew. Every time some nation that is likely to threaten us builds a ship I want to see Uncle Sam build a ship, but are we threatened with such danger right now? If so, from what source does it come?

It is said that the President has sent a message over here which is confidential, which can not be given to the public. I may not be correct about that, but that is my understanding. I should like to know what there is in the mind of the President of the United States affecting the welfare of all the people that should be secret between the President and one or two men. What is it that he has in mind as a representative of the people that we are not entitled to know? At one time we were told that the President had information, and he himself made the statement from the Speaker's desk about the Panama Canal and said: "I can not give you that information, but if you do not grant my request I will not know what to do." All right, gentlemen of the House acquiesced, and we repealed the bill which provided for free tolls for American coastwise ships through our own Panama Canal. What his reasons were then I do not know. He never told me; he never told the public; but, in my candid opinion, we did our merchant marine the greatest injustice that it was possible for the Congress of the United States to do in matters of that kind by repealing that law. Now comes the President and states that for certain reasons which he can not make public he wants this great Navy authorized. Heavens above, what is it that is going on around that table in Paris where our peace representatives are gathered that you and I should not know? He stated publicly before he went over there that he would keep this Nation advised as to all his actions.

Mr. KELLEY of Michigan. Will my colleague yield?

Mr. FORDNEY. I yield to my colleague.

Mr. KELLEY of Michigan. I am wondering just exactly what it is that my colleague would recommend to the House. Would he recommend that we discontinue appropriations for ships heretofore authorized?

Mr. FORDNEY. I have the highest regard for my colleague and for his opinion in this matter. He is well informed about this subject; but I will say to him that I do not agree with this enormous authorization at this time.

Mr. KELLEY of Michigan. What I am particularly directing my question to is whether or not my colleague thinks we ought not to make any appropriations for the ships heretofore authorized?

Mr. FORDNEY. Oh, yes; finish building the ships we are now building and finish the program; but as I read in your report you authorize $280,000,000 for a building program of ships heretofore unauthorized.

Mr. KELLEY of Michigan. I will say to my colleague, however, that this bill carries no appropriation except for ships heretofore authorized.

Mr. FORDNEY. You are authorizing 10 great battleships.

Mr. KELLEY of Michigan. There is no appropriation carried for anything not heretofore authorized.

Mr. FORDNEY. But if you authorize the construction of a ship Uncle Sam must pay for it if he builds it.

Mr. KELLEY of Michigan. But I understood my colleague to say that he thought the amount carried in this bill was excessive, and there is no appropriation in this bill for anything except ships heretofore authorized.

Mr. FORDNEY. But if we authorize these 20 ships and the Navy Department enters into contracts for their construction we must appropriate the money to pay for them.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. FORDNEY. I ask for three minutes more.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that his time be extended three minutes. Is there objection?

There was no objection.

Mr JOHNSON of Washington. Will the gentleman yield for a question?

Mr. FORDNEY. I yield to the gentleman from Washington.

Mr. JOHNSON of Washington. Does the gentleman include in his estimates of expense the $100,000,000 for food for the starving people of Europe?

Mr. FORDNEY. Yes; I included that $100,000,000.

I have here a statement of the bonds outstanding and the rates of interest provided; and the total issue of outstanding obligations of the Government on the 31st day of December was $20,807,598,298. Besides that, some additional obligations have no doubt already been issued and must continue to be issued for some time to come.

Mr. KINCHELOE. Will the gentleman yield?

Mr. FORDNEY. I yield to the gentleman from Kentucky.

Mr. KINCHELOE. Does that amount include our loans to the allies?

Mr. FORDNEY. Oh, yes. These are the obligations outstanding. Of course, whatever bonds of the allied governments we hold should be deducted from this or considered as an asset, if ever paid. But, my good friend, the allies now are claiming that Uncle Sam should stand his proportional share of the cost of the war in proportion to population. I am opposed to that plan.

Mr. McCULLOCH. Will the gentleman put the figures he has given in the RECORD?

Mr. FORDNEY. I will, Mr. Chairman, and I ask unanimous consent to extend my remarks in the RECORD by putting in the figures I have mentioned.

The CHAIRMAN. Without objection, the gentleman will have that privilege.

There was no objection.

Mr. STAFFORD. Will the gentleman yield?

Mr. FORDNEY. Certainly.

Mr. STAFFORD. In the gentleman's estimate as to the amount of expenditure for the War Risk Insurance Bureau did he take into consideration the amount of money the Government is obligated to pay on the insurance policies of these soldiers?

Mr. FORDNEY. No.

Mr. STAFFORD. That will run up into the hundreds of millions.

Mr. FORDNEY. I have only mentioned the extra obligations over and above the ordinary obligations.

Mr. STAFFORD. My recollection is that it is estimated to run up to six hundred or eight hundred million dollars.

Mr. SHERWOOD. Does the gentleman's figures include the pensions to soldiers during the next year? Was that in the gentleman's estimate?

Mr. FORDNEY. No; I think I am correct in saying that will be in addition to what I have stated.

Mr. BUTLER. Will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. BUTLER. As a Member of the House and as an American citizen I am obliged to the gentleman for the warning he has given to this Congress. He deserves the gratitude of the American people for having the nerve to stand up here and make the statement. I had hoped that this administration would have said to the Naval Affairs Committee, "Go slowly on the 1916 program." I voted for it in 1916, and I want to see it completed; but I hoped that we might be able to spread it out over five or six years.

The gentleman from Michigan [Mr. KELLEY] asked the gentleman from Michigan whether he would withhold the appropriation for the construction of the 1916 program. Much of our bill that we have reported is for that purpose; much of the money we asked for to complete the 1916 program. Would the gentleman have us—and I am not asking for the purpose of heckling my friend, but for his advice—would he ask us to withhold the completion of that program, or ask us to continue it along for a number of years until we can somehow without unduly pressing the people get the money to pay for it?

Mr. FORDNEY. I would not ask that the 1916 program be completed quickly unless it is necessary to protect ourselves against a warring nation somewhere in the world in the near future. We must economize, we must stop this extravagant use of money which we have spent so lavishly during the war. We ought to get back to normal conditions and to practice reasonable economy.

Mr. BUTLER. I do not wish to take up the gentleman's time and I am impressed with what he said. Nevertheless he does not help me. I have asked a number of gentlemen in this House to assist me in the performance of a public duty. I agree with the gentleman that if there is nobody to fight there is no necessity for preparing a Navy. The gentleman has the same view I have. If there is any great necessity for the expenditure of money, if it is imperative, we should spend it now, but if not,

we should postpone it. I am not able to understand, and therefore I joined with my colleagues on the committee, and while I want in every way to be economical and assist the American people to have something left in their pockets for the future years I want to complete the 1916 program, which I hope will be completed within five years.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FREAR. Mr. Chairman, I ask unanimous consent that the time of the gentleman from Michigan be extended five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FREAR. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. FREAR. I wish to ask a question in the line of the question of the gentleman from Pennsylvania. How many warships, how many battleships, have not yet been commenced which were provided for in the 1916 program, if the gentleman can answer?

Mr. BUTLER. If the gentleman from Michigan will pardon me, they have all been begun except four. They are supposed to all be completed within five years. The first one will not be completed within 18 months.

Mr. FREAR. Does this bill, covering $747,000,000, cover the entire 1916 program?

Mr. BUTLER. Oh, no; about one-third of it.

Mr. FREAR. What will be the total cost of completing the 1916 program?

Mr. BUTLER. Completing the 1916 program will cost in the neighborhood of $800,000,000 including the expenditures already made and to be made.

Mr. POU. Will the gentleman yield?

Mr. FORDNEY. I will yield to the gentleman.

Mr. POU. Did the gentleman favor the imposing of a tax on the people of the United States of $8,000,000,000 in the bill passed by this House?

Mr. FORDNEY. I voted for that bill. I was opposed to raising such a large proportion of expenditure in direct taxes.

Mr. POU. But the gentleman voted for the bill.

Mr. FORDNEY. Yes.

Mr. POU. And the bill carries $8,000,000,000.

Mr. FORDNEY. As it passed the House, but it now only carries $6,000,000,000, and next year the bill provides for $4,000,000,000, and $4,000,000,000 will not meet the necessary expenditures now being imposed on the Government. I have at all times tried to amend the bill and make it better, but have always voted for its passage, being the best I could get. We must go slow, or we must raise more money next year. That is what I want to impress on your minds.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. CANNON. It is a fair statement that my committee duties have kept me out of the House, and will for some days to come, practically. I just gathered from the colloquy between Representative BUTLER and the gentleman from Wisconsin [Mr. FREAR] that it will be five years before the 1916 program will be completed.

Mr. FORDNEY. Yes; that is what was stated.

Mr. CANNON. And this bill carries appropriations to carry on that program?

Mr. FORDNEY. Not all of it, so the gentleman stated.

Mr. CANNON. But to carry it on for the coming year?

Mr. FORDNEY. Yes; as far as needed to meet the expenditures as that program progresses.

Mr. LITTLE. For one year?

Mr. FORDNEY. Yes.

Mr. CANNON. We are in the habit of appropriating from year to year for authorized projects. What I would be glad to know is this: If it takes five years to carry out this program, why authorize another program that is to cost how much?

Mr. BUTLER. Four hundred and fifteen million dollars is the lowest estimate I have heard placed upon it, and you gentlemen will be safe in putting on 15 per cent more. My observation warrants me in saying to the gentleman that it will cost 15 per cent more.

Mr. CANNON. That is the proposed additional program?

Mr. BUTLER. Yes.

Mr. CANNON. It is to be taken for granted that Congress will be in session at least two times in the future under the Constitution. The question in my mind is, from every standpoint, what the necessity for authorizing an additional program when the present program can not be completed for five years? [Applause.]

Mr. PADGETT. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes; but just let me answer that question, and I will then yield. I believe that the succeeding Congress can be entrusted to do the necessary and the right thing when called upon. Why obligate the Government at this time by this great authorization? [Applause.] I yield to the gentleman from Tennessee.

Mr. PADGETT. With reference to the cost, there are 10 battleships, and the estimated cost on the present basis of material and wages is $32,400,000 each, which would be $324,000,000. The estimated cost of the 10 scout cruisers is $88,000,000, or $8,800,000 each, and those costs are predicated upon the present price of material and labor. I do not think it will be going up in the future. I think, if there is any change, that it will have to be cheaper. I do not believe that the present cost of material and labor can hold, so that the $412,000,000 which those two make would cover the cost, and that would be distributed over a period of about seven years.

Mr. BUTLER. Mr. Chairman, will the gentleman yield there to permit me to ask the gentleman from Tennessee a question?

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. OLIVER of Alabama. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BUTLER. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. BUTLER. Is it not a fact that we have asked for large increases over the estimated cost of battleships for 1916?

Mr. PADGETT. Yes.

Mr. BUTLER. Because of the great increase in the cost of material and the increase in the cost of labor.

Mr. PADGETT. Yes; and that is what I am talking about.

Mr. BUTLER. Unless the economic pendulum swings backward we are likely to have to ask for more money in the future to complete this proposed program.

Mr. PADGETT. No; I think not. In 1916 the estimated cost was based upon the cost of labor and materials at that time, and they are being worked out under the present cost of labor and material. The cost of these is based on the present cost of labor and material, and if that goes down they will be cheaper.

Mr. FORDNEY. Mr. Chairman, let me say to the gentleman in reply—and I have taken so much more time than I had expected that I feel that I ought not to say much more—I have some confidence in the fairness and justice of the Republican Party. The Republican Party is coming into power in this House and in the Senate in a very few weeks, if Congress is called together into extra session. No one can deny that the Republicans during the terms of this war were loyal to the administration and supported it in everything asked for in connection with carrying on this war.

Mr. PADGETT. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. PADGETT. I have always studiously and steadfastly refused to bring politics into this matter.

Mr. FORDNEY. Oh, yes.

Mr. PADGETT. But do I understand the gentleman to intimate or insinuate that the Democratic Congress must not legislate because it is a Democratic Congress?

Mr. FORDNEY. Oh, no. Let me say to you that I am fearful, however, that the bringing in of this program at this time, in the closing hours of this Congress, when no single appropriation bill has yet passed the Senate, is going to call for an extra session of Congress without doubt. I doubt that you can get this kind of a bill through the Senate, notwithstanding the fact that it be passed here; and I believe this bill is going to do more to bring on an extra sesion of Congress, which I do not want, than any piece of legislation now before Congress.

Mr. PADGETT. Let us expedite it here and do our duty and not let that responsibility and catastrophe be chargeable to us.

Mr. FORDNEY. I believe you are expediting your bill. To put a bill through the House which carries an appropriation of three-quarters of a billion dollars in two days is expediting matters, if I am correct in my judgment.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. MOORE of Pennsylvania. Does the gentleman think it would help matters at all if we added to this bill a proviso that the expenditures for the increase in the Navy should not be operative until after we learn the result of the peace conference?

Mr. FORDNEY. My good friends, let me say that we do not know anything about this matter at present. We ought to know more. We ought to know more in a few weeks from our rep-

resentatives in Paris as to what the needs of this Government are going to be. We have no information from over there now. We ought to have some information; we are paying for the information. We have men over there. God knows we have enough servants along to take care of the daily affairs; 51 cooks and waiters taken from the Biltmore Hotel, New York, on board ship that took our envoys over there. There must be somebody over there, and we ought to get some information. We have none. Why should we hurry now? Why not wait until we get some information from over the seas? [Applause.]

Mr. BUTLER. Will the gentleman yield to me for a minute?

Mr. FORDNEY. I yield.

Mr. BUTLER. All the information that can be sent will not enable us to strike anything from this bill. If gentlemen who are in favor of prolonging the construction of the 1916 program see fit to take out of the end of the bill some appropriations we can save many, many millions of dollars.

Mr. FORDNEY. Let me say to my good friend in closing I am in favor of waiting until we know more than we know now before we authorize these 10 battleships and 10 scout cruisers, in addition to the present program. [Applause.]

Mr. Chairman, I wish to insert here statements which I have just received from the office of the Secretary of the Treasury. I know it is information interesting to the public. Gentlemen, I thank you for your attention.

Authorizations for issues of liberty bonds.

The first liberty bond act (Apr. 24, 1917) authorized new issues of bonds of not to exceed	$5,000,000,000
The same act authorized the issue under the terms of such act of the unissued bonds previously authorized as follows:	
For construction of Panama Canal (act Aug. 5, 1909), but including the unissued Panama Canal bonds authorized to be issued for the nitrate plant (act June 3, 1916), and for the Shipping Board (act Sept. 7, 1916), the amount of issued postal-savings bonds being deducted from the amount authorized, approximately	225,000,000
For extraordinary expenditures (act Mar. 3, 1917)	100,000,000
For expediting naval construction (act Mar. 4, 1917)	150,000,000
And in addition, authorized an additional amount to provide for payment of loan of 1908–1918	63,945,460
Total authorization under first liberty bond act	5,538,945,460
First liberty loan subscriptions allotted	2,000,000,000
Balance bonds unissued under first liberty bond act	3,538,945,460
The second liberty bond act (Sept. 24, 1917) authorized the issue of bonds (in addition to the $2,000,000,000 issued under the first liberty bond act), not to exceed in the aggregate	7,538,945,460
And provided that of such sum $3,538,945,460 should be in lieu of unissued bonds authorized by the first liberty bond act.	
The third liberty bond act (Apr. 4, 1918) increased the authority for the issue of bonds to	12,000,000,000
The fourth liberty bond act (July 9, 1918) further increased such authority to	20,000,000,000
Issues of liberty bonds under second liberty bond act, and under such act as amended:	
Subscriptions allotted—	
Second liberty loan $3,808,766,150	
Third liberty loan 4,176,516,850	
Fourth liberty loan 6,989,047,000	
	14,974,330,000
Balance authority under existing law for issues of liberty bonds	5,025,670,000

Interest-bearing debt of the United States Dec. 31, 1918.

Title.	Rate.	Outstanding.
Permanent debt:	Per ct.	
Consols of 1930	2	$599,724,050
Loan of 1925	4	118,489,000
Panama's of 1916–1936	2	48,954,180
Panama's of 1918–1938	2	25,947,460
Panama's of 1961	3	50,000,000
Conversion bonds	3	28,504,500
Postal savings bonds	2½	11,258,880
One-year Treasury notes	3	14,365,000
Certificates of indebtedness (Pittman Act)	2	104,707,000
First liberty loan of 1932–1947	3½	[1] 1,417,607,100
First liberty loan of 1932–1947, converted	4	[1] 201,463,900
First liberty loan of 1932–1947, converted	4¼	[1] 373,118,600
Second liberty loan of 1927–1942	4	[1] 874,464,000
Second liberty loan of 1927–1942, converted	4¼	[1] 2,737,577,550
Third liberty loan of 1928	4¼	[1] 4,064,018,500
Fourth liberty loan of 1933–1938	4¼	[1] 6,624,578,600
		16,682,253,270

[1] Subject to correction. [2] Cash payments.

Interest-bearing debt of the United States, Dec. 31, 1918—Continued.

Title.	Rate.	Outstanding.
Floating debt:	Per ct.	
War savings certificates	4	[1] $865,764,046
Certificates of indebtedness:		
Tax series of 1919 (Aug. 26, 1918–July 15, 1919)	4	81,952,500
Series T (Nov. 7, 1918–Mar. 15, 1919)	4½	794,172,500
Series 4–F (Sept. 17, 1918–Jan. 16, 1919)	4½	[2] 438,177,500
Series 4–G (Oct. 1, 1918–Jan. 30, 1919)	4½	[2] 474,542,500
Series 5–A (Dec. 5, 1918–May 6, 1919)	4½	633,438,000
Series 5–B (Dec. 19, 1918–May 20, 1919)	4½	372,494,000
Miscellaneous	2½	
	3½	181,802,000
	4½	
		4,125,313,046
Recapitulation:		
Permanent debt		16,682,253,270
Floating debt		4,125,313,046
		20,807,566,316

[1] Cash receipts for war savings stamps and thrift stamps.
[2] Estimated outstanding Dec. 31, 1918. Subject to correction.

The CHAIRMAN. The gentleman from Wisconsin reserved the point of order on the paragraph.

Mr. STAFFORD. Mr. Chairman, I wish to direct the attention of the committee to the item now under consideration, which provides $800,000 for new buildings at the Washington Navy Yard, a pretty large sum for a peace program. We only appropriated in last year's bill $1,433,000. We have some very large projects suggested in this additional program—$250,000 for a proof shop. What is the necessity for that, at least at this time?

Mr. PADGETT. The gentleman is aware they have very largely increased the activities at the gun factory here in Washington, called the navy yard, where we manufacture our guns, the large guns and smaller caliber guns, and there have been a number of new shops erected. This shop called a proof shop—here is a letter which says:

It is essential that there be constructed at the Washington Navy Yard at the earliest practical date a building for the assembling, inspection, and shipment of ordnance material. A one-story building of brick and steel approximating 180 by 200 feet is contemplated. It is proposed to locate this building in the eastern extension.

That is the part we purchased last.

Mr. STAFFORD. Is it estimated $250,000 will be required to erect a building 180 by 200 feet one story high?

Mr. PADGETT. Yes, sir.

Mr. STAFFORD. I should say, from my knowledge of construction, that is a very liberal estimate.

Mr. PADGETT. No; I think not, considering it is to be constructed of that size, that width, and so forth, with trusses, stresses, and so forth.

Mr. STAFFORD. I repeat that from my knowledge of construction—and I have had some acquaintance in the past year when the prices were so high—that the estimate of $250,000 for a building 180 by 200 feet is about twice as much as it could have been built in war time.

Mr. PADGETT. The original estimate was for a larger shop of $500,000, but in talking the matter over the committee insisted that it did not want to appropriate so much as that, and they finally reduced it to the size here indicated in this letter and reduced the appropriation to $250,000.

Mr. STAFFORD. I did not obtain the information as to the purpose for which this new building was to be used.

Mr. PADGETT. We went into that very fully. In speaking of it they say:

That is to receive and inspect the ordnance before it is sent to the proving ground, to star-gauge and otherwise inspect it after it is returned and prepare it for shipment, and I think at least a half of that building should be provided for a peace establishment. I think the whole of it was absolutely necessary if war conditions had continued.

The first size of it was 400 by 300 feet, and then they reduced it, as I have stated, and cut the appropriation in half.

Mr. STAFFORD. There is no proof shop there at present?

Mr. PADGETT. No, sir.

Mr. STAFFORD. What is the necessity for a dispensary for which you appropriate $75,000 in this bill?

Mr. PADGETT. The dispensary is a building to be used in the nature of a first aid in case of accidents and injuries that happen where there are 6,000 or 7,000 men working with heavy and dangerous machinery, and this is to provide some beds and things necessary to first aid the men who get hurt, to take care of them properly, and provide for them until they can be taken to a hospital or to their homes.

Mr. STAFFORD. Reverting to the former subject, where is the work that is proposed to be undertaken in the proof shop now being performed?

Mr. PADGETT. It is being done in a building there that is being enlarged into a machine shop, as I understand, and a great deal of it is stored out in the open. If you were down in that yard you would see a great many of their large guns stored out in the open for long periods of time there, until they can be taken care of in the congested rooms that they have.

Mr. STAFFORD. They do not suffer by being stored in the open there?

Mr. PADGETT. They claim that they do. They paint them and oil them over, but they claim it is an expensive matter.

Mr. STAFFORD. I make the point of order, Mr. Chairman, on that item in the bill—"proof shop, $250,000."

The CHAIRMAN. The gentleman from Wisconsin makes the point of order upon the item of "proof shop, $250,000."

Mr. PADGETT. Mr. Chairman, I do not know as to the merits of the point of order, as I am not a parliamentarian. The facts are that the Government purchased this land and has undertaken the construction and the enlargement of the means and the instrumentalities and the buildings needed to carry on the work of the manufacture, and repair, and production, and care, and so forth, of our guns. And this is one of the essential parts of that general scheme that has been provided.

The CHAIRMAN. Is this in process of construction?

Mr. PADGETT. No, sir; this is a new building.

The CHAIRMAN. Well, if it is a new building, of course it is subject to the point of order. If it is in process of construction, the Chair understands it would be in order. If it is new legislation, it is subject to a point of order.

Mr. PADGETT. There has been no specific appropriation heretofore for a proof shop. This is the initial appropriation for that; but a proof shop is one of a series of buildings that are necessary to carry out and perfect the plant that was contemplated.

The CHAIRMAN. Well, if it were in process of construction, the Chair, of course, would overrule the point of order; but it is a new project, even though it may be a part of the same general scheme. It individually is a new project, and the Chair thinks it would be obnoxious to the rule and therefore sustains the point of order.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order as to the other items in the paragraph.

Mr. KNUTSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this war has worked some wonderful changes. For one thing, it has transformed our Secretary of the Navy from a bleating lamb to a roaring lion. A while ago we were told that woman suffrage was absolutely necessary to the winning of the war. I do not know in what way, unless it was proposed to draft women into the military service of the country. Now it is battleships. I do not know what it will be next, but I think the time has come when we should stop and take stock. We have got to commence to consider the people who are going to foot the bills.

Now, some of the Members on the floor of this House have said that this big naval program is merely a bluff, that its purpose is to whip the allies into line and make them come across on certain propositions now in discussion across the water. I am not going to take any chance on this being a bluff. If we appropriate money, it will be made available, and I know and you all know that every dollar that this Congress or any preceding Congress has ever authorized has been spent, and this will be spent.

Who are we arming ourselves against? Any of the allies? If Germany has not been sufficiently whipped, if she is still a menace, let us finish the job, but let us not go to work and arm against our allies unless we are given information that we now do not have. I think it is high time to think of the people who are going to foot the bills, and this legislation should not be enacted at this time.

Mr. COOPER of Ohio. Will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. COOPER of Ohio. A moment ago you stated you did not know why women were given the ballot to win the war unless they were to be drafted into the military service. The gentleman does not want to leave the impression that the women did not play their part in this war?

Mr. KNUTSON. The gentleman is conveying an inference that I did not mean at all. However, I am sure the gentleman does not mean to say that suffrage was a vital issue to the winning of the war?

Mr. COOPER of Ohio. It was not my intention to say that. The gentleman made the statement that he did not know how women could help win the war unless they were drafted into the military service.

Mr. KNUTSON. Oh, no; the women of this country rendered a great and noble service, but that is beside the question now under consideration. I am opposed to this legislation, and I hope that this side of the aisle and also that side will rally in opposition to this bill. This is no time for huge expenditures. We have got to get down and pare our expenditures to the marrow or this country will go bankrupt. Let us give more consideration to the taxpayer and less to mirages.

Mr. LANGLEY. Will the gentleman yield?

Mr. KNUTSON. I will.

Mr. LANGLEY. The gentleman referred to bluffing a moment ago. Does not the gentleman take it for granted that the allies know what we are saying and doing over here? Did you ever see a bluff effectual when the other fellow knew that you were bluffing?

Mr. KNUTSON. It is only a paper program, and they will realize it.

Mr. BUTLER. As a Member of this House, I want to help. The gentleman has a remedy. He should not speak in generalities but get down to figures, and tell us how we can help on this bill. I have indulged in generalities a great deal of my life, and I want to be a specialist.

Mr. KNUTSON. The gentleman can help by voting "nay" on this proposition.

Mr. BUTLER. What proposition?

Mr. KNUTSON. On every proposition aside from the 1916 naval program.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PADGETT. Mr. Chairman, I would like to ascertain if we can not dispense with this discussion of the building program until we reach it later on in the bill. I suggest that it be not discussed now, but that we wait until we reach it, and then discuss it, thus avoiding going over it twice.

Mr. CANNON. I want to say to the gentleman, if he will allow me, if I need make any apology for my five minutes——

Mr. PADGETT. Oh, not at all——

Mr. CANNON. I do not know that I shall be present when the building program is reached.

Mr. PADGETT. I just wanted to provide for the future.

Mr. WOOD of Indiana. When does the gentleman expect to reach that?

Mr. PADGETT. I want to conclude, if possible, before 7 o'clock to-night.

Mr. GARNER. Why not discuss it when we get to it?

Mr. FREAR. I want to see if we can get a statement clearly before the House of the answers to the questions asked by the gentleman from Pennsylvania [Mr. BUTLER] and others. I believe I have the facts here that will do it in a few minutes. It is right here before me, and then I think from it we will have a clear understanding of what the bill involves.

The CHAIRMAN. Has the gentleman from Tennessee a request to make?

Mr. PADGETT. No.

Mr. GREENE of Massachusetts. Mr. Chairman, I have been a Member of this House for more than 20 years, and I do not recollect of any case which has come to my knowledge during my membership of a secret proposition having been sent by anyone who held the distinguished office of President of the United States to any committee of this House, and in this instance, as has been stated, the committee were sworn to maintain secrecy when they presented the Naval bill to the House. It seems to me it is a proceeding that we ought to consider very earnestly before we finally dispose of a bill of the importance of the Naval appropriation bill, providing for such a vast expenditure of money, for a long period of time beyond the life of the Sixty-fifth Congress. By our acts, if we authorize these expenditures, we place a heavy burden upon the taxpayers for many years to come. In my opinion, as we have the 1916 program for increasing the Navy uncompleted, and we are told that said program can not be completed until 1921, the question of the Navy's future can safely be left to the succeeding Congresses. Our successors will not lack the patriotism to properly provide for the Navy whenever necessity shall call for the increases suggested in this bill. President wilson stated in substance to the Congress when he last addressed them:

I am going across the ocean because I believe it to be my duty. I shall, however, keep in touch with you. Whatever I know you will know.

I do not know but what the people generally may have some information through the newspapers, but certainly the Congress has not received direct information since the President sailed across the ocean, except that communicated to the House of Representatives by the Committee on Naval Affairs, and that committee inform us that they were sworn to secrecy before

the Secretary of the Navy would even impart the indefinite information which was confided to them.

I received to-day a newspaper published at Augusta, Ga., with a specially marked article. The newspaper containing the article is the Augusta (Ga.) Chronicle, and it was published on the 3d day of February. The Augusta Chronicle was established in 1785, and it is the South's oldest newspaper. I want to have this article read, and I ask that it may be read in my time, and that my time may be so extended that the whole article may be read. This article shows very plainly that "murder will out." The Committee on Naval Affairs will respect their oath of secrecy, but you can not keep everything quiet. In due time the facts will be exposed to the light of day. The article I have asked to have read will prove that.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that the article which he sends to the Clerk's desk may be read and that his time shall be sufficiently extended to permit the reading of the entire article. Is there objection?

Mr. PADGETT. I must object to taking the time to read it. I shall not object to inserting it in the RECORD.

Mr. GREENE of Massachusetts. I insist on its being read. I have not made a request of this nature to the House for some time, and I think I am entitled to that consideration. If the gentleman chooses to object, he can do so.

Mr. PADGETT. I do not care to object.

Mr. GREENE of Massachusetts. I ask to have it read. I think it is not an unreasonable request.

The CHAIRMAN. Is there objection to the request that the article referred to may be read in the gentleman's time, and that his time be extended sufficiently to permit the reading of the entire article? [After a pause.] The Chair hears none. The Clerk will read.

The Clerk read as follows:

THE CASE OF GEN. WOOD.

The old saying, "murder will out," is being exemplified in the case of Gen. Leonard Wood, that big American and splendid soldier, who has been booted around by the War Department as if his country owed him nothing but a grudge.

It may be, of course, that certain "roller-chair warriors" and departmental heads in Washington owe Gen. Wood a grudge for having made bold to expose their incompetency and, almost single handed and alone, forced them to adopt certain preparedness measures; but the country at large has no cause to share this feeling of petty spite, and the country does not share it.

On the contrary, every American citizen, be he Democrat or Republican, who is at all familiar with the facts in the case, must resent the War Department's disgraceful treatment of Gen. Wood, which is, perhaps, without parallel in the history of the Army.

The Chronicle first called attention to the War Department's attitude toward Gen. Wood in May, 1917, soon after this country entered the war, and it then became absolutely necessary for the Government to enter aggressively upon the preparedness program that Gen. Wood had been urging upon it for years.

But, instead of putting at the helm this able soldier, then the ranking general of the Army and the one who, more than any other, or all of them combined, had long before foreseen and planned the necessary program for raising and training an adequate Army, what did the War Department do?

Why, it coolly—and, we have always believed, maliciously—decided to remove him from the most important post in the Army, outside of Washington, that of commander of the Department of the East, at Governors Island, and generously give him his choice of such minor posts as those at Manila, Honolulu, or Charleston, S. C., the latter carrying with it command of the newly created Department of the Southeast.

Fully comprehending the motive behind this War Department order, Gen. Wood, being the most active and constructive man in the Army at that time, had a natural desire to continue active at such a period in his Nation's history, so he declined to be shunted off to such far-away stations as Honolulu or Manila and accepted Charleston instead.

But even there he didn't propose to be sidetracked; for, indeed, it is impossible to sidetrack a man of Gen. Wood's caliber, as some of the men in the War Department might have known had they been even half his size in mentality and character. So instead of permitting the War Department to "bury" him at Charleston—as was, undoubtedly, the intention—what did this big American soldier do?

He started right in to make up and organize the South—at least, those States that were included in the Department of the Southeast. And in little or no time he got things to going; in fact, he succeeded in stirring up the South as no other man in the Army could have done. Instead of being "sidetracked" he soon made it clear that the War Department had in reality but furnished him with a new opportunity to display his wonderful genius for organization.

So much was this the case, that some people and some newspapers, unwilling to recognize the "motive" behind the War Department's action, tried to make it appear that the Charleston post was, really, intended as a "promotion"; that the War Department simply recognized in Gen. Wood the man for this particularly difficult work and used him accordingly—in reality a high tribute to him.

But this theory was soon dispelled by still another order from the War Department; this time removing him to Camp Funston, where he was put in charge of a training camp—just as he was succeeding in welding the South into a great military organization.

The Chronicle made bold at the time to call attention to the first of these War Department reprisals against Gen. Wood, but it was some time before the country at large began to take cognizance of the indecent treatment accorded him. Now, however, the whole thing is coming to light; indeed, it will not be surprising if, before very long, there is a congressional investigation of the whole affair—as, indeed, there should be.

An Associated Press dispatch, published in yesterday's Chronicle, ought, in itself, to furnish sufficient grounds for such an investigation; for certain officers of the United States Army, some 40 in number, have signed a sort of round-robin, in which they bring the charge that Gen. Wood, while on a brief visit to France—the only opportunity he was ever given to see the battle front—was treated almost as a "German spy;" and, further, that his treatment throughout has been the spiteful work of a certain clique. But let's read, again, what these officers say:

"When Gen. Wood visited the front he was treated more like a German spy than an officer of the United States. We have the word of several colonels that know him well for this. He was ordered back from his visit here without being allowed to visit the Italian front, or returning through England, as he was invited to do by Lloyd-George.

"Gen. Wood was the idol of the Army, officers and men alike, and was one of the most efficient officers, yet he was kept in a corner all the time. Who did it?"

Now, if the above charges are not true these officers are subject to court-martial, and they ought to be court-martialed; in fact, it is quite possible that they are subject to court-martial, anyway, for daring to tell the truth. For if Gen. Wood, after his great service to his country for more than 20 years, could be all but "banished" merely because he told the truth, because he told the country that certain people in Washington were asleep at the switch, because he told a Senate committee that the War Department "ought to be sandbagged" and this country aroused to the necessity for preparedness, certainly these 40 officers of lower rank ought to be court-martialed for calling the acts of this same War Department in question. As we hope they will be, for then the whole truth will come out as to Gen. Wood, which, however, isn't a matter altogether personal to Gen. Wood himself, for it involves the honor and integrity of the Army and of the Government, and that's where the public comes in.

Mr. FREAR. Mr. Chairman, this naval bill carries $746,457,740 and is the largest naval bill ever presented to any country in the world in time of peace. It is five times as large as our average naval bill prior to the war just won. Under present conditions throughout the world every country, whether a victor or among the vanquished, is tax burdened, in many cases to the point of bankruptcy, while all are war weary and financially exhausted. All are seeking some plan of general disarmament, which was promised at the end of this war through a world-wide league pledged to guarantee a lasting peace. That was talked from every platform during the war. All the world was united to defeat Prussian militarism and make certain that peace. The war is won, the Prussian-Austrian-Turkish alliance is destroyed, the German fleet surrendered, her transportation system and ships delivered to the victors, and her army defeated and demobilizing. The only cloud on the horizon is that which comes through the press via "British wireless" just in time to help pass a waiting billion-dollar military bill—a fear of German military reorganization. A three-quarters of a billion naval bill is now asked because of some possible future rivalry with Great Britain, and over a billion dollars is asked for an army to provide against an uprising of the vanquished Huns and to help police the world.

Mr. Chairman, few people will be deceived by the strings which are always pulled by the same naval and military agencies whenever legislation is before Congress. This enormous naval bill before us, in my judgment, is indefensible in view of world-wide conditions; yet we are embarked on a 1916 naval building program that possibly may be justified until peace terms are signed. Possibly we can offer some excuse to the country for its support thereafter, although under present conditions of public finances a $746,457,000 naval bill will be hard to explain to the already overburdened taxpayers. This bill is five times as large as our annual naval bills four short years ago, and we are told by the committee that our Navy now building is as large as the combined navies of the three greatest countries in the world aside from Great Britain. Yet, with the second navy in the world and a stupendous 1916 building program that will take five more years to complete, an amendment or further 1918 new naval building program, to reach over $400,000,000 more, is also carried in this bill, so that in times of peace we have run war mad, with no prospect of sanity in sight. The naval and military bills before us, aggregating in appropriations and authorizations about $2,275,000,000, carry double the amount, in time of peace, of all our Government appropriations combined four short years ago. Can any statement be more significant of present reckless expenditures?

Mr. Chairman, I wish to have the committee correct me if I am not stating the facts accurately in regard to the amounts carried in the naval building programs contained in this bill, because there has been considerable confusion in the minds of Members. This is an unprecedentedly large bill in times of peace, carrying five times the average annual appropriations, and the amounts have been discussed here within the last few minutes by the gentleman from Illinois [Mr. CANNON], who sought the facts from the gentleman from Pennsylvania [Mr. BUTLER], who is a member of the committee. As I understand it the 1916 Navy building program amounts approximately to $815,000,000. Last year there was appropriated and applied on this 1916 naval building program $100,000,000, leaving a balance of

$715,000,000 more to be appropriated by Congress to complete the 1916 authorizations.

Mr. PADGETT. There was an appropriation in 1916, and also an appropriation in 1917 on the 1916 program.

Mr. FREAR. How much did it amount to for both years?

Mr. PADGETT. I will have to look that up.

Mr. FREAR. Will the chairman of the Naval Committee correct me if wrong, because we want to get the amounts right in order to understand this bill.

Mr. PADGETT. The gentleman is dealing with expenditures——

Mr. FREAR. On this 1916 naval building program.

Mr. PADGETT. Appropriations were made in 1916, 1917, and also 1918 on that program.

Mr. BUTLER. They have not all been spent.

Mr. OLIVER of Alabama. I think I can give the gentleman from Wisconsin [Mr. FREAR] some information, if he will yield.

Admiral Taylor was before the Naval Committee, but unfortunately his statement was not taken down. He stated that it would take $815,000,000 to complete the 1916 program; that to the best of his information there had been appropriated $220,000,000. The only reason why he could not give accurately the amount that had been appropriated was that a part was appropriated to the Ordnance Department, and this bill carries $170,000,000.

Mr. FREAR. This bill specifically carries $179,000,000 for 1916 authorizations.

Mr. OLIVER of Alabama. One hundred and seventy-nine million dollars. So you can take those figures.

Mr. FREAR. Then with that correction the 1916 naval building program as adopted reaches $815,000,000, and according to the statement just made by the gentleman from Alabama [Mr. OLIVER], based on the opinion of Admiral Taylor, $220,000,000 in round numbers has already been applied upon that program, leaving a balance of approximately $600,000,000 yet to be appropriated. The naval bill before us carries $746,000,000 for all naval purposes. Of that amount $179,000,000 is to be applied upon the 1916 naval building program, leaving a balance to be appropriated hereafter for ships carried in the 1916 authorizations of about $420,000,000 through subsequent bills. That is entirely separate and in addition to the amount of approximately $415,000,000 contained in the latter part of this bill, covering 20 more battleships and cruisers in a proposed new 1918 building program. Is that approximately right?

Mr. PADGETT. I think that is approximately correct. It is about $400,000,000 instead of $420,000,000. The gentleman has the figures there, but Admiral Taylor stated the amount at about $400,000,000. That is substantially correct.

Mr. FREAR. It is over $400,000,000. It is nearly $420,000,000, as I have it here figured. My desire is to get the facts before the House which disclose that, in addition to $179,000,000 contained in this bill, we have over $400,000,000 more to appropriate to complete the 1916 shipbuilding program, which will take five years more to build. Further than that, this bill before us contains a new authorization for $415,000,000 for a new 1918 shipbuilding program. Briefly stated, this naval bill seeks to appropriate $746,000,000 and to authorize over $415,000,000 additional, or over $1,160,000,000 in all, in times of peace. Again I repeat, I can not understand how the bill can be defended by anyone or how we can vote for it in its present form. Let me present another strange, incomprehensible statement offered by the leading Republican member of the committee who, on February 4, during the general discussion, said:

I think I owe something to myself and to my friend from Wisconsin [Mr. FREAR]. He asks me to state what influenced my mind at the last minute when this naval bill was under consideration in the committee room. * * * The statement that moved me I will never disclose to anyone. * * * Until the last minute I had resolved I would not vote for this building program.

Again quoting from the RECORD of February 4:

Mr. FREAR. The gentleman from Pennsylvania [Mr. BUTLER] states to us he will vote for this bill, although against his judgment, and that it will not affect any European situation. Will he advise the House whether he wishes us to stand by his judgment, which is against the bill, or with his vote, which is to be for it?

Mr. BUTLER. I can not advise the House. I do not ask the House to vote for this paragraph (the $400,000,000 authorization). I very much regret that I am unable to tell the committee of the reason that moves me to vote for it.

That is the only reason. A mysterious influence exercised from some source is here offered to sway us to vote for this enormous new $400,000,000 naval construction in addition to $746,000,000 also contained in the bill.

Mr. Chairman, I have voted for every larger naval program recommended by the Naval Committee, usually reaching two battleships annually, since I have been in Congress, and also during the war; but now that the war is over, when from the destruction of lives and property that has bankrupted the world we now emerge with a Navy as large and powerful as the navies of France, Japan, and Italy combined, second only to that of Great Britain, I refuse to add this enormous tax burden of over $1,160,000,000 carried in this bill, which authorizes 20 more great warships, to be added to the heavy burdens we have already laid upon the people of this country.

Criticisms may come from navy leagues, "security leagues," both of which have been repeatedly publicly discredited, and from naval construction interests, steel interests, publicity bureaus, and others who thrive on such appropriations. We are told it will take five years more and about $600,000,000 to carry out the great naval construction program begun in 1916, which will make us equal to any three naval powers combined, apart from Great Britain. To that stupendous building program which is carried in this bill we are asked to add 20 more great battleships and cruisers at a cost of $415,000,000 in addition to $746,000,000 already carried in the bill, and for what?

Every intelligent man knows that within a dozen years, based on past experience, the battleships and cruisers of the past and of to-day will be obsolete, ready for the junk pile, but the billions of dollars expended on these numerous "building programs" that give profits to the few are wrung from a tax-burdened people who are beginning to inquire what has been done with their money.

I have opposed several comparatively small bills, involving in all less than one-third of this $1,160,000,000 bill, and I can not consistently vote against comparatively small waste and then gulp down this indefensible measure. If our enormous naval appropriations are intended only to "bluff" some other country, as stated on this floor in debate, then it is well to remember that world conflicts are sometimes reached through "bluffing." England and Germany finished their bluffing race in naval construction when the German Navy was wiped out of existence, and England has now quit building in order to catch her financial breath. In times of peace such bluffing is dangerous and criminal waste and senseless when all other nations desire to quit the bluffing game.

Mr. Chairman, for several months the Secretary of the Navy has been quoted in the press as saying that this country must have the largest Navy in the world. No reason was given for his remarkable demand, which involves the expenditure of several billion dollars and a colossal naval program in order to exceed the British Navy. The Naval Committee brings in this naval bill with the Secretary's recommendation, which, we are told, carries the indorsement of the President, who for some reason has been persuaded to follow the Secretary's lead. Let me recall an incident. A river and harbor lobby has been holding its sessions almost within the shadows of the dome of the Capitol while this naval bill has been under consideration. Contractors, dredgers, and waterway enthusiasts always back up this organization that annually demands of Congress millions of dollars for useless projects, coupled with some that are meritorious, contained in the annual pork-barrel bill. After spending approximately a half billion dollars on our rivers and canals, which are practically deserted waterways, this same lobby at its meeting this week has urged an immediate expenditure of $400,000,000 to further develop our inland waterways, according to sentiments expressed at these meetings, and the Secretary of the Navy, who addressed the lobby, was among the most vociferous enthusiasts, according to the press. Every student of the subject knows that our inland waterways are practically deserted excepting the Great Lakes, and have been practically deserted for nearly a half century, during which time we have been dumping a half billion dollars into these same hopeless waterways; yet the Secretary of the Navy, who asks $1,160,000,000 in this bill for a colossal naval program, is the same Secretary who appeared before the river and harbor lobby, that is offering with equal reckless enthusiasm to spend $400,000,000 on a hopeless inland waterway program that Congress will be asked to approve. I can not accept the judgment of our Naval Secretary in either case without some evidence of necessity for so doing, when the only effect is simply to benefit a few by piling up unjust tax burdens upon those whose Representatives we are.

Let me repeat that in time of war or threatened emergency I will support every demand for naval or military purposes, but in our hour of victory, in time of world exhaustion and of a demand for universal peace, the country is entitled to know why this extraordinary bill is offered. Germany's fleet has been destroyed. No danger is apprehended from that country or any other country in the world so far as we can learn. The United States has 52 battleships built or building in the program already adopted. Six battle cruisers, 8 armored cruisers, 23 other cruisers of the first, second, or third class, and over 1,500 other craft, little and big, are included in our Navy, which outranks any

combined three navies in the world outside of Great Britain. In addition to that great Navy, this bill authorizes 20 more ships at a cost of over $400,000,000. Why?

Apart from the billions of dollars invested in this great Navy of ours, how are we to man these vessels with crews reaching into hundreds of thousands of men, and how are we to maintain a vast standing Army of over a half a million men which is provided in the military bill that is waiting us on the Clerk's desk?

Will the naval experts and the General Staff of the Army demand conscription to raise approximately 1,000,000 men to maintain the Army and Navy in times of peace during the years to come? We have said to the world we are a peaceful Nation and will set the pace for disarmament.

What did we mean when we made that statement?

The world viewed with grave apprehension the feverish efforts of Germany and Great Britain to outbuild each other with their navies less than five years ago. A certain result of that rivalry was war. With the help of America, Germany and her allies were vanquished, but have we learned no lesson from that strife of the danger of "bluffing" some other nation by threatening her with a bill like the one before the House?

Naval "experts" asked for $2,644,307,406 for this bill. The Secretary of the Navy cut it down to $975,903,621 with a $415,000,000 further authorization. The committee brings in a bill for $746,857,440 with the same authorization added.

Naval experts, it is safe to say, do not lie awake nights trying to figure how they will pay their taxes, but we are compelled to ask where is the money coming from to meet this enormous naval bill and the equally enormous military bill and other prodigious expenditures that are presented to the House day after day?

With over $20,000,000,000 national indebtedness in 1919 and an annual interest and maintenance bill of several billions of dollars for many years to come, we are saddling billions of dollars more on the shoulders of a tax-ridden people annually—to what end?

I voted for every measure asked by the administration for the prosecution of the war. We all voted blindly, and could do nothing else when in war. Responsibility then rested with the administration for all expenditures. It now rests with us.

Hundreds of millions, wasted millions for aircraft that never were built; for cannon that never reached France; for useless ships built to win the war; for a $50,000,000 waste, to use no harsher term, at Muscle Shoals, all appropriated by Congress to win the war. We did what every other country was doing, gave whatever the administration then demanded to protect our people from the enemy and to win the war.

We are no longer on a war basis, although naval and military experts seek to keep us there. Other countries have become exhausted. This Government has loaned them eight and a half billions of dollars, and the more we loan, the more we give, the more we spend, and the easier it comes to fritter away public money.

What justification can be offered for this vast naval program which the chairman of the committee and leading Republican Members refuse or fail to explain?

We seem to be caught in a whirling maelstrom of extravagance, wherein every department of Government hysterically struggles to assert its own importance through demands for unprecedented appropriations, with a result that the Sinbad burden which has been laid upon our people will descend to our children and to our children's children for generations to come.

If we continue the hopeless waste for extravagant schemes, including canals, canalizations of rivers, highways, public buildings, irrigation, water powers, flood protection, all added to the ordinary expenses of Government, reaching increased billions annually, we will soon be compelled to adopt the proposal of Menken, the National Security League organizer, and compel every man, however small his wage, to pay an income tax to help support the Government. Men protest on the floor of either branch of Congress against this wild financial debauch that is becoming more frantic during the closing days of the Sixty-fifth Congress, but the minority party can not escape its own responsibility by laying the blame upon the President or his subordinates or those sitting across the aisle in either House, because now that the war is over individual responsibility can no longer be shifted to other shoulders.

While this naval bill has been under consideration it was temporarily sidetracked for the $8,000,000,000 revenue tax bill, which goes to the people as a reminder of what Congress is doing here. During debate on the conference report of the revenue bill, Mr. FORDNEY, Republican leader on the Ways and Means Committee, gave warning to Congress and the country. He said:

> The extraordinary appropriations of money that the Congress of the United States will be called upon to collect from the people in taxes in the next 12 months amount to $6,795,000,000. This does not include ordinary expenses of government. * * * Let me call your attention to the fact that all the money there is in the United States is, in round numbers, about $6,000,000,000, and we are going to be called upon for $10,000,000,000, in round numbers, in the next 12 months. * * * I caution you who represent the people, we are going wild in Government expenditures.

That warning comes from one of the oldest and ablest men in this Congress; and, with his warning sounding in our ears, we are asked by administration officials in times of peace to pass a naval and a military bill that carry over two and one-quarter billion dollars for the coming fiscal year, or, as stated before, practically double the entire annual expenses of the Government four short years ago. After you have collected the $6,000,000,000 in revenue taxes from the people and have sold them four or five billion dollars more of bonds in the April drive, how are you going to raise the balance necessary to meet the ten to twelve billion dollars of estimated expenditures reported to us by Mr. KITCHIN, the Democratic leader?

If we are willing to abdicate or abandon legislative powers and judgment at the instance of naval "experts," navy leagues, army staffs, great commercial interests, and other influences, secret and open, drunk with power, we must still accept the accompanying responsibility for such action, for that is ours, not theirs, to defend.

Another thought in conclusion. What is going to be the result of this impotent policy on the part of Congress, which reduces our legislative activities to the functions of mere rubber stamps? Mr. KITCHIN has just stated to the House while discussing the revenue bill that after all excess war profits are taken from war profiteers under the different revenue bill schedules, as revealed by official reports, that a snug balance of approximately $12,000,000,000 will remain in the purses of these same war profiteers, due to the fortunes of war.

Our soldiers in France and their wives and parents back home have sent thousands of letters to Members of Congress in the aggregate showing that the pittance of $30 per month given by Congress to those who risked their lives for us, and which money they allotted to dependents, has been held up by red-tape military methods. Presumably hundreds of thousands of cases have occurred where hardship and sometimes great suffering have resulted through inexcusable delay in paying the men who fight their dollar a day. While this has been the reward of sacrifice, the profiteers back home have been laying aside $12,000,000,000 in war-time excess profits.

While our boys have been serving at the front and millions of others have been sacrificing at home to win the war the profiteers at home have been waxing strong and more arrogant than ever before. I sat by the side of two Congressmen in the House yesterday, both of whom by a coincidence have lost sons in France, while my own, with the occupation army, spent his holidays in a hospital in Germany. Members of the House who themselves served in the American Army in France or Italy, with distinction, let me add, have protested by their voices and votes against this prodigal, unparalleled naval bill in times of peace.

Every constituent at home who has contributed some member of his family toward winning the war is entitled to ask how sleek war profiteers have made $12,000,000,000 over and above the taxes we have levied, while sacrifice has been the keynote in nineteen cases out of every twenty among our people. Every constituent has a right to ask what Congress and the administration have done during the war and since the war is over to relieve these intolerable conditions.

We are having public attention invited by the press of the country and by speakers upon the danger of Bolshevism. We have had pictured to us graphically the overthrown governments of our ally, Russia, and of our enemies, Germany and Austria, and dangers that beset other countries of Europe are known to us, dangers that are feared on this side of the sea, due to discontent caused by injustice.

Not 5 per cent of our people, it is safe to say, are tinctured with Bolshevism, militarism, or unlawful greedism, however widespread may be discontent with conditions; but it should be borne in mind that of that 5 per cent who occasion discontent the larger part is not composed of hoboes or red-flag anarchists opposed to all forms of government, with whom our peple have no sympathy. A large part of that 5 per cent of undesirables will be found in those whose enormous wealth, rolled up from the necessities of the people in war or peace, has been a constant source of irritation and whose unrestrained greed menaces our institutions. To those undesirables the war has contributed another class, who would Prussianize this country through an autocratic control, which has been a moving cause for overturning governments abroad.

All these disturbing elements in our midst combined do not represent 5 per cent of the people who are law-abiding, patriotic, and loyal to their Government, but constant object lessons of greed, selfishness, and autocratic power are responsible for a discontent more deep-seated than any mere question of wealth and poverty. To hide our heads in the sand is an ostrich attitude that fails to serve any good purpose. Tax laws that enabled war profiteers to hoard $12,000,000,000 of war profits are laws for which Congress is responsible, and all laws that permit unjust exactions or autocratic power in time of peace are laws for which we are accountable, and all extravagances or waste in public appropriations or expenditures are certain to bring discontent to those who pay the bills. Congress can not right all wrongs by law and our people know that and are too well satisfied with our form of Government to become affected by European social conditions, unless we create the same conditions here. Public extravagance at this time, brought about by bureaucratic influences, tending to commit this Government to a militaristic program, will provoke unrest and eventual distress. That is the course proposed by bills placed before us in these closing days of the session, and we will do well to set an example of economy for the people whose welfare we are permitted to influence through wise or unwise legislation. According to warnings I have quoted from leading Members of the House, whose warnings we will do well to heed, we are not doing that now.

Mr. LARSEN. Mr. Chairman, I move to strike out the last word. We have about three weeks of this session remaining. From time to time I have observed that there seems to be a disposition upon the part of certain Members of this House to come in on the floor and attempt to interrupt the proceedings by injecting into the proceedings of the House matters that have nothing to do with the bills under consideration. The point seems to have been reached where Members who are in charge of the bills on both sides of the House can not proceed in an orderly way on account of the fact that some Members are continually butting in with matters not before the House and which in the majority of instances do not much concern the Members of the House or the public, and demanding that time be granted them by the House to have these matters heard and to have editorials and matters of that kind read to the membership of this House. Those who are in charge of bills are placed in a little awkward position, because if they do not accede to the wishes of such Members they make the point of no quorum. It simply resolves itself into this: Certain Members of the House filibuster if they can not have their way about what is going on in the House. I want to say to gentlemen in charge of bills in the House that the next three weeks ought to be a very busy time, and, as one Member of the House, I do not propose to sit here and see gentlemen in charge of the bills grant permission to have things read and speeches made on matters that are not before the House for consideration. If they are not in a position to object, I am. I have nothing more important during the next three weeks than to sit here and do that, and I shall do it. Gentlemen, it is a shame that such should be necessary.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. LARSEN. I yield to the gentleman.

Mr. JOHNSON of Washington. The gentleman will undertake to keep a quorum in the House, will he?

Mr. LARSEN. No; I will undertake to keep these disturbers from interrupting the orderly proceedings of the House. I will try to do that much. I want to put the House on notice once and for all that during the next three weeks when there is business before the House that needs attention it must be attended to, or else I shall object to irrelevant matters. Now, that is a fair business proposition, as I conceive it.

Mr. PADGETT. While we are considering the naval bill, let me run the thing a little smoothly, please. I think we will make time by doing so.

Mr. LARSEN. That is all right; but gentlemen in charge of bills have been permitting men to discuss matters that have nothing to do with the bills and nothing to do with any issue before the public. I have a right to see that those granting the time of the House shall do it for a legitimate purpose. I have the highest regard for the gentleman in charge of the bill, and nothing I say is in reference to him specially. I am speaking in a general way. It is ridiculous that the business in this House can not be attended to in a businesslike way without somebody interrupting and bringing some matter to the attention of the House that the House is not interested in.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. LARSEN. Yes.

Mr. JOHNSON of Washington. Does not the gentleman think that if he adopts the policy he states he is liable to get the House in an attitude of mind where he is going to cause more obstruction to business than would otherwise happen?

Mr. LARSEN. I think the gentleman misunderstood the force of my statement. I said when there was a matter before the House demanding immediate attention. I realize that there will probably be times when the House will not be specially engaged in matters of importance and will not be pressed for time, and if so there will be plenty of opportunity for Members to be heard without interruption of business.

Mr. MANN. Mr. Chairman, I want to make some inquiries about the item just read, and I will do so in a moment. I am very much entertained by the distinguished gentleman who just gave notice to the House that he would keep the House in order if somebody else did not do it. I have heard that kind of talk many times, and I never knew the man who made it to have nerve enough to carry it out.

Mr. LARSEN. I will promise the gentleman that this time he will see that the gentleman from Georgia has all the nerve necessary.

Mr. MANN. I do not yield to the gentleman. He is asking that the House be in order and he is not in order himself. Suppose he keeps in order for a few minutes himself and see whether he can keep the House in order.

Mr. LARSEN. Will the gentleman yield?

Mr. MANN. Not yet. Now, Mr. Chairman, the man who pilots a bill through this House has to use some common sense. I have heard gentlemen on the floor of the House repeatedly tell how they would object to everything asked for, and yet I have known those gentlemen to sit here for a day, sometimes two days, sometimes three days, and object to everything, and then quietly disappear for the balance of the session. [Laughter.]

Now, I hope the gentleman from—I do not know what State he comes from——

A MEMBER. Georgia.

Mr. MANN. I hope the gentleman from Georgia will keep his nerve, but he will not. I hope he will require the Democrats to keep a quorum in the House, but he will not. [Laughter.] I hope he will object to everything that is asked for the next three weeks that is not in regular order, but he will not. [Laughter.]

The gentleman from Georgia said there would be time during the next three weeks when anything could be brought before the House; that there would be nothing special, but there will not be; there will not be a minute during the next three weeks when there is not some special subject before the House for consideration. Gentlemen on both sides of the House will continue to do in the future as they have always done in the past—interject something that is extraneous under the implied or actual threat of delaying the House if their request is not granted. And the gentleman from Georgia, who is so brave that he is going to expedite business, will, in the end, if he keeps his nerve, only result in delaying the transaction of business in the House. I hope he will get the experience.

Mr. LARSEN. Will the gentleman yield?

Mr. MANN. I now yield to the gentleman from Georgia.

Mr. LARSEN. Does not the gentleman think that he has been here so long and been imposed on so long by Members who wish to interfere with the business of the House, and has yielded so much that he has got in the habit and does not know how to quit it? [Laughter.]

Mr. MANN. Oh, no; I object oftener than anybody else in the House.

Mr. LARSEN. Then why should the gentleman object to my objecting? Does the gentleman expect that he is going to monopolize objections in the House? [Laughter.]

Mr. MANN. I have the nerve to keep up the objections which I make. I hope the gentleman from Georgia will have the nerve now to keep this up for three weeks, but I am sure he will not.

Mr. GOODWIN of Arkansas. Does not the gentleman think——

Mr. MANN. This is all extraneous; why does not the gentleman from Georgia object?

Mr. LARSEN. Because the gentleman is talking now on a sensible matter. While I admit the gentleman has wasted nearly five minutes, I am going to see that the gentleman from Illinois and other gentlemen in the House do not persist in taking up needlessly the time of the House for the next three weeks.

Mr. MANN. Why does not the gentleman object now?

Mr. LARSEN. That is all right; we will see.

Mr. MANN. Now, Mr. Chairman, I want to ask the gentleman from Tennessee about this appropriation.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for five minutes. Is there objection?

Mr. LARSEN. If the gentleman proposes to discuss the bill, I will not object.

Mr. MANN. I make no promises.

Mr. LARSEN. Then I object. [Laughter.]

Mr. MANN. Mr. Chairman, I move to strike out the last two words. May I ask the gentleman from Tennessee about the appropriation of $500,000 for the water-front improvement at the Norfolk Navy Yard? My recollection is that ever since I have been in Congress we have been making appropriations for these water-front improvements. Is there any end in sight?

Mr. PADGETT. No; I can not say that there will be a time when we will not be making some appropriation for that.

Mr. LARSEN. Mr. Chairman, I rise to a point of order. The gentleman from Illinois is out of order in that he is not discussing his motion to strike out the last two words.

Mr. MANN. Mr. Chairman, I think the point of order is well taken.

The CHAIRMAN. The point of order is well taken.

Mr. MANN. Mr. Chairman, I move to strike out of the bill the language—

Water-front improvement, $500,000.

This is like taking candy from children. [Laughter.]

Mr. LARSEN. I presume the gentleman refers to the $500,000?

Mr. MANN. I hope the gentleman will not interrupt the orderly proceedings of the House by constantly "butting in."

Mr. LARSEN. I make the point of order that the gentleman is not discussing the bill.

Mr. MANN. I am discussing what is before the House.

Mr. LARSEN. I make the point of order that he is not.

Mr. MANN. Or what is seeking to bring itself before the House. I would like to ask the gentleman a question about this proposition.

Mr. PADGETT. Mr. Chairman, some years ago at Norfolk yards we bought what is known as the Smoley tract, on which they have erected this new, large dry dock we were speaking of this morning, which has just been completed. This is for the improvement of the water front on that new part known as the Smoley tract, where is located the dock and also the large buildings that we appropriated for in the last and the next to the last appropriation bill. The conditions there on the water front are very much crowded. At one time, when the committee visited there, we saw the ships berthed in some places three alongside, and this is to give additional berthing space for the ships, and that is one of the most important points of our whole Navy on account of the Chesapeake Bay and the Roads there.

Mr. MANN. Is this for dredging in front of the dry dock?

Mr. PADGETT. Some of it is in front of the dry dock, and then other of it is for the extension of a key wall alongside, and the dredging to get the depth, so that the boats can come alongside and berth.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Navy yard, Charleston, S. C.: Dredging, to continue, $30,000; air compressors and auxiliaries, $118,000; oxyacetylene plant, $25,000; fire protection, $50,000; in all, $223,000.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order. What is the necessity of spending such a large amount as $118,000 for air compressors and auxiliaries?

Mr. PADGETT. Mr. Chairman, the committee went into that very fully. The compressor, as I remember, that they had there broke down. They had been running it for quite a while.

Mr. STAFFORD. What is the capacity of this compressor?

Mr. PADGETT. I think $68,000 was the price paid for the first air compressor. In addition to that, there was purchased intercoolers, condensers, and so forth, at a cost of in the neighborhood of $50,000, making the total of about $110,000. Admiral Parks said it would cost about $118,000 for the compressor and the necessary things to go with it, other than the boilers. The compressor broke down.

Mr. STAFFORD. I would like to ascertain the capacity of it, because it must have tremendous capacity if you are going to spend $118,000 for it.

Mr. PADGETT. No.

Mr. STAFFORD. Then you are spending an extravagant figure.

Mr. PADGETT. No; it is not a large one. Those things are very expensive.

Mr. STAFFORD. I have some little knowledge about air compressors myself.

Mr. PADGETT. Let me read from the hearings:

Admiral PARKS. I find that I have just gotten in the bids on which to make contract for that electric generating machinery that was provided for in the last act, and I think that will be sufficient in the way of electric generating capacity. But the principal trouble at the Charleston yard has been on account of lack of air compressors. We got a compressor running in September, and it ran for about three days and went down. It required a lot of attention before it could be started again, and then somewhere about the 1st of October it got into operation again. Without that compressor they could not get air to the shipways for the riveting work on the destroyers—I think they are destroyers that they are building at Charleston, and I believe they have ways there for three.

The CHAIRMAN. They were building some of these chasers down there.

Mr. BROWNING. I was going to ask if they were building destroyers.

The CHAIRMAN. I remember that they were building chasers and a gunboat.

Admiral PARKS. I think there are three destroyer ways, but I do not remember positively about it. It is certainly desirable to have a duplicate air compressor. An air compressor is a machine that gives a lot of trouble if it breaks down, and it is liable to break down and requires a long time for repairs to be made. I think another air compressor would be an advantage.

Mr. STAFFORD. Mr. Chairman, I do not question that it is very desirable to have a duplicate air compressor should the one that is running get out of commission, because so much depends upon it and the work would absolutely stop.

Mr. PADGETT. Yes.

Mr. STAFFORD. I was endeavoring to ascertain the capacity of the air compressor for which we are appropriating this large sum of $118,000. It must be one of tremendous capacity if this amount is to be expended for it.

Mr. PADGETT. It is not extra large; but they have a good deal of activity there, and besides, what would cost $118,000 now would cost before the war perhaps about $60,000 or $75,000.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order, although I did not get the information that I desire.

The Clerk read as follows:

Naval station, Key West, Fla.: Station improvements, $25,000.

Mr. CLARK of Florida. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 25, line 2, after the figures "$25,000" insert:

"Water system, including purchase of land, and the necessary rights of way, $2,000,000."

Mr. PADGETT. On that I reserve the point of order.

Mr. CLARK of Florida. Mr. Chairman, I desire to read the reason for this amendment from the hearings, on page 965:

The establishment of such a base makes it necessary to have an adequate supply of fresh water. The naval experts figure the naval requirements alone at 552,500 gallons per day. The present supply consists of condensed rain water, costing $7 per thousand gallons, the deficiency being supplied by tank cars hauling water from the Everglades, a distance of 128 miles, and costing $3 per thousand gallons. The present consumption of the city, the Army, and the Navy averages 173,000 gallons per day.

The prospective rate of consumption makes the cost of the present method of supply prohibitive, to say nothing of its uncertainty.

The last State census of Key West is given as 18,495 and it is not reasonable to expect a municipality of such small proportions to undertake so big a project as that determined upon as the most feasible method for procuring an adequate supply for the city, the Army, the Navy, and such quantity as may be required by the Florida East Coast Railroad.

The plan proposed is to build pipe lines from some adequate source of supply, the cost of which, including pumping system and all other requisites to the reservoir, has been estimated at $2,000,000. This work the Navy proposes to do, since it is and will continue to be the biggest user. The city of Key West has agreed to provide the reservoir and distributing system, estimated to cost $400,000, and to operate the system upon completion. The Navy's investment in the project will be refunded in due course through a special rate on the water which it consumes.

I want to say, Mr. Chairman, that the estimate is that the city of Key West will take about $100,000 worth of water, the East Coast Railroad Co. is estimated to take $125,000 worth, and the Navy about that much, and with others to use water it all figures up that the price paid by the users of this water will amount to about $445,000 a year. Now, it is well known that there is no fresh water in Key West other than rain water. Water is carried there, in addition to rain water, upon barges and upon trains. It is utterly impossible to secure a supply of fresh water at Key West. They have bored there time after time in an attempt to do it, but they have never been able yet to secure fresh water. Now, this has been made a submarine base and a naval station, and a great many ships touch at Key West during the course of the year, and those ships have to be replenished with fresh water. It is utterly impossible to get it in

any other way. It does seem to me, as the Navy Department has recommended it, as committees have been appointed to investigate—some committee that the Secretary referred to here, after an exhaustive investigation, recommended it—it does seem to me, Mr. Chairman, that it ought to be included in this bill. Key West, I will state, is not in my district, but Mr. SEARS, who represents that district, unfortunately is at home on account of the serious illness of his wife, and he requested me to offer this amendment, which I do in the utmost of good faith; and I sincerely trust that the committee will see proper to adopt it, because it is certainly very badly needed there; and I ask unanimous consent to extent my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida? [After a pause.] The Chair hears none.

The CHAIRMAN. Does the gentleman from Tennessee make the point of order?

Mr. PADGETT. Mr. Chairman, I will in a moment. I want to state this project in the language submitted was submitted in the estimate of the Secretary of the Navy. The committee gave it a very full and thorough investigation, and there is a great deal about this in the hearings. It involves a project that costs the Government $2,000,000 for a water system, and the project is to run a pipe line across land and across the arms of the sea 128 miles up into the mainland of Florida and bring the water down through pipes 128 miles to supply the city. It is also true that there is no fresh-water supply there, but after giving the matter very careful consideration the committee was not prepared at this time to recommend it. It ought to be looked into further. A project to appropriate $2,000,000, to be expended for the establishment of pipe lines 128 miles long to bring water to a city, and then to cooperate with the city and the railroad, is a scheme that ought to be worked out more thoroughly than has been done, and the committee did not see fit to recommend it, and cut it out of the estimate, and I feel constrained to make the point of order.

Mr. CLARK of Florida. May I ask the gentleman a question?

Mr. PADGETT. Certainly.

Mr. CLARK of Florida. I want to ask the gentleman if it is not true that the Secretary of the Navy urged the adoption of this matter before the committee?

Mr. PADGETT. He did very earnestly.

Mr. CLARK of Florida. And is not it also true that some committee was appointed, not the Helm Board, but the Bureau of Operations, I believe it is, through a committee, investigated and recommended it?

Mr. PADGETT. I do not know whether there was a board or not. The chief of operations, as I understand, wanted it as an adjunct to the operations which are going on there now.

Mr. CLARK of Florida. I want to state to the gentleman that the Secretary says, on page 963—

It is recommended urgently by the Bureau of Operations and officers who had charge of operating the fleets during the war.

Mr. PADGETT. It has been recommended, as I stated, and I stated also there is no fresh water there except rain water. I have been there twice and looked into it, and it is a very important matter, but it seems to me a proposition involving an expenditure of $2,000,000 to run a fresh-water line 128 miles, a part of it over land and the other through the arms of the sea——

Mr. CLARK of Florida. Of course the gentleman knows a great many cities bring their fresh-water supply that distance and perhaps greater. It is not unusual to carry water that far.

Mr. PADGETT. That may not be, but it is unusual for the Navy to attempt to carry it that far for the benefit of a city.

Mr. CLARK of Florida. Let me ask one more question. If it is true that the Navy have innumerable vessels that touch here, and this is the nearest point where they can be supplied with fresh water, and if it is true that the individual users, such as the city of Key West and the East Coast Railroad, and others, will in a few years repay the money, does not the gentleman think it is a project that ought to appeal to the judgment of the Committee on Naval Affairs and to this Committee of the Whole?

Mr. PADGETT. It may do that after it is further investigated, but I do not think that it is yet sufficiently developed to authorize it, and then the committee adopted this policy with reference to the entire public works under the Bureau of Yards and Docks. We cut out all new enterprises, all new enlargements and extensions, and have only reported those matters which we felt were absolutely necessary at the present time, and this came under the class of the policy we adopted in reference to all the other yards.

Mr. WALSH. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. WALSH. Can the gentleman give any information as to how a naval base came to be established at a point where fresh water was 128 miles away?

Mr. PADGETT. That base was established many years ago, and in many respects it is one of the most important bases that we have for that purpose.

Mr. WALSH. They have always needed fresh water there. I suppose this need has not arisen on account of any recent legislative action?

Mr. PADGETT. Ever since there was a city they have had to use either rain water or water stored in cisterns or bring it in barges, and since the East Coast Railroad was built they bring it down in tank cars.

Of course that is an inconvenience and it is also expensive. But to take up a project of the character of this, until it could be further developed and looked into, the committee did not feel justified in granting it. But Key West is a very important point, and all of the administrations have insisted upon it as very important. Mr. Meyer, when Secretary of the Navy, urged very extensive improvements there, which the committee declined to recommend at that time—not this one, but others—and every naval officer, I think, and all the different administrations have emphasized very strongly the importance of Key West for development.

Mr. WALSH. It would seem, in view of recent exceptional actions, there ought not to be any serious objection to providing for the Navy to be able to get water at Key West.

Mr. PADGETT. I make the point of order, Mr. Chairman.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

Naval station, Pearl Harbor, Hawaii: Electric connections to dry dock, $21,000; substation near dry dock, $68,000; salt-water fire protection, $35,000; fresh-water connections to dry dock, $11,500; air connections to dry dock, $8,000; toilet facilities for ships in dock, $25,000; in all, $168,500.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. What is the meaning of the item "air connections to dry dock?"

Mr. PADGETT. It is to operate the pumpings there and the drilling, and so forth, by compressed air.

Mr. WALSH. By pneumatic pressure?

Mr. PADGETT. Yes, sir.

Mr. MANN. May I ask the gentleman whether or not that dry dock is completed?

Mr. PADGETT. No, sir. It is thought to be completed during the present spring or summer.

Mr. MANN. It has not failed, has it?

Mr. PADGETT. No, sir. It is proceeding now, they say, very satisfactorily.

Mr. MANN. Does the gentleman know how much we have expended on the dry dock there up to date, altogether?

Mr. PADGETT. I think the limit of cost was about $4,000,000.

Mr. MANN. The limit of cost was exceeded a good many years ago.

Mr. PADGETT. I am talking about what the limits have gone up to. It started down below $3,000,000, I think, and it has been increased from time to time. They had great trouble there, you will remember.

Mr. MANN. Oh, I saw the place. I remember the contest here over it.

Mr. PADGETT. I understand it is nearing completion now, and perhaps is 85 or 90 per cent completed, and is regarded now in a safe and satisfactory condition.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Depots for coal: For depots for coal and other fuel, Yorktown, Va., wharf, $50,000; oil proofing reservoirs, $150,000; in all $200,000. Contingent, $35,000; care and custody of naval petroleum reserves, $10,000; in all, $245,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. What are "oil proofing reservoirs?"

Mr. PADGETT. You will remember that Congress appropriated for and authorized the purchase and construction of a large oil storage basin or place at Yorktown, Va., putting the storage under ground instead of above ground in tanks as heretofore.

Mr. MANN. How does that come under an item headed "Depots for coal"?

Mr. PADGETT. Depots for coal and other fuel.

Mr. MANN. Oh, no. The heading is "Depots for coal."

Mr. PADGETT. Yes. When we used to burn coal exclusively in the Navy——

Mr. MANN. Is that an erroneous heading?

Mr. PADGETT. It is used for coal and also for oil, and both have been appropriated for under that heading. Now, about the proofing——

Mr. MANN. I hope the Committee on Naval Affairs will some time learn to keep up with the progress of the times and change a heading when there is reason for it.

Mr. PADGETT. The Treasury Department object to the changing of the name.

Mr. MANN. Does the Treasury Department object to our legislating?

Mr. PADGETT. No, sir; but they did send down here a recommendation, which Congress in the last session agreed to, changing the names of certain appropriations, in order to put them back to what they had been before. Now, we sometimes appropriate for a coal station, and next year we will appropriate for a fuel station.

Mr. MANN. Why do you not say "depots for fuel," then?

Mr. PADGETT. Well, that would be a good designation.

Mr. MANN. This is misleading. A heading is there for the purpose of giving information, but it lies, because it does not give the right information.

Mr. PADGETT. It has been there all these years.

Mr. MANN. Well, it used to be "depots for coal." Now it is mainly depots for oil.

Mr. PADGETT. Yes. This particular appropriation is. Several years ago it was all coal, and then it was coal and oil.

Mr. MANN. Having been for coal 20 years ago, the department and the Treasury Department, or somebody, thinks it ought to say "coal" now. I suppose they will continue to say "coal" after coal is not used.

Mr. PADGETT. In those times I do not know what they will say, because they will be so far off before we quit using coal.

Mr. MANN. I do not know about that.

Mr. PADGETT. But they are using them for both now.

Mr. MANN. I know they are, and the heading ought to so state.

Mr. WALSH. Mr. Chairman, I rise to oppose the pro forma amendment. What is this "Contingent, $35,000"?

Mr. PADGETT. That is for the purpose of providing a fund for taking care of, in the nature of repairs, various coaling stations and the fuel-oil stations, and so forth, that we have scattered all over the country, where we can not designate them and they can not be estimated for. It is a fund for the repair and upkeep and maintenance of the coaling and fuel stations all over the country.

Mr. WALSH. And if they do not have this continued appropriation of $35,000 they could not repair those?

Mr. PADGETT. They would not have a specific fund.

Mr. WALSH. Of course, they would not have a specific fund, but they have got other funds, have they not?

Mr. PADGETT. They have not any other that they have estimated for. It has been carried that way heretofore.

Mr. WALSH. May I ask the gentleman what is this "care and custody of naval petroleum reserves"?

Mr. PADGETT. Under the administration of President Taft large areas of land were withdrawn and known as "petroleum reserves" for the benefit of the Navy, and this is a fund to enable the Secretary to guard and protect and keep off intruders and persons from going in there and sinking wells and various things of that kind. It is to care for and protect these many thousands of acres.

Mr. WALSH. Oh, it is reservations?

Mr. PADGETT. It is reservations.

Mr. WALSH. It is not a branch of the service like naval reserves?

Mr. PADGETT. Oh, no. It is a land reservation.

Mr. WALSH. I have never heard of a land reservation called a "reserve." I thought the designation was "reservation." Do they have to spend $10,000 a year to keep marauders off the property?

Mr. PADGETT. That is the amount we have provided for several years. I do not know whether it is all expended or not. But if it is not expended it goes back into the Treasury. It is not a continuing appropriation.

Mr. WALSH. I understand these are reservations from which they are getting no supply?

Mr. PADGETT. Not at present. There are many thousands of acres in these reservations.

Mr. WALSH. Is Yorktown, Va., the only depot for coal that has an oil-proof reservoir?

Mr. PADGETT. Let me explain that. That applies to many of these reservoirs. There are many of them. They are scattered over many acres of land. They are for the storage of oil for the fleet. When they were constructed at the beginning of the war we were expecting to have to use Mexican oil, which is a heavy oil.

Now, we can get American oil, and that is a finer, thinner oil. The sides of these storage tanks underground leak out this thinner, lighter oil; it permeates and goes through the sides of the walls. This is to go over the walls with a coating thicker and heavier and denser, so as to prevent the leaking of the oil from these underground storage tanks. Those tanks are made of concrete and stone and things of that kind.

Mr. WALSH. So that the only part of this item which will be available for expenditure at Yorktown, Va., is $50,000 for the wharf?

Mr. PADGETT. Yes.

Mr. WALSH. This other is for various points throughout the country?

Mr. PADGETT. Yes. They are designated. The estimate was sent down to the committee in a lump sum. That was the way it was done for many years, until a few years ago, when the committee began to separate it. It was sent down in a lump sum this time, and the committee has separated it into the different points.

Mr. WALSH. Mr. Chairman, I will withdraw my reservation of a point of order.

The CHAIRMAN. The gentleman from Massachusetts withdraws the reservation of the point of order, and the Clerk will read.

The Clerk read as follows:

Naval operating base, Hampton Roads, Va.: Toward water-front improvements and permanent improvements to station, including piers, bulkheads, filling, grading, etc., $1,000,000.

Mr. FOSS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. FOSS. I wish to ask the chairman of the committee where this operating base is situated. Is it the old Jamestown Exposition?

Mr. PADGETT. Yes; it is the old Jamestown Exposition, including Piney Point, that runs out to deep water there.

Mr. FOSS. How much money has been expended and appropriated on this?

Mr. PADGETT. I could not tell you. The great bulk of it has been expended under lump-sum appropriations that were made by the Committee on Appropriations during the war, but it is a tremendous big sum.

Mr. FOSS. We originally bought the land?

Mr. PADGETT. Yes; that cost, as I remember, about $1,400,000.

Mr. FOSS. Did that include the buildings that were on it at the time?

Mr. PADGETT. Yes. We put those buildings in repair, and that has cost a large sum—much more than was originally estimated.

Mr. FOSS. The purpose, then, as I understand, was that it should be used as a naval training station?

Mr. PADGETT. It has been used as a naval training station and operating base and a place for the storage of supplies, so that ships coming up that narrow, congested river can go there and get their supplies and stores. They have many activities there.

Mr. FOSS. They have made it more than simply a naval training station?

Mr. PADGETT. Oh, yes; it is more than simply a naval training station.

Mr. FOSS. Although the original idea was simply to make it a naval training station?

Mr. PADGETT. I think it was called from the beginning an "operating base," but the activities there have been very greatly enlarged. When the war came on it was enlarged. Nearly all kinds of activities are carried on there, because, as the gentleman knows, it is the principal operating base of Chesapeake Bay.

Mr. FOSS. How many men have they been training at the training school?

Mr. PADGETT. Quite a large number. I think about 12,000 or 14,000 were trained there at one time.

Mr. FOSS. The gentleman can not tell, then, offhand how much has been expended there at the present time?

Mr. PADGETT. I think I could give you some of it. The appropriations made to date for the general development of the operating base, Hampton Roads, are as follows:

Act of June 15, 1917, establishment and development of the station, including $1,200,000 for the purchase of the land, $2,800,000. That would leave $1,000,000 for improvement and development.

Act of March 28, 1918, additional compensation for property taken over, $55,072.25. That is where it went over the $1,200,000 that was appropriated.

The act of July 1, 1918, toward water-front improvement, permanent improvement of the station, including piers, bulkheads, filling, grading, and so forth, $3,000,000.

The deficiency act of November 4, 1918, carried $1,174,556.68. That would make something like $7,000,000.

Mr. FOSS. My impression was that the water was rather shallow there.

Mr. PADGETT. Part of it is. They had to build some piers out there, but they are building some bulkheads and key walls out in the water and dredging behind them, and by that method they will add something like 500 acres of land to the original purchase.

Mr. FOSS. How many acres were there in the original purchase?

Mr. PADGETT. My recollection is that it was somewhere in the neighborhood of 600 acres.

Mr. FOSS. Six hundred?

Mr. PADGETT. Yes, sir.

Mr. FOSS. Mr. Chairman, I withdraw the pro forma amendment.

Mr. STAFFORD. Mr. Chairman, I notice for the hearings just read that it is planned to spend a total of $17,000,000 on this project down at the old Jamestown Exposition grounds.

Mr. PADGETT. That is what they told the committee it would cost, but we have appropriated only $1,000,000. As to whether that total amount will be appropriated in the future will depend upon Congress.

Mr. STAFFORD. What is involved in such an extensive program that will occasion an outlay of $17,000,000?

Mr. PADGETT. A good deal of it is for dredging and filling, which I referred to, and also the building of piers out to deep water; and then the construction of their storage facilities and the grounds for the training, and all those things, which make an increased expense.

Mr. STAFFORD. Is this base to be used for purposes similar to that at Great Lakes Training Station?

Mr. PADGETT. No; Great Lakes is strictly a training station. That is inland, and they train men there on the Lakes. This one at Hampton Roads is the great supply base and the operating base for the fleet. That is the finest large harbor that we have on the Atlantic, and the principal naval base is there; and they will keep there the great supplies of stores and materials and all of those things that are required for the outfitting of the ships, and things of that kind.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I remember when the Jamestown Exposition was held. It was not a financial success; and after it was over it was desired to sell the exposition site to the Government of the United States. Various attempts were made. I am under the impression that Congress several times declined to make an appropriation or an authorization for that purpose, and I have a dim impression that at one time we provided against money being used for that purpose; but I now congratulate the distinguished gentleman from Virginia, who has always advocated the purchase of this site by the Government of the United States. There is nothing like persistence. The people who had this land found it of no use on earth to themselves, I guess, and no other customer for it, I presume, though probably that would not be admitted, and they finally worked it off on the Government. Almost anybody who is persistent enough and keeps at it, trying first one body of Congress and if not successful trying the other, and if not successful there going to the Executive—almost anybody who keeps at it, trying to unload something on the Government, finally succeeds. If you want the Government to adopt a reform or dismiss an official or dispense with an office, that seems to be hopeless. If you want to get the Government to buy something, just keep at it and keep at it, and after a while the Government will buy it at a fancy price.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Naval Hospital, Puget Sound, Wash.: Quarters for nurses (female), $40,000.

Mr. JOHNSON of Washington. Mr. Chairman, I should like to discuss for a moment the strikes in the Puget Sound country. Beginning as strikes in the shipyards, these have spread to many other industries.

Mr. PADGETT. I do not think there is any strike in the navy yard.

Mr. JOHNSON of Washington. No; and I hope there will not be; but I understand that the metal workers on ships of the United States Emergency Fleet Corporation threaten not only strikes in the navy yard, but strikes generally in the metal industries of the entire Pacific coast, and perhaps throughout the United States. The Puget Sound shipyard strikes have been followed by sympathetic strikes, even down to the barbers, a general strike having been called, even though same was not authorized by the general organization of the unions.

The strikes were preceded by a series of Sunday street meetings and near riots. At these meetings the red flag was displayed and vicious talks of revolution and destruction were made. By whom? In many cases, Mr. Chairman, by men who owe no allegiance to the United States; by men who, in my opinion, should not be permitted to remain in the United States one single minute. After one of the recent Sunday riots in Seattle the authorities arrested 13 ringleaders and took their names. There was an array of Slavinskys and names of that sort.

Out of the 13 riot leaders, only 2 were Americans, of whom 1 said he wished he was not an American. The other 11 were aliens, and half of the remaining 11 were Russians. Think of it! Preaching revolution on the north Pacific, handing out literature labeled "Political democracy is an empty dream," and the like. From Russia they came, and to Russia they should be made to go. In Russia right now they can find more liberty than they know what to do with. We have laws on our statute books that provide for their deportation, and all aliens like them. If our Government officials will proceed under the Federal laws which we have enacted here in Congress, and deport those aliens who come here undertaking to tell how to run our Government and our affairs, we will have less trouble from these strikes. What kind of a socialistic government do these alien agitators desire to give us—the Russian kind, the German kind, or no government at all but anarchy and destruction, loot and plunder, murder and savagery? Why have not the deportations started? People can think of that as they are suffering from strikes which paralyze every activity in two great cities of the Pacific Northwest.

I have often wondered why it is that so many people in the United States are willing that these foreigners shall continue to come. How long can we permit them to come to preach from soap-box pulpits, telling us how to run our Government on an international plan? Why are they allowed to remain? If any of us should go to Russia, Japan, or any other country, and undertake to tell the people of those countries how to run their Governments and operate their affairs, we would meet with short shrift. It is time for the United States to get busy and do a little something on its own account for its own people. [Applause.]

The Clerk read as follows:

Total public works, $11,414,350, and the amounts herein appropriated therefor, except for repairs and preservation at navy yards and stations, shall be available until expended.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph. What is the necessity of making these vast appropriations, totaling $11,000,000, available until expended?

Mr. PADGETT. Congress has always made appropriations for public works, for Bureau of Yards and Docks, and other appropriations for this work, available until expended, because if you start a building you can not complete it in a year, and it might run from one year to another; they have always been made available until expended. That has been the general policy.

Mr. WALSH. As the result of that policy we have been called upon frequently to increase the limit of cost on these projects. If we give some indication that we are not going to be persuaded so easily to increase the limit of cost of these various projects, we might find some of them built within the limit, as with the case of the naval dock at Norfolk, the completion of which, I understand, is to be celebrated soon. Of course, in reference to the appropriations for the military branch, there is a constitutional inhibition against their being made for more than two years in advance. I do not know whether that would be construed to apply to the naval appropriations or not.

Mr. PADGETT. I did not quite catch the gentleman's remarks.

Mr. WALSH. I say there is a constitutional inhibition with reference to the appropriation for the military branch of the Government.

Mr. PADGETT. That does not apply to the Navy—only to the Army.

Mr. WALSH. I take it that it does not. But I think we ought not to put in a provision to make these appropriations available until expended. It seems to me that by doing that, by continuing it over a long period, Congress would have very

little control and jurisdiction over it and would likewise be in a position where it would not have very much information about it. The only difference, as I understand it, is that if this provision is not put in, when the next bill comes up they will have to come back and ask for a reappropriation, or a further appropriation, to complete the project.

Mr. PADGETT. Yes; but when they start out to make the plans and specifications the year may expire and then they would be tied up. The appropriation bills are indefinite as to the time when they are to become a law. It would no doubt result seriously to the economic and proper execution of the erection of public buildings.

Mr. MANN. Will the gentleman permit a suggestion?

Mr. WALSH. Certainly.

Mr. MANN. I take it that a large share of these public works are constructed under contract, and it is not feasible to make the contract for public construction on a one-year appropriation. That is the reason under existing law for the covering-in act. I do not know whether the covering-in act would cover in all these appropriations or not, but the bill assumes that it would or else it would not make them available until expended. These things that are supposed in the main to be done by contract may require practically a year in which to formulate the contract and much more time to complete it. The appropriations are not covered back at the end of the time specified by the covering-in act.

Mr. WALSH. Does the gentleman contend that if we make an appropriation for a building that may cost a million dollars that can not be completed within the year, that unless we made the appropriation available until expended the authorities could not enter into a contract?

Mr. MANN. They could not enter into a contract unless we gave the authorization to enter into the contract. That we frequently do.

Mr. WALSH. The appropriations do that.

Mr. MANN. The appropriations authorize the making of a contract, that is true. They could make the contract within the year, but it is a very common thing to provide an appropriation with an authorization to make the contract for a much larger amount. But the amounts in this bill, probably in the main, would not warrant that, and it is desirable, I think, to permit the appropriation when made to be available for the completion of the project, so that they can make the contracts and proceed on the theory that they have the money. They could not make a contract beyond the authorization under existing law.

Mr. STAFFORD. Mr. Chairman, I wish to make a statement under the reservation of a point of order. I understand that if we authorize the construction and appropriate the money for any project, such as are included in this item, that the naval authorities have the right to contract for the construction within the year, and the money then remains available for two years additional. If it is contracted for within the time of the authorization of the appropriation act——

Mr. MANN. It remains available for the payment of obligations incurred within the year.

Mr. STAFFORD. And remains available for two years thereafter.

Mr. MANN. If the obligations were incurred during the year.

Mr. STAFFORD. Mr. Chairman, I think it might be apropos to this discussion to read into the RECORD the covering-in act:

SEC. 5. That from and after the 1st day of July, 1874, and of each year thereafter, the Secretary of the Treasury shall cause all unexpended balances of appropriations which shall have remained on the books of the Treasury for two fiscal years to be carried to the surplus fund and covered into the Treasury: *Provided*, That this provision shall not apply to permanent specific appropriations, appropriations for rivers and harbors, lighthouses, fortifications, public buildings, or the pay of the Navy and Marine Corps; but the appropriations named in this proviso shall continue available until otherwise ordered by Congress, and this provision shall not apply to any unexpended balance of the appropriation made by the act approved December 21, 1871, for expenses that may be incurred under articles 1 to 9 of the treaty with Great Britain, concluded May 8, 1871, which balance the act approved March 3, 1875, authorized to be expended to enable the President to fulfill the stipulations contained in the twentieth, twenty-second, twenty-third, twenty-fourth, and twenty-fifth articles of said treaty: *And provided further*, That this section shall not operate to prevent the fulfillment of contracts existing at the date of the passage of this act; and the Secretary of the Treasury shall, at the beginning of each session, report to Congress, with his annual estimates, any balances of appropriations for specific objects affected by this section that may need to be reappropriated.

Under the wording of that section this appropriation would be available for two years.

Mr. MANN. Available for two years for the payment of obligations.

Mr. STAFFORD. And if for specific objects it is continued available for all time, because it is one of the exceptions of the covering-in act.

Mr. MANN. As I said a while ago, I was not sure whether the covering-in act would apply to these cases or not. The matter is carried in the bill. If the covering-in act applies, I think the provision ought to stay in, as it is on all fours with the exceptions in the covering-in act.

Mr. STAFFORD. The gentleman will recall that about six years ago a resolution was brought in from the Naval Affairs Committee authorizing all of the unexpended appropriations heretofore voted for the navy yard at New Orleans, running into hundreds of thousands of dollars, and running back for many years, to be utilized for certain new construction. It is not good policy to allow these unexpended appropriations to remain authorized for all time and not to be turned back into the Treasury. I withdraw the reservation of the point of order, so far as I am concerned.

Mr. WALSH. Mr. Chairman, I am inclined to make the point of order. I think that the act that has been read by the gentleman from Wisconsin [Mr. STAFFORD] is plain as to what the covering-in requirement is. This is a provision to take this out of the general law relating to appropriations. I do not think, with two years within which they can make payment of the projects provided for in this bill, provided they are authorized, we ought to permit these appropriations to run along interminably. There ought to be some way of checking up from time to time, and the Committee on Naval Affairs ought to be in a position to ascertain. The gentleman was asked only a short time ago what was the cost of the dry dock at Pearl Harbor. He said it started in at about $3,000,000 and they raised it a million dollars and it climbed up somewhat.

Mr. PADGETT. The limit of cost in the dry dock at Pearl Harbor was accounted for by the hydrostatic pressure of water coming up through the porous coral underneath, which lifted the whole works up into the air. When they pumped the water out of the basin of the dock it was the hydrostatic pressure which caused the trouble. That was the delay and the cause of the increase in the limit of cost.

Mr. WALSH. It was the hydrostatic pressure of the water at Pearl Harbor and the hydrostatic pressure of the mud at Philadelphia. Of course, there is always some reason for raising the limit, and sometimes the reason is more disappointing in some cases than in others. I make the point of order.

The CHAIRMAN. On what part?

Mr. WALSH. It is the whole thing.

Mr. PADGETT. It is on that part after the total?

The CHAIRMAN. The gentleman from Massachusetts does not make the point of order against the words "total public works, $11,414,350"?

Mr. WALSH. I think that might as well go out, as they do not add anything to the statute; but I do not care about them.

The CHAIRMAN. The Chair sustains the point of order to that part of the paragraph after the figures "$11,414,350."

The Clerk read as follows:

Contingent, Bureau of Medicine and Surgery: For tolls and ferriages; care, transportation, and burial of the dead, including officers and enlisted men who die within the United States, and supernumerary patients who die in naval hospitals; purchase of cemetery lots; purchase of books and stationery, binding of medical records, unbound books, and pamphlets; hygienic and sanitary investigation and illustration; sanitary and hygienic instruction; purchase and repairs of nonpassenger-carrying wagons, automobile ambulances, and harness; purchase of and feed for horses and cows; maintenance, repair, and operation of two passenger-carrying motor vehicles for naval dispensary, Washington, D. C., and of one motor-propelled vehicle for official use only for the medical officer on out-patient medical service at the Naval Academy, and of a motor omnibus for the transportation of convalescent patients and attendants at the Naval Hospital at Las Animas, Colo., to be used only for official purposes; trees, plants, care of grounds, garden tools, and seeds; incidental articles for the Naval Medical School and naval dispensary, Washington, naval medical-supply depots, sick quarters at Naval Academy and marine barracks; washing for medical department at Naval Medical School and naval dispensary, Washington, naval medical-supply depots, sick quarters at Naval Academy and marine barracks, dispensaries at navy yards and naval stations, and ships; and for minor repairs on buildings and grounds of the United States Naval Medical School and naval medical-supply depots; rent of rooms for naval dispensary, Washington, D. C., not to exceed $1,200; for the care, maintenance, and treatment of the insane of the Navy and Marine Corps on the Pacific coast, including supernumeraries held for transfer to the Government Hospital for the Insane; for dental outfits and dental material, and all other necessary contingent expenses; in all, $1,000,000.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order. Will the chairman of the committee indicate to the House what is meant by the designation "supernumerary patients"?

Mr. PADGETT. Say that a man is sent as a patient to the hospital, and while he is in the hospital his term of enlistment expires. He is really no longer in the service, but they do not turn him out. They take care of him and treat him until he gets well or until he dies. He is regarded as a supernumerary in the hospital.

Mr. STAFFORD. That is quite a term to apply to a discharged sailor.

Mr. PADGETT. He is not discharged. They do not discharge him. They keep him there. His term of enlistment expires; they do not discharge him. They treat him all of the time until he is well or dies.

Mr. STAFFORD. It is also proposed in this paragraph to appropriate money for authorizing the purchase of cemetery lots.

Mr. PADGETT. Yes; to buy a lot to bury a man in if he has nothing and there is no place to bury him.

Mr. STAFFORD. This is not an authorization to purchase large grounds for the burial of sailors who have lost their lives in connection with the European war?

Mr. PADGETT. Nothing of that kind.

Mr. STAFFORD. I notice in the following paragraph authorization is provided for the transportation of the remains of the deceased sailors

Mr. PADGETT. Yes.

Mr. STAFFORD. I withdraw the reservation of the point of order.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word in order that I may refer briefly to the case of Capt. Henry Harvey, who recently came to Philadelphia upon the steamship *Haverford*, the first troopship to run to the port of Philadelphia. Concerning Capt. Harvey, my friend Mr. P. F. Young, manager of the International Mercantile Marine Lines, has written me in substance that Capt. Harvey was the officer in charge of the White Star liner *Persic*, which sailed from Boston for London about August 25, 1918, carrying about 2,100 American soldiers, for landing at London or some other port to be designated by the authorities there upon arrival; that when about 40 miles northwest of the Scilly Islands the *Persic* was torpedoed. This was about 2.50 p. m. on September 7, 1918. Signals were at once passed with the British destroyers and other ships in the neighborhood, and the transfer of American troops to British destroyers or other craft was immediately started, with the result that all of the 2,100 American troops were safely transferred to British and other vessels at 4.45 p. m., a matter of less than two hours. Also, practically all of the equipment belonging to the troops was safely transferred and the troops were sent to a British camp at Salisbury Plains. So far as the *Persic* itself is concerned, Capt. Harvey handled the vessel in such a way that he finally brought her safely into Marys Roads, Scilly Islands, and the ship is still in existence and it is hoped will be in commission again at no distant date. My correspondent, Mr. Young, who keeps well posted in matters of this kind, advises me that Capt. Harvey for this persistently heroic service has been recognized in several ways by the British authorities; that they have conferred certain honors upon him; and Mr. Young rather laments the fact that no such honors have been bestowed upon the captain by any of the United States authorities. It is suggested that something might be done to give encouragement to officers of proven heroism, as in this case.

I do not care to introduce a special bill on this subject because of the numerous instances of heroism displayed by American officers and men during this war, but the captain deserves honorable mention.

Mr. PADGETT. The gentleman will bear in mind that just a few weeks ago the Senate passed a bill which had been passed by the House in a former session, and which has been approved recently by the President, authorizing the award of medals—congressional medals or medals of distinguished services, badges, and so forth—and I understand that is under consideration now for the purpose of giving the benefits of it to those who deserve it.

Mr. MOORE of Pennsylvania. I am thankful to the gentleman for having made that statement.

Mr. PADGETT. This act just became a law recently, having been passed by the Senate.

Mr. MOORE of Pennsylvania. I thank the gentleman again for that statement.

Mr. BUTLER. The House passed that bill six or eight months ago.

Mr. PADGETT. It was during the last session, and it went over to the present session of the Congress in the Senate, and the Senate passed it recently, and I noticed in the papers the other day that it had been approved by the President and was being taken into consideration with a view of its execution.

Mr. MOORE of Pennsylvania. I say I would not care to introduce a bill in this particular case because of the many other cases of heroism displayed by officers and men of the Navy and of the Army, and I am gratified to have made the statement that provision has been made to give special recognition to men of proven heroism in the war on land and sea.

The Clerk read as follows:

Bringing home remains of officers, etc., Navy Department: To enable the Secretary of the Navy, in his discretion, to cause to be transferred to their homes the remains of officers and enlisted men of the Navy and Marine Corps, of members of the Nurse Corps, of civilian officers and crews of naval auxiliaries, and of officers and enlisted men of the Naval Militia and National Naval Volunteers and the Naval Reserve Force when on active service with the Navy, who die or are killed in action ashore or afloat, and also to enable the Secretary of the Navy, in his discretion, to cause to be transported to their homes the remains of civilian employees who die outside of the continental limits of the United States, $700,000: *Provided*, That the sum herein appropriated shall be available for payment for transportation of the remains of officers and men who have died while on duty at any time since April 21, 1898, and shall be available until June 30, 1921.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. This item for the transportation of the remains of deceased sailors, marines, and civilians brings up the subject as to what the policy of the Navy is going to be in the transportation of the remains of those who died abroad during the European war.

Mr. PADGETT. The committee went into that both at this session and at the last. It is the fixed purpose of the Navy to return the bodies of everyone who died abroad and if practical keep up with that. The Navy has a much smaller proposition than the Army in reference to that, because their men largely are on ships, and when a man dies on ship he is brought back immediately. If they died over in France and they are buried there, they have to remain there until negotiations can be made with the French Government for the removal of the remains. The gentleman knows France has a law prohibiting the disinterment of bodies within a certain time after burial.

Mr. STAFFORD. The reason why I brought this up is because of the changed position of the War Department. At the very outbreak of hostilities we were informed that at the close of the war, when it was opportune in relation to transportation facilities, that the remains of all our deceased soldiers would be brought back at Government expense. That was the information I obtained from the Cemeterial Division, Quartermaster Corps. It was also supplemented by information from The Adjutant General's Office. Now, within a week or 10 days information comes to us through the Committee on Appropriations that it is not going to be the policy of the War Department to bring back the remains of deceased soldiers.

Mr. IGOE. When was that change made, may I ask the gentleman?

Mr. STAFFORD. It surprised us. That was called to our attention in the Committee on Appropriations. After we had been given assurances by any number of departmental officials that it was the set policy to bring them back, now we learn the policy of the War Department is to be changed. I know the change of the position of the department surprised any number of members of the Committee on Appropriations.

Mr. PADGETT. May I interrupt the gentleman a moment? I will state I had been informed at the office of The Adjutant General by The Adjutant General himself that it was the purpose to return the remains of all soldiers who died abroad.

Mr. STAFFORD. I wish to confirm that by saying The Adjutant General himself in the legislative subcommittee testified to that, but recently it seems there has been a new policy adopted by the War Department reversing its former position.

Mr. PADGETT. He went further and stated that a family would not be permitted to bring them back on their own account, because the Government would bring them back for them, and that before they were brought back the families would be communicated with to ascertain definitely their wishes as to whether they should be buried in a national cemetery or delivered to the family at their home, and I had not heard anything to the contrary.

Mr. STAFFORD. It was stated originally that the remains of all the deceased soldiers would be brought back unless the immediate family should request that they should not be brought back.

Mr. PADGETT. That statement was made to me also.

Mr. FOSTER. I hope, if it is true, Congress will take such action as is necessary to insure the bringing back of the bodies of these soldiers whose folks desire that to be done. We have all had a good many inquiries from relatives of soldiers who died in France inquiring as to whether or not their remains would be brought back to the United States, and requesting that that be done. Now, I think after we have assured these folks on the statement of the War Department that that would be the case that not to do that would be an outrage upon those people in this country whose sons have died for their country.

Mr. MANN. Is the gentleman able to tell me whether the War Department is now bringing back the remains?

Mr. FOSTER. No; I understand they are not. And they have said in the communications I have had from them that they can not bring them back now on account of shipping conditions, but later on they propose to bring back the body of every boy who died in Europe if his friends desire. If not there would be appropriate action taken for the establishment of a national cemetery in France. Now, I think it would be a very, very bad thing if the Government and the War Department should decide they were not going to do this.

Mr. BARKLEY. Will the gentleman yield?

Mr. FOSTER. I will.

Mr. BARKLEY. The Adjutant General a few days ago informed me it was intended to assume that everybody wanted their relatives brought back unless there was advice to the contrary.

Mr. STAFFORD. How recent was that?

Mr. BARKLEY. Within the last week.

Mr. STAFFORD. I am surprised at the variance in the information.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FOSTER. Mr. Chairman, I would like just two minutes more. I think if the gentleman has information that it is going to be the policy of the department to do that, Congress ought to take prompt action.

Mr. MANN. To do what?

Mr. FOSTER. To assure the people of this country that the bodies of the boys are going to be brought back at such time as it can be done. Of course, we realize it can not be done now.

Mr. STAFFORD. At the last meeting of the Committee on Appropriations the information was conveyed to us by the chairman that he had received information from the War Department a few days before that the policy of the War Department was not to bring back the interred remains of the deceased soldiers. It struck us all with surprise, because we had been under the impression that the set policy of the department was to bring them back as soon as transportation facilities were afforded.

Mr. FOSTER. I think it would be a mistake for the Government not to do it. Relatives in this country of boys who have died in France feel that they want those remains brought back here so that they may be buried in the family lot in a cemetery near their home. Now, not to do that would be, I think, very bad for the country.

Mr. MANN. In some cases they want the remains brought back, and in some cases they would like to have the remains stay where they now rest, and I think in many cases they would like to have the Government own and take care of a cemetery over there where the remains could be placed and taken care of.

Mr. FOSTER. I think, with my colleague, that some of them want that, but if their preference is to bring them back the Government ought to bring them back.

Mr. MANN. I agree with that.

The CHAIRMAN. The time of the gentleman has expired.

Mr. EMERSON. Mr. Chairman, I ask unanimous consent for an extra minute.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. EMERSON. I understand that these soldiers were buried on the field as they fell behind the lines, and not in caskets or coffins, and with no protection but the uniform and blanket. Is that so?

Mr. FOSTER. I am not informed as to that.

Mr. STAFFORD. I wish to say the information is that it was absolutely impossible in the midst of battle to provide coffins, and they were buried in quickly provided graves, but the graves were marked as far as it was practicable.

Mr. FOSTER. I was talking with a soldier from France a few days ago who helped to bury some of the soldiers killed in battle. He said there was difficulty in identifying them, because they had to bury these boys at night, on account of the battle going on, and they took from their bodies the identification tags. They said when they came back to the lines and took those tags out of their pockets they found some of them blank. They do not know whom they buried in the graves, and until the bodies are finally taken up they will not know who were buried there.

Mr. EMERSON. The sooner they are brought back the better we can identify them.

Mr. MANN. Mr. Chairman, I would like to say a word on this subject, if I may.

The CHAIRMAN. The time of the gentleman from Ohio [Mr. EMERSON] has expired. The gentleman from Illinois is recognized.

Mr. MANN. Justice McCoy, of this city, many years a Member of this House, had a boy who was killed in France. He wrote a letter to one of the papers here in the city recently, the Star, I think—and I have a copy of his letter—in which he stated—and I will not be absolutely accurate as to the details, but the substance of it was—that he asked some friend to visit the place where his son was buried. That was done, and they found the grave was marked, but the marking was almost indistinguishable and would soon be entirely gone. He asked permission of the War Department to put some kind of a mark there which would stay, but was refused that permission.

Mr. BUTLER. Mr. Chairman——

Mr. MANN. The statement was made in this connection that some of these graves were marked with paper tags.

Mr. BUTLER. I saw them.

Mr. MANN. And that was the only marking there was. The War Department put nothing else on and would allow no one to put anything else there.

Mr. HASTINGS. Why?

Mr. MANN. That is one of the mysteries of life to me. I do not know why.

Mr. HASTINGS. There was no reason given?

Mr. BUTLER. No reason given.

Mr. MANN. To bring home a coffin without a name being given they will not know where it came from. It is perfectly possible that they may in the future bring home a coffin under a name, but they will not know where it came from or who lies within it.

Mr. TILSON. Mr. Chairman, there is in the Quartermaster Corps of the Army, under the direction of the War Department, a section called the "Grave Registration Service." I believe that is the technical name for it. At any rate it is a branch of the service whose duty it is to gather the bodies of the dead on the field of battle and elsewhere, to inter them as best they can be interred under the circumstances and to mark the graves so that they may be easily found and identified thereafter. It is done under a provision of law and the regulations of the War Department. Whether those regulations are carried out or not I can not say. The last time this matter was up before the Committee on Military Affairs it was taken for granted, when spoken of, that the originally announced policy of the War Department would be carried out. It has been stated and reiterated that the bodies of the dead will be returned to this country as soon as the war is over and transportation facilities are in such shape that they can be brought. It has been emphasized that this will be done certainly in every case where there is a request that it shall be done, and that the body will be delivered at the home of the parents or relatives of the deceased.

Mr. BARKLEY. Mr. Chairman, will the gentleman yield?

Mr. TILSON. Yes.

Mr. BARKLEY. The Adjutant General, in this same conversation to which I referred a moment ago, advised me that the department was preparing to send out a letter to every parent or relative who had lost a boy in France, asking what their wishes were in reference to this matter, and that those plans would be carried out as soon as the shipping facilities were ample.

Mr. TILSON. That is in entire accord with the understanding of the Committee on Military Affairs.

Mr. CARAWAY. If the gentleman will yield to me just one moment, the statement of the gentleman from Illinois [Mr. MANN], I think, is calculated to carry distress to the relatives of soldiers who died in France. I wanted to say this, that I think I saw the graves of thousands of them and they were all marked, and the markings were permanent. They would last for years, I think. I hope the gentleman's informant was mistaken—that they were marked with paper.

Mr. TILSON. It is the intention of the law, I am sure, that they should be durably marked.

Mr. MANN. I quoted a letter from Mr. Justice McCoy, who for many years was a prominent Member of this House.

Mr. CARAWAY. I understood the gentleman to say that the graves were marked with paper.

Mr. MANN. He said somebody else made that statement.

Mr. CARAWAY. I hope that the person who informed Justice McCoy was mistaken. I saw none of that kind.

Mr. OLIVER of Alabama. Many of the Members, of course, have visited the battle fields of France, and I think those who have visited those fields will bear out the statement of the gentleman from Arkansas and contradict the statement of the gentleman from Illinois.

Mr. TILSON. A system of identification tags was devised whereby each soldier can be identified, and, as I recall, one of those tags is supposed to be buried with each body. Of course that can not always be done, but where the intention of the

law and regulations is carried out the bodies of the dead are buried as best they can be under the circumstances and marked as best they can be marked. Of course there will be instances where those things are not done. There are men who are careless about the proper performance of their duties, even the performance of so sacred a duty as the burial of the soldier dead.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Pay of the Navy: Pay and allowances prescribed by law of officers on sea duty and other duty, and officers on waiting orders, $34,198,086; officers on the retired list, $3,620,188; commutation of quarters for officers, including boatswains, gunners, carpenters, sailmakers, machinists, pharmacists, pay clerks, and mates, naval constructors, and assistant naval constructors, $2,019,312, and also members of Nurse Corps (female), $44,200; for hire of quarters for officers serving with troops where there are no public quarters belonging to the Government, and where there are not sufficient quarters possessed by the United States to accommodate them, or commutation of quarters not to exceed the amount which an officer would receive were he not serving with troops and hire of quarters for officers and enlisted men on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable, $25,000; pay of enlisted men on the retired list, $501,300; extra pay to men reenlisting under honorable discharge, $3,250,000; interest on deposit by men, $30,000; pay of petty officers, seamen, landsmen, and apprentice seamen, including men in the engineers' force and men detailed for duty with the Fish Commission, 181,485 men, plus 11,000 men in trade schools; and pay of enlisted men of the Hospital Corps, $105,639,570; pay of enlisted men undergoing sentence of court-martial, $1,866,600, and as many machinists as the President may from time to time deem necessary to appoint; and 20,000 apprentice seamen under training at training stations and on board training ships, at the pay prescribed by law, $9,388,800; pay of the Nurse Corps, $1,392,600; rent of quarters for members of the Nurse Corps, $55,800; retainer pay and active-service pay of members of the Naval Reserve Force, $31,763,256; in all, $193,795,312; and the money herein specifically appropriated for "Pay of the Navy" shall be disbursed and accounted for in accordance with existing law as "Pay of the Navy," and for that purpose shall constitute one fund: *Provided*, That hereafter the Pay Corps shall be called the Supply Corps.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. PADGETT. Mr. Chairman, I wanted to offer some amendments reducing the amount on account of the offer made there.

Mr. MANN. Why do you propose to change the name of Pay Corps to "Supply Corps"? A little while ago you would not change the name of "coal yard" to "fuel yard," because you said it would not do to change a name, although most of the fuel was petroleum and not coal.

Mr. PADGETT. The gentleman's statement is stronger than mine. I said it had been done that way. The matter had not been called to our attention.

Mr. MANN. It was called to your attention then, and you still declined to change it. You said the Secretary of the Treasury objected to a change.

Mr. PADGETT. The Secretary of the Treasury has recommended this because it suits better than "Pay Corps," because they do much more than merely pay. They furnish supplies and they buy and distribute supplies as well as pay. They furnish equipment.

Mr. MANN. Their main business is to pay out money, is it not?

Mr. PADGETT. Yes; but they make purchases, too.

Mr. MANN. Their main business is paying out money. They must pay for all they buy. Besides buying things and paying for them, they pay salaries—compensation. Everybody knows what "Pay Corps" means, but nobody would know what "supply corps" means. I dislike to stand in the way of anything of that sort, but it seems to me to be a ridiculous proposition. We have had a Pay Corps for years. We have paymasters. They will want to call themselves "supply masters," I suppose, just because somebody had a nightmare one night and thought it would be a good thing to change the name. That is all there is to it.

Mr. PADGETT. It was submitted by the Secretary and recommended very earnestly by the Paymaster General. It is not a material matter, however, and if it should go out it would leave the other.

Mr. MANN. If there is any reason for it, I am willing to admit the reason, but I have not heard of any yet.

Mr. PADGETT. Here is what the Secretary says:

In connection with the hearing of the appropriation bill, it is suggested that the following language be substituted for "Pay Corps": "Hereafter the Pay Corps shall be called the 'Supply Corps.'"

This is in pursuance of General Order 163, dated October 15, 1915, which provides that "The Supply Department shall hereafter embrace all work now included, respectively, in the General Storekeeper's Department on shore and the combined Storekeepers', Commissary, and Pay Department afloat, the officer in charge thereof to be known as a supply officer." Pay is only a minor, though important, part of the supply officer's daily duty, and the designation "supply corps" indicates more clearly the character of the duties performed by the officers of that corps.

Sincerely,

JOSEPHUS DANIELS,
Secretary of the Navy.

Mr. GARNER. According to this letter, we have had it since 1915 anyway, whether the law authorizes it or not.

Mr. MANN. Very likely the law authorized the consolidation, I do not know.

Mr. PADGETT. It authorized the consolidation, but the name has been "Pay Corps" until now. It was in pursuance of that recommendation that the committee included this paragraph.

Mr. MANN. I think I am foolish for doing it, but I withdraw the point of order.

The CHAIRMAN. The gentleman from Illinois withdraws the point of order.

Mr. PADGETT. I offer an amendment.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

Mr. PADGETT. On page 31, line 8, I move to strike out "$193,795,312" and insert "$178,280,872."

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. PADGETT offers the following amendment: Page 31, line 8, strike out "$193,795,312" and insert in lieu thereof "$178,280,872."

Mr. PADGETT. Mr. Chairman, the reason that I offer this amendment, and that I will offer others, is on account of the point of order being sustained against the item providing for the making permanent of the increased pay, which this appropriation embraced. This carries with it a reduction of $15,514,440. It is based on the assumption that by the 1st of July, the end of the present fiscal year, peace will have been proclaimed, and under existing law the increased pay runs for six months after the proclamation of peace. Then after that six months it will be upon the basis of the provision of this bill, and that provision having gone out on a point of order, I thought I should move to reduce this amount accordingly.

Mr. MANN. Mr. Chairman, the gentleman proposes to reduce the last item in the bill, which is merely an addition.

Mr. PADGETT. I know, but I am coming to the others.

Mr. MANN. I should suggest that the gentleman offer them all together.

Mr. PADGETT. In line 5, page 31, I move to strike out "$9,388,800" and insert in lieu thereof "$7,328,800."

In line 24, page 30, I move to strike out "$105,639,570" and to insert "$92,285,130." That makes the separate items agree with the total.

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

Page 30, line 24, strike out "$105,639,570" and insert "$92,285,130."
Page 31, line 5, strike out "$9,388,800" and insert "$7,328,800."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee, including the one first reported.

The amendment was agreed to.

Mr. PADGETT. In conformity with the language providing for the 225,000 men, or where it did not designate them, there is a designation here which was overlooked, and in line 21, page 30, I want to move to strike out the words "one hundred and eighty-one thousand four hundred and eighty-five" and substitute the word "enlisted," so that it will read "enlisted men" instead of "one hundred and eighty-one thousand four hundred and eighty-five men."

The CHAIRMAN. The gentleman from Tennessee offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 30, line 21, strike out "one hundred and eighty-one thousand four hundred and eighty-five" and insert in lieu thereof the word "enlisted."

The amendment was agreed to.

Mr. PADGETT. Now, in line 22, on page 30, I move to strike out the words "plus eleven thousand," so that it will read "men in trade schools." The whole of it is determined by the former provision of 225,000 men.

The CHAIRMAN. The gentleman from Tennessee offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 30, line 22, strike out the words "plus eleven thousand."

The amendment was agreed to.

Mr. PADGETT. Mr. Chairman, on page 31, I move to strike out, in line 3, the words "twenty thousand," so that it will read "and apprentice seamen."

The CHAIRMAN. The gentleman from Tennessee offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 31, line 3, strike out the words "twenty thousand."

Mr. STAFFORD. Mr. Chairman, will the gentleman explain his purpose in trying to make the bill less specific, so that the House will not hereafter know the number of men for whom we are appropriating?

Mr. PADGETT. We do know. This provides for a temporary force of 225,000 men, including all the ratings, apprentice seamen and all, but it did not distribute them in the former paragraph with reference to providing for the temporary increase. Now, this increase here was on the original basis of 225,000, and by striking this out it leaves it temporarily governed by the 225,000, and then at the end of the fiscal year, unless there is additional legislation, it reverts to the 131,485, plus 6,000 apprentice seamen, plus the Hospital Corps, which is defined under the general law; and this is simply to make it conform to the 225,000, which by express words embraces all of the enlisted men of all ratings.

Mr. STAFFORD. With the elimination of the "plus 11,000" Congress will never hereafter know how many men are being provided for in the trade schools.

Mr. PADGETT. Yes; because it is limited. For this present year it will not, but unless Congress legislates some more it goes back to the permanent establishment of 131,000, plus 6,000 apprentice seaman, plus the Hospital Corps, and Congress would have to authorize them if there were any more.

Mr. STAFFORD. Under that basis how many men will there be in the trade schools if we strike out the "plus 11,000" enlisted men?

Mr. PADGETT. There is no provision for that. That is under the permanent law, and they just designate the number of men that they need to go in there. This was with reference to the temporary strength, and provided an additional allotment out of the temporary strength.

Mr. STAFFORD. For years you have carried, have you not, a limitation on the men in the trade schools plus 11,000?

Mr. PADGETT. No; the 11,000 is only in this bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee.

The amendment was agreed to.

The Clerk read as follows:

Provisions, Navy: For provisions and commuted rations for the men and marines, which commuted rations may be paid to caterers of messes, in case of death or desertion, upon orders of the commanding officers, commuted rations for officers on sea duty (other than commissioned officers of the line, Medical and Pay Corps, chaplains, chief boatswains, chief gunners, chief carpenters, chief machinists, chief pay clerks, and chief sailmakers) and midshipmen at 68 cents per diem, and commuted rations stopped on account of sick in hospital and credited at the rate of 50 cents per ration to the naval hospital fund; subsistence of officers and men unavoidably detained or absent from vessels to which attached under orders (during which subsistence rations to be stopped on board ship and no credit for commutation therefor to be given); subsistence of men on detached duty; subsistence of officers and men of the Coast Guard and Lighthouse Services while cooperating with the Navy in so far as the regular appropriations for these services are insufficient therefor; subsistence of officers and men of the naval auxiliary service; subsistence of members of the Naval Reserve Force during period of active service; and for subsistence of female nurses and Navy and Marine Corps general courts-martial prisoners undergoing imprisonment with sentences of dishonorable discharge from the service at the expiration of such confinement: *Provided*, That the Secretary of the Navy is authorized to commute rations for such general courts-martial prisoners in such amounts as seem to him proper, which may vary in accordance with the location of the naval prison, but which shall in no case exceed 30 cents per diem for each ration so commuted; and for the purchase of United States Army emergency rations as required; in all, $73,746,185, to be available until the close of the fiscal year ending June 30, 1921.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. Will the gentleman inform the House as to the change from existing law, so far as the additional subsistence is allowed?

Mr. PADGETT. As I recall it at the present time, it is 68 cents for midshipmen in the academy.

Mr. STAFFORD. And the present rate is 50 cents?

Mr. PADGETT. No; I think it is 40 cents. The Hospital Corps is 50 cents under existing law, but my recollection of the midshipmen is that it is 40 cents.

Mr. STAFFORD. Will the gentleman explain the reason for the increase of allowance for subsistence in the case of midshipmen?

Mr. PADGETT. Yes; out of their allowance of $600 a year they are required to pay a considerable contribution toward the maintenance of themselves in the academy. The 40 cents does not do it and the 68 cents will not do it. This was to give them the benefit of this rate at 68 cents to pay for the three meals a day, instead of 40 cents.

Mr. STAFFORD. How long has the rate of 40 cents prevailed?

Mr. PADGETT. I think since about two years ago; about the beginning of the war.

Mr. STAFFORD. Has the gentleman any information as to the actual cost of the rations per day throughout the year?

Mr. PADGETT. We are told that it is costing now close to a dollar for the three meals.

Mr. STAFFORD. I remember some report on the question showing the cost per ration, but I did not think it had gone up to so high a figure, except for the officers.

Mr. PADGETT. The superintendent advised us that it cost about a dollar.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of a point of order.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee with reference to the subsistence for officers and men of the Lighthouse Service and the Coast Guard. The subsistence provided in this paragraph is only sufficient for this service, is that it?

Mr. PADGETT. That language was inserted on account of legislation putting the Coast Guard under the Navy during the war. It appeared in the bill for the first time last year, and I think the Lighthouse Service also. That language was inserted the first time last year because operating with the Navy it had to care for them.

Mr. WALSH. There are also officers and men in the Fisheries Bureau operating under the Navy?

Mr. PADGETT. I do not think they operate with the Navy. The legislation, as I remember, took in the Lighthouse and the Coast Guard, but I do not think it took in the Fisheries. There are certain men in the Navy detailed to work with the Fish Commission, and the Navy operate some vessels of the Fish Commission.

Mr. WALSH. The *Albatross* and the *Fish Hawk*.

Mr. PADGETT. There are naval men detailed to the Fisheries Commission, but the Fisheries Commission does not by operation of the law come under the naval authority like the Coast Guard and the Lighthouse Service.

Mr. WALSH. The Navy has operated some vessels of the Bureau of Fisheries, and they have been turned over to them since we went into the war, and I think one or more vessels with the Coast and Geodetic Survey. Do the officers and men get an allowance for subsistence under this paragraph?

Mr. PADGETT. Yes; they get the same as the Navy.

Mr. WALSH. What is the necessity, then, for this language, "officers and men of the Coast Guard and Lighthouse Service"?

Mr. PADGETT. So as to give authority to regard them as a part of the Navy. They belong in the Treasury Department in time of peace, and as soon as peace is declared they go back to the Treasury Department.

Mr. WALSH. The officers and men of the Bureau of Fisheries, the Coast and Geodetic Survey, belong to the Department of Commerce, but there is no authorization in this paragraph to give them any subsistence.

Mr. PADGETT. They do not operate with the Navy. Some of the men of the Navy are operating to help run the ships of the Fisheries Commission. For years they have carried a provision for men detailed with the Fisheries Commission.

Mr. WALSH. Is it possible that they have taken over the steamers but not the personnel?

Mr. PADGETT. I do not know that the Navy has taken over any vessels of the Fish Commission. They operate them for the Fish Commission. They are not operating them for the Navy. They are putting men there to work for the Fish Commission.

Mr. WALSH. The gentleman has in mind the steamers *Fish Hawk* and *Albatross*, which are naval vessels; one is, and I think both; they have been detailed to the Bureau of Fisheries.

Mr. PADGETT. Yes.

Mr. WALSH. And they have naval crews for them; but the sundry civil appropriation bill carries an item for one or two of them, but during the war, I think, there have been other vessels of the Fishery Service and, if I am not mistaken, one or more of the Coast and Geodetic vessels that have been transferred to the Navy.

Mr. PADGETT. I have no information as to that. I could not give the gentleman any light or information on that, because I do not know.

Mr. WALSH. The gentleman does not know, if the personnel are transferred, whether they are getting any subsistence or not?

Mr. PADGETT. I do not know of any of them being transferred. I do not know that any of the fish men had been taken over by the Navy. I knew that the Navy was detailing men from the Navy to cooperate with and help the Fish Commission, but I did not know that the Navy had taken over any of the Fish Commission's boats.

The CHAIRMAN. The time of the gentleman has expired, and the Clerk will read.

Mr. MANN. Mr. Chairman, before the Clerk proceeds to read I move to strike out the last word. This item provides for the commutation of rations of prisoners of courts-martial, and the preceding one provided for the payment of enlisted men undergoing sentence of courts-martial, to the amount of $1,866,000. That seems a very large amount and would indicate that a very large number of men are provided for under court-martial sentence. Does the gentleman know how many there are?

Mr. PADGETT. No. There has been a very perceptible increase in the number. There has perhaps been also some increase in the percentage. I understand that since the signing of the armistice the percentage of the number of men deserting has been very much increased. Men have been deserting considerably since the signing of the armistice.

Mr. MANN. I was told recently that at one place down here there were quite a number of men of the Navy surrounded by a high fence, under guard, not permitted to go away, because at some place when an officer came in he thought the sailors or the men there were not sufficiently active in rising to salute him. Hence they had the whole bunch in confinement.

Mr. PADGETT. I have never heard of that.

Mr. MANN. They have nothing to do. They ought to have been discharged. There they were keeping them guarded behind a 10-foot fence, the statement was made.

Mr. PADGETT. I have never heard of that, and I can neither admit nor deny it. I doubt very much the accuracy of the information.

Mr. MANN. In that case I think I shall bring the information to the House some day and let the House see whether the Navy Department knows about it.

Mr. CLEARY. Mr. Chairman, I will state that right in front of my house, on the Shore Road in Brooklyn, there is a 10-foot fence, and they are in there very much as the gentleman says.

Mr. PADGETT. What are they in there for?

Mr. CLEARY. Simply resting there, waiting to be discharged.

Mr. MANN. Those I speak of are not at that place.

Mr. CLEARY. They are overseas men.

Mr. PADGETT. The gentleman from Illinois was speaking of prisoners.

Mr. CLEARY. Oh, the ones that I speak of are not prisoners.

Mr. MANN. If they are surrounded by a 10-foot fence and are guarded, what, in God's name, do you call them if they are not prisoners?

Mr. PADGETT. He did not say they were prisoners. They keep guards around all camps and stations, but they are at liberty to come and go.

Mr. MANN. Oh, but that is just it—they are not.

The Clerk read as follows:

Maintenance, Bureau of Supplies and Accounts: For fuel; the removal and transportation of ashes and garbage from ships of war; books, blanks, and stationery, including stationery for commanding and navigating officers of ships, chaplains on shore and afloat, and for the use of courts-martial on board ships; purchase, repair, and exchange of typewriters for ships; packing boxes and materials; interior fittings for general storehouses, pay offices, and accounting offices in navy yards; expenses of disbursing officers; coffee mills and repair thereto; expenses of naval clothing factory and machinery for the same; laboratory equipment; purchase of articles of equipage at home and abroad under the cognizance of the Bureau of Supplies and Accounts, and for the payment of labor in equipping vessels therewith, and the manufacture of such articles in the several navy yards; musical instruments and music; mess outfits; soap on board naval vessels; athletic outfits; tolls, ferriages, yeomen's stores, safes, and other incidental expenses; labor in general storehouses, paymasters' offices, and accounting offices in navy yards and naval stations, including naval stations maintained in island possessions under the control of the United States, and expenses in handling stores purchased and manufactured under "General account of advances"; and reimbursement to appropriations of the Department of Agriculture of cost of inspection of meats and meat food products for the Navy Department: *Provided*, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for chemists and for clerical, inspection, storemen, store laborer, and messenger service in the supply and accounting departments of the navy yards and naval stations and disbursing offices for the fiscal year ending June 30, 1920, shall not exceed $3,000,000; in all $16,825,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. This paragraph carries an appropriation of approximately $17,000,000 for maintenance, Bureau of Supplies and Accounts. It covers purchases of various kinds at home and abroad. To what extent does the Navy Department deal in foreign markets for such supplies as it needs?

Mr. PADGETT. I could not tell under existing conditions. I know that they have pursued the policy of purchasing at home all that they could get, but whether or not during the war they had to purchase anything abroad I do not know.

Mr. MOORE of Pennsylvania. The gentleman has no figures.

Mr. PADGETT. No; I have not. Their policy has been to purchase at home, and they did buy large supplies.

Mr. MOORE of Pennsylvania. I have had some complaints about an apparent preference in the purchase of cigars and tobacco in foreign countries. Does the gentleman know anything about that?

Mr. PADGETT. I do not. I imagine that where they purchased cigars that would be done by the men themselves and in what is called their canteen. They run that themselves and run it on a mutual plan, with a small profit, and whatever profit accrues goes to their recreational fund. That is not out of this fund.

Mr. MOORE of Pennsylvania. In previous Congresses, before the war, the wisdom of making purchases in foreign countries was discussed upon the floor, and I think after the gentleman became chairman of the committee that he succeeded in defeating one or two amendments limiting the purchases to goods produced in the United States. If my memory is not at fault, that is a fact. However, we are now still at war, legislatively speaking, and it might not be well to offer an amendment limiting the purchases, even though the amount should be as much as sixteen or seventeen million dollars.

I would like for a few moments to discuss a question that may possibly be involved in that much-discussed telegram of the President urging the passage of this bill. The matter of embargoes may be a part of it. I do not know. I do know that numerous complaints are coming to Members of Congress—at least, I can testify on my own account—from American merchants, who contend that the situation abroad is gradually operating against them. Much has been said recently about the embargoes against imports levied by the British Government.

Since these embargoes went on and even before complaints have been coming forward as to the apparent encroachment of foreign-trade bodies and foreign traders upon the so-called foreign markets in which the American merchants and producers have been accustomed to participate.

Mr. PADGETT. Speaking of embargoes, it seems to get down to the philosophy of whose ox is gored. I have been receiving a lot of letters insisting that the embargoes on the importation of certain articles should be continued, and protesting against the discontinuing of embargoes on the importation of articles here. It is a question of how his interest comes in.

Mr. MOORE of Pennsylvania. There is one very peculiar circumstance, I think, that arose somewhere in the vicinity of the gentleman's own State, where an embargo was levied against the use of certain materials—cereals and the like—entering into the manufacture and production of so-called soft drinks, or beverages without a kick.

Mr. PADGETT. I do not remember about that. I get protests—and very vigorous protests—against the removal of the embargo on the importation of peanuts.

Mr. MOORE of Pennsylvania. Yes; I think that embargo still stands, but at the time the American embargo was levied against the use——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. I ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. At the time the American embargo was levied against its own producers of materials entering into the manufacture of beverages there was no American embargo against the exportation of those cereals for the manufacture of beverages that did have a kick, with the result that while we were held of our own volition by a sort of semi-bone-dry arrangement in the United States we were permitting our foreign competitors to manufacture all the beer and liquor they cared to make, much of which they were selling to our American soldiers at a good profit. I understand the embargo now against the use of cereals for the manufacture of soft drinks in the United States has been raised, but I am of the opinion——

Mr. PADGETT. And there was a very effective embargo placed on the exportation of intoxicating liquors also.

Mr. MOORE of Pennsylvania. Yes; that is becoming very generally effective. It promises to be more dry, and a crop of candidates of various kinds is resulting therefrom. [Laughter.] But I am serious with the committee in suggesting that the reason for the President's mysterious message to the chairman of this committee urging the passage of this expensive bill may be found in this very matter of embargoes that one nation seems to be levying upon the products of another, and it may be that the President is wise enough and patriotic enough to

feel that if he had he might become so far as American his mind; I do not

at his back the greatest navy in the world one of the greatest protectionists in the world products are concerned. That may be in know.

Mr. PADGETT. The gentleman uses the word "mysterious." There is nothing mysterious about it. I have told the House several times the sum and substance of the cablegram, which was that the President had not changed his mind on the building program and very earnestly and insistently recommended that the three-year building program should be carried out.

Mr. MOORE of Pennsylvania. I have every confidence in the gentleman's integrity in translating the presidential message, and I believe the gentleman would be doing his countrymen and his colleagues of this House a great service if he would present a photograph of the message, so that its literary qualities might be appreciated by his fellow men. But the gentleman up to date has refused to do that, though we have his word that he has given the substance if not the letter, the spirit if not the text, of the President's very important but somewhat mysterious note. Some American merchants are complaining at the present time that their trade abroad is being sidetracked, that they are not able to get shipping space, that every time they ask for it they run up against the Trade Board restrictions in the United States, which lead in the end to the British Embassy, which seems to have the power to put the veto upon applications for a license. What is the use of American merchants undertaking to obtain the trade of the world, what is the use of their endeavoring to compete with other nations, if they can not get their goods beyond the port, if at the American port they are obliged to get foreign sanction for the shipment of their goods? Here is a letter from one of my constituents; I will not read the name at this time, because the man's business is affected. He has applied in the ordinary way to all the United States agencies in Washington to obtain a permit for the shipment of cotton waste to be sold in Denmark. We have no quarrel with Denmark. It is an open-and-shut transaction between the purchaser there and the seller here, and the American merchant here wishes to complete his contract. He wishes to deliver the goods. He applied here in Washing to the War Trade Board, to those in control, and he is referred to the British Embassy, and he gets no space and his goods remain on the dock.

Talk about freedom of the seas! That begins to make you think that possibly our distinguished President over on the other side, who seeks to have a large Navy, may really be having something in his mind with regard to our rights upon the high seas. I do not know. The telegram is still unread, it is still nebulous to a certain degree, but nevertheless these conditions confront American merchants.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. I ask, Mr. Chairman, that I may have five minutes more.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. Let me read a letter from the Metal Export Co. of America, 50 Pearl Street, New York City, dated February 3, 1919. Listen to this letter. It is written in the same vein as that of numerous other letters which I have received upon this subject. Is this what is going through the President's mind? Is he beginning to think that perhaps our trade lanes are being cut off? Are we facing some controversy with foreign nations which makes it necessary for the President to urge us to prepare to maintain our rights upon the high seas? Let us read this letter and think for ourselves. It says:

HONORABLE SIR: 1. What we have to say we wish to make short, emphatic, and to the point.

2. We have five orders, totaling in value to about $150,000.

3. Destination, Scandinavia. All parties concerned have been O. K.'d by the War Trade Board.

4. Credits have been opened, and funds are at our disposal against shipping documents.

5. Credits will soon expire, and if goods are not shipped funds will automatically be returned to Europe.

6. We have the goods on hand at high prices, and if we can not ship we will suffer a loss to the foreign firm's corresponding gain.

7. We are unable to obtain export licenses, because our customers have been unable or unwilling to obtain their import numbers on account of purely local and political reasons in their own country.

8. A foreign power is waiting with avidity to take these orders once the credits expire.

9. As a loyal American citizen to a loyal American Congressman, shall a foreign power have the orders which we have won by personal solicitation or shall we keep them? If we are to keep them we must have a license from the War Trade Board. Who will help America besides us?

The writer is unreservedly at your service. The business had its origin in 1834.

Very truly, yours, METAL EXPORT CO. OF AMERICA.

Here is an old established concern trying to do an export business, shut off because of foreign conditions. I have on my desk, amongst others, a letter from one of the largest automobile manufacturers in the United States, presenting to me a report from his sales agent over yonder in England. That agent states that he has gone through England and France, and he finds that it is now practically useless to try to sell an American machine in either of those countries. The gap following the war seems to have been closed, and they appear to be looking to their own restoration first. They propose to encourage home industry; they propose, in England and France, to do their own manufacturing; they propose to start their own mills; and if we are held up in our shipping and American products can find no bottoms because we are restricted by our foreign competitors in the matter of licenses, they will have the advantage in the markets of South America and of China and elsewhere. We should not be compelled to fall back and come in at the tail end of the race.

I do not know what the President of the United States has in mind when he sends his message for us to pass this enormous $700,000,000 naval bill; but if he does have it in mind to become a protectionist or to put American interests first, or at most to give us an equal chance, I commend him for it. But up to date the telegram has not been read; we have not even seen a photograph of it. We have only the word of the chairman of the committee that he has given the bowels and substance of it to Congress. I would like, because I admire the President's style and diction, to see the telegram.

Mr. KELLEY of Michigan. The chairman said just a moment ago he would show it to you. Step right over and get it.

Mr. BARKLEY. Does the gentleman think the telegram is in the President's handwriting?

Mr. MOORE of Pennsylvania. The gentleman from Michigan challenges me to take 10 steps forward and obtain through the gentleman from Tennessee a sight of this document. Later on I may do so.

The Clerk read as follows:

Fuel and transportation: Coal and other fuel for steamers' and ships' use, including expenses of transportation, storage, and handling the same; maintenance and general operation of machinery of naval fuel depots and fuel plants; water for all purposes on board naval vessels; and ice for the cooling of water, including the expense of transportation and storage of both, $15,000,000: *Provided*, That $1,000,000 of the appropriation "Fuel and transportation, 1919," or so much thereof as may be necessary, is hereby continued and made available for use, in the discretion of the Secretary of the Navy, in mining coal or contracting for the same in Alaska, the transportation of the same, and the construction of coal bunkers and the necessary docks for use in supplying ships therewith; and the Secretary of the Navy is hereby authorized to select from the public coal lands in Alaska such areas as may be necessary for use by him for the purposes stated herein: *Provided further*, That, when, in the opinion of the President, the prices asked for the charter of vessels for the transportation of fuel are excessive, he is authorized to purchase vessels suitable for the purpose, and, if money is not otherwise available, to pay for them from the appropriation "Fuel and transportation."

Mr. MOORE of Pennsylvania. Mr. Chairman——

Mr. WALSH. Mr. Chairman, I reserve the point of order on the paragraph.

The CHAIRMAN. The gentleman from Massachusetts reserves a point of order.

Mr. WALSH. Let the gentleman from Pennsylvania [Mr. MOORE] go ahead.

Mr. MOORE of Pennsylvania. The gentleman has reserved his point of order, and I ask the privilege of discussing it in my own way for two or three minutes. A while ago while discussing the matter of embargoes and the famous telegram sent by the President to the gentleman from Tennessee, the chairman of this committee, I paid a high compliment, as I understood it, to the integrity of the gentleman from Tennessee in giving to the House the substance but not the letter of the telegram. I was challenged in a pleasant way by the gentleman from Michigan [Mr. KELLEY] to go forward to the gentleman from Tennessee in order that I might know what was in the precious document. I suggested it might be dangerous to do so, but yielding to my regard for the gentleman from Tennessee and to my own curiosity I took the 10 steps necessary, approached the gentleman from Tennessee with becoming dignity, was greeted with one of those genial smiles for which he is famous, and asked to see the telegram. In the pleasantest tones imaginable, those that have captured audiences here and elsewhere for many years, I received from his lips the response, "I will show it to you—some time." When! When, Mr. Chairman, may I again approach the gentleman from Tennessee with the hope and expectancy that that which I longed for may be granted?

I know that the gentleman from Tennessee and many of his colleagues upon the Committee on Naval Affairs, including the

distinguished gentleman from Michigan [Mr. KELLEY], who may have seen this telegram, were recently attracted to the European battle fields. I am persuaded that they have shaken hands with the King of Italy; that they have visited the President of France at his palace; that they have toured the country, receiving the plaudits of a people everywhere grateful for what the United States was doing to win the war. I am told the chairman and members of the committee had the honor of entering Buckingham Palace; yea, of dining with the King. It is even said—and this is highly important—that they conferred with Lloyd George, the premier of England. They fraternized with foreign statesmen, with those who have much to do at this time with the destinies of the world; and now that our President has taken their place in the councils of the great on the other side and has seen fit, from his point of view, from his point of vantage, to send us this message, through the chairman, to get these $700,000,000 out of the American people for a future Navy, I do not wonder that the gentleman from Tennessee, gathering unto himself wisdom and profiting by his foreign diplomatic experiences, has learned the art and the wiles of those who know how to give a soothing message while they conceal the meaning of their words. [Laughter and applause.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. WALSH. Mr. Chairman, I would like to ask the chairman of the committee why it is necessary, now that the war emergency is about over, that the President be given this authority to purchase vessels for the transportation of fuel, particularly when the Navy has large tracts of land in the petroleum reserves and, as I understood the gentleman, is soon to shift over its ships to an oil-burning basis?

Mr. PADGETT. As to that second proviso, I do not think there is any real necessity for it. I am perfectly willing to strike that out.

Mr. WALSH. Mr. Chairman, I make a point of order on the second proviso at the top of page 35.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. STAFFORD. Can the gentleman from Tennessee inform the House whether the Navy has secured any coal up to the present time from the Matanuska Alaskan region?

Mr. PADGETT. No, sir. That provision was inserted in the bill last year. No part of it has been used on account of the war activities engaging all the attention of the department here.

Mr. STAFFORD. With the Navy adopting fuel oil for the operation of its ships, particularly on the Pacific coast, does the gentleman believe that the Matanuska coal region will be utilized to any extent by the Navy for the operation of its ships?

Mr. PADGETT. Oh, yes. We have a large number of coal-burning ships. The later and heavier types are burning oil, but we have a large number of ships that are still burning coal.

Mr. STAFFORD. The railroad, I believe, has reached the Matanuska coal fields?

Mr. PADGETT. It is close to them, but they have not gotten quite to them.

Mr. STAFFORD. I understand only the construction of some branch lines are yet necessary. I believe the main line has passed the Matanuska region.

Mr. PADGETT. They must go on a couple of miles farther to reach the coal region itself.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

Mr. MANN. Mr. Chairman, this is for fuel and transportation. The gentleman from Tennessee stated, I think, yesterday that it was necessary to keep a large number of the enlisted men in the Navy in order that they might be active in bringing home soldiers from France. I read in a newspaper the other day, I think, that a large number of naval vessels had been ordered to Cuba for maneuvering purposes.

Mr. PADGETT. Yes. Those are ships of the dreadnaught type, 14, I believe, in number, with destroyers and submarines and things; but the cruisers and the old battleships are used for bringing back the men from France.

Mr. MANN. It is not practicable to use these large vessels for the transportation of troops from France?

Mr. PADGETT. I think they could be so used, but they are keeping up the activities of the Navy with them, and they are using what are known as vessels of the predreadnaught type, the smaller type of battleship, 15,000 and 16,000 ton ships.

Mr. MANN. Those large vessels have a considerable capacity for carrying marines on them, as I understand. Why is it not practicable to use them in bringing home the soldiers?

Mr. PADGETT. They might be used in that way, but they have got these others that they are using for that purpose in connection with troop transports.

Mr. MANN. Then, reduced to fact, these men are being retained in the Navy not so much for the purpose of being able to man the ships and bring home the soldier boys as to man the ships and send them to Cuba for maneuver purposes?

Mr. PADGETT. No; those that are for the naval ships and for the naval service strictly are kept in the Navy for the naval service, but a number of ships are being operated for the transportation of the troops, and they are kept for that purpose. But we can not abandon the ships of the Navy and can not deman them.

Mr. MANN. I do not speak as an expert, but I think it would be very feasible for these ships, instead of being sent to Cuba fully manned, to be used in bringing home the boys from France. Certainly they can carry as many as the other ships smaller in size.

Mr. PADGETT. They are using a good number of the naval ships, but they are not using all of them. They are using the cruisers, as I said, the old types of battleships, for that, but the strictly new ships are being kept for naval use and for naval training and for naval purposes.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

BUREAU OF CONSTRUCTION AND REPAIR.

Construction and repair of vessels: For preservation and completion of vessels on the stocks and in ordinary; purchase of materials and stores of all kinds; steam steerers, pneumatic steerers, steam capstans, steam windlasses, and all other auxiliaries; labor in navy yards and on foreign stations; purchase of machinery and tools for use in shops; carrying on work of experimental model tank and wind tunnel; designing naval vessels; construction and repair of yard craft, lighters, and barges; wear, tear, and repair of vessels afloat; general care, increase, and protection of the Navy in the line of construction and repair; repair and maintenance of vessels of the Coast Guard and Lighthouse Services; submarine chasers, patrol boats; incidental expenses for vessels and navy yards, inspectors' offices, such as photographing, books, professional magazines, plans, stationery, and instruments for drafting room, and for pay of classified force under the bureau; for hemp, wire, iron, and other materials for the manufacture of cordage, anchors, cables, galleys, and chains; specifications for purchase thereof shall be so prepared as shall give fair and free competition; canvas for the manufacture of sails, awnings, hammocks, and other work; interior appliances and tools for manufacturing purposes in navy yards and naval stations; and for the purchase of all other articles of equipage at home and abroad; and for the payment of labor in equipping vessels therewith and manufacture of such articles in the several navy yards; naval signals and apparatus, other than electric, namely, signals, lights, lanterns, running lights, lanterns, and lamps and their appendages for general use on board ship for illuminating purposes; and oil and candles used in connection therewith; bunting and other materials for making and repairing flags of all kinds; for all permanent galley fittings and equipage; rugs, carpets, curtains, and hangings on board naval vessels, $37,500,000: *Provided*, That the limitations imposed by existing law relative to repairs to vessels of the Navy shall not apply to the expenditure of funds made available in this act: *Provided further*, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for clerical, drafting, inspection, watchmen (ship keepers), and messenger service in navy yards, naval stations, and offices of superintending naval constructors for the fiscal year ending June 30, 1920, shall not exceed $2,500,000.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman reserves a point of order.

Mr. WALSH. Is this item of $37,500,000 for the repair and completion of all vessels of the Navy which are being constructed under programs heretofore provided for?

Mr. PADGETT. No, sir; this is the general operating maintenance fund of the Bureau of Construction and Repair for ships that have been completed and put in commission. This is not the fund that is used for the original construction of ships. That is carried under "Increase of the Navy." This is for the upkeep and the maintenance of all the repair work on all of the ships that were in commission under the jurisdiction of the Navy, amounting to many hundreds of ships.

Mr. WALSH. What does this language mean?—

Completion of vessels on the stocks.

That does not mean that vessels have been put in commission before they were completed?

Mr. PADGETT. A vessel may be put in commission, and there may be some small items that come up afterwards in the way of additions or something to complete the entire ship.

Mr. WALSH. She would not be on the stocks, would she?

Mr. PADGETT. There may be something that the original contract does not provide for. For instance, the contract is made for the construction of a ship. That contract may not embrace everything that is necessary for it. For instance, they may leave out the electrical apparatus.

Mr. WALSH. Of course, a vessel would not have to be hauled out onto the stocks again in order to put in the electrical apparatus.

Mr. PADGETT. I know; but while it is on the stocks they may go ahead and do the work.

Mr. WALSH. She would not be commissioned before she was completed, would she?

Mr. PADGETT. Well, yes; before she was fully completed. We have had ships put in commission before they were completed in every respect.

Mr. WALSH. But they would certainly not put a vessel in commission while she was on the stocks?

Mr. PADGETT. No.

Mr. WALSH. This says:

For preservation and completion of vessels on the stocks and in ordinary.

Then it says:

That the limitation imposed by existing law relative to repairs to vessels of the Navy shall not apply to the expenditure of funds made available in this act.

That is the proviso that I think is subject to a point of order. But I was trying to ascertain if this does not include all the money available for repairing vessels in commission, $37,500,000, of which $2,500,000 shall be paid for clerical work——

Mr. PADGETT. Drafting.

Mr. WALSH. Drafting, inspection, and so forth. If it does not, what is the item that takes care of the repair of naval vessels?

Mr. PADGETT. The repair of naval vessels is all taken care of, as I understand, under this item here. The original construction of vessels is under the appropriations for the increase of the Navy. The repair and upkeep and maintenance are taken care of, so far as the hull is concerned, under this appropriation. So far as the machinery and the motive power are concerned, those are taken care of under steam engineering; but the construction of the hull and the original construction of the machinery are under the appropriations for increase of the Navy.

Mr. WALSH. Does the gentleman state that when they start to build a vessel in one of the navy yards, when they have an appropriation of the required number of millions of dollars for that vessel, part of the equipment is taken out of the appropriation for steam engineering and another part of the construction is taken out of this item for the completion of vessels on the stocks?

Mr. PADGETT. No; I understand that none of this goes on the vessel in its original construction. That is taken care of under the appropriations for steam engineering and construction and repair under increase of the Navy, and also ordnance; but, where vessels are out in the service, this is for their general upkeep and maintenance, for the work in the yards and stations, and in the repairing of ships, and all of that work.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WALSH. Well, I reserve another point of order.

The CHAIRMAN. The gentleman is recognized for five minutes more.

Mr. WALSH. Mr. Chairman, I can not get the distinction. I know it is because of my own deficiency in not being able to comprehend the statements which the gentleman makes, but I can not understand why you provide under an item under construction and repair for the completion of a vessel on the stocks.

Mr. PADGETT. I do not know why they use that expression, "on the stocks"; but this is for the vessels that are in the fleet and in the service. It is their general maintenance fund—their general upkeep and repair.

Mr. WALSH. Is a vessel taken out for repairs ever kept on the stocks for over two years?

Mr. PADGETT. Not that I know of.

Mr. WALSH. Then why do they need this proviso here relative to the existing law and the expenditure of funds made available under this act?

Mr. PADGETT. Right at the end of the year a vessel may go on the stocks for repairs—say, in June—and the repairs will run up until October or November of the next fiscal year. It may take seven or eight months. Take the case of the *North Dakota*, for instance. Her turbine engines had all to be taken out and new ones put in. It involved an expenditure of something like $600,000 or $800,000 to rebuild them. It took months. Now, that is all done out of this fund, and if you were to limit it to one year it would be very embarrassing.

Mr. WALSH. Where it is made for a specific purpose such as that, the existing law limits it to two years, as I understand.

Mr. PADGETT. They can obligate it during the first year, and if it is obligated it may be expended during the second year; but it can not be obligated except in the first year. So here comes along a repair. Here is a fund for it, and the ship goes into dock, and the year expires. The ship is in the dock. You can not use that money, because it is after the 30th day of June. You could not obligate it; but if you had obligated it on the 29th of June you could go ahead and pay it out during the succeeding fiscal year.

Mr. WALSH. Well, I withdraw the point of order, though I know I am making a mistake in doing it.

The CHAIRMAN. The gentleman from Massachusetts withdraws the point of order. The Clerk will read.

The Clerk read as follows:

BUREAU OF STEAM ENGINEERING.

Engineering: For repairs, preservation, and renewal of machinery, auxiliary machinery, and boilers of naval vessels, yard craft, and ships' boats, distilling and refrigerating apparatus; repairs, preservation, and renewals of electric interior and exterior signal communications and all electrical appliances of whatsoever nature on board naval vessels, except range finders, battle order, and range transmitters and indicators, and motors and their controlling apparatus used to operate machinery belonging to other bureaus; searchlights and fire-control equipments for antiaircraft defense at shore stations; maintenance and operation of coast signal service, including expenses of office of Director of Naval Communications and the purchase of land as necessary for sites for radio shore stations; equipage, supplies, and materials under the cognizance of the bureau required for the maintenance and operation of naval vessels, yard craft, and ships' boats; purchase, installation, repair, and preservation of machinery, tools, and appliances in navy yards and stations, pay of classified force under the bureau; incidental expenses for Navy vessels, navy yards, and stations, inspectors' offices, the engineering experiment station, such as photographing, technical books and periodicals, stationery, and instruments; instruments and apparatus, supplies, and technical books and periodicals necessary to carry on experimental and research work in radiotelegraphy at the naval radio laboratory: *Provided*, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for clerical, drafting, inspection, and messenger service in navy yards, naval stations, and offices of United States inspectors of machinery and engineering material for the fiscal year ending June 30, 1920, shall not exceed $2,000,000: *Provided further*, That the sum to be paid out of this appropriation for the purchase of land for sites for radio shore stations shall not exceed $10,000; in all, engineering, $35,000,000.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph. I would like to ask the chairman of the committee what is the purpose of limiting the appropriation for the purchase of land sites for radio shore stations, $10,000?

Mr. PADGETT. We have carried that limitation for many years, so that out of this appropriation, if they want to buy land for the establishment of shore stations, they shall not expend more than $10,000.

Mr. WALSH. Is this the item under which the radio stations have been purchased by the Secretary of the Navy?

Mr. PADGETT. The shore stations, but not the high-power stations.

Mr. WALSH. Under what item were the high-powered stations purchased?

Mr. PADGETT. Under the general power given the President and the lump-sum appropriation in connection with the Shipping Board and Railroad Administration.

Mr. WALSH. The Navy Department got in there somewhere.

Mr. PADGETT. I say under the power given to the President, as I understand.

Mr. WALSH. The $100,000,000 emergency fund?

Mr. PADGETT. Either that or a lump sum given him in the deficiency bill.

Mr. WALSH. I would like to know if there is any language in this paragraph, or any proviso of limitation, which would permit the Secretary of the Navy to pay for radio stations—the plants which have been acquired for either shore stations or high-power stations which have heretofore been carried——

Mr. LEHLBACH. Mr. Chairman, I will say to the gentleman that I have an amendment which I intend to propose, and I also have the information from the Secretary of the Navy which the gentleman is seeking from the chairman of the committee.

Mr. PADGETT. Let the gentleman from New Jersey give his information.

Mr. LEHLBACH. Mr. Chairman, I will offer this amendment, to be read for information.

The Clerk read as follows:

Amendment offered by Mr. LEHLBACH: Page 38, line 20, after "$10,000," insert the following:

"*Provided further*, That no part of this appropriation shall be expended for the acquisition of radio stations, in whole or in part, for the transmission or reception of commercial messages."

Mr. LEHLBACH. Mr. Chairman, in the latter part of the year 1916 the Navy Department caused to be introduced a bill in this House (H. R. 19350) to authorize the Navy Department to purchase or otherwise acquire the ownership of radio stations in the United States and to be given the sole right to maintain and operate them.

There were hearings held on the bill from January 11 to January 26, 1917. At the conclusion of the hearings the Committee on the Merchant Marine and Fisheries, which had the bill referred to it, refused to support the measure. That was the end of it as far as vesting authority in the Navy Department by Congress was concerned.

In the latter part of 1918 the Navy Department again caused to be introduced a similar measure to have the monopoly of the radio business in the country and acquire title to all radio stations in the United States. Hearings were held on the bill, and the committee, or some members of it, learned to their amazement that notwithstanding the refusal to sanction this ownership and operation of commercial wireless telegraphy the Secretary of the Navy had expended $1,600,000 in the purchase of nine stations on the Pacific coast belonging to the Federal system, and ship-to-shore stations of the Marconi Co. on the Atlantic, paying for the Marconi stations $1,450,000, or in all $50,000 in excess of $3,000,000.

Now, I refer to the hearings where Secretary Daniels on the stand, as to the authority under which these purchases were made and where the money came from, testified as follows:

Mr. EDMONDS. What I am trying to get at is this: You had no lack of power during the war to take over these stations and to utilize them in any way you saw fit? Is not that true?

As a matter of fact, the stations were entirely in the control of and operated by the Navy Department. The only thing purchased was the permanent title to the property for the Navy Department.

Secretary DANIELS. We had the power; yes.

Mr. EDMONDS. And then you exercised that power, you exercised it gradually, and then you exercised it finally by taking over every station and handling the entire wireless business of the country?

Secretary DANIELS. That is right.

Mr. EDMONDS. And at the present time you still have that power and can exercise it?

Secretary DANIELS. We have.

Mr. EDMONDS. And yet, at the same time, after this committee refused to bring out a bill to purchase wireless apparatus, you utilize the Government money to purchase this wireless apparatus and took over the commercial systems without the consent of Congress.

Secretary DANIELS. Not at all. We did not act in defiance of Congress because Congress had not done this. We did it because it was a good business proposition and because we had the funds appropriated by the Naval Committee to make the naval communication service more effective.

Mr. HUMPHREYS. You mean appropriated by Congress.

Secretary DANIELS. Appropriated by Congress.

Mr. HUMPHREYS. You said by the Naval Committee.

Secretary DANIELS. I mean through the naval bill.

Mr. EDMONDS. Yes; but Congress did not have any intention to put you into commercial ownership of radio communication at that time. You did not explain it to the Naval Committee that way.

Secretary DANIELS. We explained to the Naval Committee that this money we desired was for use in perfecting the radio service.

Mr. HADLEY. I would like to ask the Secretary at this point what is the specific item in the naval appropriation bill which carried the funds for that payment?

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. LEHLBACH. I ask for five minutes more.

The CHAIRMAN. Let the Chair state the parliamentary situation.

Mr. WALSH. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The gentleman from Massachusetts withdraws the point of order and the gentleman from New Jersey asks that his time be extended five minutes. Is there objection?

There was no objection.

Mr. STAFFORD. Mr. Chairman, may we have the amendment that was read presented now in regular order?

The CHAIRMAN. The amendment will be reported for consideration.

The Clerk read as follows:

Amendment offered by Mr. LEHLBACH: Amend page 36, line 20, after "$10,000," by inserting: "*Provided further*, That no part of this appropriation shall be expended for the acquisition of radio stations in whole or in part used for the transmission or reception of commercial messages."

Mr. LEHLBACH. Mr. Chairman, I again refer to the hearings on the bill H. R. 13159. Mr. HADLEY asked:

I would like to ask the Secretary at this point what is the specific item in the naval appropriation bill which carries the funds for that payment?—

Namely, the $3,000,000 for the commercial radio stations—

Secretary DANIELS. I have forgotten the title of it. It is in the appropriation under the Bureau of Steam Engineering, which has direction and control of all radio matters. Under that appropriation we buy a tower, and under that appropriation we put in radio stations wherever the Chief of Operations of the Navy and the General Board feel that we ought to have them.

Mr. HADLEY. Was the estimate itemized when it was before the Naval Committee?

Secretary DANIELS. I think it was not. I do not think it has ever been itemized in the radio matters at all; it has always been a general lump-sum appropriation.

Mr. WHITE. How much was the lump-sum appropriation?

Secretary DANIELS. Under the Bureau of Steam Engineering?

Mr. WHITE. Yes.

Secretary DANIELS. It was many millions of dollars. I can get the exact figures for you, if you desire.

It is $35,000,000 in this bill. The situation is this: The Navy Department comes to Congress, and Congress, through its mouthpiece, in this instance the Committee on Merchant Marine and Fisheries, refused the department authority to obtain title to the plants necessary to carry on as a monopoly the business of wireless telegraphy for commercial purposes. After that refusal they obtained an appropriation, under the general lump-sum appropriation for Steam Engineering, for the extension of radio service under the Bureau of Operations, which no reasonable man would believe meant in connection with naval operations. They took out of that money $3,000,000 and appropriated it to go into the commercial business of telegraphy by wireless without the authority of Congress, using money that was not intended by Congress for that purpose. For that reason I offer this amendment and trust that it will be accepted.

Mr. EMERSON. Mr. Chairman, will the gentleman yield?

Mr. LEHLBACH. Yes.

Mr. EMERSON. I understand that the Government has taken over some of these radio stations. Would the gentleman's amendment prevent that?

Mr. LEHLBACH. It would prevent taking over the other stations which the Navy Department is very anxious to get and which they intend coercing the present owners into selling if they can. They can take them absolutely by condemnation if we give them the legislation which has not been reported by the Committee on the Merchant Marine and Fisheries. Even without that legislation, if the past is a precedent, if they can coerce the owners into voluntary or quasi-voluntary sale, they will buy them whether Congress authorizes it or not.

Mr. MANN. Mr. Chairman, I ask unanimous consent to have the amendment again reported.

There was no objection, and the Clerk again reported the amendment.

Mr. MANN. Mr. Chairman, I would like to ask the gentleman from New Jersey a question. Does he think that will prevent the use of this money for paying for the radio stations they have already purchased?

Mr. LEHLBACH. If title has not passed, I think it will.

Mr. MANN. I do not care whether title has passed or not. I would like to see a prohibition against the payment of any sum unless Congress specifically authorizes it.

Mr. LEHLBACH. There were two purchases; one from the Federal system on the Pacific coast, nine stations. I believe they have been paid for. The contract for the purchase from the Marconi Co. was entered into a few weeks before the date when Secretary Daniels gave the testimony which I quoted.

Mr. MANN. The contract has been entered into?

Mr. LEHLBACH. Yes; some time in the month of December or the latter part of November. Whether it has been consummated or not, I am not informed.

Mr. MANN. I had prepared an amendment somewhat similar, to prohibit under this appropriation the purchase of or payment for.

Mr. LEHLBACH. That would be acceptable to me.

Mr. MANN. This prohibits the acquisition?

Mr. LEHLBACH. Yes. Of course, the Navy Department in construing the bill will construe it in conformity with its purposes, if possible; but ordinarily, I should think, prohibiting the acquisition of stations would prevent the payment for stations under an agreement to purchase which had previously been entered into but not yet consummated.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New Jersey.

The amendment was agreed to.

Mr. SIEGEL. Mr. Chairman, I move to strike out the last word. On Monday last I offered a resolution to investigate certain conditions which were alleged to be prevalent in the Army, both at home and abroad. That resolution was referred to the Committee on Rules, where it is at present.

Mr. LARSEN. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. LARSEN. I object to the remarks of the gentleman because they are not directed to the bill under consideration.

The CHAIRMAN. The gentleman makes the point of order that the gentleman is not addressing himself to the amendment or the bill.

Mr. PADGETT. Mr. Chairman, I will ask the gentleman to withdraw his objection to that.

Mr. LARSEN. Does the gentleman mean to postpone it altogether?

Mr. PADGETT. Yes. Let us get along as we are doing. We can handle it a heap better the other way. We have had

large experience with these matters, and no time will be gained by interposing objections in the way suggested by the gentleman from Georgia.

Mr. LARSEN. Mr. Chairman, I have seen this time wasted and flitted away for the past several weeks, and, realizing that an extra session of Congress is likely to be called on account of these conditions, I feel it my duty as a Member of the House not to permit any Member, when an important matter is before the House, and we are proceeding with it, to come in here and interrupt the proceedings by injecting into the discussion extraneous matters. I have very high regard for the gentleman from New York [Mr. SIEGEL].

Mr. PADGETT. Will the gentleman let me say to him that the experience of many years here shows that is not a time-saver?

Mr. SIEGEL. I do not think it either is or will be in this case.

Mr. HICKS. Mr. Chairman, I make the point of order that there is no quorum present, if we are going to have——

Mr. LARSEN. If that is the way gentlemen on the other side retaliate, of course I am not responsible for that condition; all I can do is to look after one condition, and I do not propose, as far as I am concerned, by gentlemen insisting on a quorum, to be driven from a position I feel is correct. That is all there is to it.

Mr. PADGETT. I think the gentleman will find by experience here that does not save time. Let me ask the gentleman to withdraw it. I think we will make more time in that way than otherwise.

The CHAIRMAN. Does the gentleman make the point of order?

Mr. LARSEN. I will withdraw it for the benefit of the gentleman from New York, but I hope other gentlemen will not undertake it, because I shall object. I want to be as agreeable as I can, but, gentlemen, we have an important duty to perform in this House, and I think we ought to do it and get through with this business.

The CHAIRMAN. Both points of order are withdrawn.

Mr. SIEGEL. Mr. Chairman, I know the gentleman from Georgia would not have made the point of order if he knew to what subject I was going to refer. The New York Evening Telegram of yesterday published six columns of a story showing that 3,000 boys had been reported as having been killed in action, when, as a matter of fact, they had died in what the New York Telegram designates as the "vilest hole of France," on account of the conditions prevalent at this camp near Brest. The charge is not made by the Telegram alone. It is made by a high Army official who has returned to this country, and he has written this article which appears in this newspaper. It is of great interest to us from New York because it states, among other things, that "the men of the Twenty-seventh Division and a lot of other troops were put out in pup tents in the filthy, muddy fields, with the result that thousands of boys died from disease. No attempt was made to improve the condition of this terrible camp."

Further on the newspaper article continues:

No one can deny these facts no more than they can deny that up to August 1, 1918, 200 American boys had died there from pneumonia and disease, while from August 1 to November 30, 3,000 were buried under the filthy soil of Brest. Toward the end they were carried out by the truck loads and buried. These 3,000 young men had left their homes in the United States three weeks before declared to be physically perfect. The War Department has the names of these men who died in this way, yet in many instances they have been listed as having died in action.

The reason I am calling particular attention to this fact is that apparently the casualty list—according to the charge made by this high Army officer—has been falsified and the parents and relatives of these 3,000 boys have been told that they died in action, when as a matter of fact they died at the camp in Brest from the filthy conditions existing at that place. They were sleeping on the ground in water when they passed away from pneumonia, according to this officer. Now, if that charge is true, and this high Army officer makes this charge and further says the War Department records show that the charge is true, then it is about time that the Congress of the United States woke up to its duty, stopped talking, and got all the facts. In order to ascertain if that officer is here in Washington at the present time I telegraphed to the Telegram this morning and received the following answer:

NEW YORK, *February 7, 1919.*

Representative ISAAC SIEGEL,
Washington, D. C.:

Evening Telegram pledged not to give identity of officer mentioned in Brest camp story. Can say that he now is in Washington and assures us that reports covering all matter given by him are on file with War Department, or should be there.

NEW YORK EVENING TELEGRAM.

As I have already said, this story covers six columns. The Telegram is going to run six or seven additional columns tonight and again to-morrow. It has an editorial here saying the conditions are most startling. It tells how bad the buildings were, how bad the hospitals were, and the men would not go to the hospitals. It tells of an epidemic of typhoid fever there. It tells you how the men who left America physically well passed away within three weeks on the other side on account of these conditions without having an opportunity to fight when they went over there prepared to give up their lives for their country. They went there to offer their lives on the battle fields, but not to die, as this articles puts it, "like rats in a hole, in a camp near Brest."

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. SIEGEL. I will.

Mr. CONNALLY of Texas. Did not the gentleman from New York recently make a trip to Europe?

Mr. SIEGEL. I did during July and August.

Mr. CONNALLY of Texas. Did the gentleman find those conditions obtaining at that time?

Mr. SIEGEL. At that time there were certain complaints which——

Mr. CONNALLY of Texas. I am not talking about complaints; I am talking about what the gentleman from New York found when he was over there.

Mr. SIEGEL. I did not go to Brest.

Mr. CONNALLY of Texas. Well, anywhere else did the gentleman find such conditions?

Mr. SIEGEL. Other places I found certain conditions that reflected both credit and some discredit.

Mr. CONNALLY of Texas. But did the gentleman from New York visit any of the hospitals?

Mr. SIEGEL. I did.

Mr. CONNALLY of Texas. Did he find these conditions in those hospitals?

Mr. SIEGEL. Not at these hospitals; but the charge is made that these men had to sleep in the water.

Mr. CONNALLY of Texas. I am not asking about what they charged, but I am talking about what the gentleman from New York saw when he was in France. Did he see any of these conditions?

Mr. SIEGEL. I was not at Brest.

Mr. CONNALLY of Texas. Were you anywhere else?

Mr. SIEGEL. At certain other places conditions were not perfect.

Mr. CONNALLY of Texas. Did the gentleman from New York, when he returned to this country, call attention of the War Department to any objectionable conditions that he did find in France?

Mr. SIEGEL. I called attention to them over there, and when I called attention to them they rectified them.

Mr. HICKS. I wish to say to the gentleman that there were two soldiers at my house last night, both having come back from the other side, and both having been in the camp at Brest, and they both reported the conditions the same as they have been reported to be at Brest.

The CHAIRMAN. The time of the gentleman has expired.

Mr. EMERSON. Mr. Chairman, I ask unanimous consent that my colleague may have five minutes more.

The CHAIRMAN. Is there objection?

Mr. CONNALLY of Texas. I object.

Mr. SIEGEL. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by inserting this article, so that the House may see what this Army officer says are the conditions over there. He is supposed to be a general——

Mr. FOSTER. If it is an anonymous communication——

Mr. SIEGEL. He is not anonymous at all.

Mr. FOSTER. Tell us who he is.

Mr. SIEGEL. The New York Telegram says in this telegram that he is willing to testify before the committee.

Mr. FOSTER. Give us his name.

Mr. SIEGEL. Let us produce him.

Mr. FOSTER. Where is he?

Mr. SIEGEL. He is in Washington now.

Mr. WALSH. Reserving the right to object, of course the paper which contains the article has a great deal wider circulation than the CONGRESSIONAL RECORD, and it will fill up the RECORD with its six columns of matter. I do not know that that would be expedient. The gentleman has directed attention to it, but if he thinks that the information——

Mr. SIEGEL. The article gives names of men and officers. I want to get at the truth, and we are sure to get it some day, if not now. I can not discuss the whole matter inside of 10 minutes.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last two words.

This paragraph carries $35,000,000. Nevertheless, the matter which has been recently discussed by the gentleman from New York [Mr. SIEGEL] is really far more important than this $35,000,000. Millions count for little when we are considering the unnecessary sacrifice of the lives of our soldiers. Seeing, however, that there is objection to further discussion with reference to whether our soldiers shall be protected and their lives saved, I want to make some remarks on this particular paragraph.

I am pleased to observe that the Naval Committee was able to segregate $10,000 out of this $35,000,000. I have no doubt if they had been able to extract from the naval officials what they were going to do with this $35,000,000 they would have divided this appropriation up. And yet I am somewhat at a loss to understand why out of $35,000,000 neither the Naval Committee nor the officials of the Navy Department who were before them were able to get nothing itemized but a paltry $10,000. We have suffered for a long time as a consequence of lump-sum appropriations. I never knew yet where we appropriated one-half the amount carried by this paragraph where there was not a large part of the appropriation expended for purposes that Congress would never have thought of sanctioning for a moment.

In the previous paragraph there is $37,500,000 appropriated, of which the Naval Committee were able to segregate $2,500,000. Now, that paragraph that carries the $37,500,000 provides in express terms for the use of the money in the same way that this $35,000,000 is to be used.

Of course, I understand one is one department and one is another, and the business of one department or one division or bureau is different from that of the other. But nevertheless the money could be used for the same purposes and thereby the expenses of one bureau overlap those of the other. Whenever we have lump-sum appropriations of the amount of $35,000,000 or $37,000,000, there will always be waste. Money will be spent unnecessarily. I hope that the day will come when all of this will be stopped and we will get down to some basis whereby we can tell what this money is going for. Now, no one can tell by reason of the statements in this paragraph how this money is going to be paid out. No one can tell within a million or two million dollars how much will be applied to certain purposes. Of course, the greater portion of the money provided in this paragraph will probably be applied toward new boilers and new machinery. But they can spend it in almost any way they want to, the same as under the previous paragraph they could spend a million dollars for furniture if they desire to do so. We ought to reach a period when, if the officials that come before the Naval Committee, the representatives of the Navy, are not able to tell what they want of this money, the appropriation ought to be refused. This is the course we should pursue in the future.

Mr. HUDDLESTON. On the 28th of January I inserted in the RECORD, on page 2248, a copy of an order which purported to have been issued by Maj. Gen. Buck, as the commanding general at Camp MacArthur, which in substance forbids commissioned officers to remain present at any social affair of any nature at which there are enlisted men or discharged soldiers wearing the uniform of enlisted men. The order is as follows:

OFFICERS ADVISED SOCIALLY—CAN'T MINGLE WITH ENLISTED MEN—BY COMMAND OF GEN. BUCK ORDER POSTED REGARDING ENTERTAINMENTS.

The following order has been posted at Camp MacArthur:

Headquarters, Camp MacArthur, Waco, Tex., January 6, 1919. General Orders, No. 1.

1. The attention of officers of this command is called to the impropriety of attending social affairs at which enlisted men, or persons in the uniform of enlisted men, are present.

Hereafter any officer of this command who finds enlisted men present with proper authority, i. e., duly invited or permitted to pay their way in, at any social affair at which the officer is a guest, such officer will at once depart from such social affair, and if he finds persons in the uniform of enlisted men permitted to be present he will take the same action.

When an officer finds enlisted men present at any social affair without proper authority, he will take such steps as the occasion may warrant to cause them to leave, and will report any violation of regulations which may occur.

By command of Maj. Gen. Buck.

W. H. WOOLWORTH,
Major, Infantry, United States Army, Acting Executive Officer.

Official:

E. E. LAMBERT,
Major, Adjutant General's Department, Adjutant.

I took occasion to comment on that order, and am just in receipt of a letter from the Secretary of War, Mr. Baker, dated the 6th instant, in which he makes reference to the order of Maj. Gen. Buck, as follows:

WAR DEPARTMENT,
Washington, February 6, 1919.

MY DEAR MR. HUDDLESTON: My attention has been called to some remarks in the CONGRESSIONAL RECORD of January 28, based on an order issued by the commanding general at Camp MacArthur, Tex.

In order that you may be fully advised of the position of the Army with reference to orders of this kind, it is well that you should know that on January 18 the Chief of Staff directed the revocation of this order when it first came to his attention. On January 19 a telegram from the commanding general, Camp MacArthur, acknowledging receipt of instructions of January 18, stated that the order in question had been issued through error on January 6, and had been immediately revoked when it had come to his attention on January 8. I am,

Very sincerely,

NEWTON D. BAKER,
Secretary of War.

Hon. GEORGE HUDDLESTON,
House of Representatives.

This letter is signed by the Secretary of War.

Now, I do not want to do Gen. Buck any injustice, and therefore I want this letter to go in the RECORD, with the order that was issued.

Now, I want to analyze the letter of Mr. Secretary Baker and his statement just for a moment. The report is that this order was issued through error and was countermanded by Gen. Buck two days later. The order itself recites that it was issued "by command of Maj. Gen. Buck." It is signed by Maj. Woolworth, the acting executive officer, and by Maj. Lambert, the adjutant of the division.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. HUDDLESTON. Just in a second.

Mr. MANN. Tell us just what the order is.

Mr. HUDDLESTON. I have read what it was. The order is the order of January 6, which forbids that commissioned officers shall remain at any social affair where an enlisted man is present, or any person in the uniform of an enlisted man is present. This letter states that Gen. Buck did not authorize this order. Yet the order on its face expressly and plainly says it was so authorized by Gen. Buck.

And now I want to ask the Secretary of War. What is he going to do about it? Here is an order issued by the camp adjutant and the chief executive officer of the division, which recites that it is issued by order of the commanding general. That recital is said by the Secretary of War to be untrue. Those officers are thereby stated by implication to have been guilty of falsification, and I want to ask what is going to be done about this?

A situation is presented that is still more serious than the one I pointed out, which I may say I did not consider of very great importance. But now we have a situation in which two important executive officers of the Army have issued an order, an unauthorized order, an improper order, an order which the authorities of the Army would have us believe is in violation of the general spirit of the Army and the attitude of the Army administration toward the enlisted man. These officers issued this order, this unauthorized order, and they recited in it—I do not like to call it a falsehood, but they state that it was done by the commanding general, when that was not a fact.

I want to know if somebody is not going to be court-martialed as the result? I make bold to say that I do not believe any such thing is going to be done. While I believe Mr. Secretary Baker has been thoroughly candid in his letter, I also believe that somebody has imposed on him, the Secretary; and this order has a history to it and circumstances surrounding it which are not explained in this letter.

I want to say one other thing: That order is of comparatively minor importance, but all of us who know the Army know how the enlisted man is treated by the officers. We know that there is an impassable social gulf between the enlisted man and the officer, and we know that this is recognized by every officer of the Army and every enlisted man. So why blink it and say that it is not there? Every soldier knows it, and everybody knows that, Mr. Baker apart, it is countenanced and recognized by the highest military authority. Everybody knows that this situation and spirit has the support of all the commissioned elements.

I want to say this, further: This matter of officers and men associating together on a basis of social equality is in itself more or less of a minor matter, but it is the symptom of a disease which is far more serious, and which reaches much deeper into our Army life than any mere question of social observances, or anything of that kind. It goes deeper than that. We find it in our Articles of War, which discriminate from beginning to end against the enlisted men and in favor of the men with commissions. We find it in the fact that punishments under these Articles of War are much more severe upon the enlisted man than upon the officers. If a man murders his neighbor, he is entitled to a trial by a jury of his peers—to a fair, open trial—but if he happens to be a private soldier and comes in

two hours overdue on a leave of absence, or happens to say something a trifle impolite to a commissioned officer or fails to salute him as promptly as he would like to be saluted, he is brought to trial—before his equals? No. Before his superiors, a class not interested in his class, before a class that is interested in keeping his class in subjection.

And we find that inevitably there grow up these abuses which I have pointed out. This is evidenced in a thousand ways. An enlisted man who goes down the street knows that he must salute every commissioned officer he meets. It is not a sign of respect. If so, why should not the commissioned officer salute first, for both are but men, and the officer should respect the enlisted man just as much as the enlisted man should respect the officer? If it is merely a matter of respect, why should it be fixed by ironclad regulation that the man must first show his respect. It ought to be a matter of mutual respect. No; the salute, when not given in the line of duty, is a sign of servility, and is intended to impress on the man who is required to give it first that he is the social inferior of the other fellow and has to pay him a respect that the other man does not have to show. If the enlisted man should fail to salute him, the officer may place him under arrest and may reprimand him on the spot. If the man resents this in any way, he is lucky if he does not get sent to prison for a long sentence. Did you ever hear of a private stopping an officer and reprimanding him for failing to salute him in return? I never did; but I have frequently seen officers ignore the salute of the private. Officers pretend that they do not like the saluting system. Why do they not stop it, then? The General Staff could abolish it to-morrow if they only wanted to and would say so to the Secretary.

Mr. BLANTON. I want to commend the gentleman for getting this order of Gen. Buck out of the way, and I want to ask him if he should not go further and get the other regulation out of the way that makes a distinction between the private soldier and the officer in allowing the officer to give social attention to our nurses in uniform and forbidding the private soldier to do likewise? [Laughter.] Ought not the gentleman to go further in that respect?

Mr. HUDDLESTON. I would like to reconstruct the spirit of our Army as a whole and make it democratic, as befits a great and a free people, and I think it is the duty of Congress to take up this subject. The first thing that should be done is to repeal and reconstruct the barbarous Articles of War under which our armies are now governed. These Articles of War not only make punishments possible which are cruel and inhumane, but they foster the vicious caste system, which is the bane of the Army. I would like our Army so constituted and dominated by a truly American spirit, which would make service in it in lowest rank compatible with the sensibilities of the finest and proudest American boy.

Mr. HUMPHREYS. Mr. Chairman, I move to strike out the last word. I do not wish to reply generally to the statements of the gentleman from Alabama. I know, as we all know, that there exists among many officers in the Army the spirit which he has suggested; but I am not willing to admit or to have the statement go unchallenged that this spirit is universal and that there are no exceptions, because I know that is not an accurate statement. I know by personal knowledge that during this war commissioned officers have called their enlisted men together, lecturing them upon various topics of military importance, discipline, and so forth, and have explained to the men that the requirement that they salute was not intended and should not be considered by them as any manifestation of social inferiority, or as any acknowledgment of humility; that it was not intended for that purpose, the officer adding, "I know that is not the fact. I know I am no better than you are socially, and I do not claim to be. I do not want you to think I am; but this is a military regulation, intended for an entirely different purpose."

Now, there is one exception, at any rate, to the gentleman's general statement. The newspapers a year or more ago carried this story of a certain camp: Two commissioned officers of the National Guard were picked up by a lady in an automobile, driving either toward the camp or from the camp. Then she overtook two enlisted men and told the chauffeur to stop and she would pick them up. These young officers told her if she did that they would have to get out of the automobile; that they could not ride with enlisted men. Of course, recognizing their rights in the premises, she stopped and permitted them to exercise those rights, and let the officers get out and took the privates in. [Applause.] That story was carried in the papers, and I think very likely it was true. Thereupon the commanding officer of another camp—Camp Pike, in Arkansas—assembled his commissioned officers, took that story for his text, and told them that such conduct on the part of officers was thoroughly unjustifiable and unjustified, that it was the manifestation of a spirit that should not exist in the American Army, and that he hoped no officer in his command would ever be guilty of such conduct. [Applause.] He said: "Frequently as I drive along from the camp or to the camp I come across enlisted men walking, stop my automobile, and take them in with me." That was a general officer, lecturing the commissioned officers of his division.

Subsequently I myself, time and again, saw commissioned officers riding in their automobiles stop on the road, pick up privates and ride with them, boys of their acquaintance, call them Jim and Tom, and the enlisted men called the commissioned officer by his first name. I saw that time and again myself. I saw the commissioned officers and the privates eat at the same table, not only in private residences but at hotels, on terms at that time of absolute social equality. So I think whatever may be the general spirit, whatever may be the spirit of the Regular Army officer, it should not be stated that that spirit is universal in the great Army which we have organized and with which we won the war.

Mr. HUDDLESTON. That is, the commanding general was going around——

The CHAIRMAN. The time of the gentleman has expired. Without objection, the pro forma amendment will be withdrawn.

Mr. LITTLE. Mr. Chairman, I move to strike out the last word. Gentlemen of the House, in the Army as everywhere else you see some gentlemen and you see some snobs. The gentleman from Alabama is talking about the snobs and the gentleman from Mississippi [Mr. HUMPHREYS] is talking about gentlemen. They are both right. It is true in one part of the Army the boys are trained toward snobbery, but there are gentlemen among them, and many of them. I have here something that I think will interest the House a little. The other day I discovered that the officers up in the Great Lakes Training Station were very much averse to allowing privates who wanted to be discharged to receive assistance from any neighbor who happened to be in Congress. Anybody else could furnish any evidence he has. I spoke of this in the House on the 29th, and I am glad to see that the gentleman from Alabama got a response. If gentlemen will go at these things in a quiet kind of way, like the gentleman from Alabama and I do, they will often get results. [Laughter.] I have an order which followed of a couple of days after in the House which the Bureau of Navigation sent me. It does not entirely cover the situation, but it helps. It is headed "Navigation," and is dated "31 January, 1919":

NAVIGATION,
31 January, 1919.

Commandants of all naval districts:

Reservists and men of Regular Navy who enlisted for duration of war who are undergoing training at training stations, training camps, and trade schools will be released on their own applications for such release. Commandants will issue necessary instructions. General instructions of Bureau of Navigation Circular Letters 225-18 and 3-19 remain in effect. Acknowledge. 19931.

BUNAV.

I suppose that is the Bureau of Navigation. As I understand this order, any boy enlisted for the war in the Navy who is in a training station, training camp, or trade school can be released on his own application. The gentleman from Michigan [Mr. JAMES] and I each had a telephone from the bureau, in which we were informed that it also included all boys in the regular Navy who enlisted; but I find that they left out a comma. If they would say "who enlisted for duration of war," and use a comma, and then go on, I think it would mean that. I suppose that there was a little confusion raised over the fact that the comma is not there. I want to say that I think that is a very great improvement in the situation. The boys in these places can now get out. I think that the rules we run up against were made by men dressed in a little brief authority, who did not understand the situation; but when men of more breadth of character got the facts the order came. I think it possible to argue with them and present things in a simple way and be fairly treated. If the taxpayers pay their salaries, Representatives of taxpayers ought to be able to get a hearing for constituents. It is time that the Congress of the United States should have some respect for itself.

Mr. PADGETT. I want to say to the gentleman that day before yesterday I received a letter from Admiral Blue, the Chief of the Bureau of Navigation, giving at length the orders that were made, and I put them in the RECORD.

Mr. LITTLE. I had a little correspondence with Admiral Blue myself two or three weeks ago. I did not know just what his position was. I thought he was a doctor. I did not know him, but he wrote me pretty firmly, and I wrote him pretty firmly myself, and explained that he could not expect to enforce

rules like that and have very much affection for the United States Navy among the people. I suggested to him to quit monkeying with the buzz saw if he wanted the Navy to have the support of the Nation, and I am glad to hear that he adopted my suggestion. Admiral Blue seems to be a nice man when he gets his second wind.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. LITTLE. Yes.

Mr. MOORE of Pennsylvania. Does not the gentleman think that the Washington street cars are a great leveler of rank?

Mr. LITTLE. I find it so; I find in them I am as good as anybody.

Mr. BURNETT. Will the gentleman yield?

Mr. LITTLE. Yes.

Mr. BURNETT. Is not there a string to all of these orders—they provide that if they can be spared by the commanding officer, and is not that the way they get out of a lot of things?

Mr. LITTLE. I am glad the gentleman mentioned that there is no string to the order that was issued for these stations. I wrote the commanding officer about a man, and inquired why he was not discharged, and he wrote to me a letter, which I got to-day, that the thing has been indorsed and sent up to a higher man, and suggested that I write the higher man, that it would do some good. That is fine. Congressmen like ROYAL JOHNSON, who entered the Army as a private, may soon attain such a social position they can attend a party and see lieutenants dancing. If that is the rule, I think when he gets my letter it may help him some. I do not believe there is any string intended, but little fellows who want to be clever and bullheaded probably make some trouble for themselves.

Mr. BURNETT. That is the trouble you will run up against.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for three minutes.

The CHAIRMAN. Is there objection?

Mr. LARSEN. I object.

Mr. MANN. I am glad to know that the gentleman is still here. Twenty minutes of time have gone by in discussion.

The Clerk read as follows:

Engineering Experiment Station, United States Naval Academy, Annapolis, Md.: For original investigation and extended experimentation of naval appliances, testing implements and apparatus; purchase and installation of such machines and auxiliaries considered applicable for test and use in the naval service, and for maintenance and equipment of buildings and grounds, $160,000.

Mr. LITTLE. Mr. Chairman, I move to strike out the last word. What was the question that the gentleman from Illinois desired to ask me?

Mr. MANN. It does not relate to this bill.

Mr. LITTLE. That does not bother me as much as the gentleman might think.

Mr. MANN. The gentleman asked whether there were strings tied to these orders, and I wondered. I had a case the other day where I was informed by an officer in charge at the department that a certain officer would be discharged upon his application. The officer made the application to his commanding officer and was told to go to—that they would not let him out, and in effect the commanding officer said that the order of the officer in Washington did not cut any ice. The commanding officer said they needed him there, so they have had him transferred to some other place, and he is still in the service, notwithstanding the officer here in charge of the department ordered that he be released.

Mr. LITTLE. The only suggestion I can make is that that fellow is probably subject to a court-martial, and the gentleman ought to go at him.

Mr. MANN. I do not think he is.

Mr. LITTLE. If his superior ordered him to discharge the man he is.

Mr. MANN. I do not say that he ordered him, but he wrote me that he would be discharged. I did not notify the other officer of that fact, but the other day my friend came through Washington and said that his commanding officer had refused to discharge him, stating that he was needed in the service, and my friend finally stated further that his commanding officer then told him that he did not need him there, and he had been transferred to another place.

Mr. BURNETT. Was that in the Army or the Navy?

Mr. MANN. I will say now that that was in the Army.

Mr. LITTLE. I think probably that fellow disobeyed an order, and the gentleman should investigate it. I found a colored captain sent to our town by The Adjutant General to take a command. He found some other fellow there and a division of opinion arose about it. The colored officer was put under arrest and court-martialed, but when I called the attention of the department to what seemed to me to be the regulations—and we had quite a disturbance about it for two weeks—when I presented to the War Department such knowledge as I had of the regulations, and the evidence went before the court-martial, they acquitted the colored man and ordered, I hear, a reprimand of the man who had him subjected to court-martial. If you find these things out and present the facts and go and tell the man who told you what happened, and ask whether he issued an order or is simply wasting time writing letters giving advice, I think you will get somewhere. If the order in this case was issued, then that man ought to be court-martialed. This House ought to have enough respect for itself and for its constituents to see that laws are enforced and justice done.

The Clerk read as follows:

Commissary department: For chief clerk and purchasing agent, chief cook and cooks, steward and assistant stewards, stenographers, typists, head waiters, and assistant head waiters, head pantrymen, bakers, butchers, and necessary pantrymen, butcher's helpers, baker's helpers, waiters, coffeemen, dish pantrymen, utility men, linemen, scullions, and other unskilled and unclassified occupations, wages to be determined by the Superintendent of the Naval Academy, and in no case to exceed $75 per month, $185,545.45.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order. I think there must be some mistake in the language that is incorporated in this paragraph of the bill. I hardly think it is the purpose of the committee to provide that no person shall receive more than $75 a month, as is provided in the last line of the paragraph. It limits everyone designated in the paragraph to that sum, while the chief clerk at the present time is receiving $1,800 a year.

Mr. PADGETT. It is not intended for that.

Mr. STAFFORD. It is obvious that it was not so intended. May I inquire what was the purpose of the committee in eliminating the salaries to be paid to the respective employees designated here?

Mr. PADGETT. I will be very glad to explain that to the House. We were confronted to this condition, and I cite the actual occurrences: In the preparation of the last naval appropriation bill, and before that we had statutory employees on a per annum basis, whose compensation was fixed at so much per annum. We had men on a per diem basis who did the same work alongside of these statutory men, and their compensation was fixed by the wage board. While the House committee was making up the bill in the last session that was ultimately signed on the 1st day of July, the wage board had increased the compensation of the per diem men to a higher compensation than the statutory men.

They came before the Congress and said that their salaries should be increased. The committee reported an increase, putting them upon an equality with the compensation of the per diem men working alongside whose compensation was fixed by the Wage Board. The House accepted it and passed it. The bill went to the Senate, but while the bill was pending in the Senate the Wage Board met again and increased the compensation of the per diem men and immediately the statutory men went before the Senate committee and said that they must have another increase, because the Wage Board had increased the compensation of the per diem men and they must be made on an equality, and the Senate Committee reported it, the Senate passed it, and the House agreed to it in conference here, and there were two raises made under the seesaw proposition. When the estimates came down in December—now that was the bill which was signed July 1—we found that the Wage Board had met again and increased the per diem men, and the recommendation came in for an increase of the statutory men. We concluded that under this condition the proper thing to do and the wise thing to do was to put them all upon the per diem and whenever the time of reduction comes they will all go. If you have a reduction take place under the per diem, you know the difficulty of getting a reduction on the statutory when they are once fixed by statute.

Mr. STAFFORD. Is it planned to put the chief clerk and purchasing agent, who is now receiving $1,800 statutory salary, and the steward, who is receiving $1,800, on a per diem basis?

Mr. PADGETT. Yes; all of those who are mentioned in here go into that lump sum of per diem, like it was many years ago. When I first went on the committee they were put on a per diem basis. The representatives of the men came before the committee and urged that they be put upon a statutory basis, insisting that it would be a few dollars cheaper than the per diem. Congress adopted that and put them on the statutory basis. Now comes this seesaw that has worked them up, and we have put them back like it was upon the per diem basis, and hope that it will be a condition where, whenever the reduction comes, it can be taken care of better dealing with the whole than you can where you have the statutory man

with the statutory compensation to hold up the per diem men, as the per diem men under the wage board have been pushed up to the statutory men.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. I ask to be recognized for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin? [After a pause.] The Chair hears none.

Mr. STAFFORD. Would the gentleman have any objection to having a limitation that no employee hereunder shall receive a salary in excess of $2,000?

Mr. PADGETT. I do not think any of them receive that much.

Mr. STAFFORD. Under the statutory roll the maximum of two of these places is $1,800, and yet with no limitation they might go up much higher than $2,000.

Mr. PADGETT. If it is limited to this paragraph, I have no objection.

Mr. STAFFORD. What disposition does the gentleman wish to make about the obvious error carried in the paragraph where it says that no one is to receive more than $75 per month?

Mr. PADGETT. In no case to exceed $75 per month "in cases of unskilled and unclassified employees."

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order and offer the following amendment.

Mr. PADGETT. Before offering that let me offer mine.

Mr. STAFFORD. Mr. Chairman, I withdraw the amendment for the time being.

Mr. PADGETT. Mr. Chairman, on page 41, line 2, after the word "month" insert "in cases of unskilled and unclassified employees."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 41, line 2, after the word "month" insert "in cases of unskilled and unclassified employees."

The question was taken, and the amendment was agreed to.

Mr. STAFFORD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 41, line 2, after the figures "$185,545.45," insert: "*Provided*, That no employee hereunder shall receive a salary in excess of $2,000."

Mr. PADGETT. Let me ask the gentleman to change the wording a little, to "That no person paid under the provisions of this paragraph."

Mr. STAFFORD. Oh, well; I am perfectly willing to accept the suggestion. But "hereunder" would refer to those in the paragraph. It is the language customary in appropriation bills; but I am perfectly willing to accept the amendment.

The CHAIRMAN. The Clerk will report the amendment as changed.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 41, line 2, after "$185,545.45," insert:

"*Provided*, That no employee paid under the provisions of this paragraph shall receive a salary in excess of $2,000."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. STAFFORD].

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For the employment of such additional temporary force of employees in the various departments of the Naval Academy as in the judgment of the Secretary of the Navy may be necessary to the transaction of official business on account of the existing emergency, $150,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. What is the existing emergency?

Mr. PADGETT. The emergency is simply this: That we have recently increased the number of midshipmen to five for each district, and the classes are very much enlarged. Then we made an appropriation extending Bancroft Hall, at a cost of about $3,000,000. And the number of men there is increasing each year. They have not been able to get it down to a basis as to how many there should be, and this sum is to take care of that enlarged development and the number of men at the academy.

Mr. MANN. The words "existing emergency" have no reference to the war?

Mr. PADGETT. No, sir; it is on account of conditions at the academy.

Mr. MANN. That language has been carried in many cases as referring to the war, and probably was thought to relate to the war when it went into this paragraph a year ago. This has nothing to do with the professors, I take it, or anything of that kind—the teaching force?

Mr. PADGETT. No, sir. This is intended to take care of a large number of employees in the various departments there at work on account of the enlarged operations of the school.

Mr. MANN. How does it require an additional sum of $150,000?

Mr. PADGETT. Seventy-five thousand dollars of it is on account of the increase in the wages—on account of the cost of labor.

Mr. MANN. I take it that it is not.

Mr. PADGETT. That is what they stated to us.

Mr. MANN. This is for the employment of an additional force of employees necessary in the transaction of official business. What tremendous official business does the school have to transact?

Mr. PADGETT. On that very question and at that very place there the commander, in answer to a question that I asked him, said that they would have to shut up shop if they cut it out, as at least $75,000 of it would be required to meet the new wage schedule.

Mr. MANN. This has nothing to do with the wage scale. Of course, I do not know what they use the money for. That is one of the peculiarities of the Navy and the naval bill. No one ever knows what the money appropriated is used for.

Mr. PADGETT. It says for the employment of such additional temporary force of employees in the various departments of the Naval Academy. It takes up the various departments, and it refers to these additional employees. The wage scale is very much higher than it was.

Mr. MANN. This is for the employment of an additional temporary force of employees. It has nothing to do with the regular force of employees, and they are only employees which the Secretary of the Navy considers may be necessary to the transaction of official business. What does that mean?

Mr. PADGETT. It means employees connected with the academy and with the departments down there in any form of work. It says, and the language is plain, it seems to me——

Mr. MANN. Does it mean an additional plumber?

Mr. PADGETT. Yes, sir.

Mr. MANN. It is a queer use of language.

Mr. PADGETT. They use the word "employees." They would be employees. And it would have to be, not for the private employment of some man connected there——

Mr. MANN. We do not make any appropriations for the private employment or some man privately employed there. What is the use of saying that?

Mr. PADGETT. That is the reason they use the word "official," so that it would be for the official business of the academy.

Mr. MANN. That is silly, because you might use that in every item in the bill, then, that it is necessary, in order to keep them from throwing money to the birds, to say it shall be used for official business. The term "official business" has a meaning. It is not related to the fixing of a water pipe. I do not think the gentleman knows how this money is to be spent, and hence I do not desire to press him. No one can tell from the language of the bill what it will be spent for, but it will not be spent according to the meaning which anybody would read into the language of the bill.

The CHAIRMAN. The time of the gentleman has expired. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

In all, Naval Academy, exclusive of public works, $1,560,385.05.

Mr. WALSH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. WALSH. What is the meaning of that phrase "exclusive of public works"?

Mr. PADGETT. Under Yards and Docks there are public works. Whatever they do, they can not get anything out of that. It has to be expressly provided for them under Yards and Docks; and if nothing is provided under public works of Yards and Docks no part of this money could be used for work of that kind.

Mr. WALSH. I withdraw the pro forma amendment.

The CHAIRMAN. The gentleman from Massachusetts withdraws the pro forma amendment. The Clerk will read.

The Clerk read as follows:

For pay of officers prescribed by law, on the retired list: For 2 major generals, 3 brigadier generals, 5 colonels, 3 lieutenant colonels, 40 majors, 4 captains, 1 first lieutenant, 2 second lieutenants, and for officers who may be placed thereon during the year, including such increased pay as is now or may hereafter be provided for retired officers regularly assigned to active duty, $277,756.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order on the paragraph.

Mr. STAFFORD. Mr. Chairman, I do this so as to obtain information as to whether the additional officers provided for in this paragraph are those who are retired by reason of law?

Mr. PADGETT. Yes, sir. That is not a fixed number. It varies. If a man goes on the retired list in pursuance of law he is taken care of under this appropriation. If he dies he is dropped out of a number, and if another man comes in he is added to it. It changes from time to time to meet the number actually on the list at the time the appropriation was made.

Mr. STAFFORD. Is there any special significance in the large increase of the majors on the retired list from 11 last year to 40, as carried in this bill?

Mr. PADGETT. No. I do not know what produced the number.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The CHAIRMAN. The reservation is withdrawn. The Clerk will read.

The Clerk read as follows:

Pay of enlisted men, active and reserve list: Pay and allowances of noncommissioned officers, musicians, and privates, as prescribed by law, and for the expenses of clerks of the United States Marine Corps traveling under orders, and including additional compensation for enlisted men of the Marine Corps regularly detailed as gun captains, gun pointers, mess sergeants, cooks, messmen, signalmen, or holding good-conduct medals, pins, or bars, including interest on deposits by enlisted men, post-exchange debts of deserters, under such rules as the Secretary of the Navy may prescribe, and the authorized travel allowance of discharged enlisted men and for prizes for excellence in gunnery exercise and target practice and for pay of enlisted men designated as Navy mail clerks and assistant Navy mail clerks, both afloat and ashore, $24,428,537.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. STAFFORD. I wish to inquire whether this appropriation should not be reduced, in view of the action taken by the committee last night in adhering to the present enlisted force as the permanent force of the Marine Corps?

Mr. PADGETT. We provided for the year for 50,000, and that remained in. It was only the increase of the permanent thing that was stricken out.

Mr. BUTLER. You will not save any money this year.

Mr. STAFFORD. I withdraw the pro forma amendment.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Contingent, Marine Corps: For freight, expressage, tolls, cartage, advertising, washing of bed sacks, mattress covers, pillowcases, towels, and sheets, funeral expenses of officers and enlisted men, and retired officers on active duty during the war, and retired enlisted men of the Marine Corps, including the transportation of bodies and their arms and wearing apparel from the place of demise to the homes of the deceased in the United States; stationery and other paper, printing and binding; telegraphing, rent of telephones; purchase, repair, and exchange of typewriters; apprehension of stragglers and deserters; per diem of enlisted men employed on constant labor for periods of not less than 10 days; employment of civilian labor; purchase, repair, and installation and maintenance of gas, electric, sewer, and water pipes and fixtures; office and barracks furniture, vacuum cleaners, camp and garrison equipage and implements; mess utensils for enlisted men; packing boxes, wrapping paper, oilcloth, crash, rope, twine, quarantine fees, camphor and carbolized paper, carpenters' tools, tools for police purposes, safes, purchase, hire, repair, and maintenance of such harness, wagons, motor wagons, armored automobiles, carts, drays, motor-propelled and horse-drawn passenger-carrying vehicles, to be used only for official purposes, and other vehicles as are required for the transportation of troops and supplies and for official military and garrison purposes; purchase of public horses and mules; services of veterinary surgeons, and medicines for public animals, and the authorized number of officers' horses; purchase of mounts and horse equipment for all officers below the grade of major required to be mounted; shoeing for public animals and the authorized number of officers' horses; purchase and repair of hose, fire extinguishers, hand grenades, carts, wheelbarrows, and lawn mowers; purchase, installation, and repair of cooking and heating stoves and furnaces; purchase of towels, soap, combs, and brushes for offices; postage stamps for foreign and registered postage; books, newspapers, and periodicals; improving parade grounds; repair of pumps and wharves, water; straw for bedding, mattresses; mattress covers, pillows, sheets; furniture for Government quarters and repair of same; packing and crating officers' allowance of baggage on change of station; deodorizing, lubricants, disinfectants; for the construction, operation, and maintenance of laundries; and for all emergencies and extraordinary expenses arising at home and abroad, but impossible to anticipate or classify, $4,500,000: *Provided*, That hereafter the funds received in payment for laundry work performed by post laundries shall be used to defray the cost of operation of said laundries, and the receipts and expenditures shall be accounted for in accordance with the methods prescribed by law, and any sums remaining after such cost of maintenance and operation have been defrayed shall be deposited in the Treasury to the credit of the appropriation from which the cost of operation of such plants is paid.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Massachusetts reserves a point of order on the paragraph.

Mr. WALSH. I wish to direct the attention of the chairman to the fact that on line 16, page 50, the word "work" is not spelled correctly in the print that I have. What is the idea?

Mr. PADGETT. In my print it is correct, "Laundry work." They left off the letter "k" in the other print. Mr. Chairman, I ask that the Clerk be authorized to make the correction.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. WALSH. What is the purpose of this proviso as to funds received in payment of laundry work performed by post laundries, that they shall be used to defray the cost of the operation of said laundry? Do I understand that the posts operate laundries and make a charge to the enlisted men for the laundry work done?

Mr. PADGETT. That is what it is for. A nominal charge is made. It is far cheaper than they can get it done outside for. It is a very nominal cost. Without the posts operating them they have to go out into the community and have it done there. The Government does not do their laundry for them. This is to allow them to do it at a nominal cost, and if there should be a profit it would be turned into the Treasury to the credit of the fund.

Mr. WALSH. Does not the Government do the laundry work for the men aboard battleships?

Mr. PADGETT. It does not.

Mr. WALSH. They have to pay that?

Mr. PADGETT. They pay a nominal charge. It is very little, but they pay it.

Mr. WALSH. I remember hearing some of the officers of the Marine Corps, when by reason of the kindness of the gentleman I was permitted to visit Quantico last summer, complaining very bitterly at the charge made at the laundry for the white duck uniform some of them had to wear. I do not know whether the marines themselves wore them or not.

Mr. PADGETT. I do not know as to the officers, but we inquired of the men on the ships. They get their laundry at a very cheap rate on board ship, and we understand that at posts where they have laundries they charge a very nominal rate.

Mr. WALSH. It would appear from this proviso that these laundries are being operated upon a profit basis, because it takes care of the excess of receipts over expenditures.

Mr. PADGETT. Of course, it is impossible to operate a laundry at the exact cost. That is only to take care of whatever small profit there may be—just to designate where it shall go. It is not intended that the laundries shall make any profit.

Mr. WALSH. No; but if they make a profit for two or three months and turn it into the Treasury, ought they not to revise their schedule of charges, so that in future operations the men may get the benefit, rather than keep covering a profit into the Treasury?

Mr. PADGETT. That is what is intended to be done—not to operate at a profit, but where there is a profit to know how to dispose of it. It is not intended to operate it as a profit-making concern.

Mr. WALSH. So that the officer in control at some place where they have made a profit and turned it into the Treasury will not be held up as a shining example of efficiency, by reason of this proviso, because he has operated the laundry at a profit?

Mr. PADGETT. No; that is not intended.

Mr. WALSH. Thereby encouraging other officers to do the same thing.

Mr. PADGETT. No; the honor will be the other way—to make it as cheap to the men as they can, and at as small a cost, and at as near as possible to the actual cost of operation.

Mr. WALSH. How much was turned into the Treasury from the laundry operations last year?

Mr. PADGETT. There was not anything. There has been no authority for it heretofore. You will notice that the language above there includes "the construction, operation, and maintenance of laundries." That is new language that is put in there.

Mr. WALSH. I did not know but this had been done heretofore.

Mr. PADGETT. I understand that at some of the posts they have been operating on a very small scale on a kind of mutual basis.

Mr. WALSH. A cooperative basis?

Mr. PADGETT. Yes; a cooperative basis, or something of that kind. This is to give it a standing and status, so that the men can get their laundry work done under the very best conditions at the cheapest rate.

Mr. WALSH. I withdraw the point of order.

Mr. STAFFORD. I renew the reservation of the point of order.

Mr. HICKS. I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Wisconsin renews the reservation of the point of order.

Mr. STAFFORD. I yield to the gentleman from New York [Mr. HICKS].

Mr. HICKS. While we are on this subject of laundries, if I may be permitted—and I thank the gentleman from Wisconsin for allowing me to proceed—it may be of interest to the members of the committee for me to state, briefly, the attitude of the Army in this matter, because there is considerable agitation at the present time for free laundry work in the Army. We have at some of our large cantonments, I think, 10 or possibly 12 laundry establishments owned and operated by the Government. In these plants the men can have their laundry work done and are permitted to send an unlimited number of pieces, for which service they are charged only $1 a month. Where these Army laundries are not maintained the Government makes private contracts, when it is able to do so, and then the men individually send their clothes to the laundries in accordance with the contract. In other places the Army has nothing to do with the laundry at all, and the men make their own arrangements outside of the camp. In many places this latter method has proved very unsatisfactory. The agitation going on for Government laundries is based on the fact that when men are compelled to do their own laundry work, or where they are compelled to pay for having it done at private laundries at a piece cost, the tendency is either for the men to send too few clothes to the laundry, thereby promoting a lack of cleanliness, or else, when they do their own laundry work, they do it in such a bad manner that their clothes are badly shrunk or are burned by being dried before an improvised fire; and the Army records show that we have lost thousands of dollars' worth of valuable underwear and clothing belonging to soldiers because of the insufficient laundry facilities, causing waste by shrinkage or burning. My own feeling in regard to this laundry question is that, as we supply the men with medical treatment, as we give them recreation, as we supply hospital treatment, as we try to encourage them in every way to develop their bodies and to keep their bodies clean, we should also see that their clothes are laundered without cost. It is all a part of hygienics, and I believe that clean clothing is just as essential to the welfare of the men as clean thoughts and clean living. I hope the time will come when the United States Navy will adopt the same policy toward the sailors as I think the United States Army is going to adopt toward the soldiers and supply to all men laundry service free of cost.

Mr. STAFFORD. Mr. Chairman, I wish to ask the chairman of the committee at what period of time it is proposed to have the accounting to turn the surplus money back into the Treasury?

Mr. PADGETT. What surplus?

Mr. STAFFORD. You make a provision that any sums remaining after such cost of maintenance and operation have been defrayed shall be deposited in the Treasury. When will the surplus be turned back?

Mr. PADGETT. I imagine it will be current, at the end of the fiscal year.

Mr. STAFFORD. There is no period stated here. Does not the gentleman think it would be advisable to insert after the word "remaining," in line 20, "at the end of the fiscal year"?

Mr. PADGETT. I have no objection; that is what it means. This is for the fiscal year and they must wind up the business at the end of the year. They could not carry it over into another year because the fund is only available for that year. I have no objection to the gentleman inserting the language, but that is what it means, anyway.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of a point of order and offer the following amendment, to insert after the word "remaining," in line 20, the words "at the end of the fiscal year."

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 50, line 20, after the word "remaining" insert "at the end of the fiscal year."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

The Clerk reads as follows:

Total Marine Corps, exclusive of public works, $78,561,358.28.

Mr. PADGETT. Mr. Chairman, I would like the indulgence of the House just a moment. Earlier in the afternoon gentlemen on both sides of the House inquired about "the increase of the Navy," and at that time it appeared that we would not be able to reach it or take it up. I told them that we would not take up the increase of the Navy this afternoon, that it would go over. I understand from the Speaker that to-morrow he will recognize the gentleman from North Carolina [Mr. KITCHIN] to call up the conference report on the revenue bill. How long that will take I do not know. I want to ask the gentleman on the other side, Mr. BUTLER, if he would object or be willing for us to go ahead and read the balance of pages 51 and 52, which relate only to the increase of limit of cost of ships of the 1916 program, and then the committee rise when we reach the bottom of page 52? That would take us up to the new program. I am going to leave it to the gentleman from Pennsylvania.

Mr. BUTLER. That is very generous of the gentleman. I do not like to assume the responsibility of prolonging the consideration of the bill unduly. Suppose we say this, if it is agreeable to the gentleman, that if they finish the consideration of the conference report before a certain hour to-morrow we will resume the consideration of this bill.

Mr. PADGETT. I am talking of what we will do now.

Mr. BUTLER. I mean to say that if we finish the discussion on the conference report of the revenue bill we will take up this. I do not know how much time will be consumed in the discussion of that conference report, but I think perhaps all the afternoon.

Mr. PADGETT. I think it will take all day to-morrow. That is my judgment about it, and this will very likely have to go over until Monday.

Mr. BUTLER. Is it the purpose of the chairman not to consider what is known as the presidential program or the new program until Monday; that is, that it will not be considered to-morrow or Saturday?

Mr. PADGETT. I could not say. Everybody will be here to-morrow on the other bill.

Mr. LONGWORTH. I think the gentleman from Tennessee is absolutely right that the conference report on the revenue bill will take all day to-morrow.

Mr. PADGETT. I think it will, so that this will go over until Monday. I have no authority to say that if anything should happen that the conference report would be agreed to early we would not take this up, because we might have half of the afternoon or abundance of time to take it up. But I wanted to know if we could not dispose now of pages 51 and 52 and then rise. That will leave us up to the new program.

Mr. LITTLE. Will the gentleman yield for a question?

Mr. PADGETT. Yes.

Mr. LITTLE. On page 52 it speaks of the limit of cost of the vessels.

Mr. PADGETT. Yes.

Mr. LITTLE. The gentleman's proposition was to discuss page 52. Is it not a fact that on line 9, for example, there is really nothing under way, for none of these ships are built, or any part of them, and with line 11 we find $160,000,000 worth of ships, on which we have not, as I figure it, laid a stick. Does the gentleman intend to take that up?

Mr. PADGETT. The contracts have been awarded for four of them, and the other two have been designated to be built at the Philadelphia yards, and they are proceeding to build them, but they realize that at the present cost of labor and material the limit of cost will not complete them.

Mr. LITTLE. The mere fact that they have made a contract probably does not fix it so that they can not set it aside.

Mr. PADGETT. All of them are on a cost-plus basis. They could not get any contract for a lump sum. Nobody in the country would undertake it.

Mr. LITTLE. There are eight ships here, and he only mentions four that there are contracts for. Would not any above that be additions, like those on the next page?

Mr. PADGETT. This is simply to fix the cost under which they may proceed with the construction. It does not involve any additional appropriation.

Mr. LITTLE. If we do not appropriate it, they could not proceed with a lot of new ships. If they build, the taxpayers must pay.

Mr. PADGETT. It does not involve the appropriation of any additional money. It is only authorization.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. BUTLER. Mr. Chairman, I ask that he have five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BUTLER. Let us see if we can not arrive at some agreement. I do not want to deny the request made by the gentleman from Tennessee, but after talking with some of my colleagues here I find they desire very much to consider the present program along with the new one, and I believe that if we consider the two of them together we will expedite the business and finish the two of them in good time. Of course, the gentleman has it within his power to move to-morrow afternoon to go into the committee and consider this bill if the opportunity affords itself, and I would not ask him to agree not to do it.

Mr. PADGETT. I could not say when we would take it up, but it looks as though we would not take it up before Monday. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15539, the naval appropriation bill, and had come to no resolution thereon.

HOUR OF MEETING TO-MORROW.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER. Is there objection?

Mr. MOORE of Pennsylvania. Reserving the right to object, I should like to ask the gentleman whether he expects to go on with this bill to-morrow?

Mr. PADGETT. No; the Speaker expects to recognize Mr. KITCHIN to call up the conference report on the revenue bill.

Mr. MOORE of Pennsylvania. That was my understanding. If the revenue bill takes all day to-morrow this bill will go over until Monday?

Mr. PADGETT. Yes. If for any reason the revenue bill should be concluded in time, we might move to-morrow afternoon to consider this bill.

Mr. LONGWORTH. May I ask the gentleman if he makes this request at the suggestion of the gentleman from North Carolina?

Mr. PADGETT. Not to-day. The gentleman has asked me each day to make this request.

Mr. CRISP. Mr. Speaker, the gentleman from North Carolina [Mr. KITCHIN] has been at home all day, I presume, preparing for the consideration of the revenue bill to-morrow.

Mr. LONGWORTH. It only occurs to me, unless the gentleman from North Carolina has some very good reason for beginning at 11 o'clock to-morrow, that it would not be advisable to do so, because there are a number of gentlemen who would like even to have that extra hour on Saturday morning to look over this bill.

Mr. PADGETT. I just assumed the gentleman wanted as much time as possible for his discussion, and if it would take all day it would give an additional hour for such discussion.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, I object.

The SPEAKER. The gentleman from Massachusetts [Mr. WALSH] objects.

ADJOURNMENT.

Mr. PADGETT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 53 minutes p. m.) the House adjourned until to-morrow, Saturday, February 8, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting estimate of appropriations for national archives building, Washington, D. C. (H. Doc. No. 1772); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of War, transmitting copies of certain estimates for the relief of officers, and for other purposes (H. Doc. No. 1773); to the Committee on Military Affairs and ordered to be printed.

3. A letter from the Secretary of War, transmitting tentative draft of amendments desired to be incorporated in the appropriation bill for the support of the Army for the fiscal year ending June 30, 1920 (H. Doc. No. 1774); to the Committee on Military Affairs and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. PRICE, from the Committee on Claims, to which was referred the bill (H. R. 7253) for the relief of F. M. Barfield, reported the same without amendment, accompanied by a report (No. 1042), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. COOPER of Ohio: A bill (H. R. 15744) authorizing the Secretary of War to donate to the city of Warren, Ohio, two German cannon or fieldpieces, with accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 15745) authorizing the Secretary of War to donate to the city of Ashtabula, Ohio, two German cannon or fieldpieces, with accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 15746) authorizing the Secretary of War to donate to the town of Sebring, Ohio, two German cannon or fieldpieces, with accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 15747) authorizing the Secretary of War to donate to the city of Youngstown, Ohio, four German cannon or fieldpieces, with accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 15748) authorizing the Secretary of War to donate to the city of Niles, Ohio, two German cannon or fieldpieces, with accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 15749) authorizing the Secretary of War to donate to the city of Conneaut, Ohio, two German cannon or fieldpieces, with accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 15750) authorizing the Secretary of War to donate to the village of Windsor, Ohio, one German cannon or fieldpiece, with accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 15751) authorizing the Secretary of War to donate to the village of Rock Creek, Ohio, one German cannon or fieldpiece, with accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 15752) authorizing the Secretary of War to donate to the village of Mineral Ridge, Ohio, one German cannon or fieldpiece, with accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 15753) authorizing the Secretary of War to donate to the city of Geneva, Ohio, two German cannons or fieldpieces, with accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 15754) authorizing the Secretary of War to donate to the city of Jefferson, Ohio, two German cannons or fieldpieces, with accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 15755) to provide for the erection of a public building in the city of Niles, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. HUTCHINSON: A bill (H. R. 15756) donating a captured German cannon or fieldpiece to the borough of Pennington, N. J., for decorative and patriotic purposes; to the Committee on Military Affairs.

By Mr. BRAND: A bill (H. R. 15757) to repeal Title VII of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917; to the Committee on the Judiciary.

By Mr. CARTER of Oklahoma: A bill (H. R. 15758) authorizing the Secretary of War to donate to the city of Madill, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15759) authorizing the Secretary of War to donate to the city of McAlester, Okla., two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15760) authorizing the Secretary of War to donate to the town of Talihina, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15761) authorizing the Secretary of War to donate to the city of Durant, Okla., three German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. WEBB: A bill (H. R. 15762) to provide for the erection of a public building at Morganton, N. C.; to the Committee on Public Buildings and Grounds.

Mr. GRAY of New Jersey: A bill (H. R. 15763) increasing the limit of cost for a Federal building at Bayonne, N. J.; to the Committee on Public Buildings and Grounds.

By Mr. KELLY of Pennsylvania: A bill (H. R. 15764) authorizing the Secretary of War to donate to the township of Elizabeth, in the State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. STEELE: A bill (H. R. 15765) authorizing the Secretary of War to donate to the borough of Lehighton, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GARLAND: A bill (H. R. 15766) authorizing the Secretary of War to donate to the town of Edgewood, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BROWNE: A bill (H. R. 15767) authorizing the Secretary of War to donate to the village of Manawa, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. EDMONDS: A bill (H. R. 15768) declaring October 27 of each year a legal holiday; to the Committee on the Judiciary.

By Mr. McKINLEY: A bill (H. R. 15769) to repeal the daylight-saving law; to the Committee on Interstate and Foreign Commerce.

By Mr. MORGAN: A bill (H. R. 15770) to provide for the guarantees made to wheat producers for the crop years 1918 and 1919, and for other purposes; to the Committee on Agriculture.

By Mr. WELTY: A bill (H. R. 15771) to donate two captured cannon or fieldpieces to the city of Wapakoneta, Auglaize County, Ohio; to the Committee on Military Affairs.

By Mr. LEHLBACH: A bill (H. R. 15772) donating a captured German cannon or field gun and carriage to the town of Irvington, N. J., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15773) donating a captured German cannon or field gun and carriage to the city of Newark, N. J., for decorative purposes; to the Committee on Military Affairs.

By Mr. DRUKKER: A bill (H. R. 15774) authorizing the Secretary of War to donate to the city of Clifton, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DOMINICK: A bill (H. R. 15775) authorizing the Secretary of War to donate to the city of Seneca, S. C., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

By Mr. DENTON: A bill (H. R. 15776) for the erection of a Federal building at Mount Vernon, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. RANDALL: A bill (H. R. 15777) to provide for flood control on the Colorado River, and for other purposes; to the Committee on Flood Control.

By Mr. McKENZIE: Resolution (H. Res. 556) directing the Secretary of War to transmit to the House of Representatives copies of all correspondence and other papers and memoranda relating to regulations for training registrants prior to their induction into military service; to the Committee on Military Affairs.

By Mr. ESCH: Memorial from the Legislature of the State of Wisconsin memorializing the Congress of the United States to cooperate with the Dominion of Canada in the enlarged canalization of the St. Lawrence River for the passage of ocean-going vessels into the Great Lakes; to the Committee on Rivers and Harbors.

Also, memorial from the Legislature of the State of Wisconsin relating to the tobacco industry and requesting the Federal Trade Commission to report on such industry; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HAYDEN: A bill (H. R. 15778) granting a pension to Owen E. Murphy; to the Committee on Pensions.

By Mr. LEA of California: A bill (H. R. 15779) granting an increase of pension to John T. Smith; to the Committee on Invalid Pensions.

By Mr. McCULLOCH: A bill (H. R. 15780) granting an increase of pension to Harvey Dittenhafer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15781) granting an increase of pension to Cornelius McCafferty; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Memorial adopted by the Friends of Irish Freedom of Newark, Ohio, asking recognition for the Republic of Ireland; to the Committee on Foreign Affairs.

By Mr. COOPER of Wisconsin: Petition of citizens of Racine, Kenosha, Waukesha, Rock, and Walworth Counties, Wis., asking for repeal of postal zone law; to the Committee on Ways and Means.

Also, petition of Eugene J. Reitter, D. B. Worthington, and other residents of Beloit, Wis., asking that Congress create a department of education; to the Committee on Education.

By Mr. DALLINGER: Petition of citizens of Cambridge, Mass., protesting against postal zone rate law; to the Committee on Ways and Means.

Also, petition of citizens of Arlington, Mass., protesting against the postal zone rate law; to the Committee on Ways and Means.

By Mr. EMERSON: Petition of International Association of Engineers, Local No. 584, and citizens, favoring ownership by the Government (H. R. 10550); to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: Petition of Earl L. Scott, manager of Fox Theater, Black River Falls, Wis., protesting against imposition of 5 per cent tax on moving-picture film rentals; to the Committee on Ways and Means.

Also, petition of citizens of La Crosse, Wis., indorsing House bill 10550 providing for national ownership and Government control of all railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. GALLIVAN: Petition of citizens of Woburn, Mass., in mass meeting assembled, demanding that the principle of self-determination shall be applied to all nations, great and small, mindful first of Ireland; to the Committee on Foreign Affairs.

Also, petition of Men's Club of Watertown Unitarian Church, January 15, 1919, demanding that steps be taken to organize justice among nations and prevention of war and the uplift of humanity; to the Committee on the Judiciary.

By Mr. GORDON: Petition of United Brotherhood of Carpenters and Joiners of America, protesting against legislation authorizing a State constabulary in Ohio; to the Committee on Military Affairs.

By Mr. GRAHAM of Illinois: Petition of Rev. W. Greer McCrory and divers other members, friends, and adherents of the Henderson United Presbyterian Church, in Warren County, Ill., with reference to a repeal of the zone postal law; to the Committee on Ways and Means.

By Mr. LONERGAN: Petition of Ancient Order of Hibernians, of East Hartford, Conn., relating to self-determination of Ireland; to the Committee on Foreign Affairs.

Also, petition of general committee of citizens of Waterbury, Conn., in re welfare of sailors and soldiers; to the Committee on Military Affairs.

By Mr. MAPES: Petition of 86 citizens of Grand Rapids, Mich., for the enactment of a law providing for the Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. McFADDEN: Petition of State board of agriculture in session at Harrisburg, Pa., January 22, 1919, favoring a system of universal military training similar to that known as the Swiss; to the Committee on Military Affairs.

By Mr. McKEOWN: Memorial of House of Representatives of Oklahoma, relating to the distribution of captured war relics; to the Committee on Military Affairs.

Also, memorial of Sapulpa Commercial Club, relating to the removal of restrictions on Indian lands and sale of same; to the Committee on Indian Affairs.

By Mr. MOORE of Pennsylvania: Petition of board of directors of the National Federation of Construction Industries, favoring early return of the railroads to their owners; to the Committee on Interstate and Foreign Commerce.

By Mr. NEELY: Telegram signed by J. L. Stifel & Sons, Wheeling, W. Va., requesting that new revenue bill be not enacted; to the Committee on Ways and Means.

Also, telegram signed by Hon. J. E. Stevens, Wheeling, W. Va., requesting the nonpassage of the revenue bill; to the Committee on Ways and Means.

By Mr. POLK: Petition of Manufacturers' Association of Wilmington, Del., opposing the continuance of United States Employment Service; to the Committee on Labor.

By Mr. SMITH of Michigan: Papers in the pension case of Reuben Drinkwater (H. R. 15367); to the Committee on Invalid Pensions.

By Mr. TOWNER: Petition of citizens of Creston, Iowa, indorsing House bill 10550, providing for national ownership and Government operation of all railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. VOLSTEAD: Petition of residents of Minnesota, demanding that Congress pass necessary legislation to carry out the terms of the President's proclamation on the guaranteed price of wheat for 1919; to the Committee on Agriculture.

SENATE.

SATURDAY, *February 8, 1919.*

(Legislative day of Friday, Feb. 7, 1919.)

The Senate met at 12 o'clock noon, on the expiration of the recess.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Johnson, S. Dak	Nugent	Smoot
Beckham	Jones, N. Mex.	Overman	Spencer
Borah	Jones, Wash.	Page	Sterling
Chamberlain	Kellogg	Penrose	Sutherland
Colt	King	Pittman	Swanson
Culberson	Kirby	Poindexter	Thomas
Curtis	Knox	Pollock	Thompson
Dillingham	La Follette	Pomerene	Townsend
Fernald	Lenroot	Ransdell	Trammell
Fletcher	Lodge	Robinson	Underwood
France	McKellar	Saulsbury	Vardaman
Gay	McNary	Shafroth	Wadsworth
Gore	Martin, Va.	Sheppard	Walsh
Harding	Moses	Sherman	Warren
Henderson	Nelson	Simmons	Weeks
Johnson, Cal	New	Smith, Ariz.	

Mr. SHEPPARD. I wish to announce that the Senator from Oklahoma [Mr. GORE], the Senator from Delaware [Mr. WOLCOTT], the Senator from Wyoming [Mr. KENDRICK], and the Senator from Arizona [Mr. ASHURST] are detained on official business.

Mr. SAULSBURY. I desire to state that the senior Senator from Maryland [Mr. SMITH] is till confined to his house by illness.

I wish also to state that the senior Senator from Mississippi [Mr. WILLIAMS] is detained from the Senate by illness.

Mr. TRAMMELL. I desire to announce the absence of the junior Senator from Georgia [Mr. HARDWICK] on committee work of the Senate.

Mr. POLLOCK. I wish to announce the absence of the senior Senator from South Carolina [Mr. SMITH] on official business.

The VICE PRESIDENT. Sixty-three Senators have answered to the roll call. There is a quorum present.

CLAIMS OF ARMY OFFICERS.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmiting copies of certain estimates for the relief of officers, and for other purposes, which were submitted as part of the annual estimates for the Army appropriation bill for the fiscal year 1920, etc., which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. WALSH. I present a memorial of the Legislature of the State of Montana, which I ask to have printed in the RECORD and referred to the Committee on Military Affairs.

The memorial was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

A memorial to the honorable Senate and House of Representatives of the United States in Congress assembled for the passage of an act ceding to the State of Montana the military reservation located in Montana known as Fort William Henry Harrison, to be used as an adjunct of the State industrial accident board for a rehabilitation institute for the education and maintenance of persons injured in the industries of Montana and adjoining States.

To the honorable Senate and House of Representatives of the United States in Congress assembled:

Whereas by act of Congress approved May 12, 1892, there was established in the State of Montana Fort William Henry Harrison, the site for which, consisting of 1,000 acres, was donated to the United States by the citizens of Helena, and in addition to which there has been acquired by purchase sufficient land to make up a total of 1,790 acres, which said site is described as follows, to wit: Mineral entry No. 1900, situated in the southwest quarter of the southeast quarter of section 4 in township 10 north of range 4 west of the Montana principal meridian; the northeast quarter of section 9; the southeast quarter, the south half of the northeast quarter, the northeast quarter of the northeast quarter, the west half of the northwest quarter, and the southeast quarter of the northwest quarter of section 10; the southwest quarter of section 11; the west half of section 15; the east half of section 16; the southeast quarter of the southeast quarter of section 17; the northeast quarter, the east half of the northwest quarter, and the northwest quarter of the northwest quarter of section 21; and the north half of the northwest quarter of section 22, all in township 10 north of range 4 west of the Montana principal meridian; and

Whereas there has been constructed upon the said site a large number of brick buildings of a permanent character, and there has been acquired in connection with the said site ample water facilities for irrigating and making productive said lands in the growing of grass, trees, shrubbery, vegetables, and other agricultural products, making a very attractive and useful piece of property; and

Whereas the said site and buildings have not been used by the War Department for the purposes for which they were acquired for a period of more than three years last past, and there does not appear to be at the present time any prospect for the immediate use of the said site for the uses of the War Department, and the buildings are decaying by reason of neglect and nonuse, and the grounds are becoming unsightly; and

Whereas the industrial accident board of the State of Montana, a department of the government of said State organized under the act of the legislative assembly of the said State providing for compensation to workmen injured in the industries of the said State, and providing for the administration of the workmen's compensation act, known as chapter 96 of the Session Laws of the Legislative Assembly of Montana for the Session of 1915, has recommended to the Legislative Assembly of the State of Montana now in session the establishment of an institution for the reeducation and rehabilitation of those unfortunates who have been partially or totally disabled by reason of accidents from pursuing their usual vocations or professions, and thereby giving to these unfortunate victims of industrial accidents an opportunity of becoming useful citizens rather than dependents upon the bounty of the State; and

Whereas there is not located in any of the States of the Union an institution of such a character, and an opportunity is here offered for commencing under the most favorable circumstances an experiment which would make possible the vocational reeducation of large numbers of persons injured in the industries of the State of Montana and the adjoining States:

Now, therefore, the honorable Senate and House of Representatives of the United States in Congress assembled are hereby respectfully memorialized and petitioned by the Senate and House of Representatives of the Legislative Assembly of Montana, duly assembled, to enact a law ceding to the State of Montana the above-described site, known as Fort William Henry Harrison, consisting of the tracts hereinabove described, the buildings thereon, the water rights, and all of the appurtenances thereunto belonging or therewith enjoyed, to be used by the State of Montana for the uses and purposes above outlined; and be it further

Resolved, That the secretary of state of the State of Montana be, and he is hereby, directed to transmit to the Speaker of the House of Representatives of the United States and to the President of the Senate of the United States and to the Senators and Representatives of the State of Montana in Congress severally copies of this memorial.

Mr. HALE presented a petition of the Woman's Club of New Castle and Damariscotta, in the State of Maine, praying for the establishment of a department of education, which was referred to the Committee on Education and Labor.

Mr. LODGE presented a petition of the Lithuanian societies and political clubs of Scranton, Pa., praying for the independence of Lithuania, which was referred to the Committee on Foreign Relations.

He also presented a resolution adopted by the city council of Quincy, Mass., favoring the granting to honorably discharged soldiers, sailors, and marines six months' additional pay, which was referred to the Committee on Military Affairs.

He also presented a resolution adopted by the Building Trades Employers' Association of Boston, Mass., favoring the enactment of legislation for an appropriation of $100,000,000 to help solve the unemployment situation by furnishing financial aid to States and municipalities for use on public works, which was referred to the Committee on Appropriations.

He also presented petitions of the faculty of Mount Holyoke College, of South Hadley, of sundry citizens of Lynn, Mass., and of the congregation of the First Congregational Church of Cambridge, all in the State of Massachusetts, praying for the establishment of a league of nations, which were referred to the Committee on Foreign Relations.

PENSIONS AND INCREASE OF PENSIONS.

Mr. WALSH, from the Committee on Pensions, to which was referred the bill (H. R. 14894) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, reported it with amendments and submitted a report (No. 697) thereon.

DIPLOMATIC AND CONSULAR APPROPRIATIONS.

Mr. OVERMAN, from the Committee on Appropriations, to which was referred the bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920, reported it with amendments and submitted a report (No. 698) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HENDERSON:

A bill (S. 5557) to safeguard temporarily, by a license control of imports of potash, the interests of domestic potash pro-

ducers until trade conditions are readjusted; to the Committee on Mines and Mining.

By Mr. MARTIN of Virginia (for Mr. SMITH of Maryland):

A bill (S. 5558) authorizing the Secretary of War to donate to the town of Hagerstown, Md., one German cannon or field-piece; to the Committee on Military Affairs.

A bill (S. 5559) to provide for the erection of an addition to the post-office building at Baltimore, Md., for alterations to the present building and changes to the railroad entering same; to the Committee on Public Buildings and Grounds.

By Mr. McKELLAR:

A bill (S. 5560) to increase the cost of the public building at Memphis, Tenn.; to the Committee on Public Buildings and Grounds.

By Mr. SHEPPARD:

A bill (S. 5561) to provide for the enforcement of prohibition during the war and the period of demobilization; to the Committee on the Judiciary.

By Mr. POMERENE:

A bill (S. 5562) for the relief of contractors and subcontractors for post offices and other buildings and work under the supervision of the Treasury Department; to the Committee on Public Buildings and Grounds.

RIVER AND HARBOR APPROPRIATIONS.

Mr. KING submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was ordered to lie on the table and be printed.

THE COMMITTEE ON PUBLIC HEALTH AND NATIONAL QUARANTINE.

Mr. RANSDELL submitted the following resolution (S. Res. 443), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Public Health and National Quarantine, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-fifth Congress to send for persons, books, and papers; to administer oaths, and to employ a stenographer, at a cost not exceeding $1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

POST OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

Mr. BORAH. Mr. President, the amendment which I hope to have incorporated in the bill may be briefly stated as a repeal of the provisions of the two espionage acts relative to the power of the Postmaster General to exclude mail matter from the United States mail. The amendment which I shall propose does not seek to repeal any part of the espionage acts other than those provisions with reference to mail matter. I desire that to be understood, so that we may know precisely what we are dealing with.

As will be recalled, these two provisions, which are sections 1, 2, and 3 of Title XII of the act which was passed June 15, 1917, and section 4 of the act which was passed May 16, 1918, give power to the Postmaster General to exclude all mail matter from the mail which he deems to be in violation of the terms of the espionage acts.

Mr. President, this was passed as a war measure. I assume that no such act would have been proposed by the Congress except as a war measure. It is true that hitherto there had been some legislation with reference to the power of the Postmaster General to exclude certain mail matter from the mail, but no such power as is found in these acts had ever been proposed theretofore at any time in the history of our country.

The war, I take it, Mr. President, except in a most technical sense, ended when the President read to the Congress the terms of the armistice and announced by public proclamation, as it were, that the war was at an end and that these conditions, to wit, the conditions and terms of the armistice, rendered it impossible for Germany to renew the war. Now, while technically speaking it may be that a court would not hold that the war is concluded until actual terms of peace have been signed or imposed, yet so far as our domestic concerns are involved and so far as the treatment of our own people is concerned, I think we ought to consider the war to have closed upon the announcement of the President that it was at an end.

Mr. KELLOGG. Mr. President——

Mr. BORAH. I yield to the Senator.

Mr. KELLOGG. Will the Senator give us the sections he proposes to repeal?

Mr. BORAH. I have just stated them.

Mr. KELLOGG. I did not have the acts before me at the time.

Mr. BORAH. Sections 1, 2, and 3 of Title XII of the first espionage act and section 4 of the second espionage act.

Mr. President, these provisions of the espionage acts resulted in a complete censorship of the American press. In my opinion, if the Congress should ever assume to usurp the power to establish a censorship with intent to accomplish that thing there could be no more effective and successful method adopted than that of giving the Postmaster General certain powers with reference to the exclusion of printed matter from the mail.

When the espionage act was first before the Congress it provided specifically for a censorship, as it were, of the press, a thing which seemed almost incredible to be proposed. Nevertheless it was in the bill as it was originally reported. That was stricken out after long debate, but this clause, which had the same effect, remained in the bill. I stated upon the floor of the Senate at the time that if this clause remained in the bill it would mean just as complete a censorship as the clause which was intended to establish a censorship, and I take it that practice has demonstrated that that was a correct statement.

The way in which this results in censorship is this: If an article appears in a paper which the Postmaster General deems to be in violation of the espionage law, attention is called to the fact by excluding the paper from the mail. Immediately the editor or the publisher of the paper seeks consultation with the Postmaster General and secures from him an intimation or a guidance as to what shall thereafter appear in the paper and not be in violation of the law. That is a complete system of licensing the press. And under the broad terms of the espionage acts he could encompass the whole field of public opinion.

I desire, Mr. President, in discussing this matter to relieve it from mere personal criticism of the Postmaster General. It should be debated upon a different plane and upon a higher plane. No one could administer this provision without establishing what would be in effect a censorship of the press. It inevitably results in that. It rests with the Postmaster General to say how far he shall go. Naturally a man who has his paper excluded from the mails will seek consultation and guidance and permission from the man who has power to exclude it, and the result is that the Postmaster General or his representative becomes the absolute dictator and director of what shall appear from time to time in the publications throughout the country; and that has been the result of this law. I could cite numerous instances where newspapers were excluded from the mails, where publishers sought conversation and interviews with the Postmaster General, and where they returned to their publications with an understanding as to what would be agreeable the Postmaster General. Could a licenser of the press execute his powers in any different or more effective way?

I am not now discussing the question as to whether this or that particular paper should have been excluded. I am simply calling your attention to the fact, in order that I may later direct your attention to the legal question, that this resulted in doing that which we as a Congress have no power whatever to do.

It not only resulted in establishing a censorship but it resulted in a very universal feeling throughout the country that it was not enforced with equal effect as to all people. I shall not stop to examine the evidence as to whether there was partiality or not; I do not care. But you can gather any amount of testimony from newspaper men and publishers in the country to the effect that this paper published things which were, in popular judgment, equally reprehensible with what that paper published, while this paper was permitted to go through the mails and that was excluded. I call attention to this to illustrate the fact that the freedom of the press can never be restrained or circumscribed by any scheme or any plan which the ingenuity of the human brain can frame which will be satisfactory to the great public either in its impartiality or in its justice and equity. There is only one rule after all these centuries of effort and experience, and that is that a man shall publish in the first instance what he choose, and then take the responsibility for the abuse of the privilege.

So, Mr. President, there has been in this country since the day and hour that Congress passed this act just as complete a censorship as that censorship against which Milton inveighed, and against which Charles James Fox and Erskine, the great minds of those days, battled so earnestly and finally so successfully.

Now, the war is over and the most serious questions which could possibly confront a people—domestic questions—are up for consideration. There is a belief that this censorship still obtains. I do not know what the opinion of the Postmaster General is; I do not know whether he regards it as closed or not; but there is a universal belief throughout the country that it is still in existence, and that the law may still be invoked. That belief results in the same hesitancy to discuss public questions in a frank, open, sincere, and candid way in some quarters as during the war.

Some might be willing to yield upon such matters in the exigency of war, but when peace has been restored and we are dealing with our domestic concerns, matters of supreme concern to the people at home, there ought not to be any restraint upon the minds of the American people in any way, shape, or form. People should be free to express themselves upon these questions without fear of censorship or without the fear of having their publications in any way restrained or interfered with.

So we are asking for the repeal of a law which, in my judgment, we had no power in the first instance to pass, a law which, if it be considered to have been valid by reason of being a war measure, that reason has passed, and a law which is still being invoked, at least in the minds of the people, to deal with a situation which relates only to peace.

Mr. THOMAS. Mr. President, would it interrupt the Senator from Idaho if I should ask him whether his purpose could be accomplished so long as the old law, with which the Senator is familiar, now upon the statute books remains there? I refer to the law which clothes the Postmaster General with the absolute and uncontrolled power of excluding whatever he pleases from the mails of the country, and from his decision there is no appeal, except it may be to the people at the next popular election. In other words, would not the continued existence of that old statute be amply sufficient to enable the Post Office Department to continue in practice the conditions from which the Senator would relieve the people by his proposed repeal of the espionage act?

Mr. BORAH. I think the old law is entirely too broad and drastic in its powers, but it is not to be compared with the law with which we are now dealing, in my judgment. If any such authority should be attempted to be exercised under that law it would necessarily lead some of us to insist upon its modification or repeal.

I want the Senate to bear with me for a few moments while I recall a legal proposition which is involved in this matter, which I think it well at least to consider as we pass along.

There is no proposition better established as a historic fact than the belief in the minds of the framers of the Constitution of the United States that they gave no power whatever to Congress to deal with the subject matter of the freedom of the press or of free speech. It was undoubtedly their belief that that was a matter which was left alone and exclusively to the States. That was the opinion as expressed by the men in the convention; it was the opinion of Mr. Hamilton and Mr. Madison, the principal authors of the Federalist; and it was repeatedly stated in the debates in the different State conventions with reference to the ratification of the Constitution. When the question was raised in the constitutional convention that there ought to be something more expressive with reference to the power of Congress prohibiting the Congress from dealing with the subject, it was stated upon the floor of the convention that it could not be necessary because no power was given to the National Congress or to the National Government to deal with it in any way.

Let me call your attention to a paragraph from Elliott's Debates:

> Wednesday, September 12:
>
> In convention: Dr. Johnson, from the committee of style, reported a digest of plan, of which printed copies were ordered furnished to the members.
>
> Friday, September 14:
>
> Mr. Pinckney and Mr. Gerry moved to insert a declaration "That the liberty of the press be inviolably observed."
>
> Mr. SHERMAN. It is unnecessary. The power of Congress does not extend to the press.
>
> On this question it passed, in the negative.

Referring again to Elliott's Debates, in the South Carolina convention, Gen. Lincoln wanted to know why this omission existed with reference to the limitation of the power of Congress over the press. He said:

> The liberty of the press was the tyrant's scourge; it was the true friend and supremest supporter of civil liberty; therefore why pass it by in silence?
>
> 4. Elliott's Debates, page 314:
>
> He was immediately answered by Gen. Pinckney, the very man who in the Federal convention moved such a clause, but whose motion was rejected.

And Mr. Pinckney said:

> With regard to the liberty of the press, the discussion of that matter was not forgotten by the members of the convention. It was fully debated and the impropriety of saying anything about it in the Constitution clearly evinced. The General Government has no powers but what are expressly granted to it; it therefore has no power to take away the liberty of the press. That invaluable blessing, which deserves all the encomiums the gentleman has justly bestowed upon it, is secured by all our State constitutions; and to have mentioned it in our general Constitution would, perhaps, furnish an argument hereafter that the General Government had a right to exercise powers not expressly delegated to it.

In the Virginia convention it was stated:

> That, therefore, no right of any denomination can be canceled, abridged, restrained, or modified by Congress, by the Senate and House of Representatives, acting in any capacity, by the President, or any department or officer of the United States, except in those instances in which power is given by the Constitution for that purpose; and that, among other essential rights, the liberty of conscience and of the press can not be canceled, abridged, restrained, or modified by any authority of the United States.

I am not going to take the time of the Senate to go further into this matter, but it was clearly the understanding of the framers of the Constitution and of the ratifiers of the Constitution that the National Government was given no power whatever to deal with this subject.

Then, Mr. President, how did it occur that the first amendment to the Constitution was adopted? It is just as thoroughly established as a historical fact that it was adopted because of the possible doubt that in certain emergencies silence might be construed into the power to deal with this subject matter. Mr. Jefferson and Mr. Madison said that the silence which obtains with reference to this matter may give rise to argument and power will seek to be inferred from certain other powers in the Constitution. Therefore, in order that no inference may be drawn from any power granted in the Constitution, it should be expressly prohibited by specific amendment to the Constitution. So the first amendment to the Constitution was adopted, which I thought I had before me, but which, as Senators will all recall, provides that Congress shall have no power to pass any law respecting an establishment of religion or the abridgment of the freedom of the press or of speech. Of course, I am not quoting it with exactness, but it provides that Congress shall have no power to pass any law in regard to, concerning, or relating to this subject matter.

Mr. STERLING. Mr. President, the Senator from Idaho, I think, perhaps puts a wrong interpretation upon that provision of the Constitution. The Constitution says that Congress shall pass no law, as I remember, respecting religion, nor shall the freedom of speech or of the press be abridged. It is something like that.

Mr. BORAH. Here is the exact language:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press, or the right of the people peaceably to assemble and to petition the Government for a redress of grievances.

This amendment was adopted because of the belief of such men as Mr. Jefferson that, unless there was a more specific declaration, it might be said to be established as a matter of inference from other powers which were granted to the Congress. I call your attention to the language of Mr. Hamilton in the Federalist on this particular subject, which shows clearly what they had in mind. In No. 84 of the Federalist Mr. Hamilton says:

> Bills of rights, in the sense and to the extent they are contended for, are not only unnecessary in the proposed Constitution, but would even be dangerous. * * * Why, for instance, should it be said that the liberty of the press shall not be restrained, when no power is given by which restrictions may be imposed? I will not contend that such a provision would confer a regulating power; but it is evident that it would furnish, to men disposed to usurp, a plausible pretense for claiming that power.

The argument of Hamilton was that as no power was given to Congress to deal with the subject matter in any way, why adopt a bill of rights which might give rise to the argument that Congress had a regulating power?

Mr. Madison, in the famous report upon the Virginia resolution, says:

> Some degree of abuse is inseparable from the proper use of everything, and in no instance is this more true than in that of the press. It has accordingly been decided, by the practice of the States, that it is better to leave a few of its noxious branches to their luxuriant growth than by pruning them away to injure the vigor of those yielding the proper fruit. And can the wisdom of this policy be doubted by anyone who reflects that to the press alone, checkered as it is with abuses, the world is indebted for all the triumphs which have been gained by reason and humanity over error and oppression; who reflects that to the same beneficent source the United States owe much of the lights which conducted them to the rank of a free and independent Nation and which have improved their political system into a shape so auspicious to their happiness.
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> * * * * * * *

Whatever weight may be allowed to these considerations—

Referring to certain arguments which had been made—

> the committee do not, however, by any means intend to rest the question on them. They contend that the article of the amendment, instead of supposing in Congress a power that might be exercised over the press, provided its freedom was not abridged, meant a positive denial to Congress of any power whatever on the subject.

It may be said, Mr. President, that this law with which we are dealing to-day does not in terms attempt any censorship of

the press or in any way abridge its freedom, and that, as it is upon its face fair and equitable, simply giving to the Postmaster General the power to exclude from the mails, it is not unconstitutional; but I have called attention to the fact that the result of the law in its execution and administration has been to establish a censorship as a practical fact. I apprehend that that can scarcely be denied. Is there any Senator here who does not know of newspapers whose policies were modified, whose position was changed by reason of the fact that they had their interviews with the Postmaster General?

Mr. SHERMAN. Mr. President——

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). Does the Senator from Idaho yield to the Senator from Illinois?

Mr. BORAH. I yield.

Mr. SHERMAN. I know of newspapers whose managers and editors were informed—and the papers were afterwards excluded from the mails—that their editorial policies and expressions of opinion should be changed in conformity with some advices received from the Executive or from a representative of the Executive; and when they supported the policies of the administration in a political and administrative way they were restored to their postal privileges.

Mr. BORAH. Mr. President, as I said a moment ago, that is the inevitable result of the administration of this kind of a law.

Mr. OVERMAN. Mr. President, I wish the Senator would let us know what newspapers he has in mind. We are investigating this matter now, and a witness before our committee last week stated that there was a propaganda on the part of the Bolsheviki to repeal this legislation.

Mr. BORAH. Mr. President, I know the Senator from North Carolina so well and like him so well that I will not permit myself to be insulted by that kind of a remark.

Mr. OVERMAN. I love the Senator from Idaho; there is no one of whom I think more highly; he and I are very good friends, and always have been. I was merely stating what is happening in our committee—not that the Senator is responsible, for he has always stood where he stands now, and when the espionage bill was before the Senate two years ago he made a very able speech against it, taking the same ground he is taking now. So I could not have referred to him. I repeat that I am merely stating what is happening.

The Senator spoke of certain newspapers. When the president of the newspaper fraternity of this country was before our committee he said they were coming and trying to get him to advocate in the newspapers of this country the repeal of this legislation. That does not refer to the Senator. There is no better, abler, or more patriotic man in this country. I have been associated with him on committees. I know his patriotism and his love of his country; and there is no criticism of him on my part.

Mr. BORAH. Mr. President, I do not care how many Bolsheviki or who advocates the repeal of this law; it does not modify my position either with reference to advocating this or with reference to making me more zealous one way or the other. I simply know, as Mr. Madison says, that while there may be evils connected with the complete freedom of the press, they are infinitely small and of infinitely inconsequential effects as compared with the evil of a censored press.

If we must deny the liberty of the press, if we must deny freedom of speech, if we must change the whole structure of our republican institutions and deny the guaranties of the charter of 100 years, in order to deal with conditions in this country, we have already reached the point where free institutions have passed as an effectual fact in the administration of public affairs.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Mississippi?

Mr. VARDAMAN. Will the Senator yield to me to make this observation—that if the Bolshevists or the Socialists are advocating the repeal of this un-American and undemocratic law they are rendering a greater service to America and to liberty than the autocrat or the plutocrat who opposes the repeal of the law.

Mr. OVERMAN. I have no doubt there are a great many Bolsheviki who feel just like the Senator does.

Mr. BORAH. Mr. President, I think we may deal with this matter according to the well-established principles of free government, without being diverted from our faith and our convictions through the propaganda either of those who are in favor of it or those who are against it for purely selfish ends.

Now, I am frank to say that I would rather risk restoring sanity and patriotism and established order in this country through a complete and frank and open and sincere discussion of all questions than by undertaking to repress the views of any particular faction or any particular community. All of us who have looked into the pages of history know something of how utterly fruitless is the effort to direct men's thoughts and views through a system of arbitrary repression. Where truth is permitted to have free sway, error will finally be driven from the minds of men.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. BORAH. I do.

Mr. KELLOGG. I just want to ask a question. Section 2 of the provision which the Senator seeks to repeal, as I understand, provides that every letter, writing, circular, postal card, and so forth, advocating or urging treason, insurrection, or forcible resistance to the laws of the United States is declared to be nonmailable. If that is repealed, will there be any statute now in existence to prevent the mailing of matter urging treason?

Mr. BORAH. There is a statute, with which the Senator is familiar, which enables the Postmaster General to exclude mail matter from the mail—an old statute, which, I think, is entirely too broad.

Mr. LODGE. Has the Senator that statute there?

Mr. BORAH. I have not it here.

Mr. KELLOGG. I am unable to find any statute that goes that far.

Mr. BORAH. The Senator from Colorado [Mr. THOMAS] called attention to it a few moments ago, and he may have it before him; I do not know.

Mr. THOMAS. No; I have not. I had some experience with the department some time ago under the provisions of the statute, but I am unable to refer the Senate to the volume of the Statutes at Large containing it. I know there is such a law. If there is not, the Postmaster General certainly has been exercising extraordinary power without any statute.

Mr. BORAH. There is an old law. I do not know just what its terms are, but I presume they are not broad enough or they would not have insisted upon the passage of this law.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Massachusetts?

Mr. BORAH. I do.

Mr. LODGE. I think that is a very important point. I have never liked these laws which have led to censorship, as the Senator knows. I think they have been abused. I think things have been done that ought not to have been done, and things have been omitted that ought to have been done; but section 2 seems to me to go entirely outside the question of freedom of speech. It is matter advocating treason, insurrection, or forcible resistance to the laws of the United States. We stop fraudulent circulars in the mails now under our general law. I do not think freedom of speech can possibly be interpreted to mean freedom to advocate resistance to the laws, or treason, or insurrection.

Mr. BORAH. Mr. President, does the Senator believe that the way to control this matter is to place it arbitrarily in the hands of an individual? We have juries and we have laws by which to enforce and protect these general provisions of law. We have a method by which to try to arrive at the question of whether a particular matter is treasonable or not. But does the Senator from Massachusetts or any other Senator want to say that the Postmaster General shall determine whether or not an article that I write is treason? Shall I or any other citizen wear the brand or stigma of treason if a single individual without hearing, if he so elects, choose to declare me or my publication disloyal? The old star-chamber trials were more humane and respectable than that.

Mr. LODGE. No; I do not like that at all.

Mr. BORAH. That is what I am complaining of.

Mr. LODGE. But have we any law that meets such cases, and is the United States Government bound to carry in its mails circulars or anything you please advocating resistance to the laws and the overthrow of the Government? I do not think the United States is bound to do it; and if a man is wronged by being excluded by the Postmaster General the courts are open to him.

Mr. BORAH. I ask again, is the Senator willing to have it determined behind closed doors, by the counsel of a Cabinet officer and by his legal adviser, without anybody having an opportunity to meet the charge that he is guilty of treason?

Mr. LODGE. No; I am not prepared to have it finally decided there, but I would give him the same relief that the Senator

would give the community. I would let him take it before a jury.

Mr. BORAH. Yes; exactly. I am not asking to repeal the espionage act. That is a different proposition. I am asking to take away the arbitrary power to say that a communication which I make is treason.

Mr. SHERMAN and Mr. KELLOGG addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Idaho yield, and if so, to whom?

Mr. BORAH. I yield to the Senator from Illinois.

Mr. SHERMAN. I ask the Senator from Idaho if it would not be just as sensible, if I should make a speech on a platform, for the Director of Railways to say that I could not purchase a railway ticket until I had revised my power of free speech; or a grain merchant might be refused a license to transact business by the Food Administration, or a milling company. It is the specific character of the offense decided behind closed doors in the absence of a judicial hearing that I understand the Senator is criticizing.

Mr. BORAH. Precisely so.

Mr. SHERMAN. And I am in sympathy with that criticism.

Mr. BORAH. We are not here advocating the right of people to preach treason or violence; but we are advocating that this shall be determined according to the well-established principles of Anglo-Saxon civilization.

Mr. LENROOT and Mr. KING addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Idaho yield, and if so, to whom?

Mr. BORAH. I yield to the Senator from Wisconsin. Then I will yield to the Senator from Utah.

Mr. LENROOT. I want to ask the Senator whether or not the amendment he will propose is the same as that of which he gave notice on January 31?

Mr. BORAH. Yes.

Mr. LENROOT. Then I want to ask the Senator whether, so far as the powers of the Postmaster General are concerned, they are not confined to section 1 of the act of June 15, 1917, and section 4 of the act of May 16, 1918?

Mr. BORAH. I think they are.

Mr. LENROOT. Then I want to ask the Senator why sections 2 and 3 of the act of June, 1917, should be repealed, section 2 declaring letters, writings, and so forth, advocating or urging treason, insurrection, or forcible resistance to any law of the United States to be unmailable, and section 3 providing punishment in the courts for violation of that statute?

Mr. BORAH. Section 3 perhaps should not be repealed, upon that statement; but if section 2 stands, of course the Postmaster General determines that it is nonmailable.

Mr. KING and Mr. KELLOGG addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Utah?

Mr. BORAH. I do.

Mr. KING. Perhaps this is not quite germane to the Senator's discussion; but if he will pardon me, I should like to invite his attention to the fact that we have laws now which devolve upon the Postmaster General the power to exclude from the mail lewd and lascivious publications, publications which are in their nature fraudulent, or calculated to commit or perpetrate frauds, and publications in the interest of lotteries. The Postmaster General has to exercise a discretion. He may do it behind closed doors. The Supreme Court of the United States in a number of cases, starting with the case of Ex parte Jackson, and, indeed, prior to that time, have upheld the validity of statutes of that character; and, as was pertinently said by the Senator from Massachusetts, the Government of the United States clearly is entitled to exclude from the mails deadly matter assailing the integrity of the Government, and it is no infringement of the right of free speech.

Mr. BORAH. Mr. President, the case of Ex parte Jackson also held that if this power which was granted to the Postmaster General went so far as in any way to embarrass the freedom of the press it was void.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. BORAH. I yield.

Mr. KELLOGG. I find that section 479—I suppose of the Revised Statutes—reads as follows:

> Unmailable matter includes all matter which is by law, regulation, or treaty stipulation prohibited from being transmitted through the mails.

Then follow a lot of designations of what unmailable matter shall be—among others, obscene matter, libelous matter, indecent matter, lottery matter, fraudulent matter—and then there is a specific statute against mailing obscene, lewd, or lascivious matter. Now, does the position the Senator takes include—I mean in principle—the repeal of those statutes?

Mr. BORAH. Mr. President, I am very frank to say to the Senator that I think that law is entirely too broad. I am utterly opposed to lodging in any administrative officer the power to say that this or that publication is in violation of his regulations. I think there ought to be a different way to determine it. There ought to be an impartial tribunal where an open hearing can be had.

Mr. KELLOGG. How would you determine whether matter should not be mailed?

Mr. BORAH. In the first place, I would make it a law that a person should not mail such literature as was lewd or lascivious. If he did, I would arrest him, try him, convict him, and send him to the penitentiary, the same as if he committed any other crime.

Mr. KELLOGG. Of course it might be possible, under such a law as that, to send out vast quantities of such matter in the mail, with no way of stopping it except prosecution. The stuff would go out and go into the hands of the people.

Mr. BORAH. That does not follow at all. A man does not send out very much mail when he is behind the bars. He does not send out very much literature when he is in the penitentiary.

Mr. KELLOGG. Sometimes it takes a good while to get him there.

Mr. BORAH. Very well, unless the Senator wants to dispose of our system of jury trials entirely. If he believes in that theory, of course I have no argument with him.

Mr. KELLOGG. I do not. I simply want the Senator's view as to whether there should be any statutes at all providing for nonmailable matter, other than the statutes prohibiting the sending of such matter through the mail and providing for prosecution in the courts for a violation of the statute. That is the question I wanted to ask the Senator, because it seemed to me that if this should be repealed entirely we should repeal the other statute also, because it is based upon the same principle.

Mr. BORAH. I would be very glad to have the Senator offer that as an amendment to my amendment. I am dealing with a specific situation, with which the Senator from Minnesota and all other Senators are perfectly familiar.

Mr. OVERMAN. Will the Senator yield to me?

Mr. BORAH. In just a moment. We know to what extent this power in the two espionage acts has been used. We know to what extent that power has been carried, and, in my judgment, it has resulted as inevitably results from an attempt to enforce that kind of a law.

Mr. President, some time ago there was brought to me a publication which had been excluded from the mail. I went through that publication from one cover to the other, and I declare that it was impossible for me to find anything which, to my mind, indicated the slightest disloyalty, the slightest desire to embarrass the Government, or that was in any way an infringement of that act. I am quite sure that I entered upon the investigation without any prepossession one way or the other, and I was utterly unable to determine upon what proposition it had been excluded from the mail. I could not even select the article which, in my judgment, was the one upon which they in all probability relied, and yet it was excluded from the mail.

Mr. President, suppose that matter had been brought to the attention of 12 impartial men or to some impartial tribunal, would it not then have been more in accordance with justice and equity and fair play and good conscience in the administration of affairs than to lodge the power in a man to say, "I exclude it. I do not need to give any reason. It does not suit my taste, therefore it goes out."

The Senator from Minnesota and the gentlemen who are contending for this proposition are contending for that kind of a power.

Mr. KNOX. Mr. President——

The PRESIDING OFFICER. Will the Senator from Idaho yield to the Senator from Pennsylvania?

Mr. BORAH. I yield.

Mr. KNOX. I wish to ask the Senator a question, and I want to say a word or two in preface to it. If the Senator from Idaho is willing, I will take his time to that extent.

I doubt somewhat whether the legal proposition which the Senator from Idaho has so clearly discussed is really involved, if I understand the position of the Senator from Idaho. There is a whole lot of difference, in my judgment, between freedom of the press and the right to have particular things carried through the mail and difference between freedom of speech and the right to have things printed and carried through the mail.

Mr. BORAH. I agree with the Senator.

Mr. KNOX. I understand the Senator's position to be that he has no objection whatever to passing the most drastic law prohibiting transmitting through the mails treasonable matter—none whatever.

Mr. BORAH. None whatever.

Mr. KNOX. His point is that the question as to whether or not it is treasonable is a risk that is to be taken by the person who puts it in the mail, and that if it is treasonable that question is, like any question under a penal statute, to be determined by a jury on indictment for a violation of the law. Is that a correct statement of the Senator's position?

Mr. BORAH. That is my position.

Mr. KNOX. Then is it not true that we are not called upon here to pass on the constitutional question urged in the early part of the Senator's remarks?

Mr. BORAH. Only in this way: The administration of this law has unquestionably resulted in effectuating that which we have no power to effectuate, and that is a censorship of the press. In other words, Mr. President, if under this authority, arbitrary as it is, I have the power to call the Senator from Pennsylvania, who may be a publisher, to the city of Washington and say to him, "You can not put your publication through the mail except you conduct your editorial page along this line," it results in the establishment of a censorship, which we have no power to do.

Mr. KNOX. Exactly so; and do you not accomplish all you want by repealing the fourth section of the act of May 6, 1918? That is the section which gives the Postmaster General the right to determine the character of the publication. In my judgment, if I understand the Senator's position, he does not need necessarily to repeal the provisions of the second and third sections of the act of June 15, 1917, because those sections only create the prohibition and provide for the punishment.

Mr. BORAH. Truly, if that be the construction of the Senator, I will agree with him. What I want by this amendment, and I am perfectly willing to shape the amendment to that effect, is to take away the power of the Postmaster General to determine whether this or that publication comes within the purview of the espionage act. I want that determined by a different tribunal, where the man who is charged may be heard.

Mr. KNOX. I will go with the Senator that far; but I do not want by my vote to repeal the provisions of an act which makes the circulation of treasonable matter through the mail an offense, and I do not think the Senator from Idaho wants to do that, either.

Mr. BORAH. Precisely; not if the fact is to be established by the proper tribunal.

Mr. KNOX. Let it be like any other crime. Take the crime of larceny or embezzlement or forgery, and all that sort of thing. We have to determine the specific act, and I have got to take the risk whether my specific act comes within the definition of the statute. If I am charged with having violated that law, of course I am entitled to a trial by jury.

Mr. BORAH. If that is the construction to be put upon sections 2 and 3, I will agree with the Senator at once. If section 1 of the first espionage act and section 4 of the second act accomplish the thing which I desire, to wit, the taking away from the Postmaster General the power to determine as to what kind of a publication it is, that is all I desire with reference to this matter. I now yield to the Senator from North Carolina.

Mr. OVERMAN. I was going to ask the Senator with reference to his remedy as to sending treasonable matter in the mails. Much of this treasonable matter, which is absolute advocacy of Bolshevism, their catechisms, their constitution, and their powers, comes from foreign countries. You could not indict a foreigner for sending that matter through the mails. What could we do in that case?

Mr. BORAH. I do not suppose that we could indict a foreigner, and I do not state offhand just how we would deal with that. But let us deal with the home people; give them back their right to free speech and a free press, and then we will take up the foreigner.

Mr. President, the Senator from Pennsylvania [Mr. KNOX] has called attention to the fact, as he understands the provisions of the law, that sections 2 and 3 simply define the crime and provide for the punishment, and that you would proceed the same as you would if a party was charged with larceny or any other crime. I have no desire whatever to interfere with that kind of a provision, and if I could be satisfied that that is the effect of those sections I would be glad to eliminate them from my amendment. I certainly have no desire to make it possible for a party to send treasonable matter through the mail without any means of punishment provided for it at all. I have no desire to accomplish that, but I do desire that a jury shall determine whether or not he is guilty of that offense. If not a jury, then an open, impartial tribunal with the right to be heard and to call witnesses.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from North Dakota?

Mr. BORAH. I yield.

Mr. McCUMBER. Take the situation in this country at the time we entered into the war, in April, 1917, when immediately treasonable utterances were made by individuals and by the press and their circulation as begun throughout the country. Would the Senator have no means, no power, given to anyone to prevent the circulation of treasonable tracts before the person uttering them and publishing them could be arrested and tried and convicted? It takes quite a little time before you can try a man.

Mr. BORAH. But the Senator is begging the question. The Senator says "treasonable matter." I want some one to determine that it is treasonable matter, and I do not want that determined by any star-chamber proceeding.

Mr. McCUMBER. But would not the Senator acknowledge the fact that the imprisonment of the individual uttering treasonable words or publications would be nothing compared with the great damage that might be done to the country by filling the homes of the people with treasonable and false statements as to the attitude of the country? How would the Senator meet that emergency?

Mr. BORAH. That might be true; but in comparison with the evil which the Senator speaks of I think the evil of suppressing open, candid discussion of all public questions is infinitely greater than the evil of which the Senator speaks.

Mr. McCUMBER. But the latter is an abuse privilege, not a lawful carrying out of the intent of Congress.

Mr. BORAH. The Senator gets away from the proposition I am interested in, and that is the question how we shall determine whether or not it is treasonable matter. Is the Senator willing to have the question of crime determined in this country by an individual who need not call a single witness, who may be satisfied with his own opinion as to the article and take no evidence and hear no party who is charged?

Mr. President, I know of cases—and I suspect the Senator does—where papers have been excluded from the mail and men punished, as far as you can punish men without actually sending them to the penitentiary, their business destroyed, when perhaps the only man who thought it was treasonable matter or matter which ought not to go through the mail was the Solicitor of the Department of the Post Office.

Mr. McCUMBER. If the Senator will allow me, I certainly agree with him fully that the trial should be by a jury; that no man, of course, can be convicted until he has been indicted and tried by a jury; but nevertheless I can not find myself in exact accord with repealing the authority to stop a contagion before you can have the trial.

While I admit, and, as the Senator knows, I think, we all must admit, that the power has been grossly abused, nevertheless it does seem to me that there ought to be some power that could protect the mails against this nonmailable matter before it would be possible to try the accused individual.

Mr. BORAH. The Senator can only resort, then, to arbitrary power to do that.

Mr. McCUMBER. I admit it must be more or less arbitrary.

Mr. BORAH. There is where the Senator and I never would agree. The Senator says this power has been grossly abused. I do not believe that this power has been grossly abused. I think the execution of this statute as we have had it is the inevitable result of lodging that kind of a power in any human being. It has been exercised in the same way that just such arbitrary power has always been exercised when it has been given to individuals. I am perfectly willing to state that it is my candid opinion that Mr. Burleson has not consciously and knowingly and willfully abused this power. If the Senator thinks that he has, that is altogether a stronger argument for my position, because we are lodging in a man who is willing, with full intent and purpose, to injure a fellow citizen a power which enables him to do it beyond compensation to that citizen.

But I am assuming to-day that he has exercised it as almost any ordinary individual would exercise it. You might put a man in the Post Office Department who was utterly opposed to any such principle, who would not execute it at all. I concede that; but a man who believes like the Senator does that arbitrary power is justified would exercise it just as the Postmaster General has done in this case.

Mr. McCUMBER. If the Senator will allow me, I call his attention to the fact that we have been granting that arbitrary power—and I do not yet find how we can escape it in all cases—in the matter of sending out obscene literature and in the matter of what is a fraud upon the public. I do not know that heretofore it has been greatly abused. I wish there was some way by which we could meet the evil without putting it first in the power of some person to guard the mails of the Government, so that the Government itself will not be compelled to carry in its mails the things which it has prohibited from being published or sent.

Mr. BORAH. When the Senator speaks of obscene literature, of course that is beside the question, but the literature which is in the Senator's library and in all our libraries, the best literature which is in our libraries, was once excluded from circulation and from public attention by some censor, some poor miserable finite being who thought he could chain down human thought.

Mr. President, I want to read an extract here from the famous fight in the English Parliament for free speech and a free press by Charles James Fox. This same matter was fought out by the English Government in the years in which our Constitution was being framed. Mr. Fox said:

> It has been truly said that no passion is so calculated to harden the heart, and to make it sanguinary, as great fear; and accordingly we find that the most inhuman tyranny has always had its foundation in the hearts of those whose actions condemned them to incessant terror. * * * It is a manifest axiom in a popular government that man has the fundamental right to state his opinion. * * * What deplorable ignorance of the human heart to think that by a mere convention bill to prevent the meetings without redressing grievances they could make men forget by making them silent! * * * If you prevent a man who feels himself aggrieved from declaring his sentiments, you force him to other expedients for redress. * * * In proportion as opinions are open they are innocent and harmless. Opinions become dangerous to a State only when persecution makes it necessary for the people to communicate their ideas under bond of secrecy. * * * You tell the people that when everything goes well, when they are happy and comfortable, then they may meet freely, to recognize their happiness and pass eulogiums on their government; but that in a moment of war and calamity, of distrust and misconduct, it is not permitted to them to meet together, because then, instead of eulogizing they might think proper to condemn ministers. What a mockery is this! What an insult to say that this is preserving to the people the right of petition! To tell them that they shall have a right to applaud, a right to rejoice, a right to meet when they are happy, but not a right to condemn, not a right to deplore their misfortunes, not a right to suggest a remedy! * * * If you mean that freedom is not as conducive to order and strength as it is to happiness, say so. * * * Liberty is order, liberty is strength. The progress of liberty is like the progress of the stream; it may be kept within its banks; it is sure to fertilize the country through which it runs; but no power can arrest it in its passage; and shortsighted as well as wicked must be the heart of the projector that would strive to divert its course.

Mr. Fox says when you compel men to communicate their ideas and their views in a secret, clandestine way, through actions which bind them closer together and give them a feeling of being martyrs to their cause, it is calculated to accentuate their efforts rather than to lessen them. I am one of those who believe that a vast amount of strength is given to a bad cause by undertaking to destroy it by purely arbitrary and unjust methods.

Mr. Fox said in another speech:

> Speech ought to be completely free, without any restraint whatever, in any government pretending to be free. By being completely free I do not mean that a person should not be liable to punishment for abusing the freedom, but I mean freedom in the first instance.

That is the test, Mr. President. Fix the law so that the man who publishes his paper and advocates treason takes the responsibility and answers to the properly established laws and tribunals for its abuse, but do not place in the hands of a particular individual the power to say in advance that this is treason, because it may not be treason at all.

Mr. WATSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Indiana?

Mr. BORAH. I will yield to the Senator in just a moment. What I mean is that any man may write and print what he pleases, although he is liable to be punished if he abuses that freedom.

Now I yield to the Senator from Indiana.

Mr. WATSON. Is the Senator from Idaho willing to have sections 2 and 3 stand, and to strike out section 4? It seems to me as though there is a manifest distinction between those clauses.

Mr. BORAH. I have already stated that I am perfectly willing to strike out those sections if, upon examination, when I have a little time to look into it after I close my remarks, I find that they bear the construction which the able Senator from Pennsylvania [Mr. KNOX] has placed upon them.

Mr. WATSON. I remember when the conference report was brought back on the espionage bill—that is, the amendment to the espionage bill—with section 4 in it. A part of it had been passed by the House, but no part of it had been passed by the Senate, and it was put in by the conference committee. I recall that there were five of us here who voted against the adoption of the conference report because section 4 had been incorporated. I regarded it then as essentially bad, and I do so now. I shall vote to strike out that section, but I do not believe that the others should be stricken out.

Of course, it is a question always as to whether arbitrary power will or will not be abused. We have been granting arbitrary power to the President and to heads of departments, and it seemed to me as if there were then a necessity to do it; but it is a grave question with me now as to which is the greater evil—whether to confer upon the Postmaster General an arbitrary power to exclude mail that, in his judgment, is treasonable, which would sow dragon's teeth or scatter seeds of discord throughout the country, or to take the other horn of the dilemma. Either seems to me to be an evil, and especially so if the Postmaster General is disposed to grossly abuse his power.

Mr. BORAH. Oh, Mr. President, let us not talk about grossly outraging arbitrary power. Why do you grant arbitrary power? If you grant arbitrary power, you expect a man to use it in arbitrary fashion or you would not grant it. It ill becomes the Congress of the United States to complain of the use of the arbitrary power which Congress itself grants. It is fundamentally wrong.

Mr. LENROOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Wisconsin?

Mr. BORAH. I yield.

Mr. LENROOT. I want to call the Senator's attention to the construction given by the Post Office Department as to its authority over unmailable matter.

Mr. BORAH. Very well.

Mr. LENROOT. So that, if sections 2 and 3 are omitted from the bill, I am inclined to think that the Postmaster General still would have the power over unmailable matter. Section 38 of the regulations provides:

> All undeliverable and unmailable matter, domestic and foreign, shall be forwarded by postmasters and other employees of the Postal Service to the Fourth Assistant Postmaster General.

And so on.

Mr. BORAH. Mr. President, I want to call attention to a decision of the Supreme Court of the United States with reference to the effect of granting arbitrary power; that although a law may be valid upon its face, yet if the power is to be exercised in an arbitrary way it renders the statute void, not because it is void by its express terms but because as a result of its execution it results in the exercise of arbitrary power. This is the case of Yick Wo against Hopkins, in 118 United States. This was an ordinance which, upon its face, was held to be valid. The court says:

> The power given to them is not confided to their discretion in the legal sense of that term, but is granted to their mere will. It is purely arbitrary, and acknowledges neither guidance nor restraint.

That is a complete description of the powers given to the Postmaster General under this law. The beginning and the end of it is his will; there is no restraint upon him in any way by reason of the terms of the law. Then the court says:

> Though the law itself be fair on its face and impartial in appearance, yet if it is applied and administered by public authority with an evil eye and an unequal hand, so as practically to make unjust and illegal discriminations between persons in similar circumstances, material to their rights, the denial of equal justice is still within the prohibition of the Constitution.

Mr. President, this law has been administered and could be administered in no other way than at the mere discretion and will of the Postmaster General. Congress granted the unlimited and arbitrary power to exclude from the mails whatever matter he should think should be excluded. We have no restraint, no guidance established, no rules fixed in the statute. It rests with him alone.

I do not want to be understood as advocating the right of anyone to spread literature advocating force or violence or treason. I simply want the man who advocates force or violence or treason to be tried and convicted and punished according to the established principles of Anglo-Saxon jurisprudence.

Mr. KNOX. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Pennsylvania?

Mr. BORAH. I yield.

Mr. KNOX. I am in sympathy with so much of what the Senator from Idaho has been saying that I do not want even to appear to be in antagonism by asking a question. The Senator has just now placed great emphasis upon the fact that it is the vesting of arbitrary power. It does not strike me that that is quite the proposition. It is not the vesting of arbitrary power, but it is the vesting of arbitrary power in this kind of a situation. I take it that there must be arbitrary power over the instrumentalities of the Government in many instances, particu-

larly in the post office. We provide that certain things are nonmailable; infected meats are nonmailable; explosives are nonmailable. It would defeat the very purpose of the law if somebody had not the arbitrary power to say, "This piece of meat is infected," or "This is an explosive and will endanger the lives of the people who handle the mails." But when you come to deal with a matter through which the public opinion of the country would be controlled, I follow and agree entirely with what the Senator has said. For that reason I remarked a few minutes ago that perhaps his legal proposition is not necessary in order to accomplish his end.

Mr. BORAH. Mr. President, of course I shall be glad to have the support of the Senator from Pennsylvania whether he agrees with me in my argument or not. Before the amendment comes to a vote I shall likely ask permission to strike out sections 2 and 3.

Mr. STERLING. Mr. President, would not the Senator from Idaho also strike out section 1 from his proposed amendment as well? Section 1 simply relates to the provisions of the act, and the act itself defines many offenses against the Government. It is to prevent the carrying through the mails of matter that would help in the consummation of crimes defined in the act.

Mr. BORAH. Does the Senator have reference to section 1 of title 12?

Mr. STERLING. Yes, sir; to section 1 of title 12.

Mr. BORAH. I shall take that into consideration, and, if I do not ask to strike it out, perhaps the Senator may do so. We can have a test upon it in that way.

The PRESIDING OFFICER. The Senator from Idaho has a right to modify his amendment.

Mr. BORAH. I shall not do so at present, Mr. President, but perhaps may do so later.

Mr. NELSON. Mr. President, I only intend to take the time of the Senate for a few moments, and it is not my purpose to enter into any discussion of the constitutional question which the able Senator from Idaho [Mr. BORAH] has presented to the Senate.

My view of the case is this: The Government of the United States has the inherent power of self-preservation, and it possesses whatever power is absolutely necessary for its protection and safety, whether in time of war or in time of peace. Such power is inherent in it in the very nature of its sovereignty.

In the next place, the question involved here is not directly the question of the freedom of the press; it is a question whether vicious publications that are endangering the safety of the country shall have the free use of the mails. It is no remedy in such cases to say that the guilty one can be punished after the offense has been committed.

I wish to call the attention of the Senate to one fact of criminal justice as old as the common law itself, and that is that there are circumstances under which it is not necessary to wait until an offense has been committed, but steps may be taken beforehand to prevent the commission of the offense. From time immemorial, as far back as the common law extends, it has been the practice that where a man threatens the life or the property of another person he can be brought into court and compelled to give bond for his good behavior; in other words, the common law conceived that it was better and wiser to prevent an offense being committed than to wait until the offense had been actually committed and then punish the guilty one. In the cases which have arisen in our country and which are still arising—and I shall refer to them by and by—it would be a poor relief to say, "You can prosecute a man and put him in jail," while in the meantime the poison he is producing circulates through and permeates the whole community. The mere imprisonment of the culprit constitutes no complete or full remedy.

Mr. President, we need now, even more than we did during the days of the war, legislation to protect the people of the United States against the circulation of dangerous literature through the mails. Evidence has been brought before the investigating committee of the Senate that emissaries from the Russian Bolsheviki, furnished with money from that country, have come over here to preach the Bolshevik propaganda in our own midst. I have in my hands here——

Mr. BORAH. Mr. President——

Mr. NELSON. I will ask the Senator to wait until I make my statement complete, and then I will gladly yield to him. As an illustration, I have in my hand [exhibiting] a Bolshevik publication entitled "Hunger." It is the first issue, and came out a short time ago in the city of Minneapolis, in the State of Minnesota. I wish to quote from that paper the first paragraph, as follows:

"Russia," Germany, the Argentine Republic, are the great countries where "Bolshevism" is going through the first stages of its growth.

A child, a baby born by the "great world war," and by its growth astonishes its best friends.

Two years is only a short day in the life of a great world power.

But already this "enfant terrible" is the talk of the whole globe—in the kingly palaces of Europe, at the "Versailles peace table," deep in the bowels of the earth, at the clubs of the "American war millionaire," among the hungry and the homeless who walk the streets in search of food.

In the plateaus of the "Himalayas," in the "Oases of the Sahara," on board the ships that ply the great waters—north and south, east and west—everywhere "Bolshevism" is the standing topic.

If the baby causes a stir, what will the man do?

I will ask to have this document inserted in the RECORD, but as a further illustration of the character of this publication I will quote the following paragraphs:

O, RUSSIA!

O, Russia,
To thee I sing,
Whose freedom came
Not through laughter, wine,
Nor voluptuous woman's glands:
O, no! Thy freedom came
Through prison cells and
From Siberia's most farthest mines.

WHAT'S TO BE DONE.

One hundred million dollar appropriation to stop the westward march of "Bolshevism" is the request of Mr. Wilson to the Senate of the United States; as if dollar appropriation could stem the tide of a "world power."

And now comes Senator KENYON, who says: "We have appropriated $100,000,000 for Europe's hungry, do we refuse to appropriate a like amount to keep Americans from going hungry?"

Where is our boasted prosperity, always so loudly proclaimed and so intimately suggested by our two-penny trumpets, the capitalist press?

I wish to read another interesting paragraph from this publication, which is entitled "Birth control."

BIRTH CONTROL—HELP THE UNITED STATES TO CATCH UP WITH THE TIMES.

Save the babies from being born only to die.
Save the mother's strength for only those babies she wants, and no more.
Save the father's money for only those children he can support, and no more.
Save human vitality for the betterment of the race.
Join the National Birth Control League.
How much longer will the people of the United States permit their country to be the most backward and ignorant of all of the large nations on this vital question of race conservation?
The United States has the disgraceful distinction of being the only large country in the world which declares this knowledge to be a crime.
Join the National Birth Control League and help change the laws and establish clinics and get contraceptive information properly circulated.
Send your contribution to the National Birth Control League, 200 Fifth Avenue, New York City, or address the editor of "Hunger," who will gladly give all information about the National Birth Control League.

As I have said, this publication is printed in red—the color of the anarchists and the socialists. It is entitled "Hunger," as though there was hunger among the people of Minneapolis. There is no starvation or hunger there. It is misleading and a slander upon the good people of Minneapolis to intimate that there is hunger and starvation there.

I have in my hand another paper [exhibiting] printed in red, which is entitled "The American Bolshevik." I will read some of the headings of it, without taking the time of the Senate to read more:

Humane America had poison-gas plant working full blast.

The article criticizes us for making gas while the war was pending to meet the gas attacks of the enemy.

Another heading is:

The Bolshevists, the gravediggers of capitalism.

In this connection I want to read something more, emanating from the same sources from which these publications come.

Here is a card:

Liebknecht-Luxemburg memorial meeting. Jacob Panken, Socialist judge, New York City, will speak at Commonwealth Hall, 1217 Hennepin Avenue, second floor, Sunday, February 9, 3 p. m. Admission, 25 cents. Auspices Socialist Party.

It is too bad we were too far off to hear that speaker. Here is another admission ticket:

Thomas Van Lear, Frank E. Minor, and others will speak—

Giving the place of the meeting—

All money from this entertainment goes to the Mooney defense fund, San Francisco; I. W. W. defense fund, Chicago, Ill.; political prisoners' defense fund, New York City; Socialist Party defense fund, Minnesota.

Here is a man who was the Socialist candidate for governor, who was tried and convicted under the espionage law of being a most violent pro-German. He was convicted and sentenced

for one year to the county jail. His conviction was affirmed by the supreme court:

Farewell meeting for J. O. Bentall, Saturday, February 1, 8 p. m., Commonwealth Hall, the new Socialist headquarters, 1217 Hennepin Avenue, second floor. This will be the last public appearance of Comrade Bentall before he has to go to the Crow Wing County Jail for "sedition" on February 2. Admission free. Auspices Socialist Party of Minnesota. Please pass this notice along.

Here is another handbill that I have. I ask that it may be inserted in the RECORD. It is a notice of a mass meeting to raise money for the Mooney defense fund; the I. W. W.; Chicago, defense fund; the Socialist Party defense fund of Minnesota; and the political prisoners' defense fund, New York City.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

Mass meeting—Defense entertainment—Under the auspices of the Social Science League, Sunday, February 2, 8 p. m., at Federation Hall, 43 South Fourth Street. Thomas Van Lear, Frank E. Minor, and others will speak. All money from this entertainment goes to the Mooney defense fund, San Francisco; I. W. W. defense fund, Chicago, Ill.; Socialist Party defense fund, Minnesota; political prisoners' defense fund, New York City. A beautiful oil painting, valuation $100, painted by Miss Ada Wolfe, will be given away free. Good music; clean entertainment. Admission, 25 cents; children free. P. A. Stockwell, chairman.

Mr. NELSON. Mr. President, I have referred to these matters to show you how active these men are. I regard them to-day as more dangerous to the welfare of our community than some of the men who were opposed to the war during the pendency of the war. It shows what an active program they have instituted. They are flooding the mails.

Here is a man who spoke the other night at a meeting down here, Albert Rhys Williams, who has just come back from Russia, sent back here after spending some time there, equipped with ample funds. He is issuing his publications and scattering them broadcast. The aim of these Bolshevist leaders—some of them are imported and others are our own people—is to poison and demoralize the American people, to undermine and destroy our Government, and bring us to the level of the Government of Russia.

Instead of repealing the espionage law, in my opinion we ought to have it extended to reach such cases as these to which I have referred in order to stem this most iniquitous propaganda that is now being carried on in this country. I am getting to be an old man, and I have not many years before me; but I am satisfied that, unless the American people take effective and drastic steps to sten the wicked tide of anarchy and bolshevism that is now being so extensively carried on in the United States, and that will continue to be carried on unless it is stopped, great injury and detriment will befall the Republic.

Mr. President, the mere conviction, the mere sending to prison of one of these poor fellows—some of them are deluded, mistaken; others do it with malice prepense—is no relief or protection to the American people. It is our duty as legislators to do what we can to protect the American people against this poisonous spirit of anarchy and sedition. The Constitution never was intended for the protection of people of that kind. To my mind it is idle to invoke the liberty of the press for those classes of people. They are outside of the pale of constitutional or any other law; and there are only two ways in which we can protect ourselves. One is to exclude these vicious publications from circulation among our people; the other is to educate the American people, as far as we can, against the dangers of this spirit of bolshevism.

To my mind—and I have become more and more convinced of this from what has transpired at the hearings before the committee of which I am a member—it is apparent that we are facing to-day in this country a greater danger than that which we faced during the war, in the way of having the spirit of liberty and of integrity and of good government of our people undermined by this propaganda of bolshevism that is now abroad, and is being preached and propagated all round us. As I said a moment ago, I am an old man, and may not live to see the day, but if the American people do not take decisive steps to stop this thing, as they ought to stop it, it will grow and grow and become a festering sore beyond all possibility of a remedy.

Mr. President, I am not hostile to the press or to the liberty of the press. We have had laws on our statute books for years relating to what we commonly call fraud orders, laws relating to lotteries, laws relating to obscene literature; and power has been vested in the Postmaster General to enforce those laws. I grant that there may be cases where injustice has been done. There are many cases in our criminal procedure where men have been tried and convicted by juries and their conviction has turned out to be unjust and unfair. Time has demonstrated in some instances that such men were innocent. But because a few of those things have happened should we deprive the Postal Department of all authority in the premises? On the same principle that you exclude what is called fraudulent literature from the mail, on the same principle that you exclude lotteries from the mails, on the same principle that you exclude obscene literature from the mail, in heaven's name, is it not just as important to exclude from the mails Bolshevikt literature, which is far more dangerous to the community at large than either lotteries or fraudulent matter of any kind?

Those things are of limited consequence. This doctrine of bolshevism, as promulgated in publications of this kind, and scattered broadcast throughout the land, will do a thousand times more harm than the mere matter of a lottery ticket, or mere fraudulent matter. It goes to the very vitals of our republican institutions.

While I am in favor of the liberty of the press, while I am opposed to arbitrary power, yet the welfare of this country and the American people is nearest and dearest to my heart and uppermost in my thoughts, and I do not want any academic constitutional discussion to stand in the way of protecting the American people against such vicious propaganda.

Mr. FRANCE. Mr. President, will the Senator yield to me for a question?

Mr. NELSON. Yes, sir. Excuse me: I meant to have yielded to the Senator from Idaho. It was an oversight that I did not.

Mr. FRANCE. I desire to ask the Senator, in view of the exhibits that he has presented, whether he thinks the espionage law should be made more drastic, and, if so, in what particular?

Mr. NELSON. I would make it so as to exclude publications that advocate what these documents do—a subversion of the Government and the destruction of law and order.

Mr. President, I ask permission to have printed, as an appendix to my remarks, this publication with red covers, called "Hunger," and the other publication which is printed in red ink.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

HUNGER—THE INTERNATIONAL REVOLUTIONIST.

HUNGER—VOL. 1. FEBRUARY, 1919. NO. 1.

With the February issue "Hunger" makes its debut to the "working class."

"Hunger" is of hunger born.

"Hunger" knows so well the desires, and the hunger for the emancipation of the toiling masses.

"Hunger" is a monthly magazine devoted to social science, art, and literature. Makes no promises, accepts no advertising, respects no prejudices, plays to no party or cult, will follow its own ideal, and therefore believes in a plumb-line liberalism for all.

"Hunger" offers on apologies.

"Hunger" desires to maintain an "open forum" in which the shams of the present system may be presented and subjected to analysis.

The "open forum" is open to all those who are willing to help and sustain "Hunger" either by voluntary contribution or as a subscriber.

"Hunger" does not care about your individual opinion; it does not care if you are a "single taxer," an "egotist," a "communist," a "Marxist," an "I. W. W.ist," an "anarchist," or what not.

The "open forum" is yours; use it.

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A WORLD POWER.

"Russia," Germany, the Argentine Republic are the great countries where "bolshevism" is going through the first stages of its growth.

A child, a baby born by the "great world war," and by its growth astonishes its best friends.

Two years is only a short day in the life of a great world power.

But already this "enfant terrible" is the talk of the whole globe.

In the kingly palaces of Europe, at the "Versailles peace table," deep in the bowels of the earth, at the clubs of the "American war millionaire," among the hungry and the homeless who walk the streets in search of food.

In the plateaus of the "Himalayas," in the "oases of the Sahara," on aboard the ships that ply the great waters, north and south, east and west, everywhere "bolshevism" is the standing topic.

If the baby causes such a stir, what will the man do?

RAVING HUNGER WORDS.

Amid all this raving hunger about the higher civilization, of making the world "safe for democracy," it would be well to pause and think for a moment and inquire, What does it really consist of?

The higher civilization of making the world safe for democracy is supposed to consist of the "self-determination" of the individual in society, to determine for himself, under what kind of a democracy he wishes to live under

If it shall be the "hunger and want" democracy of the "master class" or the "cooperative democracy," unrestricted by man-made laws, of the "working class."

But in reality these raving "hunger words" have become the victims of a cheap and common mob psychology!

There is nothing for any sane individual to defend such a movement, especially in a country where the "lust" and the "hunger" for gold is trampling upon those who in their belief thinking it possible that through some magic wand (the ballot box) it may be possible to usher in a "safe world democracy." These are only idle dreams, as long as "capitalism," the master, remains on the backs of the "slaves."

And the weight of the master is always the same, be he called a professional educator, like "Woodrow Wilson," or a plute and multi-millionaire, like "John D. Rockefeller."

And the burden of the slave remains the same, he be called a "traders unionist" or just a common "migratory worker" out of a job.

—

The old decays, time is with changes rife,
And on the ruins blooms a fairer life.
Das alte sturzt, es andert sich die zeit,
Und aus den ruinen blueht ein neues leben.
—William Tell

—

Awake, ye slaves, July 4, 1919. Have the courage to lay down your tools. Give this thing about to fall the last and final blow.

—

INDUSTRIAL DEMOCRACY.

Industrial organizations of labor, from their first inception, have been a source of the deepest concern of the "capitalist class," and as such industrial organizations of labor also leave deep impressions upon the "capitalistic governments" of the world at large wherever such organizations of labor have taken hold.

Organizations of labor, as a whole, are regarded by that class which enslaves labor as a leprous disease which forever encroaches more and more upon their the "masters' rights" of the "ownership" of "industrial property."

There must be a psychological reason for this breeding of a social disease, and before applying a remedy for this economic disease we must know the reason, the truth, of the evil which breeds that economic industrial unrest in society. "This economic disease is called 'wage slavery.'"

So long as workers are compelled to work and slave for a "master" in the industries owned and operated solely for the masters' interest and profit, workers working in industries in which they have no say in the management nor their ownership, we, the workers, only are allowed to be slaves therein for a mere pittance called wages.

It would be false and idle to imply that the workers working in the industries owned by the "master class" have no peril, that there are no rocks, no obstacles in the way toward making a decent livelihood.

It is a fact that we, the producers of all wealth, work and live under a most inhuman "spoils system."

A spoils system of bosses and bossism, a system that breeds the "parasite" and the "criminal."

A system that by sinister manipulations enslaves the workers, a system of untruthfulness which rings with the horrors of amazing crimes, perpetuated upon the workers, and rings with reckless expenditures of corruption funds held in trust by the hirelings of "capitalists" to pay for false witness and the buying of juries to convict the workers.

Evils with which the system and capital calculates to humiliate the workers and jail and kill those who dare raise their voice in protest against the unjust suppression of the thoughts and actions of the workers.

This is not only true of America, it is also true of any other country in which the workers have no say in the management and ownership of the necessities of life.

The American capitalist in a foreign country does not concern himself the least about the welfare and the conditions of such foreign workers piling up wealth for this foreign capitalist; vice versa, this is also true of the foreign capitalist employing the American worker in America. He, with the American capitalist, are the least concerned about the welfare of this so-called "great American free labor." They, the masters of the industries of all countries, concern themselves only with that one most vital question, so dear to their hearts, of how to enslave the worker more and more. The industrial "Shylocks" concern is how to get their pound of flesh; and in order to take their pound of flesh the "slave mart" must be kept full to an overflowing capacity in order to reap the fruits of the workers' toil.

Through sinister legislation those "Shylocks" of industry use the force of government to by all means punish those evildoers and wicked breakers of their laws and order, and their moves and actions of such punishments are primarily set forth against those who dare to organize the workers to better their living conditions. Whoever dares to raise his voice in protest against inhuman industrial conditions is singled out by these human bloodhounds of society.

One has only to remember the Knights of Labor; one has only to remember "the five" who were hanged; remember Debs and the Homestead strike; only remember Ludlow—the dastardly methods used by the hirelings and murderers of Standard Oil, who in cold blood murdered your brothers and sisters, fellow working men and women.

Men and women who dared to raise their voices of discontent against existing conditions.

One has only to remember "San Francisco," remember "Tom Mooney," a man risen from the soil of the workers, a man who knew the unspoken desires, the wants, and ways of his fellow workers.

A man that offered every sacrifice and consolation for his fellow men.

A man without ambition and revenge, but of sunlight and content filled love, but fearless, steadfast, and true for the rights of his fellow men.

"What is his crime?"

His crime is the crime of every worker; he, an organizer of his class, accomplished what no other could accomplish, namely, to organize the "San Francisco street car workers," and therefore "he shall be free!"

Workers, remember Mooney and all the others must be free. They, the masters, think by forbidding the assembling of peaceful workers, they think by the oppression of freedom of speech and the press, by using the tyranny of a czar, by throwing those who dare revolt into damnable holes of hell, a prison cell—workers remember the "101" in Leavenworth, remember Emma Goldman, Berkman, Debs, Bentall, and all the rest. Shall they rot in prison? By the Eternal, no! no! The tyrants of industry, with their barbaric methods, think the onward rush and march of the "solidarity of labor" can be stopped.

Repression is not a true remedy for industrial wrongs; repression wantonly enforced against the sober sense and judgment of organization of labor will only strengthen the cause of those who advocate the abolishment of "wage slavery."

Industrial injustice is the breeding ground of discontent. Only through the abolishment of "social injustice" done to labor can discontent be abrogated from the breeding ground of industrial slavery.

The remedy for public distemper, says Burke, is conciliation and not coercion, for though coercion may succeed for a time, it always leaves room for coercion again.

Only through economic industrial organization of labor, to hold, to manage, and to control the industries in which the workers work, can that economic disease of social unrest and injustice be eradicated from the industrial field and the world at large.

Workers, organize—organize only through organization can the "industrial emancipation from wage slavery to industrial democracy" be accomplished.

Therefore, workers of the world, unite for the overthrow of capitalism and the establishment of a new society based upon the rights of every man, woman, and child.

—

"O, RUSSIA!"

O Russia,
To thee I sing.
Whose freedom came
Not through laughter, wine,
Nor voluptuous woman's glands.
Oh, no! Thy freedom came
Through prison cells and
From Siberia's most farthest mines.

—

WHAT'S TO BE DONE?

One hundred million dollar appropriation to stop the westward march of "bolshevism" is the request of Mr. Wilson to the Senate of the United States, as if dollar appropriation could stem the tide of a "world power."

And now comes Senator KENYON, who says: "We have appropriated $100,000,000 for Europe's hungry. Do we refuse to appropriate a like amount to keep Americans from going hungry?"

Where is our boasted prosperity, always so loudly proclaimed and so intimately suggested by our two-penny trumpets, the capitalist press. Where is our boasted equality of opportunity? Where are our jobs? Where are the jobs for our returned soldiers, who so gallantly fought to make the "world safe for democracy"?

Why should there be "hunger" and "want" in a country where "liberty" and "democracy" is supposed to reign supreme; or is this "liberty" only for the masters that be.

Why is it that hungry men, women, sailors, and soldiers walk the streets in search for work and food.

When these same men and women have mined the coal, and must need be shiver in the cold, when they have made the shoes and have none themselves, when they made all the clothing and themselves are in rags—why all this misery?

Why all this unemployment? Unemployment comes from producing more than we can use. So long as man and woman are compelled to work for a master, work for a mere subsistence of life, so long as the master, "Capitalism," takes the lion's share of the worker's toil, so long will there be an army of hungry and homeless unemployed, and the army is increasing from day to day.

Workers there is plenty for all in this great country of the millionaire and the pauper. The warehouses are full, there are more shoes, there is more coal, there is more clothing than we possibly could use; there is enough for all; but capital has possession of all the necessities of life.

What is to be done?

Are we going to allow the master, "Capitalism," to become more and more the oppressor of the masses, or are we going to unite and overthrow the master in order that we, the producers of all wealth, for once enjoy the heritage of our lives.

Workers, there is nobody that will help you!

Workers, you must learn to help yourself.

—

BIRTH CONTROL.

Help the United States to catch up with the times.

Save the babies from being born only to die.

Save the mother's strength for only those babies she wants, and no more.

Save the father's money for only those children he can support, and no more.

Save human vitality for the betterment of the race.

Join the National Birth Control League.

How much longer will the people of the United States permit their country to be the most backward and ignorant of all the large nations on this vital question of race conservation?

The United States has the disgraceful distinction of being the only large country in the world which declares this knowledge to be a crime. Join the National Birth Control League and help change the laws and establish clinics and get contraceptive information properly circulated.

Send your contribution to the National Birth Control League, 209 Fifth Avenue, New York City, or address the editor of Hunger, who will gladly give all information about the National Birth Control League.

—

"A ROMAN ALWAYS."

[By John Gabriel Soltis.]

The spacious dining hall of the Noonday Lunch Club was sizzling with conversation previous to the speaker taking the rostrum.

At the south end of the hall there was a long table which was known as the freaks' table. It was so called because at this table sat capitalists who held queer ideas in regard to everything in general and nothing in particular, and who took pride in their radicalism. For instance, there sat on this noon of which we write at the freaks' table a millionaire retail merchant, a brick manufacturer, several financial brokers, and a bishop of the Baptist church.

"Really, I don't understand why we should listen to an anarchist," Mr. Willoughby, a broker, protested.

The radicalism of this gentleman found its expression in the cult of Christian Science, to which he contributed liberally out of his fat purse. But he was angry with the idea of hearing an organizer of the Industrial Workers of the World, who was in a little while to address this representative gathering of St. Louis capital. His rather pale cheeks flushed a little red, for he was afraid that the speaker might make some derogatory remarks on the parasitic profession of which he was a leading member.

"Calm yourself, Mr. Willoughby. It won't harm you any to know what the other side thinks. Furthermore, you can't act intelligently against the I. W. W. if you are ignorant of their plans."

Thus spoke Mr. William Brock, who had made over a million in the manufacture of bricks. The radicalism of Mr. Brock lay in his espousal of single tax and what he pleased to term a sane socialism, a melange of harmless sentimentality.

The bishop agreed with Mr. Brock that one should hear all sides of a question if one desired to act wisely. He had no scruples to listen to anyone, for he was sure reason would prevail.

"I think," said Mr. Willoughby, speaking to his friend Mr. Brock, "that you really go too far. I can't for the life of me see where we come off at with your ideas of single tax."

"I am surprised, Mr. Willoughby, that you, a Christian Scientist, should make a statement like that. It's how one thinks, don't you know."

This bit of wit provoked a round of laughter.

The attention of the entire audience was, at this moment, caught by the stocky form of Wm. Marion Reedy, who, with Herbert Ettor, the organizer of the Industrial Workers of the World, appeared on the platform.

Mr. Reedy immediately took the gavel and opened the meeting. He cast a sarcastic smile over the crowd before he said a word, as if to say what an aggregation of fools they were. After staring at them several seconds he introduced the speaker.

No applause greeted him—only an ominous silence.

The well-knit, splendid form of Ettor towered over the audience as an animated bolt of dignified but visible defiance. He was just in the prime of life, being 32 years old. His speech was fluent, and his arguments skillied. He was absolutely fearless, having gone through many battles of the class struggle, of which he was a recognized opponent.

"Gentlemen," he began, "I am as well aware of the fact as you are that I am on this platform to-day merely as a matter of curiosity. In the first place I realize quite well that the ideas which I hold are very distasteful to you as an employing class. You don't like them and I can't blame you for that, unless I should assume that there is an element of humanity in you. Such an assumption, however, on my part, would be wholly unjustifiable."

"That's a lie, that's a lie," several voices of the cultured folks penetrated the hall. A general murmur of resentment fell from the lips of the audiors. Several persons hastily walked out of the hall, brandishing their fists at the speaker, who stood cool and self-possessed. When the civilized folks quieted down, the speaker continued:

"Therefore, gentlemen, I consider you very poor material for propaganda purposes. Consequently, I shall make no endeavor to convert any of you to the principles of the I. W. W. I shall, however, tell you what we of the working class propose to do with you as a class."

At this point the speaker was again interrupted by a group abruptly leaving the hall, expressing very loudly their opinion of the speaker, which was not flattering. Ettor resumed his speech:

"We consider you to be a useless class in society. The tools of production which you own are the invention of our class, the workers. You neither invent, operate nor direct the complicated machinery of industry. It is not too much to state that, in the majority of cases, you, the capitalists, could not distinguish a threshing machine from a rock crusher. To even ask you to do so would be an insult to you. You, gentlemen, are the bondholders of industry, and as such are interested in only one thing: profits. But the technique of industry is a collective possession of the working class. Should, therefore, a miracle happen, in the sudden disappearance of the capitalist class, society would not suffer in consequence of such a beneficent event. And for this reason: The workers would still carry on the forces of production, upon which our lives depend. However, should the working class vanish from the face of the earth, and there remained only the parasites, consider the situation in which you would find yourself. As you do not understand the methods and arts of production, you would starve to death. Your importance as a class in society, as you see, is greatly inflated. Therefore we propose to make you function in society as a really useful lot.

"Gentlemen, we do not ask justice of you. That would be ridiculous. We are organizing to get justice. I repeat: We are organizing to obtain, by virtue of our strength and intelligence, justice. Better men than I by far have appealed to you in sweet, honeyed sermons to do right by the workers, but your hearts are made of wood. Carlyle, Dickens, Kingsley, Hugo, Emerson, Hugo, Robert Owen, have all dipped their pens in the beautiful waters of love when addressing you in behalf of our class, and, as a result, you hurled us deeper into degradation. So we shall not crawl before you any longer. We are organizing now to displace you from your usurped position. To paraphrase the words of the immortal Shelley: We are many and you are few. When Spartacus gathered his warriors for freedom beneath the hills of Thessaly their eyes radiated a brilliant fire of determination and within their battered breasts there surged a divine love of freedom. We to-day are the inheritors of those things. We hold within our souls the accumulated wrongs of our brothers from the days of Spartacus, John Ball, up to the recent steel strike. We come to rectify them by the erection of a new society, a society in which there shall be neither master nor slave; where the laughter of the child shall not be stilled by the cruel pangs of hunger, nor the sunlight in the eyes of the maid transposed into a commodity made for profit. In this new social order which we are busy constructing to-day man shall cooperate with man for the grand and noble purpose of sustaining and beautifying his common life. In it I can not see venerable age bowed in poverty and humiliation, because society provides for them from the common store.

"Nor do I behold in that magnificent creation of social justice crowds of human beings clamoring for a miserable right to work, with wandering eyes and despair in their souls, driven to desperation by want and worry. That I do not see, because there is work for all, it being a means to an end instead of the end itself. Nor do I perceive in that cooperative society of the world the silver streams of sunlight obscured by the smoke of belching cannon, hurling terror, misery, devastation, and human slaughter, coloring the waters of nature with the blood of murdered beast and man. These horrible, barbarous things do not appear in that society, simply because man cooperates to live and not to slay, being content to let nature eliminate the life of man in her orderly way.

"For once mankind is happy. There prevails a joy of life unknown to man before. Like the rose bush that, planted in fertile soil and attended with care, kissed by the rain and the dew, with the smiles of the sun lavished upon it, bearing forth full-blown red roses, so also, in the cooperative commonwealth, human nature being conditioned in an environment of industrial and social freedom, flowers into myriad beauties the full fruition of its favorable soil."

When the speaker had finished his speech an outburst of tremendous and spontaneous applause filled the hall. He had completely charmed his hearers with his logic and pulsating eloquence. However, it did not last long; the audience quickly became conscious of its social position.

As the crowd walked out of the hall it was engaged in a very lively exchange of opinions on the speech just heard. "It's all moonshine; he's a dreamer; not practical; sounds nice, but; up in the clouds," were some of the expressions made. These captains of industry, disliking any approach to the cooperative commonwealth, considered their views on the subject of socialism as being very practical, undoubtedly because they did not militate against their economic interests.

* * * * * * *

The office boy announced to Mr. Brock that the manager of the works desired to see him. Mr. Brock told the boy to show the manager in. The manager stepped into the office. His face plainly showed that he was in an agitated condition. Mr. Brock noticed that. Therefore he asked, before the manager of the works could seat himself, what he had on his mind.

The manager pulled out of his coat pocket several typewritten papers and handed them over to his superior.

Mr. Brock scrutinized the document very carefully. It was a schedule of wages, drawn up by the men in the works, demanding an increase in wages and a recognition of the principle of collective bargaining. He read and reread for over a half hour. This was something new to him; his men never attempted before this to organize a union. There was a time ultimatum in the demands that peeved the millionaire.

"What do you think of it, Fred?" he asked the manager, after having thoroughly digested the contents of the document.

Fred thought the demands to be very reasonable and had informed the men that he would speak favorably about them to Mr. Brock. The owner of the works being a sort of radical, Fred hoped for a concession of the demands.

"I think," said Fred, "that they ought to be granted, Mr. Brock. You know the cost of living has gone up a whole lot during the last two years, and it's pretty tough on those fellows."

Mr. Brock stared a moment at his manager, then he said:

"I won't grant a cent increase. Let them strike. I shall make provisions for strike breakers. If I give in now, then they'll want the cooperative commonwealth. They should be glad that they have got jobs."

The manager made no effort to persuade the owner; he knew that it would be useless.

Two days later there occurred a big strike in the brickworks. After hearing the speech of the I. W. W. organizer Mr. Brock decided to curb his radicalism.

—

THE RETURNED SOLDIERS OF CANADA.

[By John Gabriel Soltis.]

Prior to the entrance of this Nation into the mouth of hell there appeared in the press plenty of articles and editorials upon the subject of the effect on the mind of the soldiers the war would have. But since this Nation had gotten herself into the funnels there has been a manifest decrease in the stuff dealing with the psychology of the returned soldier, for reasons known to others besides the capitalist writers.

For two years the writer has had the opportunity to study the returned soldiers of Canada. I have spoken to them en masse and individually, men from St. Julien, Festubert, Messines, and Vimy Ridge, places that are literally saturated with the blood of the Canadian workers. Their experiences on the battle fields of capitalism, together with the horrors that they lived through in industrial life, have combined to make them understand their class position and mission, where the lecture and textbook failed to do so.

When war was made by the industrial kaisers of Europe, Canada, together with the rest of Christian civilization, was in the throes of an industrial panic, with a great ragged army of unemployed on the streets at the time that unemployment demonstrations were being held throughout the length and breadth of America; in the winter of 1914 and spring of 1915, in the city of Winnipeg, Canada, 30,000 hungry men were jobless. They, too, paraded their poverty; but the war saved them from hunger only to feed their bodies later to cannon in a fight "for Belgium," as they were told at that early period of the crucifixion. For they "volunteered" into the army. It was their only salvation, from their point of view, of course. A well-known great war veteran of Canada, who was a member of the first contingent, informed the writer that that contingent was composed, in the main, of workers who, being jobless, were starving with their families. Of course, this fact ought not to detract from the glory which is theirs, because that is all they have obtained out of the world scramble for loot, as they readily admit.

But when they joined the army their economic ills vanished. They got $1.16 per day, with allowances from the Patriotic Fund for their dependents in the cruel clutches of King Hunger. Perhaps this kind act on the part of the capitalists of Canada had a tendency to convince many of the charities of democratic militarism over that of the Russian kind.

When, however, the industry of Canada had revived, as a consequence of the vast "war orders," and the economic position of the Canadian working class became better, then, in order to wage the war "for Belgium" and the interests of democracy in general and those of the capitalists in particular, by not allowing a steady flow of a stream of human flesh for the carnage fields, the capitalists of Canada forced all young men out of their jobs and put women in their places. Thus the alternative of starvation was given to them, or the army. In a "democracy" the right to decide the disposition of one's own life is all nonsense.

Briefly stated, these two methods were used to cause an army of over 300,000. After which conscription was introduced.

These worker-soldiers were at once impressed with the fact that, once in the army, your food, clothing, and shelter came to you regularly, without the least worry, without any bother at all. Yesterday, as a member of society, a worker was perishing with his family because he lacked a job; but to-day, being in the army, the necessities of life came to him as if out of a magic storehouse. As an industrial worker, a creator of wealth, he was doomed to death by starvation; but as a soldier, a destroyer of life and creative labor, his wants were attended to by the State. As a worker, the daily prostitute press did not know nor did it care if he and his family even existed; but as an annihilator of life every capitalist institution, from the church to the politician, talked about him, wrote about him, and lauded him to the high heavens, when only yesterday they had him in the cold streets by closing the job to him. What a wonderful transformation! These things left their indelible stamp upon the minds of the worker soldier.

So he was sent to France. The politician and press told him daily that upon his return home (should he return) the world would belong to him; his sacrifices on the field of slaughter, conducted on the approved scientific plan, would entitle him to be the dominant figure in society. "Nothing will be too good for you when you come back" were the exact words used, as any Canadian soldier will say.

These workers did come back—gassed, shell shocked, blind, arms blown off, legs shot off, faces mutilated, wrecked in body and spirit, warriors all in the clash for capitalist existence.

What consideration are these heroes now receiving from the patriots?

Their jobs are forever lost to them. In their ghastly physical conditions they can not, of course, compete with others. Moreover, the capitalists won't employ them because of their military experience and habits. They are independent and prone to disobey, where formerly they were meek and submissive.

Heroes of many battles are selling pencils and newspapers for a living on the streets of Winnipeg. These warriors for democracy are reduced to that condition of pity and disgrace by a ruling class which looks upon not only the soldier but the workers also as a utensil to be thrown aside when its usefulness is gone. Thus is the "new world" of which the capitalist press prattled about for the men who "made the world safe for democracy."

The pensions of these men are so low that in the majority of cases they can't meet room rent with it.

There are innumerable cases on record where even this miserable pension amounting to $10 or over (I don't know a returned soldier who gets more than $20 per month pension) was deducted from the wages of a returned soldier. To illustrate: If the wages of a returned soldier were $75 per month and his pension $10, he would be paid $65. Thus his service on the battle field is capitalized by the always patriotic boss. This democratic practice was so general that the victims finally turned to labor bodies for redress.

To-day in western Canada the returned soldiers are cooperating with the labor bodies. In the recent strikes there the returned soldiers played a very important part. They are ready to unite on the principle that an injury to one is an injury to all. They have already struck on that principle in the face of protests from the "internationals" on this side of the line, whom they despise, and justly so.

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NOTICE

There are in the prisons and jails of this country to-day several hundred political prisoners and conscientious objectors, and these women and men are being subjected to most inhuman and cruel treatment, thus giving the lie to our boasted civilization. Some of the prisoners are contracting tuberculosis, thus becoming a serious menace to the health of the country, to say nothing of the effect upon the ideals of the Nation, and no good can possibly come from longer confining them. Therefore we demand that immediate universal amnesty be granted to all political prisoners and conscientious objectors.

Readers, please copy and send to your Representatives at Washington, D. C.

—

SOCIAL SCIENCE LEAGUE.

Meetings every Sunday, 8 p. m., Federation Hall, 43 South Fourth Street.

—

OPEN FORUM—FREE SPEECH, FREE THOUGHT.

No man or woman is excluded because of creed or color. Bring a friend. Discussion of the social condition, the relations and the institutions which are involved in man's existence and his well-being as a member of an organized community.

—

NOTICE.

The "world war" having to all intents and purposes ended, there can no longer be, if there ever was, any reason for the "espionage law." We therefore demand its immediate repeal.

Readers, please copy and send to your Representatives at Washington, D. C.

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Hunger—a radical monthly magazine. C. Richman, editor, manager; R. Norlander, art editor; A. Wolfe, art editor. Subscription: Yearly, $1.50; half yearly, $0.75; single copies, $0.15; in bundles of five or more, 10 cents the copy.

Send all money and contributions to C. Richman, 3125 Thomas Avenue North, Minneapolis, Minn.

Notice: All articles must bear the signature of the writer.

—

It will be only action that counts.

In the United States, instead of a czar we have the espionage law.

If you are not a Donkey Democrat or an Elephant Republican, then you are a traitor.

It is impossible to expect men to live in a world of plenty forever and get only the crumbs that fall from the master's table. Only action will give us the loaf.

The capitalistic 2-penny trumpets, the newspapers, say: Civilization is great, and wonderful prosperity is greater than ever in the history of the country, and you American, Mr. Block, swallows the bait.

Sewer digging seems not to be to the liking of our returned soldiers, as our city fathers thought. They ought to know that digging trenches in France was for the soldiers' own self-preservation, but that digging of sewers at cheap wages will not keep body and soul together.

Apropos: And then the uniform would be all worn out and the soldier could return to his "Uncle" nothing but rags.

—

I. W. W. headquarters are located at 14 South First Street, 400 Hall. Minneapolis G. R. Union meets every Wednesday at 8 p. m.

—

Have you seen the Commonwealth Hall at 1217 Hennepin Avenue, the finest hall in the city?

Radical meetings every Sunday afternoon. Look for announcements.

—

Patronize "The Modern Book Store," 127 Fourth Street South, Minneapolis.

—

The lecture event of the year: Max Eastman, author of "Colors of Life," "Journalism e. Art," etc., editor of the Liberator, America's most brilliant magazine, will speak at St. Paul Auditorium Sunday, February 9, at 3 p. m. Subject: "Withdraw from Russia."

The publication printed in red ink is as follows:

THE AMERICAN BOLSHEVIK.

Price, 5 cents. Minneapolis, January 24, 1919. Vol. 1, No. 5.

HUMANE AMERICA HAD POISON-GAS PLANT WORKING FULL BLAST—2,500 TONS WERE READY FOR SHIPMENT WHEN ARMISTICE WAS SIGNED.

NEW YORK, N. Y.

Startling information regarding the poison-gas plant operated by the United States has come to light recently through an article published in the conservative New York Times, by Richard Barry, a well-known correspondent. In part Mr. Barry's story follows:

Twenty-six miles from Baltimore, on the edge of the Government's vast Aberdeen ordnance proving grounds, is a 300-acre tract, fenced off even from the comparative publicity of the conventional big guns, guarded from prying eyes along every rod by soldiers with drawn bayonets. Twelve months ago it was a Maryland farm. To-day it is the largest poison-gas factory on earth. It can produce, probably three or four times over, more mustard gas, phosgene, chlorine, and other noxious fumes than the intensified war output of England, France, and Germany combined.

As we went over this enormous plant, sprinkled over the old farm, each unit well separated from its neighbors to avoid concatenated explosions, Col. Walker, once the best lecturer at the Boston "Tech," expounded the theory and the practice, the history, and the possible future of the diabolism we were surveying.

"The French and English, as you know, were reluctant to use gas, deeming it inhumanitarian. Our Government suffered from the same indecision in the early months of our part in the war. However, we came to it in time, just as did the French and English. But, although the English finally utilized every available facility they could command in the manufacture of toxic gases, their total production at its highest point never went above an average of 30 tons a day. The best the French could do was much less than this. You can get the whole story in one sentence when I tell you that our American capacity for September and October was on an average of 200 tons a day. Remember that these figures are not in pounds, as powder figures are usually given, but in tons. And a drop of gas, properly placed, kills or incapacitates."

WORSE THAN WAR TO WORK AT THIS PLANT.

In fact, when the figures are all finally published, it may appear that no division in France has a higher percentage of casualties than was developed at the Edgewater Arsenal in Baltimore (the official name of the poison-gas plant) in the month of August, this year. That was the month of excessive heat, when the gases were most volatile and when the weather made the soldiers somewhat relaxed in their vigilance to avoid accident.

During that month the hospitals were filled at the rate of 3½ per cent of the entire force in the mustard-gas plant per day, or 100 per cent casualty per week.

I did look at the casualty records. I went through the hospitals, two enormous dormitories, perfectly equipped and permeating the atmosphere of a base hospital in France. I saw boys who had been struck down by the fiendish gases while at work—some with arms and legs and trunks shriveled and scarred as by a horrible fire, some with the deep suppurations still oozing after weeks of careful nursing. In one case a drop of mustard oil had fallen from a conduit pipe under which a soldier had walked, hitting his shoe. He wiped it off, thinking that made him safe. The next day his flesh began to peel. Now, five weeks later, his foot looks like a charred ember. Another had accidentally kicked over what he thought was an empty pipe. It contained phosphorus, which flew over his face and upper body. Now, weeks later, he is still a mass of horrible burns. Another case (one of the fatalities) was that of an officer who came in from the works to the office. He wore rubber gloves, as they all do when near the gases, but did not know he had been near enough to pick up the mustard oil. He picked up a chair and placed it in front of his desk, intending to seat himself. At that moment the telephone rang, and he stepped to the wall to answer. A friend, another officer, entered and took the seat by the desk. Forty-eight hours later the second officer was dead. The first officer had accidentally rubbed mustard oil on the back of the chair. It went through the clothes and into the skin.

A BRILLIANT SUGGESTION.

Out of the $72,000,000 expenditure there is one bit of salvage. There is a little 15-ton consignment of brombenzylcyanide. This is an intense lacrymator (tear compeller), which has the effect of blinding people, but only for six or eight hours. After the temporary blindness, the afflicted recover their normal eyesight. It has been suggested that this brombenzylcyanide might be kept in every police station throughout the country, in little cans with spraying nozzles, for use against mobs. It might be a sort of permanent insurance against any American eruption of the Bolsheviki; a merciful and almost painless, but quite effective, argument against lawless force.

GOVERNMENT MURDERS MILITARY PRISONERS—CONSCIENTIOUS SUCCUMB AS RESULT OF VICIOUS TREATMENT.

Following are letters and affidavits concerning the treatment of conscientious objectors at Camp Funston. The authenticity of the material is attested to by a committee of leading citizens of Chicago, including such well-known names as that of Prof. Robert Morse Lovett, formerly of Chicago University, now editor of the Dial:

From a letter December, 1918.

To-day marks the end of another conscientious objector, who underwent solitary confinement here in prison. * * * Four conscientious objectors * * * were hung up by the wrists so that only their toes touched the cold, damp floor, which was 30 feet below the ground. They were deprived of their overclothing and were forced to live in the stench of their own excrement. After four days without food and under these horrible conditions they got scurvy and were sent here to this prison. Here they refused to work for the military, and consequently were put in solitary. * * * To-day we heard Capt. * * * hurriedly ask for permission for * * * to see his relative before he died. The parents of the first * * * to die had just been here to bury their son about a week before. Two are now dead of the four. * * * They have made the supreme sacrifice for liberty, and their deaths must not be in vain.

From a diary, Saturday, September 14.

Col. Barnes, the provost marshal, called at the guard house. He ordered us to stand at "attention," and when we refused to comply he proceeded to kick the legs of the men. Kaplan had his legs and ankles bruised as a result. Upon leaving he hinted to the prisoners that he would be tempted to pardon them if they beat us up.

Monday, September 16.

We were again placed upon bread and water diet. This continued until the following Sunday, September 22, on which day we had regularly prepared meals, so that between September 7 and 22 we had only two days of regular rations.

Monday, September 23.

We were ordered to stand at "attention" by the incoming officer of the day, and upon refusal we were told that we would be taken out every two hours during the night. This procedure was inaugurated that very night, when we were awakened at these periodic intervals, taken out and kept out a while and sent back to bed.

Friday, October 4.

Orders were issued that conscientious objectors are to be given but one helping of food and "d—— little at that." Not even an extra piece of bread is allowed us. We are now kept hungry from meal to meal.

Wednesday, October 9.

Steiner joined the hunger strikers because he had been placed on bread and water.

Eichel was undressed and given a cold shower.

Col. Barnes, the provost marshal, called while some of the objectors were taking their enforced exercise. He ordered them to stand at "attention." When they refused he beat them vigorously with his heavy riding crop. Shotkin was badly hurt, the colonel breaking his crop over the former's ankles. He deprecated the ruining of his stick and implied that the only reason he did not brain Shotkin was that he wasn't worth the trouble. He then addressed the men before him. "You have declared a famine strike on me. Well, the Third Assistant Secretary of War, your friend, knows it and has instructed that I permit you to starve to death."

Shotkin, limping, returned to quarters. A guard straightway ordered him outside. Shotkin insisted that he could not walk and demanded medical attention. Though the doctor was in the room at the time, no treatment was given him. On the contrary, though suffering intense pain, he was dragged outside and two guards pushed him around the inclosure.

Steiner was dragged from his solitary cell and ordered to walk around. Failing to obey, a guard seized him by his fingers and dragged him around. Steiner suffered intense pain, for the slightest resistance on his part meant the pulling of his finger out of joint.

After supper two slices of bread were given to those who were presumably on bread and water, despite the fact that every one of them was on hunger strike. The sergeant informed them, "Not a d—— drop of water do you get until this bread is consumed."

We, the undersigned, consider the above a fair and accurate account of our treatment at the military police guard house of Camp Funston, Kans.

David Eichel, Julius R. Greenberg, Chas. P. Larsen, Francis Steiner, Francis X. Hennessy, John Downey, Mayer Bernstein, Henry Monsky, Max Sandin, Emanuel Silver, Benjamin Breger, Rexford Powell, Morris Franklin, Thomas Shotkin, Herman Kaplan, Lester G. Ott, Joseph Brandon, Ulysses Da Rosa.

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WILLIAMS ANSWERS FURTHER QUESTIONS ON RUSSIA—NOTED CORRESPONDENT EXPLAINS WHAT SOVIETS HAVE DONE FOR WORKERS.

[NOTE.—Arthur Rhys Williams, a noted journalist, worked with the Soviet Government and lived with the workers and peasants during the Bolshevik régime. Below he answers a few questions commonly asked about what the Soviet Government has done:]

When the workers took over the factories and mines, did they not make many mistakes?

They did. Lack of experience and technical skill led them to many blunders. But they learned quickly, and after a time many factories turned out more products than before.

As soon as the workmen found the factories really in their hands there came a change in their minds. Under the Kerensky régime they tended to elect a foreman who would let them do as they pleased. Under their own government, however, they began to elect as foreman those who put discipline into the shop and raised the production.

In the so-called American works at Vladivostok the wheels, frames, and brakes of cars were assembled, and the cars sent out over the Trans-Siberian Railway. In the Kerensky régime these shops were hotbeds of trouble. The 6,000 workmen on the pay roll were turning out but 18 cars a day.

The Soviet committee closed the plant down and put the men to work in other places. Then it reorganized the shops and started up with a force of 1,800 men. In the underframe section, instead of 1,400 there were 350, but by means of short cuts, introduced by the workers themselves, the output of that department was increased. Altogether the 1,800 men on the new pay roll were turning out 12 cars a day, an efficiency increase of more than 100 per cent per man.

I was standing with the Bolshevik president on the hills overlooking the shops below. He was listening to the clank of the cranes and the stamp of the drop hammers ringing up from the valley.

"That seems to be sweet music to your ears," I said.

"Yes," he replied; "the old revolutionists used to make a noise with bombs, but this is the noise of the new revolutionists, hammering out a new social order."

Are socialists the only ones who believe in the Soviets?

No; all classes of Americans—Col. W. B. Thompson, of Wall Street; Col. Raymond Robins, head of the American Red Cross, who knew Lenine and Trotzky; Maj. Thatcher; Bessie Beatty, of the San Francisco Bulletin; Louise Bryant, of the Bell Syndicate; Madeline Z. Doty, of Harper's; Edgar Lee Brown, of the Chicago Daily News; Dr. George F. Kunz, John Reed, of the Liberator, and scores of others.

How do we know that the Soviet is the government that the people of Russia want?

It is the only government that has shown any strength, and the only one that the people have fought and died for. The last Sunday in July an election was held in Vladivostok. There were 17 tickets. Everybody said the contest was between the Cadet Party and the Moderate Socialist block. It was not supposed that the Bolsheviks could cast any large vote, because their leaders were in prison and their papers suppressed. But when the votes were counted it was found that the Cadets had 4,000, the Socialists 5,000, and the Bolsheviks 12,000. The Bolsheviks got more votes than all the other 16 parties put together.

What have the Soviets done for the women of Russia?

Women have the same political, economic, and social rights as men. The Bolsheviki Government provides free care for women 16 weeks before, while, and after they become mothers. If they go back to work, they are allowed to work but four hours a day. Women have full rights over their property, the right of divorce the same as men, and in the shops are on the same footing. "Together men and women were slaves, now together they are free."

HOW IS JUSTICE ADMINISTERED UNDER THE SOVIETS?

Justice is very simple in Russia now. The old laws of Russia were very bad, and the Soviet Government had to rebuild the whole thing. In the meantime, a revolutionary tribunal which hears all cases was established. Sometimes lawyers are not present at all, but the people defend themselves, and their friends come forward to speak for them.

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ALDERMAN PETERSON PUT HIS FOOT IN IT.

Alderman Peterson, of the sixth ward, is one of those genial souls who likes to please everybody, and particularly, we might say of him, he very much fears that he will be replaced by a Socialist in the next election. So it came about that the worthy alderman, who voted for the vicious red-flag ordinance, introduced an ordinance calling upon the telephone companies to increase the wages of the telephone employees. Now, it so happens that the present employees of the telephone company are all strike breakers; in plain English, scabs. So Mr. Peterson's bill really would raise the wages of the scabs, a group of contemptible devils who would sell their souls for a dollar bill.

Are Mr. Peterson's fears that he will be replaced by a Socialist in the coming elections well founded? We think they are.

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MEYER'S POLICE GO ON RAMPAGE IN TWELFTH WARD—CONFISCATE PAPERS AND DRIVE CUSTOMERS FROM RADICAL NEWS STAND.

Mayor Meyer's police had a pleasant evening of it last Monday when they walked into the place of business owned by Mr. H. Gravedahl, 4004½ Minnehaha Avenue, stole copies of papers they wanted, and ordered the customers who were in the place to leave at once. The name of one of the officers is Dick Kerr; the other we have not yet been able to discover. They had no warrant; there was no disorder in the store, which is a combined news and confectionery establishment; the seizure of copies of the American Bolshevik, the Revolutionary Age, and other periodicals was entirely unwarranted and an act of unlawful rowdyism.

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[The American Bolshevik. Published weekly. Box 593, Minneapolis, Minn. A. L. Sugarman, editor. Per year, $2; per copy, 5 cents. In bundles, 10 or more, 3 cents.]

A VICIOUS BILL.

The forty-first session of the Minnesota State Legislature was fittingly opened with the introduction of house file No. 1, the reactionary Nimock's bill to prohibit the use of the red flag. The bill is a blanket affair that would make it unlawful to print the Socialist Party emblem, an I. W. W. banner, a picket's banner; in short, any sort of a labor ensign that might be used by the working class in its struggle for freedom from wage slavery.

We are certain, of course, that the three Socialists in the legislature will vote "no" on the proposition; probably a few "progressives" will muster up sufficient courage to vote with them, despite the visions of anarchy and riot that will be brought before the house and senate by the old guard. We think the bill will pass. And we say further, "Pass it and be damned!" The days of corporation rule over the workers are nearing an end. Let these lickspittles of special privilege enjoy themselves while they may. "The future belongs to the people!"

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THE MAGIC PAPERS.

There is a strange delusion abroad that unless an individual possesses citizenship papers he is a thorough undesirable. If he possesses the magic papers (and, of course, behaves himself to the satisfaction of the ruling class), he is accredited, he is entitled to express himself of what he thinks; but if, horrible to relate, he has not received the coveted documents he is worthless, useless, and an enemy of the country. How powerful a scrap of paper may be made to appear!

Does the fact that a man carries these sacred documents make him necessarily an asset to society? Does the fact that he does not carry them make him necessarily an enemy of the people? If we are to accept current opinion on the matter, only citizens should be allowed to exist; others really can not justify their existence. We know noncitizens who are really valuable to their communities, men who are struggling for the social good; we know citizens who are criminally enemies of the people. While there can be no objection to one's taking out these magic papers, if he so desires, it is often the case that the noncitizen is a better citizen, in the larger sense, than he who shouts the loudest against "these damned foreigners."

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THOSE PROFITEERS.

Figures are, ordinarily, rather dull reading, but statistics brought to light in recent weeks by the Treasury Department and the Federal Trade Commission concerning the profits of the patriots during and because of the war are more than interesting. Particularly is this so in view of the testimony given a few days ago before a congressional committee by J. Ogden Armour, the millionaire packer, who made sweeping denial that the packers had profited unreasonably in recent years. According to the Federal Trade Commission report the profits of Armour, Swift, Morris, and Cudahy in 1912, 1913, and 1914 totaled about $19,000,000 each; in 1915 they earned $36,000,000; in 1916, $55,000,000; in 1917 the figures rose to the stupendous amount of $87,000,000. And while sales increased 150 per cent profits increased over 400 per cent. And Mr. Armour had the courage to tell an investigating committee that the poor, poor packers were practically starving to death!

Even the conservatives will hold with us that these profits are exorbitant. But a real solution to the problem will never be found until the packing industry, as well as all others, is made the property of the working class. Reduction in percentage of profit is, after all, a sadly mild remedy. "A little less robbery, please," is scarcely a satisfactory demand. We'll say, "No robbery at all." And with proper organization the working class can make that demand effective.

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THE BOOK SHELF—REVIEWS OF SOME OF THE NEW BOOKS THAT ARE WORTH READING.

[Louise Bryant on Russia.]

Louise Bryant's kaleidoscopic "Six Red Months in Russia" (Geo. H. Doran Co.) reminds us, for all the world, of Pathé Weekly. From the constituent assembly she takes us with her enthusiastically to see Catherine Breshkovsky; from there we visit Kerensky, and learn many

things, interesting ones, indeed, about him; then we are given intimate views of the Bolshevik foreign office, where the author, John Reed, and Arthur Rhys Williams were employed, assisting in the Bolshevik propaganda; the fall of the Winter Palace is flashed before us; Lenine, Trotsky, Antonoff, Krylenko, Dubenoff, Kollantay are introduced and we learn of them and their work.

And while the book is thrown together, rather hastily it may appear, whatever page is turned to (in all the 300) will be found dramatically interesting; yes, almost melodramatically so. Louise Bryant was there. She saw these things we are all talking about. Saw the women soldiers and talked to them, watched the revolutionary tribunal, with its simple methods of dealing out real justice; saw the majestically sad red burial of 500 martyrs of the revolution, sat in at meetings of the constituent assembly and the council of Soviets. She was there when the Ruslan proletariat wrote the most glorious page in modern history.

You'll find a dozen or so corking photographs of the leading figures, as well as a number of decrees that were issued by the Soviet Government. Information? Lots of it. And all with the personal touch that makes you know these people whom you have been talking about, shouting about for these many months. It's inspiration, is this book of Louise Bryant.

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THEN THE REVOLUTION.

[By J. O. Bentall.]

When does the revolution come? When we have educated the masses? When we have organized the working class? When we have elected socialist officials and established our free press and rostrum?

No.

Won't the revolution come by intelligent awakening?

Never.

Won't it come through the hungry stomach?

Never.

When oppression becomes unendurable and tyranny a nightmare; when hunger stalks abroad and want haunts the slaves; when liberty is taken away and the world is robbed of freedom; when war and blood and pestilence and death has overtaken the masses, and life becomes a ghost, a skeleton, a rotting carcass; when life becomes loathed and despised and death becomes the bright desired bride of the disgusted, discouraged, hounded, beaten, licked humanity; when the people get sick of life, then the revolution.

That is the stern history of Russia. When the people ceased to endure the iron heel of the Czar and of capitalism as a whole, they revolted.

That is the naked history of Germany. When the tyranny of militarism and the murder game of capitalism got the people down in the dumps, they rose up.

So it will be in France, in England, in Italy, in America.

When the people become sick of life, they will make one big leap for freedom.

The people of America are on the verge of a revolution because their liberty has been taken away from them.

They will not stand for that. They are disgusted, and cry to-day as Patrick Henry cried:

"Give me liberty or give me death."

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THE BOLSHEVISTS, THE GRAVEDIGGERS OF CAPITALISM.

[Continued from last week.]

That they were right in this also we can easily prove by the acts of the governments of capitalistic countries. Even in those countries which have the most democratic institutions the governments are class governments—"committees for the conduct of the common affairs to the bourgeisie." In the United States the workers have the ballot and are in a majority, but the capitalist class controls the means of information. It controls the newspapers, the schools, the colleges, and the pulpits, and through this control it is able to mold the minds of the voters so that they elect to office men who will uphold their class interests. And when they are unable to control the voters they can always win over the "good men" elected to office by the pressure they can bring to bear through their economic power and promises of preferment. Consequently the Government of this country, as is proven by its acts, is greatly concerned and constantly engaged in passing laws conserving the interests of the capitalists, but never legislates in the interests of the workers.

THE WAY TO FREEDOM.

Marx and Engels pointed out also that the development of the means of production was bringing larger and larger masses of workers together in industry, and that the system of production was changing from individual production to collective production. Private ownership of industry, they said, was a fetter on the development of the highest and most efficient form of collectivism.

They meant by this what Mr. McAdoo, Director General of Railroads, pointed out in his annual report, when he said that under private ownership the railroads sent freight by roundabout routes and lost millions of dollars because they did not use common terminals. The coal industry furnishes another example of the fetters of private ownership on collective industry.

Marx and Engels said that the way to freedom for the workers was, in harmony with the development of industry, to transfer industry from private control and ownership by the capitalists to the common ownership and democratic management by the workers.

They said that to accomplish this the workers must gain control of the State—the Government—and change it from an instrument of capitalist oppression to a means of establishing the common ownership of industry and management by the workers.

They said that when the workers took control of the Government there would come into existence a "dictatorship of the proletariat"; that such a dictatorship of the proletariat was necessary in order to break down the resistance of the capitalists to the socialization of industry, but that, as the transformation of industry from private ownership for profit to collective ownership with management by the workers in the industries proceeded, the State would lose its class character and become merely an organization for the administration of industry; that in place of being an instrument of class rule it would become a huge cooperative organization of all the workers for the common purpose of supplying themselves with food, clothing, homes to live in, and education and recreation.

The capture of political power by the workers might come through a mass movement and revolution, as it did come in Russia and as it is now manifesting itself in Germany, or it might come as it did in Finland, where the Socialists elected a majority of the Finnish Parliament, and where civil war exists because the propertied classes resorted to force to stop the workers from proceeding with the work of socializing industry.

BOLSHEVISM—APPLIED MARXIAN SOCIALISM.

Now, we are ready to answer the question whether bolshevism is something new.

If we place in parallel columns the principles of Marxian socialism and the acts of the Bolshevists, we will find that the Bolshevists are acting upon the principles that Marx and Engels laid down more than half a century ago.

They organized the workers for a class conflict.

They seized control of the power of the State and established a dictatorship of the proletariat.

They are using the power of the State to wrest control of industry from the hands of the capitalists and to build up a democratic administration of industry by the workers.

In the period of transition the power of the State is being used to establish collectivism and democratic management. This process wipes out of existence the capitalist class, and as this class disappears, being absorbed in the ranks of the workers, its power of resistance ends, there disappears with it the coercive power of the State, and industrial democracy takes its place.

Bolshevism is not something strange and new. It is not a blind, raging force of destruction. If at present its triumph is accompanied by bloodshed and destruction, it is because the bankruptcy of capitalism precipitated a cataclysm, and the workers are obliged to rebuild the new order amidst the wreckage of the old, and with those who profited from their former oppression and exploitation placing every obstacle possible in their path.

Bolshevism is Marxian socialism in action. It is the social revolution under way. It is the workers on the road to victory and a better world.

WE ARE NOT IMMUNE.

The capitalist-owned newspapers are shrieking loudly against bolshevism. They are lying about it. They are resorting to the most desperate measures to poison the minds of the workers against it.

The reason they do this is clear.

They know that the exploitation and oppression of the workers in industry exists in this country as it exists in Europe. They know that the socialist movement in this country has and is carrying on the same kind of campaign of education and organization among the workers that was carried on in Russia and in Germany, and that the time is coming when the workers here will engage in the same struggle for their emancipation that is now going on in Europe.

They know that this struggle will not be precipitated by the wild schemes of a few individuals, but that it will be the logical result of the historical development in industry.

The Bolshevists are the gravediggers of capitalism and the builder of the new world. They are removing the wreckage and débris of a bankrupt system of production and putting in place the foundation on which will be erected the structure of the new society—the better and more beautiful world of the future.

It is because the gravediggers of the system that gives them great wealth and luxury are at work that the capitalists rave and are filled with fear and dread.

For the workers the present is the period of hope and joy in anticipation of coming happiness.

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Farewell meeting: J. O. Bentall, who has received notice that he must deliver himself up to the Crow Wing County Jail on February 2, will speak at Commonwealth Hall, 1217 Hennepin Avenue, second floor, Saturday, February 1, 8 o'clock. Admission free.

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Max Eastman will speak in Minneapolis Sunday afternoon, February 9, at a place to be announced next week.

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WOMEN IN RUSSIA.

[By G. H.]

I heard a man say
The other day
That in Russia
They have made
Women public property.
And I wondered what he meant.
For in Russia
They have abolished
That blessed institution
Known as matrimony
And established
A registry system,
Making marriage
A civil contract.
So a man and a woman
May choose each other
Without the sanction
Of a priest or church.
And married life
Can be clean
And fine and decent
Without bonds or chains,
And children may be born
Into an honest world
Without hypocrisy
And cant about
The marriage relation.
And when it is
No longer possible
To live together in
Love and self-respect,
Either party may apply
For a separation
Without the scandal
Of a divorce.

But in America
Women must wait
Until some man
Asks them to share
His lot, and be
Blessed by a minister
For a fee.
So that they
Can do his cooking
And washing and scrubbing
And mend his clothes,

And bring his children
In respectability
Without any pay.
And if they live long enough
They may get
Some of his property
After he is dead.
And if they can not live
With him any longer
They may get a divorce,
If they can endure
The humiliation
Of a divorce court.

And I think
What the man meant
By public property
Was that in Russia
Women are free human beings,
And do not belong
To any man,
And that he would prefer
To have them remain
Private property,
As they are in
America.

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DEFENSE ENTERTAINMENT FEBRUARY 2.

The Social Science League of America is giving an entertainment Sunday evening, February 2, at 43 South Fourth Street. The funds raised are to be divided between the Mooney Defense League, the I. W. W. defense fund, political prisoners' defense fund, and Socialist Party defense. A beautiful oil painting, by Miss Ada Wolf, and valued at a hundred dollars, is to be raffled off at this entertainment. Tickets are a quarter, and are on sale at socialist headquarters, 1217 Hennepin Avenue.

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IT'S A GREAT LIFE.

Will the city council now kindly pass an ordinance against the use of red ink?

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Why American troops in Russia now? The Bolsheviks, according to the Associated Press, have already massacred four or five times the total Russian population!

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One hundred million dollars has been appropriated to destroy bolshevism in Russia. As the population of Russia is 180,000,000, this means about 50 cents apiece, say, about one square meal for each person in the Empire. Do they really expect to stop bolshevism with one square meal?

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The speech of a prominent citizen in a south side church, attacking bolshevism, was described to us as "about as intelligent as a burlesque show and as truthful as an account of a socialist meeting in the capitalist press."

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LEFT WINGERS' NATIONAL CONVENTION.

Local Boston has passed a resolution demanding immediately a national convention of the Socialist Party, in order to consider the problems which have arisen out of the war and the revolutions which have followed it. The demand is occasioned by the sending of Lee, Work, and Oneal, three conservatives, to attend the fake "international," called for Lausanne, Switzerland, by discredited enemies of socialism in Europe. The call is issued by Camille Huysmans, and others who have proven to be enemies of the revolutionary proletariat, "comrades" who have betrayed the movement time and again.

It is pointed out that the national executive committee had no authority whatever to send these delegates without referendum vote of the membership. It is further argued that, from all the information available, it would seem that the American Socialist Party has no place in such a reactionary gathering, and it is urged from these facts that locals protest by wire to the national secretary, and that a convention of the party be called for the purpose of taking a stand on the vital issues that have recently arisen.

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PORTLAND WORKERS AND SOLDIERS ORGANIZE.

Two thousand workers and soldiers organized a Workers and Soldiers' Council at Arion Hall last Thursday. An executive committee of 23 was elected, and resolutions were adopted demanding withdrawal of troops from Russia and amnesty for political prisoners.

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WHERE TO GO.

Latimer to speak February 2.

The first half of the season's lecture course will be completed Saturday evening, February 2, at new Commonwealth Hall, 1217 Hennepin Avenue, Minneapolis, with a lecture by T. E. Latimer, prominent Minneapolis attorney, on "Labor conditions in the Twin Cities." Mr. Latimer was counsel for the employees in the War Labor Board hearings in the Twin Cities recently, and his speech will deal with the startling information regarding wages, hours, etc., brought to light in this investigation.

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Minneapolis Local, Socialist Party, has moved into the new Commonwealth Hall, 1217 Hennepin Avenue, where it will hold regular meetings the first and third Thursday of every month.

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The Socialist Study Class has likewise moved its meeting place to Commonwealth Hall; meetings are every Friday.

I. W. W. Recruiting Union; every Wednesday night at headquarters, 14 South First Street.

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RUSSIANS TO ENTERTAIN.

The Russian Slavic Educational Association announces a concert and play for February 2 at Minnich Hall, Humboldt and Western Avenues. The play "Shot to Death" will be put on at 1.30 in the Russian language, and will be followed by musical numbers and a speech by A. E. Georgian.

TRADES AND LABOR ASSEMBLY DEMANDS POLITICAL AMNESTY.

Minneapolis Trades and Labor Assembly, representing 20,000 union men in this city, passed unanimously a resolution demanding amnesty for all political prisoners at a regular meeting last Wednesday.

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Complete line of radical and scientific books, newspapers, and magazines at Century News Co., 6 South Third Street. Louise Bryant's "Six Months in Russia" for sale here. Only a few copies left.

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For fine tailoring try Jacob Hymanson, the reliable tailor, 1321 Nic. Avenue, Minneapolis. Suits made to order; cleaning, pressing; remodeling neatly done.

Mr. BORAH. Mr. President, all in this Chamber have a very great respect for the Senator from Minnesota. He is one of the veterans of the Senate; and we have not only a high regard for his capacity as a legislator but a very tender regard for him individually. But I hope that when the Senator comes to review his remarks he will reflect upon one statement which he made—that the people to whom he referred here, Socialists and Bolshevists, are beyond the pale of the Constitution and beyond the pale of the law.

That doctrine we should all desire to keep from taking root in the American system of Government. It is the precise doctrine, if we understand correctly, upon which bolshevism and I. W. W.ism are founded, to wit, that the man who disagrees with you is entitled to no protection other than that which force may, in its beneficence, see fit to grant. I am sure that that doctrine is not the doctrine in which the Senator from Minnesota believes. These people are not beyond the pale of the Constitution; they are not beyond the pale of the law. The Republic can deal with them within the terms of the law and in an orderly way. It is an awful thing to say upon this floor that men are to be treated as beyond the pale of the law.

The Senator says certain people are bringing the doctrine of bolshevism into this country. Mr. President, what is the doctrine of bolshevism? It is the doctrine which the Senator accepts. Just as soon as Lenine and Trotsky were placed in power they suppressed every newspaper in the land that did not agree with them. They did not give anybody a hearing as to whether or not they should be suppressed. They denied a hearing to every man who did not agree with them. That is what the reports in the papers say. I do not know whether it is true or not. I am basing my statement upon what the papers reported, although I have reason to believe that perhaps sometimes these reports are exaggerated. But they not only denied a hearing to people who had published papers contrary to their views but they denied a hearing to those who had views with reference to government contrary to theirs. They disposed of them in arbitrary fashion, executed them without trial because they regarded them as beyond the pale of the law. They practiced the doctrine which the Senator preaches.

Mr. President, this is a Government of law and not of men; and no man in this country who is a citizen or who owes allegiance to this country, or is found in this country subject to its jurisdiction is beyond the pale of the law. That is the contest that has been going on for three centuries—to establish here a government of law, which would afford to every citizen under the law the ample protection of its provisions, regardless of whether he was insane or criminal. If insane, let him be sent to the asylum; if criminal, let him be adjudged such by the ordinary procedure of our courts, and sent to the penitentiary. But no man is without and beyond the protection of the law. To assert that to be true is to libel our institutions and to slander our whole form of government. I deny such principles. They have no place in this Chamber.

Mr. THOMAS. Mr. President, I am very largely in sympathy with the views expressed by the Senator from Idaho [Mr. BORAH], and I have been very much impressed by the argument which he has made in behalf of his motion to amend.

I took some part in the discussion which preceded the enactment of the espionage law. I took exception to some of its provisions, and did what I could to make it as workable as possible and soften the harshness of some of its sections. I was not here when the final vote was taken upon its passage; hence I am unable to say whether I would have voted for it or not.

Its only defense, its one defense, is that it is a war measure, made necessary for the protection of the Government which we all serve and because of the prevalence of a very large seditious element scattered throughout the length and breadth of the Nation. With the termination of the war it should disappear, for in time of peace, however dangerous the Bolsheviki menace may be—and I think I recognize its gravity as fully as anyone—it should be decided by constitutional methods and through constitutional agencies until overt acts committed by it justify a resort to other remedies.

Mr. President, I have always shrunk from the exercise of arbitrary power everywhere, and particularly in a Government like ours, but we must expect to meet them in some form during a period such as we are now happily emerging from.

I read a few days ago in the dispatches an incident which occurred in the United States district court in the city of Chicago, presided over by a judge of considerable prominence, Judge Kenesaw Mountain Landis. He asked the witness upon the stand, who was wearing a wrist watch, whether he belonged to the Army. The reply was that he did not. The judge then ordered him to take the watch from his wrist, saying no man should be permitted to wear a wrist watch who did not belong to the Army or Navy in some capacity. I think a member of the bench guilty of such infinitesimal, contemptible despotism should be impeached. I think any judge who would so conduct himself betrays by such conduct his utter unfitness for that or any other public position. I do not know how we can avoid such evidences of petty tyranny, because impeachment is one of those theoretic systems of criminal procedure which are not honored in the breach, because there never is any breach, except on rare occasions in demonstrations of its utter incompetency. That, however, is a digression.

Mr. LEWIS. Mr. President——

Mr. THOMAS. I yield to the Senator.

Mr. LEWIS. May I say to the Senator from Colorado, knowing his eminent fairness at all times and his high position as a Senator, if the charge made against Judge Landis or if the statement were accurate, would it not appeal to the Senator that possibly Judge Landis's real error was in assuming it as humor? I would suggest to the Senator that possibly Judge Landis felt when he made that remark to the witness that he was making a humorous reflection upon certain officials of the Army who always wear wrist watches. I can not conceive for a moment that he really meant seriously to reprove the witness.

Mr. THOMAS. The Senator knows Judge Landis and I do not. It may have been an exhibition of judicial humor; but if so, it is an incident of a humorous kind which does not arouse my sense of humor at all.

Mr. LEWIS. Let me say to my friend, it may be regrettable, and I have no knowledge of the instance; I can pass no judgment upon it; but I can not conceive that a man such as Judge Landis would really mean to indicate that no man had the right to wear a wrist watch except some officer of the Army, and if he dare to do so he should be degraded for doing such a thing. I would be astounded to hear that such evolution of his mind had transpired as to border very near to the question of responsibility, and that can not be charged to him.

Mr. THOMAS. I hope that it is unfounded. I hope for his sake, I hope for the sake of the judiciary, that it is unfounded or that it is a clumsy joke; but such incidents serve very largely to confirm that prejudice against Federal courts which is one of the characteristics of the time, and is based largely upon assumptions of petty tyranny and oppression that are unworthy of the bench and disagreeable to its occupants.

Mr. KENYON. I just came into the Chamber. May I ask the Senator what the complaint was about Judge Landis? Judge Landis is a man whom I have known intimately and well for very many years, and I am wondering just what it was the Senator said.

Mr. THOMAS. I referred to the fact that the exercise of arbitrary power in this country was not confined to proceedings under the espionage law, and as an illustration of it I referred to an incident which appeared in the press a few days ago, the substance of which was that a witness in Judge Landis's court in Chicago wore upon his wrist a watch, and upon being asked by Judge Landis if he belonged to the Army, and upon his replying that he did not, ordered him to take it off, Judge Landis saying that no man should be permitted to wear a wrist watch who did not wear a uniform or was not connected with the Army.

Mr. KENYON. Has the Senator any information that any such thing really occurred? Is it a very important matter, anyway?

Mr. THOMAS. All I know is what I saw in the papers.

Mr. KENYON. Does the Senator know Judge Landis?

Mr. THOMAS. I do not. I have had a very high opinion of him.

Mr. KENYON. The Senator's high opinion of Judge Landis is justified.

Mr. THOMAS. I have not seen the incident denied.

Mr. KENYON. No more patriotic man or better judge, in my opinion, ever sat upon a bench than Judge Landis.

Mr. THOMAS. He has been a good judge. I hope that is not one evidence of his brand of patriotism.

Mr. KENYON. His brand of patriotism is illustrated by his boy, who stopped here a few days ago on his way back home from France, his only boy, with a magnificent record in bringing down German airplanes. The Landis family is in the front rank whenever any question of patriotism is involved.

Mr. THOMAS. I am glad to hear that.

Mr. KENYON. The patriotic utterances of Judge Landis from one end of the country to the other during the war did much to stimulate patriotism. This matter, it seems to me, is in the nature of an attack on him and is very trivial. If ever a man stood for the right things, either on the bench or in public life, that man is Kenesaw Mountain Landis. If we had more judges like him it would be well for the country, and if the Senator from Colorado knew him as I know him no word other than commendation of him would ever come from his lips.

Mr. THOMAS. Before the Senator from Iowa came in I expressed the hope that it was not true. I reiterate it.

Now, Mr. President, let me proceed with the purpose for which I took the floor. We have been several days engaged in an abortive effort to pass an appropriation bill. That it has not yet reached a final vote is due to the fact that it was loaded by the committee with riders, and is now being loaded, or the attempt is being made to further load it, with other riders containing subjects none of which, in my judgment, are germane to the objects and purposes of the bill or in harmony with its title.

The amendment proposed by the Senator from Idaho is confessedly not subject to a point of order, and therefore it is accompanied by a motion to suspend the rule.

Mr. President, I am going to protest at this time against the continued practice of loading bills, and particularly those of national importance whose early passage is very essential, with amendments providing for objects and for obvious purposes that are not only foreign to the purposes to be accomplished by the bill, but which necessarily provoke prolonged discussion and controversy.

If every appropriation bill reported upon this calendar between now and the 4th of March is to be treated as this one has been treated we will be fortunate if we pass two of them. I see no reason why they should not be so treated, if we are to go to the extreme of suspending rules in order to permit the intrusion into this bill of a matter which however important is entirely foreign to it.

It is for that reason, Mr. President, that I shall vote against this amendment. I want to see this bill passed, much as I dislike some of its provisions, because we need all the time remaining at our disposal, if we should sit here by day and by night, for the proper and intelligent transaction of other remaining business. So believing and for these reasons I shall cast my vote against the suspension of the rule. I have no doubt that the distinguished Senator from Idaho will be able to secure a recognition of the main purpose of his discussion in some other fashion.

Mr. KING. If the Senator will pardon me, I understand there is a bill, indeed that the Senator from Maryland [Mr. FRANCE] has introduced a bill, having for its object the repeal of the espionage act, and that bill is before the Judiciary Committee.

Mr. THOMAS. That is the case. I think a majority of the riders that are offered to appropriation bills are also included in independent bills, some of which have been approved and reported to the calendar, and others are still in committee. But it is the practice which I protest against, not only the cumbrous and dilatory but the dangerous practice, of holding up important bills in this body until those who are interested in particular matters entirely foreign to them can compel the Senate, in order to reach an ultimate conclusion, to accept their amendments as a condition to a final vote.

Mr. KING. Of course, no one can dissent from the conclusion stated by the Senator from Colorado. I do not intend to discuss that.

I ask the attention of the Senator from Alabama [Mr. BANKHEAD]. First, I desire to give notice that I reserve the right to ask for a separate vote in the Senate upon the action of the Committee of the Whole with respect to the amendment found on page 15 of the bill under consideration, its provision being what is known as the pneumatic-tube item.

I move a reconsideration of the vote by which the amendment found on pages 28 and 29, being the motor-truck amendment, was rejected. I think the chairman of the committee will not object to the motion for a reconsideration.

Mr. BANKHEAD. I suggest that the Senator had better do that when the bill reaches the Senate. It can not be done now except by unanimous consent.

The PRESIDING OFFICER (Mr. MCCUMBER in the chair). The Chair understands that an amendment is now pending,

known as section 6 as amended. Therefore the amendment of the Senator from Utah [Mr. KING] is not at this time in order.

Mr. KING. Then, I shall not insist upon my request at the present time.

Mr. SMOOT. May I ask what amendment is now pending?

The PRESIDING OFFICER. It will be stated.

The SECRETARY. The pending amendment is on page 37, to insert lines 4 to 15, inclusive, including the amendments proposed by the Senator from Arkansas [Mr. KIRBY] and the Senator from Washington [Mr. JONES].

Mr. SMOOT. I do not want the vote taken on the amendment as amended until I can offer a substitute for it. I understood that the amendment of the Senator from Washington [Mr. JONES] was adopted last night.

Mr. JONES of Washington. It was adopted.

Mr. KIRBY. So was the amendment proposed by me.

Mr. SMOOT. I so understand.

The PRESIDING OFFICER. The amendments proposed by the Senator from Washington and the Senator from Arkansas were adopted, and also an amendment offered by the Senator from Minnesota [Mr. KELLOGG].

Mr. SMOOT. I understand that to be the case. What amendment is now pending to the amendment?

The PRESIDING OFFICER. The question is on agreeing to the amendment as amended.

Mr. SMOOT. I want to offer a substitute for it.

Mr. JONES of Washington. Before that is done I want to offer another amendment to the amendment.

Mr. BANKHEAD. I make the point of order that amendments can not be offered until half past 3 o'clock under the unanimous-consent agreement.

Mr. SMOOT. No.

Mr. BANKHEAD. That is what the agreement says.

Mr. SMOOT. I do not want to take the time of the Senate, but the agreement does not prevent amendments from being offered before 3.30. It says that general debate shall end at 3.30. As the Senator knows, an amendment has already been offered by the Senator from Idaho.

Mr. BANKHEAD. I do not care about it, but that was the agreement adopted at the suggestion of the Senator from Utah [Mr. SMOOT] and the Senator from Idaho, to continue the general debate until half past 3 o'clock, and after that amendments could be offered and voted upon.

Mr. JONES of Washington. The Senator will remember that I asked the Chair if under the agreement we could vote before 3.30 if the debate was exhausted on a proposition, and the Chair said yes.

Mr. BANKHEAD. I think we can do that.

Mr. JONES of Washington. I wish to offer an amendment to the amendment.

Mr. BANKHEAD. I have no objection. I simply wanted to call attention to the agreement.

The PRESIDING OFFICER. The Senator from Utah [Mr. SMOOT] has the floor.

Mr. SMOOT. I am the last Senator who would violate the unanimous-consent agreement, as the Senator from Alabama knows. The unanimous-consent agreement reads:

> It is agreed by unanimous consent that on the calendar day of Saturday, February 8, 1919, the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon the bill H. R. 13308, an act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes, through the regular parliamentary stages to its final disposition; and that after the hour of 3.30 o'clock p. m. on said calendar day no Senator shall speak more than once or longer than 10 minutes upon the bill or more than once or longer than 10 minutes upon any amendment offered thereto.

There is not anything in that unanimous-consent agreement which prevents a Senator at any time before 3.30 from offering any amendment and speaking as long as he desires upon that amendment until 3.30.

Mr. BANKHEAD. I suggest that there is no necessity for all this explanation on the part of the Senator from Utah. I said I had no objection in the world to offering the amendment, but I do not think it is complying with the spirit of the agreement.

Mr. SMOOT. I am not going to violate the spirit of any unanimous-consent agreement; and the reason why I read the agreement was because I wanted the RECORD to show that I was not violating it.

If section 6 is now perfected——

Mr. JONES of Washington. It is not.

Mr. SMOOT. Very well, then I will yield the floor to the Senator to offer his amendment to section 6.

Mr. JONES of Washington. I wish to offer an amendment to section 6; I do not ask the Senator to yield the floor, but I desired at the proper time to offer it. In line 8, I move to strike out "$50,000" and insert "$125,000," and in lines 10 and 11 to strike out "and the sum of $75,000,000 for the fiscal year ending June 30, 1921."

Mr. President, that does not diminish the amount of the appropriation. I am supporting this provision, and I think a great many of the Senate are supporting it on the theory that the conditions of the country and the conditions likely to confront us justify us in appropriating money not only for the building of good roads, but largely to furnish a sort of reservoir for the employment of idle labor that we will very likely have in this country in the very near future.

If we will need money for that purpose we will need it soon. We are going to need it before 1921, and I believe we are going to need it, and I want to make ample provision for it. I would rather authorize the appropriation of too much money to take care of that situation than to appropriate too small an amount.

So I have offered this amendment to make available this year for good-road purposes $125,000, to be expended and used under the agency that has been built up and now exists, and that no doubt can use that much money in a very advantageous way. I think there is far more justification for appropriating the money in this way than to have $75,000,000 provided now for 1921. That is the reason why I offer the amendment.

Mr. KENYON. Mr. President, it seems to me there is force in the position taken by the Senator from Washington [Mr. JONES], but I think the amount is entirely too much. The Senator from Alabama stated on yesterday that with the $50,000,000 of appropriation there would be some $170,000,000 available, but the general principle enunciated by the Senator from Washington I am in accord with, and would be willing to vote a sum not to the extent the Senator indicates, but this sum of $50,000,000 in the bill, if it could be used within the next three months in some way to help with the labor situation, much as I am opposed to this general method of appropriation that there is in the bill.

In line with what the Senator from Washington has said as to the need of our doing something, let me say that at the date of the armistice there was a shortage of labor throughout the United States. The Department of Labor gather in from the different centers of the country statistics showing the labor situation, and report them every week. Four weeks after the armistice was signed there were 25 cities in their list, which I think is about 132, showing a surplus of labor—more men seeking work than there was work. Six weeks later unemployment was reported in 42 cities. The report this week, and this is all outside of the strike question, shows 69 cities reporting a greater or lesser degree of unemployment, and out of 120 important cities reporting the actual number of unemployed by these reports is approximately 292,000 men.

These reports are partial, they do not cover the entire labor situation in the country, and they only are gathered from parts of the employing firms. On the basis of these figures and these reports it is safe to estimate that there are over a million unemployed men in this country now, and this week the statistics show that as to the cities eight more show unemployment than the last week.

As I said a few days ago, it was not so much the number who are out of employment in the country that is alarming as it is the rapid increase in the number. That leads me to say that we ought to devise some method of taking care of this unemployment question. I introduced a bill here that public works should not be confined to roads but should take in all kinds of public works to try and start industry again in the country. There as a psychology to the situation of starting work. Private capital is holding back; somebody has got to start it. If the Government does, it is probable that private industry will follow along, and that is just as important in my mind as is the actual employment of the men by governmental work.

There should be some way in this bill of separating the sums, as the Senator from Washington has attempted to do, and not go to the large amount which he has proposed, because that is an amount which could not be expended by the 30th day of June, 1919, which is the limit of the first appropriation.

Mr. JONES of Washington. The Senator, I think, is mistaken. The Senator from Utah [Mr. SMOOT] stated yesterday that the money for the year 1919 could be used for the whole season of 1919; that the appropriation for 1919 under the road act does not terminate June 30, 1919, but it is for the whole season.

Mr. SMOOT. Or the whole season of 1920.

Mr. KENYON. That amendment, I understood, was defeated.

Mr. SMOOT. No; the amendment that was defeated was to spend it two years after the present act, which says:

So much of the appropriation appropriated for the fiscal year which remains unexpended at the close thereof shall be available for expenditure in that State until the close of the succeeding fiscal year.

Mr. KENYON. So it would, then, carry the appropriation until June 30, 1920, under that construction?

Mr. SMOOT. Yes.

Mr. JONES of Washington. A year and a half.

Mr. KENYON. I wish the Senator would make that sum a little more reasonable.

Mr. JONES of Washington. I wish to ask the chairman of the committee a question. I understand the chairman of the committee stated the other day that they had reported upon and really approved some three hundred and odd projects under the road act.

Mr. BANKHEAD. Three hundred and ninety-one.

Mr. JONES of Washington. What expenditure would that entail?

Mr. BANKHEAD. About $26,000,000 of Federal appropriation. Of course, that will be met by the States appropriating a like amount.

Mr. JONES of Washington. I think there is a lot of force in the suggestion the Senator from Iowa makes. What would the chairman say as to the possibility of a wise expenditure of $125,000,000 for roads between now and the 30th of June, 1920?

Mr. BANKHEAD. My judgment and the judgment of the Secretary of Agriculture and the Roads Department is that not more than $60,000,000 additional to the amount appropriated in the old law can be expended during the fiscal year 1919.

Mr. KENYON. That would take it up to June 30, 1920; or would it be June 30, 1919?

Mr. BANKHEAD. I call the attention of the Senator from Washington to the fact that under the law as it now is, or under the amendment which we have offered as it now stands, the amount available for the balance of the fiscal year from now until the 30th of June would be $190,000,000.

Mr. KENYON. That will be available.

Mr. BANKHEAD. That will be available between now and the 30th of June of this year.

Mr. KENYON. If you add this $75,000,000 to it you have up to $265,000,000, and that can not be used economically, at least.

Mr. BANKHEAD. I think that is more than they could possibly spend.

Mr. JONES of Washington. But would not that be available until June 30, 1920, giving them an additional year?

Mr. BANKHEAD. The first of the coming July there will be available $190,000,000, which can be immediately used, making a total of $360,000,000 available for the remainder of this fiscal year and the year 1920. He does not believe that the States can match more than that, if they can do that.

Mr. JONES of Washington. It does not look to me like we ought to appropriate anything for this year.

Mr. BANKHEAD. These are the figures. You want to increase and I do not.

Mr. KENYON. One hundred and seventy million dollars are now available. That ought to be enough.

Mr. BANKHEAD. If this $50,000,000 is added.

Mr. KENYON. With $50,000,000 added to $120,000,000.

Mr. BANKHEAD. No; $70,000,000.

Mr. KENYON. And now the Senator from Washington proposes to add $75,000,000 additional, making $195,000,000.

Mr. BANKHEAD. It would make $190,000,000 for 1920.

Mr. KENYON. To be used entirely on roads. Would it not be wiser, from the standpoint of unemployment, not to put so much to roads and put some part of these funds to other great public works that will give employment to labor, such as public buildings or reclamation projects, or even canals where they are necessary? With the statement made by the Senator from Alabama, I would not be willing to vote to increase this $50,000,000, but I would be willing to vote for the $50,000,000 to be immediately available, and I would vote for it wholly on the theory of a labor proposition to give employment to labor in the times that are ahead of us.

I will not vote for the other two provisions of $75,000,000 each, as I have heretofore said; but if they could be differentiated from this $50,000,000 in some way—because I believe, as has been expressed here, with the condition of our finances in this country that some time we have got to begin and stop some of these appropriations. I do not know that we ever shall. We have the powerful information here, when the chairman was asked where the money was coming from, "That is not our business; that is the business of the Finance Committee." The business of Senators is to attend dinners at night and vote appropriations in the daytime, I suppose. Let the people pay. We are going to have $12,000,000,000 of expenses next year. What do we care? Let the people pay. That is the theory of Congress.

The last election, in my judgment, went against the Democratic Party not so much because of the President's letter, to which some Republicans like to ascribe it, as because of the feeling in the country about the wasteful and indefensible extravagance of Congress. The people are going to understand pretty soon the motto of each political party—"Let the people pay."

The Democrats went down largely because of that. If the Republicans come into power and keep on with these same kind of appropriations, practically leaving nothing for the States to do, and having the Federal Government as a great Santa Claus to deal these things out, the Republican Party will be driven out of power also, and I hope it will, if it goes on with that kind of a program. Pretty soon we will find that there will be a taxpayers' party in this country, as well as two taxeaters' parties.

What a scene here in this Chamber a few days ago when Senators got up and talked about "our share—our State getting its share." Senators said to me, "Why, under this bill your State gets more than it puts in." That seemed to be an argument that nobody could refute. I have stood at this desk and fought appropriations some people in my State wanted, and I am going to continue to do so, because I have the conception—I may be wrong—that I am a Senator of the United States, and not simply trying to get my hands into the Public Treasury and get something for my own State. At some time we are all going to get around, I hope, to that platform. That does not mean, of course, to fight every appropriation that comes along. We have got to have money for great works in this country; but the idea seems to be to get "our share." I have seen Senators stand here and heard them solemnly talk about the "share of their State." What is this Public Treasury—merely a grab bag, to get "our part" and "our share"?

Both political parties declared practically for a budget system in 1916. How far have we gotten with it? How far will we get with it? We have from 27 to 29 committees in the Senate and in the other House, all appropriating money, with no regard one for the other, and no coordination one with the other. There is no business on earth that could last 60 days carried on in that kind of fashion. Economists of this country and business men are for it; the Chamber of Commerce of the United States have voted practically unanimously on the question of a budget, pleading with Congress for some kind of a budget. But, no; we will not give up the powers of different committees to appropriate money. Let the taxpayer go; let the people pay? What do we care? As the Senator from Colorado [Mr. THOMAS] said the other day, "Let the taxpayer kick; he needs the exercise." The principle now is "less taxes and more appropriations." It can not be done. If these appropriations are to go on, then heavy taxes must be levied. But the taxpayer is going to wake up pretty soon and take his exercise at the ballot box, for this country is piled up now with about all the taxation it can stand.

In the House of Representatives I notice that there is a proposition backed by the chairman of the Appropriations Committee and by one of the Republican leaders for a budget commission. I am delighted to see that. There is on the calendar a bill for that purpose in the Senate, which was introduced by myself. I asked that the Appropriations Committee be discharged from its consideration, and I finally got the bill on the calendar, but there has been no chance to get it up. I propose after the 4th of March, if we can not tack it onto some of these appropriation bills, to make it my business to see if we can not get such a plan and get some information before Congress from economists and students of these questions as to a budget plan that we can adopt and have some correlation between our income and our expenditures.

Much as I believe in good roads, much as I have urged them in my State, I am not willing to go into such a plan as this, which is increasing now by leaps and bounds over the act which we passed in 1916, which was a fair act, and which went to our limit in times of peace to stimulate road construction; but we are blossoming out now with $200,000,000 more, and in another year or so we shall find another $200,000,000, and eventually this barrel will get to be the greatest pork barrel that we ever have had in the American Congress.

Mr. WATSON. I should like to ask the Senator from Iowa a question.

Mr. KENYON. I yield to the Senator.

Mr. WATSON. The Senator from Iowa has been studying the budget system for a good while, and I desire to ask him, is it

possible to adopt a budget system unless we have but one appropriations committee?

Mr. KENYON. Oh, yes.

Mr. WATSON. Is it workable, even with the present system of committees on the other House and in the Senate?

Mr. KENYON. Yes; but I will say to the Senator that I do not believe it is as workable with so many committees as we now have as it would be if the committees were cut down. But those are all matters of information, I will say to the Senator, that will come out if a commission be appointed to report to Congress within a reasonable time.

Why should there not be such a commission? I have talked to Senators here who said, "Why, we do not propose to have some one from the outside tell us about our duties." Then, if you ask them what a budget system is, they say, "We do not know."

That is all I have to say, but I thought I had better take my 10 minutes now instead of later.

The PRESIDING OFFICER. The Chair desires to suggest to the Senator from Washington [Mr. JONES] that the amendment which he offered is divisible. The last section of his amendment covers an amendment which was adopted before the present occupant of the chair took the chair. The Chair will therefore be compelled to rule that the vote must first be taken upon the first division of the amendment.

Mr. JONES of Washington. I think the Chair is wrong. The last part of my amendment was not adopted on yesterday. I tried to strike that out, but failed.

The PRESIDING OFFICER. But let the Chair suggest that there has been a vote of the Senate to retain the clause which the Senator now seeks to strike out.

Mr. JONES of Washington. Yes; but there has not been a vote of the Senate on the proposition to increase the first appropriation to $125,000,000 and to cut the other out. That is all one proposition; that is one amendment, so far as I am concerned; but I will leave that to the Chair.

The PRESIDING OFFICER. The Chair is of the opinion that the amendment should be divided under the circumstances, there having been an affirmative vote refusing to strike out the second section.

Mr. JONES of Washington. Very well; but to my mind the amendment is not divisible, because it is one proposition; the one hangs on the other; but I appreciate the fact that probably the Senate might insist on a division. I want, however, to ask the chairman of the committee a question or two.

Leaving out the provisions of this bill entirely, I want to ask the chairman of the committee how much money is available, up to the 1st of July, 1919, for road-building purposes, under the act of 1916?

Mr. BANKHEAD. Seventy-five million dollars, including that which has already been expended.

Mr. JONES of Washington. And without this provision here how much would be available during the fiscal year ending June 30, 1920?

Mr. BANKHEAD. Twenty million dollars.

Mr. JONES of Washington. That would make $95,000,000 altogether, that either has been expended or is available for those years?

Mr. BANKHEAD. No; there could not be but $75,000,000 available for the five years. Twenty million dollars of that appropriation has not been expended for 1920.

Mr. JONES of Washington. I want to get this clear. I do not want any account taken of this division of the bill here at all.

Mr. BANKHEAD. I understand.

Mr. JONES of Washington. Under the act of 1916, how much is available up to June 30, 1919?

Mr. BANKHEAD. Unexpended?

Mr. JONES of Washington. Unexpended.

Mr. BANKHEAD. I think that I answer correctly when I say that, under the original law to which the Senator refers, for the fiscal year of 1920 there can not be more than $20,000,000 available, because that was all that was appropriated for that year.

Mr. JONES of Washington. There are $26,000,000 now available up to June 30, 1919, under the 1916 act? Is that correct?

Mr. BANKHEAD. That depends upon how much is unexpended for the year 1919.

Mr. JONES of Washington. We are on the year 1919 now; and how much has the department available to spend up to June 30, 1919—this year?

Mr. BANKHEAD. Fifteen million dollars for 1919—this year—and for 1920, the next year, $20,000,000. It is $15,000,000 for the year 1919.

Mr. JONES of Washington. Fifteen million dollars for the year 1919 and $20,000,000 additional for 1920 would make only $35,000,000.

Mr. BANKHEAD. That is all.

Mr. JONES of Washington. That is not quite so large as the $190,000,000 or the $380,000,000 we were talking about a while ago.

Mr. BANKHEAD. That includes the proposed increase in the appropriation.

Mr. JONES of Washington. I know; but we have $15,000,000 now for this year, and if we appropriate the $125,000,000 I propose, that would only give $140,000,000. So that the appropriation is not so formidable as the figures given a while ago would lead us to believe. I had about reached the conclusion to withdraw my amendment——

Mr. BANKHEAD. Mr. President, if the Senator will examine page 3 of the report he will find all of these figures worked out.

Mr. JONES of Washington. I have not had time to do that.

Mr. BANKHEAD. I can not carry all the figures in my head.

Mr. JONES of Washington. I know the chairman of the committee has looked into the matter very carefully.

Mr. BANKHEAD. I have; but I am obliged to refer to the figures in order to be strictly accurate.

Mr. JONES of Washington. I thought the Senator could give me the information without any trouble or delay.

Mr. BANKHEAD. I said that there was $15,000,000 available for 1918 and $20,000,000——

Mr. JONES of Washington. The Senator from Michigan [Mr. TOWNSEND] suggests to me that there was $70,000,000 carried over from the preceding year.

Mr. BANKHEAD. That includes both the State and Federal appropriations.

Mr. JONES of Washington. I do not care anything about the State appropriations. What I want to know is the amount available from the National Treasury to aid in the improvement of these roads.

Mr. SWANSON. Mr. President, if the Senator will permit me, here is a statement of it: For the fiscal year 1919, the present fiscal year, there will be available $35,000,000 from the Federal Treasury, which must be met by an equal amount from the State treasuries, making $70,000,000. The additional appropriation from the Federal Treasury of $50,000,000, to meet which an additional amount of $50,000,000 from the State treasuries must be appropriated, will make available for road improvement under this law from both Federal and State sources $170,000,000 for the fiscal year 1919.

Mr. JONES of Washington. Yes; but I want to leave out what the States are providing.

Mr. SWANSON. The States would pay $85,000,000, or one-half of the total amount, a sum equal to the amount paid by the Federal Government this year.

Mr. JONES of Washington. The Senator says that we have available for this year on the part of the United States $35,000,000.

Mr. SWANSON. In round numbers; yes.

Mr. JONES of Washington. Outside of what we propose here; so that if we add $50,000,000, it will make $85,000,000.

Mr. SWANSON. It will make $85,000,000 available from the Federal Treasury.

Mr. JONES of Washington. And if we add $125,000,000 more, the total amount from the Federal Treasury will be $160,000,000?

Mr. SWANSON. Yes. If the Senator wants to know the amount for 1920, the original Federal act gave $20,000,000 for that year; an equal amount from the States to meet that would be $20,000,000 more; the additional Federal appropriation for 1920 of $75,000,000 and an equal amount from the States to meet that of $75,000,000 would make a total of $190,000,000 to be expended during 1920 under the law for Federal aid. If the bill goes through carrying the provisions for 1921, the amount available would be as follows: From the original Federal appropriation, $25,000,000; an equal amount from the States, $25,000,000; the proposed additional Federal appropriation contained in the amendment to the pending bill, $75,000,000, and an equal amount from the States of $75,000,000, making in all $200,000,000 available for this purpose, one-half to come out of the Federal Treasury.

Mr. JONES of Washington. Mr. President, we have not very much money available for the year 1919 when we come to consider the probable demands that are likely to be imposed upon us. Thirty-five million dollars will not go very far in the employment of the million men whom the Senator from Iowa [Mr. KENYON] says are out of employment now, which number is increasing very largely every week. I agree with him that we

do not want to put into road building all of the money that is intended for the employment of labor; not at all; but we can put a larger amount than is now available in road building. We ought also to put several million dollars in irrigation works, as the Senator from Iowa suggests. As I stated yesterday, I have presented an amendment appropriating $50,000,000 for irrigation projects actually approved and under way, on which work can progress immediately, because we must not overlook the fact that if we want to do good, so far as the unemployed are concerned, we must get ready to make money available for it right away, and not in 1920 or in 1921.

The Senator from Iowa suggests that we ought to take advantage of the psychology of the times. I suggested that yesterday, and that is right. The National Government ought to go ahead. If it can not go ahead, or if it will not go ahead, how can we expect private enterprise to go ahead?

In line with that, Mr. President, I ask to insert in the RECORD, as a part of my remarks, an address delivered by N. B. Coffman, president of the Lewis County Reconstruction Congress, at Washington State Reconstruction Congress, at Tacoma, January 9, 1919, the point of which, the motto of which, is "go ahead." It expresses what I believe to be the real thought and desire of the country and the real necessity for the kind of action that the situation to-day requires.

The PRESIDING OFFICER. Without objection the address referred to will be printed in the RECORD.

The address referred to is as follows:

"GO AHEAD."

[Address of N. B. Coffman, president Lewis County Reconstruction Congress, at Washington State Reconstruction Congress, Tacoma, Jan. 9, 1919.]

Let the people of the State of Washington grapple the subject of reconstruction with unfaltering faith and enthusiastic courage. Go right ahead now and do the big things in private enterprise and public betterment that they believe should or must be done soon. Then there will be no unemployment, no slacking up in business, no uneasiness about the future.

The normal condition of business as following the great war is, will be, and should be, if not checked by doubt, hesitation, and pessimism, one of enlargement and general prosperity arising out of multiplied resourcefulness and opportunity for trade expansion.

The keynote should be, "Go ahead."

Go ahead with the big plans for National, State, and county highway construction. Go ahead with the National and State land-settlement program.

Go ahead with big public improvements.

Go ahead with transportation equipment and facilities for enlarged handling of traffic.

Go ahead with employment of private capital for every manner of enlargement and betterment of manufacturing, trade, commerce, and housing. From the repairing of the pig sty to the construction of a labyrinth system of nation-wide, nation-built, paved post highways, go ahead.

Every great war has been followed by a period of prosperity, wages and commodities climbing to new high levels after the war. The shilling was the day's wage before the Revolutionary War. After it the day's wage stood around 4 shillings. The 50-cent wage before the Civil War climbed to $1.50 level after the war. The $2 wage before the great war has mounted to $4, with shorter hours. The wage scale may fluctuate. It will not permanently recede to any great degree. Prices of commodities have always followed the same trend. Antewar prices have gone for good. It is not cause for regret or apprehension, rather for congratulation and assurance. There will be no sudden or great drop unless forced by a holding back from normal industrial activity. If we do hold back and force a drop, it will come with a jar and a shock that will cost immeasurably more than the saving in wages and prices of commodities.

An operator in the Central West of nation-wide standing and recognized foresight analyzes the future in this way:

"In my opinion the United States is in for several years of very prosperous conditions. Of course, I may be wrong, but my conclusions are predicated upon the facts and conditions outlined below, to wit:

"1. For four and a half years Europe has been engaged wholly in the work of destruction, producing only such things as would aid in destruction."

After destruction must come construction. Go ahead, America, with European construction and rehabilitation.

"2. The supply of raw material, textiles, and other products which Europe does not itself produce has been depleted because of requirements incident to the war and consumption or replenishment."

People of western and central Europe must be housed, clothed, and fed. Go ahead, America; supply Europe with lumber, clothing, and food.

"3. The steel industry of the United States, as well as other of the larger industries, since the beginning of the war has been engaged practically 100 per cent in war work."

Traffic calls for trucks; the people, automobiles; farmers, tractors; railroads and builders, steel. Go ahead, steel plants; supply big business with its needs.

"4. For 18 months the industrial energy of the United States has been engaged in the single purpose of winning the war, during which time production has not been maintained at its normal ratio, resulting in a depleted supply of materials of every character."

Turn to, now. Push ahead, industry. Get back to normal. Replenish the supply. Go ahead.

"5. Farm products have been at a high price in the United States since 1914, and the farmers are more prosperous than they ever were before."

Busy manufactories and construction activities mean much employment and large consumption and maintaining of good prices for foodstuffs. Prosperous farmers buy freely, improve, and build. Go ahead. When the farmer prospers all business is good.

"6. Prices of farm products will remain at a high level at least for the next 12 months, for the reason (a) the world is short of fats and (b) while there is no grain shortage the price of wheat has been guaranteed by the United States Government for next year. This insures prosperity for farmers, as they will have a large acreage of wheat and a small corn acreage, resulting in the high prices for corn."

Go ahead, farmers. Plant confidently, cultivate carefully. Produce more abundantly. The world awaits eager and hungry for your products. Go ahead in full assurance of profitable prices.

"7. The world is short some 20,000,000 tons of shipping, and during such shortage the natural tendency will be for Europe to purchase her supplies from the nearest sources of production. For instance, a ship can make three round trips between New York and Liverpool in the time which it would be required for one trip to Sydney, Australia. Consequently, products of the United States will be favored over those of Australia and other distant countries of the world."

Commerce and traffic, wake up. The United States of America is the world's near-by storehouse. Build docks, wharves, terminals, ships, and traffic equipment. Get ready quickly. New and great markets map their boundaries across seas. Go ahead.

"8. Reconstruction of the areas of devastation in Europe must necessarily require immense quantities of raw materials and other products." Who is to supply them? We who have the materials in greatest abundance. It is our opportunity. Let's go ahead.

"9. The United States is practically the only industrial country in the world whose industries have not been completely disrupted and which is in a position to furnish the requirements of the other peoples of the world."

We are the world's most resourceful people. Shall we not plan and undertake and accomplish up to our mighty man capacity? Or shall we sit by, occupied in matters of small moment, and fritter away our ability and our opportunities to do big things in a big way? No. Master minds must find a master's work. We must go ahead.

"10. The United States is the only country whose financial condition will enable it to assist the nations of Europe in replenishing their depleted supplies."

The United States comes out of this war the world banker. A good banker is always constructive. He builds up and makes resourceful his clientele and thus increases his business. We as a Nation can prosper only in so far as we strengthen and stabilize the brother nations with whom we have trade and traffic. It is up to us to replenish the depleted coffers of European nations. We must go ahead.

"11. During the past four and a half years there has been practically no building in the United States other than for industrial requirements and industrial housing purposes. In 165 cities of the United States delayed building amounts to more than $3,030,000,000."

If you are planning to build soon, build now. In an on-moving world to pause is to fall behind. The community that stops building stops growing. Go ahead; build.

"12. The rural districts of this country have experienced great prosperity, but have been unable to expend their money for betterments and improvements on account of Government prohibitions. For the same reasons the same conditions prevail in other sections of the United States, building operations not having been able to keep pace with normal requirements."

Manufacturers and dealers in building materials, stock up. Get ready for the spring demand. It is coming. It must come. Go ahead with turning out products. Place your orders now.

"13. Business can not of itself pick up until more shipping is available. As already stated, the world's shipping is some 20,000,000 tons short, but the United States will commission a million tons during November and December and peace will release four or five million tons of German shipping. In addition, the shipping heretofore required to transport men and munitions abroad will soon be available for carrying other supplies. So, with the opening of spring, the return of our troops should add a stimulus to business, and we should experience a demand for our products such as we have never before. With the probable exception of steel, the production of the basic industries of the United States has not increased, but has been depleted. There have been no new investments or developments and old developments have been operated to their maximum capacity. By reason of such operations and enforced production a state of depletion has been brought about which has not been replaced. Consequently it is doubtful if the productive capacity of the country will be able to meet future demands."

Capital, come out of your timerity. Cut loose. Invest in productive and carrying enterprises. Business is bound to be good and profits are assured. Don't hesitate. All-round courage compels good times by forcing things to move. Venture boldly into business. This is a country whose resources in men and materials have only been scratched over. Go ahead. Invest.

"14. Present stocks of practically all commodities are low, and this is especially true of lumber, which is only 46 per cent of normal at the mills and 75 per cent of normal with the retailers."

With business soon humming as it will be, normal stocks will be short of the demand. Catch up on that 54 per cent and 25 per cent shortage and then some. Go ahead.

"15. With the plentiful supply of money now existing, the high price of food products, and the probable demand for the total capacity production of American industries, is it at all logical to conclude that business is going to be poor?"

No; it is not logical or at all probable. Money is abundant for commercial and industrial upbuilding. Use it. Keep away from speculation. Productive use will not breed disaster. Keep on the job and there need be no setback. Everybody turn to and work. No loafers, no hungry. No one without employment. The State and the Nation can furnish plenty of work to take up the slack. Everybody everywhere get busy. Keep busy. Go to it. Go ahead.

Mr. SHAFROTH. Mr. President, I should like to ask the Senator if increasing this appropriation from $50,000,000 to $125,000,000 will not be futile in view of the enormous amount of work it is necessary to do in order to prepare for this work? Is it possible to arrange a plan and have a proper determination made by June 30, 1919, for the expenditure of $125,000,000 on road work?

Mr. JONES of Washington. I wish to suggest to the Senator that under the law—this is the construction of the Senator from Utah [Mr. SMOOT], but I have no doubt that he is correct—if this money is not spent prior to the first of July, 1919, it will be available throughout the whole year 1920. Therefore, if they have not the plans ready, of course they have got to get

them ready. They have been working under this law since 1916, and if they have not the plans perfected to provide for the expenditure of more than twenty or thirty million dollars, it probably will be half a century before they can provide for the expenditure of $125,000,000; but I think they will "get a move on" if they have the money, and will get their plans ready, so that the money may be expended.

Mr. SHAFROTH. But does not the Senator recognize that under a spur of that kind they are apt to make many mistakes, and consequently waste a large part of the money upon roads that are not needed or upon roads upon which there is light travel or upon roads which would perhaps require a different construction from that proposed?

Mr. JONES of Washington. Mr. President, under the provisions of section 5, as it has been adopted, if it becomes a law, I do not think they will have very much trouble in ascertaining places at which to spend the money. I do not like that section myself; but, Mr. President, in view of the statement and the showing made here and the apparent opinion of the chairman of the committee that even if we appropriate this amount of money they could not expend it. I am going to withdraw my amendment. I think the statements that have been made demonstrate conclusively that the amount for 1920 and 1921 should not be appropriated in this bill; but, even if they are not eliminated, I think I shall vote for the bill, in order to make available the money for 1919, in the hope that the next Congress will eliminate the appropriations for 1920 and 1921 until the time comes when we know what we want, what we need, and what we can properly take care of. I withdraw my amendment.

The PRESIDING OFFICER. The amendment of the Senator from Washington is withdrawn.

Mr. SMOOT. Mr. President, I offer an amendment as a substitute for section 6.

The PRESIDING OFFICER. The amendment will be stated.

The Secretary proceeded to state the amendment.

Mr. JONES of Washington. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Kendrick	Myers	Swanson
Bankhead	Kenyon	New	Thomas
Chamberlain	King	Overman	Thompson
Colt	Kirby	Page	Townsend
Cummins	Knox	Pittman	Trammell
Fletcher	La Follette	Pollock	Underwood
France	Lenroot	Pomerene	Vardaman
Frelinghuysen	Lewis	Ransdell	Warren
Gore	McCumber	Shafroth	Watson
Hale	McKellar	Sheppard	Weeks
Henderson	McLean	Smith, S. C.	Wolcott
Johnson, Cal.	McNary	Smoot	
Jones, Wash.	Martin, Va.	Spencer	
Kellogg	Moses	Sterling	

Mr. McNARY. I desire to announce that the Senator from Montana [Mr. WALSH], the Senator from Kansas [Mr. CURTIS], the Senator from New Mexico [Mr. JONES], the Senator from North Dakota [Mr. GRONNA], and the Senator from Idaho [Mr. NUGENT] are absent on official business of the Senate.

The PRESIDING OFFICER. Fifty-three Senators have answered to their names. There is a quorum present.

Mr. SMOOT. Mr. President, I wish Senators would give attention to the reading of my proposed substitute for section 6 of this bill. I assure Senators that if they have any regard for the Treasury of the United States, and desire to establish in this country a complete nationalized system for road building, they will support this proposition.

I ask now that the substitute may be read by the Secretary.

The VICE PRESIDENT. The substitute offered by the Senator from Utah will be stated.

The SECRETARY. In lieu of section 6, on page 37, it is proposed to insert the following:

That in order to establish, construct, improve, or maintain public roads that are now or may hereafter be needed for use as post roads, military roads, or for interstate commerce, there be, and hereby is, created a fund to be known as the United States highway fund. Said fund shall be raised in the manner herein provided, but the Treasurer of the United States is hereby authorized to receive and place to the credit of said fund any money that may be contributed from other sources and to expend the same upon the order of the United States Highway Commission or in accordance with the conditions of the contribution.

That for the purpose of providing money for the United States highway fund the Secretary of the Treasury is hereby authorized and directed to issue and sell, at par with accrued interest, coupon or registered bonds of the United States in such form as he may prescribe and in denominations of $20 or multiples of that sum, said bonds to be payable in coin 50 years from the date of issue and to bear interest, payable in coin semiannually, at the rate of 3 per cent per annum, the total amount of said bonds not to exceed $1,000,000,000, and the issue and sale of same not to exceed such amounts as may be necessary from time to time to enable the Treasurer of the United States to make payments from the United States highway fund to the several States in accordance with the provisions of this act. Bonds issued under authority of this act, or the income therefrom, shall not be subject to taxation of any kind for any purpose. Bonds authorized by this section shall be first offered at par as a popular loan under such regulations prescribed by the Secretary of the Treasury as will give opportunity to the citizens of the United States to participate in the subscriptions to such loan, and in allotting said bonds the several subscriptions of individuals shall be first accepted and the subscriptions for the lowest amounts shall be first allotted. Any portion of any issue of said bonds not subscribed for as above provided may be disposed of by the Secretary of the Treasury at not less than par, under such regulations as he may prescribe, but no commissions shall be allowed or paid thereon; and a sum not exceeding one twenty-fifth of 1 per cent of the amount of the bonds herein authorized is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay the expense of preparing, advertising, and issuing the same.

That before any State shall be entitled to take advantage of the provisions of this act it shall establish by law a State highway commission having general supervision of road construction and improvement in that State, which said commission shall have general supervision of the expenditure of money received from the United States highway fund, subject only to the provisions of this act and of State laws not inconsistent herewith.

That the United States highway fund shall be apportioned and credited to the several States in the following manner: The United States highway commission, hereinafter created, shall ascertain in the most practicable manner from the best information available the total land area, the population according to the last Federal census, the total assessed valuation of all taxable property, and the total mileage of public highways in each of the several States, and shall compute the percentage of the total of each of these four items possessed by each State. They shall then compute the average of the four percentages for each State, and this average shall be the per cent of the $1,000,000,000 United States highway fund that shall be apportioned and credited to each State. Said commission shall notify the Treasurer of the United States of the result of their ascertainment and computation, which shall be made as of a date to be fixed by the commission. Such fund so apportioned shall be paid to the States only in accordance with the provisions of this act.

That whenever any State, through its duly authorized agents, shall apply for any part of its share of the United States highway fund, but not exceeding 20 per cent thereof in any year, and shall deposit with the Treasurer of the United States its bonds for such amount payable in 50 years and bearing interest, payable semiannually, at the rate of 4 per cent per annum, the Secretary of the Treasury shall issue and sell, at par and accrued interest, in the manner prescribed in section 2, United States highway bonds to the amount that may be necessary to pay to said State the amount of money applied for, and upon the sale of said bonds shall pay over the proceeds to the custodian of the public funds of the State: *Provided*, That the bonds of any State shall not be accepted if the total amount of bonds of such State, including the bonds issued to take advantage of the provisions of this act, shall exceed 10 per cent of the amount of the assessed valuation of all taxable property in such State: *Provided further*, That any State desiring to do so may deposit with the Treasurer of the United States its 4 per cent bonds maturing in not less than 20 years, or may redeem its 50-year bonds at any time after 20 years from date of issue, but upon redemption of such bonds, whatever the period for which issued, such State shall pay to the Treasurer of the United States, in addition to the balance due on the principal after deducting the accumulated sinking fund, a premium of 2 per cent on such balance due on bonds redeemed, together with accrued interest. When the Treasurer of the United States shall receive any payment of interest on State bonds deposited in the manner above provided he shall devote three-fourths thereof to the payment of the interest due on the corresponding United States highway bonds, and one-fourth, herein designated as a sinking fund, he shall deposit in the Treasury of the United States to be used from time to time for the redemption of United States highway bonds as provided herein. The Treasurer of the United States shall keep an account with each State that shall deposit bonds and receive funds under the provisions of this act, and shall credit said State with interest compounded annually at the rate of 3 per cent per annum on the sinking fund credited to it. Money received upon the principal of State bonds shall also be credited to the sinking fund, but no interest credit shall be allowed the State thereon. At the time of the maturity of the bonds deposited by any State, if all payments have been made when due, the Treasurer of the United States shall cancel said bonds and return them to the State issuing the same. Whenever and each time the sinking fund accumulation shall amount to $1,000,000, then the Secretary of the Treasury shall, and he is hereby directed to, go into the open market and purchase, at par if possible, $1,000,000 par value of the United States highway bonds. If unable to purchase all or any at par, then he is authorized and directed to pay such premium as necessary, determined by competition after public notice of not less than 30 days, but not exceeding a premium of 2 per cent and accrued interest. If he be unable thus to secure the full amount of bonds necessary to comply with this provision, then he is authorized and directed to call at par, plus premium of 2 per cent and accrued interest, such bonds, determined by drawing of bond numbers from among the largest denominations outstanding, as will make up the $1,000,000 purchase. These bonds thus purchased out of the sinking fund accumulation shall be retained in the United States Treasury, being stamped by the United States Treasurer "Nonnegotiable," but "kept alive," in order that the United States Government may receive for the sinking fund the benefit of the interest payments on the bonds thus purchased.

That on the 1st day of February of each year the Treasurer of the United States shall pay to the custodian of the public funds of each State, from any funds in the Treasury not otherwise appropriated, an amount of money equal to 2 per cent of the amount of State bonds said State has deposited with the Treasurer of the United States under the provisions of this act. The money so paid shall be expended by said State only in the maintenance of public highways. The Treasurer of the United States shall withhold the payment of money to any State under the provisions of this section in the event that such State default in payment of any interest or principal due, or in the event that the United States Highway Commission herein created shall certify to said United States Treasurer that money theretofore paid to said State for maintenance purposes has not been expended with reasonable effectiveness for the maintenance of public highways or that the State has failed to expend an equal amount of its own funds during the preceding 12 months for the same purpose.

That there is hereby created a United States Highway Commission, to be composed of the chairman of the Senate Committee on Post Offices and Post Roads, the chairman of the House Committee on Roads, and

the Director of the Office of Public Roads. Such commission shall have only an advisory voice in the expenditure of the United States highway fund in the several States. It shall have its head office in the District of Columbia, but may create highway divisions, never exceeding in number one for each State, and may maintain a division office in charge of a United States highway engineer in each division. Said commission shall have power to employ such clerical and expert assistance as may be provided for by appropriations made by Congress from time to time, and may require the assistance and cooperation of the officers and employees of any department in its work.

That for the further aid and encouragement of highway improvement in the several States, the United States Highway Commission shall maintain in the District of Columbia a school for special instruction in practical highway and bridge engineering, the entrance requirements of which school shall include completion of preparatory courses in civil engineering and such other studies as the commission shall specify qualifying the student to enter upon the special study of the practical problems of highway and bridge engineering. The rules, regulations, and curriculum of said school shall provide for instruction for two years for one student from each congressional district, selected by competitive examination, but if there be no qualified applicant for admission from any congressional district such vacancy may be filled by the admission of a student from some other congressional district in the same State. Upon the admission of a student to the school of highway engineering such student shall be paid, as traveling expenses, 4 cents for each mile of distance necessarily traveled in going from his home to Washington, D. C., and at the end of each calendar month thereafter during the continuance of such student in said school he shall be paid $50 to cover living and incidental expenses. The United States Highway Commission shall make rules and regulations for the management of said school and shall have entire control of same, subject only to the Constitution and laws of the United States. In connection with said school said commission shall maintain a testing laboratory in which said commission shall cause tests to be made of road or bridge building material free of charge at the request of the duly authorized highways officials of any State.

That for the purpose of carrying out the provisions of this act there is hereby appropriated, out of any money in the United States Treasury not otherwise appropriated, the following amounts, or so much thereof as may be necessary:

For the payment of salaries of clerical and expert assistance for the United States Highway Commission, $10,000.

Mr. SMOOT. Mr. President, in May, 1916, when the first appropriation was made, similar to the one that is now proposed, for road building in the United States, I offered this substitute; but it was not agreed to by the Senate, and in offering it at that time I had no hope of its being accepted. I was told then that the appropriation proposed of $75,000,000 was an emergency matter; that it ought to be appropriated for the building of roads at once, although it extended over the period of five years, dividing, I may say, the $75,000,000 into five payments, to be expended under the act of April 16, 1916. I said at that time:

Mr. President, we are about to enter upon a policy of road building in the United States in which the Government of the United States is asked to participate. It is my belief that whenever that policy is entered upon by the Government the very best plan that can be devised by mortal man ought to be put in force at the beginning; and it is for that reason that I have submitted the amendment as a substitute for the committee amendment.

I also stated:

I do not want to take any credit whatever for the preparation or the working out of this great plan of road building. It is not due me; but in passing I want to say that above all and foremost in the drafting of this legislation stands the ex-Senator from Oregon, Jonathan Bourne, jr.

* * * * * * *

The act creating the Joint Committee on Federal Aid in the Construction of Post Roads became effective August 24, 1912, and a joint committee of five Members of the House and five Members of the Senate was appointed, consisting of the following: From the Senate, Jonathan Bourne, jr., chairman, Senators PENROSE, GRONNA, SWANSON, and OVERMAN. Appointed by the Speaker of the House were the following: Congressman SHACKLEFORD as vice chairman of the joint committee, with Congressmen LEE, McGillicuddy, MADDEN, and AUSTIN.

Shortly after organization the work began, and for 21 months they continued their labors before submitting their report to Congress. The data that were collected were presented in 17 chapters. I do not care how long the question of good roads may be before the people for consideration, the information collected, tabulated, and printed by this committee can always be referred to as the very best that it was possible to obtain in the world up to that time.

Now, Mr. President, I am fully aware that the building of good roads in the United States is one of the great and popular questions of the day. I am fully aware that the roads in the United States, taken as a whole, are not what they should be, and that in the near future there will be perhaps billions of dollars spent for the building and maintenance of good roads in this country. I might add that it is absolutely necessary, not only for the convenience of the traveling public, but for the convenience of the farmer to transmit his products to market, and, as a whole, I agree that the building of good roads is an investment on the part of the State and, where great highways are built, on the part of the Government. This substitute bill simply means, in substance, that the States will build the roads within the States, under State control, under State direction, and the work is to be paid for by the States through the Government of the United States lending its credit to the different States of the Union.

The substitute bill authorizes the Secretary of the Treasury to sell a billion dollars' worth of Government bonds, drawing 3 per cent per annum; and it provides that the States, after the sum due them under the provisions of the bill is ascertained, can have each year one-fifth of the amount. The States issue their own bonds. They can make application for the amount of the bonds deposited with the Treasury, provided the amount is within the amount allotted to them, the bonds to bear 4 per cent interest. The 1 per cent difference in rate of interest for the term of 50 years, with interest compounded as provided in the substitute, at the end of that time will pay the bonds in full and whatever expenditures provided for in the substitute. The debt amortizes itself in that time. The States simply pay interest at 4 per cent on the money they receive from the Government of the United States to build their own roads through the credit of the Government of the United States, and the difference between the interest rate for which the Government can sell its obligations and that which a State pays the Government—namely, 1 per cent—in 50 years pays off the obligation as originally made by the States.

No one can doubt this. It is as simple a business proposition as was ever presented to Congress. If there were any doubt about it, Mr. President, I would not be asking the Congress of the United States to authorize the issuing of these bonds; but I know that if the Secretary of the Treasury follows the directions of the bill—and he can not do otherwise—and places three-fourths of 1 per cent of the difference in the rate of interest in the Treasury of the United States, and, whenever there is a million dollars placed there from interest upon the bond, obligations of the Government must be purchased with that three-fourths of 1 per cent; the interest is compounded, and at the end of 50 years the Government will have enough money in the Treasury of the United States to pay the billion dollars of bonds.

Some may say that while we are placing bonds by the billions upon the market to-day, perhaps it would be impossible to place these 3 per cent bonds. These bonds are nontaxable bonds, and I have little doubt but that they can sell $200,000,000 of them each year for five years, and that is all that could be sold under the bill. I do not believe, of course, that all the States will take every dollar allotted to them, and therefore not as much as $200,000,000 of the bonds of the Government would have to be sold yearly. The amount would be whatever the States decided they wanted to spend upon the roads within the States, but it could amount to as much as $200,000,000.

No one, then, could say that the Government of the United States was taking from the taxes of the people money to build roads in the States upon some kind of a plan, and, as has been charged here, an unfair and discriminatory plan at that. Under existing law, I will say, there is more or less justification in saying that the distribution of the money is not fair and nondiscriminatory between States; but under the plan of my substitute I can not believe that anyone can think for one moment that it is unfair, for the allotment is based upon the total land area of the States and——

Mr. VARDAMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Mississippi?

Mr. SMOOT. I do.

Mr. VARDAMAN. The plan which the Senator is proposing is the one which was proposed here two or three years ago, in substance what is known as the Bourne amendment, is it not?

Mr. SMOOT. That is what I have stated. I do not know whether the Senator was in the Chamber at the time or not.

Mr. VARDAMAN. I was not present. I am perfectly familiar with that system, and I think it is a very admirable one, and I voted for it before.

Mr. SMOOT. Mr. President, if I could only get Senators to take the time to study this plan, as some of the Senators have done, I do not believe there is a Senator who would give it attention and studied it carefully but that would admit that it is the best system that has ever been offered for the building of roads in our country.

Now, as to the allotment, it is based upon four qualifications—not three, as the present law provides, but four: First, the total land area of the State. Second, the population according to the last Federal census. Third, the total assessed valuation of all taxable property within the State. Fourth, the total mileage of public highways in each of the several States.

Mr. President, the Senator from Delaware [Mr. WOLCOTT] offered an amendment to the pending bill adding a fourth requirement, and, instead of the total assessed value of all taxable property, he provided that it should be the amount of internal-revenue taxes paid by the State. I am not going to discuss that question now, because I think the Senator from Minnesota [Mr. KELLOGG] the other day plainly showed how very unfair that would be to many of the Middle West States and the Western States, particularly, for he pointed out that the great corporations of this country, like the United States

Steel Corporation and the Standard Oil Co., have their headquarters in the city of New York and are taxed by that State, whereas the property that produces the money is lying in other States of the Union. My provision here says that it shall be based upon the total assessed valuation of all taxable property.

Mr. WOLCOTT. Mr. President, will the Senator yield for a question?

Mr. SMOOT. I yield to the Senator from Delaware.

Mr. WOLCOTT. Will the Senator's amendment embrace personal property in the phrase "taxable property"?

Mr. SMOOT. It will. It will embrace the total assessed valuation of all taxable property; and wherever there is a State that imposes a tax on personal property, it will, of course, include that.

Mr. WOLCOTT. I should like to make this criticism of the Senator's plan; namely, that in many States personal property is not assessed, and in other States where it is assessed it is assessed very inadequately, only such things as jewelry, silver plate, and so forth, being assessed; so that taxable property as it is "get-at-able," so to speak, would be only real estate; which would be unjust to those States which have great personal assets.

Mr. SMOOT. Mr. President, most of the States of the Union now assess personal property. I agree with the Senator that there is a discrimination between the rates of taxation on personal property in some of the States of the Union; but, of course, this applies to just what taxes are imposed by the State, and if a State has not assessed its property, then, under this plan, it could not complain of not receiving the proper apportionment, based upon the taxable property of the State.

I see that the hour of 3.30 has arrived.

The VICE PRESIDENT. You have two minutes yet by the clock in front of the Chair. Then you have 10 minutes after that to speak on the amendments.

Mr. SMOOT. I was looking at the clock in front of me.

Another splendid thing in this provision is that it provides a fund for the maintenance of the roads. There is not a Senator, there is not a person in the United States who does not know that among the greatest mistakes and the most expensive comes from the fact that the roads after they are constructed are not maintained and repaired as they should be. If any State which builds good roads—I do not care what they may cost, whether it be $10,000 a mile or $20,000 a mile—allows the roads to deteriorate and no work to be done upon them for years, is adopting a policy which means great expense to the taxpayers in the end. This substitute provides that 2 per cent upon the value of the bonds that are deposited by the State with the Secretary of the Treasury shall be used for the repair and maintenance of these roads. If it is not used for that purpose, Mr. President, then the National Highway Commission says to the State officials, "This money shall not be paid to the States, and hereafter, unless it is expended as provided by law, no assistance shall go to the States."

I know some of the Western States that have expended upon their roads by piecemeal, by building dirt roads, by hauling in cobblestones one year and removing them the next, have roads to-day that are no better than they were 10 years ago. Such sums have made the roads cost the State nearly as much as if they had built in the first place good concrete and hard-surfaced roads.

What I want to do, Mr. President, is to point out a system that will apply to all parts of the United States, show the people of the United States what best to do in road building, how to do it, and if they have no one within the States who is familiar with road building now in vogue in the United States my substitute provides there shall be a school to educate inexperienced men how to construct modern roads and with no ultimate expense to the Government, as the one-fourth of 1 per cent provided for will take care of this item and every other expense provided in the substitute.

Mr. CUMMINS. Mr. President, I desire to ask the Senator if there is not another very valuable provision in his substitute with regard to maintenance of the roads. Usually I think by all competent engineers it is estimated that it requires annually about 4 per cent of the original cost to keep roads in good condition. This substitute provides that not only shall future help be withheld if the State does not expend the 2 per cent paid from the Treasury of the United States, but it shall be withheld if the State does not expend a similar amount in maintenance in order to always enjoy a good condition of the road that has been improved.

Mr. SMOOT. I thank the Senator for reminding me that I had not called the attention of the Senate to that fact. I recognized that I only had a few moments' time to cover this great question. What the Senator has said in relation to compelling the States to raise a similar amount for maintenance of those roads is absolutely correct. I believe myself it is one of the splendid provisions in the substitute.

Mr. CUMMINS. I should like to ask one further question. Before Senator Bourne, whose plan this is, or at least conceived this plan, made his report as a member of the Committee on Post Offices and Post Roads, is it not true that he called to his aid a committee of his associates in the Senate who contributed what they could toward the perfection of his plan, and is not this a plan which received at the time the approval and concurrence of substantially all Senators, at least, upon this side of this Chamber?

Mr. SWANSON. I was on that commission.

Mr. SMOOT. The Senator is not speaking of the commission now. He is speaking of the fact, and it is a fact, that ex-Senator Bourne called 15 or 20 Senators together for the purpose of discussing this plan which he originated, as I have already stated, and we spent not one evening only but for weeks this question was discussed and all the wisdom of the Senators who gathered together, not all upon this side of the Chamber, was given in the formation and wording of this plan of road building.

Not only that, Mr. President, but Senator BOURNE spent weeks and months, and I am perfectly frank in saying nearly years, in consulting all classes of men in the United States in regard to it. He met in New York and Chicago and other great cities with the financiers of this Nation. He consulted them. He secured their approval. He consulted the best engineers in the United States, held meeting after meeting with them, and the plan met with their approval. I know, also, Mr. President, that he was assured by the banking interests of this country that the bonds issued for this purpose would find a ready market in the United States, and I have no doubt that they will in the near future.

Why not let the Government of the United States issue its credit to the States of this Union and let the States only pay the 4 per cent interest upon the money which they want to expend upon roads, and at the end of 50 years the obligation of the State is paid in full? The States would build the roads under this provision, and not only that but pay for the roads in the way provided.

Mr. SWANSON. Will the Senator from Utah permit me to interrupt him a moment?

Mr. SMOOT. Yes.

Mr. SWANSON. The Senator has discussed the maintenance of roads. The wisest provision in the existing law is section 7 of the law which requires maintenance by the States. I should like to read it.

Mr. SMOOT. I hope the Senator will not do so, because I have only two minutes left.

Mr. SWANSON. It shows that these roads must be maintained by the States, or else they do not get another cent of money from the Federal Government.

Mr. SMOOT. Under the substitute which I have offered, it not only means that the Government provides 2 per cent, but the Senator must admit that all engineers agree that 4 per cent of the amount originally expended on roads ought to be expended on the maintenance and repair of the roads every year, and my substitute provides that in addition the State must provide 2 per cent additional. The best engineers of the United States have decided that the amount should be spent upon public roads, and under my substitute it must be spent, or no further assistance from the Government will be given.

If there were anything, Mr. President, in this proposition that any ordinary business man or any man in the United States could not understand, I would not be here asking support for it. But its very simplicity should appeal to Senators, showing that it is not a fad of some kind and can not work out. I say that it will work out. I say that if it is not adopted today, it will be adopted in the future just as surely as the people of the United States learn of the plan, and that is what they are going to do.

The VICE PRESIDENT. Unless the Senator from Utah wishes to proceed on the bill itself, his time has expired on this amendment.

Mr. SMOOT. My 10 minutes on the amendment have expired, and the only thing I could do now would be to take 10 minutes on the bill. I would prefer to reserve that at this time, and I will therefore yield the floor.

The VICE PRESIDENT. The Chair believes it the proper course to proceed with amendments while they are pending and with the bill after the amendments are disposed of. Otherwise it would be difficult to keep a record.

Mr. KELLOGG. Mr. President, speaking on the amendment of the Senator from Utah [Mr. SMOOT], I have examined it with care. I think it is a meritorious plan, and if it were an

original question, if it were 1916 and his plan was to be put in force, I would be inclined to vote for it. But I see some difficulties in the way of putting it in force now with another plan already in force which was adopted in 1916 and where the appropriations run until 1921.

I am not very familiar with the machinery, but I understand all the States have adopted this plan and are putting it in force. To adopt the Senator's plan now would require the States to provide for a new issue and a different issue of bonds. A number of legislatures have made provision so that they can take advantage of a larger appropriation than the one of 1916, but they have not made provision for issuing their bonds under the plan proposed by the Senator from Utah. I get what information I have from the road branch of the Government, which has had this matter in charge.

There is one other suggestion I should like to make. At that time undoubtedly the Federal Government could borrow money much more cheaply than the States. I doubt if the Federal Government can borrow money any cheaper to-day than the States can. State bonds are absolutely exempt from Federal taxation and exempt from State taxation.

Mr. SMOOT. Will the Senator yield?

Mr. KELLOGG. Yes; I yield.

Mr. SMOOT. It is true that the interest on the liberty bonds may be taxed, but the other bonds are tax free. It is proposed here that these bonds shall be tax free, and I have no doubt they will sell at 3 per cent.

Mr. KELLOGG. I have very grave doubts, with the demand for money that the Government is going to have in the next two years, whether the Federal Government can sell these bonds at 3 per cent or sell them any cheaper than the States could sell their bonds. I know many States have issued their bonds free from taxation, free from Federal taxation, and they can be sold to-day just as cheaply if not cheaper than the Federal Government can sell its bonds. My State can sell bonds more cheaply.

The main objection that I see is in having two systems here, one of which has already been laid out and an appropriation made to carry it out and many of the States having made all arrangements to carry it out. The legislatures in many of the States will expire in a very few days and many of them have already expired. While I do believe the plan has many merits, yet I should hesitate to substitute it for the plan of the committee at this time.

Mr. SWANSON. Mr. President, in addition to what the Senator from Minnesota [Mr. KELLOGG] has said, I wish to state that I was a member of the joint commission of the House of Representatives and Senate which investigated this road question. Federal bonds can be sold much better or cheaper than State bonds. The fact is, a large majority of the States have a constitutional prohibition against issuing State bonds, and that plan would not be available until the State constitutions could be changed in the majority of the States. If I mistake not, there is a good majority of the States that have that prohibition in their State constitutions. Consequently, some of the States could not change their constitutions for three or four years, and this plan would not be available at all until their constitutions were changed so that the bonds could be obtained. My State could not do it; Florida could not do it. I think Minnesota has such a prohibition. The report of the Bourne Commission will show the States that made it absolutely prohibitory. Consequently our commission looked into that phase of it, and the present law, I think, was practically unanimously reported by the Committee on Post Offices and Post Roads, but certainly by a large majority after they looked into it.

As to road improvement, there can not be any way under this law for the maintenance of roads, and a better method could not be provided or found anywhere than in section 7 of the present law. I wish to show how carefully the law was drawn. It has worked well and the results have been very satisfactory. Section 7 of the present law reads as follows:

> SEC. 7. To maintain the roads constructed under the provisions of this act shall be the duty of the States or their civil subdivisions, according to the laws of the several States. If at any time the Secretary of Agriculture shall find that any road in any State constructed under the provisions of this act is not being properly maintained, he shall give notice of such fact to the highway department of such State, and if within four months from the receipt of said notice said road has not been put in a proper condition of maintenance, then the Secretary of Agriculture shall thereafter refuse to approve any project for road construction in said State or the civil subdivision thereof, as the fact may be, whose duty it is to maintain said road, until it has been put in a condition of proper maintenance.

I was a member of the Post Office Committee which reported the bill, and, as I remember, it was discussed here for several weeks. All amendments deemed necessary were offered and every safeguard given. The only dispute at the time was as to the amount of money the Federal Government should give for road construction. It seems to me, with this provision, we could not have a better law for the maintenance of the roads.

Mr. BANKHEAD. Is the substitute amendment offered by the Senator from Utah now pending?

The VICE PRESIDENT. It is.

Mr. BANKHEAD. If the substitute offered by the Senator from Utah is adopted, every Senator here, of course, knows that that means no legislation during the present session on this subject. I do not think I am unfair to the Senator when I say that that is his purpose.

Mr. SMOOT. I will say to the Senator that he is unfair when he makes that statement.

Mr. BANKHEAD. Then I will withdraw the statement.

I want to say this, further, and then I am through and ready to vote on this question. I repeat what I said. It means that there will be no legislation on this subject; but if there were, the measure is utterly impracticable. The Senator from Utah proposes to create a commission to put into operation its provisions and to superintend the spending of the billion dollars, or whatever the amount, as the case may be. Who comprise that commission? The chairman of the Post Office Committee of the Senate, the chairman of the Post Office Committe of the House, and one member to be selected from the Roads Administration.

Mr. President, if there were a greater political job than that ever put up, I do not know where to find it. The Senator puts in these chairmen, who are natural politicians and must be such, to administer this great project of road building. I will not be the chairman at that time, I know, but I do not hesitate to say that every Member of the Senate knows I have no capacity whatever for the administration of such a law as the Senator proposes. Besides, it would take the entire time of the chairmen of those committees. They could not possibly devote one moment of their time to any other business if they were going to administer such a law. I sincerely hope the amendment will not be adopted.

Mr. CUMMINS. Mr. President, it had not been my intention to say anything in regard to this amendment, but the last suggestion of the Senator from Alabama [Mr. BANKHEAD] I think needs some refutation. There could be possibly no political influences surrounding the commission which is provided for in this substitute. It has no discretion whatever. It is simply an administrative body to convey the money that is raised from the Federal Government to the States. The States determine, and the States alone determine, what roads shall be improved. They are improved entirely under the direction and supervision of the States and with the discretion or judgment of the States in that respect, with which the commission proposed has nothing whatever to do. I can hardly think, therefore, that it is vulnerable to the objection just made by the Senator from Alabama.

The objection made by the Senator from Virginia [Mr. SWANSON] is of a different kind. He says that in order that the States may avail themselves of the aid of the United States and issue their bonds in corresponding amounts, it would be necessary to amend some of the constitutions of the States. That is true. I think he is wrong, however, with regard to the proportion of constitutions that would necessarily have to be amended in order to accomplish that result. But that is neither here nor there. It is true that some constitutions must be amended in order to authorize the States to issue the obligations that are provided for in this amendment; but if this is the right way to deal with the subject, if there are safeguards in this plan that are not in other plans, if it will prevent a reckless and extravagant and wasteful expenditure of the public money, we ought to adopt the plan even though it will require a little time to put it into execution.

Mr. HARDWICK. Mr. President, I wish to suggest to the Senator from Iowa that he is correct in his statement that it is not a majority of the States whose constitutions would have to be amended. The number is 13, I believe.

Mr. CUMMINS. It is my recollection that a minority of the States would require an amendment to their constitutions. My own State is one of the number. We would not be able to avail ourselves of this privilege until we had amended our constitution and authorized the issuance of bonds.

The Senator from Minnesota [Mr. KELLOGG] objects to it, because it would interrupt the present plan. That is true, but why not interrupt the present plan if the present plan is wrong? All realize that this appropriation is simply an enlargement of the plan adopted a year or two ago, but those of us who believe that the Federal Government ought not to expend money in an improvement of the general roads of the country found in this plan a method of assisting the States quite as effective as the plan now in the law, and found in the plan a safeguard against

these constant inroads upon the Public Treasury. If we appropriate $275,000,000 this year, we will appropriate $500,000,000 next year, and we will gradually by progression along that line, Mr. President, bankrupt the Treasury of the United States.

Mr. SWANSON. Mr. President——

Mr. CUMMINS. I will yield in just a moment.

In my own State, if we were to improve all our roads at $10,000 a mile, it would cost us more than a billion dollars to do it, but I suppose the public of my State expect eventually that the Congress of the United States will appropriate a billion dollars for the improvement of the highways in Iowa. Much as I would like to see the highways in my own State permanently and effectually improved, I am not willing and never have been willing to enter upon a policy which would call for that expenditure from the Treasury of the United States.

Mr. SWANSON. If the Senator will permit me, those of us who were on the commission, and also on the committee in the Senate, did not favor the proposition in the amendment now pending, but took the ground that the same influences that would increase this appropriation would ultimately result in cancellation of the bonds of the States, and that ultimately those bonds would be canceled and be returned to the States through the same influence. Consequently those who examined it thoroughly looked upon it with hesitancy and reached the conclusion that this would be more reckless, and that the Government would not have any supervision over the roads and their construction. We reached the conclusion that this would be the more reckless plan of the two.

Mr. CUMMINS. There is no accounting for a variety of opinion, I presume, for we all observe it in one way or another; but I can not see the weight of that suggestion.

The Senator from Minnesota [Mr. KELLOGG] says we could not place the bonds of the United States at 3 per cent. I do not know whether we could or not, but the spirit of this bill is that the credit of the United States is 1 per cent per annum better than the credit of the several States. Taking the States as a whole that is true, because there was a most exhaustive inquiry made by the committee to which the Senator from Utah [Mr. SMOOT] refers, and that was the result of the inquiry. Taking the general indebtedness of the States and the general power of the States to borrow money, and comparing that with the ordinary and customary rates of Government obligations, the outcome was that the Government credit was about 1 per cent better than the credit of the States. If we were compelled, on account of the times, to issue Government obligations that must bear 4 per cent, then it follows that the State obligation would necessarily bear 5 per cent, because you will discover whenever you make that inquiry that the credit of the United States is a little better than the credit of any State.

Moreover, Mr. President, the immediate situation is not a good guide for us, on account of the variation in the laws respecting immunity from taxation. If we will put the obligations of the States upon exactly the same footing as to exemption from taxation that we put obligations of the Government, my observation will be found to be still true. There will be that difference. This plan enables us to help the States just as effectually as the plan of the committee, and without the expenditure of a penny from the Treasury of the United States, simply by utilizing the higher and better credit of the United States.

The VICE PRESIDENT. The Senator's time has expired.

Mr. BANKHEAD. Before the Senator sits down I should like to ask him one question.

The VICE PRESIDENT. The Senator's time has expired.

Mr. BANKHEAD. How long does the Senator think it would be before the construction of roads could be begun under the provisions of this amendment?

Mr. CUMMINS. It would be long.

The VICE PRESIDENT. The time of the Senator from Iowa [Mr. CUMMINS] has expired, and the Senator from Alabama [Mr. BANKHEAD] has once spoken on this amendment.

Mr. WEEKS. Mr. President, the so-called Bourne plan, which is justly named for former Senator Bourne, was a very ingenious and wise disposition of these questions, in my judgment, and I have never heard any sound objection to it; but I must dissent from what the Senator from Iowa [Mr. CUMMINS] has just said about credit.

The very essence of the Bourne plan was that the credit of the General Government was 1 per cent better than the credit of the States. Undoubtedly that was true at that time, for a thorough examination was made of that question; but it is very far from being true to-day. I am not sure about the rates at which the bonds of States in the newer sections of the Union are selling, but I know that some of the bonds of the States of the East are selling on rather a better basis than are United States bonds. The bonds of the State of New Hampshire, for example, are selling at only a little lower percentage basis than are Government bonds. Certainly New Hampshire is not a rich State, which would have unusual credit.

I think the same is true of the State of Rhode Island. I have noticed the quotations of Rhode Island bonds recently, and I think it will be found that, taking the country by and large, this very essential qualification to carry out this plan would not be found sound, for I am confident that a large percentage of the States of the Union could finance themselves as well to-day as could the General Government. That has been true to a greater or less extent for years.

Senators may remember that last year we appropriated some eight hundred odd thousand dollars to reimburse the State of Massachusetts for money which was expended for the benefit of the General Government during the Civil War, and expended for the General Government because the State of Massachusetts could sell its bonds at a lower rate of interest than could the General Government. It has been generally true that the credit of the Commonwealth, which I in part represent, has been practically as good as that of the Government, and would have been quite as good if it had not been for the provision that United States bonds should be used as a basis for circulation.

The PRESIDING OFFICER (Mr. FLETCHER in the chair). The question is on the amendment offered by the Senator from Utah [Mr. SMOOT] to the amendment of the committee.

Mr. SMOOT. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. MARTIN], who is absent. I therefore withhold my vote.

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). I desire to announce the absence of my colleague [Mr. SMITH of Michigan] on account of sickness. He is paired with the senior Senator from Missouri [Mr. REED]. I wish this announcement to stand for the day.

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER]. In his absence I withhold my vote.

The roll call was concluded.

Mr. PENROSE (after having voted in the affirmative). I have a general pair with the senior Senator from Mississippi [Mr. WILLIAMS]. I note that he has not voted. I will transfer that pair to the junior Senator from New Jersey [Mr. BAIRD] and will let my vote stand. I also will let this announcement stand for the rest of the voting on this bill.

Mr. OVERMAN (after having voted in the negative). I should like to inquire if the senior Senator from Wyoming [Mr. WARREN] has voted?

The PRESIDING OFFICER. He has not.

Mr. OVERMAN. I have a general pair with that Senator. I transfer that pair to the Senator from Nebraska [Mr. HITCHCOCK] and will let my vote stand.

Mr. NEW. I have a general pair with the senior Senator from Delaware [Mr. SAULSBURY], but I am at liberty to vote on this amendment and on other amendments to the bill. I therefore vote. I vote "nay."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from New York [Mr. CALDER] with the Senator from Rhode Island [Mr. GERRY];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK]; and

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN].

Mr. KNOX. May I inquire if the senior Senator from Oregon [Mr. CHAMBERLAIN] has voted?

The PRESIDING OFFICER. He has not.

Mr. KNOX. Then I withhold my vote, having a pair with that Senator.

The result was announced—yeas 18, nays 46, as follows:

YEAS—18.

Borah	Harding	Page	Spencer
Cummins	Johnson, Cal.	Penrose	Wadsworth
France	Kenyon	Poindexter	Weeks
Frelinghuysen	Lodge	Sherman	
Gronna	New	Smoot	

NAYS—46.

Ashurst	Jones, N. Mex.	Nugent	Sterling
Bankhead	Jones, Wash.	Overman	Sutherland
Beckham	Kellogg	Pittman	Swanson
Colt	Kirby	Pollock	Thompson
Curtis	La Follette	Pomerene	Townsend
Fernald	Lewis	Ransdell	Trammell
Fletcher	McKellar	Shafroth	Underwood
Gay	McLean	Sheppard	Vardaman
Hale	McNary	Simmons	Walsh
Hardwick	Martin, Va.	Smith, Ariz.	Watson
Henderson	Myers	Smith, Ga.	
Johnson, S. Dak.	Nelson	Smith, S. C.	

NOT VOTING—32.

Baird	Goff	McCumber	Saulsbury
Brandegee	Gore	Martin, Ky.	Shields
Calder	Hitchcock	Moses	Smith, Md.
Chamberlain	Hollis	Norris	Smith, Mich.
Culberson	Kendrick	Owen	Thomas
Dillingham	King	Phelan	Warren
Fall	Knox	Reed	Williams
Gerry	Lenroot	Robinson	Wolcott

So Mr. SMOOT's amendment to the committee amendment was rejected.

Mr. FRELINGHUYSEN. I offer the amendment which I send to the desk, and move its adoption.

The PRESIDING OFFICER. The amendment proposed by the Senator from New Jersey will be stated.

The SECRETARY. At the end of the committee amendment inserting section 6 it is proposed to insert the following:

Provided further, That when any officer or enlisted man in the Army, the Navy, or the Marine Corps of the United States shall be or shall have been detailed for labor in the building of roads or in other highway construction or repair work which is or was not exclusively necessary to subserve military purposes, the pay of such officers or enlisted men shall be equalized to conform to the compensation paid to civilian employees in the same or like employment; and the sum due to each such officers or enlisted man, as herein provided, shall be computed by the Secretary of Agriculture and paid out of the appropriation herein made and deducted from the allotment made to the State wherein such employment was had and such equalized compensation incurred.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from New Jersey.

Mr. BANKHEAD. Mr. President, it is clear to my mind that that amendment would be utterly impossible of execution, and I hope it will not be adopted.

Mr. GRONNA. Mr. President, I heard the amendment hurriedly read, and I do not know that I fully understand it. I think I am in favor of it, but I should like to have the mover of the amendment explain it.

Mr. FRELINGHUYSEN. Mr. President, I am very glad to explain the amendment. It simply provides that in the construction of these roads, paid for by Federal aid, if any enlisted men or officers of the United States Army are employed they shall receive the same wages that are paid civilian laborers on construction work; in other words, that the soldiers who are paid $30 a month shall not be compelled to work for $30 a month when civilians side by side with them are getting $3, $4, and $5 per day.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from New Jersey. [Putting the question.] The "noes" seem to have it.

Mr. FRELINGHUYSEN. I ask for the yeas and nays, Mr. President.

Mr. TRAMMELL. Mr. President, I should like to have the amendment again stated.

The PRESIDING OFFICER. The Secretary will again state the amendment, as requested by the Senator from Florida.

The Secretary again read the amendment of Mr. FRELINGHUYSEN.

Mr. TOWNSEND. Mr. President, I do not quite understand the object of this amendment, because I do not understand that there is any proposition to work soldiers now in the Army upon road construction. I do not know by what authority they can be assigned to the building in the States of roads and highways not required for military purposes. While, of course, I think everyone would be willing to equalize their pay, if it were possible, it looks to me as if it would simply add confusion to the bill when there is no possibility of such a thing ever happening under its provisions.

Mr. SWANSON. Mr. President, if the Senator will permit me, it seems to me that if this amendment prevails it would, by implication, carry authority to detail soldiers of the Army to work on these roads.

Mr. TOWNSEND. That is, if it is agreed to.

Mr. SWANSON. If it is agreed to, it seems to me the effect of it would be that soldiers could be detailed to work on the roads.

Mr. FRELINGHUYSEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from New Jersey?

Mr. TOWNSEND. I yield.

Mr. FRELINGHUYSEN. The amendment simply provides that if any of the soldiers of the Army are utilized in the construction of roads they shall receive the same rate of wages as civilians so employed. Men who enlisted in the Army to fight in France have been employed in building roads at almost every cantonment in the United States, and many of them on military roads leading to and from the cantonments. At this time men who are awaiting discharge from the United States Army and are anxious to go home are being worked on certain of these roads at $30 per month when the usual civilian pay is from $3 to $5 per day. The amendment simply provides that that practice shall not be continued.

Mr. TOWNSEND. Does the Senator from New Jersey state that soldiers in the Army are now being worked on anything but military roads in connection with the cantonments and other establishments of that kind?

Mr. FRELINGHUYSEN. I have in my office—received this morning—five letters from enlisted men complaining that they are kept at work on military roads. These roads lead to and from cantonments, but they will be utilized by the States as highways when the cantonments are abandoned. It is done everywhere.

Mr. KELLOGG. Mr. President, I should like to ask the Senator from New Jersey a question.

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Minnesota?

Mr. TOWNSEND. I yield.

Mr. KELLOGG. It is difficult to understand from the reading of the amendment exactly what it does provide. Does it mean that if hereafter, under this appropriation, the United States Army shall detail men for work on roads in a State they shall receive the same pay as civilian workers or does it mean that they shall be paid for their past work wherever they have performed such work on military roads?

Mr. FRELINGHUYSEN. It is not retroactive; it simply applies to the appropriation contained in the pending bill.

Mr. ASHURST. Mr. President——

Mr. FRELINGHUYSEN. On the amendment I ask for the yeas and nays.

The PRESIDING OFFICER. The Senator from Michigan has the floor. His time has not expired.

Mr. TOWNSEND. I yield the floor.

Mr. ASHURST. Mr. President, I simply rise to congratulate the distinguished Senator from New Jersey [Mr. FRELINGHUYSEN] for offering this amendment. It is very refreshing now to see him show solicitude for the soldier, and I congratulate him and the State he so well represents.

I recall that some two or three weeks ago, when we had up the bill providing for appropriating a hundred million dollars for some Europeans, who never understood and never will understand or comprehend our institutions, I tried to get an amendment attached to that bill to pay soldiers of the American Army two months' bonus, and my distinguished friend, the Senator from New Jersey, was active in opposition to that amendment. He was frank enough and manly enough, as is his attitude always, and courageous enough to come and tell me that he believed the amendment then offered to be political propaganda. He did not tell anybody else; he simply told me. I am going to tell him that I believe he is sincere in offering this amendment. I believe there is virtue in it, and the State that he represents and the Nation and its soldiers are to be congratulated that he, after some delay, has been converted to the idea that the private soldier has some rights in this country, and that if millions are to be "*dished out*" for the benefit of contractors, if millions are to be dished out for the benefit of Bolshevists, the American private soldier has a few rights. So, I congratulate the Senator from New Jersey upon his belated conversion.

Mr. FRELINGHUYSEN. Mr. President, in view of the fact that the Senator has revealed to the Senate a private conversation that I had with him, and in view of the fact that his remarks imply to some extent a criticism of me, I wish to explain to him why I was opposed to the amendment providing for two months' pay to every enlisted man in the Army. I did not believe that that was a practical solution of the problem. I believe that there are probably two million or two and a half million men who do not want charity of this kind, men who have plenty of means to take them back to their civil pursuits without that bonus being paid by the Government. I said to the Senator that I believed a better plan, if it could be provided, would be to send these men back to the draft boards, there demobilize them, and allow the draft boards to take care of their problems, such as the payment of their allotments, which have been so greatly delayed; the payment of dependency claims; the payment of back pay; and arranging for the transfer and conversion of their

life insurance, which at the present time, left to the department, is in a chaotic condition, and then provide, where the soldier is out of employment, that the draft board should pay $30 a month, to him or to his family, even for two, three, four, five, or six months—that they should find the men who really need the help and pay it in that manner.

Mr. ASHURST. Mr. President, if the Senator will yield to me for a minute?

Mr. THOMAS. Mr. President, I rise to a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Arizona has the floor.

Mr. THOMAS. I rise to a parliamentary inquiry. The unanimous-consent agreement provides that—

No Senator shall speak more than once or longer than 10 minutes upon the bill or more than once or longer than 10 minutes upon any amendment offered thereto.

The Senator from New Jersey has spoken twice and the Senator from Arizona once.

Mr. ASHURST. I desire to speak upon the bill now, Mr. President, and I have that right at this time.

The PRESIDING OFFICER. Not while the amendment is pending.

Mr. ASHURST. I desire to offer an amendment to the amendment, so as to provide that the soldiers who work upon the roads shall be paid 1 per cent more than the civilians, and upon that amendment I wish to speak.

I wish to assure the Senator from New Jersey that I would not be guilty of revealing private conversations with other Senators here; but I recalled his frank and manly statement, and I was not criticizing the Senator—I have no right to do that—for it was a manly thing for him frankly to tell me his views about the matter and I respect him for it.

I will say further that his proposal and his method of paying the soldiers a bonus was a more scientific and a more accurate one than the one I presented myself, and I am converted to his method. I am not speaking the language of criticism. He converted me to his view, that the money to be paid as a bonus ought to be paid through the local draft boards.

I have been converted to the Senator's method of paying the bonus. The Finance Committee, when it brings in the conference report on the revenue bill, is going to bring in a provision for a bonus of $60 to each soldier and each officer, and I am in favor of it. Will the Senator vote against the conference report because that provision is in it?

Mr. FRELINGHUYSEN. That is a question which at present I do not care to answer, because I have not seen the conference report. I do not know what it provides, but I will say to the Senator that I intend to introduce a bill embodying the provisions I have outlined to the Senator from Arizona.

Mr. ASHURST. That the soldiers shall be paid by the local draft boards?

Mr. FRELINGHUYSEN. If the soldiers can be still kept in commission, as I understand from Gen. Crowder that they can be.

Mr. ASHURST. The Senator will find me at least an active if not an effective supporter of his plan. That is all I have to say. I would not resort to the unparliamentary procedure, either privately or otherwise, of saying that the Senator's present amendment was offered for political effect, because that would be unparliamentary, however true. It is not true in this case, and I am going to vote for the Senator's amendment.

Mr. BANKHEAD. Mr. President, I hope the Senate will not lose sight of the fact that there is no authority in this bill at all to authorize the detail of soldiers or officers in the construction of the roads proposed to be constructed under its provisions. It simply provides that those men who have been discharged from the military service shall have the preference in employment. My judgment is that if such an amendment as this were adopted it would by implication authorize the Secretary of War to detail these men to work upon these roads, and that ought not to be done.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Arizona to the amendment offered by the Senator from New Jersey.

Mr. ASHURST. I withdraw my pro forma amendment.

The PRESIDING OFFICER. Then the question is on the amendment offered by the Senator from New Jersey to the amendment proposed by the committee.

Mr. FRELINGHUYSEN. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. MARTIN]. In the absence of that Senator I withhold my vote.

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER], who is absent. I therefore withhold my vote. If at liberty to vote, I should vote "nay."

The roll call was concluded.

Mr. MYERS. I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from New Hampshire [Mr. HOLLIS] and vote "nay."

Mr. THOMAS. I transfer my pair with the senior Senator from North Dakota [Mr. MCCUMBER] to the senior Senator from Nebraska [Mr. HITCHCOCK] and vote "nay."

Mr. CURTIS. I desire to announce the absence of the junior Senator from Nebraska [Mr. NORRIS]. I will let this announcement stand for the day.

Mr. MOSES. I transfer my pair with the junior Senator from Kentucky [Mr. MARTIN] to the junior Senator from Nebraska [Mr. NORRIS] and vote "yea."

Mr. MCKELLAR. I wish to announce the unavoidable absence of the Senator from Wyoming [Mr. KENDRICK] and the Senator from Oklahoma [Mr. GORE].

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from New York [Mr. CALDER] with the Senator from Rhode Island [Mr. GERRY];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED].

The roll call resulted—yeas 33, nays 33, as follows:

YEAS—33.

Ashurst	Hale	Lenroot	Shafroth
Borah	Harding	Lodge	Sherman
Colt	Henderson	McNary	Spencer
Cummins	Johnson, Cal.	Moses	Sutherland
Curtis	Jones, Wash.	New	Watson
Fernald	Kellogg	Nugent	Wolcott
France	Kenyon	Page	
Frelinghuysen	Knox	Penrose	
Gronna	La Follette	Poindexter	

NAYS—33.

Bankhead	McKellar	Sheppard	Townsend
Beckham	Martin, Va.	Simmons	Trammell
Chamberlain	Myers	Smith, Ariz.	Underwood
Fletcher	Nelson	Smith, Ga.	Vardaman
Gay	Overman	Smith, S. C.	Walsh
Hardwick	Pittman	Sterling	Warren
Jones, N. Mex.	Pollock	Swanson	
Kirby	Pomerene	Thomas	
Lewis	Ransdell	Thompson	

NOT VOTING—30.

Baird	Gore	Martin, Ky.	Smith, Md.
Brandegee	Hitchcock	Norris	Smith, Mich.
Calder	Hollis	Owen	Smoot
Culberson	Johnson, S. Dak.	Phelan	Wadsworth
Dillingham	Kendrick	Reed	Weeks
Fall	King	Robinson	Williams
Gerry	McCumber	Saulsbury	
Goff	McLean	Shields	

The PRESIDING OFFICER. On the amendment offered by the Senator from New Jersey [Mr. FRELINGHUYSEN] to the amendment of the committee, the yeas are 33 and the nays are 33, so the amendment is rejected.

Mr. FRELINGHUYSEN. I reserve the right to offer the amendment in the Senate.

Mr. BORAH. Mr. President, on January 31 I gave notice of a motion to suspend the rules with reference to general legislation on a general appropriation bill in order to enable me to offer the amendment upon which I have submitted some remarks this morning, and I am now about to make that motion. Before I do so I desire to say that, in case the motion to suspend the rules prevails and I am permitted to offer the amendment which accompanied the notice, I shall ask leave to perfect the amendment by excluding from the repeal sections 2 and 3 of the first espionage act, so that it will repeal section 1 of the first act and section 4 of the second. Sections 2 and 3 are the sections to which the Senator from Pennsylvania [Mr. KNOX] referred this morning. I want to say, however, that when I shall perfect the amendment in this respect it will not represent what I think should be the amendment. I am aware, however, that there are Senators who feel that those sections ought not to be repealed. That is not my view; but I am willing, if I can get it, to take half a loaf instead of the entire loaf.

Mr. President, I move at this time that the provisions of paragraph 3 of Senate Rule XVI, prohibiting an amendment proposing general legislation to any general appropriation bill, be, for the purpose of offering the amendment to which I have referred, suspended.

The PRESIDING OFFICER. The Chair will state to the Senator that the question of agreeing to section 6 as amended

is before the Senate, so that this motion will not be in order now. We must first dispose of section 6.

Mr. BORAH. Very well.

The PRESIDING OFFICER. The question is on agreeing to section 6 as amended.

Mr. THOMAS. I call for the yeas and nays.

The PRESIDING OFFICER. The Senator from Colorado calls for the yeas and nays. Is the call sustained. [A pause.]

Mr. FRANCE. I would like to have the amendment stated.

Mr. THOMAS. Mr. President, I understand that the question now is upon section 6 as amended.

The PRESIDING OFFICER. That is correct.

Mr. THOMAS. That is the section which appropriates $200,000,000 for roads. I think those who advocate it should not shrink from going upon record. I think those who are opposed to it should have a chance to go upon record.

Mr. LODGE. Let us have the yeas and nays.

Mr. THOMAS. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MOSES (when his name was called). In the absence of the junior Senator from Kentucky [Mr. MARTIN], with whom I have a general pair, I withhold my vote.

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER], but I am at liberty to vote upon this question. I vote "nay."

Mr. GORE. I desire to announce that the Senator from Wyoming [Mr. KENDRICK] is detained on official business.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from New York [Mr. CALDER] with the Senator from Rhode Island [Mr. GERRY];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED].

The roll call having been concluded, the result was announced—yeas 51, nays 17, as follows:

YEAS—51.

Ashurst	Johnson, S. Dak.	Nugent	Spencer
Bankhead	Jones, N. Mex.	Overman	Sterling
Beckham	Jones, Wash.	Pittman	Sutherland
Chamberlain	Kellogg	Poindexter	Swanson
Colt	Kirby	Pollock	Thompson
Curtis	La Follette	Pomerene	Townsend
Fletcher	Lenroot	Ransdell	Trammell
Gay	Lewis	Shafroth	Underwood
Gore	McKellar	Sheppard	Vardaman
Gronna	McLean	Simmons	Walsh
Harding	McNary	Smith, Ariz.	Warren
Hardwick	Martin, Va.	Smith, Ga.	Watson
Henderson	Nelson	Smith, S. C.	

NAYS—17.

Cummins	Kenyon	Page	Weeks
Fernald	King	Penrose	Wolcott
France	Knox	Sherman	
Frelinghuysen	Lodge	Thomas	
Hale	New	Wadsworth	

NOT VOTING—28.

Baird	Gerry	Martin, Ky.	Robinson
Borah	Goff	Moses	Saulsbury
Brandegee	Hitchcock	Myers	Shields
Calder	Hollis	Norris	Smith, Md.
Culberson	Johnson, Cal.	Owen	Smith, Mich.
Dillingham	Kendrick	Phelan	Smoot
Fall	McCumber	Reed	Williams

So section 6 as amended was agreed to.

Mr. CHAMBERLAIN. Mr. President, I voted inadvertently on the amendment just preceding this one, offered, I think, by the Senator from New Jersey [Mr. FRELINGHUYSEN]. The vote was a tie. While I do not ask that the result be changed at this time, in view of the fact that a vote on it has been reserved in the Senate, I want to say now that I shall vote for that amendment. There is no reason in the world why these young men who are wearing the uniform of the United States, if put to public employment on roads and other work, should not receive the same pay as civilians. It is the same rule that was applied in the Northwest, where the young men in uniform were compelled to work in the production of spruce lumber; they were paid civilian wages, and did splendid work. Of course, there was deducted from their monthly pay the salaries that they received as soldiers, which was perfectly proper. So I shall change my vote when the matter comes up again.

Mr. STERLING. Mr. President, will the Senator from Oregon yield for a question? I should like to ask the Senator if soldiers in active service have ever been put to work on roads other than military roads? If soldiers are to do this kind of work at all—if there is any possibility of their being put into this kind of work—I shall——

The VICE PRESIDENT. The Chair must enforce the unanimous-consent agreement. We are talking on nothing.

Mr. STERLING. In view of the statement of the Senator from Oregon, I made the inquiry.

Mr. WEEKS. Mr. President, I call up the amendment I offered yesterday to the bill.

The SECRETARY. On page 14——

The VICE PRESIDENT. Under the agreement, the amendments to sections 7 and 8 must be first disposed of. The question now is on section 7.

Section 7 was agreed to.

Mr. TOWNSEND. Mr. President, a parliamentary inquiry. Upon what amendment did we just vote?

The VICE PRESIDENT. Section 7.

Mr. BANKHEAD. Mr. President, has section 7 been adopted?

The VICE PRESIDENT. Section 7 has just been agreed to.

Mr. BANKHEAD. I have an amendment that I should like to offer to it. I move to reconsider the vote whereby it was agreed to.

The motion to reconsider was agreed to.

The VICE PRESIDENT. Now, section 7 is pending; and the Senator from Alabama offers an amendment to it, which will be stated.

The SECRETARY. On page 37, in line 18, after the word "material," and on page 38, in line 2, after the word "material," it is proposed to insert a comma and the words "equipment and supplies."

The amendment to the amendment was agreed to.

The VICE PRESIDENT. The question is on agreeing to section 7 as amended.

Mr. FRANCE. I desire to offer an amendment to the section.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. At the end of section 7, it is proposed to add the following:

Provided, That none of the sums made available under section 6 shall be expended except on such roads as may be designated as part of a national highway system to be laid out by the engineers of the construction division of the United States Army or of the War Department.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Maryland to the amendment of the committee.

The amendment to the amendment was rejected.

The VICE PRESIDENT. The question is on agreeing to section 7 as amended.

Section 7 as amended was agreed to.

The VICE PRESIDENT. The question now is on the adoption of section 8.

Mr. THOMAS. Mr. President, section 8, as I recall, is the section which makes an additional appropriation of $3,000,000 for the building of roads in forest reserves. The Government now has a fund for that purpose; and I can conceive of no reason why we should add to it, except that we have $3,000,000 left in the Treasury not yet disposed of. I do not believe that that is necessary. It is a very trifling sum, but I hope it will be voted out of the bill.

Mr. SMITH of Arizona. Mr. President, if the Senator from Colorado knows as much about western conditions as I think he does, his criticism is hardly justified. Fifty-two per cent and more of the best land in my State is in reservations; and yet I find a Senator from the West opposing the Government, on its own property, building the roads which are absolutely essential to it, and which may possibly work some benefit to a section of the country that has already been overburdened with taxation from the General Government and is receiving no compensation whatever from it.

Of all the things in this bill, this is the one above all others which should appeal to the Congress of the United States.

Mr. WALSH. Mr. President, just a word.

This appropriation is made in the bill in recognition of the principle which found place in the original act. When that was under consideration, the matter was debated at length, and the equity of the States in which there were great national forests for an additional appropriation to take care of roads in those forests was completely thrashed out and was entirely vindicated. The appropriation is quite in keeping with the original appropriation, which, in addition to the $75,000,000 provided therein, provided an appropriation of $1,000,000 each year for 10 years for the construction of roads in the national forests.

These great areas contribute nothing whatever to the Public Treasury. They contribute nothing either to the National Treasury or to the State treasury. They contribute nothing for the building of roads. They contribute nothing for the support of schools. As they are kept out of the general body of property in the State from which the taxation must be drawn in pursuance of the policy of the National Government, at least the National Government ought to contribute something toward the construction of the necessary roads through these great areas.

Mr. KIRBY. Mr. President, I should like to ask the Senator a question. What do you want with a road in a forest reserve? There is nothing there but a forest.

Mr. WALSH. Mr. President, I shall be very glad to answer the question of the Senator.

In the first place, these great forests lie between densely populated and important agricultural and mining sections. There is no communication between these different sections except by roads through the forests. My county of Lewis and Clark, for the purpose of establishing communication facilities with the adjacent valley of the Deer Lodge, three years ago took upon itself the burden of a large expense for constructing a road through this national forest.

In the second place, these national forests are preserved because of the value of the timber in them. The timber is subject to being destroyed by enormous forest fires, and roads and trails are necessary through the forests in order that they may be protected from fire that is likely to destroy not only the forests themselves but property held by private owners in the immediate vicinity and adjacent to them; and there are many other considerations.

Mr. SHAFROTH. Mr. President, the section that is now under discussion is one that becomes vitally interesting to the States which contain forest reservations. There are millions and millions of acres in Colorado. We have 14,000,000 acres of land that have been withdrawn for forest purposes. These are practically Government lands, and it is necessary, in order to get access to the interior of them and also in approaching and leaving them, that there should be roads. Under our law none of this land can be the subject of taxation. Fourteen million acres of land have been withdrawn from taxation in the State of Colorado. Is it possible that we are to have no roads constructed there by reason of the fact that it is Government land? It seems to me the Government ought to be required to build roads in the interior. They can not ask the counties, but the counties are doing it to a certain extent, because it is necessary for them to get to the railroads.

Mr. President, it seems to me, in view of the fact that this is Government property and the State can not raise a dollar by taxation upon it, we ought to have a law at this time that will give at least some development, meager though it may be, of roads upon the public domain.

Mr. TRAMMELL. Mr. President, I desire to offer an amendment to the committee amendment.

The VICE PRESIDENT. It will be read.

The SECRETARY. Add at the end of the section the following proviso:

Provided, That no officer or soldier of the Army shall be detailed for work on the roads which come within the provisions of this section and other provisions of this act.

Mr. TRAMMELL. Mr. President, I voted against the amendment offered by the Senator from New Jersey not because I did not entertain the idea that if a soldier or an officer was detailed and assigned to this road work he should be paid the same compensation that was paid to civilians engaged in similar employment, because I am heartily in sympathy with the idea that if they should be so detailed they should draw similar compensation, but I am unalterably opposed to the idea that men who have been drafted into the Army or men who have enlisted in the Army should be detailed for other work than that contemplated upon their being called into the military service. Therefore it is my idea that we can best dispose of this question by adopting a specific provision prohibiting the detail of officers or soldiers for road work.

I can not contemplate or conceive the idea scarcely that the War Department and those having in charge our military affairs would so far violate the proprieties, would be guilty of such injustice to the officers and soldiers who have been called into the military service, as to assign them to do work of this nature and expect them to do it at the compensation they now receive. But as there seems to be some apprehension that some one may perchance be guilty of this injustice to our soldiers and our officers, I am willing to place a specific provision in the bill providing that officers and soldiers shall not be detailed for carrying on any of the work embraced within the appropriations here made. Therefore I have offered the amendment.

Mr. LODGE. Mr. President, the trouble with the amendment of the Senator from Florida [Mr. TRAMMELL] is that it does not meet the difficulty. The soldiers have been employed on what are nominally military roads, but which inure exclusively to the benefit of the States in which they are built. That is the way they get around it. I know it has been done in my own State. I know it has been done in Virginia, near Camp Humphreys. I am told that at one time they had as many as 40,000 men building a piece of road that is going to be a part of the main road to Richmond, and they call it a military road. You never will reach this difficulty until you pay the soldiers as the amendment of the Senator from New Jersey does.

Mr. TRAMMELL. I will be very glad to accept an amendment to the amendment offered by myself, providing that they shall not be detailed or assigned to roads contemplated under the provisions of the bill or any other class of roads.

Mr. LODGE. That does not meet it. The amendment of the Senator from New Jersey meets it, and I propose to support that amendment.

Mr. TRAMMELL. My idea is not to authorize the department and those having control over our soldiers to detail them for road work, and if you provide a compensation for them it indicates that it is the mind of the legislative branch of the Government that they shall have such authority. I am opposed to granting that authority.

Mr. BORAH. Mr. President, I voted for the amendment offered by the Senator from New Jersey because, certainly, if soldiers are to be assigned to work upon these roads which are either technically or in fact within the provisions of the bill, they should be paid the same as those who work beside them; but I am very anxious that no amendment shall be adopted which would seem to suggest to the War Department that they ought to continue to employ young men who have been conscripted for military purposes in the building of roads. There is no reason now to continue them in the building of military roads. That might have been true during the time the war was pending, but there is no longer any occasion for employment in that respect.

Whatever amendment is adopted, whether that of the Senator from New Jersey or the Senator from Florida, or both—and I shall support both—I hope we will not in the future have any information coming to the Senate that boys who have been conscripted are held for the purpose of building public roads, military or otherwise.

Mr. LODGE. Will the Senator allow me? I agree with him entirely, but the amendment of the Senator from Florida does not meet the difficulty. That is the trouble.

Mr. BORAH. The amendment of the Senator from Florida certainly expresses the view of the Senate, and we can adopt both.

Mr. LODGE. Ah! if we adopt both.

Mr. BORAH. This is not a substitute for the amendment of the Senator from New Jersey.

Mr. TRAMMELL. I ask the Senator from Massachusetts if my amendment does not remedy the situation so far as the appropriations provided in this bill are concerned?

Mr. LODGE. I am not interested in protecting the appropriations in this bill. That does not concern me. What I am interested in is to prevent soldiers from being used to do State work—and that is done under the cover of military roads.

Mr. BORAH. It ought to be distinctly understood that the Senate is in favor of demobilizing these men and that nothing should detain, retard, or embarrass that demobilization. We do not want them retained for the purpose of building roads or policing Russia or policing Turkey or any other place. They should be permitted to go home and take up the work which they left under the command of their Government.

Mr. LEWIS. Mr. President, I should like the attention of the Senator from New Jersey [Mr. FRELINGHUYSEN]. I call his attention to the proposed amendment. I invite his attention particularly to the fact that his amendment says no work that is not definitely or distinctively or exclusively military; no road building that is not exclusively military. I ask the Senator what system does his amendment suggest, as to how it shall be decided whether a particular road is a military work or otherwise? Does not the amendment of the Senator leave it open to 50 different commanders in 50 different parts of the country to render different kinds of decisions as to whether it is distinctively military or civil work? And, finally, does it not leave it solely and wholly to the commander of the men to be the sole and the only judge as to whether the work is military road work or road work for State uses? The Senator from Massachusetts used that expression.

Mr. FRELINGHUYSEN. Mr. President, it is quite true that the question as to what constitutes military roads and what does not constitute military roads might be open to many constructions, but in the building of the cantonments the roads within the cantonments were strictly military roads. Through special

orders from the War Department—I think it is the Quartermaster's Department that has control of that—certain roads were designated. Those are military roads, but in many cases the commander of the post has built other roads leading to and from the city adjacent to the cantonment and has utilized the labor of enlisted men. I have seen some of these roads. The men themselves have boasted of the fact that they built them during the stress of war, when it was necessary, in order to facilitate the traffic to the camp, that they should be built.

But now the criticism I get from the enlisted men is that the commanding officers, in order to keep the men employed, are building roads and highways that are not military roads and that will not be used for military roads, but will be used for the main line of traffic and travel in the States. There is bitter complaint from these men that they have become road gangs. What I want to do is to avoid that.

Mr. LEWIS. May I ask the Senator, then, the distinction he wishes to draw between those roads ordered by the War Department, military roads, and those roads which the commanders of camps assume to build on their own initiative?

Mr. FRELINGHUYSEN. I say there is great confusion regarding the two types of roads. I want to stop holding the men in camp to build roads for the community in which the camp may be located.

Mr. LEWIS. I agree with the Senator. I think every Senator in this Chamber agrees with the Senator.

Mr. FRELINGHUYSEN. These men want to go home and to go back to their old employment.

Mr. LEWIS. I am only anxious to have the Senator see the difficulty. Those who wish to vote with him would like an amendment, if he would prefer to present it himself, that specifically designates who shall determine what road is a military road from the kind of road he objects to, or an amendment that so defines the subject that by voting for it they do not vote against the military road ordered by the War Department in order to exempt the kind of road that may be ordered by a post commander within a State.

Mr. FRELINGHUYSEN. They do not need any soldier labor for military roads. The need for all military roads is over; but these men should be prohibited from performing any labor on any of the roads. If in the battalions or regiments that are held in camp any of the men voluntarily want to go out and work on the construction of these highways, I am providing, by changing and perfecting my amendment, that any soldier who volunteers to do that work will be allowed to do so under military command, and that he shall be paid the same wages that are paid for civilian labor.

Mr. LEWIS. Since the Senator has kindly suggested that he is what he calls perfecting his amendment, possibly when presented in a perfected state it will remedy some of the evils that I fancy would spring from it as originally it was offered.

Mr. FRELINGHUYSEN. The Senator, of course, can take advantage of my use of probably the wrong term. I simply tried to meet the objection of some Senators, who believe the amendment would be in better form if it were changed in that regard.

Mr. KELLOGG. Mr. President, I wish to invite the attention of the Senate to certain remarks made by the Senator from Idaho [Mr. BORAH] in his very able discussion of the espionage act. The Senator made the proposition to repeal sections 1, 2, and 3 of the act of 1917 and section 4 of the act of 1918. I think this is very important as bearing on the question whether we should repeal that at this time. I am as much in sympathy with the idea which the Senator put forth as anybody. I am as much in favor of the liberty of the press and the liberty of speech as any Senator in this Chamber. But, Mr. President, it seems to me these sections should be carefully revised at this time and should not be repealed until we know what we are doing.

Section 1 of the espionage act provides that—

> Whoever, for the purpose of obtaining information respecting the national defense with intent or reason to believe that the information to be obtained is to be used to the injury of the United States, or to the advantage of any foreign nation, goes upon—

And so forth, and obtains certain information. I have not the time to read it, but Senators will remember what it is. The same section provides that—

> Whoever, for the purpose aforesaid, and with like intent or reason to believe, copies, takes, makes, or obtains, or attempts, or induces, or aids another to copy, take, make, or obtain, any sketch, photograph, photographic negative, blue print, plan, map, model, instrument, appliance, document, writing, or note of anything connected with the national defense * * * or whoever, lawfully or unlawfully having possession of, access to, control over, or being intrusted with any document, writing—

Going on and designating the same instruments as before—

> willfully communicates or transmits or attempts to communicate or transmit the same to any person not entitled to receive it, or willfully retains the same and fails to deliver it on demand to the officer or employee of the United States entitled to receive it—

Shall be punished—

> *Provided*, That whoever shall violate the provisions of subsection (a) of this section in time of war shall be punished—

And that—

> Whoever, in time of war, with intent that the same shall be communicated to the enemy, shall collect, record, publish, or communicate, or attempt to elicit any information with respect to the movement, numbers, description, condition, or disposition of any of the armed forces, ships, aircraft, or war materials of the United States—

Shall be punished.

This is a thing that is necessary in war time to prevent anyone by communication of any kind sending information to the injury of this country to the enemy.

Section 1, which is sought to be repealed by the proposition of the Senator from Idaho, being section 1 of Title XII, provides that—

> Every letter, writing, circular, postal card, picture, print, engraving, photograph, newspaper, pamphlet, book, or other publication, matter, or thing of any kind in violation of any of the provisions of this act is hereby declared to be nonmailable matter.

What I say is that by the section which it is sought to repeal the material in writing which one gathers under section 1 of the espionage act is made nonmailable matter. It has to do with communication with the enemy; and, of course, after the material is sent the damage is done and this Government must, as it has done, supervise all communications of that kind and prevent them from being carried in the mail.

Of course I realize that the war is practically over and there might be no harm in communicating in violation of section 1, but we ought to think about it. The war is not legally over, and it may start again actually. I think we should carefully consider whether we should repeal section 1 of Title XII at this time.

I am quite sure that no Senator here would object if a bill were brought in to accomplish what the Senator from Idaho desires, taking away from the Postmaster General the arbitrary power which he has now under this act as to many communications; but until I have further time to examine this question and study it with care I would not wish to vote to repeal section 1 of Title XII of the act.

I have no doubt that the power has been abused; all such power is liable to be abused; and I would like to see a bill brought in here revising these provisions and protecting the public, because I do not think at this time arbitrary restrictions as to mailable matter which can do no harm in this country should continue. But I think we should consider carefully whether we are going to take away the provision which makes all these documents and this information nonmailable matter.

Mr. TOWNSEND. Do I understand the question before the Senate is on the amendment of the Senator from Florida [Mr. TRAMMELL]?

The VICE PRESIDENT. It is.

Mr. TOWNSEND. Mr. President, a few moments ago, when the amendment offered by the Senator from New Jersey [Mr. FRELINGHUYSEN] was before the Senate, it occurred to me that it was simply going to lead to confusion in legislation, for I had not heard up to that time that there had been even any attempt upon the part of officers to work their men on State roads. Of course I condemn that proposition as heartily as any man can, and I am willing to vote for any proposition to prevent it. It seems to me that the amendment offered by the Senator from Florida, if properly worded, strikes at the root of this evil. It prohibits, or at least that is its object, the working of our soldiers upon roads. While I voted against the proposition of the Senator from New Jersey, I did so, first, because, as I have said, I did not know that such had been the practice, and, secondly, it seems to me that the evil might still exist and the soldiers be worked upon the roads just the same if they were paid the wages of ordinary civilian labor; in other words, they would probably be under coercion anyway. I am opposed to that, and, therefore, I am quite in sympathy with what the Senator from Idaho [Mr. BORAH] has said. I am willing to have almost any amendment adopted which will correct this evil. It seems to me if we adopt the amendment of the Senator from Florida, if it is properly worded, we should cure the evil without any question about it whatever.

Mr. LENROOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Wisconsin?

Mr. TOWNSEND. I yield.

Mr. LENROOT. As I understood the amendment, it applies only to soldiers working upon roads covered by this appropriation.

Mr. TOWNSEND. I suppose that would be about all the authority we have to exercise, as to something pertaining to roads covered by this appropriation. That was what the Senator from New Jersey tried to correct by his amendment. I want to go as far in this bill as I can lawfully go, and in a parliamentary manner, to prohibit the use of soldiers who are already in the service in the construction of roads or in doing any other work that is not in connection with the military service.

Mr. STERLING. Mr. President, I voted against the amendment of the Senator from New Jersey [Mr. FRELINGHUYSEN]. I did so because we had provided in the bill for the honorable discharge of soldiers, sailors, and marines, and I thought in doing that we perhaps had gone far enough, and because I also believed that soldiers in active service had not been detailed to do work on other than military roads; but it has been so constantly asserted in the Senate time and time again that soldiers have been so employed, and that they are likely to be so employed in the future—a thing to which I am utterly opposed—that I shall support the amendment offered by the Senator from Florida prohibiting the employment of soldiers for such purposes. To "make assurance double sure," I might say that if the amendment offered by the Senator from New Jersey is again offered I shall vote for that also.

Mr. BANKHEAD. Mr. President, I hope the amendment of the Senator from Florida will be adopted. I think it covers the whole question.

Mr. FRELINGHUYSEN. Mr. President, the amendment which I offered provides that if any of these soldiers are to be detailed on the highways for which appropriation is made in this bill they shall first voluntarily consent to the employment, and that then they shall receive the same pay as do civilians who are employed in like work upon such highways.

The amendment also provides that if any officer or enlisted man shall be detailed for any highway work other than that on military roads he shall receive the same pay as civilians. The amendment of the Senator from Florida does not go that far. Therefore I think that if we will wait until the bill is in the Senate, if I am permitted to reoffer my amendment then, all that the Senator seeks to secure will be secured if my amendment shall be agreed to.

Mr. President, I desire to make a parliamentary inquiry. I have modified my amendment. May I now offer it as a substitute for the amendment of the Senator from Florida?

The VICE PRESIDENT. That would be an amendment in the third degree. The Senator can read his amendment now to the Senate in his time; the Senate can then reject the amendment of the Senator from Florida and adopt the amendment of the Senator from New Jersey, if it chooses to do so, when the amendment is subsequently offered.

Mr. FRELINGHUYSEN. I shall wait until the bill is in the Senate, and then I shall reoffer my amendment.

The VICE PRESIDENT. The question is on the amendment of the Senator from Florida [Mr. TRAMMELL] to the committee amendment.

The amendment to the amendment was agreed to.

The VICE PRESIDENT. The question now is on agreeing to sections 7 and 8 as amended.

The amendment as amended was agreed to.

Mr. WEEKS. Mr. President, I now ask for a vote on the amendment which I sent to the desk, which I introduced yesterday.

The VICE PRESIDENT. The amendment proposed by the Senator from Massachusetts will be stated.

The SECRETARY. On page 14, line 11, at the end of the line, it is proposed to insert the following:

> *Provided*, That whenever an employee is required to work on such holidays he shall be allowed compensatory time on one of the six days following the holiday upon which such service is performed, or, if he so elects, he may be paid for overtime in lieu thereof.

Mr. WEEKS. Mr. President, that amendment simply proposes to extend the practice which now prevails as to legal or other holidays set aside for the purpose by the President. Other governmental employees do not work on holidays, and yet they receive their pay. It is necessary for some postal employees to work on those days, and it seems perfectly reasonable, in fact it is carrying out the general provisions of the law, that they shall be given their pay for the work or shall be allowed compensatory time. I think the chairman of the committee is in favor of the amendment.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Massachusetts.

The amendment was agreed to.

Mr. WADSWORTH. Mr. President, I offer the amendment to the committee amendment which I send to the desk.

The VICE PRESIDENT. The amendment to the amendment proposed by the Senator from New York will be stated.

The SECRETARY. On page 33, line 15, after the word "act," it is proposed to insert——

The VICE PRESIDENT. The committee amendment to which the Senator's amendment is offered has already been agreed to.

Mr. WADSWORTH. Is it out of order to offer an amendment to that section as it now stands in the bill, it having been adopted?

The VICE PRESIDENT. It must be reconsidered before the amendment can be offered at the place where the Senator is offering it.

Mr. WADSWORTH. Then I can offer my amendment in the Senate?

The VICE PRESIDENT. If the Senator reserves a separate vote on the committee amendment, he can then offer to amend the amendment in the Senate.

Mr. WADSWORTH. Do I understand, then, that the committee amendment, on page 33, having been adopted, it is not now open to any further amendment?

The VICE PRESIDENT. It is not, unless the vote whereby the committee amendment was agreed to is reconsidered, or unless the Senator reserves a separate vote on the amendment, and offers to amend it when it comes into the Senate.

Mr. WADSWORTH. I ask the Secretary to read to the Senate my proposed amendment to the amendment, and then I will ask unanimous consent that the vote by which the committee amendment was agreed to may be reconsidered.

The VICE PRESIDENT. The amendment to the amendment proposed by the Senator from New York will be stated.

The SECRETARY. On page 33, line 16, of the amendment already agreed to, after the word "act," it is proposed to insert:

> *Provided further*, That no assistant postmaster or supervisory official shall receive a less salary than $100 per annum in excess of the sixth-grade salary provided for clerks and carriers in post offices of the first and second classes.

The VICE PRESIDENT. Is there objection to reconsidering the vote by which the amendment of the committee was agreed to? The Chair hears none, and the vote is reconsidered. The question now is on the amendment offered by the Senator from New York to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. MOSES. Mr. President——

The VICE PRESIDENT. Does the Senator wish to amend the same section?

Mr. MOSES. I wish to ask if the committee amendments have all been disposed of?

The VICE PRESIDENT. They will be in a moment, the Chair presumes. The question now is on agreeing to the amendment of the committee as amended.

The amendment as amended was agreed to.

Mr. MOSES. If the committee amendments have been disposed of, I offer the amendment which I send to the desk to be added as a new section.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. At the end of the bill it is proposed to add a new section, as follows:

> That the provisions of the fifth and sixth sections of the act entitled "An act establishing post routes, and for other purposes," approved March 3, 1877, for the transmission of official mail matter, be, and they are hereby, extended and made applicable to all communications necessitated to national banking associations, State banks, trust companies, and other banking institutions in connection with the business of collecting installment payments upon subscriptions to any issue of the liberty or victory loan.

Mr. BANKHEAD. I make the point of order against that amendment that it is general legislation.

The VICE PRESIDENT. What is the act referred to in the amendment? The Chair does not know anything about it.

Mr. MOSES. Mr. President, having in mind the decisions of the Senate made, reversed, and made again yesterday afternoon, it seems to me that this amendment clearly is in order; but, if the point of order is to be made and maintained against the amendment which I have offered, I think it is incumbent upon me to point out that this is not new legislation beyond the scope of what the Senate has already done in connection with this bill. If there is any proper place in any legislation for the insertion of the subject matter which my amendment covers, the Post Office appropriation bill is the place, because my amendment extends the franking privilege to the banking institutions in connection with mail which they may have to send out concerning the collection of installment payments on liberty loans.

It is well known that, in spite of the high-paid artists, the high-salaried directors, and all the oratory, all the cartoons, all the advertising, and all the mass meetings held throughout the country in order to make the liberty-loan drive a success, it was, after all, the work of the banks of the country that put us "over the top" every time there was a drive. In the prosecution of that work they have used their resources in carrying the installment payments of those who were unable to pay for their bonds in full, and often they have done so at a loss in connection with the use of the funds thus employed. They have had to employ extra clerks and they have been obliged to carry on extensive correspondence because of their work in connection with the liberty-loan campaigns.

The extension of the franking privilege I here ask is not a general extension of the franking privilege such as has heretofore been asked for and voted down so often in the Senate and in the other House, but it is an extension of the franking privilege for a single patriotic purpose for a time which will soon expire. The granting of the privilege carries a recognition of all the meritorious work done by the banking institutions of the country in connection with one of the Nation's greatest needs.

I wish to say further, Mr. President, that we shall soon be entering upon another liberty or victory loan drive, in which the work of the banks will be still more necessary than heretofore, and to which they may find it much more difficult to bring as great success as they have achieved in the prior drives. I think that anything that Congress may do to show its recognition of the work done by the banks, or to aid them in the still greater task which they soon must confront, would be in line with the generous spirit which Congress is showing toward all the agencies which have contributed to the successful outcome of the war.

Mr. BANKHEAD. I inquire if the Chair has ruled on the point of order?

The VICE PRESIDENT. No. The Chair was inquiring what is the act referred to in the proposed amendment. The Chair now knows. Does the Senator from Alabama insist on his point of order?

Mr. BANKHEAD. I do.

The VICE PRESIDENT. The point of order is sustained.

Mr. KING obtained the floor.

Mr. FRELINGHUYSEN. Mr. President——

Mr. KING. I yield to the Senator from New Jersey.

Mr. FRELINGHUYSEN. I offer an amendment as a new section, and ask that it be read. It is not in conflict with the amendment which has already been adopted.

The VICE PRESIDENT. The Secretary will read the amendment proposed by the Senator from New Jersey.

The SECRETARY. At the end of the bill it is proposed to add a new section as follows:

SEC. —. That when any officer or enlisted man in the Army, the Navy, or the Marine Corps of the United States shall be or shall have been detailed for labor in the building of roads or in other highway construction or repair work which is or was not exclusively necessary to subserve military purposes, the pay of such officers or enlisted men shall be equalized to conform to the compensation paid to civilian employees in the same or like employment; and the sum due to each such officer or enlisted man, as herein provided, shall be computed by the Secretary of Agriculture and paid out of the appropriation herein made and deducted from the allotment made to the State wherein such employment was had and such equalized compensation incurred: *Provided*, That no enlisted man of the Army, the Navy, or the Marine Corps of the United States shall be detailed for any such duty except by his own consent.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from New Jersey.

Mr. CHAMBERLAIN. Just a moment. I wish to suggest one little change in the amendment, by striking out the words "which is or was not exclusively necessary to subserve military purposes."

The VICE PRESIDENT. Does the Senator from New Jersey accept the proposed modification of his amendment?

Mr. FRELINGHUYSEN. I accept the modification.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from New Jersey as modified.

The amendment as modified was agreed to.

Mr. KING. Mr. President, a few days ago, under a misapprehension as to the status of the matter, not recalling that the House had made an appropriation of $1,000,000 for motor-vehicle truck service, the Senate rejected the proposed amendment offered by the Senate committee which cut down the House appropriations from $1,000,000 to $300,000. I now move to reconsider the vote by which the amendment of the committee, beginning on line 11, page 28, and extending to line 10, on page 29, was rejected.

The VICE PRESIDENT. The question is on the motion of the Senator from Utah. [Putting the question.] The "noes" seem to have it.

Mr. KING. I ask for a division.

Mr. TOWNSEND. What is the amendment?

The VICE PRESIDENT. The Senator from Utah moves to reconsider the vote by which the amendment of the committee, beginning on line 11, page 28, which proposes to strike out lines 11 to 17 and to insert the matter printed in italic, extending down to and including line 10, on page 29, was rejected.

Mr. BORAH. Mr. President, I wish to ask the Senator from Utah a question.

Mr. KING. I yield to the Senator.

Mr. BORAH. What is the status of the amendment now with reference to the appropriation? What did we do the other day? Did we reduce it?

Mr. KING. We increased it; that is to say, the House made an appropriation of a million dollars. The Senate committee reduced it to $300,000, but that amendment was rejected, the Senate forgetting that it was a substitue for the House provision, so that if the motion which I have now made prevails we will then be called upon to vote upon the Senate committee amendment reducing the amount to $300,000, instead of leaving it at a million dollars.

Mr. BORAH. With that statement, I am in favor of the motion.

Mr. THOMAS. Mr. President, I should like to inquire of the Senator how his amendment will affect the soldier vote?

Mr. KING. I have not taken that into account.

The VICE PRESIDENT. The question is on the motion to reconsider.

The motion was agreed to.

The VICE PRESIDENT. Now the question recurs on agreeing to the amendment reported by the Senate committee.

Mr. KING. Mr. President, I move to amend the committee amendment by striking out "$300,000" and inserting "$70,000."

In support of that amendment I wish to say that the Postmaster General has stated in a report which has been submitted, and to which attention has been called by at least two Senators, that $70,000 was all that he required; and the Fourth Assistant Postmaster General, testifying in regard to this matter, stated, as the Senator from Iowa [Mr. KENYON] reported upon the floor of the Senate a few days ago, that unless he could have $8,000,000 he did not care for anything.

We would really be doing the proper and wise thing to appropriate nothing; but the Postmaster General has stated that he will be satisfied with $70,000, and it seems to me that with that report we ought not to increase it to $300,000.

Mr. HARDWICK. Mr. President, in behalf of the committee I submit that this amendment ought to be adopted in the form in which the committee proposed it and for the amount that the committee suggested. The action of the committee was taken after very careful consideration, much more careful than any Senator on the floor has been able to give the subject now, and not only after a full hearing of the Fourth Assistant Postmaster General, but after a full understanding of the Postmaster General's views and after hearing the inspectors who investigated this subject.

Let me say, Mr. President, that there were things of which we did not approve in connection with the way this experiment has been made. We believed that the accounts have been padded by the men who were conducting this experiment, without the consent, we hope, of the Fourth Assistant Postmaster General; but we wish to have a real, reasonable, and accurate opportunity of measuring what this service is before we finally relegate it to the rear, as we would do by appropriating only $70,000.

Let me call the attention of the Senate to the fact that the proposition reported by the Senate committee, and unanimously reported by that committee, embraces two kinds of experiments—first, the kind which the Postmaster General has said that $70,000 would permit him to make, and, second, another and a vastly more important character of experiment, which is the experiment in county rural parcel post express.

The Senate knows, I think, that one of the great objects that were expected to be accomplished by the rural delivery service was handling parcel post matter from the country, the rural sections, to the towns and villages. That service has fallen down absolutely, so much so that if you take the rural routes of the United States, they average one parcel incoming to the towns and seven outgoing from the towns to the rural sections per route throughout the United States. And more than that, We propose to use the greater part of this money to experiment in a number of counties, at least one in each State, to see what a parcel post county express system will do. The people who live in the towns and cities and villages get express facilities. They get parcel post service from the Government, operated on the railroads. It is impossible to put this parcel post service in connection with the mail routes for two reasons:

First, because the carriers do not desire to increase the size and cost of their equipage, and therefore oppose it; second, because it has a tendency to slow the mails, so much so that the patrons themselves do not patronize it and support it as they would do otherwise. Our idea is to try this service separate from the existing mail-route service but as a part of one system as a whole.

In my judgment the Senate would do wisely—I have no interest in the matter except the fact that I have studied it and think I understand it—to stand by what the committee has done and to keep this amount of $300,000 in the bill, so that both of these experiments can be conducted simultaneously.

Mr. SWANSON. Mr. President, as the Senator from Georgia has well stated, $1,000,000 was appropriated for this purpose by the House. It came to the Senate and investigations were made, and the profits were found to be not as large as were reported in the estimates made in connection with the automobile routes. The Senate committee thought this matter ought to be tested.

It is not a waste of $300,000. It is simply an investment, which, we think, will return more to the Government than it costs; and, as the Senator has well said, the parcel post is the country express. The reason why the parcel post was adopted was because it was impossible to get the express companies to carry parcel post out into the country. The cities had express, but they could not get to the country. There has been a great demand from the country to have their products, both pro and con, brought to the railroads, carried to the large cities, and have a means of communication between the country and the cities.

The experiment showed an immense profit. I wish to say, in justice to the Fourth Assistant Postmaster General, that these were estimates of profits made and not actual counts, and inspectors went there and investigated on certain days, and the profits reported by them were less than were estimated.

I am satisfied that there is a great need in the country for service of this kind. There are sections of the country where railroads can never be built; where there are distances of 20, 30, or 40 miles intervening between railroads; where there will be no possibility of ever having railroads. We now have the automobile, and the idea is that the automobile, to some extent, can supply the needs of the country where possibly it will be years before they will have any railroad facilities so that products can be sent by express. In that way the farmers can send their produce to the towns and the town people can send their patronage out to the farmers. In addition to that, a great many farmers have an idea that this can be developed so that the producer can be brought in direct contact with the consumer.

We direct experiments with both of these systems—first, as recommended in the case of the $70,000, immediately around the towns; second, to see if the country express can be made a success in the rural districts. The experiments that have been made have not been satisfactory. Very frequently these routes have paralleled railroad routes and did not extend into sections of the country where there were no railroads. We have drawn provisions that would require these two experiments to be made in the way stated by the Senator from Georgia [Mr. HARDWICK]. We require the accounts to be accurately kept. We give them an opportunity to select the routes where the system can be a success, and it seems to me that this experiment should be made. Nearly all the country people with whom I have been in communication—farmers' associations, people that produce—want a country express, and they are nearly unanimous for this service. We can never determine whether or not it can be made a success until the experiment is made. Seventy thousand dollars will not make an adequate experiment. It would only keep up one-fourth of the service that we already operate.

Mr. HARDWICK. We want to try the experiment in every State of the Union. We could hardly do it in one of them for $70,000.

Mr. SWANSON. That amount would merely enable them to keep in operation a few routes that are being operated at present.

The House thought $1,000,000 ought to be given for this purpose. The Fourth Assistant Postmaster General thought he could take $8,000,000 and show an immense return to the Government in the way of profits. This is not money wasted. This is a business proposition, to see if by experimenting with $300,000 you can not add to the Post Office Department a system of country express, bringing the producer and the consumer in close contact, and thus make it a profit, and not a loss, to the Government.

We do not want them to come in here next year and say that they have not had enough money for the purpose of making adequate experiments. I would be willing to vote the amount contained in the House provision, because I believe a million-dollar expenditure would show $1,000,000 or $2,000,000 of profit to the Government. The only difference of opinion has been as to whether the routes we have had have been as profitable as claimed; but I am satisfied that in the aggregate the experiment has shown that the money spent last year has brought in as much as was expended.

Mr. TOWNSEND. Mr. President, the Senator from Georgia [Mr. HARDWICK] has correctly stated that the Senate amendment was adopted unanimously by the subcommittee; but I feel that it is fair to state to the Senate that I had no faith, and have none now, or very little, in this provision. I am willing, however, under the language that we put in, to try this experiment for another year.

The fact of the matter is that $300,000 was appropriated last year for this very purpose, and the report of the Post Office Department as to the operation of this system by the Fourth Assistant Postmaster General was simply condemnatory in almost every particular. No experiment that was at all reliable was made. The representatives of the Post Office Department appeared before us, and said that they could establish seven routes at $10,000 per route, which would demonstrate whether or not this thing was feasible; but the Senator from Georgia and other Senators felt that we ought to extend the experiment a little further than under the provisions of the old law, and I finally consented to adopt that proposition. The Senate ought to know, however, that this experiment as it was tried last year was a failure, an ignominious failure; and it was bolstered up by reports from the carriers to the people who administered it for the purpose of deceiving the Congress. There was no question whatever about that. There could be no other purpose in it than to make it appear that it was a more useful and valuable institution than the facts actually disclosed.

I voted for this provision in the first place, a year ago, because I thought there was a great possible field at least for the operation of a sort of truck express. The more we have learned about it, the more the facts have been disclosed to us, the more I am convinced that it never can succeed; but still I am perfectly willing to continue the test under the restrictions placed upon it by the Committee on Post Offices and Post Roads, although I preferred in the first place that we should grant simply the $70,000, because the Postmaster General said he could make an experiment with that so as to test it out and know what to do in the future. I still think, however, that the amendment offered by the Senator from Georgia [Mr. HARDWICK] opened the field a little bit, and perhaps presented another aspect which ought to be disclosed through experiments.

Therefore I am willing that the provision of the Senate committee shall be adopted, and I shall support it.

Mr. KING. Mr. President, will the Senator yield?

Mr. TOWNSEND. I yield.

Mr. KING. I should like to ask the Senator, if this plan shall be carried on to any very great extent, whether it will not have the effect, first, of tremendously increasing the number of Federal employees, multiplying to a large extent the expenses of the Post Office Department, and ultimately putting hundreds and thousands and tens of thousands of people under the civil service; and will it not also result in curbing the construction of interurban electric-railroad systems, which in the past have done so much to link rural communities with the cities and rural communities with each other, and hurt the railroads, which are now struggling for existence, struggling for enough revenue—not only the large railroad systems, but the smaller, interurban railroad systems?

Mr. TOWNSEND. Mr. President, I am not so much interested in that; that is, I am not disturbed over it, because I am confident that unless this experiment proves that this is a really valuable facility in the interest of the people, it will not be continued; and if the demonstration shows that it is needed in the interest of the people of the country, I am not particularly interested in what happens to some other instrumentality of commerce. But, convinced as I am now that if it were left to me alone I should say that a demonstration has already been made sufficient to satisfy me that this scheme never can succeed, if I had time enough to disclose the facts that were brought out I perhaps could convince others that that was true; and yet, being finite, and very finite, and limited in my vision into the future, I am still willing to continue the experiment for another year under the restrictions we have thrown around it. The majority of the committee thought $300,000 was not too much—that is the same appropriation that we made last year—and I therefore consented that that might go in, although I wanted the amount made $70,000.

Mr. POMERENE. Mr. President, will the Senator yield for a question?

Mr. TOWNSEND. I yield.

Mr. POMERENE. A moment ago the Senator made the statement that the experiment heretofore had proven a failure. Will the Senator tell us in what respect it has proven a failure, and why, in the mind of the department, it was a failure?

Mr. TOWNSEND. Mr. President, it would take a long while, but I will say in brief that it was a failure because it did not answer any useful purpose, the useful purpose for which it was instituted. The department, or those immediately in charge, the carriers, padded the reports of what they were doing. They carried mail in this way that ought to have been sent by post, and that was paid for by the Government to go by post. They put those in as returns of the system, in order to make it appear less of a financial loss than it really was. Furthermore, it was not instituted in the places where possibly there could have been a good test of it. There were many things that entered into it.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Idaho?

Mr. TOWNSEND. I do.

Mr. BORAH. Are the people who padded the reports still at large?

Mr. TOWNSEND. They are still at large; and the singular part of it is that the Fourth Assistant Postmaster General did not think that of much consequence anyway, because after they got their reports of receipts all in they commenced by a series of arbitrary reductions to cut out this much and that much, 33⅓ per cent for one thing and 50 per cent for another, with the hope that finally they would get to a basis that might be approximately correct, but with no foundation of fact as to what the cost was or what the receipts were. We have tried to prevent that in this bill, and to get an experiment that would be a faithful exposition of what the operation really is.

Mr. WEEKS. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Massachusetts?

Mr. TOWNSEND. I do.

Mr. WEEKS. I think the Senator from Michigan might also have added that while it was reported to the committee that the experiment was a financial success, it developed that it was only a financial success because the first-class mail was diverted from other means of transportation and carried in these trucks, very frequently delaying the delivery of the mail, and I think the Fourth Assistant Postmaster General agreed that without carrying first-class mail it can not be made a financial success.

Mr. JONES of Washington. Mr. President, may I ask the Senator a question?

Mr. TOWNSEND. Yes.

Mr. JONES of Washington. In answer to the Senator from Idaho, the Senator from Michigan said a moment ago that the people who had padded these returns were still at large. Can the Senator tell me whether or not they are still in the employ of the Government?

Mr. WEEKS. As far as I have any information, they are in the employ of the Government.

Mr. JONES of Washington. Are they likely to carry on these new experiments, and report on the money we are giving in this bill?

Mr. WEEKS. I am not sure about that. I should perhaps say to the Senate that the Postmaster General and the Fourth Assistant Postmaster General are not at all in harmony in connection with this system, except that the Postmaster General is trying to eliminate those people who are guilty of padding the returns. A specific case with reference to padding of returns is that of the transporting of mail between Baltimore and Gettysburg, Pa. The return indicated a very large amount of first-class mail carried, but the actual experiments developed that there were some days when there was none, and the average amount carried was only one-tenth of that reported by the carriers. Who was responsible for that I do not know, except the carrier himself on some kind of basis had made a false return.

Mr. HARDWICK. May I suggest to the Senator from Massachusetts, as I believe the Senator will agree, that I am sure we have safeguarded that situation as much as we can.

Mr. WEEKS. I should have said I voted for the appropriation of $300,000, because I thought the experiment had been so badly done and safeguards had been placed around it by the committee of such a character that as long as they had undertaken it we felt we had better have a fair and businesslike experiment made and returns made to Congress next year.

The VICE PRESIDENT. The question is on the amendment of the Senator from Utah [Mr. KING] to the amendment of the committee.

The amendment to the amendment was rejected.

The amendment was agreed to.

Mr. BORAH. Mr. President, I wish to submit a motion to suspend the rules, if this is the proper time to do it.

The VICE PRESIDENT. This is as good as any.

Mr. BORAH. Before making the motion to suspend the rules, I will offer an amendment to the bill by adding a new section, as follows:

SEC. —. That section 1 of an act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," passed and approved June 15, 1917; also that section 4 of the act passed and approved May 16, 1918, known as the second espionage act, be repealed.

I offer that as a new section to the bill. I do not care to discuss it if I can have a yea-and-nay vote upon the amendment.

Mr. BANKHEAD. Mr. President, I make a point of order against the amendment.

The VICE PRESIDENT. The point of order is sustained.

Mr. BORAH. Mr. President, I now move, in accordance with notice which I gave January 31, 1919, for a suspension of the rules, as follows:

I move that the provision of paragraph 3 of Senate Rule XVI, prohibiting any amendment proposing general legislation to any general appropriation bill, be suspended for the purpose of offering the following amendment—

Which amendment, Mr. President, I have just stated, and I do not think it necessary to restate it in order to get the motion before the Senate.

The VICE PRESIDENT. It is not. The question is, Shall the rule be suspended for the purpose of enabling the Senator from Idaho [Mr. BORAH] to offer his amendment?

Mr. BORAH. Upon that I ask for the yeas and nays.

Mr. BANKHEAD. Mr. President, I want to make a point of order against the motion to suspend the rule for the reason that we are proceeding under a unanimous-consent agreement on this bill, and we have agreed unanimously to proceed with it through the regular parliamentary stages to its passage. My point is that if we can change the unanimous-consent rule under which we are operating to make this amendment in order, we can change the rule for any other purpose and make any other proposition in order. It is a violation absolutely of the unanimous-consent agreement.

The VICE PRESIDENT. The rules of the Senate are not set aside by the unanimous-consent agreement. The point of order is overruled. The yeas and nays are called for.

The yeas and nays were ordered.

The VICE PRESIDENT. The Secretary will call the roll.

Mr. ASHURST. Mr. President, I understand the amendment of the Senator from Idaho is to repeal the so-called espionage law and amendments thereto.

Mr. BORAH. This is simply a motion to suspend the rule. If the motion prevails, then I will offer an amendment to provide for the repeal of section 1 of the first espionage act and section 4 of the second espionage act, which have reference alone to the power of the Postmaster General to exclude certain matter from the mail.

Mr. ASHURST. I always differ from the distinguished Senator from Idaho with reluctance, and I am rather amazed that such an amendment should be offered. Is the question debatable?

The VICE PRESIDENT. In the opinion of the Chair, the question is not debatable.

Mr. ASHURST. I beg the Chair's pardon.

The VICE PRESIDENT. The question is whether the Senate will suspend the rule. If it does, then the Senator from Arizona will have 10 minutes. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. KENDRICK (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL], which I transfer to the Senator from California [Mr. PHELAN] and vote. I ask that this announcement may stand for the day. I vote "nay."

Mr. KNOX (when his name was called). I have a general pair with the senior Senator from Oregon [Mr. CHAMBERLAIN]. If at liberty to vote, I would vote "yea."

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. MARTIN]. In his absence I withhold my vote.

Mr. MYERS (when his name was called). I have a general pair with the Senator from Connecticut [Mr. MCLEAN], who is absent. I transfer my pair to the Senator from Nebraska [Mr. HITCHCOCK] and vote "nay."

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER], but upon this question I am at liberty to vote. I vote "nay."

The roll call was concluded.

Mr. LEWIS. I rise to announce the necessary absence of the Senator from Oregon [Mr. CHAMBERLAIN], and that he is paired with the Senator from Pennsylvania [Mr. KNOX].

Mr. KNOX. I transfer my pair with the Senator from Oregon [Mr. CHAMBERLAIN] to the Senator from Illinois [Mr. SHERMAN] and vote. I vote "yea."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from New York [Mr. CALDER] with the Senator from Rhode Island [Mr. GERRY];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED].

The roll call resulted—yeas 25, nays 39, as follows:

YEAS—25.

Borah	Hale	Lenroot	Spencer
Cummins	Harding	Lodge	Sutherland
Curtis	Hardwick	McNary	Townsend
France	Johnson, Cal.	New	Weeks
Frelinghuysen	Kellogg	Norris	
Gore	Knox	Page	
Gronna	La Follette	Penrose	

NAYS—39.

Ashurst	King	Pollock	Sterling
Bankhead	Kirby	Pomerene	Swanson
Beckham	Lewis	Ransdell	Thomas
Colt	McKellar	Shafroth	Thompson
Fletcher	Martin, Va.	Sheppard	Trammell
Gay	Myers	Simmons	Underwood
Henderson	Nelson	Smith, Ariz.	Wadsworth
Jones, N. Mex.	Overman	Smith, Ga.	Walsh
Jones, Wash.	Pittman	Smith, S. C.	Warren
Kendrick	Poindexter	Smoot	

NOT VOTING—32.

Baird	Gerry	Martin, Ky.	Sherman
Brandegee	Goff	Moses	Shields
Calder	Hitchcock	Nugent	Smith, Md.
Chamberlain	Hollis	Owen	Smith, Mich.
Culberson	Johnson, S. Dak.	Phelan	Vardaman
Dillingham	Kenyon	Reed	Watson
Fall	McCumber	Robinson	Williams
Fernald	McLean	Saulsbury	Wolcott

The VICE PRESIDENT. On the question, the yeas are 25 and the nays 39. So the Senate refuses to suspend the rule.

Mr. POINDEXTER. I offer the following amendment to be inserted at the close of the bill.

The SECRETARY. At the end of the bill add the following as an additional section:

SEC. 1. The office of postmaster in each class shall hereafter be a nonpolitical office, and shall be within the classified civil service, and appointments thereto shall be made in accordance with the civil-service rules and, so far as practicable, by promotion, or transfer, upon merit, without regard to politics, from the employees of the Post Office Department, subject to the permanent civil-service regulations and requirements.

Mr. BANKHEAD. I make a point of order against the amendment.

Mr. POINDEXTER. I was in hopes that the Senator from Alabama would not make a point of order. I suppose the point of order is good. It was the purpose of the amendment merely to establish the merit system instead of mere partisan politics in the appointment of these officials.

The VICE PRESIDENT. The point of order is sustained.

Mr. KING. Mr. President, I was absent the other day when the provision found on page 15, which is an amendment reported by the committee, was under consideration, and I think it was adopted in a pro forma way by the Senate. I refer to the provision commencing on line 7, page 15. The amendment authorizes the Postmaster General to contract in his discretion for pneumatic mail tube service in the city of New York, and so forth. I move to reconsider the action of the Senate by which the amendment was agreed to.

Mr. BANKHEAD. The amendment was agreed to four or five days ago, and it is too late for a motion to reconsider.

The VICE PRESIDENT. The Chair does not know when it was agreed to.

Mr. KING. It was agreed to several days ago.

Mr. BANKHEAD. About a week ago.

Mr. KING. I can say the amendment was accepted several days ago. I did not learn until a few days after it had been accepted by the Senate.

Mr. SWANSON. Mr. President, I hope the Senator will not press his motion to reconsider. I have always been opposed to pneumatic tubes and always voted against them; but it seems to me this is a very harmless provision. There was a difference of opinion as to whether the pneumatic tube is a failure or a success. This simply leaves it in the discretion of the Postmaster General to find out whether it is a success and to simply keep the tubes until the experiment is absolutely completed and it is determined whether it is a success or not. It is done without cost to the Government. I see no reason why the tubes should now be taken out. We might reconsider our action and afterwards find it was a mistake not to have the tubes. They might be utilized and I see no reason why they should not be kept there; in other words, I see no reason why this provision should not be retained in the bill.

Mr. KING. Will the Senator yield?

Mr. SWANSON. I yield for a question.

Mr. KING. The Senator will recall that when the bill was passed about a year ago, the President vetoed it because of the provision in the bill providing for pneumatic tubes. It seems to me in the light of the action of the President and in view of the opposition of the Postmaster General, it would be very unwise and improper for us to insert it in the bill.

Mr. SWANSON. I do not know whether the Postmaster General is opposed to it or not. I do not know anything about that. I have never heard from him about it. I know I fought and antagonized the appropriation for pneumatic tubes. I did not think it was a success. I fought it when I was in the House and always believed we spent more money than was justified by the good we got out of it, but there is a difference of opinion. Commissions have investigated it. I think the Senator from Georgia [Mr. HARDWICK] investigated it and thought it ought to be experimented with. All the objection is that the Postmaster General is opposed to it, and I concur with him in it. This authorizes him, if the mail can not be more economically carried without these tubes, to carry it over the pneumatic tubes. The second provision is that pending this experiment for a year or two the tubes shall be kept in their present place without expense to the Government. What harm can be done by this provision?

Mr. BANKHEAD. I find that the amendment was agreed to last Friday, a week ago yesterday, and there was no suggestion of a motion to reconsider within the time prescribed by the rule. Therefore the motion now comes too late.

The VICE PRESIDENT. The Chair sustains the point of order.

Mr. KING. I reserve the right to ask for a separate vote on the amendment in the Senate.

The VICE PRESIDENT. If there are no further amendments as in Committee of the Whole the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

The VICE PRESIDENT. What amendments have been reserved?

Mr. THOMAS. I reserve the right to make a point of order against sections 5 and 6.

Mr. SMITH of Georgia. I desire to reserve the amendment offered by the Senator from Arkansas [Mr. KIRBY] to the road provision with reference to the use of convict labor.

The VICE PRESIDENT. The question is on concurring in all amendments not reserved.

Mr. KING. If it is permissible under the rules, I also reserve the right to raise the point of order in the Senate with respect to the amendment found on page 15, known as the pneumatic-tube amendment.

The VICE PRESIDENT. The question is on concurring in all the amendments made as in Committee of the Whole that are not reserved. They are concurred in, without objection.

Mr. THOMAS. Mr. President, I desire to make a point of order against sections 5, 6, and 8—that they are general legislation attached to an appropriation bill and are, therefore, obnoxious to the rule of the Senate upon that subject.

Mr. SWANSON. This specific question was debated at length and passed on yesterday by the Senate; the point of order was overruled after full debate and, on a yea-and-nay vote, the Senate sustained that decision.

There has also been some question as to whether or not a point of order which had once been raised and decided as in Committee of the Whole could be renewed in the Senate. There has been a conflict of opinion as to that; but the Chair has formerly held—I do not know whether that decision has been subsequently reversed—that under the rule the point of order must be made as in Committee of the Whole. The late Senator Clarke, of Arkansas, at one time took the ground that when a point of order had been decided as in Committee of the Whole the matter had been finally determined; and, acting as President pro tempore, he declined to consider a renewal of the point of order in the Senate. The raising of the point of order now has been precluded by the action of the Senate when it passed judgment upon the matter on yesterday.

The VICE PRESIDENT. The Chair announced as to the pending bill on yesterday that the Chair would not pass upon points of order or upon any question involved in the road controversy, for the reasons then given. So it is now up to the Senate to decide this question.

Mr. THOMAS. If the matter is to be decided by a vote of the Senate, of course I know what the decision will be.

The VICE PRESIDENT. Of course, it would be an appeal from the decision of the Chair, and would be decided the same way. It would not make the slightest difference in the world.

Mr. THOMAS. Then I withdraw the point of order, Mr. President, as, of course, it is a foregone conclusion.

The VICE PRESIDENT. Everybody knows that. The point of order is withdrawn. The question is on concurring in the amendment.

The amendment was concurred in.

The VICE PRESIDENT. The Senator from Utah [Mr. KING] reserved for a separate vote an amendment, which will be stated.

The SECRETARY. On page 15, the Senate, as in Committee of the Whole, agreed to an amendment beginning in line 3, after the words "*Providing further*," to strike out from the House text the words down to and including the words "District of Columbia," in line 7, and proposed to insert an item relative to the pneumatic-tube service.

Mr. KING. Mr. President, I raise the point of order against this amendment that it is general legislation on an appropriation bill.

The VICE PRESIDENT. The Chair overrules the point of order. It is not general legislation.

Mr. KING. I ask for a vote.

The VICE PRESIDENT. The question now is on concurring in the amendment.

The amendment was concurred in.

The VICE PRESIDENT. The bill is in the Senate and still open to amendment. If there be no further amendment, the amendments will be ordered to be engrossed and the bill read a third time.

Mr. MOSES. I wish to offer in the Senate an amendment which I offered as in Committee of the Whole on yesterday, which was lost by a tie vote.

The VICE PRESIDENT. The amendment proposed by the Senator from New Hampshire will be stated.

The SECRETARY. On page 37, line 15——

The VICE PRESIDENT. The Senator from New Hampshire will have to move to reconsider the vote by which the committee amendment was agreed to, if he is going to offer his amendment to the amendment of the committee. His amendment is out of order at present. The Senator from Colorado [Mr. THOMAS] withdrew his point of order, and the Chair put the question to the Senate on the amendment, and the amendment was concurred in. Now, the Senator from New Hampshire proposes an amendment to the committee amendment, but the vote whereby the committee amendment was agreed to will have to be reconsidered if the amendment to the amendment is to be presented by the Senator from New Hampshire.

Mr. MOSES. Then, I offer the amendment, Mr. President, in the form of a new section, to come in at the end of the bill.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to add at the end of the bill the following as a new section:

SEC. —. That any money expended by the United States Government in the construction of military roads in any State to and from (but not within) any cantonment, aviation field, or any property used for military or naval purposes, shall first be deducted from the amount apportioned to such State under this appropriation.

The VICE PRESIDENT. The question is on the amendment.

Mr. MOSES. Mr. President, the purpose of again bringing this amendment to the attention of the Senate is because of the manner in which it was voted upon on yesterday and the result of that vote, and also to call attention to the desirability of equalizing the advantages to be derived by the several States under the provisions of this act.

In many of the States where military establishments were set up there were many miles of enduring roads built wholly by soldier labor and paid for wholly out of the military appropriations. The men who built those roads had enlisted to fight the Hun, but they became much more familiar with the concrete mixer than with the machine gun. While I am not questioning the military utility of the roads thus built, I do know that they extend over many miles in length; that they are wholly suitable for roads proposed to be created in this bill; and that, if they are to be taken over into the systems which the States thus benefited will create under this measure, it is only a matter of equity that those States should have the cost of those roads deducted from their allotment under this bill.

Mr. BANKHEAD. I did not catch the reading of the amendment, and I ask to have it again read.

The VICE PRESIDENT. The Secretary will again read the amendment.

The Secretary again read the amendment of Mr. MOSES.

Mr. BANKHEAD. We have voted that amendment down on one or two occasions, and I hope it will not be adopted.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from New Hampshire. [Putting the question.] The noes seem to have it.

Mr. MOSES. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FRELINGHUYSEN (when his name was called). I transfer my general pair with the junior Senator from Montana [Mr. WALSH] to the junior Senator from New Jersey [Mr. BAIRD] and vote "yea."

Mr. FRELINGHUYSEN (when the name of Mr. MOSES was called). The junior Senator from New Hampshire [Mr. MOSES] desires to have the announcement made that he is paired with the junior Senator from Kentucky [Mr. MARTIN], and therefore would withhold his vote.

Mr. MYERS (when his name was called). I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from Nebraska [Mr. HITCHCOCK] and vote "nay."

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER], who is absent. I therefore withhold my vote.

The roll call was concluded.

Mr. PENROSE (after having voted in the affirmative). I have a general pair with the senior Senator from Mississippi [Mr. WILLIAMS]. I observe that that Senator has not voted, and I transfer my pair with him to the senior Senator from Utah [Mr. SMOOT] and will let my vote stand.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from New York [Mr. CALDER] with the Senator from Rhode Island [Mr. GERRY];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED];

The Senator from Indiana [Mr. WATSON] with the Senator from Delaware [Mr. WOLCOTT]; and

The Senator from Maine [Mr. FERNALD] with the Senator from South Dakota [Mr. JOHNSON].

The result was announced—yeas 20, nays 35, as follows:

YEAS—20.

France	Kendrick	New	Sterling
Frelinghuysen	Kenyon	Norris	Sutherland
Gore	La Follette	Page	Wadsworth
Jones, Wash.	Lenroot	Penrose	Warren
Kellogg	McNary	Spencer	Weeks

NAYS—35.

Ashurst	Jones, N. Mex.	Poindexter	Smith, S. C.
Bankhead	Kirby	Pollock	Swanson
Beckham	Lewis	Pomerene	Thompson
Colt	McKellar	Ransdell	Townsend
Fletcher	Martin, Va	Shafroth	Trammell
Gay	Myers	Sheppard	Underwood
Gronna	Nelson	Simmons	Vardaman
Hardwick	Overman	Smith, Ariz.	Walsh
Henderson	Pittman	Smith, Ga.	

NOT VOTING—41.

Baird	Gerry	McCumber	Shields
Borah	Goff	McLean	Smith, Md
Brandegee	Hale	Martin, Ky.	Smith, Mich.
Calder	Harding	Moses	Smoot
Chamberlain	Hitchcock	Nugent	Thomas
Culberson	Hollis	Owen	Watson
Cummins	Johnson, Cal.	Phelan	Williams
Curtis	Johnson, S. Dak.	Reed	Wolcott
Dillingham	King	Robinson	
Fall	Knox	Saulsbury	
Fernald	Lodge	Sherman	

So Mr. MOSES's amendment was rejected.

Mr. SMITH of Georgia. Mr. President, there was an amendment reserved by me. Will that amendment be read in its order or what status will it occupy? It is to be acted upon again in the Senate, as I understand. Unless it is acted upon in the Senate favorably, it will not become a part of the bill.

The VICE PRESIDENT. The Senate will have to reconsider the vote. Is there any objection to that?

Mr. SMITH of Georgia. I could not understand the Chair.

The VICE PRESIDENT. The Chair said the vote will have to be reconsidered whereby the amendment was adopted.

Mr. SMITH of Georgia. It has not been adopted in the Senate. I reserved it.

The VICE PRESIDENT. The Chair understands that; and then the Senator went out.

Mr. SMITH of Georgia. I did not go out, Mr. President. The amendment was not called up.

The VICE PRESIDENT. Well, without objection, to make the record straight, the vote whereby the amendment of the committee was concurred in is reconsidered. The Secretary will state the amendment reserved by the Senator from Georgia for a separate vote in the Senate.

The SECRETARY. There was added at the end of section 6, after the word "marines," in line 15, the following amendment offered by Mr. KIRBY:

And provided further, That none of the funds herein appropriated shall be expended for improvements whereon convict labor is employed.

Mr. SMITH of Georgia. Mr. President, in a number of the States convicts have been put upon the public roads. In my own State I had the privilege of breaking up the convict lease system and turning the convicts over to the counties, where, under the county authorities, their entire time is given in the fresh air and under humane treatment to work upon the public roads. Our public road system is based upon the use of convicts. We have found that is the very best way that the convicts can be handled, and all the friends of reform in the treatment of convicts, especially in the States of mild climate, agree that it is by far the best way to handle them.

Of course, in the State of Georgia and in all States where there are unemployed laborers who desire work, there will be a chance afforded them to work on this enterprise. A road may stretch for quite a number of miles, and to exclude the use of any convicts on any part of the roads would be unwise and would seriously interfere with the existing mode of construction. No exclusion of the unemployed who desire work would take place, I feel absolutely certain; but to exclude entirely the use of convict labor in those States, especially in States where the climate is mild, where all the convicts are used on road work, would handicap those States in doing this work. In my own State it would be impossible at this time to employ free labor to do the road work. There is not labor sufficient to do the work now in the State, and many demands for labor are made in the State that can not be filled. There are no unemployed in the State, and I do not believe that there will be any unemployed this year in the State in which I live, of the class of unskilled labor that will do this work. I think we can trust the State authorities in this matter to handle it in the spirit of the bill. If this amendment is insisted upon, a number of them will be handicapped in their road work.

Mr. KIRBY. Mr. President, I presented this amendment because I thought it ought to become a part of the bill. We have talked here about improving conditions for the benefit of the returning soldier; we have said that he should be given the preference in the construction of these improvements for which the money is provided by this appropriation; and, if we are going to permit convicts to work on these roads to the exclusion of other labor, we are in effect obtaining this money from the Government under false pretenses. That is about what it amounts to.

The condition in my State is that we work the convicts on the State farm. I helped to destroy the convict lease system in my State, which was an outrage against labor, decency, and humanity there, and very scandalous conditions attached to the operation of it, and inhuman treatment resulted to the convicts employed under the contract. We work the roads by taxation in my State, and here we tax the people and give this money back to the State to improve the roads. I say that when you put a convict on the road you deprive the man who has not committed an offense, and who is not a criminal, and who has paid the taxes, of the opportunity to go out there and work on the road and get some of this money back. You deprive him of the opportunity for employment.

The convict on the farm is subject to the State's control. He is not required to work any more than he ought to be required to work. Nobody has any interest in doing that; and he can not produce enough crops to affect the price of crops. He therefore does not come in competition with the farmer. If you put him on the road, he does deprive the free man, who has paid his taxes and has not violated the law, of that opportunity for employment, and comes in competition directly with his labor.

I do not think that ought to be encouraged under a bill that is proposed to bring relief to the discharged soldier and give him an opportunity for employment upon his return home.

Mr. OVERMAN. Mr. President, in the State of North Carolina we work convicts on the farm, and then the counties also work their convicts. That does not interfere at all with free labor. We work free labor and convicts. They do not work together. The convict gang works one part of a road, and the free labor works another part of the road, so that under this very bill which we propose to amend here we have used money to build the great highways through my State partly by free labor and partly by convict labor.

If we get this money we will use the soldiers, but at the same time we will not have enough free labor to build the roads unless we can use our convicts. If we send the convicts back to the penitentiary, or send them back to the farm, we can do scarcely any road building.

Mr. KIRBY. Mr. President, we are proceeding on the theory that we will need this authority to give the soldiers employment.

Mr. OVERMAN. Why, certainly we will need the North Carolina soldiers. We will work them on the road; we will pay them the salary and work them without regard to the convicts. The convicts will do their part, and the free labor will be paid, and every one of them will be employed.

Mr. KIRBY. I should like to ask the Senator this question: Can you not under the provisions of this amendment—it was intended in no other way—work the free labor on roads upon which convicts are not employed? You can say, "We will build this road, and this road, and this road with free labor."

Mr. OVERMAN. This will not interfere with the free labor. It will not interfere with the soldiers. We will give employment to every one of them, as we have been doing for two years under the appropriation we have and under the law to which this is amendatory. Now you want to deprive us of the appropriation we got two years ago and stop the convicts from working on the great central highways of the country.

As I say, free labor is not interfered with. There is no competition. There will be no competition. We will work all the soldiers that can be worked and that will accept employment.

Mr. SHAFROTH. Mr. President, in the State of Colorado we passed a law allowing 10 days off of a sentence for each month's service in road building, and the result was marvelous. The men who were convicts willingly, eagerly sought to be placed on the road. They did the work more rapidly than the ordinary person employed. It made them healthy. It gave them strength, so that when they left the prison, instead of having the prison pallor upon them, they were vigorous, strong, and could readily get employment. It has been a wonderful success in that State and has resulted in no opposition whatever to the convicts being used upon the State roads in the State of Colorado.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to his colleague?

Mr. SHAFROTH. Certainly.

Mr. THOMAS. The Senator should also state that convict labor in the State which we represent is devoted to road building under what is called the honor system. The convicts in Colorado work in squads, without guards. They select their own foremen. They are responsible for their return to prison whenever called upon. They are paid wages, the same wages which others draw. Their work is excellent, just as good as can be found anywhere; and the effect upon the morale of the prison population has been simply wonderful.

Mr. SHAFROTH. I will state, further, that although they have no guards—that while they are working in the daytime there is nobody watching over them except an unarmed superintendent, and at night no one but a guard who is himself a convict—we have no more escapes than occurred in the prisons before the time when that law was adopted.

On account of the great benefit which it has been to the State, it seems to me that that should be taken into consideration when we pass on this matter.

Mr. BANKHEAD. Mr. President, I simply desire to say a word.

It seems to me that the amendment of the Senator from Arkansas will have this effect if it is adopted: You are going to take these convicts off the road. Then what are you going to do with them? You must return them to the walls of the penitentiary or somewhere else where they can be employed, and necessarily you will put them to manufacturing different products for the market, thereby putting them in direct competition with skilled free labor. Now, does anybody want to do that?

That is all I want to say. I am against this amendment. I think it is very bad indeed.

Mr. SMITH of South Carolina. Mr. President, I want to state that the facts in reference to North Carolina, as stated by the Senator from that State, are practically the same that exist in my State. There was opposition to the use of convict labor to any extent upon what we call the State farm. There was unrest among some, whether well-founded or not, on the

ground that the products of this labor would come in competition with the products put upon the market by free labor.

It is now the universal custom in my State to put the convicts upon the roads. We have the taxing system there, and the convicts are employed in road building, not to the exclusion of free labor; and under this good-roads bill free labor can be employed to supplement the convict labor without any detriment whatever to the caste of those of free labor who do the work. If the amendment of the Senator from Arkansas should be agreed to, it would necessarily force us to employ them only on the roads for which the State itself had appropriated. We could not use them in conjunction with this appropriation to carry out the coordinated work that is here contemplated. It would demoralize the whole system. It would cause us not to coordinate. We could not have anything like the perfect system that could be worked out otherwise if this amendment should prevail.

I sincerely hope the amendment will be defeated. It will serve no good purpose whatever, but will create confusion.

Mr. VARDAMAN. Mr. President, I am not going to discuss this amendment. I rise simply for the purpose of expressing my regret that I was not here to vote on suspending the rules for the consideration of the amendment offered by the Senator from Idaho [Mr. BORAH]. I was called out of the Chamber on account of the illness of a friend, and was unable to be present to vote for that amendment, of which I very much approve, and I am sorry that it was not adopted.

Mr. JONES of New Mexico. Mr. President, I want to say just a word with regard to the amendment of the Senator from Arkansas [Mr. KIRBY].

New Mexico was the pioneer in this respect. As a Territory she first began in the United States the work of using convicts upon the public roads. We had quite a problem in handling our convicts. We did not know how to use them in any other way, so as not to bring them in competition with free labor; and so New Mexico first established the system of using her convicts in public road building.

I sincerely hope that the amendment of the Senator from Arkansas will not be adopted.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Arkansas [Mr. KIRBY] to the amendment of the committee. [Putting the question.] By the sound the "noes" seem to have it.

Mr. KIRBY. I should like to have a division on it, anyway. The Senate all voted for it the other day.

On a division, the amendment to the amendment was rejected.

The VICE PRESIDENT. The question now is on concurring in the amendment made as in Committee of the Whole, as amended.

The amendment as amended was concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The VICE PRESIDENT. The question is, Shall the bill pass?

Mr. FRANCE. Mr. President, as there will be no roll call on the passage of this bill, and as there are certain features of the bill which I can not bring myself to approve, I desire the RECORD to show that I voted against the bill.

The VICE PRESIDENT. The question is on the passage of the bill.

The bill was passed.

Mr. BANKHEAD. I move that the Senate request a conference with the House of Representatives on the bill and amendments, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. BANKHEAD, Mr. SWANSON, Mr. HARDWICK, Mr. TOWNSEND, and Mr. WEEKS conferees on the part of the Senate.

SECOND DEFICIENCY APPROPRIATIONS.

Mr. MARTIN of Virginia. I move that the Senate proceed to the consideration of the second deficiency bill, H. R. 15140.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

RECESS.

Mr. MARTIN of Virginia. I now move that the Senate take a recess until 2.45 o'clock to-morrow afternoon. The Roosevelt memorial exercises are to take place in the Hall of the House of Representatives at 3 o'clock, and I ask that the Senate recess until 2.45 o'clock p. m.

The motion was agreed to; and (at 6 o'clock and 55 minutes p. m.) the Senate took a recess until to-morrow, Sunday, February 9, 1919, at 2.45 o'clock p. m.

HOUSE OF REPRESENTATIVES.

SATURDAY, *February 8, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty and ever blessed God, whose mercy is from everlasting to everlasting, we bless Thee for that providence which has upheld, sustained, and guided us through all the past. Continue, we beseech Thee, Thy blessings unto us that we come more and more into Thy kingdom under the leadership of the world's Great Redeemer. Amen.

The Journal of the proceedings of yesterday were read and approved.

NATIONAL CEMETERY IN FRANCE.

Mr. FOSTER and Mr. KELLEY of Michigan rose.

The SPEAKER. For what purpose does the gentleman from Michigan [Mr. KELLEY] rise?

Mr. KELLEY of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a letter written to the Secretary of War by one of the leading lawyers of the State of Michigan, urging the establishment of a national cemetery in France.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The following is the letter referred to:

JANUARY 24, 1919.

Hon. NEWTON D. BAKER,
Secretary of War, Washington, D. C.

DEAR MR. BAKER: I am informed by the Secretary to the President that a letter which I wrote to the President on December 27 has been referred to you. This letter related to the establishment in Europe of an American cemetery, wherein the soldiers of this country who died in Europe may be interred in a proper and decent manner. I am also informed that some Congressman has introduced a resolution on this subject, but I have not that resolution before me, and therefore do not know just what it is.

The idea I have in mind is this, as I think was fully stated in my letter to the President, that we ought to obtain two or three thousand acres of land somewhere in France or Belgium, preferably in France, that could be converted into a cemetery which would be large enough for all the deceased soldiers over there, and have their remains transferred there as soon as possible. While the Government has said, as I understand it, that it will cause to be shipped home the remains of such soldiers as their relatives desire to have brought home for burial, yet I am satisfied that many will feel, as did ex-President Roosevelt, that they would not prefer to have the remains brought to the United States for burial, and indeed it would be an almost impossible thing, and a gruesome one as well, to attempt to bring the remains of very many to this country after they have already been buried for several months.

If anything is to be done along this line it ought to be done promptly. Yourself and myself, as lawyers, know that we would have no right to purchase land in a foreign country even for burial purposes without some sanction by the Government of that country allowing us to do so, and a part of what we would need would be a provision by which we would have supervision of the property and the right to travel to and from it with such soldiers, servants, and agents as we might see fit to employ, and, of course, this would be a perpetual right, as the cemetery would be supposed to be perpetual. Then again, if the right were granted us by the Government of France we might have difficulty in getting title to the property that we needed or wanted, as some would perhaps refuse to sell, and others would hold us up for an excessive price, and, therefore, the only seemingly practical way would be for the French Government, or whatever country we might want to locate it in, by proper law passed, to purchase for us these lands, and, of course, would have the right to put in the act a condemnation clause where it became necessary. I would suggest that this cemetery be located not far from one of the battle fields where our boys fought so valiantly, and that the matter be taken up at once so that when spring comes we could begin transferring the remains of our boys into this cemetery. We have a large number of soldiers over there now who might be used for the purpose of aiding in this work, and I take it we could find plenty of people over there whom we could employ to assist in this work. In other words, it ought to be done quickly and before the markers which have already been put up to mark the graves have been destroyed or decay. I should judge from what I hear of the resolution which has been presented in Congress that the contemplation was to have several burying grounds. Of course, that might be necessary, but it would take legislation in other lands wherever the burying grounds were located, and it occurs to me that it would be more practical to have it all in one place, as above suggested, and the work handled along the lines as above suggested.

You probably have seen the cemetery at Chattanooga, wherein the remains of many of the Union soldiers are buried who fell on the battle fields near there. When I first saw that cemetery I was impressed with the idea that so many men were buried there when their relatives and friends lived in the same country and might have had their remains taken home for burial, but it is very certain that there would be a large number of our American boys whose remains would not be sent back to the United States; many of them have no friends who would ask to have them sent back home, as we certainly ought to honor them, as well as honor our country, by arranging for a decent burial place, and I know of no better way than the one I have suggested. I would, therefore, suggest that if the resolution already offered in Congress does not provide for one central cemetery, as above suggested, that it be amended accordingly. I am satisfied that the people of this country without exception would be pleased to have this work done, and that we would have no trouble when once it was understood throughout the country, and the matter should be carried through Congress without delay, because every Congressman would be deluged with letters if people knew this was up before them to have this carried through.

Please pardon me for taking so much of your time on this matter, but I deem it very essential and important, and, as above suggested, something ought to be done just as soon as possible. If you have any suggestions of where I can help you get this through Congress by writing the Members of Congress from this State, with all of whom I am very well acquainted, I would be glad to take it up.

Respectfully, yours, ———.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 12996. An act granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River in the State of Ohio;

H. R. 13232. An act to extend the time for the construction of a bridge across the Red River of the North, between Traill County, N. Dak., and Polk County, Minn.;

H. R. 12997. An act granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River, in the State of Ohio;

H. R. 15219. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1920, and for other purposes;

H. R. 13273. An act to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, and an act in amendment thereto, approved October 6, 1917; and

H. R. 1607. An act for the relief of David E. Gray.

The message also announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 5334. An act granting the consent of Congress to Oliver Cabana, jr., Myron S. Hall, E. G. Connette, William F. MacGlashan, John H. Bradley, and M. A. Hurt, to construct a bridge across Niagara River within or near the city limits of Buffalo, and for other purposes.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 12996. An act granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River, in the State of Ohio;

H. R. 13273. An act to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, and an act in amendment thereto approved October 6, 1917;

H. R. 13353. An act to extend the provisions of the homestead laws touching credit for period of enlistment to the soldiers, nurses, and officers of the Army and the seamen, marines, nurses, and officers of the Navy and the Marine Corps of the United States who have served or will have served with the Mexican border operations or during the war between the United States and Germany and her allies;

H. R. 1607. An act for the relief of David E. Gray;

H. R. 12997. An act granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River, in the State of Ohio; and

H. R. 13232. An act to extend the time for the construction of a bridge across the Red River of the North, between Traill County, N. Dak., and Polk County, Minn.

DIGEST AND MANUAL.

Mr. FOSTER. Mr. Speaker, I present a resolution and ask unanimous consent for its consideration.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 557 (H. Doc. No. 1779).

Resolved, That there be printed as a House document 2,000 copies of the Digest and Manual of the Rules and Practice of the House of Representatives for the third session of the Sixty-fifth Congress, the same to be bound and distributed through the folding room.

The SPEAKER. Is there objection?

Mr. DYER. Reserving the right to object, does the gentleman propose that these be put to the credit of the Members?

Mr. FOSTER. It is proposed to distribute them through the folding room.

Mr. DYER. Is that the understanding? I know we have had trouble in the past to get even a copy.

The SPEAKER. Is there objection to the consideration of this resolution? [After a pause.] The Chair hears none.

The question is on the resolution.

The question was taken, and the resolution was agreed to.

E. F. KEISTER.

Mr. HASTINGS. Mr. Speaker, I present a privileged report from the Committee on Accounts, House resolution 547, to pay the clerk of the late Representative ROBBINS salary for one month.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 547.

Resolved, That the Clerk of the House of Representatives be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, to E. F. Keister, clerk to EDWARD E. ROBBINS, a Representative from the State of Pennsylvania at the time of his death, the sum of $166.66, being an amount equal to one month's salary of a clerk of a Representative in Congress.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

LINCOLN'S GETTYSBURG ADDRESS.

Mr. RUBEY. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. RUBEY. I desire to submit a unanimous-consent request relating to Lincoln's birthday, and I ask to proceed for not more than one minute.

The SPEAKER. The gentleman from Missouri asks unanimous consent to proceed for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. RUBEY. Mr. Speaker, for a number of years my colleague from Missouri [Mr. RUSSELL] has read Lincoln's Gettysburg speech on Lincoln's birthday. I am sure my colleagues will all regret that this year, on account of illness, he will not be able to perform that duty. I believe the custom should be continued, and therefore I ask unanimous consent that the Speaker of the House shall designate some Member to read, after the approval of the Journal on the 12th, Lincoln's Gettysburg speech.

The SPEAKER. The gentleman asks unanimous consent that the Speaker designate somebody to read Lincoln's Gettysburg speech. Is there objection? [After a pause.] The Chair hears none. The Chair appoints the gentleman from Missouri [Mr. RUBEY].

HOUR OF MEETING TO-MORROW.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 3 o'clock p. m. to-morrow.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 3 o'clock p. m. to-morrow. Is there objection? [After a pause.] The Chair hears none.

HOUR OF MEETING MONDAY, FEBRUARY 10.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-morrow it adjourn to meet at 11 o'clock a. m. on Monday, February 10.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-morrow it adjourn to meet at 11 o'clock a. m. on Monday, February 10. Is there objection? [After a pause.] The Chair hears none.

THE REVENUE—CONFERENCE REPORT (NO. 1037).

Mr. KITCHIN. Mr. Speaker, I call up for consideration the conference report on the bill (H. R. 12863) to provide revenue, and for other purposes.

The SPEAKER. The Clerk will report it.

The Clerk proceeded to read the conference report.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent to dispense with the reading of the report, and ask that the statement be read in lieu thereof.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the statement be read in lieu of the report. Is there objection? [After a pause.] The Chair hears none.

The statement was read.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12863) to provide revenue, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 5, 10, 35, 37, 38, 50, 54, 55, 58, 59, 112, 120, 121, 122, 123, 127, 131, 140, 186, 187, 189, 208, 211, 218, 222, 223, 235, 272, 273, 274, 275, 276, 329, 330, 332, 333, 352, 362, 377, 378, 379, 381, 394, 405, 407, 410, 444, 445, 488, 490, 491, 493, 498, 499, 500, 509, 516, 518, 519, 539, 540, 541, 553, 559, 587, 588, and 594.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 7, 8, 9, 12, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 29, 30, 31, 32, 33, 34, 39, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, 53, 56, 57, 60, 61, 62, 64, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 78, 79, 82, 83, 84, 85, 87, 88, 89, 90, 91, 93, 97, 98, 99, 100,

101, 102, 103, 104, 106, 107, 108, 109, 110, 111, 113, 114, 115, 116, 117, 119, 124, 126, 128, 130, 132, 133, 134, 136, 137, 138, 139, 141, 142, 143, 145, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 162, 163, 164, 165, 166, 167, 168, 170, 172, 173, 174, 175, 176, 177, 178, 179, 181, 182, 183, 184, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 209, 210, 212, 213, 217, 219, 224, 225, 226, 227, 228, 229, 230, 237, 238, 239, 240, 241, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 255, 256, 258, 260, 262, 264, 265, 266, 267, 268, 269, 271; 278, 279, 280, 281, 283, 284, 286, 287, 288, 290, 291, 293, 294, 295, 296, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 326, 327, 328, 331, 334, 335, 336, 337, 338, 339, 340, 342, 343, 344, 346, 347, 348, 349, 350, 351, 353, 354, 355, 356, 358, 359, 360, 361, 363, 364, 365, 366, 370, 371, 372, 373, 374, 380, 382, 383, 384, 385, 386, 388, 389, 390, 392, 396, 398, 400, 401, 402, 403, 406, 408, 409, 411, 412, 413, 415, 416, 419, 422, 423, 427, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 447, 448, 449, 450, 451, 452, 453, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 468, 470, 471, 472, 473, 475, 476, 477, 478, 479, 481, 482, 483, 486, 487, 489, 494, 496, 497, 501, 502, 503, 504, 505, 506, 507, 508, 510, 511, 512, 513, 514, 515, 517, 520, 521, 522, 524, 525, 527, 528, 529, 530, 531, 532, 533, 534, 536, 537, 538, 543, 545, 546, 547, 549, 551, 552, 554, 555, 556, 557, 558, 560, 562, 563, 564, 565, 566, 567, 568, 570, 571, 572, 573, 574, 575, 576, 577, 579, 580, 582, 583, 584, 585, 586, 589, 590, 591, 592, and 593; and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: On page 1, line 5 of the bill, strike out the comma after the word "partnerships"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert a comma and the following: "as well as individuals"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "The term 'Government contract' means (a) a contract made with the United States, or with any department, bureau, officer, commission, board, or agency, under the United States and acting in its behalf, or with any agency controlled by any of the above if the contract is for the benefit of the United States, or (b) a subcontract made with a contractor performing such a contract if the products or services to be furnished under the subcontract are for the benefit of the United States. The term 'Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive' when applied to a contract of the kind referred to in clause (a) of this paragraph, includes all such contracts which, although entered into during such period, were originally not enforceable, but which have been or may become enforceable by reason of subsequent validation in pursuance of law" and a semicolon; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "The term 'personal service corporation' means a corporation whose income is to be ascribed primarily to the activities of the principal owners or stockholders who are themselves regularly engaged in the active conduct of the affairs of the corporation and in which capital (whether invested or borrowed) is not a material income-producing factor; but does not include any foreign corporation, nor any corporation 50 per cent or more of whose gross income consists either (1) of gains, profits, or income derived from trading as a principal, or (2) of gains, profits, commissions, or other income, derived from a Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive" and a semicolon; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"The term 'paid,' for the purposes of the deductions and credits under this title, means 'paid or accrued' or 'paid or incurred,' and the terms 'paid or incurred' and 'paid or accrued' shall be construed according to the method of accounting upon the basis of which the net income is computed under section 212."

And the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"DIVIDENDS.

"SEC. 201. (a) That the term 'dividend' when used in this title (except in paragraph (10) of subdivision (a) of section 234) means (1) any distribution made by a corporation, other than a personal service corporation, to its shareholders or members, whether in cash or in other property or in stock of the corporation, out of its earnings or profits accumulated since February 28, 1913, or (2) any such distribution made by a personal service corporation out of its earnings or profits accumulated since February 28, 1913, and prior to January 1, 1918.

"(b) Any distribution shall be deemed to have been made from earnings or profits unless all earnings and profits have first been distributed. Any distribution made in the year 1918 or any year thereafter shall be deemed to have been made from earnings or profits accumulated since February 28, 1913, or, in the case of a personal service corporation, from the most recently accumulated earnings or profits; but any earnings or profits accumulated prior to March 1, 1913, may be distributed in stock dividends or otherwise, exempt from the tax, after the earnings and profits accumulated since February 28, 1913, have been distributed.

"(c) A dividend paid in stock of the corporation shall be considered income to the amount of the earnings or profits distributed. Amounts distributed in the liquidation of a corporation shall be treated as payments in exchange for stock or shares, and any gain or profit realized thereby shall be taxed to the distributee as other gains or profits.

"(d) If any stock dividend (1) is received by a taxpayer between January 1 and November 1, 1918, both dates inclusive, or (2) is during such period bona fide authorized or declared, and entered on the books of the corporation, and is received by a taxpayer after November 1, 1918, and before the expiration of 30 days after the passage of this act, then such dividend shall, in the manner provided in section 206, be taxed to the recipient at the rates prescribed by law for the years in which the corporation accumulated the earnings or profits from which such dividend was paid, but the dividend shall be deemed to have been paid from the most recently accumulated earnings or profits.

"(e) Any distribution made during the first 60 days of any taxable year shall be deemed to have been made from earnings or profits accumulated during preceding taxable years; but any distribution made during the remainder of the taxable year shall be deemed to have been made from earnings or profits accumulated between the close of the preceding taxable year and the date of distribution, to the extent of such earnings or profits, and if the books of the corporation do not show the amount of such earnings or profits, the earnings or profits for the accounting period within which the distribution was made shall be deemed to have been accumulated ratably during such period."

And the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"(b) When property is exchanged for other property, the property received in exchange shall for the purpose of determining gain or loss be treated as the equivalent of cash to the amount of its fair market value, if any; but when in connection with the reorganization, merger, or consolidation of a corporation a person receives in place of stock or securities owned by him new stock or securities of no greater aggregate par or face value, no gain or loss shall be deemed to occur from the exchange, and the new stock or securities received shall be treated as taking the place of the stock, securities, or property exchanged.

"When in the case of any such reorganization, merger, or consolidation the aggregate par or face value of the new stock or securities received is in excess of the aggregate par or face value of the stock or securities exchanged, a like amount in par or face value of the new stock or securities received shall be treated as taking the place of the stock or securities exchanged, and the amount of the excess in par or face value shall be treated as a gain to the extent that the fair market value of the new stock or securities is greater than the cost (or if acquired prior to March 1, 1913, the fair market value as of that date) of the stock or securities exchanged."

And the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"NET LOSSES.

"SEC. 204. (a) That as used in this section the term 'net loss' refers only to net losses resulting from either (1) the operation of any business regularly carried on by the taxpayer, or (2) the bona fide sale by the taxpayer of plant, buildings, machinery, equipment or other facilities, constructed, installed, or acquired by the taxpayer on or after April 6, 1917, for the production of articles contributing to the prosecution of the present war; and when so resulting means the excess of the deductions allowed by law (excluding in the case of corporations amounts allowed as a deduction under paragraph (6) of subdivision (a) of section 234) over the sum of the gross income plus any interest received free from taxation both under this title and under Title III.

"(b) If for any taxable year beginning afted October 31, 1918, and ending prior to January 1, 1920, it appears upon the production of evidence satisfactory to the commissioner that any taxpayer has sustained a net loss, the amount of such net loss shall under regulations prescribed by the commissioner with the approval of the Secretary be deducted from the net income of the taxpayer for the preceding taxable year; and the taxes imposed by this title and by Title III for such preceding taxable year shall be redetermined accordingly. Any amount found to be due to the taxpayer upon the basis of such redetermination shall be credited or refunded to the taxpayer in accordance with the provisions of section 252. If such net loss is in excess of the net income for such preceding taxable year, the amount of such excess shall under regulations prescribed by the commissioner with the approval of the Secretary be allowed as a deduction in computing the net income for the succeeding taxable year.

"(c) The benefit of this section shall be allowed to the members of a partnership and the beneficiaries of an estate or trust under regulations prescribed by the commissioner with the approval of the Secretary."

And the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"FISCAL YEAR WITH DIFFERENT RATES.

"SEC. 205. (a) That if a taxpayer makes return for a fiscal year beginning in 1917 and ending in 1918, his tax under this title for the first taxable year shall be the sum of: (1) The same proportion of a tax for the entire period computed under Title I of the revenue act of 1916 as amended by the revenue act of 1917 and under Title I of the revenue act of 1917, which the portion of such period falling within the calendar year 1917 is of the entire period, and (2) the same proportion of a tax for the entire period computed under this title at the rates for the calendar year 1918 which the portion of such period falling within the calendar year 1918 is of the entire period: *Provided*, That in the case of a personal service corporation the amount to be paid shall be only that specified in clause (1).

"Any amount heretofore or hereafter paid on account of the tax imposed for such fiscal year by Title I of the revenue act of 1916 as amended by the revenue act of 1917, and by Title I of the revenue act of 1917, shall be credited toward the payment of the tax imposed for such fiscal year by this act, and if the amount so paid exceeds the amount of such tax imposed by this act, or, in the case of a personal service corporation, the amount specified in clause (1), the excess shall be credited or refunded in accordance with the provisions of section 252.

"(b) If a taxpayer makes a return for a fiscal year beginning in 1918 and ending in 1919, the tax under this title for such fiscal year shall be the sum of: (1) the same proportion of a tax for the entire period computed under this title at the rates specified for the calendar year 1918 which the portion of such period falling within the calendar year 1918 is of the entire period, and (2) the same proportion of a tax for the entire period computed under this title at the rates specified for the calendar year 1919 which the portion of such period falling within the calendar year 1919 is of the entire period.

"(c) If a fiscal year of a partnership begins in 1917 and ends in 1918 or begins in 1918 and ends in 1919, then notwithstanding the provisions of subdivision (b) of section 218, (1) the rates for the calendar year during which such fiscal year begins shall apply to an amount of each partner's share of such partnership net income (determined under the law applicable to such year) equal to the proportion which the part of such fiscal year falling within such calendar year bears to the full fiscal year, and (2) the rates for the calendar year during which such fiscal year ends shall apply to an amount of each partner's share of such partnership net income (determined under the law applicable to such calendar year) equal to the proportion which the part of such fiscal year falling within such calendar year bears to the full fiscal year: *Provided*, That in the case of a personal service corporation with respect to a fiscal year beginning in 1917 and ending in 1918, the amount specified in clause (1) shall not be subject to normal tax."

And the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"PARTS OF INCOME SUBJECT TO RATES FOR DIFFERENT YEARS.

"SEC. 206. That whenever parts of a taxpayer's income are subject to rates for different calendar years, the part subject to the rates for the most recent calendar year shall be placed in the lower brackets of the rate schedule provided in this title, the part subject to the rates for the next preceding calendar year shall be placed in the next higher brackets of the rate schedule applicable to that year, and so on until the entire net income has been accounted for. In determining the income, any deductions, exemptions or credits of a kind not plainly and properly chargeable against the income taxable at rates for a preceding year shall first be applied against the income subject to rates for the most recent calendar year; but any balance thereof shall be applied against the income subject to the rates of the next preceding year or years until fully allowed."

And the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following inclosed in parentheses: "including in the case of the President of the United States, the judges of the Supreme and inferior courts of the United States, and all other officers and employees, whether elected or appointed, of the United States, Alaska, Hawaii, or any political subdivision thereof, or the District of Columbia, the compensation received as such"; and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "possessions; or (d) bonds issued by the War Finance Corporation: *Provided*, That every person owning any of the obligations, securities or bonds enumerated in clauses (a), (b), (c) and (d) shall, in the return required by this title, submit a statement showing the number and amount of such obligations, securities and bonds owned by him and the income received therefrom, in such form and with such information as the commissioner may require"; and the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "or (e) in the case of a nonresident alien individual, by the authority of any foreign country (except income, war-profits and excess-profits taxes, and taxes assessed against local benefits of a kind tending to increase the value of the property assessed), upon property or business" and a semicolon; and on page 17, line 5, of the bill, after the matter inserted by Senate amendment numbered 81, insert a comma and the following: "and clause (e) of paragraph (3)" and a comma; and the Senate agree to the same.

Amendment numbered 65: That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment as follows: Omit the matter inserted by said amendment and restore the matter stricken out by said amendment, and, on page 14, line 10 of the bill, after "business," insert a comma and the following: "including a reasonable allowance for obsolescence"; and the Senate agree to the same.

Amendment numbered 77: That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: On page 20, line 3, of the Senate engrossed amendments strike out "12 months" and insert "30 days"; and the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows:

"(12) (a) At the time of filing return for the taxable year 1918 a taxpayer may file a claim in abatement based on the fact that he has sustained a substantial loss (whether or not actually realized by sale or other disposition) resulting from any material reduction (not due to temporary fluctuation) of the value of the inventory for such taxable year, or from the actual payment after the close of such taxable year of rebates in pursuance of contracts entered into during such year upon sales made during such year. In such case payment of the amount of the tax covered by such claim shall not be required until the claim is decided, but the taxpayer shall accompany his claim with a bond in double the amount of the tax covered by the claim, with sureties satisfactory to the commissioner, conditioned for the payment of any part of such tax found to be due, with interest. If any part of such claim is disallowed, then the remainder of the tax due shall on notice and demand by the collector be paid by the taxpayer with interest at the rate of 1 per cent per month from the time the tax would have been due had no such claim been filed. If it is shown to the satisfaction of the commissioner that such substantial loss has been sustained, then in computing the tax imposed by this title the amount of such loss shall be deducted from the net income. (b) If no such claim is filed, but it is shown to the satisfaction of the commissioner that during the taxable year 1919 the taxpayer has sustained a substantial loss of the character above described, then the amount of such loss shall be deducted from the net income for the taxable year 1918 and the tax imposed by this title for such year shall be redetermined accordingly. Any amount found to be due to the taxpayer upon the basis of such redetermination shall be credited or refunded to the taxpayer in accordance with the provisions of section 252."

And the Senate agree to the same.

Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "(10), (12)"; and the Senate agree to the same.

Amendment numbered 86: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert a comma and the following: "and amounts received as dividends from a personal service corporation out of earnings or profits upon which income tax has been imposed by act of Congress"; and the Senate agree to the same.

Amendment numbered 92: That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"(e) Personal service corporations shall not be subject to taxation under this title, but the individual stockholders thereof shall be taxed in the same manner as the members of partnerships. All the provisions of this title relating to partnerships and the members thereof shall so far as practicable apply to personal service corporations and the stockholders thereof: *Provided*, That for the purpose of this subdivision amounts distributed by a personal service corporation during its taxable year shall be accounted for by the distributees; and any portion of the net income remaining undistributed at the close of its taxable year shall be accounted for by the stockholders of such corporation at the close of its taxable year in proportion to their respective shares."

And the Senate agree to the same.

Amendment numbered 94: That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "212, except that there shall also be allowed as a deduction (in lieu of the deduction authorized by paragraph (11) of subdivision (a) of sec. 214) any part of the gross income which, pursuant to the terms of the will or deed creating the trust, is during the taxable year paid to or permanently set aside for the United States, any State, Territory, or any political subdivision thereof, or the District of Columbia, or any corporation organized and operated exclusively for religious, charitable, scientific, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual"; and the Senate agree to the same.

Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: On page 23, line 10, of the Senate engrossed amendments after "administration" insert "or settlement"; and the Senate agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: On page 23, line 14, of the Senate engrossed amendments strike out "or" and insert "of"; and the Senate agree to the same.

Amendment numbered 105: That the House recede from its disagreement to the amendment of the Senate numbered 105, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "distributed, such corporation shall not be subject to the tax imposed by section 230, but the stockholders or members thereof shall be subject to taxation under this title in the same manner as provided in subdivision (e) of section 218 in the case of stockholders of a personal service corporation, except that the tax imposed by Title III shall be deducted from the net income of the corporation before the computation of the proportionate share of each stockholder or member"; and the Senate agree to the same.

Amendment numbered 118: That the House recede from its disagreement to the amendment of the Senate numbered 118, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"CREDIT FOR TAXES.

"SEC. 222. (a) That the tax computed under Part II of this title shall be credited with:

"(1) In the case of a citizen of the United States, the amount of any income, war-profits and excess-profits taxes paid during the taxable year to any foreign country, upon income derived from sources therein, or to any possession of the United States; and

"(2) In the case of a resident of the United States, the amount of any such taxes paid during the taxable year to any possession of the United States; and

"(3) In the case of an alien resident of the United States who is a citizen or subject of a foreign country, the amount of any such taxes paid during the taxable year to such country, upon income derived from sources therein, if such country, in imposing such taxes allows a similar credit to citizens of the United States residing in such country; and

"(4) In the case of any such individual who is a member of a partnership or a beneficiary of an estate or trust, his proportionate share of such taxes of the partnership or the estate or trust paid during the taxable year to a foreign country or to any possession of the United States, as the case may be.

"(b) If accrued taxes when paid differ from the amounts claimed as credits by the taxpayer, or if any tax paid is refunded in whole or in part, the taxpayer shall notify the commissioner who shall redetermine the amount of the tax due under Part II of this title for the year or years affected, and the amount of tax due upon such redetermination, if any, shall be paid by the taxpayer upon notice and demand by the collector, or the amount of tax overpaid, if any, shall be credited or refunded to the taxpayer in accordance with the provisions of section 252. In the case of such a tax accrued but not paid, the commissioner as a condition precedent to the allowance of this credit may require the taxpayer to give a bond with sureties satisfactory to and to be approved by the commissioner in such penal sum as the commissioner may require, conditioned for the payment by the taxpayer of any amount of tax found due upon any such redetermination; and the bond herein prescribed shall contain such further conditions as the commissioner may require.

"(c) These credits shall be allowed only if the taxpayer furnishes evidence satisfactory to the commissioner showing the amount of income derived from sources within such foreign country or such possession of the United States, and all other information necessary for the computation of such credits."

And the Senate agree to the same.

Amendment numbered 125: That the House recede from its disagreement to the amendment of the Senate numbered 125, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "Except in the case of taxpayers who are abroad, no such extension shall be for more than six months"; and the Senate agree to the same.

Amendment numbered 129: That the House recede from its disagreement to the amendment of the Senate numbered 129, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"(1) For the calendar year 1918, 12 per cent of the amount of the net income in excess of the credits provided in section 236; and

"(2) For each calendar year thereafter, 10 per cent of such excess amount.

"(b) For the purposes of the act approved March 21, 1918, entitled 'An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes,' five-sixths of the tax imposed by paragraph (1) of subdivision (a) and four-fifths of the tax imposed by paragraph (2) of subdivision (a) shall be treated as levied by an act in amendment of Title I of the revenue act of 1917."

And the Senate agree to the same.

Amendment numbered 135: That the House recede from its disagreement to the amendment of the Senate numbered 135, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert a comma and the following: "except that:

"(1) In the case of life insurance companies there shall not be included in gross income such portion of any actual premium received from any individual policyholder as is paid back or credited to or treated as an abatement of premium of such policyholder within the taxable year.

"(2) Mutual marine insurance companies shall include in gross income the gross premiums collected and received by them less amounts paid for reinsurance."

And the Senate agree to the same.

Amendment numbered 144: That the House recede from its disagreement to the amendment of the Senate numbered 144, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "238; or (e) in the case of a foreign corporation, by the authority of any foreign country (except income, war-profits and excess-profits taxes, and taxes assessed against local benefits of a kind tending to increase the value of the property assessed), upon the property or business"; and on page 40 of the bill, lines 22 and 23, strike out "paragraphs (2) and (3)" and insert "paragraph (2) and in clauses (a), (b), and (c) of paragraph (3)"; and the Senate agree to the same.

Amendment numbered 146: That the House recede from its disagreement to the amendment of the Senate numbered 146, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert a comma and the following: "and amounts received as dividends from a personal service corporation out of earnings or profits upon which income tax has been imposed by act of Congress"; and the Senate agree to the same.

Amendment numbered 147: That the House recede from its disagreement to the amendment of the Senate numbered 147, and agree to the same with an amendment as follows: Omit the matter inserted by said amendment and restore the matter stricken out by said amendment, and on page 37, line 24, of the bill, after "business," insert a comma and the following: "including a reasonable allowance for obsolescence"; and the Senate agree to the same.

Amendment numbered 159: That the House recede from its disagreement to the amendment of the Senate numbered 159, and agree to the same with an amendment as follows: On page 33, line 9, of the Senate engrossed amendments, strike out "12 months" and insert "30 days"; and the Senate agree to the same.

Amendment numbered 160: That the House recede from its disagreement to the amendment of the Senate numbered 160, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following:

"(10) In the case of insurance companies, in addition to the above: (a) The net addition required by law to be made within the taxable year to reserve funds (including in the case of assessment insurance companies the actual deposit of sums with State or Territorial officers pursuant to law as additions to guarantee or reserve funds); and (b) the sums other than dividends paid within the taxable year on policy and annuity contracts;

"(11) In the case of corporations issuing policies covering life, health, and accident insurance combined in one policy issued on the weekly premium payment plan continuing for life and not subject to cancellation, in addition to the above, such portion of the net addition (not required by law) made within the taxable year to reserve funds as the commissioner finds to be required for the protection of the holders of such policies only;

"(12) In the case of mutual marine insurance companies, there shall be allowed, in addition to the deductions allowed in paragraphs (1) to (10), inclusive, amounts repaid to policyholders on account of premiums previously paid by them, and interest paid upon such amounts between the ascertainment and the payment thereof;

"(13) In the case of mutual insurance companies (other than mutual life or mutual marine insurance companies) requiring their members to make premium deposits to provide for losses and expenses, there shall be allowed, in addition to the deductions allowed in paragraphs (1) to (10), inclusive, (unless otherwise allowed under such paragraphs) the amount of premium deposits returned to their policyholders and the amount of premium deposits retained for the payment of losses, expenses, and reinsurance reserves and a semicolon."

And the Senate agree to the same.

Amendment numbered 161: That the House recede from its disagreement to the amendment of the Senate numbered 161, and agree to the same with an amendment as follows:

"(14) (a) At the time of filing return for the taxable year 1918 a taxpayer may file a claim in abatement based on the fact that he has sustained a substantial loss (whether or not actually realized by sale or other disposition) resulting from any material reduction (not due to temporary fluctuation) of the value of the inventory for such taxable year, or from the actual payment after the close of such taxable year of rebates in pursuance of contracts entered into during such year upon sales made during such year. In such case payment of the amount of the tax covered by such claim shall not be required until the claim is decided, but the taxpayer shall accompany his claim with a bond in double the amount of the tax covered by the claim, with sureties satisfactory to the commissioner, conditioned for the payment of any part of such tax found to be due, with interest. If any part of such claim is disallowed then the remainder of the tax due shall on notice and demand by the collector be paid by the taxpayer with interest at the rate of 1 per cent per month from the time the tax would have been due had no such claim been filed. If it is shown to the satisfaction of the commissioner that such substantial loss has been sustained, then in computing the taxes imposed by this title and by Title III the amount of such loss shall be deducted from the net income. (b) If no such claim is filed, but it is shown to the satisfaction of the commissioner that during the taxable year 1919 the taxpayer has sustained a substantial loss of the character above described then the amount of such loss shall be deducted from the net income for the taxable year 1918 and the taxes imposed by this title and by Title III for such year shall be redetermined accordingly. Any amount found to be due to the taxpayer upon the basis of such redetermination shall be credited or refunded to the taxpayer in accordance with the provisions of section 252."

And the Senate agree to the same.

Amendment numbered 169: That the House recede from its disagreement to the amendment of the Senate numbered 169, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "in computing the tax as provided in subdivision (a) of section 205, the tax computed for the entire period under Title II of the revenue act of 1917 shall be credited against the net income computed for the entire period under Title I of the revenue act of 1916 as amended by the revenue act of 1917 and under Title I of the revenue act of 1917, and the tax computed for the entire period under Title III of this act at the rates prescribed for the calendar year 1918 shall be credited against the net income computed for the entire period under this title; and"; and the Senate agree to the same.

Amendment numbered 171: That the House recede from its disagreement to the amendment of the Senate numbered 171, and agree to the same with an amendment as follows: In lieu of the figure "8" inserted by said amendment insert the figures "10"; and the Senate agree to the same.

Amendment numbered 180: That the House recede from its disagreement to the amendment of the Senate numbered 180, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"(c) If a domestic corporation makes a return for a fiscal year beginning in 1917 and ending in 1918, only that proportion of this credit shall be allowed which the part of such period within the calendar year 1918 bears to the entire period."

And on page 42 of the bill, after line 20, insert the following new paragraph:

"If accrued taxes when paid differ from the amounts claimed as credits by the corporation, or if any tax paid is refunded in whole or in part, the corporation shall at once notify the commissioner who shall redetermine the amount of the taxes due under this title and under Title III for the year or years affected, and the amount of taxes due upon such redetermination, if any, shall be paid by the corporation upon notice and demand by the collector, or the amount of taxes overpaid, if any, shall be credited or refunded to the corporation in accordance with the provisions of section 252. In the case of such a tax accrued but not paid, the commissioner as a condition precedent to the allowance of this credit may require the corporation to give a bond

with sureties satisfactory to and to be approved by him in such penal sum as he may require, conditioned for the payment by the taxpayer of any amount of taxes found due upon any such redetermination; and the bond herein prescribed shall contain such further conditions as the commissioner may require."

And on page 42 of the bill, line 21, at the beginning of the line, insert the letter "b" in parentheses.

And the Senate agree to the same.

Amendment numbered 185: That the House recede from its disagreement to the amendment of the Senate numbered 185, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"CONSOLIDATED RETURNS.

"SEC. 240. (a) That corporations which are affiliated within the meaning of this section shall, under regulations to be prescribed by the commissioner with the approval of the Secretary, make a consolidated return of net income and invested capital for the purposes of this title and Title III, and the taxes thereunder shall be computed and determined upon the basis of such return: *Provided*, That there shall be taken out of such consolidated net income and invested capital, the net income and invested capital of any such affiliated corporation organized after August 1, 1914, and not successor to a then existing business, 50 per cent or more of whose gross income consists of gains, profits, commissions, or other income, derived from a Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive. In such case the corporation so taken out shall be separately assessed on the basis of its own invested capital and net income and the remainder of such affiliated group shall be assessed on the basis of the remaining consolidated invested capital and net income.

"In any case in which a tax is assessed upon the basis of a consolidated return, the total tax shall be computed in the first instance as a unit and shall then be assessed upon the respective affiliated corporations in such proportions as may be agreed upon among them, or, in the absence of any such agreement, then on the basis of the net income properly assignable to each. There shall be allowed in computing the income tax only one specific credit of $2,000 (as provided in section 236); in computing the war-profits credit (as provided in section 311) only one specific exemption of $3,000; and in computing the excess-profits credit (as provided in section 312) only one specific exemption of $3,000.

"(b) For the purpose of this section two or more domestic corporations shall be deemed to be affiliated (1) if one corporation owns directly or controls through closely affiliated interests or by a nominee or nominees substantially all the stock of the other or others, or (2) if substantially all the stock of two or more corporations is owned or controlled by the same interests.

"(c) For the purposes of section 238 a domestic corporation which owns a majority of the voting stock of a foreign corporation shall be deemed to have paid the same proportion of any income, war-profits and excess-profits taxes paid (but not including taxes accrued) by such foreign corporation during the taxable year to any foreign country or to any possession of the United States upon income derived from sources without the United States, which the amount of any dividends (not deductible under section 234) received by such domestic corporation from such foreign corporation during the taxable year bears to the total taxable income of such foreign corporation upon or with respect to which such taxes were paid: *Provided*, That in no such case shall the amount of the credit for such taxes exceed the amount of such dividends (not deductible under section 234) received by such domestic corporation during the taxable year."

And the Senate agree to the same.

Amendment numbered 188: That the House recede from its disagreement to the amendment of the Senate numbered 188, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SEC. 250. (a) That except as otherwise provided in this section and sections 221 and 237 the tax shall be paid in four installments, each consisting of one-fourth of the total amount of the tax. The first installment shall be paid at the time fixed by law for filing the return, and the second installment shall be paid on the fifteenth day of the third month, the third installment on the fifteenth day of the sixth month, and the fourth installment on the fifteenth day of the ninth month, after the time fixed by law for filing the return. Where an extension of time for filing a return is granted the time for payment of the first installment shall be postponed until the date of the expiration of the period of the extension, but the time for payment of the other installments shall not be postponed unless the commissioner so provides in granting the extension. In any case in which the time for the payment of any installment is at the request of the taxpayer thus postponed, there shall be added as part of such installment interest thereon at the rate of one-half of 1 per cent per month from the time is would have been due if no extension had been granted, until paid. If any installment is not paid when due, the whole amount of the tax unpaid shall become due and payable upon notice and demand by the collector."

And the Senate agree to the same.

Amendment numbered 214: That the House recede from its disagreement to the amendment of the Senate numbered 214, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "imposing an income tax"; and the Senate agree to the same.

Amendment numbered 215: That the House recede from its disagreement to the amendment of the Senate numbered 215, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert a colon and the following: "*Provided further*, That all bona fide stockholders of record owning 1 per cent or more of the outstanding stock of any corporation shall, upon making request of the commissioner, be allowed to examine the annual income returns of such corporation and of its subsidiaries. Any stockholder who pursuant to the provisions of this section is allowed to examine the return of any corporation, and who makes known in any manner whatever not provided by law the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth or disclosed in any such return, shall be guilty of a misdemeanor and be punished by a fine not exceeding $1,000, or by imprisonment not exceeding one year, or both"; and the Senate agree to the same.

Amendment numbered 216: That the House recede from its disagreement to the amendment of the Senate numbered 216, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "in such manner as he may determine, in the office of the collector in each internal revenue district and in such other places as he may determine, lists"; and the Senate agree to the same.

Amendment numbered 220: That the House recede from its disagreement to the amendment of the Senate numbered 220, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"CITIZENS OF THE UNITED STATES POSSESSIONS.

"SEC. 260. That any individual who is a citizen of any possession of the United States (but not otherwise a citizen of the United States) and who is not a resident of the United States, shall be subject to taxation under this title only as to income derived from sources within the United States, and in such case the tax shall be computed and paid in the same manner and subject to the same conditions as in the case of other persons who are taxable only as to income derived from such sources."

And the Senate agree to the same.

Amendment numbered 221: That the House recede from its disagreement to the amendment of the Senate numbered 221, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"PORTO RICO AND PHILIPPINE ISLANDS.

"SEC. 261. That in Porto Rico and the Philippine Islands the income tax shall be levied, assessed, collected, and paid in accordance with the provisions of the revenue act of 1916 as amended.

"Returns shall be made and taxes shall be paid under Title I of such act in Porto Rico or the Philippine Islands, as the case may be, by (1) every individual who is a citizen or resident of Porto Rico or the Philippine Islands or derives income from sources therein, and (2) every corporation created or organized in Porto Rico or the Philippine Islands or deriving income from sources therein. An individual who is neither a citizen nor a resident of Porto Rico or the Philippine Islands but derives income from sources therein, shall be taxed in Porto Rico or the Philippine Islands as a nonresident alien individual, and a corporation created or organized outside Porto Rico or the Philippine Islands and deriving income from sources therein shall be taxed in Porto Rico or the Philippine Islands as a foreign corporation. For the purposes of section 216 and of paragraph (6) of subdivision (a) of section 234 a tax imposed in Porto Rico or the Philippine Islands upon the net income of a corporation shall not be deemed to be a tax under this title.

"The Porto Rican or Philippine Legislature shall have power by due enactment to amend, alter, modify, or repeal the income tax laws in force in Porto Rico or the Philippine Islands, respectively."

And the Senate agree to the same.

Amendment numbered 231: That the House recede from its disagreement to the amendment of the Senate numbered 231,

and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "equal to the sum of the following:

"FIRST BRACKET.

"30 per cent of the amount of the net income in excess of the excess-profits credit (determined under section 312) and not in excess of 20 per cent of the invested capital;

"SECOND BRACKET.

"65 per cent of the amount of the net income in excess of 20 per cent of the invested capital;

"THIRD BRACKET.

"The sum, if any, by which 80 per cent of the amount of the net income in excess of the war-profits credit (determined under section 311) exceeds the amount of the tax computed under the first and second brackets.

"(b) For the taxable year 1919 and each taxable year thereafter there shall be levied, collected, and paid upon the net income of every corporation (except corporations taxable under subdivision (c) of this section) a tax equal to the sum of the following:

"FIRST BRACKET.

"20 per cent of the amount of the net income in excess of the excess-profits credit (determined under section 312) and not in excess of 20 per cent of the invested capital;

"SECOND BRACKET.

"40 per cent of the amount of the net income in excess of 20 per cent of the invested capital.

"(c) For the taxable year 1919 and each taxable year thereafter there shall be levied, collected, and paid upon the net income of every corporation which derives in such year a net income of more than $10,000 from any Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive, a sum equal to the sum of the following:

"(1) Such a portion of a tax computed at the rates specified in subdivision (a) as the part of the net income attributable to such Government contract or contracts bears to the entire net income. In computing such tax the excess-profits credit and the war-profits credit applicable to the taxable year shall be used;

"(2) Such a portion of a tax computed at the rates specified in subdivision (b) as the part of the net income not attributable to such Government contract or contracts bears to the entire net income.

"For the purpose of determining the part of the net income attributable to such Government contract or contracts, the proper apportionment and allocation of the deductions with respect to gross income derived from such Government contract or contracts and from other sources, respectively, shall be determined under rules and regulations prescribed by the commissioner with the approval of the Secretary.

"(d) In any case where the full amount of the excess-profits credit is not allowed under the first bracket of subdivision (a) or (b), by reason of the fact that such credit is in excess of 20 per cent of the invested capital, the part not so allowed shall be deducted from the amount in the second bracket.

"(e) For the purposes of the act approved March 21, 1918, entitled 'An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes,' the tax imposed by this title shall be treated as levied by an act in amendment of Title II of the revenue act of 1917."

And the Senate agree to the same.

Amendment numbered 232: That the House recede from its disagreement to the amendment of the Senate numbered 232, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "the tax imposed by subdivision (a) of section 301 shall in no case be more than 30 per cent of the amount of the net income in excess of $3,000 and not in excess of $20,000, plus 80 per cent of the amount of the net income in excess of $20,000; the tax imposed by subdivision (b) of section 301 shall in no case be more than 20 per cent of the amount of the net income in excess of $3,000 and not in excess of $20,000, plus 40 per cent of the amount of the net income in excess of $20,000; and the above limitations shall apply to the taxes computed under subdivisions (a) and (b) of section 301, respectively, when used in subdivision (c) of that section. Nothing in this section shall be construed in such manner as to increase the tax imposed by section 301"; and the Senate agree to the same.

Amendment number 233: That the House recede from its disagreement to the amendment of the Senate numbered 233, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SEC. 303. That if part of the net income of a corporation is derived (1) from a trade or business (or a branch of a trade or business) in which the employment of capital is necessary, and (2) a part (constituting not less than 30 per cent of its total net income) is derived from a separate trade or business (or a distinctly separate branch of the trade or business) which if constituting the sole trade or business would bring it within the class of 'personal service corporations,' then (under regulations prescribed by the commissioner with the approval of the Secretary) the tax upon the first part of such net income shall be separately computed (allowing in such computation only the same proportionate part of the credits authorized in sections 311 and 312), and the tax upon the second part shall be the same percentage thereof as the tax so computed upon the first part is of such first part: *Provided*, That the tax upon such second part shall in no case be less than 20 per cent thereof, unless the tax upon the entire net income, if computed without benefit of this section, would constitute less than 20 per cent of such entire net income, in which event the tax shall be determined upon the entire net income, without reference to this section, as other taxes are determined under this title. The total tax computed under this section shall be subject to the limitations provided in section 302."

And the Senate agree to the same.

Amendment numbered 234: That the House recede from its disagreement to the amendment of the Senate numbered 234, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "Any corporation whose net income for the taxable year is less than $3,000 shall be exempt from taxation under this title"; and the Senate agree to the same.

Amendment numbered 236: That the House recede from its disagreement to the amendment of the Senate numbered 236, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"(c) In the case of any corporation engaged in the mining of gold, the portion of the net income derived from the mining of gold shall be exempt from the tax imposed by this title, and the tax on the remaining portion of the net income shall be the proportion of a tax computed without the benefit of this subdivision which such remaining portion of the net income bears to the entire net income."

And the Senate agree to the same.

Amendment numbered 242: That the House recede from its disagreement to the amendment of the Senate numbered 242, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"(c) If the corporation was not in existence during the whole of at least one calendar year during the prewar period, then, except as provided in subdivision (d), the war-profits credit shall be the sum of:

"(1) A specific exemption of $3,000; and

"(2) An amount equal to the same percentage of the invested capital of the taxpayer for the taxable year as the average percentage of net income to invested capital, for the prewar period, of corporations engaged in a trade or business of the same general class as that conducted by the taxpayer; but such amount shall in no case be less than 10 per cent of the invested capital of the taxpayer for the taxable year. Such average percentage shall be determined by the commissioner on the basis of data contained in returns made under Title II of the revenue act of 1917, and the average known as the median shall be used. If such average percentage has not been determined and published at least 30 days prior to the time when the return of the taxpayer is due, then for purposes of such return 10 per cent shall be used in lieu thereof; but such average percentage when determined shall be used for the purposes of section 250 in determining the correct amount of the tax.

"(d) The war-profits credit shall be determined in the manner provided in subdivision (b) instead of in the manner provided in subdivision (c), in the case of any corporation which was not in existence during the whole of at least one calendar year during the prewar period, if (1) a majority of its stock at any time during the taxable year is owned or controlled, directly or indirectly, by a corporation which was in existence during the whole of at least one calendar year during the prewar period, or if (2) 50 per cent or more of its gross income (as computed under section 233 for income tax purposes) consists of gains, profits, commissions, or other income, derived from a Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive."

And the Senate agree to the same.

Amendment numbered 243: That the House recede from its disagreement to the amendment of the Senate numbered 243, and agree to the same with an amendment as follows: In lieu

of the matter inserted by said amendment insert: "e" in parentheses; and the Senate agree to the same.

Amendment numbered 254: That the House recede from its disagreement to the amendment of the Senate numbered 254, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "therefor, unless the actual cash value of such tangible property at the time paid in is shown to the satisfaction of the Commissioner to have been clearly and substantially in excess of such par value, in which case such excess shall be treated as paid-in surplus: *Provided*, That the commissioner shall keep a record of all cases in which tangible property is included in invested capital at a value in excess of the stock or shares issued therefor, containing the name and address of each taxpayer, the business in which engaged, the amount of invested capital and net income shown by the return, the value of the tangible property at the time paid in, the par value of the stock or shares specifically issued therefor, and the amount included under this paragraph as paid-in surplus. The commissioner shall furnish a copy of such record and other detailed information with respect to such cases when required by resolution of either House of Congress, without regard to the restrictions contained in section 257"; and the Senate agree to the same.

Amendment numbered 257: That the House recede from its disagreement to the amendment of the Senate numbered 257, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "25"; and the Senate agree to the same.

Amendment numbered 259: That the House recede from its disagreement to the amendment of the Senate numbered 259, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "25." And on page 62, line 14, of the bill, after the word "lowest," insert a colon and the following: "*Provided*, That in no case shall the total amount included under paragraphs (4) and (5) exceed in the aggregate 25 per cent of the par value of the total stock or shares of the corporation outstanding at the beginning of the taxable year"; and the Senate agree to the same.

Amendment numbered 261: That the House recede from its disagreement to the amendment of the Senate numbered 261, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "a percentage thereof equal to the percentage which the amount of inadmissible assets is of the amount of admissible and inadmissible assets held during the taxable year"; and the Senate agree to the same.

Amendment numbered 263: That the House recede from its disagreement to the amendment of the Senate numbered 263, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"That in the following cases the tax shall be determined as provided in section 328:

"(a) Where the commissioner is unable to determine the invested capital as provided in section 326;

"(b) In the case of a foreign corporation;

"(c) Where a mixed aggregate of tangible property and intangible property has been paid in for stock or for stock and bonds and the commissioner is unable satisfactorily to determine the respective values of the several classes of property at the time of payment, or to distinguish the classes of property paid in for stock and for bonds, respectively;

"(d) Where upon application by the corporation the commissioner finds and so declares of record that the tax if determined without benefit of this section would, owing to abnormal conditions affecting the capital or income of the corporation, work upon the corporation an exceptional hardship evidenced by gross disproportion between the tax computed without benefit of this section and the tax computed by reference to the representative corporations specified in section 328. This subdivision shall not apply to any case (1) in which the tax (computed without benefit of this section) is high merely because the corporation earned within the taxable year a high rate of profit upon a normal invested capital, nor (2) in which 50 per cent or more of the gross income of the corporation for the taxable year (computed under section 233 of Title II) consists of gains, profits, commissions, or other income derived on a cost-plus basis from a Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive.

"SEC. 328. (a) In the cases specified in section 327 the tax shall be the amount which bears the same ratio to the net income of the taxpayer (in excess of the specific exemption of $3,000) for the taxable year, as the average tax of representative corporations engaged in a like or similar trade or business, bears to their average net income (in excess of the specific exemption of $3,000) for such year. In the case of a foreign corporation the tax shall be computed without deducting the specific exemption of $3,000 either for the taxpayer or the representative corporations.

"In computing the tax under this section."

And on page 65 of the bill, after line 16, insert the following:

"In cases in which the tax is to be computed under this section, if the tax as computed without the benefit of this section is less than 50 per cent of the net income of the taxpayer, the installments shall in the first instance be computed upon the basis of such tax; but if the tax so computed is 50 per cent or more of the net income, the installments shall in the first instance be computed upon the basis of a tax equal to 50 per cent of the net income. In any case, the actual ratio when ascertained shall be used in determining the correct amount of the tax. If the correct amount of the tax when determined exceeds 50 per cent of the net income, any excess of the correct installments over the amounts actually paid shall on notice and demand be paid together with interest at the rate of one-half of 1 per cent per month on such excess from the time the installment was due."

And the Senate agree to the same.

Amendment numbered 270: That the House recede from its disagreement to the amendment of the Senate numbered 270 and agree to the same with an amendment as follows: On page 65 of the bill, lines 22 and 23, strike out "section" and insert "subdivision"; and the Senate agree to the same.

Amendment numbered 277: That the House recede from its disagreement to the amendment of the Senate numbered 277, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"If such predecessor trade or business was carried on by a partnership or individual, the net income for the prewar period shall, under regulations prescribed by the commissioner with the approval of the Secretary, be ascertained and returned as nearly as may be upon the same basis and in the same manner as provided for corporations in Title II, including a reasonable deduction for salary or compensation to each partner or the individual for personal services actually rendered.

"In the case of the organization as a corporation before July 1, 1919, of any trade or business in which capital is a material income-producing factor and which was previously owned by a partnership or individual, the net income of such trade or business from January 1, 1918, to the date of such reorganization may at the option of the individual or partnership be taxed as the net income of a corporation is taxed under Titles II and III; in which event the net income and invested capital of such trade or business shall be computed as if such corporation had been in existence on and after January 1, 1918, and the undistributed profits or earnings of such trade or business shall not be subject to the surtax imposed in section 211, but amounts distributed on or after January 1, 1918, from the earnings of such trade or business shall be taxed to the recipients as dividends, and all the provisions of Titles II and III relating to corporations shall so far as practicable apply to such trade or business: *Provided*, That this paragraph shall not apply to any trade or business the net income of which for the taxable year 1918 was less than 20 per cent of its invested capital for such year: *Provided further*, That any taxpayer who takes advantage of this paragraph shall pay the tax imposed by section 1000 of this act and by the first subdivision of section 407 of the revenue act of 1916, as if such taxpayer had been a corporation on and after January 1, 1918, with a capital stock having no par value.

"If any asset of the trade or business in existence both during the taxable year and any prewar year is included in the invested capital for the taxable year but is not included in the invested capital for such prewar year, or is valued on a different basis in computing the invested capital for the taxable year and such prewar year, respectively, then under rules and regulations to be prescribed by the commissioner with the approval of the Secretary such readjustments shall be made as are necessary to place the computation of the invested capital for such prewar year on the basis employed in determining the invested capital for the taxable year."

And the Senate agree to the same.

Amendment numbered 282: That the House recede from its disagreement to the amendment of the Senate numbered 282, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert a colon and the following:

"*Provided*, That if such previous owner was not a corporation, then the value of any asset so transferred or received shall be taken at its cost of acquisition (at the date when acquired by such previous owner) with proper allowance for depreciation, impairment, betterment, or development, but no addition to the original cost shall be made for any charge or expenditure deducted as expense or otherwise on or after March 1, 1913, in computing the net income of such previous owner for purposes of taxation."

And the Senate agree to the same.

Amendment numbered 285: That the House recede from its disagreement to the amendment of the Senate numbered 285, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"(1) the same proportion of a tax for the entire period computed under Title II of the revenue act of 1917 which the portion of such period falling within the calendar year 1917 is of the entire period, and (2) the same proportion of a tax for the entire period computed under this title at the rates specified in subdivision (a) of section 301 which the portion of such period falling within the calendar year 1918 is of the entire period. Any amount heretofore or hereafter paid on account of the tax imposed for such fiscal year by Title II of the revenue act of 1917 shall be credited toward the payment of the tax imposed for such fiscal year by this title, and if the amount so paid exceeds the amount of the tax imposed by this title, the excess shall be credited or refunded to the corporation in accordance with the provisions of section 252.

"(b) If a corporation makes return for a fiscal year beginning in 1918 and ending in 1919, the tax for such fiscal year under this title shall be the sum of (1) the same proportion of a tax for the entire period computed under subdivision (a) of section 301 which the portion of such period falling within the calendar year 1918 is of the entire period, and (2) the same proportion of a tax for the entire period computed under subdivision (b) or (c) of section 301 which the portion of such period falling within the calendar year 1919 is of the entire period.

"(c) If a partnership or a personal service corporation makes return for a fiscal year beginning in 1917 and ending in 1918, it shall pay the same proportion of a tax for the entire period computed under Title II of the revenue act of 1917 which the portion of such period falling within the calendar year 1917 is of the entire period.

"Any tax paid by a partnership or personal service corporation for any period beginning on or after January 1, 1918, shall be immediately refunded to the partnership or corporation as a tax erroneously or illegally collected."

And on page 67, line 5, of the bill, after "corporation" insert the following inclosed in parentheses: "other than a personal service corporation."

And the Senate agree to the same.

Amendment numbered 289: That the House recede from its disagreement to the amendment of the Senate numbered 289, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

TITLE IV.—ESTATE TAX.

"SEC. 400. That when used in this title—

"The term 'executor' means the executor or administrator of the decedent, or, if there is no executor or administrator, any person who takes possession of any property of the decedent; and

"The term 'collector' means the collector of internal revenue of the district in which was the domicile of the decedent at the time of his death, or, if there was no such domicile in the United States, then the collector of the district in which is situated the part of the gross estate of the decedent in the United States, or, if such part of the gross estate is situated in more than one district, then the collector of internal revenue of such district as may be designated by the commissioner.

"SEC. 401. That (in lieu of the tax imposed by Title II of the revenue act of 1916, as amended, and in lieu of the tax imposed by Title IX of the revenue act of 1917) a tax equal to the sum of the following percentages of the value of the net estate (determined as provided in section 403) is hereby imposed upon the transfer of the net estate of every decedent dying after the passage of this act, whether a resident or nonresident of the United States:

"1 per cent of the amount of the net estate not in excess of $50,000;

"2 per cent of the amount by which the net estate exceeds $50,000 and does not exceed $150,000;

"3 per cent of the amount by which the net estate exceeds $150,000 and does not exceed $250,000;

"4 per cent of the amount by which the net estate exceeds $250,000 and does not exceed $450,000;

"6 per cent of the amount by which the net estate exceeds $450,000 and does not exceed $750,000;

"8 per cent of the amount by which the net estate exceeds $750,000 and does not exceed $1,000,000;

"10 per cent of the amount by which the net estate exceeds $1,000,000 and does not exceed $1,500,000;

"12 per cent of the amount by which the net estate exceeds $1,500,000 and does not exceed $2,000,000;

"14 per cent of the amount by which the net estate exceeds $2,000,000 and does not exceed $3,000,000;

"16 per cent of the amount by which the net estate exceeds $3,000,000 and does not exceed $4,000,000;

"18 per cent of the amount by which the net estate exceeds $4,000,000 and does not exceed $5,000,000;

"20 per cent of the amount by which the net estate exceeds $5,000,000 and does not exceed $8,000,000;

"22 per cent of the amount by which the net estate exceeds $8,000,000 and does not exceed $10,000,000; and

"25 per cent of the amount by which the net estate exceeds $10,000,000.

"The taxes imposed by this title or by Title II of the revenue act of 1916 (as amended by the act entitled 'An act to provide increased revenue to defray the expenses of the increased appropriations for the Army and Navy and the extensions of fortifications, and for other purposes,' approved Mar. 3, 1917) or by Title IX of the revenue act of 1917, shall not apply to the transfer of the net estate of any decedent who has died or may die while serving in the military or naval forces of the United States in the present war or from injuries received or disease contracted while in such service, and any such tax collected upon such transfer shall be refunded to the executor.

"SEC. 402. That the value of the gross estate of the decedent shall be determined by including the value at the time of his death of all property, real or personal, tangible or intangible, wherever situated—

"(a) To the extent of the interest therein of the decedent at the time of his death which after his death is subject to the payment of the charges against his estate and the expenses of its administration and is subject to distribution as part of his estate;

"(b) To the extent of any interest therein of the surviving spouse, existing at the time of the decedent's death as dower, courtesy, or by virtue of a statute creating an estate in lieu of dower or courtesy;

"(c) To the extent of any interest therein of which the decedent has at any time made a transfer, or with respect to which he has at any time created a trust, in contemplation of or intended to take effect in possession or enjoyment at or after his death (whether such transfer or trust is made or created before or after the passage of this act), except in case of a bona fide sale for a fair consideration in money or money's worth. Any transfer of a material part of his property in the nature of a final disposition or distribution thereof, made by the decedent within two years prior to his death without such a consideration, shall, unless shown to the contrary, be deemed to have been made in contemplation of death within the meaning of this title;

"(d) To the extent of the interest therein held jointly or as tenants in the entirety by the decedent and any other person, or deposited in banks or other institutions in their joint names and payable to either or the survivor, except such part thereof as may be shown to have originally belonged to such other person and never to have belonged to the decedent;

"(e) To the extent of any property passing under a general power of appointment exercised by the decedent (1) by will, or (2) by deed executed in contemplation of, or intended to take effect in possession or enjoyment at or after, his death, except in case of a bona fide sale for a fair consideration in money or money's worth; and

"(f) To the extent of the amount receivable by the executor as insurance under policies taken out by the decedent upon his own life; and to the extent of the excess over $40,000 of the amount receivable by all other beneficiaries as insurance under policies taken out by the decedent upon his own life.

"SEC. 403. That for the purpose of the tax the value of the net estate shall be determined—

"(a) In the case of a resident, by deducting from the value of the gross estate—

"(1) Such amounts for funeral expenses, administration expenses, claims against the estate, unpaid mortgages, losses incurred during the settlement of the estate arising from fires, storms, shipwreck, or other casualty, or from theft, when such losses are not compensated for by insurance or otherwise, and such amounts reasonably required and actually expended for the support during the settlement of the estate of those dependent upon the decedent, as are allowed by the laws of the jurisdiction, whether within or without the United States, under which the estate is being administered, but not including any income taxes upon income received after the death of the decedent, or any estate, succession, legacy, or inheritance taxes;

"(2) An amount equal to the value at the time of the decedent's death of any property, real, personal, or mixed, which can be

identified as having been received by the decedent as a share in the estate of any person who died within five years prior to the death of the decedent, or which can be identified as having been acquired by the decedent in exchange for property so received, if an estate tax under the revenue act of 1917 or under this act was collected from such estate, and if such property is included in that part of the decedent's gross estate;

"(3) The amount of all bequests, legacies, devises, or gifts, to or for the use of the United States, any State, Territory, any political subdivision thereof, or the District of Columbia, for exclusively public purposes, or to or for the use of any corporation organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, including the encouragement of art and the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual, or to a trustee or trustees exclusively for such religious, charitable, scientific, literary, or educational purposes. This deduction shall be made in case of the estates of all decedents who have died since December 31, 1917; and

"(4) An exemption of $50,000;

"(b) In the case of a nonresident, by deducting from the value of that part of his gross estate which at the time of his death is situated in the United States—

"(1) That proportion of the deductions specified in paragraph (1) of subdivision (a) of this section which the value of such part bears to the value of his entire gross estate, wherever situated, but in no case shall the amount so deducted exceed 10 per cent of the value of that part of his gross estate which at the time of his death is situated in the United States;

"(2) An amount equal to the value at the time of the decedent's death of any property, real, personal, or mixed, which can be identified as having been received by the decedent as a share in the estate of any person who died within five years prior to the death of the decedent, or which can be identified as having been acquired by the decedent in exchange for property so received, if an estate tax under the revenue act of 1917 or under this act was collected from such estate, and if such property is included in that part of the decedent's gross estate which at the time of his death is situated in the United States; and

"(3) The amount of all bequests, legacies, devises, or gifts, to or for the use of the United States, any State, Territory, any political subdivision thereof, or the District of Columbia, for exclusively public purposes, or to or for the use of any domestic corporation organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, including the encouragement of art and the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual, or to a trustee or trustees exclusively for such religious, charitable, scientific, literary, or educational purposes within the United States. This deduction shall be made in case of the estates of all decedents who have died since December 31, 1917; and

"No deduction shall be allowed in the case of a nonresident unless the executor includes in the return required to be filed under section 404 the value at the time of his death of that part of the gross estate of the nonresident not situated in the United States.

"For the purpose of this title stock in a domestic corporation owned and held by a nonresident decedent, and the amount receivable as insurance upon the life of a nonresident decedent where the insurer is a domestic corporation, shall be deemed property within the United States, and any property of which the decedent has made a transfer or with respect to which he has created a trust, within the meaning of subdivision (c) of section 402, shall be deemed to be situated in the United States, if so situated either at the time of the transfer or the creation of the trust, or at the time of the decedent's death.

"In the case of any estate in respect to which the tax under existing law has been paid, if necessary to allow the benefit of the deduction under paragraph (3) of subdivision (a) or (b) the tax shall be redetermined and any excess of tax paid shall be refunded to the executor.

"SEC. 404. That the executor, within 60 days after qualifying as such, or after coming into possession of any property of the decedent, whichever event first occurs, shall give written notice thereof to the collector. The executor shall also, at such times and in such manner as may be required by regulations made pursuant to law, file with the collector a return under oath in duplicate, setting forth (a) the value of the gross estate of the decedent at the time of his death, or, in case of a nonresident, of that part of his gross estate situated in the United States; (b) the deductions allowed under section 403; (c) the value of the net estate of the decedent as defined in section 403; and (d) the tax paid or payable thereon; or such part of such information as may at the time be ascertainable and such supplemental data as may be necessary to establish the correct tax.

"Return shall be made in all cases where the gross estate at the death of the decedent exceeds $50,000, and in the case of the estate of every nonresident any part of whose gross estate is situated in the United States. If the executor is unable to make a complete return as to any part of the gross estate of the decedent, he shall include in his return a description of such part and the name of every person holding a legal or beneficial interest therein, and upon notice from the collector such person shall in like manner make a return as to such part of the gross estate. The commissioner shall make all assessments of the tax under the authority of existing administrative special and general provisions of law relating to the assessment and collection of taxes.

"SEC. 405. That if no administration is granted upon the estate of a decedent, or if no return is filed as provided in section 404, or if a return contains a false or incorrect statement of a material fact, the collector or deputy collector shall make a return and the commissioner shall assess the tax thereon.

"SEC. 406. That the tax shall be due one year after the decedent's death; but in any case where the commissioner finds that payment of the tax within one year after the decedent's death would impose undue hardship upon the estate he may grant an extension of time for the payment of the tax for a period not to exceed three years from the due date. If the tax is not paid within one year and 180 days after the decedent's death, interest at the rate of 6 per cent per annum from the expiration of one year after the decedent's death shall be added as part of the tax.

"SEC. 407. That the executor shall pay the tax to the collector or deputy collector. If the amount of the tax can not be determined, the payment of a sum of money sufficient, in the opinion of the collector, to discharge the tax shall be deemed payment in full of the tax, except as in this section otherwise provided. If the amount so paid exceeds the amount of the tax as finally determined, the commissioner shall refund such excess to the executor. If the amount of the tax as finally determined exceeds the amount so paid, the collector shall notify the executor of the amount of such excess and demand payment thereof. If such excess part of the tax is not paid within 30 days after such notification, interest shall be added thereto at the rate of 10 per cent per annum from the expiration of such 30 days' period until paid, and the amount of such excess shall be a lien upon the entire gross estate except such part thereof as may have been sold to a bona fide purchaser for a fair consideration in money or money's worth.

"The collector shall grant to the person paying the tax duplicate receipts, either of which shall be sufficient evidence of such payment and shall entitle the executor to be credited and allowed the amount thereof by any court having jurisdiction to audit or settle his accounts.

"SEC. 408. That if the tax herein imposed is not paid within 180 days after it is due, the collector shall, unless there is reasonable cause for further delay, proceed to collect the tax under the provisions of general law or commence appropriate proceedings in any court of the United States, in the name of the United States, to subject the property of the decedent to be sold under the judgment or decree of the court. From the proceeds of such sale the amount of the tax, together with the costs and expenses of every description to be allowed by the court, shall be first paid, and the balance shall be deposited according to the order of the court to be paid under its direction to the person entitled thereto.

"If the tax or any part thereof is paid by, or collected out of that part of the estate passing to or in the possession of, any person other than the executor in his capacity as such, such person shall be entitled to reimbursement out of any part of the estate still undistributed or by a just and equitable contribution by the persons whose interest in the estate of the decedent would have been reduced if the tax had been paid before the distribution of the estate or whose interest is subject to equal or prior liability for the payment of taxes, debts, or other charges against the estate, it being the purpose and intent of this title that so far as is practicable and unless otherwise directed by the will of the decedent the tax shall be paid out of the estate before its distribution. If any part of the gross estate consists of proceeds of policies of insurance upon the life of the decedent receivable by a beneficiary other than the executor, the executor shall be entitled to recover from such beneficiary such portion of the total tax paid as the proceeds, in excess of $40,000, of such policies bear to the net estate. If there is more than one

such beneficiary, the executor shall be entitled to recover from such beneficiaries in the same ratio.

"SEC. 409. That unless the tax is sooner paid in full, it shall be a lien for 10 years upon the gross estate of the decedent, except that such part of the gross estate as is used for the payment of charges against the estate and expenses of its administration, allowed by any court having jurisdiction thereof, shall be divested of such lien. If the commissioner is satisfied that the tax liability of an estate has been fully discharged or provided for, he may, under regulations prescribed by him with the approval of the Secretary, issue his certificate releasing any or all property of such estate from the lien herein imposed.

"If (a) the decedent makes a transfer of, or creates a trust with respect to, any property in contemplation of or intended to take effect in possession or enjoyment at or after his death (except in the case of a bona fide sale for a fair consideration in money or money's worth) or (b) if insurance passes under a contract executed by the decedent in favor of a specific beneficiary, and if in either case the tax in respect thereto is not paid when due, then the transferee, trustee, or beneficiary shall be personally liable for such tax, and such property, to the extent of the decedent's interest therein at the time of such transfer, or to the extent of such beneficiary's interest under such contract of insurance, shall be subject to a like lien equal to the amount of such tax. Any part of such property sold by such transferee or trustee to a bona fide purchaser for a fair consideration in money or money's worth shall be divested of the lien and a like lien shall then attach to all the property of such transferee or trustee, except any part sold to a bona fide purchaser for a fair consideration in money or money's worth.

"SEC. 410. That whoever knowingly makes any false statement in any notice or return required to be filed under this title shall be liable to a penalty of not exceeding $5,000, or imprisonment not exceeding one year, or both.

"Whoever fails to comply with any duty imposed upon him by section 404, or, having in his possession or control any record, file, or paper, containing or supposed to contain any information concerning the estate of the decedent, or, having in his possession or control any property comprised in the gross estate of the decedent, fails to exhibit the same upon request to the commissioner or any collector or law officer of the United States, or his duly authorized deputy or agent, who desires to examine the same in the performance of his duties under this title, shall be liable to a penalty of not exceeding $500, to be recovered, with costs of suit, in a civil action in the name of the United States."

And the Senate agree to the same.

Amendment numbered 292: That the House recede from its disagreement to the amendment of the Senate numbered 292, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert a colon and the following:

"*Provided*, That where such water transportation lines are in competition between American ports with foreign water transportation lines from adjacent foreign ports, the tax imposed under this subdivision on amounts paid for water transportation between American ports shall not exceed the amount of the transportation tax to which such foreign water transportation lines are subjected by their government corresponding to this tax."

And the Senate agree to the same.

Amendment numbered 297: That the House recede from its disagreement to the amendment of the Senate numbered 297, and agree to the same with an amendment as follows: Omit the matter inserted by said amendment and restore the matter stricken out by said amendment and at the end thereof insert the following new paragraph:

"The tax shall, without assessment by the commissioner or notice from the collector, be due and payable to the collector at the time so fixed for filling the return. If the tax is not paid when due, there shall be added as part of the tax a penalty of 5 per cent, together with interest at the rate of 1 per cent for each full month, from the time when the tax became due."

And on page 85, line 19 of the bill, strike out "November 1, 1918" and insert "April 1, 1919."

And on page 86, line 16 of the bill, insert after "policy" a colon and the following:

"*And provided further*, That on all policies covering life, health, and accident insurance combined in one policy by which a life is insured not in excess of $500, issued on the industrial, or weekly or monthly payment plan of insurance, the tax shall be 40 per cent of the amount of the first weekly premium or 20 per cent of the amount of the first monthly premium, as the case may be."

And the Senate agree to the same.

Amendment numbered 312: That the House recede from its disagreement to the amendment of the Senate numbered 312, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "of $3.20 (if intended for sale for beverage purposes or for use in the manufacture or production of any article used or intended for use as a beverage) on each proof gallon, and a proportionate tax at a like rate on all fractional parts of such proof gallon"; and the Senate agree to the same.

Amendment numbered 325: That the House recede from its disagreement to the amendment of the Senate numbered 325, and agree to the same with an amendment as follows: On page 92, line 9, of the Senate engrossed amendments strike out "of fermentation"; and the Senate agree to the same.

Amendment numbered 341: That the House recede from its disagreement to the amendment of the Senate numbered 341, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "$6"; and the Senate agree to the same.

Amendment numbered 345: That the House recede from its disagreement to the amendment of the Senate numbered 345, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "$3"; and the Senate agree to the same.

Amendment numbered 357: That the House recede from its disagreement to the amendment of the Senate numbered 357, and agree to the same with an amendment as follows: On page 95, line 14, of the Senate engrossed amendment strike out "of" and insert "entitled 'An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes,' approved"; and the Senate agree to the same.

Amendment numbered 367: That the House recede from its disagreement to the amendment of the Senate numbered 367, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "1½ cents"; and the Senate agree to the same.

Amendment numbered 368: That the House recede from its disagreement to the amendment of the Senate numbered 368, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert a comma and the following: "societies for the prevention of cruelty to children or animals, or exclusively to the benefit of organizations conducted for the sole purpose of maintaining symphony orchestras and receiving substantial support from voluntary contributions, none of the profits of which are distributed to members of such organizations"; and the Senate agree to the same.

Amendment numbered 369: That the House recede from its disagreement to the amendment of the Senate numbered 369, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "April 1, 1919" and a comma; and the Senate agree to the same.

Amendment numbered 375: That the House recede from its disagreement to the amendment of the Senate numbered 375, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "Automobile trucks and automobile wagons (including tires, inner tubes, parts, and accessories therefor, sold on or in connection therewith or with the sale thereof)" and a comma, and on page 127, line 7, of the bill, strike out the figure "5" and insert the figure "3"; and the Senate agree to the same.

Amendment numbered 376: That the House recede from its disagreement to the amendment of the Senate numbered 376, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "Other automobiles and motorcycles (including tires, inner tubes, parts, and accessories therefor, sold on or in connection therewith or with the sale thereof), except tractors, 5 per cent" and a semicolon; and the Senate agree to the same.

Amendment numbered 387: That the House recede from its disagreement to the amendment of the Senate numbered 387, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the figure "5" in parentheses; and the Senate agree to the same.

Amendment numbered 391: That the House recede from its disagreement to the amendment of the Senate numbered 391, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the figure "6" in parentheses; and the Senate agree to the same.

Amendment numbered 393: That the House recede from its disagreement to the amendment of the Senate numbered 393, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the figure "7" in parentheses; and the Senate agree to the same.

Amendment numbered 395: That the House recede from its disagreement to the amendment of the Senate numbered 395,

and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the figure "8" in parentheses; and the Senate agree to the same.

Amendment numbered 397: That the House recede from its disagreement to the amendment of the Senate numbered 397, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the figure "9" in parentheses; and the Senate agree to the same.

Amendment numbered 399: That the House recede from its disagreement to the amendment of the Senate numbered 399, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the figures "10" in parentheses; and the Senate agree to the same.

Amendment numbered 404: That the House recede from its disagreement to the amendment of the Senate numbered 404, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "(11) Hunting and bowie knives, 10 per centum" and a semicolon; and the Senate agree to the same.

Amendment numbered 414: That the House recede from its disagreement to the amendment of the Senate numbered 414, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "15" in parentheses; and the Senate agree to the same.

Amendment numbered 417: That the House recede from its disagreement to the amendment of the Senate numbered 417, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "16" in parentheses, and the Senate agree to the same.

Amendment numbered 418: That the House recede from its disagreement to the amendment of the Senate numbered 418, and agree to the same with an amendment as follows: On page 129, line 13, of the bill strike out the words "weighing or" and on page 129, line 14 of the bill, after the word "centum" insert a comma and the following: "and automatic slot-device weighing machines, 10 per centum"; and the Senate agree to the same.

Amendment numbered 420: That the House recede from its disagreement to the amendment of the Senate numbered 420, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "17" in parentheses; and the Senate agree to the same.

Amendment numbered 421: That the House recede from its disagreement to the amendment of the Senate numbered 421, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "18" in parentheses; and the Senate agree to the same.

Amendment numbered 424: That the House recede from its disagreement to the amendment of the Senate numbered 424, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "(19) Articles made of fur on the hide or pelt, or of which any such fur is the component material of chief value, 10 per centum" and a semicolon; and the Senate agree to the same.

Amendment numbered 425: That the House recede from its disagreement to the amendment of the Senate numbered 425, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "20" in parentheses; and the Senate agree to the same.

Amendment numbered 426: That the House recede from its disagreement to the amendment of the Senate numbered 426, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "not designed for trade, fishing, or national defense"; and the Senate agree to the same.

Amendment numbered 428: That the House recede from its disagreement to the amendment of the Senate numbered 428, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "21" in parentheses; and the Senate agree to the same.

Amendment numbered 446: That the House recede from its disagreement to the amendment of the Senate numbered 446, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "This section shall not apply to the sale of any such article to an educational institution or public art museum"; and the Senate agree to the same.

Amendment numbered 454: That the House recede from its disagreement to the amendment of the Senate numbered 454, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "by or for a dealer or his estate"; and the Senate agree to the same.

Amendment numbered 467: That the House recede from its disagreement to the amendment of the Senate numbered 467, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "or (2) to any article made of fur on the hide or pelt, or of which any such fur is the component material of chief value" and a comma; and the Senate agree to the same.

Amendment numbered 469: That the House recede from its disagreement to the amendment of the Senate numbered 469, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "(17) or (18)"; and the Senate agree to the same.

Amendment numbered 474: That the House recede from its disagreement to the amendment of the Senate numbered 474, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "by or for a dealer or his estate"; and the Senate agree to the same.

Amendment numbered 480: That the House recede from its disagreement to the amendment of the Senate numbered 480, and agree to the same with an amendment as follows: On page 180 of the bill, after line 2, insert the following: "(6) This section shall not apply to any tax imposed by section 906"; and the Senate agree to the same.

Amendment numbered 484: That the House recede from its disagreement to the amendment of the Senate numbered 484, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "by or for a dealer or his estate"; and the Senate agree to the same.

Amendment numbered 485: That the House recede from its disagreement to the amendment of the Senate numbered 485, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert a colon and the following:

"*Provided*, That the provisions of this section shall not apply to the sale of vaccines and bacterines which are not advertised to the general lay public, nor to the sale by a physician in personal attendance upon a patient of medicinal preparations not so advertised."

And the Senate agree to the same.

Amendment numbered 492: That the House recede from its disagreement to the amendment of the Senate numbered 492, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert a period and the following: "The taxes imposed by this section shall apply to mutual insurance companies, and in the case of every such domestic company the tax shall be equivalent to $1 for each $1,000 of the excess over $5,000 of the sum of its surplus or contingent reserves maintained for the general use of the business and any reserves the net additions to which are included in net income under the provisions of Title II, as of the close of the preceding accounting period used by such company for purposes of making its income tax return: *Provided*, That in the case of a foreign mutual insurance company the tax shall be equivalent to $1 for each $1,000 of the same proportion of the sum of such surplus and reserves, which the reserve fund upon business transacted within the United States is of the total reserve upon all business transacted, as of the close of the preceding accounting period used by such company for purposes of making its income tax return"; and the Senate agree to the same.

Amendment numbered 495: That the House recede from its disagreement to the amendment of the Senate numbered 495, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the figures "$50"; and the Senate agree to the same.

Amendment numbered 523: That the House recede from its disagreement to the amendment of the Senate numbered 523, and agree to the same with an amendment as follows: On page 129 of the bill, at the end of line 14 and before the semicolon inserted by Senate amendment numbered 419, insert the following: "in the case of a vending machine, and 10 per cent of its fair market value in the case of a weighing machine"; and the Senate agree to the same.

Amendment numbered 526: That the House recede from its disagreement to the amendment of the Senate numbered 526, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "or before July 1 of each year"; and the Senate agree to the same.

Amendment numbered 535: That the House recede from its disagreement to the amendment of the Senate numbered 535, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SEC. 1007. That section 6 of such act of December 17, 1914, is hereby amended to read as follows:

"'SEC. 6. That the provisions of this act shall not be construed to apply to the manufacture, sale, distribution, giving

away, dispensing, or possession of preparations and remedies which do not contain more than 2 grains of opium, or more than one-fourth of a grain of morphine, or more than one-eighth of a grain of heroin, or more than 1 grain of codeine, or any salt or derivative of any of them in 1 fluid ounce, or, if a solid or semi-solid preparation, in 1 avoirdupois ounce; or to liniments, ointments, or other preparations which are prepared for external use only, except liniments, ointments, and other preparations which contain cocaine or any of its salts or alpha or beta eucaine or any of their salts or any synthetic substitute for them: *Provided*, That such remedies and preparations are manufactured, sold, distributed, given away, dispensed, or possessed as medicines and not for the purpose of evading the intentions and provisions of this act: *Provided further*, That any manufacturer, producer, compounder, or vendor (including dispensing physicians) of the preparations and remedies mentioned in this section shall keep a record of all sales, exchanges, or gifts of such preparations and remedies in such manner as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall direct. Such record shall be preserved for a period of two years in such a way as to be readily accessible to inspection by any officer, agent, or employee of the Treasury Department duly authorized for that purpose, and the State, Territorial, District, municipal, and insular officers named in section 5 of this act, and every such person so possessing or disposing of such preparations and remedies shall register as required in section 1 of this act, and, if he is not paying a tax under this act, he shall pay a special tax of $1 for each year, or fractional part thereof, in which he is engaged in such occupation, to the collector of internal revenue of the district in which he carries on such occupation as provided in this act. The provisions of this act as amended shall not apply to decocainized coca leaves or preparations made therefrom, or to other preparations of coca leaves which do not contain cocaine?'

And the Senate agree to the same.

Amendment numbered 542: That the House recede from its disagreement to the amendment of the Senate numbered 542, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert a colon and the following: "*Provided*, That where a premium is charged for the issuance, execution, renewal or continuance of such bond the tax shall be 1 cent on each dollar or fractional part thereof of the premium charged: *Provided further*, That policies of reinsurance shall be exempt from the tax imposed by this subdivision;" and the Senate agree to the same.

Amendment numbered 544: That the House recede from its disagreement to the amendment of the Senate numbered 544, and agree to the same with an amendment as follows: On page 118, line 1, of the Senate engrossed amendments strike out "5" and insert "3"; and on page 85, line 24, of the bill, before the comma insert the following inclosed in parenthesis: "except those taxable under subdivision 15 of Schedule A of Title XI"; and the Senate agree to the same.

Amendment numbered 548: That the House recede from its disagreement to the amendment of the Senate numbered 548, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "furniture" and a comma; and the Senate agree to the same.

Amendment numbered 550: That the House recede from its disagreement to the amendment of the Senate numbered 550, and agree to the same with an amendment as follows: Omit the matter inserted by said amendment and on page 173, after line 9 of the bill, insert the following:

"(d) (1) There is hereby created a board to be known as the 'Advisory Tax Board,' hereinafter called the board, and to be composed of not to exceed six members to be appointed by the commissioner with the approval of the Secretary. The board shall cease to exist at the expiration of two years after the passage of this act, or at such earlier time as the commissioner with the approval of the Secretary may designate.

"Vacancies in the membership of the board shall be filled in the same manner as an original appointment. Any member shall be subject to removal by the commissioner with the approval of the Secretary. The commissioner with the approval of the Secretary shall designate the chairman of the board. Each member shall receive an annual salary of $9,000, payable monthly, together with actual necessary expenses when absent from the District of Columbia on official business.

"(2) The commissioner may, and on the request of any taxpayer directly interested shall, submit to the board any question relating to the interpretation or administration of the income, war-profits or excess-profits tax laws, and the board shall report its findings and recommendations to the commissioner.

"(3) The board shall have its office in the Bureau of Internal Revenue in the District of Columbia. The expenses and salaries of members of the board shall be audited, allowed, and paid out of appropriations for collecting internal revenue, in the same manner as expenses and salaries of employees of the Bureau of Internal Revenue are audited, allowed, and paid.

"(4) The board shall have the power to summon witnesses, take testimony, administer oaths, and to require any person to produce books, papers, documents, or other data relating to any matter under investigation by the board. Any member of the board may sign subpœnas and members and employees of the Bureau of Internal Revenue designated to assist the board, when authorized by the board, may administer oaths, examine witnesses, take testimony, and receive evidence."

And the Senate agree to the same.

Amendment numbered 561: That the House recede from its disagreement to the amendment of the Senate numbered 561, and agree to the same with an amendment as follows: On page 128, line 17, and again on page 129, line 7, of the Senate engrossed amendments strike out the word "Titles" and insert the word "Title"; and the Senate agree to the same.

Amendment numbered 569: That the House recede from its disagreement to the amendment of the Senate numbered 569, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"(c) That the paragraph of section 3689 of the Revised Statutes, as amended, reading as follows: 'Refunding taxes illegally collected (internal revenue): To refund and pay back duties erroneously or illegally assessed or collected under the internal-revenue laws,' is repealed from and after June 30, 1920; and the Secretary of the Treasury shall submit for the fiscal year 1921, and annually thereafter, an estimate of appropriations to refund and pay back duties or taxes erroneously or illegally assessed or collected under the internal-revenue laws, and to pay judgments, including interest and costs, rendered for taxes or penalties erroneously or illegally assessed or collected under the internal-revenue laws."

And the Senate agree to the same.

Amendment numbered 578: That the House recede from its disagreement to the amendment of the Senate numbered 578, and agree to the same with an amendment as follows: On page 132, line 11 of the Senate engrossed amendments, after the word "States," insert the following: "at the instance of the United States"; and the Senate agree to the same.

Amendment numbered 581: That the House recede from its disagreement to the amendment of the Senate numbered 581, and agree to the same with an amendment as follows: On page 133, line 7, of the Senate engrossed amendments, strike out the parenthesis, and also in line 8 of said page strike out the parenthesis; and the Senate agree to the same.

Amendment numbered 595: That the House recede from its disagreement to the amendment of the Senate numbered 595, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "1402"; and the Senate agree to the same.

Amendment numbered 596: That the House recede from its disagreement to the amendment of the Senate numbered 596, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "1403"; and the Senate agree to the same.

Amendment numbered 597: That the House recede from its disagreement to the amendment of the Senate numbered 597, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "1404"; and the Senate agree to the same.

Amendment numbered 598: That the House recede from its disagreement to the amendment of the Senate numbered 598, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "1405"; and the Senate agree to the same.

Amendment numbered 599: That the House recede from its disagreement to the amendment of the Senate numbered 599, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SEC. 1406. That all persons serving in the military or naval forces of the United States during the present war who have, since April 6, 1917, resigned or been discharged under honorable conditions (or, in the case of reservists, been placed on inactive duty), or who at any time hereafter (but not later than the termination of the current enlistment or term of service) in the case of the enlisted personnel and female nurses, or within one year after the termination of the present war in the case of officers, may resign or be discharged under honorable conditions (or, in the case of reservists, be placed on inactive duty), shall be paid in addition to all other amounts due them in pursuance of law, $60 each.

"This amount shall not be paid (1) to any person who though appointed or inducted into the military or naval forces on or prior to November 11, 1918, had not reported for duty at

and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the figure "8" in parentheses; and the Senate agree to the same.

Amendment numbered 397: That the House recede from its disagreement to the amendment of the Senate numbered 397, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the figure "9" in parentheses; and the Senate agree to the same.

Amendment numbered 399: That the House recede from its disagreement to the amendment of the Senate numbered 399, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the figures "10" in parentheses; and the Senate agree to the same.

Amendment numbered 404: That the House recede from its disagreement to the amendment of the Senate numbered 404, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "(11) Hunting and bowie knives, 10 per centum" and a semicolon; and the Senate agree to the same.

Amendment numbered 414: That the House recede from its disagreement to the amendment of the Senate numbered 414, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "15" in parentheses; and the Senate agree to the same.

Amendment numbered 417: That the House recede from its disagreement to the amendment of the Senate numbered 417, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "16" in parentheses, and the Senate agree to the same.

Amendment numbered 418: That the House recede from its disagreement to the amendment of the Senate numbered 418, and agree to the same with an amendment as follows: On page 129, line 13, of the bill strike out the words "weighing or" and on page 129, line 14 of the bill, after the word "centum" insert a comma and the following: "and automatic slot-device weighing machines, 10 per centum"; and the Senate agree to the same.

Amendment numbered 420: That the House recede from its disagreement to the amendment of the Senate numbered 420, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "17" in parentheses; and the Senate agree to the same.

Amendment numbered 421: That the House recede from its disagreement to the amendment of the Senate numbered 421, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "18" in parentheses; and the Senate agree to the same.

Amendment numbered 424: That the House recede from its disagreement to the amendment of the Senate numbered 424, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "(19) Articles made of fur on the hide or pelt, or of which any such fur is the component material of chief value, 10 per centum" and a semicolon; and the Senate agree to the same.

Amendment numbered 425: That the House recede from its disagreement to the amendment of the Senate numbered 425, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "20" in parentheses; and the Senate agree to the same.

Amendment numbered 426: That the House recede from its disagreement to the amendment of the Senate numbered 426, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "not designed for trade, fishing, or national defense"; and the Senate agree to the same.

Amendment numbered 428: That the House recede from its disagreement to the amendment of the Senate numbered 428, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "21" in parentheses; and the Senate agree to the same.

Amendment numbered 446: That the House recede from its disagreement to the amendment of the Senate numbered 446, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "This section shall not apply to the sale of any such article to an educational institution or public art museum"; and the Senate agree to the same.

Amendment numbered 454: That the House recede from its disagreement to the amendment of the Senate numbered 454, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "by or for a dealer or his estate"; and the Senate agree to the same.

Amendment numbered 467: That the House recede from its disagreement to the amendment of the Senate numbered 467, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "or (2) to any article made of fur on the hide or pelt, or of which any such fur is the component material of chief value" and a comma; and the Senate agree to the same.

Amendment numbered 469: That the House recede from its disagreement to the amendment of the Senate numbered 469, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "(17) or (18)"; and the Senate agree to the same.

Amendment numbered 474: That the House recede from its disagreement to the amendment of the Senate numbered 474, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "by or for a dealer or his estate"; and the Senate agree to the same.

Amendment numbered 480: That the House recede from its disagreement to the amendment of the Senate numbered 480, and agree to the same with an amendment as follows: On page 180 of the bill, after line 2, insert the following: "(6) This section shall not apply to any tax imposed by section 900"; and the Senate agree to the same.

Amendment numbered 484: That the House recede from its disagreement to the amendment of the Senate numbered 484, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "by or for a dealer or his estate"; and the Senate agree to the same.

Amendment numbered 485: That the House recede from its disagreement to the amendment of the Senate numbered 485, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert a colon and the following:

"*Provided*, That the provisions of this section shall not apply to the sale of vaccines and bacterines which are not advertised to the general lay public, nor to the sale by a physician in personal attendance upon a patient of medicinal preparations not so advertised."

And the Senate agree to the same.

Amendment numbered 492: That the House recede from its disagreement to the amendment of the Senate numbered 492, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert a period and the following: "The taxes imposed by this section shall apply to mutual insurance companies, and in the case of every such domestic company the tax shall be equivalent to $1 for each $1,000 of the excess over $5,000 of the sum of its surplus or contingent reserves maintained for the general use of the business and any reserves the net additions to which are included in net income under the provisions of Title II, as of the close of the preceding accounting period used by such company for purposes of making its income tax return: *Provided*, That in the case of a foreign mutual insurance company the tax shall be equivalent to $1 for each $1,000 of the same proportion of the sum of such surplus and reserves, which the reserve fund upon business transacted within the United States is of the total reserve upon all business transacted, as of the close of the preceding accounting period used by such company for purposes of making its income tax return"; and the Senate agree to the same.

Amendment numbered 495: That the House recede from its disagreement to the amendment of the Senate numbered 495, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the figures "$50"; and the Senate agree to the same.

Amendment numbered 523: That the House recede from its disagreement to the amendment of the Senate numbered 523, and agree to the same with an amendment as follows: On page 129 of the bill, at the end of line 14 and before the semicolon inserted by Senate amendment numbered 419, insert the following: "in the case of a vending machine, and 10 per cent of its fair market value in the case of a weighing machine"; and the Senate agree to the same.

Amendment numbered 526: That the House recede from its disagreement to the amendment of the Senate numbered 526, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "or before July 1 of each year"; and the Senate agree to the same.

Amendment numbered 535: That the House recede from its disagreement to the amendment of the Senate numbered 535, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SEC. 1007. That section 6 of such act of December 17, 1914, is hereby amended to read as follows:

"SEC. 6. That the provisions of this act shall not be construed to apply to the manufacture, sale, distribution, giving

away, dispensing, or possession of preparations and remedies which do not contain more than 2 grains of opium, or more than one-fourth of a grain of morphine, or more than one-eighth of a grain of heroin, or more than 1 grain of codeine, or any salt or derivative of any of them in 1 fluid ounce, or, if a solid or semi-solid preparation, in 1 avoirdupois ounce; or to liniments, ointments, or other preparations which are prepared for external use only, except liniments, ointments, and other preparations which contain cocaine or any of its salts or alpha or beta eucaine or any of their salts or any synthetic substitute for them: *Provided*, That such remedies and preparations are manufactured, sold, distributed, given away, dispensed, or possessed as medicines and not for the purpose of evading the intentions and provisions of this act: *Provided further*, That any manufacturer, producer, compounder, or vendor (including dispensing physicians) of the preparations and remedies mentioned in this section shall keep a record of all sales, exchanges, or gifts of such preparations and remedies in such manner as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall direct. Such record shall be preserved for a period of two years in such a way as to be readily accessible to inspection by any officer, agent, or employee of the Treasury Department duly authorized for that purpose, and the State, Territorial, District, municipal, and insular officers named in section 5 of this act, and every such person so possessing or disposing of such preparations and remedies shall register as required in section 1 of this act, and, if he is not paying a tax under this act, he shall pay a special tax of $1 for each year, or fractional part thereof, in which he is engaged in such occupation, to the collector of internal revenue of the district in which he carries on such occupation as provided in this act. The provisions of this act as amended shall not apply to decocainized coca leaves or preparations made therefrom, or to other preparations of coca leaves which do not contain cocaine?'

And the Senate agree to the same.

Amendment numbered 542: That the House recede from its disagreement to the amendment of the Senate numbered 542, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert a colon and the following: "*Provided*, That where a premium is charged for the issuance, execution, renewal or continuance of such bond the tax shall be 1 cent on each dollar or fractional part thereof of the premium charged: *Provided further*, That policies of reinsurance shall be exempt from the tax imposed by this subdivision;" and the Senate agree to the same.

Amendment numbered 544: That the House recede from its disagreement to the amendment of the Senate numbered 544, and agree to the same with an amendment as follows: On page 118, line 1, of the Senate engrossed amendments strike out "5" and insert "3"; and on page 85, line 24, of the bill, before the comma insert the following inclosed in parenthesis: "except those taxable under subdivision 15 of Schedule A of Title XI"; and the Senate agree to the same.

Amendment numbered 548: That the House recede from its disagreement to the amendment of the Senate numbered 548, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "furniture" and a comma; and the Senate agree to the same.

Amendment numbered 550: That the House recede from its disagreement to the amendment of the Senate numbered 550, and agree to the same with an amendment as follows: Omit the matter inserted by said amendment and on page 173, after line 9 of the bill, insert the following:

"(d) (1) There is hereby created a board to be known as the 'Advisory Tax Board,' hereinafter called the board, and to be composed of not to exceed six members to be appointed by the commissioner with the approval of the Secretary. The board shall cease to exist at the expiration of two years after the passage of this act, or at such earlier time as the commissioner with the approval of the Secretary may designate.

"Vacancies in the membership of the board shall be filled in the same manner as an original appointment. Any member shall be subject to removal by the commissioner with the approval of the Secretary. The commissioner with the approval of the Secretary shall designate the chairman of the board. Each member shall receive an annual salary of $9,000, payable monthly, together with actual necessary expenses when absent from the District of Columbia on official business.

"(2) The commissioner may, and on the request of any taxpayer directly interested shall, submit to the board any question relating to the interpretation or administration of the income, war-profits or excess-profits tax laws, and the board shall report its findings and recommendations to the commissioner.

"(3) The board shall have its office in the Bureau of Internal Revenue in the District of Columbia. The expenses and salaries of members of the board shall be audited, allowed, and paid out of appropriations for collecting internal revenue, in the same manner as expenses and salaries of employees of the Bureau of Internal Revenue are audited, allowed, and paid.

"(4) The board shall have the power to summon witnesses, take testimony, administer oaths, and to require any person to produce books, papers, documents, or other data relating to any matter under investigation by the board. Any member of the board may sign subpœnas and members and employees of the Bureau of Internal Revenue designated to assist the board, when authorized by the board, may administer oaths, examine witnesses, take testimony, and receive evidence."

And the Senate agree to the same.

Amendment numbered 561: That the House recede from its disagreement to the amendment of the Senate numbered 561, and agree to the same with an amendment as follows: On page 128, line 17, and again on page 129, line 7, of the Senate engrossed amendments strike out the word "Titles" and insert the word "Title"; and the Senate agree to the same.

Amendment numbered 569: That the House recede from its disagreement to the amendment of the Senate numbered 569, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"(c) That the paragraph of section 3689 of the Revised Statutes, as amended, reading as follows: 'Refunding taxes illegally collected (internal revenue): To refund and pay back duties erroneously or illegally assessed or collected under the internal-revenue laws,' is repealed from and after June 30, 1920; and the Secretary of the Treasury shall submit for the fiscal year 1921, and annually thereafter, an estimate of appropriations to refund and pay back duties or taxes erroneously or illegally assessed or collected under the internal-revenue laws, and to pay judgments, including interest and costs, rendered for taxes or penalties erroneously or illegally assessed or collected under the internal-revenue laws."

And the Senate agree to the same.

Amendment numbered 578: That the House recede from its disagreement to the amendment of the Senate numbered 578, and agree to the same with an amendment as follows: On page 132, line 11 of the Senate engrossed amendments, after the word "States," insert the following: "at the instance of the United States"; and the Senate agree to the same.

Amendment numbered 581: That the House recede from its disagreement to the amendment of the Senate numbered 581, and agree to the same with an amendment as follows: On page 133, line 7, of the Senate engrossed amendments, strike out the parenthesis, and also in line 8 of said page strike out the parenthesis; and the Senate agree to the same.

Amendment numbered 595: That the House recede from its disagreement to the amendment of the Senate numbered 595, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "1402"; and the Senate agree to the same.

Amendment numbered 596: That the House recede from its disagreement to the amendment of the Senate numbered 596, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "1403"; and the Senate agree to the same.

Amendment numbered 597: That the House recede from its disagreement to the amendment of the Senate numbered 597, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "1404"; and the Senate agree to the same.

Amendment numbered 598: That the House recede from its disagreement to the amendment of the Senate numbered 598, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "1405"; and the Senate agree to the same.

Amendment numbered 599: That the House recede from its disagreement to the amendment of the Senate numbered 599, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SEC. 1406. That all persons serving in the military or naval forces of the United States during the present war who have, since April 6, 1917, resigned or been discharged under honorable conditions (or, in the case of reservists, been placed on inactive duty), or who at any time hereafter (but not later than the termination of the current enlistment or term of service) in the case of the enlisted personnel and female nurses, or within one year after the termination of the present war in the case of officers, may resign or be discharged under honorable conditions (or, in the case of reservists, be placed on inactive duty), shall be paid in addition to all other amounts due them in pursuance of law, $60 each.

"This amount shall not be paid (1) to any person who though appointed or inducted into the military or naval forces on or prior to November 11, 1918, had not reported for duty at

his station on or prior to such date; or (2) to any person who has already received one month's pay under the provisions of section 9 of the act entitled 'An act to authorize the President to increase temporarily the Military Establishment of the United States,' approved May 18, 1917; or (3) to any person who is entitled to retired pay; or (4) to the heirs or legal representatives of any person entitled to any payment under this section who has died or may die before receiving such payment. In the case of any person who subsequent to separation from the service as above specified has been appointed or inducted into the military or naval forces of the United States and has been or is again separated from the service as above specified, only one payment of $60 shall be made.

"The above amount, in the case of separation from the service on or prior to the passage of this act, shall be paid as soon as practicable after the passage of this act, and in the case of separation from the service after the passage of this act shall be paid at the time of such separation.

"The amounts herein provided for shall be paid out of the appropriations for 'pay of the Army' and 'pay of the Navy,' respectively, by such disbursing officers as may be designated by the Secretary of War and the Secretary of the Navy.

"The Secretary of War and the Secretary of the Navy respectively shall make all regulations necessary for the enforcement of the provisions of this section."

And the Senate agree to the same.

Amendment numbered 600: That the House recede from its disagreement to the amendment of the Senate numbered 600, and agree to the same with an amendment as follows: Strike out the section number "1408" in the matter inserted by said amendment and insert in lieu thereof the number "1407"; and the Senate agree to the same.

Amendment numbered 601: That the House recede from its disagreement to the amendment of the Senate numbered 601, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SEC. 1408. That every person who on or after April 6, 1917, has entered into any contract, undertaking, or agreement, with the United States, or with any department, bureau, officer, commission, board, or agency under the United States or acting in its behalf, or with any other person having contract relations with the United States, for the performance of any work or the supplying of any materials or property for the use of or for the account of the United States, shall, within 30 days after a request of the commissioner therefor, file with the commissioner a true and correct copy of every such contract, undertaking, or agreement.

"Whoever fails to comply with such request of the commissioner shall be guilty of a misdemeanor and shall be punished by a fine of not more than $1,000, or by imprisonment for not more than one year, or both.

"The commissioner shall (when not violative of the technical military or naval secrets of the Government) have access to all information and data relating to any such contract, undertaking, or agreement, in the possession, control or custody of any department, bureau, board, agency, officer or commission of the United States, and may call upon any such department, bureau, board, agency, officer or commission for a full statement and description of any allowance for amortization, obsolescence, depreciation or loss, or of any valuation, appraisal, adjustment or final settlement, made in pursuance of any such contract, undertaking, or agreement."

And the Senate agree to the same.

Amendment numbered 602: That the House recede from its disagreement to the amendment of the Senate numbered 602, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "1400"; and the Senate agree to the same.

CLAUDE KITCHIN,
HENRY T. RAINEY,
LINCOLN DIXON,
J. W. FORDNEY,
J. HAMPTON MOORE,
Managers on the part of the House.

F. M. SIMMONS,
JOHN SHARP WILLIAMS,
HOKE SMITH,
BOIES PENROSE,
H. C. LODGE,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12863) to provide revenue, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

On amendment No. 1: This amendment is a clerical change; and the Senate recedes.

On amendment No. 2: This amendment is a clerical change; and the House recedes with an amendment making a further clerical change.

On amendment No. 3: This amendment is a clerical change; and the House recedes with an amendment making a further clerical change.

On amendment No. 4: This amendment is a clerical change; and the House recedes.

The action of the conferees on amendments Nos. 1 to 4, inclusive, will make the term "person" wherever used in the act include partnerships and corporations, as well as individuals; and the term "corporation" include associations, joint-stock companies, and insurance companies.

On amendment No. 5: This amendment defined the term "life insurance company" as used in the Senate life insurance amendments; and the Senate recedes.

On amendment No. 6: The House bill defined a "Government contract." The Senate struck out this definition. The House recedes with an amendment restoring the House definition and providing that the term "Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive," when applied to certain Government contracts "includes all such contracts which, although entered into during such period, were originally not enforceable, but which have been or may become enforceable by reason of subsequent validation in pursuance of law."

On amendment No. 7: This amendment defines the term "military or naval forces of the United States"; and the House recedes.

On amendment No. 8: This amendment provides that wherever in the act the term "present war" is used it shall mean the war in which the United States is now engaged against the German Government; and the House recedes.

On amendment No. 9: This amendment provides that for the purposes of this act the date of the termination of the present war shall be fixed by proclamation of the President; and the House recedes.

On amendment No. 10: This amendment is a clerical change; and the Senate recedes.

On amendment No. 11: This amendment defines the term "personal service corporation" to mean a corporation whose income is to be ascribed primarily to the activities of the principal owners or stockholders, who are themselves regularly engaged in the active conduct of the affairs of the corporation and in which capital (whether invested or borrowed) is not a material income producing factor. The House recedes with an amendment providing that the term "personal service corporation" shall not include a foreign corporation nor any corporation 50 per cent or more of whose gross income consists either (1) of gains, profits, or income derived from trading as a principal, or (2) gains, profits, commissions, or income, derived from a Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive.

On amendment No. 12: This amendment struck out the definition of the term "dividend" as it appeared in the House bill; and the House recedes.

On amendment No. 13: This amendment provides that the terms "paid or incurred" and "paid or accrued" when used in the income-tax title shall be construed according to the method of accounting upon the basis of which the net income is computed under action 212; and the House recedes with an amendment defining the word "paid" when used for the purpose of computing the deductions and credits.

On amendment No. 14: This amendment defines the term "dividends." The House recedes with an amendment effecting clerical changes and providing that if any stock dividend is received by a taxpayer between January 1 and November 1, 1918, or is during such period bona fide authorized or declared, and entered on the books of the corporation, and is received after November 1, 1918, and before the expiration of 30 days after the passage of this act, then such dividend shall be taxed to the recipient at the rates prescribed by law for the years in which the corporation accumulated the earnings or profits from which such dividend was paid; and declaring that any distribution made during the first 60 days of any taxable year shall be deemed to have been made from earnings or profits accumulated during preceding taxable years, but that any distribution made during the remainder of the taxable year shall be deemed to have been made from earnings accumulated between the close of the preceding taxable year and the

date of distribution, to the extent of such earnings or profits. With the exception of the aforementioned changes and the modification of the amendment to cover the case of the personal service corporation the dividend definition in practical effect is the same as the definition in the House bill. The House bill taxed all dividends received by the taxpayer at the rates in effect in the year in which the dividend was received.

On amendments Nos. 15, 16, 17, 18, 19, and 20: These amendments are clerical changes; and the House recedes.

On amendment No. 21: The Senate amendment provided that no gain or loss shall be deemed to occur from the exchange when—in connection with the reorganization, merger, or consolidation of a corporation—a person receives in place of securities owned by him new securities of no greater aggregate par or face value, "or when a person or persons owning property receive in exchange for such property stock of a corporation formed to take over such property." This amendment also provides that when property is exchanged for other property, the property received in exchange shall, for the purpose of determining gain or loss, be treated as the equivalent of cash to the amount of its fair market value. The House recedes with an amendment striking out the clause relating to corporations formed to take over the property of individuals and adding a provision that when—in the case of any reorganization, merger, or consolidation—the aggregate par or face of the securities received is in excess of the aggregate par or face value of the securities exchanged, the amount of such excess shall be treated as a gain to the extent that the fair market value of the new securities is greater than the cost of the securities exchanged (or their value on March 1, 1913, if acquired prior to that date).

On amendment No. 22: This amendment is a change in section number; and the House recedes.

On amendment No. 23: This amendment is a clerical change; and the House recedes.

On amendment No. 24: This amendment provides that inventories for the purpose of determining net income under the income-tax title shall be taken upon the basis determined by the Commissioner of Internal Revenue as conforming as nearly as may be to the best accounting practice in the trade or business; and the House recedes.

On amendment No. 25: This amendment is a clerical change; and the House recedes.

On amendment No. 26: This amendment provides for the deduction of net losses sustained during one taxable year from the net income of the taxpayers for the preceding or succeeding taxable years. The House recedes with amendments making clerical changes and confining the application of this section to net losses sustained during taxable years beginning after October 31, 1918, and ending prior to January 1, 1920.

On amendment No. 27: The Senate bill struck out section 239 of the House bill (which dealt with the computation of income taxes for the fiscal year 1917–18) and inserted as section 205 a general provision dealing with the computation of the income tax for any fiscal year ending during a calendar year for which the rates of tax differ from those of the preceding calendar year. The House, as a necessary result of its action under amendment 285, recedes with an amendment providing that the tax for a fiscal year beginning in 1917 and ending in 1918 shall be the sum of (1) the same proportion of a tax for the entire period computed under Title I of the revenue act of 1916 as amended by the revenue act of 1917, and under Title I of the revenue act of 1917, which the portion of such period falling within the calendar year 1917 is of the entire period, and (2) the same proportion of the tax for the entire period computed under this title at the rates for the calendar year 1918 which the portion of such period falling within the calendar year 1918 is of the entire period. A similar method is also provided for fiscal years beginning in 1918 and ending in 1919.

On amendment No. 28: This amendment provides that whenever parts of a taxpayer's income are subject to rates for different calendar years the part subject to the rates for the most recent calendar year shall be placed in the lower brackets, the part subject to the rates for the next preceding calendar year shall be placed in the next higher brackets, and so on until the entire net income has been accounted for. The House recedes with an amendment striking out the reference to any personal exemption or other specific exemption contained in the Senate bill, and providing that in determining the income any deductions, exemptions, or credits of a kind not plainly and properly chargeable against the income taxable at rates for a preceding year shall first be applied against the income subject to rates for the most recent calendar year, but that any balance thereof shall be applied against the income subject to the rates of the next preceding year or years until fully allowed.

On amendment No. 29: This amendment is a clerical change; and the House recedes.

On amendment No. 30: The House bill levied a normal income tax of 12 per cent upon the amount of the net income in excess of the credits provided in section 216, but provided that the tax upon the first $4,000 of such excess amount in the case of a citizen or resident of the United States should be 6 per cent. The Senate bill provided the same rates for the calendar year 1918, but provided that the normal income tax for each calendar year thereafter shall be 8 per cent of the amount of the net income in excess of the credits provided in section 216, except that in the case of a citizen or resident of the United States the tax shall be 4 per cent upon the first $4,000 of such excess amount; and the House recedes.

On amendment No. 31: This amendment is a clerical change; and the House recedes.

On amendment No. 32: The following table shows the House and Senate surtax rates:

Surtax bracket upon the amount of the net income in excess of—	Rate.	
	House.	Senate.
	Per cent.	*Per cent.*
$5,000 and not in excess of $6,000	2	1
$6,000 and not in excess of $7,500	2	2
$7,500 and not in excess of $8,000	3	2
$8,000 and not in excess of $10,000	3	3
$10,000 and not in excess of $12,000	7	4
$12,000 and not in excess of $14,000	7	5
$14,000 and not in excess of $15,000	7	6
$15,000 and not in excess of $16,000	10	6
$16,000 and not in excess of $18,000	10	7
$18,000 and not in excess of $20,000	10	8
$20,000 and not in excess of $22,000	15	9
$22,000 and not in excess of $24,000	15	10
$24,000 and not in excess of $26,000	15	11
$26,000 and not in excess of $28,000	15	12
$28,000 and not in excess of $30,000	15	13
$30,000 and not in excess of $32,000	20	14
$32,000 and not in excess of $34,000	20	15
$34,000 and not in excess of $36,000	20	16
$36,000 and not in excess of $38,000	20	17
$38,000 and not in excess of $40,000	20	18
$40,000 and not in excess of $42,000	25	19
$42,000 and not in excess of $44,000	25	20
$44,000 and not in excess of $46,000	25	21
$46,000 and not in excess of $48,000	25	22
$48,000 and not in excess of $50,000	25	23
$50,000 and not in excess of $52,000	32	25
$52,000 and not in excess of $54,000	32	26
$54,000 and not in excess of $56,000	32	26
$56,000 and not in excess of $58,000	32	27
$58,000 and not in excess of $60,000	32	28
$60,000 and not in excess of $62,000	38	29
$62,000 and not in excess of $64,000	38	30
$64,000 and not in excess of $66,000	38	31
$66,000 and not in excess of $68,000	38	32
$68,000 and not in excess of $70,000	38	33
$70,000 and not in excess of $72,000	42	34
$72,000 and not in excess of $74,000	42	35
$74,000 and not in excess of $76,000	42	36
$76,000 and not in excess of $78,000	42	37
$78,000 and not in excess of $80,000	42	38
$80,000 and not in excess of $82,000	46	39
$82,000 and not in excess of $84,000	46	40
$84,000 and not in excess of $86,000	46	41
$86,000 and not in excess of $88,000	46	42
$88,000 and not in excess of $90,000	46	43
$90,000 and not in excess of $92,000	48	44
$92,000 and not in excess of $94,000	48	45
$94,000 and not in excess of $96,000	48	46
$96,000 and not in excess of $98,000	48	47
$98,000 and not in excess of $100,000	48	48
$100,000 and not in excess of $150,000	50	52
$150,000 and not in excess of $200,000	50	56
$200,000 and not in excess of $300,000	52	60
$300,000 and not in excess of $500,000	54	63
$500,000 and not in excess of $1,000,000	58	64
$1,000,000 and not in excess of $5,000,000	60	65
$5,000,000	65	65

The House recedes.

On amendment No. 33: This amendment provides that in the case of a bona fide sale of mines, oil, or gas wells, or any interest therein, where the principal value of the property has been demonstrated by prospecting or exploration and discovery work done by the taxpayer, the portion of the surtax attributable to such sales shall not exceed 20 per cent of the selling price of such property or interest; and the House recedes.

On amendment No. 34: This amendment is a clerical change; and the House recedes.

On amendment No. 35: This amendment is a clerical change; and the Senate recedes.

On amendment No. 36: The House bill specifically provided that the term "gross income" should include the salaries of the President of the United States, the judges of the Supreme and inferior courts of the United States, and all other officers and

employees, whether elected or appointed, of the United States or of any State, Alaska, Hawaii, or any political subdivision thereof, or the District of Columbia. The Senate bill struck out this provision. The House recedes with an amendment making the salaries of the President of the United States, the judges of the Supreme and inferior courts of the United States, and all other officers and employees of the United States, Alaska, Hawaii, or any political subdivision thereof, or the District of Columbia, subject to the income tax.

On amendment No. 37: This amendment is a clerical change; and the Senate recedes.

On amendment No. 38: The House bill provided that gross income for the purpose of the income tax should not include the proceeds of life insurance policies paid upon the death of the insured to individual beneficiaries or to the estate of the insured. The Senate bill broadened this provision by providing that gross income should not include the proceeds of life insurance policies paid upon the death of the insured; and the Senate recedes.

On amendment No. 39: The House bill proposed to make the interest from certain State and municipal bonds subject to the surtax. The Senate in this amendment struck out the provision, thereby making all the interest from State and municipal bonds exempt from income taxes; and the House recedes.

On amendment No. 40: This amendment made the interest from bonds issued by the War Finance Corporation exempt except as otherwise provided under amendment No. 41. The House recedes with an amendment providing that every person owning any tax-free securities shall submit in his income-tax return a statement showing the number and amount of such obligations owned by him, and the income received therefrom.

On amendment No. 41: This amendment provides that the interest from bonds issued by the War Finance Corporation shall be exempt from income tax only to the extent provided in the war-finance corporation act; and the House recedes.

On amendments Nos. 42, 43, and 44: These amendments are clerical changes; and the House recedes.

On amendment No. 45: The House bill provided that gross income for the purpose of the income tax does not include income accruing to the Government of the Philippine Islands or Porto Rico, or any political subdivision thereof. The Senate bill extended this exemption to include Porto Rico, the Philippine Islands, and all other possessions of the United States, and any political subdivisions thereof; and the House recedes.

On amendments Nos. 46, 47, 48, and 49: These amendments are clerical changes; and the House recedes.

On amendment No. 50: This amendment is a clerical change; and the Senate recedes.

On amendment No. 51: This amendment limits the exemption from income tax of the income from the United States of persons in the military or naval forces to the period of the present war; and the House recedes.

On amendment No. 52: This amendment limits the exemption from income tax of salaries of persons in the military or naval service to those in active service; and the House recedes.

On amendment No. 53: The House bill limited the exemption of the salaries of those in the military and naval forces from income tax to those serving abroad or at sea. The Senate change in this limitation has been explained in amendment No. 52; and the House recedes.

On amendment No. 54: The House bill limited the exemption from income tax of the income from the United States of persons in the military or naval forces to so much of the income as did not exceed $3,500. The Senate bill eliminated this limit; and the Senate recedes.

On amendment No. 55: This amendment provides that in the case of a device which a taxpayer has invented and which has been accepted by the War and Navy Departments since April 6, 1917, for use in the present war and which has been put into actual use as a basis for successful major operation by the United States Government in the war, and that if the Secretary of War or the Secretary of the Navy shall so certify to the Secretary of the Treasury, no tax shall be imposed for the year 1918 on the royalties received or any amount received in lieu of royalties by the taxpayer for the use of such devices; and the Senate recedes.

On amendment No. 56: This amendment is a clerical change; and the House recedes.

On amendment No. 57: This amendment provides that in the case of nonresident alien individuals gross income includes all amounts received (although paid under a contract for the sale of goods or otherwise) representing profits on the manufacture and disposition of goods within the United States; and the House recedes.

On amendments Nos. 58 and 59: The House bill provided that one of the deductions in computing net income should be payments required to be made as a condition to the continued use or possession for purpose of the trade or business of property to which the taxpayer has not taken or is not taking title or in which he has no equity. The Senate amendment broadened this provision by providing that the deduction should be of payments required to be made as a condition to the continued use or possession of property for purposes of the trade or business; and the Senate recedes.

On amendment No. 60: This amendment provides that interest paid or accrued on indebtedness incurred or continued to purchase or carry obligations or securities (other than obligations of the United States issued after Sept. 24, 1917), the interest upon which is wholly exempt from taxation under the income tax title as income to the taxpayer, shall not be allowed as a deduction in computing net income; and the House recedes.

On amendment No. 61: In the case of a nonresident alien individual, the House bill limited the interest deduction to interest paid during the taxable year. The Senate amendment extended the deduction to interest accrued during the taxable year; and the House recedes.

On amendment No. 62: This amendment authorizes a deduction in computing net income for taxes assessed against local benefits when such benefits are not "of a kind tending to increase the value of the property assessed"; and the House recedes.

On amendment No. 63: This amendment authorizes, in the case of a nonresident alien individual, a deduction for certain taxes imposed by the authority of any foreign country upon property or business, to the extent that the income from such property or business is subject to taxation under this title; and the House recedes with an amendment making clerical changes.

On amendment No. 64: The House bill required a loss to be sustained and charged off during the taxable year before it could be allowed as a deduction in computing net income. The Senate bill only required the loss to be sustained during the taxable year; and the House recedes.

On amendment No. 65: The House bill provided that in determining net income a reasonable allowance should be made for exhaustion, wear, and tear of property used in the trade or business. The Senate bill provided that a reasonable allowance should be made in computing net income for the depreciation of property used in the trade or business. The House recedes with an amendment providing that in computing net income a reasonable allowance should be made for the exhaustion, wear, and tear of property used in the trade or business, including a reasonable allowance for obsolescence.

On amendment No. 66: The House bill provided that a nonresident alien individual should be entitled to deduct in computing net income a reasonable allowance for the exhaustion, wear, and tear of property used in the trade or business within the United States. The Senate bill permitted a nonresident alien individual to avail himself of the deduction for exhaustion, wear, tear, and obsolescence to the extent that they are connected with (taxable) income arising from sources within the United States; and the House recedes.

On amendment No. 67: This amendment extended the amortization provision to vessels constructed or acquired on or after April 6, 1917, for the transportation of articles or men contributing to the prosecution of the present war; and the House recedes.

On amendment No. 68: The House bill made the amortization deduction discretionary; the Senate bill makes it compulsory; and the House recedes.

On amendment No. 69: This amendment is a clerical change; and the House recedes.

On amendment No. 70: The House bill provided that the amortization deduction should not include amounts otherwise allowed under the income-tax title for depreciation, exhaustion, or wear and tear. The Senate amendment provides that the amortization deduction shall not include any amount otherwise allowed under the income-tax title or previous acts of Congress as a deduction in computing net income; and the House recedes.

On amendments Nos. 71, 72, 73, 74, and 75: These amendments are clerical changes; and the House recedes.

On amendment No. 76: The House bill limited the deduction for "amortization" by providing that in the case of a nonresident alien individual "this deduction shall be allowed only as to facilities within the United States," and that in no case shall the deduction for "amortization" exceed 25 per cent of the taxpayer's net income as computed without the benefit of such deduction. The Senate amendment strikes out the above limitations; and the House recedes.

On amendment No. 77: This amendment authorizes a reasonable allowance for the depletion of oil and gas wells in place of a similar allowance "for actual reduction in flow and production" as authorized by the House bill and adds a proviso "that in the case of mines, oil and gas wells, discovered by the taxpayer, on or after March 1, 1913, and not acquired as the result of purchase of a proven tract or lease, where the fair market value of the property is materially disproportionate to the cost, the depletion allowance shall be based upon the fair market value of the property at the date of the discovery, or within 12 months thereafter." The House recedes with an amendment changing the valuation period from 12 months to 30 days.

On amendments Nos. 78 and 79: These amendments are clerical changes; and the House recedes.

On amendment No. 80: This amendment provides that if it is shown to the satisfaction of the commissioner that during the taxable years 1919 and 1920 the taxpayers (a) has for the first time ascertained the amount of a loss sustained during the preceding taxable year and not deducted from the gross income therefor, or (b) has sustained a substantial loss (whether or not actually realized by sale or other disposition), resulting from any material reduction (not due to temporary fluctuation) of the value of the inventory for the preceding taxable year, then the amount of such loss shall be deducted from the net income for such preceding taxable year, and the income taxes for such year shall be redetermined accordingly. The House recedes with amendments (1) limiting the allowance for losses sustained during the taxable year to losses resulting from the actual payment of rebates on sales of the previous year in pursuance of contracts made during such year; (2) limiting the deduction for falling inventories to the taxable year 1919; and (3) permitting the taxpayer to take advantage of this deduction at the time of making his return by filing a claim in abatement accompanied with a bond in double the amount of the tax covered by the claim.

On amendment No. 81: This amendment is a clerical change; and the House recedes with an amendment making a further clerical change.

On amendment No. 82: Nonresident alien individuals, by the House bill, were authorized to deduct certain expenses "only if and to the extent that they are connected with a trade or business carried on within the United States." This amendment authorizes such deductions to be made if and to the extent that they are connected with "income arising from a source within the United States"; and the House recedes.

On amendment No. 83: This amendment is a clerical change made necessary by amendment No. 82; and the House recedes.

On amendments Nos. 84 and 85: Under the House bill a taxpayer would not be permitted to deduct in computing net income premiums paid on group insurance policies for the benefit of employees. Under the Senate bill such premium will be an allowable deduction. The House bill provided that premiums paid on any life insurance policy covering the life of any officer or employee, of any person financially interested in any trade or business carried on by the taxpayer shall not be allowed as a deduction when the taxpayer or anyone financially interested in such trade or business is a beneficiary under such policy. The Senate amendment provides that in the case of such policies the premiums shall not be allowed as a deduction when the taxpayer is directly or indirectly a beneficiary under such policy; and the House recedes.

On amendment No. 86: This amendment provides that for the purpose of computing the normal tax, the amount received as dividends from insurance companies taxable under section 504, and amounts received as dividends from personal service corporations out of earnings or profits upon which income tax has been imposed by act of Congress shall be allowed as credits; and the House recedes with an amendment striking out the reference to insurance companies taxable under section 504 of the Senate bill.

On amendment No. 87: This amendment complies with the terms of the War Finance Corporation act by providing that the interest from the bonds issued by the War Finance Corporation shall not be subject to the normal income tax; and the House recedes.

On amendment No. 88: This amendment is a clerical change to carry out the policy of exempting the interest from State and municipal bonds from income tax; and the House recedes.

On amendments Nos. 89, 90, and 91: These amendments are clerical changes; and the House recedes.

On amendment No. 92: This amendment provides that personal-service corporations shall not be subject to taxation under the income tax title, but that the individual stockholders thereof shall be taxed in the same manner as the members of partnerships. The House recedes with an amendment making minor clerical changes.

On amendment No. 93: This amendment provides for the taxation of "income collected by a guardian of an infant to be held or distributed as the court may direct"—a class of income whose status under the House bill was uncertain; and the House recedes.

On amendment No. 94: This amendment allows, in the case of estates and trusts, a deduction for amounts which, pursuant to the terms of the will or deed creating the trust, are paid to or permanently set aside for religious, charitable, scientific, or educational purposes, or for the prevention of cruelty to children or animals; and the House recedes with amendments making clerical changes and confining the deductions to amounts contributed to or permanently set aside for governmental purposes or corporations organized and operated exclusively for religious, charitable, scientific, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual.

On amendment No. 95: This amendment provides that in determining the net income of the estate of any deceased person during the period of administration there may be deducted the amount of any income properly paid or credited to any legatee, heir, or other beneficiary; and the House recedes with a clerical change.

On amendment No. 96: This amendment provides that any income of an estate during the period of administration or settlement permitted to be deducted from the net income upon which tax is to be paid by the fiduciary shall be accounted for by the beneficiary; and the House recedes with a clerical amendment.

On amendments Nos. 97, 98, 99, 100, and 101: These amendments are clerical changes; and the House recedes.

On amendment No. 102: This amendment eliminates the necessity of proving fraud when earnings of a corporation are allowed to accumulate for the purpose of preventing the imposition of the surtax upon the stockholders or members; and the House recedes.

On amendments Nos. 103 and 104: These amendments are clerical changes; and the House recedes.

On amendment No. 105: This amendment provides that, when the Commissioner of Internal Revenue certifies that an accumulation of profits is, in his opinion, to enable the stockholders of a corporation to avoid payment of the surtaxes, such corporation shall not be subject to the corporation income tax or the excess or war profits taxes, but that the stockholders shall be subject to taxation in the same manner as in the case of stockholders of a personal service corporation. The House recedes from its disagreement to this amendment with an amendment adopting the Senate amendment, but providing that in case a corporation is taxed on the basis of this amendment in the manner provided for personal service corporations, it shall also be subject to the excess or war profits taxes.

On amendments Nos. 106, 107, 108, 109, and 110: These amendments are clerical changes; and the House recedes.

On amendment No. 111: This amendment provides that the Commissioner of Internal Revenue instead of the Secretary of the Treasury shall certify the cases in which, in his opinion, the accumulation of earnings is unreasonable for the purpose of the business; and the House recedes.

On amendment No. 112: This amendment is a clerical change due to the method of taxing insurance under section 504 of the Senate bill; and the Senate recedes.

On amendment No. 113: In the case of income tax withheld at the source the tax in the House bill was at the rate of 12 per cent. The Senate reduced the rate to 8 per cent to comply with the normal income-tax rate after 1918 in the case of citizens or residents of the United States; and the House recedes.

On amendment No. 114: In the case of many American securities taken over and held by foreign Governments the owners of the securities are unknown to the withholding agent. This amendment provides that the Commissioner of Internal Revenue may authorize the tax to be deducted and withheld from the interest upon any securities the owners of which are not known to the withholding agent; and the House recedes.

On amendment No. 115: This amendment provides that in the case of tax-free-covenant obligations in which the interest is payable to a partnership the obligor shall withhold a tax equal to 2 per cent the same as in the case of interest from such obligations payable to individuals; and the House recedes.

On amendment No. 116: This amendment is the same as amendment No. 114, except that in this case it applies to tax-free-covenant obligations; and the House recedes.

On amendment No. 117: This amendment is a clerical change; and the House recedes.

On amendment No. 118: The House bill provided that a citizen of the United States might credit against his income tax the amount of any income, war-profits, and excess-profits taxes paid to any foreign country, Porto Rico, or the Philippine Islands upon income derived from sources therein and allowed a similar credit to an alien resident if his country makes reciprocal provisions. The Senate amendment entirely rewrites the section and broadens it to include a credit for taxes paid to any possession of the United States, which is also to be given to an alien resident of the United States. The House recedes with an amendment providing that if any deduction is allowed for taxes accrued in any possession or foreign country, the commissioner may require the taxpayer to give a surety bond providing for the payment of any tax found to be due the Government in case too great a deduction shall be allowed for accrued taxes in our possessions or any foreign country. The amendment as agreed to also provides that if such accrued taxes when paid differ from the amounts claimed as credits by the taxpayer, or if the tax paid is refunded in whole or in part, the taxpayer shall notify the Commissioner of Internal Revenue, who shall redetermine the amount of the tax due, and the amount of the tax due shall be paid by the taxpayer, or the amount of the tax overpaid shall be credited or refunded to the taxpayer.

On amendment No. 119: This amendment is a clerical change; and the House recedes.

On amendments Nos. 120 and 121: The House bill required every person having a net income for the taxable year of $1,000 or over if single or if married and not living with husband or wife, or of $2,000 or over if married and living with husband or wife, to file an income-tax return. The Senate bill required income-tax returns from individuals having a gross income of $1,000 or over if single or if married and not living with husband or wife, or of $2,000 or over if married and living with husband or wife; and the Senate recedes.

On amendments Nos. 122 and 123: The House bill basis for requiring fiduciary return in the case of single and married persons was the same as the basis for requiring individual returns. The Senate changed the basis to gross income, as it did in the case of individual returns; and the Senate recedes.

On amendment No. 124: This amendment is a clerical change; and the House recedes.

On amendment No. 125: The House bill provided that, except in the case of taxpayers who are abroad, no extension of time for filing returns of income tax shall be for a longer period than two months. The Senate bill struck out the House limitation and left the time of extension to the discretion of the commissioner. The House recedes from its disagreement to this amendment with an amendment providing that, except in the case of taxpayers who are abroad, no extension of the time for making the return shall be for a longer period than six months.

On amendment No. 126: This amendment is a clerical change; and the House recedes.

On amendment No. 127: This amendment exempts insurance companies from the income-tax provision, because the Senate bill proposed a separate and distinct tax on the investment income of insurance companies; and the Senate recedes.

On amendment No. 128: This amendment is a clerical change; and the House recedes.

On amendment No. 129: The House bill levied upon the net income of domestic corporations an income tax of 18 per cent, but provided that the rate should be 12 per cent upon so much of the amount of the net income subject to the tax as does not exceed the sum of (1) the amount of dividends paid during the taxable year, plus (2) the amount paid during the taxable year out of earnings or profits in discharge of bonds and other interest-bearing obligations outstanding prior to the beginning of the taxable year, plus (3) the amount paid during the taxable year in the purchase of obligations of the United States issued after September 1, 1918. The House bill taxed the net income of foreign corporations at the same rate with slight modifications because of the different situation in the case of foreign corporations. The Senate amendment changes the corporation income-tax rate for the calendar year 1918 to a flat rate of 12 per cent and for each calendar year thereafter to a flat rate of 8 per cent. It also provides that for the purpose of the Federal railway control act of March 21, 1918, five-sixths of the corporation income tax for 1918 and three-fourths of the tax for future years shall be treated as levied by an act in amendment of Title I of the revenue act of 1917.

The House recedes with an amendment fixing the corporation income tax for the calendar year 1918 at a flat rate of 12 per cent and for each calendar year thereafter at a flat rate of 10 per cent and providing that for the purposes of the Federal railway control act five-sixths of the corporation income tax for 1918 and four-fifths of the tax for each calendar year thereafter shall be treated as levied by an act in amendment of Title I of the revenue act of 1917.

On amendment No. 130: This amendment adds to the list of corporations exempt from income tax corporations organized and operated exclusively for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual; and the House recedes.

On amendment No. 131: The House bill exempted from income tax certain farmers', fruit growers', and like associations. The Senate amendment extends the exemption to cover cooperative societies but restricts the deductions heretofore allowed to associations or societies of this class which sell for or to nonmembers; and the Senate recedes.

On amendment No. 132: This amendment strikes joint stock land banks out of the list of corporations exempt from income tax. It also includes personal-service corporations among the corporations exempt from the corporation income tax. Senate amendment numbered 92 having made the stockholders of a personal-service corporation individually liable to income taxes in the same manner as members of a partnership; and the House recedes.

On amendments Nos. 133 and 134: These amendments are clerical changes; and the House recedes.

On amendment No. 135: The House bill provided that in computing the gross income of life insurance companies there should not be included such portion of any premium received "within the taxable year" as is paid back or credited to or treated as an abatement of premium within the taxable year; and also provided a rule for computing gross income in the case of mutual marine insurance companies. The Senate amendment strikes out these provisions, in pursuance of the Senate plan to tax insurance companies on the basis of investment income. The House recedes with an amendment restoring the House provisions but omitting the requirement in the case of a life insurance company that premiums to be excluded from gross income must be received "within the taxable year."

On amendments Nos. 136 and 137: These amendments propose to make foreign corporations selling raw materials in the United States to be manufactured here under an agreement that certain profits on the manufacture and disposition of the finished products shall be paid to the foreign corporation include such profits in computing gross income; and the House recedes.

On amendments Nos. 138 and 139: These amendments are clerical changes; and the House recedes.

On amendment No. 140: The House bill provided that in computing net income rentals or other payments required to be made as a condition to the continued use or possession of property to which the corporation has not taken or is not taking title, or in which it has no equity, could be allowed as a deduction. The Senate amendment broadens this deduction provision by providing that rentals or other payments required to be made as a condition to the continued use or possession of property may be allowed as a deduction in computing net income; and the Senate recedes.

On amendment No. 141: This amendment provides that interest paid or accrued on indebtedness incurred or continued to purchase or carry obligations or securities (other than obligations of the United States issued after Sept. 24, 1917), the interest upon which is wholly exempt from taxation under the income tax title as income to the taxpayer, shall not be allowed as a deduction in computing net income; and the House recedes.

On amendment No. 142: In the case of a foreign corporation, the House bill limited the interest deduction to interest paid during the taxable year. The Senate bill extended the deduction to interest accrued during the taxable year; and the House recedes.

On amendment No. 143: This amendment authorizes a deduction for taxes assessed against local benefits when such benefits are not "of a kind tending to increase the value of the property assessed"; and the House recedes.

On amendment No. 144: This amendment authorizes, in the case of a foreign corporation, a deduction for certain taxes imposed by the authority of any foreign country upon property or business to the extent that the income from such property or business is subject to taxation under this title; and the House recedes, with an amendment making clerical changes.

On amendment No. 145: In the case of corporations the House bill required losses sustained during the taxable year to be charged off before allowing them to be deducted in computing the net income. The Senate amendment allowed losses sustained to be deducted although the taxpayer may not be able to charge them off during the taxable year; and the House recedes.

On amendment No. 146: The House bill provided that in computing the net income of a corporation there should be deducted the dividends received from a corporation subject to income tax. The Senate amendment provides that amounts received by corporations as dividends from insurance companies not subject to income tax, and amounts received as dividends from a personal service corporation out of earnings or profits upon which income tax has been imposed by act of Congress, shall be deducted in computing net income. The House recedes with an amendment striking out the specific reference to insurance companies, since, by reason of the recession of the Senate from its amendment No. 127, such companies are subject to income tax.

On amendment No. 147: The House bill provided that in determining net income a reasonable allowance should be made for exhaustion, wear, and tear of the property used in the trade or business. The Senate amendment provides that a reasonable allowance shall be made in computing net income for the depreciation of property used in the trade or business. The House recedes with an amendment providing that in computing net income a reasonable allowance shall be made for the exhaustion, wear, and tear of the property used in the trade or business, including a reasonable allowance for obsolescence.

On amendment No. 148: This amendment permits a foreign corporation to avail itself of the deduction for exhaustion, wear, tear, and obsolescence of property outside the United States to the extent that they are connected with income arising from sources within the United States; and the House recedes.

On amendment No. 149: This amendment extends the amortization provision to vessels constructed or acquired on or after April 6, 1917, for the transportation of articles or men contributing to the prosecution of the present war; and the House recedes.

On amendment No. 150: The House bill made the amortization deduction discretionary. The Senate bill makes it compulsory; and the House recedes.

On amendment No. 151: This amendment is a clerical change; and the House recedes.

On amendment No. 152: The House bill provided that the amortization deduction should not include amounts otherwise allowed under the income-tax title for depreciation, exhaustion, or wear and tear. The Senate amendment provides that the amortization deduction shall not include any amount otherwise allowed under the income-tax title or previous acts of Congress as a deduction in computing net income; and the House recedes.

On amendments Nos. 153, 154, 155, 156, and 157: These amendments are clerical changes; and the House recedes.

On amendment No. 158: The House bill limited the deduction for amortization by providing that in the case of a foreign corporation "this deduction shall be allowed only as to facilities within the United States," and that in no case shall the deduction for amortization exceed 25 per cent of the taxpayer's net income as computed without the benefit of such deduction. The Senate amendment strikes out the above limitation; and the House recedes.

On amendment No. 159: This amendment authorizes a reasonable allowance for the depletion of oil and gas wells in place of a similar allowance "for actual reduction in flow and production" as authorized by the House, and adds a proviso "that in the case of mines, oil and gas wells, discovered by the taxpayer on or after March 1, 1913, and not acquired as the result of purchase of a proven tract or lease, where the fair market value of the property is materially disproportionate to the cost, the depletion allowance shall be based upon the fair market value of the property at the date of discovery, or within 12 months thereafter." The House recedes with an amendment changing the valuation period from 12 months to 30 days.

On amendment No. 160: The Senate bill carried a new and separate scheme of taxation for insurance companies, and this amendment strikes out as superfluous special deductions provided in the House bill for computing the net income of such corporation. The House recedes with an amendment restoring the House deductions and making a clerical change.

On amendment No. 161: This amendment provides that if it is shown to the satisfaction of the commissioner that during the taxable years 1919 and 1920 the taxpayer (a) has for the first time ascertained the amount of a loss sustained during the preceding taxable year and not deducted from the gross income therefor, or (b) has sustained a substantial loss (whether or not actually realized by sale or other disposition) resulting from any material reduction (not due to temporary fluctuation) of the value of the inventory for the preceding taxable year, then the amount of such loss shall be deducted from the net income for such preceding taxable year, and the income taxes and excess-profits or war-profits taxes for such year shall be redetermined accordingly. The House recedes with amendments (1) limiting the allowance for losses sustained during the taxable year to losses resulting from the actual payment of rebates on sales of the previous year in pursuance of contracts made during such year; (2) limiting the deduction for falling inventories to the taxable year 1919; and (3) permitting the taxpayer to take advantage of this deduction at the time of making his return by filing a claim in abatement accompanied with a bond in double the amount of the tax covered by the claim.

On amendment No. 162: The House bill authorized foreign corporations to deduct certain expenses "only if and to the extent that they are connected with a trade or business carried on within the United States." The Senate amendment authorizes such deductions to be made if and to the extent that they are connected with "income arising from a source within the United States"; and the House recedes.

On amendment No. 163: This amendment is a clerical change made necessary by amendment No. 162; and the House recedes.

On amendment No. 164: This amendment is a clerical change; and the House recedes.

On amendment No. 165: This amendment complies with the terms of the War Finance Corporation act by providing that the interest from bonds issued by the War Finance Corporation shall not be subject to the corporation income tax; and the House recedes.

On amendment No. 166: This amendment is a clerical change to carry out the policy of exempting the interest from State and municipal bonds from income tax; and the House recedes.

On amendments Nos. 167 and 168: These amendments are clerical changes; and the House recedes.

On amendment No. 169: This amendment changes the method of computing income taxes for fiscal years begining in 1917 and ending in 1918; and the House recedes with an amendment providing that in such cases, the excess-profits tax computed under Title II of the revenue act of 1917 shall be credited against the net income computed for the entire period under Title I of the revenue act of 1916 as amended by the revenue act of 1917 and under Title I of the revenue act of 1917, and the tax computed for the entire period under Title III of this act at the rates prescribed for the calendar year 1918 shall be credited against the net income computed for the entire period under this title.

On amendment No. 170: This amendment is a clerical change; and the House recedes.

On amendment No. 171: In the case of foreign corporations not engaged in trade or business within the United States and not having an office or place of business therein, the House bill required the corporation income tax to be withheld at the source at the rate of 18 per cent. The Senate reduced the rate to 8 per cent. The House recedes from its disagreement to the Senate amendment with an amendment providing that tax shall be withheld at the rate of 10 per cent.

On amendments Nos. 172, 173, 174, and 175: These amendments are clerical changes; and the House recedes.

On amendments Nos. 176 and 177: The effect of the Senate amendments is to extend the benefit of the credit for taxes to taxes paid to all possessions of the United States; and the House recedes.

On amendments Nos. 178 and 179: These amendments are clerical changes; and the House recedes.

On amendment No. 180: This amendment provides that in the case of a corporation which makes return for a fiscal year beginning in 1917 and ending in 1918 any tax paid for such fiscal year under Title I of the revenue act of 1916 or Title I of the revenue act of 1917 shall be credited against the tax imposed by this title. The House recedes with an amendment (1) limiting the allowance to that proportion of the credit for foreign taxes which the part of the fiscal year falling within the calendar year 1918 bears to the entire period; and (2) safeguarding the allowance by a provision inserted in subdivision (a) that if accrued taxes when paid differ from the amounts claimed as credits, or if any tax paid is refunded in whole or in part, the taxes due shall be redetermined, and authorizing the commissioner to require bond, in the case of claims based upon taxes accrued but not paid, conditioned for the payment by the taxpayer of any amount of tax found due upon any such redetermination. Provision is also made in amendment 169 that in the case of a corporation which makes return for a fiscal year beginning in

1917 and ending in 1918, the part of the war-profits and excess-profits taxes attributable to the calendar year 1917 shall be credited against the net income (not against the tax) for such year.

On amendment No. 181: This amendment strikes out section 239 of the House bill (which dealt with the computation of income taxes for the fiscal year 1917-18) as a part of the general change made by section 205 of the Senate bill, which—as explained in connection with amendment No. 27—provides a general method for computing the income tax for any fiscal year ending during a calendar year for which the rates of tax differ from those of the preceding calendar year; and the House recedes.

On amendment No. 182: This amendment is a change in section number; and the House recedes.

On amendment No. 183: This amendment is a clerical change; and the House recedes.

On amendment No. 184: This amendment provides that when the accounting period is changed as provided under section 228, only such portion of the $2,000 corporation credit allowed under subdivision (c) of section 236 shall be allowed as the number of months in the period for which the return is made bears to 12 months; and the House recedes.

On amendment No. 185: This amendment provides for the computation of the income, excess profits and war profits taxes of affiliated corporations on the basis of a consolidated return of their net income and invested capital. The House recedes with an amendment providing:

(1) That there shall be taken out of such consolidated net income and invested capital, the net income and invested capital of any such affiliated corporation organized after August 1, 1914, and not successor to a then existing business, 50 per cent or more of whose gross income consist of gains, profits, commissions, or other income derived from a Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive.

(2) That two or more domestic corporations shall be deemed to be affiliated (1) if one corporation owns directly or controls through closely affiliated interests or by a nominee or nominees substantially all the stock of the other or others, or (2) if substantially all the stock of two or more corporations is owned or controlled by the same interests.

(3) Retaining (out of the part of the Senate amendment which permitted the consolidation of foreign corporations affiliated with a domestic corporation and provided that in such consolidations, the total tax, computed as a unit, shall be reduced by the credit for foreign taxes authorized in section 238) only the features relating to the credit for foreign taxes, which are stated in the following terms:

For the purposes of section 238 a domestic corporation which owns a majority of the voting stock of a foreign corporation shall be deemed to have paid the same proportion of any income, war-profits and excess-profits taxes paid (not including taxes accrued) by such foreign corporation during the taxable year to any foreign country or to any possession of the United States upon income derived from sources within the United States, which the amount of any dividends (not deductible under section 234) received by such domestic corporation from such foreign corporation during the taxable year bears to the total taxable income of such foreign corporation upon or with respect to which such foreign taxes were paid: *Provided*, That in no such case shall the amount of the credit for such taxes exceed the amount of such dividends (not deductible under section 234) received by such domestic corporation during the taxable year.

On amendment No. 186: This amendment added a new "Part" to the income tax title and provided a separate tax on the investment income of life insurance companies and mutual insurance companies in lieu of all other taxes imposed in the bill upon such companies; and the Senate recedes.

On amendment No. 187: This amendment is a change in section number; and the Senate recedes.

On amendment No. 188: The House bill provided for the payment of income, war-profits, and excess-profits taxes in three installments, at intervals of two months. The Senate amendment provides for the payment of these taxes in four quarterly installments, the first to be paid at the time fixed by law for filing the return. The House recedes with amendments making clerical changes and providing that where an extension of time for filing a return is granted, the time for payment of the first installment shall be postponed until the expiration of the extension, but the time for payment of the other installments shall not be postponed unless the commissioner so provides in granting the extension.

On amendment No. 189: The House bill provided that where an extension of time for filing an income-tax return is granted the taxpayer may pay his tax in a single payment on or before the expiration of the period of extension. The Senate amendment struck out the House provision and substituted a provision providing (1) that in the case of any tax of not over $200 paid at the time of the filing of the return, there should be allowed a discount of 1 per cent, and (2) that where an extension of time for filing the return has been granted no interest shall be added to the tax if the whole amount of the tax is paid on or before the time the third installment would be due if no extension had been granted; and the Senate recedes.

On amendments Nos. 190, 191, and 192: These amendments are clerical changes; and the House recedes.

On amendments Nos. 193 and 194: The House bill provided that if a false or fraudulent return is made with intent to evade the tax, in addition to other penalties provided by law for false or fraudulent returns, there should be added as part of the tax 100 per cent of the amount of tax understated. The Senate amendment reduces the penalty to 50 per cent of the tax understated and provides that this penalty should be in lieu of the penalty provided by section 3176 of the Revised Statutes, as amended; and the House recedes.

On amendments Nos. 195, 196, 197, 198, and 199: These amendments are clerical changes; and the House recedes.

On amendment No. 200: This amendment provides, as to any amount of income tax remaining unpaid after the date when it is due and for 10 days after notice and demand by the collector, that if such amount is subject to a bona fide claim for abatement the 5 per cent penalty shall not be added to the tax and that interest from the time the amount was due until the claim is decided shall be at the rate of one-half of 1 per cent per month; and the House recedes.

On amendment No. 201: This amendment provides that in the case of the first installment payment of income taxes, the instructions printed on the return shall be deemed to be sufficient notice of the date when the tax is due and sufficient demand, and the taxpayer's computation of the tax on the return shall be deemed sufficient notice of the amount due; and the House recedes.

On amendment No. 202: This amendment provides that in any case in which in order to enforce payment of a tax it is necessary for a collector to cause a warrant of distraint to be served, there shall also be added as part of the tax the sum of $5; and the House recedes.

On amendment No. 203: The effect of this amendment is to prevent taxpayers departing from the United States or removing their property therefrom before the close of the regular taxable year in order to avoid payment of the income taxes; and the House recedes.

On amendment No. 204: This amendment provides that internal-revenue collectors shall only give receipts for income taxes upon request; and the House recedes.

On amendment No. 205: The House bill provided that no credit or refund for income, war-profits, or excess-profits taxes shall be allowed or made after two years from the date when the return was due unless before the expiration of the two-year period a claim for such credit or refund is filed by the taxpayer. The Senate struck out this limitation and in amendment No. 207 increased the period in which claims for credit or refunds can be made to five years; and the House recedes.

On amendment No. 206: This amendment is a clerical change; and the House recedes.

On amendment No. 207: This amendment increases the period for which claims for credits or refund of income, excess profits, or war profits can be made from the two-year period provided in the House bill to five years; and the House recedes.

On amendment No. 208: This amendment is a clerical change; and the Senate recedes.

On amendment No. 209: This amendment authorizes the Commissioner of Internal Revenue to require personal service corporations to render returns of dividend payments, stating the name and address of each stockholder, the number of shares owned by him, and the amount of dividends paid to him; and the House recedes.

On amendment No. 210: The House bill authorized the Commissioner of Internal Revenue to require every individual, corporation, or partnership doing business as a broker on any exchange or board of trade or other similar place of business to render a return showing the names of customers for whom such individual, corporation, or partnership has transacted any business, with such details as to the profits, losses, or other information which the commissioner may require, as to each of such customers, as will enable the commissioner to determine whether all income tax due on profits or gains of such customers has been paid. The Senate amendment broadened the House provision to allow the commissioner to require this information from all brokers; and the House recedes.

On amendment No. 211: The House bill required all individuals, corporations, and partnerships making payment to another individual, corporation, or partnership of interest, rent,

salaries, wages, premiums, annuities, compensations, remunerations, emoluments, profits, and income of $1,000 or more in any taxable year, to render an information return to the commissioner setting forth the amount of such gains, profits, and income, and the name and address of the recipient of such payment. The Senate amendment broadens this provision to require the aforementioned information with reference to all such payments made "at the rate of" $1,000 or more in any taxable year; and the Senate recedes.

On amendment No. 212: The House bill provided that the foregoing information returns should be in such manner and form as the commissioner, with the approval of the Secretary, may prescribe, setting forth the amount of gains, profits, and income, and the name and address of the recipient of such payments. The Senate amendment provides that this information shall be given "to such extent" as may be prescribed by the commissioner, with the approval of the Secretary; and the House recedes.

On amendment No. 213: The House bill required all income-tax returns to be filed in the office of the commissioner. The Senate amendment struck out this requirement; and the House recedes.

On amendment No. 214: The House bill authorized the proper officers of any State "imposing an income tax to which corporations are subject," upon the request of the governor thereof, to have access to the return of any corporation. The Senate bill gave this authority whether or not the State imposed an income tax. The House recedes with an amendment providing that the proper officers of any State imposing an income tax may, upon the request of the governor thereof, have access to the returns of any corporation.

On amendment No. 215: This amendment provides that all bona fide stockholders of record owning 1 per cent or more of the outstanding stock of any corporation shall, upon making request of the commissioner, be allowed to examine the annual income returns of such corporation and of its subsidiaries; and the House recedes, with an amendment providing a penalty for disclosing any information so obtained.

On amendment No. 216: The House bill required the commissioner to have prepared each year and made available to public inspection in the office of each collector a list containing the names in alphabetical order and the post-office addresses of all individuals making income-tax returns in such district. The Senate amendment authorizes the commissioner to prepare and make public these lists in such manner as he may determine. The House recedes with an amendment providing that the lists of income-tax payers of each respective collection district must be available to public inspection in the office of the collector and at such other place and in such manner as the commissioner may determine.

On amendment No. 217: The House bill required the foregoing lists to be in alphabetical order. The Senate amendment strikes out this requirement; and the House recedes.

On amendment No. 218: The House bill required that there should be made available to public inspection in the office of the collector of each district the names and post-office addresses of all individuals making income-tax returns in "such district." The Senate amendment strikes out the words quoted; and the Senate recedes.

On amendment No. 219: The House bill provided that in Porto Rico and the Philippine Islands the income tax shall be levied, assessed, collected, and paid in accordance with the provisions of the revenue act of 1916, as amended by the revenue act of 1917, and gave the Porto Rican or Philippine Legislature power by due enactment to amend, alter, modify, or repeal the income-tax laws in force in Porto Rico or the Philippine Islands, respectively. The Senate amendment strikes out this provision and incorporated it in amendment No. 221 which is the new section 261; and the House recedes.

On amendment No. 220: This amendment provides that any individual who is a citizen of any possession of the United States and who is not a resident of the United States shall be subject to income taxes under this act only as to income derived from sources within the United States; and the House recedes with a clerical amendment.

On amendment No. 221: This amendment provides that the income tax in Porto Rico and the Philippine Islands shall be imposed in accordance with the provisions of the revenue act of 1916, as amended; defines the classes of taxpayers who shall make returns in such possessions; defines the classes of persons who are to be taxed in such possessions as nonresident aliens and as foreign corporations; and empowers the Porto Rican and the Philippine Legislatures to amend or repeal the income-tax laws in force in such possessions; and the House recedes with an amendment providing that a tax imposed in such possessions upon the net income of a corporation shall not be considered to be a tax under this title.

On amendment No. 222: This amendment levies a tax of 100 per cent upon the excess over $500 of campaign contributions contributed in the aggregate during any taxable year for the purpose of influencing the results of elections to which candidates for Members of the House of Representatives or for United States Senator or for presidential electors are to be nominated or elected; and the Senate recedes.

On amendment No. 223: Title III in the House bill bore the title "War profits and excess-profits taxes." The Senate amendment makes this read "War excess-profits tax"; and the Senate recedes.

On amendments Nos. 224, 225, and 226: These amendments are clerical changes; and the House recedes.

On amendment No. 227: This amendment is a clerical change made necessary by amendment 233; and the House recedes.

On amendments Nos. 228, 229, and 230: These amendments are clerical changes made necessary by and explained in connection with amendment 231; and the House recedes.

On amendment No. 231: The House bill provided an alternative war profits and excess-profits tax computed according to whichever of the two methods yielded the higher amount of tax. The tax under the excess-profits method was computed at the following rates: Thirty-five per cent of the amount of the net income in excess of the excess-profits credit and not in excess of 15 per cent of the invested capital for the taxable year; 50 per cent of the amount of the net income in excess of 15 per cent and not in excess of 20 per cent of such capital; and 70 per cent of the amount of the net income in excess of 20 per cent of the capital. The tax as computed by the war-profits method was 80 per cent of the amount of the net income in excess of the war-profits credit. The above rates applied to the taxable year 1918 and each taxable year thereafter.

The Senate amendment combines the war-profits and excess-profits methods in a single schedule, inserting the 80 per cent war-profits tax as the third bracket; changes the excess-profits rates from 35 per cent, 50 per cent, and 70 per cent to 30 per cent and 60 per cent; makes the above rates and the war-profits tax applicable only to the year 1918 and adopts the following excess-profits tax rates for the taxable year 1919 and each taxable year thereafter: Twenty per cent of the amount of the net income in excess of the excess-profits credit and not in excess of the invested capital; 40 per cent of the amount of the net income in excess of the invested capital. The Senate amendment also contains a provision that for the purposes of the Federal railroad-control act approved March 21, 1918, the tax imposed by this title shall be treated as levied by an act in amendment of Title II of the revenue act of 1917, thus making it certain that the war-profits and excess-profits tax, so far as applicable to transportation systems now under Federal control, shall be borne by the owners of such systems.

The House recedes with amendments: (1) Fixing the excess-profits tax rates for the taxable year 1918 at 30 per cent of the amount of the net income in excess of the excess-profits credit and not in excess of 20 per cent of the invested capital, and 65 per cent of the amount of the net income in excess of 20 per cent of the invested capital; and (2) continuing these rates for the taxable year 1918 into the taxable year 1919 and succeeding years with respect to the net income of each corporation which derives in any such year a net income of more than $10,000 from any Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive—the tax upon corporations of this class being equal to the sum of the following: (a) Such a portion of a tax computed at the 1918 rates as the part of the net income attributable to such Government contract or contracts bears to the entire net income; plus (b) such a portion of a tax computed at the rates for 1918 and thereafter as the part of a net income not attributed to such Government contract or contracts bears to the entire net income.

On amendment No. 232: The House bill limited the tax in the case of corporations whose invested capital or net income for the taxable year did not exceed $50,000. The Senate amendment strikes out this limitation and substitutes a general provision limiting the tax upon the amount of the net income in excess of $3,000 and not in excess of $20,000; and the House recedes with amendments making clerical changes.

On amendment No. 233: The House bill (in section 303) provided a special rate of 20 per cent of the net income in excess of $3,000 in the case of a corporation, the earnings of which are to be ascribed primarily to the activities of the principal owners or stockholders who are themselves regularly engaged in the active conduct of the affairs of the corporation. The Senate amendment strikes out this provision, having defined (by amendment 11) the above class of corporations as "personal-service corpora-

tions" and having provided (by amendments 92 and 132) that they should be exempt from income, war-profits, and excess-profits taxes and be treated as partnerships. The Senate amendment also inserted, as section 303, an amendment providing for the taxation of a corporation, the net income of which is derived in part (1) from a trade or business in which the employment of capital is necessary, and in part (2) from a separate trade or business, which, if constituting the sole trade or business, would bring it within the class of "personal-service corporations." The House recedes with amendments making clerical changes.

On amendments Nos. 234 and 235: Amendment 234 provided—as part of the Senate plan of insurance taxation—that certain insurance companies should be exempted from war tax and excess-profits taxes. The House recedes with an amendment striking out the Senate amendment and inserting here the language of amendment No. 235, from which the Senate recedes. The restored matter provides that any corporation whose net income for the taxable year is less than $3,000 shall be exempt from taxation under this title.

On amendment No. 236: This amendment provides that in the case of any corporation engaged in the mining of gold the portion of the net income derived from the mining of gold shall be exempt from the war-profits and excess-profits tax; and the House recedes with an amendment providing that the tax on the remaining portion of the net income shall be the proportion of a tax computed without the benefit of this exemption which such remaining portion of the net income bears to the entire net income.

On amendments Nos. 237, 238, and 239: These amendments are clerical changes necessitated by the amalgamation of the war-profits and excess-profits methods explained in connection with amendment 231; and the House recedes.

On amendment No. 240: In computing the war-profits credit the House bill provided that the average net income for the prewar period should be increased or diminished by 10 per cent of the "invested capital added or withdrawn since the close of the prewar period." The Senate amendment bases this allowance on the "difference between the average invested capital for the prewar period and the invested capital for the taxable year"; and the House recedes.

On amendment No. 241: This amendment is a clerical change necessitated by amendment 242; and the House recedes.

On amendment No. 242: This amendment provides that if a corporation was not in existence during the whole of at least one calendar year during the prewar period its war-profits credit shall be the sum of $3,000 and an amount equal to the same percentage of the invested capital for the prewar period of corporations engaged in a trade or business of the same general class as that conducted by the taxpayer, but such amount shall in no case be less than 10 per cent of the invested capital of the taxpayer for the taxable year.

The House recedes with an amendment providing that the ordinary war-profits credit (i. e., $3,000 plus 10 per cent of the invested capital for the taxable year) shall apply in the case of any "new" corporation if (1) a majority of its stock at any time during the taxable year is owned or controlled, directly or indirectly, by a corporation which was in existence during the whole of at least one calendar year during the prewar period, or if (2) 50 per cent or more of its gross income consists of gains, profits, commissions, or other income derived from a Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive.

On amendment No. 243: This amendment is a clerical change; and the House recedes with a further clerical change.

On amendment No. 244: This amendment is a clerical change necessitated by the amalgamation of the war profits and excess profits methods (explained in connection with amendment 231); and the House recedes.

On amendments Nos. 245 and 246: These amendments are clerical changes; and the House recedes.

On amendment No. 247: The Senate amendment as a consequence of the adoption of amendment 150 struck out the allowance for hazard provided for producers or prospectors of oil in the House bill at this point; and the House recedes.

On amendment No. 248: This amendment is a clerical change; and the House recedes.

On amendment No. 249: This amendment provides that a corresponding part of the capital invested in "inadmissible assets" shall not be deemed to be inadmissible assets "where all or part of the interest derived from such assets is in effect included in the net income because of the limitation on the deduction of the interest under paragraph (2) of subdivision (a) of section 234"; and the House recedes.

On amendment No. 250: This amendment is a clerical change; and the House recedes.

On amendment No. 251: The term "admissible assets" is by this amendment defined to mean "all assets other than inadmissible assets, valued in accordance with the provisions of subdivision (a) of section 326, section 330, and section 331"; and the House recedes.

On amendment No. 252: This amendment provides that the par value of stock or shares shall, in the case of stock or shares issued at a nominal value, be deemed to be the fair market value as of the date or dates of issue of such stock or shares; and the House recedes.

On amendment No. 253: This amendment is a clerical change; and the House recedes.

On amendment No. 254: The House bill provided that tangible property should be included in invested capital in an amount not to exceed the par value of the original stock or shares specifically issued therefor. The Senate amendment adds the following qualification: "Unless the actual cash value of such tangible property at the time paid in is shown to the satisfaction of the commissioner to have been clearly and substantially in excess of such par value, in which case such excess shall be treated as paid-in surplus." The House recedes with an amendment providing that the commissioner shall keep a detailed record of all cases in which tangible property is included in invested capital at a value in excess of the stock or shares issued therefor, which record shall be furnished when required by resolution of either House of Congress, without regard to the restrictions contained in section 257.

On amendment No. 255: This amendment is a clerical change; and the House recedes.

On amendment No. 256: The House bill specifically provided that "paid-in or earned surplus and undivided profits" should not include the increase in the value of any asset above the original cost until such increase is actually realized by sale. This was stricken out by the Senate amendment as surplusage and merely declaratory of an accepted general principle controlling the whole computation of invested capital; and the House recedes.

On amendment No. 257: The House bill limited to 20 per cent of the par value of the total stock or shares of the corporations outstanding on March 3, 1917, the aggregate allowance which may be made for intangible property paid in for stock or shares prior to March 3, 1917. The Senate amendment increased this limit to 30 per cent; and the House recedes with an amendment changing the 30 per cent to 25 per cent.

On amendment No. 258: The House bill excluded from "invested capital" intangible property (other than patents and copyrights) paid in for stock or shares on or after March 3, 1917. The Senate amendment permits all intangible property bona fide paid in for stock on or after March 3, 1917 (subject to the limitation noted in amendment 259), to be included in invested capital; and the House recedes.

On amendment No. 259. The House bill limited to 20 per cent of the par value of the total stock or shares outstanding at the beginning of the taxable year the aggregate allowance which may be made (in computing invested capital) for patents and copyrights paid in for stock or shares on or after March 3, 1917. The Senate amendment increased this limit to 30 per cent (having by amendment 258 also allowed other intangible property to be included); and the House recedes with amendments changing the 30 per cent to 25 per cent, and providing that in no case shall the total allowance for intangible property paid in for stock or shares before, on, or after March 3, 1917, exceed in the aggregate 25 per cent of the par value of the total stock of shares outstanding at the beginning of the taxable year.

On amendment No. 260: This amendment strikes out the House provision excluding from "invested capital" intangible property (other than patents and copyrights) paid in for stock or shares on or after March 3, 1917; and the House recedes.

On amendment No. 261: This amendment provides that there shall be deducted from invested capital as defined in section 326 a percentage equal thereof to the percentage which the amount of inadmissible assets is of the amount of the admissible and inadmissible assets held during the taxable year, except in the case of certain dealers in securities, insurance companies, banks, banking associations, loan or trust companies; and the House recedes with an amendment striking out the exception.

On amendment No. 262: This amendment strikes out the definition provided in the House bill of the invested capital of a foreign corporation (see amendment No. 263), makes clerical changes in the method of computing the invested capital for a fractional part of a year, and defines the average invested capital for the prewar period; and the House recedes.

On amendment No. 263: The House bill in the so-called relief provisions provided that in certain specified cases the

invested capital of a corporation shall be the amount which bears the same ratio to the net income of the corporation for the taxable year as the average invested capital for the taxable year of representative corporations engaged in a like or similar trade or business bears to their average net income for such year.

The Senate amendment increases the classes of cases in which the tax is to be fixed by reference to the experience of representative corporations; includes therein all foreign corporations (see amendment 262), and provides that in such cases the tax shall be the amount which bears the same ratio to the net income of the taxpayer (in excess of the specific exemption of $3,000) for the taxable year as the average tax of representative corporations engaged in a like or similar trade or business bears to their average net income (in excess of the specific exemption of $3,000) for such year.

The House recedes with amendments:

(1) Making clerical changes;

(2) Consolidating a number of separate classes or cases differentiated in the Senate amendment into a single class of cases in which "upon application by the corporation the commissioner finds and so declares of record that the tax if determined without benefit of this section would, owing to abnormal conditions affecting the capital or income of the corporation, work upon the corporation an exceptional hardship evidenced by gross disproportion between the tax computed without benefit of this section and the tax computed by reference to the representative corporations specified in section 328. This subdivision shall not apply to any case in which the tax (computed without benefit of this section) is high merely because the corporation earned within the taxable year a high rate of profits upon a normal invested capital, nor in which 50 per cent or more of the gross income of the corporation for the taxable year (computed under sec. 233 of Title II) consists of gains, profits, commissions, or other income, derived on a cost-plus basis from a Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive"; and

(3) Providing (since the taxpayer, in cases falling under this section, does not know the basis on which the final assessment will be made) that the return shall be made and the first installments of the tax computed on the basis of a tax equal to 50 per cent of the net income, in any case in which the tax as computed without benefit of this section is 50 per cent or more of the net income, and that where the tax, as computed without benefit of this section is less than 50 per cent of the net income, then the installments shall in the first instance be computed upon the basis of such tax.

On amendments Nos. 264, 265, 266, and 267: These amendments are clerical changes; and the House recedes.

On amendment No. 268: The Senate amendment strikes out the House provision that in the case of a corporation making a return on the basis of a fiscal year the ratio (between the average invested capital and the average net income of representative corporations) for the calendar year ending during such fiscal year shall be used; and the House recedes.

On amendment No. 269: This amendment is a clerical change necessitated by amendment 263; and the House recedes.

On amendment No. 270: This amendment is a clerical change; and the House recedes with an amendment making another clerical change.

On amendment No. 271: This is a clerical change; and the House recedes.

On amendments Nos. 272, 273, 274, and 275: These amendments are clerical changes; and the Senate recedes.

On amendment No. 276: This amendment provided that nothing contained in section 330 relating to the reorganization, consolidation, or change of ownership after January 1, 1911, of a trade or business now carried on by a corporation should be so construed as to conflict with the provisions of section 326; and the Senate recedes.

On amendment No. 277: The House bill provided that in the case of reorganizations, etc., if the predecessor trade or business was carried on by a partnership or individual the net income for the prewar period should be ascertained and returned upon the same basis as provided for partnerships and individuals in Title II. The Senate amendment provides that in such cases the net income for the prewar period shall be ascertained and returned upon the basis provided for corporations in Title II, including a reasonable deduction for salary or compensation to each partner or the individual.

The House recedes with an amendment providing that in the case of the reorganization as a corporation before July 1, 1919, of certain trades or businesses previously owned by a partnership or individual the net income of such trade or business from January 1, 1918, to the date of such reorganization may, at the option of the individual or partnership, be taxed as the net income of a corporation is taxed under Titles II and III; in which event the undistributed profits of such trade or business shall not be subject to surtaxes, but amounts distributed on or after January 1, 1918, from the earnings of such trade or business shall be taxed to the recipients as dividends, and any taxpayer availing himself of this option is required to pay the capital stock tax as if such taxpayer had been a corporation on and after January 1, 1918, with a capital stock having no par value.

On amendment No. 278: This amendment extends certain House provisions relating to the reorganization, consolidation, or change of ownership of a trade or business, to include "change of ownership of property"; and the House recedes.

On amendments Nos. 279, 280, and 281: These amendments are clerical changes dependent upon amendment 278; and the House recedes.

On amendment No. 282: This amendment provides that in cases of reorganization, etc., if the previous owner was not a corporation then the value of any asset transferred or received shall be taken at its cost of acquisition at the date when acquired by such previous owner; and the House recedes with an amendment making a clerical change.

On amendments Nos. 283 and 284: These amendments are clerical changes; and the House recedes.

On amendment No. 285: In the case of corporations making return for a fiscal year beginning in 1917 and ending in 1918 the House bill provided that the entire net income (for purposes of computing the war-profits and excess-profits tax) should be determined under Title II of this act. The Senate amendment alters the methods of computing both the net income and the tax, in such cases, by providing that the tax for the first taxable year under this title shall be (1) the same proportion of a tax for the entire period computed under Title II of the revenue act of 1917 which the portion of such period falling within the calendar year 1917 is of the entire period, and (2) the same proportion of a tax for the entire period computed under this title which the portion of such period falling within the calendar year 1918 is of the entire period. The Senate amendment also contains certain necessary provisions required by the exemption of personal service corporations from war-profits and excess-profits tax. The House recedes with amendments making clerical changes.

On amendment No. 286: This amendment is a clerical change; and the House recedes.

On amendment No. 287: This amendment strikes out the House provision prohibiting the use of the so-called consolidated return; and the House recedes.

On amendment No. 288: This amendment provides that in the case of a bona fide sale of mines, oil or gas wells, or any interest therein, where the par value of the property has been demonstrated by prospecting or exploration and discovery work done by the taxpayer, the portion of the tax imposed by the excess-profits title attributable to such sale shall not exceed 20 per cent of the selling price of such property or interest; and the House recedes.

On amendment No. 289: The House bill imposed a tax upon the transfer of the net estate of every decedent dying after the passage of this act based upon the total value of the net estate regardless of the number of shares into which it was divided among the various beneficiaries (substantially the same as the present law at increased rates). The Senate amendment strikes out this tax and in lieu thereof imposes an inheritance tax based upon the value of the beneficial interests passing to each individual beneficiary, with much lower rates than the House bill and much smaller revenue return. The House recedes with an amendment restoring the provisions of the House bill, with the following changes:

1. Exempting from the tax under this act and the existing law the transfer of the net estate of any decedent who has died or may die while serving in the military or naval forces of the United States in the present war or from injuries received or disease contracted while in such service.

2. Changing from three years to two years the period of time within which a transfer of a material part of his property by a decedent before his death shall be deemed to have been made in contemplation of death.

3. Allowing as a deduction in computing the net estate the amount of all bequests, legacies, and devises to the United States or a State or a political subdivision thereof for public purposes, or to a corporation organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or to a trustee exclusively for such purposes.

4. Extending from two years to three years the maximum time to which the commissioner may extend the time for the payment of the tax.

5. Making other minor administrative changes.

6. The following table shows the rates of the House bill and as agreed to in conference:

Amount of net estate (an exemption of $50,000 is allowed estates of residents of the United States in computing the value of net estate).	Rates on net estates under—	
	Conference agreement.	House bill.
	Per cent.	*Per cent.*
Not exceeding $50,000	1	3
Exceeding $50,000 and not exceeding $150,000	2	6
Exceeding $150,000 and not exceeding $250,000	3	9
Exceeding $250,000 and not exceeding $450,000	4	12
Exceeding $450,000 and not exceeding $750,000	6	15
Exceeding $750,000 and not exceeding $1,000,000	8	15
Exceeding $1,000,000 and not exceeding $1,500,000	10	18
Exceeding $1,500,000 and not exceeding $2,000,000	12	18
Exceeding $2,000,000 and not exceeding $3,000,000	14	21
Exceeding $3,000,000 and not exceeding $4,000,000	16	24
Exceeding $4,000,000 and not exceeding $5,000,000	18	27
Exceeding $5,000,000 and not exceeding $8,000,000	20	30
Exceeding $8,000,000 and not exceeding $10,000,000	22	35
Exceeding $10,000,000	25	40

On amendment No. 290: The House bill made the transportation taxes effective November 1, 1918. The Senate bill made them effective April 1, 1919; and the House recedes.

On amendment No. 291: The House bill exempted from the passenger tax the amounts paid for transportation the fare for which does not exceed 35 cents. The Senate amendment increased this exemption to 42 cents; and the House recedes.

On amendment No. 292: This amendment limits the 8 per cent tax on passenger fares over transportation lines which are in competition with foreign lines so that such tax shall not exceed the amount of transportation tax to which foreign transportation companies are subjected by their Governments. The House recedes with an amendment confining the limitation or exemption to passenger traffic between American ports on water lines which are in competition between American ports with foreign water transportation lines from adjacent foreign ports.

On amendment No. 293: This amendment confines the tax on the amount paid for seats, berths, or staterooms in parlor cars or on vessels to such facilities when used in connection with transportation upon which the passenger tax is imposed; and the House recedes.

On amendment No. 294: The House bill imposed a tax of 6½ per cent on the amount paid for the transportation of oil by pipe line. The Senate amendment increases this tax to 8 per cent; and the House recedes.

On amendment No. 295: This amendment provides that the taxes upon transportation and other facilities shall not be imposed upon any payment received for services rendered to the United States or to any State or Territory or the District of Columbia; and the House recedes.

On amendment No. 296: This amendment provides that the taxes upon transportation and other facilities shall without assessment by the commissioners or notice from the collectors be due and payable to the collectors at the time of filing each monthly return and provides a penalty for nonpayment; and the House recedes.

On amendment No. 297: The House bill imposed a tax equivalent to 8 cents on each $100 or fractional part thereof of the amount for which any life is insured. In the case of group life insurance, covering groups of not less than 25 lives in the employ of the same person for the benefit of persons other than the employer, the House bill imposed a tax equivalent to 4 cents on each $100 of the aggregate amount for which the group policy is issued and of any net increase in the amount of insurance under such policies. It also reenacted the tax under existing law of 1 cent on each dollar or fractional part thereof of the premium charged under each policy of marine, inland, and fire insurance without change. The House bill also substantially reenacted the tax levied under existing law of 1 cent on each dollar or fractional part thereof of the premium charged under each casualty insurance policy.

The Senate bill presented an entirely new scheme of insurance taxation by which the income, excess profits, war profits, capital stock, and premium taxes upon insurance companies other than life and mutual insurance companies were replaced by premium taxes at higher rates than have been heretofore imposed. As part of this plan the premium taxes upon issuance of insurance policies (including life insurance policies) provided in the House bill was stricken out by the Senate in this amendment.

The House recedes with amendments making clerical changes; restoring the House tax provision on the issuance of insurance policies; and providing that such taxes shall be due and payable, without assessment or notice, at the time fixed for filing return and that if not paid when due there shall be added as part of the tax a penalty of 5 per cent, together with interest at the rate of 1 per cent for each full month, from the time when the tax became due.

On amendment No. 298: This amendment is a clerical change; and the House recedes.

On amendment No. 299: The House bill imposed a tax on nonbeverage alcohol of $4.40 per proof gallon or wine gallon when below proof. The Senate bill reduced this rate to $2.20; and the House recedes.

On amendment No. 300: The House bill levied a tax upon beverage alcohol of $8 per proof gallon or wine gallon when below proof. The Senate reduced this rate to $6.40, and the House recedes.

On amendment No. 301: Distilled spirits stored under bonds in accordance with the law are subject after eight years to tax whether withdrawn or not. The approaching period of prohibition provided by the food-stimulation act would therefore force the payment either by owners or sureties of large sum of taxes upon spirits which could not be lawfully sold or removed from the warehouse. To meet this situation the Senate bill provides in this amendment that the tax on distilled spirits intended for beverage purposes shall not be payable on such spirits while stored in any distillery, bonded warehouse, or special or general bonded warehouse, and which, pursuant to any act of Congress, or proclamation of the President of the United States, can not be lawfully sold or removed from such warehouse during the period of prohibition; and all warehousing bonds or transportation and warehousing bonds conditioned for the payment of tax on any such spirits so stored on the date such prohibition takes effect shall, as to all such spirits actually so stored, be canceled and discharged, provided the distiller of such spirits shall, in lieu of such bonds and prior to their cancellation, execute a bond in a penal sum of not less than $10,000, with sureties satisfactory to the collector of the district conditioned that the principal shall, during the period of such prohibition, safely cause to be kept in good condition all such spirits and the warehouse in which the same are stored, and shall not remove or suffer to be removed from the warehouse, contrary to law, any such spirits during the period of such prohibition. The distiller may also be permitted to retain in any such bonded warehouse distilled spirits on which, under the terms of any existing bond, the tax imposed thereon becomes due and payable prior to the date such prohibition takes effect, but on the removal of such prohibition the distiller shall, as to all spirits as to which the bonded period fixed by law has not expired and which remains stored in warehouse, execute new and satisfactory bond in the form required by existing law conditioned for the payment of the tax on all such spirits.

The amendment also authorizes upon the withdrawal of the distilled spirits from bonded warehouses, after the period of prohibition has ended, an allowance (in addition to that allowed by existing law) for loss by leakage or other unavoidable cause, not exceeding 1 proof gallon as to packages of a capacity of not less than 40 wine gallons; and a like additional allowance of 1 proof gallon as to each package withdrawn may be made for each period of four months, or a fraction thereof, for such spirits as shall have remained in warehouse during the period of prohibition and after the expiration of the maximum leakage period fixed by existing law.

The amendment also provides that liquors which may be in any customs bonded warehouse under the customs laws on the date such prohibition takes effect shall be permitted to remain therein without payment of any taxes or duties thereon, beyond the three-year period provided in section 2971 of the Revised Statutes, during such period of prohibition; and may be exported at any time during such extended period. Any imported spirits, wines, or other liquors as to which the three-year bonded period may expire after the passage of this act and prior to the date such prohibition takes effect may, at the option of the owner, remain in bond during such period of prohibition; and the House recedes.

On amendment No. 302: This amendment is a clerical change; and the House recedes.

On amendment No. 303: The House bill imposed a tax upon perfume containing distilled spirits of $3.30 per wine gallon.

The Senate bill reduced this tax to $1.10; and the House recedes.

On amendments Nos. 304, 305, 306, 307, 308, 309, 310, and 311: These amendments are clerical changes; and the House recedes.

On amendment No. 312: The House bill imposed a floor tax upon distilled spirits for beverage purposes of $4.80 per proof gallon, and upon spirits for nonbeverage purposes of $2.20. The Senate imposed a floor tax upon such spirits equal to the difference between the tax imposed by this act and existing law. The House recedes with an amendment imposing a floor tax of $3.20 per proof gallon upon beverage spirits.

On amendments Nos. 313, 314, 315, 316, 317, 318, and 319: These amendments are clerical changes; and the House recedes.

On amendment No. 320: This amendment exempts from the tax on liqueurs, cordials, or similar compounds those not containing sweet wine fortified with grape brandy; and the House recedes.

On amendment No. 321: This amendment is a clerical change; and the House recedes.

On amendment No. 322: The House bill levied upon sweet wines held for sale on the day after the passage of the act a floor tax equivalent to 20 cents per proof gallon upon the grape brandy or wine spirits used in the fortification of the wine. The Senate amendment increased this tax to 30 cents; and the House recedes.

On amendment No. 323: This amendment is a clerical change due to the action upon Senate amendment 318; and the House recedes.

On amendment No. 324: This amendment is a clerical change; and the House recedes.

On amendment No. 325: This amendment makes it lawful to produce grape wines on bonded winery premises and to transport and use the same and like wines heretofore produced as distilling material for the production of nonbeverage spirits; and the House recedes with an amendment striking out the words "of fermentation."

On amendment No. 326: This amendment imposes a penalty upon anyone who evades or attempts to evade the taxes imposed upon wines and grape brandy similar to the penalty imposed upon distilled spirits in section 3256 of the Revised Statutes; and the House recedes.

On amendment No. 327: This amendment is a clerical change; and the House recedes.

On amendment No. 328: The House bill imposed a tax upon nonalcoholic cereal beverages of 30 per cent of the price for which sold; the Senate amendment reduced this rate to 15 per cent; and the House recedes.

On amendments Nos. 329 and 330: The House bill taxed unfermented grape juice and all fruit or berry juices at the same rates as other soft drinks except cereal beverages. The Senate bill exempted such drinks from tax; and the Senate recedes.

On amendment No. 331: The House bill imposed a tax of 20 per cent upon the manufacturer's selling price of soft drinks other than cereal beverages. The Senate bill reduced this tax with the exception of the action heretofore mentioned in amendments 329 and 330 to 10 per cent. This recession taken in connection with the action upon amendments 329 and 330 makes the tax upon all soft drinks other than cereal beverages 10 per cent of the prices for which sold by the manufacturer, producer, or importer.

On amendments Nos. 332 and 333: The House bill imposed a tax of 2 cents per gallon upon all natural mineral waters or table waters sold at over 10 cents per gallon. The Senate bill in these two amendments imposed a tax of 5 per cent upon the price for which sold, whether or not at over 10 cents per gallon; and the Senate recedes.

On amendment No. 334: This amendment is a clerical change; and the House recedes.

On amendment No. 335: This amendment provides that the tax upon soft drinks shall without assessment by the commissioner or notice by the collectors be due and payable to the collectors at the time of the filing of each monthly return, and provides a penalty for nonpayment; and the House recedes.

On amendment No. 336: The House bill made the tax upon sales at soda fountains and similar places effective November 1, 1918. The Senate bill changed the date to May 1, 1919; and the House recedes.

On amendments Nos. 337 and 338: The House bill imposed a tax of 2 cents for each 10 cents or fraction thereof of the amount paid for soft drinks, ice cream, or other similar articles of food or drink sold at soda fountains, ice-cream parlors, or other similar places of business with a proviso that where the charge for any such article is 7 cents or less the tax shall be 1 cent. The Senate amendments reduced this tax to 1 cent for each 10 cents or fraction thereof; and the House recedes.

On amendments Nos. 339, 340, 341, 342, 343, and 344: The following table shows the taxes proposed upon cigars in the bill as it passed the House and Senate and as agreed to in conference:

Item.	House bill.	Senate bill.	As agreed to in conference.
Cigars weighing not more than 3 pounds per 1,000, per thousand	$2.00	$1.50	$1.50
Cigars weighing more than 3 pounds per 1,000, if manufactured or imported to retail at—			
Less than 5 cents each, per thousand	5.00	4.00	4.00
More than 5 cents each and not more than 8 cents each, per thousand	8.00	5.40	6.00
More than 8 cents each and not more than 15 cents each, per thousand	12.00	9.00	9.00
More than 15 cents each and not more than 20 cents each, per thousand	18.00	12.00	12.00
More than 20 cents each, per thousand	20.00	15.00	15.00

On amendments Nos. 345 and 346: The House bill imposed a tax upon cigarettes weighing not more than 3 pounds per thousand if manufactured or imported to retail at less than 2 cents each of $4.10 per thousand and of $5.10 per thousand upon those manufactured or imported to retail at 2 cents or more each. The Senate bill by amendment 346 strikes out the tax on cigarettes to retail at 2 cents or more each, and the House recedes; and by amendment 345 makes the rate upon all cigarettes weighing not more than 3 pounds per thousand, $2.90 per thousand; and the House recedes with an amendment making the tax upon all such cigarettes $3 per thousand.

On amendment No. 347: The House bill imposed a tax upon cigarettes weighing more than 3 pounds per thousand of $9.00 per thousand. The Senate bill made this tax $7.20; and the House recedes.

On amendments Nos. 348, 349, and 350: These amendments are clerical changes; and the House recedes.

On amendment No. 351: The House bill imposed a tax upon manufactured tobacco and snuff of 26 cents per pound. The Senate bill reduced this tax to 18 cents; and the House recedes.

On amendment No. 352: This amendment exempted from floor tax the following amount of tobacco stock: Not over 50 pounds of manufactured tobacco and snuff or 1,000 cigars and not over 3,000 cigarettes held by any person. The House bill gave no similar exemption; and the Senate recedes.

On amendments Nos. 353, 354, 355, and 356: The House bill imposed the following tax upon each package, book, or sheet of cigarette papers: Each containing more than 25 but not more than 50 papers, 1 cent; each containing more than 50 but not more than 100 papers, 2 cents; and each containing over 100 papers, for each 100 or fraction thereof, 2 cents. The Senate bill reduced the rates to one-half of the House rate; and the House recedes.

On amendment No. 357: Section 35 of the act of August 5, 1909, provides that "unstemmed leaf tobacco in the natural leaf, in the hand, and not manufactured or altered in any manner, raised and grown in the United States, shall not be subject to any internal-revenue tax or charge of any kind whatsoever, and it shall be lawful for any person to buy and sell such unstemmed tobacco in the leaf, in the hand, without payment of tax of any kind."

This amendment repeals the above section and provides that sales or shipments of leaf tobacco by a dealer in leaf tobacco shall be in quantities of not less than a hogshead, tierce, case, or bale, except loose leaf tobacco comprising the breaks on warehouse floors, and except to a duly registered manufacturer of cigars for use in his own manufactory exclusively, and that dealers in leaf tobacco shall make shipments of leaf tobacco only to other dealers in leaf tobacco, to registered manufacturers of tobacco, snuff, cigars, or cigarettes, or for export. The amendment also provides that upon all leaf tobacco sold, removed, or shipped by any dealer in leaf tobacco in violation of the aforementioned provision, or in respect to which no report has been made by such dealer in accordance with the provisions of subdivision (b), there shall be levied, assessed, collected, and paid a tax equal to the tax then in force upon manufactured tobacco, such tax to be assessed and collected in the same manner as the tax on manufactured tobacco.

The amendment also provides a penalty for the enforcement of the same. It is also provided that for the purposes of this section a farmer or grower of tobacco shall not be regarded as a dealer in leaf tobacco in respect to the leaf tobacco produced by him.

The House recedes with an amendment making a clerical change.

On amendment No. 358: The House bill provided that admission taxes should go into effect November 1, 1918. The Senate amendment fixed the date as April 1, 1919; and the House recedes.

On amendments Nos. 359 and 360: The House bill imposed a tax of 2 cents for each 10 cents or fraction thereof on the amount paid for admission to any place with a proviso that where the charge for admission is 7 cents or less, and in the case of children under 12 years of age where an admission charge for such children is made, the tax shall be 1 cent. The Senate amendment reduces this tax to 1 cent for each 10 cents or fraction thereof of the amount paid for such admission; and the House recedes.

On amendment No. 361: The House bill imposed upon free admissions, with exceptions, a tax of 2 cents for each 10 cents or fraction thereof of the price charged to other persons for the same accommodations. The Senate amendment reduces this tax to 1 cent for each 10 cents or fraction thereof of the price so charged to other persons; and the House recedes.

On amendment No. 362: The House bill imposed upon theater tickets sold at places other than the box office at not to exceed 50 cents in excess of the sum of the regular price plus the amount of the ordinary tax of 1 cent for each 10 cents or fraction thereof a tax equivalent to 5 per cent of the amount of such excess. The Senate amendment increased this to 10 per cent of the amount of such excess; and the Senate recedes.

On amendment No. 363: The House bill imposed upon tickets sold at places other than the box office for more than 50 cents in excess of the sum of the regular price plus the amount of the ordinary tax of 1 cent for each 10 cents or fraction thereof, a tax equivalent to 30 per cent of the amount of such excess. The Senate amendment increases this to 50 per cent of the amount of such excess; and the House recedes.

On amendments Nos. 364 and 365: These amendments are clerical changes; and the House recedes.

On amendment No. 366: The House bill imposed upon persons having permanent boxes or seats or a lease for the use of such boxes or seats a tax equivalent to 25 per cent of the amount for which a similar box or seat is sold for each performance at which such box or seat is used or reserved. The Senate amendment reduces this to 10 per cent; and the House recedes.

On amendment No. 367: The House bill imposed a tax of 2 cents for each 10 cents or fraction thereof of the amount paid for admission to any public performance for profit at any roof garden, cabaret, or similar entertainment to which a charge for admission is wholly or in part included in the price paid for refreshment, service, or merchandise. The Senate amendment reduces this to 1 cent for each 10 cents or fraction thereof; and the House recedes with an amendment making the rate 1½ cents for each 10 cents or fraction thereof.

On amendment No. 368: This amendment provides that the admission tax shall not be levied in respect to admissions all the proceeds of which inure exclusively to the benefit of societies for the prevention of cruelty to children and animals, or organizations conducted for the sole purpose of maintaining symphony orchestras and receiving substantial support from voluntary contributions. The House recedes with an amendment making clerical changes and providing that if any of the profits of organizations maintaining symphony orchestras are distributed to members the exemption shall be allowed.

On amendment No. 369: The House bill provided that the tax on club dues should go into effect on November 1, 1918. The Senate amendment fixed the date as April 1, 1919; and the House recedes with a clerical amendment.

On amendment No. 370: The House bill imposed a tax of 20 per cent upon the amount paid for club dues to social, athletic, or sporting clubs or organizations. The Senate amendment reduces this tax to 10 per cent; and the House recedes.

On amendment No. 371: The House bill made subject to the tax upon club dues the dues paid to any produce exchange, board of trade, or other similar organization, or to any stock exchange. The Senate amendment strikes out this tax; and the House recedes.

On amendment Nos. 372 and 373: These amendments are clerical changes made necessary by the removal of the tax on dues applicable to stock and produce exchanges; and the House recedes.

On amendment No. 374: This amendment is a clerical change striking out language which is reinserted in slightly different form by amendment No. 431; and the House recedes.

On amendments Nos. 375 and 376: The House bill imposed a tax upon automobile trucks, automobile wagons, automobile trailers, or tractors of 5 per cent of the manufacturer's selling price, and upon other automobiles or motorcycles a tax of 10 per cent. The Senate amendments exempts from the tax automobile trucks, automobile wagons, automobile trailers, or tractors, and imposes a tax of 5 per cent of the manufacturer's selling price of automobiles and motorcycles. The House recedes with amendments imposing a tax upon automobile trucks and automobile wagons of 3 per cent of the manufacturer's selling price, and in the case of other automobiles and motorcycles, except tractors, of 5 per cent upon such price.

On amendments Nos. 377, 378, 379: These amendments are clerical changes; and the Senate recedes.

On amendment No. 380: The House bill imposed a tax upon automobile tires, inner tubes, parts, or accessories of 10 per cent of the manufacturer's selling price when such tires are sold to any person other than an automobile manufacturer or producer. The Senate amendment reduces this tax to 5 per cent; and the House recedes.

On amendment No. 381: This amendment is a clerical change; and the Senate recedes.

On amendments Nos. 382 and 383: The House bill imposed a tax upon pipe organs of 10 per cent of the manufacturer's selling price. The Senate amendment strikes out this tax; and the House recedes.

On amendment No. 384: This amendment makes music boxes subject to the musical-instrument tax; and the House recedes.

On amendment No. 385: The House bill imposed a tax upon musical instruments and records thereof of 10 per cent upon the manufacturer's selling price. The Senate amendment reduces this tax to 5 per cent; and the House recedes.

On amendment No. 386: The House bill imposed a tax upon positive moving-picture films, containing a picture ready for projection, of 10 per cent of the manufacturer's selling or leasing price. The Senate amendment strikes out this tax; and the House recedes.

On amendment No. 387: This amendment is a clerical change; and the House recedes with an amendment making a further clerical change.

On amendments Nos. 388, 389, and 390: These amendments are clerical changes; and the House recedes.

On amendment No. 391: This amendment is a clerical change; and the House recedes with an amendment making a further clerical change.

On amendment No. 392: The House bill imposed a tax upon chewing gum of 6 per cent of the manufacturer's selling price. The Senate amendment reduces this to 3 per cent; and the House recedes.

On amendment No. 393: This amendment is a clerical change; and the House recedes with an amendment making a further clerical change.

On amendment No. 394: The House bill exempted from the tax upon cameras those weighing more than 100 pounds each. The Senate amendment strikes out this exemption; and the Senate recedes.

On amendment No. 395: This amendment is a clerical change; and the House recedes with an amendment making a further clerical change.

On amendment No. 396: The House bill imposed a tax upon photographic films and plates equivalent to 10 per cent of the manufacturer's selling price. The Senate amendment reduces this tax to 5 per cent; and the House recedes.

On amendment No. 397: This amendment is a clerical change; and the House recedes with an amendment making a further clerical change.

On amendment No. 398: The House bill imposed a tax upon candy of 10 per cent of the manufacturer's selling price. The Senate amendment reduces this tax to 5 per cent; and the House recedes.

On amendment No. 399: This amendment is a clerical change; and the House recedes with an amendment making a further clerical change.

On amendments Nos. 400 and 401: These amendments are clerical changes; and the House recedes.

On amendments Nos. 402 and 403: The House bill imposed upon pistols and revolvers a tax of 25 per cent of the manufacturer's selling price. The Senate amendments reduce this tax to 10 per cent; and the House recedes.

On amendment No. 404: This amendment imposes a tax upon hunting and bowie knives equivalent to 10 per cent of the manufacturer's selling price. The House recedes with an amendment making a clerical change in the paragraph number.

On amendment No. 405: This amendment is a clerical change; and the Senate recedes.

On amendment No. 406: The House bill imposed a tax upon bowie knives equivalent to 100 per cent upon the manufacturer's selling price. The Senate amendment strikes out this tax and by Senate amendment No. 404 imposes a tax of 10 per cent on such knives. In view of the House having agreed to the rate

imposed by amendment No. 404, the House recedes in this amendment.

On amendment No. 407: This amendment is a clerical change; and the Senate recedes.

On amendments Nos. 408 and 409: The House bill levied a tax upon electric fans equivalent to 10 per cent of the manufacturer's selling price. The Senate amendment imposes a tax of 5 per cent on portable electric fans; and the House recedes.

On amendment No. 410: This amendment is a clerical change; and the Senate recedes.

On amendment No. 411: This amendment is a clerical change; and the House recedes.

On amendment No. 412: The House bill imposed a tax upon thermos and thermostatic bottles and similar containers equivalent to 10 per cent of the manufacturer's selling price. The Senate amendment reduces this tax to 5 per cent; and the House recedes.

On amendment No. 413: The House bill imposed a tax upon tapestries and textiles for furniture coverings or hangings as interior decorations, and upon woolen rugs, equivalent to 10 per cent of the manufacturer's selling price. The Senate amendment strikes out this tax; and the House recedes.

On amendment No. 414: This amendment is a clerical change, and the House recedes with an amendment making a further clerical change.

On amendment No. 415: The House bill imposed a tax upon photographs, productions, or reproductions, equivalent to 10 per cent of the producer's selling price. The Senate amendment strikes out this tax; and the House recedes.

On amendment No. 416: The House bill imposed a tax upon cash registers equivalent to 10 per cent of the manufacturer's selling price. The Senate amendment strikes out this tax; and the House recedes.

On amendment No. 417: This amendment is a clerical change; and the House recedes with an amendment making a further clerical change.

On amendment No. 418: The House bill imposed upon automatic slot weighing and vending machines a tax equivalent to 10 per cent of the manufacturer's selling price. The Senate amendment reduces this tax to 5 per cent; and the House recedes with an amendment making the tax 5 per cent in case of the vending machines and 10 per cent in the case of the weighing machines.

On amendment No. 419: The House bill in a different section (sec. 1007, amendment No. 523) provided that on and after January 1, 1919, every manufacturer of automatic vending or weighing machines who operates such machines shall pay annually an excise tax equivalent to 5 per cent of the gross amount received by him from such operation during the preceding year ending June 30. The Senate by amendment No. 523 struck out this provision and by amendment No. 419 provided that if the manufacturer, producer, or importer of any such machine operates it for profit he shall pay a tax in respect of each such machine put into operation equivalent to 5 per cent of its fair market value. The House recedes from amendment No. 419, but recedes from amendment No. 523 with an amendment adding to Senate amendment 419 a clause providing that a manufacturer, producer, or importer operating such a weighing machine for profit shall pay a tax in respect of each such machine put into operation equivalent to 10 per cent of its fair market value.

On amendments Nos. 420 and 421: These amendments are clerical changes; and the House recedes with amendments making further clerical changes.

On amendment No. 422: The House bill imposed upon hunting garments and riding habits a tax equivalent to 10 per cent of the manufacturer's selling price. The Senate amendment adds shooting garments to the articles covered by this tax; and the House recedes.

On amendment No. 423: The House imposed a tax on bathing suits equivalent to 10 per cent of the manufacturer's selling price. The Senate amendment strikes out this tax; and the House recedes.

On amendment No. 424: The House imposed upon certain specified furs a tax equivalent to 10 per cent of the manufacturer's selling price. The Senate amendment extends the tax so as to include all articles made out of fur or articles of which fur is a component material of chief value. The House recedes with a clerical amendment and with an amendment confining the tax to articles made of fur on the hide or pelt, or articles of which any such fur is the component material of chief value.

On amendment No. 425: This amendment is a clerical change; and the House recedes with an amendment making a further clerical change.

On amendment No. 426: The House bill imposed upon yachts and motor boats a tax equivalent to 10 per cent of the builder's selling price. The Senate amendment exempts from this tax those "used exclusively" for trade, fishing, and national defense. The House recedes with an amendment confining the exemption to those "designed" for trade, fishing, or national defense.

On amendment No. 427: This amendment is a clerical change; and the House recedes.

On amendment No. 428: This amendment is a clerical change; and the House recedes with an amendment making a further clerical change.

On amendment No. 429: This amendment is a clerical change; and the House recedes.

On amendment No. 430: The House bill imposed upon toilet soaps and soap powder a tax equivalent to 10 per cent of the manufacturer's selling price; the Senate amendment reduces this tax to 3 per cent; and the House recedes.

On amendment No. 431: This amendment inserts in slightly different form matter already stricken out by amendment No. 374; and the House recedes.

On amendments Nos. 432, 433, 434, 435, 436, 437, 438, 439, and 440: The House bill contained a provision to prevent evasion of the tax on articles sold by a manufacturer by selling them at less than the fair market price. The Senate amendments extend this provision to cover the leasing or licensing for exhibition of motion-picture films at less than the fair market price; and the House recedes.

On amendment No. 441: The House bill imposed upon gasoline suitable for motor power, sold by the manufacturer, refiner, or importer, a tax of 2 cents a gallon. The Senate amendment strikes out this tax; and the House recedes.

On amendment No. 442: This amendment is a change in section number; and the House recedes.

On amendments Nos. 443, 444, 445, and 446: The House bill imposed upon sculpture, paintings, and statuary sold by any person other than the artist a tax equivalent to 10 per cent of the price for which so sold. Senate amendment No. 443 adds to this list art porcelains and bronzes; and the House recedes. Amendment No. 444 adds to this list antique furniture sold by any person; and the Senate recedes. Amendment No. 445 reduces the rate from 10 per cent to 5 per cent; and the Senate recedes. Amendment No. 446 provides that the tax shall not apply to the sale of any such article to an educational institution or art museum. The House recedes with an amendment confining the exemption to sales to educational institutions or public art museums.

On amendment No. 447: This amendment is a change in section number; and the House recedes.

On amendments Nos. 448 and 449: These amendments are clerical changes; and the House recedes.

On amendment No. 450: This amendment provides that the excise taxes imposed in Title IX shall without assessment by the commissioner or notice from the collector be due and payable to the collectors at the time of filing each monthly return, and provides a penalty for nonpayment; and the House recedes.

On amendment No. 451: This amendment is a change in section number; and the House recedes.

On amendment No. 452: The House bill provided that the tax on the excess amount paid for certain articles should go into effect on November 1, 1918. The Senate amendment changes this date to May 1, 1919; and the House recedes.

On amendment No. 453: The House bill imposed a tax equivalent to 20 per cent of so much of the amount paid for certain articles (specified in section 905 of such bill) as is in excess of the price specified in such section as to each such article when sold for consumption or use. The Senate amendment reduces this to 10 per cent; and the House recedes.

On amendment No. 454: This amendment limits the application of the tax referred to in the preceding amendment to articles sold by a dealer. The House recedes with an amendment making the limitation apply to articles sold by or for a dealer or his estate.

On amendment No. 455: This amendment strikes from the articles subject to tax referred to under amendment No. 453, men's and boys' suits or overcoats and women's and misses' suits, cloaks, coats, and dresses; and the House recedes.

On amendments Nos. 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, and 466: These amendments are all clerical changes; and the House recedes.

On amendment No. 467: This amendment exempts from the tax referred to under amendment No. 453 articles made out of fur or of which fur is the component material of chief value. The House recedes with an amendment confining the exemption to articles made of fur on the hide or pelt or of which any such fur is the component material of chief value.

On amendment No. 468: This amendment is a clerical change; and the House recedes.

On amendment No. 469: This amendment is a clerical change; and the House recedes with an amendment making a further clerical change.

On amendment No. 470: This amendment is a clerical change made necessary by the adoption of amendment No. 455; and the House recedes.

On amendment No. 471. This amendment is a change in section number; and the House recedes.

On amendment No. 472: The House bill provided that the jewelry tax should go into effect on November 1, 1918. The Senate amendment changes this date to April 1, 1919; and the House recedes.

On amendment No. 473: The House bill imposed a tax upon articles made of, or ornamented, mounted, or fitted with, precious metals or imitations thereof or ivory. The Senate amendment excludes surgical instruments falling within this class; and the House recedes.

On amendment No. 474: This amendment confines the jewelry tax imposed by the House to articles sold by a dealer. The House recedes, with an amendment making the tax applicable when the article is sold by or for a dealer or his estate.

On amendment No. 475: The House bill imposed upon jewelry and similar articles when sold for consumption or use a tax equivalent to 10 per cent of the price for which sold. The Senate amendment reduces this to 5 per cent; and the House recedes.

On amendment No. 476: The House bill provided that the jewelry tax should not apply to articles sold by any person whose principal business is not the sale of such articles for consumption or use and whose gross receipts from the sale of such articles during the preceding year does not exceed $200. The Senate amendment strikes out this exception; and the House recedes.

On amendment No. 477: This amendment is a clerical change; and the House recedes.

On amendment No. 478: This amendment provides that the tax upon jewelry shall without assessment by the commissioner or notice from the collectors be due and payable to the collectors at the time of filing each monthly return, and provides a penalty for nonpayment; and the House recedes.

On amendment No. 479: The House bill imposed a tax equivalent to 10 per cent of the amount paid for any jewelry composed in whole or in part of platinum when sold for consumption or use. The Senate amendment strikes out this tax; and the House recedes.

On amendment No. 480: This amendment provides that on and after May 1, 1919, any person engaged in the business of leasing or licensing for exhibition positive motion-picture films containing pictures ready for projection shall pay monthly an excise tax of 5 per cent of the total rentals during the preceding month; and the House recedes with an amendment making a clerical change.

On amendment No. 481: This amendment is a change in section number; and the House recedes.

On amendment No. 482: The House bill provided that the tax on cosmetics and proprietary and patent medicines should go into effect on November 1, 1918; the Senate amendment changed this date to May 1, 1919; and the House recedes.

On amendments Nos. 483 and 484: The House bill imposed upon cosmetics and proprietary and patented medicines a tax of 1 cent for each 10 cents or fraction thereof when sold for consumption or use. The Senate amendments reduce this rate to 1 cent for each 25 cents or fraction thereof and confine the tax to cases where the article is sold by a dealer. The House recedes from amendment No. 483, fixing the rate, and recedes from amendment No. 484 with an amendment limiting the application of the tax to cases where the articles are sold by or for a dealer or his estate.

On amendment No. 485: This amendment provides that the House tax on proprietary and patent medicines should not apply to the sale of medicinal preparations which are not advertised to the general lay public. The House recedes with an amendment limiting the exemption to vaccines and bacterines which are not advertised to the general lay public, and to the sale of medicinal preparations, not so advertised, by a physician in personal attendance upon a patient.

On amendments Nos. 486 and 487: These amendments strike out the floor taxes imposed by the House bill upon the articles subject to the excise taxes held by a dealer and intended for sale on the day after the passage of this act; and the House recedes.

On amendment No. 488: The House bill imposed upon a domestic corporation an annual excise tax equivalent to $1 for each $1,000 of so much of the fair average value of its capital stock for the preceding year as is in excess of $5,000. It also provided that in estimating the value of the capital stock the surplus and undivided profits should be included. This is the basis of the tax under the present law, with the rate increased 100 per cent. The Senate amendment changes the basis of the tax from the fair average value of the capital stock to the amount of the net assets shown on the books as of the close of the preceding income-tax year; and the Senate recedes.

On amendment No. 489: The House bill based the capital stock tax in the case of foreign corporations upon the average amount of "capital actually invested" in the United States. The Senate amendment changes this basis and places this tax upon the average amount of "capital employed" in the United States; and the House recedes.

On amendment No. 490: This amendment, as part of the Senate's general plan of insurance taxation, strikes out the House provisions relating to the computation of the capital stock tax in the case of insurance companies; and the Senate recedes.

On amendment No. 491: This amendment is a clerical change; and the Senate recedes.

On amendment No. 492: This amendment, as part of the Senate's general plan of insurance taxation, specifically exempts insurance companies from the capital stock tax. The House recedes with an amendment making the tax specifically applicable to mutual insurance companies and providing that in the case of every such domestic company the tax shall be based upon the sum of its surplus or contingent reserves maintained for the general use of the business and any reserves the net additions to which are included in the net income under the provisions of Title II, as of the close of its preceding income tax year; and providing that in the case of a foreign mutual insurance company the tax shall be based upon the same proportion of the sum of such surplus and reserve which the reserve fund upon business transacted within the United States is of the total reserve upon all business transacted.

On amendment No. 493: This amendment is a clerical change; and the Senate recedes.

On amendment No. 494: This amendment is a clerical change striking out certain language which is reinserted in slightly changed form at a different place by amendment No. 511; and the House recedes.

On amendment No. 495: The House bill imposed a special license tax upon brokers at $100 a year. The Senate amendment reduces this to $40; and the House recedes with an amendment making the rate $50.

On amendments Nos. 496 and 497: The House bill provided that brokers who are members of stock or produce exchanges should pay in addition to the license tax imposed upon all brokers additional amounts as follows: If the average value during the preceding year ending June 30 of a seat or membership in such exchange was not more than $2,000, $50; if such value was more than $2,000 and not more than $5,000, $100; if such value was more than $5,000, $150. The Senate amendments strike out the additional tax of $50 where the value of the seat was less than $2,000; and the House recedes.

On amendment No. 498: This amendment provides in addition to the pawnbroker's license tax an additional tax based on the value of the gross receipts for the preceding year; and the Senate recedes.

On amendment No. 499: The House bill provided for a special license tax on ship brokers of $50 per year. The Senate amendment reduces this to $40; and the Senate recedes.

On amendment No. 500: The House bill provides for a special license tax on customhouse brokers of $50 per year. The Senate amendment reduces this tax to $40; and the Senate recedes.

On amendment No. 501: This amendment exempts from the special license tax on proprietors of theaters, museums, and concert halls, edifices owned by religious, educational, or charitable institutions, societies or organizations where all the proceeds from admissions inure exclusively to the benefit of such institutions, societies, or organizations, or exclusively to the benefit of persons in the military or naval forces of the United States; and the House recedes.

On amendment No. 502: The House bill imposed a special license tax on circus proprietors of $200 per year. The Senate amendment reduces this to $100; and the House recedes.

On amendment No. 503: The House bill imposed a special license tax on proprietors or agents of public exhibitions or shows not otherwise enumerated of $20 per year. The Senate amendment reduces this to $15; and the House recedes.

On amendment No. 504: The House bill provided that an aggregation of entertainments known as street fairs should not pay a larger tax than $200 in any State, Territory, or the District of Columbia. The Senate amendment reduces this to $100; and the House recedes.

On amendments Nos. 505, 506, 507, and 508: The House bill imposed upon persons carrying on the business of operating

sight-seeing automobiles an annual tax equivalent to 10 per cent of the gross receipts during the preceding year ending June 30 from the operation of each such automobile having a seating capacity of more than seven. The Senate amendment, in lieu of this tax, imposes upon persons carrying on the business of operating or renting passenger automobiles for hire an annual tax of $10 for each such automobile having a seating capacity of more than two and not more than seven and $20 for each such automobile having a seating capacity of more than seven; and the House recedes.

On amendment No. 509: The House bill provided that every person carrying on the business of a brewer, distiller, or liquor dealer in any place contrary to State laws shall pay in addition to all other taxes $1,000 annually, and provided that the payment of this tax should not be held to exempt any person from the penal provisions of the local laws. The Senate amendment strikes out this provision; and the Senate recedes.

On amendment No. 510: The House bill imposed a special license tax upon persons engaged in any trade, business, or profession, with certain exceptions. The Senate amendment strikes out this tax; and the House recedes.

On amendment No. 511: This amendment is a clerical change inserting in slightly different form matter stricken out by amendment No. 494; and the House recedes.

On amendments Nos. 512 and 513: The House bill provided that manufacturers of tobacco whose annual sales exceed 100,000 and do not exceed 200,000 pounds shall each pay $24 annually, and that manufacturers of tobacco whose annual sales exceed 200,000 pounds shall pay annually at the rate of 16 cents per thousand pounds or fraction thereof. The Senate amendments do not change the provisions of the House bill as to manufacturers of tobacco whose annual sales are between 100,000 and 200,000 pounds, but provide that where the annual sales exceed 200,000 pounds the manufacturer shall pay annually $24 and at the rate of 16 cents per thousand pounds or fraction thereof in respect to the excess over 200,000 pounds; and the House recedes.

On amendments Nos. 514 and 515: The House bill provides that manufacturers of cigars whose annual sales exceed 200,000 and do not exceed 400,000 cigars shall each pay $24 annually, and that manufacturers of cigars whose annual sales exceed 400,000 cigars shall each pay annually at the rate of 10 cents per thousand cigars or fraction thereof. The Senate amendments do not change the provisions of the House bill as to manufacturers of cigars whose annual sales are between 200,000 and 400,000 cigars, but provide that where the annual sales exceed 400,000 cigars the manufacturer shall pay annually $24 and at the rate of 10 cents per thousand cigars or fraction thereof in respect to the excess over 400,000 cigars; and the House recedes.

On amendment No. 516: This amendment changes the basis of computing the tax on yacht users from net to gross tonnage; and the Senate recedes.

On amendment No. 517: The House bill exempted from the special tax on users of yachts and motor boats those used exclusively for trade or national defense. The Senate amendment extends the exemption to those used exclusively for fishing; and the House recedes.

On amendments Nos. 518 and 519: These amendments are clerical changes; and the Senate recedes.

On amendment No. 520: This amendment provides in case of special license taxes that if the corresponding tax imposed by the revenue act of 1916 was not payable by stamp an amount paid under such act for any period for which the corresponding tax is also imposed by Title X of the bill may be credited against the tax imposed by such title; and the House recedes.

On amendment No. 521: The House bill imposed upon mail-order houses an annual tax equivalent to 1 per cent of the annual gross receipts in excess of $100,000. The Senate amendment strikes out this tax; and the House recedes.

On amendment No. 522: The House bill imposes a special license tax upon users of automobiles and motorcycles. The Senate amendment strikes out this tax, and the House recedes.

On amendment No. 523: The House bill imposed a tax upon the manufacturer of automatic vending and weighing machines operating such machines equivalent to 5 per cent of the annual gross amount received by the manufacturer from such operation. The Senate amendment strikes out this provision; and in view of the conference agreement under amendment 419 the House recedes with an amendment, which is explained in connection with that amendment.

On amendment No. 524: This section provides a penalty for any person who carries on any business or occupation for which a special license tax is imposed by Title X of the bill without having paid such tax; and the House recedes.

On amendment No. 525: This amendment is a change in section number; and the House recedes.

On amendments Nos. 526, 527, 528, 529, and 530: These amendments are clerical changes; and the House recedes, with a minor clerical change in amendment No. 526.

On amendment No. 531: This amendment provides that the physicians, dentists, veterinary surgeons, and other practitioners who are required to pay a special tax under the Harrison Narcotic Act as amended, in respect to the business of distributing, dispensing, and giving away or administering any of the narcotics specified in that act, shall be only such persons as are in attendance upon patients "in the course of their professional practice"; and the House recedes.

On amendments Nos. 532 and 533: The House bill provided that it shall be unlawful for any person to purchase, sell, dispense, or distribute any of the drugs specified in the Harrison Narcotic Act except in the original stamped package or from the original stamped package, and exempted from this provision the dispensing, administration, or giving away of any such drug to a patient by a registered physician, dentist, veterinary surgeon, or other practitioner in personal attendance upon such patient. The Senate amendments struck out the requirement of personal attendance and confined the exception to cases where the practitioner was acting in the course of his professional practice; and the House recedes.

On amendments Nos. 534 and 535: The House bill repealed all the provisions of section 6 of the Harrison narcotic act, which exempts certain preparations and remedies containing small quantities of narcotics from the provisions of that act, but retained those provisions of section 6 which exempted from the operation of the Harrison Act decocanized coca leaves from which all cocaine has been extracted. Senate amendment No. 534 struck out this provision of the House bill, and Senate amendment No. 535 amended section 6 of the Harrison Act by adding a proviso requiring the keeping of records by the manufacturer, producer, or compounder of the preparations and remedies which under such section are exempted from the operation of the narcotic act. The House recedes from amendment No. 534 and recedes from amendment No. 535, with an amendment (1) retaining section 6 of the Harrison Act with a few verbal amendments, (2) providing more carefully for the keeping of the records provided for in the Senate amendment, and (3) providing that such records need not be kept by the manufacturer, producer, compounder, or vendor of preparations or remedies made out of decocanized coca leaves or other preparations of coca leaves which do not contain cocaine.

On amendments Nos. 536 and 537: These amendments are changes of section numbers; and the House recedes.

On amendment No. 538: The House bill provided that the stamp taxes should take effect on November 1, 1918; the Senate amendment changes this date to April 1, 1919; and the House recedes.

On amendments Nos. 539, 540, and 541: The House bill imposed a stamp tax of 50 cents upon all policies of guaranty and fidelity insurance. The Senate amendments strike out this tax; and the Senate recedes.

On amendment No. 542: The House bill provided that where a premium is charged for the execution of any fidelity or surety bond the stamp tax shall be 1 cent on each dollar or fractional part thereof of the premium charged, and that policies of reinsurance shall be exempt from the tax. The Senate amendment, as a part of the general plan of the Senate bill in taxing insurance, strikes out this provision; and the House recedes with an amendment providing that where a premium is charged for the execution, renewal, or continuance of such a bond the tax shall be 1 cent on each dollar or fractional part thereof of the premium charged, and that policies of reinsurance shall be exempt.

On amendment No. 543: The House bill imposed a stamp tax upon sales, agreements of sale, or agreements to sell products or merchandise at any exchange or board of trade for future delivery. The Senate amendment makes also taxable such sales or agreements made under the rules or usages of any exchange or board of trade for future delivery; and the House recedes.

On amendment No. 544: This amendment imposes a stamp tax of 5 cents on each dollar or fractional part thereof of the premium charged for policies of insurance against peril on the sea or inland waters or in transit by land, or by fire, lightning, tornado, etc., issued to a domestic corporation or partnership, or resident of the United States by any foreign insurer when such policy is not signed or countersigned by an officer or agent of the insurer in the United States in a locality within which such insurer is authorized to do business; and the House recedes with an amendment reducing the rate to 3 cents on each dollar or fractional part thereof of the premium, and exempting such policies from the policy tax imposed by section 503 of the bill.

On amendment No. 545: This amendment strikes out the provisions of the House bill creating an advisory tax board, but the Senate by amendment No. 550 reinserted this matter in a different form at another place; and the House recedes.

On amendment No. 546: This amendment imposes a tax of 10 per cent on the net profits from the operation of (a) any mine or quarry situated in the United States in which children under the age of 16 years have been employed or permitted to work during any portion of the taxable year; or (b) any mill, cannery, workshop, factory, or manufacturing establishment situated in the United States in which children under the age of 14 years have been employed or permitted to work, or children between the ages of 14 and 16 have been employed or permitted to work more than eight hours in any day or more than six days in any week, or after the hour of 7 o'clock p. m., or before the hour of 6 o'clock a. m., during any portion of the taxable year. Such tax is not to apply in the case of an employer relying in good faith upon an employment certificate issued under regulations prescribed by a board composed of the Secretary of the Treasury, the Secretary of Labor, and the Commissioner of Internal Revenue; nor in the case of an employer who satisfies the Secretary of the Treasury that his employment of a child under the prescribed ages was due to an honest mistake of fact as to the age of such child; and the House recedes.

On amendment No. 547: The House bill provided that deputy collectors appointed under the appropriation made by the bill for the expenses of the Internal Revenue Bureau should be appointed under the civil service, as well as all other employees under such appropriation. The Senate amendment permits deputy collectors of a class now outside the civil-service law to be appointed without regard to civil-service requirements; and the House recedes.

On amendment No. 548: This amendment authorizes expenditures for furniture out of the appropriation made by the bill for the expenses of collecting internal-revenue taxes for the current fiscal year; and the House recedes with a clerical amendment.

On amendment No. 549: This amendment authorizes the expenditure of not exceeding $500 for street car fares in the District of Columbia out of the appropriations made by the bill for collecting internal-revenue taxes for the current fiscal year; and the House recedes.

On amendment No. 550: This amendment provides that not more than $60,000 of the amount appropriated by the bill for the collection of internal-revenue taxes may be expended for salaries and traveling expenses of members of an advisory tax board, to be appointed by the commissioner, with the approval of the Secretary, and provides that, under rules prescribed by the commissioner and approved by the Secretary, the Secretary or the commissioner may, and on the request of any taxpayer interested shall, submit to the board any question relating to the income and excess-profits tax laws. The House recedes with an amendment substantially reinserting the provisions of the House bill stricken out by amendment 545, providing (1) that the board is to be composed of not to exceed six members, to be appointed by the commissioner, with the approval of the Secretary, at an annual salary of $9,000; (2) that the board is to remain in existence for two years after the passage of the act, unless the commissioner, with the approval of the Secretary, designates an earlier time for the termination of its existence; and (3) that the commissioner may, and at the request of any taxpayer directly interested shall, refer to the board any question relating to the income, war-profits, or excess-profits tax laws.

On amendments Nos. 551 and 552: These amendments are clerical changes; and the House recedes.

On amendment No. 553: The House bill provided that whenever in the judgment of the commissioner necessary he may require any person by notice served upon him to make a return or such statements as he deems sufficient to show whether or not such person is liable to tax. The Senate amendment strikes out this provision and inserts a provision authorizing the commissioner, with the approval of the Secretary, to require any person, whether liable to tax or not, to file returns of income or such statements as may be deemed by him to be sufficient to show whether or not such person is so liable; and the Senate recedes.

On amendment No. 554: This amendment consolidates and makes administrative changes in the penalty provisions of the bill; and the House recedes.

On amendment No. 555: By this amendment the commissioner may make regulations, with the approval of the Secretary, providing that any return required to be under oath by the portions of the bill relating to transportation, beverages, tobacco, admissions, excise, or special taxes, may be signed or acknowledged before two witnesses instead of under oath, if the amount of the tax is not in excess of $10; and the House recedes.

On amendment No. 556: This amendment is a clerical change; and the House recedes.

On amendment No. 557: This amendment provides that where a tax under this act is required to be paid by the purchaser to the vendor at the time of a sale and the sale is made on credit, then under regulations prescribed by the commissioner, with the approval of the Secretary, the tax may at the option of the vendor be returned and paid by him to the United States as if paid to him by the purchaser at the time of the sale, and gives a right of action in such cases to the vendor against the purchaser for the amount of the tax; and the House recedes.

On amendment No. 558: This amendment provides that under regulations made by the commissioner, with the approval of the Secretary, the taxes on beverages, cigars, and tobacco, and the excise taxes shall not apply in respect to articles sold or leased for export and in due course so exported. It also provides that under proper regulations the amount of any internal-revenue tax erroneously or illegally collected in respect to exported articles may be refunded to the exporter instead of to the manufacturer, if the manufacturer waives his claim to refund; and the House recedes:

On amendment No. 559: This amendment is a clerical change; and the Senate recedes.

On amendments Nos. 560 and 561: These amendments are of a clerical and administrative character designed for the relief of persons who have made a contract for the sale of articles taxable under the act before notice of a tax imposed by it, under circumstances under which they can not pass the tax along to the purchaser; and the House recedes from amendment No. 560 and recedes with minor clerical changes from amendment No. 561.

On amendments Nos. 562, 563, 564, and 565: These amendments are clerical changes; and the House recedes.

On amendment No. 566: The House bill provided that certificates of indebtedness and uncertified checks may be received in payment of income, war-profits, and excess-profits taxes. The Senate amendment permits them to be received also in payment of any other taxes payable other than by stamp; and the House recedes.

On amendment No. 567: This amendment amends section 3315 of the Revised Statutes so as to permit the commissioner, with the approval of the Secretary, to issue stamps for restamping packages of wines which have been duly stamped and from which the stamps have been lost by unavoidable accident; and the House recedes.

On amendment No. 568: This amendment is a change of section number; and the House recedes.

On amendment No. 569: This amendment amended section 3689 of the Revised Statutes so that the permanent appropriation provided in that section could be used to pay judgments, including interest and costs, rendered for taxes or penalties erroneously or illegally assessed or collected under the internal-revenue laws, notwithstanding the limitations imposed by the act of June 20, 1874. The House recedes with an amendment repealing that portion of section 3689 of the Revised Statutes relating to the refunding of internal-revenue taxes erroneously or illegally collected, and providing that the Secretary of the Treasury shall submit for the fiscal year 1921 and annually thereafter an estimate of appropriations to refund and pay back duties or taxes erroneously or illegally assessed or collected under the internal-revenue laws, and to pay judgments, including interest and costs, rendered for taxes erroneously or illegally assessed or collected under the internal-revenue laws.

On amendment No. 570: This amendment is a change of section number; and the House recedes.

On amendment No. 571: This amendment is a clerical change; and the House recedes.

On amendment No. 572: This amendment amends sections 3164 and 3165 of the Revised Statutes. Section 3164 of the Revised Statutes provides that if a collector of internal revenue has knowledge of any violation of any revenue law he shall file with the district attorney a statement of the facts of the case within 10 days after coming into possession of such knowledge. The section as rewritten by the Senate makes it the duty of the collector, within 30 days after coming into possession of knowledge of any willful violation of any revenue law, to file a statement thereof with the district attorney, and makes minor clerical changes in that section. The Senate amendment to section 3165 of the Revised Statutes adds internal-revenue agents to the class of officers authorized by that section to administer oaths and take evidence in relation to the administration of the internal-revenue laws; and the House recedes.

On amendment No. 573: The House bill provided a method of making a return or list where any person fails to make such return or list at the time prescribed by law. The Senate amendment extends the provision to cover cases where a return or list is not made at the time prescribed by regulation made under authority of law; and the House recedes.

On amendments Nos. 574 and 575: The House bill provided that in case of failure to make a return at the proper time there shall be added to the tax 50 per cent of its amount, and if a false and fraudulent return is willfully made there shall be added to the tax 100 per cent of its amount. The Senate amendments reduce these penalties to 25 per cent and 50 per cent, respectively; and the House recedes.

On amendment No. 576: This amendment is a change of section number; and the House recedes.

On amendment No. 577: The House bill provided that if any person is summoned under Title XIII to appear to testify or produce books, the district courts should have jurisdiction to enforce obedience. The Senate amendment extended the provision to cover the case of any person summoned under this act; and the House recedes.

On amendment No. 578: This amendment gives jurisdiction to the district courts of the United States to issue injunctions at law and suits in equity certain writs and orders, such as are necessary or appropriate for the enforcement of the provisions of this act; and the House recedes with an amendment confining the jurisdiction of the court to cases where the relief is asked for by the United States.

On amendment No. 579: This amendment is a change of section number; and the House recedes.

On amendment No. 580: This amendment is a clerical change; and the House recedes.

On amendment No. 581: The House bill provided for the acceptance of United States bonds in lieu of sureties on bonds required to be furnished by law. The Senate amendment added provisions for the protection of the United States and mechanics and material men; and the House recedes with a clerical amendment.

On amendment No. 582: The House bill provided for the repeal of any act inconsistent with this act. The Senate amendment specifies a number of acts and parts of acts to be repealed, all of which are incorporated in this bill; and the House recedes.

On amendments Nos. 583, 584, 585, 586: These amendments are clerical changes; and the House recedes.

On amendments Nos. 587 and 588: These amendments are clerical changes; and the Senate recedes.

On amendments Nos. 589, 590, 591, and 592: These amendments are clerical changes; and the House recedes.

On amendment No. 593: This amendment reduces the rate of postage on first-class mail matter, effective July 1, 1919, to the rates in force before the passage of the last revenue act; and the House recedes.

On amendment No. 594: This amendment repeals the zone system for postage for second-class mail matter contained in the last revenue act and substitutes a rate of 1 cent per pound or fraction thereof for delivery within the first and second zones and 1½ cents per pound or fraction thereof for delivery in any other zone, effective July 1, 1919; and the Senate recedes.

On amendments Nos. 595, 596, 597, and 598: These amendments are changes in section numbers, and the House recedes with an amendment making further changes in section numbers.

On amendment No. 599: This amendment provides that all officers and enlisted personnel of the military and naval forces in the war against Germany who have been honorably discharged since November 11, 1918, or who may hereafter be honorably discharged shall be paid one month's salary. The House recedes with an amendment substituting for the Senate provision a section (1) providing that $60 shall be paid to each person serving in the military or naval forces of the United States in the present war who has since April 6, 1917, resigned or been honorably discharged, or who may hereafter resign or be honorably discharged (within one year after the termination of the war in the case of officers and not later than the termination of the current enlistment in the case of enlisted personnel); (2) providing for the protection of the Government from unjust claims and double payments; (3) providing that this payment in the case of separation from the service before the passage of the act shall be made as soon as practicable after the passage of the act, and in the case of separation from the service after the passage of the act shall be made at the time of separation from the service; and (4) providing that these amounts shall be paid out of the appropriations for "Pay of the Army" and "Pay of the Navy," respectively.

On amendment No. 600: This amendment provides that the so-called "Reed" or "bone-dry" amendment relating to transportation of liquors in interstate commerce shall be made applicable to the District of Columbia, thus making it unlawful to transport liquors in or out of the District; and the House recedes with an amendment changing the section number.

On amendment No. 601: This amendment provides that every individual, partnership, and corporation which, since the 6th day of April, 1917, has entered into any contract, undertaking, agreement, or transaction with the United States, or with any agency, officer, or commission of the United States, or with any other person, partnership, or corporation having contract relations with the United States, for the performance of any work or for the supplying of any materials or property for the use of or for the account of the United States, shall file with the Commissioner of Internal Revenue and with the Attorney General, within 60 days after the passage of this act, a true and correct copy of every such contract, undertaking, agreement, or transaction, together with a true, accurate, and complete statement of all work and labor performed and materials and property supplied and an account of all moneys or other things of value received, expenses incurred, and profits made and realized from such contract, undertaking, agreement, or transaction.

The House recedes with an amendment providing that (1) every person who on or after April 6, 1917, has entered into any contract, undertaking, or agreement with the United States, or with any department, bureau, officer, commission, board, or agency under the United States or acting in its behalf, or with any other person having contract relations with the United States for the performance of any work or the supplying of any materials or property for the use of or for the account of the United States, shall, within 30 days after a request of the commissioner therefor, file with the commissioner a true and correct copy of every such contract, undertaking, or agreement; and (2) authorizing the commissioner (when not violative of the technical military or naval secrets of the Government) to have access to all information and data relating to any such contract, undertaking, or agreement in the possession, control, or custody of any department, bureau, board, agency, officer, or commission of the United States, and to call upon any such department, bureau, board, agency, officer, or commission for a full statement and description of any allowance for amortization, obsolescence, depreciation, or loss, or of any valuation, appraisal, adjustment, or final settlement made in pursuance of any such contract, undertaking, or agreement.

On amendment No. 602: This amendment makes a change in section number; and the House recedes with an amendment making a further change in section number.

CLAUDE KITCHIN,
HENRY T. RAINEY,
LINCOLN DIXON,
JOSEPH W. FORDNEY,
J. HAMPTON MOORE.
Managers on the part of the House.

The SPEAKER. The gentleman from North Carolina is recognized for one hour. [Applause.]

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina may proceed until he concludes his remarks.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the gentleman from North Carolina may proceed until he concludes his remarks. Is there objection?

Mr. MANN. I have no objection to the gentleman from North Carolina having all the time he wants, but long observation has taught me that if a man gets permission to proceed until he concludes other Members of the House are apt to take up most of his time. I suggest that the gentleman take what time he likes, and then his time can be extended so far as it may be necessary.

Mr. KITCHIN. Mr. Speaker, I will ask Members of the House not to interrupt me until I have finished my general statement. In that I shall try to include the important differences between the House and the Senate and explain the way in which the conferees composed those differences. After I shall have concluded, if any gentleman then desires to ask me any questions and I have time I will be glad to answer any question I can.

It will be almost impossible, certainly impracticable, for me or anyone to attempt before the House to explain each and every item of difference on each and every amendment that the Senate put on the House bill.

I shall confine my remarks to the important differences and the agreements reached by the conferees. The statement of the managers on the part of the House goes into details as to every single one of the amendments and explains the way in which the conferees disposed of them; and if one would take the statement and the bill in his hands and apply the explanation contained in

the statement to the bill he would have a clear idea of each and every one of the amendments and its disposition.

During the war, in May last, the Secretary of the Treasury and the President of the United States advised and urged that Congress should enact a revenue law that would produce $8,000,000,000 of revenue for a 12-month period. After three or four months of arduous labor the Committee on Ways and Means presented to the House a bill that would produce $8,000,000,000 of revenue. The House unanimously passed that bill. It went to the Senate. The Senate Finance Committee proceeded with the consideration of the House bill with a view of raising the $8,000,000,000. While considering it the war suddenly came to a close; the armistice was signed. The Secretary of the Treasury then addressed a letter to Senator SIMMONS, chairman of the Finance Committee of the Senate, and to myself, as chairman of the Committee on Ways and Means, advising and urging, since the war had ceased and our expenditures would necessarily be reduced, that the bill be modified in the Senate to the extent of reducing for this fiscal year the tax levy from $8,000,000,000 to $6,000,000,000, and to provide for tax levies thereafter—that is, after the fiscal year 1919—of $4,000,000,000 a year.

The Senate Finance Committee at once proceeded to revise the bill with that policy of reduction in view. It finally presented a bill to the Senate that would raise the $6,000,000,000 for this fiscal year and $4,000,000,000 for the next fiscal year.

Not only did the Secretary of the Treasury recommend and insist upon that reduction, but the President in his last address before Congress just before departing for Europe advised and urged Congress to adopt the recommendation of the Secretary of the Treasury with respect to such reduction. I have doubted—and I fear that the future will confirm my doubts—the wisdom of such a large reduction as was advised and urged by the Secretary of the Treasury and the President of the United States. This year our expenditures will amount to at least $19,000,000,000. That is the amount of the Treasury estimates. In my judgment they will amount to at least $20,000,000,000 for this fiscal year, some $10,000,000,000 or $12,000,000,000 less than we would have had to expend had the war continued. The administration, as I before stated, recommended that for this fiscal year the taxes be reduced from the House bill of $8,000,000,000 to $6,000,000,000.

How are we going to get this $19,000,000,000? We can get it in this way, and in this way only: We have received $7,000,000,000 from the fourth liberty loan. That amount has been expended in our disbursements of this year. Our receipts from war-savings certificates will amount to about $1,000,000,000. That makes $8,000,000,000. We propose to get $6,000,000,000 of revenue from this bill. That makes $14,000,000,000. And the Treasury Department proposes to issue and sell $5,000,000,000 more of bonds between now and June 30. These items make up the $19,000,000,000.

If the expenditures run to $20,000,000,000, which, in my judgment, they will, the Secretary of the Treasury will have to come to Congress and get a new bond authorization, because the $5,000,000,000 that he proposes to sell between now and the 30th of June will exhaust the amount of authorizations heretofore made by Congress. He would have to come to Congress and get an authorization for another $1,000,000,000, or else issue short-time certificates of indebtedness which later would have to be paid by taxes or proceeds of future sales of bonds. The total authorizations of bond issues since our entrance into the war have been $22,000,000,000 in round numbers. We have sold, in round numbers, $17,000,000,000, leaving an authorization of $5,000,000,000.

Now take next year. When the Secretary of the Treasury advised a reduction in the revenues for the following years—that is, for the next fiscal year and the years thereafter—to $4,000,000,000, his annual report showed that we will require at least $6,500,000,000 in order to defray the expenditures of the next fiscal year, a difference between the tax bill which he urged and expenditures of $2,500,000,000. I have not been wrong in my predictions about increased expenditures when I presented bond bills and tax bills heretofore. I make another prediction, that instead of the expenditures next year being $6,500,000,000 they will be nearer $10,000,000,000, unless the President and Congress take a firmer hand in reducing appropriations and expenditures than they have heretofore done. Of this, I must confess, I am not very hopeful.

Now, we have a tax bill that will produce, upon the recommendation of the Secretary of the Treasury and the President, $4,000,000,000 for the fiscal year 1920. Say we receive in addition to the tax levied by this bill from customs and miscellaneous receipts $500,000,000. An expenditure of $10,000,000,000 will make a deficit of $5,500,000,000 in that year. We must get that from bonds. If expenditures are kept down to $6,500,000,000 we will still have a deficit of $2,000,000,000. We must get that from bonds. When we think of the enormous amount of bonds that are already piled up and that will be piled up in the next two years on the American people, which will be a mortgage upon them and their children, upon the energies and industries of the people for generations to come, we can well doubt the wisdom of the policy of making such large tax reductions, especially when the industries, especially the corporations, of the country have made such enormous profits in the last three years. Our industries could stand higher taxes, especially in view of the net loss and inventory reduction provisions in the bill, to which I shall refer later. After you deduct all the taxes that all the corporations of this country have paid or shall have paid for the years 1916, 1917, and 1918, and then deduct the average amount of incomes and profits that those corporations were making for the three prewar years, they will then have, in round numbers, $10,000,000,000 of clear net profits. In other words, give them first the average net income of $4,122,000,000, which the corporations were making during the three prewar years, or the total for the three years of $12,366,000,000. Then add to that every dollar of taxes that they shall have paid under this bill and under all other bills for the years 1916, 1917, and 1918. Then deduct that from the total amount of profits which they made in those years, and they will then have a clear net gain of $10,000,000,000. In other words, they have made in the three war years a total net profit, after deducting all taxes, of over $22,000,000,000. That is already made. That is already on the books. That is already piled up in their surplus and increase of capital and new investments. It would not have destroyed the industries of this country if we could have raised a little more tax in this bill. I believe that the farseeing and broad-visioned business man, when he sits right down and looks the question squarely in the face, will conclude with me that it is very doubtful whether we should have made such big reductions in the taxes in this bill, inevitably resulting in a longer permanent mortgage by bonds on the energies and industries of business.

We all know that there must be a transition period from war conditions to peace conditions, and in that time of transition there will be shrinkages in values, shrinkages in inventories. There will be losses, but the Senate initiated and the conferees, I think, have perfected provisions that will take care of industries that are going to have these net losses and the shrinkage of inventories on account of the transition period. With this taken care of, the industries could have stood a little more tax. I fear that instead of our bonded indebtedness being $25,000,000,000, as at the end of this fiscal year, it will be nearer $30,000,000,000 at the end of the next fiscal year. A bonded indebtedness of $30,000,000,000 is going to mean an annual interest charge of about $1,275,000,000, which must be paid by annual taxes. Such annual interest or tax charge is twice as much as the total amount of taxes we collected a year from all sources before the European war began. If we deduct the interest which we hope and propose to get from the allies for the $8,500,000,000 which we have and shall have loaned them by the end of this fiscal year, which will amount to about $400,000,000, you see that we will still have to raise between $800,000,000 and $900,000,000 of annual taxes to pay the interest if we continue to issue bonds.

There has been a great propaganda to defeat this bill and let the existing tax law remain. If so, that means $2,000,000,000 to $3,000,000,000 more of bonds to pile up on top of this $28,000,000,000 or $30,000,000,000 and more interest charges each year.

If this propaganda had succeeded in getting the conference committee or the membership of this House or the Senate to defeat this bill, of course that would reinstate the existing law, and under it the war profiteers in this country for the year 1918 would escape $1,700,000,000 of taxes. If any man shall vote against this bill with the idea that the taxes in it are too high, or whatever his reason or pretext, with the result of its defeat and the continuance of existing law, then he will vote to take from the Treasury, to take from the pockets of the people, from the toil and sweat and energy of the people, $1,700,000,000 and give it to the war profiteers, whom I have shown you have had billions and billions of dollars of profit in addition to all the profits they were making before the war. If any man votes against this bill with the idea of reinstating the old law, he is voting to give the United States Steel Corporation out of the pockets of all the people, out of the Treasury of the United States, $165,000,000, because that is the difference which the United States Steel Corporation, based upon the profits of 1917—we have not the figures for those of 1918—would have to pay under this bill and under the existing law. If there be one Member who proposes to vote against this bill with the idea of reinstating the old law, he will be voting to give the Standard Oil Trust Companies of the United States $20,000,000, adding that much more to their fabulous profits. He will be voting to

give the Bethlehem Steel Co. $10,000,000. He will be voting to give the Utah Copper Co. $5,000,000. He will be voting to give the five big meat-packing companies, the meat-packing combine, over $16,000,000 to add to their war profits. These are the differences between what this bill will levy upon them and what the existing law levies upon them. There are 20 corporations in this country that alone would save $240,000,000 out of their enormous war profits by the defeat of this bill. The defeat of this bill would lose to the Government over $200,000,000 of taxes on whisky and beer. Gentlemen, under existing conditions no man can afford to vote against this bill with the idea of continuing the existing law.

The Senate reduced the tax levy from $8,000,000,000 to $6,000,000,000 for this fiscal year. It cut down not so much the individual income tax and the war-profit tax of the House bill—they remain practically the same—but it cut down the excise and special taxes; that is, special taxes levied on articles of the various industries. It reduced the individual income tax for the fiscal year 1919 about $50,000,000 and reduced the corporation income tax about $119,000,000 for the same year, and reduced the excess-profits taxes from the provisions of the House bill down to 30 per cent on the net income in excess of the deduction and not in excess of 20 per cent of the capital invested, and 60 per cent on all of the net income over 20 per cent of the invested capital.

The House bill had it 35 per cent on all of the net income in excess of the deduction and not in excess of 15 per cent of the invested capital, and 50 per cent on the amount of the net income between 15 and 20 per cent of the invested capital, and 70 per cent on the amount of the net income in excess of 20 per cent on the invested capital. In the general reductions the Senate followed the recommendation of the President and the Secretary of the Treasury.

The Senate and the conferees retained the war-profit tax of 80 per cent on war profits over and above the deduction.

The conferees accepted the Senate 30 per cent rate in the first bracket and increased the rate in the second bracket to 65 per cent for the calendar year 1918. But for the year beginning January 1, 1919, the Senate reduced the excess-profits taxes in the first bracket to 20 per cent and the second bracket to 40 per cent, which is a pretty large reduction. That was on account of the recommendation of the President and the Secretary to reduce the total taxes to $4,000,000,000. The conferees accepted this reduction.

Though the 80 per cent war-profits tax is eliminated for the next fiscal year—since there are no war profits for 1919–20—the conferees put in a provision extending the 80 per cent war-profits tax over into the calendar year 1919 to catch the profits that are derived in 1919 from war contracts made in 1918 and 1917, so that the war profiteers will not get off with 80 per cent eliminated after January 1, 1919. They will receive some income during 1919 from war contracts made between the beginning of the war and the signing of the armistice, November 11. The conferees, Senate and House, were unanimous in the opinion that this should be done. The 80 per cent tax will, under this provision, apply to such income.

I ought to say here that the Senate followed the method and policy of taxation, and practically the subjects of taxation, of the House bill. There were only three exceptions in which they departed widely and adopted an entirely new policy of taxation. These exceptions were the estate tax, the insurance tax, and capital-stock tax. After a full and free discussion in conference the policies of the House bill in these instances were adopted with some modifications, to which I will call attention later.

The House had a provision known as the differential corporation tax. We had a differential of 6 per cent. The House bill provided that corporations should pay 12 per cent on so much of the amount of the net income as does not exceed the sum of (1) the amount of dividends paid during the taxable year plus (2) the amount paid during the taxable year out of earnings or profits in discharge of bonds and other interest-bearing obligations outstanding prior to the beginning of the taxable year plus (3) the amount paid during the taxable year in the purchase of obligations of the United States issued after September 1, 1918, and 18 per cent on the remainder of the net income retained in the business. When we put in the 18 per cent provision the war was on, and the Government needed all the money it could reasonably and justly get. The individual income tax being so heavy, there would be a tendency in the corporation not to pay dividends but to pile them up in a surplus so that the stockholders in the high surtax class could escape liability to taxation. As I said, we needed all the money we could reasonably and justly get at that time to vigorously prosecute the war. But now the importance of this differential is not as great as during the war.

The Senate struck out the differential, and the House conferees agreed to the Senate amendment with an amendment increasing the corporation income tax rate on corporate income for years succeeding 1918 from 8 to 10 per cent. That will make a difference—an increase—of about $150,000,000 a year in the taxes.

The normal income tax on individuals for 1918 is kept at 12 per cent, like the House bill, with the split differential of 6 per cent up to $4,000 of net income in excess of the specific exemption. But under the policy of reducing the taxes to $4,000,000,000 after January, 1919, the Senate cut down the normal tax on individuals to 8 per cent, with the split differential of 4 per cent, and the House conferees agreed to that.

The surtaxes are practically and substantially like the House only there are more brackets and slightly different rates are made. The House yielded to the Senate provision on the surtaxes. The Senate rates on surtaxes are practically the same as the House up to a $10,000 income—in fact there is not more than $15 difference in the tax between the House bill and the Senate bill to a man who earns $6,000, $7,000, $8,000, or $10,000, but from $10,000 up to $200,000 there is some difference between the rates—the Senate rates being lower.

For instance, a man having an income of $12,500 under the House bill would pay $1,320 and under the Senate bill $1,235. You see there is quite a difference at once after you leave the $10,000 income. A man making $20 000 would pay under the House bill $2,895 and under the Senate bill $2,630. A man making $50,000 a year would pay under the House bill $12,495 and under the Senate bill $11,030. A man making $80,000 a year would pay under the House bill $27,295 and under the Senate bill $23,930. A man making $100,000 would pay under the House bill $39,095 and under the Senate bill $35,030. But when you reach $200,000 and up there comes another change. At $300 000 under the House bill a man would pay $165,095, while under the Senate bill he would pay $173,030. When you get up to $1,000,000, under the House bill a man would pay $647,095 and under the Senate bill $703,030. A man making $5,000,000 would pay under the House bill $3,527,095 and under the Senate bill $3,783,030, or about $250 000 more. On the whole, there is a difference of only about $50,000,000, being the amount which the Senate rate levies on the individual incomes less than under the House bill. So they are, on the whole, substantially the same, the total amount levied under the House bill on individual incomes being $1,482,000,000 and under the Senate rates $1,432,000,000.

The following table shows the income taxes upon specified incomes of married persons or heads of families, with no dependents, levied in the United States, United Kingdom, Canada, and France:

Income taxes upon specified incomes of married persons or heads of families, with no dependents, levied in the United States, United Kingdom, Canada, and France.

Income of married persons or heads of families.	United States tax under—						United Kingdom tax.				Canada.		France.	
	Existing law.		House bill.		Bill as passed Senate and agreed to in conference (1918 rates).		Amount.		Rate (per cent).		Amount.	Rate (per cent).	Amount.	Rate (per cent).
	Amount.	Rate (per cent).	Amount.	Rate (per cent).	Amount.	Rate (per cent).	Unearned.	Earned.	Unearned.	Earned.				
$2,500	$10	0.40	$30	1.20	$30	1.20	$281.25	$210.94	11.25	8.44	$10.00	0.40	$31.25	1.25
$3,000	20	.67	60	2.00	60	2.00	445.31	356.25	14.84	11.87	20.00	.67	50.00	1.67
$3,500	30	.86	90	2.57	90	2.57	568.44	453.75	16.24	12.96	40.00	1.14	72.50	2.07
$4,000	40	1.00	120	3.00	120	3.00	728.56	581.25	18.16	14.53	60.00	1.50	97.50	2.44
$4,500	60	1.33	150	3.33	150	3.33	943.75	625.00	18.75	15.00	80.00	1.78	128.75	2.86
$5,000	80	1.60	180	3.60	180	3.60	937.50	750.00	18.75	15.00	100.00	2.00	160.00	3.20
$5,500	105	1.91	220	4.00	215	3.91	1,237.50	1,031.25	22.50	18.75	120.00	2.18	191.25	3.48

Income taxes upon specified incomes of married persons or heads of families, with no dependents, levied in the United States, United Kingdom, Canada, and France—Continued.

Income of married persons or heads of families.	United States tax under— Existing law.		House bill.		Bill as passed Senate and agreed to in conference (1918 rates).		United Kingdom tax. Amount.		Rate (per cent).		Canada.		France.	
	Amount.	Rate (per cent).	Amount.	Rate (per cent).	Amount.	Rate (per cent).	Unearned.	Earned.	Unearned.	Earned.	Amount.	Rate (per cent).	Amount.	Rate (per cent).
$6,000	$130	2.18	$250	4.33	$250	4.16	$1,350.00	$1,125.00	22.50	18.75	$140.06	2.33	$222.50	3.71
$6,500	155	2.38	290	5.04	320	4.92	1,462.50	1,218.75	22.50	18.75	171.50	2.64	253.75	3.90
$7,000	180	2.57	400	5.71	390	5.57	1,575.00	1,312.50	22.50	18.75	203.00	2.90	285.00	4.07
$7,500	208	2.73	470	6.27	460	6.13	1,687.50	1,406.25	22.50	18.75	234.50	3.13	316.25	4.21
$8,000	235	2.93	545	6.81	530	6.63	1,800.00	1,500.00	22.50	18.75	266.00	3.33	347.50	4.34
$8,500	265	3.12	620	7.29	605	7.12	2,231.25	1,912.50	28.25	22.50	297.50	3.50	383.00	4.53
$9,000	295	3.28	695	7.72	680	7.71	2,362.50	2,025.00	28.25	22.50	329.00	3.66	423.50	4.69
$9,500	325	3.42	770	8.11	755	7.95	2,493.75	2,137.50	28.25	22.50	360.50	3.79	466.00	4.84
$10,000	355	3.55	845	8.45	830	8.30	2,625.00	2,250.00	28.25	22.50	392.00	3.92	497.50	4.98
$12,500	530	4.24	1,320	10.56	1,235	9.88	3,750.00	3,281.25	28.00	26.25	639.50	5.12	691.25	5.53
$15,000	730	4.87	1,795	11.97	1,670	11.13	4,812.50	4,812.50	32.08	32.08	887.00	5.91	910.00	6.07
$20,000	1,190	5.90	2,895	14.48	2,730	12.13	6,812.50	6,812.50	34.06	34.06	1,382.00	6.91	1,397.50	6.99
$25,000	1,790	7.12	4,245	16.98	3,720	14.88	8,687.50	8,937.50	35.75	35.75	2,042.00	8.17	1,960.00	7.84
$30,000	2,380	7.93	5,595	18.65	4,930	16.43	11,187.50	11,187.50	37.29	37.29	2,702.00	9.01	2,522.50	8.41
$35,000	2,980	8.51	7,195	20.56	6,270	17.91	13,562.50	13,562.50	38.75	38.75	3,472.00	9.92	3,147.50	8.99
$40,000	3,580	8.95	8,795	21.99	7,730	19.33	15,937.50	15,937.50	39.84	39.84	4,242.00	10.60	3,772.50	9.43
$45,000	4,380	9.73	10,645	23.66	9,320	20.71	18,437.50	18,437.50	40.97	40.97	5,012.00	11.14	4,397.50	9.77
$50,000	5,180	10.36	12,495	24.99	11,030	22.06	20,937.50	20,937.50	41.88	41.88	5,782.00	11.56	5,022.50	10.05
$55,000	5,980	10.87	14,695	26.72	12,870	23.40	23,562.50	23,562.50	42.84	42.84	6,827.00	12.41	5,647.50	10.27
$60,000	6,780	11.30	16,895	28.16	14,830	24.71	26,187.50	26,187.50	43.65	43.65	7,872.00	13.12	6,272.50	10.45
$70,000	8,880	12.69	21,895	31.28	19,130	27.33	31,437.50	31,437.50	44.91	44.91	9,962.00	14.23	7,772.50	10.75
$80,000	10,980	13.72	27,295	34.12	23,930	29.91	36,687.50	36,687.50	45.86	45.86	12,337.00	15.41	8,772.50	10.96
$100,000	16,180	16.18	39,095	39.10	35,030	35.03	47,187.50	47,187.50	47.19	47.19	17,607.00	17.61	11,272.50	11.27
$150,000	31,680	21.12	70,095	46.73	67,030	44.69	73,437.50	73,437.50	48.96	48.96	34,282.00	22.85	17,522.50	11.68
$200,000	49,180	24.59	101,095	50.54	101,030	50.52	99,687.50	99,687.50	49.84	49.84	58,957.00	29.48	23,772.50	11.89
$300,000	92,680	30.89	165,095	55.03	173,030	57.68	152,187.50	152,187.50	50.73	50.73	96,857.00	32.28	36,272.50	12.09
$500,000	192,680	38.54	297,095	59.42	323,030	64.61	257,187.50	257,187.50	51.44	51.44	195,407.00	39.08	61,272.50	12.25
$1,000,000	475,180	47.52	647,095	64.71	703,030	70.30	519,687.50	519,687.50	51.97	51.97	499,157.00	49.92	123,772.50	12.38
$5,000,000	3,140,180	62.80	3,527,095	70.54	3,703,030	75.46	2,619,687.50	2,619,687.50	52.39	52.39	3,415,157.00	68.30	623,772.50	12.48

The Senate retained the provisions of the House bill excluding partnerships and individuals from excess or war profits taxes.

There are two important amendments which the Senate incorporated, relative to the excess and war profits taxes and the income tax. They are what we call the inventory and the net loss relief provisions. The net loss relief provision in the Senate amendment was extended indefinitely and reached back to 1916. After discussion of the matter the conferees agreed that it was wiser and safer to limit those relief provisions for the one year, for the transition period from war conditions to peace conditions, and extend it just for this year, 1919. Both of those provisions are innovations in American tax laws. They exist to a certain extent in the British tax laws.

The inventory provision is this: If at any time within 1919 the taxpayer discovers that he has sustained an actual loss on account of the reduction in values of his inventory which he returned for the taxable year of 1918, he can have that loss ascertained by the Commissioner of Internal Revenue, and have his tax on his returns for 1918 redetermined after deducting from his net income of 1918 the amount of such loss, and have returned to him the difference between the tax paid on such return and the tax found after such redetermination to be due. For instance, we will say that a wool manufacturer had $500,000 of wool on hand at the end of his business or taxable year, December 31, 1918. He included that in his tax returns in order to make up his net income. That was put in at $500,000. It cost him that much. It was worth that much. He had made that return, as the law requires, as constituting part of all of the other assets upon which is estimated his net income. Suppose in this transition period from war to peace there is a shrinkage in the value of that wool, so that what was estimated to be worth $500,000 on December 31, 1918, on April 1, 1919, is worth only $250,000. On the face of it he would have a net loss of $250,000, and on which amount he had already paid his income and excess or war profits taxes, based on his net income return for 1918.

The bill does not provide, as I have seen stated in the newspapers, that he could have deducted the $250,000 shrinkage value from his net income of 1918 and have the tax redetermined accordingly. In that shrinkage he must show to the commissioner that he has sustained an actual loss by reason of it. That actual loss may not be over $50,000, it may be but $20,000, or it may be $150,000, or as much as the $250,000, but whatever loss he shows he sustained by reason of the reduction in value of his inventory he has the right to have it deducted from his net income for 1918 and have his tax for 1918 recomputed on the basis of a deduction of the loss from his net income. Suppose it should turn out that with the $500,000 of wool on hand he had already contracted and sold to his customers the finished product based upon that price of wool. He then will have lost nothing, although the wool has shrunk in value to $250,000. Suppose he sells it at that rate and makes his profit and then begins to buy wool for the next month at a lower price and sells the finished product upon the basis of the price for which he purchased it, and so on, he loses nothing by such reduction in wool value. He must show an actual loss by virtue of the shrinkage. If there be an actual loss sustained, and there will be millions and hundreds of millions of losses sustained in that way, and the taxpayer shows it, he then can go to the commissioner or to the advisory board and have his taxes readjusted, as before explained. Suppose, in the case given, that he lost in 1919 $100,000 by such shrinkage in value and had given in his return a net income of $500,000 for 1918. The commissioner must go back and take the 1918 returns and deduct the $100,000 of loss on account of the shrinkage in value from the net income of $500,000 and redetermine his taxes for 1918 on a basis of $400,000 net income instead of $500,000, and the difference in a tax on $500,000 and on $400,000 is to be refunded to him. While it is an innovation, and it struck me at first as unwise, the more I considered it the more just it appeared to me, and it appeared just to the House conferees, and I believe it will appear just to the membership of the House and to the country at large.

Another innovation to which I have referred, which the Senate put in the bill, was the net loss provision. As I said, the Senate had the time unlimited for the future, and it reached back to the taxes of 1916; that is, the Senate provision permitted a redetermination of the taxes as far back as 1916 and for all time in the future. The conferees finally concluded that the best thing to do was to limit it to the transition period; in other words, the one year 1919. The inventory and net loss relief provisions are emergency provisions, and the conferees agreed to treat them in that way. The net loss provision is this: If a business or trade shows in 1919, in its fiscal year, between October 31, 1918, and January 1, 1920, which includes the calendar year of 1919, a net loss instead of a net profit, it can take the amount of that loss from the income upon which it paid the taxes for 1918 and have the 1918 tax redetermined, just as I explained in the case of the inventory, and have the difference between the tax paid and the tax as redetermined refunded to it. In other words, if the trade or business made $500,000 clear net profit in 1918, and this year—1919—during the transition period, instead of making a profit it loses $100,000, then we permit that business to go to the commissioner and ask for a redetermination of its tax for 1918. The commissioner will deduct from the income of $500,000 as returned for 1918 the $100,000 loss, leaving $400,000. Upon the basis of $400,000 income the 1918 tax will be recomputed, and the difference between the tax paid on the $500,000 and the tax computed on $400,000 income will be returned to the taxpayer.

These are two relief provisions in the bill which the House conferees thought were right and proper as modified by the conferees, but there are some relief provisions, especially those known as the mineral, oil, and gas provisions, in this bill that I can not subscribe to, and I reserved the right to say so upon the floor of the House. I can not subscribe to them because I regard them as pieces of special favoritism. Many others do not so regard them. With due respect to my colleagues SCOTT FERRIS, CARTER, HASTINGS, and the other Oklahoma Members, and some Members from Missouri and other States, who have importuned me and the other House conferees night and day, so long and so often, with respect to these provisions, and have been so urgent that they should remain in the bill, I want to say that, in my judgment, they are unwise, unjust, and unwarranted. But we need not quarrel about them now; they are in the bill. I do not like to take up the time of the House telling what some of these provisions are. One of them provides that when a man discovers a mine or gas or oil field, or an oil or gas well, a prospector or an adventurer, and sells—it makes no difference how much profit he may make, he may put in $10,000 and make by sale $1,000,000 profit in five days—his income surtax shall in no case exceed 20 per cent of the selling price, though all other classes of individuals—farmers, merchants, manufacturers, doctors, lawyers, or persons engaged in any other business—if they put in $10,000 on a proposition and make $1,000,000 clear profit out of it, whether overnight or in a year, they will have to pay $583,510 in surtaxes which the bill provides, but the mine, oil, or gas prospector or discoverer under this provision of the bill will pay only $200,000. There is a similar provision in the case of the war or excess profits tax. When a corporation discovers a mine, an oil field, an oil well, or gas well and sells, it does not make any difference how much clear profit it makes, a hundred per cent or a thousand per cent on the capital invested, its war and excess profits taxes shall not exceed 20 per cent of the selling price, although corporations in every other kind of business making the same profit on the same capital must pay from 30 to 80 per cent tax on their profits.

There is another provision that I did and do not like, which seems to me and to my colleague on the conference committee [Mr. DIXON] is unwarranted and can not be justified, and yet I am afraid I had a majority of the House conferees against me on it. It is that if a corporation has an income from gold mining, no matter how big it is and how large a per cent of profit on its capital invested, it pays no excess-profit tax on it. In other words, if the corporation had $1,000,000 net income from a gold-mining industry, it would not pay any excess or war profit tax on it, though that income was 100 per cent profit on its invested capital. They had a plausible argument for it. They say that everything has appreciated in value except gold, which has depreciated in value, and that gold-mining machinery and labor and supplies have increased wonderfully; that gold is the world's standard of value and that we ought to encourage its production, and therefore the profit of the gold mines should not bear a war-profit or excess-profits tax. I looked at it in this way, that even suppose the cost of production had increased wonderfully and even if gold had greatly depreciated, as it has, compared with other articles, in spite of all such handicaps if a corporation in the gold-mining business should make 50 per cent profit on its investment, why is it not as able to pay an excess or war profit tax on that as well as a corporation manufacturing shoes and making 50 per cent on a like amount of capital? If such a corporation is able in spite of all handicaps to make as large a per cent as any other corporation, it ought to pay the same tax as a corporation in any other business making the same profits on the same amount of capital; but the gold-mining argument appealed to a majority of the House conferees and the provision went in.

If I had my way, this bill would not have been quite as it is now. But I found on the conference committee five Senate conferees and four other House conferees, and each one of them had a way, too. So I just could not have my way, because they insisted on having their way. But, on the whole, I believe we have got a good bill, as good as five House conferees could make it in conjunction with five Senate conferees. [Laughter.]

I think we have a bill, on the whole, that every patriotic man in the House and Senate can stand for and will stand for, although he will find many provisions in it that he does not like. We had to give and take. We had to have a bill. If we did not have this bill, we would have had to be content with the existing law, and the war profiteers of this country would benefit just $1,700,000,000.

Another important difference between the House and the Senate was with respect to consolidated returns. The House bill declared specifically that the corporations having subsidiary corporations should not be permitted to file consolidated returns; that is, combine the capital invested and income of all the subsidiaries and find the capital invested and net income of the group and pay the income tax on that basis, because many large corporations by such method would get out of paying a large amount of taxes. The Senate struck that out and most strenuously contended for consolidated returns. While Dr. Adams, who is chairman of the Advisory Tax Board, stated before the conference committee that there will be very little difference between the taxes that will be paid under consolidated returns and those that would be paid under non-consolidated returns, in my judgment the difference will amount to over $200,000,000. I found that practically every corporation in this country that had subsidiaries was in favor of the consolidated returns. The Senate conferees were very insistent, and I may say stubborn, upon having the consolidated returns. There was a unique difference between the Senate conferees and House conferees. The two worst things in this bill in our judgment were the two best things in the Senate's judgment. And the two features that I thought ought to be eliminated beyond all doubt were the two features that the Senate conferees were most insistent upon, the oil and gas and mining provision, to which I have referred, and the consolidated-return provision.

It was the unanimous opinion of the conferees of the Senate and the House that while the Senate amendments did not do it, as the House bill did, that the profiteers on Government war contracts should not escape taxation through the several relief provisions in the bill. We protected the Government against them even with respect to the consolidated-return proposition and provided that no corporation organized since August 1, 1914, since the European war began, shall be permitted to make a consolidated return if 50 per cent of its gross income came from gains, commissions, profits, or other income derived from Government war contracts. In such a case the corporation can not file a consolidated return, but it must make a separate return, and its net income and taxes must be computed upon its capital invested and not the investments of some other affiliated company.

It is estimated that there are several thousand of such corporations, most of them war corporations incorporated to take some Government contracts or subcontracts. Some of the subsidiary companies of the big companies organized since August 1, 1914, with a capital of from $2,000 to $5,000, will make a profit out of war contracts running from $2,000,000 to $12,000,000, and we provided in the House concurring amendment that the Government should be protected against them and that they should pay on their own net income and profits, based on their own invested capital. The conferees put into these relief provisions half a dozen or more provisions excepting these war-contract corporations from their benefit, which the Senate conferees readily agreed to as right and proper.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. LONGWORTH. Would it embarrass the gentleman to yield to a question in regard to the consolidated returns?

Mr. KITCHIN. No.

Mr. LONGWORTH. I have in mind a certain corporation with an invested capital of approximately $15,000,000, which organized a subsidiary corporation with a capital of $1,000, whose profits so far have been in one transaction with the Government; that is to say, the profits of this corporation of $1,000 capital have been $1,000,000. I would like to have the gentleman explain how under this proposition that corporation would be taxed?

Mr. KITCHIN. Such a corporation will pay income tax on $1,000,000 and will have its percentage of profits for the excess and war profits tax computed upon the invested capital of $1,000. The war-profits tax will be 80 per cent on all profits in excess of 10 per cent of its capital invested plus the specific deduction of $3,000.

Mr. LONGWORTH. Under the Senate consolidated return provision that company would pay no tax whatever?

Mr. KITCHIN. Very little, if anything. Its return would be consolidated with the parent company and other subsidiaries. In other words, the parent company and this subsidiary company and other subsidiary companies, if any, would make a con-

solidated return, and the total capital and the total income of all would be computed, and the little company would get the advantage of the $15,000,000 capital invested for purpose of the deduction. Instead of getting about 80 per cent of its net income we would get little, if any, tax.

The Senate provided for quarterly payments of all income and war or excess profits taxes—that is, when the tax return is filed the taxpayer can pay one-quarter of his total tax, and then, three months after the time fixed by law for filing the return, pay another one-quarter of the total tax; then, six months after the time fixed by law for filing the return, pay another one-quarter of the total tax; and nine months after the time fixed by law for filing the return pay the remainder. The conferees agreed to the Senate provision. The House bill authorized the commissioner to extend the time for filing returns whenever, in his judgment, good cause existed for allowing an extension, but provided that except in the case of taxpayers who are abroad that the extension should not exceed two months. The Senate eliminated the two-month limit. The conferees agreed upon a six-month period as the maximum time the commissioner could allow as an extension of time for filing returns, except in the case of taxpayers who are abroad.

The SPEAKER pro tempore (Mr. FRANK). The time of the gentleman from North Carolina has expired.

Mr. MANN. How much time does the gentleman desire?

Mr. KITCHIN. I want to get through in half an hour.

Mr. MANN. I ask unanimous consent that the gentleman may have half an hour more.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that the gentleman from North Carolina may proceed for half an hour more. Is there objection?

There was no objection.

Mr. KITCHIN. Now, as to the definition of "invested capital," it is practically the same as the definition in the House bill, with but one exception. The House bill provided that invested capital meant, in the case of tangible property, bona fide paid in for stock or shares, the actual cash value of such property, but in no case to exceed the par value of the original stock or shares specifically issued therefor. The Senate put in a provision, to which the House conferees finally agreed, some of us very reluctantly, that where the taxpayer can show to the satisfaction of the commissioner that the actual cash value of the tangible property at the time it was paid in was clearly and substantially in excess of the par value of the stock issued for it, the real value of the tangible property at the time it was turned over for the shares of stock could be counted as part of the invested capital.

The House bill also specifically provided that "paid-in or earned surplus and undivided profits" should not include the increase in the value of any asset above the original cost until such increase is actually realized by sale. This provision was stricken out by the Senate, and the conferees accepted the amendment, because it was surplusage and merely declaratory of an accepted general principle controlling the whole computation of invested capital.

There were in the Senate amendment several specific relief provisions other than those to which I have heretofore referred, and one section in the House bill, which included several general relief provisions, which we thought was very liberal. The conferees finally agreed that it would be safer and better and do no injustice to the honest taxpayers to strike out all these specific and general relief provisions and have just one general relief provision, which is section 327, paragraph (d), and begins on page 134.

I will read it:

(d) Where upon application by the corporation the commissioner finds and so declares of record that the tax if determined without benefit of this section would, owing to abnormal conditions affecting the capital or income of the corporation, work upon the corporation an exceptional hardship evidenced by gross disproportion between the tax computed without benefit of this section and the tax computed by reference to the representative corporations specified in section 328. This subdivision shall not apply to any case (1) in which the tax (computed without benefit of this section) is high merely because the corporation earned within the taxable year a high rate of profits upon a normal invested capital nor (2) in which 50 per cent or more of the gross income of the corporation for the taxable year (computed under sec. 233 of Title II) consists of gains, profits, commissions, or other income, derived on a cost-plus basis from a Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive.

The bill provides that in the cases specified in section 327 the tax shall be an amount which bears the same proportion to the net income of the taxpayer, in excess of the specific exemption of $3,000, for the taxable year as the average tax of representative corporations engaged in a like or similar trade or business bears to their average net income, in excess of the specific exemption of $3,000, for such year. Under the specific provisions no official had any particular responsibility, and one could take any case he desired, whether it was an exceptional hardship or not, and make application that the tax should be computed on the basis of representative corporations.

The conferees, as I said awhile ago, as a matter of safety to the Government, without doing any injustice to the taxpayer, in case he is actually entitled to relief, provide that the taxpayer, in order to get relief under this representative corporation section, must apply to the commissioner and must show to the commissioner that it is an exceptional hardship; not that he is making an exceedingly large profit on invested capital and therefore his tax is exceedingly large, but it must be an exceptional hardship owing to the peculiar and exceptional conditions surrounding the taxpayer's business, income, invested capital, and so forth; and the commissioner must find, and so declare of record, that the case is one of exceptional hardship before it can be considered under section 327.

This provision gives a taxpayer only that to which he is entitled, because he ought not to have relief unless, owing to the peculiar situation of his business or capital or income or something, the payment of the tax would be an exceptional hardship upon him without the benefit of the relief provision.

Mr. EMERSON. Mr. Speaker, will the gentleman yield?

Mr. KITCHIN. Let me get through with this first, please. I do not think the House or the Senate will object for one moment to that relief provision taking the place of the others, because it is a safeguard to the Government; and I believe it will save millions and millions of dollars by substituting it for the provisions which the Senate had.

There is one very ingenious provision that the Senate put in, which is a very wise one. It accomplishes what the House intended to accomplish and what its provision substantially would accomplish, but it would not do it in such a skillful and scientific way as will the Senate provision, which the House conferees agreed to, with an amendment excepting from its application the war-contract corporation. The House bill provided that in the case of a corporation the earnings of which are to be ascribed primarily to the activities of the stockholders of the corporation and not to the capital invested, where capital is not a material income-producing factor, the excess-profit tax should not exceed 20 per cent. That would take care of corporations doing the business of architecture, corporations doing the business of insurance agencies, or that had no capital invested, or where whatever little capital was invested was not a material factor that produced the income.

I think the Senate provision is an improvement on that of the House. It describes such corporations as personal-service corporations and provides that they shall be taxed just as partnerships are taxed. If, for instance, such a corporation makes $100,000 the taxable year, each stockholder will pay income tax on the amount of earnings he would be entitled to if distributed, whether distributed or not by the corporation, as if it were a partnership. I think we can all agree to that provision.

But here is one important thing that the Senate overlooked. Many, and perhaps a large majority of corporations, having cost-plus contracts would come under the personal-service corporation provision of the Senate. In these cases the Government furnished the money or capital. For example, take a corporation that was organized for the purpose of building a cantonment or constructing ships. The stockholders of other corporations would organize a corporation with only a nominal capital, say, of from $1,000 to $5,000. It would furnish no money or capital with which to execute the contract. The Government would furnish all. So under the interpretation of the Senate's language these corporations would escape all excess-profits and war-profits taxes. Some of these little thousand-dollar corporations made a million—in some cases several million—dollars profit, one of which the gentleman from Ohio referred to. These would have entirely escaped the excess and war profit taxes. But the House conferees proposed an amendment which protects the Government and compels the cost-plus contract corporations to pay such taxes. The Senate conferees readily agreed to it. Like the House conferees, they favored catching the profiteers under Government war contracts with the excess and war profits taxes and leaving no loophole for escape. We therefore provided that this section should not apply to any corporation 50 per cent or more of whose gross income was received from Government contracts. So we caught all the cost-plus contract gentlemen under that provision, and their corporations pay, as other corporations, the full corporation income and excess and war profits taxes.

I must hurry on. I want now to refer to some important subjects of taxation retained or stricken out of the House bill. The House bill taxes the salary of the President and of the Federal judges, also the salaries of State and municipal officers, and the interest from certain State and municipal bonds. As

I said to the House when the bill was being considered by it, that in my opinion it was doubtful whether we could constitutionally tax the salaries of State and municipal officers or the interest on State and municipal bonds, but I supported the House provision on the floor and gave reasons why it should remain in so that the question might go to the Supreme Court for final determination, and if constitutional we would get several millions of dollars to help win the war. But since the war has been concluded, since the armistice has been signed and the taxes reduced, the Senate struck the provision out. In fact, the Senate also struck out the tax on the President's and judges' salaries, as well as the tax on salaries of State and municipal officers, and the tax on the interest from State and municipal bonds.

The House conferees yielded as to striking out the tax on the salaries of State and municipal officers and the interest from State and municipal bonds, but the Senate conferees yielded to the House provision with respect to the President's and judges' salaries. So that the President's and judges' salaries will be subject to tax like the salaries of all other Federal officers, like yours and mine and like the income of every other citizen of the country. [Applause.]

The automobile-license tax and the tax on gasoline, which were written in the House bill during the war, were stricken out by the Senate. The House conferees yielded.

The provision in the House bill taxing mail-order houses whose gross annual sales exceed $100,000 was stricken out by the Senate. Its conferees insisted on the amendment. We of the House yielded. We yielded to a great many Senate amendments to the bill in order to get this bill to tax the war profiteers. We feared that some people in the Senate and in the House would like to have some excuse to defeat this bill in order that certain corporations and influential constituents might pay under the present law and thereby escape the war-profits tax.

As I said a few moments ago, this bill as it comes from the conference—and I want the membership of this House to bear this in mind—pursues in the matter of taxation, practically on all subjects, the methods and policies adopted by the House. The Senate did not change the policy or method of the House bill, barring the change of the rate of tax and removal in a few instances of the tax in order to reduce the total amount from $8,000,000,000 to $6,000,000,000, except in three instances, and in each of those three instances the Senate adopted an entirely different method and policy of taxation from that in the House bill.

These were with respect to the estate tax, the tax on insurance of all kinds, and the capital-stock corporation tax. The Senate struck out all the provisions in the House bill relating to those three subjects of taxation and substituted an entirely different plan and method of taxation. After considering each one of those propositions for some time the conferees agreed to go back to the House method and policy of taxation in all of them. For the estate tax the Senate substituted what is called a legacy tax, which would collect only $22,000,000 a year, while the House bill would collect $110,000,000 the first year and the second year $140,000,000. The conferees in returning to the House estate-tax method did modify the rate of taxation on estates, and, since the war is over, I think justly so. The House estate tax was entirely too high for peace times, and we reached the very highest limit even in war times. When the conferees agreed to accept the House estate-tax policy we agreed to accept the present existing estate-tax rates on net estates of $1,500,000 and over. The rates on the net estates under $1,500,000 will be somewhat lower than the rates under existing law.

Table showing the estate tax rates as agreed to in conference and under existing law.

Amount of net estate (an exemption of $50,000 is allowed estates of residents of the United States in computing the value of net estate).	Rates on net estates under—	
	Conference agreement.	Existing law.
	Per cent.	*Per cent.*
Not exceeding $50,000	1	2
Exceeding $50,000 and not exceeding $150,000	2	4
Exceeding $150,000 and not exceeding $250,000	3	6
Exceeding $250,000 and not exceeding $450,000	4	8
Exceeding $450,000 and not exceeding $750,000	6	10
Exceeding $750,000 and not exceeding $1,000,000	8	10
Exceeding $1,000,000 and not exceeding $1,500,000	10	12
Exceeding $1,500,000 and not exceeding $2,000,000	12	12
Exceeding $2,000,000 and not exceeding $3,000,000	14	14
Exceeding $3,000,000 and not exceeding $4,000,000	16	16
Exceeding $4,000,000 and not exceeding $5,000,000	18	18
Exceeding $5,000,000 and not exceeding $8,000,000	20	20
Exceeding $8,000,000 and not exceeding $10,000,000	22	22
Exceeding $10,000,000	25	25

In view of the high estate taxes, inheritance taxes, in the several States, the House conferees thought the rates agreed to were sufficiently high in peace times. There was one other important modification or amendment to the estate-tax provision of the House bill which the conferees agreed to. The House provision did not permit, nor does existing law, exemption from taxation of bequests, legacies, gifts, or devises to charitable, educational, religious, literary, and scientific institutions. That exemption was put into the conference bill. Also we extended the time for the payment of these taxes, which the commissioner could grant, from two years to three years. That is, we gave the commissioner the power, in cases where he thought it was justified, to extend the time for payment to three years. The conference action also exempts from the tax under this bill and the existing law the transfer of the net estate of any decedent who has died or may die while serving in the military or naval forces of the United States in the present war or from injuries received or disease contracted while in such service.

The conference agreement also changes from three years to two years the period of time within which a transfer of a material part of his property by a decedent before his death shall be deemed to have been made in contemplation of death. With these exceptions, and the exception of a few amendments making minor administrative changes, the estate tax is exactly as we passed it in this House, line for line and word for word.

The House insurance tax provisions have been restored in every particular.

The capital-stock tax was stricken out by the Senate and a tax upon the net assets shown by the corporation books was substituted. This, as it was discovered in the conference, would work a great injustice to and a discrimination against many corporations and would get several million dollars of taxes less. After analyzing in the conference the new method proposed by the Senate, it was agreed to restore the capital-stock tax provision just as the House had it.

I will now take up important Senate amendments relating to entirely new matters and the conference action thereon. As I said a few days ago in the House, some of these amendments are entirely without the province of a revenue bill, but being in the bill by the Senate's action the conference had to face and consider them. To the so-called bone-dry amendment, applying to the District of Columbia, the House conferees yielded.

Then there is the extra tax on the income of manufacturers employing child labor. Remembering what took place in the House when the bill went to conference, and the sentiment of the House in favor of that amendment, the House conferees yielded.

To the amendment repealing the additional 1 cent on letter and card postage, the House readily yielded. So that after July 1, 1919, we will not have to pay 3 cents letter postage, but will go back to the old postage rate of 2 cents on letters.

A Senate amendment repealed the existing law as to the zone rates on second-class postage matters, magazines, and papers. The Senate yielded on that, and the zone system will remain just as it is in the present law.

As to the Senate amendment taxing political contributions, the Senate conferees refused to accept the amendment which the House had instructed its conferees to propose and insist upon, striking out the retroactive feature of the Senate amendment and applying the tax only to future contributions. They, therefore, against the protest of some of the House conferees, yielded, and between us I think they, or some of them, wanted to yield. [Laughter.] Some of the Senate conferees declared that they wanted the political-contribution amendment making it retroactive remain in its "original symmetry, purity, and beauty," and they would withdraw the Senate amendment or at once yield, if the amendment striking out the retroactive features was insisted upon. [Laughter.]

As I stated in the House here when we had this matter up about a week ago it was my judgment, it mattered not which motion, whether that of the gentleman from TEXAS [Mr. GARNER] or that of the gentleman from Missouri [Mr. RUCKER] the House adopted, the Senate was going to have some good reason to yield and not let that provision go into the law. So it will not be in the law.

Now, I come to a very important and very just provision, which the House conferees and Senate conferees very willingly agreed upon. It is in regard to the so-called month's pay to officers and enlisted men in our military and naval forces. When the House conferees read the Senate bill they found a provision giving one month's pay to the officers and enlisted men in the Army and Navy, including the Nurse Corps, but it only applied to those officers and men who had been honorably discharged after November 11, 1918, or who shall hereafter be discharged. It did not give the man any pay who had been dis-

charged prior to the armistice. It gave the officers a month's pay and the enlisted men a month's pay. In other words, it would mean that a colonel would get $333 when he was discharged and an enlisted man, who had gone right to the front and bared his breast to the enemy's shot and shell, would only get about $36. We did not think that was the right, fair, and equitable thing to do. This is a bonus; it is a guaranty in the nature of a token of the country's appreciation of and as a tribute to the loyalty, valor, and sacrifices of our men of the Army and Navy, and when we are bestowing such gratuities we feel that the enlisted man was entitled to just as much consideration as the highest general. So the conferees provided that the enlisted man should have the same as an officer—each should have $60. [Applause.]

We provided, too, that any enlisted man who had been honorably discharged since April 6, 1917, should have this pay or gratuity the same as the man who was discharged the day after November 11, 1918. [Applause.]

I want you to read this provision and see if we did not do the right, fair, and just thing, especially under the present embarrassed financial condition of the Government. Oh, I know some of you gentlemen would like to say 6 months' or 12 months' pay; some would like to say $500 or $1,000; but, gentlemen, you underrate the sense of honor and pride and intelligence of the enlisted men in the present Army and Navy. The man, in or out of Congress, who attempts to demagogue for the soldier vote will make a miserable failure. Within the ranks of the private in the Army and Navy are found some of our most intelligent and capable men. Thousands of college or university graduates, hundreds of thousands, through not blessed with a college degree but equally as intelligent and capable, are there; business men, professional men, bankers, farmers, mechanics, many leaving lucrative business, practice, and position are there. The enlisted man of the Army or Navy represents the best type of manhood of every vocation. He stands just as high in character and ability and commands respect just as much in his community as the highest officer in the Army or Navy. [Applause.] He comes from every section and county and town in the United States. I believe the man from your community who went in as a private and came out as a private is as good as the man in my community who went in as a private and came out as a private, and he is as good in every way as any officer in the United States Army or Navy. [Applause.] He knows the immense war debt his Government has incurred. He knows the fabulous amount of bonds already piled upon this and future generations. He knows the enormous amount of taxes being levied. He knows that further bonds and higher taxes must come to enable his Government to pay its war debts and maintain its actual current expenses. He knows that in its present financial straits $266,000,000, which is required to pay the $60 granted to each by this bill, is as much as could be expected of his Government at this time.

The SPEAKER. The time of the gentleman has again expired.

Mr. KITCHIN. Give me 10 more minutes, and I will finish in that time.

Mr. MANN. I ask unanimous consent that the gentleman have 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

Mr. QUIN. Does the gentleman put Army nurses in?

Mr. KITCHIN. Yes; they are in.

Mr. RAMSEYER. What is the amount you provide?

Mr. KITCHIN. Sixty dollars each.

Mr. RAMSEYER. For officers?

Mr. KITCHIN. And men; all alike. We provide here a lump sum of $60 for each man and officer, and we provide that upon discharge then and there the $60 is to be paid to him, in addition to every other amount the Government may owe him. We provide, too, that those who shall have been discharged before this act shall be paid their $60 each just as soon as practicable, which, we hope, it will be immediately upon the application of the discharged soldier setting forth the facts called for by the department.

Now, gentlemen, I have about seven or eight minutes. Does anyone desire to ask me a question?

Mr. PHELAN. Will the gentleman yield just a minute?

Mr. HOWARD. Will the gentleman explain section 55, that was struck out?

Mr. KITCHIN. That is the royalty proposition, which the Senate put in. We all agreed that it should be stricken out. The Senate amendment provided that royalties paid by the Government for inventions used by the War or Navy Department during the present war should be exempt from taxation. The House and Senate conferees considered that we ought to make no such exception in the income-tax law. If the Government took a fellow's invention and paid him $2,000 or $200,000 royalty a year and it was used during the war, and it was worth $500,000 or $1,000,000, the place to get relief was not in a tax bill. He could come to Congress with his claim and present it to the proper committee hereafter.

Mr. EMERSON. Will the gentleman yield to me?

Mr. KITCHIN. I will yield first to the gentleman from Massachusetts [Mr. PHELAN], who was first on his feet, and then to the gentleman, if he desires.

Mr. PHELAN. I took up with the gentleman from North Carolina the luxury tax and pointed out the apparent discrimination. Will the gentleman explain what has been done in that case?

Mr. KITCHIN. The luxury tax was put in the bill by the Ways and Means Committee during the war at the urgent request of the Secretary of the Treasury, not so much to get the tax but to encourage thrift and prevent extravagance. When the armistice was signed I felt, from the views of members of the committee, and many other Members of the House, that I would be safe in saying to Senator SIMMONS, chairman of the Finance Committee of the Senate, which I did, that if the Senate would strike out the luxury-tax section I thought the House or House conferees would concur. The Senate Finance Committee did strike it out. I think it was during the last day's debate in the Senate upon the bill, in the confusion of things and the desire to hurry up and get through with the bill, that the luxury tax was restored to the bill. After it was restored some gentleman in the Senate made a motion to strike out just one or two items——

Mr. PHELAN. Three items.

Mr. KITCHIN (continuing). Relating to clothing and some other wearing apparel, and left in all the other items, such as shoes, hats, shirts, and so forth. Now, as it came to the conferees in that shape the conferees were powerless to remedy the matter, for the reason that the Senate had kept in all the items except clothing at a 10 per cent rate, and the House bill rate was 20 per cent. The conferees could not go below the 10 per cent rate, neither could they eliminate any items to which the Senate had agreed, and the only way we could think of to correct the discrimination was, after the bill became a law, to have a joint resolution to strike out that whole section, including probably the tax on articles made of fur, as they are chiefly wearing apparel. And I hope we can do it.

Mr. CARTER of Oklahoma. I understood the gentleman to say they allow the consolidated returns except in the case of the so-called war-profiteers' corporations.

Mr. KITCHIN. Except corporations organized since August 1, 1914.

Mr. CARTER of Oklahoma. The gentleman understands and knows better than the balance of us the difference between the tax on a small income and on a large income. Now, how do you overcome that preference that would be given to the small income when you do not allow the consolidated returns?

Mr. KITCHIN. I will say that a small corporation, having, say, $20,000 net income or less, is taken care of specifically in this bill.

Mr. EMERSON. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. EMERSON. I wanted simply to say, confirming what the gentleman has said with reference to the private soldier, that there are private soldiers serving in the Army from the city of Cleveland who earned $10,000 or $15,000 a year as business and professional men, and earned as civilians, three, four, five, and even six times as much as the captains or the colonel of the regiment in which they served.

Mr. STAFFORD. Will the gentleman yield?

Mr. KITCHIN. I will.

Mr. STAFFORD. Did I understand the gentleman to say the conferees withdrew the excess-profit and war-profit taxes on individuals and partnerships?

Mr. KITCHIN. The Senate agreed to the House provision on that. The House and Senate provisions only made corporations subject to the excess-profits and war-profits taxes.

Mr. STAFFORD. Why was it that individuals or partnerships that had been making large profits out of war contracts should not be taxed like other corporations?

Mr. KITCHIN. Because the surtax, together with the normal income tax, on individual incomes was so enormously high that they would be reached in that way.

Mr. STAFFORD. Has the gentleman compiled any tables showing the amount of revenue that will be derived from the respective titles?

Mr. KITCHIN. The tables are not included in my report, but I will put them in my remarks. Under this bill we will raise for this fiscal year $6,077,000,000 and for the fiscal year ending June 30, 1920, $4,184,000,000.

Mr. SNYDER. Mr. Speaker, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. SNYDER. I want to ask the gentleman a question in regard to what the gentleman said about subsequent legislation to take care of the luxury tax. Does the gentleman think that can be brought about in time?

Mr. KITCHIN. Oh, yes. Section 904 does not go into effect until May 1, 1919.

Mr. RAMSEYER. Mr. Speaker, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. RAMSEYER. I would like to ask the gentleman to state whether the provision affecting the postal zones is changed?

Mr. KITCHIN. The Senate receded on that amendment. The zone system will remain the same as it is under existing law.

Mr. SMITH of Michigan. Is the tax still kept on the sales of jewelry?

Mr. KITCHIN. Yes.

Mr. STAFFORD. Has any change been made in regard to the rate on postal cards?

Mr. KITCHIN. After July 1, 1919, it will be the same as it was before the revenue act of 1917.

Mr. LOBECK. When does the 2-cent postage rate take effect?

Mr. KITCHIN. After July 1, 1919.

In closing, I predict that never again will the Government get along any one year on less than $4,000,000,000. It ought to be less, however.

If our public indebtedness reaches $20,000,000,000, which I fear it will by June 30, 1920, it will mean that our annual taxes to pay interest will amount to about $1,275,000,000; and even if we deduct the interest that we will receive from our loans to foreign governments, we will still have to raise in taxes to pay interest between $800,000,000 and $1,000,000,000. I fear that our Army and Navy will cost us annually hereafter in the neighborhood of $1,000,000,000. Pensions, in one shape or another, and insurance will cost us not less than $1,000,000,000 a year. It will certainly take another $1,000,000,000 a year to finance all the other functions of the Government, including all the new things and new functions which the war has and will graft upon it. Besides all the above, a sinking fund must soon be established to retire our war debt.

In conclusion I will repeat what I have before said, our annual expenditure will hereafter be much more than $4,000,000,000 unless the President and Congress take a firmer and stronger hold on appropriations than they have heretofore. [Applause.]

The estimated revenue receipt tables referred to are as follows:

TABLE 1.—*Estimated revenue receipts under H. R. 12863, entitled "A bill to provide revenue, and for other purposes," for a 12-months' period, as reported to the House, as passed by the House, as reported in the Senate, as passed by the Senate, and as agreed to by the conference committee, and receipts for the fiscal year 1918.*

	As reported to the House.	As passed by the House.	As reported to the Senate.	As passed by the Senate.	As agreed to by the conference committee.	Fiscal year 1918.
Income tax:						
Individual	$1,482,186,000	$1,482,186,000	$1,432,000,000	$1,432,000,000	$1,432,000,000	
Corporation	894,000,000	894,000,000	775,000,000	775,000,000	775,000,000	$2,639,000,000
Excess-profits tax	3,200,000,000	3,200,000,000	2,400,000,000	2,400,000,000	2,500,000,000	
Estate tax	110,000,000	110,000,000	22,000,000	22,000,000	60,000,000	47,453,000
Transportation:						
Freight	[1] 115,000,000	115,000,000	115,000,000	115,000,000	115,000,000	30,002,000
Express	[1] 14,000,000	14,000,000	14,000,000	14,000,000	14,000,000	6,459,000
Persons	[1] 75,000,000	75,000,000	75,000,000	75,000,000	75,000,000	24,306,000
Oil by pipe lines	4,550,000	4,550,000	5,000,000	5,000,000	5,000,000	1,433,000
Seats and berths	[1] 6,000,000	6,000,000	6,000,000	6,000,000	6,000,000	2,237,000
Telegraph and telephone	[1] 17,000,000	17,000,000	17,000,000	17,000,000	17,000,000	6,299,000
Insurance	[1] 13,000,000	13,000,000	20,000,000	20,000,000	[2] 14,000,000	6,492,000
Admissions	[1] 95,000,000	95,000,000	50,000,000	50,000,000	50,000,000	26,357,000
Club dues	[1] 8,000,000	8,000,000	3,500,000	3,500,000	3,500,000	2,259,000
Excise taxes:						
Automobiles, etc	[1] 120,000,000	120,000,000	71,500,000	60,000,000	71,000,000	23,981,000
Jewelry, sporting goods, etc	[1] 70,000,000	70,500,000	60,000,000	60,000,000	60,000,000	[3] 13,886,000
Other taxes on luxuries, at 10 per cent	88,760,000	90,000,000	58,750,000	58,750,000	58,750,000	.....
Other taxes on luxuries, at 20 per cent	184,795,000	175,000,000	.....	85,000,000	85,000,000	.....
Gasoline	40,000,000	40,000,000	.....	.....	.....	.....
Yachts and pleasure boats	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	.....
Beverages	[4] 85,000,000	85,000,000	75,000,000	75,000,000	75,000,000	441,230,000
Stamp taxes	32,000,000	32,000,000	31,000,000	31,000,000	31,000,000	17,539,000
Tobacco:						
Cigars	[1] 65,000,000	65,000,000	46,200,000	46,500,000	46,500,000	30,910,000
Cigarettes	165,240,000	165,240,000	115,000,000	115,000,000	125,000,000	66,492,000
Tobacco	[1] 105,000,000	105,000,000	72,000,000	72,000,000	72,000,000	47,485,000
Snuff, etc	9,100,000	9,100,000	6,300,000	6,300,000	6,300,000	4,049,000
Leaf	.....	.....	100,000	100,000	100,000	.....
Floor tax	(5)	(5)	(5)	(5)	(5)	6,281,000
Papers and tubes	[1] 2,000,000	2,000,000	1,000,000	1,000,000	1,000,000	431,000
Special taxes:						
Capital stock	[1] 80,000,000	80,000,000	60,000,000	60,000,000	80,000,000	24,986,000
Brokers	[1] 1,800,000	1,800,000	1,200,000	1,200,000	1,200,000	333,000
Theaters, etc	[1] 2,500,000	2,500,000	2,100,000	2,100,000	2,100,000	865,000
Mail-order sales	5,000,000	5,000,000	.....	.....	.....	.....
Bowling alleys, billiard and pool tables	[1] 2,500,000	2,500,000	2,500,000	2,500,000	2,500,000	1,086,000
Shooting galleries	400,000	400,000	400,000	400,000	400,000	.....
Riding academies	50,000	50,000	50,000	50,000	50,000	.....
Business license tax	10,000,000	10,000,000	.....	.....	.....	.....
Manufacturers of tobacco	[1] 70,000	70,000	70,000	70,000	70,000	45,000
Manufacturers of cigars	850,000	850,000	850,000	850,000	850,000	379,000
Manufacturers of cigarettes	240,000	240,000	240,000	240,000	240,000	115,000
Use of automobiles and motorcycles	72,930,000	72,930,000	.....	.....	.....	.....
Automobiles for hire	.....	.....	700,000	700,000	700,000	.....
Use of motor boats, yachts, etc	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	407,000
Total	7,178,971,000	7,170,916,000	5,541,460,000	5,615,260,000	5,788,260,000	3,672,847,000

[1] Actual collections since July 1, 1918, indicate that original House bill estimate was too low.

[2] The income and excess and war profits taxes upon insurance companies are estimated to yield $6,000,000. This amount is included in the estimated yield for income and excess-profits taxes.

[3] Including floor tax.

[4] Reduction from the House bill estimate of $1,137,000,000 is due to the prohibition and food conservation features of the food stimulation act.

[5] Floor tax not included.

TABLE 2.—*Estimated revenue receipts under the existing law and the revenue act of 1918, as agreed to by the conference committee, for the fiscal year ending June 30, 1919, and under the revenue act of 1918, as agreed to by the conference committee for the fiscal year ending June 30, 1920.*

	Fiscal year ending June 30—	
	1919	1920
Income tax:		
Individual	$1,432,000,000	$1,200,000,000
Corporation	775,000,000	510,000,000
Excess-profit tax	2,500,000,000	1,250,000,000
Estate tax	110,000,000	110,000,000
Transportation:		
Freight	115,000,000	115,000,000
Express	14,000,000	14,000,000
Persons	75,000,000	75,000,000
On oil pipe lines	5,000,000	5,000,000
Seats and berths	6,000,000	6,000,000
Telegraph and telephone	16,000,000	17,000,000
Insurance	14,000,000	14,000,000
Admissions	50,000,000	50,000,000
Club dues	3,500,000	3,500,000
Excise taxes:		
Automobiles, etc	50,000,000	75,000,000
Jewelry, sporting goods, etc	41,200,000	60,000,000
Other taxes on luxuries, at 10 per cent	14,500,000	58,000,000
Other taxes on luxuries, at 20 per cent	20,000,000	85,000,000
Gasoline	250,000	1,000,000
Yachts and pleasure boats	450,000,000	75,000,000
Beverages	31,000,000	31,000,000
Stamp taxes		
Tobacco:		
Cigars	43,000,000	46,500,000
Cigarettes	103,500,000	125,000,000
Tobacco	61,000,000	72,000,000
Snuff, etc	6,000,000	6,300,000
Leaf	20,000	100,000
Papers and tubes	1,000,000	1,000,000
Special taxes:		
Capital stock	80,000,000	80,000,000
Brokers	1,000,000	1,200,000
Theaters, etc	2,000,000	2,100,000
Mail-order sales		
Bowling alleys, billiard and pool tables	1,900,000	2,500,000
Shooting galleries	100,000	400,000
Billboards	10,000	50,000
Business license tax		
Manufacturers of tobacco	50,000	70,000
Manufacturers of cigars	640,000	850,000
Manufacturers of cigarettes	180,000	240,000
Use of automobiles and motorcycles	350,000	700,000
Automobiles for hire	1,000,000	1,000,000
Use of motor boats, yachts, etc	50,000,000	
Floor stock tax		
Total	6,077,200,000	4,184,510,000

Mr. FORDNEY. Mr. Speaker and gentlemen, I am going to be very brief. I am going to occupy but very little time. The gentleman from North Carolina [Mr. KITCHIN] asked me to say that the change in the postal rates takes effect July 1 instead of July 11, 1919.

There are only a few things that I want to mention. First of all let me say this bill is a much better bill now than when it passed the House first. There are many amendments that have been made in the Senate and in conference that, in my opinion, make the bill more equitable and just to the taxpayers. There are some inequalities in the law which are hard to remedy. It can not be done easily. The tax upon a corporation or a partnership with large capital is very difficult to adjust so that the corporation and the partnership with the same amount of capital and the same volume of business and the same amount of profits shall pay the same amount of tax. It is very difficult to draw this or any other law to put them in two classes, namely, the corporation and the individual, and yet have the tax paid by each the same.

I believe the provision in the law, as now agreed to, relating to oil and gas wells is equitable. A prospecting company might go on for several years prospecting and losing money. All at once they strike a well, a good flow of oil or gas. They can only use as capital the money invested in that particular well, not the money used by the corporation for several years past. Consequently their deductions are not equitable and just, as compared with those of other corporations, so that when a profitable well has been discovered the limitation is 20 per cent on the selling price of that particular well.

I know of a particular instance where a firm had gone and spent $600,000 in prospecting for oil in Oklahoma. At last they struck a very valuable flow of oil and were offered $600,000 for that property. They could not sell because, as the bill passed the House, they would be taxed 80 per cent of their entire proceeds from that sale except what money was expended on that particular property. Therefore they could not sell at all, although the law as it now stands before the House, in my opinion, is equitable and just, much more so, at least, than the original provision as the bill passed the House.

Now, as to the cost-plus contracts. The cost-plus contractors of the country made profits because of the war. There is no question about that. In many instances the capital was only a nominal sum and the profits very great. I know of a single instance where the capital invested was $25,000 and the profits during the year 1918 were $1,150,000.

Another case was called to my attention. I believe the gentleman from Ohio [Mr. LONGWORTH] spoke to-day of a subsidiary company, with $1,000 capital, whose profits were $1,000,000. Those were the men that the committee wished to bring within the limits of that dragnet and impose heavy taxes upon them, because those profits were made out of the war, and the taxpayer must pay it.

Now, let me show you what that does with the subsidiary company with $1,000 capital invested and $1,000,000 profit. I know of an instance where practically no capital was invested and where $3,600,000 profit was made. I want to get that fellow, and this bill does get him. Here is what happens to the firm with $1,000 capital and $1,000,000 profit: First of all it is entitled to a 10 per cent deduction on the capital, which is $100, plus $3,000, or $3,100 from a million dollars, which leaves $996,900, on which an 80 per cent tax applies, which amounts to $797,520. Deducting that war tax from the total of $1,000,000 leaves $202,480, from which the normal tax is deducted of 12 per cent, or $24,279.60, making a total tax upon that corporation of $821,799.60. Out of the $1,000,000 profit, on $1,000 capital, the firm still has $178,200, or 178 per cent on the capital invested.

Mr. SMITH of Michigan. Mr. Speaker, will the gentleman yield for a question?

Mr. FORDNEY. Certainly.

Mr. SMITH of Michigan. Is it not true that under the cost-plus contract the contractor is also allowed to include this tax that he pays?

Mr. FORDNEY. In answering the gentleman let me say there were some contracts drawn by the Government that were construed by me and other members of the committee as exempting the contractor from all taxes paid. In other words, there was language in the contract that said all taxes paid should be a part of the cost. Therefore if the courts construe a contract of that kind to mean that the Federal tax paid shall be a part of the cost, then the man who pays that tax gets his taxes back and his per cent of profit, 5, 7, or 10 per cent, whatever it may be, on those taxes paid. That is bad law.

Mr. SMITH of Michigan. Yes; that is bad.

Mr. FORDNEY. I obtained that information from testimony given before a Senate committee. I gave the name of the firm, the date of the contract, and the number. However, it was said that the Government did not intend to include the Federal tax in that provision. But there is the language in the contract.

Mr. JONES. Mr. Speaker, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. JONES. What was the purpose of excluding trading corporations from the benefit of the personal-service corporation provision? I see you put them in as one of the exceptions, and cost-plus contractors as the other.

Mr. FORDNEY. Trading corporations?

Mr. JONES. Yes; why should they be exempted?

Mr. FORDNEY. If I am correct, a trading corporation means a sort of cooperative concern, where a portion of the business is done for the stockholders of that corporation, and yet they carry on a part of the business in trade, and so on. Now, where the business is carried on for no other purpose except the handling of the goods of the people who make up the association, there is no tax on that part of their business.

Mr. JONES. Would that cover a concern which was selling cottonseed cake on commission, for instance?

Mr. FORDNEY. No; I think not.

Mr. JONES. In other words, if it were purely a personal-service corporation it would be entitled to the benefits of the personal-service corporation exemption. If I read this exception correctly, they would not get the benefit of it, because they would be a commission house.

Mr. FORDNEY. They would be considered as a commission house, and I do not think they would come in under that provision.

Now, when the bill passed the House we had in it a tax of 2 cents a gallon on gasoline. There were 2,200,000,000 gallons of gasoline used in the country last year, and a tax of 2 cents per gallon would yield a revenue to the Government of $44,000,000 if the same amount of gasoline was used in 1918 as was used in 1917. In the reduction of the volume of taxes in the bill that

item was stricken out, because gasoline has become a thing of such common use by everybody.

There was much said in the committee about the amount of compensation, or bonus, as it was called, to the soldiers who served in this war. I believe that every Member of this House and of the Senate feels that he wants to be generous to the poor boys who went to the battle front and helped win this war. Those boys suffered great hardships and great dangers. Many came back with one arm, with one leg, or without any legs or without arms. A physician told me the other day that he found a man out here in the hospital with both arms and both legs off. The people of this country can not do too much for those poor fellows. The people of the country remained at home and enjoyed good beds and good tables to sit down to, in no danger, enjoying all the comforts of life, while these boys were over there defending the Stars and Stripes, and God knows we owe them a debt that we never can repay. [Applause.] I wanted to yield more to the soldier boys than was finally agreed upon—$60 flat to everybody. What does this amount to, though, my friends? These items run up to an enormous sum. Sixty dollars to each soldier will call for a contribution of $266,000,000. It is a mere bagatelle in comparison to the services rendered. One year's pay was suggested by some men—one year's pay at $30 a month for the men in the field—but that would amount to $1,596,000,000 in money.

Mr. LANGLEY. Will the gentleman yield there?

Mr. FORDNEY. Yes.

Mr. LANGLEY. Does not the gentleman think we could take $500,000,000 out of the naval appropriation bill and double this amount for the soldiers? Would not that serve a much better purpose than to proceed to build a lot of ships that will not be finished for several years?

Mr. FORDNEY. I had much rather economize in ways where we can economize and give this money to these beloved boys. [Applause.]

Mr. LANGLEY. I think the gentleman is entirely right, and I think we ought to do it if there is any way to do it while we are considering this subject.

Mr. FORDNEY. We are going to take care of those boys. [Applause.] I have spent some time of late trying to prepare a bill to present to this House, and to my happy surprise I find there is existing law by which those boys who have lost arms or legs or have been disabled can, at the expense of the Federal Government, be sent to school and educated in some line—in medicine, in law, in electricity, in mechanical engineering, or any course chosen by the soldier—and receive an income from the Federal Government of not less than $65 per month while receiving that education, and in addition thereto the family is entitled to the allotments and allowances as under existing law during the time of his schooling.

Mr. LANGLEY. That is very true and that is right, but how about the man who has lost his job, even though he did not lose an arm? What is he going to do while all this unemployment exists?

Mr. FORDNEY. I am not alarmed about employment for the poor fellows when they come back. What I am anxious about now is to see the immediate discharge of the soldiers in the camps in the United States. [Applause.] Let them go home, where they want to go. They came forward like brave men at the call of their country. They were anxious to render assistance. Our Government accepted them quickly. Now, for Heaven's sake let them go home.

It has been suggested that we are going to have one grand parade of soldiers in this city before they are mustered out. My boy wants to go home and your boy wants to go home, and they do not care a baubee about marching down Pennsylvania Avenue for some officer to bow and scrape and say "How do you do; you have done well, my boys," so that afterwards we can go down to the movies and see the picture of that fellow bowing and scraping. That is all there is to be derived in the way of benefit from such a parade. [Applause.]

Mr. CANNON. Will the gentleman yield?

Mr. FORDNEY. I take pleasure in yielding to my friend from Illinois.

Mr. CANNON. As I understand, this bill carries $60 to be paid to every soldier?

Mr. FORDNEY. Yes.

Mr. CANNON. Whether he has been injured or not?

Mr. FORDNEY. Yes.

Mr. CANNON. And that is in addition to the compensation for the loss of limbs, and so forth?

Mr. FORDNEY. Oh, yes.

Mr. CANNON. And that is in addition to the care for the families and dependents of the soldiers?

Mr. FORDNEY. Yes; in addition to everything he is entitled to under existing law. This is in addition to everything.

Mr. CANNON. Including the vocational education?

Mr. FORDNEY. Yes.

Mr. CANNON. I am very glad that that provision is made. However, the great mass of soldiers who come back and the great mass of those who supported them will pay cheerfully, in addition to compensation the like of which was never made by any government in the tide of time, and I am glad of it.

Mr. GALLIVAN. Will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. GALLIVAN. Will the adoption of this $60 bonus preclude any additional legislation along the line of granting a bonus?

Mr. FORDNEY. Oh, no.

Mr. GALLIVAN. If another bonus is granted will this $60 be paid as well? Sixty dollars is a measly amount to pay to our soldiers. I want to vote a really substantial recognition of their work.

Mr. FORDNEY. The $60 will be paid whether there is any suggestion for another bonus following this or not.

Mr. GALLIVAN. I may say, if the gentleman will excuse me for a moment, that I want to vote for this bill, although my present intention is not to vote for it because of the very small pittance which has been given the soldier. I have a six months' pay bill introduced here, and I was wondering if this provision would preclude the consideration by Congress of that six months' pay bill. I am anxious to have Congress give the soldiers and sailors, and the nurses, too, the equivalent of six months' pay.

The gentleman will again pardon me if I remind him that in the last deficiency bill passed by this House we are covering back into the Treasury, because of the sudden and unexpected ending of the war, practically $15,000,000,000, thanks to our boys. [Applause.] They finished the job they undertook in quick time, and we can afford to give them a better deal than this bill provides.

Mr. MADDEN. Will the gentleman yield?

Mr. FORDNEY. Certainly we can.

Mr. MADDEN. I see that the Agriculture Committee has provided for an additional billion dollars as compensation to the farmer to maintain the price of wheat during the year 1919–20. The Railroad Administration had placed to its credit $500,000,000 when the Government took the railroads over. They have lost $216,000,000 in the operation of railroads within a year. They are now asking for $750,000,000 more to tide them over for another year. The Post Office Department has taken over the telegraph and telephone wires, and as a result of that they will be compelled to tax the telephone and telegraph users large sums to prevent loss. Now, if we can afford to maintain the extravagant expenditures provided for in the items I have indicated, is it not of infinitely more importance and more decent to pay additional compensation or bonus to the men who offered their lives to save the country?

Mr. FORDNEY. I agree with the gentleman.

Mr. MADDEN. Is not $60 a measly sum to give them?

Mr. FORDNEY. I agree with the gentleman that the $60 is a very small pittance, but the best we could get in conference.

Mr. GALLIVAN. A mere tip.

Mr. FORDNEY. I was much in favor of a larger sum. The sum the gentleman mentions as the guaranty for the price of wheat in the country will be paid; that was a guaranty made by the Government——

Mr. MADDEN. But this is a new guaranty.

Mr. FORDNEY. As an inducement to the farmer to raise more wheat at any cost to supply the hungry people of the world.

Mr. LEVER. And the farmer raised it.

Mr. FORDNEY. He raised it and the Government is going to carry out its contract. [Applause.]

Mr. MADDEN. But they propose to make a new contract.

Mr. FORDNEY. The Government took over the railroads and the gentleman's figures of the amount lost during Government control do not correspond with my own. I obtained from the Committee on Appropriations this information, that the first year the loss to the Federal Government for their meddling with the railroads was $755,000,000. But we are like the man in the hollow log that has the bear by the tail, he does not dare to let go just now. [Laughter.]

Mr. STEENERSON. Will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. STEENERSON. The gentleman is aware of the fact that, although the Government guaranteed that price of wheat last year, the Food Administration reports that they will come out of the guaranty without any loss.

Mr. FORDNEY. I understand so, and I hope so.

Mr. STEENERSON. And that the next year does not indicate a loss of a million.

Mr. FORDNEY. I do not know how we can be called upon to pay a billion dollars and pay it and not lose some money. I do not know how or where the Government is going to get it back.

Now, let me go a little further. The Government has taken over the steamships and, with all due respect for my good friend from Pennsylvania, they came very near taking over the canals. [Laughter.]

Mr. MOORE of Pennsylvania. That would have been the cheapest investment they could have made.

Mr. FORDNEY. I respect you, my good friend. [Laughter.]

Mr. MOORE of Pennsylvania. I want to say, if the gentleman will permit, that they propose now to take another $200,000,000 out of the Treasury for good roads, whereas $100,000,000 taken out for canals would have put us in business for years.

Mr. FORDNEY. The gentleman is correct, as he sometimes is. [Laughter.] The Government took over the steamship lines. Less than two weeks ago the Government notified the Merchant & Miners Transportaion Co., whose steamships they had taken over, an old established transportation company doing business on the Atlantic coast, that they were going to return them. When the Government took that company's ships it took some $600,000 of money then in that company's treasury. Last week the Government notified that transportation company that it was going to give them back the ships without any money. The Government is not only not paying the company for the use of its ships, but is keeping the money it took out of the treasury of the company. That is Uncle Sam for you and Government ownership.

Mr. LOBECK. Mr. Speaker, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. LOBECK. Is not the great loss in the administration of railroads largely due to the increased wages paid to every man employed?

Mr. FORDNEY. Partially so.

Mr. LOBECK. Is not that the largest item?

Mr. FORDNEY. The power vested in the Interstate Commerce Commission controlled the incomes of the railroads, fixed the maximum rates that the roads could charge for freight and passenger service. The railroad companies for several years had been appealing to the Interstate Commerce Commission to give them higher freight rates and higher passenger rates, but that was continuously declined by the Interstate Commerce Commission. The Interstate Commerce Commission fixed the income of the railroads, but did not control the outlay; but a political body, the Congress of the United States, came in to help out the situation and said to the railroad companies, through the Adamson bill, "You must advance your wages," and they did it without any increase in their incomes. When you put a corporation or an individual or any business between one body in the Government fixing your income and another body fixing your outlay you are between the devil and the deep blue sea, and you will land with one or the other, and either of them is enough to destroy you. The minute the Government took over the railroads it saw that the income of the railroads was not sufficient to meet the necessary expenses in the increased wage scales and the upkeep of their lines, in betterment, in equipment, in the maintaining of their roads, and the Government immediately advanced the passenger rates 50 per cent and advanced the freight rates 25 per cent. In 12 months, upon the basis of the income of the railroads for passenger fares—$800,000,000, which was the income for 1916—50 per cent would mean $400,000,000. Two billion four hundred million dollars was collected in freight by the railroads of this country in 1916. An advance of 25 per cent in their rates means $600,000,000 in 12 months' increase in their income, and the estimated increase of those two things—passenger fare 50 per cent and freight rates 25 per cent—would mean an increase in income of $1,000,000,000.

Now, in answer to your question, the increase in the wages which was made retroactive beginning the 1st of January, 1918, amounts only in round numbers to about $300,000,000. Where is the balance of that billion dollars which they should receive in an increased income? There is a loss of $750,000,000. For the first six months of 1917 the profits of the railroads of this country were a fraction over $565,000,000, and for the first six months of 1918, under Government ownership, the loss was over $300,000,000, making a difference of more than $800,000,000 for the first six months under Government control, as compared with the corresponding six months of the year before. That is Government ownership for you, something that some of you seem so much in favor of.

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. HARDY. Does not the gentleman recognize that if we pursue the policy of diverging and going into every other thing under the sun, as we have been for the last 15 minutes, not discussing the measure before the House, that we can not get through with the measures that we ought to pass during this session?

Mr. FORDNEY. My friend, I am anxious to get all bills through Congress to avoid an extra session of Congress. I have been doing my duty. I have worked faithfully since the 6th day of June on this devilish bill, and I am only going to take about five minutes more in explaining my views upon it, although it is to take from the people $6,000,000,000 in money. Do you think I am filibustering?

Mr. HARDY. Mr. Speaker, will the gentleman permit one observation?

Mr. FORDNEY. Yes.

Mr. HARDY. I do not think the gentleman courted this diversion. I think he wanted to discuss the bill. I merely rose to call attention to the fact that this starting off after Tom, Dick, and Harry, and every other issue under the sun, is prolonging this session and endangering the possibility of doing what we should do. The gentleman knows that if answers were attempted to be made to all of these chargeful questions we would take all the balance of this term discussing immaterial matters.

Mr. FORDNEY. I have said all I want to say about the Government ownership of railroads, and have put my stamp of disapproval upon it or anything else controlled by the Government as against private ownership.

Mr. HARDY. That has nothing to do with this bill.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. MOORE of Pennsylvania. Does not the gentleman think that it approaches the point of impertinence, after the majority leader has spent nearly three hours discussing this bill, when every Republican is prepared to hasten its passage and to vote upon it, for anyone to rise and suggest that a gentleman, the ranking member of the committee on the Republican side, who has devoted 10 months of his time to the bill, should be shut off in the midst of one of the important points covered by the bill?

Mr. FORDNEY. Oh, I believe the gentleman from Texas was kindly in his suggestion. He is a very dear friend of mine.

Mr. MOORE of Pennsylvania. I suggest that sometimes a great deal of buncombe comes from those who do not watch things quite so closely as do those upon the committee.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. MANN. Did the gentleman consider this point in reference to the payment of $60 to the discharged soldiers? The provision in the bill reads:

and in the case of separation from the service after the passage of this act shall be paid at the time of such separation.

Did the committee consider how long that would delay demobilizing the Army?

Mr. FORDNEY. No; the committee had no information as to when those men would be discharged.

Mr. MANN. The committee must know that after the passage of this act, which does not take effect until the day of its passage, the Army can not give an honorable discharge to any soldier in the service unless it is prepared at the time to pay him the $60 extra.

And, as in many cases probably they will not be prepared to pay this $60, they will not grant the discharge. That will be the only way out of it.

Mr. FORDNEY. I will say to the gentleman the bill provides, as I understand it, for the payment of this $60 from the time the law takes effect to all who were discharged from that time on, and information comes from the War Department that those who are already discharged would be paid just as quickly as the machinery would permit.

Mr. MANN. I understand. I did not refer to that; but, considering the fact that the law now requires soldiers shall be paid monthly, and that we know of innumerable cases in France where they have not been paid in many months, what will the department do about this sort of a regulation?

Mr. FORDNEY. Well, all we can do is to say that when a man is discharged they shall pay this sum anyway. That is about as far as the committee could go in framing the law.

Mr. GARNER. Will the gentleman yield?

Mr. FORDNEY. I will.

Mr. GARNER. I want to ask the gentleman, in view of the statement made by the gentleman from North Carolina [Mr. KITCHIN], if he does not think it will be necessary to have additional revenue in order to run the Government for the next fiscal year?

Mr. FORDNEY. I do. I gave some figures here yesterday of the extraordinary expenditures of this Government, and the gentleman will find those figures in the RECORD of this morning, in which I showed that a few of the extraordinary expenditures of the Government will amount to $6,795,000,000 extra—not ordinary running expenses of the Government, but those are extras—and that to that must be added other millions, which will bring up the expenses of this Government to, in my opinion, about $10,000,000,000. Now, we must have more revenue—that is to say, taxes—or we must borrow it from the sale of Government bonds, or we must pass an additional revenue bill, which I believe will be passed in the next Congress.

Mr. EMERSON. Will the gentleman yield?

Mr. FORDNEY. Yes, sir.

Mr. EMERSON. Did the conference committee take into consideration that in the next fiscal year there will not be anywhere near the profits there are in this fiscal year, and unless some miracle happens there will not be any profits at all?

Mr. FORDNEY. My good friend, this was considered by the committee. Every business man knows that the cost of living, that the labor cost, material cost, and other costs are abnormally high at the present time. Adjustments must be made and are being made now where we must get back to normal conditions in the near future. During that reconstruction period, my friend, it is a matter of great seriousness between capital and labor in this country. You can not have a high cost for materials and low cost for labor, you can not have low cost for materials and high cost for labor; labor and the value of the products of that labor must go together up or down. They are up now. They must and will go down, and during that time there will be, as there is now, great unrest in the labor world, in the world over, not only in the United States. On the Pacific coast there is a great strike on at the present time, where this morning's paper states that there are 70,000 workingmen on a strike in Seattle and Tacoma, Wash., striking for $1 an hour. I received a letter from Michigan yesterday from an employer of labor who had closed his factory and wanted to start up and had put out an offer of $4 a day for labor, and out of 200 employees only 7 accepted and said they were ready to go to work. Wages are abnormal, my friends. In the lumber market in the State of Washington labor is averaging 50 cents to $1 per hour. Section hands on the railroads in the State of Washington to-day get $4 per day for an eight-hour day. While that scale of wages lasts, my good friends, the cost of production of every article we consume must and will be high. Therefore I say great unrest now prevails throughout the country, and the Lord only knows when that situation will settle down to normal conditions, but while we are going on this Government has incurred great expenses, great costs upon the people. Much taxes must be collected from the 110,000,000 of the people of this country. We are calling in this bill for $6,000,000,000 for the calendar year of 1918. It is not a sufficient sum to meet a fair proportion of our costs, to pay our debts, to administer this great Government, and therefore, gentlemen, I will vote for it, and I will be called upon, if the Lord lets me live a few months longer, to vote for additional revenue laws to produce more money in order that we may meet our obligations already incurred. Now, Mr. Speaker, I yield 15 minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. FARR. Will the gentleman answer a question?

Mr. FORDNEY. All right.

Mr. FARR. What will this war have cost the Government when these extraordinary expenses to which the gentleman refers are paid?

Mr. FORDNEY. The reports show, down to and including January, 1919, about $25,500,000,000 as the cost of the war.

Mr. KEARNS. Will the gentleman yield for a question?

Mr. FORDNEY. I will.

Mr. KEARNS. Not in line with what the gentleman talks about, but perhaps the gentleman can give some information. There is a corporation doing business in the State of Ohio. It is not a branch even, but they are doing business also in Canada——

Mr. FORDNEY. Yes.

Mr. KEARNS. But they are not incorporated in Canada, but the Canadian Government licensed them for the privilege of doing business there.

Mr. FORDNEY. Yes. Now, let me say to you, I see the point coming, this law provides that an American citizen doing business in Canada and paying taxes in Canada is also taxed here——

Mr. KEARNS. Yes.

Mr. FORDNEY. And whatever taxes are paid by him in Canada will be deducted from his tax in this country on what his income from the business in Canada amounts to.

Mr. KEARNS. Although in his business in Canada now the profits are brought into this country? All the profits remain in Canada and are used in the operation of the business in Canada.

Mr. FORDNEY. If he is a citizen of the United States, doing business solely in Canada, living in Canada, he is subject to taxes in this country as a citizen of the United States, and on his income in Canada he is taxed there and he is taxed here, but we permit him to deduct from his taxes here whatever tax he pays over there.

Mr. JOHNSON of Washington. And that country does the same in regard to our country?

Mr. FORDNEY. I think the Canadian Government treats our citizens over there the same.

Mr. Speaker, I reserve the balance of my time. [Applause.]

The SPEAKER. The gentleman from Pennsylvania [Mr. MOORE] is recognized.

Mr. MOORE of Pennsylvania. Mr. Speaker, when the big revenue bill came out of the Ways and Means Committee I gave credit for it to the President, the Secretary of the Treasury—Mr. McAdoo—and the gentleman from North Carolina [Mr. KITCHIN], chairman of the Ways and Means Committee. Although 602 amendments were tacked onto the bill in the Senate, and it now comes back through the conferees of the House and Senate extended in length to 362 pages, accompanied by a 94-page conference report, it is still the Wilson-McAdoo-Kitchin bill with a few harbors of refuge not hitherto provided, presumably for deserving taxpayers. As it came to the House originally the bill proposed to raise the taxes from incomes, corporations, war profits, estates, and miscellaneous, about $8,000,000,000. That was the amount the President, acting as Commander in Chief of the Army and Navy, proposed should be raised by taxation, as the Secretary of the Treasury, Mr. McAdoo, explained in detail in his letter to the chairman of the Ways and Means Committee June 5, 1918. Notwithstanding the President's address to Congress insisting upon taxation along with loans to meet the expenses of war, and his suggestion that the proportion of taxes should be at best one-third, and despite the insistence of the Secretary of the Treasury that $24,000,000,000 would be spent for the fiscal year ending June 30, 1919, alone, and that $8,000,000,000 must be raised by taxation, this redraft of the Wilson-McAdoo-Kitchin bill is expected to cut down the sum total to be collected from $8,000,000,000 to $6,000,000,000. At least that is the amount which the Treasury experts estimate the bill, as amended, will produce. In view of this attempted reduction of the enormous burdens imposed by the bill it is fair to assume that the administration has reason to ameliorate the wrath of the taxpayers who must pay the war bill, or is reasonably assured that the expenses of war will be speedily reduced.

That the taxpayers—even the remotest of them—are about to sustain their greatest shock no one who has attempted to read this forbidding measure will deny. It carries the greatest monetary burden ever imposed upon any people at any time. That our so-called war expenses—and many offenses have been committed in that name—have been, or are being, so reduced as to justify the administration's attempt to lessen the burden of taxation, I am not prepared to admit.

So recently as January 31 last the efficient and painstaking chairman of the Appropriations Committee, in an earnest effort to show salvage in war expenditures, admitted that we were still spending $50,000,000 a day and that our monthly expenses up to and including January, 1919, were running over $1,600,000,000. If that statement is accurate, and no one has dared deny it, then this great revenue bill, over which Congress has labored since the Commander in Chief presented his war demands last April, unprecedented and crushing in effect as it is, will produce much less than will be necessary to meet our war requirements for the short period of four months. It is mighty important we take these significant facts into consideration in connection with the efforts that are being made to show that the country has unlimited credit and that the American people can saddle themselves with the burdens of mankind. It is a fact, patent to anyone who scans the Treasury statements, that our total money supply in the United States is only about $7,500,000,000. But financiers and Treasury experts like the former Secretary of the Treasury, always cheerful and optimistic, talk of "our Nation's wealth" as a tangible thing. That wealth, as I understand it, is not cash; it is farms, homes, stock; it is something of value which the owner can not always speedily turn into cash even for taxes, so that when under guise of war

hundreds of millions and billions of dollars are asked for by the administration, even though it is not clear that the money is intended for purposes of war, the average citizen may fairly inquire, "Where is this money coming from?" The facts to date are that with about $7,500,000,000 of money in the country we have fallen back upon "the Nation's wealth" for the more than $12,500,000,000 we spent for the war up to May 31, 1918—see Exhibit A, Secretary McAdoo's letter to Mr. KITCHIN June 5, 1918—and for the year ending June 30, 1919, we have appropriated more than $24,000,000,000, as demanded by the Commander in Chief and the Secretary of the Treasury, plus an additional $7,000,000,000 provided in the deficiency bill, a total of appropriations and authorizations for one year of $31,000,000,000. To meet this tremendous indebtedness we have had one loan issue of $6,000,000,000 and taxes returned under existing law amounting to about $4,000,000,000. If these figures are correct $21,000,000,000 remains to be accounted for by salvage or repeal of appropriations already made, by additional loans, or by taxes. It is a serious financial situation which cries out above all things else for economy and retrenchment.

And, parenthetically, Mr. Speaker, I have looked at the statement prepared by the clerks of the Appropriation Committees of the Senate and the House, showing a recapitulation of appropriations for 1918–19. They show in that statement that we have appropriated or authorized for this period more than $36,000,000,000. I mention that because there may be a discrepancy in my statement, due to authorizations being mixed up with appropriations. For the purposes of the argument, however, I am willing to take the official statement of the Committee on Appropriations, showing the total expenses authorized and appropriated to be $36,000,000,000, and make allowance for the salvage shown here the other day by the chairman of the Committee on Appropriations totaling $15,000,000,000; but still, according to those figures there would have to be accounted for by loans or taxes the difference between $36,000,000,000 shown in that statement and the $15,000,000,000 of salvage claimed by the chairman of the Committee on Appropriations.

Mr. GARNER. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I will.

Mr. GARNER. In view of the statement the gentleman makes, does he not think it a great mistake in not insisting upon the House provisions of the bill in order to collect more money this year than this bill does?

Mr. MOORE of Pennsylvania. I will say to the gentleman I do not believe the $6,000,000,000 to be raised by this bill, while it may tend to satisfy a popular demand at this time, will be sufficient for the purposes of the administration.

Mr. GARNER. In other words, the gentleman believes that, in order to have more money not only for this fiscal year, but the next fiscal year, you will have to have additional taxes?

Mr. MOORE of Pennsylvania. I am very much inclined to think the gentleman is right.

Mr. GARNER. Does the gentleman consider the present conference report, which, I believe, he signed——

Mr. MOORE of Pennsylvania. I did.

Mr. GARNER (continuing). A better bill than the one that passed the House?

Mr. MOORE of Pennsylvania. I was going to discuss that in the brief statement I have before me. But I will say now that I have not been wholly satisfied in my own mind that the $6,000,000,000 would meet the requirements of the administration as those requirements were set out by the Secretary of the Treasury before the Ways and Means Committee.

Mr. GARNER. Of course, we have all voted for these appropriations. I am merely getting down to the policy of the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. I am taking the judgment of my conferees that $6,000,000,000 will be sufficient for all administrative purposes for the present, and I am holding those in power responsible for the reduction which has been made.

Mr. GARNER. I think the gentleman is right to hold them responsible, but we are responsible in the last analysis, as the gentleman from Illinois [Mr. CANNON] would say, and especially as the gentleman from Pennsylvania [Mr. MOORE], whom we appointed as one of the conferees to adjust these differences, is responsible. Now, the gentleman from Pennsylvania [Mr. MOORE] or his conferees ought to have insisted on more of the House provisions if he has taken the position that the administration was responsible for them. I think a mistake was made when we reduced it from $8,000,000,000 to $6,000,000,000, and I think the gentleman ought to have insisted on getting more money in this bill.

Mr. MOORE of Pennsylvania. The gentleman knows that the "gentleman from Pennsylvania" has been a minority member of the Ways and Means Committee, a minority member of the conferees, and the gentleman knows how inconsequential that is.

Mr. GARNER. I imagine that the gentleman from Pennsylvania was not entirely in the minority in all questions in the conference.

Mr. MOORE of Pennsylvania. Let me say to the gentleman and for the edification of the House that the President from this rostrum told us we would need a certain amount of money. He indicated that one-third that was raised should be raised by taxation. He was followed up by the Secretary of the Treasury, who came before the Committee on Ways and Means, and who laid before that committee a plan for raising this one-third by taxation, to wit, $8,000,000,000. And the gentleman from Texas well knows that scarcely a witness of importance came before the Committee on Ways and Means seeking a reduction of taxation who was not reminded by "the gentleman from Pennsylvania" that the President had asked for $24,000,000,000, and that he expected $8,000,000,000 to be raised by taxation. Inasmuch as we are spending $50,000,000 a day, inasmuch as the last monthly statement shows that for January just passed we have spent $1,600,000,000, inasmuch as that $1,600,000,000 required for one month would eat up what we need in four months, I question whether this bill is going to raise all the money this administration needs to meet its obligations.

Mr. GARNER. Then I will repeat the query. Although the President of the United States from that rostrum suggested $8,000,000,000, and so did the Secretary of the Treasury, and we must have the responsibility, why do you say that you and your conferees, realizing that we needed more money than the $6,000,000,000, did not arrange to get it in this bill?

Mr. MOORE of Pennsylvania. Because the majority was in favor of the bill as it is reported here.

Mr. CANNON. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman from Illinois.

Mr. CANNON. If the bill is such as my friend from Texas says, there is a way by which a majority could reject the conference report.

Mr. GARNER. And leave the law as it is, which would leave a little less than $4,000,000,000 for the next year. The gentleman from Illinois has been here long enough, I am sure, to know that the rejection of the conference report at this time would mean defeat of the bill.

Mr. CANNON. If my friend will allow me further——

Mr. MOORE of Pennsylvania. I yield to the gentleman from Illinois——

Mr. CANNON. If this is inevitable, as the gentleman says, why whine about it? [Laughter.]

Mr. MOORE of Pennsylvania. I think the gentleman from Texas and I can get together on this proposition. I think I know why the suggestion was made to reduce the volume of taxation from $8,000,000,000 to $6,000,000,000. There was an uproar throughout the country against the $8,000,000,000 proposition. The newspapers were quite condemnatory. There was a general outcry that an $8,000,000,000 bill was going to ruin industries in this country, and that was the one thing on earth that the Secretary of the Treasury and the President did not want to have happen. They did not want to get in bad with the people of the United States on the question of taxation. Therefore, when this hue and cry went up against an $8,000,000,000 bill the President, being human, was in favor of $6,000,000,000, to test it out; and I say to the gentleman that while I do not believe the President is going to raise as much money by this bill as he would like to have, still it may have been a wise thing, if not good politics, to have suggested that we can get along with $6,000,000,000 for the balance of this administration up to the 4th of March, so that the burden of raising this tremendous deficit, this $21,000,000,000 in the first instance, and the difference between $36,000,000,000 and $15,000,000,000 in the second instance, might be left to the incoming Republican Congress. I do not want to have the Secretary of the Treasury or the President or this outgoing Democratic Congress to unload this great job on a Republican Congress. I want to see the Democrats, those in power, work out their own destiny. They spent the money and they should raise it.

Mr. COLLIER. Mr. Speaker, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. COLLIER. Will the gentleman state some of the specific appropriations for carrying on the war that he was opposed to and did not vote on with us along that line?

Mr. MOORE of Pennsylvania. I do not know just what items I did not vote for with the gentleman. On general principles of political economy I may have voted against certain things, but I think I supported all propositions brought in for carrying

on the war. I voted with the gentleman and in support of the President on the things he said were essential.

Mr. COLLIER. I think the gentleman came forward very liberally and patriotically and supported all the provisions deemed necessary to carry on this war. That being the case, what is the gentleman's complaint now?

Mr. MOORE of Pennsylvania. The gentleman knows that I made no exception in the committee, especially during the hearings, when men of prominence, or even obscure men, if there were any, came before the committee. I told them all that this was cold-blooded business, that sentiment and pretended patriotism would not work with the committee, and that it would not work with me. I told them that they as well as we had incurred these obligations. They had been for the war. They had said, "Stand by the President"; and now they would have to pay. That is what I said, and I said it with uniform regularity, and I say it now. I do not know that this bill will make them all pay.

Mr. COLLIER. I will say to the gentleman that there was no politics in the committee, and all the members of the minority, as well as those of the majority, patriotically came forward and supported every measure that was asked for. I do not see, under those circumstances, why the gentleman should be complaining at this late hour.

Mr. MOORE of Pennsylvania. I do not particularly complain. I was simply stating facts that might edify my large audience. [Laughter.]

Mr. BAER. Mr. Speaker, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. BAER. The gentleman will recall that he voted with me recently against an appropriation of $100,000,000 to buy food for the hungry people of Europe, and thus establish a precedent so that when the people of this country are hungry we might be called upon to feed them or feed all the people of the world, and thus end in a proposition that might involve the expenditure of $1,000,000,000.

Mr. MOORE of Pennsylvania. I voted as the gentleman did against still further burdens on the people of the United States to relieve the people abroad. I did vote against that $100,000,000 appropriation, and I am happy to say that I have just received a letter from a high officer in the Army of the United States who has been going through France and Belgium and Germany, a man with an excellent record, who read some footnote in a Paris newspaper about my vote on this question, which he commended highly. He tells me the starvation stories from over there are overdone, that many of the people are living well, that they are willing to take everything we will send over, and that they are not crazy about going back to work while we are willing to support them.

Mr. COLLIER. The gentleman says he has received a letter like that from an officer of the United States Army?

Mr. MOORE of Pennsylvania. Yes.

Mr. COLLIER. Has the gentleman any objection to giving his name?

Mr. MOORE of Pennsylvania. I would like to give his name, but I will not. I know enough about Army regulations to know how to keep confidence. At the same time I know that if the court-martial of a favorite for spending $640,000,000 without getting results in aviation is recommended, he may be whitewashed by the Secretary of War. [Applause.] I am not anxious to violate the confidence of those in whom I have placed my trust and who placed their trust in me. I wish the day would come when we could read some of the letters that come to us about conditions in France, in Germany, and in Belgium. I wish I could read personal letters that I have now about the boys sleeping in the mud and dying outside of the city of Brest, in France, but I will not go into that now. I could talk of the life and death of boys who have been obliged to sail upon foreign ships and spend their substance with a commissary organized not under our auspices but the auspices of others, but I shall refrain. I would like to show how they have been herded like cattle in the ships. I would like to show some of the sufferings they have endured. I would like to be able to tell of the manner in which their mail has miscarried, and how some of them were led to believe that they had been deserted by their friends and relatives in the United States. But that is not a part of this discussion.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Mr. Speaker, I ask for five minutes more.

Mr. FORDNEY. I yield five minutes more to the gentleman.

The SPEAKER. The gentleman from Pennsylvania is recognized for five minutes more.

Mr. MOORE of Pennsylvania. If expenditures in the name of war and a world democracy are not more carefully checked up and scrutinized in the future, no one, not even the financial wizards who have had so much to do with the encouragement of expenditures during the war, can foretell the consequences upon and among the American people, whose sons have made the supreme scacrifice, and who themselves must sustain "the national wealth."

Mr. Speaker, I shall not attempt to discuss the details of this bill. To wander through its pages is suggestive of a journey through the chamber of financial horrors. It is supposed to have come from the Senate simplified and bereft of the supposedly expert and scientific treatment it received before it was presented to the House. Then it was to raise $8,000,000,000; now, chastened and "made clear," it is to raise $6,000,000,000. As one of the minority conferees I would not desire to be called upon to attest that these efforts in the interest of clarity were worth the $2,000,000,000 which it is claimed will be saved to the taxpayers by the changes made. It is a lawyer's bill—an expert's bill—from start to finish. It reflects credit upon the indefatigable industry of the gentleman from North Carolina [Mr. KITCHIN], who knows the remnants of his "baby" better than any other man in Congress, but it is a bill the like of which I fondly hope and pray we may never be called to look upon again.

But the bill is here, changed and amended, loaded up with riders that do not pertain to revenue and which have no rightful place in the measure, and there is no recourse but to act upon it. What shall we of the minority do? Shall we rise against this four months' war provider and smite it? For one I shall vote for it despite its imperfections. As a Member of the House I voted for war. With that vote I assumed my full share of responsibility. That vote was a vote to support the President, who is Commander in Chief of the Army and Navy. The Commander in Chief asked for the money to prosecute the war; the Secretary of the Treasury went over the financial needs in detail. The particular plan of taxation which this bill established is their plan, not mine. If there was graft or waste in this bill so earmarked that we could distinguish it, I would vote to eliminate it; but that is not now the question. If the war was over and we could assure ourselves that any of this tax money is not needed, it might enable me to vote against the bill or for its amendment. But the President is still the Commander in Chief; he has not yet issued his proclamation declaring that a state of war no longer exists. To all financial intents and purposes we are still at war. We must raise money to meet our obligations. Nor can we cease to tax or borrow until peace is finally declared, and perhaps not then. It was what we got into when we got into war. We must support our soldiers and sailors until they are called home. We must provide for the wounded and for the dependents of those who laid down their lives.

Some men say the war is over and we should vote against this bill. They forget that we have obligated ourselves this year for from four to six times the amount of money this bill will produce. Under other circumstances I would gladly vote against this measure, but under the conditions that now prevail I deem it a moral duty to support it. Those who stand prepared to justify their acts in peace or war will not avoid their responsibility in this regard; and as for those who have been profiteering, those who were safe at home making money when red-blooded young Americans were fighting in the trenches and sleeping in the mud of France, who now expect of Congress that they shall be excused from paying a fair share of the Government expenditures they enjoyed, it seems as if we might say, "Get thee behind me, Satan."

Mr. Speaker, I do not like this bill—neither the method nor style of it—but I recognize in it, despite its intricacies, an effort by the administration to live up to its legal and moral obligations. If the enforcement of it will help the American people to better understand the ease, if not the extravagance, with which their money has been spent; if it will tend to promote a better understanding of the manner in which our domestic resources have been applied, with the general world welfare as an altruistic objective, it may bring about an early realization of the great importance of calling a halt and hastening a return to the American normal. [Applause.]

Mr. FORDNEY. I yield five minutes to the gentleman from Oregon [Mr. HAWLEY].

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. FORDNEY. I ask unanimous consent that my time be extended 30 minutes. I have requests for about that much time on this side.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent that his time be extended 30 minutes. Is there objection?

Mr. GREEN of Iowa. Reserving the right to object, why not let the gentleman from Oregon be recognized in his own right?

Mr. FORDNEY. I will yield to the gentleman from Oregon 15 minutes, if that will be sufficient.

Mr. HAWLEY. Mr. Speaker and gentlemen of the House, I have just one purpose in the remarks I am about to make. That is to explain how the corporation income taxes as imposed in the bill, according to the agreement of the conferees, will be computed.

You will remember that the House bill provided that there should be three taxes, and that each corporation should pay out of the three a normal tax, which all should pay, and then a war-profits tax or an excess-profits tax, according to which of the two latter taxes was the higher one on the particular corporation. The Senate has changed this arrangement, consolidating the war-profits tax and the excess-profits tax into one system.

AN ILLUSTRATED PRIMER OF THE INCOME-TAX PROVISIONS OF THE WAR REVENUE ACT.

Mr. Speaker, it is the purpose of these remarks to present plainly in the English of conversation and commerce the income-tax features of the war-revenue act of the Sixty-fifth Congress, chiefly by means of illustrations.

It discusses the income taxes to be paid on incomes for the year 1918.

These taxes are four in number:

Individuals pay—
- First, a normal tax (sec. 210); and
- Second, a surtax (sec. 211).

Corporations pay—
- First, a normal tax (sec. 230); and
- Second, a war-profits tax and excess-profits tax (secs. 301-312).

These are the most important features of the bill, since $4,707,000,000 of the $6,077,200,000 of the estimated receipts for the fiscal year ending June 30, 1919, or over 77 per cent of its total amount, will be derived from the income taxes.

In the computations given below too great detail has not been attempted but the segregations are sufficient to illustrate the application of the principles upon which such taxes are based. Accuracy in the computations and simplicity in their presentation have been the chief aim.

Supposed returns from individuals and corporations have been used as illustrations, and the purpose has been to present illustrations covering typical cases, and as nearly as possible including all the essential features of each tax without embarrassing the illustrations with multitudes of details.

The adoption of the income-tax amendment to the Constitution prior to the outbreak of the present war was most fortunate. Otherwise it would have been a practically impossible task to have raised over $6,000,000,000 by taxation and distributed the burden among the taxpayers with any approach to an equitable apportionment of the burden in proportion to ability to pay.

In the preparation of the statements and charts included in these remarks I have had the expert assistance of Mr. John E. Walker, clerk of the Committee on Ways and Means, who has given them a careful examination. I wish to express my sincere appreciation of the valuable assistance he has rendered.

Partnerships (secs. 218a and 224).

Partnerships as such do not pay the normal tax or the surtax. But each member of a partnership will pay both the normal tax and the surtax upon his pro rata share of the taxable income of the partnership, whether the earnings have been distributed or not.

Personal-service corporations (sec. 218c).

Personal-service corporations, as such, are not taxed under Title II, but the individual stockholders are taxed in the same manner as members of partnerships.

INDIVIDUALS.

Individuals pay two kinds of income taxes, but on net income only:

1. A normal tax (sec. 210).
2. A surtax (sec. 211).

Net income (sec. 212) is ascertained by computing the gross income (sec. 213) and subtracting therefrom certain deductions (sec. 214) (but excluding certain items not deductible, sec. 215) and credits (sec. 216).

Gross income (sec. 213a).

Gross income (sec. 213a) is the total upon all gains, profits, and income derived from salaries, wages, or compensations, from professions, vocations, trades, businesses, commerce, sales, or dealings in property, interest, rent, dividends, or securities, or gains from any business transaction, or gains, profits, or income from all sources whatever.

Items not included in gross income (sec. 213b).

The following items are not included in the gross income:

Life insurance paid to beneficiaries or to the estate of the insured.

Refund of premiums paid on life insurance.

Value of property acquired by gift, bequest, devise, or descent, but income derived therefrom is included in gross income.

Interest on securities issued by State, Territory, or municipalities or obligations of the United States, under certain restrictions, but a statement of such holdings must be made in the return.

Accident or health insurance or money received under workingmen's compensation acts.

Soldiers, sailors, and marines pay income taxes only upon that portion of the compensation received during the period of the war from the Government which is in excess of $3,500.

Deductions (sec. 214a).

Deductions (sec. 214): From the gross income ascertained as above stated there are subtracted the following deductions (sec. 214) arising during the year for which the taxes are paid:

Ordinary and necessary expenses incurred in carrying on the trade, profession, or business.

Interest paid or accrued.

Taxes paid or accrued, except on indebtedness incurred to purchase tax-free obligations other than bonds of the United States issued after September 24, 1917, except income, war-profit and excess-profits taxes levied by the United States, and taxes against local benefits.

Losses sustained and charged off, where not compensated for by insurance or otherwise, under certain limitations.

Debts ascertained to be worthless and charged off during the taxable year.

Allowances for amortization in the case of buildings, equipment, or machinery or other facilities constructed, erected, installed, or acquired on or after April 6, 1917, for the production of articles contributing to the prosecution of the war.

Allowances for losses sustained during the taxable year 1919 from falling inventories.

Reasonable allowance for exhaustion, wear, and tear.

Depletion in the case of oil or gas wells, or other natural deposits, or timber.

Contributions or gifts for religious, charitable, scientific, and educational purposes not in excess of 15 per cent of the net income.

Items not deductible (sec. 215).

No deduction shall be allowed for personal, living, or family expenses.

For new building or betterments increasing the value of the property.

For restoring property or making good the exhaustion for which allowance is or has been made.

Life insurance premiums in certain cases.

Credits (sec. 216).

Credits allowed in computing net income for the normal tax only (sec. 216).

Credits (sec. 216): There is further subtracted from the gross income the amount of the following credits (sec. 216):

Dividends received from corporations taxed before being distributed.

Interest on obligations of the United States as provided by law and bonds of the War Finance Corporation. See section 213 (4) and section 214 (a) (2).

One thousand dollars for each single person, $2,000 for each head of family or married persons living together, and $200 for each dependent child.

Dividends.

Amounts received by individuals as dividends from corporations which have paid corporation normal tax prior to distribution are not subject to the normal tax, but are subject to the surtax.

CHART I.

Net income (sec. 212).

Net income means the gross income as defined in section 213, less the deductions allowed by section 214.

This illustration is taken from the experience of John S. Brown, a thrifty and versatile merchant, doing business in a town of 20,000 people, interested in local business enterprises, buying and selling city and farm property, and lending money.

Gross income (sec. 213).

His gross income (sec. 213 (a)) consists of the following items:

Profits as a merchant	$60,000
Compensation as president of the local water company	3,000
Compensation as manager of the electric-light company	2,000
Profit on sale of city property	3,000
Profit on sale of farm	10,000
Rents from city property	1,000
Rents from farm property	2,000
Interest on money lent	3,000
Dividends from corporation securities	6,000
Total gross income	90,000

Deductions (sec. 214).

He is allowed the following deductions (sec. 214) from the gross income ascertained above:

Rent paid for store building	$5,000
Pay of employees	10,000
Numerous incidental items necessary for the conduct of the business	2,000
State, county, and local taxes for the year 1918	4,000
Loss from fire, less insurance	2,000
Debts ascertained to be worthless and charged off	2,000
Wear, tear, and depreciation	1,000
Gifts and contributions—Red Cross, $1,000; church, $600; Y. M. C. A., $400; college endowment, $5,000; other contributions, $1,000	8,000
Total deductions	34,000

Credits for normal tax only (sec. 216).

For the purposes of the normal tax only he is allowed the following credits (sec. 216) as a further reduction of the gross income:

Dividends received on corporation on which the tax was paid prior to distribution	$6,000
Interest on securities issued by public authority (none held).	
$2,000 as married man living with his wife and $200 each for 5 dependent children	3,000
Total credits allowed	9,000

CERTAIN ITEMS OF WHICH NO ACCOUNT IS TAKEN IN COMPUTING THE GROSS INCOME.

He received during the year the following sums which are not included in his gross income, and of which no account is taken in computing his gross income (sec. 213 (b)):

Life insurance carried by his father	$5,000
From bequest of his father	10,000
Refund of premiums on insurance	100
Interest on public or municipal securities (none held).	
From accident and health insurance	1,000

CERTAIN ITEMS FOR WHICH NO DEDUCTION IS ALLOWED.

He is not allowed to deduct these items (sec. 215):

Personal, living, and family expenses	$4,000
Improvements and betterments, adding to the value of the property	10,000
Repairs compensated for under the wear-and-tear allowance	1,000
Premiums on life insurance inuring to his benefit	1,000

CHART II.

THE NORMAL TAX TO BE PAID BY JOHN S. BROWN.

Normal tax: We are now ready to compute his normal tax:

Gross income		$90,000
Deductions allowed	$34,000	
Credits allowed	9,000	
Total items to be subtracted		43,000
Net amount subject to the normal tax		47,000
He will pay normal tax on—		
$4,000 at the rate of 6 per cent		240
$43,000 at the rate of 12 per cent		5,160
Total normal tax		5,400

THE SURTAX.

The first chart deals with the income taxes paid by individuals. This chart takes the supposed returns made for and the taxes paid by John S. Brown, a merchant in a town of 20,000 people, doing a general mercantile business, buying and selling real estate, city and country, owning a farm and some city property, and having some money at interest. As the income taxes are levied only on net incomes, the important factor, then, in any computation for any individual, it is essential to ascertain what his net income is. Mr. Brown has a gross income under section 213 (a) of the bill on his profits as merchant, of $60,000; as president of the local water company, $3,000; as manager of the local electric light company, $2,000; as a profit on a city property that he bought and sold, $3,000; as profit on farm property, $10,000; rent on city property, rent on farm property, interest on loans, dividends from corporation securities, making a total gross income of $90,000.

The deductions allowed under the bill are the rent on the store building, the pay of the employees, incidental expenses, city, county, and local taxes, loss from fire, insurance, debts, wear and tear in depreciation, gifts, and purchases, making a total of $34,000. The credits provided in the bill under section 216 and shown in Chart I apply only to normal taxes on the individual and not on the surtax of individuals. So the credits under this section are the dividends from corporations, which he must report in his gross income, but for which he is given credit in the credits, interest on public securities, of which he held none, and, being a married man, living with his wife, he is entitled to a $2,000 deduction, and, having five children, a further deduction of $200 for each child, making $3,000 in all, and a total credit of $9,000.

Having ascertained the factors necessary to determine what tax you will pay, we will compute the normal tax on Mr. Brown, paid on net income only. The gross income is $90,000. The deductions are $34,000, the credits are $9,000, making a total of $43,000 to be subtracted from the gross income. Deducting $43,000 from the $90,000 it leaves $47,000 subject to the normal tax. He will pay on the first $4,000 of this at the rate of 6 per cent, or $240; he will pay on the remainder of $43,000 at 12 per cent, or $5,160; or the total normal tax will be $5,400.

CHART III.

SURTAX TO BE PAID BY JOHN S. BROWN.

Surtax: The surtax is computed as follows:

Gross income		$90,000
Deductions	$34,000	
Credits (not allowed).		
Total of items to be subtracted		34,000
Net amount subject to surtax		56,000

Computation of tax.

On amounts between—	
$5,000 to $6,000, or $1,000 at 1 per cent	$10
$6,000 to $8,000, or $2,000 at 2 per cent	40
$8,000 to $10,000, or $2,000 at 3 per cent	60
$10,000 to $12,000, or $2,000 at 4 per cent	80
$12,000 to $14,000, or $2,000 at 5 per cent	100
$14,000 to $16,000, or $2,000 at 6 per cent	120
$16,000 to $18,000, or $2,000 at 7 per cent	140
$18,000 to $20,000, or $2,000 at 8 per cent	160
$20,000 to $22,000, or $2,000 at 9 per cent	180
$22,000 to $24,000, or $2,000 at 10 per cent	200
$24,000 to $26,000, or $2,000 at 11 per cent	220
$26,000 to $28,000, or $2,000 at 12 per cent	240
$28,000 to $30,000, or $2,000 at 13 per cent	260
$30,000 to $32,000, or $2,000 at 14 per cent	280
$32,000 to $34,000, or $2,000 at 15 per cent	300
$34,000 to $36,000, or $2,000 at 16 per cent	320
$36,000 to $38,000, or $2,000 at 17 per cent	340
$38,000 to $40,000, or $2,000 at 18 per cent	360
$40,000 to $42,000, or $2,000 at 19 per cent	380
$42,000 to $44,000, or $2,000 at 20 per cent	400
$44,000 to $46,000, or $2,000 at 21 per cent	420
$46,000 to $48,000, or $2,000 at 22 per cent	440
$48,000 to $50,000, or $2,000 at 23 per cent	460
$50,000 to $52,000, or $2,000 at 24 per cent	480
$52,000 to $54,000, or $2,000 at 25 per cent	500
$54,000 to $56,000, or $2,000 at 26 per cent	520
Total surtax	7,010

The surtax is computed on the same amounts, except that he is not allowed to deduct the credits. His gross income is $90,000; his total deduction is $34,000. He is not allowed credits provided in section 216. This leaves an amount of $56,000 upon which the surtax is to be calculated. The surtax begins at $5,000. He will really pay surtax on $51,000 only.

CHART IV.

TOTAL TAX TO BE PAID BY JOHN S. BROWN.

His total tax will be—

Normal tax	$5,400
Surtax	7,010
Total of taxes	12,410

CORPORATIONS.

The House bill provided that there should be three income taxes, and that each corporation should pay out of the three a normal tax, which all should pay, and then a war-profits tax or an excess-profits tax, according to which of the two latter taxes was the higher one on the particular corporation. The Senate has changed this arrangement, consolidating the war-profits tax and the excess-profits tax into one system.

Corporations pay two kinds of taxes. They pay on their net income only:

1. A normal tax (sec. 230), and
2. A war-profits and excess-profits tax (sec. 301a).

Gross income (sec. 233).

For the purpose of the normal tax, gross income is ascertained in the same manner as that for individuals (sec. 213), with the modifications provided in section 233 for three special cases.

From the gross income so ascertained there is then subtracted the deductions allowed in sections 234, 235, 236, and 238 to determine the net amount upon which the normal tax is to be paid.

The Treasury sheets will contain all the items in detail and with minuteness. It would complicate this explanation and

require a large number of pages even to enumerate all the possible items that are deductible arising out of the various trades, businesses and occupations. I have attempted only the general descriptions.

The items in the report of each corporation will depend upon its own business facts, but each computation will follow the lines in general of the illustrations given below.

For the purposes of these taxes the important factor is to ascertain the net income for the taxable year of 1918, and around the various methods for arriving thereat, for determining the average profits for the years 1911, 1912, and 1913, known as the prewar period, and the definition of invested capital the battle of conflicting opinions rages.

Deductions (sec. 234).

Deductions (sec. 234): The following deductions from the gross income are authorized which arise during the year for which the tax is to be paid:

All ordinary, usual, and necessary expenses paid or incurred in carrying on the business, trade, or occupation.

Interest.

Taxes (except indebtedness incurred to purchase tax-free obligations other than bonds of the United States issued after Sept. 24, 1917) paid or accrued, except income, war-profits or excess-profits taxes, or taxes assessed against local benefits; but the war-profits or excess-profits tax paid by a corporation is deducted from its net income before computing its normal tax.

Losses sustained and charged off and not covered by insurance or otherwise.

Debts ascertained to be worthless and charged off.

Dividends from other corporations which have paid tax thereon.

Allowances for exhaustion, wear and tear of property used in the trade or business.

Allowances for amortization in the case of machinery, buildings, equipment, or other facilities constructed, installed, or acquired on or after April 6, 1917, for the production of articles contributing to the prosecution of the war.

Depletion allowance for oil or gas wells or other natural deposits and timber.

Additions required by law to reserve funds in case of insurance companies, death losses, and annuity payments.

There are other provisions for insurance companies.

Allowances for losses sustained during the taxable year 1919 from falling inventories.

Credits.

Credits (sec. 236): The following credits are also allowed to be deducted from the gross income arising in the year for which the tax is to be paid:

Income from securities issued by public authority and included in the gross income under section 233.

War-profits and excess-profits taxes, for normal tax only.

Special exemption of $3,000 for war-profits and excess-profits tax.

Special exemption of $2,000 for normal corporation tax.

Certain credits for taxes paid to other countries. (Sec. 238.)

Items not deductible.

The same items as for individuals under section 215.

The war-profits and excess-profits tax (sec. 301a).

It will be necessary to compute these taxes before computing the normal tax, as the amount paid in such taxes is deducted from the net income before computing the normal tax.

The war-profits and excess-profits tax is computed for each corporation. (Secs. 301, 302, 303, 304, 305, 310, 311, and 312.)

This tax has a long name, written in reverse order, as in computing it the excess-profits brackets are computed first, so that it should be called an excess-profits and war-profits tax.

That part of this tax with the long name, which is based upon excess profits, has reference to profits in excess of a net return of 8 per cent on the invested capital for the taxable year, and in addition there is a special exemption of $3,000.

If the corporation earned less than $3,000 during the taxable year it is exempt from this tax. There are also other cases enumerated in section 304, in which exemptions may occur.

The excess-profits tax for the taxable year 1918 is computed in the first and second brackets of section 301a, with the deductions provided in section 312.

FIRST BRACKET.

First bracket: The rate of tax in this bracket is 30 per cent of the amount found to be taxable in it. If the net income for 1918 is 20 per cent or more than 20 per cent of the invested capital, the taxable amount is ascertained by finding 20 per cent of the invested capital and subtracting therefrom 8 per cent of the invested capital and also the special deduction of $3,000. (See Charts V, VI, VII, and others.)

If, however, the net income is less than 20 per cent of the invested capital, then the taxable amount is found by subtracting from the actual income in dollars 8 per cent of the invested capital and the special exemption of $3,000. (See Chart XVII.)

SECOND BRACKET.

Second bracket: No tax will be levied in this bracket unless the net income exceeds 20 per cent of the invested capital. If the net income does exceed 20 per cent of the invested capital, then the amount taxable in this bracket is found by subtracting from the actual net income 20 per cent of the invested capital, as that part of the income has been taxed in the first bracket. (See Charts V, VI, VII, and others.) The rate of the tax is 65 per cent on the amount found to be taxable in this bracket.

THIRD BRACKET.

The war-profits tax is computed in the third bracket. It is based upon a comparison of the net income for 1918 with the average net earning for the prewar years of 1911, 1912, and 1913. For a corporation to pay taxes in this bracket its net income for 1918 must considerably exceed its prewar earning—that is, the average earning for the prewar years. This tax is ascertained by subtracting from the net income for 1918 the average prewar earning and a special exemption of $3,000; and after finding what the amount of this difference is multiply this difference by 80 per cent. Then if the amount obtained by taking 80 per cent of the difference exceeds the combined taxes in the first and second brackets, the corporation will pay in the third bracket; that is, will pay the war-profits tax, and its amount will be found by subtracting the combined taxes of the first and second brackets from the 80 per cent found above. (See Charts V, VI, VII, and others.) But really if a corporation pays in the third bracket, the 80 per cent computed as above is the whole amount of the war-profits and excess-profits tax it will pay. (See Charts V, VI, VII, and others.)

Mr. GREEN of Iowa. Mr. Speaker, will the gentleman yield there?

Mr. HAWLEY. Yes.

Mr. GREEN of Iowa. Perhaps the gentleman will remember that this is the plan that I suggested very early in the consideration of the bill in the committee.

Mr. HAWLEY. Yes. Now, in order to make the method of computing the taxes clear, I have prepared a number of charts:

CHART V.

Corporation taxes.

Original invested capital	$250,000
Capital added in 1918	50,000
Total capital in 1918	300,000
Net income for 1918	150,000
Prewar average earning	50,000

It is necessary to have the above items ascertained in order to compute the taxes on corporations under section 301.

Excess-profits taxes (secs. 301 and 312).

First bracket, section 301 (a):		
20 per cent of $300,000		$60,000
Deductions, section 312—		
8 per cent of $300,000	$24,000	
Special exemption	3,000	
Total deductions		27,000
Amount taxable in first bracket		33,000
Tax in first bracket is 30 per cent of $33,000		$9,900

I have taken the case of a corporation whose original capital invested was $250,000. That is the amount of money it had invested in the business prior to the year 1918. In 1918 it found it necessary to add the sum of $50,000 to its capital, making its total capital $300,000 for the year 1918. It had a prewar average earning for the years 1911, 1912, and 1913 of $50,000 a year. Its net income for the year 1918 is $150,000. Under the law, we compute these taxes in the following manner: The first is the excess-profits tax. It is computed under sections 301 and 312. The war-profits and excess-profits tax is computed under three brackets—a first bracket, a second bracket, and a third bracket. In the first bracket you will find that the exemptions are to be 8 per cent of the invested capital for the year, plus a flat deduction of $3,000; and the difference between whatever sum that may amount to in any case, and 20 per cent on the invested capital, is the amount to be taxed in the first bracket. Now, under our specific instance 20 per cent of the invested capital is $60,000. Then subtract from that 8 per cent of the invested capital, or $24,000, plus $3,000 flat exemption, or $27,000, and there will be left $33,000 to be taxed in the first bracket. This is taxed at the rate of 30 per cent, and 30 per cent of $33,000 is $9,900. That is the tax in the first bracket.

Second bracket, section 301 (a):			
Net income		$150,000	
20 per cent of $300,000		60,000	
Amount taxable in second bracket		90,000	
Tax in second bracket is 65 per cent of $90,000			$58,500
Total of taxes in first and second brackets			68,400

In the second bracket the tax is computed in a different way. From the net income of $150,000 there is subtracted 20 per cent of the capital. This 20 per cent is the 20 per cent on which we have already reckoned the tax in the first bracket. Twenty per cent of the invested capital is $60,000. Subtracting that from $150,000 will leave an amount to be taxed in the second bracket of $90,000. The rate of tax in the second bracket is 65 per cent, and 65 per cent of $90,000 is $58,500. Now, adding the tax in the first bracket to the tax in the second bracket, we find the total tax of the first and second brackets, or the excess-profit tax, to be $68,400.

War-profits tax (secs. 301 and 311).

Third bracket, section 301 (a):			
Net income		$150,000	
Deductions—			
Specific exemption	$3,000		
Prewar average earning	50,000		
10 per cent of $50,000 added capital	5,000		
Total deductions		58,000	
Remainder		92,000	
80 per cent of $92,000		73,600	
Total tax in first and second brackets		68,400	
Difference, or tax in third bracket			$5,200
Total taxes under section 301 (a)			73,600

The third bracket is the war-profits tax. The Senate combined the excess-profits tax and the war-profits tax into one system. The first and second brackets are the excess-profits tax. The third bracket is the war-profits tax, and the taxes under this bracket are computed under sections 301 and 311.

This is done as follows: The net income is $150,000. The deductions under section 311 are the prewar earnings of $50,000, the special exemption of $3,000, and 10 per cent of the $50,000 capital added during the year, or $5,000, making a total deduction of $58,000, which, taken from $150,000, leaves $92,000.

The act provides that 80 per cent of the $92,000 should be ascertained, which is $73,600. From $73,600 there shall be subtracted the amount of the taxes in the first and second brackets, or $68,400, which would leave $5,200, the tax in the third bracket, and the total of the first, second, and third brackets will make a total tax paid by this corporation under the war-profits and excess-profits tax of $73,600.

Mr. STAFFORD. Will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. STAFFORD. That is not quite 50 per cent of the total income of the corporation.

Mr. HAWLEY. No; but that is not all the tax it pays.

Mr. BUTLER. They have to make it before they pay it.

Mr. HAWLEY. Yes. If the gentlemen will note, if the corporation must pay in the third bracket—and that will be determined by the rate of profit which is made during the year in comparison with the rate of profit in the prewar period—if it must pay in the third bracket, it is not necessary to compute the first and second brackets, because if we compute the third bracket and take 80 per cent of the amount left after the deductions are subtracted, we obtain the sum of $73,600, which is the amount we found due here as the total of the three brackets.

If the corporation's rate of earning was insufficient to put it into the third bracket, then the amount of tax will be ascertained by the computations in the first and second brackets.

Normal corporation tax (secs. 230 and 236).

The normal corporation tax is computed at the rate of 12 per cent on the difference between the net income for 1918 and the war-profits and excess-profits tax and a $2,000 special exemption. That is, from the net income subtract the war-profits and excess-profits taxes and $2,000 and take 12 per cent of the remainder. See any chart.

Net income		$150,000	
Deductions, section 236:			
Taxes under section 301 (a)	$73,600		
Specific exemption	2,000		
Total deductions		75,600	
Net taxable amount		74,400	
12 per cent of $74,400 is the normal tax, or			$8,928
Total of all taxes to be paid by this corporation			82,528

Or 55 per cent of its net income for the year.

Having ascertained what it must pay under section 301 of the bill, we now compute the corporation tax commonly referred to as the normal tax, as provided in sections 230 and 236.

It is computed in this way: The net income of $150,000 is taken, and from that is deducted, under section 236, the amount of taxes paid under section 301—$73,600—and then a special exemption of $2,000, making a total deduction of $75,600, which, taken from $150,000, leaves the net taxable amount $74,400. The corporation or normal tax is 12 per cent of this $74,400, so that the normal tax will be $8,928.

Add $8,928 to the amount ascertained in the three brackets of $73,600, making a total tax that this corporation will pay on this statement of facts of $82,528, or 55 per cent of the net income. [Applause.]

Mr. STAFFORD. Will the gentleman yield?

Mr. HAWLEY. I will.

Mr. STAFFORD. The deduction is that in all corporations where the net income paid is one-half of the capital invested, the percentage that they will pay under this bill is 55 per cent, and as the income is greater in proportion naturally the percentage increases?

Mr. HAWLEY. The gentleman must take into consideration what the prewar earning was, because that affects the computation in the third bracket.

Mr. FORDNEY. What percentage of original invested capital does it permit the taxpayer to have net—$45,000 on $250,000?

Mr. HAWLEY. He will have $67,472 left.

Mr. FORDNEY. About 18 per cent.

Mr. HAWLEY. Twenty-two per cent. He will have $67,472 left, after subtracting $82,528 from the net income.

Mr. FORDNEY. Twenty-two per cent; well, he could live on that until spring if he is economical.

Mr. STAFFORD. The chairman of the committee, in reply to an inquiry, stated the reason why the House conferees receded from the Senate provision leaving these excess-profit taxes of individuals in partnership was because the income tax almost equaled that provided for the corporation. Can the gentleman give the House what rate of tax would be on the individual and partnership doing business with like earnings?

Mr. HAWLEY. I will insert a chart at the conclusion showing the amount of taxes paid by an individual as compared with that paid by a corporation on the same statement of facts. I desire to revise a certain primer I formerly prepared and to include computations and explanations concerning all the income-tax features.

Mr. WINGO. Will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. WINGO. Is it true according to the gentleman's computation that the corporation, after paying the total tax, has still $17,000 more war profits than it had during the prewar year?

Mr. HAWLEY. After the tax is paid here, if my subtraction is correct, $67,472 is left.

Mr. WINGO. That gives him $67,500?

Mr. HAWLEY. Yes.

Mr. WINGO. And he made $50,000 in the prewar period?

Mr. HAWLEY. Yes.

Mr. WINGO. That would leave him still an excess profit of $17,000 more than he made before?

Mr. HAWLEY. Yes.

Mr. WINGO. Does the gentleman think he is hurt?

Mr. HAWLEY. I think he can afford to pay the taxes, especially under the circumstances. There is one other observation I wish to submit. This particular corporation, if it distributed one-half of its net income in dividends, under the provisions of the House bill before the Senate amendments were agreed to, would have paid $87,540, or about $5,000 more than they will pay under the conference report.

The SPEAKER pro tempore (Mr. RUBEY). The time of the gentleman from Oregon has expired.

Mr. FORDNEY. Mr. Speaker, I yield five minutes more to the gentleman.

Mr. HAWLEY. I understand that this change in the system of computing the taxes was due to a feeling in another body that to provide a war excess-profits tax and an excess-profits tax and for a corporation to pay whichever was the highest, was in the nature of double taxation, and a constitutional objection was met by combining the two systems into one system, with three brackets. By this continuous arrangement for the assessment, levying, and collection of taxes it was thought that the constitutional objection would be avoided. That was the principal reason leading to this rearrangement, as I understand.

Mr. HAYES. Mr. Speaker, will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. HAYES. Of course, the gentleman recognizes that this is a purely academic table. No corporation that he knows of probably makes any such showing as he has indicated. Am I not correct?

Mr. HAWLEY. I had submitted to me from a home corporation a statement of facts very much like this.

Mr. HAYES. I would like to buy some of their stock.

Mr. HAWLEY. I do not think it is for sale.

CHART VI.

A CORPORATION PAYING IN ALL THE BRACKETS, WHICH AFFORDS AN OPPORTUNITY FOR DETAILED EXPLANATIONS.

Invested capital for 1918		$100,000
Net income for 1918		35,000
Prewar earning		16,000
First bracket, excess profits (sec. 301a).		
20 per cent of $100,000		$20,000
Deductions (sec. 312):		
8 per cent of $100,000	$8,000	
Specific exemption	3,000	
Total deductions		11,000
Amount taxable		9,000
30 per cent of $9,000, or tax in first bracket		2,700
Second bracket, excess profits.		
Net income for 1918		$35,000
Deductions (20 per cent of $100,000)		20,000
Amount taxable		15,000
65 per cent of $15,000, or tax in second bracket		$9,750
Total tax in first and second brackets		12,450

In the second bracket the remainder of the net income for 1918 is taxed. The amount is ascertained by subtracting from the entire net income the amount taxed in the first bracket, which is an amount equal to a return of 20 per cent on the invested capital. The net income of $35,000, less $20,000, dealt with in the first bracket, leaves $15,000 to be taxed at 65 per cent, producing a tax of $9,750.

The total tax based upon net profits in excess of a return of 8 per cent on the invested capital, with an additional exemption of $3,000, is $2,700 in the first bracket and $9,750 in the second bracket, or $12,450 in all.

Third bracket, war profits.		
Net income for 1918		$35,000
Deductions (sec. 311a):		
Prewar earning	$16,000	
Specific exemption	3,000	
Total deductions		19,000
Taxable amount		16,000
80 per cent of $16,000 is		12,800
Deduct total of first and second brackets		12,450
Tax in third bracket		$350
Total war profits and excess-profits tax		12,800

The distinguishing feature in the third bracket is the use of the prewar earning in the computations. If any tax is paid in this bracket, it will be due to the fact that the net income for 1918 was greatly in excess of the prewar earning.

From the net income of $35,000 subtract the prewar earning of $16,000 and a special exemption of $3,000, or $19,000 in all, which will leave $16,000. Upon this $16,000 compute 80 per cent, producing an amount of $12,800. From $12,800 subtract the total tax in the first and second brackets, or $12,450, leaving $350, the tax in the third bracket.

In every case if a corporation pays in the third bracket, the computations in the first and second brackets are superfluous, so far as ascertaining the tax to be paid is concerned, and the tax to be paid under section 301 (a) will be the amount computed in the third bracket. The value of computing the taxes in the first and second brackets is to ascertain what amount of the taxes under section 301 (a) are due to an earning in excess of 8 per cent on the invested capital and what due to earning in excess of the prewar profits.

Normal corporation tax (sec. 230).		
Net income for 1918		$35,000
Deductions, section 236:		
Taxes computed above	$12,800	
Specific exemption	2,000	
Total deductions, c. c		14,800
Amount subject to normal tax		20,200
12 per cent of $20,200, or normal tax		$2,424

Every corporation must pay the normal corporation tax, unless its net income is in excess of $2,000 and the interest received on obligations of the United States or bonds issued by the War Finance Corporation and the excess-profits and war-profits taxes to be paid.

From the net income for 1918, or $35,000, deduct the taxes paid in the first, second, and third brackets, a total of $12,800, and also the specific exemption of $2,000, and there is a remainder of $20,200, which is the amount subject to the normal tax of 12 per cent. Twelve per cent on $20,200 produces a tax of $2,424.

Total of all taxes.	
Tax computed in first bracket	$2,700
Tax computed in second bracket	9,750
Tax computed in third bracket	350
Normal corporation tax	2,424
Grand total	15,224

CHART VII.

This is an illustration of the taxes a corporation will pay which before the war was making 30 per cent on its invested capital and during 1918, by reason of the great demand for its product and rapid turnover, made 150 per cent:

Invested capital in 1918		$100,000
Net income for 1918		150,000
Prewar earning		30,000
First bracket, excess profits.		
20 per cent on $100,000	$20,000	
Deductions, section 312:		
8 per cent on $100,000	$8,000	
Specific exemptions	3,000	
Total deductions	11,000	
Taxable amount	9,000	
30 per cent of $9,000, or tax in first bracket		2,700
Second bracket, excess profits.		
Net income	$150,000	
Less 20 per cent on $100,000, or	20,000	
	130,000	
65 per cent of $130,000, or tax in second bracket		84,500
Total tax in first and second brackets		87,200
Third bracket, war profits.		
Net income	$150,000	
Deductions:		
Prewar earning	$30,000	
Specific exemption	3,000	
	33,000	
	117,000	
80 per cent of $117,000 is $93,600.		
$93,600 less $87,200 is the tax in third bracket		6,400
Total taxes in the three brackets		93,600
Normal corporation tax.		
Net income	$150,000	
Deductions:		
Taxes paid above	$93,600	
Specific exemption	2,000	
	95,600	
Amount subject to normal tax	54,400	
12 per cent on $54,400, or the normal tax, is		6,528
Total of all taxes to be paid by this corporation in 1918		100,128

CHART VIII.

A CORPORATION WHOSE NET INCOME MATERIALLY INCREASED FOR THE YEAR 1918, AND PAYING IN ALL THREE BRACKETS.

Invested capital, 1918		$1,000,000
Net income, 1918		400,000
Prewar earning		150,000
First bracket, excess profits (sec. 301a).		
20 per cent of $1,000,000	$200,000	
Deductions (sec. 312):		
8 per cent of $1,000,000	$80,000	
Specific exemption	3,000	
Total deductions	83,000	
Amount taxed on first bracket	117,000	
30 per cent of $117,000, or tax in first bracket		$35,

Second bracket, excess profits.		
Net income	$400,000	
Less 20 per cent of $1,000,000, or	200,000	
Amount taxed in second bracket	200,000	
65 per cent of $200,000, or tax in second bracket		$130,000
Total of first and second brackets		165,100
Third bracket, war profits.		
Net income	$400,000	
Deductions (sec. 311a):		
Prewar earning	$150,000	
Specific exemption	3,000	
	153,000	
	247,000	
80 per cent of $247,000 is $197,600; $197,600 less (the total of the tax of first and second brackets), is tax in third bracket	$165,100	32,500
Total war profits and excess-profits taxes		197,600
Normal corporation tax (sec. 230).		
Net income	$400,000	
Deductions (sec. 236):		
Taxes as above	$197,600	
Specific exemption	2,000	
	199,600	
Amount subject to normal tax	200,400	
12 per cent of $200,400, or normal tax		24,048
Total of all income taxes paid by this corporation		221,648

CHART IX.

A LARGE CORPORATION MAKING LARGE PROFITS IN 1918.

Invested capital for 1918		$15,000,000
Net income for 1918		7,500,000
Prewar earning		2,250,000
First bracket, excess profits (sec. 301a).		
20 per cent of $15,000,000	$3,000,000	
Deductions (sec. 312):		
8 per cent of $15,000,000	$1,200,000	
Specific exemption	3,000	
Total deductions	1,203,000	
Amount taxable	1,797,000	
30 per cent of $1,797,000, or tax in first bracket		539,100
Second bracket, excess profits (sec. 301a).		
Net income for 1918	$7,500,000	
Deductions:		
20 per cent of $15,000,000	3,000,000	
Amount taxable	4,500,000	
65 per cent of $4,500,000, or tax in second bracket		2,925,000
Total tax in first and second brackets		3,464,100
Third bracket, war profits (sec. 301a).		
Net income for 1918	$7,500,000	
Deductions (sec. 311a):		
Prewar earning	$2,250,000	
Specific exemption	3,000	
Total deductions	2,253,000	
	5,247,000	
80 per cent of $5,247,000 is	4,197,600	
Deduct total of first and second brackets	3,464,100	
Tax in third bracket		$733,500
Total war-profits and excess-profits tax		4,197,600
Normal corporation tax.		
Net income for 1918	$7,500,000	
Deductions (sec. 236):		
Taxes computed above	$4,197,600	
Specific exemption	2,000	
Total deductions	4,199,600	
Amount subject to normal tax	3,300,400	
12 per cent of $3,300,400, or normal tax		396,048
Total of all taxes.		
Tax computed in first bracket		539,100
Tax computed in second bracket		2,925,000
Tax computed in third bracket		733,500
Normal corporation tax		396,048
Grand total		4,593,648

CHART X.

A SMALL CORPORATION WHOSE INCOME INCREASED FOR THE YEAR 1918.

Invested capital for 1918		$50,000
Net income for 1918		18,000
Prewar earning		10,000
First bracket, excess profits (sec. 301a).		
20 per cent of $50,000	$10,000	
Deductions (sec. 312):		
8 per cent of $50,000	$4,000	
Specific exemption	3,000	
Total deductions	7,000	
Amount taxable	3,000	
30 per cent of $3,000, or tax in first bracket		900

Second bracket, excess profits.		
Net income for 1918	$18,000	
Deductions: 20 per cent of $50,000	10,000	
Amount taxable	8,000	
65 per cent of $8,000, or tax in second bracket		$5,200
Total tax in first and second brackets		6,100
Third bracket, war profits.		
Net income for 1918	$18,000	
Deductions (sec. 311a):		
Prewar earning	$10,000	
Specific exemption	3,000	
Total deductions	13,000	
	5,000	
80 per cent of $5,000 is	4,000	
Deduction total of first and second brackets		0
Tax in third bracket		0
(Since $4,000 is less than $6,100 there will be no tax in the third bracket.)		
Total war profits and excess-profits tax		6,100
Normal corporation tax (sec. 230).		
Net income for 1918	$18,000	
Deductions (sec. 236):		
Taxes computed above	$6,100	
Specific exemption	2,000	
Total deductions	8,100	
Amount subject to normal tax	9,900	
12 per cent of $9,900, or normal tax		$1,188
Total of all taxes.		
Tax computed in first bracket		900
Tax computed in second bracket		5,200
Tax computed in third bracket		0
Normal corporation tax		1,188
Grand total		7,288

CHART XI.

A CORPORATION PAYING NO TAX IN THE FIRST BRACKET.

Invested capital for 1918		$25,000
Net income for 1918		5,000
Prewar earning		15,000
First bracket, excess profits (sec. 301a).		
20 per cent of $25,000	$5,000	
Deductions (sec. 312):		
8 per cent of $25,000	$2,000	
Specific exemption	3,000	
Total deductions	5,000	
Amount taxable		0
30 per cent of $0, or tax in first bracket		0
Second bracket, excess profits.		
Net income for 1918	$15,000	
Deductions: 20 per cent of $25,000	5,000	
Amount taxable	10,000	
65 per cent of $10,000, or tax in second bracket		6,500
Total tax in first and second brackets		6,500
Third bracket, war profits.		
Net income for 1918	$15,000	
Deductions (sec. 311a):		
Prewar earning	$5,000	
Specific exemptions	3,000	
Total deductions	8,000	
Remainder	7,000	
80 per cent of $7,000 is	5,600	
Deduct total of first and second brackets	6,500	
(Since $5,600 is less than $6,500 there will be no tax in the third bracket.)		
Tax in third bracket		0
Total war profits and excess profits tax		6,500
Normal corporation tax (sec. 230).		
Net income for 1918	$15,000	
Deductions (sec. 236):		
Taxes computed above	$6,500	
Specific exemption	2,000	
Total deductions	8,500	
Amount subject to normal tax	6,500	
12 per cent of $6,500, or normal tax		780
		7,280
Total of all taxes.		
Tax computed in first bracket		0
Tax computed in second bracket		$6,500
Tax computed in third bracket		0
Normal corporation tax		780
Grand total		7,280

CHART XII.

A CORPORATION WHICH PAYS NO TAXES IN THE FIRST, SECOND, OR THIRD BRACKETS.

Invested capital for 1918	$25,000
Net income for 1918	5,000
Prewar earning	3,000

First bracket, excess profits (sec. 301a).

20 per cent of $25,000		$5,000	
Deductions (sec. 312):			
8 per cent of $25,000	$2,000		
Specific exemption	3,000		
Total deductions		5,000	
Amount taxable		0	
30 per cent of $———, or tax in first bracket			0

Second bracket, excess profits.

Net income for 1918		$5,000	
Deductions: 20 per cent of $25,000		5,000	
Amount taxable		0	
65 per cent of $———, or tax in second bracket			0
Total tax in first and second brackets			0

Third bracket, war profits.

Net income for 1918		5,000	
Deductions (sec. 311a):			
Prewar earning	$3,000		
Specific exemption	3,000		
Total deductions		6,000	
Amount taxable		0	
80 per cent of $——— is		0	
Deduct total of first and second brackets		0	
Tax in third bracket			0
Total war-profits and excess-profits tax			0

Normal corporation tax.

Net income for 1918		$5,000	
Deductions (sec. 236):			
Taxes computed above	0		
Specific exemption	2,000		
Total deductions		2,000	
Amount subject to normal tax		3,000	
12 per cent of $3,000, or normal tax			$360

Total of all taxes.

Tax computed in first bracket	0
Tax computed in second bracket	0
Tax computed in third bracket	0
Normal corporation tax	360
Grand total	360

CHART XIII.

A SMALL CORPORATION WHOSE INCOME FOR 1918 AND THE PREWAR PERIOD ARE THE SAME.

Invested capital for 1918	$50,000
Net income for 1918	10,000
Prewar earning	10,000

First bracket, excess profits.

20 per cent of $50,000		$10,000	
Deductions (sec. 312):			
8 per cent of $50,000	$4,000		
Specific exemption	3,000		
Total deductions		7,000	
Amount taxable		3,000	
30 per cent of $3,000, or tax in first bracket			$900

Second bracket, excess profits.

Net income for 1918		$10,000	
Deductions: 20 per cent of $————		10,000	
Amount taxable		0	
65 per cent of $———, or tax in second bracket			0
Total tax in first and second brackets			900

NOTE.—Having a net income of only 20 per cent, there is no amount to be taxed in the second bracket, as only the amounts in excess of a 20 per cent net income on invested capital is taxed in the second bracket.

Third bracket, war profits.

Net income for 1918		$10,000	
Deductions (311a):			
Prewar earning	$10,000		
Specific exemption	2,000		
Total deductions		12,000	
80 per cent of $———— is			0
Deduct total of first and second brackets			900
Amount taxable			0
Tax in third bracket			0
Total war-profits and excess-profits tax			900

NOTE.—Since the deductions exceed the net income it is evident there will be no tax in this bracket.

Normal corporation tax.

Net income for 1918		$10,000	
Deductions (sec. 236):			
Taxes computed above	$900		
Specific exemption	2,000		
Total deductions		2,900	
Amount subject to normal tax		7,100	
12 per cent on $7,100 or normal tax			852

Total of all taxes.

Tax computed in first bracket	$900
Tax computed in second bracket	0
Tax computed in third bracket	0
Normal corporation tax	852
Grand total	1,752

CHART XIV.

A LARGER CORPORATION WHOSE PREWAR EARNING AND NET INCOME FOR 1918 WERE THE SAME AMOUNTS.

Invested capital for 1918	$100,000
Net income for 1918	30,000
Prewar earning	30,000

First bracket, excess profits (sec. 301a).

20 per cent of $100,000		$20,000	
Deductions (sec. 312):			
8 per cent of $100,000	$8,000		
Specific exemption	3,000		
Total deductions		11,000	
Amount taxable		9,000	
30 per cent of $9,000, or tax in first bracket			2,700

Second bracket, excess profits.

Net income for 1918		$30,000	
Deductions:			
20 per cent of $100,000		20,000	
Amount taxable		10,000	
65 per cent of $10,000, or tax in second bracket			$6,500
Total tax in first and second brackets			9,200

Third bracket, war profits.

Net income for 1918		$30,000	
Deductions (sec. 311a):			
Prewar earning	$30,000		
Specific exemption	3,000		
Total deductions		33,000	
Amount taxable		0	
80 per cent of $——— is		0	
Deduct total of first and second brackets		9,200	
Tax in third bracket		0	
Total war-profits and excess-profits tax			9,200

NOTE.—No tax in this bracket because the deductions of $33,000 exceed the $30,000 on which tax is to be computed.

Normal corporation tax (sec. 230).

Net income for 1918		$30,000	
Deductions (sec. 236):			
Taxes computed above	$9,200		
Specific exemption	2,000		
Total deductions		11,200	
Amount subject to normal tax		18,800	
12 per cent of $18,800, or normal tax			2,256

Total of all taxes.

Tax computed in first bracket	2,700
Tax computed in second bracket	6,500
Tax computed in third bracket	0
Normal corporation tax	2,256
Grand total	11,456

CHART XV.

A CORPORATION WHOSE NET INCOME FOR 1918 WAS LESS THAN ITS PREWAR EARNING.

Invested capital for 1918	$200,000
Net income for 1918	40,000
Prewar earning	50,000

First bracket, excess profits (sec. 301a).

20 per cent of $200,000		$40,000	
Deductions (sec. 312):			
8 per cent of $200,000	$16,000		
Specific exemption	3,000		
Total deductions		19,000	
Amount taxable		21,000	
30 per cent of $21,000, or tax in first bracket			6,300

Second bracket, excess profits.

Net income for 1918		$40,000	
Deductions: 20 per cent of $200,000		40,000	
Amount taxable		0	
65 per cent of $———, or tax in second bracket			0
Total tax in first and second brackets			6,300

Third bracket, war profits.

Net income for 1918		$40,000	
Deductions (sec 311a):			
Prewar earning	$50,000		
Specific exemption	2,000		
Total deductions		52,000	
80 per cent of $——— is		0	
Amount taxable		0	
Deduct total of first and second brackets		6,300	0
Tax in third bracket			0
Total war-profits and excess-profits tax			$6,300

Normal corporation tax (sec. 230).

Net income for 1918		$40,000	
Deductions (sec 236):			
Taxes computed above	$6,300		
Specific exemption	2,000		
Total deductions		8,300	
Amount subject to normal tax		31,700	
12 per cent of $31,700, or normal tax			$3,804

Total of all taxes.

Tax computed in first bracket	6,300
Tax computed in second bracket	0
Tax computed in third bracket	0
Normal corporation tax	3,804
Grand total	10,104

CHART XVI.

Invested capital, 1918	$150,000
Net income for 1918	42,000
Prewar earning	30,000

First bracket, excess profits (sec. 301a).

20 per cent of $150,000		$30,000	
Deductions (sec. 312):			
8 per cent of $150,000	$12,000		
Specific exemption	3,000		
Total deductions		15,000	
Amount taxed in first bracket		15,000	
30 per cent of $15,000, or tax in first bracket			4,500

Second bracket, excess profits.

Net income		$42,000	
Less 20 per cent of $150,000		30,000	
Amount taxed in second bracket		12,000	
65 per cent of $12,000, or tax in second bracket			7,800
Total tax in first and second brackets			12,300

Third bracket, war profits.

Net income		$42,000	
Deductions (sec. 311a):			
Prewar earning	$30,000		
Specific deduction	3,000		
Total deductions		33,000	
		9,000	
80 per cent of $9,000 or $7,200 is less than the total of the first and second brackets, and therefore there will be no tax in the third bracket			0

Normal corporation tax (sec. 230).

Net income		$42,000	
Deductions (sec. 236):			
Taxes as above	$12,300		
Specific exemption	2,000		
Total deductions		14,300	
Amount subject to normal tax		27,700	
12 per cent on $27,700			$3,324
Total of all income taxes to be paid by this corporation			15,624

CHART XVII.

A CORPORATION EARNING LESS THAN 20 PER CENT NET INCOME IN 1918.

Invested capital for 1918	$60,000
Net income for 1918	10,800
Prewar earning	9,000

First bracket.

Net income for 1918		$10,800	
Deductions:			
8 per cent of $60,000	$4,800		
Specific exemption	3,000		
Total deductions		7,800	
Amount taxable		3,000	
30 per cent of $3,000, or tax in first bracket			900

Second bracket.

Net income for 1918		$10,800	
Deductions: 20 per cent of $60,000		12,000	
Amount taxable		0	
65 per cent of $———, or tax in second bracket			0
Total tax in first and second brackets			900

NOTE.—Since the deductions exceed the $10,800 there will be no tax in this bracket.

Third bracket.

Net income for 1918		$10,800	
Deductions:			
Prewar earning	$9,000		
Specific exemption	3,000		
Total deductions		12,000	
80 per cent of $——— is		0	
Tax in third bracket		0	
Total war-profits and excess-profits tax			900

Normal corporation tax.

Net income for 1918		$10,800	
Deductions:			
Taxes computed above	$900		
Specific exemption	2,000		
Total deductions		2,900	
Amount subject to normal tax		7,900	
12 per cent of $7,900, or normal tax			$948

Total of all taxes.

Tax computed in first bracket	900
Tax computed in second bracket	0
Tax computed in third bracket	0
Normal corporation tax	948
Grand total	1,848

CHART XVIII.

A CORPORATION WHOSE SPECIFIC EXEMPTION OF $3,000 IS NOT EXHAUSTED IN THE FIRST BRACKET.

Invested capital for 1918	$15,000
Net income for 1918	4,500
Prewar earning	3,000

First bracket.

20 per cent of $15,000		$3,000	
Deductions:			
8 per cent of $15,000	$1,200		
Specific exemption	3,000		
Total deductions		4,200	
Amount taxable		0	
30 per cent of $———, or tax in first bracket			0

1. Since the deductions amount to $4,200, and this exceeds $3,000 by $1,200, this corporation has the right to deduct this $1,200 in the second bracket in addition to the usual 20 per cent on invested capital.

Second bracket.

Net income for 1918		$4,500	
Deductions:			
20 per cent of $15,000	$3,000		
Additional	1,200		
		4,200	
Amount taxable		300	
65 per cent of $300, or tax in second bracket			195
Total tax in first and second brackets			195

NOTE.—The "additional" $1,200 is the amount obtained in the first bracket in excess of the $3,000 to be taxed; this $1,200 is therefore deducted in the second bracket that the corporation may receive exemption for the full amount of $3,000 specific exemption.

Third bracket.

Net income for 1918		$4,500	
Deductions:			
Prewar earning	$3,000		
Specific exemption	3,000		
Total deductions		6,000	
80 per cent of $——— is			0
Tax in third bracket			0
Total war-profits and excess-profits tax			195

NOTE.—Since deductions exceed $4,500, there will be no tax in this bracket.

Normal corporation tax.

Net income for 1918		$4,500	
Deductions:			
Taxes computed above	$195		
Specific exemptions	2,000		
Total deductions		2,195	
Amount subject to normal tax		2,305	
12 per cent of $2,305, or normal tax			276.60

Total of all taxes.

Tax computed in first bracket	0
Tax computed in second bracket	195.00
Tax computed in third bracket	0
Normal corporation tax	276.60
Grand total	471.60

CHART XIX.

A CORPORATION WITH AN 8 PER CENT EARNING IN THE PREWAR PERIOD

Invested capital for 1918	$100,000
Net income for 1918	30,000
Prewar earning	8,000

First bracket, excess profits (sec. 301a).

20 per cent of $100,000		$20,000	
Deductions (sec. 312):			
8 per cent of $100,000	$8,000		
Specific exemption	3,000		
Total deductions		11,000	
Amount taxable		9,000	
30 per cent of $9,000, or tax in first bracket			2,700

Second bracket, excess profits.

Net income for 1918	$30,000	
Deductions: 20 per cent of $100,000	20,000	
Amount taxable	10,000	
65 per cent of $10,000, or tax in second bracket		$6,500
Total tax in first and second brackets		9,200

Third brackets, war profits.

Net income for 1918		$30,000	
Deductions (sec. 311b):			
10 per cent of invested capital, 1918	$10,000		
Specific exemption	3,000		
Total deductions		13,000	
		17,000	
80 per cent of $17,000		13,600	
Deduct total of first and second brackets		9,200	
Tax in third bracket			4,400
Total war profits and excess-profits tax			13,600

NOTE.—Since the prewar earning was only 8 per cent it is not used, but a 10 per cent deduction is allowed in the third bracket.

Normal corporation tax (sec. 230).

Net income for 1918		$30,000	
Deductions (sec. 236):			
Taxes computed above	$13,600		
Specific exemption	2,000		
Total deductions		15,600	
Amount subject to normal tax		14,400	
12 per cent of $14,400, or normal tax			1,728

Total of all taxes.

Tax computed in first bracket	2,700
Tax computed in second bracket	6,500
Tax computed in third bracket	4,400
Normal corporation tax	1,728
	15,328

A CORPORATION WITH NO NET INCOME IN THE PREWAR PERIOD.

The above method would be used in computing the tax on a corporation which had no net income during its prewar period.

A CORPORATION NOT IN EXISTENCE AT LEAST ONE WHOLE CALENDAR YEAR DURING THE PREWAR PERIOD.

A corporation not in existence during one whole calendar year will have in lieu of the deductions in section 311 a, those provided in section 311 c and d, which are:

I. A specific exemption of $3,000; and

II. A constructive prewar earning based upon the average experience of corporations in the same trade or business, similarly situated, but in no case to be less than 10 per cent on its invested capital taxable for 1918.

A CORPORATION HAVING A NET INCOME IN 1918 OF LESS THAN $3,000.

A corporation having a net income of less than $3,000 in 1918 will not pay the war-profits and excess-profits taxes.

CHART XX.

WHAT INCOME TAXES WOULD HAVE BEEN PAID HAD THE BUSINESS IN CHART IV BEEN MANAGED BY AN INDIVIDUAL INSTEAD OF A CORPORATION.

It is difficult to make a comparison of this kind as the deductions and exemptions for normal and surtaxes for individuals are different from those for corporations for the normal and war-profits and excess-profits tax. But supposing that an individual had an income of $150,000 upon which he pays both normal and surtax.

Normal tax (sec. 210a).

Net income		$150,000	
Deductions:			
Credit under section 216 A	$6,000		
Credit under section 216 C	2,000		
Total deductions		8,000	
Amount on which normal tax is computed			$142,000
$4,000, at 6 per cent		240	
$138,000, at 12 per cent		16,560	
Total income tax			16,800

Surtax (sec. 211).

Net income subject to surtax			150,000
On amounts between—			
$5,000 and $6,000, or $1,000 at 1 per cent			$10
6,000 and 8,000, or 2,000 at 2 per cent			40
8,000 and 10,000, or 2,000 at 3 per cent			60
10,000 and 12,000, or 2,000 at 4 per cent			80
12,000 and 14,000, or 2,000 at 5 per cent			100
14,000 and 16,000, or 2,000 at 6 per cent			120
16,000 and 18,000, or 2,000 at 7 per cent			140
18,000 and 20,000, or 2,000 at 8 per cent			160
20,000 and 22,000, or 2,000 at 9 per cent			180
22,000 and 24,000, or 2,000 at 10 per cent			200
24,000 and 26,000, or 2,000 at 11 per cent			220
26,000 and 28,000, or 2,000 at 12 per cent			240
28,000 and 30,000, or 2,000 at 13 per cent			260
30,000 and 32,000, or 2,000 at 14 per cent			280
32,000 and 34,000, or 2,000 at 15 per cent			300
On amounts between—Continued.			
$34,000 and $36,000, or $2,000 at 16 per cent			$320
36,000 and 38,000, or 2,000 at 17 per cent			340
38,000 and 40,000, or 2,000 at 18 per cent			360
40,000 and 42,000, or 2,000 at 19 per cent			380
42,000 and 44,000, or 2,000 at 20 per cent			400
44,000 and 46,000, or 2,000 at 21 per cent			420
46,000 and 48,000, or 2,000 at 22 per cent			440
48,000 and 50,000, or 2,000 at 23 per cent			460
50,000 and 52,000, or 2,000 at 24 per cent			480
52,000 and 54,000, or 2,000 at 25 per cent			500
54,000 and 56,000, or 2,000 at 26 per cent			520
56,000 and 58,000, or 2,000 at 27 per cent			540
58,000 and 60,000, or 2,000 at 28 per cent			560
60,000 and 62,000, or 2,000 at 29 per cent			580
62,000 and 64,000, or 2,000 at 30 per cent			600
64,000 and 66,000, or 2,000 at 31 per cent			620
66,000 and 68,000, or 2,000 at 32 per cent			640
68,000 and 70,000, or 2,000 at 33 per cent			660
70,000 and 72,000, or 2,000 at 34 per cent			680
72,000 and 74,000, or 2,000 at 35 per cent			700
74,000 and 76,000, or 2,000 at 36 per cent			720
76,000 and 78,000, or 2,000 at 37 per cent			740
78,000 and 80,000, or 2,000 at 38 per cent			760
80,000 and 82,000, or 2,000 at 39 per cent			780
82,000 and 84,000, or 2,000 at 40 per cent			800
84,000 and 86,000, or 2,000 at 41 per cent			820
86,000 and 88,000, or 2,000 at 42 per cent			840
88,000 and 90,000, or 2,000 at 43 per cent			860
90,000 and 92,000, or 2,000 at 44 per cent			880
92,000 and 94,000, or 2,000 at 45 per cent			900
94,000 and 96,000, or 2,000 at 46 per cent			920
96,000 and 98,000, or 2,000 at 47 per cent			940
98,000 and 100,000, or 2,000 at 48 per cent			960
100,000 and 150,000, or 50,000 at 52 per cent			26,000
Total surtax			$40,510
Normal tax			16,800
Surtax			49,510
Total tax			66,310

The corporation will pay $82,528.

Mr. FORDNEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HULL of Tennessee. Mr. Speaker, I make the same request.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. FORDNEY. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. EMERSON].

Mr. EMERSON. Mr. Speaker and gentlemen of the House, I am moved to speak at this time because of a provision in the bill which gives $60 pay to the soldiers. I am in favor of that and would vote for more. That is not all the soldier wants, however. The soldier wants first to be returned home, and, second, he wants to be returned to the position that he held before he entered the service of this country. Right here I want to second the compliment paid by the chairman of this committee to the private soldier. I know personally soldiers who are serving in France as privates who earned from $10,000 to $15,000 a year; from four to five and six times as much as the captains and colonels of the organizations in which they are serving. I know Pvt. Sam Rosenberg, who had a law business that paid him over $10,000 per year, who entered the service as a private. How are we going to do this? I have introduced to-day two bills. First, a bill to forever bar the alien who refused to enter the service of his country when he was drafted from becoming a citizen of the United States; second, to make the alien who volunteered or was drafted and did not claim his exemption a citizen upon presentation of his papers showing honorable discharge. I have introduced another bill to give a preference to the soldier, sailor, and marine, and even the citizen of this country, when it comes to employment. To think of an American soldier, sailor, or marine returning from France walking the streets of the cities of this country in idleness and seeing some alien slacker holding a profitable position is scandalous. What we ought to do in this country is to start an Americanization scheme. If we had been prepared socially, educationally, and in a military way we would never have had to enter this war with Germany, and the nearly 60,000 brave American boys who now sleep in France would be here. I believe in giving a preference to the soldier, the sailor, or the marine, and the citizen of this country, over any alien who comes here to infest this country with anarchy and Bolshevism and the I-won't-work stuff. I believe in giving employment to the soldier who does not belong to the I-won't-work class, and who not only belong to the I-will-work class but who belongs to the I-will-fight class. [Applause.]

In compliance with resolutions adopted at a meeting of soldiers and sailors in Cleveland, Ohio, I have introduced two bills—one to punish the alien slacker and the other to give preference to soldiers, sailors, marines, and citizens over aliens in the matter of employment, and especially over aliens who

refused to enter the military service of the United States during this world's war.

More important than a league of nations is the Americanization of this country.

Of all the persons who should go to the foot when it comes to employment the alien slacker is that person.

Every alien who was exempted from military service because of his alienage should never become a citizen of this country, and should never have employment as long as an American citizen is idle and physically and mentally able to fill such employment.

It should be made unlawful to hire an alien when an American can do the work.

It will mean more for the peace of this country if the United States would prepare itself industrially and educationally than the mere belonging to a league of nations to enforce peace.

Let us clean house at home first.

There are in this country millions of aliens who never intend to become citizens of this country, who have not the interests of the country at heart, who are here simply to get all they can out of the country and spread Bolshevism and I. W. W.ism while they are here. They should be curbed. No alien should be given employment by any firm or corporation while an American citizen walks the streets in idleness. Just think of an American soldier, sailor, or marine walking the streets after returning from the trenches and finding some alien slacker holding the position he held before he entered the service of his country. What an ungrateful country he must think this is.

Yes, and that same alien slacker enjoyed the peace and happiness and prosperity for which the soldier, sailor, or marine was willing to die.

The memory of a great past is the inspiration of a great present, and the country which honors its great men has the prospects of producing more in the future.

The gratitude of a free people in the United States will lead them to erect memorials to the gallant and heroic men who offered their lives that liberty might live. We have suggestions of the conventional shafts placed in cemeteries for the fallen, but for those who were saved to the Nation let the memorial of employment be first erected as a tribute to the returning soldier who offered his to-day for our to-morrow. No better or more fitting tribute can be tendered the brave boys for their future than supplying them with employment, not swamp lands, but jobs, the jobs they held before they went 3,000 miles from home to die if need be for their country. No alien wheresoever he may hail from should deprive the American soldier from American employment in America.

No true American can negative this assertion unless he is untrue to America, with unpatriotic motives detrimental to American progress. These slackers are simply human lice who crawl over the body politic and pester and annoy civilization and progress. We might as well give them to understand that America is no place for them. There is no country on the face of this earth that would give them as much liberty and opportunity as this country does, but in spite of that they come here and infest the country with disloyalty and anarchy. Is it fair? Is it proper? Is it just? Does it not on the contrary cause dissension and dissatisfaction and unrest among the people of this country? Does it promote patriotism? If we are to have an America of which we may feel proud let us clean out this nest of disloyal aliens, who would neither fight for this country nor their own.

They are citizens of no country—just wandering citizens of the world, with no object but to prey upon the citizens of other countries. The great European conflict is drawing to a close. Hundreds of thousands of American soldiers are returning for demobilization. They have been fighting for the preservation of our liberties, for the preservation of our industrial institutions, and it is now our paramount duty to see to it that every mill, factory, and workshop turns the wheels of industry with the aid of the boys who offered their lives to save industry from destruction.

Every firm, company, or corporation refusing or neglecting to employ a soldier, sailor, marine, or citizen of these United States to take the place of an alien slacker, or even an alien, should be industrially blacklisted and its name published to the country.

Can it be well said that those of this vast army who returned from military service should return to find alien slackers employed all over the country, and should be forced to live upon the charity of relatives and friends? These boys are not of the I-will-not-work crowd; they belong to the I-will-work crowd, as well as the I-will-fight crowd. It is our plain duty to do this by legislation. We have rightfully protected American industry from alien industry; now let us protect American labor from alien labor and the ungrateful alien slacker. American labor should be given the first opportunity in this country. American labor should hold every job in this country, and the alien should wait. I would only allow the alien to come here with the distinct understanding that he must establish himself here and prepare himself for citizenship or go back where he came from. If he can find any place where he is better treated, just let him go, and it will be good riddance of bad rubbish. We would soon get rid of bad aliens if we passed a law giving a preference to American labor. I would make it a crime punishable with a fine or imprisonment to employ an alien while there was an American citizen idle who could perform the work.

Returning soldiers do not want simply praise, they do not want a parcel of land out in the wilderness, they do not want merely a few months' extra pay. What the returning soldier wants is the job back he had before he entered the military or naval service of the United States. He wants his old employment; and this Government should give back to every returning soldier who worked for the Government before the war his old employment, no matter how it may inconvenience some one else; and we should make it mighty unpleasant for any firm or corporation who does not do this. We took these men from their wives, children, mothers, and friends and sent them 3,000 miles away, and we owe them something besides a vote of thanks. But think of the alien who was drafted and claimed his exemption because of his alienage. What do we owe him? We owe him nothing. What right has he to take a job away from an alien who was drafted and went and fought in the ranks? Is not there a vast difference? Perhaps if we looked out a little for the citizens of this country the alien might think a little more of us. If Germany had known we would have entered the war as vigorously as we did, we would never have had to go to war, and the lives of nearly 60,000 of our brave boys might have been saved. If we do this, perhaps the alien will appreciate what it means to live in a land of peace and opportunity, where all men are equal, where the humblest serf may come and be free and work out his own salvation, educate his children, and live in comfort, peace, and happiness.

I am for Americanizing America, for preparing America for any emergency. I believe in industrial preparedness, military preparedness, educational preparedness, social preparedness in every way, but above all by showing the alien that he can not come to this country and enjoy all its liberties and opportunities but share none of its responsibilities. Teach him respect for this country, for its Constitution and laws, and for its flag, and when we have done this we are prepared for any emergency. [Applause.]

Now, if we do not do something like that we are going to discourage the soldier, and, besides, we owe him everything. There are in this country thousands of people who have come here with no intention of becoming citizens of this country, who simply get all they can from the country. They never intend to be identified with the institutions of this country; and if there is anyone who should walk the street in idleness Mr. Alien Slacker is the man.

Mr. DEWALT. Will the gentleman permit an interruption?

Mr. EMERSON. Yes.

Mr. DEWALT. Granting that the gentleman may be able to enforce the provisions of his intended bills in regard to giving employment and in regard to employment in governmental work, how would the gentleman be able to enforce it in regard to private employment by private people or private corporations not engaged in any such work? Would it not be a violation of the constitutional provision in regard to contracts?

Mr. EMERSON. I appreciate the force of the gentleman's question. I considered it very seriously when I prepared this second bill.

Mr. DEWALT. What is the gentleman's answer?

Mr. EMERSON. My answer is this: If it is necessary, we will amend the Constitution. That is all there is to that. I place the welfare of my country above the rights of any corporation.

Mr. DEWALT. Oh, I see.

Mr. EMERSON. That is all there is about that; that is the way I feel about it.

Mr. DEWALT. That is very simple.

Mr. EMERSON. That is very simple; but that is what we ought to do and what we have got to do if we want to preserve the institutions of this country. And had we begun years ago to prepare this country in some way we would not have been in this war and 60,000 men would not lie sleeping in Flanders fields and over 200,000 more wounded and maimed. Had the Kaiser known we would have fought he never would have transgressed the rights of an American citizen.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. EMERSON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none.

Mr. FORDNEY. Mr. Speaker, I yield 10 minutes to the gentleman from Kentucky [Mr. LANGLEY].

Mr. LANGLEY. Mr. Speaker, in the few moments allotted to me I shall of course be unable to say very much, and I ask unanimous consent to revise and extend my remarks.

Mr. WALSH. Mr. Speaker, nobody can hear what the gentleman from Kentucky is asking.

The SPEAKER pro tempore. The gentleman from Kentucky asks unanimous consent to extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. LANGLEY. Mr. Speaker, I have made up my mind that I will not vote for this bill if it is put upon its final passage in its present shape, and I assume that that is what will occur. As a general rule I do not permit the speeches and arguments of a Democrat to have much influence over me. [Laughter.] But I do not mind confessing that my previous inclination against this bill was very much strengthened by the able speech of the distinguished gentleman from Texas [Mr. DIES] last Thursday. I have read a great deal of Republican literature and I have heard many good Republican speeches, but I do not think I ever heard a better 15-minute Republican speech, both politically and fundamentally, in my life than the one delivered by the gentleman from Texas, and I am sure that my colleagues on this side of the Chamber share with me the regret that he is not to remain in Congress, and I think his colleagues on the other side should also share in that regret. [Applause.]

Mr. Speaker, I want to say in the outset that I do not for a moment countenance the idea of our Government repudiating or failing to pay any of its just obligations, however burdensome they may be to our people. While those who are for the time being managing the affairs of our Government may have erred in entering into these obligations, the good faith of the Nation requires that they be met sooner or later. All that I am going to contend for is that in fulfilling these obligations due regard should be had for the financial and industrial conditions in the country so that an unbearable burden may not be placed upon the people now. [Applause.]

There are several provisions in this bill that I am in favor of. Of course, I am in favor of the bone-dry provision. [Applause.] That goes without saying. [Laughter and applause.] I am also in favor of the purpose of the child-labor provision, but I pause here to say that I do not think it is a wise policy, although it is frequently resorted to of late, to load up appropriation bills with legislative riders involving propositions entirely extraneous to the regular supply bills of the Government, and which ought to be considered separate and apart therefrom and upon their own merits. I am likewise in favor of the principle underlying the provision for a bonus to be paid to our soldiers, sailors, and marines, except that I believe, as I indicated earlier in the debate to-day, that $60 is a very small pittance to give them. [Applause.] Indeed, Mr. Speaker, I think it is little less than an insult to them to give them what really amounts to little more than a "tip" upon their discharge from a service in entering which and going through which they have made so many sacrifices, and many of them have suffered so much. I question also whether it is equitable and fair to give all of them the same amount, when some of them have served so much longer than others and have made much greater sacrifices than others, and especially in view of the fact that hundreds of thousands of them are still overseas and being held there, many of them under the most distressing conditions, although the war has in fact been over for nearly three months. I think some sliding scale would be better so as to compensate them in a measure in proportion to their service and sacrifice. Of course, it is not practicable to do this literally, but it can be done approximately, and I recently introduced a bill which follows that general plan.

The distinguished gentleman from Michigan [Mr. FORDNEY] called attention awhile ago to the fact that this $60 flat bonus would cost the Government a little over a quarter of a billion dollars, but what does that amount to in view of the service that our boys have rendered our country and the civilized world? As I stated when interrupting the gentleman, I think it would be a good idea to take about twice that amount out of the proposed appropriation for increasing the Navy, which is now pending, and give that to our soldier boys to help them along until they can resume their former vocations or secure remunerative employment elsewhere. If I had the time I could suggest other large items that it is proposed to appropriate in this Congress, for things that could be very well dispensed with or postponed, and utilize the money for purposes like this.

Mr. Speaker, while I favor the provisions to which I have referred, and while there are some other features in this bill that I would vote for as separate propositions, I do not propose to be forced to vote for this bill as a whole, with all of its objectionable features, simply because it contains some provisions that I am for. The people of my district are sensible and just, and they understand the situation. They know just as well as we do that the way this conference bill is brought up we can not get a separate vote on each item, but must vote for or against the bill as a whole. They know how I would vote on all these matters if under the rules of the House we could have a chance for a separate vote.

Mr. Speaker, I have voted under this Democratic administration for a number of huge tax bills and appropriation bills. For most of them I voted conscientiously; in some cases I voted for them almost in spite of my conscience, but in all cases my vote was based upon assurances from the highest sources that they were vital to the welfare of the country. But I have about reached the parting of the ways. I do not propose to vote for any more of these appropriation bills or tax bills blindly if I can help it. One of the reasons that I oppose this bill is that some of the money that will be collected under it, if it is enacted into law, will be expended in carrying out the unprecedented naval program that is proposed, and against which I shall also register my vote unless it is very materially amended. In previous Congresses I have always voted for the largest increase in our Navy that was proposed, but conditions were different then. Our Navy needed increasing then, and we were financially able to do it. Now we are paving the way to a permanent peace and do not need such a gigantic Navy, and now the people are already carrying an almost unbearable burden of taxation and are not able to meet the added expense.

Mr. LAZARO. Will the gentleman yield right there?

Mr. LANGLEY. Certainly.

Mr. LAZARO. The gentleman knows there is a provision in the bill that authorizes the President to stop the building program if we agree to such a thing as that.

Mr. LANGLEY. Oh, yes; but the trouble about the President is that sometimes he will not stop when he ought to when he once gets started. [Laughter.]

Mr. ASHBROOK. Is the gentleman in favor at this time of an omnibus public buildings bill?

Mr. LANGLEY. I certainly am. I am in favor of scattering the money around throughout the country instead of taking it in huge bulks and putting it where it is not absolutely necessary, and where it will not reach the public generally, but enrich the few at the expense and distress of the many. That is exactly the point I had in mind when the gentleman from Ohio interrupted me. That is why I am in favor of giving more to the soldiers. I believe in helping those who need help rather than those who can get along without it.

Mr. JOHNSON of Washington. How are we going to raise the money?

Mr. LANGLEY. That raises the point to which I am going to address myself in a minute. I may say now, in reply to the gentleman, that, so far as the naval program is concerned, I think it will make very little, if any, difference to the country, in view of present conditions, as to just how many years we take to complete the program already authorized, but it will make a great deal of difference to the people, in view of the stress under which they are now laboring, as to whether we try to raise hundreds of millions of the money now or string the completion of the program out for several years, and thus avoid increasing the burden now, which the people, in my judgment, can not stand at this time.

The suggestion has been made that this naval appropriation is needed for bluffing purposes. Gentlemen, this is too serious a matter to bluff about. To gamble legitimately with the people's money, hard pressed as they are now, is bad enough, but to bluff with it is monstrous. The gentleman from Texas was right. If we go ahead with these reckless expenditures we will commit a double crime—we will not only purloin the golden egg but kill the goose that laid it.

The gentleman from Washington raised a very pertinent and very important question, and it has also been raised by other gentlemen in the same connection. I do not claim to be an expert on this tax question. Indeed, I have tried several times without success to fill out one of the blanks, and I doubt very much whether there is a single Member of this House, the Ways and Means Committee included, who could fill out one of them without making some mistakes. But if I had my way about it, I will tell you what I would do. I would reenact the tax law of October, 1917, with such amendments as would prevent discriminations that have been cited in this debate, and particularly by the gentleman from North Carolina [Mr. KITCHIN], and strike out the balance of this pending bill, except the provisions to which I have referred with approval. Experts who have made a thorough study of the question say that this reenactment of the act of 1917 would, with the increased earnings of the current year, raise something over $4,000,000,000. That would save the people for the present from all of the added burdens of the pending bill, and if a little later on it should develop that the Government needs more money to meet its just and necessary obligations, we could then devise some way to raise it. We have shown since we entered this war that the American Congress can do that very quickly when there is need for it to be done. Let us give the people a little chance to save a few dollars instead of taking all they have made and thus destroy their initiative and enterprise. Let us consider the people's side of it a little. I tell you, gentlemen, they are not only astonished but they are stunned by the appalling propositions embodied in this bill, and the deepening shadows of despair are gathering over them. [Applause.] I for one am in favor of heeding their appeals instead of increasing their distress. I am talking now not about men with immense incomes, who will never feel it, but I have in mind the average man and the average family. They are the ones who are going to feel this burden the most. And, gentlemen, while I am on that subject, let me make this further observation: Even if I knew that the adoption of my suggestion for the amendment and reenactment of the 1917 tax law would not raise all the money that the Government needs now, I would still stick to the proposition. These vast expenditures are the result of a war in which we entered for the preservation of republican government and civilization, and for the protection of humanity in general. What we accomplished in this war will inure more to the benefit of future generations in America than to the present generation.

I do not think that the people of this day should do all the fighting and endure all the suffering and bear the bulk of the financial burden. We have issued a good many bonds already, it is true, and authorized the issuance of more, but before I would paralyze business and oppress the people, as this new tax bill will do, I would authorize the issuance of still more long-time bonds, and let the future generations pay the most of the expense, because they will get the most of the benefit.

Mr. BANKHEAD. Will the gentleman yield to me for a question?

Mr. LANGLEY. I would be delighted to yield to my old friend and schoolmate if I had the time.

Mr. Speaker, I see that my time is about up, and so I will have to let these few remarks go in the RECORD and avail myself of the privilege granted me to extend in the RECORD on this subject at a later date. Permit me to suggest, in conclusion, that there is still another remedy for the situation, which, in my judgment, is shortly to be applied by the people of the country themselves. Let the Republican Party take charge of the affairs of this country. [Applause.] Unless I greatly misinterpret the temper of the American people they are growing weary of so much theoretical, schoolmaster government. [Applause.] They are sick and tired of the way in which their money is being recklessly scattered around, like autumn leaves, by the billions. They are longing for a return of the good old days of Republican management [applause]; for more of the old-time religion of the fathers of the Republic; for more Americanism, and less chasing of the chimerical will-o'-the-wisp of world democracy; for the reestablishment of the old, time-honored doctrine of protection to American industries and American labor. [Applause.] And they are demanding, too, that their boys be permitted to return home, so that they may enjoy their due share of the era of happiness and prosperity that will come with Republican rule and Republican legislation. [Applause.] May the good Lord hasten the day. [Applause.]

The SPEAKER pro tempore. The question is on agreeing to the conference report.

Mr. HENRY T. RAINEY. Mr. Speaker, I yield 15 minutes to the gentleman from Mississippi [Mr. VENABLE].

Mr. VENABLE. Mr. Speaker and gentlemen of the House, I am placed in a very peculiar attitude by virtue of what I consider a vicious practice of appending to unrelated bills various matters of legislation that should be considered alone. In this bill as amended by the Senate we find a provision that if any factory in the country employs any child under 14 years of age, or between the ages of 14 and 15 employs children who shall be worked over eight hours a day, or before 6 o'clock in the morning or after 7 o'clock in the afternoon, that factory shall be taxed 10 per cent of its net profits. I believe that this provision is unconstitutional. I remember that when I became a Member of this House I, in company with you, before this desk, was called upon to hold up my right hand and ask the Deity to withdraw from me all of His blessings if I should fail to defend the Constitution against its enemies, both domestic and foreign. And I am placed in the situation where I must either vote down this conference report, which otherwise I would vote for, or foreswear myself; and in that situation there is only one thing that I can do, and that is to vote down the report and seek to have the obnoxious features stricken from it.

I know that it is said, upon the authority of the oleomargarine case, the phosphorus match cases, and others, that the courts of the country will never, a power being granted to exist, inquire as to the motive for the exercise of that power. But before this Congress the question is not what the Supreme Court will decide, but the question is whether, as a matter of fact, our intended vote is a violation of the Constitution, which we have sworn to defend. Of course, it is a rule, and a good rule—and I am not quarreling with the decisions in those cases—that the courts of the country will not, where the enactment of Congress is consistent with a due performance of duty, put a construction upon those acts making them inconsistent with duty; but where the act itself can be construed as being a performance of a just power of the Congress, the courts, through a just comity, will indulge the presumption that Congress acted from righteous motives, and will sustain the legislative enactment.

But it has never been held, and I trust never will be held, where an enactment of Congress is inherently violative of the fundamental law and destructive of our form of government that the courts of the land will not construe that enactment as violative of the fundamental law through any idea of comity or sensitiveness in dealing with a correlative branch of the Government.

But be the powers of the court as they may, this Congress can not delegate to the Supreme Court of the United States the keeping of its conscience. This Congress can not hold up its hands and swear to defend the Constitution of the country and then vote for a measure that it believes to be unconstitutional on the theory that perhaps the court will be more observant of its duty and its oath than the membership of this House.

Mr. BAER. Mr. Speaker, will the gentleman yield?

Mr. VENABLE. In a moment. The duty is personal, and the oath is personal; and I contend that this enactment under the guise of exercising the taxing power of the United States is simply another effort to exercise a power which the Federal Government has never had, which was sought to be exercised under the power of regulating commerce, and which has already been declared unconstitutional by the courts.

I do not care a baubee whether men believe in a written constitution or not, whether they say that this Government was wisely or unwisely founded. We have a written Constitution, and every man in taking his oath takes his oath that he will defend it and observe it.

Now, what is the act? The act specifically provides that—

> any mill, cannery, workshop, factory, or manufacturing establishment situated in the United States in which children under the age of 14 years have been employed or permitted to work, or children between the ages of 14 and 16 have been employed or permitted to work more than eight hours in any day or more than six days in any week, or after the hour of 7 o'clock post meridian, or before the hour of 6 o'clock ante meridian, during any portion of the taxable year, shall pay for each taxable year, in addition to all other taxes imposed by law, an excise tax equivalent to 10 per cent of the entire net profits received or accrued for such year from the sale or disposition of the product of such mine, quarry, mill, cannery, workshop, factory, or manufacturing establishment.

The States of the Union, when they formed the Union under the Constitution, as has been decided in a thousand decisions, never gave to the National Government the so-called police powers; the right to legislate on the safety, health, comfort, and morals of the citizen. The founders of this Government in their wisdom wrote it in the Constitution that as regards those laws which affect men in their health, their comfort, their safety, and their morals, they shall be governed and ruled, if you please, by men selected by them; by men who lived under the local conditions and understood them. Fearful of a concentration of all these powers under one government, where necessarily the only practical way was to govern them through bureaus and bureau chiefs, it has been decided a thousand times by the Supreme Court that the National Government has no police power. The Supreme Court has said that the commerce clause of the Constitution shall not be used as a guise to filch away from the States powers which were never granted by the States. When that effort failed under the taxing power it is sought to do the thing by indirection which was prohibited by direction.

But what is the provision? I contend that on its very face it shows it is unconstitutional; that on its face it is not an

exercise of the taxing power in good faith, but it is a subterfuge to exercise police powers that were never granted to the Federal Government.

Mr. LAZARO. Mr. Speaker, will the gentleman yield right there?

Mr. VENABLE. Yes, sir.

Mr. LAZARO. As I understand the gentleman, he is opposed to legislation by riders?

Mr. VENABLE. Yes; and I am opposed to the exercise of police powers by the Federal Government, because no such powers were ever granted to it.

Mr. LAZARO. What does the gentleman think of the "bone-dry" amendment attached to this measure over there in the Senate?

Mr. VENABLE. On the question of riders, I am opposed to riders on unrelated bills.

Mr. LAZARO. I know; but I am asking the gentleman what does he think about the "bone-dry" amendment attached to this bill as a rider?

Mr. VENABLE. Inherently I favor it on its merits, just as I favor a child-labor law on its merits. I am in favor of child-labor regulation.

Mr. GOODWIN of Arkansas. Mr. Speaker, will the gentleman yield?

Mr. VENABLE. Pardon me. I have a certain amount of ground that I wish to cover, and when I shall have covered it I shall be glad to yield if I have the time.

Now, what is this provision? It does not undertake to tax the products of child labor, but it taxes the act of employment of children. It says you may employ as many children as you please, unless you employ them under certain conditions. It taxes not only the profits earned by the labor of the children, but it taxes the profits earned by the labor of the adults also who are associated with the children in production. If it was an effort to levy a tax upon a product it would tax the product of the child labor. But it taxes not the product of child labor or the profits earned by child labor, but the profits earned by the entire establishment. It imposes the same tax whether the violation is great or small. It says to the man who operates a factory, "If you work a child 3 minutes before 6 o'clock in the morning I will tax you just as much as if you worked a thousand children." Would a revenue bill designed to get revenue adopt such provisions as that?

Mr. IGOE. Will the gentleman yield for a question?

Mr. VENABLE. Yes.

Mr. IGOE. On the fundamental question as to the constitutional right to enact this legislation, can the gentleman see any great fundamental difference between this and the cotton legislation that we passed sometime ago?

Mr. VENABLE. What was that?

Mr. IGOE. The regulation of cotton contracts for future delivery, grading of cotton, and so forth.

Mr. VENABLE. I do not know. I was not in Congress when you passed the cotton grading act.

Mr. WINGO. That proposed a specific tax.

Mr. VENABLE. Yes; and in every one of these cases heretofore you have taxed a specific article of a specific kind. You may have used certain descriptive matter, as in the oleomargarine act, where you said oleomargarine which had an artificial coloring in it should be taxed, but you have always taxed the specific article, and I understand this is the first time where you have undertaken to tax not an article but an act.

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. VENABLE. Yes.

Mr. GOODWIN of Arkansas. The gentleman said awhile ago, and said correctly, too, that the Supreme Court had decided, possibly a thousand times, that the States did not surrender their police powers to the Federal Government when the Federal Constitution was adopted.

Mr. VENABLE. That is true.

Mr. GOODWIN of Arkansas. That the States still hold such powers.

Mr. VENABLE. The powers not granted to the Federal Government are reserved to the States.

Mr. GOODWIN of Arkansas. Yes; and that such things as men's habits and the public health——

Mr. VENABLE. All the police powers are reserved to the States.

Mr. GOODWIN of Arkansas. But the gentleman's position on the submission of the national prohibition amendment——

Mr. VENABLE. That involves no question of constitutionality, because the very Constitution itself provides a method for its amendment. That was a case of amending the Constitution, not of violating it.

The people themselves in their Constitution inserted a provision that they could adopt any amendment, wise or otherwise, if the legislatures of a certain number of the States ratified it. They could say, "We declare as a fundamental constitutional truth that the moon is made of green cheese" if they wanted to do so. I am not talking about the wisdom of amending the Constitution. I am talking about its violation and the exercise by this Congress of powers that were never given to it.

Mr. EMERSON. Will the gentleman yield?

Mr. VENABLE. Yes.

The SPEAKER. The time of the gentleman has expired.

Mr. VENABLE. May I have five minutes more?

Mr. HENRY T. RAINEY. I yield five minutes.

Mr. VENABLE. I hope the gentleman from Ohio will pardon me. I have not time to yield. What is the practical effect of such legislation? If you enter upon the business of taking the police powers away from the States under the guise of taxation, there is nothing in the world that you can not regulate in that way. You can completely socialize the entire Government in a year. You can make a socialist State of this Government in a term of Congress. Every object good in itself would have its supporters. We can conceive that machinery should be guarded, and hence we could tax the products of all factories where the machinery was unguarded, imposing a tax of 100 per cent, and force the adoption of mechanical safeguards, and establishing at the same time a gigantic bureau to look after that, having the people ruled by men they never selected, not answerable to them but appointed by a man a thousand miles away. In the same manner we could regulate the working of women. Yea, more than that, we could fix a minimum wage scale, and say that unless the laborers in field and factory received a certain minimum wage, the product of their labor should be taxed at such a rate as practically to compel the payment of the minimum wage.

Mr. LAZARO and Mr. WALSH rose.

Mr. VENABLE. I hope gentlemen will pardon me. I have not time to yield. These objects may be good in themselves, but the people of the United States have said in their fundamental law that as far as these subject matters are concerned they propose to keep that part of the Government close to the people. The power to enact such laws is reserved to the people of the States, and has never been granted the Federal Government.

We propose to be ruled over—if you call it ruling—or served by men selected by us, by men answerable to us, by men who live in communities and know the conditions, by men who, if they do not do right, are under your observation, while this proposal is that you transfer all these reserved police powers to the Federal Government, that you regulate everything from Washington, with the result of the establishment of national bureaus, clothed with discretionary powers, in order to adopt regulations suitable to varying local conditions, with the result that from Washington will issue edicts of bureaucrats not elected by the people, not answerable to the people, but appointed by another authority, with all the inherent expense and tyranny that is naturally inherent in a bureaucratic government.

Mr. LAZARO. Will the gentleman yield?

Mr. VENABLE. Yes.

Mr. LAZARO. The gentleman stated that he was in favor of the Reed bone-dry amendment.

Mr. VENABLE. On its merits.

Mr. LAZARO. Does the gentleman think that was done in a constitutional way in the District of Columbia?

Mr. VENABLE. I think so; I think the trade in interstate commerce, as far as whisky is concerned, is sui generis. That is the principle of law decided by the Supreme Court of the United States. For years they have held that whisky is of such a character and nature that the ordinary property guaranties did not apply to it, and the power of legislation in it was practically plenary.

Mr. EMERSON. Will the gentleman yield?

Mr. VENABLE. Yes.

Mr. EMERSON. Why should we be held to the Constitution when the Supreme Court sometimes changes its mind?

Mr. VENABLE. Because you swore to do it.

Mr. EMERSON. And they also swore to do it.

Mr. VENABLE. They try to do it.

Mr. EMERSON. The Supreme Court sometimes changes its mind on a constitutional question and sometimes divides on a constitutional question.

Mr. VENABLE. The gentleman can vote as his conscience tells him to and let them take care of theirs.

Mr. EMERSON. That is what we do.

Mr. VENABLE. If you differ with me, well and good; but as I understand your position it is that because we have a Supreme Court to pass on constitutional questions that relieves us of the obligation of doing it individually.

Mr. EMERSON. A former Member of this House, elected to the next Congress, decided that the espionage act was unconstitutional and now he goes to jail.

Mr. VENABLE. That comes purely from the necessary operation of law. Having decided it wrongfully, he suffers the penalty. He has my sympathy, although I admire his honesty if he was honest. But a man can not come here, if there still remains in this Congress a belief in Deity, and invoke the Deity to withdraw from him all His blessings if he fails to defend and observe the Constitution as against all enemies and shift that personal responsibility because there happens to be a judicial tribunal before whom the question can be eventually brought. [Applause.]

Mr. HENRY T. RAINEY. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. GARD].

Mr. GARD. Mr. Speaker, when the résumé of this bill of private assessment shall have been finally determined, in my mind there will one thing be considered as establishing a great forward step by the American people, and that is the enactment in it of a proper child-labor law, because I believe implicitly as a permanent governmental principle that of which the gentleman from Mississippi [Mr. VENABLE] complains. The language in this amendment provides that a child of tender years shall not work in a mine or quarry, or shall not work in a public cannery or workshop or factory; and that is deterrent to one who deliberately assaults public life—because that is what it is, it is an assault on the public life—when he deliberately seeks to exploit the labor of children and to distort and ruin their lives.

I agree in general with what the gentleman from Mississippi said about legislation by riders, but this is a matter of proper legislation by rider. But very recently the Supreme Court of the United States passed upon a separate bill in the case of Hammer against Dagenhart, the case involving the application of child labor in so far as it prohibited the transportation in interstate commerce of goods made by child labor.

This separate measure which was construed by the Supreme Court was presented to this House, if I recall correctly, by the gentleman from Colorado [Mr. KEATING]. It was declared to be unconstitutional by the Supreme Court of the United States, so that now we face not a question of unconstitutionality, but we face, as the gentleman from Mississippi [Mr. VENABLE] says, the question of voting as our consciences demand. As we face the world, we are to vote now not on the question of what the Supreme Court will say, because the Congress has the right to enact this legislation, but we vote as our consciences dictate, and my conscience dictates that I vote for the salvation of American childhood. [Applause.]

There has never been a stronger statement made in a judicial decision than that made by Mr. Justice Holmes in his minority opinion in the case already cited, wherein he said that "the public policy of the United States is shaped with a view to the benefit of the Nation as a whole." There is an enunciation from the highest court of the land that the United States is a Union of States, and that the benefit of the Nation is for its benefit as a whole. In the same opinion he says:

> But if there is any matter upon which civilized countries have agreed, it is the evil of premature and excessive child labor.

The gentleman from Mississippi——

Mr. VENABLE. Mr. Speaker, I am sure the gentleman from Ohio does not want to convey the idea that I had one thing in mind when I had another. I referred to the conscience of a Member as to his conclusion on the constitutionality of this matter, and not to the merits of child labor. We all agree that it is an outrageous wrong to abuse the child in a factory, but it is simply a question of how the matter shall be regulated, and the power of Congress to do it. On the merits of the proposition the gentleman and I are in full accord.

Mr. GARD. Mr. Speaker, I am very glad that the gentleman is in full accord with me on the great subject of child labor, and I am sure that he must be in full accord with me upon that which is presented in this bill, because there is absolutely no question here but that the legislation which is being enacted in this revenue bill is entirely within the power of this legislative body to enact. When it is said, as it is in this provision, that the greatest evil to civilized countries is the evil of premature and excessive child labor, then I say that this form of legislation—proper as it is—is responsive to the demands of humanity, and builds through strong men and women of the future for the security of our great Republic.

The SPEAKER. The time of the gentleman from Ohio has expired.

By unanimous consent, Mr. GARD was given leave to extend his remarks in the RECORD.

Mr. HENRY T. RAINEY. Mr. Speaker, I yield 15 minutes to the gentleman from Mississippi [Mr. HUMPHREYS].

Mr. HUMPHREYS. Mr. Speaker, the gentleman from Ohio [Mr. GARD], although seeming to read from the opinion "of the highest court in the land," did not, as a matter of fact, read from the opinion of that court. He read from the dissenting opinion of a justice sitting upon the bench of the Supreme Court, which opinion the court, in the very case at bar, declared was not the opinion of the highest court in the land. It was the opinion of a very able lawyer, but it is not the opinion of the Supreme Court.

Mr. GOODWIN of Arkansas. Mr. Speaker, the gentleman means to say that that was a dissenting opinion by Mr. Justice Holmes?

Mr. HUMPHREYS. The dissenting opinion by Mr. Justice Holmes. A gentleman on the Democratic side of the House a few moments ago asked a question of my colleague who was addressing the House as to the "fundamental principle" in the cotton-exchange tax, which brings a thought to my mind. I believe it is in order under the rules still to refer to the Democratic platform. The Democratic Party has elected two men to the Presidency within the past sixty-odd years, and only two. Each of those men was elected on a platform which contained this declaration—and I took those declarations so seriously and quoted them so frequently that it is not necessary for me to refer to the text. I can quote them from memory, for I remember it very well. That declaration is that "it is a fundamental principle of the Democratic Party"—not a passing fancy, mark you, not a paramount issue, not "molasses to catch flies," but—

> It is a fundamental principle of the Democratic Party that the Federal Government has no constitutional power to levy taxes, except for the purpose of revenue only.

Upon that platform a few years ago we nominated Mr. Woodrow Wilson for President of the United States, and in accepting the nomination, speaking to this particular plank, he used this language:

> Our own clear conviction, as Democrats, is that in the last analysis the only safe and legitimate object of tariff duties, as of taxes of every other kind, is to raise revenue for the support of the Government.

Mr. COOPER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. HUMPHREYS. Well, I shall submit, although I do not think this is a matter in which the gentleman from Wisconsin is concerned. I was talking about a Democratic doctrine. [Laughter.]

Mr. COOPER of Wisconsin. I want just to ask one question; that is all.

The SPEAKER. Does the gentleman yield or not?

Mr. HUMPHREYS. I yield.

Mr. COOPER of Wisconsin. The gentleman says the only legitimate object of taxation is to raise revenue.

Mr. HUMPHREYS. That is what the gentleman who accepted the nomination for the Presidency on the Democratic ticket said.

Mr. COOPER of Wisconsin. The gentleman from Mississippi, of course, knows well that Congress voted a tax of 10 per cent on State bank issues ostensibly to raise revenue, but everybody knew it was for no such purpose.

Mr. HUMPHREYS. It was not——

Mr. COOPER of Wisconsin. But that it was to extinguish the issues of State banks, and that was held to be constitutional by the Supreme Court of the United States.

Mr. HUMPHREYS. It was not "a safe or legitimate object" of taxation. Congress has the constitutional power to levy taxes on the issues of State banks, on oleomargarine, or white phosphorus matches, of course, and if all the children engaged in labor in the United States were engaged in the manufacture of cravats Congress would have the power to levy a tax on the manufacture of cravats so high that it would destroy the business, but the Supreme Court has never gone beyond this and never will go beyond it, that in levying taxes the Federal Government can not go beyond the scope of Federal authority to seek its object of taxation. It never has said more than that. Oh, we all know the case of McCulloch against Maryland, quoted so often in this House, but I will refer to that once more. It is the fundamental case on taxation and the power to tax. The opinion was delivered by John Marshall, perhaps the greatest judge who ever presided over any court in all the history of the world, and in determining the power of taxation he said this:

> It may be objected to this definition that the power of taxation is not confined to the people and property of a State. It may be exercised upon every object brought within its jurisdiction. This is true. But to what source do we trace this right?

Now, listen to this:

It is obvious that it is an incident of sovereignty and is coextensive with that to which it is an incident. All subjects over which the sovereign power of a State extends are objects of taxation; but those over which it does not extend are, upon the soundest principles, exempt from taxation. This proposition may almost be pronounced self-evident.

Now, is this a subject over which the scope of Federal authority extends? We do not have to speculate on that. The Supreme Court a very short while ago, from the dissenting opinion in which case the gentleman from Ohio quoted, not from the opinion of the court, said this:

We have neither authority nor disposition to question the motives of Congress in enacting this legislation. The purposes intended must be attained consistently with constitutional limitations and not by an invasion of the powers of the States. This court has no more important function than that which devolves upon it the obligation to preserve inviolate the constitutional limitations upon the exercise of authority, Federal and State, to the end that each may continue to discharge, harmoniously with the other, the duties intrusted to it by the Constitution.

In our view the necessary effect of this act is, by means of a prohibition against the movement in interstate commerce of ordinary commercial commodities, to regulate the hours of labor of children in factories and mines within the States, a purely State authority. Thus the act in a twofold sense is repugnant to the Constitution. It not only transcends the authority delegated to Congress over commerce but also exerts a power as to a purely local matter to which the Federal authority does not extend.

Mr. KEATING. Will the gentleman yield there?

Mr. HUMPHREYS. I will.

Mr. KEATING. I understood the gentleman to say that that was from the dissenting opinion.

Mr. HUMPHREYS. The gentleman misunderstood me. The gentleman from Ohio [Mr. GARD] quoted from the dissenting opinion, but announced that it was the opinion of "the highest court in the land." I am reading from the opinion of the court.

Mr. KEATING. I misunderstood you.

Mr. HUMPHREYS. The court says what? That this is "purely a local matter to which the Federal authority does not extend," and the Supreme Court says if the Federal authority does not extend to it it is exempt from taxation. So says John Marshall in McCulloch against Maryland.

And then there is another old case with which we are all familiar—the case of Gibbons against Ogden. In this the court said:

Congress is not empowered to tax for those purposes which are within the exclusive province of the State.

This is not an open question any further. The court, in the very recent child-labor decision, says that the regulation of the hours of labor is in the exclusive province of the State, and that Congress has no power to legislate for that purpose. The subject matter is not within the scope of Federal sovereignty, and McCulloch against Maryland says Congress can not levy a tax upon it because all such objects are exempt from taxation.

"The purpose is in the exclusive province of the State, and therefore," says Gibbons against Ogden, "Congress is without power to tax it." Now, I do not regard President Wilson as a great lawyer. Of course, I would not set his opinion up with the opinion of John Marshall or with the opinion of the Supreme Court of the United States, and yet he is, as we all know, one of the foremost men of all the world, one of the world's great statesmen, and he was for many years a lecturer on constitutional law in one of the great universities of this country. I quote from a lecture which he habitually delivered and which was subsequently published in his book on constitutional government. I quote from his lecture on that subject.

Referring to that clause of the Constitution which confers upon Congress the right to regulate commerce among the several States, he says:

Its power is "to regulate commerce between the States," and the attempts now made during every session of Congress to carry the implications of that power beyond the utmost boundaries of reasonable and honest inference show that the only limits likely to be observed by politicians are those set by the good sense and conservative temper of the country.

The proposed Federal legislation with regard to the regulation of child labor affords a striking example. If the power to regulate commerce between the States can be stretched to include the regulation of labor in mills and factories, it can be made to embrace every particular of the industrial organization and action of the country. The only limitations Congress would observe, should the Supreme Court assent to such obviously absurd extravagancies of interpretation, would be the limitations of opinion and of circumstance.

That is what Woodrow Wilson said as a lecturer on constitutional law to his classes at Princeton.

Mr. LONDON. Will the gentleman yield?

Mr. HUMPHREYS. For a question.

Mr. LONDON. Does the gentleman mean to imply that President Wilson has not learned anything since he wrote that?

Mr. HUMPHREYS. Of course, I have no doubt he has learned a great deal. He has learned this—that the matter has gone to the Supreme Court of the United States and the issue squarely presented, and that the Supreme Court tracked, almost to the wording itself, the opinion he gave to his class and showed that as a lecturer upon constitutional law at Princeton his judgment in this particular matter was entirely accurate and warranted.

Mr. DENISON. Will the gentleman yield?

Mr. HUMPHREYS. I yield.

Mr. DENISON. I was going to ask my friend from Mississippi if the President, as a matter of fact, did not change his mind upon that question before the Supreme Court made a decision?

Mr. HUMPHREYS. He did; but the Supreme Court thought the opinion of the lecturer on constitutional government at Princeton was sounder than the opinion of the President of the United States subsequently expressed.

Mr. IGOE. I wanted to ask the gentleman if he can distinguish between the power of Congress to regulate through the taxing power the dealing in futures and this?

Mr. HUMPHREYS. Yes; I can. I voted against the tax to regulate cotton futures. I voted against the tax on the white-phosphorus matches. So "let the galled jade wince; our withers are unwrung." I have not consciously voted during my long service in this House to exercise the power of taxation except for the purpose of raising revenue.

Now, what purpose have we in doing this? Not to raise revenue. Nobody claims that; and, if the gentleman from Missouri will honor me with his attention, I will endeavor to differentiate this pending proposition from the bank-tax case, the oleomargarine tax, the cotton-exchange tax, and other similar cases. No divinity hedges about bank notes, oleomargarine, phosphorous matches, and so forth. They are all clearly proper subjects of taxation if the tax, in the opinion of Congress, will produce revenue wherewith to pay the debts and provide for the common defense and general welfare. They are all objects within the scope of Federal sovereignty, and therefore subjects for taxation, and the Supreme Court in passing upon the constitutionality of these laws refused to inquire into the legislative purpose. They refused to listen to the stories which were told them to the effect that Congress had really levied those taxes for the unconstitutional purpose of destroying the enterprise taxed.

These were all innocent-looking laws, every one of them preceded by the declaration—untrue, to be sure, but nevertheless there—"in order to provide revenue," and so forth, "Be it enacted," and so forth. The court refused to believe or to listen to any gossip dehors the record that Congress was cheating, and pointed in justification of their faith in a coordinate branch of the Government to the law itself, and there it was—O spirit of Talleyrand!—"In order to provide revenue," and so forth.

But we are growing in grace; we are becoming frank; we have thrown off dissimulation; we write now in the very face of the law itself: "Tax on employment of child labor."

Let me read it:

TITLE XII.—TAX ON EMPLOYMENT OF CHILD LABOR.

SEC. 1200. That every person (other than a bona fide boys' or girls' canning club recognized by the agricultural department of a State and of the United States) operating (a) any mine or quarry situated in the United States in which children under the age of 16 years have been employed or permitted to work during any portion of the taxable year; or (b) any mill, cannery, workshop, factory, or manufacturing establishment situated in the United States in which children under the age of 14 years have been employed or permitted to work, or children between the ages of 14 and 16 have been employed or permitted to work more than eight hours in any day or more than six days in any week, or after the hour of 7 o'clock post meridian, or before the hour of 6 o'clock ante meridian, during any portion of the taxable year, shall pay for each taxable year, in addition to all other taxes imposed by law, an excise tax equivalent to 10 per cent of the entire net profits received or accrued for such year from the sale or disposition of the product of such mine, quarry, mill, cannery, workshop, factory, or manufacturing establishment.

There it stands in all its nakedness, boldly refusing to hide its shame or its unlawful purpose. No less a personage than a member of the Cabinet only a few years ago in almost a passion of indignation declared on this floor that it was "a prostitution of the taxing power." Yet here it is to look the Supreme Court straight in the eyes, neither "honest nor legitimate," according to the President, yet impudently associating with all the other statutes of the realm and brazenly claiming the right of equality in the society of these other lawfully begotten children of our brain. When the court is told now of this unwarranted attempt by Congress to usurp the powers of the States they can not choose but hear!

Can Congress lay a tax on all marriage ceremonies which are performed by a Christian minister? Can Congress tax the products of the farm, the factory, or the mine in all States which do not grant suffrage to women or which prescribe a property or educational qualification for the voter? Can we tax all cotton where the farmer permits his hired hands to go to the field before 7 o'clock in the morning or remain after 5 in the afternoon? And if not, why not? The only reason which can be assigned against it is that these subjects are not within the scope of Federal power. The Supreme Court has in this very latest volume of its printed reports most solemnly and unequivocally declared that the employment of child labor is not within the scope of Federal sovereignty, and yet it is proposed to tax it. If this is constitutional, so would the other be. No wonder the court declared:

That if Congress can thus regulate matters entrusted to local authority * * * all the powers of the States over local matters may be eliminated, and thus our system of Government be practically destroyed.

Why should we at this particular time flagrantly violate the Constitution of the United States? What will it lead to?

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. HUMPHREYS. Can I have five minutes more?

Mr. HENRY T. RAINEY. I will yield the gentleman five minutes.

The SPEAKER. The gentleman is recognized for five minutes more.

Mr. HUMPHREYS. Where are you going? This is not the opinion of a debater in the heat of debate. This is the deliberate opinion of the Supreme Court. Where do you think we are going if you do this? I read from the child-labor decision:

The far-reaching result of upholding the act can not be more plainly indicated than by pointing out that if Congress can thus regulate matters intrusted to local authority by prohibition of the movement of commodities in interstate commerce all freedom of commerce will be at an end and the powers of the States over local matters may be eliminated, and thus our system of government be practically destroyed.

What is it that makes the heads of the chancelleries of all Europe rest uneasily on their pillows to-night? What is it that inspires with fear the liberty-loving peoples of the earth who believe in a government to protect life, liberty, and property? What is it that makes them look to the future now with anxiety? It is because on the horizon we see the ugly visage of bolshevism rising. To do what? To overturn orderly government in the world. How can we in this country—I ask you seriously—how can we in this country expect against this menace of bolshevism to maintain our system of government under the law and under the Constitution if we here now, in response to some imaginative clamor coming up from the people, do what the Supreme Court of the United States says we will do—take the last step toward the destruction of our system of government?

It does occur to me, Mr. Speaker, that in these times those of us who love orderly government ought to be clasping the Constitution to our hearts tighter than ever before, and in view of the storm that is threatening us to-day to cling to it as we would to the Rock of Ages. Under our Constitution this Government has grown, as no other country has grown, in physical power and in righteousness. We have sent our boys abroad to spread the beneficent light of our stars throughout the world, that those who love liberty and seek it may find a way. They have done well; and when they are returned I for one want to be able to look them squarely in the face and say to them, "My boys, I could not go with you to France and make the sacrifice on the battle field to preserve our system of government. I remained here in the place of high responsibility to which you appointed me. But while you fought and conquered and won peace over there, I also kept the faith." [Applause.]

The SPEAKER. The time of the gentleman from Mississippi has again expired.

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent to extend my remarks.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks. Is there objection?

There was no objection.

Mr. HENRY T. RAINEY rose.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman from Illinois yield?

Mr. HENRY T. RAINEY. Yes.

Mr. MOORE of Pennsylvania. Will there be any further speeches on the gentleman's side?

Mr. HENRY T. RAINEY. No.

Mr. MOORE of Pennsylvania. This will be the last?

Mr. HENRY T. RAINEY. Yes. I shall conclude the argument. I wish to be recognized for 15 minutes, Mr. Speaker.

The SPEAKER. The gentleman from Illinois is recognized for 15 minutes.

Mr. HENRY T. RAINEY. Mr. Speaker, in concluding the debate on this the greatest revenue bill in the history of nations, I desire at the outset to pay my tribute to the gentleman whose name it will bear.

Unswerving honesty, uninfluenced by fulsome flattery or by virulent criticism, ability of a high order, with energy and the hardest kind of work, have characterized the efforts of the gentleman from North Carolina [Mr. KITCHIN] [applause]; and I would be remiss in what I conceive to be my duty if I did not say of the gentleman from Michigan [Mr. FORDNEY], the ranking minority member on the committee, that absolute lack of partisanship, a high sense of duty, a devotion to high ideals, and patriotism of the highest order have characterized throughout these discussions the efforts of the gentleman from Michigan [applause], who, I presume, will soon be assigned by the present minority in this House, soon to become the majority, to a more important position than he even now occupies. [Applause.]

And I will say of the conferees on both sides, and of the members of the Ways and Means Committee, both Republicans and Democrats, that throughout the strenuous labors, extending over almost a year of time, which have characterized their efforts in the preparation of this bill and in its passage through this House, and in its final passage to-day, partisanship has been forgotten, and only patriotism and a high sense of duty have prevailed throughout. And I want to say of these two young gentlemen, who under the rules of this House are permitted to be here on the floor to-day, Mr. John E. Walker, clerk of the Committee on Ways and Means [applause], and Mr. Middleton Beaman [applause], the bill-drafting expert furnished to the Congress by Columbia University—and we pay none of his compensation—I want to say of them that at the present time they know more about the tariffs and the taxes imposed and to be imposed by this Congress, and more about the tariffs and the taxes imposed by other nations, than any other two men in all the world. [Applause.]

FUTURE TAXING BILLS.

In the brief time in which I shall address the House I want to discuss not so much this bill as future bills, because I anticipate that, during the life of the Congress so soon to commence, the same nonpartisan characteristics will prevail as have prevailed during this Congress in the preparation of taxing bills. We all of us know that there must be a revision of the tariff; we know it must come in the immediate future; and we know that when the readjustment of nations occurs tariff readjustments here will be necessary. Our own bill, drawn principally to meet German competition, is no longer tenable; and we know there must be other and different methods adopted for collecting internal revenue. The time has passed in the history of this country when taxes can be concealed, when people can be persuaded that they are not paying taxes, when taxes collected at our ports and excise taxes are sufficient to run this great Government. From now on through the future years, as long as any man now living lives, we must collect from systems of internal taxation alone every year three or four times as much as we collected from all sources under the old system which was possible and which prevailed prior to the great war.

THIS BILL WILL BE CRITICIZED.

The bill we are just sending out will meet with most violent criticism. It levies an enormous burden of taxation, and as the months pass we will begin to understand that it levies it in a manner to a very large degree illogical; but we have been compelled to build upon the foundations already existing in drafting these war measures. We have been compelled to develop the Civil War method of levying taxes. We have been compelled to study and to apply to our own conditions methods of levying taxes adopted in the warring nations; and in obedience to the clamor throughout the country we have been compelled to reduce this bill below the amount it carried when it left this House. We know now that at the conclusion of the present fiscal year we will have expended during the year for the purpose of carrying on this great Government the enormous sum of $19,000,000,000, and we know now that we will be able to get through this fiscal year with one more bond issue. I agree with the gentleman from North Carolina [Mr. KITCHIN] in his conclusion that next year—during the fiscal year ending June 30, 1920—it will be necessary for us to raise in some way at least $10,000,000,000. Whether we shall be required to raise and to expend more than that amount during the fiscal year ending in June, 1920, will depend upon how long this House and the Senate remain in session this summer.

If the House and Senate remain in session, even $10,000,000,000 will not pay the bill, because we are compelled to admit—some of us—that when it comes to expenditures of money and to demands on the Treasury of the United States, this House and the other branch also have almost failed to function.

MUST REVISE RULES.

First of all, we need a revision of the methods of procedure in this House, some kind of a budget committee with some powers assigned it, some rules which will prevent amendments from the floor for reasons purely sentimental which take out of the Treasury large sums of money and distribute them among

large numbers of people. We shall be compelled to meet this condition of affairs in the near future by revising the rules of this House. And I want to say to the Republicans that when they present a logical method of revising the rules, and the changed conditions make it necessary, they will find some of us on this side, including myself, supporting them most enthusiastically and to the very best of our ability. [Applause.]

THREE KINDS OF INTERNAL-REVENUE TAXES.

I would like to see, so far as I am concerned, just three kinds of internal-revenue taxes levied in this country. I would like to see taxes on individual incomes. I would like to see taxes on estates, and I would like to see excise taxes levied upon tobacco. That is all.

We must arrive at some system of levying taxes in this country of which the people can not complain that all are not being treated alike. An income tax answers that sort of condition. An income tax is fair; nobody can be heard to complain. It is graduated all the way up.

Is it not wrong from an economic standpoint to tax industry? Taxing an industry is like hanging weights on the wheels of some great, powerful, but easily disturbed machine. We can tax the incomes from industry after they reach individuals. These industries we are hampering with taxes do not belong to the men who operate them; they belong to the 100,000,000 people who live here in the United States. The men who operate and control them are only the trustees who have charge of them. It is an awful thing to injure industries with taxes.

The SPEAKER. The time of the gentleman from Illinois has expired, and all time has expired.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois have more time.

The SPEAKER. Is there objection?

There was no objection.

Mr. HENRY T. RAINEY. We preserve in this bill these three methods of levying taxes. The estate tax as the years pass will be apparently more and more necessary. We have at the present time in the United States I do not know how many millionaires developed by this war. When the war started we had 7,000, the next year we had 10,600, and the next year 17,085. If that ratio of progress, which of course has not been kept up since we commenced to levy taxes, if that ratio continued we would have 60,000 at the present time.

It is safe to say, without any expectation of successful contradiction, that at the present time we have in the United States 30,000 millionaires, 22,000 of whom have been created by this war. These increased estates must be taken care of in some way. We must distribute them by estate taxes upon the death of the persons who now control them. Some days ago I estimated that we have at the present time 25,000 millionaires in the United States. I have reason to believe that estimate was much too small.

It is an easy matter to distribute estates by this method of taxing them; I do not care whether it is done by the States or by the National Government. I know the States will not do it unless the National Government does do it. They have been trying, some of them, to levy taxes on inheritances or upon estates for over 100 years and have accomplished practically nothing in that direction. I would like to see at some time in the future a tax levied by the National Government upon estates, a high tax, graduated, highest upon the greatest estates providing for credits of the amounts levied by the various States. In that way we will be able to distribute large portions of those large estates at the death of the persons who control them. If we do not do it at their death, we will find mobs in this country insisting on doing it while they live. [Applause.]

OUR COMPLICATED TAXING SYSTEM.

The numerous pages of this great revenue bill contain hundreds of carefully drawn but technical and complicated paragraphs. In our efforts to conceal taxes and make it apparently easier to pay them, we have inserted paragraphs relating to amortization, depletion, deductions, normal taxes, flat rates, war profits, excess profits, estate taxes, excise taxes, special taxes, and other complicated and technical paragraphs on other subjects. Under the system I propose our methods can be simplified so that taxpayers will not be compelled to employ experts in order to make out their schedules.

HOW OUR SYSTEM BURDENS BUSINESS.

In this bill and in all the bills we have passed we impose burdensome taxes upon the transaction of business. We tax bonds, we tax also the original issues of capital stock, capital-stock sales, sales of produce on exchanges, drafts or checks payable not on demand, deeds of conveyance, powers of attorney, passage tickets to Canada and Mexico, proxies for voting at meetings of corporate stockholders, parcel-post packages. In fact, there does not seem to be any of the ordinary methods of transacting business which have escaped.

OUR ILLOGICAL METHODS OF LEVYING TAXES.

In this bill we levy a tax on women's hose which cost more than $2, while a silk dress may be bought by a millionaire's wife for $1,000 and escape taxes. We tax men's shirts which cost over $3, women's hats which cost more than $15, furs which cost more than $1, shoes which cost more than $10, men's and boys' caps which cost more than $2, umbrellas which cost more than $4—all upon the theory that they are luxuries. But if we tax these articles upon the theory that they are luxuries, upon what theory do we tax medicines, pills, and tablets when sold by or for a dealer? Are they luxuries? We tax tooth pastes, perfumes, toilet waters, and hair dyes. Do we do that upon the theory that they are luxuries? Why should we tax articles that are sold in a drug store and not tax articles that are sold in a grocery store? Upon what theory can we tax automobiles? Are they luxuries? They are considered necessities at the present time in the rural sections as well as in the cities.

We propose, however, to take all the so-called luxury taxes out of this bill as soon as it becomes a law by passing through the Congress a joint resolution—a long step in the direction of the system I am advocating.

A METHOD OF SIMPLIFYING TAXES.

I propose hereafter to advocate individual income taxes to the very best of my ability, an income-tax system which contemplates taking the taxes entirely off industrial organizations and off all the instruments used for the transaction of business, a system which will preserve intact the business of the country and which will reach the incomes of individuals only. There are easy methods by which we can compel corporations to distribute, when they do not properly distribute, earnings, and when the money reaches the bank accounts of individuals the Government can then reach out and take any amount of it that may be necessary, without interfering with business and without interfering with the wages of labor. As a matter of fact, the amount of taxes we will obtain in this bill from any other source than the sources I have mentioned is almost negligible. According to our estimates we will obtain during the next fiscal year from taxes on incomes, including individual and corporate incomes, $4,762,000,000. We will obtain from taxes on cigars and tobaccos $250,000,000, and from taxes on estates $115,000,000, making a total of $5,127,000,000. This leaves a balance of less than $1,000,000,000 which we obtain from the oppressive methods of burdening business and industry which I have been discussing.

A COMMODITIES SALES TAX.

A very small tax, indeed, on sales, to be paid either by the vendor or the vendee, would yield an immense sum of money. From a tax of this character we could exclude foods and medicines and tax every other transaction. There could be no complaint with reference to this tax that some persons were being unfairly discriminated against. It would not bear heavier upon one business than another business. A very light tax indeed, varying, of course, with the amount of the sales, could be levied which would produce a billion dollars. A tax of this character could be expanded indefinitely.

MORE SHOULD PAY TAXES.

In 1916 out of the 110,000,000 people living then within the boundaries of continental United States only 437,036 paid income taxes to the National Government. More than that will pay this year, but not many more. A citizen who does not contribute something, no matter how small, toward the support of the National Government does not develop that interest in the affairs of the Government which makes of him the best citizen. The income-tax exemptions ought to be lowered to a point where it is profitable to collect, and of course ought to be assessed and graduated with reference to the ability of the persons taxed to pay.

Whenever the amount collected is not materially larger than the amount expended in the collection of it, it is not advisable to collect. Our exemptions can be materially lowered, and we can obtain in that way in small amounts a tremendous revenue, and we can add some millions of taxpayers to the very small number who now pay taxes, and in that way we can increase the number of stockholders in this great Government of ours—who will be interested in its affairs and anxious for the success of our form of Government. At the present time we have less than 500,000 stockholders in the enterprise of carrying on this great Government.

OUR INCREASING NATIONAL EXPENDITURES.

It is going to take more money than ever to provide for the necessities of the National Government. If we supply a reasonable sinking fund with which to retire our bonded indebtedness, the tax for that purpose, together with the interest on our bonded indebtedness, will soon mean an annual expenditure of $1,000,000,000—nearly twice the amount of our entire national expenditures a few years ago—and there must be added to this very large amount all the expense of conducting this Government, including the expenses of our Army and Navy and any public improvements Congress may authorize.

For the next 25 years we can not expect a national annual expenditure much less than $4,000,000,000, and we may as well get ready for it with a logical taxing system. We can not expect much revenue at our ports. As compared with our tremendous national expenditures, the revenue we can get at our ports will be almost negligible. The system which appeals to me on account of its simplicity, and the system we ought to speedily develop, ought to include only individual taxes, excise taxes on tobaccos, estate taxes, and the amount we can get at our ports out of taxes levied for revenue only. Whenever we release business from the burdens we have been placing upon it and establish the very simple system which I have suggested, we can enter upon an era of prosperity unparalleled in the history of nations, and we will be able to retain the position in the sun which by right belongs to us through the centuries to come. [Applause.]

Mr. VENABLE. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. VENABLE. I rise to make a motion to recommit.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Motion to recommit by Mr. VENABLE: "I move to recommit the conference report to the committee of conference with instructions to the managers on the part of the House to disagree to Senate amendment No. 546, and that they further insist on the disagreement of the House thereto."

Mr. KITCHIN. On that, Mr. Speaker, and on the conference report I demand the previous question.

The previous question was ordered.

The question was taken; and on a division (demanded by Mr. HUMPHREYS) there were 15 ayes and 171 noes.

So the motion to recommit was lost.

The SPEAKER. The question now is on agreeing to the conference report.

Mr. KITCHIN and Mr. GARNER asked for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 312, nays 11, answered "present" 13, not voting 93, as follows:

YEAS—312.

Alexander	Copley	French	Johnson, Ky.
Anderson	Cramton	Fuller, Ill.	Johnson, Wash.
Anthony	Crisp	Gandy	Jones
Ashbrook	Crosser	Gard	Juul
Aswell	Currie, Mich.	Garland	Kearns
Austin	Curry, Cal.	Garner	Keating
Ayres	Dale	Garrett, Tenn.	Kehoe
Baer	Dallinger	Garrett, Tex.	Kelly, Pa.
Bankhead	Darrow	Glynn	Kennedy, Iowa
Barkley	Davis	Good	Kennedy, R. I.
Barnhart	Decker	Goodwin, Ark.	Kettner
Beakes	Dempsey	Gordon	Kiess, Pa.
Bell	Denison	Graham, Ill.	Kincheloe
Beshlin	Denton	Gray, Ala.	King
Black	Dewalt	Green, Iowa	Kinkaid
Bland, Va.	Dickinson	Greene, Mass.	Kitchin
Blanton	Dill	Greene, Vt.	Knutson
Bowers	Dillon	Gregg	Kraus
Brand	Dixon	Griffin	Lampert
Brodbeck	Dominick	Hadley	Larsen
Browne	Dooling	Hamilton, Mich.	Lazaro
Browning	Doolittle	Hamlin	Lea, Cal.
Burnett	Doughton	Hardy	Lee, Ga.
Burroughs	Dowell	Harrison, Miss.	Lehlbach
Butler	Dunn	Harrison, Va.	Lesher
Byrnes, S. C.	Dupré	Haskell	Lever
Byrns, Tenn.	Eagan	Hastings	Little
Caldwell	Eagle	Haugen	Lobeck
Campbell, Kans.	Edmonds	Hawley	Loudon
Campbell, Pa.	Elliott	Hayes	Lonergan
Candler, Miss.	Ellsworth	Heflin	Longworth
Cannon	Elston	Hensley	Lufkin
Cantrill	Esch	Hersey	Lunn
Caraway	Fairchild, B. L.	Hicks	McArthur
Carter, Mass.	Fairchild, G. W.	Holland	McClintic
Carter, Okla.	Fairfield	Hollingsworth	McCormick
Chandler, Okla.	Farr	Houston	McFadden
Clark, Pa.	Ferris	Howard	McKenzie
Classon	Fields	Huddleston	McKeown
Cleary	Fisher	Hull, Iowa	McLaughlin, Mich.
Collier	Flood	Hull, Tenn.	McLaughlin, Pa.
Connally, Tex.	Focht	Hutchinson	Madden
Connelly, Kans.	Fordney	Igoe	Magee
Cooper, Ohio	Foss	Ireland	Maher
Cooper, W. Va.	Foster	Jacoway	Mann
Cooper, Wis.	Freeman	James	Mansfield
Mapes	Purnell	Shouse	Tinkham
Martin	Quin	Siegel	Towner
Mason	Ragsdale	Sims	Treadway
Mays	Rainey, H. T.	Sinnott	Vare
Merritt	Rainey, J. W.	Slemp	Vestal
Miller, Wash.	Raker	Sloan	Vinson
Mondell	Ramseyer	Small	Voigt
Moon	Randall	Smith, Idaho	Volstead
Moore, Pa.	Rankin	Smith, Mich.	Walsh
Moores, Ind.	Reavis	Smith, C. B.	Walton
Morgan	Reed	Smith, T. F.	Wason
Morin	Riordan	Snell	Watkins
Mott	Roberts	Snook	Watson, Pa.
Mudd	Robinson	Stafford	Weaver
Nelson, A. P.	Rodenberg	Steagall	Webb
Nelson, J. M.	Rogers	Stedman	Welling
Nicholls, S. C.	Romjue	Steele	Welty
Nichols, Mich.	Rouse	Steenerson	Whaley
Oldfield	Rubey	Stephens, Nebr.	Wheeler
Oliver, Ala.	Rucker	Sterling	White, Me.
Oliver, N. Y.	Sabath	Stiness	Williams
Olney	Sanders, Ind.	Sullivan	Wilson, Ill.
Osborne	Sanders, La.	Sumners	Wilson, La.
O'Shaunessy	Sanders, N. Y.	Sweet	Wilson, Tex.
Overmyer	Sanford	Switzer	Wingo
Overstreet	Saunders, Va.	Taylor, Colo.	Winslow
Padgett	Schall	Temple	Wood, Ind.
Parker, N. J.	Scott, Iowa	Thomas	Woods, Iowa
Parker, N. Y.	Scott, Mich.	Thompson	Woodyard
Peters	Shackleford	Tillman	Wright
Phelan	Shallenberger	Tilson	Young, N. Dak.
Polk	Sherwood	Timberlake	Young, Tex.

NAYS—11.

Blackmon	Humphreys	Rayburn	Stephens, Miss.
Iiles	Langley	Sells	Venable
Dyer	Powers	Sisson	

ANSWERED "PRESENT"—13.

Buchanan	Gallagher	Miller, Minn.	Tague
Carlin	Gallivan	Neely	
Cary	Hayden	Pou	
Emerson	Kelley, Mich.	Ramsey	

NOT VOTING—93.

Almon	Drukker	Husted	Rowe
Bacharach	Essen	Johnson, S. Dak.	Rowland
Benson	Estopinal	Kahn	Russell
Birch	Evans	Key, Ohio	Scully
Bland, Ind.	Fess	Kreider	Sears
Booher	Flynn	La Follette	Sherley
Borland	Francis	LaGuardia	Slayden
Britten	Frear	Linthicum	Snyder
Brumbaugh	Fuller, Mass.	Littlepage	Stevenson
Carew	Gillett	Lundeen	Strong
Chandler, N. Y.	Godwin, N. C.	McAndrews	Swift
Church	Goodall	McCulloch	Taylor, Ark.
Clark, Fla.	Gould	McKinley	Templeton
Claypool	Graham, Pa.	McLemore	Van Dyke
Coady	Gray, N. J.	Montague	Waldow
Costello	Griest	Nolan	Walker
Cox	Hamill	Norton	Ward
Crago	Hamilton, N. Y.	Paige	Watson, Va.
Davey	Heaton	Park	White, Ohio
Delaney	Heintz	Platt	Wise
Dent	Helm	Porter	Zihlman
Donovan	Helvering	Pratt	
Doremus	Hilliard	Price	
Drane	Hood	Rose	

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. MONTAGUE (for) with Mr. LAGUARDIA (against).

Until further notice:

Mr. CAREW with Mr. GOODALL.

Mr. ESTOPINAL with Mr. EMERSON.

Mr. WHITE of Ohio with Mr. NORTON.

Mr. BRUMBAUGH with Mr. COSTELLO.

Mr. BENSON with Mr. BLAND of Indiana.

Mr. POU with Mr. BRITTEN.

Mr. BUCHANAN with Mr. BACHARACH.

Mr. BOOHER with Mr. NOLAN.

Mr. CLARK of Florida with Mr. CRAGO.

Mr. ALMON with Mr. FREAR.

Mr. COADY with Mr. FESS.

Mr. DELANEY with Mr. FULLER of Massachusetts.

Mr. DENT with Mr. KAHN.

Mr. DONOVAN with Mr. GRAHAM of Pennsylvania.

Mr. HAMILL with Mr. GRIEST.

Mr. HELM with Mr. HUSTED.

Mr. HELVERING with Mr. KREIDER.

Mr. LINTHICUM with Mr. MCCULLOCH.

Mr. LITTLEPAGE with Mr. PLATT.

Mr. MCANDREWS with Mr. PORTER.

Mr. SLAYDEN with Mr. MCKINLEY.

Mr. PARK with Mr. ROSE.

Mr. RUSSELL with Mr. STRONG.

Mr. SCULLY with Mr. WARD.

Mr. PRICE with Mr. SWIFT.

Mr. DOREMUS with Mr. ZIHLMAN.

Mr. SEARS with Mr. BIRCH.

Mr. ROGERS. Mr. Speaker, my colleague, Mr. PAIGE, has been called to Massachusetts and is unavoidably absent. He is in favor of the conference report and, if present, would vote "aye."

Mr. MILLER of Minnesota. Mr. Speaker, I desire to vote "aye."

The SPEAKER. Was the gentleman in the Hall listening?

Mr. MILLER of Minnesota. I was not in the Hall; I thought this was a call of the House.

The SPEAKER. It is not a call of the House.

Mr. MILLER of Minnesota. I was out of the Chamber when my name was called.

The SPEAKER. The gentleman can not vote except to answer "present."

The name of Mr. MILLER of Minnesota was called, and he answered "Present."

Mr. SNELL. Mr. Speaker, Messrs. GOULD, ROWE, and SNYDER were called away this afternoon on important business. If they were here, they would vote "aye" on this proposition.

Mr. KELLEY of Michigan. Mr. Speaker, I was not in the room at the time my name was called. If I had been here, I would have voted "aye."

The result of the vote was announced as above recorded.

On motion of Mr. KITCHIN, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

LEAVE OF ABSENCE.

Mr. ALMON, by unanimous consent, was granted leave of absence for to-day on account of illness.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 39 minutes p. m.) the House, under its previous order, adjourned to meet at 3 p. m. Sunday, February 9, 1919.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Attorney General submitting supplemental and deficiency estimates of appropriations required by the Department of Justice for the fiscal years 1920, 1919, 1918 (H. Doc. No. 1775); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury submitting an estimate of appropriation to enable the Secretary of the Treasury to provide water supply for Cape Charles Quarantine Station (H. Doc. No. 1776); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication from the president of the Civil Service Commission submitting a supplemental estimate of appropriation required by the commission for additional cost of envelopes for the fiscal year 1919 (H. Doc. No. 1777); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior submitting a supplemental estimate of appropriation for the completion of the Alaska Railroad (H. Doc. No. 1778); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. CARAWAY, from the Committee on the Judiciary, to which was referred the bill (S. 2654) providing for the appointment of two additional district judges in the northern district of the State of Illinois, reported the same without amendment, accompanied by a report (No. 1046), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SLAYDEN, from the Committee on the Library, to which was referred the joint resolution (S. J. Res. 195) providing for the filling of a proximate vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress, reported the same without amendment, accompanied by a report (No. 1044), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. RAKER, from the Committee on the Public Lands, to which was referred the bill (H. R. 13630) for the relief of the estate of Christian Hoffman, reported the same with amendment, accompanied by a report (No. 1043), which said bill and report were referred to the Private Calendar.

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (H. R. 12753) for the relief of Eugene F. Sanguinette, reported the same without amendment, accompanied by a report (No. 1045), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 12790) for the relief of the heirs of R. F. Graves, jr., and the same was referred to the Committee on War Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DOUGHTON: A bill (H. R. 15782) providing for the erection of a public building at Lenoir, N. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15783) providing for the purchase of a site and erection thereon of a public building at Albemarle, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. EMERSON: A bill (H. R. 15784) to determine the qualifications for citizenship of alien slackers exempted from, and aliens who served in, the military or naval service of the United States under the selective-service act of May 18, 1917; to the Committee on Immigration and Naturalization.

By Mr. FULLER of Illinois: A bill (H. R. 15785) authorizing the Secretary of War to donate to the village of Somonauk, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. EMERSON: A bill (H. R. 15786) to give preference to soldiers, sailors, marines, and citizens for employment within the United States of America; to the Committee on the Judiciary.

By Mr. KELLY of Pennsylvania: A bill (H. R. 15787) providing for a United States civil-service board of adjustments to constitute a court of appeals for employees in the classified civil service of the United States; to the Committee on Reform in the Civil Service.

By Mr. HAMILTON of New York: A bill (H. R. 15788) to provide for the purchase of a site for a public building in the village of Wellsville, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. JOHN W. RAINEY: A bill (H. R. 15789) to amend an act entitled, "An act to regulate and improve the civil service of the United States," approved January 16, 1883; to the Committee on Reform in the Civil Service.

By Mr. RAMSEY: A bill (H. R. 15790) authorizing the Secretary of War to donate to the town of Belvidere, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15791) authorizing the Secretary of War to donate to the borough of Washington, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BACHARACH: A bill (H. R. 15792) authorizing the Secretary of War to donate to the city of Maple Shade, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HICKS: A bill (H. R. 15793) authorizing the Secretary of War to donate to the village of Westbury, in the State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SINNOTT: A bill (H. R. 15794) to add certain lands to the Ochoco National Forest, Oreg.; to the Committee on the Public Lands.

By Mr. REED: A bill (H. R. 15795) authorizing the Secretary of the Treasury in his discretion to sell the present public building and site in the city of Clarksburg, W. Va., and purchase a new site and erect thereon a new public building in said city; to the Committee on Public Buildings and Grounds.

By Mr. LEVER: A bill (H. R. 15796) to enable the President to carry out the price guaranty made to producers of wheat of the crops of 1918 and 1919 and to protect the United States against undue enhancement of its liabilities thereunder; to the Committee on Agriculture.

By Mr. BURNETT: A bill (H. R. 15797) for the purchase of a site and the erection of a public building at Fort Payne, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. MARTIN: A bill (H. R. 15798) to provide for the erection of a public building at Morgan City, La.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15799) to provide for the erection of a public building at Houma, La.; to the Committee on Public Buildings and Grounds.

By Mr. KETTNER: A bill (H. R. 15800) authorizing the Secretary of War to donate to the town of Upland, Cal., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GOULD: A bill (H. R. 15801) to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, and amended October 6, 1917, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SLOAN: A bill (H. R. 15802) to repeal the daylight-saving law; to the Committee on Interstate and foreign Commerce.

Also, a bill (H. R. 15803) to loan certain cannon to Diller, Friend, Milford, and York, Nebr.; to the Committee on Military Affairs.

By Mr. STEENERSON: A bill (H. R. 15804) authorizing the Secretary of War to donate to the village of Donaldson, Kittson County, in the State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BANKHEAD: A bill (H. R. 15811) providing for a site and public building for post office and other Federal purposes at Russellville, Ala.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15812) to provide for the purchase of a site and the erection of a building thereon at Fayette, in the State of Alabama; to the Committee on Public Buildings and Grounds.

By Mr. KEHOE: A bill (H. R. 15813) for the erection of a public pos-office building at De Funiak Springs, Fla.; to the Committee on Public Buildings and Grounds.

By Mr. CARAWAY: A bill (H. R. 15814) granting the consent of Congress to road district No. 1, Lee County, Ark., to construct a bridge across the St. Francis River at or near the present location of the Missouri Pacific Railroad Co.'s bridge; to the Committee on Interstate and Foreign Commerce.

By Mr. BURNETT: Resolution (H. Res. 558) providing additional compensation to W. H. Miller, janitor and messenger to the Official Reporters of Debates; to the Committee on Accounts.

By Mr. GOULD: Resolution (H. Res. 559) calling upon the President for information regarding the $50,000,000 appropriation for national security and defense; to the Committee on Appropriations.

Also, resolution (H. Res. 560) calling upon the President of the United States for certain facts as to the building and operation program of wooden ships; to the Committee on the Merchant Marine and Fisheries.

Also, resolution (H. Res. 561) calling upon the President for certain information regarding food price fixing; to the Committee on Agriculture.

Also, resolution (H. Res. 562) calling upon the President for certain information in accordance with section 12 of the shipping act approved September 7, 1916; to the Committee on the Merchant Marine and Fisheries.

By Mr. SABATH: Joint resolution (H. J. Res. 408) establishing diplomatic relations with Czechoslovakia and Poland; to the Committee on Foreign Affairs.

By Mr. HAWLEY: Memorial from the Legislature of the State of Oregon, favoring six months' pay for discharged soldiers, sailors, and marines; to the Committee on Military Affairs.

By Mr. CAREW: Memorial from the Legislature of the State of New York, urging Congress to enact laws guaranteeing soldiers, sailors, and marines pay for some sufficient time after their discharge; to the Committee on Military Affairs.

By Mr. ADOLPHUS P. NELSON: Memorial from the Legislature of the State of Wisconsin, memorializing the Congress of the United States to cooperate with the Dominion of Canada in the enlarged canalization of the St. Lawrence River for the passage of ocean-going vessels into the Great Lakes; to the Committee on Rivers and Harbors.

Also, memorial from the Legislature of the State of Wisconsin, relating to the tobacco industry and requesting the Federal Trade Commission to report on such industry; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. KEATING: A bill (H. R. 15805) granting an increase of pension to Andrew A. Ebert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15806) granting an increase of pension to David M. Gray; to the Committee on Pensions.

Also, a bill (H. R. 15807) granting a pension to William H. Harris; to the Committee on Pensions.

By Mr. LUNN: A bill (H. R. 15808) for the relief of Patrick J. Purcell; to the Committee on Claims.

By Mr. SLOAN: A bill (H. R. 15809) granting an increase of pension to Jerome B. Brooks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15810) granting an increase of pension to John W. Grewell; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BURROUGHS: Petition of 45 residents of Newton, N. H., for the repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of 35 residents of Derry, N. H., for the repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of 108 residents of the State of New Hampshire, for the repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of 132 residents of Keene, N. H., for the repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of 70 residents of the State of New Hampshire, for the repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, concurrent resolution passed by both branches of the New Hampshire Legislature, that the Congress of the United States make immediate appropriations whereby adequate measures of suppression of an insect pest known as the European borer may be undertaken without delay by the proper Federal authorities; to the Committee on Agriculture.

By Mr. CAREW: Petition of mass meeting of Friends of Irish Freedom at Our Lady of Good Counsel Hall, New York, expressing sympathy with Irish people and urging the Government of the United States to aid Ireland at the peace conference; to the Committee on Foreign Affairs.

Also, petition of Roger Casement Branch, Friends of Irish Freedom, St. Monica Hall, New York, relating to self-determination of Ireland; to the Committee on Foreign Affairs.

Also, petition of the Western Fruit Jobbers' Association of America, asking Congress to enact necessary legislation releasing all means of transportation from Government control to individuals or corporations under charters from Government of United States; to the Committee on Interstate and Foreign Commerce.

Also, petition of New York Produce Exchange in relation to price fixing and Government control of foodstuffs; to the Committee on Agriculture.

By Mr. CARY: Petition of Workingmen's Sick and Death Benefit Society, No. 156, of Milwaukee County, Wis., urging Government control and ownership of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Milwaukee, Wis., urging repeal of postal zone-rate bill; to the Committee on Ways and Means.

Also, petition of Workingmen's Sick and Death Benefit Society, No. 156, urging recall of soldiers "over there" back to the United States of America as speedily as possible; to the Committee on Military Affairs.

By Mr. COOPER of Wisconsin: Petition of A. J. Smith and other residents of Racine County, Wis., urging passage of Senate bill 4937, providing Federal aid to States in the promotion of education; to the Committee on Education.

By Mr. COPLEY: Petition of sundry citizens of Dundee, Elgin, and Naperville, Ill., asking that the present postal-zone law be repealed; to the Committee on Ways and Means.

By Mr. DALE: Affidavit of Dr. Ernest H. Baily in support of the bill (H. R. 15678) granting an increase of pension to Jason Johnson; to the Committee on Invalid Pensions.

Also, petition of members of Hedding Methodist Episcopal Church, of Barre, Vt., favoring a league of nations; to the Committee on Foreign Affairs.

By Mr. DALLINGER: Petition of Board of Aldermen of Medford, Mass., asking that the Congress of the United States and

War Department pay to soldiers, sailors, and marines their military wages for six months after their discharge from service; to the Committee on Military Affairs.

Also, petition of New England Nurserymen's Association, protesting against quarantine order No. 37 as unwise, unnecessary, and harmful to nurserymen and purchasers; to the Committee on Agriculture.

By Mr. ESCH: Petition of the Merchants' Association of New York, relative to the restoration of railroads by the Government to their original owners; to the Committee on Interstate and Foreign Commerce.

By Mr. BENJAMIN L. FAIRCHILD: Petition of trustees of Merchants' Association of Yonkers Chamber of Commerce, Yonkers, N. Y., in re Federal control and operation of telephone and telegraph lines; to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER of Illinois: Petition of J. W. Browning, superintendent of schools, and teachers of high school, Belvidere, Ill., for repeal of the postal-zone law; to the Committee on Ways and Means.

By Mr. HAMILTON of New York: Petition of sundry citizens of Olean, N. Y., favoring Government ownership of railroads; to the Committee on Interstate and Foreign Affairs.

By Mr. HOLLINGSWORTH: Memorial of Publishers' Advisory Board, New York, and 489 citizens of eighteenth congressional district of Ohio, asking for repeal of postal zone system; to the Committee on Ways and Means.

By Mr. LONERGAN: Petition of certain citizens of Hartford County, Conn., relating to the postal zone law; to the Committee on Ways and Means.

Also, petition of certain citizens of Hartford County, Conn., relating to luxury tax; to the Committee on Ways and Means.

By Mr. LUNDEEN: Petition of Minnesota State Horticultural Society, of Minneapolis, Minn., protesting against the enforcement of quarantine order No. 37, made by the Federal Horticulture Board; to the Committee on Agriculture.

Also, petition of Minnesota Independent Telephone Association, 922 McKnight Building, Minneapolis, Minn., asking for the return of all telephone properties not later than December 31, 1920; to the Committee on Interstate and Foreign Commerce.

Also, petition of Commercial Telegraphers' Union of America, Local No. 8, Minneapolis, Minn., protesting against the new rate of compensation for telegraph employees, which is a cut in wages instead of an increase; to the Committee on Labor.

Also, petition of Building Trades' Council of St. Paul, Minn., declaring in favor of Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of Federation of Labor No. 16045, Findlay, Ohio, requesting that all armed troops be withdrawn from Russian territory; to the Committee on Foreign Affairs.

Also, petition of Central Supply Co., Minneapolis, Minn., protesting against sections 1409 to 1416 of the 1919 revenue bill; to the Committee on Ways and Means.

By Mr. JOHN M. NELSON: Petition of citizens of the State of Wisconsin, urging Congress to enact into law the bill (H. R. 10550) providing for National ownership and Government operation of all railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. POLK: Petition of Hilles & Jones Co., Wilmington, Del., favoring and commenting on House bill 15625, providing for further educational facilities by requiring the War Department to loan certain machine tools not in use for Government purposes to trade and technical schools and universities, and for other purposes; to the Committee on Education.

By Mr. RAKER: Petition of Estelle V. Krautz, David Atkins, Mrs. L. S. Capp, and Mrs. Dagmar Netendorff, all of San Francisco, Cal., requesting repeal of postal zone system; to the Committee on Ways and Means.

Also, petition of sundry citizens of San Francisco, Cal., protesting against postal zone rates; to the Committee on Ways and Means.

By Mr. REED: Petition of the Chamber of Commerce of Clarksburg, W. Va., and other citizens of said city, urging Congress to make an appropriation of $500,000 for securing a site and erecting a public building thereon adequate for the needs of the post office, United States court, and other governmental offices in said city; to the Committee on Public Buildings and Grounds.

By Mr. RUCKER: Petition of Brotherhood of Railway Carmen of America, Lodge No. 64, Moberly, Mo., in reference to Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. SABATH: Petition of sundry citizens of the State of Illinois, urging Congress to enact into law House bill 10550; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Idaho: Petition of Pocatello Council, Knights of Columbus, urging enactment of House joint resolution 357, favoring independence of Ireland; to the Committee on Foreign Affairs.

Also, petition of Rotary Club, Boise, Idaho, urging enactment of legislation providing for removal of illiteracy and Americanization of foreigners; to the Committee on Education.

Also, petition of Interstate Realty Association, Portland, Oreg., urging the abandonment of the construction of houses for war workers and providing for their sale; to the Committee on Military Affairs.

By Mr. THOMAS F. SMITH: Petition of citizens of New York City, protesting against postal zone rates; to the Committee on Ways and Means.

Also, petition of citizens of New York City, urging adoption of the Gallagher resolution on the Irish question; to the Committee on Foreign Affairs.

By Mr. SNELL: Petition of Mary E. Crosby, Mary C. Attoe, Gladys Andrews, Pearl Geandrew, Muriel King, Emma Ackerman, all of Ogdensburg, N. Y., for repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of Frank Burrel, of Hawkeye, and Mrs. Mabel Deman, Mrs. Eliza Barnett, H. E. Baker, Mrs. George A. Tellier, Miss Lydia Baker, Mrs. H. M. Kelly, Mrs. Benjamin Dodge, all of Ausable Forks, and all in the State of New York, for repeal of the postal zone rate bill; to the Committee on Ways and Means.

By Mr. SNOOK: Petition of Van Wert Lodge, No. 667, of International Association of Machinists, favoring the passage of House bill 10550; to the Committee on Interstate and Foreign Commerce.

By Mr. SNYDER: Petition of 24 residents of Little Falls, N. Y., favoring Government ownership of railways; to the Committee on Interstate and Foreign Commerce.

By Mr. WASON: Concurrent resolution of the New Hampshire Legislature, requesting the New Hampshire delegation to Congress to use their influence with the Government, first, to pay our private soldiers and noncommissioned officers promptly; and, second, to give every private soldier, noncommissioned officer, and sailor at the time of his honorable discharge the sum of $200; to the Committee on Military Affairs.

By Mr. WATSON of Pennsylvania: Petition of Washington Camp, No. 631, Patriotic Order Sons of America of Pennsylvania, favoring a law prohibiting all immigration for a period of not less than four years; to the Committee on Immigration and Naturalization.

SENATE.

SUNDAY, *February 9, 1919.*

(Legislative day of Friday, February 7, 1919.)

The Senate reassembled at 2 o'clock and 45 minutes p. m., on the expiration of the recess.

MEMORIAL ADDRESS ON THEODORE ROOSEVELT.

The VICE PRESIDENT. The Senate will proceed to the Hall of the House of Representatives to participate in the joint memorial services in honor of Theodore Roosevelt.

The Senate, preceded by the Sergeant at Arms and by the Vice President and the Secretary, proceeded to the Hall of the House of Representatives.

After the conclusion of the memorial services, the Senate returned to its Chamber, and the Vice President resumed the chair.

Mr. MARTIN of Virginia. I move that the Senate adjourn until 12 o'clock meridian to-morrow.

The motion was agreed to; and (at 4 o'clock and 50 minutes p. m.) the Senate adjourned until to-morrow, Monday, February 10, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SUNDAY, *February 9, 1919.*

The House met at 3 o'clock p. m.

JOINT SESSION OF THE SENATE AND HOUSE.

The Doorkeeper, Mr. Joseph J. Sinnott, announced—

The Vice President and the Senate.

The Chief of Staff and Major Generals of the Army, the Rear Admirals of the Navy, and the Adjutant and Inspector of the Marine Corps.

The members of the President's Cabinet.

The ex-President of the United States.

The honorable Chief Justice and Associate Justices of the Supreme Court of the United States.

The ambassadors, ministers, and chargés d'affaires of foreign governments.

The Chaplain of the House of Representatives, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty Father, whose infinite wisdom, power, and goodness find their way into the mind and heart of man, inspiring the susceptible to great thoughts, heroic deeds, and splendid achievements, such men live, become leaders, their names gild the pages of history, sacred and profane, and become beacon lights to guide mankind ever onward and upward to larger and grander civilization.

We are here in memory of one of the Nation's noblest sons—a writer, a speaker, a scientist, a patriot, a soldier, a statesman. We respect him because he respected his country. We love him because he loved her people. We honor him because he honored and revered her sacred institutions and would have poured out his heart's blood to uphold and sustain them; a Christian, ever turning with faith and confidence to his God for strength and guidance.

God help us to cherish his memory, emulate his virtues, that we may leave a record well pleasing in Thy sight.

How firm a foundation, ye saints of the Lord,
Is laid for your faith in his excellent word!
What more can he say than to you he hath said,
To you, who for refuge to Jesus have fled?

Fear not, I am with Thee, O be not dismayed,
For I am thy God, I will still give thee aid;
I'll strengthen thee, help thee, and cause thee to stand,
Upheld by my gracious, omnipotent hand.

Let Thy kingdom possess our hearts, that we may hallow Thy name, our God and our Father. Amen.

The VICE PRESIDENT. Happy is the memory of that man who has for his eulogist one who not only knew all about him but who knew him; happier still if that eulogist be a man of letters, happiest if he be a friend.

I present to you the Hon. HENRY CABOT LODGE, senior Senator of the United States from the State of Massachusetts, scholar, statesman, orator, and the friend of the lamented great President of the United States, Theodore Roosevelt. [Applause.]

MEMORIAL ADDRESS ON THEODORE ROOSEVELT.

Mr. LODGE said:

A tower is fallen, a star is set! Alas! Alas! for Celin.

The words of lamentation from the old Moorish ballad, which in boyhood we used to recite, must, I think, have risen to many lips when the world was told that Theodore Roosevelt was dead. But whatever the phrase the thought was instant and everywhere. Variously expressed, you heard it in the crowds about the bulletin boards, from the man in the street and the man on the railroads, from the farmer in the fields, the women in the shops, in the factories, and in the homes. The pulpit found in his life a text for sermons. The judge on the bench, the child at school, alike paused for a moment conscious of a loss. The cry of sorrow came from men and women of all conditions, high and low, rich and poor, from the learned and the ignorant, from the multitude who had loved and followed him and from those who had opposed and resisted him. The newspapers pushed aside the absorbing reports of the events of these fateful days and gave pages to the man who had died. Flashed beneath the ocean and through the air went the announcement of his death, and back came a world-wide response from courts and cabinets, from press and people, in other and far-distant lands. Through it all ran a golden thread of personal feeling which gleams so rarely in the somber formalism of public grief. Everywhere the people felt in their hearts that:

A Power was passing from the Earth
To breathless Nature's dark abyss.

It would seem that here was a man, a private citizen, conspicuous by no office, with no glitter of power about him, no ability to reward or punish, gone from the earthly life, who must have been unusual even among the leaders of men, and who thus demands our serious consideration.

This is a thought to be borne in mind to-day. We meet to render honor to the dead, to the great American whom we mourn. But there is something more to be done. We must remember that when History, with steady hand and calm eyes, free from the passions of the past, comes to make up the final account, she will call as her principal witnesses the contemporaries of the man or the event awaiting her verdict. Here and elsewhere the men and women who knew Theodore Roosevelt or who belong to his period will give public utterance to their emotions and to their judgments in regard to him. This will be part of the record to which the historian will turn when our living present has become the past, of which it is his duty to write. Thus is there a responsibility placed upon each one of us who will clearly realize that here, too, is a duty to posterity whom we would fain guide to the truth as we see it and to whose hands we commit our share in the history of our beloved country—that history so much of which was made under his leadership.

We can not approach Theodore Roosevelt along the beaten paths of eulogy or satisfy ourselves with the empty civilities of commonplace funereal tributes, for he did not make his life journey over main-traveled roads nor was he ever commonplace. Cold and pompous formalities would be unsuited to him who was devoid of affectation, who was never self-conscious, and to whom posturing to draw the public gaze seemed not only repellent but vulgar. He had that entire simplicity of manners and modes of life which is the crowning result of the highest culture and the finest nature. Like Cromwell, he would always have said: "Paint me as I am." In that spirit, in his spirit of devotion to truth's simplicity, I shall try to speak of him to-day in the presence of the representatives of the great Government of which he was for seven years the head.

The rise of any man from humble or still more from sordid beginnings to the heights of success always and naturally appeals strongly to the imagination. It furnishes a vivid contrast which is as much admired as it is readily understood. It still retains the wonder which such success awakened in the days of hereditary lawgivers and high privileges of birth. Birth and fortune, however, mean much less now than two centuries ago. To climb from the place of a printer's boy to the highest rank in science, politics, and diplomacy would be far easier to-day than in the eighteenth century, given a genius like Franklin to do it. Moreover, the real marvel is in the soaring achievement itself, no matter what the origin of the man who comes by "the people's unbought grace to rule his native land" and who on descending from the official pinnacle still leads and influences thousands upon thousands of his fellow men.

Theodore Roosevelt had the good fortune to be born of a well-known, long-established family, with every facility for education and with an atmosphere of patriotism and disinterested service both to country and humanity all about him. In his father he had before him an example of lofty public spirit, from which it would have been difficult to depart. But if the work of his ancestors relieved him from the hard struggle which meets an unaided man at the outset, he also lacked the spur of necessity to prick the sides of his intent, in itself no small loss. As a balance to the opportunity which was his without labor, he had not only the later difficulties which come to him to whom fate has been kind at the start, but he had also spread before him the temptations inseparable from such inherited advantages as fell to his lot—temptations to a life of sports and pleasure, to lettered ease, to an amateur's career in one of the fine arts, perhaps to a money-making business, likewise an inheritance, none of them easily to be set aside in obedience to the stern rule that the larger and more facile the opportunity the greater and more insistent the responsibility. How he refused to tread the pleasant paths that opened to him on all sides and took the instant way which led over the rough road of toil and action his life discloses.

At the beginning, moreover, he had physical difficulties not lightly to be overcome. He was a delicate child, suffering acutely from attacks of asthma. He was not a strong boy, was retiring, fond of books, and with an intense but solitary devotion to natural history. As his health gradually improved he became possessed by the belief, although he perhaps did not then formulate it, that in the fields of active life a man could do that which he willed to do; and this faith was with him to the end. It became very evident when he went to Harvard. He made himself an athlete by sheer hard work. Hampered by extreme nearsightedness, he became none the less a formidable boxer and an excellent shot. He stood high in scholarship, but as he worked hard so he played hard, and was popular in the university and beloved by his friends. For a shy and delicate boy all this meant solid achievement as well as unusual determination and force of will. Apparently he took early to heart and carried out to fulfillment the noble lines of Clough's Dipsychus:

In light things
Prove thou the arms thou long'st to glorify,
Nor fear to work up from the lowest ranks
Whence come great Nature's Captains. And high deeds
Haunt not the fringy edges of the fight,
But the pell-mell of men.

When a young man comes out of college he descends suddenly from the highest place in a little world to a very obscure

corner in a great one. It is something of a shock, and there is apt to be a chill in the air. Unless the young man's life has been planned beforehand and a place provided for him by others, which is exceptional, or unless he is fortunate in a strong and dominating purpose or talent which drives him to science or art or some particular profession, he finds himself at this period pausing and wondering where he can get a grip upon the vast and confused world into which he has been plunged.

It is a trying and only too frequently a disheartening experience, this looking for a career, this effort to find employment in a huge and hurrying crowd which appears to have no use for the newcomer. Roosevelt, thus cast forth on his own resources—his father, so beloved by him, having died two years before—fell to work at once, turning to the study of the law, which he did not like, and to the completion of a history of the War of 1812 which he had begun while still in college. With few exceptions young beginners in the difficult art of writing are either too exuberant or too dry. Roosevelt said that his book was as dry as an encyclopedia, thus erring in precisely the direction one would not have expected. The book, be it said, was by no means so dry as he thought it, and it had some other admirable qualities. It was clear and thorough, and the battles by sea and land, especially the former, which involved the armaments and crews, the size and speed of the ships engaged in the famous frigate and sloop actions, of which we won eleven out of thirteen, were given with a minute accuracy never before attempted in the accounts of this war, and which made the book an authority, a position it holds to this day.

This was a good deal of sound work for a boy's first year out of college. But it did not content Roosevelt. Inherited influences and inborn desires made him earnest and eager to render some public service. In pursuit of this aspiration he joined the Twenty-first Assembly District Republican Association of the City of New York, for by such machinery all politics were carried on in those days. It was not an association composed of his normal friends; in fact, the members were not only eminently practical persons but they were inclined to be rough in their methods. They were not dreamers, nor were they laboring under many illusions. Roosevelt went among them a complete stranger. He differed from them with entire frankness, concealed nothing, and by his strong and simple democratic ways, his intense Americanism, and the magical personal attraction which went with him to the end, made some devoted friends. One of the younger leaders, "Joe" Murray, believed in him, became especially attached to him, and so continued until death separated them. Through Murray's efforts he was elected to the New York Assembly in 1881, and thus only one year after leaving college his public career began. He was just twenty-three.

Very few men make an effective State reputation in their first year in the lower branch of the State legislature. I never happened to hear of one who made a national reputation in such a body. Roosevelt did both. When he left the assembly after three years' service he was a national figure, well known, and of real importance, and also a delegate at large from the great State of New York to the Republican national convention of 1884, where he played a leading part. Energy, ability, and the most entire courage were the secret of his extraordinary success. It was a time of flagrant corporate influence in the New York Legislature of the "Black Horse Cavalry," of a group of members who made money by sustaining corporation measures or by levying on corporations and capital through the familiar artifice of "strike bills." Roosevelt attacked them all openly and aggressively and never silently or quietly. He fought for the impeachment of a judge solely because he believed the judge corrupt, which surprised some of his political associates of both parties, there being, as one practical thinker observed, "no politics in politics." He failed to secure the impeachment, but the fight did not fail nor did the people forget it, and despite—perhaps because of—the enemies he made he was twice reelected. He became at the same time a distinct, well-defined figure to the American people. He had touched the popular imagination. In this way he performed the unexampled feat of leaving the New York Assembly, which he had entered three years before an unknown boy, with a national reputation and with his name at least known throughout the United States. He was twenty-six years old.

When he left Chicago at the close of the national convention in June, 1884, he did not return to New York but went West to the Bad Lands of the Little Missouri Valley, where he had purchased a ranch in the previous year. The early love of natural history which never abated had developed into a passion for hunting and for life in the open. He had begun in the wilds of Maine and then turned to the West and to a cattle ranch to gratify both tastes. The life appealed to him and he came to love it. He herded and rounded up his cattle, he worked as a cow-puncher, only rather harder than any of them, and in the intervals he hunted and shot big game. He also came in contact with men of a new type, rough, sometimes dangerous, but always vigorous and often picturesque. With them he had the same success as with the practical politicians of the twenty-first assembly district, although they were widely different specimens of mankind. But all alike were human at bottom and so was Roosevelt. He argued with them, rode with them, camped with them, played and joked with them, but was always master of his outfit. They respected him and also liked him because he was at all times simple, straightforward, outspoken, and sincere. He became a popular and well-known figure in that western country and was regarded as a good fellow, a "white man," entirely fearless, thoroughly good natured and kind, never quarrelsome, and never safe to trifle with, bully, or threaten. The life and experiences of that time found their way into a book, "The Hunting Trips of a Ranchman," interesting in description and adventure and also showing a marked literary quality.

In 1886 he ran as Republican candidate for mayor of New York and might have been elected had his own party stood by him. But many excellent men of Republican faith, the "timid good," as he called them, panic-stricken by the formidable candidacy of Henry George, flocked to the support of Mr. Abram Hewitt, the Democratic candidate, as the man most certain to defeat the menacing champion of single taxation. Roosevelt was beaten, but his campaign, which was entirely his own and the precursor of many others, his speeches with their striking quality then visible to the country for the first time, all combined to fix the attention of the people upon the losing candidate. Roosevelt was the one of the candidates who was most interesting, and again he had touched the imagination of the people and cut a little deeper into the popular consciousness and memory.

Two years more of private life, devoted to his home, where his greatest happiness was always found, to his ranch, to reading and writing books, and then came an active part in the campaign of 1888, resulting in the election of President Harrison, who made him civil-service commissioner in the spring of 1889. He was in his thirty-first year. Civil-service reform as a practical question was then in its initial stages. The law establishing it, limited in extent and forced through by a few leaders of both parties in the Senate, was only six years old. The promoters of the reform, strong in quality but weak in numbers, had compelled a reluctant acceptance of the law by exercising a balance of power vote in certain States and districts. It had few earnest supporters in Congress, some lukewarm friends, and many strong opponents. All the active politicians were practically against it. Mr. Conkling had said that when Dr. Johnson told Boswell "that patriotism was the last refuge of a scoundrel" he was ignorant of the possibilities of the word "reform," and this witticism met with a large response.

Civil-service reform, meaning the establishment of a classified service and the removal of routine administrative offices from politics, had not reached the masses of the people at all. The average voter knew and cared nothing about it. When six years later Roosevelt resigned from the commission the great body of the people knew well what civil-service reform meant, large bodies of voters cared a great deal about it, and it was established and spreading its control. We have had many excellent men who have done good work in the Civil Service Commission, although that work is neither adventurous nor exciting and rarely attracts public attention, but no one has ever forgotten that Theodore Roosevelt was once civil-service commissioner.

He found the law struggling for existence, laughed at, sneered at, surrounded by enemies in Congress, and with but few fighting friends. He threw himself into the fray. Congress investigated the commission about once a year, which was exactly what Roosevelt desired. Annually, too, the opponents of the reform would try to defeat the appropriation for the commission, and this again was playing into Roosevelt's hands, for it led to debates, and the newspapers as a rule sustained the reform. Senator Gorman mourned in the Senate over the cruel fate of a "bright young man" who was unable to tell on examination the distance of Baltimore from China, and thus was deprived of his inalienable right to serve his country in the post office. Roosevelt proved that no such question had ever been asked and requested the name of the "bright young man." The name was not forthcoming, and the victim of a question never asked goes down nameless to posterity in the CONGRESSIONAL RECORD as merely a "bright young man." Then General Grosvenor, a leading Republican of the House, denounced the commissioner for crediting his district with an appointee name Rufus Putnam who was not a resident of the district,

and Roosevelt produced a letter from the general recommending Rufus Putnam as a resident of his district and a constituent. All this was unusual. Hitherto it had been a safe amusement to ridicule and jeer at civil-service reform, and here was a commissioner who dared to reply vigorously to attacks, and even to prove Senators and Congressmen to be wrong in their facts. The amusement of baiting the Civil Service Commission seemed to be less inviting than before, and, worse still, the entertaining features seemed to have passed to the public, who enjoyed and approved the commissioner who disregarded etiquette and fought hard for the law he was appointed to enforce. The law suddenly took on new meaning and became clearly visible in the public mind, a great service to the cause of good government.

After six years' service in the Civil Service Commission Roosevelt left Washington to accept the position of President of the Board of Police Commissioners of the city of New York, which had been offered to him by Mayor Strong. It is speaking within bounds to say that the history of the police force of New York has been a checkered one in which the black squares have tended to predominate. The task which Roosevelt confronted was then, as always, difficult, and the machinery of four commissioners and a practically irremovable chief made action extremely slow and uncertain. Roosevelt set himself to expel politics and favoritism in appointments and promotions and to crush corruption everywhere. In some way he drove through the obstacles and effected great improvements, although permanent betterment was perhaps impossible. Good men were appointed and meritorious men promoted as never before, while the corrupt and dangerous officers were punished in a number of instances sufficient, at least, to check and discourage evildoers. Discipline was improved, and the force became very loyal to the chief commissioner, because they learned to realize that he was fighting for right and justice without fear or favor. The results were also shown in the marked decrease of crime, which judges pointed out from the bench. Then, too, it was to be observed that a New York police commissioner suddenly attracted the attention of the country. The work which was being done by Roosevelt in New York, his midnight walks through the worst quarters of the great city to see whether the guardians of the peace did their duty, which made the newspapers compare him to Haroun Al Raschid, all appealed to the popular imagination. A purely local office became national in his hands, and his picture appeared in the shops of European cities. There was something more than vigor and picturesqueness necessary to explain these phenomena. The truth is that Roosevelt was really laboring through a welter of details to carry out certain general principles which went to the very roots of society and government. He wished the municipal administration to be something far greater than a business man's administration, which was the demand that had triumphed at the polls. He wanted to make it an administration of the workingmen, of the dwellers in the tenements, of the poverty and suffering which haunted the back streets and hidden purlieus of the huge city. The people did not formulate these purposes as they watched what he was doing, but they felt them and understood them by that instinct which is often so keen in vast bodies of men. The man who was toiling in the seeming obscurity of the New York police commission again became very distinct to his fellow countrymen and deepened their consciousness of his existence and their comprehension of his purposes and aspirations.

Striking as was the effect of this police work, it only lasted for two years. In 1897 he was offered by President McKinley, whom he had energetically supported in the preceding campaign, the position of Assistant Secretary of the Navy. He accepted at once, for the place and the work both appealed to him most strongly. The opportunity did not come without resistance. The President, an old friend, liked him and believed in him, but the Secretary of the Navy had doubts, and also fears that Roosevelt might be a disturbing and restless assistant. There were many politicians, too, especially in his own State, whom his activities as civil service and police commissioner did not delight, and these men opposed him. But his friends were powerful and devoted, and the President appointed him.

His new place had to him a peculiar attraction. He loved the Navy. He had written its brilliant history in the War of 1812. He had done all in his power in stimulating public opinion to support the "new Navy" we were just then beginning to build. That war was coming with Spain he had no doubt. We were unprepared, of course, even for such a war as this, but Roosevelt set himself to do what could be done. The best and most far-seeing officers rallied round him, but the opportunities were limited. There was much in detail accomplished which can not be described here, but two acts of his which had very distinct effect upon the fortunes of the war must be noted. He saw very plainly—although most people never perceived it at all—that the Philippines would be a vital point in any war with Spain. For this reason it was highly important to have the right man in command of the Asiatic Squadron. Roosevelt was satisfied that Dewey was the right man, and that his rival was not. He set to work to secure the place for Dewey. Through the aid of the Senators from Dewey's native State and others, he succeeded. Dewey was ordered to the Asiatic Squadron. Our relations with Spain grew worse and worse. On February 25, 1898, war was drawing very near, and that Saturday afternoon Roosevelt happened to be Acting Secretary, and sent out the following cablegram:

Dewey—Hongkong.

Order the squadron, except the *Monocacy*, to Hongkong. Keep full of coal. In the event of declaration of war, Spain, your duty will be to see that the Spanish squadron does not leave the Asiatic coast, and then offensive operations in the Philippine Islands. Keep *Olympia* until further orders.

ROOSEVELT.

I believe he was never again permitted to be Acting Secretary. But the deed was done. The wise word of readiness had been spoken and was not recalled. War came, and as April closed, Dewey, all prepared, slipped out of Hongkong and on May 1 fought the battle of Manila Bay.

Roosevelt, however, did not continue long in the Navy Department. Many of his friends felt that he was doing such admirable work there that he ought to remain, but as soon as war was declared he determined to go, and his resolution was not to be shaken. Nothing could prevent his fighting for his country when the country was at war. Congress had authorized three volunteer regiments of Cavalry, and the President and the Secretary of War gave to Leonard Wood—then a surgeon in the Regular Army—as colonel, and to Theodore Roosevelt, as lieutenant colonel, authority to raise one of these regiments, known officially as the First United States Volunteer Cavalry and to all the country as the "Rough Riders." The regiment was raised chiefly in the Southwest and West, where Roosevelt's popularity and reputation among the cowboys and the ranchmen brought many eager recruits to serve with him. After the regiment had been organized and equipped they had some difficulty in getting to Cuba, but Roosevelt as usual broke through all obstacles, and finally succeeded, with Col. Wood, in getting away with two battalions, leaving one battalion and the horses behind.

The regiment got into action immediately on landing and forced its way, after some sharp fighting in the jungle, to the high ground on which were placed the fortifications which defended the approach to Santiago. Colonel Wood was almost immediately given command of a brigade, and this left Roosevelt colonel of the regiment. In the battle which ensued and which resulted in the capture of the positions commanding Santiago and the bay, the Rough Riders took a leading part, storming one of the San Juan heights, which they christened Kettle Hill, with Roosevelt leading the men in person. It was a dashing, gallant assault, well led and thoroughly successful. Santiago fell after the defeat of the fleet, and then followed a period of sickness and suffering—the latter due to unreadiness—where Roosevelt did everything with his usual driving energy to save his men, whose loyalty to their colonel went with them through life. The war was soon over, but brief as it had been Roosevelt and his men had highly distinguished themselves, and he stood out in the popular imagination as one of the conspicuous figures of the conflict. He brought his regiment back to the United States, where they were mustered out, and almost immediately afterwards he was nominated by the Republicans as their candidate for governor of the State of New York. The situation in New York was unfavorable for the Republicans, and the younger men told Senator Platt, who dominated the organization and who had no desire for Roosevelt, that unless he was nominated they could not win. Thus forced, the organization accepted him, and it was well for the party that they did so. The campaign was a sharp one and very doubtful, but Roosevelt was elected by a narrow margin and assumed office at the beginning of the new year of 1899. He was then in his forty-first year.

Many problems faced him and none were evaded. He was well aware that the "organization" under Senator Platt would not like many things he was sure to do, but he determined that he would have neither personal quarrels nor faction fights. He knew, being blessed with strong common sense, that the Republican Party, his own party, was the instrument by which alone he could attain his ends, and he did not intend that it should be blunted and made useless by internal strife. And yet he meant to have his own way. It was a difficult rôle which he undertook to play, but he succeeded. He had many differences with the organization managers, but he declined to lose his temper or to have a break, and he also refused to yield

when he felt he was standing for the right and a principle was at stake. Thus he prevailed. He won on the canal question, changed the insurance commissioner, and carried the insurance legislation he desired. As in these cases so it was in lesser things. In the police commission he had been strongly impressed by the dangers as he saw them of the undue and often sinister influence of business, finance, and great money interests upon government and politics. These feelings were deepened and broadened by his experience and observation on the larger stage of State administration. The belief that political equality must be strengthened and sustained by industrial equality and a larger economic opportunity was constantly in his thoughts until it became a governing and guiding principle.

Meantime he grew steadily stronger among the people, not only of his own State but of the country, for he was well known throughout the West, and there they were watching eagerly to see how the ranchman and Colonel of Rough Riders, who had touched both their hearts and their imagination, was faring as governor of New York. The office he held is always regarded as related to the Presidency, and this, joined to his striking success as governor, brought him into the Presidential field wherever men speculated about the political future. It was universally agreed that McKinley was to be renominated, and so the talk turned to making Roosevelt Vice President. A friend wrote to him in the summer of 1899 as to this drift of opinion, then assuming serious proportions. "Do not attempt," he said, "to thwart the popular desire. You are not a man nor are your close friends men who can plan, arrange, and manage you into office. You must accept the popular wish, whatever it is, follow your star, and let the future care for itself. It is the tradition of our politics, and a very poor tradition, that the Vice Presidency is a shelf. It ought to be, and there is no reason why it should not be, a stepping-stone. Put there by the popular desire, it would be so to you." This view quite naturally did not commend itself to Governor Roosevelt at the moment. He was doing valuable work in New York; he was deeply engaged in important reforms which he had much at heart and which he wished to carry through; and the Vice Presidency did not attract him. A year later he was at Philadelphia, a delegate at large from his State, with his mind unchanged as to the Vice Presidency, while his New York friends, anxious to have him continue his work at Albany, were urging him to refuse. Senator Platt, for obvious reasons, wished to make him Vice President, another obstacle to his taking it. Roosevelt forced the New York delegation to agree on some one else for Vice President, but he could not hold the convention nor could Senator Hanna, who wisely accepted the situation. Governor Roosevelt was nominated on the first ballot, all other candidates withdrawing. He accepted the nomination, little as he liked it.

Thus when it came to the point he instinctively followed his star and grasped the unvacillating hand of destiny. Little did he think that destiny would lead him to the White House through a tragedy which cut him to the heart. He was on a mountain in the Adirondacks when a guide made his way to him across the forest with a telegram telling him that McKinley, the wise, the kind, the gentle, with nothing in his heart but good will to all men, was dying from a wound inflicted by an anarchist murderer, and that the Vice President must come to Buffalo at once. A rapid night drive through the woods and a special train brought him to Buffalo. McKinley was dead before he arrived, and that evening Governor Roosevelt was sworn in as President of the United States.

Within the narrow limits of an address it is impossible to give an account of an administration of seven years which will occupy hundreds of pages when the history of the United States during that period is written. It was a memorable administration, memorable in itself and not by the accident of events, and large in its accomplishment. It began with a surprise. There were persons in the United States who had carefully cultivated, and many people who had accepted without thought, the idea that Roosevelt was in some way a dangerous man. They gloomily predicted that there would be a violent change in the policies and in the officers of the McKinley administration. But Roosevelt had not studied the history of his country in vain. He knew that in three of the four cases where Vice Presidents had succeeded to the Presidency through the death of the elected President their coming had resulted in a violent shifting of policies and men, and, as a consequence, in most injurious dissensions, which in two cases at least proved fatal to the party in power. In all four instances the final obliteration of the Vice President who had come into power through the death of his chief was complete. President Roosevelt did not intend to permit any of these results. As soon as he came into office he announced that he intended to retain President McKinley's Cabinet and to carry out his policies, which had been sustained at the polls. To those overzealous friends who suggested that he could not trust the appointees of President McKinley and that he would be but a pallid imitation of his predecessor he replied that he thought, in any event, the administration would be his, and that if new occasions required new policies he felt that he could meet them, and that no one would suspect him of being a pallid imitation of anybody. His decision, however, gratified and satisfied the country, and it was not apparent that Roosevelt was hampered in any way in carrying out his own policies by this wise refusal to make sudden and violent changes.

Those who were alarmed about what he might do had also suggested that with his combative propensities he was likely to involve the country in war. Yet there never has been an administration, as afterwards appeared, when we were more perfectly at peace with all the world, nor were our foreign relations ever in danger of producing hostilities. But this was not due in the least to the adoption of a timid or yielding foreign policy; on the contrary, it was owing to the firmness of the President in all foreign questions and the knowledge which other nations soon acquired that President Roosevelt was a man who never threatened unless he meant to carry out his threat, the result being that he was not obliged to threaten at all. One of his earliest successes was forcing the settlement of the Alaskan boundary question, which was the single open question with Great Britain that was really dangerous and contained within itself possibilities of war. The accomplishment of this settlement was followed later, while Mr. Root was Secretary of State, by the arrangement of all our outstanding differences with Canada, and during Mr. Root's tenure of office over thirty treaties were made with different nations, including a number of practical and valuable treaties of arbitration. When Germany started to take advantage of the difficulties in Venezuela the affair culminated in the dispatch of Dewey and the fleet to the Caribbean, the withdrawal of England at once, and the agreement of Germany to the reference of all subjects of difference to arbitration. It was President Roosevelt whose good offices brought Russia and Japan together in a negotiation which closed the war between those two powers. It was Roosevelt's influence which contributed powerfully to settling the threatening controversy between Germany, France, and England in regard to Morocco, by the Algeciras conference. It was Roosevelt who sent the American fleet of battleships round the world, one of the most convincing peace movements ever made on behalf of the United States. Thus it came about that this President, dreaded at the beginning on account of his combative spirit, received the Nobel prize in 1906 as the person who had contributed most to the peace of the world in the preceding years, and his contribution was the result of strength and knowledge and not of weakness.

At home he recommended to Congress legislation which was directed toward a larger control of the railroads and to removing the privileges and curbing the power of great business combinations obtained through rebates and preferential freight rates. This legislation led to opposition in Congress and to much resistance by those affected. As we look back, this legislation, so much contested at the time, seems very moderate, but it was none the less momentous. President Roosevelt never believed in Government ownership, but he was thoroughly in favor of strong and effective Government supervision and regulation of what are now known generally as public utilities. He had a deep conviction that the political influence of financial and business interests and of great combinations of capital had become so great that the American people were beginning to distrust their own Government, than which there could be no greater peril to the Republic. By his measures and by his general attitude toward capital and labor both he sought to restore and maintain the confidence of the people in the Government they had themselves created.

In the Panama Canal he left the most enduring, as it was the most visible, monument of his administration. Much criticized at the moment for his action in regard to it, which time since then has justified and which history will praise, the great fact remains that the canal is there. He said himself that he made up his mind that it was his duty to establish the canal and have the debate about it afterwards, which seemed to him better than to begin with indefinite debate and have no canal at all. This is a view which posterity both at home and abroad will accept and approve.

These, passing over as we must in silence many other beneficent acts, are only a few of the most salient features of his administration, stripped of all detail and all enlargement. Despite the conflicts which some of his domestic policies had produced

not only with his political opponents but within the Republican ranks, he was overwhelmingly reelected in 1904, and when the seven years had closed the country gave a like majority to his chosen successor, taken from his own Cabinet. On the 4th of March, 1909, he returned to private life at the age of fifty, having been the youngest President known to our history.

During the brief vacations which he had been able to secure in the midst of the intense activities of his public life after the Spanish War he had turned for enjoyment to expeditions in pursuit of big game in the wildest and most unsettled regions of the country. Open-air life and all its accompaniments of riding and hunting were to him the one thing that brought him the most rest and relaxation. Now, having left the Presidency, he was able to give full scope to the love of adventure, which had been strong with him from boyhood. Soon after his retirement from office he went to Africa, accompanied by a scientific expedition sent out by the Smithsonian Institution. He landed in East Africa, made his way into the interior, and thence to the sources of the Nile, after a trip in every way successful both in exploration and in the pursuit of big game. He then came down the Nile through Egypt and thence to Europe, and no private citizen of the United States—probably no private man of any country—was ever received in a manner comparable to that which met Roosevelt in every country in Europe which he visited. Everywhere it was the same—in Italy, in Germany, in France, in England. Every honor was paid to him that authority could devise, accompanied by every mark of affection and admiration which the people of those countries were able to show. He made few speeches while in Europe, but in those few he did not fail to give to the questions and thought of the time real and genuine contributions, set forth in plain language, always vigorous and often eloquent. He returned in the summer of 1910 to the United States and was greeted with a reception on his landing in New York quite equaling in interest and enthusiasm that which had been given to him in Europe.

For two years afterwards he devoted himself to writing, not only articles as contributing editor of the Outlook, but books of his own and addresses and speeches which he was constantly called upon to make. No man in private life probably ever had such an audience as he addressed, whether with tongue or pen, upon the questions of the day, with a constant refrain as to the qualities necessary to make men both good citizens and good Americans. In the spring of 1912 he decided to become a candidate for the Republican nomination for the Presidency, and a very heated struggle followed between himself and President Taft for delegations to the convention. The convention when it assembled in Chicago was the stormiest ever known in our history. President Taft was renominated, most of the Roosevelt delegates refusing to vote, and a large body of Republicans thereupon formed a new party called the "Progressive" and nominated Mr. Roosevelt as their candidate. This division into two nearly equal parts of the Republican Party, which had elected Mr. Roosevelt and Mr. Taft in succession by the largest majorities ever known, made the victory of the Democratic candidate absolutely certain. Colonel Roosevelt, however, stood second in the poll, receiving 4,119,507 votes, carrying 6 States and winning eighty-eight electoral votes. There never has been in political history, when all conditions are considered, such an exhibition of extraordinary personal strength. To have secured eighty-eight electoral votes when his own party was hopelessly divided, with no great historic party name and tradition behind him, with an organization which had to be hastily brought together in a few weeks, seems almost incredible, and in all his career there is no display of the strength of his hold upon the people equal to this.

In the following year he yielded again to the longing for adventure and exploration. Going to South America, he made his way up through Paraguay and western Brazil, and then across a trackless wilderness of jungle and down an unknown river into the Valley of the Amazon. It was a remarkable expedition and carried him through what is probably the most deadly climate in the world. He suffered severely from the fever, the poison of which never left him and which finally shortened his life.

In the next year the great war began, and Col. Roosevelt threw himself into it with all the energy of his nature. With Major Gardner he led the great fight for preparedness in a country utterly unprepared. He saw very plainly that in all human probability it would be impossible for us to keep out of the war. Therefore in season and out of season he demanded that we should make ready. He and Major Gardner, with the others who joined them, roused a widespread and powerful sentiment in the country, but there was no practical effect on the Army. The Navy was the single place where anything was really done, and that only in the bill of 1916, so that war finally came upon us as unready as Roosevelt had feared we should be. Yet the campaign he made was not in vain, for in addition to the question of preparation he spoke earnestly of other things, other burning questions, and he always spoke to an enormous body of listeners everywhere. He would have had us protest and take action at the very beginning, in 1914, when Belgium was invaded. He would have had us go to war when the murders of the *Lusitania* were perpetrated. He tried to stir the soul and rouse the spirit of the American people, and despite every obstacle he did awaken them, so that when the hour came, in April, 1917, a large proportion of the American people were even then ready in spirit and in hope. How telling his work had been was proved by the confession of his country's enemies, for when he died the only discordant note, the only harsh words, came from the German press. Germany knew whose voice it was that more powerfully than any other had called Americans to the battle in behalf of freedom and civilization, where the advent of the armies of the United States gave victory to the cause of justice and righteousness.

When the United States went to war Colonel Roosevelt's one desire was to be allowed to go to the fighting line. There if fate had laid its hand upon him it would have found him glad to fall in the trenches or in a charge at the head of his men, but it was not permitted to him to go, and thus he was denied the reward which he would have ranked above all others, "the great prize of death in battle." But he was a patriot in every fiber of his being, and personal disappointment in no manner slackened or cooled his zeal. Everything that he could do to forward the war, to quicken preparation, to stimulate patriotism, to urge on efficient action, was done. Day and night, in season and out of season, he never ceased his labors. Although prevented from going to France himself, he gave to the great conflict that which was far dearer to him than his own life. I can not say that he sent his four sons, because they all went at once, as everyone knew that their father's sons would go. Two have been badly wounded; one was killed. He met the blow with the most splendid and unflinching courage, met it as Siward, the Earl of Northumberland, receives in the play the news of his son's death:

Siw. Had he his hurts before?
Ross. Ay, on the front.
Siw. Why then, God's soldier be he!
Had I as many sons as I have hairs,
I would not wish them to a fairer death:
And so, his knell is knoll'd.

Among the great tragedies of Shakespeare, and there are none greater in all the literature of man, Macbeth was Colonel Roosevelt's favorite, and the moving words which I have just quoted I am sure were in his heart and on his lips when he faced with stern resolve and self-control the anguish brought to him by the death of his youngest boy, killed in the glory of a brave and brilliant youth.

He lived to see the right prevail; he lived to see civilization triumph over organized barbarism; and there was great joy in his heart. In all his last days the thoughts which filled his mind were to secure a peace which should render Germany forever harmless and advance the cause of ordered freedom in every land and among every race. This occupied him to the exclusion of everything else, except what he called and what we like to call Americanism. There was no hour down to the end when he would not turn aside from everything else to preach the doctrine of Americanism, of the principles and the faith upon which American government rested, and which all true Americans should wear in their heart of hearts. He was a great patriot, a great man; above all, a great American. His country was the ruling, mastering passion of his life from the beginning even unto the end.

So closes the inadequate, most incomplete account of a life full of work done and crowded with achievement, brief in years and prematurely ended. The recitation of the offices which he held and of some of the deeds that he did is but a bare, imperfect catalogue into which history when we are gone will breathe a lasting life. Here to-day it is only a background, and that which most concerns us now is what the man was of whose deeds done it is possible to make such a list. What a man was is ever more important than what he did, because it is upon what he was that all his achievement depends and his value and meaning to his fellow men must finally rest.

Theodore Roosevelt always believed that character was of greater worth and moment than anything else. He possessed abilities of the first order, which he was disposed to underrate because he set so much greater store upon the moral qualities which we bring together under the single word "character."

Let me speak first of his abilities. He had a powerful, well-trained, ever-active mind. He thought clearly, independently,

and with originality and imagination. These priceless gifts were sustained by an extraordinary power of acquisition, joined to a greater quickness of apprehension, a greater swiftness in seizing upon the essence of a question, than I have ever happened to see in any other man. His reading began with natural history, then went to general history, and thence to the whole field of literature. He had a capacity for concentration which enabled him to read with remarkable rapidity anything which he took up, if only for a moment, and which separated him for the time being from everything going on about him. The subjects upon which he was well and widely informed would, if enumerated, fill a large space, and to this power of acquisition was united not only a tenacious but an extraordinarily accurate memory. It was never safe to contest with him on any question of fact or figures, whether they related to the ancient Assyrians or to the present-day conditions of the tribes of central Africa, to the Syracusan Expedition, as told by Thucydides, or to protective coloring in birds and animals. He knew and held details always at command, but he was not mastered by them. He never failed to see the forest on account of the trees or the city on account of the houses.

He made himself a writer, not only of occasional addresses and essays, but of books. He had the trained thoroughness of the historian, as he showed in his history of the War of 1812 and of the "Winning of the West," and nature had endowed him with that most enviable of gifts, the faculty of narrative and the art of the teller of tales. He knew how to weigh evidence in the historical scales and how to depict character. He learned to write with great ease and fluency. He was always vigorous, always energetic, always clear and forcible in everything he wrote—nobody could ever misunderstand him—and when he allowed himself time and his feelings were deeply engaged he gave to the world many pages of beauty as well as power, not only in thought but in form and style. At the same time he made himself a public speaker, and here again, through a practice probably unequaled in amount, he became one of the most effective in all our history. In speaking, as in writing, he was always full of force and energy; he drove home his arguments and never was misunderstood. In many of his more carefully prepared addresses are to be found passages of impressive eloquence, touched with imagination and instinct with grace and feeling.

He had a large capacity for administration, clearness of vision, promptness in decision, and a thorough apprehension of what constituted efficient organization. All the vast and varied work which he accomplished could not have been done unless he had had most exceptional natural abilities, but behind them was the driving force of an intense energy and the ever-present belief that a man could do what he willed to do. As he made himself an athlete, a horseman, a good shot, a bold explorer, so he made himself an exceptionally successful writer and speaker. Only a most abnormal energy would have enabled him to enter and conquer in so many fields of intellectual achievement. But something more than energy and determination is needed for the largest success, especially in the world's high places. The first requisite of leadership is ability to lead, and that ability Theodore Roosevelt possessed in full measure. Whether in a game or in the hunting field, in a fight or in politics, he sought the front, where, as Webster once remarked, there is always plenty of room for those who can get there. His instinct was always to say "come" rather than "go," and he had the talent of command.

His also was the rare gift of arresting attention sharply and suddenly, a very precious attribute, and one easier to illustrate than to describe. This arresting power is like a common experience which we have all had on entering a picture gallery, of seeing at once and before all others a single picture among the many on the walls. For a moment you see nothing else, although you may be surrounded with masterpieces. In that particular picture lurks a strange, capturing, gripping fascination as impalpable as it is unmistakable. Roosevelt had this same arresting, fascinating quality. Whether in the legislature at Albany, the Civil Service Commission at Washington, or the police commission in New York, whether in the Spanish War or on the plains among the cowboys, he was always vivid, at times startling, never to be overlooked. Nor did this power stop here. He not only without effort or intention drew the eager attention of the people to himself, he could also engage and fix their thoughts upon anything which happened to interest him. It might be a man or a book, reformed spelling or some large historical question, his traveling library or the military preparation of the United States, he had but to say, "See how interesting, how important, is this man or this event," and thousands, even millions, of people would reply, "We never thought of this before, but it certainly is one of the most interesting, most absorbing things in the world." He touched a subject and it suddenly began to glow as when the high-power electric current touches the metal and the white light starts forth and dazzles the onlooking eyes. We know the air played by the Pied Piper of Hamelin no better than we know why Theodore Roosevelt thus drew the interest of men after him. We only know they followed wherever his insatiable activity of mind invited them.

Men follow also most readily a leader who is always there before them, clearly visible and just where they expect him. They are especially eager to go forward with a man who never sounds a retreat. Roosevelt was always advancing, always struggling to make things better, to carry some much-needed reform, and help humanity to a larger chance, to a fairer condition, to a happier life. Moreover, he looked always for an ethical question. He was at his best when he was fighting the battle of right against wrong. He thought soundly and wisely upon questions of expediency or of political economy, but they did not rouse him or bring him the absorbed interest of the eternal conflict between good and evil. Yet he was never impractical, never blinded by counsels of perfection, never seeking to make the better the enemy of the good. He wished to get the best, but he would strive for all that was possible even if it fell short of the highest at which he aimed. He studied the lessons of history and did not think the past bad simply because it was the past, or the new good solely because it was new. He sought to try all questions on their intrinsic merits, and that was why he succeeded in advancing, in making government and society better where others, who would be content with nothing less than an abstract perfection, failed. He would never compromise a principle, but he was eminently tolerant of honest differences of opinion. He never hesitated to give generous credit where credit seemed due, whether to friend or opponent, and in this way he gathered recruits and yet never lost adherents.

The criticism most commonly made upon Theodore Roosevelt was that he was impulsive and impetuous, that he acted without thinking. He would have been the last to claim infallibility. His head did not turn when fame came to him and choruses of admiration sounded in his ears, for he was neither vain nor credulous. He knew that he made mistakes, and never hesitated to admit them to be mistakes and to correct them or put them behind him when satisfied that they were such. But he wasted no time in mourning, explaining, or vainly regretting them. It is also true that the middle way did not attract him. He was apt to go far, both in praise and censure, although nobody could analyze qualities and balance them justly in judging men better than he. He felt strongly, and as he had no concealments of any kind he expressed himself in like manner. But vehemence is not violence nor is earnestness anger, which a very wise man defined as a brief madness. It was all according to his nature, just as his eager cordiality in meeting men and women, his keen interest in other people's cares or joys, was not assumed, as some persons thought who did not know him. It was all profoundly natural, it was all real, and in that way and in no other was he able to meet and greet his fellow men. He spoke out with the most unrestrained frankness at all times and in all companies. Not a day passed in the Presidency when he was not guilty of what the trained diplomatist would call indiscretions. But the frankness had its own reward. There never was a President whose confidence was so respected or with whom the barriers of honor which surround private conversation were more scrupulously observed. At the same time, when the public interest required, no man could be more wisely reticent. He was apt, it is true, to act suddenly and decisively, but it was a complete mistake to suppose that he therefore acted without thought or merely on a momentary impulse. When he had made up his mind he was resolute and unchanging, but he made up his mind only after much reflection, and there never was a President in the White House who consulted not only friends but political opponents and men of all kinds and conditions more than Theodore Roosevelt. When he had reached his conclusion he acted quickly and drove hard at his object, and this it was, probably, which gave an impression that he acted sometimes hastily and thoughtlessly, which was a complete misapprehension of the man. His action was emphatic, but emphasis implies reflection, not thoughtlessness. One can not even emphasize a word without a process, however slight, of mental differentiation.

The feeling that he was impetuous and impulsive was also due to the fact that in a sudden, seemingly unexpected crisis he would act with great rapidity. This happened when he had been for weeks, perhaps for months, considering what he should do if such a crisis arose. He always believed that one of the most important elements of success, whether in public or in private life, was to know what one meant to do under given circumstances. If he saw the possibility of

perilous questions arising, it was his practice to think over carefully just how he would act under certain contingencies. Many of the contingencies never arose. Now and then a contingency became an actuality, and then he was ready. He knew what he meant to do, he acted at once, and some critics considered him impetuous, impulsive, and, therefore, dangerous, because they did not know that he had thought the question all out beforehand. Very many people, powerful elements in the community, regarded him at one time as a dangerous radical, bent upon overthrowing all the safeguards of society and planning to tear out the foundations of an ordered liberty. As a matter of fact, what Theodore Roosevelt was trying to do was to strengthen American society and American government by demonstrating to the American people that he was aiming at a larger economic equality and a more generous industrial opportunity for all men, and that any combination of capital or of business which threatened the control of the Government by the people who made it was to be curbed and resisted, just as he would have resisted an enemy who tried to take possession of the city of Washington. He had no hostility to a man because he had been successful in business or because he had accumulated a fortune. If the man had been honestly successful and used his fortune wisely and beneficently, he was regarded by Theodore Roosevelt as a good citizen. The vulgar hatred of wealth found no place in his heart. He had but one standard, one test, and that was whether a man, rich or poor, was an honest man, a good citizen, and a good American. He tried men, whether they were men of "big business" or members of a labor union, by their deeds and in no other way. The tyranny of anarchy and disorder, such as is now desolating Russia, was as hateful to him as any other tyranny, whether it came from an autocratic system like that of Germany or from the misuse of organized capital. Personally he believed in every man earning his own living, and he earned money and was glad to do so, but he had no desire or taste for making money, and he was entirely indifferent to it. The simplest of men in his own habits, the only thing he really would have liked to have done with ample wealth would have been to give freely to the many good objects which continually interested him.

Theodore Roosevelt's power, however, and the main source of all his achievement, was not in the offices which he held, for those offices were to him only opportunities, but in the extraordinary hold which he established and retained over great bodies of men. He had the largest personal following ever attained by any man in our history. I do not mean by this the following which comes from great political office or from party candidacy. There have been many men who have held the highest offices in our history by the votes of their fellow countrymen who have never had anything more than a very small personal following. By personal following is meant here that which supports and sustains and goes with a man simply because he is himself; a following which does not care whether their leader and chief is in office or out of office, which is with him and behind him because they, one and all, believe in him and love him and are ready to stand by him for the sole and simple reason that they have perfect faith that he will lead them where they wish and where they ought to go. This following Theodore Roosevelt had, as I have said, in a larger degree than anyone in our history, and the fact that he had it and what he did with it for the welfare of his fellow men have given him his great place and his lasting fame.

This is not mere assertion; it was demonstrated, as I have already pointed out, by the vote of 1912, and at all times, from the day of his accession to the Presidency onward there were millions of people in this country ready to follow Theodore Roosevelt and vote for him, or do anything else that he wanted, whenever he demanded their support or raised his standard. It was this great mass of support among the people, and which probably was never larger than in these last years, that gave him his immense influence upon public opinion, and public opinion was the weapon which he used to carry out all the policies which he wished to bring to fulfillment and to consolidate all the achievements upon which he had set his heart. This extraordinary popular strength was not given to him solely because the people knew him to be honest and brave, because they were certain that physical fear was an emotion unknown to him, and that his moral courage equaled the physical. It was not merely because they thoroughly believed him to be sincere. All this knowledge and belief, of course, went to making his popular leadership secure; but there was much more in it than that, something that went deeper, basic elements which were not upon the surface, which were due to qualities of temperament interwoven with his very being, inseparable from him and yet subtle rather than obvious in their effects.

All men admire courage, and that he possessed in the highest degree. But he had also something larger and rarer than courage, in the ordinary acceptation of the word. When an assassin shot him at Chicago he was severely wounded; how severely he could not tell, but it might well have been mortal. He went on to the great meeting awaiting him, and there, bleeding, suffering, ignorant of his fate, but still unconquered, made his speech and went from the stage to the hospital. What bore him up was the dauntless spirit which could rise victorious over pain and darkness and the unknown and meet the duty of the hour as if all were well. A spirit like this awakens in all men more than admiration—it kindles affection and appeals to every generous impulse.

Very different, but equally compelling, was another quality. There is nothing in human beings at once so sane and so sympathetic as a sense of humor. This great gift the good fairies conferred upon Theodore Roosevelt at his birth in unstinted measure. No man ever had a more abundant sense of humor—joyous, irrepressible humor—and it never deserted him. Even at the most serious and even perilous moments if there was a gleam of humor anywhere he saw it and rejoiced and helped himself with it over the rough places and in the dark hour. He loved fun, loved to joke and chaff, and, what is more uncommon, greatly enjoyed being chaffed himself. His ready smile and contagious laugh made countless friends and saved him from many an enmity. Even more generally effective than his humor, and yet allied to it, was the universal knowledge that Roosevelt had no secrets from the American people.

Yet another quality—perhaps the most engaging of all—was his homely, generous humanity, which enabled him to speak directly to the primitive instincts of man.

He dwelt with the tribes of the marsh and moor,
He sate at the board of kings;
He tasted the toil of the burdened slave
And the joy that triumph brings.
But whether to jungle or palace hall
Or white-walled tent he came,
He was brother to king and soldier and slave,
His welcome was the same.

He was very human and intensely American, and this knit a bond between him and the American people which nothing could ever break. And then he had yet one more attraction, not so impressive, perhaps, as the others, but none the less very important and very captivating. He never by any chance bored the American people. They might laugh at him or laugh with him, they might like what he said or dislike it, they might agree with him or disagree with him, but they were never wearied of him and he never failed to interest them. He was never heavy, laborious, or dull. If he had made any effort to be always interesting and entertaining he would have failed and been tiresome. He was unfailingly attractive because he was always perfectly natural and his own unconscious self. And so all these things combined to give him his hold upon the American people, not only upon their minds but upon their hearts and their instincts, which nothing could ever weaken and which made him one of the most remarkable, as he was one of the strongest, characters that the history of popular government can show. He was also—and this is very revealing and explanatory, too, of his vast popularity—a man of ideals. He did not expose them daily on the roadside with language fluttering about them like the Thibetan who ties his slip of paper to the prayer wheel whirling in the wind. He kept his ideals to himself until the hour of fulfillment arrived. Some of them were the dreams of boyhood from which he never departed and which I have seen him carry out shyly and yet thoroughly and with intense personal satisfaction.

He had a touch of the knight errant in his daily life, although he would never have admitted it; but it was there. It was not visible in the medieval form of shining armor and dazzling tournaments but in the never-ceasing effort to help the poor and the oppressed, to defend and protect women and children, to right the wronged and succor the downtrodden. Passing by on the other side was not a mode of travel through life ever possible to him; and yet he was as far distant from the professional philanthropist as could well be imagined, for all he tried to do to help his fellow men he regarded as part of the day's work to be done and not talked about. No man ever prized sentiment or hated sentimentality more than he. He preached unceasingly the familiar morals which lie at the bottom of both family and public life. The blood of some ancestral Scotch covenanter or of some Dutch reformed preacher facing the tyranny of Philip of Spain was in his veins, and with his large opportunities and his vast audiences he was always ready to appeal for justice and righteousness. But his own particular ideals he never attempted to thrust upon the world until the day came when they were to be translated into realities of action.

When the future historian traces Theodore Roosevelt's extraordinary career he will find these embodied ideals planted like milestones along the road over which he marched. They never left him. His ideal of public service was to be found in his life, and as his life drew to its close he had to meet his ideal of sacrifice face to face. All his sons went from him to the war and one was killed upon the field of honor. Of all the ideals that lift men up, the hardest to fulfill is the ideal of sacrifice. Theodore Roosevelt met it as he had all others and fulfilled it to the last jot of its terrible demands. His country asked the sacrifice and he gave it with solemn pride and uncomplaining lips.

This is not the place to speak of his private life, but within that sacred circle no man was ever more blessed in the utter devotion of a noble wife and the passionate love of his children. The absolute purity and beauty of his family life tell us why the pride and interest which his fellow countrymen felt in him were always touched with the warm light of love. In the home so dear to him, in his sleep, death came, and—

So Valiant-for-Truth passed over and all the trumpets sounded for him on the other side.

BENEDICTION.

Rev. Forrest J. Prettyman, D. D., Chaplain of the Senate, pronounced the following benediction:

And now may the grace of our Lord Jesus Christ, and the love of God, and the fellowship of the Holy Spirit be with you all evermore. Amen.

ADJOURNMENT.

The VICE PRESIDENT. The purpose for which this joint session of the Congress of the United States this day assembled having been satisfactorily concluded, it is now adjourned.

Whereupon (at 4 o'clock and 45 minutes p. m.) the House adjourned until Monday, February 10, 1919, at 11 o'clock a. m.

SENATE.

MONDAY, *February 10, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Thou hast given to us our place in the world and called us to places of responsibility at a time when the world is seeking the paths of peace and the nations are conferring with each other about the way for the establishment of justice and right among all men. We pray that we may all turn back to the ancient statutes of the Lord and may find that upon building on these we may build with security and with hope and with confidence the temple of human justice and right. Grant us willing hearts to respond to the divine command and active lives to express our consecration to the divine will. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Friday, February 7, 1919, when, on request of Mr. SHEPPARD and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the Senate to the bill (H. R. 12863) to provide revenue, and for other purposes.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 1847. An act to authorize the addition of certain lands to the Wyoming National Forest;

H. R. 1607. An act for the relief of David E. Gray;

H. R. 12996. An act granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River, in the State of Ohio;

H. R. 12997. An act granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River, in the State of Ohio;

H. R. 13232. An act to extend the time for the construction of a bridge across the Red River of the North, between Traill County, N. Dak., and Polk County, Minn.;

H. R. 13233. An act to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, and an act in amendment thereto approved October 6, 1917; and

H. R. 13353. An act to extend the provisions of the homestead laws touching credit for period of enlistment to the soldiers, nurses, and officers of the Army and the seamen, marines, nurses, and officers of the Navy and the Marine Corps of the United States who have served or will have served with the Mexican border operations or during the war between the United States and Germany and her allies.

SENATOR FROM NEBRASKA.

The VICE PRESIDENT. The Chair lays before the Senate the following credentials of election of the Senator from Nebraska [Mr. NORRIS], which will be read and placed on the files.

The credentials were read and ordered to be filed, as follows:

To the PRESIDENT OF THE UNITED STATES SENATE:

This is to certify that on the 5th day of November, 1918, GEORGE W. NORRIS was duly chosen by the qualified electors of the State of Nebraska a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1919.

Witness: His excellency, our governor, S. R. McKelvie, and our seal hereto affixed at Lincoln, Nebr., this 23d days of January, A. D. 1919.

SAMUEL R. MCKELVIE, *Governor.*

By the governor:
[SEAL.] D. M. AMSBERRY, *Secretary of State.*

SENATOR FROM ARKANSAS.

Mr. KIRBY. Mr. President, I present the credentials of my colleague [Mr. ROBINSON] and ask that they may be read and placed on the file.

The VICE PRESIDENT. The Secretary will read the credentials.

The credentials were read and ordered to be filed, as follows:

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 5th day of November, 1918, JOE T. ROBINSON was duly chosen by the qualified electors of the State of Arkansas a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1919.

Witness: His excellency, our governor, Charles H. Brough, and our seal hereto affixed at Little Rock, this 5th day of February, A. D. 1919.

CHARLES H. BROUGH, *Governor.*

By the governor:
[SEAL.] TOM J. TERRAL, *Secretary of State.*

WOMAN SUFFRAGE.

Mr. JONES of New Mexico. Mr. President, I purpose asking unanimous consent to call up House joint resolution 200, and preliminary to that I suggest the absence of a quorum.

Mr. LODGE. Has morning business been disposed of?

The VICE PRESIDENT. No; nothing has been done.

Mr. BORAH. Does that dispense with——

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Harding	Martin, Va.	Smith, S. C.
Baird	Henderson	Moses	Smoot
Bankhead	Hitchcock	Nelson	Spencer
Beckham	Hollis	New	Sterling
Borah	Johnson, Cal.	Norris	Sutherland
Brandegee	Johnson, S. Dak.	Nugent	Swanson
Calder	Jones, N. Mex	Overman	Thomas
Colt	Jones, Wash.	Page	Thompson
Culberson	Kellogg	Penrose	Townsend
Cummins	Kenyon	Pittman	Trammell
Curtis	King	Poindexter	Underwood
Dillingham	Kirby	Pollock	Vardaman
Fernald	La Follette	Pomerene	Wadsworth
Fletcher	Lenroot	Ransdell	Walsh
France	Lewis	Robinson	Warren
Frelinghuysen	Lodge	Saulsbury	Watson
Gay	McCumber	Shafroth	Williams
Gerry	McKellar	Sheppard	Wolcott
Gore	McLean	Sherman	
Gronna	McNary	Smith, Ga.	
Hale	Martin, Ky.	Smith, Mich.	

Mr. MCNARY. I wish to announce the unavoidable absence of my colleague [Mr. CHAMBERLAIN] on official business.

Mr. LENROOT. I desire to announce that the junior Senator from Georgia [Mr. HARDWICK] is absent on official business.

Mr. SAULSBURY. I wish to announce that the Senator from Maryland [Mr. SMITH] is detained by illness.

Mr. BECKHAM. I desire to announce that the Senator from Georgia [Mr. HARDWICK] is detained on official business.

Mr. MCKELLAR. I wish to announce that my colleague [Mr. SHIELDS] is detained by illness.

The VICE PRESIDENT. Eighty-one Senators have answered to the roll call. There is a quorum present.

Mr. JONES of New Mexico. It has been suggested that it would be satisfactory to the Senate to dispense with the morning business and proceed at once to the consideration of House joint resolution 200. A week ago I gave notice that on to-day the

joint resolution would be called up for consideration, and I will now ask unanimous consent that we may proceed to the consideration of the joint resolution. I will withhold the motion for a little while if any Senator has anything urgent to present.

Mr. LODGE. I have no objection at all to the request the Senator is making, but there is a little morning business that I think we all wish to dispose of and would be glad to put in now—petitions and things of that sort.

Mr. JONES of New Mexico. Then I will withhold the request for a short time.

Mr. LODGE. I am much obliged to the Senator.

The VICE PRESIDENT. The presentation of petitions and memorials is in order.

PETITIONS AND MEMORIALS.

Mr. LODGE. Mr. President, I have here a petition against what are known as the luxury taxes, signed by some 10,000 persons. They request to have stricken from the pending revenue bill the so-called luxury taxes, and give their reasons, which are very brief, and I shall ask to have the petition printed in the RECORD.

I merely wish to say that I am getting many letters on this subject, as well as these great petitions. I wish to state for the benefit of the petitioners that those taxes—so-called luxury taxes, most of them being on objects of prime necessity—were put in in the House while we were at war when it was necessary to raise $8,000,000 of revenue. After the armistice the committee of the Senate struck them out, and the House was anxious to have them stricken out, looking on them only as an extreme war tax. But the Senate in its wisdom saw fit to restore them, and by restoring them put them beyond the power of the conferees. It was impossible for the conferees to take them from the bill and nothing can be done further with that bill. It may be possible to pass a joint resolution later removing them, for they are excessive taxes which ought not to remain. I send the petition to the desk and ask to have it printed in the RECORD.

There being no objection, the petition was ordered to be printed in the RECORD, as follows:

To the SENATORS AND REPRESENTATIVES IN CONGRESS FROM MASSACHUSETTS:

The undersigned consumers respectfully request that you use your votes and influence to have stricken from the pending internal-revenue bill the so-called luxury taxes.

We request this action, because these taxes are discriminatory, will be an unjust and annoying burden to the consumer, will throw out of employment many workmen engaged in manufacturing the articles taxed at a time when it would appear to be necessary to prevent unemployment and because of the fact that the Government will derive a comparatively small revenue at an exceedingly heavy cost of collection.

Mr. SMOOT. Mr. President, I simply rose to say that I have received similar petitions from nearly every institution in the State of Utah signed by the employees of all the dry-goods and grocery stores of that State. I am not going to present them to the Senate, because they are of a character similar to those already presented and printed in the RECORD.

Mr. LODGE presented a petition adopted at a meeting of 1,000 citizens of Brookline, Mass., under the auspices of the Brookline Civic Forum, and a petition of sundry members of the National Academy of Sciences, praying for the creation of a league of nations, which were referred to the Committee on Foreign Relations.

He also presented a telegram in the nature of a petition from the Rotary Club of Lynn, Mass., praying for the return to private ownership of the telephone and telegraph lines, which was referred to the Committee on Post Offices and Post Roads.

He also presented a telegram in the nature of a petition from Local Union 1A, Telephone Operators' Union, of Boston, Mass., and a telegram in the nature of a petition from Local Union No. 142, Inside Telephone Men's Union, of Boston, Mass., praying that an investigation be made of the Federal administration of telephone and telegraph lines, which were referred to the Committee on Post Offices and Post Roads.

He also presented the petition of Henry H. Edes, W. M. Davis, and 136 other citizens of Massachusetts, members of the American Academy of Arts and Sciences, of Boston, praying for action by the President and Congress with a view toward establishing a league of nations for the maintenance of peace, which was referred to the Committee on Foreign Relations.

Mr. GRONNA. Mr. President, it will be remembered that a few days ago we had before the Senate a bill reported from the Committee on Banking and Currency providing that the law be changed so that a national bank may loan more than 10 per cent upon its capital and surplus. I have received a great many telegrams on this subject, but I shall present only one, and I ask to have it printed in the RECORD. It is from the North Dakota Bankers' Association. They favor the provision recommended by the board and the Comptroller of the Currency.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

FARGO, N. DAK., *February 8, 1919.*

Hon. A. J. GRONNA,
United States Senate, Washington, D. C.:

North Dakota national banks very much in favor of bill increasing loaning capacity to 20 per cent of capital. Will greatly aid in development of industries.

NORTH DAKOTA BANKERS ASSOCIATION.

Mr. GRONNA. I also present two telegrams, one from the chairman of the North Dakota Council of Defense, of Bismarck, N. Dak., and one from the chairman of the committee on agriculture of the General Assembly of Connecticut and the president of the Farmers' Association of Connecticut, which I ask to have printed in the RECORD and referred to the Committee on Agriculture and Forestry.

There being no objection, the telegrams were referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

BISMARCK, N. DAK., *February 4, 1919.*

Hon. A. J. GRONNA,
United States Senate, Washington, D. C.:

The woman's committee of the North Dakota Council of Defense finds the home demonstration agents invaluable in carrying out Government requests. Work just now well underway, and any decrease in fund available for this purpose will be fatal. Woman's committee urges you to do your utmost to defeat bill cutting appropriation.

MRS. F. L. CONKLIN, *Chairman.*

HARTFORD, CONN, *February 6, 1919.*

Senator ASLE J. GRONNA,
United States Senate, Washington, D. C.:

The farmers association of the Connecticut General Assembly is shocked at the news that the United States Congress is taking away nearly all of our appropriation for extension work in agriculture in our State, and we are appealing to your judgment and for your assistance in preserving this most useful and efficient instrument that assists us in feeding our people. Please help us in this crisis.

CLIFFORD E. HOUGH,
President Farmers Association.
Connecticut General Assembly of 1919.
WATSON WOODRUFF,
Chairman Committee on Agriculture,
Connecticut General Assembly.

Mr. TOWNSEND. My colleague and myself have received a telegram from the Michigan State Legislature in the form of a resolution which was adopted January 2 in behalf of woman's suffrage, practically ratifying the provision to be submitted to the people. This being, as I understand it, the first State to adopt such a resolution, I ask that it be read.

The VICE PRESIDENT. The Secretary will read.

The Secretary read as follows:

LANSING, MICH., *February 8, 1919.*

Senator CHARLES E. TOWNSEND,
Washington, D. C.:

Following is copy of resolution adopted by the Michigan Senate and House of Representatives in joint convention on January 2, 1919:

Whereas an amendment to the Federal Constitution providing that "the right of citizens of the United States to vote shall not be denied or abridged in the United States or any State on account of sex" has passed the House of Representatives and is now pending in the Senate; and

Whereas during the war, in recognition of the value of woman's war service the Parliaments of Great Britain and Canada enfranchised the women of those countries, and those of France and Italy have virtually promised the same act of political justice; and

Whereas immediately after signing of armistice autocratic Germany and Hungary gave women the ballot; and

Whereas in our own country women vote on same terms as men in 15 States and have some voting rights in 20 others laboriously acquired during a struggle of 40 years; and

Whereas the electors of Michigan defeated woman suffrage five years ago by 96,000 votes, two months ago it carried by nearly 35,000 votes, an indication of the great change in sentiment throughout the State; and

Whereas the leaders of all political parties, major and minor, have demanded the passage of this amendment, and the national committee of the major political parties have earnestly indorsed it: Therefore be it

Resolved, That we the members of the Michigan State Legislature in joint session assembled, in recognition of the justice of women's demands and of their contribution to society in war and in peace, do hereby call upon the Senate of the United States to pass the woman suffrage amendment and give the States opportunity to ratify the same.

DENNIS E. ALWARD,
CHARLES E. PIERCE,
Secretaries of Joint Convention.

Mr. PITTMAN. I present a telegram from the governor of Nevada, transmitting resolutions of the Legislature of the State of Nevada urging the passage of the joint resolution proposing an amendment to the Constitution providing for woman suffrage, and requesting the Senators from that State to vote for it. I ask that the telegram may be read.

The VICE PRESIDENT. The Secretary will read, as requested.

The Secretary read as follows:

CARSON, NEV., *February 8, 1919.*

Hon. KEY PITTMAN,
Hon. CHARLES B. HENDERSON,
United States Senate, Washington, D. C.:

Assembly joint and concurrent resolution No. 2 was approved by me February 4, 1919, and is as follows:

"Whereas there is now pending before the Senate of the United States a resolution to submit to the several States an amendment to the Constitution of the United States granting the right of suffrage to women; and

"Whereas the President of the United States has urged the passage of such resolution not only as an act of justice to the women of America, but as a means to encourage the acceptance of democratic ideals throughout the civilized world; and

"Whereas the world war laid its burdens and sacrifices with even hand upon men and women alike and demanded and received from both the fullest measure of patriotism and devotion, in order that the great purposes for which the war was successfully fought might be permanently secured for the benefit of mankind; and

"Whereas in the period of readjustment and reconstruction upon which we have entered there will arise the most difficult and far-reaching moral, social, economic, industrial, and political problems that must of necessity affect the lives of all our people for generations to come and in the solution of which men and women must equally be concerned: Therefore be it

"*Resolved by the assembly (the senate concurring)*, That the Senate of the United States be hereby requested to immediately pass such resolution to submit to the States for their approval the Susan B. Anthony amendment to the Constitution of the United States; and be it further

"*Resolved*, That the Senators from Nevada be requested to present this resolution to the United States Senate and to energetically and actively support the resolution submitting such amendment."

EMMET D. BOYLE, *Governor.*

Mr. PITTMAN. Mr. President, I ask leave to have published in the RECORD, following the telegram just read, the list of the names of the women representing the National American Woman Suffrage Association of the State, which has indorsed the resolution.

The VICE PRESIDENT. Is there objection?

There being no objection, the list referred to was ordered to be printed in the RECORD, as follows:

Assembly joint and concurrent resolution.

Whereas there is now pending before the Senate of the United States a resolution to submit to the several States an amendment to the Constitution of the United States granting the right of suffrage to women; and

Whereas the President of the United States has urged the passage of such resolution, not only as an act of justice to the women of America, but as a means of encouraging the acceptance of democratic ideals throughout the civilized world; and

Whereas the world war laid its burdens and sacrifices with even hand upon men and women alike and demanded and received from both the fullest measure of patriotism and devotion in order that the great purposes for which the war was successfully fought might be permanently secured for the benefit of mankind; and

Whereas in the period of readjustment and reconstruction upon which we have entered there will arise the most difficult and far-reaching moral, social, economic, industrial, and political problems that must of necessity affect the lives of all our people for generations to come and in the solution of which men and women must equally be concerned; Therefore be it

Resolved by the assembly (the senate concurring), That the Senate of the United States be hereby requested to immediately pass such resolution to submit to the States for their approval the Susan B. Anthony amendment to the Constitution of the United States; and be it further

Resolved, That the Senators from Nevada be requested to present this resolution to the United States Senate and to energetically and actively support the resolution submitting such amendment.

Helen T. Bedford, Sadie D. Hurst, Mrs. L. D. Church, Emma G. Vanderheith, Mrs. W. H. Hood, Mrs. Mark Walser, Mrs. F. G. Patrick, Fannie V. McKenzie, Mrs. C. H. Burke, Mrs. R. D. Eichelberger, Mrs. W. H. Bray, Mrs. Christina W. Clark, Mrs. Tegwen M. Daniel, Mrs. O. H. Mack, Mary Frankman, Mary A. Boyd, Nevada Suffrage Ratification Committee of the National American Woman Suffrage Association, indorsed by the Woman's Citizens' Club, of Reno, Nev.

Mr. KELLOGG. I present a resolution adopted by the Legislature of the State of Minnesota, which I ask to have printed in the RECORD and referred to the Committee on Agriculture and Forestry.

The resolution was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

[Minnesota Legislature, session of 1919.]

Resolution by the House of Representatives of the State of Minnesota (the Senate concurring), memorializing Congress to provide means for purchasing and moving of the wheat still remaining in the hands of the farmers.

Whereas fully one-third of the wheat crop of the Northwest tributary to the terminal markets of Minneapolis, St. Paul, and Duluth still remains in the hands of the farmers, who are anxious to dispose of their grain, but are advised by grain buyers that they are unable to purchase any more wheat for the reason that an embargo has been imposed against all shipments of grain; and

Whereas in some parts of Minnesota and North Dakota the granaries are not in condition to carry grain for any considerable period, and if the embargo against the shipments of grain is not lifted at once and the wheat disposed of there will be a great loss sustained by the farmers of this section, who, responding to the call of the Federal Government to produce this wheat, did so under personal sacrifice and under difficult conditions, owing to the fact that many of their young men were taken into the Army: Therefore be it

Resolved by the House of Representatives of the State of Minnesota (the Senate concurring), That we request the Government of the United States to cause some provision to be made for moving of such wheat as speedily as possible, and we ask and urge the Representatives of the State of Minnesota in Congress to do all in their power to have some means provided for the purchase and movement of the wheat crop still in the hands of our farmers: Be it further

Resolved, That the chief clerk of the house is hereby instructed to forward a copy of this resolution to the Secretary of Agriculture and to each of the United States Senators and Congressmen from Minnesota.

Adopted February 4, 1919.

W. I. NOLAN,
Speaker of the House.

Attest:

OSCAR ARNESON,
Chief Clerk.

Mr. KELLOGG. I also present a resolution adopted by the Legislature of the State of Minnesota, which I ask to have printed in the RECORD.

There being no objection, the resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

[Minnesota Legislature, House of Representatives, session of 1919.]

A concurrent resolution to the House of Representatives and Senate of the United States.

Whereas the successful prosecution of the recent world war would have been impossible without the staunch and loyal cooperation of the Nation's workers; and

Whereas many of these workers have, while engaged in industry, sustained injuries as serious and as enduring as those suffered by soldiers on the field of battle and are as greatly in need of rehabilitation in order that they may be restored to capacity for useful pursuits; and

Whereas there is now pending in Congress a bill known as the Smith-Bankhead bill (S. 4922; H. R. 12880), which would make available for industrial and other cripples the same advantages of retraining that have been extended to soldiers wounded in the line of duty, granting aid from the Federal Treasury for the reeducation and placement of the disabled and giving the invaluable assistance of the Federal Government in standardizing and developing such work: Now, therefore, be it

Resolved by the House of Representatives of the State of Minnesota (the Senate concurring), That we earnestly and urgently petition your honorable body to give early and favorable consideration to the aforesaid Smith-Bankhead bill, both as an act of justice and as a fitting recognition of the splendid service of American labor during the recent world crisis.

That a copy of this resolution be forwarded to the Speaker of the House of Representatives, the President of the Senate, and to each Senator and Representative from the State of Minnesota.

W. I. NOLAN,
Speaker of the House.

Attest:

OSCAR ARNESON,
Chief Clerk.

Mr. KENYON presented a petition of the Commercial Club of Ottumwa, Iowa, praying that better service be rendered by the express companies, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Town Club of Marshalltown, Iowa, praying for the enactment of legislation to prevent the return to the United States of any person who was engaged in opposition to the United States and its allies in the war, and for the deportation of all enemy aliens, which was referred to the Committee on Immigration.

He also presented a petition of Local Branch United Textile Workers of America, of New York City, N. Y., praying for the establishment of an eight-hour workday for textile workers, which was referred to the Committee on Education and Labor.

He also presented a petition of the Monday Evening Club of Washington, D. C., praying for the passage of the so-called Johnson-Nolan minimum-wage bill, which was referred to the Committee on Education and Labor.

He also presented memorials of the Ida County Farm Bureau; of Rev. Howard P. Young, of Boone; of S. F. Buck, of Diagonal; of F. J. Ritchie, of Cherokee; of H. L. Vander Hammer, of Ireton; and of Raymond Murphy, of Denmark, all in the State of Iowa, remonstrating against the reenactment of the so-called daylight saving bill, which were referred to the Committee on Interstate Commerce.

He also presented a petition of sundry citizens of Arthur, Iowa, praying for the early return of our soldiers from abroad, which was referred to the Committee on Military Affairs.

He also presented petitions of sundry citizens of Creston, Waterloo, Dubuque, and Des Moines, all in the State of Iowa, praying for Government ownership of railroads, which were referred to the Committee on Interstate Commerce.

Mr. NELSON. I present a resolution adopted by the Legislature of Minnesota, which I ask to have printed in the RECORD and referred to the Committee on Agriculture and Forestry.

The resolution was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

[Minnesota Legislature, session of 1919.]

Resolution by the House of Representatives of the State of Minnesota, the Senate concurring, memorializing Congress to provide means for purchasing and moving of the wheat still remaining in the hands of the farmers.

Whereas fully one-third of the wheat crop of the Northwest, tributary to the terminal markets of Minneapolis, St. Paul, and Duluth, still remains in the hands of the farmers, who are anxious to dispose of

their grain but are advised by grain buyers that they are unable to purchase any more wheat for the reason that an embargo has been imposed against all shipments of grain; and

Whereas in some parts of Minnesota and North Dakota the granaries are not in condition to carry grain for any considerable period, and if the embargo against the shipments of grain is not lifted at once and the wheat disposed of there will be a great loss sustained by the farmers of this section, who, responding to the call of the Federal Government to produce this wheat, did so under personal sacrifice and under difficult conditions, owing to the fact that many of their young men were taken into the Army: Therefore be it

Resolved by the House of Representatives of the State of Minnesota (the Senate concurring), That we request the Government of the United States to cause some provision to be made for moving of such wheat as speedily as possible, and we ask and urge the Representatives of the State of Minnesota in Congress to do all in their power to have some means provided for the purchase and movement of the wheat crop still in the hands of our farmers; be it further

Resolved, That the chief clerk of the house is hereby instructed to forward a copy of this resolution to the Secretary of Agriculture and to each of the United States Senators and Congressmen from Minnesota.

Adopted February 4, 1919.

W. I. NOLAN,
Speaker of the House.

Attest:

OSCAR ARNESON, *Chief Clerk.*

Mr. CURTIS. I present a resolution adopted by the Legislature of the State of Kansas, which I ask to have printed in the RECORD and referred to the Committee on Mines and Mining.

The resolution was referred to the Committee on Mines and Mining and ordered to be printed in the RECORD, as follows:

House resolution 11.

Whereas the largest metal-mining industry in the State of Kansas is the zinc-mining industry; and

Whereas the said industry has been greatly crippled by reason of the immense importations of zinc ore from foreign countries, which said importations amounted in four years ending July 30, 1918, to the huge total of 824,000 tons; and

Whereas the War Industries Board has recently removed the embargo of April, 1918, which prohibited the use of ship bottoms for the importation of zinc ores; and

Whereas there are now 350,000 tons of zinc ore concentrated in Australia ready for shipment to the United States, together with a potential importation of 150,000 tons of zinc ore per year from Mexico and Canada: Now, therefore, be it

Resolved by the House of Representatives of the State of Kansas, That immediate action is necessary to save the zinc-mining industry of the State from destruction by reason of these huge importations, and therefore the Congress of the United States is hereby requested to take immediate action to save said industry by attaching a rider to the present revenue bill providing for a tariff of 2 cents per pound upon the metallic content of all zinc ore imported into the United States; and be it further

Resolved, That the Senators and Congressmen from the State of Kansas be requested to immediately confer with the Finance Committee of the Senate and the Ways and Means Committee of the House, with a view to having such a provision incorporated in the revenue bill.

Adopted February 5, 1919.

W. P. LAMBERTSON,
Speaker of the House.
CLARENCE W. MILLER,
Chief Clerk of the House.

Mr. CURTIS. I present a telegram in the nature of a petition from the president of the Kansas Council of Women, which I ask to have printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

TOPEKA, KANS., *February 10, 1919.*

Senator CHARLES CURTIS,
United States Senate, Washington, D. C.:

Kansas Council of Women, representative 80,000 enfranchised, prays Senate vote simple justice to American womanhood; trusting justification to grateful centuries. 'Tis the Kansas way; make it national.

EFFIE GRAHAM,
President Kansas Council of Women.

Mr. COLT presented a petition of sundry citizens of Providence, Willimantic, West Kingston, Auburn, and Bristol, all in the State of Rhode Island, praying for the early withdrawal of our troops from Russia, which was referred to the Committee on Military Affairs.

Mr. THOMPSON presented a petition of Crawford County Branch of the Kansas Division of the Farmers' Education and Cooperative Union of America, praying for the enactment of legislation to guarantee $2.20 per bushel for the 1919 wheat crop, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of Dodge County, Kans., praying for the proposed extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

Mr. WARREN. I present a resolution adopted by the Legislature of the State of Wyoming, favoring the adoption of the woman suffrage amendment, which I ask to have printed in the RECORD.

The resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

THE STATE OF WYOMING,
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA,
State of Wyoming, ss:

I, W. E. Chaplin, secretary of state of the State of Wyoming, do hereby certify that the annexed copy of enrolled act No. 1, House of Representatives, Fifteenth Legislature of the State of Wyoming, being original house joint resolution No. 1, has been carefully compared with the original filed in this office on the 4th day of February, A. D. 1919, and is a full, true, and correct copy of the same and of the whole thereof.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the State of Wyoming.

Done at Cheyenne, the capital, this 7th day of February, A. D. 1919.

[SEAL.]

W. E. CHAPLIN,
Secretary of State.
By H. M. SYMONS,
Deputy.

[Enrolled joint resolution No. 1, House of Representatives, Fifteenth Legislature of the State of Wyoming.]

A joint resolution relating to woman's suffrage.

Be it resolved by the House of Representatives of the State of Wyoming (the Senate concurring):

Whereas there is now pending in the Senate of the United States a resolution providing for the submission of a constitutional amendment, which will grant full rights of suffrage to the women of the Nation; and

Whereas the right to vote was granted to the women of Wyoming in the year 1869, and 50 years' experience in this State has proven the real merit and worth of woman's suffrage; and

Whereas we heartily indorse said resolution and sincerely believe that suffrage for all women of this Nation would be not only a great moral and social benefit but also a practical success: Therefore be it

Resolved, That the Senate of the United States is hereby earnestly requested to pass said resolution at an early date; and be it further

Resolved, That a certified copy of this resolution be forwarded at once by the Hon. W. Chaplin, secretary of state, to Senator JONES, of New Mexico, and also to the United States Senators from Wyoming.

E. J. SULLIVAN,
Speaker of the House.
T. G. POWERS,
President of the Senate.

Approved:

ROBERT D. CAREY,
Governor.

FEBRUARY 3, 1919—6 p. m.

Mr. MARTIN of Virginia presented a petition of sundry citizens of Portsmouth and Norfolk, in the State of Virginia, praying for Government ownership of railroads, which was referred to the Committee on Interstate Commerce.

Mr. HALE. I present a petition of certain members of the Seventy-ninth Legislature of the State of Maine, praying for the passage of the woman suffrage amendment, which I ask to have printed in the RECORD.

There being no objection, the petition was ordered to be printed in the RECORD, as follows:

To the Hon. FREDERICK HALE,
United States Senator from Maine, Washington, D. C.:

We, the undersigned members of the Seventy-ninth Legislature of Maine, believing that in response to the demand for a more complete and consistent democracy in this country inspired by the ideals of the world war, there has been a change in the attitude of the people of Maine toward the question of the enfranchisement of women since the referendum submitted in 1917, and that the proposed Federal amendment to the Constitution granting the franchise to women would, if submitted, be ratified by the legislature of this State, do hereby, without assuming the right in any way in our capacity as legislators to dictate what your course of action should be, respectfully request you to give your vote and support to secure the passage of that measure.

WILLIAM L. WALKER AND OTHERS.

Mr. HALE presented a petition of Twin City Council, No. 160, United Commercial Travelers of America, of Auburn, Me., praying for the return to private ownership of the railroads of the country, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Philomothian Club of Fort Fairfield, Me., and a petition of the Woman's Literary Club of Caribou, Me., praying for the establishment of a department of education, which were referred to the Committee on Education and Labor.

Mr. MOSES. I present a resolution adopted by the Legislature of the State of New Hampshire, requesting Congress to use its influence with the Government to pay our private soldiers and noncommissioned officers promptly, which I ask to have printed in the RECORD and referred to the Committee on Military Affairs.

The resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Resolution passed by the New Hampshire Legislature February 6, 1919.

Resolved by the senate (the house of representatives concurring), That whereas we have heard with regret of the delay in the payment of wages to our soldiers;

Resolved, That we request our National Senators and Representatives in Congress to use their influence with the Government—

First, to pay our private soldiers and noncommissioned officers promptly; and,

Secondly, to give every private soldier, noncommissioned officer, and sailor, at the time of his honorable discharge, the sum of $200.

Mr. McKELLAR. I present two telegrams from citizens of my State relative to the national suffrage amendment, which I ask to have printed in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

CHATTANOOGA, TENN., *February 9, 1919.*

Hon. KENNETH D. MCKELLAR,
Senate Office Building, Washington, D. C.:

As representative of 20,000 organized labor men of Tennessee, we call upon you to do all in your power to secure the passage of the national suffrage amendment Monday. We expect you to use every legitimate means of influence with Democratic Senators to win the one vote needed. Defeat of this measure, justice to American women, would bring everlasting discredit upon your party.

TENNESSEE FEDERATION OF LABOR.
JNO. O'CONNOR, *President.*
PAUL AYMON, *Vice President.*
W. C. BRITHWRIGHT,
Secretary and Treasurer.
HAS HANSLEY,
Legislative Chairman.

CHATTANOOGA, TENN., *February 9, 1919.*

Hon. KENNETH D. MCKELLAR,
United States Senate, Washington, D. C.:

Tennessee women are looking to you not merely to vote for the suffrage amendment, but to work hard and fast to secure the one vote still needed. We will never forgive the Democratic Party if it allows our measure to be defeated on Monday.

Mabel P. Chumley, Mrs. W. T. Bland, Mrs. Margaret Severance, Mrs. Franklin Harris, Mrs. Y. L. Abernathy, Mrs. J. D. Alsup, Mrs. Claudia Griscom, Mrs. B. B. Crandall, Mrs. Florence W. Hughes, Mrs. Paul Moross, Ella F. Dyer, Mrs. D. H. Barker, Mrs. Mary V. Grayson, Mrs. J. W. Westbrook, Mrs. Benj. Bush, Mrs. H. A. Burnett, Marjorie B. Burton, Frances Pursell, Mrs. Edward Mullery, Mrs. Dorothy M. Donahue, Mary Donahue, Mrs. Wm. Hoge, Katherine E. Shirley, Mrs. W. H. Robinson, Selma J. Robinson.

Mr. SPENCER. I present a telegram from the speaker of the house of representatives of the Legislature of Missouri, which I ask to have read.

There being no objection, the telegram was read, as follows:

JEFFERSON CITY, MO., *February 9, 1919.*

Senator SELDON SPENCER,
Senate Office Building, Washington, D. C.:

Concurrent resolution memorializing Congress on Federal woman suffrage amendment passed by Missouri Senate and House. Official text follows.

S. F. O'FALLON, *Speaker.*

Mr. BORAH. I present a resolution adopted by the Legislature of the State of Idaho, which I ask to have printed in the RECORD and referred to the Committee on Agriculture and Forestry.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

STATE OF IDAHO,
DEPARTMENT OF STATE.

I, Robert O. Jones, secretary of state of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of senate joint memorial 3, by Pettibone (by request), which was filed in this office on the 4th day of February, A. D. 1919, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the capital of Idaho, this 5th day of February, in the year of our Lord 1919 and of the Independence of the United States of America the one hundred and forty-third.

[SEAL.] ROBERT O. JONES,
Secretary of State.

[Legislature of the State of Idaho, fifteenth session. In the Senate. Senate joint memorial 3. By Pettibone (by request).]

To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

We, your memorialists, the Legislature of the State of Idaho respectfully represent that—

Whereas the construction of a suitable wagon road over which auto trucks can be operated up the South Fork of the Clearwater River, in Idaho County, State of Idaho, beginning either at the town of Stites or the city of Grangeville, both being railroad terminal points, thence up said river to the gold-mining districts of Elk City, Dixie, and Buffalo Hump is a great public and national necessity; and

Whereas since the announcement by the honorable Secretary of the Treasury: "That next in importance to war munitions and foodstuffs was a greater production of gold," the question of a greater production of gold has ever since and now is being seriously considered by the National Government, and that said question is now being considered by the national committee, with a view of determining what is the best method of bringing about the desired results, and that in all probability there soon will be large appropriations made for the construction of highways into the gold districts, where needed; and

Whereas said proposed highway would intersect the gold-mining districts as follows: Clearwater, Ten Mile, Elk City, Dixie, Oro Grande, and Buffalo Hump, all known to be gold-producing sections, and with proper transportation would yield a large output of the precious metal, now so much desired by the Government; and

Whereas the construction of such a road was contemplated something like two years ago, and data compiled and submitted to the Government, showing the necessity for such a road from a cheaper postal operating expense as well as the operating of the National Forest Department, and that the same was approved by the Government on a basis of 50–50; and

Whereas under present conditions the constitutional limitations of the State of Idaho prohibit the raising of a sufficient fund to meet the Government on said 50–50 basis, and that locally the county and State are bonded to their limit for other road purposes, including the North and South Highway, which is now under construction; and

Whereas such a highway would not only be a great benefit in opening up the several gold districts mentioned but would ultimately be extended and be another artery or highway extending across the country, connecting with said North and South Highway, and would be a great benefit to the Government in lessening the operating expenses from both Parcels Post and Forest Reserve Departments, and would also open up a vast grazing country and timberlands, and would be a great accommodation to something like 250 homesteaders along said route or adjacent thereto: Now, therefore, be it hereby

Resolved, That we, your memorialists, do recommend that $500,000 be appropriated, or so much thereof as may be necessary, to construct said highway or wagon road, as aforesaid.

The secretary of state is hereby instructed to forward copies of this memorial to the Senate and House of Representatives of the United States, and copies of the same to our Senators and Representatives in Congress.

This joint memorial passed the senate on the 24th day of January, 1919.

C. C. MOORE,
President of the Senate.

This joint memorial passed the house of representatives on the 30th day of January, 1919.

M. A. KIGER,
Speaker of the House of Representatives.

I hereby certify that the within joint memorial 3 originated in the senate during the fifteenth session of the Legislature of the State of Idaho.

PAUL DAVIS,
Secretary of the Senate.

(Indorsed: Received and filed, Feb. 4, 1919. Robert O. Jones, secretary of state.)

INDUSTRIAL CONDITIONS IN PORTO RICO.

Mr. SAULSBURY, from the Committee on Pacific Islands and Porto Rico, to which was referred Senate joint resolution (S. J. Res. 211) authorizing the appointment and sending of a commission to Porto Rico to study its industrial and economic conditions, and for other purposes, reported with amendments and submitted a report (No. 701) thereon.

FEDERAL COMMISSION ON RECONSTRUCTION.

Mr. OVERMAN. From the Committee on the Judiciary I report back without recommendation the bill (S. 4968) to provide for the creation and establishment of a Federal commission on reconstruction, and for other purposes, and I submit a report (No. 700) thereon.

The VICE PRESIDENT. The bill will be placed on the calendar.

CONGRESSIONAL COMMITTEES ON RECONSTRUCTION.

Mr. OVERMAN. I also report from the Committee on the Judiciary, without recommendation, Senate concurrent resolution 25, submitted by the Senator from Iowa [Mr. CUMMINS] on November 21, 1918, to provide for the appointment of certain joint congressional committees on reconstruction, and I submit a report (No. 699) thereon.

Mr. CUMMINS. Mr. President, I desire to give notice that on next Saturday morning I shall endeavor to bring before the Senate for its consideration the resolution just reported from the Committee on the Judiciary by its chairman, the Senator from North Carolina [Mr. OVERMAN]. I give this notice for the convenience of Members of the Senate.

The VICE PRESIDENT. The resolution will be placed on the calendar.

THE COMMITTEE ON PUBLIC HEALTH AND NATIONAL QUARANTINE.

Mr. THOMPSON. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably, without amendment, Senate resolution 443, submitted by the Senator from Louisiana [Mr. RANSDELL] on the 8th instant, and I call the attention of that Senator to the resolution.

Mr. RANSDELL. I ask unanimous consent for the present consideration of the resolution.

The resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Public Health and National Quarantine, or any subcommittee thereof, be, and hereby is, authorized, during the Sixty-fifth Congress, to send for persons, books, and papers; to administer oaths; and to employ a stenographer, at a cost not exceeding $1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McCUMBER:

A bill (S. 5563) authorizing the Secretary of War to donate to the city of Hankinson, in the State of North Dakota, captured German cannon, cannon balls, or shells, and gun carriages, condemned United States cannon, cannon balls, or shells, and gun carriages; to the Committee on Military Affairs.

By Mr. KENYON:

A bill (S. 5564) granting a pension to Nancy Herrald (with accompanying papers); to the Committee on Pensions.

By Mr. HOLLIS:

A bill (S. 5565) granting a pension to Mary E. Gray (with accompanying papers); to the Committee on Pensions.

By Mr. ROBINSON:

A bill (S. 5566) for the relief of the claimants of certain unsurveyed lands in Mississippi County, Ark.; to the Committee on Public Lands.

By Mr. SMOOT:

A joint resolution (S. J. Res. 218) changing the name of the Panama Canal to the "Roosevelt Canal"; to the Committee on Interoceanic Canals.

By Mr. GORE:

A joint resolution (S. J. Res. 220) empowering and requiring the Secretary of Agriculture to ascertain the cost of producing cereals, cotton, live stock, and other staple farm and food products, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. POMERENE:

A joint resolution (S. J. Res. 221) authorizing the Secretary of the Navy to adjust and settle certain claims and making appropriation therefor; to the Committee on Naval Affairs.

EXTENSION OF INCOME-TAX PAYMENTS.

Mr. NEW. I introduce a joint resolution and ask for its immediate consideration.

The joint resolution (S. J. Res. 219) to extend the time for filing income-tax returns to April 15, 1919, was read twice by its title.

The VICE PRESIDENT. The joint resolution will be referred to the Committee on Finance.

Mr. NEW. It is very evident, as seen, I can not obtain unanimous consent for the immediate consideration of the joint resolution; but I shall call it up to-morrow for consideration.

The VICE PRESIDENT. It has to go to the Committee on Finance. It is a joint resolution.

RIVER AND HARBOR APPROPRIATIONS.

Mr. WEEKS submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was ordered to lie on the table and be printed.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. SHEPPARD submitted an amendment proposing to increase the appropriation for cooperative agricultural extension work, etc., from $1,500,000 to $4,573,680, intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. OVERMAN submitted an amendment relative to the repeal of appropriation and authorization, housing for war needs, etc., intended to be proposed by him to the third deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

AMERICAN TROOPS IN RUSSIA.

Mr. JOHNSON of California. I submit the resolution which I send to the desk, and I desire that it may be read.

The resolution (S. Res. 444) was read, as follows:

Resolved, That in the opinion of the Senate, United States soldiers should be withdrawn from Russia as soon as practicable.

Mr. JOHNSON of California. I understand that under subdivision 5 of Rule IV, the resolution lies over for one day, but I give notice that I shall call it up at the earliest possible moment.

The VICE PRESIDENT. The resolution will go over and be printed.

FREIGHT RATES ON FERTILIZER MATERIAL.

Mr. GORE. I submit a resolution, which I send to the desk, and I ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 445) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Interstate Commerce Commission be, and is hereby, directed to furnish the Senate the following information in regard to the proposed consolidated freight classification No. 1.

(1) The freight rate as proposed under said classification on cotton meal seed cake and hulls and other fertilizer materials, including nitrate of soda, acid phosphate, potash, etc., in less than carload lots, as compared with existing freight rates on such articles and materials;

(2) The proposed rates under such classification on said articles and materials in less than carload lots, as compared with the proposed rates in less than carload lots on commercial fertilizers; and

(3) The freight rates under the proposed classification on such articles and materials in less than carload lots, as compared with the rates proposed on such articles as automobiles and furniture, in like lots.

AGENTS OF DEPARTMENT OF JUSTICE IN MICHIGAN.

Mr. TOWNSEND. I submit a resolution and ask unanimous consent for its immediate consideration.

The Secretary read the resolution (S. Res. 446), as follows:

Whereas it is known that a large number, to wit, more than 25 men have been in the State of Michigan for a great portion of the time since August, 1918, representing themselves to be agents of the United States Department of Justice, and many are there now; and

Whereas said men are accused of indulging in unlawful and unwarranted practices: Therefore be it

Resolved, That the Attorney General be, and he is hereby, directed to inform the Senate whether he has sent any special agents into Michigan; and if he has, how many have been sent, together with their names; how many are there now; the purpose for which they were sent and are now retained there; and what instructions, if any, were given these men by him.

Mr. ASHURST. Let the resolution go to the Committee on Privileges and Elections.

Mr. TOWNSEND. I do not wish the resolution to go to the Committee on Privileges and Elections. If I can not get unanimous consent to have it considered at this time, I desire that it go over.

Mr. ASHURST. I desire to have the resolution go to the Committee on Privileges and Elections before it is considered by the Senate.

Mr. TOWNSEND. It is merely a request for information, with which I think the committee has nothing to do.

Mr. KING. Will the Senator from Michigan yield to me for a moment?

Mr. TOWNSEND. Certainly.

Mr. KING. The Senator who is chairman of the Committee on Privileges and Elections does not seem to be in the Chamber.

Mr. TOWNSEND. I do not think the Senator from Ohio [Mr. POMERENE] will have any objection to the resolution. I am perfectly willing, if any Senator objects, that it shall go over a day for consideration.

Mr. KING. Under the circumstances, I think it should go over.

Mr. TOWNSEND. Very well.

The VICE PRESIDENT. The resolution goes over until to-morrow.

MEMORIAL ADDRESS BY SENATOR LODGE IN HONOR OF THEODORE ROOSEVELT (S. DOC. NO. 384).

Mr. SMOOT submitted the following resolution (S. Res. 447), which was read, considered by unanimous consent, and agreed to:

Resolved, That the manuscript entitled "Address of Senator HENRY CABOT LODGE, in honor of Theodore Roosevelt before the Congress of the United States, Sunday, February 9, 1919," be printed as a Senate document, and that 10,000 additional copies be printed for the use of the Senate document room.

OIL AND GAS LANDS—CONFERENCE REPORT.

Mr. SHAFROTH. Mr. President, there is on the desk a concurrent resolution (S. Con. Res. 30) which authorizes the signature of JAMES D. PHELAN, a Senator from the State of California, to be attached to the conference report upon the oil and gas land leasing bill. I ask unanimous consent that the resolution may go over without prejudice until to-morrow morning.

Mr. SMOOT. I did not hear the request of the Senator.

Mr. SHAFROTH. I simply requested that the resolution to which I referred may go over until to-morrow morning without prejudice.

Mr. SMOOT. The resolution has not as yet been presented to the Senate.

The VICE PRESIDENT. It has been read, and went over under the rules on objection.

Mr. SHAFROTH. It was presented to the Senate, was objected to, and was ordered to lie on the table.

Mr. SMOOT. Very well, then.

The VICE PRESIDENT. The resolution will go over until to-morrow without prejudice.

AMENDMENT OF THE RULES.

Mr. BORAH. Mr. President, I desire to give notice that on Tuesday, the 11th of February, 1919, or as soon thereafter as possible, I shall move to suspend that provision of paragraph 3, of Senate rule 16, prohibiting any amendment proposing general legislation to any general appropriation bill, for the purpose of offering the following amendment to the river and harbor bill (H. R. 13462), now pending, by adding a new section to the bill, as follows:

SEC. ——. To resume and prosecute work on projects and units thereof under the reclamation act stopped during the war, and to begin and prosecute existing projects and units thereof which are practically ready for prosecution, to be immediately available and to be expended under the terms and conditions of the reclamation act, except that in the matter of employment a preference shall be given to discharged soldiers, sailors, and marines, $50,000,000.

DELEGATE TO MARMORA CONFERENCE.

Mr. SHERMAN. Mr. President, I present an article from the New York Sun of issue of February 8, 1919, relating to George D. Herron, named as one of the two delegates to the conference at Princes Island, Sea of Marmora, to meet the Bolshevist representatives, if any representatives shall be sent. I do not ask that the article may be read; but, in view of the remarks I submitted here on the conditions attending women under the Bolshevist government and certain decrees of the Soviet council on their treatment under that government and the maintenance and care of the offspring as wards in common of the state, I ask that this article be incorporated in the RECORD, without reading, but that it be printed in full. I think it very material.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FREE LOVER TO BE UNITED STATES ENVOY—GEORGE HERRON NAMED AS ONE OF TWO DELEGATES TO MARMORA CONFERENCE—WILLIAM A. WHITE IS OTHER—EXPELLED EDUCATOR AND AFFINITY TRIED TO FOUND MARRIAGELESS COLONY.

PARIS, *February* 7.

William Allen White, of Emporia, Kans., and Prof. George Davis Herron have been appointed the American delegates to the Marmora conference with the Russian factions.

—

George D. Herron, socialist, writer, lecturer, expelled pastor, and free-love advocate, first loomed large on the American horizon when he persuaded his wife to divorce him and immediately thereafter announced that he and Miss Carrie Rand were living together.

This was the climax of one of the most sensational stories that had startled the country in years, for Herron and his affinity contemplated a sequel in a "free-love colony" in Metuchen, N. J., where all with the same beliefs—and money—could come for rest, love, and joy.

METUCHEN CITIZENRY OBJECTED.

The couple had bought several hundred acres of the lands around Metuchen and intended splitting it up into farms for the soul mates, but certain hardware of the solid citizens persuaded them to abandon their love-promotion scheme. In later years, though, the couple returned to the Jersey town and were cordially received.

Stories of the day were to the effect that Miss Rand had bought and paid for her affinity with $50,000, which she settled upon Mrs. Herron to get a divorce from her husband. The wife admitted having been paid.

The mother of Miss Rand, Mrs. E. D. Rand, widow of a lumberman who had grown wealthy, saw possibilities of a new Messiah in Herron, whom she endowed with a chair in Iowa College. She is said to have paid $60,000 for it. He was made professor of applied Christianity, and proceeded to apply his version of it until the college expelled him years later.

He was expelled by the Congregational Church of Iowa because of his free-love views blooming in his sermons, much to the consternation of the farmers who hadn't even heard of Utah. Their wives objected, too.

EXPELLED AFTER DESERTING FAMILY.

Herron held on at the college, however, for some time. Finally, when he deserted his wife and two children to go and live in the same house with the Rands, this was more than the good professors could stand, so they expelled him, too.

The divorce followed, and the Rands and Herron came on to New York, where they plighted their announcement late in May, 1901, in 50 West Forty-fifth Street. The ceremony consisted in repeating the phrase, "We intend to live together as man and wife." Then some one sang "The Land of Heart's Desire," and with it the idea of the love colony was formed.

Finding a timetable handy, the name "Metuchen" being novel and odd and likely to be remembered when all else was forgot by the strolling lovers of love colony, the Herron-Rand combination settled upon it for their Eden. But the citizens would not have it so. Like another famous garden, it was "to let" shortly after the couple arrived and let the neighbors nibble of the apple that they had bitten voraciously. The dream was over.

In the same year Herron was hissed and rebuked by an audience at Harvard when he told its members, all Harvard students, that the university was a parasitic institution. He added that Theodore Roosevelt, who was then Vice President, was a "bully and an enemy of the people." The latter remark also applied to Rudyard Kipling, he said. Harvard never invited him any more to address it.

Herron incurred the anger of the ministry by saying: "It is not Jesus that we ought to follow, but the highest truths of our own souls." After this observation many men, among them Mayor Gaynor, refused to attend dinners at which Herron was present.

AFFINITY DIES IN ITALY.

Under the constant criticism Herron's health failed. He and his affinity went to Florence, Italy, where they lived for several years, returned to this country, and again went to Florence, where Miss Rand died January 15, 1914.

While Herron was in Florence trying to recuperate Mrs. Rand founded the Rand School of Social Science, and hoped that he would return to conduct it. The future of the school was made secure with a fund of $250,000, and it is now running in East Fifteenth Street. Herron was generally considered by his college associates as being "daft or worse," according to a symposium of opinions gathered at the time of his free love affair announcement.

Recently Herron was involved in an alleged "peace scheme" in Switzerland, when Chancellor von Hertling is supposed to have sent Prof. Quiddie to Herron to effect peace between Germany and the United States. Herron was styled in German newspapers a personal friend of President Wilson. His peace formula didn't please the Germans, because, they said, it advocated "killing the Germans first and then make peace with them." Throughout Europe, according to dispatches from The Hague, the peace scheme was a farcical play among unauthorized parties.

William Allen White is proprietor and editor of the Emporia (Kans.) Gazette and is well known as a newspaper man and writer throughout the United States. He is a former member of the Progressive Party national committee and was chairman of the Progressive publicity committee.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had on January 25 approved and signed the following acts:

S. 3299. An act authorizing the President to reappoint Maj. Chalmers G. Hall, retired, to the active list of the Army; and

S. 4924. An act to amend section 336 of the Revised Statutes of the United States relating to the annual report on the statistics of commerce and navigation of the United States with foreign countries.

DISPOSITION OF SEIZED LIQUORS.

Mr. KING. From the Committee on the Judiciary I report back favorably with an amendment the bill (H. R. 10851) to provide a method for disposing of intoxicating liquors now or hereafter in the possession of United States court officials, and I submit a report thereon.

Mr. OVERMAN. Mr. President, the Attorney General is very anxious to have this bill passed. I do not believe there will be any objection to it, because it only authorizes the disposal of liquor that has been seized. I therefore ask unanimous consent for the immediate consideration of the bill.

Mr. PENROSE. Let the bill be read, Mr. President.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary read the bill and the amendment, which was to add—

Or to order the same sold for such purposes, the proceeds to be covered into the Treasury of the United States to the credit of miscellaneous receipts.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. PITTMAN. I object.

Mr. HITCHCOCK. Mr. President——

The VICE PRESIDENT. There is an objection. The bill goes to the calendar. Is there any further morning business? [A pause.] The morning business is closed.

WOMAN SUFFRAGE.

Mr. JONES of New Mexico. I ask unanimous consent that the Senate proceed to the consideration of House joint resolution 200.

The VICE PRESIDENT. Is there any objection?

There being no objection, the Senate resumed the consideration of the joint resolution (H. J. Res. 200) proposing an amendment to the Constitution of the United States extending the right of suffrage to women, which was read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article be proposed to the legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said legislatures, shall be valid as part of said Constitution, namely:

"ARTICLE —.

"SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

"SEC. 2. Congress shall have power, by appropriate legislation, to enforce the provisions of this article."

Mr. POLLOCK obtained the floor.

Mr. WILLIAMS. Mr. President, I want to move an amendment, in order that it may be pending, to insert the word "white" just before the word "citizens."

The VICE PRESIDENT. Under the state of the rules the joint resolution is not subject to amendment save by unanimous consent, it having passed to the third reading.

Mr. WILLIAMS. It is utterly useless to ask unanimous consent, so I shall not take up the time of the Senate.

The VICE PRESIDENT. The joint resolution has passed to the third reading. The sole question is, Shall the joint resolution pass?

Mr. POLLOCK. Mr. President and gentlemen of the Senate, when the representatives of the people are called upon to decide a momentous issue upon which their constituents are greatly divided, and to grant or refuse a right to which it is claimed the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to their course. Let this then be my excuse and apology for consuming a little of the time of this greatest of all deliberative bodies in presenting to the Senate of the United States, and through it to the people of the whole Nation, my reasons for the vote which I shall cast on the pending resolution to submit to the various States the justice and the advisability of so amending the Constitution of the United States as to extend to the women of America the right or privilege of suffrage on the same condition as that right or privilege is extended to men.

The Members of this body have been referred to as Senators of certain States, but no student of our Constitution could for a moment claim that any Senator is a Senator of a particular

State. On the contrary, he is a Senator from a certain State of the United States of America. As a Senator coming from South Carolina, one of the original thirteen colonies that voluntarily entered into the Union and helped frame the Constitution of our common country and became one of the thirteen original States; coming from the State of John C. Calhoun, the lending exponent of State rights; coming from the State that first exercised the right to secede from the Union, I want to say that we of South Carolina are happy and rejoiced that we were not permitted to remain out of the Union, and we are today as true and as loyal as any part of this great country of ours. We honor its flag, we glory in its history, we rejoice in its wonderful power and resources, and we are proud to be a part of the best country upon which God's sun shines. We have long since ceased to regret that in the Providence of God we were not permitted to set up a separate government of our own. We had the right to secede under the Constitution. My father, my kindred, and my countrymen fought for that right, but the Constitution of the United States was amended at Appomattox when Lee tendered his sword to Grant, and when, with the sword, it was written into the Constitution the immortal words of Lincoln on the field of Gettysburg:

It is rather for us to be here dedicated to the great task remaining before us, that the Nation shall, under God, have a new birth of freedom, and that government of the people, by the people, and for the people shall not perish from the earth.

From that day forward the greatest of all State rights was destroyed, the States in their separate sovereignty ceased to exist; and now we have a nation the wonder and the admiration of the world instead of forty-eight separate and independent petty States; and in this day of world upheaval when the foundations of civilization and of human liberty have been shaken, when the last great struggle between barbarism and civilization, between slavery and freedom, has been fought out on a scale heretofore undreamed of, thank God that America, the young giant of the West, my country and your country, is one and inseparable, so that America could in part at least fulfill her mission on earth to destroy autocracy and set up democracy, to banish human slavery and set up human liberty, to take away special privilege and establish equal rights to all, to break the power of the strong oppressor and give the opportunity of self-government to the weak, and I must believe that in God's appointed time all these things will come to pass, and that it is for us to hasten its coming.

In approaching a discussion of this resolution it seems to me that two considerations must of necessity enter—the one of principle and the other of expediency. Principles are eternal, expedients are temporary. A principle is right to-day, to-morrow, and forever. An expedient may appeal to us to-day and be obnoxious to us to-morrow.

We should enter upon the consideration of this resolution from the standpoint of principle, because it is now sought to incorporate the pending resolution in the permanent statement of principles that constitute the organic law of our country. I hold, with Thomas Jefferson, that all men "are endowed by their Creator with certain inalienable rights, that among these are life, liberty, and the pursuit of happiness. That to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed. That whenever any form of government becomes destructive of these ends it is the right of the people to alter or abolish it." I hold, sir, that man is not more than the equal of woman. I hold, sir, that woman has the same right to life, liberty, and the pursuit of happiness as man. I hold, sir, that this Government was instituted to secure these rights as much for woman as for man. I hold, sir, that our present form of Government has been and is destructive of these ends in that it has denied to woman the liberty to which she is entitled, the right to have a voice in her government; the right to participate in the selection of her officials; the right to counsel in the enactment of the laws under which she and her children shall live, upon which her life, her liberty, and her happiness depend. I hold, sir, with the Revolutionary fathers that taxation without representation is tyranny, and that to-day our country, our Government, controlled, directed, and administered by the manhood of America is tyrannically treating the best women of the world by exacting taxes from them without their express consent.

What could give to any citizen of a country a right to vote except a stake in that country? Who could have a greater stake in a country than a wife, a mother, a mistress of a home? I say to you that the family rather than the individual is the proper unit of government. I say to you that a combined family has a greater stake or interest in our country than any individual can have. I say to you that on that account a family should have a greater voice in the affairs of the Nation than any individual—that a man with his wife and daughter should have greater power than any single man, and yet, under our system of government, of voting, the bachelor's vote counts as much as the family's, and this can only be remedied by giving to woman her just right—the right to vote and thus participate in her Government. I say further that there are thousands—yes, hundreds of thousands—of women in this land who have been forced to go out into the world to make a livelihood for themselves and those who are dear to them; they are living by their own labor, and they have as much right to vote as any man. There are more than 400,000 women public-school teachers in America—about 80 per cent of all teachers in the common schools—and they are molding the opinions of the oncoming generation who will administer our Government, and yet they themselves are denied the privilege of participating in their Government.

Whence came the right of man to vote? Was it given under the Constitution of the United States? Search that wonderfully compact instrument from beginning to end, and nowhere will you find that the right to vote and hold office was ever granted to man to the exclusion of woman.

Under the XIV Amendment to the Constitution it is provided:

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.

Article II, section 5, of the Constitution, prescribed the qualifications for President, and nowhere does sex enter into it, but merely citizenship, age, and residence. The same is true as to Representatives in Congress as laid down in Article I, section 2, and the same is true as to Senators as laid down in Article I, section 3. The word "person" is used, and under the XIV Amendment all persons, whether male or female, are included in the term citizen. Therefore, since the adoption of the XIV Amendment to the Constitution of the United States, denying to the States the right to abridge the privileges or immunities of the citizens of the United States, and denying the States the right to deprive any person of liberty or the equal protection of the law, I respectfully submit that as a matter of constitutional law we have no right to say to woman "Thou shalt not vote."

Who gave man the right to vote? It will be answered that the States conferred that privilege. And who controlled the States? The manhood of the States, and the men assumed a power, a privilege that every impulse of human nature, every dictate of conscience, every high and noble and worthy sentiment should have required that they should have shared with woman. They won the right to exercise full citizenship only with the aid, the comfort, the sympathy, and the patient endurance of hardship of the women—they won this by force of arms with the assistance of woman—and then when they had won the victory of American independence and freedom and liberty they withheld from woman, without whom they could not have won, her fair share of that freedom and liberty. She is a citizen without its privileges, a taxpayer without a voice, a partner without her profit, and all this because she can not bear arms and fight wars for her own independence and freedom and liberty, just as man could not do without her comfort and assistance.

For more than 140 years in America we have had freedom and liberty for half our people, and we have had patient and uncomplaining slavery for the other half. For nearly a century and a half we have had democracy for one-half of our people and tyranny for the other, and I say, sir, to-day that this Nation can not and will not endure forever one half free and the other half serf. The hosts of democracy are marching on, they are toppling over kings and thrones and setting up governments of the people; they are destroying special privileges and setting up equal rights; they are annihilating brute force and they are establishing justice; they are doing these things in foreign lands, and they will soon accomplish them here so that our country will not only be known as the land of the free and the home of the brave, but it will also be known as the land of truth, of justice, and of righteousness the world over.

This is no new proposition before the American people. For 40 years and more the women of America have been carrying on the unequal struggle, but they have been slowly gaining ground, so slowly, in fact, that perhaps men might have become discouraged; so gradually that if they had been engaged in a less honest cause they themselves might have abandoned it; but with the devotion and constancy of womankind, in the face of defeat after defeat, having nothing but the justice of their cause to hearten them, they have made the fight, they have kept the faith, they have endured hardship and heart burns even to the point where they brought censure and ridicule on them-

selves in order that they might keep the flame burning, in order that the conscience of man might be touched to hear their plea and do them justice. And now a brighter day is dawning. God grant that it may be my good fortune, in the brief time that I shall be a Member of this body, to aid in bringing about the adoption of this resolution whereby the political shackles shall be broken from the hands of the women of America, and whereby they shall be permitted to step out in the full bright light of American citizenship.

No sound reason has ever been advanced why woman should not have this privilege accorded to her, nor can any sound reason be advanced. She is a human being just as is man, she is subject to the laws of the land just as is man, she is required to contribute to the maintenance of the Government just as is man, she is interested in good government just as is man, she responds to the call of her country just as does man, she bears and rears the whole citizenship of the country, she loves her country and sacrifices for it even more than does man. That she should have this privilege is right, therefore it can not be wrong. To exercise that privilege is honorable, therefore it can not be dishonorable; and the manhood of America has already indorsed woman's right to vote from one end of America to the other. A number of the States of the Union have accorded the right; the Republican national convention has indorsed the principle; the Democratic national convention has indorsed the principle; a two-thirds majority in the National House of Representatives has voted its approval; a large majority—nearly two-thirds—of the Senate of the United States has voted its approval; the people of America, through their representatives in the two great political conventions, have spoken for the principle and have declared the claim of the women is just; the people, through their representatives in the Congress of the United States, have tried to accord this privilege to them; the President of the United States, speaking as only Woodrow Wilson can for the democracies of the world, has appealed to this body to do this simple act of justice to the mothers, the wives, and the daughters of this land just as Britain has done.

They had earned this consideration at the hands of the manhood of America before this awful war, and who will say that the women of this land have not doubly earned all that they ask, all that they desire, all that could be bestowed upon them by their magnificent spirit of patriotism since we have been engaged in this war for world freedom? They have, without a murmur, given up their husbands, their sons, their sweethearts, and placed them on the altar of their country; they have sacrificed their own home life that the homes of all might be safe; they have gone into the hospitals and ministered, as only a woman can, to the sick, the wounded, and the dying; they have laid aside their personal comforts and pleasures and have joined the great Red Cross army that the men over yonder might suffer less; they have taken up man's work in order that men might be free to fight for liberty and civilization; they are working in the offices, the factories, the mercantile establishments, and on the farms that industry may not die and the world suffer therefrom; aye, they have done all things that befit a woman, a good citizen, and if any doubt should have existed heretofore as to woman's right to vote it does seem to me that she has by her conduct in America during the past two years dispelled that doubt.

When nurses were needed she has volunteered, when laborers were needed she has responded, she has aided in the great campaigns for floating the Government's bond issues, she has subscribed liberally from her own funds, and by her enthusiasm and charm has caused the men to do their duty. When men have become discouraged she has heartened them, when men have lagged behind she has encouraged them.

America has done and is doing with woman's help what she never would have done without it.

The argument that this is a matter for action by the States, and that to pass this resolution is a violation of State rights, is not a reason but an excuse on the part of many for opposing this resolution, and a very poor excuse at that.

When a respectable portion of the American people ask that the question of amending the Constitution of the United States be submitted to the States for their approval or disapproval, it is a denial of State rights to refuse to let the States through their legislatures act. There is but one right that each separate State has under the Constitution which can not be taken away from it without its consent, and that is to have equal representation in the Senate, but the Constitution may be amended in all other particulars when three-fourths of the States so decree. And surely no one will say that the right of any one State should be greater than the right expressly conferred upon three-fourths of the States acting jointly through their several legislatures to amend the Constitution in other respects. The right of three-fourths of the States to amend the Constitution is one of the highest rights of all State rights, and when this resolution shall have passed this body by the necessary two-thirds vote, as I feel sure that it will, then the right—the States' right—to adopt or reject the proposed amendment will be conferred upon the States rather than withheld from them. I do not hesitate to say, sir, that to refuse to pass this resolution under the circumstances is to refuse to give to three-fourths of the States a right which they have under the Constitution, and that under the pretext that we would be giving to three-fourths of the States the power to take away from a single State a power or right which it does not possess under the Constitution.

No one State has the right to say what the qualifications for voting shall be when three-fourths of the States express themselves otherwise, and no State has the right to say to three-fourths of the States that they shall not amend the Constitution other than as to equal representation in this body. John C. Calhoun, of South Carolina, possibly the greatest exponent of the doctrine of State rights in America, the patron political saint of South Carolinians and one of the greatest statesmen that our country has ever produced, in his masterly reply to Webster in 1833, speaking of the rights of the States under the Constitution, said:

> In this compact they have stipulated, among other things, that it may be amended by three-fourths of the States—that is, they have conceded to each other by compact the right to add new powers or to subtract old by the consent of that proportion of the States without requiring, as otherwise would have been the case, the consent of all—a modification no more inconsistent with their sovereignty than any other contained in the document.

And so, Mr. President, occupying for the time being the same seat so well and ably filled by Mr. Calhoun, I find that in disagreeing with those who take the position that to amend the Constitution in this way is to despoil the doctrine of State rights I am but following the lead of the greatest of State rights statesmen.

The original Constitution is silent as to the powers delegated to the United States or prohibited by it to the States—the question of the right to vote was not delegated, it is true, to the United States, nor was it prohibited by the Constitution to the States, and it was provided in the tenth amendment as follows:

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved in the States, respectively, or to the people." This amendment was adopted by the votes of 11 of the then 14 States, and South Carolina was the fourth State, January 19, 1790, to adopt this amendment. Had it not been for the passage of this amendment, it might be now debatable whether the power to prescribe the qualifications for voting was in the United States or in the several States, because, as you will note in Article I, section 2, it is provided that the qualification for suffrage for Members of Congress shall be the same as that provided in the different States for the most numerous branch of the legislature of that State, and the seventeenth amendment is practically a repetition of that provision in the Constitution in so far as the qualification for suffrage for the United States Senate is concerned. Had it not been for the passage of this amendment, it might be now debatable whether the power to prescribe the qualifications for voting was in the United States or in the several States, because the power was neither delegated to the United States nor expressly retained by the several States; but since the adoption of the tenth amendment any doubt that may have existed has been removed—the power is in the several States—and the Federal Government can only take away or limit this right by amending the Constitution of the United States; and by the adoption of the fifteenth amendment the power to limit the right of the several States to abridge the right of suffrage has been expressly recognized and upheld by the Supreme Court of the United States.

The right on the part of three-fourths of the States to amend is therefore stronger than the right of any one State to prevent the amendment, and while I do not believe, as a matter of policy, that the fifteenth amendment should have ever been placed in our Constitution, and while I would go as far as any man to repeal that amendment, we must all admit that the power to adopt the amendment was not an abridgment of State rights.

It is argued that we should not submit this proposed amendment to the various States on account of the race question in the South. Do Senators realize that when two-thirds of this body, representing two-thirds of the States in this Union, shall have passed this resolution, as pass it we will, that this resolution must then be adopted by the legislatures of not a majority, not two-thirds, but three-fourths of all the States of the Union?

Do they realize that the legislatures of 13 States out of the 48 States can prevent its adoption, that it will require favorable action on the part of the legislatures of 36 States before this resolution can become a part of the organic law of the land? Will any Senator say that there is more wisdom, more fairness, and more justice in any 33 Members of this body than there is in the representatives of 36 of the States of this Union?

Are we living up to our professions of democracy, of faith in our people, when we refuse to permit them to decide these questions themselves? Are we sincere, and can we make the world believe that we are sincere, when we say that we entered this great war from purely altruistic motives, in order that the peoples of the earth may govern themselves, not only in selecting their officials, enacting their statutory laws, construing and executing their own laws, but making and changing their constitutions upon which all these things depend, and still deny to our own people the right to settle this question that involves the liberty and freedom of one-half of our citizenship? Sir, I say here to-day that I have confidence in the white people of America—blood is thicker than water. Efforts may be made by certain politicians to force upon us the rule of the ignorant, the vicious, and the inferior; some men who do not appreciate the burden of the white man in the South may undertake to turn over to the negro the control of our affairs in the South, but I have confidence in the white manhood of the North; I believe in the white womanhood of the North; I have faith in the white civilization of the whole United States.

We may have to fight the same political battles that we fought in reconstruction days in the South, but it will be white people against negro people. The black man could not control the white man, and the negro man and the negro woman combined can not any the more control the white man and the white woman combined, but to quote the words of a distinguished citizen and statesman of the South, "Never, sir, will a single State of this Union, North or South, be delivered again to the control of an ignorant and inferior race. We wrested our government from negro supremacy when the Federal drum beat rolled closer to the ballot box and Federal bayonets hedged it deeper about than will ever again be permitted in this free Government. But, sir, though the cannon of this Republic thundered in every voting district in the South, we still should find, in the mercy of God, the means and the courage to prevent its reestablishment." And here to-day, speaking in behalf of the womanhood of America, speaking as a representative of a section that has been much misunderstood, and naturally so, I swear anew my allegiance to my own people, my own blood, my own race, and while you of the North, the East, and the West, who are not set about with our own peculiar problem, can not pass this resolution without assistance from the South, I pledge you that in my capacity as a Senator of the United States I know no section, I see only my whole country, and I covenant with you, and you covenant with me, that you will do under this amendment as you have done under the fifteenth amendment—you will not undertake to place in control over us a race of people that you would never allow to govern you. The white men have outvoted the negro men, and that under trying conditions, and, God helping us, from this day forward the white men and the white women will outvote the negro men and the negro women.

Mr. President, in the short time that I have been a Member of this body the three greatest social questions that ever have engaged the attention of a people have been before the American people. It has been my good fortune to witness the ratification of the last amendment to the Constitution whereby liquor was driven out of America. It has been my privilege, sir, speaking my own sentiments, and as God is my judge, believing I speak the sentiments of the people of America, to speak for the peace of America and for the peace of the world.

So to-day another opportunity is presented to me which I gladly grasp. That is, not only to raise my voice in behalf of human liberty and freedom for the women of America, but it shall be my privilege to cast a vote for that which I know to be right and which therefore can not be wrong.

Mr. President, when this joint resolution was last before the Senate of the United States it needed but two votes to pass it. Since that time it has been my fortune to come here. It is now my privilege, my pleasure, to present to the womanhood of America one-half of all the votes that were needed when the joint resolution was here before. I do not know what changes there may have been, but I do know that if all those who voted for the joint resolution when it was here before shall vote for it again to-day, when that vote is supplemented by my vote the women of American can need but one vote to-day. So the responsibility is placed squarely up to every Senator in this body who may vote "nay." You can grant or you can deny justice to the women of America. Each man has the whole responsibility resting upon him. Dare you deny that right? You who hesitate, you who believe in it, you who want to follow your President, you who want to follow your legislatures, you who want to follow the American people, you who hear the call of justice, will you dare assume all the responsibility, because if the joint resolution fails to pass to-day each and every man who votes "nay" will thereby take upon his own shoulders the whole responsibility for the failure of the measure.

Sir, I come from the South. I come from a State that has a majority of negro population. Some men have said that they do not want to force anything on the South. I tell you, speaking for the new South, speaking for the real South, speaking for the American South, we want this privilege. We feel that the women are entitled to it, and we know that we can handle any race question that comes up in this enlightened age. We know there is no danger from it. You need not withhold your vote because you think that some of us down there do not want it.

Let me call this further to the attention of the Senate. The Republicans are committed to the principle. The Democrats are committed to the principle. The two great political conventions have put it in their platforms. It is just a question now of the method by which you will get it.

Let me tell you that no man will be nominated for the Presidency by either party who is not an advocate of woman suffrage. Let me tell you that neither convention of either party would dare fail to place in its platform when it meets in convention next year a plank calling for the passage of this joint resolution. Everybody will be for it when the next conventions meet. You will be bound to vote for it then whether you will or no.

Let me tell you, you may defeat it to-day, but you only postpone it. You may postpone it for a few months, it may be possibly for a year, but this Congress, as it is gradually dying, has the opportunity to make itself immortal. If you do not pass this joint resolution the incoming Congress will pass it. You can not prevent the passage of the joint resolution. You can not prevent giving women the right to vote. They are going to have it. It is just a question whether you will do it to-day or whether you will do it a little later.

I beg Senators, when only one vote is needed, not to turn deaf ears to 50,000,000 of people. It is too late now for any man belonging to either party to doubt the wisdom of women voting. We are all committed to it. It is coming; it is here. I believe, Mr. President, that the joint resolution is going to pass to-day, and this Senate will go down in history forever more on account of that than on account of any other one thing that it may have done during its time.

Mr. CALDER. Mr. President, I shall vote for the joint resolution because I believe in it, and because I know that if it is adopted and the women of the entire country are given the vote they will use it intelligently. I did not rise in my place to discuss that subject particularly this morning, but just to occupy the time of the Senate for a few moments on a matter which deals with it relatively.

Mr. President, the other day the Secretary of War presented to the ranking officers of the Army in this country distinguished-service decorations. The newspapers heralded the fact, and properly so, for I think it can fairly be said that no group of men in this country rendered more valuable service in our war with Germany than did these very officers.

We have all read the published accounts of the fact that many of our officers and men abroad have been cited for bravery in action, but I have failed to observe where the women of America who enlisted in the Army and rendered patriotic service as nurses back of the very front lines have received any unusual consideration at the hands of our Government. This fact prompted me to address a communication to the Secretary of War the other day, of which the following is a copy:

JANUARY 29, 1919.

Hon. NEWTON D. BAKER,
The Secretary of War, War Department,
Washington, D. C.

MY DEAR SECRETARY BAKER: I observe that the War Department is awarding to a number of officers and enlisted men, both in France and in this country, medals of honor for meritorious services performed during the war, all of which, in my judgment, were well earned; but it occurs to me that there are many women who served with the Army in France in our hospitals who are equally entitled to consideration for services rendered, and if medals of honor can be awarded to these women under the law, I trust that they will not be overlooked.

If, however, you can not do this, I will be pleased if you will prepare and send to me a bill that will cover the situation. This country

has reason to be proud of its women, particularly those who have made such great sacrifices to take care of the men who have been wounded in battle.

Yours, very truly, _____.

This letter was published in many of the New York newspapers, and as a result I have received a number of responses, among them the following, which I am much pleased to bring to the attention of the Senate as an evidence of the sympathy existing between the boys who fought overseas and the girls who took care of them when they were sick and wounded:

Mr. President, I now desire to read the following letter:

UNITED STATES EMBARKATION HOSPITAL NO. 3,
New York City, January 30, 1919.

Senator CALDER,
Washington, D. C.

DEAR SIR: To-night I read with interest your letter to Secretary Baker regarding medals to be issued to women war workers. Nothing would please the overseas boys more than to see our overseas and home girls receive the service medals so well earned. I know the home girls have done wonderful work in supplying our overseas Army with all the comforts possible. Here in New York they are treating us royal, but, Senator, it brings tears to my eyes when I think of the hardship the girls endured on the other side—the long hours they worked, the conditions they worked under, and the miserable accommodations they had. God bless them, Senator; you have got to be there to fully appreciate what the girls have done for us. I for one will never pass up the big drum again, and I will always honor the Salvation Army. I have seen the Red Cross hospital raided by the Huns and several nurses who gave all—much more than I. I hope the people as a whole will honor all women war workers, as they most surely deserve it.

It is true we left many of our boys over there, but is it not true that we left some of our girls over there as well?

This is one subject Congress can and will agree upon, and I know our President will be more than pleased to award the medals.

How I wished that I commanded words to express my appreciation of all war workers.

Thanking you for your interest taken on behalf of our girls—you know, Senator, we overseas boys call all lady war workers our girls, and we love to think of them as such—and that the honor that is their due will soon be theirs, I am.

Yours, very truly,
Pvt. GUSTAVUS A. BETTS.

Hospital. 1084914.

I am afraid, Mr. President, that in the hurry and rush of war we have failed to pay the tribute due these wonderful women who were willing to make every sacrifice for their country. Thousands of our best women have been with our Army from the beginning of the war, at times under most difficult circumstances, and some have been under fire repeatedly. I have in mind one Miss McDonald, a nurse, who went over with a unit from the Presbyterian Hospital, of New York City. Miss McDonald was wounded at Ypres, losing an eye, and was treated for several months but returned to service again. I am informed that she received a British decoration, but, so far as I can learn, she has not yet been cited by her own Government. This should not continue a day longer. These splendid women ought not, under any circumstances, to be overlooked. They did more than they were asked to do, not only in France but here in this country as well.

No war was ever won by any nation without the united support of its women, and it is true, indeed, the American women have rendered every service in their power for their country. I call this matter to the attention of the members of the Military and Naval Committees especially, and hope, if legislation is required to properly honor these women, that such measures as may be necessary be immediately brought to the attention of the Senate.

Mr. FRELINGHUYSEN. Mr. President, when the joint resolution was pending before the Senate last fall I offered the following amendment to it:

On page 1, line 11, after the word "sex," insert the following: "but no male person who is not a citizen of the United States shall exercise the right of suffrage at an election for Senators and Representatives in Congress or for electors for President and Vice President of the United States, and no female person who is not such a citizen otherwise than by marriage, or who, having acquired citizenship by marriage, has not complied with such requirements and conditions as may be prescribed by the Congress, shall exercise such right.

At that time, in speaking upon the amendment, I said:

"I am in favor of a constitutional amendment properly drawn which will permit the worthy women of this country who are citizens, either by birth or through the regular and orderly processes of naturalization, to have the right of suffrage; but I want that amendment so drawn that it will protect the worthy women, who should vote, against the unworthy, who should not vote, and I want it so drawn that Congress can hereafter pass laws properly protecting this enlarged and increased electorate. I conceive it to be our duty under our oath as Senators to pass an amendment that will do this.

* * * * * * *

"Generally, married women are regarded as citizens of the country of which their husbands are citizens. This principle is recognized by the laws of the United States, section 1994 of the Revised Statutes providing that—

"Any woman who is now or may hereafter be married to a citizen of the United States and who might herself be lawfully naturalized shall be deemed a citizen."

Mr. SHAFROTH. Mr. President——

The PRESIDING OFFICER (Mr. KIRBY in the chair). Does the Senator from New Jersey yield to the Senator from Colorado?

Mr. FRELINGHUYSEN. I yield.

Mr. SHAFROTH. Does not the Senator recognize the fact that this is a House joint resolution, and that if any amendment, no matter what it might be, should be offered to it and passed by the Senate it would send the resolution back to the other House for concurrence, and, therefore, it would be impossible to pass the measure during this session of Congress?

Mr. FRELINGHUYSEN. That may be a prophecy of the Senator from Colorado, but I am not aware that the ordinary processes of legislation should be stopped by reason of such a prophecy. I want to point out to the Senate, and to make it emphatic, that either we should amend this joint resolution or we should immediately address ourselves to amending our immigration laws before the proposed amendment to the Constitution is ratified in the event it shall pass the two Houses of Congress. I hope, therefore, the Senator from Colorado will allow me to continue, inasmuch as I wish to be placed on record in regard to this resolution——

Mr. SHAFROTH. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Jersey decline to yield?

Mr. SHAFROTH. I trust the Senator will bear with me for just a moment.

The PRESIDING OFFICER. Does the Senator from New Jersey yield further to the Senator from Colorado?

Mr. FRELINGHUYSEN. I yield further to the Senator.

Mr. SHAFROTH. The Senator from New Jersey may not have been in the Chamber when the Vice President announced that no amendment whatever would be in order to the joint resolution, because in the parliamentary status of the joint resolution it has been read a third time, which is the final action that can be taken before the passage.

Mr. FRELINGHUYSEN. I was in the Chamber when the Vice President announced that ruling; I am aware of it; but I know of no ruling which will deprive me of speaking on the joint resolution, which I am doing at the present time.

The PRESIDING OFFICER. The Senator from New Jersey will proceed.

Mr. FRELINGHUYSEN. In my remarks on the occasion referred to I continued:

"It is of fundamental importance that in considering this provision of law the fact shall not be overlooked that Congress, in adopting it, was proceeding in pursuance of authority conferred upon the Congress by Article I, section 8, paragraph 4 of the Constitution—the authority 'to establish an uniform rule of naturalization.' Therefore, the marriage of a foreign woman to an American citizen is, in its effect upon the status of the woman, a process of naturalization, and it must be borne in mind that the woman who acquires citizenship in this manner is, by virtue of the language of section 1994 itself, as fully naturalized as though she had gone through the court processes of naturalization required in the cases of males and in the cases of unmarried females, and as completely a citizen of the United States as though she had been born here. The Constitution 'contemplates two sources of citizenship, and two only—birth and naturalization'—said the Supreme Court in the leading case on citizenship, entitled United States v. Wong Kim Ark (169 U. S., 649, 702).

"The procurement of United States citizenship by a foreign woman through marriage to a citizen is not, of course, surrounded with any of the safeguards that are, and have been for many years, placed around the procurement of citizenship through the regular court processes provided by law. Some of those safeguards are the following:

"A male alien desiring to become a citizen of the United States must make a declaration that he is not an anarchist, a polygamist, or a believer in the practice of polygamy, and that it is his intention in good faith to become a citizen of the United States and permanently to reside therein. Not less than two years and not more than seven years after he has made his declaration of intention he must again petition the court and take an oath that he is not 'a disbeliever in or opposed to organized government, or a member of or affiliated with any organization or body of persons teaching disbelief in organized government,' and so on. Then he is examined by the United States examiners, and if the court so directs he becomes a citizen, but under the Revised Statutes a foreign woman who has attained her citizenship by marriage to an American citizen is not held to conform to that process of law.

* * * * * * *

"Is it not essential that we should write in the Constitution a provision which will enable Congress to pass legislation that will restrict the menace arising from this condition? I do not think the amendment as drawn does this, and I believe that Congress should take the precaution to lay the foundation for protecting the country in this regard. After consultation with the legal advisers of the Immigration and Naturalization Bureaus I am firmly of the opinion that if the amendment should be adopted as drawn it will not be possible thereafter for Congress to remedy the situation described by me by passing legislation. In other words, the constitutional amendment, unless it shall be changed in some such manner as that I suggest, will prevent the passing of any legislation to place any restriction with regard to the exercise of the franchise upon foreign women who have become citizens by marriage.

"This citizenship-by-marriage provision was enacted by the Federal Congress when women could not vote and at a time when Congress had no thought of giving them the vote, its object being to protect property and dower rights and to care for many legal and international questions. To accomplish these purposes Congress conferred the benefit of such citizenship upon such women. Now women are asking for the additional benefit of the right of suffrage—too long denied them—but a changed situation is created, which Congress should carefully consider before passing a constitutional amendment. The view has been expressed by some lawyers that Congress could afford protection to the elective franchise under this constitutional amendment by hereafter passing statutes naturalizing foreign women married to citizens and worthy of the privilege of voting. Possibly a statute could be passed that hereafter would protect the electorate and compel married women who have become citizens by marriage to be naturalized in a court proceeding before they vote, but I do not believe it."

Mr. President, I ask unanimous consent to include in the RECORD at this point the entire address I delivered on that occasion.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

[From the CONGRESSIONAL RECORD of Sept. 30, 1918.]

"Mr. FRELINGHUYSEN. Mr. President, a few days ago I proposed an amendment to the pending joint resolution. While I realize that the Senate is fatigued, I shall be forced to be away to-morrow if I can arrange a proper pair, and I would like to speak briefly upon my amendment. I ask that the Secretary may read the amendment.

"The PRESIDING OFFICER. It will be read.

"The SECRETARY. At the end of the joint resolution add the following:

"but no male person who is not a citizen of the United States shall exercise the right of suffrage at an election for Senators and Representatives in Congress or for electors for President and Vice President of the United States, and no female person who is not such a citizen otherwise than by marriage, or who, having acquired citizenship by marriage, has not complied with such requirements and conditions as may be prescribed by the Congress, shall exercise such right.

"Mr. FRELINGHUYSEN. Mr. President, the avowed and the obvious object of the resolution now pending before the Senate is to place women who are citizens of the United States upon an equality with men who are such citizens in the matter of the exercise of the right to vote; to confer suffrage upon female citizens of this country throughout the length and breadth thereof. My object in proposing an amendment to that resolution is to make it possible, in what seems to me the best way open to us, for the resolution actually to accomplish that obvious purpose and to avoid what seems to me to be the very serious danger that, in the very act of conferring the right to vote upon women and of abolishing the inequalities in that regard which have heretofore existed, we shall perpetuate and increase evils already existing and create new ones that will prove a constant and increasing source of embarrassment to us in the future administration of governmental affairs.

"At the outset I desire to make it perfectly plain that I am not opposed to the adoption of the woman-suffrage amendment—on the contrary, I am distinctly in favor of its adoption—but my attention has been attracted to the situation which I shall now endeavor to explain to the best of my ability, and I have felt that this situation is so serious that I should be derelict in the performance of my duty as a Member of this body should I fail or neglect to call its dangers to the notice of each and every Member of the Senate.

"With this by way of preface, I shall proceed to state the purposes of and reasons for the additions to the proposed constitutional amendment which I have offered in the form of an amendment to the resolution. My first object is this: To place in the Constitution itself a provision which will safeguard the country against the exercise of the right of franchise in Federal matters by aliens residing or sojourning within our midst. And it has seemed to me that not only is this of such great importance as to justify efforts toward the accomplishment of the reform at any and all times, but the pendency before the Senate of the resolution under discussion affords an opportunity for its accomplishment in an appropriate and efficient manner that ought not by any means to be overlooked.

"Under the constitutions of seven States of this Union aliens now exercise the right of franchise in connection with every elective office candidates for which are ordinarily voted for in the other States, to wit, Indiana, Missouri, Kansas, Arkansas, Nebraska, South Dakota, and Texas. Recognizing the menace to the safety of government of such a policy as this, a number of States have recently amended their constitutions so as to allow only native-born persons and persons who are fully naturalized under the regular legal process to vote therein, to wit, Alabama, Minnesota, Michigan, Wisconsin, and others that I can not recollect.

"To show the abuses which arise under such a policy, which is contrary to the very spirit of the Federal naturalization laws, attention might be directed to the fact that the following methods have recently been applied in a certain Western State where the declarations of intention made by aliens in the course of a year would hardly approximate two dozen and the declarations made within 30 days preceding and including election day—made under the influence of vote manufacturers—have approximated a thousand or more in several of the courts exercising naturalization jurisdiction in the State: The ambitious candidate has his henchmen line up all the foreigners in the district whom he can enlist. He makes his drive through the industrial plants, foregathers with the aliens in their club organizations, extols the virtues of his candidate—and this applies regardless of party—and by various inducements and blandishments prevails upon the foreigners to assemble at convenient places and in the day and night time the accommodating clerk of the court supplies the necessary blank forms and accepts the statutory fees coming from an appropriate source. Up to and including election day this business continues. All day long, in the presence of Government officials, the stream of aliens has been seen to enter the room where the clerk of the court is located and to leave that room with statements from the clerk showing that the aliens have declared their intention to become citizens of the United States, and, in the light of the provision of the State constitution, showing also by implication that such aliens have become clothed by the mere act of declaring an intention to become citizens with such character, intelligence, and understanding of our institutions that they are entitled to exercise the franchise in the same way and with the same effect as a person born in our midst.

"Under the resolution pending before the Senate, unless the part of my amendment directed to this situation, or some similar amendment, should be adopted, the evils and abuses to which I am calling attention will not only be perpetuated but will, perhaps, be practically doubled; for if and when the amendment proposed in the resolution is ratified by the requisite number of States, each and every foreign woman now living in the seven States I have mentioned and each and every one who shall take up residence there later who has attained the statutory age will be able to declare her intention, if she is unmarried, and by that simple act will be clothed with the right to vote alongside of the man.

"With this situation existing, any unmarried woman coming from the most anarchistic section of Russia, from the fastnesses of Bolshevikism, from the I. W. W. ranks, or from any other source inimical to our interests or even believing in the utter destruction of our Government—any unmarried woman, no matter what her character may be, might be induced in the States mentioned to declare her intention to become a citizen, whereupon she could proceed to stamp the impress of her views and of her character, through the exercise of her right to vote, upon the laws of this country. This is an illustration none too extreme; but even if it should be regarded as extreme, the answer is that we must think through to the very depths of the possibility of an evil if we are correctly to measure the extent of such evil.

"Is it desirable or wise to lay a foundation in a constitutional amendment for the perpetuation of such a situation as this, especially when it may be so easily guarded against? I think not, and because of that view I have inserted in my proposed amendment the provision—

"But no male person who is not a citizen of the United States shall exercise the right of suffrage at an election for Senators and Representatives in Congress or for electors for President and Vice President of the United States.

"And have, in addition, so worded the remainder of my proposed amendment, the direct purpose of which is to meet an-

other situation, to the description of which I am about to proceed, that the same result will be accomplished with regard to females.

"The second object which I have in view is this: To insure that, in conferring the right to vote upon women who are citizens, we do not create a legal situation in which foreign women might, through the operation of the almost universally recognized principle that a married woman's citizenship follows that of her husband, qualify to exercise the franchise in Federal elections, although wholly unfitted by character, education, residence within the country, and knowledge of and regard for its institutions, or otherwise, to have a voice in public affairs. My second object, in other words, is so to change the wording of the resolution before us that it shall be made actually to confer upon women rights equal to those enjoyed in this regard by men, and not greater than those enjoyed by men.

"Mr. CAPPER. Mr. President——

"The PRESIDING OFFICER (Mr. KIRBY in the chair). Does the Senator from New Jersey yield to the Senator from New York?

"Mr. FRELINGHUYSEN. If the Senator rises to ask me a question, I would be very glad to answer it after I conclude. I know the Senate wants to adjourn, and I hope the Senator will not interrupt me now.

"Mr. CAPPER. Very well.

"Mr. FRELINGHUYSEN. As I have already remarked, the object of the pending resolution is to place women on the same footing as men so far as the right of franchise is concerned. I am in favor of a constitutional amendment properly drawn which will permit the worthy women of this country who are citizens, either by birth or through the regular and orderly processes of naturalization, to have the right of suffrage; but I want that amendment so drawn that it will protect the worthy women, who should vote, against the unworthy, who should not vote, and I want it so drawn that Congress can hereafter pass laws properly protecting this enlarged and increased electorate. I conceive it to be our duty, under oath as Senators, to pass an amendment that will do this.

"I do not know who prepared the pending constitutional amendment, but I believe it has been drawn without proper consideration or study of the Constitution and conditions that exist under our naturalization statutes, the careless disregard of them, the abuses that have crept into the making of citizens, and the apparent indifference of some authorities to the grave menace to the institutions of popular government that thus arise.

"In giving to this subject that careful study which its gravity demands, my attention has been attracted to two circumstances in particular. The passage of a resolution of this kind is closely related to the precarious situation in regard to aliens which has been brought about by the war and our participation in it. Congress has been forced to pass drastic laws at the eleventh hour to protect this country against sedition, treason, and deep-seated disloyalty, arising from the fact that so many foreigners reside amongst us and that Germany has carried on a surreptitious propaganda here ever since the war and evidently, from latter-day developments, even for many years before the war. It is not necessary for me to recite the many outrages, bombings, dynamittings, murders, committed by the disloyal foreigners residing here. The consideration of this amendment conferring upon female citizens the right to vote necessarily brings up at this critical time the grave question of our immigration and naturalization laws and policies, especially in their relation to and effect upon women of alien birth already here or who may hereafter come.

"The other particular circumstance was not fully appreciated by me, in its relation to the constitutional amendment as drawn, until I conferred with officials of the Bureau of Immigration and learned its extent and seriousness. It arises from the abuses that exist in connection with the traffic in women for immoral purposes. While our immigration laws have been framed with the object of protecting society against this traffic, nevertheless many women become citizens of the United States through pro forma marriages contracted simply for the purpose of giving the poor, unfortunate women a status of citizenship under our laws and preventing them from being deported. The pimp, the procurer, these vice scavengers of humanity, products of the swill barrel of foreign lands, carry on their immoral, unspeakable practices almost within the shadow of Ellis Island, the women being brought in from Europe, from the Orient, and from the Latin countries, and, except in the cases of Chinese and Japanese, a pro forma marriage contract can be entered into and these women become citizens of the United States and can not be deported unless the Government can show—under the most recent amendment to section 19 of the immigration act—that the marriage was contracted after the woman became liable to deportation under the law; and heretofore the enforcement of the act has been seriously impeded through the fact that a foreign woman, no matter what her character, can secure citizenship simply by going through with a marriage ceremony, the other party to which is an American citizen.

"The foregoing are the two respects in which, it seems to me, the importance of the second part of my proposed amendment is made especially apparent at this time. I desire now to proceed to a more detailed discussion of the matter in its legal as well as its practical aspects.

"Generally, married women are regarded as citizens of the country of which their husbands are citizens. This principle is recognized by the laws of the United States, section 1994 of the Revised Statutes providing that—

"Any woman who is now or may hereafter be married to a citizen of the United States and who might herself be lawfully naturalized shall be deemed a citizen.

"It is of fundamental importance that in considering this provision of law the fact shall not be overlooked that Congress, in adopting it, was proceeding in pursuance of authority conferred upon the Congress by Article I, section 8, paragraph 4, of the Constitution—the authority 'to establish an uniform rule of naturalization.' Therefore the marriage of a foreign woman to an American citizen is, in its effect upon the status of the woman, a process of naturalization, and it must be borne in mind that the woman who acquires citizenship in this manner is, by virtue of the language of section 1994 itself, as fully naturalized as though she had gone through the court processes of naturalization required in the cases of males and in the cases of unmarried females, and as completely a citizen of the United States as though she had been born here. The Constitution 'contemplates two sources of citizenship, and two only—birth and naturalization,' said the Supreme Court in the leading case on citizenship, entitled United States v. Wong Kim Ark (169 U. S., 649, 702).

"The procurement of United States citizenship by a foreign woman through marriage to a citizen is not, of course, surrounded with any of the safeguards that are, and have been for many years, placed round the procurement of citizenship through the regular court processes provided by law. Some of those safeguards are the following:

"A male alien desiring to become a citizen of the United States must make a declaration that he is not an anarchist, a polygamist, or a believer in the practice of polygamy, and that it is his intention in good faith to become a citizen of the United States and permanently to reside therein. Not less than two years and not more than seven years after he has made his declaration of intention he must again petition the court and take an oath that he is not "a disbeliever in or opposed to organized government, or a member of or affiliated with any organization or body of persons teaching disbelief in organized government,' and so on. Then he is examined by the United States examiners; and if the court so directs, he becomes a citizen, but under the Revised Statutes a foreign woman who has attained her citizenship by marriage to an American citizen is not held to conform to that process of law.

"What is the object of the resolution? It is to give men and women the same rights under the Constitution, to place them upon an equality in regard to the elective franchise. Does it do that? Will it attain its object?

"Under the Federal statute already quoted an alien woman who marries a man who is a citizen of the United States by birth or naturalization becomes a citizen, and under this resolution, as drawn, she would be entitled to vote; but a male alien or a female alien not married must be naturalized in a regular court proceeding under our naturalization laws before he or she becomes a citizen qualified under this proposed resolution, as drawn, to vote. Is that equal rights?

"A male alien—a German, for instance—marries an American woman, but he does not thereby become a citizen, and under this constitutional amendment he could not vote by reason of that marriage relation. But a female alien—a German woman, for instance—marries an American citizen, perhaps a German who has been naturalized. She thereby, ipso facto, becames a citizen, and under this constitutional amendment could vote. Is that equal rights? Certainly not. It is conferring upon married women rights not conferred upon unmarried women or upon any man—rights which ought not to be conferred upon either women or men in any such haphazard, unregulated fashion.

"Again, the foreign man or unmarried foreign woman must reside here continuously for at least five years before the boon of citizenship will be conferred; but the foreign woman may by marrying a citizen become invested with all the rights and privileges of citizenship immediately upon landing upon our shores, including, if the constitutional amendment as proposed should be adopted, the right to vote. The foreign man or unmarried woman seeking in good faith, through the regularly

ordained channels, to become a citizen of this country must be of 'good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same.' But in the case of the foreign woman who marries a citizen no such standards are enforced; the marriage, ipso facto, confers citizenship, even though she is of bad character and even though she knows nothing and cares less about the principles of the Constitution. She does not have to be of good character, because the Supreme Court long ago held, in the case entitled Kelley against Owen, Seventh Wallace, 496, that the qualifying phrase, 'and who might herself be lawfully naturalized,' found in section 1994 of the Revised Statutes, means no more than that she must be of the general class—races—for which naturalization is authorized. Under this situation will the rights conferred be equal? Obviously not. Upon this fact too great emphasis can not be placed: If this resolution passes in its present form, foreign women married to citizens will become voters without any of the safeguards of naturalization through court processes.

"Mr. President, how many foreign women are there in the United States?

"The census of 1910 recorded 13,500,000 persons of foreign birth in our population. During the years 1911 to 1914, 3,000,000 more were added, according to the estimate of the Immigration Bureau. This is net—makes allowance for those who returned to their native lands. From 1915 to 1918 it is estimated immigration has been about 300,000 a year, making in these years of the war 1,200,000 immigrants added to our population. The total number of foreign-born persons here would, therefore, seem to be about 18,000,000.

"Mr. President, there are in the United States to-day 5,821,757 women of foreign birth. They are mostly in the large industrial States. I shall not read the statistics relative to them now. Suffice it to say that New York State has 1,296,849; Massachusetts, 526,922; Pennsylvania, 586,085; but that number has been increased by reason of the fact that the figures that I have read are from the census of 1910, and since that time immigration has increased by over 3,000,000. Therefore it is safe to assume that there are nearly 7,000,000 women of foreign birth in this country. I ask to have the letter which I hold in my hand from the Department of Labor giving these statistics inserted in the RECORD.

"The PRESIDING OFFICER. Without objection, it is so ordered.

"The letter referred to is as follows:

"DEPARTMENT OF LABOR,
"OFFICE OF THE SECRETARY,
"*Washington, September 24, 1918.*

"MY DEAR SENATOR: I beg to acknowledge receipt of your letter of the 23d instant requesting certain data regarding alien women in the United States, and will reply to your inquiries seriatim.

"1. Table 15, page 259, volume 1, of the Census Report of 1910, gives the number of foreign-birth white women in the United States as 5,821,757, divided as follows:

New England:	
Maine	52,165
Vermont	21,939
Massachusetts	526,922
Rhode Island	87,442
Connecticut	151,691
Middle Atlantic:	
New York	1,296,849
New Jersey	301,652
Pennsylvania	586,085
East North Central:	
Ohio	251,104
Indiana	92,139
Illinois	528,965
Michigan	261,867
Wisconsin	222,130
West North Central:	
Minnesota	222,529
Iowa	116,055
Missouri	97,040
North Dakota	63,528
South Dakota	40,932
Nebraska	74,284
Kansas	54,096
South Atlantic:	
Delaware	7,496
Maryland	49,857
District of Columbia	11,434
Virginia	9,900
West Virginia	15,773
North Carolina	2,197
South Carolina	2,335
Georgia	5,354
Florida	13,137
East South Central:	
Kentucky	18,442
Tennessee	7,312
Alabama	7,130
Mississippi	3,431
West South Central:	
Arkansas	6,302
Louisiana	22,139
Oklahoma	14,414
Texas	103,162
Mountain:	
Montana	27,084
Idaho	12,345
Wyoming	7,003
Colorado	48,777
New Mexico	7,822
Arizona	10,238
Utah	27,447
Nevada	4,172
Pacific:	
Washington	80,476
Oregon	33,241
California	191,833

"2 and 3. Section 1994 of the Revised Statutes provides as follows:

"'Any woman who is now or may hereafter be married to a citizen of the United States and who might herself be lawfully naturalized shall be deemed a citizen.'

"Section 4 of the act approved March 2, 1907 (34 Stat. L., pt. 1, p. 1228), which is merely declaratory of section 1994, Revised Statutes, provides as follows:

"'That any foreign woman who acquires American citizenship by marriage to an American shall be assumed to retain the same after the termination of the marital relation if she continues to reside in the United States, unless she makes formal renunciation thereof before a court having jurisdiction to naturalize aliens, or if she resides abroad she may retain her citizenship by registering as such before a United States consul within one year after the termination of such marital relation.'

"4. The fourteenth amendment to the Constitution defines those who shall be deemed citizens by virtue of their birth. Section 8 of Article I of the Constitution gives Congress power 'to establish an uniform rule of naturalization. * * *.' The various provisions of law under this authority will be found in the Revised Statutes.

"Yours, very truly,

"JOHN W. ABERCROMBIE,
"*Acting Secretary.*

"Hon. J. S. FRELINGHUYSEN,
"*United States Senate, Washington, D. C.*

"Mr. FRELINGHUYSEN. Mr. President, it will be seen from the foregoing that we already have here a very large number of foreign-born women. Of course, many of these are illiterate, many have had no educational advantages. Another fact that should not be overlooked is this: The tendency to enter into marital relations is marked among these immigrant races. Of course, we know little or nothing about their loyalty and the real allegiance of these women and less about their character; many of them may be anarchists, nihilists, polygamists, yet these women may, simply through the performance of a marriage ceremony, become citizens of the United States.

"Is it not essential that we should write in the Constitution a provision which will enable Congress to pass legislation that will restrict the menace arising from this condition? I do not think the amendment as drawn does this, and I believe that Congress should take the precaution to lay the foundation for protecting the country in this regard. After consultation with the legal advisers of the Immigration and Naturalization Bureaus I am firmly of the opinion that if the amendment should be adopted as drawn it will not be possible thereafter for Congress to remedy the situation described by me by passing legislation. In other words, the constitutional amendment, unless it shall be changed in some such manner as that I suggest, will prevent the passing of any legislation to place any restriction with regard to the exercise of the franchise upon foreign women who have become citizens by marriage.

"This citizenship-by-marriage provision was enacted by the Federal Congress when women could not vote and at a time when Congress had no thought of giving them the vote, its object being to protect property and dower rights and to care for many legal and international questions. To accomplish these purposes Congress conferred the benefit of such citizenship upon such women. Now women are asking for the additional benefit of the right of suffrage—too long denied them—but a changed situation is created, which Congress should carefully consider before passing a constitutional amendment. The view has been expressed by some lawyers that Congress could afford protection to the elective franchise under this constitutional amendment by hereafter passing statutes naturalizing foreign women married to citizens and worthy of the privilege of voting. Possibly a statute could be passed that hereafter would protect the electorate and compel married women who have become citizens by marriage to be naturalized in a court proceeding before they vote, but I do not believe it.

"To hold that it can is tantamount to holding that the Congress can by statute compel a woman who has already been naturalized by marriage and who has by that process of naturalization become as full a citizen as though born here, to go through another process of naturalization—the court process—before she will be allowed to vote, notwithstanding a provision in the Constitution prohibiting the United States or the several States from denying or abridging on account of sex the right of a citizen to vote. No law will or can be passed hereafter in that regard that will protect the electorate against the unworthy or unqualified women who are given this right under this con-

stitutional amendment unless you lay the foundation in the amendment itself by the use of words that will confer upon Congress the power to do so.

"Perhaps it might be thought that the second section of the article of the amendment proposed in the resolution, providing that the Congress shall have power by appropriate legislation to enforce the provisions of the article, would lay a sufficient foundation for subsequent legislation dealing with the subject I am discussing. But I think that, obviously, such is not the case. The purpose of the second section of this proposed article of amendment is exactly the same as the purpose of section 2 of Article XIII, section 5 of Article XIV, and section 2 of Article XV of the Constitution. Its purpose is to indicate which of the three branches into which our Government is divided is to be charged under the Constitution with the enforcement of the particular article; and it confers a power to enforce—that is, carry out—not a power to modify, regulate, abbreviate, or extend. If it conferred a power of the latter character it would, moreover, be absolutely inconsistent with the first section of the proposed article of amendment.

"I contend that under this amendment providing that the right to vote shall not be abridged or denied on account of sex, the right being conferred when this constitutional amendment is ratified by the States, such right having been created through marriage—which marriage relation is possible because of sex—the moment you attempt to compel these women to go through any additional requirements before they exercise the franchise you will be doing the very thing the amendment prohibits, because you will be abridging the right of a female citizen to vote. Any such statute, if passed, would be unconstitutional. Of course, I do not contend that Congress can not at any time, under the authority conferred upon it by the Constitution to pass uniform naturalization laws, either amend or repeal section 1994 of the Revised Statutes. The power of Congress in this regard is no doubt plenary. This fact might naturally lead some to ask the question, 'Why attempt to cover this point in a constitutional amendment? Why not leave it to Congress to repeal the statute lying at the foundation of the difficulty?' But to such a question there are two sufficient answers.

"In the first place, section 1994, although a statute and therefore open to repeal or revision, is simply declaratory of a principle of law that is almost universally recognized and runs infinitely into important legal questions of both a local and an international nature. It is not likely, therefore, that Congress will ever go so far in amending and extending the naturalization laws as to abandon this principle. And just so long as citizenship can be acquired by women through the performance of a marriage ceremony will there exist the inequalities and evils to which attention has been called.

"In the second place, by such a constitutional provision as that proposed by me, the past as well as the future can be cared for. There are, of course, now in the United States a great many women, formerly foreigners, who have acquired citizenship through marriage. It may be seriously doubted that Congress could legally divest these women of the citizenship already acquired in that manner. The Supreme Court has said, in the Wong Kim Ark decision, already mentioned, that 'the power of naturalization vested in Congress by the Constitution is a power to confer citizenship, not a power to take it away.' But wholly aside from this legal doubt, it would hardly be fair and just to pass a law changing the status of these women from that of citizenship to that of alienage—certainly it would not be just or fair in many of their cases. On the other hand, no unfairness or injustice—and nothing in any sense illegal—is involved in so qualifying the conference of a constitutional right to vote as to make it possible for Congress hereafter to enact legislation requiring those whose citizenship arises merely from marriage to meet, in every substantial respect, before they will be allowed to exercise the right of suffrage, the conditions that males and unmarried females are required to meet before citizenship is conferred upon them.

"Accordingly the purpose I have in mind in inserting in my proposed amendment the provision that 'no female person who is not such a citizen otherwise than by marriage, or who, having acquired citizenship by marriage, has not complied with such requirements and conditions as may be prescribed by Congress, shall exercise such right' is to pave the way for the passage through Congress, in the event that the constitutional amendment should be adopted, of a law which would compel foreign women who acquire citizenship in the instantaneous and unregulated manner of going through a marriage ceremony to meet conditions and requirements similar to those now governing the conference of citizenship through court processes before they would be permitted to stand alongside men and women born here and men and women born abroad and naturalized here in the regular safeguarded manner and cast votes having the same effect in determining the course of government as the votes cast by the native-born and regularly naturalized citizens.

"I repeat, Mr. President, I am in favor of adopting a constitutional amendment which will bring about equality between men and women citizens in the matter of the vote; but I am also in favor of so wording such amendment that we will not perpetuate and increase already existing evils and create new inequalities that could not hereafter be rectified otherwise than by the slow and uncertain method of adopting still another constitutional amendment.

"I ask to append to my remarks, without reading, a statement showing citizenship qualifications for voting in woman-suffrage States.

"The PRESIDING OFFICER. Without objection, permission is granted.

"The statement referred to is as follows:

"CITIZENSHIP QUALIFICATIONS FOR VOTING IN WOMAN-SUFFRAGE STATES.

"FULL SUFFRAGE.

"Arizona: Citizens only. (Const., VII-2.)

"California: Citizens only. Naturalized citizens must have been admitted to citizenship 90 days prior to the election. (Const., II-1.)

"Colorado: Citizens only. (Const., VII-1.) 'The same qualifications as to * * * citizenship * * * required by law to entitle male persons to vote shall be required to entitle female persons to vote.' (Courtright's Stat., 1911, sec. 2147.)

"Idaho: Citizens only. (Const., VI-2.)

"Kansas: Citizens and persons who have declared their intention to become citizens. (Const., V-1.) An amendment has been submitted to be voted on at the 1918 election limiting the right to vote to citizens of the United States. (Laws, 1917, c. 353.)

"Montana: Citizens only. (Const., IX-2.)

"Nevada: Citizens only. (Const., II-1.)

"New York: Citizens only. Must have been a citizen for 90 days. A citizen by marriage must have been an inhabitant of the United States for 5 years. (Const. amend., Laws, 1917, p. 2784.)

"Oregon (a senate joint memorial [Laws, 1917, p. 975] has been submitted to Congress requesting 'that equal qualifications be required of and equal privileges granted to each individual voter, irrespective of sex or the marriage relation in the States adopting woman suffrage'): Citizens only. (Const., II-2.)

"Utah: Citizens only. (Const., IV-5.)

"Washington: Citizens only. (Const., VI-1.)

"Wyoming: Citizens only. (Const., VI-5.)

"LIMITED SUFFRAGE.

"Illinois: Citizens only. (Const., VII-1; Laws, 1913, p. 333.)

"Michigan: Citizens only. (Const., III-1; Laws, 1917, No. 191.)

"Nebraska: Citizens and persons who have declared their intention to become citizens at least 30 days prior to election. (Const., VII-1; Laws, 1917, c. 30.)

"North Dakota: Citizens only. (Const., V-121; Laws, 1917, c. 254.)

"Rhode Island: Citizens only. (Const. amend., VII; Laws, 1917, c. 1507.)"

Mr. FRELINGHUYSEN. Mr. President, I know that there has been a ruling by the Vice President that no amendment can be offered to the joint resolution, but I had heretofore prepared an amendment, after the word "sex," on line 11, to add the following:

Provided, That no married woman shall be entitled to vote who would not be so entitled if she were a single woman.

Unless we can pass an amendment to our immigration laws to enable us to correct the evil to which I have referred, this proposed constitutional amendment will enfranchise thousands—yes, millions—of alien women who have never taken the oath of allegiance which the male alien is compelled to take, and who have never been compelled to undergo the searching investigation by United States officials, who examine every male applicant for citizenship. We will, therefore, if the proposed constitutional amendment is adopted unamended, enfranchise, through the provision of the Revised Statutes to which I have referred, millions of women without throwing this protection around the electorate. It is a mooted question whether an amendment can be made to the immigration laws, and therefore I feel that here and now is the place for us to write into the fundamental law of the land a prohibition against a condition that no patriotic American citizen wants to see.

Mr. President, I ask unanimous consent to offer the amendment to which I have referred.

Mr. SHAFROTH. I object to unanimous consent.

Mr. JONES of New Mexico. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico desire to be heard before the Chair rules?

Mr. JONES of New Mexico. Mr. President, the Senator from New Jersey [Mr. FRELINGHUYSEN] having read the proposed amendment, I presume it is not necessary to have it read again at the desk.

This amendment was presented to the Senate last September, and on that occasion I stated at some length the reasons why I felt compelled to oppose any amendment to the joint resolution. Did I not feel the same way now I should be inclined to waive the parliamentary point of order and permit the Senate to consider the amendment, but it is quite obvious that the vote on the joint resolution itself would be greatly jeopardized if we were to amend it in any particular.

As has been stated by the Senator from Colorado [Mr. SHAFROTH], if an amendment were made to the pending joint resolution, it would require it to be again passed upon by the House. The time of this session of Congress is very short, and we feel that the joint resolution itself would be jeopardized by attaching any amendment to it.

As stated on the former occasion, the proposed constitutional amendment in its present form is the same as that which has been presented to the Congress for many years in the past. In a sense it has become sanctified by age, and I know that it would lead to the opposition of the great masses of the women of this country who have been so faithfully and so persistently advocating the passage of this proposed constitutional amendment in its present form.

If it were not for these considerations, Mr. President, I should not raise the point of order; but, under the circumstances, I feel compelled to do so. Therefore I raise the point of order that the amendment can not be considered at this time.

The PRESIDING OFFICER. The Chair rules that the joint resolution having been ordered to a third reading and having been read the third time, the amendment is not in order. The only question is, Shall the joint resolution pass?

Mr. GAY. Mr. President, the question of woman suffrage has been discussed before this honorable body from every angle. Every Senator has his convictions and doubtless has well fixed in his mind just how he intends to vote when the roll is called; but, Mr. President, having only recently become a Member of the Senate, I desire to avail myself of the opportunity presented to briefly set forth my position on this great question.

I favor giving women the right to vote. As a member of the Louisiana Legislature I voted to submit the question to the people of Louisiana in the form of an amendment to the constitution of the State of Louisiana.

Following the legislative session of 1918 the senatorial campaign was waged for the seat made vacant by the death of Senator Broussard. The question of woman suffrage was not a vital issue in that campaign; but, as a candidate, I announced in public print and from the stump my intention to vote for the amendment to the constitution of Louisiana giving the women of my State the right to vote. I worked for its adoption and voted for it on November 5 last; but, Mr. President, during the campaign I told my people everywhere that should I be elected to the Senate I would vote against the Susan B. Anthony amendment. I consider that statement as binding.

At an extra session of the General Assembly of the State of Louisiana held in August, 1918, a joint resolution was adopted memorializing the Congress of the United States to reject the pending amendment to the Federal Constitution, which joint resolution reads as follows:

Now, therefore, be it

Resolved by the house of representatives of the people of Louisiana (the senate concurring), That the Congress of the United States be, and it is hereby, memorialized to reject the so-called Susan B. Anthony amendment to the Federal Constitution requiring each State to grant suffrage to the female sex without choice or limitation, and authorizing Federal power to enforce the amendment, the said Congress of the United States to declare by this action that the democracy of each separate American State is safe against the force and power of a combination of other American States; and be it further

Resolved, That we call upon our sister States of the Union to likewise declare for State integrity and the safety of American democracy and vigorously oppose Federal interference or control with State franchise; be it further

Resolved, That a copy of this resolution be forwarded to each House of Congress in the United States.

Mr. President, this, briefly, represents my point of view, and I heartily concur in the principles here set forth.

It is impossible for us who have the racial question to deal with to close our eyes and treat with indifference a problem which has been a boil upon the body politic for more than a generation, and which, happily for the welfare of both races, has been resting quiet for 15 or 20 years by the enactment of just laws in every State of the South.

Under these laws the South is prosperous. Crime has been reduced, and justice is meted alike to both races.

The passage of this amendment would again open an old sore, revive questions pregnant with dangerous consequences to the South, and would in time extend the power of Federal control to male suffrage and cause a most serious situation.

I have no patience with that little band of women, the militant suffragists, who seek notoriety and bring reproach upon the cause which so many noble women have espoused.

There is no denying the fact, Mr. President, that woman is entitled to the same authority in all questions governmental as man. She has risen even higher than ever before in the estimation of mankind through the wonderful sacrifices and patriotism which she has shown in this war, from which we have just victoriously emerged. She should have the same right and expression by the ballot that men to-day exercise, but let that right be given promptly by each sovereign State of our Union.

The eminent jurist from Louisiana, my distinguished predecessor, Senator Guion, stated on the floor of the Senate:

My objection to the amendment now pending in the Senate is that under our form of government the right to give or withhold the privilege of suffrage rests with the States and is not given to the General Government.

Suffrage is a matter of local or domestic concern, to be dealt with by each State, acting in its sovereign capacity in the exercise of the power reserved to the States under the Federal Constitution, and as may best subserve and accord with existing local conditions and without interference by the Federal Government.

Holding these views, Mr. President, and having pledged myself to my people, I will now fulfill that obligation and will record my vote against the pending amendment.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Henderson	Moses	Smith, Ga.
Baird	Hitchcock	Myers	Smith, Mich.
Bankhead	Hollis	Nelson	Smith, S. C.
Beckham	Johnson, Cal.	New	Smoot
Borah	Johnson, S. D.	Norris	Spencer
Brandegee	Jones, N. Mex.	Nugent	Sterling
Calder	Jones, Wash.	Overman	Sutherland
Colt	Kellogg	Page	Swanson
Culberson	Kendrick	Penrose	Thomas
Cummins	Kenyon	Pittman	Thompson
Curtis	King	Poindexter	Townsend
Dillingham	Kirby	Pollock	Trammell
Fernald	La Follette	Pomerene	Underwood
Fletcher	Lenroot	Ransdell	Vardaman
France	Lewis	Robinson	Wadsworth
Frelinghuysen	Lodge	Saulsbury	Walsh
Gay	McCumber	Shafroth	Warren
Gerry	McKellar	Sheppard	Watson
Gronna	McLean	Sherman	Weeks
Harding	McNary	Simmons	Williams
Hardwick	Martin, Va.	Smith, Ariz.	Wolcott

The PRESIDING OFFICER. The roll discloses the presence of 84 Senators. There is a quorum present. The question is, Shall the joint resolution pass?

Mr. SHAFROTH, Mr. SHEPPARD, and Mr. HOLLIS called for the yeas and nays, and they were ordered.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. HOLLIS (when Mr. CHAMBERLAIN's name was called). On this question the Senator from Oregon [Mr. CHAMBERLAIN] and the Senator from Kentucky [Mr. MARTIN] are paired with the Senator from Missouri [Mr. REED]. If the Senator from Kentucky were present, he would vote "yea"; if the Senator from Oregon were present, he would vote "yea"; and if the Senator from Missouri were present, he would vote "nay."

Mr. FRELINGHUYSEN (when his name was called). I have a general pair with the junior Senator from Montana [Mr. WALSH]. I am released from my obligation on this question, and therefore I vote "yea."

Mr. HOLLIS (when Mr. GOFF's name was called). On this question the Senator from West Virginia [Mr. GOFF] and the Senator from Oklahoma [Mr. OWEN] are paired with the Senator from Tennessee [Mr. SHIELDS]. If the Senator from West Virginia were present, he would vote "yea"; if the Senator from Oklahoma were present, he would vote "yea"; and if the Senator from Tennessee were present, he would vote "nay."

Mr. HOLLIS (when his name was called). On this question the Senator from Utah [Mr. KING] and I are paired with the Senator from Pennsylvania [Mr. KNOX]. If at liberty to vote, the Senator from Utah and I would vote "yea" and the Senator from Pennsylvania would vote "nay."

Mr. KENDRICK (when his name was called). I have a general pair with the senior Senator from New Mexico [Mr. FALL]; but I understand that he is in favor of the passage of this joint resolution and otherwise paired, and therefore I am at liberty to vote. I vote "yea."

Mr. KING (when his name was called). The Senator from New Hampshire [Mr. HOLLIS] and I have a pair with the Senator from Pennsylvania [Mr. KNOX]. Owing to the absence of the Senator from Pennsylvania I withhold my vote.

Mr. HOLLIS (when Mr. PHELAN's name was called). On this question the Senator from California [Mr. PHELAN] and the Senator from New Mexico [Mr. FALL] are paired with the Senator from Maryland [Mr. SMITH]. If at liberty to vote, the

Senator from California would vote "yea," the Senator from New Mexico would vote "yea," and the Senator from Maryland would vote "nay."

Mr. SPENCER (when Mr. REED's name was called). I desire to announce that the senior Senator from Missouri [Mr. REED] is detained from the floor by sickness.

Mr. SAULSBURY (when the name of Mr. SMITH of Maryland was called). The senior Senator from Maryland [Mr. SMITH] is confined to his home by illness and unable to be present.

Mr. SMITH of Michigan (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. REED], but in view of the announcement made by the Senator from New Hampshire [Mr. HOLLIS], I feel at liberty to vote. I vote "yea."

Mr. McNARY. My colleague, the senior Senator from Oregon [Mr. CHAMBERLAIN], is detained on important public business.

The roll call resulted—yeas 55, nays 29, as follows:

YEAS—55.

Ashurst	Johnson, Cal.	Myers	Smith, Ariz.
Calder	Johnson, S. Dak.	Nelson	Smith, Mich.
Colt	Jones, N. Mex.	New	Smoot
Culberson	Jones, Wash.	Norris	Spencer
Cummins	Kellogg	Nugent	Sterling
Curtis	Kendrick	Page	Sutherland
Fernald	Kenyon	Pittman	Thomas
France	Kirby	Poindexter	Thompson
Frelinghuysen	La Follette	Pollock	Townsend
Gerry	Lenroot	Ransdell	Vardaman
Gore	Lewis	Robinson	Walsh
Gronna	McCumber	Shafroth	Warren
Harding	McKellar	Sheppard	Watson
Henderson	McNary	Sherman	

NAYS—29.

Baird	Hale	Penrose	Underwood
Bankhead	Hardwick	Pomerene	Wadsworth
Beckham	Hitchcock	Saulsbury	Weeks
Borah	Lodge	Simmons	Williams
Brandegee	McLean	Smith, Ga.	Wolcott
Dillingham	Martin, Va.	Smith, S. C.	
Fletcher	Moses	Swanson	
Gay	Overman	Trammell	

NOT VOTING—12.

Chamberlain	Hollis	Martin, Ky.	Reed
Fall	King	Owen	Shields
Goff	Knox	Phelan	Smith, Md.

The VICE PRESIDENT. The yeas are 55, the nays 29. The joint resolution, not having received the votes of two-thirds of the Senators voting, is rejected.

The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is House bill 15140.

THE CENSUS—CONFERENCE REPORT.

Mr. FRANCE. Mr. President, I desire to avail myself of this opportunity to make a brief announcement.

On the 13th day of January the Senate adopted an amendment to the census bill, upon which amendment I submitted some preliminary remarks, not having had an opportunity to fully discuss the amendment. The amendment was adopted in the Senate and rejected by the conference committee. I desire to give notice that when the conference report is presented I shall discuss it at some length. However, as I am compelled to be absent some of the time from the floor of the Senate in committee work I shall appreciate it very much if the chairman in charge of the conference report will send for me if the same shall be brought up during my temporary absence from this body.

THE REVENUE—CONFERENCE REPORT.

Mr. SIMMONS. Mr. President, I present, on behalf of the conferees on the part of the Senate, the conference report on the disagreeing votes of the two Houses upon the House bill 12863, known as the revenue bill. I wish to state, in connection with filing the report, that upon the request of some conferees on the part of the Senate and other Senators I shall not ask for the consideration of the report at this time, but tomorrow morning as soon as the morning business is disposed of I shall ask the Senate to proceed to the consideration of the conference report.

SECOND DEFICIENCY APPROPRIATION.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. MARTIN of Virginia. I ask that the formal reading of the bill be dispensed with and that it be read for amendment, the committee amendments to be first considered.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the head of "District of Columbia," on page 2, after line 18, to strike out:

PUBLIC SCHOOLS.

For payment of necessary expenses connected with the organization and conducting of community forums and civic centers in school buildings, including equipment, fixtures, and supplies for lighting and equipping the buildings, payment of janitor service, secretaries, teachers, organizers, and clerks, including the purchase of one motor vehicle for use of the central office for strictly official business not exceeding $1,200, and maintenance of same, and employees of the day schools may also be employees of the community forums and civic centers, $12,000.

Mr. JONES of Washington. I wish to say to the Senator having charge of the bill that I had some doubts as to the advisability of striking out this provision when the matter was in the committee, but I had so little information about it that I permitted the bill to be reported with this amendment. I thought at that time this deficiency had probably been incurred largely because of the abnormal conditions in the District of Columbia while the war was going on.

Mr. MARTIN of Virginia. It is not a deficiency at all. They still have $6,000 of the $15,000 that was appropriated, which will certainly carry them until the next deficiency bill comes along; and if it is necessary to make any further appropriation, no harm can result by its going over until that time. I myself confess I felt some doubt about it, but I am informed there is not a present deficiency, that there is $6,000 of unexpended money to the credit of this service, and another deficiency bill will be along very soon. I was very anxious to get this bill through, because it will save the Treasury $15,000,000,000.

Mr. JONES of Washington. I am very glad to hear that statement from the chairman of the committee. While I am not in favor of bureaus or divisions or departments of the Government creating deficiencies regardless of the amount of money that Congress may appropriate, I did think that this work is of such importance, especially under the conditions existing now, that we would hardly be justified in being too strict with this organization. Ordinarily I would not be in favor of this or any other organization for which we have appropriated money that we thought was necessary to carry on the work going on just because its appropriation ran out and proceed as if it had unlimited money to carry on its activities.

As I said, I thought there was some justification even for this organization creating a deficiency at this time, but as the chairman says there is not in fact a deficiency, and they have $6,000 already on hand, and as we know there will be a general deficiency before the end of the month or by the first part of next month, I can not see that the work will be particularly interfered with or cramped. Therefore on that statement of the chairman I shall not oppose the adoption of the amendment.

Mr. KENYON. I should like to ask the Senator from Washington if striking out this appropriation is going to interfere with carrying on the work.

Mr. JONES of Washington. I understand from the chairman that it will not, that there is in fact the sum of $6,000 still available of the appropriation we made to carry on the work, and that this is really no deficiency at all.

Mr. KENYON. What I want to get at is whether the work can still go on.

Mr. MARTIN of Virginia. I have no doubt about that. There is no reason in the world why it should not go on. There is $6,000 on hand, and another deficiency bill will be coming along right behind, and the regular bill will not be very far behind that.

Mr. WEEKS. May I ask a question of the Senator in charge of the bill? The next item relates to the fire department. I notice in that item the heading "permanent improvements." Why do permanent improvements which seem to be original appear in this deficiency bill?

Mr. MARTIN of Virginia. I understand that that appropriation became necessary because of the change from horse-drawn vehicles to motor vehicles.

Mr. WEEKS. It seems to me an appropriation of this kind should appear in the District of Columbia appropriation bill.

Mr. MARTIN of Virginia. It is a deficiency.

Mr. WEEKS. Has the money been spent?

Mr. MARTIN of Virginia. It is certified to as an actual deficiency. That is the reason why it is not in the District of Columbia appropriation bill.

Mr. WEEKS. Why call them "permanent improvements"?

Mr. MARTIN of Virginia. Because the improvement is permanent, but the appropriation was not. That resulted in a deficiency.

Mr. SMOOT. Mr. President, the chairman, in answer to the question asked by the Senator from Iowa [Mr. KENYON], stated that he desired this bill to be hastened to passage as quickly as possible as it will save the Treasury of the United States $15,000,000,000. That impression has gone out to the people generally throughout the country. In letters that I receive complaining of the passage of the revenue bill raising $6,000,000,000, the writers state their objection owing to the fact that as long as the Treasury has $15,000,000,000 in cash on hand, and more than that, there is no necessity for raising this amount of money.

It ought to be distinctly understood that the money is not in the Treasury of the United States at all for these purposes. There has been a part of it appropriated in the regular way that the departments of the Government can spend unless it is repealed. There is another part, and a major part of it, that are authorizations, where the appropriations have not actually been made, and of course that could not be expended by the Government until an appropriation had been made. What it means is simply that there is no repeal of legislation that has been placed upon an appropriation bill authorizing the expenditure, and there are also direct appropriations amounting to $15,400,000,000.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, under the head of "Employees' Compensation Commission," on page 4, line 16, after the word "exceed," to strike out "$9,000" and insert "$5,000," so as to make the clause read:

Not to exceed $5,000 of the appropriation of $25,000 for carrying on the work of the commission in France, contained in the deficiency appropriation act, approved July 8, 1918, may be expended in the District of Columbia for the purposes named in the act: *Provided*, That no per diem in lieu of subsistence shall be allowed in the District of Columbia.

The amendment was agreed to.

The next amendment was, under the head of "Treasury Department," subhead "Office of Auditor for War Department," on page 6, after line 14, to strike out:

The bureaus and offices of the Navy Department now housed in the Navy Department Annex on New York Avenue shall be removed therefrom to the Navy Office Building in Potomac Park as soon as possible and the space vacated thereby in the Navy Annex shall be occupied by the office of the Auditor for the War Department: *Provided*, That rent for the said building for the remainder of the fiscal year 1919 shall be paid by the Marine Corps.

Mr. KING. I should like to ask the chairman of the committee whether there are any restrictions in any law as to the compensation that may be paid to those who are employed under this authorization?

Mr. MARTIN of Virginia. There is a restriction in the proviso on page 5, beginning at line 15.

Mr. KING. I think the Senator is in error. If he will pardon me, that relates to the Treasury Department and the general supplies of that department, whereas the item to which I have invited the Senator's attention——

Mr. MARTIN of Virginia. It applies to the entire appropriation.

Mr. KING. If the Senator will pardon me, I invite his attention to page 6, line 14. It seems to me that there is no limitation provided and the provision to which the Senator refers does not apply.

Mr. UNDERWOOD. I will state to the Senator from Utah my understanding of the item. It grows out of war conditions, where it was necessary to have a very much larger force than usual for the auditors, and especially for the Auditor for the War Department. It is apparent to anyone that these clerks are not permanent, and therefore no permanent status is taken. It is necessary, not knowing the exact condition, to give a lump-sum appropriation.

Mr. KING. Was there anything before the committee which indicated the maximum that would be paid to any employee under the appropriation?

Mr. UNDERWOOD. Not that I know of. The auditor's office of the War Department function under the civil-service requirements, and the assumption is that the clerks will be appointed on the same basis.

Mr. KING. The Senator will keep in mind the fact that in some of the departments, where lump-sum appropriations are made and no restrictions upon the amount of compensation has been provided in the various bills, those having charge of the expenditures have gone into other departments and paid increased compensation and thus drained departments of the Government.

Mr. UNDERWOOD. That is undoubtedly true, but I do not think that applies to the old departments of the Government. The auditor's office of the War Department is one of the old organizations.

Mr. KING. I will say to the Senator, if he will pardon me, he is mistaken in that because the complaint was made to me by officials in some of the old departments of the Government. Complaint has been made in that way of the Treasury Department, that many of their competent clerks and employees have been taken away by some of the new bureaus, agents, and instrumentalities created during the war.

Mr. UNDERWOOD. That is true, but the Senator misunderstood me. I thought he meant that the old organization where they had to get additional clerks for war purposes maintained the old basis of salaries, and this is one of the old organizations and not a new one.

Mr. WEEKS. Mr. President, may I ask the Senator from Virginia a question about the item? Is the Navy Department Building on New York Avenue a Government building?

Mr. UNDERWOOD. I will state to the Senator that the building belongs to private persons. It was rented by the Navy Department for an annex, and now the Navy Department has informed the committee that it can move that portion of its clerical force from that building down to the new building, which belongs to the Government on B and Seventeenth Streets. The purpose was to transfer it to another department. The reason why the committee struck out the paragraph was because in the last part of the bill we propose an amendment appointing a commission to take care of the distribution of space in all public buildings, and we did not want to limit the hands of the commission, if that amendment is agreed to, by an enactment of law in reference to this particular building.

Mr. WEEKS. Is it in this building that the headquarters of the Marine Corps are now located?

Mr. UNDERWOOD. Yes; that is, it is the building on New York Avenue right opposite the Emergency Hospital.

Mr. WEEKS. I assume it is under a lease for a year?

Mr. UNDERWOOD. I think it is under a lease, but I think that lease is subject to cancellation by the Government.

Mr. WEEKS. The reason why I ask the question is because I think in every case where it is possible a leased building should be given up and the new building which we have constructed should be occupied.

Mr. UNDERWOOD. That is the policy pursued in this bill.

Mr. WEEKS. Therefore the fact that it was stricken out of the bill attracted my attention.

Mr. SHAFROTH. I should like to ask the Senator from Alabama whether the Government would not have to pay rent for this building in the meantime after it is determined that it is no longer of use to the Government.

Mr. UNDERWOOD. I am not sure, but my understanding is that the terms of the contract under which the building is leased can be canceled at the option of the Government. I want the Senator to understand that that is not a positive reply but that is my understanding after making some inquiry.

Mr. SHAFROTH. In view of the fact that Congress strikes this provision out of the bill, will the Government feel justified in canceling the lease for the building?

Mr. UNDERWOOD. If the provision in the last part of the bill providing for a commission to allocate space in the various buildings is passed and the commission determines not to occupy this building, it will have to cancel the lease.

Mr. SHAFROTH. Yes; but how long will it be before that commission will meet?

Mr. UNDERWOOD. I do not know about that.

Mr. SHAFROTH. Is the commission to be composed of Senators and Representatives?

Mr. UNDERWOOD. Yes; it is to be composed of Senators and Representatives.

Mr. SHAFROTH. Then, it is likely we shall have to pay six months' rent on the building.

Mr. SMOOT. Mr. President, I wish to call the Senator's attention to the fact that if the House provision should remain in the bill, the building would not be vacated, for it is provided that—

The space vacated thereby in the Navy Annex shall be occupied by the office of the Auditor for the War Department.

The committee felt that there was plenty of office room in the District of Columbia for every department of the Government. It is true that the annex to the Winder Building—and that is what this is—is leased by the Government of the United States.

Mr. SHAFROTH. Mr. President, in view of the explanation of the Senator from Utah, it seems to me that the amendment is a proper one.

Mr. SMOOT. Mr. President, there is no doubt about it. Not only that, but I think the Government of the United States has

the right to cancel a lease which was not made within the session of Congress when payment was begun under it; in other words, that one session of Congress can not bind another to make an appropriation for a lease which was authorized by a previous Congress. I have not looked up the law, but I know from personal experience that the Government has taken that position and has so acted in the past. In the nineties, long before I was in public life, I erected a building in my home city for the Government of the United States, to be used as a courthouse. The plans were drawn by the department, the rooms were located and arranged according to those plans; the vaults were put into the middle of the building, and they ran through every story of the building.

No one would ever have constructed a building such as I then erected without a lease running for at least 10 years. The lease was made for 10 years, but that building was occupied but a few months over a year. Statehood came for our Territory; the Government had no further use for the building; it moved out; and when I asked the officials to live up to their contract they simply said: "The contract is void after the close of the Congress which was in session at the time the building was occupied." I desire to say to the Senator that in order to utilize the building for other purposes it was necessary to change the construction so as to make it almost a new building. In fact, I lost over half the cost of the building through the action of the Department of Justice.

Mr. SHAFROTH. I can readily see that that was a great hardship, but I presume that these Government leases all contain a clause providing that upon certain notice—and that notice ought to be of reasonable length, probably six months or a year—the Government shall have the right to cancel the lease of any building.

Mr. SMOOT. I have no doubt even though this language was used in the House, should the office of the Auditor of the War Department be moved into the building the Government could cancel the lease. I think the amendment offered by the committee is absolutely right and just, for I do not want to see the Government of the United States pay a dollar of rent from now on if it is possible to use the buildings which we have, and those buildings cover acres and acres of ground. So far as I am concerned, no further rents shall be paid by the Government of the United States if we have the space to house the different departments, bureaus, and divisions of our Government.

The VICE PRESIDENT. The question is on the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the subhead "Contingent Expenses," on page 7, after line 2, to strike out:

For purchase of boxes, book rests, chairs, etc., including the same objects specified under this head in the legislative, executive, and judicial appropriation act for the fiscal year 1919, $23,000.

The amendment was agreed to.

The next amendment was, under the head of "War Department," subhead "Temporary Employees," on page 7, line 23, after the word "demand," to strike out "$4,000,000" and insert "$5,000,000," so as to read:

For the temporary employment of such additional force of clerks and other employees as in the judgment of the Secretary of War may be proper and necessary to the prompt, efficient, and accurate dispatch of official business in the War Department and its bureaus, to be allotted by the Secretary of War to such bureaus and offices as the exigencies of the existing situation may demand, $5,000,000.

Mr. KENYON. Mr. President, I wish we might have some explanation about this little increase of a million dollars.

Mr. KING. I am going to move to cut it down to three million.

Mr. KENYON. Perhaps it is trivial to inquire about the way we are spending Government money, but I understood we were trying to get rid of some of these clerks. The House allowed $4,000,000 for this item of clerk hire, and it seems to be a rather large increase to raise it to $5,000,000. What is the reason for that?

Mr. UNDERWOOD. In the legislative bill, which is now pending in the Senate, the committee has cut down the number of these clerks; that is, they have refused to make an allowance for next year as to the number of additional clerks. Of course, this item applies to this year up to the 1st of July. There were a great many clerks there, and it was stated to the committee by Gen. Lord, who is acting as the financial agent of the War Department, that he must have $6,000,000 instead of $4,000,000, but after considering the question the committee reduced the amount of the request for an increase by Gen. Lord to $5,000,000; in other words, we gave them a million dollars more than the House did on his statement that he would otherwise fall short.

Mr. KENYON. Was Gen. Lord before the House committee, I will ask the Senator from Alabama?

Mr. UNDERWOOD. I think he was.

Mr. KENYON. And all of his evidence was given to the House committee, and they allowed only $4,000,000?

Mr. UNDERWOOD. They allowed $4,000,000; but after the Senate committee heard Gen. Lord and received a letter from Secretary Baker on this subject, which, if the Senator from Iowa desires me to do so, I shall send to the Secretary's desk and have read, we took this action.

Mr. KENYON. I should be very glad to have the Senator have the letter read at the desk.

The VICE PRESIDENT. The Secretary will read, as requested.

The Secretary read as follows:

WAR DEPARTMENT,
Washington, January 31, 1919.

Hon. THOMAS S. MARTIN,
Chairman Committee on Appropriations,
United States Senate.

MY DEAR SENATOR MARTIN: I feel very strongly that the department will need all of the $6,000,000 which has been estimated for as necessary for the pay of additional temporary employees till June 30, if the limited-service men who have been on duty in the various bureaus are discharged from the service, which in a large number of cases will require the appointment of civilians to replace them.

The estimates submitted to me by the bureaus aggregate nearly $9,000,000, or, to be exact, $8,785,082.85. In my desire to cooperate to the utmost with Congress in securing the reduction of this temporary force now that the great emergency which had called it into existence had in large measure diminished, I made an arbitrary cut of about 32 per cent, reducing it to $6,000,000, which was the amount submitted. I am now inclined to think that if the reduction made is adhered to it will prove more costly to the Government in the end. In the desire to hasten as rapidly as possible the restoration to normal conditions, I perhaps gave too little consideration to the fact that the $9,000,000 estimated for by the bureaus contemplated the necessity of replacing limited-service men on duty in various bureaus. The total number of such men on duty at the time of the signing of the armistice was 5,811. January 1 it had been reduced to 2,823, and the discharge of limited-service men is proceeding steadily under the plan of military demobilization.

The pay roll for additional employees for December was, in round numbers, $1,602,000, and the average number of employees on the roll during that month was 16,111. The net reduction of this force from November 11 to December 31 was 1,506 employees. I am inclosing a table showing that on the basis of a deficiency appropriation of $6,000,000, it would be necessary to separate from the service 6,611 employees by June 30, or at the average rate of over 1,100 a month from January 1. If the reduction should be continued at the same rate, the force would be reduced by November 30, 1919, to 4,000 people, making a reduction of 13,500 in a year's time from the signing of the armistice. It seems to me that, all things considered, such a reduction as this contemplates is the maximum that it would be wise to make at this time, and I feel this all the more strongly because it is clear that the discharge of the limited-service men will necessitate a large number of new appointments, which I did not have immediately in mind at the time I made the arbitrary reduction from $9,000,000 to $6,000,000 in the estimates that were submitted to me by the chiefs of bureaus.

Very truly, yours,

NEWTON D. BAKER,
Secretary of War.

Statement showing the proposed rate of expenditure for additional employees for the balance of this fiscal year based upon a deficiency appropriation of $6,000,000.

Month.	Estimated pay roll.	Average number employees (estimated).	Estimated decrease.	
			Pay roll	Number employees.
December[1]	$1,602,000	16,111	.....	.....
January[2]	1,450,000	14,500	$152,000	1,611
February[2]	1,300,000	13,000	150,000	1,500
March[2]	1,200,000	12,000	100,000	1,000
April[2]	1,100,000	11,000	100,000	1,000
May[2]	1,000,000	10,000	100,000	1,000
June[2]	950,000	9,500	50,000	500
	8,602,000	.....	652,000	6,611
Deduct:				
December roll paid $1,602,000				
January 15 roll paid 741,000				
Balance of appropriation (approximate) 304,000				
	2,647,000			
	5,955,000			

[1] Actual. [2] Estimated.

The additional force on November 11, 1918, was in round number 17,500. To get down to 9,500 by June 30 will be a reduction of 46 per cent in seven and two-third months or at the rate of about 1,050 a month.

Mr. UNDERWOOD. I will say to the Senator from Iowa that in his testimony before the committee, on page 13, Gen. Lord made this statement:

As I stated, I called a meeting yesterday of the representatives of the bureaus as to this deficiency, as to this $4,000,000 for the balance of this year, and went over with them very carefully their needs, and

went into the items of the particular need that made it necessary that they should have any particular number of additional employees; and the total of their estimate called for 14,252 additional employees between now and June 30.

And then he inserted the table.

Mr. KING. Will the Senator from Alabama permit an interruption?

Mr. UNDERWOOD. Yes.

Mr. KING. Are the 14,000 clerks, which the Senator just mentioned, in addition to the 12,000 or 14,000 or 16,000 which the department now has?

Mr. UNDERWOOD. No; I do not so understand. But it means that the department had about 15,000 clerks before, and the Secretary now thinks between this time and the end of the fiscal year he will need 14,252. He has lost a number of clerks who were working for the War Department on soldier's pay. Of course there is a very great difference between a typewriter working for $30 a month as a soldier and a typewriter working for $100 or $125 a month as a civilian.

I think I am in accord with the view expressed by the Senator from Iowa [Mr. KENYON] that the number of clerks employed in the departments should be largely cut down; I think the good service of the Government requires that; I think that they have too many clerks; that what we need is more efficiency and fewer clerks; but with the large number of telegrams that are pouring into the War Department about the men in Europe, the large amount of correspondence that is coming there now about the American Expeditionary Forces, I think we should be safer if we allowed this additional million dollars as an actual deficit than we would be to strike it out of the bill. Therefore I want to ask the Senator from Iowa at least to allow the additional million dollars to remain in the bill, so as to allow the matter to go to conference. If in conference we find, after discussing the matter with the other House, that we can get along without it, of course, the Senate conferees will agree that it go out; but if we strike it out now we shall have a hard and fast rule to hold them down to $4,000,000. This is a deficit; it is not something that can be taken care of in the future. We may make a mistake in an appropriation contained in an annual appropriation bill and later in the year, if we have not provided sufficient money, we may make it up as a deficit; but this is a deficiency; and, if we do not give the money, these clerks will have to be discharged.

Mr. KENYON. Is it not true that they are calling for a large number of additional clerks between now and June 30, according to the testimony of Gen. Lord?

Mr. UNDERWOOD. I think they desire additional clerks.

Mr. KENYON. How could there be a deficiency if these are to be used as additional clerks?

Mr. UNDERWOOD. It is a deficiency incurred in running the department. I think the deficiency is caused to some extent by the discharge from the service of enlisted men who were serving in the clerical force there. It is due also to the fact that Gen. Harris, The Adjutant General of the Army, is calling for, I think, 6,000 clerks to take care of the congested condition of the mail in his office. I do not think it is necessary for us to bring in proof that there is a congested condition in that office.

Mr. KENYON. Mr. President, I think there is a congestion of clerks, and I think they would do more efficient work if there were fewer of them.

Mr. UNDERWOOD. I am in accord with the Senator, and in the legislative, executive, and judicial appropriation bill we refused to authorize many items of this kind. In that bill, however, we can afford to do so, for, if we make a mistake, we can take care of it in the future; but I think it would be unwise to strike out the additional million dollars provided for in this item.

Mr. SMOOT. Mr. President, I will say to the Senator from Iowa that I was unfavorably impressed with the proposition of granting more than $4,000,000 until I made a thorough examination of the situation in the War Department. There have been 1,046 enlisted men on duty in the various offices of the War Department who have left that department since November 11. There was a total number of 4,917 at the date of the signing of the armistice, while on January 31 of this year that number has been decreased, as I have it, by 1,046. The reason for this appropriation, however, is not found in that decrease of 1,046 enlisted men who were there employed. The estimate made by the Secretary of the Treasury for $6,000,000 shows that it was to pay for the original demands of the War Department for 14,250 employees for five and one-half months at an average of $1,200 a year, making a total expenditure of $7,838,600. That was, as has been stated, cut down to $6,000,000 in the estimates. Then the House cut that sum to $4,000,000, but the showing made by Gen. Lord was such that the committee thought the safest way was to increase the appropriation by $1,000,000, in view of the work that has been imposed upon the War Department since the signing of the armistice, involving the closing of accounts in France, the transfers there being made, and particularly the work in The Adjutant General's office, which has immensely increased. In fact, Gen. Harris made the statement that unless they had 6,000 additional employees it would be almost next to impossible for the Bureau of War Risk Insurance to arrange for the settlements due the injured soldiers and the allotments to the families of soldiers, the delay in connection with which all of us have so bitterly complained of in the past. It was for that reason that I thought perhaps it would be better to give this million dollar increase.

Mr. JONES of Washington. Mr. President, I will say to the Senator from Iowa that when this matter came up before the subcommittee having charge of this bill I think it was the unanimous feeling of the committee that this item should not be increased beyond the amount contained in the bill as it came to us from the House. Gen. Lord and Gen. Harris came before the committee and insisted upon making a showing as to the necessity for it; and they showed so clearly the overwhelming necessity for it, that we added $1,000,000. In my judgment, assuming their statements to be correct—and we have no reason to think they are not—it would have been wisdom on the part of the committee to have given them the $6,000,000 asked for, because they showed clearly that, in their judgment, at any rate, from their knowledge of the conditions in their offices, they would need $6,000,000 between now and the 1st of July in order to do what is actually necessary to be done in connection with the demobilization of the Army and to discharge the work that has been imposed upon the department since the armistice.

Mr. KING. Mr. President, will the Senator from Washington yield to me for a moment?

Mr. JONES of Washington. In just a moment. We all know of the complaints that come to us from the country with reference to delays and the failure to hear from the boys, the failure to get information regarding them, and all that sort of thing, and we know of the requests for discharge, and of the letters inquiring why discharges are not made more rapidly. Gen. Lord and Gen. Harris both stated that, unless they got this money, the work in their department would be absolutely demoralized; that it would be so congested that that of itself would cause additional delay and make additional expense. So the committee felt that it was absolutely necessary to make this increase, and, as I have stated, in my judgment, the showing warranted a larger increase than we made.

Now I yield to the Senator from Utah.

Mr. KING. Mr. President, I have recently been at the War Department, indeed, I have been there very frequently during the past two or three months, and I have been there a number of times during the past few weeks. According to my observation, many of the clerks are doing but very, very little, and many who are there employed now could be dispensed with. I recall going into one office a few days ago, where I saw seven stenographers who told me they had only had two letters during the entire day.

Mr. JONES of Washington. What branch of the War Department was that?

Mr. KING. That was in the munitions building. My observation is that there is a lack of system, a lack of economy in the clerical work of the War Department. I think that it is wrong to give this amount. If I had my way I would cut it down to $4,000,000. I think that if we told Secretary Baker and his aids that $4,000,000 is all they could have the work would be done.

A lady who is at the head of one branch and has some 20 or 30 clerks under her immediate supervision told me that it was difficult to get work out of those who were under her, and that the same condition existed elsewhere in the department. When I asked her why she did not discharge them or recommend for discharge those who are incompetent, inefficient, and inept, or who refused or failed to do their duty, she stated, in substance, that it was a very difficult thing to get anyone discharged, and her intimation was that it would not be approved by those who are her superiors.

From my observation, I make bold to charge that there is gross inefficiency in the War Department. I refer now to the handling of the work by the clerks in the War Department. I will not at this time pretend to state who is at fault, but I think some of the chiefs of divisions and bureaus are censurable for inefficiency and for the waste that is going on in the War Department. I not only hope that the committee amendment will be disagreed to, but, if the opportunity is afforded, I shall move to make this appropriation not more than $4,000,000. I have no doubt in the world that, if the clerks will do their duty and if the higher officials in the department will also do their duty, the work can be done for $4,000,000.

I think it is about time that some of these various departments were taught that they may not create divisions and employ, without limit, any number of clerks that their fancy or caprice impels them to employ and then call upon Congress to make appropriations to pay them. There ought to be some economy in the administration of the affairs of the Government in these various departments. I ask the Senator now if, notwithstanding the pressure of business that is alleged, any of the departments have asked their employees to work eight hours a day?

Mr. JONES of Washington. I do not know as to that.

Mr. KING. Is it not a fact that they have not done so, although the law specifically requires that they shall do so when there is a pressure of business?

Mr. JONES of Washington. As I understand, the law authorizes the heads of the departments to require the clerks to work overtime if necessary, but I do not know that any orders have been issued of that nature. I do know, however, that I have been informed by some of the heads of some of the bureaus in the Quartermaster General's Office—I do not know what the conditions are in other branches of the War Department—that they have asked their clerks to work overtime and that the clerks have done so, and have done so cheerfully.

Mr. KING. That is the only branch of the public service here, to my knowledge, where such a policy has been pursued.

Mr. JONES of Washington. That may be true. I have no doubt that there is much basis for the suggestions and the criticism the Senator makes. I do not know that, however, from personal knowledge or personal observation. I do know that I have been brought in contact with some of the officials of the Quartermaster General's Office and, in my judgment, that office is being handled just about as efficiently as it is possible to do it under the circumstances; that is, I am satisfied that the head of that branch or division of the War Department is doing everything in his power to do his work efficiently. I know that he does not want to stay in the Army; I know that he does not want to stay in the position that he is in, and that he is staying there simply as a patriotic duty. He may not be efficient; I do not know; I believe that he is, and I believe that he is handling the work about as well as any man could handle it.

I think I appreciate the difficulties that the head of a department or the head of a great organization in the War Department must face in trying to get effective service out of his subordinates. Of course, that depends very largely upon the ability and the executive capacity of the heads of the bureaus, their relationship with their employees, and the feeling that exists between them and their employees. One man will get splendid service out of a corps of a hundred men and women under him while another man would probably not get half the work out of the same force. I have been in some branches of the Quartermaster General's office and, so far as my observation could go, good work was being done and everybody seemed to be busy. Just what they were accomplishing, of course, I can not say; and the committee, my recollection is, had no information as to the needs of any branch of the War Department except the Quartermaster General's office and The Adjutant General's office. Unless we are absolutely and wholly to discredit these men, we must give them this money or run the risk of disorganizing the service.

Mr. KENYON. Mr. President——

Mr. JONES of Washington. I yield to the Senator from Iowa.

Mr. KENYON. May I ask the Senator whether this information came before the House committee, and if so, how does it happen that they made the amount $4,000,000?

Mr. JONES of Washington. I do not know.

Mr. KENYON. According to the letter of the Secretary of War the amount must be $6,000,000 to save the force from being demoralized.

Mr. JONES of Washington. I do not think the Secretary knows very much about that. He just gets his information from the other officials; but I want the Senator to bear this in mind: I think it would have been better for us to have made it $6,000,000, and I do not believe that the letter of the Secretary was laid before the subcommittee. I do not remember ever hearing of that letter before; but the Secretary states that the recommendations to him amounted to about $9,000,000, and he simply cut that amount, arbitrarily, 33 per cent. In other words, he had absolutely no reason whatever for cutting it down unless he distrusted the capacity and the ability of those who submitted the estimate to him to submit a proper estimate. If these are the right kind of men, who know what they are doing, we ought to have the right to think that their estimate of $9,000,000 is more nearly what will actually be necessary for them to do the work that they have to do than $6,000,000. This $6,000,000 was simply arrived at, in an arbitrary sort of way, by cutting off 33 per cent.

Mr. KENYON. Mr. President, is not that so about every request that comes to us?

Mr. JONES of Washington. I think very likely it is.

Mr. KENYON. An arbitrary sum is fixed, and we are told that if they do not get it things are going to be demoralized; and so we go ahead and vote whatever they ask.

Mr. JONES of Washington. Well, no; I do not know of any item that has been before the Appropriations Committee for which the necessity was so clearly shown as this item, unless we are not to place any reliance whatever on these men who come down before us. Gen. Lord and Gen. Harris were there. Gen. Lord, who made the principal statement before the committee, impressed me as a patriotic man. He impressed me as a man who is trying to get the very best possible service out of the force in his department, and he impressed me as a man who knows something about the work he has to do. I may be mistaken about it, but that is the way it impressed me.

It may be that the clerks under him are not doing the work that they ought to do. I do not know about that; but that is a matter of administration that will have to be cared for in an administrative way. We can not make clerks do more work by simply cutting down appropriations. If they are not doing the work they ought to do, they ought to be dismissed and clerks put in who will do it; and if the bureau chiefs are not looking after their clerical help as they ought to do it, then they ought to be gotten rid of. When the head of a department that has to do with the discharging of these men and sending them to their homes as quickly as possible comes in here and says that unless this money is appropriated the work can not be done, I think we ought to discharge our responsibility and provide the money, and then place the responsibility of failure where it really belongs.

Mr. MOSES. Mr. President——

Mr. JONES of Washington. I yield to the Senator.

Mr. MOSES. I should like to ask the Senator if either of these generals appearing before the committee specified the bureaus or divisions in their department in which the work is in arrears, where these clerks are needed, and where demoralization will result if they are not provided?

Mr. JONES of Washington. Practically in all their lines of work. The Quartermaster General's office has a certain line of work in connection with demobilization and in connection with the Army. I do not know the exact scope of it, but I took it that it applied to their work generally, to each of these two divisions or departments, or whatever they may be called.

Mr. MOSES. In other words, this is another one of those cases in which Congress is told, "If I do not receive this ungrudgingly, I shall not know how to deal with other more important matters," and then no information is given us as to what those other more important matters are?

Mr. JONES of Washington. No, Mr. President; that is not correct. That is correct in the case of some of the requests that come from some of the executive branches of the Government, but it is not correct with reference to this particular item or request of the Quartermaster General's office. Gen. Lord did not refuse to answer a single question of the committee. He came there and was ready to give us all the information that we asked for. He explained just as fully as the committee saw fit to allow him to go into the matter. If we had seen fit to ask him with reference to the particular bureaus or particular bureau chiefs, or the duties of a particular bureau or a particular bureau chief, I have not any doubt in the world but that he would have gone into it fully. There was no attempt at concealment on his part at all.

Mr. MOSES. If, in my absence, the Senator has given the information which I am about to ask for, I will not ask him to repeat it; but did the committee elicit from either of these generals—Gen. Lord or Gen. Harris—the number of clerks now employed in their branches of the department, and how many more could be employed for the additional $1,000,000?

Mr. JONES of Washington. My recollection is that they stated about the number of employees they have, although I am not sure; but Gen. Lord did state, according to my recollection, that they would need from 13,000 to 14,000 more clerks between now and the 1st of July to do the work that they felt they would have to do in order to anything like keep up with the demands in connection with the demobilization of the troops. I think about six or seven thousand of those would be required for The Adjutant General's Office, and the remainder for the Quartermaster General's office. I think that is the statement he made. Those would be the employees, not for the $1,000,000 but for the $6,000,000 that they asked for. The House gave them $4,000,000, and we gave an additional $1,000,000, making it $5,000,000 to take care of these employees.

Mr. MOSES. Mr. President, I am not competent to speak for Gen. Lord, but so far as Gen. Harris's office is concerned I have not noticed any very considerable delay in replying to communications which I have sent there. On the contrary, I think the replies from The Adjutant General's Office have been more prompt and more satisfactory than from any other of the offices in the War Department with which I have had occasion to do business; and in view of the information which I have growing out of my own experience in conducting business with The Adjutant General's Office, I can not see how additional money could advance that work very much. When one can make inquiry about an individual in an Army as large as ours and receive a detailed reply in three or four days, as I have most frequently in addressing inquiries there, I should think that was nearly the acme of expedition in sending out and giving information.

Mr. JONES of Washington. I want to say to the Senator that it used to be so that when we sent a letter to The Adjutant General's Office one day we got a reply the next day. That was almost uniformly true.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. JONES of Washington. Yes; certainly.

Mr. SMOOT. I can tell the Senator now the number of employees that there were in the department on November 1, 1918, and the estimated number that will be required during the balance of the fiscal year.

On November 1, 1918, there were employed in the War Department 17,156. It is estimated that there will be employed an average, during the fiscal year 1920, of 10,140 additional employees over and above the number that were originally employed in the War Department before the declaration of war; and now it is estimated that they will require for the balance of this fiscal year, up to June 30, 1919, 14,586.

Mr. MOSES. Mr. President, may I draw from the encyclopedic knowledge of the Senator from Utah whether this augmented number of employees will be required after the 30th day of June, and if so, how long?

Mr. SMOOT. Mr. President, if the Senator desires, I can give the number that will be required after June 30 in every office, as I have it here; but it would take too long a time. I wish to say, however, that for the fiscal year ending June 30, 1920, it is estimated that over 15,000 employees will be required in the War Department; and in that connection, Mr. President, if the legislation is passed that has been asked for by the introduction of bills in the House and in the Senate—and I will admit that I introduced, at the request of the adjutant general of my State, a similar bill, not knowing what it was going to cost the Government of the United States when I introduced it—if that legislation passes, requiring the Government of the United States to compile information as to the complete record of every soldier who was in the war, whether serving in this country or in France, and send that information to the adjutant general of every State, it will take over 1,000 additional employees to do it.

Mr. MOSES. Mr. President, if the Senator from Utah has, in compact tabulated form, the information of which he speaks, showing the number of employees who will be required in all of the different bureaus after the close of the present fiscal year, will he be good enough to put it in the RECORD in connection with his remarks? He need not bother to read it.

Mr. SMOOT. I will ask, then, that there may be printed in connection with what I have stated, if the Senate has no objection, this tabulated statement, showing the total additional number of employees January 31, 1919, the total enlisted men employed January 31, 1919, the grand total employed, and then the estimated number for the balance of the year.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

Statement showing number of additional employees and enlisted men on hand in the various offices of the War Department January 31, 1919, and number of additional employees required for balance of year (5½ months).

	Total additional employed Jan. 31, 1919.	Total enlisted men employed Jan. 31, 1919.	Total.	Estimated number for balance of year.
Secretary of War	474		474	1,265
Adjutant General's Office	3,892	254	4,146	6,000
Judge Advocate General	89	40	129	119
Inspector General	39	3	42	39
Signal Corps	273	98	371	200
Quartermaster General	2,900	378	3,278	[1] 2,392
Surgeon General	1,219	37	1,256	850
Ordnance Department	4,628	73	4,701	[1] 3,355

[1] Average.

Statement showing number of additional employees, etc.—Continued.

	Total additional employed Jan. 31, 1919.	Total enlisted men employed Jan. 31, 1919.	Total.	Estimated number for balance of year.
Engineer Department	211	35	246	211
Bureau of Insular Affairs	13		13	13
Militia Bureau	11		11	11
Chemical Warfare	118	10	128	92
Coast Artillery	38	3	41	33
General Staff	401	67	468	324
Tank Corps	6	1	7	10
Motor Transport Corps	268	50	318	298
War Credits Board	6		6	6
Total	14,586	1,046	15,632	14,252

14,252 employees for 5½ months, at $1,200 per year, $7,833,000.

Mr. JONES of Washington. Mr. President, just a word, and I am through.

I do not know how it is with other Senators, but I know that my work has more than trebled since the armistice was signed. The requests coming from parents with reference to their boys, repeated over and over again, and requests from boys to get out, have more than trebled since the armistice came on. Now, if my work has trebled and the work of other Senators has trebled in that way, I can very easily see how the work of the War Department must have been very greatly increased; and it will continue until we reach the peak and begin to go down on the other side of getting these boys out of the Army.

Mr. President, if there is any increase as to the necessity of which I have been satisfied upon the showing made by the men who were responsible for the work that must be done, it is the increase that we have made here; and the only fear I have is that we have not given them an ample increase to discharge the burdens that will be placed upon them.

Mr. WEEKS. Mr. President, I wish to add a word to what has been said relating to this paragraph. I am not confident that it is necessary to add a million dollars to it. I have not given that matter careful consideration, and I do not know that it can be done at this time; and yet I want to say that in my judgment, if there were a proper redistribution of employees from one bureau to another in the War Department, it would not be necessary to add anything to the appropriation.

There were 1,500 employees in the casualty office at the end of the war. On the 27th of November the Chief of Staff announced, as the result of a cablegram from Gen. Pershing, that there were 264,000 casualties in the Army. Naturally, there have been a few from disease since that time; but there have been practically 240,000 casualties now reported to the public, and I presume by the end of February or some time in March that number will have been covered. Then, there will be 1,500 employees who can not be required for that particular service, and I want to suggest to Senators that unless Congress cuts off these employees they will be continued in the positions which they hold as long as there is a possible excuse to keep them there.

I was informed not long ago that in looking around for quarters in the District of Columbia at the beginning of the war, when there was great demand for additional accommodations, somebody found, out in the southwest section of the city, a considerable number of men and women employed in compiling and sorting records of the War of 1812, 108 years before. That is simply indicative of what we will have from this very much greater war unless Congress is assured that men and women are discharged when their services are not absolutely essential to the Government. I do not think we can depend upon the heads of bureaus to take that step in all cases. I think it must be taken by cutting off the appropriations.

Mr. KING. Mr. President, will the Senator yield?

Mr. WEEKS. Certainly.

Mr. KING. I saw the other day a report purporting to emanate from the Government, in which it was stated that there had only been a reduction of 3,000 employees in all of the departments since the armistice from the peak which had been reached during the progress of the war; in other words, that there were only 3,000 less now than there were when the highest number of employees were in the various departments of the Government; and in some of the departments they have increased the number.

Mr. WEEKS. What the Senator from Washington [Mr. JONES] has stated is undoubtedly true in the cases of many Senators; and yet that condition must be getting better every day as men are discharged from the service. The correspondence which the Senators and Representatives and the department are having will gradually decrease; and there should be

some means of compelling a gradual decrease, at the same rate, of the number of employees who may not be needed.

Mr. KING. I should like to ask the Senator having this bill in charge, referring to the department to which the Senator from Massachusetts has just referred, the casualty department, in which it was stated that there were 1,500 clerks employed, whether this bill makes provision for compensation for them in any way; whether there is any deficiency claimed with respect to that department?

Mr. UNDERWOOD. There was no testimony before the committee with reference to those particular clerks; and of course any clerks that are on the rolls are being paid out of sums that were appropriated in the past. This additional appropriation has nothing to do with that proposition.

Mr. KING. Does the Senator know whether there is any provision in any appropriation bill or in any other enactment requiring these various heads of departments to dismiss and discharge their employees when they cease to have sufficient work for them to do?

Mr. UNDERWOOD. I will say to my friend from Utah that if we ever get this bill through, we will do more to clear up the situation he is talking about than any bill that has ever been before Congress, because, while the first two pages of this bill take care of deficiencies, the last pages of the bill cover back into the Treasury cash that has already been appropriated for the Army to the amount of $6,856,835,124.70, and to the Navy $334,361,866.98, making a total of cash covered back into the Treasury, in the Army and Navy Departments, of $7,191,196,991.98. The bill also cancels the following contractual obligations that are now outstanding: For the Army, $8,190,629,294.70; for the Navy, $31,000,000; making a total of contractual obligations that are being canceled by this bill of $8,221,029,294.70; or a total cancellation of cash that is covered back into the Treasury and contract obligations that are canceled of $15,412,208,286.68.

I know of no more effective way of limiting abuse in the expenditure of money than to put it back in the Treasury, and this bill is accomplishing more along that line than any piece of legislation that ever passed the Congress of the United States; so that the question of the smaller items that we are discussing now is insignificant in comparison with what will be accomplished if we are enabled to pass the bill.

Mr. KING. Mr. President, will the Senator yield?

Mr. UNDERWOOD. I will.

Mr. KING. Of course the figures to which the Senator has just called attention were based upon appropriations made and contracts authorized, but which appropriations have not been contracted for or expended, and which the War Department, or the various other departments to which the credits were given, would not proceed to expend, or contract to expend, even though this bill were not enacted into law.

Mr. UNDERWOOD. The presumption, of course, is as the Senator says, but we are turning this money back into the Treasury so that there will be no presumption about it.

Mr. SMOOT. Not back into the Treasury. We have not got the money.

Mr. UNDERWOOD. Well, we are canceling the cash obligations.

The VICE PRESIDENT. The question is on the amendment of the committee.

Mr. JONES of Washington. Mr. President, some Senators were called out, and they asked, if this matter came to a vote before they got back, to have a quorum called. I promised them I would do it, so I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, Cal.	Myers	Smith, Ga.
Baird	Jones, N. Mex.	Nugent	Smoot
Bankhead	Jones, Wash.	Overman	Spencer
Colt	Kellogg	Page	Sterling
Cummins	King	Penrose	Sutherland
Curtis	Kirby	Poindexter	Thomas
Dillingham	La Follette	Pollock	Trammell
Fletcher	Lenroot	Pomerene	Underwood
Frelinghuysen	Lewis	Ransdell	Wadsworth
Gay	Lodge	Robinson	Walsh
Gerry	McCumber	Saulsbury	Warren
Hale	McKellar	Shafroth	Weeks
Hardwick	Martin, Va.	Sheppard	Wolcott
Henderson	Moses	Smith, Ariz.	

Mr. CURTIS. I desire to announce the absence of the Senator from Indiana [Mr. NEW] on official business. This announcement may stand for the day.

The VICE PRESIDENT. Fifty-five Senators have answered to the roll call. There is a quorum present. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was continued.

The next amendment was, on page 8, line 9, after the word "each," to strike out the following proviso:

Provided, That no part of any appropriation herein shall be used unless all former Government employees who have been drafted or enlisted in the military service of the United States in the war with Germany shall be reinstated on application to their former positions appropriated for herein, if they have received an honorable discharge and are qualified to perform the duties of the position.

Mr. UNDERWOOD. I wish to call the attention of the Senate to the fact that this provision in relation to the reemployment of soldiers was stricken out because it was a mere limitation on the appropriation in this bill, and has been put by the House as a limitation on the appropriations in other bills. In the legislative bill instead of leaving it as a limitation on the appropration, we changed it so that it would be a matter of general law and would not have to be carried on every bill. We thought at the time the legislative bill was reported that it would go through first, and therefore this should be stricken out; but in order that there may be no mistake about it, if there is no objection, I will move to amend it so that it will conform to what was the recommendation of the committee in reference to the legislative bill and make it the existing law for all bills. I move to amend by striking out of the bill the words reported to be stricken out by the committee and add a period after the word "each" in line 9, page 8, and then to insert the following language as a separate paragraph:

That all former Government employees who have been drafted or enlisted in the military service of the United States in the war with Germany shall be reinstated on application to their former positions, if they have received an honorable discharge and are qualified to perform the duties of the position.

That is what the House passed, except that the House passed it as a limitation on an appropriation. We recommend it as a permanent piece of legislation.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, under the head of "Navy Department," subhead "Contingent expenses," on page 10, line 6, after the words "Navy Department," to strike out "$2,570.84" and insert "2,614.84," so as to make the clause read:

For rental of additional quarters for the Navy Department, $2,614.84.

The amendment was agreed to.

The reading of the bill was continued to line 21 on page 15.

Mr. LODGE. I wish to ask the chairman of the committee a question in regard to these items. I have seen it stated that under this bill we save $15,000,000,000. I see very large appropriations here. How is that saving effected?

Mr. MARTIN of Virginia. They are appropriations made heretofore by law which are revoked.

Mr. LODGE. It revokes the other appropriations?

Mr. MARTIN of Virginia. These are additional appropriations. These are deficiencies, and in the bill later on there is a repeal.

Mr. LODGE. I had not looked at that part of the bill. I wanted to know where those appropriations have been revoked.

Mr. MARTIN of Virginia. We shall come to it in a very little while.

Mr. UNDERWOOD. If the Senator from Massachusetts will turn to page 20, line 6, he will see where the repealing clause commences in reference to these appropriations.

Mr. LODGE. I will wait until we get to that page, and then I will ask the Senator about it.

Mr. SMOOT. I wish to ask the chairman if these large amounts on page 15 are all deficiencies.

Mr. MARTIN of Virginia. They are actual deficiencies. They have been actually incurred and estimated and certified as such.

Mr. SMOOT. They apply to different departments of the Navy from those where more than was necessary was appropriated.

Mr. MARTIN of Virginia. That is true.

Mr. SMOOT. Those where more than was necessary was appropriated are repealed, and these departments have fallen short of what they actually had to have?

Mr. MARTIN of Virginia. That is the case.

The reading of the bill was resumed and continued to page 19, on line 7. The last paragraph read being as follows:

To pay the widow of Jacob E. Meeker, late a Representative from the State of Missouri, $7,500.

Mr. ROBINSON. I offer an amendment and call the attention of the chairman of the committee to it. I move to strike out lines 6 and 7, on page 19, and to insert:

To pay to the legal guardian of Dolan Meeker, Naomi Meeker, Miriam Meeker, and Louise Meeker, minor children of Jacob E. Meeker, late a Representative from the State of Missouri, $7,500.

I think the chairman of the committee is familiar with the exceptional circumstances in this case, and I will ask the chairman if he feels that he is in a position to accept the amendment and let it go to conference.

Mr. MARTIN of Virginia. I hesitate very much to make a change about a matter that belongs peculiarly to the House. Under the comity between the two Houses each is expected to control its own expenditures. This is for the family of a deceased Member of the House, and it seems to me that the House membership ought to be in a better position and better entitled to determine the disposition of the fund than the Senate could be.

Mr. ROBINSON. I understand the Senator declines to accept the amendment. Am I correct?

Mr. MARTIN of Virginia. I would rather not. I am entirely without information on the subject.

Mr. ROBINSON. Mr. President, I am perfectly well aware of the custom which prevails in Congress of paying the widows of deceased Members of Congress $7,500. It is general legislation, and it is, of course, based upon the assumption of dependency. I stated that the facts in this case are exceptional. Under the facts which, I think, are known to practically every Member of the Senate I believe these minor children should have the benefit of this provision and that this appropriation should not go to the widow. The facts, as I understand them——

Mr. SPENCER. Will the Senator yield?

Mr. ROBINSON. I yield to the Senator from Missouri.

Mr. SPENCER. Does the Senator from Arkansas know that Mr. Meeker at his death left $30,000 of insurance, $10,000 of which was used to pay his debts and $20,000 for the minor children, the widow securing none of the insurance?

Mr. ROBINSON. Yes.

Mr. SPENCER. The only provision for the widow, if it is allowed to stand, being this provision which the House has inserted.

Mr. ROBINSON. Yes. I was just about to state that some time prior to his death Mr. Meeker was divorced from a former wife and left the four children whom I have named in the amendment, the youngest being 5 years of age. He did carry, as I am informed by a letter from the former widow, policies of insurance for the benefit of his minor children. His estate was badly involved. Seven hours before his death, in anticipation of his death and for the express purpose of depriving his legal heirs—those who otherwise would have been his legal heirs—of this provision he married his former clerk.

Those are the circumstances, extremely exceptional, which I believe make it the duty of Congress to see that this money goes to those who were in fact dependent upon Jacob E. Meeker and to whom he owed an obligation.

I do not know that there is anything further I can state concerning the matter. My information is that when the allowance which, under the statutes of Missouri, goes to his widow has been paid, when her dower interest in his personal property has been paid to her, there will be very little left except the insurance to provide for the minor children. The mere fact that he made some inadequate provision for the support of the children does not, in my judgment, justify Congress in setting the precedent which would be set in this case if this amendment is not adopted.

The matter was not called to the attention of the House of Representatives. Twenty-five Members of the House have solicited me to offer this amendment, and I do it in the firm conviction that the Senate has a duty in this matter.

Mr. McKELLAR. Has the Senator any information as to whether this is a statutory allowance or is it just a custom of the two Houses that has grown up?

Mr. ROBINSON. There is no statute. It is a pure gratuity which the Congress has customarily granted to the dependents of a dead Member, and if it has any justification in reason or in principle it is the obligation of Congress to pay it to those who were dependent upon the deceased Member.

Mr. McKELLAR. Are the children minor children, and how many are there?

Mr. ROBINSON. They are minor children and they are four in number. I can give the ages as represented to me: Dolan, 17 years; Naomi, 17 years; Miriam, 9; and Louise, 5.

Mr. McKELLAR. How long had he been divorced?

Mr. ROBINSON. I can not state. That is all I desire to submit upon the subject.

Mr. SPENCER. Mr. President, I hold no brief for Mrs. Meeker in this case. I did not know the matter was coming up, but I do know the facts in the case. Mr. Meeker was my friend, and the Representative in Congress from the city where I live.

The Senator from Arkansas [Mr. ROBINSON] is misinformed as to the facts. It is true that seven hours before Mr. Meeker died he married a lady who had been employed in his office, but it is not true that the marriage was for the purpose of giving any estate away from the children, because the marriage had been arranged and a home had been arranged and furnished in Washington weeks before. The marriage had been arranged for November, which was four or five weeks after the Representative died.

Mr. McKELLAR. Whatever the purpose or whether there was any such purpose, would not the ordinary and natural effect of the marriage just before his death take this $7,500 away from the minor children?

Mr. SPENCER. The reason that would appeal to my mind would be the fact that long before his death a house had been secured and furnished for their occupancy upon their marriage, which was to have occurred late in November had not death intervened. That had all been arranged, the marriage was fixed, and then when Mr. Meeker suddenly without warning was taken ill and the doctors said he was upon the eve of death he called in the judge of one of the circuit courts to perform the marriage ceremony.

Mr. ROBINSON. Will the Senator yield for a question?

Mr. SPENCER. Yes.

Mr. ROBINSON. I understand the Senator to say that as a matter of fact the date for the marriage had been set at a time which was actually subsequent to the time of the death of the Congressman who, in anticipation of death and knowing that he was probably to die, arranged to consummate the marriage earlier?

Mr. SPENCER. The Senator is quite right. A house has been furnished and everything that the Senator and myself would be expected to do previous to marriage has been arranged between these two. There was nothing unusual in it. The only unusual circumstance in connection with the matter was that death intervened, and on the eve of death the man himself sought to have the marriage ceremony performed sooner than it would otherwise have been performed.

Mr. ROBINSON. What was the object of that?

Mr. SPENCER. I presume it was to get married.

Mr. ROBINSON. The Senator makes a jest of a very solemn matter. The Senator has said that the man knew he was within a few hours of his death, and I think the Senator can not seriously say that he expected this lady to perform the obligation and the relationship of a wife to him in fact.

Mr. SPENCER. If I may answer the Senator, the thing that appealed to me and appeals to me now is that every ordinary provision for marriage had been made before his sickness, which to my mind absolutely controverts any idea of marriage upon the deathbed merely for the purpose of taking away from the children the money which otherwise might have been expected to go to them.

Mr. KING. Mr. President——

Mr. SPENCER. I yield to the Senator from Utah.

Mr. KING. What provision did he make for his little children?

Mr. SPENCER. The Senator from Utah evidently was out of the Chamber when I answered that question previously. Mr. Meeker left $30,000 of insurance. Ten thousand dollars of the insurance was used to pay his debts. Every dollar of the remaining $20,000 went to the children and not one dollar to the widow. It is but fair that the record should show that long before his death Mr. Meeker, in taking up the question of this insurance, suggested that the insurance policies be transferred to the woman whom he was about to marry, and upon her solicitation the insurance was allowed to remain where it was at the hour of his death—payable entirely to his children. Outside of that insurance money I am informed there is a piece of land heavily encumbered, but, as my information goes, of substantially no value. So the only thing the man left was his insurance and this possible contingent gratuity which might come from Congress and which is now in question.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. SPENCER. I yield.

Mr. LENROOT. Do I understand from the Senator that if was the desire of Mr. Meeker to deprive his children of this insurance and it was on the protest of the lady who afterwards became his wife that that desire was not carried out?

Mr. SPENCER. The information as it comes to me is that the insurance, all payable to his children, ought in fairness to have had some division in connection with it, the same provision that would have been made by law if it had not been insurance but had been property otherwise. I understand it was Mr. Meeker's intention not to cut out the children, but to proportion the amount between the children and his wife, because a part of the insurance money which went to pay his debt was to pay an allowance which the court had made to his former wife, and that of course was paid in full.

Mr. SHAFROTH. Mr. President, I wish to suggest to the Senator from Missouri [Mr. SPENCER] whether it would not be an equitable distribution of this $7,500 to give one half of it to the widow and the other half to the children. That is the way in which it would be distributed if the person had died in my State without any will. In view of the fact that at present there is no law which controls it, and inasmuch as it is subject to our discretion as to what shall be done with it, I believe it would be fair to give to the wife one half and to the children the other half.

Mr. MARTIN of Virginia. Mr. President, I really know nothing in the world about the moral obligation which Mr. Meeker owed to his wife and to his children. We have had no opportunity or occasion to investigate those obligations. All we know is that if there is anything about which the two Houses of Congress are jealous it is the right of each House to control its expenditures for its own Members. Mr. Meeker was a Member of the House, and the House has made such disposition of this matter as it saw fit. It seems the children already have $20,000, and all the widow can possibly get is this gratuity from Congress. Mr. Meeker saw fit to make this lady his wife, and she is now his widow. He was a Member of Congress, and he no doubt knew the custom of Congress in this respect. At any rate, the responsibility is on the House of Representatives. The House of Representatives has given this money to the widow, and if that is not done by the Senate it will be a violation of the comity that for many years has existed between the two Houses and will no doubt lead to acrimonious controversy when the conference committee meets. I hope the Senate will observe the long-established rule and permit the House to dispose of this matter as it sees fit.

Mr. ROBINSON. The logic of the statement of the Senator from Missouri is not forceful. This is the first exception, the first controversy, that has ever arisen concerning the subject. I say that every consideration of justice, every consideration of honor and recognition of the obligations that ordinarily control men in public life, make it your duty and my duty, when we are voting away public money for the benefit of dependents of a deceased Congressman, to vote it to those who were dependent upon him.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Arkansas. [Putting the question.] The Chair is unable to decide.

Mr. ROBINSON. I call for a division.

The question being put, on a division, the amendment was agreed to.

Mr. SPENCER. Mr. President, if it is necessary, I want to give notice that the matter will be again brought up in the Senate.

The VICE PRESIDENT. The Senator from Missouri reserves the amendment for a separate vote in the Senate.

The reading of the bill was resumed and continued to the end of line 15, on page 20, the last clause read being as follows:

REPEAL OF APPROPRIATIONS AND AUTHORIZATIONS, MILITARY ESTABLISHMENT

SEC. 2. That the following unexpended balances or portions of unexpended balances or combined or unexpended balances or combined portions of unexpended balances of appropriations for the support of the Military Establishment contained in appropriation acts or for fiscal years enumerated in this section shall be carried to the surplus fund and be covered into the Treasury immediately upon the approval of this act, namely:

Mr. LODGE. Mr. President, may I ask a question of the chairman of the Committee on Appropriations?

Mr. MARTIN of Virginia. Certainly.

Mr. LODGE. I understand that the items that now follow in the bill are the amounts covered back into the Treasury?

Mr. MARTIN of Virginia. That is correct.

The reading of the bill was resumed and concluded.

Mr. SMOOT. Mr. President, I have been asked by a number of Senators to make a brief statement showing when the appropriations named in the pending bill are repealed and, taking into consideration the amount of the appropriations that were made for the fiscal year ending June 30, 1919, what the balance of appropriations would be. Briefly stated, it is as follows:

The total appropriations for the fiscal year ending June 30, 1919, amounted to $36,119,536,082.75. The pending bill repeals items to the amount of $15,400,186,239.38, leaving a net total of appropriations for the fiscal year ending June 30, 1919, after deducting this $15,400,186,239.38, as provided for in this bill, of $20,719,349,843.37. In the pending deficiency bill there is appropriated $295,244,329.45, making the total appropriations, less the amount of $15,400,186,239.38, $21,014,594,172.82. That, Mr. President, is the total of the appropriations for the fiscal year ending June 30, 1918, as they now stand. That, I will say, includes not only the direct appropriations, which are called "cash appropriations," but it also includes the appropriations which are authorized.

Mr. President, it is estimated that the expenditures of the Government for the fiscal year ending June 30, 1919, will be $18,000,000,000. Upon that estimate will be based the amount of the next liberty loan; in other words, $18,000,000,000 is supposed to be all that can be expended by the United States Government during the present fiscal year. So, Mr. President, there is no danger whatever in the deduction of these amounts from the amount that was appropriated for the year, for it will be noticed that, with all the repeals, there still remains appropriated $21,014,594,172.82, or $3,000,000,000 more than the actual estimates for the expenses of the Government for this year.

I will frankly admit that, when I first read over the bill and noticed the repeals, I thought perhaps in some particulars we were going too far; but I am now quite convinced that we could have gone $3,000,000,000 further, and never in any way have interfered with the successful carrying on of the finances of our Government.

At the request of a number of Senators I have put these figures in concise form, so that anyone who desires to refer to them may do so without hunting for and figuring out the totals in the different appropriation bills.

The VICE PRESIDENT. The bill is still before the Senate as in Committee of the Whole, and open to further amendment.

The bill was reported to the Senate as amended.

The VICE PRESIDENT. The Senator from Missouri [Mr. SPENCER] has reserved an amendment for a separate vote in the Senate. The question is on concurring in the other amendments made as in Committee of the Whole. [A pause.] They are concurred in, without objection. The question now is on concurring in the amendment reserved by the Senator from Missouri.

Mr. SPENCER. Mr. President, is the amendment which was adopted as in Committee of the Whole, on which I reserved a separate vote, now before the Senate for consideration?

The VICE PRESIDENT. The question is whether the amendment shall be concurred in.

Mr. SPENCER. Mr. President, there are several Senators now present who were not here when the question was decided as in Committee of the Whole. Very briefly I have this to say——

Mr. SMOOT. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Jones, N. Mex	New	Spencer
Calder	Jones, Wash.	Overman	Sutherland
Cummins	Kellogg	Page	Swanson
Curtis	King	Pomerene	Thomas
Fletcher	La Follette	Ransdell	Trammell
Frelinghuysen	Lenroot	Robinson	Underwood
Gay	Lewis	Saulsbury	Vardaman
Hale	Lodge	Shafroth	Wadsworth
Hardwick	McCumber	Sheppard	Warren
Henderson	McKellar	Sherman	Watson
Hitchcock	McNary	Simmons	Wolcott
Johnson, Cal	Martin, Va	Smith, Ariz.	
Johnson, S. Dak.	Moses	Smoot	

The VICE PRESIDENT. Fifty Senators have answered to their names. There is a quorum present. The question is on concurring in the amendment, made as in Committee of the Whole, found on page 19 of the bill.

Mr. SPENCER. Mr. President, on page 19 the House of Representatives made an allowance of $7,500 to the widow of Jacob E. Meeker. The Senate, in Committee of the Whole, changed the allowance from the widow and made it payable to the four children of Mr. Meeker by a former marriage.

The facts in the case are precisely these: Mr. Meeker was serving his third term in the House. He was divorced from his wife, who had borne him four children. His divorced wife and the four children are still living. Alimony, substantial in character, was awarded in that divorce proceeding and was paid.

Some months before Mr. Meeker's death—just how long I do not know—he had planned to marry a lady who was in his employ. The house in Washington was selected, the furniture was bought; and when, suddenly, sickness of serious character laid Mr. Meeker low and the doctors told him that death was near, in the full possession of his faculties he summoned Judge Garesche, of the circuit bench, whom I well know and with whom I have talked about this matter—and that conversation is largely the reason of what I am saying here to-day—who assured me that Mr. Meeker was in the full possession of his faculties and remained so for some hours afterwards; and

upon those facts he was married upon his deathbed to this woman, and he died seven hours afterwards.

Mr. Meeker's estate consisted substantially of $33,000 of life insurance. And I ask particular attention to these figures, Mr. President, for in my judgment the crux of the whole matter lies here. Three thousand dollars of that total of $33,000 of life insurance went to his former wife, besides $8,000 of additions, making $11,000 to his former wife; $20,000 went to the four children. His present wife did not receive one dollar of it. The remaining $10,000 was used to pay the debts of the estate, and his present wife did not receive one dollar of it. As I am informed, in addition to the life insurance, all that he had was an equity in a farm, heavily encumbered, of which equity four-fifths would belong to his children and one-fifth would belong to the present wife. So that we have this result: If this gratuity—for there is no law for it—of $7,500 which the House has voted to the widow of this man is denied her, she goes out as the widow of the man without a single dollar, and the money which, by custom at least, has always gone to the widow, so far as I know, irrespective of the calendar arrangement of the marriage, is given entirely to the children.

I think that is unfair. I think that the woman, right or wrong, whom Mr. Meeker chose for his wife, and married, is entitled to the allowance which always has gone to the wife of the man upon his death.

Mr. ROBINSON. Mr. President, inasmuch as a number of Senators have entered the Chamber since this amendment was agreed to in Committee of the Whole, the amendment being reserved for a separate vote in the Senate, I feel it appropriate to state the grounds which, in my judgment, justified me in offering this amendment, and which I think make it our duty to concur in it.

This case is exceptional. It is perhaps the first instance in which a controversy has arisen in the Congress as to the payment of a gratuity to the dependents of a dead Congressman. There is no statute authorizing such payments. It is the custom to make these appropriations, and I think it has been the universal custom to make the appropriation to the widow. There is no wide divergence or difference as to the facts as stated by myself and the Senator from Missouri, as I understand him to state the facts.

Mr. Meeker and his former wife were divorced. By that marriage he had four minor children, the oldest being 17 and the youngest 5. Seven hours before his death, for the purpose of giving her the benefit of this gratuity, he married a lady who had been formerly a clerk in his office.

My position can be stated in a moment.

In voting public money to dependents of deceased Members of Congress it is the duty of Congress to make it available for those who were in fact dependent upon the deceased Congressmen. The undisputed facts are that the lady who is his widow did not occupy the relationship of wife to him; she was not dependent upon him; she earned her own living when she worked in his office, and she earns her own living now when she works in the office of another Congressman; but these children, who are flesh of his flesh and blood of his blood, are entitled to whatever gratuity Congress may see fit to bestow upon his dependents.

Mr. LODGE. Mr. President, I only desire to say a single word about the practice of the two Houses.

It is an unwritten but very rigid rule that neither House should interfere with the appropriations made by the other exclusively for its own purposes. I have known one or two cases on a deficiency bill where an appropriation had been omitted by the House, and they would come in at the last moment, at the close of a session, and ask us to put it in; and that was done officially by the proper representatives of the committee. I think, Mr. President, it would be a very unfortunate thing to undertake to amend a provision of the House for one of its own Members on what is obviously a disputed question.

I am not going to discuss the merits of the matter, though I must say I think the case presented by the Senator from Missouri [Mr. SPENCER] is quite unanswerable; but that is neither here nor there. My sole point is that we ought not to take such a step as this, and I agree entirely with the Senator from Virginia on that point.

The VICE PRESIDENT. The question is, Shall the amendment made as in Committee of the Whole be concurred in? [Putting the question.] By the sound the noes seem to have it.

Mr. ROBINSON. I call for a division.

On a division the amendment was nonconcurred in.

Mr. SHAFROTH. Mr. President, is an amendment to this paragraph in order now?

The VICE PRESIDENT. Any amendment is in order.

Mr. SHAFROTH. I move to strike out "$7,500," at the end of line 7, page 19, and to insert in lieu thereof "$3,750" and the words "and to his children $3,750."

Mr. SMOOT. Will the Senator state that amendment again?

Mr. SHAFROTH. The amendment would give the widow $3,750 and his children $3,750.

Mr. President, if Mr. Meeker had died and this had been a part of his estate, in my State that would have been the exact division to which the persons who are next of kin would be entitled. In other words, in my State the widow gets one-half and the children get one-half. Inasmuch as this is a gratuity we have a right to apportion it in any way we deem proper.

As I understand, the matter was not the subject of discussion in the House. The question which has been raised by the Senator from Arkansas [Mr. ROBINSON] was not presented in any manner; and if this amendment prevails the conferees can examine into the matter more closely. But as we are making this appropriation for the purpose of giving to those who are dependent upon this man $7,500, we can make no mistake, it seems to me, in giving to the widow one-half and to the children one-half. That is the way it would have gone to them, in the absence of any will, in my State.

Mr. TOWNSEND. Mr. President, I should like to ask the Senator a question. Can the Senator tell me whether Congress ever has divided up these gratuities or whether they have always been granted to the widow?

Mr. SHAFROTH. I do not know. I have not looked into that question. My impression is that Congress has made a change in some of the beneficiaries. What I mean by that is, if my recollection serve me right, they have in some instances given the gratuity to the executor or to the administrator; but I do not think there has been any action to change the beneficiary from the widow to any other person.

Mr. TOWNSEND. The cases the Senator has in mind were cases where there was no widow, and the gratuity went to the estate, were they not?

Mr. SHAFROTH. No; I think in another instance the children were made the beneficiaries when there was no widow.

Mr. TOWNSEND. I do not doubt that. What I was asking was, Does the Senator know of any case where there was a widow where the allowance was not made to her?

Mr. SHAFROTH. I will say to the Senator that I have just heard of this matter within the last hour, and I have not looked up the matter at all. I do not know the precedents, nor do I pretend to, except from general remembrance of some things that occurred in past Congresses.

Mr. UNDERWOOD. Mr. President, if the Senator will yield, I will say that my experience on these bills has been that wherever there was a widow the fund has always gone to the widow, and where there was not a widow it has gone to the children, but never to anyone else aside from those who were dependents.

Mr. LODGE. Mr. President, if I may ask the Senator a question, because his experience on appropriation bills is greater than mine, the question of dependency never arises at all, as I understand. The allowance is given to the widow or children whether they are dependent or not. They may have independent property.

Mr. UNDERWOOD. Absolutely. Congress has never looked into the question of how much independent estate was left. It is a gratuity that has gone to the widow through all time, and when it subsequently turned out that there was no widow it went to the children, and that is all there is to it. To make any change in this respect would be an entire change of precedent.

Mr. LODGE. Mr. President, it seems to me the method proposed by the Senator from Colorado [Mr. SHAFROTH] is open to the same objection that I have made before. I think we ought to observe the usual relation of comity between the two Houses in a matter of this sort. Where the House has provided in its own way with reference to one of its own Members, I think we should be very slow to intervene in any way.

Mr. KING. Mr. President, will the Senator yield?

Mr. SHAFROTH. If the Senator will allow me, the Senator from Arkansas [Mr. ROBINSON], in presenting this matter in Committee of the Whole, stated that he had been requested by a large number of Representatives to change this very item so as to give all of the gratuity to the children. By adopting this amendment the matter will be in conference, and the conferees can examine further as to what is the will of the House; but if the House provisions is concurred in there will be no opportunity to do so.

Mr. LODGE. Mr. President, on that theory we should be obliged to make an amendment whenever a small minority of the House, or any handful of Members, came over here and asked us to make the change. This bill is the work of the majority of the House and of the majority of the committee that had it in charge. Unless we receive something from the Committee on Appropriations or from the House representing the majority of the House, I do not think we can undertake to meet all the objections that any small group of Members may desire to bring over.

Mr. ROBINSON. Mr. President, in stating the case a while ago, I think I said that this was the first instance in which a question had arisen in Congress as to the beneficiary in the granting of a gratuity to the heirs of deceased Members of Congress. My attention has since been called to the case of an Iowa Congressman, in which, at the instance of the Senator from Iowa [Mr. KENYON], an amendment was adopted providing for a division of the fund so as to authorize paying a portion of it to the father of the deceased Congressman instead of paying all of it to the widow.

With respect to the point raised by the Senator from Massachusetts [Mr. LODGE] and by others that the adoption of an amendment changing the name of the beneficiary in a provision of this character originating in the House of Representatives would disturb the comity existing between the two Houses I desire to say that, to my way of thinking, that suggestion is totally without force. In the first place, the granting of a gratuity is not a matter of right. It occurs under a custom that has prevailed for a long time. In the next place, when Congress votes away public money it ought to vote it to somebody who is entitled to it; and if Congress sets the precedent which is implied in this case, in my judgment it will be acting unwisely.

The question was not raised in the House of Representatives. Whether or not it was discussed in the committee I do not know. Of course, under the rules it could not be officially known; but I do know that a number of Members of Congress—none of them, however, from Missouri—have discussed the question with me, and my information is that if the House had the opportunity it would not be averse to paying this fund to the real dependents of the deceased Congressman.

Mr. HITCHCOCK. Mr. President, do I understand the Senator to say that this matter was not an issue in the House in any way?

Mr. ROBINSON. There never was any question raised about it. The committee reported the provision as it is now in the bill, and there was no amendment offered in the House, and no discussion.

Mr. HITCHCOCK. It was just a perfunctory proceeding?

Mr. ROBINSON. Just a perfunctory proceeding.

Mr. SPENCER. Mr. President, will the Senator yield?

Mr. ROBINSON. Certainly.

Mr. SPENCER. Is the Senator aware that in the House there was voluminous correspondence about this very matter with the city of St. Louis and Judge Garesche to determine the mental condition of Mr. Meeker, and that there was a considerable inquiry in regard to the matter?

Mr. ROBINSON. I assume if the question was raised in the committee the committee made some investigation of it, although I do not know about that. I stated that the proceedings of the committee could not be officially known under the rules of the House of Representatives, but that no point was made upon the matter in the House of Representatives; that it went through in a mere perfunctory way.

As to the sanity or insanity of Mr. Meeker I do not raise any question. I made the statement myself that for the purpose of giving this lady the benefit of this provision, which would otherwise have gone to his children, in the presence of death, seven hours before it came, he married her, and upon that statement of fact, undisputed, I say that the decent thing for Congress to do is to pay the gratuity to the children.

Mr. McKELLAR. I wish to ask the Senator from Missouri a question. Did the Senator say there was some suggestion in the House in reference to Mr. Meeker's sanity at the time?

Mr. SPENCER. None with regard to his sanity, but the very fact that he died within seven hours after the marriage ceremony led to the query as to what was his real mental condition at the time, and therefore they wrote to Judge Garesche, who performed the ceremony, and whose reply was so satisfactory as to the clear mental condition of Mr. Meeker, both at the time of his marriage and for some hours subsequent to it, that it all vanished out of sight.

Mr. McKELLAR. But that question was raised?

Mr. KENYON. I wish to ask the Senator from Arkansas a question. He referred to an Iowa case. I have just entered the Chamber, and I do not know to what case he alluded.

Mr. ROBINSON. I am not sure myself, although the Senator from Iowa will recall the case in which a portion of the gratuity was paid to the father of the deceased Congressman on the motion of the Senator from Iowa.

Mr. KENYON. That was the case of Congressman Pepper. He left no widow, and the father was very much dependent upon him. I was told at that time that it was contrary to the usual custom, but it was so voted.

Mr. ROBINSON. There was a division of the gratuity.

Mr. KENYON. It all went to the father. There was no widow. Of course, I have always taken the position myself that we have no right to do this at all. I do not know what right we have to make a present of a year's salary to the widow.

Mr. UNDERWOOD. Mr. President, I think it would be a mistake for the Senate to interfere with matters that concern the House and concern the House alone. We have always insisted on the part of the Senate in reference to our clerical pay, our contingent fund, our action here where money was expended for the benefit of the Senate, that only the Senate was responsible, and the House has taken the same position.

Two years ago, at the request of a number of Members who came over here, the Senate attempted to make, and did make, a vital change in reference to the clerical pay of the secretaries of Members of the House. Of course, when it went to the House and went to conference, the House conferees informed the Senate conferees that they could take their bill back; that they knew how to run their own business and proposed to do it; and the result is the conference committees on the part of the Senate of these appropriation bills have never heard the end of it yet.

Mr. KING. Will the Senator yield?

Mr. UNDERWOOD. I will.

Mr. KING. Does the Senator think it is a fair comparison to which he has just referred with the situation which is now confronting us?

Mr. UNDERWOOD. I think it is a fair comparison.

Mr. KING. I make this suggestion to the Senator: Suppose the question should arise in the House of increasing the compensation of Congressmen to $10,000 each per annum, would not that be a part of the business of the Senate?

Mr. UNDERWOOD. But that is a change of existing law. I am talking about what is purely a gratuity on the part of Congress. The Senate never attempts to define the gratuity for a Member of the House nor the House for the Senate.

Mr. WOLCOTT. Does not the Senator think there is this distinction between the two cases, that the matter of clerks' pay is a subject matter to be dealt with as having to do with the machinery of legislation in the House, the process of legislative business, whereas this is merely a matter of appropriating money to a widow, and has nothing at all to do with legislation?

Mr. UNDERWOOD. I will say to my friend this is a very much more dangerous proposition than for the Senate to interfere with the mere appropriation of money. This is purely a matter of sentiment based on nothing in the world but sentiment, that the family of a deceased Member shall be taken care of by the Congress.

Mr. ROBINSON. Will the Senator yield for a question?

Mr. UNDERWOOD. Certainly.

Mr. ROBINSON. Why does the Senator assume that the House of Representatives would resent the Senate making a change in the beneficiary if the Senate thinks that that change should be made?

Mr. UNDERWOOD. I will tell the Senator why. I am informed since the Senator first brought this matter up—I did not have the information then—that the House committee went into this entire proposition and decided what they thought it was proper for the House to do, and the House accepted it; and I have no doubt the House, although it was not brought out on the floor of the House, understood the facts in the case, or many Members did, when the question was voted on.

Mr. ROBINSON. Now, let me call the Senator's attention to the case cited a while ago, and in this connection I want to get that case in the RECORD right,—the case discussed between the Senator from Iowa [Mr. KENYON] and myself. In the case of deceased Congressman Pepper the House of Representatives refused, or failed at least, to make any provision whatever for the relatives of the Congressman, and this body wrote a provision in the bill, notwithstanding the oversight or failure or refusal of the House to make any provision, and that did not bring on any revolution either in Congress or anywhere else.

I must say to the Senator from Alabama, in view of the fact that the adoption of an amendment merely places the provision in conference, it seems to me absurd to say that the Senate is under the obligation to make an appropriation of $7,500 in a case of this sort to a beneficiary that the Senate does not believe is entitled to it.

Mr. UNDERWOOD. Now, there is where the serious proposition comes in, one where I think the Senate is going to face a serious issue with the House. Mr. Meeker represented a district in Missouri for a number of years. He had a constituency which honored him with a large majority for a number of years. He had many friends in the House of Representatives. I had the honor to serve with him myself. He was a capable, sincere, and earnest public servant.

Mr. McKELLAR. Mr. President——

Mr. UNDERWOOD. Just wait a minute, if the Senator will allow me. He died in a most heroic way. I do not know of any man under the dome of this Capitol who sacrificed himself more devotedly to public duty. The influenza was marching through this country carrying a swath of death with it greater than that from which our troops suffered in Europe. A camp near St. Louis had thousands of young soldiers down and dying by the hour, without nurses and without help. Volunteers were asked to come to the rescue, and this Congressman, valuing the cause of his country, went to the aid of these young soldiers and offered himself as a nurse. There he contracted the influenza that turned into pneumonia and caused his death. He was engaged to be married; the date was set; and under these circumstances on his dying bed he married the woman he was engaged to. When you fail to follow the vote of the House of Representatives and the precedent of the Congress and refuse to vote this money to the woman he left as his lawful widow, you put a blot forever on that woman's name and you strike at the man, the one man under the dome of this Capitol who gave his life to the young soldiers of this country and died a hero's death. I yield to the Senator from Tennessee.

Mr. McKELLAR. Does the Senator think that any real true friend of Mr. Meeker would take umbrage because the Senate saw to it that his helpless minor children were given this gratuity? I think it is not entirely the widow who ought to be considered in this matter. I think the children have just as strong a right as the wife to our consideration.

Mr. UNDERWOOD. I will say that I myself was a friend of Mr. Meeker, though we did not sit on the same side of the Chamber.

Mr. McKELLAR. I was also. I liked him very much, and I indorse all the Senator has said about him.

Mr. UNDERWOOD. He was my friend. I believe he knew what he wanted to do in this matter and, as far as I am concerned, I am willing to stand by him.

Mr. SHAFROTH. Mr. President, what we have to do with it is simply to give the House, after the matter is brought to their attention, a fair opportunity to reconsider this question. It can be done by the adoption of this amendment. It can not be done if the amendment is not adopted.

If the House wants to insist upon it the conferees on the part of the Senate will unquestionably yield to the House, and under the rule which the Senator from Massachusetts has announced it probably ought to do so; but it seems to me, in view of what has occurred here this afternoon, and the fact that these minor children ought to be taken into consideration, a division of this money ought to be made, unless there is strong objection made by the House to it after a consideration of the entire matter.

The VICE PRESIDENT. The question is on the amendment of the Senator from Colorado [Mr. SHAFROTH].

On a division the amendment was rejected.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. MARTIN of Virginia. I move that the Senate request a conference with the House of Representatives on the bill and amendments, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. MARTIN of Virginia, Mr. UNDERWOOD, and Mr. WARREN conferees on the part of the Senate.

RIVER AND HARBOR APPROPRIATIONS.

Mr. FLETCHER. I move that the Senate proceed to the consideration of the bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments.

Mr. FLETCHER. It is rather too late to go on with the bill this afternoon. I am going to ask, however, that the Senate shall take a recess until 12 o'clock to-morrow.

Mr. SHAFROTH. I hope the Senator will not do that, because there are some matters pending here—particularly the resolution in reference to a conference report—that should be considered. If the Senator will promise to yield, so that those matters can be taken up the same as if we had regular morning business, I will have no objection.

Mr. JONES of Washington. I would suggest that the Senator may not be able to yield for morning business without displacing his bill.

EXECUTIVE SESSION.

Mr. HITCHCOCK. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 15 minutes spent in executive session the doors were reopened.

OMAHA TRIBE OF INDIANS.

Mr. JOHNSON of South Dakota. From the Committee on Indian Affairs I report back favorably, with amendments, the bill (S. 3992) to investigate the claims of and to enroll certain persons, if entitled, with the Omaha Tribe of Indians, and I submit a report (No. 702) thereon.

This is a very urgent matter and is recommended by the Committee on Indian Affairs. Therefore I ask unanimous consent for its present consideration.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendments were, on page 2, line 1, after the word "Barada," to insert "Phil Frost, Charles Frost, Leonard Frost, Frank Frost, Mary Frost, Sarah McCreary, Benjamin Peters, Emiel Peters, Frank Sailors, Edgar Sailors, Garlie Sailors, Bryan Sailors, and Edward Turpain"; and in line 10, after the word "Indians," to insert *"Provided, however,* That the enrollment of any of the persons named in this bill shall not be permitted to disturb or affect any allotment which has been made heretofore to the Omaha Tribe of Indians, or to any of them, nor to share in the distribution of any money now in the Treasury to the credit of such Omaha Tribe of Indians"; so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, directed to investigate the claims of Thomas Barada, Mitchell Barada, Waring Barada, Maggie E. Rockwell, Mart Peters Sailor, Celestine Barada Kuhn, Margaret Kuhn, Josephine Kuhn, N. Edward Kuhn, John A. Kuhn, George F. Kuhn, Mary Kuhn, Stella Kuhn James, Barbara Kuhn James, Ethel Kuhn Ruthledge, Frank A. Peters, Jacob Peters, Frank E. Peters, Ernest C. Peters, Ruth Barada Sandage, Josephine Peters Mitchell, Fine Barada Beck, Toy Barada, Blade Barada, Nellie Barada Mott, Mary Barada Martin, Mrs. Era Barada Phillip, Mrs. Ada Barada Barber, Miss Alice Barada, William Barada, Walter V. Peters, and Job Barada, Phil Frost, Charles Frost, Leonard Frost, Frank Frost, Mary Frost, Sarah McCreary, Benjamin Peters, Emiel Peters, Frank Sailors, Edgar Sailors, Garlie Sailors, Bryan Sailors, and Edward Turpain to enrollment and membership in the Omaha Tribe of Indians; and if such investigation shows the persons named, or any of them, to possess Omaha Indian blood from a common Omaha Indian ancestor, the Secretary of the Interior is hereby authorized and directed to enroll the persons named, or so many of them as possess Omaha Indian blood from a common Omaha Indian ancestor, with the Omaha Tribe of Indians and to accord to such persons so enrolled all the rights and privileges of any enrolled member of the Omaha Tribe of Indians: *Provided, however,* That the enrollment of any of the persons named in this bill shall not be permitted to disturb or affect any allotment which has been made heretofore to the Omaha Tribe of Indians, or to any of them, nor to share in the distribution of any money now in the Treasury to the credit of such Omaha Tribe of Indians.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FEDERAL BUILDINGS AT SANTA FE, N. MEX.

Mr. JONES of New Mexico. I ask unanimous consent for the present consideration of the bill (S. 5516) to amend an act approved March 4, 1913, entitled "An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes."

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That so much of the act of Congress approved March 4, 1913 (37 Stat., p. 875), as authorized the erection of a building for the accommodation of the post office and United States courts at Santa Fe, N. Mex., be, and the same is hereby, amended so as to require that said building shall be for the accommodation of the post office and other governmental offices, exclusive of the United States courts.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ADJOURNMENT.

Mr. MARTIN of Virginia. I move that the Senate adjourn until to-morrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 11, 1919, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 10, 1919.

COLLECTORS OF CUSTOMS.

John W. Troy, of Juneau, Alaska, to be collector of customs for customs collection district No. 31, with headquarters at Juneau, Alaska, to fill an existing vacancy.

Malcolm A. Franklin, of Columbus, Miss., to be collector of customs for customs collection district No. 32, with headquarters at Honolulu, Hawaii. (Reappointment.)

REGISTERS OF LAND OFFICES.

Joseph T. Carruth, of Idaho, to be register of the land office at Blackfoot, Idaho, his present term expiring January 24, 1919. (Reappointment.)

Dallas C. Weyand, of Colorado, to be register of land office at Glenwood Springs, Colo., his present term expiring January 19, 1919. (Reappointment.)

Edward J. Hoefnagels, of Colorado, to be register of the land moneys at Lamar, Colo., his present term expiring January 12, 1919. (Reappointment.)

Nathaniel Campbell, of Oregon, to be register of the land office at Portland, Oreg., his present term expiring January 21, 1919. (Reappointment.)

Alonzo L. Beavers, of Colorado, to be register of the land office at Lamar, Colo., his present term expiring January 12, 1919. (Reappointment.)

RECEIVER OF PUBLIC MONEYS.

Robert J. McGrath, of Colorado, to be receiver of public moneys at Lamar, Colo., his present term expiring January 12 1919. (Reappointment.)

PROMOTIONS IN THE COAST GUARD.

The following-named third lieutenants to be second lieutenants in the Coast Guard from the 7th day of June, 1918:

Earl G. Rose,
Edward H. Smith, and
Henry Coyle.

Third Lieut. Rae B. Hall to be second lieutenant in the Coast Guard from the 21st day of July, 1918.

PROVISIONAL APPOINTMENT, BY PROMOTION, IN THE ARMY.

INFANTRY.

Second Lieut. Herbert Coleman Smith to be first lieutenant with rank from October 30, 1917.

PROMOTIONS IN THE PORTO RICO REGIMENT OF INFANTRY.

First Lieut. Urbino Nadal, Porto Rico Regiment of Infantry, to be captain with rank from November 1, 1918.

Second Lieut. Luis F. Cianchini, Porto Rico Regiment of Infantry, to be first lieutenant with rank from November 1, 1918.

APPOINTMENTS AND PROMOTIONS IN THE NAVY.

Capt. Edwin A. Anderson, an additional number in grade, to be a rear admiral in the Navy from the 28th day of November, 1918.

Capt. Charles W. Dyson, an additional number in grade, to be a rear admiral in the Navy from the 16th day of December, 1918.

Commander Douglas E. Dismukes to be a captain in the Navy from the 1st day of July, 1918.

The following-named commanders to be captains in the Navy from the 15th day of August, 1918:

Edward H. Campbell and
Martin E. Trench.

Lieut. Commander Henry C. Dinger to be a commander in the Navy from the 26th day of May, 1918.

The following-named lieutenant commanders to be commanders in the Navy from the 1st day of July, 1918:

James H. Comfort,
William V. Tomb,
George B. Landenberger, and
William Norris.

Lieut. Commander Harold E. Cook to be a commander in the Navy from the 23d day of July, 1918.

Lieut. Aubrey W. Fitch to be a lieutenant commander in the Navy from the 20th day of March, 1918.

The following-named lieutenants to be lieutenant commanders in the Navy from the 1st day of July, 1918:

Robert V. Lowe,
John B. Rhodes,
Robert A. Theobald,
Guy E. Baker,
William F. Newton,
Frank N. Eklund, and
Willis W. Bradley, jr.

The following-named lieutenants to be lieutenant commanders in the Navy from the 23d day of July, 1918:

Earle F. Johnson and
Henry K. Hewitt.

Lieut. (Junior Grade) Howard B. Berry to be a lieutenant in the Navy from the 7th day of March, 1918.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 8th day of June, 1918:

Virgil C. Griffin, jr.,
Ernest G. Small,
Andrew C. Bennett,
William D. Taylor,
Robert R. Thompson,
Albert R. Sanborn,
Donald W. Hamilton,
George W. La Mountain,
De Witt C. Ramsey,
John H. Holt, jr.,
Marc W. Larimer,
Mahlon S. Tisdale,
Davis De Treville,
Nelson W. Hibbs,
Wentworth H. Osgood,
John H. Falge,
Hugh C. Frazer,
Baylis F. Poe, and
Ingram C. Sowell.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 1st day of July, 1918:

Francis E. M. Whiting,
Stanley G. Womble,
Charles A. Lockwood, jr.,
Charles S. Alden, and
Hubert V. La Bombard.

Lieut. (Junior Grade) Leonard N. Linsley to be a lieutenant in the Navy from the 30th day of July, 1918.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 5th day of June, 1918:

Arthur D. Struble,
Vincent H. Godfrey,
Donald MacL. Dalton,
Frank D. Wagner,
Armit C. Thomas,
John B. Kneip,
Marshall B. Arnold,
Irving R. Chambers,
Lloyd V. H. Armstrong,
Hubert E. Paddock,
Theodore E. Chandler,
Allan R. Wurtele,
Ryland D. Tisdale,
James P. Brown,
Edward Breed,
David McL. Collins, and
James M. Lewis.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 30th day of July, 1918:

William D. Sullivan and
Richard S. Bulger.

Medical Inspector Charles E. Riggs to be a medical director in the Navy with the rank of captain from the 15th day of October, 1917.

Medical Inspector Frank L. Pleadwell to be a medical director in the Navy with the rank of captain from the 8th day of January, 1918.

Surg. Benjamin H. Dorsey to be a medical inspector in the Navy with the rank of commander from the 1st day of February, 1918.

Surg. Lewis H. Wheeler to be a medical inspector in the Navy with the rank of commander from the 1st day of July, 1918.

The following-named passed assistant surgeons to be surgeons in the Navy with the rank of lieutenant commander from the 1st day of July, 1918:

George C. Thomas,
Alfred L. Clifton,
George F. Cottle,
George B. Wiltmore,

Glenmore F. Clark,
Joseph R. Phelps,
Chandler W. Smith,
William L. Mann, jr.,
John G. Ziegler, and
George A. Riker.

Dental Surg. Clark E. Morrow to be an assistant dental surgeon in the Navy with the rank of lieutenant (junior grade) from the 3d day of July, 1917.

Dental Surg. Louis B. Lippman to be an assistant dental surgeon in the Navy with the rank of lieutenant (junior grade) from the 30th day of July, 1917.

Dental Surg. Hyman Mann to be an assistant dental surgeon in the Navy with the rank of lieutenant (junior grade) from the 16th day of October, 1917.

Dental Surg. Frank A. Zastrow to be an assistant dental surgeon in the Navy with the rank of lieutenant (junior grade) from the 9th day of February, 1918.

Paymaster Eugene C. Tobey to be a pay inspector in the Navy with the rank of commander from the 1st day of July, 1917.

Ensign Perry R. Taylor to be an assistant naval constructor in the Navy with the rank of lieutenant (junior grade) from the 23d day of September, 1918.

Civil engineer Leonard M. Cox, an additional number in grade, to be a civil engineer in the Navy with the rank of commander from the 29th day of August, 1916.

The following-named machinists to be chief machinists in the Navy from the 17th day of January, 1918:

Allen I. Seaman and
John Gallagher.

Pay Clerk Alexander C. Kozlowski to be a chief pay clerk in the Navy from the 9th day of June, 1917.

Pay Clerk Benjamin H. White to be a chief pay clerk in the Navy from the 15th day of January, 1918.

Pay Clerk Walter E. Morton to be a chief pay clerk in the Navy from the 7th day of May, 1918.

Pay Clerk William J. Smith to be a chief pay clerk in the Navy from the 1st day of July, 1918.

Pay Clerk Floyd J. Farber to be a chief pay clerk in the Navy from the 14th day of August, 1918.

Pay Clerk Edison H. Gale to be a chief pay clerk in the Navy from the 27th day of August, 1918.

Pay Clerk Herman W. Johnson to be a chief pay clerk in the Navy from the 10th day of September, 1918.

Pay Clerk Percy J. Hutchison to be a chief pay clerk in the Navy from the 11th day of September, 1918.

Pay Clerk Maurice T. Scanlan to be a chief pay clerk in the Navy from the 12th day of September, 1918.

Pay Clerk Marcus E. West to be a chief pay clerk in the Navy from the 13th day of September, 1918.

Pay Clerk John B. Daniels to be a chief pay clerk in the Navy from the 20th day of September, 1918.

Pay Clerk Michael J. Dambacher to be a chief pay clerk in the Navy from the 25th day of September, 1918.

Lieut. (Junior Grade) Ernest C. Keenan, retired, to be a lieutenant on the retired list of the Navy from the 1st day of July, 1918.

Lieut. (Junior Grade) Harry C. Ridgely, retired, to be a lieutenant on the retired list of the Navy from the 4th day of December, 1918.

Passed Asst. Surg. Judson L. Taylor, retired, to be a surgeon with the rank of lieutenant commander on the retired list of the Navy from the 1st day of July, 1918.

The following-named assistant surgeons on the retired list of the Navy to be passed assistant surgeons with the rank of lieutenant on the retired list of the Navy from the 1st day of July, 1918:

Rice K. McClanahan,
Henry La Motte,
George M. Olson, and
Arthur C. Stanley.

Asst. Paymaster Jacob D. Doyle, retired, to be a paymaster with the rank of lieutenant commander on the retired list of the Navy from the 1st day of July, 1918.

The following-named boatswains on the retired list to be chief boatswain on the retired list of the Navy from the 1st day of July, 1918:

Hjalmar E. Olsen,
Charles Wouters,
Lee R. Boland, and
William Johnson.

The following-named gunners on the retired list to be chief gunners on the retired list of the Navy from the 1st day of July, 1918:

Henry J. Tresselt,
Frank A. McGregor,
Vista R. Thompson,
Peter Hanley,
Humboldt J. Palmer, and
Theodore C. Wester.

The following-named machinists on the retired list to be chief machinists on the retired list of the Navy from the 1st day of July, 1918:

James L. Baart,
August Anschuetz,
Herbert E. Kershaw,
Joseph J. Duffy,
Charles W. Jackson,
George M. Heinen,
John McPhee,
William P. Little,
Martin Casey,
William C. Dronberger,
William J. Powell,
Edwin J. Cutherell,
James Wilson,
Peter J. Hanlon,
William E. B. Grant,
Daniel J. McCarthy, and
Thomas F. Hobby.

Machinist Harlan B. Heath, retired, to be a chief machinist on the retired list of the Navy from the 21st day of July, 1918.

The following-named carpenters on the retired list to be chief carpenters on the retired list of the Navy from the 1st day of July, 1918:

Benjamin D. Pender, and
Joel D. Griffin.

Sailmaker Herman Hansen, retired, to be a chief sailmaker on the retired list of the Navy from the 1st day of July, 1918.

Pharmacist William H. Huntington, retired, to be a chief pharmacist on the retired list of the Navy from the 1st day of July, 1918.

Pharmacist Isaac N. Hurd, retired, to be a chief pharmacist on the retired list of the Navy from the 14th day of September, 1918.

Lieut. (Junior Grade) Edward Crouch to be a lieutenant in the Navy, for temporary service, from the 1st day of July, 1918.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, for temporary service, from the 15th day of August, 1918:

Daniel J. Sullivan,
Edwin W. Hill, and
Claude S. Padgett.

Lieut. (Junior Grade) Edward J. Carr to be a lieutenant in the Navy, for temporary service, from the 29th day of September, 1918, to correct the date from which he takes rank as previously confirmed.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, for temporary service, from the 5th day of November, 1918:

Thomas F. Morris and
Walter B. Buchanan.

The following-named ensigns to be lieutenants (junior grade) in the Navy, for temporary service, from the 21st day of September, 1918:

Roy Childs,
Hardy M. James,
Patrick J. Sullivan,
William Crofut,
George H. Toepfer,
Luther C. Crow,
William Kasburg, and
Leo Kampman.

The following-named warrant officers to be ensigns in the Navy, for temporary service, from the 15th day of December, 1918:

Frank McGlothlen,
Wallace Hanna,
John C. Redman,
Frederick W. K. Mielke,
Ewell K. Jett,
Edward J. McCarthy,
Leslie W. Beattie,
Henry T. Hausten,
William McDade,
Robert H. Barnes,
Frank R. Wills,
Joseph R. Laing,
Charles D. Connor,
Roy M. Dyer,
William Province,

Joshua W. M. Simmons, and
Clyde H. MacDonald.

The following-named enlisted men to be ensigns in the Navy, for temporary service, from the 15th day of December, 1918:

Bradford M. Melvin,
Eugene Bastian,
Marshall M. Angleton,
Victor A. Leonard,
Harold S. Vigab,
Frank Gawrych,
James A. Duryea,
Richard Tainter,
Ned P. Baugh,
William J. Clark,
George P. Hall,
Herman H. Roloff, and
Rudolph P. Bielka.

The following-named ensigns of the United States Naval Reserve Force to be ensigns in the Navy, for temporary service, from the 15th day of December, 1918:

Linwood L. Curtis,
Otmar L. Olsen, and
Robert W. Ralston.

Ensign Arthur Bernstein of the United States Naval Reserve Force to be an ensign in the Navy, for temporary service, from the 8th day of September, 1918.

Paymaster Elijah H. Cope to be a pay inspector in the Navy, with the rank of commander, for temporary service, from the 10th day of October, 1918, to correct the date from which he takes rank as previously confirmed.

Acting Pay Clerk Samuel L. Bates to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 15th day of September, 1918, to correct the date from which he takes rank as previously confirmed.

Asst. Paymaster James Wilson of the United States Naval Reserve Force to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 15th day of November, 1918.

The following-named acting pay clerks to be assistant paymasters in the Navy, with the rank of ensign, for temporary service, from the 15th day of December, 1918:

Claude C. Hanan,
Charles E. Leavitt,
Harrison W. McGrath,
Harry C. Mechtoldt,
Henry J. Taylor,
Charles W. Fox,
William S. Cooper,
Archie B. McKay,
Josephus M. Lieber,
George J. Schoonover,
Otto E. Matheny, and
Everett W. Brown.

The following-named assistant paymasters of the United States Naval Reserve Force to be assistant paymasters in the Navy, with the rank of ensign, for temporary service, from the 15th day of December, 1918:

Forrest F. Fulton, and
John W. Mears.

The following-named officers to be assistant naval constructors in the Navy with the rank of lieutenant (junior grade), for temporary service, from the 15th day of October, 1918:

Herman R. Newby,
Lott C. Newton, and
Goldsboro Sessions.

Carpenter Emerson W. Amos to be an assistant naval constructor in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 15th day of December, 1918.

Lieut. (Junior Grade) William N. Eichorn, of the United States Naval Reserve Force, to be an assistant naval constructor in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 15th day of December, 1918.

The following-named lieutenants (junior grade), on the retired list, to be lieutenants on the retired list of the Navy, for temporary service, from the 21st day of September, 1918:

Alvah M. Smith,
Charles C. Beach,
Jesse E. Jones,
John Westfall,
Charles G. Wheeler,
William G. A. Schwerin,
Henry Feehan,
John L. Kelley,
Herbert J. Wiseman,
Edgar A. Roble,
Arthur Rogler,
Edmund H. Klamt,
William C. Stnufer,
Norman McIntire,
Daniel R. Shackford, and
James Munro.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 10, 1919.

ASSISTANT SECRETARY OF THE TREASURY.

Jouett Shouse to be Assistant Secretary of the Treasury.

SOLICITOR OF INTERNAL REVENUE.

D. M. Kelleher to be solicitor of internal revenue.

SECRETARY OF EMBASSY OR LEGATION.

Clarence B. Hewes to be a secretary of embassy or legation of class 4.

UNITED STATES DISTRICT ATTORNEY.

John F. A. Merrill to be United States attorney, district of Maine.

REJECTION.

Executive nomination rejected by the Senate February 10, 1919.

POSTMASTER.

MINNESOTA.

Charles J. Hohenstein, Gibbon.

HOUSE OF REPRESENTATIVES.

MONDAY, *February 10, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou, who hast made us and the laws which environ us, open Thou our understanding that we may perceive and obey them.

Thus, as individuals and as a Nation, expand our intellectual, moral, and spiritual life; that Thy kingdom may come and Thy will be done in us, as in Heaven; through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Saturday, February 8, and the Journal of the proceedings of Sunday, February 9, 1919, were read and approved.

EXTENSION OF REMARKS.

Mr. REED. Mr. Speaker, I desire to ask unanimous consent to extend my remarks in the RECORD by inserting an address delivered by my colleague, Mr. WILLIAM R. WOOD of Indiana, on the late Theodore Roosevelt, in my home city yesterday.

The SPEAKER. The gentleman from West Virginia asks unanimous consent to extend his remarks by printing a speech made by Mr. WOOD of Indiana on the life, character, and public services of Mr. Roosevelt. Is there objection? [After a pause.] The Chair hears none.

PROHIBITION AMENDMENT.

The SPEAKER laid before the House communications from the following States, giving notification of the ratification of the prohibition amendment, for filing in the archives of the House:

Michigan, West Virginia, Iowa, Tennessee, New Mexico, California, Wisconsin, Minnesota, North Carolina, Wyoming, Idaho, Illinois, and Missouri.

THE NAVY.

Mr. PADGETT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill.

The SPEAKER. The gentleman from Tennessee moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill. The question is on agreeing to the motion.

Mr. WALSH. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 35, noes 3.

Mr. WALSH. Mr. Speaker, that is entirely too small a number to consider the vast increases in this naval program. I make the point of no quorum.

The SPEAKER. The gentleman from Massachusetts [Mr. WALSH] makes the point of no quorum. The Doorkeeper will

close the doors, the Sergeant at Arms will notify the absentees. Those in favor of the House resolving itself into the Committee of the Whole House on the state of the Union will, as their names are called, answer "yea," and those opposed will answer "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 268, nays 0, answered "present" 1, not voting 160, as follows:

YEAS—268.

Alexander	Ellsworth	Knutson	Randall
Almon	Elston	Kraus	Rankin
Anderson	Essen	La Follette	Rayburn
Ashbrook	Evans	LaGuardia	Reavis
Aswell	Farr	Lampert	Reed
Austin	Ferris	Langley	Robinson
Ayres	Foss	Larsen	Rogers
Baer	Fordney	Lea, Cal.	Romjue
Bankhead	Fess	Lee, Ga.	Rose
Barkley	Foster	Lehlbach	Rouse
Barnhart	Freeman	Lesher	Rubey
Beakes	Gallagher	Lever	Rucker
Beshlin	Gallivan	Linthicum	Sanders, Ind.
Black	Gard	Little	Saunders, Va.
Bland, Va.	Garner	Littlepage	Schall
Blanton	Garrett, Tenn.	Lobeck	Scott, Iowa
Bowers	Garrett, Tex.	London	Scott, Mich.
Brand	Gillett	Lonergan	Sells
Brodbeck	Glynn	Longworth	Shackleford
Browne	Godwin, N. C.	McAndrews	Sherwood
Browning	Good	McArthur	Shouse
Buchanan	Gray, Ala.	McClintic	Sinnott
Burnett	Green, Iowa	McCormick	Sisson
Burroughs	Gregg	McFadden	Slemp
Butler	Griffin	McKeown	Sloan
Byrnes, S. C.	Hadley	McLaughlin, Mich.	Small
Caldwell	Hamilton, Mich.	McLemore	Smith, Idaho
Campbell, Kans.	Hamlin	Magee	Smith, Mich.
Candler, Miss.	Hardy	Maher	Snell
Carter, Okla.	Harrison, Miss	Mann	Stafford
Cary	Hastings	Mansfield	Steagall
Chandler, Okla.	Haugen	Mapes	Steele
Church	Hawley	Martin	Steenerson
Clark, Pa.	Hayden	Mason	Stephens, Miss.
Classon	Heflin	Mays	Sterling
Claypool	Hersey	Merritt	Stiness
Collier	Hicks	Miller, Minn.	Summers
Connally, Tex.	Hilliard	Miller, Wash.	Sweet
Connelly, Kans.	Holland	Mondell	Switzer
Cooper, Ohio	Hollingsworth	Moon	Tague
Cooper, W. Va.	Hood	Moore, Pa.	Temple
Cooper, Wis.	Houston	Morgan	Thomas
Crago	Howard	Mott	Thompson
Cramton	Huddleston	Neely	Tillman
Crisp	Hull, Tenn.	Nelson, A. P.	Timberlake
Crosser	Humphreys	Nelson, J. M.	Vare
Currie, Mich.	Hutchinson	Nicholls, S. C.	Vestal
Dale	Igoe	Nolan	Vinson
Dallinger	Ireland	Oliver, Ala.	Volstead
Darrow	Jacoway	Oliver, N. Y.	Walsh
Davey	James	Osborne	Wason
Decker	Johnson, Wash.	Overmyer	Watkins
Denton	Jones	Overstreet	Watson, Va.
Dickinson	Kearns	Padgett	Weaver
Dies	Keating	Parker, N. J.	Webb
Dill	Kelhoe	Peters	Welling
Dillon	Kelley, Mich.	Phelan	Welty
Dixon	Kelly, Pa.	Polk	Whaley
Dominick	Kennedy, Iowa	Pou	White, Me.
Doolittle	Kennedy, R. I.	Powers	Wilson, La.
Doughton	Kettner	Purnell	Wilson, Tex.
Dowell	Key, Ohio	Quin	Wingo
Drane	Kiess, Pa.	Ragsdale	Wood, Ind.
Dunn	Kincheloe	Rainey, H. T.	Wright
Dyer	King	Rainey, J. W.	Young, N. Dak.
Eagan	Kinkaid	Raker	Young, Tex.
Elliott	Kitchin	Ramseyer	Zihlman

ANSWERED "PRESENT"—1.

Emerson

NOT VOTING—160.

Anthony	Dent	Graham, Pa.	Moores, Ind.
Bacharach	Dewalt	Gray, N. J.	Montague
Bell	Donovan	Greene, Mass.	Morin
Benson	Dooling	Greene, Vt.	Mudd
Birch	Doremus	Griest	Nichols, Mich.
Blackmon	Drukker	Hamill	Norton
Bland, Ind.	Dupré	Hamilton, N. Y.	Oldfield
Booher	Eagle	Harrison, Va.	Olney
Borland	Edmonds	Haskell	O'Shaunessy
Britten	Esch	Hayes	Paige
Brumbaugh	Estopinal	Heaton	Park
Byrns, Tenn.	Fairchild, B. L.	Heintz	Parker, N. Y.
Campbell, Pa.	Fairchild, G. W.	Helm	Platt
Cannon	Fairfield	Helvering	Porter
Cantrill	Fields	Hensley	Pratt
Caraway	Fisher	Hull, Iowa	Price
Carew	Flood	Husted	Ramsey
Carlin	Flynn	Johnson, Ky.	Riordan
Carter, Mass.	Focht	Johnson, S. Dak.	Roberts
Chandler, N. Y.	Francis	Juul	Rodenberg
Clark, Fla.	Frear	Kahn	Rowe
Cleary	French	Kreider	Rowland
Coady	Fuller, Ill.	Lazaro	Russell
Copley	Fuller, Mass.	Lufkin	Sabath
Costello	Gandy	Lundeen	Sanders, La.
Cox	Garland	Lunn	Sanders, N. Y.
Curry, Cal.	Goodall	McCulloch	Sanford
Davis	Goodwin, Ark.	McKenzie	Scully
Delaney	Gordon	McKinley	Sears
Dempsey	Gould	McLaughlin, Pa.	Shallenberger
Denison	Graham, Ill.	Madden	Sherley
Siegel	Stevenson	Towner	Watson, Pa.
Sims	Strong	Treadway	Wheeler
Slayden	Sullivan	Van Dyke	White, Ohio
Smith, C. B.	Swift	Venable	Williams
Smith, T. F.	Taylor, Ark.	Voigt	Wilson, Ill.
Snook	Taylor, Colo.	Waldow	Winslow
Snyder	Templeton	Walker	Wise
Stedman	Tilson	Walton	Woods, Iowa
Stephens, Nebr.	Tinkham	Ward	Woodyard

So the motion was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. RUSSELL with Mr. STRONG.
Mr. CAREW with Mr. GOODALL.
Mr. BRUMBAUGH with Mr. COSTELLO.
Mr. ESTOPINAL with Mr. EMERSON.
Mr. WHITE of Ohio with Mr. NORTON.
Mr. BOOHER with Mr. TREADWAY.
Mr. SLAYDEN with Mr. MCKINLEY.
Mr. BENSON with Mr. BLAND of Indiana.
Mr. SCULLY with Mr. WINSLOW.
Mr. HAMILL with Mr. COPLEY.
Mr. BLACKMON with Mr. CURRY of California.
Mr. BYRNS of Tennessee with Mr. CANNON.
Mr CANTRILL with Mr. DAVIS.
Mr. BELL with Mr. BACHARACH.
Mr. CARAWAY with Mr. DEMPSEY.
Mr. CARLIN with Mr. EDMONDS.
Mr. CLARK of Florida with Mr. WILLIAMS.
Mr. CLEARY with Mr. FREAR.
Mr. COADY with Mr. FRENCH.
Mr. DENT with Mr. KAHN.
Mr. DEWALT with Mr. FULLER of Illinois.
Mr. DONOVAN with Mr. FULLER of Massachusetts.
Mr. DOOLING with Mr. GARLAND.
Mr. DOREMUS with Mr. GOULD.
Mr. DUPRÉ with Mr. GRAHAM of Illinois.
Mr. EAGLE with Mr. GRAHAM of Pennsylvania.
Mr. SIMS with Mr. ESCH.
Mr. GOODWIN of Arkansas with Mr. GREENE of Massachusetts.
Mr. HARRISON of Virginia with Mr. GREENE of Vermont.
Mr. HELM with Mr. GRIEST.
Mr. HELVERING with Mr. HASKELL.
Mr. LAZARO with Mr. HUSTED.
Mr. LUNN with Mr. JOHNSON of South Dakota.
Mr. OLDFIELD with Mr. KREIDER.
Mr. O'SHAUNESSY with Mr. LUFKIN.
Mr. PRICE with Mr. MCKENZIE.
Mr. RIORDAN with Mr. WILSON of Illinois.
Mr. SABATH with Mr. MUDD.
Mr. SEARS with Mr. PAIGE.
Mr. CHARLES B. SMITH with Mr. PARKER of New York.
Mr. THOMAS F. SMITH with Mr. ROWE.
Mr. SNOOK with Mr. SANDERS of New York.
Mr. STEDMAN with Mr. SANFORD.
Mr. SULLIVAN with Mr. SIEGEL.
Mr. TAYLOR of Arkansas with Mr. SNYDER.
Mr. TAYLOR of Colorado with Mr. TINKHAM.
Mr. VENABLE with Mr. TOWNER.
Mr. VAN DYKE with Mr. WARD.
Mr. WALTON with Mr. WATSON of Pennsylvania.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors. The gentleman from Tennessee [Mr. GARRETT] will take the chair.

Thereupon the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15539, the naval appropriation bill, with Mr. GARRETT of Tennessee in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15539, the naval appropriation bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 15539) making appropriations for the naval service for the fiscal year ending June 30, 1920, and for other purposes.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Page 51: "Increase of the Navy."

Mr. JOHNSON of Washington. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JOHNSON of Washington. These paragraphs on page 51, under the heading "Increase of the Navy," are numerous. Will they be considered paragraph by paragraph?

The CHAIRMAN. They will be considered paragraph by paragraph. That is always the rule on an appropriation bill.

Mr. MASON rose.

The CHAIRMAN. For what purpose does the gentleman from Illinois rise.

Mr. MASON. I rise to ask permission to proceed for five minutes out of order in order to place in the RECORD a copy of a——

The CHAIRMAN. The Chair can not recognize the gentleman at this moment for that purpose. The Clerk will read.

Mr. PADGETT. Mr. Chairman, before proceeding I ask unanimous consent to return to pages 17 and 18 for the purpose of offering some amendments to correct the language.

There is legislation in the bill authorizing transfers from the Naval Reserves into the regular Navy and also providing for extensions. When the bill was before the Committee of the Whole for consideration and these paragraphs were reached I stated to the committee that the effect was that where a person was given authority, as provided here, to extend for one year or two or three or four years, he would have to serve out the four years in order to be entitled to receive the benefit of the four months' continuous service provided under existing law. Where a person under existing law enlists or serves a four-year period and gets an honorable discharge, he may within four months reenlist and get the benefit of the four months' pay. That is existing law, and has been for years.

Now, when this matter was before the Committee on Naval Affairs in the hearings we inquired very carefully into this, and we were informed that that was the interpretation and was the purpose of the legislation, and the committee reported it with that understanding, and so stated to the House. But since then—since the adjournment the other day—I have taken the matter up with the officers in the Bureau of Navigation, and they tell me that they think under this language they would be entitled to four months if we extend it for one year, and if we extend it for two years he would be entitled to it, or if we extend it for three years he would be entitled to it, or he would be entitled to it if we extend it four years.

That was not the purpose of the committee, and I think it was not the purpose of the Committee of the Whole when we passed upon it. I then stated otherwise. So I wanted to offer amendments to make it clear that men would get the benefit by the extending of the law, which now is that they shall serve four years, so as to add what they have already served to what they might serve in the regular Navy, and make it four years before they would get the benefit.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to return to pages 17 and 18 for the purpose of offering an amendment. Is there objection?

Mr. MANN. Reserving the right to object, the gentleman made a statement which doubtless he understood himself and which members of the Naval Committee understood, but I confess I do not understand. Let us have the amendment. Let us know what it is.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to offer amendments and have them read for the purpose of information. The Clerk will read the first one.

The Clerk read as follows:

Mr. PADGETT offers the following amendment: Page 18, line 4, strike out "(other than a dishonorable discharge)" and, at the end of line 8, change the period to a colon and add: "*Provided*, That said enlisted man is otherwise entitled to an honorable discharge."

Mr. PADGETT. That is upon a different question, Mr. Chairman; but the language there, as it was accepted and submitted, reads "other than a dishonorable discharge." There are bad-conduct discharges.

The CHAIRMAN. Is there objection?

Mr. WALSH. I reserve the right to object. We should have this thing explained.

Mr. PADGETT. I will explain it. We considered that it reached all of those, but we understand that there is a dishonorable discharge and a bad-conduct discharge. Under this language, as it is in the bill, a person would get an honorable discharge if he was not given a dishonorable discharge, and his record might be such that he would have a bad-conduct discharge or an ordinary discharge. This is to make it the same as on lines 14 and 15 of page 18—the proviso—that he shall have an honorable discharge if his conduct otherwise entitles him to an honorable discharge.

Mr. MANN. Mr. Chairman, will the gentleman yield for a question?

Mr. PADGETT. Yes, sir.

Mr. MANN. It was stated here on the floor recently several times that the Navy, in granting discharges to men who had enlisted for a term of four years, did not grant honorable discharges but only a discharge.

Mr. PADGETT. An ordinary discharge.

Mr. MANN. I do not know what an "ordinary discharge" is, but it is not an honorable discharge.

Mr. PADGETT. That is correct.

Mr. MANN. This provision as it stands would allow transportation to those men. But the way the gentleman amends it, it would not?

Mr. PADGETT. No. They would get an honorable discharge if, not having served out the full term of their enlistment——

Mr. MANN. Let us get at the practical facts. That is what I want to know. Of course the gentleman is able to talk in naval language, which I do not fully appreciate. Here is the case of a man who enlisted for a term of four years, supposing he was enlisting for the term of the war. The Navy now in granting him a discharge, it is stated, does not grant him an honorable discharge. I believe this bill is designed in one place to correct that, but not in this paragraph.

Mr. PARKER of New Jersey. Yes. It says he shall have an honorable discharge.

Mr. MANN. Oh, the gentleman is mistaken. He may prescribe an honorable discharge if the man is otherwise entitled to an honorable discharge.

But under the existing law they say that he is not entitled to an honorable discharge. Now, the language of the bill as it stands will grant him an honorable discharge and grant him transportation if he does not receive a dishonorable discharge; but under the language of the amendment which the gentleman suggests he would get then just what he gets now, a discharge, without saying whether it is honorable or dishonorable, because under the existing law they say he is not entitled to an honorable discharge.

Mr. PADGETT. No; the effect of this amendment is that a man could, if he should, be given a bad-conduct discharge—not a dishonorable discharge, but a bad-conduct discharge. He would not be entitled to an honorable discharge, but under the bill as it is written he does not get a dishonorable discharge, therefore he is compelled to have an honorable discharge. This would allow them to give him a bad-conduct discharge if his record justifies it.

Mr. MANN. I understand that part of it, but that does not answer my inquiry. What I want to know is whether a man who supposed that he was enlisting for the term of the war, but who made an actual enlistment for four years, will get an honorable discharge and get his transportation under this amendment?

Mr. PADGETT. That is the way I understand it. In view of what the gentleman says, perhaps it might be plainer if it read "(other than a dishonorable or bad-conduct discharge)," just leaving the parentheses.

Mr. MANN. That is all right.

Mr. PADGETT. That is what is intended. I will ask unanimous consent to withdraw that amendment, and, in line 4, after the word "dishonorable," insert the words "or bad conduct."

Mr. LITTLE. As I understand it, the amendment has not been offered yet.

The CHAIRMAN. The amendment has not been offered. The question is whether there is objection to returning to this paragraph of the bill.

Mr. LITTLE. Reserving the right to object——

The CHAIRMAN. The Chair will first state the question. The question is, Is there objection to the committee returning to page 18 for the purpose of offering an amendment?

Mr. LITTLE. Reserving the right to object, are we to understand that the boys who prefer to be discharged and to go home and go to work or go to school, instead of hanging around doing nothing, have been refused honorable discharges?

Mr. PADGETT. Under the existing law it is understood that a man is entitled to an honorable discharge only when he fully complies with his contract.

Mr. LITTLE. The gentleman may understand that, but I do not. Who is responsible for that understanding—each individual officer who is discharging the men, or somebody at headquarters?

Mr. PADGETT. That has been the interpretation all along, before the war and during the war. The Secretary has recommended that the law be amended so that all of them discharged since November 11, the date of the signing of the armistice, shall have an honorable discharge.

Mr. WINGO. Why does not the gentleman offer that as an amendment in this connection? There has been a great deal of confusion and complaint throughout the country about it. Why does not the gentleman provide that a man who enlisted for the war and who has been discharged since November 11 shall be entitled to an honorable discharge?

Mr. LITTLE. I do not know of any rule of law, and I never heard of any before, under which anybody could be refused an honorable discharge simply because he was discharged before his term of service had expired.

Mr. PADGETT. That has been the ruling and is the ruling, and we are trying to correct it, so that these men shall have an honorable discharge if they are discharged before the termination of the four years or before the termination of the war; that is, if discharged since November 11.

Mr. LITTLE. I have known hundreds of instances in which men have received honorable discharges in that way.

Mr. PADGETT. They have not been granting them, and in order to provide that they shall grant them we offer this amendment.

Mr. LITTLE. If the gentleman will permit me, I have known of hundreds of instances in which men have received honorable discharge before the term of service expired, where there was some good showing made. That has been the case in the Army, and I am profoundly astonished that the Navy has enforced a different rule. It is not the law.

Mr. PADGETT. They have been doing it, and I am trying to correct it.

Mr. GREEN of Iowa. If this amendment which the gentleman proposes prevails, will it enable a man to get his full travel allowance?

Mr. PADGETT. Yes.

Mr. GREEN of Iowa. I have received complaints that the men who were discharged in the manner the gentleman has described were not getting their full travel allowance.

Mr. PADGETT. That is the principal object of it—to give them an honorable discharge and their travel pay.

Mr. WINGO. Will the gentleman yield right there?

Mr. PADGETT. Yes.

Mr. WINGO. While the gentleman says the object is not only to provide travel pay for those men who enlisted for the war and who are discharged upon their application, without waiting for the department to discharge them, but also to give them an honorable discharge, the language does not provide it.

Mr. PADGETT. Yes; it says they shall have an honorable discharge and shall be furnished with transportation. That is provided in lines 6 and 7, on page 18.

Mr. WINGO. Does the gentleman think that language will give them an honorable discharge?

Mr. PADGETT. Yes; I know it will.

Mr. WINGO. I understood the gentleman's explanation to be that the language would not do that.

Mr. PADGETT. No; I said the existing law would not, and this amendment is simply to provide that those who receive bad-conduct discharges will be excluded, as well as those who receive dishonorable discharges. A man with a bad-conduct discharge ought not to receive this consideration.

Mr. WINGO. Certainly. I agree with the gentleman.

Mr. DYER. Mr. Chairman, I ask for the regular order.

The CHAIRMAN. The gentleman from Missouri demands the regular order, which is, Is there objection?

Mr. WALSH. I object for the present.

Mr. WINGO. Unless we can get information about this, we are compelled to object.

Mr. PADGETT. I am trying to give the gentleman all the information he desires.

Mr. WINGO. I am not criticizing the gentleman from Tennessee. He is always courteous and patient in the conduct of his bills.

Mr. PADGETT. Mr. Chairman, I ask unanimous consent to return to page 17 to offer the following amendment.

Mr. WALSH. I think we ought to wait until we dispose of the bill.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to return to page 17 to offer the amendment which the Clerk will report.

Mr. WALSH. I object for the present. I am not objecting to the amendment, but I think we ought to wait until we dispose of the bill.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. SAUNDERS of Virginia having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed with amendments the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes, had requested a conference with the House of Representatives on the bill and amendments, and had appointed Mr. BANKHEAD, Mr. SWANSON, Mr. HARDWICK, Mr. TOWNSEND, and Mr. WEEKS as the conferees on the part of the Senate.

NAVAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Increase of the Navy, construction and machinery: On account of hulls and outfits of vessels and machinery of vessels heretofore and herein authorized, to be available until expended, $105,000,000.

Mr. JOHNSON of Washington. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Washington: Page 51, line 11, strike out $105,000,000 and insert in lieu thereof $50,000,000.

Mr. JOHNSON of Washington. Mr. Chairman, the amendment, if adopted, will open a way to cut down a little bit the money appropriated in the bill. I should like to say that I have had the advantage of seeing the mysterious telegram from the President of the United States to the Secretary of the Navy in regard to this naval bill and the building program it authorizes.

Mr. PADGETT. Will the gentleman yield for a statement?

Mr. JOHNSON of Washington. Yes; certainly.

Mr. PADGETT. This appropriation is for the ships heretofore authorized.

Mr. JOHNSON of Washington. Which can not be built in the time covered by this bill.

Mr. PADGETT. But this amount is needed to carry on the work on the ships authorized during the year 1919–20.

Mr. JOHNSON of Washington. I am inclined to doubt that the full amounts proposed can be used within the time. At any rate, I offer the amendment. Mr. Chairman and gentlemen, I have seen the telegram sent by the President of the United States, and I have also seen the telegram sent to the President by the Secretary of the Navy. I think those Members who have asked to see the President's telegram should ask to see the Secretary's telegram. To understand one, it is necessary to see the other. The other day, when the chairman of the Naval Committee and the gentleman from Pennsylvania [Mr. MOORE] were talking the matter over, the chairman asked the gentleman from Pennsylvania to take 10 steps forward and see the telegram personally. I said that I thought if one saw it we all ought to see it. I was invited to see it and did see it, and in my opinion the telegram of the Secretary of the Navy to the President in Paris was a polite invitation to the President to help this doubtful bill across the Congress. That is what I think the Secretary was cabling about, and his words were nicely put. The President's reply, as has been indicated by the chairman, without giving the exact words, was just such a reply as the Secretary of the Navy expected in order to influence Congress.

Unfortunately, in my opinion, the reply of the President is couched in such words that it would not be proper to give it general publicity, although I suppose the interpretation has been printed and well understood. I have introduced this amendment for the purpose of calling attention, whether this is the exact place to bring down the appropriations or not, that this House of Representatives labored all day Saturday on the conference report on a bill to raise $6,000,000,000 at once, and next following resumed consideration of a naval bill appropriating more than enough for all the ships we can build in four or five years, and authorizing a further tremendous program.

We do this when we know that the great nations of the world for 20 years will be low in their exchequers and unable to build naval vessels any faster than we can. Now is the time to get busy with the pruning knife.

Mr. LITTLE. Will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. LITTLE. Are we to understand that the telegram from the President was simply in response to a suggestive invitation from the Secretary of the Navy?

Mr. JOHNSON of Washington. I have intimated that.

Mr. EMERSON. Mr. Chairman, I rise in opposition to the amendment. Mr. Chairman and gentlemen of the House, I had nothing to do with the President going abroad. I think he made a political mistake in going, but the fact is he is there. He represents this country at the peace table in France, and while there is no reason to vote for this large increase other than the telegram and his request I am opposed to embarrassing the President while he is in France. [Applause.]

If we are going to punish him, wait until he returns to America. He is there, perhaps unfortunately. I had nothing to do, as I said, with his going, but I shall do nothing to embarrass him while he sits at the peace table.

Now, we do not know what nation we may get into war with next. Some years ago England and Germany were fighting against France. To-day England and France are fighting against Germany. Wolves hunt in packs, and we do not know what the next alignment may be. I believe not only in military

preparedness, but in social preparedness and in industrial preparedness and in educational preparedness. I believe that now is the time for us not to do anything that will hamper the acts of the President while there. He will be punished sufficiently when he returns to this country. The body at the other end of the Capitol is going to force an extra session for no other purpose than to punish him.

There is but one justification for any Member of this House to vote for this large appropriation for the Navy, and that is the request of the President. I confess I can see no reason why we should have this enormous increase; perhaps it is because I am unable to see all things that I should see.

The President has asked for this large amount. I must call your attention to the fact that the President is now in France sitting at the peace table; whether rightfully or wrongfully, he is there representing this country. He is our President, representing the United States of America at an international conference, and it is our duty not to embarrass him while he is there. Whether he was justified or not in going history alone can answer. I had nothing to do with his going; do not think he should have gone; think a very large majority of the people feel as I do about this matter; think he should have remained in this country and taken charge of reconstruction here. I feel he made a political mistake in going; think he will find that he is playing statecraft with some crafty and wise old statesmen; think he will find England and France will dominate at the peace table.

But in spite of all these opinions he is there as the representative of my country, and far be it from any purpose of mine to do anything to embarrass him in this hour.

When you come to think of it, he is our only representative there, for we never hear of the others.

I promised my constituency in all my campaigns that in all international matters I would stand by the President of the United States, and that is what I am going to do now.

I shall vote for this increase because I am informed it may embarrass him, and if he has wrongfully advised this Congress we can hold him responsible and the people of this country will hold him responsible. It is the plain duty of Congress to uphold the hands of the President while he is officially abroad, and if we have any criticizing to do let us reserve that until he returns.

I remember very well that my good father and mother never punished me in the public streets or in the presence of the company at the table, but reserved that for the more quiet and convenient place, when they spoke to me kindly but firmly. I feel that they did right. So if we have spanking to do, let us reserve that for a more opportune time and place. Wait until he returns. I am informed that the body at the other end of the Capitol is going to force an extra session of Congress so that they may do this very thing.

If the President has made a blunder, he will have to answer for it, and the people of this country will hold him strictly to account for what he does while in France.

But let us not humiliate him while he is there.

I believe he has made a personal, political, and national mistake by going, but I wish him well and hope he returns to this country covered with glory, and as a result of his labors these United States of America may take their place among the most powerful and influential nations of the earth.

And besides, we do not know what country we may have to fight next. Wolves hunt in packs, and we do not know what the next alliance may be.

One hundred years ago England and the German States were fighting side by side against France; now England and France are fighting side by side against Germany.

Washington said, "In time of peace prepare for war." We are inclined to construe preparedness to mean cannons, guns and soldiers, battleships and sailors, but that is not necessarily what Washington meant. We should have industrial preparedness, educational preparedness, military preparedness, not necessarily in terms of guns and cannons and battleships.

We should have preparedness by training our young men physically for war, if it becomes necessary; educate them in order to make them good citizens; educate them to have respect for the flag and the Constitution and the laws of the land.

If we did this, we would always be prepared for enemies abroad, for we would have none at home.

Under our laws the people rule, make the laws, elect their officials, so we do not need a Bolsheviki by force.

We can have a revolution peaceably at the ballot box at least every four years and the people can elect whomsoever they choose President, Senators, or Congressmen. They elect their State and local officials, and if our citizens are educated we need have no fear of internal discord.

If we want respect from other nations, we first must have confidence in and respect for ourselves.

I want to see the time when an American citizen walking the streets of London, Paris, Berlin, Vienna, Petrograd, or any of the streets of any of the cities or towns of any country on the face of this earth it will be said, "Beware, there walks an American citizen; behind him stands the protection of the Stars and Stripes backed up by over a hundred million free people."

Mr. WOOD of Indiana. Mr. Chairman, I am in favor of a big Navy, and always have been. I am in favor of a Navy large enough to meet the needs of this Government in its relations with all the other Governments on the face of the earth. I think, however, that that Navy should be built upon an intelligent basis and that any program adopted now should be intelligently formed so that it may be intelligently carried out. Who is there among us who knows the needs of the United States Navy now with reference to an increase in ships and armanent? Who is there upon the face of the earth who knows what the possibilities of the future are to be? It strikes me that we are getting the cart before the horse; that our naval program ought to be made to fit the peace program and that any program that we formulate at this time is just as apt to be a misfit and more apt to be a misfit than it is to be a fit. If we are to enter upon a species of internationalism proposed by some gentlemen, we will need one kind of a Navy. If we are to become the guardians of the peace of Europe, we will need quite a different character of Navy. If there is to be a complete disarmament, then we will not need nearly the Navy that we otherwise might need. We do not know what is going to be done over there. The gentleman from Ohio [Mr. EMERSON] said that the President of the United States is now at the peace table. The trouble is that he has never gotten to the peace table. If we were given a treaty of peace, so that we would know what the relation of the United States is to be with reference to the belligerent nations, who are entitled to have this peace treaty executed at the earliest possible moment, then with some degree of intelligence we might formulate this program.

While it has been said here that this new program does not anticipate the appropriation of money to carry it out at this time; that it is to be left to the future; that we can repeal it if the necessity arises, then I ask why go to all this trouble? The program that is inserted in this bill to-day for the building of so many ships or the authorization for the building of so many ships may not be the character of program that we want after we know what the peace treaty is. We may need an entirely different character of ship, either more in number or fewer in number, and thus these necessities may require entirely different designs, so that it strikes me that the treaty of peace should be formulated and completed first, and then our naval program made to fit it.

Mr. LANGLEY. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. LANGLEY. The gentleman is making exactly the argument, as I recall it, that the President himself did prior to the time we went into the war, when he contended we could not foresee what type of ship we might need, and that therefore he was against preparedness then being asked.

Mr. WOOD of Indiana. That is but another demonstration of the fact that our President very often changes his mind. The thing that the people of the United States are interested in now and the thing that all of these belligerent nations are interested in now is the completion of a peace treaty. It strikes me that the greatest service the President of the United States can render his people and can render the people of these other belligerent nations is to get down to brass tacks at the peace table and do the work that this congress is assembled over there to do. We may have different ideas about this league of nations. There are very many different ideas about it.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana. The people who are interested in this peace treaty are not the only ones interested in this proposed league of nations, and these eggs should not be scrambled together. It will be a splendid thing when the President comes home. Then the real peace commissioners may be heard from occasionally, and they then will have an opportunity at least to commence the work for which they were called together. Every day that the making of a treaty of peace is delayed but adds to the difficulties of agreeing upon the terms of a treaty and adds to the constantly increasing troubles in the business world, which are already growing alarming in the United States.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. LITTLE. Mr. Chairman, I move to strike out the first word.

The CHAIRMAN. The gentleman from Kansas moves to strike out the first word.

Mr. PADGETT rose.

The CHAIRMAN. The gentleman from Tennessee.

Mr. PADGETT. Mr. Chairman, I hope the amendment will not prevail——

Mr. LITTLE. Mr. Chairman, I thought I had the floor.

The CHAIRMAN. Under the practice the chairman of the committee would be entitled to preference.

Mr. LONDON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LONDON. Is the chairman of the Naval Committee entitled to the floor after the Chairman of the Committee of the Whole has recognized some one else?

Mr. PADGETT. If some one else has been recognized, I yield.

The CHAIRMAN. The gentleman from Kansas has moved to strike out the first word, and to be entirely frank about the matter the Chair supposed that the gentleman from Tennessee had risen to make a request.

Mr. PADGETT. I shall make one directly.

The CHAIRMAN. The gentleman from Kansas is recognized.

Mr. LITTLE. I would yield any time to the chairman in charge of the bill, but I want to know what I am doing. I do not know why the floor should be taken away from me in that way.

Mr. DYER. Mr. Chairman, a parliamentary inquiry.

Mr. LITTLE. Mr. Chairman, have I the floor?

The CHAIRMAN The gentleman from Missouri can not take the gentleman from Kansas off his feet by a parliamentary inquiry.

Mr. LITTLE. Unless there is somebody else who wants to take the floor away from me, I will proceed, but I want only a few minutes.

Mr. Chairman, the gentleman from Washington [Mr. JOHNSON] has developed the most important feature of this debate, one that is conclusive on the strongest argument that has been adduced. It now develops that this telegram from the President, which has received great consideration and which should, was in response to a suggestion or an invitation from the Secretary of the Navy. In other words, the Secretary needed help, and, as lawyers say, he asked a leading question and he got an answer according to his suggestion. If the President of the United States, surrounded by great responsibilities, should go to the extent of sending a telegram or suggestion to this House, and I had a chance to see it, I should read it very carefully, and I should consider it carefully. I should depend upon my judgment, because the people who send me here expect me to do that, but I should be very careful before acting. Now, there is nothing to it at all. Mr. Daniels wanted a little help, and he worded a telegram in a manner that brought an answer that would help him, and that is all there is to it. It seems to me that all of this hullabaloo has been about a matter of no real bearing on the subject. I think it is very kind of the President to give him a little boost, and it would be a very unkind President who would not back him up a little.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. KNUTSON. Has the gentleman any information as to what has caused the Secretary of the Navy to become so bloodthirsty of late?

Mr. LITTLE. I have not. Perhaps the fact that the Navy got through this war not much hurt encouraged him.

Mr. RAMSEYER. Will the gentleman yield?

Mr. LITTLE. I will.

Mr. RAMSEYER. Do I understand the gentleman has seen this telegram of the Secretary of the Navy to the President?

Mr. LITTLE. No; I have not; but my friend from Washington [Mr. JOHNSON], in whom I have great confidence, has related the facts, I think, sufficiently to make it absolutely certain that we do not have to give so much consideration on that point to that program.

Mr. RAMSEYER. The gentleman does not belong to this clique that is in possession of that secret information?

Mr. LITTLE. No; I only know what the gentleman from Washington said, and I have great confidence in him.

Mr. RAMSEYER. Does the gentleman know how many men are in the confidence of the chairman of the Committee on Naval Affairs and who have gotten to see this cablegram?

Mr. LITTLE. No; I do not.

Mr. PADGETT. Mr. Chairman, I have stated to the House several times the substance of the Secretary's telegram, and also that of the President. I did not give the exact words and shall not, for reasons that any gentleman can recognize are entirely proper. The Secretary submitted to the President a statement of the conditions and the opinion prevailing here; that in regard to the league of nations and disarmament question some were thinking we should postpone, others that on account of the delay of the building program and the war condition we should delay the building of big ships, and asked the President whether anything had happened over there to change his recommendation. That is the substance of it—that there was a division in the House on the matter. Now, the President in substance has stated that he still insists and desires the three-year building program carried out, that he has not changed his mind, and requests the Congress to carry out that program.

Mr. JOHNSON of Washington. Now, quite aside from what was said in Secretary Daniels's cablegram and what the reply of the President was, is it not a fact that the three-year building program is badly delayed, in reference to big ships, owing to the necessity of building smaller vessels?

Mr. PADGETT. Certainly; and that is one thing the Secretary stated to the President in his telegram.

Mr. JOHNSON of Washington. So that in ordering these big appropriations now we are simply crowding the horses to no purpose.

Mr. PADGETT. No; we are not crowding them to no purpose.

Mr. TOWNER. Will the gentleman yield to me?

Mr. PADGETT. I do.

Mr. TOWNER. I want to call attention to what I think perhaps is a misunderstanding. As I understand it, these appropriations on pages 51 and 52 are for the purpose of carrying out the existing three-year program. They have nothing whatever to do with the contemplated new three-year program.

Mr. PADGETT. The gentleman is slightly in error. There are $5,000,000 that were included in this appropriation for the new program suggested herein——

Mr. TOWNER. That is a very small part——

Mr. BUTLER. That was not the understanding; that word "herein" is to be stricken out.

Mr. PADGETT. The department first recommended $137,000,000. Then it was reduced to $105,000,000, and that was for the authorization heretofore made. In the discussion with the committee it was understood and was represented by Admiral Taylor that he might be able to use about $5,000,000 on the new program during this coming fiscal year.

Mr. JOHNSON of Washington. That is the way of getting us committed to a brand-new program.

Mr. PADGETT. No. Now, then, we just left the amount at $105,000,000 that had been estimated for the present program, but it was understood that he might be able to use between February and June 30, if the program continued, not exceeding $5,000,000 out of the odds and ends of the program heretofore authorized; but the sum and substance of it is for the 1916 program.

Mr. TOWNER. Now, that is just exactly what I want the committee to understand and what I wanted to understand myself. I think the committee, if I can understand the sentiment of those who are here and who speak about the matter in private conversation—the sentiment of those with whom I have talked is overwhelmingly in favor of supporting the gentleman's committee with reference to every dollar that might be needed to carry out the 1916 program, but they are equally opposed to any part of the appropriation for carrying out or for the adoption of the three-year program that is proposed in subsequent provisions of the bill.

Mr. PADGETT. They need the $105,000,000; they asked for $137,000,000——

Mr. TOWNER. I understand that.

Mr. PADGETT. For the 1916 program.

Mr. TOWNER. I have understood all the time, I will say to the gentleman, that the appropriations on pages 51 and 52, which I want to support if they are limited to the 1916 program, were in fact limited to that program; and now I understand the gentleman to say that that is true with the exception of $5,000,000.

Mr. PADGETT. I said it is true they might be able to use that much out of it between February and July. Mr. Chairman, I ask for a vote.

The CHAIRMAN. The time of the gentleman has expired. All time has expired.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent to withdraw my amendment, which provides for the reduction of $50,000,000, and I move to make the figures "$100,000,000," striking off the "$5,000,000."

The CHAIRMAN. The gentleman from Washington asks unanimous consent to withdraw the amendment which he pro-

posed and offer another amendment. Is there objection to the withdrawal of the amendment? [After a pause.] The Chair hears none.

Mr. KELLEY of Michigan. Mr. Chairman——

The CHAIRMAN. The gentleman from Washington [Mr. JOHNSON] offers a further amendment. Which one does the gentleman wish read?

Mr. JOHNSON of Washington. The new amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Amendment by Mr. JOHNSON of Washington: Page 51, line 11, strike out "$105,000,000" and insert "$100,000,000."

Mr. KELLEY of Michigan. Mr. Chairman——

Mr. JOHNSON of Washington. I yield the floor to the gentleman.

Mr. KELLEY of Michigan. Mr. Chairman, with reference to this item of $105,000,000 for construction and machinery for the increase of the Navy, I desire to say that it was my understanding that this entire sum was to be used for the construction of ships heretofore authorized; that we consented to leave the words "and herein" in this paragraph in line 10 just for the sake of regularity, because that is the way this item is always drawn. But the $5,000,000 which was originally proposed for new construction was eliminated from the bill. We consented to $105,000,000 for this item, but there is no amount included for new authorizations, and if the chairman of the committee insists that that interpretation be placed upon it I shall move to strike out the words "and herein" in line 10, page 51.

Mr. JOHNSON of Washington. In order to keep the camel from getting his nose under the tent.

Mr. KELLEY of Michigan. I do not think the amount carried under this item should be reduced.

Mr. BUTLER. Let me ask my colleague a question. If for no reason it is to be used in this program, why can not we reduce it $5,000,000? The gentleman is entirely right. Why not be consistent?

This item was once $109,000,000. It was said we could do without $4,000,000. Consequently—and the gentleman from Michigan [Mr. KELLEY] will bear me out—we reduced the item to $105,000,000, some state $104,000,000, the understanding being that no part of it was to be used on what is known as the presidential program.

Mr. KELLEY of Michigan. If there is any question, I will say to my friend from Pennsylvania [Mr. BUTLER], of the construction of this paragraph, it can all be cleared up by striking out the words "and herein"; but I do not think the item of $105,000,000 should be reduced if we intend to go on with one year's construction under the old 1916 program.

Mr. LONGWORTH. Will the gentleman yield there?

Mr. KELLEY of Michigan. I will.

Mr. LONGWORTH. I agree entirely with the gentleman, and I would very much prefer to vote first on his amendment. The trouble with the amendment offered by the gentleman from Washington would be that, even if we reduced this amount to $100,000,000, you would not be sure that this $5,000,000 would not be expended out of that amount unless you struck out the words "and herein." I think that is the essential thing, and I think that amendment ought to be voted on first.

Mr. McCORMICK. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Michigan [Mr. KELLEY] yield to the gentleman from Illinois [Mr. McCORMICK]?

Mr. JOHNSON of Washington. Mr. Chairman, I withdraw that amendment.

Mr. McCORMICK. Is it not the intention of the gentleman from Michigan to give this House an opportunity to vote for a Navy and not for a threat?

Mr. KELLEY of Michigan. I will say that the intention of the committee was that we were willing to authorize this new program recommended by the President, but that all construction be held up, pending such time as might reasonably be required to work out a reduction of armament in conference, and that no expense should be incurred in connection therewith during the time that the President and his commissioners might reasonably require to work out a reduction of armament. I think the policy of the committee was wise. I do not believe the words "and herein" should remain in this paragraph if the chairman insists that any money is provided in this section for the new construction. So I move that these two words be stricken out.

The CHAIRMAN. Did the Chair understand the gentleman from Washington [Mr. JOHNSON] to withdraw the last amendment?

Mr. JOHNSON of Washington. I have not yet withdrawn it, and I should only like to withdraw it temporarily; but I see no reason why we could not have the reduction and then take care of the "and herein."

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. MANN. Mr. Chairman, I do not think it important whether the amendment of the gentleman from Washington be agreed to or not if we leave the amount at $100,000,000 instead of $105,000,000. I had my bill marked to offer an amendment to strike out the words "and herein" when the gentleman from Michigan gave notice that he would offer that amendment. That is the essential feature of the proposition. We might possibly reduce the amount to $100,000,000, but it probably will not make any great difference, because $105,000,000 and more still will have to be appropriated sooner or later for the vessels heretofore authorized, and it is likely that the $105,000,000 will be extended during the next fiscal year and it will be available until expended. But the important thing is that under the language of the bill we allow $105,000,000, or any part of it, within the discretion of the Secretary of the Navy, to be used for the new ships if he did not make a contract for it, because the only limitation in the bill is that he shall not make a contract prior to a certain date. He might go ahead and order these ships made in the navy yards or elsewhere, and the authority in the bill is to spend any portion that he pleases. I have lived long enough to know that these tacit understandings, which even the Committee on Naval Affairs did not know about, do not amount to that much when it comes to spending the money. Let us declare here what we appropriate the money for.

Mr. SMITH of Michigan. Surely.

Mr. MANN. If we are in favor of letting the Secretary of the Navy have this large sum of money to spend on vessels not heretofore authorized, leave in the words "and herein." If we are in favor of making an appropriation here for the purpose of building the vessels already authorized, adopt the motion of the gentleman from Michigan [Mr. KELLEY], to strike out "and herein" and leave that as a matter for future development. [Applause.]

Mr. JOHNSON of Washington. Now, Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to withdraw his amendment. Is there objection?

Mr. PADGETT. Mr. Speaker, to simplify the matter, I suggest that we agree to striking out the words "and herein."

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Michigan [Mr. KELLEY] offers an amendment, which the Clerk will report.

Mr. KELLEY of Michigan. Strike out the words "and herein," on page 51, line 10.

The Clerk read as follows:

Amendment offered by Mr. KELLEY of Michigan: Page 51, line 10, strike out the words "and herein."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Increase of the Navy, torpedo boats: On account of submarine torpedo boats heretofore authorized, to be available until expended, $17,000,000.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order.

Mr. STAFFORD. Mr. Chairman, I wish to inquire of the chairman of the committee as to whether the committee considered the policy of curtailing the building of submarines, in view of the contemplated action by the peace council in making that character of warfare illegal?

Mr. PADGETT. Yes, sir; and under the provision down here we repeal the mandatory provision of the last act, directing the Secretary to commence the construction of all ships heretofore authorized in the 1916 program. That would leave out the construction of 12 destroyers. As I am informed, they do not wish to build those 12 destroyers. A great many of these others, however, are so far completed that they should go ahead and complete them. But there are 12 that have not yet been begun, and they do not wish to construct them.

Mr. STAFFORD. Has substantial construction yet begun on submarines as enumerated in lines 20 to 25, inclusive, on page 52?

Mr. PADGETT. Yes, sir.

Mr. STAFFORD. Has the construction of all of those been begun—substantial construction?

Mr. PADGETT. I do not know the extent of all of them.

Mr. STAFFORD. Then I go back to my original question and inquire whether the committee has considered the abandonment of the policy of construction of submarines, in view of the prospective action of the peace council to make that character of attack unlawful?

Mr. PADGETT. No, sir; because I do not think, and I do not think the committee thinks, so far as I am advised, that any condition is going to develop where the United States will not use submarines on our coast defense, covering thousands of miles.

Mr. OLIVER of Alabama. I would state to the gentleman that one reason for inserting later a provision repealing the law that we passed at the last session, requiring the Secretary to let all of these vessels authorized in the 1916 program before July 1, was this, that Admiral Taylor stated to the committee he desired this done in order that he might not be required to build 12 destroyers and 9 fleet submarines authorized by the August, 1916, bill, and the appropriation here asked includes nothing for 9 submarines and 12 destroyers.

Mr. PADGETT. That is of the fleet submarine type?

Mr. OLIVER of Alabama. Yes; and the same applies to a submarine tender and a torpedo-destroyer tender. It is the purpose of the department not to ask for appropriations for these, but to request repeal of the law requiring the contracts to be let before July 1.

Mr. KELLEY of Michigan. Mr. Chairman, will the gentleman allow me to ask him a question?

Mr. OLIVER of Alabama. Yes.

Mr. KELLEY of Michigan. I want to call the attention of the gentleman from Wisconsin [Mr. STAFFORD] to the hearings, page 875, in which it appears that about 100 submarines are now in process of construction, and range between about 30 per cent completed and 97 per cent completed. It is my understanding that the amount carried in this item is for the completion of those, and not for those that are not yet begun.

Mr. OLIVER of Alabama. That is unquestionably correct.

Mr. STAFFORD. Do we understand that all the submarines designated by number on page 52, on lines 20 to 25, have been undertaken and are in actual construction, and that the construction is substantially advanced?

Mr. BUTLER. If the gentleman will yield, I will say I understood the Secretary of the Navy to say that he did not contemplate the construction of any further submarines at this time. Consequently this appropriation is to be used to finish the many submarines that are now under construction, but the others will not be begun.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield for a question?

Mr. STAFFORD. I yield.

Mr. KNUTSON. The press of yesterday contained the information that the allied Governments are going to enter into an agreement to do away with submarines and prohibit the use of submarines in future wars.

Mr. STAFFORD. We have just received information from the members of the committee that the appropriations carried in this section are not for the purpose of providing for building submarines that have not already been launched, but for completing those that have been undertaken and are about 30 per cent or more completed.

Mr. Chairman, I withdraw the reservation of the point of order.

Mr. OSBORNE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from California moves to strike out the last word.

Mr. OSBORNE. Mr. Chairman, in common with all Members of the House, I have been giving this subject some consideration, and it will take me about 10 or 12 minutes to develop my ideas. I think I can express them in discussing two amendments, and I would ask that when my statements appear in the RECORD they shall be put together without being divided.

The CHAIRMAN. What is the gentleman's request?

Mr. OSBORNE. My request is that when my remarks are finished—I am going to speak again—they can be put together.

The CHAIRMAN. The gentleman can withhold his remarks if he desires.

Mr. OSBORNE. Mr. Chairman, I will ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. OSBORNE. Mr. Chairman, I have long been in favor of a strong Navy for America. I have never seen the time when I felt that our Navy was as powerful as it ought to be. Capt. Mahan's great work on "Sea Power" awakened our people and the world to the importance of naval strength to national security and influence upon world affairs. The lessons taught in that most interesting book have been marvelously emphasized by the present world war.

The United States should always be guarded by a great, powerful, modern Navy. We are not a military people in the sense that we care to maintain a large standing army. We make a very good showing when we are forced into war, but it is not to our liking, and in the protracted periods of peace we are likely in the future, as in the past, to neglect military preparation and training. I hope for some form of universal military traiping for our young men; it will be good for them as citizens physically and morally, but whether we get it remains to be seen.

Whether we have an army or not, and especially if we do not, a powerful navy is our first and strongest line of defense. We are constructing an immense merchant marine, to be taken care of and made safe on the seven seas. I have noticed that those countries that carry the cargoes of the world have strong navies, whose great warships appear periodically in the various ports of the world on friendly visits to foreign nations.

We have a vast coast line to guard in troublous times on the Atlantic, the Gulf of Mexico, and the Pacific Ocean. This is a vast responsibility, and heretofore it has been only partly performed. For many years the people of the Pacific coast of America have earnestly called for some portion of the Navy to be ordered to the Pacific to guard against or forestall possible, though happily not probable, dangers. It is a rule of naval tactics, however, that naval power, and especially if limited, should be concentrated. I presume that is a sound rule. Therefore our fleet is and always has been concentrated in the Atlantic. The entire naval strength of the Pacific Fleet, so called, is not equal in efficiency to a single battleship. This has been the condition for several years—always, in fact. There is absolutely no navy or naval defense worthy the name on the Pacific Ocean. This includes the vast shore line from Bering Sea, omitting the Dominion, to the Mexican border at Tia Juana, the Hawaiian Islands, and the Philippines. There are no sufficient dry docks on the Pacific coast for warships of the first class.

A naval commission appointed by direction of Congress, known as the Helm Commission, has reported to the Secretary of the Navy a well-considered plan for the naval defense of the Pacific coast. This plan contemplates the building of a dry dock of sufficient capacity to accommodate any warship of the United States Navy somewhere near San Francisco. It embraces lighter naval works in Puget Sound, the Columbia River, Los Angeles Harbor, and San Diego. This is the first comprehensive plan of defense that has ever been formulated so far as I have learned, and the present war has made it impossible to proceed further than its submission to the Secretary of the Navy.

It is difficult for some to realize that way out there on the Pacific we have a continental coast line nearly as lengthy as that of the Atlantic, and including Alaska and the islands, many hundred miles longer. But it is there. And that coast is inhabited by people who have no superiors anywhere in intelligence, in refinement, and in loyalty to our country. They are entitled to consideration in the way of naval force on the Pacific.

Mr. LITTLE. Will the gentleman yield for a question?

Mr. OSBORNE. Yes.

Mr. LITTLE. Would not a few mines scattered along the coast in time of war and a few submarines make it quite impossible for any battleship or fleet of battleships to injure any city there?

Mr. OSBORNE. I do not think so.

Mr. STAFFORD. Will the gentleman yield?

Mr. OSBORNE. Yes.

Mr. STAFFORD. I wish to ask the gentleman as to the statement he has made about dry docks on the Pacific coast. Do I understand him to say that there is no dry dock on the Pacific coast that will accommodate our largest battleships?

Mr. OSBORNE. There is not a dry dock on the Pacific coast that will do so.

Mr. STAFFORD. I was given to understand that the enlargement of the dry dock on Puget Sound, at the Bremerton yard, was intended to accommodate our largest battleships.

Mr. PADGETT. If the gentleman will yield a moment, the Navy entered into a contract with the Union Iron Works in San Francisco, and they are building a dock to be 1,100 feet long, I think, with over 40 feet of water on the sills. Then

there is one at Balboa that is to be 1,100 or 1,200 feet long, and then there is one about 700 feet long at Puget Sound.

Mr. LITTLE. Did not mines and submarines protect the coast of Germany during the recent war?

Mr. OSBORNE. I will ask gentlemen to refrain from further questions, and that the time which has been occupied by the questions which have been asked shall not be counted against me.

The CHAIRMAN. Is there objection to extending the gentleman's time as indicated?

There was no objection.

Mr. OSBORNE. I am not anticipating trouble from any particular source. I do not care whether Great Britain has more or less vessels than we have. I am not one of those who fear that we shall ever have war with our neighbor and friend, Japan. That great and progressive country, however, faces our Pacific coast on the opposite side of the Pacific Ocean, with a vastly greater and more powerful fleet than we sustain on the Pacific. I do not believe that it would be thought unfriendly or suspicious that we should maintain a fleet on the Pacific equal to that of our friends the Japanese.

Regarding the organization of a league of nations and an agreement as to disarmament, there will be a league of nations in the sense that the present parties to the peace conference form such a league and prescribe the rules for peace. I hope that it will go far in making future wars as nearly impossible as human foresight may permit. I expressed myself many times during the war before this House to the effect that the war we were waging was "a war against all wars." I believe that if the war had been extended a little longer, until the German armies had been actually surrounded and had surrendered unconditionally, this purpose of preventing future wars would have been better served. However, it may come out all right, and we hope that it will. But I am doubtful as to the nearness of the millennium, and that human nature, greed, and selfishness in nations or in individuals have all been changed by the signing of the armistice. I believe that the path of prudence will be best trod with caution and preparedness, and that the advice of one who has gone, "to speak softly and carry a big stick," is still worthy of following.

As to the manner in which the President has sought to convey his approval of this bill, whatever we may think of its propriety or consistency, it does not seem to me to have much bearing on the merits of the bill itself. I have repeatedly said on this floor that, in my humble judgment, the President made a great mistake when, at the beginning of the war, he failed to constitute a coalition Cabinet, and thus bring the entire country into confidential relations with the Executive. With the same deference, I feel sure the President was in error when he failed to take the coordinate treaty-making power, the Senate, into his confidence as to what he desired to accomplish at the peace conference before he went to Europe and thus assure himself that those objects had their sympathy, as in the end they must have. But whether he has made errors or not, or whether he should have gone to Paris or not, he is there, and, along with the glory, he is having a whole lot of trouble. During the war we in Congress did whatever the President asked of us, always hoping that it was the best that could be done and believing it was our patriotic duty not to quibble about it. I do not feel that the war is altogether over. The peace settlement is fully as important in its results as the fighting. Possibly the President's urgency as to the passage of this bill may have some relation to the peace negotiations which he regards as very important and which might be frustrated by more publicity. If such be the case, it shows that facts and common sense, in the last analysis, have a great advantage over the loftiest and most eloquent abstract declarations, even those which declare for "open covenants, openly arrived at."

In any event, the question under consideration here is not the conduct of the President or the wisdom or unwisdom of his attendance at the peace conference. He is our representative there, and in every way that we conscientiously can we should assist and back him in his extremely difficult work. Every Member must decide for himself, upon his own conscience, what that assistance may require. For myself, I should have supported this bill to sustain and strengthen the American Navy had the President said nothing about it, or given no intimation of his wishes. Now that he has done so, I shall not vote against it for that reason, but, on the contrary, I give it my hearty support and vote, and incidentally hope that it may be of some slight help to him in sustaining American interests in the congress of peace at Paris. [Applause.]

Mr. TOWNER. Mr. Chairman, I rise to oppose the pro forma amendment offered by the gentleman, but I desire to say that I do not oppose in any regard the statements which he has made. I am in entire accordance with them. I want to see the Pacific Fleet and the Pacific coast so strengthened that American security will be adequate and ample. I want to call the attention of the committee, however, very briefly to the situation.

As I understand it, we have now eliminated all of the items on pages 51 and 52 that might by any possibility apply to any new program which is proposed on pages 53 and 54.

I hope that there will be no opposition to the full carrying out of every single item in the program of 1916. I hope that we will put in operation all of the items of that program, and if more money is required for its completion I hope it will be granted. I am in favor of every increase asked on page 52, because after reading the evidence before the committee and talking with the members of the committee I am quite sure that in order to carry out the program of 1916 these increases will be required.

Gentlemen, there is not any question but that we will have our hands full in carrying out this program. It will require all the facilities that we now have and some that we do not now have, but which are preparing, in order to carry out this program of 1916, and according to the testimony before the committee it can not be completed until 1921. It is true that officers of the Navy say, "But we can increase the facilities in order to build additional vessels other than those that are required to carry out the 1916 program." That is very true, but to increase the facilities means the addition of hundreds of millions of dollars to our expenses. When you talk about increasing the facilities, it is not a very slight thing. The evidence before the committee showed that in order to increase the facilities in one navy yard for the purpose of building two battle cruisers it would require $17,000,000 merely to increase the facilities for building those vessels. So, gentlemen, I am not in favor of entering upon any such extension of the program until we know "where we are at," to use the expression of the gentleman from Texas. We on this side stand for a strong Navy and do not want to be placed in any attitude of opposition to it. We are building a strong Navy. The program of 1916, if carried out by 1921, will give this Nation incomparably the strongest Navy in the world—stronger than any three others—except that of Great Britain alone. So we are entirely justified in giving to the committee and in giving to the Secretary of the Navy every one of these items on pages 51 and 52; and then, being ready and able and willing, I hope to see that this additional program, which is nothing but a threat, will not be carried out until we know whether it is better for the country to adopt it or not.

Mr. LONGWORTH. Will the gentleman yield?

Mr. TOWNER. I will.

Mr. LONGWORTH. Even if it should be advisable to make any of the increases provided for in the new program, the gentleman, of course, notes that none of the construction is authorized until February 1, 1920, and there will be plenty of time even if this provision is beaten in this bill.

Mr. TOWNER. Certainly there will; and a motion will be made to strike out this program.

Mr. RAMSEYER. Will the gentleman yield?

Mr. TOWNER. Yes.

Mr. RAMSEYER. The money appropriated in this bill is carried at the bottom of page 52. Pages 53 and 54 do not appropriate any money. In other words, the new program which the gentleman is speaking about and which the President adopts does not cost anything now.

Mr. TOWNER. No; we have all we can do to carry out the program until 1921, I will say to the gentleman.

Mr. MASON. Mr. Chairman, I rise in support of the amendment. I think I can take less than five minutes by asking permission to insert in the RECORD the copy of an order published at headquarters Coast Defense, Potomac, Fort Washington, Md.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD by printing the matter referred to. Is there objection?

Mr. SHOUSE. I object.

The CHAIRMAN. The gentleman from Kansas objects.

Mr. MASON. Mr. Chairman, I stated the other day that I saw a bulletin posted at a camp notifying soldiers that they would be punished by court-martial if they applied to anybody outside of the camp for assistance in matters of discharge. In the time I have I want to call attention to this one which was posted at Fort Washington, within a very few minutes ride of this Capital.

Mr. SHOUSE. Mr. Chairman, I make the point of order that the gentleman is out of order.

The CHAIRMAN. The gentleman from Kansas makes the point of order that the gentleman from Illinois is not addressing himself to the amendment, and the amendment is to strike out the last word. The point of order is well taken.

Mr. MASON. Mr. Chairman, I suggest the lack of a quorum.

The CHAIRMAN. The gentleman from Illinois makes the point of no quorum. The Chair will count. [After counting.] One hundred and five Members present, a quorum, and the gentleman from Illinois will proceed.

Mr. MASON. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Illinois moves that the committee do now rise.

The question was taken; and on a division (demanded by Mr. MASON) there were 3 ayes and 40 noes.

So the motion was lost.

Mr. MASON. Mr. Chairman, I suggest the absence of a quorum.

Mr. FOSTER. Mr. Chairman, I raise the point of order that the Chair has just counted a quorum.

The CHAIRMAN. The gentleman from Illinois makes the point of order that the point of the gentleman from Illinois is dilatory, that the Chair has just counted a quorum. The Chair sustains the point of order and the gentleman from Illinois will proceed in order.

Mr. MASON. Mr. Chairman, I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MASON. Does the RECORD show who it was that objected to my request to print in the RECORD the order of the commanding officer threatening court-martial to all boys who asked for outside assistance?

The CHAIRMAN. That is not a parliamentary inquiry.

Mr. SHOUSE. Mr. Chairman, I want to say that I objected, and I want the RECORD to show it.

Mr. MASON. Does the record show the gentleman's name?

The CHAIRMAN. That is not a parliamentary inquiry. The gentleman will proceed.

Mr. MASON. I have nothing further to offer, Mr. Chairman.

The Clerk read as follows:

Increase of the Navy, armor and armament: Toward the armor and armament for vessels heretofore and herein authorized, to be available until expended, $32,000,000.

Mr. PADGETT. Mr. Chairman, the committee having stricken out the words in line 10, the words "and herein" should be stricken out of this paragraph.

The Clerk read as follows:

Amendment offered by Mr. PADGETT: Page 51, line 17, strike out the words "and herein."

Mr. STAFFORD. I wish to inquire of the chairman of the committee for what purpose the $32,000,000 is to be used, whether any is to be used in the construction of an armor-plate plant that we authorized several years ago?

Mr. PADGETT. No; it is for armament to go on the big ships and destroyers. No armor plate goes on the destroyers, but armament does.

Mr. STAFFORD. Where is this armor plate to be manufactured, in private establishments or Government plants?

Mr. PADGETT. The Government plant is not yet prepared to manufacture armor plate. This will be done by contract. The armament is manufactured, some of it, in Government navy yards.

Mr. STAFFORD. Do the hearings disclose the price that the Government is paying private establishments for armor plate for battleships and large cruisers?

Mr. PADGETT. I do not think we went into that.

Mr. STAFFORD. Are the private manufacturers increasing the price for armor plate over what they charged before the Government authorized the establishment of an armor-plate factory?

Mr. KELLEY of Michigan. We have not bought any armor plate lately, because we have not been constructing battleships. The ships we have been constructing during the last year have been destroyers and small craft.

Mr. STAFFORD. Before we got into the war there were battleships that had to be completed and for which armor plate was necessary, and we had to purchase it by contract.

Mr. PADGETT. There was a big increase just prior to the war in the price of armor. It went up very substantially, and for that reason the Government authorized the construction of an armor-plate plant.

Mr. STAFFORD. Oh, Mr. Chairman, it was not for that reason. The price had not gone up at the time the Government authorized the establishment of a Government-owned armor-plate plant. The gentleman from Michigan [Mr. KELLEY] well knows that he led the fight against the demand of the Secretary of the Navy for the establishment of an armor-plate plant, and that the price had not then gone up. That was not the reason for the Government going into the manufacture of armor plate.

Mr. BROWNING. Mr. Chairman, as far as I know I can say to the gentleman that there has been no increase in the price of armor plate on the battleships that are now being completed. If there is I never heard of it.

Mr. BUTLER. Neither did I.

Mr. CURRIE of Michigan. Mr. Chairman, I not only favor the pending amendment, but I favor striking from this bill every other reference to the so-called additional naval construction program. In discussing that proposition I do not think it is necessary to go into the question of the adequacy of the Navy in any manner whatsoever. This proposition goes solely to the question of the propriety now of authorizing an extravagant additional program under which no battleships can be contracted for prior to 1920, a program which can not be completed short of seven years.

The great nations of the world are staggering under a debt that will take a century of peace and prosperity to remove. Our own Nation is bonded to an extent which will require $1,000,000,000 annually for interest alone. Soldiers' insurance and other war liabilities are accumulating daily. At a time like this Congress should at least insist upon good and sufficient reason being shown before authorizing additional fighting ships costing approximately half a billion dollars.

Has anyone advanced a good reason for this additional authorization now? I have listened in vain to hear a single word that would warrant this action. You propose to authorize the President of the United States to undertake, prior to July 1, 1922, the construction of the greatest naval program ever suggested in the history of the world. You propose such a scheme when your docks and yards are overcrowded with construction work on battleships ordered by the last Congress. Some of those ships already authorized have not been contracted for, and can not be completed in less than three years.

When half the world was on fire and our own security threatened, the Secretary of the Navy could not then see reason for preparation upon a scale like this. Now, when Germany has been humbled in defeat, crushed, and her navy surrendered to us and our allies, and the peace conference in session, we have the spectacle of our President preaching disarmament to the world and sending a mysterious message back to his own country asking us to authorize him to launch the greatest naval program in the world's history.

No wonder we are beginning to hear that British statesmen doubt his sincerity and ours as well. Is it any wonder that George Bernhard, in the Vossische Zeitung, quotes Secretary Daniels on his naval plan as indicating hostility between England and America? Whom are we getting ready to fight? When Germany had its great navy which threatened the peace of the world the most enthusiastic Navy advocates in this country never asked more than that the United States should have a Navy second only to that of Great Britain. Now it would seem that our President and our Secretary of the Navy are not content unless we have a Navy greater than the English Navy.

Let us apply good "horse sense" to this situation. Why do we need to place such a burden upon the people of this country and provide now for such a navy? Is there some likelihood of our engaging in war with England? I, for one, am absolutely unwilling to believe that such a situation is within the realm of possibility. If conditions have come to pass where such a thing is possible, God pity us and the future. If these English-speaking nations were obliged to engage in such a struggle, testing supremacy, both night fall the victims of anarchistic forces now busy throughout the world.

Why do I speak of England? Because we now have a Navy second only to that of Great Britain, and equal in strength to the combined navies of Japan, France, and Italy. Common sense tells me that there can be no reason for this extravagant program, unless those in authority would prepare us to possibly test strength with the British Navy. If this is not the purpose, then the proposal will go down in the annals of diplomatic history as one of the meanest, crudest bluffs ever recorded. [Applause.] I am satisfied that that is just what it is.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CURRIE of Michigan. I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CURRIE of Michigan. In the same manner that the contents of the President's mysterious cablegram has leaked out over the world, so the information of where this bluff originated at a Cabinet meeting has leaked out. I have heard upon suffi-

cient authority to satisfy my mind that this idea did not originate with the President, nor with his Secretary of the Navy. It came from the fertile brain of another member of the Cabinet who is accredited with having suggested to the President of the United States the famous appeal to his "fellow countrymen" that the President issued just preceding the November election. Was the President sincere then? Is he sincere now?

I recall, during the debate on this bill, while the gentleman from Virginia [Mr. SAUNDERS] was speaking, that he was interrogated by the gentleman from Illinois [Mr. BRITTEN], a member of the Committee on Naval Affairs, who propounded this question:

Does the gentleman recall the secret treaty entered into between Great Britain and Japan, that gave to Japan the islands in the Pacific, some of them surrounding our great naval base, in the last three years?

Can any other inference be drawn from the query than that England might be more friendly to Japan than to the United States? If that were true—but it is not—then it is not only England's Navy that we should prepare to engage but we must have a Navy greater than the combined navies of England and Japan.

My friends, if this is not a bluff, is it not possible then that those who advise this extravagant program at such an inopportune time are the unconscious victims of German propaganda? So subtle is the German influence that during the early years of the war neither the President of the United States nor the Secretary of the Navy was able to distinguish between the wrong of Germany and the right of the allies. To-day Germany's master stroke would be to divide the allies at the peace table. She could accomplish nothing greater than to stir enmity between England and America. If we are to take such a course as is proposed here, we follow in the footsteps of Germany and proclaim our belief that "might makes right," and that brutal force is yet destined to rule the world.

If I remember history correctly, about 12 years ago Germany, all ready with its powerful army, launched forth a great naval program which threatened in time even the supremacy of the British Navy. France and England recognized this menace to their future peace. France requested Germany to agree upon a limitation as to military forces. Germany spurned the suggestion. England appealed for a limitation in naval armament by proclaiming to the world that she proposed that year to diminish by half her naval construction program. Germany's answer was to increase threefold her program for construction of battleships. England again to-day makes this suggestion for limitation in naval armament, and will the United States at a time like this, with the peace conference in session, answer by doubling her naval program?

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CURRIE of Michigan. I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CURRIE of Michigan. We have acquired the habit during the war to make every appropriation that those in executive authority demanded or requested. Now we are beginning to learn of waste, extravagance, and incompetency on every hand; but in spite of it all, while the war was on, handicapped because information was denied us, it was impossible for us to have done differently.

When those in authority asked for six hundred and forty millions for aviation purposes we were admonished in a mysterious manner not to ask questions, but to blindly vote the money, and we did it, and we added millions more for this purpose. We did it with a patriotic spirit, believing that American dollars should be spent lavishly if they would save American lives.

Now we learn that, with a billion dollars spent, not one combat plane from this country reached the front, at least before the very closing days of the war. The time has come when we should ask questions and insist upon information.

When the President appeared before us early in December bidding us farewell, among other things he told us that he had taken over the cables, so that we would be in close communication with abroad.

A few days ago we received a brief cablegram from the President, which we were all proud to have the permission to read, but, of course, giving no information, requesting Congress to vote $100,000,000. We sought information in vain, but at last concluded that, even without information, as the closing act of the great war we should resolve all doubts in favor of the request, and we added another burden of one hundred millions upon the people of this country.

When the President learned that Congress did not yet appreciate the transition from war to peace conditions, and that he could get us to appropriate one hundred millions without his giving any detailed information, he seems to have concluded that he can send another cablegram, which the ordinary Member of Congress is not even permitted to see or read, and get us to authorize him to enter upon a naval-construction program which would cost the people a billion dollars before it could be completed.

Now, to summarize briefly, it is proposed, in addition to the program already authorized, and which can not possibly be completed within three years, to authorize the President of the United States, prior to July 1, 1922, to burden the people of this Nation with a further program, 10 first-class battleships, 10 cruisers, and in addition to ask the Secretary of the Navy to tell Congress next December what additional ships he needs to "complete and round out the Navy of the United States."

None of these additional ships can be contracted for prior to February 1, 1920, so even if developments at the peace conference should indicate the desirability of our preparing to defeat the British Navy or the combined navies of the world, the naval-construction program of the United States will not be expedited one single moment by any action which the present Congress may take.

There is not a Member on the floors of Congress who does not realize that the outcome and decision of the peace conference now in session will be by far the greatest single factor in determining what our future naval program should be. In fact, the Committee on Naval Affairs expressly admits this by the provision at page 54 of this bill. I quote as follows:

If at any time before the construction authorized by this act shall have been contracted for there shall have been established with the cooperation of the United States of America any tribunal or tribunals competent to secure peaceful determination of international disputes, and which shall render unnecessary the maintenance of competitive armaments, then and in that case such naval expenditure as may be inconsistent with the engagements made by the establishments of said tribunal or tribunals, may be suspended when so ordered by the President of the United States, and no contracts for the construction of vessels herein authorized shall be entered into prior to February 1, 1920.

The peace conference may fail to provide a tribunal making possible the disarmament of nations, and we may disagree as to the application of the conclusions reached by that conference, but there is not a man in Congress who does not realize, and know, that the conclusions reached by the peace conference will at least afford us the best possible information upon which to base our future naval policy.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. CURRIE of Michigan. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection?

Mr. PADGETT. Mr. Chairman, I ask unanimous consent that debate upon this paragraph and all amendments thereto close at the end of three minutes, the gentleman to have those three minutes.

The CHAIRMAN. Is there objection?

Mr. LANGLEY. Mr. Chairman, reserving the right to object, I desire to have some time.

Mr. PADGETT. Oh, there are lots of other paragraphs.

Mr. LANGLEY. Very well.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that all debate upon this paragraph and all amendments thereto shall close in three minutes. Is there objection?

There was no objection.

Mr. CURRIE of Michigan. Our Constitution charges Congress with the responsibility of providing for the Navy, and at a time like this, when there is no emergency, I, for one, shall refuse to sublet that authority to anyone, not even to the President of the United States.

When I realize that not one day's time can be gained by action now, I will refuse by my vote in this Congress to sanction the policy that may unnecessarily burden the people of this country with obligations running into countless millions. Nothing, in my judgment, would be so conducive in assuring the English and our other allies of our sincerity and our good faith as to have the American Congress refuse to put itself in a position of offering what might be construed as a hostile challenge to a friendly ally.

The American people do not expect the present Congress, in advance of decision by the peace conference now sitting, to decide our future naval policy. If we act now, we do so without any information. If we wait until the next session of Congress, our Navy will not have been handicapped in the least, not one single day will have been lost; but we will then be able

to act intelligently in the light of developments and the result of the peace conference. The sponsors of this program ask us to act now in the darkness preceding the dawn. For one, I shall not do so. I hope this provision will be stricken from the bill. [Applause.]

By unanimous consent, Mr. CURRIE of Michigan was given leave to revise and extend his remarks in the RECORD.

The Clerk read as follows:

Total increase of the Navy heretofore and herein authorized, $170,000,000.

Mr. BUTLER. Mr. Chairman, will the gentleman not offer to strike out those words "and herein"?

Mr. PADGETT. Mr. Chairman, I make the same amendment in reference to that, to strike out the words "and herein" in line 22.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. Padgett: Page 51, line 22, after the word "heretofore," strike out the words "and herein."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Tennessee.

Mr. DOWELL. Mr. Chairman, I rise to inquire of the Committee on Naval Affairs just what portion of the 1916 three-year naval program has been carried out. And also would like to know how long it will take for the department to complete the 1916 program.

The gentleman from New York [Mr. HICKS], I believe, has the statistics with reference to exactly what portion of this program has been completed and how far the department has gone in carrying this out, and I ask if he will be kind enough to state to the committee the exact condition with reference to this program.

Mr. HICKS. Mr. Chairman, in reply to the inquiry made by the gentleman from Iowa, if he will yield, let me say that, according to the report of Admiral Taylor, the 1916 three-year program, calling for 10 battleships, 6 battle cruisers, and 10 scout cruisers, was, on the 1st day of February, and there has been very little change since then, as follows: None of those 10 battleships have been completed; 6 are zero done. They are being designed, and, while contracts have been let, no construction has been undertaken; four are from 5 to 40 per cent completed on the ways. The six cruisers are not being built. They are being designed, and some contracts for material have been let, but no keel has been laid. The 10 scout cruisers are from zero to 25 per cent finished. According to Admiral Taylor, of the 1916 program the first battleship could be completed in 18 months, and the last of that program, which would be the battle cruiser, the most complicated in design and the most difficult to build, would not be finished until five years from date. The total amount expended on the 1916 three-year program on December 1 was, roughly, $113,000,000. The amount necessary to complete the program from beginning to end is, roughly, estimated at $815,000,000. We have appropriated, including the amount expended of $113,000,000, about $240,000,000, leaving appropriations necessary to carry the program to completion $575,000,000, roughly. On February 1 we had 85 submarines in service, 73 building, and 9 authorized. On that same date we had 112 destroyers in service, 212 building, and 12 authorized. Does that answer the gentleman's inquiry?

Mr. DOWELL. I believe it is the judgment of the Members present that we should at present continue to carry out the 1916 program and vote whatever appropriations are necessary to carry it out. The treaty of peace, however, is just now being formulated, and after the treaty of peace has been completed and signed, it would seem to me, we should then proceed to formulate and present a naval program dependent upon the conditions of the treaty of peace. The people of the country will then be able to know exactly the character of navy they want and need and will be able to correctly formulate a future policy.

Mr. Chairman, I ask leave to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa? [After a pause.] The Chair hears none.

Mr. DEMPSEY rose.

Mr. BUTLER. Mr. Chairman, inasmuch as the gentleman from New York has made the request that he may hereafter have some time to discuss the program and announced that he would like to have 10 minutes, may I ask him whether it would be satisfactory to him if I can take his name from the list?

Mr. DEMPSEY. Yes.

Mr. BUTLER. I ask unanimous consent that the gentleman may proceed for 10 minutes at this time.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that the gentleman from New York may proceed for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. DEMPSEY. Mr. Chairman and gentlemen, this bill, whether we wish it or not, has a significance much broader than its title indicates. It is not simply a bill to provide for increases in the Navy, but it has become an international bill by reason of the use of the cables. Now, to see whether or not it is wise that we should respond to and obey this cable message, let us look at the situation. We find first that it is totally unnecessary for us to prepare against Germany, because the German Navy is extinct. So the preparation must be as against our own allies, and as to the question of preparation against our allies let us see the state of feeling which existed at the close of the war and the change of feeling to which we are tending in the last few days. Starting with the feeling at the end of the war, the whole allied world gazed to the United States as coming to its rescue at a time when they were in dire extremity, and they were prepared to look upon us with feelings of the utmost friendship. We had millions of boys about to return to the pursuits of peace. We were building ships. We had to the south of us the great South American trade and territory. Looking back to 50 years ago we all believed that those boys, with the great experience of this war, with broadened vision, increased and ripened experience, would come back and man those ships and go to South America and conquer that trade. We believed we would have our vessels floating upon every sea and under every breeze, and we believed, go where they would, they would go to a welcoming people, who would say that the Nation from which these vessels come are the people who came to us when we were in straits, who loaned us money when we could not have borrowed it in the ordinary way and upon credit, they were the people who lined the battle line when it was thin and trembling and in distress, and so we were ready to conquer the commercial world and trade supremacy through the good will of the world that we had helped win the allied victory. What do we find now? We find that we announced at the end of the war that we had nothing to ask, that we asked no indemnities, we wanted no aggrandizement of territory, and yet we find that we have gone abroad and we have alienated those who up to this time were our allies. We find that from distant Australia there comes a cry that we should not interfere with their security by opposing their acquisition of the islands nearest to them.

We find we are in conflict with England to the extent that we want to issue this threat. We find that France is doubtful whether it is going to be isolated and made to stand alone in the future against the German threat. We find in the press of France and of England, instead of there being the acclaim for America which has prevailed to the present time, there is doubt and question; there is unfriendliness; there is something in the future that looms up like a cloud on the horizon. And we are asked now to authorize this increased naval program to carry out such a line of policy as has already alienated the feelings and affection and the attitude of those who up to this moment have been our allies.

Now, let us take the league of nations for a moment; let us take those who favor it and those who oppose it. Can you have any greater indictment of the feasibility and practicability of the league of nations than to say that you shall start it with a threat and accompany that threat by an appropriation of vast amounts to build up a great navy? Why, this league is one to enforce peace. This league is one to make wars impossible. Yet we are to make the basis, we are to make the foundation upon which we are to build this beatific, this peaceful league, armament and naval supremacy and preparation for instant war, and, above all that, the threat of war, the threat of war against those who to-day and through the weary days of the war have been our friends and our allies.

So, speaking entirely aside from the title of the bill, taking the broader purpose which this bill has assumed and in which it stands not alone before this Nation, but before the world, can we afford to begin an era of peace, can we afford to begin the millenium, so far as we are concerned, first, by a threat and, second, by an appropriation intended to enforce that threat? I say not. And then I say, so far as this program is concerned, we can well afford to leave to those who come after us what shall be done after February 1, 1920, because no contract is to be let until February 1, 1920. Are not our successors to be men of as great vision as we are, as patriotic and devoted to the public interest as we, and will not they have the advantage of seeing the situation as it then exists and provide, in the light of what has developed to that time, for the needs of that day? So, both from the standpoint of keeping the good wishes and the kindly thought of the world, keeping the world in harmony and unison with us, keeping the trade of the world,

in order to conquer the trade of the world, as we can conquer it—from that standpoint and from the standpoint of waiting to be in possession of all the facts, as we will be when the time comes, I am against this future authorization at this time. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

The provision in the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1919, and for other purposes," approved July 1, 1918, under the increase of the Navy, which reads as follows: "but not later than June 30, 1919," is hereby repealed.

Mr. MANN. Mr. Chairman, I make a point of order against the paragraph.

The CHAIRMAN. What is the point of order?

Mr. MANN. That it is a repeal of law; that it changes existing law.

Mr. PADGETT. May I ask the gentleman to reserve that a moment?

Mr. MANN. I think we ought to get along with this bill. It is late in the day.

The CHAIRMAN. What does the gentleman from Tennessee [Mr. PADGETT] say to the point of order?

Mr. PADGETT. It is subject to a point of order. But it is very necessary to have that, in order to go ahead and facilitate the preparation.

Mr. MANN. I think there will be time enough after this Congress.

The CHAIRMAN. The gentleman from Illinois makes the point of order, the gentleman from Tennessee admits the point of order, and the Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

Battle cruisers numbered 1, 2, 3, 4, and 5 from $19,800,000 to $23,000,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. As I understand it, all the vessels for which appropriation is made in these paragraphs have been authorized by preceding law.

Mr. PADGETT. This does not make appropriation. This simply authorizes the increase of the limitation of cost. All were authorized heretofore in the 1916 program.

Mr. MOORE of Pennsylvania. Can the gentleman tell offhand how much is to be appropriated, the sum total for all these vessels provided for on page 32?

Mr. PADGETT. I can not separate those. These are only a part of the 1916 program. It has been estimated and has been stated a number of times here that we have appropriated, I think, about $240,000,000 all told, and there is something like $400,000,000 yet to be appropriated to complete the 1916 program.

Mr. MOORE of Pennsylvania. Upward of 30 vessels are appropriated for on this page?

Mr. PADGETT. Yes. There were 56 vessels——

Mr. MOORE of Pennsylvania. Fifty-six altogether?

Mr. PADGETT (continuing). In the 1916 program.

Mr. MOORE of Pennsylvania. That includes battleships, battle cruisers, scout cruisers, gunboats, ammunition ships, submarines, and so forth. May I ask the gentleman if he has information as to the capacity of the shipyards of the United States to go on with this program now?

Mr. PADGETT. I understand that for all of this that is mentioned here they have capacity and they are expecting to proceed with it.

Mr. MOORE of Pennsylvania. In the navy yards as well as in private shipyards?

Mr. PADGETT. Yes, sir; both.

Mr. MOORE of Pennsylvania. Have contracts been prepared for this work?

Mr. PADGETT. Contracts have been prepared for all of it, I believe, except two of the battleships, and those are under negotiation.

Mr. MOORE of Pennsylvania. How about the shipyards and navy yards with respect to future work over and above that provided for here?

Mr. PADGETT. It was stated by Admiral Taylor they would be able to take care of the laying down or beginning the construction of two battleships and two of the scout cruisers in the new program during the latter part of the fiscal year 1920. That is, in about April or May they can begin the construction of the two battleships.

Mr. BROWNING. They said that they could lay down the battleships, but the United States would have to pay for the ways.

Mr. PADGETT. I did not so understand.

Mr. BROWNING. Oh, yes.

Mr. MOORE of Pennsylvania. The point I am trying to get at is are we prepared for the construction of so many ships of one kind and another in the shipyards and navy yards of the United States?

Mr. PADGETT. At this time; yes. They said they would have opportunity to take on these dimensions in April or May of 1920.

Mr. MOORE of Pennsylvania. That is very important in connection with the discussion that will probably ensue after these paragraphs are passed?

Mr. PADGETT. Yes.

Mr. MOORE of Pennsylvania. That any additional ships that we may be called upon to construct for defense or for the purposes of the Navy generally could not be commenced, considering the capacity of the shipyards of the United States and of the navy yards, until April or May, 1920?

Mr. PADGETT. That is about the time.

Mr. KELLEY of Michigan. My recollection of what he said is that there would be a capacity for two battleships over and above what has been authorized.

Mr. MOORE of Pennsylvania. Can the gentleman tell how extensive is the program following that which we are just reading—the program that is proposed to run along until 1920?

Mr. KELLEY of Michigan. I do not quite get what the gentleman means.

Mr. MOORE of Pennsylvania. The shipyards, according to the statement of the gentleman, and the navy yards, if they are all brought into service, will have all the work they can possibly do to complete the 1916 program.

Mr. PADGETT. Here is the language that Admiral Taylor used in an unpublished hearing. We had an informal hearing before the committee:

If necessary, could lay down this battleship of new program in a few months.

One thousand-foot ways now available at Puget Sound.

Could extend the ways at New York ship for battleship.

Could provide additional ships in private yards if necessary. Also one in Norfolk yard.

"New York ship" refers to the yard at Camden.

He stated that he could provide additional ships in the Norfolk yard, but to provide those additional ones referred to here would require additional ways.

Mr. BUTLER. And the expenditure of a lot of money.

Mr. PADGETT. He said he could lay down two of them in the early part of next year.

Mr. BUTLER. After they finished this next battleship they could begin.

Mr. PADGETT. When it goes off the ways it goes into the water.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. MOORE of Pennsylvania. On page 54, lines 13, 14, and 15, there is this provision:

And no contracts for the construction of vessels herein authorized shall be entered into prior to February 1, 1920.

Now, the question arises with some of us—it has arisen with me: Why, if we are building to capacity now; why, if we provide for all the ships which our workmen and our shipyards are capable of producing, should we make provision in this bill for other vessels or for vessels already authorized and say that "No contracts for the construction of vessels herein authorized shall be entered into prior to February 1, 1920"?

I ask that question because this seems to involve the President's message to the committee, that something should be done covering the period between now and 1920. If we have provided for all the vessels that can be constructed, taking into account the capacity of all the yards we have in the United States and all the labor we can employ, why should we now, in 1919, say that we will provide for something or other but shall not make any contract for it until February 1, 1920?

Mr. PADGETT. The three-year program is the carrying out of a policy which Congress established in 1916. The provision was for the laying down during the first year of two battleships and two of the scout cruisers, and they were prepared to do that during the fiscal year. They can begin the construction and lay down those during the fiscal year.

The time—February 1, 1920—was fixed by the committee as a reasonable time in which to await the development of the establishment of a league of nations, or a society of nations,

or a program for disarmament, coupled with the power that the President could suspend this construction if such an arrangement was made.

Mr. MOORE of Pennsylvania. May I ask how the date February 1, 1920, happened to have been hit upon by the committee? Why not December 1, 1920, following November, 1920?

Mr. PADGETT. There were times mentioned, January 1 and February 1, and it was agreed in the committee as February 1, because it will allow from now until then and allow two months after the assembling of the next Congress.

Mr. MOORE of Pennsylvania. Would it be embarrassing to the committee if December 1, 1920, had been fixed?

Mr. PADGETT. It would allow additional time.

Mr. MOORE of Pennsylvania. February 1 might be at the very inception of a campaign.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

Gunboat *No. 21*, from $1,032,000 to $1,100,000.

Mr. HOWARD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Georgia moves to strike out the last word.

Mr. HOWARD. I do so just to ask the gentleman from Tennessee a question. The gentleman may have given to the House the information desired prior to this, and if he has done so I will not trouble him to answer it. But I want to find out, if I can, why this increase in the contract price of these vessels, ranging between two and three million dollars each. What is the reason for that?

Mr. PADGETT. It is on account of the increased cost of labor and material. We have gone into it very fully.

Mr. HOWARD. As I understood the gentleman from New York [Mr. HICKS] awhile ago, in response to some question asked by the gentleman from Wisconsin [Mr. STAFFORD], he stated the percentages of completion at which many of these vessels had arrived.

Mr. PADGETT. Yes.

Mr. HOWARD. Also there is another complication involved in it. It is the complication of lack of ways on the Pacific coast and in New York.

Mr. PADGETT. This is for the vessels themselves.

Mr. HOWARD. I understand. Do you attribute it to the cost of materials or the increased cost of labor?

Mr. PADGETT. Both.

Mr. HOWARD. And have you made any allowance for a normal condition in this country that will be bound to follow this declaration of peace?

Mr. PADGETT. When war was declared it was impossible in the disturbed conditions then existing to secure any lump-sum contracts. All of them were upon the cost-plus-a-profit basis, and the cost of labor has gone up about 100 per cent. The cost of material has gone up from 100 to 150 per cent, and the Government under these contracts pays the cost of labor and the cost of material. If it goes down in the future, the Government would get the benefit of whatever reduction there was. But this is estimated upon the present basis of the cost of labor and material.

Mr. HOWARD. The question I intended to impress upon the gentleman is this: Will the Government of the United States get any advantage of any decrease in any cost of material, or even any decrease in the cost of labor, if we authorize you now to increase the cost of these superdreadnaughts $3,000,000 if labor or materials should decrease in value?

Mr. PADGETT. The Government would get the benefit of it.

Mr. HOWARD. To what extent—the extent of the decrease?

Mr. PADGETT. Yes.

Mr. HOWARD. Is that in the contract?

Mr. PADGETT. Yes. The Government has a contract providing that it pays the cost of the labor and the cost of material. If the price of material goes down, the Navy pays only its cost; if the labor goes down, the Government pays only the cost of the labor.

Mr. HOWARD. Is it one of the cost-plus contracts?

Mr. PADGETT. Yes; all of them are.

Mr. HOWARD. What percentage on the gross cost of it?

Mr. PADGETT. I could not tell you as to each one, but the Navy Department made a contract providing that the profit was not to exceed a certain total amount. They did not have just an unlimited cost plus. The profit was a certain per cent, but not to exceed so much in the aggregate.

Mr. HOWARD. Was it graduated along the same line as the now famous Council of National Defense contracts, the war contracts, providing that they should get so much percentage on the first $1,000,000 and decreasing as it went up?

Mr. PADGETT. Yes; and with a limit on the total. When the profit reached, say, $200,000 or $250,000, then there was no further profit.

Mr. HOWARD. Will the gentleman be generous enough to answer just one more question?

Mr. PADGETT. Yes.

Mr. HOWARD. As chairman of the committee, has the gentleman any objection to extending the limitation of time within which these contracts must be let from February 1, 1920, to June 30, 1920, which is the end of that fiscal year?

Mr. PADGETT. We can discuss that when we come to it, but I think that would be ill-advised.

The CHAIRMAN. Without objection, the pro forma amendment will be withdraw and the Clerk will read.

The Clerk read as follows:

Gunboat *No. 21* from $1,032,000 to $1,100,000.

Mr. WALSH. Mr. Chairman, I move to strike out the last word, simply to ask the chairman of the committee if it is the policy of the department to include what is known as the gunboats in our naval fleet at this time?

Mr. PADGETT. This is a gunboat that is almost completed. It is not intended to begin the construction of the second one, *No. 22*, and it was for that purpose as to one of the ships that we inserted the provision that went out awhile ago upon a point of order. This gunboat is very largely completed.

Mr. WALSH. I thought it was agreed among naval experts that this type of craft had become obsolete.

Mr. PADGETT. No. This type of gunboat is a valuable ship, and *No. 21* is 90 per cent completed.

Mr. WALSH. What is it valuable for?

Mr. PADGETT. It is very valuable. It is used in all shallow waters. It is used on the Asiatic coast, up the rivers, and in South America, and in the West Indies.

Mr. WALSH. Have we 20 other gunboats?

Mr. PADGETT. There have been 20 others that up to that time had been built or authorized. Whether they are all in commission or not I do not know.

Mr. WALSH. Does the gentleman know how many others there are in the fleet?

Mr. PADGETT. I have not the list here with me. The Navy list would show that. Heretofore we have been very short on gunboats, and the department has been recommending them year after year since I have been on the committee, but the committee heretofore have been emphasizing the large ship construction, depending upon securing the smaller vessels when they should be actually needed.

Mr. BUTLER. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. BUTLER. How many gunboats will we have in the service when we complete the 60 Eagle boats, known as the Ford boats? They are rated as gunboats. How many will we have in all?

Mr. WALSH. The Eagle boat is not a gunboat.

Mr. BUTLER. We will use them for harbor work and river work.

Mr. WALSH. Where the water is thick enough so that it will not permeate the apertures in the hulls of the Eagle boats, probably they will float, but as I understand it they are not called gunboats, and are not even feeble imitations of gunboats. I was asking how many gunboats we would have in our naval fleet.

Mr. PADGETT. There are 30 gunboats that have been authorized up to the present time, as I understand it. Number 30 is the one numbered 22 that I mentioned awhile ago that has not been begun, and we do not contemplate beginning it.

Mr. WALSH. Can the gentleman state why that is?

Mr. PADGETT. Because they thought that in view of the addition of small craft during the war they did not need it. The other one, *No. 21*, is 90 per cent completed.

Mr. WALSH. If they do not need it, why should we spend $68,000 additional to complete *No. 21*?

Mr. PADGETT. Because we have already spent over $1,000,000 on it in getting it 90 per cent completed.

Mr. WALSH. Then they are going to need this *No. 21*?

Mr. PADGETT. If it was an original proposition I do not think they would build it; but having spent over $1,000,000 on it and having it 90 per cent completed there is nothing to do except to go ahead and complete it.

Mr. WALSH. May I ask the gentleman, further, if that is the theory upon which these increases are asked in these various other items—that we have got them 90 per cent completed?

Mr. PADGETT. Some of them are not as much as 90 per cent completed, but where we have spent a million or two upon

a boat we can not scrap it. We have got to complete it and use it.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. DENISON. Mr. Chairman, I rise to oppose the pro forma amendment. I want to ask the gentleman from Tennessee how these Ford boats are classified and what they call them.

Mr. PADGETT. They named them "Eagle boats." They were built for war purposes. They were intended to be used as submarine chasers. There were 112 contracted for altogether, but when the hostilities ceased they canceled the order for 52. Sixty of them had progressed so far that it was stated to the committee that it was economy and good business for the Government to complete them rather than attempt to scrap them. When completed they can use them for such purposes as may be available, or Congress can order them sold. They had reached such a stage that it was good business judgment and economy to complete them.

Mr. DENISON. How long are they and what do they cost?

Mr. PADGETT. I can not tell the cost. The contract was made—one of those cost-plus contracts. It was estimated by the Ford Co. that they could be constructed for $275,000 each, but Admiral Taylor stated that he thought that was an underestimate, and if they could be completed around $400,000 each, that would not be an unreasonable cost for a boat of that character.

Mr. BUTLER. It will take $24,000,000 to complete them and cost $100,000 each year to keep them up—man them with 80 men.

Mr. DENISON. Can the gentleman inform us where they could be disposed of?

Mr. PADGETT. I think they could be disposed of to some of these countries, but we are not ready to dispose of them yet.

Mr. HAMILTON of Michigan. Mr. Chairman, I rise for information. I would like to ask the gentleman who on earth, or on the waters of the earth, would want one of these boats?

Mr. PADGETT. I am told that they are a very good boat. Admiral Taylor has gone into it, and he says that it is a good boat.

Mr. HAMILTON of Michigan. For what purpose?

Mr. PADGETT. For war purposes; they were calling for them and demanding them.

Mr. HAMILTON of Michigan. But the war is over.

Mr. PADGETT. I know it; but before the war was over they had begun the construction of 60, and so far completed them that it was thought economy to finish them up.

Mr. HAMILTON of Michigan. What can they do with them now the war is over?

Mr. PADGETT. They will be used in harbor work to supplant gunboats as far as they can in the shoal waters and in river service, in the Asiatic service, South America, and the West Indies.

Mr. HAMILTON of Michigan. What will they do with them?

Mr. PADGETT. Do the work where you would not want to send a big cruiser or a battleship.

Mr. STAFFORD. They can be used as pleasure yachts; they are suitable for that purpose.

Mr. PADGETT. I do not think so.

Mr. HAMILTON of Michigan. Well, Mr. Chairman, I am afraid I do not know any more about it than I did before, but I concede that the gentleman from Tennessee has done his best. [Laughter.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

Ammunition ship No. 1 from $2,820,000 to $3,250,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I wish to inquire of the gentleman from Tennessee in this connection why the Government increased to such an inordinate extent the appropriation for ammunition for the Navy, carrying, as it does, a threefold increase over the bill in war time?

Mr. PADGETT. The amount carried in the last bill was supplemented by further appropriations. This increase is on account of the large number of ships, the big ships, that they propose to go ahead in the construction of now, that were held up during the war. This is for the ships of the 1916 building program.

Mr. STAFFORD. If it will not violate any naval secret, will the gentleman inform the House as to the condition of the supply of ammunition at the present time?

Mr. PADGETT. The admiral stated it in a general way that we were fairly well off for powder, that we had a good big amount of powder, and yet, when you take into consideration the number of ships on the building program that are to be built and that would be authorized, taking the ships into consideration, there were three types of projectiles that we have not a sufficient number of—the large projectiles, and also in the smaller there is a shortage.

Mr. STAFFORD. Was not the policy some years ago for the department to lay by a large reserve of powder in case of emergency?

Mr. PADGETT. They started on that policy, but before they got it completed the war came on.

Mr. STAFFORD. Has the Navy had occasion to use much of this ammunition during the war?

Mr. PADGETT. No; other than they have used it all the time, or a good deal of it, for target practice.

Mr. STAFFORD. I thought the gentleman intimated that the Navy had been engaged in some conflict where they had used a large amount of ammunition.

Mr. PADGETT. No; but when you take into account this large number of ships there is a great amount needed.

Mr. HUMPHREYS. Mr. Chairman, I would like to ask the gentleman a question. How long does this powder last; does it deteriorate in time?

Mr. PADGETT. Years ago it did deteriorate very rapidly, but in later years, with improved processes of manufacture, they have lengthened the life of it very much, and they state now that 15 years or more is the life of the powder. A large amount of powder is required each year for target practice and the development in training purposes. They use the oldest powder each time, and the new powder is added to the supply. In using powder now they take it from the oldest, so that the new powder is added to the reserve.

Mr. HUMPHREYS. Then it means that 15 years after powder is made it still can be used effectively in battle?

Mr. PADGETT. Yes; it may begin to deteriorate, but the powder is not wasted. They then put it into the mill and rework it at a cost of about 10 per cent of its original cost.

Mr. HUMPHREYS. And that restores its power and vitality?

Mr. PADGETT. Yes; it puts it back right into its power again.

Mr. DENISON. Mr. Chairman, will the gentleman from Tennessee give us a little information about those large naval guns that we had on our western battle front, and what has or will become of them?

Mr. PADGETT. They are still over there. They were sent over by the Navy, and they were placed under the command of Gen. Pershing. He sent some of them into the Argonne Forest front, near Verdun, and two of them, I think, were sent down below there into the St. Mihiel sector, and we saw three of them. They had moved out two of them just a few days before we were at St. Nazarre, and they did wonderful work. The committee had a hearing upon that from Admiral Plunkett, who was in charge of that operation under the Navy. If the gentleman will refer to his statement he will find it very interesting. They did very satisfactory work. They were taken right up and some of them were used in the sector there above Nancy, up to the north of Verdun, right in view of Metz. While they did not shell the forts of Metz, because that was not regarded as the proper military thing to do, they shelled the railroads and approaches leading into Metz and created great confusion and disturbance, breaking up lines of communication and their means of getting in and out of Metz.

Mr. DENISON. Were they operated by men from the Army or the Navy?

Mr. PADGETT. From the Navy.

Mr. DENISON. Will they be serviceable for naval purposes after this?

Mr. PADGETT. Oh, yes. They were naval guns taken over there, and they were placed on a car built for that purpose. The car ran along the railroad track and the gun operated on that as its base, just as if in a ship. They could fire over 30 miles.

The Clerk read as follows:

Submarines (R) Nos. 21, 22, 23, 24, 25, 26, 27 from $700,000 to $840,000.

Mr. JOHNSON of Washington. Mr. Chairman, I move to strike out the last word. I undertook to get the attention of the Chair in order to discuss line 17, which provides money for the completion of a gunboat, not likely to be needed, as a part of the defenses.

Mr. PADGETT. That gunboat *No. 21* is 90 per cent completed.

Mr. JOHNSON of Washington. Yes; that is it.

Mr. PADGETT. *No. 22* has not been started, and they do not want to begin it.

Mr. JOHNSON of Washington. All right. I desire to call attention to the fact that there are many merchant ships on the coast of the United States in all stages of completion, and that one arm of the Government, the United States Shipping Corporation, followed in authority by the Shipping Board, proposes

to abandon a number of them upon the ground that the war emergency does not exist; that we can cut down the number of these ships and pay damages for contracts let, and let the ships go. I am wondering what the people of the country will think of that when it is proposed in this bill to complete more or less obsolete ships for naval purposes, gunboats, Eagle boats, and the like of that, because they are partially done.

Mr. PADGETT. This gunboat was ordered as of 1916, and is of the latest type, and it is a valuable and useful ship, of its type.

Mr. JOHNSON of Washington. Of its type, of course; but at the same time we are trying to increase this appropriation and are in danger of hooking on another great program, so that future Congresses will find themselves in the same predicament as this Congress when it is asked to go on with the work.

Mr. PADGETT. We do not authorize or report any authorization for gunboats.

Mr. JOHNSON of Washington. They have got to be paid for just the same, as we quickly find out, and at increased figures.

Mr. PADGETT. No; just simply the battleships and the scout cruisers.

Mr. JOHNSON of Washington. That is to say, the authorization proposed is for new battleships and new cruisers—20 of them in all. The gentleman from Georgia [Mr. HOWARD] spoke about the cost of labor on these ships now building, and it was stated these increases are necessary largely because of the cost of labor. Can the chairman say how the labor scale in the navy yards runs with the wage scale established by the Government in the merchant shipyards, where we have now a number of strikes on the part of employees who are receiving Government authorized wages?

Mr. PADGETT. The navy yard had a scale of wages adopted and recommended by the labor boards that were established. The last one of them was known as the Macey Board.

Mr. JOHNSON of Washington. That is the same labor scale, then——

Mr. PADGETT. Yes; that fixed the labor for the Shipping Board, for the Army, and for the Navy. It increased wonderfully in amount and wonderfully in frequency.

Mr. JOHNSON of Washington. How does the gentleman account for the fact that the shipbuilders working for the shipping corporation in the construction of merchant ships at the Macey scale of wages strike and those in the yard of the Government working on warships do not strike?

Mr. PADGETT. I do not know why men will strike in private concerns and not strike against the Government, unless it is the governmental influence.

Mr. JOHNSON of Washington. Perhaps the fact that the Government selects its navy yard workmen through the civil service, which requires them to be American citizens, has something to do with it. In that connection I would call attention to some of the mistakes in some legislation that we have passed. It seems that out in Seattle the immigration commissioner of the United States for all of that country is also the labor mediator, and he was until recently in charge of the United States Labor Employment Bureau. It strikes me that these positions, or any two of them, are inharmonious and should be in separate hands. In the Northwest the citizens have been trying for a long time to have a lot of revolutionary agitators—foreigners—deported, but for some reason it has not been done. Many of these foreigners, who have not even taken out their first papers, have been taken into the unions and have swamped certain unions. When the time comes for their deportation by the United States immigration commissioner, the step is made hard for that official and is likely to embarrass him in his capacity as Federal labor mediator. I have a telegram here that says there are not less than 500 aliens in Seattle, many of them labor agitators and leaders, who can be deported under the laws we have already on our statutes.

Mr. MOORE of Pennsylvania. Can the gentleman tell from what fund this gentleman who holds these three positions is paid?

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of Washington. May I have five minutes more?

The CHAIRMAN. Is there objection to the request of the gentleman from Washington? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. From what fund is he paid?

Mr. JOHNSON of Washington. I assume all of these positions are run by the Department of Labor. The Department of Labor has in it these and other bureaus, and we have made a great appropriation also for Federal employment agencies, and I suppose that is carried from the Department of Labor.

Mr. MOORE of Pennsylvania. And they are asking no additional appropriation now.

Mr. JOHNSON of Washington. I do not criticize the bureau or the United States official, but I call attention to the fact that the work of several should not be handled by one agent. I believe that has to do with a lot of our present trouble on Puget Sound. There are 500 unnaturalized Russians and Finns out there, who ought to be started out just as soon as possible. Send them back where the kind of liberty they want can be had.

Mr. LANGLEY. Does the gentleman think the duties of this official to whom he refers are incompatible and conflict with each other?

Mr. PADGETT. Outside of that, the city has a very good reputation.

Mr. JOHNSON of Washington. A splendid reputation and a great shipbuilding reputation and a war shipbuilding reputation. Mr. Chairman, I yield back any time I may have remaining and ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington? [After a pause.] The Chair hears none.

Mr. GORDON. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by inserting a decision of the Supreme Court of the United States, reported in Two hundred and sixteenth United States Supreme Court reports, page 499.

The CHAIRMAN. Is there objection?

Mr. WALSH. Mr. Chairman, reserving the right to object, the gentleman ought to continue his statement as to what it is.

Mr. GORDON. It is in support of the proposition that executive officers are not authorized to settle claims for unliquidated damages. It is in support of that legal proposition.

The CHAIRMAN. Is there objection?

Mr. GARD. Mr. Chairman, I do not see that that is pertinent to the subject under inquiry.

Mr. GORDON. It is just as pertinent as the preceding remarks. I will say to the gentleman, I have been engaged in committee——

The CHAIRMAN. Is there objection?

Mr. GARD. I object.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. RANDALL having taken the chair as Speaker pro tempore, a message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on January 25, 1919, approved and signed bills and joint resolution of the following titles:

S. 3299. An act authorizing the President to reappoint Maj. Chalmers G. Hall, retired, to the active list of the Army;

S. 4924. An act to amend section 336 of the Revised Statutes of the United States relating to the annual report on the statistics of commerce and navigation of the United States with foreign countries; and

H. J. Res. 372. Joint resolution to amend Senate joint resolution No. 78, approved October 5, 1917, entitled "Joint resolution to suspend requirements of the annual assessment work on mining claims during the years 1917 and 1918."

NAVAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Submarines (S) No. 1, 2, and 3 from $1,200,000 to $1,500,000.

Mr. KEARNS. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I want to ask the chairman of the committee a question. In line 20 I see the letter "R" is in brackets. Does that describe the type of submarines?

Mr. PADGETT. That describes its class or type, and the letter "S" describes another type.

Mr. KEARNS. I see for three submarines you have increased the amount $300,000.

Mr. PADGETT. Yes, sir.

Mr. KEARNS. And in lines 24 and 25 you have 37 U-boats of the same type as in line 22, where the increase is only $450,000. What is the explanation?

Mr. PADGETT. The first three were begun earlier, and there was a great deal of material bought at a cheaper price than these later ones that came in of the same type.

Mr. KEARNS. If you had material bought when it was cheap, what is the reason now for the increase?

Mr. PADGETT. We did not begin all of them at the same time.

Mr. KEARNS. There is 1, 2, and 3; are those——

Mr. PADGETT. They are the same class, but they are a little bit different from the others. I think these others are a little later in type; a little larger or different in construction.

Mr. KEARNS. Here is the question I want to ask the chairman: Why is the increase for 3 boats $300,000 and the increase for 37 boats only $450,000?

Mr. PADGETT. That is what I stated—those first three are near completion and the larger part of work was done when the labor cost and material cost was not so great.

Mr. KEARNS. That is just the reason why the increase ought not to be so great. You have increased here $300,000 for 3 boats and for 37 boats, which are not as nearly completed, you only increase those $450,000.

Mr. PADGETT. We increase the first ones $300,000 and increase the others $450,000.

Mr. KEARNS. But in the first class there are only 3 boats and in the next class there are 37, and the first class, containing 3 boats, are almost completed?

Mr. PADGETT. Those 37 are not as far advanced as the 3 and they were made later and the latter price is higher than the earlier price.

Mr. KEARNS. Would not one think that is just the reason why increase for the 37 boats ought to be greater, or the discrepancy greater, than that set out?

Mr. PADGETT. From 4 to 41 the increase is $450,000 each, and in the others the increase is only from $1,200,000 to $1,500,000, or $300,000 each.

Mr. KEARNS. Oh, no; you have not gotten that right.

Mr. PADGETT. Submarines Nos. 1, 2, and 3——

Mr. KEARNS. You have got an increase there of $300,000 for those three boats that you say were contracted for when the price of materials was cheap. And you have got an increase of $300,000 for them.

Mr. PADGETT. For each one of them.

Mr. KEARNS. The whole thing.

Mr. PADGETT. It is for each one.

Mr. KEARNS. Your bill does not say so.

Mr. PADGETT. That is the limit of cost. It says:

The limit of cost of vessels heretofore authorized and herein below enumerated are as follows.

The limit of cost on the first 3 was fixed at $1,200,000. Now, then, on the 4 to 41 the limit of cost was fixed at $1,500,000. They could not complete them for that. And this is simply an authorization increasing the limit of cost. It is not an appropriation. It is just simply the limit of cost on each boat from $1,200,000 to $1,500,000 for the 3 and $1,300,000 for the others to $1,750,000 each. It is just the limit of cost. It is not an appropriation, and it is only an authorization to proceed with that cost.

The Clerk read as follows:

Submarines (8) from No. 4 to No. 41, both inclusive, from $1,300,000 to $1,750,000.

Mr. PADGETT. Mr. Chairman, I ask unanimous consent to return to the bottom of page 51 to offer as an amendment the provision which was stricken out on a point of order. I will ask the gentleman if he will consent to it?

Mr. MANN. So far as I am concerned, I am willing.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to return to the bottom of page 51 for the purpose of offering an amendment. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendment.

The Clerk read as follows:

After line 23, page 51, insert the following:

"The provision in the act entitled 'An act making appropriations for the naval service for the fiscal year ending June 30, 1919, and for other purposes,' approved July 1, 1918, under the increase in the Navy, which reads as follows: 'but not later than June 30, 1919,' is hereby repealed."

The CHAIRMAN. Is there objection?

Mr. WALSH. Reserving the right to object, what is the idea of restoring that? It is really legislation.

Mr. PADGETT. The act of July 1, 1918, that was passed the 1st of July, had a mandatory provision directing the Secretary of the Navy to begin the construction of all the ships authorized in the 1916 program before June 30, 1919. This repeals that mandatory provision. There are 12 destroyers which we do not wish to build. Unless that is repealed the Secretary is urged to begin the construction of them. The nine fleet submarines they do not wish to build at this time, for the reason that we are constructing three others that are now nearing completion, and they want to get them completed and tested and carried out before they build these nine. If they had to observe this mandatory direction in the act of July 1 last they will have to begin them on the same plans and designs of the three that they are now building; but they want to wait and get the benefit of the experiments and the testing and trial of these boats before they begin those nine.

Then, there are destroyer tenders Nos. 3 and 4 that they do not want to begin the construction of, and they do not think they want to build them at all. They do not think they need them. The submarine tender No. 3 they have not begun the construction of. They do not want to begin it; they do not think they will need it, and they do not want to build it. But under this provision they are compelled to begin construction before the 30th of June.

Then they do not want to begin the construction of transport No. 2, and they do not want to begin the construction of repair ship No. 1. They do not think they will need it. During the war they converted other ships into repair ships that are serving the purpose very well and very satisfactorily, and they think they can dispense with that.

Mr. WALSH. Will the gentleman yield?

Mr. PADGETT. Yes, sir.

Mr. WALSH. Is there any difficulty in the disinclination on the part of the experts to begin the construction of these ships based upon the fact that they are not large enough, and that consequently they are going to quit building these small fry and seek to get authorization for 10 first-class battleships and 10 scout cruisers—something that is worthy of their efforts?

Mr. PADGETT. No, sir. Take the submarines, for instance. I suppose that is what you refer to?

Mr. WALSH. I am referring to the ships you have been enumerating and which the experts do not want to begin.

Mr. PADGETT. As to the 12 destroyers, we have about 330 destroyers besides these 12. They say they think they have enough for the present, and they do not want to build any more of that type. If any others are to be built they would be of a type as the result of future investigation and consideration. The nine fleet submarines I explained about. They are about between 1,100 and 1,200 tons displacement.

Mr. WALSH. Still further reserving the right to object, I suppose the members of the Committee of the Whole are justified in assuming that the message from the Chief Executive expressing the desirability of this bill being passed by the House is predicated upon the fact that this repeal was in the bill, among other things, are they not?

Mr. PADGETT. There is no relation between the two, sir.

Mr. WALSH. I was just wondering whether the President knew that in place of or in addition to authorizing him to construct a vast number of other larger ships he also knew we were going to repeal provisions made for several smaller ships and stop construction on them?

Mr. PADGETT. It only repeals that part of it directing it to be begun at this time. It still leaves it open to be begun hereafter; but, as I stated, they do not want to build any more destroyers of that type. They do not want to build these nine submarines until they have completed the three that are nearing completion, until they have tested them and tried them out, to see whether or not it would be that type or whether they would come to Congress for authorization of a different type.

Mr. WALSH. Will the gentleman state, if this repeal is enacted into law, how long will they wait before they decide whether to build these other submarines, and whom they are going to practice on to find out how they work?

Mr. PADGETT. They would test out the three that are being constructed, and then they would have to come to Congress for an appropriation to build the additional ones, if they proceeded to build them, or if they were a different type they would submit the matter to Congress.

Mr. WALSH. Well, Mr. Chairman, we might just as well overlook this one of the many absurdities in this legislation, and I will not object.

Mr. HENSLEY. Mr. Chairman, I would like to ask the chairman if there has been any loss incurred by reason of the authorization of the building of these nine fleet submarines.

Mr. PADGETT. I understand not.

Mr. HENSLEY. None whatever?

Mr. PADGETT. That is as I understand.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Tennessee.

The amendment was agreed to.

Mr. PADGETT. Now, Mr. Chairman, we have reached the question of the new program, and I would like to see if we can not——

Mr. MANN. Mr. Chairman, I would like to have the first paragraph read.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For the purpose of further increasing the Naval Establishment of the United States the President of the United States is hereby authorized to undertake prior to July 1, 1922, the construction of the vessels enumerated below.

Mr. MANN. Mr. Chairman, I make a point of order against the paragraph.

The CHAIRMAN. The gentleman from Illinois makes a point of order against the paragraph.

Mr. PADGETT. What is the point of order?

Mr. MANN. Mr. Chairman, this is legislation, not an appropriation. It does not purport to be an appropriation. It purports to be an authorization. An authorization is a change of existing law. Rule XXI, paragraph 2, which the Chairman will have before him, provides:

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress.

Of course, that paragraph of the rules does not apply to the paragraph under consideration, because the paragraph in the bill to which I made a point of order is not an appropriation. That paragraph in the rules has been construed many times, and the construction given to that paragraph probably led the gentleman from Tennessee [Mr. PADGETT] to think that an item of authorization in the naval appropriation bill is in order, whereas the rulings are quite the reverse.

The Chairman of the Committee of the Whole many years ago held—and his ruling has been followed ever since—that an appropriation for a new Navy vessel of a type already in existence was an appropriation in continuation of public works and objects already in progress. The ruling was that the building up of a Navy was a public work and object in progress, and that an item of appropriation for a new ship was in order, provided there was already in the Navy a ship of that type. But it was frequently held that even an appropriation for a new ship in the naval bill—a new ship of a different type from that already in the Navy—was not in order.

However, this is not an appropriation and does not purport to be an appropriation. It appropriates no money. It merely authorizes the construction of certain ships, and the second sentence of the same rule, paragraph 2 of Rule XXI, provides:

Nor shall any provision in any such bill or amendment thereto changing existing law be in order, except such as being germane to the subject matter of the bill shall retrench expenditures by the reduction of the number and salary of the officers of the United States, by the reduction of the compensation of any person paid out of the Treasury of the United States, or by the reduction of amounts of money covered by the bill.

The exception is not claimed to be covered by anything in this bill. There is no pretense that this is a reduction of any of the expenditures of the classes named in the rule, so that the provision in the rule which says "Nor shall any provision in any such bill or amendment thereto changing existing law be in order" is an absolute provision as to this paragraph. What is the paragraph?

For the purpose of further increasing the Naval Establishment of the United States, the President of the United States is hereby authorized to undertake, prior to July 1, 1922, the construction of the vessels enumerated below

Under the existing law the President is not authorized to provide for the construction of these vessels. The existing law gives him no such authority, and it is proposed here to change the existing law by giving him that authority. So that the provision in the bill is purely one of legislation changing existing law, contrary to the provisions of the rule of the House, and hence it is subject to a point of order.

The CHAIRMAN. The Chair's recollection is that the original ruling was made by Mr. Chairman McCreary, of Kentucky. The Chair has before him volume 4 of Hinds' Precedents, section 3723, page 486, and if the gentleman will permit, the Chair will read:

On February 26, 1887, the House was in Committee of the Whole House on the state of the Union considering the naval appropriation bill, when Mr. Joseph D. Sayers, of Texas, offered an amendment authorizing the construction of "two swift double-bottomed steel cruisers" and making an appropriation therefor.

Mr. William S. Holman, of Indiana, made the point of order that there was no law authorizing the appropriation.

After debate the Chairman cited the rule and exception, and said:

That is to say, if the work be a public work, or if the object is a public object, and it is already in progress, then there need not be any previous legislation authorizing it.

What the Chair wants to ask the gentleman from Illinois is this: Has he before him the exact law that was passed at that time?

Mr. MANN. I have not, Mr. Chairman——

The CHAIRMAN. Is there anything additional?

Mr. MANN. I have not; but my recollection is—and it has been ruled upon many times since—that that was an appropriation for the construction of vessels theretofore not specifically authorized by law, and the point of order was that it was an appropriation not authorized by law; and the ruling was, in substance—and it has been followed many times since—that an appropriation may be carried in the naval bill providing for the construction of new naval vessels not theretofore specifically authorized by law as a public work in progress, the recent rulings, which extend back many years, specifically holding that such an appropriation was only in order if a vessel of the same type was already in use in the Navy.

The CHAIRMAN. The question of the type——

Mr. MANN. That is not involved here.

The CHAIRMAN. Is not involved here. Does the Chair understand it to be the contention of the gentleman from Illinois that unless an appropriation is carried along with the authorization it is subject to the point of order?

Mr. MANN. My contention is, and that has been held by the various Chairmen at different times, that you can make an appropriation for a new naval vessel, but that is all you can do. The appropriation is, hence, an authorization for the President or the Secretary of the Navy to proceed with the construction of the vessel. The appropriation itself is the authorization. But that does not provide for a change of existing law by making an appropriation. Here, for instance, where no limit of cost is fixed, we can appropriate money for building an addition to the Capitol Building if we choose to, and it is not subject to a point of order. The appropriation is not subject to a point of order because it would be held that that is an appropriation for a public work already in progress. But we could not authorize, even in the appropriation, over a point of order, specific directions as to how that work should be carried on; nor could we in the appropriation bill make an authorization merely for an addition to the Capitol over the point of order. That arises as to all public buildings. We have frequently provided for that. We did it in the case of the insane asylum out here at St. Elizabeths. We appropriated money for the purchase of additional ground adjoining the ground already there, it being held by the Chairman that that was a continuation of a public work already in existence That is an appropriation. There is no appropriation involved here. It is merely a change of existing law.

The CHAIRMAN. If the Chair may repeat it, the language as contained in the precedent is——

Mr. MANN. The Chair will note that the point of order made was that it was an appropriation not authorized by law. That was the point of order against that item.

The CHAIRMAN. There was coupled with the language that which is in quotation, "two swift double-bottomed steel cruisers," and making an appropriation therefor.

Mr. MANN. Yes; that was the language.

The CHAIRMAN. Of course, the quotation ends with the word "cruisers."

Mr. MANN. That was a mere appropriation.

The CHAIRMAN. No; that was an authorization and an appropriation.

Mr. MANN. Of course, an appropriation for a specific object is itself an authorization for the expenditure of the money. Any appropriation, anywhere carried, is in itself an authorization for the expenditure of the money.

The CHAIRMAN. Yes; but the question which is in the mind of the Chair, under the rulings—and they are very numerous—is whether the appropriation must be coupled with the authorization in order to make it in order under the precedents?

Mr. MANN. Mr. Chairman, there never has been a ruling of the Chair on the naval bill which has held, if my memory serves me right, and I think it does, that even as to these battleships we could give directions as to the character of the battleship, the radius of the battleship, or anything of that kind, because that is an authorization and subject to the point of order. We can make an appropriation for the battleship, and then it is within the discretion of the Secretary of the Navy under existing law as to the expenditure of the money, the method, and form of its expenditure; but when we attempt to direct his jurisdiction, that is a change of existing law. We have the authority to make the appropriation, but not to give directions, without legislation. Of course, the Committee on Naval Affairs can bring before the House a bill at any time giving specific directions about any of these things; but the authority of an appropriation bill is to make an appropriation. The Committee on Appropriations, in bringing in the sundry civil appropriation bill, for instance, or the fortifications appropriation bill, which will soon be before the House, has no authority to give directions to the executive officers about how the money shall be expended. They may add a limitation that it may not be expended in a certain way. All they can do under the rules, over a point of order, is to make the appropriation in the hands of existing authorities available to be disposed of under existing law.

The CHAIRMAN. The Chair recognizes the fact that this is an extremely important parliamentary question. The Chair

will be glad to hear from any gentleman opposed to the point of order.

Mr. PADGETT. Mr. Chairman, I am not familiar with parliamentary law and do not claim to be, but I have always understood that the rulings were that it was in order on the naval appropriation bill to authorize a continuance of the construction of the ships of the Navy.

The CHAIRMAN. Without making an appropriation therefor?

Mr. PADGETT. I think so, because the first year that I was upon the Naval Committee we authorized, without any appropriation at all, and it was only after I had been upon the committee for a number of years that we changed the policy and began to carry an appropriation at the time of the authorization. In those days, on account of the fact that they were not ready with their plans and their specifications, we made the authorization one year and voted the initial appropriation the succeeding year. That was the practice for a number of years and was the practice at the time of this decision.

Mr. BUTLER. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. BUTLER. We always provided for the plans the first year.

Mr. STAFFORD. Will the gentleman yield?

Mr. PADGETT. It has always been there, and the argument of the gentleman that you can make an appropriation for battleships, but that the House can not authorize battleships, is a logic that I confess I am unable to follow.

Mr. MANN. I made no such argument as that. The House can authorize battleships, but the question is whether it can do it in this way or not.

Mr. PADGETT. This provision here is merely an authorization to build battleships and scout cruisers. The wording of it is nothing else. The substance of it is nothing else except authorization to build 10 battleships and 10 scout cruisers, and the committee prescribes the type, and that is contained in the citation which the Chairman made there. It said "two swift double-bottomed steel cruisers." It does purport to indicate and to direct and to prescribe the characteristics of the ship, and if it was in order to prescribe it to a limited extent, it is in order to prescribe it in a more enlarged sense.

The CHAIRMAN. Here is what is troubling the mind of the Chair at the present moment: Whether you can make an authorization without expressly carrying with it an appropriation to carry out that authorization. In the case in which Mr. Chairman McCreery ruled an authorization was made and there was carried with it an appropriation. The Chair does not now recall any other rulings that have been made when any case was presented in which the authorization was not accompanied at the time by an appropriation.

Mr. PADGETT. As I stated, we did that for years. I do not know whether a point of order was made against it, or whether it was ever passed upon, but it seems to me that Congress can authorize an enlargement of its naval building program in a naval appropriation bill.

The CHAIRMAN. The Chair thinks that under the precedents, if the authorization carries an appropriation, there would be no question about it. The precedents are that way, whatever might be the Chair's individual opinion; but where it is an authorization without an appropriation, then it raises a pretty serious question in the mind of the Chair.

Mr. CRISP. Mr. Chairman, I thrust myself into this discussion reluctantly, because I know the Chairman to be an expert parliamentarian and that he has the precedents before him, has given this matter careful consideration, and I have not, because I have just entered the Hall.

The CHAIRMAN. The Chair will say that the point of order came as a surprise to him, and therefore he has not given it his consideration.

Mr. CRISP. I am familiar with decisions, and so is the Chairman, to the effect that it is in order on the naval appropriation bill to appropriate for the construction of new vessels on the ground that it is in continuation of a public object already in existence. It is not necessary for me to cite the Chair to those decisions. They can be found under section 823 of the manual.

The point of order is against certain provisions in the bill which provides a new building program. It provides for the construction of a number of vessels. I understand the point of order of the distinguished gentleman from Illinois to be that the provisions in the bill do not carry any appropriation for the construction of any of these vessels, but simply authorizes their construction. If I am correct in stating the contention, it seems to me that the point is not well founded, because the greater always includes the lesser, and if it is in order to legislate on an appropriation bill by making an appropriation for the construction of vessels for the Navy, it seems to me clearly that it would be in order to also legislate by making an authorization for the construction of vessels.

The latter part of the bill giving the building program is clearly a limitation. The limitation simply provides that this program shall not be put in operation upon the happening of certain contingencies, and I am of the opinion under the precedents that the provision in the bill is in order on the ground that it is providing for the continuation of a public work already authorized, to wit, the Navy of the United States.

Mr. MANN. Mr. Chairman, the gentleman from Georgia is a distinguished parliamentarian, and I think I would take his judgment if he would examine that matter. I would take his judgment if he was the parliamentarian in the chair, but we are controlled by the rules of the House. The rules of the House provide that no appropriation shall be in order unless in continuation of appropriation for such public works and objects as are already in progress. That is what lets in the appropriation for new naval vessels; but the ruling is confined solely to the Navy. It does not let in new lighthouse vessels or new revenue-cutter vessels, because it is a specific work confined to the Navy.

Now, the language of the rule refers only to an appropriation in continuation of a public work. My friend from Georgia says that the greater includes the lesser. While the rule provides that you can make an appropriation, and there you stop, you can not change the law and make an authorization, because making an authorization for a new naval vessel is a change of existing law.

Mr. CRISP. Will the gentleman yield?

Mr. MANN. Yes.

Mr. CRISP. I want to present this thought, and ask the gentleman's opinion. The crux of the whole matter is in the legislation——

Mr. MANN. Certainly.

Mr. CRISP. Obnoxious to the rule, not in order on an appropriation bill unless it comes within the excepted clause.

Mr. MANN. There is no legislation that comes within this excepted clause except making an appropriation. Of course there are a number of excepted clauses, but they are not applicable here.

Mr. CRISP. We are dealing solely with this appropriation. It seemed to me that here was legislation, an exception to the rule in order on an appropriation bill, not confined to an appropriation bill, for the continuation of a public object.

Mr. MANN. I know; but the rule does not say that you let in legislation in continuation of a public work. The rule says you let in an appropriation in continuation of a public work, and the next sentence says, "Nor shall any provision in any such bill or amendment thereto changing existing law be in order except," and so forth. That is a specific prohibition of legislation changing existing law. It says "an appropriation in continuation of a public work."

The gentleman from Georgia [Mr. CRISP], who evidently has hastily looked at this without stopping to examine the rule, seems to be of the opinion that the authority to make the appropriation would include the authority to make the legislation. Very likely that would be true if it was not for the rule of the House. The rule of the House, in express language, prohibits the legislation. It authorizes an appropriation, and it is in order now, if this goes out on a point of order, for the gentleman from Tennessee to offer an amendment to appropriate the money necessary for the construction of these naval ships as a continuation of a public work already in progress. But, after all, we are supposed to fairly well live up to the rules of the House. There has been no precedent which held that an authorization in a naval bill for the construction of new vessels as a mere authorization was not subject to the point of order; there have been repeated holdings that the items were subject to the point of order. It is true that the mere making of an appropriation itself is an authorization to expend it. It is not a change of existing law, except to the extent that it makes the appropriation; but the rule expressly providing under the construction of prior chairmen that you can make an appropriation for a new naval vessel as a continuation of a public work already in progress, but that you can not change existing law by a provision in the bill or by an amendment, this item is clearly subject to the point of order.

Mr. PADGETT. Is not this language the same as has been used in all of them, to authorize the President to do this? Have we not used it time out of mind?

Mr. MANN. Mr. Chairman, I can recall, without specifically being able to locate the place, where the whole item in a naval bill of this sort went out on a point of order, and then was

succeeded by an appropriation which was in order. It is true that as a rule no point of order was made on the increase in the Navy, because there are limitations which everyone desires to have in there if the appropriation is made. That does not affect the right of a Member to enforce the rules of the House. No one can tell what will follow this provision in the bill—

The construction of vessels enumerated below.

One can offer anything under that in the way of an amendment if that language stays in the bill. The Committee on Naval Affairs can not determine what the House or the Committee of the Whole will do, and if that provision stays in the bill they may amend it to include anything which would be germane to a naval appropriation bill.

Mr. LITTLE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LITTLE. Suppose the Committee on Military Affairs should bring in something like this, authorizing the President before a certain time to erect 10 fortifications, to cost $200,000 each, at any place he designated, or suppose the Public Buildings and Grounds Committee should bring in a provision authorizing him to erect 10 post offices at a certain time, at $20,000 each, wherever he should direct, would those be permissible?

The CHAIRMAN. While that is a parliamentary inquiry in a way, that is not before the committee now, and the Chair does not think the gentleman should expect the Chair to answer that question. That which is now engaging the attention of the Chair is a point of order made by the gentleman from Illinois. The gentleman has put this in the form of a question?

Mr. LITTLE. Yes.

The CHAIRMAN. The Chair will be glad to hear any argument that the gentleman desires to submit.

Mr. LITTLE. I thought perhaps the Chair, with his familiarity with the subject, might be able to put his finger on a decision of that kind, which I can not, but I want to say this: It must be very clear that unless the Public Buildings and Grounds Committee can do that, unless the Committee on Military Affairs can do that, this is certainly new legislation and has no place here.

Mr. GREEN of Iowa. Mr. Chairman, it is with much hesitation, after this question has been discussed by such distinguished parliamentarians as the gentleman from Illinois [Mr. MANN] and the gentleman from Georgia [Mr. CRISP] that I venture to add a word, and I shall speak very briefly, indeed. It is important to consider this question at its beginning. It is a familiar rule that an appropriation not authorized is subject to a point of order in an appropriation bill. It is equally familiar that a mere authorization in an appropriation bill is subject to a point of order. I do not, therefore, regard it as at all important whether the appropriation and the authorization are joined. To my mind the paragraph would be equally subject to the point of order in either case, because the rule refers to authorizations previously made and not authorizations made in the bill. Here we have this program authorized for the first time. The Naval Committee is practically estopped from saying this is not the first authorization that has ever been made for the purpose of justifying the appropriations. One of two things is certain—either it was authorized before or it is authorized for the first time now. But I assume the Naval Committee will not claim any prior authorization.

If it had been authorized before, it would be admissible to make simply an appropriation. Without that authorization the paragraph is not in order at all and might just as well go out. But the Naval Committee evidently did not take that view of the case. They considered that they must make an authorization here and now, and consequently they have authorized this program for the first time. It has never before been authorized, and, in my judgment, it is subject to the point of order.

I wish to call the attention of the Chair that the ruling made by Chairman McCreary is said by Mr. Hinds to be very exceptional, and in a footnote to his citation of the decision he says in effect that if carried to its logical conclusion it would do away with the salutary provisions of Rule XXI. Other Chairmen in ruling later have invariably declined to broaden the decision of McCreary.

Mr. TOWNER. Mr. Chairman, I just want to add a word. The Chair is exactly right in saying that the pivotal point here is whether or not the decisions the Chair has cited holding that an authorization is justified, when coupled with an appropriation, are sufficient to carry an authorization alone. I hardly see how there can be much question in the mind of the Chair for this reason: The language of the rule applies to appropriations. An authorization and an appropriation at the same time are no greater, as the gentleman from Illinois [Mr. MANN] has well said, than the appropriation alone. In other words, as the gentleman from Georgia [Mr. CRISP] well said, the lesser is swallowed up in the greater. An appropriation which includes an authorization is, therefore, within the rule, and if an authorization is made at the same time as an appropriation it is within the rule; but the Chair must find some authority for holding that the rule which says that an appropriation of this character is justified would include an authorization alone, and that, I think, the Chairman can not find.

I want to call attention just in that connection to this fact: It must be clear to the Chair that this is a change of existing law. We already have adopted as a part of our statutory law a certain naval program which this changes. We adopt a new and distinct law; it is a change, therefore, in existing law, and a serious and fundamental change.

Mr. WINGO. Will the gentleman yield for a question?

Mr. TOWNER. If the gentleman will just pardon me for a moment I will. I want to call attention to the language in connection with the provision on page 54, which, it seems to me, must be considered in connection with this proposed adoption of a program, because it is a limitation of the program and therefore interprets the program. You certainly could not find a point of order which would not lie to this provision. Just let me call your attention to it.

If at any time before the construction authorized by this act shall have been contracted for, there shall have been established with the cooperation of the United States of America any tribunal or tribunals competent to secure peaceful determination of international disputes, and which shall render unnecessary the maintenance of competitive armaments, then and in that case such naval expenditure as may be inconsistent with the engagements made by the establishments of said tribunal or tribunals may be suspended when so ordered by the President of the United States, and no contracts for the construction of vessels herein authorized shall be entered into prior to February 1, 1920.

Could the Chair find that this was not new legislation? Could the Chair for a moment doubt that that provision would be subject to the point of order when taken in connection—and it must be taken in connection—with the provision we have under consideration, which is the adoption of a new program different from existing law? How can the Chair hold or for a moment entertain the idea that this does not change existing law? I now yield to the gentleman from Arkansas.

Mr. WINGO. Let me submit this to the gentleman: If the gentleman contends there is a limit under existing law to the construction of the Navy, then the contention of the gentleman from Illinois that an appropriation would be in order would fail. The basis upon which the Chairmen have heretofore held that an appropriation in the specific instance of two double-bottom steel cruisers upon which the question was raised in 1887, if the gentleman's contention is correct that there is a limit, then the reason for that ruling falls, because that decision was bottomed upon the specific statement of the Chair that there was no limitation of existing law on the construction of the Navy, but that the Navy as a whole must be considered as a continuing project; and for that reason an appropriation added to that construction by adding two double-bottomed steel cruisers was a continuation of the present existing progressive work, so if the contention that the three-year program specifically put a limitation upon the construction of the United States Navy is correct then you could not have an appropriation.

Mr. TOWNER. There is this which the gentleman does not take into consideration. The principle on which that decision was made with regard to the steel cruisers was that it was an appropriation and therefore within the rules.

Mr. WINGO. If the gentleman will permit me to read the statement upon which the Chair predicated——

Mr. TOWNER. I can not take the time to go into that more particularly.

Mr. WINGO. Very well; I will.

Mr. TOWNER. The language as stated here is very clear. In the case referred to it was not only an authorization but an appropriation, and as I tried to explain when an appropriation and authorization is made at the same time it is clear that it is an appropriation and comes under the provisions of the rule. That is not the case in this instance.

Mr. SAUNDERS of Virginia. Mr. Chairman, I am not prepared to say whether as contended an appropriation, would include an authorization, upon the principle of the greater including the less. The language of the rule says that an appropriation shall not be in order in a general appropriation bill unless in continuation of an appropriation for such public works and objects as are already in progress. The rulings that have been made allowing appropriations for additional ships in a naval bill carry the implication that the authorization has already been made for a continuing work, and the new ships appropriated for, are therefore really under an existing authoriza-

tion. But it is not necessary in this connection, it seems to me, to determine the question of authorization.

Mr. Chairman, there is another very material question to be considered and that is whether the whole matter on page 51 of the bill, and part of page 52, is not really one paragraph. The language from line 1 on page 51 down to line 16, page 52, is evidently one proposition, and should be considered as such.

The point of order should be considered as applying to the entire paragraph, and if there is any part of it that is not in order, of course under the rule, with which you are as familiar as anyone, the whole of the paragraph is out of order. If you look to the different sentences you will note that with reference to each one of these appropriations there is found this language at the conclusion of the sentence:

To be begun as soon as practicable, subject to the limitations herein.

As I have said this proposition is a concrete whole, and to be considered as such. It has been suggested, and I do not know whether that suggestion was intended to apply to the whole, or some part of the paragraph, that the language on page 52 is a limitation. I submit that this language can not possibly be a limitation, for the following reason.

A limitation is a negative inhibition upon the application of money. There are various illustrations of limitations:

A limitation must apply solely to the money of the appropriation under consideration, and may not be made applicable to money appropriated in other acts.

A limitation may not be applied directly to the official functions of executive officers, but may restrict executive discretion so far as this may be done by a simple negative on the use of the appropriation. (House Manual, p. 368.)

There are many familiar illustrations on that line. Then, again, on page 369 of the rules we find these decisions:

The fact that a provision would constitute legislation for only a year does not make it a limitation in order under the rule.

Nor may a proposition to construe a law be admitted.

A limitation may withhold money from part of a designated purpose while appropriating for the remainder of it.

The language of the bill on the second page which is made a part of the propositions on the preceding page, remits the uses of the money to the discretion of an executive official. If an appropriation is made, it is not permitted to say that it shall be applied, or not applied, in his discretion by the executive officer, and undertake to denominate that authority in the officer, a limitation, yet that is precisely what is done here.

If you will look at page 52, you will find the following language:

If at any time before the construction authorized by this act shall have been contracted for there shall have been established with the cooperation of the United States of America any tribunal or tribunals competent to secure peaceful determination of international disputes, and which shall render unnecessary the maintenance of competitive armaments, then and in that case such naval expenditure as may be inconsistent with the engagements made by the establishment of said tribunal or tribunals may be suspended when so ordered by the President of the United States.

Now, that language remits to the determination of the executive officer the interpretation of some complicated arrangements, hereafter to be made, and if in his discretion, he construes those undertakings to carry a certain meaning, then the money which is hereby appropriated is not to be expended.

The CHAIRMAN. The Chair understands the gentleman to insist that the point of order made by the gentleman from Illinois [Mr. MANN] on the first paragraph, at the top of page 53, can not be considered except in connection with any point of order that might be made to the paragraph?

Mr. SAUNDERS of Virginia. How can it be restricted to the following lines:

For the purpose of further increasing the Naval Establishment of the United States, the President of the United States is hereby authorized to undertake prior to July 1, 1922, the construction of the vessels enumerate below.

Standing alone this authorizes nothing.

At the end of these words is a colon, and then follow the items, each one referring to the limitation. I take it that it must be fairly considered that there is one concrete, comprehensive proposition presented in the language found on the page and a half to which I have referred.

The CHAIRMAN. And even if that point of order was sustained—I mean, when that paragraph is reached—of course, technically the Chair can not look ahead, even when that paragraph is reached, and if the point of order is made and it should be sustained, it would still leave some legislation here which would be entirely intelligent?

Mr. SAUNDERS of Virginia. Certainly. But what I am suggesting in this connection is that the selected words are not in the usual sense a paragraph, because all of this matter is related and lead together into one whole. If you look on page 51, line 9, you will see the language:

To be begun as soon as practicable, subject to the limitations herein.

It is not a positive direction to proceed, but a limited direction. The sentence has no independent meaning and to understand it, you must look to the conclusion of the paragraph. Therefore I maintain that this page and a half of matter is really a paragraph presenting a single, distinct proposition.

The CHAIRMAN. The Chair will rule. This point of order came, the Chair will be frank to state, unexpectedly to the Chair, and he regrets that he has not had more opportunity to give closer study of it than he has had. The gentleman from Illinois [Mr. MANN] makes the point of order upon the first paragraph at the top of page 53, which reads:

For the purpose of further increasing the Naval Establishment of the United States the President of the United States is hereby authorized to undertake, prior to July 1, 1922, the construction of the vessels enumerated below.

The point of order, as the Chair understands, is generally that that constitutes legislation upon an appropriation bill, which is not in order under the general rules of the House. Of course, all gentlemen are familiar in a general way with what has been the procedure upon naval appropriation bills with reference to the increases provided. The Chair stated in the beginning of the discussion that his recollection was that the first ruling was one made by Mr. Chairman James B. McCreary, of Kentucky, and, in so far as time has permitted for a hasty examination, the Chair was correct in his recollection.

Now, the Chair reads from the CONGRESSIONAL RECORD, Forty-ninth Congress, second session:

On February 26, 1887, the naval appropriation bill being under consideration, the Clerk read as follows:

"INCREASE OF THE NAVY.

"For expenditure toward the construction and completion (exclusive of armament) of the five double-turreted monitors, the four vessels authorized by the act of March 3, 1885, and the vessels authorized by the act of August 3, 1886, $2,500,000."

Mr. SAYERS. I move, after line 875, to insert the following:

The Clerk read as follows:

"For the construction of two swift double-bottomed steel cruisers, each of about 4,300 tons displacement, of the type of the *Newark*, except boilers and machinery, four of about 1,700 tons displacement of the type of gunboat *No. 1*, each, and one swift torpedo boat, said vessels to cost altogether, exclusive of armament, not more than $4,950,000, the sum of $2,470,000 is hereby appropriated."

To that Mr. Holman, of Indiana, made the point of order. It was argued by Mr. Herbert, of Alabama, and by other gentlemen, and at the conclusion of the argument Mr. Chairman McCreary ruled as follows, after citing the rule, which was the same then as it is now—that is, "no appropriation shall be reported on," and so on:

That is to say, if the work be a public work; or if the object is a public object and it is already in progress, then there need not be any previous legislation authorizing it.

The Chair thinks that means to authorize an appropriation. However, I proceed:

The Chair believes that the construction of a navy is a public object or public work, and the language of the bill which we have been considering and the appropriation made at the last session show that the construction of the Navy is in progress. It may be said also that the proposed amendment providing money for the construction of vessels does not change existing law and is not prohibited by law.

It is very agreeable to the present occupant of the chair to be able to refer to a precedent bearing upon the point of order now raised. In the Forty-sixth Congress (Mr. Carlisle in the chair) it was decided "that appropriations for public works and objects" already in progress could be included in general appropriation bills or could be inserted as amendments, and that the word "objects" meant something in addition to the word "works," and must be held to include the public departments of the Government and the civil, military, and naval establishments recognized by law and supported by the Government.

The Government has undertaken to maintain, and is annually maintaining, a naval establishment, and under the rule appropriations may be made for it in a general appropriation bill, and such has always been the practice until last session, when appropriations for the construction of ships for the Navy and armaments for them were made in a separate bill. Before the last session such appropriations were made in the naval appropriation bill under the rule exactly as it now is.

There is no law prescribing the number of ships that shall constitute the Navy or the number of guns they shall carry. Those matters depend entirely on the amount of money appropriated for those purposes, just as the number of clerks and other employees in the departments depend upon the appropriations made. * * * This decision allows an important amendment to be offered, but it gives to the Committee of the Whole the right to pass upon this interesting question and an opportunity to say whether it is in favor of increasing the Navy or not.

Bear in mind that that decision apparently is predicated absolutely upon "appropriations." There is another decision. I read:

On May 17, 1902, the naval appropriation bill being under consideration in Committee of the Whole House on the state of the Union, Mr. OSCAR W. UNDERWOOD, of Alabama, raised the question of order that the following paragraph involved a change of law:

That the appointment of 500 additional cadets at the Naval Academy, Annapolis, Md., under such detailed rules and regulations as the Secretary of the Navy shall prescribe, is hereby authorized, such appointments to be made as follows:

The debate proceeded, so that the matter did not come to a decision until May 19, 1902, two days later. It was then further debated, and the Chairman, Mr. James S. Sherman, of New York, held:

The Chair does think that it is the duty of the Chairman to decide points of order as they appear and to disregard entirely his individual hopes and desires in reference to the subject matter under consideration. And the present occupant of the chair has always been so guided in deciding points of order. On more than one occasion he has been obliged to rule against his inclinations and desires. The Chair also thinks it is the duty of Members of the committee and the House to sustain the chair when they believe he is right. The Chair thinks there have been occasions when that has not been followed.

The ruling in reference to the construction of a battleship is one which the present occupant of the chair has heretofore followed, although he did not originally make it, and is frank to say that, although he has great respect and regard for the gentleman who did make it, he doubts, if he had been in the chair when the question arose, if he would have made it. He has never been in sympathy with it. But that was a provision to increase the number of battleships when the number was not specifically defined by statute.

Likewise, so far as the Chair has been able to ascertain from a hurried reading and inspection of the statutes, there was no specific provision as to the number of seamen. Both of these questions, then, were decided upon the broader ground, whether or not it was increasing the general Naval Establishment.

In the case now presented there is a statute, section 1513, which reads:

"There shall be allowed at said academy 1 cadet midshipman for every Member and Delegate of the House of Representatives, 1 for the District of Columbia, and 10 appointed annually at large."

There is a specific, general statutory provision as to the number of cadets at the Naval Academy. The amendment to which the gentleman from Alabama has raised the point of order changes the number of cadets and changes existing law, which is clearly and unequivocally against the provision of the rule, section 2 of Rule XXI, which provides: "Nor shall any provision changing existing law be in order on any general appropriation bill." The Chair therefore sustains the point of order.

There is a reason for the rule which prevents legislation upon appropriation bills, else that rule would not have been continued through all these long years. The reason is obvious. By attaching legislation to appropriation bills necessary and vital to the existence of the Government—I mean appropriations necessary and vital to the existence of the Government—gentlemen may be compelled to vote against their deliberate judgment. That is to say, they may be compelled to vote for legislation to which they are opposed or else let the Government starve. Therefore the present occupant of the chair feels that from the parliamentary standpoint it would be unwise to broaden the rule beyond the point to which it has already been broadened. In the case which was ruled upon by Mr. Chairman McCreary the authorization and appropriation went hand in hand. That which was proposed in the amendment offered by Mr. Sayers was a proposition to make the ships provided for in that amendment an immediate and tangible part of the Naval Establishment, being appropriated for in that particular bill, and hence it was held to be a continuing public work.

The proposition involved in this bill, to which the gentleman from Illinois [Mr. MANN] has made his point of order, is to authorize a program for the future, not connected with any immediate program and not making any appropriations therefor. It seems to the Chair that that is making an extension of the rule that ought not to be made, and the Chair therefore sustains the point of order. [Applause.]

Mr. PADGETT. Mr. Chairman, I offer an amendment in lieu of the paragraph stricken out on the point of order.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

In lieu of the paragraph stricken out insert the following:

"For the purpose of further increasing the Naval Establishment of the United States, the President of the United States is hereby authorized to undertake, prior to July 1, 1922, the construction of 10 first-class battleships, carrying as heavy armor and as powerful armament as any vessel of their class, to have the highest practicable speed and greatest desirable radius of action; two of these at a cost, exclusive of armor and armament, not to exceed $21,000,000 each, to be begun as soon as practicable, and 10 scout cruisers, carrying suitable protection and armament suited to their size and type, to have the highest practicable speed and greatest desirable radius of action; two to cost, exclusive of armor and armament, not to exceed $8,000,000 each, to be begun as soon as practicable, subject to the limitations herein; and the sum of $5,000,000 is hereby appropriated toward the construction thereof."

Mr. MANN. I make a point of order against that.

Mr. SAUNDERS of Virginia. I make the point of order against that. It has been covered by the principles just announced by the Chair.

Mr. PADGETT. I do not think so. I think it complies with the principles announced by the Chair. It makes an appropriation and continues the type of ship we have.

The CHAIRMAN. The Chair thinks that falls within the ruling just made.

Mr. PADGETT. In what respect?

The CHAIRMAN. It provides for further construction.

Mr. PADGETT. This has always been held in order.

The CHAIRMAN. It provides for construction that is not carried in any other part of the bill.

Mr. PADGETT. The new construction on the naval bill has always been something that was not authorized theretofore, and the amendment held in order by Mr. McCreary was for ships not authorized. It has always been held in order to include new ships.

Mr. MANN. Mr. Chairman, the gentleman from Tennessee is confused a little, I think, by the fact that the point of order has not been made heretofore upon a good many paragraphs in naval bills.

Mr. PADGETT. But points of order have been made and ruled on a number of times.

Mr. MANN. Yes; and wherever they have been made and ruled on, on a proposition like this, the point of order has been sustained. I think there is no exception to that. Now, the gentleman proposes to try to evade the ruling of the Chair by adding an appropriation of $5,000,000, but the provision of the amendment is legislation just as much now as it was before. It is to authorize the President to construct these ships. The gentleman can offer an amendment appropriating $5,000,000 for the construction of these ships, and it will not be subject to a point of order. He can offer an amendment appropriating $250,000,000 for the construction of these ships and it will not be subject to the point of order. But he does not want to do that. He does not want to make the appropriation, which is in order. He wants to make the authorization, which is a change of law and is not in order.

Mr. SAUNDERS of Virginia. Mr. Chairman, I wish to say just a word in connection with the point of order. I think the gentleman from Tennessee [Mr. PADGETT] failed to catch the basic principle running through the ruling just made by the Chair, which was that where there was an existing authorization, and with respect to that the House chose to make appropriations for ships that could be regarded as a part of a continuing program, such appropriations would be in order. But this is a case in which there is an additional, supplementary authorization having reference to the future, and merely by offering an appropriation in connection with the appropriation the gentleman from Tennessee seems to think that he can overcome the ruling against a new authorization. The fact that the authorization is coupled with an appropriation, does not render the former any the less an authorization. If rules forbid you to begin with an authorization, and then follow the same with an appropriation, that difficulty can not be overcome by coupling the authorization and the appropriation in one paragraph. The real difficulty is in the authorization, which is new legislation. There would be no difficulty, if the amendment proposed a simple appropriation, but the gentleman has tied up an authorization with an appropriation.

The CHAIRMAN. The Chair thinks it would be inconsistent with the prior ruling—which ruling may have been wrong—if he did not now sustain the point of order. The Chair sustains the point of order.

The Clerk read as follows:

Ten first-class battleships, carrying as heavy armor and as powerful armament as any vessels of their class, to have the highest practicable speed and greatest desirable radius of action; two of these at a cost, exclusive of armor and armament, not to exceed $21,000,000 each, to be begun as soon as practicable, subject to the limitations herein.

Mr. MANN. Mr. Chairman, I make the point of order against the paragraph.

The CHAIRMAN. The Chair sustains the point of order.

Mr. PADGETT. Mr. Chairman, I offer an amendment in lieu of the matter stricken out.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. PADGETT: Before line 11, on page 53, insert:

"Toward the construction of 10 first-class battleships carrying as heavy armor and as powerful armament as any vessels of their class, to have the highest practicable speed and greatest desirable radius of action, $2,000,000."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee.

Mr. MADDEN. Mr. Chairman, I desire to be heard on that.

The CHAIRMAN. Does the gentleman from Tennessee [Mr. PADGETT] desire recognition?

Mr. PADGETT. I will ask for recognition later.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman, this paragraph provides for the construction of 10 battleships, 2 of which are to cost $21,000,000 each. There is no indication what the other 8 are to cost, and we propose now to appropriate $2,000,000 toward a construction program involving the expenditure of

$210,000,000. Does anyone believe that the gentleman from Tennessee is in earnest; that he is sincere; that he believes that we should enter upon a program involving the expenditure of $210,000,000 with an appropriation of only $2,000,000? It looks as if the gentleman was seeming to throw sand in the gasoline, to hoodwink the public, to pretend to increase the Navy when there is no such attempt being made. Let us be on the square with the people and take them into our confidence, and let them understand what we mean, and tell them whether we are for an increase of the Navy or whether we are not; tell them whether the proposition that we have before us is intended to influence action at another place; tell them whether we need more battleships to care for the interests of America, and if we do, let us appropriate the money to build the ships.

It looks to me as if the amendment offered by the gentleman from Tennessee was intended to deceive the public. This Congress, above all things, should not undertake to do that at this period of American history. There is no need for the construction of additional battleships. The committee has said so in its report. They did not propose to build any battleships until 1922, and now, when the House under the rule has decided that the proposal brought in by the committee was not in order, the gentleman seeks to befog the issue further by pretending to increase the size of the Navy while it only offers to appropriate $2,000,000 to carry out the $210,000,000 program. I hope the amendment offered by the gentleman from Tennessee will not prevail.

Mr. CALDWELL. Mr. Chairman, it always fills me with a great deal of pleasure to hear the war horses of the Republican side of the House ask us to take the American public into our confidence. If the Republicans, who so recently went through a bitter campaign, had taken the American people into their confidence, the American people would have looked for the kind of tactics that have been adopted here to-day. Every man on that side of the House knows that the Republican Party has for more than a generation fought and clamored for an increase of the American Navy, and every man on that side of the House——

Mr. DENISON. Mr. Chairman, I make the point of order that the gentleman is not speaking to the amendment.

Mr. CALDWELL. I am answering the gentleman.

The CHAIRMAN. The gentleman from New York will proceed in order.

Mr. CALDWELL. I know it is rather disquieting to the gentleman from Illinois, with his warm Republican proclivities, to have anyone tell the American people how they feel about this.

Mr. MOORE of Pennsylvania. Will the gentleman from New York yield?

Mr. CALDWELL. Yes.

Mr. MOORE of Pennsylvania. I want to say that it is very embarrassing to this side of the House to have the gentleman from New York reflect on the Republican Party the way he is doing. Every Republican feels chastened by what the gentleman says. [Laughter.]

Mr. CALDWELL. Under those circumstances, Mr. Chairman, I will say nothing more. [Laughter.]

Mr. PARKER of New Jersey. Mr. Chairman, the gentleman from Virginia has rightly stated that none of this so-called appropriation should be considered without considering the paragraph on page 54, which has been read. That paragraph says, practically, that this sum is appropriated for an increase of the Navy unless England agrees to reduce her Navy, and it can not be read in any other way. It says that if, before the construction has been contracted for, there has been established a tribunal to secure peaceful determination of international disputes which shall render unnecessary the maintenance of competitive armament, then the construction of these vessels may be suspended. This means nothing else than that we tell our friends, the allies, whose navy has been our protection during this war, which has aided in protecting our soldiers as they went abroad, and our people at home and at sea—it says that unless our allies agree to go into a league, which, I believe, the United States has no power to do and which, at any rate, would be a matter of treaty with which this House has nothing to do—that unless this be done, we will build ships. If this appropriation had been made in a different form, I should have supported it. If it had said that we will build these ships if England is unable to build them and that we will help her out, I might stand for it; but to say to our allies that we will build ships unless she agrees to reduce her armament is in itself a threat in which the Congress of the United States should not join, and I therefore shall support any motion to strike out that sort of an appropriation. If we had the means and it was an appropriation to build any amount of naval vessels, I would favor it. We may not be able to build them or feel ourselves able to do so absolutely, but in its present form I will never insult our allies by voting for any such appropriation. [Applause.]

Mr. KEATING. Mr. Chairman, I am not a jingo, and I am sure my colleagues would acquit me of the charge of being a militarist. I have no desire to involve my country in a war with Great Britain or France or Italy or Japan. And yet, Mr. Chairman, from what little reading I have done of the history of the world I know there is no such thing as permanent friendships between nations.

France furnished us with the power that enabled us to win the Revolution, and yet within a few years we were at swords' points with the land of Lafayette. We are an English-speaking people, and yet Great Britain has threatened our interests oftener and more seriously than all the other nations of the earth combined. That is merely a matter of history with which every Member of the House is familiar.

I have not had the honor of being permitted to read the President's telegram to the Secretary of the Navy. I am not in the President's confidence, but, Mr. Chairman, I have some well-defined views concerning the attitude that I believe my country should take at this time.

I believe that this war will have been fought in vain unless we secure an agreement between the great powers that have won the war, looking to military and naval disarmament. [Applause.] I believe that our representatives at the Paris conference should say to the representatives of the allies there assembled that the American people do not desire to enter into a race with the nations of the earth to see which one can construct the most powerful navy, but that the American people are determined that never again shall it be said by friend or foe that America's interest and honor must be defended by the navy of another nation. [Applause.]

Mr. Chairman, I am prepared to vote for the proposition that the United States will enter into an understanding with our friends on the other side, either through a league of nations or in some other way, by which the armaments of the earth may be reduced, and I am prepared now to frankly and fairly say to our friends that unless some such agreement can be made the United States proposes to build a Navy which will be so strong in every particular that no nation on the face of God's earth can with safety invade the waters of the Western Hemisphere with hostile intent. [Applause.]

I do not know, as I said before, what was in the President's mind when he sent the telegram to Secretary Daniels, but I hope that there was something of that kind in his mind.

The statesmen of Europe are taking care of the interests of their own people. We have in Paris to-day a delegation from Great Britain safeguarding British interests. We have a delegation from France safeguarding French interests. We have a delegation from America, and I believe that delegation is safeguarding American interests.

That delegation is headed by the President of the United States—not the Democratic President of the United States, not the Republican President of the United States. To-day Woodrow Wilson represents all of the people of the United States; and without meaning to question any man's patriotism, I firmly believe that posterity will view with surprise the spectacle of American statesmen heckling and seeking to embarrass the President of the United States, who has carried democracy's message to Europe. [Applause.]

I believe that in all the essentials which he has laid down in Paris, Mr. Wilson speaks for 90 per cent of the American citizens. I believe that he speaks for Republicans as well as for Democrats. I believe that the people of this country, without regard to party, want Mr. Wilson to bring about a state of affairs which will enable us to do away with militarism for all time; and I believe that the American people want us, as their representatives here, to strengthen his hands. I hope that on both sides of the aisle we will get votes for this amendment and thus notify the world that we have wholeheartedly responded to the appeal that the President has sent to this country asking us to sustain him in the negotiations which he is carrying on on the other side. [Applause.]

Mr. MILLER of Minnesota. Mr. Chairman, I move to amend the amendment by striking out the figures "$2,000,000" and inserting in lieu thereof the figures "$210,000,000."

The CHAIRMAN. The gentleman from Minnesota offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Strike out the figures "$2,000,000" in the Padgett amendment and insert "$210,000,000."

Mr. MILLER of Minnesota. Mr. Chairman, I am surprised that a few gentlemen exhibit smiles upon their countenances as this amendment is read from the Clerk's desk. I want to say

to you that I have offered it in all seriousness. I am not bluffing. I mean business. I remember years ago, when the gentleman from Alabama, Mr. Hobson, and myself were the only two Members of the House who voted for six battleships, the only two who voted for five battleships, and for four, and on down. We used to get a few more for three and a majority usually voted for two. We have not been carrying the program of two battleships per year for the last eight years. We have fallen materially behind in that program. If we build the 10 battleships here authorized, we would just about make up for the deficiencies in these last eight years. We will just about have the Navy that we would have had had we kept to the two-battleship program throughout that time. As a strong believer, therefore, in a big Navy, I believe in making this appropriation outright, and to build the 10 battleships.

If some one suggests that perhaps in the near future an agreement at the peace table may result in disarmament, let me answer that by the statement that that agreement will certainly come early enough so that this appropriation can be repealed if necessary before a dollar of it is expended. We are doing one of two things, either we are bluffing or we mean business. It seems to me that it is not compatible with the dignity of the Congress or the American people to bluff. If, however, it is the consensus of opinion in the hearts of mankind, as reflected at the peace table in Paris, that the nations of the world should disarm, and that sentiment receives my cordial approval, then we can stop our program, but let us say now to the world that the American people to-day mean business, that we are going to build this Navy and have started to do it, and will carry the program out unless the other nations of the world agree with us to disarm.

There is no nation in this world to-day that needs a great navy like the United States, and I have in mind the great need of the British Empire and the great need of Japan. No other nation in the world has so great a coast line. No other nation in the world has thousands of miles on both the Atlantic and the Pacific, and even touching equatorial waters. Everybody conversant with the military condition of the United States knows that with the present Navy we can not defend the Panama Canal. The one problem that remains unsolved by our military authorities up to this very hour is, with our Military and Naval Establishments how to defend the Panama Canal, and this even though the attack be from a secondary power. If we have not learned a lesson during the past four years, then we never can learn. I have no faith that general disarmament will occur. I do not believe it will take place, and I doubt that there is a Member of this House who really believes it will come now, although it undoubtedly will some day. While we are in the condition that the world now finds itself in, let us go about building a United States Navy just as Theodore Roosevelt said it should be built 20 years ago. Let us build it so that it will be a great arm for America's defense the world over. Our interests extend into the Pacific to a great distance, they extend into equatorial waters, and they extend into the Arctic area to Alaska.

If we are to reap anything like our proper share of the world's commerce our ships will sail the seven seas of the world. If they are to receive the protection which is their due and which they must have we must have a great Navy. I confess to you that $2,000,000 does not mean business. Two million dollars is playing with a great, great principle. Let us make an appropriation adequate and commensurate with the purpose of building these 10 great battleships. I believe they will be needed in America's defense, and if perchance disarmament is agreed upon within the next six months or a year, then we can withdraw the appropriation; but until the nations of the world do that, let us keep our faces set forward and build these ships, and build them fast. We know not the hour when an adversary will appear. We know not who that adversary will be. It behooves us to be prepared for any adversary, and this requires sea power, covering both the Atlantic and Pacific. I believe the needs of our country require a large naval construction program and that every earnest and thoughtful American can support it.

Mr. DYER. Mr. Chairman, I desire to speak in opposition to the amendment of the gentleman from Minnesota. The gentleman says that he offers his amendment in good faith, in sincerity and not as a bluff, yet the gentleman says that if arrangements are effected by the peace conference providing for a less armament than we would need otherwise, that we can then repeal this provision that he would introduce. Gentlemen, the peace conference is in session now. We will know within a reasonable time what they accomplish in regard to these great matters, and to pass this now, in view of what has come before this House, would, in my judgment, be considered by all the delegates at the peace conference as a pure, gigantic bluff, and nothing more. The whole trouble with this proposition of offering an increase in the Navy provided by this amendment and as provided in the portion of the bill that was declared out of order has been due to the fact that the Committee on Naval Affairs have come into this House advocating this proposition not with facts and figures that justify it, not with the arguments that ought to appeal to the Members of Congress in appropriating or authorizing large appropriations of money, but they have come in here and said they are doing it for one reason, and that was because the President at the peace table had cabled here to the Secretary of the Navy, in effect, that he would be greatly embarrassed in his negotiations if we did not pass this portion of the bill. Now, Mr. Chairman, we ought not to legislate in that fashion. We ought to provide money to start the building of these battleships. We ought to authorize it if it is to the best interest of the country, regardless of any other thing. We ought not to vote here like a mere lot of puppets because the President says it will aid him in the negotiations at the peace table.

It may not mean anything else or it may mean that he wants to use it as a weapon, but I do not believe that we ought to resort to that kind of legislation. This proposition has been presented and, upon a point of order made by the distinguished gentleman from Illinois, the able Chairman of the Committee of the Whole House on the state of the Union said it was not in order upon this bill. Now, the gentleman from Tennessee, the chairman of the Committee on Naval Affairs, no doubt angry at the fact it has gone out, is now trying to embarrass all of us in putting it in here in piecemeal in a slipshod fashion. I am opposed to the amendment of the gentleman from Minnesota because I do not believe it was offered in sincerity, and I am opposed to the amendment of the gentleman from Tennessee because I do not believe that that has been offered in sincerity.

Mr. CALDWELL. Will the gentleman yield?

Mr. DYER. I will.

Mr. CALDWELL. Would the gentleman vote for a rule making the provision which was ruled out on the point of order in order so as to give the House an opportunity to vote upon this question?

Mr. DYER. I am perfectly willing myself; yes, ready and willing, to go on record now on this proposition, and if I had the opportunity I would vote against it, because, in my judgment, it has not been brought into this House with sincerity and honesty of purpose. I believe it has been offered in here for one purpose only, and that was because the President cabled in answer to the Secretary of the Navy that he would need it. No facts or figures were presented here showing the necessity of it, and while I followed the President during the war and voted for a lot of things I did not think we ought to vote for, yet I did it because he was the Commander in Chief of the Army and Navy, and I wanted to follow him as such, but now that the war is over I propose, as best I can, to use my own judgment and not be dictated to by the executive departments of the Government saying we must or should follow him without facts or figures.

Mr. LANGLEY. Mr. Chairman, I do not feel so much concerned about seeing this bill defeated, now that the distinguished chairman of the Committee of the Whole has sustained the point of order made by the gentleman from Illinois [Mr. MANN], provided, of course, that the provisions which were just knocked out of the bill will be kept out. I pause here to say that I desire to congratulate the distinguished gentleman from Tennessee, the present occupant of the Chair, upon the clearness and soundness of his ruling. It does him great credit, in view of the difficulties with which he was confronted, not only in a parliamentary sense, but otherwise.

I am against the amendment proposed by the gentleman from Tennessee, the chairman of the committee [Mr. PADGETT], and it follows, of course, that I am also against the amendment offered by the gentleman from Minnesota [Mr. MILLER], although I apprehend that his amendment will not be taken seriously.

Now, with regard to that famous cablegram from the President, I have not been taken into the confidence of the chairman of the committee and have been groping around as best I could to find out just what it all means and how it originated. My first understanding was that the President volunteered to cable Congress that they must approve this huge naval program that is proposed by the committee. After a good many of us had expressed our indignation on that assumption, lo, and behold, the gentleman from Washington [Mr. JOHNSON] announced to the House to-day that it originated with the Secretary of the Navy, who asked the President to send the cable that he did send. A little later in the session to-day the distinguished gentleman from Michigan [Mr. CURRIE], who made

such an admirable speech against the bill, announced, much to my surprise, that he had direct information, which thoroughly satisfied him that the movement did not even originate with the Secretary of the Navy, but that it had its origin in the fertile brain of some other member of the President's Cabinet. I expect before we get through with the consideration of the bill to hear most anything else regarding it.

There have been so many witnesses introduced on the question that it brings to my mind a story. There was a young lawyer in a small town who made a specialty of personal-injury cases. He won two or three cases and got a snug contingent fee in each, and he concluded that he would go after a larger clientage than he could get in the small town where he lived, so he moved down to the "blue grass" and opened up a rather pretentious office in the city of Lexington. After he had been there a month or so a friend of his met him on the street and asked him how he was getting along. "Well," he said, "business is not as good down here as I expected to find it. I am going to try it a little while longer, and if business does not pick up pretty soon I'll be d—— if I don't intend to take my witnesses and move to Chicago." [Laughter and applause.] The only difference between this lawyer's witnesses and those that have been introduced on this cablegram question is that he had his witnesses thoroughly trained, while there is a marked lack of consistency between my colleagues who have been witnesses on this very important question. [Applause.]

Gentlemen, I don't want my attitude on this bill to be misunderstood. I would vote for a large Navy now if we needed it and had the money to pay for it, but I do not think we need it bad enough, as I have said before, to put all this additional burden upon the people. The gentleman from Minnesota [Mr. MILLER] began his remarks by saying that he was not bluffing at all; that he meant business in offering his amendment to strike out $2,000,000 and insert $221,000,000, and yet a moment or two later he made the statement that if we find out later on that the peace conference is going to agree to disarmament, or reduction of armament, then we can repeal the law providing for this big naval program, which is, in effect, a confession by him that his proposition is a bluff after all; and, of course, the representatives of the other Governments at the peace table will unquestionably construe it that way in view of what he said.

I can not for the life of me see the necessity or the good sense of enacting this legislation now and alarming the taxpayers of the country still more, when we can just as well enact it when it is entirely manifest that the necessity for it exists. Mr. Chairman, I can not understand why the administration is preaching disarmament in Europe and insisting upon an increase of armament in the United States. [Applause.] It is a species of acrobatic diplomacy that passeth my comprehension. [Laughter.] Neither do I see any necessity for all of this secrecy and concealment from Congress, the body that must appropriate the money; what the real purpose behind it all is. What has become of the open diplomacy that formed a part of the sacred 14 points?

Surely it can not be possible that the President intended this to mean that he would play an open hand with foreign countries and hide the cards from his own country. I remember we were told that there was some hidden reason why we should repeal the Panama Canal tolls act, for which repeal I am glad to say I did not vote, and that we would be enlightened a little later on; and yet we know as much now as we did then and no more, which is nothing. Now, they tell us that there is a secret reason for this big naval program, and the inference is left that it will all be made plain to us after a while. Judging the future by the past, I doubt it. At any rate, I am not going to take any chances by voting for this program until I know absolutely we have got to have it. I think we ought to give a little more consideration to the harrassed and overburdened taxpayers of the country. If you are bound to make some more appropriations, then let us put the money into public buildings [laughter], which are so much needed and in the construction of which employment could be given to much of the idle labor of the country. If you feel bound to appropriate a few more hundred million dollars, let us put it into good roads. [Applause.]

Let us do something more for our soldier boys than is provided in the revenue bill which passed the House Saturday. Let us scatter the money over the country so that it will get into the hands of the masses, where it is really needed, instead of putting huge sums into vessels which, according to what the President said before we got into this war, will probably become obsolete types before they are ready for use. Let us stop creating so many additional places for these gold-braided gentlemen which the expenditure of all this money for naval construction would create and use it so it will do the common people some good. Let us stop the expenditure of so much money in creating engines of war, after the war is over, and devote whatever funds we can spare to the development and aid of peaceful pursuits and help to get the country back on a normal peace basis.

Mr. FERRIS. Will the gentleman yield?

Mr. LANGLEY. No; not now; wait until I finish on this point, and then I will yield, if I have the time left.

Let me repeat that we ought to consider the people's side of this question a little more than some of you seem inclined to do. We ought to be as generous toward them, at least, as was the Jew waiter toward the hen who, when his customer refused to take a fried egg after he had ordered it because the waiter charged him 10 cents for it, which he said was too much. In characteristic fasion the Jew waiter replied, "But, my dear sir, you must be reasonable and look at the other side of it. You must remember that an egg represents a whole day's work for a hen." [Laughter.]

Mr. Chairman, a billion dollars—and some of you gentlemen are proposing to expend a good many of them—represents a great many days, yes, a great many years' work for a great many people in this country. Mr. Chairman, I will not vote for any such bill now. Of course, I am in favor of carrying out what has already been provided for and I am in favor of carrying it out in a manner which will make it as easy as possible on the taxpayers, but that is as far as I intend to go until it is made perfectly clear to me that the honor and preservation of our country demand more. That is the way I feel about it and the way I am going to vote, and if anybody does not like my attitude, it does not matter to me. While I have the opportunity I want to add, that if a rule is brought in to make in order the provision which the chair's decision ruled out of order, I am against that, too. [Applause.]

Mr. SAUNDERS of Virginia. Mr. Chairman, I do not wish the members of the committee to conclude that because I have a large volume in my hand, I intend to use it on any extensive scale.

Mr. BUTLER. Will the gentleman excuse me if I ask the chairman of the committee one question before he begins his argument?

Mr. SAUNDERS of Virginia. Certainly.

Mr. BUTLER. May I ask the gentleman from Tennessee whether he proposes to press the vote on this amendment which he has offered?

Mr. PADGETT. Not to-night.

Mr. BUTLER. Some other night?

Mr. PADGETT. Not to-night.

Mr. BUTLER. I am much obliged to the gentleman from Virginia [Mr. SAUNDERS] for yielding to me.

Mr. SAUNDERS of Virginia. Mr. Chairman, I wish to put into the RECORD of to-day certain extracts from the naval hearings of 1915 that will abundantly sustain one or two statements which I made in the course of my oral argument a few days ago.

I stated on last Thursday that the Secretary of the Navy, and the admirals, who have heretofore testified before the Committee on Naval Affairs, had stated in the most positive fashion that this country in the determination of our naval program, had no reason to be concerned about the size of England's fleet.

In the naval hearings of 1915, Secretary Daniels testified as follows:

As Admiral Fletcher said yesterday, I do not think that there is any occasion for us to have as large a Navy as England, because, to cite one reason alone, we are so many miles away from any enemy. (See hearings 1915 testimony Secretary Daniels.)

Again in the same hearing in response to a question by Mr. BUTLER, Secretary Daniels stated:

I have clear views as to the Navy. I do not think we ought to try to have a Navy bigger than that of England, but I think we ought to have a powerful Navy.

In this connection I will state that our present Navy is a powerful one, decisively the second navy in the world, without the addition of a single ship.

Further the Secretary said:

I think the war in Europe is going to exhaust the resources of the countries engaged in it, and I think there is less likelihood of our country in the future having any trouble with those nations. We are not going to have in times of peace, what would be called a perfect war defense. So large a force would be contrary to American policies.

Again Secretary Daniels said in response to a question by Mr. GRAY:

I do not think it is necessary for us to keep up with England, but to have a regular, steady strength in our Navy.

If that was a sound statement of policy three years ago, I would like to know whether to-day we confront any more likely enemies, or greater dangers than at that time? I would like to know whether if the Secretary of the Navy was correct in

thinking three years ago that there was no occasion for this country to have a Navy as large as that of England, and that after the war there would be less danger than formerly of a collision with the countries of Europe, whether the elimination of Germany increases our danger, enhances the likelihood of war with some European country, and renders necessary the construction of a Navy as large as that of Great Britain? Will some one answer these questions?

Secretary Daniels states that we ought to have a powerful Navy. I agree that we ought to have a powerful Navy. But what is a powerful Navy? In the same testimony from which I have been quoting, Secretary Daniels referring to our Navy said:

We are ahead of all the nations now, except England. Perhaps Germany is slightly ahead of us.

A little later Secretary Daniels stated:

We have a powerful Navy, but it should be kept powerful.

If this statement was true in 1915, by how much the more is it true now? Many ships large, and small have been built in the intervening years. Moreover we adopted the program of 1916, which has been referred to as the greatest building program in all the history of naval construction. I am fully justified therefore in saying that we have a powerful Navy, an immensely powerful Navy at this time. This being so, do world conditions, and particularly the situation confronting us, justify colossal additions to our building program, in the name of national security? The yearly maintenance cost of the standing Army proposed of a strength of 500,000 men will be about $800,000,000. The yearly maintenance cost of a Navy greater than that of Great Britain will be not less than $800,000,000, and more likely to be nearer $1,000,000,000. These are great sums to be laid upon the taxpayers, unless some imperious urgency requires their imposition. Whence are these prodigious amounts to be derived?

Even Capt. Hobson, who was a protagonist of a great navy always excluded England as a factor in the determination of our naval policy. In the hearings of 1915, at a time when Capt. Hobson was a member of the Naval Committee, I find this statement by him:

My suggestion is that we always have Canada here as a hostage; second England has no great standing army behind her fleet, and a fleet that has no great standing army behind it can not be a real menace to the life of a nation. England has none, and ours has none. I put England out of the category of military nations.

Mr. GRAY asked Admiral Fletcher this question:

Are any of our naval experts advocating that we increase our Navy to make it equal to that of England?

Admiral FLETCHER. No; and I do not think that anybody has advocated that.

All of this was in 1915, and, as I have stated, we have added very greatly to our fighting ships since that time. The Secretary of the Navy, Mr. Daniels, has absolutely reversed his attitude of 1915, and without assigning any reason for his change of attitude, or for his present attitude, he now insists that this country should build, and maintain a navy greater than that of Great Britain. His new attitude I will proceed to give from his testimony in the recent hearings on the pending naval bill:

Mr. KELLEY. What we really did three years ago was to establish a new policy, which you probably did not state in full at the time, but which you now have in mind, namely, that we should pass from third place to first place substantially as fast as shipbuilding facilities could do it.

Secretary DANIELS. As fast as it could be built. It is utterly indefensible that we should have any navy at all, unless we have a navy at least equal to any other navy in the world, if old conditions continue.

Mr. KELLEY. And yet you recommend to this committee on the eve of the consummation of your hopes (of naval disarmament) a program looking to the greatest navy in the world?

Secretary DANIELS. Yes.

Mr. KELLEY. That is to say, Mr. Secretary, you want the most powerful navy in the world?

Secretary DANIELS. Absolutely, unless there is an international agreement such as we hope to get; because if you have a navy at all you want one powerful enough to defend the country against any power.

I stated a few days ago that we now possess the second navy in the world, and that our present dreadnaught strength was equal to that of France, Japan, and Italy. The first statement I will establish by Secretary Daniels; the second was established by the Scientific American and has not been denied. In the same hearings already cited we find the following:

Mr. KELLEY. We are easily the second naval power to-day, are we not, with Germany wiped out?

Secretary DANIELS. Yes.

Now, Mr. Chairman, these citations amply support the statements that I made, in my speech of a few days ago, that an absolutely new policy is being promulgated, one that treats Great Britain, our ally in the present war, and our peaceful neighbor since the War of 1812, over a century ago, as our next likely adversary in Europe, now that Germany has been overthrown. Surely it is a remarkable contention, that although three years ago, when Germany was at the height of her power, England was disregarded in the determination of our naval policy, the overthrow of Germany has apparently increased our dangers on the high seas, and so far from affording an argument for the reduction of our naval construction, really supplies a new reason for the multiplication of our national burdens.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. KNUTSON. Does not the gentleman think that if we embark on this ambitious plan it will cause competition among the nations to speed up their own navies?

Mr. SAUNDERS of Virginia. I believe that there could not be a more inauspicious time than the present to start upon a policy of competitive naval construction. Every other nation in the world is weary of war, and yearning for relief. Nowhere, save in this country, do we note the construction of new navies in progress. The nations are turning away from war, and the preparations for war. No new ships are being laid, or ordered under any new program, either in Great Britain, France, Italy or any other country. [Applause.]

Mr. FARR. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. FARR. The Japanese have voted the largest credit in the history of Japan for shipbuilding.

Mr. SAUNDERS of Virginia. Battleships?

Mr. FARR. Battleships.

Mr. SAUNDERS of Virginia. I have not heard of anything of the sort. It is not in your hearings.

Mr. FARR. I got that from naval circles in Washington.

Mr. SAUNDERS of Virginia. Well, the naval circles in Washington, ought to have made that statement to the Naval Committee, when it was preparing the pending bill. These mysterious and unsupported intimations of suggested activity by Japan do not excite me and ought not to excite anyone. But even if they were true, Japan will have to go a long way to overtake our present strength. We can take an extended naval holiday, then begin building, and easily keep ahead of Japan, or for that matter of any other country in the world save England.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. SAUNDERS of Virginia. I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. OLIVER of Alabama. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. OLIVER of Alabama. The gentleman did not vote for the August, 1916, bill, did he?

Mr. SAUNDERS of Virginia. No; I did not.

Mr. OLIVER of Alabama. The gentleman did not vote for the bill passed in July, 1918?

Mr. SAUNDERS of Virginia. I think not, though I am not certain that I have in mind what that bill was.

Mr. OLIVER of Alabama. Is the gentleman in favor of the appropriations carried in this bill for the upkeep and maintenance of the Navy?

Mr. SAUNDERS of Virginia. Yes. I am willing to go that far, if the supplemental program is stricken out.

Mr. OLIVER of Alabama. And the only part of the bill as reported that the gentleman is opposed to is the new construction program?

Mr. SAUNDERS of Virginia. Yes.

I desire to call the attention of the committee to some further extracts from the recent testimony of Secretary Daniels showing the real extent of the naval policy involved in our action, should we adopt the supplementary program. I gathered from the report of the committee that the pending bill contained the substance of what Secretary Daniels styles the second three-year program. Such is not the case. The bill provides for only 10 first-class battleships, and 10 scout cruisers, all new construction. This is by no means all of the supplementary program.

I asked the chairman of the committee a few days ago this question: "Should we vote the supplemental program of big ships in the bill, will there be hereafter an additional number of small ships necessary to be constructed as the complement of the big ships, in order to make what the naval people call a well-rounded Navy?"

The chairman indicated that we had a disproportionate number of small ships at this time, and that the naval experts differed among themselves as to whether many more of those

smaller ships would be required to round out the new construction. Looking to the testimony of the Secretary of the Navy I find that the full program of the Secretary, and that is what will be ultimately carried out, should we adopt the program of the bill, calls for 10 dreadnaughts, 6 battle cruisers, 10 scout cruisers, and a complement of 130 other ships of various types to give us a well rounded Navy. The program in the bill is merely the head of the camel in the tent. The goal is a navy greater than Great Britain's, whatever may be the building activities of that country in the future. I wish some one speaking for the committee would give the country an approximate idea, first of the cost of construction, in billions, of a navy greater than that of England, second, when that navy is finally secured, the cost of its annual maintenance. At present though we are far short of our goal, the totals for the Naval Establishment for the years 1919 and 1920 are as follows: For the years 1919, $1,685,379,533; for the year 1920, $746,457,440.33.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. KNUTSON. How can we dovetail this naval program in with our desire for disarmament?

Mr. SAUNDERS of Virginia. I discussed that proposition a few days ago. It can not be done. It occurs to me that in no way could the United States inject a more alarming feature into the present situation abroad, or give greater offense to the nations, than by ordering a vast program of naval construction at this time. We are in less danger from any quarter than any other nation in the world, and therefore in a better position to wait on the outcome of the peace conference, and the action taken there, and then establish an appropriate policy. We can match building against building with any other country, or countries, should that course become necessary. For the present we can be quiescent without risk, and by a policy of repose steady the other nations.

Mr. EMERSON. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. EMERSON. Supposing that the President has said that it is necessary for his negotiations in Paris that we must pass this bill, what does the gentleman think about that?

Mr. SAUNDERS of Virginia. I will ask the gentleman a question, before giving him an answer. Is the determination of our naval policy, in the judgment of the gentleman from Ohio, an executive, or a legislative function?

Mr. EMERSON. It is both.

Mr. SAUNDERS of Virginia. Not at all. How can that be? We determine this policy. The legislative body should be ready and willing to receive suggestions from the Executive, from the Secretary, from the naval heads, from the experts, and from any other quarter. But when the legislative body has received these suggestions, whose duty is it thereafter under the Constitution to establish a naval policy? Will the gentleman answer that question?

Mr. EMERSON. Both. The President is there, sitting at the peace table, representing this country.

Mr. SAUNDERS of Virginia. Suppose he is. He is negotiating a treaty, not exercising legislative functions.

Mr. EMERSON. Are we to embarrass him and humiliate him?

Mr. SAUNDERS of Virginia. No. Not at all. That is the reason I do not wish to agree to the supplementary program. To vote this program at this time would be to project the most embarrassing element that could be devised, into the peace conference now sitting in Paris. [Applause.] This action on our part would be in hopeless and inescapable conflict with the declarations that have been made on our behalf that the President, speaking for this country, is seeking to replace the jealous, and selfish contentions of the Old World with the ideals of peace and justice. It is a little incongruous for the President to be the spokesman of the idealists in Paris, and for the United States in effect to flourish a great horse pistol at home by tumultuously ordering a vast program of unnecessary naval construction. [Applause.]

Permit me to read you what the Secretary of the Navy had to say heretofore with respect to the appropriate determination of a naval policy. I read:

Mr. DANIELS. I think, in the first place, the policy of national defense is not determined by the Secretaries: It is determined by the Congress, and it is a very good thing for Congress to have the varying and fluctuating views, so that they may have all the light it can get, and then for it to fix the policy.

Well if it is an aid to this body to have varying, and fluctuating views, we have been abundantly supplied in this respect during the last five years, by the Secretary of the Navy and the naval experts, as shown by the extracts which I have read from their testimony. In full possession of a generous supply of "varying and fluctuating views," this body is assuredly well equipped to reach a wise conclusion, that is if wisdom comes that way. Further on this same line that it is the function and duty of Congress to establish a naval policy, Secretary Daniels makes this statement:

You want recommendations from the executive department, and we have given them to you. You must then determine whether you will take them up, or improve them, or otherwise.

I agree fully with these declarations of Secretary Daniels. It is our duty to establish a naval policy, after we have secured the facts, and received the suggestions of our advisers. Once in the possession of the facts, it is our solemn duty to the American people to determine under our oaths whether at this time when our country is palpably and absolutely safe, we shall take an unnecessary step, and establish a program that may be fairly treated as a threat and a menace to the rest of the world. Bear in mind that this program is not inspired by the urgency of war, and does not provide for present construction. It belongs well to the future. We are doing what no other nation is doing. Apparently we repudiate the suggestion that the overthrow of Germany has in any wise made the world a safer and a better place for the peace-loving nations of the earth. Does our safety require this step? Let Secretary Daniels answer. Two years ago the Secretary declared that we had a fleet which was sufficient to defend either the Atlantic, or the Pacific coast. Since then we have adopted the program of 1916, and in addition have materially strengthened our fighting fleet by new construction. We have not only affirmatively strengthened ourselves, by our own activities, but our position has been made materially more secure by the overthrow of the one nation that was a menace to the rights and the liberties of the world. I repeat the statement heretofore made, that we have not merely crippled, weakened, or impaired the naval power of Germany, we have absolutely eliminated that Empire from present contemplation. If that be true, this is the time to reduce, not increase the burdens of the public. [Applause.] That, at least, Mr. Chairman, is the conclusion that I draw from a survey of present world conditions.

Mr. PADGETT. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. SAUNDERS of Virginia having taken the chair as Speaker pro tempore, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the naval appropriation bill, H. R. 15339, had come to no resolution thereon.

ARMY APPROPRIATIONS.

Mr. DENT, from the Committee on Military Affairs, reported the bill (H. R. 15835) making appropriations for the support of the Army for the fiscal year ending June 30, 1920, which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report (No. 1048), ordered to be printed.

Mr. MANN. Mr. Speaker, I reserve all points of order on the bill.

POST OFFICE APPROPRIATIONS.

Mr. MOON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Post Office appropriation bill (H. R. 13308), and to disagree to all the Senate amendments and agree to the conference asked for by the Senate.

The SPEAKER pro tempore. The Clerk will report the bill by title.

The Clerk read the title of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

The SPEAKER pro tempore. The gentleman from Tennessee asks unanimous consent to disagree to the amendments of the Senate and to agree to the conference asked for by the Senate. Is there objection?

Mr. BARKLEY. Mr. Speaker, reserving the right to object, I desire to ask the gentleman from Tennessee whether it will be possible, if necessary in order to maintain the amount appropriated in the House bill for motor-truck routes, that before the conferees agree to the Senate amendment reducing that amount he will bring it back to the House for consideration by the House.

Mr. MOON. Mr. Speaker, I hope the gentleman will not put the conferees in that sort of a position. It may be best to do that, or it may not be best. I will say this about every provision in the bill, that if there is any desire on the part of the House to vote upon any of the questions in the bill, the conference committee, of course, desire to carry out the wishes of the House; but we ought to have a full and free conference with the Senate, and I think it is not advisable to commit ourselves on any

one proposition in this bill. There are seventy-odd amendments, and it would put the House conferees at a very great disadvantage not to have a full and free conference on all of the questions in the bill, or to be committed to any particular action on any one amendment of the Senate. I think it is the part of wisdom to let the bill go to conference and have a full and free conference, and I want to assure the House that if it manifests a desire to vote upon any question the conferees certainly will have no desire to foreclose the vote on any amendment to the bill.

Mr. DYER. Does that apply to the aero mail increased appropriation also?

Mr. MOON. Oh, yes; it applies to everything. The House has the right to control the bill. The conferees are the servants of the House. We are willing to bring anything here that you want to vote upon, but we do not want to be pledged in advance as to any of these questions, because that would cripple the conferees in conference, and in getting the measure through, as far as possible, as desired by the House.

Mr. BARKLEY. Mr. Speaker, reserving the right to object—and I shall not object—I want to take advantage of this opportunity to express the hope to the gentleman from Tennessee and his fellow conferees that they will insist to the very last point possible on retaining the provision in the bill for motor-truck service, which was included in the bill when it passed the House. I hope that when it comes back it will retain that provision.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The SPEAKER pro tempore. The Chair will announce the conferees.

Mr. MANN. Mr. Speaker, in order not to create a precedent, I think the present occupant of the chair ought to ask that by unanimous consent he may name the conferees. I do not think a Member temporarily occupying the chair as Speaker pro tempore is authorized under the rules to name the conferees without the consent of the House.

The SPEAKER pro tempore. Without objection, the present occupant of the chair will name the conferees.

There was no objection.

The SPEAKER pro tempore announced as conferees on the part of the House Mr. MOON, Mr. BELL, Mr. ROUSE, Mr. STEENERSON, and Mr. MADDEN.

LEAVE TO EXTEND REMARKS.

Mr. GORDON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a decision of the Supreme Court, and also certain correspondence which I have had with my constituents on matters pending before the House.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD by printing an opinion of the Supreme Court and certain correspondence that he has had with his constituents. Is there objection?

There was no objection.

Mr. MASON. Mr. Speaker, I ask unanimous consent to speak for three minutes to place in the RECORD a copy of an order published in Fort Washington in regard to the punishment that will be given the soldier who asks for political or civilian influence.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent to proceed for three minutes for the purpose indicated. Is there objection? [After a pause.] The Chair hears none.

Mr. MASON. Mr. Speaker, I stated the other day that in certain camps and cantonments they had posted notices that any soldier who applies for any assistance in the matter of his discharge will be court-martialed and punished. I now print as a part of my remarks, to save time, the copy of the order posted on the bulletin board at the headquarters of the coast defense of the Potomac, Fort Washington, Md., which states in substance:

First. Orders of the War Department direct that no person in the military service shall seek directly or indirectly to secure action affecting his military status by political or civilian influences.

Second. The discharge of soldiers under existing orders and instructions is being carried out by the commanding officer as impartially as possible and with due interest to the welfare of each soldier concerned. The commanding officer, and no doubt unit commanders, are receiving applications from civilian and political sources that are a source of annoyance to those who receive letters besides wasting valuable time.

Third. Every soldier of this command is forbidden to write any person whosoever outside of the military service asking directly or indirectly for assistance affecting the soldier's status. Every case where there is reasonable ground for believing that the soldier has disobeyed these orders and instructions he will be brought to trial by court-martial for disobedience of orders.

Mr. DYER. Will the gentleman yield?

Mr. MASON. I have only three minutes.

Mr. DYER. Does the gentleman understand that by "political influence" is meant the efforts of Members of Congress to have the case of the soldier considered?

Mr. MASON. Some of us think we are politicians and some of us think we are statesmen. I have ranked myself as a politician because Speaker Reed once said that a statesman is a dead politician. [Laughter.]

I called attention to this the other day and I offer it again as a reason for the passage of a resolution I have introduced. This whole act of demobilization is being dillydallied with. We have had two colleagues come from France in the last 10 days or 2 weeks, one telling of the dreadful condition of our boys there and the fact that they are not comfortable and not sheltered.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MASON. Mr. Speaker, I ask unanimous consent for two minutes more.

The SPEAKER pro tempore. The gentleman asks that his time be extended two minutes. Is there objection?

Mr. GARD. I have no objection to the gentleman incorporating that which he desires in the RECORD, but this has already been gone over many times, and I object.

Mr. MASON. Mr. Speaker, what was the objection to my proceeding?

The SPEAKER pro tempore. The gentleman from Ohio objected to the two additional minutes.

Mr. MANN. Mr. Speaker, I move that my colleague be allowed to address the House for five minutes.

The SPEAKER pro tempore. The gentleman from Illinois moves that his colleague [Mr. MASON] be allowed to speak for five minutes.

Mr. LOBECK. I move to amend by making it 10 minutes.

Mr. MASON. I can finish in five minutes and perhaps in three.

Mr. LOBECK. I withdraw my amendment.

Mr. GARD. Mr. Speaker, I make the point of order that the motion of the gentleman from Illinois is not in order.

Mr. MANN. It is in order; there is nothing else before the House.

The SPEAKER pro tempore. The Chair is not sure that it is in order, but he will put the question.

The question was taken, and the motion was agreed to.

Mr. MASON. Mr. Speaker, in the five minutes you have been kind enough to give me I am calling attention to the resolution I offered, which I have submitted to the Committee on Rules and which I hope the committee will report. The resolution simply appoints a nonpartisan committee of four Democrats and four Republicans—and I think you gentlemen on the other side ought to be willing to agree to it, for it is your last chance to get an even show on committees—to take evidence to assist the military arm of the Government in giving our boys their rights. As a matter of fact the officers, as a general rule, are fine men, but there is another fact that there is a certain class of them that want to maintain their units in order to maintain their own commissions. One of our colleagues who came back from France—and I am not using his name, for I do not see him present—said that on the vessel he came back on there was room for a thousand more soldiers; that there were staterooms in which there were three berths and only occupied by one person.

Mr. Speaker, there ought to be some way to arrange this matter. There is no disposition to find fault. The only thing to do is to help, and if you can have a committee here in Washington with power to do that, we will reach the point where we can say to the little man with big shoulder straps, "Give these boys a chance to be heard." Under this rule, if a man wrote to his father and told him that he had to have two affidavits, he would be subject to court-martial and to punishment. If he wrote to his own mother and told her that under the rules of the War Department he had to have two affidavits showing why he was needed at home, he would violate the rule laid down here and would be subject to court-martial. The question is whether you are willing to have this committee, whether you are willing to speed taking these boys home. If they are needed, keep them; but if you intend to demobilize them, give them a chance. I say to you that some of them are being abused, and if you will give the committee, while I can not call these boys here and use their names now and have them court-martialed, I shall call them before the committee which will protect them. One Iowa Congressman told me of a case where a boy had made application because his brother had broken his leg and he wanted to

go home and help his father with his spring farming, and the officer called this boy the vilest name ever applied to a human being. He called him a coward, and said that he was trying to avoid his duty.

Mr. RAKER. Mr. Speaker, does the gentleman know of any specific case where a soldier now in a cantonment has been placed on trial, at court-martial, because he wrote to his father or mother for these affidavits or because his case has been presented to friends or to the Representative of his district, and the commander of the cantonment had been asked to give the boy's case consideration?

Mr. MASON. I will say to the gentleman that three of my colleagues have told me of cases where they took up the case on the suggestion of the father and mother, where the boys were court-martialed.

Mr. RAKER. For this?

Mr. MASON. For the offense of asking for outside influence in presenting matters in respect to their discharge. I have another case of my own, where I simply wrote a recommendation certifying to the man's good name, to his officer, and the boy was threatened with court-martial; and it was all returned to me with an indication that I should keep off the grass. I told the Secretary of War that being a Member of Congress ought not to deprive me of my citizenship, nor should it estop me from suggesting in a respectful way anything that I could suggest for the good of the service.

Mr. Speaker, at the proper time, under the strict rules applying here in this deliberative body, I am going to ask for the discharge of the Committee on Rules, so that I may have a vote upon this question. I want to know who are willing to let these boys have some civil place to which to appeal for defense. The man who copied this for me would be court-martialed to-morrow if they knew that he had copied it; and yet he did it at my request. Here is an order printed which says to every man who dares, in time of peace, to write to anyone is subject to court-martial, and it is accompanied with an insulting remark that it is an annoyance to these distinguished officers to get letters from politicians and civilians and it is a waste of time. They have to read them to see whether it is a politician who writes them, and take some time to deposit them in the wastebasket. [Applause.]

VOTE ON REVENUE BILL—PERSONAL EXPLANATION.

Mr. WATSON of Virginia. Mr. Speaker, I ask unanimous consent to proceed for half a minute.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. WATSON of Virginia. Mr. Speaker, on Saturday evening, understanding there would be no record vote upon the adoption of the conference report upon the revenue bill, I absented myself from the Capitol on other business. I desire simply to state that had I been present I would have voted in favor of the adoption of the conference report.

HOUR OF MEETING TO-MORROW.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER pro tempore. Is there objection?

Mr. MADDEN. Mr. Speaker, I object.

CHANGE OF REFERENCE.

Mr. CALDWELL of New York. Mr. Speaker, I ask unanimous consent that reference with the bill (H. R. 15742) to regulate the collection and expenditure of money, other than by the Government of the United States or by its authority, for the use and benefit of the armed forces of the United States and of its allies, and especially of France, Great Britain, Italy, Belgium, Serbia, Greece, and Montenegro, or for any auxiliary organizations of said Governments maintained and operated for the use and benefit of such armed forces, be changed from the Committee on the Judiciary to the Committee on Military Affairs, where it properly belongs. A similar bill in the Senate has been referred to the Committee on Military Affairs.

Mr. WALSH. Mr. Speaker, I object. This is no time to do that.

RELEASE OF CONSCIENTIOUS OBJECTORS.

Mr. SLOAN. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. SLOAN. Mr. Speaker, recently there were discharged from the Leavenworth Penitentiary several hundred so-called conscientious objectors, who refused to either fight or work. The manner of their discharge has become a matter of considerable interest out there. The Legislature of Nebraska has passed some emphatic resolutions, which I desire to present here and made a part of the RECORD. I may at a later date have something to say concerning these resolutions, but just now, as the Secretary of War is called upon for an explanation, and it may be given, I shall at this time withhold further comment. I desire to print these resolutions as a part of my remarks.

The SPEAKER pro tempore. The gentleman from Nebraska [Mr. SLOAN] asks unanimous consent that he may print certain indicated resolutions as a part of his remarks. Is there objection?

Mr. GARD. Mr. Speaker, reserving the right to object, will the gentleman indicate what the resolutions are?

Mr. SLOAN. The Legislature of Nebraska has seen fit to condemn the action of the Secretary of War in releasing several hundred men in a great body from the Leavenworth Penitentiary. They say these inmates refused to either fight or work during the whole period of the war. It is alleged that they were paid in full for the time they were imprisoned, given a new suit of clothes, a sum of money, $10 or $25 in cash, honorably discharged, and sent home.

Mr. LITTLE. Honorably discharged?

Mr. SLOAN. Yes. This has given rise to indignation on the part of the people out in our country.

Mr. GARD. This has already been expressed in the State of Nebraska in the newspapers, has it not?

Mr. SLOAN. Oh, yes; but I am inclined to think it is of such general nation-wide interest that it ought to go into the RECORD. If I can not get it in the RECORD upon this request, I think I will try to impose myself on the House for time to read and comment thereon. I do not like to do that.

The SPEAKER pro tempore. Is there objection to the request of the gentlemnn from Nebraska? [After a pause.] The Chair hears none.

The resolutions referred to are as follows:

UNITED STATES OF AMERICA,
STATE OF NEBRASKA.

I, Darius M. Amsberry, secretary of state of the State of Nebraska, do hereby certify that the resolutions hereunto attached and herewith pertaining are a true, correct, complete, and verified copy of the resolutions adopted by the senate, Legislature of Nebraska, thirty-seventh session, February 5, 1919.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Nebraska. Done at Lincoln this 7th day of February, in the year of our Lord 1919 and of the independence of the United States the one hundred and forty-third, and of this State the fifty-second.

[SEAL.] DARIUS M. AMSBERRY,
Secretary of State.

LINCOLN, NEBR., *February 5, 1919.*

Hon. D. M. AMSBERRY,
Secretary of State, Lincoln, Nebr.

DEAR SIR: The following resolution was adopted by the State senate under this date and is hereby transmitted to you:

[Legislature of Nebraska, thirty-seventh session. Senate file No. —. A resolution introduced by Senators Reed and Hall, Johnson, Hammond, Neal, and Cronin.]

"Whereas press reports state that several hundred men who were drafted for service in the war and refused to bear arms or work or obey orders of their superior officers, or in any manner assist in the defense of their country, or support thereof, are to be given, and are being given, honorable discharge from the Army, fitted out with a complete outfit of civilian clothing and paid the full wage, and in some instances $15 to $25 more than that which they would have received had they been loyal to their country and served in the trenches and borne the hardships incident thereto; and

"Whereas there are several hundred thousand loyal American soldiers still in France who have willingly offered their lives in defense of their country and who are anxious to be discharged and return to private life, loyal and unselfish men who will some day return to find their positions filled by the unpatriotic slackers and conscientious objectors wearing the clothing furnished them by the Government and with no provision made for rewarding and honoring those who have saved the country and who by their glorious achievements have preserved to posterity the honor of the Nation: Now, therefore be it

"*Resolved by the Senate of the State of Nebraska*, That we earnestly protest against the action of Secretary of War Baker in rewarding the slacker and the traitor, which we stamp as a direct insult to the brave soldiers who so valiantly went forth to defend democracy and freedom against the awful blight of Kaiserism at the sacrifice of their lives, and to the Red Cross nurses who risked their lives to administer to the wounded and bleeding upon the battle fields of Europe, and every other worker who participated in the support of the war, and we call upon the Congress of the United States to condemn the said action of Secretary Baker, as it is not consistent with the principles of true Americanism, and we further call upon Congress to honor and reward the loyal and faithful men of our Army and Navy in a manner befitting their glorious deeds; be it further

"*Resolved*, That a certified copy of this resolution be sent by the secretary of state to Secretary of War Baker and to the Members of Congress and the Senators from this State."

I, Clyde H. Barnard, secretary of the Senate of Nebraska, hereby certify that the above and foregoing is a true, complete, and verified copy of resolution adopted by the senate February 5, 1919.

CLYDE H. BARNARD,
Secretary of the Senate.

UNITED STATES OF AMERICA,
STATE OF NEBRASKA.

I, Darius M. Amsberry, secretary of state of the State of Nebraska, do hereby certify that the resolutions hereunto attached and herewith pertaining are a true, correct, complete, and verified copy of the resolutions adopted by the House of Representatives, Legislature of Nebraska, thirty-seventh session, February 5, 1919.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Nebraska. Done at Lincoln, this 7th day of February, in the year of our Lord 1919, and of the independence of the United States the one hundred and forty-third, and of this State the fifty-second.

[SEAL.]

Secretary of State.

HOUSE OF REPRESENTATIVES,
OFFICE OF CHIEF CLERK,
Lincoln, Nebr., February 6, 1919.

[Legislature of Nebraska, thirty-seventh session. A resolution, introduced by Representatives Miller, Mears, Sandquist, Foster, Gerhart, Fries, Birdsall, and Purdy.]

Whereas press reports state that several hundred men, known as conscientious objectors, who were drafted for service in the war and refused to bear arms or work or obey orders of their superior officers, or in any manner assist in the defense of their country or support thereof, are to be given and are being given honorable discharge from the disciplinary barracks, fitted out with a complete outfit of civilian clothing, and paid the full wage, and, in some instances, $15 to $25 more than that which they would have received had they been loyal to their country and served in the trenches and borne the hardships incident thereto; and

Whereas there are several hundred thousand loyal American soldiers still in France who have willingly offered their lives in defense of their country and who are anxious to be discharged and return to private life—loyal and unselfish men, who will some day return to find their positions filled by the unpatriotic slackers and conscientious objectors wearing the clothing furnished them by the Government—and with no provision made for rewarding and honoring those who have saved the country and who, by their glorious achievements, have preserved to posterity the honor of the Nation: Now, therefore, be it

Resolved by the House of Representatives of the State of Nebraska, That we earnestly protest against the action of Secretary of War Baker in rewarding the slacker and the traitor, which we stamp as a direct insult to the brave soldiers who so valiantly went forth to defend democracy and freedom against the awful blight of Kaiserism at the sacrifice of their lives, and to the Red Cross nurses who risked their lives to administer to the wounded and bleeding upon the battle fields of Europe, and every other worker who participated in the support of the war; and we call upon the Congress of the United States to condemn the said action of Secretary Baker, as it is not consistent with the principles of true Americanism; and we further call upon Congress to honor and reward the loyal and faithful men of our Army and Navy in a manner befitting their glorious deeds; be it further

Resolved, That a certified copy of this resolution be sent by the secretary of State to Secretary of War Baker and to the Members of the Congress and the Senators from this State.

D. S. DALBEY, *Speaker.*
WILL F. HITCHCOCK,
Chief Clerk of the House.
DARIUS M. AMSBERRY,
Secretary of State.

Mr. MAPES. Mr. Speaker, I ask unanimous consent to proceed for three minutes.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent to speak for three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. PADGETT. Mr. Speaker, will the gentleman withhold for a moment? I wish to renew my request for unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER pro tempore. The gentleman from Tennessee asks unanimous consent that when the House adjourns today it adjourn to meet at 11 a. m. to-morrow. Is there objection? [After a pause.] The Chair hears none.

Mr. KITCHIN. Mr. Speaker, I want to give notice that as soon as the gentleman from Michigan gets through I am going to move to adjourn.

Mr. MANN. I would like to ask the gentleman if the naval bill gets through before time to adjourn to-morrow what is to be taken up then?

Mr. KITCHIN. The military appropriation bill, which is reported.

Mr. MAPES. Mr. Speaker, it so happens that a large number of the American troops who are in Russia came from the State of Michigan and a large part of them from the congressional district which I have the honor to represent. As expressive of the sentiment of the people of my district as to their continuance in Russia I desire to have read in my time a letter from the mayor of the city of Grand Rapids giving a resolution which was adopted at a mass meeting of the citizens of that city.

The SPEAKER pro tempore. Without objection, the Clerk will read in the gentleman's time.

The Clerk read as follows:

CITY OF GRAND RAPIDS, MICH.,
February 6, 1919.

Hon. CARL E. MAPES, M. C.,
Washington, D. C.

MY DEAR CONGRESSMAN: At a meeting of the citizens of this city held Wednesday evening, February 5, the following resolution was adopted:

"Whereas the United States Government is now maintaining an armed force in northern Russia, among whom are a number of soldiers from this city and vicinity; and

"Whereas it appears that the force there maintained is wholly inadequate to cope with the forces sent against them, and there is grave danger that their maintenance as at present will result in many if not all of the soldiers being overcome by the forces opposed to them; and

"Whereas it appears that their maintenance in northern Russia at this time is not necessary for the safety and welfare of the country, or necessary as a military measure: Therefore

"*Resolved*, That we, the citizens of the city of Grand Rapids, most earnestly protest against the retention of our boys in Russia; and further

"*Resolved*, That the Secretary of War be, and he hereby is, requested to withdraw said force at as early a date as practicable, to the end that their lives may not needlessly be sacrificed in maintaining an unnecessary military venture; and be it further

"*Resolved*, That a copy of these resolutions be transmitted to the Secretary of War, to the Congressman from this district, and to the Members of the Senate from this State, and ask the Congressman and Senators to cable the President to this effect."

Respectfully,

CHRISTIAN GALLMEYER, *Mayor.*

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 44 minutes p. m.) the House adjourned until to-morrow, Tuesday, February 11, 1919, at 11 a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Smithsonian Institution submitting a supplemental estimate of appropriations to enable the institution to lent and equip for exhibition purposes the metal structure erected by the War Department in the Smithsonian Grounds, fiscal year 1920 (H. Doc. No. 1780); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of State submitting a supplemental estimate of appropriation required by the Pan American Union for printing and binding, fiscal year 1919 (H. Doc. No. 1781); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Acting Secretary of the Treasury, transmitting copy of communication from the Secretary of the Interior submitting a substitute estimate of appropriation required by the Interior Department for administration of the National Park Service in lieu of estimate heretofore submitted (H. Doc. No. 1782); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Acting Secretary of the Treasury, transmitting copy of communication from the Assistant Secretary of Labor submitting a supplemental estimate of appropriation required by the Department of Labor for increased cost of envelopes, fiscal year 1919 (H. Doc. No. 1783); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Acting Secretary of the Treasury, transmitting copy of communication from the Postmaster General submitting supplemental estimate of appropriation required by the Post Office Department and Postal Service (H. Doc. No. 1784); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. JOHNSON of Kentucky, from the Committee on the District of Columbia, to which was referred the bill (H. R. 15608) to incorporate the War Mothers of America, reported the same without amendment, accompanied by a report (No. 1047), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. COOPER of West Virginia: A bill (H. R. 15815) donating a captured German cannon or field gun and carriage to the town of Bramwell, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15816) donating a captured German cannon or field gun and carriage to the town of Mullens, W. Va.; to the Committee on Military Affairs.

By Mr. BESHLIN: A bill (H. R. 15817) authorizing the Secretary of War to donate to the town of Greenville, Pa., four

German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. CLARK of Missouri: A bill (H. R. 15818) authorizing the Secretary of War to donate to the town of Elsberry, Mo., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WICKERSHAM: A bill (H. R. 15819) to amend an act entitled "An act to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes," approved March 12, 1914, and for other purposes; to the Committee on the Territories.

By Mr. PARKER of New York: A bill (H. R. 15820) authorizing the Secretary of War to donate a captured German cannon or fieldpiece to the village of Schuylerville, N. Y.; to the Committee on Military Affairs.

By Mr. CRAMTON: A bill (H. R. 15821) authorizing the Secretary of War to donate to the town of Imlay City, Mich., two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15822) authorizing the Secretary of War to donate to the county of Lapeer, Mich., two German cannons or fieldpieces to mark the Victory Highway; to the Committee on Military Affairs.

By Mr. RUBEY: A bill (H. R. 15823) authorizing the Secretary of War to donate to the city of Mountain Grove, Mo., two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15824) authorizing the Secretary of War to donate to the State Federal soldiers' home at St. James, Mo., two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15825) authorizing the Secretary of War to donate to the city of Houston, Mo., two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. EVANS: A bill (H. R. 15826) providing for the conveyance to the State of Montana of Fort William Henry Harrison Military Reservation for educational and other purposes; to the Committee on Military Affairs.

By Mr. DENTON: A bill (H. R. 15827) authorizing the Secretary of War to donate to the city of Lincoln City, Ind., one German cannon or fieldpiece, to be placed in Nancy Hanks Park; to the Committee on Military Affairs.

By Mr. DALE: A bill (H. R. 15828) donating two captured German cannons or field guns and carriages to the city of Montpelier, in the State of Vermont, for decoration purposes on the grounds of the State capitol; to the Committee on Military Affairs.

Also, a bill (H. R. 15829) donating a captured German cannon or field gun and carriage to the town of Greensboro, Vt., for decorative purposes; to the Committee on Military Affairs.

By Mr. GEORGE W. FAIRCHILD: A bill (H. R. 15830) authorizing the Secretary of War to donate to the city of Cooperstown, N. Y., one German cannon or fieldpiece, to be placed in the city park; to the Committee on Military Affairs.

By Mr. DOWELL: A bill (H. R. 15831) donating a captured German cannon or field gun and carriage to the city of Redfield, county of Dallas, State of Iowa; to the Committee on Military Affairs.

By Mr. CONNALLY of Texas: A bill (H. R. 15832) for the purchase of a site for the erection of a post-office building at Hamilton, Tex.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15833) for the purchase of a site for the erection of a post-office building at Gatesville, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. STEENERSON: A bill (H. R. 15834) to extend the time for the construction of a bridge across the Red Lake River, in Pennington County, Minn.; to the Committee on Interstate and Foreign Commerce.

By Mr. DENT: A bill (H. R. 15835) making appropriations for the support of the Army for the fiscal year ending June 30, 1920; to the Committee of the Whole House on the state of the Union.

By Mr. SIMS: A bill (H. R. 15836) to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, as amended; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 15837) to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. GOULD: Resolution (H. Res. 563) directing the Secretary of War to furnish the House of Representatives with certain information concerning prisoners confined at Fort Leavenworth, also the discharge of conscientious war objectors; to the Committee on Military Affairs.

Also, resolution (H. Res. 564) directing the Secretary of War to furnish the House of Representatives with certain information regarding the confinement of military prisoners; to the Committee on Military Affairs.

Also, resolution (H. Res. 565) directing the Secretary of War to furnish the House of Representatives with certain information regarding court-martial cases since April 6, 1917; to the Committee on Military Affairs.

By Mr. PADGETT: Resolution (H. Res. 566) making in order certain new legislation in House bill 15539, notwithstanding the rules of the House; to the Committee on Rules.

By Mr. TAGUE: Resolution (H. Res. 567) for the appointment of a committee to investigate the administration of wires now under the control of the Postmaster General; to the Committee on Rules.

By Mr. EMERSON: Joint resolution (H. J. Res. 409) to give a war trophy to Bedford, Ohio; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 410) to give a war trophy to Thompson, Ohio; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 411) to give a war trophy to Middlefield, Ohio; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 412) to give a war trophy to Painesville, Ohio; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 413) to give a war trophy to East Cleveland, Ohio; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 414) to give a war trophy to Willoughby, Ohio; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 415) to give a war trophy to Madison, Ohio; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 416) to give a war trophy to Burton, Ohio; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 417) to give a war trophy to Wickliffe, Ohio; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 418) to give a war trophy to Chagrin Falls, Ohio; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 419) to give a war trophy to Lakewood, Ohio; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 420) to give a war trophy to Perry, Ohio; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 421) to give a war trophy to Chardon, Ohio; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 422) to give a war trophy to Mentor, Ohio; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 423) authorizing the Secretary of War and the Secretary of the Navy to procure a metal button to be given each soldier, sailor, and marine who served in the world war; to the Committee on Military Affairs.

By Mr. WICKERSHAM: Joint resolution (H. J. Res. 424) to amend an act entitled "An act to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes," approved March 12, 1914, and for other purposes; to the Committee on the Territories.

By Mr. CLARK of Missouri: Memorial from the Legislature of the State of Montana, urging Congress to pass an act ceding to the State of Montana certain lands; to the Committee on the Public Lands.

Also, memorial from the Legislature of the State of Oregon, urging Congress to pass such laws as will permit the American shipbuilders to build ships for foreign nations; to the Committee on the Merchant Marine and Fisheries.

Also, memorial from the Legislature of the State of Wisconsin, urging the Congress of the United States to enact legislation to allow soldiers, sailors, and marines who served in the war against Germany and her allies six months' pay after discharge; to the Committee on Military Affairs.

Also, memorial from the Legislature of the State of Montana, favoring woman suffrage; to the Committee on Woman Suffrage.

By Mr. CAMPBELL of Kansas: Memorial from the Legislature of Kansas, favoring a duty of 2 cents per pound on zinc ore imported into the United States; to the Committee on Ways and Means.

By Mr. DAVIS: Memorial from the Legislature of the State of Minnesota, urging Congress to provide means for purchasing and moving of the wheat still remaining in the hands of the farmers; to the Committee on Agriculture.

By Mr. ESCH: Memorial from the Legislature of the State of Wisconsin, favoring six months' pay for discharged soldiers, sailors, and marines; to the Committee on Military Affairs.

Also, memorial from the Legislature of the State of Wisconsin, favoring the early discharge of farmers from the military and naval service of the United States; to the Committee on Military Affairs.

By Mr. FRENCH: Memorial from the Legislature of the State of Idaho, urging Congress to appropriate $500,000 for building highway to the Elk City mining region; to the Committee on the Post Office and Post Roads.

By Mr. McARTHUR: Memorial from the Legislature of the State of Oregon, urging Congress to enact such legislation as will permit the American shipbuilders to build ships for foreign nations; to the Committee on the Merchant Marine and Fisheries.

By Mr. A. P. NELSON: Memorial of the Legislature of the State of Wisconsin, favoring an early discharge from the Army and the Navy all men who were engaged in agriculture at the time they entered the service; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Wisconsin, favoring six months' pay for soldiers, sailors, and marines upon discharge from the service; to the Committee on Military Affairs.

By Mr. STEENERSON: Memorial from the Legislature of the State of Minnesota, urging Congress for an early and favorable action upon Senate bill 4922 and House bill 12880, for the relief and rehabilitation of industrial workers in the prosecution of the war with Germany; to the Committee on Education.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BESHLIN: A bill (H. R. 15838) granting a pension to Verna Hammore; to the Committee on Invalid Pensions.

By Mr. FIELDS: A bill (H. R. 15839) granting an increase of pension to James L. Buckler; to the Committee on Pensions.

Also, a bill (H. R. 15840) granting an increase of pension to Joseph McClure; to the Committee on Invalid Pensions.

By Mr. HELM: A bill (H. R. 15841) granting a pension to Mrs. J. Franklin Bell; to the Committee on Invalid Pensions.

By Mr. LaGUARDIA: A bill (H. R. 15842) for the relief of Thomas J. O'Mara; to the Committee on Claims.

By Mr. LUNN: A bill (H. R. 15843) granting a pension to Jane H. Larkin; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. COOPER of West Virginia: Petition by citizens of Williamson, Ceredo, and Kenova, W. Va., urging the retention for a time by the Government of the wire systems of the country; to the Committee on Interstate and Foreign Commerce.

By Mr. COPLEY: Petition of Will County, Ill., Teachers' Institute, requesting the President and the Congress of the United States to recognize the newly proclaimed government of Armenia; to the Committee on Foreign Affairs.

By Mr. CRAGO: Petition of citizens of Uniontown, Pa., favoring the repeal of the postal zone system; to the Committee on Ways and Means.

By Mr. DALLINGER: Petition of Federal Employment Service, inaugurated by Federal Government, favoring the continuance of the present system of Federal employment service; to the Committee on Military Affairs.

By Mr. DOOLING: Petition of Merchants' Association of New York, relative to discontinuance of operation by the Government of railroads, telephones, and telegraphs; to the Committee on Interstate and Foreign Commerce.

By Mr. EMERSON: Petition of United Mine Workers of America, representing 50,000 mine workers in Ohio, asking for equal division of work to prevent closing of mines; to the Committee on Mines and Mining.

Also, petition of Brotherhood of Carpenters and Joiners' Union, against a State constabulary; to the Committee on Labor.

By Mr. ESCH: Memorial of Merchants' Association of New York, relative to the discontinuance of operation by the Government of railroads, telephones, and telegraphs; to the Committee on Interstate and Foreign Commerce.

Also, petition of Northern Hemlock & Hardwood Manufacturers' Association, relating to readjustment of labor, employment of returning soldiers, and building of roads in cut-over lands of Wisconsin and Michigan, thereby opening them for settlement; to the Committee on Roads.

Also, petition of Northern Hemlock and Hardwood Manufacturers' Association, against locating returned soldiers and other citizens in segregated and supervised groups upon Government-owned lands; to the Committee on the Public Lands.

Also, petition of Northern Hemlock and Hardwood Manufacturers' Association, relating to securing farms for returning soldiers and civilian employees of the Government in cut-over lands of Wisconsin and Michigan; to the Committee on the Public Lands.

Also, petition of Northern Hemlock and Hardwood Manufacturers' Association, recommending the immediate return of telegraph and telephone lines to their owners; to the Committee on Interstate and Foreign Commerce.

Also, petition of Northern Hemlock and Hardwood Manufacturers' Association, recommending that appropriations should be continued for work of forest products laboratory at Madison, Wis.; to the Committee on Appropriations.

Also, petition of Northern Hemlock and Hardwood Manufacturers' Association, relating to return of railroads to their owners after Congress shall have enacted such revised, regulatory measures as will insure adequate service to the public and fair returns to owners of these properties; to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER of Illinois: Petition of sundry citizens of Illinois, for the repeal of the postal zone law; to the Committee on Ways and Means.

By Mr. GREENE of Vermont: Petition of sundry citizens of St. Albans, Vt., for Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. HOLLINGSWORTH: Petition of Cincinnati Planer Co., favoring bill to establish national trade schools, and requiring War Department to loan certain machine tools not in use for Government purposes to trade and technical schools; to the Committee on Military Affairs.

Also, petition of the Chamber of Commerce of Steubenville, Ohio, favoring the return by the Government of the telephone companies to private management and control at the earliest practicable date, the Government to make good any loss or injury sustained by governmental management and control; to the Committee on Interstate and Foreign Commerce.

By Mr. HUTCHINSON: Resolution adopted by the supreme board of directors of the Knights of Columbus, urging that President Wilson be asked to use his great influence at the peace conference to the end that the people of Ireland be permitted to determine for themselves the form of government under which they wish to live; to the Committee on Foreign Affairs.

By Mr. KINKAID: Petition of citizens of the sixth congressional district of Nebraska against the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of Eliza Barfoot and 86 others, of the sixth congressional district of Nebraska, protesting against the postal zone rate amendment; to the Committee on Ways and Means.

By Mr. LINTHICUM: Petition of Baltimore Chamber of Commerce, relating to price of wheat and asking that farmers shall receive their promised price, based on the difference between Government guaranty and world's price in open markets, and that on leaving the farmers' hands the wheat should be dealt in without restriction as in prewar times; to the Committee on Agriculture.

Also, petition of E. Oliver Grimes, jr., counsel relief department, Western Maryland Railway Co., relating to pensions and superannuation allowances affecting civil-service pensions; to the Committee on Pensions.

Also, petition of board of governors' meeting, Kewanis Club, Baltimore, Md., favoring the continued Government control and operation of wire systems until Congress shall have determined upon a proper and safe procedure; to the Committee on Interstate and Foreign Commerce.

By Mr. OSBORNE: Memorial of Rotary Club of Los Angeles, Cal., urging the termination of public control of railroads within 21 months after the signing of a peace treaty; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Founders' and Employers' Association, of Los Angeles, Cal., urging prompt return of the railroads of the United States to their private owners; to the Committee on Interstate and Foreign Commerce.

By Mr. RANDALL: Petition of Society of Civil Engineers, Mechanical Engineers, Chemical Society, Electrical Engineers, Mining Engineers and Architects, and Engineers and Architects Association of Southern California, favoring $100,000,000 appropriation for use in land reclamation and providing immediate work and subsequent homes for returning soldiers; to the Committee on Appropriations.

By Mr. STEENERSON: Memorial of H. M. Bracken, M. D., State board of health, St. Paul, Minn., urging early and favorable action upon House bill 14185, known as the rural sanitation and health bill; to the Committee on Agriculture.

By Mr. STINESS: Petition of Hon. Howard B. Gorham, president of the Providence, R. I., school committee, and Isaac O.

Winslow, superintendent of public schools of Providence, R. I., favoring the passage of House bill 15625, to provide for further educational facilities by requiring the War Department to loan certain machine tools not in use to trade and technical schools; to the Committee on Military Affairs.

By Mr. TAGUE: Petition of the Merchants' Association of New York, relative to discontinuance of operation by the Government of railroads, telephones, and telegraph; to the Committee on Interstate and Foreign Commerce.

Also, petition of Robert Emmett Branch, Friends of Irish Freedom, asking for self-determination for Ireland; to the Committee on Foreign Affairs.

By Mr. TILSON: Petition of Liberty Bell Council, No. 3, Junior Order United American Mechanics of New Haven, Conn., to pass bill to prohibit immigration; to the Committee on Immigration and Naturalization.

By Mr. WATSON from Pennsylvania: Petition of Board of Trade of Newton, Pa., favoring the Federal control of wire systems for the present; to the Committee on Interstate and Foreign Commerce.

Also, petition of Board of Trade of Quakertown, Pa., favoring the Federal control of wire systems for the present; to the Committee on Interstate and Foreign Commerce.

SENATE.

TUESDAY, *February 11, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Thou hast charted the paths of peace and prosperity in Thy holy word. Thou dost deign to touch the lives of those whom Thou dost call into places of leadership with Thy holy spirit, that they may discern the path, that they may achieve the divine purpose, that they may follow the divine will. We pray that grace may be given to us this day in this high and holy office, that we may discharge the duties that are upon us with the favor and with the wisdom which God alone can give. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

SENATOR FROM OKLAHOMA.

Mr. GORE. I present the credentials of my colleague, Hon. ROBERT L. OWEN, chosen by the qualified electors of the State of Oklahoma a Senator for the term of six years beginning on the 4th day of March, 1919, which I ask to have read and placed on the files.

The credentials were read and ordered to be filed, as follows:

OFFICE OF THE SECRETARY OF STATE OF THE STATE OF OKLAHOMA,
Oklahoma City, Okla.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 7th day of November, 1918, ROBERT L. OWEN was duly chosen by the qualified electors of the State of Oklahoma a Senator from said State to represent said State in the Senate of the United States for the term of six years beginning on the 4th day of March, 1919.

Witness, his excellency, our governor, J. B. A. Robertson, and our seal hereto affixed at Oklahoma City, this the 4th day of February, A. D. 1919.

J. B. A. ROBERTSON, *Governor.*

By the governor:
[SEAL.]

JOE S. MORRIS,
Secretary of State.

ABROGATION OF TREATIES.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Assistant Secretary of State in response to a Senate resolution, which will lie on the table and be printed in the RECORD.

The communication is as follows:

DEPARTMENT OF STATE,
Washington, February 8, 1919.

The Hon. JAMES M. BAKER,
Secretary of the Senate of the United States.

SIR: I have the honor to acknowledge the receipt of the following resolution adopted by the Senate of the United States December 5, 1918:

"*Resolved*, That the Secretary of State be, and he is hereby, directed to furnish the Senate the following information:

"1. What countries, if any, have notified the United States of their intention to abrogate any treaties with the United States; and what treaties are to be abrogated and the reasons therefor if any are given.

"2. The countries with which the United States has treaties which prevent us from giving preference to Americans or American ships in the carrying of imports or exports, and what is necessary to be done to abrogate such treaties, and what, if any, steps our Government has taken to secure the abrogation of the same.

"Attest:

"JAMES M. BAKER, *Secretary.*"

I also have the honor to acknowledge the receipt of the following resolution adopted by the Senate February 3, 1919:

"*Resolved*, That the Secretary of State be, and he is hereby, directed to furnish the information called for by the Senate resolution of December 5, 1918, or inform the Senate why it can not be furnished.

"Attest:

"JAMES M. BAKER, *Secretary.*"

In reply I beg leave to advise you, for the information of the Senate, that a compilation of the data called for in the resolution of December 5, 1918, is being prepared. The work of preparation involves a considerable amount of research, but the data will be furnished at the earliest practicable moment.

I have the honor to be, sir,
Your obedient servant,

WILLIAM PHILLIPS,
Assistant Secretary.

For the Acting Secretary of State.

RENTAL OF BUILDINGS IN THE DISTRICT (H. DOC. NO. 1735).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, a report relative to the rents received from properties located on sites of proposed public buildings purchased by the United States Government in the city of Washington, which, with the accompanying paper, was referred to the Committee on Public Buildings and Grounds and ordered to be printed.

WHEAT GUARANTY.

Mr. GORE. Mr. President, I desire to present a memorial adopted on the 20th day of January by the Legislature of Oklahoma in respect to the guaranteed price of wheat for the year 1919. I will ask the indulgence of the Senate to submit a few observations upon this subject.

The memorial requests early action by Congress to make good the guaranteed price of wheat for the harvest of 1919. I am in perfect sympathy with the purpose and object of this memorial. Anxiety has been felt and doubts have been expressed in certain quarters as to the disposition of the Government with respect to the carrying out of its guarantee. There is no foundation in fact for such anxiety or for such doubt.

On September 2, 1918, the President of the United States issued a proclamation guaranteeing the price of wheat for the season and harvest of 1919, a guaranteed price of $2.26 a bushel for the basic grades in the city of Chicago. This proclamation was issued in pursuance of law. It was issued in pursuance of section 14 of the so-called food-control act.

This proclamation creates a valid and binding obligation upon the Government of the United States, an obligation which is as sacred and which will be held as inviolate as the obligation of the thrift stamps or the liberty bonds. This covenant will be kept both in letter and in spirit. The Government of the United States will keep faith with the American farmer to the uttermost farthing. This is not an open question. Upon this point, at least, all minds have met.

But, Mr. President, the amount which may be required to carry out this guaranty, while it in no wise affects either the character or the sanctity of the obligation, yet is a question of vital concern to the people of the United States. It is not possible at this time to ascertain the amount which will be required to redeem this obligation. The amount is contingent upon factors both present and future which are not certain at this time and which can not be made certain at this time. The amount depends primarily upon the world's harvest of wheat for the season of 1919. In the second place, it depends upon the exportable surplus carried over from the harvest of 1918 in other wheat-producing countries.

In the third place, it depends upon the purchasing power of the peoples of Europe. Their purchasing power has, of course, been materially reduced. The amount of wheat which they can purchase at our hands will not be limited so much by their needs as by their capacity to buy and pay for the required supplies. It is still true, however, that bread is the staff of life. It satisfies the elemental need, the need that is first to be supplied, and the need that is last to be denied. Others can estimate as well as I to what extent their purchasing power has been impaired.

As to the wheat harvest for 1919, considering the world at large, I may say that in ordinary times the world's production and consumption of wheat aggregates about 3,700,000,000 bushels. The United States and Russia each produce about one-fifth of this entire amount, the United States sometimes producing as much as one-fourth.

I have no means of ascertaining the acreage sown to winter wheat in other wheat-producing countries. I have no means of ascertaining the acreage which will be sown in other countries to spring wheat. It is reasonable to assume, however, that the acreage will be above rather than below the average. I say this because various countries have like ourselves held out guaranties for the coming harvest. In several countries this guaranty has been most generous. It will be interesting to state a few of

them. The guaranteed price in Australia is 95 cents for the coming harvest. Its remoteness from the world's markets accounts for this small guaranty. The guaranty in Roumania is $1.61. The guaranty in Great Britain is $1.64. This, I may say, is a minimum price. It is not a fixed or an absolute price. The farmers, as I understand it, will receive whatever price above the guaranty that the market will justify.

Mr. KING. Will the Senator yield?

Mr. GORE. Yes, sir.

Mr. KING. Without expressing any opinion, I should like to ask the Senator if, in his opinion, by reason of the vast amount of wheat that will be produced and the large amount which is now on hand, the world's price of wheat will not be considerably under $1 per bushel for the coming year or for this year?

Mr. GORE. I do not think so.

Mr. McCUMBER. Mr. President, we can not hear the Senators on this side. I hope they will speak so that they can be heard.

Mr. KING. I inquired of the Senator from Oklahoma if it was not his opinion, in view of the accumulations of wheat and in view of the large production the year 1919 will realize, that the price of wheat in the world's market will be less than $1 per bushel for this year?

Mr. GORE. I do not think so, and I will state my reason for it in a moment, as soon as I have completed this enumeration.

When interrupted I was enumerating the guaranteed price for wheat in various countries. The guaranteed price in Brazil for the present year is $2.16 per bushel; in Switzerland it is $3.18; in Holland it is $3.30; in France it is $3.84; in Norway it is $4.09; in Italy it is $4.44 for hard wheat and $3.96 for soft wheat. It is reasonable to assume that these generous prices will tempt a considerable acreage in the several countries mentioned.

So far as the acreage in the United States is concerned we have more material for an estimate. The winter wheat sown for the current season is 49,000,000 acres. The winter wheat sown last year was 42,000,000 acres. This is an increase of 16 per cent. It is reasonable to assume that there will be as large an increase, possibly a larger increase, in the spring wheat acreage, but with an equal increase our total acreage for both spring and winter wheat would rise to 75,000,000 acres. This is 11,000,000 acres more than the spring and winter wheat acreage for the last season. With the same average yield per acre for the current year as for last year we would produce some 1,114,000,000 bushels. It is not usual for two large crops to come in succession. Of course the weather is a proverb of uncertainty. Nobody can tell at this time what the yield will be for the current year.

Mr. McCUMBER. I wish to inquire of the Senator what was the average yield per acre of the crop of 1918.

Mr. GORE. I should say it was about 14 bushels per acre. The total yield was 917,000,000 bushels and the total acreage was 64,000,000 acres.

Mr. McCUMBER. That would be a bushel per acre more than the average yield. So the Senator I think could safely cut out at least one bushel per acre as the probable yield of 1919.

Mr. GORE. It would be exceptional if two abundant harvests came in succession. The law of averages and probabilities is against it. Of course there is nothing definite in that prediction.

Now, Mr. President, I come to the question propounded by the Senator from Utah [Mr. KING]. It has been blazoned abroad that there was an enormous exportable surplus in various wheat-producing countries of the earth. This surplus has been stated by high authorities as aggregating between 700,000,000 and 800,000,000 bushels. I believe this estimate is above the mark. I believe it is an exaggerated estimate. It is, so far as my investigations have gone.

This estimate to which I have just referred credits India with a present exportable surplus of 150,000,000 bushels. To ascertain the facts, I cabled the United States consul general in Calcutta early in the month of January, inquiring as to the available surplus for exports and as to the prospects of the coming crop. On January 11 I received a cablegram from the United States consul general advising me that there was no available surplus of wheat in India at this time, and advising me, further, that India is this day importing wheat from Australia for domestic consumption. This surplus of 150,000,000 bushels therefore vanishes into thin air and reveals in India a present demand for a portion of the available surplus in Australia.

The estimate to which I have referred credits Australia with an available surplus of 200,000,000 bushels. I also cabled the United States consul general in Australia, and under date of January 9 I received a cablegram advising me that the available surplus in Australia was only 120,000,000 bushels, as against a reported 200,000,000 bushels. This amount, I may say in passing, has been seriously damaged by lack of storage facilities, by exposure to the weather, and by the ravages of rodents. The present crop now being harvested in Australia is far below the average, according to this cablegram. It is only 68,000,000 bushels, which is about 50 per cent of the largest crop which Australia has shown herself capable of producing.

Argentina has also been credited with a vast exportable surplus. I am also in receipt of a cablegram from the consul general in Argentina, under date of January 9, which sets down the available surplus of wheat in that country as being only 44,000,000 bushels, as against an estimated surplus of 175,000,000 to 200,000,000. The report, however, indicates that a good crop is now being harvested in that country.

Canada has also been credited with a large surplus of wheat; but the United States consul general in Canada wires me, under date of January 9, that the available surplus of wheat in Canada is only 75,000,000 bushels.

The available surplus of wheat, therefore, in Australia, Argentina, and Canada aggregates 240,000,000 instead of, as suggested in some quarters, more than 700,000,000 bushels.

Mr. President, this greatly relieves the pressure and greatly relieves the draft likely to come upon the people and on the Treasury of the United States with respect to the wheat guaranty for the current harvest.

I may say, Mr. President, that this estimate, noised abroad, of 700,000,000 or 800,000,000 bushels of wheat available in foreign countries has had a depressing effect upon the price of corn, rye, barley, and oats in the United States. I do not say that such was the intention of this report, but it has undoubtedly been the effect of the report. It has occasioned a serious loss to the farmers of the United States.

But, Mr. President, whatever may be the amount of this indemnity, the question arises as to who shall bear this loss. We have our choice between these alternatives. I may say in the first instance that the Government can pay the farmer the guaranteed price and can then sell the wheat and the wheat products to the consumers of this country on the basis of the guaranteed price. This would devolve the loss upon the consumers of this country. On the other hand, the Government can pay the guaranteed price to the farmer and can then sell wheat to the millers and see to it that flour is sold to the consumers of the country not on the basis of the guaranteed price, but on the basis of the world price for wheat—the price for wheat prevailing in the markets of the world.

Mr. GRONNA. Mr. President——

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from North Dakota?

Mr. GORE. I yield.

Mr. GRONNA. Is it not also true that, with the exception of the countries named by the Senator from Oklahoma, other countries, such as Italy, France, the Netherlands, and all the Scandinavian countries fixed a much higher price for wheat than the price fixed in the United States?

Mr. GORE. Yes; I have recited those guaranties. I may also say that so far as I have been able to ascertain the world production last year, the year 1918, was far below the average production for ordinary times and was far below the world's requirements; but I have not been able to obtain complete reports from all countries. Therefore an accurate analysis or comparison can not be made.

Mr. President, I have suggested two plans with respect to the payment of the indemnity. My own judgment is that the Government ought to assume the difference between the guaranteed price and the world price; it ought to assume this difference as a charge against the Treasury of the United States; it ought to devolve this loss upon the taxpayers of this country and not upon the consumers of this country. It is a disagreeable dilemma in which we find ourselves. We must take the choice of one or the other of the horns. I am taking the choice of the one which I think will entail the least economic loss upon the people of this country. If the Government absorbs the loss as a charge against the Treasury, it will not throw wages and prices and costs in this country out of alignment in comparison with other industrial and commercial countries.

But, Mr. President, if the people of this country are compelled to purchase flour and wheat products upon the basis of the guaranteed price this artificially high price for bread must be registered in an artificially high rate of wages. If the rate of wages be artificially high in this country that must register itself in artificially high cost of production. If the cost of production in this country is made artificially high by the Government

that will send our products into the markets of the world loaded with this artificially high cost of production. That load would be serious enough in our domestic market, but it might be unbearable in foreign markets. It might be impossible for our goods, shotted with this high cost of production, to meet the competition of goods from other countries in the various markets of the world. That would result either in the loss or the curtailment of those markets; and, in addition to that, the surplus might be thrown back upon the domestic market, thus reacting unfavorably upon wages, prices, and prosperity here at home.

Not only that, but if the people of this country are required to purchase the by-products of wheat and to buy feedstuffs at an artificially high price, that fact must reflect itself in an artificially high cost of producing live stock, of producing dairy products, and of producing poultry and poultry products. It will reflect itself in an artificially high cost of living upon the tables of our people.

Mr. President, that would bring about a state of unstable economic equilibrium which Congress should not assume the responsibility of creating. That can be averted by permitting consumers to buy bread upon the basis of the world's price, and requiring the taxpayers of the country to assume and to absorb the difference. This plan, I understand, is that adopted in foreign countries resorting to this scheme of guaranteeing the price of wheat.

Mr. President, another reason why the consumer should not be penalized by a high price for his bread is the fact that the consumer is not responsible for this situation. This situation was not of his seeking. The Government, acting in its organized capacity, fixed a price upon wheat. It acted not for the consumers, but for the taxpayers of this country. It held a commission to speak for and to bind the taxpayers.

I need not remind the Senate that I was opposed to this whole scheme of price fixing. On March 21, last, I said here in the Senate: "In my judgment such an effort is foreordained to fail. Perhaps the oldest blunder known to the sons of men is the attempt at price fixing. The history of the effort is one dreary tale of uniform and unvarying failure, of disappointment, and oftimes of disaster. Whenever the attempt is made to regulate prices the effort must inevitably work more or less mischief."

Mr. President, I regarded the scheme as uneconomic; I regarded the scheme as inevitably unjust. Human wisdom and foresight are not equal to the task. If the Government should fix the price of wheat at the point where the law of supply and demand would fix it, then you would have your labor for your pains, and the whole process would be vain and unavailing. If the Government should fix the price of wheat lower than the law of supply and demand would fix it, that would be both an injury and an injustice to the producer. If the Government should fix the price at a point higher than the law of supply and demand would fix it, that would be an injury and an injustice to the consumer.

The fixing of the price upon wheat for the harvest of 1917—and it was fixed not for the purpose of stimulating production, for the price was fixed in August, and the crop had been harvested in June, July, and August—occasioned a loss to the American farmers aggregating $400,000,000. The fixing of the price upon wheat in 1918 occasioned a loss to the farmers of this country of hardly less than $400,000,000. For the two years the direct loss to the farmers of the United States due to the action of this Government approximated $800,000,000.

I resisted the plan largely because I feared that the loss would ultimately fall upon the farmer and would be borne by the farmer. He was unorganized, and, therefore, largely defenseless; but it seems that even-handed justice, it seems that some guardian angel has come to the rescue of the farmer in connection with this scheme. The farmers will receive for the current harvest, perhaps, several hundred million dollars more than they would otherwise have received but for the fixing of the price. I take it that the farmers will come out just about even. Of course, there will be farmers enjoying the benefits of this guaranty for the current year who did not produce wheat in the two preceding years. There were farmers who produced wheat during 1917 and 1918 who, perhaps, will not produce wheat during the current year. There will be some discrepancy; but, taking it by and large as a class, the account will just about be equalized. The farmers will come out just about even. I thought when this price-fixing scheme was launched, and I think now, that it would be better to permit the farmer to receive the market price for his wheat and require the consumer to pay the market price for the wheat. This would have added less than $15 to the bread budget of the average American family—about two or three days' wages. That system would have been self-liquidating. The account would have been squared when the purchase was made. The party that ate the bread would have paid the bill. There would have been no aftermath of trouble, no reaping of whirlwinds.

So, Mr. President, I think that $1,250,000,000 is a larger amount than will be required to meet this obligation. We must be prepared, however, and we must prepare to carry a loss of several hundred million dollars. An ample appropriation should be made. If the money is not needed, it will not be used. If it is needed, it ought to be available in whatever amount may be found necessary. I hope I may be pardoned for saying that if this $1,250,000,000 estimated by the Department of Agriculture serves to protect us against like economic nostrums in the future, if this $1,250,000,000 serves to teach the engineer, the fireman, and the conductor as they crawl out from under the wreckage that they who display a red signal as a warning of danger may be friends rather than enemies, then, sir, this one and a quarter billion will have been well, if not wisely, expended.

Mr. KING. Mr. President, will the Senator yield for a question before he leaves this point?

Mr. GORE. Yes, sir.

Mr. KING. I have received several letters in the past two weeks from a number of sections of the United States in which it was stated that a great many persons were plowing up alfalfa and beet and other lands that had never produced wheat and upon which there had been no contemplation of planting wheat until after the armistice, with a view of growing wheat and getting the $2.26 per bushel for it, and that this guaranty was inducing the production of a large amount of wheat which otherwise would not have been produced. I have been urged to suggest some amendment to any bill that might be offered that would protect the Government against those who have gone into the wheat business merely for the purpose of securing this guaranty. Does the Senator think that any legislation could be drawn which, while just and fair, would meet the situation to which those who have written me call attention?

Mr. GORE. Mr. President, I have not heard of a concrete instance such as the Senator describes, but I anticipated that the principles of human nature would result in just such consequences. It shows the difficulty of trying to administer a natural law by human agencies. I heard it suggested that no one should receive this guaranty who plants wheat for the current season who did not plant wheat for the last season, referring particularly to the spring sowing, and that no one should be entitled to the benefit of this guaranty who sowed a larger spring acreage than he sowed for the harvest of 1918; but, Mr. President, my own judgment is that we are now reaping what we have sown, a considerable acreage of (economic) wild oats. I think that Uncle Sam has simply got to exhibit as much nerve and endurance as the Spartan boy when he permitted the fox to gnaw at his vitals without wincing. I think that we have got to go through with it.

I wish to say in this connection that the guaranteed price of wheat in the United States never did have any relation to the securing of an ample wheat supply for the people of the United States nor for the armies and military forces of the United States. There never has been a year in our history that we did not produce all the wheat required for domestic consumption; there has never been a year in our history that we did not produce more wheat in the United States than was required for the people of the United States and for the military forces of the United States; there was never any doubt in anybody's mind that the supply of wheat in the United States would not equal all our domestic requirements of whatever description. Whatever the real reason was, it was not the guaranty of an ample supply of wheat for domestic consumption.

Mr. President, there is only one other question which I will raise and will not attempt to settle. Who should administer this loss? We have two choices in this connection. The Government can purchase the wheat of the farmer, paying him, of course, the full price in cash at all times, and can license the millers and all dealers, placing under governmental license and control all the prices and profits from the producer to the consumer, a plan patterned somewhat upon the existing system. On the other hand, the Government can purchase wheat, paying the guaranteed price, and can then sell the wheat to the trade—to the millers or to the dealers—on the basis of the world price, and allow the processes and the profits to go forward as nearly as may be under ordinary circumstances.

My own desire is to speed a return to normal conditions as rapidly as possible. I am not certain, however, that we can make this return overnight. We can not have both a market that is open and a market that is not open. With a guaranteed maximum so far as the trade is concerned, as this will be, for

the present year, and with a guaranteed minimum corresponding with the world price so far as the consumers are concerned, the trade would be limited on both hands. I am not certain that it could operate within these limitations. Indeed, I fear that it might entail upon them criticisms for which they are in nowise responsible, as they did not have the power to control the situation.

There are so many legislative facts, there are so many artificial factors in this situation that the world market can not be entirely free. A number of countries have fixed the price of wheat, and will undoubtedly administer the marketing of this wheat in order to hedge against loss as far as practicable. While I do not believe that the consumer should be penalized by paying a higher price for bread than other peoples pay, on the other hand I do not believe that the consumer should be subsidized by being enabled to purchase his bread at a lower price than the world's market would warrant.

Mr. President, I keep alluding to the world's market. I may say that in a strict sense there will not be a world's market upon wheat for the harvest of 1919. Too many countries are controlling the marketing of wheat. The wheat from Argentina and Canada, however, will move with more or less freedom in the markets of the world. It will be an indication as to the ratio between the world's supply and the world's demand.

There is another standard that would enable the Government of the United States to approximate justice. There is a pretty well-defined historic ratio between the price of wheat in this country and the price of corn, rye, barley, and oats. For instance, during a number of years corn averaged a little less than 62 per cent of the price of wheat. The Government could consider the supply both of corn and of wheat, and could approximate a just price. At any rate, there will be factors which will enable the Government to arrive at a reasonably just standard.

Mr. President, it has been suggested—it has been suggested in a bill which has been prepared in a certain quarter—that the Grain Corporation should not only be allowed to control the wheat harvest and the wheat market for 1919 but that the Grain Corporation should be allowed to control corn, rye, barley, oats, rice, beans, peas, potatoes, apples, butter, milk, cheese, chickens, and eggs; that the Grain Corporation should be allowed to control and administer the marketing of every food and every feed which can be eaten by man or bird or beast.

Mr. President, I am unqualifiedly opposed to extending the range of this artificial administration. It may be a matter of inevitable necessity to permit the control of the wheat harvest for the current year, but I would not extend this control into domains where it does not now prevail. I believe that we have got to come down toward the sea level, and we ought to come down on the lock-and-dam system, and not rush down with the violence of the cataract. I for one am not willing to precipitate universal confusion merely for the sake of trying our hand in bringing order out of this confusion which we have precipitated and which we have confounded.

There are three tasks devolving upon us to-day: First, to keep faith with the American farmer in the payment of the guaranty; second, to keep faith with the consumer and see that he purchases bread upon a parity with the other peoples of the earth; and third, to keep faith with the taxpayers of this country and to keep their inevitable loss down to an irreducible minimum.

Mr. President, I wish to have printed in the RECORD this memorial and several tables in connection with my remarks.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

EXHIBIT 1.

Mr. GORE. Mr. President, the remarks of the Senator from Colorado have suggested one observation that I wish to make. I need not say to the Senate that I do not believe in any scheme of price fixing. In my judgment, such an effort is foreordained to fail. Perhaps the oldest blunder known to the sons of men is the attempt at price fixing. The history of the effort is one dreary tale of uniform and unvarying failure, of disappointment, and oftimes of disaster.

Whenever the attempt is made to regulate prices the effort must inevitably work more or less mischief. I have offered the pending amendment in order to bring about a situation where we will work less rather than more mischief. I seek to minimize the mischief which must come; I seek to keep the mischief down to the irreducible minimum. That is the object of the proposed amendment.

We have been told on every hand that food is the key to the situation, and that wheat is the pivotal food grain. Mr. Hoover assured us that there was a psychology about a wheaten loaf that was indispensable. There is no sufficient substitute for wheat; we have been appealed to to produce wheat in abundance on the assurance that wheat might win the war.

There is but one excuse or plea which renders the attempt at price fixing even rational. If there be some article like wheat which is of preeminent and of indispensable necessity, then fix a price upon that one article higher than the law of supply and demand would award. That will stimulate its production, and that will do all that human foresight can do to meet a crisis and to avert the possibility of disaster. Even that attempt will be attended with more or less mischief, because it throws other relations out of their proper proportion; but we ought like men to make up our minds to take those consequences whenever the necessity is overpowering.

Mr. President, what have we done? We have fixed a price on wheat. We have fixed a price on wheat, which may be needed to win this war, at a lower point than the law of supply and demand would award. Now, you can not encourage production by reducing prices. You can increase and stimulate production by increasing prices, but the reduction of prices must inevitably discourage production. Ought we to discourage the production of a grain which may be indispensable to our success in this war and to the guaranty of our destiny?

Mr. President, the fixing of a price on an article of indispensable necessity at a lower point than the law of supply and demand would award, with the hope of stimulating its production, is a transaction which, as a perfected specimen of human folly, has absolutely no competitor.

EXHIBIT 2.

[Remarks on the food-control act July, 1917. Interruption by Senator GORE during remarks by Senator LODGE.]

THE LAMP OF EXPERIENCE VS. MUDDLING THROUGH.

Mr. GORE. I wish to say that not long since I received a letter from a friend requesting me to send him a relic of some sort or other, and I sent him a copy of the Constitution of the United States. [Laughter.] What I wish to do, however, is to give a few instances that illustrate and reenforce the point which the Senator is making with respect to economic laws.

The food minister of Great Britain issued an order fixing the price of dairy products. The dairymen were not satisfied with the price; they butchered their milch cows. There was a distinct national, social, and economic loss that could not be repaired within two or three years. Great Britain issued an order instituting a three-course dinner. They kept account of the results, and it was found that the increased consumption of meat and bread under the three-course dinner order more than offset the economy. The people cut out the side dishes and limited themselves to the more substantial foods. That order was revoked. Great Britain instituted one meatless day a week. They kept account of the results, and it was found that the increased consumption of bread on the meatless day more than offset the diminished consumption of meat. They revoked that order. Those orders were issued with the best possible intention, and, it must be admitted, with as much wisdom as man can concentrate upon the most serious concerns of either private or national life.

Germany fixed a price of 8 cents a quart on milk. The dairymen found that they could feed the milk to their pigs and receive a higher price for milk in the form of pork than by selling the milk outright. Germany fixed a price on wheat, rye, barley, and oats, based on their relative value for human food. It so happens that the relative value of those four cereals for human food does not correspond with their relative value as stock feed. The result was that the farmers fed their wheat and their rye to the live stock and sold the oats and the barley. Those efforts were made by the Government which has attained the highest degree of efficiency of any Government in all the times of time.

The Swiss Government determined what would be a reasonable price of meats sold in the butcher shops. They called the butchers together to ascertain what would be their view of the price proposed to be fixed. The butchers in a patriotic spirit, answered, "Of course, if the Government fixes those prices on meats, we will sell at the prices fixed by the Government—if we sell," but they declared that they would not undertake to carry on their business at those prices.

I hope the Senator from Massachusetts will pardon this interruption, but it demonstrates the futility of any effort to repeal economic laws. In my own judgment, we might as well say, "Be it enacted that the law of gravitation is hereby repealed," as to undertake to enact a law repealing the law of supply and demand or any other fundamental law of economics. I mention these instances, all of which were born of the greatest possible human wisdom, and I merely suggest as a moral that we ought to profit by experience. We have no other lamp so infallible as that

We ought not to set at naught the whole experience of the whole human race.

EXHIBIT 3.

Memorial to the Congress of the United States.

Whereas the President of the United States issued a proclamation during the month of August, 1918, urging the farmers of the United States, as a war measure, to plant and cultivate an increased acreage of wheat, and fixing the price of such wheat crop for the year 1919 at a minimum of $2.20 per bushel; and

Whereas the President of the United States set apart the sum of $5,000,000 to be loaned to the farmers in the drought-stricken parts of the country for the purpose of buying seed wheat, and for the purpose of enabling such farmers to fully comply with the proclamation of the President; and

Whereas the cost of seed wheat has greatly increased and the expense of planting and cultivating the same has increased materially, and the farmers in general and especially those in the western part of Oklahoma have nobly responded to the call of the President by reason of such proclamation, and by planting an increased acreage of wheat under the belief that the price heretofore mentioned would be maintained and such guaranty would insure them not less than $2.20 as a minimum per bushel; and

Whereas there is some feeling of doubt among the farmers as to whether such price will be maintained, and especially is this true since the war has closed, and without an act of the Congress of the United States through appropriate legislation carrying into effect the proclamation of the President; and

Whereas the wheat growers of the country would suffer serious and permanent loss if the provisions of the President's proclamation are not made effective through proper legislation: Therefore be it

Resolved by the House of Representatives of the State of Oklahoma, That the Congress of the United States be and it is hereby earnestly and urgently memorialized and petitioned to immediately take steps to carry into effect by adequate legislation the provisions of the President's proclamation heretofore referred to and to make secure for the farmers of the country a guaranty of a minimum price of $2.20 per bushel of the wheat grown in 1919: Be it further

Resolved, That the chief clerk of the house of representatives be instructed to mail or cause to be mailed copies of this memorial to the Members of Congress from the State of Oklahoma and to the Department of Agriculture at Washington, D. C.

Passed this the 20th day of January, 1919.

(Signed) TOM C. WALDREP,
Speaker of the House of Representatives.

EXHIBIT 4.

In order to determine the probable effect of price upon production it is necessary to take into consideration the element of rate of yield per acre. The price element and the yield is combined in the following showing of the value of production per acre for the prewar and the postwar periods:

Value of production per acre.

	Oats.		Wheat.		Corn.	
	1909-13	1914-16	1909-13	1914-16	1909-13	1914-16
United States	$11.35	$14.15	$12.52	$17.14	$14.66	$18.18

Again, taking corn as the standard of measurement, it appears that the percentage of value of production per acre of oats and wheat compares with corn as follows:

	1909-13	1914-16
Oats	77	78
Wheat	85	94

As in the similar calculation, based upon farm price alone, it appears that there was no disturbance of normal relationship between the prewar and the postwar period sufficient to materially affect the relative production of each crop.

Making the comparison, however, between the prewar period and December 1, 1917, a different situation is presented:

Value of production per acre.

	1909-13	1917
Oats	$11.35	$24.35
Wheat	12.52	26.59
Corn	14.66	33.87

Again taking corn as the standard of measurement, the percentage of value per acre of production for oats and wheat compares with corn as follows:

	1909-13	1917
Oats	77	72
Wheat	85	86

EXHIBIT 5.

Production of wheat.

	1910	Average prewar (1911-12-13).
	Bushels.	*Bushels.*
Canada	149,000,000	228,000,000
United States	635,121,000	704,000,000
Argentina	101,000,000	268,521,000
Chile	19,362,000	21,000,000
Uruguay	7,750,000	8,742,000
Austria-Hungary	242,018,000	247,141,000
Belgium	12,449,000	15,778,000
Bulgaria	92,247,000	48,320,000
Denmark	4,547,000	5,000,000
Finland	125,000	128,000
France	257,867,000	324,127,000
Germany	161,884,000	149,257,000
Greece	7,000,000	7,000,000
Italy	152,403,000	190,440,000
Netherlands	4,661,000	5,626,000
Norway	294,000	308,000
Portugal	9,120,000	9,208,000
Roumania	116,761,000	98,628,000
Russia	689,413,000	729,327,000
Spain	137,440,000	123,560,000
Sweden	7,459,000	8,336,000
Switzerland	2,750,000	3,416,000
Russia (Europe)	20,000,000	53,000,000
Russia (Asia)	45,000,000	
United Kingdom	58,122,000	61,297,000
India	350,654,000	369,612,000
Japan	34,087,000	26,366,000
Persia	16,000,000	16,000,000
Asiatic Russia	76,282,000	
Australia	35,000,000	58,861,000
New Zealand	9,038,000	7,123,000
Algeria		33,298,000
Tunis		6,159,000
Serbia		14,062,000
China		
Brazil		

EXHIBIT 6.

Wheat exports of all countries in world exporting more than 1,000,000 bushels.

[Net average export for the three-year prewar period, 1911-1913. Mr. Lane, Division of Statistics, United States Food Administration.]

	Bushels.
Russia	118,000,000
Canada	117,000,000
United States	114,000,000
Argentina	107,000,000
India	58,000,000
Roumania	54,000,000
Australia	52,000,000
Bulgaria	12,000,000
Algeria	5,000,000
Serbia	4,000,000
Chile	2,000,000

Turkey had no exports, but imported 10,000,000 bushels.

EXHIBIT 7.

FIXING GUARANTEED PRICES FOR 1919 WHEAT CROP.

(Sept. 2, 1918.)

Whereas under and by virtue of an act of Congress entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved by the President on the 10th day of August, 1917, it is provided among other things as follows:

"SEC. 14. That whenever the President shall find that an emergency exists requiring stimulation of the production of wheat and that it is essential that the producers of wheat produced within the United States shall have the benefits of the guaranty provided for in this section, he is authorized, from time to time, seasonably and as far in advance of seeding time as practicable, to determine and fix and to give public notice of what, under specified conditions, is a reasonable guaranteed price for wheat, in order to assure such producers a reasonable profit. The President shall thereupon fix such guaranteed price for each of the official grain standards for wheat as established under the United States grain standards act approved August eleventh, nineteen hundred and sixteen. The President shall from time to time establish and promulgate such regulations as he shall deem wise in connection with such guaranteed prices, and in particular governing conditions of delivery and payment, and differences in price for the several standard grades in the principal primary markets of the United States adopting number one northern spring or its equivalent at the principal interior primary markets as the basis. Thereupon, the Government of the United States hereby guarantees every producer of wheat produced within the United States that, upon compliance by him with the regulations prescribed, he shall receive for any wheat produced in reliance upon this guarantee within the period, not exceeding eighteen months, prescribed in the notice, a price not less than the guaranteed price therefor as fixed pursuant to this section. In such regulations the President shall prescribe the terms and conditions upon which any such producer shall be entitled to the benefits of such guaranty."

Now, therefore, I, Woodrow Wilson, President of the United States, by virtue of the powers conferred upon me by said act of Congress, and especially by section 14 thereof, do hereby find that an emergency exists requiring stimulation of the production of wheat, and that it is essential that the producers of wheat produced within the United States shall have the benefits of the guarantee provided for in said section; and, in order to make effective the guarantee by Congress for the crop of nineteen hundred and nineteen and to assure such producers a reasonable profit, I do hereby determine and fix, and give public notice of reasonable guaranteed prices for No. 1 northern spring wheat and its equivalents at the respective principal primary markets, as follows, to wit:

New York, New York, two dollars and thirty-nine and a half cents ($2.39½) per bushel.

Philadelphia, Pennsylvania, two dollars and thirty-nine cents ($2.39) per bushel.

Baltimore, Maryland, two dollars and thirty-eight and three-quarter cents ($2.38¾) per bushel.

Newport News, Virginia, two dollars and thirty-eight and three-quarter cents ($2.38¾) per bushel.

Duluth, Minnesota, two dollars and twenty-two and one-half cents ($2.22½) per bushel.

Minneapolis, Minnesota, two dollars and twenty-one and one-half cents ($2.21½) per bushel.

Chicago, Illinois, two dollars and twenty-six cents ($2.26) per bushel.

St. Louis, Missouri, two dollars and twenty-four cents ($2.24) per bushel.

Kansas City, Missouri, two dollars and eighteen cents ($2.18) per bushel.

Omaha, Nebraska, two dollars and eighteen cents ($2.18) per bushel.

New Orleans, Louisiana, two dollars and twenty-eight cents ($2.28) per bushel.

Galveston, Texas, two dollars and twenty-eight cents ($2.28) per bushel.

Tacoma, Washington, two dollars and twenty cents ($2.20) per bushel.

Seattle, Washington, two dollars and twenty cents ($2.20) per bushel.

Portland, Oregon, two dollars and twenty cents ($2.20) per bushel.

Astoria, Oregon, two dollars and twenty cents ($2.20) per bushel.

San Francisco, California, two dollars and twenty cents ($2.20) per bushel.

Los Angeles, California, two dollars and twenty cents ($2.20) per bushel.

Salt Lake City, Utah, $2 per bushel.

Great Falls, Mont., $2 per bushel.

Pocatello, Idaho, $2 per bushel.

Spokane, Wash., $2 per bushel.

and that the guaranteed price for the other grades established under the United States grain standards act approved August 11, 1916, based on said price for No 1 northern spring wheat at the respective principal primary markets of the United States above mentioned, will assure the producers of wheat produced within the United States a reasonable profit; the guaranteed prices in the principal primary markets above mentioned being fixed by adopting No. 1 northern

spring wheat or its equivalent at the principal interior markets as the basis.

For the purposes of such guaranty only, I hereby fix the guaranteed prices at the respective principal primary markets above mentioned for the following grades of wheat, to wit: No. 1 northern spring, No. 1 hard winter, No. 1 red winter, No. 1 durum, No. 1 hard white. The guaranteed prices at the respective principal primary markets aforesaid of all other grades of wheat established under the United States grain standards act approved August 11, 1916, shall be based on the above guaranteed prices and bear just relation thereto.

The sums thus determined and fixed are guaranteed by the Government of the United States at the respective principal primary markets of the United States above mentioned, to every producer of wheat of any grade so established under the United States grain standards act, upon the condition that said wheat is harvested in the United States during the year 1919 and offered for sale before the 1st day of June, 1920, to such agent or employee of the United States, or other person as may be hereafter designated, at any one of the above-mentioned cities, which are hereby declared to be the principal primary markets of the United States, and provided that such producer complies with all regulations which may be hereafter promulgated in regard to said guaranty by the President of the United States. * * *

Mr. JOHNSON of California. I call for the regular order.

The VICE PRESIDENT. The presentation of petitions and memorials is in order.

Mr. McCUMBER. I present a concurrent resolution of the Legislature of the State of North Dakota upon the same subject that the Senator from Oklahoma has been discussing, and I ask that it be read.

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary read as follows:

DEPARTMENT OF STATE,
STATE OF NORTH DAKOTA.

To all to whom these presents shall come:

I, Thomas Hall, secretary of state for the State of North Dakota, do hereby set forth and certify, that the following is the full text and the whole thereof of a certain concurrent resolution adopted by the Sixteenth Legislative Assembly of the State of North Dakota.

Dated at the capitol in Bismarck, N. Dak., this 3d day of February.

[SEAL.] THOMAS HALL,
Secretary of State.

Resolution

Concurrent resolution relating to the fixing of the price for all wheat grown in the United States during the year 1919 that is delivered prior to June 1, 1920, at $2.26 at Chicago.

Whereas the President of the United States, by his proclamation of September 2, 1918, fixed the price for all wheat grown in the United States during the year 1919 that is delivered prior to June 1, 1920, at $2.26 at Chicago; and

Whereas upon the faith of said proclamation the farmers of North Dakota and generally throughout the Northwest have gone to an enormous expense in the increase of acreage for wheat and for the purchase of horses, machinery, and other equipment for an increased wheat production and have incurred great obligations on that account; and

Whereas it appears that up to this time no agency of the United States has been created and charged with the duty of making effective the guaranteed price under the President's proclamation; and

Whereas the farmers of North Dakota as well as all other wheat-raising districts of the United States have acted in good faith upon the said proclamation of the President, and in case Congress fails to make the said proclamation of the President effective, such failure will cause an enormous financial loss to the farmers of the State of North Dakota and other wheat-raising districts of the United States as well as a great disappointment, and will tend to lessen the confidence of the people in the Federal Government: Therefore be it

Resolved by the Senate of the State of North Dakota (the House of Representatives concurring), That we earnestly urge Congress to pass such measure as will make the said proclamation of the President effective; be it further

Resolved, That the secretary of state be instructed to send a copy of these resolutions to each of our Senators and Representatives in Congress and to the chairman of the Committee on Agriculture in both Houses of Congress.

Mr. McCUMBER. I ask that the memorial be referred to the Committee on Agriculture and Forestry, of which the Senator from Oklahoma [Mr. GORE] is the chairman. I want to give him notice that at some time in the near future I shall present the other side of this proposition. I do not think it is necessary for the Government to raise one billion seven hundred million or two hundred and fifty million dollars, but that we can easily handle the matter under the present system with an expense not exceeding $300,000,000; and I wish to state that while we have just passed a bill appropriating $400,000,000—or that which will be equivalent to $400,000,000, because there is $200,000,000 to come from the States—to keep up the price of labor, and necessarily with the price of labor the price of everything else that the farmer must purchase, we are not extending any favor to him, we are not placing the price of his products above that of any of the other commodities in this country by maintaining the price of $2.26 a bushel for wheat. As we are bound to have the higher cost of labor throughout the United States during 1919, we ought to maintain the higher price of the thing that the farmer must sell, in order that he may purchase the things that are produced by that labor; and that is all the farmer is contending for. Let the Government take its hands off the farmers' products and off labor wages at the same time and let the law of supply and demand take care of themselves and he will be satisfied; but the Government is not following that course——

Mr. GORE. Mr. President——

Mr. THOMAS. I call for the regular order.

Mr. McCUMBER. And therefore we ought not to assume that we are conferring a favor upon the farmer by maintaining the price of his product to meet other prices which we maintain.

The VICE PRESIDENT. The regular order is called for.

Mr. McCUMBER. Senators have listened to the other side of this proposition for three-quarters of an hour. I think they can take one minute outside of the regular order, in order to look at the farmers' side of the question.

Mr. GORE. Mr. President——

AGRICULTURAL EXTENSION WORK.

Mr. McCUMBER. I present the resolution, which I send to the desk, from the State of North Dakota and ask that it be read as a legislative resolution.

Mr. THOMAS. Mr. President, I thought the Senator from North Dakota had finished when I interposed.

Mr. McCUMBER. I have concluded.

Mr. THOMAS. I did not intend to interfere with the Senator's remarks at all.

Mr. GORE. Mr. President——

The VICE PRESIDENT. The Secretary will read the memorial presented by the Senator from North Dakota.

The Secretary read as follows:

Whereas it has been brought to the knowledge of the House of Representatives of the Sixteenth Legislative Assembly of the State of North Dakota:

That it is proposed in the Congress of the United States to reduce the appropriation now available or to become available for agricultural-extension work in the various States in the Union to the extent of 50 per cent: Therefore be it

Resolved, That the house of representatives does hereby protest against any reduction in the funds now by law available or to become available for such purposes:

As any such reduction would seriously hamper and embarrass the carrying on of agricultural-extension work and work through county agents now planned and arranged for by the various agricultural States and their several counties: Be it further

Resolved, That a copy of this resolution be engrossed and mailed to each of our Senators and Representatives in Washington.

L. L. STARR, *Speaker.*
GEO. A. COTTEN, Jr.,
Chief Clerk.

Mr. GORE. Mr. President——

The VICE PRESIDENT. The Senator from Oklahoma.

Mr. GORE. I should like to say just one word in respect to what the Senator from North Dakota has said.

The VICE PRESIDENT. There has been a call for the regular order.

PETITIONS AND MEMORIALS.

Mr. SPENCER. I present a memorial from citizens of Missouri, protesting against the so-called luxury tax. I ask that the body of the memorial be printed in the RECORD; and in the case of the signatures, aggregating many thousands, I ask that they be filed.

There being no objection, the petition was ordered to be printed in the RECORD, as follows:

To our Senators and Representatives in Congress assembled:

We, the undersigned citizens and consumers of St. Louis, do respectfully protest against the so-called luxury taxes in the revenue bill now pending, and earnestly urge that they be eliminated altogether from said bill.

We make this protest upon the ground that any such tax is unnecessary, unwise, unjust, and a species of class legislation. This tax is impracticable of administration, will become a nuisance to the dealer, and a grievous burden to the consuming public.

Mr. STERLING. I present a resolution passed by the Rotary Club of the city of Mitchell, S. Dak., relative to changing the name of the Panama Canal to the Roosevelt Canal. I ask that it may be printed in the RECORD and referred to the Committee on Interoceanic Canals.

There being no objection, the resolution was referred to the Committee on Interoceanic Canals and ordered to be printed in the RECORD, as follows:

Resolution to change the name of the Panama Canal to the Roosevelt Canal.

Whereas the sturdiest and most valiant exponent of Americanism the age has produced has gone from us and his mighty soul, ever militant and unafraid, no longer remains to champion the battles of liberty and justice, and equality of opportunity, and every American feels his passing as a personal loss; and

Whereas his greatest material achievement was the crystallizing of the dream of years into reality in making possible the construction of the canal across the Isthmus of Panama: Now, therefore, be it

Resolved by the Rotary Club of Mitchell, S. Dak., That Congress be petitioned officially to designate that American-made waterway "The Roosevelt Canal," so that the same shall stand in name, as well as in historical fact, an enduring monument to his greatness, a constant reminder that the canal is, like the great President who started it, unqualifiedly American; and be it further

Resolved, That a copy of these resolutions be sent to the following: Our Representatives and Senators in Congress, our representatives in the South Dakota State Legislature, with the petition that a memorial to Congress in support of the foregoing be prepared and forwarded by our State legislature.

Adopted at the regular weekly meeting January 30, 1919.

MITCHELL ROTARY CLUB,
By F. J. HERRICK, *President*.

Attest:

WM. R. RONALD, *Secretary*.

Mr. GRONNA. I present a concurrent resolution adopted by the Legislative Assembly of the State of North Dakota, relating to the improvement of good roads. I ask that it be printed in the RECORD without reading.

There being no objection, the concurrent resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
STATE OF NORTH DAKOTA.

To all to whom these presents shall come:

I, Thomas Hall, secretary of state for the State of North Dakota, do hereby set forth and certify, that the following is the full text and the whole thereof of a certain concurrent resolution adopted by the Sixteenth Legislative Assembly of the State of North Dakota.

Dated at the capitol in Bismarck, N. Dak., this 3d day of February, 1919.

[SEAL.] THOMAS HALL,
Secretary of State.

Resolution.

Concurrent resolution relating to the value and importance of an adequate system of highways.

Whereas the value and importance of an adequate system of highways throughout the Nation and among the various States and their minor governmental units are no less important in the present reconstruction era than in the successful prosecution of a war; and

Whereas North Dakota as one of the most important food-producing States of the Union is in great need of improved highways intelligently conceived and constructed and properly maintained; and

Whereas the present Federal aid law and the State highway law have made it possible for the State to initiate a program of progressive and systematic road improvement within the State; and

Whereas a bill, namely, Senate bill No. 5088, as introduced in Congress by United States Senator BANKHEAD, eliminates the post route requirement on Federal aid projects, which requirement is contrary to the intent and spirit of the Federal aid law and has hampered the work of the State highway commission in securing such aid to the State, and provides further for increased Federal aid to the extent of $200,000,000 in addition to $75,000,000 already specified in the present law, and whereby the allotment of Federal aid to North Dakota will be increased from approximately $1,142,000 to $4,000,000 or more; and

Whereas said Senate bill No. 5088 is about to be given immediate consideration in connection with the Post Office appropriation bill: Therefore be it

Resolved by the Senate of the State of North Dakota (the House of Representatives concurring therein), That we, the members of the Sixteenth Legislative Assembly of the State of North Dakota, respectfully petition our Senators and Representatives of North Dakota in Congress to support Senate bill No. 5088 which is a proposed amendment to improve the present Federal aid law and grant increased aid to the States in the construction of State highways and endeavor to secure its passage; and

Whereas there has been proposed at a conference of certain western States held in Salt Lake City on January 3, 1919, a further amendment to the Federal aid law, whereby the larger and relatively less rich States of the West may receive Federal aid on Federal aid projects to an extent greater than 50 per cent of the cost of such projects: Therefore be it further

Resolved, That our Senators and Representatives in Congress be hereby respectfully requested also to support and endeavor to secure the passage of such an amendment; and be it further

Resolved, That the secretary of state be instructed to send a copy of these resolutions to our Senators and Representatives in Congress and that, because of the urgency of the matter, the committee on highways be instructed to send to each of our Senators in Congress a night letter or message respectfully soliciting their support of the aforesaid amendments or measures.

Mr. THOMPSON presented a petition of sundry citizens of Pittsburg, Kans., praying for the proposed extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

Mr. HALE presented a petition of sundry citizens of Augusta, Me., praying for the establishment of a league of nations, which was referred to the Committee on Foreign Relations.

Mr. SHEPPARD presented the petition of Hon. Lee Beaty, of Lockhart, Tex., praying for the construction of military roads as a measure of preparedness, which was referred to the Committee on Military Affairs.

Mr. SHERMAN presented a petition of sundry employees of the Rock Island Arsenal, Rock Island, Ill., praying that the Government manufacture their own equipment to be used for military, naval, marine, etc., purposes, instead of letting out large contracts to private concerns and corporations, which was referred to the Committee on Military Affairs.

REPORTS OF COMMITTEES.

Mr. ROBINSON, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 1765. An act to reimburse certain fire insurance companies the amounts paid by them for property destroyed by fire in suppressing the bubonic plague in the Territory of Hawaii in the years 1899 and 1900 (Rept. No. 705);

S. 2902. An act for the relief of the owner of the steamer *Mayflower* and for the relief of passengers on board said steamer (Rept. No. 704);

S. 3123. An act for the relief of the owners of the schooner *Henry O. Barrett* (Rept. No. 703); and

H. R. 2012. An act for the relief of Mrs. W. E. Crawford (Rept. No. 706).

Mr. NEW, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 4263. An act for the relief of Capt. Frederick B. Shaw (Rept. No. 708); and

S. 4864. An act to carry into effect the finding of the Court of Claims in the claim of Elizabeth B. Eddy (Rept. No. 707).

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 5567) for the purchase of a post-office site at Mount Pleasant, Utah;

A bill (S. 5568) for the purchase of a post-office site at Tremonton, Utah;

A bill (S. 5569) for the purchase of a site and the erection of a public building at St. George, Utah; and

A bill (S. 5570) for the purchase of a post-office site at Cedar City, Utah; to the Committee on Public Buildings and Grounds.

By Mr. HALE:

A bill (S. 5571) granting a pension to Jeannette A. Harrington (with accompanying papers); to the Committee on Pensions.

By Mr. HARDWICK:

A bill (S. 5572) to prohibit immigration for a period of four years, and for other purposes; to the Committee on Immigration.

By Mr. POINDEXTER:

A bill (S. 5573) providing a method for the retirement of men in the military service of the United States; to the Committee on Military Affairs.

A bill (S. 5574) granting an increase of pension to William H. Merritt (with accompanying papers); to the Committee on Pensions.

By Mr. FLETCHER:

A bill (S. 5575) for the relief of the H. W. Davis Co., of St. Augustine, Fla.; and

A bill (S. 5576) for the relief of the Estes Shoe Co., of St. Augustine, Fla.; to the Committee on Claims.

By Mr. SHEPPARD:

A bill (S. 5577) donating captured cannon and cannon balls to the cities of Mission, Mount Vernon, and Tulia, all in Texas; and

A bill (S. 5578) relating to the pay of retired enlisted men serving as field clerks; to the Committee on Military Affairs.

RIVER AND HARBOR APPROPRIATIONS.

Mr. MOSES submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was ordered to lie on the table and be printed.

Mr. RANSDELL submitted two amendments intended to be proposed by him to the river and harbor appropriation bill, which were ordered to lie on the table and be printed.

Mr. SHEPPARD submitted two amendments intended to be proposed by him to the river and harbor appropriation bill, which were ordered to lie on the table and be printed.

AMENDMENTS TO AGRICULTURAL APPROPRIATION BILL.

Mr. SHEPPARD submitted an amendment relative to the limitation in the agricultural appropriation bill as to the cost of farm buildings, etc., intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. RANSDELL submitted an amendment proposing to increase the appropriation for the investigation and improvement of fruits and the methods of fruit growing, harvesting, etc., from $83,200 to $88,200, intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

LONGEVITY PAY OF ARMY OFFICERS.

Mr. SMITH of Georgia. From the Committee on the Judiciary I report back favorably with an amendment the bill (S. 83) to confer jurisdiction on the Court of Claims, the passage of which the committee recommends. I call the attention of the junior Senator from Alabama [Mr. UNDERWOOD] to the bill, it being a bill which was introduced by him, and with which he is very familiar.

Mr. UNDERWOOD. Mr. President, I ask unanimous consent for immediate action on this bill. It was passed by the last Congress. The question involved is the longevity pay of certain officers of the United States Army. All but a few of them have been paid. The reason why those few were not paid was because they filed their claims with the auditor, and were turned down; subsequently the Supreme Court held that the claims were good; but they now hold that these particular claims, having been turned down, can not be reinstated in the Court of Claims.

This is merely a bill to put a few men on the same basis with several hundred others who have already been paid. The Senate has already passed on the matter once, and I ask unanimous consent that the bill may be taken up and passed at this time.

Mr. SMITH of Georgia. I will say that the bill was before the Judiciary Committee at the last Congress, and was reported favorably and was passed by the Senate, I think.

Mr. UNDERWOOD. Yes; it was.

Mr. SMITH of Georgia. And it is again reported favorably, without a dissenting vote. The Supreme Court of the United States has held that these officers are entitled to the money.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause down to and including line 15, on page 2, and to insert:

That the Court of Claims shall certify to the proper accounting officers of the Treasury the findings of fact heretofore made for claimants in claims of officers of the United States Army for longevity pay under the decisions of the Supreme Court of the United States, in United States v. Morton (vol. 112, U. S. Repts., p. 1) and United States v. Watson (vol. 130, U. S. Repts., p. 80) and of the Court of Claims in Stewart v. United States (vol. 34, Ct. Cls. Repts, p. 553).

And that the accounting officers of the Treasury shall proceed to settle the claims so certified and all other claims for longevity pay and allowances on account of services of officers in the Regular Army arising under section 15 of an act approved July 5, 1838, entitled "An act to increase the present Military Establishment of the United States, and for other purposes," and subsequent acts affecting longevity pay and allowances, in accordance with the decisions of the Supreme Court of the United States, in all cases in which heretofore, namely, between 1890 and 1908, such claims were disallowed by any accounting officer of the Treasury, and no decision of a comptroller heretofore made against a claimant under said section 15 shall prevent a settlement under the terms of this act of any such disallowed claim. Every such claim shall be payable to the claimant or to his widow or to his legal representative: *Provided*, That no claim hereunder shall be allowed if made by any person who is an assignee of such claim, nor to a legal representative without proof of the existence of blood relations to whom the fund would be distributed: *Provided further*, That it shall be unlawful for any agent or attorney, firm of attorneys, or any person engaged heretofore or hereafter in preparing, presenting, or prosecuting any claim under this act to charge or receive more than 20 per cent of any amount appropriated in satisfaction of the claim.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read, "A bill to confer jurisdiction on the Court of Claims to certify certain findings of fact, and for other purposes."

AMERICAN TROOPS IN RUSSIA.

Mr. SHEPPARD. I call up the conference report on the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

Mr. JOHNSON of California. Will the Senator yield for just an instant?

Mr. SHEPPARD. I yield to the Senator.

Mr. JOHNSON of California. There is a resolution, introduced by me yesterday, respecting Russia. It was to come up to-day. I have been asked by some Members to postpone the resolution for one day in order that they might consult concerning it. I therefore ask unanimous consent that without prejudice it may go over until to-morrow.

The VICE PRESIDENT. Is there objection?

Mr. KING. I hope that will be granted.

The VICE PRESIDENT. The Chair hears no objection, and the resolution goes over.

Mr. JOHNSON of California. Let me add that if to-morrow we shall be in recess it shall come up in the first morning hour.

Mr. KING. That course will be agreeable.

The VICE PRESIDENT. The Chair would so construe it. The question is on the motion of the Senator from Texas to take up the conference report.

Mr. LEWIS. The morning business has not closed?

The VICE PRESIDENT. As the Chair has announced a great many times, after 1 o'clock a motion can be made to proceed to the consideration of a measure, and the Chair understands that that is what the Senator from Texas is doing.

Mr. LEWIS. Then I ask the Senator to allow me to introduce a resolution.

Mr. SHEPPARD. It seems that there is quite an amount of morning business pressing for consideration, and I will withdraw the motion for the present.

WORK IN SHIPYARDS AT SEATTLE, WASH.

Mr. POINDEXTER. I ask unanimous consent for the consideration of the following resolution:

The resolution (S. Res. 448) was read, considered by unanimous consent, and agreed to as follows:

Resolved, That the United States Shipping Board is requested to inform the Senate whether or not workmen who are willing to work in shipyards at Seattle, Wash., having Government contracts are allowed to do so, or given the opportunity to do so; whether such workmen belong to a labor union or not; and if those who belong to a labor union or those who do not belong to a labor union and who are willing to work at the wages established by the so-called Macy award are not allowed to work in said yards upon said Government contracts, the Shipping Board is requested to inform the Senate why and upon what grounds they are not allowed to so work, and by whom they are prevented from so doing.

PROTECTION OF LIFE AND PROPERTY OF AMERICANS IN MEXICO.

Mr. LEWIS. I send a resolution to the desk and ask to have it read and then referred to the Committee on Foreign Relations.

The resolution (S. Res. 449) was read and referred to the Committee on Foreign Relations, as follows:

Whereas American citizens residing in the United States, particularly of the State of Illinois, make complaint in writing, charging that the Government in Mexico, under the administration known as Carranza, has permitted the property of citizens of the United States to be destroyed or confiscated under the guise of a constitutional provision devised and adopted long years after the Americans had legally obtained and fully paid for their property; and

Whereas the complaining Americans assert that the said Government agents of the Carranza administration have conspired to permit, and have allowed, the innocent laborers upon the American operations to be driven off or assaulted, and in designated instances murdered; and

Whereas it is complained that such conduct continues, all under the purpose to confiscate and appropriate the property of Americans under an alleged constitutional privilege: Now, therefore, be it

Resolved, That the Committee of the Senate on Foreign Relations ascertain through the Department of State and such other sources as it deems advisable the truth of the said charges; and if true, to recommend to the Senate such course as would be appropriate for the United States Government to take that will make secure in Mexico under the present Government the lives and property of Americans.

GOVERNMENT OF POLAND.

Mr. KING. I submit a resolution to be read and referred to the Committee on Foreign Relations.

The resolution (S. Res. 450) was read and referred to the Committee on Foreign Relations, as follows:

Whereas the people of Poland have recovered their ancient national liberties and rights, and have erected for themselves a free national Republic for the maintenance of public order, the preservation of private liberties and rights, and to incorporate the culture, traditions, and liberties of Poland in a stable and permanent Government; and

Whereas the Chief Executive of the United States has, by the Secretary of State, recognized the new republican Government of Poland and has sent his felicitations to Ignace Jan Paderewski, premier and minister of foreign affairs, in the new Government of Poland: Now, therefore, be it

Resolved, That the Senate extend its congratulations to the new republican Government of Poland upon its admission into the society of free nations, and express welcome and good will to the people of Poland upon the achievement of their national independence.

COMMANDEERED SHIPS.

Mr. SHERMAN. I submit a concurrent resolution, which I desire to have read and referred to the Committee on Commerce.

The concurrent resolution (S. Con. Res. 31) was read and referred to the Committee on Commerce, as follows:

Whereas the Government on the declaration of war commandeered the merchant ships of private owners in the United States and thereby canceled all pending contracts with shippers; and

Whereas the resumption of private business requiring the use of the facilities furnished by such shippers is dependent upon obtaining rates that will permit such business to be conducted without loss, and such resumption will give employment in many lines; and

Whereas the Shipping Board and Emergency Fleet Corporation having authority in such matters have not returned such private ships so commandeered to their owners so that contracts may be resumed or entered into between the private owners of such ships and various industrial enterprises: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the Shipping Board and the Emergency Fleet Corporation be, and are hereby, directed to report to Congress why such private ships should not now be returned to their respective owners to be used in the various industrial undertakings of the country.

DEPORTATION OF ANARCHISTS.

Mr. JONES of Washington. I present petitions which I have received from the minutemen division of the American Protective League, of Seattle, Wash. These petitions are signed by over 1,800 citizens of the State of Washington. They urge the deportation of those aliens who have taken out their first papers looking toward naturalization, but who, when the war came on, in order to escape military service renounced this declaration. They particularly call attention to the fact that of 205 persons who renounced their citizenship 54, or nearly 27 per cent, had I. W. W. cards in their pockets.

Mr. President, there is a very strong sentiment in our State for the deportation of those people who acted as these persons did. They do not consider them as desirable citizens there from any standpoint.

Mr. KING. Will the Senator permit an interruption apropos of what he is stating?

Mr. JONES of Washington. Yes, sir.

Mr. KING. I have taken up the matter with the Department of Labor, and I can assure the Senator that as soon as shipping can be provided and arrangements made some of these alien anarchists and Bolshevists who are seeking the destruction of our Government will be deported.

Mr. PENROSE. May I make an inquiry for my own information? I should like to inquire how these anarchists are to be sent back to the country whence they came. Will those countries be willing to take them? I make the inquiry for my own information. It occurred to me that we might ship them over there and the foreign country might refuse to let them get off the vessel.

Mr. KING. I confess I have not given attention to the modus operandi by which that would be effectuated, but the law which we passed in October of last year provides that the Department of Labor shall deport certain classes of people, and I am sure the Department of Labor is going to act up to the letter and the spirit of that act.

Mr. PENROSE. I can see how the anarchists might spend their lives going from one shore to the other.

Mr. KING. He is a man without a country, anyway.

Mr. PENROSE. Can the Senator from Washington inform me?

Mr. JONES of Washington. I am glad to have the statement of the Senator from Utah. I will say to the Senator from Pennsylvania that I introduced a bill a short time ago providing for the deportation of these various individuals. The Department of State seems to take a different attitude from the Department of Labor. They wrote me a letter expressing the earnest hope that this measure would not be pressed, stating that some protests had come to it from one Government, whose citizens were in this class. It seems that that Government does not want these citizens returned to its shores, and so it protested against our taking any action of that kind. I think we could find a way of getting the people out of this country, anyhow; I do not care where they go, so they get out of here.

Mr. PENROSE. Where would they go?

Mr. JONES of Washington. We would take them and land them on somebody else's shores.

Mr. PENROSE. Send them up to the North Pole?

Mr. JONES of Washington. That would be a good place. I would not worry anything about that. What I want to do and what our people want to do is to get this class of persons out of our country.

Mr. PENROSE. I think the proposition a very meritorious one, but it simply occurred to me as a matter of curiosity how this as a practical problem was going to be solved. There still seems to be some doubt about it.

Mr. JONES of Washington. I have not any doubt but what we can put them on board ship and start them away from our shores and not let them come back.

Mr. PENROSE. There is no doubt about that; but where shall they be sent?

Mr. JONES of Washington. I am not worrying as to where the ship will land or where these people will land after they get away from our shores so that they can not come back. That will not worry me a particle.

I ask that the petition be printed in the RECORD without the names.

There being no objection, the petition was referred to the Committee on Immigration and ordered to be printed in the RECORD, as follows:

Petition for legislation to deport certain aliens.

To the Congress of the United States:

GENTLEMEN: We, the undersigned, citizens of the State of Washington, petition your honorable body that you enact legislation during the present session which will make possible the deportation from the United States of those who renounced their citizenship in order to escape the obligation of military service and who signed affidavits that they would voluntarily return to the lands from whence they came.

We deem that persons who think so lightly of the privileges of American citizenship that they are unwilling to fight for them when called to the colors are not desirable as residents of the United States, and that the act of renouncing their citizenship in order to escape military service is sufficient proof of their undesirability.

In further proof of the undesirability of these persons as a class, we submit the fact that of 205 persons who renounced their citizenship before the draft boards of Seattle to escape military service, 54, or nearly 27 per cent, were shown to be members of the I. W. W. by a check of the membership list of that organization in the hands of the police.

We therefore petition for the passage of whatever legislation is necessary to provide for the deportation of those who refuse to live up to their promise to leave the United States.

OIL AND GAS LANDS—CONFERENCE REPORT.

Mr. SHAFROTH. I desire to call up Senate concurrent resolution No. 30, which authorizes Hon. KEY PITTMAN, as one of the managers at the conference on Senate bill 2812, to affix the name of JAMES D. PHELAN as one of the Senate managers to the conference report on the bill (S. 2812) entitled "An act to encourage and promote the mining of coal, phosphate, gas, and sodium on the public domain," under oral authority and by telegram requesting such action.

I desire to present a telegram from Hon. JAMES D. PHELAN which is addressed to Hon. KEY PITTMAN, United States Senate, Washington, D. C., and is as follows:

SAN FRANCISCO, CAL., *February 10, 1919.*

Hon. KEY PITTMAN,
United States Senate, Washington, D. C.:

Have read mineral leasing bill and conference report, and I hereby authorize you to sign my name to the bill as reported by the conference committee.

JAMES D. PHELAN.

The VICE PRESIDENT. Is there objection to the consideration of the concurrent resolution?

The concurrent resolution was considered by unanimous consent and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That Hon. KEY PITTMAN, as one of the Senate managers, is hereby authorized to affix the name of JAMES D. PHELAN, as one of the Senate managers, to the conference report on bill (S. 2812) entitled "An act to encourage and promote the mining of coal, phosphate, gas, and sodium on the public domain," under oral authority and by telegram requesting such action.

OMAHA TRIBE OF INDIANS.

Mr. NORRIS. I understand that last night the Senate passed the bill (S. 3992) to investigate the claims of and to enroll certain persons, if entitled, with the Omaha Tribe of Indians. I have just had called to my attention by a member of the tribe a claim that was passed, without consideration by the committee, where there was an application to be heard on the part of the Indians before the passage of the bill. Personally I do not know anything about it. I was unable to find any member of the committee in the Chamber, and, as I have to leave the Chamber for committee work, I should like to enter a formal motion to reconsider the vote by which the bill was passed last night. It may be that it will be adjusted properly when I am able to see members of the committee who know about the bill.

The VICE PRESIDENT. The motion to reconsider will be entered.

Mr. NORRIS. I move that the House be requested to return the bill to the Senate.

The motion was agreed to.

AGENTS OF DEPARTMENT OF JUSTICE IN MICHIGAN.

Mr. TOWNSEND. I ask that Senate resolution 446, submitted yesterday by me, be laid before the Senate.

The VICE PRESIDENT. Without objection, the Chair lays the resolution before the Senate.

Mr. TOWNSEND. I desire to amend the resolution by inserting before the word "Michigan" the words "in connection with the senatorial primary and election held in that State in August and November, 1918."

The resolution as amended was agreed to, as follows:

Whereas it is known that a large number, to wit, more than 25 men, have been in the State of Michigan for a great portion of the time since August, 1918, representing themselves to be agents of the United States Department of Justice, and many are there now; and Whereas said men are accused of indulging in unlawful and unwarranted practices: Therefore be it

Resolved, That the Attorney General be, and he is hereby, directed to inform the Senate whether he has sent any special agents into Michigan in connection with the senatorial primary and election held in that State in August and November, 1918, and, if he has, how many have been sent, together with their names, how many are there now, the purpose for which they were sent and are now retained there, and what instructions, if any, were given these men by him.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHERLEY, Mr. EAGAN, and Mr. CANNON managers at the conference on the part of the House.

The message also announced that the House agrees to the concurrent resolution of the Senate authorizing Hon. KEY PITTMAN, as one of the Senate managers, to affix the name of JAMES D. PHELAN as one of the Senate managers to the conference report on the bill (S. 2812) to encourage and promote the mining of coal, phosphate, gas, and sodium on the public domain, under oral authority and by telegram requesting such action.

THE REVENUE—CONFERENCE REPORT.

Mr. SIMMONS. I move that the Senate proceed to the consideration of the conference report on the bill (H. R. 12863) to provide revenue, and for other purposes.

The motion was agreed to.

Mr. SMOOT. A number of Senators desired to be here at the time the report was taken up, and I therefore suggest the absence of a quorum.

The VICE PRESIDENT. The Chair will first lay before the Senate the conference report on the revenue bill. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Hitchcock	Myers	Simmons
Beckham	Hollis	Nelson	Smith, Ariz.
Borah	Johnson, Cal.	New	Smith, Ga.
Calder	Johnson, S. Dak.	Norris	Smith, S. C.
Colt	Jones, N. Mex.	Nugent	Smoot
Culberson	Jones, Wash.	Page	Spencer
Curtis	King	Penrose	Sterling
Fletcher	Kirby	Pittman	Sutherland
France	Lenroot	Poindexter	Swanson
Frelinghuysen	Lewis	Pollock	Thompson
Gay	Lodge	Pomerene	Trammell
Gore	McCumber	Ransdell	Underwood
Gronna	McKellar	Saulsbury	Walsh
Harding	McLean	Shafroth	Warren
Hardwick	Martin, Va.	Sheppard	Watson
Henderson	Moses	Sherman	Weeks

Mr. SAULSBURY. I desire to announce that the senior Senator from Maryland [Mr. SMITH] and the senior Senator from Mississippi [Mr. WILLIAMS] are detained by illness.

Mr. McKELLAR. I desire to announce the absence of my colleague, the senior Senator from Tennessee [Mr. SHIELDS], on account of illness.

Mr. POMERENE. I desire to announce the absence of the junior Senator from Delaware [Mr. WOLCOTT] and the junior Senator from North Carolina [Mr. OVERMAN] on official business.

The PRESIDING OFFICER (Mr. KING in the chair). Sixty-four Senators have answered to their names. A quorum is present.

Mr. SIMMONS. Mr. President, I ask unanimous consent that the reading of the report of the committee of conference may be dispensed with.

Mr. FRANCE. Mr. President, I object to that. I think the report ought to be read.

The PRESIDING OFFICER. Objection is made. The Secretary will read the report of the committee of conference.

The Secretary read as follows:

"The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12863) to provide revenue, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

"That the Senate recede from its amendments numbered 1, 5, 10"—

And sundry other amendments.

Mr. PENROSE. Mr. President, the Secretary has been directed to read this report, and I ask that it be read. I want the report read.

The PRESIDING OFFICER. The Secretary will proceed to read the report as requested.

The Secretary resumed the reading of the report, as follows:

"That the Senate recede from its amendments numbered 1, 5, 10, 35, 37, 38, 50, 54, 55, 58, 59, 112, 120, 121, 122, 123, 127, 131, 140, 186, 187, 189, 208, 211, 218, 222, 223, 235, 272, 273, 274, 275, 276, 329, 330, 332, 333, 352, 362, 377, 378, 379, 381, 394, 405, 407, 410, 444, 445, 488, 490, 491, 493, 498, 499, 500, 509, 516, 518, 519, 539, 540, 541, 553, 559, 587, 588, and 594.

"That the House recede from its disagreement to the amendments of the Senate numbered 4, 7, 8, 9, 12, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 29, 30, 31, 32, 33, 34, 39, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, 53, 56, 57, 60, 61, 62, 64, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 78, 79, 82, 83, 84, 85, 87, 88, 89, 90, 91, 93, 97, 98, 99, 100, 101, 102, 103, 104, 106, 107, 108, 109, 110, 111, 113, 114, 115, 116, 117, 119, 124, 126, 128, 130, 132, 133, 134, 136, 137, 138, 139, 141, 142, 143, 145, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 162, 163, 164, 165, 166, 167, 168, 170, 172, 173, 174, 175, 176, 177, 178, 179, 181, 182, 183, 184, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 209, 210, 212, 213, 217, 219, 224, 225, 226, 227, 228, 229, 230, 237, 238, 239, 240, 241, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 255, 256, 258, 260, 262, 264, 265, 266, 267, 268, 269, 271, 278, 279, 280, 281, 283, 284, 286, 287, 288, 290, 291, 293, 294, 295, 296, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 326, 327, 328, 331, 334, 335, 336, 337, 338, 339, 340, 342, 343, 344, 346, 347, 348, 349, 350, 351, 353, 354, 355, 356, 358, 359, 360, 361, 363, 364, 365, 366, 370, 371, 372, 373, 374, 380, 382, 383, 384, 385, 386, 388, 389, 390, 392, 396, 398, 400, 401, 402, 403, 406, 408, 409, 411, 412, 413, 415, 416, 419, 422, 423, 427, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 447, 448, 449, 450, 451, 452, 453, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 468, 470, 471, 472, 473, 475, 476, 477, 478, 479, 481, 482, 483, 486, 487, 489, 494, 496, 497, 501, 502, 503, 504, 505, 506, 507, 508, 510, 511, 512, 513, 514, 515, 517, 520, 521, 522, 524, 525, 527, 528, 529, 530, 531, 532, 533, 534, 536, 537, 538, 543, 545, 546, 547, 549, 551, 552, 554, 555, 556, 557, 558, 560, 562, 563, 564, 565, 566, 567, 568, 570, 571, 572, 573, 574, 575, 576, 577, 579, 580, 582, 583, 584, 585, 586, 589, 590, 591, 592, and 593; and agree to the same."

Mr. PENROSE. Mr. President, the recital of these numbers will impress the Senate, if attention is called to it, with the very large number of amendments adopted by the Senate from which the House receded from its disagreement; and it bears out the thought that the greater part of very many of the excellent provisions in the measure inserted by the Senate have been retained in the pending bill. I only desire to call attention to that phase of it as shown by a comparison of the two paragraphs, the first containing the amendments from which the Senate receded and the second those from which the House receded.

The Secretary resumed the reading of the conference report, and read as follows:

"Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: On page 1, line 5, of the bill strike out the comma after the word 'partnerships'; and the Senate agree to the same.

"Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert a comma and the following: 'as well as individuals'; and the Senate agree to the same.

"Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: 'The term "Government contract" means (a) a contract made with the United States, or with any department, bureau, officer, commission, board, or agency, under the United States and acting in its behalf, or with any agency controlled by any of the above if the contract is for the benefit of the United States, or (b) a subcontract made with a contractor performing such a contract if the products or services to be furnished under the subcontract are for the benefit of the United States. The term "Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive" when applied to a contract of the kind referred to in clause (a) of this paragraph, includes all such contracts which, although entered into during such period, were originally not enforceable, but which have been or may become enforceable by reason of subsequent validation in pursuance of law' and a semicolon; and the Senate agree to the same.

"Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'The term "personal service corporation" means a corporation

whose income is to be ascribed primarily to the activities of the principal owners or stockholders who are themselves regularly engaged in the active conduct of the affairs of the corporation and in which capital (whether invested or borrowed) is not a material income-producing factor; but does not include any foreign corporation, nor any corporation 50 per cent or more of whose gross income consists either (1) of gains, profits, or income derived from trading as a principal, or (2) of gains, profits, commissions, or other income derived from a Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive,' and a semicolon; and the Senate agree to the same.

"Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'The term "paid," for the purposes of the deductions and credits under this title, means "paid or accrued" or "paid or incurred," and the terms "paid or incurred" and "paid or accrued" shall be construed according to the method of accounting upon the basis of which the net income is computed under section 212.'

"And the Senate agree to the same.

"Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'DIVIDENDS.

"'SEC. 201. (a) That the term "dividend" when used in this title (except in paragraph (10) of subdivision (a) of section 234) means (1) any distribution made by a corporation, other than a personal-service corporation, to its shareholders or members, whether in cash or in other property or in stock of the corporation, out of its earnings or profits accumulated since February 28, 1913, or (2) any such distribution made by a personal-service corporation out of its earnings or profits accumulated since February 28, 1913, and prior to January 1, 1918.

"'(b) Any distribution shall be deemed to have been made from earnings or profits unless all earnings and profits have first been distributed. Any distribution made in the year 1918 or any year thereafter shall be deemed to have been made from earnings or profits accumulated since February 28, 1913, or, in the case of a personal-service corporation, from the most recently accumulated earnings or profits; but any earnings or profits accumulated prior to March 1, 1913, may be distributed in stock dividends or otherwise, exempt from the tax, after the earnings and profits accumulated since February 28, 1913, have been distributed.

"'(c) A dividend paid in stock of the corporation shall be considered income to the amount of the earnings or profits distributed. Amounts distributed in the liquidation of a corporation shall be treated as payments in exchange for stock or shares, and any gain or profit realized thereby shall be taxed to the distributee as other gains or profits.

"'(d) If any stock dividend (1) is received by a taxpayer between January 1 and November 1, 1918, both dates inclusive, or (2) is during such period bona fide authorized or declared, and entered on the books of the corporation, and is received by a taxpayer after November 1, 1918, and before the expiration of 30 days after the passage of this act, then such dividend shall, in the manner provided in section 206, be taxed to the recipient at the rates prescribed by law for the years in which the corporation accumulated the earnings or profits from which such dividend was paid, but the dividend shall be deemed to have been paid from the most recently accumulated earnings or profits.

"'(e) Any distribution made during the first 60 days of any taxable year shall be deemed to have been made from earnings or profits accumulated during preceding taxable years; but any distribution made during the remainder of the taxable year shall be deemed to have been made from earnings or profits accumulated between the close of the preceding taxable year and the date of distribution, to the extent of such earnings or profits, and if the books of the corporation do not show the amount of such earnings or profits, the earnings or profits for the accounting period within which the distribution was made shall be deemed to have been accumulated ratably during such period.'

"And the Senate agree to the same.

"Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'(b) When property is exchanged for other property, the property received in exchange shall for the purpose of determining gain or loss be treated as the equivalent of cash to the amount of its fair market value, if any; but when in connection with the reorganization, merger, or consolidation of a corporation a person receives in place of stock or securities owned by him new stock or securities of no greater aggregate par or face value, no gain or loss shall be deemed to occur from the exchange, and the new stock or securities received shall be treated as taking the place of the stock, securities, or property exchanged.

"'When in the case of any such reorganization, merger or consolidation the aggregate par or face value of the new stock or securities received is in excess of the aggregate par or face value of the stock or securities exchanged, a like amount in par or face value of the new stock or securities received shall be treated as taking the place of the stock or securities exchanged, and the amount of the excess in par or face value shall be treated as a gain to the extent that the fair market value of the new stock or securities is greater than the cost (or if acquired prior to March 1, 1913, the fair market value as of that date) of the stock or securities exchanged.'

"And the Senate agree to the same."

Mr. THOMAS. Mr. President, I desire to have the RECORD note the fact that the Senator who moved the reading of this long and cumbrous report, and the Senator who also insisted that the reading include the figures, have both of them deserted the Chamber; also that there are now four Republicans and three Democrats, exclusive of the occupant of the chair, present to listen to this wasteful and filibustering procedure.

Mr. SMOOT. Mr. President, in justice to the Senator who asked that the report be read, I will state that I understand he has gone to lunch. Of course, the Senator from Colorado knows that it is lunch time, and I suppose almost all the Senators are there.

Mr. THOMAS. Yes; and I know also that the only possible effect of going through this procedure, which can not be stopped, is to consume very valuable time. If this bill is to be beaten—and I personally do not care whether it is or not—I think it should be beaten by direct offensive attack, rather than by undermining.

The Secretary resumed the reading of the report, and read as follows:

"Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'NET LOSSES.

"'SEC. 204. (a) That as used in this section the term "net loss" refers only to net loss resulting from either (1) the operation of any business regularly carried on by the taxpayer, or (2) the bona fide sale by the taxpayer of plant, buildings, machinery, equipment, or other facilities, constructed, installed, or acquired by the taxpayer on or after April 6, 1917, for the production of articles contributing to the prosecution of the present war; and when so resulting means the excess of the deductions allowed by law (excluding in the case of corporations amounts allowed as a deduction under paragraph (6) of subdivision (a) of section 234) over the sum of the gross income plus any interest received free from taxation both under this title and under Title III.

"'(b) If for any taxable year beginning after October 31, 1918, and ending prior to January 1, 1920, it appears upon the production of evidence satisfactory to the commissioner that any taxpayer has sustained a net loss, the amount of such net loss shall under regulations prescribed by the commissioner with the approval of the Secretary be deducted from the net income of the taxpayer for the preceding taxable year; and the taxes imposed by this title and by Title III for such preceding taxable year shall be redetermined accordingly. Any amount found to be due to the taxpayer upon the basis of such redetermination shall be credited or refunded to the taxpayer in accordance with the provisions of section 252. If such net loss is in excess of the net income for such preceding taxable year, the amount of such excess shall under regulations prescribed by the commissioner with the approval of the Secretary be allowed as a deduction in computing the net income for the succeeding taxable year.

"'(c) The benefit of this section shall be allowed to the members of a partnership and the beneficiaries of an estate or trust under regulations prescribed by the commissioner with the approval of the Secretary.'

"And the Senate agree to the same.

"Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'FISCAL YEAR WITH DIFFERENT RATES.

"'SEC. 205. (a) That if a taxpayer makes return for a fiscal year beginning in 1917 and ending in 1918, his tax under this title for the first taxable year shall be the sum of: (1) the same proportion of a tax for the entire period computed under Title I of the revenue act of 1916 as amended by the revenue act of 1917 and under Title I of the revenue act of 1917, which the portion of such period falling within the calendar year 1917 is of the entire period, and (2) the same proportion of a tax for the entire period computed under this title at the rates for the calendar year 1918 which the portion of such period falling within the calendar year 1918 is of the entire period: *Provided*, That in the case of a personal service corporation the amount to be paid shall be only that specified in clause (1).

"'Any amount heretofore or hereafter paid on account of the tax imposed for such fiscal year by Title I of the revenue act of 1916 as amended by the revenue act of 1917, and by Title I of the revenue act of 1917, shall be credited towards the payment of the tax imposed for such fiscal year by this act, and if the amount so paid exceeds the amount of such tax imposed by this act, or, in the case of a personal service corporation, the amount specified in clause (1), the excess shall be credited or refunded in accordance with the provisions of section 252.

"'(b) If a taxpayer makes a return for a fiscal year beginning in 1918 and ending in 1919, the tax under this title for such fiscal year shall be the sum of: (1) the same proportion of a tax for the entire period computed under this title at the rates specified for the calendar year 1918 which the portion of such period falling within the calendar year 1918 is of the entire period, and (2) the same proportion of a tax for the entire period computed under this title at the rates specified for the calendar year 1919 which the portion of such period falling within the calendar year 1919 is of the entire period.

"'(c) If a fiscal year of a partnership begins in 1917 and ends in 1918 or begins in 1918 and ends in 1919, then notwithstanding the provisions of subdivision (b) of section 218, (1) the rates for the calendar year during which such fiscal year begins shall apply to an amount of each partner's share of such partnership net income (determined under the law applicable to such year) equal to the proportion which the part of such fiscal year falling within such calendar year bears to the full fiscal year, and (2) the rates for the calendar year during which such fiscal year ends shall apply to an amount of each partner's share of such partnership net income (determined under the law applicable to such calendar year) equal to the proportion which the part of such fiscal year falling within such calendar year bears to the full fiscal year: *Provided*, That in the case of a personal service corporation with respect to a fiscal year beginning in 1917 and ending in 1918, the amount specified in clause (1) shall not be subject to normal tax.'

"And the Senate agree to the same.

"Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'PARTS OF INCOME SUBJECT TO RATES FOR DIFFERENT YEARS.

"'SEC. 206. That whenever parts of a taxpayer's income are subject to rates for different calendar years, the part subject to the rates for the most recent calendar year shall be placed in the lower brackets of the rate schedule provided in this title, the part subject to the rates for the next preceding calendar year shall be placed in the next higher brackets of the rate schedule applicable to that year, and so on until the entire net income has been accounted for. In determining the income, any deductions, exemptions, or credits of a kind not plainly and properly chargeable against the income taxable at rates for a preceding year shall first be applied against the income subject to rates for the most recent calendar year; but any balance thereof shall be applied against the income subject to the rates of the next preceding year or years until fully allowed.'

"And the Senate agree to the same."

The PRESIDING OFFICER (Mr. NUGENT in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. KENYON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Jones, N. Mex.	Nugent	Sterling
Beckham	Kellogg	Overman	Sutherland
Colt	Kenyon	Page	Swanson
Culberson	King	Penrose	Thomas
Curtis	La Follette	Poindexter	Thompson
Fletcher	Lenroot	Pollock	Townsend
France	Lewis	Pomerene	Trammell
Gay	McCumber	Sheppard	Vardaman
Gerry	McKellar	Sherman	Wadsworth
Hale	McNary	Simmons	Warren
Harding	Martin, Va.	Smith, Ariz.	Weeks
Hardwick	Nelson	Smith, S. C.	Wolcott
Henderson	New	Smoot	
Johnson, S. Dak.	Norris	Spencer	

The PRESIDING OFFICER. Fifty-four Senators having answered to their names, there is a quorum present.

Mr. SIMMONS. I wish to ask the Senator from Florida [Mr. FLETCHER] if he will not agree to temporarily lay aside the river and harbor bill that we may consider the conference report on the revenue bill?

Mr. FLETCHER. I realize the importance of action upon the conference report. Can the Senator give me any idea as to how long it would possibly take?

Mr. SIMMONS. I had very much hoped that we would get through with it this afternoon, but I can not give any assurance of that. I think we will get through with it to-morrow, if not to-day.

Mr. THOMAS. Let us hold a night session.

Mr. SIMMONS. I would be in favor of holding a night session if necessary.

Mr. PENROSE. I would not favor that. I think the conference report on the revenue bill ought to be proceeded with with decorum and formality. It is a very important measure.

Mr. SIMMONS. I do not think by holding a night session we would dispense with any decorum or any formality.

Mr. PENROSE. It seems to be rather a steam-roller proceeding.

Mr. SIMMONS. It is not a steam-roller proceeding.

Mr. THOMAS. Mr. President, we have 18 working days, including to-day, in which to transact the business that is now upon the calendar. It will take four or five hours to read this report, and it is read to empty seats. If that is going to be done, I think we can hold a night session and stay here all night, if necessary, in order that we may transact some of the business now on the calendar, or at least make an effort to do it.

Mr. PENROSE. I suggest that we take up the question of a night session when the time arrives to take it up.

Mr. SIMMONS. I suggest that the Senator is wise in that regard; but I say if this report is unduly delayed I shall undoubtedly, not to-night, but to-morrow night, if it goes over to-morrow, ask for a night session.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). Does the Senator from North Carolina yield to the Senator from Florida?

Mr. SIMMONS. I yield.

Mr. FLETCHER. Under the circumstances I feel disposed to lay the unfinished business aside temporarily with the understanding that it shall not lose its place and that it will be resumed immediately after action on the conference report on the revenue bill. If it is apparent that there is an unnecessary delay in disposing of the conference report, I shall ask the Senate to take up the unfinished business. I think I have that right when I ask to have it temporarily laid aside.

Mr. PENROSE. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Pennsylvania?

Mr. SIMMONS. I yield.

Mr. PENROSE. I do not think the chairman of the Finance Committee will impute any intention or effort to delay this conference report to the minority. Every effort has been made to expedite its passage, and we intend now, as far as I know, to expedite its passage, but it certainly ought to be proceeded with with deliberation and not——

Mr. SIMMONS. There is no purpose to proceed with the conference report except in the usual way. I have not imputed any purpose to the other side of the Chamber to delay the matter, and I do not know of any such purpose.

Mr. PENROSE. If the Senator will permit me, I wish to say that I thought the reading of the numbers of the amendments had considerable significance. Comparing the amendments on which the Senate conferees receded with those on which the House conferees receded, it showed a very striking preponderance of Senate amendments accepted and agreed to, and I think it is fraught with instructions to the Senate to be impressed with that fact, because those amendment are for the

relief of the taxpayers and the correction of inequalities, and are the chief merit of the bill, in my opinion.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Colorado?

Mr. SIMMONS. I yield.

Mr. THOMAS. The instruction was very edifying to six Senators, three on this side of the Chamber and three upon the other, and as soon as the Senator from Pennsylvania called attention to its educational effect he also retired from the Chamber.

Mr. PENROSE. I labored for a month over those amendments. I did not require that instruction. If Senators do not choose to listen, the opportunity is afforded to the occupants of the press gallery to be impressed with the full significance of the reading, and they can spread broadcast throughout the country the impression they have derived.

Mr. FLETCHER. I ask that the unfinished business be temporarily laid aside, to be resumed immediately on the completion of the conference report.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Florida? The Chair hears none, and it is so ordered. The Secretary will resume the reading of the conference report.

The Secretary resumed the reading of the report, and read as follows:

"Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following inclosed in parentheses: 'including in the case of the President of the United States, the judges of the Supreme and inferior courts of the United States, and all other officers and employees, whether elected or appointed, of the United States, Alaska, Hawaii, or any political subdivision thereof, or the District of Columbia, the compensation received as such'; and the Senate agree to the same.

"Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'possessions; or (d) bonds issued by the War Finance Corporation: *Provided*, That every person owning any of the obligations, securities, or bonds enumerated in clauses (a), (b), (c), and (d) shall, in the return required by this title, submit a statement showing the number and amount of such obligations, securities, and bonds owned by him and the income received therefrom, in such form and with such information as the commissioner may require'; and the Senate agree to the same.

"Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'or (e) in the case of a nonresident alien individual, by the authority of any foreign country (except income, war-profits and excess-profits taxes, and taxes assessed against local benefits of a kind tending to increase the value of the property assessed), upon property or business' and a semicolon; and on page 17, line 3, of the bill, after the matter inserted by Senate amendment numbered 81, insert a comma and the following: 'and clause (e) of paragraph (3)' and a comma; and the Senate agree to the same.

"Amendment numbered 65: That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment as follows: Omit the matter inserted by said amendment, and restore the matter stricken out by said amendment, and on page 14, line 19, of the bill, after 'business,' insert a comma and the following: 'including a reasonable allowance for obsolescence'; and the Senate agree to the same.

"Amendment numbered 77: That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: On page 29, line 3, of the Senate engrossed amendments, strike out '12 months' and insert '30 days'; and the Senate agree to the same.

"Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows:

"'(12) (a) At the time of filing return for the taxable year 1918 a taxpayer may file a claim in abatement based on the fact that he has sustained a substantial loss (whether or not actually realized by sale or other disposition) resulting from any material reduction (not due to temporary fluctuation) of the value of the inventory for such taxable year, or from the actual payment after the close of such taxable year of rebates in pursuance of contracts entered into during such year upon sales made during such year. In such case payment of the amount of the tax covered by such claim shall not be required until the claim is decided, but the taxpayer shall accompany his claim with a bond in double the amount of the tax covered by the claim, with sureties satisfactory to the commissioner, conditioned for the payment of any part of such tax found to be due, with interest. If any part of such claim is disallowed then the remainder of the tax due shall on notice and demand by the collector be paid by the taxpayer with interest at the rate of 1 per cent per month from the time the tax would have been due had no such claim been filed. If it is shown to the satisfaction of the commissioner that such substantial loss has been sustained, then in computing the tax imposed by this title the amount of such loss shall be deducted from the net income. (b) If no such claim is filed, but it is shown to the satisfaction of the commissioner that during the taxable year 1919 the taxpayer has sustained a substantial loss of the character above described then the amount of such loss shall be deducted from the net income for the taxable year 1918 and the tax imposed by this title for such year shall be redetermined accordingly. Any amount found to be due to the taxpayer upon the basis of such redetermination shall be credited or refunded to the taxpayer in accordance with the provisions of section 252.'

"And the Senate agree to the same.

"Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: '(10), (12)'; and the Senate agree to the same.

"Amendment numbered 86: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert a comma and the following: 'and amounts received as dividends from a personal service corporation out of earnings or profits upon which income tax has been imposed by act of Congress'; and the Senate agree to the same.

"Amendment numbered 92: That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'(e) Personal service corporations shall not be subject to taxation under this title, but the individual stockholders thereof shall be taxed in the same manner as the members of partnerships. All the provisions of this title relating to partnerships and the members thereof shall so far as practicable apply to personal service corporations and the stockholders thereof: *Provided*, That for the purpose of this subdivision amounts distributed by a personal service corporation during its taxable year shall be accounted for by the distributees; and any portion of the net income remaining undistributed at the close of its taxable year shall be accounted for by the stockholders of such corporation at the close of its taxable year in proportion to their respective shares.'

"And the Senate agree to the same.

"Amendment numbered 94: That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: '212, except that there shall also be allowed as a deduction (in lieu of the deduction authorized by paragraph (11) of subdivision (a) of section 214) any part of the gross income which, pursuant to the terms of the will or deed creating the trust, is during the taxable year paid to or permanently set aside for the United States, any State, Territory, or any political subdivision thereof, or the District of Columbia, or any corporation organized and operated exclusively for religious, charitable, scientific, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual'; and the Senate agree to the same.

"Amendment numbered 95:"——

Mr. THOMAS. Mr. President, I desire to raise a point of order. The reading by the Secretary seems to interfere very seriously with the conversation going on between the very few who still remain in the Chamber.

The PRESIDING OFFICER. The Chair will have to overrule the point of order, but he supposes that that is the fact.

Mr. THOMAS. Possibly I may have mistaken the conversation in the galleries for conversation on the floor. I suggest that

the Chair indulge in the usual highly perfunctory but utterly useless admonition to the occupants of the galleries.

Mr. SMITH of Georgia. No one is giving any attention to the reading of the report, and I ask unanimous consent to dispense with the further reading.

The PRESIDING OFFICER. The Senator from Georgia asks unanimous consent to dispense with the further reading of the report.

Mr. LODGE. I think the report ought to be read, Mr. President.

The PRESIDING OFFICER. Objection is raised. The report will be read.

Mr. SMITH of Georgia. I will not suggest the absence of a quorum that anyone will hear, because I am sure no one is going to hear it.

The Secretary resumed and concluded the reading of the report, as follows:

"Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: On page 23, line 10, of the Senate engrossed amendments after 'administration' insert 'or settlement'; and the Senate agree to the same.

"Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: On page 23, line 14, of the Senate engrossed amendments strike out 'or' and insert 'of'; and the Senate agree to the same.

"Amendment numbered 105: That the House recede from its disagreement to the amendment of the Senate numbered 105, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'distributed, such corporation shall not be subject to the tax imposed by section 230, but the stockholders or members thereof shall be subject to taxation under this title in the same manner as provided in subdivision (e) of section 218 in the case of stockholders of a personal-service corporation, except that the tax imposed by Title III shall be deducted from the net income of the corporation before the computation of the proportionate share of each stockholder or member'; and the Senate agree to the same.

"Amendment numbered 118: That the House recede from its disagreement to the amendment of the Senate numbered 118, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'CREDIT FOR TAXES.

"'SEC. 222. (a) That the tax imposed under Part II of this title shall be credited with:

"'(1) In the case of a citizen of the United States, the amount of any income, war-profits and excess-profits taxes paid during the taxable year to any foreign country, upon income derived from sources therein, or to any possession of the United States; and

"'(2) In the case of a resident of the United States, the amount of any such taxes paid during the taxable year to any possession of the United States; and

"'(3) In the case of an alien resident of the United States who is a citizen or subject of a foreign country, the amount of any such taxes paid during the taxable year to such country, upon income derived from sources therein, if such country, in imposing such taxes, allows a similar credit to citizens of the United States residing in such country; and

"'(4) In the case of any such individual who is a member of a partnership or a beneficiary of an estate or trust, his proportionate share of such taxes of the partnership or the estate or trust paid during the taxable year to a foreign country or to any possession of the United States, as the case may be.

"'(b) If accrued taxes when paid differ from the amounts claimed as credits by the taxpayer, or if any tax paid is refunded in whole or in part, the taxpayer shall notify the commissioner who shall redetermine the amount of the tax due under Part II of this title for the year or years affected, and the amount of tax due upon such redetermination, if any, shall be paid by the taxpayer upon notice and demand by the collector, or the amount of tax overpaid, if any, shall be credited or refunded to the taxpayer in accordance with the provisions of section 252. In the case of such a tax accrued but not paid, the commissioner as a condition precedent to the allowance of this credit may require the taxpayer to give a bond with sureties satisfactory to and to be approved by the commissioner in such penal sum as the commissioner may require, conditioned for the payment by the taxpayer of any amount of tax found due upon any such redetermination; and the bond herein prescribed shall contain such further conditions as the commissioner may require.

"'(c) These credits shall be allowed only if the taxpayer furnishes evidence satisfactory to the commissioner showing the amount of income derived from sources within such foreign country or such possession of the United States, and all other information necessary for the computation of such credits.'

"And the Senate agree to the same.

"Amendment numbered 125: That the House recede from its disagreement to the amendment of the Senate numbered 125, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: 'Except in the case of taxpayers who are abroad, no such extension shall be for more than six months'; and the Senate agree to the same.

"Amendment numbered 129: That the House recede from its disagreement to the amendment of the Senate numbered 129, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'(1) for the calendar year 1918, 12 per cent of the amount of the net income in excess of the credits provided in section 236; and

"'(2) For each calendar year thereafter, 10 per cent of such excess amount.

"'(b) For the purposes of the act approved March 21, 1918, entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," five-sixths of the tax imposed by paragraph (1) of subdivision (a) and four-fifths of the tax imposed by paragraph (2) of subdivision (a) shall be treated as levied by an act in amendment of Title I of the revenue act of 1917.'

"And the Senate agree to the same.

"Amendment numbered 135: That the House recede from its disagreement to the amendment of the Senate numbered 135, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert a comma and the following: 'except that:

"'(1) In the case of life insurance companies there shall not be included in gross income such portion of any actual premium received from any individual policyholder as is paid back or credited to or treated as an abatement of premium of such policyholder within the taxable year.

"'(2) Mutual marine insurance companies shall include in gross income the gross premiums collected and received by them less amounts paid for reinsurance'; and the Senate agree to the same.

"Amendment numbered 144: That the House recede from its disagreement to the amendment of the Senate numbered 144, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: '238; or (e) in the case of a foreign corporation, by the authority of any foreign country (except income, war-profits, and excess-profits taxes, and taxes assessed against local benefits of a kind tending to increase the value of the property assessed), upon the property or business'; and on page 40 of the bill, lines 22 and 23, strike out 'paragraphs (2) and (3)' and insert 'paragraph (2) and in clauses (a), (b), and (c) of paragraph (3)'; and the Senate agree to the same.

"Amendment numbered 146: That the House recede from its disagreement to the amendment of the Senate numbered 146, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert a comma and the following: 'and amounts received as dividends from a personal service corporation out of earnings or profits upon which income tax has been imposed by act of Congress'; and the Senate agree to the same.

"Amendment numbered 147: That the House recede from its disagreement to the amendment of the Senate numbered 147, and agree to the same with an amendment as follows: Omit the matter inserted by said amendment and restore the matter stricken out by said amendment, and on page 37, line 24, of the bill, after 'business' insert a comma and the following: 'including a reasonable allowance for obsolescence'; and the Senate agree to the same.

"Amendment numbered 159: That the House recede from its disagreement to the amendment of the Senate numbered 159, and agree to the same with an amendment as follows: On page 33, line 9, of the Senate engrossed amendments strike out '12 months' and insert '30 days'; and the Senate agree to the same.

"Amendment numbered 160: That the House recede from its disagreement to the amendment of the Senate numbered 160, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following:

"'(10) In the case of insurance companies, in addition to the above: (a) The net addition required by law to be made within

the taxable year to reserve funds (including in the case of assessment insurance companies the actual deposit of sums with State or Territorial officers pursuant to law as additions to guarantee or reserve funds); and (b) the sums other than dividends paid within the taxable year on policy and annuity contracts;

"'(11) In the case of corporations issuing policies covering life, health, and accident insurance combined in one policy issued on the weekly premium payment plan continuing for life and not subject to cancellation, in addition to the above, such portion of the net addition (not required by law) made within the taxable year to reserve funds as the commissioner finds to be required for the protection of the holders of such policies only;

"'(12) In the case of mutual marine insurance companies there shall be allowed, in addition to the deductions allowed in paragraphs (1) to (10), inclusive, amounts repaid to policyholders on account of premiums previously paid by them, and interest paid upon such amounts between the ascertainment and the repayment thereof;

"'(13) In the case of mutual insurance companies (other than mutual life or mutual marine insurance companies) requiring their members to make premium deposits to provide for losses and expenses, there shall be allowed, in addition to the deductions allowed in paragraphs (1) to (10), inclusive (unless otherwise allowed under such paragraphs) the amount of premium deposits returned to their policyholders and the amount of premium deposits retained for the payment of losses, expenses, and reinsurance reserves, and a semicolon; and the Senate agree to the same.

"Amendment numbered 161: That the House recede from its disagreement to the amendment of the Senate numbered 161, and agree to the same with an amendment as follows:

"'(14) (a) At the time of filing return for the taxable year 1918 a taxpayer may file a claim in abatement based on the fact that he has sustained a substantial loss (whether or not actually realized by sale or other disposition) resulting from any material reduction (not due to temporary fluctuation) of the value of the inventory for such taxable year, or from the actual payment after the close of such taxable year of rebates in pursuance of contracts entered into during such year upon sales made during such year. In such case payment of the amount of the tax covered by such claim shall not be required until the claim is decided, but the taxpayer shall accompany his claim with a bond in double the amount of the tax covered by the claim, with sureties satisfactory to the commissioner, conditioned for the payment of any part of such tax found to be due, with interest. If any part of such claim is disallowed, then the remainder of the tax due shall on notice and demand by the collector be paid by the taxpayer with interest at the rate of 1 per cent per month from the time the tax would have been due had no such claim been filed. If it is shown to the satisfaction of the commissioner that such substantial loss has been sustained, then in computing the taxes imposed by this title and by Title III the amount of such loss shall be deducted from the net income. (b) If no such claim is filed, but it is shown to the satisfaction of the commissioner that during the taxable year 1919 the taxpayer has sustained a substantial loss of the character above described, then the amount of such loss shall be deducted from the net income for the taxable year 1918, and the taxes imposed by this title and by Title III for such year shall be redetermined accordingly. Any amount found to be due to the taxpayer upon the basis of such redetermination shall be credited or refunded to the taxpayer in accordance with the provisions of section 252."

"And the Senate agree to the same.

"Amendment numbered 169: That the House recede from its disagreement to the amendment of the Senate numbered 169, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'in computing the tax as provided in subdivision (a) of section 205, the tax computed for the entire period under Title II of the revenue act of 1917 shall be credited against the net income computed for the entire period under Title I of the revenue act of 1916 as amended by the revenue act of 1917 and under Title I of the revenue act of 1917, and the tax computed for the entire period under Title III of this act at the rates prescribed for the calendar year 1918 shall be credited against the net income computed for the entire period under this title; and"; and the Senate agree to the same.

"Amendment numbered 171: That the House recede from its disagreement to the amendment of the Senate numbered 171, and agree to the same with an amendment as follows: In lieu of the figure '8' inserted by said amendment insert the figures '10'; and the Senate agree to the same.

"Amendment numbered 180: That the House recede from its disagreement to the amendment of the Senate numbered 180, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'(c) If a domestic corporation makes a return for a fiscal year beginning in 1917 and ending in 1918, only that proportion of this credit shall be allowed which the part of such period within the calendar year 1918 bears to the entire period.'

"And on page 42 of the bill, after line 20, insert the following new paragraph:

"'If accrued taxes when paid differ from the amounts claimed as credits by the corporation, or if any tax paid is refunded in whole or in part, the corporation shall at once notify the commissioner who shall redetermine the amount of the taxes due under this title and under Title III for the year or years affected, and the amount of taxes due upon such redetermination, if any, shall be paid by the corporation upon notice and demand by the collector, or the amount of taxes overpaid, if any, shall be credited or refunded to the corporation in accordance with the provisions of section 252. In the case of such a tax accrued but not paid, the commissioner as a condition precedent to the allowance of this credit may require the corporation to give a bond with sureties satisfactory to and to be approved by him in such penal sum as he may require, conditioned for the payment by the taxpayer of any amount of taxes found due upon any such redetermination; and the bond herein prescribed shall contain such further conditions as the commissioner may require.'

"And on page 42 of the bill, line 21, at the beginning of the line, insert the letter 'b' in parentheses.

"And the Senate agree to the same.

"Amendment numbered 185: That the House recede from its disagreement to the amendment of the Senate numbered 185, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'CONSOLIDATED RETURNS.

"'SEC. 240. (a) That corporations which are affiliated within the meaning of this section shall, under regulations to be prescribed by the commissioner with the approval of the Secretary, make a consolidated return of net income and invested capital for the purposes of this title and Title III, and the taxes thereunder shall be computed and determined upon the basis of such return: *Provided*, That there shall be taken out of such consolidated net income and invested capital, the net income and invested capital of any such affiliated corporation organized after August 1, 1914, and not successor to a then existing business, 50 per cent or more of whose gross income consists of gains, profits, commissions, or other income, derived from a Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive. In such case the corporation so taken out shall be separately assessed on the basis of its own invested capital and net income and the remainder of such affiliated group shall be assessed on the basis of the remaining consolidated invested capital and net income.

"'In any case in which a tax is assessed upon the basis of a consolidated return, the total tax shall be computed in the first instance as a unit and shall then be assessed upon the respective affiliated corporations in such proportions as may be agreed upon among them, or, in the absence of any such agreement, then on the basis of the net income properly assignable to each. There shall be allowed in computing the income tax only one specific credit of $2,000 (as provided in sec. 236); in computing the war-profits credit (as provided in sec. 311) only one specific exemption of $3,000; and in computing the excess-profits credit (as provided in sec. 312) only one specific exemption of $3,000.

"'(b) For the purpose of this section two or more domestic corporations shall be deemed to be affiliated (1) if one corporation owns directly or controls through closely affiliated interests or by a nominee or nominees substantially all the stock of the other or others, or (2) if substantially all the stock of two or more corporations is owned or controlled by the same interests.

"'(c) For the purposes of section 238 a domestic corporation which owns a majority of the voting stock of a foreign corporation shall be deemed to have paid the same proportion of any income, war-profits and excess-profits taxes paid (but not including taxes accrued) by such foreign corporation during the taxable year to any foreign country or to any possession of the United States upon income derived from sources without the United States, which the amount of any dividends (not deductible under sec. 234) received by such domestic corporation for such foreign corporation during the taxable year

bears to the total taxable income of such foreign corporation upon or with respect to which such taxes were paid: *Provided*, That in no such case shall the amount of the credit for such taxes exceed the amount of such dividends (not deductible under sec. 234) received by such domestic corporation during the taxable year.'

"And the Senate agree to the same.

"Amendment numbered 188: That the House recede from its disagreement to the amendment of the Senate numbered 188, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'SEC. 250. (a) That except as otherwise provided in this section and sections 221 and 237 the tax shall be paid in four installments, each consisting of one-fourth of the total amount of the tax. The first installment shall be paid at the time fixed by law for filing the return, and the second installment shall be paid on the 15th day of the third month, the third installment on the fifteenth day of the sixth month, and the fourth installment on the fifteenth day of the ninth month, after the time fixed by law for filing the return. Where an extension of time for filing a return is granted the time for payment of the first installment shall be postponed until the date of the expiration of the period of the extension, but the time for payment of the other intallments shall not be postponed unless the commissioner so provides in granting the extension. In any case in which the time for the payment of any installment is at the request of the taxpayer thus postponed, there shall be added as part of such installment interest thereon at the rate of one-half of 1 per cent per month from the time it would have been due if no extension had been granted, until paid. If any installment is not paid when due, the whole amount of the tax unpaid shall become due and payable upon notice and demand by the collector.'

"And the Senate agree to the same.

"Amendment numbered 214: That the House recede from its disagreement to the amendment of the Senate numbered 214, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: 'imposing an income tax'; and the Senate agree to the same.

"Amendment numbered 215: That the House recede from its disagreement to the amendment of the Senate numbered 215, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert a colon and the following:

"'*Provided further*, That all bona fide stockholders of record owning 1 per cent or more of the outstanding stock of any corporation shall, upon making request of the commissioner, be allowed to examine the annual income returns of such corporation and of its subsidiaries. Any stockholder who pursuant to the provisions of this section is allowed to examine the return of any corporation, and who makes known in any manner whatever not provided by law the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth or disclosed in any such return, shall be guilty of a misdemeanor and be punished by a fine not exceeding $1,000, or by imprisonment not exceeding one year, or both.'

"And the Senate agree to the same.

"Amendment numbered 216: That the House recede from its disagreement to the amendment of the Senate numbered 216, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'in such manner as he may determine, in the office of the collector in each internal revenue district and in such other places as he may determine, lists'; and the Senate agree to the same.

"Amendment numbered 220: That the House recede from its disagreement to the amendment of the Senate numbered 220, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'CITIZENS OF UNITED STATES POSSESSIONS.

"'SEC. 260. That any individual who is a citizen of any possession of the United States (but not otherwise a citizen of the United States) and who is not a resident of the United States, shall be subject to taxation under this title only as to income derived from sources within the United States, and in such case the tax shall be computed and paid in the same manner and subject to the same conditions as in the case of other persons who are taxable only as to income derived from such sources.'

"And the Senate agree to the same.

"Amendment numbered 221: That the House recede from its disagreement to the amendment of the Senate numbered 221, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'PORTO RICO AND PHILIPPINE ISLANDS.

"'SEC. 261. That in Porto Rico and the Philippine Islands the income tax shall be levied, assessed, collected, and paid in accordance with the provisions of the revenue act of 1916 as amended.

"'Returns shall be made and taxes shall be paid under Title I of such act in Porto Rico or the Philippine Islands, as the case may be, by (1) every individual who is a citizen or resident of Porto Rico or the Philippine Islands or derives income from sources therein, and (2) every corporation created or organized in Porto Rico or the Philippine Islands or deriving income from sources therein. An individual who is neither a citizen nor a resident of Porto Rico or the Philippine Islands but derives income from sources therein, shall be taxed in Porto Rico or the Philippine Islands as a nonresident alien individual, and a corporation created or organized outside of Porto Rico or the Philippine Islands and deriving income from sources therein shall be taxed in Porto Rico or the Philippine Islands as a foreign corporation. For the purposes of section 216 and of paragraph (6) of subdivision (a) of section 234 a tax imposed in Porto Rico or the Philippine Islands upon the net income of a corporation shall not be deemed to be a tax under this title.

"'The Porto Rican or Philippine Legislature shall have power by due enactment to amend, alter, modify, or repeal the income tax laws in force in Porto Rico or the Philippine Islands, respectively.'

"And the Senate agree to the same.

"Amendment numbered 231: That the House recede from its disagreement to the amendment of the Senate numbered 231, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'equal to the sum of the following:

"'FIRST BRACKET.

"'30 per cent of the amount of the net income in excess of the excess-profits credit (determined under section 312) and not in excess of 20 per cent of the invested capital;

"'SECOND BRACKET.

"'65 per cent of the amount of the net income in excess of 20 per cent of the invested capital;

"'THIRD BRACKET.

"'The sum, if any, by which 80 per cent of the amount of the net income in excess of the war-profits credit (determined under section 311) exceeds the amount of the tax computed under the first and second brackets.

"'(b) For the taxable year 1919 and each taxable year thereafter there shall be levied, collected, and paid upon the net income of every corporation (except corporations taxable under subdivision (c) of this section) a tax equal to the sum of the following:

"'FIRST BRACKET.

"'20 per cent of the amount of the next income in excess of the excess-profits credit (determined under section 312) and not in excess of 20 per cent of the invested capital;

"'SECOND BRACKET.

"'40 per cent of the amount of the net income in excess of 20 per cent of the invested capital.

"'(c) For the taxable year 1919 and each taxable year thereafter there shall be levied, collected, and paid upon the net income of every corporation which derives in such year a net income of more than $10,000 from any Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive, a tax equal to the sum of the following:

"'(1) Such a portion of a tax computed at the rates specified in subdivision (a) as the part of the net income attributable to such Government contract or contracts bears to the entire net income. In computing such tax the excess-profits credit and the war-profits credit applicable to the taxable year shall be used;

"'(2) Such a portion of a tax computed at the rates specified in subdivision (b) as the part of the net income not attributable to such Government contract or contracts bears to the entire net income.

"'For the purpose of determining the part of the net income attributable to such Government contract or contracts, the proper apportionment and allocation of the deductions with respect to gross income derived from such Government contract or contracts and from other sources, respectively, shall be determined under rules and regulations prescribed by the commissioner with the approval of the Secretary.

"'(d) In any case where the full amount of the excess-profits credit is not allowed under the first bracket of subdivision (a) or (b), by reason of the fact that such credit is in excess of 20 per cent of the invested capital, the part not so allowed shall be deducted from the amount in the second bracket.

"'(e) For the purposes of the act approved March 21, 1918, entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," the tax imposed by this title shall be treated as levied by an act in amendment of Title II of the revenue act of 1917.'

"And the Senate agree to the same.

"Amendment numbered 232: That the House recede from its disagreement to the amendment of the Senate numbered 232, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'the tax imposed by subdivision (a) of section 301 shall in no case be more than 30 per cent of the amount of the net income in excess of $3,000 and not in excess of $20,000, plus 80 per cent of the amount of the net income in excess of $20,000; the tax imposed by subdivision (b) of section 301 shall in no case be more than 20 per cent of the amount of the net income in excess of $3,000 and not in excess of $20,000, plus 40 per cent of the amount of the net income in excess of $20,000; and the above limitations shall apply to the taxes computed under subdivisions (a) and (b) of section 301, respectively, when used in subdivision (c) of that section. Nothing in this section shall be construed in such manner as to increase the tax imposed by section 301'; and the Senate agree to the same.

"Amendment numbered 233: That the House recede from its disagreement to the amendment of the Senate numbered 233, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'SEC. 303. That if part of the net income of a corporation is derived (1) from a trade or business (or a branch of a trade or business) in which the employment of capital is necessary, and (2) a part (constituting not less than 30 per cent of its total net income) is derived from a separate trade or business (or a distinctly separate branch of the trade or business) which if constituting the sole trade or business would bring it within the class of "personal service corporations," then (under regulations prescribed by the commissioner with the approval of the Secretary) the tax upon the first part of such net income shall be separately computed (allowing in such computation only the same proportionate part of the credits authorized in sections 311 and 312), and the tax upon the second part shall be the same percentage thereof as the tax so computed upon the first part is of such first part: *Provided*, That the tax upon such second part shall in no case be less than 20 per cent thereof, unless the tax upon the entire net income, if computed without benefit of this section, would constitute less than 20 per cent of such entire net income, in which event the tax shall be determined upon the entire net income, without reference to this section, as other taxes are determined under this title. The total tax computed under this section shall be subject to the limitations provided in section 302.'

"And the Senate agree to the same.

"Amendment numbered 234: That the House recede from its disagreement to the amendment of the Senate numbered 234, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'Any corporation whose net income for the taxable year is less than $3,000 shall be exempt from taxation under this title'; and the Senate agree to the same.

"Amendment numbered 236: That the House recede from its disagreement to the amendment of the Senate numbered 236, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'(c) In the case of any corporation engaged in the mining of gold, the portion of the net income derived from the mining of gold shall be exempt from the tax imposed by this title, and the tax on the remaining portion of the net income shall be the proportion of a tax computed without the benefit of this subdivision which such remaining portion of the net income bears to the entire net income.'

"And the Senate agree to the same.

"Amendment numbered 242: That the House recede from its disagreement to the amendment of the Senate numbered 242, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'(c) If the corporation was not in existence during the whole of at least one calendar year during the prewar period, then, except as provided in subdivision (d), the war-profits credit shall be the sum of:

"'(1) A specific exemption of $3,000; and

"'(2) An amount equal to the same percentage of the invested capital of the taxpayer for the taxable year as the average percentage of net income to invested capital, for the prewar period, of corporations engaged in a trade or business of the same general class as that conducted by the taxpayer; but such amount shall in no case be less than 10 per cent of the invested capital of the taxpayer for the taxable year. Such average percentage shall be determined by the commissioner on the basis of data contained in returns made under Title II of the revenue act of 1917, and the average known as the median shall be used. If such average percentage has not been determined and published at least 30 days prior to the time when the return of the taxpayer is due, then for purposes of such return 10 per cent shall be used in lieu thereof; but such average percentage when determined shall be used for the purposes of section 250 in determining the correct amount of the tax.

"'(d) The war-profits credit shall be determined in the manner provided in subdivision (b) instead of in the manner provided in subdivision (c), in the case of any corporation which was not in existence during the whole of at least one calendar year during the prewar period, if (1) a majority of its stock at any time during the taxable year is owned or controlled, directly or indirectly, by a corporation which was in existence during the whole of at least one calendar year during the prewar period, or if (2) 50 per cent or more of its gross income (as computed under section 233 for income tax purposes) consists of gains, profits, commissions, or other income, derived from a Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive.'

"And the Senate agree to the same.

"Amendment numbered 243: That the House recede from its disagreement to the amendment of the Senate numbered 243, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert 'e' in parentheses; and the Senate agree to the same.

"Amendment numbered 254: That the House recede from its disagreement to the amendment of the Senate numbered 254, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'therefor, unless the actual cash value of such tangible property at the time paid in is shown to the satisfaction of the commissioner to have been clearly and substantially in excess of such par value, in which case such excess shall be treated as paid-in surplus: *Provided*, That the commissioner shall keep a record of all cases in which tangible property is included in invested capital at a value in excess of the stock or shares issued therefor, containing the name and address of each taxpayer, the business in which engaged, the amount of invested capital and net income shown by the return, the value of the tangible property at the time paid in, the par value of the stock or shares specifically issued therefor, and the amount included under this paragraph as paid-in surplus. The commissioner shall furnish a copy of such record and other detailed information with respect to such cases when required by resolution of either House of Congress, without regard to the restrictions contained in section 257'; and the Senate agree to the same.

"Amendment numbered 257: That the House recede from its disagreement to the amendment of the Senate numbered 257, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '25'; and the Senate agree to the same.

"Amendment numbered 259: That the House recede from its disagreement to the amendment of the Senate numbered 259, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '25'; and on page 62, line 14, of the bill, after the word 'lowest,' insert a colon and the following: '*Provided*, That in no case shall the total amount included under paragraphs (4) and (5) exceed in the aggregate 25 per cent of the par value of the total stock or shares of the corporation outstanding at the beginning of the taxable year'; and the Senate agree to the same.

"Amendment numbered 261: That the House recede from its disagreement to the amendment of the Senate numbered 261, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'a percentage thereof equal to the percentage which the amount of inadmissible assets is of the amount of admissible and inadmissible assets held during the taxable year'; and the Senate agree to the same.

"Amendment numbered 263: That the House recede from its disagreement to the amendment of the Senate numbered 263, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'That in the following cases the tax shall be determined as provided in section 328:

"'(a) Where the commissioner is unable to determine the invested capital as provided in section 326;

"'(b) In the case of a foreign corporation;

"'(c) Where a mixed aggregate of tangible property and intangible property has been paid in for stock or for stock and bonds and the commissioner is unable satisfactorily to determine the respective values of the several classes of property at the time of payment, or to distinguish the classes of property paid in for stock and for bonds, respectively;

"'(d) Where upon application by the corporation the commissioner finds and so declares of record that the tax if determined without benefit of this section would, owing to abnormal conditions affecting the capital or income of the corporation, work upon the corporation an exceptional hardship evidenced by gross disproportion between the tax computed without benefit of this section and the tax computed by reference to the representative corporations specified in section 328. This subdivision shall not apply to any case (1) in which the tax (computed without benefit of this section) is high merely because the corporation earned within the taxable year a high rate of profit upon a normal invested capital, nor (2) in which 50 per cent or more of the gross income of the corporation for the taxable year (compared under section 233 of Title II) consists of gains, profits, commissions, or other income, derived on a cost-plus basis from a Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive.

"'SEC. 328. (a) In the cases specified in section 327 the tax shall be the amount which bears the same ratio to the net income of the taxpayer (in excess of the specific exemption of $3,000) for the taxable year, as the average tax of representative corporations engaged in a like or similar trade or business, bears to their average net income (in excess of the specific exemption of $3,000) for such year. In the case of a foreign corporation the tax shall be computed without deducting the specific exemption of $3,000 either for the taxpayer or the representative corporations.

"'In computing the tax under this section.'

"And on page 65 of the bill, after line 16, insert the following:

"'In cases in which the tax is to be computed under this section, if the tax as computed without the benefit of this section is less than 50 per cent of the net income of the taxpayer, the installments shall in the first instance be computed upon the basis of such tax; but if the tax so computed is 50 per cent or more of the net income, the installments shall be in the first instance be computed upon the basis of a tax equal to 50 per cent of the net income. In any case, the actual ratio when ascertained shall be used in determining the correct amount of the tax. If the correct amount of the tax when determined exceeds 50 per cent of the net income, any excess of the correct installments over the amounts actually paid shall on notice and demand be paid together with interest at the rate of one-half of 1 per cent per month on such excess from the time the installment was due.'

"And the Senate agree to the same.

"Amendment numbered 270: That the House recede from its disagreement to the amendment of the Senate numbered 270, and agree to the same with an amendment as follows: On page 65 of the bill, lines 22 and 23, strike out 'section' and insert 'subdivision'; and the Senate agree to the same.

"Amendment numbered 277: That the House recede from its disagreement to the amendment of the Senate numbered 277, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'If such predecessor trade or business was carried on by a partnership or individual the net income for the prewar period shall, under regulations prescribed by the commissioner with the approval of the Secretary, be ascertained and returned as nearly as may be upon the same basis and in the same manner as provided for corporations in Title II, including a reasonable deduction for salary or compensation to each partner or the individual for personal services actually rendered.

"'In the case of the organization as a corporation before July 1, 1919, of any trade or business in which capital is a material income-producing factor and which was previously owned by a partnership or individual, the net income of such trade or business from January 1, 1918, to the date of such reorganization may at the option of the individual or partnership be taxed as the net income of a corporation is taxed under Titles II and III; in which event the net income and invested capital of such trade or business shall be computed as if such corporation had been in existence on and after January 1, 1918, and the undistributed profits or earnings of such trade or business shall not be subject to the surtax imposed in section 211, but amounts distributed on or after January 1, 1918, from the earnings of such trade or business shall be taxed to the recipients as dividends, and all the provisions of Titles II and III relating to corporations shall, so far as practicable, apply to such trade or business: *Provided*, That this paragraph shall not apply to any trade or business the net income of which for the taxable year 1918 was less than 20 per cent of its invested capital for such year: *Provided further*, That any taxpayer who takes advantage of this paragraph shall pay the tax imposed by section 1000 of this act and by the first subdivision of section 407 of the revenue act of 1916, as if such taxpayer had been a corporation on and after January 1, 1918, with a capital stock having no par value.

"'If any asset of the trade or business in existence both during the taxable year and any prewar year is included in the invested capital for the taxable year but is not included in the invested capital for such prewar year, or is valued on a different basis in computing the invested capital for the taxable year and such prewar year, respectively, then under rules and regulations to be prescribed by the commissioner with the approval of the Secretary such readjustments shall be made as are necessary to place the computation of the invested capital for such prewar year on the basis employed in determining the invested capital for the taxable year.'

"And the Senate agree to the same.

"Amendment numbered 282: That the House recede from its disagreement to the amendment of the Senate numbered 282, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert a colon and the following:

"'*Provided*, That if such previous owner was not a corporation, then the value of any asset so transferred or received shall be taken at its cost of acquisition (at the date when acquired by such previous owner) with proper allowance for depreciation, impairment, betterment or development, but no addition to the original cost shall be made for any charge or expenditure deducted as expense or otherwise on or after March 1, 1913, in computing the net income of such previous owner for purposes of taxation.'

"And the Senate agree to the same.

"Amendment numbered 285: That the House recede from its disagreement to the amendment of the Senate numbered 285, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'(1) The same proportion of a tax for the entire period computed under Title II of the revenue act of 1917 which the portion of such period falling within the calendar year 1917 is of the entire period, and (2) the same proportion of a tax for the entire period computed under this title at the rates specified in subdivision (a) of section 301 which the portion of such period falling within the calendar year 1918 is of the entire period. Any amount heretofore or hereafter paid on account of the tax imposed for such fiscal year by Title II of the revenue act of 1917 shall be credited toward the payment of the tax imposed for such fiscal year by this title, and if the amount so paid exceeds the amount of the tax imposed by this title, the excess shall be credited or refunded to the corporation in accordance with the provisions of section 252.

"'(b) If a corporation makes return for a fiscal year beginning in 1918 and ending in 1919, the tax for such fiscal year under this title shall be the sum of: (1) the same proportion of a tax for the entire period computed under subdivision (a) of section 301 which the portion of such period falling within the calendar year 1918 is of the entire period, and (2) the same proportion of a tax for the entire period computed under subdivision (b) or (c) of section 301 which the portion of such period falling within the calendar year 1919 is of the entire period.

"'(c) If a partnership or a personal service corporation makes return for a fiscal year beginning in 1917 and ending in 1918, it shall pay the same proportion of a tax for the entire period computed under Title II of the revenue act of 1917 which the portion of such period falling within the calendar year 1917 is of the entire period.

"'Any tax paid by a partnership or personal service corporation for any period beginning on or after January 1, 1918, shall be immediately refunded to the partnership or corporation as a tax erroneously or illegally collected.'

"And on page 67, line 5 of the bill, after 'corporation' insert the following inclosed in parentheses: 'other than a personal service corporation'; and the Senate agree to the same.

"Amendment numbered 289: That the House recede from its disagreement to the amendment of the Senate numbered 289, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'TITLE IV.—ESTATE TAX.

"'SEC. 400. That when used in this title—

"'The term "executor" means the executor or administrator of the decedent, or, if there is no executor or administrator, any person who takes possession of any property of the decedent; and

"'The term "collector" means the collector of internal revenue of the district in which was the domicile of the decedent at the time of his death, or, if there was no such domicile in the United States, then the collector of the district in which is situated the part of the gross estate of the decedent in the United States, or if such part of the gross estate is situated in more than one district, then the collector of internal revenue of such district as may be designated by the commissioner.

"'SEC. 401. That (in lieu of the tax imposed by Title II of the revenue act of 1916, as amended, and in lieu of the tax imposed by Title IX of the revenue act of 1917) a tax equal to the sum of the following percentages of the value of the net estate (determined as provided in section 403) is hereby imposed upon the transfer of the net estate of every decedent dying after the passage of this act, whether a resident or nonresident of the United States:

"'1 per cent of the amount of the net estate not in excess of $50,000;

"'2 per cent of the amount by which the net estate exceeds $50,000 and does not exceed $150,000;

"'3 per cent of the amount by which the net estate exceeds $150,000 and does not exceed $250,000;

"'4 per cent of the amount by which the net estate exceeds $250,000 and does not exceed $450,000;

"'6 per cent of the amount by which the net estate exceeds $450,000 and does not exceed $750,000;

"'8 per cent of the amount by which the net estate exceeds $750,000 and does not exceed $1,000,000;

"'10 per cent of the amount by which the net estate exceeds $1,000,000 and does not exceed $1,500,000;

"'12 per cent of the amount by which the net estate exceeds $1,500,000 and does not exceed $2,000,000;

"'14 per cent of the amount by which the net estate exceeds $2,000,000 and does not exceed $3,000,000;

"'16 per cent of the amount by which the net estate exceeds $3,000,000 and does not exceed $4,000,000;

"'18 per cent of the amount by which the net estate exceeds $4,000,000 and does not exceed $5,000,000;

"'20 per cent of the amount by which the net estate exceeds $5,000,000 and does not exceed $8,000,000;

"'22 per cent of the amount by which the net estate exceeds $8,000,000 and does not exceed $10,000,000; and

"'25 per cent of the amount by which the net estate exceeds $10,000,000.

"'The taxes imposed by this title or by Title II of the revenue act of 1916 (as amended by the act entitled "An act to provide increased revenue to defray the expenses of the increased appropriations for the Army and Navy and the extensions of fortifications, and for other purposes," approved March 3, 1917) or by Title IX of the revenue act of 1917, shall not apply to the transfer of the net estate of any decedent who has died or may die while serving in the military or naval forces of the United States in the present war or from injuries received or disease contracted while in such service, and any such tax collected upon such transfer shall be refunded to the executor.

"'SEC. 402. That the value of the gross estate of the decedent shall be determined by including the value at the time of his death of all property, real or personal, tangible or intangible, wherever situated—

"'(a) To the extent of the interest therein of the decedent at the time of his death which after his death is subject to the payment of the charges against his estate and the expenses of its administration and is subject to distribution as part of his estate;

"'(b) To the extent of any interest therein of the surviving spouse, existing at the time of the decedent's death as dower, courtesy, or by virtue of a statute creating an estate in lieu of dower or courtesy;

"'(c) To the extent of any interest therein of which the decedent has at any time made a transfer, or with respect to which he has at any time created a trust, in contemplation of or intended to take effect in possession or enjoyment at or after his death (whether such transfer or trust is made or created before or after the passage of this act), except in case of a bona fide sale for a fair consideration in money or money's worth. Any transfer of a material part of his property in the nature of a final disposition or distribution thereof, made by the decedent within two years prior to his death without such a consideration, shall, unless shown to the contrary, be deemed to have been made in contemplation of death within the meaning of this title;

"'(d) To the extent of the interest therein held jointly or as tenants in the entirety by the decedent and any other person, or deposited in banks or other institutions in their joint names and payable to either or the survivor, except such part thereof as may be shown to have originally belonged to such other person and never to have belonged to the decedent;

"'(e) To the extent of any property passing under a general power of appointment exercised by the decedent (1) by will, or (2) by deed executed in contemplation of, or intended to take effect in possession or enjoyment at or after, his death, except in case of a bona fide sale for a fair consideration in money or money's worth; and

"'(f) To the extent of the amount receivable by the executor as insurance under policies taken out by the decedent upon his own life; and to the extent of the excess over $40,000 of the amount receivable by all other beneficiaries as insurance under policies taken out by the decedent upon his own life.

"'SEC. 403. That for the purpose of the tax the value of the net estate shall be determined—

"'(a) In the case of a resident, by deducting from the value of the gross estate—

"'(1) Such amounts for funeral expenses, administration expenses, claims against the estate, unpaid mortgages, losses incurred during the settlement of the estate arising from fires, storms, shipwreck, or other casualty, or from theft, when such losses are not compensated for by insurance or otherwise, and such amounts reasonably required and actually expended for the support during the settlement of the estate of those dependent upon the decedent, as are allowed by the laws of the jurisdiction, whether within or without the United States, under which the estate is being administered, but not including any income taxes upon income received after the death of the decedent, or any estate, succession, legacy, or inheritance taxes;

"'(2) An amount equal to the value at the time of the decedent's death of any property, real, personal, or mixed, which can be identified as having been received by the decedent as a share in the estate of any person who died within five years prior to the death of the decedent, or which can be identified as having been acquired by the decedent in exchange for property so received, if an estate tax under the revenue act of 1917 or under this act was collected from such estate, and if such property is included in the decedent's gross estate;

"'(3) The amount of all bequests, legacies, devises, or gifts, to or for the use of the United States, any State, Territory, any political subdivision thereof, or the District of Columbia, for exclusively public purposes, or to or for the use of any corporation organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, including the encouragement of art and the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual, or to a trustee or trustees exclusively for such religious, charitable, scientific, literary, or educational purposes. This deduction shall be made in case of the estates of all decedents who have died since December 31, 1917; and

"'(4) An exemption of $50,000;

"'(b) In the case of a nonresident, by deducting from the value of that part of his gross estate which at the time of his death is situated in the United States—

"'(1) That proportion of the deductions specified in paragraph (1) of subdivision (a) of this section which the value of such part bears to the value of his entire gross estate, wherever situated, but in no case shall the amount so deducted exceed 10 per cent of the value of that part of his gross estate which at the time of his death is situated in the United States;

"'(2) An amount equal to the value at the time of the decedent's death of any property, real, personal, or mixed, which can be identified as having been received by the decedent as a share in the estate of any person who died within five years prior to the death of the decedent, or which can be identified as having been acquired by the decedent in exchange for property so received, if an estate tax under the revenue act of 1917 or under this act was collected from such estate, and if such property is included in that part of the decedent's gross estate which at the time of his death is situated in the United States; and

"'(3) The amount of all bequests, legacies, devises, or gifts, to or for the use of the United States, any State, Territory, any political subdivision thereof, or the District of Columbia, for exclusively public purposes, or to or for the use of any domestic corporation organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, including the encouragement of art and the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual, or to a trustee or trustees exclusively for such religious, charitable, scientific, literary, or educational purposes within the United States. This deduction shall be made in case of the estates of all decedents who have died since December 31, 1917; and

"'No deduction shall be allowed in the case of a nonresident unless the executor includes in the return required to be filed under section 404 the value at the time of his death of that part of the gross estate of the nonresident not situated in the United States.

"'For the purpose of this title stock in a domestic corporation owned and held by a nonresident decedent, and the amount receivable as insurance upon the life of a nonresident decedent where the insurer is a domestic corporation, shall be deemed property within the United States, and any property of which the decedent has made a transfer or with respect to which he has created a trust, within the meaning of subdivision (c) of section 402, shall be deemed to be situated in the United States, if so situated either at the time of the transfer or the creation of the trust, or at the time of the decedent's death.

"'In the case of any estate in respect to which the tax under existing law has been paid, if necessary to allow the benefit of the deduction under paragraph (3) of subdivision (a) or (b) the tax shall be redetermined and any excess of tax paid shall be refunded to the executor.

"'SEC. 404. That the executor, within 60 days after qualifying as such, or after coming into possession of any property of the decedent, whichever event first occurs, shall give written notice thereof to the collector. The executor shall also, at such times and in such manner as may be required by regulations made pursuant to law, file with the collector a return under oath in duplicate, setting forth (a) the value of the gross estate of the decedent at the time of his death, or, in case of a nonresident, of that part of his gross estate situated in the United States; (b) the deductions allowed under section 403; (c) the value of the net estate of the decedent as defined in section 403; and (d) the tax paid or payable thereon; or such part of such information as may at the time be ascertainable and such supplemental data as may be necessary to establish the correct tax.

"'Return shall be made in all cases where the gross estate at the death of the decedent exceeds $50,000, and in the case of the estate of every nonresident any part of whose gross estate is situated in the United States. If the executor is unable to make a complete return as to any part of the gross estate of the decedent, he shall include in his return a description of such part and the name of every person holding a legal or beneficial interest therein, and upon notice from the collector such person shall in like manner make a return as to such part of the gross estate. The commissioner shall make all assessments of the tax under the authority of existing administrative special and general provisions of law relating to the assessment and collection of taxes.

"'SEC. 405. That if no administration is granted upon the estate of a decedent, or if no return is filed as provided in section 404, or if a return contains a false or incorrect statement of a material fact, the collector or deputy collector shall make a return and the commissioner shall assess the tax thereon.

"'SEC. 406. That the tax shall be due one year after the decedent's death; but in any case where the commissioner finds that payment of the tax within one year after the decedent's death would impose undue hardship upon the estate, he may grant an extension of time for the payment of the tax for a period not to exceed three years from the due date. If the tax is not paid within one year and 180 days after the decedent's death, interest at the rate of 6 per cent per annum from the expiration of one year after the decedent's death shall be added as part of the tax.

"'SEC. 407. That the executor shall pay the tax to the collector or deputy collector. If the amount of the tax can not be determined, the payment of a sum of money sufficient, in the opinion of the collector, to discharge the tax shall be deemed payment in full of the tax, except as in this section otherwise provided. If the amount so paid exceeds the amount of the tax as finally determined, the commissioner shall refund such excess to the executor. If the amount of the tax as finally determined exceeds the amount so paid, the collector shall notify the executor of the amount of such excess and demand payment thereof. If such excess part of the tax is not paid within 30 days after such notification, interest shall be added thereto at the rate of 10 per cent per annum from the expiration of such 30 days' period until paid, and the amount of such excess shall be a lien upon the entire gross estate, except such part thereof as may have been sold to a bona fide purchaser for a fair consideration in money or money's worth.

"'The collector shall grant to the person paying the tax duplicate receipts, either of which shall be sufficient evidence of such payment, and shall entitle the executor to be credited and allowed the amount thereof by any court having jurisdiction to audit or settle his accounts.

"'SEC. 408. That if the tax herein imposed is not paid within 180 days after it is due, the collector shall, unless there is reasonable cause for further delay, proceed to collect the tax under the provisions of general law, or commence appropriate proceedings in any court of the United States, in the name of the United States, to subject the property of the decedent to be sold under the judgment or decree of the court. From the proceeds of such sale the amount of the tax, together with the costs and expenses of every description to be allowed by the court, shall be first paid, and the balance shall be deposited according to the order of the court, to be paid under its direction to the person entitled thereto.

"'If the tax or any part thereof is paid by, or collected out of that part of the estate passing to or in the possession of, any person other than the executor in his capacity as such, such person shall be entitled to reimbursement out of any part of the estate still undisturbed or by a just and equitable contribution by the persons whose interest in the estate of the decedent would have been reduced if the tax had been paid before the distribution of the estate or whose interest is subject to equal or prior liability for the payment of taxes, debts, or other charges against the estate, it being the purpose and intent of this title that so far as is practicable and unless otherwise directed by the will of the decedent the tax shall be paid out of the estate before its distribution. If any part of the gross estate consists of proceeds of policies of insurance upon the life of the decedent receivable by a beneficiary other than the executor, the executor shall be entitled to recover from such beneficiary such portion of the total tax paid as the proceeds, in excess of $40,000, of such policies bear to the net estate. If there is more than one such beneficiary the executor shall be entitled to recover from such beneficiaries in the same ratio.

"'SEC. 409. That unless the tax is sooner paid in full, it shall be a lien for 10 years upon the gross estate of the decedent, except that such part of the gross estate as is used for the payment of charges against the estate and expenses of its administration, allowed by any court having jurisdiction thereof, shall be divested of such lien. If the commissioner is satisfied that the tax liability of an estate has been fully discharged or provided for, he may, under regulations prescribed by him with the approval of the Secretary, issue his certificate releasing any or all property of such estate from the lien herein imposed.

"'If (a) the decedent makes a transfer of, or creates a trust with respect to, any property in contemplation of or intended to take effect in possession or enjoyment at or after his death (except in the case of a bona fide sale for a fair consideration in money or money's worth) or (b) if insurance passes under a contract executed by the decedent in favor of a specific beneficiary, and if in either case the tax in respect thereto is not paid when due, then the transferee, trustee, or beneficiary shall be personally liable for such tax, and such property, to the extent of the decedent's interest therein at the time of such transfer, or to the extent of such beneficiary's interest under such contract of insurance, shall be subject to a like lien equal to the amount of such tax. Any part of such property sold by such transferee or trustee to a bona fide purchaser for a fair consideration in money or money's worth shall be divested of the lien and a like lien shall then attach to all the property of such transferee or trustee, except any part sold to a bona fide purchaser for a fair consideration in money or money's worth.

"'SEC. 410. That whoever knowingly makes any false statement in any notice or return required to be filed under this title shall be liable to a penalty of not exceeding $5,000, or imprisonment not exceeding one year, or both.

"'Whoever fails to comply with any duty imposed upon him by section 404, or, having in his possession or control any record, file, or paper, containing or supposed to contain any information concerning the estate of the decedent, or, having in his possession or control any property comprised in the gross estate of the decedent, fails to exhibit the same upon request to the commissioner or any collector or law officer of the United States, or his duly authorized deputy or agent, who desires to examine the same in the performance of his duties under this title, shall be liable to a penalty of not exceeding $500, to be recovered, with costs of suit, in a civil action in the name of the United States.'

"And the Senate agree to the same.

"Amendment numbered 292: That the House recede from its disagreement to the amendment of the Senate numbered 292, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert a colon and the following:

"'*Provided*, That where such water transportation lines are in competition between American ports with foreign water trans-

portation lines from adjacent foreign ports, the tax imposed under this subdivision on amounts paid for water transportation between American ports shall not exceed the amount of the transportation tax to which such foreign water transporation lines are subjected by their government corresponding to this tax.'

"And the Senate agree to the same.

"Amendment numbered 297: That the House recede from its disagreement to the amendment of the Senate numbered 297, and agree to the same with an amendment as follows: Omit the matter inserted by said amendment and restore the matter stricken out by said amendment, and at the end thereof insert the following new paragraph:

"'The tax shall, without assessment by the commissioner or notice from the collector, be due and payable to the collector at the time so fixed for filing the return. If the tax is not paid when due, there shall be added as part of the tax a penalty of 5 per cent, together with interest at the rate of 1 per cent for each full month, from the time when the tax became due.'

"And on page 83, line 19 of the bill, strike out 'November 1, 1918,' and insert 'April 1, 1919'; and on page 86, line 16 of the bill, insert after 'policy' a colon and the following:

"'*And provided further*, That on all policies covering life, health, and accident insurance combined in one policy, by which a life is insured not in excess of $500, issued on the industrial or weekly or monthly payment plan of insurance, the tax shall be 40 per cent of the amount of the first weekly premium or 20 per cent of the amount of the first monthly premium, as the case may be.'

"And the Senate agree to the same.

"Amendment numbered 312: That the House recede from its disagreement to the amendment of the Senate numbered 312, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'of $3.20 (if intended for sale for beverage purposes or for use in the manufacture or production of any article used or intended for use as a beverage) on each proof gallon, and a proportionate tax at a like rate on all fractional parts of such proof gallon'; and the Senate agree to the same.

"Amendment numbered 325: That the House recede from its disagreement to the amendment of the Senate numbered 325, and agree to the same with an amendment as follows: On page 92, line 9, of the Senate engrossed amendments strike out 'of fermentation'; and the Senate agree to the same.

"Amendment numbered 341: That the House recede from its disagreement to the amendment of the Senate numbered 341, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '$6'; and the Senate agree to the same.

"Amendment numbered 345: That the House recede from its disagreement to the amendment of the Senate numbered 345, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '$3'; and the Senate agree to the same.

"Amendment numbered 357: That the House recede from its disagreement to the amendment of the Senate numbered 357, and agree to the same with an amendment as follows: On page 95, line 14, of the Senate engrossed amendments strike out 'of' and insert 'entitled "An act to provide revenue, equalize duties and encourage the industries of the United States, and for other purposes," approved'; and the Senate agree to the same.

"Amendment numbered 367: That the House recede from its disagreement to the amendment of the Senate numbered 367, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '1½ cents'; and the Senate agree to the same.

"Amendment numbered 368: That the House recede from its disagreement to the amendment of the Senate numbered 368, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert a comma and the following: 'societies for the prevention of cruelty to children or animals, or exclusively to the benefit of organizations conducted for the sole purpose of maintaining symphony orchestras and receiving substantial support from voluntary contributions, none of the profits of which are distributed to members of such organizations'; and the Senate agree to the same.

"Amendment numbered 369: That the House recede from its disagreement to the amendment of the Senate numbered 369, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert 'April 1, 1919' and a comma; and the Senate agree to the same.

"Amendment numbered 375: That the House recede from its disagreement to the amendment of the Senate numbered 375 and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'Automobile trucks and automobile wagons, (including tires, inner tubes, parts, and accessories therefor, sold on or in connection therewith or with the sale thereof)' and a comma, and on page 127, line 7, of the bill, strike out the figure '5' and insert the figure '3'; and the Senate agree to the same.

"Amendment numbered 376: That the House recede from its disagreement to the amendment of the Senate numbered 376, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: 'Other automobiles and motorcycles (including tires, inner tubes, parts, and accessories therefor, sold on or in connection therewith or with the sale thereof), except tractors, 5 per cent' and a semicolon; and the Senate agree to the same.

"Amendment numbered 387: That the House recede from its disagreement to the amendment of the Senate numbered 387, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the figure '5' in parentheses; and the Senate agree to the same.

"Amendment numbered 391: That the House recede from its disagreement to the amendment of the Senate numbered 391, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the figure '6' in parentheses; and the Senate agree to the same.

"Amendment numbered 393: That the House recede from its disagreement to the amendment of the Senate numbered 393, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the figure '7' in parentheses; and the Senate agree to the same.

"Amendment numbered 395: That the House recede from its disagreement to the amendment of the Senate numbered 395, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the figure '8' in parentheses; and the Senate agree to the same.

"Amendment numbered 397: That the House recede from its disagreement to the amendment of the Senate numbered 397, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the figure '9' in parentheses; and the Senate agree to the same.

"Amendment numbered 399: That the House recede from its disagreement to the amendment of the Senate numbered 399, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the figures '10' in parentheses; and the Senate agree to the same.

"Amendment numbered 404: That the House recede from its disagreement to the amendment of the Senate numbered 404, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: '(11) Hunting and bowie knives, 10 per cent' and a semicolon; and the Senate agree to the same.

"Amendment numbered 414: That the House recede from its disagreement to the amendment of the Senate numbered 414, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '15' in parentheses; and the Senate agree to the same.

"Amendment numbered 417: That the House recede from its disagreement to the amendment of the Senate numbered 417, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '16' in parentheses; and the Senate agree to the same.

"Amendment numbered 418: That the House recede from its disagreement to the amendment of the Senate numbered 418, and agree to the same with an amendment as follows: On page 129, line 13, of the bill, strike out the words 'weighing or'; and on page 129, line 14, of the bill, after the word 'cent' insert a comma and the following: 'and automatic slot-device weighing machines, 10 per cent'; and the Senate agree to the same.

"Amendment numbered 420: That the House recede from its disagreement to the amendment of the Senate numbered 420, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '17' in parentheses; and the Senate agree to the same.

"Amendment numbered 421: That the House recede from its disagreement to the amendment of the Senate numbered 421, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '18' in parentheses; and the Senate agree to the same.

"Amendment numbered 424: That the House recede from its disagreement to the amendment of the Senate numbered 424, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '(19) Articles made of fur on the hide or pelt, or of which any such fur is the component material of chief value, 10 per cent' and a semicolon; and the Senate agree to the same.

"Amendment numbered 425: That the House recede from its disagreement to the amendment of the Senate numbered 425, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '20' in parentheses; and the Senate agree to the same.

"Amendment numbered 426: That the House recede from its disagreement to the amendment of the Senate numbered 426, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'not designed for trade, fishing, or national defense'; and the Senate agree to the same.

"Amendment numbered 428: That the House recede from its disagreement to the amendment of the Senate numbered 428, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '21' in parentheses; and the Senate agree to the same.

"Amendment numbered 446: That the House recede from its disagreement to the amendment of the Senate numbered 446, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'This section shall not apply to the sale of any such article to an educational institution or public art museum'; and the Senate agree to the same.

"Amendment numbered 454: That the House recede from its disagreement to the amendment of the Senate numbered 454, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'by or for a dealer or his estate'; and the Senate agree to the same.

"Amendment numbered 467: That the House recede from its disagreement to the amendment of the Senate numbered 467, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'or (2) to any article made of fur on the hide or pelt, or of which any such fur is the component material of chief value' and a comma; and the Senate agree to the same.

"Amendment numbered 469: That the House recede from its disagreement to the amendment of the Senate numbered 469, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '(17) or (18)'; and the Senate agree to the same.

"Amendment numbered 474: That the House recede from its disagreement to the amendment of the Senate numbered 474, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'by or for a dealer or his estate'; and the Senate agree to the same.

"Amendment numbered 480: That the House recede from its disagreement to the amendment of the Senate numbered 480, and agree to the same with an amendment as follows: On page 180 of the bill, after line 2, insert the following:

"'(6) This section shall not apply to any tax imposed by section 906.'

"And the Senate agree to the same.

"Amendment numbered 484: That the House recede from its disagreement to the amendment of the Senate numbered 484, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'by or for a dealer or his estate'; and the Senate agree to the same.

"Amendment numbered 485: That the House recede from its disagreement to the amendment of the Senate numbered 485, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert a colon and the following:

"'*Provided*, That the provisions of this section shall not apply to the sale of vaccines and bacterines which are not advertised to the general lay public, nor to the sale by a physician in personal attendance upon a patient of medicinal preparations not so advertised.'

"And the Senate agree to the same.

"Amendment numbered 492: That the House recede from its disagreement to the amendment of the Senate numbered 492, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert a period and the following: 'The taxes imposed by this section shall apply to mutual insurance companies, and in the case of every such domestic company the tax shall be equivalent to $1 for each $1,000 of the excess over $5,000 of the sum of its surplus or contingent reserves maintained for the general use of the business and any reserves the net additions to which are included in net income under the provisions of Title II, as of the close of the preceding accounting period used by such company for purposes of making its income-tax return: *Provided*, That in the case of a foreign mutual insurance company the tax shall be equivalent to $1 for each $1,000 of the same proportion of the sum of such surplus and reserves, which the reserve fund upon business transacted within the United States is of the total reserve upon all business transacted, as of the close of the preceding accounting period used by such company for purposes of making its income-tax return; and the Senate agree to the same.

"Amendment numbered 495: That the House recede from its disagreement to the amendment of the Senate numbered 495, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the figures '$50'; and the Senate agree to the same.

"Amendment numbered 523: That the House recede from its disagreement to the amendment of the Senate numbered 523, and agree to the same with an amendment as follows: On page 129 of the bill, at the end of line 14, and before the semicolon inserted by the Senate amendment numbered 419, insert the following: 'in the case of a vending machine, and 10 per cent of its fair market value in the case of a weighing machine'; and the Senate agree to the same.

"Amendment numbered 526: That the House recede from its disagreement to the amendment of the Senate numbered 526, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert 'or before July 1 of each year'; and the Senate agree to the same.

"Amendment numbered 535: That the House recede from its disagreement to the amendment of the Senate numbered 535, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'SEC. 1007. That section 6 of such act of December 17, 1914, is hereby amended to read as follows:

"'"SEC. 6. That the provisions of this act shall not be construed to apply to the manufacture, sale, distribution, giving away, dispensing, or possession of preparations and remedies which do not contain more than two grains of opium, or more than one-fourth of a grain of morphine, or more than one-eighth of a grain of heroin, or more than one grain of codeine, or any salt or derivative of any of them in one fluid ounce, or, if a solid or semisolid preparation, in one avoirdupois ounce; or to liniments, ointments, or other preparations which are prepared for external use only, except liniments, ointments, and other preparations which contain cocaine or any of its salts or alpha or beta eucaine or any of their salts or any synthetic substitute for them: *Provided*, That such remedies and preparations are manufactured, sold, distributed, given away, dispensed, or possessed as medicines and not for the purpose of evading the intentions and provisions of this act: *Provided further*, That any manufacturer, producer, compounder, or vender (including dispensing physicians) of the preparations and remedies mentioned in this section shall keep a record of all sales, exchanges, or gifts of such preparations and remedies in such manner as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall direct. Such record shall be preserved for a period of two years in such a way as to be readily accessible to inspection by any officer, agent, or employee of the Treasury Department duly authorized for that purpose, and the State, Territorial, District, municipal, and insular officers named in section 5 of this act, and every such person so possessing or disposing of such preparations and remedies shall register as required in section 1 of this act and, if he is not paying a tax under this act, he shall pay a special tax of $1 for each year, or fractional part thereof, in which he is engaged in such occupation, to the collector of internal revenue of the district in which he carries on such occupation as provided in this act. The provisions of this act as amended shall not apply to decocainized coca leaves or preparations made therefrom, or to other preparations of coca leaves which do not contain cocaine."'

"And the Senate agree to the same.

"Amendment numbered 542: That the House recede from its disagreement to the amendment of the Senate numbered 542, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert a colon and the following:

"'*Provided*, That where a premium is charged for the issuance, execution, renewal, or continuance of such bond the tax shall be 1 cent on each dollar or fractional part thereof of the premium charged: *Provided further*, That policies of reinsurance shall be exempt from the tax imposed by this subdivision.'

"And the Senate agree to the same.

"Amendment numbered 544: That the House recede from its disagreement to the amendment of the Senate numbered 544, and agree to the same with an amendment as follows: On page 118, line 1, of the Senate engrossed amendments strike out '5' and insert '3'; and on page 85, line 24 of the bill, before the comma insert the following inclosed in parentheses: 'except

those taxable under subdivision 15 of Schedule A of Title XI'; and the Senate agree to the same.

"Amendment numbered 548: That the House recede from its disagreement to the amendment of the Senate numbered 548, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert 'furniture' and a comma; and the Senate agree to the same.

"Amendment numbered 550: That the House recede from its disagreement to the amendment of the Senate numbered 550, and agree to the same with an amendment as follows: Omit the matter inserted by said amendment and on page 173, after line 9 of the bill, insert the following:

"'(d) (1) There is hereby created a board to be known as the "Advisory Tax Board," hereinafter called the board, and to be composed of not to exceed six members to be appointed by the commissioner with the approval of the Secretary. The board shall cease to exist at the expiration of two years after the passage of this act, or at such earlier time as the commissioner with the approval of the Secretary may designate.'

"'Vacancies in the membership of the board shall be filled in the same manner as an original appointment. Any member shall be subject to removal by the commissioner with the approval of the Secretary. The commissioner with the approval of the Secretary shall designate the chairman of the board. Each member shall receive an annual salary of $9,000, payable monthly, together with actual necessary expenses when absent from the District of Columbia on official business.

"'(2) The commissioner may, and on the request of any taxpayer directly interested shall, submit to the board any question relating to the interpretation or administration of the income, war-profits, or excess-profits tax laws, and the board shall report its findings and recommendations to the commissioner.

"'(3) The board shall have its office in the Bureau of Internal Revenue in the District of Columbia. The expenses and salaries of members of the board shall be audited, allowed, and paid out of appropriations for collecting internal revenue, in the same manner as expenses and salaries of employees of the Bureau of Internal Revenue are audited, allowed, and paid.

"'(4) The board shall have the power to summon witnesses, take testimony, administer oaths, and to require any person to produce books, papers, documents, or other data relating to any matter under investigation by the board. Any member of the board may sign subpœnas and members and employees of the Bureau of Internal Revenue designated to assist the board, when authorized by the board, may administer oaths, examine witnesses, take testimony and receive evidence.'

"And the Senate agree to the same.

"Amendment numbered 561: That the House recede from its disagreement to the amendment of the Senate numbered 561, and agree to the same with an amendment as follows: On page 128, line 17, and again on page 129, line 7, of the Senate engrossed amendments, strike out the word 'Titles' and insert the word 'Title'; and the Senate agree to the same.

"Amendment numbered 569: That the House recede from its disagreement to the amendment of the Senate numbered 569, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'(c) That the paragraph of section 3689 of the Revised Statutes, as amended, reading as follows: "Refunding taxes illegally collected (internal revenue): To refund and pay back duties erroneously or illegally assessed or collected under the internal-revenue laws," is repealed from and after June 30, 1920; and the Secretary of the Treasury shall submit for the fiscal year 1921, and annually thereafter, an estimate of appropriations to refund and pay back duties or taxes erroneously or illegally assessed or collected under the internal-revenue laws, and to pay judgments, including interest and costs, rendered for taxes or penalties erroneously or illegally assessed or collected under the internal-revenue laws.'

"And the Senate agree to the same.

"Amendment numbered 578: That the House recede from its disagreement to the amendment of the Senate numbered 578, and agree to the same with an amendment as follows: On page 132, line 11, of the Senate engrossed amendments, after the word 'States,' insert the following: 'at the instance of the United States'; and the Senate agree to the same.

"Amendment numbered 581: That the House recede from its disagreement to the amendment of the Senate numbered 581, and agree to the same with an amendment as follows: On page 133, line 7, of the Senate engrossed amendments, strike out the parenthesis, and also in line 8 of said page strike out the parenthesis; and the Senate agree to the same.

"Amendment numbered 595: That the House recede from its disagreement to the amendment of the Senate numbered 595, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '1402'; and the Senate agree to the same.

"Amendment numbered 596: That the House recede from its disagreement to the amendment of the Senate numbered 596, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '1403'; and the Senate agree to the same.

"Amendment numbered 597: That the House recede from its disagreement to the amendment of the Senate numbered 597, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '1404'; and the Senate agree to the same.

"Amendment numbered 598: That the House recede from its disagreement to the amendment of the Senate numbered 598, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '1405'; and the Senate agree to the same.

"Amendment numbered 599: That the House recede from its disagreement to the amendment of the Senate numbered 599, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'SEC. 1406. That all persons serving in the military or naval forces of the United States during the present war who have, since April 6, 1917, resigned or been discharged under honorable conditions (or, in the case of reservists, been placed on inactive duty), or who at any time hereafter (but not later than the termination of the current enlistment or term of service) in the case of the enlisted personnel and female nurses, or within one year after the termination of the present war in the case of officers, may resign or be discharged under honorable conditions (or, in the case of reservists, be placed on inactive duty), shall be paid, in addition to all other amounts due them in pursuance of law, $60 each.'

"'This amount shall not be paid (1) to any person who though appointed or inducted into the military or naval forces on or prior to November 11, 1918, had not reported for duty at his station on or prior to such date; or (2) to any person who has already received one month's pay under the provisions of section 9 of the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917; or (3) to any person who is entitled to retired pay; or (4) to the heirs or legal representatives of any person entitled to any payment under this section who has died or may die before receiving such payment. In the case of any person who subsequent to separation from the service as above specified has been appointed or inducted into the military or naval forces of the United States and has been or is again separated from the service as above specified, only one payment of $60 shall be made.

"'The above amount, in the case of separation from the service on or prior to the passage of this act, shall be paid as soon as practicable after the passage of this act, and in the case of separation from the service after the passage of this act shall be paid at the time of such separation.

"'The amounts herein provided for shall be paid out of the appropriations for "pay of the Army" and "pay of the Navy," respectively, by such disbursing officers as may be designated by the Secretary of War and the Secretary of the Navy.

"'The Secretary of War and the Secretary of the Navy respectively shall make all regulations necessary for the enforcement of the provisions of this section.'

"And the Senate agree to the same.

"Amendment numbered 600: That the House recede from its disagreement to the amendment of the Senate numbered 600, and agree to the same with an amendment as follows: Strike out the section number '1408' in the matter inserted by said amendment and insert in lieu thereof the number '1407'; and the Senate agree to the same.

"Amendment numbered 601: That the House recede from its disagreement to the amendment of the Senate numbered 601, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'SEC. 1408. That every person who on or after April 6, 1917, has entered into any contract, undertaking, or agreement, with the United States, or with any department, bureau, officer, commission, board, or agency under the United States or acting in its behalf, or with any other person having contract relations with the United States, for the performance of any work or the supplying of any materials or property for the use of or for the account of the United States, shall, within 30 days after a request of the commissioner therefor, file with the commissioner a true and correct copy of every such contract, undertaking, or agreement.

"'Whoever fails to comply with such request of the commissioner shall be guilty of a misdemeanor and shall be punished by a fine of not more than $1,000 or by imprisonment for not more than one year, or both.

"'The commissioner shall (when not violative of the technical military or naval secrets of the Government) have access to all information and data relating to any such contract, undertaking, or agreement in the possession, control, or custody of any department, bureau, board, agency, officer, or commissioner of the United States, and may call upon any such department, bureau, board, agency, officer, or commissioner for a full statement and description of any allowance for amortization, obsolescence, depreciation, or loss, or of any valuation, appraisal, adjustment, or final settlement, made in pursuance of any such contract, undertaking, or agreement.'

"And the Senate agree to the same.

"Amendment numbered 602: That the House recede from its disagreement to the amendment of the Senate numbered 602, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '1409'; and the Senate agree to the same.

"F. M. SIMMONS,
"JOHN SHARP WILLIAMS,
"HOKE SMITH,
"BOIES PENROSE,
"H. C. LODGE,
"*Managers on the part of the Senate.*

"CLAUDE KITCHIN,
"HENRY T. RAINEY,
"LINCOLN DIXON,
"JOSEPH W. FORDNEY,
"J. HAMPTON MOORE,
"*Managers on the part of the House.*"

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. LODGE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Johnson, S. Dak.	Moses	Smith, Mich.
Borah	Jones, N. Mex.	Myers	Smith, S. C.
Calder	Jones, Wash.	New	Smoot
Chamberlain	Kellogg	Nugent	Spencer
Colt	Kendrick	Page	Sutherland
Culberson	Kenyon	Penrose	Swanson
Fletcher	King	Poindexter	Thomas
France	Kirby	Pollock	Townsend
Gay	La Follette	Pomerene	Underwood
Gerry	Lewis	Ransdell	Wadsworth
Gore	Lodge	Robinson	Warren
Harding	McCumber	Saulsbury	Weeks
Henderson	McKellar	Shafroth	
Johnson, Cal.	McNary	Sheppard	
	Martin, Va.	Simmons	

Mr. GERRY. I wish to announce that the Senator from North Carolina [Mr. OVERMAN], the Senator from Kentucky [Mr. BECKHAM], and the Senator from Delaware [Mr. WOLCOTT] are detained on official business.

Mr. FRANCE. I desire to announce the absence of the Senator from Florida [Mr. TRAMMELL], the Senator from Georgia [Mr. HARDWICK], the Senator from Kentucky [Mr. BECKHAM], and the Senator from Wisconsin [Mr. LENROOT] on official business of the Senate.

The PRESIDING OFFICER. Fifty-seven Senators have answered to their names. A quorum is present. The question is on agreeing to the conference report. [Putting the question.] The ayes have it, and the report is agreed to.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. The Senator from Utah.

Mr. SIMMONS. Mr. President, I was on my feet with a view to addressing the Senate. I do not think the conference report can be agreed to in that way. I think it is necessary that we should have consideration of it.

The PRESIDING OFFICER. The Chair merely desired to expedite business. The Chair did not know that the Senator from North Carolina desired to address the Senate. Without objection, the vote whereby the report was agreed to will be reconsidered, and the Senator from North Carolina will be recognized.

Mr. SIMMONS. I desire that that be done.

The PRESIDING OFFICER. It has already been done. The Senator from North Carolina will proceed.

Mr. SIMMONS. Mr. President, the Senate added over 600 amendments to the revenue bill as it passed the other House. Of those amendments the Senate conferees receded from only 68. The House receded from its disagreement to 417 of the Senate amendments without change and from its disagreement to 117 of the Senate amendments with amendments. In order to bring the two Houses together upon these 602 amendments, it is obvious that a vast amount of work was required. That the conferees were able to accomplish this result in a little over two weeks show that their work was constant and diligent; but even with the greatest diligence, Mr. President, it would have been impossible to accomplish this result within so short a time had not every member of the conference been alive to the fact that the exigencies of the situation required the utmost speed.

I desire to say to the Senators who do me the honor to hear the brief statement I am going to make, that I am advised by the Commissioner of Internal Revenue and the Secretary of the Treasury that Government obligations amounting to more than $800,000,000 will mature and will have to be paid by the 15th day of March next, and that the money which it is expected to realize from the first installment under this bill has been pledged for the payment of those maturing obligations.

The Commissioner of Internal Revenue further advises me that, relying upon the assurances that were given to him by the conferees that this bill could be passed at this session, and passed within a short time, he has abandoned all purpose of arranging to collect taxes except under this bill, and that if for any reason this bill should fail or be delayed so long as to make it impossible for him to collect the taxes this year under it the Treasury Department and the Government would be placed in a most embarrassing position.

Mr. President, the statement I shall make will be of a general character. I do not purpose to discuss the details of the conference committee action and report. I do desire, however, to state very briefly the general purport and effect of the action of the conferees with reference to the more important matters adjusted by them.

Early in the year 1918 the Secretary of the Treasury recommended to Congress the enactment of a new revenue law, framed to raise $8,000,000,000 by taxation, to help meet the expenditures of the fiscal year 1918, estimated at that time at $24,000,000,000. In response to this request the Ways and Means Committee of the House prepared, and the House passed, the pending bill, providing for an $8,000,000,000 tax levy. When the armistice came on November 11, 1918, the bill was still before the Finance Committee of the Senate, to which it had been referred.

There was no purpose upon the part of that committee up to that time to reduce the amount of the levy below the House estimate of $8,000,000,000. Within a few days, however, after the signing of the armistice the Secretary of the Treasury, in a communication to myself as chairman of the Finance Committee, advised that the estimated expenditures would, because of the practical termination of the war, be reduced to $18,000,000,000, and at the same time he recommended a reduction of the taxes to be imposed for the fiscal year 1918-19 from $8,000,000,000 to $6,000,000,000 and for the fiscal year 1920 from $6,000,000,000 to $4,000,000,000. Senators will recall that the President, in his message to Congress delivered a short time after the armistice, joined the Secretary of the Treasury in these recommendations.

While many of the amendments made by the Senate were made with a view of improving the general structure of the bill, the major part of them were made with a view to accomplishing the reduction recommended by the Secretary of the Treasury and the President. To accomplish this $2,000,000,000 reduction for 1919 the Senate made sweeping reductions in the House rates for that year and still greater reductions for the fiscal year 1920 and subsequent years. It revised those rates from the beginning to the end of the bill, cutting them materially in most cases.

But the changes made by the Senate were not confined to the lowering of rates; the Senate adopted many amendments that were of an ameliorative character, providing relief in cases of hardship and inequality and giving additional deductions and credits, as well as other remedial provisions, made expedient because of changed economic and industrial conditions resulting from the sudden termination of the war. No inconsiderable portion, Mr. President, of the reductions made by the Senate in the amount of revenue expected from the income and excess or war profits will be accomplished through these so-called relief amendments.

The Senate did not change the individual normal income-tax rate for the taxable year 1918. It did, however, change the surtax rates, reducing those rates as to small and moderate incomes and increasing them somewhat as to larger incomes, especially those in excess of $200,000. The result of these changes is a reduction in estimated revenue receipts from this source of about $50,000,000. The House conferees agreed to these changes. The Senate reduced the individual normal income-tax rate for the taxable year 1919 and subsequent years from 6 and 12 per cent to 4 and 8 per cent, and the House agreed to these changes. These were the only changes made

by the Senate in the individual income-tax rates as provided in the House bill, and to all of those changes the House conferees agreed.

The House bill imposed a flat rate of 12 per cent upon the income of corporations, and provided, in effect, for an additional 6 per cent against such part of corporate incomes as were not distributed. The Senate eliminated this 6 per cent differential tax and made the flat corporation income tax for the taxable year 1918 12 per cent. To that change the House, through its conferees, very reluctantly agreed.

The only other change made by the Senate in the House corporation income-tax rates was that with reference to the rates for the taxable year 1919, fiscal year 1920. The Senate had fixed those rates at 8 per cent. The House conferees insisted that this was too low; they insisted that because of the fact that they had yielded to the Senate with reference to the 6 per cent differential tax, thereby permitting corporations to retain a part of their earnings without being subjected to the surtax to which individuals were liable, those rates ought to be raised at least for the fiscal year 1920.

Mr. SMOOT. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Utah?

Mr. SIMMONS. In just a minute. The Senate consented to the increase in its rates for 1920 from 8 to 10 per cent.

Mr. SMOOT. I was going to ask the Senator, under the rules of the Senate or the House, how it was possible to increase that rate from 8 to 10 per cent. The House had passed no legislation whatever imposing a tax for the taxable year 1919. The Senate passed a provision imposing a normal tax of 8 per cent, and the conferees bring in a tax of 10 per cent.

Mr. SIMMONS. Mr. President, I do not think there is any difficulty concerning the power of the conferees to do that. The House bill imposed a tax of 12 per cent for the year 1918 and 12 per cent for every taxable year thereafter; and the conferees simply reduced the 12 per cent, that being the highest rate, to 10 per cent for one of those subsequent years, and made that rate applicable to all other subsequent years. That is to say, under the House bill, if it had not been amended by the Senate, the rate for the fiscal year 1920 and every subsequent year would have been 12 per cent, and under the rule we could change the rate so as not to exceed that limit. At least, I will say to the Senator, that was the view of the conferees.

Mr. SMOOT. I will say to the Senator that perhaps that could be construed in that way, although the bill itself imposes the tax on the year 1918—that is, the taxable year 1918, the fiscal year 1919—and I do not think there is anything in the bill itself which says that the tax shall be at that rate hereafter.

Mr. SIMMONS. The tax fixed in the House bill is 12 per cent for the taxable year 1918 and each year thereafter. That is the language, I think; but if it were not the language my conclusion would still be correct. The rate of 12 per cent would continue until the law was repealed or amended.

Mr. SMOOT. The Senator is quite right in that last statement. I was wondering myself upon what theory they did change the rate fixed by the Senate, as the Senate acted specifically on that year, virtually repealing the law as it stood.

Mr. SIMMONS. No; not repealing it; amending it.

Mr. SMOOT. Well, it is the same thing, because the tax law for 1918 is virtually repealed by the legislation that we passed. In other words, the law as it was passed by the Senate provided that the taxes imposed under the bill for 1918 should apply only to that year, and then the Senate passed legislation for the year 1919. The House not having acted upon it, I wondered how it was that they could be increased. I simply brought up the subject at this time in order to get the Senator's ideas as to why it was done.

Mr. SIMMONS. I have stated to the Senate and to the Senator the views of the conferees with respect to this matter, and in those views I heartily concur. I believe that the Senator upon further reflection will also agree that that change was within the province of the committee.

As I have stated, the Senate adopted a series of amendments applicable to incomes and profit taxes commonly designated as relief amendments which will result in a reduction of the taxes in the cases to which these amendments are applicable, and will materially diminish the revenue from these sources. It is estimated that the reduction in revenue resulting from these amendments will amount to approximately half a billion dollars.

The more important of these amendments are those relating to amortization and depletion, first, with reference to industrial plants and vessels; second, with reference to oil and gas wells, mineral deposits, and timber where profits are realized through depletion of the capital; and, third, those amendments relating to shrinkage in inventories and net losses.

Mr. CALDER. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from New York?

Mr. SIMMONS. I yield.

Mr. CALDER. I have in mind the case of a shipyard on the west coast. The owner of this yard had several shipyards on the east coast. At the request of the Government, through the Shipping Board or the Navy Department, he very largely extended his shipping plant on the west coast, investing practically all the profits from his eastern yards in his western yard so as to extend his plant to do Government work. Under circumstances of that kind can he ask the Government to consider his profit invested in his plants, which to-day are not worth much more than 25 per cent of what they cost him, because they cost him war prices, and in the cancellation of the contract by the Shipping Board his yard is not worth what it was before?

Mr. SIMMONS. I can answer the Senator generally by saying that if by reason of the investment of his profits in an extension of his yards he has constructed a plant which was necessary in time of war to meet the demands which were made upon him at that time for production, but which after the termination of the war has depreciated in value because not needed; in that case, under the amortization provision he will be allowed to amortize to the full extent of the depreciation in value. Of course, if there is salvage he would be allowed to amortize only down to the salvage value.

Mr. CALDER. Less the salvage?

Mr. SIMMONS. Less the salvage; but the amortization allowance is based upon the total cost value of the property amortized, and that is made in these amendments specifically applicable to plant and machinery constructed or installed for the production of articles contributing to the prosecution of the war.

Mr. CALDER. I am glad to have the Senator's expression of opinion on the subject, because I was not sure that the shipbuilding plants were included in the terms of the bill, and I wanted to be certain that that was the Senator's view.

Mr. SIMMONS. Yes; the bill is explicit with reference to that character of property. On account of the amortization provision contained in the bill, contractors for war material are going to find very great relief, because I realize, and the Senate must realize, that in very many instances to meet the emergency of war contractors were required not only to construct new plants but to install machinery that will be of very little value to them after the war has ceased.

I wish to call the Senator's attention, further, and I wish to call the attention of the country, to the fact that there are some war contractors who have been attacking the bill who have been importuning Senators to use their influence to defeat the bill, so that the tax against them might be levied under the present law, which imposes lower rates of taxes. They would find, if they should accomplish their purpose and defeat this bill, that when the taxes were levied under the present law they would not get the benefit of this amortization privilege, and that might mean in many instances higher taxes under the present law than under the proposed new law.

Mr. CALDER. I think the Senator is correct.

Mr. SIMMONS. There is nothing in the present law that gives any such deduction or allowance.

Mr. CALDER. I know there is not; but I understand there is a ruling or decision of the Treasury Department that has helped out the situation somewhat. I am quite sure that but for that ruling a great many concerns would have gone bankrupt.

Mr. SIMMONS. I think there was a ruling that helped them to some extent, but the ruling did not and could not help them to the extent this bill does, for this bill helps them to the extent of the full original cost, if the loss is total.

Mr. CALDER. I am sure that is very fair. Does the Senator think the Treasury Department is justified under the previous law in amortizing the loss of a shipbuilding plant where a profit on the investment has been made?

Mr. SIMMONS. I doubt it very seriously. I think it would be quite a departure from the terms of the law.

Mr. SMOOT. In further answer, I will say to the Senator that in most cases there was an absolute contract between the Government and the owners of the plant. Of course, the Government has to give weight to that.

Mr. CALDER. I have in mind several cases where men were led to believe there would perhaps be a certain figure of profit. The Government has come in subsequently and rather taken the ground that they could not under the law, despite the fact that

they had fitted out these shipyards, allow any such procedure. That I very much regret.

Mr. SIMMONS. There can be no doubt that under the bill their power will be ample and plenary, so far as plant and facilities acquired on or after April 6, 1917, are concerned.

Mr. SMOOT. It is very sweeping in its provisions.

Mr. SIMMONS. It is very sweeping, as the Senator from Utah very justly observes.

There is another amendment of this character which, of course, will very considerably reduce the amount of revenue to be collected under the bill, but which, I think, under the conditions which now exist, industrial and economic, will be of the greatest possible relief to the taxpayer and is but a fair measure of justice. I refer to the amendment or amendments relating to shrinkage in inventories and net losses. These provisions were retained by the conferees with some amendments. In fact, Mr. President, the amendment which the conferees made to the inventory provision I regard as most vital. It will very greatly strengthen it, in my opinion, and I refer to it this afternoon, because I think the business people of the country who have not read the bill, but have relied upon the newspapers for their information with reference to this and other important provisions, have not yet come to realize the great relief it will afford under the present conditions. Market values are falling and this decline will undoubtedly proceed at a constantly accelerating rate. Under such circumstances the allowance for falling inventories, as amended by the conferees, will afford the greatest relief from the heavy taxes which the bill imposes.

In general terms, where during the year 1919, by reason of a decline in values, the inventories upon which the incomes for the year 1918 were based have shrunk so as to make it apparent that the tax which would be paid in 1919, based upon these high inventories, would be based upon values that no longer exist, values that have disappeared, which will never be realized, the bill permits a reduction to the extent of the decline in the inventory values and provides that the tax for the preceding year shall be redetermined and paid upon the new basis of value, instead of upon the original inventory basis.

I do not think it is possible to estimate with any degree of accuracy what will be the loss in revenue as the result of this amendment. It is a broad, sweeping amendment, but it does nothing more than common justice to the taxpayers. It says to the taxpayer that where your profits turn out to be, by reason of shrinkage in inventory values mere paper profits, you shall be allowed to pay your tax upon the basis of the actual inventory value at the time you make your return for 1918, and if the losses have not been discovered at the time you make those returns and they are discovered any time during the year 1919 then the commissioner may make the allowance and the taxpayer may get the benefit of the shrinkage.

Let me illustrate with the case of the cotton manufacturers. They have laid in great stocks of raw cotton, the larger part of which was purchased at 30 cents or more than 30 cents a pound. The inventories for the year 1918 would have to be based upon those values. That cotton is to-day worth probably not much over two-thirds of the amount for which it was purchased. If they are required to pay their taxes without any rebate upon the basis of the cost of this raw material still in hand, it is easy to see that they would have to pay tax upon a value charged against them, but which will not, as a matter of fact, ever be realized.

I wish to call attention to this fact, Mr. President, and I do it because, while the bill was in conference, I received many telegrams from the people of my State protesting in one way or another against this tax, and asking that the rates be reduced so as to yield $4,000,000,000 rather than $6,000,000,000. Of course, they were told that could not be done; that the conference committee had no power to take such action even if it had the desire. They then said defeat the bill so that we may be taxed under the present law. Of course, everybody would rather be taxed upon the basis of $4,000,000,000 than upon the basis of $6,000,000,000.

I wish, in connection with these protests, to emphasize the fact that if this bill should fail the manufacturers of this country, producers, and tradesmen, who have purchased great stocks of material at high prices, would pay large taxes, based upon inflated inventory values; and if the taxes should be levied under the present law there would be no such relief as this particular amendment affords. The amendment allows a rebate to the full amount of the shrinkage. I think in very many cases they will find that the relief which will come to them through the amortization provision of the bill, through the obsolescence provision of the bill, through the net-losses provision of the bill, and through the inventory provisions of the bill will more than offset the difference between the new rate and the rate at which they would pay taxes under the present law.

Coming now to the excess-profits and war-profits taxes, I may say in general that the House accepted the rates adopted by the Senate with but few modifications. The House conferees accepted the excess-profits rates adopted by the Senate for the taxable year 1918, with an amendment increasing the second bracket from 60 per cent to 65 per cent, and they accepted the Senate rates for 1919 and thereafter with no material change except that relating to income derived from war contracts, to which I shall refer hereafter.

It will be seen from this statement that the House accepted nearly all of the Senate amendments with respect to individual income taxes, corporate income taxes, and profits taxes, so far as rates of taxation are involved. Ordinarily the Senate could not have expected the House to have acquiesced in practically all of these amendments, with a few minor modifications; but the House conferees recognized the fact that after the bill left the House the situation changed, and that most of these reductions were made by the Senate to accomplish the recommended reduction from eight to six billion dollars in the amount of revenue to be raised under the bill.

There was one important change made by the conferees in the profits tax for the taxable year 1919 and subsequent years. While agreeing to the Senate rate of 20 and 40 per cent, the conferees of the House insisted upon an amendment in which the conferees of the Senate very heartily concurred. In fact, the Finance Committee had discussed, before the bill was reported to the Senate, the wisdom of making an amendment of that character. I had announced myself in favor of it, and declared a purpose to introduce it upon the floor of the Senate, but inadvertently I failed to do it. The conferees of the House insisted upon, and the Senate conferees heartily concurred in, an amendment to the 1919 rate providing that where the net income of any corporation derived from any contract or contracts with the Government exceeded $10,000, that part of its income accruing from such contracts should be taxed under the 1918 rates.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Minnesota?

Mr. SIMMONS. I yield to the Senator.

Mr. KELLOGG. Do I understand that in 1920 the war-profits tax against contracts with the Government is 80 per cent, and not against other business operations?

Mr. SIMMONS. I do not know whether the Senator understood me or not. I state that a war-profits tax was imposed upon corporation derived from Government contracts. It is not an income tax.

Mr. KELLOGG. No; I understand that. There is a war-profits tax this year of 80 per cent, for 1918?

Mr. SIMMONS. Yes.

Mr. KELLOGG. Now, I am speaking of next year, 1919.

Mr. SMOOT. The taxable year.

Mr. KELLOGG. The taxable year of 1919. Is the war-profits tax of 80 per cent against war contracts alone?

Mr. SIMMONS. Yes.

Mr. KELLOGG. Let me see if I understand that. Here is a shipbuilding concern, or any concern, manufacturing for the Government. Although it may make not more profit——

Mr. SIMMONS. Did I say "war contracts"? I mean by that term Government contracts made between April 6, 1917, and November 11, 1918.

Mr. KELLOGG. Well, suppose a shipbuilding concern, or any other manufacturing concern, was willing to work for the Government at the same rate, or even at a less rate, of profit than it would work for a private concern. The concern which is patriotic enough to do Government work is penalized next year with an 80 per cent tax, while other manufacturing concerns, right beside it, pay no tax at all.

Mr. SIMMONS. The Senator is mistaken about others right beside it paying no tax. The others would pay the excess-profits tax, which is 20 and 40 per cent; and the corporation to which the Senator refers, if it were making profits outside of those made on its contracts with the Government, would only pay at those rates, 20 and 40 per cent. The Senator knows what we were driving at. The President, in his message to Congress, stated that, while he favored the reduction of the taxes for 1920 to $4,000,000,000 and favored a reduction in the profit rates, a high war tax against war profits ought to be continued.

Mr. KELLOGG. Quite so.

Mr. SIMMONS. The Secretary of the Treasury, in his recommendation asking that the war-profits tax be abolished after 1918, suggested that there ought to be provision by which the 80

per cent rate would be continued for profits realized after 1918 from Government contracts made during the war; and the purpose which the conference committee had in view was to see to it that a Government contract heretofore made, and based upon the prices that had heretofore obtained, should pay the same tax upon its war profits when those war profits were made in 1919 as it is required under the law to pay when those profits were made in 1918.

Mr. KELLOGG. I am quite aware of that, and I would not object to everyone who makes a war profit from contracts with private individuals or with the Government being required in 1919 to pay a good, heavy rate of tax; but the war-profits tax this year—1919—makes no discrimination between those working for the Government and those working for private individuals; and while I have no doubt some contractors may have made very large profits from the Government, I think you will find that those manufacturers and contractors who were not doing business with the Government made more money than those who were doing business with the Government.

Mr. SIMMONS. Will the Senator pardon me for calling his attention to the fact that the contracts referred to in this amendment are only such contracts with the Government as were made between April 6, 1917, the day when we went into the war, and November 11, 1918, when we went out of the war. The presumption is that these contracts were based upon the high costs and the high rate of profits that obtained during the war.

Mr. KELLOGG. Quite so.

Mr. SIMMONS. They go over; they are executed in the next year. There is no change in the contract. The basis is the same. The contractor may be able to make a larger profit in 1919 because of falling markets, falling cost of labor, falling cost of material than he made in 1918; and to let that contract escape the higher tax that the bill imposed upon all other contracts made upon the same basis, it seems to me, would be quite a discrimination.

Mr. KELLOGG. I agree with the Senator; but why should not a contract made by a shipbuilding or a manufacturing company with a private concern, made in the same time, to run the same length of time, making the same big profits, be taxed in the same way? That is why I can not understand the provision.

For instance, let me explain. One contract is made with the Government for building ships, and it runs from July, 1918, to July, 1919. If it is made with the Government, the manufacturer must pay 80 per cent this year of 1919. If it is made with a private concern, although the profit is greater, and it is a war contract, he pays no taxes at all under the war-profits tax in 1919. That is the point.

Mr. SIMMONS. Yes; I see the point the Senator makes.

Mr. KELLOGG. During the war we made no discrimination between those manufacturing for the Government and those manufacturing for private concerns, and I do not see why we should make any discrimination during 1919.

Mr. SIMMONS. Mr. President, I think everybody in this country recognizes the fact that even while the war was going on there was quite a difference between the profits that were derived from Government contracts and those derived from private contracts. They were upon a different basis while the war was in progress. It is a matter of common knowledge that in the case of Government contracts, because of the fact that the situation required speed, because time was the essence of the thing, and because every consideration of expense had to be sacrificed to acceleration in delivery, the contractors with the Government demanded a profit which they did not get and could not have obtained from private sources. That was spoken of during the war as one of the chief elements that entered into and formed the basis of a large part of the consideration which the Government agreed to pay on these contracts.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Utah?

Mr. SIMMONS. I do.

Mr. SMOOT. I will say to the Senator that perhaps that was so in some cases; but I know of many, many cases where the private contractor was selling at a higher rate than that at which the Government was purchasing the same class of goods, and in some cases, I will say to the Senator, I know of concerns that were selling goods to the Government and also making the same goods for private parties, and the price at which they were sold to the private purchaser was higher than the price at which they were sold to the Government.

Mr. SIMMONS. Doubtless some cases of that kind may be found; but the Senator knows that when they were constructing these great cantonments, when it was of the utmost importance that they should be ready to receive in the quickest possible time the soldiers who were coming from every part of the country, advertisements went out offering the highest prices for labor and for material in order that speed might be accomplished. The Senator knows that that was so with reference to shipbuilding. He knows that that was so with reference to the manufacture of munitions of war. If the Government could not get them quickly, they would be of no use to the Government. Speed was of the very essence of the thing, and prices calculated to obtain labor and material in the quickest possible way were demanded by the contractors and paid by the Government, and this was true of all of these contracts, of those that were not executed as well as those that were executed before the armistice.

Mr. SMOOT. I agree with all that the Senator has said. I know that the prices advanced beyond all reason; but what I can not understand, Mr. President, is this: While those prices to the Government were advancing, so they were advancing to the individual contractor. He had to pay those prices, and in some instances even more than the Government paid, and the persons that sold those goods to the private contractor or to the Government made those outrageous profits; and it seems to me that we ought to catch those profits, whether they were made by an individual contractor or whether they were made by a contractor with the Government. That is the only thing that I can not understand about this proposed amendment. I will say to the Senator that it is a new subject matter. It was never discussed, and it has been put in here since the bill passed the Senate. It is a new thing entirely, and when I read it I wondered why it was in here.

Mr. SIMMONS. It is an amendment to the Senate amendment. The conferees accepted the Senate amendment with an amendment.

Mr. SMOOT. But I mean they changed the Senate amendment by amending it, and put in provisions that were not passed upon by the Senate at all. It is entirely new.

Mr. SIMMONS. I know it is new in the Senate, but it is permissible under the rules.

Mr. SMOOT. I do not want the Senator to get the idea that I am going to make a point of order on those things. I simply wished to bring it out here in the discussion. If I wanted to be captious over the matter, of course I could simply say that there is new matter put in here contrary to the rules of the Senate; but I am not going to do it, and I do not want any other Senator to do it.

Mr. SIMMONS. I am very glad to hear the Senator say so. I do not think his objection would be tenable, but I am very glad to know that the Senator does not propose to be hypercritical.

Mr. SMOOT. I think it would be tenable. Of course, that is a difference of opinion; but, be that as it may, if I knew it would be sustained I would never raise it. I want to say to the Senator, either on this item or on any other item that is in the bill. That is not the question. The only thing that I desire to emphasize is that I believe, just as the Senator from Minnesota [Mr. KELLOGG] believes, that wherever these unconscionable profits were made, whether by a contractor doing private work or by a contractor doing Government work, there is no difference in principle, because the people ultimately have to pay them.

That is the only position that I take in this matter. I am not going to ask the Senator to strike it out. I simply think it is an unfair proposition, and I do not think it can be defended, if you are intending to do exact justice between all citizens of our country.

Mr. SIMMONS. Mr. President, I have said all that I desire to say with respect to that. I am sorry that my colleague upon the committee, the Senator from Utah, disagrees with me.

Mr. President, in addition to the relief amendments placed in the income-tax title, but affecting profits taxes as well as income taxes, amendments relating to amortization and obsolescence, shrinkage in inventories, and so forth, the Senate added a general relief clause investing more or less discretion in the Commissioner of Internal Revenue and the advisory tax board for relief in cases clearly establishing injustice, inequality, or discrimination. The House conferees accepted these provisions of the Senate.

The relief provisions as contained in the Senate amendments were specific in their terms. They specified the special conditions and circumstances under which the commissioner might give relief. The conferees on the part of the House, while not specially objecting to that method of relief, insisted that it was very much better to give authority in more comprehensive terms and without such detail of specification and particularization. After careful discussion and consideration it was agreed to rewrite the Senate relief provision and give the necessary power

to the commissioner in general terms. The general opinion of the conferees and of the department, and I concur in that opinion, is that the amendment as redrafted broadens rather than restrains the powers of the commissioner in the matter of relief against injustice, inequality, and discrimination.

Such a provision, Mr. President, is of the greatest importance in a bill to take effect under conditions such as now exist in this country. There is no such power invested in the commissioner under the present law, but cases arose under the present law in which a strict application of the rigid and inflexible definition of invested capital would have worked such intolerable hardship and oppression that the commissioner was compelled to cast about and find, if possible, authority by which he might partially, at least, relieve against such hardship. Of course the commissioner could not give full relief. Of course there might be some question about his authority to give even partial relief in many cases.

While some relief could be accorded measurably though not fully meeting the requirements of the particular cases under the conditions existing during the application of the present law, it is perfectly apparent that under the changed conditions which exist now, in the chaotic situations in which the business interests of the country have been thrown, the measure of relief which can be afforded under the provisions of the present law would prove utterly and miserably inadequate.

Therefore, Mr. President, in the interest of common justice, having laid down a hard and fast—practically an inflexible—rule to measure invested capital, a rule adopted probably because we could not find anything better, it was thought expedient and necessary under these conditions to invest the Commissioner of Internal Revenue with broad powers and discretion in certain conditions and circumstances to grant such relief as justice and common fairness would dictate should be given. We accordingly framed the general provision to which I have referred, and the House conferees accepted it with a slight amendment.

That is another one of the provisions which, I think, the business interests of the country have not yet come fully to realize. They may know that there is some provision here by which the commissioner can help them in case of difficulties of the kind I have described, but I do not think they have yet come to realize the breadth of the discretion which is lodged in the commissioner in this amendment and what it may be worth to them under the conditions which now confront us.

I know this bill imposes high taxes. It is necessary to impose high taxes, higher than we have been paying heretofore. But, Mr. President, while the rates are higher, while the taxes will be higher, I believe that when you take into consideration the relief provisions of the bill as compared with the relief provisions of the present law it will be found that this bill will bear with but little greater weight upon the great business interests of the country than the present law, especially on that part of the business interests that have to pay, in addition to income taxes, excess-profits or war-profits taxes.

It is estimated that the reductions in rates made by the Senate amendments and retained in conference, and the reductions resulting from the ameliorative and relief amendments made by the Senate and retained in conference, will probably reduce the revenues from the House estimates approximately $900,000,000 for the taxable year 1918.

Mr. President, your conferees, very much to their regret, were forced by the attitude of the House to yield the plan which the Senate had devised for taxing insurance companies. The Senate had stricken out altogether the House provisions with reference to insurance and had written in a new scheme upon an entirely new basis. The House conferees while not objecting to the scheme in toto objected to a part of it which was absolutely essential to the whole, and as we thought essential to the justice of the scheme. They were willing to accept the rate adopted by the Senate, but they were not willing to allow the deductions provided in the Senate scheme.

Your conferees did not think that its scheme would be equitable or satisfactory if the deductions were eliminated, and, after much controversy and much discussion, reflection, and investigation—for we did investigate a good deal to see if we could not reach a basis of compromise—finding ourselves unable to come to any satisfactory adjustment with reference to the Senate scheme, the Senate receded, and the effect of that was to restore with slight amendments the House provisions of the bill.

There was also, Mr. President, sharp disagreement in conference between the two Houses with reference to inheritance taxes. The present law is the basis of the House scheme; in fact, it is the House scheme, with lower rates; that is to say, the House rates are very much higher than are the rates of the present law. Its basis is an estate tax; that is to say, the taxes are levied against the entire estate of the decedent after the authorized deductions have been made.

The Senate scheme was based upon an entirely different principle. It did not tax the total estate of the decedent, but it taxed the amount going to each one of the beneficiaries of the estate, giving each one of those beneficiaries a deduction, and, of course, splitting up the amount and dividing it between the beneficiaries, and taxing it as so divided. Even at the same rates as those in the House bill, the yield of the tax would have been less, because the rates of the House bill, like the rates of the present law and like the rates recommended in the conference report, are graduated according to the size of the entire estate, while the rates of the inheritance tax were adjusted to the size of the several distributive shares. The Senate conferees, finding it impossible to get the House conferees to agree to their plan of an inheritance tax, accepted the House plan of an estate tax, with material reduction in the rates applicable to small and moderate sized estates.

The House rates were, I believe, nearly double the rates of the present law. The Senate rates were, in effect, very much lower. The rates that we finally agreed upon in conference are very much less than are the rates of the present law for estates of less than $750,000. They are not so very much higher than the rates in the Senate amendment. So it may be said, speaking broadly, that while the Senate yielded to the House as to the method of imposing this tax the House yielded to the Senate as to the rates of the tax.

Mr. President, I pass over the tobacco schedule, because there were no changes of importance made in conference from the Senate amendments. The Senate reduced the House rates on cigars, cigarettes, and tobacco. The House conferees accepted practically all of these reduced Senate rates. A slight increase was made in the tax on cigarettes. The conference raised that rate from $2.90 to $3 a thousand. There was also one change in the rate with reference to cigars selling for more than 5 cents and for less than 8 cents from $5.40 to $6 a thousand. Otherwise the House accepted the Senate rates.

The same thing, Mr. President, is true with the Senate rates on admissions and dues. The House had doubled existing rates and the Senate amendment cut the House rates in two, and restored the rates of the present law. The House conferees accepted all of these reductions made by the Senate. The only exception, I believe, is the tax on cabarets. That was raised a little bit above the Senate amendment, halfway, I think, between the Senate rate and the House rate, to be accurate.

The House practically accepted all of the Senate excise rates. There was a slight change in the automobile tax and the tax on vending machines.

The House accepted, with slight exceptions, all of the rates of the Senate with reference to special taxes, the exception being chiefly the rates on ship brokers and customhouse brokers.

The conferees changed the Senate's basis of calculating the capital-stock tax from the net-assets basis to market-value basis as provided in the present law. With those unimportant exceptions all of the Senate's reduced rates were agreed to.

The same is true of the stamp taxes. The only material change made by the conferees in the stamp section of the bill affecting rates was that on foreign insurance, which was reduced from the Senate rate of 5 per cent to 3 per cent.

Mr. President, the Senate made a very striking amendment to the House bill in its amendment permitting a corporation whose principal income is derived from the personal activities of the principal stockholders to be taxed as a partnership instead of as a corporation. The fundamental reason for that change is found in the fact that the excess-profits taxes and the war-profits taxes for 1918 would be extremely oppressive—I might use a harsher term than that—would be almost destructive if they were imposed without allowing a reasonable exemption or deduction.

This exemption or deduction is based very largely upon the invested capital. With a deduction which for excess-profits tax can not be less than 8 per cent of the invested capital, and for war-profits tax can not be less than 10 per cent of the invested capital—with this allowance entirely exempt from taxation—a capitalistic corporation is by the very letter of the law guaranteed a reasonable profit, however high the tax may be upon that part of their profits in excess of this allowance, so that no concern whose business is based upon capital, whose profits are the returns of capital, can be bankrupted or can be deprived of what in the business world is regarded as a fair return upon the capital invested in the business. But where the income is not derived from capital, but is derived from the

personal exertions of the principal owners of the corporation, there can be no exemption based upon invested capital. If these excess-profits and war-profits taxes were imposed, therefore, upon a corporation that had no capital or very little capital, they would constitute a flat tax upon the entire earnings, without any deductions except for the actual expenses incurred in the conduct of the business. That would be a great hardship. We sought in the present law to remedy that by imposing a flat 8 per cent tax in such cases. That was an unsatisfactory solution. The House sought in this bill to solve the problem by imposing a flat tax of 20 per cent upon the net income in lieu of the profits tax. That was not a satisfactory solution. But when we permit such concerns to be taxed as a partnership we exempt them under the present law from excess-profits taxes and from war-profits taxes, and put them upon a parity with the individual and the partnership paying taxes only upon their income.

The Senate made that amendment, and I think it was one of the wisest amendments made to the bill. The House conferees accepted that amendment, but after reflection the House conferees and the Senate conferees concluded that there was a class of profits made largely by corporations with no capital invested, but which rely only on their personal services, that would escape just taxation under the Senate amendment. So, by mutual consent, we added a provision to the bill exempting from this privilege accorded personal-service corporations corporations "50 per cent or more of whose gross incomes consists of—

"Gains, profits, commissions, or other income derived from a Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive.

We also provided that this provision should not include corporations "50 per cent or more of whose gross income consists of gains, profits, or income derived from trading as a principal."

Another Senate amendment with which the conference had trouble, but which was finally accepted by the House conferees, was the amendment providing for the consolidated return. That is one of the good provisions of the bill. I should have been exceedingly sorry to have seen it stricken from the bill, and yet the House conferees seemed to be very much opposed to it. After long discussion we finally compromised that matter by retaining the Senate's consolidation scheme with a provision taking out of it any corporation "organized after August 1, 1914, and not successor to a then existing business 50 per cent or more of whose gross income consists of gains, profits, commissions, or other income derived from Government contracts or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive." In case the corporation is taken out of the consolidation for this reason, that particular corporation is assessed separately, while the other affiliated corporations are assessed on the consolidated basis.

Mr. President, there is another amendment which occupied the time of the conference to some extent, but was finally happily adjusted. That was in connection with the controversy over the so-called King amendment. I think the conferees on the part of both Houses felt that the amendment as originally adopted was too broad. Senators will remember that that amendment was offered during the last stages of the consideration of the bill in the Senate, and it was understood, I think, and so expressed upon the floor of the Senate at the time, that the amendment would require some consideration by the conferees. While we rewrote the amendment, I think that what we have included in the bill will accomplish the main purpose which the author of the amendment, the Senator from Utah, had in mind. It was prepared, after consultation with the Commissioner of Internal Revenue and with the experts of the department, with a view to authorizing the commissioner to call for and to secure from the contractor and from the Government department concerned such information with respect to the contract as the commissioner deems necessary in order to enable him properly to adjust and assess the taxes.

Mr. WADSWORTH. Mr. President, would not the commissioner have the right to do that now?

Mr. SIMMONS. I presume he would, but it was thought best to make it clear that he had the powers which he said he should have. In asking the commissioner's advice, we said to him, "We want to give you with respect to these matters all the power you think you need." I will state to the Senate, as frankness requires, that this amendment was practically prepared under his direction and I think it gives him all the powers which he needs to get the information that is thought necessary to adjust and assess the taxes properly.

Mr. President, there were two Senate amendments from which the Senate conferees receded. One of those amendments was that relating to campaign contributions, presented in the Senate by the distinguished Senator from Colorado [Mr. THOMAS]. From the very first reading of the bill in conference that amendment became the subject of much discussion and controversy. A rather ugly state of mind was developed on the part of some members of the conference with respect to it. The House conferees sharply disagreed about it, three of them being very pronounced in their opposition. It was finally taken back to the House for instructions, and the House did instruct its conferees to yield if the retroactive provision of the amendment were eliminated. The House conferees did yield; they stated that, of course, they had to carry out their instructions; but it was very evident that in yielding that did not end the matter so far as they were concerned. There were some strong expressions on the matter by a majority of the House conferees. On the part of the Senate conferees, while, of course, they were bound by the action of the Senate, some of them stated that, if the provision were amended as proposed by the House conferees, they would not support it. I do not wish to go into a discussion of the situation that developed, but the situation which did develop satisfied me that, if this amendment were retained in the bill, it would lead to long and bitter discussion in both Houses, and that in this Chamber it would probably result in dangerous delay or in the ultimate defeat of the bill. Under these circumstances the House conferees went back to their body and asked for instructions, and upon the initiative of certain prominent Senators a poll was taken on both sides of this Chamber as to the present feeling of Senators with respect to this amendment, particularly in connection with conditions disclosed with respect to it in conference.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from North Carolina yield to the Senator from Colorado?

Mr. SIMMONS. I yield.

Mr. THOMAS. Can the Senator inform me who took that poll, and when?

Mr. SIMMONS. As long as the Senator puts the direct question to me, I think that I owe it to him and owe it to the Senate to say that, in view of the representations made to me by the Senators to whom I have referred as to the present feeling of the Senate, I asked the Senator from Virginia [Mr. SWANSON] to make a poll of the Democratic Senators, a poll having already been made and communicated to me of the Republican Senators. Another poll of Democratic Senators other than that made by the Senator from Virginia was taken to verify that poll as to certain Senators whose answer to the first poll was somewhat indefinite and to extend it to certain Senators who were not present at the time the first poll was taken. This supplementary poll was taken by an official of the Senate at my instance.

Mr. THOMAS. Mr. President, I wish to say that it is the first I ever heard of any such poll, and I am the author of the amendment.

Mr. SIMMONS. I am speaking now about the Democratic side of the Chamber.

Mr. THOMAS. I happen to be on that side of the Chamber.

Mr. SIMMONS. A similar poll, I am advised, was taken on the other side of the Chamber. I do not know who took it, but the result of the poll was brought to the attention of the conferees. Considering all these circumstances, therefore—the situation which developed in the committee, which to my mind meant delay, and long delay, and possibly the ultimate defeat of this measure if this provision were retained in the bill, added to the fact that these polls reflected a changed sentiment on the part of many Senators with reference to the amendment—the Senate conferees felt that it was their duty to recede, and they did.

Mr. JOHNSON of South Dakota. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from South Dakota?

Mr. SIMMONS. I do.

Mr. JOHNSON of South Dakota. I wish to say, as one Member on this side, that I was asked in that poll how I felt about the amendment, and I said that I favored it.

Mr. SIMMONS. The other amendment from which the Senate conferees receded was that with reference to the zone system. It is well understood that ever since the zone system was first proposed as a provision of a revenue bill both sides of the Senate have been opposed to it. The Senate struck it out of the present law. It was restored in conference, under pressure amounting almost to coercion.

We had two votes in the Senate upon this question while the present bill was under consideration; and those votes, both the vote in Committee of the Whole and the vote in the open Senate, disclosed the fact that a very decisive majority of the Senate was opposed to the zone system; but from the very beginning it was well known that the House has been just as much in

favor of this system as we have been opposed to it. Every vote that they have taken there has sustained it. Their conferees have uniformly insisted, with great persistence, upon its retention, and when the Senate adopted the amendment under discussion repealing that system I think it was well understood by Senators that the Senate conferees would be confronted by a persistent and obstinate opposition from the House conferees.

We were not mistaken about that. From the very outset we were notified that that particular Senate amendment had to go out of the bill. This matter was discussed all through our conference sittings. It kept bobbing up every day. It would not down, and always there was the same note, that whatever else happened there could be no agreement unless this Senate amendment was eliminated. Your conferees urged that it be taken back to the House, as the campaign-contribution amendment was taken back, but that was very politely declined; and, although every member of the Senate conferees regretted it, we finally felt that it was necessary to yield on this amendment.

Mr. WADSWORTH. Mr. President, will the Senator say whether any proposal was made for modifying the terms of what might be called the zone system?

Mr. SIMMONS. I think not. The Senator means, by the House?

Mr. WADSWORTH. By the House or by the Senate.

Mr. SIMMONS. No; I do not think there was any discussion of a compromise. I do not think the temper of the opposition encouraged any.

Mr. WADSWORTH. It was just a question of "take it or leave it"?

Mr. SIMMONS. Yes.

Mr. WADSWORTH. And will the Senator say whether or not the Finance Committee, or, within his knowledge, the House Ways and Means Committee, have investigated the effect of the zone system, as it has thus far been operating, on postal rates and on the distribution of magazines, weeklies, and daily newspapers?

Mr. SIMMONS. I can not tell the Senator about that. There was not much detailed discussion of this amendment, because the character of the opposition precluded such discussion. I myself have no information about it, and there was none disclosed by the conferees upon the part of the House. They based their opposition upon the ground that the repeal of this system would be in the interest of a flagrant subsidy that had for years prior to its enactment been given to certain publications.

Mr. WADSWORTH. The situation, to my mind, is a very distressing one. I think the whole system is a violation of wise public policy, and I was wondering whether the Finance Committee of the Senate, in the course of its consideration of the bill, had secured any reports from the Post Office Department or elsewhere as to the actual effect of the zone system as it has now been operating for about a year.

Mr. SIMMONS. I will state to the Senator that we did not. The Senator from Utah [Mr. SMOOT], who has always been very active and very much interested in this matter, may have secured some facts along that line, but they were not presented to the committee.

Mr. WADSWORTH. May I be prompted by the Senator from North Carolina as to when the zone system took effect?

Mr. SIMMONS. Under the present law?

Mr. SMOOT. July 1, 1918.

Mr. WADSWORTH. Then I am mistaken.

Mr. SIMMONS. It did not take effect for some time after the passage of the law, July 1, 1918, as stated by the Senator from Utah.

Mr. WADSWORTH. I am mistaken, then, in saying that it has been in effect for a year; but, at any rate, there has been no report from anybody of an official character, so far as the Senator knows?

Mr. SIMMONS. Not before the Finance Committee, because that committee was so pronouncedly and fundamentally against the zone system that it did not require any detailed information with reference to its operation in order to induce action.

Mr. POMERENE and Mr. SMOOT addressed the Chair.

The PRESIDING OFFICER. Does the Senator from North Carolina yield; and if so, to whom?

Mr. SIMMONS. I yield to the Senator from Ohio. I think he addressed the Chair first.

Mr. POMERENE. If it is any consolation to the chairman of the committee, I desire to say that so far as I am concerned, if the only choice to be had was between the zone system and a reduction of the rates below what they are, I want to compliment the conferees on their good judgment in receding.

Mr. SMOOT. Mr. President, I was going to ask the Senator if it is not a fact that before any meeting of the conference was held the statement was made in the public press that the amendment of the Senate would go out or the bill never would become a law?

Mr. SIMMONS. I believe that statement was made in the press, but I do not know that it was made as coming directly from any particular person.

Mr. SMOOT. I will say to the Senator that I saw it in the press, and saw it credited to one particular person who was a member of the conference.

Mr. PENROSE. Mr. President, if the Senator will permit me, I think, regardless of what was said, that there was a very strong impression created that there would be no bill unless the Senate conferees receded. I do not charge that to any individual conferee, but that impression was indelibly impressed on my mind.

Mr. SIMMONS. And on the mind of each member of the committee.

Mr. PENROSE. Yes.

Mr. SIMMONS. Mr. President, there are some other matters which I should like to discuss in connection with this bill, but I have detained the Senate so long that I will defer them until the provisions of the report to which they refer is reached in the regular course of the discussion.

Mr. THOMAS obtained the floor.

Mr. PENROSE. Mr. President, I did not know whether or not the Senator from North Carolina was going to move an adjournment now.

Mr. SIMMONS. No; I will say very frankly that I should like very much to have a night session.

Mr. PENROSE. Oh, the Senator can pass his bill to-morrow, in all probability.

Mr. SIMMONS. We might pass it in a pretty short time to-night. As the Senator knows, we passed it a little while ago without any discussion at all. The Senator was out of the Chamber at the time.

Mr. PENROSE. I know that the Senator has made a speech two or three times longer than I had any idea he would make. It has been very interesting and illuminating——

Mr. SIMMONS. I thank the Senator for that statement.

Mr. PENROSE. But I think we had better proceed in an orderly way.

Mr. THOMAS. Mr. President, I shall not detain the Senate very long. I regret very much that this report comes at the end of a long session, and that it affects a bill the passage of which seems to be very essential to the national welfare.

One of the great evils of our legislation consists in the fact that the most important measures which we are called upon to enact are finally submitted to our ultimate judgment during the closing days of the Congress considering them. Hence they are rushed through without that consideration which they deserve, and in some cases much evil is apt to result from the hasty manner in which we dispose of great and important questions. There are two features of this bill, however, to which I wish to advert for a moment, and then, as far as I am concerned, I shall not obstruct its passage.

I wish to refer, first, to the reinsertion in this bill of the income tax against the salaries of the President of the United States and of the Federal judges, both of which, as I construe the Constitution under which we act, are protected from this and from all other methods of diminishing them during the occupancy of the incumbents. I have read the Constitution and comments upon it in vain if these provisions can be ignored, disregarded, and violated by indirection; and, so believing, I am not able, with that provision reinserted in the bill, to give it the sanction of my vote. I gave at length last September the reasons why, in my judgment, these items should be eliminated from the bill. They were eliminated by the Senate Committee on Finance, and were reintroduced at the conference.

I refer now to the amendment whose adoption I succeeded in securing on the 23d day of September by a vote of 34 yeas to 28 nays. I tried to get favorable consideration of that amendment in the committee without success. The Senate thought better of it than the committee did, and adopted it by a very decided majority. I do not think I speak too harshly when I say that I never thought the amendment had any chance whatever with the Senate conference committee. Every member of it voted against the amendment; and while it was loyally supported literally, it was not supported otherwise.

I knew, Mr. President, that the amendment was having a hard time, not only because the Senate members of the conference committee had voted against it here and also in the committee, but because it offered a real method of preventing the collection of huge sums of money for campaign purposes and their expenditure at public elections. We have much legislation upon the statute books upon that subject, and thus far it has amounted to nothing. There are more ways of driving a coach and four

through a statute, whether State or national, that is designed to prevent the corrupt use of money in elections, than any other statutes of which I have knowledge. It occurred to me and to some others that if a heavy tax could be placed upon such contributions over and above a certain sum, and also excepting those which under the statutes candidates may make, it would prove to be an effectual stop, certainly a great diminution, in the evil against which it was aimed, and the existence of which no man has ever, so far as I know, denied.

The amendment had not been in the committee long before I was informed that it was not at all popular. It was not long after that before I was informed that it was more popular with the House committee than with the Senate committee; and about that time I was informed that the chairman of the Republican national committee had come to Washington, and was also quietly active in opposition to this amendment. I heard about that time that the Democratic leader of the Senate was also engaged in working against the adoption of that amendment. It now seems that the junior Senator from Virginia [Mr. SWANSON], certainly without my knowledge, for he never said anything to me about it, for the purpose of aiding the committee in the effort to beat this measure, took a poll of this side of the Senate, while somebody else, I presume equally opposed, polled the other side.

Mr. SWANSON. Mr. President, I hope the Senator will permit me to interrupt him.

Mr. THOMAS. I am simply stating what the Senator from North Carolina [Mr. SIMMONS] stated upon the floor.

Mr. SWANSON. I do not know what the statement of the Senator from North Carolina was. I did not hear it. My connection with the matter I will state to the Senator.

Mr. THOMAS. I certainly will yield the floor to the Senator for that purpose.

Mr. SWANSON. My connection with the matter was this: The Senator from North Carolina [Mr. SIMMONS] came to me and asked me to ascertain what the sentiments of the Democrats were regarding this amendment, and asked me to poll them, so as to guide him as far as possible in that conference, stating that he was having difficulty with it.

As to such Senators as were here who did not vote, or who had voted against the amendment, I made a memorandum in writing, which he has, without trying to control any Senator or suggesting any course of action to him. I told him frankly what the Senator wanted. The Senator from North Carolina has that memorandum, if he has kept it, in which that information was put down, so that any man interested in the matter could say whether he desired the Senate to recede or whether he was indifferent about it. The Senator from North Carolina was given that memorandum, with that information opposite each man's name, for his own guidance, and I understand that what he did not ascertain somebody else continued to ascertain for him.

Mr. PENROSE. Mr. President, will the Senator from Colorado permit an inquiry?

Mr. THOMAS. Certainly.

Mr. PENROSE. I should like to ask him whether he does not realize that the objections of the House conferees to his amendment were largely based on the fact that it was retroactive?

Mr. THOMAS. I am aware of that.

Mr. PENROSE. And the Senate conferees were unwilling to destroy or mar the symmetry of his amendment by permitting any alteration in it. The two Houses were deadlocked upon the question.

Mr. THOMAS. Oh, I have no doubt, Mr. President, that the high regard which the Senator from Pennsylvania had for the symmetry of my amendment was the moving cause of his opposition to it.

Mr. PENROSE. I did not say "the substance"; I said "the symmetry," Mr. President.

Mr. THOMAS. I said "the symmetry" also.

Mr. PENROSE. I know the Senator did.

Mr. THOMAS. Indeed, the Senator's love of symmetry is so notorious that it sometimes operates to prevent the exercise of his better judgment.

Mr. President, the House considered this amendment on the floor and by a large majority proposed an amendment striking out the retroactive nature of it and making it entirely prospective. As far as I was able to inform the committee—and I never went near them upon this subject; I was not invited, and did not deem it appropriate to go unless I was invited—I suggested to the two Democratic members of the committee, I believe the only two who attended the conference, the chairman and the Senator from Georgia [Mr. SMITH], that I would be more than content to see this amendment remain in the bill by striking out its retroactive feature. When the opportunity was given for that purpose after the House had acted, the devotion of the Senator from Pennsylvania to the symmetry of the amendment and the consequent impossibility upon his part of permitting it to be in any way mutilated seems to have found unanimous support from all the other members of the committee, with the result that, by joint Republican and Democratic action, this amendment, which I believe would go far to purify elections in America, has been slaughtered. It has disappeared from the bill; and those of us who want to see it enacted, who believe that it is a good amendment, can only obtain further action upon it by nonconcurring in this report, sending it back to the committee, and thus taking upon ourselves the responsibility of defeating the bill.

That, Mr. President, I do not want to do; but I want to take this occasion to let the country know how that amendment was defeated, and I believe that those in America who want to put a stop to the unlimited use of money in national elections will see to it, when this amendment comes up again—as it will come up in future Congresses—that both parties, instead of combining to defeat it, will be equally anxious to combine in making it a part of the laws of the United States.

Mr. KENYON. Mr. President, may I ask the Senator a question before he sits down?

Mr. THOMAS. Yes.

Mr. KENYON. I did not quite understand. Were the House conferees willing to agree to this amendment with the retroactive feature out?

Mr. THOMAS. The House conferees were opposed to the amendment as it stood. It was then taken to the floor of the House, and the statement was made by one of the members of the conference that it was a Senate bluff and introduced by a man having a grievance, or words to that effect. I think the Member from Missouri [Mr. RUCKER] proposed a substitute for or amendment to the Senate amendment which struck out the retroactive feature and made it prospective only. The House thus instructed their committee to report and stand for that sort of an amendment, but the Senate committee declined to concur. That is the history of it as I read it from the RECORD.

Mr. President, in connection with the other amendment to which I referred, placing an income tax upon the salary of the Chief Magistrate of the Nation and the members of the judiciary, I ask permission to place in the RECORD without reading a letter upon that subject bearing date the 16th day of February, 1863, written by the then Chief Justice of the United States, the Hon. Roger B. Taney, to the then Secretary of the Treasury, the Hon. Salmon P. Chase.

The PRESIDING OFFICER (Mr. JOHNSON of California in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

SUPREME COURT OF THE UNITED STATES,
Washington, D. C., October 3, 1918.

Hon. CHARLES S. THOMAS,
United States Senate, Washington, D. C.

MY DEAR SENATOR: As requested by you to-day, I inclose herewith a copy from the records of this court of the letter written by Chief Justice Taney to the Secretary of the Treasury in February, 1863.

Very truly, yours,

JAMES D. MAHER,
Clerk of the Supreme Court of the United States.

SUPREME COURT OF THE UNITED STATES,
Tuesday, March 10, 1863.

Order of court.

Ordered, upon the request of the Chief Justice, that the following letter from him to the Secretary of the Treasury be entered on the records of the court:

WASHINGTON, *February 16, 1863.*

Hon. S. P. CHASE,
Secretary of the Treasury.

SIR: I find that the act of Congress of the last session imposing a tax of 3 per cent on the salaries of all officers in the employment of the United States has been construed in your department to embrace judicial officers, and the amount of the tax has been deducted from the salaries of the judges.

The first section of the third article of the Constitution provides that "the judicial power of the United States shall be vested in one Supreme Court and such inferior courts as Congress may from time to time ordain and establish. The judges of both the Supreme and inferior courts shall hold their offices during good behavior, and shall at stated times receive for their services a compensation which shall not be diminished during their continuance in office."

The act in question, as you interpret it, diminishes the compensation of every judge 3 per cent, and if it can be diminished to that extent by the name of a tax, it may in the same way be reduced from time to time at the pleasure of the legislature.

The judiciary is one of the three great departments of the Government created and established by the Constitution. Its duties and powers are specifically set forth and are of a character that requires it to be perfectly independent of the two other departments, and in order to place it beyond the reach and above even the suspicion of any such influence the power to reduce their compensation is expressly withheld from Congress and excepted from their powers of legislation.

Language could not be more plain than that used in the Constitution. It is, moreover, one of its most important and essential provisions. For the articles which limit the powers of the legislative and executive branches of the Government and those which provide safeguards for the protection of the citizen in his person and property would be of little value without a judiciary to uphold and maintain them which was free from every influence, direct or indirect, that might by possibility in times of political excitement warp their judgments.

Upon these grounds I regard an act of Congress retaining in the Treasury a portion of the compensation of the judges as unconstitutional and void; and I should not have troubled you with this letter if there was any mode by which the question could be decided in a judicial proceeding. But all of the judges of the courts of the United States have an interest in the question, and could not, therefore, with propriety undertake to hear and decide it.

I am, however, not willing to leave it to be inferred from my silence that I admit the right of the legislature to diminish in this or any other mode the compensation of the judges when once fixed by law, and my silence would naturally—perhaps necessarily—be looked upon as acquiescence on my part in the power claimed and exercised under this act of Congress, and would be regarded as a precedent, establishing the principle that the legislature may at its pleasure regulate the salaries of the judges of the courts of the United States and may reduce their compensation whenever Congress may think proper.

Having been honored with the highest judicial station under the Constitution, I feel it to be more especially my duty to uphold and maintain the constitutional rights of that department of the Government, and not by any act or word of mine leave it to be supposed that I acquiesce in a measure that displaces it from the independent position assigned to it by the statesmen who framed the Constitution; and in order to guard against any such inference I present to you this respectful but firm and decided remonstrance against the authority you have exercised under this act of Congress, and request you to place this protest upon the public files of your office as the evidence that I have done everything in my power to preserve and maintain the judicial department in the position and rank in the Government which the Constitution has assigned to it.

I am, sir, very respectfully, yours,

R. B. TANEY.

Mr. SAULSBURY. Mr. President, before the Senator takes his seat I should like to ask him if he does not think that the amendment proposed by him, to which he has referred, regarding the tax on campaign contributions, could have been supported in the Senate, from his knowledge of the feeling of the majority who would probably vote on it?

Mr. THOMAS. Why, Mr. President, I had no doubt of it. I do not believe that a single man who voted for it was liable to change. I will read their names:

Senators ASHURST, BECKHAM, BORAH, CHAMBERLAIN, CUMMINS, GRONNA, HENDERSON, HITCHCOCK, JOHNSON of California, JOHNSON of South Dakota, JONES of New Mexico, KENDRICK, KENYON, KIRBY, LA FOLLETTE, LENROOT, LEWIS, MCKELLAR, MCNARY, MYERS, NELSON, NORRIS, NUGENT, OVERMAN, PHELAN, POLLOCK, POMERENE, SAULSBURY, SHAFROTH, SHEPPARD, THOMAS, TRAMMELL, VARDAMAN, and WILLIAMS.

There were 34 not voting. How they would have voted upon the amendment of course I do not know. It may be that if any considerable number of them had been in attendance, or should be in attendance should the matter again come up for consideration, they would vote against it. I do not know.

Mr. POMERENE. How many were there against it?

Mr. THOMAS. There were 28 against it. The vote stood 34 to 28, with 34 not voting.

Mr. POMERENE. What was the date of the vote?

Mr. THOMAS. The 23d of December.

Mr. SAULSBURY. I only inquired because I was a good deal impressed by the plan which the Senator had, so far as I know, originated, to put a stop to enormous campaign contributions, which we know have become not uncommon in this country; and I do not think any person who supported that amendment had any particular desire to have it retroactive, unless it might be that men who had made those contributions might contribute toward a fund which might be used by the Department of Justice in finding out what the result of those contributions was at the last election.

Personally I should have been very glad to have that amendment go through as it was originally; but, looking to the future, I think it would have been very much better to have it go through with the retroactive clause struck out.

I sincerely hope that the Senator from Colorado, who will have an opportunity, will insist on every occasion—possibly even to the extent of going as far as the advocates of some of these sacred measures which have been pinned on every bill which came into the Senate from time to time until they have finally gone through, although they have made many bills look like a clothesline on Monday morning—I sincerely hope that he will insist upon putting this amendment on until it attracts the attention of the country sufficiently to be adopted and to be insisted upon.

Mr. THOMAS. Of course, the Senator knows that an amendment of this kind must appear, if at all, upon a revenue bill originating in the House. This retroactive feature, I should perhaps say, is due to the fact that it was introduced before the committee last September. This bill levies taxes for the year 1918, and it was not retroactive at the time it was introduced except in so far as that part of the year which had passed was concerned, and it was not amended here because I wanted to introduce it precisely as it was introduced there. That accounts for the fact that when it was ultimately adopted in the Senate, the elections were over and it would have had a retroactive effect. I was quite willing to have it so. I was not insistent upon its being so. I will endeavor to the best of my ability if opportunity hereafter offers, as I think it will, if I live, to incorporate it in the first revenue measure that comes before the Senate for consideration.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. SMOOT. I ask the Senator from North Corolina if he will consent to take a recess.

Mr. SIMMONS. I would like very much to go on longer and then take a recess until 11 o'clock to-morrow.

Mr. PENROSE. I do not think anyone wants to go on at this late hour. Neither do I think it is fair to ask anyone to go on now when no one is here. I was going to suggest that the Senate adjourn or take a recess.

Mr. SIMMONS. As the Senator knows, I have not been in the Chamber very much of late, but I was under the impression that the Senate has been sitting until about half past 5.

Mr. PENROSE. Until 5 or a little after.

Mr. SIMMONS. Would the Senator from Utah have any objection to proceeding now?

Mr. SMOOT. I do not want to begin at five minutes past 5. I know most Senators are away, and, in fact, I never want to talk to the Senate unless I have something to say.

Mr. PENROSE. There is not a quorum here.

Mr. SIMMONS. Then I move that the Senate proceed to the consideration of executive business.

Mr. THOMAS. Before that motion is made, will the Senator move that when we recess we shall recess until 11 o'clock?

Mr. SIMMONS. Very well. I move that when the Senate takes a recess it shall recess until 11 o'clock to-morrow morning.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. SIMMONS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

RECESS.

Mr. SIMMONS. I move that the Senate take a recess until 11 o'clock to-morrow morning.

The motion was agreed to; and (at 5 o'clock and 10 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, February 12, 1919, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

TUESDAY, *February 11, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, we pray that amid the conflicting reports which come to us from the peace council over the sea that we may possess our souls in patience, praying for light to guide the men who are confronted with gigantic problems, that they may be able to adjust all differences, and form a peace league which shall insure unity, right, and justice for all mankind. In the name of the world's Great Exemplar. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3992. An act to investigate the claims of and to enroll certain persons, if entitled, with the Omaha Tribe of Indians; and

S. 5516. An act to amend an act approved March 4, 1913, entitled "An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes."

The message also announced that the Senate had passed with amendments the bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending

June 30, 1919, and prior fiscal years, and for other purposes, had requested a conference with the House of Representatives on the bill and amendments, and had appointed Mr. MARTIN of Virginia, Mr. UNDERWOOD, and Mr. WARREN as the conferees on the part of the Senate.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 5516. An act to amend an act approved March 4, 1913, entitled "An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes"; to the Committee on Public Buildings and Grounds.

DEFICIENCIES.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the second deficiency bill, disagree to the Senate amendments, and agree to the conference asked for by the Senate.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

H. R. 15140. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes.

The SPEAKER. The gentleman from Kentucky [Mr. SHERLEY] asks to take from the Speaker's table the bill just reported, disagree to the Senate amendments, and agree to the conference asked by the Senate. Is there objection? [After a pause.] The Chair hears none.

The SPEAKER announced the following conferees: Mr. SHERLEY, Mr. EAGAN, and Mr. CANNON.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 3992) entitled "An act to investigate the claims of and to enroll certain persons, if entitled, with the Omaha Tribe of Indians."

The message also announced that the Senate had passed the following concurrent resolution, in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 30.

Resolved by the Senate (the House of Representatives concurring), That Hon. KEY PITTMAN, as one of the Senate managers, is hereby authorized to affix the name of JAMES D. PHELAN as one of the Senate managers to the conference report on bill (S. 2812) entitled "An act to encourage and promote the mining of coal, phosphate, gas, and sodium on the public domain" under oral authority and by telegram requesting such action.

REFUSAL OF LICENSES BY WAR TRADE BOARD.

Mr. FULLER of Illinois. Mr. Speaker, I move to discharge the Committee on Interstate and Foreign Commerce from further consideration of House resolution 531, and consider the same in the House now.

The SPEAKER. Does the gentleman claim privilege?

Mr. FULLER of Illinois. It is a privileged resolution.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 531.

Resolved, That the President, if not incompatible with the public interest, be requested to communicate to the House what, if any, reasons exist for the War Trade Board to refuse license to American manufacturers to export manufactured goods to citizens of neutral countries with which we are not and have not been at war; and what, if any, reasons exist for the refusal of the said War Trade Board to permit American manufacturers to communicate with their customers in such countries in regard to future business.

Mr. GARNER. Mr. Speaker, I make the point of order it is not privileged.

The SPEAKER. Why?

Mr. GARNER. It asks for reasons. It does not ask for facts. You can not make a resolution that asks for reasons privileged under the rule.

Mr. FULLER of Illinois. It calls for facts.

Mr. GARNER. It calls for reasons, if I understood the reading of it.

Mr. FULLER of Illinois. Well, they would be facts.

The SPEAKER. It reads:

Resolved, That the President, if not incompatible with the public interest, be requested to communicate to the House what, if any, reasons exist for the War Trade Board to refuse license to American manufacturers to export manufactured goods to citizens of neutral countries with which we are not and have not been at war; and what, if any, reasons exist for the refusal of the said War Trade Board to permit American manufacturers to communicate with their customers in such countries in regard to future business.

Mr. FULLER of Illinois. Mr. Speaker, if it makes any difference, I move to strike out the word "reasons" and ask them to report what facts, if any, exist.

Mr. FOSTER. Mr. Speaker, I object to that.

The SPEAKER. What is it the gentleman from Illinois wishes?

Mr. FOSTER. I make a point of order that it can not be done under that resolution. It has to be introduced and go to the committee.

Mr. GARNER. Mr. Speaker, the resolution is not in order. All the Speaker has to do is to refer to the precedents. There are scores of them to the effect that you can ask for facts but can not ask for reasons.

Mr. FULLER of Illinois. Mr. Speaker, if I may be heard on the point of order——

The SPEAKER. Well, briefly.

Mr. FULLER of Illinois. I think it makes no difference whether it says "reasons" or "facts." It is facts that it calls for. What I desire to know and what the House ought to know is whether or not we have an autocratic board here in the city that prevents American manufacturers from doing business. I have in mind two or three particular cases from my district where they have not only refused to permit the export of sewing machines to Spain and to Mexico, but where they have absolutely refused to permit any communication with men in those countries in regard to that business.

Mr. GARRETT of Tennessee. Mr. Speaker, I make the point of order that the gentleman is not addressing himself to the point of order.

The SPEAKER. The Chair thinks the point of order is well taken.

Mr. FOSTER. The point of order made by the gentleman from Tennessee is certainly well taken.

The SPEAKER. The Chair was just cogitating on that proposition as to whether reasons and facts are practically the same.

Mr. GARRETT of Tennessee. Mr. Speaker, a resolution of inquiry which asks for facts is clearly in order, but a resolution which calls upon the President or any department to give reasons for an action has always been held not to be in order. There can not be any possible doubt about that.

Mr. GARNER. Let me give an illustration to the Chair. The fact is that I go to the Office Building, but the reason I go over there is a different proposition entirely. I go to the Office Building, but can not give any reason why I do. I think the difference is too apparent to ask whether reasons are facts. The rule, as I understand it, that makes a thing privileged is relative to calling for facts as to what the President did. The reason for these things is a different matter entirely.

Mr. FULLER of Illinois. The reasons must depend upon the facts.

The SPEAKER. The Chair knows; but you can ask for the facts.

Mr. FULLER of Illinois. The resolution does that.

The SPEAKER. The Chair thinks the point of order is well taken. The gentleman could remodel his resolution very easily.

Mr. FULLER of Illinois. Then, Mr. Speaker, may I offer to amend the resolution and state the facts instead of the reasons?

Mr. GARRETT of Tennessee. The point of order has been sustained. The gentleman will have to introduce another resolution and refer it to the committee.

LEAVE TO ADDRESS THE HOUSE.

Mr. MANN. Mr. Speaker, I ask unanimous consent that, to-morrow, after the reading of Lincoln's Gettysburg Address, my colleague Mr. FULLER be permitted to address the House on the subject of Lincoln for 15 minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent that to-morrow, after the reading of Lincoln's Gettysburg Address, his colleague Mr. FULLER be permitted to address the House on the subject of Lincoln for not exceeding 15 minutes. The Chair himself has been intending for the last 10 years to make an address on Lincoln and hopes to do it some time.

Mr. MANN. Why not do it?

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

CALENDAR WEDNESDAY—HOUR OF MEETING TO-MORROW.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that the business in order to-morrow, Calendar Wednesday, be dispensed with, and that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that Calendar Wednesday business in order

to-morrow be dispensed with, and that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?

There was no objection.

REPRINT OF HEARINGS.

Mr. CAMPBELL of Pennsylvania. Mr. Speaker, I ask unanimous consent that a reprint be ordered of the hearing on the bill H. R. 13392, held on January 13, and that a print be made of the subsequent hearing on February 6 on H. J. Res. 382, on the Coast Guard Service.

The SPEAKER. The gentleman from Pennsylvania asks that a reprint be made of hearings on January 13 and February 6 on the bill H. R. 13392 and H. J. Res. 382. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, the gentleman asks unanimous consent for a reprint of a hearing. If it has not yet been printed it would be printed as a House document?

Mr. CAMPBELL of Pennsylvania. Yes; and a subsequent hearing was held, and it is desired that they both be printed together.

Mr. MANN. That is not a House document.

Mr. CAMPBELL of Pennsylvania. Yes; it is a hearing.

Mr. MANN. It is a committee print.

Mr. CAMPBELL of Pennsylvania. I was informed that unanimous consent had to be obtained to get a reprint with a subsequent hearing.

Mr. GARNER. What is the hearing on?

Mr. CAMPBELL of Pennsylvania. On the bill H. R. 13392, concerning the transfer of the Coast Guard to the Navy, and House joint resolution 382.

Mr. GARNER. Is the object in getting this reprint to send out copies to members of the Coast Guard? What is the object you have in view? Enough copies no doubt are printed to supply Members of the House. I can not understand why you want a reprint, unless it is to send out the reprints promiscuously.

Mr. CAMPBELL of Pennsylvania. Another hearing was had, and a print of it is desired.

Mr. GARNER. The committee has authority to print it.

Mr. CAMPBELL of Pennsylvania. I understand they have.

Mr. GARNER. Then go ahead and print it. You do not have to get unanimous consent here.

Mr. CAMPBELL of Pennsylvania. I was informed you did have to.

Mr. GARNER. You are mistaken. If they could have the first hearing printed they could have the second.

Mr. CAMPBELL of Pennsylvania. They wanted a reprint of the first, so as to have both hearings printed together.

Mr. MANN. If it is reprinted by order of the House it would be a House document, and that is not usual.

Mr. CAMPBELL of Pennsylvania. There was a demand for the reprint of the first hearing, together with a print of the second hearing, for the information of those interested in the legislation.

The SPEAKER. Is there objection?

Mr. MANN. I object. I think the committee has authority to print.

INCREASE OF THE NAVY.

Mr. POU. Mr. Speaker, by direction of the Committee on Rules, I present a privileged report.

Mr. STAFFORD. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. FESS. Mr. Speaker, I ask unanimous consent to print in the RECORD an address I made at Pittsburgh on the spread of bolshevism.

The SPEAKER. The gentleman will have to get his friend to withdraw his demand for a quorum. Nothing can be done in the absence of a quorum.

Mr. STAFFORD. I will withhold making the point.

The SPEAKER. What is the gentleman's request?

Mr. FESS. To print in the RECORD an address of mine at Pittsburgh on the spread of bolshevism.

The SPEAKER. The gentleman from Ohio asks unanimous consent to print in the RECORD an address delivered by him on the spread of bolshevism. Is there objection?

Mr. GARD. Reserving the right to object, where was the address made?

Mr. FESS. Before the chamber of commerce at Pittsburgh.

The SPEAKER. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

Mr. LANGLEY, by unanimous consent, was granted leave of absence for one week on account of sickness in the family.

THE RAILROADS.

Mr. FAIRFIELD. Mr. Speaker——

Mr. STAFFORD. Mr. Speaker, I withdraw the point of order that there is no quorum present.

The SPEAKER. For what purpose does the gentleman from Indiana rise?

Mr. FAIRFIELD. I desire to present a petition from constituents of mine, asking that the Government take over the railroads. They ask that it be put in the RECORD.

Mr. FOSTER. They can not do that, Mr. Speaker. I object.

The SPEAKER. The gentleman from Illinois objects.

INCREASE OF THE NAVY.

Mr. POU. Mr. Speaker, I submit a privileged resolution from the Committee on Rules.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 566.

Resolved, That after the adoption of this rule it shall be in order in the consideration of H. R. 15539, a bill making appropriations for the naval service for the fiscal year ending June 30, 1920, and for other purposes to consider new legislation in said bill, notwithstanding the general rules of the House, as follows:

"For the purpose of further increasing the Naval Establishment of the United States, the President of the United States is hereby authorized to undertake prior to July 1, 1922, the construction of the vessels enumerated below:

"Ten first-class battleships, carrying as heavy armor and as powerful armament as any vessels of their class, to have the highest practicable speed and greatest desirable radius of action; two of these at a cost, exclusive of armor and armament, not to exceed $21,000,000 each, to be begun as soon as practicable, subject to the limitations herein.

"Ten scout cruisers, carrying suitable protection and armament suited to their size and type, to have the highest practicable speed and greatest desirable radius of action; two to cost, exclusive of armor and armament, not to exceed $8,000,000 each, to be begun as soon as practicable, subject to the limitations herein.

"And for the purpose of further increasing the Naval Establishment of the United States in accordance with the latest improvements in the construction of ships, and in the armor and armament therefor, the Secretary of the Navy is hereby directed to submit to Congress on the first Monday in December next, general description of such additional vessels as may be needed to complete and round out the Navy of the United States. Types and numbers shall be recommended after full consideration and analysis of recent war experience, and particular attention shall be given to aeroplane carriers and any other new types developed during the war or shown to be necessary by the aforesaid war experience.

If at any time before the construction authorized by this act shall have been contracted for, there shall have been established with the cooperation of the United States of America any tribunal or tribunals competent to secure peaceful determination of international disputes, and which shall render unnecessary the maintenance of competitive armaments then, and in that case, such naval expenditure as may be inconsistent with the engagements made by the establishments of said tribunal or tribunals, may be suspended when so ordered by the President of the United States, and no contracts for the construction of vessels herein authorized shall be entered into prior to February 1, 1920.

Mr. STAFFORD. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Wisconsin makes the point of order that there is no quorum present. Evidently there is not.

Mr. POU. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from North Carolina moves a call of the House.

A call of the House was ordered.

The Clerk called the roll, when the following Members failed to answer to their names:

Anthony	Francis	Mondell	Siegel
Birch	Gould	Moon	Smith, C. B.
Bland, Ind.	Graham, Ill.	Moores, Ind.	Smith, T. F.
Booher	Gray, N. J.	Nichols, Mich.	Snyder
Borland	Hamill	Nolan	Steenerson
Britten	Hamilton, N. Y.	Norton	Stephens, Miss.
Brumbaugh	Harrison, Miss.	O'Shaunessy	Sterling
Carew	Haskell	Park	Stevenson
Chandler, N. Y.	Heaton	Platt	Strong
Church	Heintz	Porter	Sullivan
Cooper, Ohio	Helm	Pratt	Swift
Costello	Helvering	Price	Taylor, Ark.
Cox	Husted	Rainey, H. T.	Templeton
Davey	Ireland	Rayburn	Tilson
Delaney	Johnson, Ky.	Reavis	Tinkham
Dill	Johnson, S. Dak.	Roberts	Treadway
Dooling	Kahn	Rodenberg	Venable
Drukker	Key, Ohio	Rouse	Waldow
Eagan	Kreider	Rowe	Walker
Eagle	Linthicum	Russell	Walsh
Estopinal	Lundeen	Sabath	Watson, Pa.
Fairchild, G. W.	McKinley	Sanford	White, Ohio
Fisher	McLaughlin, Pa.	Scully	Wood, Ind.
Flood	Madden	Sears	Woods, Iowa
Flynn	Miller, Minn.	Sherley	

The SPEAKER. On this roll call 339 Members have answered to their names, a quorum.

Mr. POU. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will unlock the doors.

LEAVE OF ABSENCE.

Mr. MILLER of Washington, by unanimous consent, was granted leave of absence, on February 12, on account of delivering a Lincoln Day address.

EXTENSION OF REMARKS.

Mr. ROGERS. Mr. Speaker, I ask unanimous consent to extend my remarks by printing an article by my colleague [Mr. CARTER of Massachusetts] embodying the results of his observations on his recent trip to Europe.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to insert in the RECORD an article written by his colleague [Mr. CARTER of Massachusetts] on his trip to Europe. Is there objection?

There was no objection.

INCREASE OF THE NAVY.

Mr. POU. Mr. Speaker, I ask unanimous consent that the debate on the resolution reported from the Committee on Rules be two hours, one hour to be controlled by myself, and one hour by the gentleman from Kansas [Mr. CAMPBELL], at the end of which time the previous question shall be considered as ordered.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that debate on this rule be limited to two hours, one hour to be controlled by himself and one by the gentleman from Kansas [Mr. CAMPBELL], and that at the end of that time the previous question shall be considered as ordered. Is there objection?

Mr. CAMPBELL of Kansas. Mr. Speaker, reserving the right to object—and I shall not object—I have had requests from both sides of the House for much more than an hour's time. Members say they want to discuss this rule and the matters that it involves and to have the matter disposed of on the question of adopting the rule making the proposition in order. Could the gentleman extend the time? I know the tentative agreement was for an hour on a side.

Mr. POU. I would prefer not to extend the time. The gentleman knows that under the five-minute rule there will be opportunity for debate. I think the chairman of the Committee on Naval Affairs [Mr. PADGETT], so far as he could be, has been very generous already.

Mr. CAMPBELL of Kansas. But there is an impression in some parts of the House and a hope in other parts of the House that there will be no five-minute debate upon this matter; that its consideration will be denied by the defeat of the rule.

Mr. POU. If the rule is to be defeated, it seems to me that an hour on a side ought to be sufficient.

Mr. BURNETT. Has any time been agreed upon for general debate in the Committee of the Whole?

Mr. POU. There will be no general debate. The rule simply makes in order that part of the bill which on yesterday was held not to be in order.

Mr. BURNETT. I understood from the chairman of the Committee on Naval Affairs that perhaps there would be time devoted to a general discussion of the proposition.

Mr. POU. I think, perhaps, if the rule is adopted the chairman of the Committee on Naval Affairs will be generous in any agreement as to time.

Mr. BURNETT. I wanted to know whether there would be an opportunity for general debate.

Mr. POU. Mr. Speaker, I ask unanimous consent that the debate on the rule be limited to two hours, one hour to be controlled by myself and one hour by the gentleman from Kansas [Mr. CAMPBELL], and that at the end of that time the previous question be considered as ordered.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the debate on this rule be limited to two hours, one hour to be controlled by himself and one hour by the gentleman from Kansas, and that at the end of that time the previous question shall be considered as ordered. Is there objection?

There was no objection.

The SPEAKER. The gentleman from North Carolina [Mr. POU] is recognized for one hour.

Mr. POU. This resolution makes in order that part of the naval bill which was ruled out on a point of order on yesterday. Of course, those who were present yesterday are familiar with what took place. What is known as the greater Navy program was ruled out on a point of order. The Committee on Rules felt that the House should be given an opportunity to vote upon legislation of such vast importance. The rule simply makes this legislation in order. The question of the naval program is in a way raised by the rule itself.

Now, Mr. Speaker, this situation is presented: This war was brought to an end sooner than most men expected by the acceptance of the formula laid down by the President of the United States. His program, consisting of 14 proposals or conditions, was agreed to by Great Britain, France, Germany, Italy, and some of the smaller States. No criticism can rob the President of that triumph. No good man would wish to rob him of the credit. I well remember the comments on that message wherein his 14 points were announced to the world. The almost universal comment in this Chamber was that the President was demanding too much; that Germany would never agree to the things he demanded. But a thing almost without parallel happened. The great nations of the earth accepted that program of the President, and adopted it without change, as the basis for a peace which it is hoped will be built up for all time to come. The President prior to the trip to Europe had asked for the enactment of the program contained in this bill.

After he arrived in Europe and engaged in negotiations there, which all the world hopes will result in a permanent peace, he reaffirmed the request that he made in his message, which was, in effect, that the United States ought to maintain an unconquerable Navy. Now, my own judgment—if it is worth anything, and certainly I know that it is not worth much—is that there are just two kinds of navy that this Nation ought to maintain; either an unconquerable navy—and I have always supported that since I came into this Chamber in the Fifty-seventh Congress—or if not an unconquerable navy, then a navy just large enough to do the police duty necessary to take care of our coast lines. What sense is there in having a navy just big enough to be defeated?

An admiral in the Navy, known and respected throughout the world, now dead, told me once that one battleship having guns with a range of 12 miles was more than the equal of five battleships having a range of 10 miles. For one I hope and pray that the day will come when a big navy is not necessary to our safety as a nation, but so long as men kill each other in war I want my country to have a navy big enough to win. That I believe to be practical common sense. God in heaven knows I hate war. Oh, Mr. Speaker, I have reason to hate war, but I believe a great navy is the best and most economical insurance against war.

Has it come to the point where this great Nation of ours, rich and powerful, to-day the premier nation of the world, must depend upon the navy of any other country for protection or support? I was astonished, I felt humiliated as an American citizen, when I heard the suggestion actually made on this floor that gentlemen would vote for this program if they were assured that the navy of Great Britain was not big enough to do the job. My God! Where is the Americanism in such a suggestion as that. For one I am proud to stand here and support this program. I want a navy big enough to conquer any other single navy in the world if the time ever comes when we must fight.

Mr. LONGWORTH. Will the gentleman yield?

Mr. POU. I will.

Mr. LONGWORTH. If the program the gentleman advocates is wise, and I, like him, have always been a big Navy man, why not begin now instead of waiting until February 1, 1920?

Mr. POU. It would please me better to begin it now. Now, Mr. Speaker, in conclusion, every man who loves peace should hold up the hands of the man now in Europe who is trying to build up a perpetual world peace. The only place in the world that I know of where President Wilson is constantly criticized is in America, mostly here in this Chamber. He is putting forth his best endeavors that the aspirations of mankind for everlasting peace shall not fail. Reaffirming the request made in his message, he has told us that this legislation will be helpful to him in the great task that he has undertaken. Gentlemen who criticize this man for this trip do themselves great injustice. History is going to give the President a place, a place of which every American may justly be proud.

What is the result of this war? Seven million men killed, 14,000,000 men wounded. The debt of France equals half of her total wealth; that of England equals 37 per cent of her total wealth; and ours will probably be $50,000,000,000. My God, we do not want a repetition of such a tragedy as this ever again! [Applause.] It has struck at the hearts of thousands of homes in America. The tragedy of it all is greater than words can express. Instead of criticizing the President, instead of making his task harder, it seems to me the hour has come when every man should rise above party and stand by him and support him in his great effort to satisfy the aspirations of all civilized mankind for an everlasting peace on earth. [Applause.]

No man ever went forth on a nobler mission. No man ever accomplished so much in so short a time. Having written the conditions upon which peace is based, he is criticized because he goes to take part in the council of the very powers which accepted his program. Those who criticize him for going to Europe would almost certainly have criticized him if he had remained in America.

Mr. CAMPBELL of Kansas. Mr. Speaker, on the 11th of November last the terms of an armistice were accepted by Germany that thrilled the hearts of the entire part of the world that was in opposition to the German Empire in the most colossal war ever waged in the history of civilization; everybody accepted the terms of the armistice with satisfaction and with joy. Since that day the attention of the world has been taken from the war that was waged, the steps leading up to it, and the inhumanities with which Germany carried it on. The terms of the armistice have been in a large measure forgotten, and on yesterday when the time arrived for renewing the armistice, which came as the result of the heroism of our boys with those of the allies, had been so far forgotten that Germany showed a front, and to-day is uncertain as to whether or not she will accept the terms laid down for the continuation of the armistice or the terms of peace when they are finally agreed upon. The war, with its issues, with its victories, has been for the moment forgotten as the result of a campaign to prevent wars in the distant future.

This war should have been terminated with a crisp, decisive peace treaty, agreed to as soon as possible after the peace commissioners assembled. [Applause.] There should have been no time lost in terminating this war and demobilizing our armies. Then the question of avoiding wars in the proximate or the remote future could well have been taken up.

I agree with the gentleman from North Carolina that the aspirations of the world should be gratified and that every precaution should be taken, and covenants or agreements entered into by our country with the nations of the world to secure immunity in the future against another such catastrophe as the one through which the world has just gone. But I must be excused from accepting his method of securing covenants against future wars.

Mr. Speaker, a covenant entered into for the future peace of the world should be entered into openly and voluntarily by all who are parties to the covenant. No nation should sign such a covenant for the future peace of the world under duress or by the threat of force from any other nation.

Let us take the question before us this morning and strip it to the marrow: It is proposed that the nations shall covenant together for the peace of the world in the future. The President has been the leading exponent of that lofty ambition, and I wish him Godspeed, and sincerely hope that when the conference is over we shall have an arrangement that will adjust international differences without resorting to the arbitrament of arms. But any arrangement or league entered into at the point of the bayonet for the future peace will not last. The nation that is forced to enter into such a covenant will break it when it ceases to fear the bayonet.

Mr. Speaker, the President on the very day of his appeal to the Congress of the United States for an unheard-of naval program in the United States thrilled the Chamber of Deputies in Paris by advocating a disarmament of the world to save the world from future wars and to save the people of the world from the burden of taxation caused by armaments and preparations for war. This question to-day brings up before the House the proposition as to whether or not we shall say to the President, "While you are urging France and England and Italy and Spain and Japan and all the rest of the world to disarm we will grant your request, Mr. President, for the greatest naval program ever undertaken by any nation in the history of mankind." Is it honest? I refuse to believe that the President really wants that kind of an authorization handed to him while he is urging the rest of the world to disarm. I believe that he is honestly endeavoring to provide for the peace of the world—not by force of arms, not by battleships, but by mutual covenants entered into by the nations of the earth.

If this thing is done, which we are asked to do now, it is a challenge to England, a challenge to France, a challenge to Japan, a challenge to Italy, a challenge to every nation in the world to increase their armament, to increase the number of their battleships, and to prepare for war, because the greatest, the richest, the most powerful nation in the world, the nation which has the most unlimited resources, is to-day, while urging all of the other nations of the world to disarm and to enter into covenants of peace, preparing to control the seas and for arbitrament by arms with the greatest navy the world has ever seen. Are we aiding the President in establishing a league for the preservation of world peace or are we obstructing his purpose in giving this sort of authorization in this bill to-day?

But it is said that the President wants this done. I do not know whether he does or not. It is said that a cryptic telegram was received from him in which he said he did want it and that anything short of this colossal naval program would be fatal to his plans. Even if he did say to the Committee on Naval Affairs that he wants the greatest naval program ever undertaken in the world, he may have erred in judgment as to the best plan to pursue to enable him to arrive at a conclusion that would result in a league of nations. The President has not always been infallible in his judgments with respect to some of these things. Like the rest of mankind, he is sometimes liable to err; and if he asked for this—and the House does not yet know that he did, in terms—I believe that it was a mistake upon his part.

Already there is in the press of Europe severe criticism of the Secretary of the Navy of the United States for urging a great Navy while the President is in Paris urging the rest of the world to disarm. We are not calming the troubled waters by thrusting into them the greatest naval program that has ever been embarked upon by any nation during the very hours that the peace conference is finishing the constitution for a league of nations—on the last day, perhaps, for the consideration of the constitution of such a league. The question is up to us, Shall Congress at this time thrust upon the peace table, into the face of the world, a belligerent program such as the world has never before seen?

It was the duty of the Committee on Naval Affairs of this House to have reported to Congress a bill carrying an appropriation for the present Navy, supporting it for the ensuing fiscal year and then, if anything should arise, if anything is wanted after the peace has been agreed upon in Paris, if a league of nations should fail, I would support a naval program that would insure safety to our merchant fleet in the waters of all the seven seas. But that time has not yet arrived. The peace conference has not concluded its work. It has not yet finished its discussions. It has not yet even discussed the terms of peace. Germany has not yet been handed the terms of peace and told to "sign here." The only question now under consideration is a league of nations, enabling the nations of the earth to disarm, and we are asked to thrust into the face of that program a naval program that would cost a billion and a half of dollars and at the same time obstruct, rather than aid, the President in his efforts to provide for the peace of the world. This rule should not be agreed to.

I reserve the remainder of my time.

Mr. POU. Mr. Speaker, I yield 15 minutes to the gentleman from Michigan [Mr. KELLEY].

Mr. KELLEY of Michigan. Mr. Speaker, the actual hostilities connected with the great war are over, and the German Army is back of the Rhine. The actual rulers, the real heads, of the four great allied nations are in a peace conference to-day. England is represented by Lloyd George, France by Clemenceau, Italy by Orlando, and America by Mr. Wilson. In the hands of these four men to an unusual degree rests the future peace of the world. Whether we would have wished the personnel of those sitting about the peace table to be different is of no consequence. Whatever part America has in straightening out the world's tangle, it must be done very largely through the personality of the President and those who are associated with him, of his own choice. What are these men trying to do over there? These four men, representing the four great free nations of the earth, are over there trying to work out some plan by which the world shall not again be visited with the scourage of war such as we have just passed through. They are trying to work out a reduction of armament, so that there may be lifted from the backs of the world the terrible burdens incident to maintaining tremendous armies and tremendous navies. My colleague [Mr. CURRIE] and I on the 29th day of last May were in the village of Chateau-Thierry, in France. We saw on that day thousands upon thousands of French, British, and American troops being rushed to the front to stop the German advance, only 3 or 4 miles away at that time, and while these thousands of boys from all these great nations were being rushed into the gap, on the other track thousands more were coming back from the field of battle in ambulance trains, with broken legs and broken arms and broken bodies, and as we walked the streets of that French village and watched that terrible scene, at the time when the German advance was at its high-water mark, we said, "It does seem as though when this thing is once over the statesmanship of the world ought to be able to get together and see to it that nothing like this shall ever occur again." [Applause.] Every man here, every man in America, I care not who he may

be, in his thoughtful moments desires that these commissioners succeed in bringing about a reduction of armament. They want them to succeed in making some arrangement by which the probability of war will at least be reduced for the future. No man on this side of the House or on the other side of the House has anything in his heart, of course, but the highest wish for the success of our commissioners in bringing about these two world-desired situations—the reduction of armament and some sort of an arrangement or agreement by which the peace of the world, if possible, may be maintained in the days that are to come.

When the President and his associates come back here with definite propositions, then it will be time for us, of course, to examine into them carefully and determine whether or not, in our judgment, they are such propositions as we want to commit the American people to, but in the meantime we should put our faith and our trust in those who under the Constitution are the only ones clothed with authority to work out anything in our name either for ourselves or for the balance of the world. [Applause.] I know that we sometimes have some little feeling here on our side against the President, and on the other side, too. I know he sent word into some districts represented by Democrats to nominate this man and to defeat that man. I know that he sent out a letter——

Mr. BUTLER. To defeat all of us.

Mr. KELLEY of Michigan. I know he sent out a letter in which he said that the Republicans had, during the war, done what they could to take the management of the war out of his hands and put it into instrumentalities of our own choosing, but the fact, of course, remains known to us and to all men that no Executive ever sat in the White House who has had behind him more completely the support of the country and all parties than the present Chief Executive of the United States. [Applause.] But that does not matter. We can even overlook the fact that he sent out the letter, because in all human probability our majority was somewhat increased thereby. [Applause on the Republican side.] But in any event it does not matter so much, does it, which of us may sit here for a brief hour after all? If the President, gathering to himself all the power—and he has been given more power than any other of his predecessors—gathering to himself all the prestige of this great Republic, if he as our official representative abroad can accomplish these two great purposes, what difference does it make what our personal feeling toward the President may be?

Mr. BUTLER. Will my friend permit me to ask him a question? First permit me to say just one sentence, that this is the only time we have had any difference of opinion——

Mr. KELLEY of Michigan. Yes; we have agreed.

Mr. BUTLER. Does the gentleman here advocate this because he wishes this Navy increased, or does he do it for the purpose of bringing about a reduction of armament?

Mr. KELLEY of Michigan. I am about to reach that in just a moment.

Mr. BUTLER. Take all the time the gentleman wishes.

Mr. KELLEY of Michigan. I am going to discuss that proposition in just a moment. That is the next thing on which I am going to touch.

Mr. BUTLER. Take your own time, it will be done well in any event.

Mr. KELLEY of Michigan. There is one other consideration, and I want every man in this House to think of it right now in connection with this great purpose and desire to effect a reduction in armament and to create some tribunal which may hold out some hope for peace in the future, and that is this: Our commissioners abroad may not succeed. They may fail, and, as for myself, I do not want the President of the United States to come back and say that he was on the point of getting a reduction of armament, that he was on the point of bringing into being a tribunal which would adjust the demands of the world and prevent war, but that at the critical moment the Congress of the United States withdrew its support, and because of that action he failed. [Applause.] I do not want the President to be able to say that upon his return to the United States. I do not ask the President to take any responsibility for the constitutional duties devolving upon me as a Member of the House; and if as President of the United States he is charged under the Constitution with the initiating of treaties, then I want in case of Executive failure that the blame shall fall exactly where the credit and the glory will rest in the event of success. [Applause.] I at least am not anxious to take responsibility from the place where it has been put under the Constitution and drag it down upon the shoulders of the Members of Congress. Now, the question that the gentleman from Pennsylvania [Mr. BUTLER] has asked me is, How does this proposed legislation affect the situation and fit into what I am saying? In the first place, the well-understood policy of the United States, declared here many times before, is the reduction of naval armament. That is known to every man here. The desire of this country is that there be brought about a reduction of armament throughout the world.

Mr. LAZARO. Will the gentleman yield in that connection?

Mr. KELLEY of Michigan. Just let me finish what I am saying, and then I will—and if it is going to help the commissioners abroad, the commissioners from England, France, and Italy, to know what America would feel itself obliged to do in the event that a reduction of armament is not to be agreed to by other leading nations, then I, for myself, am willing that they should have the benefit of that knowledge in advance. [Applause.] I yield to the gentleman.

Mr. LAZARO. The gentleman said it was the policy of this country to disarm, provided, of course, the other nations are willing?

Mr. KELLEY of Michigan. Absolutely.

Mr. LAZARO. And there is a provision in this measure that authorizes the President to quit the building program if the other nations agree to do the same thing.

Mr. KELLEY of Michigan. I thank my friend from Louisiana for injecting that statement into my remarks.

Mr. LAZARO. And until that is done we ought to go ahead.

Mr. KELLEY of Michigan. Of course, no patriotic man, having in mind what America means and is going to mean throughout the ages for the civilization and liberty of the world, would be willing to expose the sacred heritage of this Republic to hostile attack which might destroy in a day all we have struggled for a hundred years to attain. [Applause.] Oh, no.

There is another reason why it occurs to me that it will be helpful abroad for us to declare that in the event that the world refuses to disarm, that America must go forward with adequate preparation necessary for our own protection. We have as much at stake in the world as any other nation. Vast power can be trusted as safely in American hands as in the hands of any other nation in the world. We sincerely hope that it may not be necessary to expand our Naval Establishment, but the world may as well know first as last that, if the old order is to continue, America can not do otherwise than to look after itself. The knowledge of such a policy brought home to the commissioners sitting around the peace table in Europe, in my judgment, will fortify them against objections coming from their own people to what might be regarded as the surrender of prestige and influence which go with great naval and military power. [Applause.]

Now, just one word in conclusion. These are troublous days. There never was a time when men needed to free themselves from prejudice more than to-day. All Europe is shaken with unrest and uncertainty and no one is wise enough to look into the future and say with any degree of certainty what faces us there. In the economy of things it is not given to the average man to lift the curtain separating to-day from to-morrow. It probably is well that it is so, but in this great hour when so much is at stake for us and for our children and for all mankind, I sincerely hope that the curtain may be lifted so that the four world figures sitting at the peace conference may at least catch a quick and hasty glance down the long corridors of the future and from that glance, quick and hasty as it may be, may they catch enough of the Divine purpose to help them to shape and fashion the world now in the remaking in harmony with the spirit of justice and eternal right. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield 10 minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Speaker, our colleague from Michigan [Mr. KELLEY] always speaks with tremendous power, not only with conviction but generally with persuasion, and has the facility for compelling those who might differ from him to give him the most sympathetic respect to his statements even though we may not be able to admit the force of his conclusions. I think that nearly all that he said, as matters of statement, I could admit, but there are some conclusions that I regret I can not accept. And I would like to have the membership of the House to think just a moment on the appeal that he made when he referred to the status of the war and what ought to come out of it as a definite result.

I do not think anybody, whatever his position is, would stand out against the movement of disarmament if that movement was to be general among all the nations with which we must deal. But our duty now should be to see how the war is to end. The nation that ought to be within the ken of our eye is our enemy, defeated, it is true, but not totally disrupted. Nobody can close his eye to the possibility of resuscitated Germany, if especially Germany can replete in Russia. And anybody that thinks that a nation that has not been touched, except in her man power, her entire industrial organization still intact, with a possibility in the immediate future of becoming one of the world's most dangerous powers—if anyone realizing that fully will see this possibility, it seems to me that our concern should not be a division among our allies, our friends, but a solidarity against our enemy. We ought not now in the American Congress to deal with propositions that look to a division of the allies that are against our enemy.

What is this? There is a form of threat. Against whom? Against whom can it be meant? It is not an announcement to Germany nor to Austria—to our enemies. It is a subtle announcement to the men with whom our President sits about the table, who are our friends, with whom we have been fighting a common enemy. And it is not an open statement, but it is a statement, not made clear to you—not to the House, at least—that there is something of a secret matter on which "we can not take the public into our confidence; this is something that we must hold as a club"; made more effectual by a refusal to allow the lawmakers to know what it means. Over whom? Over our friends, not our enemy. And to me it seems the one proper thing to do to-day is to sit about that table as friends and decide how the war shall end, and end at once, by signing this treaty. [Applause.]

Three months have elapsed. What has been done? The discussion comes to American shores in conglomerated dispatches, in which to-day you read one thing and which to-morrow you must unread. I know the American people want to put an end to the war, so that while it is really over it will be legally over, and the American soldiers will know what is expected of them, whether we will bring them home or what we are to do. In other words, instead of disputing with our friends as to the ending of the war with Germany, let us unite with our friends, and whatever is to be done let it be done with the cards on the table. [Applause.]

There are two things in this proposal that I do not like. One is that it is not known to the public what the play is, and another is that it seems to be held in the form of a threat to our friends that "if you do this, all right; if you do not do it, then we will deal with you." This is not the time to put that up. The time to make that proposal is when we have dealt with our enemy. The time for us to say whether we will disarm or not is when the war is ended and the treaty is signed; then we can stand upon a policy of disarmament. It would not be in the form of a threat then, but as a matter of legitimate negotiation. But as it now comes in here it is not only a threat, but the secret element in it, it seems to me, is unwise.

We are told that before the President landed he had his program made up; that he would seek an interview early with Lloyd George and lay his ideas before him; then he might be called upon to address the British public, and if what he wanted, which up to date is not made public to us, is not forthcoming, then he would consult the feasibility of recommending to our Nation a Navy the biggest or equal of any navy on the sea. I do not know what has taken place except what the dispatches carry. I do know, as you do, that conferences were held. I know, as you know, that the British public was addressed at Manchester and the French were addressed in the Chamber of Deputies. I do know, as you know, that the Secretary of the Navy has recommended a big naval program. I know, as you know, that an official inquiry was made of the President to know whether anything occurred to change the plan. Now comes to us—I do not mean to us, but to certain ones—a cablegram, a secret communication, so mysterious that it can not be given to the representatives of the people in Congress assembled, and upon that we are asked to embark upon such an expenditure as herein proposed. I stand for a great first line of defense, which is assured by completing the contracts already authorized, which we are willing to do and which will be done by this Congress. But I decline, while our President sits with our allies to effect a final peace treaty with our enemy, to do anything which will divide our friends at the very moment that our chief concern should be to insure unity of friends.

I shall be compelled, gentlemen, to vote against this rule. [Applause.]

Mr. POU. Mr. Speaker, will the gentleman from Kansas use a little more of his time? Could he conveniently do so now?

Mr. CAMPBELL of Kansas. I can use more time. How many more speeches will the gentleman from North Carolina have?

Mr. POU. There will be probably three short speeches.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. LONGWORTH]. [Applause.]

Mr. LONGWORTH. Mr. Speaker, I am opposed to this rule, because I am opposed to the alleged naval increase which it makes in order. No one can accuse me of not being a "big-navy" man. Since I was elected to Congress, 16 years ago, I have consistently voted for a big Navy, often for a Navy bigger than that recommended by the Committee on Naval Affairs. I have voted for battleships when many on this side, and more on that, voted for no battleships. I voted for four battleships when a then very distinguished Democratic leader urged eloquently that we should have no Navy at all, because New York harbor could be defended by rowboats.

But this proposition, gentlemen, is a naval program with a string to it. In the first place, not a cent is appropriated. In the second place, the program is not to be begun for more than a year, or nearly a year—until February 1, 1920. And in the third place, and worst of all, the increase is left contingent not on the will of the American people, but upon the decision of some nebulous tribunal of other peoples hereafter to be created. In my judgment, gentlemen, that is not a bona fide increase of the Navy.

What authority is given in favor of this proposition? A cable—nothing but a cable; and a confidential cable. I happen to be one of those referred to by gentlemen yesterday as the clique who are familiar with the contents of that cable. The situation simply was that the gentleman from Tennessee [Mr. PADGETT] read to me that cable and asked me that I keep it confidential; and, of course, I shall not abuse the confidence of the gentleman from Tennessee, for whom I have the highest regard; whom I regard as one of the very ablest chairmen of the Committee on Naval Affairs that we have ever had. It is not his fault that the House is not made fully acquainted with the contents of that cable. It is the fault of those who submitted it to him in confidence.

But, gentlemen, I do not believe in making of the membership of the House some sheep and some goats. [Applause.] We all ought to know what is in it. I happen to know, and I happen to differ from the gentleman from Michigan [Mr. KELLEY], who also knows and for whose opinion I have the highest regard. I do not believe that the contents of that cable justify me in voting for this proposition. [Applause.]

I believe the time has come, gentlemen, when this House shall vote authorizations and appropriations only with full knowledge of the facts. [Applause.] I think the time has come when this House should cease to be a mere registering machine of the will of the Executive, particularly when it is privately expressed. [Applause.]

We all of us listened the other day to the eulogy of a statesman by a statesman, and there was not a more significant sentence in that eloquent oration than the one in which it was said that the subject of the eulogy was a man who, throughout his public career, had no secrets from the American people. [Applause.] My colleagues, we are going to celebrate to-morrow the birthday of another great American, Abraham Lincoln, who had no secrets from the American people. [Applause.] We have had other Presidents of the United States who had no secrets from the American people. Would to God that we had one now! [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

Mr. POU. Mr. Speaker, I yield 10 minutes to the gentleman from Alabama [Mr. OLIVER].

The SPEAKER pro tempore. The gentleman from Alabama is recognized for 10 minutes.

Mr. OLIVER of Alabama. Mr. Speaker, the gentleman from Ohio [Mr. LONGWORTH], who professes great friendship for the Navy and who takes pride in the fact that he has always stood for a great Navy, is hardly consistent in refusing to support a rule that would, at least, authorize the House to consider a naval program. The gentleman is aware that if the rule is passed the bill as reported by the committee is open to amendment, and if he feels, as he now states, that a mistake would be made to withhold authority to make contracts until February 1, 1920, or to fail to now carry an appropriation for the new construction, he can offer appropriate amendments giving immediate authority to contract and carrying present appropriations.

Permit me to say that the personnel of the House Committee on Naval Affairs will represent the varying views on the floor of the House. Some have favored small navies. Some have favored a Navy second only to the largest, and yet others have favored a Navy equal to the largest; and the same differences of opinion now expressed on the floor of the House as to the wisdom of providing a new program at this time were fully discussed by the members of the committee, just as you have

discussed from here; and yet, notwithstanding such differences, the committee were later unanimous in recommending this program.

A distinguished gentleman from the Republican side of the House will be chairman of the Naval Committee in the next Congress, one whom every member of the committee honors and respects, and who will stand guard to see that economy is practiced. He first felt that the new program might now be safely postponed, but when the committee finally considered all matters submitted to it, the gentleman from Pennsylvania [Mr. BUTLER], like others, subordinated his individual opinion and joined in a unanimous report for this new program.

Now, let me suggest some past facts to those who venture to assert that the President might use this as a threat. They have forgotten that the President in February, 1916, long before we went to war with Germany, in a speech at St. Louis declared himself in favor of a great Navy. I quote his language:

> There is no other navy in the world that has to cover so great an area of defense as the American Navy, and it ought, in my judgment, to be incomparably the most adequate navy in the world.

Prior to that, in July, 1915, the General Board submitted to the Secretary of the Navy the following recommendation for a naval program:

> The Navy of the United States should ultimately be equal to the most powerful maintained by any nation of the world. It should be gradually increased to this point by such a rate of development each year as may be permitted by the facilities of the country, but the limit defined should be attained not later than 1925.

Evidently the President in his speech at St. Louis followed the recommendation announced by the General Board in July, 1915, and after the President's speech in St. Louis in 1916 this House in August of that year passed with practical unanimity what is now declared to have been the largest naval bill that any country ever passed, and permit me to call attention to a provision of that bill which the Members of this House without dissent voted for and I am wondering how some, including the gentleman from Ohio [Mr. LONGWORTH], in view of the speech just made, can harmonize his present utterances with what he then voted for. I read from the August, 1916, naval bill this provision, known as the Hensley amendment, viz:

> It is hereby declared to be the policy of the United States to adjust and settle its international disputes through mediation or arbitration, to the end that war may be honorably avoided. It looks with apprehension and disfavor upon a general increase of armament throughout the world, but it realizes that no single nation can disarm and that without a common agreement upon the subject every considerable power must maintain a relative standing in military strength.

Remember this is a part of the bill providing for the greatest naval building program that this or any other country ever proposed. No one undertook to then suggest—as the gentleman from Ohio now does—that such a provision was evidence of insincerity or a mere bluff. Oh, no. Clearly it was only an affirmation of what the President in his speech at St. Louis declared—that if no agreement could be reached between the nations of the world limiting armaments, then we must build a navy equal in strength to any in the world.

You were but carrying out that policy in the August, 1916, bill, and yet, in providing for that large Navy, you announced an earnest desire that the nations of the world should meet and agree upon a limitation of armament, both on land and sea, and the bill of 1916 carried an appropriation of $200,000 to cover the expenses of delegates to a conference of the nations of the world, to be assembled on invitation of your President at the conclusion of the European war, for the purpose of considering and submitting recommendations looking to that end to their respective governments.

And now, as the gentleman from Michigan [Mr. KELLEY] well says, we are met with this interesting situation: Our representatives are in conference at Versailles, France, with representatives from the great nations of the world to consider this very matter, and no one will claim that our President is embarrassed on account of his declaration made at St. Louis in 1916, long before we entered the war, and which he has steadfastly adhered to since that time. In sending a wire to the Secretary of the Navy urging what he recommended to Congress before he went overseas he is but continuing to insist on a building program which he first declared for in February, 1916. He then, as now, coupled it with the further statements that authority should be given to discontinue all naval construction inconsistent with any international agreement that might be made looking to disarmament. Certainly there is here nothing inconsistent in the position of the President. No one can or will construe his speech of February, 1916, and his continuous insistence of the policy there announced as a threat.

Let me suggest that it might be misunderstood if the Congress should now refuse to provide for an increase of the Navy, pursuant to the policy announced in the naval bill of August, 1916, and continuously recommended by the President.

Certainly a review of these facts makes it clear why the President, without being misunderstood by any nation, continues to urge what he recommended in February, 1916, at St. Louis, to wit, "incomparably the most adequate Navy in the world."

Some have asserted that the President entertained different views prior to February, 1916; so did many Members of the House. I recall that the distinguished leader of the minority changed his mind on this subject overnight in a garden, and others suffered changes just as sudden. Few there are in the House, looking back over the legislation for the past 10 years, who can now claim that they have during such time not changed their views upon many great questions.

In conclusion let me say that the committee has thought it wise, in providing for this new building program, since it is consistent with the views held by the President and consistent with the position taken by Congress in the August, 1916, bill, to likewise insert in this bill the provision known as the Hensley amendment. We have not inserted the provision in full, as I read it a few minutes ago, but in that form it remains unrepealed in the bill of 1916, and carries an appropriation of $200,000 to cover the expense of assembling delegates to consider the question of submitting all differences and disputes between nations to an international tribunal and to submit recommendations for limitation of armaments.

Can there now be any possible misunderstanding of the President's position or the position of Congress on this important matter?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POU. I yield to the gentleman two minutes more.

Mr. OLIVER of Alabama. I repeat, can there now be any misunderstanding of the policy of Congress or the purpose and desire of the President as to disarmament? In a recent speech before the French House of Deputies the President gave utterance to this far-reaching and important statement:

> The nations of the world are about to consummate a brotherhood which will make it unnecessary in the future to maintain those crushing armaments which make the people suffer almost as much in peace as they suffered in war.

My friends, what have you and I, since the passage of the bill in August, 1916, done to bring about what we there announced was the declared policy of Congress in reference to universal disarmament? The one man and the one organization that has done more to uphold the hands of the President in this matter is none other than an ex-President of the United States, Mr. Taft [applause], and the American League of Nations to Enforce Peace, of which Mr. Taft is president. This league is now holding meetings—North, East, South, and West—to declare their firm support of what you announced to be the national policy in the August, 1916, bill, and which policy the President has at all times consistently stood for, and which was the actuating reason of his trip overseas, that he might exert every effort to secure what you strongly declared for in the August, 1916, bill.

Let no one for a moment suggest, as the gentleman from Kansas [Mr. CAMPBELL] did this morning, that the President of the United States, who has consistently stood for an insuperably great Navy since February, 1916, and who has consistently since that date urged disarmament, and is now doing more than any other living individual to accomplish it, is seeking to use the building program provided for in the present bill as a bluff. The nations of Europe understand the position of the President and can not be misled.

Mr. CAMPBELL of Kansas. Why does he want it?

Mr. OLIVER of Alabama. Why did he want it in February, 1916?

Mr. CAMPBELL of Kansas. Why does he want it now?

Mr. OLIVER of Alabama. Do you subscribe to the statement of the gentleman from New Jersey, made yesterday, that when you learn Great Britain needs help to build more ships then you might be willing to authorize more?

Mr. CAMPBELL of Kansas. I do not.

The SPEAKER pro tempore. The time of the gentleman has expired.

By unanimous consent, Mr. OLIVER of Alabama was given leave to extend his remarks in the RECORD.

Mr. OLIVER of Alabama. Under leave to extend I herewith set out some data showing that most of the international conferences after a great war have lasted a long time:

> The congress of Westphalia: The treaty decided upon at this congress, signed in 1648, brought to a conclusion the Thirty Years' War, which began in 1618. This was a dynastic war and was brought to a close by the exhaustion of all concerned. The peace treaty is said to have settled the question of religious liberty at that time. The revocation of the edict of Nantes followed. Small States were numerous in the congress and their presence made every step cumbrous. One congress for peace was first proposed, and under negotiations in 1636 mutual agreements to meet being signed on July 22, 1641, the imperial delegates appeared on July 11, 1643, and the ratifications of the treaties were exchanged in February, 1649, 13 years from their first inception. Though the peace of Westphalia directly affected only the relations of the German States inter se, and with the immediate neighbors, France and Sweden, no European power was absent from the congress, except England, Poland, Russia, and Turkey; and even at this the Kings of England and Poland and the Grand Duke of Muscovy, as allies of one or the other of the belligerent powers, were included in the treaty of Osnabruck.
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> The congress of Utrecht: This was begun in the fall of 1711. The last treaty provided for in its sessions, from January 20, 1712, to April 11, 1713, were not signed till November 15, 1715, a period of nearly four years. The colonial supremacy of the English-speaking folk was established, and it put an end to the war of the Spanish successors.
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> The congress of Berlin: This met June 13, 1878, and adjourned in a month, July 13, its work done in a single treaty. Six great powers decided all matters, these England, France, Italy, Germany, Austria-Hungary, and Russia, while four small powers, interested in the result, were not represented, these Greece, Montenegro, Serbia, and Roumania. This congress settled territorial questions in Eastern Europe after the Russo-Turkish War. Turkey had refused to accept suggestions for future government of her Balkan possessions made by the six powers. At the Constantinople conference (Germany, Austria-Hungary, France, Great Britain, Italy, and Russia) Russia declared war.
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> The congress of Vienna: This was in session from September, 1814, to June, 1815. It readjusted the map of Europe after Napoleonic wars and was participated in by all the European powers except Turkey. It was called to make arrangements for carrying out the stipulations of the treaty of peace, known as the treaty of Paris, signed May 30, 1814. The congress never met as a body, but worked through two committees, one of which had charge of general European matters, and was composed of representatives of the great powers and of Spain, while the other, composed of representatives from Austria, Prussia, Hanover, Bavaria, and Wurtemburg, had particular charge of German affairs.
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> The principal questions before the congress were the claims of Russia and Prussia, and at one time war seemed imminent between the two eastern and three western powers. The main results of the negotiations were as follows:
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> The bulk of the Duchy of Warsaw was awarded to Russia as the Kingdom of Poland; Cracow was made a neutral republic; Prussia received West Prussia, Posen, the northern half of Saxony, and the bulk of the Provinces of the Rhine and Westphalia; Hanover was enlarged and made into a kingdom; Bavaria was compensated for her losses; and a territorial commission for the settlement of the boundary disputes between the German States was established at Frankfort, where it sat until 1819, and Germany was reorganized as a confederation of 39 States. Austria received back most of the territory lost by her in the wars with France and was compensated in Germany, Italy, and Illyria for the loss of Belgium. France lost additional towns and districts to Prussia, Bavaria, and Holland. Holland and Sardinia as a result of Waterloo, Belgium, Holland, and Luxemburg were united to form the Kingdom of the Netherlands. Norway and Sweden were united. Finally, England retained Cape Colony and Ceylon, Mauritius, Heligoland, and Malta.
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> Versailles and Frankfort on the Main: In the Franco-Prussian War of 1870 negotiations began at Versailles in January, 1871, and peace was signed at Frankfort on the Main on May 10, 1871. France ceding Alsace-Lorraine, Metz, and Strassburg and a war indemnity of $1,000,000,000. France was occupied by German troops until the indemnity was paid. On January 18, 1871, at Versailles, William, King of Prussia, was proclaimed Emperor of Germany.
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> Spanish-American War: Protocol signed August 13, 1898, stipulated for the surrender by Spain of all claims of sovereignty over Cuba, the cession to the United States of Porto Rico and an island in the Ladrones, and for the occupation of the city and bay of Manila by the United States forces. The treaty was negotiated at Paris and signed December 10, 1898, and ratified by the Senate February 9, 1899, and signed by Queen Regent March 17.
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> Russo-Japanese War: At invitation of President Roosevelt representatives of Russia and Japan met at Portsmouth, N. H., in August, 1905, and signed a treaty of peace on September 5, 1905.
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> The Crimean War was concluded by the treaty of Paris of 1856. The treaty was made by the five great powers of that period and Sardinia and Turkey. Russia was on one side; France, England, Turkey, and Sardinia on the other. It lasted from 1853 to 1856. It was a congress treaty made between powers some of which had not been at war, and Russia, which on the whole was the vanquished party, made a cession of territory.
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> The American Revolution: The peace treaty between Great Britain and the United States was signed in Paris; referred to sometimes as the treaty of Paris and also as the treaty of Versailles. The congress lasted from November 30, 1782, to September 3, 1783. This was a treaty of the recognition of the independence of the United States of America and not of future stipulations. On November 25, 1783, the British forces were withdrawn from New York.
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> The treaty of Ghent: This brought to a close the War of 1812 between the United States and Great Britain. The conference lasted from August 6, 1814, to December 24, 1814. In it is the interesting stipulation that Great Britain shall come to terms with the warring Indian tribes and a declaration against the slave trade.
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> Spanish-American War: This was brought to a close by the treaty of Paris of 1898, thus recording the conquests made by the United States, Spain ceding what she had lost—Porto Rico, Guam, and the Philippine Islands. As to Cuba, Spain relinquished its sovereignty, with the provision that the United States should occupy the island temporarily and protect life and property.
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> The Balkan Wars: These wars were ended by the treaty of London, the conference lasting from December 16, 1912, to May 30, 1913.

Mr. POU. I should like to ask the gentleman from Kansas how many more speeches there will be on that side?

Mr. CAMPBELL of Kansas. We shall probably have two or three more.

Mr. POU. Will not the gentleman use some of his time now?

Mr. CAMPBELL of Kansas. I do not see the gentlemen who were asking for time.

Mr. POU. I yield 10 minutes to the gentleman from Maine [Mr. PETERS].

Mr. PETERS. Mr. Speaker, I propose to briefly discuss the so-called "increase of the Navy" program from the standpoint of one who favored it both before and after the famous cablegram from the President.

The principal reason for the sensation caused by this message from the Commander in Chief to the Secretary of the Navy is the mystery that has accompanied it, and also, perhaps, the Heaven-sent opportunity for the newspaper men to make a good story. A plain statement of the facts will remove misunderstanding and clear the air.

Carrying out the policy adopted three years ago of planning for the Navy several years ahead instead of the haphazard, uncertain, and jerky plan of annual authorizations of one or more ships, as Congress might vote, it became necessary the first of this session to consider another three-year program. The Secretary of the Navy made a recommendation of 156 ships, large and small, based, however, largely on the pre-armistice situation. This, after consultation with the committee and, presumably, with the distinguished experts who are heads of bureaus, was subsequently reduced to 20. There was some disagreement in the committee over this, as is well known. Some suggested that, as there might be an arrangement made to abolish war or reduce armaments, we had better not authorize any ships. Others thought it wiser to go ahead with a reasonable program and cut it off when world conditions were definitely changed and the papers signed. It was recalled that the President in his address to the Congress at the opening of the session had strongly and specifically urged the continuance of the three years' building program, and this was his language:

> "I take it for granted that the Congress will carry out the naval program which was undertaken before we entered the war. The Secretary of the Navy has submitted to your committee for authorization that part of the program which covers the building plans for the next three years. These plans have been prepared along the lines and in accordance with the policy which the Congress established, not under the exceptional conditions of the war, but with the intention of adhering to a definite method of development for the Navy. I earnestly recommend the uninterrupted pursuit of that policy. It would clearly be unwise for us to attempt to adjust our programs to a future world policy as yet undetermined."

The question naturally arose as to whether the President had seen anything in Europe to cause him to change his mind. Nobody knew. Doubtless the Secretary of the Navy was aware of our attitude, and it seems he, on his own initiative, desiring to help us, and, as I believe, desiring to help the country at the same time, wired the President, saying that the committee was hesitating about bringing out a three-year program, thinking that developments over there might have changed the situation and obviated the necessity for it, and asking him if he adhered to his recommendation of December 2. The President wired back to the Secretary that he had learned nothing to change his mind and considered it more important than ever. These two messages were sent up to us by the Secretary and read aloud by the chairman. There was nothing more in the messages. No facts were given. No reasons mentioned. Nothing more is known by us. You, gentlemen, know all that I do about it, and I was present at all meetings of the committee when this matter was considered.

There is nothing in this much-advertised incident of the cablegram to cause any open-minded man to oppose this measure. The President gave his opinion when asked to. His opinion should and does carry more weight than that of any other American, because he occupies a unique position. He has a viewpoint from a position occupied by himself alone. His opinion did not change my views, as I was for the program before, nor do I believe it changed the views of a majority of the committee for the same reason, but it was considered of such importance by some patriotic members of the committee that they subordinated their personal views to what they regarded as the best interests of the country, and I honor them for it.

So it happens that the President, the Secretary of the Navy, and the entire committee all feel the same way about this matter. They may be all wrong. It may be wise to decline to authorize any continuation of the naval program heretofore established. It may be wrong to provide for the further building of ships after these now under construction are finished, but I do not believe it, and I do not think in planning stringent economy we should begin with the defenses of the country.

I favor a large and powerful American Navy—not so large as Great Britain's, because I can not conceive the possibility of trouble in the future between the English-speaking peoples which will require a fight to settle it—and I believe that from now on our job in the world is the same as hers; but it is at least interesting to recall that within the memory of men in this House the two nations have been twice on the verge of war. Great Britain must of necessity have the most powerful navy for purposes of defense. Her empire embraces nearly one-fourth of the land area of the globe and approximately one-

fourth of the population and is scattered all over the world. Forty millions of her home people dwell on a little island which can not produce enough to feed them. They could not sleep nights if they were not positively sure that her lanes of commerce were always open for the bringing in of food and raw materials by her mighty merchant marine.

We also must have a navy commensurate with our needs and our responsibilities—large enough to protect our interests in any situation possible to arise.

We came out of the Spanish War a world power. We come out of this war the world power. We can hardly avoid the world responsibilities which go with it.

It is the announced policy of the Government, and I think a very wise one, hereafter to divide our fleet equally between the Atlantic and Pacific Oceans, to have exactly the same number and weight of ships on one coast as on the other.

Our military sea frontier, which once simply went down one coast and up the other, now begins at Eastport, in the district I have the honor to represent, and extends to the Panama Canal, to Guam, to the Philippines, to the islands of Alaska, and thence back to continental America.

Our merchant marine, the lack of which was so wicked in this war, is about to expand and resume its proper place in the world. The development of defense by mines, submarines, and airplanes, in the opinion of thoughtful observers, has in no wise diminished the importance of a fleet. The battleship is the only force that will insure the keeping open of our sea frontiers and sea bases. We can not fortify every mile of our coast lines; it is easier to have a mobile naval force to protect them.

We can fortify at the entrance to our big cities, but the enemy may be mean enough not to go in that way. It is now well established—verified from different sources—that Germany perfected plans years ago, whenever she should attack this country, to effect a landing on the shores of Frenchmans Bay, in the State of Maine, fortify the beautiful hills which surround it, establish a base, land troops, and sweep westward through the helpless country, and come down to Boston and New York from the north. On the day war was declared between Germany and Great Britain the fast German liner *Kronprinzessin Cecile*—constructed to be transferred immediately into a war vessel and later used by us as the transport *Mount Vernon*—was four days out from New York filled with passengers and freight, including a large amount of gold. At the first click of the wireless announcing "the day" had come, her commander, an officer in the German Navy, opened his sealed orders which had been on board for years and headed straight for Bar Harbor in Frenchmans Bay, there to wait and join a possible German force later. Nothing prevented this landing but the presence on the ocean of the American and British battleships—principally the British.

So long as we held control of the sea Germany could not win. If we had lost that, the war would have been over in a minute.

Many things—our responsibilities in this hemisphere, our participation in affairs abroad, the unsettled conditions in the world—demand a continuance of our naval power.

All the reasons that ever existed for a Navy exist now except one, the possibility growing out of a league of nations, and we have provided for that in the bill.

I see no inconsistency in trying to get a league of nations and planning for a Navy at the same time. We only plan for the Navy in case we do not get the league.

But gentlemen say, "Whom are we going to fight?" We will not have to fight anybody if we are well prepared. We would not have been in this war if we had been ready. More peace surrounds a bulldog than a black-and-tan.

Germany for the time is down and out. Other Germanys, other combinations against the peace of the world, may arise. A quite possible event at the moment is a combination of Russian and German Bolshevism and its spreading like a fire in a dry forest.

We can spring to arms quicker than we can spring to battleships, and without battleships arms are no good.

But gentlemen say this program for the increase of the Navy is too big. Let us look at it from a business point of view. There is no politics in it, anyway.

It is proposed for the next three-year program to dovetail into this one the eventual construction of 10 battleships, as good ones as anybody has, and 10 comparatively small scout cruisers. If things go along well we finish these ships in 1926. Do you know how many of our present battleships will be ready to retire by that time? Twenty-three. By then all the ships of mixed caliber—meaning by this ships having both large and medium sized guns—will be out of date. Twenty years is substantially the life of one of these complicated machines in anywhere near its full usefulness. In case of urgent necessity they may be used in the back lines, as was the old *Oregon* in this war, but after that they are principally useful to look at. When they become obsolete they are a liability and not an asset. A modern ship can hold a position just outside the range of an old one and pound her to pieces with no more danger to herself than if she were attending a Sunday-school picnic. At the Battle of Santiago the *New York* just was not in the fight at 7 miles away. Admiral Plunkett told our committee that the 14-inch naval guns he took abroad could drop shells on Germans 23 miles off, and those shells were just as troublesome after they arrived as if they had only traveled a mile. To be sure they were fired on land, but our sea ranges have increased greatly in 20 years.

We propose, then, to substitute for 23 battleships, by that time obsolete, 10 battleships of the best we can build—and that means the best in the world. We shall have put out of the line a total of 308,146 tons and put in 420,000. I ask you if that so far is an unbusinesslike or an improper thing to do?

The rest of the program is 10 scout cruisers. They do not take the place of anything, but there is an urgent independent reason for them. We have been deficient in these vessels for some time. We have three small ones, of only about 23 or 24 knot speed, and practically obsolete.

The lessons of this war have strongly impressed naval men with the importance of these vessels. They are the eyes of the fleet, and to make it most efficient we must have them if nothing else is done. They add only 70,000 tons to the Navy, but they are highly important tons on account of the speed with which our American ingenuity will be able to carry them through the water.

So long as we have a Navy it should be well balanced. We got top-heavy with destroyers during this war. I do not count Eagle boats, which Mr. Ford was to build and which, I understand, will not float, or some little matter of that sort, but good, reliable American destroyers, such as we produced in record time to meet this emergency. These vessels did magnificent service and we want to keep them. I was told in Queenstown last summer that 25 of our destroyers were admitted by British officers to be equal to 30 of theirs. Incidentally we were shown an American destroyer in the harbor of Queenstown which was said to be the best destroyer ever built, and I am proud to say that she was built and launched in record time at Bath, Me. Useful vessels like this, new and effective, we want to keep. When heavy vessels are built it is necessary to provide a lot of small ones to go with them. In this case we will not have to. The Navy will be rounded out better by having these heavier ships.

I am confident that anyone who believes in keeping up a reasonably strong navy will consider that a program which when worked out at the end of six or seven years will result in substituting 10 good battleships for 23 obsolete ones and adding 10 scout cruisers of only 7,000 tons each, badly needed, is not an unreasonable one.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. PETERS. Yes.

Mr. JOHNSON of Washington. When did I understand the gentleman to say that the new program would be completed?

Mr. PETERS. In 1926 or 1927.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POU. I yield to the gentleman five minutes more.

Mr. PETERS. But the question is asked, Why should we authorize them till we finish the ships now being built?

In all probability the next naval bill will be passed in the summer of 1920. If we put off this authorization till then, the department can hardly get to work on the program till the following year. It is in the interest of economy and efficiency, and it is highly desirable from a business point of view, that the department should know more in advance what its construction program is going to be. Any manufacturer who runs his business prudently and who has $400,000,000 worth of work in sight wants to know when it is coming several years in advance. The building of warships does not begin when the keel is laid. A very large part of the work comes before that. The present ships will be well beyond their first stages of construction by the time the new program can be taken up. The means employed to carry the construction of the first ships to the laying of the keel can be turned right over to the new program and dovetail in without lost motion. Many private yards now building torpedo boats will complete them before 1921, and the Government desires to use them for some of these new vessels without a gap. It will be expensive for the Government in both money and time if the yards have to stop work and shut down or get started on other construction. The work on the present program is so far advanced that it is in the interest of economy, efficiency, and speedy results for the Bureau of Construction to know now whether the Government will adopt this program.

This program is said to be expensive, and we must economize. That, of course, is true. It will cost four hundred millions, spread over six or seven years. We are now spending about three hundred millions per year for new construction, and that will be true during 1919. After that, and with this program added, expenditures on new work will dwindle down to about one hundred millions per year, which should be about normal, unless conditions largely change.

If we can not afford this program, then we must stop. Everyone must decide this for himself. In my individual judgment, we can not afford to stop.

There is no bluff about this program, as I see it. Neither does it mean the biggest Navy in the world by any means. It is a businesslike addition to a business Navy.

I am not in favor of a huge Navy. I am opposed to emulating Great Britain. I do not believe we should strive for the greatest Navy in the world. I do not think we should build a Navy because any other power wants us to or expects us to; nor do I think we should refrain from building up a Navy because any other power objects. [Applause.] This is our Navy and our own family row, and we will settle it among ourselves.

I have great admiration for the seamanlike qualities of a high-ranking admiral who testified before us, but no respect for his judgment when it comes to assigning reasons for this increase. We will not make this addition because other nations expect it or because some of them are busy and will ask no questions. We do not want to build a Navy when other people are not looking—we want to build it when they are looking. [Applause.] The principal usefulness of a navy is in being seen. When they see we have one, nothing else happens.

I believe that the traditional naval policy of this country, our growing maritime interests, our increasing responsibilities in the world, our lengthened sea frontiers, good business judgment, as well as the glorious record of our Navy in every war we have undertaken, all cry out for the adoption of this program. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from Washington [Mr. JOHNSON].

Mr. JOHNSON of Washington. Mr. Speaker, since I have had the honor of a seat in the Congress of the United States I have voted always for the largest Navy program available. I still favor a large Navy for the United States. I live on the north Pacific coast and should favor it, and I do favor it; but I find that this Government, under its war-emergency program of 1916, is building a large Navy, a larger Navy authorized by the Congress than it can complete and turn out in twice the three years allotted for it. That program is what makes this very naval appropriation bill carry the great total of $7,500,000,000—on toward eight billions of dollars. All Members of Congress know that this very day the Secretary of the Treasury, Mr. Glass, has stated that he is coming to Congress for an authorization for another bond issue and a new credit issue to a total of $20,000,000,000. This House will adjourn shortly, and all of the Members will go to their respective districts, where, of course, they will take part in the floating of the victory loan. You will find it harder work than the selling of previous bond issues, and you will be asked about the present great naval program and also about this proposed paper program. It will be well to know all about both; and why? No Member need think that he will be called, or can honestly be called, a small Navy man if he votes against this proposed paper program. Why? Because when you vote the money to go ahead with the 1916 program you are continuing a great Navy program.

THE PRESENT NAVAL PROGRAM.

For fear that we forget what this 1916 program is, I desire to tell you just what it is. Members should bear this in mind, because they will be asked in their districts about it. According to the report of Admiral Taylor, the 1916 three-year program, calling for 10 battleships, 6 battle cruisers, and 10 scout cruisers, was, on the 1st day of February, 1919, as follows:

None of those 10 battleships have been completed; 6 are zero done. They are being designed, and, while contracts have been let, no construction has been undertaken.

Four are from 5 to 40 per cent completed on the ways.

The six cruisers are not yet being built. They are being designed, and some contracts for material have been let, but no keel has been laid.

The 10 scout cruisers are from zero to 25 per cent finished. According to Admiral Taylor, of the 1916 program the first battleship could be completed in 18 months, and the last of that program, which would be the battle cruiser, the most complicated in design and the most difficult to build, would not be finished until five years from date.

The total amount expended on the 1916 three-year program on December 1 was, roughly, $113,000,000. The amount necessary to complete the program from beginning to end is, roughly, estimated at $815,000,000. We have appropriated, including the amount expended of $113,000,000, about $240,000,000, leaving appropriations necessary to carry the program to completion $575,000,000, roughly.

On February 1 we had 85 submarines in service, 73 building, and 9 authorized. On that same date we had 112 destroyers in service, 212 building, and 12 authorized.

Those figures are taken from the statements of Admiral Taylor, as presented to the House by the gentleman from New York [Mr. HICKS]. You see there is a stiff warship program under way. It can not be finished for years. Our present Navy will be placed on both oceans. The new ships will be put on both coasts.

The meaning of the cryptic cablegrams between the Secretary of the Navy and the President of the United States are not quite clear, but the real meaning of all this paper program is that if we authorize it, even with a string tied to it, our admiralty will see that we keep at the enlarged program. The result will be that other nations will be building great ships of commerce, and we will be putting countless millions into warships and cruisers.

Finally, Mr. Speaker, the state of the finances of the United States and the necessity for raising great sums of money, together with the fact that many of the depository banks of the United States throughout the country have during the past year and are now largely overdrawn upon by the Government, should make the Members of this Congress pause in this and all other appropriations. The figures are startling. We will have to raise billions per year for many years to come by taxation and bonds. Oh, gentlemen, when we know that no great power which is likely within the lifetime of any man on this floor to come to blows with the United States is in a financial condition to greatly extend its warship-building program, why should the United States propose even a paper program, thus to take the initiative that may make other nations build? Every mail brings complaints about these appropriations, about taxation, and about the cost of living. When will Members come to a realization of the fact that if we Congressmen vote billions after the war the people must pay the billions. The tax is passed on. Stop, or we will soon go far beyond the ability of the United States to collect the taxes and pay. I am most sincere. I stand for a great Navy, but I protest against a wild, extravagant plan at this time. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield 10 minutes to the gentleman from Nebraska [Mr. REAVIS].

Mr. REAVIS. Mr. Speaker, I do not feel it essential that I state the fact that I have always been in favor of the most adequate and the largest Navy that has been proposed in any measure since I have been a Member of this House. I do not think that my attitude with reference to this rule or with reference to the proposed authority of the naval bill will reflect upon my desire that this Nation shall always have an adequate Navy. The proposition is submitted to this body, however, under very peculiar circumstances, and it is laid before the membership of this House at a time when the proposed program is out of harmony with the avowed aspirations of the people and out of harmony with the purpose for which we entered the war. There has grown up in America during the progress of this war, I think, the most magnificent national spirit that any nation has ever had. It is a spirit founded in ideals, a spirit in part prompted by one who is more of a dreamer than he is concerned with the practical affairs of life, but it is a spirit in which the United States placed all that it had in the world in the way of men and money to make a better world of this and a safer place for men to live in, a spirit that was beautifully stated by one who spoke of our boys in France as the representatives of the Nation that would return from the shores of that wonderful country with their hands as empty as they were when they went there, the spirit of the people who ask nothing for themselves. Now that the war is over and after more than 50,000 of the soldiers that were sent abroad are sleeping in the soil of France, after we have accomplished the purpose which we set out to accomplish, we find proposed in this body not peace terms that will crystallize our purpose in this war, but a measure that will mean a contest between the two nations that by race and language and tradition are natural allies. It is not a proposal that looks to permanent and perpetual peace, but is a proposal which looks to a contest between England and America as to which shall become the most warlike upon the sea. This thing we do is absolutely out of harmony with every avowed purpose of the United States when

it entered into this contest and out of harmony with the ideals of the people of America when the contest was concluded.

Upon what ground are we asked to make this tremendous authorization? Not by anything that places in your possession and mine the facts that would justify this, but a cablegram that is spoken of in hushed terms around this Capitol, that is whispered among the favored few who are permitted to see it, not a cablegram that gives the facts upon which you may arrive at a conclusion, but merely a cablegram that gives the conclusion of the one who sends it from the shores of another country. Before I would be willing to authorize a program that would fasten an indebtedness by way of taxation of $7.50 upon every man, woman, and child in the country I want to know the facts that justify it. I wonder if Members realize where we are drifting? I wish that the President would come home. I wish that the President, instead of occupying a summit beyond and above the ordinary affairs of life with his eyes fastened on the stars, dreaming of a Utopia and a short cut to the millennium, would look down into the shadow and see what is going on beneath.

Do you realize that the appropriations and the expenditures of this country in the next year, with the utmost economy, will aggregate more than a billion of dollars a month? Do you realize that with the tremendous expenditures which we are facing that we ought to economize to the last degree and provide only for those things that are absolutely essential in the present condition? How are you going to raise this money? By bonds and taxation. Every man who is at all familiar with taxation knows that, without regard to the manner in which you safeguard the measure, most of it ultimately becomes a consumption tax. The other day before one of the committees of the House Mr. Armour said that his excess-profits tax had amounted to $6,000,000 in the last year, and when asked if that was pushed on to the consumer he replied that it was probably so. Do you know that the merchant in the smaller communities, fearful that he will buy on a falling market, is refusing to buy, and that the jobber is refusing to load up for fear of loss, and that as a result of that the manufacturers are working short-handed; that idle men and men out of employment are already on the streets of our great cities? Do you realize when you demobilize the Army that we have now that you are adding to the unemployment? Go ahead with your idle dreams of universal brotherhood at a cost of $750,000,000 for this unnecessary program. Follow it out in the appropriations to carry it into effect, then levy your taxes, increase the consumption tax, make higher the cost of living, and place it upon the men who are walking in idleness the streets of America to-day, and you have a condition in this country that, so far as I am concerned, creates great apprehension. [Applause.] The Bolshevist is not a disease. He is a symptom. He is the product of a condition, and the only way to treat him is not by treating the symptom but by removing the condition. Do not strike at its product instead of removing the condition. By this measure you are aggravating the condition. Oh, well, we have the idealist dreaming of that Utopia where there shall be universal brotherhood, of a condition in which the irritating problems of race and creed and national aspirations shall all be done away with by a mere formula, by somebody writing in a peace treaty that there shall be no more war. You may proceed along that line, gentlemen, but just so sure as you continue this wasteful extravagance, just so sure as you make these unnecessary authorizations for naval expenditures of millions of dollars, you are adding to a condition that to my mind creates more apprehension to-day than any other condition that confronts the American people. I have never been very sympathetic with this league of nations. Of course, we all want universal peace. Of course, we want war done away with. I would like to do away with it, but I can not help but be conscious of the frailities of mankind and the fact that more than 3,000 peace treaties have been agreed to in the history of this world, and that every one of them recited that the ultimate purpose of the treaty was to insure universal and perpetual peace. And wars still continue. I do not believe that the greatest navy in the world is essential to American life. I do believe that we should have less of dreams and more of good, common, horse sense in the administration of the affairs of this country. [Applause.] I believe, still further, that we should go to work and encompass a peace with Germany, that we should close up this war by making Germany powerless so far as threatening against the peace of this earth. I believe instead of waiting three months along the line of a league of nations and universal peace we should close up the war which we have been fighting. [Applause.] And I do not believe that before we have done that that we should be consuming our energy, consuming our time, and creating tremendous expenses preparing for a war with an ally rather than closing up a peace with an enemy. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from Kansas [Mr. LITTLE].

Mr. WALSH. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Massachusetts [Mr. WALSH] makes the point of order that there is no quorum present. The Chair will count.

Mr. WALSH. Mr. Speaker, I withdraw the point. It is apparent a quorum is present in the lobbies and cloakrooms.

Mr. LITTLE. Mr. Speaker, if you saw a man with whom you had an issue at stake get a gun you would proceed to get one. In this instance we serve notice on all the world that we expect and arrange for a broad platform of preparation for naval warfare. This is a direct challenge to every Government on earth to see who can build the most warships. There never was a more ill-timed, ungainly, unfortunate, threatening, menacing firebrand thrown into the arena of the world's activities than this. This is no time to threaten the nations of the world, all of whom are extending open and appealing hands to this great Republic which now stands at the summit of all the power and achievements that the world ever saw.

We have 4,000,000 of the best soldiers in the world, and we could almost dismiss them, put our ships out of commission, and be at peace and in no danger for 10 years; and yet they bring this proposition here. In the last analysis there is only one man to be consulted, and that is the taxpayer who will bear this burden and whose sons are fighting these battles.

There are only two questions: One is, What will he put in it? And the other is, What will he get out of it?

He put in $30,000,000,000 and the lives of 100,000 and the services of 4,000,000 sons. He gets glory, honor, and a good fight for a just cause, gallantly won. But he must get more: He must have the knowledge he has set up forever the cross of Christ in place of the crown of Cæsar as the standard of civilization.

If he is to be forced immediately into arms and armaments—into spending $1,000,000,000 for iron ships to carry on wars—he has gained nothing, and all his sacrifices are in vain. We expended $30,000,000,000 that the great annual expenditures for military and naval appropriations might cease. Has our taxpayer bought a gold brick? How long is this cry for more money to waste to continue? Why not take these millions and crisscross this country with roads? Why not spend it redeeming waste lands for farms for soldiers? Why not divide it among those who risked their lives for us?

They tell us that we have $250,000,000,000 worth of property. Six per cent on that sum is $15,000,000,000. The Federal revenue bill this year asks for $6,000,000,000. The State, city, and municipal taxes will be $4,000,000,000 more. That is $10,000,000,000. Of your $15,000,000,000 income on your investment two-thirds goes for taxation. We will be forced to borrow $5,000,000,000 more. And yet men come here asking for what? What are you going to get out of it? When this war began the Germans lined their coasts with submarines and mines, and the greatest Navy in the world never went near them. You say that we should build great ships of war to defend New York and the Panama Canal. You can protect our coasts with mines and submarines as easily as the Germans protected theirs with submarines and mines.

Mr. BAER. Did the German Navy get near the British Navy?

Mr. LITTLE. No. It did not get near it. It was just as afraid of submarines as the English were. Britain had twice the fleet Germany possessed, yet it never ventured within a hundred miles of the German coast, fearing submarines and mines, and the gentleman inquires whether the German fleet assailed the English coast. What is he driving at? What point is there to such a suggestion? If the Germans had no fleet their coast would have been just as well protected. The English fleet squatted in harbor behind great steel nets for fear some little submarine would poke its nose in among them and sink $50,000,000 or $60,000,000 worth of battleships by losing $1,000,000 or $2,000,000 worth of submarines. The gentleman is hardly in earnest. Let us conclude that he broached in jest.

Mr. CALDWELL. Will the gentleman yield?

Mr. LITTLE. I will, later.

Mr. CALDWELL. Just a short question.

Mr. LITTLE. I am awfully short of time myself.

Not one of the big ships ever dared to venture to sea unless it had a free track home. The only way the transports got across was not by the protection of any English Navy, but by fleet pairs of heels.

What are you getting out of it? If you put your money into submarines you would have $500,000,000 invested, and you would have 500 submarines, and there would not be a warship in the world that would ever dare to go out to sea unless it had investigated thoroughly and knew that there was not a submarine in sight. As long as a man is in danger he will fight and hit below the belt, and the first nation that will get into trouble will build submarines.

It is all nonsense to talk about abolishing submarines, my friends. What is the argument in favor of this plan in the bill? Not a thing on earth except a mystic utterance here that nobody understands. Whenever a Greek politician got into hot water he appealed to the oracle at Delphos. Once informed as to the advice desired, the prophecy sought floated out in mystic profundity as readily as the limpid waters sprang from the desert rock that Moses smote. Mr. Daniels was in trouble, and he invoked the Delphic oracle of America, and it gave forth an utterance which he says means more ships. The gentleman from Ohio [Mr. LONGWORTH] read it and says that it does not mean that. We are just as competent as anybody to pass upon the evidence produced, if the taxpayers select good Congressmen, and if we have to pass upon anything else we would be recreant in our duty. One man has as good a right to interpret the oracle as another. I interpret it to have intended submarines and mines—and, anyway, the oracle business all went into the discard at the November election. Said the Roman Emperor, when his general returned from the German forests, "Quintus Varus, what hast thou done with my legions?" Gentlemen of the House, the taxpayers will demand of you why, at a time like this, you spend a billion dollars of our money on iron pots that submarines can sink as fast as they catch them.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LITTLE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield 10 minutes to the gentleman from Illinois [Mr. MANN]. [Applause.]

Mr. MANN. Mr. Speaker, if this bill shall pass without the proposed authorization, it will carry appropriations for the maintenance and increase of the Navy to the extent of nearly $750,000,000, which I believe is the largest sum ever appropriated in time of peace by any nation of the world for the maintenance and increase of its navy. And that of itself is a sufficient answer to those who would say that such here as oppose the proposed authorization are not in favor of a sufficiently large Navy. [Applause.]

Mr. Speaker, I have heard but two arguments in favor of the proposed authorization. One is that a cablegram came from the President; the other is that it is the duty of this country to provide a Navy as large as the navy of Great Britain. I do not take the cablegram from the President too seriously. There are two ways in which it may be looked at. First, that the Navy officials, whose duty it always is to extend their power and the power of the Navy—and that is true of all branches of the Government service—asked the Secretary of the Navy to cable to the President for help while the naval bill was before the House. And the President, complying with the request of the Secretary of the Navy, cables back that, in his opinion, the proposed authorization should be granted. That is not to be considered very seriously. The President of the United States, a wonderful man, in a great position, still does not know all there is, and it is not his place to determine the appropriations which shall be made. That is our responsibility. We must act upon facts. We passed many an appropriation for the war at the mere suggestion of the Executive, but now that we have arrived at the point of peace it is time for us, when we make an appropriation, to know the reasons for the appropriation itself, and not act merely because some one in the executive department of the Government, even the President himself, thinks it ought to be granted.

Mr. Speaker, it has been suggested on both sides of the House, sometimes in the public discussion, more often in private conversation, that the President desires this authorization as a threat to force other nations to agree to its policies at the peace table. I do not know whether there is anything to that or not. But certainly if the President has reasons for desiring a great Navy he ought to give the reasons to us. And I doubt whether, if this be a threat, it would be a successful one. What is the situation? Emerging from a war where all peoples desire, if possible, to provide some method by which wars may be avoided in the future, we now are confronted with the actual proposition of whether or not we shall at this time proceed with an enormous naval program. If it be a threat, it is directed at Great Britain.

Gentlemen here have stated that we must never rely upon the Navy of Great Britain, and yet this bill itself does rely upon the Navy of Great Britain, because if this authorization be suspended by the President the Navy of Great Britain will still far overtop ours, and you propose to allow the President to suspend the authorization. And those who say that they desire the Navy of this country larger than that of Great Britain can not afford to vote for a proposition permitting the President to suspend its construction.

Mr. Speaker, I hope that the President will be successful in his aspirations for a league of nations, which will, through orderly and peaceful methods, prevent the settlement of disputes in the future by war. But I do not believe that before the peace is agreed upon, before the terms have been arrived at, that the proper way to secure peace in the future is for the Congress of the United States to say, "We propose to have a Navy large enough to lick the rest of the world." [Applause.] If Congress agrees to this authorization and the President uses it at the peace table, it will be used elsewhere. If we agree to this authorization, the report will go throughout the world that the United States of America proposes to enter upon a contest with Great Britain as to which nation shall have the largest and most powerful navy.

And every German in Germany and some elsewhere will say, "The allies, now that peace has come, commence to quarrel among themselves and prepare for future contests between themselves." That will be the gladdest piece of news that has leaked into Germany for many a day.

Mr. Speaker, we can afford to suspend the authorization for the future until peace has been entered into and we know where we stand. Can we afford, on the other hand, to borrow money now for an increased authorization of the Navy? We can not pay the expenses of the Government next year out of the tax bill which will soon become a law. Do we propose to increase the taxes or do we propose in time of peace to borrow money to build a Navy or do other work in that direction? We can not do it out of the revenues which come from the present law or the present bill. Will we undertake, just as we have had a war and are emerging into peace, to say that we propose to increase the tax burdens or borrow money in order that we may now, as we emerge into peace, enter into a contest as to who shall have the greatest navy in the world, and then perhaps go upon the theory that we will have war with Great Britain? Let us for a moment believe that after this war we may have peace for a few years and get ourselves settled back in our accustomed modes of business and life. [Applause.]

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. POU. Mr. Speaker, how much time have we remaining?

The SPEAKER. Five minutes remain on the gentleman's side and none on the other side.

Mr. POU. I yield to the gentleman from Wisconsin [Mr. COOPER] one-half of the remaining time.

The SPEAKER. The gentleman from Wisconsin is recognized for two minutes and a half.

Mr. COOPER of Wisconsin. Mr. Speaker, I did not expect to speak upon this rule and, of course, can compress nothing into two minutes and a half which will be adequate to meet the issue before us. I am in favor of passing the pending rule. If passed it would do nothing more than permit the House to debate and vote upon this exceedingly important question. The House should not be afraid of a full and fair discussion. It can not be led into doing anything wrong by merely hearing the truth from both sides.

This bill provides that—

> No contracts for the construction of vessels herein authorized shall be entered into prior to February 1, 1920.

It provides also that—

> If at any time before the construction authorized by this act shall have been contracted for there shall have been established with the cooperation of the United States of America any tribunal or tribunals competent to secure peaceful determination of international disputes, and which shall render unnecessary the maintenance of competitive armaments, then, and in that case, such naval expenditure as may be inconsistent with the engagements made by the establishments of said tribunal or tribunals may be suspended when so ordered by the President of the United States.

I again remind the House that if the bill should become a law no contracts for the construction of vessels therein authorized could be entered into prior to February 1, 1920—almost one year from now.

This seems to me to be a proposition very easily understood. Debating this rule, even passing the bill, would not bind, would not even permit, the United States to do anything before the

1st of February, 1920, not even so much as to enter into a contract. Long before that date the suggested tribunal will have been either established or not established. If such international tribunal shall be established—and I sincerely hope that it will be—then, of course, there will be no necessity of going on with this contemplated great navy. But if, as has been intimated by the papers, there are across the sea men in high place who are pronouncedly reactionary, and who wish it understood that the world has learned nothing through the awful four years of slaughter, but must go back to conditions as they were before the war, then it is well for the United States to take these precautionary steps, and to take them now. In any event it is wise now to adopt this rule and to listen to a fair discussion of the main proposition. [Applause.]

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. POU. Mr. Speaker, just one word in conclusion. I would like to ask the membership of this House, Can you afford at this time to defeat this rule? Now, this I believe to be true—patriotism is just as great on one side of the aisle as it is on the other. The President has had the support of this House from the day of the declaration of war. This program comes here with a unanimous report from a Committee on Naval Affairs representing every phase of thought on the naval question. I submit that at this particular time the House of Representatives can not afford to take the responsibility of voting down this resolution.

This is no new question. Every President that I have served under has favored a big Navy—both Mr. Taft and Mr. Roosevelt. Yes, Roosevelt, great American; sweet be his sleep. America will forever cherish his memory as a mother cherishes the memory of her own offspring. Those men always favored a big Navy.

I leave the question with the House, reminding you that having supported the President from the beginning of the war up to this good hour, we can not afford to take the responsibility of voting down this rule now. [Applause.]

The SPEAKER. The question is on agreeing to the rule.

The question was taken; and the Speaker announced that the noes seemed to have it.

Mr. POU. A division, Mr. Speaker.

Mr. FOSTER. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman from Illinois demands the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The Clerk will call the roll. Those in favor of the rule will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 205, nays 148, answered "present" 3, not voting 73, as follows:

YEAS—205.

Alexander	Crosser	Heflin	Mudd
Almon	Curry, Cal.	Hensley	Neely
Ashbrook	Dallinger	Hicks	Nicholls, S. C.
Aswell	Davey	Holland	Nichols, Mich.
Austin	Decker	Hood	Nolan
Ayres	Denton	Houston	Oldfield
Baer	Dewalt	Howard	Oliver, Ala.
Barkley	Dickinson	Hull, Tenn.	Oliver, N. Y.
Barnhart	Dixon	Humphreys	Olney
Beakes	Dominick	Igoe	Osborne
Bell	Donovan	Jacoway	Overmyer
Benson	Doolittle	Johnson, Ky.	Overstreet
Beshlin	Doremus	Jones	Padgett
Blackmon	Drane	Keating	Peters
Bland, Va.	Dupré	Kehoe	Phelan
Blanton	Eagan	Kelley, Mich.	Polk
Brand	Evans	Kettner	Pou
Britten	Fairchild, B. L.	Key, Ohio	Quin
Brodbeck	Farr	Kiess, Pa.	Rainey, H. T.
Browning	Ferris	Kincheloe	Rainey, J. W.
Buchanan	Fields	Kitchin	Raker
Burnett	Fisher	Lampert	Riordan
Butler	Foss	Larsen	Robinson
Byrnes, S. C.	Foster	Lazaro	Rogers
Byrns, Tenn.	Freeman	Lee, Ga.	Romjue
Caldwell	Fuller, Mass.	Linthicum	Rouse
Campbell, Pa.	Gallagher	Littlepage	Rubey
Candler, Miss.	Gallivan	Lobeck	Rucker
Cantrill	Gandy	Lonergan	Sanders, La.
Caraway	Gard	Lufkin	Schall
Carew	Garner	Lunn	Scully
Carlin	Garrett, Tenn.	McAndrews	Shackleford
Carter, Okla.	Garrett, Tex.	McArthur	Shallenberger
Church	Godwin, N. C.	McClintic	Sherley
Clark, Fla.	Goodwin, Ark.	McCulloch	Shouse
Classon	Gordon	McKeown	Sims
Cleary	Graf, Ala.	McLemore	Small
Coady	Greene	Maher	Smith, Mich.
Collier	Griest	Mansfield	Smith, C. B.
Connally, Tex.	Griffin	Martin	Snook
Connolly, Kans.	Hadley	Mays	Stedman
Cooper, Wis.	Hardy	Miller, Wash.	Steele
Copley	Harrison, Miss.	Montague	Stephens, Nebr.
Crago	Hastings	Moon	Sterling
Crisp	Hayden	Morin	Sumners
Tague	Venable	Welling	Woods, Iowa
Taylor, Colo.	Vinson	Welty	Wright
Temple	Walton	Whaley	Young, Tex.
Thomas	Watkins	Wilson, La.	Zihlman
Thompson	Watson, Va.	Wilson, Tex.	
Tillman	Weaver	Wingo	
Van Dyke	Webb	Wise	

NAYS—148.

Anderson	Fess	Knutson	Sanders, Ind.
Anthony	Focht	Kraus	Sanders, N. Y.
Bacharach	Fordney	La Follette	Sanford
Bankhead	Frear	LaGuardia	Saunders, Va.
Birch	French	Lea, Cal.	Scott, Iowa
Black	Fuller, Ill.	Little	Scott, Mich.
Bowers	Garland	London	Sells
Browne	Gillett	Longworth	Sherwood
Burroughs	Glynn	McCormick	Sinnott
Campbell, Kans.	Good	McFadden	Sisson
Cannon	Goodall	McKenzie	Slemp
Carter, Mass.	Gould	McLaughlin, Mich.	Sloan
Cary	Graham, Pa.	Madden	Snell
Chandler, Okla.	Green, Iowa	Magee	Stafford
Clark, Pa.	Greene, Mass.	Mann	Steagall
Claypool	Greene, Vt.	Mapes	Steenerson
Cooper, W. Va.	Hamilton, Mich.	Mason	Stephens, Miss.
Cramton	Hamlin	Merritt	Stiness
Currie, Mich.	Hawley	Mondell	Sweet
Dale	Heaton	Moore, Pa.	Switzer
Darrow	Hersey	Morgan	Timberlake
Davis	Hilliard	Mott	Towner
Dempsey	Hollingsworth	Nelson, A. P.	Vare
Denison	Huddleston	Nelson, J. M.	Vestal
Dies	Hull, Iowa	Paige	Voigt
Dillon	Hutchinson	Parker, N. J.	Volstead
Doughton	Ireland	Parker, N. Y.	Walsh
Dowell	James	Porter	Ward
Dunn	Johnson, S. Dak.	Powers	Wason
Dyer	Johnson, Wash.	Purnell	Wheeler
Edmonds	Juul	Ramsey	White, Me.
Elliott	Kearns	Randall	Williams
Ellsworth	Kelly, Pa.	Rankin	Wilson, Ill.
Elston	Kennedy, Iowa	Reavis	Winslow
Esch	Kennedy, R. I.	Reed	Wood, Ind.
Essen	King	Rose	Woodyard
Fairfield	Kinkaid	Rowland	Young, N. Dak.

ANSWERED "PRESENT"—3.

Emerson	Lever	Rayburn

NOT VOTING—73.

Bland, Ind.	Graham, Ill.	McLaughlin, Pa.	Smith, Idaho
Booher	Gray, N. J.	Miller, Minn.	Smith, T. F.
Borland	Hamill	Moores, Ind.	Snyder
Brumbaugh	Hamilton, N. Y.	Norton	Stevenson
Chandler, N. Y.	Harrison, Va.	O'Shaunessy	Strong
Cooper, Ohio	Haskell	Park	Sullivan
Costello	Haugen	Platt	Swift
Cox	Hayes	Pratt	Taylor, Ark.
Delaney	Heintz	Price	Templeton
Dent	Helm	Ragsdale	Tilson
Dill	Helvering	Ramseyer	Tinkham
Dooling	Husted	Roberts	Treadway
Drukker	Kahn	Rodenberg	Waldow
Eagle	Kreider	Rowe	Walker
Estopinal	Langley	Russell	Watson, Pa.
Fairchild, G. W.	Lehlbach	Sabath	White, Ohio
Flood	Lesher	Sears	
Flynn	Lundeen	Siegel	
Francis	McKinley	Slayden	

So the resolution was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. BOOHER with Mr. TREADWAY.

Mr. ESTOPINAL with Mr. EMERSON.

Mr. WHITE of Ohio with Mr. NORTON.

Mr. BRUMBAUGH with Mr. COSTELLO.

Mr. SLAYDEN with Mr. MCKINLEY.

Mr. RUSSELL with Mr. STRONG.

Mr. HAMILL with Mr. HUSTED.

Mr. O'SHAUNESSY with Mr. MOORES of Indiana.

Mr. DOOLING with Mr. BLAND of Indiana.

Mr. EAGLE with Mr. HAYES.

Mr. DENT with Mr. KAHN.

Mr. DELANEY with Mr. PLATT.

Mr. RAGSDALE with Mr. RAMSEYER.

Mr. HARRISON of Virginia with Mr. RODENBERG.

Mr. HELM with Mr. ROWE.

Mr. LESHER with Mr. SIEGEL.

Mr. PARK with Mr. SWIFT.

Mr. SABATH with Mr. TILSON.

Mr. SEARS with Mr. TINKHAM.

Mr. TAYLOR of Arkansas with Mr. WATSON of Pennsylvania.

On this vote:

Mr. SMITH of Idaho (for) with Mr. LANGLEY (against).

Mr. MILLER of Minnesota (for) with Mr. GRAHAM of Illinois (against).

Mr. THOMAS F. SMITH (for) with Mr. LEHLBACH (against).

Mr. SULLIVAN (for) with Mr. COOPER of Ohio (against).

Mr. LEVER (for) with Mr. HAUGEN (against).

Mr. EMERSON. Mr. Speaker, I voted "present." If I were not paired with the gentleman from Louisiana, Mr. ESTOPINAL, I would vote "yea." I should like to announce that my colleague, Mr. COOPER of Ohio, is absent from the city. If he were present, he would vote against the rule and against the Padgett amendment, but would vote for the bill.

Mr. LEVER. Mr. Speaker, has the gentleman from Iowa, Mr. HAUGEN, voted?

The SPEAKER. He has not.

Mr. LEVER. I voted "yea," but I will withdraw my vote and vote "present," as I am paired with the gentleman from Iowa, Mr. HAUGEN.

The result of the vote was announced as above recorded.

The announcement of the result was received with applause.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. GRAHAM of Illinois for three days on account of important business.

THE OMAHA TRIBE OF INDIANS.

The SPEAKER. The Chair lays before the House a request of the Senate.

The Clerk read as follows:

THE SENATE, *February 11, 1919.*

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill S. 3992, entitled "An act to investigate the claims of and to enroll certain persons, if entitled, with the Omaha Tribe of Indians."

The SPEAKER. Without objection, the bill will be returned to the Senate.

There was no objection.

MINING OF COAL, PHOSPHATE, GAS, ETC.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent for the present consideration of Senate concurrent resolution No. 30, with reference to bill (S. 2812) to encourage and promote the mining of coal, phosphate, gas, and sodium on the public domain, in order to give another Senator authority to sign the name of Senator PHELAN, who has telegraphed his authority for that purpose.

The SPEAKER. The gentleman asks unanimous consent for the present consideration of the concurrent resolution which the Clerk will report.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), that Hon. KEY PITTMAN, as one of the Senate managers, is hereby authorized to affix the name of JAMES D. PHELAN as one of the Senate managers to the conference report on bill S. 2812, entitled "An act to encourage and promote the mining of coal, phosphate, gas, and sodium on the public domain," under oral authority and by telegram requesting such action.

The SPEAKER. Is there objection?

Mr. WALSH. Reserving the right to object, why the haste for jumping this in right after the adoption of the rule?

Mr. FERRIS. I am glad the gentleman from Massachusetts has asked the question. This bill has been three times passed by the House and has been the subject of debate for four or six years. It has been killed every time in the Senate until this time, and after a long period we have got a bill, but one of the Senators, Senator FALL, from New Mexico, is sick, and Senator PHELAN is absent on account of the death of his business manager; he telephoned Senator PITTMAN authorizing him to sign his name. Senator PITTMAN did sign the name of Senator PHELAN, but the question was raised as to his authority to do it. The Senate has passed the concurrent resolution authorizing Senator PITTMAN to sign for Senator PHELAN.

Mr. WALSH. Have all the other conferees signed?

Mr. FERRIS. All but one; all five of the House conferees have signed.

Mr. MANN. Not all but one.

Mr. FERRIS. No; one is sick.

The SPEAKER. Is there objection to the present consideration?

There was no objection.

The resolution was agreed to.

NAVAL APPROPRIATION BILL.

Mr. PADGETT. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15539, the naval appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. GARRETT of Tennessee in the chair.

The CHAIRMAN. The question is on the amendment to the amendment proposed by the gentleman from Minnesota [Mr. MILLER].

Mr. PADGETT. Mr. Chairman, I asked unanimous consent to withdraw the amendment which I proposed yesterday.

The CHAIRMAN. The situation is this: The gentleman from Tennessee [Mr. PADGETT] had offered an amendment. Then the gentleman from Minnesota offered an amendment to the amendment. The immediate matter before the committee is the amendment to the amendment.

Mr. MANN. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. The rule which has been adopted by the House makes the legislation that is found on pages 53 and a part of 54 in the bill in order. The first two paragraphs of that legislation on page 53 have been stricken out on a point of order. An amendment has been offered by the gentleman from Tennessee. If that amendment is withdrawn, will it then be in order for the gentleman from Tennessee to offer as an amendment the first two paragraphs that have gone out on the point of order?

The CHAIRMAN. The Chair thinks so, undoubtedly. The gentleman from Tennessee asks unanimous consent to withdraw his amendment. Is there objection?

Mr. MANN. Reserving the right to object, I would like to ask the gentleman from Tennessee if he is willing to disclose what his procedure will be.

Mr. PADGETT. It was my desire to offer the whole provision as an amendment, with the statement that I would move to strike out the balance of the paragraph from the bill.

Mr. MANN. That is agreeable to us.

Mr. PADGETT. I will offer it as one amendment and give notice that I will move to strike out that which is remaining in the bill.

Mr. MOORE of Pennsylvania. Mr. Chairman, I desire to discuss the amendment.

The CHAIRMAN. What amendment?

Mr. MOORE of Pennsylvania. The amendment offered by the gentleman from Tennessee.

The CHAIRMAN. Debate on those amendments is exhausted. The Chair will suggest that the first thing is to dispose of the amendment to the amendment, the Miller amendment.

Mr. MOORE of Pennsylvania. May I inquire what the amendment is?

The CHAIRMAN. The gentleman from Tennessee offered an amendment to appropriate $2,000,000, and the gentleman from Minnesota offered an amendment to the amendment providing for an appropriation of $210,000,000. Now, the question is, unless it is withdrawn, on the amendment to the amendment. Debate has been exhausted upon it.

Mr. MOORE of Pennsylvania. Would it be in order to move to strike out that amendment?

The CHAIRMAN. The question is upon that amendment. Those who are opposed to it, of course, can vote against it. The motion to strike it out would not be in order. The question is on the amendment to the amendment proposed by the gentleman from Minnesota.

The question was taken, and the amendment to the amendment was rejected.

Mr. PADGETT. Mr. Chairman, I ask unanimous consent to withdraw the amendment which I had proposed.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to withdraw the amendment which he just proposed. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Chairman, reserving the right to object, I should like to explain why that request ought to be withheld, and would like five minutes in which to do it.

The CHAIRMAN. The question is, Is there objection? Debate upon the matter is exhausted.

Mr. MOORE of Pennsylvania. Reserving the right to object, I should like to ask the gentleman from Tennessee what would be the effect of the withdrawal of his amendment?

Mr. PADGETT. When that is done, I propose to offer as one amendment the provision covered by the rule.

Mr. MOORE of Pennsylvania. That has now been eligible under the rule.

Mr. PADGETT. Yes.

Mr. MOORE of Pennsylvania. Will the gentleman concede the right of discussion when that comes up?

Mr. PADGETT. There will be some discussion upon it.

Mr. MOORE of Pennsylvania. I was not able to get any time on the rule, and this is one of the most important matters concerning the vast industrial district, in which I in part represent, that can come up. I had no opportunity to discuss it. I voted against the rule, and I should like five minutes in which to explain why I voted "no"—not necessarily on my own account, but on account of others.

Mr. PADGETT. If the gentleman had voted "aye," it would not have been necessary to explain.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee to withdraw his amendment?

There was no objection.

Mr. PADGETT. Mr. Chairman, I offer the following amendment as a new paragraph, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. PADGETT: Strike out, on page 53, lines 1 to 25, inclusive, and, on page 54, lines 1 to 15, inclusive, and to insert the following:

For the purpose of further increasing the Naval Establishment of the United States the President of the United States is hereby authorized to undertake prior to July 1, 1922, the construction of the vessels enumerated below:

Ten first-class battleships, carrying as heavy armor and as powerful armament as any vessels of their class, to have the highest practicable speed and greatest desirable radius of action; two of these at a cost, exclusive of armor and armament, not to exceed $21,000,000 each, to be begun as soon as practicable, subject to the limitations herein.

Ten scout cruisers, carrying suitable protection and armament suited to their size and type, to have the highest practicable speed and greatest desirable radius of action; two to cost, exclusive of armor and armament, not to exceed $8,000,000 each, to be begun as soon as practicable, subject to the limitations herein.

And for the purpose of further increasing the Naval Establishment of the United States in accordance with the latest improvements in the construction of ships, and in the armor and armament therefor, the Secretary of the Navy is hereby directed to submit to Congress on the first Monday in December next general description of such additional vessels as may be needed to complete and round out the Navy of the United States. Types and numbers shall be recommended after full consideration and analysis of recent war experience, and particular attention shall be given to aeroplane carriers and any other new types developed during the war or shown to be necessary by the aforesaid war experience.

If at any time before the construction authorized by this act shall have been contracted for there shall have been established with the cooperation of the United States of America any tribunal or tribunals competent to secure peaceful determination of international disputes, and which shall render unnecessary the maintenance of competitive armaments, then and in that case such naval expenditure as may be inconsistent with the engagements made by the establishments of said tribunal or tribunals may be suspended when so ordered by the President of the United States, and no contracts for the construction of vessels herein authorized shall be entered into prior to February 1, 1920.

Mr. SAUNDERS of Virginia. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SAUNDERS of Virginia. I just wanted to ask if this is the language found in the present bill.

The CHAIRMAN. It is.

Mr. BROWNING. Mr. Chairman, yesterday the chairman of the committee and myself had an agreement that there should be three hours of debate, one hour and a half to be controlled by him and the other hour and a half to be controlled by the gentleman from Pennsylvania [Mr. BUTLER]. Upon the strength of that time for debate I had promised a great deal more than the hour and a half. What I want to know is whether the chairman will agree that we can now have three hours of debate upon this amendment?

Mr. PADGETT. Mr. Chairman, it is true that yesterday before we began the consideration of the bill the gentleman and I had an agreement, as far as we could agree, that if it was agreeable to the House we would debate the matter for three hours, but conditions changed so yesterday that it got out of our hands, and instead of coming along in that way it went before the House. Yesterday there were several hours of debate upon all phases of this matter and two hours' debate to-day; so that I do not feel that the substance of that agreement is in effect now. We have had several hours of debate.

Mr. BROWNING. I want to state that not one of these gentlemen whose names I put down here for this debate has had opportunity to speak upon the matter. The Committee on Rules this morning understood that we were to have those three hours of debate.

Mr. PADGETT. I do not think so.

Mr. BROWNING. And they could not in the time they had, two hours, give these gentlemen time to speak upon it.

Mr. PADGETT. Several members of the Committee on Rules have stated to me that they fixed the very liberal provisions of two hours on the rule, with the expectation that the debate would take place under that and would be cut out of the debate after the adoption of the rule.

Mr. BROWNING. None of the Committee on Rules on this side of the House has informed me of any such arrangement.

Mr. PADGETT. I did not say that it was an arrangement with them. I said that that was their expectation, and several of them have told me so.

Mr. BROWNING. I think we can make better time by dividing it up and having debate upon the amendment.

Mr. PADGETT. Three hours would run us up until nearly half past 6 o'clock. I am willing to agree to an hour of debate.

Mr. FESS. We will finish it up to-day.

Mr. BUTLER. When the gentleman says that he will agree to one hour of debate, does he mean that to be divided between the two sides or one hour on a side?

Mr. PADGETT. I have suggested an hour only, but I want to be liberal.

Mr. BUTLER. The gentleman has no one on his side to speak, has he?

Mr. PADGETT. I do not know. It is likely that I shall have.

Mr. BUTLER. I suggest that the gentleman do not go around begging for them. We do not do that over here.

Mr. PADGETT. I will suggest that we have two hours, with the understanding that we take a vote at the end of the two hours, and the gentleman can have one hour and I shall have one, and if I do not have use for my time I shall be very glad to yield to the gentleman.

Mr. BUTLER. Give us an hour and a half.

Mr. PADGETT. I suggest that we agree upon an hour on a side.

Mr. BROWNING. I would like to have an hour and a half. We can not allot this time under one hour and a half.

Mr. HASTINGS. If the gentleman agrees to an hour and a half on a side, I shall object to the whole business.

Mr. MANN. Mr. Chairman, let me make this suggestion to the gentleman from Tennessee. It is now nearly 3 o'clock. It is very evident that the House will not remain here to transact other business after this bill is disposed of to-day, and it seems to me that we might give three hours of debate to the bill—two hours and a half anyhow.

Mr. PADGETT. I offered to the gentlemen two hours' debate, and I will give them all the time I can, and carry it out in good faith.

Mr. MANN. That would make the House adjourn rather earlier than need be——

Mr. PADGETT. No; it will take some time to take a vote and pass the bill in the House, as there will be, very likely, a roll call in the House, and that will run us up until after 6 o'clock. I will agree with the gentleman on two hours.

Mr. HASTINGS. If the gentleman will yield further, is that on the understanding that at the end of the two hours that all debate on this amendment is then closed and a vote had?

Mr. PADGETT. And all amendments thereto.

Mr. HASTINGS. And we vote on this amendment at the end of two hours?

Mr. BROWNING. I am perfectly willing to accept that, but I want more than an hour's debate.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that all debate upon the pending amendment and all amendments thereto shall close in two hours, one-half of that time to be controlled by himself and one-half by the gentleman from Pennsylvania [Mr. BUTLER]. Is there objection?

Mr. BUTLER. Let the gentleman from New Jersey [Mr. BROWNING] control the time.

Mr. KEARNS. Mr. Chairman, reserving the right to object, does that mean debate will end at 5 o'clock?

The CHAIRMAN. It means that debate will end at the conclusion of the two hours.

Mr. KEARNS. That will be 5 o'clock?

The CHAIRMAN. That means there shall be two hours of debate.

Mr. BROWNING. Will not the chairman of the committee make it two and a half hours? [Cries of "No!"]

Mr. PADGETT. No, I can not——

SEVERAL MEMBERS. Regular order!

The CHAIRMAN. The regular order is demanded.

Mr. PADGETT. Mr. Chairman, I think the gentleman can be taken care of and I am doing the best I can.

Mr. BROWNING. All right.

The CHAIRMAN. The regular order is demanded. Is there objection to the request of the gentleman from Tennessee?

Mr. MOORE of Pennsylvania. Mr. Chairman——

SEVERAL MEMBERS. Regular order!

The CHAIRMAN. Is there objection? [After a pause]. The Chair hears none. The gentleman from Tennessee is recognized for one hour.

Mr. BROWNING. Does the gentleman from Tennessee want me to allot any time? Shall I go on now and use some time?

Mr. PADGETT. If the gentleman will go ahead and use some of his time——

Mr. BROWNING. Mr. Chairman, the chairman of the committee has asked me to use some of my time and I yield 10 minutes to the gentleman from Iowa [Mr. TOWNER].

Mr. LONDON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LONDON. Is there any rule of the House which would prevent a repetition of old arguments?

The CHAIRMAN. That is hardly a parliamentary inquiry. The gentleman from Iowa is recognized for 10 minutes.

Mr. TOWNER. Mr. Chairman, I can readily understand how gentlemen who have voted to support the rule may yet reserve their decision regarding this amendment which is proposed until final argument has been made. I am opposed to the adoption of this amendment. Gentlemen of the committee understand, I think, or should by this time, that this amendment which is now proposed is not the amendment of the committee. It is the proposition of the Secretary of the Navy, which has received the indorsement of the President of the United States. I can easily understand how men on both sides of the House might hesitate at this time in refusing any legislation that the President says is necessary. I think, however, that gentlemen should consider the circumstances under which this request is made. We do not know what statements were made by the Secretary of the Navy to the President of the United States when he presented this matter to him. We can not know, because we are refused the knowledge of what the exact terms of the President's dispatch was to the Secretary of the Navy or to the Committee on Naval Affairs. The newspapers say that the President stated that a failure to adopt this program would be fatal to his negotiations, or, as subsequently modified, would be fatal to his undertakings. There is no material difference in the proposition. We ought not to give too much weight to what has been stated as the President's request to the Congress, unless we know what were the propositions that were put up to him. I would like to understand whether the President meant that only the additional and new program was to be considered, or whether he meant that we should carry out the program which has already been adopted. Did the President know that at this time we had seven battleships yet to build? Did the President know that we have five great battle cruisers yet to be built? Did the President know that we had seven scout cruisers yet to be built? Did the President know that we had 51 submarines yet to be built, besides other ships on the existing program? Did the President know when this proposition was placed before him by the Secretary of the Navy that we had, with the present existing facilities, all that we could possibly produce in two years' time? Did the President know that if we adopted any additional program we would have to enlarge the facilities for building these ships and it would take perhaps a year or two of time? Were all of these things known to the President when he said that unless the program was carried out it would be fatal to his negotiations? I judge not. Very easily the President might have supposed that if we should cease carrying out the existing program, if we should stop building battleships already authorized and appropriated for, that it might be considered that the United States had abandoned this very large and existing building program. But we do not know what was in the President's mind when this situation was put before him. I can not believe, Mr. Chairman, that the President is placed in such an embarrassing situation as to claim that a new and almost unheard of proposition of building battleships and battle cruisers and everything else larger than that proposed by any nation in the world should be undertaken at this time as a paper program and an announcement of a policy.

Because, gentlemen, if that be true, it would belie every act and every statement the President of the United States has made since he has been in Europe. The President went there for the purpose of insisting on the reduction of armaments. That was one of his 14 points that he stated time and again he should insist upon. He is now there pleading with England, pleading with France, and with Italy, and with all of the powers represented, that they should agree to a limitation of armament. Can it be possible that he would be so foolish as at the same time to say to his own Nation, "I do not mean this. I want you to go on and adopt the largest building program ever proposed in the history of mankind"? Why, gentlemen, if we should now do what is here proposed, we would say to the world on the invitation of the President of the United States, "The President does not mean it when he asks you to reduce your armament." That would defeat the very object that he has time and time again declared was so dear to him, the security of the reduction of armaments. Can it be possible that we will place the President in this embarrassing situation? Why, gentlemen say and plead with us, "Do not embarrass the President in his negotiations across the sea." And how could we embarrass the President more than to say he is not acting in good faith; he does not propose to reduce but rather to enlarge the armament of the United States. We will insist on you reducing your armies and scuttling your battleships, but we will go on building more. Gentlemen, it seems to me that we are embarrassing the President rather than otherwise. Would it not be wiser for us to say, "We will wait until these negotiations have passed. We will wait until the event is determined." We in the meantime have all we can do under existing authorizations to enlarge our Navy by the use of the existing facilities. We are now building a very large addition to the Navy, such addition as will make it the most powerful navy, next to that of Great Britain, in all the world and equal to any other three nations in the world. Suppose we take the other horn of the dilemma suggested, not very directly but always with indirection, in the debate on the floor of the House, that we must give this power to the President as a club. Let us see what that means. It could mean only one thing. It could only affect one nation. It could only mean that Great Britain shall consent to reduce her navy. If that is insisted upon, we all know Great Britain will never consent. It will mean that the league of nations, which we all desire, will fail. It will mean not only that an agreement for a limitation of armament will fail, but that the whole peace program will fail. Can we be unwise enough to bring about such a result? It is to help the President to secure the future peace of the world rather than to hinder him that this amendment should be defeated. [Applause.]

Mr. BROWNING. Mr. Chairman, I yield to the gentleman from New York [Mr. HICKS].

Mr. HICKS. Mr. Chairman, this item providing for the increase of the Navy has provoked more discussion both in the committee and on the floor of Congress than any other provision of the bill. To me the authorization of another three-year program, small in the number of ships contemplated, and hedged about by provisions for the study of the design and type of the vessels, and withholding their construction until the foreign situation clears, is entirely justified and, in my opinion, in accord with the desire of our people.

No one realizes more fully than do I the enormous burden placed upon our people by the necessity of war. No one appreciates more sincerely than I the noble sacrifice of our countrymen in the time of stress. No one is more anxious to have this Nation return to the ways of peace and have its manhood and its genius once more directed toward the development of the Republic. God speed the day when our boys will lay aside the uniforms they have worn with such honor and glory, and reenter the shop, the field, the office, and all the activities by which this mighty Nation has grown to such unequaled splendor. [Applause.]

Mr. Chairman, much misinformation has surrounded this item, much that has been misleading. It has been stated that this bill appropriates a vast sum for a new program. Such is not the case. Not a dollar of money is provided here for ships not already authorized. We only recommend a policy, a policy that can be changed or terminated at will, and which does not involve a penny. Our taxpayers will not suffer under this item, for no appropriations are made, and if an agreement is reached regarding armaments, no appropriations ever will be made.

This bill provides only for the Navy now in existence or being built under previous authorizations. In the light of the triumph of our Navy in the great conflict, with the deeds of its officers and men forming the brightest pages in our history, who is there who seeks to undermine its greatness or curtail its growth? [Applause.]

The Navy has been, is now, and always will be the first line of defense against the possibility of foreign aggression. It is the medium by which we guard our commerce on the seas, safeguard our rights abroad, and extend the protecting arm of the Government to our citizens and their property in foreign countries. It is the expression of the will and the purpose of the Nation, always ready to preserve the integrity of the Republic and maintain policies which have become part of our free institutions. With the financial and commercial centers of the world within our borders, we should not shackle the Navy or hinder its legitimate expansion.

It should be commensurate in its development with the increase in our population and the growth of our resources, both bringing to us new burdens and larger responsibilities as one of the great powers of the earth. To be effective it must be kept fully abreast of the skill and science of the times, and to accomplish this new ships must be laid down every year, and so I favor this provision in the bill, with the limitations that have been placed upon it.

All sincere advocates of peace hope for the adoption by the Versailles conference of a policy of disarmament. If this is approved, as I hope it will be, we can meet the situation by the cancellation of old contracts and the withholding of new ones. If it fails, then America will be in a position to carry out its own destiny without fear and without favor.

Standing for peace and an earnest advocate of an international covenant for the adjustment of future controversies, I still believe that this Republic should go forward in the fullness of its power and in the sweep of its majesty, undetermined by

the friendship of one nation and undismayed by the enmity of another. [Applause.]

Mr. BROWNING. Mr. Chairman, I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, it has been my observation and experience that no good cause is ever permanently aided or advanced by a policy of threat or bluff. It is also my opinion that the carrying of a big stick is neither seemly nor persuasive when one sits in friendly conference for the purpose of securing the benefit of common counsel.

Over yonder at Versailles is assembled the most august tribunal ever gathered among men. Its problem is the most stupendous, intricate, and trying ever presented to any assembly in all recorded time. The only hope of a reasonably favorable and satisfactory outcome of their discussions and negotiations rests upon the maintenance of an attitude of candor, confidence, and good faith on the part of all those who have to do with those discussions.

It may not be considered seemly to hold or express an opinion differing from that of our chief representative—by self-appointment—at that council table, touching the matters to which this amendment relates; but may I not be allowed to suggest that those far removed from the currents of ambition that surge around that council table may be as well positioned to judge as to what becomes and preserves the dignity of the Republic as those who are in the very vortex of those currents of ambition. They know at Versailles, and they need no reminder, of the mighty potential strength of this Republic and the heroic valor of her sons. [Applause.] They know, and all the world knows, that we can build, equip, and maintain, if the necessity arise, a Navy greater than can be maintained by any other nation on earth. And this being true, do we enlarge or increase our influence at the peace table by this announcement of a policy of future expansion of the Navy, couched in language which proclaims its character of bluff and threat?

Mr. Chairman, this proposal does not express the spirit of the American people or the attitude which should characterize America at the peace table, and it is the peace table at which the paper guns of this paper addition to the Navy are aimed. [Applause.]

The provision is not in keeping with the dignity of the Nation. It calls into question our sincerity and good faith. It is altogether gratuitous and premature. It suggests a fear on our part that we shall not have the courage or intelligence to meet future issues, except under the spur of a preliminary announcement.

View the proposal as you will, as a future plan or purpose prematurely announced, as a brazen bluff, or as an ill-advised threat, from any and every possible viewpoint it is in bad taste, lacking in dignity, a blunder which, in view of the interests involved, assumes the proportion of a national crime. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. BROWNING. Mr. Chairman, I yield five minutes to the gentleman from Iowa [Mr. GOOD].

Mr. GOOD. Mr. Chairman, a few years ago the annual appropriations for the Navy Department aggregated about $150,000,000. This bill, reported after the war with Germany has come to an end, carries about $750,000,000. And if the program that is put on paper is adopted it will cost the Government about $400,000. The annual expenditures that will be necessary on behalf of the Government to keep up the Navy Department, including that program, will be more than $1,000,000,000.

Before starting on this enlarged program we should consider the cost; we ought to know what we are doing. We ought to act, not because one man tells us how to act, but we ought to act, it seems to me, in response to the wishes of the 200,000 men and women that each of us represents. How many Members of this House realize that if we launch into this big program, and the military program must grow with it—how many of us realize that if we are to do this our annual expenditures will never fall below $6,000,000,000? Where is the money to pay the bills to come from? Vote for this program if you think best on the sole demand of the President alone and against the wishes of the taxpayers, but do not complain if these same taxpayers kick you out of office.

We should look the proposition squarely in the face. The friends of this proposition admit it is a bluff. In attempting to deceive others let us be careful lest we deceive only ourselves. Do you think that Great Britain and France do not know that this is a bluff? Why, it seems to me that if America's sentiment were ascertained in this regard, the sentiment of America would be found to be in favor of a league of nations or some plan to enforce peace. They want the President to be successful, to bring that about, but the people of the United States want the President to go to that peace conference with clean hands and impress the nations with which we are allied that America is in earnest in her demand for disarmament and earnestly wants some plan adopted to settle these international difficulties without war, without bloodshed. As an earnest of our good faith, the President should be able to point to the fact that in the United States, in further pursuance of that policy, the American Congress is taking steps to lessen its armament. He should be able to say to those in the conference that the United States will not increase her Navy and America will decrease her Army as rapidly as possible. That we mean what we say when we assert that we are in favor of limiting its armament.

That, I believe, is the sentiment of America to-day; and you gentlemen on that side of the aisle who are following the President on the proposition have but few following you. You will be called upon to give some better excuse to the people you represent for your vote for the amendment than the old excuse that you were following the President.

The people prefer the settlement of these international disputes in a peaceful way. If we are in favor of that program, let us honestly and honorably work to that end. I say the plan is dishonest; it is dishonorable for us to say in France and Great Britain, "We are in favor of a league of nations to settle these disputes; we are in favor of an agreement for disarmament"; but in the United States "We are in favor of a policy to increase our Navy and add to our armament; that we propose to increase our Navy program costing from $150,000,000 at the outbreak of the war to one costing over $1,000,000,000 a year." And we are agreeing to the program even before a peace treaty is signed.

I do not believe we are going to get anywhere with that kind of a policy. I believe that America ought to lay her cards on the table, so that the world can see that we are sincere in our protestations; that we are truly opposed to heavy armaments; that we are opposed to settling these disputes by war.

Mr. Chairman, I never saw, I never heard of a proposition so childish and so foolish as the proposition that is presented here. To think that men like Clemenceau, like Lloyd George, men that are representing friendly powers, can not see through the sham and hypocrisy that we are imposing upon our allies and friends! To me this is inconceivable. [Applause.]

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. BROWNING. Mr. Chairman, I yield 10 minutes to the gentleman from New Hampshire [Mr. BURROUGHS].

The CHAIRMAN. The gentleman from New Hampshire is recognized for 10 minutes.

Mr. BURROUGHS. Mr. Chairman, I am not in any sense of the word a "little-Navy" man. I have for many years believed in a strong Navy, and I publicly advocated that doctrine in my own State long before we engaged in war with Germany. I think we ought to have a Navy big enough and strong enough to protect our thousands of miles of seacoasts on both oceans, as well as our outlying possessions. We ought to have a Navy big enough and strong enough to protect our merchant shipping, which I hope in the near future to see once more carrying our flag as of old into every port and harbor of the world. We ought to have a Navy big enough and strong enough to safeguard all our interests in every quarter of the world.

But I am not going to vote for this appropriation, and I want to see it stricken out of the bill. I am wholly unwilling in the present state of the public finances to vote away some $400,000,000 of the people's money without a sufficient reason for it. Up to date no sufficient reason—in fact, no good reason at all—has been given. Every true friend of the Navy, every true friend of the American people, in my judgment, will under the present circumstances insist that the Navy Department go ahead and complete the construction of ships already authorized, and hurry up about it, rather than come in here now and ask for further authorization of hundreds of millions of dollars to build more ships, the construction of which can not be begun for many years.

Why, as I understand it, they have scarcely yet made a beginning on the program authorized in August, 1916. Nearly three years ago this Congress authorized the construction of 10 first-class battleships, 6 battle cruisers, and 10 scout cruisers, besides a large number of torpedo-boat destroyers, submarines, and other boats. Not one of these ships has yet been constructed. Not one of them is anywhere near completed. As I understand from testimony given at the hearings and from statements made to me by members of the committee, it will be a year and a half at least before any one of these boats already authorized is completed. As I understand the matter, it will be five years at least before this 1916 program is out of the way. Why, then, in the name of common sense, are we

starting in on another program of almost equal magnitude at the present time? For the life of me I can not understand it.

What is this proposition anyway? What are we asked to do?

The bill provides for the construction of 10 first-class battleships and 10 scout cruisers, the construction to be undertaken prior to July 1, 1922, but no contracts to be entered into prior to February 1, 1920. The cost of this construction and equipment will be upward of $400,000,000. As I understand it, this involves and amounts to a declaration of policy on the part of this Government in favor of a huge naval expansion, that would, if carried out, put us substantially on an equality with Great Britain as regards naval establishment. As I understand it, this is a complete departure from any naval policy which we have heretofore advocated. As I understand it, it is a substantial, radical, fundamental change in our naval policy as adhered to consistently for more than a generation.

Now, it seems to me only the part of wisdom before embarking on any such ambitious program that we should have some good and sufficient reason for doing it. I have listened attentively to the debate on this bill and, so far as I have had opportunity, I have read diligently the hearings before the committee and the report of the committee, but up to date I must confess I have failed utterly to find any reason that was satisfactory, to my mind, for the action proposed.

To be sure, the President of the United States has sent a cablegram to the Secretary of the Navy in which he is understood to have recommended this appropriation. But the President of the United States did not send this cablegram of his own motion. An effort has apparently been made here to make it appear that the President of the United States is begging us and pleading with us to authorize this new program. Nothing could be further from the fact. So far as we know, he has done nothing of the sort. All we know is that the Secretary of the Navy, for some reason best known to him, saw fit to cable the President at Paris for his views concerning this matter and the President of the United States is understood to have sent back word to the Secretary of the Navy that his views as heretofore expressed were unchanged. The Secretary of the Navy has in confidence sent the President's cablegram to the distinguished chairman of the committee, and the chairman of the committee has in confidence shown the cablegram to the members of the committee and to certain other favored individuals, Members of this House. But the bulk of the membership of the House has not seen the message at all. We do not know a single statement it contains. All we know is that in substance it is said to be a recommendation in favor of this appropriation. We are not told what reasons, if any reasons, are given as a basis for the recommendation.

Now, Mr. Chairman, I am all done voting appropriations in this House simply because the President of the United States says the appropriation is necessary. For months I have sat dom or expediency or necessity of any of these appropriations, running into the millions, and even into the billions, and have asked no questions. If I have had doubt in regard to the wisdom or expediency or necessity of any of these appropriations, I have given the President the benefit of that doubt. Whenever he has said that something was needed I have voted for it. Whenever he has said that some power was needed I have voted to give it to him, and what I say for myself I say also for substantially the whole Republican membership of this House. We have all done the same thing. There has been no politics on this side of the Chamber. Politics was "adjourned," but it was not done on the initiative of the President of the United States. It was done long before he ever suggested it. And more than that, Mr. Chairman, let me say that politics was not reconvened either until the President of the United States spoke the word.

Mr. CALDWELL. Mr. Chairman, will the gentleman yield?

Mr. BURROUGHS. Yes; I yield for a question.

Mr. CALDWELL. Do you think that he should not have the support of this Congress, now that he is over there trying to secure peace?

Mr. BURROUGHS. I say that the President of the United States should have the support of this Congress absolutely.

Mr. CALDWELL. Then why do you not give it?

Mr. BURROUGHS. He should have the support of this Congress, on both sides of the Chamber; but I say to the gentleman, if the President of the United States wants this bill passed in order to have a trump card to play at the peace conference, why does he not tell us so—why does he not say so? [Applause.] If he has got any reasons why he wants this bill passed, he can send a cable message here giving the reasons. But he has not furnished any reasons. We are the people responsible for this legislation, and it is due us to have the reasons given as to why this important legislation should be enacted.

Mr. CALDWELL. Mr. Chairman, will the gentleman——

Mr. BURROUGHS. But up to date no reasons have been given. I decline to yield any more of my time.

Now, I have great respect for the President of the United States and the high office he holds. I admire his great abilities, and no man in this House is more willing to concede that he has great abilities than I am. But I utterly refuse to allow any man holding any position in this country, however exalted it may be, to tell me how to vote. The war is over now and I decline to let any man, even though he may be engaged in the great work of constructing a treaty of peace at Paris, reach under the table and pull a string and make me jump like a common manikin here on the floor of this House. It was bad enough to do that when it was attempted from the other end of the Avenue, but when they try to do it from the French capital, in my judgment, it will not succeed. Certainly it will not succeed so far as I am concerned. The connection is too long.

Mr. WINGO. Will the gentleman yield for a question?

Mr. BURROUGHS. Yes.

Mr. WINGO. Does the gentleman intimate that the President is responsible for the jumping that has been going on since this bill has been reported? Has he been pulling some strings?

Mr. BURROUGHS. I do not know to what the gentleman alludes.

Mr. WINGO. I refer to the jumping and the denunciation of him that has taken place since he gave his frank opinion in reference to this matter.

Mr. BURROUGHS. There has been no jumping, so far as I am aware, and if I have my way about it there will be no jumping in this Congress. So far as my vote is concerned, I propose to stand on my constitutional rights here as a Member of this House, and I propose to have reasons given before I vote for any measure of legislation or appropriate one dollar of the people's money.

Neither is it very satisfying to my mind to have the committee tell us, as they do tell us in their report, that we should have an "adequate" Navy. That is simply begging the whole question. We all want an adequate Navy. But what is an adequate Navy? As I look at it, Mr. Chairman, this question of military and naval defense is simply a question of sensible and reasonable adjustment of a Nation to its environment. It is a question of fact for each nation to determine for itself under the circumstances. We get no information whatever as the basis for our action here by the simple statement that we should have an "adequate" Navy.

Every Member of this House wants an adequate Navy, but before that even we want adequate reasons for voting away the people's money.

That is true at all times, but especially, Mr. Chairman, is it true in the present state of the public finances. Here we are now with a bonded debt of $16,000,000,000 and a floating debt of from four to five billions more. At this moment we are facing a bond issue of five or six billions and the possibility of still another one later in the year. I sat here in my seat last Saturday and voted for a huge tax levy of $6,000,000,000, an amount greater, as I understand it, than was ever carried before in any similar legislation in the history of the world. I confess that I hesitated for some time before I voted for that bill. Why did I hesitate? Because I knew the tremendous burden it was imposing upon the men and women and children and all the productive activities of this country—a burden under which many of them will inevitably stagger and groan, and quite possibly some of them go down in bankruptcy and ruin. I knew the inequalities and inequities in the bill, many of which I had sought in one way or other to correct. But I knew also that the debts we had contracted and the debts we were contracting from day to day we must pay. We had fought the war to a victorious conclusion. We had done our part and done it well, and now we must pay the bills. Under the circumstances there did not seem to be anything else to do than to vote the taxes, distasteful and obnoxious as they were.

I understand that in a few days we will be called upon to vote an appropriation of approximately a billion dollars to make up the guaranteed price of wheat to the farmers. I understand that within a few days we shall be called upon to vote perhaps $75,000,000 for a public-buildings bill. Then there is the great Mississippi River project, calling for three or four hundred million dollars, and Secretary Lane's project of land for soldiers, calling for $500,000,000. We just voted in the revenue bill for a $60 bonus for all the soldiers discharged from the service, and that involves two or three hundred million more. I do not criticize this appropriation. To my mind it is little enough. My own State of New Hampshire, through its legislature, has recommended that this appropriation be not less than $200 per man. Then we will be asked to vote $200,000,000

for good roads, a measure which has already passed the other body in this Congress.

Besides, Mr. Chairman, there is still a great army of our boys in Europe. Thousands of our men are way up in northern Russia fighting and being killed for some cause. I hope it is a good one, but I do not know what it is and I do not know who does know. I know one thing, Mr. Chairman, and that is that the people of this country, in my opinion, are entitled to know why these boys are fighting and being killed away up in northern Russia. All these men we must feed and clothe and take care of until we can at last get them home again.

What harm is going to be done if we strike out this appropriation? Under the terms of the bill as I read it we can not begin the construction of these ships anyway before February 1, 1920. That is substantially a year from this date. Why not go ahead and complete the program already under way before embarking upon a new program of such huge proportions? Why should we in the present state of the public finances, and with the whole country staggering under the burden of taxation already imposed, go on here day after day making these needless and wasteful expenditures? What sensible reason can we give to our constituents for voting for this appropriation? Other gentlemen may be able to think of some such reason. I am frank to confess that I can not.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PADGETT. I yield five minutes to the gentleman from Texas [Mr. BLACK]. [Applause.]

Mr. BLACK. Mr. Chairman, in August, 1916, Congress adopted a three-year construction program for the Navy. Ships included in that program were: Ten first-class battleships, 6 battle cruisers, 10 scout cruisers, 50 torpedo-boat destroyers, 9 fleet submarines, 58 coast submarines, and other craft of miscellaneous types. Some of that construction has been completed and much of it has not been. A great deal of it yet remains to be built. The three-year program was a new departure. Prior to that time Congress had pursued the policy of dealing with needed construction from year to year, expanding the Navy from time to time as the needs seemed to require. I am not prepared to question the wisdom of that policy, but in 1916 world conditions as to naval affairs had taken on a new and threatening aspect, especially in so far as the United States was concerned. These new conditions were the justification for the three-year building program.

On May 31, 1916, what was perhaps the greatest naval battle in all history was fought between the German Navy under the command of Admirals Hipper and Scheer and the British grand fleet under Admirals Jellicoe and Beatty. It was the Battle of Jutland. The Kaiser in his usual bragging manner had hailed it as a great German victory, and had congratulated his navy and had exhorted them to "Forward" with God. There was a school holiday throughout the Empire to celebrate the widely heralded victory. The British did not seem to be clear in their own minds just what appraisement to put upon the results of the engagement. They knew this comforting fact, however, that with the coming up of the full force of their grand fleet the Germans had retired from the engagement and had declined to make of it a fight to the finish.

On account of the secrecy which had surrounded the damage which had been done to the German fleet, and the further fact that the Kaiser had boasted of it as a great victory, our own naval authorities were no doubt in somewhat of an unsettled state of mind. In fact, a feeling of apprehension as to the supremacy of the British fleet was felt to some extent almost everywhere, and undoubtedly it was felt in the United States. Gradually the differences which had been growing up between the Imperial German Government and the United States of America since the sinking of the *Lusitania* were becoming more and more acute, and it was almost everywhere felt that if the Kaiser and his military party should win the war, then instead of Britannia ruling the waves Germany would rule them, and the standard of the Prussian Eagle would supplant those of the British Lion upon the high seas. After this then would inevitably come a conflict between the United States and Germany, because the Kaiser had declared to Mr. Gerard, so we are told, that after this war was over that he would take no foolishness from the United States. So it was in the midst of the logic of these events that the three-year program of 1916 was adopted. I find no quarrel with the three-year program. But events since then have assumed an entirely new aspect. Instead of the Battle of Jutland having been a great victory for the German fleet, we have it on the authority of the eminent German critic, Capt. Persius, that if it had not been for the skillful leadership and maneuvering of Admiral Scheer, coupled with the mist and darkness that prevailed, the entire German fleet would have been annihilated.

But, better than that, since then the gallant armies under Marshal Foch have brought the war to a triumphant close, and the "boast of heraldry and the pomp of power" of the supreme war lord of Prussia has been utterly crushed, and Count Hohenzollern is now spending his melancholy days in Holland, with none so poor to do him reverence. The democracies of the world have again demonstrated the fact, which history has emphasized through a period of 6,000 years, that the world never has and never will for long submit to the conquering heel of tyrant. And now that the "shouting and the tumult dies and the captains and the kings depart," and the statesmen of the world gather to prepare for peace, we have the amazing proposition laid before us that the greatest democracy of them all, the United States of America, shall enter upon, so far as I know, the first ambitious after the war program for an increase in armaments. I am perfectly well aware that there is coupled with the provision authorizing the new three-year program another provision which authorizes the President, under certain conditions, to suspend construction of it. But why enter upon a policy of this kind at this time at all? The whole world is staggering under the most tremendous burden of national debts that have been piled up since the dawn of time. Even in the United States of America it looks as if we will have a national indebtedness of at least $25,000,000,000. It is time that the Congress of the United States call a halt and take stock of the future.

Many thoughtful minds are alarmed at the unrest which prevails in the world to-day. And well may we give careful, sober thought to the grave domestic problems which are ahead of every nation in the world. The quicker we can return to normal domestic conditions, the easier these problems will be to solve. But they will be difficult and the processes slow at best. How can business and industry get back to normal conditions if all the money the people make is to be taken in taxation and bonds to maintain military and naval establishments and competitive armaments?

Secretary of the Navy Daniels in his annual report of 1918, speaking of this very proposed three-year program which we are now to vote upon, said: "Including the $600,000,000 for which authorization is requested in the new three-year program, the total estimates of the department for ship construction, including armor and armament, amount this year to $972,000,000. The total amount recommended for appropriation next year for ship construction, that is for completing vessels already authorized and for new vessels, is $572,000,000. Also, Secretary Daniels, in speaking of the 1916 three-year program, said:

> That seemed a very large expansion and involved an appropriation bigger than anybody had before proposed; but in the light of war expenditures the sum does not appear so huge as when Congress made the appropriation for the three-year program.

Very true, Mr. Secretary. We have been voting such stupendous sums within the last 18 months that a mere $600,000,000 seems a bagatelle, but it must be remembered that these huge sums have been voted under pressure of war necessity; under a sense of compelling duty. Many millions were voted and spent which, now that the armistice has been signed, can be of no useful purpose. But we had no way of knowing that, because we did not know when the war would come to an end, and therefore it was the part of patriotism and wisdom to prosecute it with every possible vigor. I am glad we did that. But now conditions have changed. The "war drum sounds no longer, and it is hoped the battle flag will soon be furled," and it becomes the duty of Congress to look into these appropriations with more discriminating attention. The people have a right to expect it of us, and we are derelict to our duty if we do not do it.

CONCLUSION.

I have always believed in and advocated a strong naval force and one which would be entirely sufficient to defend our coasts and our commerce on the high seas against any danger reasonably to be apprehended. I do not know what will be the fruits of the world peace conference which is now assembled at Versailles. No one knows. Its achievements are yet in the womb of time. It is to be hoped that its deliberations and its conclusions will bring about a better feeling and understanding among the nations of the world and that the peoples everywhere may catch a vision of peace and good will the like of which they have never seen before. I grant you that these hopes may be dashed to earth and many of our dreams may be shattered, and after its deliberations are concluded we may find it necessary to adopt the policy of building "incomparably" the greatest navy in the world, with all the financial burdens that policy will impose. Perhaps so. If so, then I am willing to do it. But surely it will be soon enough for the Congress of the

United States to adopt that policy when the peace deliberations have been concluded and their results are before us. Until then let us hope that a way will be found to stop the mad race for armaments among the nations of the world and that some kind of a court of arbitration with fixed powers and jurisdiction will be established to which nations may at least have the right to submit their differences and disputes, and that its efforts at mediation and conciliation will have the encouragement and support not by one power merely or by a single group of powers, but by all the world powers, working in harmony for the preservation and integrity of civilization. Then may the vision of Dumas be realized, when great armies shall vie for supremacy in acts of true charity and benevolence, their war cry being, "The Fatherhood of God and the brotherhood of man." [Applause.]

Mr. PADGETT. I yield five minutes to the gentleman from California [Mr. LEA].

Mr. LEA of California. Mr. Chairman, to-day we are asked to adopt a program that would make ours the greatest Navy in the world. This involves two propositions of fundamental, monumental importance. One is a great national policy and the other is a burden of debt that will rest upon the taxpayers and upon business in this country for a time of which no man knows the end. I am opposed to this program. I am opposed to it primarily for three reasons. The first is that of the 1916 program over $700,000,000 is unexpended, and that is sufficient to provide all the construction that should be necessary or desirable for three years to come.

In the second place, I am opposed to the adoption of this program because I believe this is an unhappy time, while our envoys are gathering around the peace table seeking to reach an agreement based on a common understanding, representing the heart's desire of the people of the world for permanent peace, for us to propose to build the greatest fighting machine in the world. [Applause.]

And in the third place, I am opposed to this program for the reason that if our security is not amply provided in the treaty of peace, there will be abundant time to provide this program, or whatever program may be necessary, after the treaty of peace has shown the necessity. In other words, to summarize my position, I believe this program is unbusinesslike, undiplomatic, premature, and imposes an unnecessary burden on the people of the Nation.

Let us consider the circumstances under which the suggestion is made to adopt the program. In 1916 we adopted a three-year program for naval expenditure of over $800,000,000. Over $700,000,000 of that program is unexpended to-day. It is an abundant program to keep us busy for three years to come. During the war we expended over $500,000,000 in addition to the three-year program, and now before we have completed one-quarter of the three-year program it is proposed to add four hundred million more.

The size of Navy required to properly defend our country is a relative matter. It depends upon the relative strength of the navies against which prudence requires us to be prepared. To-day, as always heretofore during our national life, England unquestionably has the strongest of all navies. During the war we largely increased our relative strength as compared with England's Navy. We have outdistanced every other navy in the world. The German Navy, which was our chief menace, has been destroyed. To-day no other power on earth has a navy comparable to ours in strength or effectiveness. No other nation now proposes a navy to approach our relative strength or endanger our security.

No one will assert that we should build the biggest of all navies with the expectation that some day we will contend with the British Empire for the physical supremacy of the sea. It is unthinkable that we should ever contemplate a war with that nation to whom we are bound by ties of kinship and race and from which we inherited our law, our language, our ideals, and our Christian faith.

Neither is the example of England one for our imitation. The British Empire equals four times our population and three times our area. It includes 70 countries and groups of islands located on every sea, populated by every nation, race, and tribe, exposed to attack from every direction, her homeland a small island, whose people are dependent upon the ships of her merchant fleet to bring 75 per cent of the food to sustain life. No fancy of imagination can compare our necessity of a big Navy to that of England. There has not been a time for 30 years when England could have preserved the integrity of her Empire for a single decade without the supremacy of her navy over that of Germany. England has and ought to have the greatest navy in the world.

It is easy to say, "I do not want my country to play second fiddle to any nation." It would be just as sensible to say, "I want the biggest of navies, whether we need it or not." The difference between England's biggest navy and ours is that she needs it and we do not. I want to build a navy as big as our necessity, not to gratify our vanity, but to serve our needs.

To-day the representatives of our Government are gathered around the table in Europe, seeking to agree on the terms of a just and enduring peace. I find no fault with our President in representing us there in a foreign land. Say what you will, it is the judgment of the American people that they would rather the lips of our President should speak for them at that table than the lips of any other living man.

Our representatives are meeting with our allies, the small nations, the neutrals, and even with those who were lately our enemies, seeking to unite in a league of nations founded on good faith and common purpose, in the hope of preserving the peace of the world. Negotiations thus far advanced have inspired the high hopes of the people of the earth.

Now it is proposed that the purposes of the United States at the peace table will be subserved by the declaration of this Congress in favor of the biggest navy in the world and in adopting plans to that end. In my judgment, such a program by the United States at this time is indefensible. To advance this program while we are meeting the nations of the world in a peace conference puts us in the position of making a threatening move for our pistol pocket. It is neither wise nor desirable that the action of the nations at the peace table should be influenced by threats or coercion.

We are negotiating for peace which we discount in advance by preparing for its failure. This program is the alternative of success at the peace table. We discount our peace prospect and impeach our motives in the middle of negotiations by providing for their failure.

Our hope for a just and enduring peace and cooperation of the nations must rest upon a common understanding voluntarily reached and actuated by the heart desire of the people of a stricken world. An unwilling agreement would be doomed to failure from the beginning.

This program involves a great question of national policy. It involves placing a great burden upon our taxpayers and the business of the Nation for years to come. It should never be adopted until the necessity for it is reasonably shown to exist. I can never lend myself to placing that policy and that burden upon our country until it has the approval of my own mind and my own conscience.

From the standpoint of those who advocate this extension of our Navy, the necessity for it depends on whether or not partial disarmament is agreed on at the peace conference. Will the peace treaty leave us competitive armaments or partial disarmament? No one knows.

Admitting that the necessity for this program is not now known to exist, those who favor it fail to make their case unless they can show that after the treaty of peace will be too late for its adoption. That they can not do. The $700,000,000 uncompleted construction under the program already adopted will fully cover all possible construction until peace is reached and we can exercise our discretion with full knowledge of the facts in determining our future policy.

We are asked to adopt a program before the necessity for it has been determined. The difference between adopting this program now and at some later date, when the necessity for it is shown, if at all, is the difference between acting without knowledge now or with knowledge at a later date.

Mr. SHERWOOD. Mr. Chairman, this is one of the most important matters that has come before Congress. I have been here, modestly quiet, for 15 years, and I make the point of no quorum.

Mr. PADGETT. I hope the gentleman will not make that point now.

Mr. MOORE of Pennsylvania. If the gentleman withdraws it, I shall renew it. There is too much suppression of discussion in this House on one of the most momentous bills ever considered by it.

The CHAIRMAN. The gentleman from Ohio makes the point that no quorum is present. Evidently there is no quorum, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Clark, Fla.	Dent	Fairchild, G. W.
Bankhead	Classon	Denton	Ferris
Barkley	Collier	Dies	Flood
Bland, Ind.	Cooper, Ohio	Dill	Flynn
Booher	Copley	Dooling	Francis
Borland	Costello	Drukker	Gallivan
Brumbaugh	Cox	Elliott	Goodall
Burnett	Crago	Elston	Graham, Ill.
Caldwell	Dale	Esch	Graham, Pa.
Cantrill	Decker	Estopinal	Gray, N. J.
Carlin	Delaney	Fairchild, B. L.	Greene, Vt.

Gregg	Lunn	Ramseyer	Smith, C. B.
Griffin	McCormick	Randall	Smith, T. F.
Hamill	McKenzie	Reed	Snook
Hamilton, N. Y.	McKinley	Riordan	Snyder
Harrison, Va.	McLaughlin, Pa.	Roberts	Stevenson
Haskell	Mansfield	Robinson	Strong
Hastings	Mason	Rodenberg	Sullivan
Heaton	Miller, Minn.	Rowe	Swift
Heintz	Moores, Ind.	Rowland	Taylor, Ark.
Helm	Mudd	Rucker	Templeton
Helvering	Nolan	Russell	Tilson
Hensley	Norton	Sabath	Treadway
Howard	Olney	Sanders, La.	Waldow
Kahn	O'Shaunessy	Sanford	Walker
Kennedy, R. I.	Overmyer	Sears	Ward
Kerr, Ohio	Overstreet	Sells	Watson, Pa.
Kiess, Pa.	Park	Shackleford	Webb
La Follette	Parker, N. J.	Sherley	White, Me.
Lazaro	Platt	Shouse	White, Ohio
Langley	Polk	Siegel	Wilson, Ill.
Lehlbach	Porter	Sims	Woods, Iowa
Longworth	Pratt	Sisson	
Lundeen	Price	Sloan	

The committee rose; and the Speaker having resumed the chair, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15529, the naval appropriation bill, and, finding itself without a quorum, he had caused the roll to be called, when 295 Members, a quorum, answered to their names, and he handed in the names of the absentees to be recorded in the Journal.

The committee resumed its sitting.

Mr. PADGETT. Mr. Chairman, in view of the request for a quorum, may I ask the gentlemen to remain here and maintain a quorum so that we can pass this bill by 6 o'clock? I yield five minutes to the gentleman from Oklahoma [Mr. CARTER].

Mr. CARTER of Oklahoma. I want it understood I did not make this point of no quorum. I am not so enamored of my knowledge on this subject that I would feel justified in making a point of no quorum in order to get an audience.

Gentlemen complain about the meager information they have as to the necessity for carrying out the program set forth by the amendment under consideration. Many of them have gone to the extent of saying they would not vote for this measure because they had not some inside information which seems to have been furnished the Committee on Naval Affairs. I confess myself some embarrassment in casting my vote without being more fully advised as to all the facts, for my information on this subject reminds me very much of how a magazine editor expressed himself to me some years ago in this city. I was introduced to him as an Indian, and he said, "Are you a regular Indian?" I told him I tried to be fairly regular. "What I mean is," said the journalist, "did you get your name put on one of these rolls and draw lands and money?" I said, "I have my name on the tribal rolls of the Choctaw-Chickasaw Tribes, and I hope sometime in the dim, distant future, through the meshes of the red tape of our Indian Bureau, to draw my proportionate share of land and money belonging to that tribe." He then retorted, "Mr. Carter, I am doubly glad to meet you. I have written a great deal on the Indian question. I have just finished an article on 'The habits and characteristics of the American Indian as viewed at close range,' and you are the first dad-burned Indian I ever shook hands with in my life." [Laughter.]

My position on this occasion is a fortunate one, for I can vote on either side of this question with perfect consistency, because my vote on naval construction in the past has ranged from the highest program proposed to the very lowest, as I thought the occasion demanded.

I confess I do not know just exactly what the occasion demands here. No one in this House knows what the exigencies demand. Nay, no one on this side of the Atlantic Ocean can say that the naval program proposed by this amendment is not necessary to our future peace and welfare.

I do know this: We have just emerged from a most horrible war, a war which cost us in the blood of American manhood the lives of more than 100,000 American boys, some thirty-odd thousand killed in line of battle and more than 70,000 dying in the camps. In addition to this we had nearly 200,000 wounded American soldiers. We can all agree that one of the principal things for which they fought was to make the future peace of the entire world safe. Moreover, we know that there is now in progress near the city of Paris a peace conference, and that each of our allies has its accredited delegates there, among them being our American representatives. The President of this great Republic, the head of our delegation in this great peace conference, is urging to his uttermost the necessity for a league of nations which may prevent future wars. In the midst of these negotiations he has cabled to the authorities here the urgent necessity for carrying out the program set forth by this amendment.

The question as to whether we agree with Mr. Wilson on internal problems is not at issue. It is not a question with us whether our representative at the peace conference be Democrat or Republican. It is not a question whether it is Mr. Wilson, Mr. Taft, or some other leader of a great political organization who now represents us at the peace conference. Whether we agree or disagree with him on American politics and public questions should not influence our views to the extent of prejudicing our vote on the subject of a league of nations and world peace.

It is enough for us to know that he is an American, the accredited representative of 100,000,000 American people, and that he is representing what he believes to be their views, and, with reference to the league of nations, what I believe to be the views of the American people.

Therefore, as representatives of these same people, our duty is to uphold and sustain him, at least until this conference is over and it is determined whether or not the permanent peace proposed by the league of nations may be possible.

Some of you gentlemen on the Republican side complain about spending these sums of money in support of the American Navy at this time, and yet the chairman of the Committee on Naval Affairs tells us that this is only about one-half the program that was proposed by the bill of 1916.

Yet, again, you same gentlemen on that side of the aisle did not hesitate to join us in voting some forty or fifty billions of dollars of credit for this war, more than $30,000,000,000 of which will have already been spent before the end of this fiscal year. In the fullness of your patriotism you did not hesitate to assist in furnishing for this war all the soldiers and sailors necessary to battle in defense of liberty, a permanent peace, and other American ideals. Shall we hesitate now with the goal of our ambition so near at hand?

What does the amendment under consideration provide? Does it make any appropriation from the people's Treasury? Not one red cent, and there is not a Member of this House but that knows this fact well and good. Ah, but you say, while it does not provide an appropriation it provides an authorization—a naval program which, according to the statement of the gentleman in charge of this bill, must cost some $412,000,000. Let us see about that. The second paragraph, beginning on page 1, line 7, says:

> For the purpose of further increasing the Naval Establishment of the United States, the President of the United States is hereby authorized to undertake prior to July 1, 1922, the construction of the vessels enumerated below:

The last paragraph of the amendment further provides:

> If, at any time before the construction authorized by this act shall have been contracted for, there shall have been established with the cooperation of the United States of America any tribunal or tribunals competent to secure peaceful determination of international disputes, and which shall render unnecessary the maintenance of competitive armaments, then and in that case such naval expenditure as may be inconsistent with the engagements made by the establishments of said tribunal or tribunals may be suspended when so ordered by the President of the United States, and no contracts for the construction of vessels herein authorized shall be entered into prior to February 1, 1920.

So, if a league of nations is provided by the peace conference at Versailles, then it will doubtless mean that not one dollar of the program proposed by this amendment shall be necessary, and this matter will certainly be determined before the time for beginning the program, as set forth in the amendment, rolls around.

But some of the opponents to this amendment have told us they did not believe in a league of nations. One gentleman has gone so far as to say that he has no sympathy with a "league of nations"; that it is a Utopian dream; that it proposes a short cut to the millennium; that it is visionary and impossible. I am not here to argue with that gentleman.

No precedent can be furnished in this world's history in substantiation or refutation of his statement. Therefore, I assert, that his asseveration that a permanent peace is impossible is, to say the most of it, equally visionary with the statement of our peace delegates that "the league of nations may give unto the world a permanent peace." We do not know, nor do the gentlemen on the other side of this question know, whether or not a plan can be worked out that will give us a permanent world peace, but we do know that it is worth a trial of our best efforts. We do know that it is a noble principle to which we might well aspire. We do know from a strictly financial and economical standpoint that the expenditure of these $412,000,000 even as an adventure would be preferable to the expenditure of some forty or fifty billions of dollars, as was the case in the recent conflict. We do know that our noble boys who went forth in defense of our liberty, and their splendid mothers, expect that we shall do everything within our power to insure the future peace of the world. We do know that the

souls of those 100,000 American martyrs who died in camps and were slain upon the fields of France will stamp with approval all efforts on behalf of any of our people to prevent any such future sacrifices. I believe our President is doing his duty as he is given light to see it, and in this crisis I for one shall not take the responsibility of embarrassing any effort on the part of our peace delegates that may have for its object the prevention of a holocaust such as that through which the world has just passed.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. PADGETT. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. LUNN].

Mr. LUNN. Mr. Chairman, to my mind no measure of statesmanship can be permanently advanced by a policy of deception. Some have demanded that the cards shall be laid on the table, and, as I view the situation, the cards are on the table. There was a distinct policy established in 1916, and we are deliberating now as to whether that policy shall be indorsed and continued. There is another policy that we hope may be established throughout the world, which will modify our national program. Until that world policy is established, what should we do other than continue along the line of the policy already laid down? This program does not call for an appropriation of $412,000,000, although that is the amount that will be expended unless we can, through President Wilson at the peace conference, establish a new world policy—what he has termed a policy of moral force in the world, a policy of right and justice organized into a league of nations. The President has coined phrases which some people repeat with critical accent. They think there is no power in a phrase. But there is tremendous power in a phrase.

When he speaks of "the partnership of right," he speaks a phrase that reaches the heart of the great masses of men, whether it reaches the statesmen of the different nations or not. When he speaks of moral force to preserve the peace of the world, he is speaking in the language of the new day, the day that must come unless the world is forced back into the darkness in which we found ourselves during this terrible war. Preparedness is a word I have heard from gentlemen on the left as well as from gentlemen on the right, and this is simply carrying out the policy of preparedness which must be carried out unless the new world policy can be established. We hope and pray for that new day. We all hope and pray that "the partnership of right" may be written into the laws of nations. We work for the day when moral force shall exert its rightful sway. The masses of Europe have gladly acclaimed our President. They have even hungered to look upon this statesman, not alone because of the man himself but because of the principles for which he stands and because they believe he incarnates in his every fiber those principles which are necessary for the peace of the world.

There has been petulant criticism made on the floor of this House because of the character of entertainment given the President. Demagogic reference has been made to the gold plate and luxurious surroundings of America's guest. Courtesy demanded the uncritical acceptance of whatever kind of hospitality accorded him, and surely no one would desire the representative of America be anything else than courteous. But even amid the splendor of regal entertainment he did not forget the heartbeat of the plain people. He said:

> My heart goes out to the little poor families all over this great kingdom who stood the brunt and the strain of the war and gave their men gladly to make other men free and other women and other children free. These are the people and many like them to whom, after all, we owe the glory of this great achievement, and I want to join with you, for I am sure of joining with you, in expressing my profound sympathy not only, but my very profound admiration as well.

He also has realized and clearly stated that the opinions of mankind are fundamentally and ultimately created by the great working masses of the world. In Milan, Italy, he stated:

> I am as keenly aware, I believe, sir, as anybody can be that the social structure rests upon the great working classes of the world, and that those working classes in several countries of the world have, by their consciousness of community of interest, by their consciousness of community of spirit, done perhaps more than any other influence has to establish a world opinion which is not of a nation, which is not of a continent, but is the opinion, one might say, of mankind; and I am aware, sir, that those of us now charged with the very great and serious responsibility of concluding peace must think, act, and confer, in the presence of this opinion, that we are not masters of the fortunes of any nation, but are the servants of mankind; that it is not our privilege to follow special interests, but it is our manifest duty to study only the general interest.

In the various cities where the President has spoken he has confined himself to the great undying principles of right and justice. He has, in a most masterful fashion, interpreted the sentiments of those people by advocating principles which appeal to all people, regardless of race, color, or clime.

When surging multitudes crowded the streets to give welcome to President Wilson as the representative of this great Republic, he was not unmindful that from the heart of that mass came the cry that war might be no more. Noble they had been in making heroic sacrifice, but they were wearied with the welter of blood. Their backs were bending under the burdens incident to the terrible conflict. What wonder is it, therefore, that their enthusiasm knew no bounds as they gave welcome to the great American who stood unswervingly for the principles of a league of nations by which to organize the friendship of the world!

To some minds this is scouted as a mere ideal and denounced in a spirit that seems to argue that ideals are powerless; but ideals, my friends, are the beacon lights of progress. Out of the darkness of the past we advance by the radiance of their light. Ideals are the inspiration of effort. The course of history tends toward the realization of ideals.

We have arrived at that period when millions of men and women throughout the world believe that the great principles of a league of nations, the inspiring ideals of the fellowship of peoples, can be translated into practice by the agreements of international law. It constitutes the new policy which the world must adopt unless civilization is again to be darkened by the clouds of human combat. I admit that the President is an idealist. Thank God for that. But he is also practical; too practical, in fact, to suit his political enemies. His ideal at the present time is the world's ideal expressing the secret hope of the human heart, and he seeks, with all the power at his command, to translate that world ideal into practical international law. Is there a man who does not hope and pray that he may succeed? If he does succeed, then away with the old policy of armament; away with the great naval program; away with everything that smacks of war beyond that necessary to maintain the very principles that would be agreed upon by the league of nations.

We are confronted, therefore, by two policies: A national policy of preparedness, continuing and extending the naval program first adopted by the Democratic Congress in 1916; but in agreeing to continue this program we are doing so with the hope that it will be unnecessary, and with the provision distinctly made that if the league of nations can be formed then our great naval program can be reduced. Surely you gentlemen can ill afford to oppose the continuation of the naval policies begun in 1916; but there is evidently opposition to the extent of 148 votes. The great majority of this opposition is on the Republican side, but there is some on the Democratic side. I do not question the sincerity of these Members. I do not for a moment doubt but that they have come to their conclusion according to their best judgment. Personally I can not see any reason for opposing this program except on the basis that there must be a cessation of the building of armament through the formation of a league of nations; and if that be so, why this carping criticism; why these press dispatches sent overseas which, when read by the people of Europe, would make them think that the people of America were not back of the President in his noble ambition to organize a league of nations?

Reactionaries may rant, but you know and I know that the great mass of Americans, the multitudes that constitute our working classes, who bear the brunt of war, are back of the President's ideals and ideas, and for that reason they must eventually triumph. I for one believe they are going to triumph now, and if the President comes back having accomplished that for which he went, we can not but all rejoice that we had at the head of this mighty Nation one of the most astute statesmen, one of the great seers, one of the noblest prophets, who is able to see and phrase those ideals so that they become intelligible and acceptable to the statesmen of Europe. [Applause.]

In adopting this program we are not doing so as a threat, but acting in accordance with conditions as they now exist and coupling our actions with an appeal to the nations of Europe that they may soon come to an agreement regarding a league of nations so as to rid us of the necessity of carrying out this policy. No one who is humanly alive to the great wave of moral force throughout the world can fail to realize that opposition to that force will bring deserved disgrace. The heart of America beats true to the ideals which the President seeks to incorporate into definite law. The soul of our people is not a stranger to the cry for world peace. In the words of the President, expressed at Manchester:

> There is a great voice of humanity abroad in the world just now which he who can not hear is deaf. There is a great compulsion of the common conscience now in existence which, if any statesman realizes, will gain for him the most unenviable eminence in history. We are not obeying the mandate of parties or of politics. We are obeying the mandate of humanity.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LUNN. May I ask unanimous consent to extend and revise my remarks?

The CHAIRMAN. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none.

Mr. BROWNING. Mr. Chairman, I yield five minutes to the gentleman from South Dakota [Mr. JOHNSON]. [Applause.]

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota? [After a pause.] The Chair hears none.

Mr. JOHNSON of South Dakota. Mr. Chairman, I should be very glad to vote for the naval bill now under discussion and for the appropriation of $750,000,000 if any Member of this House could present a bona fide reason for its passage at this time, or if anyone could convince me that it is necessary to enact a law for a building program to commence in 1920. Until that is done I must refuse to vote for a measure which will commit the United States to an expenditure of $750,000,000.

The most potent reason that has been advanced for the passage of this law is the slight insinuation whispered from mouth to mouth that because of some international crisis, which no one but the President of the United States understands or is able to comprehend, we should commit ourselves to this program. In my opinion, it is about time that Members of Congress enacted a new declaration of independence, so far as their votes are concerned, and demand that all of the facts be given to them before legislation involving the expenditure of millions of dollars is enacted.

Personally I shall refuse to be led around by the nose by any man, whether he be the President of the United States, the president of the league of nations, or the president of anything else. I say this after having been in favor of appropriations for a large Navy, when the men now supporting this measure were its enemies. Anyone who desires to turn to page 9189 of the CONGRESSIONAL RECORD for June 2, 1916, will find that when the country was in imminent danger and the President knew we were going to enter the war and when we needed appropriations for a Navy I was supporting the naval bill, while the President and the administration and men now supporting this measure were opposed to it, and I should be glad to have anyone show me any consistency in opposing a measure for an increased Navy in 1916 and before we had entered the world's war, but could see it before us, and in supporting this measure. [Applause.]

It is inconceivable to me that the very men who opposed every expenditure for an increased Army and Navy when the United States was in danger are now so busily engaged in advocating the greatest Navy in the world. Their action indicates that their attitude is not taken on the merits of the case, but that there must be some ulterior motive. I say this with no desire to criticize the President of the United States, who was my commanding officer for one year, and for whom I rendered the best service in my power, as did every other man in the service. Many of us have not criticized him for desiring to go to foreign lands, but have wished him Godspeed in his trip, and express the best wishes for his success, as we know that the accident of fate has perhaps joined his success to the success of our Government. Those of us who have disagreed with him politically have naturally felt at times that there must be men of other political faiths than his who could render more service to the country than he has allowed them to render, and that men of our parties might be informed of contemplated action which affected us. We should perhaps have been allowed to do more than to enlist in the Army and pay the bills, because I think that men of all parties in the United States have been actuated by honest and patriotic motives. I have personally never even objected to the action of the President that we should not be elected to Congress on the ground that we are not patriotic citizens, although most of us must confess that we could not follow the line of reasoning which was advanced. [Applause.] His reasoning in that case is, however, as easy to follow as it is in this one.

It is apparent to me that there is a "nigger in the woodpile" somewhere, and that we are engaged in a game of monumental bluff, not a bluff against Switzerland or Serbia, but against one of our allies, and one with whom we are not in the slightest danger of war. It is disgusting to hear men continually speak of a disagreement between American and English soldiers. None who fought with them intimate such a thing, but it comes only from those who never fought. I believe that if we pass this measure in its present form we will find the President returning home with the argument that Congress was determined upon the enactment of a great building program, but that through his sagacity and skillful negotiations he has secured the reduction of armament and accomplished the things which the exponents of peace have so long desired. He will get you to vote for this bill and then claim the credit for saving vast sums of money. Again, I make this criticism as one of the men who have never objected to the President's trip abroad, but have wished him the greatest success in his negotiations.

We have had enough of wars, and if by any sort of league of nations we may have any assurances that we may escape another I desire to give him the greatest measure of credit. I want to say that from this time forth I shall vote with him whenever he will present the facts and the law, but I shall refuse to follow blindly the mysterious insinuations which apparently govern the majority in this House in all diplomatic negotiations and in the discussion of legislation. [Applause.]

Mr. BROWNING. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Chairman, I have always been in favor of a large Navy, but to-day I voted against the rule providing for an increase in the Navy as proposed in this bill. Coming from one of the largest shipbuilding centers in the world, it seemed that I ought to say something on this subject, not only with respect to my own vote but of that of others who voted as I did. I noticed, with considerable interest, that most of the minority members, I think all of them, voted to sustain the rule, and yet I know that down in the depth of their hearts most of these gentlemen were opposed to the policy that this bill ennunciates. I want that made clear, so that when anyone criticizes the votes that were cast to-day against providing an untold sum of money for a certain number of ships, the price of which is not indicated, construction of which is to begin somewhere a year hence, they will understand that at least some of the minority members of the committee, although compelled to vote by reason of the force of a mysterious cablegram, were at heart against the proposition. By the minority members I mean the Republican members of the committee, of course.

From my point of view the hour has struck when Republicans, at least, in view of the conditions abroad, in view of the condition of our Treasury at home, should be able to stand upon their feet and say, even to the President of the United States abroad, that we must protect the interests and welfare of the taxpayers of the United States. [Applause.]

I come from a committee that has been dealing with the problem of taxation now for nearly 10 months. We passed in this House on Saturday a bill which proposes to take $6,000,000,000 from the pockets of the American people. To do what? To pay for bills authorized, to pay for bills created by oral contracts, to pay for contracts made in lump sum to the extent of at least six times the amount of that great bill which passed here on Saturday—five times, at least. That is the domestic side of this question of generous appropriations.

Oh, gentlemen talk about being for a big Navy. Gentlemen say the question is, Are you for a Navy or against a Navy? That is not the question at all. The question is, Are you going to continue to rob the American people; are you going to continue to gut their homes; are you going to continue to impoverish them; are you going to pile up indebtedness so that the new generations for a hundred years will be unable to extricate themselves from the obligations you and your President are imposing upon them now? It is not a question whether you are going to have a big Navy. It is much graver than that.

The gentleman from New York [Mr. HICKS] in the debate yesterday—and his figures were not denied by the chairman of the committee, the gentleman from Tennessee [Mr. PADGETT]—indicated that the 1916 naval construction program was only partially under way. The Navy Department and the President have great sums of money to spend on ships the keels of which have not been laid and which can not be completed until way off yonder in 1920 and beyond, when it is proposed that this new and nebulous plan shall be put in operation.

Gentlemen are terrorized because of a mysterious cablegram from Paris. If the President, now over yonder in Paris, living in one of the palaces of the great and conferring with the crowned heads, knew what the American people to-day are saying about the revenue bill that passed through this House on Saturday, he might hesitate and send another cablegram that would recall the one we have not yet been shown but which is influencing the passage of this bill.

What have we done with regard to lump-sum appropriations to these contingent authorizations, dependent upon the will and judgment of a bureaucrat here down along the line, who gets his authority from the President of the United States through long-distance instructions or by such a mysterious cablegram as that which has not been read by the gentleman from Tennessee? What are we doing with respect to this carnival of expenditure?

Pick up this morning's papers and read what our friend, the new Secretary of the Treasury, proposes—our own former colleague, Carter Glass—in his letter to the chairman of the Ways and Means Committee. Read what he proposes, and then ask yourselves whether we are retrenching or whether the people's money is being hoarded for some future contingency? What is it the Secretary of the Treasury proposes? Now that there has been unloaded on his shoulders the greatest burden ever heaped upon a human being, now that the gentleman who preceded him has gone out of office and the burdens are piled high and higher, the new Secretary of the Treasury, seeing what is ahead of him, fearing the merry-go-round method of raising money by loan or otherwise may no longer succeed, proposes that we shall give him blanket authority to raise money as he sees fit, at any old rate of interest he proposes to pay, without regard to taxes or to the Constitution, which prevents us from exempting taxes under certain circumstances.

And this is no new thing. The President is "over there," and my information is that he is not witnessing such scenes of horror as are pictured to us to induce the appropriation of vast sums of money, but he is conferring with the diplomats, like unto those who came down this aisle on Sunday last, from every nation on earth, arranging that he shall be in a position, if need be, to send a battleship to Madagascar, or, at our expense, to keep in order the quarreling King and Queen of the Fiji Islands. I spoke to you a few days ago concerning the reported attitude of the great Lloyd George on this question of the league of nations. The suggestion was that the United States must stand responsible for the policing of the world. If there are troubles and disputes in Russia we must send our troops. You say there is something wrong in the Sicily Islands, which does not concern us; send your battleships there. Are we to become the policemen of the world? We are supposed to be rich. It is believed we can stand the expense. But how far are we to go and when will we stop?

We gave the President $100,000,000 sometime ago to do with it as he saw fit. Have we ever had an accounting of that expenditure that was satisfactory to this body? Is there a Member of the Committee on Appropriations who will rise in his place and say just where that money went? I am not challenging the President or his integrity as to the expenditure, but there are men down along the line under him who are as human even as all men are human and who will sometimes look after their own interest even when they speak in the name of the State. We had some testimony here in regard to the use of $5,000,000 of that $100,000,000 fund for the formation of a corporation to do business in Russia. Was that entirely satisfactory to this body?

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Has my time expired, Mr. Chairman?

The CHAIRMAN. Yes.

Mr. MOORE of Pennsylvania. I ask unanimous consent that I may proceed for five minutes.

The CHAIRMAN. The time is in the control of the gentleman from New Jersey [Mr. BROWNING] and the gentleman from Tennessee [Mr. PADGETT].

Mr. MOORE of Pennsylvania. I ask unanimous consent that I may proceed for five minutes, the time not to be taken out of that. I will not then ask for further time.

Mr. BROWNING. I will yield the gentleman five minutes, through the courtesy of the gentleman from Ohio [Mr. KEARNS], to whom I had promised that time. He yields it to the gentleman.

Mr. MOORE of Pennsylvania. I thank the gentleman from Ohio for his courtesy, because I have been waiting patiently for five hours for the opportunity to talk on this question.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for five minutes more.

Mr. MOORE of Pennsylvania. I thank the gentleman from Ohio. Here is the statement of the Committee on Appropriations. There sits the chairman yonder. Let him deny the figures if he pleases. We spent over $12,000,000,000 in the fiscal year ending June 30, 1918, for our part in the war. Did we get anything out of it? Oh, the boys have gone and died in France and our merchant vessels have gone down through German submarine attacks. But we spent the $12,000,000,000, and we are beginning to pay for it now in tax bills. Here is the statement of the Committee on Appropriations, showing that for the fiscal year 1918 and 1919, ending June 30 next, we will have appropriated and authorized an expenditure of $36,000,000,000, and that little tax bill passed last Saturday, which is stirring this country to the core, raises only $6,000,000,000 of that tremendous amount. Have we gone wild?

Mr. JOHNSON of Washington. We have.

Mr. MOORE of Pennsylvania. Are we so fatuous financially that we believe we can strike the rock and with some magic wand produce these tremendous streams of revenue? The President asked for $100,000,000, to be accounted for in his own way, and we gave it to him. He spent part of it, and he came back and we gave him more. That was a trifle. This statement that I have in my hand shows that we have turned over millions and even billions of dollars to the President, not to be expended by him but through his agents, and many of them here at a dollar a year, and now gone from their so-called patriotic calling.

We gave him these billions of dollars because we trusted him. Now he is in France and we are beginning to reap the harvest of taxation here. We will have to bring in more bills to cover these billions which will be levied upon the people of the United States for the benefit of others as well as for ourselves and our loans.

What did we spend for making the loans that some people think they were patriots for buying, the loans which Mr. Glass, the new Secretary of the Treasury, now desires to raise at rates of interest that may be agreeable to the bankers if the sales are to be effective? The amount of money we turned over to the outgoing Secretary of the Treasury for the purpose of promoting those loans, paid to a large extent for the intense patriotic services of those whose voices are now stilled and will no longer engage in loan campaigns, was just $39,000,000.

Are you not getting tired of turning these great lump sums over in this haphazard way to gentlemen in control while the President is away? Next week we shall be called upon to appropriate $1,000,000,000, as much money, some one has calculated—and the calculation I find is correct—as represents one minute for every hour of every day from the time Christ was born down to this very hour to keep up food prices in the United States—another of these nebulous agreements which, if we break it, will be like the breaking of the "scrap of paper" that brought on the war in Europe.

Mr. GARNER. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. GARNER. The gentleman voted for all those things?

Mr. MOORE of Pennsylvania. Yes; to support the President while the war was on.

Mr. GARNER. I am reminded of the question of the gentleman from Illinois [Mr. CANNON] which he put to me the other day: "Why whine about it when you voted for the proposition?"

Mr. MOORE of Pennsylvania. The war was then on, and the President demanded it. As I understand the conditions now, the war is practically over. The President is "over there" on business about which we are not fully informed.

Mr. GARNER. I want to join the gentleman in this reformation, but I do not want him to whine about what has already been done.

Mr. MOORE of Pennsylvania. I want the gentlemen on that side to join gentlemen on this side in a policy of retrenchment and economy from this time forward. Will the gentleman do it?

Mr. GARNER. I will.

Mr. MOORE of Pennsylvania. Will you be able to induce your President to exercise the same fair spirit that you have displayed?

Mr. GARNER. I hope so.

Mr. BROWNING. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. DENISON].

Mr. DENISON. Mr. Chairman, I was interested and somewhat amused at the remarks of the gentleman from New York [Mr. LUNN] in which he commented on certain phrases and discussed the significance and the power of certain phrases that have been used by the President; and I remembered that in 1915, when, on account of the war in Europe, there was a demand for immediate preparation on the part of this country for an increased navy and an increased army the President made a swing around through Indiana and other States in the West and referred to the popular demand for greater preparedness as hysteria. I would have been glad to have heard the gentleman from New York comment somewhat on the meaning of that term "hysteria." I am unable to understand how the President could have denounced as "hysteria" the demand for a greater army and navy before this country got into the war, when Germany was threatening the whole world, and how after Germany has been crushed and her navy destroyed he can now come to us and demand an appropriation for a navy that is unprecedented. I can not for myself reconcile those two positions.

Germany had a powerful navy, the second in the world. She was destroying Europe and threatening the peace of the world.

Every consideration for our own safety urged us to get ready for the conflict. Yet the President was opposed to it and tried to arouse public sentiment against what he called the hysterical agitation for preparation for defense. It seems strange to me that he should have been so opposed to greater preparedness then and now should be so insistent for this authorization of hundreds of millions to give us a greater Navy than Great Britain after the German Navy has been destroyed.

Mr. CARAWAY. Will the gentleman yield?

Mr. DENISON. I yield to the gentleman from Arkansas.

Mr. CARAWAY. Did the gentleman agree with the President in 1916?

Mr. DENISON. No; I did not.

Mr. CARAWAY. And the gentleman does not agree with the President now?

Mr. DENISON. No; I do not. I think he was wrong then and I think he is wrong now. [Applause.] If I had the time I would be very glad to give the reasons why I think so.

Mr. CARAWAY. Will the gentleman yield further?

Mr. DENISON. I have not the time. My time is limited. Every now and then recently some one on that side of the House has risen and charged or intimated that we on the Republican side were anxious for an extra session of Congress.

Now, if there is any doubt on the question as to how the two sides of the House are acting on that subject, I want to say that in my judgment this bill and this proposal will settle the question, because if this new naval proposition passes the House it is certain to result in an extra session of Congress; for while it may get through the House, when it reaches another legislative body where there is a chance for some deliberation and discussion, and where there will be a demand that the lights be turned on before the appropriation or authorization is made, there will be so much time spent in the discussion of the bill that an extra session of Congress will be absolutely necessary; and if those who are backing this new naval program had been deliberately trying to bring on an extra session of Congress they could not have chosen a better method, in my humble judgment, than to bring this proposition before the Congress here in these closing days of this session.

Mr. Chairman, I have voted for every increase in our Navy that has been proposed since I have been a Member of the House. I have always believed that this country should have a Navy large enough to successfully defend us against attack from any source. But, situated as we are, I have never thought it necessary that we should try to build and maintain a Navy as large as Great Britain, whose Empire is scattered over all parts of the earth. I am willing to vote for such appropriations as may be necessary to carry to completion the naval program of 1916 and for any increases in efficiency that those at the head of our Navy Department may think necessary. But I am unwilling at this time to vote for the authorization of any new naval program either for the purpose of giving us a greater Navy than Great Britain or because the President has asked it in order to enable him to carry out his purposes at the negotiations now going on in Paris.

It is an easy matter for us to authorize or appropriate hundreds of millions for naval expenditures. Some of us seem willing to do so in a sort of spirit of boldness and pride over the fact that we can do so. But it will not be an easy matter to wring from the people the money to pay for them. The burdens of taxation resulting from this war are already falling heavily upon our people. If we enter upon a policy of naval competition with Great Britain we can not offer to the people of this country any hope of a lessening of the burden for generations to come.

I do not consider this question from the same point of view that I did before the world war. Before the war the German Navy was a menace to the world's peace. We were justified then in assuming any burden of taxation that would enable us to effectively meet that menace. Now the power of Germany has been destroyed, the German Navy is no more, and the menace to the world's peace has been removed. I can not believe that after defeating our enemy and the enemy of the world it is now necessary for us to at once prepare to defeat our friends and allies. If, after making common cause with Great Britain and her allies and successfully destroying the menace of the world, we must now immediately turn around and enter upon a naval program that will enable us to defeat those countries that were associated with us in this holy cause, I shall feel that the sacrifices of this war have been made in vain.

We are told by the gentleman from Tennessee [Mr. PADGETT] that we should authorize this new naval program because the President has sent a secret cable to the Secretary of the Navy, saying that he wants it done. We have reached the point, so far as I am concerned, when these large appropriations must have something more than the mere presidential wish or request to justify them. I am willing to vote for any appropriation that I am convinced by any plausible reason will promote the public safety or the public welfare. But I have voted for the last hundred million, or the last million, from the Public Treasury which the President may request for any cryptic or unrevealed purpose.

While we were at war I felt it my duty to vote for any appropriation that the President, as Commander in Chief of the Army, and those associated with him in the management of our military and naval forces, said was necessary. But now our enemy has been defeated. We have accomplished the purpose for which we entered the war. The Commander in Chief and the heads of the War and Navy Departments are no longer the sole judges of the necessity for appropriations. From now on I shall assert my right as a Representative of the people to use my own judgment as to the necessity for appropriations, and the President can not have my support for any appropriation he may ask unless he is willing to take the people of the country into his full confidence and justify his request by sound reasons which the people will understand and approve.

Mr. Chairman, I have no desire to embarrass the President in any plans he may undertake to consummate at the peace conference. I hope he may succeed to the fullest measure in what he undertakes to do. But I do not think the President should call upon Congress by cable for large appropriations of public funds for secret and mysterious purposes which can not be disclosed to the public. We as members of a coordinate branch of the Government are entitled to some consideration. I think that Congress should be spared the embarrassment of being called upon to blindly vote large appropriations for purposes which we can not explain to our constituents because they have not been explained to us.

It has been intimated that the President cabled the Secretary of the Navy, and the Secretary of the Navy whispered to the chairman of the Committee on Naval Affairs that the President desired this new naval program calling for an expenditure of some $400,000,000 in order to enable him to carry out his purposes more effectively in Paris. But even if the President had sent no such message, the purpose of this provision of the bill would be apparent upon its face. To me it seems most strange that there are any here who for a moment believe that such men as David Lloyd George and the other statesmen of Great Britain who are now handling the destiny of the British Empire could be influenced in the slightest by the clumsy and puerile provisions of this bill. To me it seems childish to think that those at the head of the Government of Great Britain, who for hundreds of years have maintained naval supremacy over all other nations, would be influenced in the slightest or determine their conduct in the least degree by this clumsy threat a la Daniels. And it is stranger still that any of the Members of this House, particularly those who by wisdom and long service have reached the high places on the great Naval Affairs Committee of the House, should so far fool themselves as to think that we could, by a threat of these large naval expenditures, frighten the Government of Great Britain or any other government into granting to President Wilson at the peace conference concessions to which they would not otherwise agree. Let us not deceive ourselves, above all things, and let us not believe for a moment that we can deceive those who are now guiding the destinies of the British Empire at Paris. Let us be frank and trust in the force of reason and justice, which is the hope of humanity, rather than the threat of force, to secure a happy solution of the great problems at the peace conference in Paris.

I am opposed to this so-called new naval program which will call for the expenditure of four or five hundred million dollars in addition to our present naval program. If that part of the bill is stricken out, I will vote for it. But if it remains in the bill, I will vote against the entire bill. I am especially opposed to that provision on page 54 of the bill which authorizes the President on the happening of certain contingencies to suspend the new naval expenditures authorized in the bill.

Mr. Chairman, I think that it is the province of the Congress to provide appropriations and to say when they shall or shall not be suspended. I am opposed to conferring upon the President or anyone else the proper and legitimate functions of Congress. While we were at war we of necessity conferred extraordinary powers upon the President, because that is necessary in time of war. But I shall not vote to confer upon the President any further powers that belong to Congress. If we are going to authorize a naval program, we ought to reserve to Congress the power to suspend it, if it is to be suspended. We ought not to confer that power upon the President or anyone else.

Not long ago Congress appropriated $100,000,000 out of the Public Treasury and placed it in the hands of the President or Mr. Hoover to use, presumably, for humanitarian purposes among the peoples of certain countries in Europe. It was stated at that time that that appropriation was urgently necessary in order to strengthen the President's influence and enable him to carry out his plans at the peace conference. Now it is sought in this bill to authorize the expenditure of four or five hundred million dollars upon a new naval program, and the power is to be conferred upon the President to go ahead with the expenditures or suspend them entirely upon the happening of certain contingencies. And it is said that for mysterious and undisclosed reasons this appropriation is necessary in order to strengthen the President's hand and enable him to more effectively carry out his purpose at the peace conference.

Mr. Chairman, I am opposed to making appropriations out of the Public Treasury for any of these purposes. I voted against the hundred million dollar appropriation for feeding the people of Europe from the Public Treasury, not because I was opposed to giving every aid within our power to the people of those stricken countries but because I was opposed to raising the money by taxation for such a purpose. And I shall vote against this appropriation for a larger naval program because I am opposed to authorizing or appropriating money out of the Public Treasury either as a futile threat against the naval powers of Europe or to enable the President to carry out some purpose which he is not willing to disclose to the Members of Congress and the people.

When peace shall have again been determined and declared, and when it shall have been ascertained whether there is any hope for the disarmament of the world and the peaceful settlement of international disputes, then if it should unhappily appear necessary for the United States to prepare for battle with those who are now our friends I will willingly vote for any naval program that will secure our safety. [Applause.]

Gentlemen of the House, I think we should conclude this war before beginning a too expensive preparation for another. The cost of this war will be a heavy burden upon our people for generations to come. Somebody here must speak for the people who will have to pay for this ambitious program. My own hope is that our representatives in Paris may reach a satisfactory agreement and sign a peace treaty with Germany at the earliest possible date. I think our troops should be brought home from Russia at once, and that every one of our boys should be brought back from Europe just as rapidly as the ships can bring them. I am opposed to policing any part of Europe or Asia with troops from this country, and I am opposed to entering into any kind of an agreement or league under which it may be our duty to hereafter police or assume control over any distant part of the world. I think we should get our boys home as quickly as possible to their families and their peaceful pursuits; that we should reconstruct or reorganize our disrupted industries so that our country can return again as rapidly as possible to its accustomed prosperity. We should put this war, with its burdens and its sacrifices, behind us as rapidly as it can be done. And I am cherishing the hope that the common cause which brought this country and France and Italy and Great Britain together as allies and friends to fight and destroy the enemy of liberty and free government, may keep us friends and save us from the awful burden of preparing for the defeat or destruction of each other. Being unwilling to begin preparation for war against our friends and allies before we have made peace with our common enemies, I am unwilling to give my support to this new naval program which will add so many hundred millions more to the burdens of the American people.

Mr. BROWNING. Mr. Chairman, I yield five minutes to the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. Mr. Chairman, if my memory serves me right, on every previous occasion when the naval bill was before the House I have voted for the largest Navy that was proposed. But when I voted for those measures I voted for them not as a threat, but as a statement of a policy. I voted for them not for aggression, but for defense. I voted for them not as tending toward war, but, on the contrary, as tending toward peace. If I should support the proposition which is now before the House, I should violate every principle upon which I have before acted.

Mr. Chairman, for some reason it seems we know little about taking the action now before us. I was not one of those taken into the confidence of the chairman of the Committee on Naval Affairs by being shown the telegram of the President. Perhaps I would have been if I had asked to see it, but I realized that the gentleman could not give it to all the Members of the House without violating the confidence imposed in him, and I did not want to press him too hard. So the situation we now have is simply this: The House is expected to vote for the largest navy in the world for reasons it knows nothing about, that the Naval Committee knows a little about, that the Secretary of the Navy knows something about, and that the President will only disclose under the most positive requirements of secrecy.

Mr. SLOAN. Will the gentleman yield?

Mr. GREEN of Iowa. I will.

Mr. SLOAN. Perhaps the gentleman did not approach him in the solemn posture that was necessary. I have understood you had to approach the keeper of the sacred word on the 14 points of ambiguity, and then with bated breath——

Mr. GREEN of Iowa. My friend from Nebraska can see here a beautiful example of the "open covenants openly arrived at," of which we have heard so much, and an instance of how Congress is to be "kept in touch with everything" that is going on at Paris. If we are not able to tell anything about the reason for our action or what will be meant by it, let us at least consider how it will be regarded abroad.

England at present has the first navy in the world. We have the second. There is no third. All other nations are so far behind that they are simply distanced. This demand to create the largest Navy in the world can only be construed as either a threat or a bluff directed at England. I am opposed to action being taken in either direction.

Mr. Chairman, why should we quarrel with England? In the laps of the two great English-speaking nations rests the civilization of the world. If they quarrel, it will be a setback for another hundred years, as it has been by the last great war for probably half a century, if not a whole one.

I have heard some accusations against the statesmen of Great Britain, but I never heard that they were insane or fools, and they certainly would be one or the other if they provoked a quarrel with this Nation, whether it had a large or a small Navy.

Just across the line at the north lies the fairest possession of the English Crown. Between us and Canada there is not a warship on all the Great Lakes nor a fortress along the border.

At any time we could take Canada; we could take it now, but England has no fears that we will be so foolish or so treacherous as to engage in unprovoked war; and why should we fear that England will be? With a superior fleet, it is possible, in event of war, that Great Britain could inflict much damage upon us, but no sane man would say that she could hope to win the war. In fact, for either nation victory would be a calamity only less staggering than defeat, for in the operation there would be destroyed its best friend and the only ally upon which it could safely rely. Again I say, why should we quarrel with England or England quarrel with us?

Mr. Chairman, between the two great English-speaking nations there are sacred ties that ought never to be broken. It is not merely that we are both of the same speech and largely of the same blood, although that is much. Beyond and above that is the fact that our sentiments, our hopes, our aspirations are the same. Alike in our veins courses the spirit of freedom. Alike our minds are filled with a determination to make all men equal before the law. This nation has in a bygone century fought England, but it was because we claimed the rights of Englishmen, and in this we were justified by England's greatest statesmen. We should now have one common aim—the extension of those great principles upon which our liberties are founded. We have no occasion to be suspicious or jealous of the other, but each should rejoice as the other develops in strength and power, knowing that thereby is created a further barrier against the return of autocracy or the rise of bolshevism.

Mr. Chairman, under the blood-soaked soil of France lie a million Englishmen, and beside them 50,000 Americans who fell in a common cause against the arch enemy of mankind. In death they were not divided. Shall we, the living, ever be led into a fatal quarrel over what they gave their lives to preserve? May Heaven keep us from such a fate. [Applause.]

Mr. BROWNING. Mr. Chairman, I yield five minutes to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Chairman, this proposition, if adopted, commits our Government to the largest naval program in the history of the world. The contingency on which the apologists who are opposed to entering upon this great program is that there may be created at the peace council, as the amendment reads, a tribunal competent to secure peaceful determination of international disputes and which will render unnecessary the maintenance of competitive armament.

Read the reports of the peace council, and we know that that condition is not probable to arise. I am not a willing agent in being an accomplice to authorize the President to pull the hairtrigger and force compulsion at the peace table which the

negotiators are loath and unwilling to agree to. That is diplomacy by force and not diplomacy by negotiation. Never in the history of peace negotiations have such methods been employed to affect the outcome. I desire to believe that such is its real purpose. If such tactics were really intended, if I understand the stubborn Briton sufficiently well, it would be resented to the limit by calling off the negotiations.

This proposal, as I view it, has the full approval of the British officials. France impoverished by war, Great Britain impaired in its resources by its tremendous expenditures, are only too willing to have the burden of policing the world thrown upon the United States.

Have we entered this war in vain? Is the outcome to force our country to adopt a policy the opposite to its traditional position? Are we who prided ourselves in being opposed to a militaristic policy, now that the war has ended, to adopt this alien program merely because Great Britain has a larger navy than our own, and give heed to the jingoes and junkers in our midst? Is it intended that, having been freed from this burden, we are now to assume it, when no good reason exists? You might as well argue that because Great Britain has a standing army of a million men that we should adopt that policy and have a like standing army.

Before the war was ended we all knew that the peoples of all the belligerent powers were sick and sore over the struggle, and that the peoples would avoid future wars at almost any sacrifice. And now, being sick and sore, we are going to vote a program which everyone here believes will be of no value except to coerce and compel little nations to abide the results of the great powers; in other words, that we should be the policemen of the world. The American people are opposed to that policy.

They are not in favor of entering any league of nations whereby we will control the destinies of other peoples. That may be in harmony with the British policy, but it is not in harmony with the American policy. We entered the war to maintain inviolate our rights on the high seas, and we at all times declined to be ensnared in the worries and policies of Europe. And yet here we are committing ourselves to-day to that policy which inevitably involves us in the politics and policies of the old world. You can not defend it as an American policy. It is foreign and alien to our policy of the past. Because, in 1916, when the war was flaming all over Europe, we adopted a three-year program because we could not tell then when we might be involved in the European contest; we did not by that action commit ourselves for all time to a policy of three-year programs. Even now, before that program is fairly launched, before the shipyards now in existence can complete that program, with the vessels only one-third started, we are asked to commit the Congress to a permanent policy that means our assuming the burdens of the world. No, Mr. Chairman, the taxpayers of America are opposed to shouldering this tremendous burden of $1,000,000,000 annually, and that is what it means for all time, for the sole purpose of policing the world. We need no such Navy for our own protection or for our own purposes. Our shore lines are protected by adequate fortifications. We have a greater Navy relatively than at any time in our history amply protected against any possible attack, with a Navy that can conquer any on the seas save one. I am not willing to be swayed by specters and imagery that will burden our civilization with the yoke of a billion dollars annual charge for years to come.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. PADGETT. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. McCULLOCH].

Mr. McCULLOCH. Mr. Chairman, having voted for the rule just adopted, and intending, as I do, to vote for this proposal, my attitude being contrary to the views of the leaders on this side of the House and perhaps of a large majority of the Members upon this side of the House, I feel I owe it to myself to give my reasons for my action. This Congress, the Sixty-fifth or so-called War Congress, has responded at all times to every call made by the executive branch of the Government. It has passed every bill that has been requested; bills extending powers to the executive branch of the Government which no man in time of peace would think of extending; bills appropriating fabulous sums of money which in time of peace we would not think of appropriating. Our purpose was to win the war, and we did not want to do anything or fail to do anything that would lessen in the slightest degree our chances for winning the war. Now, the war has been won. Our armies have been successful. America won the war. Whatever other nations may say about it, we won the war. But in order to make our victory effective we must be successful at the peace table. Many of the bills this Congress has passed were passed under the lash of the Executive whip. We have been slaves more or less in this crisis to the Executive will, but I do not believe that the hour for emancipation has come just yet. Common men must arrive at their conclusions by simple processes. I must arrive at my conclusions by simple processes because I do not have the long experience nor perhaps the mature judgment which enables the experienced legislators on either side of the House to arrive at their conclusions; but if I were trying a lawsuit and I should ask my client to give me the right to do certain things or to expend certain money that I felt was necessary to win that lawsuit, and he refused to give me what I wanted, I would feel that he had thereby shifted the responsibility from my shoulders to his, and if I failed I would then feel that I had a right to say to him that if he had done what I asked him to do I would probably have been successful.

It has been said that there is nothing great or small by comparison; so, applying the same simple processes of reasoning to this most important legislative situation that I would apply in my own everyday life, I must conclude that if the Congress of the United States should deny the President what he asks for in this bill, and he should fail in what he is trying to accomplish at the peace table, he would be in a position to shift the responsibility for his failure from his own shoulders to the shoulders of the Members of Congress, and, so far as I personally am concerned, I do not want to be a party, and I do not intend to be a party if I know it, to any such a blunder. The President has sent word that he must have this legislation in order to succeed at the peace table. I do not care whether that was a secret message he sent or how the word came, so long as he is our representative in the most momentous negotiations that were ever engaged in since the world began I, for one, shall not be a party to hampering him by long-range arguments in regard to a situation about which I know practically nothing, but I am going to give him what he says he needs and then hold him responsible for results. Then if he fails he can not blame his failure upon anybody but himself. But when this war is settled I, for one, intend to claim my emancipation. I will be bossed around by those who carry the executive mandate no longer.

I am voting for this bill for another reason, and that is because I believe in a strict American policy, because I am in favor of looking after the interests of this country as against every other country in the world, and because I do not want my country to be in the position of having to rely upon the navy of any other country to protect it. I am for a sufficient Navy; and, unless peace negotiations should develop a situation which would result in disarmament, I stand ready to vote for such bills as will provide an adequate Navy, but I am forced to rely upon the judgment and the experience of the members of the committee and the Navy experts, and follow their lead as to the amount necessary to provide adequately.

While I am for an adequate Navy, yet I am opposed to a large Army. These two departments are so closely related that I feel that it is perfectly proper at this time for me to express my present views in regard to the Army. I am opposed to a large standing Army, and I believe that the Regular Army should be an Army of volunteers in time of peace. I am opposed to any permanent and general program of universal military training unless it should become apparent, as a result of the peace negotiations, that another war is imminent. As I see it now, I should not oppose a program that provided for training the youth of the country in the schools and where they reside if it can be done without interfering with their education or their advancement in the avocations of peace, but I shall oppose by my vote any universal plan of military training which will take the youth of the country away from their schools and their homes, placing them in camps for training and the carrying on of any general military system.

There are those in America who have developed a hysterical affection for countries other than their own, and forgetting history have advocated that we can well rely for protection upon the good will and the friendly feeling of such other countries. In my opinion an American who loves another country as well as his own must be distrusted by all patriotic Americans. I apprehend that as the days go on and the attitude of other nations is better understood that the impractical dreamer will be superseded by the practical thinker, and those who are unwilling to accept the strict American policy and give approval to the plan of looking after America first will be looked upon with as much distrust as was the pro-German during the war. The doctrine of America for Americans has been in large measure my creed, and to me it simply means to look after America first and the rest of the world afterwards. My adherents to this doctrine has been variously interpreted. Some have contended

that to advocate such a doctrine was to be disloyal. Others have been more charitable and have said that it only evidenced a lack of vision. Others say that it is a selfish doctrine and condemn it alone upon that ground, but I have gone through all the complexities of the legislative program incident to the war, and I have come out a stronger believer in the doctrine of America for Americans than ever before. It has been suggested that we can rely upon the English Navy for protection. Those who are impractical enough to advocate such a policy either must have forgotten or do not know that we have had more wars and complications with England than all the other nations of the world combined. Most wars are the result of a desire for commercial supremacy, at least that has been the controlling purpose in most of the wars in which European countries have engaged.

England has destroyed every commercial power that stood in her way on the Eastern Hemisphere. She destroyed the commercial power of Spain, of Holland, and of France. To-day there is only one great commercial rival of England, and that is the United States of America. From a strictly commercial standpoint America at this hour is in a stronger position than England. Let us hope that there may never be any occasion for any serious disagreement between England and America upon any subject, commercial or otherwise; but, bearing in mind the history of the world, which proves conclusively that nations have no gratitude, are inherently selfish, and are willing to sacrifice the best blood of the nation for commercial supremacy and aggrandizement, I believe that there is only one safe policy for this country to pursue, and that is the strict American policy. We are in a position because of our position of isolation to protect ourselves against successful interference by any other power or by a coalition of all the powers of Europe put together. If we adhere strictly to the Monroe doctrine and to the policies as laid down by the fathers of this country, developing our resources, taking care to eliminate internal dissensions, there is no power or combination of powers in the world that can rival America in the future. And there is no power or combination of powers, if we exercise good judgment and common sense, that can interfere with us successfully in any way. Therefore I am in favor of recognizing our invulnerable position, of protecting our seacoast by proper coast defenses and by an adequate navy. Then, I am in favor of keeping out of foreign entanglements in so far as it is possible for us to do so, leaving questions which are purely applicable to the Eastern Hemisphere for settlement by the peoples of the Eastern Hemisphere, only interfering in international affairs when the interests of America are involved. Finally, I am in favor of removing all restrictions which will hamper or interfere with American progress on the Western Hemisphere, which is one of the reasons why I am opposed to a large army and a military policy. The fathers of our country broke away in the beginning from the system of military training established in the Dark Ages. Every expression in our Constitution and in the constitutions of the various States of the Union which relate to the military define it as a means of defense and an institution to be maintained only for the protection of the American people in their personal liberty and in their property rights. Unless we take upon ourselves the settlement of all the disputes in the world we need not change, so far as our Military Establishment is concerned, the policy laid down by the fathers.

Mr. PADGETT. Mr. Chairman, I shall occupy the attention of the committee only for a few minutes, and then I shall ask for a vote upon the amendment. We have had very liberal and extended debate in general debate and under the five-minute rule, and now under the five-minute rule to-day under the two-hour agreement. I think that perhaps one or two matters might be called to the attention of the committee. The gentleman who spoke recently said that this was the largest naval program ever attempted by any country, and yet this is not more than about half of what was in the naval program of 1916, and we should bear in mind——

Mr. RAMSAYER. Will the gentleman yield?

Mr. PADGETT. I will.

Mr. RAMSEYER. Does the gentleman mean to say that the money appropriated by this bill is only half of what it was in the 1916 bill?

Mr. PADGETT. No; of the money that is in this bill not a dollar of it is for this new program. The money that is in this bill is for the maintenance, support, and upkeep and operation of the Navy.

Mr. RAMSEYER. When the gentleman refers to the program, he means in this amendment?

Mr. PADGETT. I refer to the building program, the new building program.

Mr. RAMSEYER. That is, in the amendment that is before the committee?

Mr. PADGETT. That is now being offered, is about one-half of what the program authorized in 1916 was.

Mr. KNUTSON. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. KNUTSON. Of course, the gentleman must realize that in 1916 the world was engaged in the war.

Mr. PADGETT. But America was not; we were not in it. Ours was entirely on a peace basis and on the assumption that we would not get in it.

Mr. KNUTSON. We all knew that we would get into it.

Mr. PADGETT. No; I think a great many of us thought that we would be able to keep out of it.

Mr. KNUTSON. That is, for political purposes.

Mr. PADGETT. I think not.

Mr. REED. Will the gentleman yield for a question?

Mr. PADGETT. Yes.

Mr. REED. If the pending amendment is adopted it does not greatly increase the appropriations this year?

Mr. PADGETT. Not this year; no, sir; but the appropriation which is estimated upon the present basis of the cost of labor and the cost of material aggregates $412,000,000.

Mr. REED. Exactly.

Mr. PADGETT. If there is a reduction in the price of materials and labor there would be corresponding reduction in the total cost of a new program on a rate distributed over about seven years from now.

Mr. REED. If this new program is defeated, taking into consideration pending expenditures and what the regular bill provides, will we not have a building program approximating a thousand million dollars anyhow?

Mr. PADGETT. No; it takes about $400,000,000, as it was shown in the hearings, to build the 1916 program after what is in the present bill. About $175,000,000 or $200,000,000 is embraced in the increase of the Navy.

Mr. REED. For our Naval Establishment?

Mr. PADGETT. A hundred and seventy-five millions in this bill is on account of the carrying on the work of the 1916 building program, and in addition to that it will take about $400,000,000 to complete it and that will run over a period of about five years.

Mr. REED. Will not this bill without this amendment for all purposes, maintenance and all, be around a thousand million dollars?

Mr. PADGETT. Oh, no; this bill will be about $722,000,000 or $723,000,000.

Mr. REED. And in addition to that some unexpended money?

Mr. PADGETT. There will have to be additional money appropriated next year for this building program——

Mr. RAMSEYER. To get this clear in our minds, do I understand the gentleman to say $179,000,000 of the present bill is to carry on the 1916 program?

Mr. PADGETT. Yes, sir.

Mr. RAMSEYER. Now, the balance—that is, deduct $175,000,000 from about $750,000,000——

Mr. PADGETT. There was $100,000,000 and some odd that was appropriated before that. It leaves about $400,000,000 yet to be appropriated upon the present basis of the cost of labor and material to complete the 1916 program.

Mr. RAMSEYER. What I would like to have the gentleman state in a general way is, What is the amount of money appropriated for in this bill—not the new program—aside from the 1916 program, for?

Mr. PADGETT. Deduct $179,000,000 from about $721,000,000 or $722,000,000 and you get the amount, and that is for the pay of 225,000 seamen, pay of the officers, the operation of the navy yards and the naval stations, the flying corps, and all of those operations of the Navy ashore and afloat, including the Marine Corps—50,000 marines and officers—and the operation of the marines the world over.

Mr. RAMSEYER. Now, another question. Is there likely to be a decrease next year and the year after for that part?

Mr. PADGETT. I think there will be for that part of it; yes, sir; because we are estimating 82,000 men, which would be providing an expenditure of about $85,000,000 for the pay of the Navy that is not contemplated. Now it is provided only temporarily. As to whether it will be needed next year, perhaps not all of it will, but perhaps some of it will be needed.

Mr. RAMSEYER. Now, one other question. If this amendment carries and the next bill makes appropriation for it, and will also make appropriation, of course, to carry out the 1916 program and make an appropriation for the upkeep of the Navy, can the gentleman give us an idea of what the naval appropria-

tion bill will be next year and the year following? That is, how much more will it be than this year?

Mr. PADGETT. I do not think it will be any more. Perhaps it may be a little less. We are getting back more nearly to a peace basis.

Mr. RAMSEYER. How many years will it be until we get back to before 1916?

Mr. PADGETT. We will never get back to 1916, because the Navy is several times larger than it was then, and it always will be.

Mr. BUTLER. May I ask the chairman a question? Did I understand the chairman to say that we will never be able to resume anything like the appropriations for the Navy that we had prior to 1916?

Mr. PADGETT. No; I do not think we will.

Mr. BUTLER. Will the chairman give me an idea as to about how much this Navy will cost the country every year until we get back to sober moments?

Mr. PADGETT. I said it would be reduced, and be less than it is now.

Mr. BUTLER. The chairman is safe in saying that it will be less.

Mr. PADGETT. We appropriated in 1916 on the basis of about 65,000 men in the Navy and about one-third of the ships we are appropriating for now. Now we are appropriating for 225,000 men in the Navy.

Mr. HULL of Iowa. May I ask the chairman of the committee how they are going to protect these new battleships five years from now against aerial torpedoes, dropped from the sky, under wireless control?

Mr. PADGETT. That has been discussed, and it is not thought that a torpedo dropped upon the deck of a ship will amount to much if it goes on the deck of a ship. As to whether or not the machine coming down and dropping only in the water would have much effect or not, that is problematical.

Mr. HULL of Iowa. The gentleman does not think that a torpedo having 500 pounds of TNT in it would have any effect if it was properly made?

Mr. PADGETT. I said if it was dropped on the deck of a ship it would create local injury, but would not reach the vitals of the ship, for the reason with a torpedo under water the force of the explosion goes in the way of least resistance. The water is immovable—that is, inelastic—and the torpedo goes in the way of least resistance, and the whole pressure goes toward the side of the ship. If it is dropped from up in the air the way of least resistance is away from the ship, and in the other direction, and hence the destructive force of the torpedo under water is many times greater than it is up in the air.

Mr. HULL of Iowa. But you calculate that the torpedo will stop when it reaches the deck. What is going to stop it if it has a steel point and is properly loaded?

Mr. PADGETT. A torpedo explodes upon impact, and the moment it hits the deck of a ship it explodes.

Mr. HICKS. In all of these new ships it is contemplated to have an armored deck. I will say to my friend from Iowa [Mr. HULL].

Mr. PADGETT. Yes; and also a subwater protection against torpedoes.

Mr. HUMPHREYS. Mr. Chairman, will the gentleman yield to me for a question?

Mr. PADGETT. Yes.

Mr. HUMPHREYS. About this new program, I do not know whether the gentleman has given this information or not, but if he did, I did not hear it. It calls for the construction of 10 big battleships and 10 scout cruisers.

Mr. PADGETT. Yes; $412,000,000, at the present cost of labor and material.

Mr. HUMPHREYS. When we construct a battleship or one of these big cruisers it is then necessary to have a number of auxiliary ships smaller than those to make the Navy a well-balanced machine?

Mr. PADGETT. Yes. I discussed that earlier in the consideration of the bill. Before the war we were, if I may use the expression, top-heavy in big ships and lacking in small ships, but on account of the submarine warfare against commercial vessels the situation changed and we are now well supplied with a large production—three hundred and forty-odd destroyers, a large number of submarines and chasers, and all of the small craft necessary. We are now unbalanced with an excess of small craft, and we need the larger craft to balance up, and we would not, in my judgment, need the small craft as we did before the war.

Mr. HUMPHREYS. You would not need, in the opinion of the gentleman, any of these auxiliaries to go with these big ships?

Mr. PADGETT. I think not for some time.

Mr. HUMPHREYS. You say "for some time." Do you mean we would not need them for these ships? Of course, it is going to be some time before we get these ships.

Mr. PADGETT. I do not think we would need them for the ships. Just what the future building program will be and how long they lasted is a thing to be determined in the future. But these additional small ships, in my judgment, would not be called for—additional small craft.

Mr. BAER. Mr. Chairman, will the gentleman yield for a question?

Mr. PADGETT. I yield for a question.

Mr. BAER. I understand that it costs us about three times as much to build a ship here as it does Great Britain. Can you give us any information on that?

Mr. PADGETT. No. They build cheaper than we do, but it is is not as much as that.

Mr. BAER. It is about twice in the labor and steel.

Mr. PADGETT. I do not think so. While the labor cost over there perhaps has been less than here, in some things their material cost is greater.

Mr. BAER. It is an argument for the amendment, nevertheless.

Mr. PADGETT. I ask for a vote.

Mr. HUMPHREYS. Mr. Chairman, is it in order to offer an amendment to that amendment?

The CHAIRMAN. It is.

Mr. HUMPHREYS. Then, I move to amend on the last line of the amendment by striking out "February" and inserting "June."

Mr. BUTLER. June, 1920?

Mr. HUMPHREYS. Yes.

Mr. BUTLER. I proposed that in the committee. I shall be delighted if the Committee of the Whole will accept it.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Mississippi.

Mr. HUMPHREYS. Mr. Chairman, is it in order to discuss it?

The CHAIRMAN. No.

The Clerk read as follows:

Amendment offered by Mr. HUMPHREYS: In the last line of the Padgett amendment strike out the word "February" and insert the word "June."

Mr. PADGETT. I hope the amendment will be voted down.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Mississippi to the amendment

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. HUMPHREYS. A division.

The committee divided; and there were—ayes 45, noes 65.

Mr. HUMPHREYS. Tellers, Mr. Chairman.

The CHAIRMAN. Tellers are demanded.

Tellers were ordered; and the Chairman appointed Mr. PADGETT and Mr. HUMPHREYS to act as tellers.

The CHAIRMAN. Those in favor of the Humphreys amendment to the amendment will pass through the tellers and be counted.

The committee again divided; and the tellers reported—ayes 98, noes 77.

So the amendment to the amendment was agreed to.

The CHAIRMAN. The question now is on agreeing to the amendment as amended.

The question was taken; and on a division (demanded by Mr. MANN) there were—ayes 97, noes 71.

Accordingly the amendment as amended was agreed to.

The Clerk resumed and completed the reading of the bill.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent to return to pages 17 and 18 for the purpose of offering some amendments to perfect the legislation that was proposed yesterday before we took up the increase of the Navy.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to return to pages 17 and 18 for the purpose of offering amendments. Is there objection?

Mr. BUTLER. Mr. Chairman, reserving the right to object, will the gentleman from Tennessee state to what paragraph he wishes to offer the amendment?

Mr. PADGETT. On page 18, line 4, in the brackets, the gentleman will notice it says "[other than a dishonorable discharge]." I want to add after the word "dishonorable" the words "or bad conduct."

Mr. BUTLER. I thought we passed that yesterday.

Mr. PADGETT. No; that was objected to.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee [Mr. PADGETT]?

There was no objection.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. PADGETT: Page 18, line 4, after the word "dishonorable," insert the words "or bad conduct."

Mr. MADDEN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois is recognized on the amendment, unless the gentleman from Tennessee desires recognition.

Mr. PADGETT. I do not desire recognition.

Mr. MADDEN. I would like to ask the gentleman from Tennessee how many kinds of discharge are there?

Mr. PADGETT. There is an honorable discharge, a dishonorable discharge, an ordinary discharge, and a bad-conduct discharge.

Mr. MADDEN. Will the gentleman be kind enough to tell us just what kind of service a man must render in order to get an honorable discharge?

Mr. PADGETT. It has to be a satisfactory service, and the man has to complete his term of enlistment.

Mr. MADDEN. What is the ordinary discharge?

Mr. PADGETT. The ordinary discharge is where a man has rendered satisfactory service, but where he does not complete his term of enlistment and does not complete his contract. There is nothing dishonorable about it, and we have a provision here that honorable discharges shall be given to the men discharged since November 11, 1918, the date of the signing of the armistice; that instead of those men getting an ordinary discharge they may have an honorable discharge.

Mr. MADDEN. What happens to the man who gets an ordinary discharge? Is he turned adrift and compelled to pay his own way home?

Mr. PADGETT. Yes. He only gets his transportation if he gets an honorable discharge, and this legislation is intended to give those sailors and marines an honorable discharge who have not completed their terms of enlistment, but who have been discharged or may be discharged since November 11, 1918, and who would otherwise get an ordinary discharge. This will enable them to receive an honorable discharge, with their transportation home.

Mr. MADDEN. All that the gentleman has done now is to add the words "or bad conduct."

Mr. PADGETT. That is in the exception. A man who deserves a dishonorable discharge or a bad-conduct discharge ought not to receive an honorable discharge.

Mr. MADDEN. I understand that; but I never could understand why a man who has rendered satisfactory service, even if he has not completed his term of service, if he is disconnected from the service by mutual understanding between himself and the commanding officer under whom he served, should not receive an honorable discharge.

Mr. PADGETT. Under the regulations he had to complete his term of service in order to get an honorable discharge.

Mr. MADDEN. He could not leave the service without the consent of his commanding officer.

Mr. PADGETT. This legislation is intended to correct that, so as to give him an honorable discharge with his transportation.

Mr. MADDEN. I want to know why a man who has severed his connection with the service with the consent of the department, even though he may have done it before his term of enlistment expired, should not receive an honorable discharge?

Mr. PADGETT. Just because there is a difference between the man who does perform his full duty and stay his full term and the man who does not.

Mr. MADDEN. He could not leave the service without the consent of the department.

Mr. PADGETT. That is true; but there is that distinction. That is the condition that confronts us, and we are trying to correct it by this legislation.

Mr. MADDEN. This does not correct it.

Mr. PADGETT. Yes, it does.

Mr. MADDEN. What does it do?

Mr. PADGETT. This provides that, except for bad conduct or dishonorable discharge, he shall have an honorable discharge and get travel pay.

Mr. CRAMTON. Will the gentleman yield further?

Mr. PADGETT. Yes.

Mr. CRAMTON. I would like to ask the gentleman whether his amendment will take care also of the regulation, heretofore prevailing under article 3601 of the Navy Regulations, which requires some of these boys to pay back $60 for their clothing furnished them when they went in. I have a case of a boy who enlisted January 31, 1917, when the war emergency was upon us, but before we actually entered the war. He has served two years, and if he is discharged because of need at home, I understand he must pay $60 for clothing furnished him two years ago and now worn out. Will the gentleman's amendment, which gives him an honorable discharge, also take care of that?

Mr. PADGETT. I do not know whether they could do it or not. I never had the matter brought to my attention.

Mr. CRAMTON. I will not detain the gentleman; but I hope that it will.

Mr. SUMNERS. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. SUMNERS. I would like to ask the chairman of the committee what provision is made to take care of the situation where a 16-year-old boy, actuated by patriotic motives, went into the war, made a false statement in regard to getting in, and now his parents want to get him out?

Mr. PADGETT. I think if you ask the department they will discharge him. Always before the war they have discharged them on a disclosure of the state of facts.

Mr. SUMNERS. Given them an honorable discharge?

Mr. PADGETT. No; given them an ordinary discharge.

Mr. SUMNERS. Under the provision that you now undertake to make, are these boys, after they went through the war, to be sent back into private life with an honorable discharge or a questionable discharge?

Mr. PADGETT. He could not get an honorable discharge if his parents sought to have him discharged on the ground that he was not of age. If he comes and asks to be discharged and gets it under the gentleman's provision where they are demobilizing all of them, he would get an honorable discharge.

Mr. WOOD of Indiana. What will happen to those boys who have received an ordinary discharge, not an honorable discharge, before this bill became a law?

Mr. PADGETT. It relates back to November 11, 1918.

Mr. SAUNDERS of Virginia. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. SAUNDERS of Virginia. In these cases the gentleman mentioned in which a young men has got into the Navy, not old enough to be received, and his parents make application for his discharge, and he gets his discharge, does he get any pay?

Mr. PADGETT. He is paid up to the time of his discharge.

Mr. SAUNDERS of Virginia. The reason I ask is that they discharged a boy in the Army without pay, and he was a thousand miles from home.

Mr. FIELDS. I think the gentleman is wrong in his statement of facts.

Mr. SAUNDERS of Virginia. He was discharged at Fort Douglas, Utah, and his father had to send him money to get home.

Mr. FIELDS. If he was discharged without honor he does not get the pay. It is not a dishonorable discharge but a discharge without honor.

Mr. SAUNDERS of Virginia. It makes him forfeit his pay and leaves him stranded.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee.

The amendment was agreed to.

Mr. PADGETT. Mr. Chairman, I offer another amendment.

The Clerk read as follows:

Amendment offered by Mr. PADGETT: Page 18, lines 21 to 23, strike out the words "though regularly discharged and reenlisted immediately upon expiration of a full four-year enlistment" and in lieu thereof insert "now provided by law for men who extend enlistment on completion of full four-year term of enlistment."

Mr. PADGETT. I explained yesterday what that was. Under existing law when a man came to extend his enlistment in the Navy one, two, three, or four years he has to extend it for four years to get the benefit of the rate of the four months' pay. Under the law if a man serves the full four years he can be discharged, and if reenlisted within four months he gets four months' pay for reenlistment. Under the wording of this, when we put it in we understood, and it was so represented, that he would have to add all he had served to the extension, making four years. But as it is worded in the bill there is an interpretation that he might get that four months' pay upon extending for one year.

Mr. MADDEN. The four months' pay, in other words, is included in the four years?

Mr. PADGETT. Yes; he must serve four years in order to get the four months' pay, and this is to make it clear.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Tennessee.

The amendment was agreed to.

Mr. PADGETT. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 18, line 15, after the word "discharged," change the period to a colon and add the following:

"*Provided further*, That any enlisted man who takes advantage of the provisions of this paragraph to secure a discharge from the Navy or Marine Corps and thereafter reenlists in the Navy or Marine Corps shall not be entitled to receive the benefits of the four months' pay provided by existing law for enlisted men reenlisting within four months."

Mr. MANN. Mr. Chairman, before the vote is taken upon that amendment, I ask unanimous consent that the gentleman from Pennsylvania [Mr. MCFADDEN] may proceed for two minutes out of order.

The CHAIRMAN. Does the gentleman from Tennessee yield for that purpose?

Mr. PADGETT. Yes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Pennsylvania [Mr. MCFADDEN] may proceed for two minutes out of order. Is there objection?

There was no objection.

Mr. MCFADDEN. Mr. Chairman and gentleman of the House, in the gallery of the House at this time sits Eddy Rickenbacher, the ace of aces. [Prolonged applause.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Tennessee.

The amendment was agreed to.

Mr. PADGETT. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 17, line 21, strike out lines 21, 22, 23, 24, and 25, and in lieu of the language stricken out insert:

"That enrolled men so transferred shall be entitled to and receive the same pay, rights, privileges, and allowances in all respects as now provided by existing law for men regularly discharged and reenlisted immediately upon expiration of their full four years' enlistment in the regular Navy or Marine Corps."

Mr. PADGETT. Mr. Chairman, this is the same as the other with reference to the four months' pay, so that they would have to come in and serve their four years by doing their service instead of extending for one year and getting the benefit of the four months' pay.

Mr. BUTLER. It is the same limitation as the gentleman has already offered?

Mr. PADGETT. It is the same as the other.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Tennessee.

The amendment was agreed to.

Mr. PADGETT. Mr. Chairman, I also offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 17, line 11, strike out the word "member" and insert the word "man."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Tennessee.

The amendment was agreed to.

Mr. PADGETT. Mr. Chairman, I move that the committee do now rise and report the bill to the House, with the various amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass. Pending that I ask unanimous consent that the Clerk may be authorized to correct the totals.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the Clerk may be authorized to correct the totals. Is there objection?

There was no objection.

Mr. MCCULLOCH. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The question is on the motion of the gentleman from Tennessee, that the committee do now rise and report the bill with amendments to the House with the recommendation that the amendments be agreed to and the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15339, the naval appropriation bill, and had directed him to report the same to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. PADGETT. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. MANN. Mr. Speaker, I ask for a separate vote on the Padgett amendment, which was offered in accordance with the provisions of the rule.

The SPEAKER. The gentleman from Illinois demands a separate vote on the Padgett amendment, which was made germane by the rule this morning. Is a separate vote demanded on any other amendment; if not, the Chair will put them in gross.

The question was taken, and the remaining amendments were agreed to.

The SPEAKER. The question is on the Padgett amendment.

SECOND DEFICIENCY APPROPRIATION BILL.

Mr. SHERLEY. Mr. Speaker, pending that may I present a conference report for printing under the rule?

The SPEAKER. The Clerk will report it by title.

The Clerk read as follows:

A bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes.

The SPEAKER. Ordered printed under the rule.

The conference report and statement are as follows:

CONFERENCE REPORT (NO. 1058).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2 and 4.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 5, 6, and 7, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended as follows: On page 3 of the bill, in line 4, strike out "$12,000" and insert in lieu thereof "$6,000"; and the Senate agree to the same.

SWAGAR SHERLEY,
JOHN J. EAGAN,
J. G. CANNON,
Managers on the part of the House.

THOMAS S. MARTIN,
O. W. UNDERWOOD,
F. E. WARREN,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to each of said amendments, namely:

On No. 1: Appropriates $6,000, as proposed by the Senate, instead of $12,000, as proposed by the House, for expenses of community forums and civic centers in public-school buildings in the District of Columbia.

On No. 2: Authorizes the use in the District of Columbia of $9,000, as proposed by the House, instead of $5,000, as proposed by the Senate, of the appropriation for carrying on the work of the Employees' Compensation Commission in France.

On No. 3: Strikes out, as proposed by the Senate, the paragraph providing for the occupancy of the Navy Department Annex by the Auditor for the War Department.

On No. 4: Appropriates $23,000, as proposed by the House, for furniture and other office equipment for the Treasury Department.

On No. 5: Appropriates $5,000,000, as proposed by the Senate, instead of $4,000,000, as proposed by the House, for temporary employees of the War Department.

On No. 6: Provides for the restoration to their former positions of all former Government employees who have been drafted or enlisted in the military service in the manner as proposed by the Senate, instead of in the manner proposed by the House.

On No. 7: Appropriates $2,614.84 for rent of buildings for the Navy Department, as proposed by the Senate, instead of $2,570.84, as proposed by the House.

SWAGAR SHERLEY,
JOHN J. EAGAN,
J. G. CANNON,
Managers on the part of the House.

LEGALIZING INFORMAL CONTRACTS.

Mr. DENT. Mr. Speaker, pending that I would like to submit a conference report on the bill H. R. 13274.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

The SPEAKER. Ordered printed under the rule.

COAL, OIL, AND GAS LEASES.

Mr. FERRIS. Mr. Speaker, I desire to submit a conference report on the bill S. 2812, the oil-leasing bill, to be printed under the rule.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (S. 2812) to encourage and promote the mining of coal, phosphate, gas, and sodium on the public domain.

The SPEAKER. Ordered printed under the rule.

Mr. LEVER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from South Carolina rise?

Mr. LEVER. Mr. Speaker, I desire to announce to the House that to-day I reported the bill to take care of the guaranteed price of wheat. Members have been making many inquiries about it.

The SPEAKER. The question is on the Padgett amendment.

Mr. MANN. Mr. Speaker, on that I ask for the yeas and nays.

The SPEAKER. The gentleman from Illinois demands the yeas and nays. Manifestly a sufficient number, and the yeas and nays are ordered.

The question was taken; and there were—yeas 194, nays 142, answered "present" 3, not voting 90, as follows:

YEAS—194.

Alexander	Dominick	Key, Ohio	Riordan
Almon	Donovan	Kiess, Pa.	Robinson
Aswell	Doolittle	Kincheloe	Rogers
Austin	Doremus	Kitchin	Romjue
Ayres	Drane	Kreider	Rouse
Bacharach	Dupré	Lampert	Rubey
Baer	Eagan	Lazaro	Rucker
Barkley	Eagle	Lee, Ga.	Sanders, La.
Barnhart	Farr	Lesher	Schall
Beakes	Ferris	Lever	Scully
Bell	Fields	Linthicum	Shackleford
Benson	Fisher	Littlepage	Shouse
Beshlin	Foss	Lobeck	Sims
Blackmon	Foster	Lonergan	Small
Bland, Va.	Freeman	Lufkin	Smith, Mich.
Blanton	Fuller, Mass.	McArthur	Smith, C. B.
Brand	Gallagher	McClintic	Snook
Britten	Gallivan	McCulloch	Steenerson
Brodbeck	Gandy	McKeown	Steele
Browning	Gard	McLemore	Stephens, Nebr.
Buchanan	Garrett, Tenn.	Maher	Sterling
Burnett	Garrett, Tex.	Mansfield	Sumners
Butler	Godwin, N. C.	Martin	Tague
Byrnes, S. C.	Goodwin, Ark.	Mays	Taylor, Colo.
Byrns, Tenn.	Gordon	Miller, Wash.	Thomas
Campbell, Pa.	Gray, Ala.	Montague	Thompson
Candler, Miss.	Gregg	Moon	Tillman
Cantrill	Griest	Morin	Tinkham
Caraway	Griffin	Mudd	Van Dyke
Carew	Hadley	Neely	Venable
Carter, Okla.	Hamlin	Nolan	Vinson
Classon	Hardy	Oldfield	Walton
Cleary	Harrison, Miss.	Oliver, Ala.	Watkins
Coady	Hastings	Oliver, N. Y.	Watson, Va.
Connally, Tex.	Hayden	Olney	Weaver
Connelly, Kans.	Heflin	Osborne	Webb
Cooper, Wis.	Hicks	Overmyer	Welling
Crago	Holland	Overstreet	Welty
Crisp	Houston	Padgett	Whaley
Crosser	Howard	Peters	Wilson, La.
Curry, Cal.	Hull, Tenn.	Phelan	Wilson, Tex.
Dallinger	Humphreys	Polk	Wingo
Davey	Igoe	Pou	Wise
Decker	Jacoway	Quin	Woods, Iowa
Dent	Johnson, Ky.	Ragsdale	Wright
Denton	Jones	Rainey, H. T.	Young, Tex.
Dewalt	Kehoe	Rainey, J. W.	Zihlman
Dickinson	Kelley, Mich.	Raker	
Dixon	Kettner	Ramseyer	

NAYS—142.

Anderson	Fess	Lea, Cal.	Scott, Mich.
Anthony	Focht	Little	Sells
Bankhead	Fordney	London	Shallenberger
Black	Frear	Longworth	Sherwood
Bowers	French	McFadden	Sinnott
Browne	Garland	McKenzie	Sisson
Burroughs	Gillett	McLaughlin, Mich	Slemp
Campbell, Kans.	Glynn	Madden	Sloan
Cannon	Good	Magee	Snell
Carter, Mass.	Goodall	Mann	Stafford
Cary	Gould	Mapes	Steagall
Chandler, Okla.	Green, Iowa	Merritt	Stephens, Miss.
Clark, Pa.	Greene, Mass.	Mondell	Stiness
Cooper, W. Va.	Greene, Vt.	Moore, Pa.	Sweet
Cramton	Hamilton, Mich.	Morgan	Switzer
Currie, Mich.	Hawley	Mott	Taylor, Ark.
Dale	Hersey	Nelson, A. P.	Templeton
Darrow	Hilliard	Nelson, J. M.	Tilson
Davis	Hollingsworth	Paige	Treadway
Dempsey	Huddleston	Parker, N. Y.	Vare
Denison	Hull, Iowa	Porter	Vestal
Dies	Hutchinson	Powers	Voigt
Dill	Ireland	Purnell	Volstead
Dillon	James	Ramsey	Walsh
Doughton	Johnson, S. Dak.	Randall	Ward
Dowell	Johnson, Wash.	Rankin	Wason
Dunn	Juul	Reavis	Wheeler
Dyer	Kearns	Reed	White, Me.
Edmonds	Kelly, Pa.	Roberts	Williams
Elliott	Kennedy, Iowa	Rose	Wilson, Ill.
Ellsworth	Kennedy, R. I.	Rowe	Winslow
Elston	King	Sanders, Ind.	Wood, Ind.
Esch	Kinkaid	Sanders, N. Y.	Woodyard
Essen	Knutson	Sanford	Young, N. Dak.
Fairchild, B. L.	Kraus	Saunders, Va.	
Fairfield	La Follette	Scott, Iowa	

ANSWERED "PRESENT"—3.

Caldwell	Emerson	Rayburn

NOT VOTING—90.

Ashbrook	Flynn	Langley	Russell
Birch	Francis	Larsen	Saloath
Bland, Ind.	Fuller, Ill.	Lehlbach	Sears
Booher	Garner	Lundeen	Sherley
Borland	Graham, Ill.	Lunn	Siegel
Brumbaugh	Graham, Pa.	McAndrews	Slayden
Carlin	Gray, N. J.	McCormick	Smith, Idaho
Chandler, N. Y.	Hamill	McKinley	Smith, T. F.
Church	Hamilton, N. Y.	McLaughlin, Pa.	Snyder
Clark, Fla.	Harrison, Va.	Mason	Stevenson
Claypool	Haskell	Miller, Minn.	Strong
Collier	Haugen	Moores, Ind.	Sullivan
Cooper, Ohio	Hayes	Nicholls, S. C.	Swift
Copley	Heaton	Nichols, Mich.	Taylor, Ark.
Costello	Heintz	Norton	Templeton
Cox	Helm	O'Shaunessy	Tilson
Delaney	Helvering	Park	Treadway
Dooling	Hensley	Parker, N. J.	Waldow
Drukker	Hood	Platt	Walker
Estopinal	Husted	Pratt	Watson, Pa.
Evans	Kahn	Price	White, Ohio
Fairchild, G. W.	Keating	Rodenberg	
Flood	LaGuardia	Rowland	

So the amendment was agreed to.

The Clerk announced the following additional pairs:

On this vote:

Mr. ASHBROOK (for) with Mr. HASKELL (against).

Mr. CALDWELL (for) with Mr. MOORES of Indiana (against).

Mr. COLLIER (for) with Mr. LAGUARDIA (against).

Mr. HOOD (for) with Mr. SIEGEL (against).

Mr. HENSLEY (for) with Mr. COOPER of Ohio (against).

Mr. MILLER of Minnesota (for) with Mr. GRAHAM of Illinois (against).

Mr. SMITH of Idaho (for) with Mr. LANGLEY (against).

Mr. THOMAS F. SMITH (for) with Mr. LEHLBACH (against).

Until further notice:

Mr. NICHOLLS of South Carolina with Mr. HAYES.

Mr. CARLIN with Mr. KAHN.

Mr. CHURCH with Mr. HAUGEN.

Mr. CLARK of Florida with Mr. FULLER of Illinois.

Mr. O'SHAUNESSY with Mr. GRAHAM of Pennsylvania.

Mr. SULLIVAN with Mr. BIRCH.

Mr. HELM with Mr. MASON.

Mr. SEARS with Mr. NICHOLS of Michigan.

Mr. LUNN with Mr. SNYDER.

Mr. LARSEN with Mr. HAMILTON of New York.

Mr. CALDWELL. Mr. Speaker, I voted "yea," but I am paired with Mr. MOORES of Indiana, and I would like to be recorded "present" instead.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is, Shall the bill pass?

Mr. PADGETT and Mr. MANN demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 280, nays 50, answered "present" 2, not voting 97, as follows:

YEAS—280.

Alexander	Drane	Kraus	Roberts
Almon	Dunn	Kreider	Robinson
Aswell	Dupré	Lampert	Rogers
Austin	Eagan	Lazaro	Romjue
Ayres	Eagle	Lea, Cal.	Rose
Bacharach	Edmonds	Lee, Ga.	Rouse
Baer	Ellsworth	Lesher	Rowe
Barkley	Elston	Lever	Rubey
Barnhart	Esch	Linthicum	Sanders, Ind.
Beakes	Fairchild, B. L.	Littlepage	Sanders, La.
Bell	Farr	Lobeck	Sanders, N. Y.
Benson	Ferris	Lonergan	Sanford
Beshlin	Fess	Longworth	Schall
Black	Fields	Lufkin	Scully
Blackmon	Fisher	McArthur	Shackleford
Bland, Va.	Focht	McClintic	Shallenberger
Blanton	Foss	McCulloch	Sherley
Bowers	Foster	McFadden	Shouse
Brand	Freeman	McKenzie	Sims
Britten	Fuller, Mass.	McKeown	Sinnott
Brodbeck	Gallagher	McLaughlin, Mich.	Slemp
Browning	Gallivan	McLemore	Sloan
Buchanan	Gandy	Madden	Small
Burnett	Gard	Magee	Smith, Mich.
Burroughs	Garland	Maher	Snell
Butler	Garrett, Tenn.	Mann	Snook
Byrnes, S. C.	Garrett, Tex.	Mansfield	Stedman
Byrns, Tenn.	Gillett	Mapes	Steele
Caldwell	Glynn	Martin	Sterling
Campbell, Kans.	Godwin, N. C.	Mays	Stiness
Campbell, Pa.	Goodwin, Ark.	Merritt	Sumners
Candler, Miss.	Gordon	Miller, Wash.	Sweet
Cannon	Gray, Ala.	Montague	Switzer
Cantrill	Green, Iowa	Moon	Tague
Caraway	Greene, Mass.	Moore, Pa.	Temple
Carew	Greene, Vt.	Morgan	Thomas
Carter, Okla.	Gregg	Morin	Thompson
Cary	Griest	Mott	Tillman
Clark, Pa.	Griffin	Mudd	Timberlake
Classon	Hadley	Neely	Tinkham
Cleary	Hardy	Nelson, A. P.	Towner
Coady	Harrison, Miss.	Nicholls, S. C.	Van Dyke
Connally, Tex.	Hastings	Nichols, Mich.	Vare
Connelly, Kans.	Hawley	Nolan	Venable
Cooper, W. Va.	Hayden	Oldfield	Vestal
Cooper, Wis.	Heflin	Oliver, Ala.	Vinson
Crago	Hicks	Oliver, N. Y.	Walsh
Crisp	Holland	Olney	Walton
Crosser	Houston	Osborne	Wason
Curry, Cal.	Howard	Overmyer	Watkins
Dale	Hull, Iowa	Overstreet	Watson, Va.
Dallinger	Hull, Tenn.	Padgett	Weaver
Darrow	Humphreys	Paige	Webb
Davey	Igoe	Parker, N. Y.	Welling
Davis	Jacoway	Peters	Welty
Decker	Johnson, Ky.	Phelan	Whaley
Dempsey	Jones	Polk	Wheeler
Dent	Juul	Pou	White, Me.
Denton	Kearns	Purnell	Wilson, Ill.
Dewalt	Kehoe	Quin	Wilson, La.
Dickinson	Kelley, Mich.	Ragsdale	Wilson, Tex.
Dill	Kennedy, Iowa	Rainey, H. T.	Wingo
Dillon	Kennedy, R. I.	Rainey, J. W.	Winslow
Dixon	Kettner	Raker	Rowe
Dominick	Key, Ohio	Ramsey	Wise
Donovan	Kiess, Pa.	Ramseyer	Woods, Iowa
Doolittle	Kincheloe	Randall	Woodyard
Doremus	King	Rayburn	Wright
Doughton	Kinkaid	Reed	Young, N. Dak.
Dowell	Kitchin	Riordan	Young, Tex.
			Zihlman

NAYS—50.

Anderson	Essen	James	Scott, Iowa
Anthony	Fairfield	Johnson, S. Dak.	Scott, Mich.
Bankhead	Fordney	Johnson, Wash.	Sells
Browne	Frear	Kelly, Pa.	Sherwood
Carter, Mass.	French	Knutson	Sisson
Chandler, Okla.	Good	La Follette	Stafford
Claypool	Goodall	Little	Steagall
Cramton	Hamilton, Mich.	London	Stephens, Miss.
Currie, Mich.	Hersey	Mondell	Volpt
Denison	Hilliard	Nelson, J. M.	Volstead
Dies	Hollingsworth	Powers	Wood, Ind.
Dyer	Huddleston	Rankin	
Elliott	Hutchinson	Reavis	

ANSWERED "PRESENT"—2.

Emerson	Ireland

NOT VOTING—97.

Ashbrook	Fairchild, G. W.	Helvering	O'Shaunessy
Birch	Flood	Hensley	Park
Bland, Ind.	Flynn	Hood	Parker, N. J.
Booher	Francis	Husted	Platt
Borland	Fuller, Ill.	Kahn	Porter
Brumbaugh	Garner	Keating	Pratt
Carlin	Gould	LaGuardia	Price
Chandler, N. Y.	Graham, Ill.	Langley	Rodenberg
Church	Graham, Pa.	Larsen	Rowland
Clark, Fla.	Gray, N. J.	Lehlbach	Rucker
Collier	Hamill	Lundeen	Russell
Cooper, Ohio	Hamilton, N. Y.	Lunn	Sabath
Copley	Hamlin	McAndrews	Saunders, Va.
Costello	Harrison, Va.	McCormick	Sears
Cox	Haskell	McKinley	Siegel
Delaney	Haugen	McLaughlin, Pa.	Slayden
Dooling	Hayes	Mason	Smith, Idaho
Drukker	Heaton	Miller, Minn.	Smith, C. B.
Estopinal	Heintz	Moores, Ind.	Smith, T. F.
Evans	Helm	Norton	Snyder

Steenerson	Swift	Treadway	White, Ohio
Stephens, Nebr.	Taylor, Ark.	Waldow	Williams
Stevenson	Taylor, Colo.	Walker	
Strong	Templeton	Ward	
Sullivan	Tilson	Watson, Pa.	

So the bill was passed.

The Clerk announced the following additional pairs:

Until further notice:

Mr. STEPHENS of Nebraska with Mr. MILLER of Minnesota.

Mr. SMITH of Idaho with Mr. LANGLEY.

Mr. HENSLEY with Mr. COOPER of Ohio.

Mr. THOMAS F. SMITH with Mr. LEHLBACH.

Mr. ASHBROOK with Mr. HASKELL.

Mr. HOOD with Mr. SIEGEL.

Mr. SEARS with Mr. HAYES.

Mr. HAMLIN with Mr. MOORES of Indiana.

Mr. HELVERING with Mr. GRAHAM of Illinois.

Mr. MCANDREWS with Mr. GOULD.

Mr. TAYLOR of Colorado with Mr. WARD.

On the vote:

Mr. COLLIER (for) with Mr. LAGUARDIA (against).

Mr. IRELAND. Mr. Speaker, I desire to vote "aye."

The SPEAKER. Was the gentleman in the Hall, listening?

Mr. IRELAND. I was not.

The SPEAKER. Then the gentleman can not vote. Does he desire to vote "present"?

Mr. IRELAND. Yes.

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. IRELAND, and he answered "Present."

Mr. WILLIAMS. Mr. Speaker, I want to vote "aye."

The SPEAKER. Was the gentleman in the Hall, listening?

Mr. WILLIAMS. No.

The SPEAKER. Then you can not do it.

Mr. WILLIAMS. I will vote "present."

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. WILLIAMS, and he answered "Present."

The result of the vote was announced as above recorded.

On motion of Mr. PADGETT, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent to extend my remarks by printing a letter from the Secretary of the Navy in response to my request for information relative to the radio stations.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Following is the letter referred to:

THE SECRETARY OF THE NAVY,
Washington, February 3, 1919.

MY DEAR MR. CHAIRMAN: In response to your inquiry regarding the action of the Navy Department in purchasing the Marconi ship-to-shore stations, with special reference to the remarks of the Hon. JAMES R. MANN in the CONGRESSIONAL RECORD of January 29, 1919, I beg to submit the following:

Mr. MANN stated that I went before Congress and asked for authority to make this purchase and that authority was denied me. I have not at any time appeared before Congress asking for such authority. Such action would have been wholly unnecessary and uncalled for, as the solicitor had already officially advised me that it was a matter entirely under my jurisdiction. Mr. MANN undoubtedly had in mind my appearance before the House Committee on the Merchant Marine and Fisheries on the bill for the regulation of radio communication before which I advocated Government control of all radio stations. At that time the purchase of the Marconi stations, which Mr. MANN referred to, had been concluded. The circumstances leading up to this purchase are these:

Under the authority vested in the President for the prosecution of the war all radio stations were placed under control of the Navy Department and the rental paid therefor based upon their earnings over a period of time. This control by the Navy Department was necessary in order to insure reliable communication, to limit the use of radio, and so to control its use that the department would have complete knowledge of what was being done by that means of communication. The inadequacy of existing regulations to peace conditions or to conditions such as existed before the United States entered the war was clearly evidenced by the fact that for a long time a German company remained in control of the powerful high-power station at Sayville, which broadcasted information and sent unneutral messages to German cruisers operating in the Atlantic.

Most of the Marconi coastal stations whose purchase was effected by the Navy Department had been operated continuously in the Navy coast signal service since the United States entered the war and had proved to be of great military value. Their value to the naval communication service would be even greater after peace was declared, due to the necessity for increased facilities to meet the radio requirements of our enlarged merchant marine and to eliminate interference. We were paying the Marconi Co. an annual rental for them amounting to $67,827.24. In addition we had paid the Marconi Co. rental for their ship stations on those merchant ships which had been commissioned by the Navy, this rental being at the rate of $1,000 per annum per ship. As the value of the equipment varied from $750 to $3,500 per ship, it is apparent that if this procedure were long continued we should soon pay for the equipment, which would still remain the property of the Marconi Co. The Navy Department, therefore, adopted the policy of

purchasing the ship equipment rather than pay rental, as the steamship companies were compelled to do.

The business which the Marconi Co. had built up comprised shore stations at intervals along the coast designed especially for communicating with ships at sea, these ships being equipped with radio apparatus owned by the Marconi Co. and leased to the owners of the ship at an annual rental of $1,000. Ships proceeding along the coast would communicate with a station, which would in turn communicate by land wire, if necessary, with the owners, and thus keep them fully advised of her movements and make it possible for the owners at any time to judge the destination of the ship or communicate instructions to her.

The Shipping Board, which has taken over a large number of ships, was also paying the rental to the Marconi Co. which the owners previously paid, and on June 4, 1918, the Shipping Board adopted a resolution authorizing the Bureau of Steam Engineering of the Navy Department "to purchase for account of the Shipping Board the leased radio equipment and all vessels operated by or under control of the Shipping Board."

This was communicated to the Bureau of Steam Engineering under date of June 6, 1918, and that bureau entered into negotiations with the Marconi Co. for the purchase of the radio equipment installed on ships operated by or under the control of the Shipping Board. Owing to the absence in South America of the president of the Marconi Co., definite reply to the inquiry addressed to that company was not made until October 8, 1918, when the company stated that their ship and shore stations were so interrelated that the ship-to-shore business of the company would disappear with the sale of either. They preferred to sell both the ship and shore stations rather than either one and named a figure of $2,040,240 as their price, which, it was stated, had been arrived at from a capitalization of their business on a 5 per cent basis.

Careful investigation was entered into with respect to the property and rights to be retained by the Marconi Co. The Bureau of Steam Engineering, acting upon the request of the Shipping Board, recommended the purchase of the stations. The Acting Chief of Naval Operations recommended the purchase for urgent military reasons. The matter was then referred to the Assistant Secretary of the Navy for examination, and his answer was that the purchase was wise and necessary and was worth $1,500,000 to the United States. A conference was then had with the president of the Marconi Co., who declined an offer of $1,250,000, but finally agreed to accept $1,450,000 and to include in the transfer four stations in Alaska which up to that time had not been considered in the negotiations but which are considered valuable acquisitions.

This purchase was absorbed by the Shipping Board, the Railroad Administration, which also had ships using this apparatus under its jurisdiction, and the Navy Department, the Shipping Board paying $519,300, the Railroad Administration $141,200, and the Navy Department the remainder, $789,500. The amount paid by the Shipping Board represented the value of the radio equipment of 267 ships, and that by the Railroad Administration the equipment of 63 ships.

That the purchase will prove a good investment for the Government should be apparent from the statement that, as I have before stated, the Navy Department was paying the Marconi Co. an annual rental of $67,887.24 for the shore stations which it had been operating, besides which the annual rental for the stations on the ships operated by the Shipping Board and the Railroad Administration was $330,000, a total of $397,887.24, which ceased upon the purchase of the entire system for $1,450,000.

The purchase was not approved until I was satisfied officially by the solicitor that there was no legal obstacle. From the remarks of Mr. MANN in the CONGRESSIONAL RECORD, I judge that he is under the impression that I exceeded the limitation of $10,000 imposed for the purchase of land for sites for radio stations. While I am unwilling to admit that this provision applies to the transaction under consideration, I desire to state for your information that the value of the land included in the purchase, as given by the Marconi Co., is $5,930. Some of the stations are on leased ground, and in the contract with the Marconi Co. it is provided that the Navy Department shall take over the leases formerly held by that company.

That there was no misrepresentation of the attitude of the Navy Department before the Committee on the Merchant Marine and Fisheries is evident from the most casual perusal of my hearing. On page 9 I state:

"The operation of the radio service has proven so satisfactory that the *purchase of the shore radio stations of the Federal Telegraph Co. and the Marconi Wireless Telegraph Co. of America, except the four high-power stations of the latter, has recently been announced.*" [Italic mine.]

It is obvious that I could not have asked this authority of the committee, and not having asked for the authority, the committee could not have denied me something I had not asked.

Again on the same page I state:

"This purchase means that the Marconi Co. has gone out of business of handling ship-to-shore messages, and this business has been turned over to the Navy Department, by whom it will be handled in future."

The bill H. R. 13159, the passage of which I advocated before the Committee on the Merchant Marine and Fisheries of the House of Representatives, is a bill looking to the Government ownership of all radio stations in the United States, with the exception of amateur and experimental stations. It is specifically pointed out that the department considers the Government ownership of radio stations as a proposition entirely independent of the Government ownership of public utilities in general. Radio telegraphy, on account of unavoidable interference, must have centralized and unified control, which, in the opinion of the department, can be attained only by Government ownership.

It is the desire of the department to prevent any possibility of the erection of stations by companies incorporated in this country, but secretly under foreign control, as has happened in the past in the case of the Sayville and Tuckerton stations. This bill is entirely apart from any consideration of recent purchase of the stations of the Marconi and Federal Telegraph Cos., to which the remarks of Mr. MANN were directed.

The whole question of the purchase of these coastal stations was gone into thoroughly before the committee, and the committee understood perfectly that the purchase had been made. There was absolutely no question of it.

Very respectfully,

JOSEPHUS DANIELS.

Hon. L. P. PADGETT,
Chairman Committee on Naval Affairs,
House of Representatives, Washington, D. C.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. DARROW, for three days, on account of official business.

To Mr. ASHBROOK, for three days, on account of official business.

EXTENSION OF REMARKS.

Mr. SANDERS of Indiana rose.

The SPEAKER. For what purpose does the gentleman from Indiana rise?

Mr. SANDERS of Indiana. To ask unanimous consent to extend my remarks by printing in the RECORD the very able eulogy delivered by the gentleman from South Dakota [Mr. JOHNSON] at Norristown, Pa., on Theodore Roosevelt.

The SPEAKER. The gentleman from Indiana asks unanimouse consent to extend his remarks by printing a eulogy by Mr. JOHNSON of South Dakota on Col. Roosevelt. Is there objection?

There was no objection.

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on this bill.

The SPEAKER. The gentleman from Alabama asks unanimous consent to extend his remarks on the bill just passed. Is there objection?

There was no objection.

Mr. HOLLINGSWORTH. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. WELLING. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

ARMY APPROPRIATION BILL.

Mr. DENT. Mr. Speaker, I ask unanimous consent that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15835, making appropriations for the support of the Army for the next fiscal year; and, pending that, Mr. Speaker, I ask unanimous consent that the control of the time during the general debate be divided equally between the gentleman from California [Mr. KAHN] and myself.

The SPEAKER. The gentleman from Alabama moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15835, the Army appropriation bill; and, pending that, he asks unanimous consent that the time on general debate be divided half and half between himself and the gentleman from California [Mr. KAHN]. Is there objection?

There was no objection.

The SPEAKER. The question is on the motion to go into Committee of the Whole House on the stete of the Union.

The motion was agreed to.

The SPEAKER. The Chair had asked Judge SAUNDERS, of Virginia, to preside over this committee, but he has disappeared, and the Chair will ask the gentleman from Massachusetts [Mr. GALLIVAN] to preside until Judge SAUNDERS returns.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15835, the Army appropriation bill, with Mr. GALLIVAN in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15835, the Army appropriation bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 15835) making appropriations for the support of the Army for the fiscal year ending June 30, 1920.

Mr. DENT. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. DENT. Mr. Chairman, this bill, so far as the amounts are concerned, has been reported by the Committee on Military Affairs practically unanimously. The legislation that has been put upon the bill is also practically unanimously agreed upon by the membership of the Committee on Military Affairs. I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GALLIVAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the Army appropriation bill, H. R. 15835, had come to no resolution thereon.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled bill of the following title, when the Speaker signed the same:

H. R. 15219. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1920, and for other purposes.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 55 minutes p. m.) the House adjourned until Wednesday, February 12, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the Secretary of the Treasury, transmitting reports as to the rents received from properties located on sites of proposed public buildings purchased by the United States Government in Washington, D. C. (H. Doc. No. 1785); to the Committee on Public Buildings and Grounds and ordered to be printed.

2. Letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War, submitting supplemental estimate of appropriation required by the Ordnance Department of the Army for Watertown Arsenal testing machines, fiscal year 1920 (H. Doc. No. 1786); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

By Mr. RAYBURN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 15836) to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, as amended, reported the same without amendment, accompanied by a report (No. 1053), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

By Mr. LEVER, from the Committee on Agriculture, to which was referred the bill (H. R. 15796) to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919 and to protect the United States against undue enhancement of its liabilities thereunder, reported the same with amendment, accompanied by a report (No. 1055), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

By Mr. MONTAGUE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 15707) granting the consent of Congress to the county of Martin, in the State of North Carolina, to construct a bridge across the Roanoke River at or near Williamston, N. C., reported the same without amendment, accompanied by a report (No. 1049), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 15207) granting the consent of Congress to the Fall Branch Coal Co. to construct a bridge across Tug River, reported the same without amendment, accompanied by a report (No. 1050), which said bill and report were referred to the House Calendar.

Mr. SANDERS of Louisiana, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 14555) granting the consent of Congress to the board of supervisors of Itawamba County, Miss., to construct a bridge across the Tombigbee River at or near Barr's Ferry, in said county, reported the same with amendment, accompanied by a report (No. 1051), which said bill and report were referred to the House Calendar.

Mr. DECKER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 15039) granting the consent of Congress to the Newport road district to construct a bridge across the White River within or near the city limits of the city of Newport, Ark., reported the same without amendment, accompanied by a report (No. 1052), which said bill and report were referred to the House Calendar.

Mr. FLOOD, from the Committee on Foreign Affairs, to which was referred the joint resolution (H. J. Res. 357) requesting the commissioners plenipotentiary of the United States of America to the international peace conference to present to the said conference the right of Ireland to freedom, independence, and self-determination, reported the same with amendment, accompanied by a report (No. 1054), which said joint resolution and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SHALLENBERGER, from the Committee on Military Affairs, to which was referred the bill (H. R. 13802) authorizing the Secretary of War to grant to John D. Sherwood, of Spokane, Wash., the right to overflow certain lands on the Fort George Wright Military Reservation, at Spokane, Wash., and to accept the conveyance to the United States of other lands to be designated by the Secretary of War and suitable for a rifle range in exchange for the land so overflowed, reported the same without amendment, accompanied by a report (No. 1056), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. EMERSON: A bill (H. R. 15844) to incorporate The United States Soldiers, Sailors, and Marines World's War Veterans; to the Committee on the District of Columbia.

By Mr. EDMONDS: A bill (H. R. 15845) to provide for ocean mail steamship lines to South America, and to provide for their operation and disposition, and for other purposes in connection therewith; to the Committee on the Merchant Marine and Fisheries.

By Mr. BRODBECK: A bill (H. R. 15846) authorizing the Secretary of War to donate to the borough of Red Lion, York County, Pa., one cannon or fieldpiece with carriage and suitable number of shells; to the Committee on Military Affairs.

By Mr. AYRES: A bill (H. R. 15847) authorizing the Secretary of War to donate to the city of Newton, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. OVERSTREET: A bill (H. R. 15848) authorizing the Secretary of War to donate to the city of Savannah, Ga., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. CALDWELL: A bill (H. R. 15849) authorizing the Secretary of War to donate to the Maspeth Civic Association one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MORGAN: A bill (H. R. 15850) authorizing the Secretary of War to donate to the city of Cherokee, State of Oklahoma, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MILLER of Minnesota: A bill (H. R. 15851) authorizing the Secretary of War to donate to the village of Mountain Iron, Minn., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CANNON: A bill (H. R. 15852) authorizing the Secretary of War to donate to the city of Marshall, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CHARLES B. SMITH: A bill (H. R. 15853) to amend sections 8 and 21 of the copyright act approved March 4, 1909; to the Committee on Patents.

By Mr. DENISON: A bill (H. R. 15854) to provide for the erection of a public building at Carbondale, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. LAMPERT: A bill (H. R. 15855) authorizing the Secretary of War to donate to the village of Omro, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15856) authorizing the Secretary of War to donate to the village of Princeton, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15857) authorizing the Secretary of War to donate to the village of Green Lake, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15858) authorizing the Secretary of War to donate to the village of New Holstein, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15859) authorizing the Secretary of War to donate to the village of Montello, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15860) authorizing the Secretary of War to donate to the village of Winneconne, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WINSLOW: A bill (H. R. 15861) to authorize the acquisition of a site and the erection of a Federal building at Whitinsville, Mass.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15862) to authorize the acquisition of a site and the erection of a Federal building at Westboro, Mass.; to the Committee on Public Buildings and Grounds.

By Mr. RAMSEY: A bill (H. R. 15863) for the purchase of a site and erection of a public building at Phillipsburg, N. J.; to the Committee on Public Buildings and Grounds.

By Mr. KALANIANAOLE: A bill (H. R. 15864) to establish a fund for public work in the Territory of Hawaii, and for other purposes; to the Committee on the Territories.

Also, a bill (H. R. 15865) granting statehood to the Territory of Hawaii; to the Committee on the Territories.

Also, a bill (H. R. 15866) authorizing the Secretary of War to donate captured German cannon and fieldpieces to the cities and towns of the Territory of Hawaii; to the Committee on Military Affairs.

By Mr. WEBB: A bill (H. R. 15867) authorizing the Secretary of War to donate to the county of Gaston, in the State of North Carolina, two German cannon or fieldpieces with carriage and suitable complement of projectiles; to the Committee on Military Affairs.

Also, a bill (H. R. 15868) authorizing the Secretary of War to donate to the North Carolina School for the Deaf at Morganton, in the State of North Carolina, two German cannon or fieldpieces with carriage and suitable complement of projectiles; to the Committee on Military Affairs.

Also, a bill (H. R. 15869) authorizing the Secretary of War to donate to the city of Shelby, in the State of North Carolina, two German cannon or fieldpieces with carriage and suitable complement of projectiles; to the Committee on Military Affairs.

Also, a bill (H. R. 15870) authorizing the Secretary of War to donate to the city of Lincolnton, in the State of North Carolina, two German cannon or fieldpieces with carriage and suitable complement of projectiles; to the Committee on Military Affairs.

Also, a bill (H. R. 15871) authorizing the Secretary of War to donate to Davidson College, in the State of North Carolina, two German cannon or fieldpieces with carriage and suitable complement of projectiles; to the Committee on Military Affairs.

By Mr. WRIGHT: A bill (H. R. 15872) to authorize the Secretary of War to donate to the city of Columbus, Ga., one cannon or fieldpiece captured by the American Army from the forces of the Imperial German Government during the present war; to the Committee on Military Affairs.

By Mr. OLIVER of Alabama: A bill (H. R. 15873) authorizing the acquisition of a site for a public building at Greensboro, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. KINCHELOE: A bill (H. R. 15874) authorizing the Secretary of War to donate to the town of Sturgis, Ky., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LUFKIN: A bill (H. R. 15875) for the purchase of a site for and the erection of a post-office building at Gloucester, Mass.; to the Committee on Public Buildings and Grounds.

By Mr. TINKHAM: A bill (H. R. 15876) authorizing the Secretary of War to donate to the city of Boston, Mass., three German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. PHELAN: A bill (H. R. 15877) providing for a site and a Federal building for a post office at Peabody, Mass.; to the Committee on Public Buildings and Grounds.

By Mr. CRISP: A bill (H. R. 15878) to provide for the purchase of a site for a public building at Ashburn, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15879) to provide for the purchase of a site and erection of a public building at Cuthbert, Ga.; to the Committee on Public Buildings and Grounds.

By Mr. GODWIN of North Carolina: A bill (H. R. 15880) to provide for the erection of a public building at Southport, in the State of North Carolina; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15881) for the erection of a public building at Lumberton, N. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15882) to provide for a site and public building at Dunn, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. WOODS of Iowa: A bill (H. R. 15883) to provide for the construction, maintenance, and improvement of a system of national interstate roads; to the Committee on Roads.

By Mr. PHELAN: A bill (H. R. 15884) providing for a site and a Federal building for post office and other Government departments at Lynn, Mass.; to the Committee on Public Buildings and Grounds.

By Mr. VINSON: Resolution (H. Res. 568) providing for the continued employment during the recess of nine messengers in the House of Representatives post office; to the Committee on Accounts.

By Mr. MILLER of Minnesota: Resolution (H. Res. 569) calling upon the Secretary of War to transmit a copy of The Bush Terminal Report; to the Committee on Military Affairs.

By Mr. FULLER of Illinois: Resolution (H. Res. 570) requesting the President to communicate to the House certain information regarding the War Trade Board; to the Committee on Interstate and Foreign Commerce.

By Mr. CHARLES B. SMITH: Resolution (H. Res. 571) requesting the Secretary of Commerce to report on the value of motion pictures in promoting the expansion of interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

By the SPEAKER: Memorial of the Legislature of the State of Utah urging an amendment of the law giving Federal aid in the construction of post roads, so as to insure a more equitable distribution of funds to sparsely settled States, and to provide a more reasonable time limit for the availability of such Federal aid; to the Committee on the Post Office and Post Roads.

Also, memorial from the Legislature of the State of Idaho, memorializing Congress to make an appropriation to construct a road in Idaho County, Idaho, to open up certain gold mining districts; to the Committee on the Post Office and Post Roads.

By Mr. CAMPBELL of Kansas: Memorial of the Legislature of the State of Kansas urging an appropriation for the building of a highway suggested by the Fort Leavenworth, Camp Funston, and Fort Bliss National Military Highway Association; to the Committee on Military Affairs.

By Mr. DAVIS: Memorial of the Legislature of the State of Minnesota, favoring the Smith-Bankhead bills making available for industrial and other cripples the same advantages of retraining that have been extended to soldiers wounded in line of duty, etc.; to the Committee on Education.

By Mr. LAMPERT: Memorial of the Legislature of the State of Ohio, urging the Congress of the United States to enact necessary legislation to allow soldiers, sailors, and marines who served in the war against Germany and her allies six months' pay after discharge; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Ohio, urging the Congress of the United States to secure at the earliest possible moment the discharge of farmers from the military and naval service; to the Committee on Military Affairs.

By Mr. LOBECK: Memorial of the Legislature of the State of Nebraska, calling upon Congress to fittingly reward the loyal and faithful men of the American Army and Navy; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Nebraska, protesting against the rewarding of slackers and objectors and urging the Congress to reward the brave and faithful who offered their lives in the service of the country; to the Committee on Military Affairs.

By Mr. MILLER of Minnesota: Memorial of the Legislature of the State of Minnesota, favoring the extension of the benefits of reeducation and retraining now extended by law to crippled soldiers, sailors, and marines to industrial and other cripples; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CARY: A bill (H. R. 15885) granting an increase of pension to Michael McCormick; to the Committee on Invalid Pensions.

By Mr. KNUTSON: A bill (H. R. 15886) granting an increase of pension to Alonzo Green; to the Committee on Invalid Pensions.

By Mr. McCULLOCH: A bill (H. R. 15887) granting an increase of pension to George Brenizer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15888) granting an increase of pension to Andrew Cook; to the Committee on Invalid Pensions.

By Mr. STEPHENS of Mississippi: A bill (H. R. 15889) to carry into effect the findings of the Court of Claims in favor of

Dora Alexander Miller and Emma Alexander, in her own right and as administratrix of the estates of Jennie Alexander, deceased, and of Charles T. Alexander, deceased; to the Committee on War Claims.

By Mr. WATKINS: A bill (H. R. 15890) to carry into effect the findings of the Court of Claims in favor of the estate of Jacob A. Wolfson, deceased; to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BRODBECK: Petition of citizens of Red Lion, York County, Pa., asking for presentation of a captured German cannon, etc.; to the Committee on Military Affairs.

By Mr. CAREW: Petition of citizens of New York City, asking for repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of fifty-fifth annual convention of the New York State Federation of Labor, protesting against the postal zone law; to the Committee on Ways and Means.

By Mr. CARY: Petition of Bricklayers' Union No. 8, of Wisconsin, held at Milwaukee, February 7, 1919, indorsing plans for appropriating funds to complete public works suspended by war; prohibiting immigration; providing salary for discharged soldiers; appropriating sum of money to purchase, drain, and irrigate Government-owned land to be sold to soldiers, sailors, and war workers; to the Committee on Military Affairs.

Also, petition of George Zeigler Co., Milwaukee, Wis., asking extension of time on new law governing profit required; to the Committee on the Judiciary.

By Mr. DALLINGER: Petition of sundry citizens of Arlington, Mass., protesting against the postal zone law; to the Committee on Ways and Means.

Also, petition of citizens of Arlington, Boston, and Salem, Mass., protesting against the postal zone law; to the Committee on Ways and Means.

By Mr. DAVIS: Petition of Minnesota Vegetable Growers' Association, at a meeting held January 30, 1919, at Minneapolis, Minn., protesting against any change in time, as by setting the clock ahead, as was authorized by a Federal act in 1918; to the Committee on Agriculture.

By Mr. DOOLING: Petition of Thomas J. Logan, Metal Trades Council, navy yard, New York, favoring immediate establishment of equitable retirement system for Federal employees; to the Committee on Reform in the Civil Service.

Also, petition of Traffic Club of New York, with membership of 1,100, urging Congress to enact such revised legislation as will provide a uniform system of regulation in essential matters and an early return of transportation systems of the country to control and management of their owners; to the Committee on Interstate and Foreign Commerce.

By Mr. EMERSON: Petition of H. B. & S. U., of Cleveland, Ohio, protesting against the admission to the league of nations nations that do not guarantee religious freedom; to the Committee on Foreign Affairs.

Also, petition adopted at meeting of leading citizens of Cleveland, Ohio, in favor of Senate resolution 378 (Senator LODGE's resolution); to the Committee on Foreign Affairs.

Also, petition of soldiers, sailors, and marines, requesting the incorporation of the United States Soldiers', Sailors', and Marines' World's War Veterans; to the Committee on Military Affairs.

By Mr. FAIRFIELD: Petition of citizens of Fort Wayne, Ind., for Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. FRENCH: Memorial of mayor and council of Boise, Idaho, urging reclamation of Idaho lands by irrigation; to the Committee on Irrigation of Arid Lands.

By Mr. HAMILTON of New York: Petition of sundry citizens of Dunkirk, N. Y., favoring the retention of the railroads by the Government; to the Committee on Interstate and Foreign Commerce.

By Mr. HENSLEY: Petition of E. W. O'Rouke, W. S. Preston, and other citizens of De Soto, Mo., favoring national ownership and Government operation of all railroads, and indorsing specifically House bill 10550; to the Committee on Interstate and Foreign Commerce.

By Mr. HOLLINGSWORTH: Petition of Myron T. Herrick, chairman Cleveland Association of War Materials Manufacturers, favoring conference committee compromise on bill validating war-material contracts; to the Committee on Public Buildings and Grounds.

By Mr. KELLY of Pennsylvania: Petition of Braddock Board of Trade, favoring continued control of wire system of United States until proper legislation can be enacted by Congress; to the Committee on Interstate and Foreign Commerce.

By Mr. KRAUS: Petition of sundry citizens of Huntington, Ind., in favor of Government control of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Wabash, Ind., in favor of Government control of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. LAMPERT: Petition of citizens of the State of Wisconsin, favoring House bill 10550, providing for the national ownership and Government operation of all railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of employees of the Soo Line Railway, North Fond du Lac, Wis., in favor of Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. MOORE of Pennsylvania: Petition of Philadelphia Chamber of Commerce, opposing Government ownership of railroads and telegraph lines; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: Petition of Humbolt Chamber of Commerce, of Eureka, Cal., asking Congress to prevent the return of German and Austrian former residents who departed to join the central armies; also, for the deportation of interned enemy aliens; to the Committee on Immigration and Naturalization.

Also, petition of John P. Dean, Berkeley, Cal., against theater tax; to the Committee on Ways and Means.

Also, petition of V. E. Rae, of Weaverville, Cal., protesting against the postal zone law; to the Committee on Ways and Means.

Also, petition of executive committee of the California Teachers' Association, Central Section, urging the passage of Senate bill 4987; to the Committee on Education.

By Mr. TAGUE: Evidence in support of H. R. 567; to the Committee on Rules.